



**City of Hamilton**  
**COMMITTEE OF ADJUSTMENT**  
**AGENDA**

**Meeting #:** 20-05  
**Date:** June 25, 2020  
**Time:** 1:00 p.m.  
**Location:** Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website:  
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:  
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Jamila Sheffield, Secretary Treasurer (905) 546-2424 ext. 3935

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	<b>Pages</b>
<b>1. Housekeeping</b>	
<b>2. PREVIOUSLY TABLED</b>	
2.1 1:15 p.m. HM/A-19:410 121 Hunter St. W., Hamilton (Ward 2) Agent: Urban Solutions c/o Matt Johnston Owner: Renimob Properties Ltd. c/o David Horwood	5
2.2 1:20 p.m. FL/A-20:18 60 Rockcliffe, Flamborough (Ward 15) Owners Ron & Aurea Clark	25
2.3 1:25 p.m. FL/A-20:12 24 McDonald Crt., Flamborough (Ward 15) Owners C. & J. Sousa	35

**3. RURAL**

- 3.1 1:30 p.m. FL/A-20:28 (16 Orchard Dr., Flamborough (Ward 15)) 49  
Agent Barich Grenkie Surveying Ltd.  
Owner Toni-Lynne Jackson
- 3.2 1:35 p.m. FL/A-20:33 (550 Tenth Con. Rd. E., Flamborough (Ward 15)) 61  
Agent Matt Taugher  
Owners Britney & Cooper Taugher
- 3.3 1:40 p.m. DN/A-20:31 (31 Helen St., Dundas (Ward 13)) 79  
Owners Chris & Penny Collier
- 3.4 1:45 p.m. FL/A-20:32 (4 Haines Avenue, Flamborough (Ward 13)) 95  
Owner Derek Wojtasik
- 3.5 1:50 p.m. DN/A-20:3751 Sunrise Cres., Dundas (Ward 13) 115  
Owners Denise & Frazer Johnson
- 3.6 1:55 p.m. DN/A-20:42229 Hatt St., Dundas (Ward 13) 133  
Agent Sam Mattina  
Owner Morning Investments Inc.
- 3.6.a 1:55 p.m. DN/A-20:43231 Hatt St., Dundas (Ward 13) 145  
Agent Sam Mattina  
Owner Morning Properties Inc.
- 3.6.b 1:55 p.m. DN/A-20:44233 Hatt St., Dundas (Ward 13) 157  
Agent Sam Mattina  
Owner Morning Investments Inc.

**4. SUBURBAN**

- 4.1 2:00 p.m. HM/A-19:359469 Scenic Dr., Hamilton (Ward 14) 169  
Agent Michael Barton  
Owner Naveen Parasu



4.2	2:05 p.m.AN/A-20:3996 Floresta Crt., Ancaster (Ward 12)  Owners Stephanie Ward & Jeremy van den Heuvel	181
4.3	2:10 p.m.AN/A-20:30153 Wilson St. W., Ancaster (Ward 12)  Agent J. Johns Consulting Group Ltd. Owner Garth Trails Limited	199
4.4	2:15 p.m.HM/B-20:13360 Mohawk Rd. W., Hamilton (Ward 8)  Agent IBI Goup c/o A. Buonamici Owner Tuscany Hills Homes c/o Dominic Chiaravalle	221
4.4.a	2:15 p.m.HM/B-20:14360 Mohawk Rd. W., Hamilton (Ward 8)  Agent IBI Group c/o A. Buonamici Owner Tuscany Hills Homes c/ Dominic Chiaravalle	239
4.4.b	2:15 p.m.HM/B-20:15360 Mohawk Rd. W., Hamilton (Ward 8)  Agent IBI Group c/o A. Buonamici Owner Tuscany Hills Homes c/ Dominic Chiaravalle	255
4.5	2:30 p.m.AN/B-20:12372 Springbrook Ave., Ancaster (Ward 12)  Agent T. Johns Consulting Group Ltd. Owner Laudis Corporation	271
4.6	2:35 p.m.HM/B-20:1173 Chipman Ave., Hamilton (Ward 8)  Agent T. Johns Consulting Group Ltd. Owner Atlas Homes Corp. c/o Tarik Abbas	291
4.7	2:40 p.m.HM/A-20:38135 Limeridge Rd. E., Hamilton (Ward 8)  Agent A.J. Clarke & Associates Ltd. Owner 2573855 Ontario Inc. c/o Maurizio Silvestri	307

## 5. URBAN

5.1	2:45 p.m.Amended HM/B-19:23684 Beach Blvd., Hamilton (Ward 5)  Agent A.J. Clarke & Associates Ltd. c/o Spencer Skidmore  Owner: Alan Gerard Macdonald and Patricia Leblanc (c/o Kyle Camarro)	321
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- 5.2 2:50 p.m.HM/B-20:102804 King St. E., Hamilton (Ward 5) 333  
Agent T. Johns Consulting Group Ltd.  
Owner Tamlann Investments Ltd.
- 5.3 2:55 p.m.HM/B-20:098 Vienna St., Hamilton (Ward 5) 353  
Agent T. Johns Consulting Group Ltd.  
Owner Milan & Milena Coric
- 5.4 3:00 p.m.HM/A-20:4073 Cannon St. E, Hamilton (Ward 2) 373  
Agent Charlie Chiarelli  
Owner Lisa Hori
- 5.5 3:05 p.m.HM/A-20:3666 Oak Knoll Dr., Hamilton (Ward 1) 383  
Owners Jakob & Lorie Koch
- 5.6 3:10 p.m.HM/A-19:290315B Aberdeen Ave., Hamilton (Ward 1) 401  
Agent Michael P. Sabelli  
Owner Kevin Daley
- 5.7 3:15 p.m.HM/A-20:2971 Chatham St., Hamilton (Ward 1) 421  
Agent David Wilson  
Owners Alison Nielsen-Jones & Andrew Crawford
- 5.8 3:20 p.m.HM/A-19:34966 Radford St., Hamilton (Ward 1) 439  
Owner Dan Huynh
- 5.9 3:25 p.m.HM/A-20:101137 George St., Hamilton (Ward 1) 451  
Agent KSA Architectural Solutions c/o K. Stacey  
Owner Ontario Inc. 1919968 c/o M. Power

**6. CLOSED**

**7. ADJOURNMENT**



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 Fax (905) 546-4202

E-mail: [morgan.evans@hamilton.ca](mailto:morgan.evans@hamilton.ca) or [scott.baldry@hamilton.ca](mailto:scott.baldry@hamilton.ca)

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

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

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

**APPLICATION NO.:** HM/A-19:410

**APPLICANTS:** Owner: Renimob Properties Ltd. c/o David Horwood  
Agent: Urban Solutions c/o Matt Johnston

**SUBJECT PROPERTY:** Municipal address **121 Hunter St. W., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** E-3 district (High Density Multiple Dwelling)

**PROPOSAL:** To permit the conversion of multiple dwelling containing two hundred and twenty-five (225) dwelling units into a condominium pursuant to Condominium Conversion File No. 25CDM-CONV-11-001 notwithstanding that:

1. A minimum front yard depth of 0.0m shall be permitted for the portion of the building containing the above ground and underground garage instead of the minimum required front yard depth of 7.5m.
2. A minimum easterly side yard width of 13.4m shall be permitted for the multiple dwelling and a minimum easterly side yard width of 0.0m shall be permitted for the portion of the building containing the above ground and underground garage instead of the minimum required side yard width of 13.5m.
3. A minimum southerly side yard width of 13.4m shall be permitted for the multiple dwelling and a minimum southerly side yard width of 0.0m shall be permitted for the portion of the building containing the above ground and underground garage instead of the minimum required side yard width of 13.5m.
4. A maximum floor area ratio of 3.39 shall be permitted instead of the requirement that no building or structure in an "E-3" District shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 2.55.
5. A minimum landscaped area of 22% shall be permitted and there shall be no requirement respecting a minimum dimension and location instead of the requirement that there shall be provided and maintained on the lot and within the district at least 26.6% of the area of the lot on which it is situate as landscaped area as required by Minor Variance File No. HM/A-15:107 and at least 40% of said landscaped area shall be in one space having a least dimension of 6.0 metres and in other than the front yard.
6. A minimum of six (6) visitor parking space shall be provided instead of the minimum required thirty-six (36) visitor parking spaces.

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Page 2

7. A minimum aisle width manoeuvring space of 4.2m shall be provided instead of the minimum required aisle width manoeuvring space of 6.0m.
8. A minimum two-way access driveway width of 2.8m shall be provided instead of the minimum required two-way access driveway width of 6.0m
9. The boundary of the parking area containing five (5) or more parking spaces shall be 0.0m from the adjoining residential district boundary instead of the requirement that the boundary of every parking area on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed not less than 1.5m from the adjoining residential district boundary.
10. The boundary of the parking area containing five (5) or more parking spaces shall be 0.0m from a street line for a parking area within 3.0m of a residential district instead of the requirement that the boundary of the parking area shall be not closer to the street line than the minimum depth of the front yard required to be provided in the adjoining residential district (being 7.5m for the adjoining "E" district and 12.0m for the adjoining "A/S-1443" district) for that portion of the parking area within 3.0m of a residential district.
11. No planting strip shall be provided between the boundary of the parking area and the residential district instead of the requirement that for a parking area on a lot containing five or more parking spaces there shall be provided and maintained a planting strip between the boundary of the parking area and the residential district.
12. No visual barrier shall be provided along the boundary of the lot abutting a residential district instead of the requirement that for a parking area on a lot containing five or more parking spaces there shall be provided and maintained a visual barrier along the boundary of the lot abutting the residential district not less than 1.2m in height and not greater than 2.0m in height.
13. The required parking area shall be permitted to be located in the required front yard instead of the requirement that no part of the required parking area in a residential district shall be located in a required front yard.
14. Tandem parking shall be permitted for parking spaces labelled as Units 44A, 44B, 45A and 45B on Level 1 instead of the requirement that sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.
15. The manoeuvring space for Units 44A and 45A shall be permitted to be obstructed by other parking spaces as tandem parking shall be permitted instead of the requirement that all manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

## NOTE:

- i) The variances are necessary to facilitate Condominium Conversion File No. 25CDM-CONV-11-001.

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

HM/A-19:410  
Page 3

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**DATE:** Thursday, June 25th, 2020  
**TIME:** 1:15 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)**  
**for viewing purposes only**

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#### **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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

#### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

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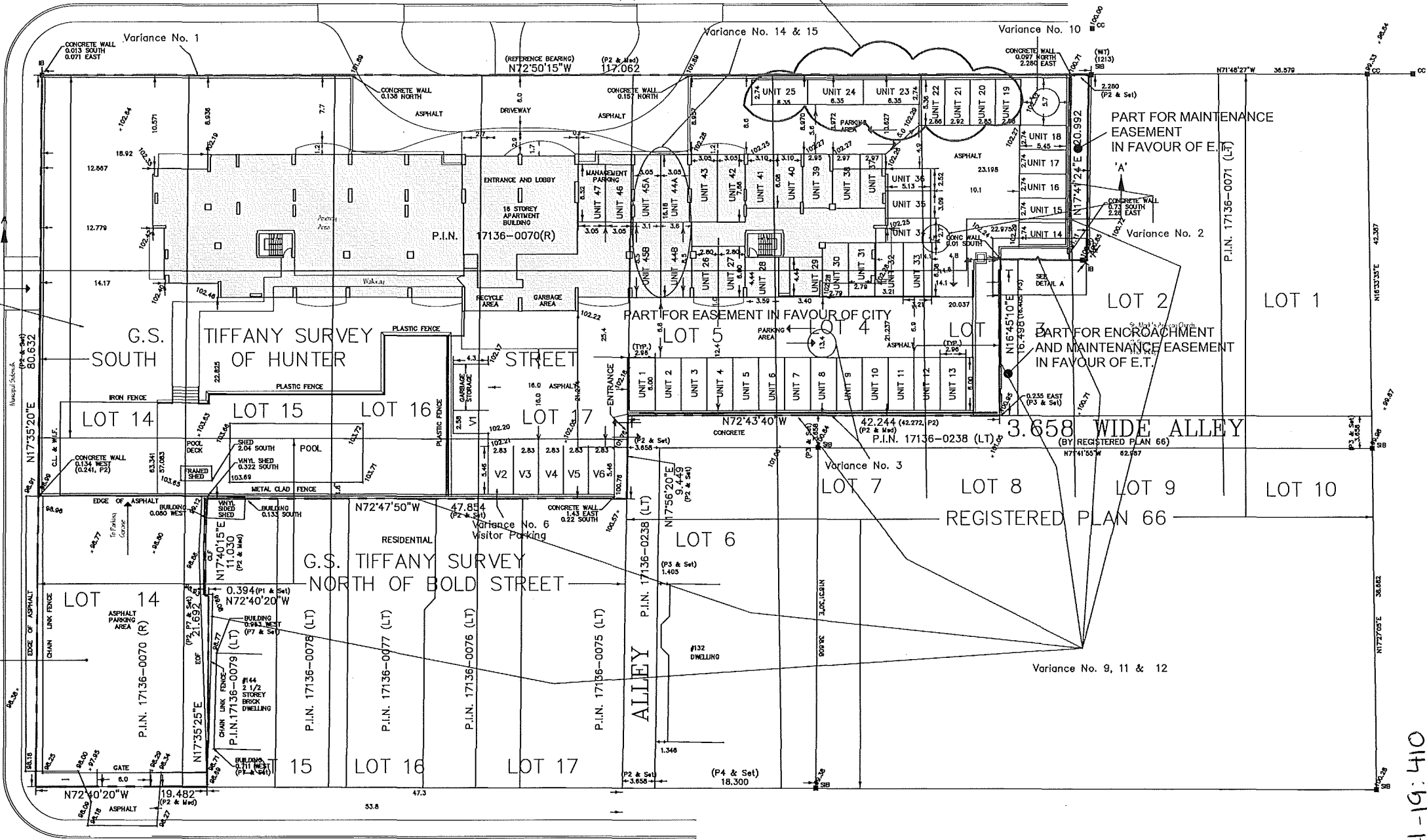
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



HUNTER STREET WEST  
(20.117m WIDE)  
P.I.N. 17136-0223 (LT)

Variance No. 13



Variance No. 5  
Total Lot Area = 5,638.0252 m<sup>2</sup>  
Total Landscape Area = 1,288.664 m<sup>2</sup> (22.85 %)

OUTDOOR PARKING  
(AT SAME ELEVATION  
AS UNDERGROUND  
SEE LEVEL A)

PART FOR MAINTENANCE  
EASEMENT  
IN FAVOUR OF E. (LT)

PART FOR EASEMENT IN FAVOUR OF CITY

PART FOR ENCROACHMENT  
AND MAINTENANCE EASEMENT  
IN FAVOUR OF E.T.

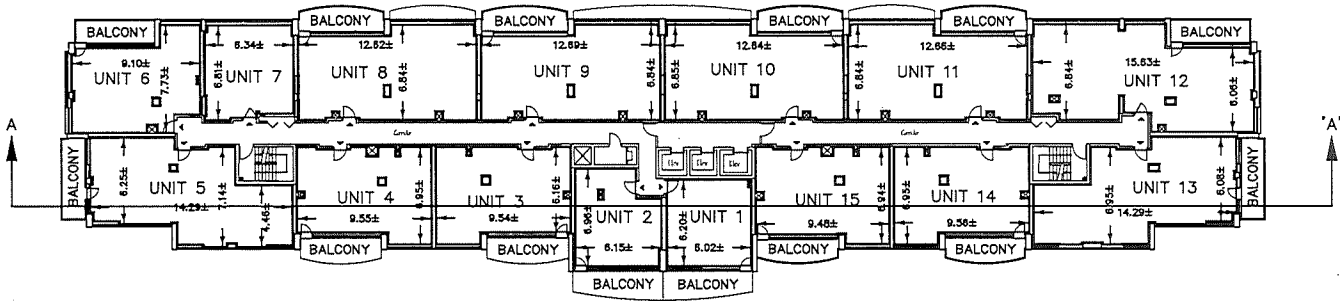
3.658 WIDE ALLEY  
(BY REGISTERED PLAN 66)

REGISTERED PLAN 66

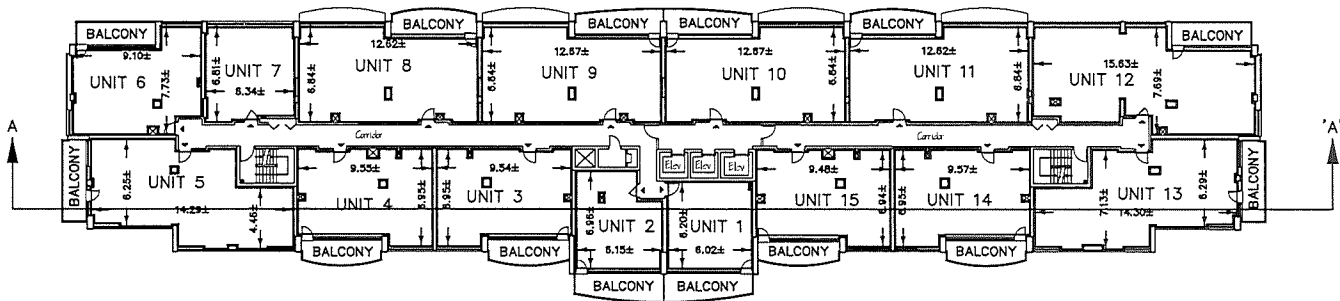
BOLD STREET  
(20.117m WIDE)  
P.I.N. 17136-0226 (LT)

HM/A-19: 410  
Sketch 2

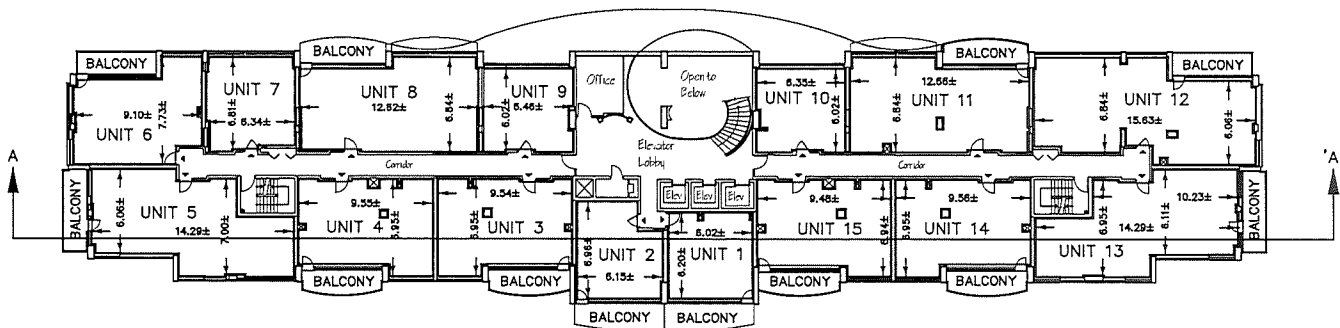
Variance No. 4



LEVEL 4, 6, 8, 10, 12, 14, 16



LEVEL 3, 5, 7, 9, 11, 13, 15



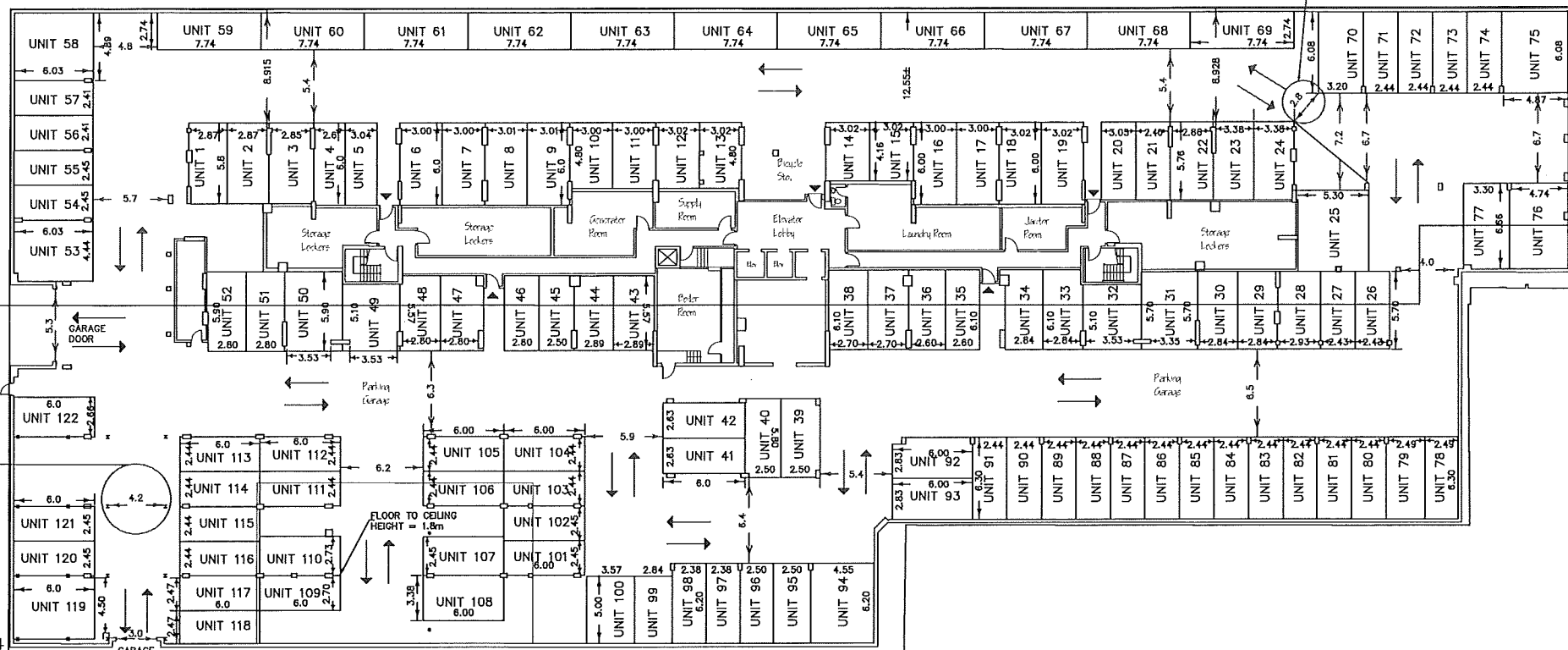
LEVEL 2

HM/A-19:410  
Sketch 3





CAROLINE STREET SOUTH



Caroline St. Entrance

0.254

Garage Door

Garage Door

Garage Door

Garage Door

Garage Door

Garage Door

Garage Door

Garage Door

Garage Door

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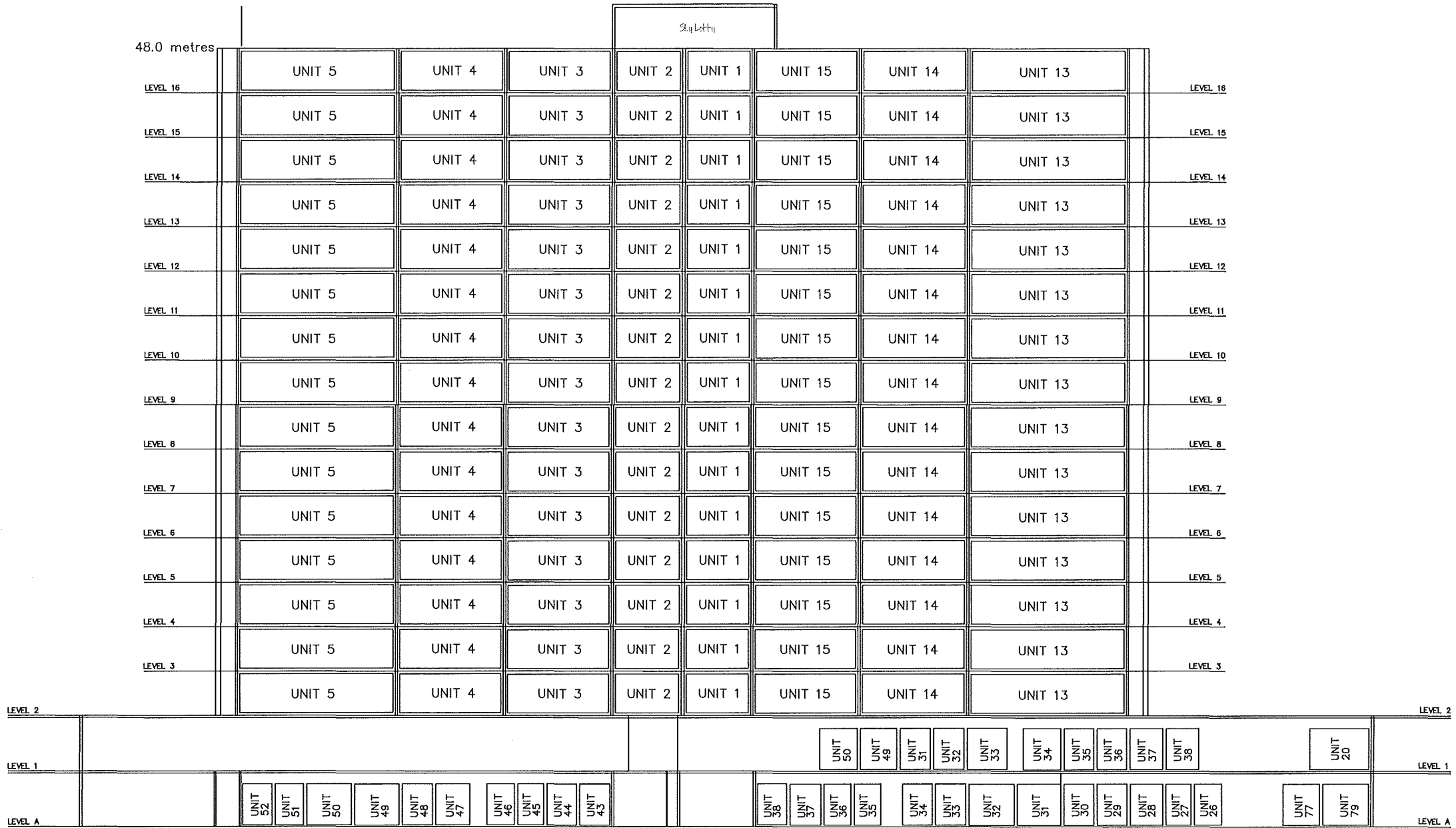
Variance No. 7

LEVEL A

BOLD STREET

Variance No. 10

HM/A-19-410  
Sketch 4



SECTION A-'A' TO ILLUSTRATE RELATIONSHIP OF LEVELS

NOT TO SCALE

HM/A-19:410  
Sketch 5



**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A-19-410</u>	DATE APPLICATION RECEIVED <u>Nov. 6/19</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

Renimob Properties Ltd.  
c/o David Horwood

1. Name of Owner \_\_\_\_\_ Telephone No.

2.

3. Name of Agent UrbanSolutions c/o Matt Johnston Telephone No.

4.

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

n/a

\_\_\_\_\_  
Postal Code \_\_\_\_\_

\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
 Please refer to enclosed cover letter for list of proposed Minor Variances.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

7. Why it is not possible to comply with the provisions of the By-law?  
 Please refer to enclosed cover letter prepared by UrbanSolutions.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
 Lots 5, 14, 15, 16 & 17 Registered Plan No. 66 Parts 2 & 3  
 \_\_\_\_\_  
 121 Hunter St. W.  
 \_\_\_\_\_

9. PREVIOUS USE OF PROPERTY  
 Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use  
 n/a  
 \_\_\_\_\_

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
 Yes  No  Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes  No  Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes  No  Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes  No  Unknown
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes  No  Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
 Yes  No  Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes  No  Unknown
- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
 Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Consultation with owner.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

November 5 2019  
Date

  
Signature Property Owner

David Horwood  
Print Name of Owner

10. Dimensions of lands affected:

Frontage +/- 80.63 m  
Depth Varies  
Area +/- 5,694.79 square metres  
Width of street 20.11 m (Hunter Street West) & 15.24 m (Caroline Street South)

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Building is existing, Minor Variance application required to reflect as built conditions as part of Condominium Conversion application. Please refer to cover letter for additional details.

Proposed: Please refer to cover letter for additional details.

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

Existing: Please refer to cover letter for additional details.

Proposed: Please refer to cover letter for additional details.

13. Date of acquisition of subject lands:  
Unknown
14. Date of construction of all buildings and structures on subject lands:  
Unknown
15. Existing uses of the subject property: 7 storey high density multiple dwelling with 255 units.
16. Existing uses of abutting properties: Single detached residential and high density multiple dwellings
17. Length of time the existing uses of the subject property have continued:  
Unknown
18. Municipal services available: (check the appropriate space or spaces)  
 Water ✓ Connected \_\_\_\_\_  
 Sanitary Sewer ✓ Connected \_\_\_\_\_  
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Downtown Mixed Use Area (Schedule E-1- Urban Land Use Designation)  
Downtown Mixed Use (Downtown Hamilton Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
"E-3" High Density Multiple Dwellings Zone in the Former Hamilton Zoning By-law 6593
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No  
 If the answer is yes, describe briefly.  
Minor Variance File No. HM/A-15:107 was granted on May 14, 2015 in order to facilitate the proposed  
Condominium Conversion.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



**PART 27 PERMISSION TO ENTER**

Date: \_\_\_\_\_

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 121 Hunter Street West  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Matt Johnston

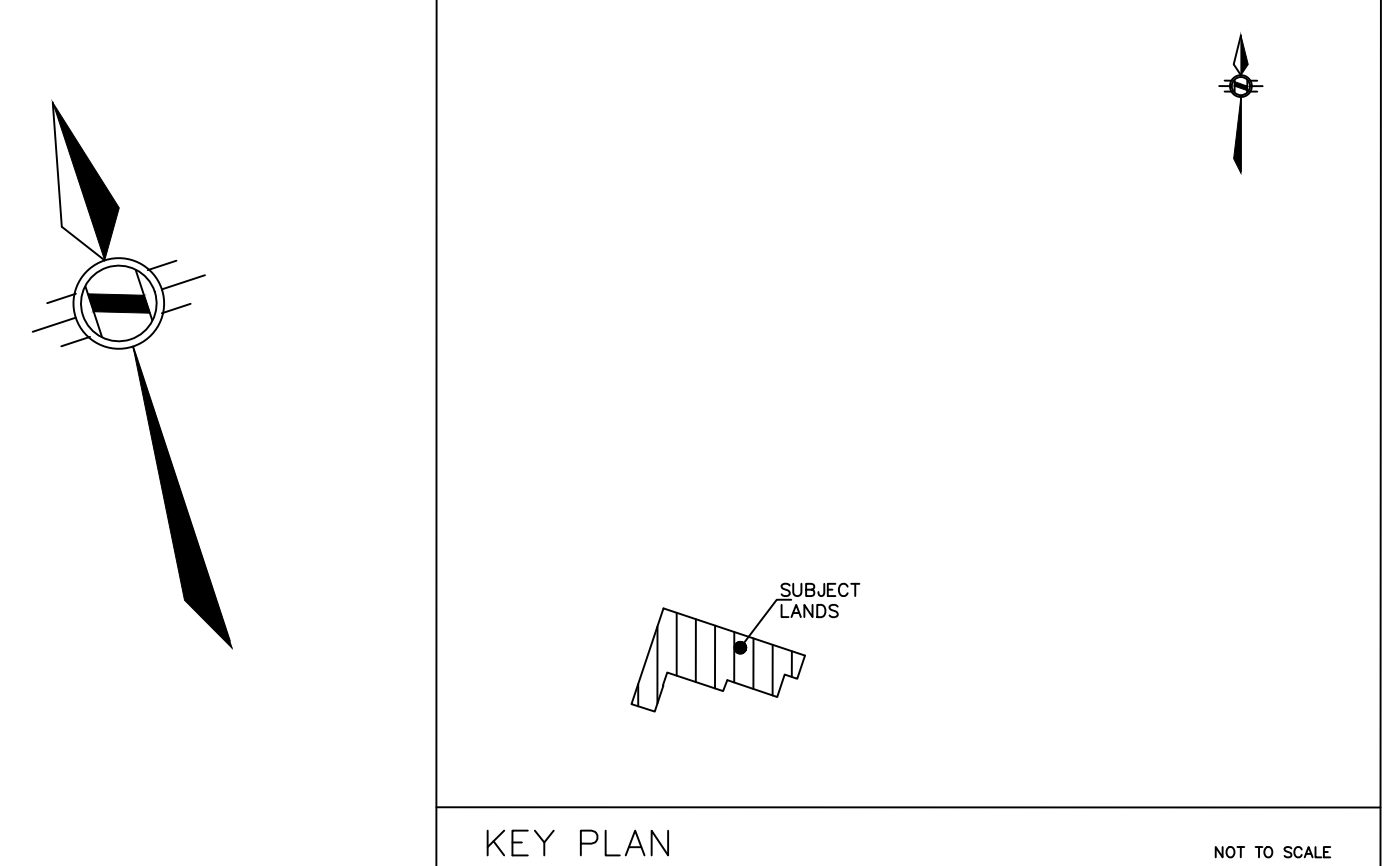
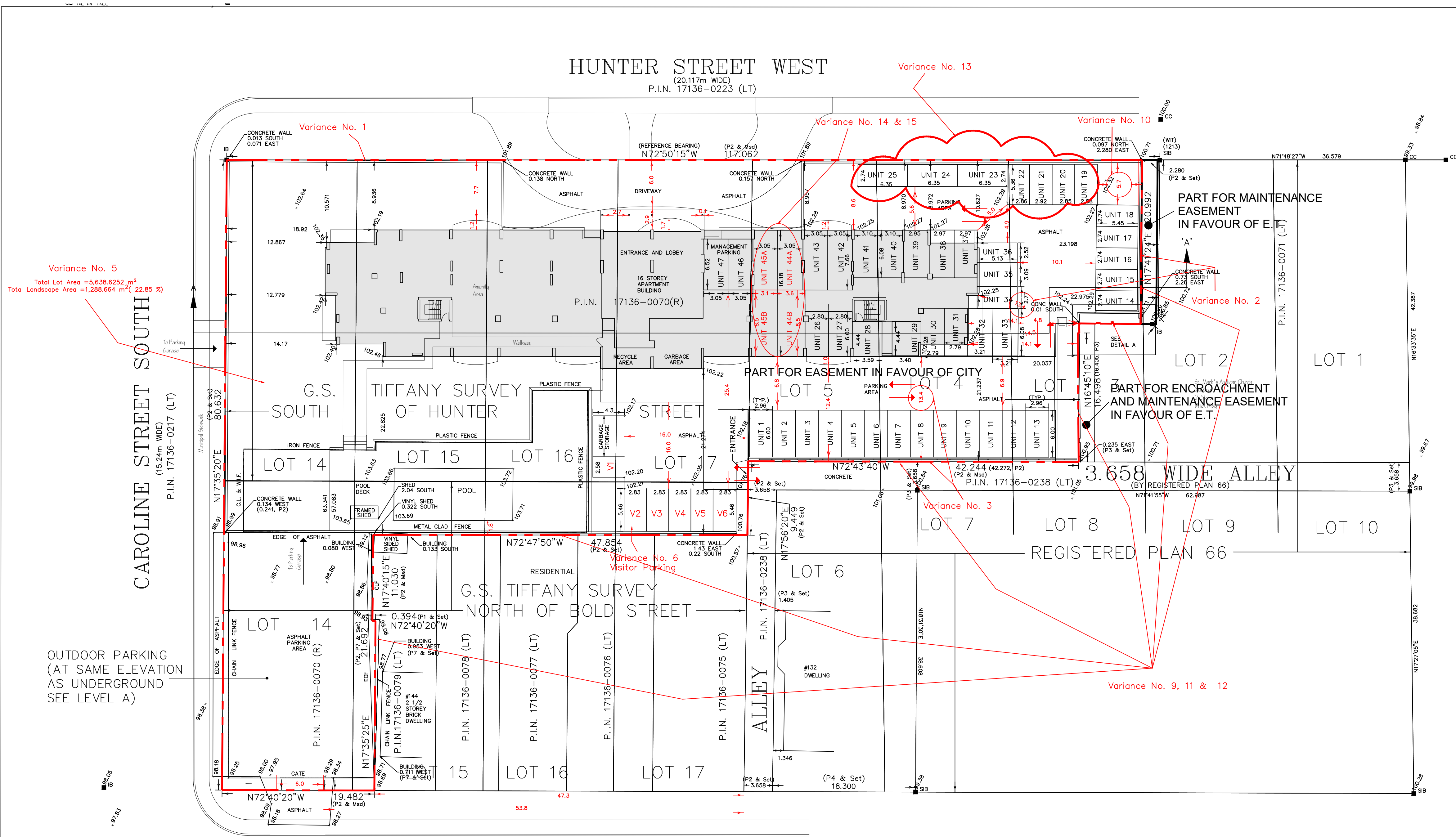
Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

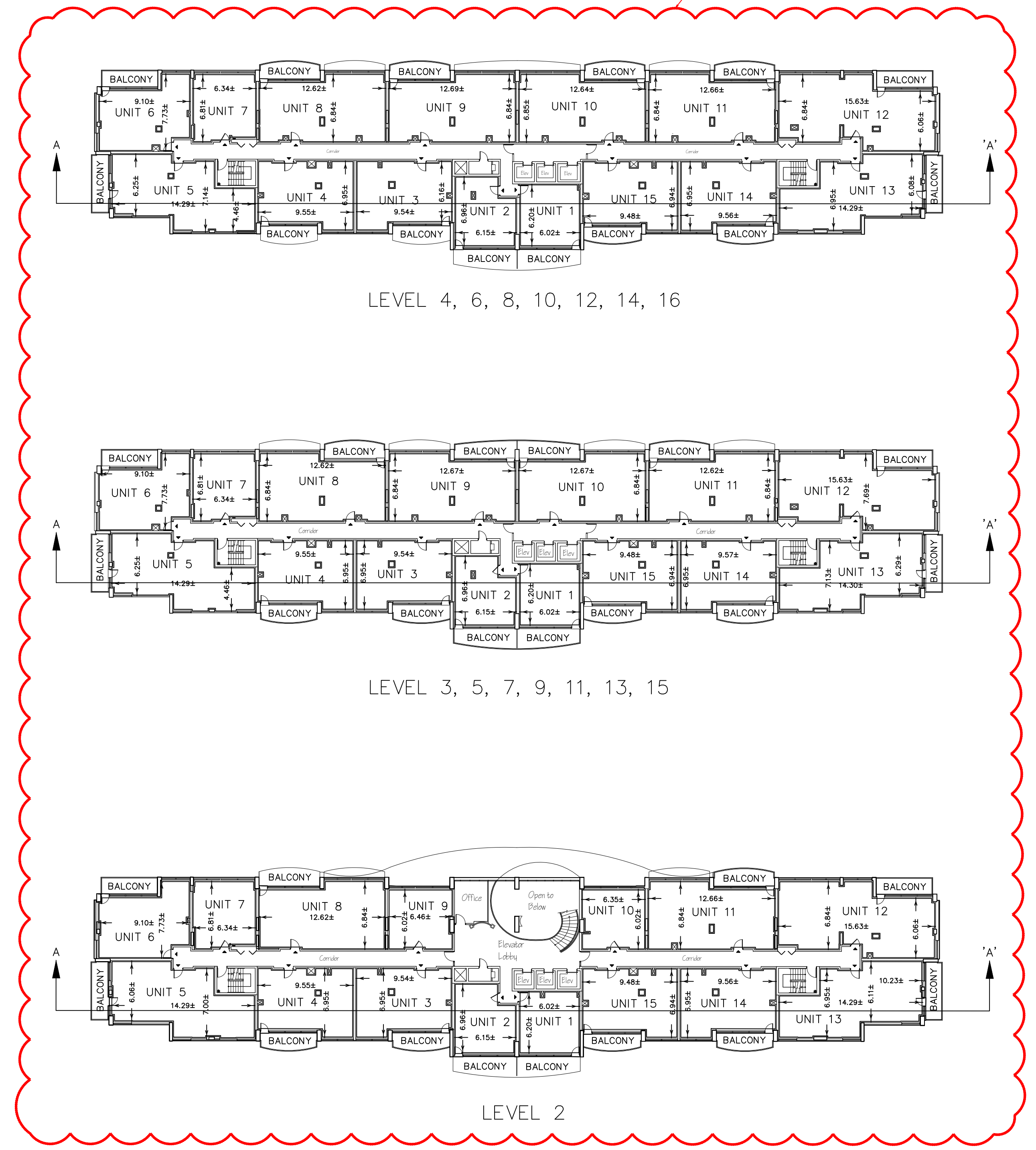
**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.





**121 HUNTER STREET WEST**  
DRAFT PLAN OF STANDARD CONDOMINIUM  
ALL OF  
LOT 4, AND 5  
SOUTH SIDE OF HUNTER STREET  
AND PART OF  
LOT 3  
SOUTH SIDE OF HUNTER STREET  
REGISTERED PLAN 66  
AND ALL OF  
LOT 14, 15, 16 AND 17  
SOUTH SIDE OF HUNTER STREET  
BETWEEN CAROLINE AND BAY STREETS  
AND ALL OF  
LOT 14  
NORTH SIDE OF BOLD STREET  
BETWEEN CAROLINE AND BAY STREETS  
AND PART OF  
LOT 15, 16 AND 17  
NORTH SIDE OF BOLD STREET  
BETWEEN CAROLINE AND BAY STREETS  
G.S. TIFFANY SURVEY (UNREGISTERED)  
IN THE  
**CITY OF HAMILTON**  
SCALE 1: 300 METRIC  
S.D. McLAREN, O.L.S. 2011



**SURVEYOR'S CERTIFICATE:**

I CERTIFY THAT:  
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

APRIL 2, 2019  
DATE S.D. McLAREN, O.L.S.

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

**SECTION 51 (17) PLANNING ACT – AS REVISED**

(A) SHOWN ON PLAN (G) SHOWN ON PLAN  
(B) SHOWN ON PLAN (H) MUNICIPAL PIPED WATER AVAILABLE  
(C) SHOWN ON PLAN (I) CLAY LOAM  
(D) SEE SCHEDULE (J) SHOWN ON PLAN  
(E) SHOWN ON PLAN (K) MUNICIPAL SERVICES EXISTING  
(F) SHOWN ON PLAN (L) SHOWN ON PLAN

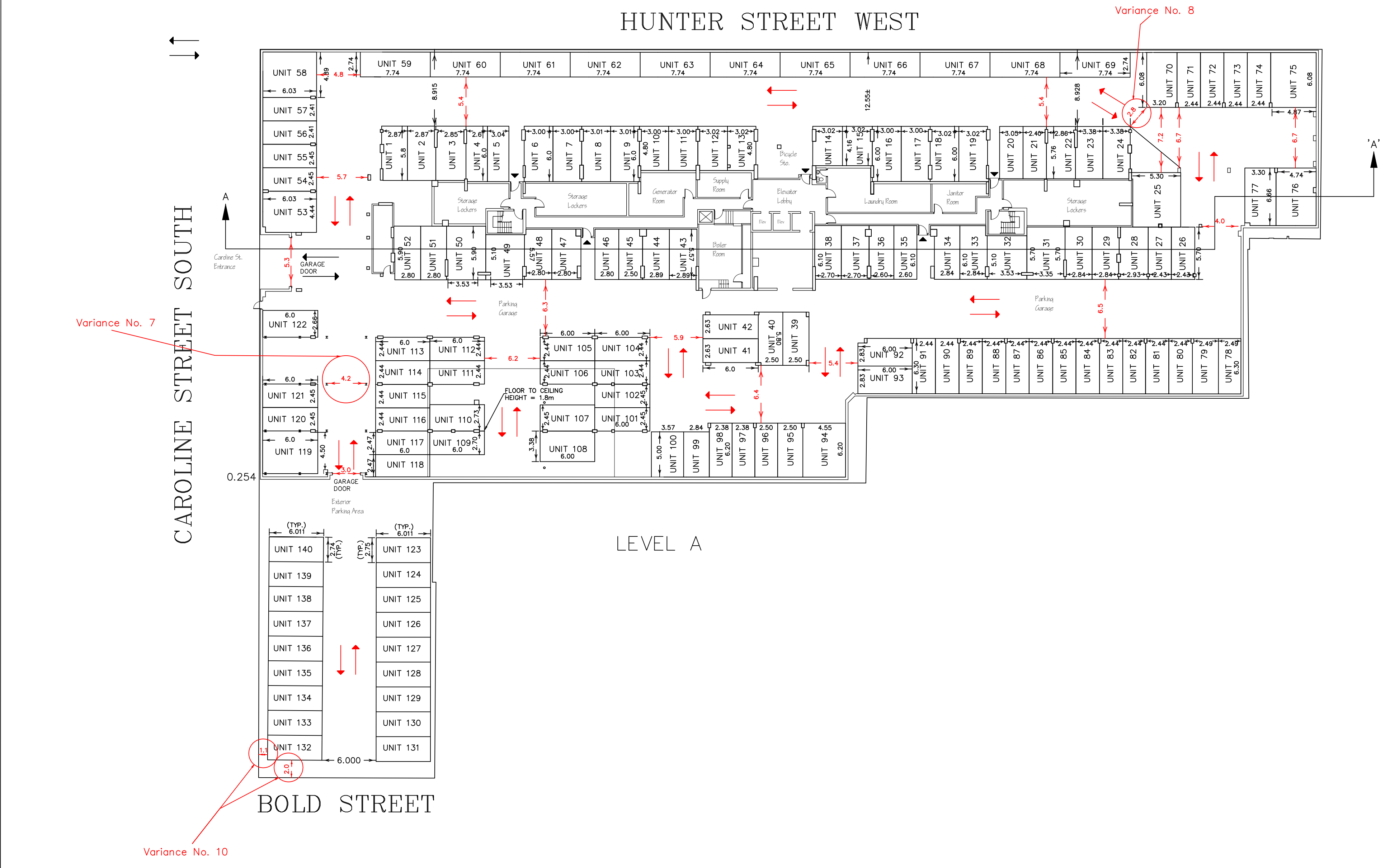
**SCHEDULE**

TOTAL AREA OF SITE = 5,638.6652 Sq.m  
TOTAL NUMBER OF RESIDENTIAL UNITS = 225  
TOTAL VISITORS PARKING SPACES = 6  
TOTAL RESIDENTS PARKING SPACES = 195  
MAXIMUM BUILDING HEIGHT = 16 STOREY  
CONSTRUCTION TO COMMENCE IN = EXISTING BUILDING  
TOTAL GROSS FLOOR AREA = 19,105.488 Sq.m

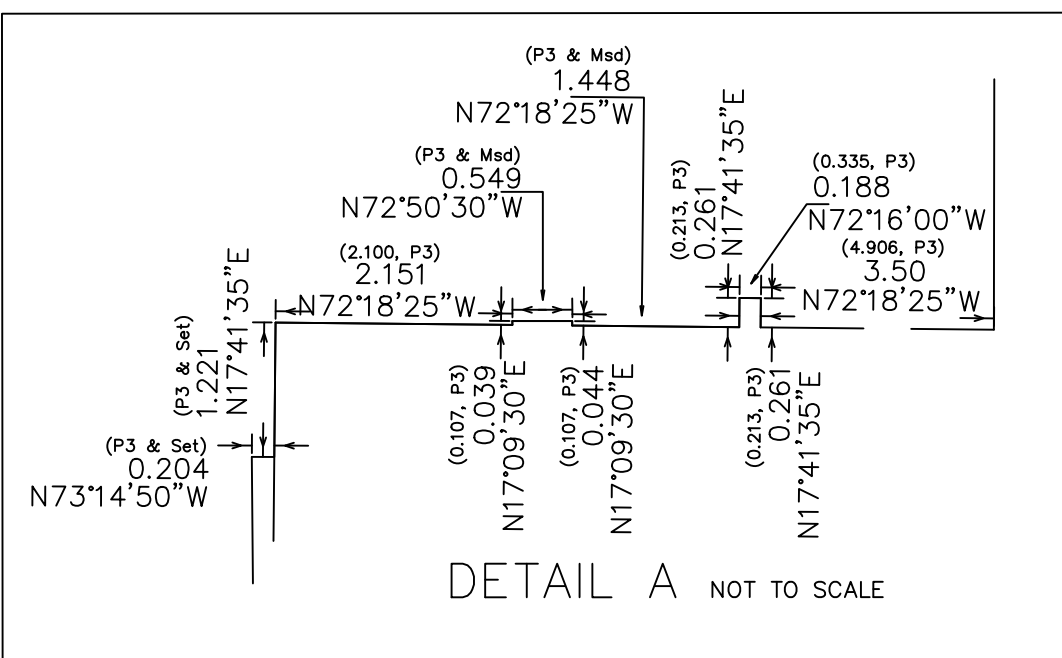
**NOTE:**  
AREAS NOT DESIGNATED AS UNITS ARE PART OF THE COMMON ELEMENTS

UNITS 1 TO 47 ON LEVEL 1 AND UNITS 1 TO 140 ON LEVEL A ARE FOR PARKING PURPOSES

\* NOTATION IN RED REVISED BY URBANSOLUTIONS



LEVEL 16	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 16
LEVEL 15	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 15
LEVEL 14	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 14
LEVEL 13	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 13
LEVEL 12	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 12
LEVEL 11	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 11
LEVEL 10	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 10
LEVEL 9	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 9
LEVEL 8	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 8
LEVEL 7	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 7
LEVEL 6	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 6
LEVEL 5	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 5
LEVEL 4	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 4
LEVEL 3	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 3
LEVEL 2	UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1	UNIT 15	UNIT 14	UNIT 13	LEVEL 2
LEVEL 1	UNIT 120	UNIT 119	UNIT 118	UNIT 117	UNIT 116	UNIT 115	UNIT 114	UNIT 113	LEVEL 1
LEVEL A	UNIT 120	UNIT 119	UNIT 118	UNIT 117	UNIT 116	UNIT 115	UNIT 114	UNIT 113	LEVEL A



**LEGEND:**

... BEARING SURVEY  
... MONUMENT SET  
... FOUND  
... ROYAL  
... STANDARD ROYAL BAR  
... POINT STANDING ROYAL BAR  
... AT McLAREN, O.L.S.  
... MEASURED

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SECTION A-'A' TO ILLUSTRATE RELATIONSHIP OF LEVELS  
NOT TO SCALE

**BEARING NOTE:**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY MOST LIMIT OF HERBER STREET AS SHOWN ON A PLAN BY MCKAY, MCKAY & PETERS LIMITED, DATED MARCH 8, 1990, AS BEING N72°00'00"W.

**REVISIONS**

2	REVISED PROPOSED LEVEL 17	APRIL 4, 2019	SD
1	ADDED AS BUILT PARKING DIMS	JUNE 16, '11	SD
No.	DESCRIPTION	DATE	BY

**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn: M3/10/16 Checked: SD Date: 1/30/16 Scale: 1:300 Sheet No.: 33/25







November 6, 2019

033-14

**Via Delivered**

Scott Baldry  
Secretary-Treasurer  
Committee of Adjustment

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

RELEASED  
NOV 13 2019

Dear Mr. Baldry,

**RE: 121 Hunter Street, Hamilton  
Minor Variance Application  
25CDM-CONV-11-01**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant for Renimmob Properties Limited (c/o Effort Trust), the registered owner of the subject lands. We are pleased to submit this Minor Variance application on their behalf to facilitate the development of a seventeen (17) storey conversion from rental to condominium of two hundred and twenty-five (225) dwelling units.

The subject lands received conditional approval on September 21, 2011. A Redline revision was submitted on May 17, 2019 and through this process City Building Division comments dated August 26, 2019 have identified Minor Variances that need to be addressed prior to the completion of the Condominium Conversion.

The subject lands are designated as Downtown Mixed-Use Area of the Urban Hamilton Official Plan, and further designated as Downtown Mixed Use in the Downtown Hamilton Secondary Plan. The subject lands are located in the High Density Multiple Dwellings (E-3) Zone of the Former Hamilton Zoning By-law No. 6593.

This Minor Variance application is intended to achieve relief from the Council Approved Former Hamilton Zoning By-law No. 6593 with respect to the High Density Multiple Dwellings (E-3) Zone, as follows:

- Variance No. 1: To reduce the minimum front yard depth for the above ground garage concrete wall from 7.5 metres to 0.013 metres.
- Variance No. 2: To reduce the maximum required balcony encroachment from 1.0 metres to 2.15 metres.

- Variance No. 3: to reduce the maximum permitted roofed over unenclosed one-storey porch at first level from 3.0 metres to 3.16 metres.
- Variance No. 4: To reduce the minimum easterly side yard for the above ground garage concrete wall from 1.5 metres to 0.0 metres.
- Variance No. 5: To reduce the required southerly side yard width for the building from 13.5 metres to 13.40 metres.
- Variance No. 6: To reduce the required southerly side yard width for the above ground garage concrete wall from 13.5 metres to 0.0 metres.
- Variance No. 7: To permit a maximum floor area ratio of 3.19 based on a lot area of 5,640.0231 where the permitted maximum floor area ratio factor is 2.55.
- Variance No. 8: To reduce the required landscaped area from the required minimum 26.6 % to 4.6%.
- Variance No. 9: To reduce the required minimum number of visitor parking spaces from 36 spaces to 6 spaces.
- Variance No. 10: to reduce the minimum driving aisle width from 6.0 metres to 2.79 metres.
- Variance No. 11: To reduce the required setback for parking spaces adjoining a residential district containing five (5) or more parking spaces from 1.5 metres to 0.0 metres.
- Variance No. 12: To reduce the required front yard setback parking spaces from 7.5 metres to 0.0 metres abutting Caroline Street South & Bold Street and +/- 1.5 metres abutting Bold Street.
- Variance No. 13: To reduce the required setback from Hunter street for the surface parking spaces from 12.0 metres abutting the A/S-1443 District to 0.0 metres.
- Variance No. 14: To remove the required planting strip where a planting strip is required.
- Variance No. 15: To remove the required visual barrier where a visual barrier is required.
- Variance No. 16: To permit parking spaces within the 7.5 metre setback of the front yard where no parking spaces are permitted in the front yard.
- Variance No. 17: To permit no signs marking visitor parking spaces where a required sign is required to distinguish visitor parking spaces.
- Variance No. 18: To permit no bumpers or wheel barriers for the surface parking spaces where a bumper or wheel barrier is required beyond the parking area.

The proposed variances reflect the as built conditions and therefore satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.


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

- Two (2) copies of the completed Minor Variance Application form; and,
- One (1) copy of the Survey Plan & Minor Variance Sketch prepared by A.T. McLaren.

In keeping with the September 26, 2019 email correspondence from Emily Coe to Committee of Adjustment staff, the application fee is not required for this submission.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**

  
Matt Johnston, MCIP, RPP  
Principal

  
Laura Drennan  
Planning Technician

Encl.

cc: Mr. David Horwood, Effort Trust





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** FL/A-20:18

**APPLICANTS:** Owner: Ron and Aurea Clark

**SUBJECT PROPERTY:** Municipal address **60 Rockcliffe Rd., Flamborough**

**ZONING BY-LAW:** Zoning By-law 90-145-Z, as Amended

**ZONING:** R1-6 district (Urban Residential)

**PROPOSAL:** To to permit the expansion and alteration of an existing single detached dwelling notwithstanding that:

1. A lot coverage of 26.1% is permitted instead of the required maximum lot coverage of 15%.
2. A maximum floor space of 304 square metres shall be permitted instead of the required maximum floor space of 186 square metres.

**NOTES:**

1. Applicant shall ensure building height is provided in accordance with the definitions of 'Height' and 'Grade' as defined in Section 3 of Flamborough Zoning By-law 90-145-Z. Should the building height of the single detached dwelling exceed the height maximum of 8.2 metres, additional variances will be required.
2. Applicant shall ensure parking is provided in accordance with the regulations under Section 5.21 in Flamborough Zoning By-law 90-145-Z; should parking not be in accordance with Section 5.21, additional variances will be required.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:20 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**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, including deadlines for submitting to be seen by the Committee.

FL/A-20:18  
Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

---

Jamila Sheffield,  
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.***









Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**


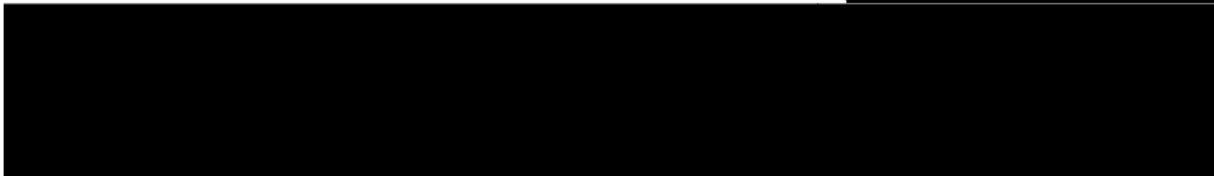
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>FLIA-20:18</u>	DATE APPLICATION RECEIVED <u>Jan. 13/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Ron Clark + Aurea Clark Telephone No. 
- 
- Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
- Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Mortgage: RBC  
340 Dundas St E, Waterdown Postal Code L0R 2H0  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
Apply for minor variance for lot coverage  
A renovated (new) home will be built on this lot. Total house  
size will be approx 3000 sq' bungalow with loft above garage.  
Request: ① Lot coverage 26%.  
② Main floor size: 2400 sq'
7. Why it is not possible to comply with the provisions of the By-law?  
- Age of homes in this area (1950's) had lot coverage  
of 15% at that time.  
- Any addition to current home would require lot coverage  
variance.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
Lot 19. Registered plan 953  
Township of East Flamborough  
60 Rockcliffe Road
9. PREVIOUS USE OF PROPERTY  
 Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_
- 9.1 If Industrial or Commercial, specify use  
N/A
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
 Yes  No  Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes  No  Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes  No  Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes  No  Unknown
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes  No  Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
 Yes  No  Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes  No  Unknown
- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
 Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No X Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Previous home owner, real estate process.  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No X

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan 13, 2020  
Date



Signature Property Owner

Ron Clark + Aunee Clark

Print Name of Owner

10. Dimensions of lands affected:

Frontage 112'  
Depth 150'  
Area 16,800 sq'  
Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Approx 1300 sq' 1.5 stories  
26' w x 66' l

Proposed: 2900 sq' 1.5 stories  
56' w x 82' l (incl garage, porches, empty space)

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

Existing: Side A: 14.7' Side B: 31.6'  
Rear 63' Front 61'

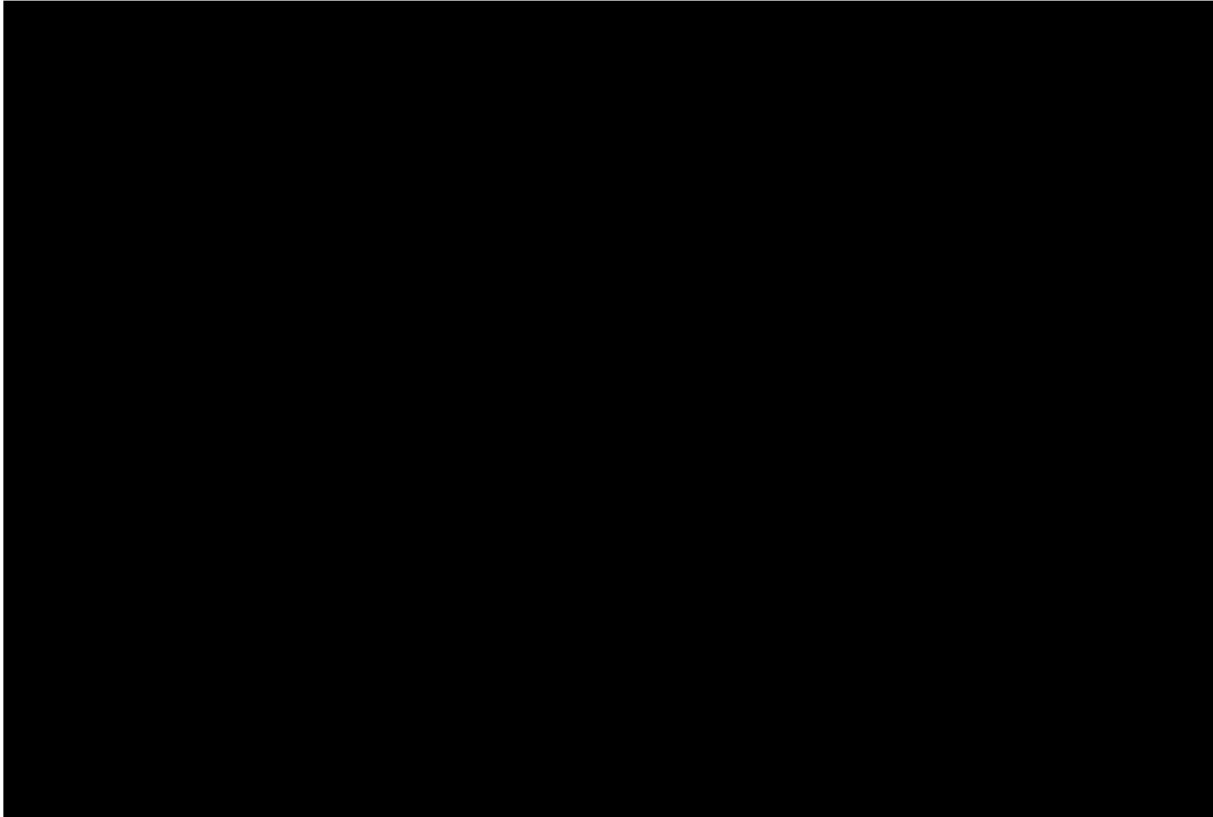
Proposed: Side A: 14.7' Side B 15'  
Rear 59' Front 35'

13. Date of acquisition of subject lands:  
November 12, 2019
14. Date of construction of all buildings and structures on subject lands:  
1950's
15. Existing uses of the subject property: Residential
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:  
Since 1950's.
18. Municipal services available: (check the appropriate space or spaces)  
 Water Y Connected Y  
 Sanitary Sewer Y Connected Y  
 Storm Sewers Y
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighborhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R1-6
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Ron Clark am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE Jan 13, 2020

SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Ron Clark + Aurea Clark, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Jan 13, 2020  
Date

Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: Jan 13, 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 60 Rockcliffe Road, Waterdown  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Ron Clark + Aurea Clark

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** FL/A-20:12

**APPLICANTS:** Christina & Jason Sousa

**SUBJECT PROPERTY:** Municipal address **24 McDonald Crt., (Flamborough) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 0-145-Z, as Amended

**ZONING:** "R1-6" Urban Residential (Single Detached) district

**PROPOSAL:** To permit the construction of a two-storey 113 square metre addition to the existing single detached dwelling, notwithstanding that;

1. A maximum lot coverage of 20 percent shall be permitted, instead of the maximum permitted 15 percent lot coverage.
2. A minimum interior side yard of 1.2 metres shall be permitted, instead of the minimum required 3 metre interior side yard.
3. A maximum floor space of 220 square metres shall be permitted for one storey, instead of the maximum 182 square metre floor space permitted for one storey.
4. An accessory building with a maximum height of 6 metres shall be permitted, instead of the maximum permitted height of 4.6 metres for an accessory building.
5. Eaves and gutters shall be permitted to encroach into the required interior side yard a maximum of 0.8 metres, instead of the maximum 0.65 metres that eaves and gutters are permitted to encroach into the required interior side yard.

NOTE:

1. No elevation plans were provided for the proposed accessory building in order to confirm the requested variance is correct.
2. Any proposed outdoor swimming pools shall be permitted in accordance with Section 5.22.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:25 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

FL/A-20:12  
Page 2

## **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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

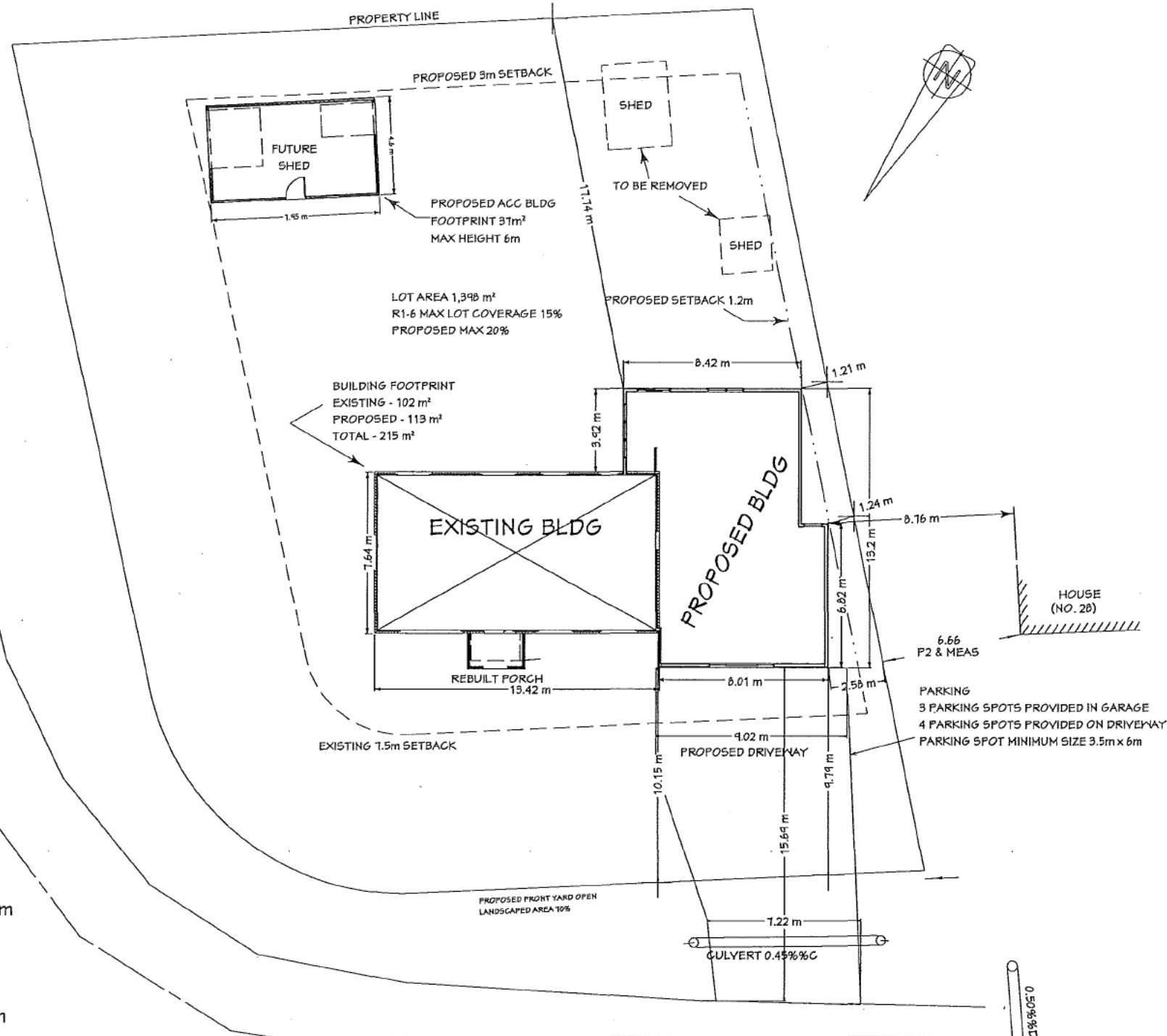
DATED: June 9th, 2020.

---

Jamila Sheffield,  
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.***

FLA-20:12.  
Sketch (1)



**PROPOSED DEVIATIONS FROM R1-6:**  
 1.2m INNER SIDE YARD SETBACK, FROM 3m  
 3m REAR YARD SETBACK, FROM 7.5m  
 20% LOT COVERAGE, FROM 15%  
 220m<sup>2</sup> 1-STOREY FLOOR SPACE, FROM 184m<sup>2</sup>

**PROPOSED DEVIATION FROM SECTION 4.6:**  
 0.8m MAX ENCROACHMENT OF GUTTER, FROM 0.6m  
 (SEE ROOF PLAN)

**PROPOSED DEVIATION FROM SECTION 5.2.2:**  
 6m MAX ACCESSORY BUILDING HEIGHT FROM 4.6m

NO.	DESCRIPTION	BY	DATE
1	NO. 20 FL AREA	JS	01/08/2020

SHEET TITLE:  
**SITE PLAN PROPOSAL**

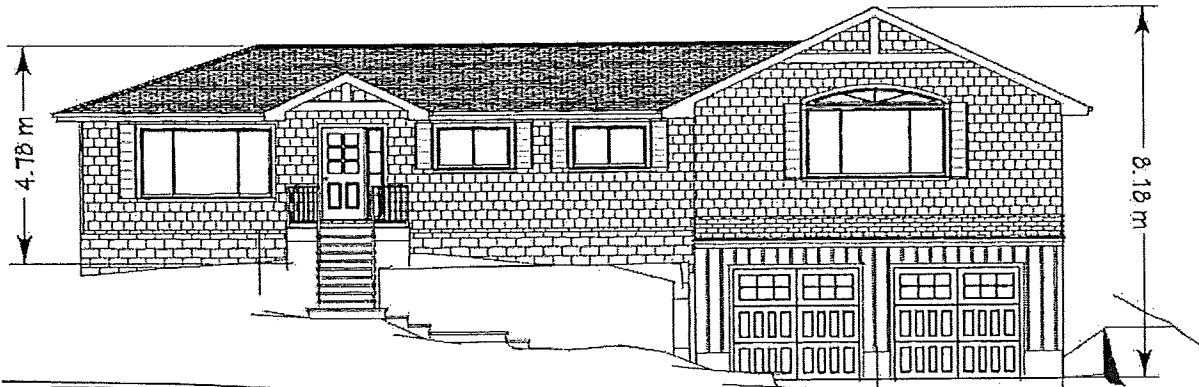
PROJECT DESCRIPTION:  
**24 McDonald Ct**

DRAWINGS PROVIDED BY:  
**HOMEOWNER**

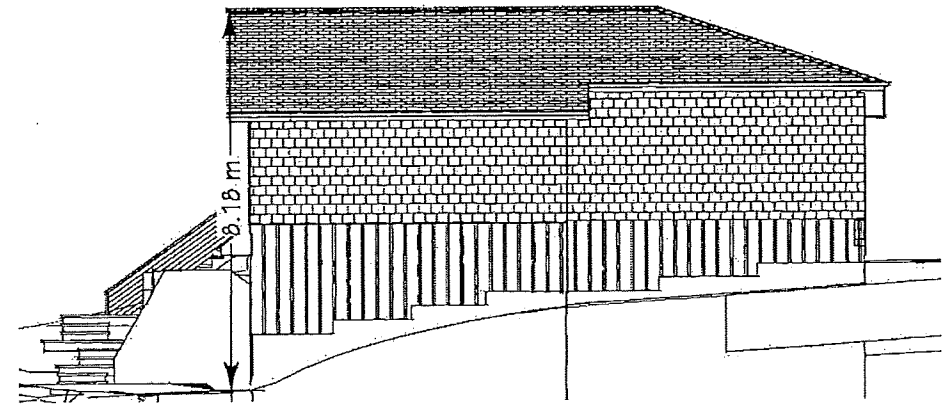
DATE:  
2020-02-05

SCALE:  
1/16"=1'

SHEET:  
**A-1**



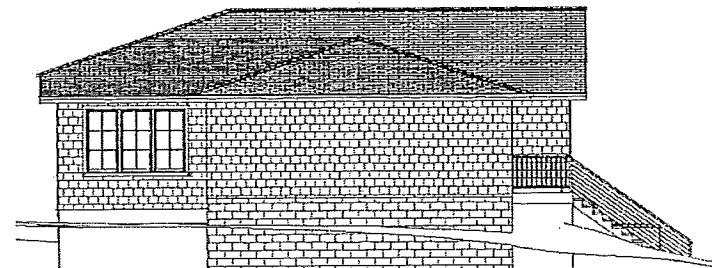
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

NO.	DESCRIPTION	BY	DATE
1	RESUB PL AREA	JS	01/08/2020

SHEET TITLE:  
**ELEVATIONS**

PROJECT DESCRIPTION:  
**24 McDonald Ct**

DRAWINGS PROVIDED BY:  
**HOMEOWNER**

DATE:

2020-02-05

SCALE:

NONE

SHEET:

**A-4**

FL/A-20:12  
Sketch(2).

NOT TO SCALE OR CONSISTENT BETWEEN VIEWS, REFERENCE ONLY



Front Elevation

NO.	DESCRIPTION	BY	DATE
1	RG 220 FL AREA	JS	01/05/2020

SHEET TITLE:

PROJECT DESCRIPTION:  
24 McDonald Ct

DRAWINGS PROVIDED BY:  
HOMEOWNER

DATE:

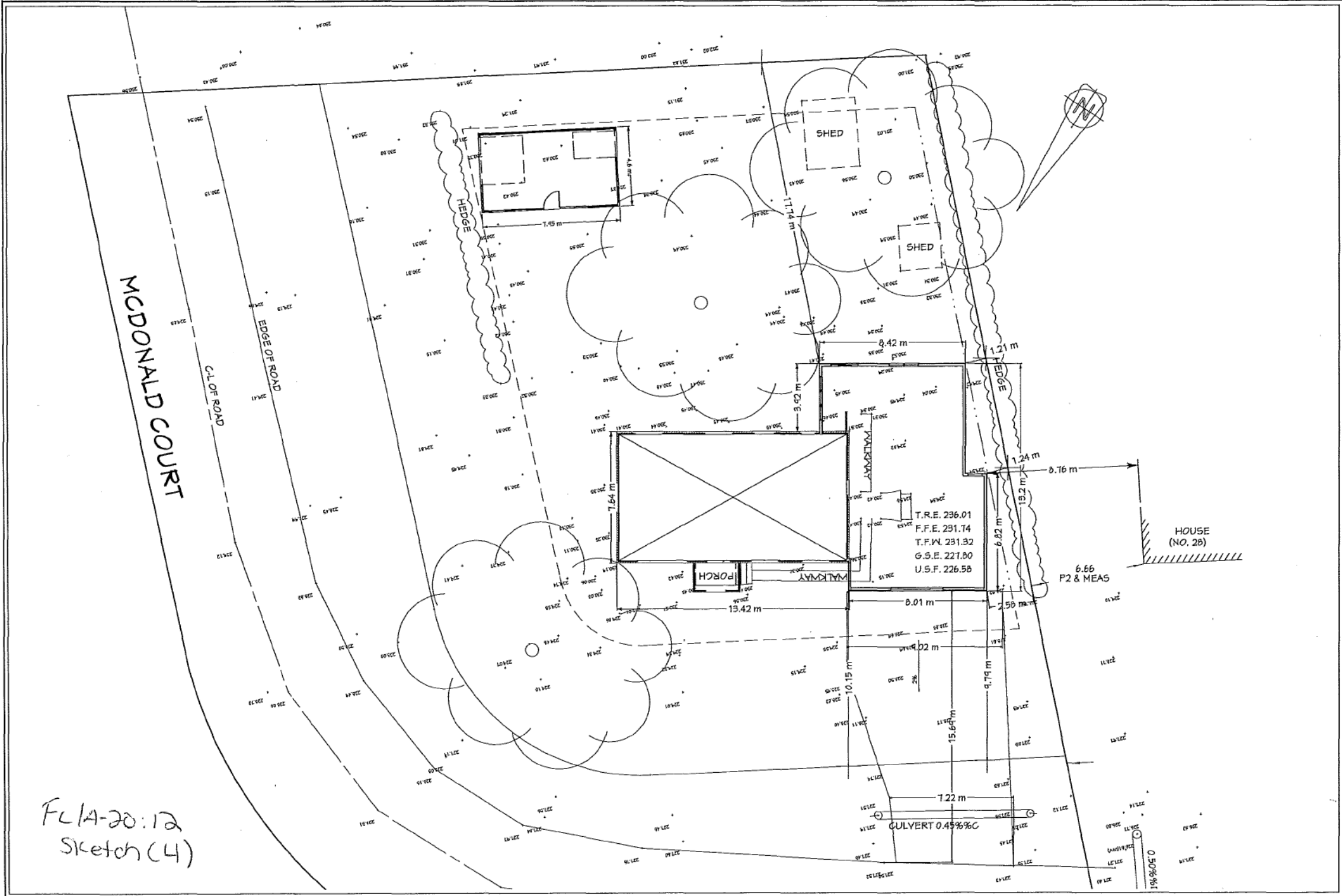
2020-02-05

SCALE:

SHEET:

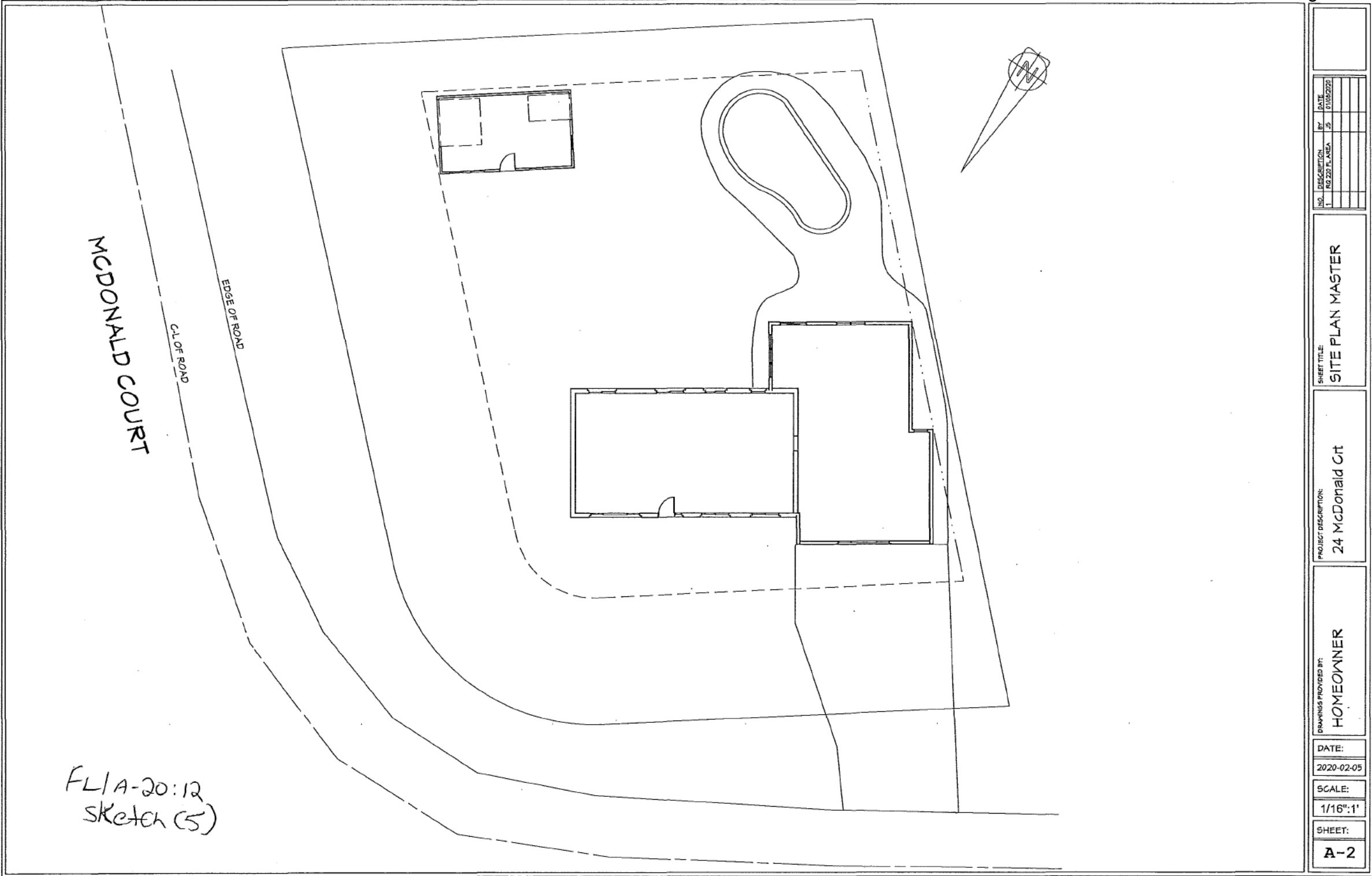
A-5

FL1A-20: 12.  
Sketch (3)



FL/A-20:12  
Sketch (4)

NO. DESCRIPTION BY DATE	
1	24 McDonald Ct 01/18/2020
SHEET TITLE:	
PROJECT DESCRIPTION: 24 McDonald Ct	
DRAWINGS PROVIDED BY: HOMEOWNER	
DATE: 2020-02-05	
SCALE:	
SHEET: A-6	



FL/A-20:12  
SKETCH (5)

NO.	DESCRIPTION	BY	DATE
1	REG 220 PL AREA	J5	01/05/2022

SHEET TITLE:  
**SITE PLAN MASTER**

PROJECT DESCRIPTION:  
**24 McDonald Ct**

DRAWINGS PROVIDED BY:  
**HOMEOWNER**

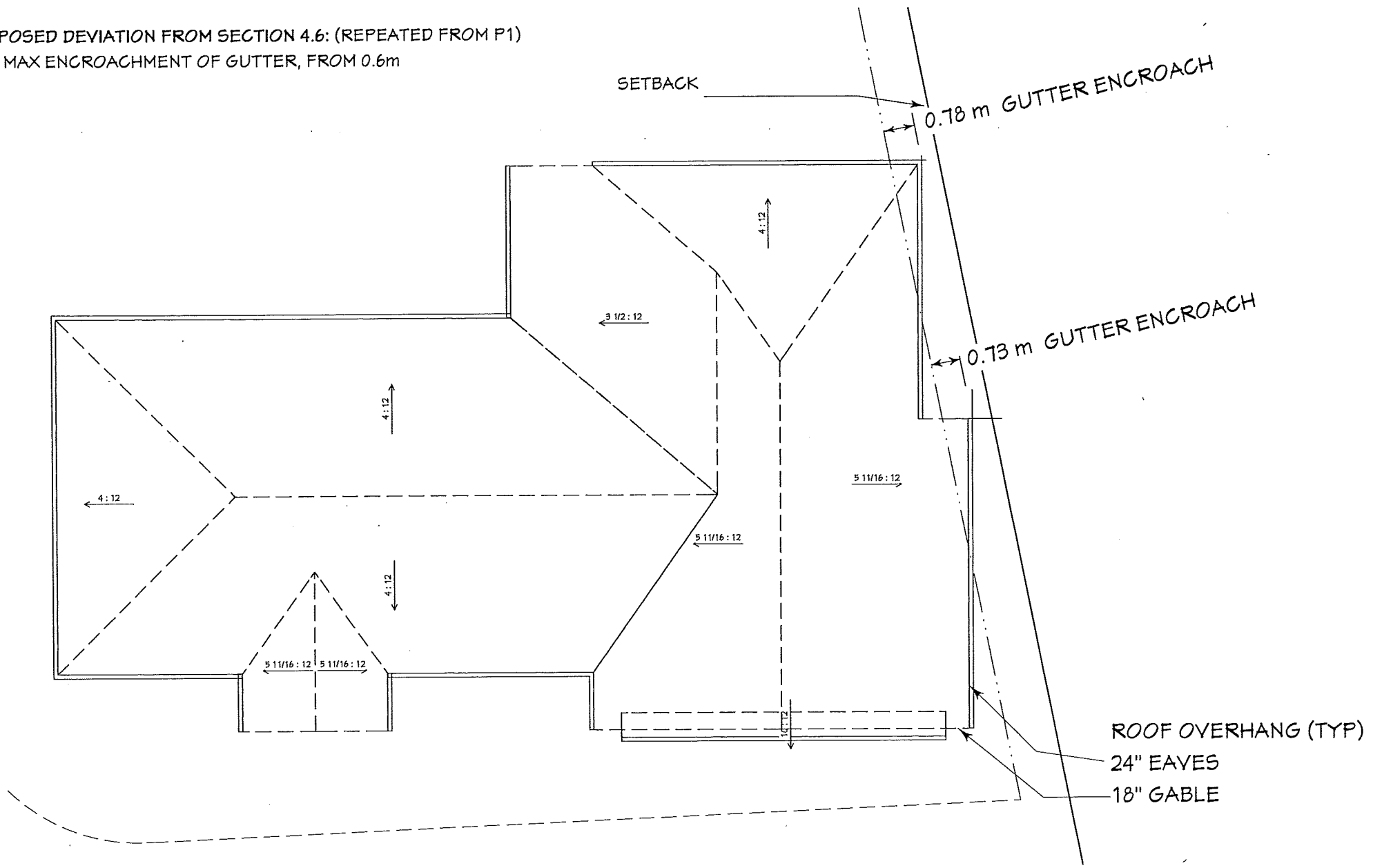
DATE:  
2020-02-05

SCALE:  
1/16"=1'

SHEET:

**A-2**

PROPOSED DEVIATION FROM SECTION 4.6: (REPEATED FROM P1)  
 0.8m MAX ENCROACHMENT OF GUTTER, FROM 0.6m



FLIA-20.12  
 Sketch (6)

NO.	DESCRIPTION	BY	DATE
1	RO-220 FL AREA	JS	11/08/2020

SHEET TITLE:  
**ROOF PLAN**

PROJECT DESCRIPTION:  
 24 McDonald Crt

DRAWINGS PROVIDED BY:  
 HOMEOWNER

DATE:  
 2020-02-05

SCALE:  
 1/8"=1'

SHEET:  
**A-3**





Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

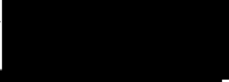
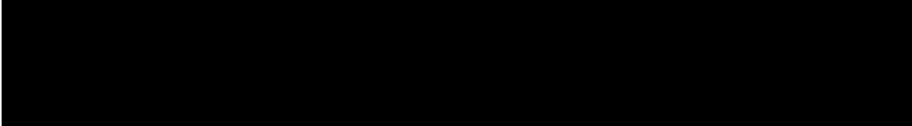
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>FL/A 2012</u>	DATE APPLICATION RECEIVED <u>Jan. 9/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner JASON SOUSA <sup>CHRISTINA SOUSA</sup> Telephone No.   
 2.  on

3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
 FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_  
 4. Address \_\_\_\_\_  
 \_\_\_\_\_ Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
MERIDIAN CREDIT UNION LTD. 75 CORPORATE  
PARK DR., ST. CATHARINES, ON Postal Code L2S 3W3  
 \_\_\_\_\_  
 \_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
1.2m SETBACK, FROM 3m (INNER SIDE YARD)  
3m REAR YARD SETBACK, FROM 7.5m  
20% LOT COVERAGE, FROM 15%  
220 m<sup>2</sup> 1-STORY FLOOR SPACE, FROM 184m<sup>2</sup>  
0.8m MAX GUTTER ENCROACHMENT, FROM 0.6m
7. Why it is not possible to comply with the provisions of the By-law?  
LOCATION OF EXISTING STRUCTURE IS NOT IDEAL  
FOR ADDING A DOUBLE CAR-WIDE GARAGE.  
FLOOR SPACE LIMITATION DOES NOT ACCOMMODATE  
WORKING FROM HOME AND GROWING FAMILY.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
LT 32, PL 1189; S/T HL235120 FLAMBOROUGH  
CITY OF HAMILTON. 24 McDONALD COURT.
9. PREVIOUS USE OF PROPERTY
- Residential  Industrial  Commercial   
Agricultural  Vacant   
Other \_\_\_\_\_
- 9.1 If Industrial or Commercial, specify use  
\_\_\_\_\_
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes  No  Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes  No  Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes  No  Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes  No  Unknown  RESIDENTIAL SEPTIC
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes  No  Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes  No  Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
Yes  No  Unknown
- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No X Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

PARCEL REGISTER.  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No X RESIDENTIAL USE SINCE 1961 - SEE ATTACHED SURVEY AND PARCEL REGISTER

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

JAN 7, 2020  
Date

  
Signature Property Owner

JASON SOUSA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 114.60 ft  
Depth 135.75 ft  
Area 0.345 ACRES  
Width of street 66 ft LOT TO LOT AS PER PLAN 1189 ATTACHED

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: SEE ATTACHED. APPROX. 25'x45' BUNGALO, 1100 SQFT SINGLE FAMILY HOME; 6'x6' WOODEN SHED, 8'x12' METAL SHED.

Proposed: 26'x42' GARAGE ADDITION W/ LIVING SPACE ABOVE, ATTACHED TO EXISTING HOME. SINGLE 15'x26' SHED TO REPLACE TWO EXISTING SHEDS.

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

Existing: SEE ATTACHED DRAWINGS

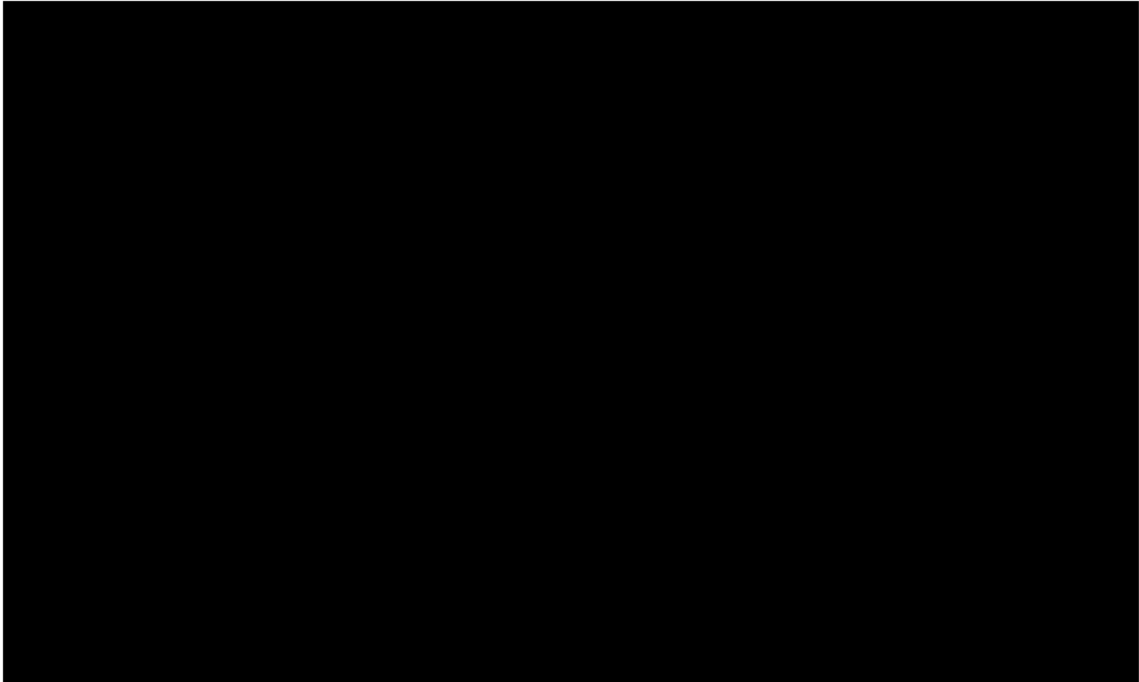
Proposed: SEE ATTACHED DRAWINGS

13. Date of acquisition of subject lands:  
JUNE, 2019
14. Date of construction of all buildings and structures on subject lands:  
in 1960, SHEDS UNKNOWN
15. Existing uses of the subject property: RESIDENTIAL
- 
16. Existing uses of abutting properties: RESIDENTIAL
- 
17. Length of time the existing uses of the subject property have continued:  
✓ 60 YEARS
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input type="checkbox"/>            |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
LOW DENSITY RESIDENTIAL 2E
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R1-6
- 
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
- 
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) JASON SOUSA am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, JASON SOUSA, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

JAN 8, 2020  
Date



**PART 27 PERMISSION TO ENTER**

Date: JAN 8, 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 24 McDONALD COURT, DUNDAS  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

JASON SOUSA

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



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 Fax (905) 546-4202  
 E-mail: [morgan.evans@hamilton.ca](mailto:morgan.evans@hamilton.ca) or [scott.baldry@hamilton.ca](mailto:scott.baldry@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.:** FL/A-20:28

**APPLICANTS:** Barich Grenkie Surveying Ltd., on behalf of the owner Ton-Lynne Jackson

**SUBJECT PROPERTY:** Municipal address **16 Orchard Drive (Flamborough) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 90-145-Z, as Amended

**ZONING:** "R1-6" Urban Residential (Single Detached) Zone

**PROPOSAL:** To permit the construction of a single detached dwelling notwithstanding that:

1. A lot coverage of 26% is permitted instead of the required maximum lot coverage of 15%.
2. A maximum floor space of 343 square metres shall be permitted instead of the required maximum floor space of 186 square metres.

**NOTES**

1. The two (2) variances have been written as requested by the applicant which are based on a proposed building envelope only. Insufficient details (i.e. no building plans, elevations, floor plans, etc.) were provided from which to confirm if lot coverage or floor space maximums are correct. Therefore, compliance for the proposed single detached dwelling shall be determined at building permit stage of the development.
2. Applicant shall ensure building height is provided in accordance with the definitions of 'Height' and 'Grade' as defined in Section 3 of Flamborough Zoning By-law 90-145-Z. Insufficient information was provided to confirm compliance. Should the building height of the single detached dwelling exceed the height maximum of 8.2 metres, additional variances will be required.
3. Applicant shall ensure parking is provided in accordance with the regulations under Section 5.21 in Flamborough Zoning By-law 90-145-Z. Insufficient information was provided to confirm compliance. Should parking not be provided in accordance with Section 5.21, additional variances will be required.
4. Applicant shall ensure any sills, belt courses, cornices, chimney breasts, bay windows, pilasters, eaves or gutters, balconies, canopies, awnings, steps, unenclosed porches, exterior staircases are provided in accordance with the regulations for Yard Encroachments under Section 5.30 in Flamborough Zoning By-law 90-145-Z. Insufficient information was provided to confirm compliance. Should applicable yard encroachments not be provided in accordance with Section 5.30, additional variances will be required.

FL/A-20:28  
Page 2

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

---

**DATE:** Thursday, June 25th, 2020  
**TIME:** 1:30 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

#### **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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

#### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

---

Jamila Sheffield,  
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.***









Hamilton

Committee of Adjustment

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

Planning and Economic Development Department  
Planning Division

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

RECEIVED

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>FLA-20:28</u>	DATE APPLICATION RECEIVED <u>JAN 23 2020</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Toni-Lynne Jackson Telephone No.
- 
- Name of Agent Barich Grenkie Surveying Ltd. Telephone No.
- 

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:
- 1. Applying for a relief for the Lot Coverage. The zoning by-law calls  
for a max Lot Coverage of 15%. We are asking for 26%
  - 2. Applying for a relief from max floor space. The zoning by-law has  
a maximum floor space of 186m2. We are asking for 342.4m2

7. Why it is not possible to comply with the provisions of the By-law?
- The current lot coverage maximum and max floor space is not big enough  
for a modern dwelling

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
- Lot 21, Registered Plan 894
- 16 Orchard Dr.

9. PREVIOUS USE OF PROPERTY
- Residential  X  Industrial  \_\_\_\_\_  Commercial  \_\_\_\_\_
- Agricultural  \_\_\_\_\_  Vacant  \_\_\_\_\_
- Other  \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_
- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
 Yes  \_\_\_\_\_  No  X  Unknown  \_\_\_\_\_

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_\_\_ No X Unknown \_\_\_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
Information was given by owner.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_\_\_ No \_\_\_\_\_

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

January 23, 2020  
 Date

  
 Signature Property Owner

Toni-Lynne Jackson  
 Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>30.59 m</u>
Depth	<u>48.42 m</u>
Area	<u>1321.9 m2</u>
Width of street	<u>20.12 m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands:  
 (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 1 Storey Sided Dwelling & Wood Shed both to be Demolished

Proposed: Proposed 1 Storey Dwelling, Ground Floor Area = 341.05m2  
23.24 m Wide x 17.66 m Depth. Building height of 6.69 m

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

Existing: 1 Storey Dwelling, 2.26m from SW Lot Line, 13.16m from NE Lot Line  
11.12m Front Setback, 24.16m Rear Setback  
Wood Shed - 5.40 Rear Setback, 2.70m from NE Side lot line

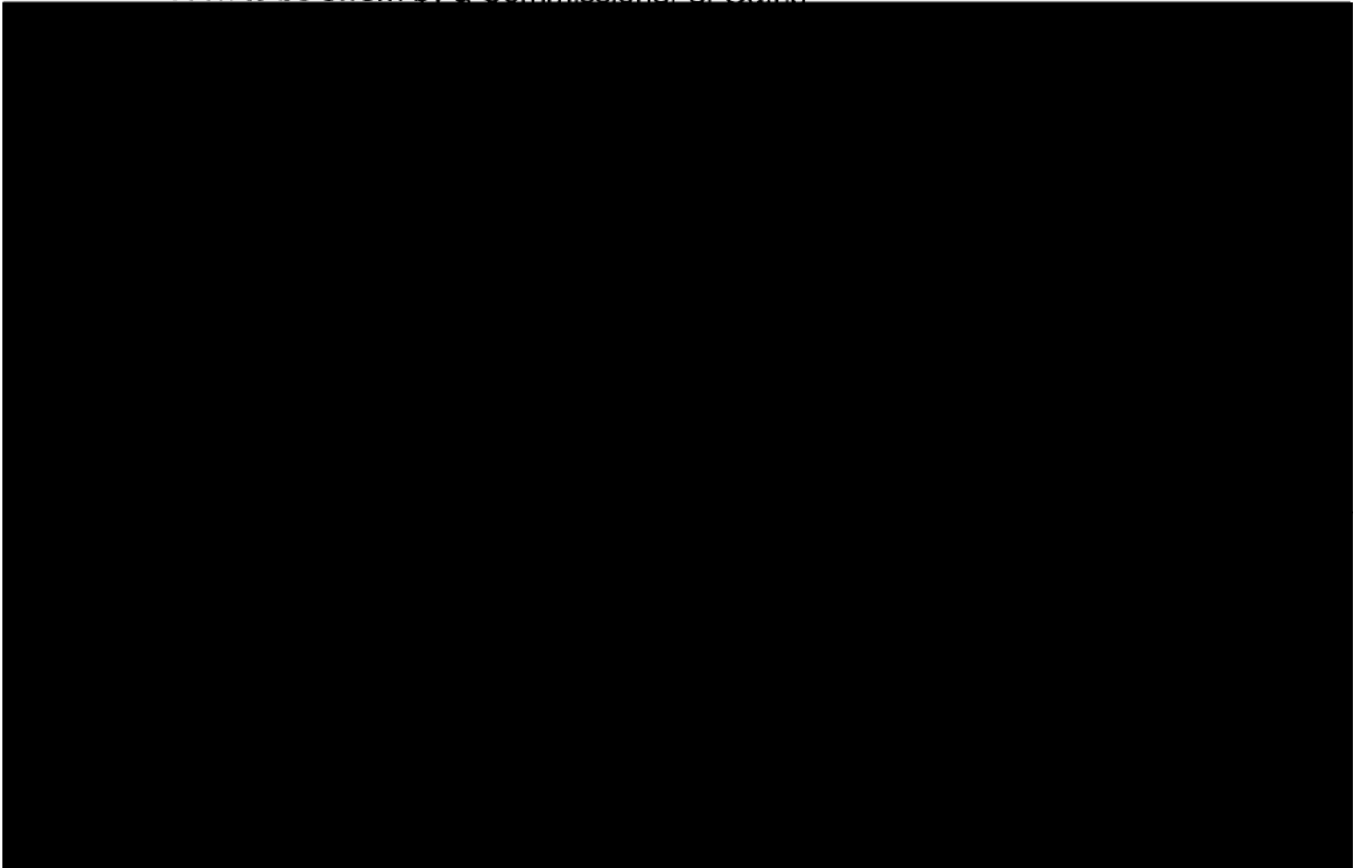
Proposed: 1 Storey Dwelling, 3.08m from SW Side Line, 3.97m from NE Side Line  
11.39m Front Setback, 15.32m Rear Setback

13. Date of acquisition of subject lands:  
Purchased in 2007
- 
14. Date of construction of all buildings and structures on subject lands:  
Existing Dwelling was built in 1953
- 
15. Existing uses of the subject property: \_\_\_\_\_  
Residential
- 
16. Existing uses of abutting properties: Residential
- 
17. Length of time the existing uses of the subject property have continued:  
Its always been residential
- 
18. Municipal services available: (check the appropriate space or spaces)  
 Water X \_\_\_\_\_ Connected Oct 5, 2001  
 Sanitary Sewer X \_\_\_\_\_ Connected Sept 13, 2008  
 Storm Sewers X \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
None
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
None
- 
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
- 
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Toni - Lynne Jackson am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Darko Jakovina of Barich Grenkie Surveying Ltd.

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE January 23, 2020

SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Toni-Lynne Jackson, the Owner, hereby agree and acknowledge  
(*Print name of Owner*)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

January 23, 2020  
Date

Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: January 23, 2020

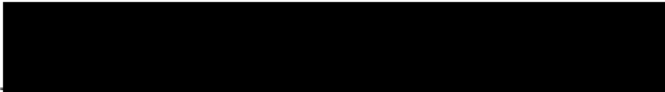
Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 16 Orchard Drive, Waterdown, ON  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Toni-Lynne Jackson

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

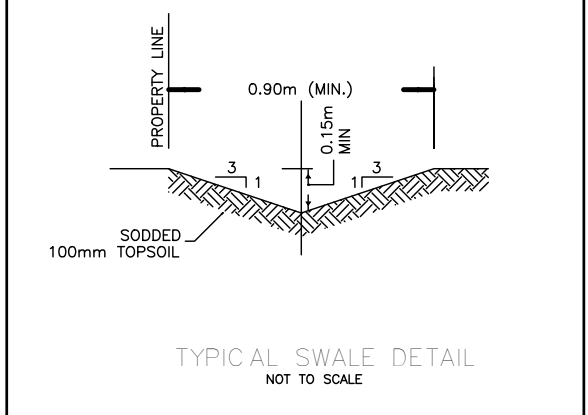


GENERAL NOTES

- 1. THIS/THESE PLAN(S) IS/ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED BY THE ENGINEER AND INDICATED ISSUED FOR CONSTRUCTION ON THE DRAWING.
2. THIS/THESE PLAN(S) IS/ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BARICH GRENKIE SURVEYING LIMITED.
3. INFORMATION REGARDING ANY EXISTING SERVICES AND/OR UTILITIES SHOWN ON THE APPROVED SET OF CONSTRUCTION DRAWINGS ARE FURNISHED AS THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL INTERPRET THIS INFORMATION AS HE SEES FIT WITH THE UNDERSTANDING THAT THE OWNER AND HIS AGENTS DISCLAIM ALL RESPONSIBILITY FOR ITS ACCURACY AND FOR SUFFICIENCY. THE CONTRACTOR SHALL ASSUME LIABILITY FOR ANY DAMAGE TO EXISTING WORKS.
4. SITE PLAN INFORMATION TAKEN FROM SURVEY BY BARICH GRENKIE.
5. THIS/THESE PLAN(S) TO BE USED FOR SERVING AND GRADING ONLY, FOR BUILDING LOCATION REFER TO THE SITE PLAN.
6. MUNICIPAL APPROVAL OF THESE DRAWINGS IS FOR MATERIAL AND COMPLIANCE WITH CITY/TOWN STANDARDS AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION OF THE WORKS BY THE CITY/TOWN STAFF DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS NOR RELIEVE THE CONTRACTOR OF CERTIFICATION OF ALL WORKS BY THE OWNER'S ENGINEER.
7. ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED WRITTEN APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY OF HAMILTON AND THE ENGINEER.
8. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
- ROAD CUT PERMITS
- SEWER PERMITS
- APPROACH APPROVAL PERMITS
- RELOCATION OF SERVICES
- COMMITTEE OF ADJUSTMENT ENCROACHMENT AGREEMENTS
9. PRIOR TO CONSTRUCTION THE CONTRACTOR MUST:
I. CHECK AND VERIFY ALL DIMENSIONS AND EXISTING ELEVATIONS WHICH INCLUDE BUT ARE NOT LIMITED TO THE BENCHMARK ELEVATIONS, EXISTING SERVICE CONNECTIONS, EXISTING INVERTS AND REPORT FINDING IN WRITING TO THE ENGINEER.
II. OBTAIN ALL UTILITY LOCATES AND REQUIRED PERMITS AND LICENSES.
III. VERIFY ALL FINISHED FLOOR ELEVATIONS AND BASEMENT FLOOR ELEVATIONS WHICH MY APPEAR ON THESE PLANS COMPLY WITH THE FINAL ARCHITECTURAL DRAWINGS.
IV. CONFIRM ALL DRAWINGS USED FOR CONSTRUCTION ARE OF THE MOST RECENT REVISION.
V. THE ENGINEER OF THE PROPOSED CONSTRUCTION SCHEDULE FOR COORDINATION OF NECESSARY INSPECTIONS.
10. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ENGINEER 48 HOURS PRIOR TO THE COMMENCING SITE WORKS TO ARRANGE FOR INSPECTION. THE ENGINEER SHALL DETERMINE THE EXTENT OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF THE UNDERGROUND SERVICE INSTALLATION AS MANDATED BY THE ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 12.2. GENERAL SCHEDULE FAILURE TO MAKE SUITABLE ARRANGEMENTS FOR INSPECTION WILL LEAD TO POST CONSTRUCTION TESTING AND INSPECTION AS DETERMINED BY THE ENGINEER. THE COSTS OF WHICH INCLUDING ANY DELAYS IN CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR. FULL PAYMENT FOR UN-INSPECTED WORKS MAY BE WITHHELD UNTIL THE COMPLETION OF THE POST CONSTRUCTION INSPECTION AND TESTING TO THE SATISFACTION OF THE ENGINEER.
11. INSPECTION BY THE OWNER'S ENGINEER IS FOR CERTIFICATION AND GENERAL CONFORMANCE PURPOSES AND DOES NOT CERTIFY LINE AND GRADE OR IMPLY AN ASSURANCE OF QUALITY CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THE INSTALLATION OF THE WORKS TO PROPER LINE, GRADE AND QUALITY TO CURRENT INDUSTRY STANDARDS.
12. ANY UTILITY RELOCATIONS AND RESTORATIONS DUE TO THE DEVELOPMENT TO BE UNDERTAKEN AT THE EXPENSE OF THE OWNER'S ENGINEER AND SHALL BE COORDINATED BY THE CONTRACTOR.
13. ALL RESTORATIONS AND RECONSTRUCTIONS SHALL BE COMPLETED TO MATCH EXISTING CONDITIONS OR BETTER AND ARE TO BE PERFORMED TO THE SATISFACTION OF THE ENGINEER AND THE CITY/TOWN STANDARDS.
14. SERVING CONTRACTOR TO MAINTAIN A "CONFINED TRENCH CONDITION" IN ALL SEWER AND WATERMAIN INSTALLATION TRENCHES.
15. THE SITE SERVING CONTRACTOR SHALL TERMINATE ALL SERVICES 1.0m FROM THE BUILDING FACE.
16. NO BLASTING WILL BE PERMITTED.

GRADING NOTES

- 1. GENERAL GRADING
A. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOOED SLOPES (MIN. 3% TO 1%) AND/OR RETAINING WALLS AS SPECIFIED.
B. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0m OR HIGHER SHALL BE DESIGNED BY A P.E.N.G.
C. SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
D. RETAINING WALLS 1.0m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
E. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN) ABOVE FINISHED GRADE.
F. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0% REVERSED SLOPED DRIVEWAYS IN DEVELOPMENTS ARE NOT PERMITTED.
G. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE, RETAINING WALLS MUST BE USED.
H. THE WRITTEN PERMISSIONS REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
I. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.
J. ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING.
K. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
L. SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPILT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33.0% GRADE (3:1 SLOPE).
M. WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED, PROVIDED A 150mm SUBDRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET (WITH A MINIMUM 0.3m COVER OVER THE SUBDRAIN), OR OTHER MITIGATION MEASURES.
N. MINIMUM GRADE FOR WALK-AROUND SWALE IN BACKYARDS SHALL BE 1.0%.
O. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED IN A STRAIGHT LINE.
P. GARAGE FLOOR ELEVATIONS TO BE SET 0.3m HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
Q. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% S.P.D. (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LIFTS NOT EXCEEDING 300mm.
2. BACKYARD GRADING
A. DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE:
B. DISTANCE REGULATED BY THE ZONING BY-LAW OR 6.0m.
C. THE MAXIMUM 5.0% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE DOES NOT EXCEED 1.0m ON EACH LOT.
D. WHERE THE 5.0% RESTRICTION ON BACKYARD GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. 3:1 SLOPES CAN REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3m.
E. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
F. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS, AND BACK YARDS, OUTSIDE THE AREAS DEFINED IN ITEM "A" ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (3:1 MAXIMUM).



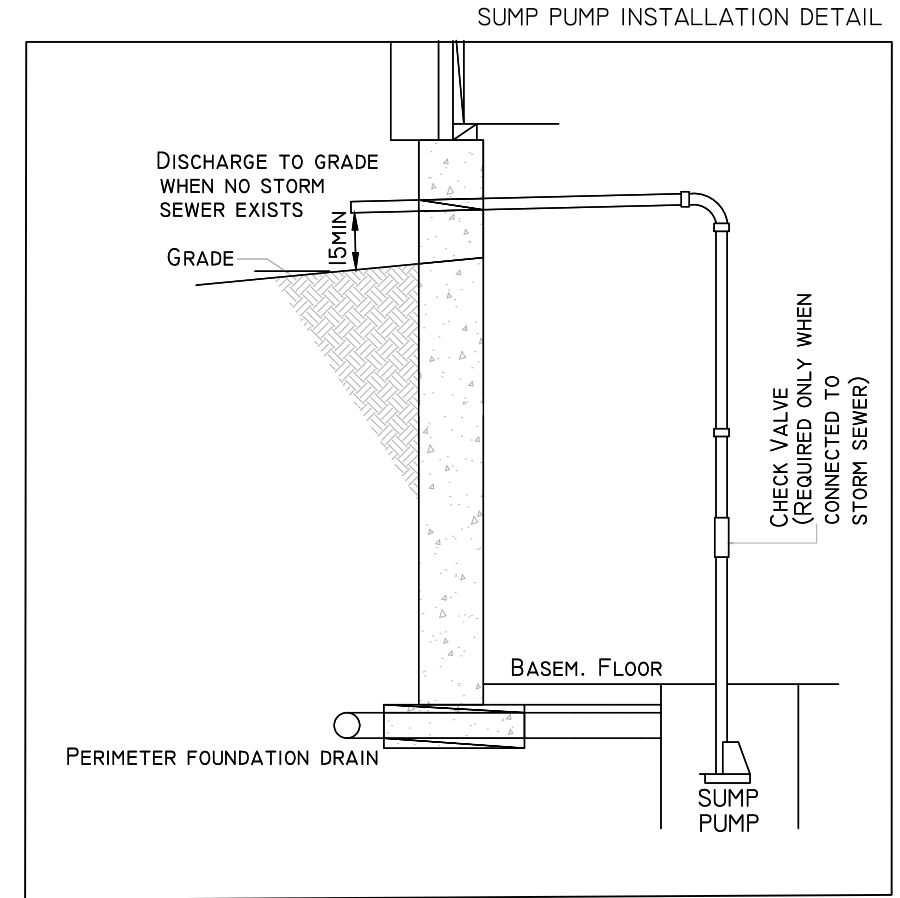
- NOTE:
1. This property is eligible for weekly collection of garbage, organics, recyclable material, and leaf and waste through the City of Hamilton subject to compliance with specifications indicated by the Waste Management Division and subject to compliance with the City's Solid Waste Management By-Law 09-067.
2. Construction material is prohibited from collection and arrangements shall be made with a private contractor for its collection and disposal.
3. On collection day the collection area shall be in an accessible location, free and clear of any construction debris and vehicles.
4. Collection of garbage, green cart organics, recycling and leaf and yard waste will take place curbside in front of the property.

SEWERS

- 1. STORM AND SANITARY PRIVATE DRAINS
A. CONSTRUCTION OF PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MSE) GUIDELINES (LATEST EDITION).
B. PRIVATE DRAINS TO BE 150mm PVC PIPE, CSA B1821 M-1983, SDR 26 AS PER FORM 500. STORM PIPE SHALL BE WHITE AND SANITARY SHALL BE ANY COLOR OTHER THAN WHITE. WOOD MARKING AT END OF SANITARY PRIVATE DRAIN SHALL BE PAINTED RED.
C. COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER 0510 802/010 OR 802/011.
D. MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.
E. TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2m (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT AS DETAILED.
F. TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2m (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT AS DETAILED.
G. BUILDING RANWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE TO LANDSCAPED SURFACES VIA SPLASH PADS.
H. SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150mm ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN. SEE DETAIL 3.
I. IF THE APPLICANT/OWNER INTENDS TO REUSE A PORTION OF A SITE'S EXISTING SEWER SYSTEM, IT IS THEIR RESPONSIBILITY TO ENSURE THAT THE SEWER IS OF ADEQUATE CAPACITY. ALL APPLICABLE BY-LAW REQUIREMENT, AND IS IN GOOD WORKING ORDER. SEWERS TO BE REUSED MUST BE VIDEO INSPECTED, WHILE THE CITY/TOWN SEWER INSPECTOR IS PRESENT. THE APPLICANT/OWNER IS RESPONSIBLE FOR MAKING ALL ARRANGEMENTS WITH THEIR PRIVATE VIDEO INSPECTION CONTRACTOR ALONG WITH PAYMENT OF AN INSPECTION FEE.

COMPACTION REQUIREMENTS

- UNLESS OTHERWISE NOTED OR DIRECTED BY THE GEOTECHNICAL CONSULTANT, THE FOLLOWING SHALL APPLY.
A. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUB-GRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS, ETC., SHALL BE COMPACTED TO MIN. 95% S.P.D. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
B. ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO 98% S.P.D.
C. ALL FILL SEWERS AND WATERMANS IN FILL SECTIONS, THE COMPACTION SHALL BE CERTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO LAYING OF PIPE.
SILTATION AND EROSION CONTROL
A. SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED.
B. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE OFFICE OF CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.
C. ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE ENGINEER, THE CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.



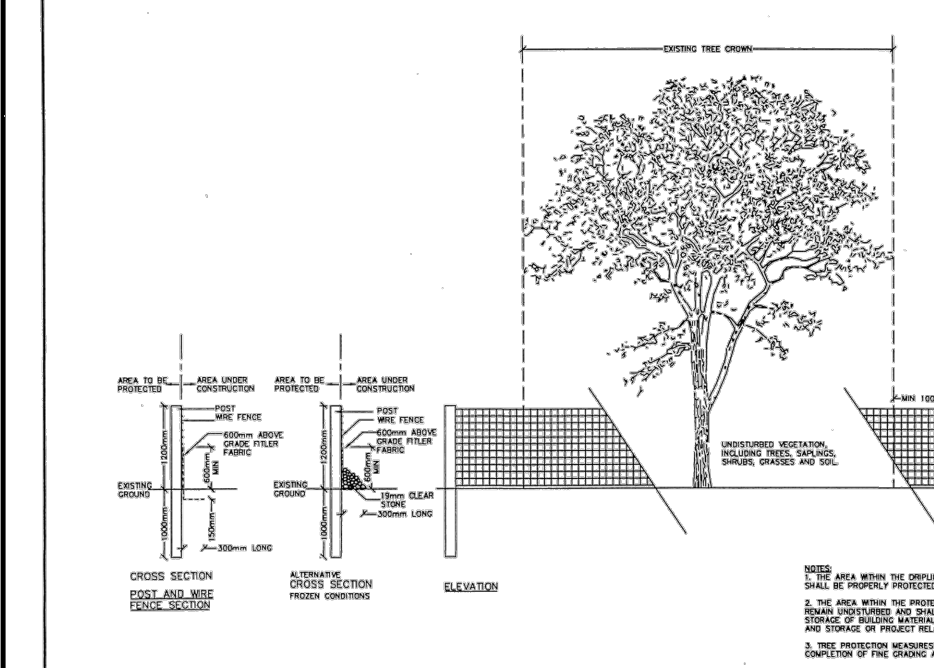
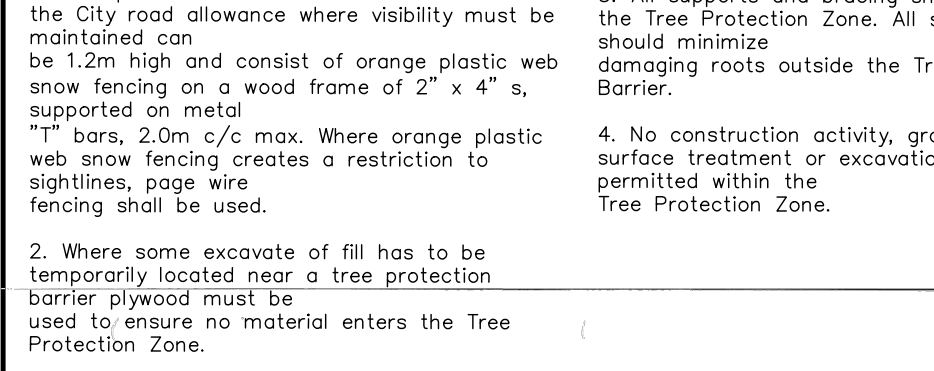
MUNICIPAL ADDRESS

16 ORCHARD DRIVE, WATERDOWN
LOT 21
REGISTERED PLAN 894
CITY OF HAMILTON
ONTARIO

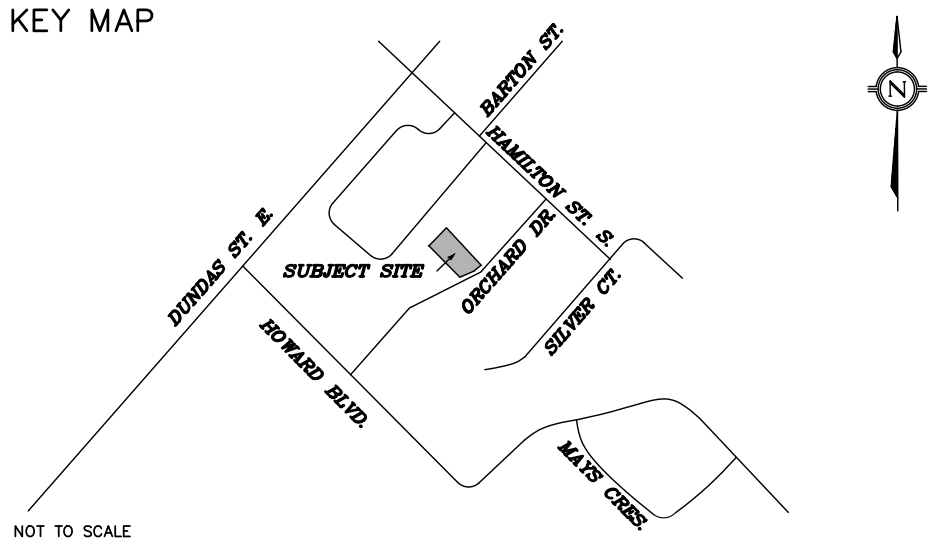
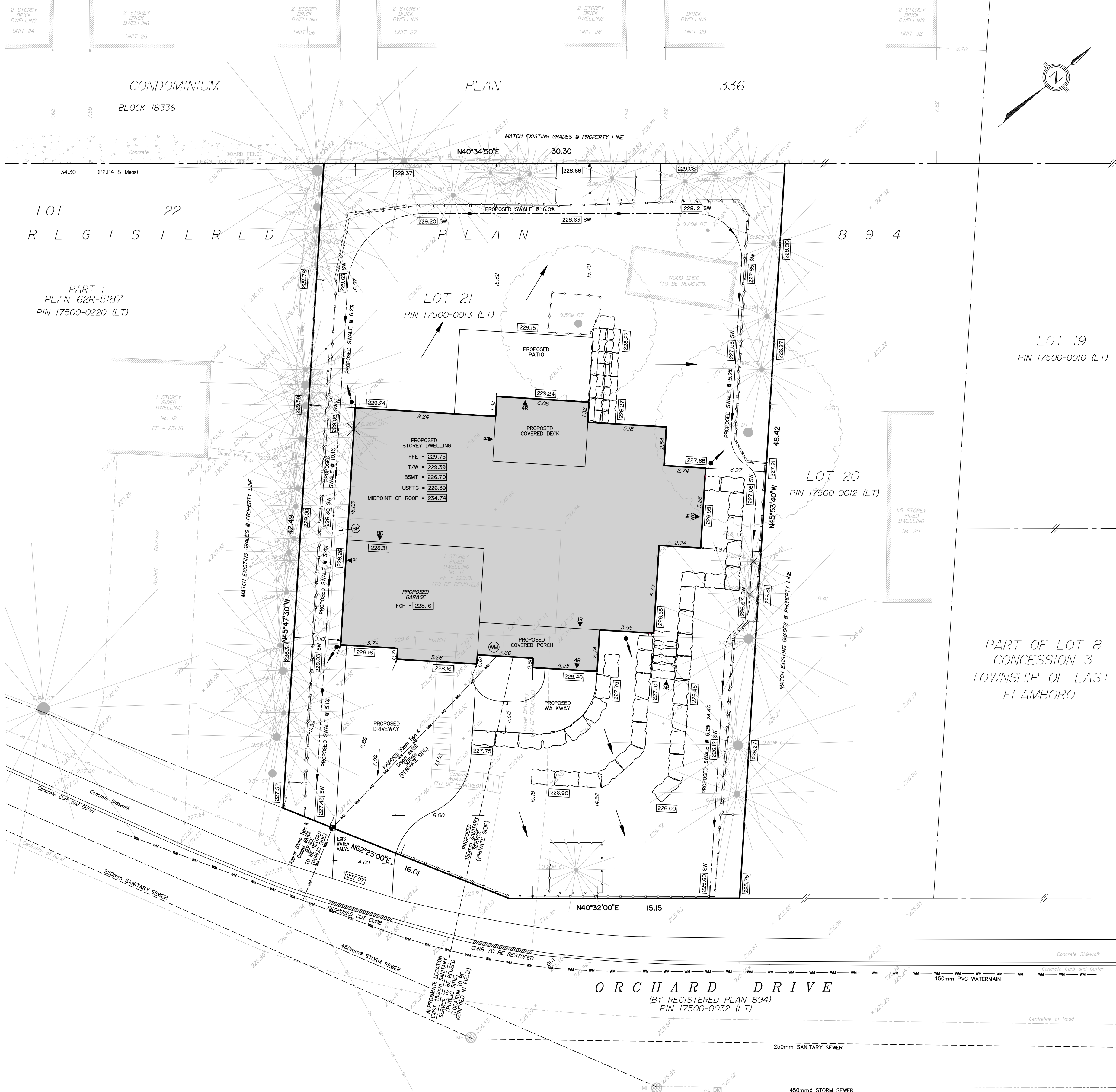
Table with 3 columns: SITE STATISTICS, B.Y.LAW, and PROPOSED. Rows include LOT AREA, FRONT YARD SETBACK, REAR YARD SETBACK, SIDE YARD SETBACK, HEIGHT (PEAK OF ROOF), LOT FRONTAGE, LOT COVERAGE, and AVERAGE GRADE.

AVERAGE GRADE = 228.16+228.16+228.40+226.55+226.55+227.68+228.27+229.24+229.24+228.26 = 228.05

1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2" x 4" s, supported on metal "T" bars, 2.0m c/c. Max. where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing shall be used.



NOTE:
A. All dimensions are in millimetres unless otherwise stated.
ONTARIO PROVINCIAL STANDARD DRAWING
HEAVY-DUTY SILT FENCE BARRIER
OPS# 219.130



ADDRESS: 16 ORCHARD DRIVE, WATERDOWN

SITE & GRADING PLAN OF
LOT 21
REGISTERED PLAN 894
IN THE
CITY OF HAMILTON
SCALE & NOTES

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2020

METRIC
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 00772020059 HAVING AN ELEVATION OF 224.41 m.

- LEGEND
DENOTES DECIDUOUS TREE
DENOTES CONIFEROUS TREE
DENOTES SUBJECT LANDS BOUNDARY
DENOTES SEED LINE
DENOTES LOT LINE
DENOTES FENCE LINE
DENOTES NORTH-EAST-SOUTH-WEST
DENOTES EXISTING ELEVATION
DENOTES PROPOSED ELEVATION
DENOTES PROPOSED TREE PROTECTION
DENOTES PROPOSED SILT FENCE
DENOTES DOWN SPOUT WITH SPLASH PAD
DENOTES SUMP PUMP
DENOTES WATER METRE

Table with columns: NO., DATE, BY, ISSUED FOR REVIEW, REVISIONS. Includes a row for DESIGN and DRAWN, dated JANUARY 16, 2020.

Scale 1:150

APPROVALS

Professional Engineer stamp for M. Fathi, License No. 100086843, dated JAN 16, 2020, Province of Ontario.

Barich Grenkie Surveying Ltd.
297 HWY No. 8 UNIT 101 - SENECA CREEK, ON
(905) 662-6767
A DIVISION OF GEOMAPLE
DWN BY: MF
CHK BY: EWA
JOB No. 19-2600

CLIENT
TONI-LYNNE JACKSON

PROJECT NAME
SITE GRADING PLAN
16 ORCHARD DRIVE, WATERDOWN

TITLE
SITE & GRADING PLAN

PROJECT No. 19-2600
DRAWING No. 19-2600 SGP







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 Fax (905) 546-4202

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

**APPLICATION NO.:** FL/A-20:33

**APPLICANTS:** Owner: Britney & Cooper Taugher  
Agent: Matt Taugher

**SUBJECT PROPERTY:** Municipal address **550 10<sup>th</sup> Con Rd. E., Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended

**ZONING:** P7 and P8 and A2 district (Conservation/Hazard Land Rural (P7) zone and Conservation/Hazard Land Rural (P8) zone and Rural (A2) zone)

**PROPOSAL:** To permit the construction a 10.67m (35') x 12.19m (40') detached building accessory to the existing single detached dwelling notwithstanding that:

1. The accessory building shall be permitted within the front yard instead of the requirement that no accessory building or structures shall be located within a front yard.

**NOTE:**

- i) The accessory building shall not be used for commercial and/or industrial uses or for human habitation. Further, no portion of the existing single family dwelling including the detached garage or any accessory building shall be used for "Tradesperson's Shop" or a "Contractor's Establishment" which includes the storage of any equipment, tools or material for these uses.

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:35 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only**

**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, including deadlines for submitting to be seen by the Committee.

FL/A-20:33

Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

---

Jamila Sheffield,  
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.***

<b>SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY</b>
<b>DESCRIPTION OF LAND</b> BEING PART OF LOT 1, CONCESSION 8, TOWNSHIP OF EAST FLAMBOROUGH, IDENIFIED AS MUNICIPAL No. 530 CONCESSION 10 EAST, CITY OF HAMILTON
<b>REGISTERED EASEMENTS AND/OR RIGHTS OF WAY</b> NO EASEMENTS LISTED ON THE PARCEL NEAREST FOUND IN THE LAND REGISTRY OFFICE.
<b>BOUNDARY FEATURES</b> NOTE LOCATION OF THE FINISHES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.
<b>COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS</b> NOT CERTIFIED BY THIS REPORT



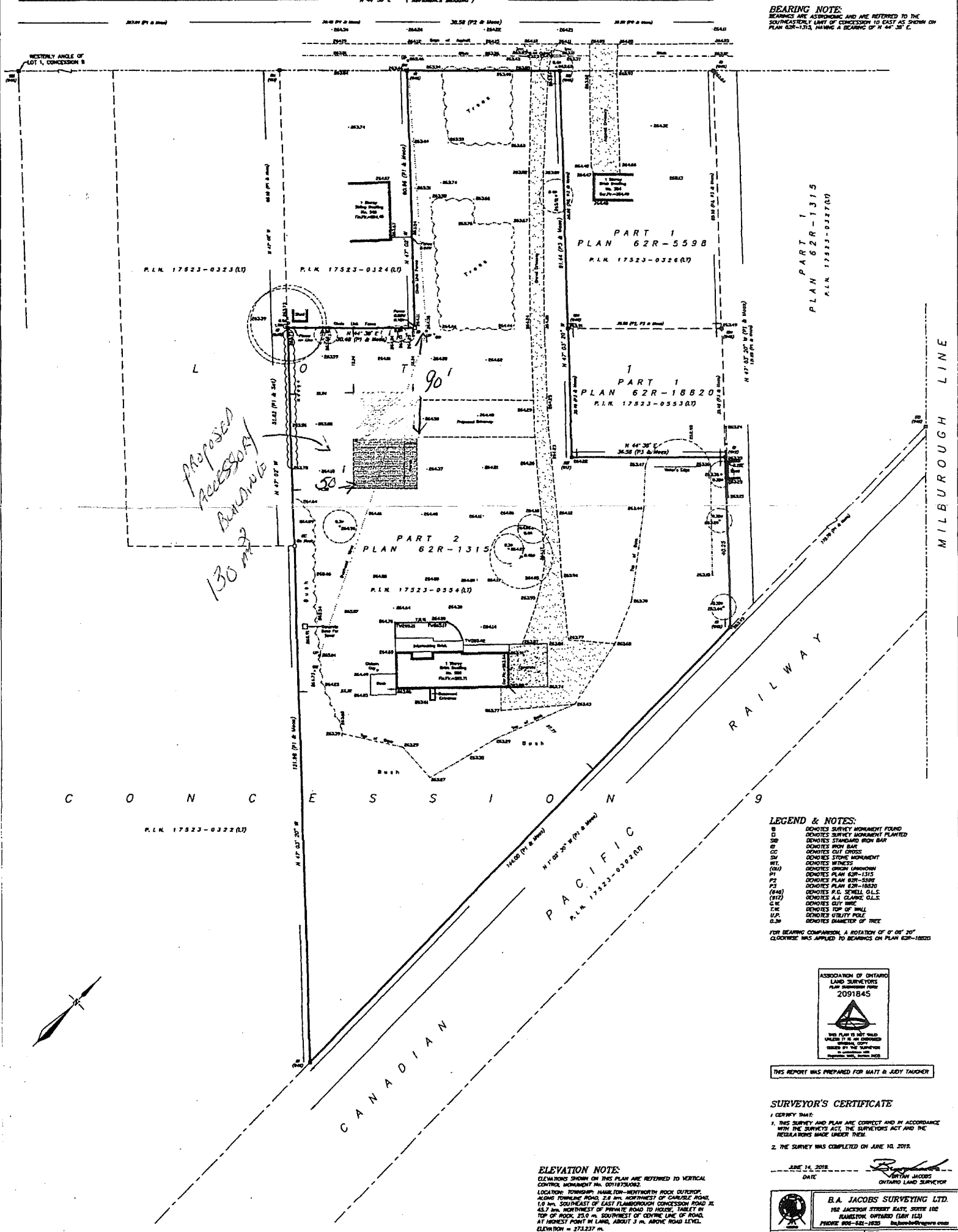
CONCESSION 10 EAST

(ROAD ALLOWANCE BETWEEN CONCESSIONS 9 AND 10, P.L.N. 17524-0237 (L17))

N 44° 30' E (REFERENCE BEARING)

**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 ASTROMERIC AND ARE REFERRED TO THE SOUTHEASTERN LIMIT OF CONCESSION 10 EAST AS SHOWN ON PLAN 62R-1315, HAVING A BEARING OF N 44° 30' E.



**LEGEND & NOTES:**

- S DENOTES SURVEY MONUMENT FOUND
- D DENOTES SURVEY MONUMENT PLANTED
- ST DENOTES STANDARD IRON STAKE
- SP DENOTES IRON SPIKE
- CC DENOTES CEMENT CROSS
- SM DENOTES STONE MONUMENT
- WT, (S2) DENOTES WITNESS
- OR DENOTES ORIGIN (UNKNOWN)
- P1 DENOTES PLAN 62R-1315
- P2 DENOTES PLAN 62R-5598
- P3 DENOTES PLAN 62R-18820
- (H48) DENOTES H.C. SELLER O.L.S.
- (812) DENOTES A.L. CLARK O.L.S.
- G.W. DENOTES GUY WIRE
- T.W. DENOTES TOP OF WALL
- U.P. DENOTES UTILITY POLE
- 0.30 DENOTES DIAMETER OF TREE

FOR BEARING COMPARISON, A ROTATION OF 0° 00' 30" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62R-18820



THIS REPORT WAS PREPARED FOR MATT & JUDY TAUGHER

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE REGULATIONS MADE UNDER THEM;
- THE SURVEY WAS COMPLETED ON JUNE 10, 2018.

JUNE 14, 2018  
DATE

*[Signature]*  
E.A. JACOBS  
ONTARIO LAND SURVEYOR

**E.A. JACOBS SURVEYING LTD.**  
100 JACKSON STREET EAST, SUITE 100  
HAMILTON, ONTARIO (L8N 1E3)  
PHONE: 905-525-1252 info@ejacobssurveying.com

**ELEVATION NOTE:**  
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO VERTICAL CONTROL MONUMENT NO. 0019750082.  
LOCATION: TOWNSHIP: HAMILTON-NORTHWEST ROCK OUTCROP, ALONG TOWNLINE ROAD, 2.8 km, NORTHWEST OF CHARLIE ROAD, 1.0 km, SOUTHWEST OF EAST FLAMBOROUGH CONCESSION ROAD 7E, 43.7 km, NORTHWEST OF PRIVATE ROAD TO HOUSE, TABLET IN TOP OF ROCK, 25.0 m, SOUTHWEST OF CENTRE LINE OF ROAD, AT HIGHEST POINT IN LAND, ABOUT 2 m, ABOVE ROAD LEVEL. ELEVATION = 273.27 m.

FL/A 20:33  
Sketch



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

**DESCRIPTION OF LAND**  
BEING PART OF LOT 1, CONCESSION 9, TOWNSHIP OF EAST FLAMBOROUGH, KNOWN AS MUNICIPAL No. 500 CONCESSION 10 EAST, CITY OF HAMILTON

**REGISTERED EASEMENTS AND/OR RIGHTS OF WAY**  
NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE.

**BOUNDARY FEATURES**  
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.

**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS**  
NOT CERTIFIED BY THIS REPORT

**SURVEYOR'S REAL PROPERTY REPORT - PART 1  
PLAN OF SURVEY OF  
PART OF LOT 1  
CONCESSION 9  
( GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH )  
CITY OF HAMILTON**

SCALE 1:400  
0 10 20 30 METRES  
B.A. JACOBS SURVEYING LTD.  
ONTARIO LAND SURVEYOR

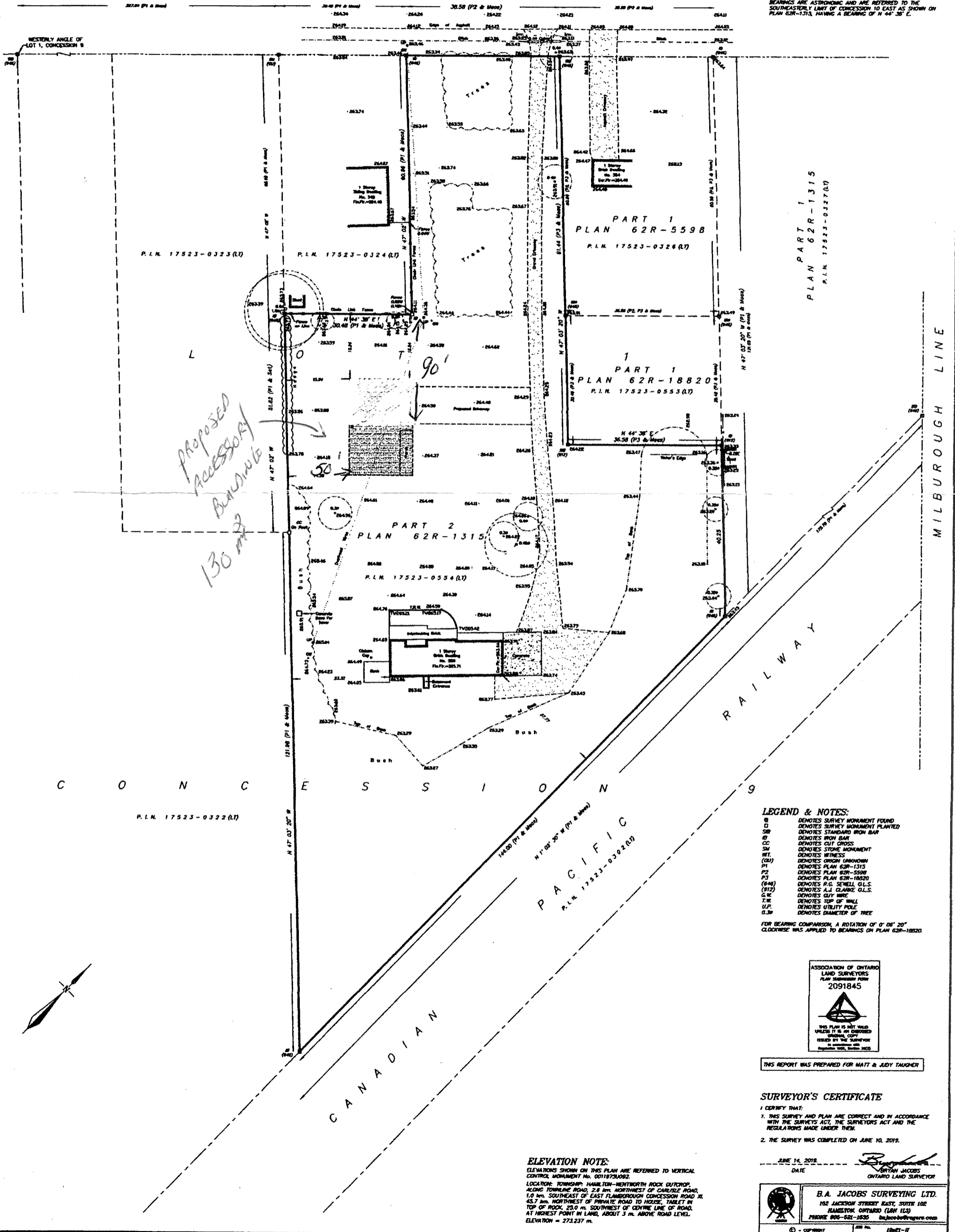
**CONCESSION 10 EAST**

( ROAD ALLOWANCE BETWEEN CONCESSIONS 9 AND 10, P.L.N. 17524-0257 (L1) )

N 44° 38' E ( REFERENCE BEARING )

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

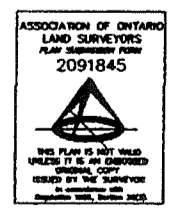
**BEARING NOTE:**  
BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE SOUTHEASTERLY LIMIT OF CONCESSION 10 EAST AS SHOWN ON PLAN 62R-1315, HAVING A BEARING OF N 44° 38' E.



**LEGEND & NOTES:**

- SB DENOTES SURVEY MONUMENT FOUND
- DB DENOTES SURVEY MONUMENT PLANTED
- SBP DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- SM DENOTES STONE MONUMENT
- WT DENOTES WITNESS
- (CU) DENOTES CURB UNKNOWN
- P1 DENOTES PLAN 62R-1315
- P2 DENOTES PLAN 62R-5598
- P3 DENOTES PLAN 62R-18820
- (646) DENOTES P.G. SENEILL O.L.S.
- (872) DENOTES A.J. CLARKE O.L.S.
- G.W. DENOTES GUT WIRE
- T.M. DENOTES TOP OF WALL
- U.P. DENOTES UTILITY POLE
- G.S. DENOTES DIAMETER OF TREE

FOR BEARING COMPARISON, A ROTATION OF 0° 08' 20" CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62R-18820



THIS REPORT WAS PREPARED FOR MAIT & JUDY TAUGHER

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON JUNE 10, 2019.

JUNE 14, 2019  
DATE  
B.A. JACOBS  
ONTARIO LAND SURVEYOR

**B.A. JACOBS SURVEYING LTD.**  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1L3)  
PHONE: 905-521-1635 [ba.jacobsurveying.com](http://ba.jacobsurveying.com)

**ELEVATION NOTE:**  
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO VERTICAL CONTROL MONUMENT No. 071870092.  
LOCATION: TOWNSHIP: HAMILTON-NORTHWEST ROCK OUTCROP, ALONG TOWNLINE ROAD, 2.8 km. NORTHWEST OF CARLISLE ROAD, 1.0 km. SOUTHEAST OF EAST FLAMBOROUGH CONCESSION ROAD II, 45.7 km. NORTHWEST OF PRIVATE ROAD TO HOUSE, TABLET IN TOP OF ROCK, 25.0 m. SOUTHWEST OF CENTRE LINE OF ROAD, AT HIGHEST POINT IN LAND, ABOUT 3 m. ABOVE ROAD LEVEL.  
ELEVATION = 273.237 m.







# Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

RECEIVED

JAN 24 2020

COM. OF ADJUST. E

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>FL/A-20:33</u>	DATE APPLICATION RECEIVED <u>Jan. 24/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner BRITNEY TAUGHER  
COOPER TAUGHER Telephone No.
- 
- Name of Agent MATT TAUGHER Telephone No.
- 

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
ROYAL BANK WATERDOWN  
304 DUNDAS ST. EAST. Postal Code L0R 2H0  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

LOCATION OF ACCESSORY BUILDING MUST  
BE PLACED IN FRONT OF PRINCIPAL  
RESIDENCE

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

THERE IS INSUFFICIENT ROOM AS WELL  
AS CONSERVATION RESTRICTIONS.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

PIN # 175 230 554  
ROLL # 251 830 391 025 100  
550 CONCESSION 10 RD. EAST. L8B 1H6

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
Agricultural  Vacant   
Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes \_\_\_\_\_ No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
PREVIOUS OWNER & REALTOR.


9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_\_\_ No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

DEC. 9/19  
 Date

  
 Signature Property Owner  
COOPER TAUGHTER  
 Print Name of Owner  
BRITNEY TAUGHTER

10. Dimensions of lands affected:

Frontage 38.58 m (126.57')  
 Depth 234.76 m (770.21')  
 Area 15,761.09 m<sup>2</sup> (3.89 ACRES)  
 Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: SINGLE STORY RESIDENCE WITH ATTACHED GARAGE  
GROUND FLOOR AREA = 15.8 m x 7.5 m = 133.5 m<sup>2</sup>  
GROSS FLOOR AREA (BASEMENT INCLUDED) = 267 m<sup>2</sup>  
GARAGE (ATTACHED) 7.92 m x 10.66 m = 84.5 m<sup>2</sup>  
 Proposed: SINGLE STORY ACCESSORY BUILDING  
GROUND FLOOR AREA 10.67 m x 12.19 m = 130.07 m<sup>2</sup>  
HEIGHT OF 5.85 m

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

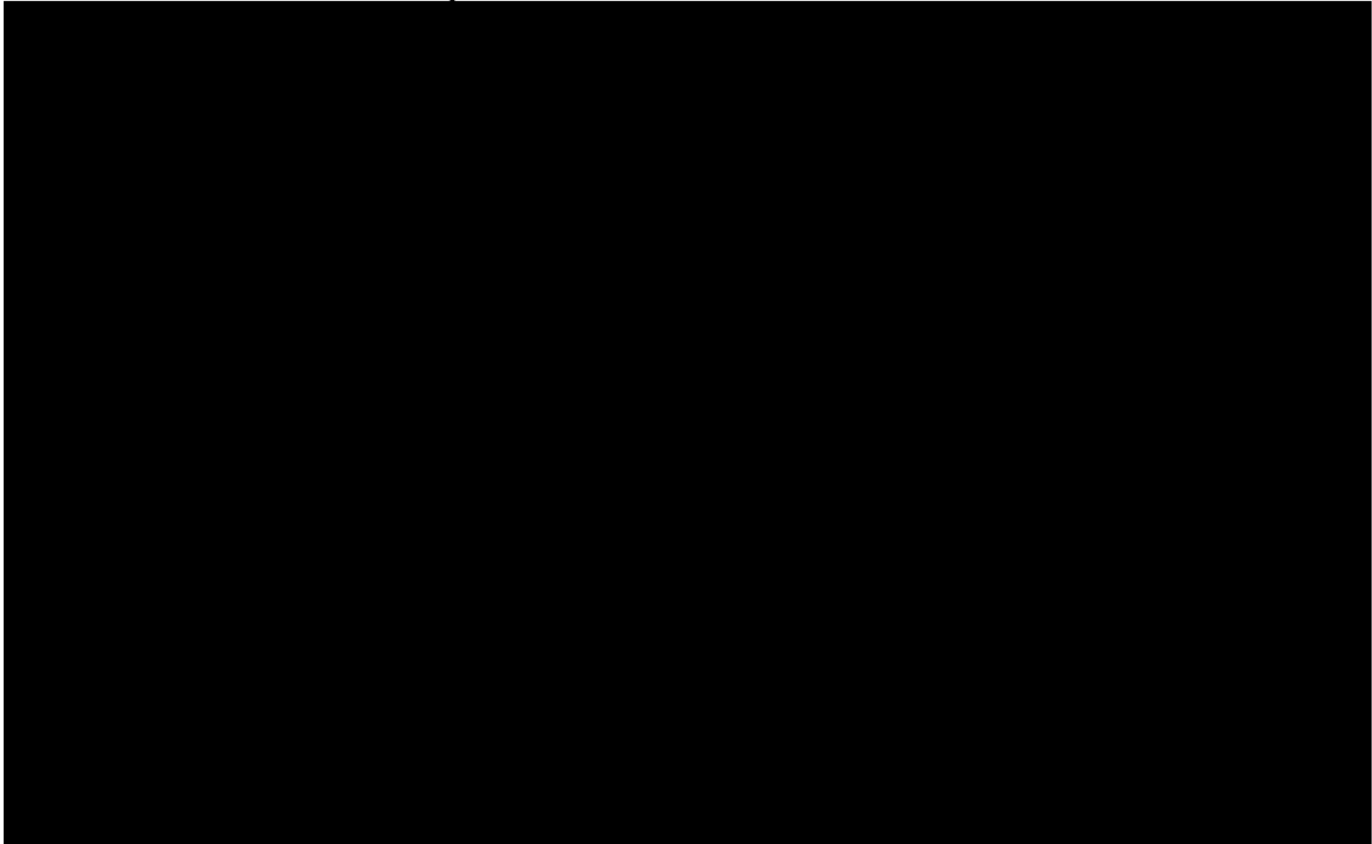
Existing: 25 m (82') FROM WESTERN PROPERTY LINE  
78.5 m (257.6") FROM NORTHERN PROPERTY LINE  
23.9 m (78'5") FROM EASTERN PROPERTY LINE  
33 m (108'3") FROM SOUTHERN PROPERTY LINE  
 Proposed: 15.24 m FROM PROPERTY LINE TO THE WEST  
27.43 m FROM PROPERTY LINE TO THE NORTH  
52.7 m FROM PROPERTY LINE TO THE EAST.  
135.2 m FROM PROPERTY LINE TO THE SOUTH

- 13. Date of acquisition of subject lands:  
OCTOBER 15, 2019
- 14. Date of construction of all buildings and structures on subject lands:  
PRINCIPAL RESIDENCE BUILT IN 1985
- 15. Existing uses of the subject property:  
RESIDENTIAL SINGLE FAMILY
- 16. Existing uses of abutting properties:  
RESIDENTIAL
- 17. Length of time the existing uses of the subject property have continued:  
34 YEARS SINCE BEING BUILT.
- 18. Municipal services available: (check the appropriate space or spaces)  
 Water NONE Connected No  
 Sanitary Sewer NONE Connected No  
 Storm Sewers NONE
- 19. Present Official Plan/Secondary Plan provisions applying to the land:  
RURAL
- 20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
A2
- 21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 22. Is the subject property the subject of a current application for consent under Section 53 of The Planning Act?  
 Yes  No
- 23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

*BRITNEY TAUGHTER*

As of the date of this application, I (NAME) *COOPER TAUGHTER* am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

*MATT TAUGHTER* of *TAUGHTER CONSTRUCTION INC.*

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE *OC 9/19*

SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, *BRITNEY TAUGHTER*  
*COOPER TAUGHTER*, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

*Britney Taughter*

Date

Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: \_\_\_\_\_

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 550 CONCESSION 10 RD. EAST.  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

MATT TAUGHTER

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1324.

**SUBMITTER'S REAL PROPERTY RESPONSE**  
**PART 2 - REPORT SUMMARY**  
 THIS REPORT IS FOR THE PURPOSES OF THE REAL PROPERTY RESPONSE ACT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF THE CITY OF HAMILTON AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CITY OF HAMILTON.

**RECEIVED**  
**CONSTRUCTION DIVISION**  
 OCT 18 2010

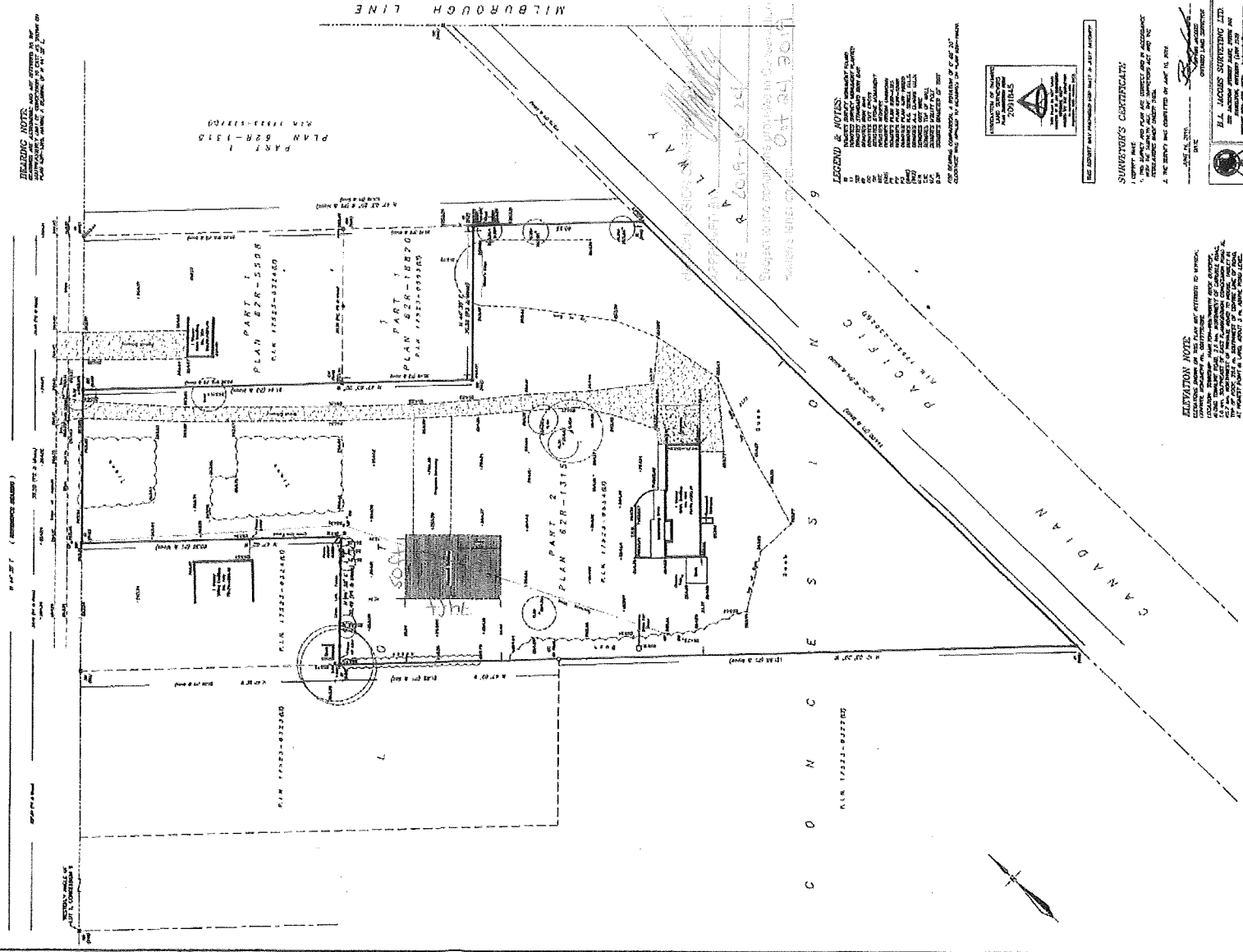
**SUBMITTER'S REAL PROPERTY RESPONSE - PART 1**  
**PLAN OF SUBDIVISION**  
**PART OF LOT 1**  
**CONCESSION 9**  
 (CONSOLIDATED PORTION OF EAST PALMBOURGH)  
**CITY OF HAMILTON**



**LEGEND & NOTES**  
 1. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.  
 2. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.

**LEGEND & NOTES**  
 1. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.  
 2. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.

**CONCESSION 10 EAST**  
 (LAND ACQUISITION APPROVAL CONCESSION & NOT A PLAN UNDER THE RTA)



**LEGEND & NOTES**  
 1. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.  
 2. THE SUBDIVISION IS SHOWN AS A DOTTED LINE AND IS SUBJECT TO THE CITY OF HAMILTON'S ZONING BY-LAW.



**SUBMITTER'S CERTIFICATE**  
 I, THE SUBMITTER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 B.L. JACOBS SURVEYING LTD.  
 1000 SHEPPARD AVENUE EAST, SUITE 100  
 SCARBOROUGH, ONTARIO M1S 1T7  
 DATE: \_\_\_\_\_

**ELEVATION NOTE**  
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO WHOLE, MEAN SEA LEVEL. THE ELEVATION OF THE CITY OF HAMILTON IS 100 METERS ABOVE MEAN SEA LEVEL. THE ELEVATION OF THE CITY OF HAMILTON IS 100 METERS ABOVE MEAN SEA LEVEL. THE ELEVATION OF THE CITY OF HAMILTON IS 100 METERS ABOVE MEAN SEA LEVEL.

**B.L. JACOBS SURVEYING LTD.**  
 1000 SHEPPARD AVENUE EAST, SUITE 100  
 SCARBOROUGH, ONTARIO M1S 1T7  
 TEL: (416) 291-1111  
 FAX: (416) 291-1112  
 WWW: www.bljacobs.com







---

**Conservation Halton Minor Variance Screen Fee**2 messages

---

Cassandra Connolly - cconnolly@hrca.on.ca

Mon, Nov 4, 2019, 2:08 PM

Hi Matt,

As a follow-up to our conversation a few moments ago, it is my understanding that the accessory building you are proposing requires a Minor Variance Application with the City of Hamilton. Conservation Halton (CH) collects fees for our review of *Planning Act Applications*. As CH previously provided approval for the proposal (CH issued Letter of Permission dated October 24, 2019), we will only require the \$120.00 *Screening Letter* fee instead of the *Minor Variance* – *Minor* fee of \$590.00.

I trust this email can be used as proof of contact with Conservation Halton regarding applicable fees for the forthcoming application circulated for our review.

Regards,

**Cassandra Connolly**

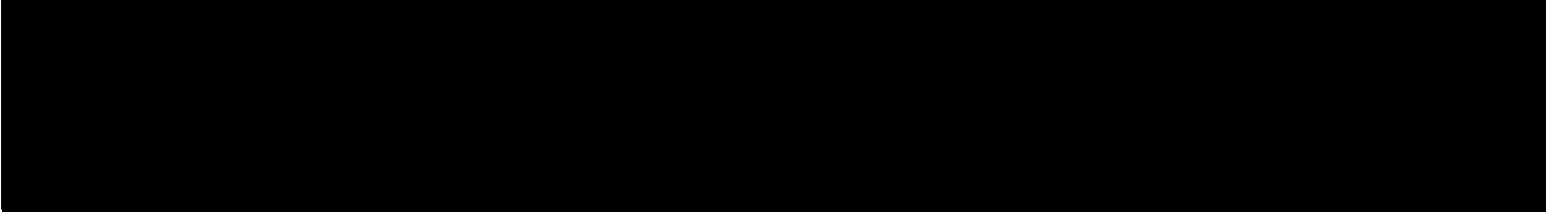
Regulations Officer

**Conservation Halton**

2596 Britannia Road, Burlington, ON L7P 0G3

905-336-1158 ext. 2301 | cconnolly@hrca.on.ca

---





905.336.1158  
 Fax: 905.336.7014  
 2596 Britannia Road West  
 Burlington, Ontario L7P 0G3  
 conservationhalton.ca

Protecting the Natural  
 Environment from  
 Lake to Escarpment

### Letter of Permission in accordance with Ontario Regulation 162/06

October 24, 2019

Cooper & Brittney Taugher  
 550 Concession 10 Road East  
 Freelon, ON L8B 1H6

**BY MAIL AND EMAIL**

Dear Mr. and Mrs. Taugher:

**Re: Proposed construction of an accessory building with porch between 30 and 120 metres of a Provincially Significant Wetland  
 550 Tenth Concession Road East  
 City of Hamilton  
 Conservation Halton File: A/19/H/55**

#### Proposal

The applicant is proposing to construct a new accessory building (garage and storage) having a footprint  $\pm 50$  ft. x 74 ft., inclusive of a  $\pm 10$  ft. x 34 ft. porch, and a driveway extension to the new structure.

#### Ontario Regulation 162/06

The subject property is regulated by Conservation Halton (CH) pursuant to *Ontario Regulation 162/06* as it is traversed by a tributary of Bronte Creek and contains a portion of the North Progreston Swamp Provincially Significant Wetland (PSW) Complex. CH regulates a 15 metre regulatory allowance from the greater of the flooding and erosion hazards associated with Bronte Creek, and 120 metres from the limit of a PSW. *Ontario Regulation 162/06* requires that permission be obtained from CH prior to any development, interference with wetlands, and alteration to watercourses and shorelines. Staff note that the proposed development meets Policy 3.38.4 within CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06*, last amended February 25, 2016 as a setback of  $\pm 30$  metres from the PSW is maintained at the proposed developments closest point. Staff advise that more accurate delineation of the regulated hazards/features on site may be required at the time of future development proposals.

**This Letter of Permission represents CH's consent to undertake the works as shown on the attached drawing stamped, redline revised, and dated October 24, 2019 subject to the following site specific conditions:**

#### Conditions

- a. That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of Conservation Halton.

- b. **That effective sediment and erosion control measures be installed prior to starting work, maintained during construction and fully removed once all disturbed areas have been stabilized. That site conditions be monitored and that the sediment and erosion control measures be modified if site conditions warrant it.**
- c. **That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by Conservation Halton, pursuant to Ontario Regulation 162/06.**

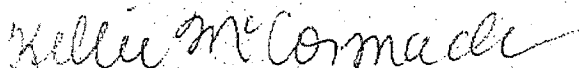
**Please be sure that you read and understand the condition listed above.** Please also note that contravention of a Letter of Permission, or the terms and conditions of a Letter of Permission, is considered an offence under Section 28(16) of the *Conservation Authorities Act*. It is your responsibility to ensure that any person working under the authority of this Permit is familiar, and complies with, the terms and conditions.

Conservation Halton must be contacted a minimum of 48 hours prior to commencement of construction. This Letter of Permission or a copy thereof as well as all approved drawings must be available at the site. Any changes to the approved design or installation methods must be reviewed and approved by Conservation Halton staff prior to their implementation. This letter of permission is valid for two years from the date of issue.

**Please be advised that should you have any objection to any of the conditions of the Letter of Permission, you are entitled to request a hearing before the Authority, in accordance with Section 28(12) of the Conservation Authorities Act. Staff must receive a written notice of your request for a hearing within 30 days of the date of this letter. Please note that if a hearing has been requested, this Letter of Permission is withdrawn until such time as the hearing results have been finalized and commencement of any site alteration must not occur until the results of the Hearing are determined.**

We trust the above is of assistance in this matter. Should you require further information, please contact Cassandra Connolly, Regulations Officer, at extension 2301.

Sincerely,



Kellie McCormack, MA, MCIP, RPP  
Senior Manager, Planning and Regulations

Encl. 1

Cc: Building Department, City of Hamilton (Letter and Drawing)  
Matt Taugher, Agent, taugherconstructioninc@gmail.com (Letter and Drawing)





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** DN/A-20:31

**APPLICANTS:** Chris & Penny Collier, owners

**SUBJECT PROPERTY:** Municipal address **31 Helen Street (Dundas) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** "R2" (Single-Detached Residential) Zone

**PROPOSAL:** To permit the establishment of an accessory apartment within the existing single detached dwelling, notwithstanding,

1. The existing northerly side yard is legally established non-conforming whereas an accessory apartment is only permit in an existing detached dwelling which conform with the requirements of the Zoning By-law.

2. Two (2) on-site parking spaces shall be provided instead of providing three (3) parking spaces which are required for a Dwelling Converted.

3. No on-site manoeuvring space shall be provided instead of a manoeuvring space with a minimum width of 6.0 metres required to be provided abutting each parking space.

**NOTES:**

1. A further variance may be required if any alterations are proposed for the exterior of the existing dwelling.

2. A further variance will be required if gravel or similar surface or suitable paving is not provided for the parking area.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:40p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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DN/A-20:31  
Page 2

## 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

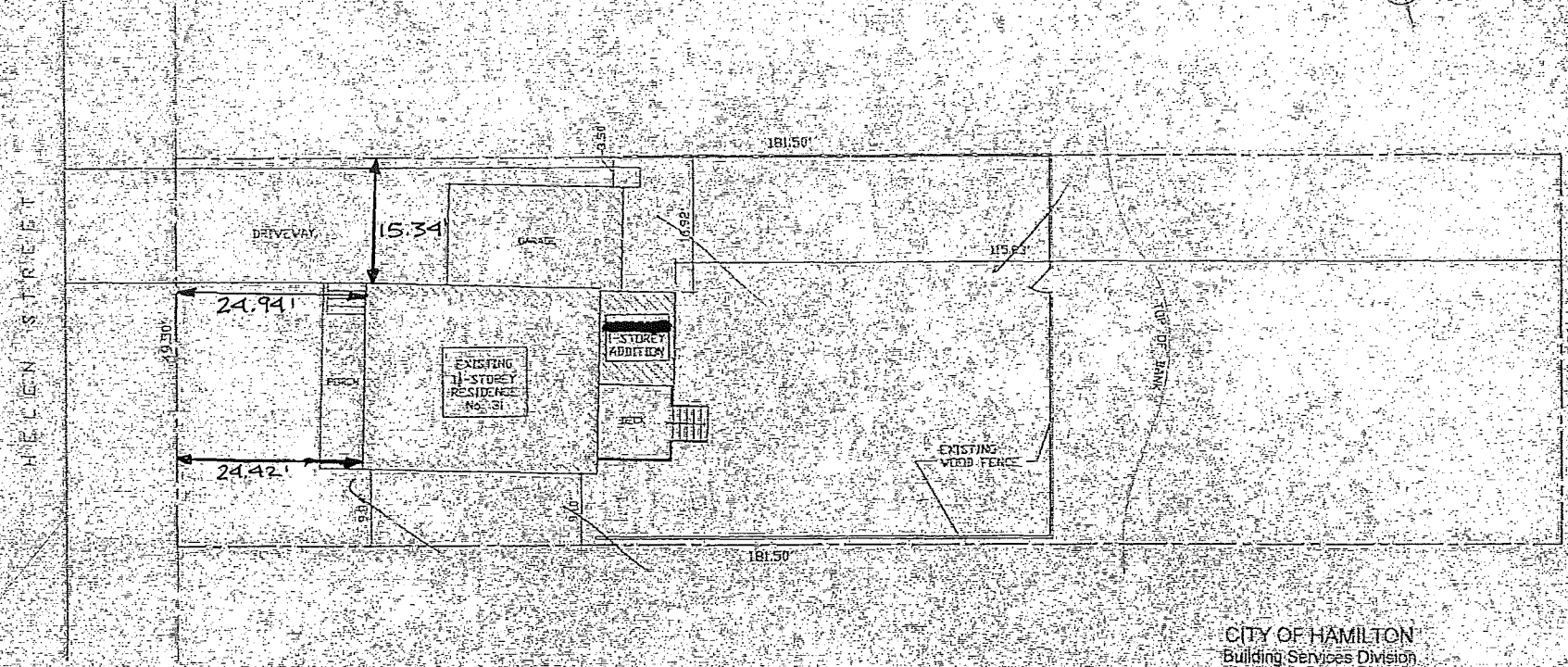
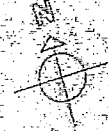
---

Jamila Sheffield,  
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.***

DN/A 20:31  
sketch 1

The CITY OF HAMILTON disclaims any liability for the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents here.



SITE PLAN

CITY OF HAMILTON  
BUILDING SERVICES DIVISION  
Planning & Development Department  
MAY 25 2009  
REC'D BY: DATE:  
REF'D TO: DATE:

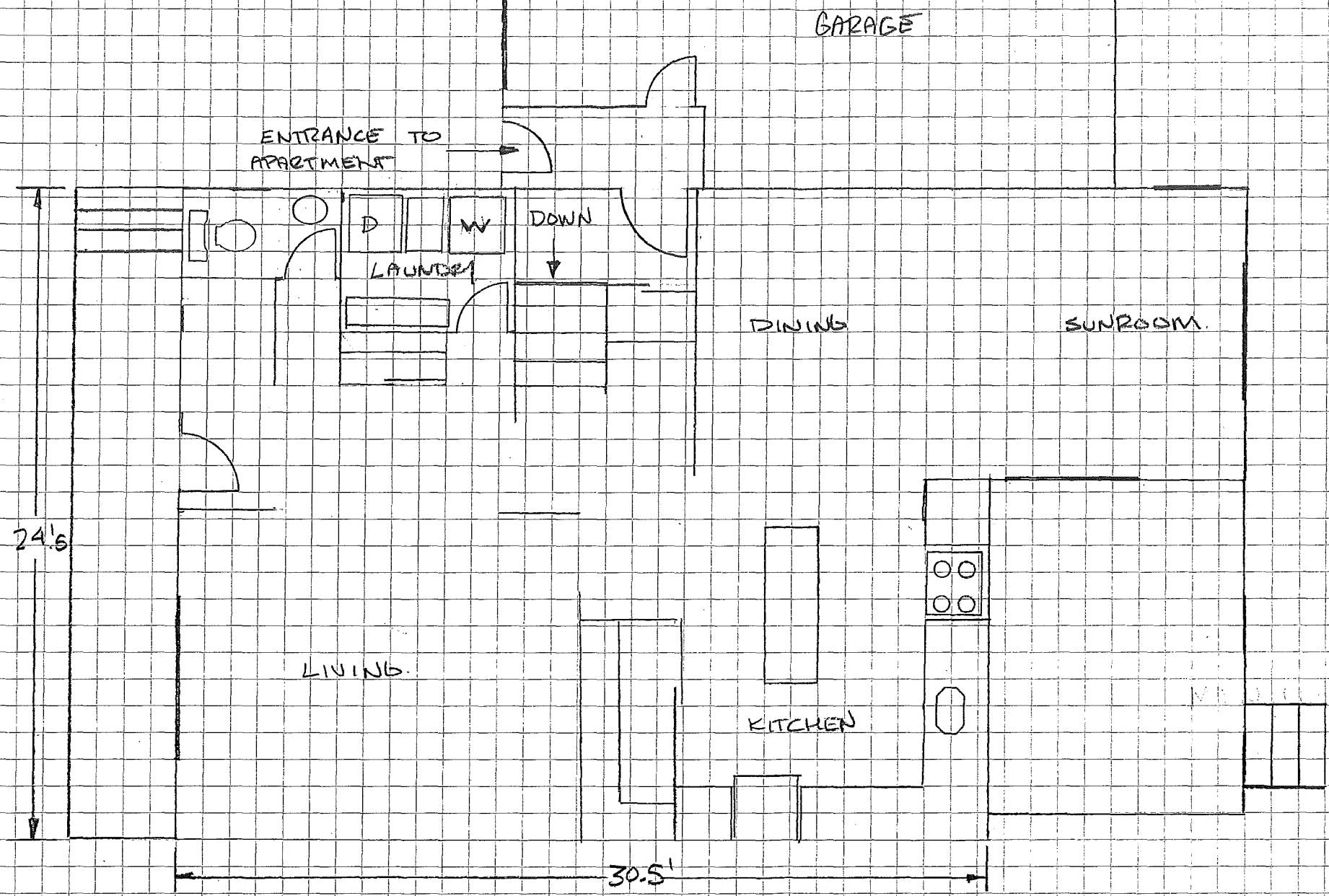
CITY OF HAMILTON  
Building Services Division  
Permit No. 09-189-636  
THESE STAMPED DIMENSIONS MUST BE AVAILABLE ON SITE  
THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH  
THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAWS  
FORWARDED TO THE OFFICIAL: [Signature]  
DATE: [Signature]



Architect  
John Mokrycke

29 Rebecca Street  
Hamilton, ON  
L8R 3R3  
(905) 542-0353

Project	PROPOSED ADDITION 54 HELEN STREET DUNDAS, ONTARIO		
Drawing Title	SITE PLAN		
Date	May 25/09	Scale	1/16" = 1'-0"
Drawn by	EM	Checked by	FT
DWS NO.	SP1		

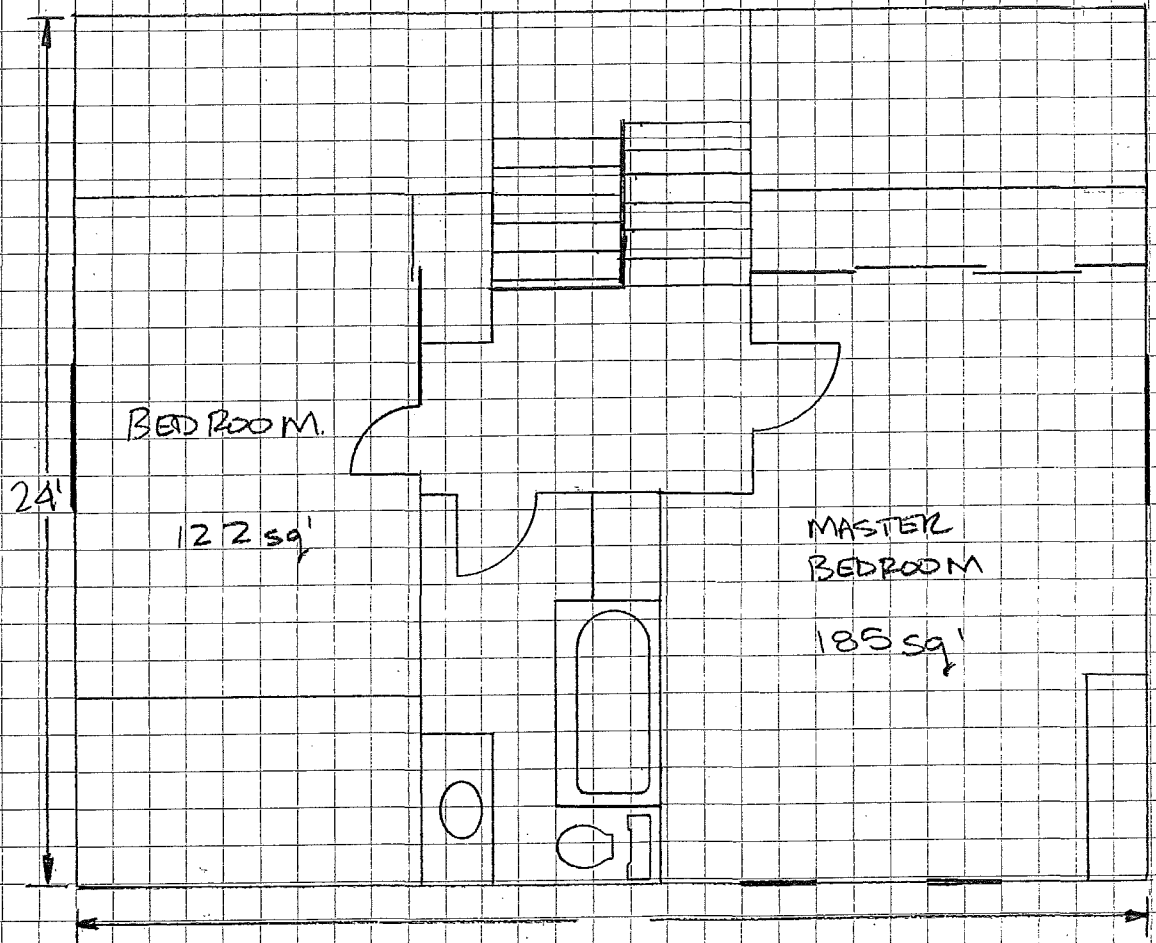


DNA 20:31  
Sketch 2

MAIN FLOOR

SCALE 1/4" = 1'

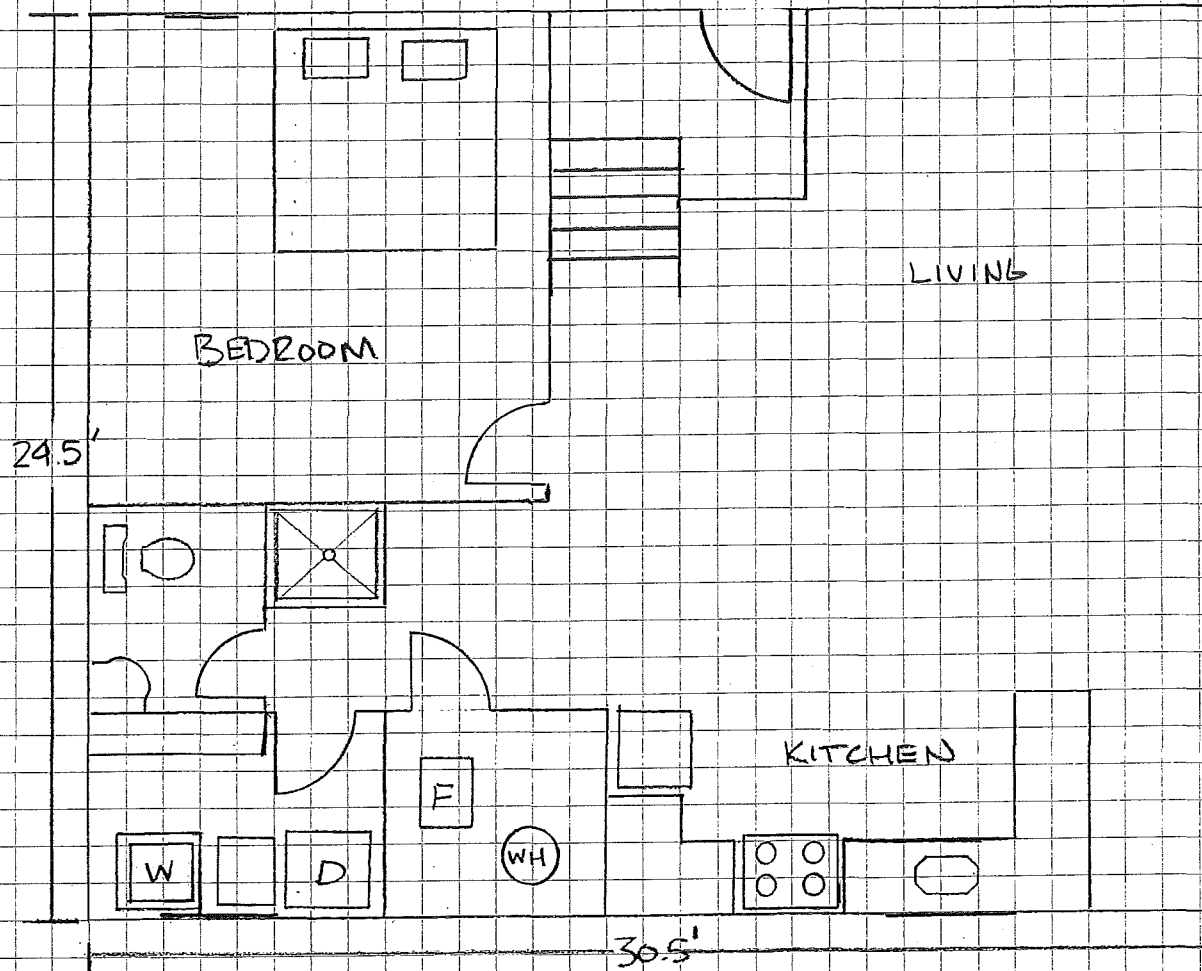




DN/A 20:31  
Sketch 3

SECOND FLOOR

SCALE 1/4" = 1'



DNA 2003/  
Sketch 4

ACCESSORY APARTMENT

SCALE 1/4" = 1'

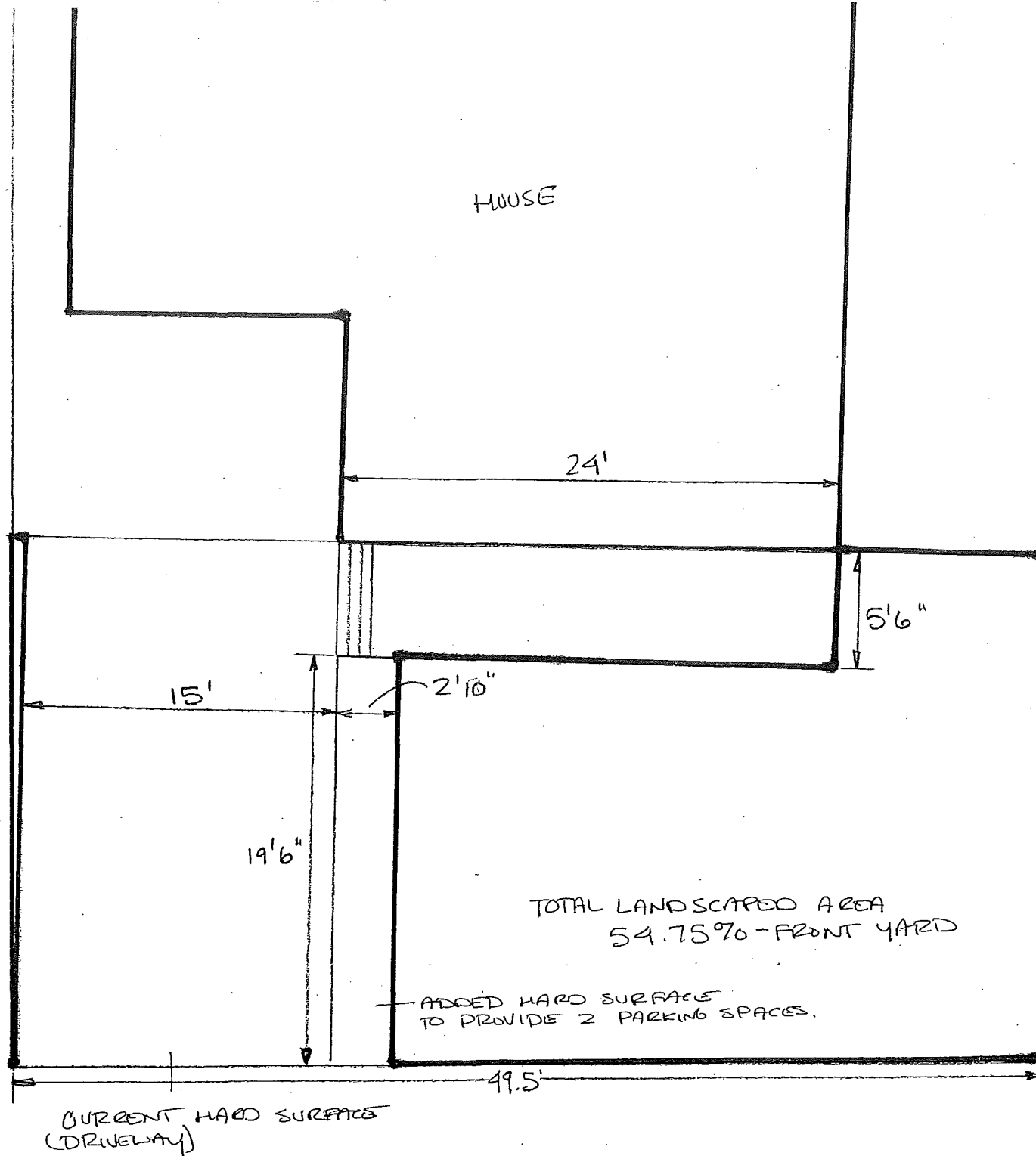
$49.5' \times 25' = 1238 \text{ sq}'$

TOTAL HARD SURFACE PERMITTED  $1238 \times 50\% = 619 \text{ sq}'$

TOTAL HARD SURFACE WITH TWO PARKING SPACES IS  $561 \text{ sq}'$

TOTAL FRONT YARD HARD SURFACE PROVIDING 2 PARKING SPACES -  $45.25\%$

DW/A 20:31  
Sketch 5



HOUSE

24'

5'6"

15'

2'10"

19'6"

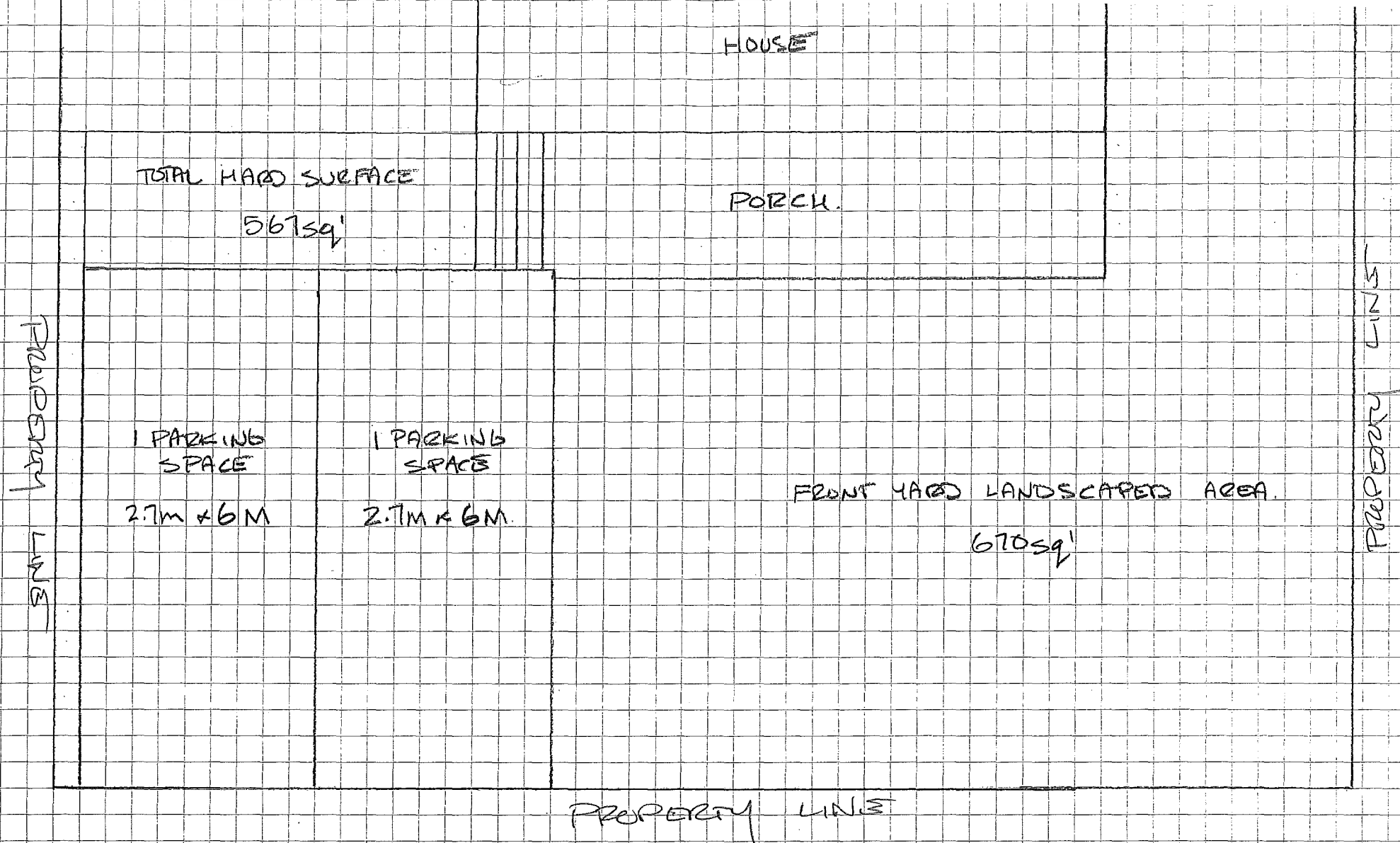
TOTAL LANDSCAPED AREA  
54.75% - FRONT YARD

ADDED HARD SURFACE  
TO PROVIDE 2 PARKING SPACES.

49.5'

CURRENT HARD SURFACE  
(DRIVEWAY)

31 HELEN ST.



DNIA 2013/ sketched

HELEN ↑

SCALE 1/4" = 1'



Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

RECEIVED

JAN 24 2020

FOR OFFICE USE ONLY.

APPLICATION NO. DN/A.20:31 DATE APPLICATION RECEIVED JAN 24 2020

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

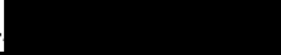
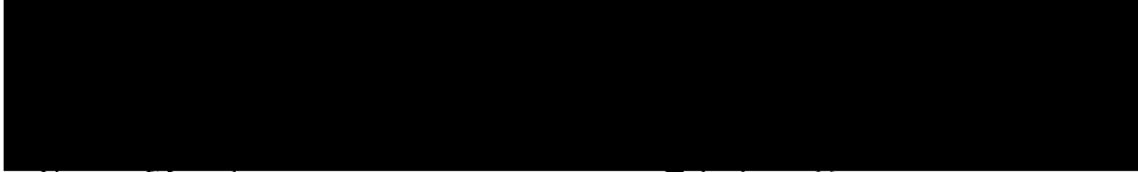
SECRETARY'S SIGNATURE \_\_\_\_\_

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner CHRIS + PENNY COLUCCI Telephone No. 
- 
- Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
- Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
BANK OF NOVA SCOTIA. 547  
BRANT ST, BURLINGTON Postal Code L7R-4K5  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

WE WOULD LIKE TO ADD ONE ACCESSORY APARTMENT TO OUR SINGLE FAMILY DWELLING. THE CURRENT BY-LAW REQUIRES 3 PARKING SPACES FOR A CONVERTED DWELLING. WE ARE APPLYING TO GET RELIEF FROM 3 SPACES TO 2 SPACES. BY-LAW 7.2.1.10.

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

TO PROVIDE 3 SPACES WE WOULD NEED TO APPLY FOR A VARIANCE ALLOWING US TO "HARD SURFACES" MORE THAN 50% OF OUR FRONT YARD. THE CURRENT BY-LAW REQUIRES FRONT YARDS TO BE MIN. 50% LANDSCAPED. 6.11.3

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

LOT 17 REGISTERED PLAN 16 IN THE TOWN OF DUNDAS, 31 HELEN ST

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

SPOKE TO A NUMBER OF RESIDENTS FROM THE NEIGHBOURHOOD AND ALSO THE PLANNING AND BUILDING DEPARTMENTS

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

JAN 22/20  
Date



Signature Property Owner

CHRIS COLLIER, PENNY COLLIER  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 49.5'  
Depth 181.5'  
Area 8989.25 sq'  
Width of street 20 M.

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 1 1/2 STOREY, GROUND FLOOR - 800 sq', 22' HIGH  
SECOND FLOOR - 450 sq' GROSS FLOOR  
AREA - 1250 sq', ATTACHED GARAGE 13'6" x 23'  
STEEL GARDEN SHED 6'x6'x6' HIGH.

Proposed: ~~NEW~~ NEW CONSTRUCTION (~~APARTMENT~~)  
WILL INCLUDE ~~ONE~~ ONE ACCESSORY  
APARTMENT IN THE LOWER LEVEL (BASEMENT)  
700 sq' WITH SEPARATE ENTRANCE

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

Existing: AS ABOVE - SIDEYARD SETBACKS ARE  
9' SOUTH SIDE, 3.5' NORTH SIDE,  
25' FRONT YARD, 116' REAR YARD.

Proposed: ~~AS ABOVE~~ AS ABOVE  
~~EXISTING SETBACKS~~ ALL SETBACKS TO  
REMAIN THE SAME AS ABOVE

13. Date of acquisition of subject lands:

DEC 7/2019

14. Date of construction of all buildings and structures on subject lands:

1949 FOR ORIGINAL DWELLING, 2009 110sq' ADDITION

15. Existing uses of the subject property: RESIDENTIAL

S.F.D

16. Existing uses of abutting properties: RESIDENTIAL

17. Length of time the existing uses of the subject property have continued:

70 YEARS MINIMUM

18. Municipal services available: (check the appropriate space or spaces)

Water ✓ Connected ✓

Sanitary Sewer ✓ Connected ✓

Storm Sewers ✓

19. Present Official Plan/Secondary Plan provisions applying to the land:

NEIGHBOURHOODS

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

SINGLE DETACHED RESIDENTIAL

R2 ZONE

21. Has the owner previously applied for relief in respect of the subject property?

Yes

No

If the answer is yes, describe briefly.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes

No

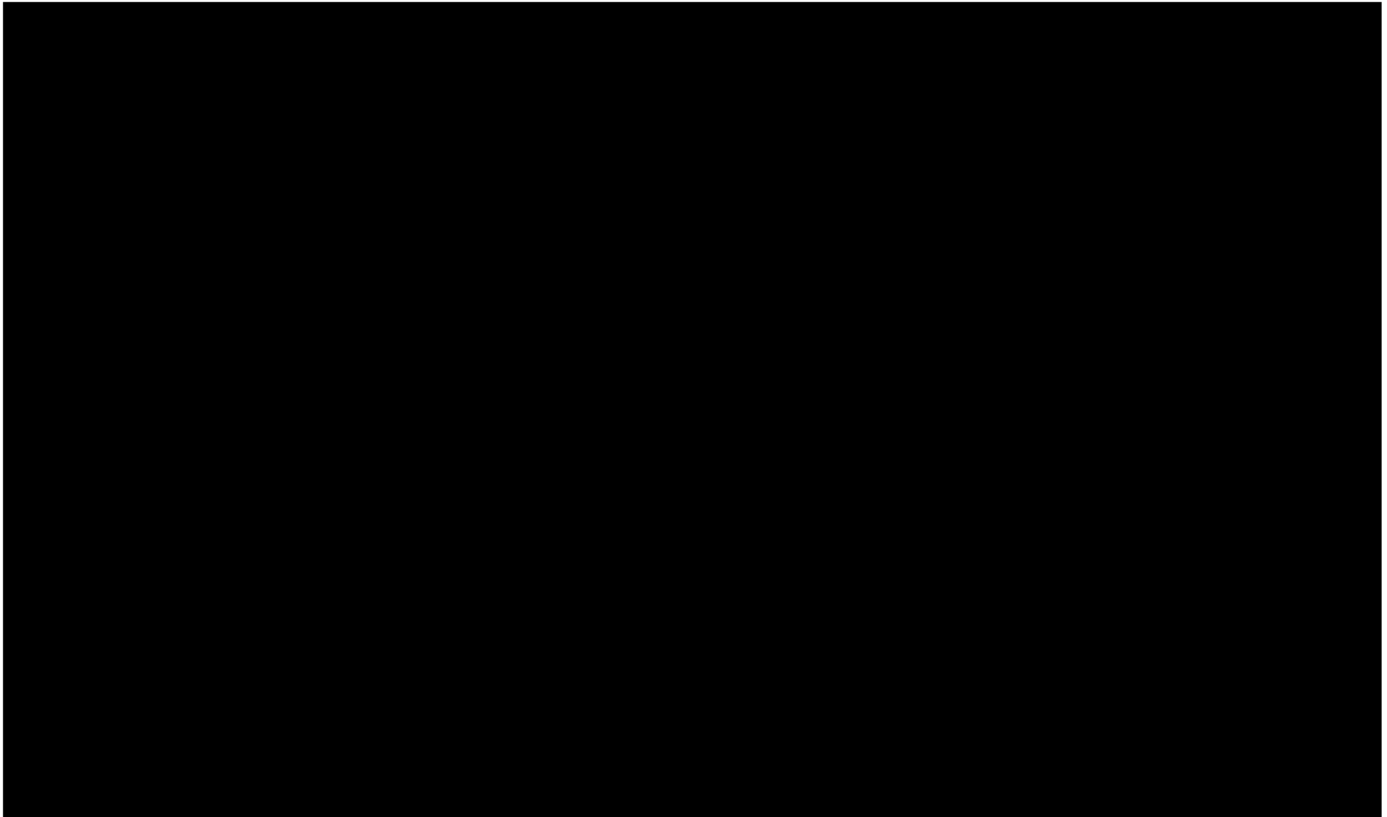
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, CHRIS & PENNY COLLIER, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

JAN 22/20  
Date

\_\_\_\_\_  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: JAN 22/20

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 31 HELEN ST  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

CHRIS COLLIER PENNY COLLIER

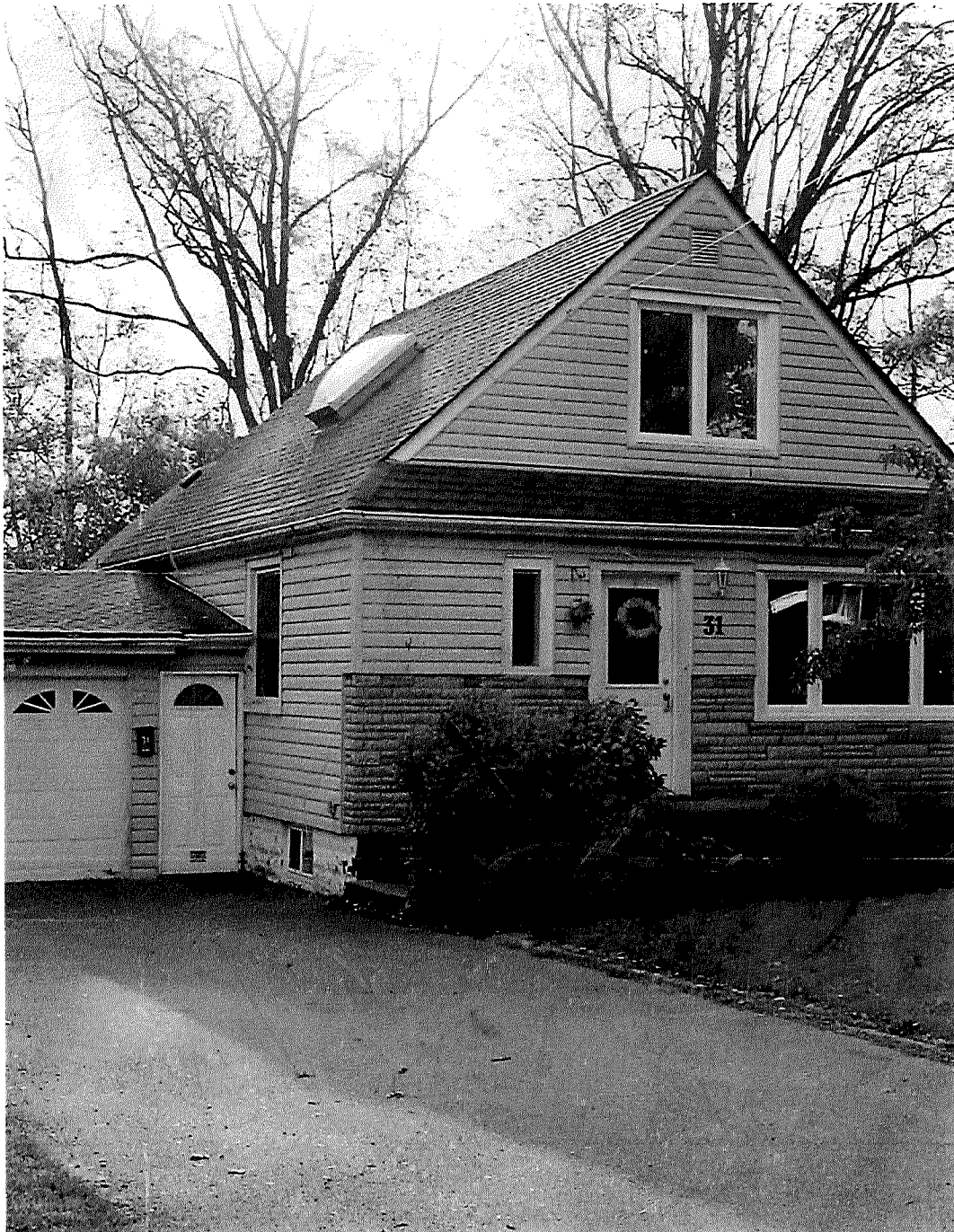
Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

31 HIGLEN ST  
DUNDAS







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 Fax (905) 546-4202

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

**APPLICATION NO.:** FL/A-20:32

**APPLICANTS:** Owner: Derek Wojtasik

**SUBJECT PROPERTY:** Municipal address **4 Haines Ave., Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 15-173

**ZONING:** S1 district (Rural Settlement)

**PROPOSAL:** To permit the construction of a garage addition and a (2) storey addition to an existing single detached dwelling, notwithstanding that:

1. The minimum southerly side yard shall be 1.5 metres instead of the minimum required 3.0 metres.
2. The minimum northerly side yard shall be 1.9 metres instead of the minimum required 3.0 metres

**NOTES:**

1. The variance have been written as requested by the applicant, except that a variance also applies to the northerly side yard due to the proposed addition.
2. The existing dwelling is a raised ranch bungalow. The proposed addition would provide for the construction of an attached garage on the main floor and a full second floor above the proposed garage and the existing main floor to create a two (2) storey dwelling. With the proposed addition, the gross floor area of the existing dwelling would be increased from 108.06 square metres to 278 square metres.
3. The existing lot width and lot area are deemed to comply with the S1 Zone due to the Vacuum Clause provided in Section 4.12(d) of the Zoning By-law. Prior to the S1 Zone coming into effect, the property was zoned Settlement Residential "R2-3" Zone in Flamborough Zoning By-law 90-145-Z.

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:45 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

FL/A-20:32  
Page 2

## **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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

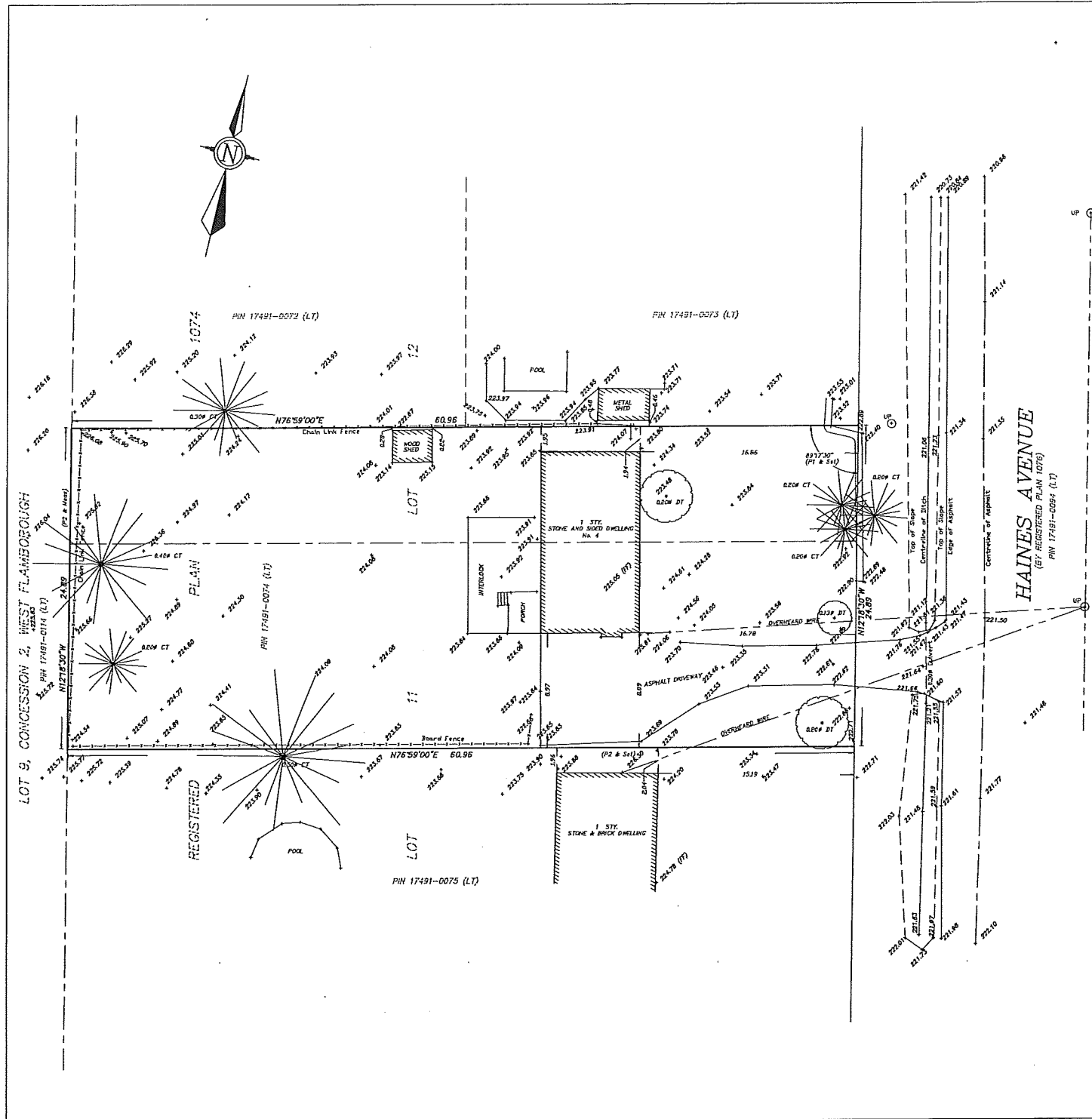
DATED: June 9th, 2020.

*Original Signed*

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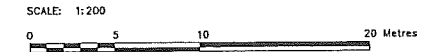
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



TOPOGRAPHIC PLAN OF  
PART OF LOTS 11 AND 12  
REGISTERED PLAN 1074  
IN THE  
CITY OF HAMILTON

SCALE & NOTES



THOMAS GONDO  
ONTARIO LAND SURVEYOR  
©COPYRIGHT 2017

LEGEND

- DENOTES OVERHEAD WIRES
- UP DENOTES UTILITY POLE
- DT DENOTES DECIDUOUS TREE
- CT DENOTES CONIFEROUS TREE
- — — DENOTES SUBJECT LANDS BOUNDARY
- — — DENOTES DEED LINE
- — — DENOTES LOT LINE
- — — DENOTES LIMIT OF STREET
- X-X- DENOTES FENCE LINE
- N-E-W-S DENOTES NORTH - EAST - WEST - SOUTH

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF HAINES AVENUE AS SHOWN ON REGISTERED PLAN 1074 HAVING A BEARING OF N127°18'30"W.

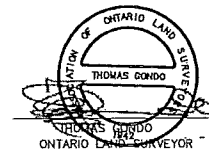
METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE

ELEVATIONS ARE GEODETIC AND REFERRED TO THE CITY OF HAMILTON BENCH MARK, No. 0011975U050 HAVING AN ELEVATIONS OF 218.528m.

DATE: JULY 4, 2017

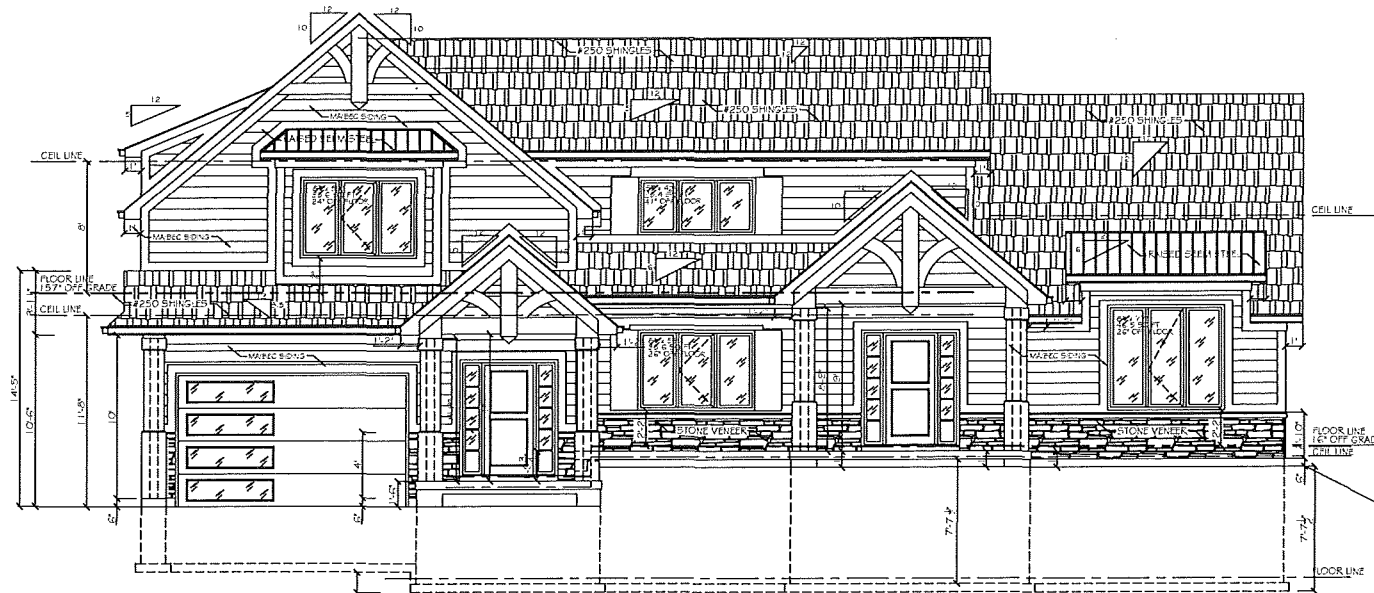


FL/A 20:32  
Sketch



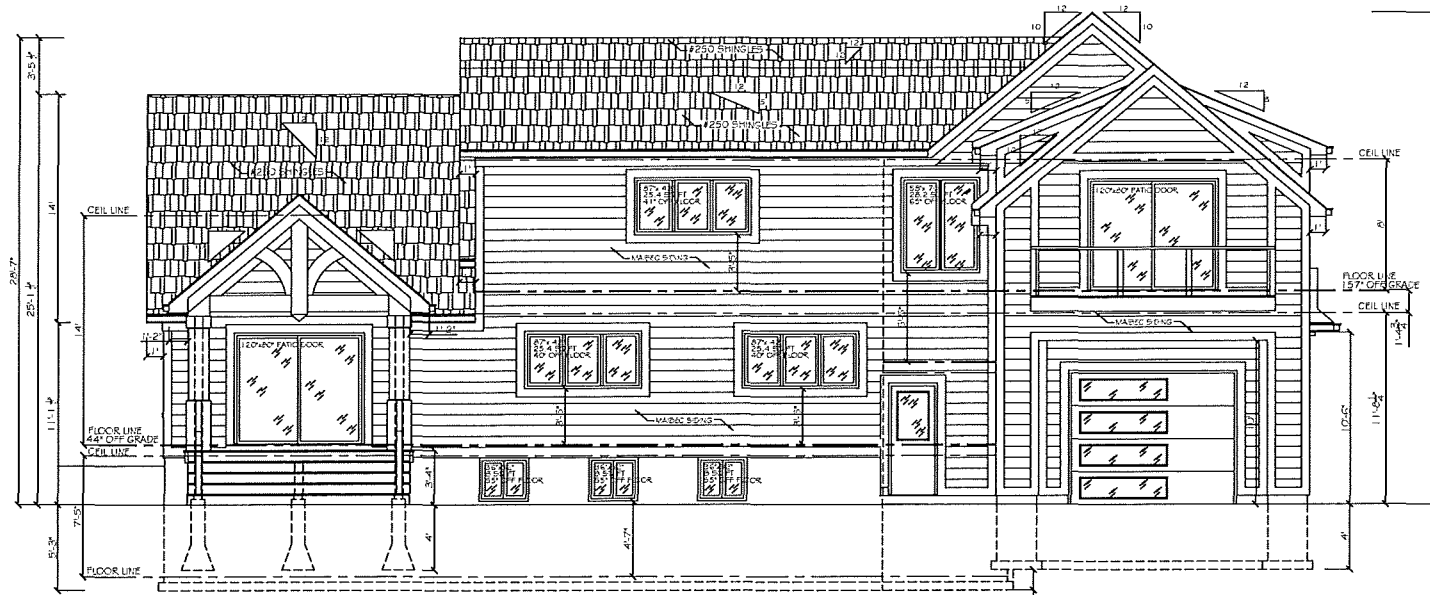
Lejan land Surveying Inc.  
80 King Street East - Unit 204  
Stoney Creek, ON L9C 1K2  
Phone: 905-652-8969  
Email: info@lejonsurveying.ca

DWN BY: N/A  
CHK BY: TG  
JOB No. 17-041



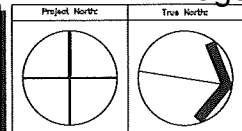
FRONT ELEVATION  
SCALE 1/4" = 1'-0"

NOTE:  
FINAL GRADING WILL DEPEND ON RIGHT AND SOIL CONDITIONS  
FINAL DEPTH OF FOUNDATION WILL DEPEND ON RIGHT AND SOIL CONDITIONS



REAR ELEVATION  
SCALE 1/4" = 1'-0"

NOTE:  
FINAL GRADING WILL DEPEND ON RIGHT AND SOIL CONDITIONS  
FINAL DEPTH OF FOUNDATION WILL DEPEND ON RIGHT AND SOIL CONDITIONS



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET FORTH IN THE CONTINGENT AGREEMENT S.A.T.A. (1974) P. 15 AS A "TYPE B" ENGINEER

QUALIFICATION BY EXAMINATION  
R.I.M. CONTRACTORS INC. REG. #1112

*Kon Lichner*

No.	Date	Issue/Revision	By:
Drawing Issues/Revisions:			

NOTICE:  
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**CRICKMORE DESIGN**  
1111 Haines Ave., Greensville, Ontario, Canada N1A 2K1  
Tel: 905-882-1111 Fax: 905-882-1112

Project:  
**DEREK WOJTASIK  
ADDITION & RENOVATION**  
4 HAINES AVE  
GREENSVILLE ONTARIO

Sheet Title:  
**FRONT ELEVATION  
REAR ELEVATION**

Design By: RJC    Drawn By: RJC    Approved By: RJC  
Scale: 1/4" = 1'-0"    Date: MAY 2019    Project No.: 18028

Drawing No.: **A4**

Drawing Series:

FJA 20:32  
Sketch 6





Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

FOR OFFICE USE ONLY.

APPLICATION NO. FL/A-20:32 DATE APPLICATION RECEIVED Jan 27/20

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S SIGNATURE \_\_\_\_\_

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Derek Noifasik Telephone No.
- 
- Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
- Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Investors Group, Ancaster  
Postal Code \_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

- Relief From side yard for garage addition

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

In order to fit a 2 car garage we would like to exceed the provisions currently outlined.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

4 Haines ave, Dundas

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use  
 \_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
 Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
 Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
 Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Previous realtor information and have lived there for 7 years.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan. 27 / 2020  
Date

[Signature]  
Signature Property Owner

[Redacted Name]  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 49'  
Depth 60.96 M  
Area 1517.3 Ft  
Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 1 story 1163.2 sq ft Main Floor  
with garage = 2175.4  
second story = 1622.3 = 3797.7  
Proposed: 2 story 3797.7 sq ft (277.6) sq m

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

Existing: Front 12.3 m  
Rear 35.9 m  
Sides 8.4 m / 13 m

Proposed: South Side garage addition with 2<sup>nd</sup> story = 1.5 m

2175.4

13. Date of acquisition of subject lands:  
approx Sept. 2013

14. Date of construction of all buildings and structures on subject lands:  
N/A

15. Existing uses of the subject property: Single Family detached dwelling

16. Existing uses of abutting properties: Single Family detached dwellings

17. Length of time the existing uses of the subject property have continued:  
1960's

18. Municipal services available: (check the appropriate space or spaces)  
Water Community well Connected \_\_\_\_\_  
Sanitary Sewer X septic Connected \_\_\_\_\_  
Storm Sewers ✓

19. Present Official Plan/Secondary Plan provisions applying to the land:  
rural settlement area Greensville

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
3.0 m required side yard  
SI settlement residential

21. Has the owner previously applied for relief in respect of the subject property?  
Yes \_\_\_\_\_ No  
If the answer is yes, describe briefly.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

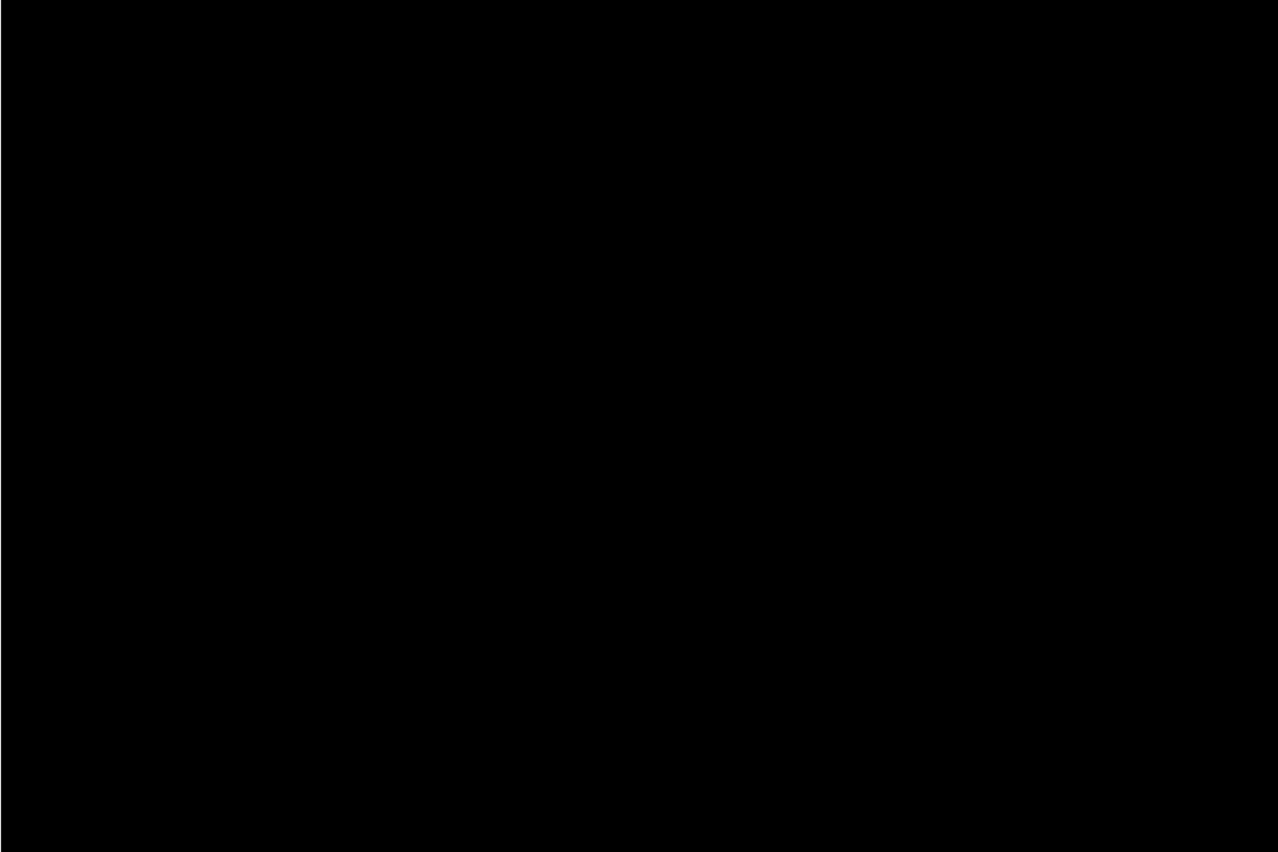
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes \_\_\_\_\_ No

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Derek Wojtasik, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

\_\_\_\_\_  
Date Signature of Owner

I, \_\_\_\_\_ of the \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_

solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the \_\_\_\_\_  
at the \_\_\_\_\_ of \_\_\_\_\_ )  
in the \_\_\_\_\_ )  
of \_\_\_\_\_ )  
this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_ ) Applicant

A Commissioner, etc.

**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Caroline Wojtasik am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Derek Wojtasik of City of Hamilton

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application

DATE 2020-01-27 SIGNED 

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

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I, Derek Wojtasik, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date JAN 27 / 2020 Signature of Owner 

**PART 27 PERMISSION TO ENTER**

Date: \_\_\_\_\_

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 4 Haines Ave  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

\_\_\_\_\_  
Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.





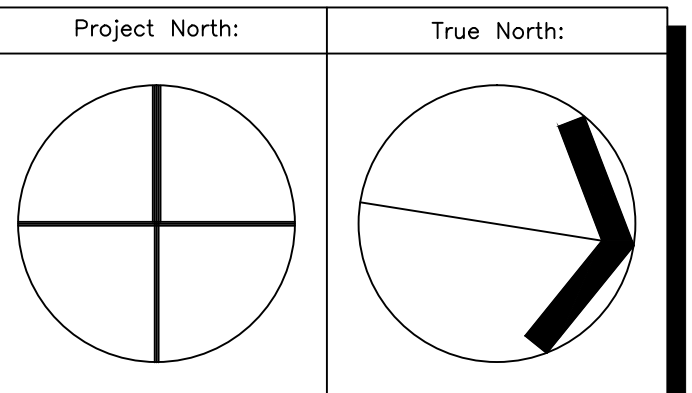












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QUALIFICATION INFORMATION: BCIN: 41922  
RON CRICKMORE

*Ron Crickmore*

No.	Date:	Issue/Revision	By:
Drawing Issues/Revisions:			

Notes:  
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**CRICKMORE DESIGN**

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Tel: 905-879-8533

Consultant

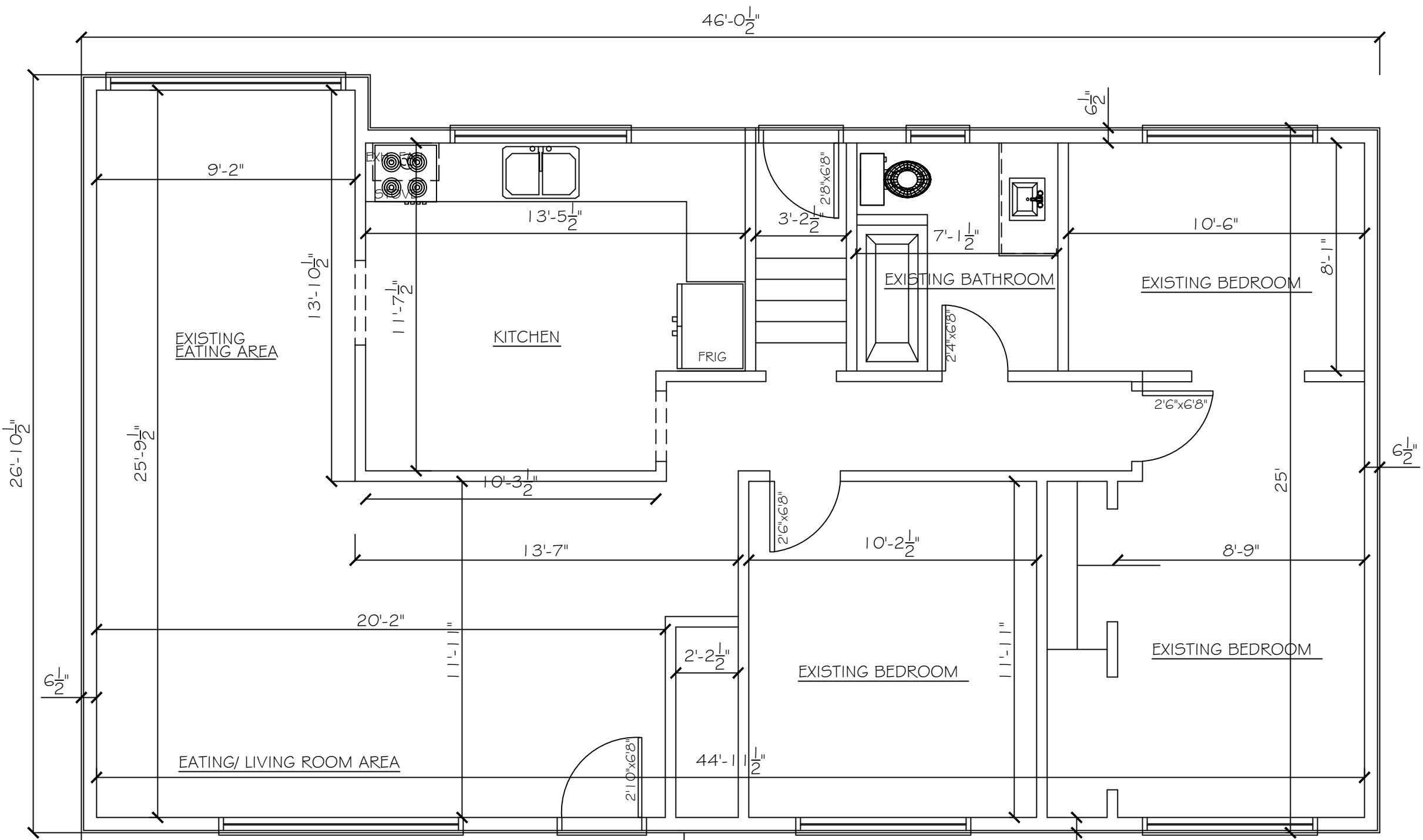
Project:  
**DEREK WOJTASIK  
ADDITION & RENOVATION**  
4 HAINES AVE  
GREENSVILLE ONTARIO

Sheet Title:  
**ROOF PLAN  
ORIGINAL FLOOR PLAN**

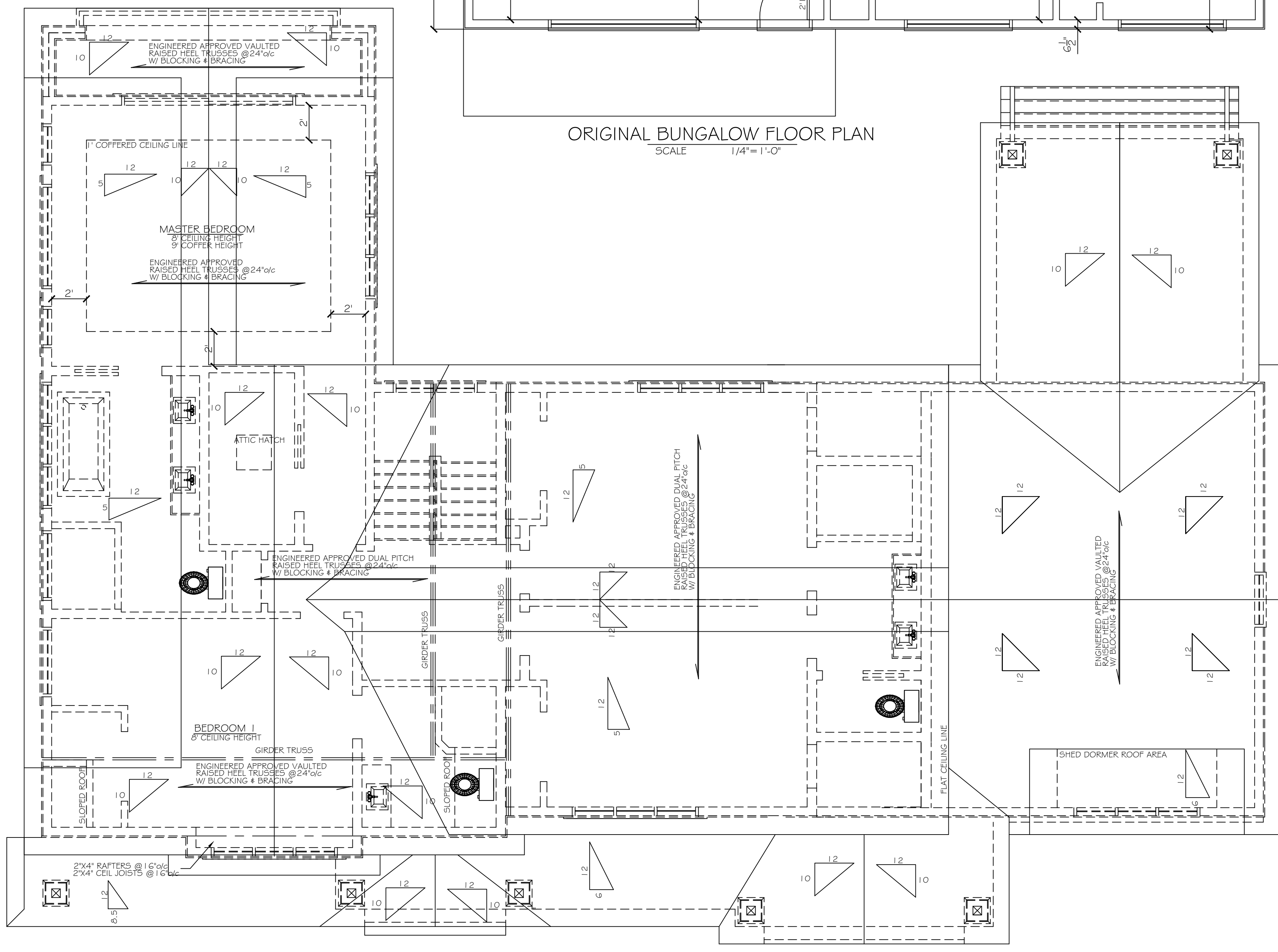
Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: MAY 2019	Project No.: 18028

Drawing No.:  
**A4**

Drawing Series:



ORIGINAL BUNGALOW FLOOR PLAN  
SCALE 1/4" = 1'-0"



PROPOSED ROOF PLAN  
SCALE 1/4" = 1'-0"

NOTE:  
TRUSS DESIGNS AND LAYOUT PROVIDED BY TRUSS MANUFACTURER

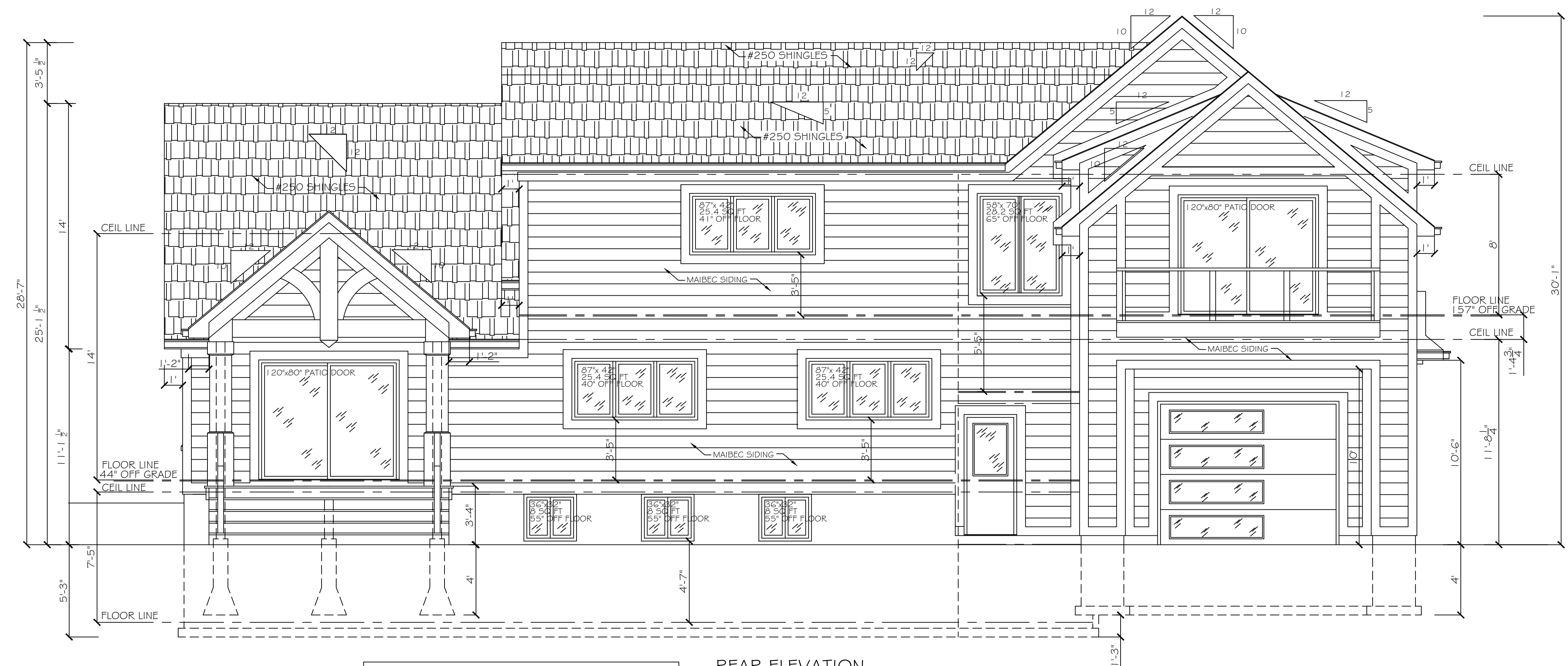
NOTE:  
DUE TO THE POSSIBLE VARIANTS ON THE SITE IT IS IMPORTANT FOR THE CONTRACTOR AND TRUSS MANUFACTURER VERIFY ALL DIMENSIONS, BEARING AND ROOF PITCHES OF TRUSSES ON SITE AND ON ALL PAGES OF ARCHITECTURAL DRAWINGS TO ASSURE ACCURACY AND SOFFIT ALIGNMENT





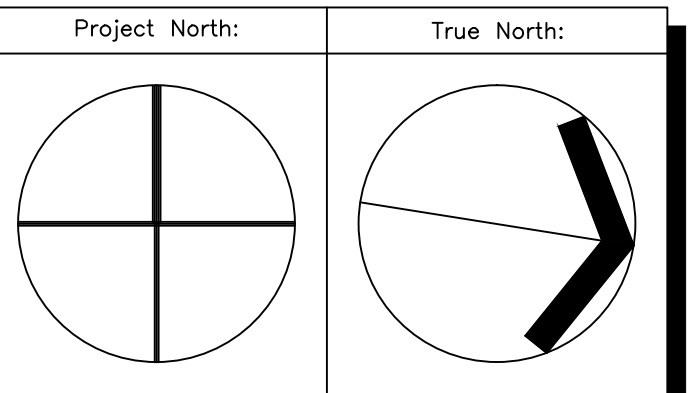
**FRONT ELEVATION**  
SCALE 1/4" = 1'-0"

NOTE:  
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**REAR ELEVATION**  
SCALE 1/4" = 1'-0"

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QUALIFICATION INFORMATION:  
RON CRICKMORE BCIN: 41922

*Ron Crickmore*

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Drawing Issues/Revisions:			

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Tel: 905.879.8533

Consultant

Project:  
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ADDITION & RENOVATION**  
4 HAINES AVE  
GREENSVILLE ONTARIO

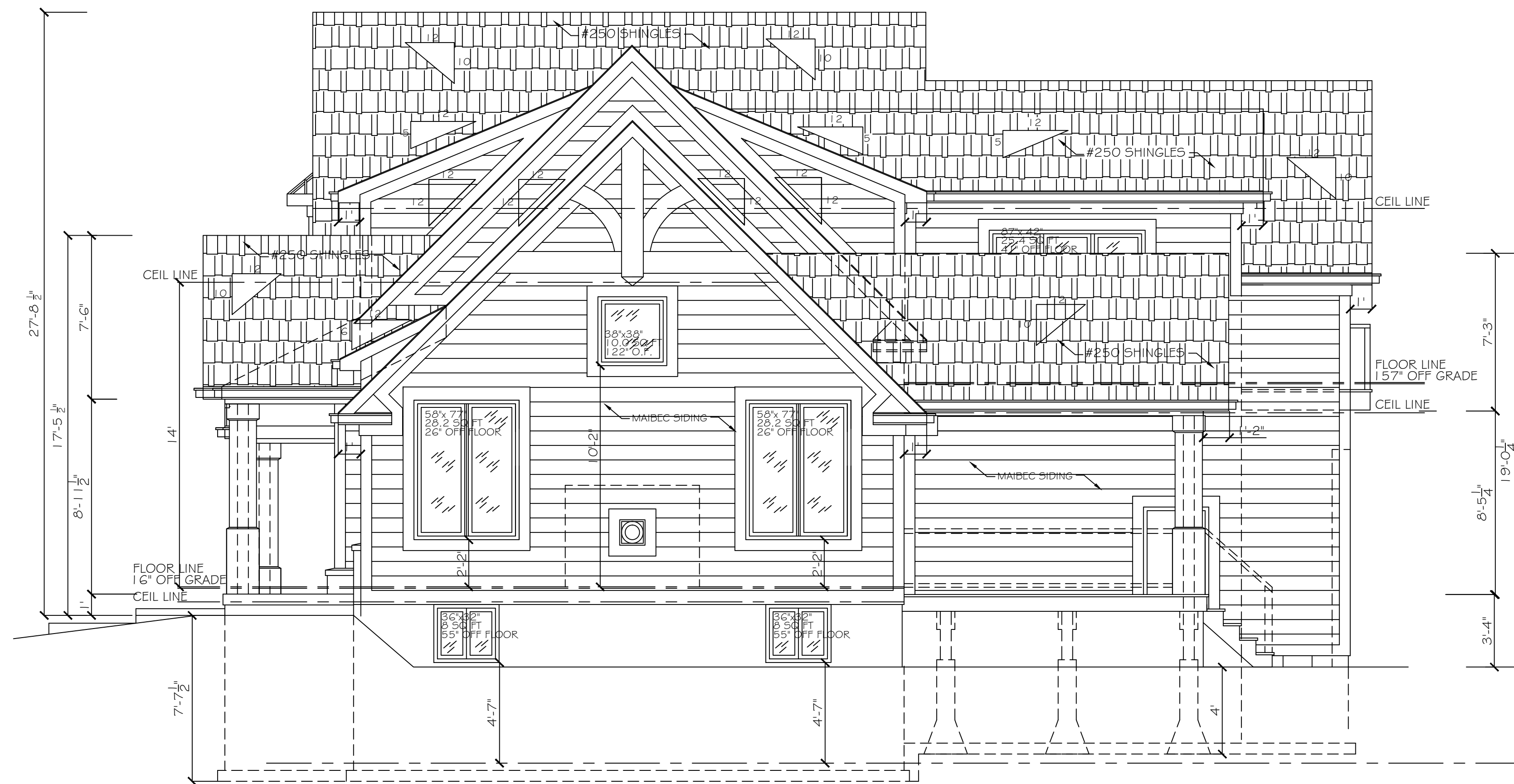
Sheet Title:  
**FRONT ELEVATION  
REAR ELEVATION**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: MAY 2019	Project No.: 18028

Drawing No:

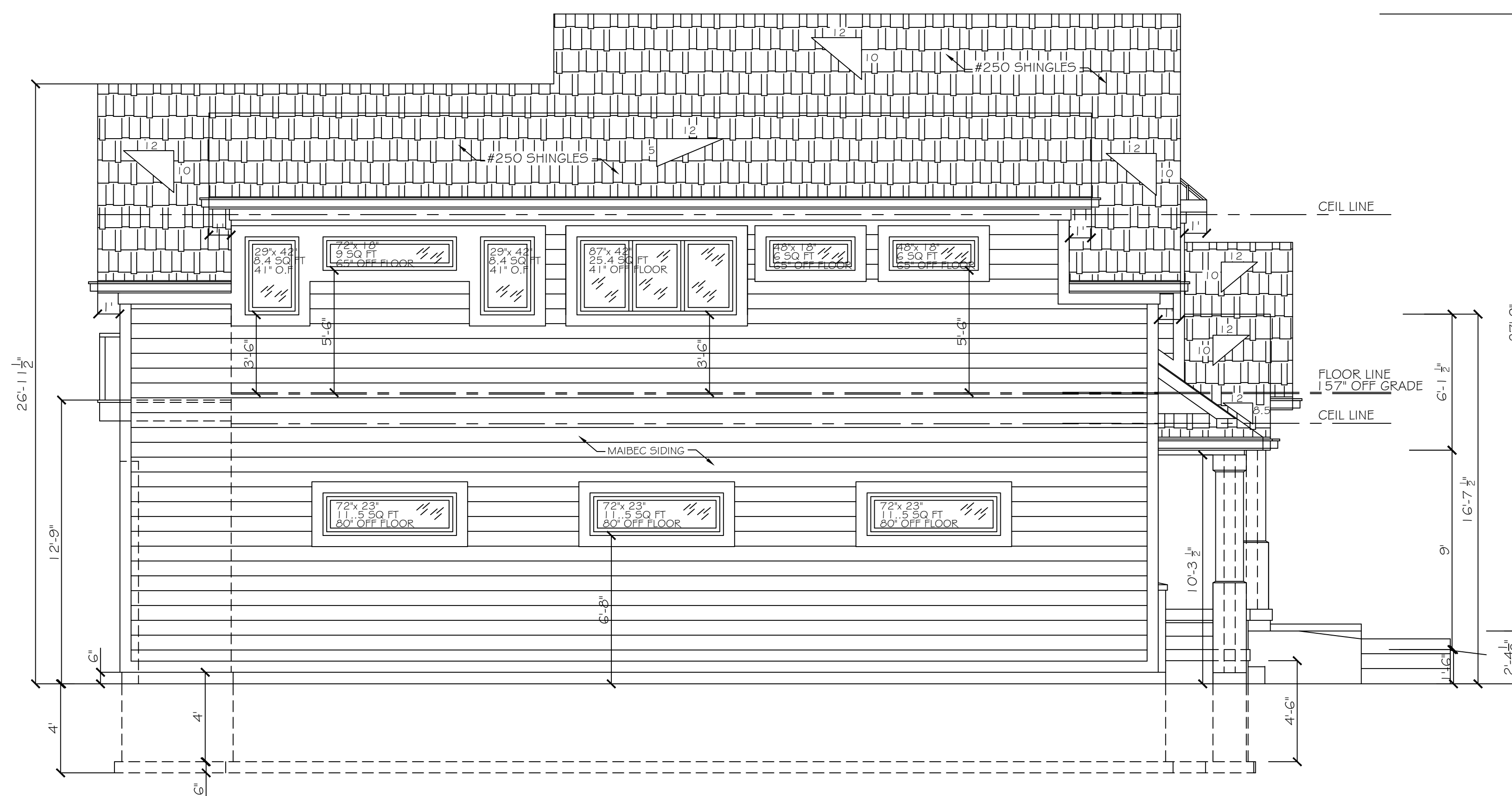
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Drawing Series:



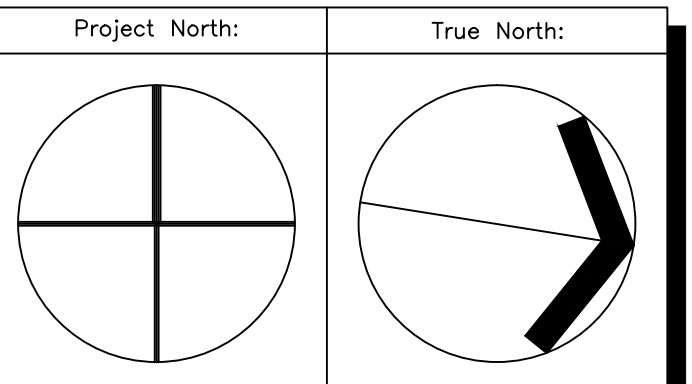
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FINAL DEPTH OF FOUNDATION WILL DEPEND ON SIGHT AND SOIL CONDITIONS

**RIGHT ELEVATION**  
SCALE 1/4" = 1'-0"



NOTE:  
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FINAL DEPTH OF FOUNDATION WILL DEPEND ON SIGHT AND SOIL CONDITIONS

**LEFT ELEVATION**  
SCALE 1/4" = 1'-0"



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QUALIFICATION INFORMATION:  
RON CRICKMORE BCIN: 41922

*Ron Crickmore*

No.	Date	Issue/Revision	By
Drawing Issues/Revisions:			

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Consultant

Project:  
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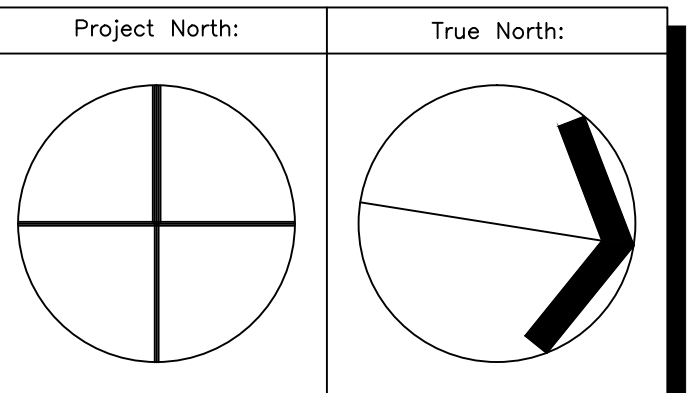
Sheet Title:  
**LEFT ELEVATION  
RIGHT ELEVATION**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: MAY 2019	Project No.: 18028

Drawing No.:  
**A5**

Drawing Series:





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QUALIFICATION INFORMATION: BCIN: 41922  
RON CRICKMORE

*Ron Crickmore*

No.	Date:	Issue/Revision	By:
Drawing Issues/Revisions:			

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Tel: 905-879-8533

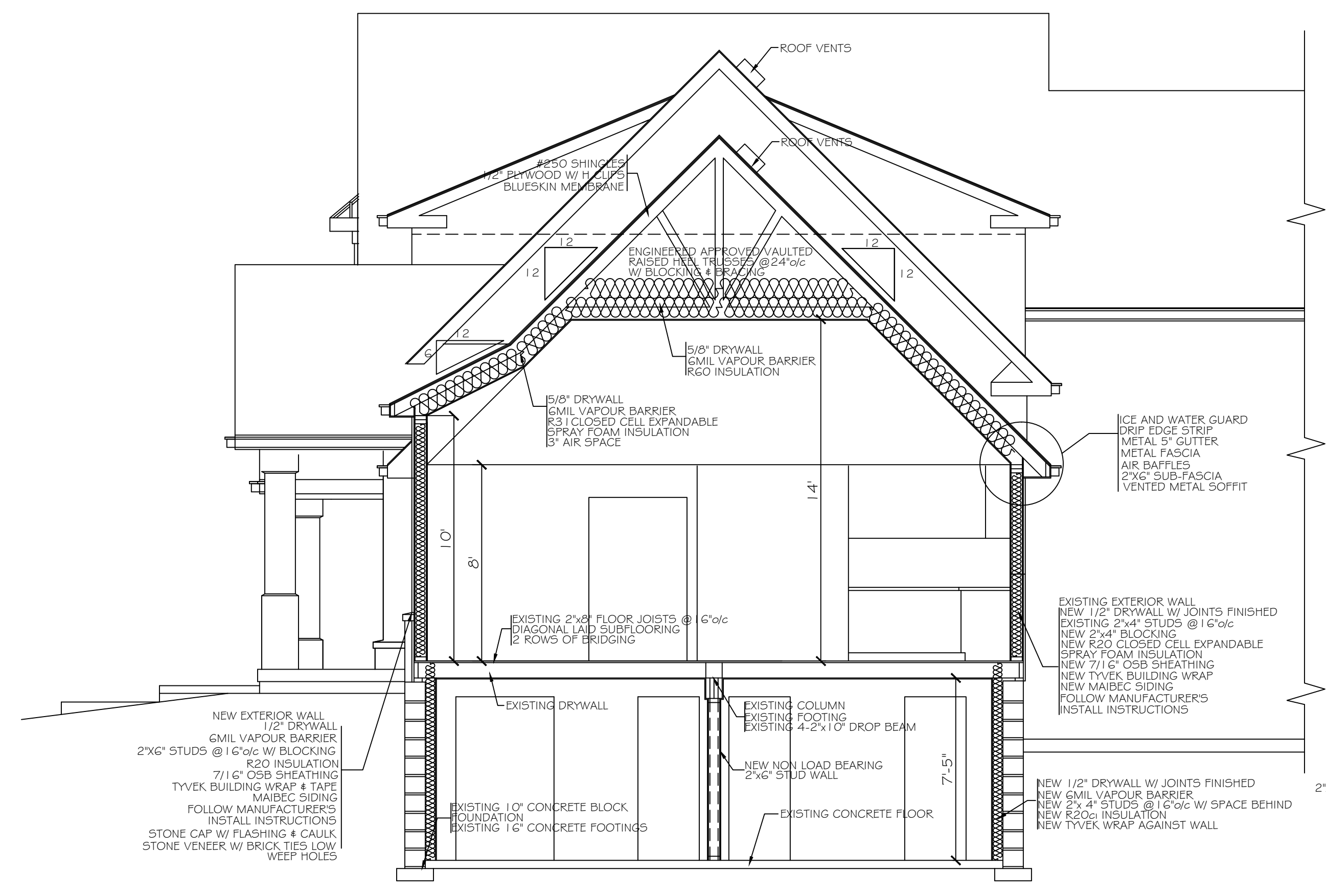
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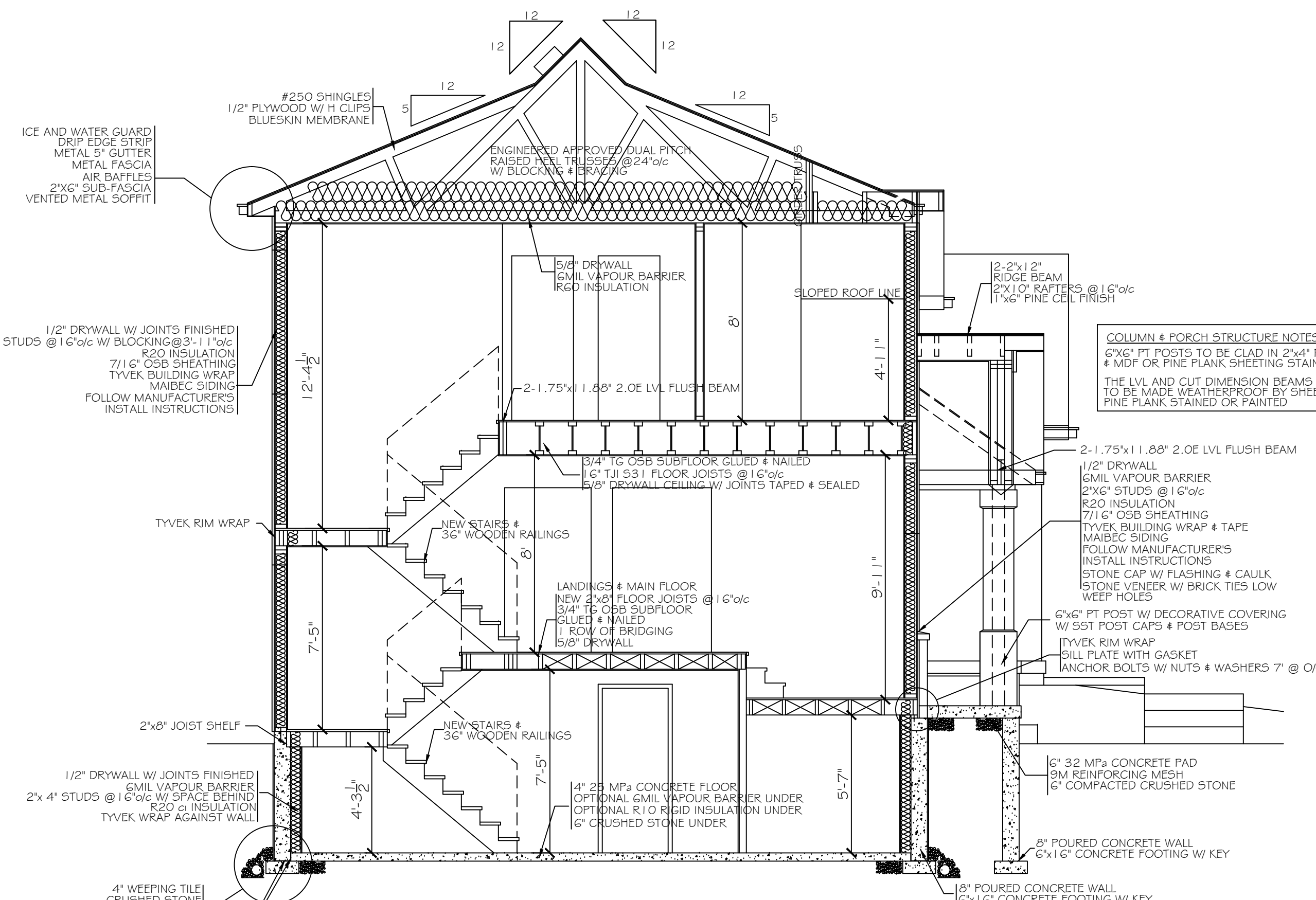
Sheet Title:  
**CROSS SECTIONS**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: MAY 2019	Project No.: 18028

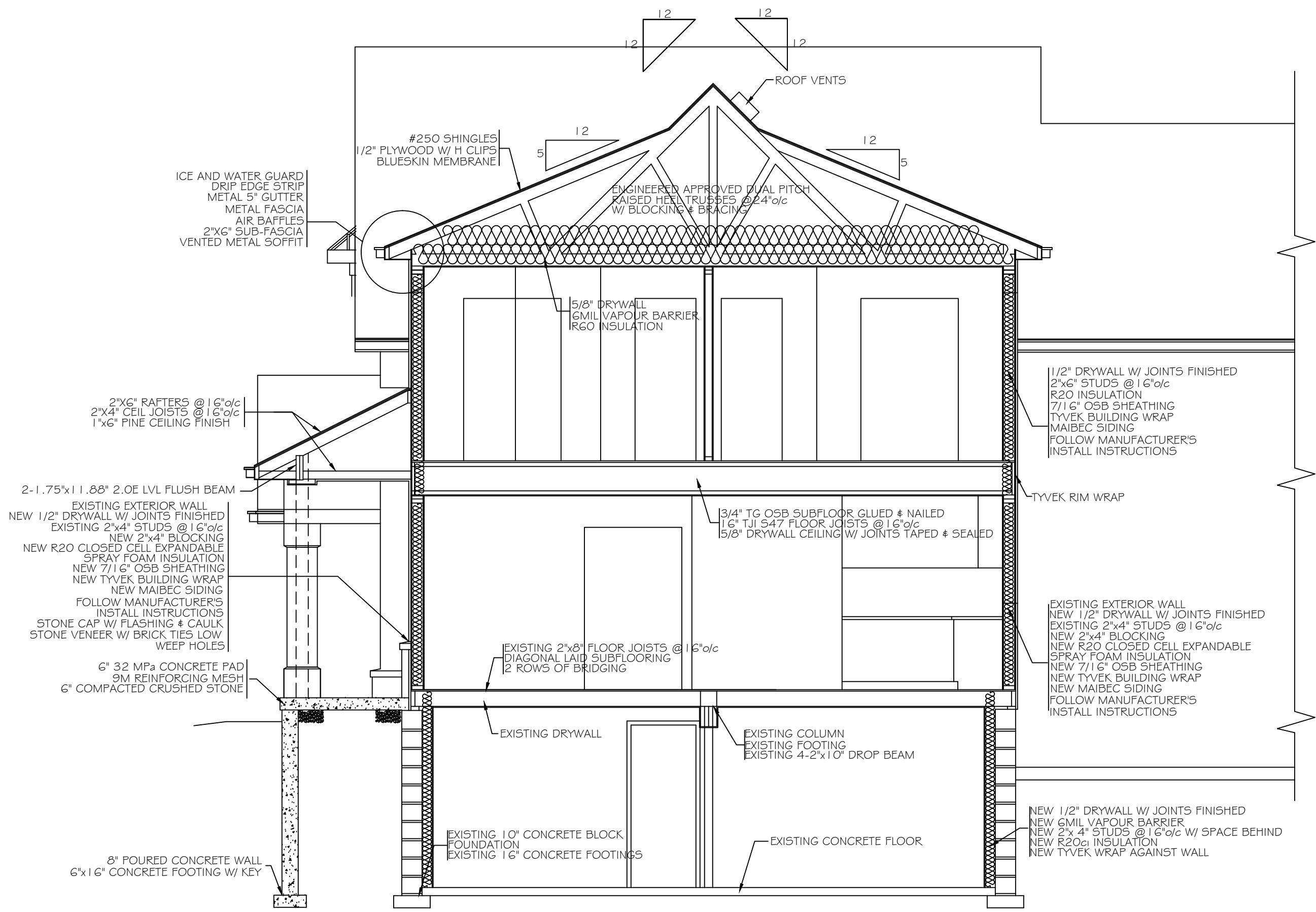
Drawing No.: **A6**  
Drawing Series:



**CROSS SECTION A**  
SCALE 1/4" = 1'-0"



**CROSS SECTION C**  
SCALE 1/4" = 1'-0"



**CROSS SECTION B**  
SCALE 1/4" = 1'-0"

**COLUMN & PORCH STRUCTURE NOTES:**  
6"x6" PT POSTS TO BE CLAD IN 2"x4" PT FRAME & MDF OR PINE PLANK SHEETING STAINED OR PAINTED THE LVL AND CUT DIMENSION BEAMS OF THE PORCHES TO BE MADE WEATHERPROOF BY SHEETING W/ MOT OR PINE PLANK STAINED OR PAINTED







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 Fax (905) 546-4202

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

**APPLICATION NO.:** DN/A-20:37

**APPLICANTS:** Owner: Denise & Frazer Johnson

**SUBJECT PROPERTY:** Municipal address **51 Sunrise Cres., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** R2 district

**PROPOSAL:** To permit the construction of a new one (1) storey accessory structure (Hobby workshop) to be located in the required rear yard of a single-family dwelling notwithstanding that

1. A minimum 3.6 m rear yard setback shall be provided for the proposed accessory structure instead of the regulation in the By-Law, which states that for accessory structures having an area greater than 18.0 m<sup>2</sup>, must comply with the required yard setbacks and regulations for principle dwelling

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:50 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**MORE INFORMATION**

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

DN/A-20:37

Page 2

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

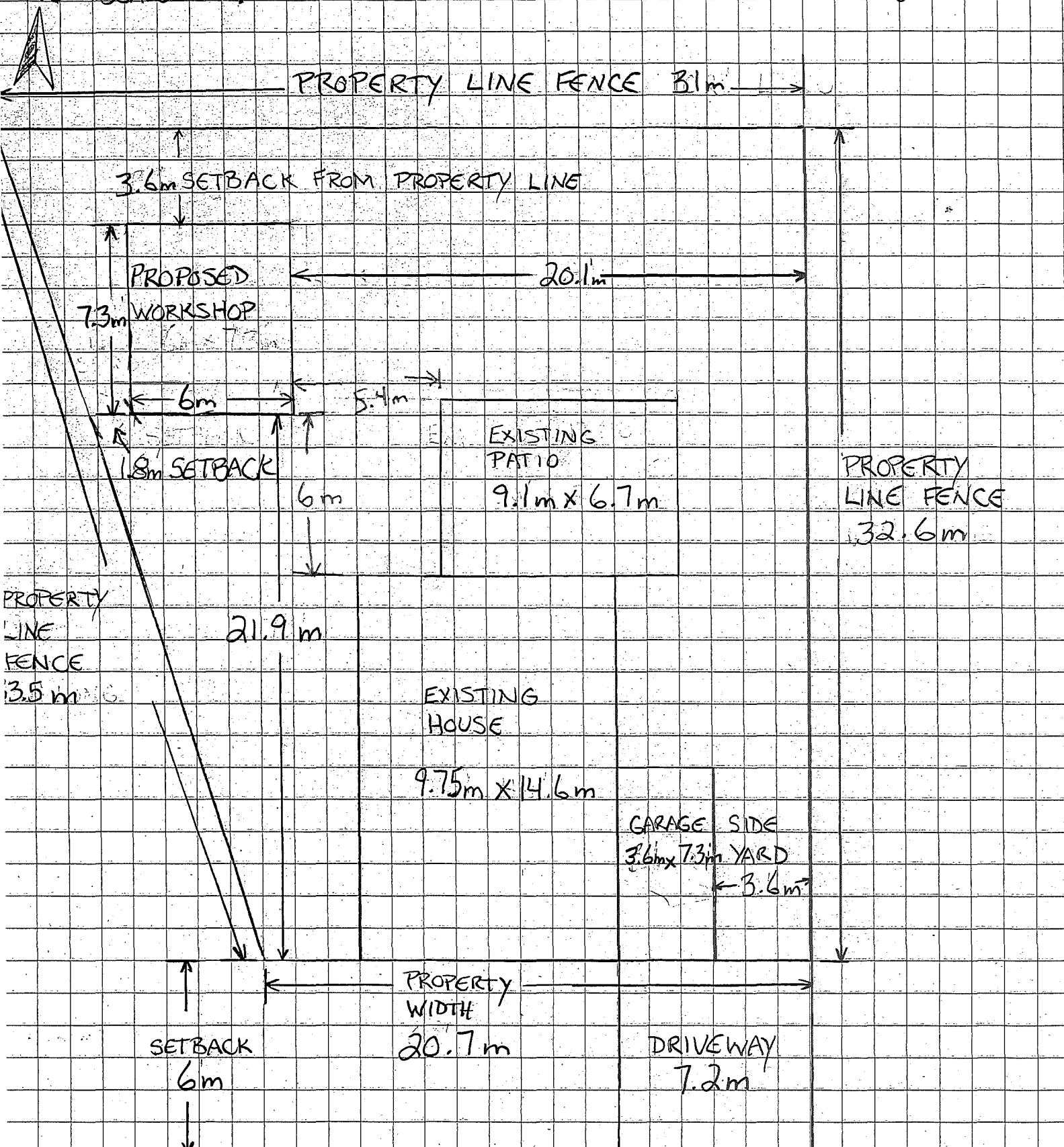
DATED: June 9th, 2020.

*Original Signed*

---

Jamila Sheffield,  
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.***



51 SUNRISE CRESCENT

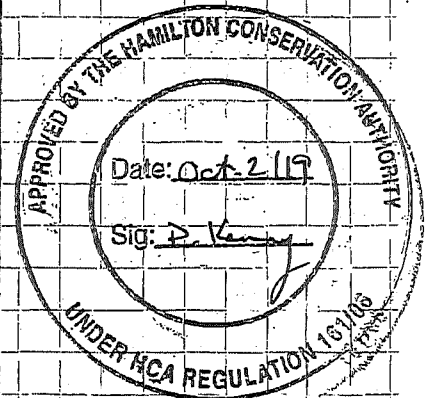
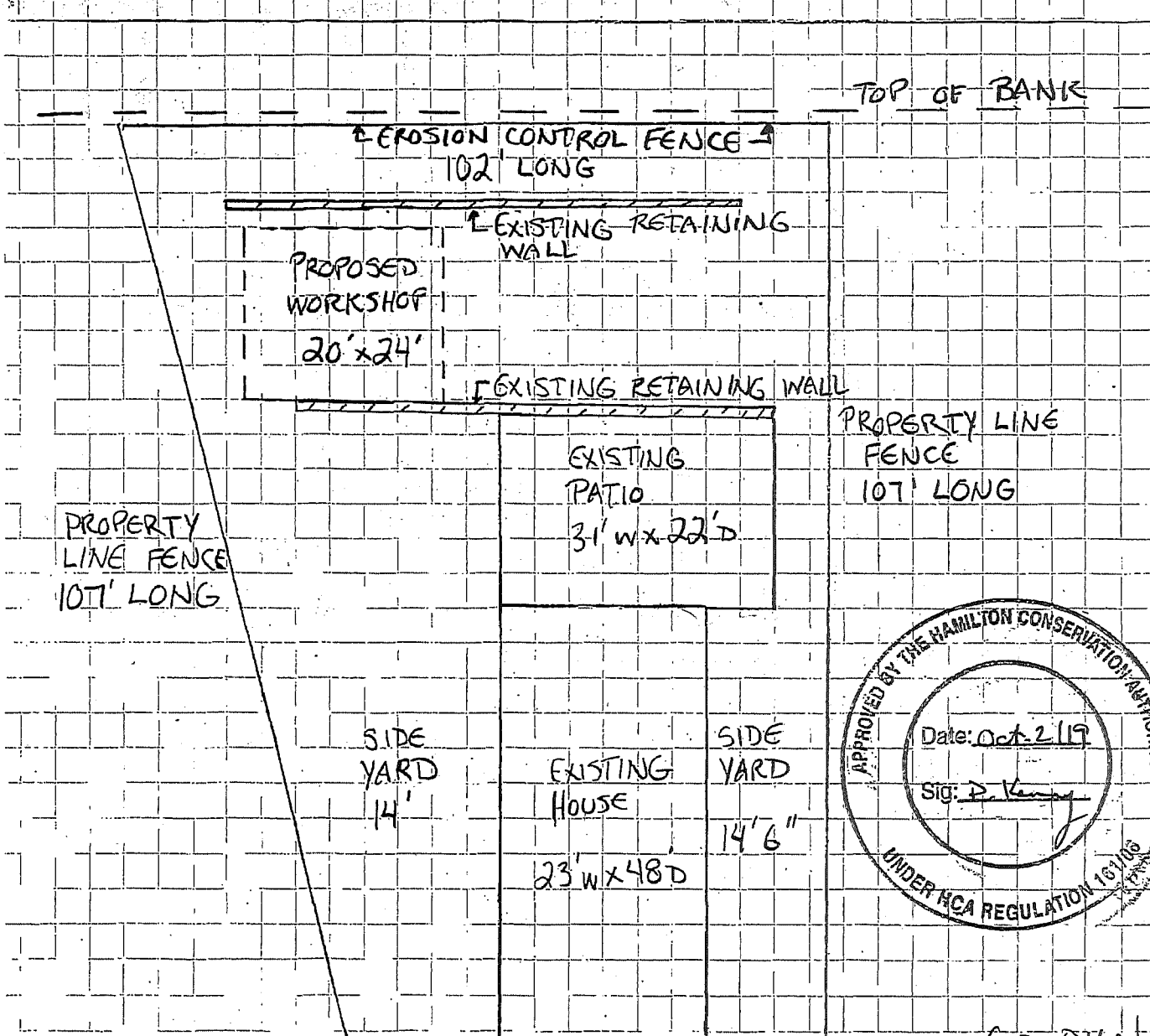
DN/A 20:37  
Sketch 1

WORKSHOP PROPOSAL

PROPERTY ADDRESS - 51 SUNRISE CRES.  
DUNDAS ON  
L9H 3S1

PREPARED BY - FRAZER JOHNSON  
DATE - OCTOBER 1 / 2019  
SCALE - 1 square = 4'

RAIL TRAIL

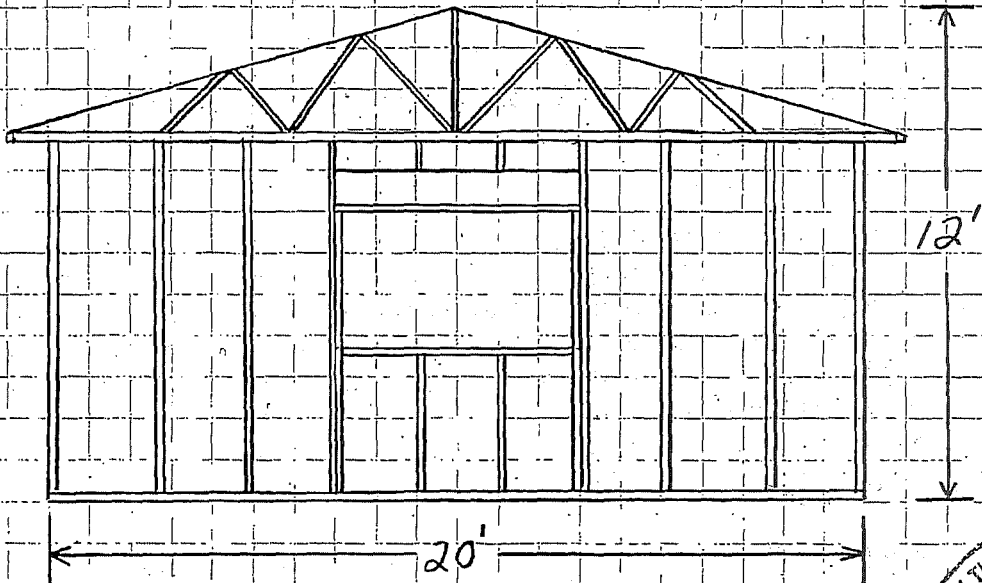
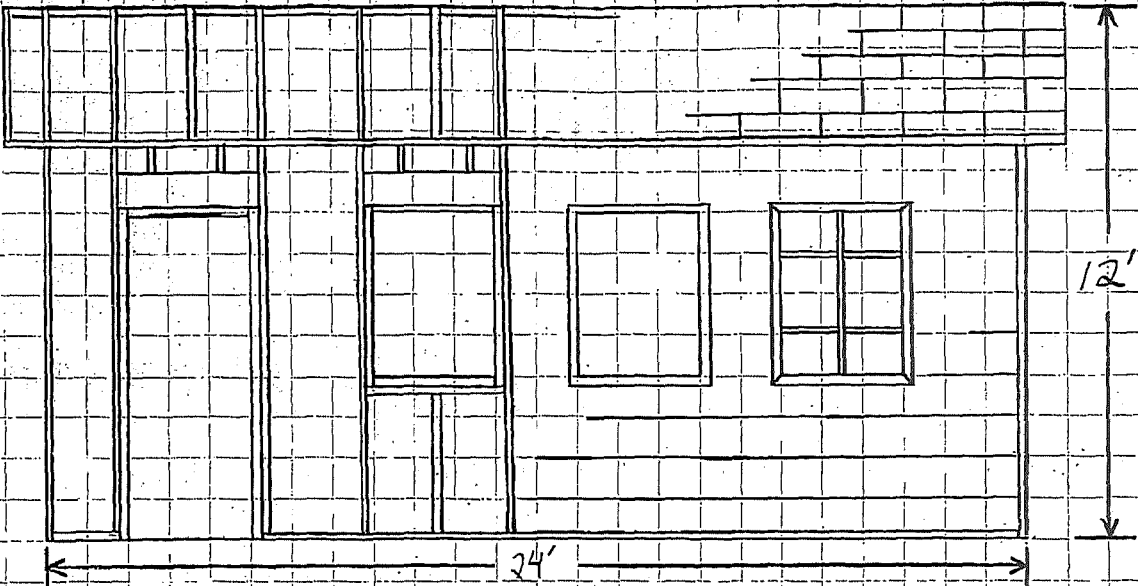


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RECEIVED

OCT - 1 2019

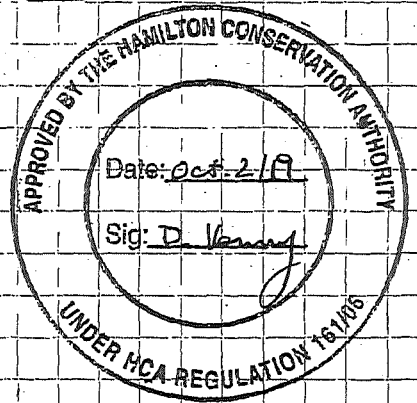
DN/A 20:37  
Sketch 2

# WORKSHOP DESIGN



PROPERTY ADDRESS - 51 SUNRISE CR.  
 DUNDAS, ON  
 L9H 3S1

PREPARED BY - FRAZER JOHNSON  
 DATE - OCTOBER 1/2019  
 SCALE - 1 square = 1'



GC-DUN  
 RECEIVED  
 OCT - 1 2019

DNIA 20:37  
 Sketch 3





Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>DN/A-20:37</u>	DATE APPLICATION RECEIVED <u>Jan-28/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner FRAZER JOHNSON Telephone No. \_\_\_\_\_  
DENISE JOHNSON  
[Redacted]

3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

4. Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

REDUCTION IN SETBACK FROM REAR LOT  
LINE FOR THE CONSTRUCTION OF A  
6m x 7.3m WORKSHOP (FURNITURE/HOBBY)

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

DUE TO THE SETBACK OF THE DWELLING  
AND THE REMAINING DISTANCE TO THE  
REAR LOT LINE, THE PROPOSED WORKSHOP  
SIZE WOULD NOT MEET THE SETBACK REQUIREMENTS.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

51 SUNRISE CRESCENT, DUNDAS

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

THIS IS A RESIDENTIAL HOME.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Date 01/29/2020



FRAZER JOHNSON, DENISE JOHNSON  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 20.7m  
Depth 38.7m  
Area 2632 sq. m  
Width of street 15.24 m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 4 LEVEL BACK SPLIT HOUSE  
396 sq. m GROUND FLOOR  
9.75 m x 14.6 m LENGTH AND WIDTH  
3.6 m x 7.3 m ATTACHED GARAGE  
Proposed: 6 m x 7.3 m WORKSHOP WITH  
CONCRETE SLAB FLOOR AND VINYL SIDING

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

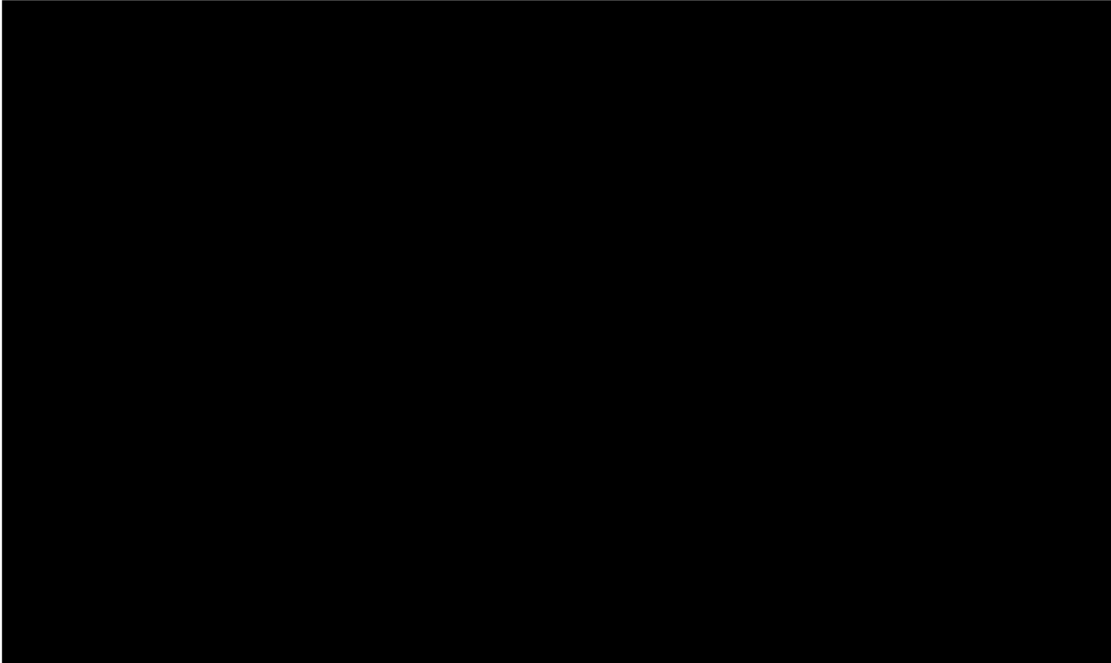
Existing: 6 m FROM FRONT LOT LINE  
7.3 m FROM SIDE LOT LINE (EAST)  
3.6 m FROM SIDE LOT LINE (WEST)  
17 m FROM REAR LOT LINE  
Proposed: 28 m FROM FRONT LOT LINE  
1.8 m FROM SIDE LOT LINE (WEST)  
20.1 m FROM SIDE LOT LINE (EAST)  
3.6 m FROM REAR LOT LINE

13. Date of acquisition of subject lands:  
06/01/2019
14. Date of construction of all buildings and structures on subject lands:  
1966
15. Existing uses of the subject property: RESIDENTIAL SINGLE  
DETACHED HOME
16. Existing uses of abutting properties: RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:  
APPROXIMATELY 50 YEARS
18. Municipal services available: (check the appropriate space or spaces)  
Water  Connected   
Sanitary Sewer  Connected   
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:  
R2 (TOWN OF DUNDAS) NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 ZONE TOWN OF DUNDAS
21. Has the owner previously applied for relief in respect of the subject property?  
Yes  No   
If the answer is yes, describe briefly.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION** FRAZER JOHNSON

As of the date of this application, I (NAME) DENISE JOHNSON am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE 01/29/2020 SIGNED \_\_\_\_\_



**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, FRAZER JOHNSON  
DENISE JOHNSON, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date 01/29/2020



**PART 27 PERMISSION TO ENTER**Date: 01/29/2020

Secretary/Treasurer  
 Committee of Adjustment  
 City of Hamilton,  
 City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 51 SUNRISE CRES. DUNDAS L9H 3S1  
 (Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



FRAZER JOHNSON DENISE JOHNSON

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

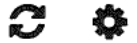
**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



Mail | Contacts | Calendar | Tasks | Workshop Cons... 

96 ▶



RE: Workshop Construction 51 Sunrise Cres.

Mr. Johnson,

You could have simply provided the Committee a copy of our Letter of Permission to indicate that our office had no regulatory concerns with the proposal. I would still recommend that you do this.

In addition, this e-mail will serve as confirmation that our office will not need to be circulated the minor variance application for formal comment.

Thank you

**Darren Kenny, B.Sc. (Hons.), CAN-CISEC**  
**Watershed Officer, Badge # 113**  
Hamilton Conservation Authority  
P.O. Box 81067, 838 Mineral Springs Road  
Ancaster, Ontario L9G 4X1



A Healthy Watershed for Everyone



Mail | Contacts | Calendar | Tasks | Workshop Cons...



96 ▶



A Healthy Watershed for Everyone

The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.

[REDACTED]

**Sent:** January 22, 2020 12:38 PM

**To:** Kenny, Darren

**Subject:** Workshop Construction 51 Sunrise Cres.

Hello Darren,

On October 2nd, 2019, I received a Letter of Permission from your office giving permission for the proposed workshop construction on lands regulated by the HCA. I am currently trying to complete the application for a variance for this construction in my backyard. According to the Committee of Adjustment office, I need an email saying whether or not your office needs to be included on any future correspondence regarding the variance. The letter I received did not state anything to that effect so I am not sure how to proceed. Any help would be appreciated. Thanks.

Frazer Johnson

51 Sunrise Cres

Dundas On

L9H 3S1

[REDACTED]

[REDACTED]



**Hamilton  
Conservation  
Authority**

A Healthy Watershed for Everyone

**BY MAIL**

October 2, 2019

GC-DUN

Frazer Johnson  
51 Sunrise Crescent  
Dundas, ON L9H 3S1

Dear Mr. Johnson:

---

**RE: Letter of Permission for the Construction of a 480 Sq. Ft. (44.6 Sq. M.)  
Workshop**

**Location: 51 Sunrise Crescent  
Part Lot 49, Concession 1, City of Hamilton (Dundas)**

---

Staff of the Hamilton Conservation Authority (HCA) have reviewed the proposed development including the site plan and workshop plan prepared by you and dated October 1, 2019.

A portion of the rear yard of the subject property is regulated by the HCA pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* as the property lies in close proximity to a ravine slope associated with Spring Creek. However, the proposed workshop will be located outside of the erosion hazard associated with the ravine slope. Therefore, please accept this correspondence as written permission for the proposed workshop construction on lands regulated by the HCA. We do not have any objection to the issuance of a building permit by the municipality.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at ext. 131.

---

Darren Kenny  
Watershed Officer

October 2, 2019  
Date

Encl. approved site and building plan

c.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by mail)

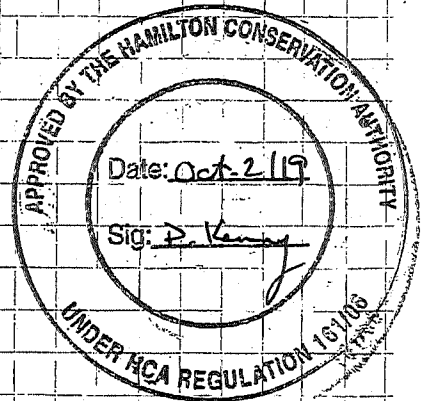
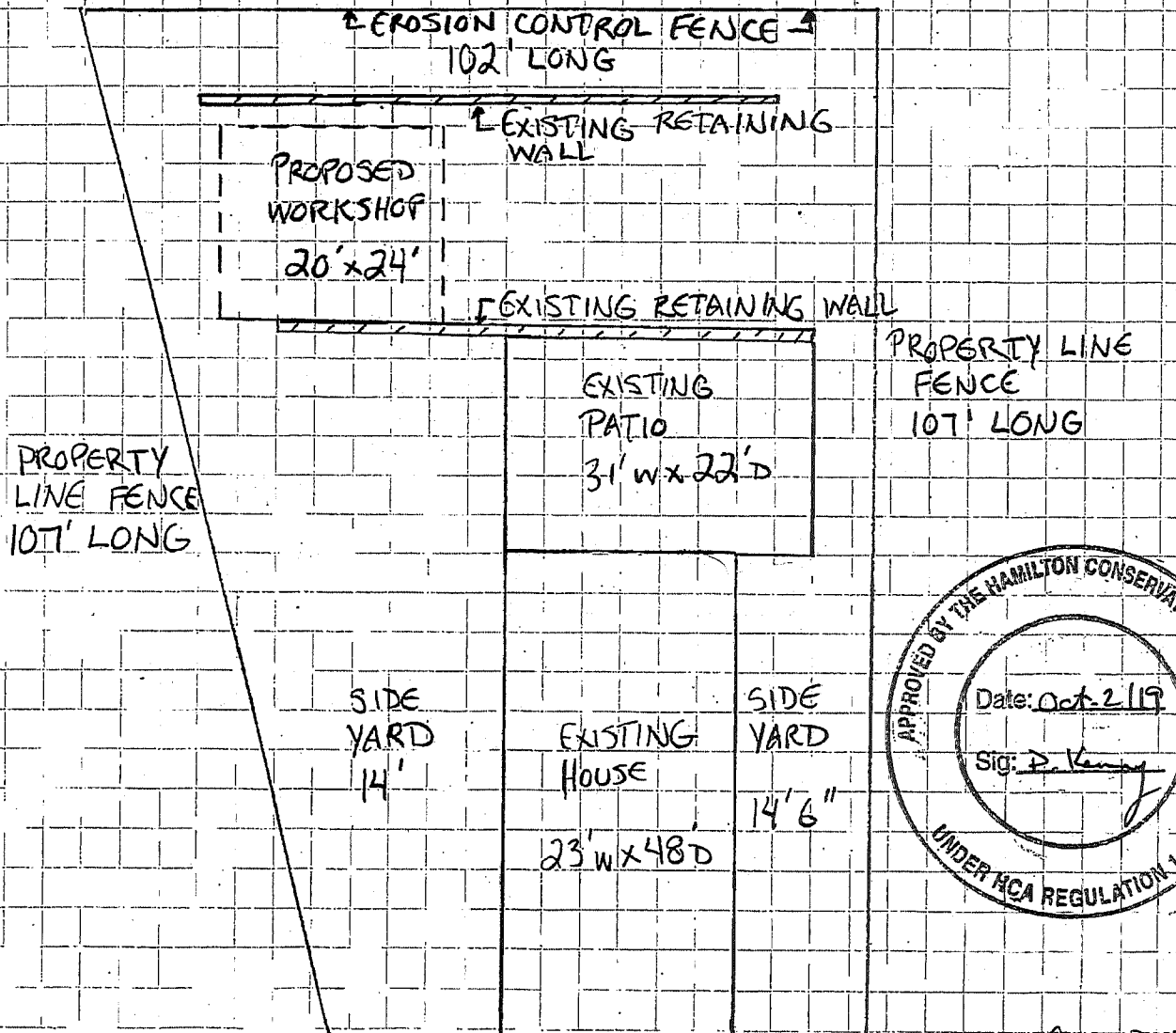
WORKSHOP PROPOSAL

PROPERTY ADDRESS - 51 SUNRISE CRES.  
DUNDAS ON  
L9H 3S1

PREPARED BY - FRAZER JOHNSON  
DATE - OCTOBER 1 / 2019  
SCALE - 1 square = 4'

RAIL TRAIL

TOP OF BANK

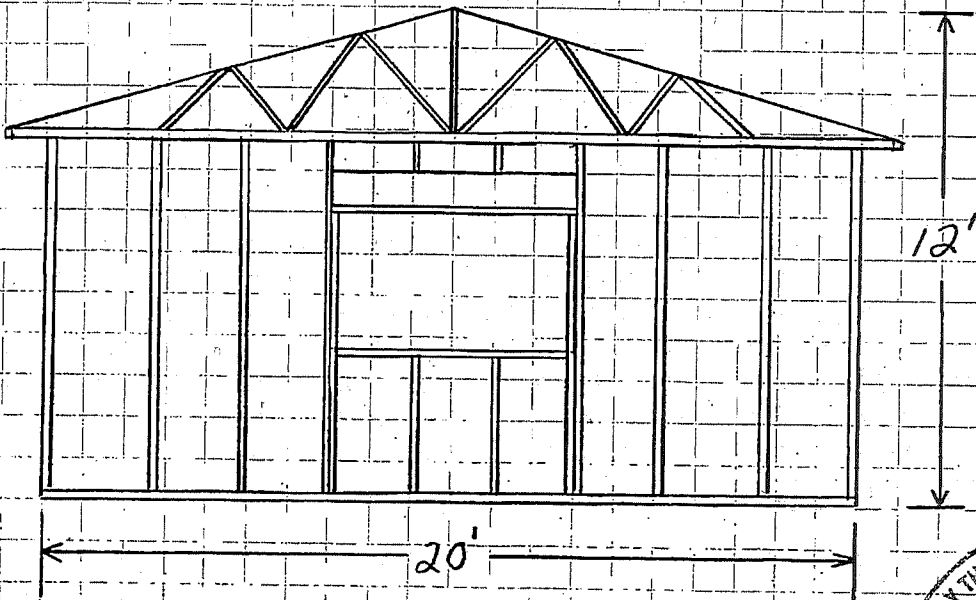
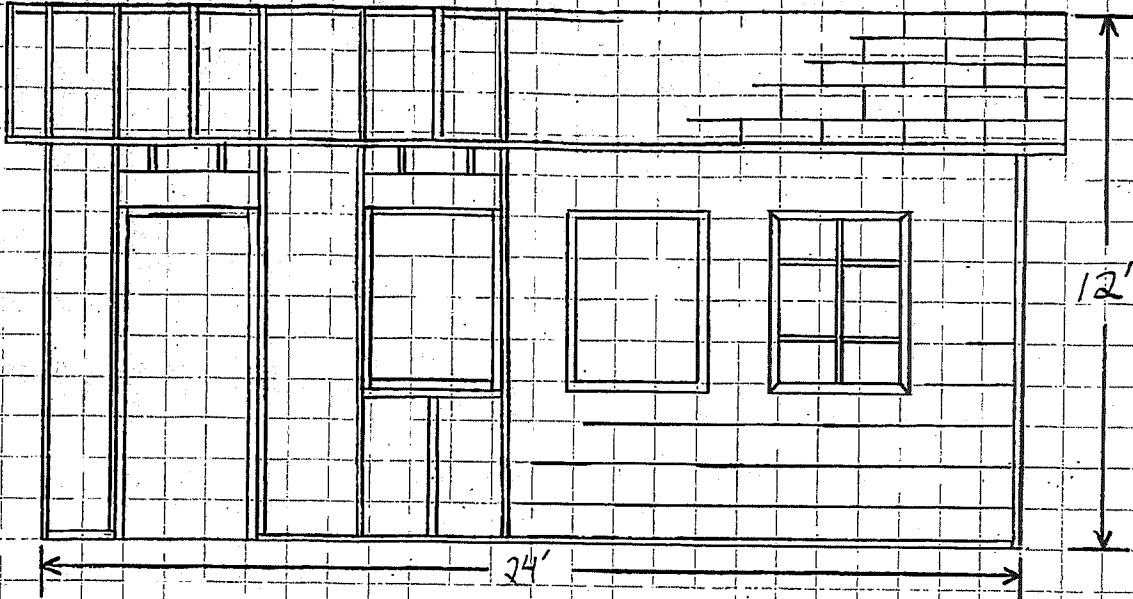


GC-DUN  
RECEIVED

OCT - 1 2019

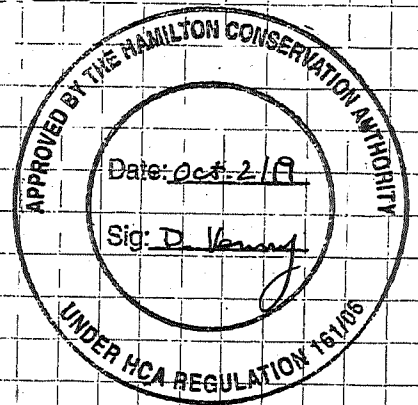


# WORKSHOP DESIGN



PROPERTY ADDRESS - 51 SUNRISE CR.  
 DUNDAS, ON  
 L9H 3S1

PREPARED BY - FRAZER JOHNSON  
 DATE - OCTOBER 1/2019  
 SCALE - 1 square = 1'



G.C-DUN  
 RECEIVED

OCT - 1 2019





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** DN/A-20:42

**APPLICANTS:** Morning Investments Inc. c/o Sam Mattina

**SUBJECT PROPERTY:** Municipal address **229 Hatt St., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** RM2 district (Medium Density Multiple Dwelling)

**PROPOSAL:** To permit the expansion of the legally established non-conforming street townhouse dwelling by the addition of a new roofed-over unenclosed porch (steps and awning) at the front each street townhouse dwelling unit, notwithstanding,

1. The use of a Street Townhouse is not permitted at this location; and,
2. No front yard landscaping shall be provided instead of providing a minimum of 50% of the front yard as landscaped area.

**NOTES:**

1. Please be advised that the zoning regulations of the RM2 zone are applicable only to specific permitted uses. As the use of a Street Townhouse Dwelling is not permitted within the RM2 zone there are no applicable zoning regulations for such use within that zone (i.e. there is no minimum required front yard for a Street Townhouse Dwelling in the RM2 zone).

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:55 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**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, including deadlines for submitting to be seen by the Committee.

DN/A-20:42

Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

#### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

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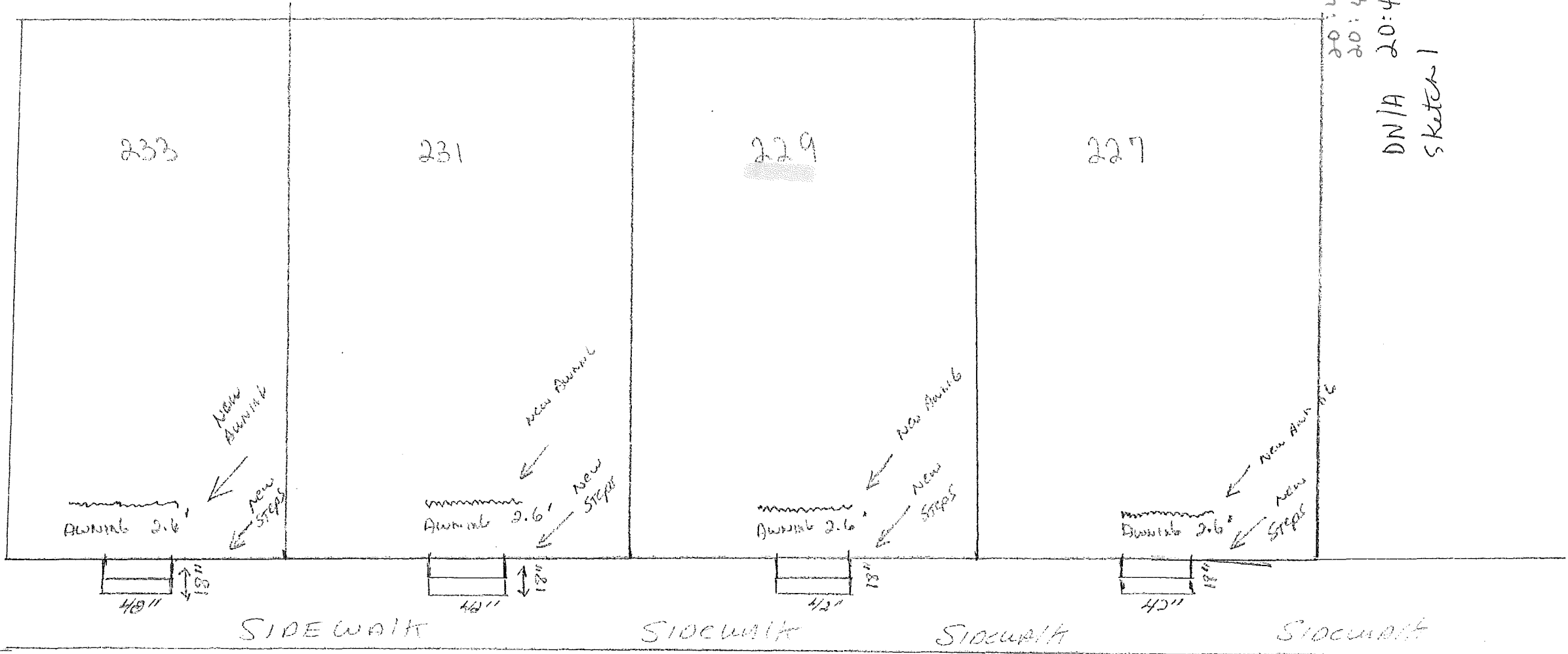
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

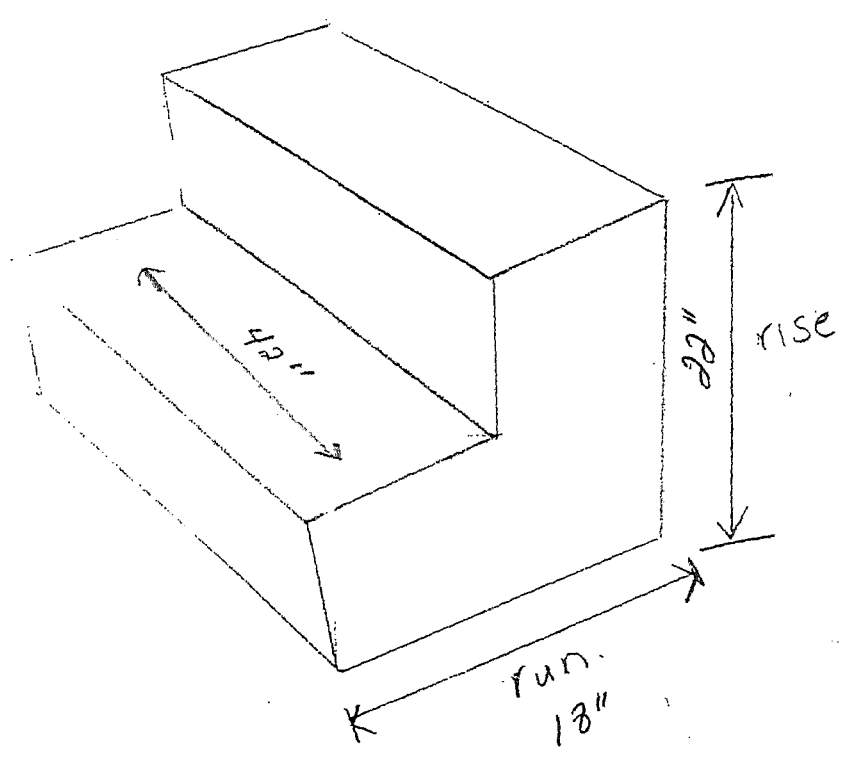
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

MATH/MD

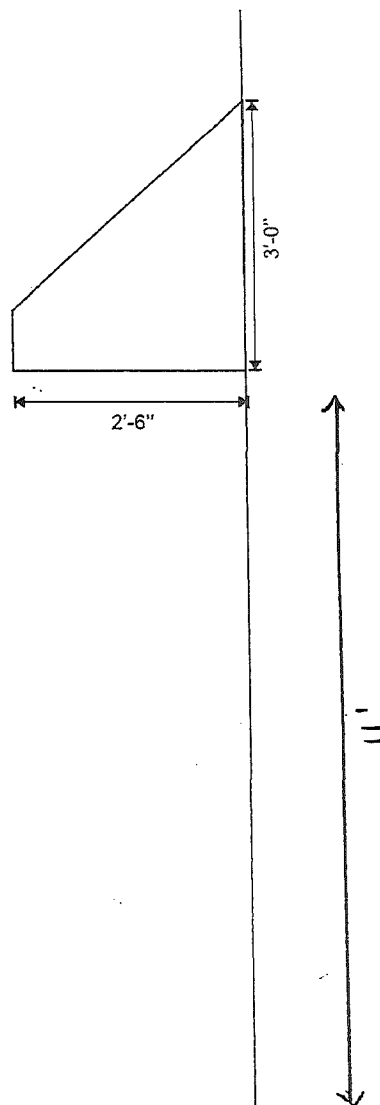
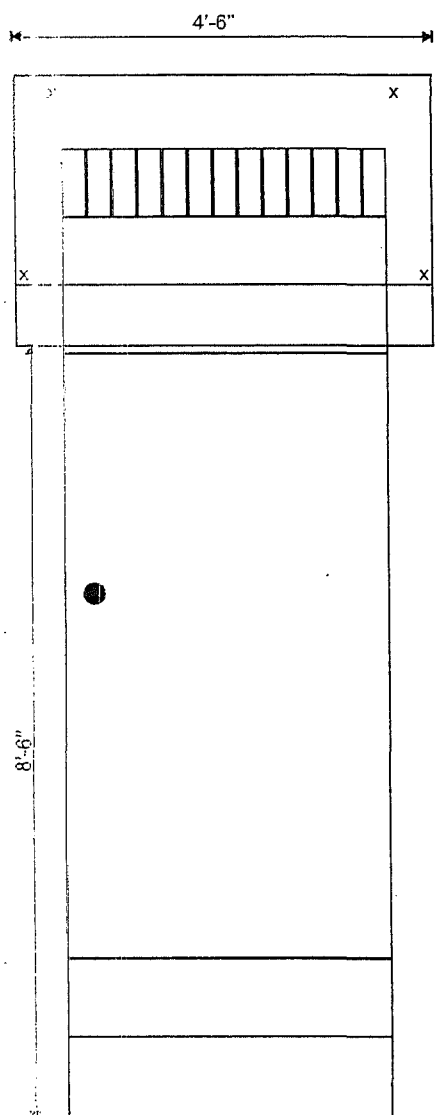
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20:44  
20:43  
DN/A 20:42  
SKETCH 1



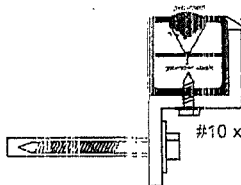


20:44  
20:43  
DNPA 20:42  
Sketch 2



ea.- Welded aluminum framed awnings with sunbrella fabric.

1/2" scale



X- Z bracket location

#10 x 3/4" tek screw, 2 ea. per z bracket.

Frame 1" sq. Welded Aluminum extrusion, 6063 t6, 11 gauge or .120 wall  
Typical fastening: 2 1/2" x 5/16 lag with nylon shield, fastened to brick wall.

20.44  
20:43  
DN/A 20:42  
Sketch 3

227 Halt St., Dundas, Ont.

*McHugh's*  
**Awnings**

859 Governor's Rd., Dundas, Ontario.  
www.mchughawnings.ca  
chris@mchughawnings.com  
Tel. 905-516-1924





20.150010



Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>DNIA-20:42</u>	DATE APPLICATION RECEIVED <u>Jan. 31/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner MORNING INVESTMENTS INC. Telephone No. \_\_\_\_\_  
SAM MATTINA
- [Redacted]
- Name of Agent SAM MATTINA Telephone No. \_\_\_\_\_
- [Redacted]

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances: N/A  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

CONCRETE STEPS + AWNING  
SET BACK TO LOT LINE - 0 ZERO

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

~~NOT~~ IT IS ~~NOT~~ POSSIBLE  
EXISTING BUILDING IS AT THE PROPERTY LINE - OF THE CITY PROPERTY

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

PLAN 1443 BLK 24 PT LOT 3 RP 62 R11545 PARTS 3 & 7  
229 HATH ST.

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
Agricultural  Vacant   
Other

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

OWNER FOR OVER 25 YEARS  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

November 29/19  
Date

  
Signature Property Owner

SAM MATTINA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage + 4.5 meters  
Depth + 28 meters  
Area \_\_\_\_\_  
Width of street 20 meters

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: BRICK BUILDING ON PROPERTY LINE.  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 2 STEPS / AWNING  
\_\_\_\_\_  
\_\_\_\_\_

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

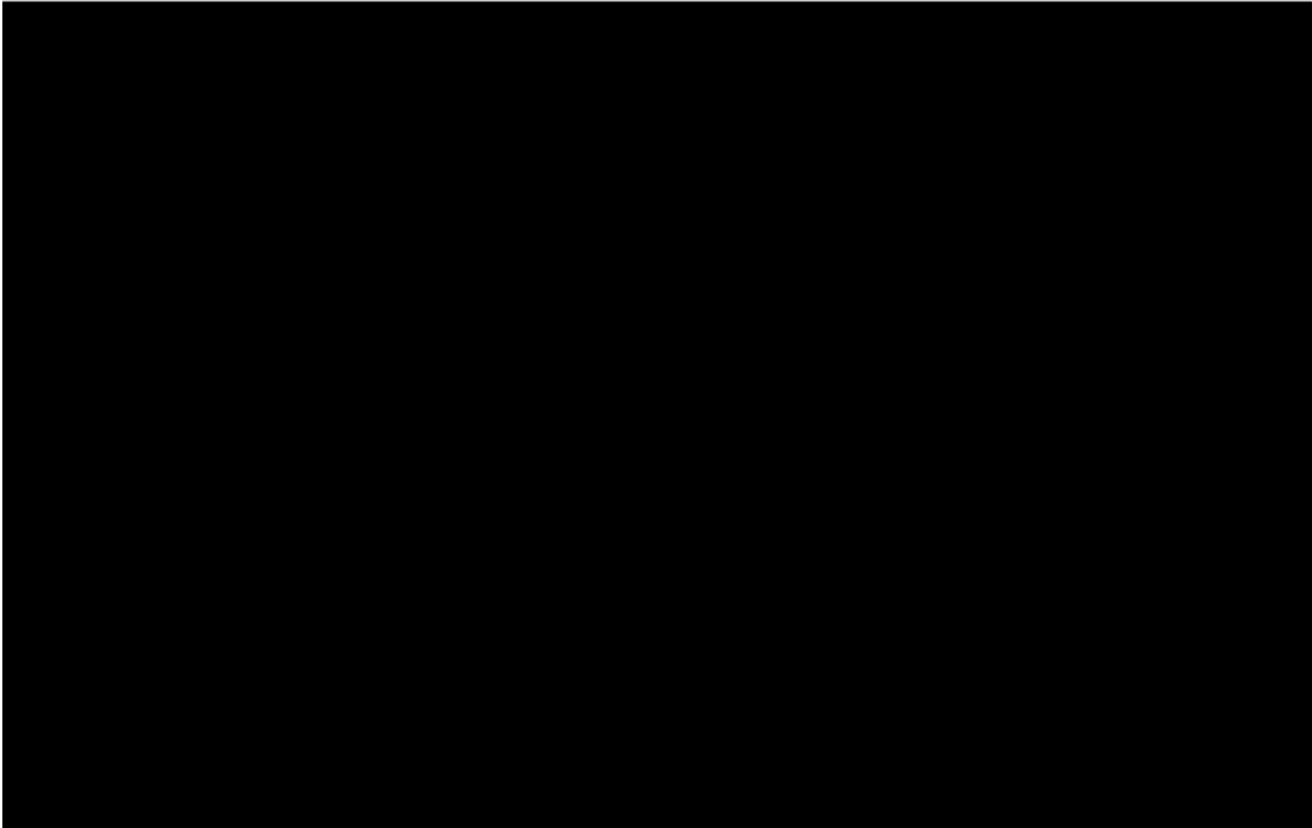
Existing: SEE SITE PLAN / DRAWINGS  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 2 STEPS / AWNING.  
SEE SITE PLAN / DRAWINGS  
\_\_\_\_\_  
\_\_\_\_\_



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Mornival Investments Inc. am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Sam Martin of Mornival Investments Inc.

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application

DATE January 31/20



**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Sam Martin, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

November 29/19  
Date

[Redacted Signature]  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: \_\_\_\_\_

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 229 HART ST (DUMFRIES)  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Sam Martin

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** DN/A-20:43

**APPLICANTS:** Morning Properties Inc. c/o Sam Mattina

**SUBJECT PROPERTY:** Municipal address **229 Hatt St., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** RM2 district (Medium Density Multiple Dwelling)

**PROPOSAL:** To permit the expansion of the legally established non-conforming street townhouse dwelling by the addition of a new roofed-over unenclosed porch (steps and awning) at the front each street townhouse dwelling unit, notwithstanding,

1. The use of a Street Townhouse is not permitted at this location; and,
2. No front yard landscaping shall be provided instead of providing a minimum of 50% of the front yard as landscaped area.

**NOTES:**

1. Please be advised that the zoning regulations of the RM2 zone are applicable only to specific permitted uses. As the use of a Street Townhouse Dwelling is not permitted within the RM2 zone there are no applicable zoning regulations for such use within that zone (i.e. there is no minimum required front yard for a Street Townhouse Dwelling in the RM2 zone).

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

---

**DATE:** Thursday, June 25<sup>th</sup>, 2020

**TIME:** 1:55 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only**

---

**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, including deadlines for submitting to be seen by the Committee.

.../2

DN/A-20:43

Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

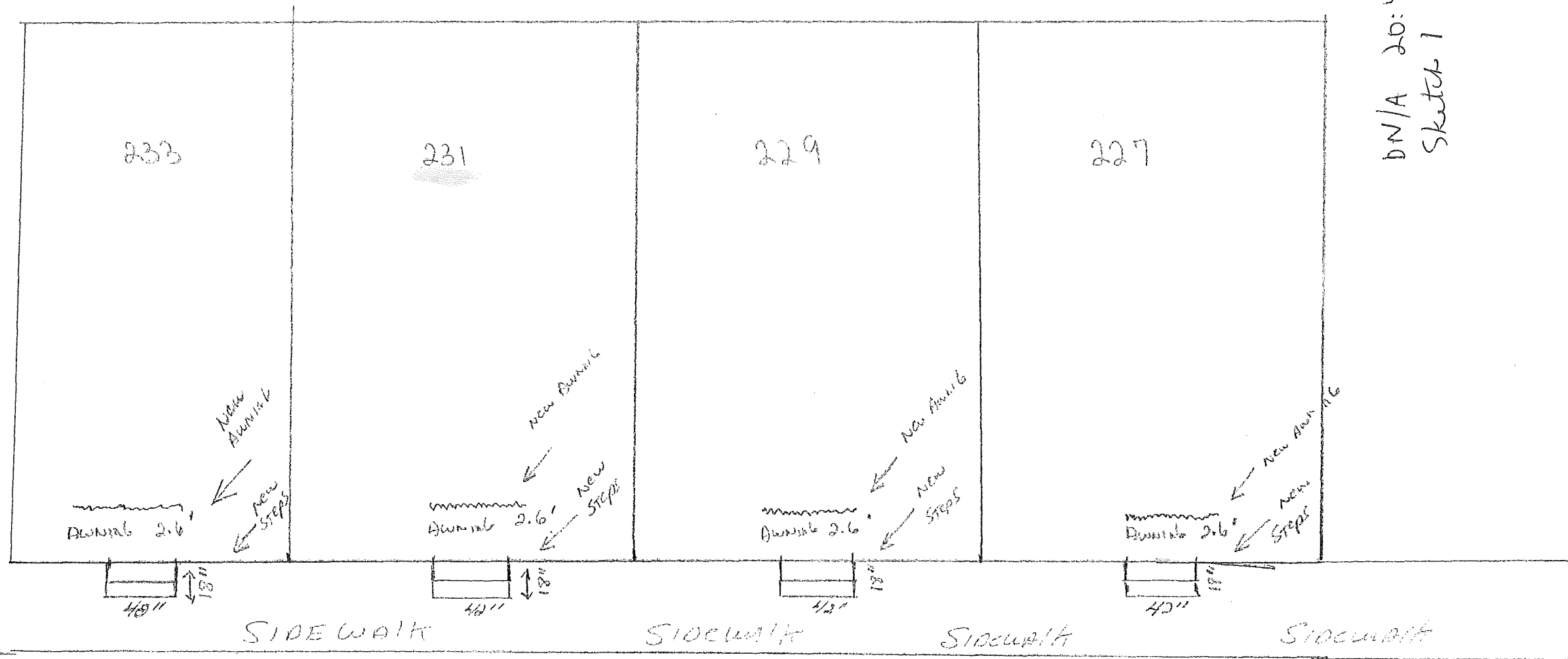
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



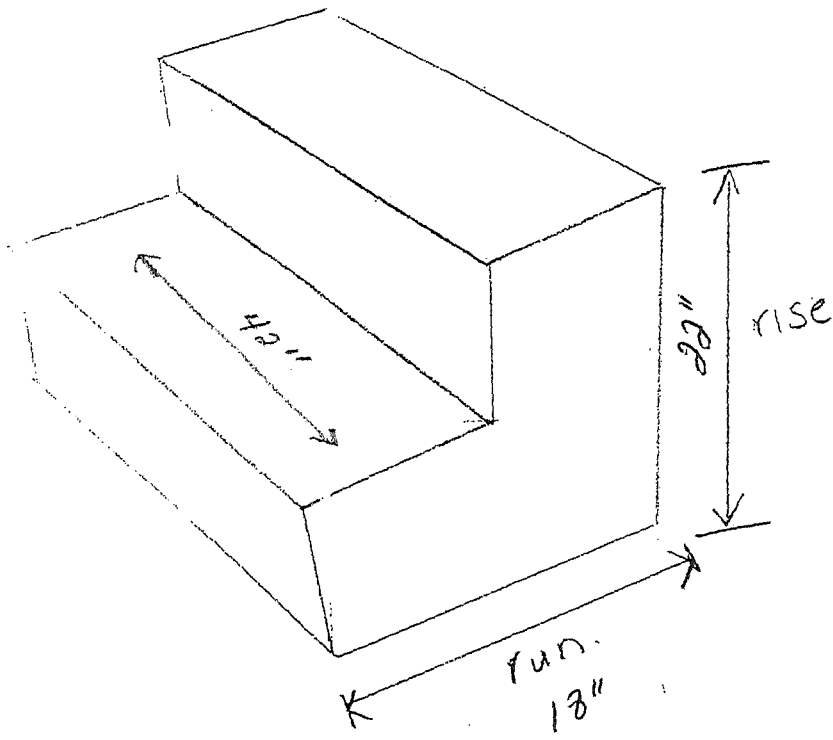
DN/A 20:43  
Sketch 1

MOUNTAIN

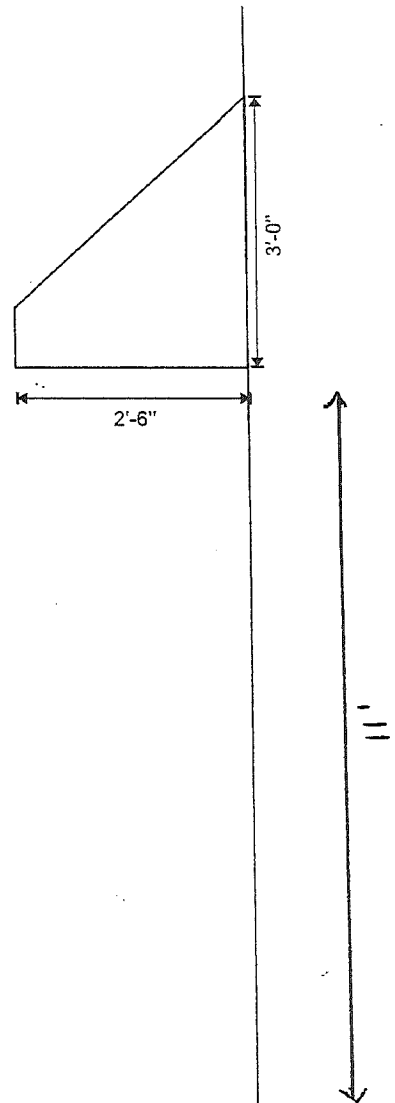
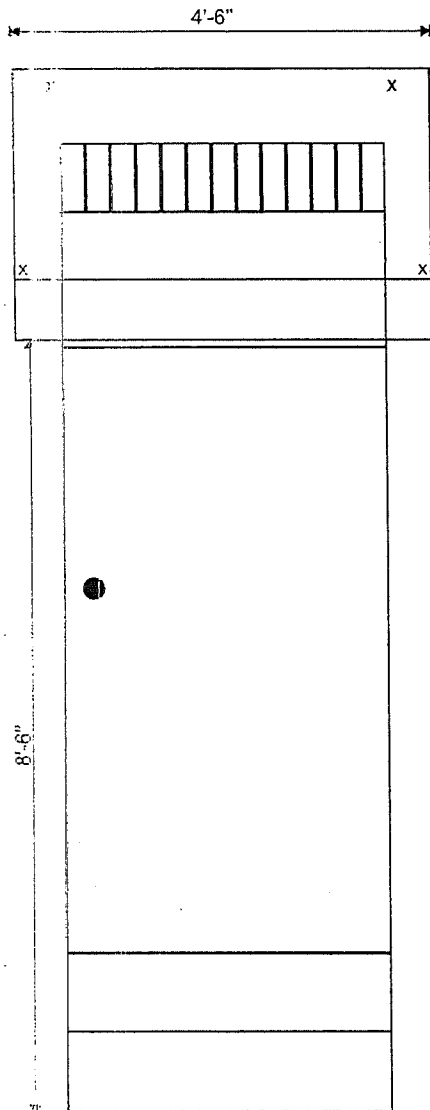
SIDEWALK SIDEWALK SIDEWALK SIDEWALK



HATT ST



DW/A 20:43  
Sketch 2

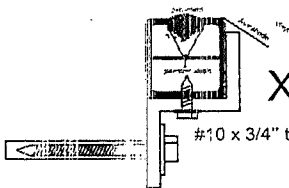


4 ea.- Welded aluminum framed awnings with sunbrella fabric.

1/2" scale

DN/A 20:43

Sketch 3



X- Z bracket location

#10 x 3/4" tek screw, 2 ea. per z bracket.

Frame 1" sq. Welded Aluminum extrusion, 6063 t6, 11 gauge or .120 wall  
Typical fastening: 2 1/2" x 5/16 lag with nylon shield, fastened to brick wall.

227 Half St., Dundas, Ont.

*McHugh's*  
**Awnings**

859 Governor's Rd., Dundas, Ontario.  
[www.mchughsawnings.ca](http://www.mchughsawnings.ca)  
[chris@mchughsawnings.com](mailto:chris@mchughsawnings.com)  
 Tel. 905-516-7924





Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>DN/A-20:43</u>	DATE APPLICATION RECEIVED <u>Jan. 31/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Monville Properties Inc. Telephone No. [Redacted]  
SAM MATTINA
- [Redacted]
- Name of Agent SAM MATTINA Telephone No. [Redacted]
- [Redacted]

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances: N/A.  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

CONCRETE STEPS + AWNING  
SET BACK LOT LINE 0 ZERO

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

<sup>NOT</sup>  
IT IS ~~NOT~~ POSSIBLE.  
EXISTING BUILDING IS AT THE  
PROPERTY LINE OF THE CITY  
PROPERTY

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

PLAN 1443 BLK 24 PT LOT 3 RP 62 R11545 PARTS 2 & 6  
231 HALL ST.

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

OWNER FOR OVER 25 YEARS.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

November 29/19  
Date



Signature Property Owner

SAM MARTINA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage + 4.5 meters  
Depth + 28 meters  
Area \_\_\_\_\_  
Width of street 20 meters

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: BRICK BUILDING ON PROPERTY LINE.

Proposed: 2 STEPS / AWNING.

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

Existing: SEE SITE PLAN / DRAWINGS

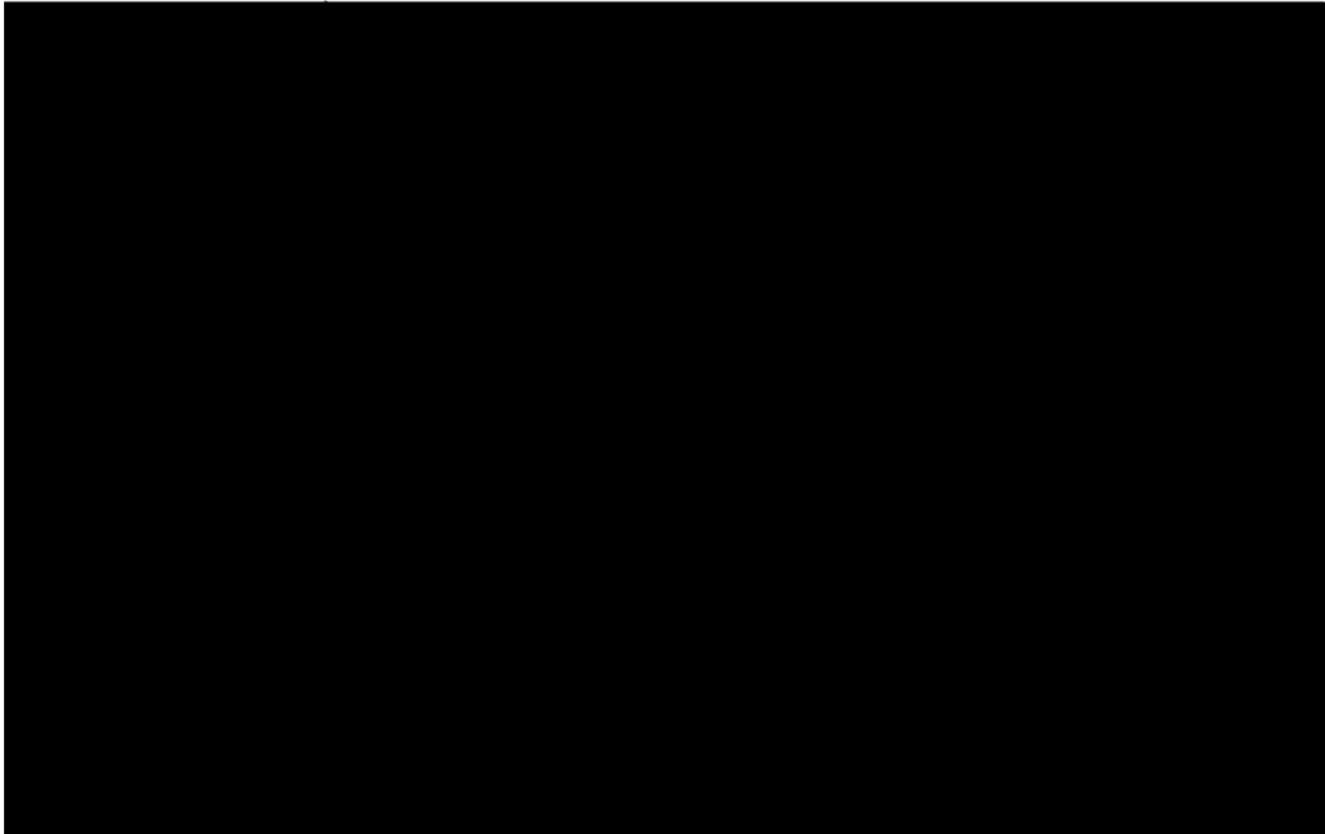
Proposed: 2 STEPS / AWNING  
SEE SITE PLAN / DRAWINGS





**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Monique Properties am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Sam Mattias of Monique Properties Inc.

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE January 31/20 SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Sam Mattias, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date November 29/19

**PART 27 PERMISSION TO ENTER**

Date: NOVEMBER 29/19

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 231 HAIT ST (DUNDAS)  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Sarah Matthews

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING Minor Variance

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You are receiving this notice because you are either:

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

**APPLICATION NO.:** DN/A-20:44

**APPLICANTS:** Morning Investments Inc. c/o Sam Mattina

**SUBJECT PROPERTY:** Municipal address **229 Hatt St., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** RM2 district (Medium Density Multiple Dwelling)

**PROPOSAL:** To permit the expansion of the legally established non-conforming street townhouse dwelling by the addition of a new roofed-over unenclosed porch (steps and awning) at the front each street townhouse dwelling unit, notwithstanding,

1. The use of a Street Townhouse is not permitted at this location; and,
2. No front yard landscaping shall be provided instead of providing a minimum of 50% of the front yard as landscaped area.

**NOTES:**

1. Please be advised that the zoning regulations of the RM2 zone are applicable only to specific permitted uses. As the use of a Street Townhouse Dwelling is not permitted within the RM2 zone there are no applicable zoning regulations for such use within that zone (i.e. there is no minimum required front yard for a Street Townhouse Dwelling in the RM2 zone).

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 1:55 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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**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, including deadlines for submitting to be seen by the Committee.

DN/A-29:44

Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

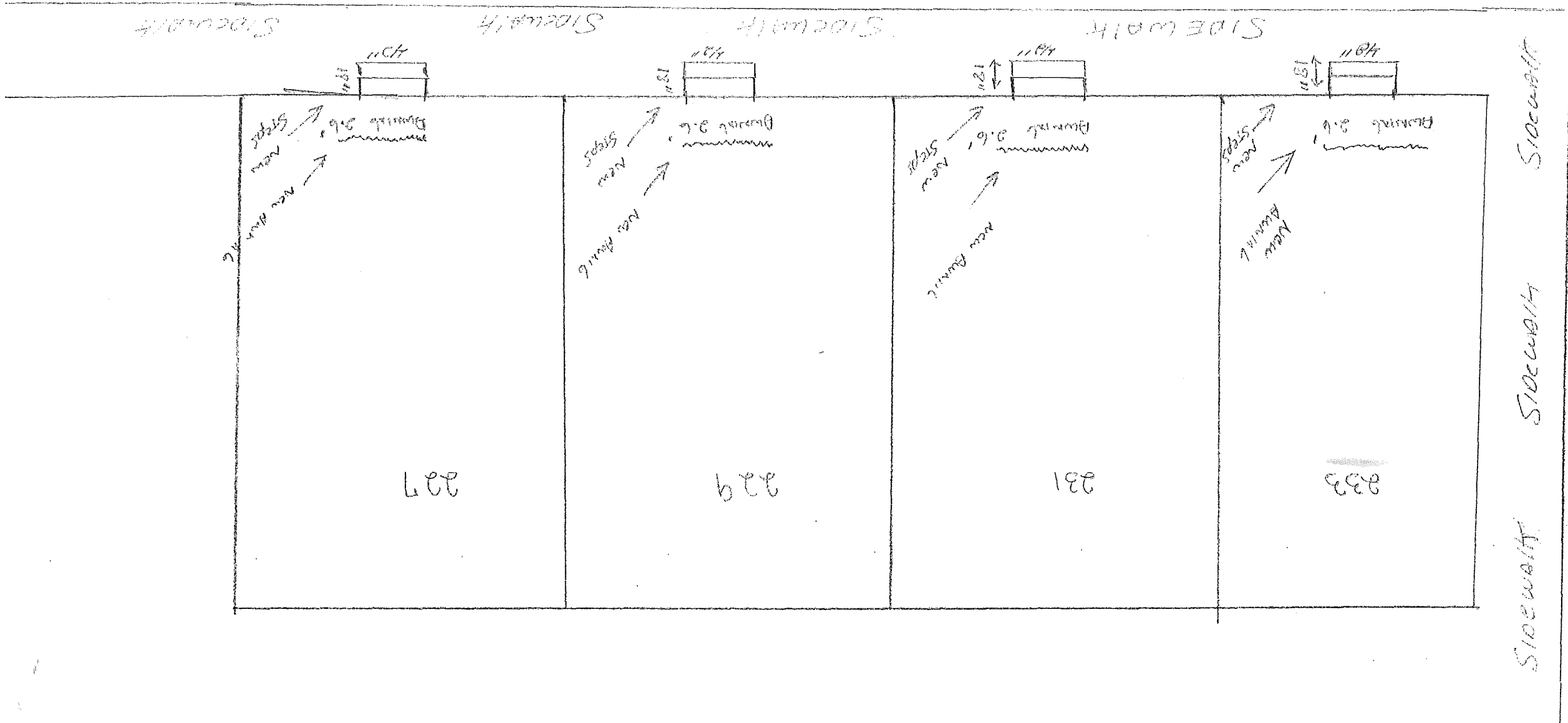
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

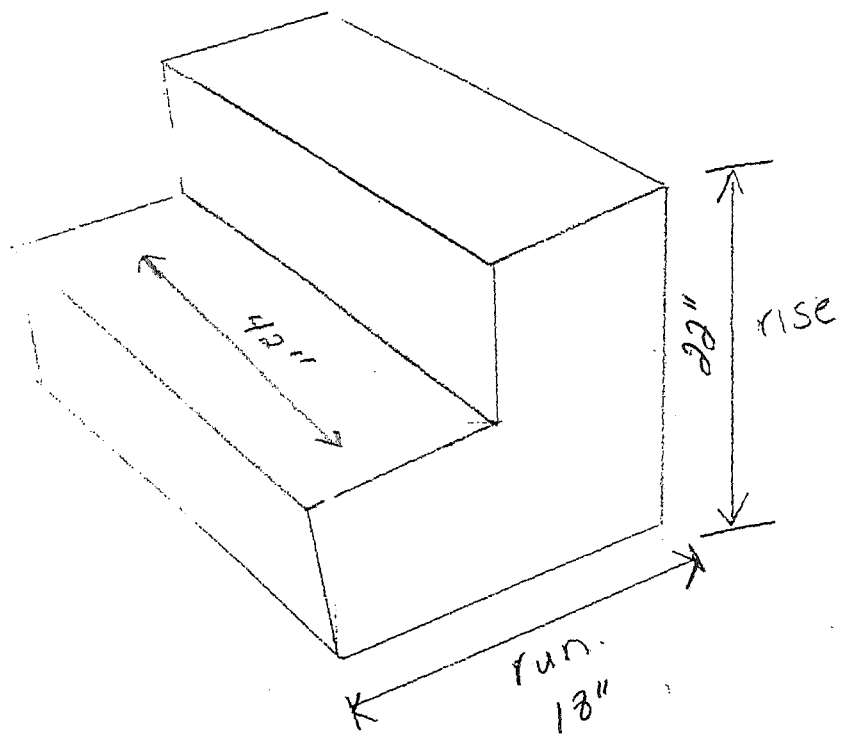
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

DN/A 20:44  
Sketch 1

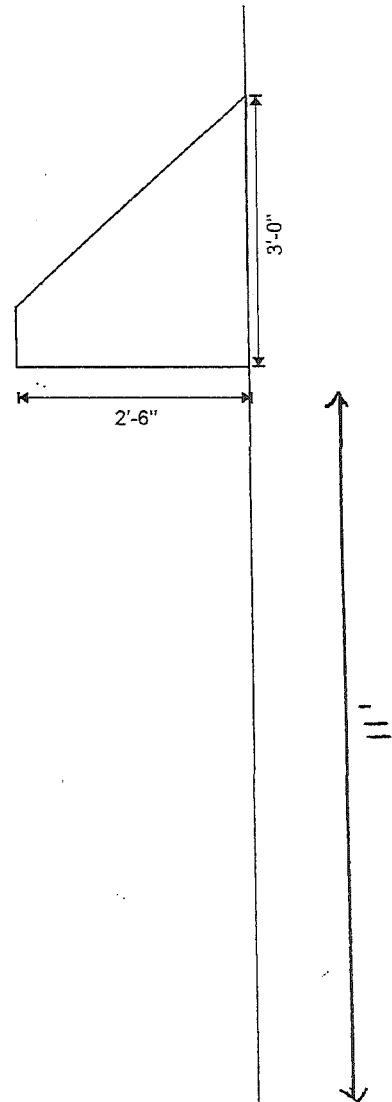
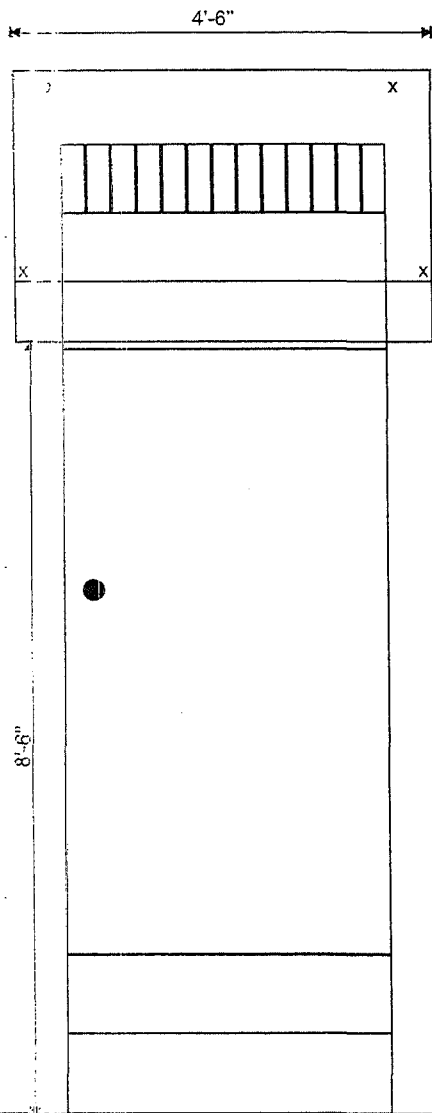
HATT



MATTINA ST



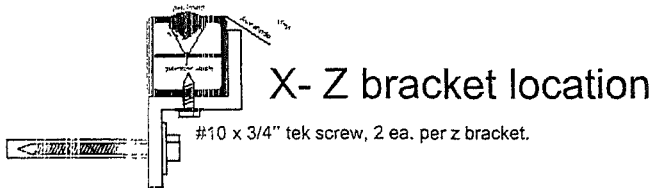
DNIA 20:44  
Sketch 2



4 ea.- Welded aluminum framed awnings with sunbrella fabric.

1/2" scale

DN/A 20-44  
Sketch 3



X- Z bracket location

#10 x 3/4" tek screw, 2 ea. per z bracket.

Frame 1" sq. Welded Aluminum extrusion, 6063 T6, 11 gauge or .120 wall  
Typical fastening: 2 1/2" x 5/16 lag with nylon shield, fastened to brick wall.

227 Hall St., Dundas, Ont.

**McHugh's**  
Awnings

859 Governor's Rd., Dundas, Ontario.  
www.mchughawnings.ca  
chris@mchughawnings.com  
Tel. 905-516-7924





20-150016



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>DN/A 20:44</u>	DATE APPLICATION RECEIVED <u>Jan. 31/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

**The Planning Act**

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner MORNING INVESTMENT INC.  
SAM MATTIWA Telephone No. \_\_\_\_\_

2. \_\_\_\_\_

3. Name of Agent SAM MATTIWA Telephone No. \_\_\_\_\_

4. \_\_\_\_\_

**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

5. Names and addresses of any mortgagees, holders of charges or other encumbrances: N/A.  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No  Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

OWNER FOR OVER 25 YEARS  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

November 29/19  
Date



Signature Property Owner

SIMON MARTINA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage + 4.5 meters  
Depth + 28 meters  
Area \_\_\_\_\_  
Width of street 20 meters

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: BRICK BUILDING ON PROPERTY LINE  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 2 STEPS / AWNING.  
\_\_\_\_\_  
\_\_\_\_\_

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

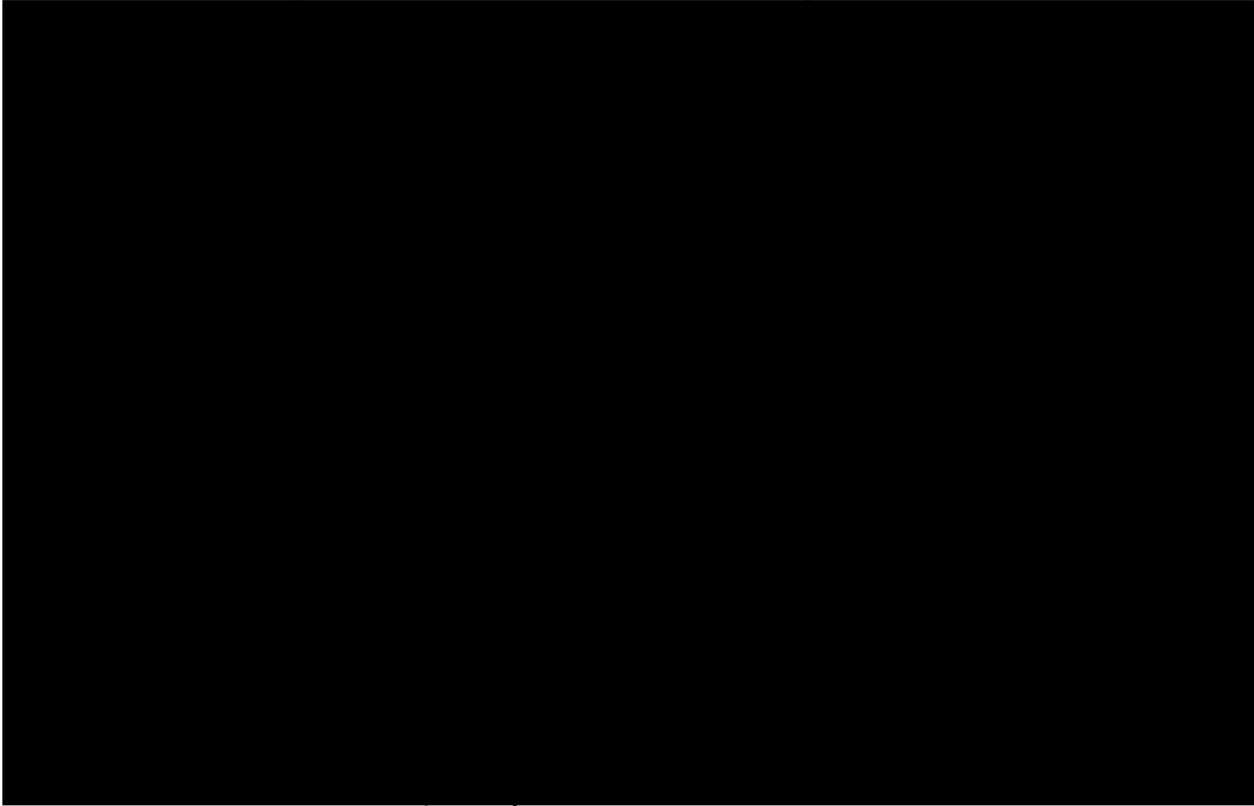
Existing: SEE SITE PLAN / DRAWINGS  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 2 STEPS / AWNING  
SEE SITE PLAN / DRAWINGS



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Municipal Investments Inc am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Sam Martina of Municipal Investments

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE: January 31/20

SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. F.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Sam Martina, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

November 29/19  
Date

Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: NOVEMBER 29/19

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 233 HATT ST. COLWOOD  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Sam Martin

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



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 Fax (905) 546-4202

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

**APPLICATION NO.:** HM/A-19:359

**APPLICANTS:** Owner: Naveen Nagarajan  
Agent: Michael Barton

**SUBJECT PROPERTY:** Municipal address **469 Scenic Dr., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** B & B1 district (Suburban Agriculture and Residential)

**PROPOSAL:** To permit the conversion of the second storey of the accessory building into habitable space for the existing single detached dwelling notwithstanding that:

1. The accessory building being converted for habitable space is for residential purposes on a lot in which a residential building has already been erected.

**NOTES:**

- i. This variance is to allow for the use of both the accessory building and the existing single family dwelling to be used as a single family dwelling only, not to allow for an additional self-contained dwelling unit within this accessory building. Should the owner decide to convert the accessory building into an additional dwelling unit, further variances will be required.
- ii. Please be advised that parking for a single family dwelling is required to be provided at a rate of two (2) parking spaces for the first eight habitable rooms, plus an additional 0.5 spaces for each additional habitable room. It appears that three (3) habitable rooms are intended within the accessory building however, insufficient information has been provided to confirm the number of habitable rooms existing within the single detached dwelling. As such, the total number of required parking spaces cannot be determined at this time. Further variances will be required if the minimum number of required parking spaces cannot be provided on site in accordance with Section 18A of Hamilton Zoning By-law 6593.

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 2:00 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

HM/A-19:359

Page 2

## 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

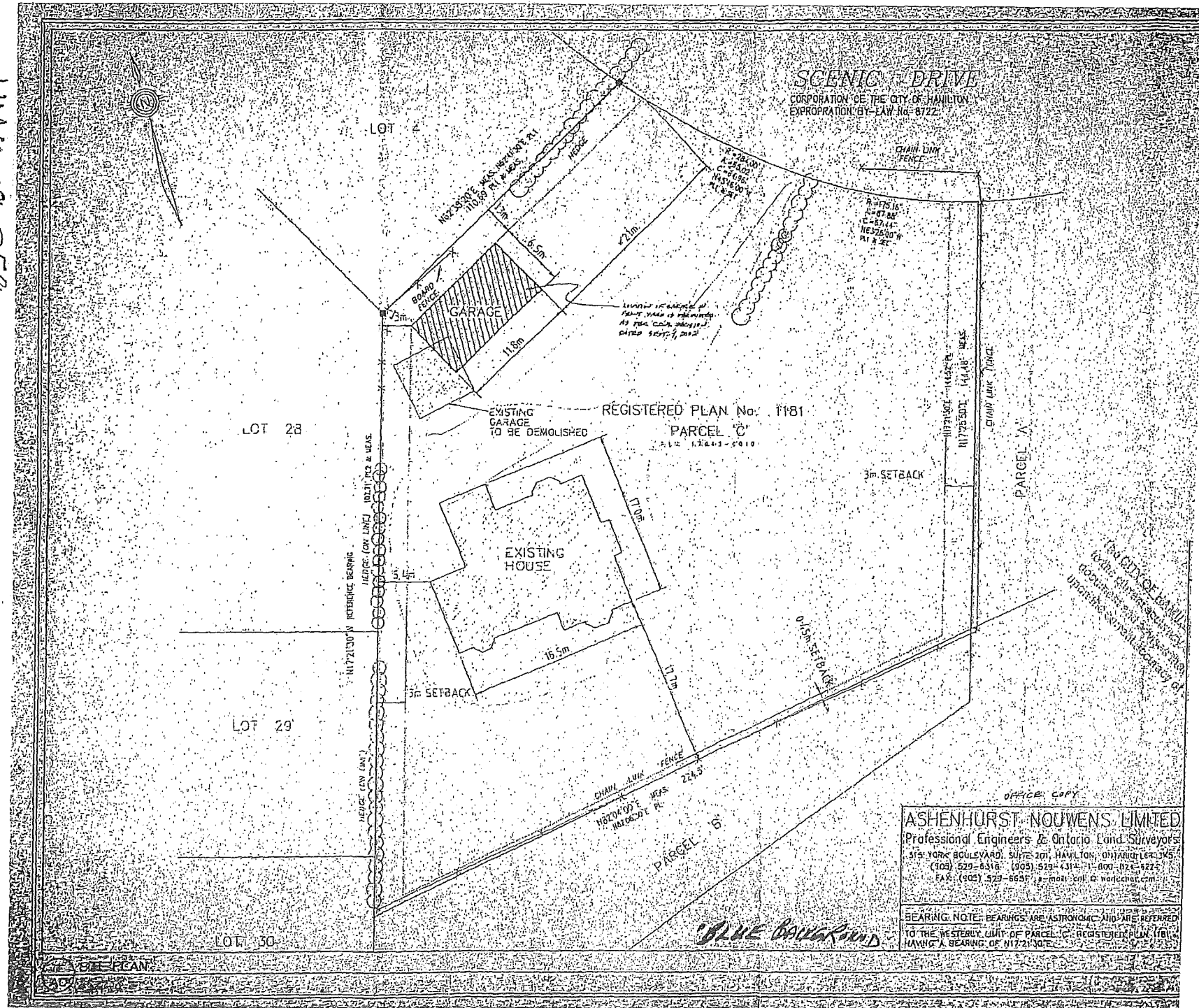
---

Jamila Sheffield,  
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.***



H/M/A-19:359  
Sketch 1



SCENIC DRIVE  
 CORPORATION OF THE CITY OF HAMILTON  
 EXPROPRIATION BY-LAW No. 8722

REGISTERED PLAN No. 1181  
 PARCEL C  
 S.L.R. 1,2443-010

OFFICE COPY  
**ASHENHURST-NOUWENS LIMITED**  
 Professional Engineers & Ontario Land Surveyors  
 319 YORK BOULEVARD, SUITE 201, HAMILTON, ONTARIO L6R 3K5  
 (403) 529-6316 (905) 529-4314 1-800-822-4225  
 FAX: (403) 529-6655 e-mail: enl@worldchat.com

BEARING NOTE: BEARINGS ARE ASTROLOGICAL AND ARE REFERRED TO THE WESTERLY LIMIT OF PARCEL C, REGISTERED PLAN 1181, HAVING A BEARING OF N17°21'30" E.

BLUE BAY ROAD

HMVA - 19:359  
 Sketch 2

LEGEND	GENERAL NOTES	
(A) - 1/2" ROOF TRUSSES	(1) - 1/2" ROOF TRUSSES	1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HAMMILTON RECORD & PERMITS DEPARTMENT SPECIFICATIONS AND THE CANADIAN NATIONAL BUILDING CODE.
(B) - 1/2" ROOF TRUSSES	(2) - 1/2" ROOF TRUSSES	2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
(C) - 1/2" ROOF TRUSSES	(3) - 1/2" ROOF TRUSSES	3. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE SPECIFIED.
(D) - 1/2" ROOF TRUSSES	(4) - 1/2" ROOF TRUSSES	4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES.
(E) - 1/2" ROOF TRUSSES	(5) - 1/2" ROOF TRUSSES	5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
(F) - 1/2" ROOF TRUSSES	(6) - 1/2" ROOF TRUSSES	6. THE CONTRACTOR SHALL MAINTAIN PROPER DRAINAGE AND EROSION CONTROL MEASURES.
(G) - 1/2" ROOF TRUSSES	(7) - 1/2" ROOF TRUSSES	7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
(H) - 1/2" ROOF TRUSSES	(8) - 1/2" ROOF TRUSSES	8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

**1. FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

**2. LEFT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

**3. REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

**4. RIGHT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

**5. TYPICAL**  
SCALE: 1/4" = 1'-0"

CITY OF HAMMILTON  
 Record & Permits Division  
 Approved by: [Signature]  
 Date: 11/20/2023  
 THE CONTRACTOR SHALL COMPLY WITH THE CANADIAN BUILDING CODE AND ALL OTHER APPLICABLE LAWS.  
 Project No: 19-359-00-01  
 Revision: 01

**FLOORS and WALLS:**

All floors in residential occupancies to be finished and or water resistant as per Articles 9.30.1.1 and 9.30.1.2, and all wall tile finish to comply to Subsection 9.29.10.

All gypsum wall board and installation to comply with Subsection 9.29.5. Gypsum Board Finish (Taped Joints).

Interior walls and ceiling finishes to comply with Subsection 9.29.

**STUD WALL REINFORCEMENT:**

Provide stud wall reinforcement in main bathroom conforming to Article 9.5.2.3 for the installation of grab bars.

**STAIRS (INTERIOR/EXTERIOR):**

At least 1 stair between each floor level within a dwelling unit, and exterior stairs serving a single dwelling unit except required exit stairs, shall have a width of not less than 860mm (2ft.10in.). See Sentence 9.8.2.1.(2).

Minimum height over stairs and landings within dwelling units shall be 1.95m (6ft.5in.). See Sentences 9.8.2.2.(1) & 9.8.6.4.(1).

All stairs serving a single dwelling unit must meet uniform loading design requirements of 1.9 kPa.

**Interior/Exterior stairs in single dwelling units**

	Max.(mm)	Min.(mm)
Rise	200 (7-7/8 in)	125 (4-7/8 in)
Run	355 (14 in.)	210 (8-1/4 in)
Tread Depth	355 (14 in.)	235 (9-1/4 in.)

**SMOKE ALARMS AND CARBON MONOXIDE ALARMS:**

Smoke Alarms conforming to CAN/ULC -5531, "Smoke Alarms" shall be installed in each dwelling unit and in each sleeping room. Smoke alarms shall be installed as per 9.10.19. The locations shall comply with 9.10.19.3. Smoke alarms are to be connected to an electrical circuit and interconnected so that the activation of one alarm will cause all alarms within the dwelling unit to sound as per 9.10.19.5. Carbon monoxide detection conforming to subsection 6.2.12, and/or subsection 9.33.4, shall be installed.

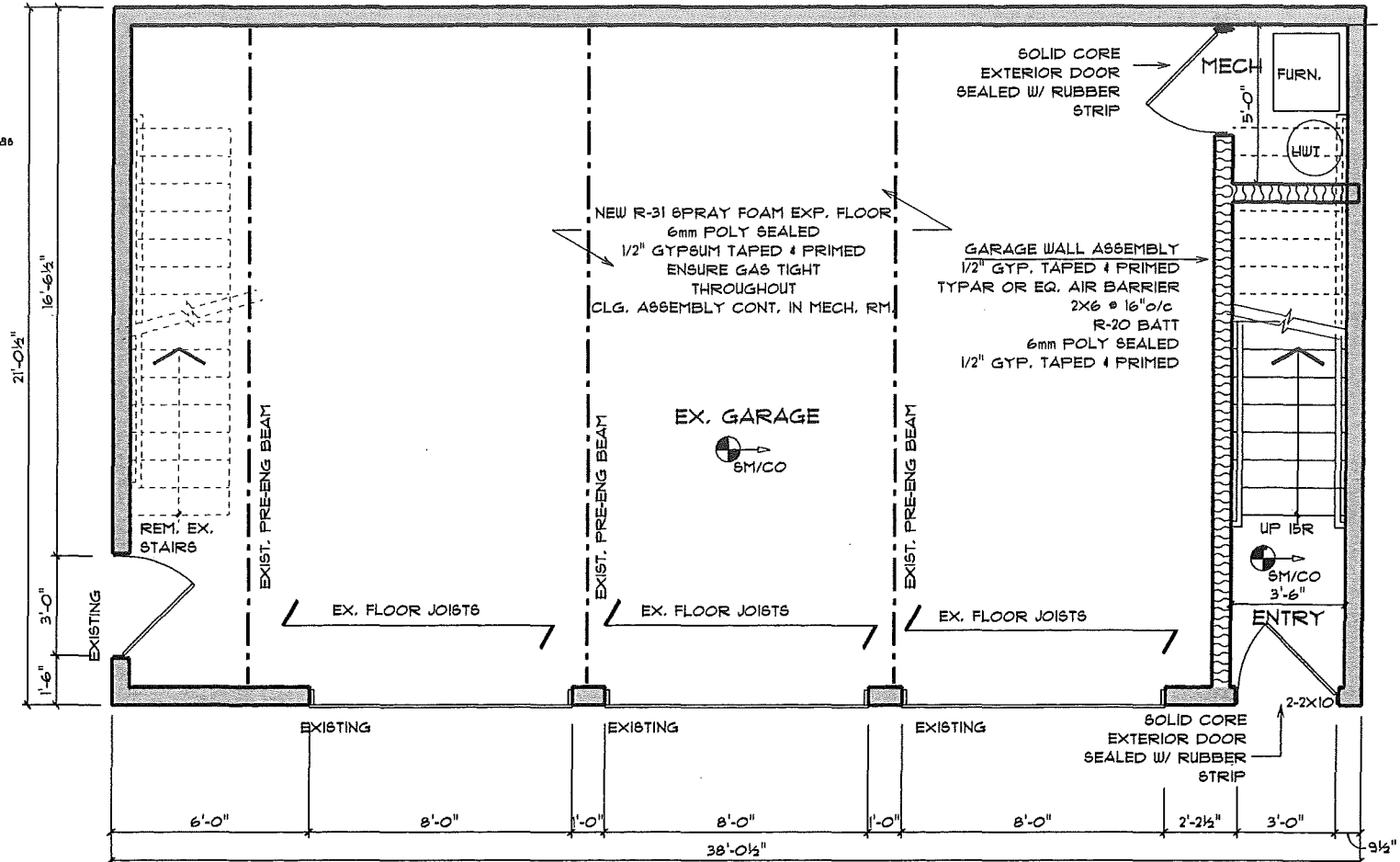
**ELECTRICAL:**

Electrical facilities shall conform to Section 9.34.

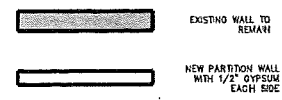
Electrical outlets in dwelling units to conform to Article 9.34.2.2.

**MISCELLANEOUS:**

All glass shower & bath enclosures to meet requirements of Article 9.6.1. Stud wall reinforcing required in all Bathrooms as per 9.5.2.3.



**MAIN FLOOR PLAN**



**SMOKE AND CO ALARMS TO BE INTERCONNECTED COMPLETE W/ VISUAL SIGNALLING DEVICE**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.5.1, OF THE 2006 ONTARIO BUILDING CODE.

JOHN BARNHART *JOHN BARNHART* 41773

REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.4.1, OF THE 2006 ONTARIO BUILDING CODE.

THE BUILDING PERMIT GUY 103362

FIRM NAME BCIN

SCALE: 1/4" = 1'-0"

Hm/A 19:359  
Sketch 3

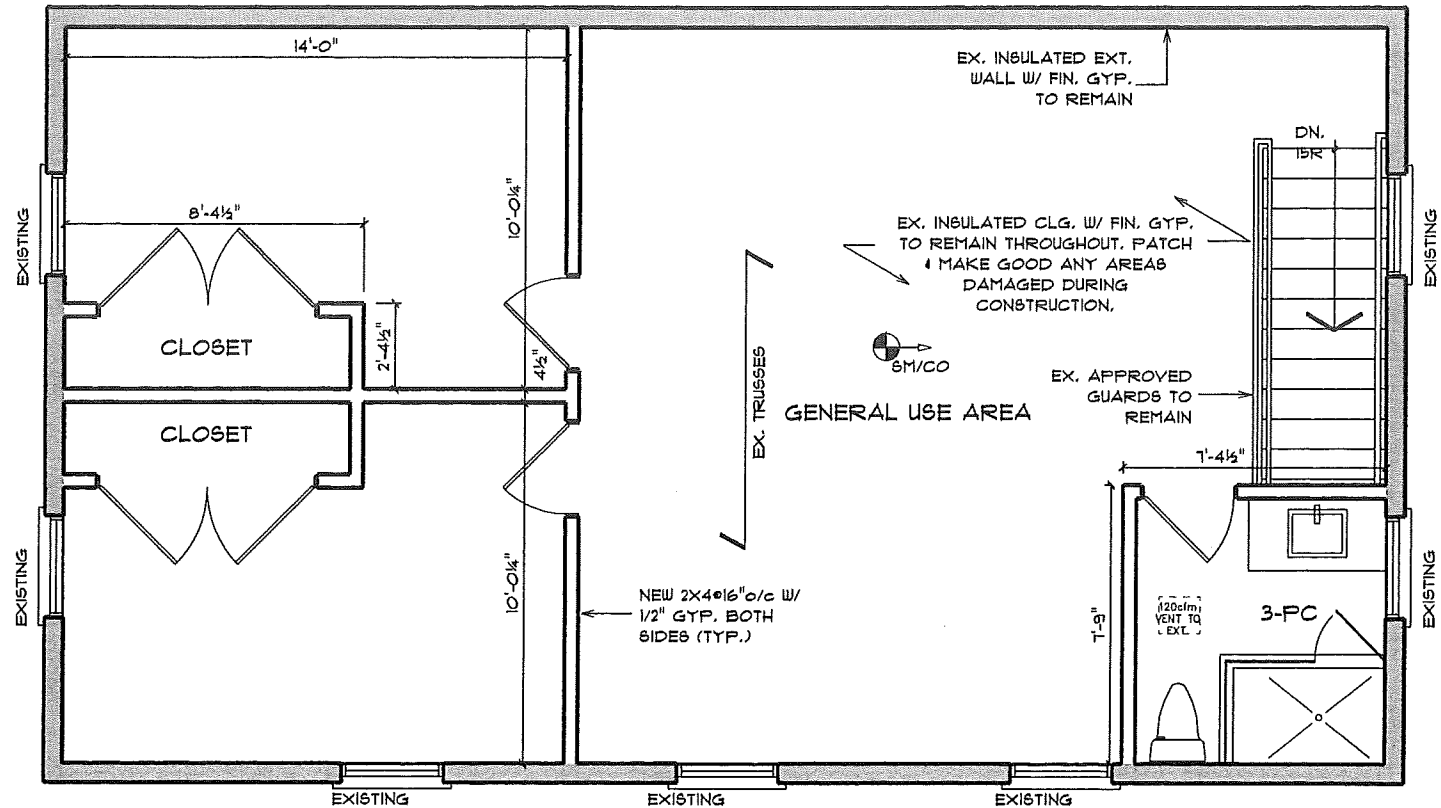
**INTERIOR ALTERATION**  
**469 SCENIC DRIVE HAMILTON, ONT.**

A-1



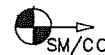
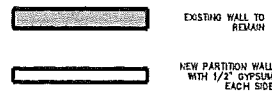
**GENERAL NOTES**

CONT...  
 No proposed changes to existing structure unless noted.  
 Contractor to verify all information onsite and report any discrepancies to the designer prior to continuing with work.  
 It is the responsibility of the owner or their contractor to ensure all work has been inspected and approved by the Building Div.  
 Owner to provide satisfactory ESA inspection report at occupancy inspection.  
 See previous permit #02-190030-00 for existing garage details.  
 Garage to remain as an accessory use to existing Single Family Dwelling.



Am/A 19:355  
Sketch 4

**SECOND FLOOR PLAN**



SMOKE AND CO ALARMS TO BE INTERCONNECTED COMPLETE W/ VISUAL SIGNALLING DEVICE

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.  
 QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.5.1. OF THE 2006 ONTARIO BUILDING CODE.  
 JOHN BARNHART *JOHN BARNHART* 41773  
 REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.4.1. OF THE 2006 ONTARIO BUILDING CODE.  
 THE BUILDING PERMIT GUY 103362  
 FIRM NAME BCIN

SCALE: 1/4" = 1'-0"

**INTERIOR ALTERATION**

**469 SCENIC DRIVE HAMILTON, ONT.**

**A-2**





Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

19-147889

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

RECEIVED  
JAN 28 2020  
CITY OF HAMILTON

**FOR OFFICE USE ONLY.**

APPLICATION NO. Hm/A-19-359 DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S SIGNATURE \_\_\_\_\_

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner NAVEEN PAPAJI Telephone No. \_\_\_\_\_
- \_\_\_\_\_
- Name of Agent MICHAEL BARTON Telephone No. \_\_\_\_\_
- \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

TO PERMIT HABITABLE SPACE ON THE SECOND FLOOR OF THE ACCESSORY STRUCTURE (EXISTING DETACHED GARAGE)

NOTE: UPDATED APPLICATION UNDER FILE HM/A-19:059

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

469 SCENIC DRIVE

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

N/A

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

HISTORICAL USE OF PROPERTY FOR  
SINCE FAMILY RESIDENTIAL

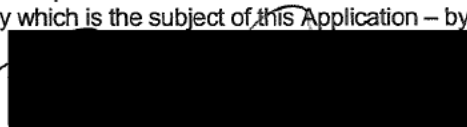
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

01/03/20  
Date

  
Signature Property Owner

NAVEEN PATEL NARAYAN  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 68.4 m  
Depth variable  
Area \_\_\_\_\_  
Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: SINGLE DETACHED DWELLING (17m x 19.5m)  
DETACHED GARAGE (2-STORY)

Proposed: EXISTING TO REMAIN  
WITH HABITABLE SPACE IN SECOND  
FLOOR OF DETACHED GARAGE

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

Existing: FRONT = 17.7 m  
SIDE = 5.4 m

Proposed: EXISTING TO REMAIN

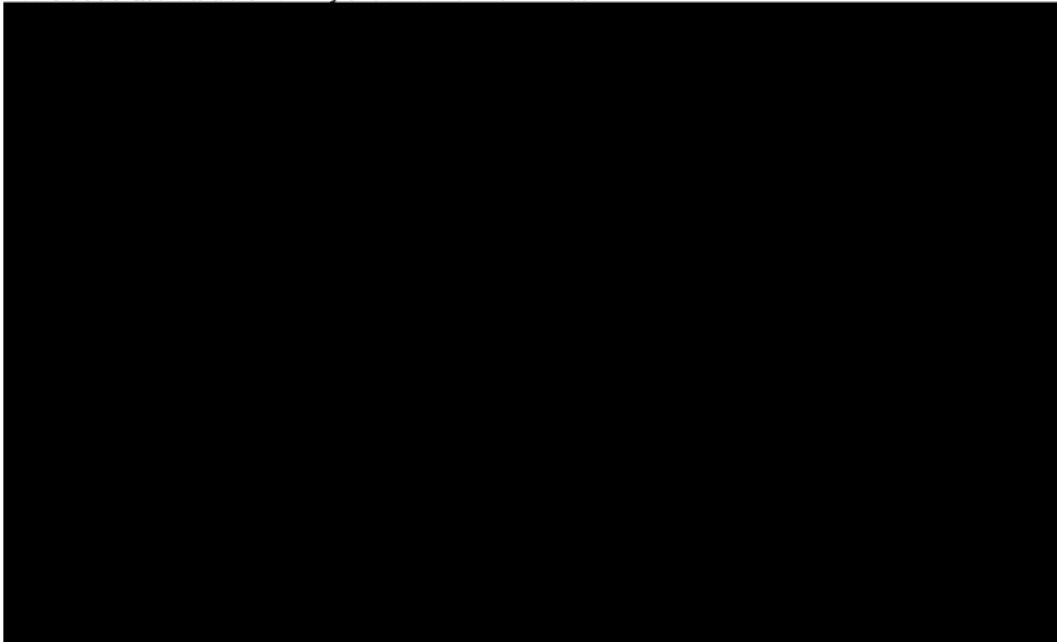
13. Date of acquisition of subject lands:  
2013
14. Date of construction of all buildings and structures on subject lands:  
NA
15. Existing uses of the subject property:  
RESIDENTIAL
16. Existing uses of abutting properties:  
RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:  
N/A
18. Municipal services available: (check the appropriate space or spaces)  
 Water  Connected \_\_\_\_\_  
 Sanitary Sewer  Connected \_\_\_\_\_  
 Storm Sewers  \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
"B" AND "B-1" (NO. 6593)
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No  
 If the answer is yes, describe briefly.  
APPLICATION DEFERRED TO NEW  
CHANNEL TO SECOND FLOOR AREA  
FILE HM/A-19:359
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) NAVEEN PARASJI ~~NAVEEN PARASJI~~ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

MICHAEL BARTON of MB1 DEVELOPMENT CONSULTING INC

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE 01/09/20 SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, NAVEEN PARASJI, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date 01/09/20 Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: 01/09/20

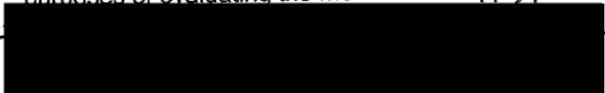
Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 469 SCENE DRIVE  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Michael Barton

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

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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 Fax (905) 546-4202  
 E-mail: [morgan.evans@hamilton.ca](mailto:morgan.evans@hamilton.ca) or [jamila.sheffield@hamilton.ca](mailto:jamila.sheffield@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

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

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

**APPLICATION NO.:** AN/A-20:39

**APPLICANTS:** Owner: Stephanie Ward & Jeremy van den Heuvel

**SUBJECT PROPERTY:** Municipal address **96 Floresta Crt., Ancaster**

**ZONING BY-LAW:** Zoning By-law 87-57, as Amended by By-law 18-105

**ZONING:** ER district (Existing Residential)

**PROPOSAL:** To permit the construction of a new detached dwelling upon demolition of the existing detached dwelling, notwithstanding,

1. A minimum westerly side yard setback of 1.6 metres shall be provided instead of the minimum required side setback of 2.5 metres;
2. The existing accessory structures (including swimming pool) shall be permitted to remain during construction of the new dwelling whereas an accessory structure is only permitted to be located on a lot with an existing principal use; and,
3. A one (1) metre wide sodded area shall not be provided within the side yards and the rear yard instead of providing a minimum of one metre of unobstructed area which may only be sodded within the side yards and the rear yard.

**NOTES:**

1. A further variance will be required if the maximum permitted lot coverage of 35 percent is exceeded.
2. For the purpose of this application, the front lot line is deemed to be the northerly lot line.
3. The applicant shall ensure one (1) parking space with an unobstructed area measuring 3.5 metres in width by 6.0 metres in length is provided within the attached garage and one (1) parking space with an unobstructed area measuring 3.0 metres in width by 5.8 metres in length is provided within the driveway area.
4. The applicant shall ensure the eave and gutter encroachment does not project more than 60 centimetres into a required side yard setback.

ANA-20:39  
Page 2

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

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**DATE:** Thursday, June 25th, 2020  
**TIME:** 2:05p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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#### **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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

#### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

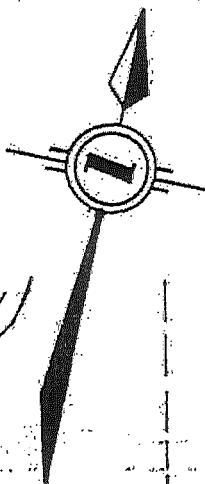
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



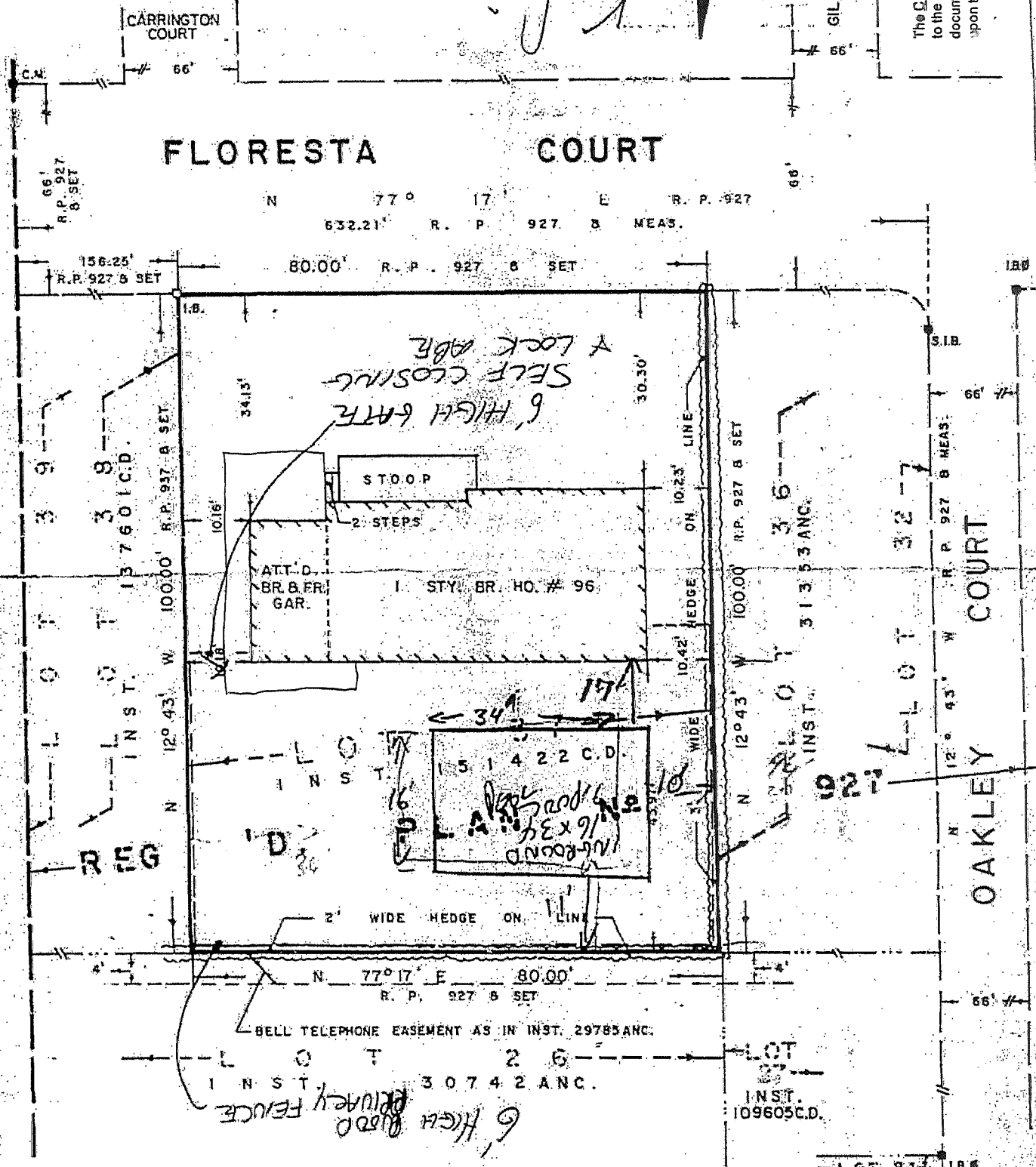
...DING LOCATION SURVEY

OF  
**LOT 37**  
 DANCASTER COURTS SURVEY  
**REGISTERED PLAN No 927**  
 FORMERLY IN THE TOWNSHIP OF ANCASTER, NOW IN THE  
**TOWN OF ANCASTER**  
 REGIONAL MUNICIPALITY OF  
 HAMILTON - WENTWORTH  
 SCALE: 1 INCH: 20 FEET  
 A. T. McLAREN, O.L.S. - 1984

*88/66 Row*  
*May 29/84*  
*[Signature]*



The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.



© COPYRIGHT A.T. McLAREN, O.L.S., 1984. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF A.T. McLAREN, O.L.S.

**NOTE:**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF FLORESTA COURT AS SHOWN ON REG. D. PLAN No 927 AS BEING N77°17'E.  
**LEGEND:**  
 □ DENOTES MONUMENT SET FOUND  
 I.B. IRON BAR  
 S.I.B. STANDARD IRON BAR  
 C.M. CONCRETE MONUMENT  
 ○ ROUND BAR

**SURVEYOR'S CERTIFICATE:**  
 I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 18TH DAY OF MAY 1984.  
 MAY 28, 1984  
 DATE A.T. McLAREN, O.L.S.

**A.T. McLAREN LIMITED**  
 ONTARIO LAND SURVEYORS  
 25 HUGHSON ST. SOUTH  
 HAMILTON - ONTARIO  
 527-8559 - 527-0032  
 AN/A 20-39  
 sketch 2



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**


FOR OFFICE USE ONLY.		RECEIVED
APPLICATION NO. <u>AN/A-20:39</u>	DATE APPLICATION RECEIVED	<u>AN/A-20:39</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE	_____
SECRETARY'S SIGNATURE _____		

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Stephanie ward Telephone No. Jeremy vanderkweel 

2. 

3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

4. Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Meridian Credit union, 1100 Wilson St. West  
Unit B1, Ancaster, ON Postal Code L9G 3K9  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

Construction of second storey addition + garage. Reduced  
right setback by 0.91 m, increased right setback  
coverage by 10.31 m<sup>2</sup>

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

We already had a permit for this in May 2019. Due to  
a revision submitted we are required to follow new  
by-laws. The foundation is already in place for the  
variance as we weren't aware we required one when  
this work was completed.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Registered Plan no: 927, lot 37  
96 Floresta Ct, Ancaster, ON, L9G 2R8

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

The land is zoned as residential single family dwelling

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan 30, 2020  
Date



Jeremy vander Hevel  
Print Name of Owner  
Stephanie Ward

10. Dimensions of lands affected:

Frontage 24.38 m  
Depth 30.48 m  
Area 743.2 m<sup>2</sup>  
Width of street 20.11 m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: SFD - bungalow 18.28m long by 9.14m wide including single car garage, 3 bedrooms, 2 bathroom

Proposed: SFD - 2 story, 19.8m long by 9.14m wide including car and a half garage, 4 bedrooms, 3 bathroom

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

Existing: Left setback 3.10m, Right setback 2.47m, front setback 9.09m, Rear setback 13.26m

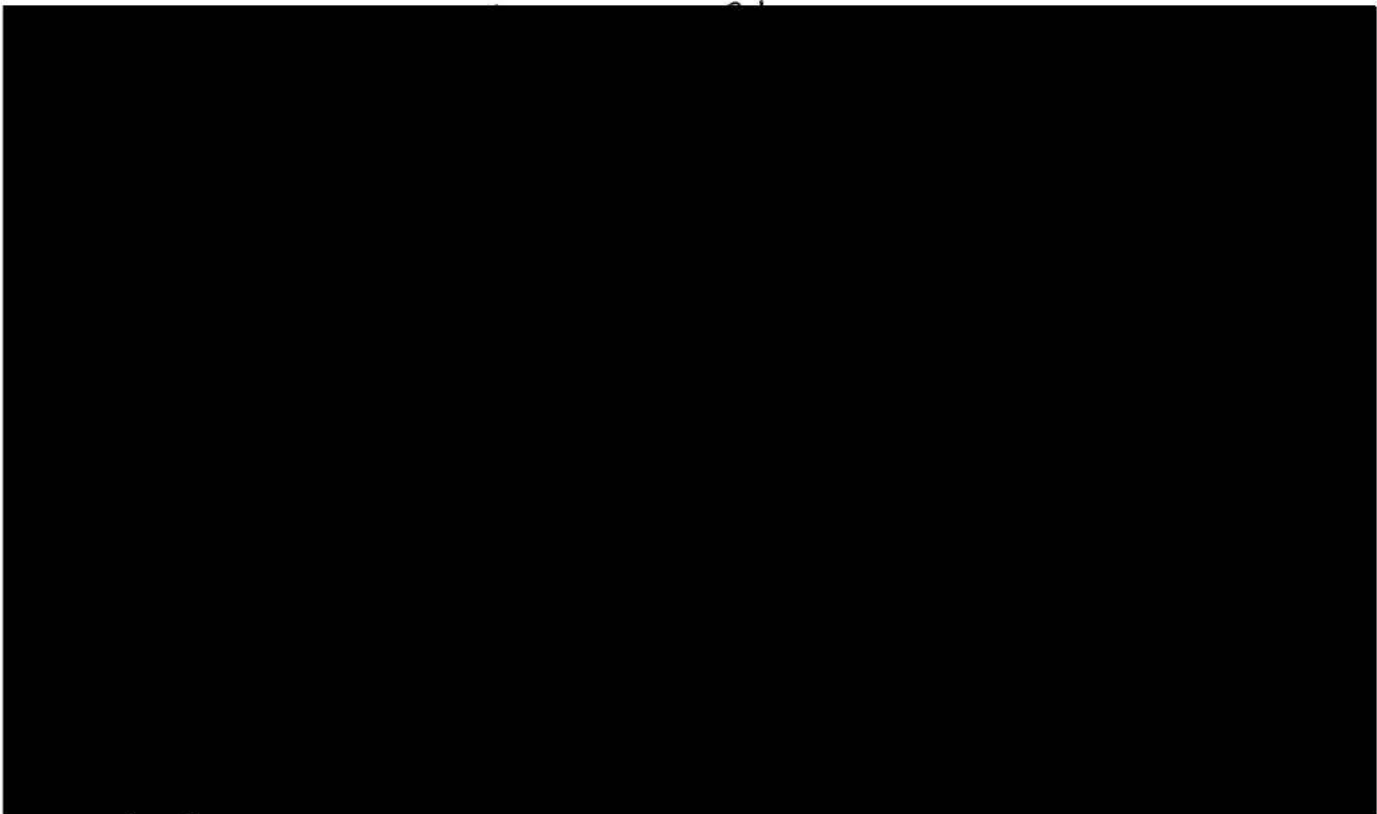
Proposed: Left setback 3.10m, Right setback 1.6m, front setback 9.09m, front garage setback 7.57m, Rear garage setback 11.31m, Rear house setback 13.26m

13. Date of acquisition of subject lands:  
Oct 30, 2015
14. Date of construction of all buildings and structures on subject lands:  
1954
15. Existing uses of the subject property: Residential single family dwelling
16. Existing uses of abutting properties: Residential single family dwelling
17. Length of time the existing uses of the subject property have continued:  
1954
18. Municipal services available: (check the appropriate space or spaces)  
 Water Yes Connected Yes  
 Sanitary Sewer Yes Connected Yes  
 Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
 \_\_\_\_\_  
 \_\_\_\_\_
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
ER Zone
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

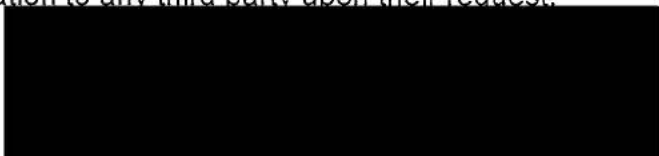
Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, <sup>Stephanie ward</sup> Jeremy van den Hevel, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Jan 30, 2020  
Date



**PART 27 PERMISSION TO ENTER**

Date: Jan 30, 2020


Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 96 Floresta Crst Ancaster, ON, L9G 2K8  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Jeremy van den Heuvel

Please print name  
Stephanie Ward

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

CITY OF HAMILTON  
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 30 day of January, 2020.

BETWEEN:

Jeremy van den Hevel  
Applicant's name(s)  
Stephanie Ward hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

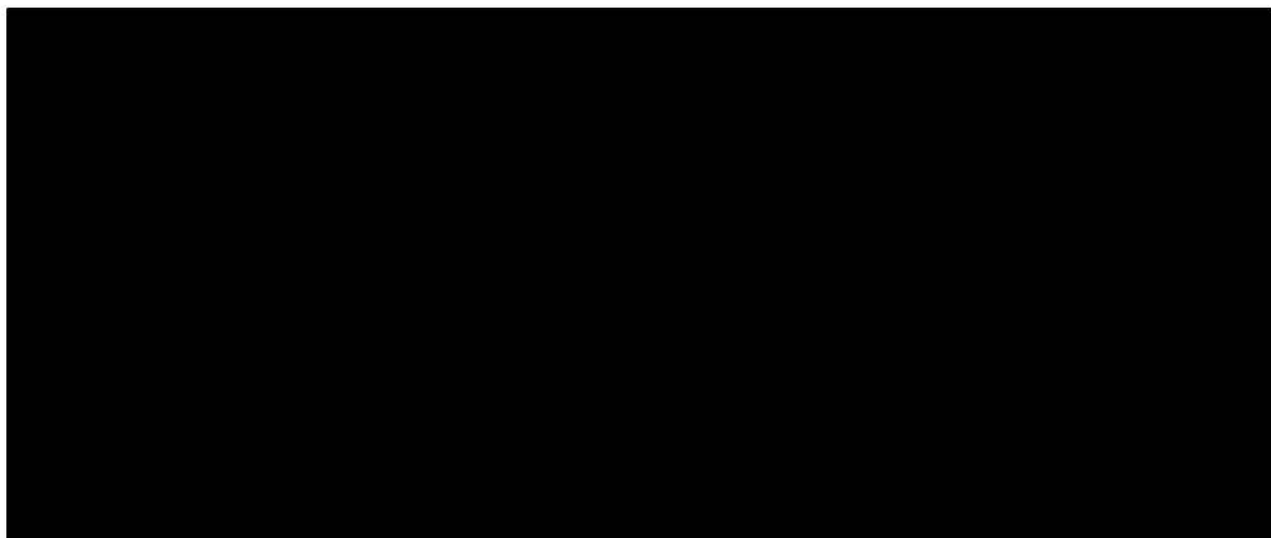
NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
  - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.
  - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



DATED at Hamilton, Ontario this \_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Hamilton

Per: \_\_\_\_\_  
Mayor

Per: \_\_\_\_\_  
Clerk

Schedule "A"  
Description of Lands



**SCHEDULE "B"**  
**FORM OF ASSUMPTION AGREEMENT**

**THIS AGREEMENT** dated the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

**BETWEEN**

\_\_\_\_\_  
(hereinafter called the "Owner")

OF THE FIRST PART

-and-

\_\_\_\_\_  
(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON  
(hereinafter called the "Municipality")

OF THE THIRD PART

**WHEREAS** the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated \_\_\_\_\_.

**AND WHEREAS** Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

**AND WHEREAS** Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

**IN WITNESS WHEREOF** the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

**SIGNED, SEALED AND DELIVERED**

\_\_\_\_\_  
Owner: c/s  
Title:  
I have authority to bind the corporation

\_\_\_\_\_  
Assignee: c/s  
Title:  
I have authority to bind the corporation

**CITY OF HAMILTON**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## Section 6

### Nature and Extent of relief applied for

We received a permit in May 2019 to do a renovation and add a second storey to our home. When we started the demolition of the inside of the house the demolition crew mistakenly removed half of the outside walls. We were advised by the builder and inspector that it would be better to replace the rest of the old 2x4 walls with new 2x6 walls which is code today. We were advised that this was a simple revision to the current permit, so we proceeded with the removal of the walls and pouring of the new foundation for the garage area and submitted the revision. Upon further review from the building team we were told we would also need to submit for a variance as the by-laws had changed from the time we received our initial permits in May 2019 to the time the revision was submitted in Dec 2019. The size and dimensions of the house remain exactly the same as in issued permit in May 2019. The only change is that the ground floor walls now meet the new building code and are more structurally sound.

The current by-law for my property allows for an 8ft side setback. We are requesting this variance to be adjusted to 5.2ft only on the garage side of the house. Currently, we have 10ft on the other side of the house. There are no changes to the front and back setbacks as we are using the existing house foundation.

The neighbour on the side of our property requiring the variance, fully supports us in this request and has provided a letter to the committee demonstrating her support.

Jeremy van den Heuvel



Thursday, January 23, 2020

To whom it may concern,

My name is Carol Morrison and I live at 102 Floresta Crt in Ancaster. I have lived in Ancaster at this residence for 9 years and I am the sole owner of my property. My neighbour's, Jeremy van den Heuvel and Stephanie Ward, live adjacent to my property at 96 Floresta Crt, Ancaster.

I have seen the design plans for their renovation and wholly support the build. I have no concerns or issues with the design of their new home or how it will impact my property next door. I am comfortable with their newly built home being within 5 ft of my property line. I have encouraged them to continue building as they had originally planned and look forward to the finished product.

If you have any questions, feel free to reach out to me.

Thank You,

Carol Morrison



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 Fax (905) 546-4202

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

**APPLICATION NO.:** AN/A-20:30

**APPLICANTS:** Owner: Garth Trails Ltd.  
Agent: T. Johns Consulting Group Ltd.

**SUBJECT PROPERTY:** Municipal address **153 Wilson St. W., Ancaster**

**ZONING BY-LAW:** Zoning By-law 87-57, as Amended by By-law 15-296 and 16-162

**ZONING:** RM6-665 district (Residential Multiple)

**PROPOSAL:** To permit the construction of a three-storey apartment building containing a total of 63 dwelling units as per Site Plan Application SPA-18-124, notwithstanding that;

1. A minimum front yard of 0.2m shall be permitted instead of the minimum 1.5m front yard required.

Note: The above variance is required to facilitate Site Plan Application SPA-18-124. The applicant shall ensure that a minimum of 109 parking spaces are provided and maintained within the underground parking level; otherwise, further variances will be required. No underground parking layout was provided from which to confirm compliance.

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 2:10 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

AN/A-20:30  
PAGE 2

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

*Original Signed*

---

Jamila Sheffield,  
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.***

AN/A 20:30  
Sketch

**153 WILSON STREET, ANCASTER**

Town of Ancaster By-law No. 87-57  
"Residential Multiple - RM6" Zoning Criteria including Site Specific Zoning (SS) for "H-RM6-650"

	PERMITTED	PROPOSED	CONFORMITY
Minimum Lot Area (Section 15.2.1)	0.4 hectare	0.4718 hectare	Conforms
Maximum Lot Area (Section 15.2.1)	0.8 hectare	0.4718 hectare	Conforms
Maximum Density (SS)	161 units/ha	153 units/ha	Conforms
Minimum Lot Frontage (Section 15.2.2)	30m	62m	Conforms
Minimum Lot Depth (Section 15.2.2)	45m	75m	Conforms
Minimum Lot Coverage (SS)	44%	44%	Conforms
Minimum Front Yard (SS)	1.6m	1.6m	Conforms
Minimum Rear Yard (SS)	3.7m	5.6m	Conforms
Minimum Side Yard (East) (SS)	2.3m	2.3m	Conforms
Minimum Side Yard (West) (SS)	4.4m	0.4m	Conforms
Children's Outside Play Area (SS)	N/A	N/A	Conforms
Maximum Height (Section 15.2.1)	11.275 m	11.275 m	Conforms
Minimum Landscaping (SS)	35%	35%	Conforms
Banking Separation (Section 15.2.4)	An apartment building shall be no closer than 10.2 metres from another apartment building on the same lot.	N/A	Conforms
Accessory Buildings (Section 15.2.4)	No accessory building shall be permitted by any yard that is adjacent to a window.	N/A	Conforms
Canopies (Section 15.2.4)	May project not more than 2.5 metres into any minimum yard facing a street.	N/A	Conforms
Parking (SS)	1.75 spaces per unit	1.75 per unit	Conforms
Underground Parking (SS)	109 spaces	109 spaces	Conforms
Communal Surface Parking (SS)	24 spaces	24 spaces	Conforms
Parking Location (Section 7.14.1)	Same lot	Same Lot	Conforms
Parking Access (Section 7.14.4 and v)	Permanent and adequate access from a street.	Permanent and adequate access from Wilson Street.	Conforms
Below Grade Parking Setbacks (Section 7.14.4 vi)	Min. 1.5m rear and side yard setback and some street level setback at ground building.	Min. 1.5 m	Conforms
Maximum At-Grade Parking Area (Section 7.14.4 vi)	35%	35%	Conforms
Minimum Parking Spaces Sizes (Section 7.14.4 vi)	Width of 2.6 m and length of 5.5 m.	2.6 metres wide by 5.5 metres long	Conforms
Parking Area Surface (SS)	All parking areas required for the accommodation of more than two vehicles shall be constructed with a stable surface of architectural impervious materials, shall have adequate drainage, and shall be permanently maintained.	Architectural impervious concrete	Conforms
Parking Area Lighting (Section 7.14.4 vi)	All parking areas required for the accommodation of more than four vehicles shall have sufficient lighting.	Site to be well lit. See Lighting Plan	Conforms
Parking Abutting a Street (Section 7.14.4 vi)	A permanently maintained planting strip of a minimum width of 3 metres shall be provided along the street line.	3.6 m	Conforms

CONTRACTOR MUST CHECK ALL DIMENSIONS AND JOINTS FOR SQUARE, PLUMB AND TRUE.

ALL DIMENSIONS ARE SUBJECT TO CHANGE DUE TO CONDITIONS FROM MATERIAL DEVIATIONS AND OTHER FACTORS WITHIN TOLERANCE.

ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE RETURNED AT THE COMPLETION OF THE WORK.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL RELEVANT AGENCIES AND AUTHORITIES.

KEY TO DETAIL: DETAIL NUMBER

No. DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD.MM.YY)	BY
FOR PUBLIC MEETING	1	2014-02-27	WV
LOCATE FROM METERS	2	2014-04-17	WV
LOCATE FROM METERS	3	2014-05-29	WV
FIELD NOTES	4	2014-05-29	WV
FIELD NOTES	5	2014-06-18	WV
SITE PLAN APPROVAL	6	2014-06-26	WV
FINAL SPA REVIEW FOR PERMIT	7	2014-06-31	WV
FINAL SPA REVIEW FOR UNIT COUNT	8	2014-07-09	MB

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED.

REVISIONS TO DRAWING	No.	DATE (DD.MM.YY)	BY

BUILDING PERMIT NUMBER: \_\_\_\_\_

NOT FOR CONSTRUCTION WITHOUT PERMIT

**KNYMH**  
ARCHITECTURE • SOLUTIONS

KNYMH INC.  
1006 SYDENHAM AVENUE - SUITE 101  
BURLINGTON, ONTARIO • L7R 4W1  
T 905.633.8556  
F 905.633.0334  
www.knymh.com Hqs@knymh.com

PROJECT

ASSOCIATION OF ARCHITECTS OF ONTARIO  
REGISTERED ARCHITECT  
LICENSE 1564

**STARWARD WILSON**

SPA FILE: DA-18-124  
153 WILSON STREET  
ANCASTER, ONTARIO

DRAWING SHEET TITLE: **SITE PLAN**

DRAWING SCALE: 1:200

PROJECT NUMBER: **12075**

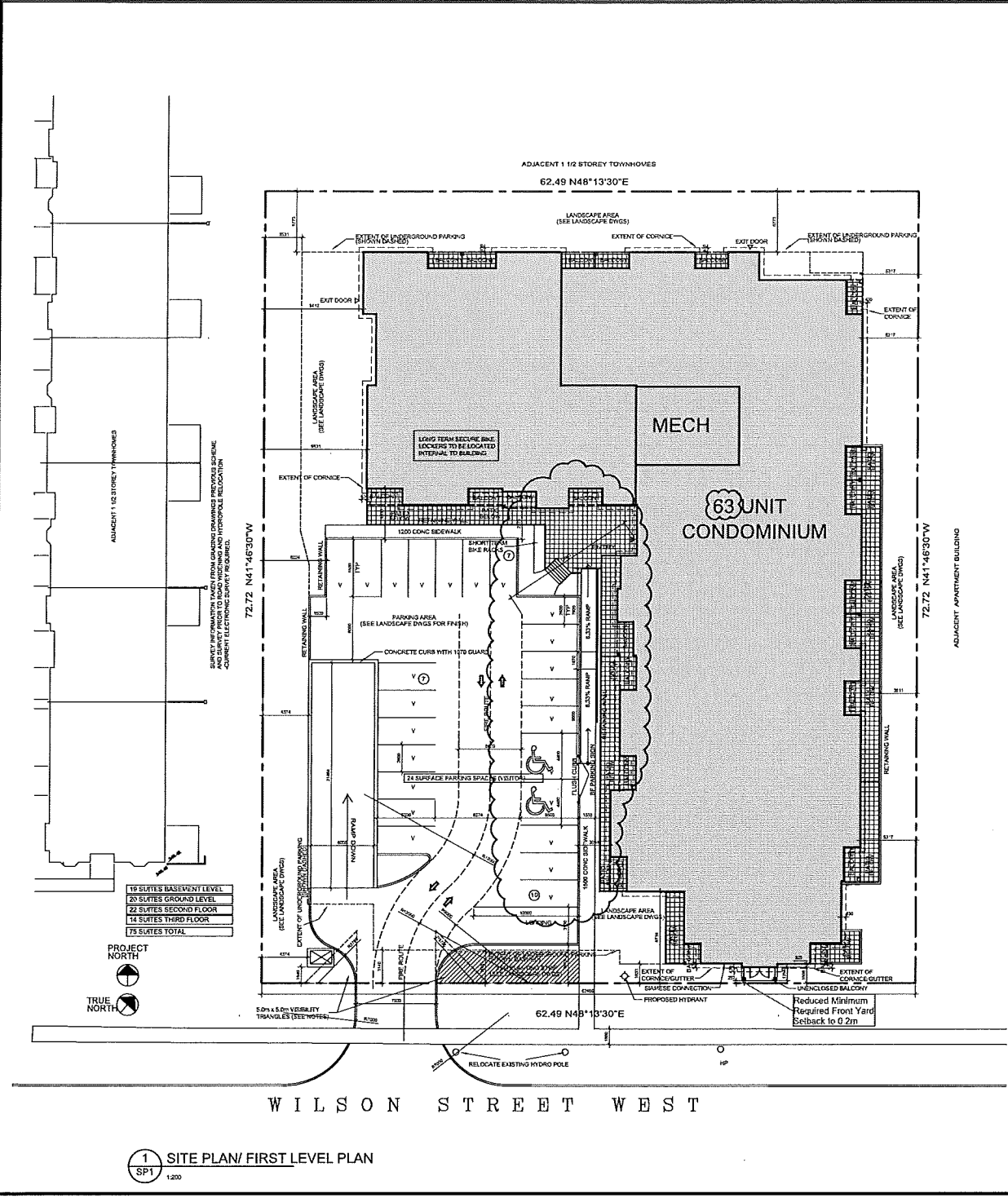
DESIGNED BY: WV

CHECKED BY: MB

DRAWING VERSION: 001

DATE: January 21, 2010

DRAWING SHEET NUMBER: **SP1**



UNDETAILED FILE NO. DA-14-020

RE: 153 Wilson St W Ancaster

I, (s) \_\_\_\_\_, the owner(s) of the land, hereby undertake and agree without reservation:

- to comply with all the content of this plan and drawing and not to vary therefrom;
- to perform all obligations, works or matters mentioned in Section 4 (7)(a) of the Building Act upon the plan and drawing(s) in accordance with the conditions of approval and/or the Label of Approval as noted;
- to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the building, work or matters mentioned in Section 4(7)(a) of the Building Act, shown on the plan and drawing, including removal of snow from access ways and driveways, parking and loading areas and walkways, etc.
- If the owner(s) of the land does not comply with the plan dated 2014-04-18, the owner agrees that the City may enter the land and on the required work and further the Owner authorizes the City to use the security deposit to obtain compliance with this plan.
- Canada Place (marked path), which requires that the owner/owner provide the required trail facility (see drawing) for that area requires that the 100 units will require a front loading lock box assembly. A more than 100 units will require a rear loading lock box assembly which will require a trail route to be provided in which for building and compliance with a common lobby, common floor or unenclosed access.
- In the responsibility of the property owner to ensure that the parking provided on site is sufficient for the number of parking spaces as indicated. On street parking regulations are hereby notified, and cover any parking they are not suitable.
- Installation for Forced Air Heating:  
The following Units 10 to 18 Basement Level, Units 10 to 18 ground floor, Units 10 to 17 second floor, and Units 10 to 15 third floor shall be fitted with a forced air heating system and the ducting, etc. shall be sized to accommodate central air conditioning. Installation of central air conditioning by the applicant will allow windows and sliders to remain closed thereby ensuring that the indoor source is within the Municipality's and the Ministry of the Environment's noise criteria, thereby the noise impacts will be within the Municipality's and the Ministry of the Environment's noise criteria.

**Working Clause:**  
The following working clause shall be included within all orders and agreements of purchase and sale or lease, for the specified units:  
Units 10, 10A, 10B, 11A, 11B Basement Level, Units 10, 10A, 10B, 11A, 11B Ground Floor, Units 10, 10A, 10B, 11A, 11B Second Floor, and Units 10, 10A, 10B, 11A, 11B Third Floor.  
"This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the occupant will allow windows and sliders to remain closed thereby ensuring that the indoor source is within the Municipality's and the Ministry of the Environment's noise criteria, thereby the noise impacts will be within the Municipality's and the Ministry of the Environment's noise criteria, thereby the noise impacts will be within the Municipality's and the Ministry of the Environment's noise criteria."

- That the owner agrees to affix the physical municipal number (153) of all addresses (153 Wilson Street West) to the building or on a sign, that is visible from street.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Witness (signature) \_\_\_\_\_ Owner's (signature) \_\_\_\_\_

Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_

Address of Witness \_\_\_\_\_

**NOTES:**

GARAGE TO BE STORED INDOORS IN MAIN BUILDING IN A CONDITIONED ROOM AND IS TO BE MOVED OUTSIDE AT TIME OF PICKUP.

**NOTES:**

ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.

FIRE ROUTE SIGNS AND 3-MINUTE FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.

MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 15 MILLIMETERS OTHERWISE STATED.

ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN AN MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.

THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNERS BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE SATISFACTION OF THE PERMIT APPROVALS USUALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:

- BUILDING PERMIT
- SEWER AND WATER PERMITS
- ROAD CUT PERMITS
- RELOCATION OF SERVICES
- APPROACH APPROVAL PERMITS
- ENCROACHMENT AGREEMENT
- COMMITMENT OF ADAPTMENT
- THREE PERMITS IF APPLICABLE

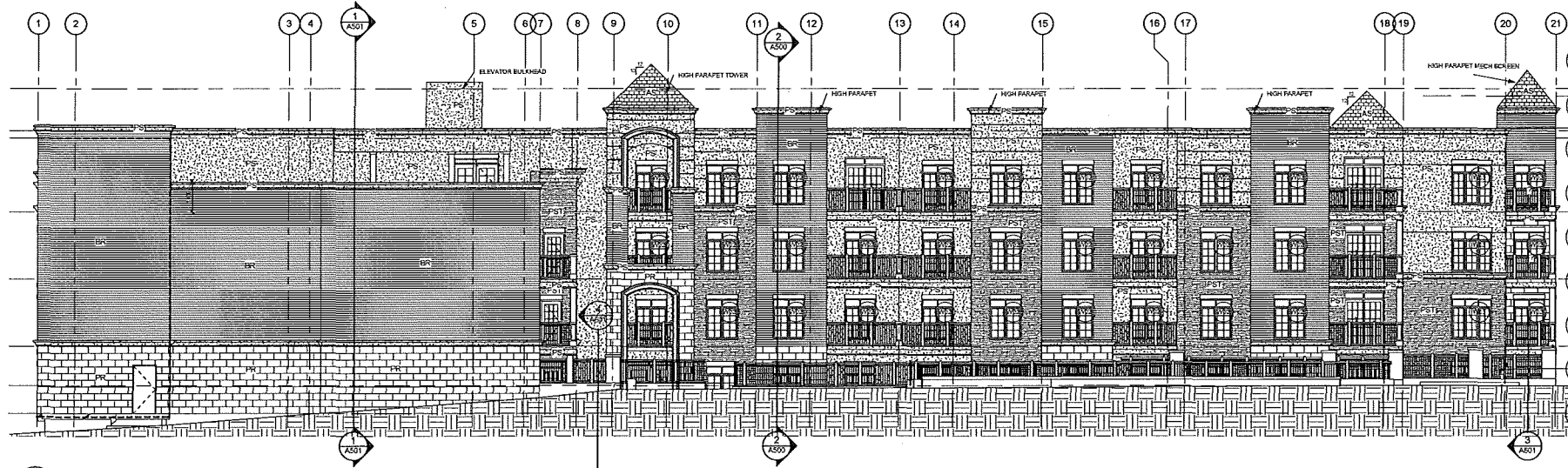
5.0m x 5.0m VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.

THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANICS, AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW 08-07.

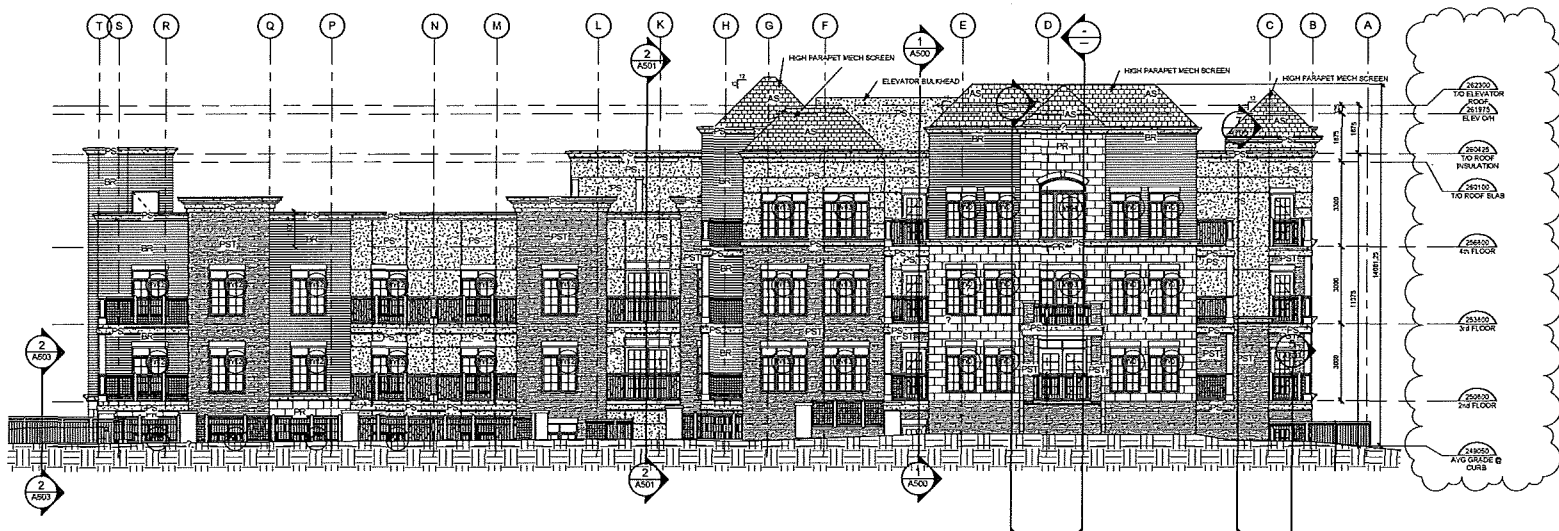
PROPOSED FENCING SHALL CONFORM TO THE CITY'S FENCE BY-LAW NO. 10-142. A PEDESTAL SIDEWALK MUST BE CONTINUOUS THROUGH DRIVEWAY APPROACHES.

PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN BY-LAW 10-109. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS. MUST PROVIDE HOUSE SHIELDS WHERE NEEDED, TO COMPLETELY ELIMINATE GLARE TO ADJACENT PROPERTIES.

VEHICLE PARKING SHALL BE CONTROLLED THROUGH SIGNAGE AND BE MAINTAINED READILY ACCESSIBLE, FREE AND CLEAR OF ALL OBSTRUCTIONS, FOR THE EXCLUSIVE USE OF VEHICLES.



4 WEST ELEVATION  
A400  
1:100



2 SOUTH ELEVATION  
A400  
1:100

**LEGEND**

- AWNING WINDOW
- ASPHALT SHINGLES
- PRECAST RENAISSANCE FINISH
- PRECAST CUT STONE FINISH
- PRECAST SMOOTH FINISH
- PRECAST BRICK FINISH

NOTE: BALCONIES, COLUMNS & CANOPIES TO BE SMOOTH FINISH

**NOTES:**

ALL GUARDS TO MEET REQUIREMENTS OF THE O.B.C. 2012. MANUFACTURER/SUPPLIER TO PROVIDE ENGINEERED, STAMPED SHOP DRAWINGS COMPLETE WITH MOUNTING DETAILS.

GUARDS SHALL COMPLY WITH O.B.C. 3.3.1.17, 3.4.6.5 AND 4.1.10.

GUARDS SHALL COMPLY WITH O.B.C. 4.3.6.

ALL GLASS IN GUARDS TO COMPLY WITH O.B.C. 88-13.

GLAZING LOCATED 1570 OR LESS ABOVE FINISHED FLOOR AND MORE THAN 600mm ABOVE GRADE SHALL BE DESIGNED AS A GUARD AND SHALL COMPLY WITH ALL REQUIREMENTS OF THE O.B.C.

ALL WINDOWS TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.3.4.8. PROTECTION OF WINDOWS IN APARTMENT BUILDINGS, WINDOW SUPPLIER TO PROVIDE ENGINEERED STAMPED SHOP DRAWINGS FOR REVEALS.

ALL DOOR AND WINDOW FRAMES AND GASHES TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.1.5.4. COMBUSTIBLE GLAZING AND SKYLIGHTS.

REFER TO MOICE IMPACT STUDY FOR ADDITIONAL GLAZING REQUIREMENTS.

WHENEVER CO-ORDINATION WITH MECHANICAL DRAWINGS FOR EXHAUST WALL BOX LOCATIONS WITH ALL MECHANICALS.

ALL BRANDED GLASS PANELS ARE TO HAVE A MINIMUM R-VALUE OF R-10, DRY METAL BACK PANEL.

DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND SHOWN FOR INFORMATION PURPOSES ONLY.

WINDOW SUPPLIER/INSTALLER IS TO PROVIDE DEFLECTION CONNECTION FOR ALL CURTAIN WALLS / WINDOW WALLS. REFER TO STRUCTURAL DRAWINGS FOR REQUIRED DETAILING.

ALL WINDOWS AND GLASS DOORS TO MEET MINIMUM ENERGY RATING FOR WINDOWS IN ZONE 5 OF THE O.B.C. 88-13.

NON-METAL FRAME WINDOWS/DOORS	0.25 MAX U-VALUE 0.25 SQUARE HEAT GAIN COEFFICIENT
METAL FRAME (ALUM.) WINDOWS	0.25 MAX U-VALUE 0.25 SQUARE HEAT GAIN COEFFICIENT
METAL FRAME DOORS	0.31 MAX U-VALUE 0.28 SQUARE HEAT GAIN COEFFICIENT

OF CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.  
ALL DIMENSIONS ARE TO BE SUBJECT TO CHANGE DUE TO DISCREPANCIES FROM ORIGINAL DEPARTMENTS AND OTHER AGENCIES WITH ALL DIMENSIONS.  
ALL CHANGES AND REVISIONS ARE THE PROPERTY OF THE ARCHITECT AND WILL BE REQUIRED BY THE COMPLETION OF THE WORK.  
THE CONTRACTOR WORKING FROM THIS DRAWING IS NOT SPECIFICALLY ADVISED THAT CONTRACTOR HAS ASSUMED ALL RESPONSIBILITY AND LIABILITY FOR ANY DISCREPANCIES OR DAMAGES RESULTING FROM HIS OMISSIONS.

**KEY TO DETAIL LOCATION**

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD MM YY)	BY
FOR PERMIT	1	14 12 16	MS
FINAL APPROVED FOR HEIGHT	2	01 12 18	MS
FINAL APPROVED FOR UNIT COUNT	3	02 12 18	MS

ALL PREVIOUS EDITIONS OF THIS DRAWING ARE SUPERSEDED

REVISIONS TO DRAWING	No.	DATE (DD MM YY)	BY
RESPONSE TO PERMIT COMMENTS	1	2018 06 20	

**NOT FOR CONSTRUCTION WITHOUT PERMIT**

**KNYMH**  
ARCHITECTURE • SOLUTIONS

KNYMH INC.  
1006 SKYVIEW DRIVE • SUITE 101  
BURLINGTON, ONTARIO • L7P 0W1  
T 905.339.8536  
F 905.339.0294  
www.knymh.com info@knymh.com

ASSOCIATION OF ARCHITECTS  
REGISTERED PROFESSIONAL ARCHITECTS  
LEICESTER  
ON

**STARWARD WILSON**

SPA FILE: DA-18-124  
153 WILSON STREET  
ANCASTER, ONTARIO

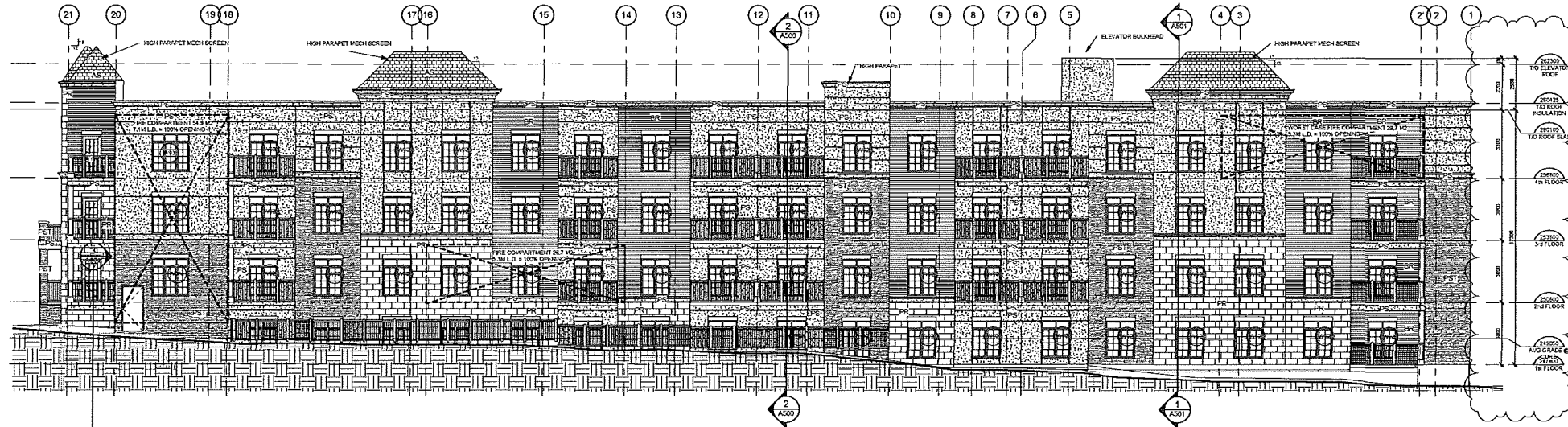
DRAWING SHEET TITLE:  
**ELEVATIONS**

DRAWING SCALE	As Indicated	PROJECT NUMBER	12075
DRAWN BY	MS	CHECKED BY	MS
DRAWING VERSION		DRAWING SHEET NUMBER	A400
PLT DATE	2018-06-20		

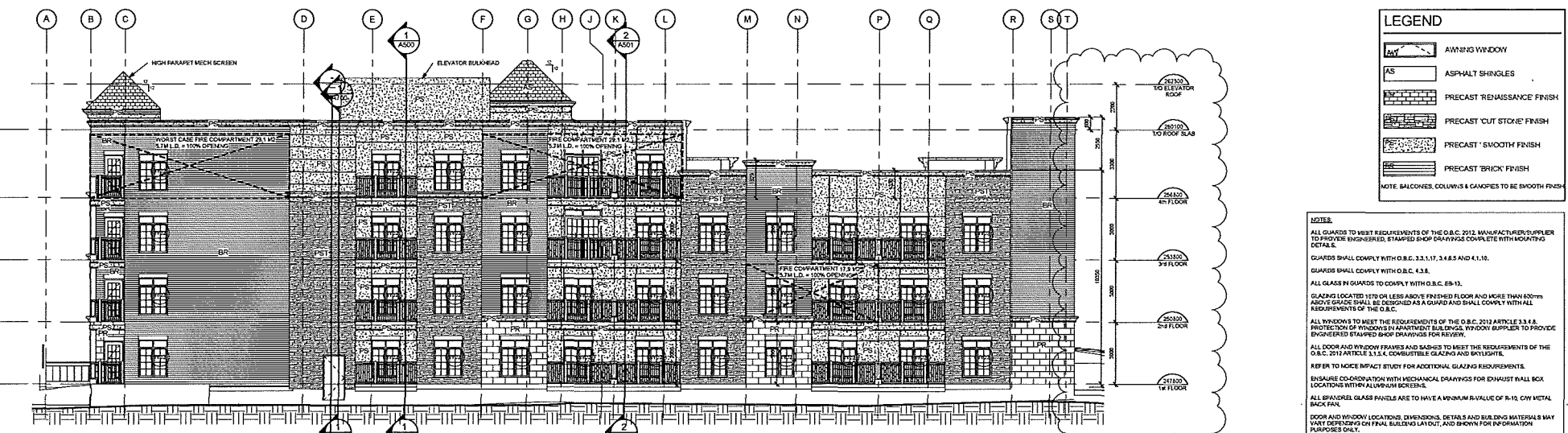
AN/A 20:30  
Suter 2



AN/A 20:30  
 Sketchy



1 EAST ELEVATION  
A401 1:100



2 NORTH ELEVATION  
A401 1:100

**LEGEND**

	AWNING WINDOW
	ASPHALT SHINGLES
	PRECAST RENAISSANCE FINISH
	PRECAST 'CUT STONE' FINISH
	PRECAST 'SMOOTH' FINISH
	PRECAST BRICK FINISH

NOTE: BALCONIES, COLUMNS & CANOPIES TO BE SMOOTH FINISH

**NOTES:**

ALL GLAZES TO MEET REQUIREMENTS OF THE O.B.C. 2012. MANUFACTURER SUPPLIER TO PROVIDE ENGINEERED, STAMPED SHOP DRAWINGS COMPLETE WITH LOCATING DETAILS.

GLAZES SHALL COMPLY WITH O.B.C. 3.3.1.17, 3.4.8.5 AND 4.1.10.

GLAZES SHALL COMPLY WITH O.B.C. 4.3.8.

ALL GLASS IN GLAZES TO COMPLY WITH O.B.C. 5.9.13.

GLAZING LOCATED 1875 OR LESS ABOVE FINISHED FLOOR AND MORE THAN 600MM ABOVE GRADE SHALL BE DESIGNED AS A GUARD AND SHALL COMPLY WITH ALL REQUIREMENTS OF THE O.B.C.

ALL WINDOWS TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.3.8 & PROTECTION OF WINDOWS IN APARTMENT BUILDINGS. WINDOW SUPPLIER TO PROVIDE ENGINEERED STAMPED SHOP DRAWINGS FOR REVIEW.

ALL DOOR AND WINDOW FRAMES AND SASHES TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.1.5.4. COMBUSTIBLE GLAZING AND EXHAUST.

REFER TO NOISE IMPACT STUDY FOR ADDITIONAL GLAZING REQUIREMENTS.

ENSURE COORDINATION WITH MECHANICAL DRAWINGS FOR EXHAUST WALL BOX LOCATIONS WITH AIR CURTAIN SCREENS.

ALL GLAZER GLASS PANELS ARE TO HAVE A MINIMUM U VALUE OF R-10. ON METAL BACK PANEL.

DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND SHOWN FOR INFORMATION PURPOSES ONLY.

WINDOW SUPPLIER/INSTALLER IS TO PROVIDE DEFLECTION CONNECTION FOR ALL CURTAIN WALL WINDOW WALLS. REFER TO STRUCTURAL DRAWINGS FOR REQUIRED DEFLECTIONS.

ALL WINDOWS AND GLASS DOORS TO MEET MINIMUM ENERGY RATING FOR WINDOWS IN ZONE 4 OF THE O.B.C. 5.9.13.

NON-METAL FRAME WINDOW DOORS	0.25 MAX U VALUE 0.33 SOLAR HEAT GAIN COEFFICIENT
METAL FRAME (ALUM) WINDOWS	0.25 MAX U VALUE 0.33 SOLAR HEAT GAIN COEFFICIENT
METAL FRAME DOORS	0.33 MAX U VALUE 0.33 SOLAR HEAT GAIN COEFFICIENT

CONTRACTOR MUST CHECK AND VERIFY ALL DRAWINGS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.

ALL DRAWINGS WILL BE TO BE SUBJECT TO CHANGE DUE TO COMMENTS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY.

THE CONTRACTOR'S WORKING FROM DRAWINGS NOT SPECIFICALLY MARKED FOR CONSTRUCTION AND ALL DETAILS SHALL BE TO BE PROVIDED BY THE CONTRACTOR OR OBTAINED FROM THE PROJECT'S ARCHITECTURAL RECORDS.

FOR ANY CORRECTIONS OR CHANGES PLEASE CONTACT THE ARCHITECT.

**KEY TO DETAIL LOCATION**

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	DATE (DD MM YY)	BY
FOR PERMIT	18 12 16	JTB
FINAL SET FOR PERMIT	3 3 2018	JTB
FINAL SET FOR LOCAL COUNCIL	3 02 12	JTB

ALL PREVIOUS EDITIONS OF THIS DRAWING ARE SUPERSEDED.

REVISIONS TO DRAWING	DATE (DD MM YY)	BY
RESPONSE TO PERMIT COMMENTS	2018 04 20	

**NOT FOR CONSTRUCTION**

**NOT FOR CONSTRUCTION WITHOUT PERMIT**

**KNYMH**  
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F 905.639.0334  
www.knymh.com info@knymh.com

**STARWARD WILSON**  
SPA FILE: DA-18-124  
153 WILSON STREET  
ANCASTER, ONTARIO

**ELEVATIONS**

DRAWING SCALE	PROJECT NUMBER
As Indicated	12075
DRAWN BY	CHECKED BY
DRW/JTB	DRW/JTB
DRAWING NUMBER	DRAWING SHEET NUMBER
	A401
PLOT DATE	
10/16/2018	





**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

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

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***The Planning Act***

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Garth Trails Limited Telephone No. [REDACTED]

2.

3. Name of Agent T.Johns Consulting Group Ltd. Telephone No. \_\_\_\_\_

4.

**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

\_\_\_\_\_  
Postal Code \_\_\_\_\_

\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
To reduce the required front yard setback from 1.5m to 0.2m to accommodate the balcony on the front of the building.
- 
- 
7. Why it is not possible to comply with the provisions of the By-law?  
The balcony is necessary for the residential unit as well as increasing street presence so the building addresses the street appropriately.
- 
- 
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
Part of Lot 41, Concession 3, Geographic Township of Ancaster, City of Hamilton.
- 
- 
9. PREVIOUS USE OF PROPERTY
- Residential  Industrial  Commercial   
Agricultural  Vacant   
Other \_\_\_\_\_
- 9.1 If Industrial or Commercial, specify use  
\_\_\_\_\_
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes  No  Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes  No  Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes  No  Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes  No  Unknown
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes  No  Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes  No  Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
Yes  No  Unknown
- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
Owner's knowledge.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

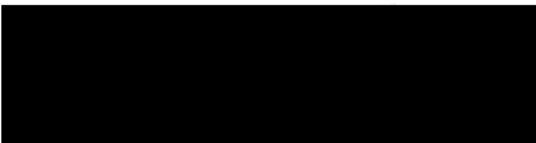
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan 24, 2020  
Date



Ward Campbell  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 62m  
Depth 72.72m  
Area 0.4718ha  
Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Vacant.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 3 storey residential apartment building comprised of 63 dwelling units and one level of underground parking. Refer to Site Plan for further information.  
\_\_\_\_\_  
\_\_\_\_\_

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

Existing: Vacant.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: The building is proposed to be 1.5m from the front lot line, 5.8m from the rear lot line and 5.3m from the easterly side lot line and 9.4m from the westerly side lot line.  
\_\_\_\_\_  
\_\_\_\_\_





**PART 27 PERMISSION TO ENTER**Date: Jan 24th, 2020

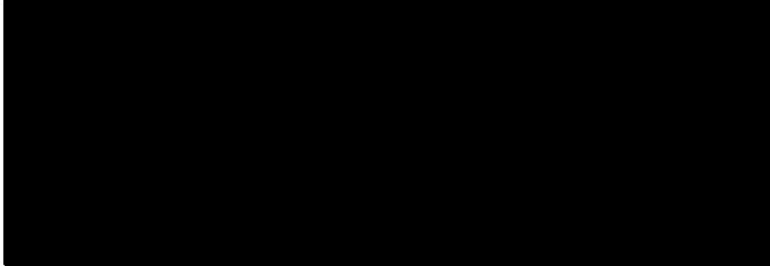
Secretary/Treasurer  
 Committee of Adjustment  
 City of Hamilton,  
 City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 153 Wilson Street West  
 (Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



**CITY OF HAMILTON  
COST ACKNOWLEDGEMENT AGREEMENT**

This Agreement made this 24<sup>th</sup> day of January, 2020.

**BETWEEN:**

Garth Trails Limited

Applicant's name(s)

hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

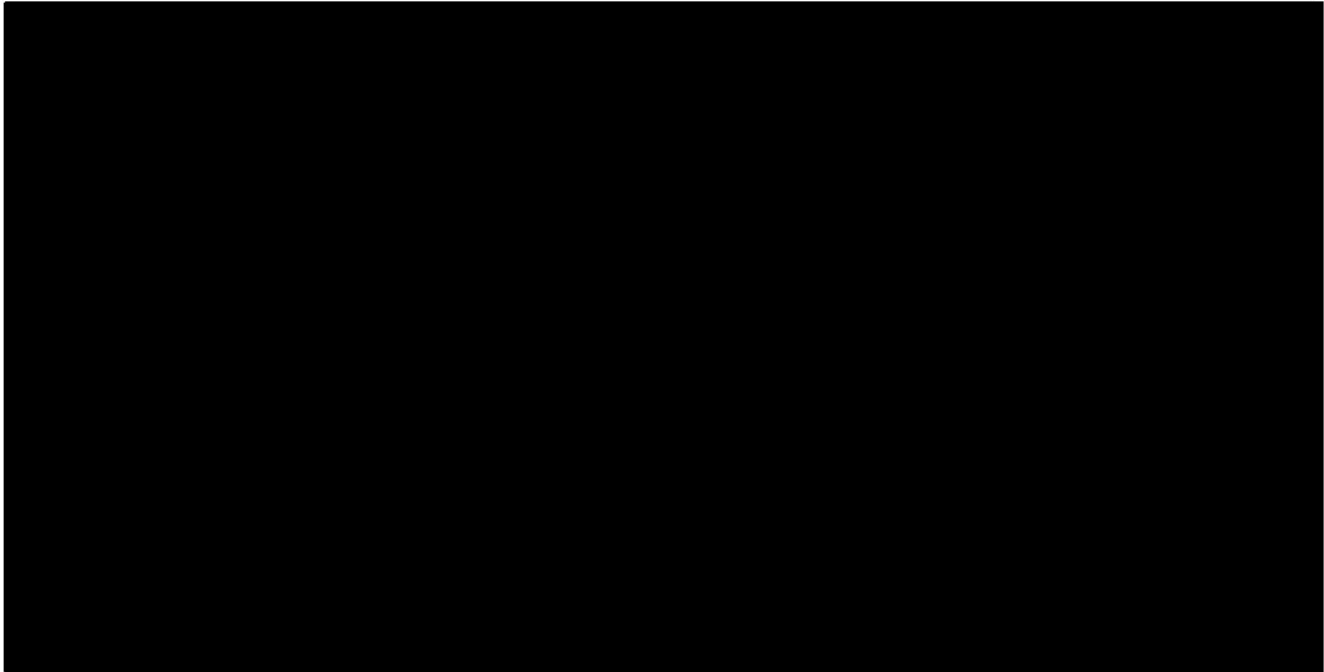
NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
  - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.
  - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



City of Hamilton

Per: \_\_\_\_\_  
Mayor

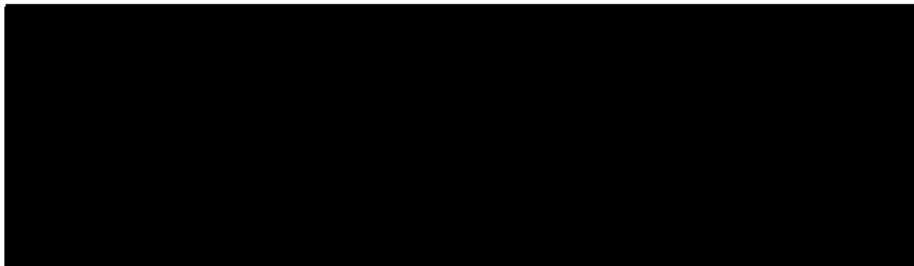
Per: \_\_\_\_\_  
Clerk

**Schedule "A"**  
**Description of Lands**



**IN WITNESS WHEREOF** the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

**SIGNED, SEALED AND DELIVERED**



\_\_\_\_\_ c/s

Assignee:

Title:

I have authority to bind the corporation

**CITY OF HAMILTON**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

January 24, 2020  
**VIA DELIVERY**

City of Hamilton  
Committee of Adjustment  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

ATTENTION: Scott Baldry, Secretary Treasurer - Committee of Adjustment

Dear Mr. Baldry:

**RE: 153 WILSON STREET WEST, HAMILTON (ANCASTER)**  
**MINOR VARIANCE APPLICATION**

---

**T.JOHNS CONSULTING GROUP LTD.** represents the Owner of the above noted lands and is submitting for approval the enclosed Minor Variance Application.

Refer to to Appendix A for planning justification. The requested variance is as follows:

1. A Minor Variance is being sought from the Site Specific Residential Multiple "RM6-665" Zone of the former Town of Ancaster Zoning By-law 87-57 to permit the construction of a three (3) storey residential building with a front yard of 0.20 metres notwithstanding the required minimum front yard of 1.5m.

In support of the application, please find enclosed:

- One (1) original and one (1) hard copy of the completed Application form;
- One (1) cheque in the amount of \$3,302.00 payable to the City of Hamilton;
- One (1) Appendix A (*Planning Justification*);
- One (1) copy of the Approved Site Plan;
- One (1) copy of the Building Elevation Drawings; and
- One (1) CD with digital copies of the above referenced documents.

We trust that this package is complete. Should you require any additional information, please do not hesitate to contact the undersigned at (905) 574-1993 ext. 201 or via email at [tjohns@tjohnsconsulting.com](mailto:tjohns@tjohnsconsulting.com).

Respectfully Submitted,  
**T.JOHNS CONSULTING GROUP LTD.**



**Terri Johns, BA, MCIP, RPP**  
**Presiden**





**APPENDIX “A”:  
 DETAILED INFORMATION FOR MINOR VARIANCE**  
 January 24, 2020

T. Johns Consulting Group Ltd. has prepared this Planning Rationale in support of the submitted Minor Variance application for 153 Wilson Street West, Ancaster (“Subject Lands”).

**Nature and extent of relief applied for:**

A Minor Variance is being sought from the Site Specific Residential Multiple “RM6-665” Zone of the former Town of Ancaster Zoning By-law 87-57 to permit the construction of a three (3) storey residential building with a front yard of 0.20 metres on the lands notwithstanding the required minimum front yard of 1.5m.

**Why is it not possible to comply with the provision of the by-law?**

Ancaster Zoning By-law No.87-57, Site Specific Policy “RM6-665” requires that a “Minimum Front Yard” be no less than 1.5m from the lot line to the front face of the principal building. In discussions with City, it has been identified that due to the fact that the balcony is supported by a foundation, it is interpreted as being the face of the main building rather than a permitted encroachment. Therefore, the minimum front yard setback is measured to the closest point of the balcony. As such, due to this technicality, relief is being sought for the front yard setback. If the balcony was able to be cantilevered, it would be a permitted encroachment. However, as the balcony is integral to the front elevations in terms of materials, a foundation is necessary. Removal of the balcony would detrimentally impact the elevation, as well as remove the amenity space of the residential unit. Therefore, the variance is required.

**PLANNING RATIONALE TO SUPPORT THE VARIANCE**

1. **Conformity to the Intent of the Urban Hamilton Official Plan**

The Urban Hamilton Official Plan designates the subject lands ‘*Neighbourhoods*.’ Further, the subject lands are within the Ancaster Wilson Street Secondary Plan and are designated ‘*Medium Density Residential 2*’ with a Site Specific Policy Area ‘C’. Volume 1, subsection E.2.6.2, states the permitted uses on lands designated Neighbourhoods includes residential dwellings. Per Volume 2, subsections B.2.8.7.4 and B.2.8.16.3, permitted uses include low-rise multiple dwelling, with a maximum height of three (3) storeys. As such, the proposed 3 storey residential building is a permitted use and is aligned with the goals and vision of the Urban Hamilton Official Plan. It further promotes compact development that conforms with the existing character of the neighbourhood.

2. **Conformity to the Intent of the Zoning By-law**

The intent of the site-specific zoning is to permit a 3-storey apartment building with particular provisions for yards, parking, etc. Due to a high water table, a variance was previously approved to allow the entire building to rise above the ground by 0.9m. As a result, the final grading of the front yard has changed. This resulted in the balcony being

**APPENDIX "A":  
DETAILED INFORMATION FOR MINOR VARIANCE**  
January 24, 2020

0.6m above the ground and due to the materials, it requires a foundation. With the installation of the foundation, the City interprets the balcony as part of the main building and not a permitted encroachment. However, the proposed site plan, save and except this technicality continues to reflect the intended site specific By-law and associated variance.

3. Is the Variance Minor?

The Site Plan, as presented, reflects a previous approval which included the balcony. A change to site grading created the need for a foundation under the balcony, As a result, due to an interpretation by City staff, the balcony is now being considered part of the principal building. This results in a yard that is setback 0.2m, as opposed to 1.5m. However, no change is being made to the yards of the previously approved site plan as the setback is the result of a technicality and is, therefore, minor in nature.

4. Is the Variance Appropriate?

The site plan, as presented and as previously approved, continues to reflect development that is desirable for the site and will not detrimentally impact the surrounding neighbourhood. Allowance of the variance would be for technical reasons and is appropriate.

In summary, the required variance is technical in nature. The requested variance is consistent with the intent of the Urban Hamilton Official Plan, the Town of Ancaster Zoning By-law No. 87-57 and the Site Specific Policies of "RM6-665". The requests are minor in nature, facilitates a desirable redevelopment of the subject lands and reflects good planning.

Respectfully,  
T. Johns Consulting Group Ltd.



Terri Johns, BA, MCIP, RPP  
President



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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:13

SUBJECT PROPERTY: 360 Mohawk Rd. W., Hamilton

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

**APPLICANT(S):** Owner: Tuscany Hills Homes c/o Dominic Chiaravalle  
Agent: IBI Group c/o Angela Buonamici

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for a proposed semi-detached dwelling and to retain a parcel of land for a proposed semi-detached dwelling.

To be heard in conjunction with HM/B-20:14 and HM/B-20:15.

**Severed lands (Parts 1 and 2):**  
13.4m<sup>±</sup> x 34m<sup>±</sup> and an area of 729m<sup>2±</sup>

**Retained lands (Parts 3 and 4):**  
14.9m<sup>±</sup> x 28m<sup>±</sup> and an area of 575m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

**DATE:** Thursday, June 25th , 2020  
**TIME:** 2:15 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

### 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** If a person or public body that files an appeal of a decision of the Committee  
.../2

HM/B-20:13  
Page 2

*of Adjustment in respect of the proposed consent does not make written or oral submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

#### **MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

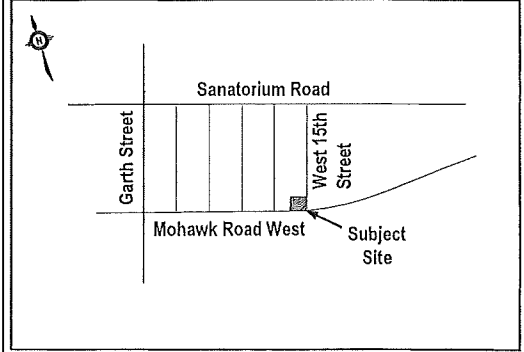
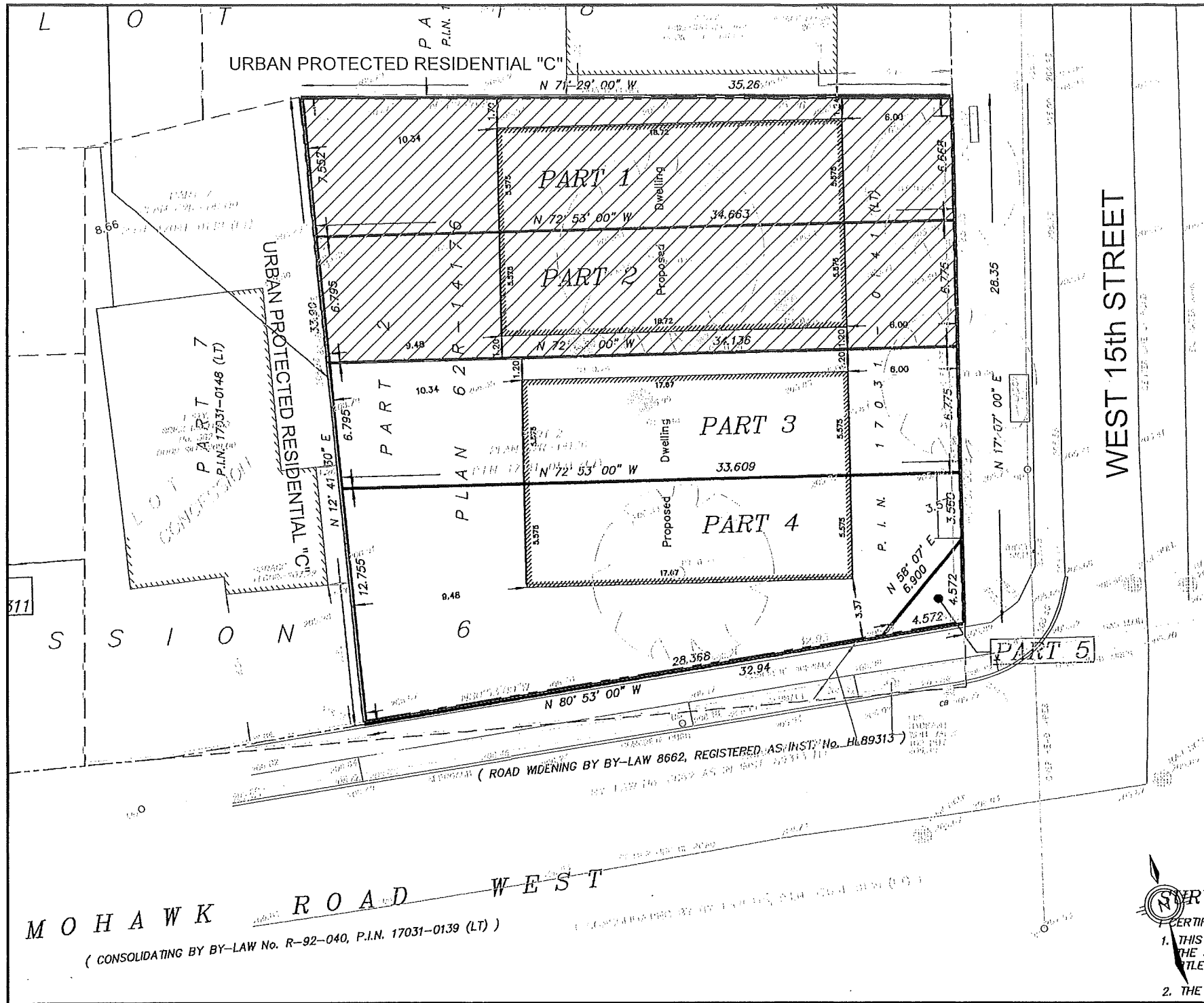
DATED: June 9th, 2020

*Original Signed*

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

Jamila Sheffield,  
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.***



Location Map

Legend:

-  LANDS TO BE SEVERED
-  LANDS TO BE RETAINED

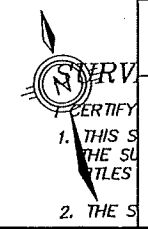
PRELIMINARY SEVERANCE SKETCH 1

360 Mohawk Rd W  
Hamilton, ON

SCALE 1:200  
DATE FEB 2020  
PROJECT No. 117119



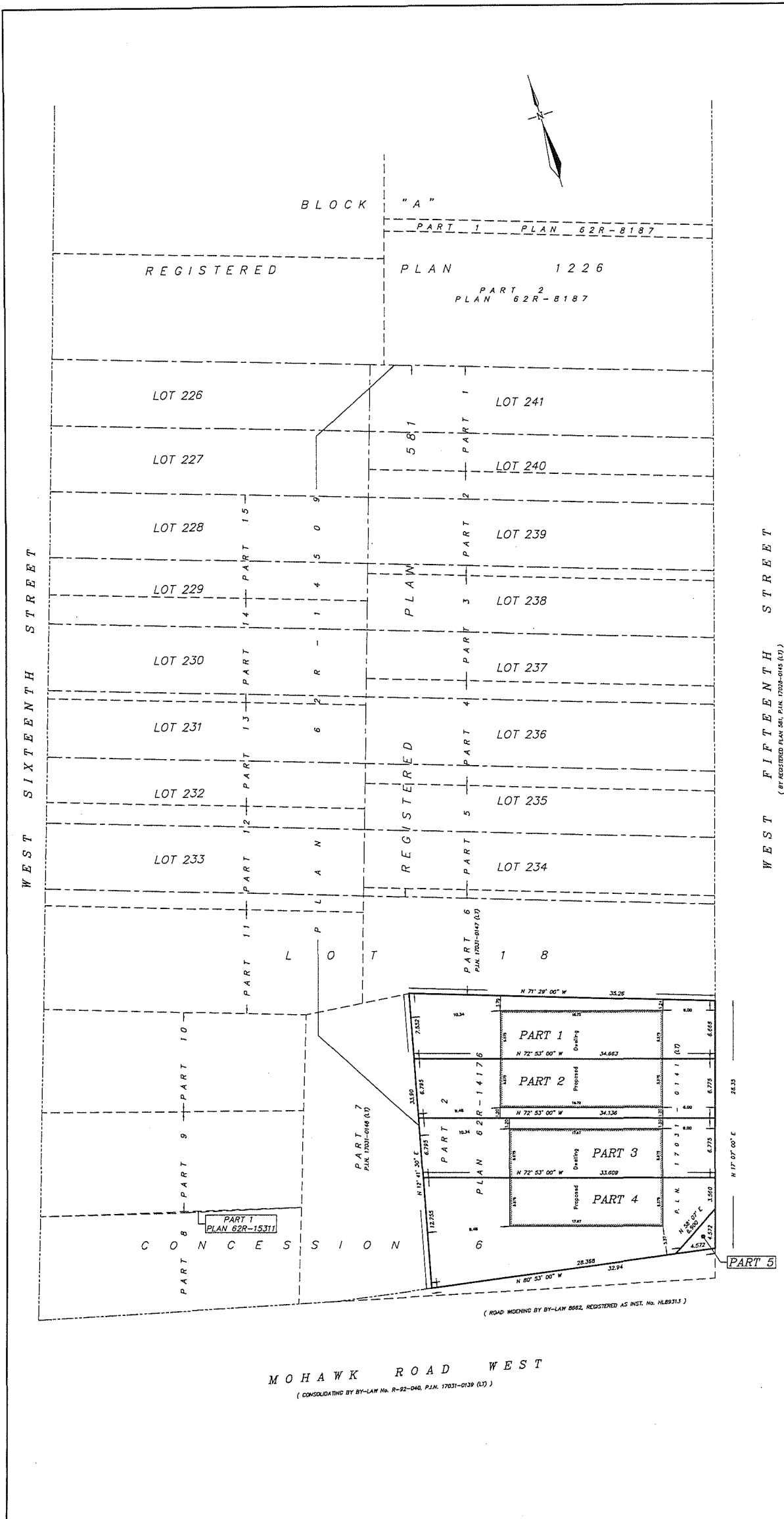
IBI GROUP  
Suite 200, East Wing - 360 James St N  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010  
ibigroup.com



CERTIFY  
1. THIS SURVEY  
THE SURVEY  
TITLES  
2. THE S

HMIB-2013; 20:14; 20:15  
Sketch

**MOHAWK ROAD WEST**  
(CONSOLIDATING BY BY-LAW No. R-92-040, P.I.N. 17031-0139 (LT))



1 REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R--  
RECEIVED AND DEPOSITED  
DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

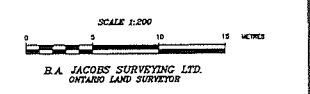
REPRESENTATIVE FOR LAND REGISTRATION FOR THE LAND TITLES DIVISION OF MINISTRY (No. 412)

BY: BRYAN JACOBS  
ONTARIO LAND SURVEYOR

SCHEDULE				
PART	LOT	CONCESSION #	P.L.N.	AREA (sq.m.)
1	PART OF LOT 18	CONCESSION # 6	PART OF P.L.N. 17031-0141 (L1)	248.07
2	PART OF LOT 18	CONCESSION # 6	PART OF P.L.N. 17031-0141 (L1)	233.06
3	PART OF LOT 18	CONCESSION # 6	PART OF P.L.N. 17031-0141 (L1)	229.46
4	PART OF LOT 18	CONCESSION # 6	PART OF P.L.N. 17031-0141 (L1)	332.89
5	PART OF LOT 18	CONCESSION # 6	PART OF P.L.N. 17031-0141 (L1)	16.21

PARTS 1, 2, 3, 4 & 5 COMPRISE ALL OF P.L.N. 17031-0141 (L1)

PLAN OF SURVEY OF  
PART OF LOT 18  
CONCESSION 6  
(GEOGRAPHIC TOWNSHIP OF BARTON)  
CITY OF HAMILTON



LEGEND AND NOTES:

# DENOTES SURVEY MONUMENT FOUND  
 □ DENOTES SURVEY MONUMENT PLANTED  
 SSB DENOTES STANDARD IRON BAR  
 SSB# DENOTES SHORT STANDARD IRON BAR  
 # DENOTES IRON BAR  
 #W DENOTES ROUND IRON BAR  
 #C DENOTES CUT CROSS  
 (X) DENOTES DRIVEN UNKNOWN  
 ME DENOTES WOODEN

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS AND UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF

SPECIFIED CONTROL POINTS (SCPP): UTM ZONE 17, NAD83 (ORIGINAL), COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.G. 218/10.

POINT ID	NORTHING	EASTING

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON

DRAFT

DATE: \_\_\_\_\_

BRYAN JACOBS  
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L9M 1L2)  
PHONE: 905-521-1525 FAX: 905-521-1525

HM/13-20:13; 20:14; 20:15  
Sketch 2

20-150514



**Hamilton**

Planning and Economic Development Department  
 Planning Division

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

Phone (905) 546-2424, ext. 4221  
 Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
 UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received: Feb. 5 2020	Date Application Deemed Complete:	Submission No.: HM-B-20-13	File No.:
---	-----------------------------------	-------------------------------	-----------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Tuscany Hills Homes c/o Dominic Chiaravalle		
<b>Applicant(s)*</b>	Same As Owner		
<b>Agent or Solicitor</b>	IBI Group c/o Scott Arbuckle		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot Part of 18	Concession 6	Former Township Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 360 Mohawk Road West			Assessment Roll N°.

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot  
 creation of a new non-farm parcel  
 ( i.e. a lot containing a surplus farm dwelling  
 resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

---

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

---

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**4.1 Description of land intended to be **Severed**: Parts 1 & 2

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
13.443	=/- 34	729.1sq.m

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant

Building(s) or Structure(s):

Existing: Vacant

---

Proposed: Semi-Detached dwelling

---

Type of access: (check appropriate box)

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

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) \_\_\_\_\_

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) \_\_\_\_\_

4.2 Description of land intended to be **Retained**: Parts 3, 4 & 5

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
14.907	+/- 28	575.81sq.m

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant



Proposed Use of Property to be retained:

- Residential
  Industrial
  Commercial  
 Agriculture (includes a farm dwelling)
  Agricultural-Related
  Vacant  
 Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing:      Vacant \_\_\_\_\_

Proposed:      Semi-detached dwellings \_\_\_\_\_

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
  lake or other water body  
 privately owned and operated individual well
  other means (specify) \_\_\_\_\_

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): \_\_\_\_\_

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

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

     The Consent application conforms to the UHOP as within the Neighbourhood Designation, new lots created can be adequately serviced by municipal water and wastewater systems and have frontages onto a public road. The new lots generally reflect the scale and character of the surrounding neighbourhood.

5.2 What is the existing zoning of the subject land?      C - Urban Protected Residential

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

5.3 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)
<b>An agricultural operation, including livestock facility or stockyard</b>	<input type="checkbox"/>	

<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use Mohawk Trail School Museum
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Previous knowledge of property.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes       No

The consent application is consistent with the Policy Statements and matters of Provincial interest as a vacant

residential lot will be converted into 4 residential lots, thereby providing another range of housing and making a more efficient use of existing infrastructure.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the PPS as it intensifies the area through developing a vacant underutilized parcel into 4 residential lots, thereby efficiently using land and servicing. It is transit supportive and complies with the PPS's housing policies, by adding to the range of housing and increasing density through infill development.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

The application conforms to the GGH as the subject lands are within the built up area, therefore, there is existing municipal water and sanitary infrastructure. The proposed infill development will add to the mix of housing forms and accommodates the 40% intensification target date for the City of Hamilton.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

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e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

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f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

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g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

If yes, does this application conform with the Greenbelt Plan?

Yes  No (Provide Explanation)

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- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

#### f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

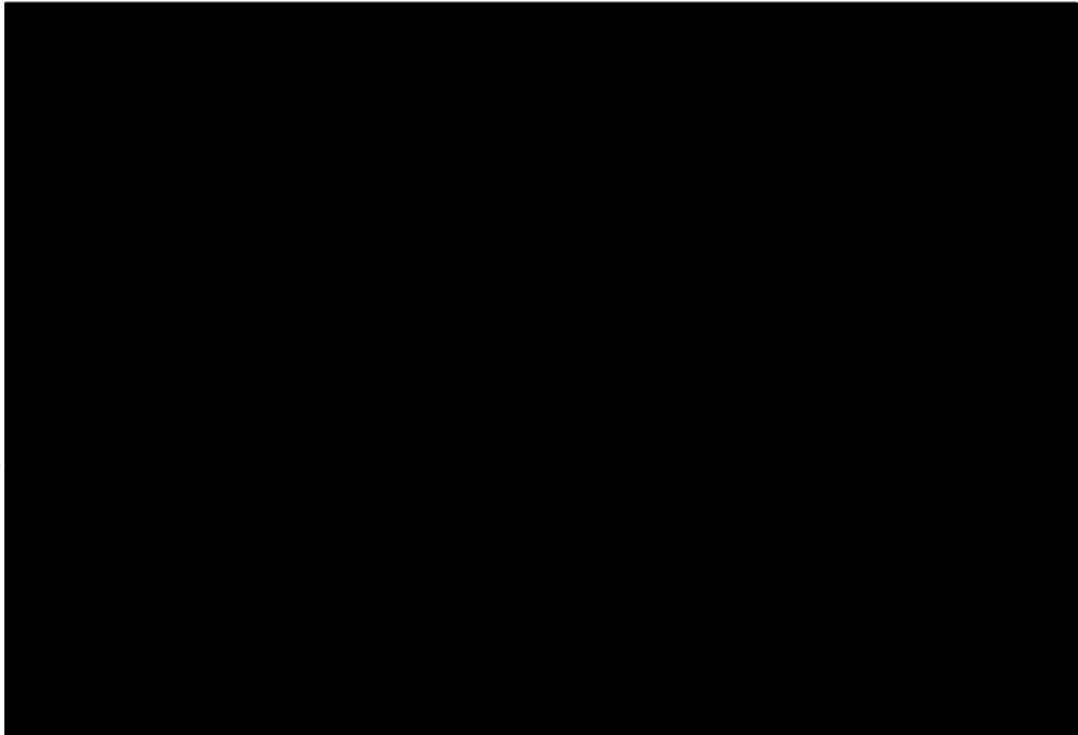
- road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

JAN 31 / 2020  
Date

  
Signature of Owner



**15 AUTHORIZATIONS**

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Tuscany Hills Homes, am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize IBI Group, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

JAN 31 / 2020  
Date

  
Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Tuscany Hills Homes, the Owner, hereby agree and acknowledge  
(*Print name of Owner*)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

ETAW 31/2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( **A cheque or money order payable to the City of Hamilton**)





**IBI GROUP**  
200 East Wing—360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
[ibigroup.com](http://ibigroup.com)

RECEIVED

FEB - 2020

February 4<sup>th</sup> 2020

Mr. Scott Baldry  
Secretary-Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main St W, 5th Floor  
Hamilton ON L8P 4Y5

Dear Mr. Baldry:

**CONSENT TO SEVER APPLICATION 1  
360 MOHAWK ROAD WEST**

We represent the owners of 360 Mohawk Road West and on behalf of our client we are pleased to submit for review and approval an application for Consent to Sever for the above noted property. This application will facilitate the separate of one pair of semi's (Parts 1 & 2) from the second pair of semi's (Parts 3 & 4). In support of this application, please find enclosed the following:

- Two (2) copies of the draft Reference Plan as prepared by B.A. Jacobs;
- Two (2) copies of the proposed Severance Concept as prepared by our Office;
- Two (2) copies of the completed Consent to Sever Application form as prepared by our Office; and
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton;

We trust the above noted submission is in order. Should you require further information, please do not hesitate to contact our office.

Regards,  
**IBI Group**

  
Scott Arbuckle

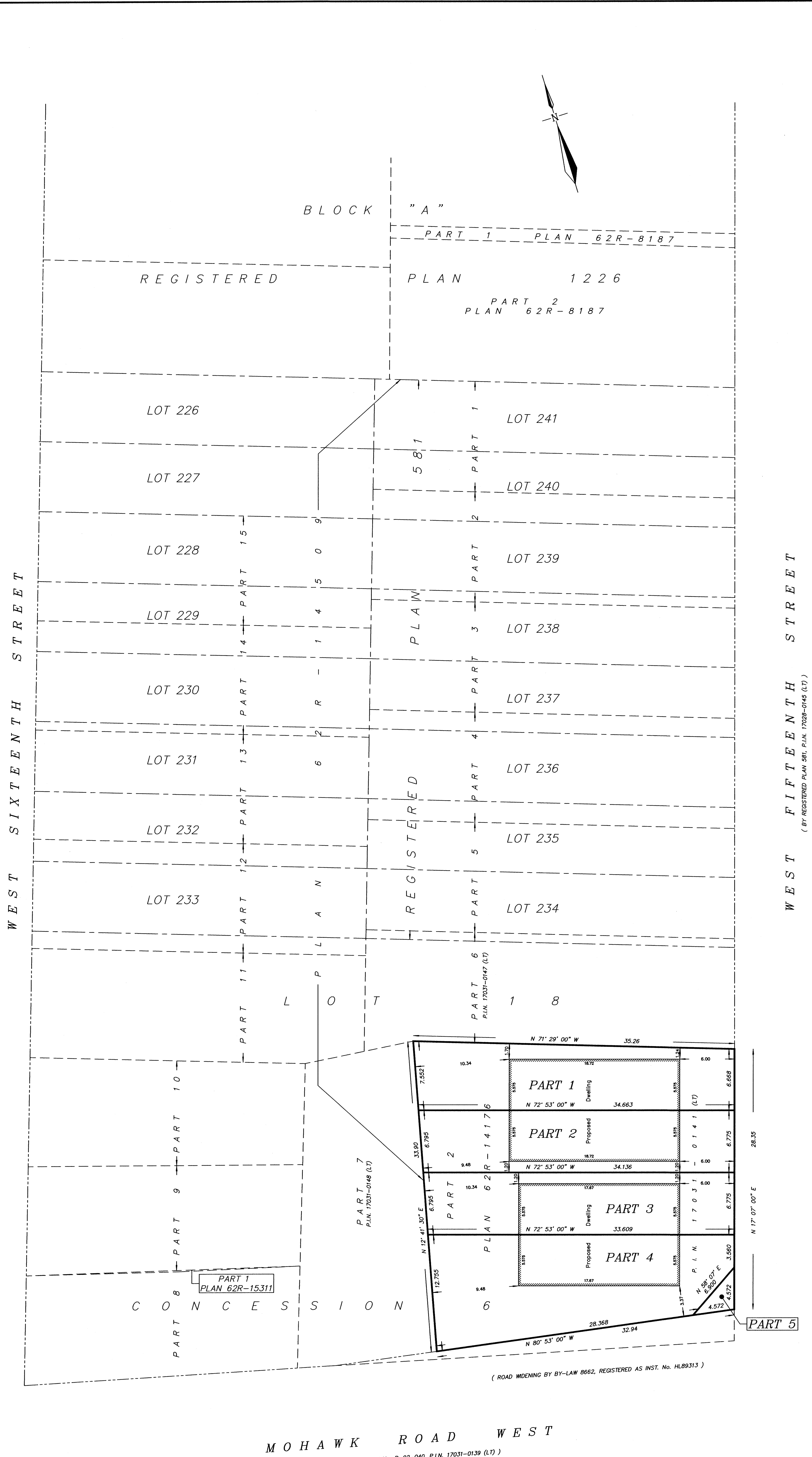
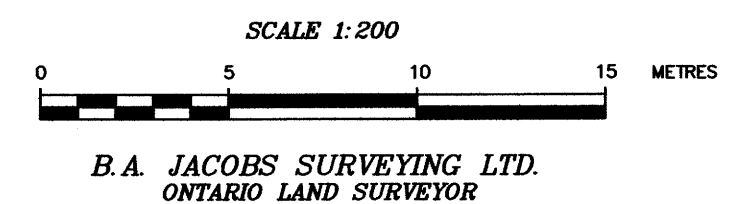
Encl.

Cc: Domenic Chiaravalle, Owner, Tuscany Hill Homes  
Angela Buonamici, Project Coordinator, IBI Group



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 62R-		
DATE: _____		RECEIVED AND DEPOSITED		
DATE: _____		DATE: _____		
BRYAN JACOBS ONTARIO LAND SURVEYOR		REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MENTWORTH (No. 62)		
SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA (sq.m.)
1	PART OF LOT 18	CONCESSION 6	PART OF P.I.N. 17031-0141 (LT)	248.02
2	PART OF LOT 18	CONCESSION 6	PART OF P.I.N. 17031-0141 (LT)	233.06
3	PART OF LOT 18	CONCESSION 6	PART OF P.I.N. 17031-0141 (LT)	229.48
4	PART OF LOT 18	CONCESSION 6	PART OF P.I.N. 17031-0141 (LT)	335.88
5	PART OF LOT 18	CONCESSION 6	PART OF P.I.N. 17031-0141 (LT)	10.35
PARTS 1, 2, 3, 4 & 5: COMPRISE ALL OF P.I.N. 17031-0141 (LT)				

PLAN OF SURVEY OF  
PART OF LOT 18  
CONCESSION 6  
(GEOGRAPHIC TOWNSHIP OF BARTON)  
CITY OF HAMILTON



**LEGEND AND NOTES:**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- IB# DENOTES ROUND IRON BAR
- CC DENOTES CUT CROSS
- (OU) DENOTES ORIGIN UNKNOWN
- WT. DENOTES WITNESS

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS AND UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF

SPECIFIED CONTROL POINTS (SCPs): UTM ZONE 17, NAD83 (ORIGINAL), COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10.		
POINT ID	NORTHING	EASTING

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON \_\_\_\_\_

DRAFT

DATE: \_\_\_\_\_ BRYAN JACOBS  
ONTARIO LAND SURVEYOR

**B.A. JACOBS SURVEYING LTD.**  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L9N 1L3)  
PHONE 905-521-1535 ba.jacobs@rogers.com

JOB No. 1972-D

MOHAWK ROAD WEST  
(CONSOLIDATING BY BY-LAW No. R-92-040, P.I.N. 17031-0139 (LT))

(ROAD WIDENING BY BY-LAW 8662, REGISTERED AS INST. No. HL89313)





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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:14

SUBJECT PROPERTY: 360 Mohawk Rd. W., Hamilton

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

APPLICANT(S): Owner: Tuscany Hills Homes c/o Dominic Chiaravalle

Agent: IBI Group c/o Angela Buonamici

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for a proposed semi-detached dwelling and to retain a parcel of land for a proposed semi-detached dwelling.

This application will be heard in conjunction with Severance Applications HM/B-20:13 and HM/B-20:15

**Severed lands: Part 2**

6.775m<sup>±</sup> x 34m<sup>±</sup> and an area of 248.02m<sup>2±</sup>

**Retained lands: Part 1**

6.668m<sup>±</sup> x 34m<sup>±</sup> and an area of 233.06m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

DATE: Thursday, June 25th , 2020

TIME: 2:15 p.m.

PLACE: Via video link or call in (see attached sheet for details)

To be streamed at

[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

### 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or

HM/B-20:14  
Page 2

by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

#### **MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

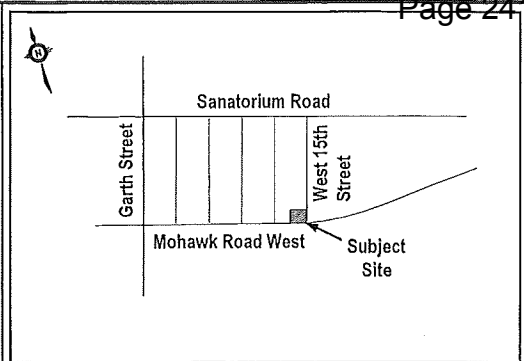
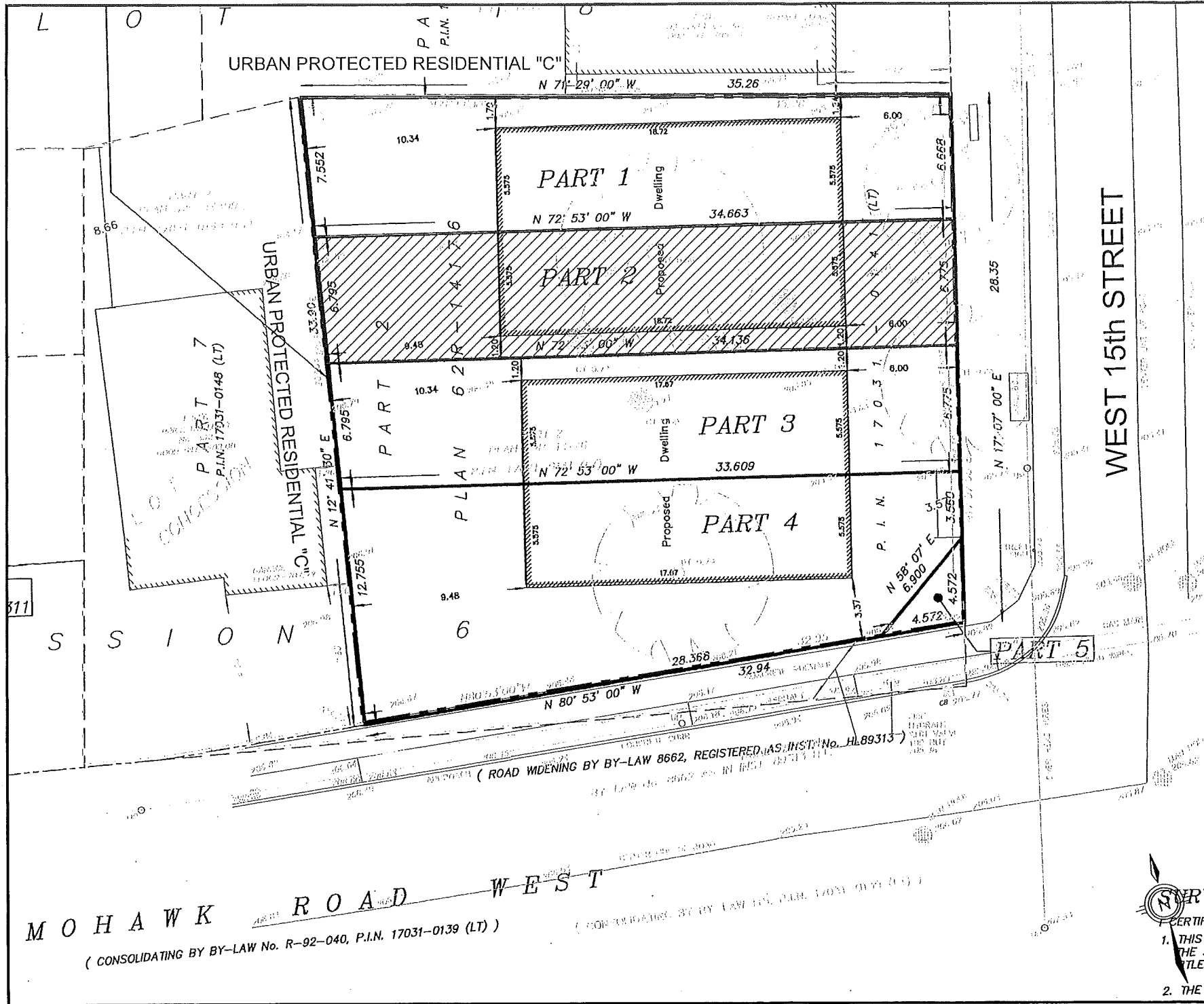
DATED: June 9th, 2020

*Original Signed*

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

Jamila Sheffield,  
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.***



Location Map

Legend:

-  LANDS TO BE SEVERED
-  LANDS TO BE RETAINED

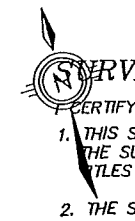
PRELIMINARY SEVERANCE SKETCH 2

360 Mohawk Rd W  
Hamilton, ON

SCALE 1:200  
DATE FEB 2020  
PROJECT No. 117119

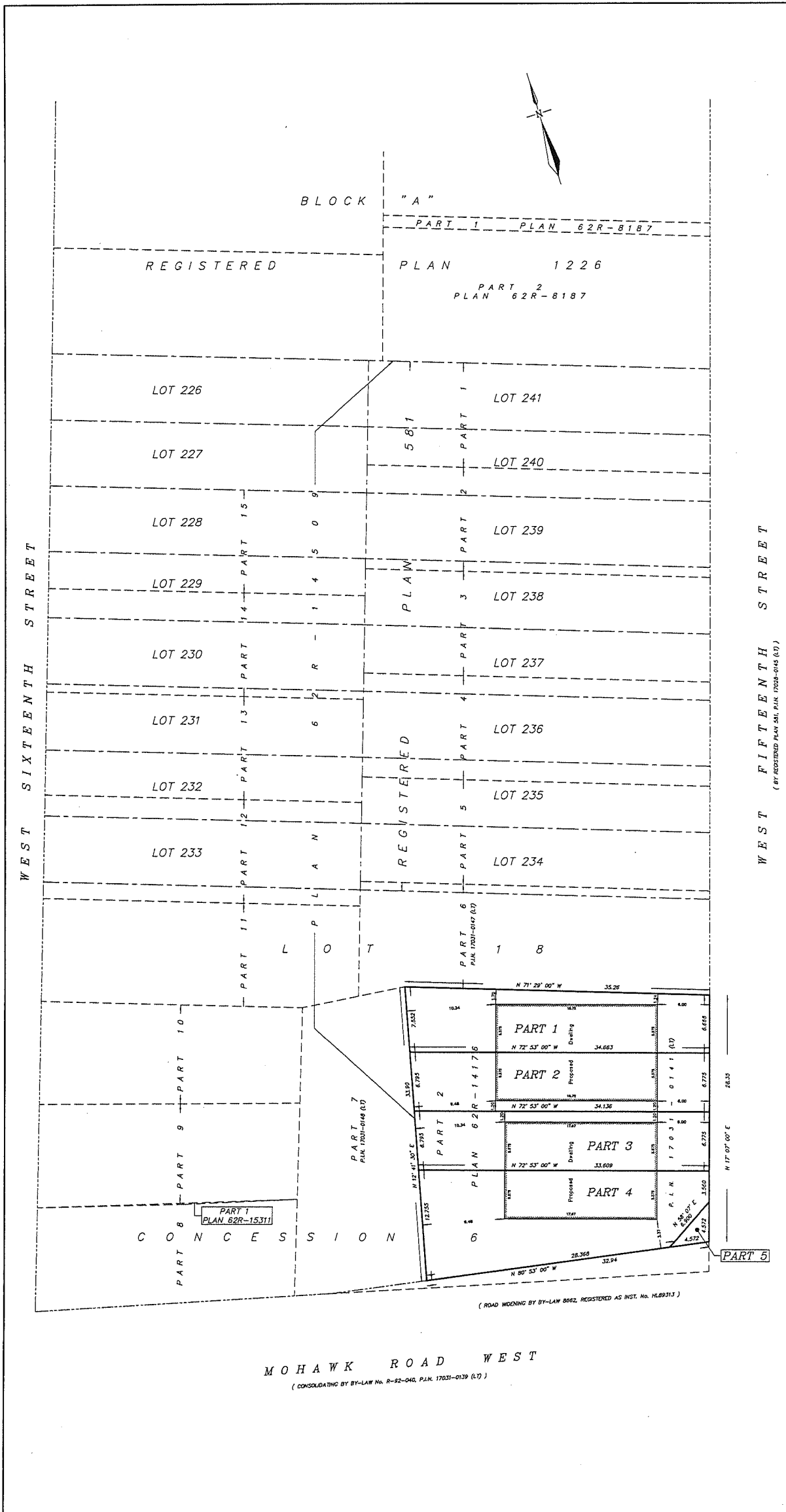


**IBI GROUP**  
Suite 200, East Wing - 360 James St N  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010  
ibigroup.com



MOHAWK ROAD WEST  
(CONSOLIDATING BY BY-LAW No. R-92-040, P.I.N. 17031-0139 (LT))

HM/B-20-14  
Sketch (1)



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: \_\_\_\_\_

RECORDING FOR LAND REGISTRATION FOR THE LAND TITLES DIVISION OF NORTHWEST (2nd E.D.)

BYRYAN JACOBS  
ONTARIO LAND SURVEYOR

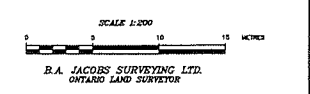
PLAN 62R-  
RECEIVED AND DEPOSITED  
DATE: \_\_\_\_\_

SCHEDULE

PART	LOT	CONCESSION #	P.L.N.	AREA (Sq.M.)
1	PART OF LOT 18	CONCESSION # 1	PART OF P.L.N. 17031-0141 (L1)	246.07
2	PART OF LOT 18	CONCESSION # 2	PART OF P.L.N. 17031-0141 (L2)	238.08
3	PART OF LOT 18	CONCESSION # 3	PART OF P.L.N. 17031-0141 (L3)	238.46
4	PART OF LOT 18	CONCESSION # 4	PART OF P.L.N. 17031-0141 (L4)	335.89
5	PART OF LOT 18	CONCESSION # 5	PART OF P.L.N. 17031-0141 (L5)	162.81

PARTS 1, 2, 3, 4 & 5 COMPRISE ALL OF P.L.N. 17031-0141 (L1)

PLAN OF SURVEY OF  
PART OF LOT 18  
CONCESSION 6  
(GEOGRAPHIC TOWNSHIP OF BARTON)  
CITY OF HAMILTON



LEGEND AND NOTES:

○ DENOTES SURVEY MONUMENT FOUND  
○ DENOTES SURVEY MONUMENT PLANTED  
SIB DENOTES STANDARD IRON BAR  
SSIB DENOTES SHORT STANDARD IRON BAR  
IB DENOTES IRON BAR  
RIB DENOTES ROUND IRON BAR  
CIB DENOTES CUP CROSS  
○ DENOTES ORIGIN UNKNOWN  
○ DENOTES WITNESS

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS, UTM ZONE 17, NAD83 (ORIGINAL), AND

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF

SPECIFIED CONTROL POINTS (SCP): UTM ZONE 17, NAD83 (ORIGINAL), COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10.

POINT ID	NORTHING	EASTING

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON \_\_\_\_\_

DATE \_\_\_\_\_

BYRYAN JACOBS  
ONTARIO LAND SURVEYOR

DRAFT

B.A. JACOBS SURVEYING LTD.  
102 JACOBSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1K5)  
PHONE 905-521-1055 bjacobs@bja.com

200 No. 18972-D

HM (B-20:14)  
Sketch (2)



20-150518



**Hamilton**

Planning and Economic Development Department  
 Planning Division

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

Phone (905) 546-2424, ext. 4221  
 Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
 UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received: Feb. 5 2020	Date Application Deemed Complete:	Submission No.: HM/B. 20:14	File No.:
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**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Tuscany Hills Homes c/o Dominic Chiaravalle		
<b>Applicant(s)*</b>	Same As Owner		
<b>Agent or Solicitor</b>	IBI Group c/o Scott Arbuckle		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot Part of 18	Concession 6	Former Township Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 360 Mohawk Road West	Assessment Roll N°.		

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot  | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a correction of title |
|   | <input type="checkbox"/> an easement           |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

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

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**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**: Part 2

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
6.775m	+/- 34m	248.02sq.m

Existing Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Building(s) or Structure(s):

Existing: Vacant

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Proposed: 1 Semi-detached unit

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Type of access: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> provincial highway                             | <input type="checkbox"/> right of way      |
| <input type="checkbox"/> municipal road, seasonally maintained          | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year |  |

Type of water supply proposed: (check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body    |
| <input type="checkbox"/> privately owned and operated individual well              | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- |  |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system         |
| <input type="checkbox"/> other means (specify) _____                                   |

4.2 Description of land intended to be **Retained**: Part 1

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
6.668m	+/- 34m	233.06sq.m

Existing Use of Property to be retained:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be retained:

- Residential
  Agriculture (includes a farm dwelling)
  Other (specify) \_\_\_\_\_
  Industrial
  Agricultural-Related
  Commercial
  Vacant

Building(s) or Structure(s):

Existing: Vacant

Proposed: 1 Semi-detached unit

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
  lake or other water body
  privately owned and operated individual well
  other means (specify) \_\_\_\_\_

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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The Consent application conforms to the UHOP as within the Neighbourhood Designation, new lots created can be adequately services by municipal water and wastewater systems and have frontages onto a public road. The new lots generally reflect the scale and character of the surrounding neighbourhood.

5.2 What is the existing zoning of the subject land? C - Urban Protected Residential

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

5.3 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	<input type="checkbox"/>	

<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use Mohawk Trail School Museum
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Previous knowledge of the property
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes       No

The consent application is consistent with the Policy Statement and matters of Provincial interest as a vacant

residential lot will be converted into 4 residential lots, thereby providing another range of housing and making a more efficient use of existing infrastructure.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the PPS as it intensifies the area through developing a vacant underutilized parcel into 4 residential lots, thereby efficiently using land and servicing. It is transit supportive and complies with the PPS's housing policies, by adding to the range of housing and increasing density through infill development.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

The application conforms to the GGH as the subject lands are within the built up area, therefore, there is existing municipal water and sanitary infrastructure. The proposed infill development will add to the mix of housing forms and accommodates the 40% intensification target date for the City of Hamilton.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

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e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

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f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

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g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

If yes, does this application conform with the Greenbelt Plan?

Yes  No (Provide Explanation)

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- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of 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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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) 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: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

#### f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



road or a right of way;

(h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

JAN 31/2020

Date



Signature of Owner

**14 AFFIDAVIT OR SWORN DECLARATION**

**14.1 Declaration For the Prescribed Information**



15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Tuscany Hills Homes, am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize IBI Group, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

JAN 31/2020

Date



Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Tuscany Hills Homes, the Owner, hereby agree and acknowledge  
(*Print name of Owner*)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

JAW 31/2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( **A cheque or money order payable to the City of Hamilton**)



**IBI GROUP**  
200 East Wing—360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
[ibigroup.com](http://ibigroup.com)

February 4<sup>th</sup> 2020

Mr. Scott Baldry  
Secretary-Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main St W, 5th Floor  
Hamilton ON L8P 4Y5

Dear Mr. Baldry:

**CONSENT TO SEVER APPLICATION 2  
360 MOHAWK ROAD WEST**

We represent the owners of 360 Mohawk Road West and on behalf of our client we are pleased to submit for review and approval an application for Consent to Sever for the above noted property. This application will facilitate the separate of one of the semi-detached unit (Part 1) from the adjoining semi-detached unit (Part 2). In support of this application, please find enclosed the following:

- Two (2) copies of the draft Reference Plan as prepared by B.A. Jacobs;
- Two (2) copies of the proposed Severance Concept as prepared by our Office;
- Two (2) copies of the completed Consent to Sever Application form as prepared by our Office; and
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton;

We trust the above noted submission is in order. Should you require further information, please do not hesitate to contact our office.

Regards,  
**IBI Group**

  
Scott Arbuckle

Encl.

Cc: Domenic Chiaravalle, Owner, Tuscany Hill Homes  
Angela Buonamici, Project Coordinator, IBI Group





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 Fax (905) 546-4202

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

**NOTICE OF PUBLIC HEARING**

**Application for Consent/Land Severance**

APPLICATION NUMBER: HM/B-20:15

SUBJECT PROPERTY: 360 Mohawk Rd. W., Hamilton

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

**APPLICANT(S):** Owner: Tuscany Hills Homes c/o Dominic Chiaravalle

Agent: IBI Group c/o Angela Buonamici

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for a proposed semi-detached dwelling and to retain a parcel of land for a proposed semi-detached dwelling.

This application will be heard in conjunction with Severance Applications HM/B-20:13 and HM/B-20:14

**Severed lands: Part 3**

6.775m<sup>±</sup> x 33m<sup>±</sup> and an area of 229.48m<sup>2±</sup>

**Retained lands: Parts 4 & 5**

8.132m<sup>±</sup> x 28m<sup>±</sup> and an area of 346.33m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

**DATE:** Thursday, March 19th , 2020

**TIME:** 2:40 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at

[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

for viewing purposes only

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or

.../2

HM/B-20:15  
Page 2

by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

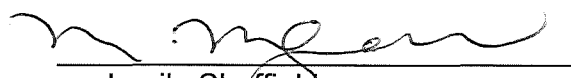
**Important note:** *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

#### MORE INFORMATION

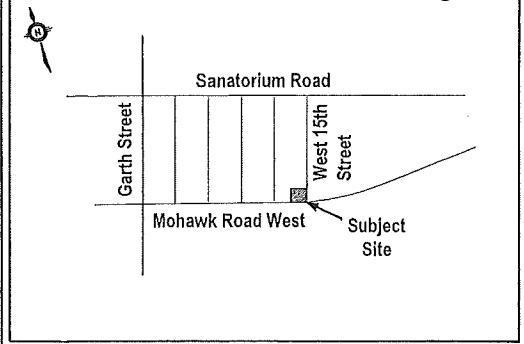
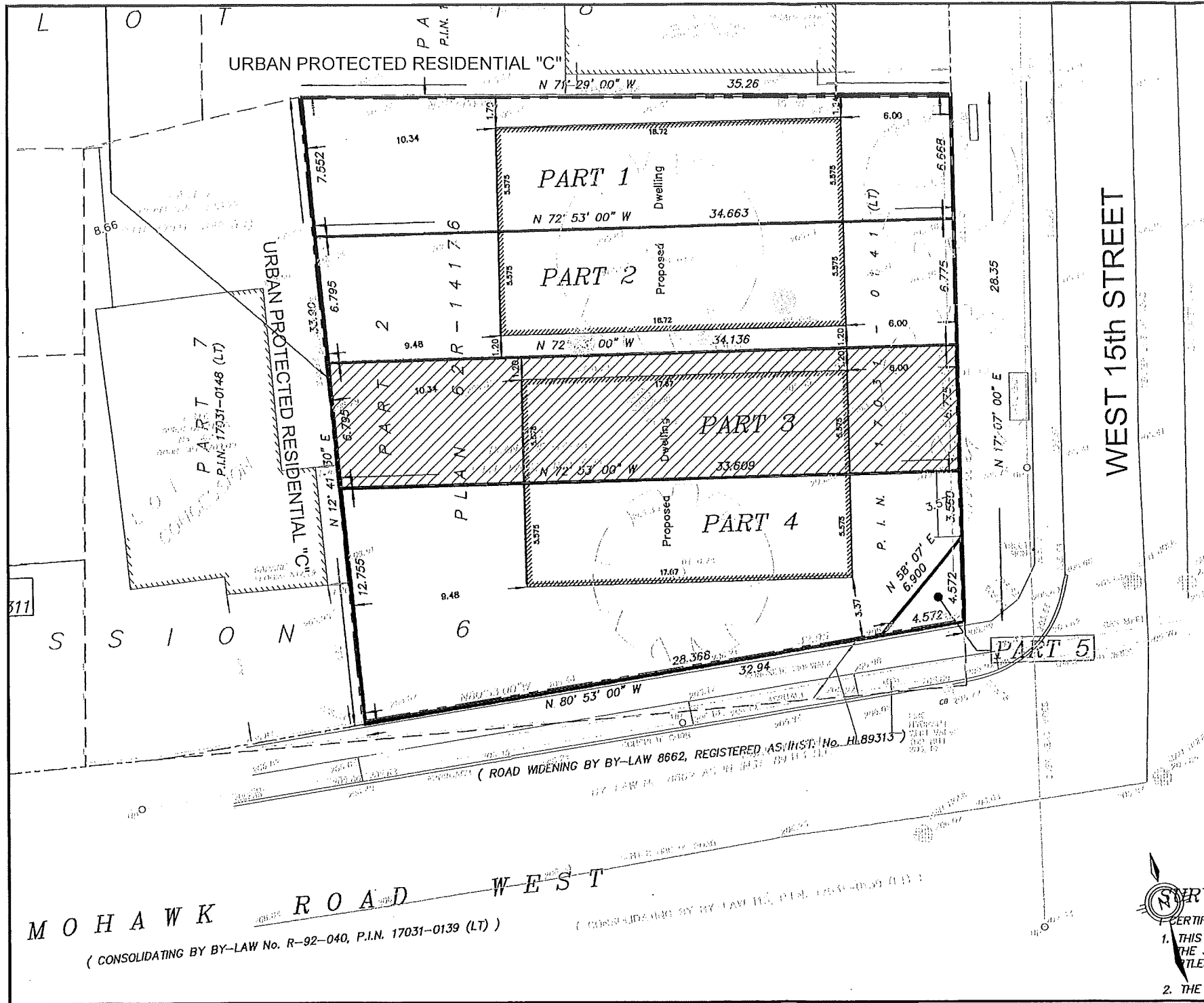
For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020



  
\_\_\_\_\_  
Jamila Sheffield,  
for 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.***



**Location Map**

**Legend:**

-  LANDS TO BE SEVERED
-  LANDS TO BE RETAINED

**PRELIMINARY SEVERANCE SKETCH 3**

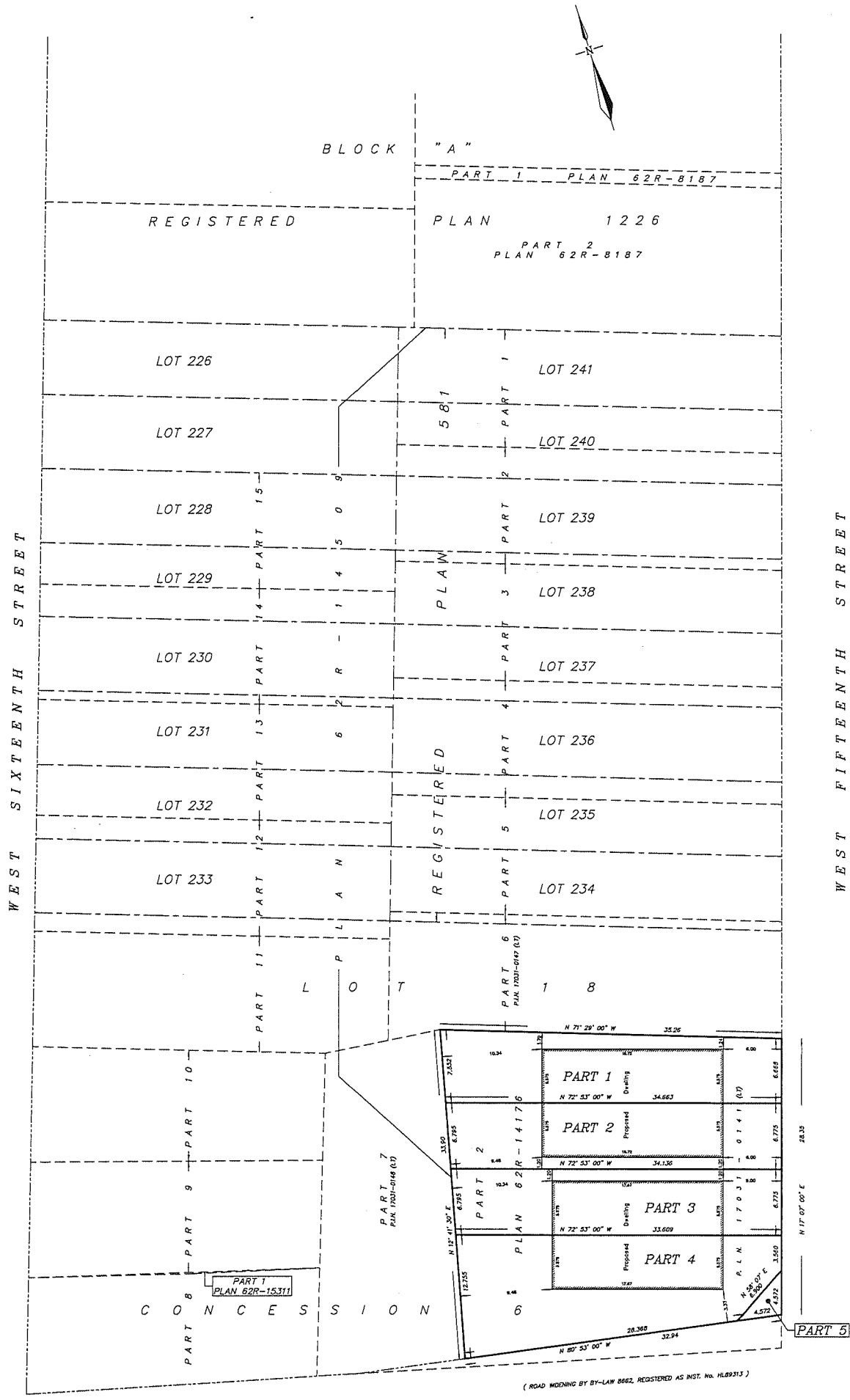
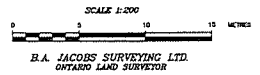
360 Mohawk Rd W Hamilton, ON	SCALE 1:200 DATE FEB 2020 PROJECT No. 117119
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	IBI GROUP Suite 200, East Wing - 360 James St N Hamilton ON L8L 1H5 Canada tel 905 546 1010 ibigroup.com
	<p><b>CERTIFY</b></p> <p>1. THIS SKETCH IS THE SUITABLE</p> <p>2. THE S</p>

HM18-20:15  
Sketch (1)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 62R-		
DATE: _____		RECEIVED AND DEPOSITED _____		
BY: BRIAN JACOBS ONTARIO LAND SURVEYOR		DATE: _____		
REPRESENTATIVE FOR LAND REGISTRATION FOR THE LAND TITLES DIVISION OF ONTARIO (S.S. 42)		DATE: _____		
SCHEDULE				
PART	LOT	CONCESSION #	AREA (sq.m.)	
1	PART OF LOT 18	CONCESSION #	PART OF PLAN 17031-0141 (L7)	248.00
2	PART OF LOT 18	CONCESSION #	PART OF PLAN 17031-0141 (L7)	233.00
3	PART OF LOT 18	CONCESSION #	PART OF PLAN 17031-0141 (L7)	228.46
4	PART OF LOT 18	CONCESSION #	PART OF PLAN 17031-0141 (L7)	335.84
5	PART OF LOT 18	CONCESSION #	PART OF PLAN 17031-0141 (L7)	16.33
PARTS 1, 2, 3, 4 & 5 COMPRISE ALL OF PLAN 17031-0141 (L7)				

PLAN OF SURVEY OF  
PART OF LOT 18  
CONCESSION 6  
(GEOGRAPHIC TOWNSHIP OF BARTON)  
CITY OF HAMILTON



**LEGEND AND NOTES:**

- # DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SD DENOTES STANDARD IRON BAR
- SD# DENOTES SHORT STANDARD IRON BAR
- IB# DENOTES IRON BAR
- IR# DENOTES ROUND IRON BAR
- CC DENOTES CUT CROSS
- (QU) DENOTES QUARRY UNKNOWN
- WT DENOTES WITNESS

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS AND UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF

SPECIFIED CONTROL POINTS (SCP#): UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF G.R.E.G. 214/10.		
POINT ID	NORTHING	EASTING

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON \_\_\_\_\_

DATE: \_\_\_\_\_  
BRIAN JACOBS  
ONTARIO LAND SURVEYOR

**DRAFT**

**B.A. JACOBS SURVEYING LTD.**  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1L2)  
PHONE: 905-521-1525 FAX: 905-521-1526

HM/B-20.15  
Sketch (2)



20-150519



**Hamilton**

Planning and Economic Development Department  
 Planning Division

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

Phone (905) 546-2424, ext. 4221  
 Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
 UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received: Feb. 5 2020	Date Application Deemed Complete:	Submission No.: HM/B. 20:15	File No.:
---	-----------------------------------	--------------------------------	-----------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Tuscany Hills Homes c/o Dominic Chiaravalle		
<b>Applicant(s)*</b>	Same As Owner		
<b>Agent or Solicitor</b>	IBI Group c/o Scott Arbuckle		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot Part of 18	Concession 6	Former Township Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 360 Mohawk Road West	Assessment Roll N°.		

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other:  a charge  
 a lease  
 a correction of title

b) **Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):**

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot  | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a correction of title |
|   | <input type="checkbox"/> an easement           |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

---

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

---

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**: Part 3

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
6.775	+/-33m	229.48sq.m

Existing Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Building(s) or Structure(s):

Existing: Vacant

Proposed: 1 Semi-detached unit

Type of access: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> provincial highway                             | <input type="checkbox"/> right of way      |
| <input type="checkbox"/> municipal road, seasonally maintained          | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year |  |

Type of water supply proposed: (check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body    |
| <input type="checkbox"/> privately owned and operated individual well              | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- |  |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system         |
| <input type="checkbox"/> other means (specify) _____                                   |

4.2 Description of land intended to be **Retained**: Part 4 & 5

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
8.132m	+/-28m	346.33sq.m

Existing Use of Property to be retained:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |



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 PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use Mohawk Trail School Museum
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Previous knowledge of the property
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

## 7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes       No

The consent application is consistent with the Policy Statement and matters of Provincial interest as a vacant

residential lot will be converted into 4 residential lots, thereby providing another range of housing and making a more efficient use of existing infrastructure.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the PPS as it intensifies the area through developing a vacant underutilized parcel into 4 residential lots, thereby efficiently using land and servicing. It is transit supportive and complies with the PPS's housing policies, by adding to the range of housing and increasing density through infill development.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

The application conforms to the GGH as the subject lands are within the built up area, therefore, there is existing municipal water and sanitary infrastructure. The proposed infill development will add to the mix of housing forms and accommodates the 40% intensification target date for the City of Hamilton.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

If yes, does this application conform with the Greenbelt Plan?

Yes  No (Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

**10.3 Description of Lands**

## a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

## b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.4 Description of Lands (Abutting Farm Consolidation)**

## a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

## b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

## d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

## e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

## f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

## g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.5 Description of Lands (Non-Abutting Farm Consolidation)**

## a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



road or a right of way;

(h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

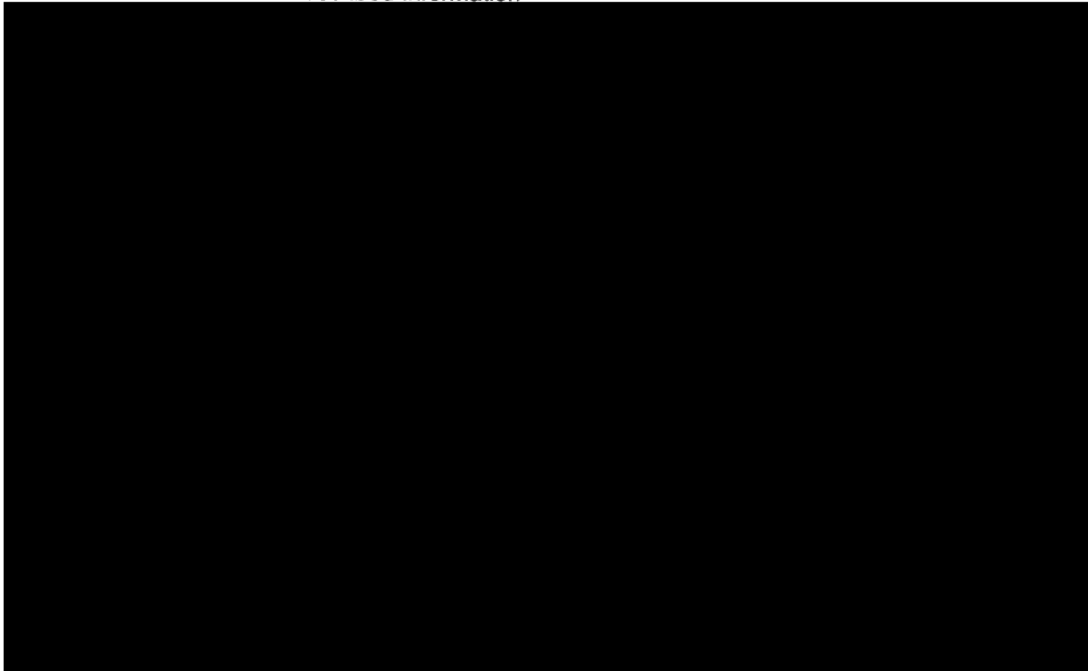
I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

JM 31/2020  
Date

  
Signature of Owner

**14 AFFIDAVIT OR SWORN DECLARATION**

14.1 Declaration For the Prescribed Information



15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Tuscany Hills Homes, am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize IBI Group, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

JM 31/2020  
Date

  
Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Tuscany Hills Homes, the Owner, hereby agree and acknowledge  
(*Print name of Owner*)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

DM 31/2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( **A cheque or money order payable to the City of Hamilton** )



**IBI GROUP**  
200 East Wing—360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
[ibigroup.com](http://ibigroup.com)

February 4<sup>th</sup> 2020

Mr. Scott Baldry  
Secretary-Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main St W, 5th Floor  
Hamilton ON L8P 4Y5

Dear Mr. Baldry:

**CONSENT TO SEVER APPLICATION 3  
360 MOHAWK ROAD WEST**

We represent the owners of 360 Mohawk Road West and on behalf of our client we are pleased to submit for review and approval an application for Consent to Sever for the above noted property. This application will facilitate the separate of one semi-detached unit (Part 3) from the adjoining semi-detached unit (Part 4). In support of this application, please find enclosed the following:

- Two (2) copies of the draft Reference Plan as prepared by B.A. Jacobs;
- Two (2) copies of the proposed Severance Concept as prepared by our Office;
- Two (2) copies of the completed Consent to Sever Application form as prepared by our Office; and
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton;

We trust the above noted submission is in order. Should you require further information, please do not hesitate to contact our office.

Regards,  
**IBI Group**

  
Scott Arbuckle

Encl.

Cc: Domenic Chiaravalle, Owner, Tuscany Hill Homes  
Angela Buonamici, Project Coordinator, IBI Group





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 Fax (905) 546-4202

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

**NOTICE OF PUBLIC HEARING**

**Application for Consent/Land Severance**

APPLICATION NUMBER: AN/B-20:12

SUBJECT PROPERTY: 372 Springbrook Ave., Ancaster

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

**APPLICANT(S):** Owner: Laudis Corporation  
Agent: T. Johns Consulting Group c/o Katelyn Gillis

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for residential purposes as shown on the attached sketch.

**Severed lands (Part 1):**  
13.26m<sup>±</sup> x 32m<sup>±</sup> and an area of 424.32m<sup>2±</sup>

**Retained lands (Part 2):**  
13.26m<sup>±</sup> x 32m<sup>±</sup> and an area of 424.32m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

**DATE:** Thursday, June 25th , 2020  
**TIME:** 2:30 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

AN/B-20:12

Page 2

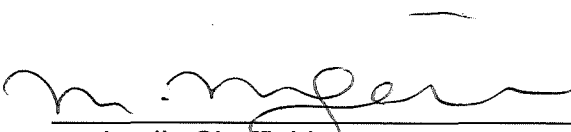
*to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

### **MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020

  
for Jamila Sheffield,  
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.***









**Hamilton**

Planning and Economic Development Department  
Planning Division

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

Phone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Laudis Corporation		
<b>Applicant(s)*</b>			Business ( ) Fax: ( ) E-mail:
<b>Agent or Solicitor</b>	T. Johns Consulting Group c/o Katelyn Gillis		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality City of Hamilton	Lot	Concession	Former Township Ancaster
Registered Plan N°.	Lot(s) 1 and 2	Reference Plan N°.	Part(s)
Municipal Address 372 Springbrook Avenue, Ancaster	Assessment Roll N°. 14028024990		

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 addition to a lot  
 an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot  
 creation of a new non-farm parcel  
 (i.e. a lot containing a surplus farm dwelling  
 resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

N/A

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

N/A

#### 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

##### 4.1 Description of land intended to be Severed: PART 1

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
13.26m	32m	424.32m <sup>2</sup>

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single Detached Dwelling

Type of access: (check appropriate box)

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

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) \_\_\_\_\_

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) \_\_\_\_\_

##### 4.2 Description of land intended to be Retained: PART 2

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
13.26m	32m	424.32m <sup>2</sup>

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant



<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Landowners knowledge.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes       No

Represents good land use planning by providing an appropriate residential use that does not over intensify the subject lands.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the Provincial Policy Statement in that growth is directed to Settlement Areas adjacent to existing residential development.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

This application is consistent with the Growth Plan as the site is located in a Built-Up area which is already serviced.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

If yes, does this application conform with the Greenbelt Plan?

Yes  No (Provide Explanation)

**8 HISTORY OF THE SUBJECT LAND**

- 8.1 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, indicate the appropriate application file number and the decision made on the application.

\_\_\_\_\_ N/A \_\_\_\_\_

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

\_\_\_\_\_ N/A \_\_\_\_\_

- 8.3 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.

\_\_\_\_\_

- 8.4 How long has the applicant owned the subject land?  
 Since approximately 2007

\_\_\_\_\_

- 8.5 Does the applicant own any other land in the City?  Yes  No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

**9 OTHER APPLICATIONS**

- 9.1 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 if known, specify file number and status of the application.

\_\_\_\_\_

- 9.2 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 if known, specify file number and status of the application(s).

File number \_\_\_\_\_ Status \_\_\_\_\_

**10 RURAL APPLICATIONS**

- 10.1 Rural Hamilton Official Plan Designation(s)

- |  |                                     |   |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural                          | <input type="checkbox"/> Rural      | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities      |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____                               | _____                                   |
|  | Settlement Area                     | Designation                             |

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 operation.

\_\_\_\_\_

- 10.2 **Type of Application** (select type and complete appropriate sections)

- |  |                           |
|--|---------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition                    | } (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition            |                           |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition |                           |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition             |                           |

- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

**10.3 Description of Lands****a) Lands to be Severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**b) Lands to be Retained:**

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.4 Description of Lands (Abutting Farm Consolidation)****a) Location of abutting farm:**

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

**b) Description abutting farm:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

**c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

**e) Surplus farm dwelling date of construction:**

- Prior to December 16, 2004       After December 16, 2004

**f) Condition of surplus farm dwelling:**

- Habitable       Non-Habitable

**g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):**

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.5 Description of Lands (Non-Abutting Farm Consolidation)****a) Location of non-abutting farm**

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

## b) Description of non-abutting farm

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

## d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

## e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

## f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Laudis Corporation is part owner in the lands developed as Springbrook Meadows Estates, Phase 1 62M-1260

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**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



road or a right of way;

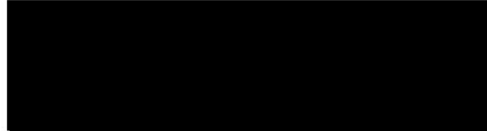
(h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

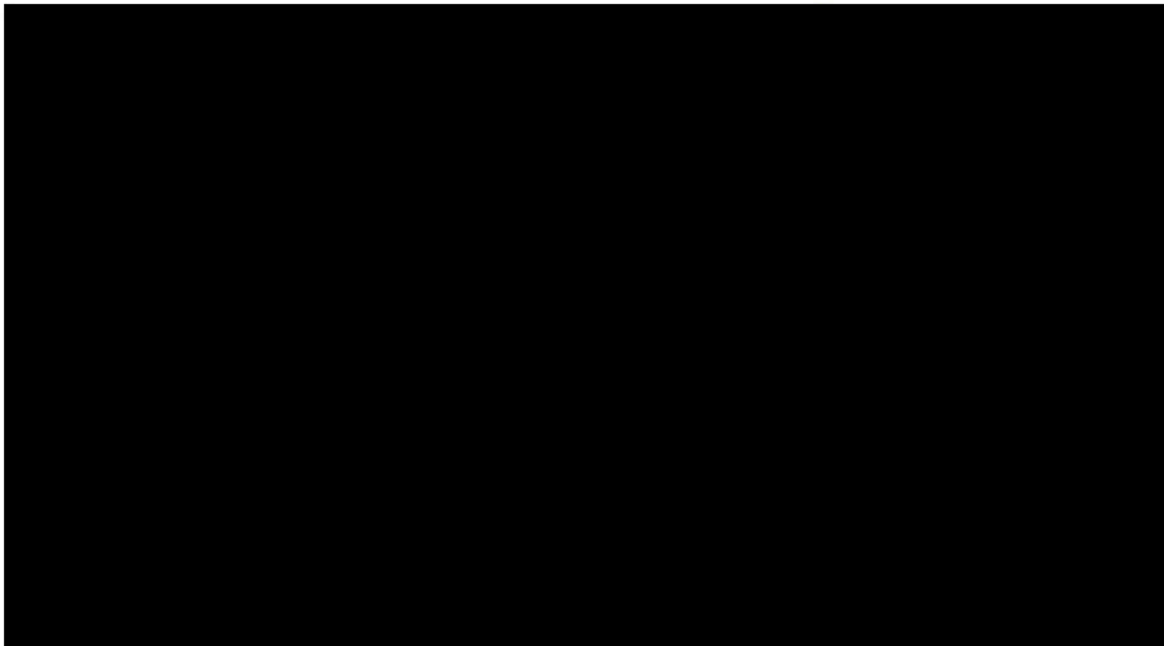
February 4, 2020

Date



**14 AFFIDAVIT OR SWORN DECLARATION**

14.1 Declaration For the Prescribed Information



**15 AUTHORIZATIONS**

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Laudis Corp., am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize T. Johns Consulting Group, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

February 4, 2020

Date



Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Laudis Corp., the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

February 4, 2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( A cheque or money order payable to the City of Hamilton)

CITY OF HAMILTON  
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BETWEEN:

\_\_\_\_\_  
Applicant's name(s)  
hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
  - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.
  - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Per:

I have authority to bind the corporation.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Per:

I have authority to bind the corporation

DATED at Hamilton, Ontario this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

City of Hamilton

Per: \_\_\_\_\_  
Mayor

Per: \_\_\_\_\_  
Clerk

Schedule "A"  
Description of Lands

**SCHEDULE "B"**  
**FORM OF ASSUMPTION AGREEMENT**

**THIS AGREEMENT** dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ .

**BETWEEN**

\_\_\_\_\_  
(hereinafter called the "Owner")

OF THE FIRST PART

-and-

\_\_\_\_\_  
(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON  
(hereinafter called the "Municipality")

OF THE THIRD PART

**WHEREAS** the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated \_\_\_\_\_.

**AND WHEREAS** Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

**AND WHEREAS** Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

**IN WITNESS WHEREOF** the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

**SIGNED, SEALED AND DELIVERED**

 c/s

Owner:  
Title:  
I have authority to bind the corporation

\_\_\_\_\_ c/s

Assignee:  
Title:  
I have authority to bind the corporation

**CITY OF HAMILTON**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk





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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:11

SUBJECT PROPERTY: 73 Chipman Ave., Hamilton

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You are receiving this notice because you are either:

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

APPLICANT(S): Owner: Atlas Homes Corp. c/o Tarik Abbas  
T. Johns Consulting Ltd. c/o Katelyn Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential purposes, existing dwelling to remain.

**Severed lands:**

14.6m<sup>±</sup> x 46.7m<sup>±</sup> and an area of 682.2m<sup>2±</sup>

**Retained lands:**

15.8m<sup>±</sup> x 46.7m<sup>±</sup> and an area of 742.0m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

---

DATE: Thursday, June 25th , 2020

TIME: 2:35 p.m.

PLACE: Via video link or call in (see attached sheet for details)

To be streamed at

[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

for viewing purposes only

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### 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

HM/B-20:11

Page 2


*to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

### **MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:

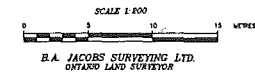
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020

  
\_\_\_\_\_  
Jamila Sheffield,  
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.***

SURVEYOR'S REAL PROPERTY REPORT - PART 1  
 PLAN OF  
**LOT 8**  
 REGISTERED PLAN 1053



**BENCHMARK NOTE:**  
 WEST FACE, NORTHWEST CORNER OF 89 STONE CHURCH ROAD ON THE SOUTHEAST CORNER OF STONE CHURCH ROAD AND WEST 5th STREET PLACED IS SET ON THE SECOND ROW OF BLOCKS UP FROM THE GROUND 0.30m. IN FROM THE CORNER. ELEVATION = 222.830 m.

Hm/B 20:11  
 Sketch 1

- LEGEND AND NOTES:**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT PLANNED
  - SB DENOTES STANDARD IRON BAR
  - SSB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - RB DENOTES ROAD IRON BAR
  - OSU DENOTES ORIGIN SIGNPOST
  - WT DENOTES WITNESS
  - P1 DENOTES REGISTERED PLAN 1053
  - P2 DENOTES PLAN S2R-17223
  - (P12) DENOTES A.C. CLAMP O.D.L.S.
  - (RM) DENOTES REGION OF HAMILTON NORTHWEST
  - CB DENOTES CATCH BASIN
  - M.N. DENOTES MANHOLE
  - T.C. DENOTES TOP OF CURB
  - T.R.W. DENOTES TRENCH RETAINING WALL
  - T.W. DENOTES TOP OF WALL
  - U.S. DENOTES UTILITY POLE
  - Ø.30 DENOTES DIAMETER OF TREE

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 071811253 AND 072209007, UTM ZONE 17, MAGNETIC (ORIGINAL).  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9999707.



THIS REPORT WAS PREPARED FOR TARIK ABBAS.

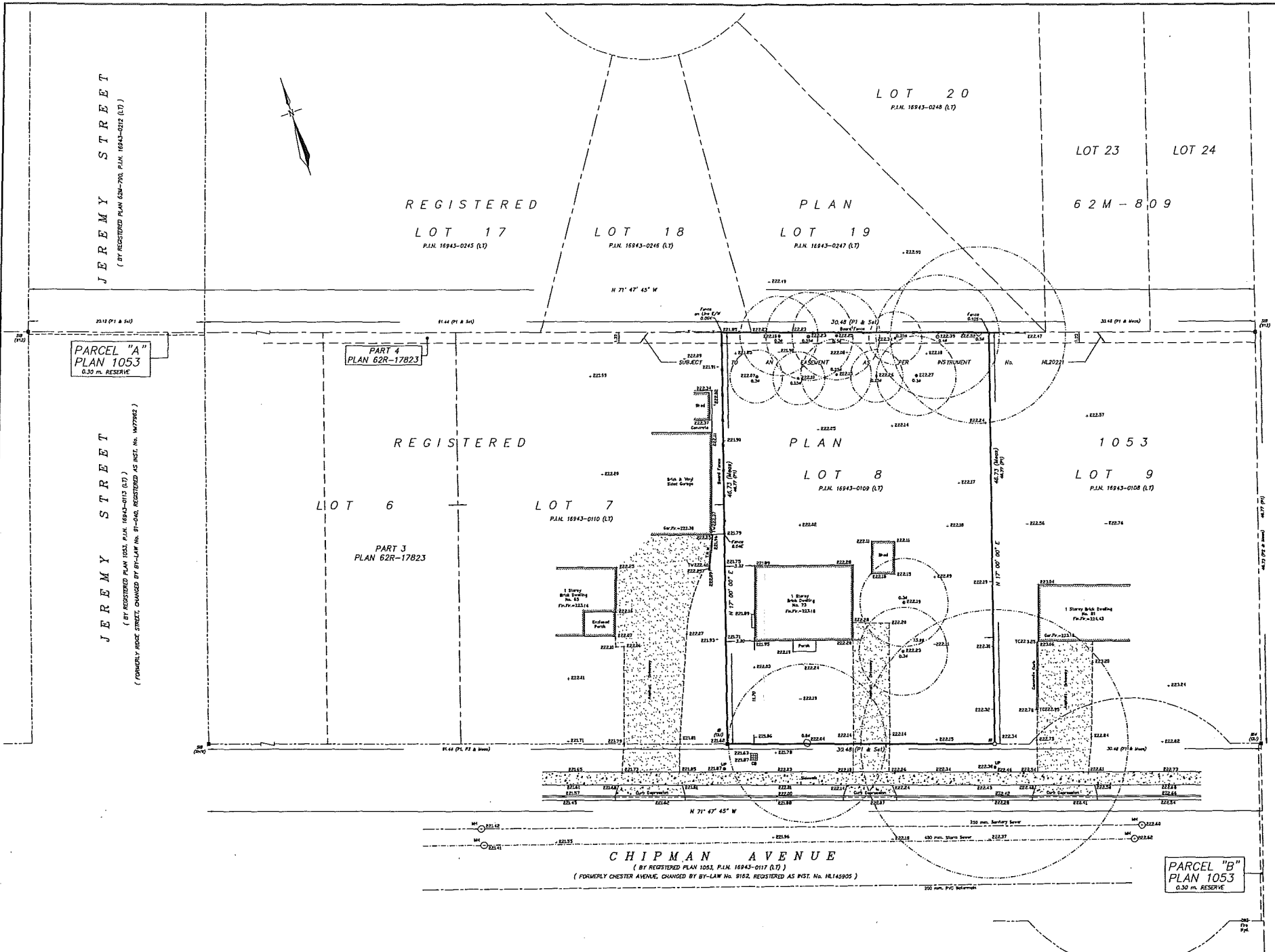
**PART 2**  
 THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED: JANUARY 15, 2020.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
  - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON JANUARY 8, 2020.

JANUARY 15, 2020  
 DATE  
 BRYAN JACOBS  
 ONTARIO LAND SURVEYOR

**B.A. JACOBS SURVEYING LTD.**  
 158 JACKSON STREET EAST, SUITE 102  
 HAMILTON, ONTARIO (L4N 1J5)  
 PH: 905-521-1535    b.jacobs@bajsurveys.com



**NOTE:**  
 UNDERGROUND SERVICE LOCATIONS WERE DERIVED FROM INFORMATION PROVIDED BY THE CITY OF HAMILTON. UNDERGROUND SERVICE LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION.

PARCEL "A"  
 PLAN 1053  
 0.30 m. RESERVE

JEREMY STREET  
 (BY REGISTERED PLAN 1053, P.L.N. 18943-0112 (L.T.))  
 (FORMERLY RICE STREET, CHANGED BY BY-LAW No. 91-046, REGISTERED AS INST. No. W177882)

PARCEL "B"  
 PLAN 1053  
 0.30 m. RESERVE

**CHIPMAN AVENUE**  
 (BY REGISTERED PLAN 1053, P.L.N. 18943-0117 (L.T.))  
 (FORMERLY CHESTER AVENUE, CHANGED BY BY-LAW No. 9162, REGISTERED AS INST. No. H145905)





# Hamilton

Planning and Economic Development Department  
Planning Division

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

Phone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

## APPLICATION FOR CONSENT TO SEVER LAND UNDER SECTION 53 OF THE *PLANNING ACT*

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

### 1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Atlas Homes Corp. c/o Tarik Abbas		
Applicant(s)*	Same as above.		
Agent or Solicitor	T. Johns Consulting Group Ltd.c/o Katelyn Gillis		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

### 2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality <b>Hamilton</b>	Lot	Concession	Former Township <b>Hamilton</b>
Registered Plan N°. <b>1053</b>	Lot(s) <b>8</b>	Reference Plan N°.	Part(s) <b>1</b>
Municipal Address <b>73 Chipman Avenue, Hamilton</b>			Assessment Roll N°. <b>07087103340</b>

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 addition to a lot  
 an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot  
 creation of a new non-farm parcel  
 ( i.e. a lot containing a surplus farm dwelling  
 resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Atlas Homes Corp. c/o Tarik Abbas

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

\_\_\_\_\_

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

## 4.1 Description of land intended to be Severed:

Frontage (m) 14.60m	Depth (m) 46.73m	Area (m <sup>2</sup> or ha) 682.25 sqm
------------------------	---------------------	---

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: Vacant.

Proposed: single detached dwelling.

Type of access: (check appropriate box)

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

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) \_\_\_\_\_

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) \_\_\_\_\_

## 4.2 Description of land intended to be Retained:

Frontage (m) 15.88m	Depth (m) 46.73m	Area (m <sup>2</sup> or ha) 742.07 sqm
------------------------	---------------------	---

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be retained:

- Residential
  Industrial
  Commercial  
 Agriculture (includes a farm dwelling)
  Agricultural-Related
  Vacant  
 Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: single detached dwelling.

Proposed: single detached dwelling.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
  lake or other water body  
 privately owned and operated individual well
  other means (specify) \_\_\_\_\_

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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms to the UHOP under which the subject lands are

designated Neighbourhoods, which permit single detached dwellings.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "C" Urban Protected Residential, Etc. (Former Hamilton Zoning By-Law No. 6593

5.3 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	<input type="checkbox"/>	

<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Landowners Knowledge.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes       No



Represents good planning in that proposed residential use does

not over intensify the subject lands, although supports infill

development.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes       No      (Provide explanation)

This application is consistent with the Provincial Policy

Statement in that growth is directed to Settlement Areas adjacent

to existing residential development.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes       No      (Provide explanation)

This application is consistent with the Growth Plan as the site is

located in a Built-Up area which is already serviced.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes       No

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes       No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes       No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes       No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes       No      (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?

Yes       No

If yes, does this application conform with the Greenbelt Plan?

Yes       No      (Provide Explanation)

**8 HISTORY OF THE SUBJECT LAND**

8.1 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, indicate the appropriate application file number and the decision made on the application.

---

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

---

8.3 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.

---

8.4 How long has the applicant owned the subject land?

3-4 ~~kg~~ months

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8.5 Does the applicant own any other land in the City?  Yes     No  
 If YES, describe the lands in "11 - Other Information" or attach a separate page.

**9 OTHER APPLICATIONS**

9.1 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 if known, specify file number and status of the application.

---

9.2 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 if known, specify file number and status of the application(s).

File number \_\_\_\_\_ Status \_\_\_\_\_

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

- |  |                                     |   |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural                          | <input type="checkbox"/> Rural      | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities      |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____                               | _____                                   |
|  | Settlement Area                     | Designation                             |

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 operation.

---

10.2 **Type of Application** (select type and complete appropriate sections)

- |  |   |                         |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition<br><input type="checkbox"/> Agricultural Related Severance or Lot Addition<br><input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition<br><input type="checkbox"/> Rural Institutional Severance or Lot Addition | } | (Complete Section 10.3) |
|--|---|-------------------------|

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

#### f) Condition of surplus farm dwelling:

Habitable  Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

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**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land an on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

road or a right of way;

(h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

February 4, 2020  
Date

[Redacted Signature]  
Signature of Owner

**14 AFFIDAVIT OR SWORN DECLARATION**

14.1 Declaration For the Prescribed Information

[Redacted Declaration Content]

Expires January 7, 2023.

**15 AUTHORIZATIONS**

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Atlas Homes Corp., am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize T. Johns Consulting Group as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

February 4, 2020  
Date

[Redacted Signature]  
Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

**Consent of Owner to the Disclosure of Application Information and Supporting Documentation**

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Atlas Homes Corp, the Owner, hereby agree and acknowledge  
(Print name of Owner) (Tarik Abbas)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

February 4, 2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

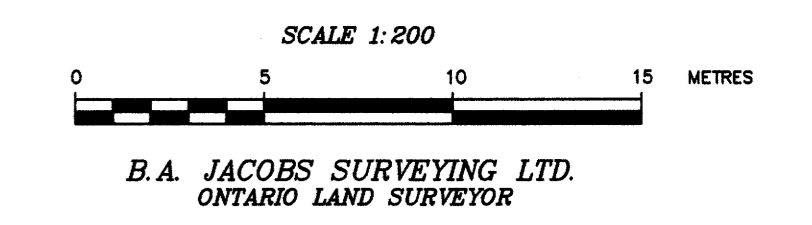
**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( **A cheque or money order payable to the City of Hamilton**)



SURVEYOR'S REAL PROPERTY REPORT - PART 1  
PLAN OF  
LOT 8  
REGISTERED PLAN 1053



**BENCHMARK NOTE:**  
WEST FACE, NORTHWEST CORNER OF 89 STONE CHURCH ROAD ON THE SOUTHEAST CORNER OF STONE CHURCH ROAD AND WEST 5th STREET. PLAQUE IS SET ON THE SECOND ROW OF BLOCKS UP FROM THE GROUND 0.30m. IN FROM THE CORNER. ELEVATION = 222.830 m.

**LEGEND AND NOTES:**  
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT PLANTED  
SIB DENOTES STANDARD IRON BAR  
SSIB DENOTES SHORT STANDARD IRON BAR  
IB DENOTES IRON BAR  
IB# DENOTES ROUND IRON BAR  
(OU) DENOTES ORIGIN UNKNOWN  
WT. DENOTES WITNESS  
P1 DENOTES REGISTERED PLAN 1053  
P2 DENOTES PLAN 62R-17823  
(912) DENOTES A.J. CLARKE O.L.S.  
(RH/W) DENOTES REGION OF HAMILTON WENTWORTH  
C.B. DENOTES CATCH BASIN  
M.H. DENOTES MANHOLE  
T.C. DENOTES TOP OF CURB  
T.R.W. DENOTES TIMBER RETAINING WALL  
T.W. DENOTES TOP OF WALL  
U.P. DENOTES UTILITY POLE  
0.3# DENOTES DIAMETER OF TREE

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 07719710263 AND 07720090007, UTM ZONE 17, NAD83 (ORIGINAL).  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996707.



THIS REPORT WAS PREPARED FOR TARIK ABBAS

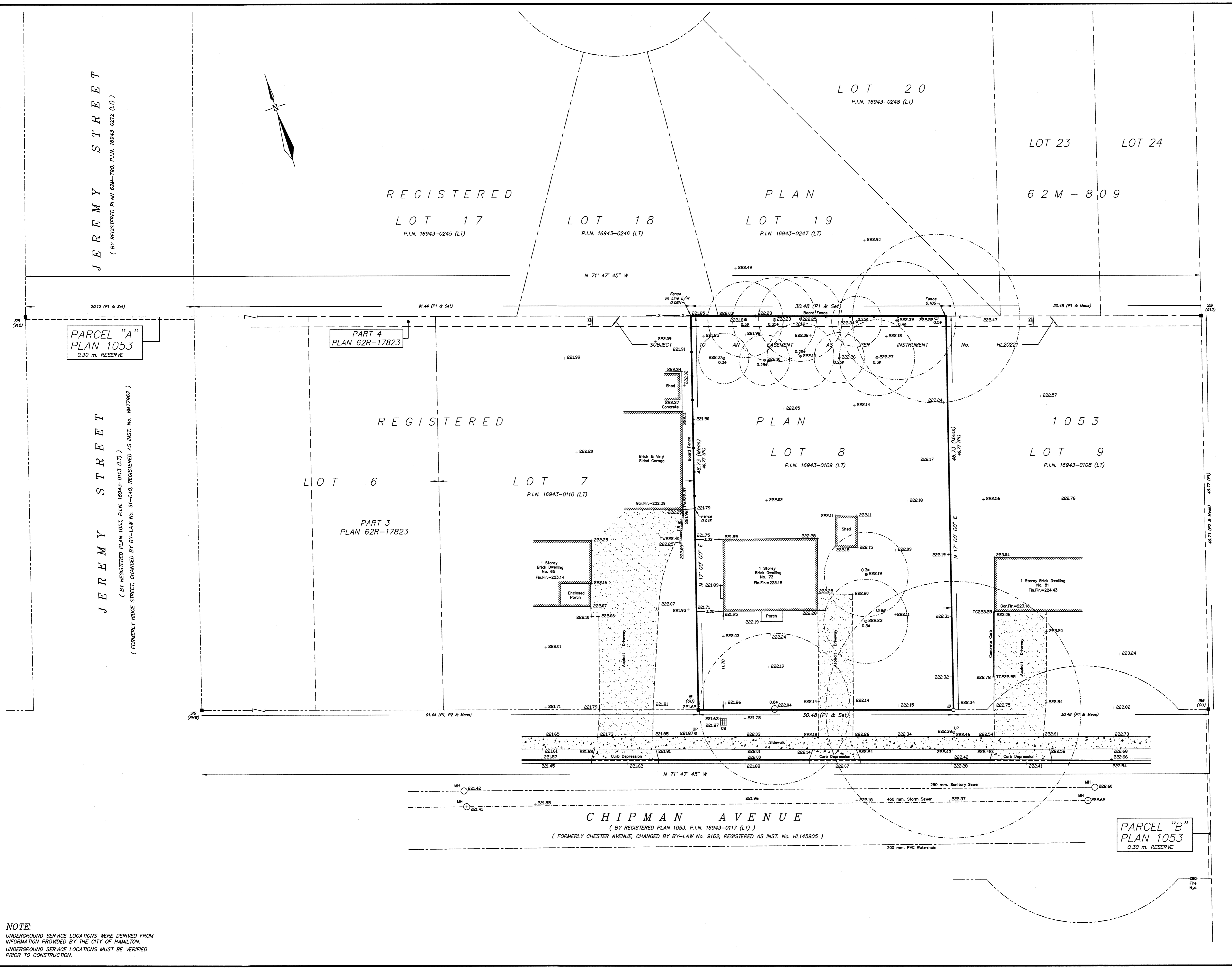
**PART 2**  
THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED: JANUARY 15, 2020.

**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 JANUARY 8, 2020.

JANUARY 15, 2020  
DATE  
BRYAN JACOBS  
ONTARIO LAND SURVEYOR

**B.A. JACOBS SURVEYING LTD.**  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1L3)  
PHONE 905-521-1535 [bjacobs@rogers.com](mailto:bjacobs@rogers.com)



JEREMY STREET  
(BY REGISTERED PLAN 62M-790, P.I.N. 16943-0212 (LT))

JEREMY STREET  
(BY REGISTERED PLAN 1053, P.I.N. 16943-0113 (LT))  
(FORMERLY RIDGE STREET, CHANGED BY BY-LAW No. 91-040, REGISTERED AS INST. No. M77862)  
(FORMERLY CHESTER AVENUE, CHANGED BY BY-LAW No. 9162, REGISTERED AS INST. No. H145905)

**NOTE:**  
UNDERGROUND SERVICE LOCATIONS WERE DERIVED FROM INFORMATION PROVIDED BY THE CITY OF HAMILTON.  
UNDERGROUND SERVICE LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION.







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 Fax (905) 546-4202

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

---

**APPLICATION NO.:** HM/A-20:38

**APPLICANTS:** A.J. Clarke & Associates Ltd., on behalf of the owner 2573855 Ontario Inc. c/o Maurizio Silvestri

**SUBJECT PROPERTY:** Municipal address **135 Limeridge Rd. E., City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-law 19-307

**ZONING:** "C/S-1788" (Urban Protected Residential) district

**PROPOSAL:** To permit the creation of a new lot for residential purposes and to maintain the existing single-family dwelling on the retained lot notwithstanding that;

Retained lot:

1. A minimum westerly side yard width of 0.6m shall be permitted instead of the minimum 1.2m side yard width required.
2. No onsite manoeuvring shall be provided for the two (2) parking spaces located within the private garage instead of the requirement that a manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.
3. The accessory building (private garage) shall be permitted to be located a minimum distance of 1.0m from the Maitland Avenue street line instead of the minimum 6.0m distance required from the street line for a corner lot.
4. A canopy, cornice, eave or gutter shall be permitted to encroach into the entire width of the required westerly side yard and therefore, may be located as close as 0.0m from the westerly side lot line whereas the zoning By-law states that a canopy, cornice, eave or gutter may project into a required side yard not more than one-half of its width or 1.0m whichever is the lesser.

Notes: These variances are required to facilitate Consent Application HM/B-19:74.

No building details were provided for the proposed dwelling on the new lot; as such, compliance shall be determined at building permit stage of the development.

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

**DATE:** Thursday, June 25th, 2020

**TIME:** 2:40p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only**

HM/A-20:38  
Page 2

## 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, including deadlines for submitting to be seen by the Committee.

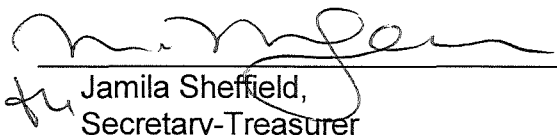
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

  
\_\_\_\_\_  
Jamila Sheffield,  
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.***





20-149781



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>		RECEIVED
APPLICATION NO. <u>HM/A-20:38</u>	DATE APPLICATION RECEIVED	<u>JAN 29 2020</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE	_____
SECRETARY'S SIGNATURE _____		

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***The Planning Act***

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner 2573855 Ontario Inc.  
c/o Maurizio Silvestri Telephone No.
- 
- Name of Agent A.J. Clarke & Associates Ltd. Telephone No.
- 

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

Please refer to the concurrently submitted cover letter.

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

Please refer to the concurrently submitted cover letter.

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8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Part of Lot 13, Con 6, Barton, Part 2, 3 & 4, 62R-13037; Hamilton

135 Limeridge Road East, Hamilton, ON L9A 2S6

---

9. PREVIOUS USE OF PROPERTY

Residential  X  Industrial       Commercial      

Agricultural       Vacant      

Other      

---

9.1 If Industrial or Commercial, specify use

---

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes       No  X  Unknown      

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes       No  X  Unknown      

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes       No       Unknown  X

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes       No  X  Unknown      

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes       No       Unknown  X

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes       No  X  Unknown      

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes       No  X  Unknown      

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes       No       Unknown  X

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No X Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Owner knowledge and historical context of surrounding area.  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No X

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

January 27/20  
Date

  
Signature Property Owner

2573855 Ontario Inc. c/o Maurizio Silvestri  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 15.24 metres  
Depth 45.72 metres  
Area 929.01 square metres  
Width of street \_\_\_\_\_

11. Particulars of all buildings and structures on or proposed for the subject lands:  
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Please refer to concurrently submitted Survey Sketch.  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: No new buildings/structures are proposed at this time.  
\_\_\_\_\_  
\_\_\_\_\_

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

Existing: Please refer to concurrently submitted Survey Sketch.  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: No new buildings/structures are proposed at this time.  
\_\_\_\_\_  
\_\_\_\_\_

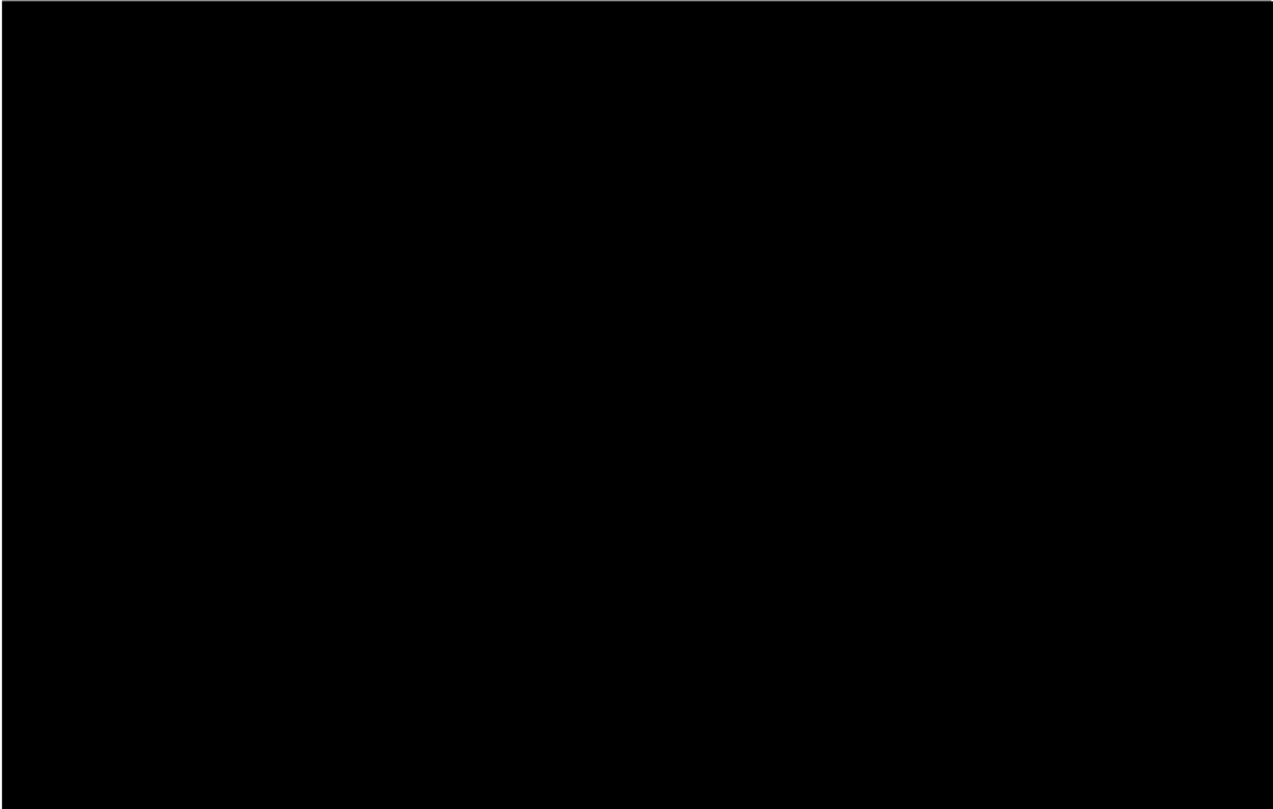
13. Date of acquisition of subject lands:  
2019
14. Date of construction of all buildings and structures on subject lands:  
Unknown
15. Existing uses of the subject property: Residential - single-detached dwelling
16. Existing uses of abutting properties: Residential (north, east, south, west)
17. Length of time the existing uses of the subject property have continued:  
Unknown
18. Municipal services available: (check the appropriate space or spaces)  
 Water  X  Connected  X   
 Sanitary Sewer  X  Connected  X   
 Storm Sewers  X
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhoods (Schedule E-1)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Urban Protected Residential "C" District (Zoning By-law 6593)
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
N/A
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes HM/B-19:74  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.

**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) 2573855 Ontario Inc.  
c/o Maurizio Silvestri am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

A.J. Clarke and Associates Ltd. of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE January 27/20

SIGNED 

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, 2573855 Ontario Inc.  
c/o Maurizio Silvestri, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

January 27/20  
Date

  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: January 27, 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 135 Limeridge Rd. East.  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of ~~Owner~~ or Authorized agent

2573855 Ontario Inc. c/o Maurizio Silvestri

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

January 29, 2020

The City of Hamilton  
Committee of Adjustment  
Planning and Economic Development Department  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5

***hand delivered***

Attn: Ms. Jamila Sheffield  
Planning Technician II

**Re: Minor Variance Application  
135 Limeridge Road East, City of Hamilton**

---

Dear Madam,

On behalf of our client, 2573855 Ontario Inc., we are pleased to provide you with the enclosed submission in support of a minor variance application as required through the corresponding conditional approval of consent application HM/B-19:74 to sever the subject lands. Please find the following enclosed materials:

1. A cheque in the amount of \$3,302.00 made payable to the City of Hamilton, in payment of the requisite application fee;
2. Two (2) copies of the completed application form, including an original;
3. Three (3) copies of the survey sketch – one (1) full size and two (2) ledger size;

The subject lands are designated Neighbourhoods on Schedule E-1 of the Urban Hamilton Official Plan and zoned Urban Protected Residential, Etc. "C" District in the former City of Hamilton Zoning By-law 6593.

The subject lands are subject to Severance Application No. HM/B-19:74, which was conditionally approved on January 23<sup>rd</sup>, 2020. As per condition 6 of the Consolidation Report, the owner is required to receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department. Accordingly, the subject minor variance application is submitted to address any zoning deficiencies for the subject lands.

Both the severed and retained parcels will have an area of 464.51 square metres, as well as a width 15.24 metres. The existing single-detached dwelling and accessory garage on the retained parcel will be retained. It is intended to redevelop the severed lands by constructing a single-detached dwelling. The retained lands require land dedications for the purposes of a road widening and daylight triangle. Therefore, the proposed lot area of the retained lands will be ±408.31 square metres after the ±56.20 square metre road widening is dedicated to the City.



The subject minor variance application is required to facilitate the clearance of conditions for conditionally approved severance application HM/B-19:74. The proposed variances are required to recognize site-specific performance standards for the existing buildings on the subject lands. The following table identifies the relevant sections of Zoning By-law 6593 from which variances are required:

By-law Section	Provision	Requirement	Proposed
Section 9(3)(iii)	Min. Side Yard	1.2 m	0.6 m for a flankage side yard
Section 18(3)(vi)(b)	Encroachments	A canopy, cornice, eave or gutter may project:  iii. Into a required side yard not more than one-half of its width, or 1.0 metres, whichever is the lesser.	Can project in a required flankage side yard not more than one-half of its width.
Section 18(4)(iv)	Accessory Structure Location	In a residential district, no accessory building shall be erected on a corner lot at a distance from the street line less than the depth of front yard required for a dwelling on the adjoining lot except where such accessory building is separated from the adjoining lot by a distance at least as great as the depth of the required rear yard, in which case it need not be further from the street line than the width of the required side yard.	An accessory building shall be permitted on a corner lot line at a distance of no less than 1 metre from any street line.

Accordingly, three (3) variances are required to recognize the location of the existing single-detached dwelling and accessory garage on the retained lands. The following minor variances are proposed:

#### Retained Lands

- 1) A minimum flankage side yard of 0.6 metres shall be permitted instead of the minimum required side yard if 1.2 metres.
- 2) A canopy, cornice, eave or gutter may be permitted to project into a required flankage side yard not more than one-half of its width (being 0.3 metres).
- 3) In a residential district, an accessory building shall be permitted on a corner lot at a distance of no less than 1.0 metre from any street line instead of the requirement that an accessory building on a corner lot be erected at a distance from the street line no less than the depth of the front yard required for a dwelling on the adjoining lot.



All of the proposed variances serve to recognize the location of the existing dwelling and accessory garage on the retained lands. As long-standing existing structures, the proposed variances will not have any adverse impacts on the streetscape or the character of the broader neighbourhood. No variances are proposed for the severed lands.

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Stephen Fraser'.

Stephen Fraser, MCIP, RPP  
**A. J. Clarke and Associates Ltd.**

Encl.

Copy: 2573855 Ontario Inc.



b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot
- creation of a new non-farm parcel (i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)
- addition to a lot

- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:  
Unknown

3.3 If a lot addition, identify the lands to which the parcel will be added:  
Not Applicable

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be Severed: Part 2 on Severance Sketch

Frontage (m) 41.22m	Depth (m) 13.35	Area (m <sup>2</sup> or ha) 556.5m <sup>2</sup>
------------------------	--------------------	--

Existing Use of Property to be severed:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) \_\_\_\_\_

- Industrial
- Agricultural-Related

- Commercial
- Vacant

Proposed Use of Property to be severed:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) \_\_\_\_\_

- Industrial
- Agricultural-Related

- Commercial
- Vacant

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single Detached Residential Dwelling Unit

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year

- right of way
- other public road

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) \_\_\_\_\_

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) \_\_\_\_\_

4.2 Description of land intended to be Retained: Part 1 and 3 on Severance Sketch

Part 1	Frontage (m) Knapmans Drive - 41.22m	Depth (m) Part 1 - 13.45m	Area (m <sup>2</sup> or ha) Part 1 - 561.04m <sup>2</sup>
Part 3	Beach Boulevard - 22.86m	Part 3 - 39.47m	Part 3 - 803.81m <sup>2</sup>

Existing Use of Property to be retained:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) \_\_\_\_\_

- Industrial
- Agricultural-Related

- Commercial
- Vacant







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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-19:23

SUBJECT PROPERTY: 684 Beach Boulevard, City of Hamilton

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

**APPLICANT(S):** A.J. Clarke & Associates Ltd. c/o Spencer Skidmore on behalf of the owner Alan Gerard Macdonald & Patricia Leblanc c/o Kyle Camarro

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land shown as Part 2 on the attached sketch for residential purposes and to retain two (2) parcels of land shown as Part 1 & Part 3 on the attached sketch for residential purposes (existing dwelling to remain).

**Severed lands: Part 2**

41.2m<sup>±</sup> x 13.3m<sup>±</sup> and an area of 556m<sup>2±</sup> 561 m<sup>2</sup>

**Retained lands: Part 1**

41.2m<sup>±</sup> (Knapmans Drive) x 13.4m<sup>±</sup> and an area of 556m<sup>2±</sup>

**Retained lands: Part 3**

22.8m<sup>±</sup> (Beach Blvd.) x 39.4m<sup>±</sup> and an area of 523m<sup>2±</sup>  
803.8 m<sup>2</sup>

The Committee of Adjustment will hear this application on:

**DATE:** Thursday, June 25th, 2020  
**TIME:** 2:45 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

### 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, including deadlines for submitting to be seen by the Committee.

HM/B-19:23  
Page 2

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.


**Important note:** If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

#### **MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020



---

Jamila Sheffield,  
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.***







*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

January 31<sup>st</sup>, 2020

The City of Hamilton  
 Committee of Adjustment  
 Planning and Economic Development Department  
 71 Main Street West, 5<sup>th</sup> Floor  
 Hamilton, Ontario  
 L8P 4Y5

RECEIVED

JAN 31 2020

PLANNING DEPARTMENT

Attn: Mr. Scott Baldry - Secretary-Treasurer

**Re: Recirculation of Severance Application HM/B-19:23  
 684 Beach Boulevard, Hamilton**

Dear Sir,

Further to my recent correspondence with Jamila Sheffield; please accept the attached materials in support of the recirculation of HM/B-19:23. The application has been slightly modified from what was originally submitted. The initial submission consisted of two severance applications, whereby the applicant proposed the creation of a total of 4 lots, with two fronting onto Beach Boulevard and two fronting onto Knapmans Drive. The revised submission now only contemplates one severance application and the creation of two lots along Knapmans Drive, with the retention of the existing lot and dwelling at 684 Beach Boulevard. This will create a total of 3 lots, which are shown as Parts 1, 2 and 3 on the revised Severance Sketch, which is concurrently submitted. In this revised Proposal, Part 2 will be severed, whilst Parts 1 and 3 will be retained. Details of the revised frontage and area for each of the proposed Parts is shown in the below table.

At the initial Committee of Adjustment Hearing, the Committee had some concern with respect to the  $\pm 2$ m road widening being requested along Knapmans Drive, which would further reduce the depth of the lots. The Committee was also concerned with the required 9.14 X 9.14m daylight triangle being requested at the intersection of Beach Boulevard and Knapmans Drive. The Applicant's agent has since submitted a Right-of-way Impact Assessment to City Transportation Staff for review. Staff have since confirmed that they will waive the required daylight triangle, and the required widening on Knapman's Drive. The correspondence between Staff and our office confirming same is also submitted.

Part Number	Lot Frontage (metres)	Lot Area (square metres)
<b>Part 1</b>	41.22 (Knapmans Drive)	561.04
<b>Part 2</b>	41.22 (Knapmans Drive)	556.50
<b>Part 3</b>	22.86 (Beach Boulevard)	803.81

The subject lands are an irregular "L" shaped lot with  $\pm 22.86$  metres of frontage along Beach Boulevard and 121.90 metres of flankage along Knapmans Drive. The lands are zoned as "C/S-1436" Urban Protected Residential Etc., with Site Specific Exception S-1436 also applicable to the subject lands (as implemented through By-law 99-170). This site specific exception provides regulations with respect to the finished floor elevation of any building, and certain lot standards



Attn: Mr. Scott Baldry  
 Re: Recirculation of Severance Application HM/B-19:23 – 684 Beach Boulevard

January 31<sup>st</sup>, 2020  
 Page 2 of 6

and regulations with respect to drainage and water flow.

All three of the resultant lots will be in conformity with the Zoning By-law with respect to the lot frontage and lot area requirements of the “C” Urban Protected Residential Etc, Zone. Although the lotting pattern is unconventional, the proposed lots would occupy the entire block along the south side of Knapmans Drive, south of Beach Boulevard; accordingly, there are no existing lots along this section of Knapmans Drive that establish a consistent lotting fabric. The only structure existing along the southern side of Knapmans Drive is the existing single detached dwelling at 684 Beach Boulevard. Accordingly, the proposed single detached dwellings on Parts 1 and 2 will establish a consistent streetscape character with respect to setbacks that is consistent with the existing dwelling at 684 Beach Boulevard.

The proposed lots are also oversized when analyzed in comparison to the minimum lot area requirements of the “C” District (360 m<sup>2</sup>). The proposed 13m side yard (westerly) will allow for ample amenity space and the proposed 4m rear yard (southerly) will provide ample building separation to adjacent development, and will not create any privacy/overlook concerns. These proposed yards will be legalized through the approval of a future Minor Variance Application, which will be obtained at the time of Site Plan Approval.

It is also important to note that the subject lands were previously subject to a Severance Application at 684 Beach Boulevard (HM/B-10:151), which proposed the creation of a total of three (3) lots of a similar size. The Severance Sketch for HM/B-10:151 is also concurrently submitted to demonstrate how the previous application and the subject application are almost identical. This application received a supportive Staff Report from City Staff and was subsequently approved by the Committee of Adjustment (Please refer to the concurrently submitted Decision HM/B-10:151, dated December 2<sup>nd</sup>, 2010). It is our understanding that although the consent received approval, the conditions associated with the approval were never cleared and the consent application therefore lapsed.

The subject application proposes the creation of the same number of lots, on the same lands, with similar resulting lot sizes as the approved application (HM/B-10:151).

It is also worth noting that this Application, as initially submitted, was supported by Staff through Staff Report HM/B-19:23.

### **Policy Consistency and Conformity**

Further to question 5.1 of the attached application form, the following is submitted:

*“Please provide an explanation of how the application conforms with a City of Hamilton Official Plan”*

The proposed development is located within the “Neighbourhoods” designation within the City’s Urban Hamilton Official Plan (UHOP). Section E.3.0 provides policies for lands designated “Neighbourhoods” on Schedule E-1 (Urban Land Use Designations). The designation is broadly supportive of the development of complete communities that are made up of more than just homes, but include a variety of land uses. The proposed development conforms to the applicable policies of the “Neighbourhoods” designation, as it is a permitted use and conforms to the “Neighbourhoods” policies related to function, scale and design.



In addition to the designation specific policies of the UHOP, the proposed severance applications are also evaluated against the lot creation policies of Section 1.14.3; and against the residential intensification policies of Section B.2.4 of the UHOP. Each of these sections is discussed in detail below:

#### *Residential Intensification*

The City's residential intensification policies state that 40% of the City's intensification target is to be accommodated within the "Neighbourhoods" designation (Pol. 2.4.1.3 c)). With respect to the evaluation criteria outlined in Policy 2.4.1.4, the proposed development is of compatible built form and character to surrounding single detached development and integrates well with surrounding development in terms of use, scale, form and character. The proposed development represents an innovative and creative design technique to compatibly and appropriately develop what would otherwise be underutilized, serviced lands within the urban boundary. Accordingly, the proposed development generally satisfies the criteria outlined in Policy 2.4.1.4.

Section 2.4.2 of the UHOP deals specifically with residential intensification within the "Neighbourhoods" designation. Policy 2.4.2.2 of the UHOP outlines further evaluation criteria for residential intensification with the "Neighbourhoods" designation. The proposed development is compatible with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic and other nuisance effect. The appropriate technical studies will be provided after conditional approval to satisfy the applicable City departments in this regard, prior to final approval. The proposed single detached dwellings will also similar in terms of height and density to the surrounding neighbourhood. Although the proposed lots are irregular in their layout, the surrounding neighbourhood supports lots of various sizes and orientations with no consistent established lotting pattern. The general size and area of the proposed lots is consistent with surrounding lotting patterns, and will create a consistent street setback along the southern side of Knapmans Drive. Further, the size of the lots and proposed building setbacks provides ample room for private amenity areas. It is noted that the proposed development is within a Cultural Heritage Landscape and future development will need to be designed accordingly to complement existing cultural heritage attributes of the neighbourhood, which can be further explored through the require Site Plan Application process. Accordingly, the proposed development satisfies the criteria outlined in Policy 2.4.2.2. The specific design of the proposed dwellings will be further explored through the Site Plan Application process.

#### *Lot Creation Policies*

Policy 1.14.3.1 outlines the evaluation criteria for new lots for residential uses in the "Neighbourhoods" designation. It states that they shall be permitted provided the following conditions are met:

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*

The proposed lots comply with the applicable policies of the Urban Hamilton Official Plan, as indicated above. The subject lands are not within a Secondary Plan area, per Volume 2 of the UHOP.



*b) The lots comply with existing Neighbourhood Plans;*

The subject lands are designated “1 & 2 Family Residential” within the Hamilton Beach Neighbourhood Plan. The proposed lots will each contain a single family detached dwelling. Accordingly, the proposed lots comply with the existing Neighbourhood Plan.

*c) The lots are in conformity with the Zoning By-law or a minor variance is approved;*

The proposed lots (Parts 1, 2 & 3) are in conformity with the Zoning By-law with respect to lot area and frontage. A Minor Variance is only required to implement the proposed development envelope. At the Site Plan stage, once the specific relief required is known, a subsequent Minor Variance will be brought forward to this Committee in order to legalize any zoning deficiencies.

*d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*

The general scale and character of the established development pattern varies significantly in the surrounding area. Lot widths vary significantly from  $\pm 9.15$  m, to  $\pm 33.5$  m. Lot areas also vary significantly from  $\pm 238$  m<sup>2</sup> to  $\pm 2000$  m<sup>2</sup>. The lot frontages and areas proposed are in keeping with the general range of nearby development and are compatible. The proposed development will conform to the applicable policies of the Zoning By-law (“C” District) with respect to building height, coverage and massing, and will therefore be consistent with nearby development.

With respect to setbacks, privacy and overview, the proposed development on Parts 1 and 2 will request reductions in the required front and rear yard setbacks through a future Minor Variance to be submitted at the Site Plan stage. The setbacks provided however, will provide appropriate separation between the proposed dwellings on Parts 1 & 2 and the rear amenity areas of the single detached dwellings fronting onto Wickman Avenue. This will mitigate any possible overlook or privacy impacts imposed on the rear yard amenity areas of the dwellings to the south. There is also ample amenity area in the westerly side yards to satisfy the demand of the proposed dwellings. The proposed front yard setback will establish a similar relationship to Knapmans Drive as the existing dwelling at 684 Beach Boulevard, and as the existing development along the north side of Knapman’s Drive, which primarily consists of smaller dwellings located close to the street. There is no other existing development along the south side of Knapmans Drive that establishes an appropriate relationship with the street. Accordingly, the lots reflect the general character of established development in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview. It is also noted that the proposed development is within a Cultural Heritage Landscape and the future dwellings will need to be designed accordingly, as determined at the Site Plan stage.

*e) The lots are fully serviced by municipal water and wastewater systems; and,*

According to the City of Hamilton’s online mapping system, municipal sanitary and water services are available along Knapmans Drive, and municipal storm sewers run along Beach Boulevard. The feasibility of servicing these lots with existing services will be confirmed through the detailed engineering design required at the Site Plan stage.





f) *The lots have frontage on a public road*

All of the proposed lots have frontage on either Beach Boulevard or Knapmans Drive.

*Provincial Policy*

Further to questions 7.1 a), b) & c) of the attached application form, the following is submitted:

*“Is this application consistent with the Policy Statements issued under subsection “2” of the Planning Act?”*

The proposed development has sufficient regard for the matter of provincial interest outlined in subsection 2 of the *Planning Act*.

*“Is this application consistent with the Provincial Policy Statement (PPS)?”*

This property is appropriate for development as it is within a settlement area as defined in the PPS, and settlement areas shall be the focus of growth. The subject lands are also within the built-up area and the proposed consent application will facilitate compatible residential intensification through infill development on full municipal water and wastewater services, and with frontage on a municipal road. Furthermore, the application is consistent with the PPS with respect to Section 3.1 - Natural Hazards; which directs development outside of the hazardous lands adjacent to the shorelines of the Great Lakes. As such, this application is consistent with the PPS.

*“Does this application conform to the Growth Plan for the Greater Golden Horseshoe?”*

The Growth Plan stresses the importance of optimizing the existing supply of land already within the built-up area for urban development (intensification) within the Greater Golden Horseshoe to avoid over-designating new land for future urban development. The proposal is consistent with the Growth Plan as it will encourage residential intensification through infill development and will optimize the use of existing infrastructure to support growth in a compact, compatible and efficient form. The proposed consent application is considered “gentle” intensification as it provides additional, compatible dwelling units within the urban boundary, while mitigating any potential adverse impacts on the surrounding neighbourhood. Both the severed and retained lands also have frontage onto a municipal public right-of-way. As such, the proposed development conforms to the P2G.

As required for the above-noted application, please find attached the following:

1. A recirculation fee in the amount of \$195.00.
2. Two (2) copies of an amended Page 2 and 3 of the Consent Application Form.
3. One (1) full size copy of the revised Severance Sketch to scale.
4. Two (2) copies of the revised Severance Sketch ch, reduced to 11x17.
5. One (1) copy of the Notice of Decision, Severance Sketch and Staff Report for previous Severance Application HM/B-10:151.
6. One (1) Copy of Staff Report HM/B-19:23.
7. One (1) Copy of correspondence from Transportation Planning re: the waiving of the



Attn: Mr. Scott Baldry  
Re: Recirculation of Severance Application HM/B-19:23 – 684 Beach Boulevard

January 31<sup>st</sup>, 2020  
Page 6 of 6

widening requirements along Knapman's Drive and the daylight triangle.

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

Spencer Skidmore RPP,MCIP  
Planner  
**A. J. Clarke and Associates Ltd.**

Encl.

Copy: Mr. Kyle Camarro



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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:10

SUBJECT PROPERTY: 2804 King St. E., Hamilton

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

**APPLICANT(S):** Owner: Tamlann Investments Ltd.  
Agent: T. Johns Consulting Group c/o Katelyn Gills

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land to be added to a property at the corner of Vienna St. and Greenhill Ave. (as shown on the attached sketch).

**Severed lands:**  
4.5m<sup>±</sup> x 5.8m<sup>±</sup> and an area of 37.9m<sup>2</sup>±

**Retained lands:**  
26.3m<sup>±</sup> x 56.4m<sup>±</sup> and an area of 3,310.2m<sup>2</sup>±

The Committee of Adjustment will hear this application on:

**DATE:** Thursday, June 25th, 2020  
**TIME:** 3:05 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

### 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

.../2

HM/B-20:10  
Page 2

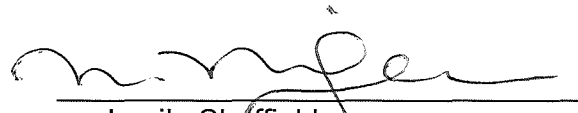
*to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

**MORE INFORMATION**

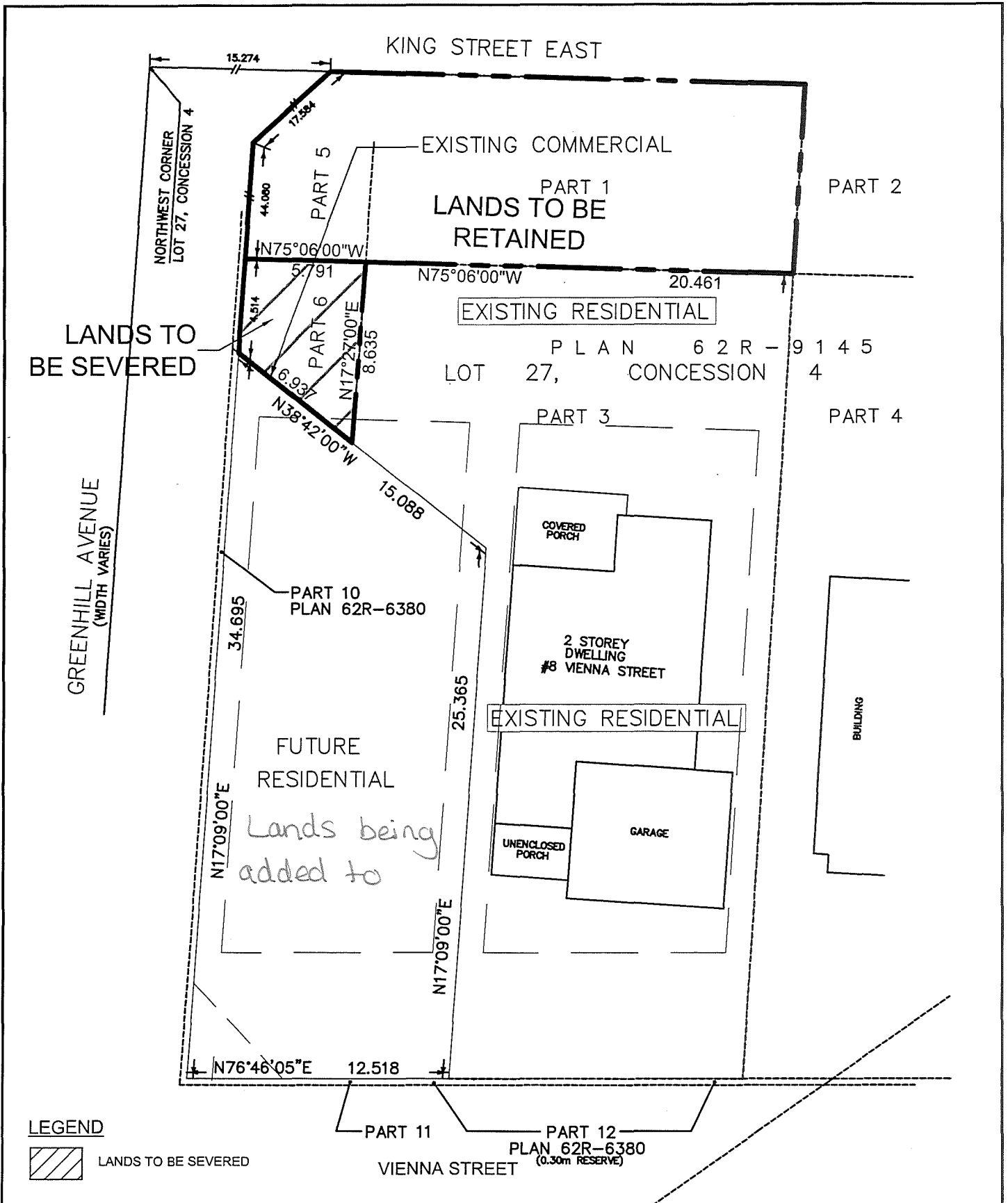
For more information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020

  
\_\_\_\_\_  
Jamila Sheffield,  
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.***



<p>DISCLAIMER THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT. ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.</p>	<p>T. JOHNS CONSULTING GROUP URBAN PLANNERS   DESIGN   PROJECT MANAGEMENT</p> <p>310 LIMERIDGE ROAD WEST, SUITE 6 HAMILTON ONTARIO, L9C 2V2</p> <p>P 905-574-1993 F 905-527-8558</p>	<p>PROJECT TITLE</p> <p>2804 KING STREET EAST</p> <p>HAMILTON, ONTARIO</p>	<p>DRAWING TITLE</p> <p>CONSENT SKETCH 2</p>	<p>DRAWN BY</p> <p>JB</p>	<p>DESIGNED BY</p> <p>JB</p>
				<p>PRINT DATE</p> <p>02-DEC-2019</p>	<p>PROJECT NUMBER</p> <p>16701</p>
				<p>REVISION</p> <p>A</p>	<p>DRAWING NUMBER</p> <p>CS2-1</p>
				<p>SCALE</p> <p>1:250</p>	

Plotted by: Jennifer Badley; 02-DEC-2019; 11:41AM

HM/B - 20:10

Sketch





**Hamilton**

Planning and Economic Development Department  
 Planning Division

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

Phone (905) 546-2424, ext. 4221  
 Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
 UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received: <i>Jan. 28 2020</i>	Date Application Deemed Complete:	Submission No.: <i>Hm/B-20:10</i>	File No.:
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**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Tamlann Investments Ltd.		
<b>Applicant(s)*</b>	Tommar Construction Co. Limited		
<b>Agent or Solicitor</b>	T. Johns Consulting Group		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality	Lot Part of Lot 27	Concession Concession 4	Former Township Saltfleet
Registered Plan N°. 62R-9145	Lot(s) 27	Reference Plan N°.	Part(s) Part 6
Municipal Address 2804 King St. East			Assessment Roll N°. 05052100340

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:

0.3m Reserve

**3 PURPOSE OF THE APPLICATION**

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other:  a charge
- a lease
- a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot  
 creation of a new non-farm parcel  
 ( i.e. a lot containing a surplus farm dwelling  
 resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Tommar Construction Co. Limited

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

2798 King Street East

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION****4.1 Description of land intended to be Severed:**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
±4.5 m	±5.8 m	±37.9 sq m

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential (Lands will be part of rear yard)  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: Vacant

Proposed: Residential Unit - Single Detached

Type of access: (check appropriate box)

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

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) \_\_\_\_\_

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) \_\_\_\_\_

**4.2 Description of land intended to be Retained:**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
±26.3 m	±56.4 m	±3,310.2 sq m

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant





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 checked="" type="checkbox"/>	Vet Clinic, Gas Station, Retail
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Landowner and applicant knowledge, existing condition of lands to be retained. Lands to be severed have not been included in commercial development and remained landscaped and vacant.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No      Lands to be severed have not been included in commercial development and remained landscaped and vacant.

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes       No

Represents good land use planning, providing an appropriate residential use that does not over intensify.

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b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes       No      (Provide explanation)

This application is consistent with the Provincial Policy Statement, in that growth is directed to Settlement Areas adjacent to existing development

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c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes       No      (Provide explanation)

This application is consistent with the Growth Plan, in that the site is located in Built-Up area which is already serviced and within walking distance to a major transit corridor, and contributes to achieving growth targets.

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d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes       No

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e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes       No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes       No

(Provide Explanation)

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f) Are the subject lands subject to the Parkway Belt West Plan?

Yes       No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes       No      (Provide Explanation)

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g) Are the subject lands subject to the Greenbelt Plan?

Yes       No

If yes, does this application conform with the Greenbelt Plan?

Yes       No      (Provide Explanation)

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- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

#### f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

## b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

## d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004       After December 16, 2004

## e) Condition of surplus farm dwelling:

 Habitable       Non-Habitable

## f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Lands to be severed subject to Zoning By-law Amendment application (ZAR-19-037) with subject lands being designated C/S-1790. Approved pending appeal period.

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**12 SKETCH (Use the attached Sketch Sheet as a guide)**

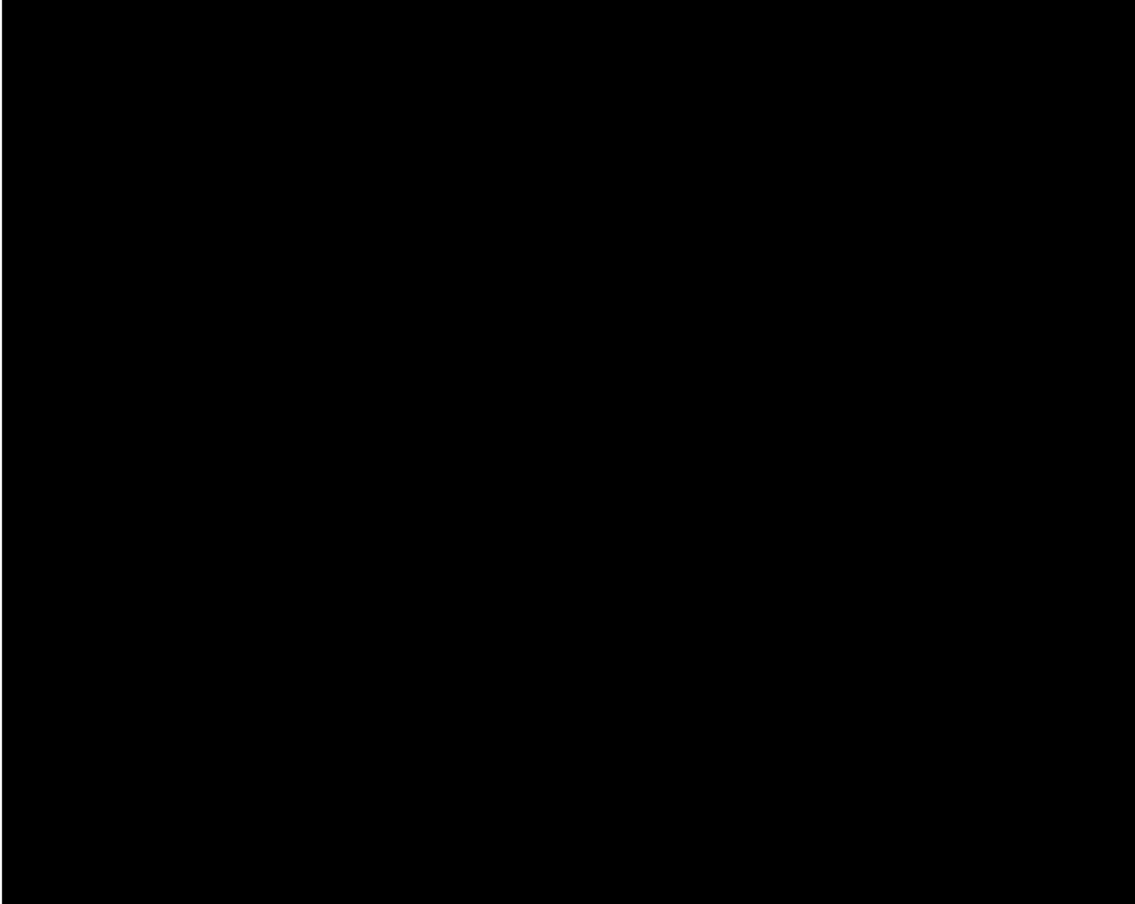
12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

- road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.



15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, Tamlann Investments Ltd., am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize T. Johns Consulting Group Ltd., as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Jan 24 2020  
Date

[Redacted Signature]  
Signature of Owner

**16 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Tamlann Investments Ltd., the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Jan 24, 2020  
Date

  
Signature of Owner

**17 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext.1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

**APPLICANT'S CHECKLIST**

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. ( **A cheque or money order payable to the City of Hamilton** )



January 28, 2020

**Via Hand Delivery**

City of Hamilton  
Committee of Adjustment  
71 Main Street West, 4<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

ATTENTION: Scott Baldry

Dear Mr. Baldry,

**RE: 2798 King Street East & Part of 2804 King Street East & Part of 8 Vienna Street, Hamilton  
Application for Consent**

---

T. Johns Consulting Group Ltd. has been retained by the landowners of the above-referenced lands to submit Consent applications on their behalf.

The landowner is proposing to construct a single-detached dwelling facilitated through two (2) consent to sever applications to assemble lands made up of part of 2798 King Street East, Part of 2804 King Street East & Part of 8 Vienna Street.

The subject properties were subject to a Zoning By-law amendment which has obtained approvals and Council passed Zoning By-law No. 19-276 on November 13, 2019. The Notice of Passing of the By-law has been submitted with the application(s).

T. Johns Consulting Group Ltd. respectfully requests for the circulation of this letter along with the following enclosed documents in support of the consent applications:

- Two (2) copies of the completed application form (for each application);
- Three (3) copies of the Consent Sketches;
- Required fee (for 2 consent applications)

We trust this package is complete. Should you have any questions, please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207.

Respectfully submitted,  
T. Johns Consulting Group Ltd.

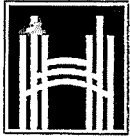


**Katelyn Gillis, BA**  
Planner



**Diana Morris, BA, MCIP, RPP**  
Senior Planner

Cc: Mr. Tom Cochren, Tommar Construction Ltd.



Hamilton

Daniel Barnett  
5<sup>th</sup> Floor  
City Hall

Page 349 of 467  
of the City Clerk  
on, ON L8P 4Y5  
x: 905-546-2095  
RECEIVED  
NOV 22 2019

**NOTICE OF THE PASSING OF A ZONING BY-LAW BY THE CITY OF HAMILTON**

**TAKE NOTICE THAT** the City of Hamilton Council passed **Zoning By-law No. 19-276** on the 13<sup>th</sup> day of November, 2019 under Section 34 of the Planning Act, R.S.O. 1990, c. P.13. The municipal address of the subject property is 2798 and 2804 King Street East and 8 Vienna Street, Hamilton.

**AND TAKE NOTICE THAT** *there were no public submissions received on this matter.*

**AND TAKE NOTICE THAT** any person or agency who objects to Zoning By-law No 19-276 may appeal the decision of Council to the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board), by filing with the Clerk of the City of Hamilton, not later than the 12<sup>th</sup> day of **December, 2019** a certified cheque or money order in the amount of \$300.00, payable to the Minister of Finance, Province of Ontario. A completed Notice of Appeal form setting out the reasons for the appeal of the amendments is required to be accompanied with the Local Planning Appeal Tribunal fee. Appeal forms are available on the ELTO website <http://elto.gov.on.ca/>.

**PLEASE NOTE: IF YOU HAVE NO OBJECTION TO THE BY-LAW, YOU DO NOT NEED TO TAKE ANY ACTION, AND YOU DO NOT NEED TO SEND ANY CHEQUE.**

**AND TAKE NOTICE THAT** the decision by Council on the Zoning By-law is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Only Individuals, Corporations and Public Bodies may appeal a Zoning By-Law to the Local Planning Appeal Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the Zoning By-law, describing the lands to which the Zoning By-law applies, and a key map of the affected lands, are attached. The complete by-law is available for inspection during regular office hours. If you have any questions, please call Lisa Chamberlain at 905 546 2424 extension 4605. Appeals should be submitted to: City Clerk, City of Hamilton, 71 Main Street West, 1<sup>st</sup> floor, Hamilton, Ontario, L8P 4Y5.

**DATED** at the City of Hamilton  
this 22<sup>nd</sup> day of November, 2019

Andrea Holland, City Clerk  
City Hall, Hamilton, Ontario

**EXPLANATION OF THE PURPOSE AND EFFECT OF**  
**BY-LAW NO. 19-276**

1. The purpose of By-law No. 19-276 is for a change in zoning from the "AA" (Agricultural) District to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified and for a change in zoning from the "C" (Urban Protected Residential, Etc.) District to the "C/S-1790" (Urban Protected Residential, Etc.) District, to facilitate a future consent application to construct a single detached dwelling.

The change in zoning includes the following modification:

- To permit a minimum 41% front yard landscape area.
2. Only the properties referred to above and shown on the attached map are affected by the By-laws. However, all owners of property within 120 metres (400 feet) of the property affected by the By-law are required to be notified.

\_\_\_\_\_  
City Clerk  
City Hall, Hamilton, Ontario

ZAR-19-037



# Key Map

## to By-law No. 19-276

### Subject Property

2798 & 2804 King Street East & 8 Vienna Street



**Block 1** - Change in Zoning from the "AA" (Agricultural) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified



**Block 2** - Change in Zoning from the "C" (Urban Protected Residential, Etc.) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified

Scale:  
N.T.S.

File Name/Number:  
ZAR-19-037

Date:  
Sept. 25, 2019

Planner/Technician:  
DB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT





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 Fax (905) 546-4202

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

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:09

SUBJECT PROPERTY: 8 Vienna St., Hamilton

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

APPLICANT(S): Owner: Milan & Milena Coric  
Agent: T. Johns Consulting Group c/o Katelyn Gills

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be added to a property at the corner of Vienna St. and Greenhill Ave. (as shown on the attached sketch).

**Severed lands:**

6.7m<sup>±</sup> x 8.6m<sup>±</sup> and an area of 74.4m<sup>2±</sup>

**Retained lands:**

14.0m<sup>±</sup> x 38.4m<sup>±</sup> and an area of 535.7m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

DATE: Thursday, June 25th , 2020  
 TIME: 2:55 p.m.  
 PLACE: Via video link or call in (see attached sheet for details)  
 To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

### 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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**Important note:** If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

HM/B-20:09  
Page 2

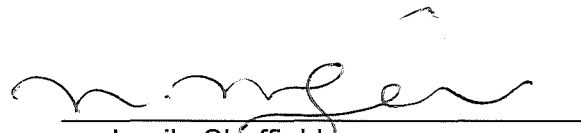
*to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

**MORE INFORMATION**

For more information on this application, including access to drawings illustrating this request:


- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: March 3<sup>rd</sup>, 2020



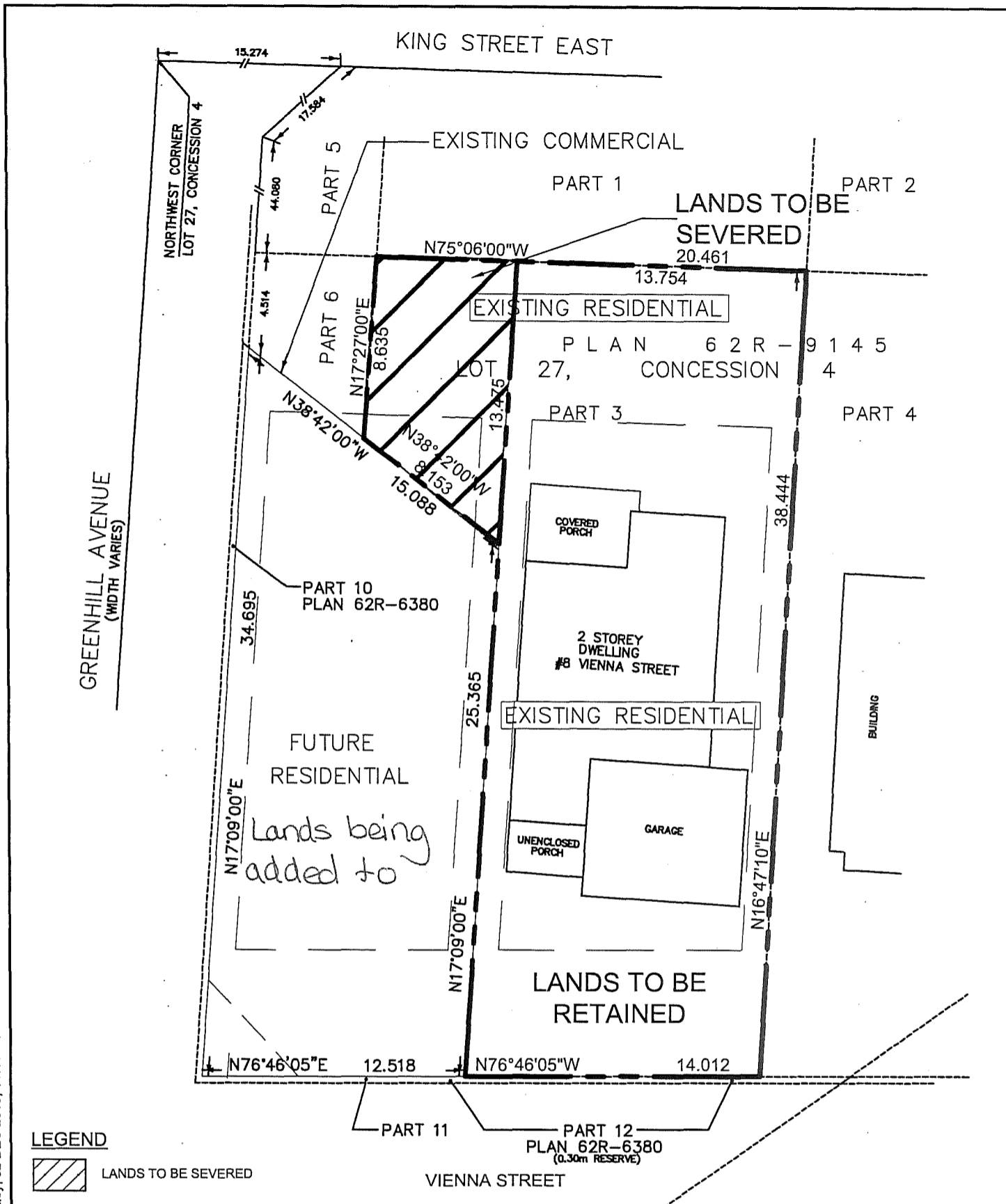
---

Jamila Sheffield,  
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.***





**LEGEND**

 LANDS TO BE SEVERED

**DISCLAIMER**  
 THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.  
 ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.  
 THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

**T. JOHNS CONSULTING GROUP**  
 310 LIMERIDGE ROAD WEST, SUITE 8  
 HAMILTON ONTARIO, L9C 2V2  
 P 905-574-1993  
 F 905-527-9558

**PROJECT TITLE**  
 8 VIENNA STREET  
 HAMILTON, ONTARIO

**DRAWING TITLE**  
 CONSENT SKETCH 1

<b>DRAWN BY</b> JB	<b>DESIGNED BY</b> JB
<b>PRINT DATE</b> 02-DEC-2019	<b>PROJECT NUMBER</b> 16701
<b>REVISION</b> A	<b>DRAWING NUMBER</b> CS1-1
<b>SCALE</b> 1:250	

Plotted by: Jennifer Badley; 02-DEC-2019; 11:41AM

Hm/B 20:09  
 Sketch



20-149641



Hamilton

Planning and Economic Development Department  
Planning Division

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

Phone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND  
UNDER SECTION 53 OF THE *PLANNING ACT***

Office Use Only

Date Application Received: Jan. 28 2020	Date Application Deemed Complete:	Submission No.: HM/B-20:	File No.: 09
--	-----------------------------------	-----------------------------	-----------------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Milan & Milena Coric		
<b>Applicant(s)*</b>	Tommar Construction Co. Limited		
<b>Agent or Solicitor</b>	T. Johns Consulting Group		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality	Lot Part of Lot 27	Concession Concession 4	Former Township Saltfleet
Registered Plan N°. 62R-9145	Lot(s) 27	Reference Plan N°.	Part(s) Part 3
Municipal Address 8 Vienna St Hamilton, ON L8G 4R3			Assessment Roll N°. 05052100230

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 addition to a lot  
 an easement

- Other:  a charge  
 a lease  
 a correction of title

b) **Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):**

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot  | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a correction of title |
|   | <input type="checkbox"/> an easement           |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Tommar Construction Co. Limited

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

2798 King Street East

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**:

Frontage (m) ±6.7	Depth (m) ±8.6	Area (m <sup>2</sup> or ha) ±74.4
----------------------	-------------------	--------------------------------------

Existing Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Building(s) or Structure(s):

Existing: Single Detached Dwelling

Proposed: Residential - Single Detached Dwelling

Type of access: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> provincial highway                             | <input type="checkbox"/> right of way      |
| <input type="checkbox"/> municipal road, seasonally maintained          | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year |  |

Type of water supply proposed: (check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body    |
| <input type="checkbox"/> privately owned and operated individual well              | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- |  |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system         |
| <input type="checkbox"/> other means (specify) _____                                   |

4.2 Description of land intended to be **Retained**:

Frontage (m) ±14.0	Depth (m) ±38.4	Area (m <sup>2</sup> or ha) ±535.7
-----------------------	--------------------	---------------------------------------

Existing Use of Property to be retained:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be retained:

- Residential
  Industrial
  Commercial  
 Agriculture (includes a farm dwelling)
  Agricultural-Related
  Vacant  
 Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: One (1) single detached dwelling

Proposed: N/A

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
  lake or other water body  
 privately owned and operated individual well
  other means (specify) \_\_\_\_\_

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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application is aligned with the intent of the Urban Hamilton Official Plan Neighbourhoods designation in that the proposal maintains the existing neighbourhood character with an appropriate low-density built form.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "C" Urban Protected Residential with the severed portion council approved C/S-1790 (ZAR-19-037)

5.3 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)
<b>An agricultural operation, including livestock facility or stockyard</b>	<input type="checkbox"/>	

<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential                       Industrial                       Commercial  
 Agriculture                       Vacant                       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Lands are adjacent to gas station but are developed for residential. Landowner/applicant knowledge.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes                       No

Represents good land use planning, providing an appropriate residential use that does not over intensify the subject lands.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the Provincial Policy Statement, in that growth is directed to Settlement Areas adjacent to existing development

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

This application is consistent with the Growth Plan, in that the site is located in Built-Up area which is already serviced and within walking distance to a major transit corridor, and contributes to achieving growth targets.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

If yes, does this application conform with the Greenbelt Plan?

Yes  No (Provide Explanation)





Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

d) 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)
----------------------------------	---

Front yard set back: \_\_\_\_\_

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable  Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

## b) Description of non-abutting farm

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

## d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004       After December 16, 2004

## e) Condition of surplus farm dwelling:

 Habitable       Non-Habitable

## f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Lands to be severed subject to Zoning By-law Amendment application (ZAR-19-037) with  
subject lands being designated C/S-1790. Approved pending appeal period.

---



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**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

road or a right of way;

(h) the location and nature of any easement affecting the subject land.

**13 ACKNOWLEDGEMENT CLAUSE**

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Dec 10, 2019

Date

X  
\_\_\_\_\_  
Sig  
X

**14 AFFIDAVIT OR SWORN DECLARATION**

14.1 Declaration For the Prescribed Information

[REDACTED]

**15 AUTHORIZATIONS**

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

**Authorization of Owner for Agent to Provide Personal Information**

I, MILANA MILENA COZIĆ, am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize T. Johns Consulting as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

DEC 10 2019

Date

X  
\_\_\_\_\_  
Signature of Owners  
\_\_\_\_\_



January 28, 2020

**Via Hand Delivery**

City of Hamilton  
Committee of Adjustment  
71 Main Street West, 4<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

ATTENTION: Scott Baldry

Dear Mr. Baldry,

**RE: 2798 King Street East & Part of 2804 King Street East & Part of 8 Vienna Street, Hamilton  
Application for Consent**

---

T. Johns Consulting Group Ltd. has been retained by the landowners of the above-referenced lands to submit Consent applications on their behalf.

The landowner is proposing to construct a single-detached dwelling facilitated through two (2) consent to sever applications to assemble lands made up of part of 2798 King Street East, Part of 2804 King Street East & Part of 8 Vienna Street.

The subject properties were subject to a Zoning By-law amendment which has obtained approvals and Council passed Zoning By-law No. 19-276 on November 13, 2019. The Notice of Passing of the By-law has been submitted with the application(s).

T. Johns Consulting Group Ltd. respectfully requests for the circulation of this letter along with the following enclosed documents in support of the consent applications:

- Two (2) copies of the completed application form (for each application);
- Three (3) copies of the Consent Sketches;
- Required fee (for 2 consent applications)

We trust this package is complete. Should you have any questions, please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207.

Respectfully submitted,  
T. Johns Consulting Group Ltd.

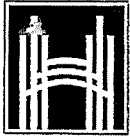


**Katelyn Gillis, BA**  
Planner



**Diana Morris, BA, MCIP, RPP**  
Senior Planner

Cc: Mr. Tom Cochren, Tommar Construction Ltd.



Hamilton

Daniel Barnett  
5<sup>th</sup> Floor  
City Hall

Page 369 of 467  
of the City Clerk  
on, ON L8P 4Y5  
x: 905-546-2095  
RECEIVED  
NOV 22 2019

**NOTICE OF THE PASSING OF A ZONING BY-LAW BY THE CITY OF HAMILTON**

**TAKE NOTICE THAT** the City of Hamilton Council passed **Zoning By-law No. 19-276** on the 13<sup>th</sup> day of November, 2019 under Section 34 of the Planning Act, R.S.O. 1990, c. P.13. The municipal address of the subject property is 2798 and 2804 King Street East and 8 Vienna Street, Hamilton.

**AND TAKE NOTICE THAT** *there were no public submissions received on this matter.*

**AND TAKE NOTICE THAT** any person or agency who objects to Zoning By-law No 19-276 may appeal the decision of Council to the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board), by filing with the Clerk of the City of Hamilton, not later than the 12<sup>th</sup> day of **December, 2019** a certified cheque or money order in the amount of \$300.00, payable to the Minister of Finance, Province of Ontario. A completed Notice of Appeal form setting out the reasons for the appeal of the amendments is required to be accompanied with the Local Planning Appeal Tribunal fee. Appeal forms are available on the ELTO website <http://elto.gov.on.ca/>.

**PLEASE NOTE: IF YOU HAVE NO OBJECTION TO THE BY-LAW, YOU DO NOT NEED TO TAKE ANY ACTION, AND YOU DO NOT NEED TO SEND ANY CHEQUE.**

**AND TAKE NOTICE THAT** the decision by Council on the Zoning By-law is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Only Individuals, Corporations and Public Bodies may appeal a Zoning By-Law to the Local Planning Appeal Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the Zoning By-law, describing the lands to which the Zoning By-law applies, and a key map of the affected lands, are attached. The complete by-law is available for inspection during regular office hours. If you have any questions, please call Lisa Chamberlain at 905 546 2424 extension 4605. Appeals should be submitted to: City Clerk, City of Hamilton, 71 Main Street West, 1<sup>st</sup> floor, Hamilton, Ontario, L8P 4Y5.

**DATED** at the City of Hamilton  
this 22<sup>nd</sup> day of November, 2019

Andrea Holland, City Clerk  
City Hall, Hamilton, Ontario

**EXPLANATION OF THE PURPOSE AND EFFECT OF**  
**BY-LAW NO. 19-276**

1. The purpose of By-law No. 19-276 is for a change in zoning from the "AA" (Agricultural) District to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified and for a change in zoning from the "C" (Urban Protected Residential, Etc.) District to the "C/S-1790" (Urban Protected Residential, Etc.) District, to facilitate a future consent application to construct a single detached dwelling.

The change in zoning includes the following modification:

- To permit a minimum 41% front yard landscape area.
2. Only the properties referred to above and shown on the attached map are affected by the By-laws. However, all owners of property within 120 metres (400 feet) of the property affected by the By-law are required to be notified.

\_\_\_\_\_  
City Clerk  
City Hall, Hamilton, Ontario

ZAR-19-037



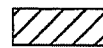


# Key Map

## to By-law No. 19-276

### Subject Property

2798 & 2804 King Street East & 8 Vienna Street



**Block 1** - Change in Zoning from the "AA" (Agricultural) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified



**Block 2** - Change in Zoning from the "C" (Urban Protected Residential, Etc.) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified

Scale:  
N.T.S.

File Name/Number:  
ZAR-19-037

Date:  
Sept. 25, 2019

Planner/Technician:  
DB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** HM/A-20:40

**APPLICANTS:** Charlie Chiarelli agent on behalf of the owner Lisa Hori

**SUBJECT PROPERTY:** Municipal address **73 Cannon St. E., City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** "H" (Community Shopping and Commercial and etc.) district

**PROPOSAL:** To recognize an existing accessory building having 94.0 square metres of gross floor area, notwithstanding that:

1. The maximum height of an accessory building shall be 4.7 metres instead of the required 4.0 metre maximum height.

**NOTES:**

1. The accessory building was initially addressed as a Minor Site Plan application in 2010 under Application MDA-10-037 because it had been constructed without a building permit. To date, a building permit continues to be outstanding.
2. The variance is written as requested by the applicant and is required in order to facilitate the use of the property for future commercial purposes.
3. Eaves and gutters for the existing accessory building are permitted to project a maximum of one-half of the width of the westerly side yard which is 0.32m, or additional variances shall be required.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 3:00p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**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, including deadlines for submitting to be seen by the Committee.

HM/A-20:40

Page 2


**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### **MORE INFORMATION**

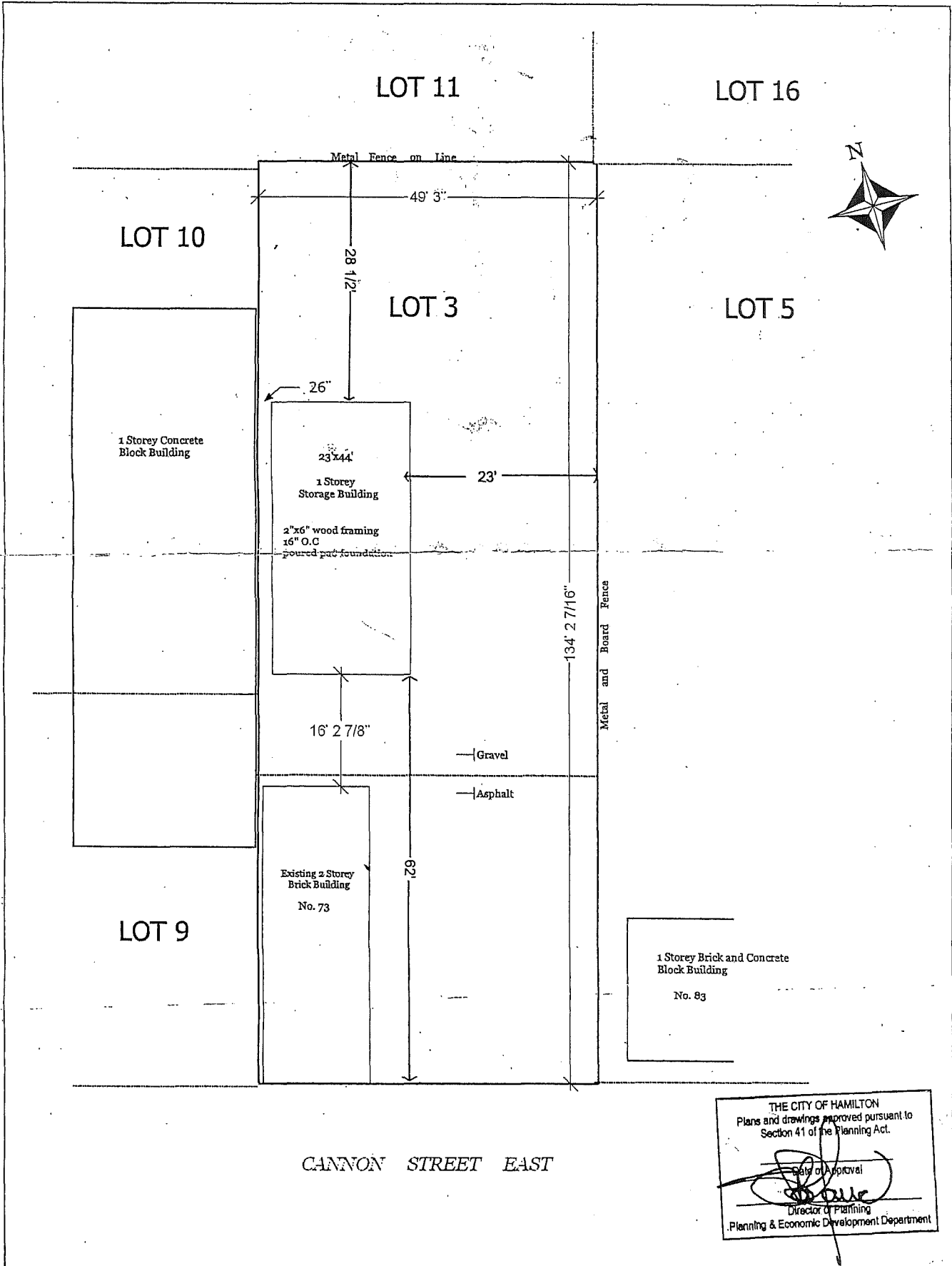
For more information on this matter, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

  
Jamila Sheffield,  
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.***



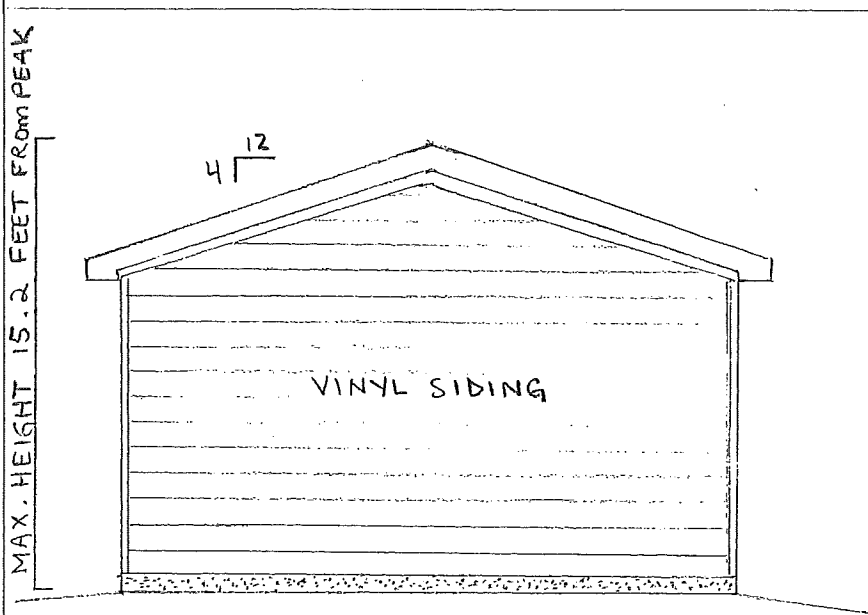
CANNON STREET EAST

THE CITY OF HAMILTON  
 Plans and drawings approved pursuant to  
 Section 41 of the Planning Act.  
 [Signature]  
 Director of Planning  
 Planning & Economic Development Department

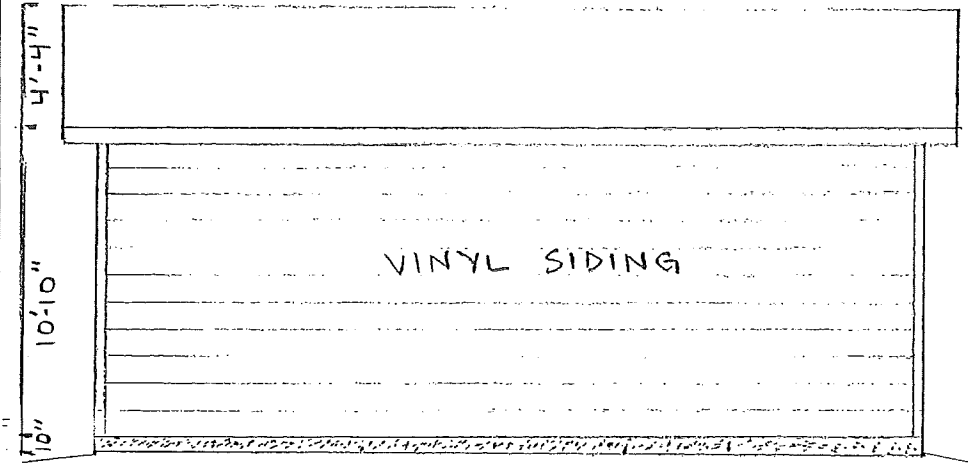
	MDA-10-037 Detached Garage Plan				A 001
	No. 73 Cannon Street East	REVISIONS			
		MM/DD/YY	REMARKS		
		1			
		2			
		3			
		4			
		5			

Am/A 20:40  
 Sketch 1

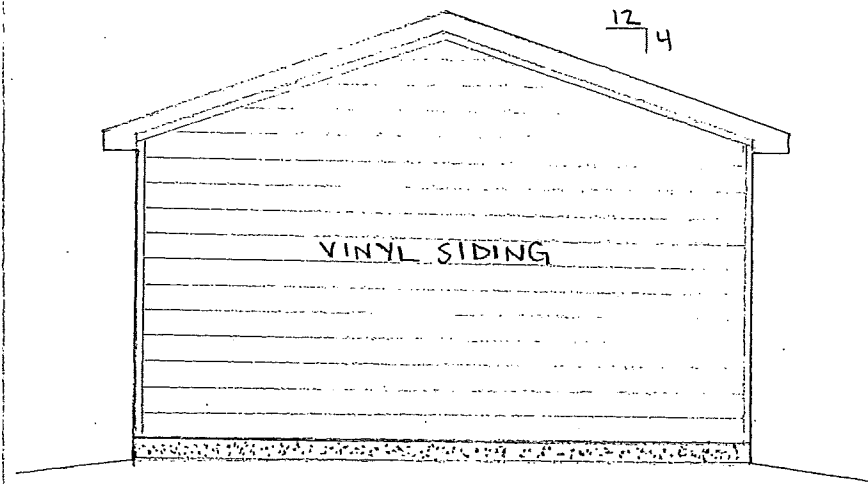
Hm/A 20:40  
Sketch &



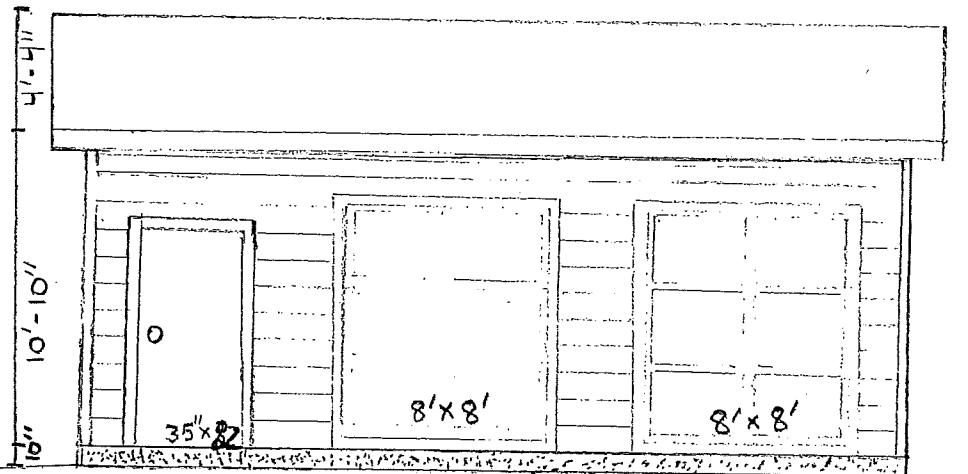
RIGHT ELEVATION



REAR ELEVATION

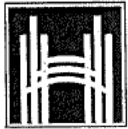


LEFT ELEVATION



FRONT ELEVATION

20-149910



Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A-20:40</u>	DATE APPLICATION RECEIVED <u>Jan. 30/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Lisa Hori Telephone No.
- 
- Name of Agent Charlie Chiarelli Telephone No.
- 

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

To allow an accessory structure to remain having a height of 15.2ft where 13ft is required.

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

Existing.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

73 Cannon St E

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
 Agricultural  Vacant   
 Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

Grocery store

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No  Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

General Knowledge.  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan 30, 2020  
Date

  
Signature Property Owner

Lisa Hori  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 49.25 FT.  
Depth 136.41 FT.  
Area 6,636.7 Square ft.  
Width of street 20 METERS.

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: See attached sketch.  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Existing: See attached sketch.  
\_\_\_\_\_  
\_\_\_\_\_

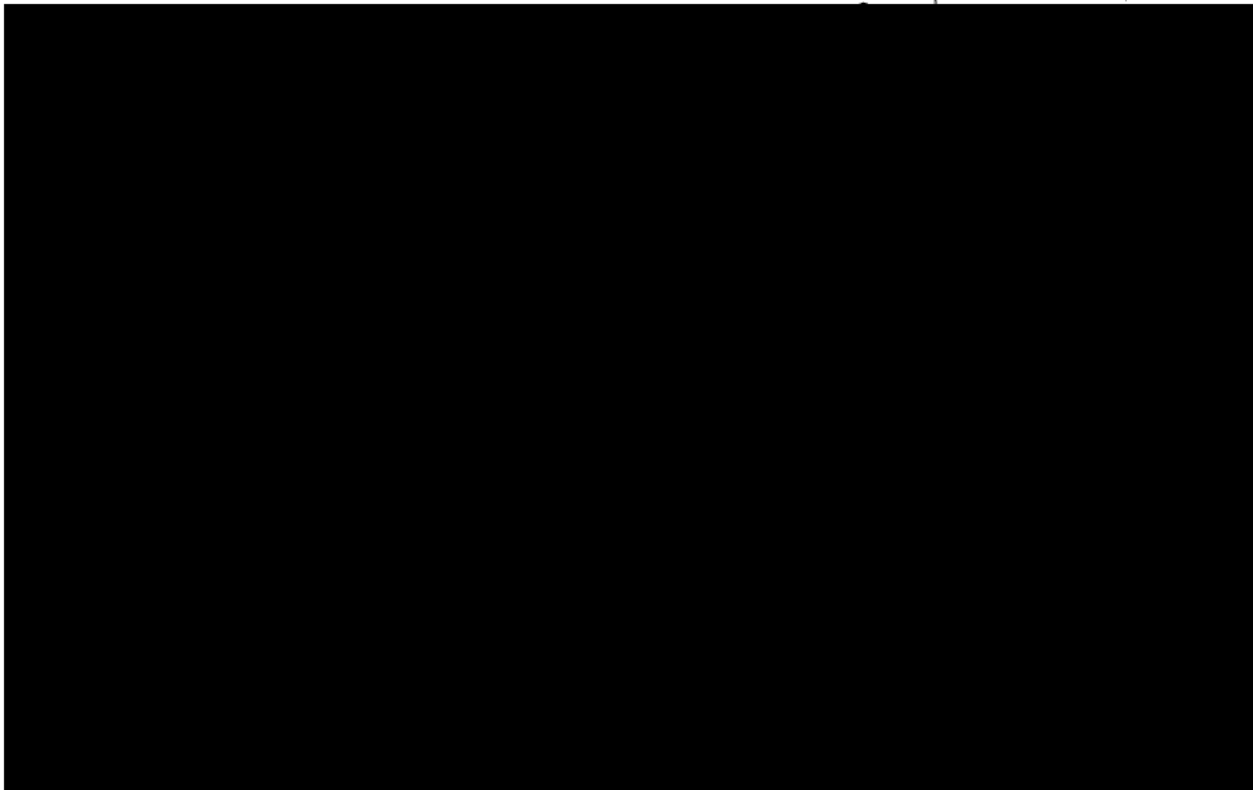
Proposed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Date of acquisition of subject lands:  
OCTOBER 15, 2008.
14. Date of construction of all buildings and structures on subject lands:  
AUGUST 2010.
15. Existing uses of the subject property: Garage
16. Existing uses of abutting properties: Auto mechanics, city park.
17. Length of time the existing uses of the subject property have continued:  
Unknown
18. Municipal services available: (check the appropriate space or spaces)  
 Water ✓ Connected ✓  
 Sanitary Sewer ✓ Connected ✓  
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Downtown mixed use.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
H in by-law 6593
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Lisa Hori am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Charlie Chiarelli of Hamilton

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE Jan 30, 2020 SIGNED 

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Lisa Hori, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Jan 30, 2020   
Date Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: JANUARY 30<sup>th</sup> / 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;  
Re: Application to Committee of Adjustment

Location of Land: 73 CANNON ST EAST, HAMILTON, ONTARIO  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

CHARLIE CHIARELLI

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** HM/A-20:36

**APPLICANTS:** Owner: Jakob & Lorie Koch

**SUBJECT PROPERTY:** Municipal address **66 Oak Knoll Dr., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** C/S-1361 & C/S-1788 district (Urban Protected Residential)

**PROPOSAL:** To permit the construction of a 26.0m<sup>2</sup>, one storey addition in the rear yard of the existing single family dwelling notwithstanding that:

1. A rear yard depth of 4.5m shall be provided instead of the minimum required rear yard depth of 7.5m.

**NOTES:**

- i. The owner shall ensure that the dwelling does not exceed a floor area ratio of 0.45 of the total lot area. If compliance with this provision cannot be achieved, further variances may be required.
- ii. Please be advised that parking for a single family dwelling is required to be provided at a rate of two (2) parking spaces for the first eight habitable rooms, plus an additional 0.5 spaces for each additional habitable room. Insufficient information has been provided to confirm the number of habitable rooms existing within the single detached dwelling. As such, the total number of required parking spaces cannot be determined at this time. Further variances will be required if the minimum number of required parking spaces cannot be provided on site and in accordance with Section 18A of Hamilton Zoning By-law 6593.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 3:05p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

HM/A-20:36  
PAGE 2

## 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, including deadlines for submitting to be seen by the Committee.


**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

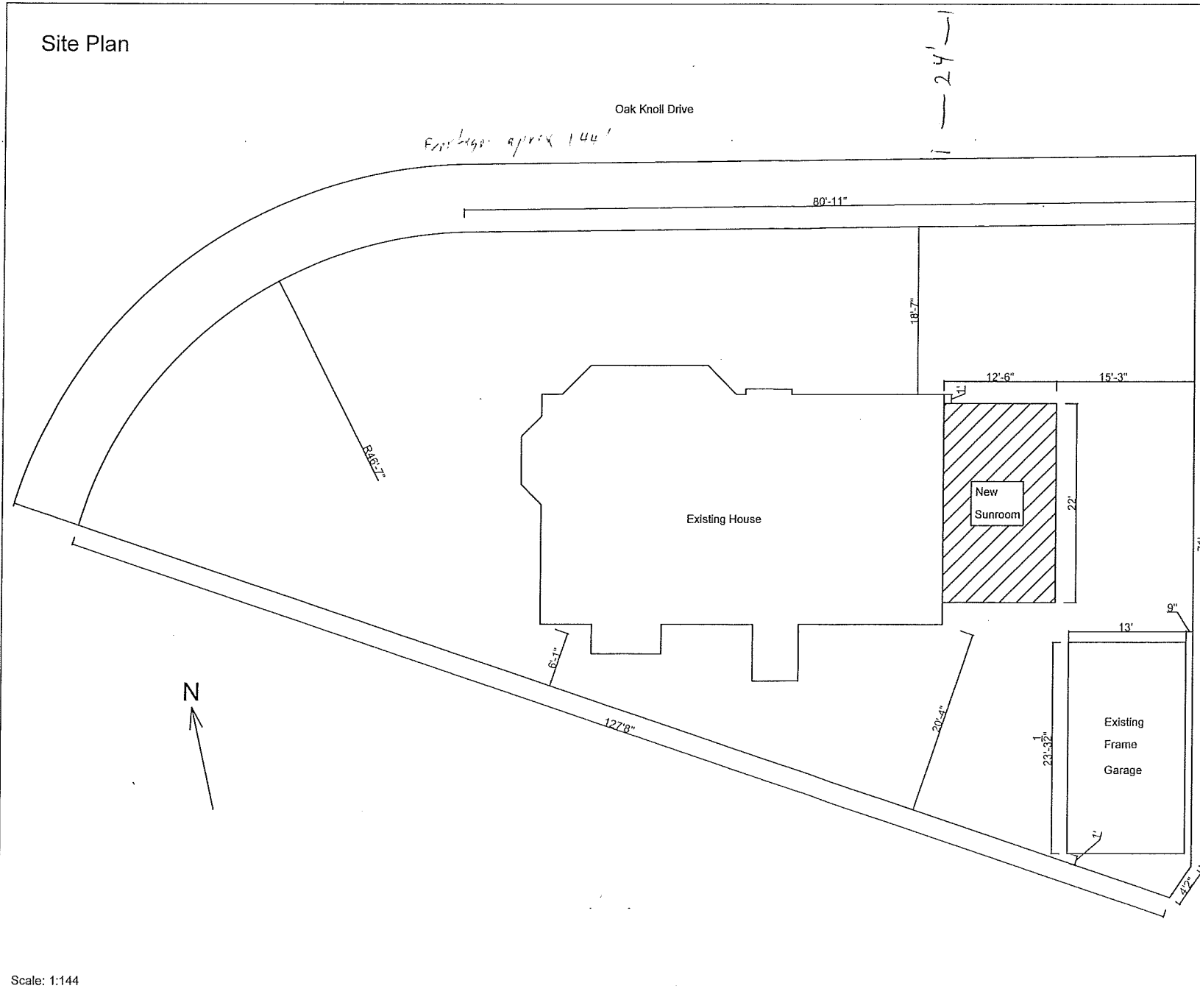
DATED: June 9th, 2020.



Jamila Sheffield,  
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.***

Site Plan



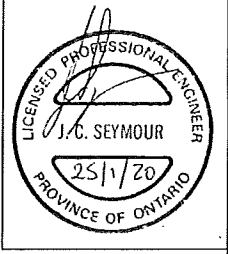
SKETCH  
Hm/A  
20:36

Notes

Construct new frame sunroom as per plans.  
Contractor to confirm all dimensions prior to starting work.

Issued for Permit: January 25, 2020

Seymour Home Consulting, Inc.  
4380 Harvester Road, Unit 3, Burlington, ON L7L 4X4 905-634-1414



Sunroom Addition

66 Oak Knoll Drive, Hamilton, Ontario

Drawn by: Joe Seymour P. Eng.

January 25, 2020

Dwg. 1 of 1







Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

RECEIVED  
JAN 28 2020  
COM OF ADJUSTMENT


FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:36</u>	DATE APPLICATION RECEIVED <u>Jan. 28/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

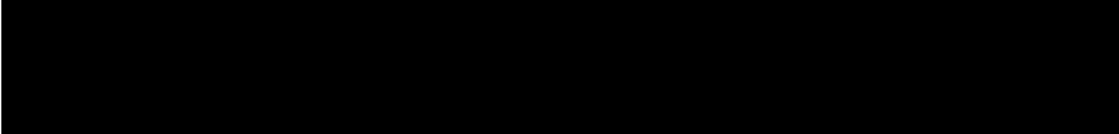
CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner JAKOB E. KOCH Telephone No.   
LORIE A. KOCH

2. 

3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_

FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

4. Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

MANULIFE BANK

Postal Code \_\_\_\_\_

Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

REDUCE REAR YARD SETBACK  
From 24-61' to 15-3'

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

IRREGULAR LOT

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

66 OAK KNOLL DRIVE, HAMILTON, ON

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
Agricultural  Vacant   
Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use  
\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No  Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

HISTORICAL RECORDS FROM CITY  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes \_\_\_ No \_\_\_

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

28 JAN. 2020  
Date



Signature Property Owner

JAKOB E. KOCH LORIE A. KOCH  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 144'  
Depth ~~71'~~ 127' 8"  
Area \_\_\_\_\_  
Width of street 24'

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: HOUSE AND REAR DECK  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: REPLACEMENT OF REAR DECK  
WITH SUNROOM  
REMOVE EXISTING FENCE  
AND DECK

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

Existing: see attached drawing  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Date of acquisition of subject lands:  
DECEMBER 12, 2019

14. Date of construction of all buildings and structures on subject lands:  
1937

15. Existing uses of the subject property: RESIDENTIAL  
Single family Dwelling

16. Existing uses of abutting properties: RESIDENTIAL  
Single Family Dwellings

17. Length of time the existing uses of the subject property have continued:  
83 years

18. Municipal services available: (check the appropriate space or spaces)

Water	<input checked="" type="checkbox"/>	Connected	<input checked="" type="checkbox"/>
Sanitary Sewer	<input checked="" type="checkbox"/>	Connected	<input checked="" type="checkbox"/>
Storm Sewers	<input checked="" type="checkbox"/>		

19. Present Official Plan/Secondary Plan provisions applying to the land:  
Niegh bear heads

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Urban Protected Residential ("C" District)

21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

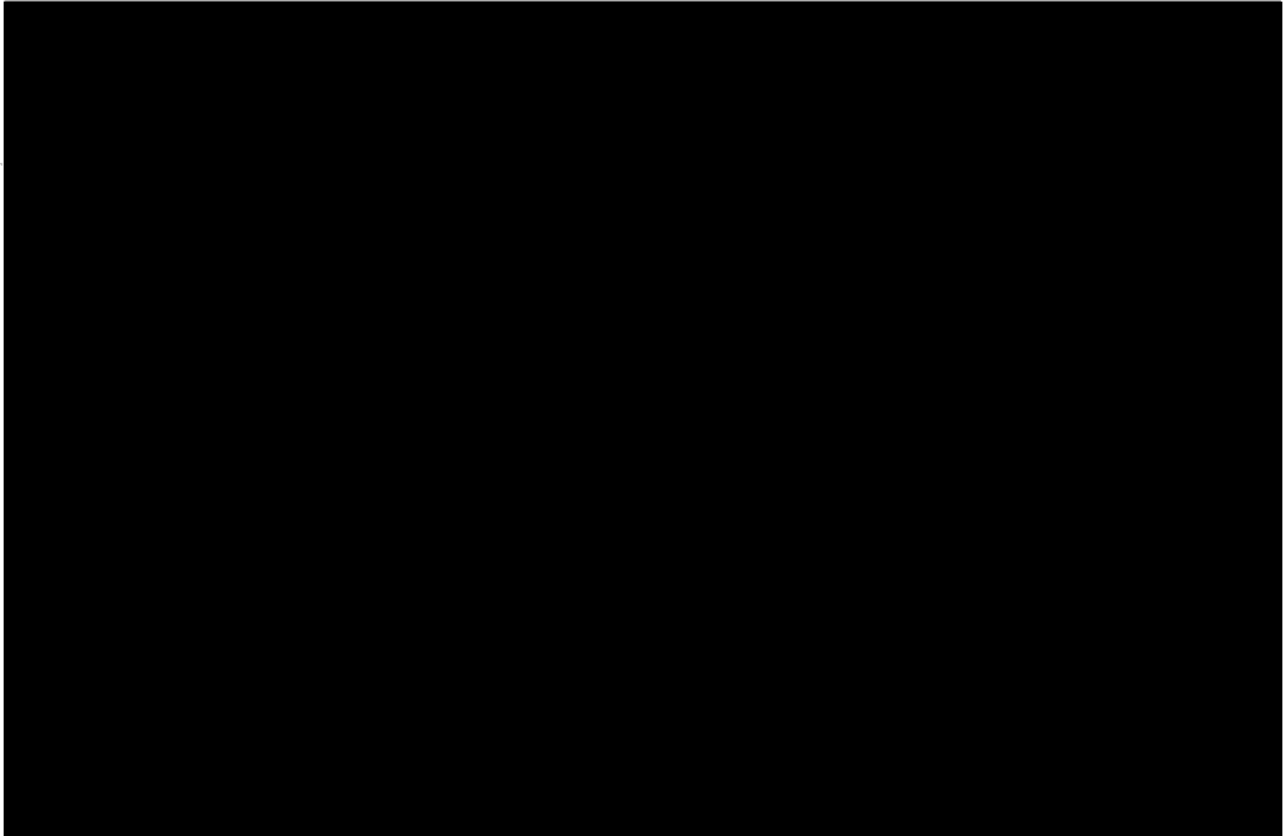
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, JAKOB E. KOCH, LORIE KOCH, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

28 JAN 2020  
Date

\_\_\_\_\_  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: 28 JAN 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;  
Re: Application to Committee of Adjustment

Location of Land: 66 OAK KNOLL DRIVE  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

JAKOB E KOCH LORIE KOCH

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

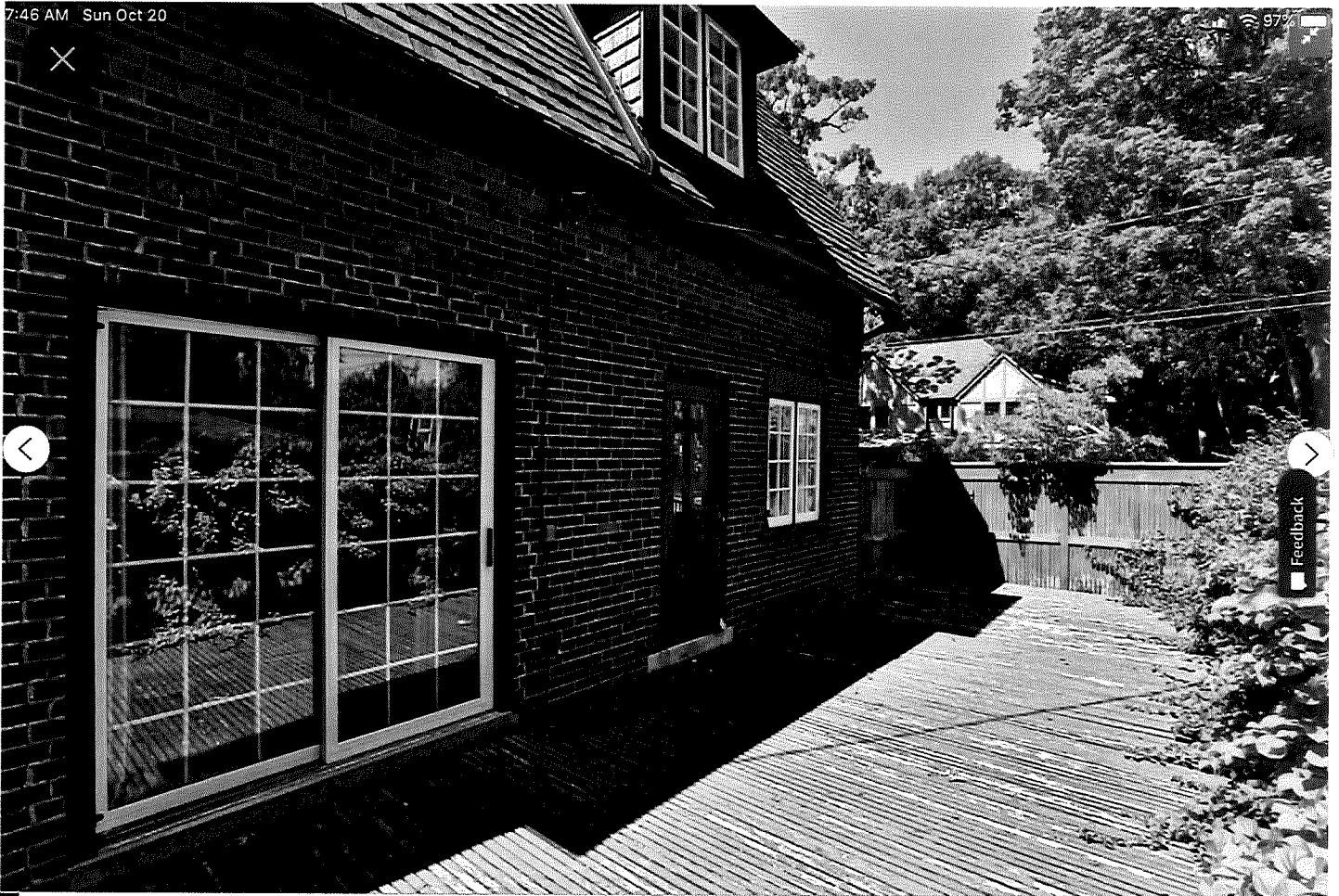


airial view of 66 Oak Knoll Drive  
showing existing deck



66 Oak Knoll Drive showing existing deck and fence.





Existing deck at 66 Oak Knoll Drive

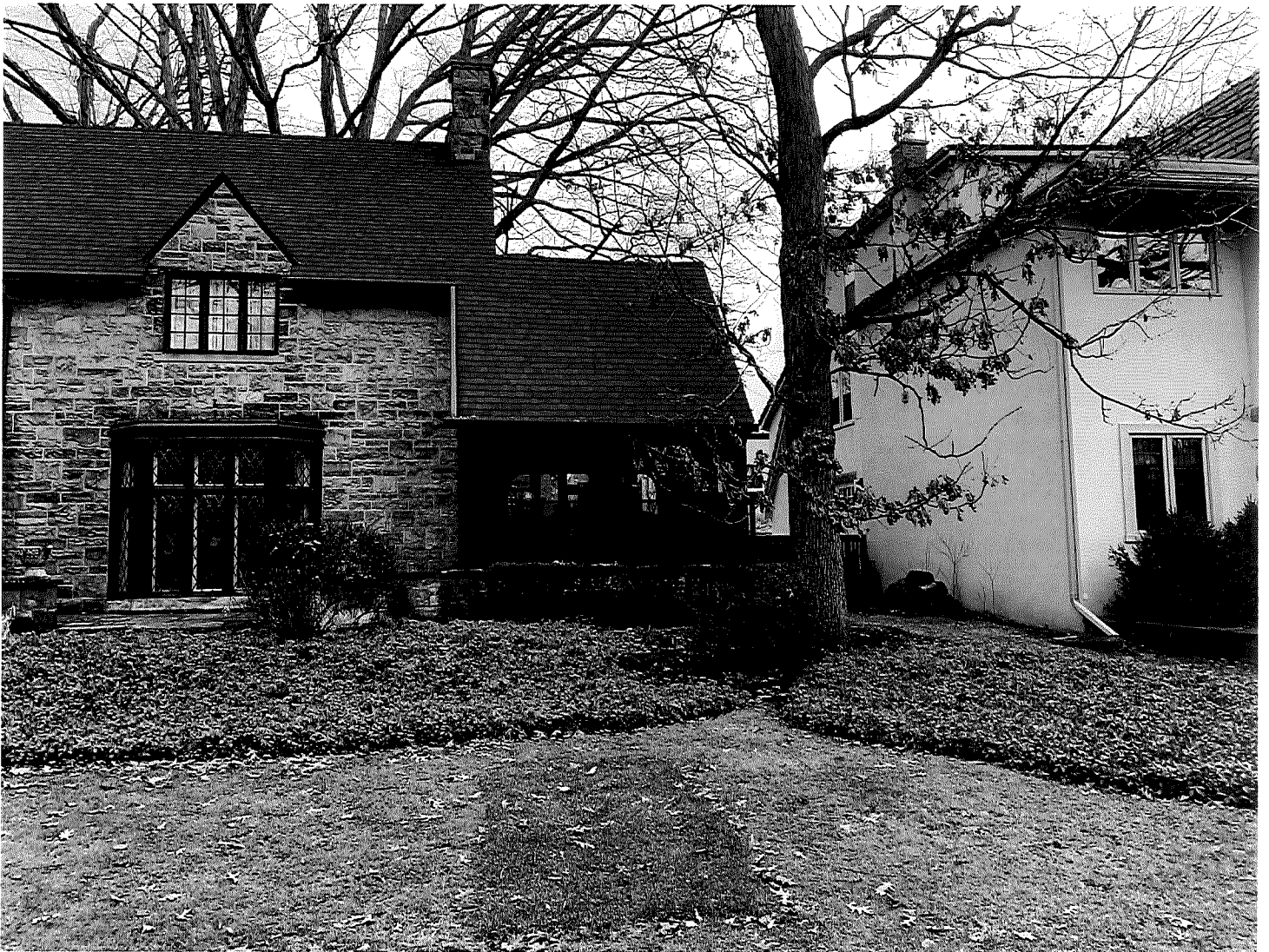
Representation of proposed SUNROOM





112# Paisley (direct neighbour) has sunroom





Sunroom at 8 Oak Knoll Drive  
(neighbourhood property)



Abutting garage of 74 Oak Knoll Drive





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 Fax (905) 546-4202

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

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

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

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

**APPLICATION NO.:** HM/A-19:290

**APPLICANTS:** Owner: Kevin Daley  
Agent: Michael P. Sabelli

**SUBJECT PROPERTY:** Municipal address **315B Aberdeen Ave., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6993, as Amended

**ZONING:** C and D district (Urban Protected Residential)

**PROPOSAL:** To establish lot frontage on Aberdeen Avenue and to facilitate the construction of a two-storey single family dwelling on an irregular shaped lot notwithstanding that::

1. A lot width of at least 3.6 metres shall be permitted instead of the required lot width of at least 12.0 metres.
2. The gross area of the front yard shall be permitted to contain no landscaped area instead of the required minimum 50.0% of the gross area of the front yard to be provided as a landscaped area.
3. A dwelling constructed with an attached garage shall be permitted to have the finished level of the garage floor at grade (0.0m) instead of the required minimum of 0.3m above grade for a finished level of the garage floor.

**NOTES:**

1. Parking has been reviewed for a single family dwelling with eight (8) habitable rooms or less. Additional variances may be required if the proposed single family dwelling exceeds eight (8) habitable rooms.
2. Variances are based on the owner acquiring and permanently closing the portions of alleyway located directly to the east of 315 & 293 Aberdeen Avenue, as well as the portion of alleyway directly to the north of 293 Aberdeen Avenue (abutting 315B Aberdeen Avenue).
3. Variances are based on the owner merging all portions of acquired and closed alleyway portions on title, with the lands known as 293 Aberdeen Avenue and 315B Aberdeen Avenue.

HM/A-19:290

Page 2

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

---

**DATE:** Thursday, June 25th, 2020  
**TIME:** 3:10 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)**  
**for viewing purposes only**

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## 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, including deadlines for submitting to be seen by the Committee.

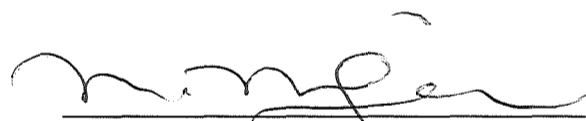
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.



---

Jamila Sheffield,  
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.***







LEFT SIDE ELEVATION



REAR ELEVATION

THESE DRAWINGS ARE FOR PLANNING APPLICATION AND APPROVAL. (November :

HM/A-19:290  
Sketch 2



LEFT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

THESE DRAWINGS ARE FOR PLANNING APPLICATION AND APPROVAL. (November 2019)

UNIQUE DESIGNS INC		DALEY RESIDENCE	09065	A1
PROPOSED ELEVATIONS	CUSTOM HOME		Job Number	
		315B ABERDEEN AVE. HAMILTON, ONTARIO	102516	Date:
			M.F.	1/4"=1'-0"
			Drawn By	Scale

HM/A-19-290  
Sketch 3



19-139439



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HMIA-19: 290</u>	DATE APPLICATION RECEIVED <u>AUG 8 11 9</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner KEVIN DALEY Telephone No \_\_\_\_\_

mail  
5750  
Here →

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

\_\_\_\_\_  
N/A Postal Code \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

LESS THAN REQUIRED LOT FRONTAGE  
3.66m. REAR YARD 3.0m.

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

EXISTING SITUATION

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

315-B ABERDEEN AVENUE

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

N/A

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

PREVIOUS OWNER

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

19/08/02  
Date



Signature Property Owner

KEVIN DALEY  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 3.66 m  
Depth 26.03 m 50 m  
Area 95.30 m<sup>2</sup>  
Width of street 20.12 m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: PARTIALLY DEMOLISHED  
STRUCTURE

Proposed: TWO 1/2 STOREY 1/2 SINGLE-FAMILY  
DWELLING WITH 2 PARKING  
SPACES INTERIOR 6.0m X 6.0m  
HOME SIZE = +/- 2000 SQ FT. 8 HABITABLE ROOMS.

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

Existing: PARTIALLY DEMOLISHED  
STRUCTURE TO BE COMPLETELY  
DEMOLISHED

Proposed: FRONT YARD - 3.66m NORTH  
SIDE YARD - 1.02m WEST  
REAR YARD - 3.0m SOUTH

13. Date of acquisition of subject lands: MAY / 2017

14. Date of construction of all buildings and structures on subject lands: NOT KNOWN

15. Existing uses of the subject property: VACANT

16. Existing uses of abutting properties: RESIDENTIAL

17. Length of time the existing uses of the subject property have continued: NOT KNOWN

18. Municipal services available: (check the appropriate space or spaces)  
Water ✓ Connected \_\_\_\_\_  
Sanitary Sewer ✓ Connected \_\_\_\_\_  
Storm Sewers \_\_\_\_\_

19. Present Official Plan/Secondary Plan provisions applying to the land: "NEIGHBOURHOODS"

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: "C" (URBAN PROTECTED RESIDENTIAL) + "D"

21. Has the owner previously applied for relief in respect of the subject property?  
Yes \_\_\_\_\_ No (circled)  
If the answer is yes, describe briefly.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes \_\_\_\_\_ No (circled)

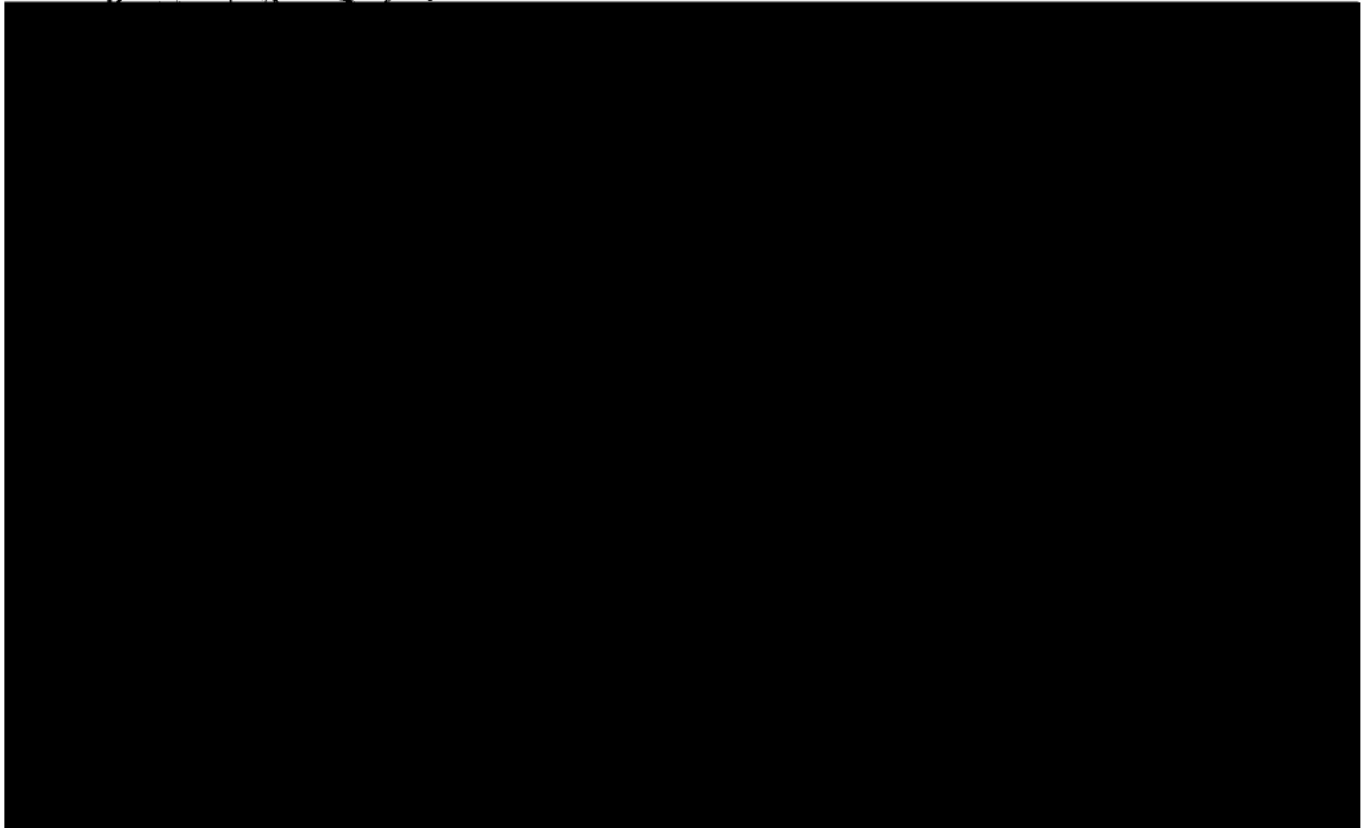
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) KEVIN DALEY am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

MICHAEL P. SABELLI of HAMILTON

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE 19/08/02 SIGNED

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, KEVIN DALEY, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

19/08/02   
Date Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: 19/08/02

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 315 - B ABERDEEN AVENUE  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

KEVIN DALEY

Please print name

**Note:** The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



Hamilton

**ROAD ALLOWANCE / ALLEY CLOSURE APPLICATION FORM**

Applicant's Name: KEVIN DALEY

Address: 215 B ABERDEEN AVENUE



Agent's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Description of Proposed Closure Area:

From: PORTION OF ALLEYWAY BOUND BY ABERDEEN MOUNTAIN

To: AND UNDERMOUNT

Please indicate in the space below your comments or reasons why you are applying for this closure:

FRONTAGE REQUIRED FOR BUILDING PERMIT AND  
MINOR VARIANCE APPLICATION. I WILL PROVIDE  
EASEMENT AGREEMENTS FOR RIGHT OF WAY.

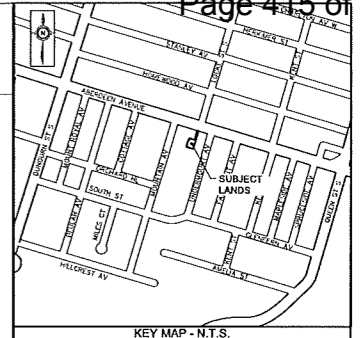
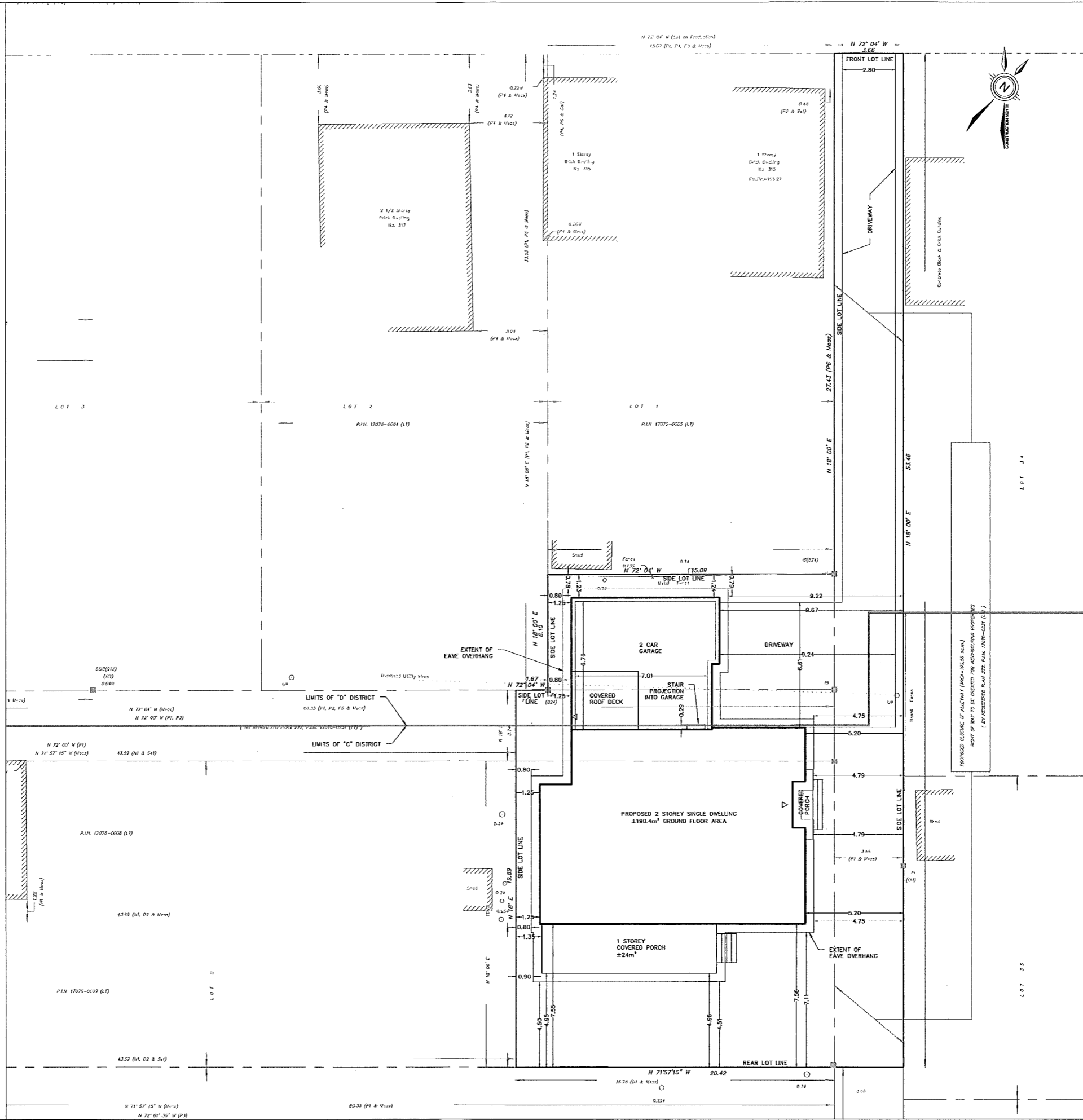
Please enclose your **Formal Consultation Fee of \$1,061.21**, payable to the City of Hamilton, with this application. Should staff recommend the application proceed to Committee and Council, the \$1,061.21 fee will be applied to the **total fee of \$4634.00**.

For further information regarding this application, please contact the Public Works Department at (905) 546-2424 ext. 5803 or [highwayclosures@hamilton.ca](mailto:highwayclosures@hamilton.ca)

**PAID** ✓



DEVELOPMENT DETAILS				
URBAN PROTECTED RESIDENTIAL "C" DISTRICT				
		REQUIRED	PROPOSED	AMENDMENT NEEDED
9(2)	MAXIMUM BUILDING HEIGHT	11.0 m	7.80 m	
9(3)(i)	MINIMUM FRONT YARD SETBACK	6.0 m	N/A	
9(3)(ii)	MINIMUM SIDE YARD SETBACK	1.20 m	1.25 m	
9(3)(iii)	MINIMUM REAR YARD SETBACK	7.5 m	7.55 m	
9(4)	MINIMUM LOT WIDTH	12.0 m	3.65 m	X
9(4)	MINIMUM LOT AREA	360.0m <sup>2</sup>	621.4m <sup>2</sup>	
URBAN PROTECTED RESIDENTIAL "D" DISTRICT				
10(2)	MAXIMUM BUILDING HEIGHT	14.0 m	7.80 m	
10(3)(i)	MINIMUM FRONT YARD SETBACK	6.0 m	N/A	
10(3)(ii)	MINIMUM SIDE YARD SETBACK	1.20 m	1.24 m	
10(3)(iii)	MINIMUM REAR YARD SETBACK	7.5 m	N/A	
10(4)	MINIMUM LOT WIDTH	12.0 m	3.65 m	X
10(4)	MINIMUM LOT AREA	360.0m <sup>2</sup>	621.4m <sup>2</sup>	
SUPPLEMENTARY REQUIREMENTS AND MODIFICATIONS				
18(3)(i)(b)	EAVE/GUTTER ENCROACHMENT			
	(i) FRONT YARD	1.5 m	N/A	
	(ii) REAR YARD	1.5 m	0.45 m	
	(iii) SIDE YARD	1.0 m OR HALF WIDTH=0.60 m	0.45 m	
18(3)(i)(d)	UNENCLOSED PORCH ENCROACHMENT			
	FRONT YARD	3.0 m	N/A	
	REAR YARD	3.0 m	3.0 m	
	SIDE YARD	NOT PERMITTED	N/A	
PARKING AND LOADING REQUIREMENTS				
18A(1)(f)	MINIMUM MANOEUVRING SPACE	6.0 m	9.24 m	
18A(7)	MINIMUM PARKING SPACE SIZE	2.7m x 6.0m	3.3m x 7.0m	
18A(7a)	MAX. STAIR PROJECTION INTO GARAGE	0.75 m	0.29 m	
18A(7b)	MIN. FINISHED GARAGE ELEVATION ABOVE GRADE	0.30 m	0.0 m	X
18A(14a)	PARKING LOCATION	NOT PERMITTED IN FRONT YARD	NONE PROPOSED	
18A(14a)	MINIMUM FRONT YARD LANDSCAPED AREA	50% OF REQUIRED YARD	OK	X
18A(24)(a)	MIN. DRIVEWAY WIDTH	2.8 m	2.80 m	
TABLE 1	MIN. REQUIRED PARKING	2 SPACES	2 SPACES	



**LEGEND**

[Symbol]	PROPOSED 2 STOREY SINGLE DWELLING ±190.4m <sup>2</sup> GROUND FLOOR AREA
[Symbol]	2 CAR GARAGE
[Symbol]	DRIVEWAY
[Symbol]	1 STOREY COVERED PORCH ±24m <sup>2</sup>
[Symbol]	EXISTING BUILDING
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING SIDE YARD
[Symbol]	EXISTING FRONT YARD
[Symbol]	EXISTING REAR YARD
[Symbol]	EXISTING UTILITY
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING CONCRETE
[Symbol]	EXISTING ASPHALT
[Symbol]	EXISTING GRAVEL
[Symbol]	EXISTING SAND
[Symbol]	EXISTING SOIL
[Symbol]	EXISTING VEGETATION
[Symbol]	EXISTING TREES
[Symbol]	EXISTING SHRUBS
[Symbol]	EXISTING HERBACEOUS
[Symbol]	EXISTING BARE
[Symbol]	EXISTING WATER
[Symbol]	EXISTING SEWER
[Symbol]	EXISTING WATER MAIN
[Symbol]	EXISTING GAS
[Symbol]	EXISTING ELECTRIC
[Symbol]	EXISTING TELEPHONE
[Symbol]	EXISTING CABLE
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING DRIVEWAY
[Symbol]	EXISTING SIDE YARD
[Symbol]	EXISTING FRONT YARD
[Symbol]	EXISTING REAR YARD
[Symbol]	EXISTING UTILITY
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING CONCRETE
[Symbol]	EXISTING ASPHALT
[Symbol]	EXISTING GRAVEL
[Symbol]	EXISTING SAND
[Symbol]	EXISTING SOIL
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[Symbol]	EXISTING SHRUBS
[Symbol]	EXISTING HERBACEOUS
[Symbol]	EXISTING BARE
[Symbol]	EXISTING WATER
[Symbol]	EXISTING SEWER
[Symbol]	EXISTING WATER MAIN
[Symbol]	EXISTING GAS
[Symbol]	EXISTING ELECTRIC
[Symbol]	EXISTING TELEPHONE
[Symbol]	EXISTING CABLE

**NOT FOR CONSTRUCTION**

SOURCE: TOPOGRAPHICAL SURVEY INFORMATION OBTAINED FROM B.A. JACOBS SURVEYING LTD., DWG. No. 1853-S-1.  
 BUILDING LAYOUT INFORMATION OBTAINED FROM UNIQUE DESIGNS INC., DWG. No. 09065.  
 BENCHMARK: ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON BENCHMARK INDEXED AS No. 2-33.  
 LOCATION: No. 271 CAROLINE STREET SOUTH AT THE SOUTHEAST CORNER OF HERMERS STREET ON WEST WALL, 2.4m FROM NORTHWEST CORNER OF BUILDING No. 125.  
 ELEVATION = 110.959m

SCALE: 1:100 (m)

DESIGN BY: J. MARCUS | CHECKED BY: J. ARENS  
 DRAWN BY: J. MARCUS | DATE: 2019-11-08

DATE	BY	DESCRIPTION
2020-01-29	JM	AMENDED VARIANCE SUBMISSION

**DRAWING ISSUE RECORD**

DATE	BY	DESCRIPTION

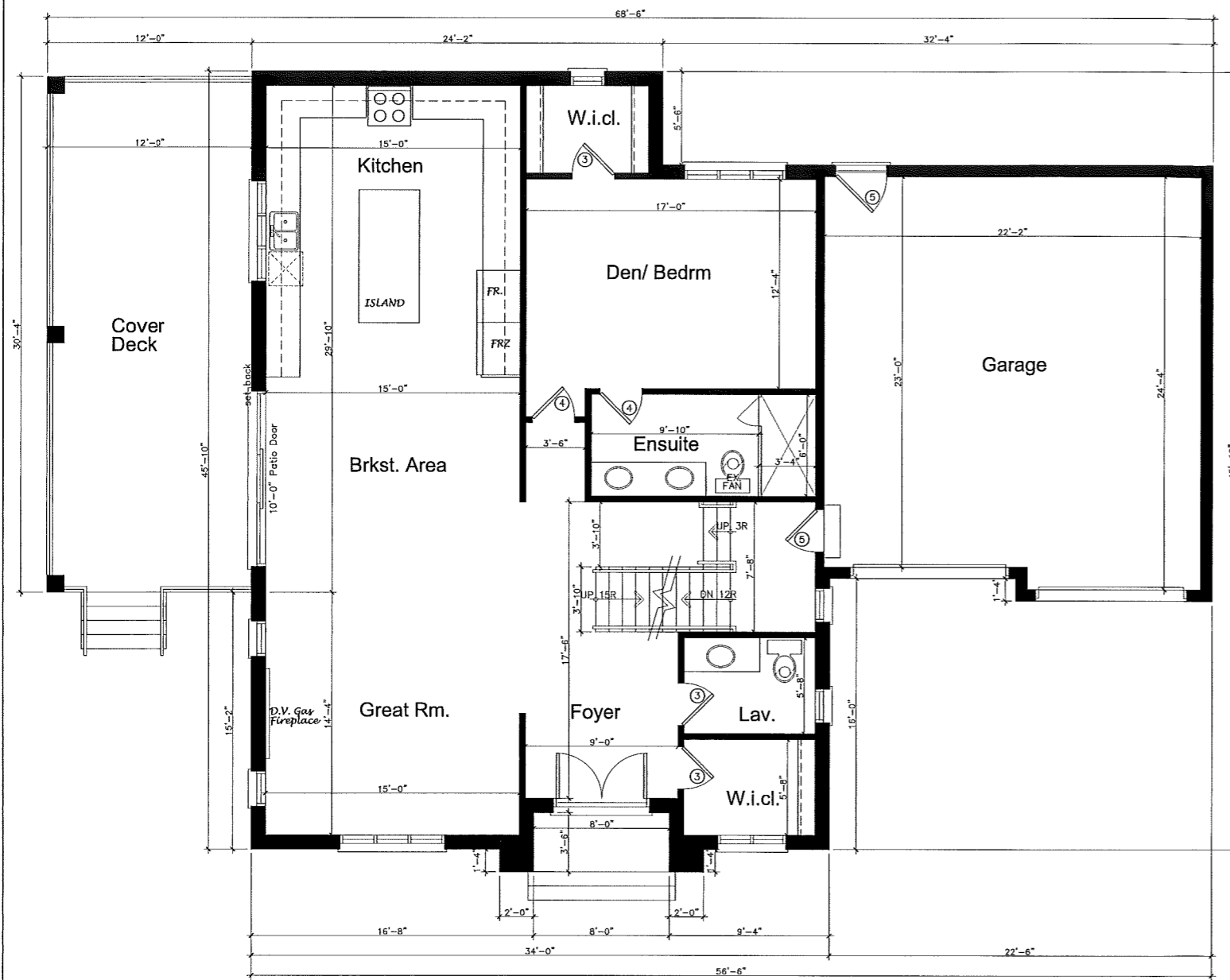
**APPROVALS**

**IBI GROUP**  
 200 East Wing-360 James Street North  
 Hamilton ON L8L 1H5 Canada  
 tel 905 546 1010 fax 905 546 1011  
 ibigroup.com

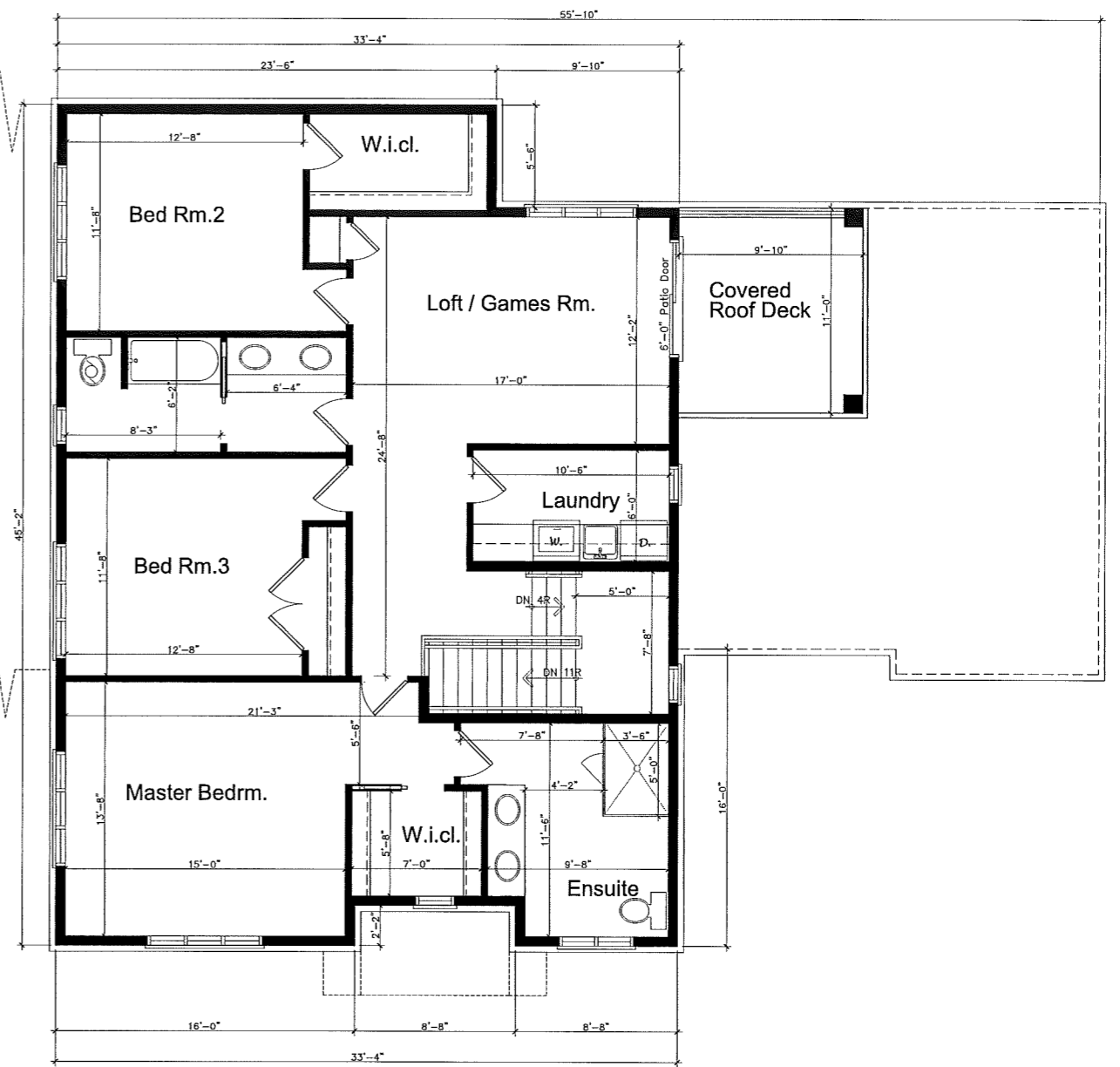
**CITY OF HAMILTON**  
 315B ABERDEEN AVENUE

**MINOR VARIANCE SKETCH**  
 HMA-19/290

FILE NUMBER: 123384 | SHEET NUMBER: MV1



**GROUND FLOOR PLAN**  
 1512 Sq.Ft.  
 TOTAL : 2896 Sq.Ft.



**SECOND FLOOR PLAN**  
 1384 Sq.Ft.

THESE DRAWINGS ARE FOR PLANNING APPLICATION AND APPROVAL. (November 2019)

<b>UNIQUE DESIGNS INC</b> PROPOSED FLOOR PLANS		CUSTOM HOME	<b>DALEY RESIDENCE</b>		09065 Job Number	<b>A2</b>
			315B ABERDEEN AVE. HAMILTON, ONTARIO		102516 Date:	



LEFT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

THESE DRAWINGS ARE FOR PLANNING APPLICATION AND APPROVAL. (November 2019)

<p><b>UNIQUE DESIGNS INC</b></p>		<p><b>DALEY RESIDENCE</b></p>	<p>09065</p>	<p><b>A1</b></p>
<p>PROPOSED ELEVATIONS</p>	<p>CUSTOM HOME</p>		<p>Job Number 102516</p>	
		<p>315B ABERDEEN AVE. HAMILTON, ONTARIO</p>	<p>Date: M.F.</p>	<p>1/4"=1'-0" Scale</p>







**IBI GROUP**  
200 East Wing – 360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
[ibigroup.com](http://ibigroup.com)

January 29, 2020

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

RECEIVED  
JAN 29 2020  
CITY OF HAMILTON

Dear Mr. Baldry:

**315B ABERDEEN AVENUE, HAMILTON  
HM/A-19:290 - AMENDED MINOR VARIANCE APPLICATION**

As you are aware our client attended the Committee of Adjustment hearing in favour of the above noted application on September 12, 2019 and at that meeting the application was deferred due to concerns related to the potential need for Site Plan Control review of the development proposal.

Since that time our client has worked with the Planning department to resolve their concerns related to the need for Site Plan Control and that requirement has been waived. In addition, our client has amended the proposed building design for the property and the proposed variances have changed to support that design.

In support of the amended application please find enclosed the following information:

- Two (2) copies of the updated variances list;
- Two (2) copies of the Minor Variance sketch;
- Two (2) copies of the preliminary Building Elevation drawings; and,
- ~~One (1) cheque in the amount of \$275.00 made payable to the City of Hamilton.~~ VISA

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,

  
Jafed Marcus, CPT

Associate, Manager – Planning

Encl.

Cc: Kevin Daley

315B Aberdeen Avenue, Hamilton – HM/A-19:290 – Minor Variance List

Section 9(4) – To permit a minimum Lot Width of 3.6m, whereas 12.0m is required;

Section 10(4) – To permit a minimum Lot Width of 3.6m, whereas 12.0m is required;

Section 18A(7b) – to permit an attached garage to have a finished floor level a minimum of 0m above grade, whereas 0.3m above grade is required; and,

Section 18A(14a) – to permit 0% of the required front yard to be used for landscaped area, whereas 50% landscaped area is required.



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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** HM/A-20:29

**APPLICANTS:** Owner: Alison Nielsen-Jones & Andrew Crawford  
Agent: Built Environment Design & Consulting c/o David Wilson

**SUBJECT PROPERTY:** Municipal address **71 Chatham St., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** "D"/S-1787 district

**PROPOSAL:** To permit the construction of a 2½ front storey addition and an open sided carport to the existing single-family dwelling notwithstanding that;

1. A minimum front yard depth of 0.9 m shall be provided instead of the minimum required 6.0 m; and
2. A minimum side yard width of 0.9 m shall be provided instead of the minimum required side yard width of 1.2 m; and
3. No front yard landscape shall be provided instead of the regulation in the By-Law which states that no less than 50 % of the gross area of the front yard shall be used for a landscaped area; and
4. The front stairs (i.e. uncovered porch) shall provide 0.3 m setback from the front lot line instead of the minimum required 1.5 m from the nearest street line.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 3:15p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**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, including deadlines for submitting to be seen by the Committee.

HM/A-20:29

Page 2

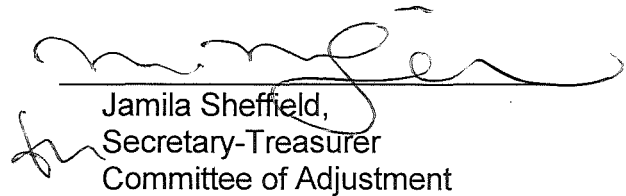
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

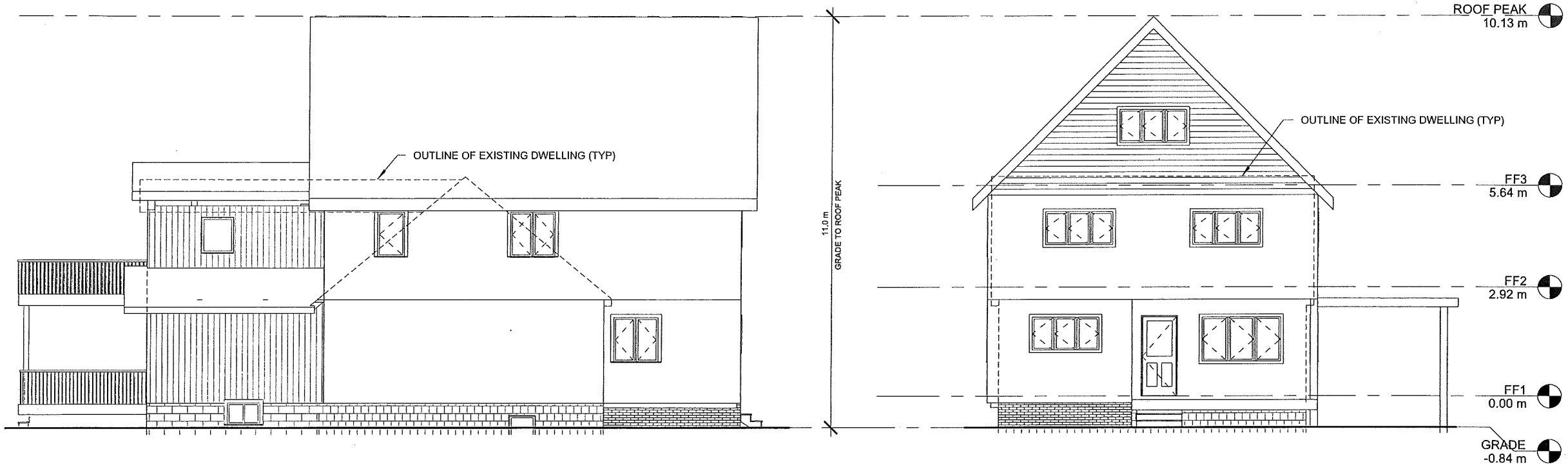


Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



*Ham 17 20:29  
Sketch 2*



① EAST - PROP'D  
1 : 100

② NORTH - PROP'D  
1 : 100

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

**QUALIFICATION & REGISTRATION INFORMATION**  
THE UNDERSIGNED HAS THE QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE TO REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN SHOWN ON THIS DOCUMENT.

THIS SIGNATURE MUST BE IN RED TO BE VALID  
D. Wilson BSc, BA(Hons), BEd, LEED GA  
FIRM REGISTRATION: BCIN 46390

CONTRACT DOCUMENTS, DRAWINGS & ALL ELECTRONIC DATA ARE THE COPYRIGHT OF THE DESIGNERS & CONSULTANTS & SHALL NOT BE USED OR REPRODUCED w/o AUTHORIZATION.

71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

No.	Description	Date
	ISSUED FOR M/V	JAN 17, 2019

**PROP'D ELEVATIONS - NORTH & EAST**

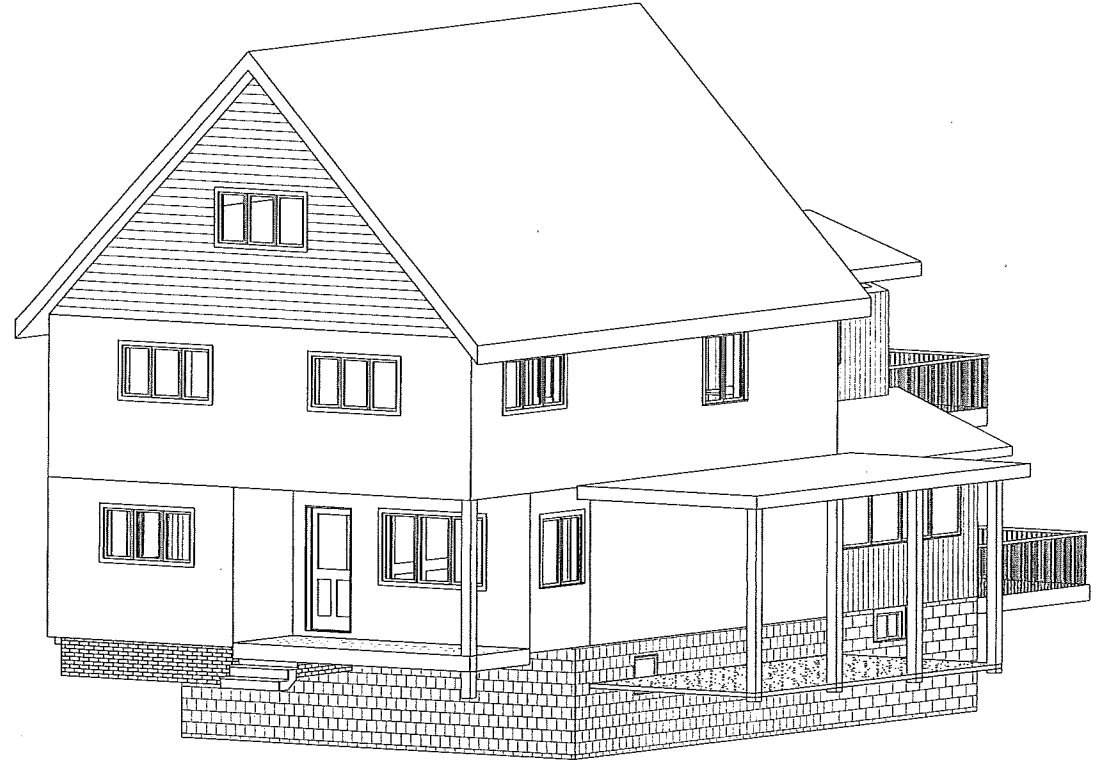
Project: 19-015 Concession974 - Mayo  
Date: June, 2019  
Scale: 1 : 100

**A305**

*Hm/A 20:29  
Sketch 3*



3 3D - N/E



1 3D - N/W

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

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71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

No.	Description	Date
	ISSUED FOR MV	JAN 17, 2019

3D VIEWS

Project:	19-015 Concession974 - Mayo
Date:	June, 2019
Scale:	
<b>A901</b>	







Hamilton

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

Planning and Economic Development Department  
Planning Division

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

RECEIVED

FOR OFFICE USE ONLY. JAN 22 2020

APPLICATION NO. HM/A-20-29 DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S SIGNATURE \_\_\_\_\_

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Alison Nielsen-Jones & Andrew Crawford Telephone No. \_\_\_\_\_
  2. \_\_\_\_\_
  3. Name of Agent David Wilson Telephone No. \_\_\_\_\_
  4. \_\_\_\_\_
- Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

→ Royal Bank of Canada

10 York Mills Rd., 3rd Floor, Toronto Postal Code M2P 0A2

\_\_\_\_\_

\_\_\_\_\_ Postal Code \_\_\_\_\_

## 6. Nature and extent of relief applied for:

Front setback: propose 0.9m where 6.0m is req'd

Front eaves projection into front yard: propose 0.48m from front lot line

Front stairs projection into front yard: propose 0.31m from front lot line

Carport side setback: propose 0.9m

## 7. Why it is not possible to comply with the provisions of the By-law?

The existing dwelling is inadequate in size for the current family's needs. However, the site's low soil bearing capacity is inadequate to place additional load on the footings of the existing home. With the odd construction of the rear of the home, it is only feasible to expand forward & upward with the use of helical piles for the new loads.

## 8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Subject Municipal Address: 71 Chatham St., Hamilton, ON, L8P 2B3

Subject Legal Description: Lot 112, REGISTERED PLAN No 253

## 9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

## 9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

## 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

## 9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

## 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

## 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

## 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

## 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

## 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

## 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

By inspection, the existing home on the subject lands appears to have been constructed circa 1900, similar to the surrounding heighbourhood;  
Vernon's Directory 1926 lists the address as a residential occupancy at that time.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan 15, 2020

Date

Alison Nielsen-Jones & Andrew Crawford  
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 14.9m  
 Depth 39.3m  
 Area 585.6m<sup>2</sup>  
 Width of street ~18m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Ground Floor Area: 100.4m<sup>2</sup>  
Gross Floor Area: 158.8m<sup>2</sup>  
No. of Storeys: 2  
Height: 6.7m grade to peak

Proposed: Ground Floor Area: 137.2m<sup>2</sup>  
Gross Floor Area: 259.5m<sup>2</sup>  
No. of Storeys: 2-1/2 strys  
Height: 11.0m grade to peak

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

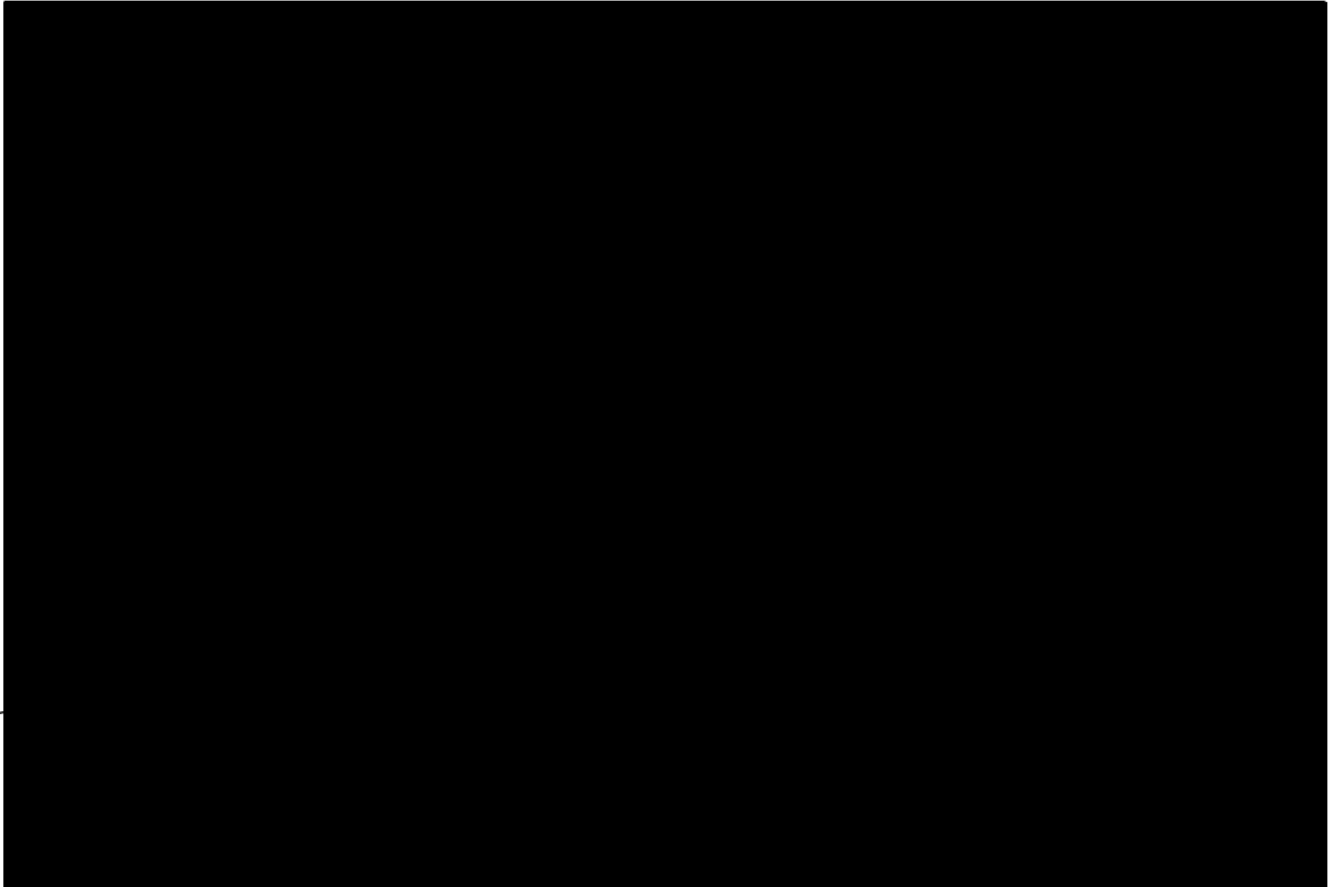
Existing: Please see attached Site Plan  
  
  
 Proposed: Please see attached Site Plan

13. Date of acquisition of subject lands:  
June 17, 2019
- 
14. Date of construction of all buildings and structures on subject lands:  
Home: circa 1900; Garage: 2015 as per Bldg. Permit No. 15 109401 00 R9
- 
15. Existing uses of the subject property: single family dwelling
- 
- 
16. Existing uses of abutting properties: single family dwellings
- 
- 
17. Length of time the existing uses of the subject property have continued:  
Greater than 90 years (see 9.11 above)
- 
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                |                              |           |                              |
|----------------|------------------------------|-----------|------------------------------|
| Water          | <u>          X          </u> | Connected | <u>          X          </u> |
| Sanitary Sewer | <u>          X          </u> | Connected | <u>          X          </u> |
| Storm Sewers   | <u>          X          </u> |           |                              |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
UHOP: "Neighbourhoods"
- 
- Secondary: n/a
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Zoned "D", Urban Protected Residential One & Two Family Dwellings
- 
- 
21. Has the owner previously applied for relief in respect of the subject property?
- Yes  No
- If the answer is yes, describe briefly.
- 
- 
- 
- 
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
- Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

Alison Nielsen-Jones &

Andrew Crawford

→ As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

David Wilson of Built Environment Design & Consulting

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

→ DATE January 21, 2020

SIGNED



must be signed by owner

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

→ I, Alison Nielsen-Jones & Andrew Crawford, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

→ January 21, 2020

Date

Signature of Owner



must be signed by owner

**PART 27 PERMISSION TO ENTER**

Date: Jan 15, 2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 71 Chatham St, Hamilton, ON  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

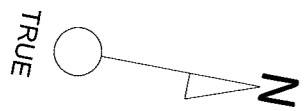
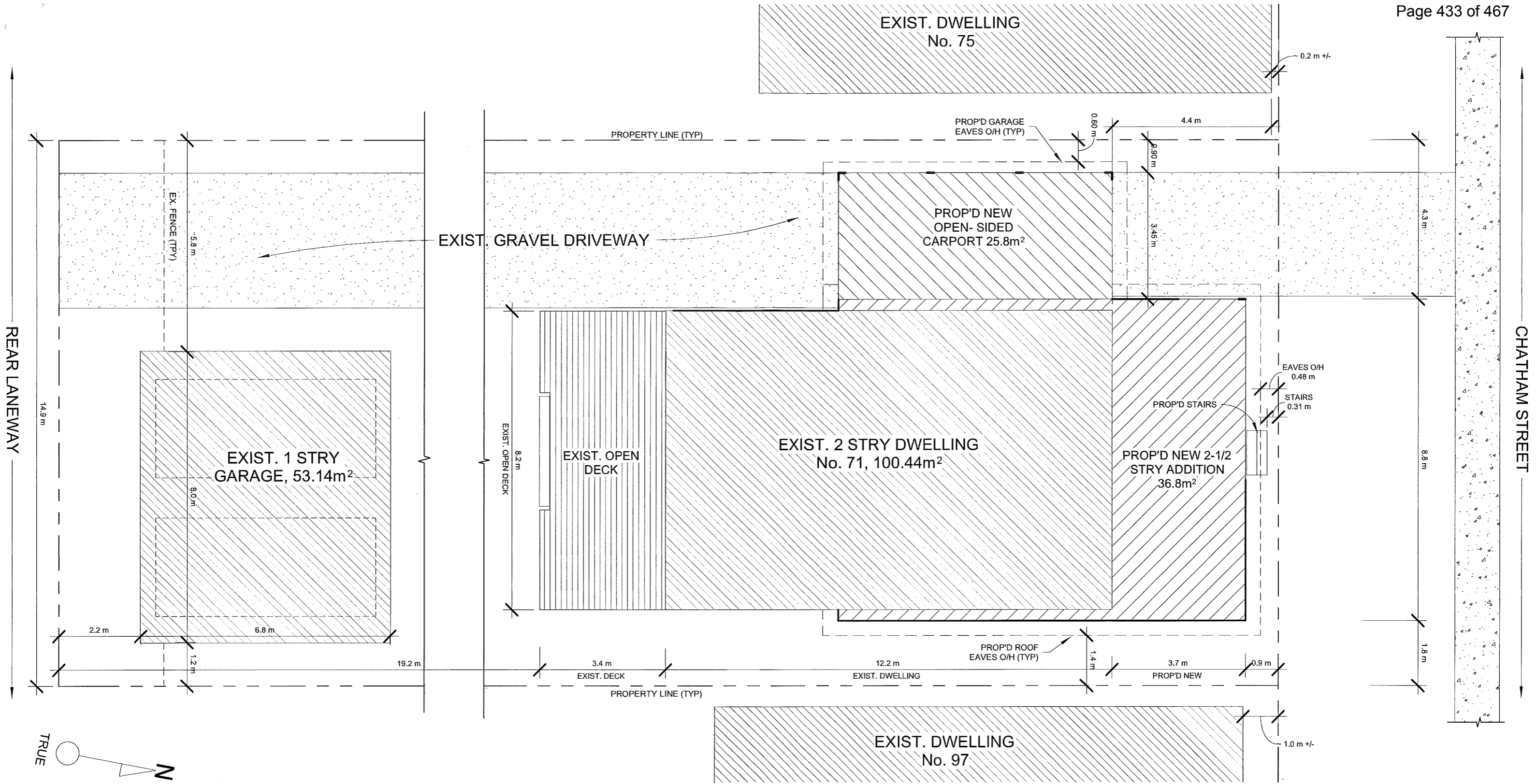
David Wilson

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee’s policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



SITE SKETCH BASED ON FIELD MEASUREMENTS AND SURVEY BY LAWRENCE G. WOODS OLS, APRIL 25, 1984

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

**QUALIFICATION & REGISTRATION INFORMATION**  
THE UNDERSIGNED HAS THE QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE TO REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN SHOWN ON THIS DOCUMENT.

THIS SIGNATURE MUST BE IN RED TO BE VALID  
D. Wilson BSc, BA(Hons), BEd, LEED GA  
FIRM REGISTRATION: BCIN 46390

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71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

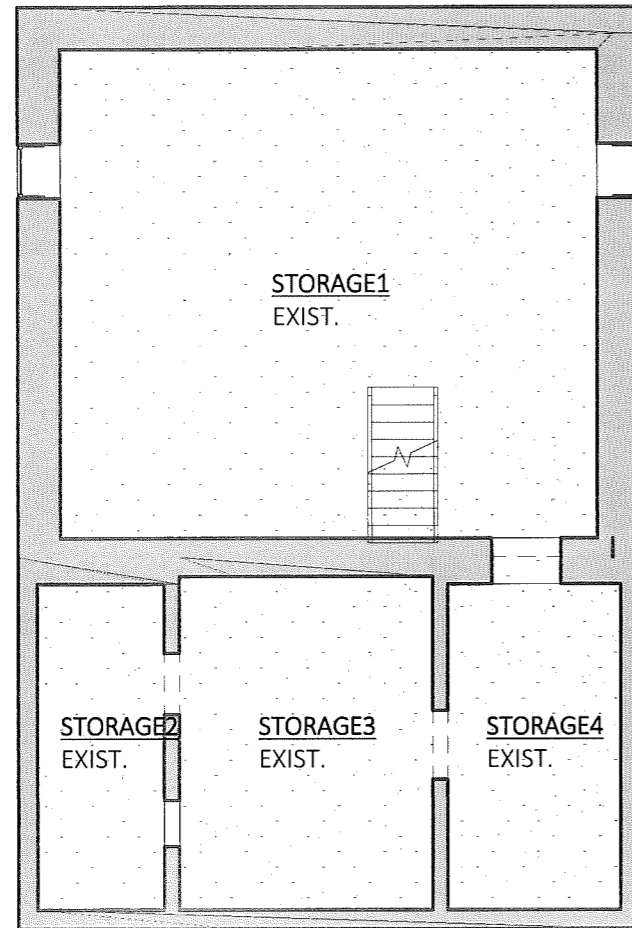
No.	Description	Date
	ISSUED FOR M/V	JAN 17, 2019

SITE PLAN

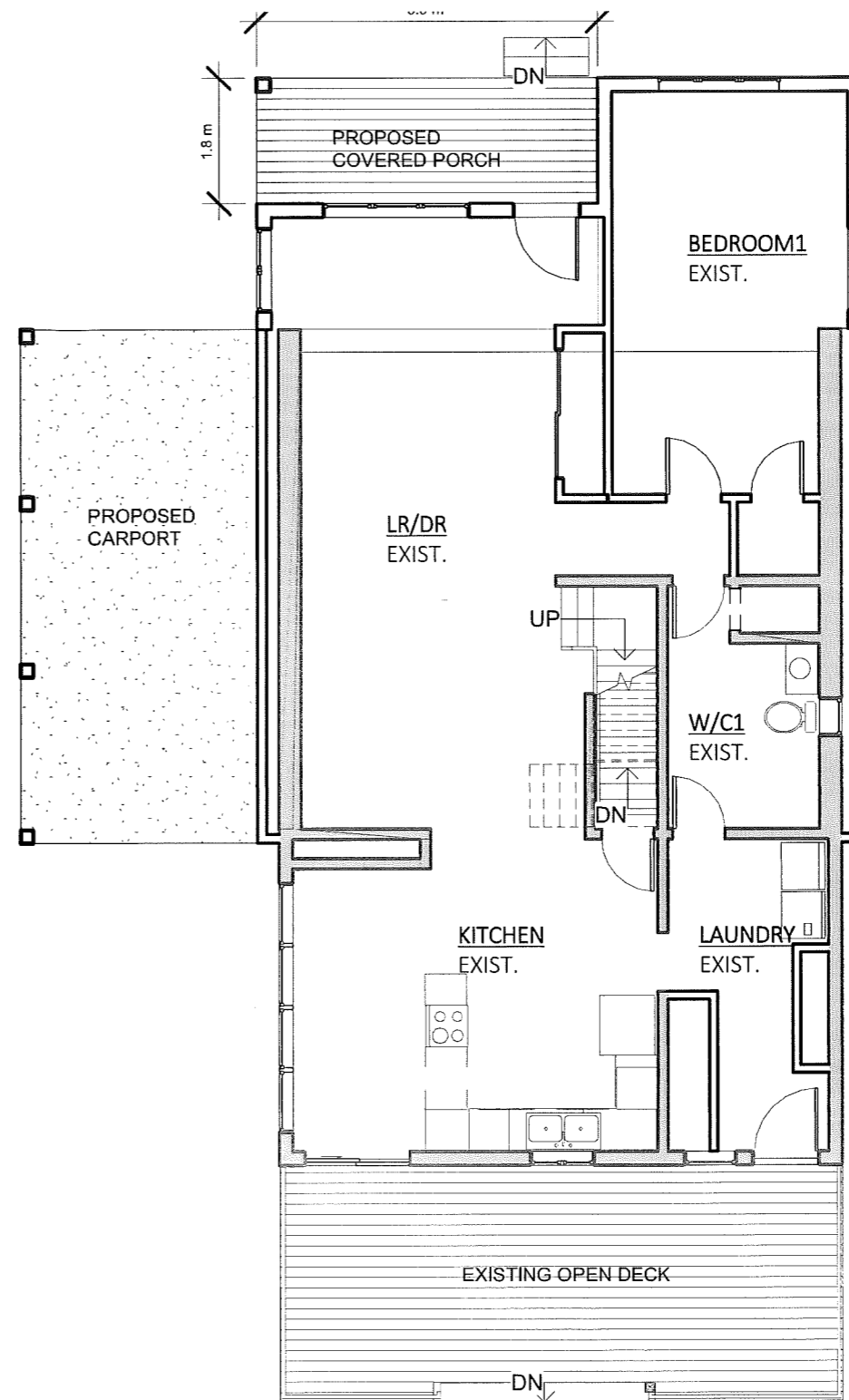
Project: 19-015 Concession974 - Mayo  
Date: June, 2019  
Scale: 1 : 100



A011



1 BASMENT PLAN - PROPOSED  
1 : 100



2 MAIN FLOOR PLAN - PROP'D  
1 : 100

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

**QUALIFICATION & REGISTRATION INFORMATION**  
THE UNDERSIGNED HAS THE QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE TO REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN SHOWN ON THIS DOCUMENT.

THIS SIGNATURE MUST BE IN RED TO BE VALID  
D. Wilson BSc, BA(Hons), BEd, LEED GA  
FIRM REGISTRATION: BCIN 46390

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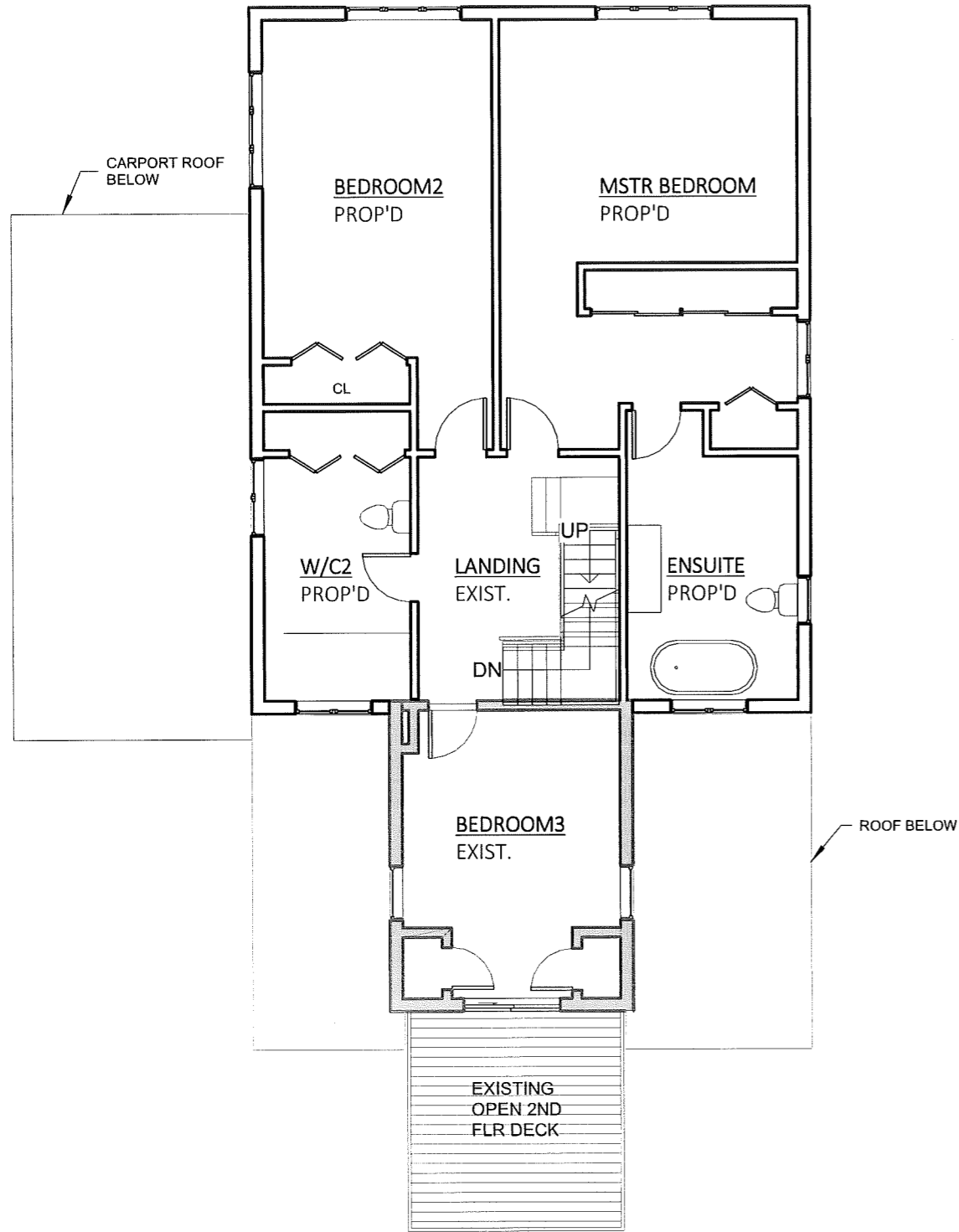
No.	Description	Date
	ISSUED FOR M/V	JAN 17, 2019

PLAN, PROPOSED - BSMN'T & MAIN

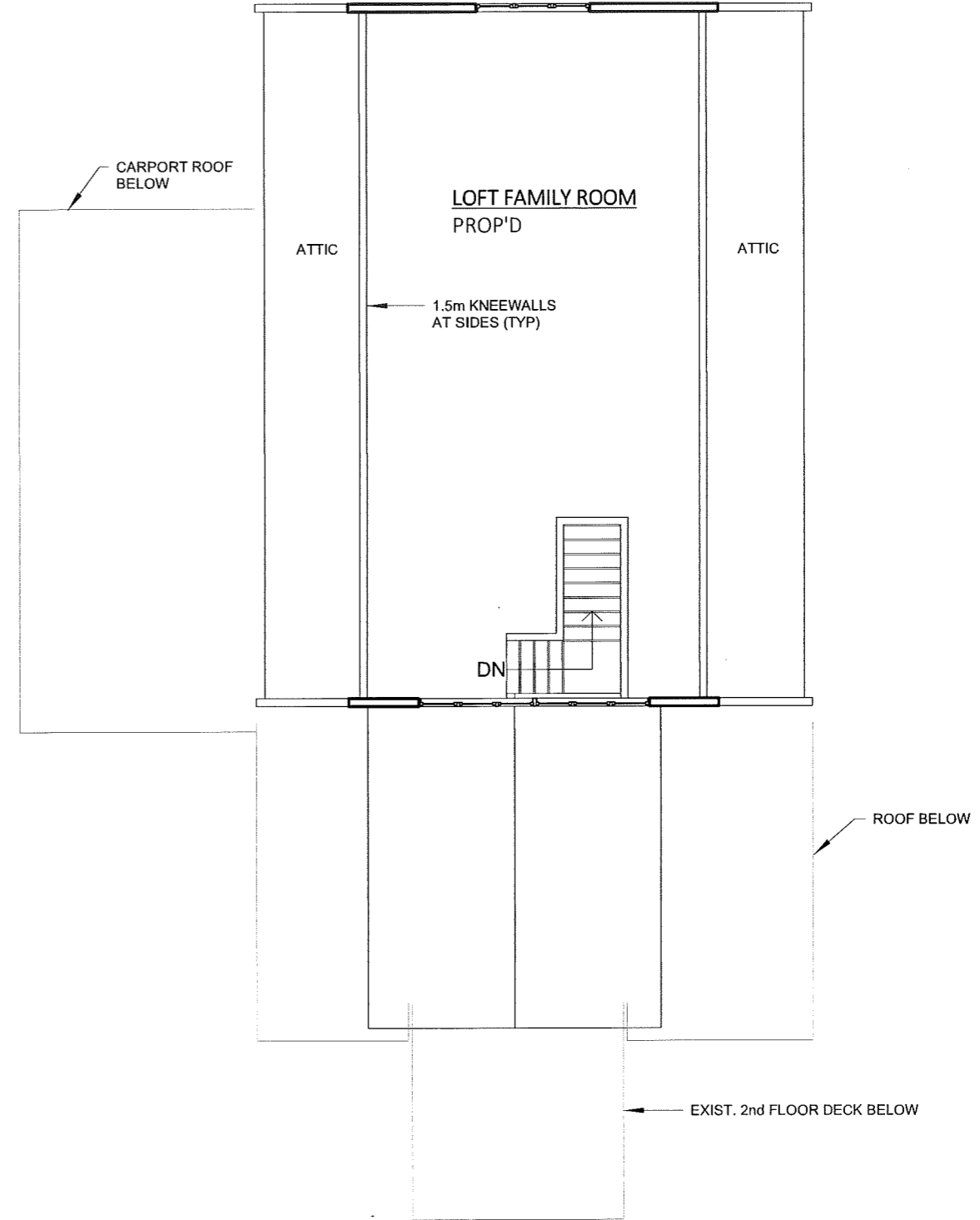
Project:	19-015 Concession974 - Mayo
Date:	June, 2019
Scale:	1 : 100

A108





5 2ND FLOOR PLAN - PROPOSED  
1 : 100



1 3RD FLOOR PLAN - PROPOSED  
1 : 100

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

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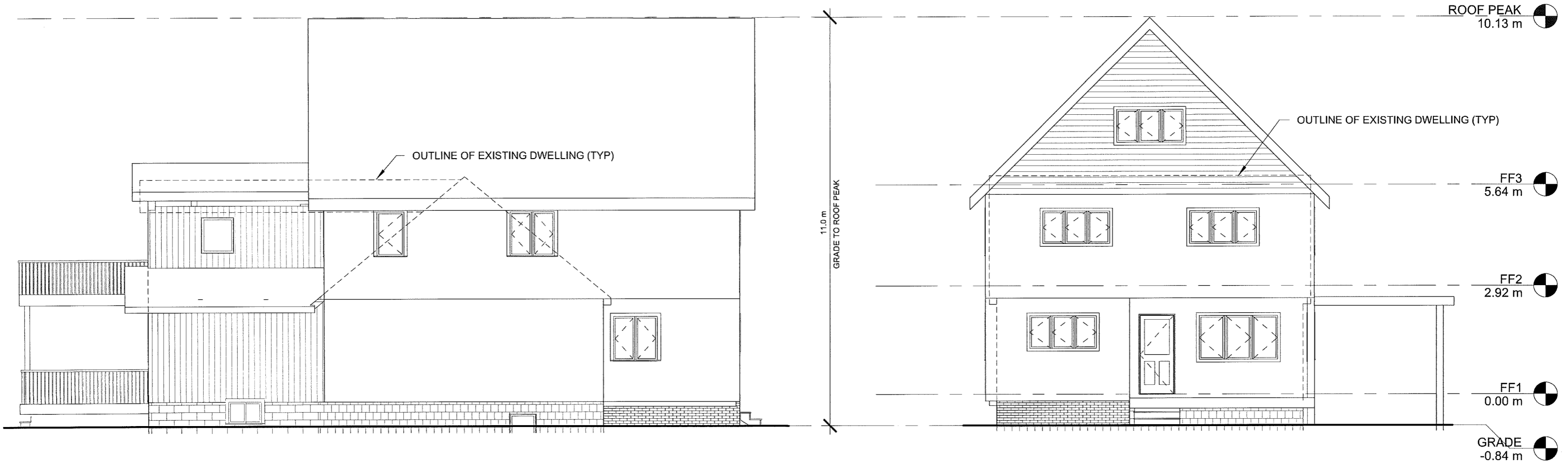
71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

No.	Description	Date
	ISSUED FOR M/V	JAN 17, 2019

**PLAN, PROPOSED - 2ND & 3RD FLOORS**

Project: 19-015 Concession974 - Mayo  
Date: June, 2019  
Scale: 1 : 100

**A109**



① EAST - PROP'D  
1 : 100

② NORTH - PROP'D  
1 : 100

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

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FIRM REGISTRATION: BCIN 46390

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71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

No.	Description	Date
	ISSUED FOR MV	JAN 17, 2019

**PROP'D ELEVATIONS - NORTH & EAST**

Project: 19-015 Concession974 - Mayo  
Date: June, 2019  
Scale: 1 : 100

**A305**



3 3D - N/E



1 3D - N/W

**BUILT ENVIRONMENT**  
design + consulting

126 Catharine St. N. :: Hamilton :: L8R 1J4  
905.869.6595 info@builtdesign.ca

**QUALIFICATION & REGISTRATION INFORMATION**  
THE UNDERSIGNED HAS THE QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE TO REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN SHOWN ON THIS DOCUMENT.

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71 CHATHAM ST.,  
HAMILTON, ON, L8V 1A6

No.	Description	Date
	ISSUED FOR M/V	JAN 17, 2019

3D VIEWS

Project: 19-015 Concession974 - Mayo  
Date: June, 2019  
Scale:

A901





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 Fax (905) 546-4202

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
- 

**APPLICATION NO.:** HM/A-19:349

**APPLICANTS:** Dan Huynh, owner

**SUBJECT PROPERTY:** Municipal address **66 Radford St., City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-laws 95-02 & 95-33

**ZONING:** "C/S-1335 and S-1335a" (Urban Protected Residential) district

**PROPOSAL:** To permit the conversion of the existing single-family dwelling to contain a total of two (2) dwelling units notwithstanding that;

1. Two (2) parking spaces shall be permitted to be located within the required front yard whereas the zoning By-law permits only one of the required parking spaces to be located within the required front yard.
2. No onsite maneuvering shall be provided for the two (2) required parking spaces instead of the requirement that a maneuvering space shall be provided and maintained abutting and accessory to each required parking space on the lot and whereas the zoning By-law only permits off-site maneuvering for only one parking space.
3. A parking space size having a minimum width of 2.6m shall be permitted for both parking spaces instead of the minimum 2.7m wide parking space size width required.

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

---

**DATE:** Thursday, June 25th, 2020

**TIME:** 3:20 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

---

**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, including deadlines for submitting to be seen by the Committee.

HM/A-19:349

Page 2


**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 9th, 2020.

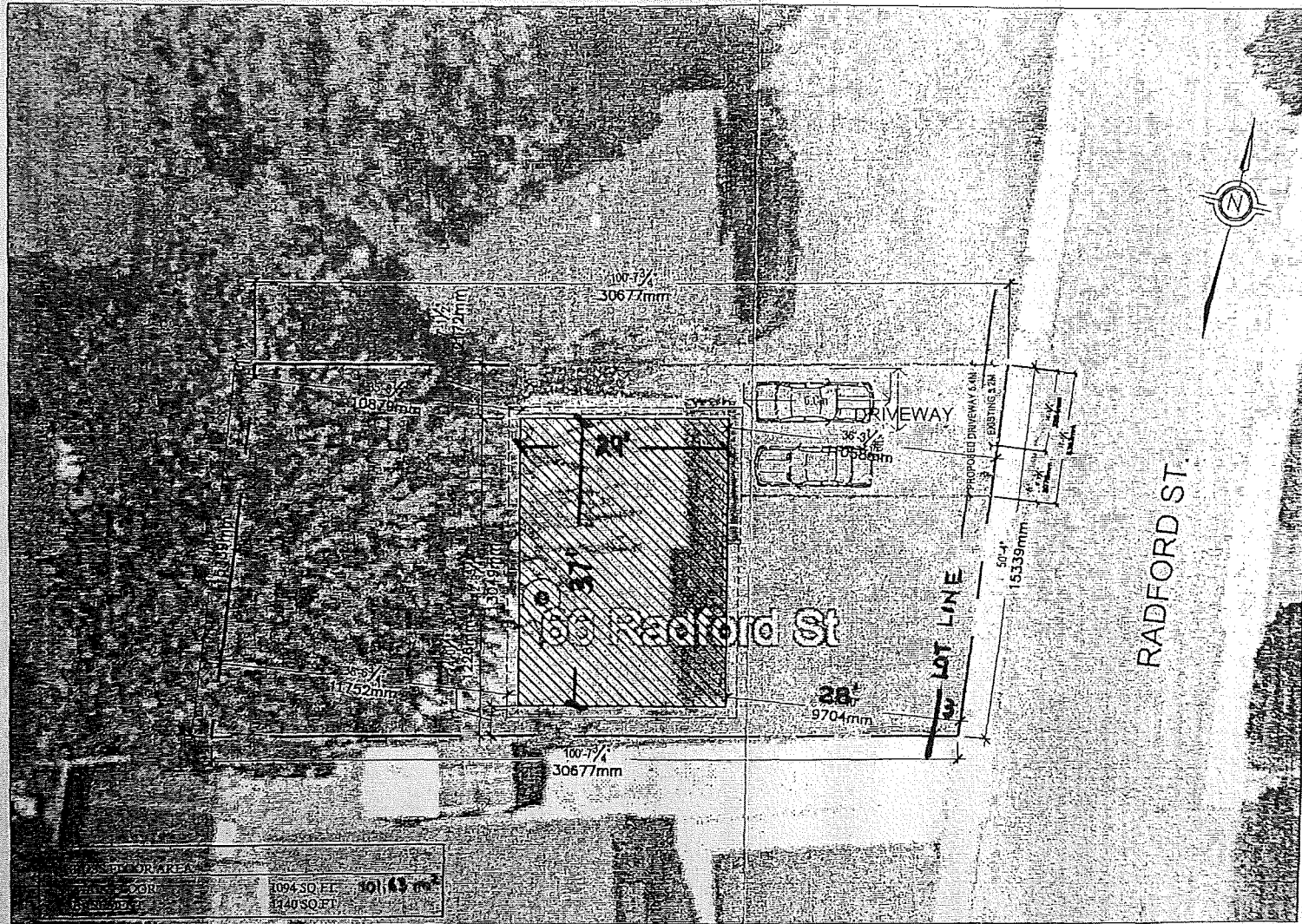


---

Jamila Sheffield,  
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.***



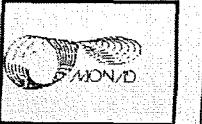


Hm 1A  
19:349  
Sketch 1

NO.	REVISION	DATE

PROJECT INFORMATION	
PROJECT NO.	19:349
DATE	
DRAWING INFORMATION	
DRAWING NO.	SP1.01
DRAWING TITLE	SP1.01 SITE PLAN
SCALE	1/8" = 1'-0"

Project  
66 RADFORD ST  
HAMILTON, ONTARIO



DESIGNED BY	
CHECKED BY	
DATE	

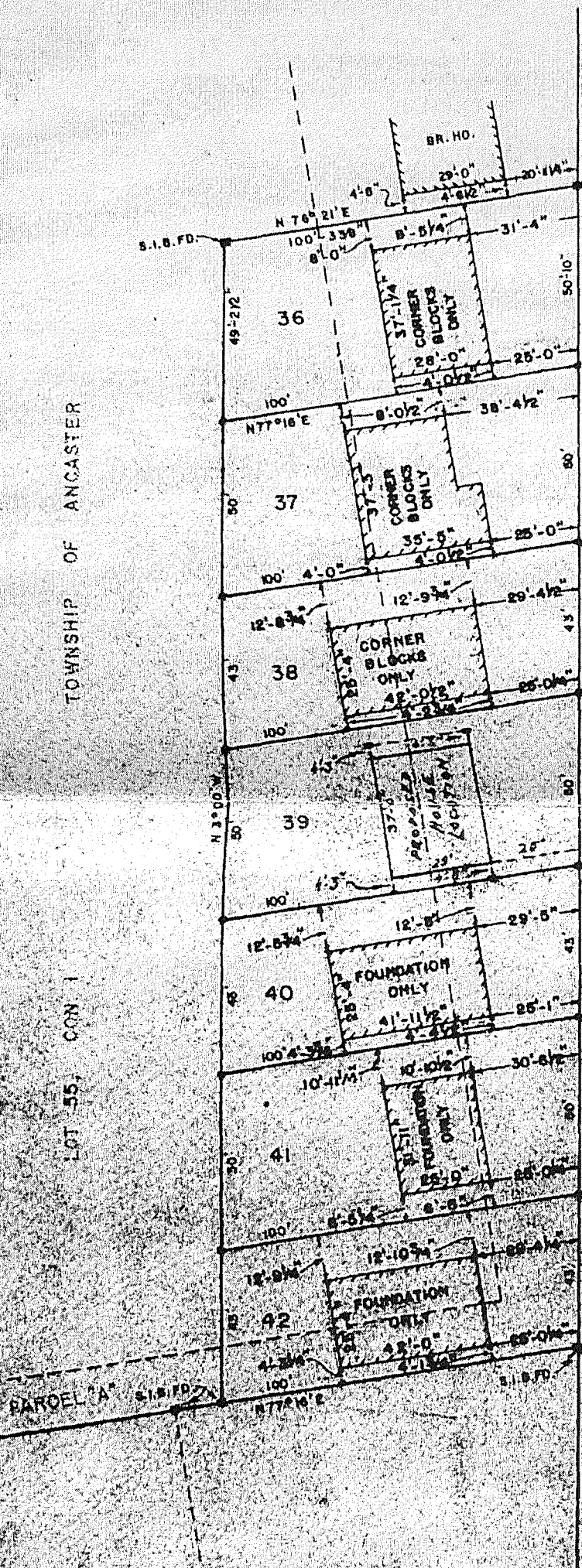
DRAWING NO.	SP1.01
-------------	--------

LANDSCAPED AND OPEN SPACE		
FRONT YARD	1400 SQ. FT.	130.06 SQ.M.
ASPHALT DRIVEWAY	513.59 SQ. FT.	47.71 SQ.M.
TOTAL SODDED AREA	886.41 SQ. FT.	83.35 SQ.M.
TOTAL PROPOSED FRONT YARD SOFT LANDSCAPING	886.41 SQ. FT.	83.35 SQ.M.
OR 63.26% OF FRONT YARD LANDSCAPE		



TOWNSHIP OF ANCASTER

LOT 55, CON 1



STREET

N 3°00' W

BADFORD

# PLAN

OF  
 LOTS 36 TO 42 INCLUSIVE  
 OF FIELD GARDENS ANNEX  
 REG. PLAN No. 1100  
 IN THE  
 CITY OF HAMILTON

SCALE 1 IN. = 30 FT.



### NOTE:

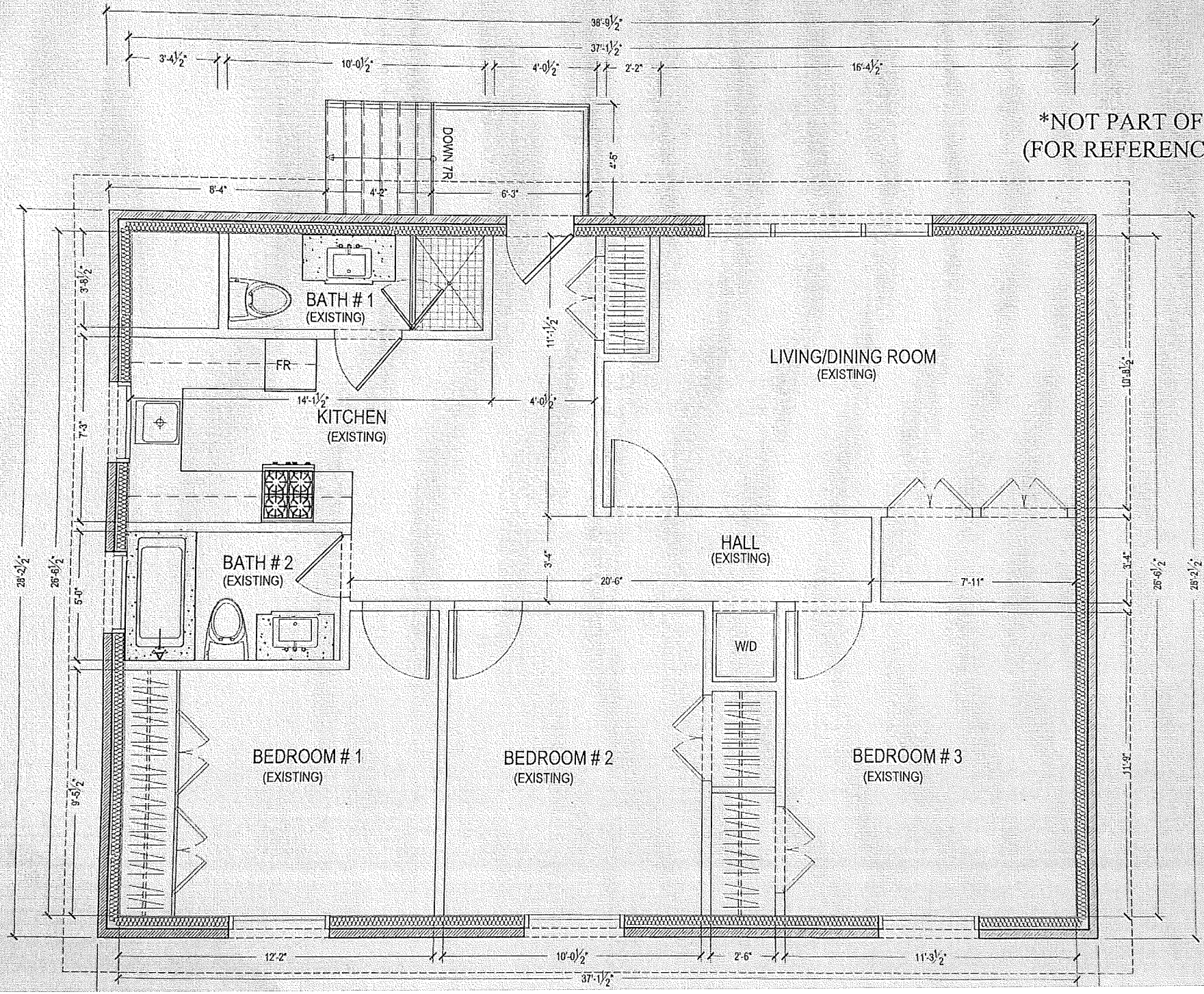
SIGN THIS  $\sigma$  DENOTES A WOODEN STAKE  
 SWELLINGS ADDED TO LOTS 36, 37, 38, 40, 41 & 42 OCT. 18.

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this plan. Plans and drawings herein released can be placed upon the current accuracy of the contents herein.

*James J. [Signature]*  
 ONTARIO LAND SURVEYOR  
 HAMILTON, ONTARIO  
 JULY 1934

Hm/A 19:349  
 Sketch 2





**\*NOT PART OF SCOPE  
(FOR REFERENCE ONLY)**

Am 1A 19:349  
Sketch 3

The Designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc. engineering information shown on this drawing. Refer to the appropriate engineering drawings before proceeding with work.

Contractor shall check all dimensions on the work and report any discrepancies to the Designer before proceeding. Construction must conform to all applicable Codes, Regulations and By-Laws of the Local Authority having jurisdiction.

This drawing is not to be scaled.

This drawing is not to be used for Construction unless signed by the Designer.

Issued for Construction:

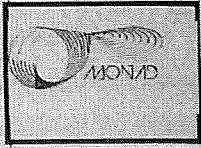
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

No.	REVISION	Date

QUALIFICATION INFORMATION	
Professional Stamp	20784
REGISTRATION INFORMATION	
Professional Stamp	131784

No.	FOR PERMIT	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Project: 66 RADFORD ST. HAMILTON, ONTARIO









Hamilton

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department  
Planning Division

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**



<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>HM/A-19-349</u>	DATE APPLICATION RECEIVED <u>Sept. 26/19</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Dan Huyab Telephone No. 
- 
- Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
- Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Home Trust Company  
2300-145 King St West, Toronto, Postal Code M5H 1J8  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

By-law (92-281) Section 19(1)(v)  
To provide front yard parking for both of the dwelling units.  
Conversion of SFD to a second dwelling unit.

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

Side yard does not permit for parking as per 18A section

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Registered Plan No. 1100, Lot 39  
66 Redford, Hamilton

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes \_\_\_ No  Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Land and building data  
\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. *N/A*

Is the previous use inventory attached? Yes \_\_\_ No \_\_\_

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Sept 5, 2019  
Date

  
Signature Property Owner

Dan Huynh  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 50'0" / 15.24 m  
Depth 100'0" / 30.48 m  
Area 5027 sq. ft / 467 m<sup>2</sup>  
Width of street 10 m

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Single Family Dwelling  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: Two Family Dwelling  
\_\_\_\_\_  
\_\_\_\_\_

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

Existing: SFD - one storey and basement  
\_\_\_\_\_  
\_\_\_\_\_

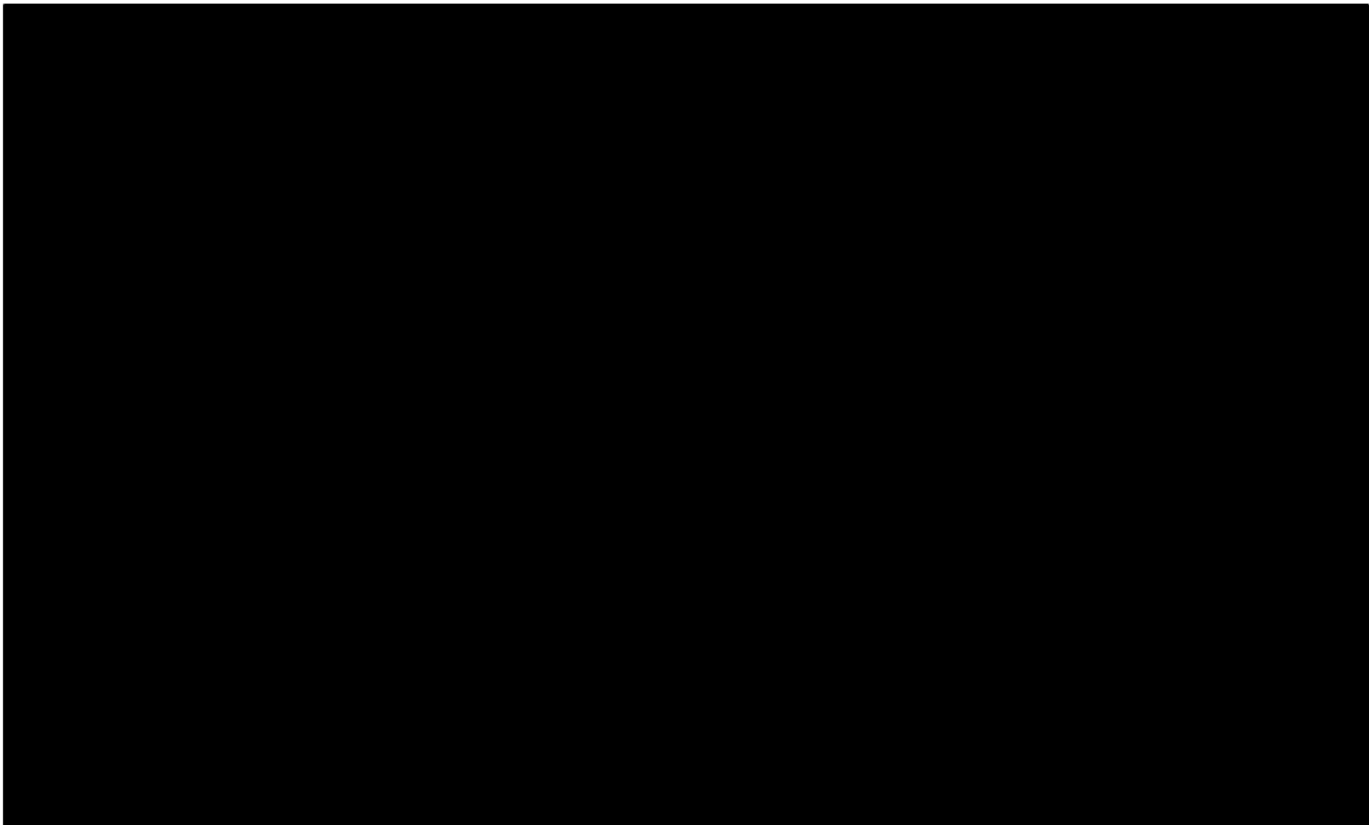
Proposed: Two family dwelling - Main floor suite and basement suite  
\_\_\_\_\_  
\_\_\_\_\_

13. Date of acquisition of subject lands:  
 \_\_\_\_\_ Oct 31, 2018 \_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
 \_\_\_\_\_ 1960's (presumed) \_\_\_\_\_
15. Existing uses of the subject property: Residential  
 \_\_\_\_\_  
 \_\_\_\_\_
16. Existing uses of abutting properties: Residential  
 \_\_\_\_\_
17. Length of time the existing uses of the subject property have continued:  
 \_\_\_\_\_ Since construction \_\_\_\_\_
18. Municipal services available: (check the appropriate space or spaces)  
 Water \_\_\_\_\_  \_\_\_\_\_ Connected \_\_\_\_\_   
 Sanitary Sewer \_\_\_\_\_  \_\_\_\_\_ Connected \_\_\_\_\_   
 Storm Sewers \_\_\_\_\_  \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
 \_\_\_\_\_  
 \_\_\_\_\_
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
 \_\_\_\_\_  
 \_\_\_\_\_
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Don Huynh, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request

Sept. 5, 2019  
Date

\_\_\_\_\_  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: Sept 5, 2019

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;  
Re: Application to Committee of Adjustment

Location of Land: 66 Radford Street, Hamilton, ON, L8S 3E6  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

Don Huynh

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.





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, 3935 Fax (905) 546-4202  
 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
- 

**APPLICATION NO.:** HM/A-20:101

**APPLICANTS:** Owner: Ontario Inc. 1919968

**SUBJECT PROPERTY:** Municipal address **137 George St., Hamilton**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 17-240; 19-062

**ZONING:** C5, Exception 297district (Mixed Use Medium Density Exception Zone)

**PROPOSAL:** To permit the construction of a three (3) storey multiple dwelling consisting of six (6) dwelling units to replace an existing 2-1/2 storey brick dwelling, notwithstanding that:

1. The minimum rear yard shall be 7.2 metres instead of the required minimum 7.5 metres.
2. The minimum easterly side yard shall be 1.2 metres instead of the required minimum 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
3. The minimum westerly side yard shall be 0.8 metres instead of the required minimum 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
4. The minimum width of a planting strip abutting a Residential Zone along the westerly side lot line shall be 0.8 metres instead of the minimum 1.5 metres.
5. The parking spaces for a multiple dwelling shall be permitted abutting the street line whereas parking is not permitted between the between the façade and the front lot line with the exception of visitor parking, and no parking shall be permitted within the required front yard or within 3.0m of a street line.
6. The provision of a planting strip shall not apply whereas parking shall not be located within 3.0 metres of a street line, and a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and the parking space or aisle.
7. Parked vehicles shall be permitted to reverse onto the street whereas parking areas are required to provide egress for vehicles in a forward motion only onto an abutting public street.
8. No aisle shall be required whereas a minimum 6.0m wide aisle is required for 90 degree parking spaces.

HM/A-20:101  
Page 2

9. Parking for a multiple dwelling shall be provided at a minimum rate of 0.5 parking spaces per unit instead of the minimum rate of 0.7 parking spaces per unit for a multiple dwelling with dwelling units over 50 square metres in gross floor area in the Commercial and Mixed Use Zones.
10. No long term bicycle parking spaces shall be required instead of the required three (3) long term bicycle parking spaces for the proposed multiple dwelling.

Prior to Approval of By-law 17-240 to amend Zoning By-law 05-200

11. Parking for a multiple dwelling shall be provided at a minimum rate of 0.33 parking spaces per unit instead of the minimum rate of 1.0 parking spaces per unit.

NOTES:

1. Variances are written exactly as requested by the applicant. This property is now subject to the regulations of the new "C5, Exception 297" zone under the Hamilton Zoning By-law 05-200. The application has been reviewed under site plan application DA-20-011 but was not recirculated for further review prior to the submission on the minor variance application. Therefore, further variances may be required as minor modifications to the site plan are being proposed.
2. Variances 9 and 11 apply because the parking requirement for the Commercial and Mixed Use Zones for multiple dwellings as provided by amending by-law 17-240 is not currently in effect. Therefore, the more stringent requirement provided in variance 12, (prior to amending by-law 17-240) also applies until a determination of the outstanding regulations of amending by-law 17-240 has been made by the Local Planning Advisory Tribunal (LPAT).
3. An eave/gutter may project not more than 0.6 metres into the required yard to a maximum of a maximum of half the distance of the required yard which one half of a side yard or 1.0m whichever is the lesser amount. If the requested side yard variances are approved, an eave/gutter may project a maximum of 0.4m into the required westerly side yard and 0.6m into the required easterly side yard. Insufficient details were provided to confirm compliance; as such, additional variances may be required.
4. Exception 297, applicable to the zoning of the subject property includes special provisions for building height to permit a maximum height of 14.0m and to permit parking to be not less than 1.0m to an abutting residential zone.
5. All of the proposed dwelling units would be greater than 50 square metres in gross floor area.
6. With respect to Variances # 2 and 3, the subject property abuts a residential dwelling unit along the easterly side yard and it abuts a residential zone along the westerly side yard.

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

---

**DATE:** Thursday, June 25th, 2020  
**TIME:** 3:25 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

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HM/A-20:101

Page 3

## 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, including deadlines for submitting to be seen by the Committee.


**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

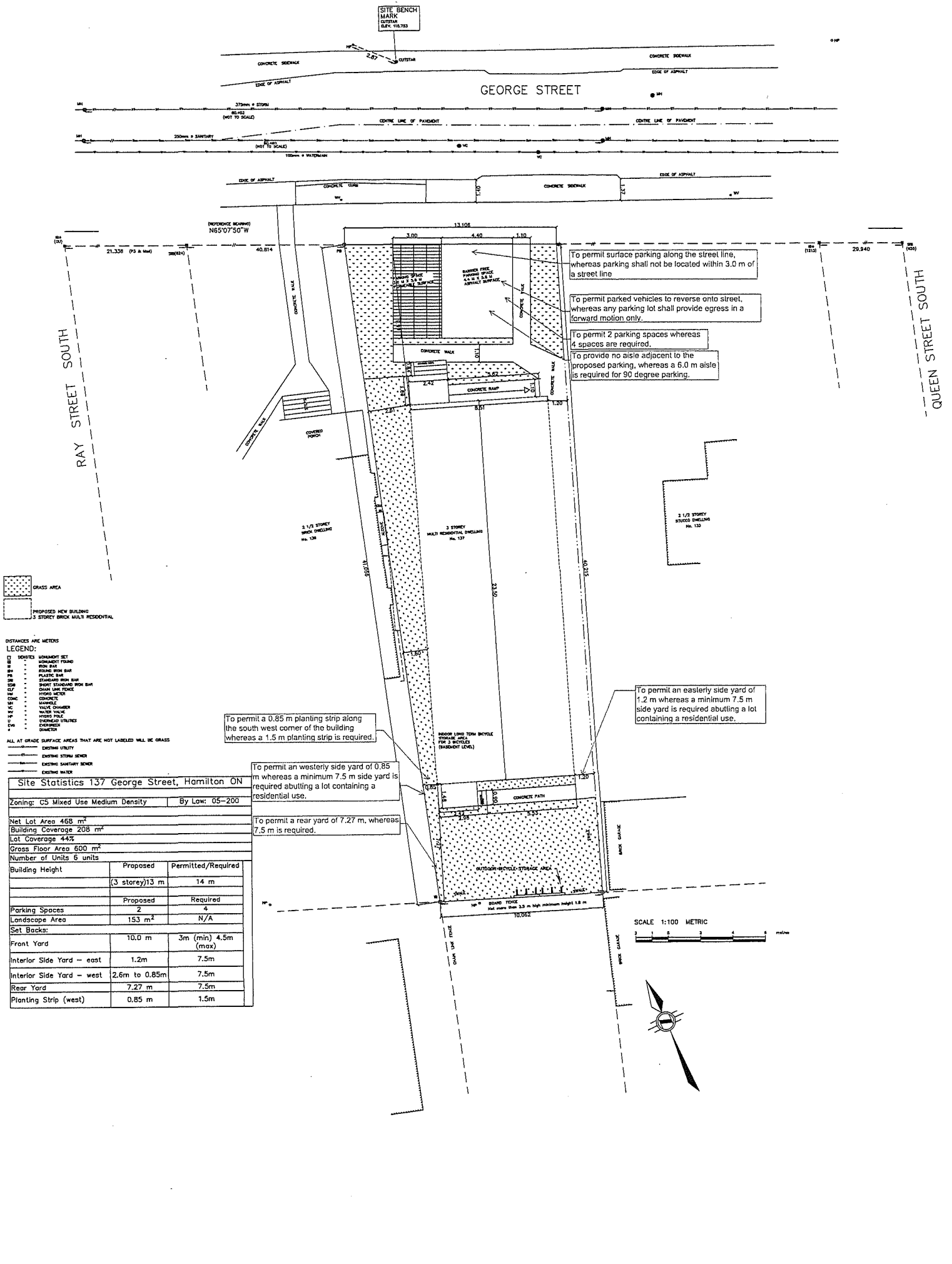
DATED: June 9<sup>th</sup>, 2020.



---

Jamila Sheffield,  
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.***



**Site Statistics 137 George Street, Hamilton ON**

Zoning: C5 Mixed Use Medium Density By Law: 05-200

Net Lot Area 468 m<sup>2</sup>  
 Building Coverage 208 m<sup>2</sup>  
 Lot Coverage 44%  
 Gross Floor Area 600 m<sup>2</sup>  
 Number of Units 6 units

Building Height	Proposed	Permitted/Required
	(3 storey) 13 m	14 m

Parking Spaces	Proposed	Required
	2	4

Landscape Area 153 m<sup>2</sup> N/A

Set Backs:

	Proposed	Permitted/Required
Front Yard	10.0 m	3m (min) 4.5m (max)
Interior Side Yard - east	1.2m	7.5m
Interior Side Yard - west	2.6m to 0.85m	7.5m
Rear Yard	7.27 m	7.5m
Planting Strip (west)	0.85 m	1.5m

**Options for Independent Living and Development**

Project: 137 George Street, Hamilton, ON


**SITE PLAN**

Project No: OF1LD  
 Date: 16.12.2019  
 Revised: 06.04.2020

Dwg by: ks

Issued for: Committee of Adjustment  
 Scale: 1:100

HM/A-201701 Sketch 1




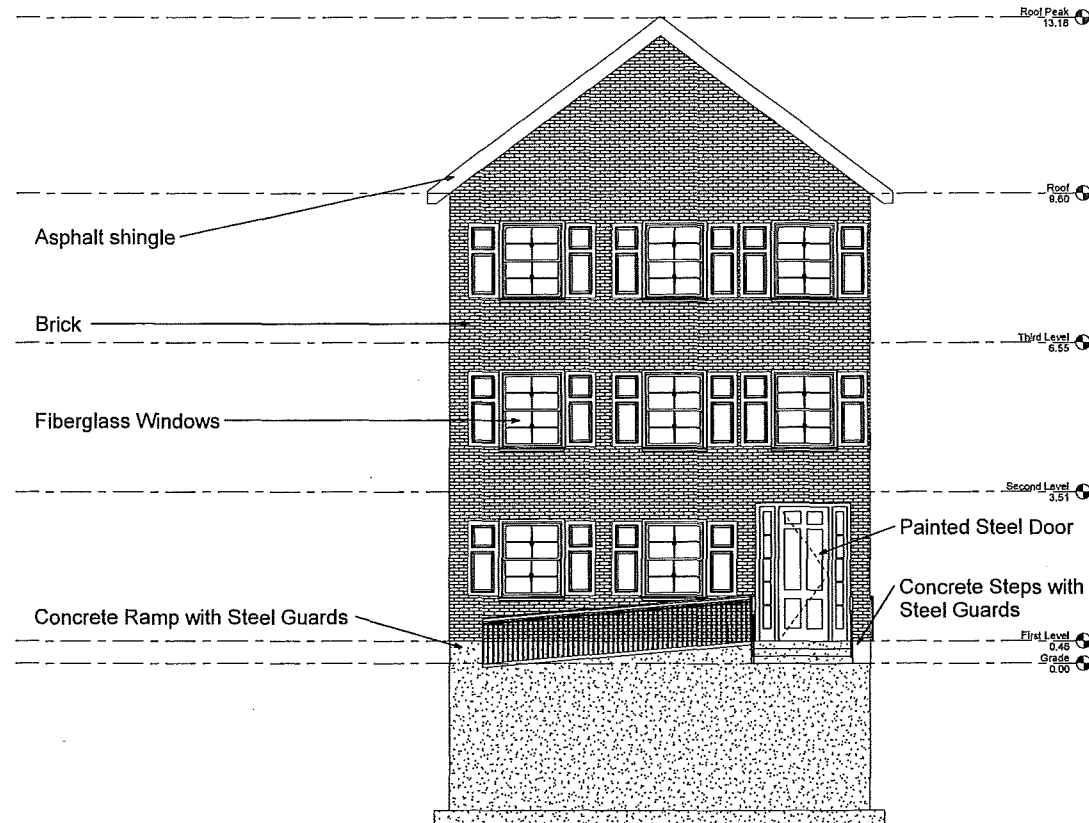
**KSAA**  
 Architectural Solutions Inc.

544 Gower St. East  
 Hamilton, ON N8Y 2G9  
 905 973 3052  
 kstacey@ksaa.ca  
 www.ksaa.ca

1 Kathleen Stacey re: and take responsibility for the design work on behalf of KSAA Architectural Solutions Inc. as a registered Professional Architect in the Province of Ontario under the Ontario Building Code, 1 am qualified, and the firm is registered, in the appropriate classes/categories.

Kathleen Stacey C.E.T., Technologist OAAAS  
 BCN 40428  
 Firm: BCN 107770





North  
1:48

KSA

Architectural Solutions Inc

544 Governors Road, Dundas, Ont. L9H 5E3  
905 973 3052

www.ksarch.ca

I warrant to any owner and his responsibility for any design work or layout of KSA Architectural Solutions Inc registered under the Ontario Act of Ontario, of the Ontario Building Code, for approval, and for use by the registered in the appropriate jurisdiction.  
Professional Number: 2008-00000  
Rev. 02/04/2019



Options for Independent Living and Development

137 George Street,  
Hamilton, ON

ISSUE:

No:	Description:	Date:
1	Concept	02.04.2019
2	Concept	15.04.2019
3	Revision	26.07.2019
4	Revision	30.09.2019
5	SPA	18.12.2019
6	COA	08.04.2020
7		

NORTH  
ELEVATION

A-03

Project number	OFILD
Date	April 08 2020
Drawn by/checked by	JSS
Issued for	COA
Scale	1:48

HMA:20:101  
sketch 2





Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A-20:101</u>	DATE APPLICATION RECEIVED <u>MAY 06 2011</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***The Planning Act***

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Ontario Inc. 1919968 Telephone No.
- 
- Name of Agent Kathy Stacey Telephone No.
- 

**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Bank of Montreal  
50 Bay Street South Hamilton ON Postal Code L8P 4V9  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

## 6. Nature and extent of relief applied for:

To permit a rear yard of 7.27 m, whereas 7.5 m is required.

To permit an easterly side yard of 1.2 m and a westerly side yard of 0.85 m whereas a minimum 7.5 m side yard is required abutting a lot containing a residential use.

To permit a 0.85 m planting strip along the southwest corner of the building, whereas a minimum 1.5 m planting strip is required.

To permit surface parking along the street line, whereas parking shall not be located within 3.0 m of a street line.

To permit parked vehicles to reverse onto street, whereas any parking lot shall provide egress in a forward motion only.

To permit provide no aisle adjacent to the proposed parking, whereas a 9.0 m aisle is required for 90 degree parking.

To permit 2 parking spaces, whereas 4 parking spaces are required.

## 7. Why it is not possible to comply with the provisions of the By-law?

The site does not have the area for 4 parking spaces, the focus of this affordable housing project is affordability and sustainability (the building is located less than 150m from two main public transit corridors). The interior side yard setbacks requirement in the new C5 zoning cause this lot to be non-buildable as there is no building envelope remaining once the 7.5m is allowed in each direction. The width of the lot is 13 m.

## 8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Registered Plan 1435 PIN 17142-0121 137 George Street, Hamilton, ON

## 9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

## 9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

## 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

## 9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

## 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

## 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

## 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

## 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

## 9.8 Is the nearest boundary line of the application within 500 meters (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

## 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g. asbestos, PCB's)?

Yes  No  Unknown



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
Phase 1 Environmental Site Assessment – report January 2019

\_\_\_\_\_

\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Date April 23/20 \_\_\_\_\_ Signature Property Owner

\_\_\_\_\_ MICHAEL POWER \_\_\_\_\_  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 13.106 m

Depth 41 m

Area 468.92

Width of street 9.5 m

11. Particulars of all buildings and structures on or proposed for the subject lands:  
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: A Brick dwelling, ground floor area = 116 m<sup>2</sup> gross floor area = 261 m<sup>2</sup>  
2 1/2 story, (width = 9.2 m) (length = 17.3 m) ( height = 11 m)

Proposed: A three story brick dwelling as permitted in the C5 zoning  
ground floor area = 200 m<sup>2</sup> gross floor area = 600 m<sup>2</sup>  
3 story, (width = 8.51 m) (length = 23.5 m) ( height = 13 m)

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

Existing: Side [1.54m to 1.84m easterly] [1.43m to 0.59m westerly]  
[Rear – south 12m] [Front – north 12m]

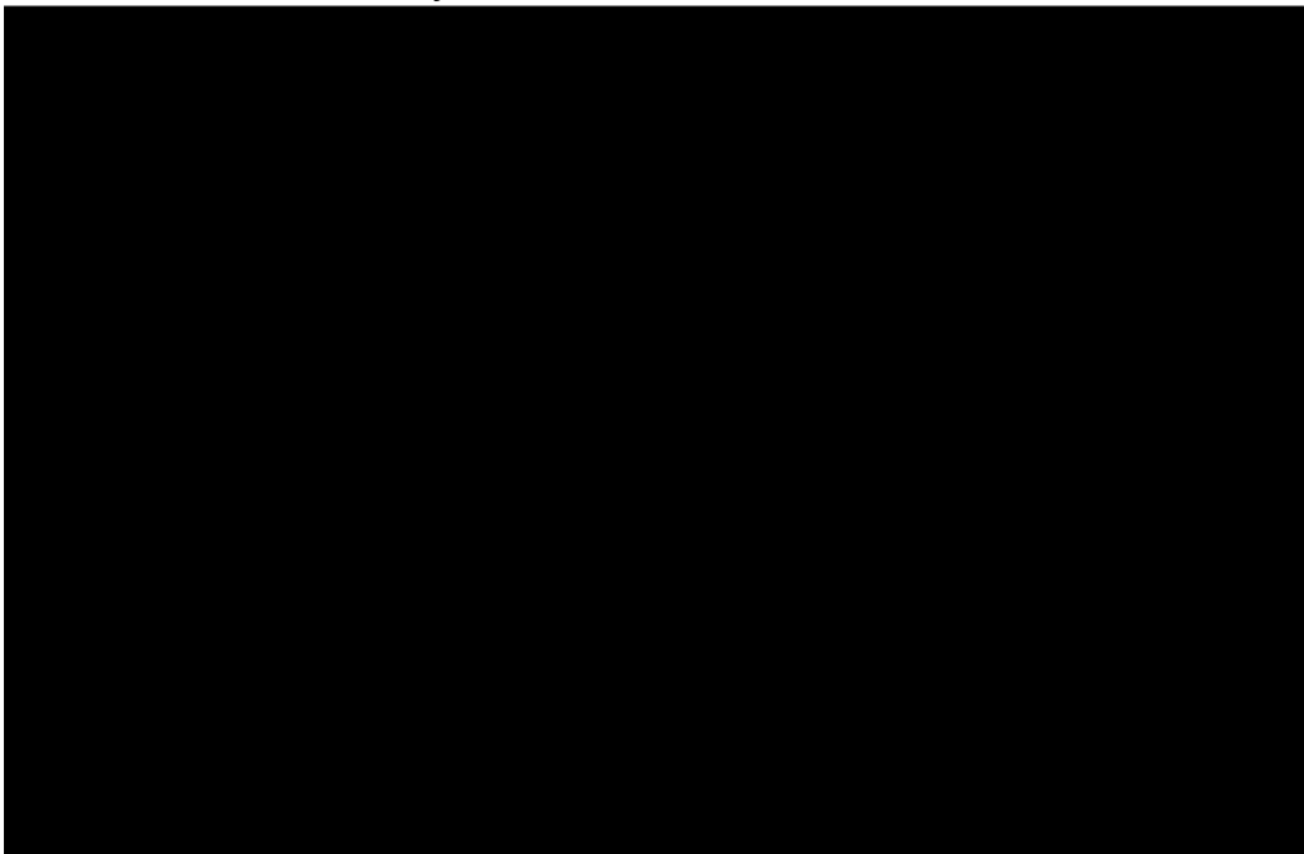
Proposed: Side [1.2m easterly] [0.85 m westerly]  
Rear [south 7.27 m] Front [north 10.0 m]

13. Date of acquisition of subject lands:  
October 2012
- 
14. Date of construction of all buildings and structures on subjectlands:  
circa 1900
- 
- 
15. Existing uses of the subject property:  
Single family dwelling
16. Existing uses of abutting properties:  
[West - single family dwelling also owned by the applicant] [East - 6-unit multi-residential dwelling] [South - multi residential apartment building]
- 
17. Length of time the existing uses of the subject property have continued:  
From date of construction
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
C5 mixed use medium density and the Strathcona Secondary Plan
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Parent Bylaw 05-200 Bylaw 17-240 exception 297
- 
21. Has the owner previously applied for relief in respect of the subject property?  
Yes  No   
If the answer is yes, describe briefly.
- 
- 
- 
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) Michael Power Ontario Inc. 1919968 am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize: Kathleen Stacey of KSA Architectural Solutions Inc.

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE April 23/20

SIGNED 

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

Michael Power  
I, Michael Power the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date April 23/20

  
Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: April 23/20

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;  
Re: Application to Committee of Adjustment  
Location of Land: 137 George Street, Hamilton, ON  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.

[Redacted Signature]

Signature of Owner or Authorized agent  
Kathleen Stacey

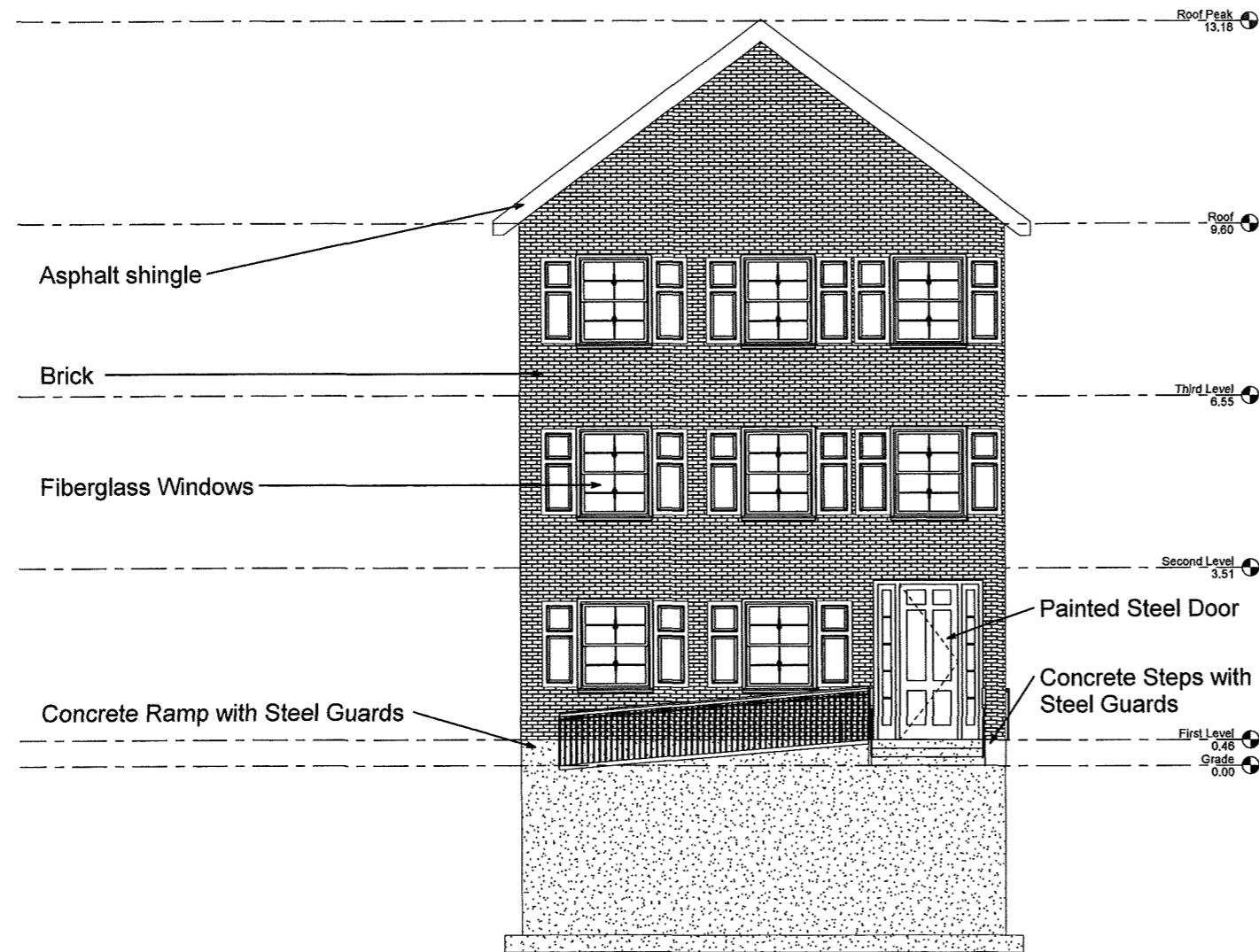
Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.





① North  
1 : 48

**KSA**

Architectural Solutions Inc

544 Governors Road, Dundas, Ont. L9H 5E3  
905 973 3052

www.ksarch.ca

I, Kathleen Macyn, take and accept responsibility for the design work on behalf of KSA Architectural Solutions Inc registered under subsection 2.2.4 of Division 2, of the Ontario Building Code, I am qualified, and I am registered, in the appropriate discipline category.

Kathleen Macyn BCIN 42428  
Firm BCIN 107770



Options for Independent  
Living and Development

137 George Street,  
Hamilton, ON

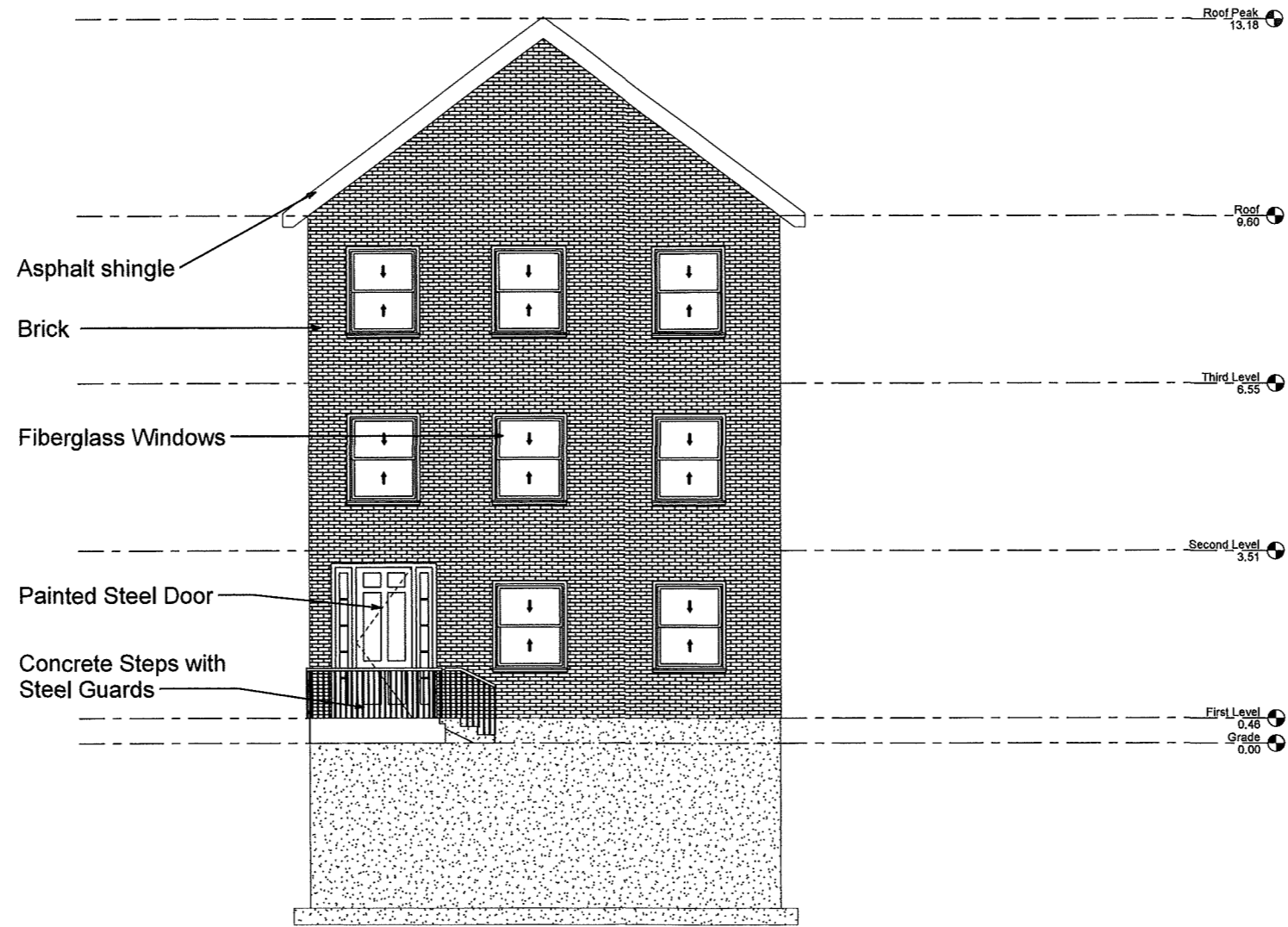
**ISSUE:**

No:	Description:	Date:
1	Concept	02.04.2019
2	Concept	15.04.2019
3	Revision	26.07.2019
4	Revision	30.09.2019
5	SPA	16.12.2019
6	COA	06.04.2020
7		

**NORTH  
ELEVATION**

**A-03**

Project number	OFILD
Date	April 08 2020
Drawn by/checked by	KS
Issued for	COA
Scale	1 : 48



① South  
1:48

**KSA**

Architectural Solutions Inc

544 Governors Road, Dundas, Ont. L9H 5E3  
905 973 3052

www.ksarch.ca

I, Karsten Baczay, review and take responsibility for the design work on behalf of KSA Architectural Solutions Inc registered under subsection 3.2.4 of Division 2 of the Ontario Building Code. I am qualified, and the firm is registered, in the appropriate discipline(s).

Karsten Baczay, BCIN 12423  
Firm: BCIN 107770



Options for Independent  
Living and Development

137 George Street,  
Hamilton, ON

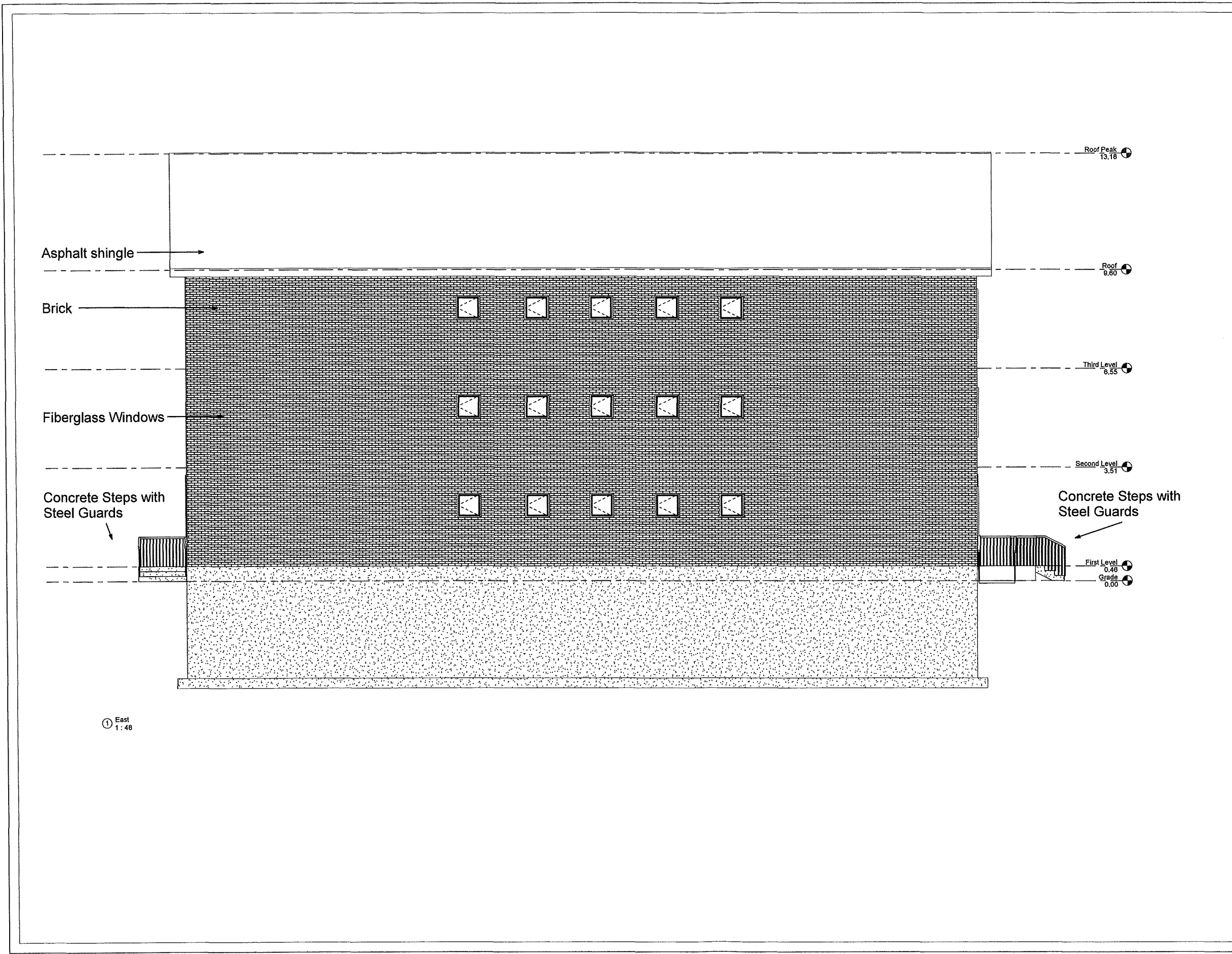
**ISSUE:**

No:	Description:	Date:
1	Concept	02.04.2019
2	Concept	15.04.2019
3	Revision	26.07.2019
4	Revision	30.09.2019
5	SPA	16.12.2019
6	COA	06.04.2020
7		

**SOUTH  
ELEVATION**

**A-04**

Project number:	OFILD
Date:	April 08 2020
Drawn by/checked by:	KS
Issued for:	COA
Scale:	1:48



# KSA

Architectural Solutions Inc

544 Governors Road, Dundas, Ont. L9H 5E3  
905 973 3052

www.ksarch.ca

I, Kathleen Tracey review and take responsibility for the design work on behalf of KSA Architectural Solutions Inc registered under subsection 3.1.6 of Division C. of the Ontario Building Code. I am qualified, and the firm is registered, in the appropriate classes and categories.

Kathleen Tracey BCIN 45428  
Firm: BCIN 107770

**Options for Independent Living and Development**

137 George Street,  
Hamilton, ON

ISSUE:		
No:	Description:	Date:
1	Concept	02.04.2019
2	Concept	15.04.2019
3	Revision	26.07.2019
4	Revision	30.09.2019
5	SPA	16.12.2019
6	COA	06.04.2020
7		

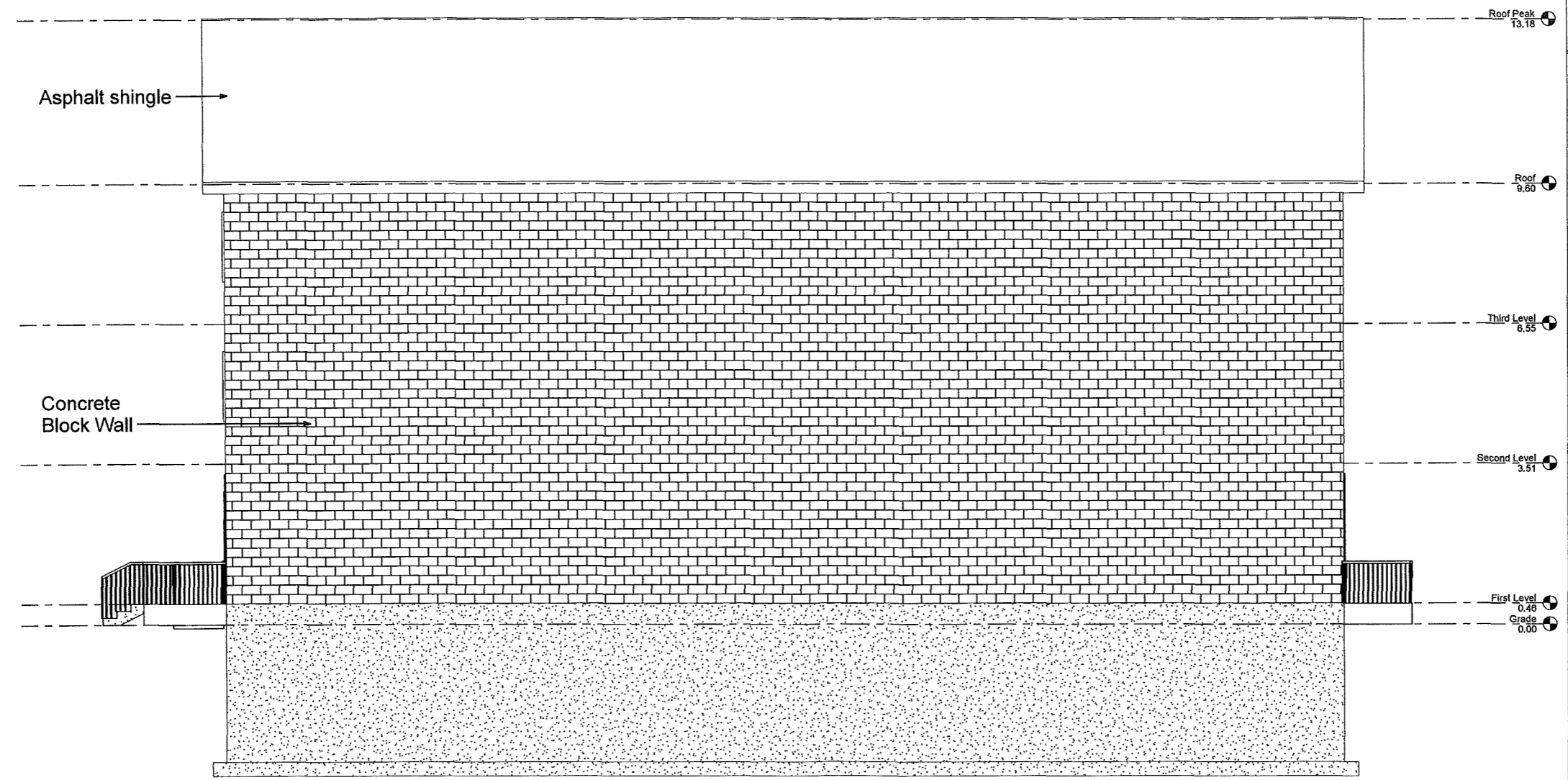
## EAST ELEVATION

### A-06

Project number	OFILD
Date	April 06 2020
Drawn by/checked by	KS
Issued for	COA
Scale	1 : 48

① East  
1 : 48





① West  
1:48

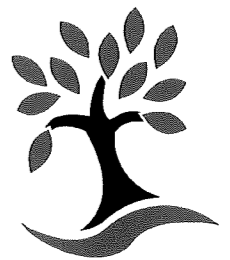
**KSA**

Architectural Solutions Inc

544 Governors Road, Dundas, Ont. L9H 5E3  
905 973 3052

www.ksarch.ca

I, Karleen Macey, hereby certify that I am a registered architect in the Province of Ontario, and I am the author of the design work on behalf of KSA Architectural Solutions Inc. registered under section 2.2.4 of the Architects Act, R.S.O. 1990, c. 12, s. 2.2.4. I am a member of the Ontario Association of Architects (OAA) and the Ontario Council of Architectural Engineers (OCAE).  
Karleen Macey BCIN 40438  
Firm BCIN 107772



Options for Independent Living and Development

137 George Street,  
Hamilton, ON

**ISSUE:**

No:	Description:	Date:
1	Concept	02.04.2019
2	Concept	15.04.2019
3	Revision	26.07.2019
4	Revision	30.09.2019
5	SPA	16.12.2019
6	COA	06.04.2020
7		

**WEST ELEVATION**

**A-05**

Project number	OFILD
Date	April 08 2020
Drawn by/checked by	ks
Issued for	COA
Scale	1:48