



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 20-07
Date: July 16, 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

	Pages
1. PREVIOUSLY TABLED	
2. SUBURBAN	
2.1 1:20 p.m.GL/A-20:7412 Solsbury Cres. Glanbrook (Ward 11)	7
Agent The Gardener Landscaping Owner M. & A. Cuffaro	
2.1.a 1:25 p.m.HM/A-20:341662 Upper James St., Hamilton (Ward 8)	17
Agent Beenu Arya Owner Rahul Shukla	
2.1.b 1:30 p.m.HM/B-19:122, HM/B-19:123 & HM/A-19:438 1430 Upper Sherman Ave., Hamilton (Ward 7)	27
Owners K. & U Darji	

2.1.c	1:35 p.m.HM/B-20:2350-52 Loconder Dr., Hamilton (Ward 6)	63
	Owner 1955098 Ontario Inc. c/o R. Fawaz	
2.1.d	1:40 p.m.HM/B-20:241342 Stone Church Rd. E., Hamilton (Ward 6)	75
	Agent PJ Daly Contracting Limited 82 Ferguson Ave. (Hamilton)	
2.1.e	1:45 p.m.SC/A-20:8249 Millen Rd., Stoney Creek (Ward 10)	89
	Agent DeFilippis Design Owner Terri Valeri	
2.1.f	1:50 p.m.AN/B-20:2563 Orchard Dr., Ancaster (Ward 12)	97
	Agent Valfour Developments (2000) Inc. c/o Rob Ostrowercha Owner Donald James Young	

3. RURAL

3.1	1:55 p.m.FL/A-20:7611 Howard Blvd., Flamborough (Ward 15)	109
	Agent DeFilippis Design Owners A. & L. Nacinovic	
3.2	2:00 p.m.FL/A-20:8061 Rockcliffe Rd., Flamborough (Ward 15)	117
	Agent Desimone Architect Owner Michele Adams	
3.3	2:05 p.m.DN/A-19:40656 York Rd., Dundas (Ward 15)	127
	Agent Marina Fensham Owner Harp Valley Group c/o M. Citizen	
3.4	2:10 p.m.DN/A-20:7058 Parkside Ave., Dundas (Ward 13)	145
	Agent Tony Brucculieri Owner Sharon Tucker	
3.5	2:15 p.m.DN/A-20:7581 York Rd., Dundas (Ward 13)	157
	Owners T. & M. Kata	

- 3.6 2:30 p.m.AN/A-20:782685 Jerseyville Rd. W., Ancaster (Ward 12) 165
Owners M. Sommers & C. Campbell
- 3.7 2:35 p.m.DN/A-20:858 Comar Place, Dundas (Ward 13) 179
Agent Andy Tran
Owner Karrie Eeelhart-Dilag/Kiev Dilag
- 3.8 2:40 p.m.FL/B-20:2613 Timberrun Crt., Flamborough (Ward 15) 191
Agent Harry Kalantzakos
Owner Janice Whitelaw

4. URBAN

- 4.1 2:50 p.m.HM/A-20:77125 Mount Albion Rd., Hamilton (Ward 5) 203
Agent David Wilson
Owner Skyway Construction Group Inc.
- 4.2 2:55 p.m.HM/B-19:124 & HM/A-19:440 130 Gibson Ave., Hamilton (Ward 3) 215
Owners Roger, Marilyn & Denis Gignac
- 4.3 3:00 p.m.HM/B-20:22Withdrawn
- 4.4 3:05 p.m.HM/A-20:799 Roanoke Rd., Hamilton (Ward 1) 239
Owner Geoff Orton
- 4.5 3:10 p.m.HM/A-20:8127 Paisley Ave. N., Hamilton (Ward 1) 247
Agent N-Cubed Services Inc. (D. Nguyen)
Owner Catharine Yantsis
- 4.6 3:15 p.m.HM/A-20:83191 Longwood Rd. S., Hamilton (Ward 1) 261
Agent A.J. Clarke & Associates Ltd. c/o F. Kloibhofer
Owner McMaster Innovation Park c/o F. Grabowski
- 4.7 3:20 p.m.HM/A-20:8642 Franklin Ave., Hamilton (Ward 1) 271
Agent Kevin Webster
Owners S. & D. McEwen

4.8 3:25 p.m.HM/A-20:7382 Ferguson Ave. N., Hamilton (Ward 2) 281

Agent Kyle Reinders
Owner Street Light Ministries c/o Ken VanderBoom

4.9 3:30 p.m.HM/A-20:45246 Bowman Ave., Hamilton (Ward 1) 289

Owner Mohammed Khawja Qutubuddin

4.10 3:35 p.m.HM/B-20:07 & HM/A-20:24 72 Picton St. W., Hamilton (Ward 2) 309

Agent H. Turkstra
Owner A. Young

4.11 3:40 p.m.HM/A-20:1131375 King St. E., Hamilton (Ward 3) 363

Owner 2606043 Ont. Inc.

5. **CLOSED**

6. **ADJOURNMENT**

COMMITTEE OF ADJUSTMENT PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Oral Submissions During the Virtual Meeting

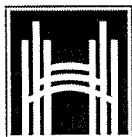
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Agents/owners will be sent a link to register via video, unless indicated otherwise. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING **Minor Variance**

You are receiving this notice because you are either:

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

APPLICATION NO.: GL/A-20:74

APPLICANTS: The Gardener Landscaping c/o Karla Sousa on behalf of the owner Michael Cuffaro

SUBJECT PROPERTY: Municipal address **12 Solsbury Cres., (Glanbrook) City of Hamilton**

ZONING BY-LAW: Zoning By-law 464, as Amended

ZONING: "R4" (Residential "R4") Zone

PROPOSAL: To permit the construction of a pavilion (accessory building) in the rear yard of the existing single detached dwelling, notwithstanding,

1. The proposed accessory building shall be permitted to be located 0.9 metres from the northerly side lot line instead of the minimum required distance of 1.0 metres to any lot line;
2. The proposed accessory building measuring 18.1 square metres shall be permitted to encroach 0.3 metres into the minimum required 1.2 metre northerly side yard and 1.4 metres into the minimum required 7.5 metre rear yard notwithstanding an accessory building in excess of 12 square metres is not permitted to be located in any minimum rear or side yard; and,
3. A maximum lot coverage of 36% shall be permitted for all buildings on the lot instead of the maximum permitted lot coverage of 35%.

NOTES:

1. A lot area of 420.4 square metres and a total building area of 132.67 square metres has been obtained from building permit 04-229245 issued July 19, 2004 to construct a single detached dwelling.
2. The applicant shall ensure the proposed building height of 3.92 metres has been provided in accordance with the definition of "Height" as defined in the Zoning By-law.
3. A further variance will be required if the eave and gutter of the proposed accessory building encroaches greater than 30 centimetres into a minimum setback area.

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

DATE: Thursday, July 16th, 2020
TIME: 1:20p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

GL/A-20:74
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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.

WALL SCHEDULE - COMPLIANCE PACKAGE A1 OF 3.1.1.2.A OBC

THE THERMAL VALUES IDENTIFIED IN THE ENERGY EFFICIENCY DESIGN SUMMARY (EEDS) FORM SHALL GOVERN OVER THOSE IN THE ARCHITECTURAL DRAWING SET IF ANY DISCREPANCIES EXIST.

STONE/BRICK VENEER WALL CONSTR.	2" X 4" INTERIOR PARTITION	2" X 3" INTERIOR PARTITION AT FOUNDATION WALL (INSULATED)	8" FOUNDATION WALL
SIDING WALL CONSTRUCTION	2" X 6" INTERIOR PARTITION	2" X 3" INTERIOR PARTITION AT FOUNDATION WALL (INSULATED)	10" FOUNDATION WALL
STUCCO WALL CONSTRUCTION	2" X 6" INTERIOR POCKET DOOR WALL	2" X 4" INTERIOR PARTITION AT FOUNDATION WALL (INSULATED)	12" FOUNDATION WALL

CONSTRUCTION NOTE SCHEDULE

1. WEAPER TILE
2. FOUNDED CONCRETE BASEMENT SLAB
3. FOUNDED CONCRETE FOUNDATION WALL
4. COLD STORAGE FLOOR SLAB
5. SILL PLATE
6. WOOD IN CONTACT WITH CONCRETE
7. BEAM BEARING
8. FOUNDATION WALL REINFORCEMENT
9. EXPOSED FLOOR TO EXTERIOR
10. FLOOR CONSTRUCTION
11. EXTERIOR WINTER STAIRS
12. ROOF CONSTRUCTION
13. ROOF VENTILATION
14. TWO STOREY VOLUME PLACES
15. MECHANICAL EXHAUST FAN
16. MECHANICAL EXHAUST FAN VENTED TO EXTERIOR
17. DIRECT VENT FURNACE TERMINAL
18. DIRECT VENT FURNACE TERMINAL
19. DIRECT VENT FURNACE TERMINAL
20. EXPOSURE BUILDING FACE
21. STUD WALL REINFORCEMENT
22. CONSTRUCTION JOINT
23. ROOF CONSTRUCTION
24. ROOF CONSTRUCTION
25. ROOF CONSTRUCTION
26. ROOF CONSTRUCTION
27. STEP FOOTINGS
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GENERAL NOTES

FOR EDUCATION PROJECTS WHERE PROPOSED ROOF TRUSSES ARE INTENDED TO ALIGN WITH EXISTING ROOF OVERLAP/BRIDGE TO CONFIRM ALL DIMENSIONS WITH REGARDS TO TRUSS DESIGN.

WHEN A RAIN BURST APPLIANCE IS INSTALLED AS A SUITE OF A RESIDENTIAL OCCUPANCY, A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA IN THE SUITE. AN ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA IN EVERY SUITE OF RESIDENTIAL OCCUPANCY THAT IS ADJACENT TO THE SERVICE ROOM OR STORAGE GARAGE.

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3.1.1.2.A ZONE 1 COMPLIANCE PACKAGE FOR SPACE HEATING

COMPONENT	THERMAL VALUES	COMPLIANCE PACKAGE A1	
		R _S	R _T
CEILING WITH ATTIC SPACE	MIN. NOMINAL	10.56	10
	MAX. U	0.096	0.10
CEILING WITHOUT ATTIC SPACE	MIN. NOMINAL	5.4	31
	MAX. U	0.205	0.016
EXPOSED FLOOR	MIN. NOMINAL	5.4	11
	MAX. U	0.152	0.034
WALLS ABOVE GRADE	MIN. NOMINAL	3.27	32
	MAX. U	0.313	0.029
BASEMENT WALLS	MIN. NOMINAL	1.72	21.12
	MAX. U	0.219	0.047
BELOW GRADE SLAB WITH SURFACE > 600 mm BELOW GRADE	MIN. NOMINAL	1.78	10
	MAX. U	0.210	0.050
HEATED SLAB OR SLAB < 600 mm BELOW GRADE	MIN. NOMINAL	1.78	10
	MAX. U	0.210	0.050
FLOOR OVER BELOW GRADE SLAB < 600 mm BELOW GRADE	MIN. NOMINAL	1.78	10
	MAX. U	0.210	0.050
WINDOWS AND SLIDING GLASS DOORS	MAX. U	1.6	0.23
	ENERGY RATING	25	25
SPLIT/SYSTEMS	MAX. U	2.8	0.48
	ENERGY RATING	25	25
SPACE HEATING EQUIPMENT	MIN. ARIE	95%	95%
	MIN. SE	75%	75%
DOMESTIC WATER HEATER	MIN. EF	0.83	0.83
	MIN. SE	75%	75%

LINTEL DIAGRAM

DRAWING LEGEND

SECTION CALL OUT

FOOTING SCHEDULE

STEEL LINTEL

PAD FOOTING SCHEDULE

SOIL

POST SCHEDULE

LINTEL SCHEDULE

BEAM SCHEDULE

LEDGER SCHEDULE

GENERAL NOTES

QUALIFICATION INFORMATION

REVISION LIST

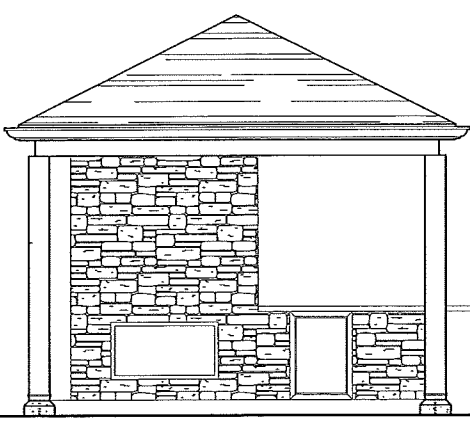
PROJECT NORTH

TRUE NORTH

ISSUE LIST

DRAWING TITLE

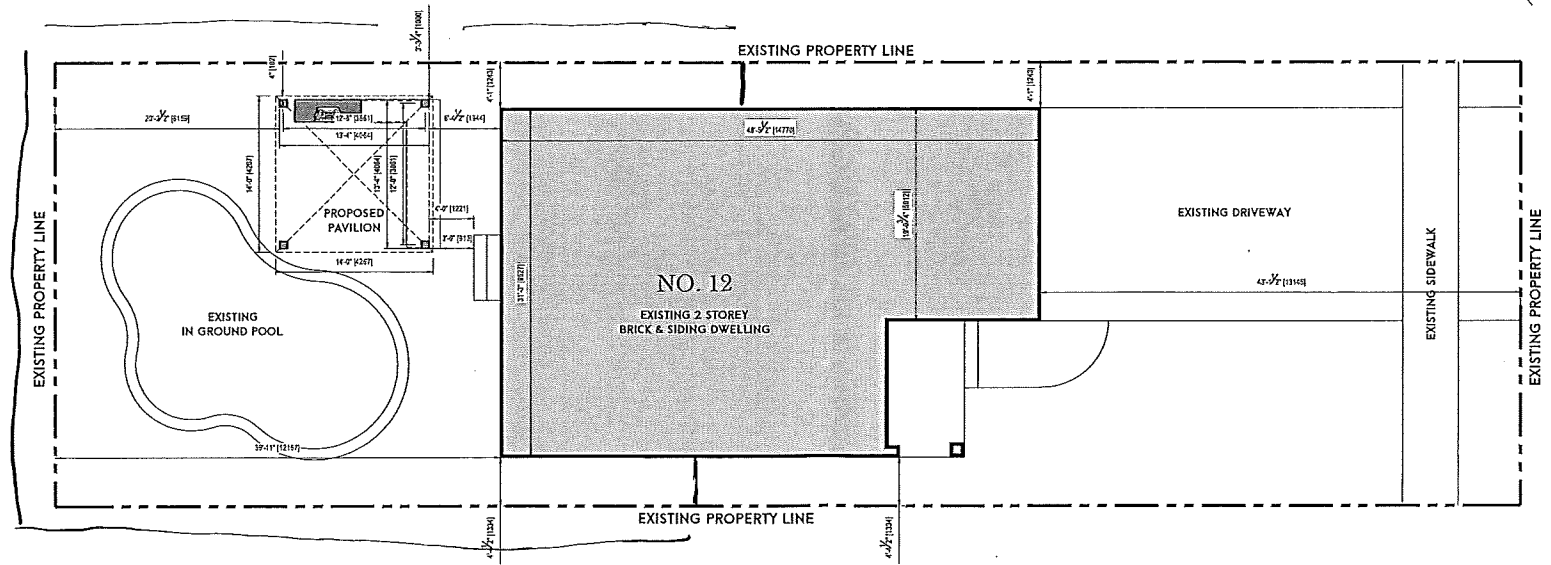
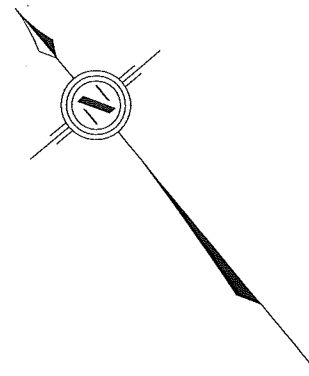
GENERAL NOTES



GL/A 2017 sketch 1

GL/A 20:07
Sketch 2

SITE STATISTICS - 12 SOLSBURY CRES	
ZONE CODE: R4 (RESIDENTIAL 4)	
LOT AREA:	485.10 SQ.M
LOT FRONTAGE:	12.10 M
LOT COVERAGE	
EXISTING DWELLING:	125.33 SQ.M
EXISTING FRONT COVERED PORCH:	7.68 SQ.M
PROPOSED PAVILION:	16.51 SQ.M
TOTAL:	149.52 SQ.M (30.82%)
	(35% ALLOWED)



1:100 SITE PLAN

HUIS
DESIGN STUDIO

HUIS DESIGN STUDIO
CUSTOM HOME DESIGN AND RENOVATIONS
16 COXESTOON DRIVE #201 BRAMPTON, ON L6E 4N5
TEL: 905.276.1965 | INFO@HUISDESIGN.COM
HUISDESIGN.COM

GENERAL NOTES

DRAWINGS ARE TO BE READ NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER OR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF HUIS DESIGN STUDIO. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.

QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AS WELL AS ASSUMING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: JUSTIN SHERRY
B.C.L.N. 43529

REGISTRATION INFORMATION

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. 6.2.4 OF THE ONTARIO BUILDING CODE

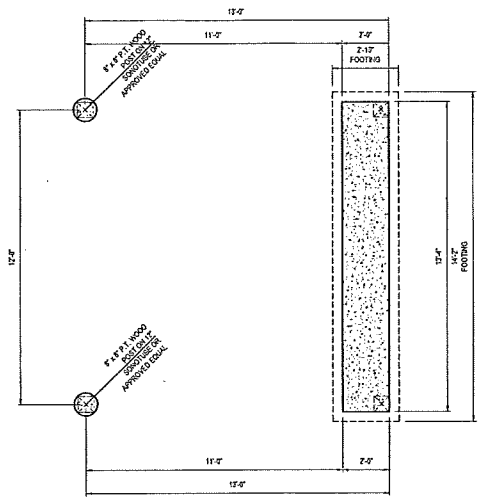
HUIS DESIGN STUDIO 154109
FIRM NAME B.C.L.N.

REVISION LIST	
1	ISSUED FOR CLIENT REVIEW
2	ISSUED FOR CLIENT REVIEW
3	ISSUED FOR PERMIT
4	
5	

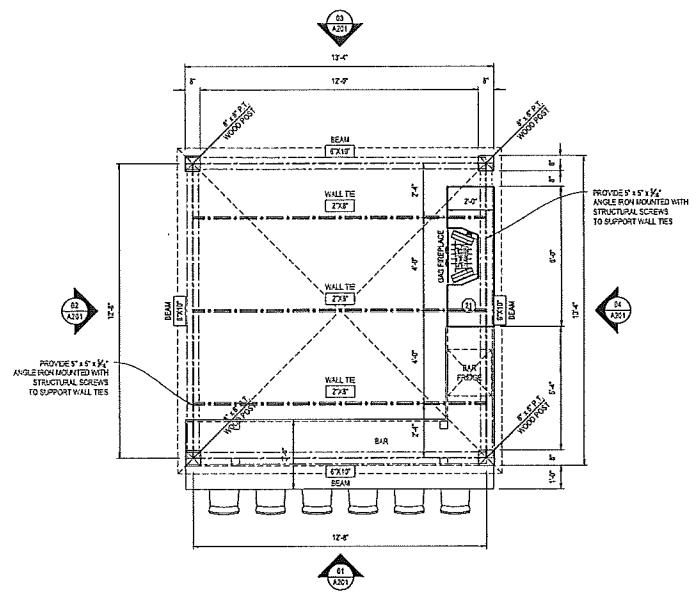
PROJECT NORTH **TRUE NORTH**

DRAWING TITLE: SITE PLAN
DRAWN BY: J.H. CHECKED BY: J.S.
ADDRESS: 12 SOLSBURY CRESCENT
PROJECT NO: 2020-007 SCALE: 1:100
SHEET NO. **SP**

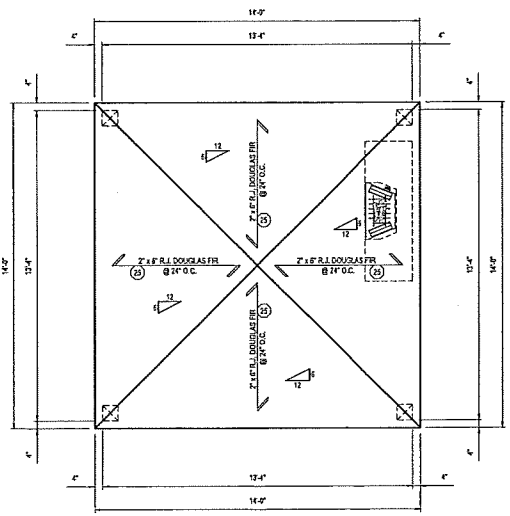
GL/A 20:74
Sketch 3



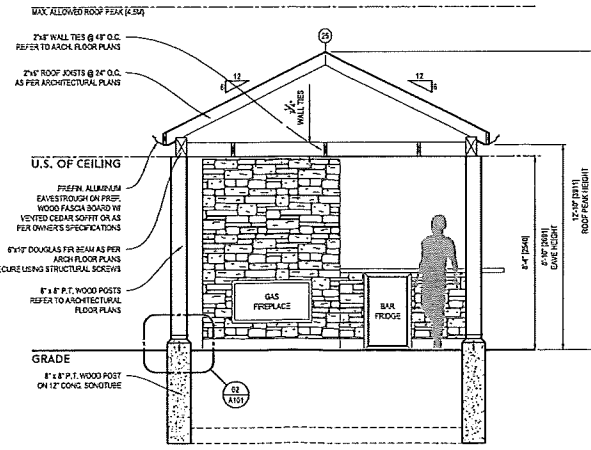
1/4" = 1'-0"
FOUNDATION PLAN



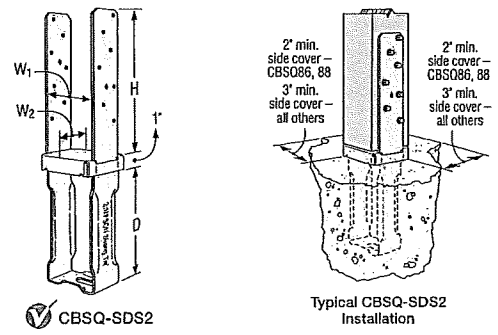
1/4" = 1'-0"
PAVILION PLAN



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



1/4" = 1'-0"
01-PAVILION SECTION



1/4" = 1'-0"
02-POST BASE CONNECTION DETAIL

HUIS
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CUSTOM HOME DESIGN AND RENOVATIONS
14 CONESTOGA DRIVE #201 | BRAMPTON, ON L6Z 0N5
1-877-226-1951 | E@HUISDESIGNSTUDIO.COM
H@HUISDESIGNSTUDIO.COM

GENERAL NOTES

DRAWINGS ARE TO BE READ NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER OR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE SOLE PROPERTY OF HUIS DESIGN STUDIO. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.

QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE (OBC) DESIGNER.

JUSTIN SHERRY 43229
B.C.I.K.

REGISTRATION INFORMATION

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C3.2.4 OF THE ONTARIO BUILDING CODE

HUIS DESIGN STUDIO 104909
FIRM NAME B.C.I.K.

REVISION LIST

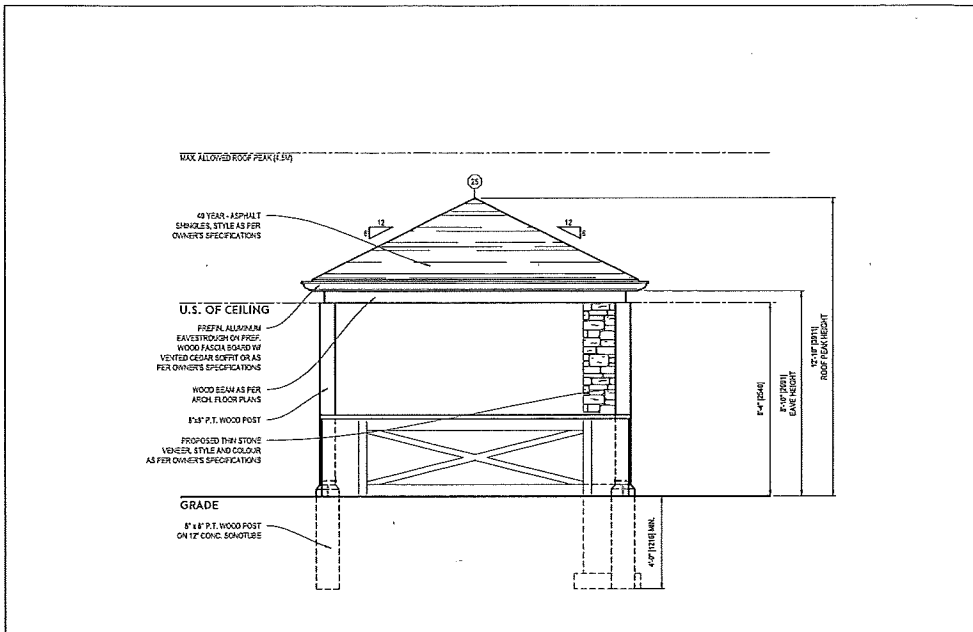
1	ISSUED FOR CLIENT REVIEW	01.28.2020	MJ.DD.YYYY
2	ISSUED FOR CLIENT REVIEW	02.11.2020	MJ.DD.YYYY
3	ISSUED FOR PERMIT	02.23.2020	MJ.DD.YYYY
4			MJ.DD.YYYY
5			MJ.DD.YYYY

PROJECT NORTH

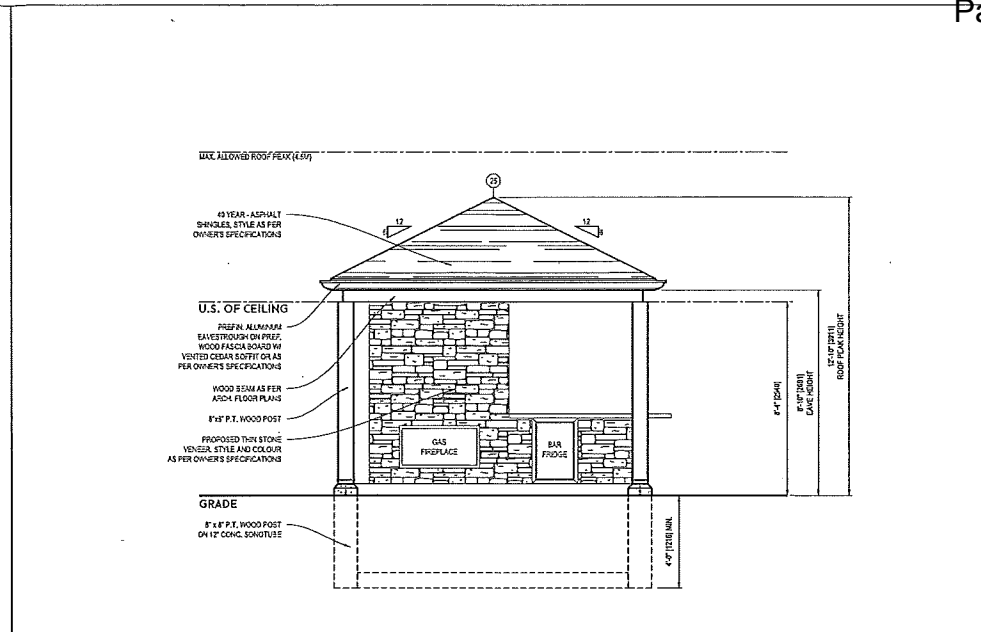
TRUE NORTH

DRAWING TITLE: BASEMENT FLOOR PLAN
DRAWN BY: J.H.
CHECKED BY: J.S.
ADDRESS: 11 SOUBERTY CROSS ST
PROJECT NO.: 2020-027
SCALE: 1/4" = 1'-0"
SHEET NO.: A101

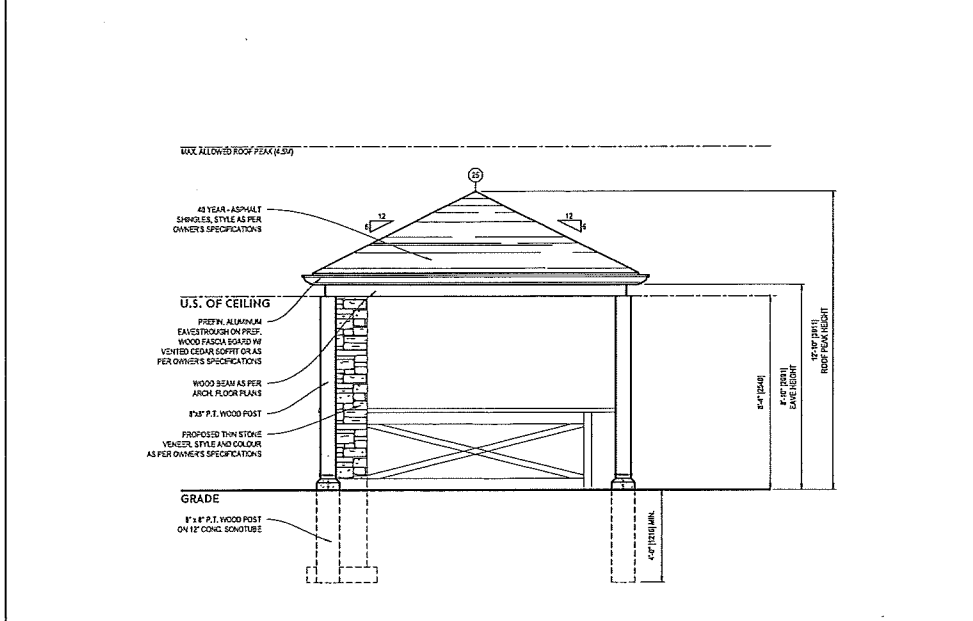
G-1/A 20:74
 Sketched B 4



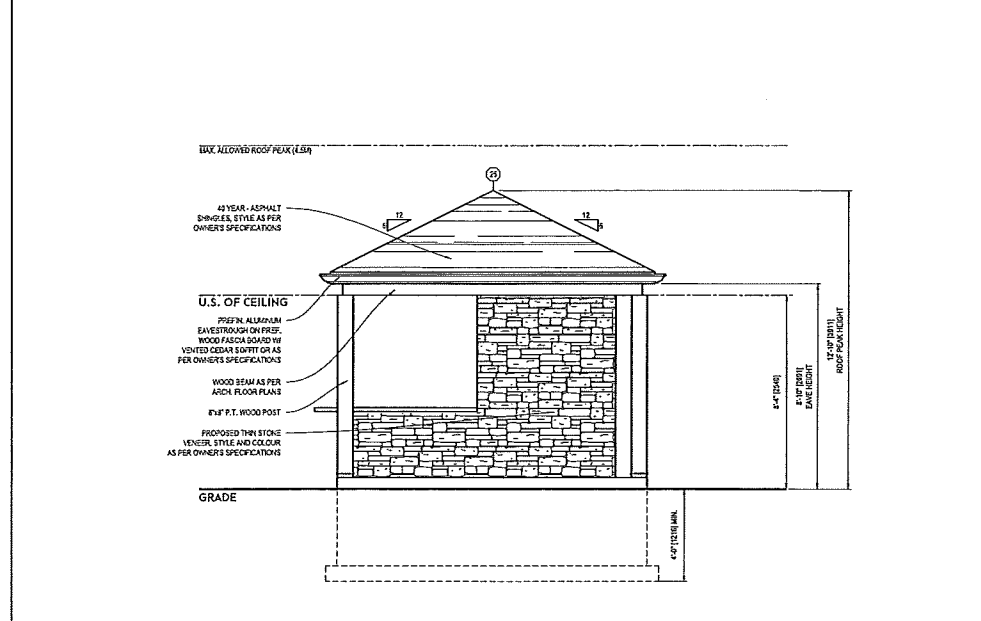
01-ELEVATION



02-ELEVATION



03-ELEVATION



04-ELEVATION

HUIS
 DESIGN STUDIO

HUIS DESIGN STUDIO
 CUSTOM HOME DESIGN AND RENOVATIONS
 1A CONSTANCE DRIVE #201 BRAMPTON, ON L6E 4S5
 TEL: 905.855.1111 | INFO@HUISDESIGNSTUDIO.CA
 HUISDESIGNSTUDIO.CA

GENERAL NOTES
 DRAWINGS ARE TO BE READ NOT SCALED. DO NOT
 BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT
 MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF
 ANY STAGE OF CONSTRUCTION, THE DESIGNER OR
 PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE
 PROPER INSPECTION, ALL DESIGN AND CONSTRUCTION
 DOCUMENTATION ARE FINAL UNLESS REVISED BY THE
 DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED
 HERE WITHIN, THE DECISIONS SHALL BE MET WITH. THE
 DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN
 ARE THE EXCLUSIVE PROPERTY OF HUIS DESIGN
 STUDIO. REPRODUCTION OF THE DOCUMENTS
 PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF
 THE DESIGNER.

QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES
 RESPONSIBILITY FOR THIS DESIGN AS WELL AS HAVING
 THE QUALIFICATION AND REQUIREMENTS MANDATED
 BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME JUSTIN SHERRY 43129
 B.C.L.M.

REGISTRATION INFORMATION
 REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV.
 C.3.4 OF THE ONTARIO BUILDING CODE

HUIS DESIGN STUDIO 154909
 FIRM NAME B.C.L.M.

REVISION LIST	
1	ISSUED FOR CLIENT REVIEW 01.23.2023
2	ISSUED FOR CLIENT REVIEW 02.11.2023
3	ISSUED FOR PERMIT 02.29.2023
4	1/4" = 1'-0" 03.02.2023
5	1/4" = 1'-0" 03.02.2023

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS
 DRAWN BY: J.H. CHECKED BY: J.S.
 ADDRESS: 17 SOLEBURY CRESCENT
 PROJECT NO. 2023-007
 SHEET NO. A201



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

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

FOR OFFICE USE ONLY.

APPLICATION NO. GL/A-20-74 DATE APPLICATION RECEIVED MAR. 2 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.

BY AMY CUFFARO

1. Name of Owner MICHAEL CUFFARO Telephone No. _____

2. _____

3. Name of Agent THE GARDENER LANDSCAPING 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:

CIBC _____

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

REDUCE SET BACK REAR YARD BY 1.3 METRE
 REDUCE SET BACK SIDE YARD BY 0.2 METRE
 FOR A ACCESSORY STRUCTURE.

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

ROOM NOT AVAILABLE TO MOVE AND
 STILL KEEP STRUCTURE (ACCESSORY)
 SAME SIZE

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

12 SOLSBURY CR, MOULT HOPE
 12 Solsbury Cres.

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?

MEETING WITH PLANNING / DEVELOPMENT
ASKED IF THIS WOULD BE SUPPORTED,
THEY SAID YES.

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.

FEB 26 / 2020
Date

[Redacted Signature]

Signature Property Owner

MICHAEL CUFFARO? Amy CUFFARO
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12.3 M
Depth 34.4 M
Area 423.12 M
Width of street 18 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 DET. DWELLING

Proposed: SEE DRAWING FOR
ACCESSORY STRUCTURE

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 DRAWING

Proposed: SEE DRAWING

13. Date of acquisition of subject lands:
APPROX 2006

14. Date of construction of all buildings and structures on subject lands:
APPROX 2006

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:
EARLY 2000'S

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:
R4

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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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 or 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.: HM/A-20:34

APPLICANTS: Beenu Arya on behalf of the owner Drs Skincare c/o Rahul Shukla

SUBJECT PROPERTY: Municipal address **1662 Upper James St., City of Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law17-240

ZONING: "C7" (Arterial Commercial) district

PROPOSAL: To permit the establishment of the existing legally established non-conforming medical clinic on the portion of the second-floor north side (existing 97 m² general office) of the existing building and provided five (5) new parking spaces at the rear of the existing building for the total required 19 parking spaces notwithstanding that;

1. The use of a medical clinic is not a permitted use in the zone; and 2. A minimum of 2.7 m in width by 5.4 m in length has been provided for the proposed five (5) new parking spaces at the rear of the existing building instead of the minimum required parking space size of 2.6 m in width by 5.5 m in length (existing regulation); and 3. A minimum of 2.7 m in width by 5.4 m in length has been provided for the proposed five (5) new parking spaces at the rear of the existing building instead of the minimum required parking space size of 3.0 m in width by 5.8 m in length (new regulation); and 4. A minimum of 3.6 m manoeuvring aisle width shall be provided for a 60° parking angle degree instead of the minimum required 5.5 m for a two-way aisle width; and 5. No barrier free parking space shall be provided on site instead of the minimum one (1) space designated barrier free for the required 1-49 parking spaces.

Note:

The applicant has requested a variance for reduced number of parking spaces to a minimum of 18 spaces to be provided on site instead of the total required of 19 spaces (being 13 parking spaces existing and the new required 6 for the 97 m² expansion, to be provided on site. Site Plan Sketch 3 shows a total of 19 parking spaces (after the street widening of 6' inwards from the original property line has been taken). Therefore, the requested variance for reduced number of parking spaces is not required; however, variances have been written for parking sizes for the new proposed parking at the rear of the existing building. Please note that the parking at the front is existing and therefore, LNC.

This Minor Variance Application is necessary to facilitate Building Permit Application # 19-147453.

HM/A-20:34
Page 2

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

DATE: Thursday, July 16th, 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 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.

BUILDING PERMIT APPLICATION # 19 147453 00 C9
 1662 UPPER JAMES - DR. RAHUL SHUKLA - DRS SKIN CLINIC

THIS PROPERTY IS ZONED ARTERIAL COMMERCIAL ZONING - C7
 ZONE IN HAMILTON ZONING BY LAW 05-200
 THE RECOGNIZED USE IS A LEGALLY ESTABLISHED NON-
 CONFORMING MEDICAL OFFICE ON GROUND FLOOR AND SOUTHERN
 HALF OF 2ND FLOOR AND LEGALLY ESTABLISHED NON-
 CONFORMING OFFICE IN NORTHERN HALF OF 2ND FLOOR
 NEW PROPERTY LINES
 IMAGE PROVIDED BY THE CITY OF HAMILTON - ZONING DEPARTMENT

THEREFORE - ADDITIONAL PARKING SPACES ARE REQUIRED AT
 RATIO OF 1 FOR EACH 16 SQUARE METERS
 OF GROSS FLOOR AREA OF THE NORTHERN HALF OF 2ND FLOOR

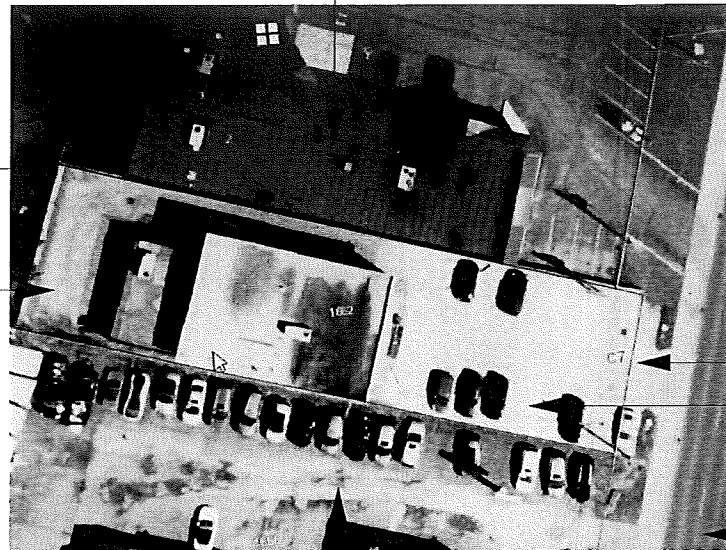
AN APPLICATION FOR REZONING IS BEING APPLIED TO THE
 COMMITTEE OF ADJUSTMENT TO ALLOW THE
 MEDICAL CLINIC ON THE 2ND HALF AND TO ADDRESS ANY PARKING
 REQUIRMENTS THAT CANNOT BE ACHIEVED

ADJACENT OCCUPANCY
 RESIDENTIAL
 PROPERTY

ADJACENT OCCUPANCY-
 NORTH
 MAC VARIETY STORE

EXISTING
 WOOD
 FENCE

EXISTING
 BACK PARKING
 STAFF USE - 5
 SPOTS



EXISTING FRONT
 PARKING
 18 SPOTS

UPPER JAMES ST.

ADJACENT OCCUPANCY-
 SOUTH
 MAZDA CAR DEALERSHIP

SITE DETAILS

ITEM: ZONING BY LAW:HH Restricted Community Shopping & Commercial
 ITEM: PARKING REQ: 1 SPOT/19M2 (CO OF A APPROVAL) 18 PARKING SPACES
 USABLE FLOOR AREA: SITE: 296M2 (3186 SQ FEET)
 BUILDING HEIGHT: 17M (55.77') MAX. SITE 7.47M (19'-3")
 LOT WIDTH: 12M (39.37') SITE: 16.76M (55'-0"0)
 FRONT YARD: 12M MIN (39.37') SITE: 25.9M (85')
 REAR YARD: 6M (19.69') SITE: 8.6M (28'-3")
 SIDE YARD: 6M (19.69') SITE: 4.01M (13'-5") & 0.51M (1'-8")

*Hm/A 20:34
 Sketch 1*



REVISION TABLE	REVISION BY	DESCRIPTION
NUMBER	DATE	

DRAWINGS PREPARED
 FOR MINOR VARIANCE
 FOR PARKING

CLIENT: DR. RAHUL SHUKLA
 1662 UPPER JAMES
 HAMILTON, ONTARIO

DRAWINGS PROVIDED BY:
 BEENU INTERIORS
 257 HURON ST. TORONTO, ONTARIO
 416.735.1313
 BEENU@BEENUINTERIORS.COM

DATE:

2020-01-20

SCALE:

AS NOTED

SHEET:

ID 01



REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

DRAWINGS PREPARED FOR MINOR VARIANCE FOR PARKING

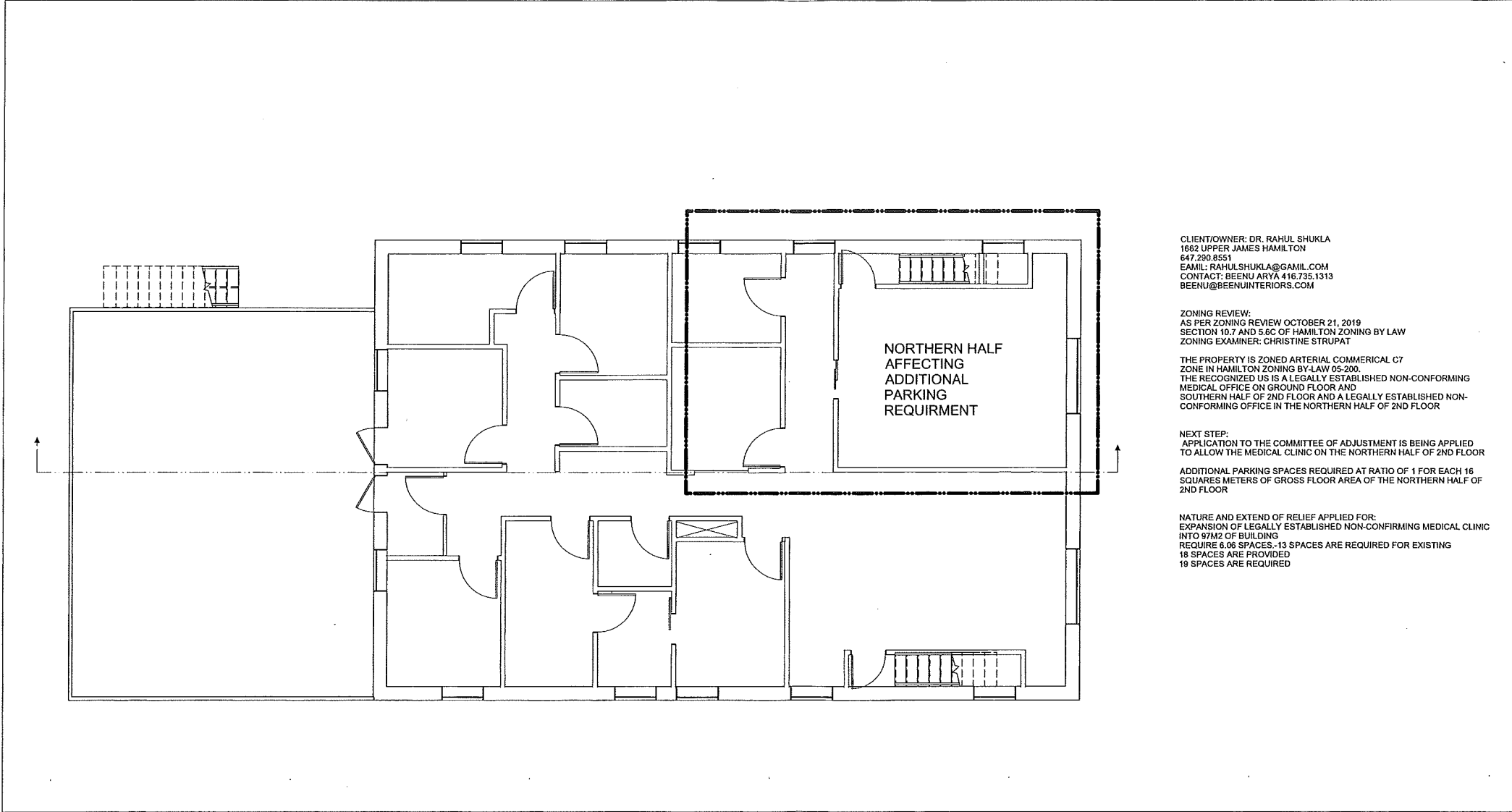
CLIENT: DR. RAHUL SHUKLA
1662 UPPER JAMES
HAMILTON, ONTARIO

DRAWINGS PROVIDED BY:
BEENU INTERIORS DESIGN
25TH FLOOR, ANDA #415
TORONTO, ONTARIO
416.735.1313
BEENU@BEENUINTERIORS.COM

DATE:
2020-01-20

SCALE:
AS NOTED

SHEET:
ID 02



CLIENT/OWNER: DR. RAHUL SHUKLA
1662 UPPER JAMES HAMILTON
647.290.8551
EMAIL: RAHULSHUKLA@GMAIL.COM
CONTACT: BEENU ARYA 416.735.1313
BEENU@BEENUINTERIORS.COM

ZONING REVIEW:
AS PER ZONING REVIEW OCTOBER 21, 2019
SECTION 10.7 AND 5.6C OF HAMILTON ZONING BY LAW
ZONING EXAMINER: CHRISTINE STRUPAT

THE PROPERTY IS ZONED ARTERIAL COMMERCIAL C7
ZONE IN HAMILTON ZONING BY-LAW 05-200.
THE RECOGNIZED US IS A LEGALLY ESTABLISHED NON-CONFORMING
MEDICAL OFFICE ON GROUND FLOOR AND
SOUTHERN HALF OF 2ND FLOOR AND A LEGALLY ESTABLISHED NON-
CONFORMING OFFICE IN THE NORTHERN HALF OF 2ND FLOOR

NEXT STEP:
APPLICATION TO THE COMMITTEE OF ADJUSTMENT IS BEING APPLIED
TO ALLOW THE MEDICAL CLINIC ON THE NORTHERN HALF OF 2ND FLOOR

ADDITIONAL PARKING SPACES REQUIRED AT RATIO OF 1 FOR EACH 16
SQUARE METERS OF GROSS FLOOR AREA OF THE NORTHERN HALF OF
2ND FLOOR

NATURE AND EXTEND OF RELIEF APPLIED FOR:
EXPANSION OF LEGALLY ESTABLISHED NON-CONFIRMING MEDICAL CLINIC
INTO 97M2 OF BUILDING
REQUIRE 6.06 SPACES--13 SPACES ARE REQUIRED FOR EXISTING
18 SPACES ARE PROVIDED
19 SPACES ARE REQUIRED

2ND FLOOR
1662 UPPER JAMES

Hm/A 20:34
Sketch 2



REVISION TABLE	REVISION BY	DESCRIPTION

DRAWINGS PREPARED FOR MINOR VARIANCE FOR PARKING

CLIENT: DR. RAHUL SHUKLA
1662 UPPER JAMES
HAMILTON, ONTARIO

DRAWINGS PROVIDED BY:
BEENU INTERIOR DESIGN
257 HURON ST. TORONTO, ONTARIO
416.735.1313
BEENU@BEENUINTERIORS.COM

DATE:

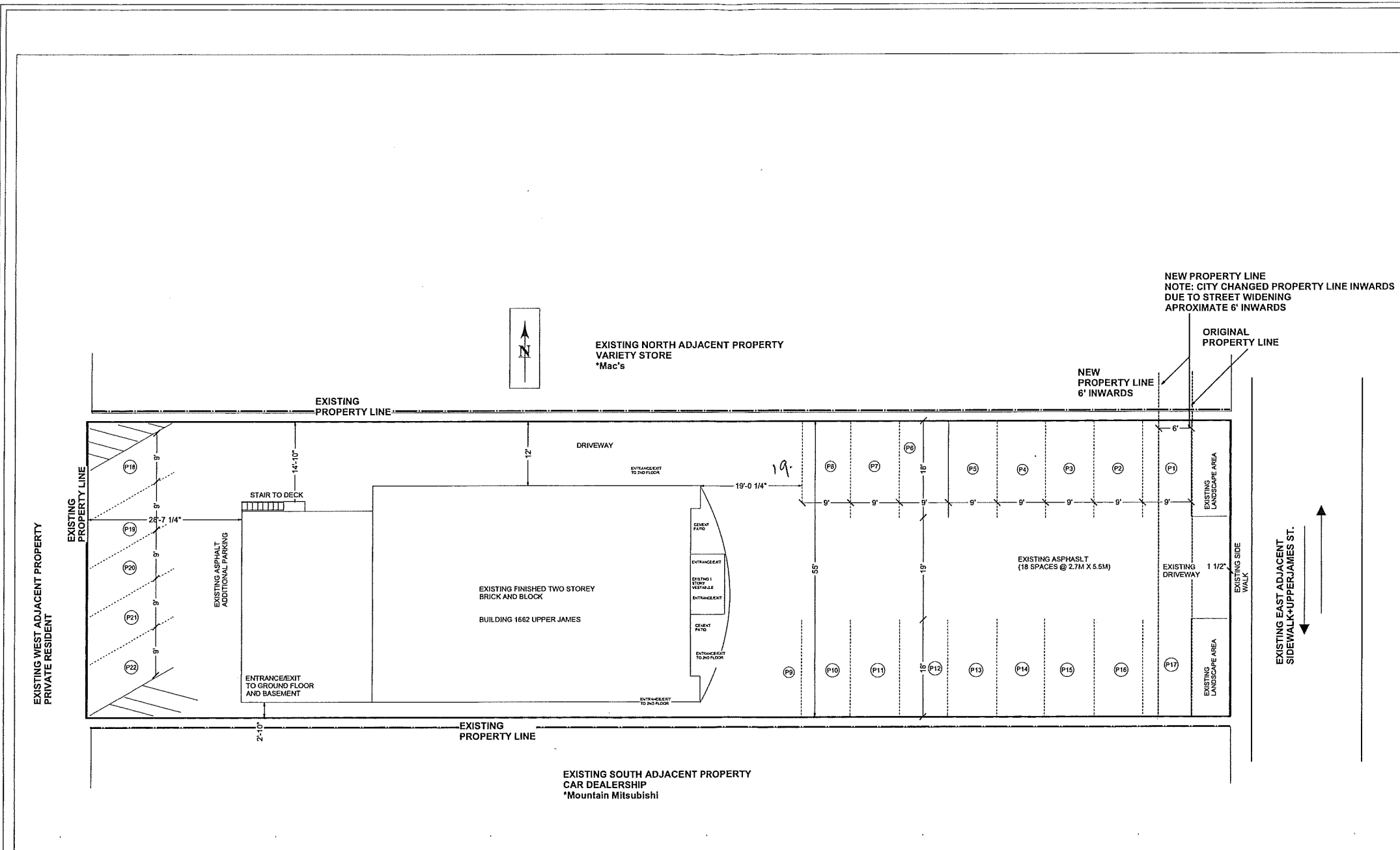
2020-01-20

SCALE:

AS NOTED

SHEET:

ID03

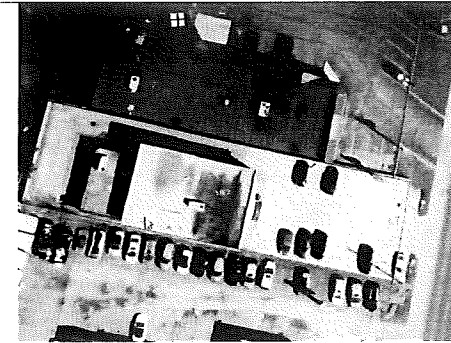


SITE PLAN
1662 UPPER JAMES
SCALE: 1/8=1'-0"

Hm/A 20.34
Sketch 3

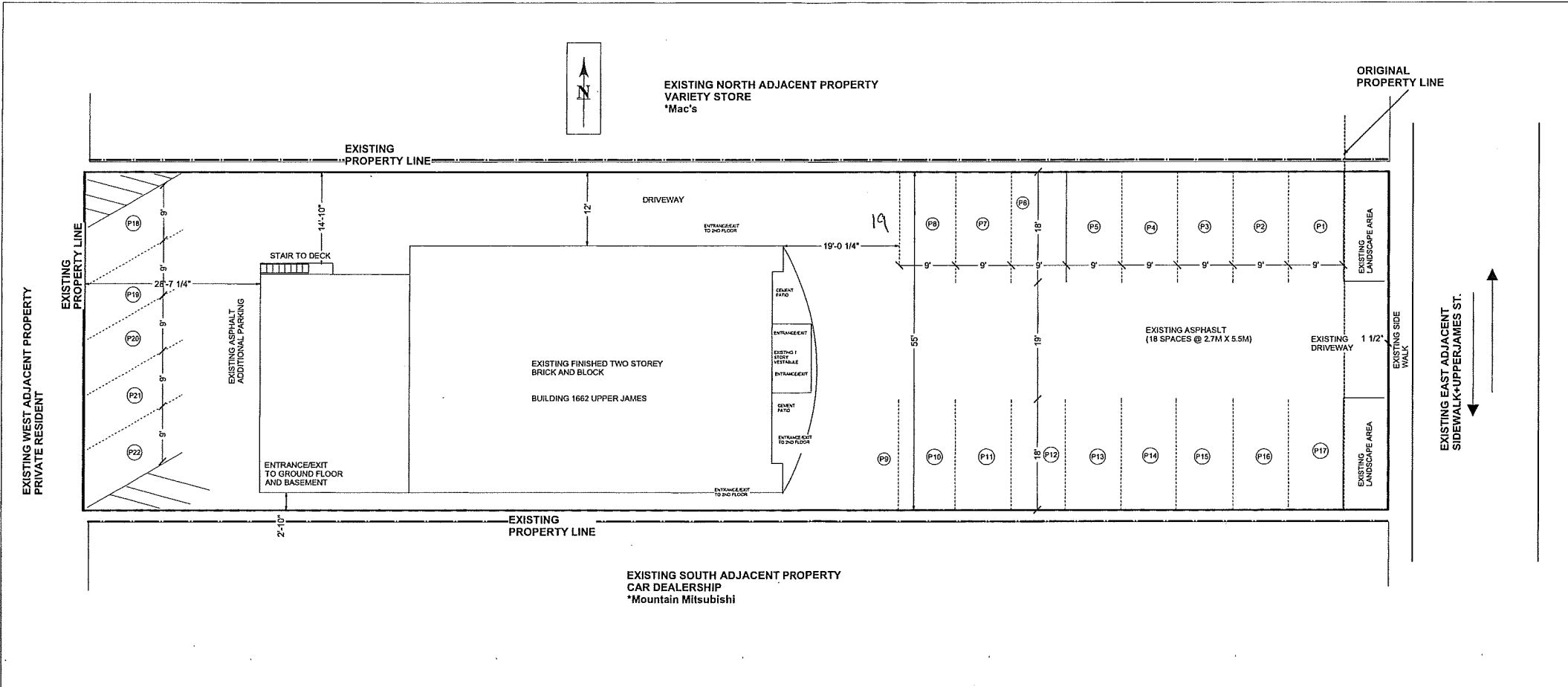


REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION



SITE DETAILS

ITEM: ZONING BY LAW: HH Restricted Community Shopping & Commercial
 ITEM: PARKING REQ: 1 SPOT/19M2 (CO OF A APPROVAL) 18 PARKING SPACES
 USABLE FLOOR AREA: SITE: 296M2 (3186 SQ FEET)
 BUILDING HEIGHT: 17M (55.77') MAX. SITE 7.47M (19'-3")
 LOT WIDTH: 12M (39.37') SITE: 16.76M (55'-0"0)
 FRONT YARD: 12M MIN (39.37') SITE: 25.9M (85')
 REAR YARD: 6M (19.69') SITE: 8.6M (25'-3")
 SIDE YARD: 6M (19.69') SITE: 4.01M (13'-5") & 0.51M (1'-8")



DRAWINGS PREPARED FOR MINOR VARIANCE FOR PARKING

CLIENT: DR. RAHUL SHUKLA
 1662 UPPER JAMES
 HAMILTON, ONTARIO

DRAWINGS PROVIDED BY:
 BEENU INTERIOR DESIGN
 257 HURON ST. TORONTO, ONTARIO
 416.735.1313
 BEENU@BEENUINTERIORS.COM

DATE:
 2020-01-20

SCALE:
 AS NOTED

SHEET:
 ID04

SITE PLAN
 1662 UPPER JAMES

Hm/A 20:34
 sketch 4



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

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

FOR OFFICE USE ONLY.

APPLICATION NO. Hm/A-20:34 DATE APPLICATION RECEIVED Jan. 20/20

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

April 23 Hearing

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.

* send sign

1. Name of Owner R. RAHUL SHUKLA

2.

3. Name of Agent BEENU ARYA

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:

RBC Royal Postal Code _____
100 King St. 8th Floor L8P 1A2
HAMILTON Postal Code _____

Silvio CASELLI

6. Nature and extent of relief applied for:

Expansion of legally established non-confirming Medical clinic into 97m² of building. Requires 6.00 spaces 13 spaces are required for existing 18 spaces are provided and 19 spaces are required.

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

Existing Non-Confirming.

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

1616 1662 Upper James
Hamilton, Ont L9B 1K5

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant
Other _____

9.1 If Industrial or Commercial, specify use

OFFICE

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?

Client's Owners feedback of his
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.

Dec 10, 2019
Date



Signature Property Owner

John Smith
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12m 25.9m REAR - 8.6m
Depth 16.76m SIDE - 4.0m
Area 296.5m
Width of street N/A

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: _____

Proposed: _____
none

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

Proposed: _____
None.

13. Date of acquisition of subject lands:

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

_____ 2016 2020 _____

15. Existing uses of the subject property: _____ medical offices/clinic _____

16. Existing uses of abutting properties: _____ Auto dealership - ~~Left~~ - South _____
 _____ Variety Store _____ Right - North _____

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

_____ Since 2016 _____

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:

_____ C7 District _____

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

_____ C7 District _____

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

Yes

No

If the answer is yes, describe briefly.

_____ Previous owner in 2011 made an appeal _____
 _____ Application # HMA-11-216 _____
 _____ Submission # A215/11 _____

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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-19:123

SUBJECT PROPERTY: 1430 Upper Sherman Ave., 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): Kanaiyalal & Urvashiben Darji, owners

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land for residential purposes. The garage & shed will be removed.

Severed lands: (Lot 3)

14.23m[±] x 28.62m[±] and an area of 406.96m^{2±}

Retained lands: (Lot 1)

11.96m[±] x 24.66m[±] and an area of 448m^{2±}

This application will be heard in conjunction with Severance Application HM/B-19:122 & Minor Variance Application HM/A-19:438.

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

DATE: Thursday, July 16th, 2020

TIME: 1:20p.m.

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

To be streamed at 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.

HM/B-19:123
PAGE 2

MORE INFORMATION

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

- Visit 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

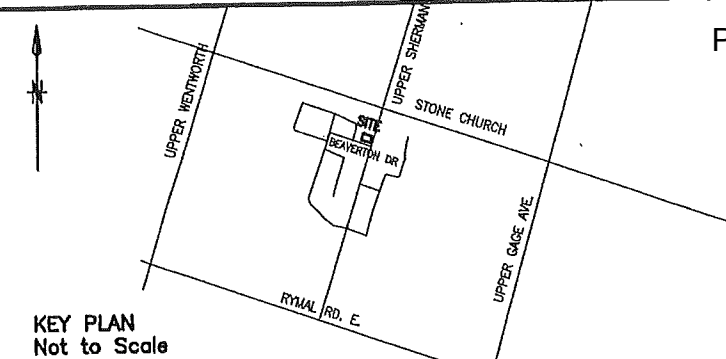
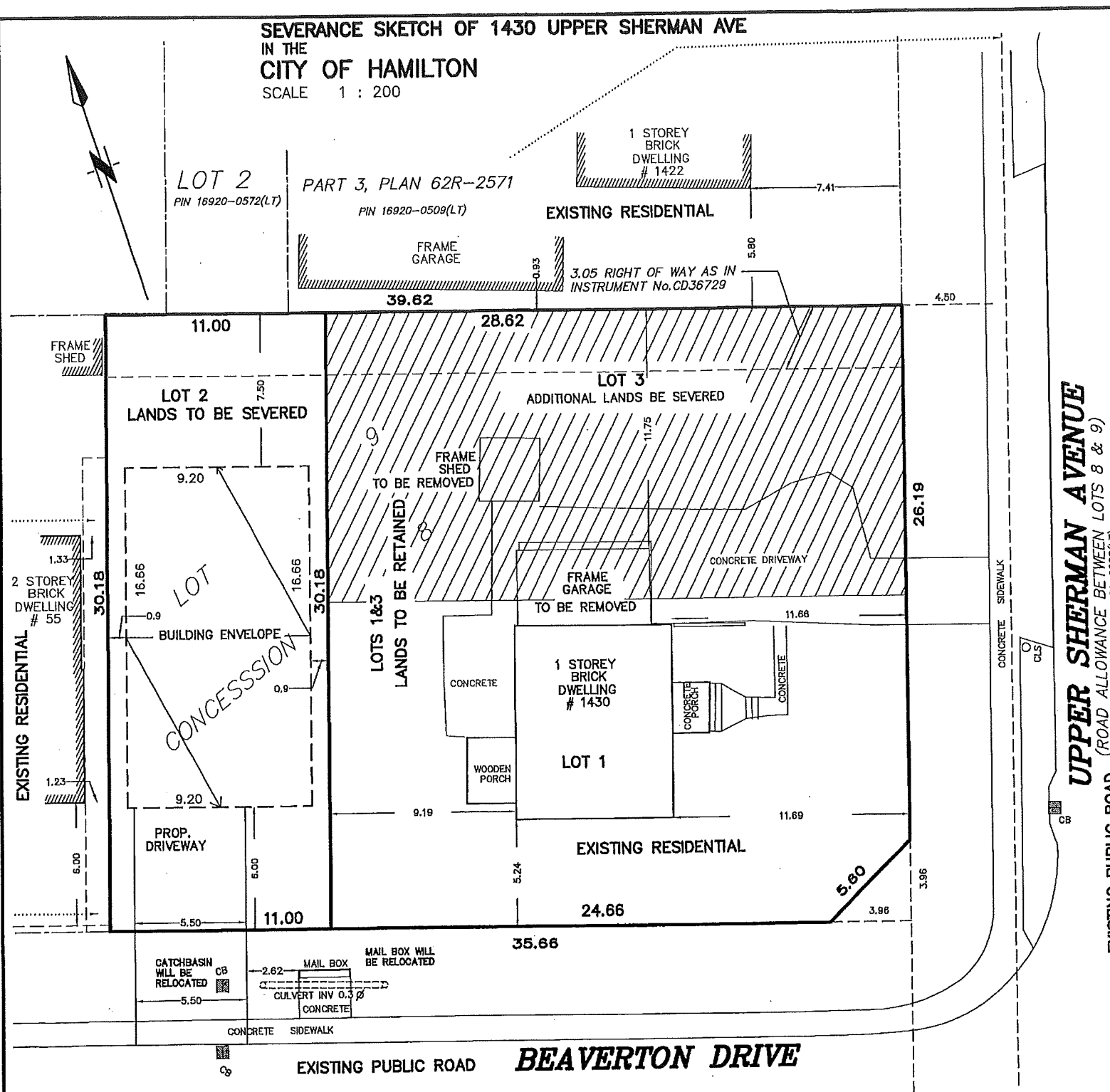
DATED: June 30th, 2020

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.

**SEVERANCE SKETCH OF 1430 UPPER SHERMAN AVE
IN THE
CITY OF HAMILTON
SCALE 1 : 200**



ZONING: "C"

SITE STATISTICS	BYLAW	PROPOSED	
		LOTS 1&3	LOT 2
LOT FRONTAGE	12.0 m	30.14m	11.00m *
LOT AREA	360 m ²	826.9m ²	331.73m ² *
FRONT YARD SETBACK	6.0 m	11.60m	6.00m
REAR YARD	7.5 m	9.19m	7.50m
SIDE YARD SETBACK 1	1.20m	11.75m	0.9m *
SIDE YARD SETBACK 2	1.20m	5.24m	0.9m *
HEIGHT	11.00m	NA	NA
FRONTYARD LANDSCAPING	50.0%	NA	50.0%

* VARIANCE

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

DRAWING NOTE
SURVEY INFORMATION TAKEN FROM PLAN OF SURVEY BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOV 6, 2019

MARCH 9, 2020
DATE

[Signature]
HARRY KALANTZAKOS
ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
TELEPHONE: (905) 529-6316
(905) 529-4314
FAX: (905) 529-6651
e-mail: anl@AshenhurstNouwens.ca

DRAWN BY AN	CALC'D BY H.K.	CHK'D BY H.K.	FILE No. 19115 SKETCH 1
----------------	-------------------	------------------	----------------------------

UPPER SHERMAN AVENUE
(ROAD ALLOWANCE BETWEEN LOTS 8 & 9)
PIN 16921-008E(LT)

EXISTING PUBLIC ROAD **BEAVERTON DRIVE**

19-157315



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: Nov. 29 2019	Date Application Deemed Complete:	Submission No.: HM/B-19-123	File No.:
--	-----------------------------------	--------------------------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Kamraj Lal Dargi Vanshiben, Dargi		
Applicant(s)*	Kamraj Lal Dargi		
Agent or Solicitor			

* 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 9	Concession 8	Former Township Geographic Township of Barton
Registered Plan N°. -	Lot(s) -	Reference Plan N°. -	Part(s) -
Municipal Address 1430 Upper Sherman Ave, Hamilton	LSW 123		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:

Right of way as in Instrument No. CD 36729.

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
(i.e. a lot containing a surplus farm dwelling
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:

Unknown

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)	Depth (m)	Area (m ² or ha)
14.23 m	28.62 m	406.96 m ²

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: Single Family 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)	Depth (m)	Area (m ² or ha)
15.94 m	28.62 m	448 m ²

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:

- | | | |
|---|---|-------------------------------------|
| <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 storey single family dwelling

Proposed: _____

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) _____ |

4.3 Other Services: (check if the service is available)

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input checked="" type="checkbox"/> school bussing | <input checked="" type="checkbox"/> 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) Neighbourhood

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

This application fulfills Hamilton's official plan direction #2 concentrate new development plan within existing built-up areas and within urban boundary, direction #7 maximize the use of existing vacant land.

5.2 What is the existing zoning of the subject land? 'C' zone

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"/>	

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 _____
- 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?
Surrounding area is residential since long time
- 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 Policy Statement focuses on the growth and development within urban area.

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

PPS Promotes efficient development and land use patterns which sustain well-being of Province and municipality for long term.

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

Growth Plan prioritize intensification and higher densities in strategic growth areas to make effective use of land.

- 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.

NA

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?

5 months

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

- 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)

- Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 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)

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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.

Other Properties.
50 Beestille St, Hamilton,
1490 Upper Shannon Ave, Hamilton.

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-19:124

SUBJECT PROPERTY: 130 Gibson Avenue, 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): Marina Fensham on behalf of the owners Roger, Denis & Marilyn Gignac

PURPOSE OF APPLICATION: To permit the conveyance of a vacant parcel of land for residential purposes (shown as Part 2 on the attached sketch) and to retain a parcel of land containing an existing dwelling for residential purposes (shown as Part 1 on the attached sketch). The applicant is proposing that each dwelling will be used as two-family dwellings.

Severed lands:

7.4m[±] x 30.48m[±] and an area of 225.29m^{2±}

Retained lands:

6.62m[±] x 30.48m[±] and an area of 201.77m^{2±}

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

DATE: Thursday, July 16th, 2020

TIME: 2:55p.m.

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

To be streamed at 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.

HM/B-19:124
PAGE 2

MORE INFORMATION

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

- Visit 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

DATED: June 30th, 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.

SITE & ZONING STATISTICS PROPOSED SEVERED LOT WITH NEW TWO FAMILY DWELLING

SECTION TEN "D" Districts
 Proposed Residential Use:
 10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 225.29 Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 7.4m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	6.0m Required / 3.5m Proposed	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed	
Minimum Rear Yard	7.5m Required / 11m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Parking Spot per Unit 2 Spots Required / 2 Spots Provided	

Building Area 77.4m²
 Building Gross Floor Area 154.8m²

SITE & ZONING STATISTICS PROPOSED ADDITION TO EXISTING 2 FAMILY DWELLING

SECTION TEN "D" Districts
 Proposed Residential Use:
 10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

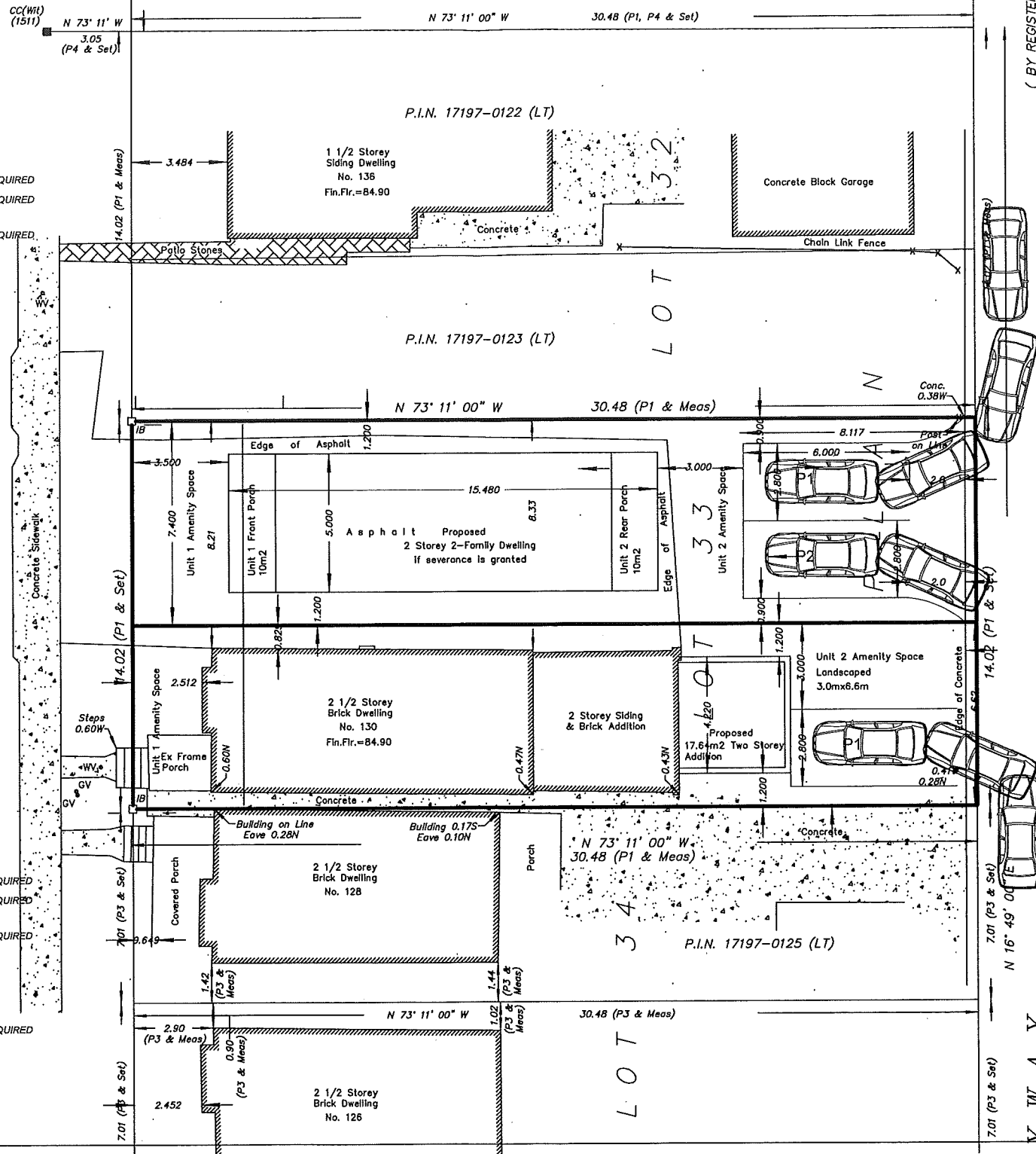
Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 201.77m ² Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 6.62m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	Existing	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed (Addition)	
Minimum Rear Yard	7.5m Required / 6.5m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Rear Yard Parking Spot 2 Required	VARIANCE REQUIRED

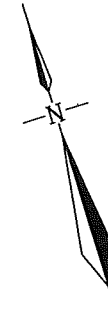
Building Area Existing 87.9m²
 Proposed Addition Area 17.64m²
 Proposed Building Gross Floor Area 211.08m²

(BY REGISTERED PLAN 169, P.I.N. 17197-0382. (LT))

GIBSON AVENUE



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



PART 1
 PLAN OF
 LOT 33
 REGISTERED PLAN 169
 CITY OF HAMILTON

REMARKS	DATE	NO.
REVISIONS		

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

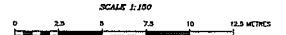
PROJECT
 PROPOSED SEVERANCE (Separate Application)
 - New 2 Family Dwelling on new North Lot
 - Convert #130 to duplex
 130 Gibson Avenue
 Hamilton

SHEET TITLE
 SITE PLAN

FOLDER	DRAWN BY
FILE	SCALE
DATE	NUMBER

Am1B 19:12:4
 Am1A 19:440
 Sketch 2

SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF
 LOT 33
 REGISTERED PLAN 169
 CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.
 ONTARIO LAND SURVEYOR

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

ELEVATION NOTE:
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON CONTROL MONUMENT NO. 0722100044. LOCATION: MONUMENT LOCATED AT THE WEST END OF WOODLAND PARK, 30 m. NORTH OF THE CENTRELINE OF BARTON STREET EAST AND 25 m. EAST OF THE CENTRELINE OF WENTWORTH STREET NORTH. ELEVATION = 51.062 m.

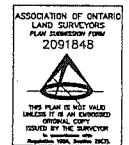
LEGEND AND NOTES:

- # DENOTES SURVEY MONUMENT FOUND
- D DENOTES SURVEY MONUMENT PLANTED
- SSB DENOTES STANDARD IRON BAR
- SSSB DENOTES SHORT STANDARD IRON BAR
- IS DENOTES IRON SIGN
- OC DENOTES CUT CROSS
- OC (2) DENOTES OPEN UNFINISH
- WT. DENOTES WITNESS
- P1 DENOTES REGISTERED PLAN 169
- P2 DENOTES REGISTERED PLAN 169
- P3 DENOTES PLAN BY MACKAY & MACKAY (FILE Y-9107)
- P4 DENOTES PLAN BY THIS OFFICE (FILE 23-121)
- (224) DENOTES A.T. MCLAREN O.L.S.
- (213) DENOTES J.M. PETERS O.L.S.
- (151) DENOTES G.V. CONSOUL O.L.S.
- C.V. DENOTES GAS VALVE
- M.V. DENOTES MANHOLE
- W.V. DENOTES WATER VALVE

BEARING COMPARISONS: A ROTATION OF 131.00° COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLAN 169 AND PLAN 62R-16086.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 0722100043 AND 0722100044, UTM ZONE 17, MAGD3 (ORIGINAL).

SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY	
DESCRIPTION OF LAND	REGD. ALL OF LOT 33, REGISTERED PLAN 169, KNOWN AS MUNICIPAL No. 130 GIBSON AVENUE NORTH, 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	A PORTION OF THE STEPS LEADING TO THE FRAME PORCH ARE BEYOND THE WESTERLY BOUNDARY OF THE PROPERTY. NOTE THE LOCATION OF CONCRETE AS IT RELATES TO THE SOUTHERLY AND EASTERLY BOUNDARIES OF THE PROPERTY. A PORTION OF THE EAVES ON THE NORTH SIDE OF DWELLING No. 128 ARE OVERHANGING THE SOUTHERLY BOUNDARY OF THE PROPERTY.
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS	NOT CERTIFIED BY THIS REPORT



THIS REPORT WAS PREPARED FOR ROGER GIGNAC

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JULY 12, 2019.

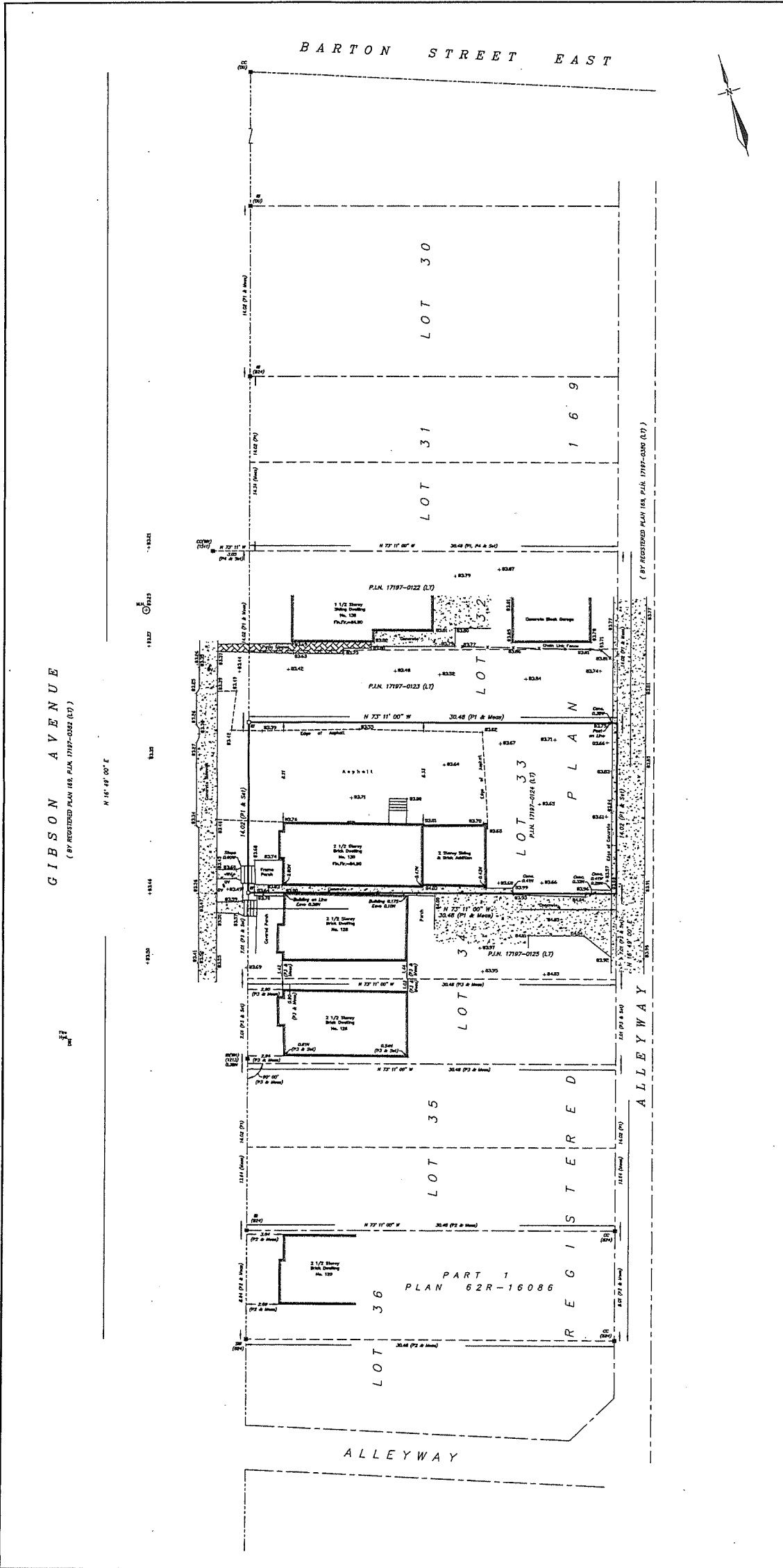
JULY 12, 2019
 DATE

B.A. Jacobs
 B.A. JACOBS
 ONTARIO LAND SURVEYOR



B.A. JACOBS SURVEYING LTD.
 152 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L8N 1J2)
 PHONE 905-521-1123 ba.jacobs@regpro.com

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Am/B 19:124; Am/A 19:440
 sketch 1

19-157493



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>Dec 2 2019</i>	Date Application Deemed Complete:	Submission No.: <i>Hm/B-19-124</i>	File No.:
---	-----------------------------------	---------------------------------------	-----------

1. APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	<i>Roger Gignac Marilyn Gignac Denis Gignac</i>		
Applicant(s)*	<i>Marina Feusham</i>		
Agent or Solicitor			

* 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 <i>City of Hamilton</i>	Lot <i>33</i>	Concession	Former Township
Registered Plan N°. <i>169</i>	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address <i>130 Gibson Ave North</i>			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
(i.e. a lot containing a surplus farm dwelling
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:
Present owners

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) <u>7.4 m</u> <u>4.02 m</u>	Depth (m) <u>30.48 m</u>	Area (m ² or ha) <u>427.37 m²</u> <u>215.29</u>
---	-----------------------------	---

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: SK Residence on southern part Part 1 Vacant.

Proposed: Two-Family Dwelling on each part = 2 Dwellings

Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input checked="" type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input type="checkbox"/> municipal road, maintained all year | <u>Rear Lane</u> |

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) <u>6.62 m</u>	Depth (m) <u>30.48 m</u>	Area (m ² or ha) <u>201.77 m²</u>
-------------------------------	-----------------------------	--

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: SF Dwelling 87.9 m² Area
 Proposed: Two Family Dwelling 87.9 m² + 24.26 m² Addition Area

Type of access: (check appropriate box)

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

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) _____

4.3 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) Section 10 "D" District

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

Section 10 "D" District
10(1) Two Family Dwelling allowed (81-27)

5.2 What is the existing zoning of the subject land? Section 10 "D" District

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"/>	

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 _____
- 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?
Ownership
- 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

Infill / Intensification

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

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

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. No

Variance. Agent did not show up at meeting

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 ^{owner} applicant owned the subject land?
2012

8.5 Does the ^{owner} applicant own any other land in the City? Yes No
 If YES, describe the lands in "11 - Other Information" or attach a separate page.

736 Upper Paradise Rd Hamilton

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)

- Agricultural Rural Specialty Crop
- Mineral Aggregate Resource Extraction Open Space Utilities
- 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)

- Agricultural Severance or Lot Addition
 - Agricultural Related Severance or Lot Addition
 - Rural Resource-based Commercial Severance or Lot Addition
 - 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) 7.4 m	Area (m ² or ha): (from in Section 4.1) 225.29 m ²
---	---

Existing Land Use: SF Residential Proposed Land Use: Two Family Residential

b) Lands to be Retained:

Frontage (m): (from Section 4.2) 6.62 m	Area (m ² or ha): (from Section 4.2) 201.77 m ²
--	--

Existing Land Use: SF Residential Proposed Land Use: Two Family Residential

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 ² 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 ² 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 ² 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 ² 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.

This is a ~~one~~ double lot intended to be severed. The new lot sized will conform to the existing surrounding residences on Gibson Ave. N. The proposed dwellings will also conform to adjacent setbacks, style and height.

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

SITE & ZONING STATISTICS PROPOSED ADDITION TO EXISTING SF DWELLING AT #130 GIBSON TO CREATE 2 FAMILY DWELLING

Part 1

SECTION TEN "D" Districts

Proposed Residential Use:

10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 201.77m ² Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Frontage	18 m Required / 6.62m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Coverage	N/A	
Minimum Front Yard	Existing	<i>VARIANCE REQUIRED</i>
Minimum Side Yard	1.2m Required / 1.2m Proposed (Addition)	
Minimum Rear Yard	7.5m Required / 5.0m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Rear Yard Parking Spot 2 Required	<i>VARIANCE REQUIRED</i>
Building Area Existing	87.9m ²	
Proposed Addition Area	24.26m ²	
Proposed Building Gross Floor Area	224.32m ²	

SITE & ZONING STATISTICS PROPOSED SEVERED LOT WITH NEW TWO FAMILY DWELLING

Part 2

SECTION TEN "D" Districts

Proposed Residential Use:

10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 225.29 Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Frontage	18 m Required / 7.4m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Coverage	N/A	
Minimum Front Yard	6.0m Required / 3.5m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Side Yard	1.2m Required / 1.2m Proposed	
Minimum Rear Yard	7.5m Required / 7.5m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Parking Spot per Unit 2 Spots Required / 2 Spots Provided	
Building Area	92.4m ²	
Building Gross Floor Area	277.2m ² (2,988.2 Sq Ft)	



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-19:438

APPLICANTS: Kanaiyalal & Urvashiben Darji, owners

SUBJECT PROPERTY: Municipal address **1430 Upper Sherman Ave., City of Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the conveyance of a northerly portion of the subject lands (known as Lot 3) as well as a westerly portion of the subject lands (known as Lot 2) in order to facilitate the creation of two (2) new lots for the construction of two (2) new single family dwelling as per Consent applications HM/B-19:122 and HM/B-19:123, notwithstanding that:

1. A minimum westerly and easterly side yard width of 0.90 metres shall be permitted for Lot 2 instead of the minimum required side yard width of 1.2 metres.
2. A minimum lot area of 331 square metres shall be permitted for Lot 2 instead of the minimum required lot area of 360 square metres.
3. A minimum lot width of 11.0 metres shall be permitted for Lot 2 instead of the minimum required lot width of 12.0 metres.
4. A minimum 47.0% front yard landscaping shall be permitted for Lot 3 instead of the minimum required front yard landscaping of 50.0%.
5. No onsite maneuvering shall be provided for Lot 1, Lot 2 or Lot 3 for parking spaces located within the required front yard instead of the minimum required 6.0m maneuvering aisle width and the requirement that a maneuvering space shall be provided and maintained on the lot.
6. Two required parking spaces for each lot (Lot 1, Lot 2 and Lot 3) are permitted to be located within 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.

NOTES:

1. Applicant shall ensure the existing single family dwelling (Lot 1) is in compliance with Section 9(2) height requirements; no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres in height. Otherwise, additional variances will be required.

- 2. Applicant shall ensure a gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to the single family dwelling (Lot 1). Otherwise, additional variances will be required. .../2

HM/A-19:438
Page 2

- 3. The variances have been written based on a proposed building envelope only for Lot 2 and Lot 3. Insufficient details (i.e., no building plans, elevations, encroachment details, etc.) were provided from which to confirm all necessary variances required. Therefore, compliance for the proposed single family dwellings on Lot 2 and Lot 3 shall be determined at building permit stage. Additional variances may be required.

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

DATE: Thursday, July 16th, 2020
TIME: 1:30p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca
-

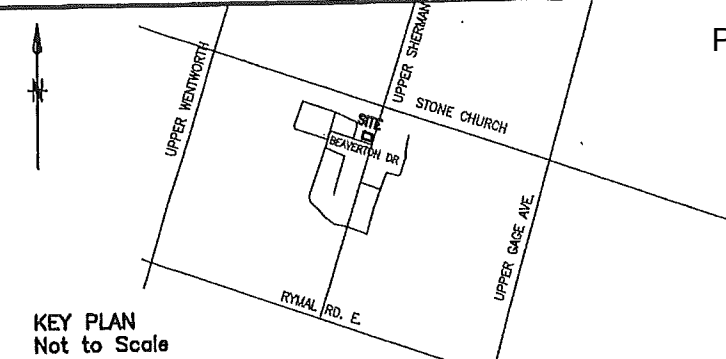
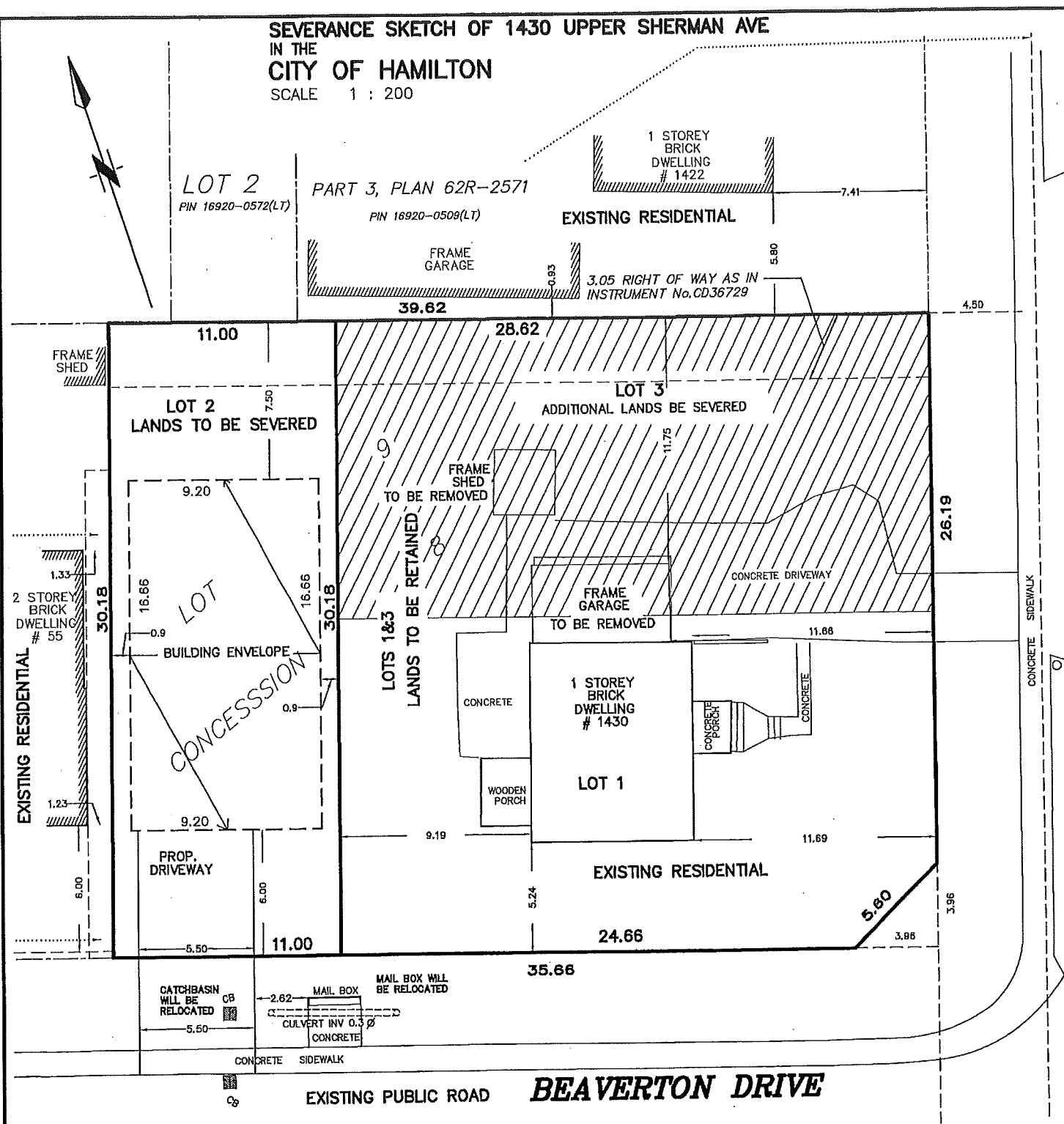
DATED: June 30th, 2020.

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.

**SEVERANCE SKETCH OF 1430 UPPER SHERMAN AVE
IN THE
CITY OF HAMILTON**
SCALE 1 : 200



ZONING: "C"

SITE STATISTICS	BYLAW	PROPOSED	
		LOTS 1&3	LOT 2
LOT FRONTAGE	12.0 m	30.14m	11.00m *
LOT AREA	360 m ²	826.9m ²	331.73m ² *
FRONT YARD SETBACK	6.0 m	11.60m	6.00m
REAR YARD	7.5 m	9.19m	7.50m
SIDE YARD SETBACK 1	1.20m	11.75m	0.9m *
SIDE YARD SETBACK 2	1.20m	5.24m	0.9m *
HEIGHT	11.00m	NA	NA
FRONTYARD LANDSCAPING	50.0%	NA	50.0%

* VARIANCE

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

DRAWING NOTE
SURVEY INFORMATION TAKEN FROM PLAN OF SURVEY BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOV 6, 2019

MARCH 9, 2020
DATE

[Signature]
HARRY KALANTZAKOS
ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS

225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
TELEPHONE: (905) 529-6316
(905) 529-4314
FAX: (905) 529-6651
e-mail: anl@AshenhurstNouwens.ca



DRAWN BY AN	CALC'D BY H.K.	CHK'D BY H.K.	FILE No. 19115 SKETCH 1
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UPPER SHERMAN AVENUE
 (ROAD ALLOWANCE BETWEEN LOTS 8 & 9)
 PIN 16921-0098(LT)
 EXISTING PUBLIC ROAD

EXISTING PUBLIC ROAD **BEAVERTON DRIVE**



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

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


FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A19-438</u>	DATE APPLICATION RECEIVED <u>Nov. 29/19</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

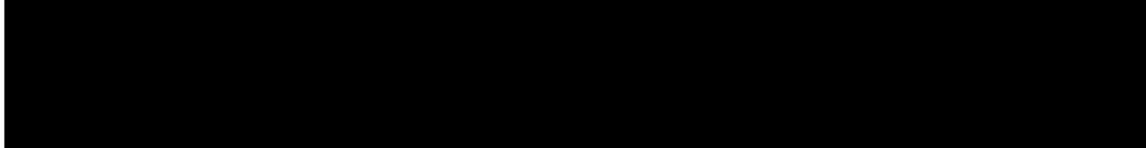
**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

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.

1. Name of Owner Komaljalel Desji Telephone No. 

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:
Scotia bank Postal Code M5H 1H1
40 King St W Toronto, ON
Postal Code _____

6. Nature and extent of relief applied for:

Lot Frontage
Lot side yard
Lot area
in LOT 2

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

All neighbors houses on beeveston
drive are have smaller frontage, so
I would like to keep same pattern on
Beeveston Road, drive.

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

Municipality of Hamilton, Lot-9, Concession-8
Geographic township of Boston
1430 Upper Sherman Ave, Hamilton, L5W 1K3

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?
Surrounding area is residential since long 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.

11/29/19,
 Date


 Signature Property Owner

Konvishal Dasji, Urveshiben Dasji
 Print Name of Owner

10. Dimensions of lands affected:
 Frontage 11.00 m
 Depth 30.18 m
 Area 331.73 m²
 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 storey detached dwelling,

 Proposed: new detached dwelling on
severed lot.
Building envelope - 16.66 x 9.20 m²

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 - 11.69 m
Side - North - 11.75 m, South - 5.24 m,
back - 20.19 m
 Proposed: _____
Side yard - 0.9 m
Rear yard - 7.5 m
Front yard - 6.0 m.

13. Date of acquisition of subject lands:
June 26/19,

14. Date of construction of all buildings and structures on subject lands:
1950

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:
1950

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:
Neighbourhood

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone 1e1

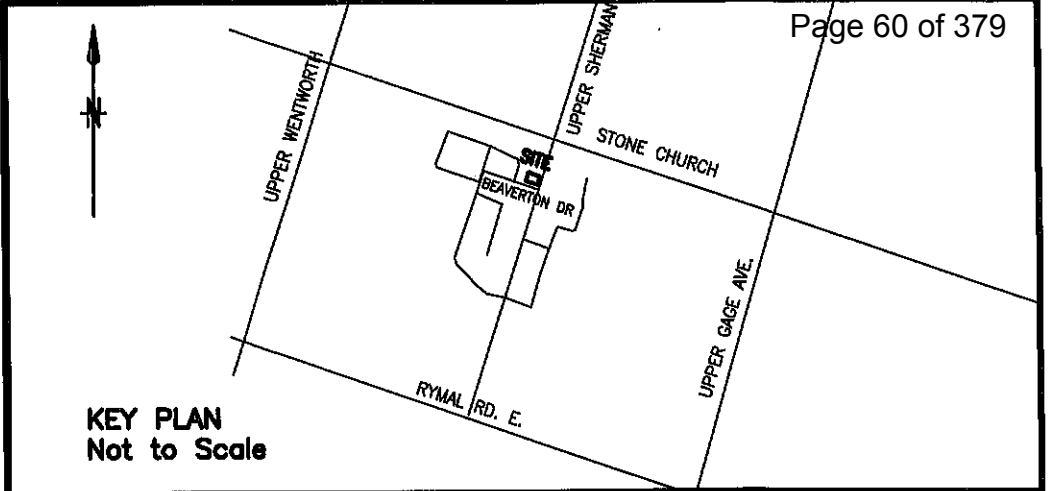
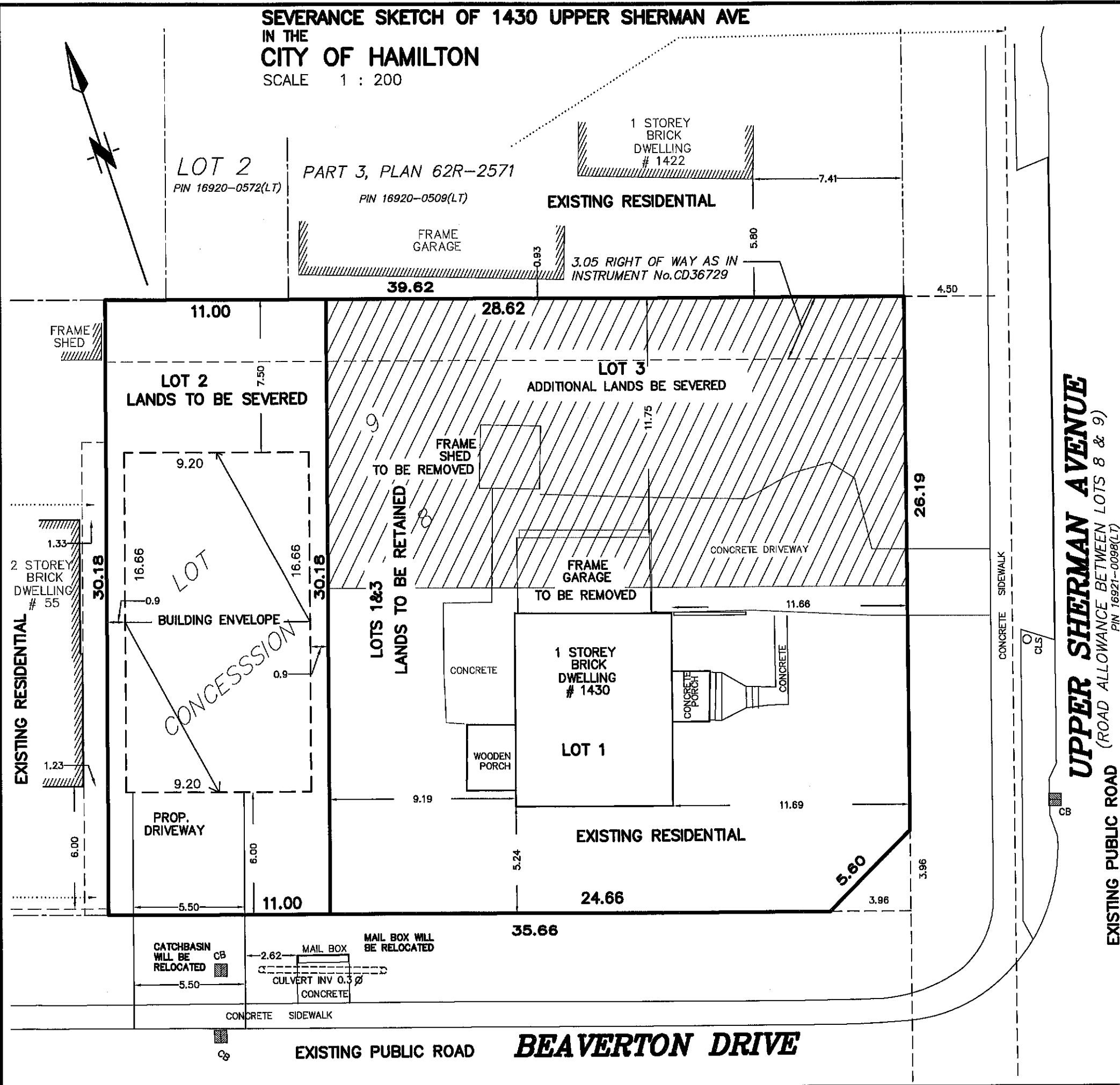
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.

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.

SEVERANCE SKETCH OF 1430 UPPER SHERMAN AVE
 IN THE
CITY OF HAMILTON
 SCALE 1 : 200



KEY PLAN
 Not to Scale

ZONING: "C"		PROPOSED	
SITE STATISTICS	BYLAW	LOTS 1&3	LOT 2
LOT FRONTAGE	12.0 m	30.14m	11.00m *
LOT AREA	360 m ²	826.9m ²	331.73m ² *
FRONT YARD SETBACK	6.0 m	11.60m	6.00m
REAR YARD	7.5 m	9.19m	7.50m
SIDE YARD SETBACK 1	1.20m	11.75m	0.9m *
SIDE YARD SETBACK 2	1.20m	5.24m	0.9m *
HEIGHT	11.00m	NA	NA
FRONTYARD LANDSCAPING	50.0%	NA	50.0%

* VARIANCE

METRIC NOTE

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

DRAWING NOTE

SURVEY INFORMATION TAKEN FROM PLAN OF SURVEY BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOV 6, 2019

MARCH 9, 2020
 DATE

[Signature]
 HARRY KALANTZAKOS
 ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
 PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS

225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1



TELEPHONE: (905) 529-6316
 (905) 529-4314
 FAX: (905) 529-6651

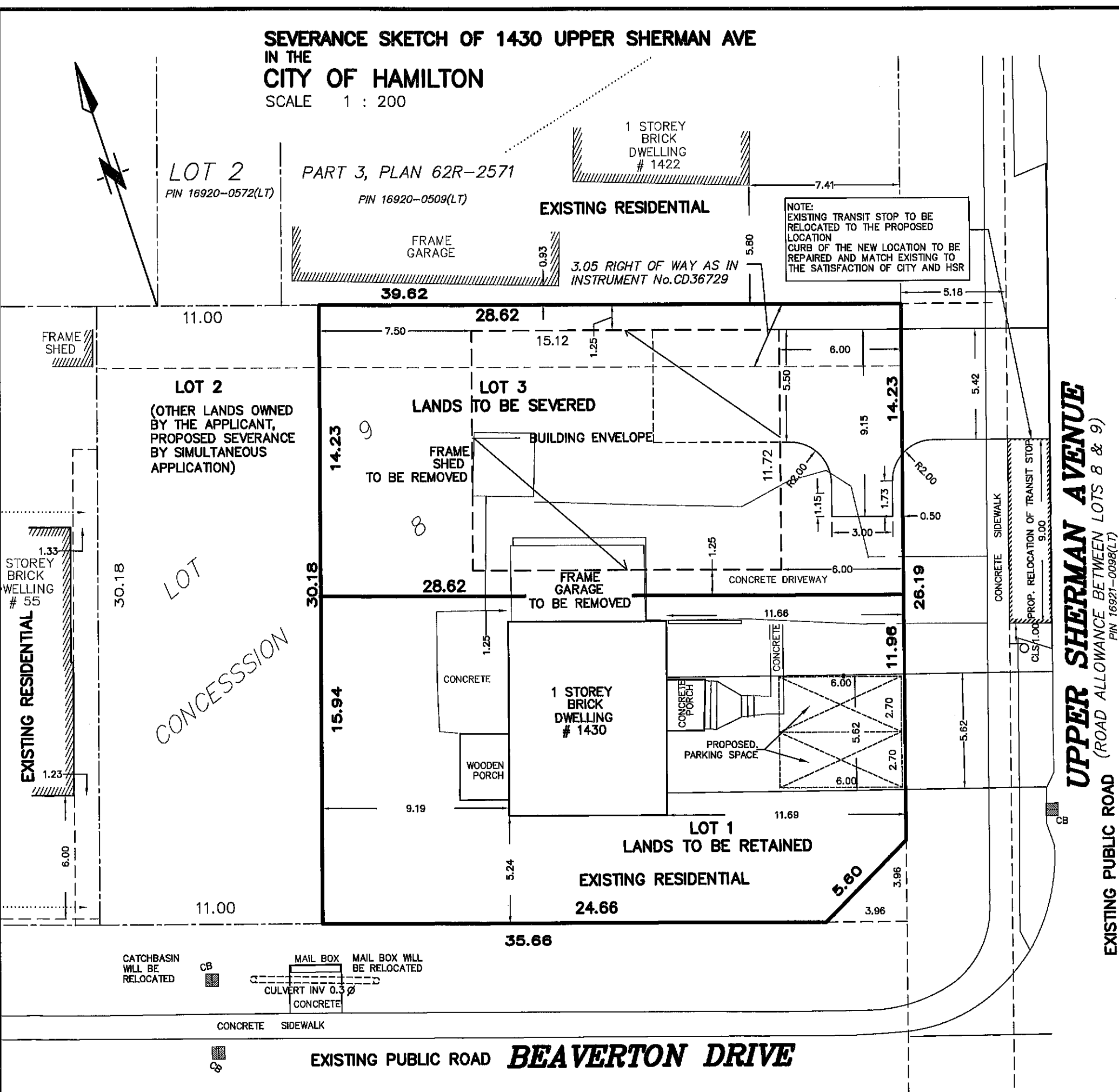
e-mail: anl@AshenhurstNouwens.ca

DRAWN BY AN	CALC'D BY	CHK'D BY H.K.	FILE No. 19115 SKETCH 1
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UPPER SHERMAN AVENUE
 (ROAD ALLOWANCE BETWEEN LOTS 8 & 9)
 PIN 16921-0098(LT)
EXISTING PUBLIC ROAD

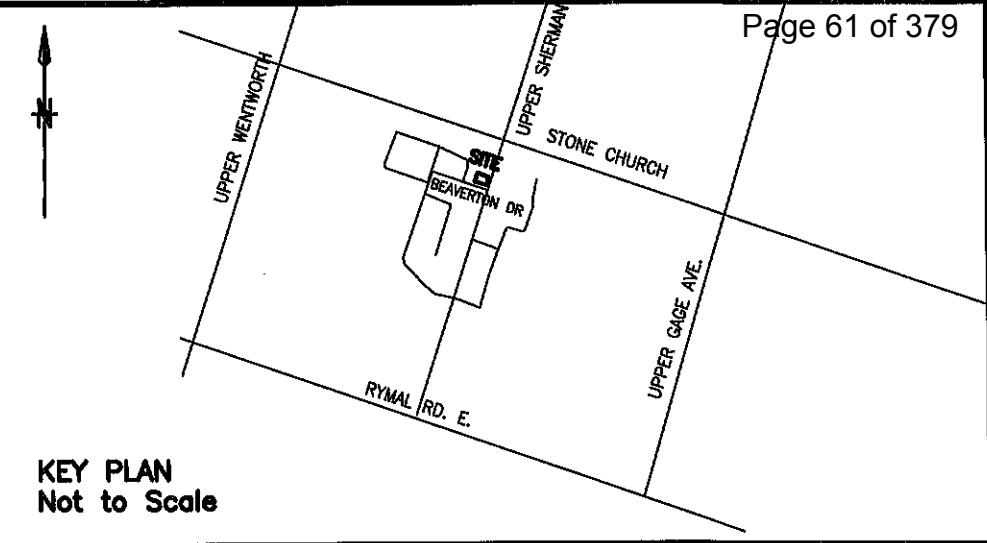
EXISTING PUBLIC ROAD BEAVERTON DRIVE

**SEVERANCE SKETCH OF 1430 UPPER SHERMAN AVE
IN THE
CITY OF HAMILTON**
SCALE 1 : 200



NOTE:
EXISTING TRANSIT STOP TO BE
RELOCATED TO THE PROPOSED
LOCATION
CURB OF THE NEW LOCATION TO BE
REPAIRED AND MATCH EXISTING TO
THE SATISFACTION OF CITY AND HSR

**KEY PLAN
Not to Scale**



SITE STATISTICS	BYLAW	PROPOSED	
		LOT 1	LOT 3
LOT FRONTAGE	12.0	15.94m	14.23m
LOT AREA	360 m ²	448m ²	406.96m ²
FRONT YARD SETBACK	6.0 m	11.60m	6.00m
REAR YARD	7.5 m	9.19m	7.50m
SIDE YARD SETBACK 1	1.20m	1.25m	1.25m
SIDE YARD SETBACK 2	1.20m	5.24m	1.25m
HEIGHT	11.00m	NA	NA
FRONTYARD LANDSCAPING	50.0%	64.58%	47.0% *

* VARIANCE
METRIC NOTE
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DRAWING NOTE
SURVEY INFORMATION TAKEN FROM PLAN OF SURVEY BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOV 6, 2019

March 9 2020
DATE
HARRY KALANTZAKOS
ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
TELEPHONE: (905) 529-6316
(905) 529-4314
FAX: (905) 529-6651
e-mail: anl@AshenhurstNouwens.ca

DRAWN BY AN	CALC'D BY	CHK'D BY H.K.	FILE No. 19115 SKETCH 2
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Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
 E-mail: morgan.evans@hamilton.ca or jamila.sheffield@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:23

SUBJECT PROPERTY: 50-52 Loconder Dr., 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 1955098 Ontario Inc. c/o R. Fawaz

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing a semi-detached dwelling and to retain a parcel of land containing a semi-detached dwelling.

Severed lands:

12m[±] x 13.49m[±] and an area of 161m² per ha[±]

Retained lands:

12m[±] x 13.45m[±] and an area of 161m² per ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 16th , 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

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-20:23
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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.

50-52

LOCONDER

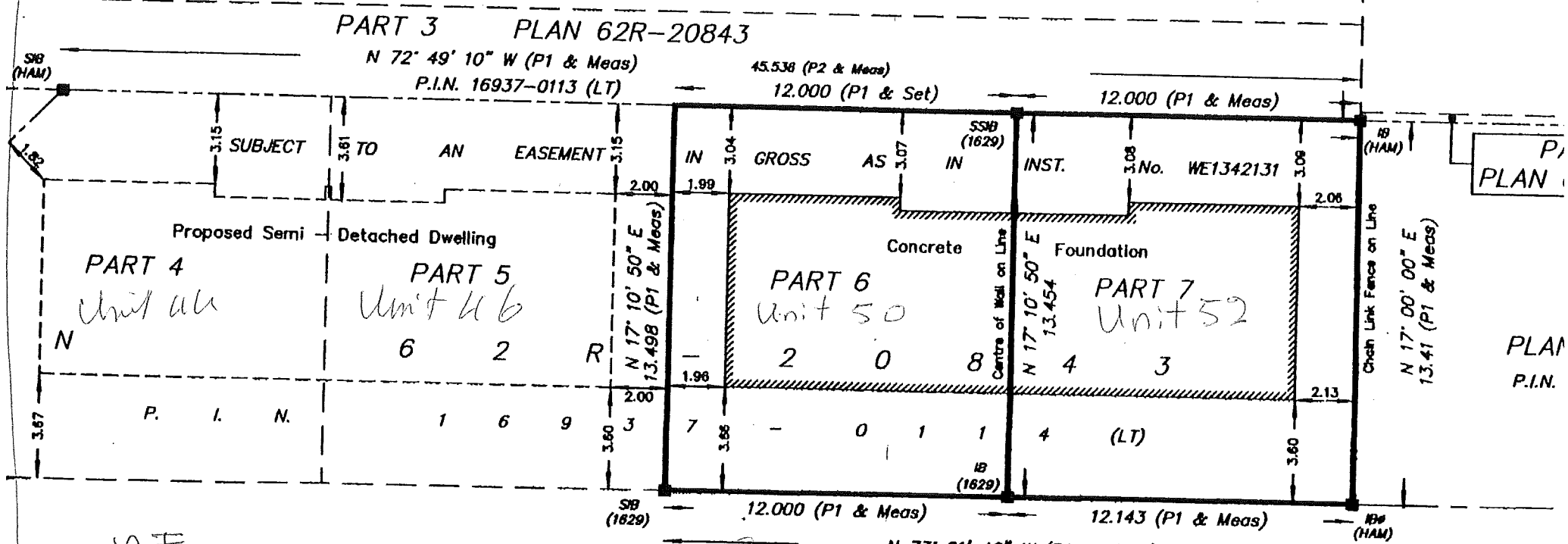
(ESTABLISHED BY BY-LAW No. 83-246, REGISTERED AS INST. No. 258514CD, P.I.N.

PART 3
PLAN 62R-6257

PLAN

Uppergate Ave-

Loconder Drive



Am/B
SKETCH
20:23

Unit 50 is the Retained Land
and Unit 52 for Servitude

20-155052



Hamilton

Planning and Economic Development Department
 Planning Division

RECEIVED
 MAY 11 2020
 COM OF ADJUSTMENT

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: Mar. 4 2020	Date Application Deemed Complete:	Submission No.: Hm/B-20-23	File No.:
---	-----------------------------------	-------------------------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	1955098 Ontario Inc.	[REDACTED]	[REDACTED]
Applicant(s)*	Raef Fawaz		
Agent or Solicitor			

* 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	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 50-52 Loconder Drive			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
(i.e. a lot containing a surplus farm dwelling
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: 1955098 ONTARIO INC

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)	Depth (m)	Area (m ² or ha)
12 Meter	13.49 Meter	161 M ²

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: S.B.M. detached home unit 52 Part 7

Proposed: _____

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)	Depth (m)	Area (m ² or ha)
12 M	13.45 Meter	161 M ²

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: Semi-detached home Unit 50 Part 6

Proposed: _____

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) _____

4.3 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) Neighborhoods

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

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? R415-1421 Small Lot Single Family Dwellings

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"/>	<u>N/A</u>

A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

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?
studies done by professional
- 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

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

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

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.

HM-B-19:53 Approved

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.

From Reef Fawaz to 1955098 Ontario Inc

8.4 How long has the applicant owned the subject land?

1 Year

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.

576 Concession Street and 569 Concession Street

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)

Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 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)

Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 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) <i>12M</i>	Area (m ² or ha): (from in Section 4.1)
--	--

Existing Land Use: semi detached Proposed Land Use: semi detached

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m ² 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 ² 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 ² 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 ² 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 ² 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 or 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

SURVEYOR'S REAL PROPERTY REPORT - PART 1

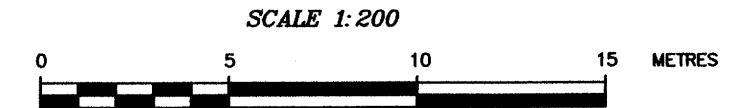
PLAN OF
PART OF LOT 6
CONCESSION 7
(GEOGRAPHIC TOWNSHIP OF BARTON)
CITY OF HAMILTON

LOCONDER DRIVE

(ESTABLISHED BY BY-LAW No. 83-246, REGISTERED AS INST. No. 258514CD, P.I.N. 16938-0142 (LT))

PART 3
PLAN 62R-6257

PART 8
PLAN 62R-6257



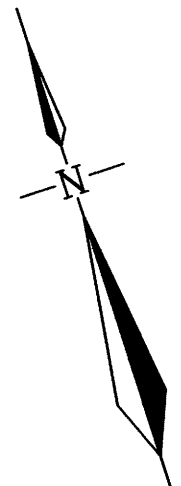
B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

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 UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS
02519920084 AND 07719820344, UTM ZONE 17, NAD83 (ORIGINAL),
AS SHOWN ON PLAN 62E-20843.

LEGEND:
■ DENOTES SURVEY MONUMENT FOUND
SIB DENOTES STANDARD IRON BAR
IB DENOTES IRON BAR
IBØ DENOTES ROUND IRON BAR
P1 DENOTES PLAN 62R-20843
(HAM) DENOTES CITY OF HAMILTON
(1629) DENOTES B.A. JACOBS O.L.S.

PART 2
THIS PLAN MUST BE READ IN
CONJUNCTION WITH SURVEY REPORT
DATED: AUGUST 21, 2019.



UPPER GAGE AVENUE
(FORMERLY THE KING'S HIGHWAY No. 55, TRANSFERRED BY ORDER IN COUNCIL No. O.C. 1192/61, SHOWN ON DEPOSITED PLAN 947 MISC.)
(ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 6 AND 7)

PART 1
PLAN 62R-13705

PART 2
PLAN 62R-13705

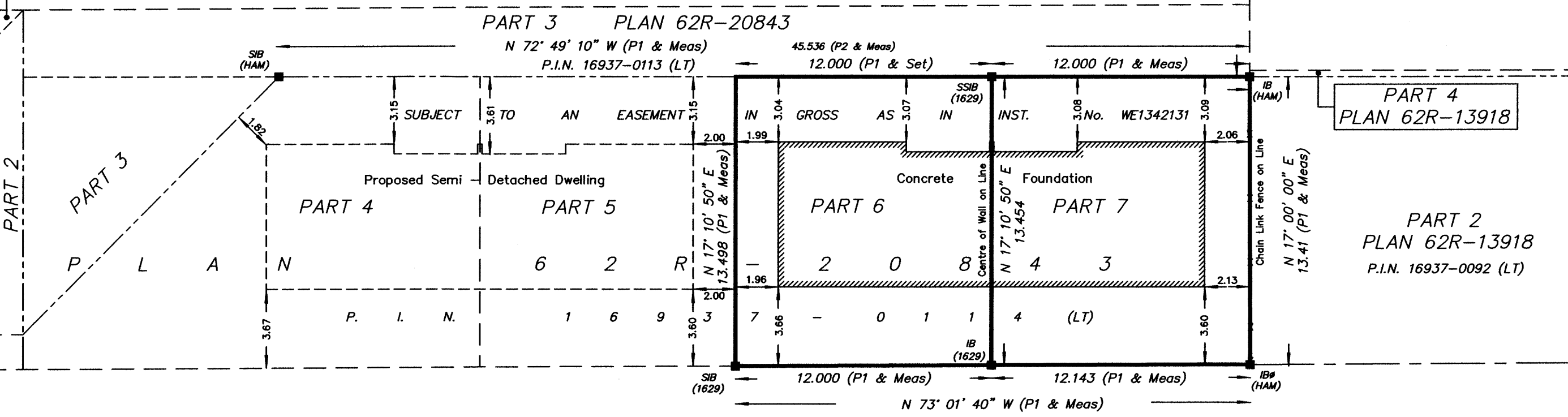
PART 22
PLAN 62R-6257

PART 4
PLAN 62R-13918

PART 2
PLAN 62R-13918
P.I.N. 16937-0092 (LT)

PART 5
PLAN 62R-637

DEPOSITED

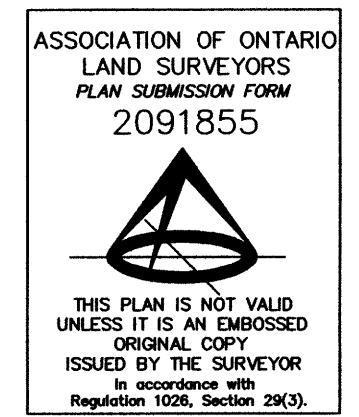


P. I. N. 16937-0095 (LT)

L O T 6

C O N C E S S I O N 7

PART 1 PLAN 62R-12580



THIS REPORT WAS PREPARED FOR ARDI CONTRACTORS

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 JUNE 25, 2019.

AUGUST 21, 2019.
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 bajacobs@rogers.com



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
 E-mail: morgan.evans@hamilton.ca or jamila.sheffield@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:24

SUBJECT PROPERTY: 1342 Stone Church Rd. 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): P. J. Daly Contracting Limited on behalf of the owner
 82 Ferguson Ave., (Hamilton)

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be added to adjacent property known as 1320 Stone Church Rd. E.

Severed lands:

an irregular parcel of land having an area of 1.5 acres[±]

Retained lands:

93.034m[±] x 252m[±] and an area of 5.5 acres[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 16th , 2020

TIME: 1:40 p.m.

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

To be streamed at

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-20:24
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:

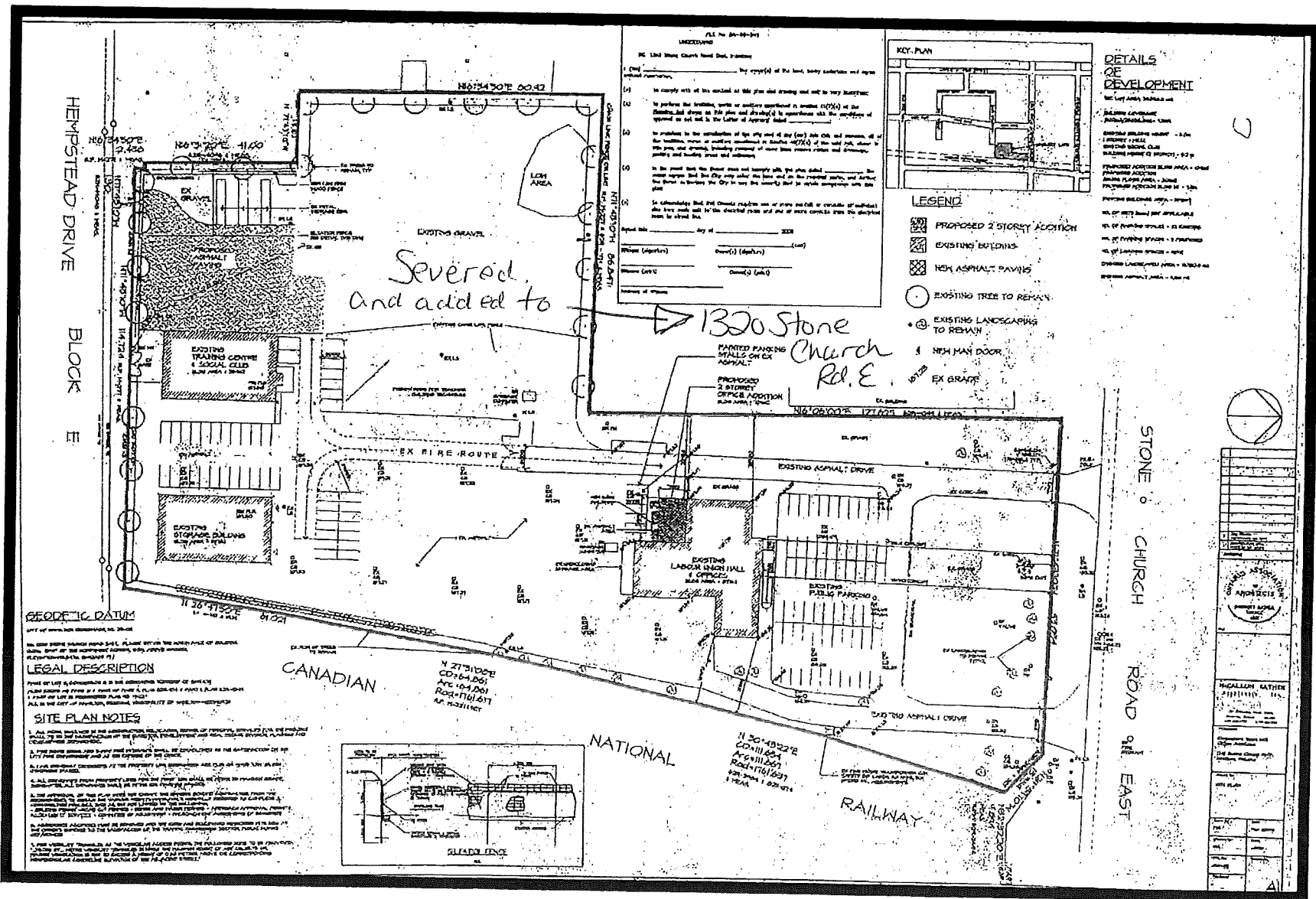
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020

Original Signed

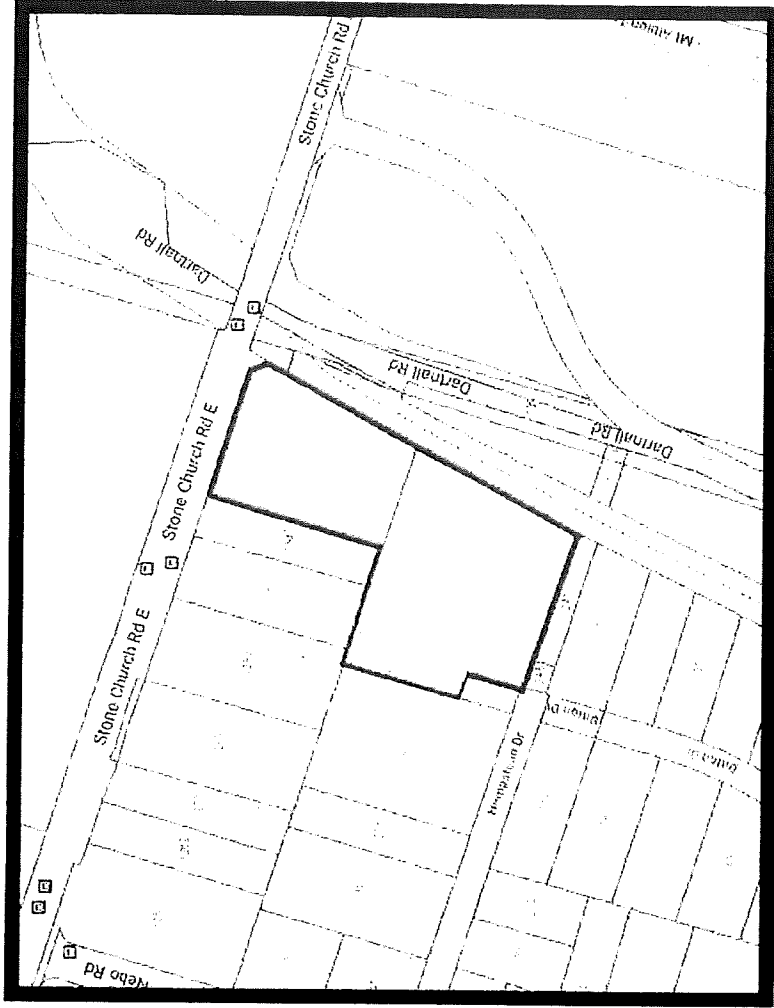
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



Am 13 20:24
Sketch 1

-27-



Geo-Warehouse



Aerial View

Hm/B 20:24
sketch 2



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>March 9/20</i>	Date Application Deemed Complete:	Submission No.: <i>Hm/B-20:24</i>	File No.:
---	-----------------------------------	--------------------------------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	<i>82 FERGUSON AVE (HAMILTON)</i>		
Applicant(s)*	<i>OWNER</i>		
Agent or Solicitor	<i>PJ DALY CONTRACTORS LIMITED</i>		

* Owner's authorization is 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 <i>HAMILTON</i>	Lot <i>31</i>	Concession	Former Township
Registered Plan N° <i>62M-227</i>	Lot(s)	Reference Plan N° <i>62R-14046</i>	Part(s)
Municipal Address <i>1342 STONE CHURCH ROAD EAST</i>			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:

P.J. DALY CONTRACTING LIMITED

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

1320 STONE CHURCH ROAD EAST, HAMILTON L8W 2C8.

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**:

Frontage (m) <u>NOT APPLICABLE</u>	Depth (m) <u>IRREGULAR</u> <u>80M</u> <u>265' x 285'</u>	Area (m ² or ha) <u>1.5 ACRES</u> <u>6070 M²</u>
---------------------------------------	--	--

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: NONE

Proposed: NONE

Type of access: (check appropriate box)

- NOT APPLICABLE. NO ACCESS. LANDLOCKED
- 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) NOT APPLICABLE

Type of sewage disposal proposed: (check appropriate box)

- NO WATER SUPPLY
- publicly owned and operated sanitary sewage system
 privately owned and operated individual septic system
 other means (specify) NO SEWAGE DISPOSAL

4.2 Description of land intended to be **Retained**:

Frontage (m) <u>93.034 M</u>	Depth (m) <u>252 M</u>	Area (m ² or ha) <u>22,257 M²</u> <u>5.5 ACRES</u>
---------------------------------	---------------------------	---

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
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Building(s) or Structure(s):

Existing: OFFICE BLDG + 2 TRAINING BLDGS

Proposed: " " " " " "

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) _____

4.3 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) M3 PRESTIGE BUSINESS PARK

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

LAND USE WILL NOT CHANGE

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? M3 PRESTIGE BUSINESS PARK

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"/>	

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 BELL CANADA OFFICE BLDG.
- 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?
PERSONAL + ASSOCIATES' 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

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

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

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.

NOT APPLICABLE

- 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? 33 YEARS

- 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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: _____

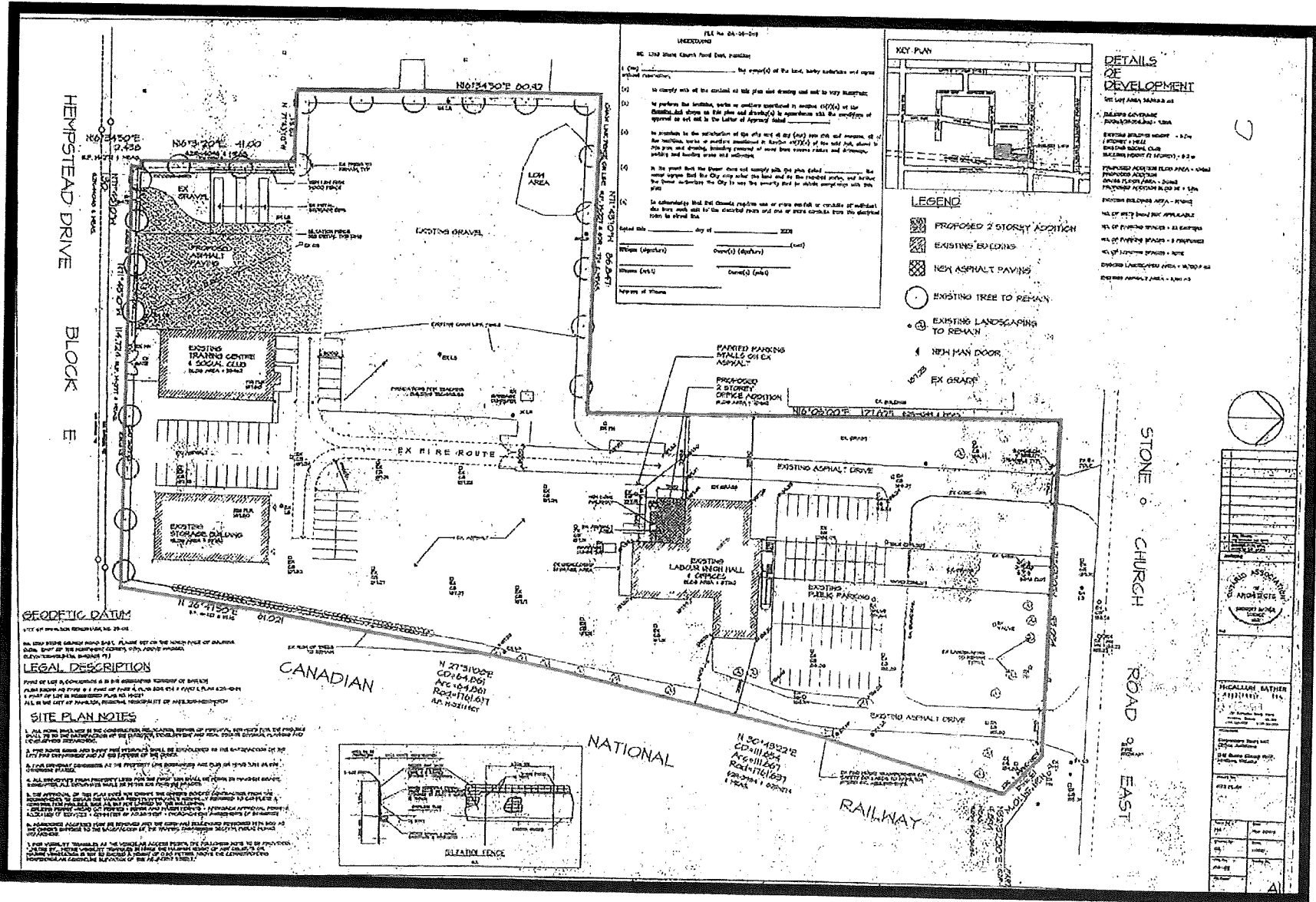
11 OTHER INFORMATION

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.

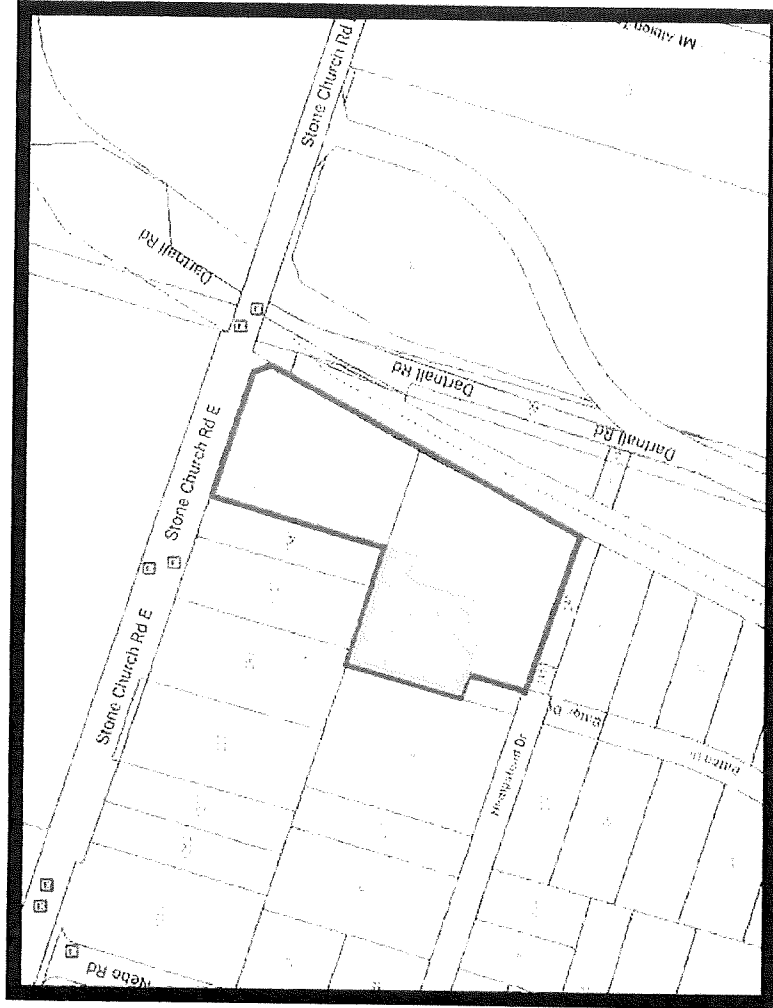
12 SKETCH (Use the attached Sketch Sheet as a guide)

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



-27-



Geo-Warehouse



Aerial View



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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.: SC/A-20:82

APPLICANTS: DeFilippis Design on behalf of the owners T. & A. Valeri

SUBJECT PROPERTY: Municipal address **49 Millen Rd. (Stoney Creek) City of Hamilton**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: "R2" (Single Residential) Zone

PROPOSAL: To permit the construction of an accessory building (cabana) in the front yard of the existing single detached dwelling, notwithstanding,

1. The proposed cabana shall be permitted to be located within the front yard providing a minimum distance of 0.1 metres to the front lot line whereas the Zoning By-law does not permit an accessory building to be located in a front yard and requires a minimum distance of 8.0 metres to the front lot line.

NOTES:

1. A further variance will be required should an eave and gutter projection along the southerly side of the proposed accessory structure projects greater than 0.25 metres into the required yard.
2. A further variance will be required should the height of the proposed accessory structure exceeds the maximum permitted height of 4.5 metres. The applicant shall ensure building height is provided in accordance with the definition of "Height – Building" and "Grade" as defined within the Zoning By-law.
3. The "New Porch to Replace Existing" and "New Two Storey Addition (Garage Below)", as shown on the submitted site plan have not been reviewed for zoning compliance as it appears such alterations have been reviewed under Building Permit 16-119611.

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

DATE: Thursday, July 16th, 2020
TIME: 1:45p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

SC/A-20:82
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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

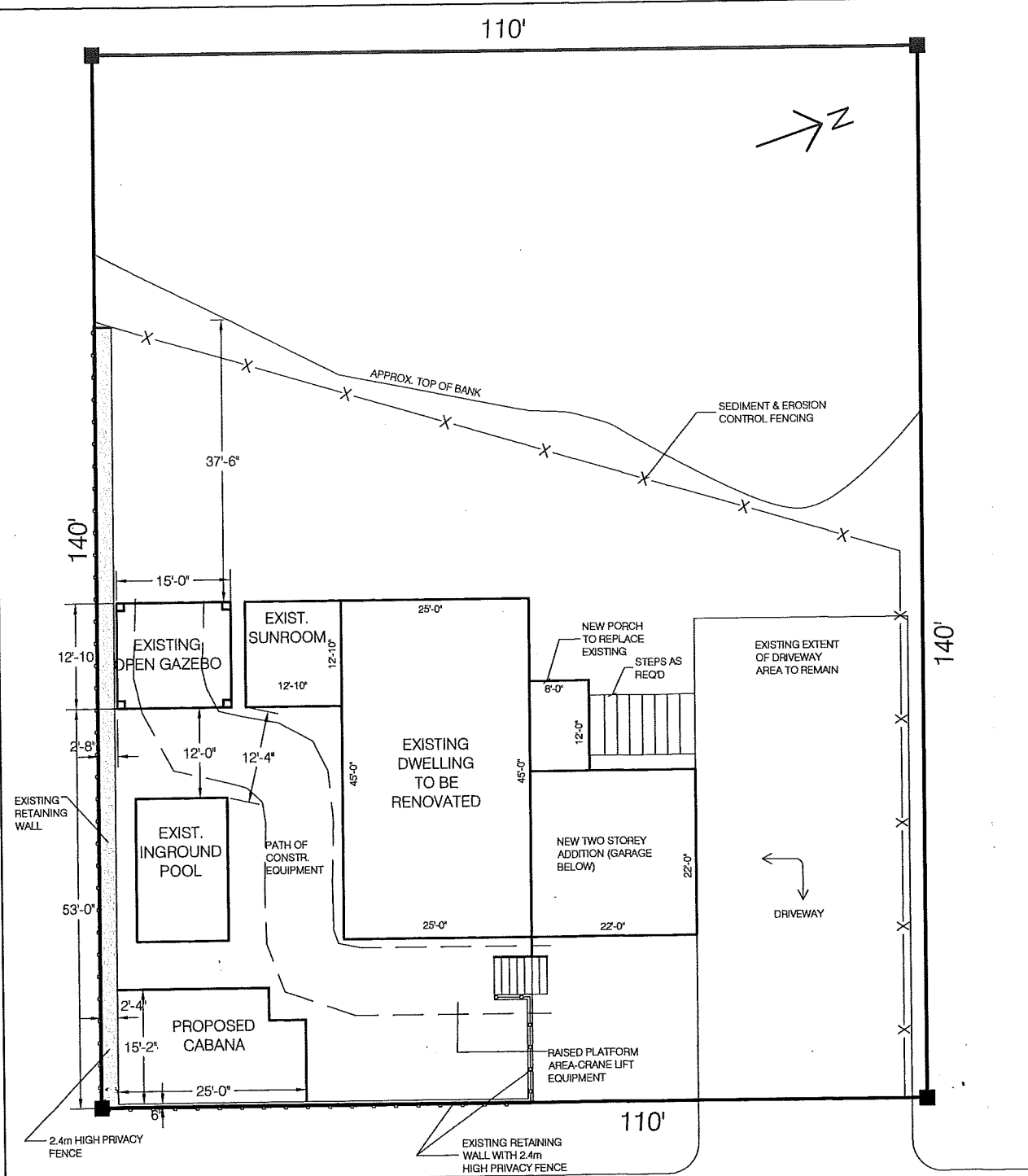
Original Signed

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

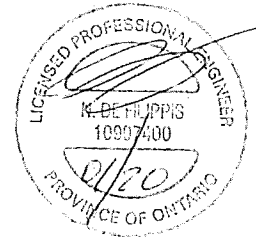
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SITE STATISTIC


LOT AREA	15,400 sqf (1,430.70m ²)
EXISTING DWELLING	1,125 sqf (104.51m ²)
EXISTING SUNROOM	165 sqf (15.33m ²)
NEW 2 STOREY ADDITION	484 sqf (44.96m ²)
PORCH W/STAIRS	208 sqf (19.32m ²)
EXISTING OPEN GAZEBO	192 sqf (17.84m ²)
PROPOSED CABANA	358 sqf (33.26m ²)
TOTAL COVERAGE:	2,532 sqf (235.22m²) (16.44%)



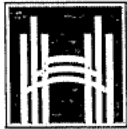
MILLEN RD
SITE PLAN
 SCALE 1/16"=1'-0"



SC/A 20:82 Sketch

 <p>DeFILIPPIS DESIGN 687 BARTON ST., SUITE 201 STONEY CREEK, ONTARIO L8E 6L6 (905) 643-2250 FAX (905) 643-1095 email: defilippisdesign@bellnet.ca</p>	PROPOSED DRAWING FOR: NEW OPEN GAZEBO (VALERI)	
	SCALE: AS NOTED	ADDRESS:
	DATE: SEPT.19	49 MILLEN RD
	REV 1: JAN., 2020	STONEY CREEK, ON
	REV 2: MAR., 2020	
	DRAWN BY:*	
	CHK BY:*	
	DWG NO: 6P-1	
	SH 1 OF 1	

20.156292



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

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

RECEIVED

FOR OFFICE USE ONLY.		MAR 03 2021
APPLICATION NO. <u>SC/A-20-82</u>	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 TERRI VAUER Telephone No. _____

2. _____

3. Name of Agent DeFiurpis Design 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 PERMIT ACCESSORY STRUCTURE (POOL CABANA) IN FRONT YARD AT A DISTANCE OF 0.15m (including eaves) to PROP LINE AND 0.7m sideyard - TO PERMIT A PRIVACY FENCE

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

2.4m HIGH ON THE SOUTH Side yard and partial front yard

EXTREME STREET GRADE CREATES AND EXISTING DIRECTION OF FRONT DOOR OF HOUSE CREATES TYPICAL REAR YARD AMENITY IN SIDE/FRONT YARD ACTUAL REAR YARD IS PROTECTED ESA AREA

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

A9 MILLAN RD, STONEY CREEK

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?

SINGLE FAMILY USE IN EXCESS
OF 60 years

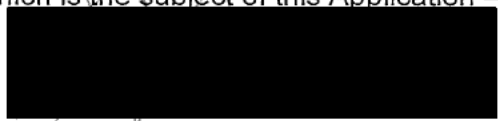
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

MARCO 9/20
Date



Signature Property Owner

TERRI VALERI
Print Name of Owner

10. Dimensions of lands affected:

Frontage 110 ft (33.5 m ±)
Depth 140 ft (42.6 m ±)
Area 1427 sq m
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: See Site Plan

Proposed: ONE STORY ACCESSORY BLDG
26 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: See Site Plan

Proposed: See Site Plan

13. Date of acquisition of subject lands: _____

3 years ±

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

60 years ±

15. Existing uses of the subject property: _____

SINGLE FAMILY

16. Existing uses of abutting properties: _____

SINGLE FAMILY AND MUNICIPAL PARK

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 Connected

Sanitary Sewer Connected

Storm Sewers

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

URBAN SETTLEMENT

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

R-2 RESIDENTIAL
STONEY CREEK BYLAW 3692-92

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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:25

SUBJECT PROPERTY: 63 Orchard Dr., 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): Valfour Developments (2000) Inc. c/o R. Ostrowercha on behalf of the owner Donald James Young

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential purposes.

Severed lands:

17.678m[±] x 59.3m[±] and an area of 1046.6m^{2±}

Retained lands:

17.678m[±] x 59.3m[±] and an area of 1050m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 16th , 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
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/B-20:25
PAGE 2

MORE INFORMATION

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- Visit 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

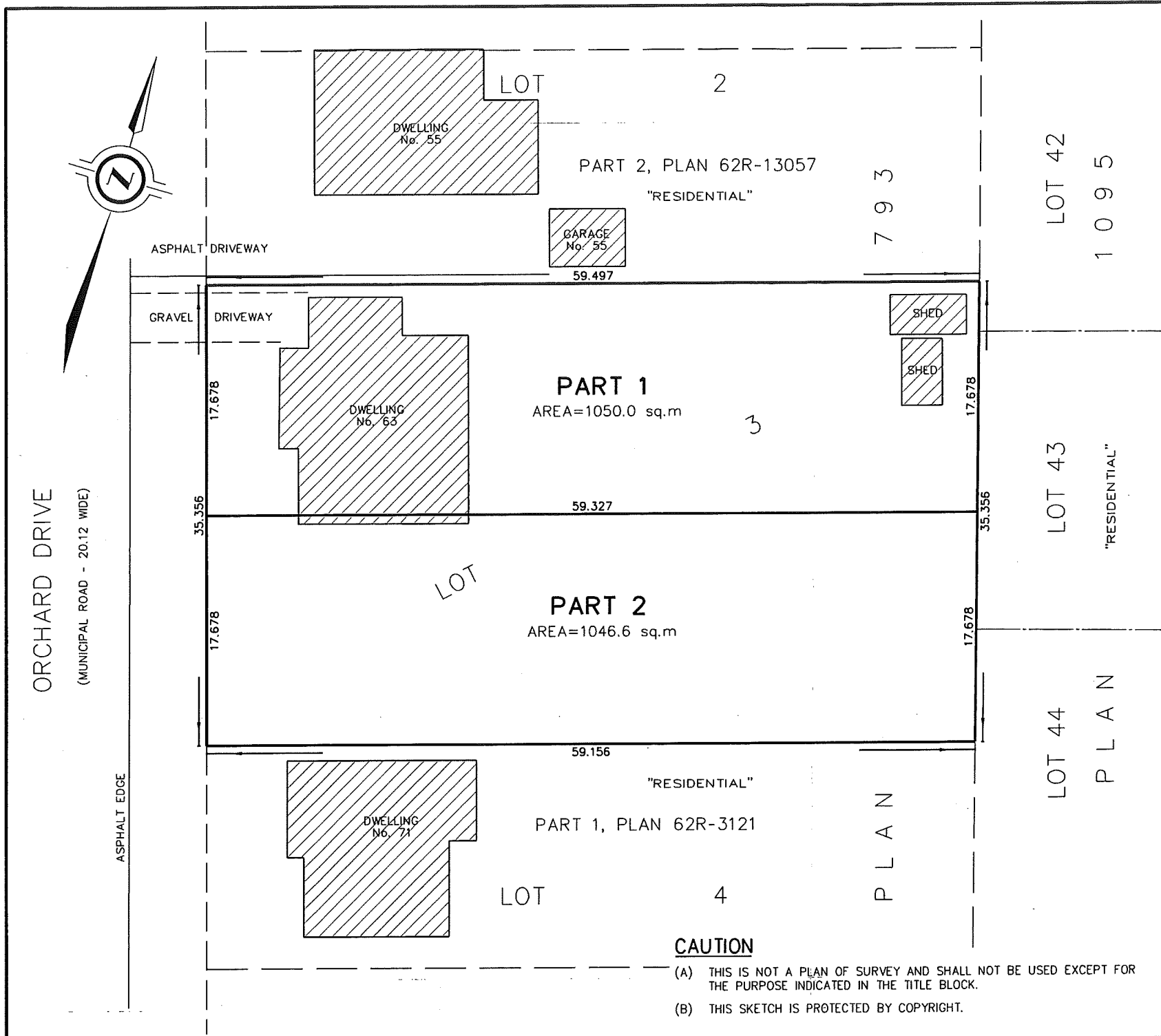
DATED: June 30th, 2020

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/B-20:25

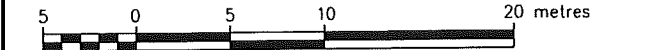


NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY

SKETCH FOR PLANNING PURPOSES ONLY

63 ORCHARD DRIVE
CITY OF HAMILTON

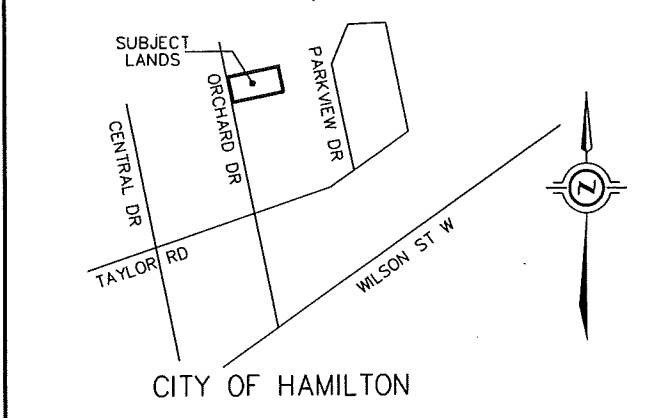
SCALE 1 : 300



J.D. BARNES LIMITED
© COPYRIGHT 2020

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

KEY PLAN (not to scale)



LEGAL DESCRIPTION

LOT 3, PLAN 793

BOUNDARY INFORMATION HAS BEEN COMPILED FROM AVAILABLE RECORDS AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY

SOME FEATURES SHOWN ON THIS SKETCH HAVE BEEN DIGITIZED FROM AERIAL PHOTOGRAPHY - LOCATION IS APPROXIMATE.

DATE _____ DASHA PAGE
ONTARIO LAND SURVEYOR

CAUTION
(A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
(B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

<p>J.D. BARNES LIMITED SURVEYING MAPPING GIS LAND INFORMATION SPECIALISTS 4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4 T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com</p>	TW	DRAWN
	DP	CHECKED
	DATED: APR 14/2020	
Ref. No. 20-16-098-00		PLOTTED 14-Apr-20

C:\2020\20-16-098\00\Drawing\20-16-098-00 LDC.dgn

ORCHARD DRIVE
(MUNICIPAL ROAD - 20.12 WIDE)

ASPHALT EDGE

LOT 42
1 0 9 5

LOT 43
"RESIDENTIAL"

LOT 44
P L A N

7 9 3

P L A N



Hamilton

Planning and Economic Development Department
 Planning Division

2020-06-20
 17:06:20
 COM OF DISTRICT

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>May 6 2020</i>	Date Application Deemed Complete:	Submission No.: <i>AN/B 20: 25</i>	File No.:
---	-----------------------------------	---------------------------------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	<i>Donald James Young</i>		
Applicant(s)*	<i>Rob Strawbridge</i>		
Agent or Solicitor			

* 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 <i>City of Hamilton</i>	Lot <i>3</i>	Concession	Former Township
Registered Plan N°. <i>793</i>	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address <i>63 Orchard Dr., Ancaster</i>			Assessment Roll N°. <i>14032037900</i>

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
(i.e. a lot containing a surplus farm dwelling
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:
1612589 Ontario Ltd in trust.

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:

Frontage (m)	Depth (m)	Area (m ² or ha)
<u>17.678m</u>	<u>± 59.3</u>	<u>1046.6 m²</u>

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: Residential Building (to be demolished)

Proposed: Residential lot.

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)	Depth (m)	Area (m ² or ha)
<u>17.678m</u>	<u>± 59.3</u>	<u>1050 m²</u>

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 _____
- 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?
History 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 severance is consistent with the PPS as it promotes residential intensification within a built-up area & represents an efficient use of severed land.

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

As above

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

The application conforms with section 2.2.1 which encourages growth within existing settlement areas. The subject property is serviced by municipal infrastructure & will support the achievement of complete communities

- 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

Refer to below

- 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)

See attached

- 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)

See attached

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.

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?

April 2020

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)**

- Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 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)

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:76

APPLICANTS: DeFilippis Design on behalf of the owners A. & L. Nacinovic

SUBJECT PROPERTY: Municipal address **11 Howard Blvd., (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 single detached dwelling notwithstanding that:

1. A maximum lot coverage of 25% shall be permitted instead of the maximum required lot coverage of 15%.

NOTE:

- i) The existing single detached dwelling is intended to be demolished.

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

DATE: Thursday, July 16th, 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 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.

FL/A-20:76
Page 2

MORE INFORMATION

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

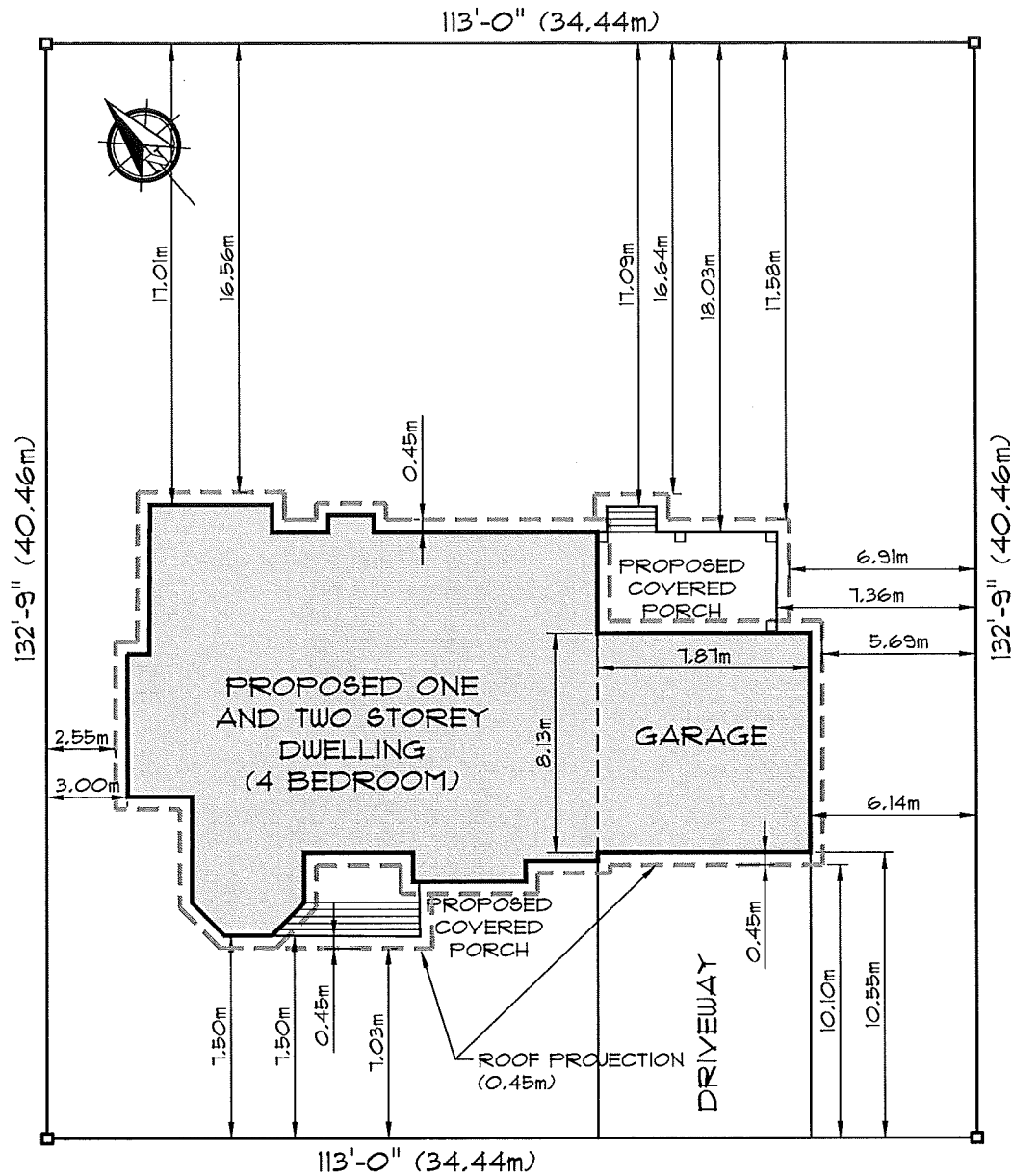
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.



HOWARD BOULEVARD

These drawings are the property of DeFILIPPIS DESIGN and are not to be copied, reproduced or used without the express written consent of the designer.

SITE STATISTIC

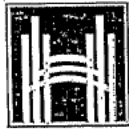
LOT AREA	1,393.44 m ²
PROPOSED NEW DWELLING	300.93m ²
PROPOSED COVERED PORCH (REAR)	26.71m ²
PROPOSED COVERED PORCH (FRONT)	13.75m ²
<u>LOT COVERAGE</u>	<u>341.39m² (24.499%)</u>
GROSS FLOOR AREA	341.39m ² (372.00m ² MAX)
HEIGHT TO MID-POINT OF ROOF	8.00m
HEIGHT TO ROOF PEAK	10.00m

NOTE:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPACES REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

3		<p>DeFILIPPIS DESIGN 607 BARTON ST., SUITE 201 STONE CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095 email: defilippisdesign@telcel.net.ca</p>
2		
1	MARCH 9, 2020	
REV.	DATE	
JOB NO.		PROPOSED SITE PLAN FOR
CHKD. BY		NACINOVIC RESIDENCE
DRN. BY		11 HOWARD BOULEVARD WATERDOWN, ON
DATE:	MARCH, 2020	
SCALE:	1:200	
DWG NO.	SHEET	Site Plan

Amended
 FL/A-20:176
 Sketch (1)



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

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

FOR OFFICE USE ONLY.

APPLICATION NO. FLIA 20.76 DATE APPLICATION RECEIVED MAR. 3/20

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.

1. Name of Owner ALBINO LUBICA Telephone No. _____
UNDER PURCHASE
2. _____
3. Name of Agent DE FILIPPIS DESIGN 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:
DETRARDINS FINANCIAL
WELLAND, ONT Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

INCREASE LOT COVERAGE FROM 15% TO 24.5%

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

BY-LAW LOT COVERAGE IS NOT CONSISTENT WITH NEW ~~RE~~ RE-DEVELOPMENT ON THE STREET AND SURROUNDING NEIGHBOURHOOD

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

11 HOWARD BLVD, WATFORD

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?

RESIDENTIAL USE IN EXISTENCE
IN EXCESS OF 60 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.

MARCH 3/20
Date



Signature Property Owner UNDER OFFER
ALBINO NACINOVIC TO PURCHASE
LTUBICA NACINOVIC
Print Name of Owner

10. Dimensions of lands affected:

Frontage 34.0 m ±
Depth 40.4 m ±
Area 1393.4 sqm ±
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: SINGLE FAMILY DWELLING
TO BE DEMOLISHED

Proposed: NEW ONE & TWO STOREY
DWELLING, WITH ATTACHED
garage to replace existing.

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

Existing: _____

Proposed: SEE SITE PLAN

13. Date of acquisition of subject lands:
MARCH 2020

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

15. Existing uses of the subject property:
RESIDENTIAL (SINGLE FAMILY)

16. Existing uses of abutting properties:
SINGLE FAMILY

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

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:
URBAN SETTLEMENT

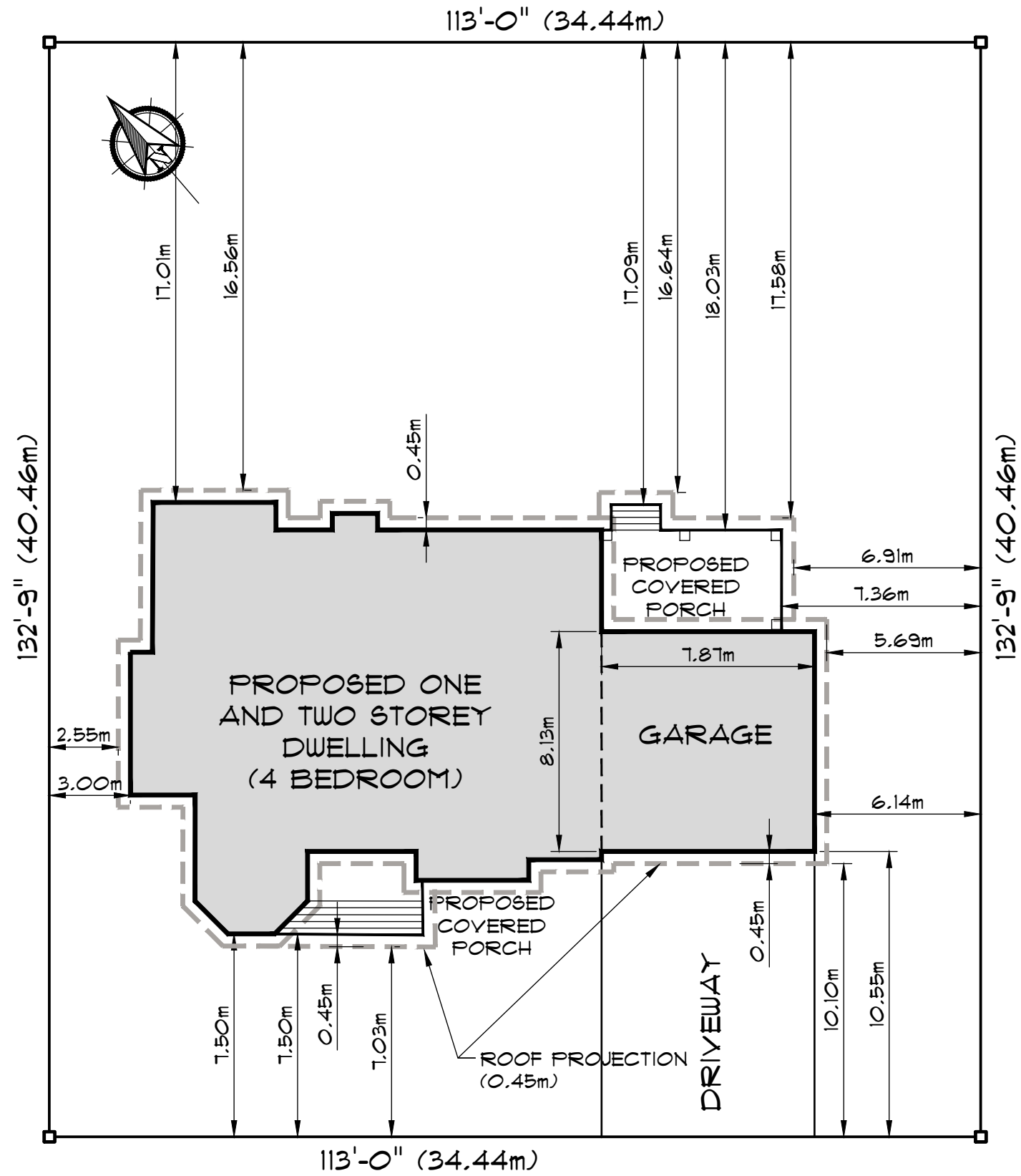
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
WATERLOO BYLAW 90-145-2
ZONING R1-6

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.



SITE STATISTIC

LOT AREA	1,393.44 m ²
PROPOSED NEW DWELLING	300.93m ²
PROPOSED COVERED PORCH (REAR)	26.71m ²
PROPOSED COVERED PORCH (FRONT)	13.75m ²
<u>LOT COVERAGE</u>	<u>341.39m² (24.499%)</u>
GROSS FLOOR AREA	341.39m ² (372.00m ² MAX)
HEIGHT TO MID-POINT OF ROOF	8.00m
HEIGHT TO ROOF PEAK	10.00m

HOWARD BOULEVARD

These drawings are the property of DeFILIPPIS DESIGN and are not to be copied, reproduced or used without the express written consent of the designer.

NOTE:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPACES REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

3		 DeFILIPPIS DESIGN 687 BARTON ST., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095 email: defilippisdesign@bellnet.ca
2		
1	MARCH 9, 2020	
REV.	DATE	PROPOSED SITE PLAN FOR: NACINOVIC RESIDENCE 11 HOWARD BOULEVARD WATERDOWN, ON
JOB NO.		
CHKD. BY		
DRN. BY		
DATE:	MARCH, 2020	Site Plan
SCALE:	1 : 200	
DWG NO.	SHEET	



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:80

APPLICANTS: DeSimone Architect Incorporated c/o John DeSimone on behalf of the owner Michele Adams

SUBJECT PROPERTY: Municipal address **61 Rockcliffe Rd. (Flamborough) City of Hamilton**

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

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

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

1. A 20 % lot coverage shall be permitted instead of the maximum permitted lot coverage of 15%; and
2. A maximum floor space of 448.0 m² shall be permitted instead of the maximum permitted floor space of 186 square metres on main floor for a 1½ storey; and
3. A maximum building height of 9.3 m shall be provided instead of the maximum permitted 8.2m.

NOTES:

Variance # 3 has been written as requested by the applicant. 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.

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, further variances will be required.

Applicant shall ensure that the proposed eaves and gutters do not encroach into any required yard beyond the maximum permitted 0.65 m; otherwise, further variances will be required.

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

DATE: Thursday, July 16th, 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 for viewing purposes only

FL/A-20:80
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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

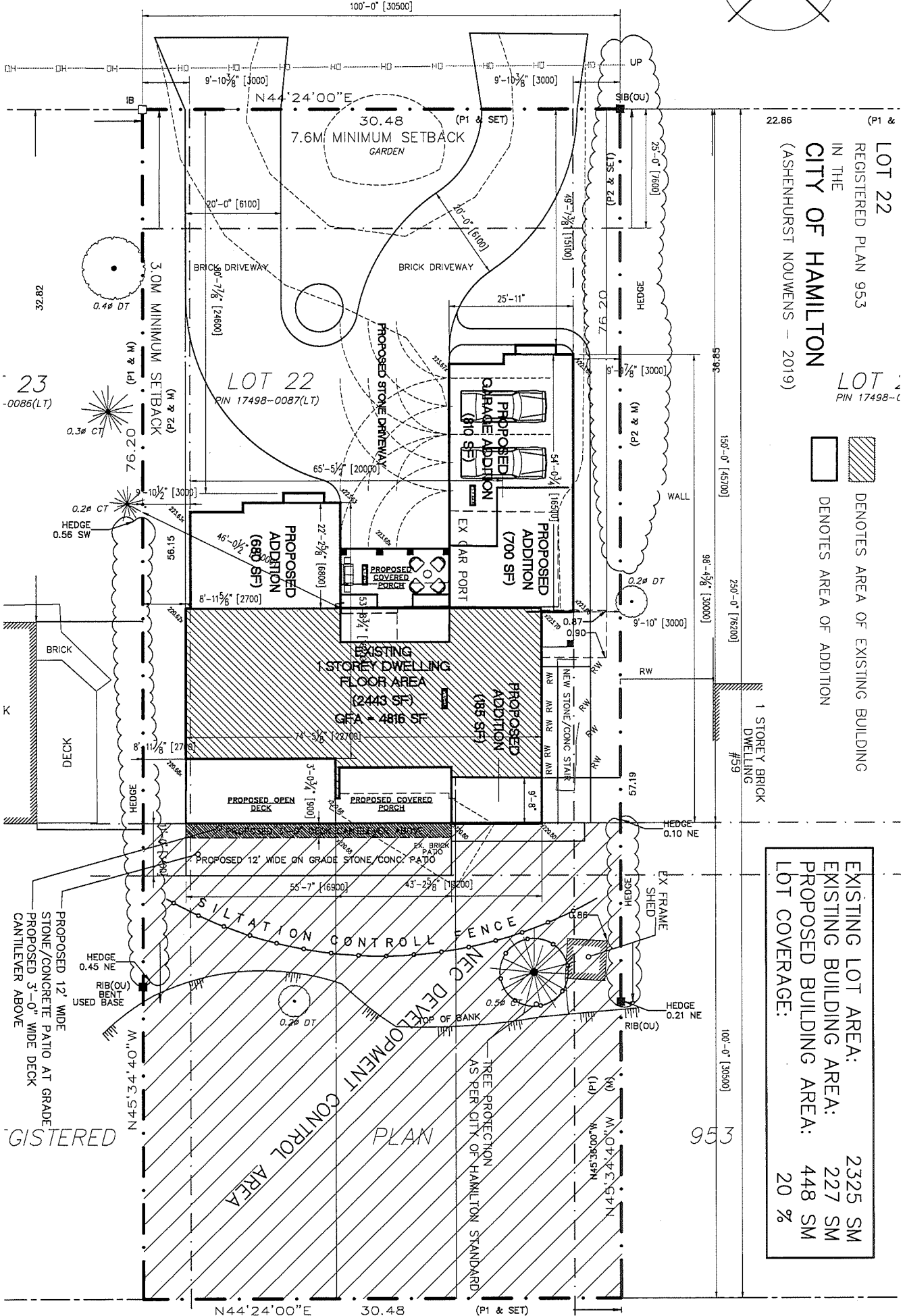
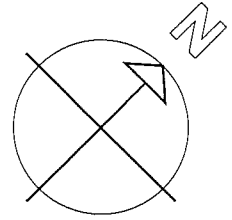
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



ROCKCLIFFE ROAD

(BY REGISTERED PLAN 953)

PIN 17498-0721(LT)



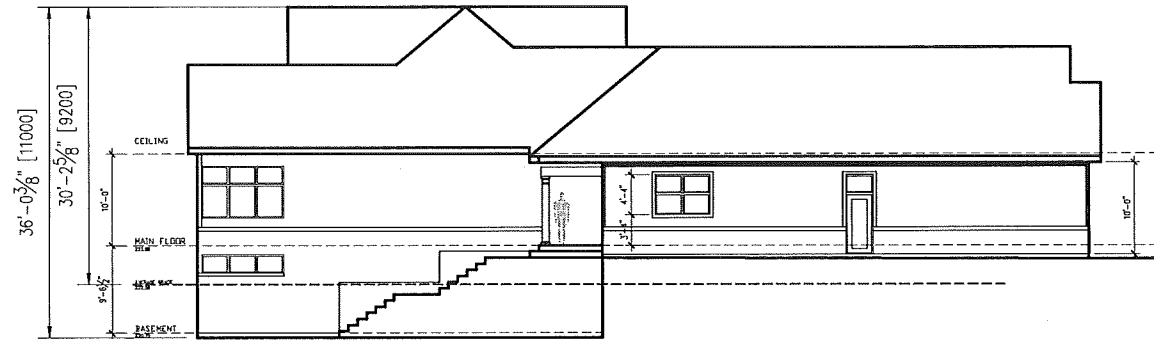
LOT 22
REGISTERED PLAN 953
IN THE
CITY OF HAMILTON
(ASHENHURST NOUWENS - 2019)

 DENOTES AREA OF EXISTING BUILDING
 DENOTES AREA OF ADDITION

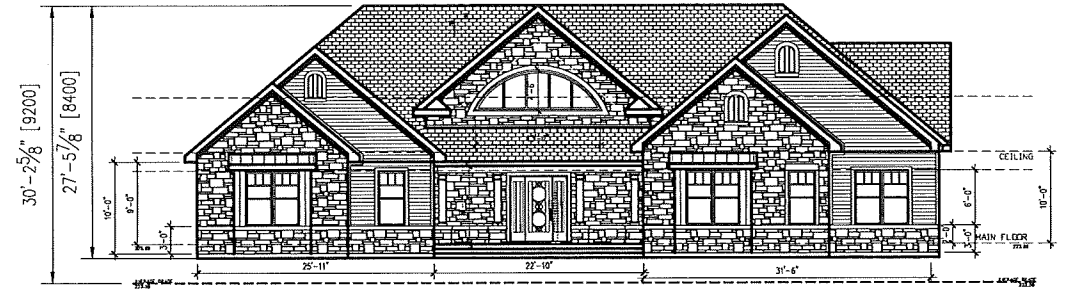
EXISTING LOT AREA:	2325 SM
EXISTING BUILDING AREA:	227 SM
PROPOSED BUILDING AREA:	448 SM
LOT COVERAGE:	20 %

LOT 9
CONCESSION 3
PIN 17498-0136(LT)

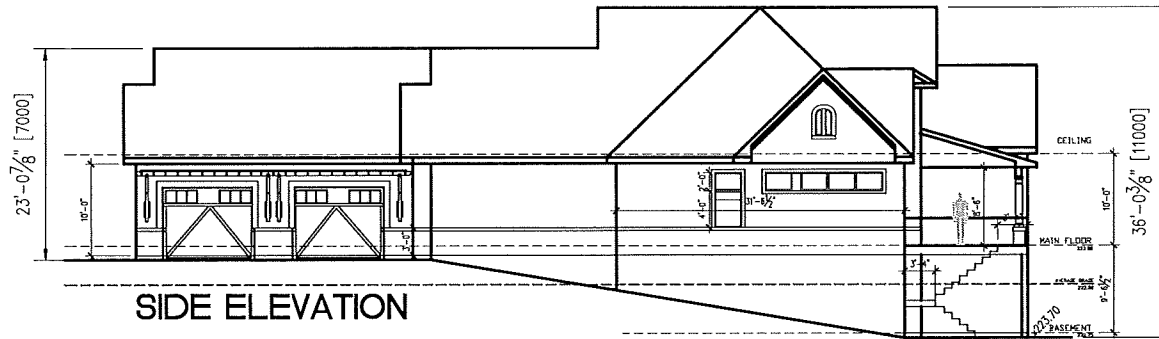
FL/A-20:80
Amended 09/03/2020



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

AVERAGE GRADE = 222.59

FL/A-20:80
Amended 09/03/2020



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

RECEIVED
MAR 13 2020

**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 MICHELE ADAMS Telephone No _____

2. _____

3. Name of Agent DESIMONE ARCHITECT 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:

INCREASE LOT COVERAGE TO 20%

INCREASE MAX FLOOR AREA TO 435sqm

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

BUILDING HEIGHT = TO BE CONFIRMED BY BUILDING DIVISION

EXISTING AT MAXIMUM.

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

61 ROCKCLIFFE ROAD
LOT 22 REGISTERED PLAN 953
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?

SITE HISTORY

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.

March 5/20
Date



Signature Property Owner

MICHELE ABAMS
Print Name of Owner

10. Dimensions of lands affected:

Frontage

100' (30.5m)

Depth

250' (76.2m)

Area

2325 SM

Width of street

8m

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: 227 SM BUILDING AREA

Proposed: 435 SM BUILDING AREA

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 SITE PLAN

Proposed: _____

SEE ATTACHED SITE PLAN

13. Date of acquisition of subject lands:
1956
14. Date of construction of all buildings and structures on subject lands:
1956
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:
64
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:
Urban Area
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.

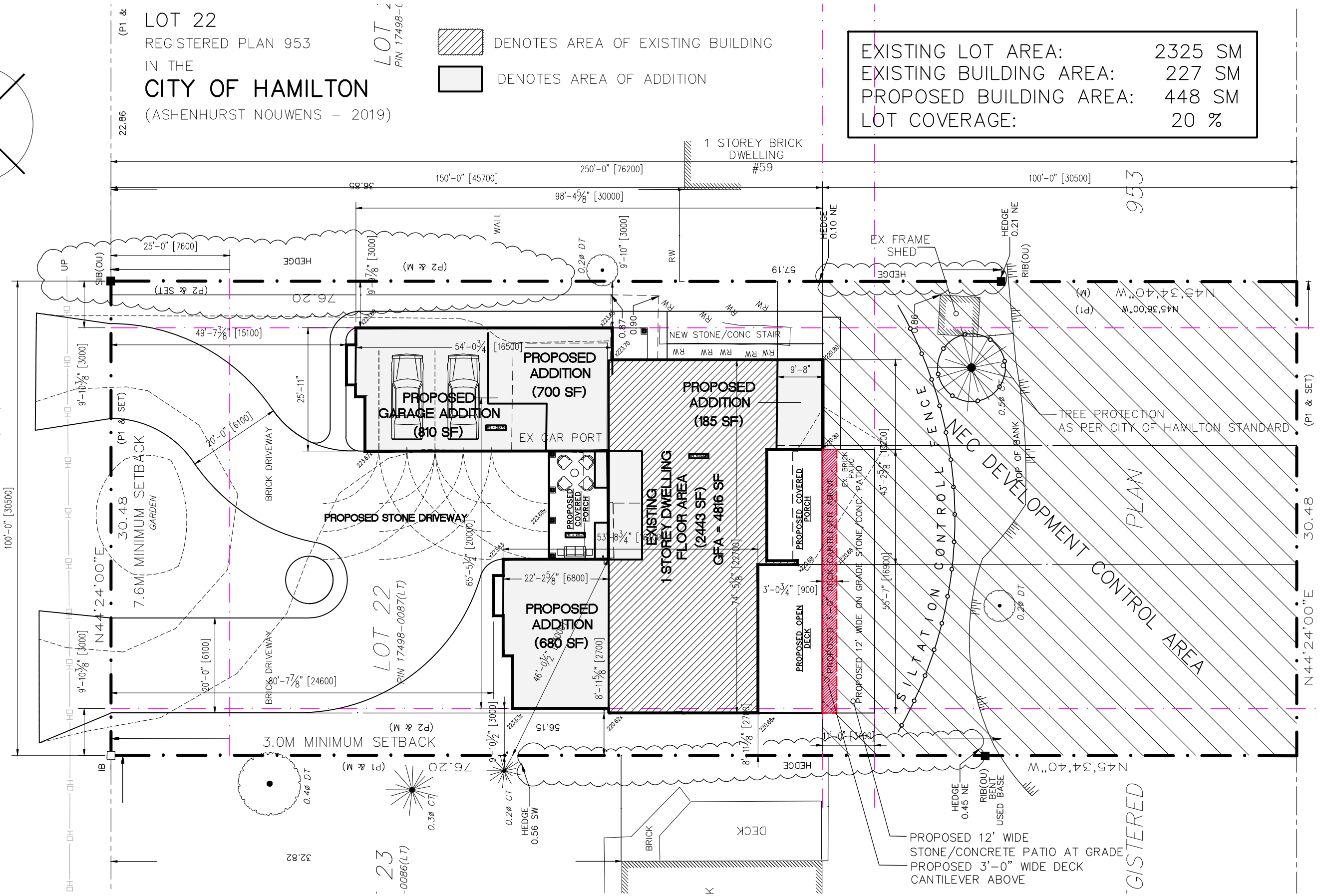
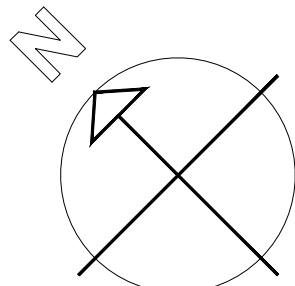
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and 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.

ROCKCLIFFE ROAD

(BY REGISTERED PLAN 953)

PIN 17498-0721(LT)



LOT 22
 REGISTERED PLAN 953
 IN THE
CITY OF HAMILTON
 (ASHENHURST NOUWENS - 2019)

LOT 2
 PIN 17498-L

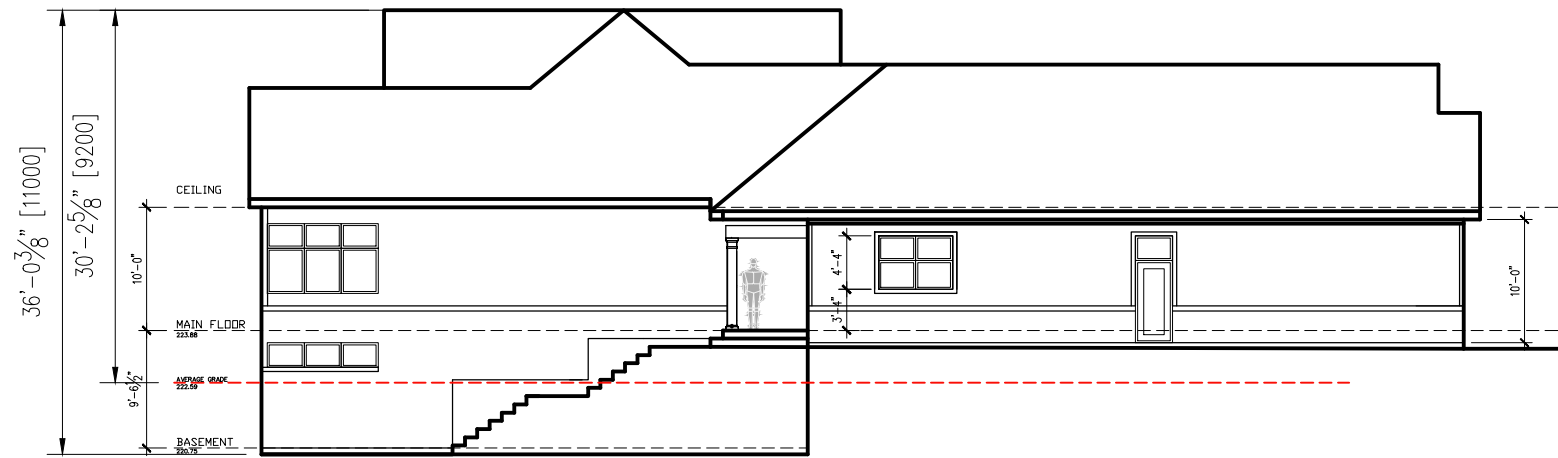
DENOTES AREA OF EXISTING BUILDING
 DENOTES AREA OF ADDITION

EXISTING LOT AREA:	2325 SM
EXISTING BUILDING AREA:	227 SM
PROPOSED BUILDING AREA:	448 SM
LOT COVERAGE:	20 %

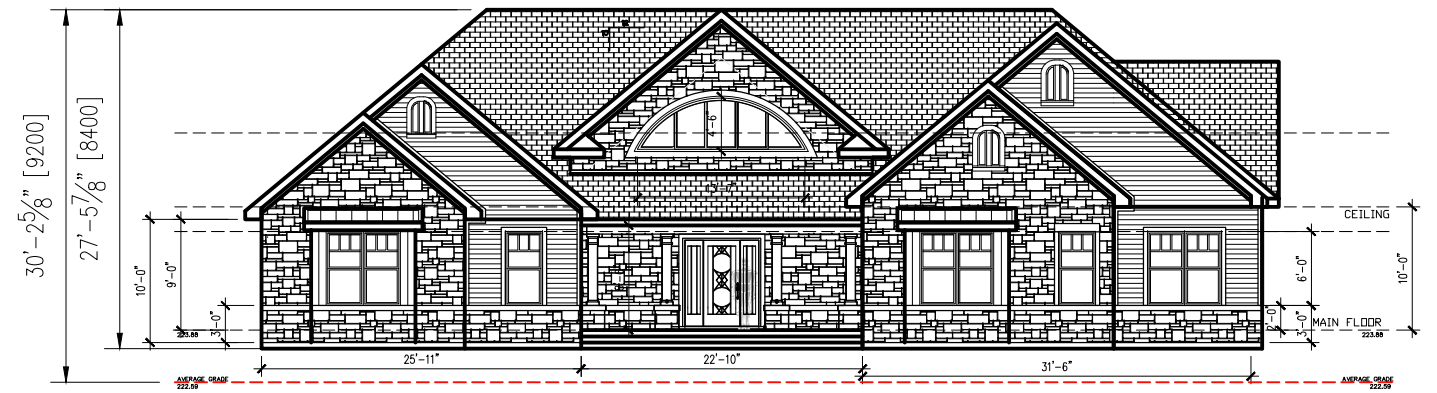
LOT 9
 CONCESSION 3
 PIN 17498-0136(LT)

PROPOSED 12' WIDE
 STONE/CONCRETE PATIO AT GRADE
 PROPOSED 3'-0" WIDE DECK
 CANTILEVER ABOVE

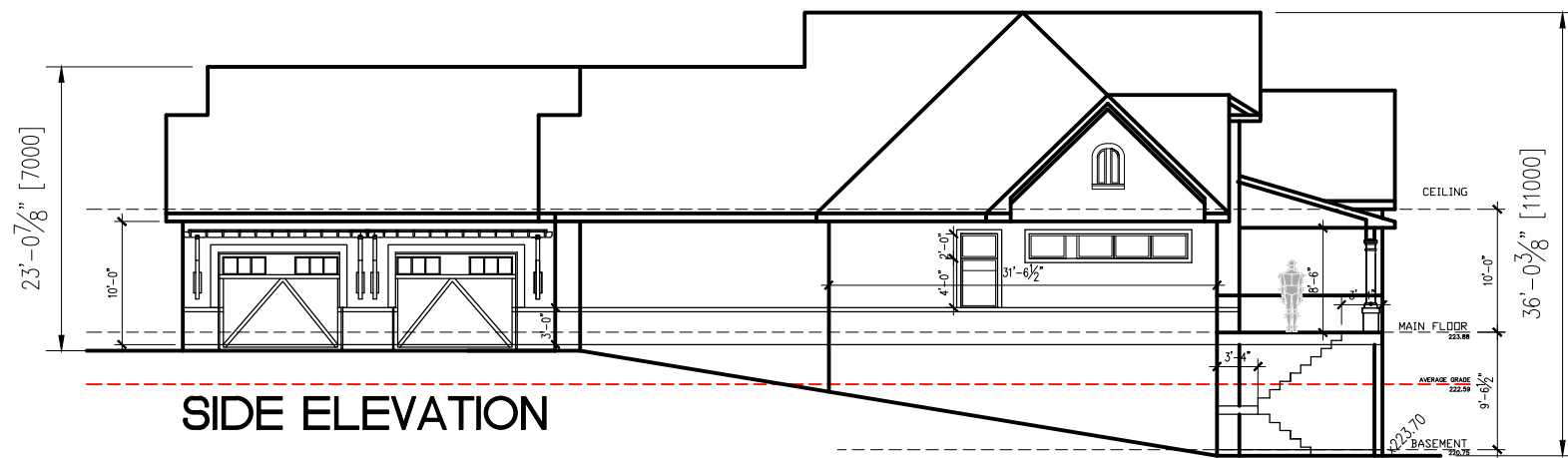
REGISTERED



SIDE ELEVATION



FRONT ELEVATION

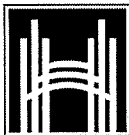


SIDE ELEVATION



REAR ELEVATION

AVERAGE GRADE = 222.59



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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 or 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.: DN/A-19:406

APPLICANTS: Owner: Harp Valley Group c/o Matt Litzen
 Agent: Marina Fenshaw

SUBJECT PROPERTY: Municipal address **56 York Rd., Dundas**

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

ZONING: RM2 district (Medium Density Multiple Dwelling)

PROPOSAL: To permit the construction of a three-storey addition to the existing building in order to establish an eight (8) unit apartment as per Site Plan application DA-18-083, notwithstanding that;

1. A minimum lot area of 1339.0m² shall be permitted instead of the minimum 1380.0m² lot area required.
2. A minimum lot frontage of 22.7m shall be permitted instead of the minimum 30.0m lot frontage required.
3. No onsite loading space shall be permitted instead of the minimum one (1) loading space required.
4. The roofed-over unenclosed porches shall be permitted to be located as close as 3.0m from the southerly side lot line instead of the minimum 4.5m setback required.

Note: These variances are necessary to facilitate site plan application DA-18-083.

The revised elevation plans show "Juliet" style balconies along the northerly elevation. Therefore, the applicant shall ensure that the maximum 1.5m projection into a required side yard is not exceeded. Otherwise, further variances may be required.

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

DATE: Thursday, July 16th, 2020
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at www.hamilton.ca/committeeofadjustment
 for viewing purposes only

DN/A-19:406

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:

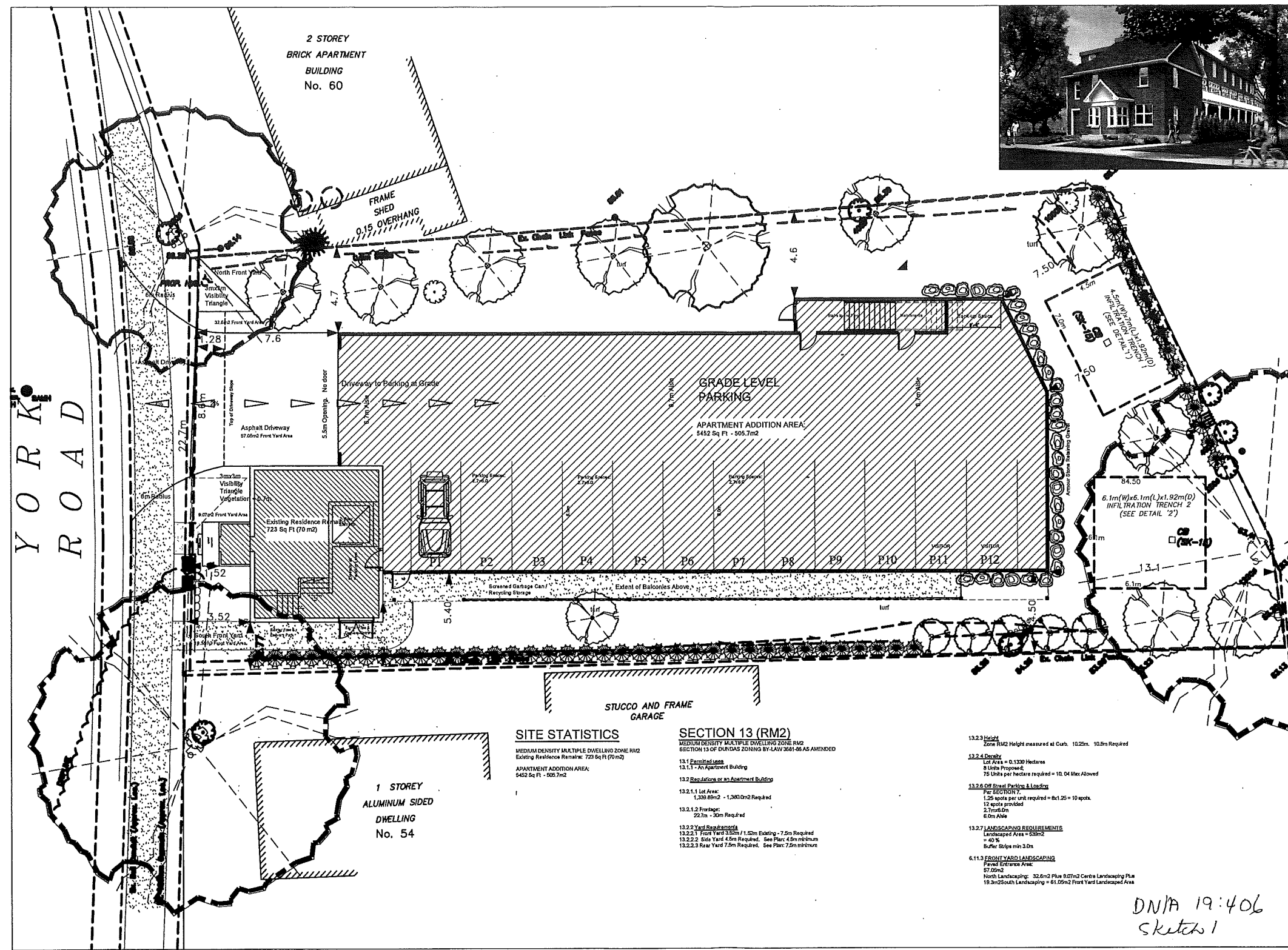
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

Original Signed

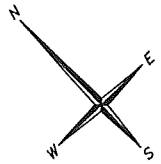
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



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

Maria Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (f) BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019
 ISSUED FOR SITE PLAN CONTROL 2 STOREY REV Aug 8, 2019
 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
 ENVIRONMENTAL DESIGN
 16 Sulphur Springs Road,
 Ancaster, ON, L9G 1L8
 905 304 1498
 thinkgiraffe@belfnet.ca

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 SITE PLAN

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1" = 1'-0"
DATE	NUMBER

A1

SITE STATISTICS
 MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
 Existing Residence Remaining: 723 Sq Ft (70 m²)
 APARTMENT ADDITION AREA
 5452 Sq Ft - 505.7m²

SECTION 13 (RM2)
 MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
 SECTION 13 OF DUNDAS ZONING BY-LAW 3681-85 AS AMENDED

13.1 Permitted Uses
 13.1.1 - An Apartment Building

13.2 Regulations for an Apartment Building

13.2.1.1 Lot Area:
 1,339 sqm² - 1,300.0m² Required

13.2.1.2 Frontage:
 22.7m - 30m Required

13.2.2 Yard Requirements
 13.2.2.1 Front Yard 3.0m x 1.0m Existing - 7.5m Required
 13.2.2.2 Side Yard 4.5m Required. See Plan: 4.5m minimum
 13.2.2.3 Rear Yard 7.5m Required. See Plan: 7.5m minimum

13.2.3 Height
 Zone RM2 Height measured at Curb: 10.2m - 10.8m Required

13.2.4 Density
 Lot Area = 0.1339 Hectares
 8 Units Proposed
 75 Units per hectare required = 10.04 Max Allowed

13.2.6 Off Street Parking & Loading
 Per SECTION 7,
 1.25 spots per unit required = 8x1.25 = 10 spots.
 12 spots provided
 2.7m x 6.0m
 6.0m AWH

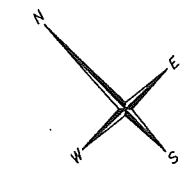
13.2.7 LANDSCAPING REQUIREMENTS
 Landscaped Area = 533m²
 = 40 %
 Buffer 875ps min 3.0m

6.11.3 FRONT YARD LANDSCAPING
 Front Entrance Area:
 67.05m²
 North Landscaping: 32.6m² Plus 9.07m² Centre Landscaping Plus
 19.3m² South Landscaping = 61.05m² Front Yard Landscaped Area

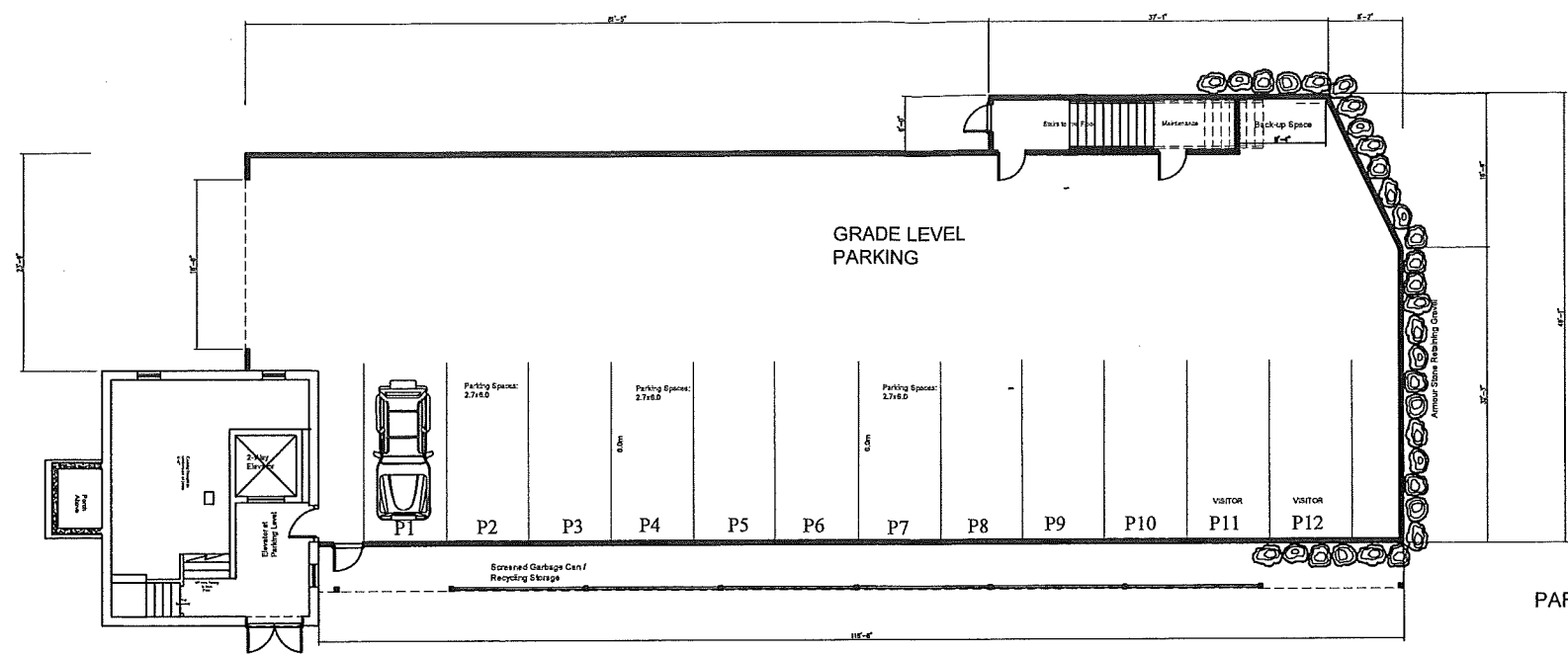
DNA 19:406
 sketch 1

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Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.37.4.71(6) BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019
 ISSUED FOR SITE PLAN CONTROL 2 STOREY REV Aug 9, 2019
 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
 ISSUED FOR SITE PLAN CONTROL April 13, 2018



REMARKS	DATE	NO.
REVISIONS		

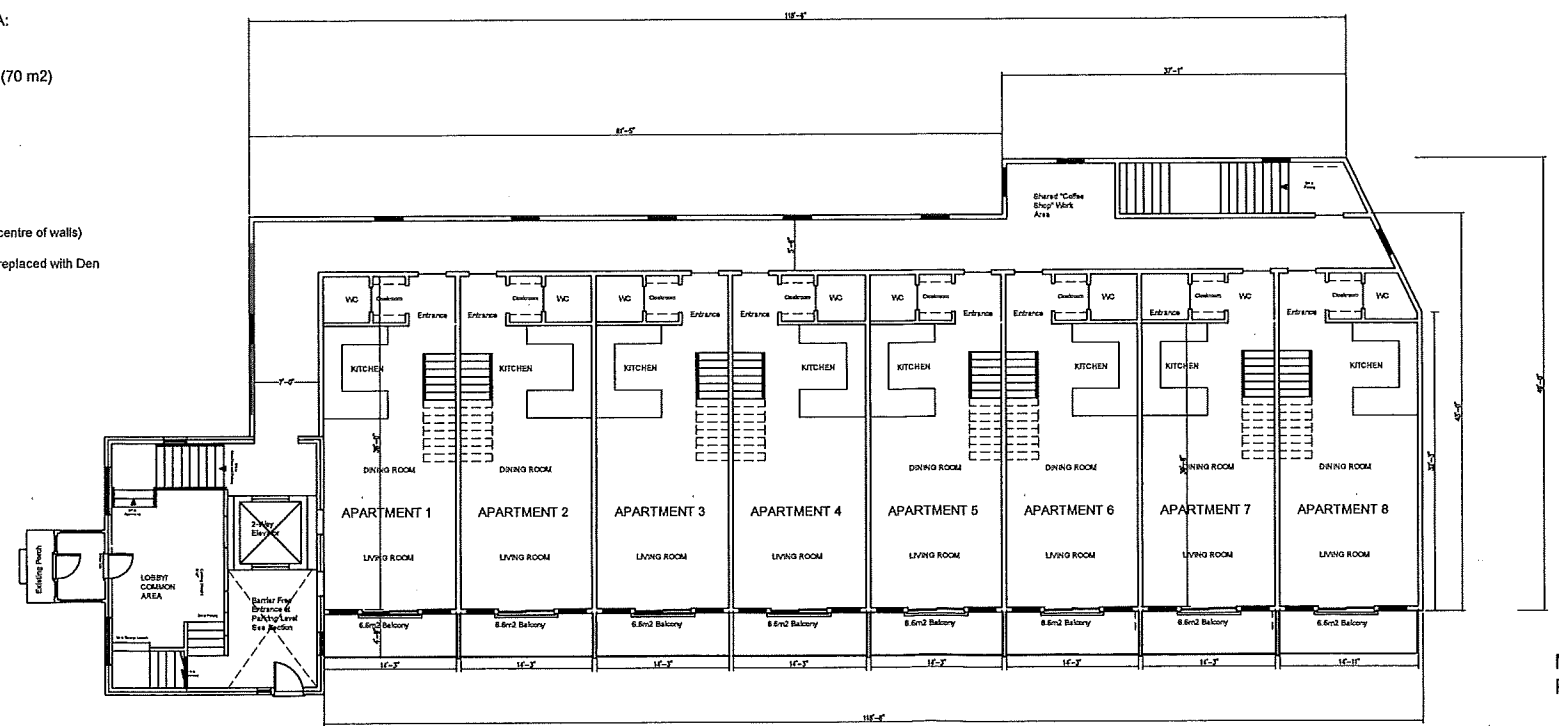
APARTMENT ADDITION AREA:
 5452 Sq Ft - 505.7m²

Existing Residence: 723 Sq Ft (70 m²)

APARTMENT SIZES:
 545.8 Sq Ft Main Level
 633.3 Sq Ft 2nd Floor

Total: 1,179.1 Sq Ft (Measured to centre of walls)

OPTION: Master Bathroom can be replaced with Den



thinkGiraffe
 ENVIRONMENTAL DESIGN

16 Sulphur Springs Road,
 Ancaster, ON, L9G 1L8

905 304 1496
 thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE

GRADE LEVEL PARKING /
 MAIN FLOOR

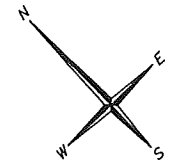
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FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A3

DN/A 19:406 Sketch 2

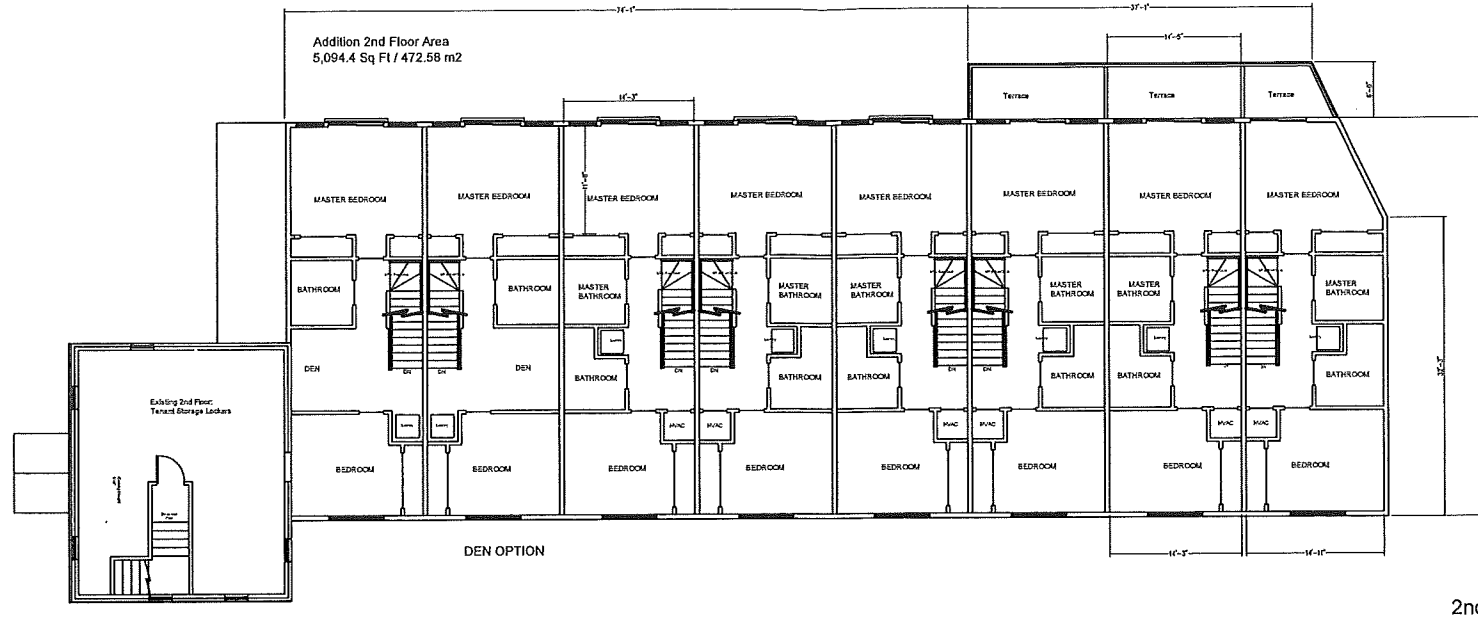
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 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		



ROOF PLAN PENDING

DN/A 19:406
 Sketch 3

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

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

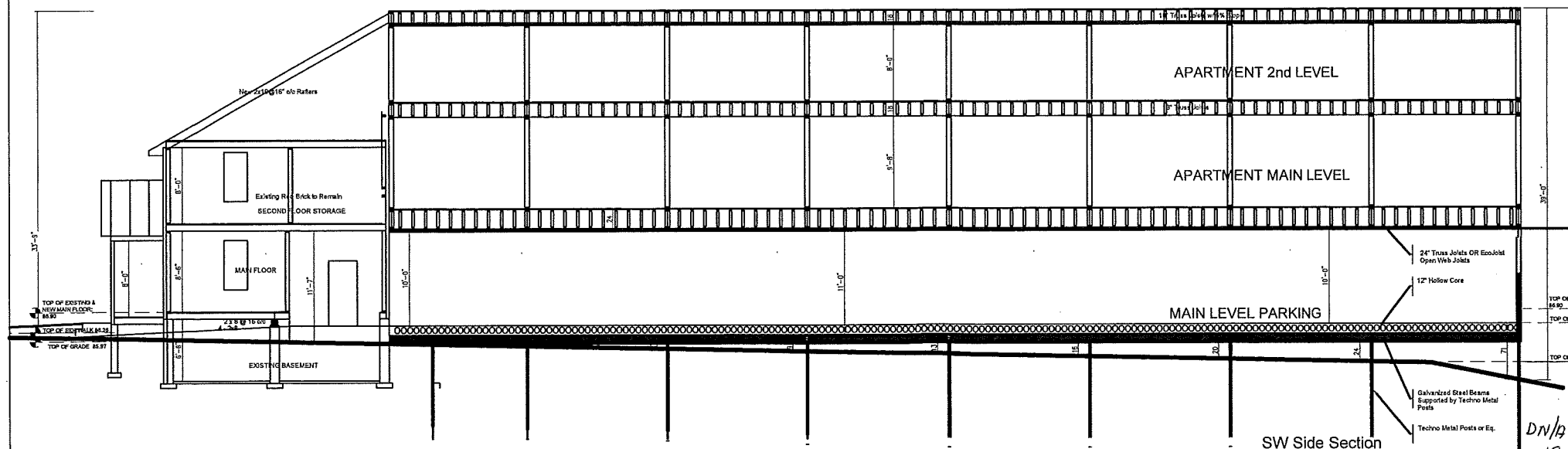
SHEET TITLE
 2nd FLOOR
 Roof Plan

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8"=1'-0"
DATE	NUMBER

A4



SW Side Elevation



SW Side Section

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 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

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

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 SIDE ELEVATION
 SECTION (South West)

FOLDER	DRAWN BY M F / M S
FILE	SCALE 3/8" = 1'-0"
DATE	NUMBER

A6

DN/A
 19:406
 sketchy



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>DN/A-19:406</u>	DATE APPLICATION RECEIVED <u>Nov. 5/19</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.

Matt Litzen

1. Name of Owner Harp Valley Group Telephone No. _____

2. _____

3. Name of Agent Morina Fensham 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 _____

Attached
Site Plan Application OA-18-083

6. Nature and extent of relief applied for:
Section 13.2.1.1 Min Lot Area Required 1380.0m² | Existing 1339.89m²
Section 13.7.1.2 Frontage 30.0m Required 22.7m Existing
Section 7.11 | 7.13.1.1 Parking Height 3.35m

7. Why it is not possible to comply with the provisions of the By-law?
Lot Area + Frontage Existing
Parking Height below building : Smaller 15' U-Haul
has been approved for delivery, 10'6" Height required

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
Plan 1387
Lot 2
56 York Rd. 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?

Neighbours / Survey / Maps / Councillor

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 _____

Signature Property Owner _____

Matt Citzon

Print Name of Owner

10. Dimensions of lands affected:

Frontage 22.7 m
 Depth _____
 Area 1339.89 m²
 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: 70 m² x 2 = 140 m²
Existing Remains

Proposed: Apartment Addition 505 m² Area
505 m² x 2 Gross Floor : 1010 m²

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

Existing: _____

Proposed: _____

*Listed on Plan Comments
 Site Attached*

SITE STATISTICS

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
Existing Residence Remains: 723 Sq Ft (70 m2)

APARTMENT ADDITION AREA:
5462 Sq Ft - 505.7m2

SECTION 13 (RM2)

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
SECTION 13 OF DUNDAS ZONING BY-LAW 3591-56 AS AMENDED

13.1 Permitted Uses

13.1.1 - An Apartment Building

13.2 Regulations for an Apartment Building

13.2.1.1 Lot Area:

1,339.69m2 - 1,380.0m2 Required

13.2.1.2 Frontage:

22.7m - 30m Required

13.2.2 Yard Requirements

13.2.2.1 Front Yard 3.52m / 1.52m Existing - 7.5m Required

13.2.2.2 Side Yard 4.5m Required. See Plan. 4.5m minimum

13.2.2.3 Rear Yard 7.5m Required. See Plan. 7.5m minimum

13.2.3 Height
Zone RM2 Height measured at Curb. 10.25m. 10.5m Required

13.2.4 Density

Lot Area = 0.1339 Hectares

8 Units Proposed

75 Units per hectare required = 10.04 Max Allowed

13.2.6 Off Street Parking & Loading

Per SECTION 7.

1.25 spots per unit required = 8x1.25 = 10 spots.

10 spots provided

2.7mx6.0m

6.0m Aisle

13.2.7 LANDSCAPING REQUIREMENTS

Landscaped Area = 539m2

= 40 %

Buffer- Strips min 3.0m

6.11.3 FRONT YARD LANDSCAPING

Paved Entrance Area:

57.05m2

North Landscaping: 32.6m2 Plus 9.07m2 Centre Landscaping Plus

19.3m2 South Landscaping = 61.05m2 Front Yard Landscaped Area

13. Date of acquisition of subject lands:
2018

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

15. Existing uses of the subject property:
SF Residential

16. Existing uses of abutting properties:
Mult. - Family North and East. SF South

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

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:

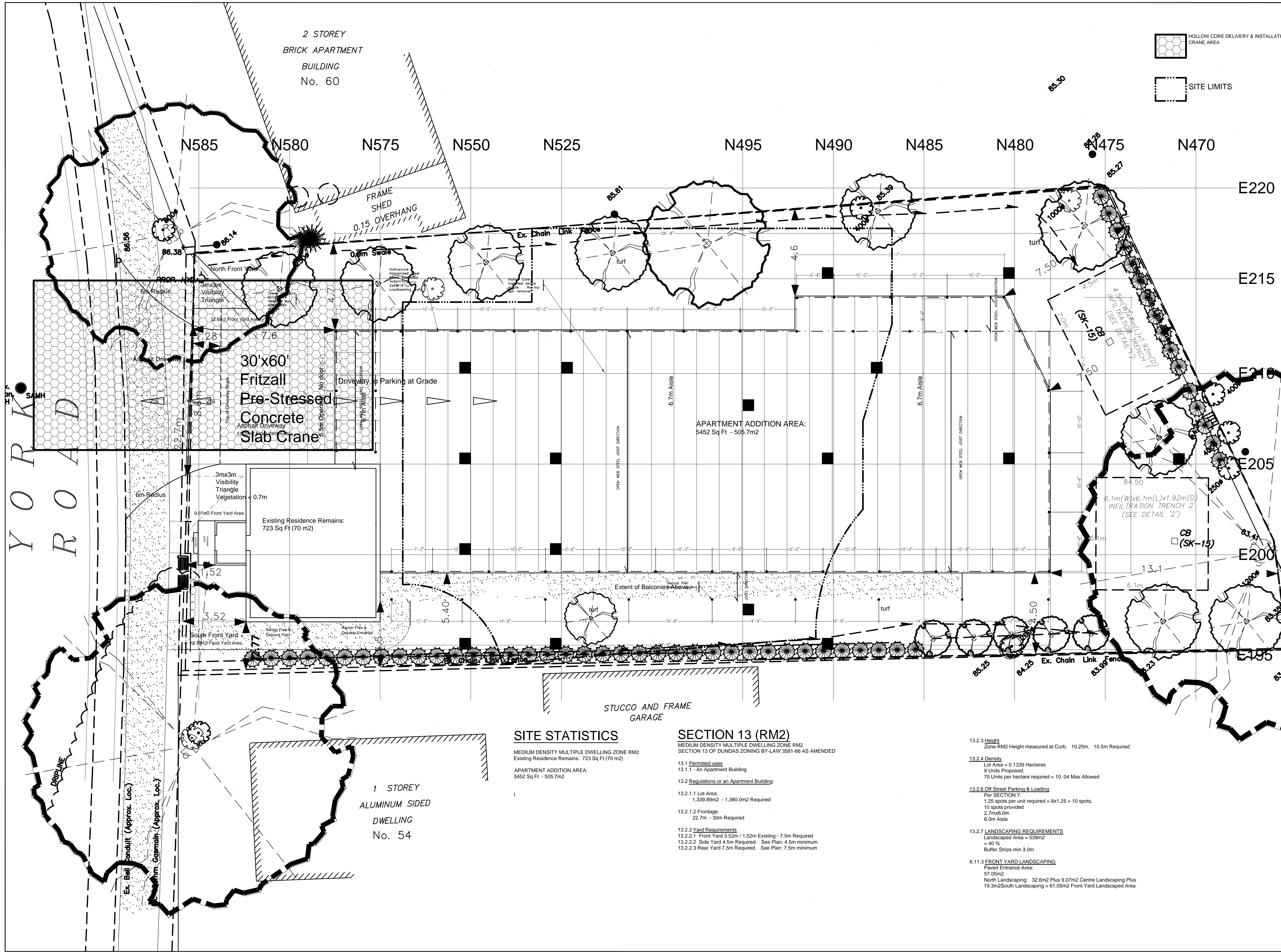
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

21. Has the owner previously applied for relief in respect of the subject property?
Yes _____ No (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 _____
DA - 18 - 083

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.



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Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 27645

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 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
 ENVIRONMENTAL DESIGN
 16 Sulphur Springs Road,
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 905 304 1496
 thinkgiraffe@bellnet.ca

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 ARCHAEOLOGICAL
 SITE VS FOUNDATION

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A2

SITE STATISTICS

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
 Existing Residence Remains: 723 Sq Ft (70 m2)
 APARTMENT ADDITION AREA:
 5452 Sq Ft - 505.7m2

SECTION 13 (RM2)

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
 SECTION 13 OF DUNDAS ZONING BY-LAW 3581-86 AS AMENDED
 13.1 Permitted uses
 13.1.1 - An Apartment Building
 13.2 Regulations or an Apartment Building
 13.2.1.1 Lot Area:
 1,339.89m2 - 1,380.0m2 Required
 13.2.1.2 Frontage:
 22.7m - 30m Required
 13.2.2 Yard Requirements
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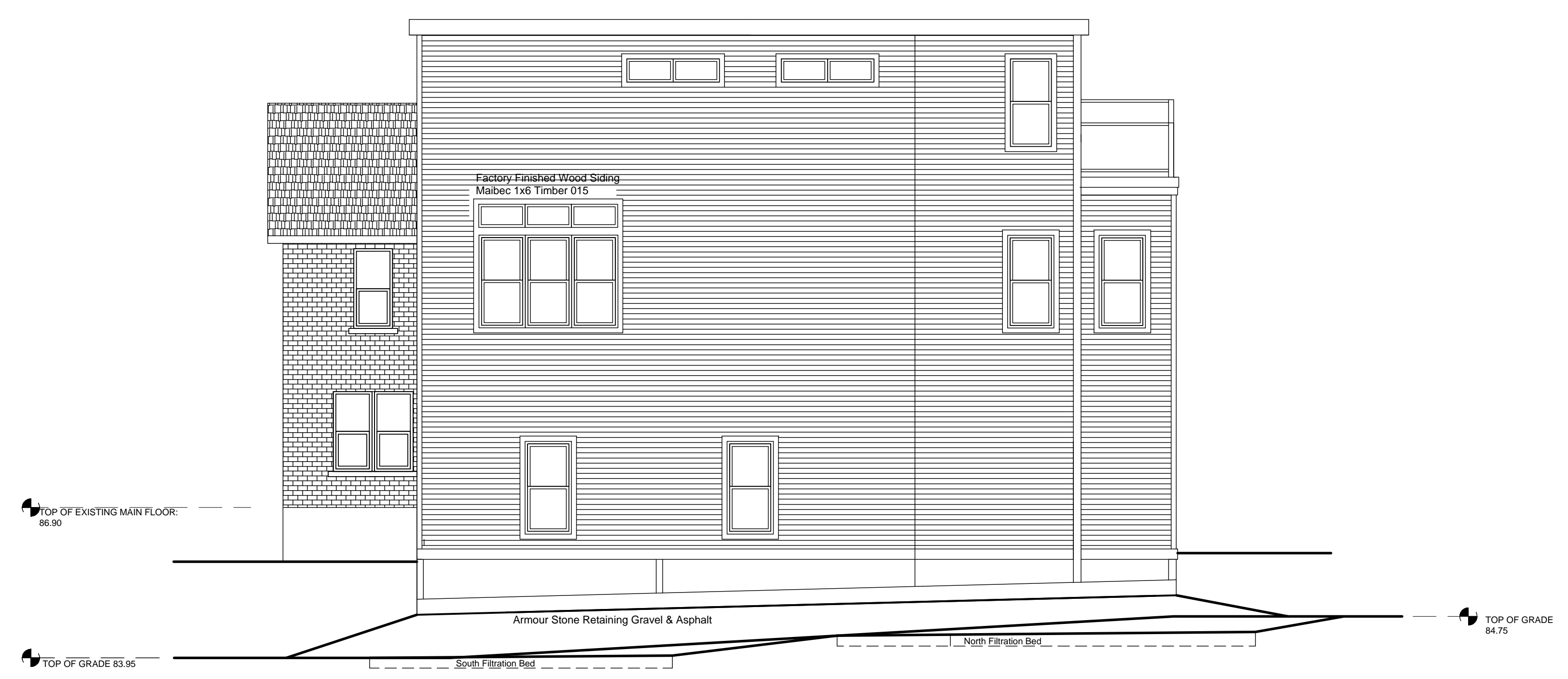
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 75 Units per hectare required = 10.04 Max Allowed
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 10 spots provided
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 6.0m Aisle
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 6.11.3 FRONT YARD LANDSCAPING
 Paved Entrance Area:
 57.05m2
 North Landscaping: 32.6m2 Plus 9.07m2 Centre Landscaping Plus
 19.3m2 South Landscaping = 61.05m2 Front Yard Landscaped Area

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 BCIN: 21574 / 27645

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 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		



Rear Elevation

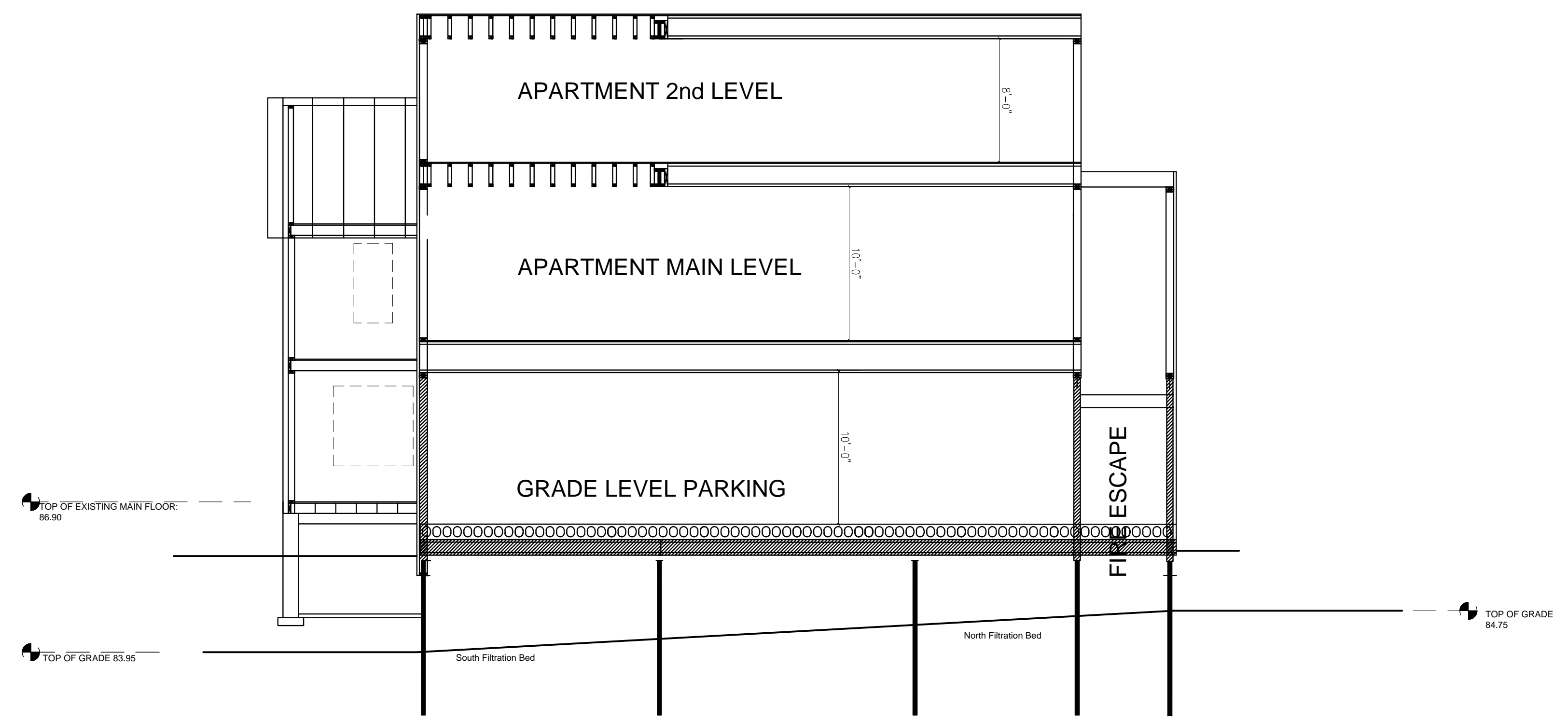
thinkGiraffe
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PROJECT
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 Dundas
 Proposed 8-Unit
 Apartment Dwelling

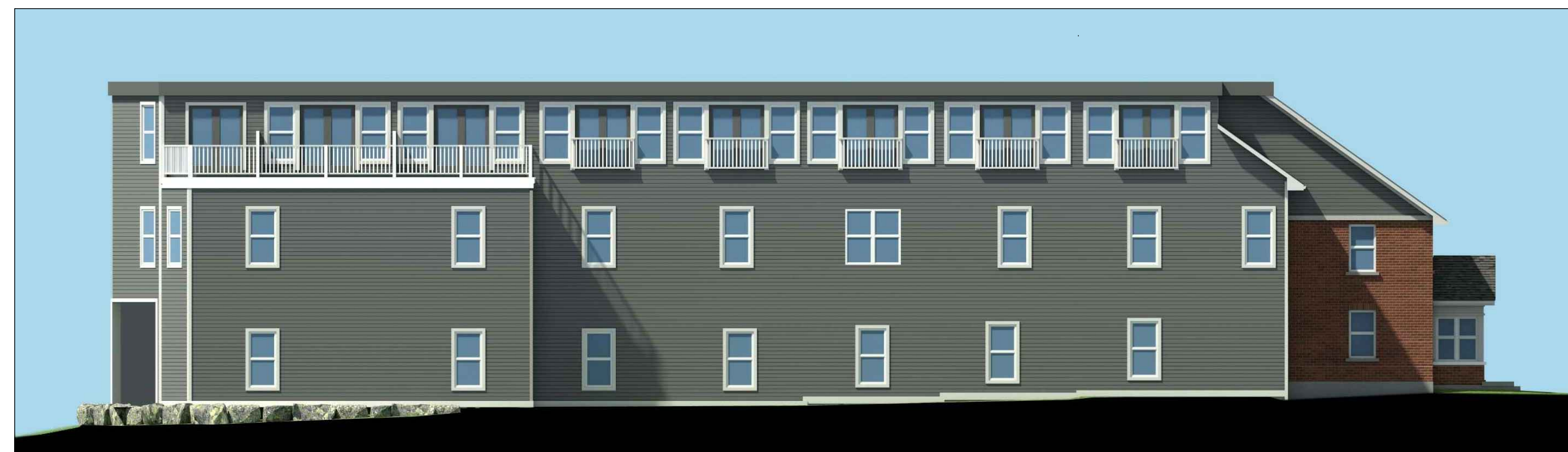
SHEET TITLE
 REAR ELEVATION
 SECTION

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

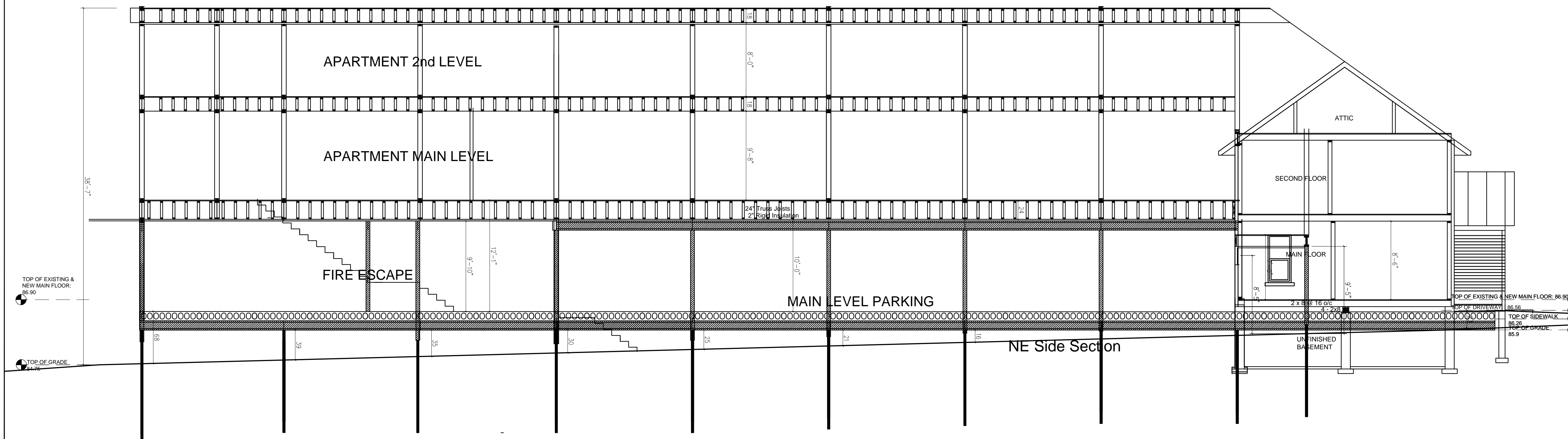
A8



Rear Section



NE Side Elevation - Rendered



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 ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

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 Ancaster, ON, L9G 1L8
 905 304 1496
 thinkgiraffe@bellnet.ca

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 SIDE ELEVATION
 SECTION (North East)

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A7



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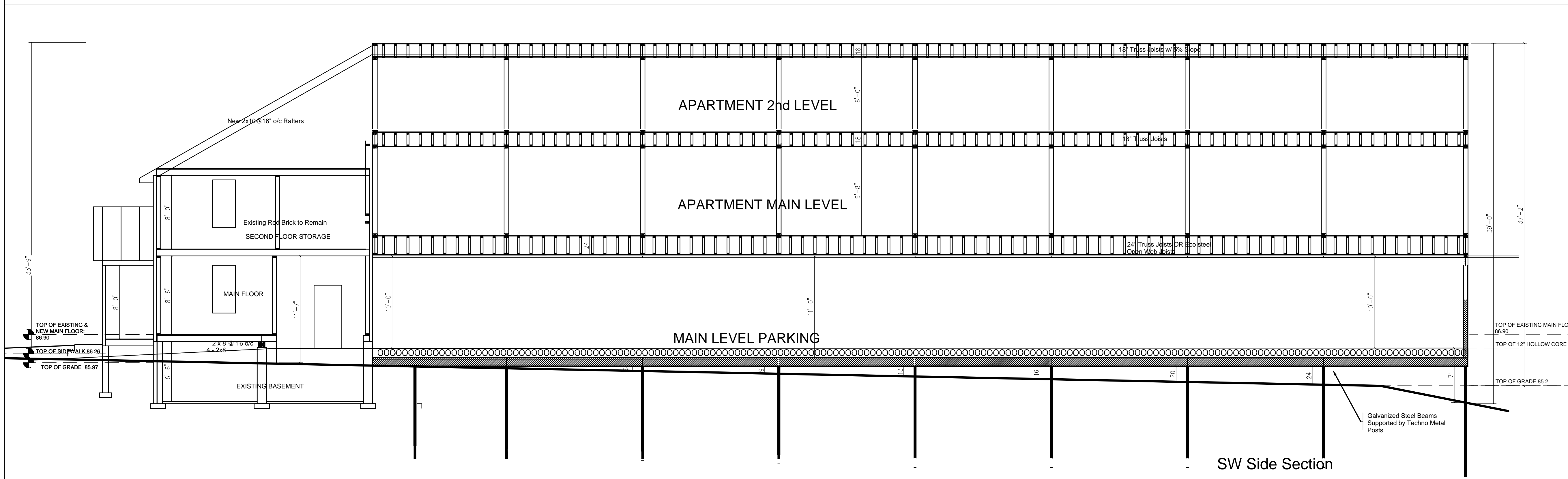
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 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
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REVISIONS		



SW Side Elevation



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 Ancaster, ON, L9G 1L8
 905 304 1496
 thinkgiraffe@bellnet.ca

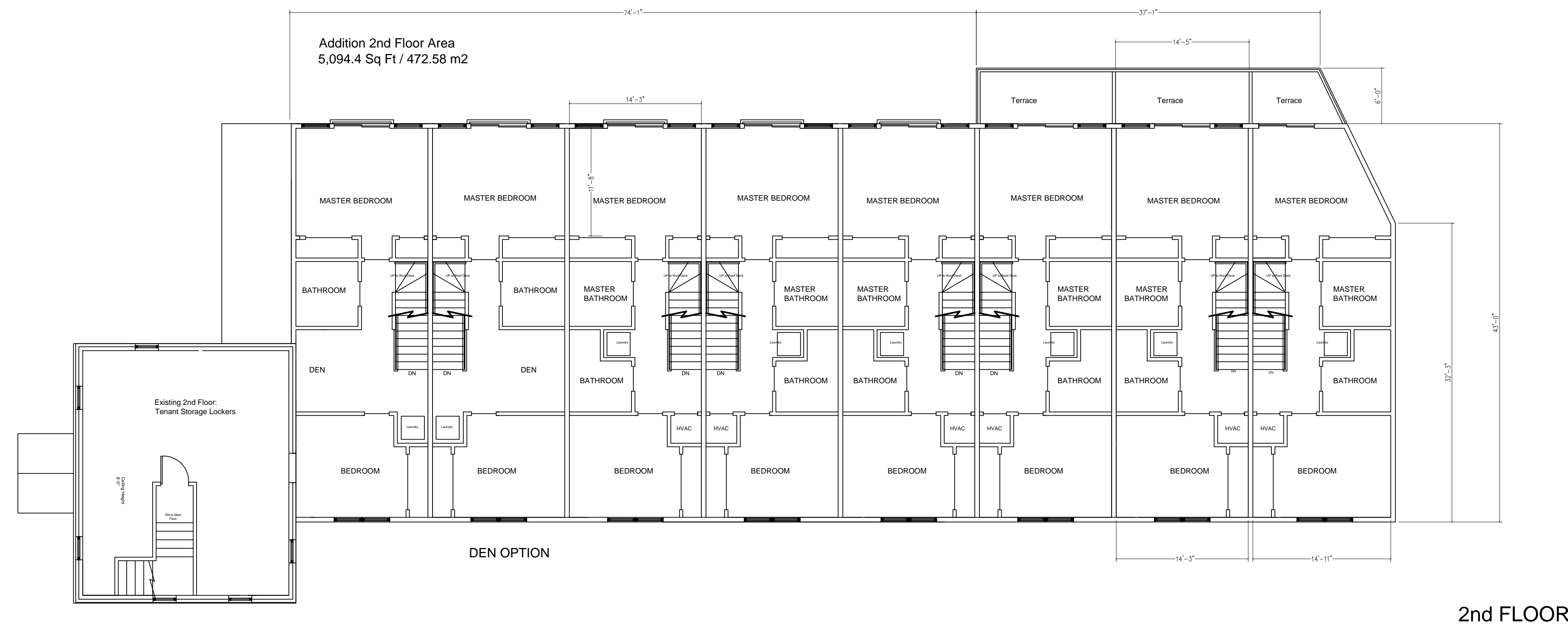
PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 SIDE ELEVATION
 SECTION (South West)

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

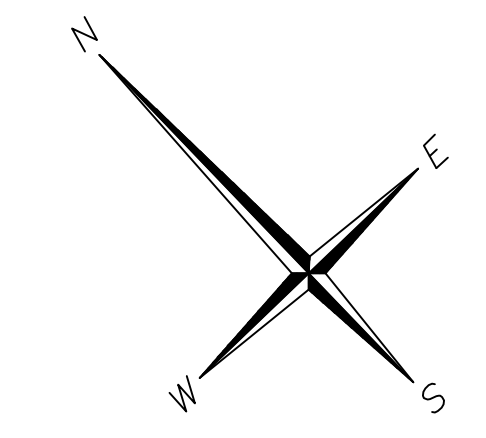
A6

SW Side Section



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

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019
ISSUED FOR SITE PLAN CONTROL 2 STOREY REV Aug 8, 2019
ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

ROOF PLAN PENDING

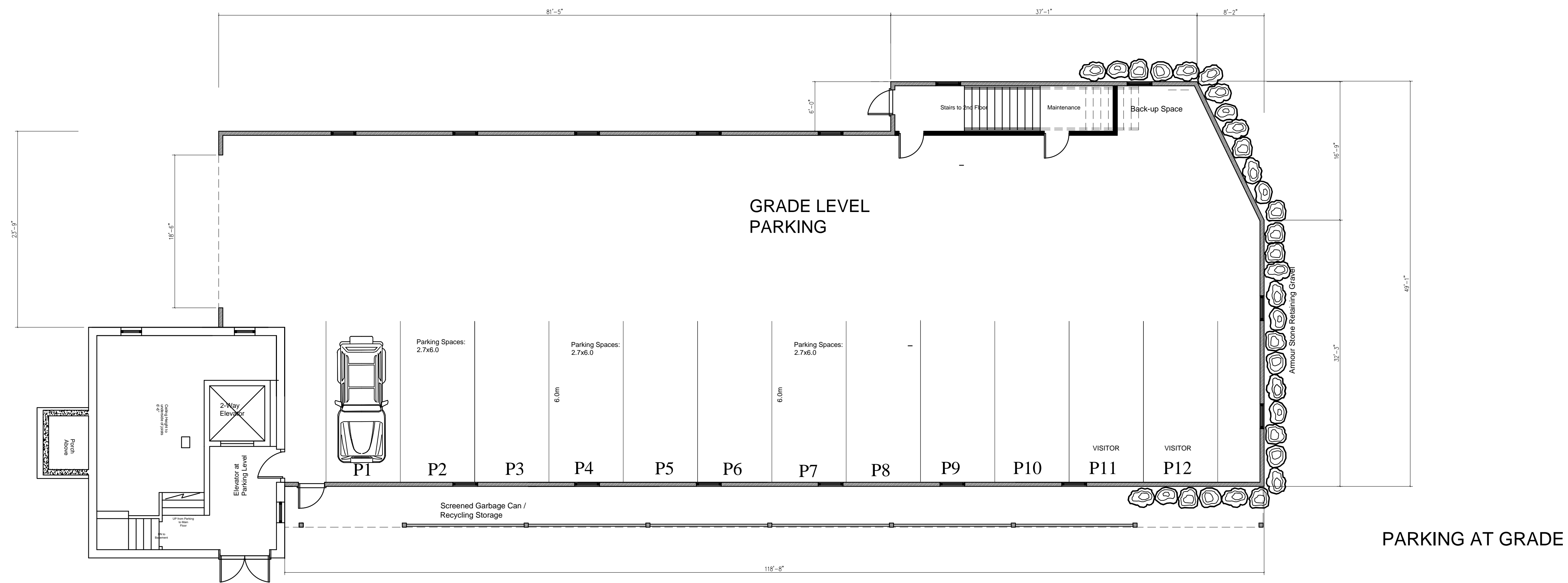
thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE
2nd FLOOR
Roof Plan

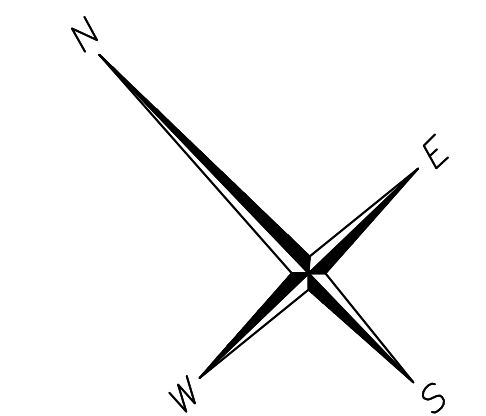
FOLDER	DRAWN BY MF / MS
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A4



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

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019
 ISSUED FOR SITE PLAN CONTROL 2 STOREY REV Aug 8, 2019
 ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2018
 ISSUED FOR SITE PLAN CONTROL April 13, 2018

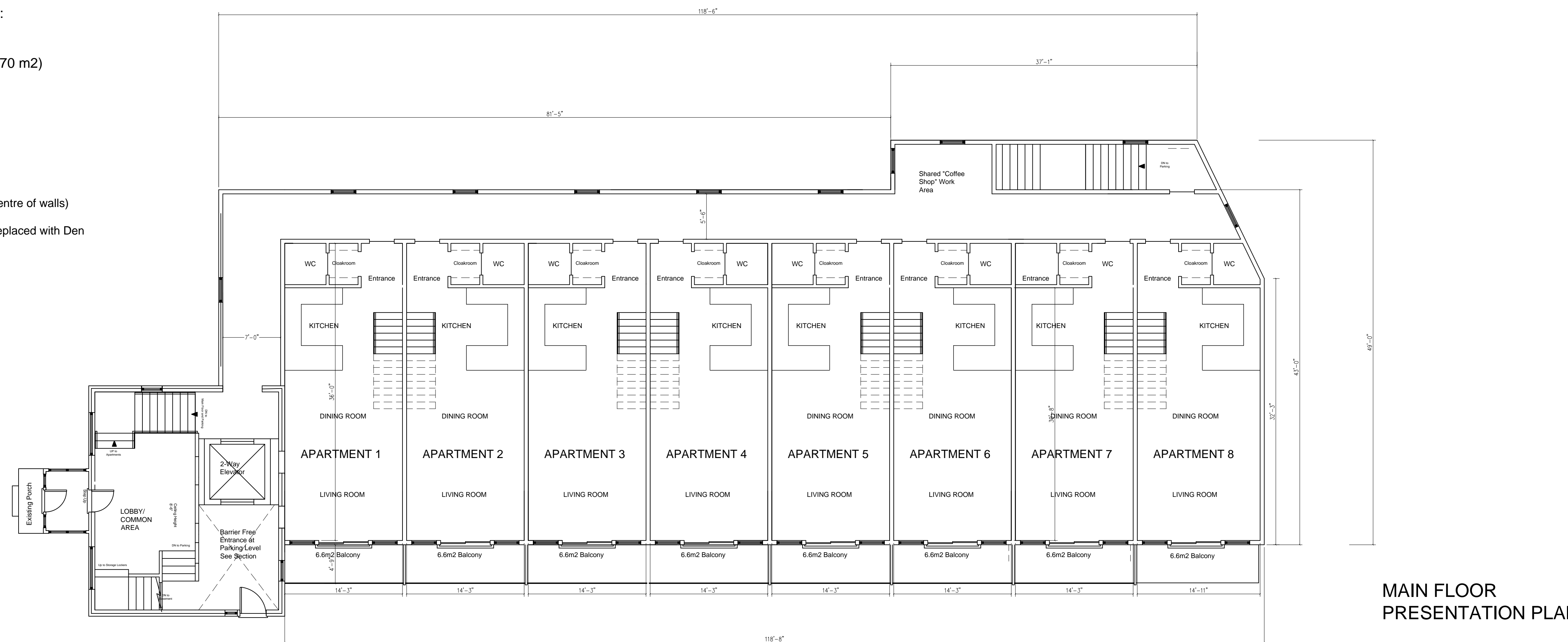
REMARKS	DATE	NO.
REVISIONS		

APARTMENT ADDITION AREA:
 545.8 Sq Ft - 505.7m²
 Existing Residence: 723 Sq Ft (70 m²)

APARTMENT SIZES:
 545.8 Sq Ft Main Level
 633.3 Sq Ft 2nd Floor

Total: 1,179.1 Sq Ft (Measured to centre of walls)

OPTION: Master Bathroom can be replaced with Den



MAIN FLOOR PRESENTATION PLAN

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

PROJECT
 56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 GRADE LEVEL PARKING /
 MAIN FLOOR

FOLDER	DRAWN BY MF / MS
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A3



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: DN/A-20:70

APPLICANTS: Stoney Brook Design Build Limited c/o Tony Brucculieri on behalf of the owner Sharon Tucker

SUBJECT PROPERTY: Municipal address **58 Parkside Ave., (Dundas) City of Hamilton**

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

ZONING: "R2 and OS" (Single Detached Residential Zone and Open Space Conservation Zone)

PROPOSAL: To permit the construction of a garage addition and a full second storey addition to the existing single detached dwelling notwithstanding that;

1. A minimum front yard of 1.3m shall be permitted to the dwelling and a minimum front yard of 0.6m shall be permitted to the uncovered front porch instead of the minimum 6.0m front yard required.

2. No onsite manoeuvring shall be permitted instead of the minimum 6.0m manoeuvring space aisle width required.

Note: The zoning By-law permits a maximum height of 10.5m. Please note that the elevation plan does not show height measured from grade. Therefore, the applicant shall ensure that the maximum permitted height is not exceeded; otherwise, further variances will be required.

The proposed additions and renovations to the existing dwelling are shown to be maintained entirely within the portion of the lands zoned "R2" (Single-Detached Residential) zone.

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

DATE: Thursday, July 16th, 2020

TIME: 2:10p.m.

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

To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

DN/A-20:70

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:

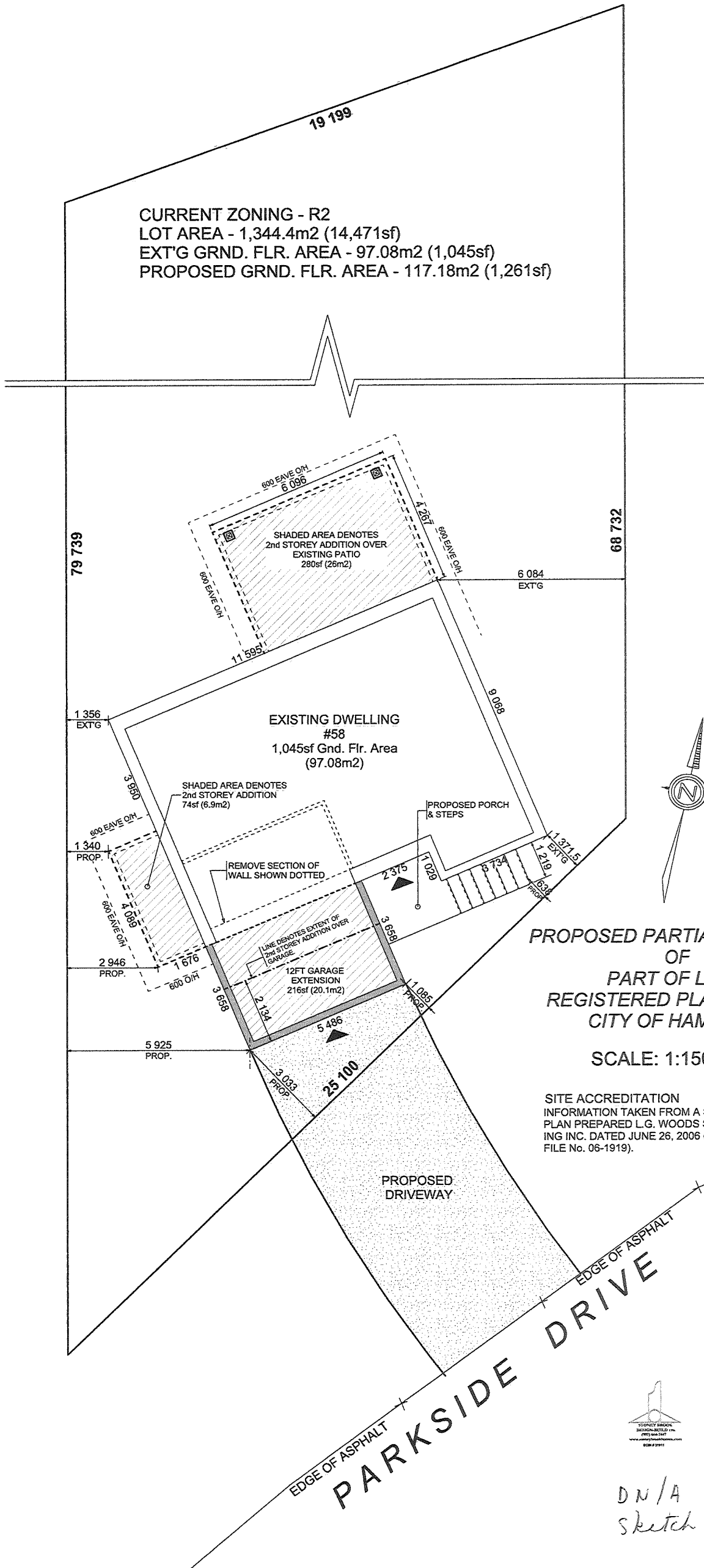
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.



CURRENT ZONING - R2
 LOT AREA - 1,344.4m² (14,471sf)
 EXT'G GRND. FLR. AREA - 97.08m² (1,045sf)
 PROPOSED GRND. FLR. AREA - 117.18m² (1,261sf)

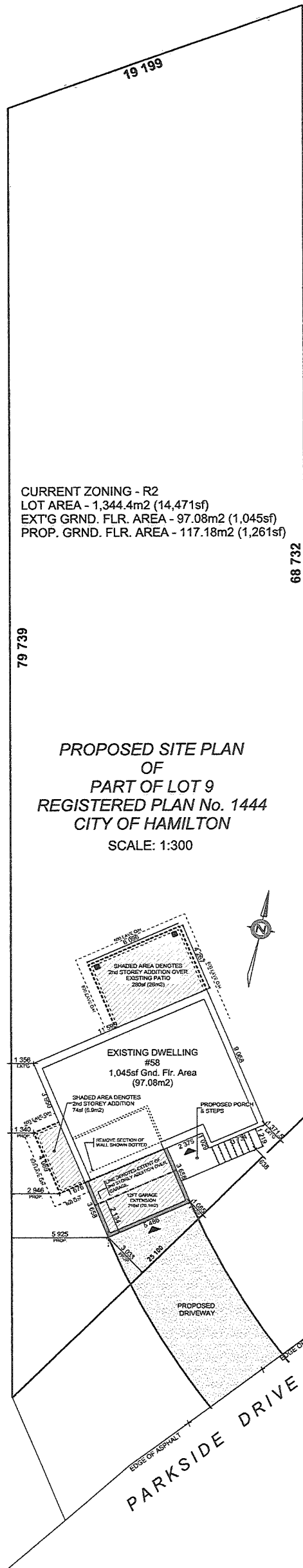
**PROPOSED PARTIAL SITE PLAN
 OF
 PART OF LOT 9
 REGISTERED PLAN No. 1444
 CITY OF HAMILTON**

SCALE: 1:150

SITE ACCREDITATION
 INFORMATION TAKEN FROM A SURVEY
 PLAN PREPARED L.G. WOODS SURVEY-
 ING INC. DATED JUNE 26, 2006 (THEIR
 FILE No. 06-1919).



DN/A 20:70
 sketch 1



DN/A 20:70
 sketch 2



PROPOSED FRONT (SOUTH) ELEVATION

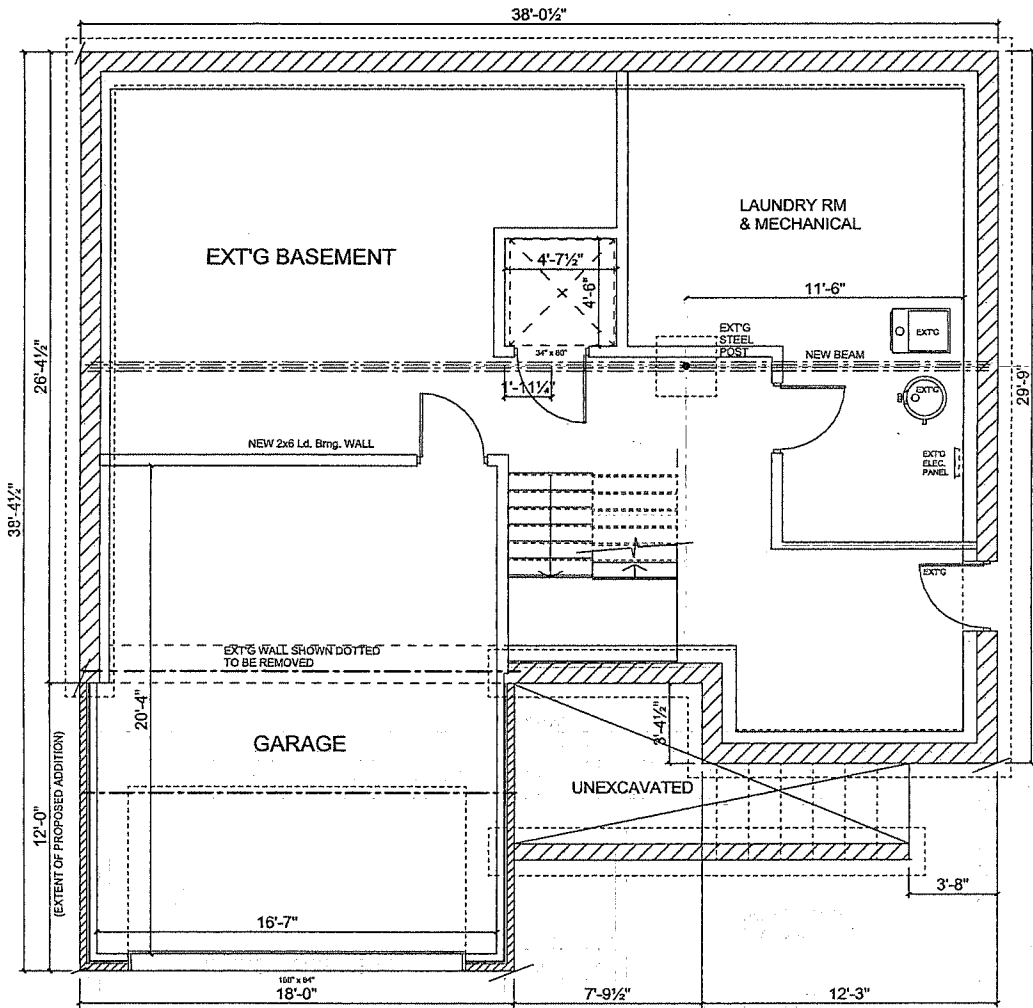
58 PARKSIDE DRIVE
DUNDAS, ON

FEB. 18/20
SCALE: 1/8" = 1'-0"



PROPOSED REAR (NORTH) ELEVATION

DN/A 20:70
Sketch 3

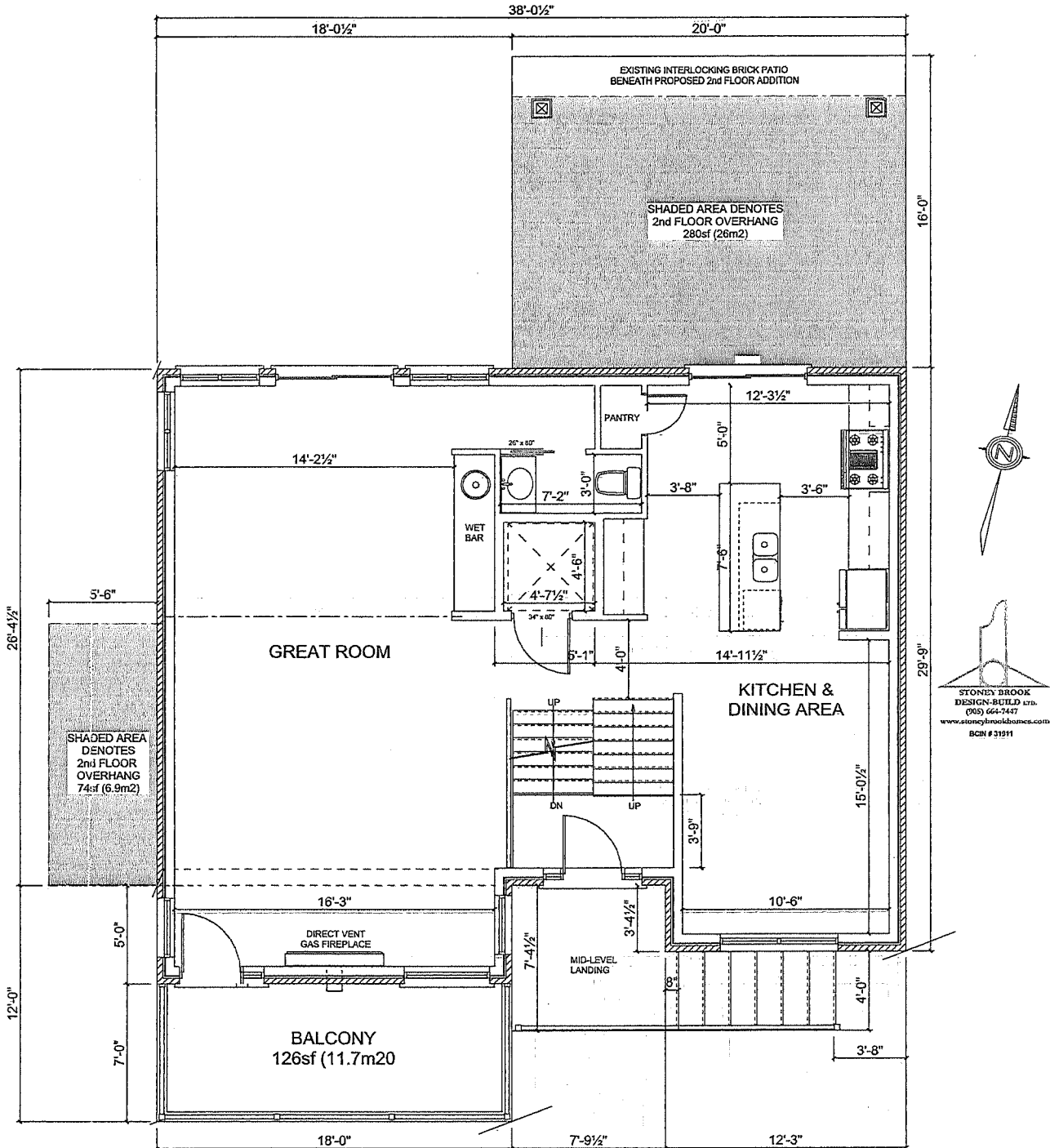


BASEMENT LEVEL - 606sf
(plus MECH AREA)

58 PARKSIDE DRIVE
DUNDAS, ON

FEB. 18/20
SCALE: 1/8" = 1'-0"

DN/A 20:70
Sketch 4

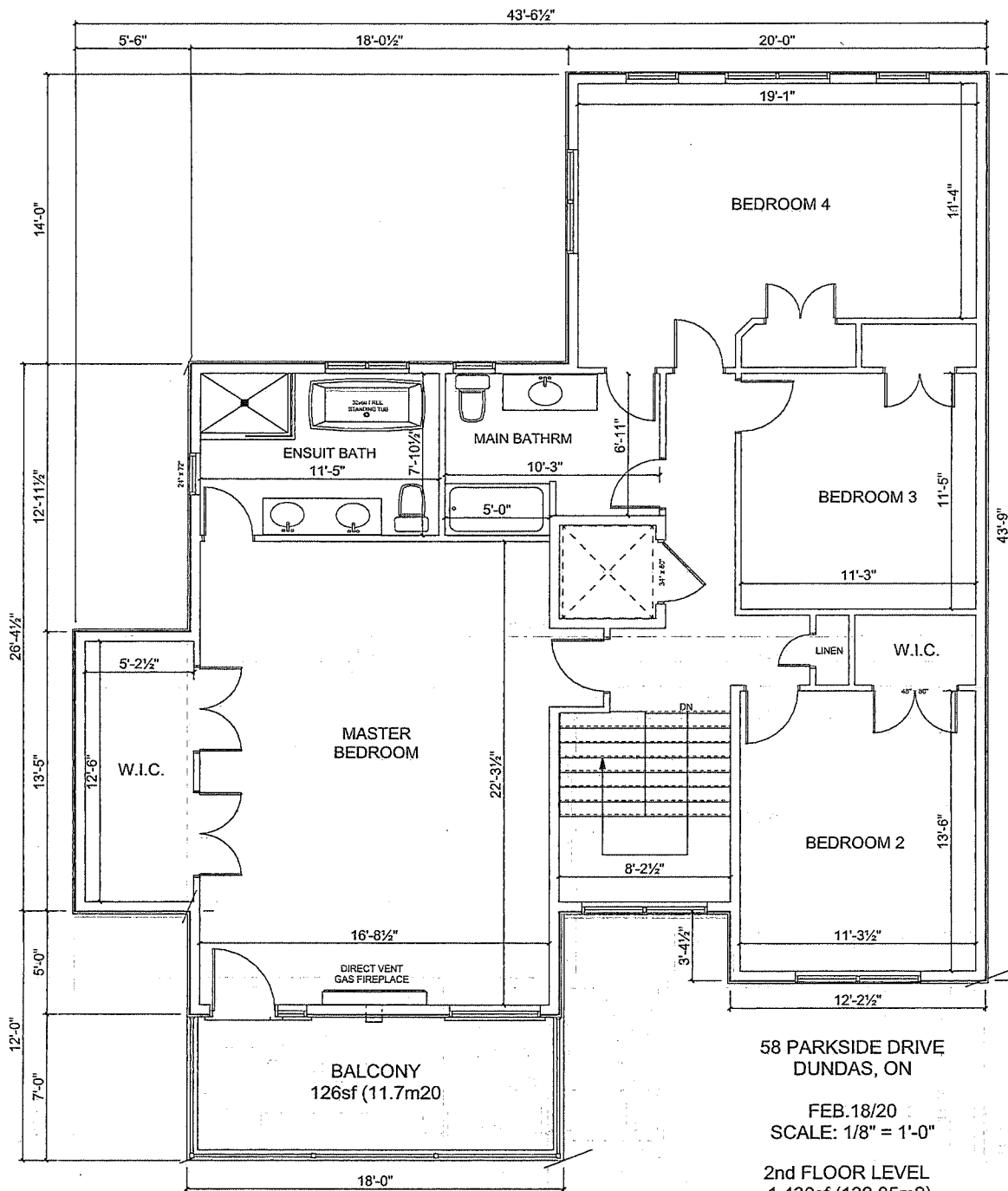


MAIN FLOOR LEVEL
1,135sf (105.44m2)

58 PARKSIDE DRIVE
DUNDAS, ON

FEB. 18/20
SCALE: 1/8" = 1'-0"

DN/A 20:70
Sketch 5



DN/A 20:70
Sketch 6



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>DN/A-20-70</u>	DATE APPLICATION RECEIVED <u>Feb. 21/20</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 SHARON TUCKER Telephone No. [Redacted]
- [Redacted]
- Name of Agent TONY BRUCCELLIERI 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:

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

APPLYING FOR RELIEF FROM THE REQUIRED FRONT YARD SETBACK TO ALLOW A MINIMUM SETBACK OF 1.085M INSTEAD OF THE REQUIRED 6M. PLANNING A GARAGE ADDITION (AS THERE ARE NO LEGAL PARKING SPACES ON THE PROPERTY). ALSO ADDING A FULL 2ND STOREY MEASURING 105.44 M²

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

THE EXISTING SETBACK IS NON-CONFORMING. THE FRONT YARD SETBACK TO THE SE CORNER OF THE EXISTING DWELLING IS 1.37M (WHICH WILL REMAIN UNCHANGED).

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 9, REG. PLAN # 1444
58 PARKSIDE AVENUE, 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?

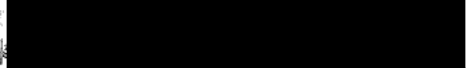
INFORMATION OBTAINED FROM CURRENT AND PAST OWNERS.

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 FEB 21/20 Signature Property Owner 

SHARON TUCKER
Print Name of Owner

10. Dimensions of lands affected:

Frontage 25.1 M
Depth 68.73M (EAST PROP. LINE), 79.74M (WEST PROP. LINE)
Area 1,344.4 M²
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: GND FLR AREA = 97.08 M², 1 1/2 STOREYS, 11.595 M WIDE, 9.07 M DEEP, HEIGHT - N/A

Proposed: GND FLR AREA = 117.18 M², 2 STOREYS, 13.27 M WIDE (INCL. 2ND FLR ADDITION ON WEST SIDE), 16.99 M DEEP (INCL. GARAGE ADDITION & 2ND FLOOR REAR ADDITION), HEIGHT - 9.9 M (FRONT) 8.32 M (REAR)

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 PLANS

Proposed: PLEASE SEE ATTACHED PLANS

13. Date of acquisition of subject lands:

OCTOBER 2019

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

N/A

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:

SINCE CONSTRUCTION

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:

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

R2

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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:75

APPLICANTS: Tadeusz Kata, owner

SUBJECT PROPERTY: Municipal address **81 York Rd., (Dundas) City of Hamilton**

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

ZONING: "R2" (Single Detached Residential) Zone

PROPOSAL: To to permit the conversion of a single detached to allow for the creation of a second dwelling unit dwelling, notwithstanding that:

1. Parking spaces shall be permitted to be provided in a tandem arrangement whereas the Zoning By-law requires that parking be designed and located such that all vehicles can be parked and manoeuvred entirely within the parking areas without moving any other vehicle within such parking area;
2. No manoeuvring spaces shall be provided for the required parking spaces, whereas the Zoning By-law requires all maneuvering spaces to be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

NOTES:

1. The variance is written as requested by the applicant except a second variance has been included to address the removal of maneuvering spaces.
2. The existing single detached dwelling conforms to the requirements of the R2 Zone.
3. The Dundas Zoning By-law requires the provision of three (3) parking spaces for a converted dwelling which contains an accessory apartment. As noted, through the required variances, each parking space is required to be unobstructed for access and have a separate manoeuvring space.

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

DATE: Thursday, July 16th, 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 for viewing purposes only

DN/A-20:75
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:

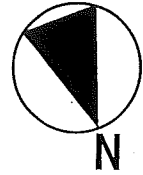
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

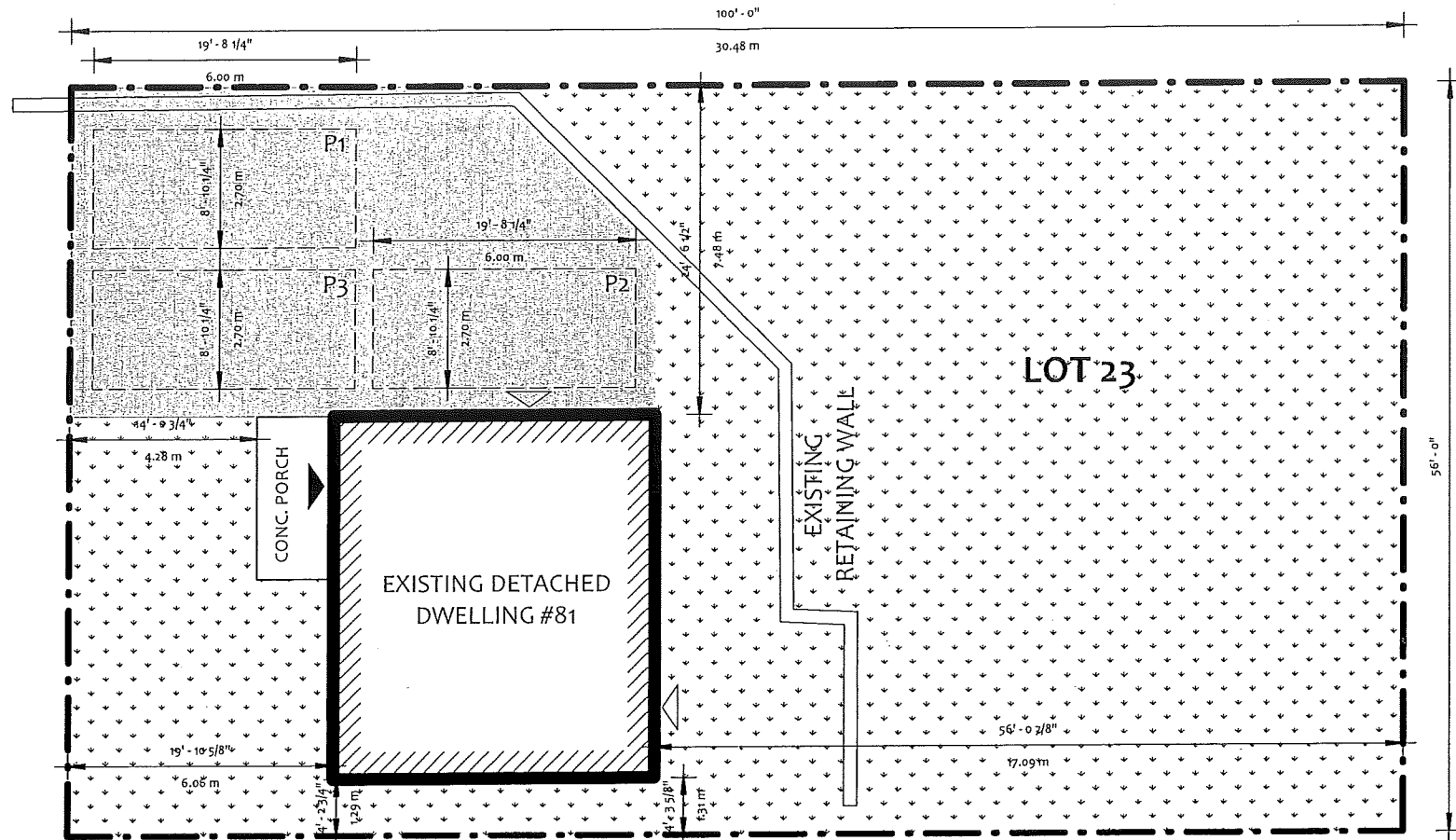
Original Signed

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.



YORK RD



FLOOR / UNIT AREA	AREA	
	SQFT	SQM
BASEMENT (UNIT 2)	439.99	40.88
BASEMENT (COMMON AREA)	80.69	7.50
FIRST FLOOR (COMMON AREA)	12.03	1.12
FIRST FLOOR (UNIT 1)	545.75	50.70
SECOND FLOOR (UNIT 1)	557.86	51.83
TOTAL BUILDING AREA	1636.32	152.02

1.0 SITE PLAN
SP1.01 1" = 10'-0"

- ▶ UNIT 1 MAIN ENTRANCE
- ▷ UNIT 1 SECONDARY ENTRANCE
- ▷ UNIT 2 ENTRANCE

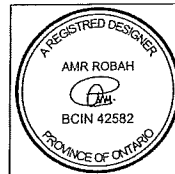
DN/A 20:75
Sketch



7-250 SHEILDS CRT.
MARKHAM ON L3R 9T5
888.236.9958 | 416.483.5393
INFO@YEJSTUDIO.COM
WWW.YEJSTUDIO.COM

BASEMENT SECOND UNIT
81 York Rd,
Dundas,
ON L9H 1L9

THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.
QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1 OF DIVISION "C" OF O.B.C.
NAME AMR ROBAH BCIN 42582
REGISTRATION INFORMATION
REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5 OF O.B.C.
FIRM NAME YEJ STUDIO AND CONSULTING INC. BCIN 114354



CLIENT REVIEW	2019-12-13
REVISION	
ISSUED FOR PERMIT	2019-12-27

SITE PLAN		SP1.01
Drawn by	T.L.	
Project number	19 RE 500-209	Scale As indicated
Date	2019.11.06	



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>DN/A-20:75</u>	DATE APPLICATION RECEIVED <u>MAR 3/20</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 ^{E maria} JADEUSZ KATA Telephone No.

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:

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

Need 3 parking spaces
- not permitted in front as per by-law

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

Parking not permitted as per Bylaw

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 23 - registered plan no 1455
in the 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?

its 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.

Mar 03, 2020
Date


Signature Property Owner

TADEUSZ KATA / KATA MARIA
Print Name of Owner

10. Dimensions of lands affected:

Frontage 17.07 m
Depth 30.48 m.
Area 520 s. m.
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: see attached

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

Proposed: _____

13. Date of acquisition of subject lands:
September 2019

14. Date of construction of all buildings and structures on subject lands:
1965

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:
+ 55 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:
check Hamilton official plan - neighbourhoods

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R2 single detached 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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:78

APPLICANTS: Owners: M. Sommers & C. Campbell

SUBJECT PROPERTY: Municipal address **2685 Jerseyville Rd. W. (Anaster) City of Hamilton**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of a single storey accessory building (private garage) for the existing single detached dwelling, notwithstanding that;

1. The accessory building shall be permitted to be located within the front yard and as close as 4.1m from the front lot line whereas the Zoning By-law states that no accessory building shall be permitted to be located within a front yard and that a minimum setback of 7.5m shall be maintained from the front lot line for an accessory building exceeding 18.0m² in gross floor area.
2. The accessory building shall be permitted to have an area of 112.0m² whereas the Zoning By-law states that no accessory building shall exceed 30% lot coverage of the yard in which the accessory buildings are located, including areas devoted exclusively to parking, to a maximum of 97 square metres.
3. A maximum building height of 5.7m shall be permitted instead of the maximum 5.0m building height permitted.
4. The height of 3.9m shall be permitted for the underside/overhang or lower ends of the roof joists, rafters or trusses whereas the Zoning By-law states that the maximum height of the underside of any fascia eaves, overhang or the lower ends of the roof joists, rafters or trusses shall be 3.0 metres.
5. The accessory building shall be permitted to be located as close as 0.5m from the rear lot line instead of the minimum 7.5m setback required from the rear lot line for an accessory building exceeding 18.0m² in gross floor area.

Notes: The applicant requested a variance to permit a rear yard of 5.1m from the easterly part of the accessory building to the rear lot line. However, this variance is not required as the setback is measured from the lot line to the closest part of the building. If the requested rear yard variance #5 is approved, then the location of the accessory building will conform with respect to the required rear yard.

ANA-20:78
Page 2

The Zoning By-law states that where the driveway is provided in the front yard, all other portions of the front yard shall be landscaped area. Insufficient details were shown to confirm compliance.

The zoning By-law requires that parking spaces shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, or crushed stone or gravel. No details were provided to confirm compliance; as such, further variances may be required.

The Zoning By-law states that where crushed stone or gravel is provided in accordance with Subsection 5.2 e) iii) a), the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material and shall be maintained in a dust free condition. No details were provided to confirm compliance; as such, further variances may be required.

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

DATE: Thursday, July 16th, 2020
TIME: 2:30p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.

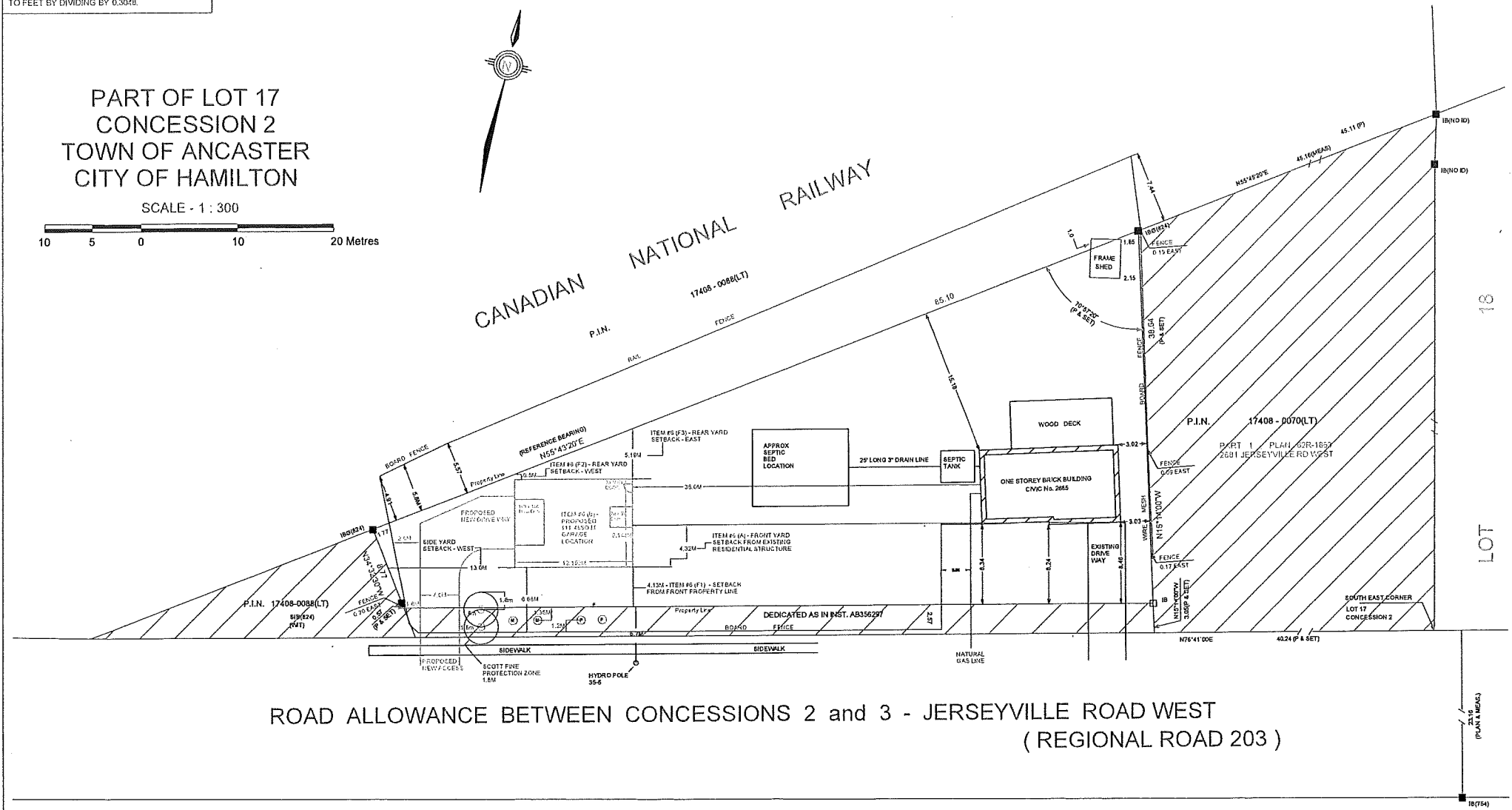
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART OF LOT 17
CONCESSION 2
TOWN OF ANCASTER
CITY OF HAMILTON

SCALE - 1 : 300



CANADIAN NATIONAL RAILWAY



ROAD ALLOWANCE BETWEEN CONCESSIONS 2 and 3 - JERSEYVILLE ROAD WEST
(REGIONAL ROAD 203)

AVIA 00:08
Sketch 1

12.192m X 9.144m STORAGE BUILDING PROPOSAL

NOTE
THIS PLAN IS NOT FOR REGISTRATION PURPOSES.
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF PART 1, PLAN 62R-1863, HAVING A BEARING OF N55°43'20"E.

□ DENOTES SURVEY MONUMENT SET
 ■ SURVEY MONUMENT FOUND
 IB# ROUND IRON BAR
 IB IRON BAR
 SIB STANDARD IRON BAR
 1416 WEST & FLUSKA LTD., O.L.S.
 P PLAN 62R-1863

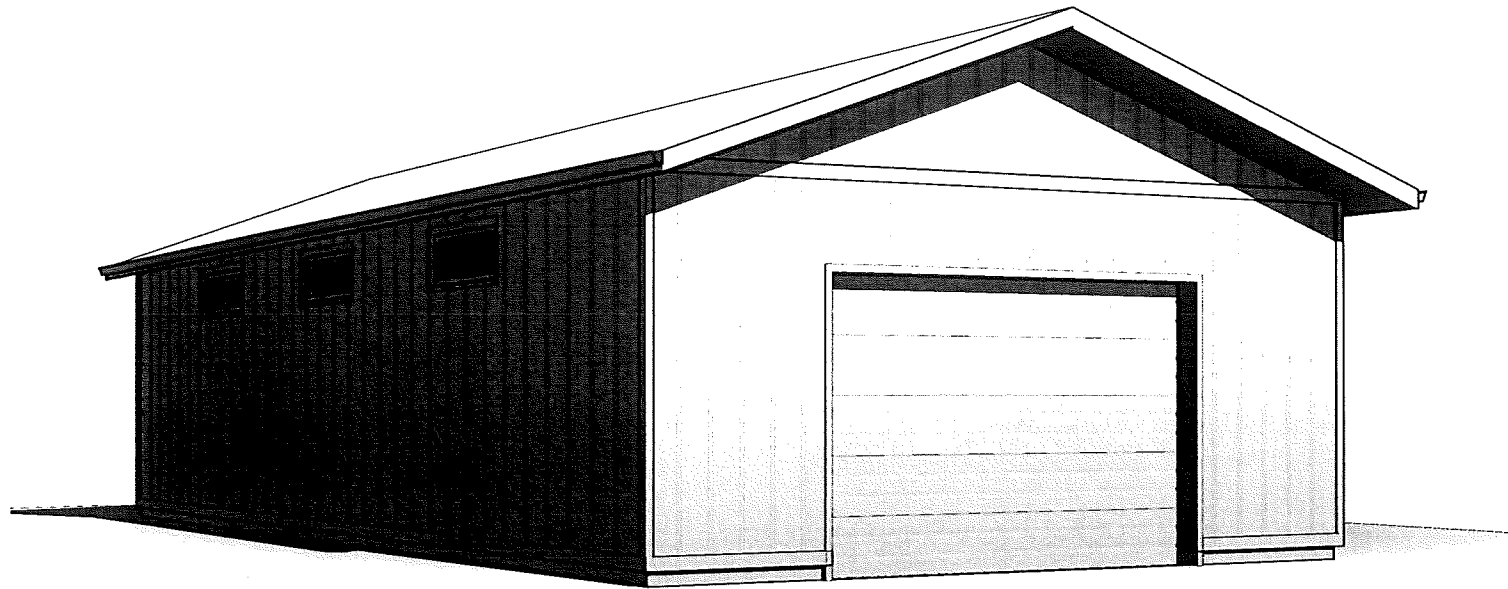
PLAN FOR: CITY OF HAMILTON

MARK SOMMERS
2665 JERSEYVILLE RD
WEST - JERSEYVILLE
ONTARIO L0R1R0

SOMMERS
S190086

MARK SOMMERS STORAGE BUILDING

2685 JERSEYVILLE RD.
JERSEYVILLE, ON
LOR 1R0



SHEET LIST	
SHEET NUMBER	SHEET NAME
1	TITLE
2	ELEVATIONS
3	FOUNDATION PLAN
4	FLOOR PLAN
5	SECTIONS & DETAILS



1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307
fax: (905) 774-1168

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ISSUED FOR PERMIT	NO.	DATE	BY
		FEB 25/20	MD



MARK SOMMERS
STORAGE BUILDING
2685 JERSEYVILLE RD.
JERSEYVILLE, ON
LOR 1R0

DRAWING TITLE

SCALE B7-20-35

DRAWING P.E.C. (Professional Engineer's Certificate)

DRAWN BY MIKE DWYER DATE FEB 24/20 SHEET 1 OF 5	DRAWING NUMBER S-1
--	---------------------------

AN/A 20:78
Sketch of

AN/A 20:78
Sketch 3



1333 HIGHWAY #3
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ISSUES/REVISIONS			

BRAEMAR
Building Systems

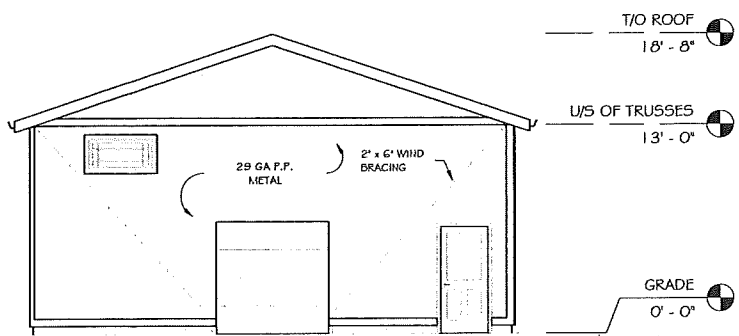
MARK SOMMERS
STORAGE BUILDING
2685 JERSEYVILLE RD.
JERSEYVILLE, ON
L0R 1R0

DRAWING
ELEVATIONS

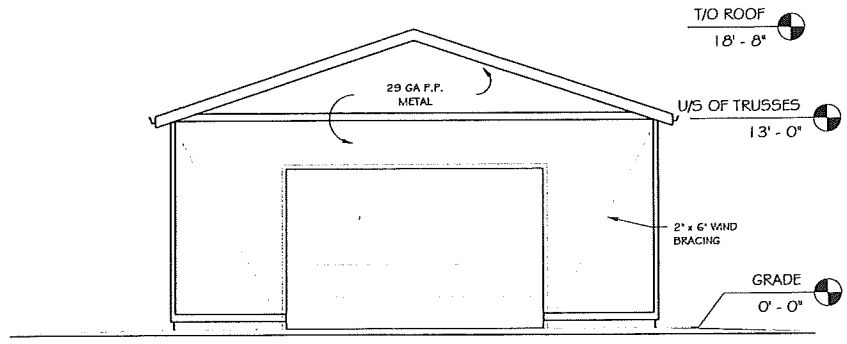
SCALE	As indicated	B7-20-35
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DRAWING FILE

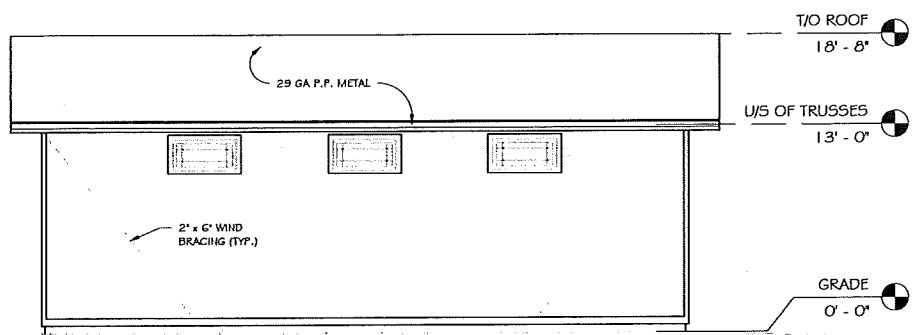
DRAWN BY MIKE DWYER	DRAWING NUMBER S-2
DATE FEB 24/20	
SHEET 2 OF 5	



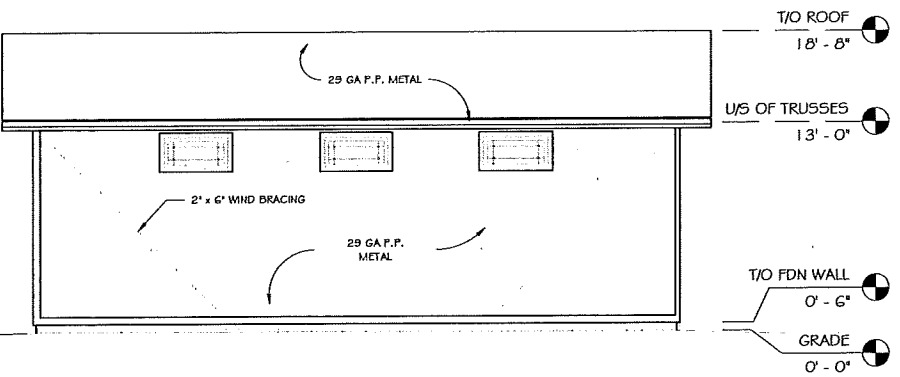
3 FRONT
2 3/16" = 1'-0"



2 REAR
2 3/16" = 1'-0"



4 SIDE
2 3/16" = 1'-0"



1 SIDE
2 3/16" = 1'-0"

GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR
- ANY ERRORS / OMISSIONS TO BE REPORTED TO ENGINEER PRIOR TO CONSTRUCTION
- ALL WORK TO CONFORM TO O.B.C. 2012
- FIRE STOP IN CONCEALED ATTIC SPACE NOT TO EXCEED 98'-0" O.C.
- NOTIFY ENGINEER 48 HRS. IN ADVANCE FOR INSPECTION OF FOOTING EXCAVATION AND FRAMING.
- REMOVE ALL TOP SOIL AND ORGANIC MATERIAL
- ALL FOOTINGS TO BE ON UNDISTURBED SOIL AND MIN. OF 4'-0" BELOW LINE OF FINISHED GRADE
- SOIL BRG. CAPACITY TO SUSTAIN A MIN. 3000 P.S.F.
- ALL LINTELS TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

CONCRETE NOTES:

- ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS
- 32 MPA FOR SLAB ON GRADE
- 25 MPA FOR WALLS AND FOOTINGS
- SLUMP 3" ± 1"
- MAX WATER CEMENT RATIO .45 (USE WATER REDUCING AGENT TO IMPROVE WORKABILITY NO WATER TO BE ADDED ON SITE) USE VIBRATORY EQUIPMENT TO ACHIEVE UNIFORM DENSITY
- AIR ENTRAINMENT 5% - 8%
- REINFORCING STEEL TO HAVE MIN. YIELD STRENGTH OF 400 MPA WITH MIN. 3" COVER
- MINIMUM SPLICE LENGTH (10M - 1Ø) (15M - 24")

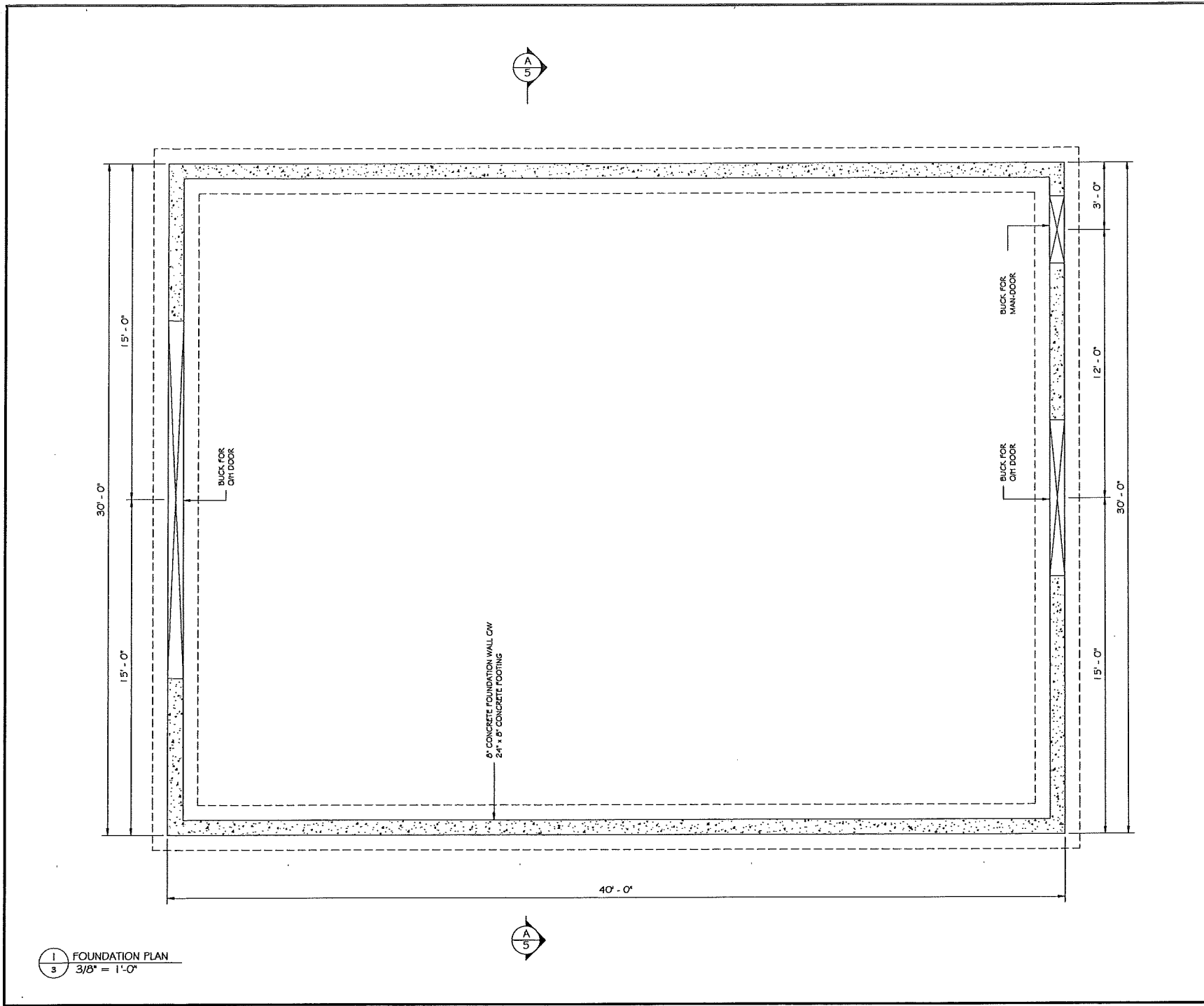
LUMBER NOTES:

- ALL LUMBER TO BE GRADE #2 OR BETTER
- LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED
- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED MATERIAL TO BE COMPATIBLE WITH PRESSURE TREATED CHEMICALS
- ALL STEEL SIDING IN CONTACT WITH PRESSURE TREATED WOOD TO BE ISOLATED WITH A LAYER OF ICE & WATER SHIELD OR EQUAL
- SUBMIT ENGINEERED TRUSS DRAWINGS
- TRUSS BRACING AND STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DRAWING
- TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DESIGN AND TO BE CONTINUOUS ON FOUNDATION WALL
- ALL LINTELS TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

SPECIFIED ROOF TOP CHORD LOADS; DUNNVILLE

- SNOW LOAD = 2.0 kPa (41.8 psf)
- RAIN LOAD = 0.4 kPa (8.4 psf)
- HOURLY WIND PRESSURE (1/50) = 0.46 kPa
- DEAD LOAD = 0.20 kPa (4.2 psf)

AN/A 20:78
Sketch 4

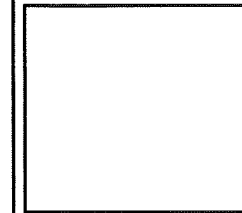


1 FOUNDATION PLAN
3 3/8" = 1'-0"

M/S ENGINEERING
 1333 HIGHWAY #3
 DUNNVILLE, ONTARIO
 N1A 2W7
 phone: (905) 774-4307
 fax: (905) 774-1168

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PRINTS	NO.	DATE	BY
ISSUED/REVISIONS			

BRAEMAR
 Building Systems
 MARK SOMMERS
 STORAGE BUILDING
 2685 JERSEYVILLE RD.
 JERSEYVILLE, ON
 LOR 1R0

DRAWING
 FOUNDATION PLAN

SCALE
 3/8" = 1'-0" B7-20-35

DRAWING FILE

DRAWN BY MIKE DWYER	DRAWING NUMBER 5-3
DATE FEB 24/20	
SHEET 3 OF 5	

AN/A 20:78
 sketch 5



1333 HIGHWAY #3
 DUNNVILLE, ONTARIO
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ISSUED FOR PERMIT	1	FEB 25/20	MD
FRANTS	NO.	DATE	BY
ISSUED REVISIONS			



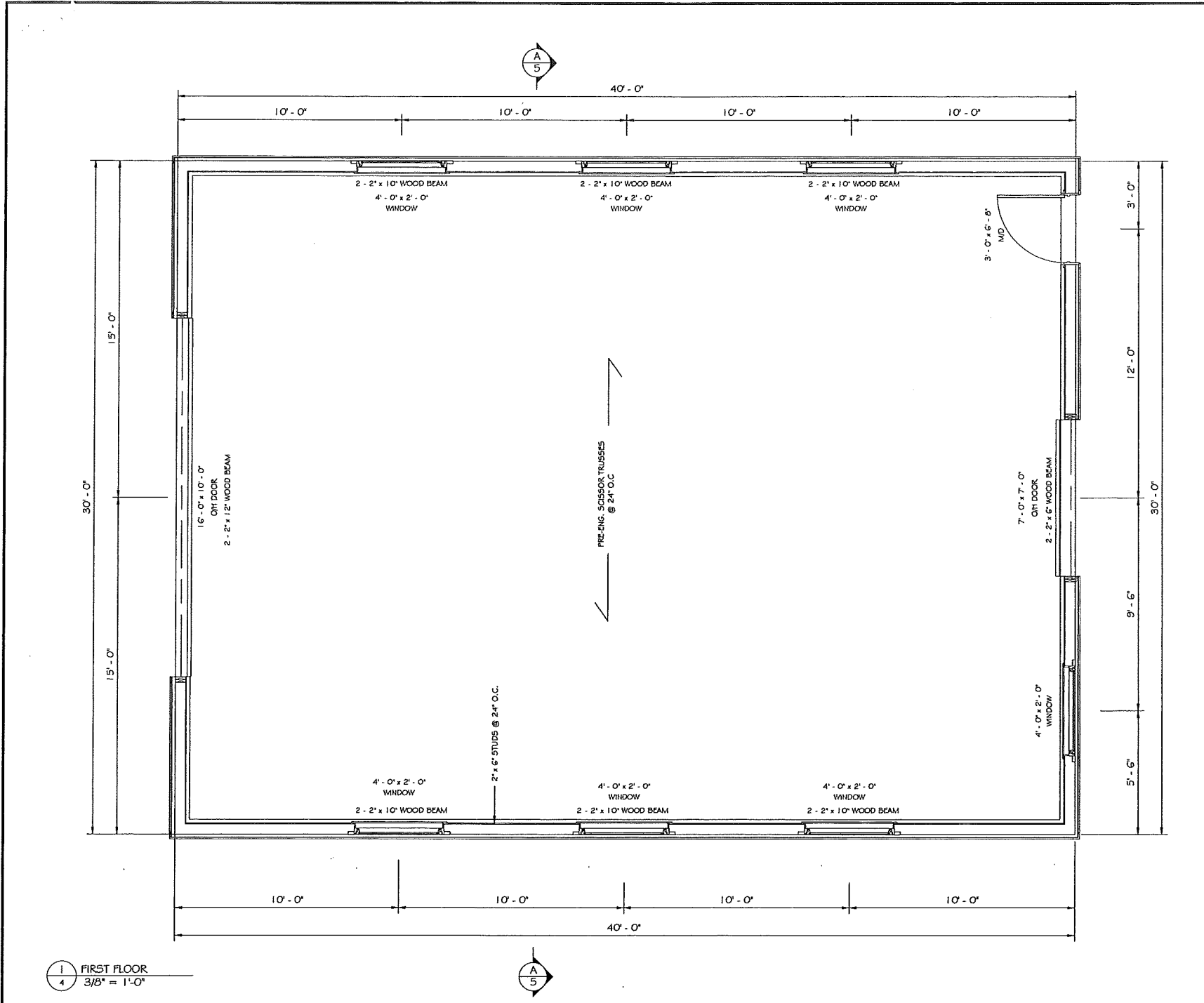
MARK SOMMERS
 STORAGE BUILDING
 2685 JERSEYVILLE RD.
 JERSEYVILLE, ON
 LOR 1R0

DRAWING
 FLOOR PLAN

SCALE
 3/8" = 1'-0" B7-20-35

DRAWING FEEL
Please refer to the drawing for the correct material and finish.

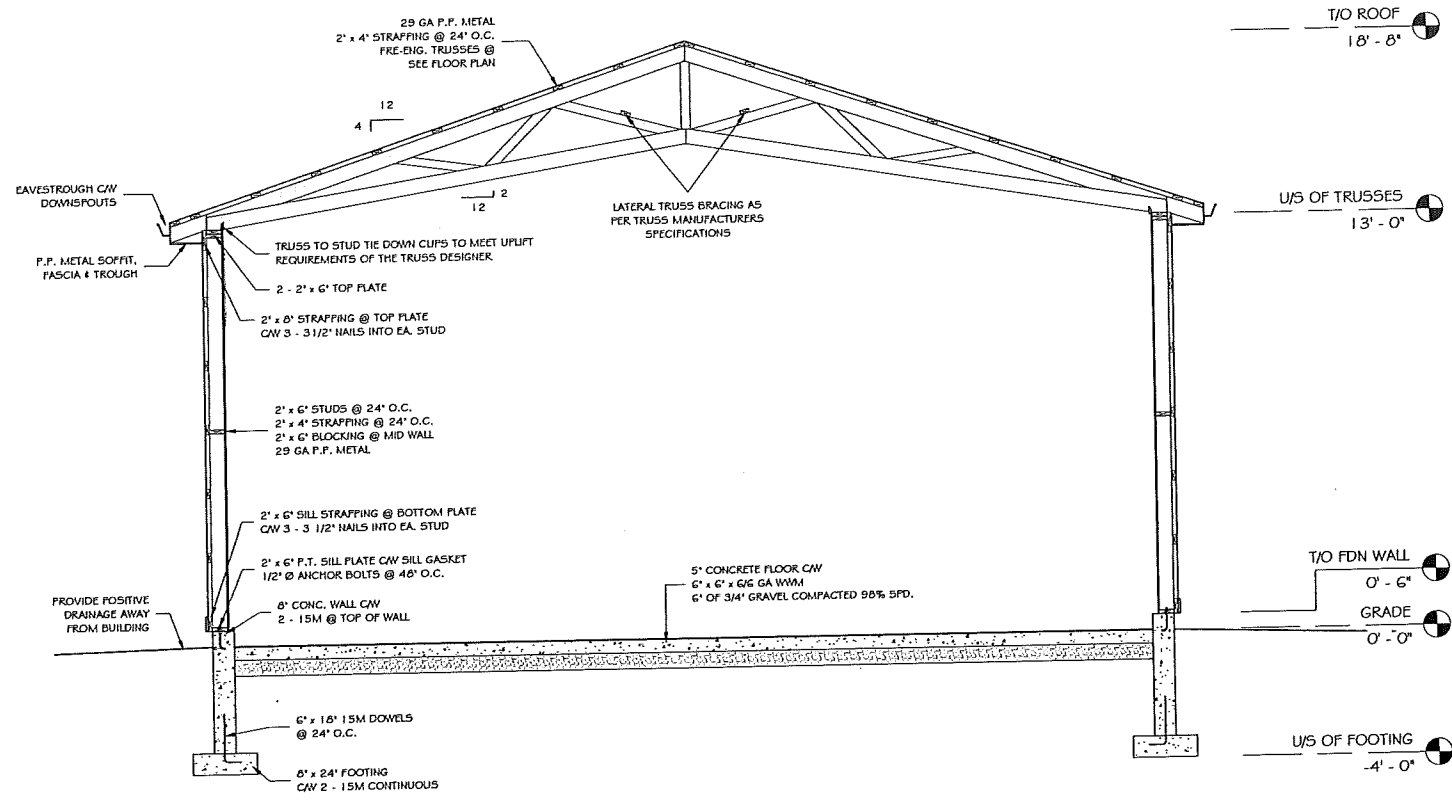
DRAWN BY MIKE DWYER	DRAWING NUMBER S-4
DATE FEB 24/20	
SHEET 4 OF 5	



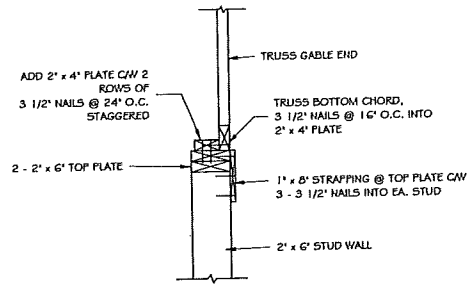
1 FIRST FLOOR
 4 3/8" = 1'-0"



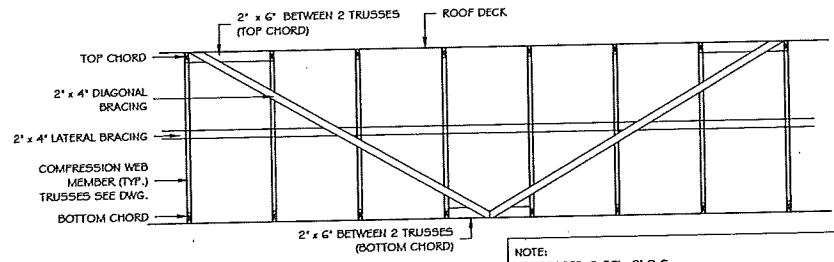
AN/A 20:78
Sketch 6



A
SECTION A - A
3/8" = 1'-0"



2
END GABLE - STUD
1" = 1'-0"



1
VEE BRACING DETAIL
1/4" = 1'-0"

NOTE:
VEE BRACES @ 50' - 0" O.C.
ON COMPRESSION MEMBERS WITH COMPRESSIVE LOADING
OVER 1800 LB (SEE TRUSS DRAWING)
TRUSS BRACING IN ADDITION TO MANUFACTURERS SPECS.



1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307
fax: (905) 774-1168

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ISSUED/REVISIONS			



MARK SOMMERS
STORAGE BUILDING
2685 JERSEYVILLE RD.
JERSEYVILLE, ON
L0R 1R0

SECTIONS & DETAILS

SCALE: As indicated B7-20-35

DRAWING FILE:

DRAWN BY: MIKE DWYER
DATE: FEB 24/20
SHEET: 5 OF 5
DRAWING NUMBER: S-5



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

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

RECEIVED
MAR 05 2020




FOR OFFICE USE ONLY.	
APPLICATION NO. <u>AN/A-20-78</u>	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 MARK SOMMERS/CAILIN CAMPBELL 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:
SOMMERS, MARK GORDON
2685 JERSEYVILLE RD WEST Postal Code L0R1R0
CAMPBELL, CAILIN MAURA
2685 JERSEYVILLE RD WEST Postal Code L0R1R0

6. Nature and extent of relief applied for:

Bylaw 05-200 4.8.1 (A) - Proposed new accessory building to be constructed 4.32M in front of existing residential structure

Bylaw 05-200 4.8.1 (B) - Proposed new accessory building to be 111.48Sq.M in size from maximum of 97Sq.M (9.144M x 12.192M)

Bylaw 05-200 4.8.1 (D) - Proposed new accessory building to be 5.66M from grade to peak & 3.9M from grade to eaves/truss

Bylaw 05-200 4.8.1 (F) 1 - 4.13M Distance from front property line to proposed new accessory structure

Bylaw 05-200 4.8.1 (F) 2 - 0.5M Distance from rear property line to proposed new accessory structure - Rear West

Bylaw 05-200 4.8.1 (F) 3 - 5.19M Distance from rear property line to proposed new accessory structure - Rear East

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

Item #6 (A) Cannot be complied with bylaw 05-200 section 4.8.1 due to irregular lot & existing septic bed location

Item #6 (B,D) Cannot be complied with bylaw 05-200 section 4.8.1 due to required size of proposed accessory building for recreational vehicle storage

Item #6 (F 1,2,3) Cannot be complied with bylaw 05-200 section 4.8.1 due to irregular lot & existing septic bed location

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

CON 2 PT LOT 17 RP 62R1863 - PART 2 - IRREG 0.46AC 254.55FR 126.79D

2685 JERSEYVILLE RD WEST

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 LAND USE TITLES

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.

2020.02.11

 Date



Signature Property Owner

MARK SOMMERS/CAILIN CAMPBELL

Print Name of Owner

10. Dimensions of lands affected:

Frontage 254.55FT
 Depth 126.79 FT
 Area 0.46AC
 Width of street 16.7M - ROAD ALLOWANCE

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: SIDE SPLIT SINGLE FAMILY DWELLING - 14.34M X 8M (144.84Sq.m)

Proposed: SINGLE STORY GARAGE ACCESSORY BUILDING 9.144M X 12.192M (111.48Sq.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: Single Family Detached Dwelling

 Distance from Rear property line: 15.18M / Distance from Front property line: 8.24M

 Distance from West property line: 63.1M / Distance from East property line: 3.0M

Proposed: 9.144M x 12.192M Proposed Garage Accessory Building

 Distance from Rear property line: 0.5M / Distance from Front property line: 4.13M

 Distance from West property line: 13.0M / Distance from East property line: 53.75M

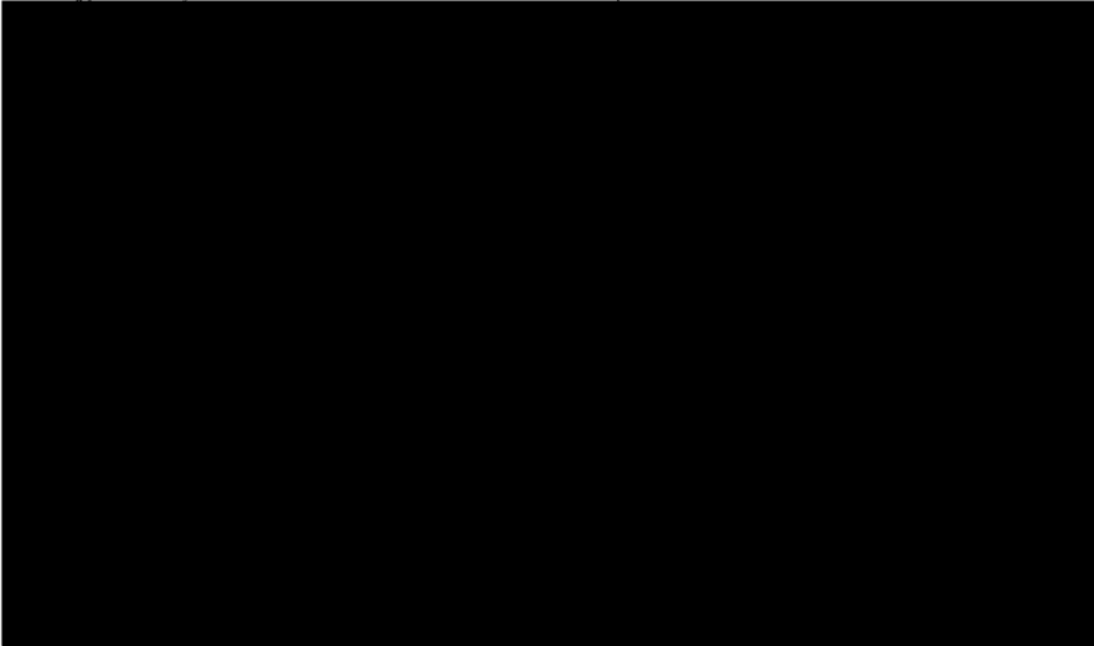
13. Date of acquisition of subject lands:
 February 10th 2014
14. Date of construction of all buildings and structures on subject lands:
 1977 - Existing Single Family Detached Dwelling / 2020 Proposed Garage Accessory Building
15. Existing uses of the subject property:
 Residential
16. Existing uses of abutting properties:
 Residential / Agricultural
17. Length of time the existing uses of the subject property have continued:
 43 Years
18. Municipal services available: (check the appropriate space or spaces)
 Water N/A Connected NO
 Sanitary Sewer N/A Connected NO
 Storm Sewers N/A
19. Present Official Plan/Secondary Plan provisions applying to the land:
 JERSEYVILLE RURAL SETTLEMENT AREA
 SETTLEMENT RESIDENTIAL
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 BY-LAW 05-200 - S1 RESIDENTIAL CURRENT ZONING
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, MARK SOMMERS / CAILIN CAMPBELL, 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

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: 2685 JERSEYVILLE RD WEST, JERSEYVILLE 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 /

MARK SOMMERS / CAILIN CAMPBELL

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, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:85

APPLICANTS: Andy Tran on behalf of the owners K. Eelhart-Dilag & K. Dilag

SUBJECT PROPERTY: Municipal address **8 Colmar Place (Dundas) City of Hamilton**

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

ZONING: "R2" (Single Detached Residential) Zone

PROPOSAL: To permit the existing single detached dwelling to be converted to add one (1) accessory apartment notwithstanding that:

1. No on-site aisle width manoeuvring space shall be provided for the two (2) parking spaces in the driveway instead of the minimum required 6.0m aisle width manoeuvring space.
2. Two (2) of the required parking spaces located in the driveway shall be permitted to be located within the required front yard instead of the requirement that no required parking space shall be located in a required front yard.
3. The parking spaces in the driveway shall be permitted to obstruct the parking space in the attached garage instead of the requirement that all required parking spaces shall be designed and located such that all vehicles using such spaces can be parked and manoeuvred entirely within the bounds of the parking areas without moving any other vehicle within such parking area and that all manoeuvring space shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

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

DATE: Thursday, July 16th, 2020
TIME: 2:35p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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-20:85
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:

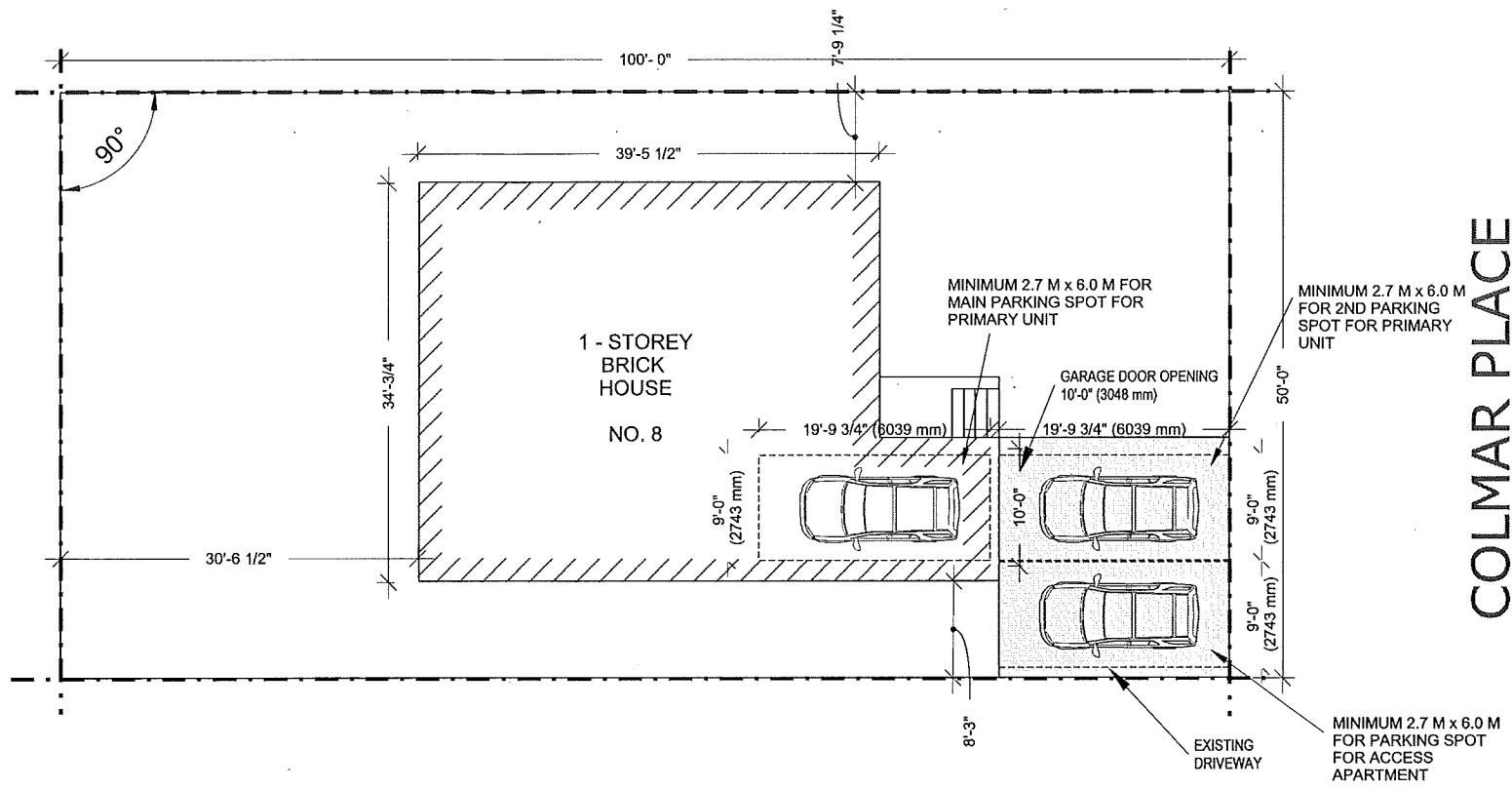
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.



SITE PLAN :

BASED ON MAP.HAMILTON.CA AND MEASUREMENTS ON SITE

SUITE ADDITIONS INC. ASSUMES NO RESPONSIBILITY FOR ACCURACY OF MAP.HAMILTON.CA

THIS SITE PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSES.

NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

FRONT YARD: 1016 SF

LANDSCAPED AREA = 600 SF = 59%

HARD SURFACE AREA = 416 SF = 41%

PARKING BY-LAW REQUIREMENTS FOR SINGLE FAMILY TO TWO FAMILY DWELLING CONVERSIONS:

7.12.1 RESIDENTIAL USES - TOWN OF DUNDAS ZONING BY-LAW NO.3581-86

7.12.1.10 - DWELLING, CONVERTED - 3 PARKING SPACES



SITE PLAN

SCALE: 1/16"=1'

1
SP1.01

SITE INFORMATION & STATISTICS:

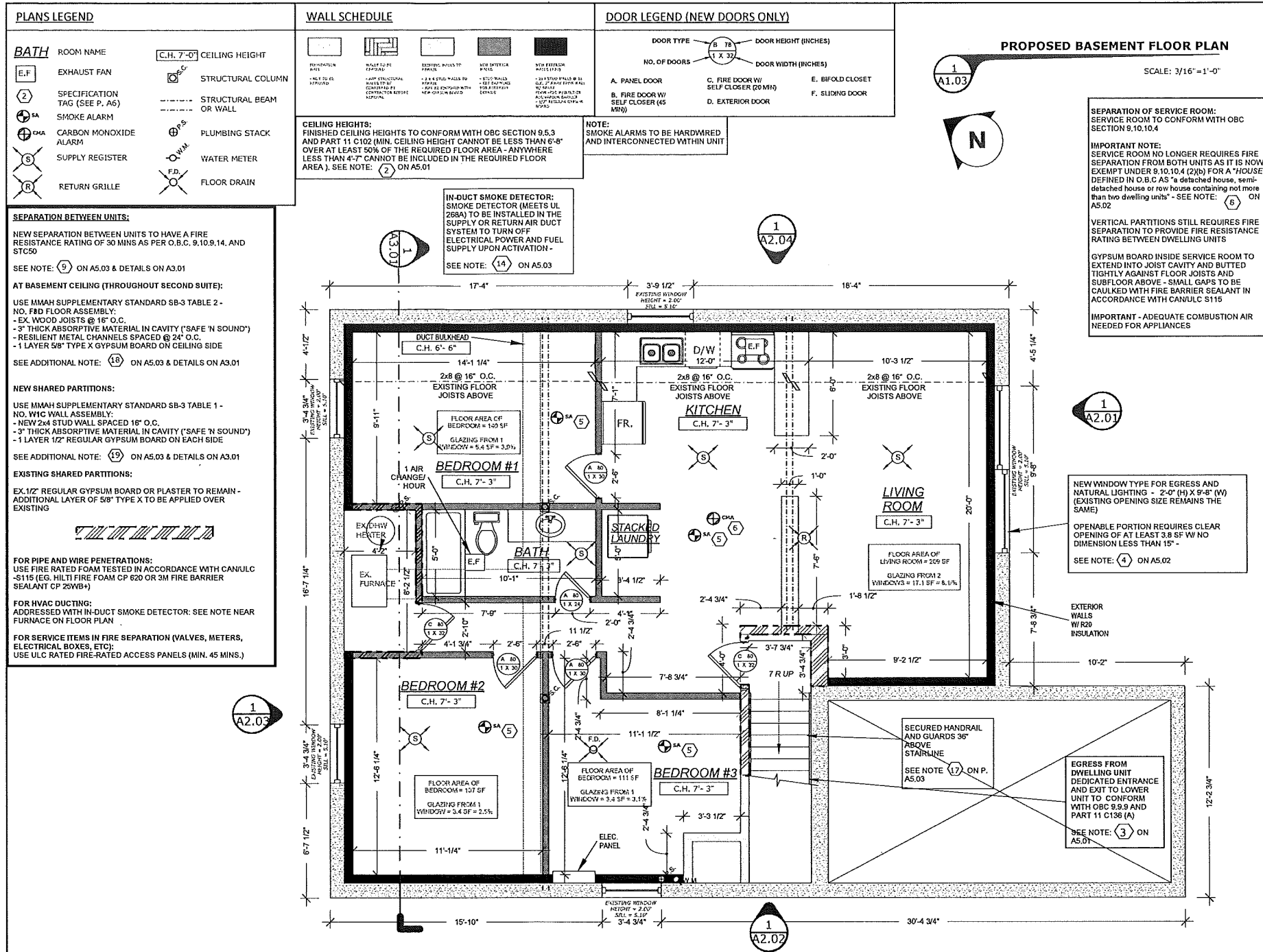
ADDRESS	8 COLMAR PLACE, DUNDAS, ON, L9H 4K9
NEIGHBOURHOOD	
LOT NUMBER	
PLAN NUMBER	
ZONING TYPE	R2
LOT AREA	5000 SQ. FT.

GENERAL NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSION ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1

DRAWING LIST:

- SP1.01 - SITE PLAN, SITE STATISTIC AND DRAWING LIST
- A1.01 - EXISTING BASEMENT LEVEL PLAN
- A1.02 - EXISTING MAIN LEVEL PLAN
- A1.03 - PROPOSED BASEMENT LEVEL PLAN



SUITE ADDITIONS INC.
3-2375 Brimley Rd, Suite 807
Toronto, ON, M1S 3L6
Tel: 416-525-2628
Email: info@suiteadditions.com

PROJECT:
ACCESSORY APARTMENT

ADDRESS:
8 COLMAR PLACE, DUNDAS, ON, L9H 4K9

CLIENT: KARRIE EELHART-DILAG AND KIEV DILAG

DRAWN BY: ANDY TRAN

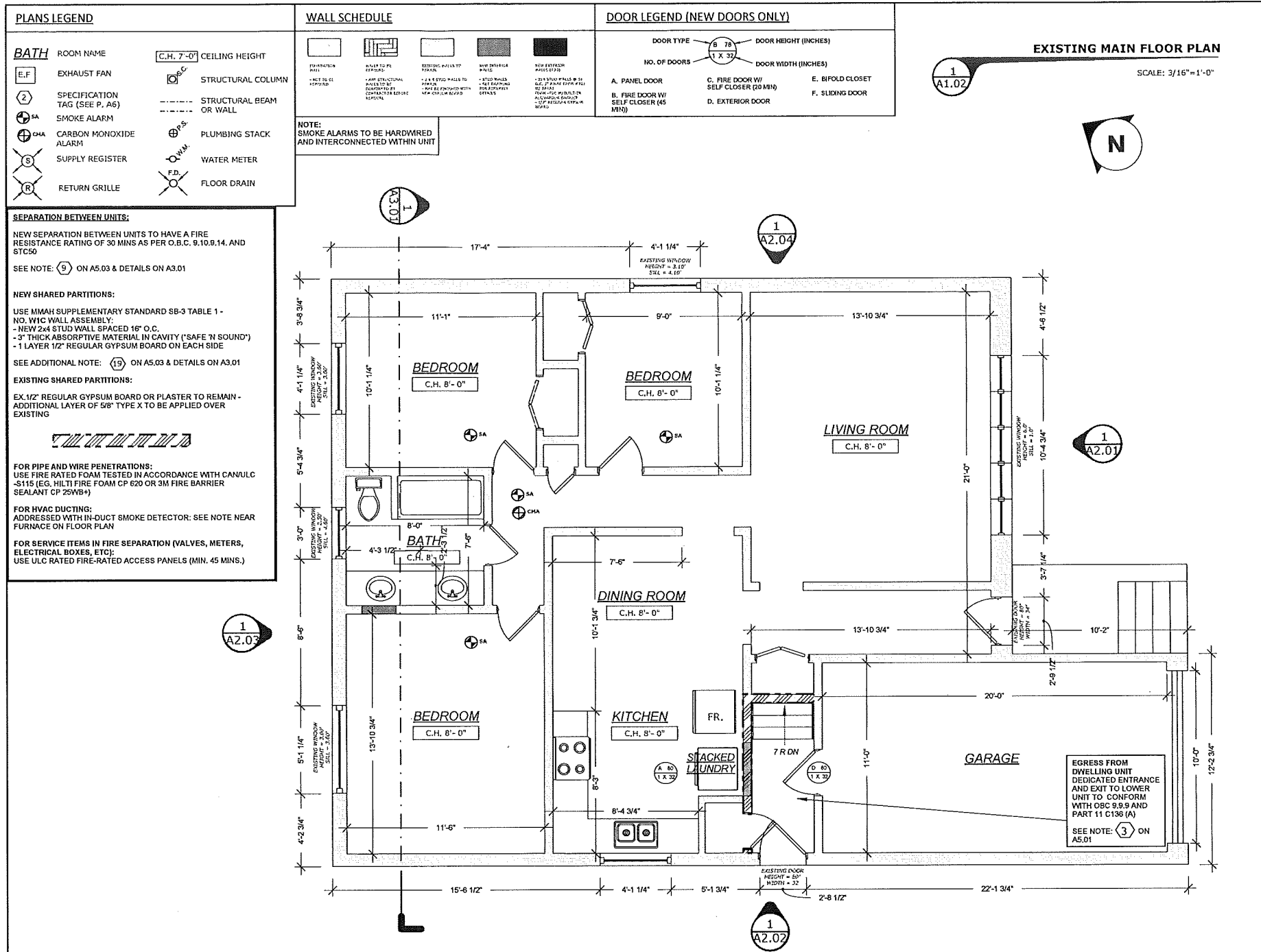
ISSUE DATE: MAR 11, 2020
RE-ISSUE DATE:

DESCRIPTION:
PROPOSED BASEMENT LEVEL FLOOR PLAN

SCALE: 3/16" = 1'-0"

DRAWING NO:
A1.03

DN/A-20:85
Amended
Sketch(2)



SUITE ADDITIONS INC.
 3-2375 Brimley Rd, Suite 807
 Toronto, ON, M1S 3L6
 Tel: 416-525-2628
 Email: info@suiteadditions.com

Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

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

Andy Tran
 Andy Tran - Signature
 Individual BCIN: 102774
 Firm: Suite Additions Inc.
 Firm BCIN: 102497

PROJECT:
 ACCESSORY APARTMENT

ADDRESS:
 8 COLMAR PLACE, DUNDAS, ON, L9H 4K9

CLIENT: KARRIE EELHART-DILAG AND KIEV DILAG

DRAWN BY: ANDY TRAN

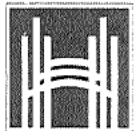
ISSUE DATE: MAR 11, 2020 **RE-ISSUE DATE:**

DESCRIPTION:
 PROPOSED MAIN LEVEL FLOOR PLAN

SCALE: 3/16" = 1'-0"

DRAWING NO:
A1.04

DN/A - 20.85
 Amended
 Sketch (3)



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

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

FOR OFFICE USE ONLY.		RECEIVED MAR 09 2019
APPLICATION NO. <u>DN/A-20:85</u>	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 KARRIE EELHART-DILAG/KIEV DILAG Telephone No _____

2. _____

3. Name of Agent ANDY TRAN 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 _____

Send sign* (handwritten note)

6. Nature and extent of relief applied for:
AS PER TOWN OF DUNDAS ZONING BY-LAW NO.3581-86, WE ARE REQUESTING
A RELIEF FOR SECTION 7.1.1. TO HAVE 2 PARKING SPACES IN FRONT YARD.
3 TOTAL PARKING SPACES ARE REQUIRED FOR CONVERTED DWELLINGS
AS PER 7.12.1.10. (DRIVEWAY DESIGN TO REMAIN AS-IS - NO CHANGES)
7. Why it is not possible to comply with the provisions of the By-law?
THERE IS ONLY 6.24 M BETWEEN HOUSE AND PROPERTY LINE, WHICH IS
ADEQUATE FOR 2.7 M x 6.0 M PARKING SPACES, BUT DOES NOT PROVIDE
REQUIRED 6.0 M REAR MANOEUVRING SPACE AS PER 7.14.1 FOR 90 DEGREE
ANGLE OF PARKING SPACE. REQUESTING FOR 2 ADDITIONAL PARKING SPACES
TO HAVE ON-STREET MANOEUVRING
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
8 COLMAR PLACE, DUNDAS, ON, L9H 4K9

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 X

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

INFORMATION PROVIDED BY HOMEOWNERS

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.

March 9th 2020
Date


Signature Property Owner

Karrie Belhart-Dilley
Print Name of Owner

10. Dimensions of lands affected:

Frontage 50'-0" (15.24 m)
Depth 100'-0" (30.48 m)
Area 5000 SF (464.52 Sq. m)
Width of street UNKNOWN

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 = 1224 SF (113.7 Sq. m)
 GROSS FLOOR AREA = 2448 SF (227.4 Sq. m)
 ONE STOREY; 34'-3/4 " (10.59 m) WIDE, 39'-5 1/2" (12.07 m) LONG
 8'-0" (2.44 m) HIGH

Proposed: SAME AS ABOVE
 SEE ATTACHED SITE PLAN

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

Existing: (S) FRONT SETBACK - 19'-9 3/4" (6.04 m)
 (W) SIDE SETBACK - 8'-3 1/4" (2.52 m)
 (N) REAR SETBACK - 30'-5 1/2" (9.28 m)
 (E) SIDE SETBACK - 7'- 9 1/4" (2.37 m)

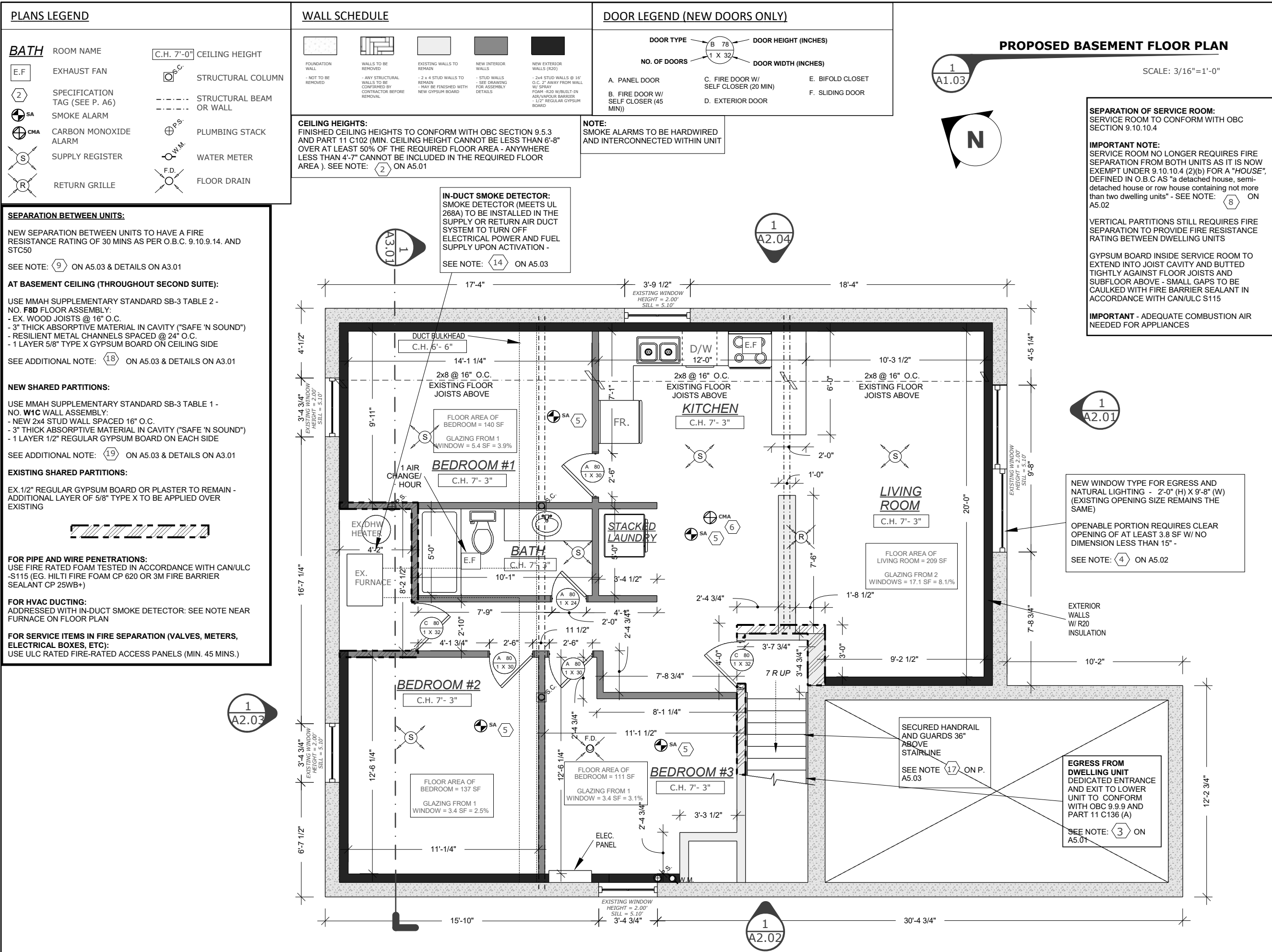
Proposed: SAME AS ABOVE
 SEE ATTACHED SITE PLAN

13. Date of acquisition of subject lands:
MARCH 6, 2020
14. Date of construction of all buildings and structures on subject lands:
1970
15. Existing uses of the subject property: RESIDENTIAL SINGLE FAMILY - DETACHED
16. Existing uses of abutting properties: RESIDENTIAL SINGLE FAMILY - DETACHED
17. Length of time the existing uses of the subject property have continued:
SINCE TIME OF CONSTRUCTION - APPROXIMATELY 50 YEARS
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:

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R2
21. Has the owner previously applied for relief in respect of the subject property?
 Yes _____ No X
 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.



SUITE ADDITIONS INC.
 3-2375 Brimley Rd, Suite 807
 Toronto, ON, M1S 3L6
 Tel: 416-525-2628
 Email: info@suiteadditions.com

SUITE ADDITIONS

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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

Andy Tran
 Andy Tran - Signature
 Individual BCIN: 102774
 Firm: Suite Additions Inc.
 Firm BCIN: 102497

PROJECT:
 ACCESSORY APARTMENT

ADDRESS:
 8 COLMAR PLACE, DUNDAS,
 ON, L9H 4K9

CLIENT: KARRIE EELHART-DILAG
 AND KIEV DILAG

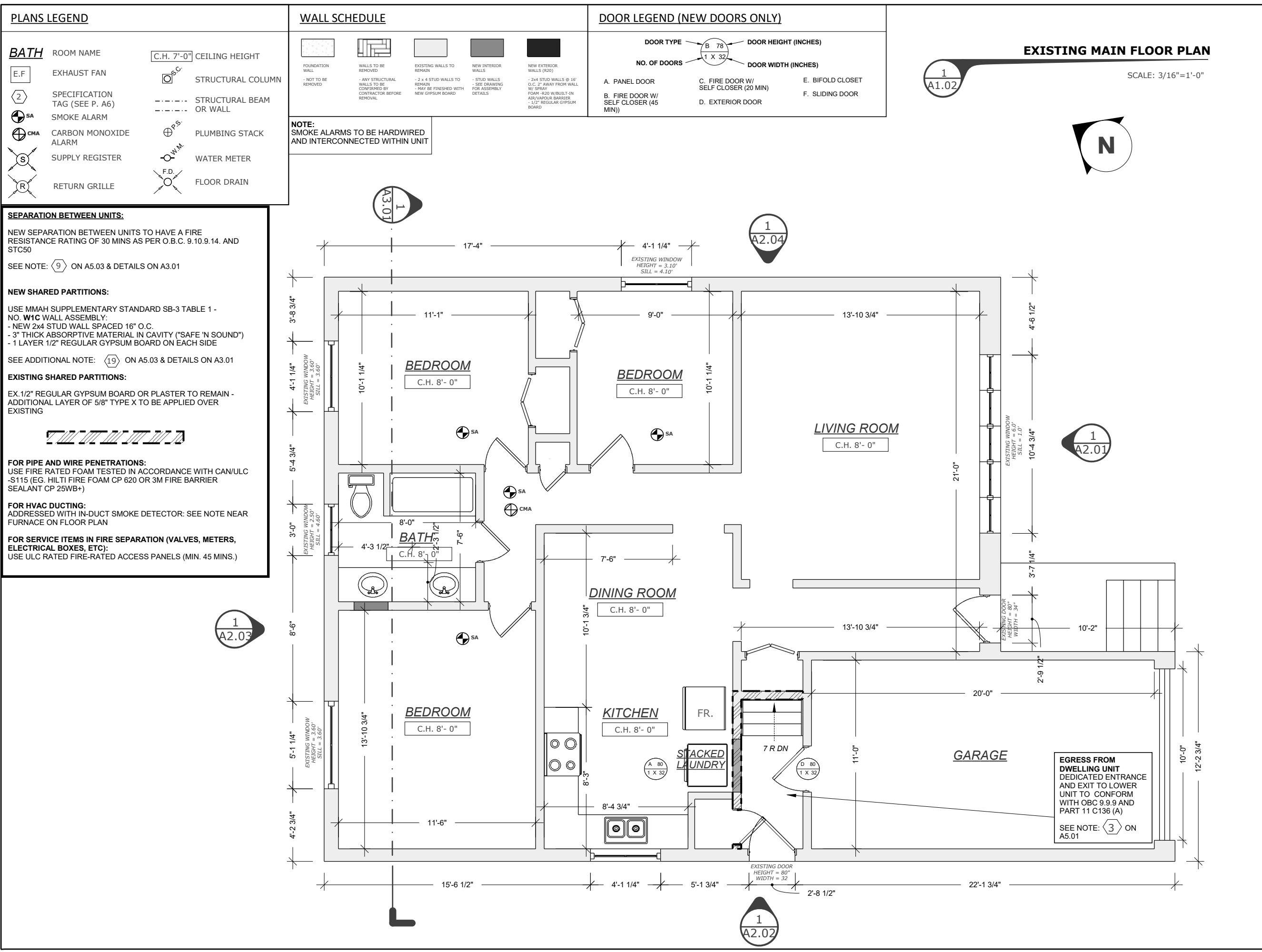
DRAWN BY: ANDY TRAN

ISSUE DATE: MAR 11, 2020
RE-ISSUE DATE:

DESCRIPTION:
 PROPOSED BASEMENT LEVEL
 FLOOR PLAN

SCALE: 3/16" = 1'-0"

DRAWING NO:
A1.03



SUITE ADDITIONS INC.
 3-2375 Brimley Rd, Suite 807
 Toronto, ON, M1S 3L6
 Tel: 416-525-2628
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Andy Tran
 Andy Tran - Signature
 Individual BCIN: 102774
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PROJECT:
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ADDRESS:
 8 COLMAR PLACE, DUNDAS,
 ON, L9H 4K9

CLIENT: KARRIE EELHART-DILAG
 AND KIEV DILAG

DRAWN BY: ANDY TRAN

ISSUE DATE: MAR 11, 2020
RE-ISSUE DATE:

DESCRIPTION:
 PROPOSED MAIN LEVEL
 FLOOR PLAN

SCALE: 3/16" = 1'-0"

DRAWING NO:
A1.04



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: FL/B-20:26

SUBJECT PROPERTY: 13 Timberrun Court, Flamborough

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): Harry Kalantzakos on behalf of the owner Mark Rudolph & Janice Whitelaw

PURPOSE OF APPLICATION: To permit the conveyance of a vacant parcel of land to be added to property known as 15 Timberrun Crt.

Severed lands:

14.4m[±] x 54.0m[±] and an area of 780m^{2±}

Retained lands:

32.5m[±] x 159m[±] and an area of 7620m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 16th , 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

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.

FL/B-20:26
PAGE 2

MORE INFORMATION

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

- Visit 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

DATED: June 30th, 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.

SEVERANCE SKETCH OF 13 TIMBERRUN COURT

IN THE CITY OF HAMILTON

SCALE 1 : 750

METRIC NOTE

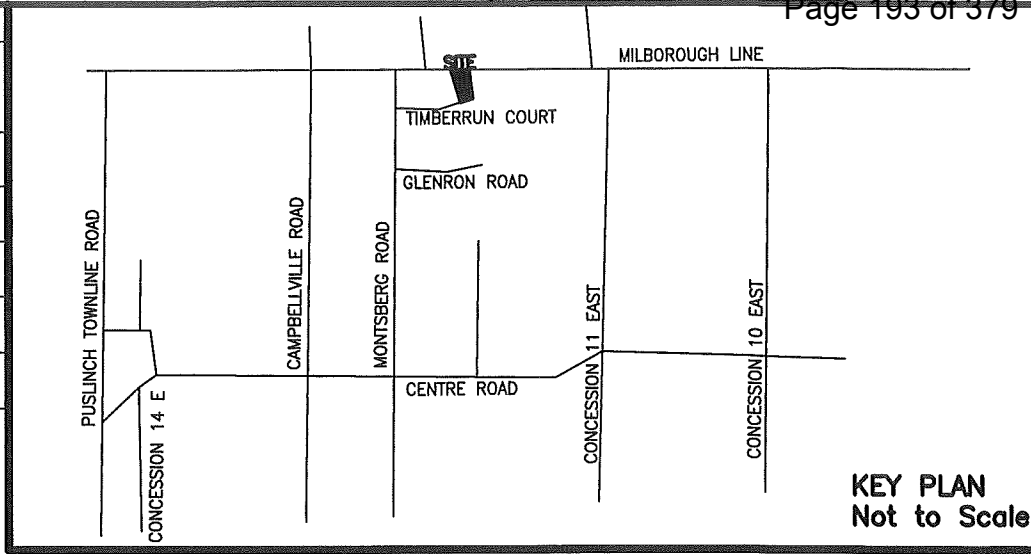
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DRAWING NOTE

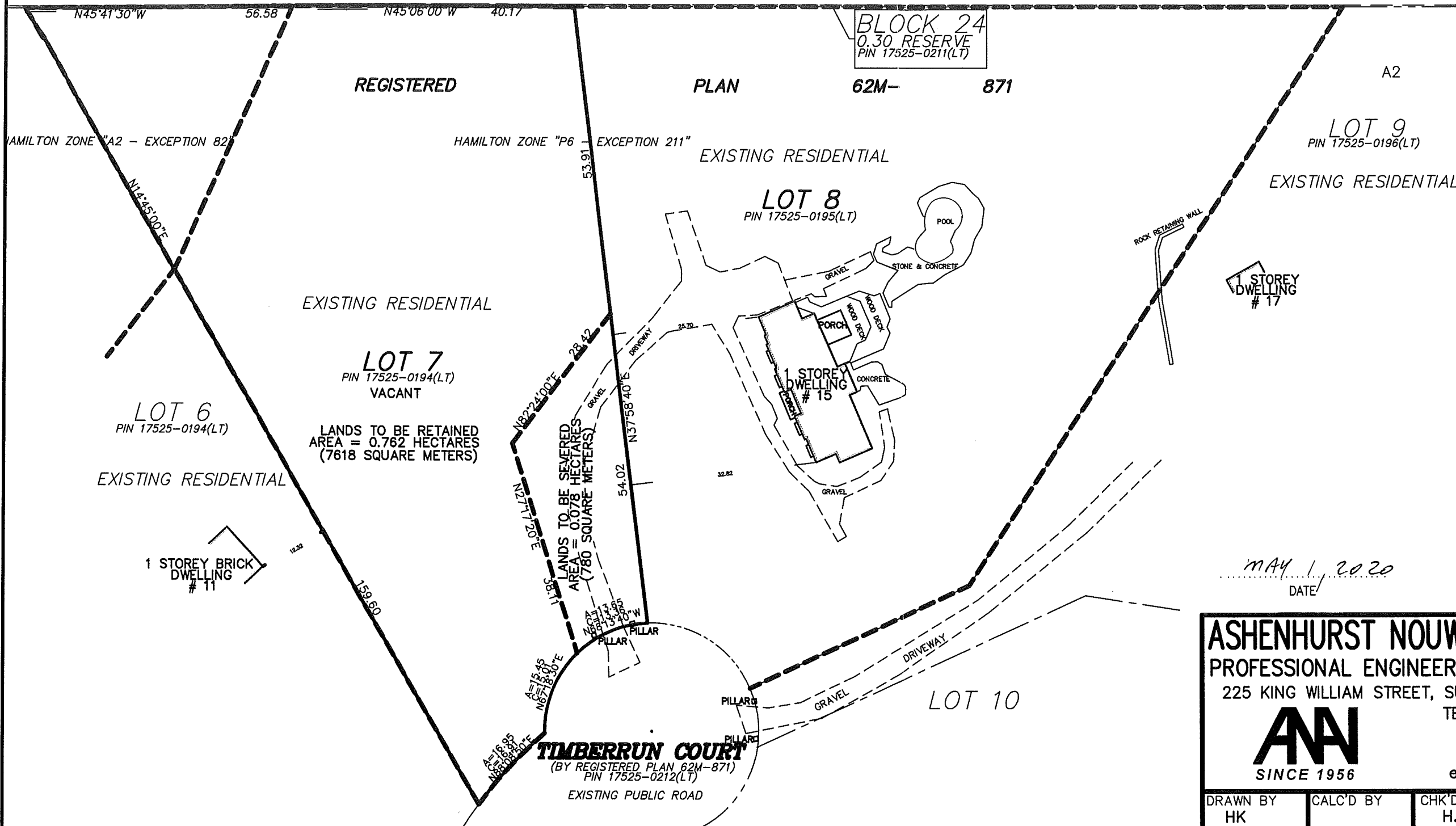
SURVEY INFORMATION TAKEN FROM PLAN OF SURVEY BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOVEMBER 21, 2019

ZONING: "P6 EXCEPTION 211" & "A2 EXCEPTION 82"

SITE STATISTICS	SITE ZONING		RETAINED LANDS	SEVERED LANDS
	A2	P6		
LOT FRONTAGE	N/A	30.0	32.5	14.4
LOT AREA (HECTARES)	5 ha	0.4 ha	0.762	0.078
FRONT YARD SETBACK	15.0	10.0	10.0	10.0
REAR YARD SETBACK	10.0	10.0	10.0	10.0
SIDEYARD	3.0	3.0	3.0	3.0



EXISTING PUBLIC ROAD
MILBROUGH LINE
(ROAD ALLOWANCE BETWEEN TOWNSHIPS OF FLAMBOROUGH NASSAGAWEYA)
PIN 17525-0180(LT)



MAY 1, 2020
DATE: *[Signature]*
HARRY KALANTZAKOS
ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
TELEPHONE: (905) 529-6316
(905) 529-4314
FAX: (905) 529-6651
e-mail: anl@AshenurstNouwens.ca

DRAWN BY HK	CALC'D BY	CHK'D BY H.K.	FILE No. 19136 SKETCH
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FLB:20:26

20.162729



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: May 5 2020	Date Application Deemed Complete:	Submission No.: FL/B-20	File No.: 26
--	-----------------------------------	----------------------------	-----------------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Mark Rudolph & Janice Whitelaw		
Applicant(s)*			
Agent or Solicitor	Harry Kalantzakos		

* 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	Concession	Former Township
Registered Plan N°. 62M-871	Lot(s) Lot 7	Reference Plan N°.	Part(s)
Municipal Address 13 TIMBERRUN COURT - VACANT			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)
- X 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:

LOT 8, PLAN 62M-871 - #15 TIMBERRUN COURT

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**:

Frontage (m)	Depth (m)	Area (m ² or ha)
14.4	54.0 (IRREGULAR)	780 SQ.M.

Existing Use of Property to be severed:

- x Residential
 - Agriculture (includes a farm dwelling)
 - Other (specify) _____
 - Industrial
 - Agricultural-Related
 - Commercial
 - Vacant
-

Proposed Use of Property to be severed:

- x Residential
 - Agriculture (includes a farm dwelling)
 - Other (specify) _____
 - Industrial
 - Agricultural-Related
 - Commercial
 - Vacant
-

Building(s) or Structure(s):

Existing: VACANT LAND – GRAVEL DRIVEWAY LEADING TO #15TIMBERRUN COURT

Proposed: VACANT LAND - SINGLE FAMILY RESIDENTIAL

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- X 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
- X other means (specify) **VACANT LAND**

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be Retained:

Frontage (m) 32.5 (IRREGULAR)	Depth (m) 159 (IRREGULAR)	Area (m ² or ha) 7620 SQ.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:

<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: VACANT _____

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 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 checked="" type="checkbox"/> other means (specify) _____

VACANT LAND _____

Type of sewage disposal proposed: (check appropriate box)

<input type="checkbox"/> publicly owned and operated sanitary sewage system
<input type="checkbox"/> privately owned and operated individual septic system
<input checked="" type="checkbox"/> other means (specify) – VACANT LAND

4.3 Other Services: (check if the service is available)

X electricity x telephone x school bussing x garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): RURAL RESIDENTIAL

Urban Hamilton Official Plan designation (if applicable) _____

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? ZONES A2 & P6

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"/>	100m

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 _____
- 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?
DISCUSSION WITH OWNER _____
- 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 3(1) of the *Planning Act*?
 Yes No
- b) Is this application consistent with the Provincial Policy Statement (PPS)?

X Yes No (Provide explanation)

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

d) Are the subject lands within an area of land designated under any provincial plan or plans?

Yes x No

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes X 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 x 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?

X Yes No

If yes, does this application conform with the Greenbelt Plan?

X Yes No (Provide Explanation)

THIS IS A PROPOSED LOT LINE ADJUSTMENT _____

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 X 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? **18 YEARS**

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.

Neighbouring Property at #15 Timberrun Court

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)**

- Agricultural Rural Specialty Crop
- Mineral Aggregate Resource Extraction Open Space Utilities
- Rural Settlement Area (specify)

Puslinch – Greenbelt Protected Countryside – Map 97 – Natural Heritage System _____
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)

- Agricultural Severance or Lot Addition
 - Agricultural Related Severance or Lot Addition
 - Rural Resource-based Commercial Severance or Lot Addition
 - Rural Institutional Severance or Lot Addition
 - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)

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 14.4 m: (from Section 4.1)	Area 780 m ² : (from in Section 4.1)
-------------------------------------	---

Existing Land Use:residential _____ Proposed Land Use:residential _____

b) Lands to be Retained:

Frontage 32.5 m: (from Section 4.2)	Area 7620 m ² : (from Section 4.2)
-------------------------------------	---

Existing Land Use:residential _____ Proposed Land Use:residential _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street)	(Municipality)	(Postal Code)
----------	----------------	---------------

b) Description abutting farm:

Frontage (m):	Area (m2 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 (m2 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 (m2 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 (m2 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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:77

APPLICANTS: David Wilson on behalf of the owner Skyway Construction Group Inc. c/o Greg Hart

SUBJECT PROPERTY: Municipal address **125 Mount Albion Rd., City of Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 73-152

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To expand the legal non-conforming use of a 6-unit Multiple Dwelling to have an increased gross floor area of 737 square metres notwithstanding that:

1. A loading space with a minimum width of 3.0 metres shall be permitted instead of the 3.7 metres minimum loading space width required.
2. No planting strip shall be provided.
3. A separate ingress and egress driveway shall be provided with a combined width of 5.5 metres instead of the minimum required separate ingress driveway and separate egress driveway, each having a width of at least 3.0 metres and each operated in a one way but opposite direction to each other.
4. The northerly parking area shall be located 1.5 metres from the common boundary between the Multiple Dwelling and the C District instead of the 3.0 metres required between the common boundary between the district in which the multiple dwelling is located and the district that does not permit such uses.
5. The southerly parking area shall be located 0.0 metres from the common boundary between the Multiple Dwelling and the C District instead of the 3.0 metres required between the common boundary between the district in which the multiple dwelling is located and the district that does not permit such uses.
6. Three (3) storeys shall be permitted instead of the maximum two and a half storeys required.

NOTES:

1. Illumination of the parking area shall be provided in accordance with Section 18A.(13); "Illumination is provided for a parking area or loading space the illumination shall be directed towards or on the lot on which the parking area is located and away from, (a) any adjacent use; (b) any highway."

HM/A-20:77

Page 2

2. Two visitors parking spaces are required for the Legal Non-Conforming 6-unit Multiple Dwelling. Visitor parking spaces shall be provided in accordance with Section 18A.(16); "Each required visitor parking space shall, (a) be maintained for the exclusive use of visitors; and (b) have a sign appurtenant thereto legibly marked that the parking space is for the exclusive use of visitors; and (c) be maintained readily accessible to visitors and free and clear of all obstructions."
3. Manoeuvring space shall be provided in accordance with Section 18A.(22); "All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces."
4. The loading space shall be provided in accordance with Section 18A.(32); "Sufficient space additional to required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every loading 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."
5. The loading space shall be provided in accordance with Section 18A.(33); "Every loading space shall be provided and maintained to permit commercial motor vehicles to move readily and without hindrance between the loading space and an access driveway."
6. The parking area provided along the northerly side lot line shall be provided in accordance with Section 18A.(24)(b)(iii)(iv); "Markings on the surface of the parking area delineating the separate parking spaces; and bumpers or wheel barriers to prevent physical encroachment beyond the parking area except at the entrance to and exit from the parking area."

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

DATE: Thursday, July 16th, 2020
TIME: 2:50p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

HM/A-20:77

Page 3

DATED: June 30th, 2020.

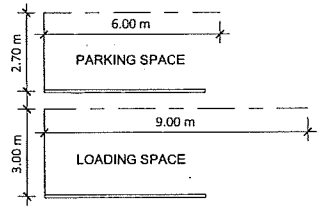
Original Signed

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.

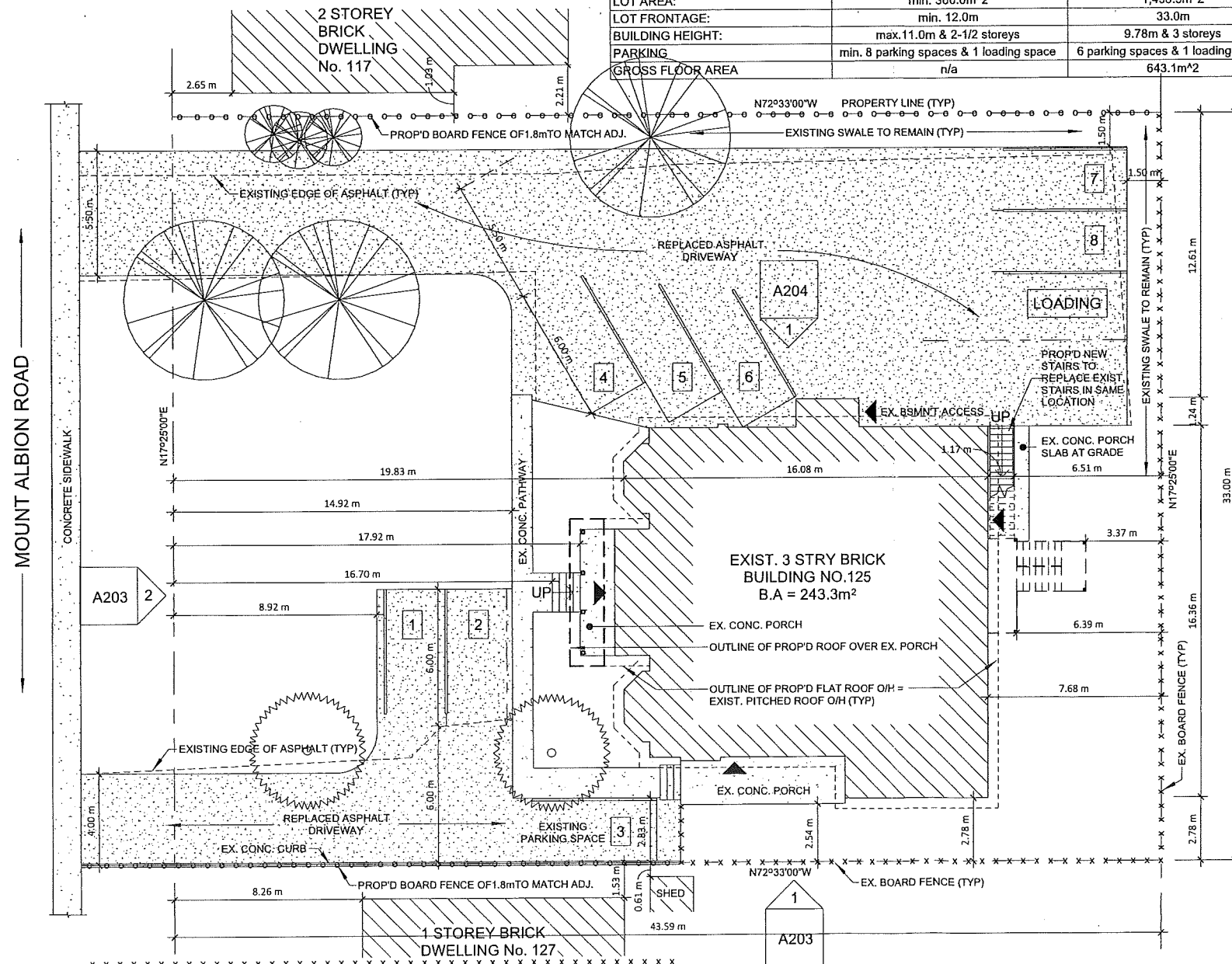
NOTES:

▶ DENOTES EXISTING ENTRANCE



PROJECT ZONING DATA

ADDRESS:	125 Mount Albion Rd., Hamilton, ON, L8K 5S7		
ZONING:	C - URBAN PROTECTED RESIDENTIAL		
RECOGNIZED USE:	6 Unit Multiple Dwelling as per ZV CERT No. 19-108593 00 ZE2		
PROPOSED USE	6 Unit Multiple Dwelling		
ITEM	REQUIRED	EXISTING	PROPOSED
LOT AREA:	min. 360.0m ²	1,438.5m ²	1,438.5m ²
LOT FRONTAGE:	min. 12.0m	33.0m	33.0m
BUILDING HEIGHT:	max.11.0m & 2-1/2 storeys	9.78m & 3 storeys	9.78 & 3 storeys
PARKING	min. 8 parking spaces & 1 loading space	6 parking spaces & 1 loading space	8 parking spaces & 1 loading space
GROSS FLOOR AREA	n/a	643.1m ²	736.72m ²



MOUNT ALBION ROAD

CONCRETE SIDEWALK

SKETCH 1
HM/IA 20:77

A204

EXIST. 3 STRY BRICK BUILDING NO.125
B.A = 243.3m²

SITE SKETCH BASED ON SURVEY BY MATHEW DI COSMO OF BARICH GRENKIE SURVEYING LTD. OCT 22, 2019

BUILT ENVIRONMENT
design + consulting
126 Catharine St. N. :: Hamilton :: L8R 1J4
905.869.6595 info@builtdesign.ca

QUALIFICATION & REGISTRATION INFO
The undersigned has reviewed & takes responsibility for this design & has the qualifications & meets the requirements set out in the current Ontario Building Code to be a designer.

THIS SIGNATURE MUST BE IN RED TO BE VALID
D. Wilson BSc, BA(Hons), BEd, LEED GA
FIRM REGISTRATION: BCIN 46390

Contract documents, drawings and all electronic data are the copyright of the designers & consultants and shall not be used or reproduced without authorization.

	M/V APPL'N	FEB 19, 2020
No.	Description	Date

SKYWAY CONSTRUCTION

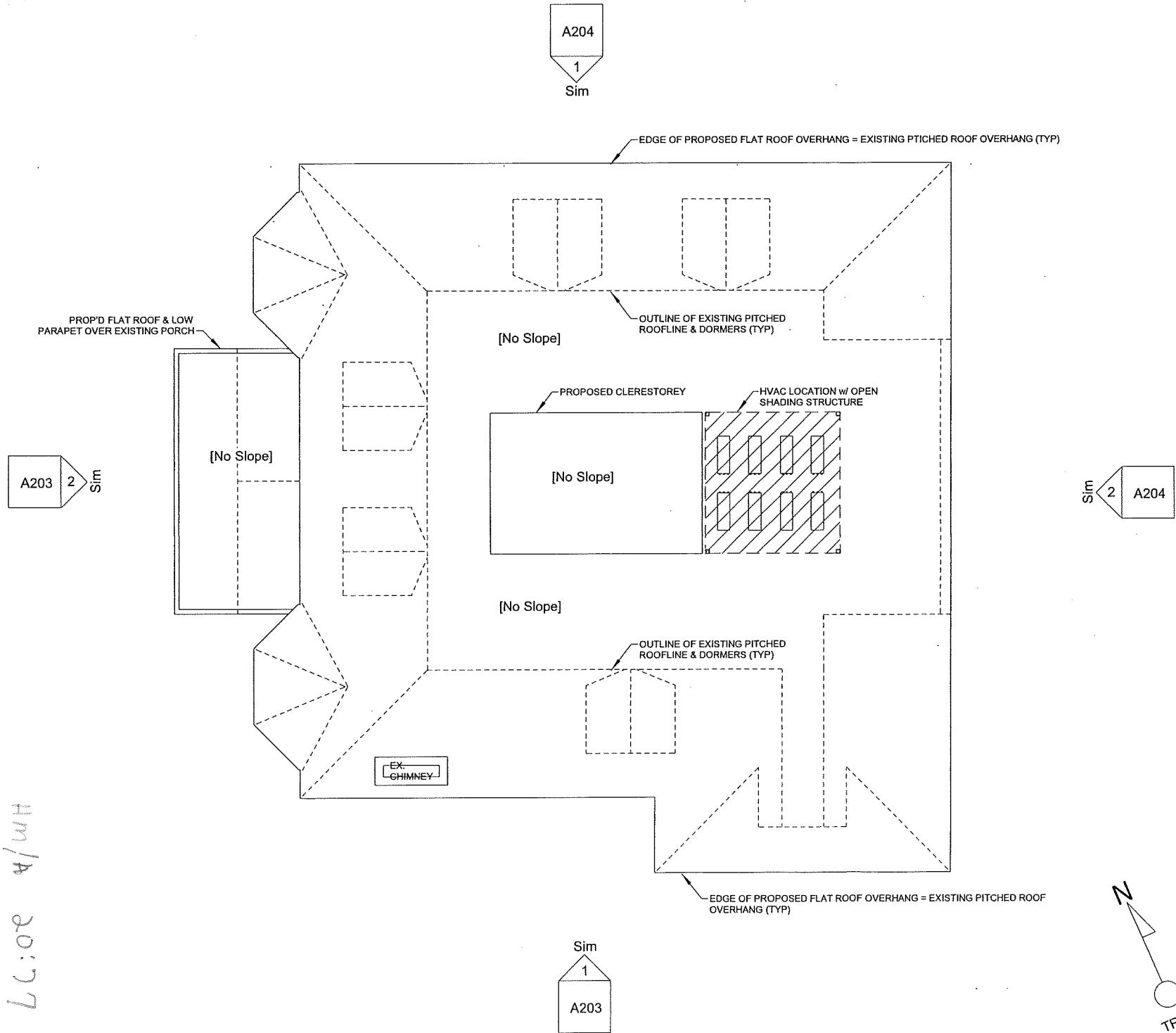
INTERIOR ALTERATIONS
125 MOUNT ALBION RD,
HAMILTON, ON, L8K 5S7

SITE PLAN

Project: _____ ADDRESS _____
Issue Date: _____ May 2019 _____

A010

1 SITE
1:200



Am/A 20:77
SKD/2

BUILT ENVIRONMENT
 design + consulting
 126 Catharine St. N. :: Hamilton :: L8R 1J4
 905.869.6595 info@builtdesign.ca

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No.	Description	Date
	M/V APPL'N	FEB 19, 2020

SKYWAY CONSTRUCTION

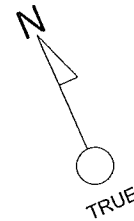
INTERIOR ALTERATIONS

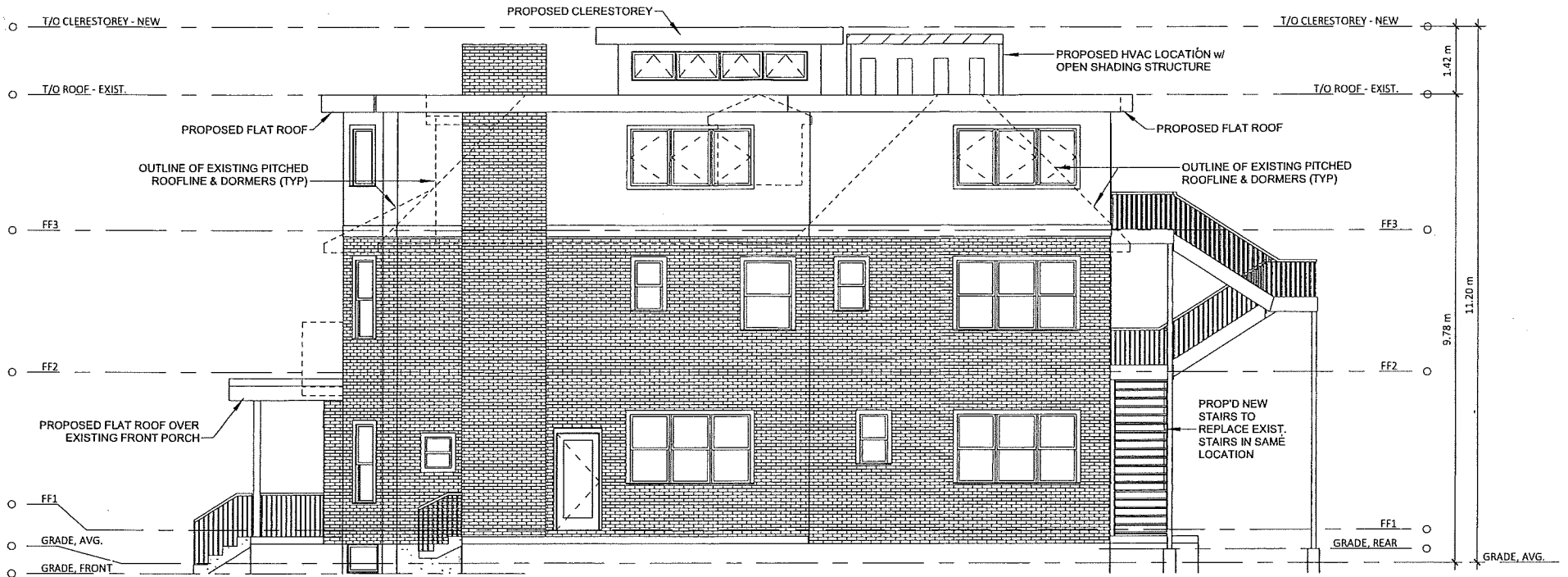
125 MOUNT ALBION RD,
 HAMILTON, ON, L8K 5S7

ROOF PLAN - PROPOSED

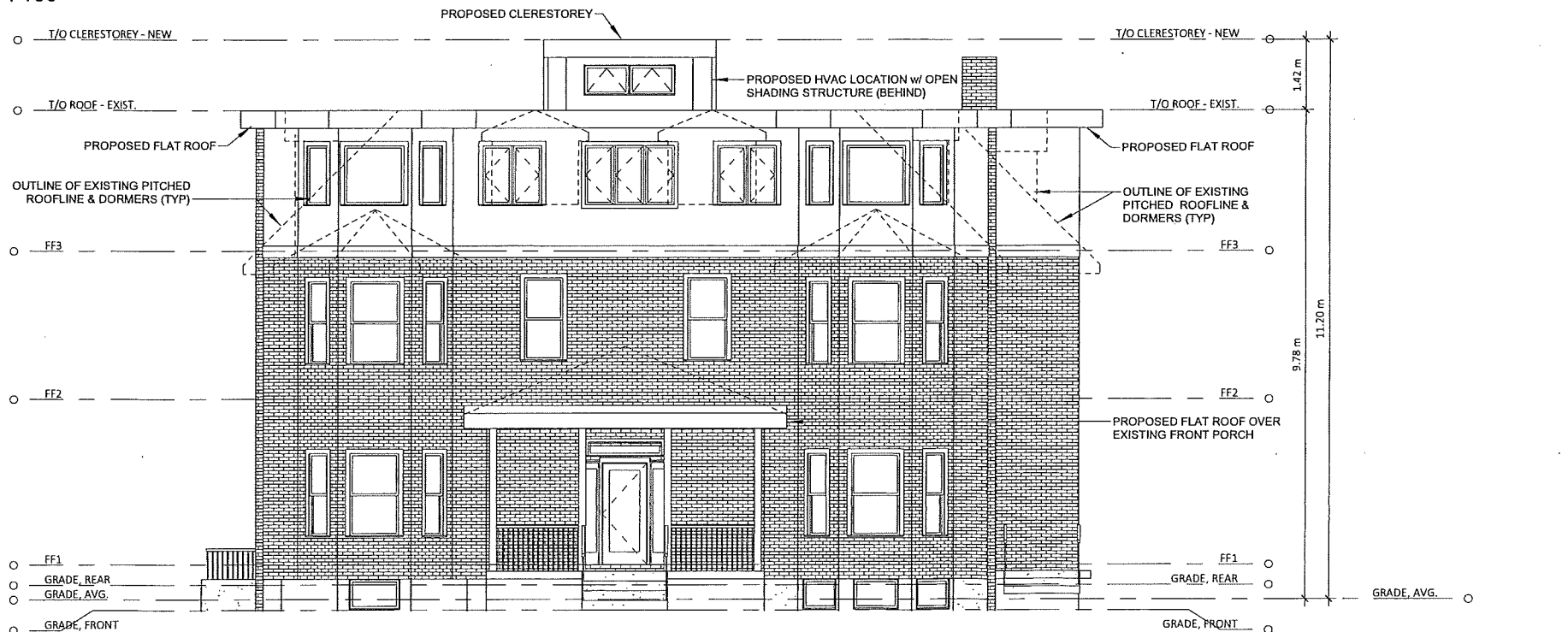
Project: ADDRESS
 Issue Date: May 2019

A115





① SOUTH - PROP'D
1 : 100



② WEST - PROP'D
1 : 100

HM 14 20:27 Sketch 3

BUILT ENVIRONMENT
design + consulting
126 Catharine St. N. :: Hamilton :: L8R 1J4
905.869.6595 info@bulldesign.ca

QUALIFICATION & REGISTRATION INFO
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FIRM REGISTRATION: BCIN 46390

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No.	Description	Date
	MV APPL'N	FEB 19, 2020

SKYWAY CONSTRUCTION

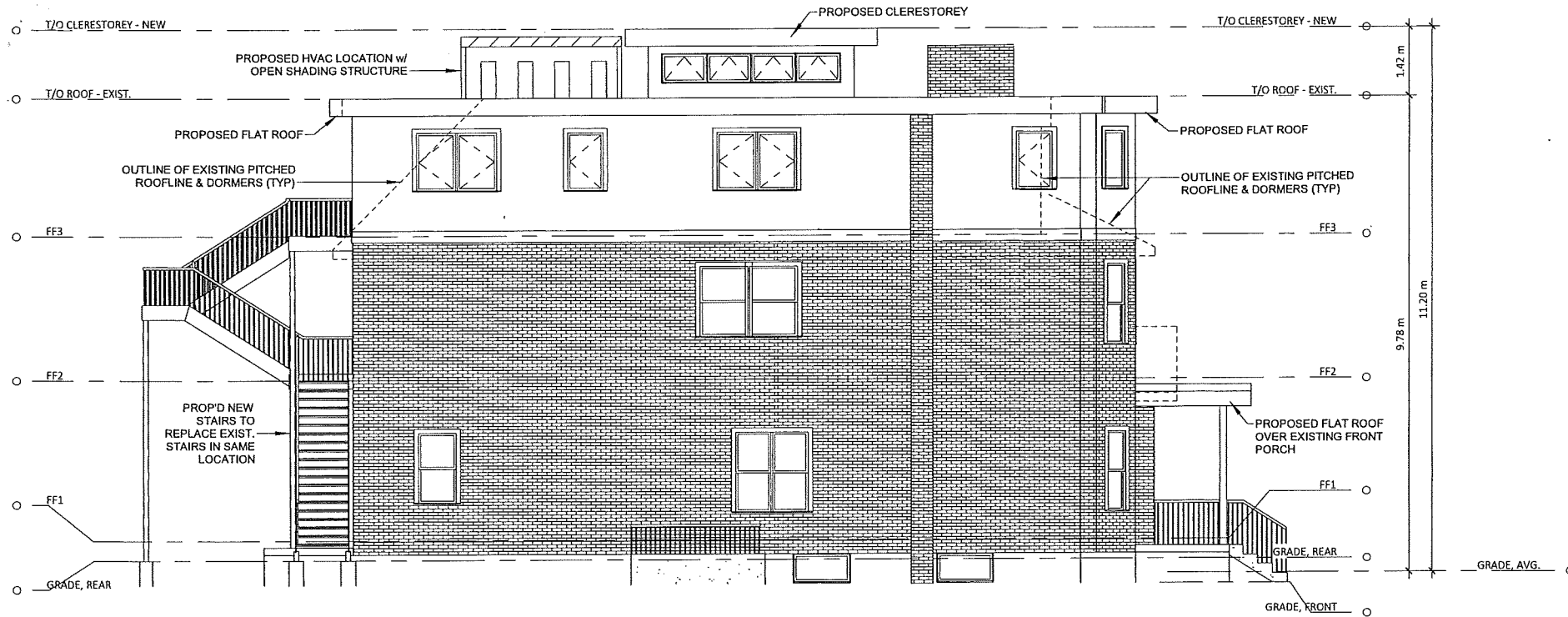
INTERIOR ALTERATIONS

125 MOUNT ALBION RD,
HAMILTON, ON, L8K 5S7

ELEVATIONS - PROPOSED

Project: ADDRESS
Issue Date: May 2019

A203



1 NORTH - PROP'D
1 : 100



2 EAST - PROP'D
1 : 100

Am/1A
sketch 4
20:77

BUILT ENVIRONMENT
design + consulting
126 Catharine St. N. :: Hamilton :: L8R 1J4
905.869.6595 info@builtdesign.ca

QUALIFICATION & REGISTRATION INFO
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D. Wilson BSc, BA(Hons), BEd, LEED GA
FIRM REGISTRATION: **BCIN 46390**

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No.	Description	Date
	M/V APPL'N	FEB 19, 2020

SKYWAY CONSTRUCTION
INTERIOR ALTERATIONS
125 MOUNT ALBION RD,
HAMILTON, ON, L8K 5S7

ELEVATIONS - PROPOSED

Project: ADDRESS
Issue Date: May 2019

A204



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

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

FOR OFFICE USE ONLY.

APPLICATION NO. Hm/A-20-77 DATE APPLICATION RECEIVED Mar. 4/20

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 Skyway Construction Group Inc Telephone No.
 -
 - Name of Agent David Wilson Telephone No.
 -
- 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:
none
Postal Code _____
Postal Code _____

6. Nature and extent of relief applied for:
1. To expand an existing legal non-conforming use;
 2. To permit an existing parking space with a 0.0m planting strip to remain.
-
-
7. Why it is not possible to comply with the provisions of the By-law?
- The existing building is legal, non-conforming and thus it is not possible to comply with the By-Law for any proposed change.
-
-
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: 125 Mount Albion Rd., Hamilton, L8K 5S7
- Subject Legal Description: Part of Lot 31 Concession 4
-
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 original home on the subject land appears to have been constructed circa 1890's. It appears to have been a farm up to severance approx. 1969 to create the surrounding residential neighbourhood.

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.

Mar 3 / 2020
 Date



Signature Property Owner

Greg Hart for Skyway Construction Group Inc
 Print Name of Owner



10. Dimensions of lands affected:

Frontage 33.0m
 Depth 43.59m
 Area 1,438.5m²
 Width of street ~20m+/-

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: 243.3m²
 Gross Floor Area: 643.1m²
 No. of Storeys: 3
 Height: 9.78m grade to roof peak

Proposed: Ground Floor Area: 243.3m²
 Gross Floor Area: 736.72m²
 No. of Storeys: 3
 Height: 9.78m grade to roof peak (+1.42m roof to t/o clerestory, providing light & ventilation, & thus is not incl. in Building Height as per By-Law)

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

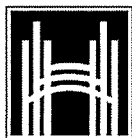
Existing: Please see attached Site Plan

 Proposed: Please see attached Site Plan

13. Date of acquisition of subject lands:
March 2019
14. Date of construction of all buildings and structures on subject lands:
Home: circa 1890's; additions circa 1960's
15. Existing uses of the subject property: recognized 6 unit multiple dwelling as per
ZV Cert No. 19-108593 00 ZE2
16. Existing uses of abutting properties: single family dwellings
17. Length of time the existing uses of the subject property have continued:
Greater than 50 years
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:
UHOP: "Neighbourhoods"
Secondary: n/a
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
n/a C Urban Protected 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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-19:124

SUBJECT PROPERTY: 130 Gibson Avenue, 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): Marina Fensham on behalf of the owners Roger, Denis & Marilyn Gignac

PURPOSE OF APPLICATION: To permit the conveyance of a vacant parcel of land for residential purposes (shown as Part 2 on the attached sketch) and to retain a parcel of land containing an existing dwelling for residential purposes (shown as Part 1 on the attached sketch). The applicant is proposing that each dwelling will be used as two-family dwellings.

Severed lands:

7.4m[±] x 30.48m[±] and an area of 225.29m^{2±}

Retained lands:

6.62m[±] x 30.48m[±] and an area of 201.77m^{2±}

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

DATE: Thursday, July 16th, 2020

TIME: 2:55p.m.

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

To be streamed at 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.

HM/B-19:124
PAGE 2

MORE INFORMATION

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

- Visit 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

DATED: June 30th, 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.

SITE & ZONING STATISTICS PROPOSED SEVERED LOT WITH NEW TWO FAMILY DWELLING

SECTION TEN "D" Districts
Proposed Residential Use:
10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 225.29 Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 7.4m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	6.0m Required / 3.5m Proposed	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed	
Minimum Rear Yard	7.5m Required / 11m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Parking Spot per Unit 2 Spots Required / 2 Spots Provided	

Building Area 77.4m²
Building Gross Floor Area 154.8m²

SITE & ZONING STATISTICS PROPOSED ADDITION TO EXISTING 2 FAMILY DWELLING

SECTION TEN "D" Districts
Proposed Residential Use:
10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

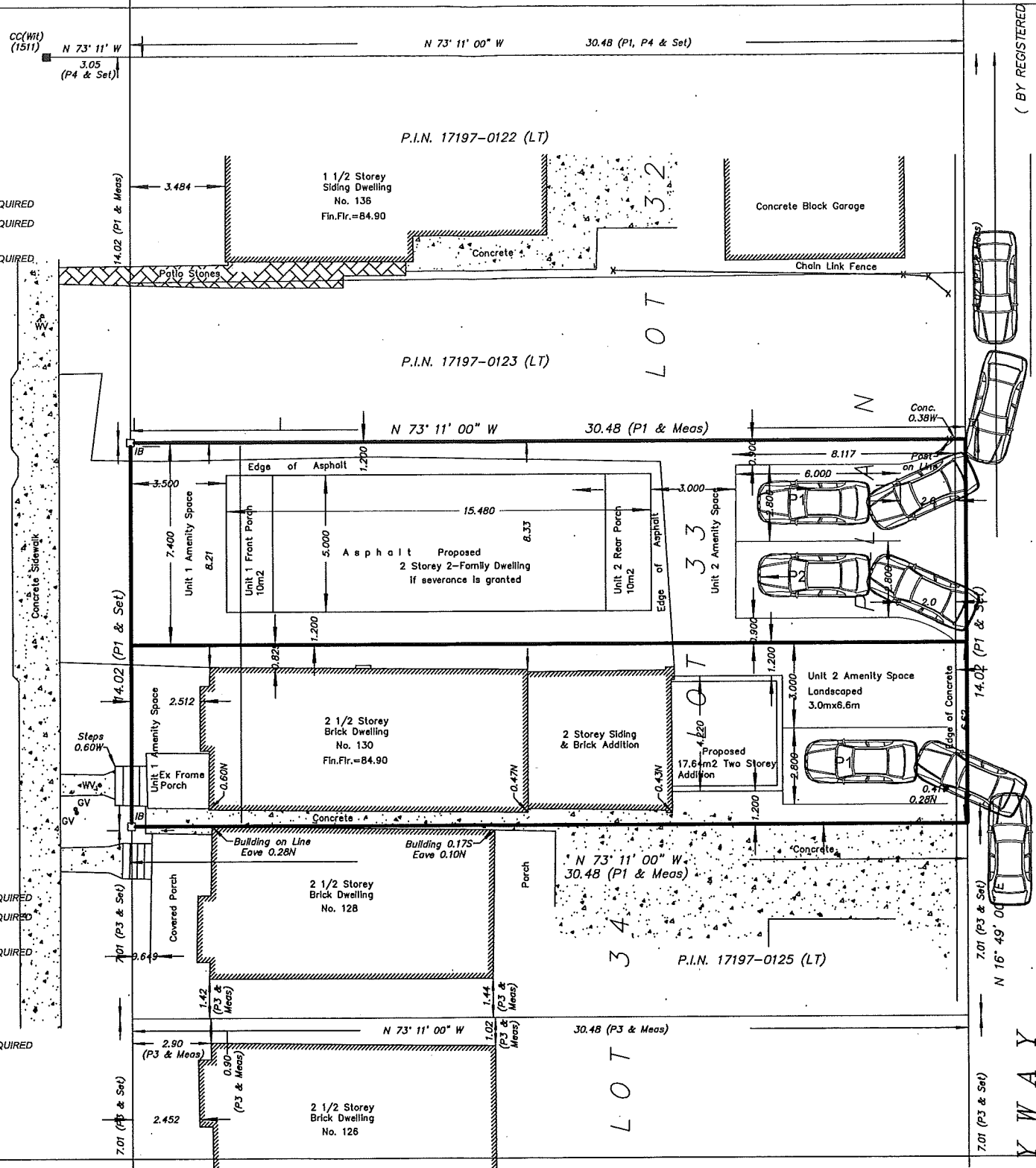
Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 201.77m ² Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 6.62m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	Existing	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed (Addition)	
Minimum Rear Yard	7.5m Required / 6.5m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Rear Yard Parking Spot 2 Required	VARIANCE REQUIRED

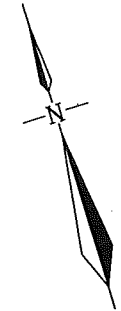
Building Area Existing 87.9m²
Proposed Addition Area 17.64m²
Proposed Building Gross Floor Area 211.08m²

(BY REGISTERED PLAN 169, P.I.N. 17197-0382. (LT))

GIBSON AVENUE



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



PART 1
PLAN OF
LOT 33
REGISTERED PLAN 169
CITY OF HAMILTON

REMARKS	DATE	NO.
REVISIONS		

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

PROJECT

PROPOSED SEVERANCE (Separate Application)
- New 2 Family Dwelling on new North Lot
- Convert #130 to duplex

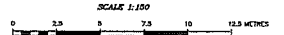
130 Gibson Avenue
Hamilton

SHEET TITLE
SITE PLAN

FOLDER	DRAWN BY
FILE	SCALE
DATE	NUMBER

Am1B 19:12:4
Am1A 19:440
Sketch 2

SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF
 LOT 33
 REGISTERED PLAN 169
 CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.
 ONTARIO LAND SURVEYOR

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

ELEVATION NOTE:
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON CONTROL MONUMENT NO. 0722100044. LOCATION: MONUMENT LOCATED AT THE WEST END OF WOODLAND PARK, 30 m. NORTH OF THE CENTRELINE OF BARTON STREET EAST AND 25 m. EAST OF THE CENTRELINE OF WENTWORTH STREET NORTH. ELEVATION = 51.062 m.

LEGEND AND NOTES:

- # DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SSB DENOTES STANDARD IRON BAR
- SSSB DENOTES SHORT STANDARD IRON BAR
- IS DENOTES IRON SIGN
- OC DENOTES CUT CROSS
- (Ox) DENOTES ORION SIGN
- WT. DENOTES WITNESS
- P1 DENOTES REGISTERED PLAN 169
- P2 DENOTES REGISTERED PLAN 1698
- P3 DENOTES PLAN BY MACKAY & MACKAY (FILE Y-9107)
- P4 DENOTES PLAN BY THIS OFFICE (FILE 23-121)
- (224) DENOTES A.T. MCLAREN O.L.S.
- (213) DENOTES J.M. PETERS O.L.S.
- (151) DENOTES G.V. CONSOUL O.L.S.
- C.V. DENOTES GAS VALVE
- M.V. DENOTES MANHOLE
- W.V. DENOTES WATER VALVE

BEARING COMPARISONS: A ROTATION OF 131.00° COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLAN 169 AND PLAN 62R-16086.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 0722100043 AND 0722100044, UTM ZONE 17, MAGD3 (ORIGINAL).

SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY	
DESCRIPTION OF LAND	REGD. ALL OF LOT 33, REGISTERED PLAN 169, KNOWN AS MUNICIPAL No. 130 GIBSON AVENUE NORTH, 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	A PORTION OF THE STEPS LEADING TO THE FRAME PORCH ARE BEYOND THE WESTERLY BOUNDARY OF THE PROPERTY. NOTE THE LOCATION OF CONCRETE AS IT RELATES TO THE SOUTHERLY AND EASTERLY BOUNDARIES OF THE PROPERTY. A PORTION OF THE EAVES ON THE NORTH SIDE OF DWELLING No. 128 ARE OVERHANGING THE SOUTHERLY BOUNDARY OF THE PROPERTY.
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS	NOT CERTIFIED BY THIS REPORT



THIS REPORT WAS PREPARED FOR ROGER GIGNAC

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JULY 12, 2019.

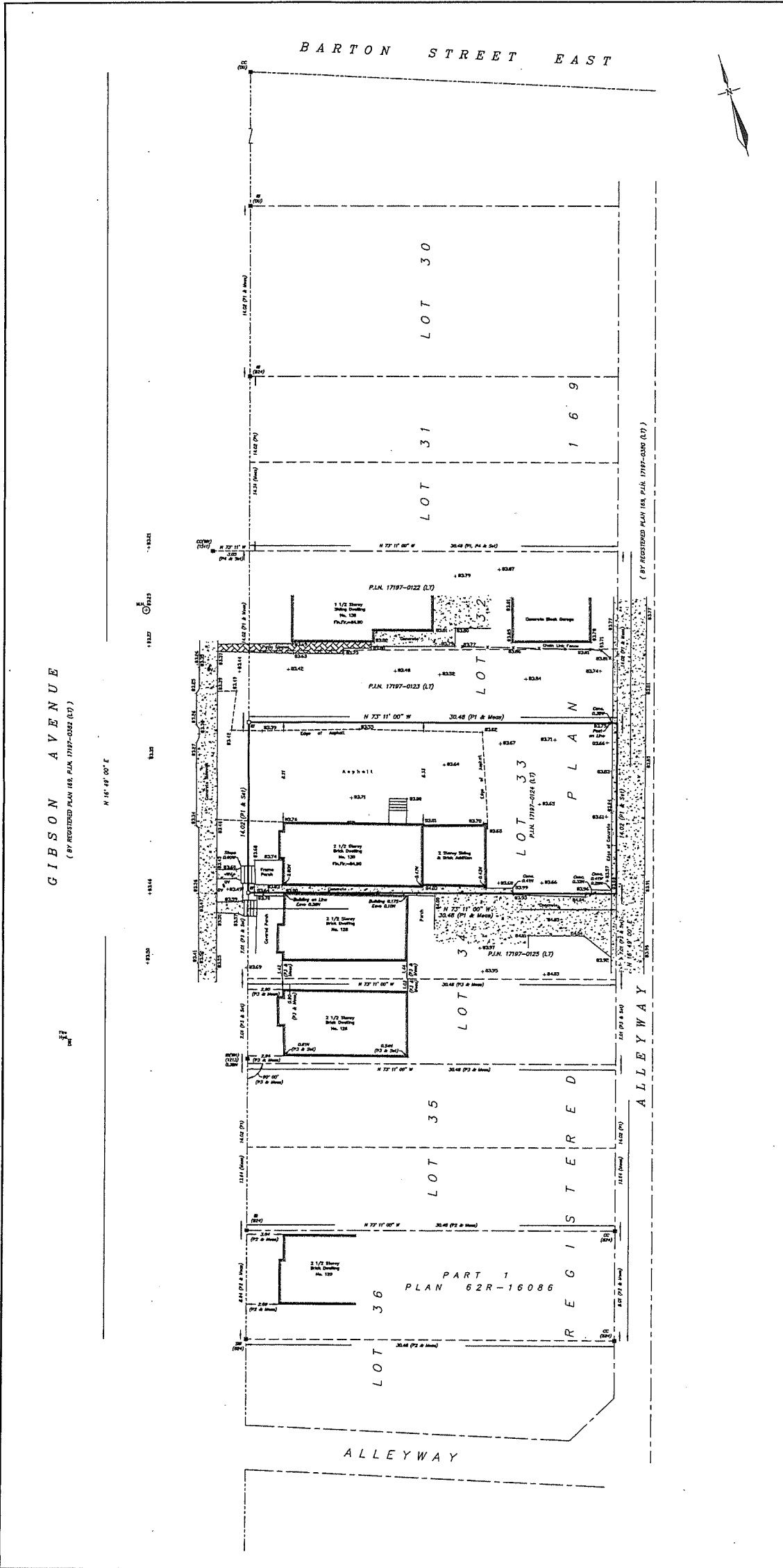
JULY 12, 2019
 DATE

B.A. Jacobs
 B.A. JACOBS
 ONTARIO LAND SURVEYOR



B.A. JACOBS SURVEYING LTD.
 152 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L8N 1J2)
 PHONE 905-521-1123 ba.jacobs@regpro.com

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Am/B 19:124; Am/A 19:440
 sketch 1

19-157493



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>Dec 2 2019</i>	Date Application Deemed Complete:	Submission No.: <i>Hm/B-19-124</i>	File No.:
---	-----------------------------------	---------------------------------------	-----------

1. APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	<i>Roger Gignac Marilyn Gignac Denis Gignac</i>		
Applicant(s)*	<i>Marina Feusham</i>		
Agent or Solicitor			

* 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 <i>City of Hamilton</i>	Lot <i>33</i>	Concession	Former Township
Registered Plan N°. <i>169</i>	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address <i>130 Gibson Ave North</i>			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
(i.e. a lot containing a surplus farm dwelling
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:

Present owners

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) <u>7.4 m</u> <u>4.02 m</u>	Depth (m) <u>30.48 m</u>	Area (m ² or ha) <u>427.37 m²</u> <u>215.29</u>
---	-----------------------------	---

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: SK Residence on southern part Part 1 Vacant.

Proposed: Two-Family Dwelling on each part = 2 Dwellings

Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input checked="" type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input type="checkbox"/> municipal road, maintained all year | <u>Rear Lane</u> |

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) <u>6.62 m</u>	Depth (m) <u>30.48 m</u>	Area (m ² or ha) <u>201.77 m²</u>
-------------------------------	-----------------------------	--

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: SF Dwelling 87.9 m² Area
 Proposed: Two Family Dwelling 87.9 m² + 24.26 m² Addition Area

Type of access: (check appropriate box)

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

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) _____

4.3 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) Section 10 "D" District

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

Section 10 "D" District
10(1) Two Family Dwelling allowed (81-27)

5.2 What is the existing zoning of the subject land? Section 10 "D" District
 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"/>	

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 _____
- 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?
Ownership
- 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

Infill / Intensification

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

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

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. No

Variance. Agent did not show up at meeting

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 ^{owner} applicant owned the subject land?
2012

8.5 Does the ^{owner} applicant own any other land in the City? Yes No
 If YES, describe the lands in "11 - Other Information" or attach a separate page.

736 Upper Paradise Rd Hamilton

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)

- Agricultural Rural Specialty Crop
- Mineral Aggregate Resource Extraction Open Space Utilities
- 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)

- Agricultural Severance or Lot Addition
 - Agricultural Related Severance or Lot Addition
 - Rural Resource-based Commercial Severance or Lot Addition
 - 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) 7.4 m	Area (m ² or ha): (from in Section 4.1) 225.29 m ²
---	---

Existing Land Use: SF Residential Proposed Land Use: Two Family Residential

b) Lands to be Retained:

Frontage (m): (from Section 4.2) 6.62 m	Area (m ² or ha): (from Section 4.2) 201.77 m ²
--	--

Existing Land Use: SF Residential Proposed Land Use: Two Family Residential

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 ² 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 ² 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 ² 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 ² 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.

This is a ~~one~~ double lot intended to be severed. The new lot sized will conform to the existing surrounding residences on Gibson Ave. N. The proposed dwellings will also conform to adjacent setbacks, style and height.

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

SITE & ZONING STATISTICS PROPOSED ADDITION TO EXISTING SF DWELLING AT #130 GIBSON TO CREATE 2 FAMILY DWELLING

Part 1

SECTION TEN "D" Districts

Proposed Residential Use:

10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 201.77m ² Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Frontage	18 m Required / 6.62m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Coverage	N/A	
Minimum Front Yard	Existing	<i>VARIANCE REQUIRED</i>
Minimum Side Yard	1.2m Required / 1.2m Proposed (Addition)	
Minimum Rear Yard	7.5m Required / 5.0m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Rear Yard Parking Spot 2 Required	<i>VARIANCE REQUIRED</i>
Building Area Existing	87.9m ²	
Proposed Addition Area	24.26m ²	
Proposed Building Gross Floor Area	224.32m ²	

SITE & ZONING STATISTICS PROPOSED SEVERED LOT WITH NEW TWO FAMILY DWELLING

Part 2

SECTION TEN "D" Districts

Proposed Residential Use:

10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (81-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 225.29 Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Frontage	18 m Required / 7.4m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Lot Coverage	N/A	
Minimum Front Yard	6.0m Required / 3.5m Proposed	<i>VARIANCE REQUIRED</i>
Minimum Side Yard	1.2m Required / 1.2m Proposed	
Minimum Rear Yard	7.5m Required / 7.5m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Parking Spot per Unit 2 Spots Required / 2 Spots Provided	
Building Area	92.4m ²	
Building Gross Floor Area	277.2m ² (2,988.2 Sq Ft)	



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-19:440

APPLICANTS: Owner: Roger, Marilyn & Denis Gignac
Agent: Marina Fensham

SUBJECT PROPERTY: Municipal address **130 Gibson Ave., Hamilton**

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

ZONING: D district (Urban Protected Residential)

PROPOSAL: To permit the creation of a new lot through Consent application HM/B-19:124 in order to construct a new two-family dwelling on the severed lands (Part 2) as well as to permit a new rear addition to the existing dwelling on the retained lands (Part 1) in order to establish a two (2) family dwelling; notwithstanding that;

Severed Lot (Part 2):

1. A minimum front yard depth of 3.5m shall be permitted instead of the minimum 6.0m front yard depth required.
2. A minimum lot width of 7.4m shall be permitted instead of the minimum 18.0m lot width required.
3. A minimum lot area of 225.0m² shall be permitted instead of the minimum 540.0m² lot area required.

Retained Lot (Part 1):

1. A minimum front yard depth of 2.5m shall be permitted to the existing dwelling instead of the minimum 6.0m front yard depth required.
2. A minimum northerly side yard width of 0.8m shall be permitted instead of the minimum 1.2m side yard width required.
3. A minimum rear yard depth of 6.6m shall be permitted to the new rear addition instead of the minimum 7.5m rear yard depth required.
4. A minimum of one (1) parking space shall be permitted instead of the minimum two (2) parking spaces required.
5. A minimum parking space size length of 6.6m shall be permitted instead of the minimum 6.7m parking space length required for a parallel parking space.
6. A minimum lot area of 201.7m² shall be permitted instead of the minimum 540.0m² lot area required.

HM/A-19:440

Page 2

7. A minimum lot width of 6.6m shall be permitted instead of the minimum 18.0m lot width required.
8. An eave or gutter shall be permitted to encroach into the entire northerly and southerly side yards of the existing dwelling (not including the addition), therefore, may be located as close as 0.0m to side lot line, whereas the zoning By-law permits an eave or gutter to project into a required side yard a maximum ½ of its width or 1.0m whichever is the lesser.

Notes: The variances are necessary to facilitate Consent Application HM/B-19:124.

No elevation plans were provided in order to confirm compliance. Therefore, further variances may be required.

The applicant shall ensure that requested variance #2 for the retained lot has been measured from the proposed side lot line to the closest part of the building. Otherwise, further variances will be required.

The zoning By-law requires a minimum 50.0% of the gross area of the front yard to be provided as landscaping. Insufficient information was provided to confirm compliance; as such, further variances may be required.

The zoning By-law permits an eave or gutter to project into a required side yard a maximum of ½ of its width or 1.0m whichever is the lesser. Insufficient details respecting the eaves/gutter projection was provided for the severed lot from which to confirm compliance; as such, further variances may be required.

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

DATE: Thursday, July 16th, 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 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

HM/A-19:440
Page 3

DATED: June 30th, 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.

SITE & ZONING STATISTICS PROPOSED SEVERED LOT WITH NEW TWO FAMILY DWELLING

SECTION TEN "D" Districts
Proposed Residential Use:
10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (B1-27)

Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 225.29 Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 7.4m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	6.0m Required / 3.5m Proposed	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed	
Minimum Rear Yard	7.5m Required / 11m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Parking Spot per Unit 2 Spots Required / 2 Spots Provided	

Building Area 77.4m²
Building Gross Floor Area 154.8m²

SITE & ZONING STATISTICS PROPOSED ADDITION TO EXISTING 2 FAMILY DWELLING

SECTION TEN "D" Districts
Proposed Residential Use:
10(1) (ii) A Two Family Dwelling, together with the accommodation of lodgers to the number of not more than three (B1-27)

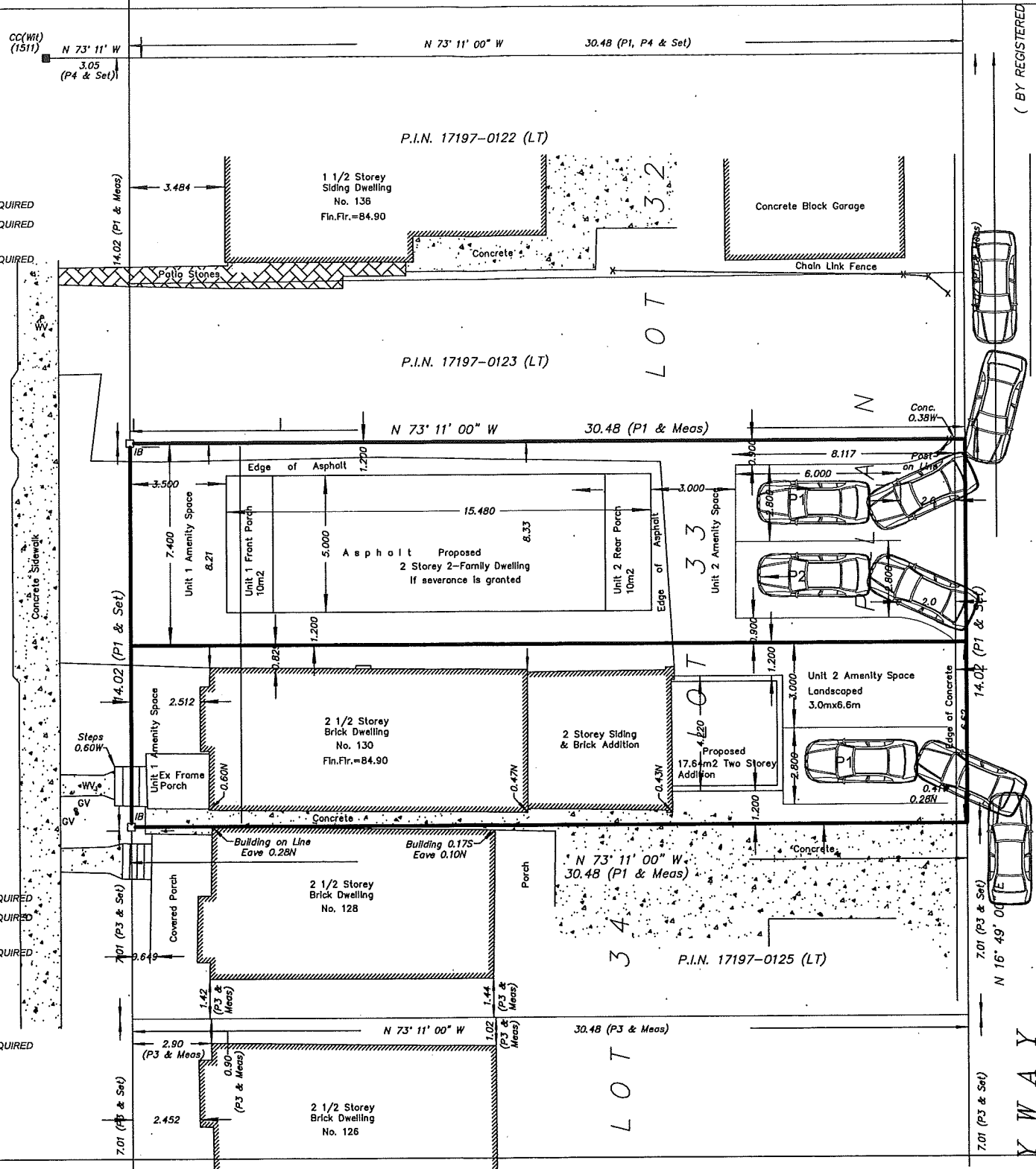
Proposed Height: 2.5 storeys / 11.0m

Minimum Lot Area	540 m ² Required / 201.77m ² Proposed	VARIANCE REQUIRED
Minimum Lot Frontage	18 m Required / 6.62m Proposed	VARIANCE REQUIRED
Minimum Lot Coverage	N/A	
Minimum Front Yard	Existing	VARIANCE REQUIRED
Minimum Side Yard	1.2m Required / 1.2m Proposed (Addition)	
Minimum Rear Yard	7.5m Required / 6.5m Proposed	
Maximum Height	11m Required / 11m Proposed	
Parking Requirements	One Rear Yard Parking Spot 2 Required	VARIANCE REQUIRED

Building Area Existing 87.9m²
Proposed Addition Area 17.64m²
Proposed Building Gross Floor Area 211.08m²

(BY REGISTERED PLAN 169, P.I.N. 17197-0382 (LT))

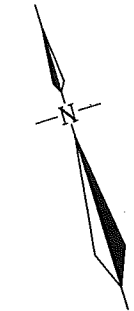
GIBSON AVENUE



(BY REGISTERED PLAN 169)

Y W A Y

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



PART 1
PLAN OF
LOT 33
REGISTERED PLAN 169
CITY OF HAMILTON

REMARKS	DATE	NO.
REVISIONS		

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

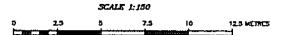
PROJECT
PROPOSED SEVERANCE (Separate Application)
- New 2 Family Dwelling on new North Lot
- Convert #130 to duplex
130 Gibson Avenue
Hamilton

SHEET TITLE
SITE PLAN

FOLDER	DRAWN BY
FILE	SCALE
DATE	NUMBER

Am1B 19:12:4
Am1A 19:440
Sketch 2

SURVEYOR'S REAL PROPERTY REPORT - PART I
 PLAN OF
 LOT 33
 REGISTERED PLAN 169
 CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.
 ONTARIO LAND SURVEYOR

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

ELEVATION NOTE:
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON CONTROL MONUMENT NO. 0722010004. LOCATION: MONUMENT LOCATED AT THE WEST END OF WOODLAND PARK, 80 m. NORTH OF THE CENTRELINE OF BARTON STREET EAST AND 25 m. EAST OF THE CENTRELINE OF KENTWORTH STREET NORTH. ELEVATION = 61.062 m.

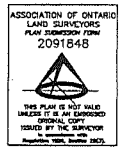
LEGEND AND NOTES:

- # DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- DENOTES STANDARD IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES IRON BAR
- DENOTES CUT CROSS
- DENOTES BRONZ LINGUIN
- WT. DENOTES WITNESS
- P1 DENOTES REGISTERED PLAN 169
- P2 DENOTES PLAN BY MADKAY & MADKAY (P.L.C. T-8107)
- P3 DENOTES PLAN BY THE OFFICE (FILE 93-121)
- P4 DENOTES A.T. McLAREN O.L.S.
- (224) DENOTES J.D. PETERS O.L.S.
- (1211) DENOTES G.V. CONSOULI O.L.S.
- (1511) DENOTES G.V. CONSOULI O.L.S.
- C.V. DENOTES GAS VALVE
- M.V. DENOTES MANHOLE
- W.V. DENOTES WATER VALVE

FOR BEARING COMPARISONS A ROTATION OF 111.00° COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLAN 169 AND PLAN 62R-16088.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 07220100043 AND 07220100044, UTM ZONE 17, MAG3 (ORIGINAL).

SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY	
DESCRIPTION OF LAND	BEING ALL OF LOT 33, REGISTERED PLAN 169, KNOWN AS MUNICIPAL No. 130 GIBSON AVENUE NORTH, 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	A PORTION OF THE STEPS LEADING TO THE FRAME PORCH ARE BEYOND THE WESTERLY BOUNDARY OF THE PROPERTY. NOTE: THE LOCATION OF CONCRETE AS IT RELATES TO THE SOUTHERLY AND EASTERLY BOUNDARIES OF THE PROPERTY. A PORTION OF THE EAVES ON THE NORTH SIDE OF DWELLING No. 128 ARE OVERHANGING THE SOUTHERLY BOUNDARY OF THE PROPERTY.
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS	NOT CERTIFIED BY THIS REPORT



THIS REPORT WAS PREPARED FOR ROGER GEDNAC

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JULY 12, 2012.

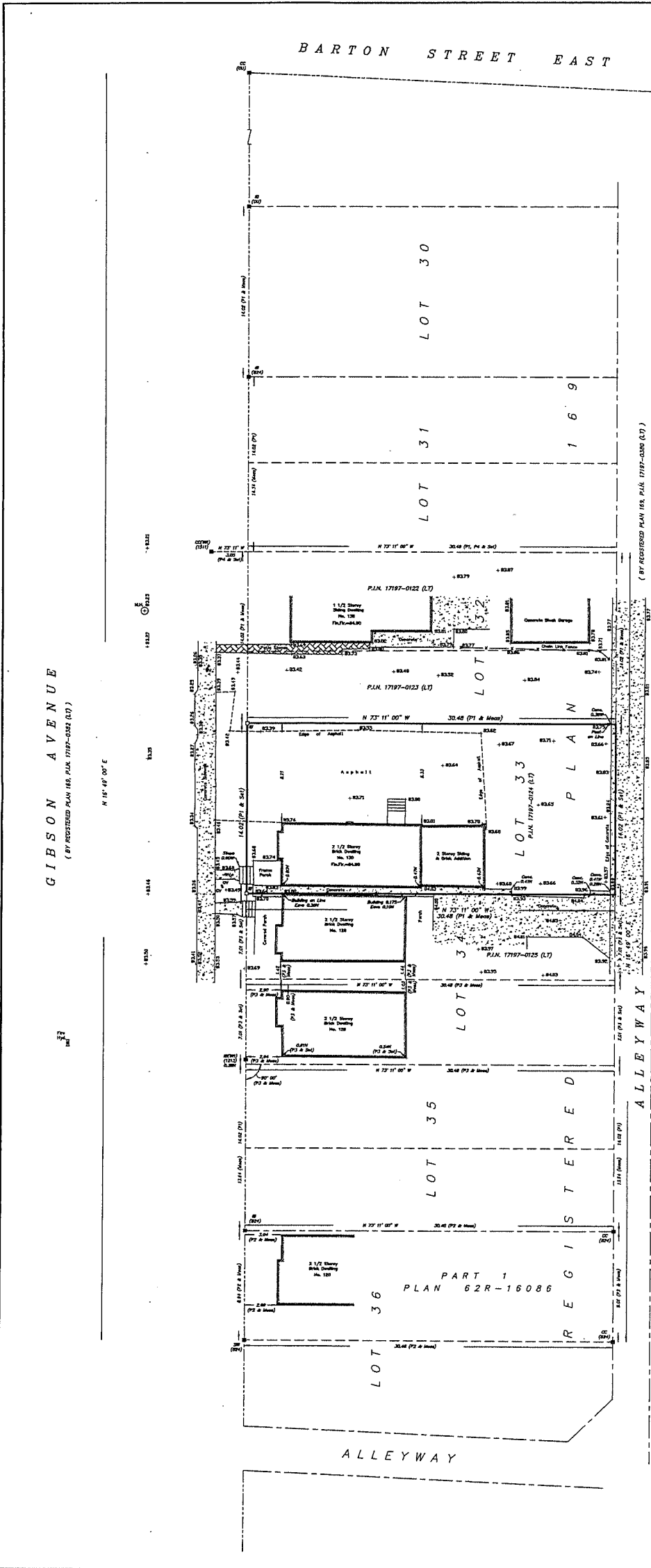
JULY 12, 2012
 DATE

B.A. Jacobs
 B.A. JACOBS
 ONTARIO LAND SURVEYOR



B.A. JACOBS SURVEYING LTD.
 162 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L7N 1L2)
 PHONE 905-521-1525 bjacobs@rogers.com

© - copyright 2012 162P



Am/B 19:124; Am/A 19:440
 sketch 1



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

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

130 Gibson Ave. N.

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A-19-440</u>	DATE APPLICATION RECEIVED <u>Dec-2/19</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 Marilyn Gignac / Oenis Gignac Telephone No. Roder Gignac
- [Redacted]
- Name of Agent Marina Fensham Telep [Redacted]
- [Redacted]

Postal Code L9G 1L8

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:

See attached.

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

The proposed lot sizes and dwellings will conform to the adjacent lots and residences. All residences are deficient in frontage. Setbacks conform to adjacent dwellings.

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

Lot 33 / Reg Plan 169.

Application to sewer under-way

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 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?

Owners and neighbours

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 2, 2019
Date



Signature Property Owner

Roger Gagnac
Print Name of Owner

10. Dimensions of lands affected: See Attached
Frontage _____
Depth _____
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.) See Attached
Existing: _____

Proposed: _____

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

Proposed: _____

13. Date of acquisition of subject lands:
2012
14. Date of construction of all buildings and structures on subject lands:
Approx 100 years
15. Existing uses of the subject property:
Single Family
16. Existing uses of abutting properties: SF Residential
17. Length of time the existing uses of the subject property have continued:

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:
Section 10 "D" District
(10)(i) ii
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.
Variance. Agent did not show up for
meeting
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,



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:79

APPLICANTS: Geoffrey Orton, owner

SUBJECT PROPERTY: Municipal address **9 Roanoke Rd., City of Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-laws 96-125 and 19-307

ZONING: "C/S1364 and C/S-19-307" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction of a one-storey addition at the rear of the existing single family dwelling, notwithstanding,

1. A floor area ratio of 0.62 shall be applied allowing a maximum gross floor area of 200.6 square metres instead of applying the maximum permitted floor area ratio of 0.45 metres allowing a maximum gross floor area of 145.6 square metres.

NOTES:

1. A lot area of 323.7 square metres obtained from GISNet has been applied to determine the maximum permitted gross floor area.
2. It is unclear if the gross floor area deductions permitted by By-law 96-125 have been applied to determine the maximum proposed gross floor area.
3. The applicant shall ensure the area of the enclosed porch at the front of the dwelling has been included in the total proposed gross floor area.
4. A further variance will be required if a ceiling height in excess of 4.6 metres is provided for any portion of the dwelling.
5. A further variance will be required if the eave and gutter on the proposed addition encroach greater than 0.4 metres into the required easterly side yard.
6. Details regarding the number of habitable rooms proposed for the dwelling have not been provided to determine zoning compliance regarding Parking. A further variance(s) will be required if greater than eight (8) habitable rooms are proposed to be provided.

HM/A-20:79
Page 2

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

DATE: Thursday, July 16th, 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 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.

①

LOT 3500 sq ft

325 m²

x 0.45

= 146.32 m²

MAX GROSS

FLOOR AREA.

TOTAL GROSS

WIDTH

ADDITION

= 202 m²

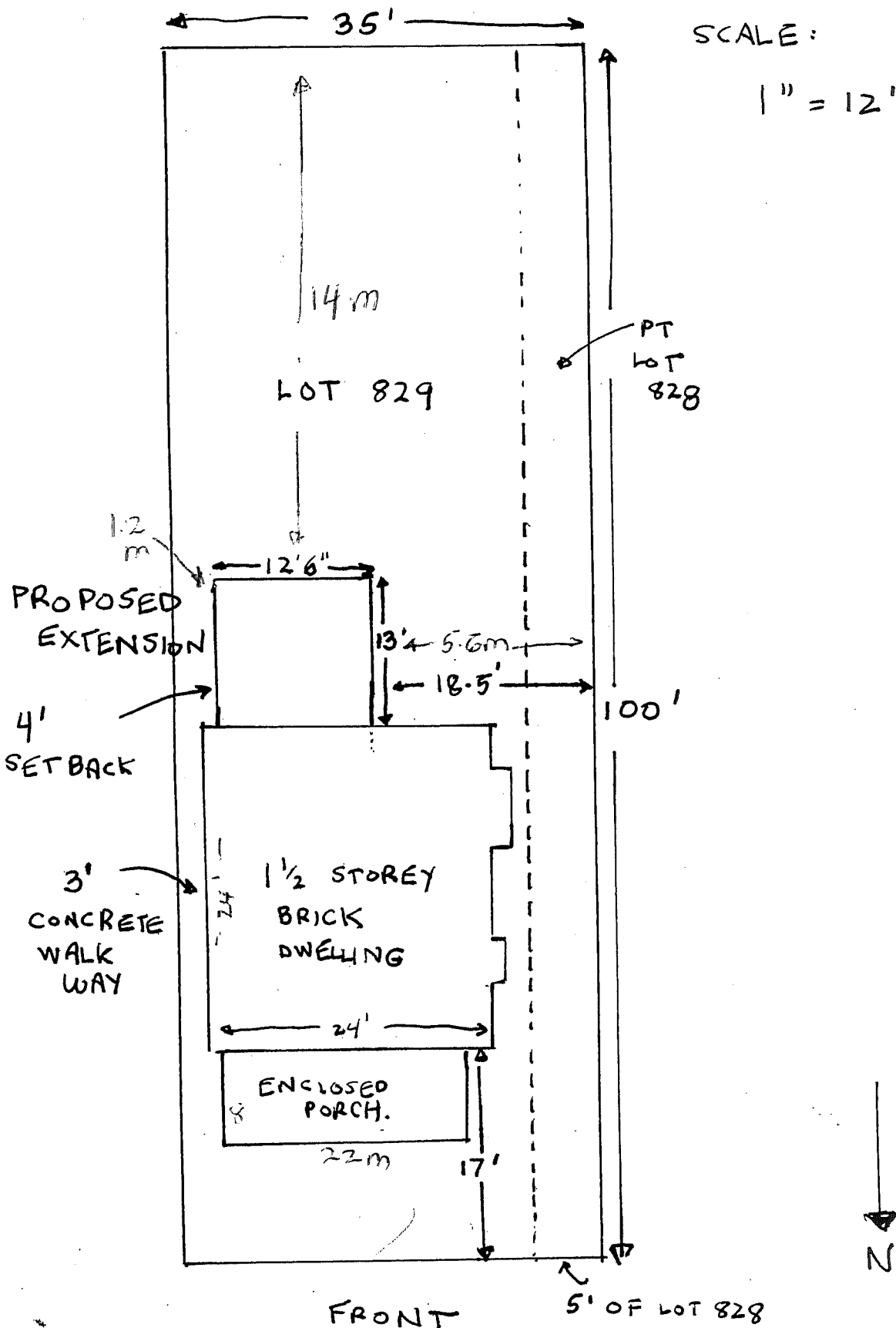
SITE PLAN

9 ROANOKE RD.

PLAN 634. LOT 829, PT. LOT 828

SCALE:

1" = 12'



Hm/A 20179
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

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

FOR OFFICE USE ONLY.

APPLICATION NO. Hm/A-20:79 DATE APPLICATION RECEIVED Mar 5/20

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

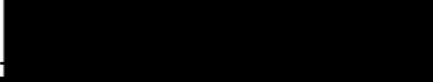

SECRETARY'S SIGNATURE _____

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 GEOFF ORTON 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:
TANDIA CREDIT UNION 900 UPPER WENTWORTH
HAMILTON Postal Code L9A 5E9
CIBC WESTDALE 1015 KING ST W
HAMILTON Postal Code L8S 1L3

6. Nature and extent of relief applied for:

INCREASE GROSS AREA BY 15m² (5%),
FROM 57 TO 62% LOT AREA.

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

WHEN BYLAW WAS CREATED ALL
HOUSES IN WESTDALE AS
BUILT IN 20'S EXCEEDED THE 45% RULE.

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

LOT 829 PART OF LOT 828
PLAN 634
9 Roanoke Road

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?

ALWAYS 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.

Mar. 2, 2020
Date

[Redacted Signature]

Signature Property Owner

GEOFF ORTON
Print Name of Owner

10. Dimensions of lands affected:

Frontage 35
Depth 100
Area 3500
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: HOUSE GROUND FLOOR (54m²), GROSS FLOOR AREA (185m²) ~~2 1/2~~ 1 3/4 STORY, 24W, 37L.

SHED: 25m²

Proposed: 15m² ONE STORY FAMILY ROOM

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: 1m / 2.4m
FRONT 2.5m
REAR 18m

Proposed: SIDE: 1.2m / 5.6m
REAR: 14m

13. Date of acquisition of subject lands:
1993

14. Date of construction of all buildings and structures on subject lands:
HOUSE: 1929 : ENCLOSE PORCH 2005

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:
91 YEARS

18. Municipal services available: (check the appropriate space or spaces)
 Water X Connected X
 Sanitary Sewer X Connected X
 Storm Sewers _____

19. Present Official Plan/Secondary Plan provisions applying to the land:
RESIDENTIAL - Low Density Residential 2

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
6593, SECTION 45
C/S-1364 C/S-1788

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No

If the answer is yes, describe briefly.
TO ENCLOSE / FRONT REBUILD FRONT
PORCH . APP: HM/A-05-294

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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:81

APPLICANTS: Owner: Catharine Yantsis
 Agent: N-Cubed Services Inc. c/o D. Nguyen

SUBJECT PROPERTY: Municipal address **27 Paisley Ave. N., Hamilton**

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

ZONING: C/S-1361 & C/S-1788 district

PROPOSAL: To permit the construction of a new one storey, 4.5m x 5.3m rear addition and a new 2.1m x 2.3m one storey addition in the front yard of the existing single family dwelling notwithstanding that:

1. A front yard depth of 4.6m shall be provided instead of the minimum required 6.0m front yard depth.
2. A easterly side yard width of 0.0m shall be provided instead of the minimum required 1.2m side yard width.
3. A maximum floor area ratio of 0.80 shall be permitted instead of the maximum 0.45 floor area ratio permitted.
4. No on-site manoeuvring shall be provided for the required parking spaces instead of the requirement that a 6.0m manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.
5. A parking space size of 2.5m x 4.5m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.

NOTES:

- i. The number of required parking spaces for a single family dwelling is calculated at a rate of two (2) parking spaces for the first eight (8) habitable rooms plus an additional 0.5 spaces for each additional habitable room. Based on the drawings provided, a total of 8 habitable rooms are shown, as such a minimum of 2 parking spaces are required to be provided. Please note that additional parking spaces will be required for any future interior alterations or additions which create additional habitable rooms.
- ii. A boulevard parking agreement is required for the parking spaces located on the road allowance.

HM/A-20:81
Page 2

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

DATE: Thursday, July 16th, 2020
TIME: 3:10p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

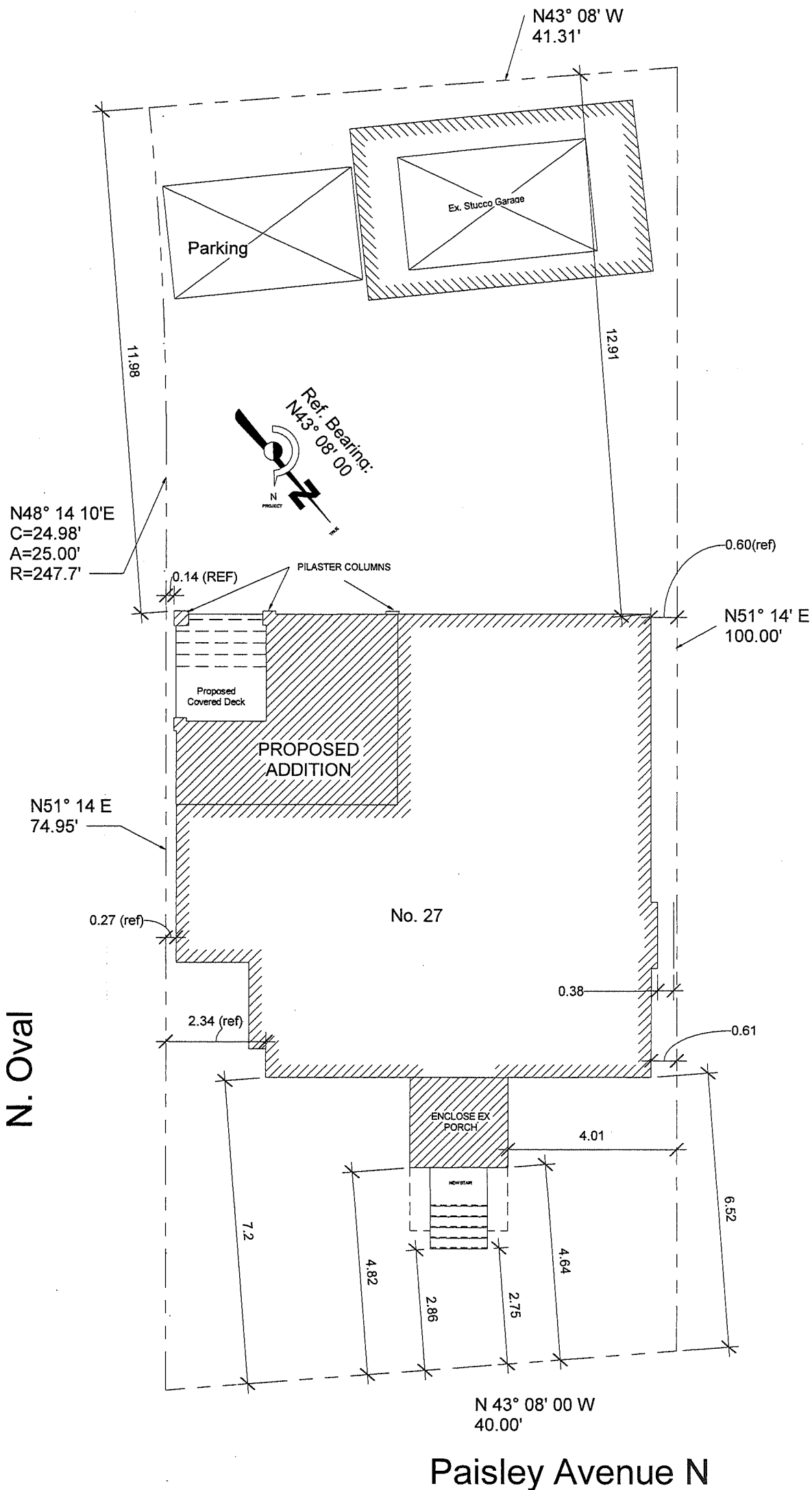
DATED: June 30th, 2020.

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.

Drawings here are approved and meet the minimum requirements of the Ontario Building Code



N. Oval

No. 27

Paisley Avenue N

1 Site Plan
1/8" = 1'-0"

N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 King W Hamilton ON
ncubeddesigns.com
905-865-5355
N-Cubed Designs is a division of N-Cubed Services Inc.

V0.1

Scale 1/8" = 1'-0"

27 Paisley
ENTER ADDRESS HERE
SITE

No.	Description	Date
1	Issure for Variance	2020/01/06

HM/A-20:81



Drawings have not been approved and meet the minimum requirements of the Ontario Building Code

① 3D View 1

27 Paisley Ave. N, Zoning By-Law 6593 "C" S-1361						
Ref Bearing: N43° 08' 00 W						
Building Information		Area				
		Existing		Proposed		
		SF	SM	SF	SM	
Lot Area		4000.00	371.61	NC	NC	
Gross Floor Area	Basement	955.00	88.72	955.00	88.72	
	Ground	982.00	91.23	1278.00	118.73	
	Second Floor	938.00	87.14	938.00	87.14	
	GFA Subtotal	2875.00	267.10	3171.00	294.60	
Proposed Deck		NA	NA	29.00	2.69	
Proposed Porch		NA	NA	12.00	1.11	
NOTE: GFA MEASURED TO THE EXTERIOR FACE OF EXTERIOR WALLS						
Building		Allowed		Existing		Proposed
Storeys		2		1.5		1.5
GFA Ratio		Allowed		Existing		Proposed
GFA		45.00%		71.88%		79.28%
Distances		Allowed		Existing		Proposed
		(ft)	(m)	(ft)	(m)	(ft) (m)
Building Height		29.53	9.00	25.49	7.77	25.49 7.77
Lot Width		NA	NA	40.03	12.2	40.03 12.2
S-Rear Yard Setback		24.61	7.50	41.04	12.51	39.30 11.98
N-Front Yard Setback		19.68	6.00	21.39	6.52	9.02 2.75
E-Side Yard Setback (RQ'd: 10% lot Width)		4.00	1.22	1.97	0.6	1.97 0.6
W-Side Yard Setback (RQ'd: 10% Lot Width)		4.00	1.22	0.89	0.27	0.46 0.14
N-FY Projection of Unenclosed Porch		9.84	3	9.84	3	10.66 3.25
Parking		Required		Existing		Proposed
Habitable Rooms		N/A		7		7
Spaces		2		2 Ex to remain		Ex to remain

N-CUBED
 ARCHITECTURE + ENGINEERING + CONSTRUCTION
 897 King W Hamilton ON
 ncubeddesigns.com
 905-865-5355
N-Cubed Designs is a member of NCAcademy Inc.

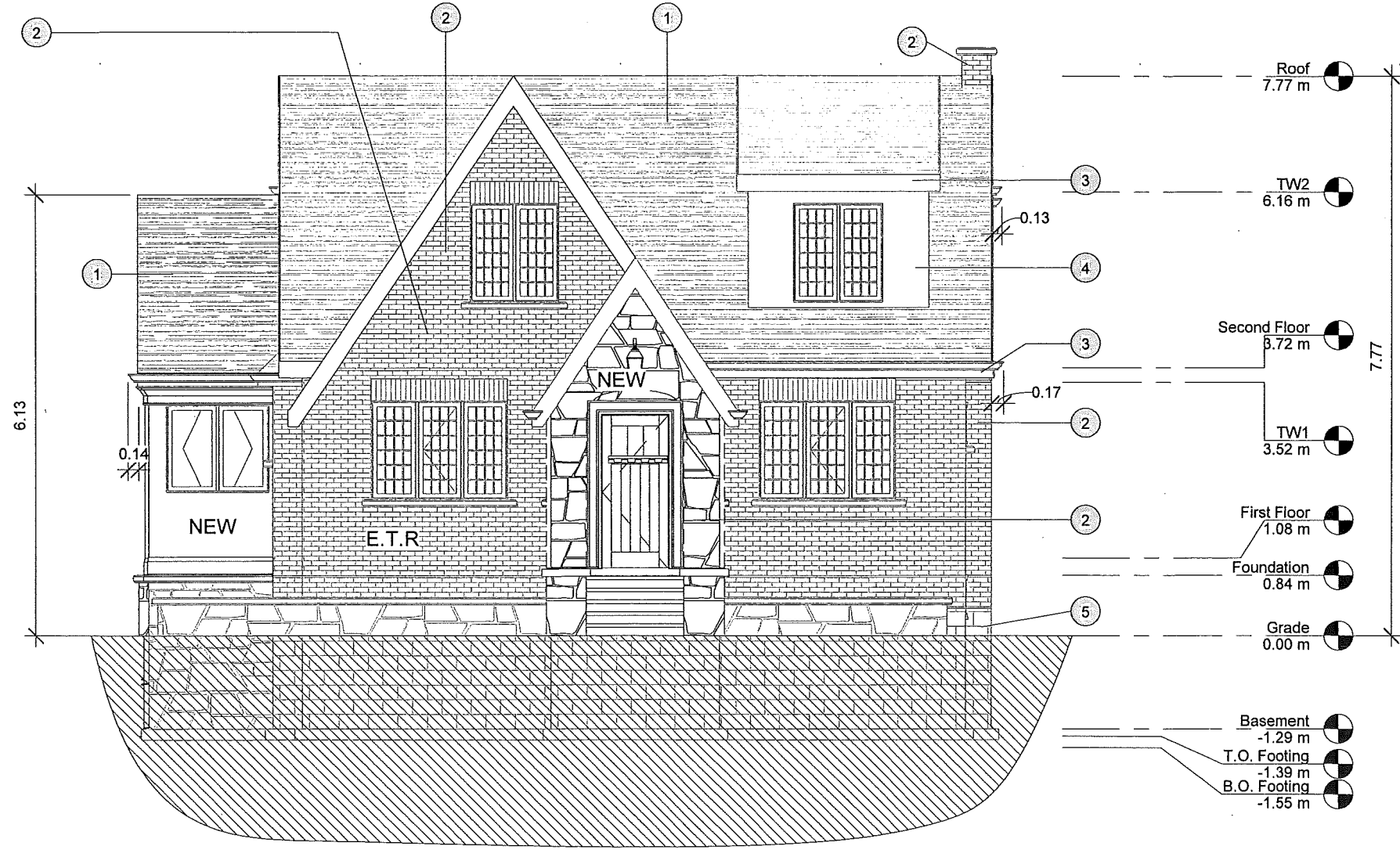
V0.2

Scale

27 Paisley
 ENTER ADDRESS HERE
SITE STATS

No.	Description	Date
1	Issure for Variance	2020/01/06

HM 1A-20:81



- 1. Asphalt SHingle
- 2. Brick
- 3. Aluminum
- 4. EIFS
- 5. Masonry
- 6. Stone Veneer

① V - South Front Yard
3/16" = 1'-0"

H/M/A-20:81

N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 KING ST W. HAMILTON, ONTARIO
905-665-5352
N-Cubed Design is a Division of N-Cubed Services Inc.

27 Paisley
FRONT ELEVATION

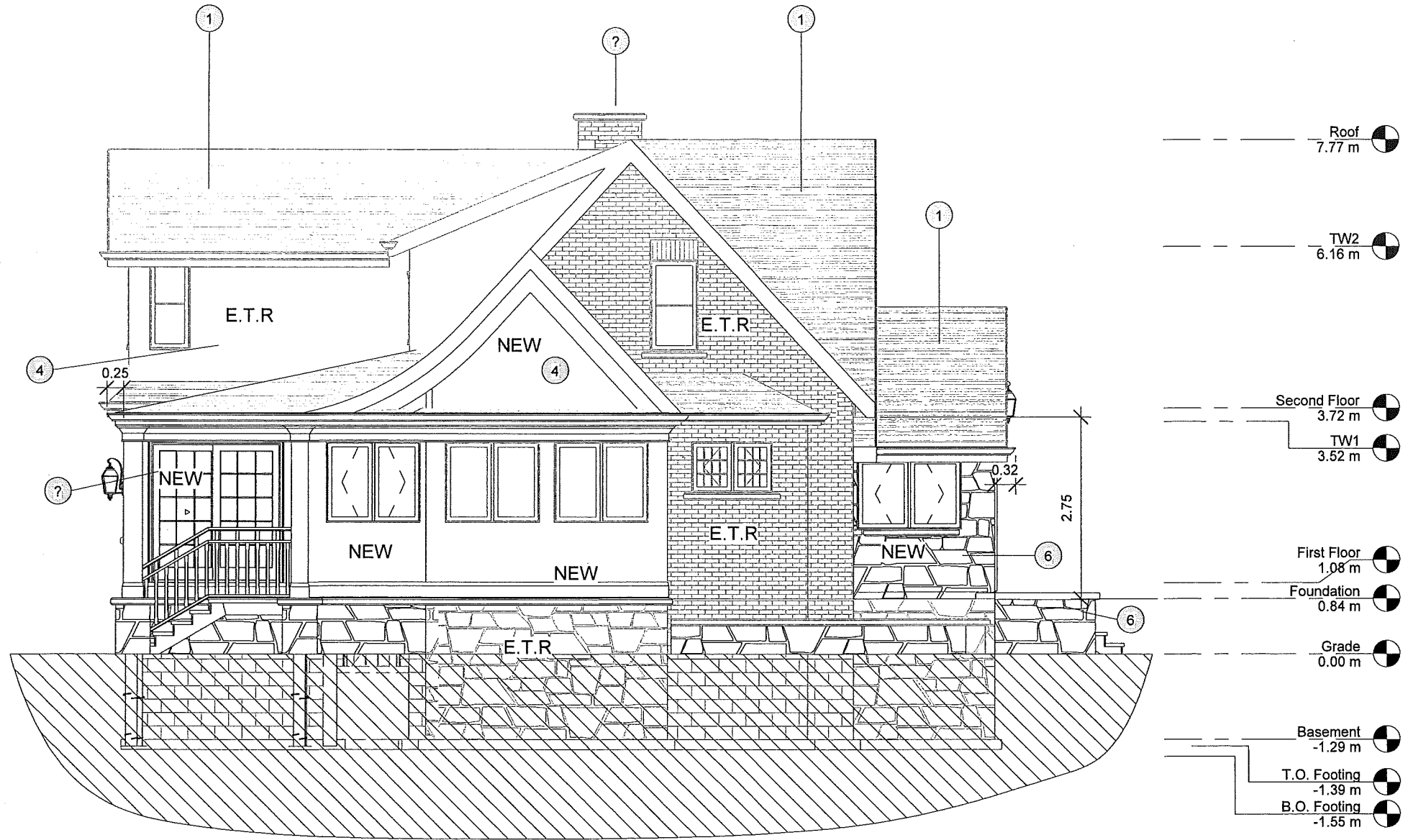
No.	Description	Date
1	Issure for Variance	2020/01/06

V2.0

Scale	3/16" = 1'-0"
Project number	Project Number
Date	Issue Date
Drawn by:	TN
Checked by:	DN

Drawings have are approved and meet the requirements of the Ontario Building Code

H/M/A-2018



- 1. Asphalt Shingle
- 2. Brick
- 3. Aluminum
- 4. EIFS
- 5. Masonry
- 6. Stone Veneer

① V - West Side Yard
3/16" = 1'-0"

N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 KING ST W, HAMILTON, ONTARIO
905-885-5355
N-Cubed Design is a Member of NCO Group Services Inc.

27 Paisley
SIDE ELEVATION

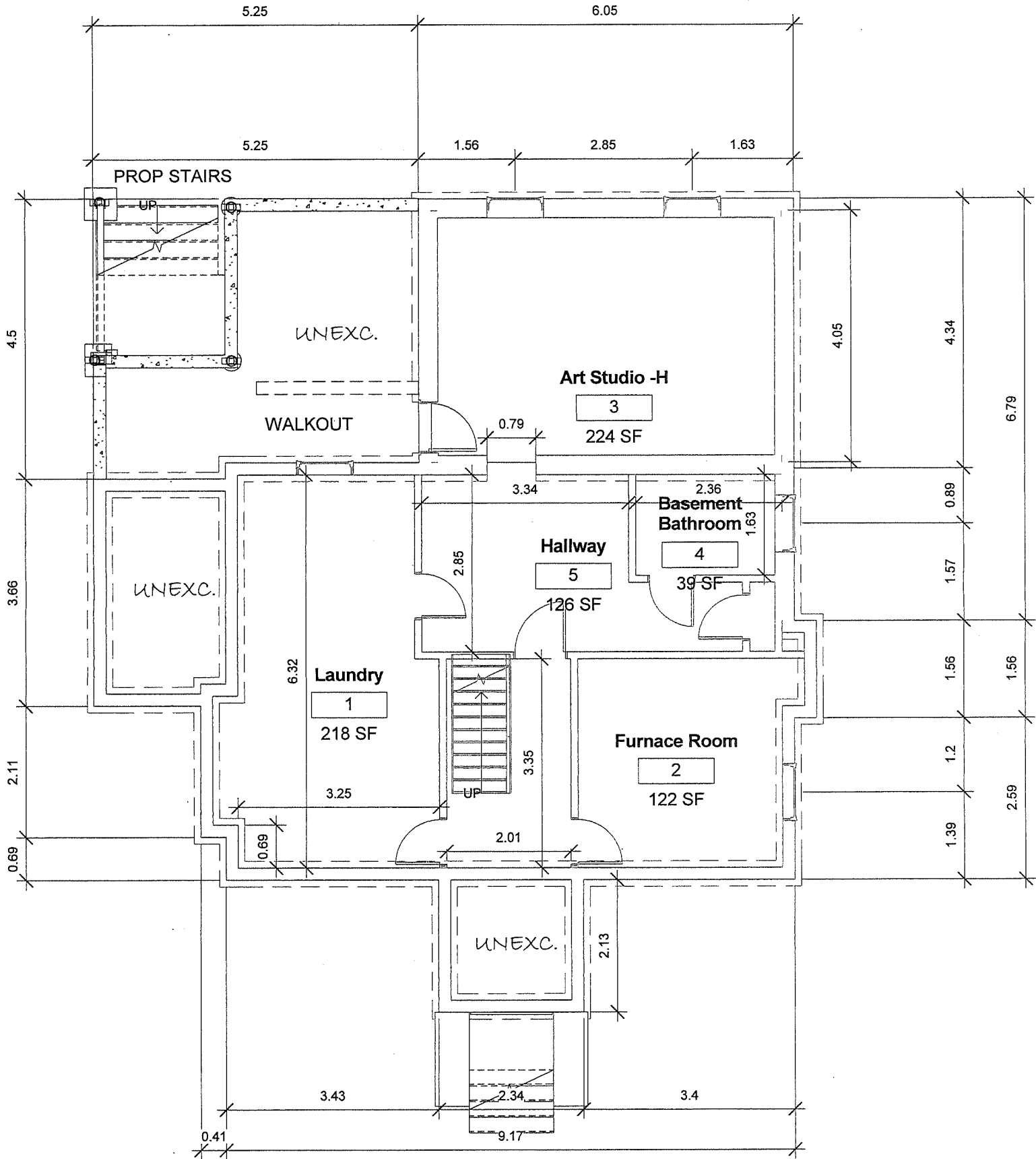
No.	Description	Date
1	Issue for Variance	2020/01/06

V2.3

Scale 3/16" = 1'-0"	
Project number	Project Number
Date	Issue Date
Drawn by: TN	
Checked by: DN	

Drawings have are approved and meet the requirements of the Ontario Building Code.

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



① V - Basement
3/16" = 1'-0"

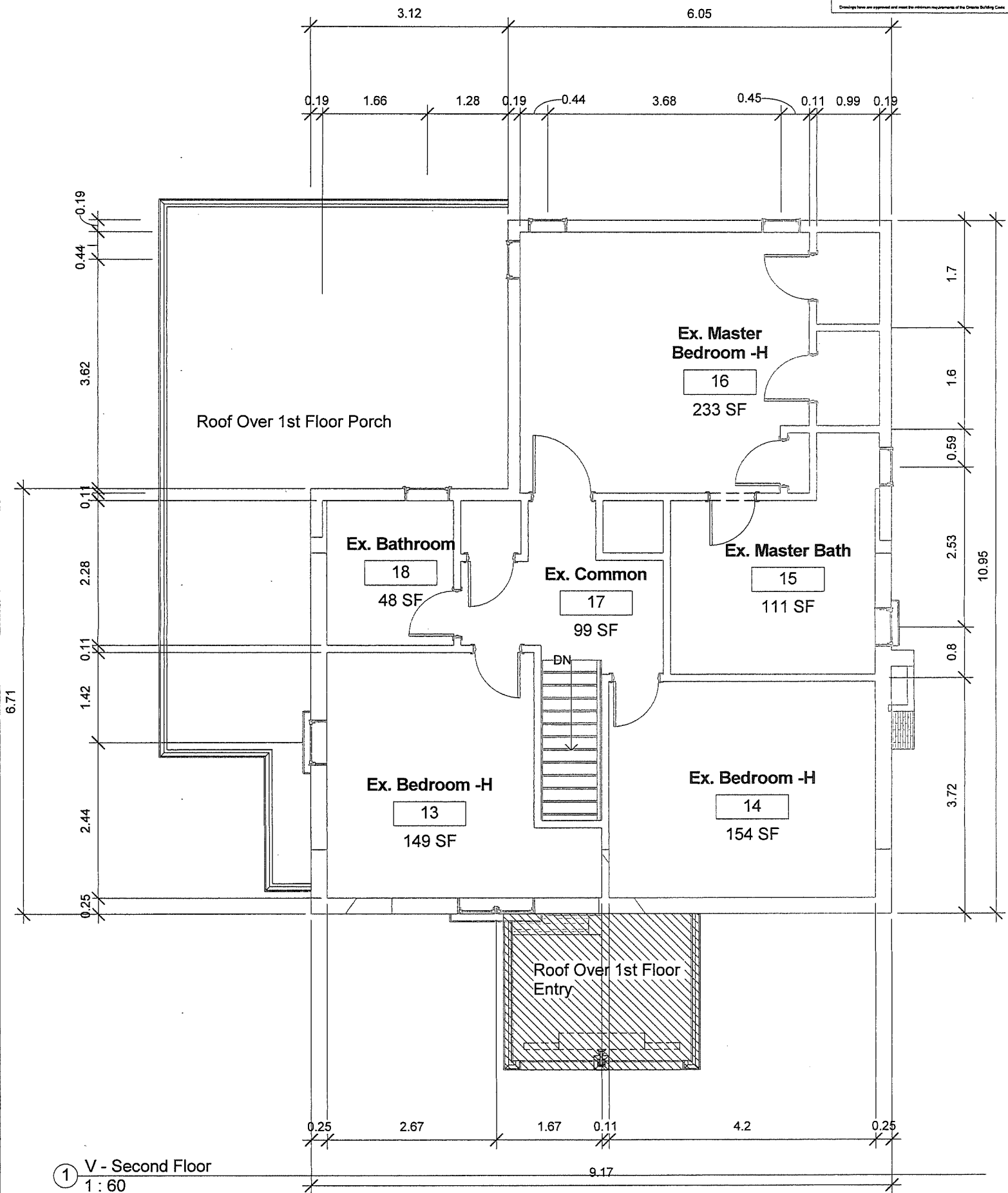
N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 King W Hamilton ON
ncubeddesigns.com
905-885-5355
NCUBED Designs is a Division of H2O-Net Systems Inc.

V1.0
27 Paisley
ENTER ADDRESS HERE
BASEMENT
Scale 3/16" = 1'-0"

No.	Description	Date
1	Issure for Variance	2020/01/06

HM/A-20:8

Drawings have an approval and must be in compliance with the Ontario Building Code.



① V - Second Floor
1 : 60

N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 King W Hamilton ON
ncubedesigns.com
905-865-5355
N-Cubed Design is a division of N-Cubed Services Inc.

V1.2

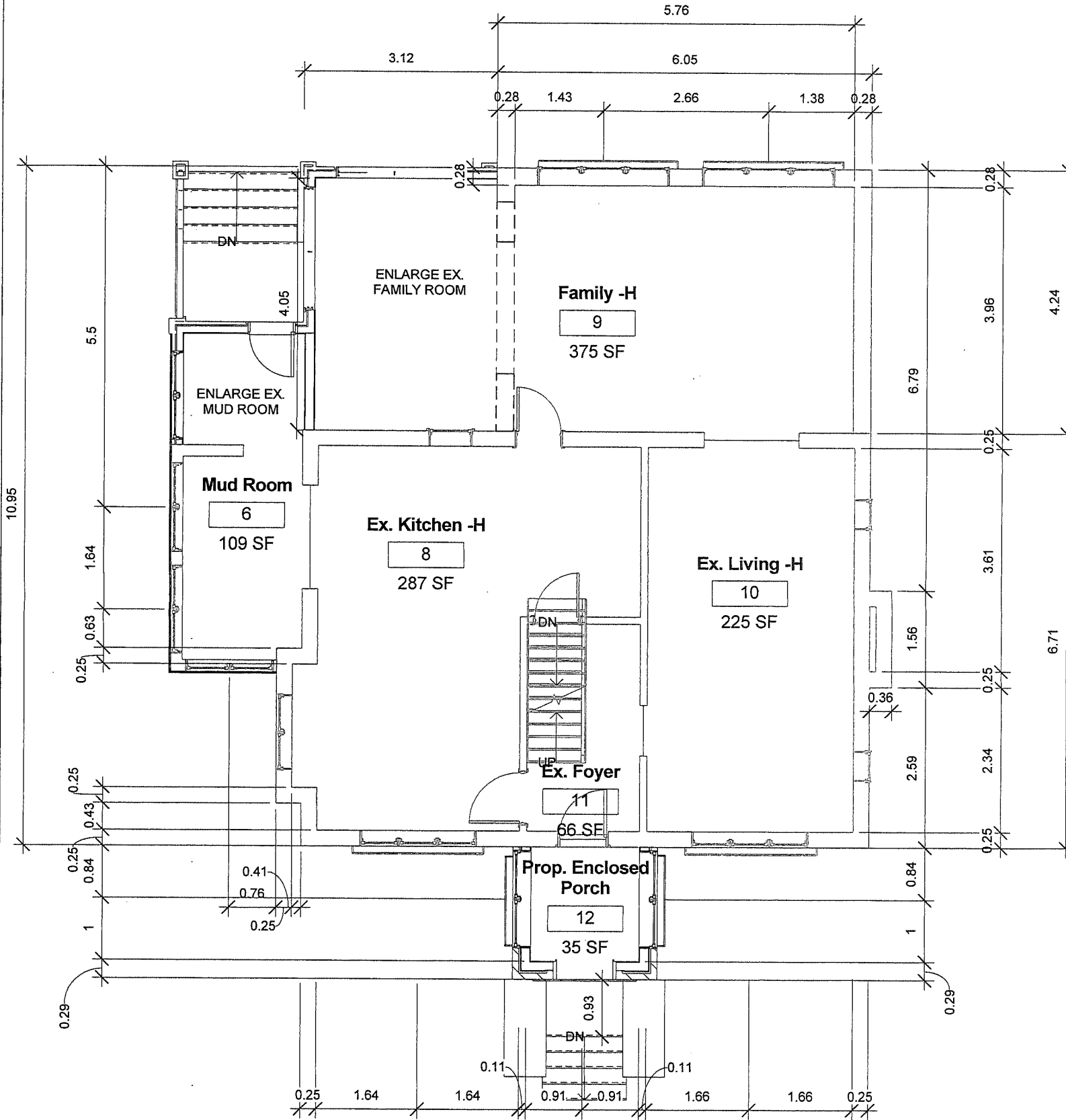
Scale 1 : 60

27 Paisley
ENTER ADDRESS HERE
SECOND FLOOR

No.	Description	Date
1	Issure for Variance	2020/01/06

FFM/A-20.81

Drawings have been approved and meet the minimum requirements of the Ontario Building Code.



① V - First Floor
3/16" = 1'-0"

N-CUBED
ARCHITECTURE + ENGINEERING + CONSTRUCTION
897 King W Hamilton ON
ncubedesigns.com
905-865-5355
N-Cubed Design is a division of N-Cubed Services Inc.

V1.1

Scale 3/16" = 1'-0"

27 Paisley
ENTER ADDRESS HERE
FIRST FLOOR

No.	Description	Date
1	Issure for Variance	2020/01/06

HM/A-2028

20-155940



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A-20-81</u>	DATE APPLICATION RECEIVED <u>MAR 05 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.

1. Name of Owner CATHARINE YANTZIS Telephone No _____

2. _____

3. Name of Agent N-Cubed Services Inc. (Duy Nguyen) 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:
SCOTIABANK (THE BANK OF NOVA SCOTIA)
1005 SKYVIEW DRIVE Postal Code L7P 5B1
SUITE 322
BURLINGTON ONT Postal Code _____

6. Nature and extent of relief applied for:

A front yard setback of 4.64m from the property line 6m is required.

An increase in the percentage GFA to 79.28 %

from existing 71.88% and (required by-law size is 45%). W side yard setback 0.14 m where the required is 1.22m.

Front porch projection of 3.25m where 3m is required.

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

Front yard setback is reduced as function by enclosing existing porch which currently exists. The side yard setbacks of the property line is an existing condition which is being extended.

The increased gross floor area is requested in order to provide the family with more functional space

Side yard setback is currently 0.27m. 0.14m is required to create architectural pilasters. Front porch projection is required to accommodate a landing

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

27 Paisley Avenue North, Hamilton, Ontario

Registered Plan No. 652

Lot 901: Plan 652

27 Paisley Ave. N.

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?
Real estate records and site inspection.


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.

MAY. 4/2020
Date


Signature/Property Owner
CAROL YANTZIS
Print Name of Owner

10. Dimensions of lands affected:

Frontage See site statistics on site plan
Depth See site statistics on site plan
Area See site statistics on site plan
Width of street NA

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 site statistics on site plan

Proposed: See site statistics on site plan

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 statistics on site plan

Proposed: See site statistics on site plan

13. Date of acquisition of subject lands:
 XXX ~~1988~~ 1988

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

15. Existing uses of the subject property: Single family residential.

16. Existing uses of abutting properties: Single family residential.

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

18. Municipal services available: (check the appropriate space or spaces)
 Water X Connected X
 Sanitary Sewer X Connected X
 Storm Sewers _____

19. Present Official Plan/Secondary Plan provisions applying to the land:
UOOP - Ainslie Wood Westdale Lower Density Residential

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
City of Hamilton Zoning By-Law No. 6593 C/S-1361

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



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:83

APPLICANTS: A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer on behalf of the owner McMaster Innovation Park c/o Frances Grabowski

SUBJECT PROPERTY: Municipal address **191 Longwood Rd. S., City of Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 07-330

ZONING: "M1, 7" (Research and Development (M1) Zone

PROPOSAL: To permit the construction of a building containing a Planned Business Centre in order to facilitate Site Plan File No. SPA-19-177 notwithstanding that:

1. A maximum yard abutting a street of 2.5m shall be provided for the ground floor of the building instead of the maximum yard abutting a street of 2.0m for the ground floor of a building.
2. A minimum of one (1) parking space for each 57m² of gross floor area shall be provided instead of the minimum required one (1) parking space for each 50m² of gross floor area for a Planned Business Centre in an Industrial zone.
3. No planting strip shall be provided between the Longwood Road South street line and the parking spaces and aisles instead of the requirement that a 3.0 metre wide planting strip be required and permanently maintained between the street line and the said parking spaces or aisle.

NOTE:

- i) Based on the existing parking regulation for a Planned Business Centre, a minimum of one hundred and seventy (170) parking spaces are required for a gross floor area of 8,507m². If Variance No. 3 is granted, a minimum of one hundred and forty-nine (149) parking spaces will be required and the Site Plan shows a total of one hundred and fifty-two (152) parking spaces which will conform.
- ii) The uses proposed within the building shall conform to those uses permitted pursuant to the "M1, 7" site-specific zone.

HM/A-20:83

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

DATE: Thursday, July 16th, 2020
TIME: 3:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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:

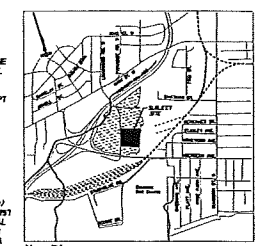
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.



Key Plan

Legal Description

Part 2 of Part of Lot 20 Concession 3, Plan of 1911 17152-0423 (C1), Geographic Township of Bruden, City of Hamilton, Escheat Information taken from Plan of Survey as prepared by A.J. Clarke and Associates Ltd. dated August 19, 2019.

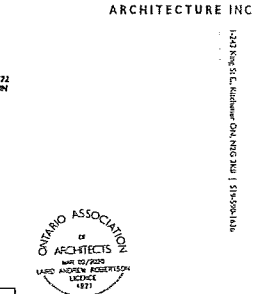
ARCHITECTURE INC

1 FEB 22 2020 REVIEWED FOR COMPLIANCE WITH

2 FEB 22 2020 SPECIAL REVIEWED

3 FEB 22 2020 SUPERVISOR'S

4 DATE ISSUE



THE CORA GROUP

McMASTER INNOVATION PARK
OFFICE BUILDING
SPA-19-177
131 Longwood Road South, Hamilton, Ontario

SITE PLAN

DATE: _____ DAY OF _____ 20____

WITNESS (SIGNATURE) _____ OWNERS (SIGNATURE) (SEAL)

WITNESS (PRINT) _____ OWNERS (PRINT)

ADDRESS OF WITNESS _____

A101

General Site Notes

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OR FINANCIAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-BAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 15M SHALL BE WITHIN 5% PLANTING GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 1% PLANTING GRADE.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMIT/APPROVALS NORMALLY REQUIRED TO COMPLETE CONSTRUCTION NOT LIMITED TO:
 - ROAD CUT PERMIT
 - APPROACH APPROVAL PERMIT
 - COMMITTEE OF ADJUSTMENT
 - SEWER AND WATER PERMITS
 - RELOCATION OF SERVICES
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
- ALL ASHTRAY POTS BY SIGN BY-LAW NO. 10-171 THIS DEVELOPMENT IS INELIGIBLE FOR PRINCIPAL WASTE COLLECTION SERVICES. THE COLLECTION OF WASTE MATERIALS IS REQUIRED THROUGH A PRIVATE WASTE HAULER. PARTICIPATION IN WASTE DIVERSION PROGRAMS INCLUDING RECYCLING COLLECTION AND ORGANIC WASTE COLLECTION IS ENCOURAGED.
- ALL FENCING SHALL CONFORM TO HAMILTON FENCE BY-LAW NO. 10-171.
- A FENCING LINE SEPARATION SHALL BE PROVIDED WITHIN THE CITY'S RIGHT-OF-WAY AREA BETWEEN DRIVEWAYS, A FENCE AND ANY UTILITY. FIRE HYDRANT, TREE, SIGN ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION IS AT THE SOLE RESPONSIBILITY OF THE OWNER.
- CAUTION: NORTHWARD SLOPING CURRENT SURFACE CONDITIONS. THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPRIETOR IS ADVISED THAT DURING DEVELOPMENT ACTIVITIES SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (TMCS) SHOULD BE NOTIFIED IMMEDIATELY (416-324-3841). IN THE EVENT THAT UNPLANNED REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPRIETOR SHOULD IMMEDIATELY CONTACT BOTH TMCS AND THE REGISTAR OR DEPUTY REGISTAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416-324-4337).
- UNION GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES. ANY SERVICE RELOCATION SHOULD BE AT THE COST OF THE PROPERTY OWNER.
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURBS AND BOLLARDS REINSTALLED WITH SOUP AT THE OWNERS EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- RELOCATION, MODIFICATION OR REMOVAL OF ANY EXISTING HYDRANT FACILITIES ARE AT THE OWNERS EXPENSE.
- DO NOT EXCAVATE WITHIN 2m OF HYDRANT POLES OR MANHOLES.
- EXCAVATION WITHIN 1m OF UNDERGROUND HYDRANT SHALL BE NOT PERMITTED. ANY EXCAVATION IS GRANTED BY AN ELECTRICAL UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE SERVICE AND TO REPAIR DAMAGE TO THE UTILITY. THIS TASK IS AT THE OWNERS EXPENSE.
- ELECTRICAL UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANT IS REQUIRED. ALL COST ASSOCIATED WITH THIS WORK IS AT THE OWNERS EXPENSE.

Building Code Information

- OSBC 332.76, GROUP "B" DIVISION 3 UP TO 6 STOREYS UNFIRE RATED.
- ENTIRE BUILDING IS SPRINKLERED.
- NUMBER OF STOREYS REGULATORY FLOOR: TYP. 172.
- MORE THAN 50% OF THE BUILDING'S FACE IS WITHIN 5.0m OF STREET LINE.

Undertaking

I, _____ FILE NO. SPA-19-177-118
OF _____ THE OWNERS OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION:

(A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND TO WAIVE THE BENEFIT OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 10(4) OF THE PLANNING ACT SHOWN ON THE PLAN AND DRAWING IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED _____.

(B) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY OWN RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 10(4) OF THE PLANNING ACT, SHOWN IN THIS PLAN AND DRAWING INCLUDING REMOVAL OF SIGN FROM ACCESS DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS.

(C) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AGREES TO THE CITY TO USE THE SECURITY FUND TO OBTAIN COMPLIANCE WITH THIS PLAN. THE OWNER AGREES TO PAY THE COST OF THE REQUIRED WORKS IMMEDIATELY AFTER THE CITY HAS PROVIDED THE SECURITY FUND TO OBTAIN COMPLIANCE WITH THIS PLAN.

(D) THE OWNER AGREES TO PROVIDE A SIGN NEAR THE DRIVEWAY IN MATTER THAT IS VISIBLE FROM THE STREET AND:

(E) THE OWNER AGREES TO PROVIDE A CENTRALIZED MAIL FACILITY (FRONT LOADING LOCK BOX ASSIGNABLE) AT THEIR OWN EXPENSE.

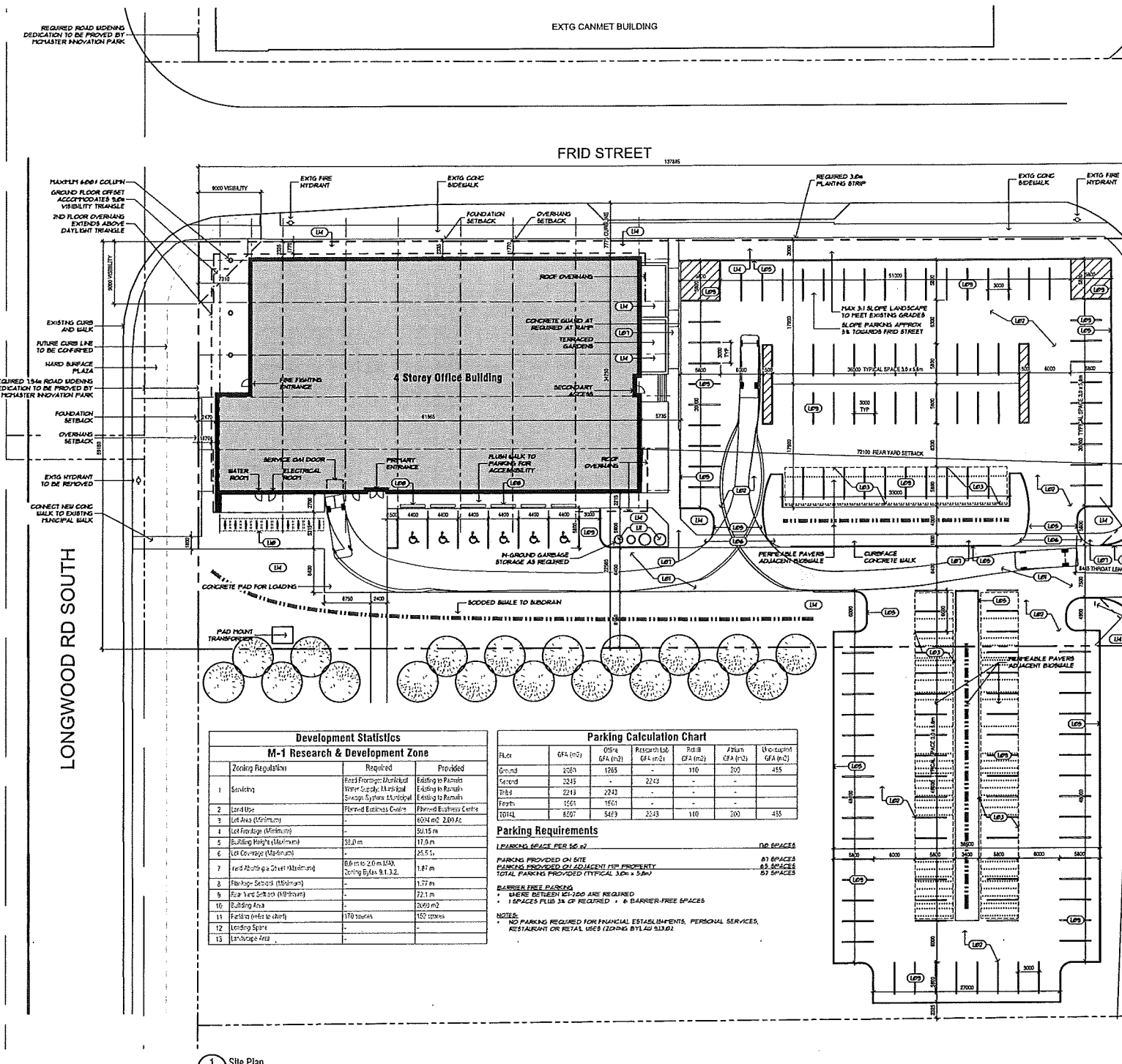
Site Plan Keynotes

- L01 HEAVY DUTY ASPHALT PAVING AT MAIN DRIVE (SHOWN SHADED). REFER TO GEOTECHNICAL.
- L02 MEDIUM DUTY ASPHALT PAVING, REFER TO GEOTECHNICAL.
- L03 PERMEABLE PAVERS ADJACENT BORSWALE.
- L04 DECORATIVE CONCRETE LANDSCAPE PAVERS, REFER TO LANDSCAPE.
- L05 POURED CONCRETE CURB.
- L06 DEPRESSA CONCRETE CURB AS REQUIRED TO MEET ADA REQUIREMENTS FOR ACCESSIBILITY.
- L07 POURED CONCRETE WALK.
- L08 TACTILE INDICATORS TYPICAL AT SIDEWALK RAMP.
- L09 PAINTED PAVEMENT MARKINGS.
- L10 BICYCLE MARKS ON CONCRETE PAD, REFER TO LANDSCAPE PLAN.
- L11 IN-GROUND GARBAGE / RECYCLING STORAGE TO MAXIMUM HEIGHT OF 1.8m.
- L12 LAMP STANDARD / CONCRETE BASE, REFER TO ELECTRICAL.
- L13 PEDESTRIAN LIGHTING, REFER TO ELECTRICAL.
- L14 ALL SIGNS / ACCESSIBLE PARKING, STOP SIGN MUST COMPLY WITH SIGN BY-LAW NO. 10-171.

3.0m VISIBILITY TRIANGLE IN MARCH THE PLANTING HEIGHT OF ANY OBJECTS OR PLANTING VEGETATION IS NOT TO EXCEED 0.9m ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.

STOP SIGN TO COMPLY WITH BY-LAW.

PLANS ARE NOT FINALIZED. ROAD LOCATION DIMENSIONS ARE SUBJECT TO CHANGE.



Development Statistics

M-1 Research & Development Zone

Zoning Regulation	Required	Provided
1. Servicing	Food Processing, Wholesale Water Supply, Municipal Storage Systems, Municipal	Existing to Remain
2. Land Use	Planned Business Centre	Existing to Remain
3. Lot Area (Minimum)	6024 m ² , 2.69 Ac.	-
4. Lot Frontage (Minimum)	-	50.15 m
5. Building Height (Maximum)	55.0 m	17.0 m
6. Lot Coverage (Maximum)	-	25.5%
7. Free Standing (Maximum)	6.0 m to 2.0 m (20'), zoning by-law 9.1.3.2.	1.87 m
8. Floor-to-Roof (Minimum)	-	1.77 m
9. Floor-to-Floor (Minimum)	-	2.21 m
10. Building Area	-	2099 m ²
11. Fencing (Not to Exceed)	170 spaces	152 spaces
12. Landscaping	-	-
13. Landscape Area	-	-

Parking Calculation Chart

Flux	GFA (m ²)	OSR ₁ GFA (m ²)	Research Lab GFA (m ²)	Retail GFA (m ²)	Autom GFA (m ²)	Un-capped GFA (m ²)
Ground	2024	1265	-	110	200	455
Second	2245	-	2242	-	-	-
TPB ₁	2245	-	2242	-	-	-
Fourth	1561	1561	-	-	-	-
TOTAL	8571	3429	2242	110	200	455

Parking Requirements

PARKING SPACES PER CAR: _____ NO. SPACES

PARKING PROVIDED ON SITE: _____ 87 SPACES

PARKING PROVIDED ON ADJACENT (IF PROPERTY): _____ 65 SPACES

TOTAL PARKING PROVIDED TYPICAL 30m x 5.5m: _____ 57 SPACES

BARRIER FREE PARKING

- WHERE BETWEEN 40-100 ARE REQUIRED + 6 BARRIER-FREE SPACES
- 1 SPACES PLUS 1% OF REQUIRED + 6 BARRIER-FREE SPACES

NOTES:

- NO PARKING REQUIRED FOR FINANCIAL ESTABLISHMENTS, PERSONAL SERVICES, RESTAURANT OR RETAIL USES (222ND BY-LAW 9.1.3.2).

1 Site Plan SCALE: 1:100

Am/A 20:83
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

**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: 83</u>	DATE APPLICATION RECEIVED <u>Mar. 9 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 McMaster Innovation Park (c/o Frances Grabowski) Telephone No.
-
- Name of Agent A.J. Clarke & Associates Ltd. (c/o Franz Kloibhofer) 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 covering letter submitted in support of the subject application.

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

Please refer to the concurrently submitted covering letter submitted in support of the subject application.

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 20, Concession 3, Geographic Township of Barton, in the City of Hamilton

191 Longwood Rd. S.

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 x No Unknown

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

Owner knowledge, aerial imagery, Phase Two ESA

Please note the Phase Two ESA is available upon request.

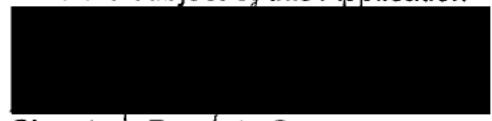
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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. 8 / 2020
Date



Signature Property Owner

F. GARZOWSKI
Print Name of Owner

10. Dimensions of lands affected:

Frontage +-59.15 metres

Depth +- 135.78 metres

Area +-8,031.18 square metres

Width of street Unknown

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: Please refer to the concurrently submitted site plan.

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: Please refer to the concurrently submitted site plan.

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
N/A
15. Existing uses of the subject property: Vacant
16. Existing uses of abutting properties: M1 - Research and Development
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 _____
 Sanitary Sewer X Connected _____
 Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
Business Park (Schedule E-1)
Employment Area - Research District (West Hamilton Innovation District Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Research and Development: Exception 7 (M1-7) Zone in the City of Hamilton Comprehensive Zoning By-law 05-200
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 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.



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

March 9, 2020

The City of Hamilton
 Committee of Adjustment
 Planning and Economic Development Department
 71 Main Street West, 5th Floor
 Hamilton, Ontario
 L8P 4Y5

RECEIVED

MAR 09 2020

COM. OF ADJ. CMT.

hand delivered

Attn: Ms. Jamila Sheffield
 Acting Secretary-Treasurer

Re: **Minor Variance Application
 McMaster Innovation Park
 191 Longwood Road South**

Dear Madam,

On behalf of our client, McMaster Innovation Park, we are pleased to provide you with the enclosed submission in support of a minor variance application for the subject lands, known as 191 Longwood Road South, as required per the conditional approval of site plan application file SPA-19-177. 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 Site Plan – one (1) full size and two (2) ledger size;
4. Three (3) copies of the Trip and Parking Generation Estimate, prepared by Paradigm Transportation Solutions Ltd., dated November 2019.

The subject lands are vacant, with a total area of approximately $\pm 8,094$ square metres (0.8 ha) and ± 63.76 metres of frontage along Longwood Road South. The subject lands also have approximately ± 138 metres of frontage along Frid Street, an unopened road allowance.

The subject lands are designated Business Park on Schedule E-1 of the Urban Hamilton Official Plan. The lands are located within the West Hamilton Innovation District Secondary Planning Area, and designated Employment Area – Research District on Map B.6.4-1. The subject lands are zoned 'Research and Development: Exception 7 (M1-7) Zone' in Zoning By-law 05-200.

The subject minor variance application is required to facilitate the development of a proposed four-storey Planned Business Centre, with a gross floor area (GFA) of 8,507 m². For further details pertaining to the layout and configuration of the proposed development, please refer to the enclosed concept plan. A total of 151 parking spaces will be provided for the proposed development, including four (4) barrier-free spaces.

25 Main Street West, Suite 300, Hamilton, Ontario, L8P 1H1

Tel: 905 528-8761 Fax: 905 528-2289

Toronto Line: 905 845-0606

e-mail: ajc@ajclarke.com



The subject minor variance application is required to facilitate the development of the proposed four-storey Planned Business Centre. The following table identifies the relevant sections of the Zoning By-law from which variances are required:

By-law Section	Provision	Requirement	Proposed
Section 5.6(c)(v)	Min. Parking Ratio	1 space for each 50 m ² of GFA (total = 170 spaces)	1 space for each 57 m ² of GFA (total = 152 spaces)

Accordingly, one (1) variance is required to facilitate the proposed development on the lands to be leased. The following minor variance is proposed:

- 1) A minimum parking ratio of one (1) space per 57 square metres of gross floor area for a 'Planned Business Centre' shall be permitted instead of the minimum required parking ratio of one (1) space per 50 square metres of gross floor area for a 'Planned Business Centre'.

The proposed variance to the minimum required parking ratio is required to accommodate the proposed development of the subject lands. As per the Trip and Parking Generation Estimate Report, prepared by Paradigm Transportation Solutions Ltd., the McMaster Innovation Park has operated with a parking surplus to-date. It is acknowledged that the report's focus is on existing sites within the Park, however those uses are similar in overall anticipated function and operation as the 191 Longwood Road South site. Accordingly, the report provides insight into the anticipated parking demand for the 191 Longwood Road South site.

The report found that the existing parking supply – which is closely reflective of the minimum zoning by-law requirements for parking across the entire site – was being utilized at a rate of 55-60%. The report also found that the average parking demand per person is approximately 0.50-0.54 spaces per person (2019). Given that parking demand is expected to be in the range of 0.50 to 0.55 spaces per person, the proposed reduction to the minimum parking requirement for the subject site is appropriate. The proposed reduction from 1 space per 50 m² to 1 space per 57 m² represents a relatively minor reduction which will not adversely impact the overall function of the future site.

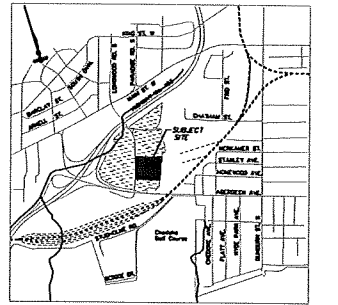
I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

Franz Kloibhofer, RPP, MCIP
A. J. Clarke and Associates Ltd.

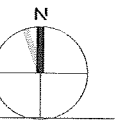
Encl.

Copy: McMaster Innovation Park



Key Plan

Legal Description
 Part 2 of Part of Lot 20 Concession 3,
 Part of PIN 17132-0423 (LT)
 Geographic Township of Barton, City of Hamilton
 Property information taken from Plan of Survey as
 prepared by A.J. Clarke and Associates Ltd., dated
 August 19, 2019



NO.	DATE	ISSUE
1	FEB 2020	PRELIMINARY COMMENTS FOR CONSULTATION
2	MAY 2019	SITE PLAN (PRELIMINARY)
3	FEB 2019	PRELIMINARY COMMENTS FOR CONSULTATION
4	FEB 2019	PRELIMINARY COMMENTS FOR CONSULTATION



1342 King St. E., Richmond Hill, ON L4B 1A8 | 905.884.6138



McMASTER INNOVATION PARK
 OFFICE BUILDING
 SPA-19-177
 131 Longwood Road South, Hamilton

SITE PLAN

DATE: THIS _____ DAY OF _____ 20____

WITNESS (SIGNATURE) _____ OWNER(S) SIGNATURE _____ (SEAL)

WITNESS (PRINT) _____ OWNER(S) (PRINT)

ADDRESS OF WITNESS _____

A101

Site Plan Keynotes

- L01 HEAVY DUTY ASPHALT PAVING AT MAIN DRIVE (SHOWN SHADED), REFER TO GEOTECHNICAL
- L02 MEDIUM DUTY ASPHALT PAVING, REFER TO GEOTECHNICAL
- L03 PERMEABLE PAVEMENTS ADJACENT BIOWALK
- L04 DECORATIVE CONCRETE LANDSCAPE PAVEMENTS REFER TO LANDSCAPE
- L05 FOUNDED CONCRETE CURBS
- L06 DEPRESS CONCRETE CURBS AS REQUIRED TO MEET AODA REQUIREMENTS FOR ACCESSIBILITY
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- L08 PAINTED PAVEMENT MARKINGS
- L09 BICYCLE RACKS ON CONCRETE PAD, REFER TO LANDSCAPE PLAN
- L10 IN-GROUND GARBAGE & RECYCLING STORAGE TO MAXIMUM HEIGHT OF 1.5m
- L11 LAMP STANDARD & CONCRETE BASE, REFER TO ELECTRICAL
- L12 PEDESTRIAN LIGHTING, REFER TO ELECTRICAL
- L13 LANDSCAPED AREA
- L14 ALL SIGNS (ACCESSIBLE PARKING, STOP SIGN) MUST COMPLY WITH SIGN BY-LAW No 19-191

General Site 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-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 1.5m SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 2% MAXIMUM GRADES
- 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 CONSTRUCTION NOT LIMITED TO:
 - BUILDING PERMIT
 - ROAD CUT PERMIT
 - APPROACH APPROVAL PERMIT
 - COMMITTEE OF ADJUSTMENT
 - SEWER AND WATER PERMIT
 - RELOCATION OF SERVICES
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
- ALL SIGNS MUST COMPLY WITH SIGN BY-LAW No 19-191
- THIS DEVELOPMENT IS INELIGIBLE FOR MUNICIPAL WASTE COLLECTION SERVICES. THE COLLECTION OF WASTE MATERIALS IS REQUIRED THROUGH A PRIVATE WASTE HAULER. PARTICIPATION IN WASTE DIVERSION PROGRAMS INCLUDING RECYCLING COLLECTION AND ORGANIC WASTE COLLECTION IS ENCOURAGED.
- ALL FENCING SHALL CONFORM TO HAMILTON BY-LAW No 19-191
- A MINIMUM 1.5m SEPARATION SHALL BE PROVIDED WITHIN THE CITY'S RIGHT-OF-WAY AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION IS AT THE SOLE RESPONSIBILITY OF THE OWNER
- CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL, ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THE DURING DEVELOPMENT ACTIVITIES SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (HTICB) SHOULD BE NOTIFIED IMMEDIATELY (416-314-7463). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH HTICB AND THE REGISTERED OR DEPUTY REGISTERED OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416-314-6334)
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- EXCAVATION WITHIN 1m OF UNDERGROUND HYDRO FACILITIES IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY AN ALECTRA UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION COST ASSOCIATED WITH THIS TASK IS AT THE OWNER'S EXPENSE
- ALECTRA UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANT IS REQUIRED. ALL COST ASSOCIATED WITH THIS WORK IS AT THE OWNER'S EXPENSE.

Building Code Information

- OSC 322.15, GROUP 1 DIVISION 3 UP TO 6
- STORIES SPRINKLERED
- ENTIRE BUILDING IS SPRINKLERED
- NUMBER OF STORIES REQUIRED TO FACE: TWO (2)
- MORE THAN 50% OF THE BUILDING FACE IS WITHIN 1.5m OF STREET LINE.

Undertaking

I (WE) _____ THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

(a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM,

(b) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED _____

(c) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTER MENTIONED IN SECTION 41(7)(a) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWINGS INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS;

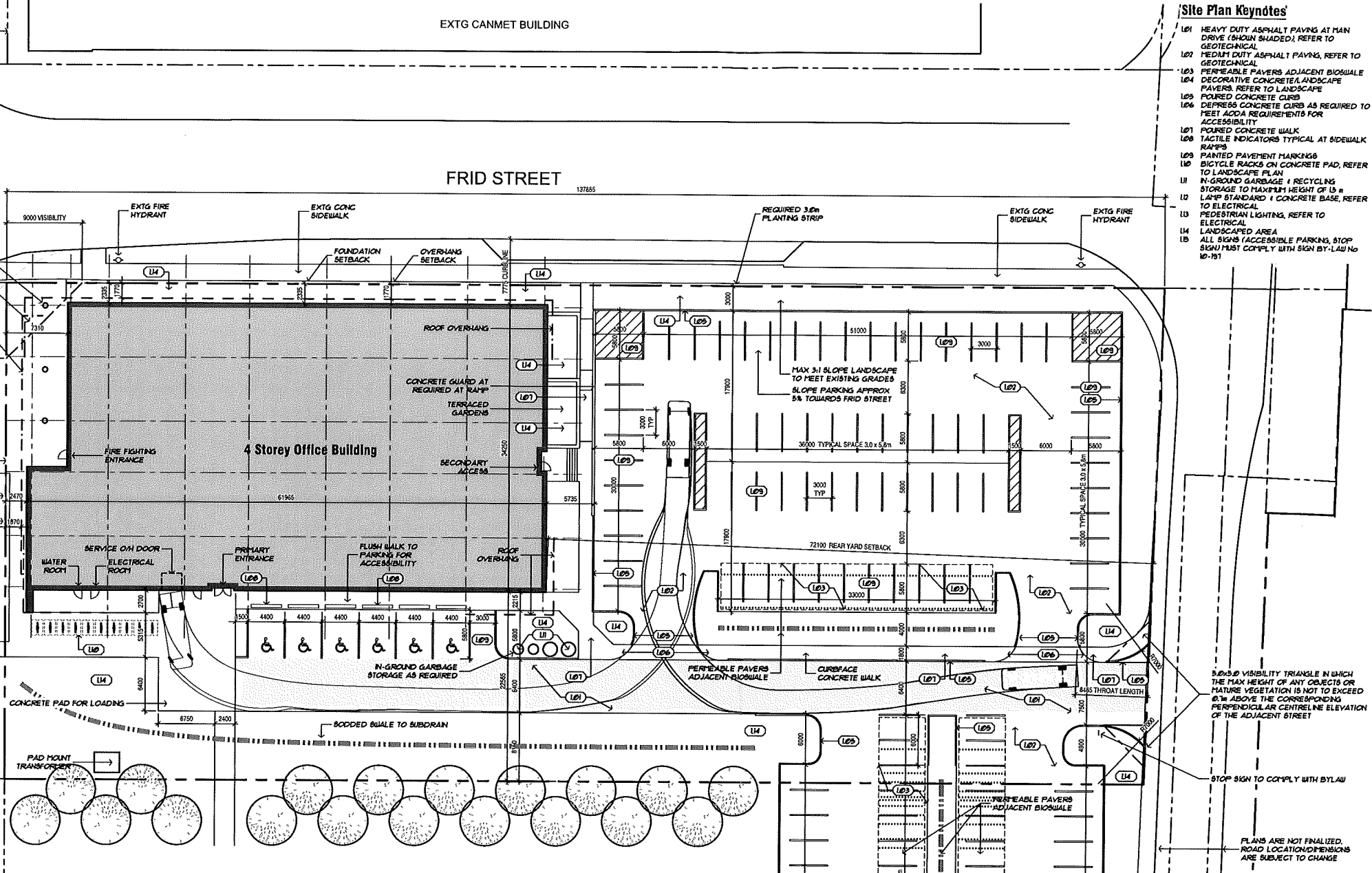
(d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED _____ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN;

(e) THE OWNER AGREES TO PHYSICALLY AT THE MUNICIPAL NUMBER (191) OR FULL ADDRESS (191 LONGWOOD ROAD SOUTH) TO EITHER THE BUILDING OR A SIGN NEAR THE DRIVEWAY BY A MATTER THAT IS VISIBLE FROM THE STREET; AND,

(f) THE OWNER AGREES TO PROVIDE A CENTRALIZED WAL FACILITY (FRONT LOADING LOCK BOX ASSEMBLY) AT THEIR OWN EXPENSE.

FILE NO SPA-19-177

191 LONGWOOD ROAD SOUTH



Development Statistics

M-1 Research & Development Zone

Zoning Regulation	Required	Provided
1 Servicing	Road Frontage: Municipal Water Supply, Municipal Sewage System Provided	Existing to Remain Existing to Remain
2 Local Use	Planned Business Centre	Planned Business Centre
3 Lot Area (Minimum)	-	8024 m ² 2.00 Ac
4 Lot Frontage (Minimum)	-	59.15 m
5 Building Height (Maximum)	38.0 m	17.0 m
6 Lot Coverage (Maximum)	-	25.5 %
7 Land Abutting a Street (Maximum)	0.6 m to 2.0 m MAX. Zoning Bylaw 9.1.3.2.	1.87 m
8 Frontage Setback (Minimum)	-	1.77 m
9 Rear Yard Setback (Minimum)	-	72.1 m
10 Building Area	-	2060 m ²
11 Parking (refer to chart)	170 spaces	152 spaces
12 Loading Space	-	-
13 Landscape Area	-	-

Parking Calculation Chart

Floor	GFA (m ²)	Office GFA (m ²)	Research Lab GFA (m ²)	Retail GFA (m ²)	Other GFA (m ²)	Unclassified GFA (m ²)
Ground	2060	1265	-	110	200	485
Second	2243	-	2243	-	-	-
Third	2243	-	-	-	-	-
Fourth	1561	-	-	-	-	-
TOTAL	8507	5469	2243	110	200	485

Parking Requirements

1 PARKING SPACE PER 50 m² 170 SPACES

PARKING PROVIDED ON SITE 87 SPACES

PARKING PROVIDED ON ADJACENT PROP. PROPERTY 63 SPACES

TOTAL PARKING PROVIDED (TYPICAL 3.0m x 5.5m) 152 SPACES

BARRIER FREE PARKING

- WHERE BETWEEN 101-200 ARE REQUIRED
- 1 SPACES PLUS 3% OF REQUIRED • 6 BARRIER-FREE SPACES

NOTES:

- NO PARKING REQUIRED FOR FINANCIAL ESTABLISHMENTS, PERSONAL SERVICES, RESTAURANT OR RETAIL USES (ZONING BY-LAW 9.1.3.1)

1 Site Plan
 SCALE: 1:300

The information on this drawing is the property of NEO ARCHITECTURE INC. and is to be used only for the project and site shown on this drawing. Any reuse or modification of this information without the written consent of NEO ARCHITECTURE INC. is strictly prohibited.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:86
- APPLICANTS:** Kevin Webster Designs Inc. c/o Kevin Webster on behalf of the owner Duncan McEwen
- SUBJECT PROPERTY:** Municipal address **42 Franklin Ave., City of Hamilton**
- ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-laws 96-125 & 19-307
- ZONING:** "C/S-1364 (Urban Protected Residential) district
- PROPOSAL:** To permit the alteration of an existing single family dwelling to have two-storeys and nine habitable rooms notwithstanding that:
1. A minimum front yard depth of 4.8 metres shall be provided instead of the minimum required front yard depth of 6.0 metres required.
 2. A minimum westerly side yard width of 0.9 metres shall be provided instead of the minimum required side yard width of 1.2 metres required.
 3. A gross floor area of 50% shall be permitted instead of the maximum required gross floor area of 45% required.
 4. A maximum building height of 9.1 metres shall be provided instead of the maximum building height of 9.0 metres required.
 5. An accessory building to be used as a shortage shed shall be permitted to be located within the required side yard, at a distance of 0.0 metres from the easterly side lot line where as the by-law requires no accessory building to be erected in a required side yard.
 6. 1 parking space shall be permitted instead of the minimum 3 parking spaces required.
 7. No onsite maneuvering is provided.

NOTES:

1. Gross Floor Area has been written at the applicant's request. Dimensioned floor plans were not provided with which to ensure the GFA calculations are accurate. If GFA exceeds 50%; further variances will be required.
2. Applicant shall ensure the minimum front yard landscaping has been calculated as defined. No dimensions were provided with which to ensure the front yard landscaping calculations are accurate. If front yard landscaping is less than 50%, further variances will be required.

HM/A-20:86
Page 2

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

DATE: Thursday, July 16th, 2020
TIME: 3:20p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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:

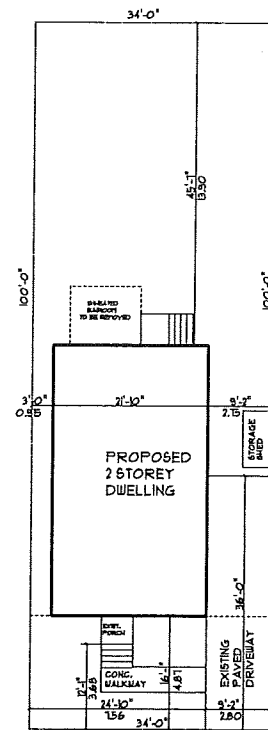
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca
-

DATED: June 30th, 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.



REGISTERED PLAN NO 1476 LOT 11 HAMILTON
CITY OF HAMILTON

SITE STATISTICS:
ZONING: C/5-1364
LOT AREA: 315.9 SQ. M EXISTING

ALLOWED GROSS FLOOR AREA: 45% OF LOT AREA ALLOWED 142.15 SQ. M
PROPOSED GROSS FLOOR AREA: 49.3% OF LOT AREA 157.87 SQ. M
COVERAGE: PROPOSED 81.65 SQ. M 25.85%
COVERAGE ACCESSORY BUILDING: 2.97 SQ. M 1.00%
EXISTING HEIGHT: 5.02 M PROPOSED HEIGHT: 9.1 M
SIDE YARD SETBACKS: REQUIRED 120M PROPOSED 0.915 M 4 2.75 M
REAR YARD SETBACK: REQUIRED 15 M PROPOSED 13.90 M
FRONT YARD SETBACK: REQUIRED 6.0 M PROPOSED 4.81 M
PORCH SETBACK: PROPOSED 3.68 M

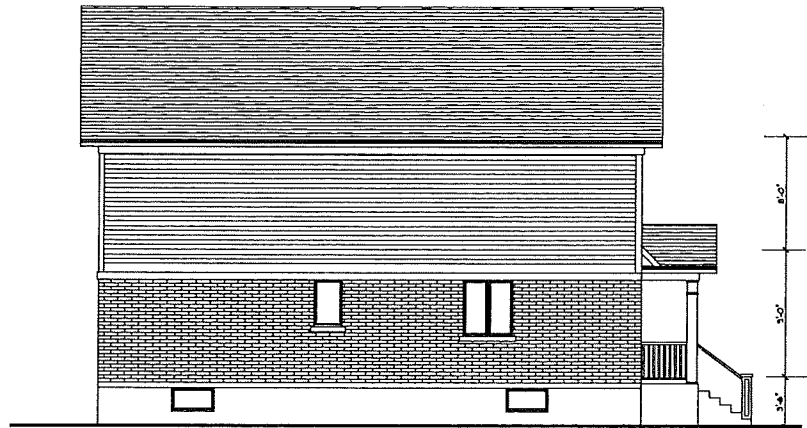
FRONT YARD LANDSCAPE AREA:
TOTAL AREA: 843 SQ. FT. 30.46 SQ. M
LANDSCAPE AREA: 75% 60.77. 22.81 SQ. M 72.5 %

FRANKLIN AVE.

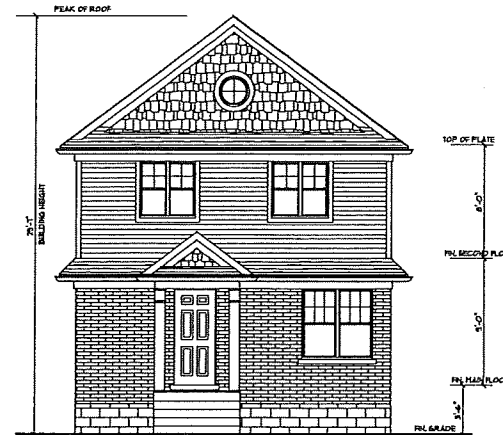
SITE PLAN
SCALE: 1:50

NO.	DESCRIPTION	DATE	BY
3	BASED FOR C OF A	03/07/20	KW
2	BASED FOR REVIEW	30/09/18	KW
1	BASED FOR PERMITS	01/06/18	KW
REVISIONS			
Kevin Webster Designs Inc. RESIDENTIAL & COMMERCIAL DESIGN, DRAWING & CONSULTING 44 Parkdale Rd., Waterford, Ontario L8R 2S1 (519) 836-2888 Fax: (519) 836-7777			
PROJECT NO.	201906	DATE	FEB 2019
PROJECT NAME:	McEWEN RESIDENCE 42 FRANKLIN AVE. HAMILTON, ONT.		
SHEET: 017R PLAN			
DRAWN BY:	K.W.	CHECKED BY:	K.W.
SCALE:	1/4"=1'-0"	PANEL:	01P1

Hm/A 20:86
Sketch 1



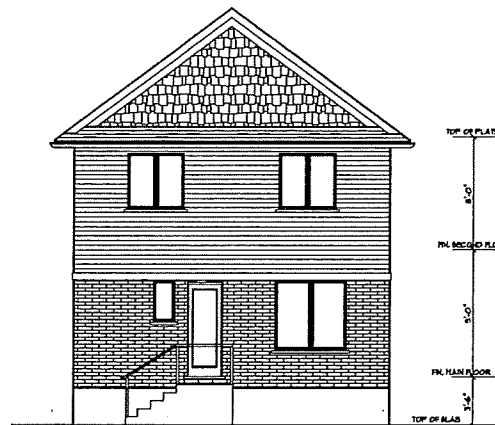
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



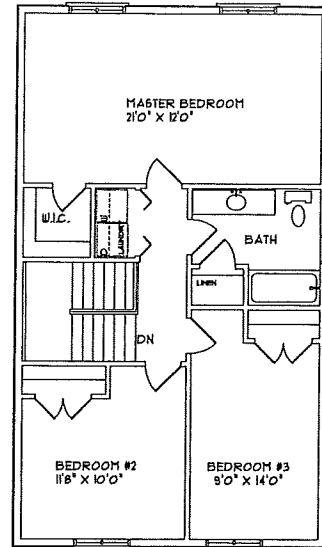
REAR ELEVATION

NO.	DESCRIPTION	DATE	BY
3	MADE FOR C of A	05/07/20	KW
2	MADE FOR PERM	02/07/19	KW
1	MADE FOR PERM	02/07/19	KW

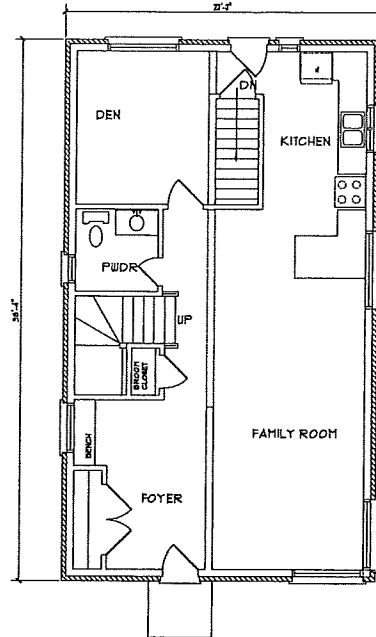
NO.	DESCRIPTION	DATE	BY

Kevin Webster Designs Inc. RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 44 Parkhill Rd., Waterbury, Ontario L4L 1R5 (905) 239-3888 Fax (905) 248-9773	
PROJECT NO.	DATE
201905	FEB 2019
PROJECT NAME: McEWEN RESIDENCE 42 FRANKLIN AVE. HAMILTON, ONT.	
PROPOSED ELEVATIONS	
DRAWN BY:	CHECKED BY:
K.W.	K.W.
SCALE:	SHEET:
1/4"=1'-0"	2

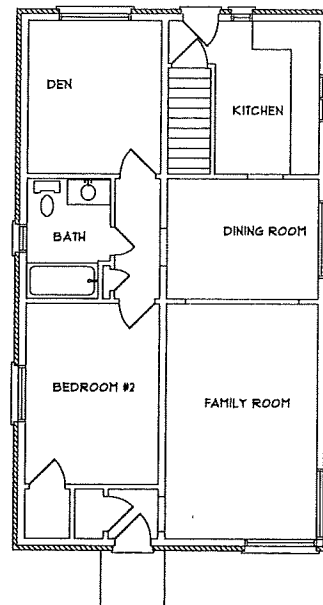
Hm/A 20:86
 sketch 2



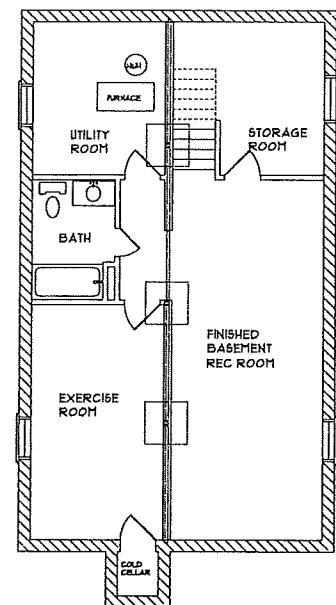
PROPOSED SECOND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



EXISTING GROUND FLOOR PLAN



EXISTING/PROPOSED BASEMENT FLOOR PLAN

3	BASED FOR C OF A	03/07/20	KW
1	BASED FOR REVIEW	02/07/19	KW
1	BASED FOR PRICING	01/06/19	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc. RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 64 Parkhill Rd, Waterdown, Ontario L4R 1E5 (905) 239-3009 Fax (905) 239-4773			
PROJECT NO:	201906	DATE:	FEB 2019
OWNER:	McEwen Residence 42 FRANKLIN AVE. HAMILTON, ONT.		
NAME: _____ TITLE: _____ PHONE: _____ FAX: _____ EMAIL: _____			
NAME: _____ TITLE: _____ PHONE: _____ FAX: _____ EMAIL: _____			
NAME: _____ TITLE: _____ PHONE: _____ FAX: _____ EMAIL: _____			
SCALE:	1/4"=1'-0"	PAGE:	1

Hm/A 20:86
 sketch 3



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

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

RECEIVED

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:86</u>	DATE APPLICATION RECEIVED <u>MAR 11 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 SIOBHAN & DONCAN McEWEEN Telephone No. _____

 _____ Postal Code _____
- _____
- Name of Agent KEVIN WEBSTER 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:
N/A
 _____ Postal Code _____

 _____ Postal Code _____

6. Nature and extent of relief applied for:
1. FRONT YARD SETBACK REQ. 6.00 - PROPOSED 4.87
 2. LEFT SIDE SETBACK REQ. 1.20 - PROPOSED 0.915
 3. REQUIRE 2 PARKING SPACES - PROPOSED 1.0
 4. GROSS FLOOR AREA ALLOWED 45% 142.15 s.m
GROSS FLOOR AREA PROPOSED 49.9% 157.87 s.m
7. Why it is not possible to comply with the provisions of the By-law?
- LOCATION OF EXISTING DWELLING PREVENTS
US FROM MEETING EXISTING ZONING
USING EXISTING FOUNDATION AND GROUND FLOOR
WALLS, ADDING SECOND FLOOR & NEW ROOF.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
- REG PLAN 1476 LOT 17 HAMILTON
42 FRANKLIN AVE
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?

COMMON 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.

Date _____

Signature Property Owner _____

*SUB
ATTACHED.*

Print Name of Owner _____

10. Dimensions of lands affected:

Frontage	<u>34'-0"</u>	<u>10.36 m</u>
Depth	<u>100'-0"</u>	<u>30.48 m</u>
Area	<u>3400 S.F.</u>	<u>315.86 S.M.</u>
Width of street	<u>20'-0"</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: GFA - 879 SQ.FT, GROSS FA 879 S.F.
1 STOREY, 22'-0" x 44'-6", 19'-0" HEIGHT

Proposed: GROUND FA. - 849.7, GROSS FA - 1699.4
2 STOREY, 22'-0" x 38'-4", 29'-6" HEIGHT (9.0 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 SETBACK: 4.87 m
LEFT SIDE: 0.915
RIGHT SIDE: 2.77 m
REAR: 12.01 m
 Proposed: FRONT: 4.87 m
LEFT SIDE: 0.96 m
RIGHT SIDE: 2.77 m
REAR: 13.90 m

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?

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.

*

Feb 23, 2020
Date



Signature Property Owner

Siobhan McEwen and Duncan McEwen
Print Name of Owner

10. Dimensions of lands affected:

Frontage _____
Depth _____
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.)

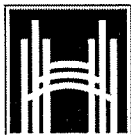
Existing: _____

Proposed: _____

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

13. Date of acquisition of subject lands:
MAY 20, 2006.
14. Date of construction of all buildings and structures on subject lands:
1960
15. Existing uses of the subject property: SINGLE FAMILY RESIDENTIAL
16. Existing uses of abutting properties: SINGLE FAMILY RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
SINCE BUILT.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>✓</u> | Connected | <u>✓</u> |
| Sanitary Sewer | <u>✓</u> | Connected | <u>✓</u> |
| Storm Sewers | <u>✓</u> | | |
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:
R4
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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:73

APPLICANTS: Owner: Streetlight Ministries c/o Ken VanderBoom
Agent: Kyle Reinders

SUBJECT PROPERTY: Municipal address **82 Ferguson Ave. N., Hamilton**

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

ZONING: D5 district (Downtown Residential)

PROPOSAL: To permit the construction of a new two-storey Place of Worship having a total gross floor area of 723.4m².

1. A front yard setback of 8.4m shall be provided instead of the maximum permitted front yard setback of 4.5m.
2. A southerly side yard setback of 9.3m shall be provided instead of the maximum permitted side yard setback of 7.5m.
3. A rear yard setback of 1.5m shall be provided instead of the minimum required 7.5m rear yard setback.
4. No Visual Barrier shall be provided along the easterly side lot line whereas the By-law requires a Visual Barrier to be provided along the lot line of an abutting D5 zoned property.
5. A parking space size of 2.6m x 5.5m shall be provided instead of the minimum required parking space size of 3.0m x 5.8m.
6. A barrier free parking space size of 4.4m x 5.5m shall be provided instead of the minimum required barrier free parking space size of 4.4m x 5.8m.
7. No bicycle parking shall be provided whereas the By-law requires a minimum of five (5) bicycle parking spaces to be provided at grade.

NOTES:

- i. These variances are necessary to facilitate Site Plan Control Application No. DA-17-105.
- ii. This is a corner lot. For zoning purposes, the lot line along Ferguson Avenue is considered the Front Lot Line.

HM/A-20:73

Page 2

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

DATE: Thursday, July 16th, 2020
TIME: 3:25p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

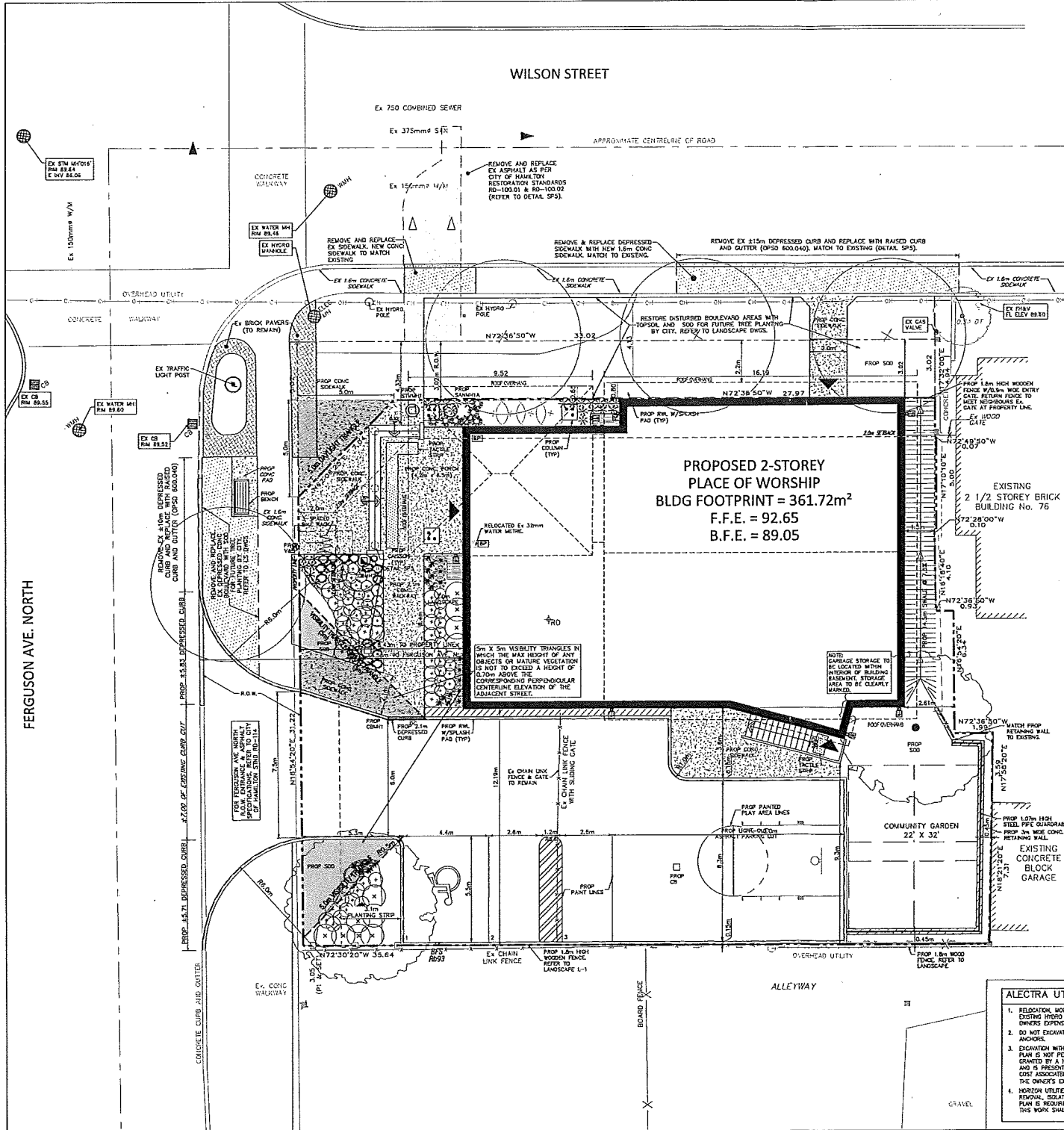
DATED: June 30th, 2020.

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.

0 10 20 30 40 50 60 70 80 90 100



LOT 17, 18, 19, AND 20
 REGISTRAR'S COMPILED PLAN No. 1489
 IN THE
 CITY OF HAMILTON

OWNERS	APPLICANT
STEEPLECHURCH MINISTRIES 82 FERGUSON AVE. NORTH HAMILTON, ONTARIO L8R 1L4 P (905) 523-7897	REINDERS + RIEDER LTD. 64 ONTARIO STREET NORTH MILTON, ONTARIO L7T 2T1 P (905) 457-1818 F (905) 457-8832



UNDEVELOPED FILE No. DA-07-158
 82 Ferguson Avenue North

1. (a) To occupy with all the content of this plan and drawing and not to vary therefrom.
 (b) To perform the building, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing (i) in accordance with the conditions of approval as set out in the Letter of Approval or (ii) as amended.
 (c) To ensure that the Owner does not carry out the plan shown on this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.
 (d) To ensure that the Owner does not carry out the plan shown on this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.
 (e) To ensure that the Owner does not carry out the plan shown on this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.
 (f) That the owner agrees to provide boulevard lighting and parking on City boulevard except for existing driveway approach and side walk.
 (g) That the owner agrees to affix the municipal number to the building in a manner that is visible from the street, or if not, to affix the first service walk where the municipal number or the full address.

Dated this _____ day of _____, 2018.
 Witness (Signature) _____ Owner (Signature) _____
 Witness (Print) _____ Owner (Print) _____

SITE STATISTICS

TOTAL LOT AREA	=	8811 m ²	\$12.82 m ²
PARKING REQUIRED	=	0 SP	
PARKING PROVIDED			
NEW STANDARD SPACES	=	2 SP (2.61 x 5.5m)	
NEW BARRIER-FREE PARKING	=	1 SP (4.11 x 5.5m)	
TOTAL PARKING	=	1 SP	
BUILDING GROSS FLOOR AREA			
PROPOSED BUILDING	=	361.72 m ²	
LOWER LEVEL	=	361.72 m ²	
UPPER LEVEL	=	361.72 m ²	
TOTAL BUILDING GFA	=	723.44 m ²	
FOOTPRINT AREAS			
PROPOSED BUILDING	=	361.72 m ²	
REQUIRED	PROVIDED		
LOT FRONTAGE	35.64m (L1)	317.16m	
FRONT YARD DEPTH (FERGUSON AVE)	2.5m (M)	6.91m	
FRONT YARD DEPTH (WILSON ST)	2.5m (M)	0m	
SIDE YARD DEPTH	NONE	11.56m	
REAR YARD DEPTH	NONE	0m	
BUILDING HEIGHT	15m (MAX)	11.6m	
LOT COVERAGE AREA	361.72 m ²	17.36 %	
ASPHALT PAVING	28.70 m ²	2.20 %	
CONCRETE SIDEWALK	12.51 m ²	1.24 %	
LANDSCAPE/OPEN SPACE	10.91 m ²	2.51 %	
TOTAL	=	312.82 m ²	18.09 %

EXISTING ZONING: D4 DOWNTOWN LOCAL COMMERCIAL (64-20)

LEGEND

SB	EX. STANDARD IRON BAR
IB	EX. IRON BAR
CB	EX. CATCHBASIN
DCB	EX. DOUBLE CATCHBASIN
MH	EX. MANHOLE
WV	EX. WATER VALVE & BOX
RD	PROPOSED ROOF DRAIN
CB	PROPOSED CATCHBASIN
CMH	PROPOSED CATCHBASIN MANHOLE
SMH	PROPOSED STORM MANHOLE
BP	BARRIER FREE PARKING SIGN
FL	PROPERTY LINE
SL	SETBACK LINE
BF	BUILDING FOOTPRINT ADDITION
CP	CONCRETE PAD OR CONCRETE SIDEWALK
V	VISIBILITY/DAYLIGHT TRIANGLE
C/C OR O/C	PROPOSED CURB CUT OR DEPRESSION CURB
WR	PROPOSED RETAINING WALL W/ GUARD
S	PROPOSED 3:1 SLOPE
B	PROPOSED 3-SPACE BIKE RACK
R	PROPOSED RAIN WATER LEADER WITH SPILL PAN
T	PROPOSED TACTILE STRIP (ADA COMPLIANT)

SITE PLAN 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, CITY OF HAMILTON.
- FIRE ROUTE SIGNS AND 3-MAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE +/- 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN SIX WALKWAY GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN SIX WALKWAY GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER FROM OBTAINING CONSTRUCTION FROM THE REGULATIONS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - SEWER PERMIT
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - COMMITTEE OF ADJUSTMENT
 - ASPHALTED ACCESSIBLE
 - PROPOSED FENCING SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-142.
 - PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-142.
 - THIS PROPERTY IS ELIGIBLE FOR VEHICULAR COLLECTION OF GARBAGE, RECYCLING, ORGANICS, AND LEAF & 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 NO. 09-057, AS AMENDED.
 - LOADING MUST BE DIRECTED ON-SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS. MUST PROVIDE HOUSHOLD SHIELDS WHERE NECESSARY TO COMPLETELY ELIMINATE GATE TO ADJACENT PROPERTIES.
 - UNION GAS - UNION GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN AFFECT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES. ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER.

ALECTRA UTILITIES NOTE

- RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES, SHALL BE AT THE OWNERS EXPENSE.
- DO NOT EXCAVATE WITHIN 2m OF HYDRO POLE OR ANCHORS.
- EXCAVATION WITHIN 1m OF UNDERGROUND HYDRO PLAN IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY A HYDRO UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNERS EXPENSE.
- HORIZONTAL UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLAN IS REQUIRED. ALL COST ASSOCIATED WITH THIS WORK SHALL BE AT THE OWNERS EXPENSE.

EXISTING TOPOGRAPHIC INFORMATION BASED ON SURVEY PERFORMED BY ASHENBURY SURVEYS LIMITED, HAMILTON, ONTARIO, (905) 526-8318, DATED MAY 30, 2015, FILE #A15661, 25.47m

BENCHMARK No. 0011915055555
 HAMILTON-NORTHWEST, CITY OF HAMILTON
 BENCHMARK, HOUSE No. 529, JAMES STREET NORTH, AT NORTH WEST CORNER OF INTERSECTION OF HICKLEY STREET, PLATE IN SOUTH BRICK WALL, CORNER. ELEVATION = 85.18 (CGD=1928.1978)

7	REVISED FOR SPA	2018/11/15	K.L.
8	ISSUED FOR COORDINATION	2018/12/20	K.L.
9	AS PER CITY COMMENTS	2019/01/24	K.L.
1	AS PER CITY COMMENTS	2018/08/28	K.L.
3	ISSUE FOR TENDER	2019/05/21	T.A.
2	ISSUED FOR CLIENT REVIEW	2018/05/23	T.A.
1	REQUEST FOR SPA	2018/07/24	T.A.
0	ISSUED FOR SPA	2017/05/21	T.A.

no. revisions date initials

GENERAL NOTE

THESE DRAWINGS ARE COPYRIGHT AND THE PROPERTY OF REINDERS + RIEDER LTD. THE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION WITHOUT THE PERMISSION OF REINDERS + RIEDER LTD. UNLESS SEALED AND SIGNED BY THE ARCHITECT/ENGINEER REPRESENTATION OF THESE DRAWINGS WITHOUT THE CONSENT OF REINDERS + RIEDER LTD. STRICTLY PROHIBITED.

DO NOT SCALE THESE DRAWINGS. ANY ERROR OR DISCREPANCY IS TO BE REPORTED IMMEDIATELY TO: REINDERS + RIEDER LTD.

cod file: 16009-SP1
 date plotted: Feb/10/2020

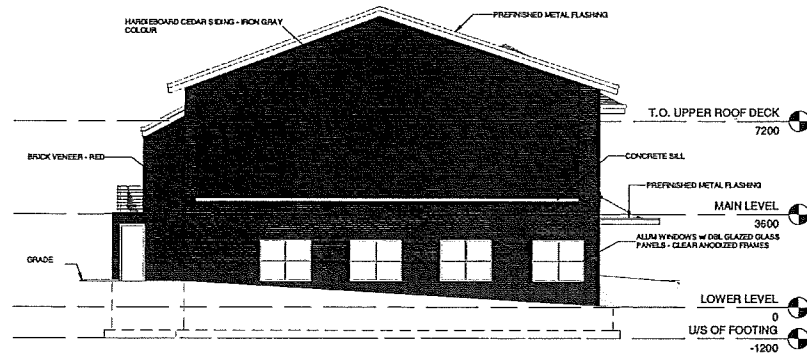
ASSOCIATED ARCHITECTS 2
 DEC 20, 2018
 KYLE REINDERS
 LICENSE

drawn: A.I.
 designed: G.R.
 reviewed: G.R.
 date: OCT 2018
 scale: 1:100
 project: STREETLIGHT MINISTRIES
 82 FERGUSON AVE. NORTH
 HAMILTON, ON L8R 1L4

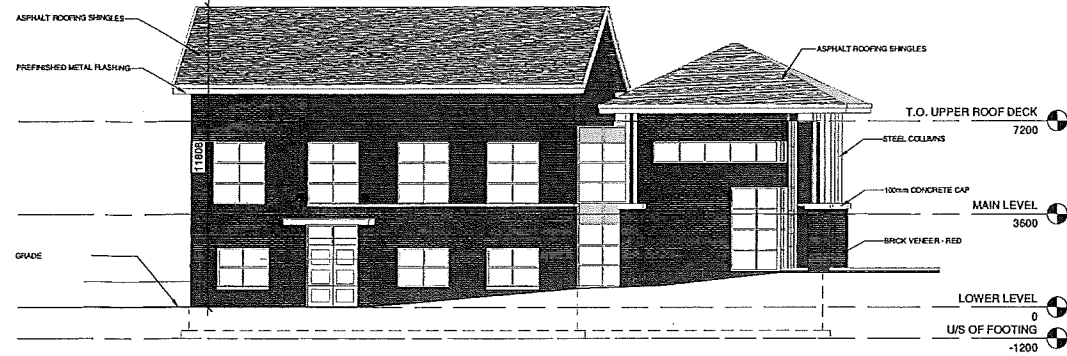
DA-17-105
 drawing: SITE PLAN

REINDERS + RIEDER LTD.
 ARCHITECTS, ENGINEERS & PROJECT MANAGERS
 64 ONTARIO STREET NORTH
 MILTON, ON L7T 2T1
 T: 905-457-1818 F: 905-457-8832
 EMAIL: REINDERS@REINDERS.COM
 drawing no. 16009-SP1 rev. no. 7

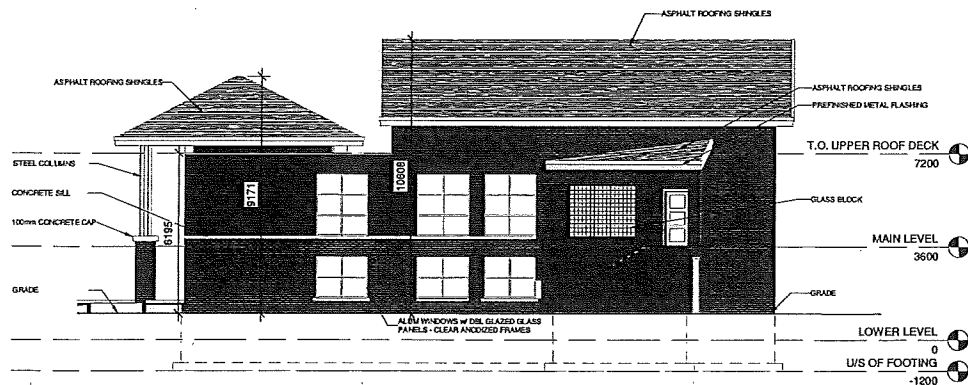
Am 1A 20:73
 sketches



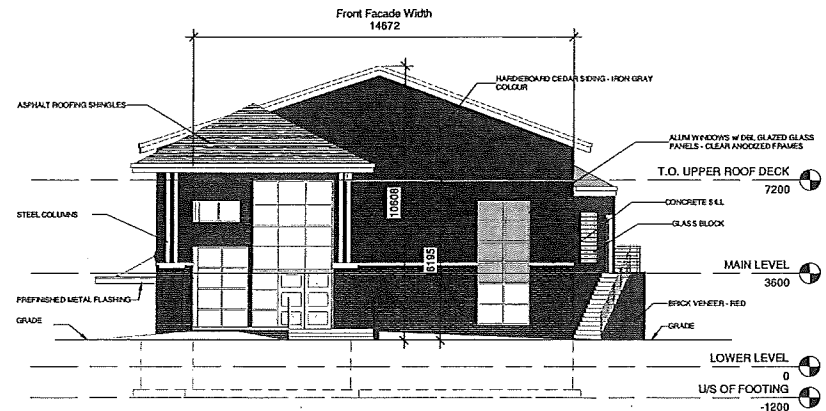
1 East
1 : 100



2 North
1 : 100



3 South
1 : 100



4 West
1 : 100

2	ISSUED FOR SPA	02/26/2018	KR
1	ISSUED FOR SPA	05/18/2017	KR

GENERAL NOTE:
 THESE DRAWINGS ARE COPYRIGHT AND THE PROPERTY OF REIDERS + RIEDER LTD. THE DRAWINGS MAY NOT BE LOANED, REPRODUCED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE PERMISSION OF REIDERS + RIEDER LTD. UNLESS SOLELY AND EXCLUSIVELY BY THE ARCHITECT ENGINEER REPRESENTATIVE OF THESE DRAWINGS WITHOUT THE CONSENT OF REIDERS + RIEDER IS STRICTLY PROHIBITED.
 DO NOT SCALE THESE DRAWINGS. ANY ERRORS OR OMISSIONS ARE TO BE REPORTED IMMEDIATELY TO REIDERS + RIEDER LTD.



Drawn	KR
Design	GDR
Reviewed	KR
Date	05/18/2017
Scale	1 : 100

PROJECT
STREETLIGHT MINISTRIES
 57 FERGUSON AVENUE N.
 HAMILTON, ON
 DA-17-105

DRAWING
BUILDING ELEVATIONS

REIDERS + RIEDER LTD.
 ARCHITECTS, CONSULTING ENGINEERS & PROJECT MANAGERS
 57 HILL STREET NORTH, SUITE 201
 BRAMPTON, ON L6X 1S9
 T. 905.457.1418 F. 905.457.9832
 www.reidersrieder.ca

HM 18 20:13
 sketch 2



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

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

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:73</u>	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 Streetlight Ministries Telephone No. _____

2. _____

3. Name of Agent Kyle Reinders 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 _____

*Send
sign*

Care of Ken Vanderboom

6. Nature and extent of relief applied for:

To permit development of 2-Storey place of worship under requirements of new downtown DS zone

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

Conditional siteplan approval and variances were approved under previous P4 zone

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, 18, 19 and 20 plan No. 1489

452 Ferguson Ave North, Hamilton, L5R 1K4

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other Place of worship

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?

Personal knowledge

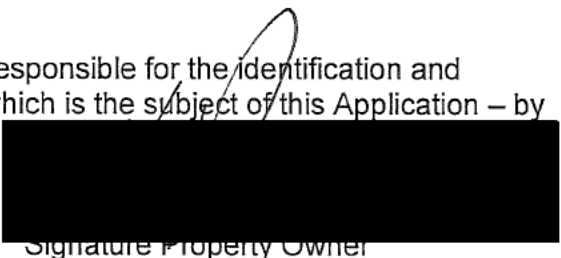
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Feb 27, 2020
Date


Signature Property Owner

Ken VanderBoon
Print Name of Owner

10. Dimensions of lands affected:

Frontage 31.22 m
Depth 35.64 m
Area 952.82 sqm
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: 2 - storey place of worship

Proposed: 2 - Storey, 723 sqm place of worship

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

Existing: to be demolished

Proposed: pls refer to site plan (attached)

13. Date of acquisition of subject lands:
approx 2001

14. Date of construction of all buildings and structures on subject lands:
1920's

15. Existing uses of the subject property: place of worship

16. Existing uses of abutting properties: Dwellings to East
Medical office to South

17. Length of time the existing uses of the subject property have continued:
Since 1920's

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

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

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No

If the answer is yes, describe briefly.

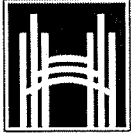
Variations were previously approved
under previous DR zoning on May 24 2018

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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:45

APPLICANTS: Mohammed Khawja Qutubuddin, owner

SUBJECT PROPERTY: Municipal address **246 Bowman St., City of Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-laws 80-274, 95-02, 95-033 and 19-307

ZONING: "C/S-720, C/S-1335 and C/S-1335a and C/S-1788" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the conversion of a single family dwelling to contain two (2) dwelling units and to permit the construction of a 2.44m (8') and 6.99m (22'11") roofed-over one storey front porch at the first storey and a 6.58m (21'7") x 6.76m (22'2) "L-shaped" roofed-over one storey rear porch at the first storey notwithstanding that:

1. The external appearance shall be permitted to be altered by adding new windows and enlarging existing windows and by the construction of front and rear roofed-over unenclosed one storey porches at the first storey notwithstanding that the external appearance and character of a converted dwelling shall be preserved.
2. A minimum northerly side yard width of 0.9m shall be permitted instead of the minimum required side yard width of 1.2m.
3. Tandem parking shall be permitted for the two parking spaces within the driveway instead of the requirement that every parking space shall be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking space and 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 Applicant confirmed that the "garage" is intended for storage of residential items for the dwelling and is not used for the parking of vehicles.

HM/A-20:45
Page 2

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

DATE: Thursday, July 16th, 2020
TIME: 3:30p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

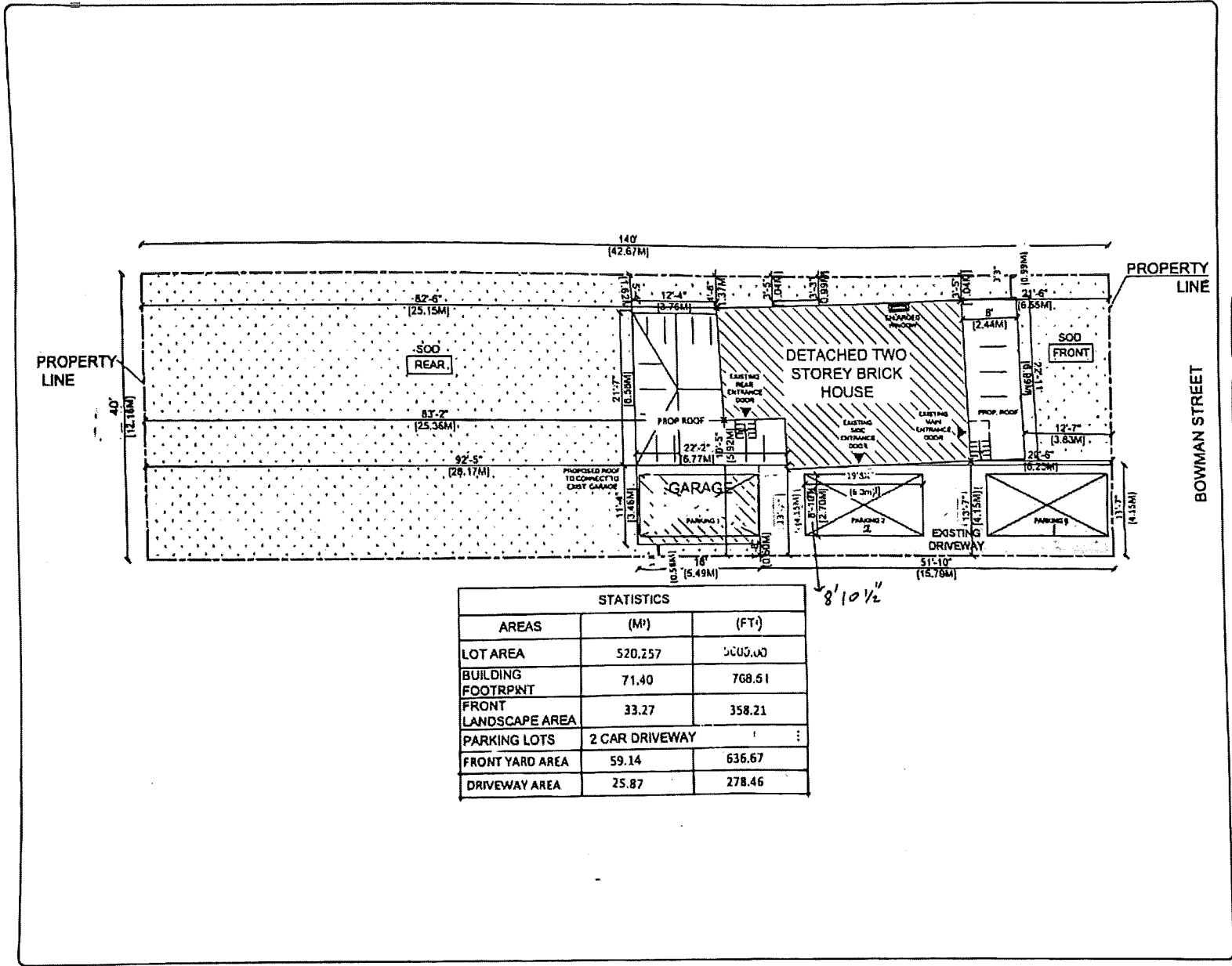
DATED: June 30th, 2020.

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.

DRAFT



STATISTICS		
AREAS	(M ²)	(FT ²)
LOT AREA	520.257	5600.00
BUILDING FOOTPRINT	71.40	768.51
FRONT LANDSCAPE AREA	33.27	358.21
PARKING LOTS	2 CAR DRIVEWAY	
FRONT YARD AREA	59.14	636.67
DRIVEWAY AREA	25.87	278.46

tipartm inc.
 603 Argus Rd. Unit 201
 Oakville, ON
 (905) 873-1733
 tipartm@gmail.com
 tipartm.com

ADDRESS:
 246 BOWMAN ST.
 HAMILTON, ON

PROJECT NAME:
 1. LEGAL BASEMENT W/ NEW WASH-ROOM ON MAIN FLOOR
 2. PROPOSED ROOFS

DWG NAME:
 SITE PLAN

DWG SCALE: 1 : 150

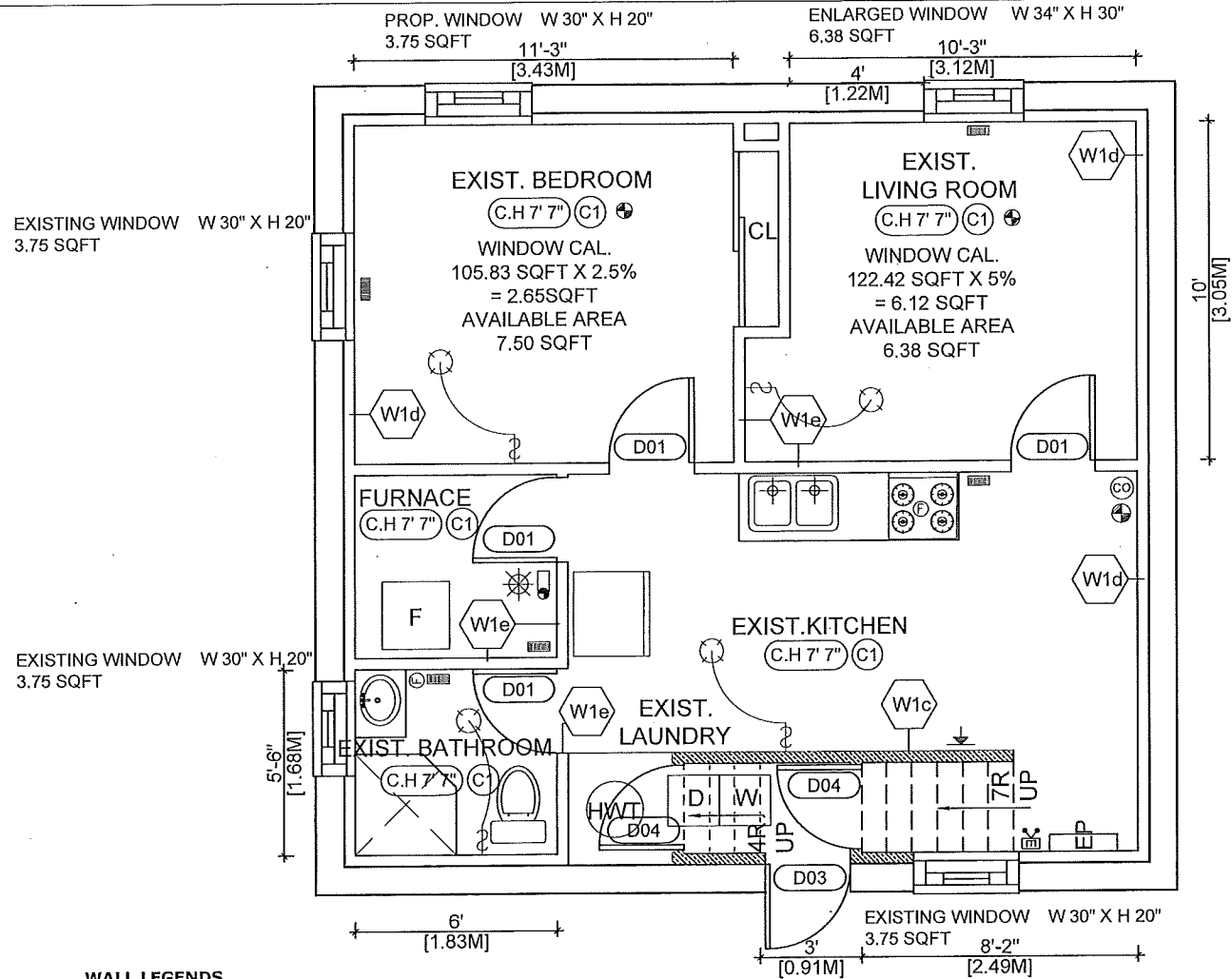
DRAWN BY:	RD
CHECKED BY:	VG
CLIENT APPROVAL:	
ORIGINAL DATE:	09/10/2018
REVISION -01:	
REVISION -02:	
REVISION -03:	
REVISION -04:	

DWG. NO.:
SP1.01

SH. SIZE: 11" x 17"

HM1A-20:45
 revised sketch

Hm/A 20:45
Sketch 2



WALL LEGENDS

<p>C1 - EXIST. FULL HEIGHT CEILING TO REMAIN 15 MIN FRR</p> <ul style="list-style-type: none"> - WOOD 2X10" @ 16 O.C. - 1/2" REGULAR GYPSUM 	<p>F9h - SB-3 (ASSEMBLY F9h) FULL HEIGHT CEILING 45 MIN FIRE SEPARATION</p> <ul style="list-style-type: none"> - SUBFLOOR OF 15.5mm PLYWOOD, OSB OR WAFERBOARD, OR 17mm TONGUE AND GROOVE LUMBER - ON WOOD JOISTS OR WOOD I-JOISTS SPACED NO MORE THAN 610mm O.C - 53 SYC SOUND INSULATION - RESILIENT CHANNEL 610mm O/C - 12.7mm TYPE 'X' GYPSUM 	<p>W1d - SB-3 (ASSEMBLY W1d) EXTERIOR WALL (1HR.):</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS SPACED 406mm OR 610mm O.C - 15.9mm TYPE X GYPSUM BOARD 	<p>W1e - SB-3 (ASSEMBLY W1e) INT. PARTITION WALL (45 MIN.)</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C - NO ABSORPTIVE MATERIAL - 12.7mm TYPE X GYPSUM BOARD 	<p>W1c - SB-3 (ASSEMBLY W1c) FRR INTERIOR PARTITION WALL (30 MIN.):</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C - 89mm THICK ABSORPTIVE MATERIAL - 12.7mm REGULAR GYPSUM BOARD
--	---	--	---	---

LEGENDS

<ul style="list-style-type: none"> - WARM AIR REGISTERS - WALL FAN VENTED - SPRINKLES AS PER BUILDING CODE - CARBON MONOXIDE DETECTOR - INTERCONNECTED SMOKE DETECTOR AND ALARM WITH STROBE LIGHT - RETURN AIR REGISTER (low wall) 	<ul style="list-style-type: none"> - THREE WAY ELECTRIC OUTLET - EMERGENCY LIGHTS - A DUCT TYPE SMOKE DETECTOR INSTALLED IN THE SUPPLY AND RETURN AIR DUCT SYSTEM SERVING THE ENTIRE BUILDING MUST TURN OFF THE FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION. - ELECTRIC OUTLET
--	---

DOOR SCHEDULE

NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED			EXISTING DOOR TO REMAIN

BASEMENT AREA
459.52 SQFT
42.69 SQM

ITIPERMITTING
Permit Designer Inc.
603 Argus Rd, Suit 20
Oakville, ON
(647) 973-1733
itipermitt@gmail.com
itipermitt.com

The undersigned has reviewed & taken 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 design is exempt under 3.2.5 of Div. C, of the building code

NAME	BCN
VIVEK GUPTA	39587
SIGNATURE	#CURDATE
REGISTRATION INFORMATION	Date
ITIPERMIT DESIGNERS INC.	
Firm Name	BCN

ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

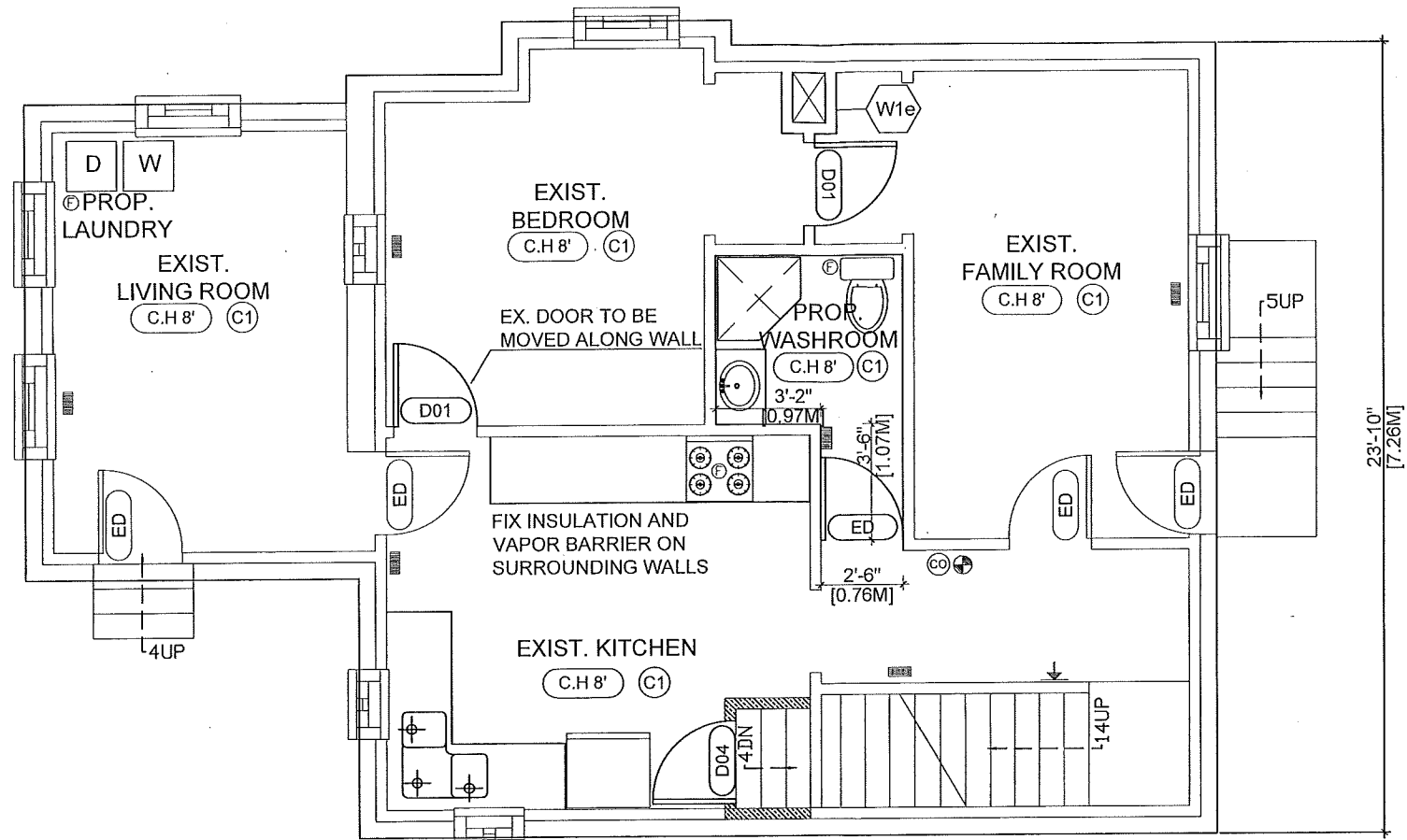
PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME
PROPOSED BASEMENT
DWG SCALE 1 : 50

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.
A2.01
SH. SIZE 11" x 17"

Hm/A 20:45
Sketch 3



WALL LEGENDS	
<p>C1 EXIST. FULL HEIGHT CEILING TO REMAIN 15 MIN FRR</p> <ul style="list-style-type: none"> WOOD 2X10" @ 16 O.C. 1/2" REGULAR GYPSUM 	<p>F9h SB-3 (ASSEMBLY F9h) FULL HEIGHT CEILING 45 MIN FIRE SEPARATION</p> <ul style="list-style-type: none"> SUBFLOOR OF 15.5mm PLYWOOD, OSB OR WAFFERBOARD, OR 17mm TONGUE AND GROOVE LUMBER ON WOOD JOISTS OR WOOD I-JOISTS SPACED NO MORE THAN 610mm O.C 53 STC SOUND INSULATION RESILIENT CHANNEL 610mm O/C 12.7mm TYPE 'X' GYPSUM
<p>W1d SB-3 (ASSEMBLY W1d) EXTERIOR WALL (1HR.)</p> <ul style="list-style-type: none"> 38mm X 89mm WOOD STUDS SPACED 406mm OR 610mm O.C 15.9mm TYPE X GYPSUM BOARD 	<p>W1e SB-3 (ASSEMBLY W1e) INT. PARTITION WALL (45 MIN.)</p> <ul style="list-style-type: none"> 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C NO ABSORPTIVE MATERIAL 12.7mm TYPE X GYPSUM BOARD
<p>W1c SB-3 (ASSEMBLY W1c) FRR INTERIOR PARTITION WALL (30 MIN.)</p> <ul style="list-style-type: none"> 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C 89mm THICK ABSORPTIVE MATERIAL 12.7mm REGULAR GYPSUM BOARD 	

LEGENDS	
<ul style="list-style-type: none"> WARM AIR REGISTERS WALL FAN VENTED SPRINKLES AS PER BUILDING CODE CARBON MONOXIDE DETECTOR INTERCONNECTED SMOKE DETECTOR AND ALARM WITH STROBE LIGHT RETURN AIR REGISTER (low wall) 	<ul style="list-style-type: none"> THREE WAY ELECTRIC OUTLET EMERGENCY LIGHTS A DUCT TYPE SMOKE DETECTOR INSTALLED IN THE SUPPLY AND RETURN AIR DUCT SYSTEM SERVING THE ENTIRE BUILDING MUST TURN OFF THE FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION. ELECTRIC OUTLET

DOOR SCHEDULE			
NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
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D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED			EXISTING DOOR TO REMAIN

SECOND FLOOR AREA
632.71 SQFT
58.78 SQM

603 Argus Rd, Suit 20
Oakville, ON
(647) 973-1733
itipermits@gmail.com
itipermits.com

The undersigned has reviewed & taken 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 design is exempt under 3.2.5 of Div.C, of the building code

VIVEK GUPTA	39587
Name	BCIN
	#CURDATE
Signature	Date

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.5 of Div. C, of the building code

ITI PERMIT DESIGNERS INC.	-
Firm Name	BCIN

ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

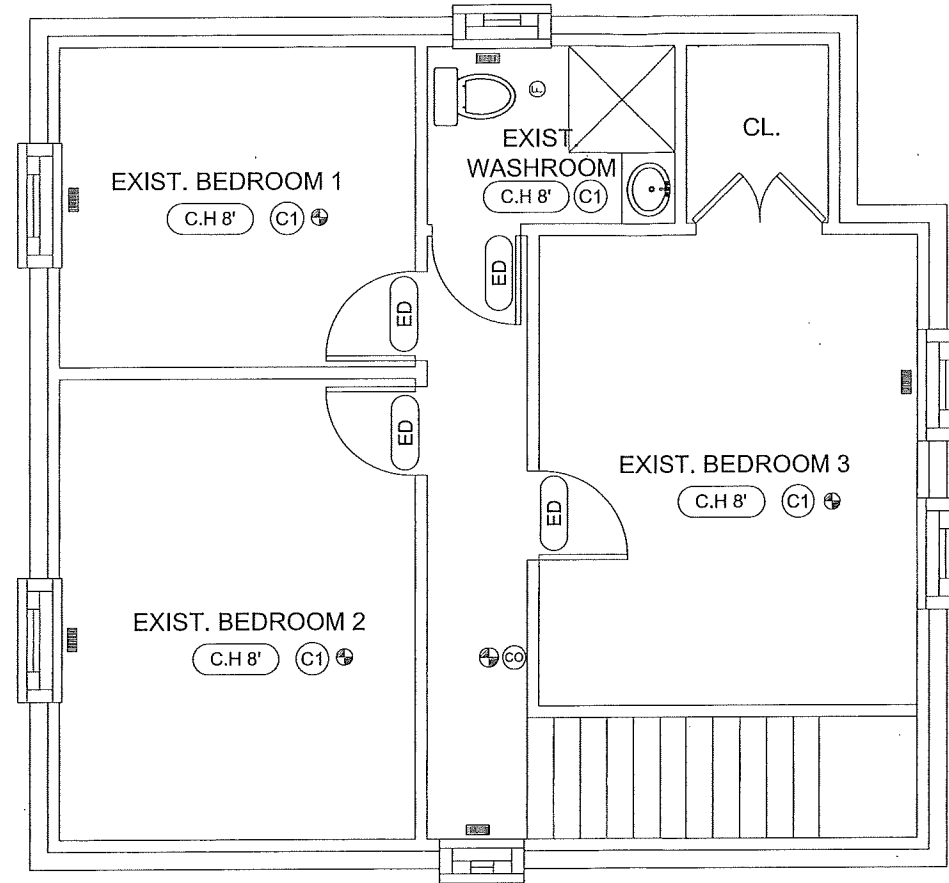
DWG NAME
MAIN FLOOR
DWG SCALE 1 : 50

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.
A3.01
SH. SIZE 11" x 17"

Hm/A 20.4.15
Sketch 4

AT THIS LEVEL



WALL LEGENDS

<p>C1 - EXIST. FULL HEIGHT CEILING TO REMAIN 15 MIN FRR</p> <ul style="list-style-type: none"> - WOOD 2X10" @ 16 O.C. - 1/2" REGULAR GYPSUM 	<p>F9h - SB-3 (ASSEMBLY F9h) FULL HEIGHT CEILING 45 MIN FIRE SEPARATION</p> <ul style="list-style-type: none"> - SUBFLOOR OF 15.5mm PLYWOOD, OSB OR WAFFERBOARD, OR 17mm TONGUE AND GROOVE LUMBER - ON WOOD JOISTS OR WOOD I-JOISTS SPACED NO MORE THAN 610mm O.C - 53 STC SOUND INSULATION - RESILIENT CHANNEL 610mm O/C - 12.7mm TYPE 'X' GYPSUM 	<p>W1d - SB-3 (ASSEMBLY W1d) EXTERIOR WALL (1HR.):</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS SPACED 406mm OR 610mm O.C - 15.9mm TYPE X GYPSUM BOARD 	<p>W1e - SB-3 (ASSEMBLY W1e) INT. PARTITION WALL (45 MIN.)</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C - NO ABSORPTIVE MATERIAL - 12.7mm TYPE X GYPSUM BOARD 	<p>W1c - SB-3 (ASSEMBLY W1c) FRR INTERIOR PARTITION WALL (30 MIN.):</p> <ul style="list-style-type: none"> - 38mm X 89mm WOOD STUDS 406mm OR 610mm O.C - 89mm THICK ABSORPTIVE MATERIAL - 12.7mm REGULAR GYPSUM BOARD
--	--	--	---	---

LEGENDS

<ul style="list-style-type: none"> - WARM AIR REGISTERS - WALL FAN VENTED - SPRINKLES AS PER BUILDING CODE - CARBON MONOXIDE DETECTOR - INTERCONNECTED SMOKE DETECTOR AND ALARM WITH STROBE LIGHT - RETURN AIR REGISTER (low wall) 	<ul style="list-style-type: none"> - THREE WAY ELECTRIC OUTLET - EMERGENCY LIGHTS - A DUCT TYPE SMOKE DETECTOR INSTALLED IN THE SUPPLY AND RETURN AIR DUCT SYSTEM SERVING THE ENTIRE BUILDING MUST TURN OFF THE FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION. - ELECTRIC OUTLET
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DOOR SCHEDULE

NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
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ED			EXISTING DOOR TO REMAIN

SECOND FLOOR AREA
458.79 SQFT
42.63 SQM

603 Argus Rd, Suit 20
Oakville, ON
(647) 973-1733
itipermi@gmail.com
itipermi.com

The undersigned has reviewed & taken 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

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VIVEK GUPTA	39587
Name	BCN
	#CURDATE
Signature	Date

Required unless design is exempt under 3.2.5 of Div. C. of the building code

ITI PERMIT DESIGNERS INC.	
Firm Name	BCN

ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME
SECOND FLOOR

DWG SCALE 1 : 50

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.
A4.01
SH. SIZE 11" x 17"



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

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

FOR OFFICE USE ONLY.

APPLICATION NO. Hm/A-20:45 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 MOHAMMED QUTUBI 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:

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

- A - ~~Three~~ ^{Two} Car Parking in front yard side by side.
- B - Second Unit to be allowed with less area than allowed.
(500.02 Sq. Ft. Available) - 637 Sq. Ft. Required
- C - Less Landscape area in the front yard than 50% allowed.
(227.10 Sq. Ft. Available) - 415.00 Sq. Ft. Required

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

- A - Side driveway is not enough wide to fit in 2 cars, so we need to park in front yard, side by side
- B - Size of second unit do not meet the max. of 65m²
- C - By law we should have 50% of Landscape area.

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

Plan No - 420 - Lot 247

246 Bowman St.

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

X

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?

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.

2020/01/31
 Date



Signature Property Owner

MOHAMMED QUTUBUDDIN
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 40 FT / 12.7 M
 Depth 160 FT / 42.8 M
 Area 525 sq.m.
 Width of street 18.4 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: Ground floor Area - 701.18 SQ. FT.
Gross floor Area - 1246.66 SQ. FT.
No of Stories - 2
width - 23'2" length - 36' height - 20'9"
 Proposed: As above

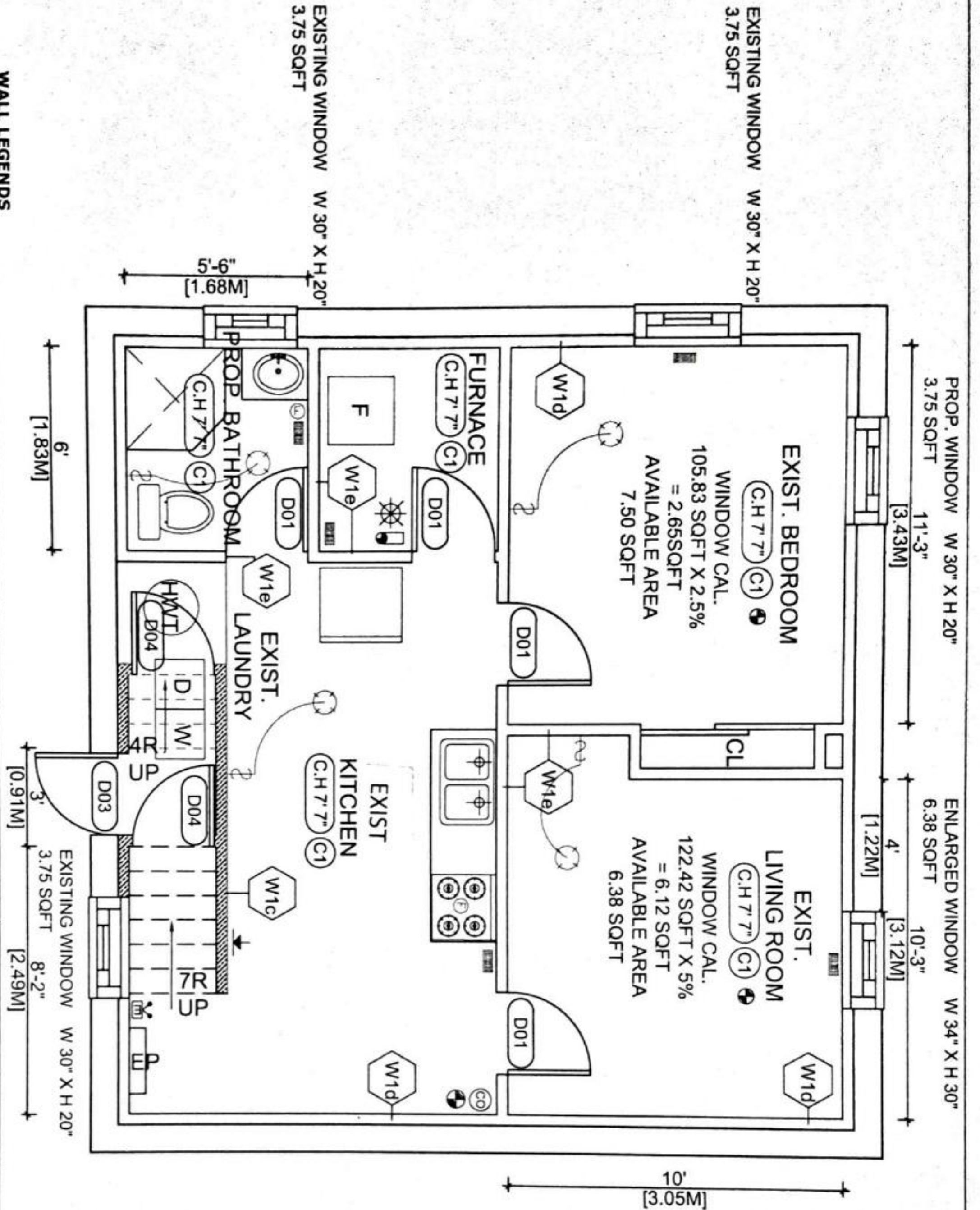
12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: FRONT SETBACK - 20'6"
REAR SETBACK - 70'2"
LEFT SIDE SETBACK - 3'5"
RIGHT SIDE SETBACK - 13'7"
 Proposed: As above

13. Date of acquisition of subject lands: 2018 2016
14. Date of construction of all buildings and structures on subject lands: NOT KNOWN
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:
AINSLIE WOOD WESTDALE - LOW DENSITY RESIDENTIAL 2
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
URBAN PROTECTED RESIDENTIAL C-DISTRICT C/S-1335(a) C/S-770, C/S-788
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.



WALL LEGENDS

C1 EXIST. FULL HEIGHT CEILING TO REMAIN
15 MIN FR. WOOD 2X10" @ 16 O.C.
1/2" REGULAR GYPSUM

F9h SB-3 (ASSEMBLY F9h) FULL HEIGHT CEILING
45 MIN FIRE SEPARATION SUBFLOOR OF 15.5mm PLYWOOD, OSB OR WATERBOARD, OR 17mm TONGUE AND GROOVE LUMBER
ON WOOD JOISTS OR WOOD 1-JOISTS SPACED NO MORE THAN 610mm O.C.
53 STIC SOUND INSULATION
RESILIENT CHANNEL 610mm O.C.
12.7mm TYPE X GYPSUM

W1d SB-3 (ASSEMBLY W1d) EXTERIOR WALL (1HR.)
TOP PLATE
38mm X 89mm WOOD STUDS SPACED 406mm OR 610mm O.C.
15.9mm TYPE X GYPSUM BOARD

W1e SB-3 (ASSEMBLY W1e) INT. PARTITION WALL (45 MIN.)
TOP PLATE
38mm X 89mm WOOD STUDS 406mm OR 610mm O.C.
NO ABSORPTIVE MATERIAL
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TOP PLATE
38mm X 89mm WOOD STUDS 406mm OR 610mm O.C.
89mm THICK ABSORPTIVE MATERIAL
12.7mm REGULAR GYPSUM BOARD

LEGENDS

- WARM AIR REGISTERS
- WALL FAN VENTED
- SPRINKLES AS PER BUILDING CODE
- CARBON MONOXIDE DETECTOR
- INTERCONNECTED SMOKE DETECTOR AND ALARM WITH STROBE LIGHT
- RETURN AIR REGISTER (low wall)
- THREE WAY ELECTRIC OUTLET
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DOOR SCHEDULE

NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
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ED			EXISTING DOOR TO REMAIN

BASEMENT AREA
459.52 SQFT
42.69 SQM

ITIPERMIL INC.
603 Argus Rd. Suit 201
Oakville, ON
(647) 973-1733
itipermil@gmail.com
itipermil.com

The undersigned has reviewed & taken responsibility for this design, and how the Ordinance and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
REGISTERED DESIGNER
NAME: VIVEX GILFILLAN
NO.: 35987
BCIN

SIGNATURE INFORMATION
SIGNATURE: [Signature]
DATE: [Date]

REGISTERED SYSTEM DESIGNER UNDER 333 OF O.B.C. OF THE BUILDING CODE
ITIPERMIL DESIGNERS INC.
FIRM NAME: [Blank]

ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

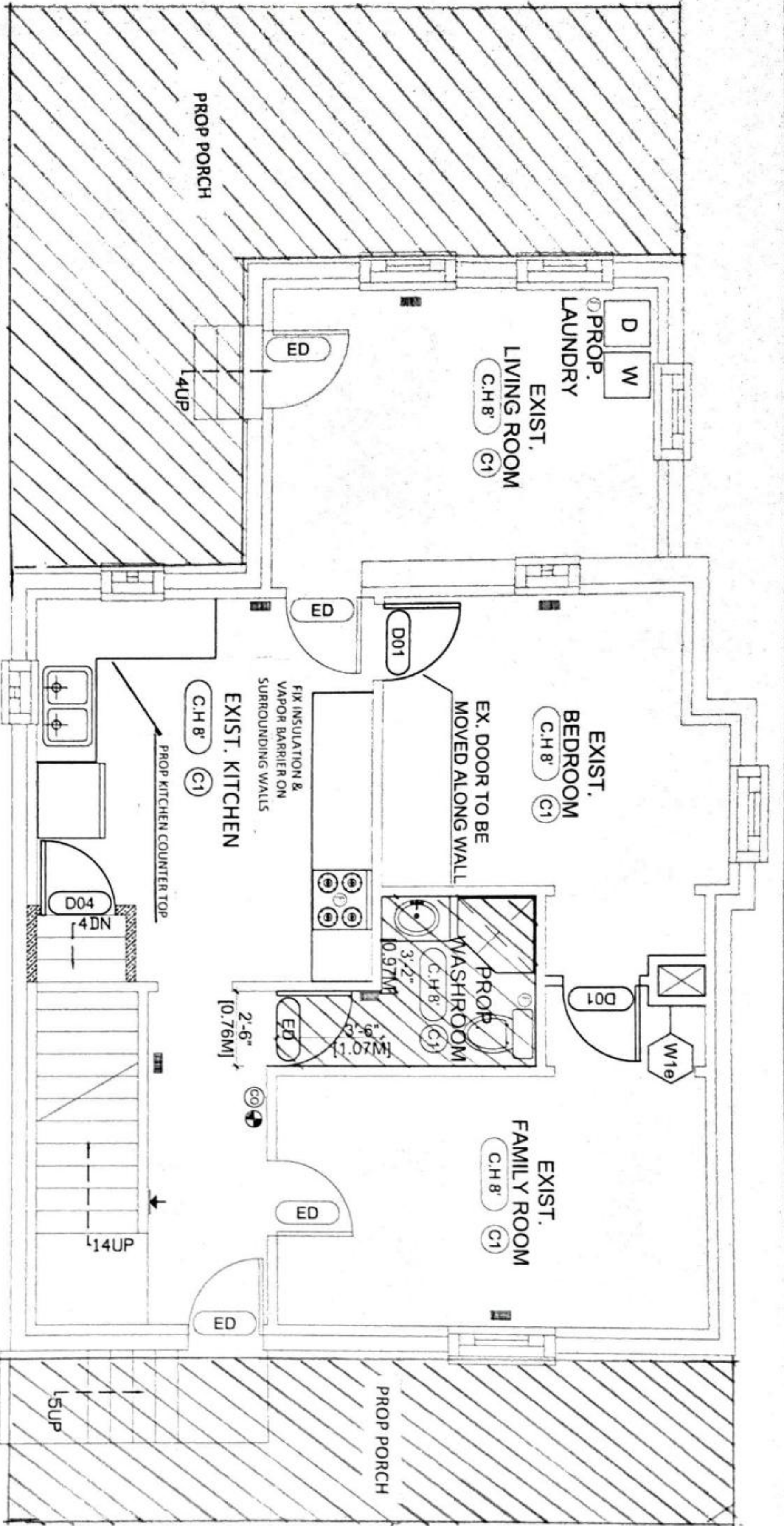
DWG NAME:
PROPOSED BASEMENT

DWG SCALE:
1 : 50

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.:
A2.01

SH. SIZE 11" x 17"



WALL LEGENDS

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15 MIN. FRP
1/2" REGULAR GYPSUM

F9h FULL HEIGHT CEILING
45 MIN FIRE SEPARATION
SUBFLOOR OF 15.5mm PLYWOOD, OSB OR GROOVE LUMBER
ON WOOD JOISTS OR WOOD 1-1/2" STUDS
SPACED NO MORE THAN 610mm O.C.
53 STC 9/20 NO INSULATION
RESISTANT CHANNEL 610mm O.C.
12.7mm TYPE X GYPSUM

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NO ABSORPTIVE MATERIAL
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89mm THICK ABSORPTIVE MATERIAL
12.7mm REGULAR GYPSUM BOARD

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ED			EXISTING DOOR TO REMAIN

MAIN FLOOR AREA
632.71 SQFT
58.78 SQM

ITPERRILL
803 Angus Rd, Suit 201
Oakville, ON
(647) 973-1733
itperrill@gmail.com
itperrill.com

Signature: *[Signature]* DATE: 2019/09/10
Name: VANCE, GARY A. BCIN
Title: ARCHITECT
Firm Name: ITPERRILL DESIGNERS INC. BCIN

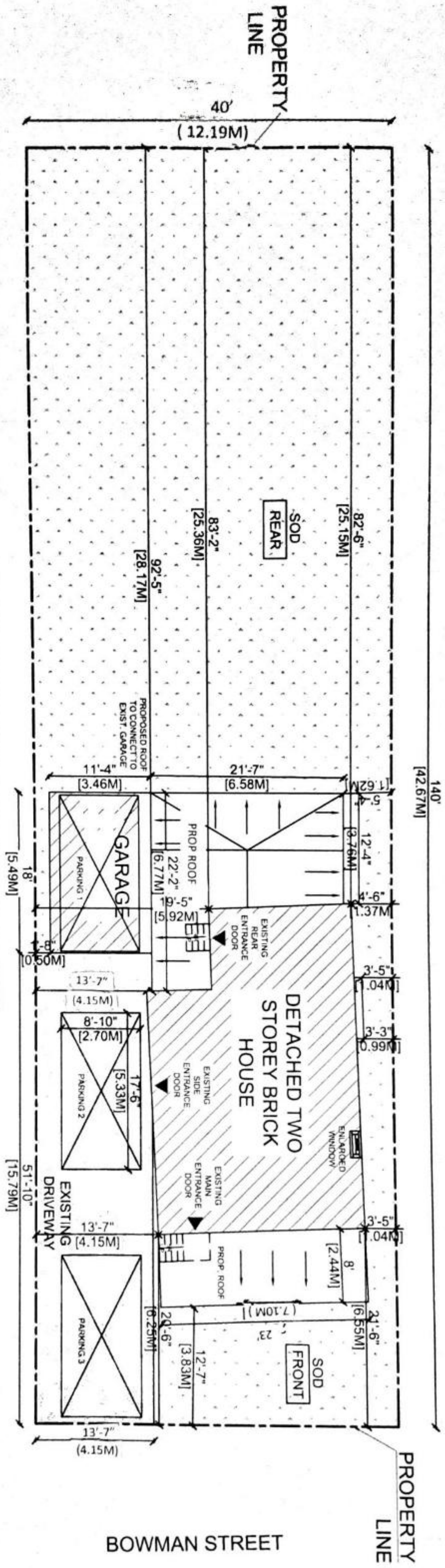
ADDRESS:
246 BOWMAN ST.
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME
MAIN FLOOR
DWG SCALE 1 : 50

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.
A3.01
SH. SIZE 11" x 17"



STATISTICS	
AREAS	(M ²) (FT ²)
LOT AREA	520.257 5600.00
BUILDING FOOTPRINT	71.40 768.51
FRONT LANDSCAPE AREA	
PARKING LOTS	2 CAR DRIVEWAY - 1 CAR GARAGE

ITIPERMIT INC.
 603 Angus Rd, Suite 201
 Oakville, ON
 (647) 973-1733
 itipermi@gmail.com
 itipermi.com

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 QUALIFICATION INFORMATION
 Registered under design is exempt under 2.2.5 of O.B.C. of the building code
 VBOX 02/PTA 39287 BCN
 Name INCORPORATE Date
 Signature RECREATION INFORMATION
 Registered under design is exempt under 2.2.5 of O.B.C. of the building code
 ITI PERMIT DESIGNERS INC. BCN
 Firm Name

ADDRESS:
 246 BOWMAN ST,
 HAMILTON, ON

PROJECT NAME:
 LEGAL BASEMENT W/
 NEW WASHROOM ON MAIN FLOOR
 2 PROPOSED ROOFS

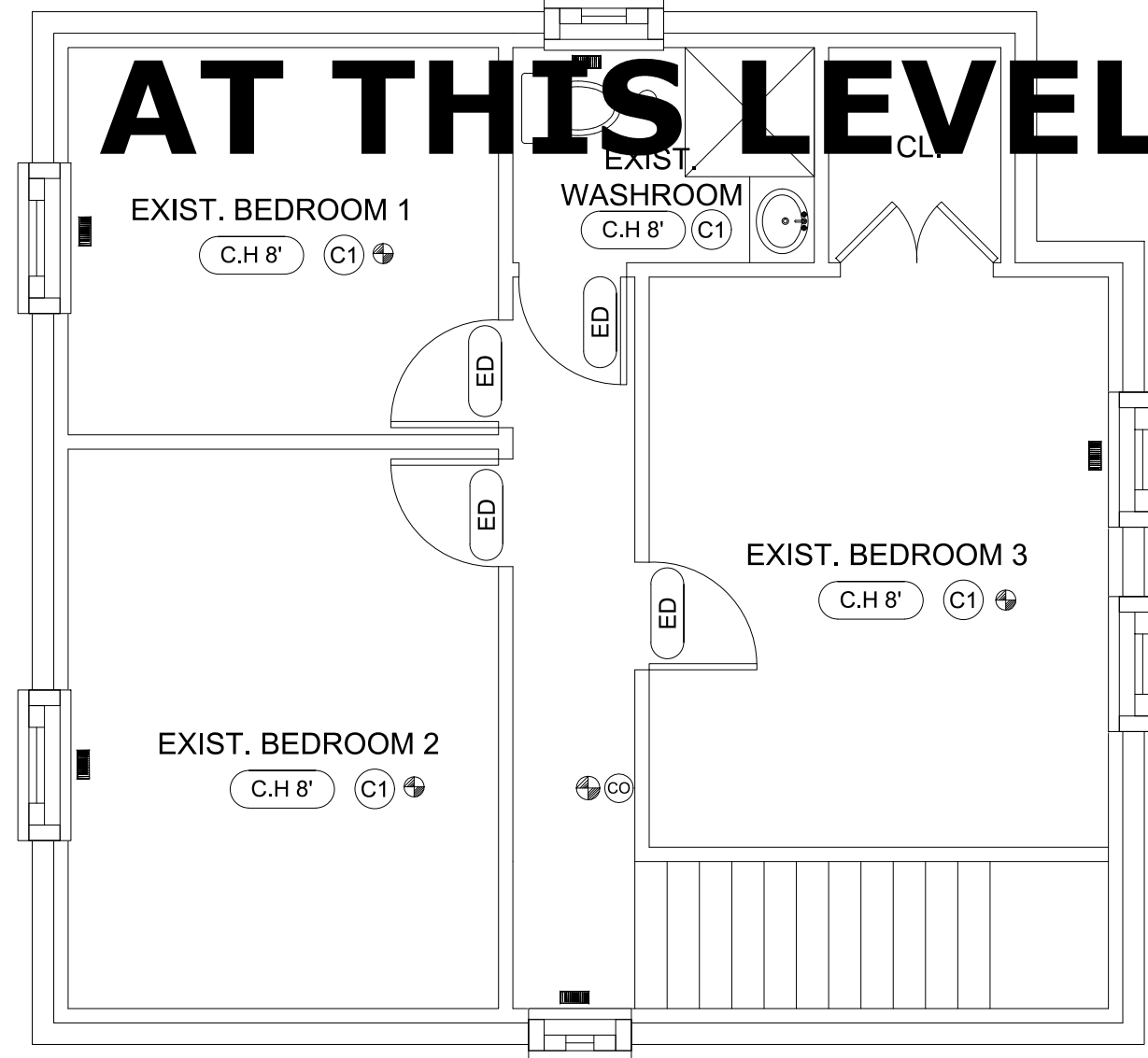
DWG NAME
 SITE PLAN
 DWG SCALE 1 : 150

DRAWN BY RD
 CHECKED BY VG
 CLIENT APPROVAL
 ORIGINAL DATE 09/10/2019
 REVISION -01
 REVISION -02
 REVISION -03
 REVISION -04

DWG. NO.
SP1.01
 SH. SIZE 11" x 17"

NO WORK IS PROPOSED

AT THIS LEVEL



WALL LEGENDS

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458.79 SQFT
42.63 SQM

ITIBUILDING
Permit Designer Inc.

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VIVEK GUPTA	39587
Name	BCIN
	#CURDATE
Signature	Date

REGISTRATION INFORMATION
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ITIPERMIT DESIGNERS INC.	-
Firm Name	BCIN

ADDRESS:
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DWG NAME
SECOND FLOOR

DWG SCALE 1 : 50

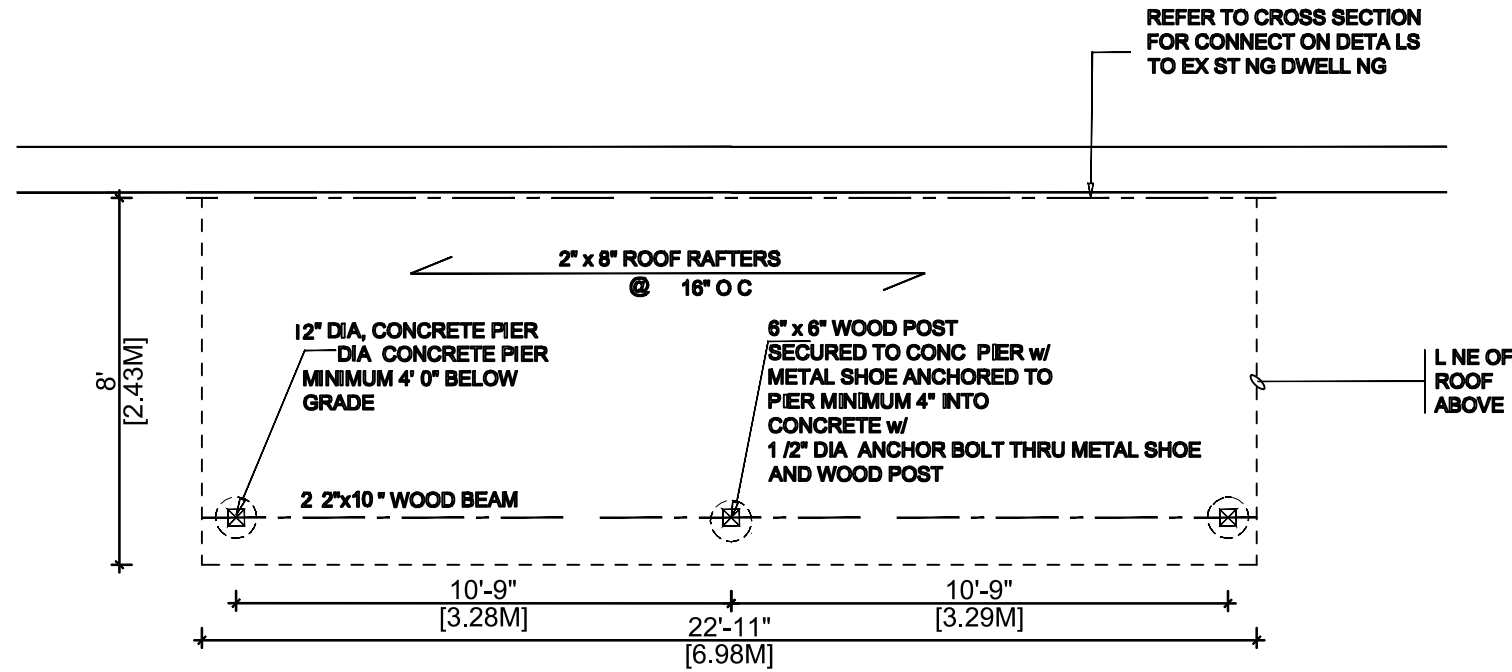
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DWG. NO.

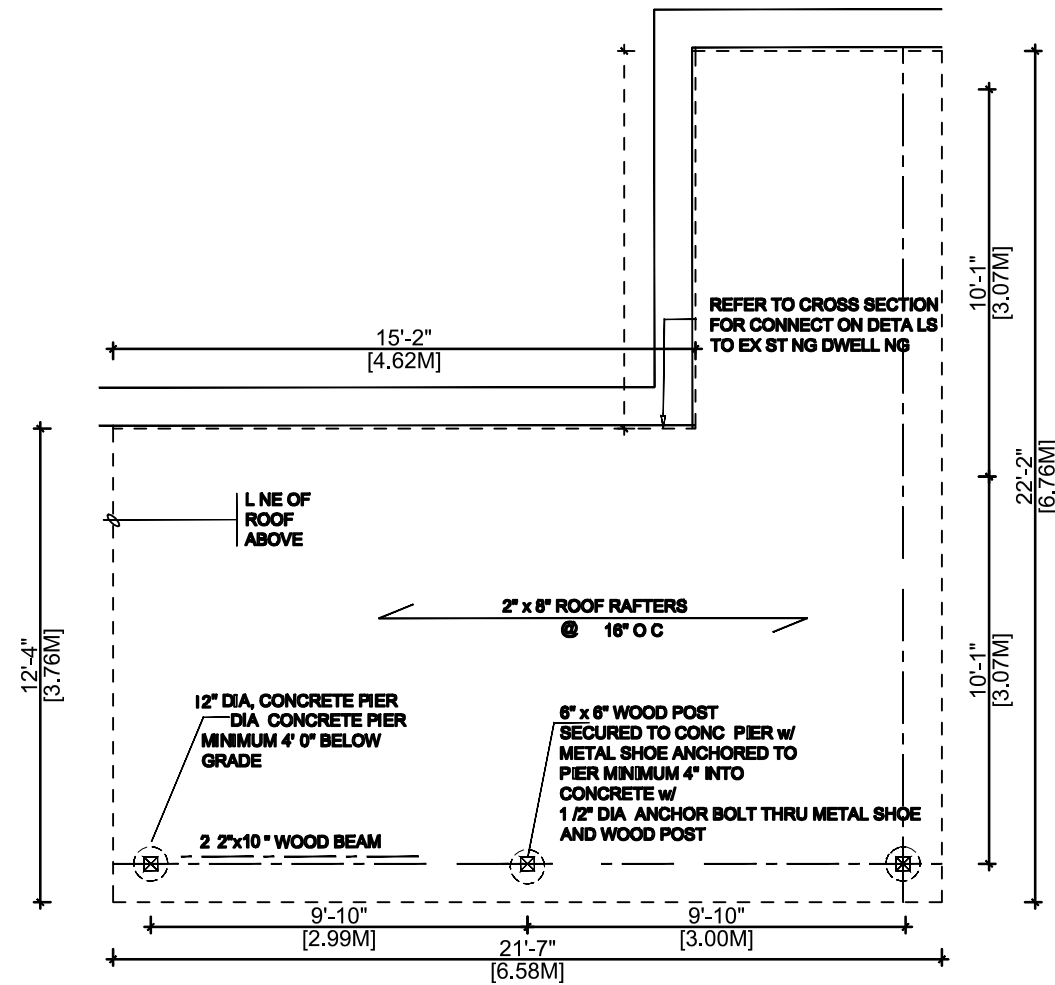
A4.01

SH. SIZE 11" x 17"



FRONT PORCH PLAN

1 : 50




REAR PORCH PLAN

1 : 50


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 Oakville, ON
 (647) 973-1733
 itipermits@gmail.com
 itipermits.com

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QUALIFICATION INFORMATION	
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Name	VIVEK GUPTA
BCIN	39587
Signature	
Date	#CURDATE
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.5. of Div. C, of the building code	
Firm Name	ITI PERMIT DESIGNERS INC.
BCIN	-

ADDRESS:
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HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME
PORCH PLANS

DWG SCALE AS SHOWN

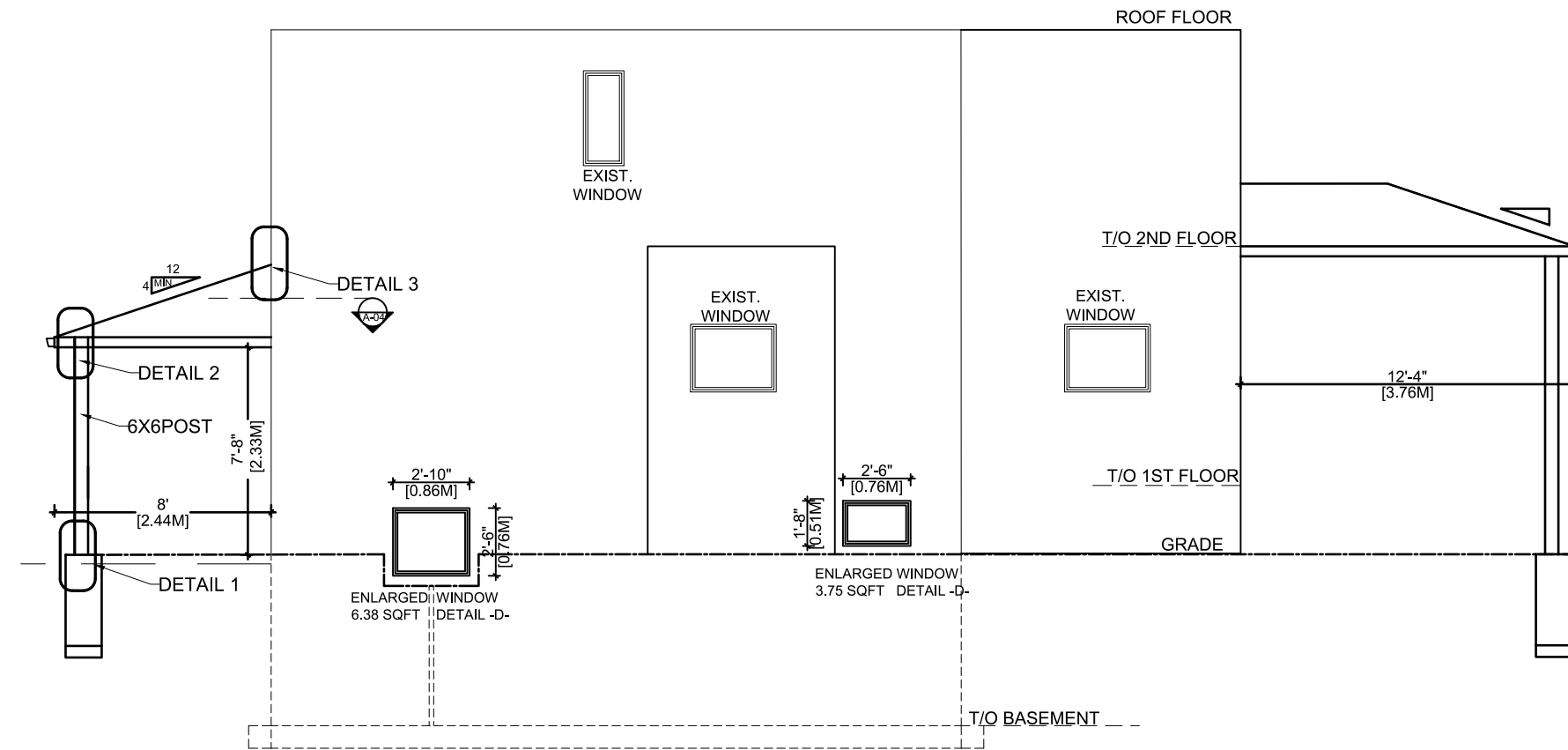
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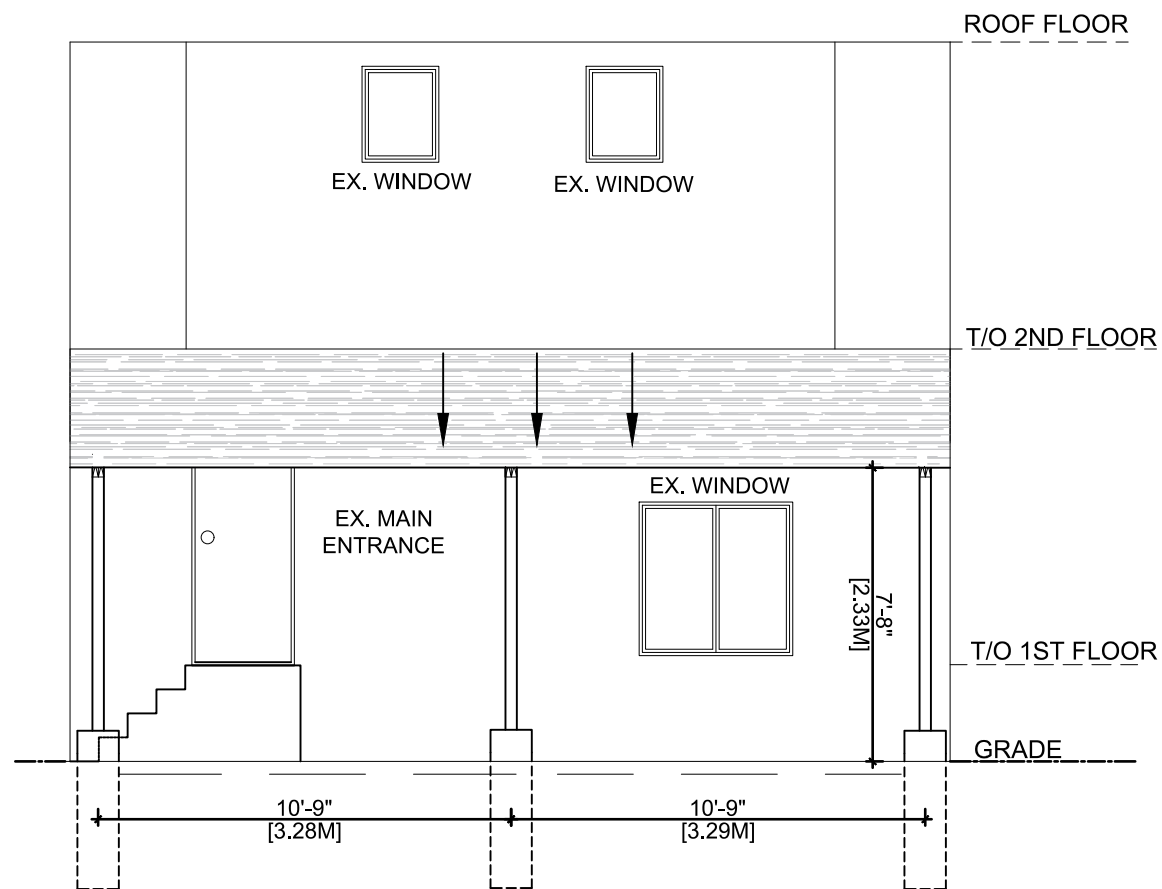
A5.01

SH. SIZE 11" x 17"



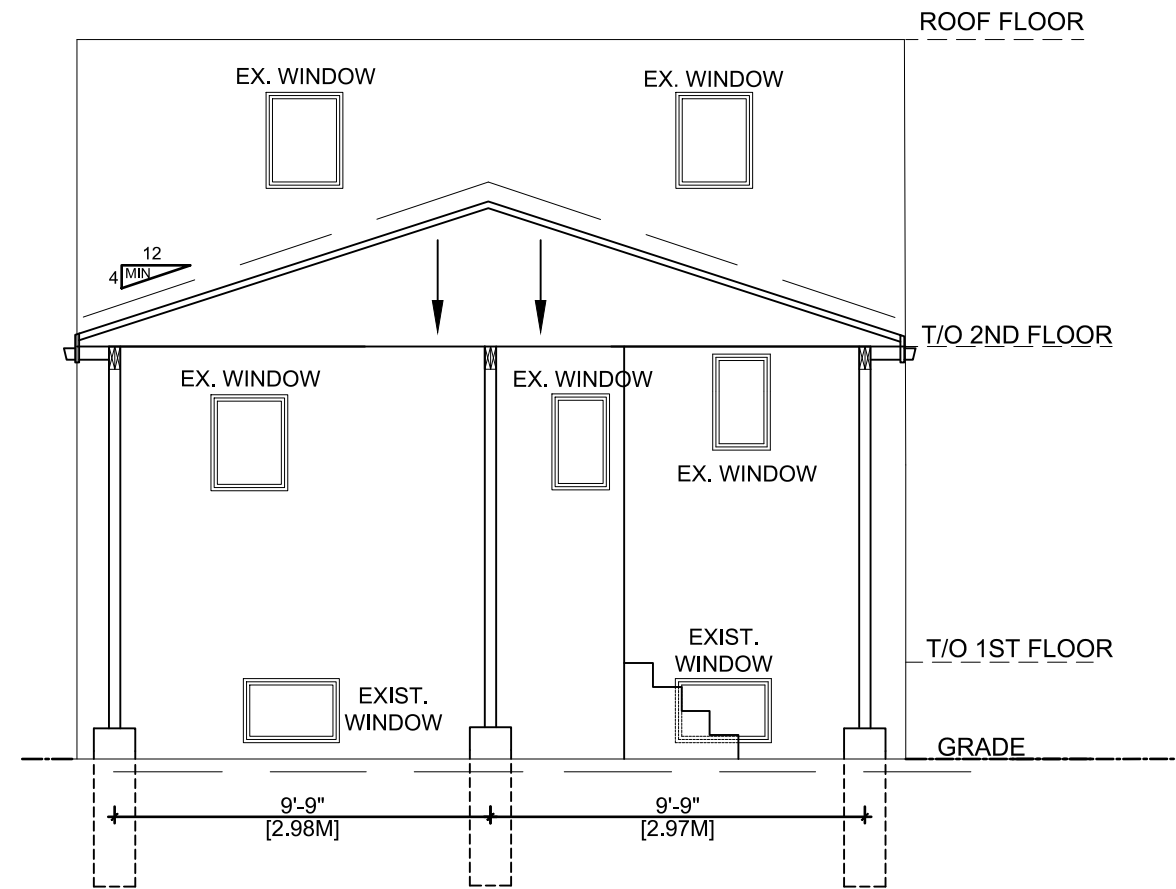
SHADE WEST ELEVATION

SCALE: 1:75



SHADE NORTH ELEVATION

SCALE: 1:60



SHADE SOUTH ELEVATION


SCALE: 1:60


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QUALIFICATION INFORMATION

Required unless design is exempt under 3.2.5 of Div.C. of the building code

Name	VIVEK GUPTA	BCIN	39587
Signature		Date	#CURDATE
REGISTRATION INFORMATION			
Firm Name	ITI PERMIT DESIGNERS INC.	BCIN	-

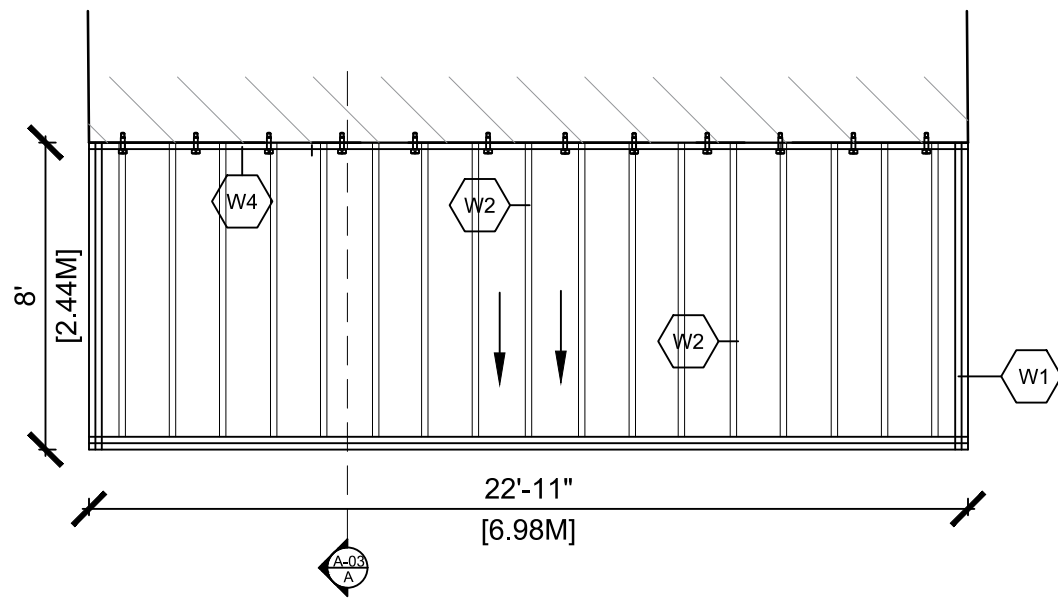
ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

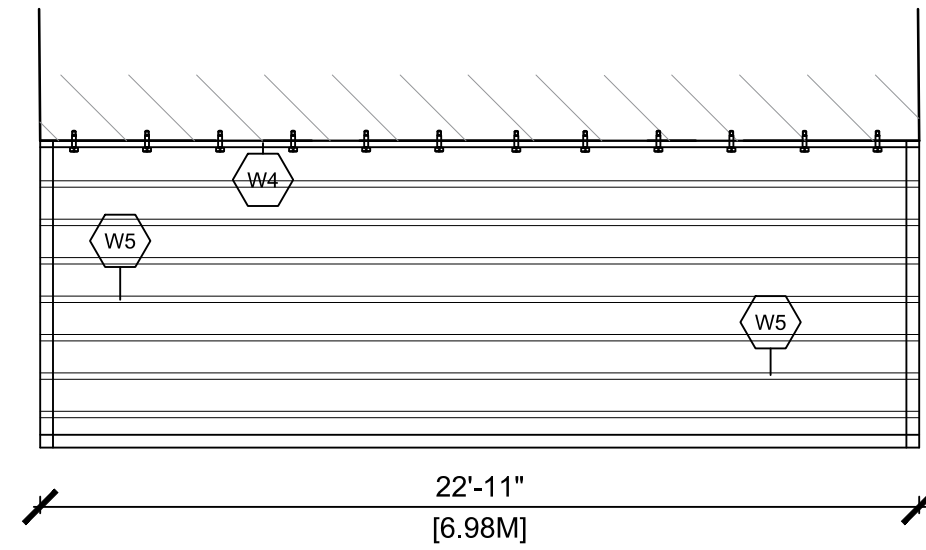
DWG NAME
ELEVATIONS
DWG SCALE AS SHOWN

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

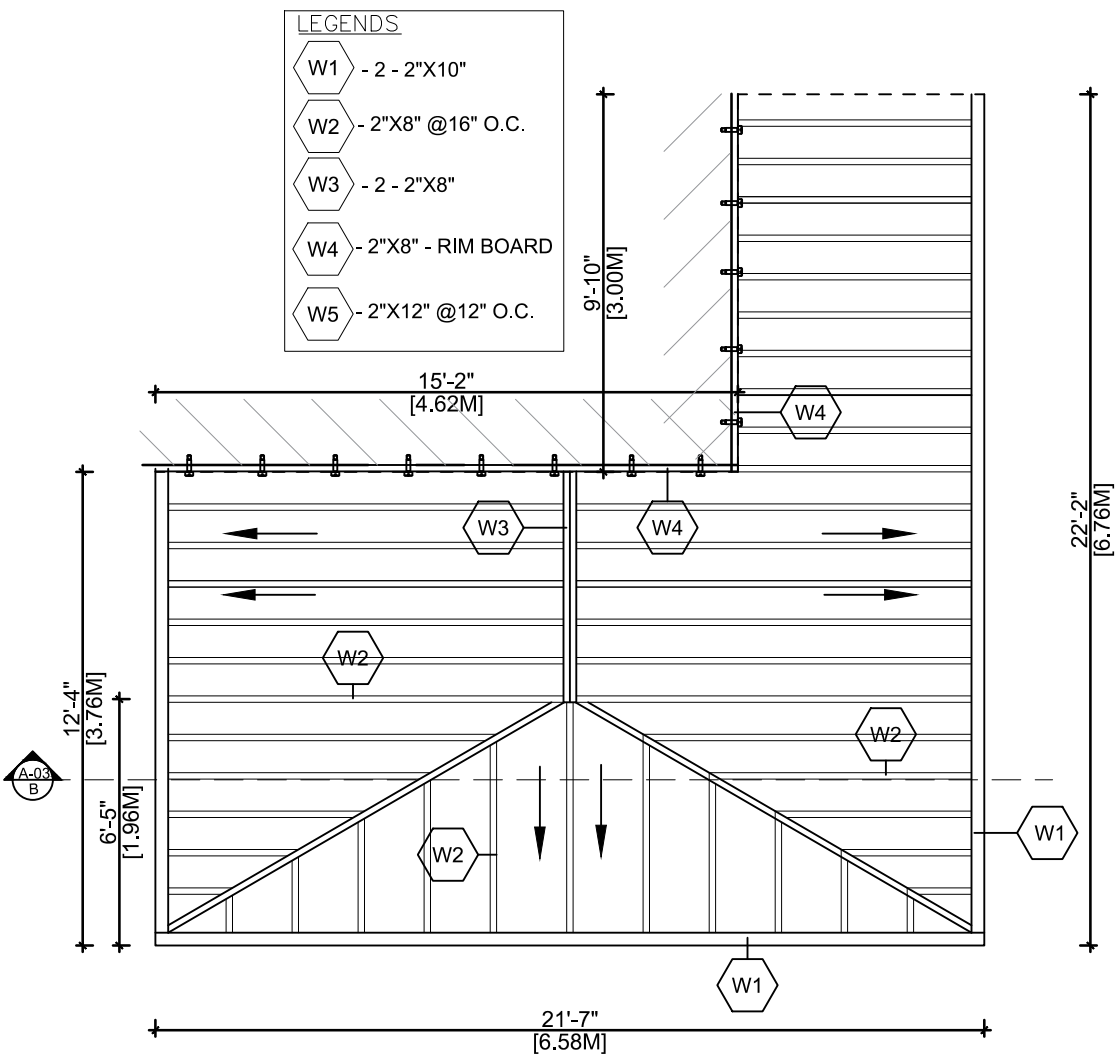

 DWG. NO.
A6.01
 SH. SIZE 11" x 17"



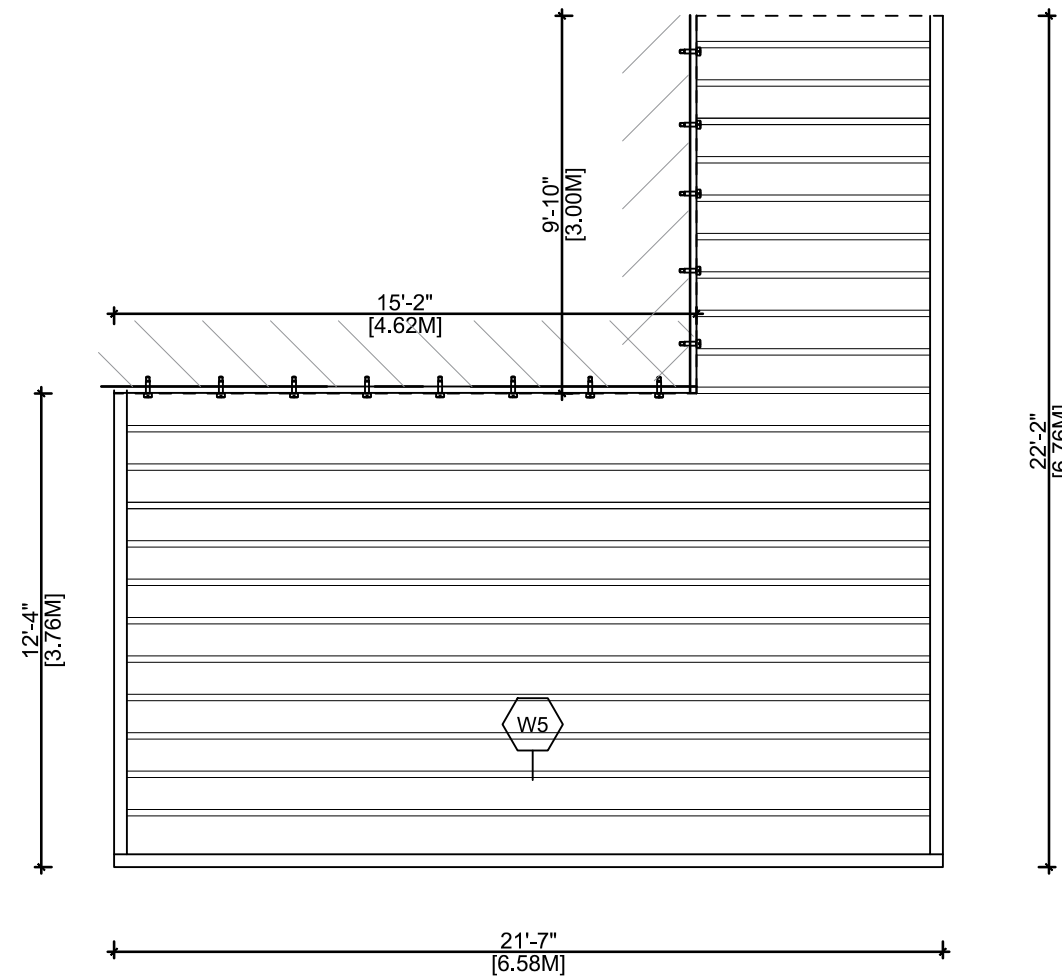
FRONT FRAMING PLAN



FRONT CEILING PLAN



REAR FRAMING PLAN




REAR CEILING PLAN


 603 Argus Rd, Suit 201
 Oakville, ON
 (647) 973-1733
 itipermit@gmail.com
 itipermit.com

The undersigned has reviewed & taken 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 design is exempt under 3.2.5 of Div.C, of the building code

VIVEK GUPTA	39587
Name	BCIN
	#CURDATE
Signature	Date
Required unless design is exempt under 3.2.5. of Div. C, of the building code	
ITI PERMIT DESIGNERS INC.	-
Firm Name	BCIN

ADDRESS:

246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:

LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME

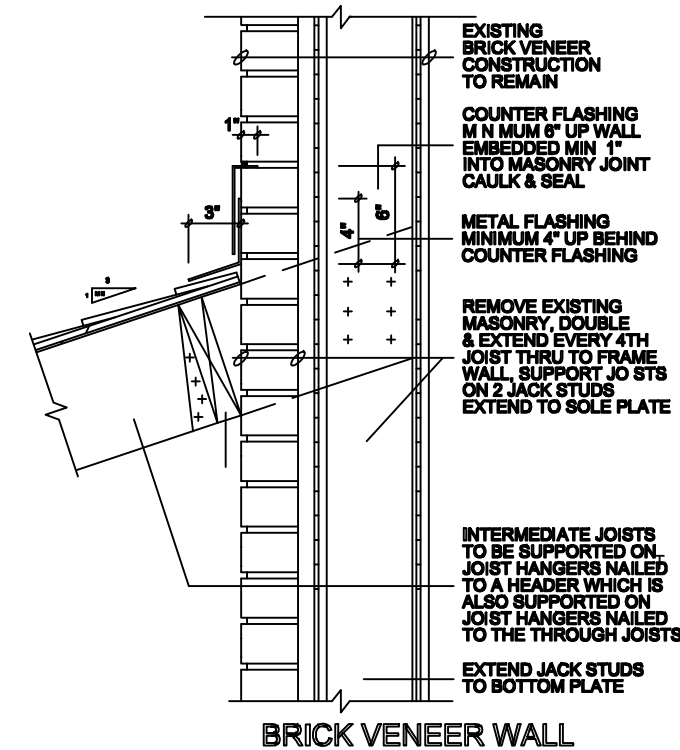
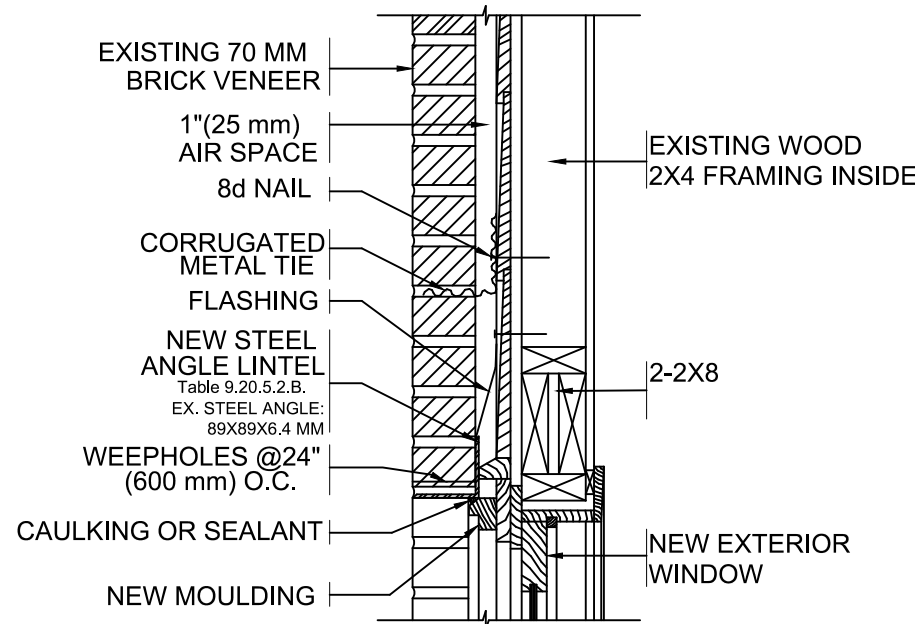
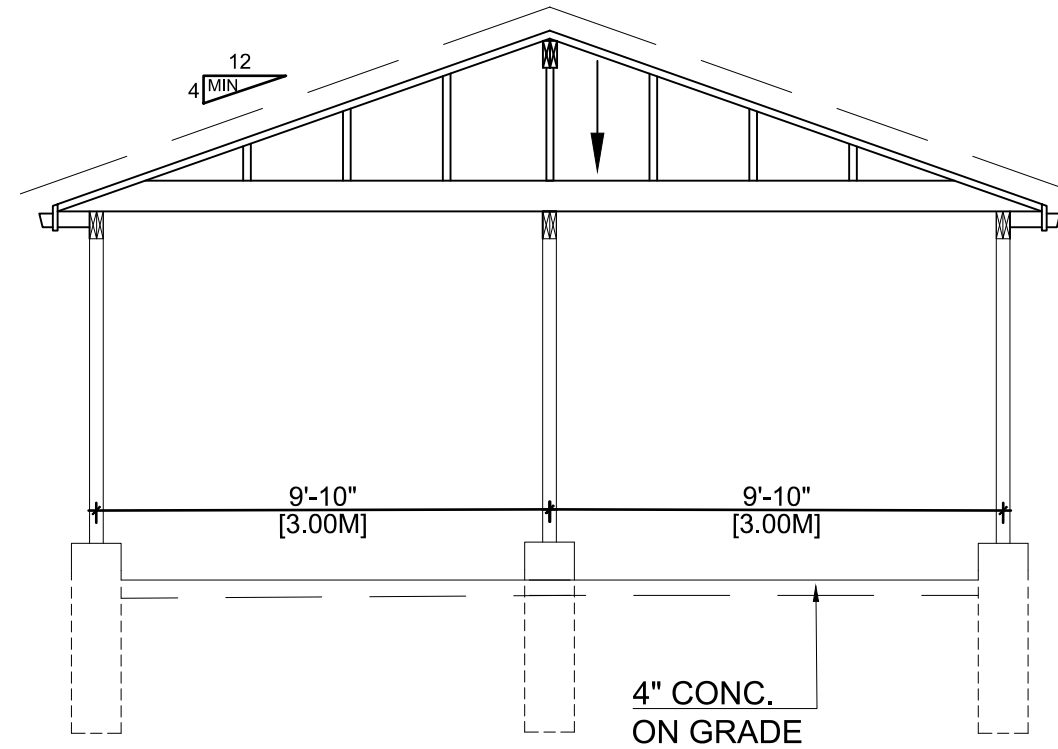
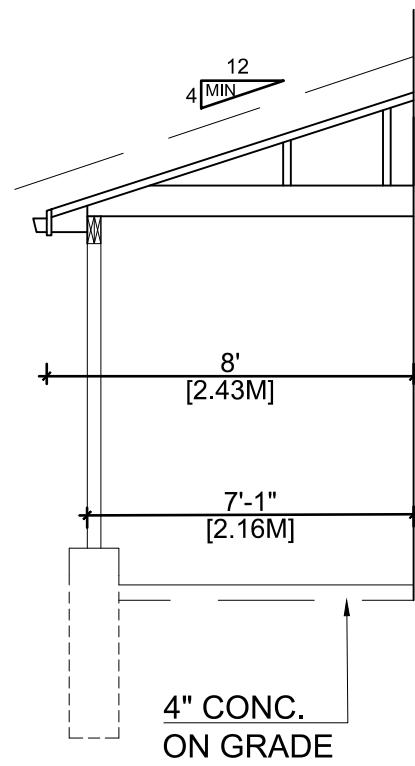
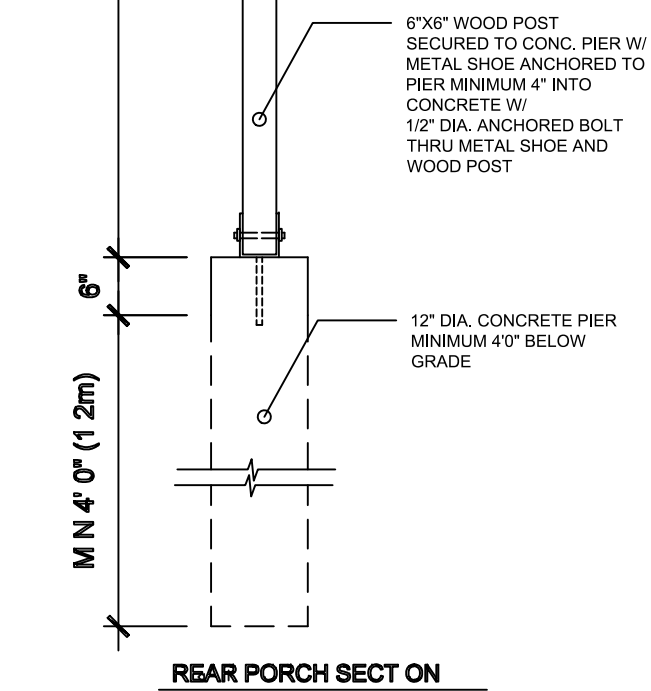
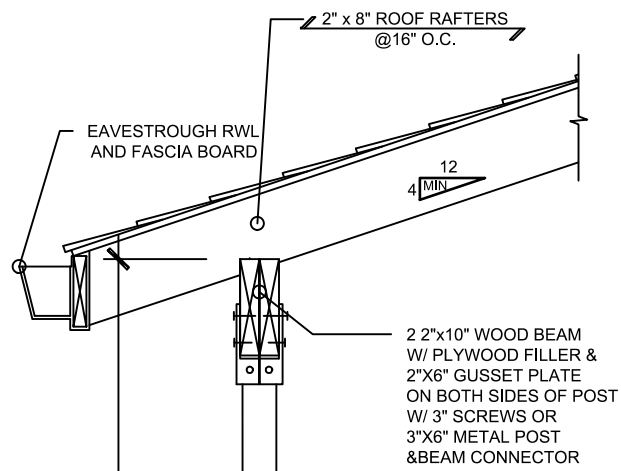
CEILING & FRAMING PLAN

DWG SCALE 1 : 60

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	



DWG. NO.	A7.01
SH. SIZE 11" x 17"	



ITIBUILDING
Permit Designer Inc.

603 Argus Rd, Suit 201
Oakville, ON
(647) 973-1733
itipermit@gmail.com
itipermit.com

The undersigned has reviewed & taken 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 design is exempt under 3.2.5 of Div.C, of the building code

VIVEK GUPTA 39587
Name BCIN

[Signature] #CURDATE
Signature Date

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.5. of Div. C, of the building code

ITI PERMIT DESIGNERS INC. -
Firm Name BCIN

ADDRESS:
246 BOWMAN ST,
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/
NEW WASHROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME
DETAILS & SECTIONS

DWG SCALE 1 : 60

DRAWN BY	RD
CHECKED BY	VG
CLIENT APPROVAL	
ORIGINAL DATE	09/10/2019
REVISION -01	
REVISION -02	
REVISION -03	
REVISION -04	

DWG. NO.
A8.01

SH. SIZE 11" x 17"

SHADE DETAIL 1 / 2

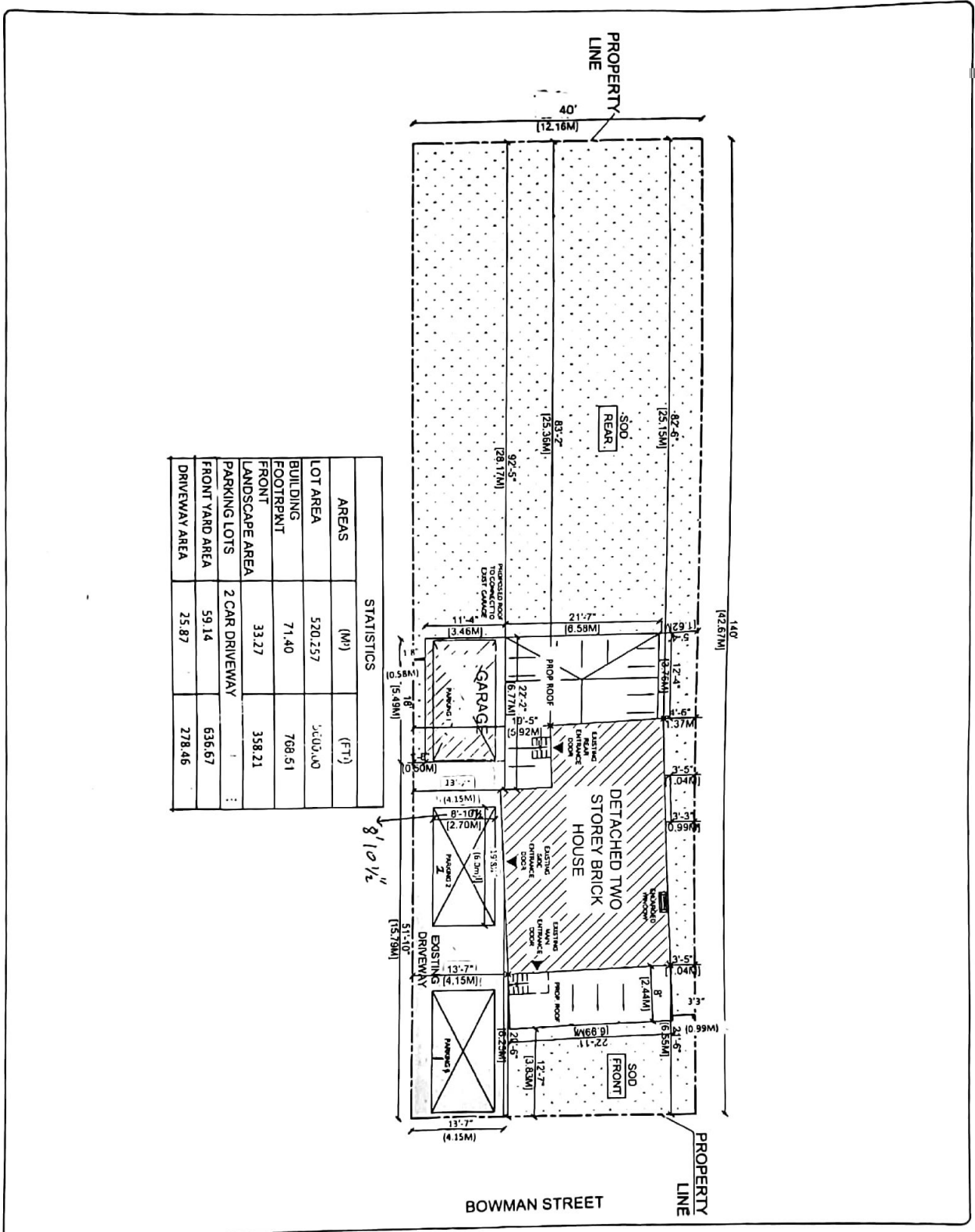
N.T.S

TYP. METAL LINTEL DETAIL D

N.T.S

SHADE DETAIL 3

N.T.S



STATISTICS	
AREAS	(M ²) (FT ²)
LOT AREA	520.257 (5600.40)
BUILDING FOOTPRINT	71.40 (768.51)
FRONT LANDSCAPE AREA	33.27 (358.21)
PARKING LOTS	2 CAR DRIVEWAY
FRONT YARD AREA	59.14 (636.67)
DRIVEWAY AREA	25.87 (278.46)

ADDRESS:
246 BOWMAN ST.
HAMILTON, ON

PROJECT NAME:
LEGAL BASEMENT W/ NEW WASH-ROOM ON MAIN FLOOR
2 PROPOSED ROOFS

DWG NAME:
SITE PLAN

DWG SCALE: 1 : 150

DRAWN BY: RD
CHECKED BY: VG

CLIENT APPROVAL: [Signature]
ORIGINAL DATE: 09/10/2019
REVISION -01:
REVISION -02:
REVISION -03:
REVISION -04:

PROFESSIONAL ENGINEER:
[Signature]
[Stamp]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Project No.]

CLIENT: [Client Name]

PROJECT ADDRESS: [Address]

PROJECT PHONE: [Phone No.]

PROJECT FAX: [Fax No.]

PROJECT EMAIL: [Email Address]

PROJECT WEBSITE: [Website]

DWG. NO.: SP1.01
SH. SIZE: 11" x 17"



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:07

SUBJECT PROPERTY: 70-72 Picton St. 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): Herman Turkstra on behalf of the owner Adrienne Young

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land shown as Part 2 on the attached sketch and to retain a parcel of land shown as Part 1 on the attached sketch for residential purposes

Severed lands:

Frontage of 8.56m[±] and an area of 216.94m^{2±}

Retained lands:

Frontage of 8.27m[±] and an area of 157.0m^{2±}

**This application will be heard in conjunction with
Minor Variance Application HM/A-20:24**

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 16th , 2020

TIME: 3:35 p.m.

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

To be streamed at

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.

HM/B-20:07
Page 2

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:

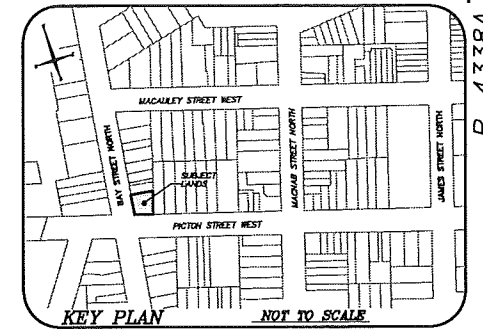
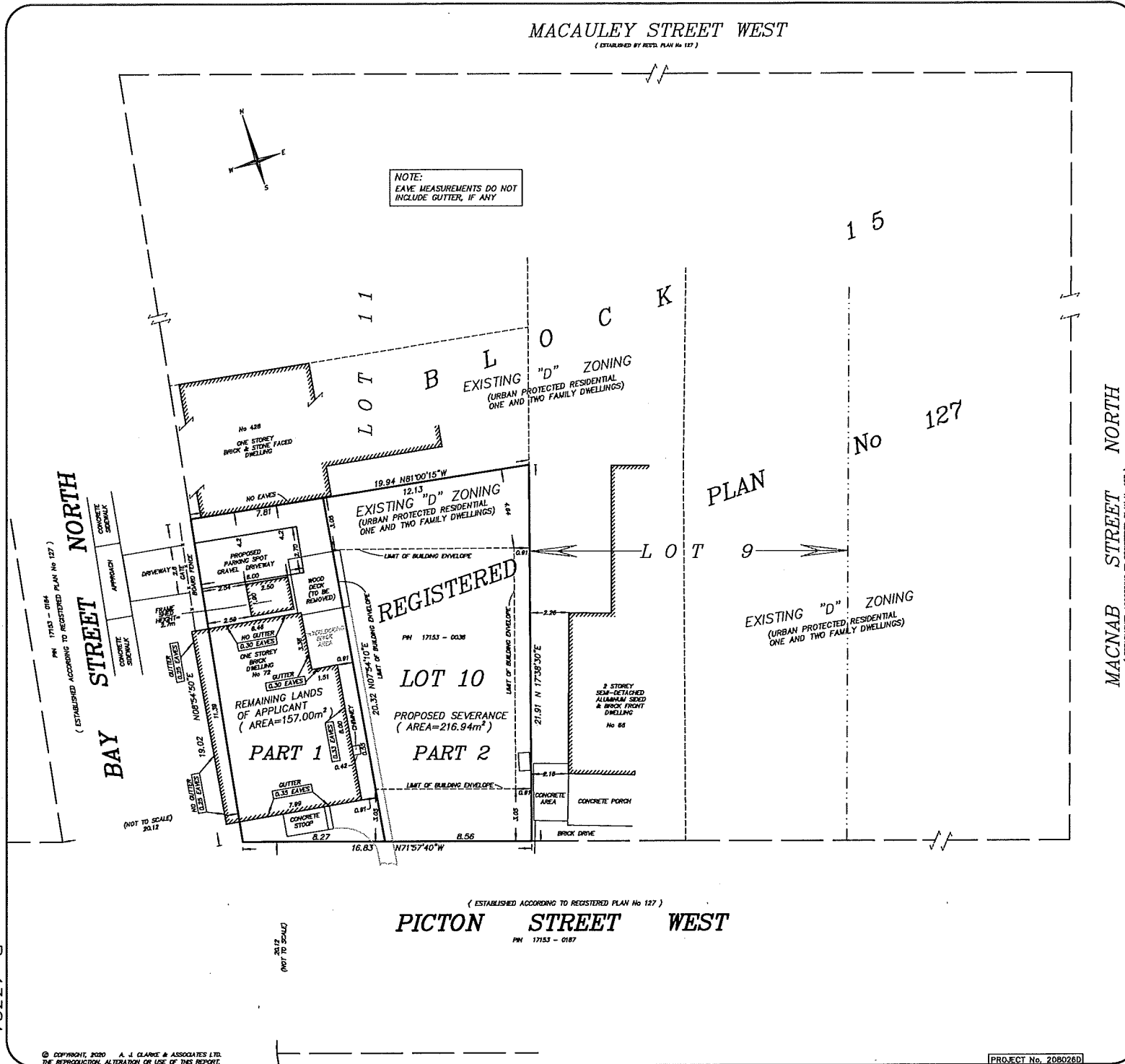
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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.



SKETCH FOR CONSENT TO SEVER
 70/72 PICTON STREET WEST
 IN THE
CITY OF HAMILTON
 SCALE 1:150
 0 1 2 3 4 5 metres
 NICHOLAS P. MUTH O.L.S.

THE ABOVE NOTED LANDS ARE
 MORE PARTICULAR DESCRIBED AS:
 LOT 10-BLOCK 15
 SIR ALLAN MACNAB SURVEY
 REGISTERED PLAN No 127

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

NOTE:
 THE BOUNDARIES AND MEASUREMENTS SHOWN ON THIS SKETCH
 ARE BASED ON A SURVEYOR'S REAL PROPERTY REPORT
 PREPARED FOR H. TURKSTRA DATED MARCH 9, 2020

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION
 TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT
 OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THIS SKETCH IS NOT VALID UNLESS IT IS
 AN EMBOSSED ORIGINAL COPY OR CERTIFIED
 DIGITAL COPY ISSUED BY THE SURVEYOR

CAUTION:
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE
 USED FOR TRANSACTION OR MORTGAGE PURPOSES.

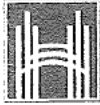
APRIL 13, 2020
 DATE

A. J. Clarke and Associates Ltd.
 SURVEYORS • PLANNERS • ENGINEERS
 25 MAIN STREET WEST, SUITE 300
 HAMILTON, ONTARIO, L8P 1H1
 TEL. 905-528-8761 FAX 905-528-2289
 email: ajc@ajclarke.com

R-4338A

R-4338A

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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)	Adrienne Young		
Applicant(s)*			
Agent or Solicitor	Herman Turkestra		

* 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 10	Concession Block 15	Former Township
Registered Plan N°. 127	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 72 Pierson Street W.			Assessment Roll N°. 020112054#6 000

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:
not known

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**:

Frontage (m)	Depth (m)	Area (m ² or ha)
55.22 set	71.90 (10)	

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: One residence

Proposed: One residence

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 ² or ha)
32	65	1919.12

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 Family Residence
 Proposed: Single Family Residence

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): Residential

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

Complies with Setting Soil Land use map M-2

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? _____

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"/>	n/a

A land fill	<input type="checkbox"/>	No
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	No
A provincially significant wetland	<input type="checkbox"/>	No
A provincially significant wetland within 120 metres	<input type="checkbox"/>	No
A flood plain	<input type="checkbox"/>	No
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	No
An active railway line	<input checked="" type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	No

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?
Inquiries from long term neighbours.
- 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

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

Intensification

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

- 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.

Withdrawn

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?

10 years

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)

- Agricultural
- Rural
- Specialty Crop
- Mineral Aggregate Resource Extraction
- Open Space
- Utilities
- 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)

- Agricultural Severance or Lot Addition
- Agricultural Related Severance or Lot Addition
- Rural Resource-based Commercial Severance or Lot Addition
- 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) <u>29</u>	Area (m ² or ha): (from in Section 4.1) <u>IRREGULAR</u>
Existing Land Use: <u>VACANT</u>	Proposed Land Use: <u>Residential</u>

b) Lands to be Retained:

Frontage (m): (from Section 4.2) <u>30</u>	Area (m ² or ha): (from Section 4.2) <u>IRREGULAR</u>
Existing Land Use: <u>Single Family</u>	Proposed Land Use: <u>No change</u>

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 ² 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 ² 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 ² 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 ² 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.

See attached note

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 or 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

72 Picton Street
Application to Sever Land
Application for Minor Variance

Design Notes:

72 Picton Street is a older formerly two family dwelling on a corner lot at Picton and Bay Streets built sometime before 1940. The addition which housed the second family unit was removed as it was structurally unsound in 2005. This left a vacant lot approximately 32 feet wide fronting on Picton Street, 39 feet at the rear and 71 feet on the East boundary.

The applicant studied placing a second single family dwelling attached to the East Wall of the existing house and an alternative of leaving a walkway next to the existing house. While the corner lot has rear access from Bay Street, leaving a walkway along the East side of the existing house provides for easier access to the existing house from Bay Street and increases the level of privacy for both houses by physically separating them.

The study of the attached house design is attached as Exhibit 1.

An alternative design was also undertaken in which the space between two free standing houses was used for storage. It was concluded that this design was less functional than two completely separated houses in that the storage area removed the walkway to the back door of 72 and potentially created conflicts over use of the storage area. This design is attached as Exhibit 2.

Research was then conducted on small homes which would function well on the vacant lot if that lot had a zero lot line on its West side and a three foot sideyard/walkway on its East side. The resulting building envelope would be 26 feet wide on Picton Street, 47 feet along the east side, and approximately 30 feet at the rear, leaving a 10 foot back yard.

This building envelope design is shown on Exhibit 3. (This is the sketch required by the application.)

A number of single family designs were considered which fit in the resulting building envelope. (Exhibits 4, 5 & 6)

A very attractive architect designed house on Bay Street has functioned well as a family home for over 50 years and would fit in the building envelope. (Exhibit 7)
There are many houses on Bay Street which are on lots with 30 feet of frontage or less.

It was clear that a functional single family urban house could be built on the 26 foot wide building envelope on a 30 foot wide house.

The Applicant concluded that a design which left a walkway on the East side of 72 and created a building envelope which would have a zero lot line on its West side and a three foot walkway for the second house on the East side of the vacant lot.

The vacant lot has an existing mature tree. Although the tree is somewhat diseased, it currently is structurally sound and the Applicant proposes that the new house would be built North of the existing drip line.

The front boundary of the proposed building envelope will continue the line of the front walls of 72 and 68 Picton to provide a harmonious street wall.

As to parking, many houses on Picton use street parking. The occupant of 72 Picton has used the parking space in front of the house/lot for many years without conflict. However, in order to provide for street parking for the new house, the applicant has applied for, received and constructed a driveway and parking place at the North Side of 72 Picton so the street parking for both 72 and 70 would be available for 70.

The proposed lot lines severance and variances are consistent with the decision of the Ontario Municipal Board relating to 498 and 500 Bay Street.

The variances are needed because the outdated existing Zoning By-law sideyards would prevent construction of a second house on the lot, The building envelope permitted under the existing Zoning By-Law is shown on Exhibit 8. The existing Zoning ByLaw does permit two family homes.

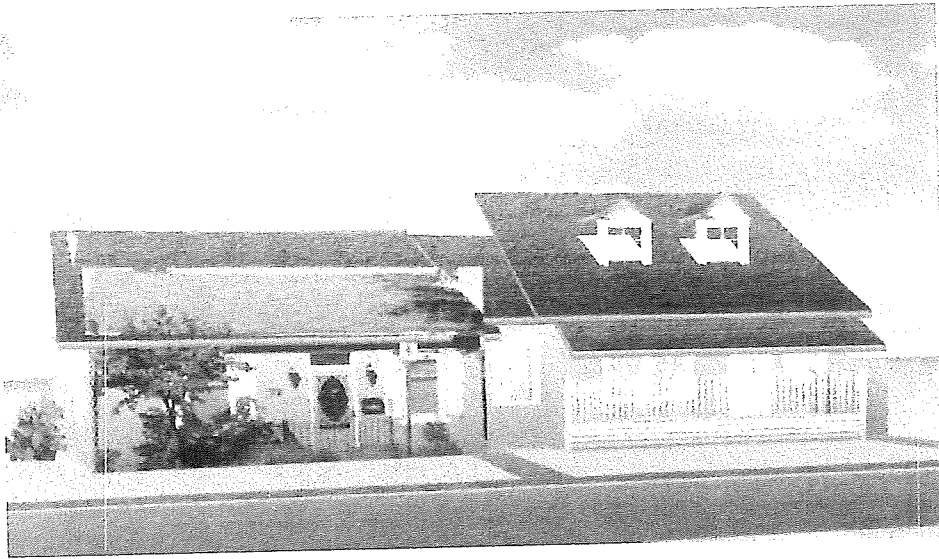
The severance and variances will produce two single family houses that are appropriate for the neighbourhood, permit sound design of the new house which complies with current intensification policies, complies with the approved Secondary Plan and with all relevant provincial policies.

Adrienne Young,
500 Bay Street North
Hamilton, ON, L8L 1N5
905-540-9188

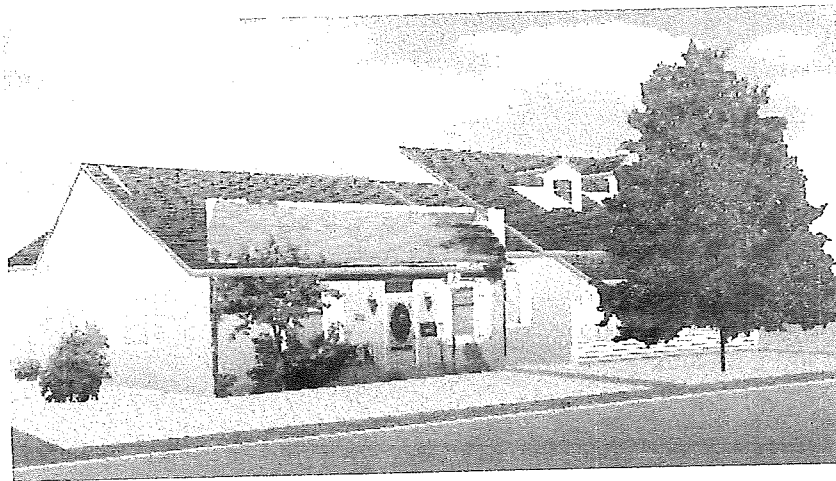
January 15, 2020.

70 -72 Picton Street Design Study:

In view of the position of the neighbour across the street, the site has been examined from the perspective of developing a design with a single building theme. The area is zoned for two family and the existing house, prior to the removal of the back structure shown on the survey had two family occupancy for a number of years.



This shows the existing house (photograph) with the new house attached to it by a storage area that has the appearance of a continuation of the residence. The primary entrance to the new house will be the side entrance using essentially the same design as approved by the OMB for 500 Bay Street North. This drawing shows the new house without the existing tree. With the tree it looks like this:

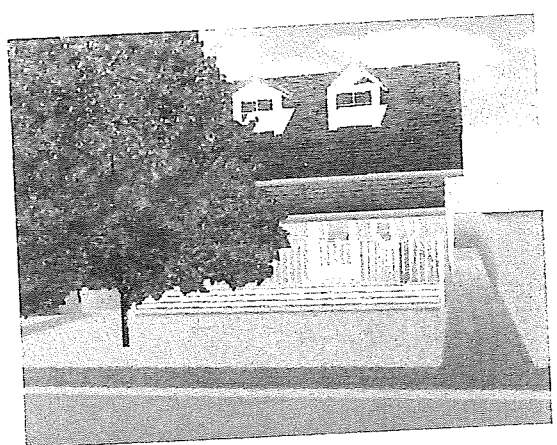


The new house can be constructed outside of the drip line of the existing tree and after allowance for an amenity area in the rear, provides for an 800 square foot floor area on the first floor and about 600 square feet on the second floor

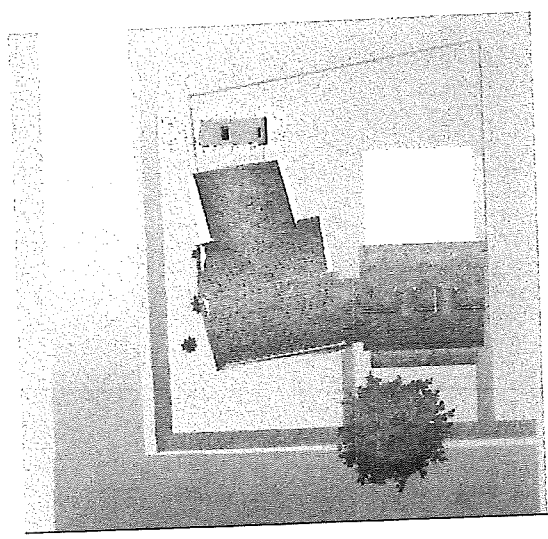
Exhibit 1.



The joining structure is actually a storage area for the existing house and the two amenity areas will be separated by a privacy fence shown in the next sketch. The existing amenity area for the existing house is maintained as it is now. The primary entrance to the new house will be at the East side, following the design of 500 Bay Street North.



The aerial view below shows the overall siting of the addition.



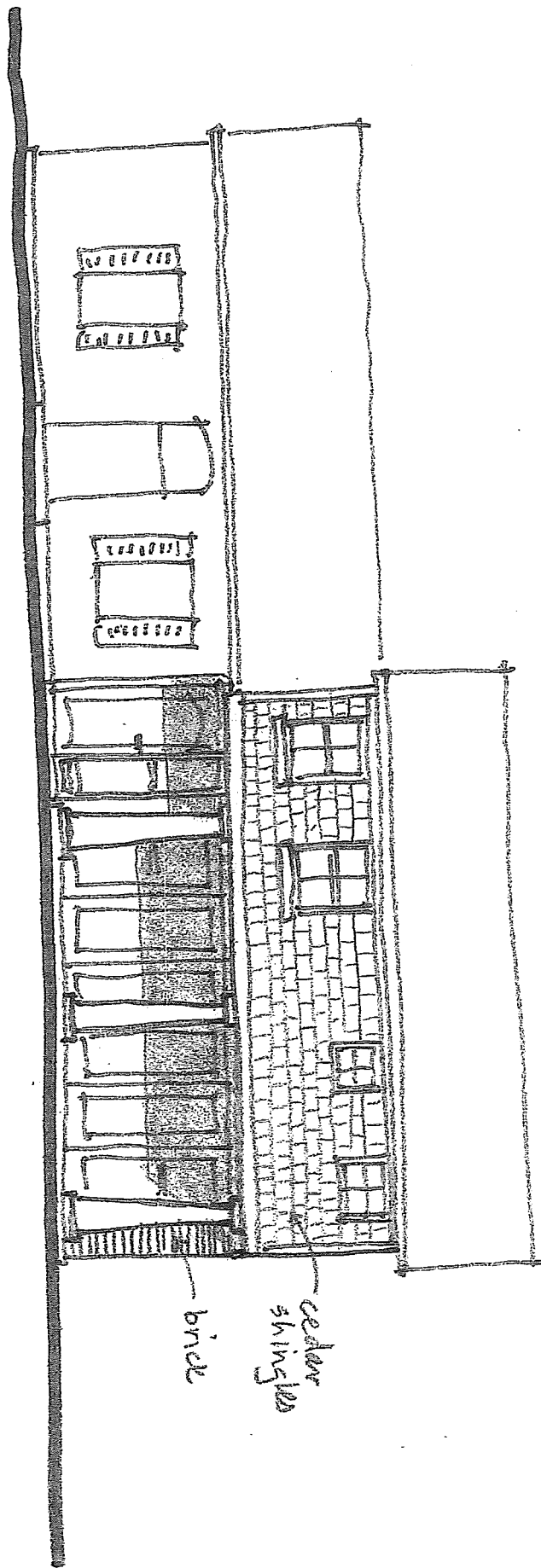
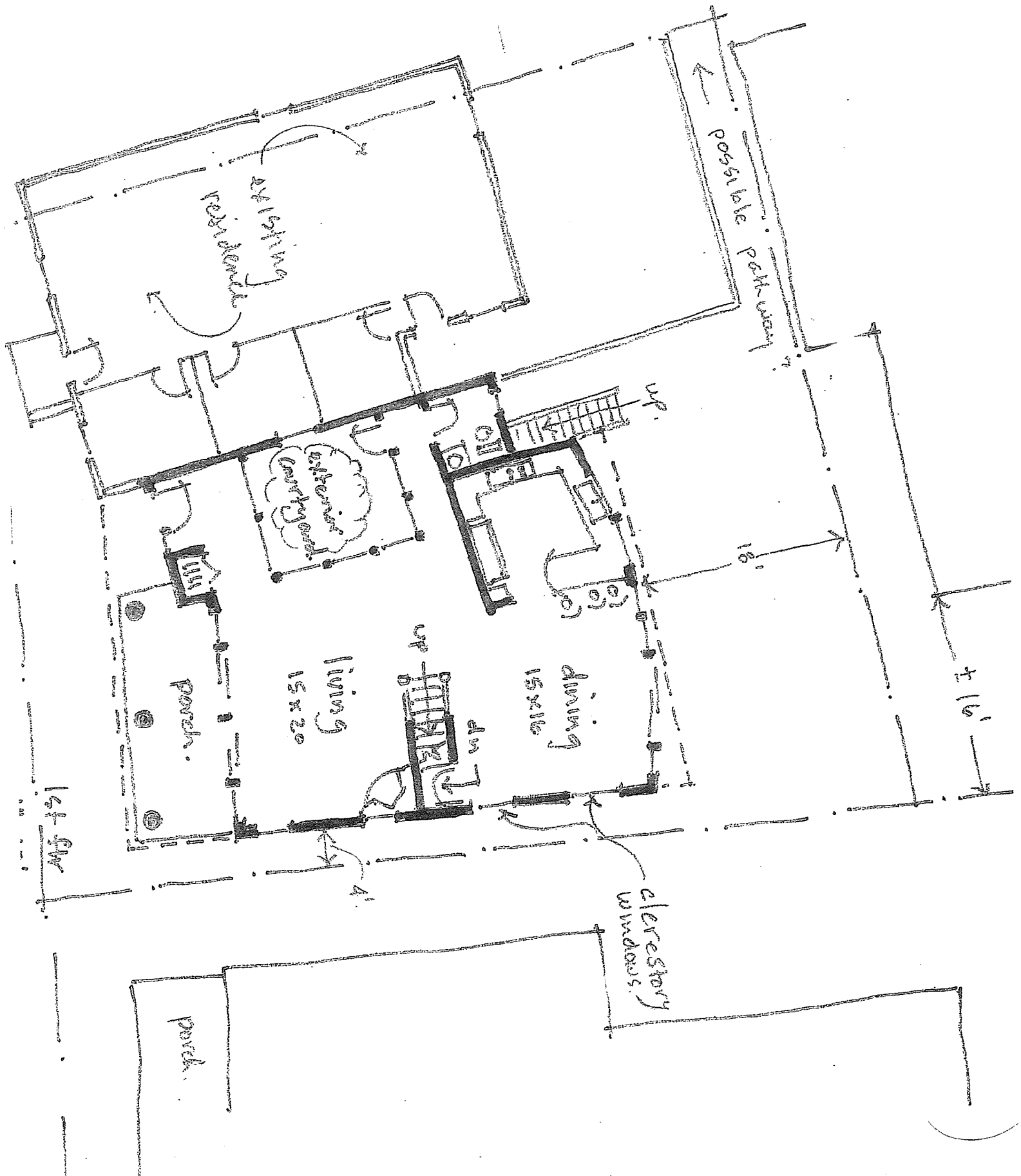
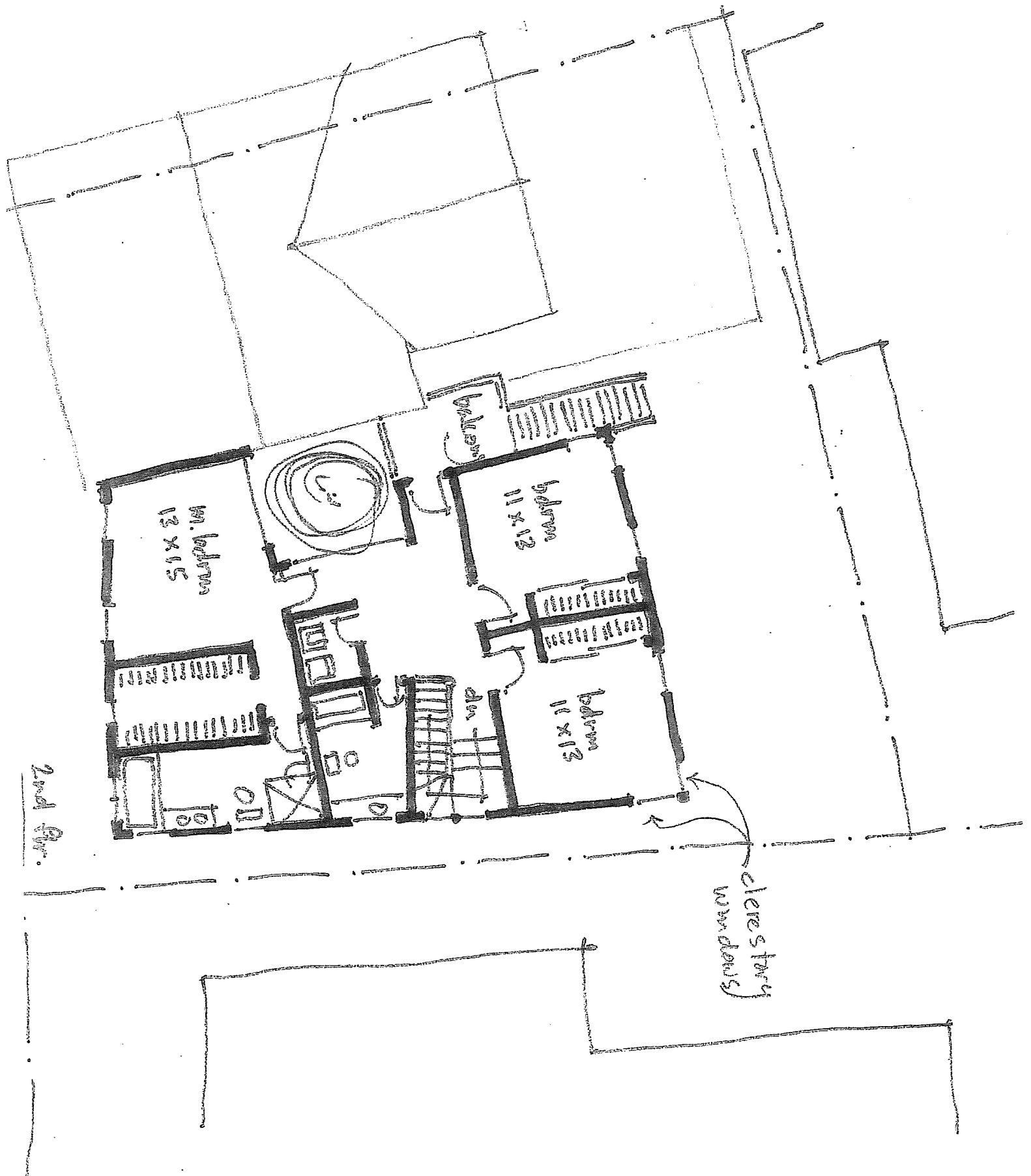


Exhibit 2





(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)
BAY STREET NORTH
PIN 17153 - 0184

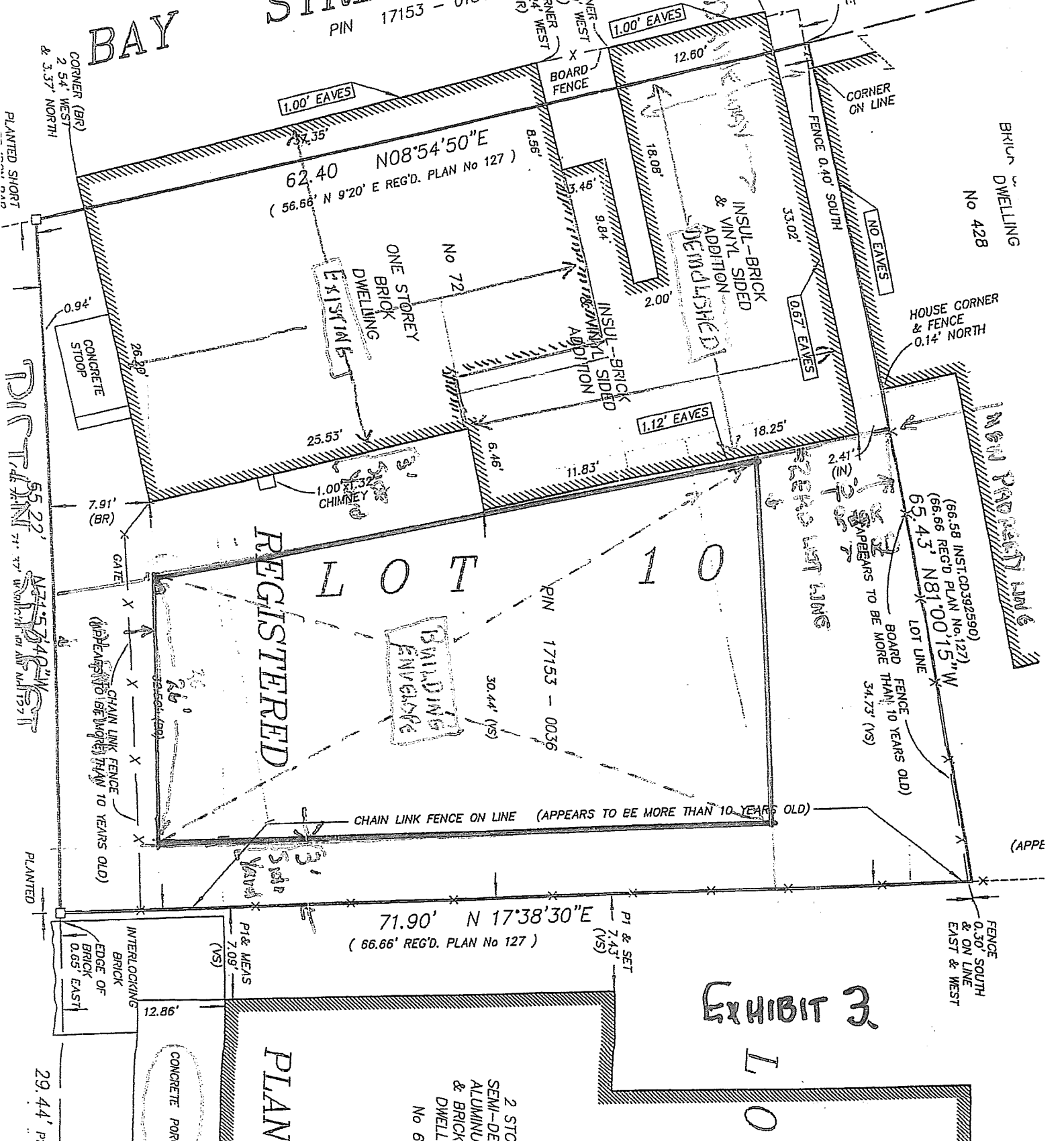


EXHIBIT 3

LOT

2 STO
SEMI-DE
ALUMINU
& BRICK
DWELL.
No 6

PLAN

PLANTED SHORT

DIRTY ROAD
55.22'
N 24.57° 49' W
71.77' W
M.I. 1371

PLANTED

29.44' P1

(INST. No CD 392590)
25.83'

BRICK DWELLING
No 428

HOUSE CORNER
& FENCE
0.14' NORTH

(66.58 INST. CD 392590)
(66.66 REG'D. PLAN No. 127)
65.43' N 81° 00' 15" W
LOT LINE

BOARD FENCE
TO BE MORE
THAN 10 YEARS OLD

FENCE
SOUTH
& ON LINE
EAST & WEST

71.90' N 17° 38' 30" E
(66.66' REG'D. PLAN No 127)

CHAIN LINK FENCE ON LINE (APPEARS TO BE MORE THAN 10 YEARS OLD)

REGISTERED

LOT 10

REGISTERED

PIN 17153 - 0036

62.40 N 08° 54' 50" E
(56.66' N 9° 20' E REG'D. PLAN No 127)

EXISTING
ONE STOREY
BRICK
DWELLING

BUILDING
ENVELOPE

INSUL-BRICK
& VINYL SIDED
ADDITION
DEMOLISHED

INSUL-BRICK
SIDED
ADDITION

1.12' EAVES

1.00' EAVES

1.00' EAVES

BOARD FENCE
0.20' SOUTH

NO EAVES

0.67' EAVES

CONCRETE
STOOP

INTERLOCKING
BRICK

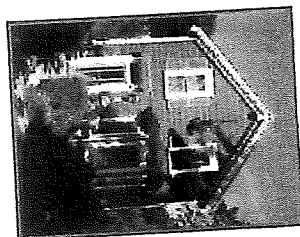
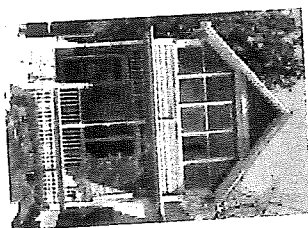
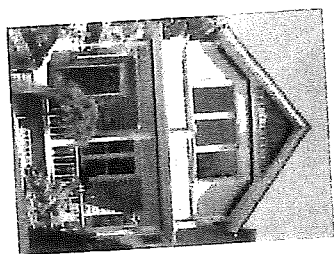
EDGE OF
BRICK
0.65' EAST

CONCRETE PAVT

P1 & MEAS
7.09'
(VS)

P1 & SET
7.43'
(VS)

(APPE



Each home picture will fit on the proposed lot.

Small Homes of the Future

A practical example

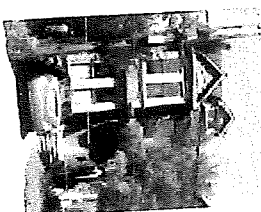
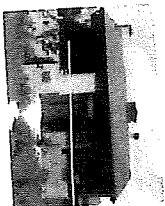
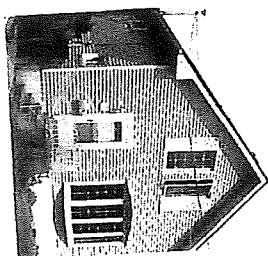
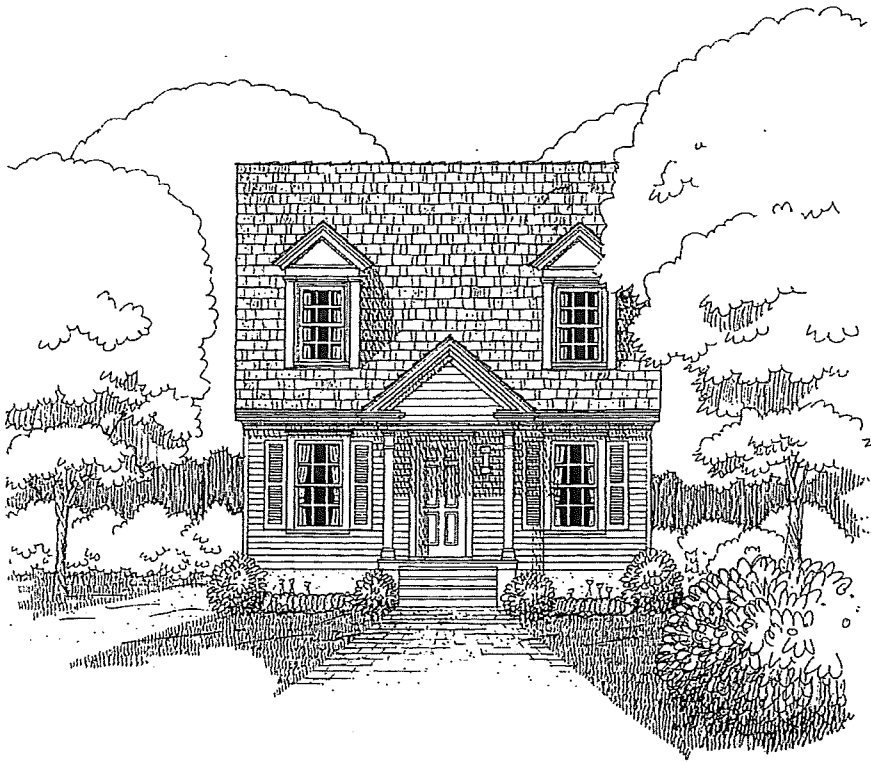
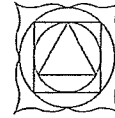


Exhibit 4



Rick Thompson
Architect



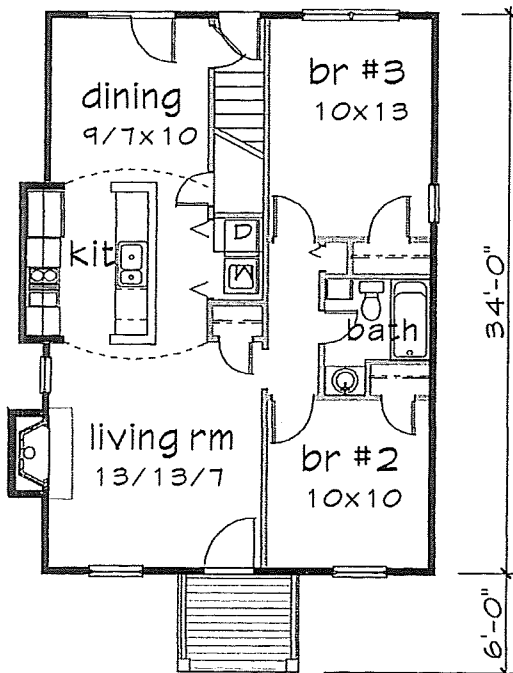
www.thompsonplans.com

P O Box 160
Lake Junaluska, NC
28745

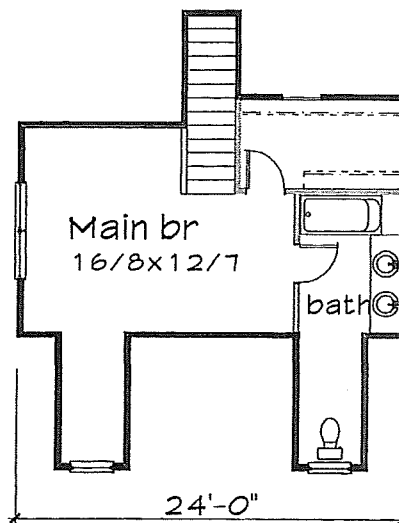
828-627-1479

plan #

1104A



Floor 1 plan



Floor 2 plan

Size fl 1 830
Size fl 2 393
Size Total 1223

Width 24'+ 1'-6"
Depth 34'-0"
Porch 5'

Fl 1 ceiling 8'
Fl 2 ceiling Vaulted
Roof pitch 9/12
Height 22'

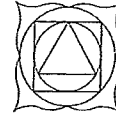
Prints 5 sets Please see
Prints 8 sets web site for
Vellums current
Material list pricing
CAD thank you

Exhibit 5

Please specify foundation type (crawl standard) Available types - Crawl, Slab or Basement



Rick Thompson
Architect



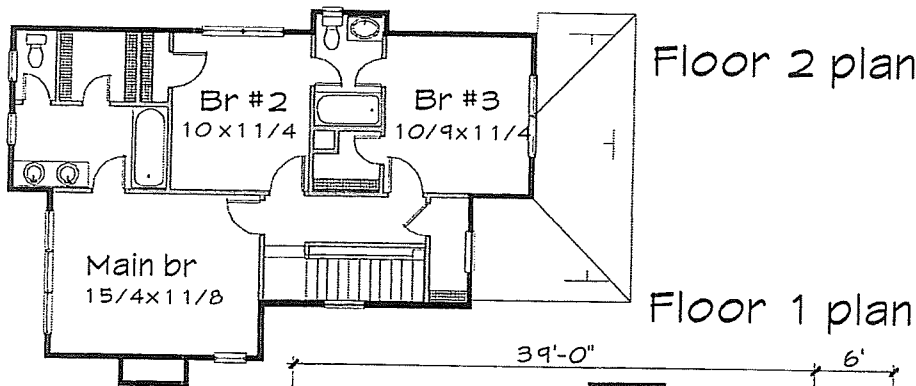
www.thompsonplans.com

P O Box 160
Lake Junaluska , NC
28745

828-627-1479

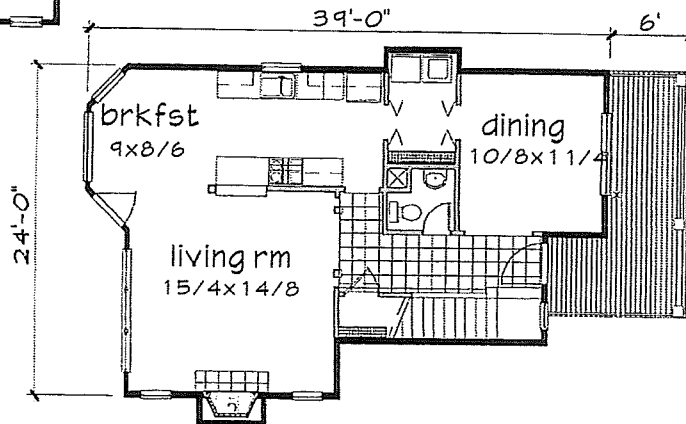
plan #

1501A



Size fl 1 784
Size fl 2 745
Size Total 1529

Width 24'-0"
Depth 39'-0"
Porch 6'-0"



Fl 1 ceiling 9'
Fl 2 ceiling 8'
Roof pitch 9/12
Height 26'-6"

Prints 5 sets Please see
Prints 8 sets web site for
Vellums current
Material list pricing
CAD thank you

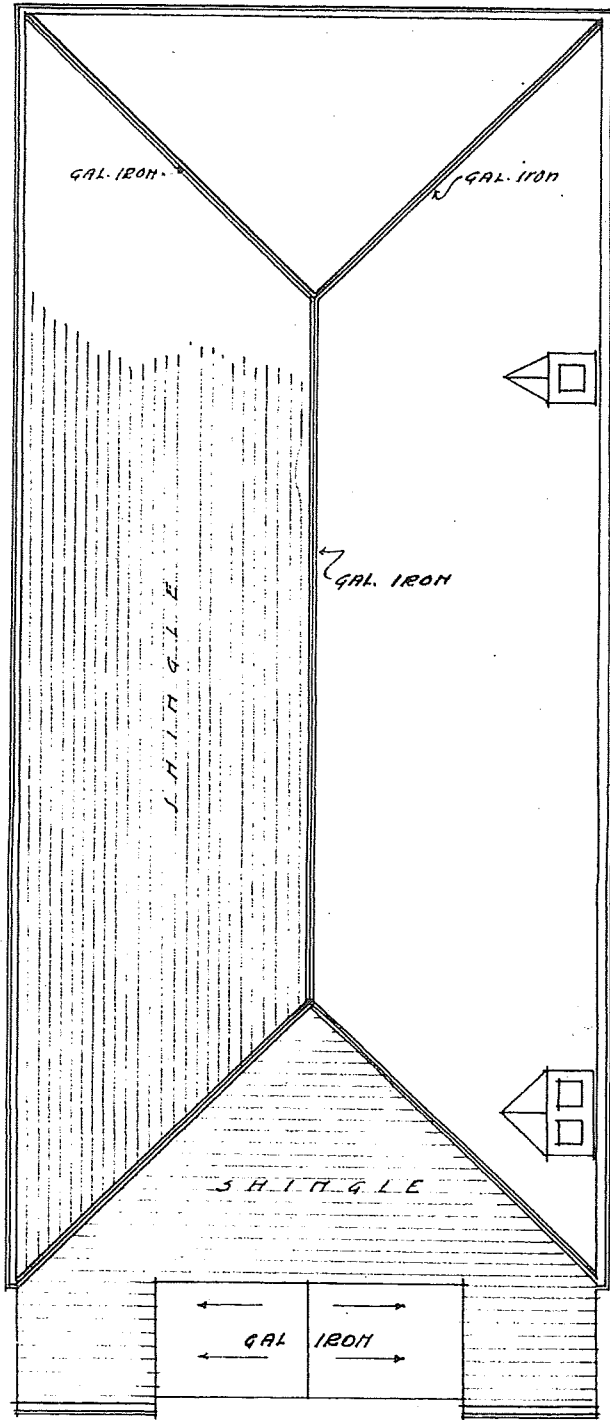
Exhibit C

Please specify foundation type (crawl standard) Available types - Crawl, Slab or Basement

RESIDENCE FOR H. J. FELL ESQ.
BAY ST. N. HAMILTON. ONT.

FRYER & EYANS HOME BANK BLDG.
REGISTERED ARCHITECTS HAMILTON. ONT.

SCALE 1/4" = 1'-0"



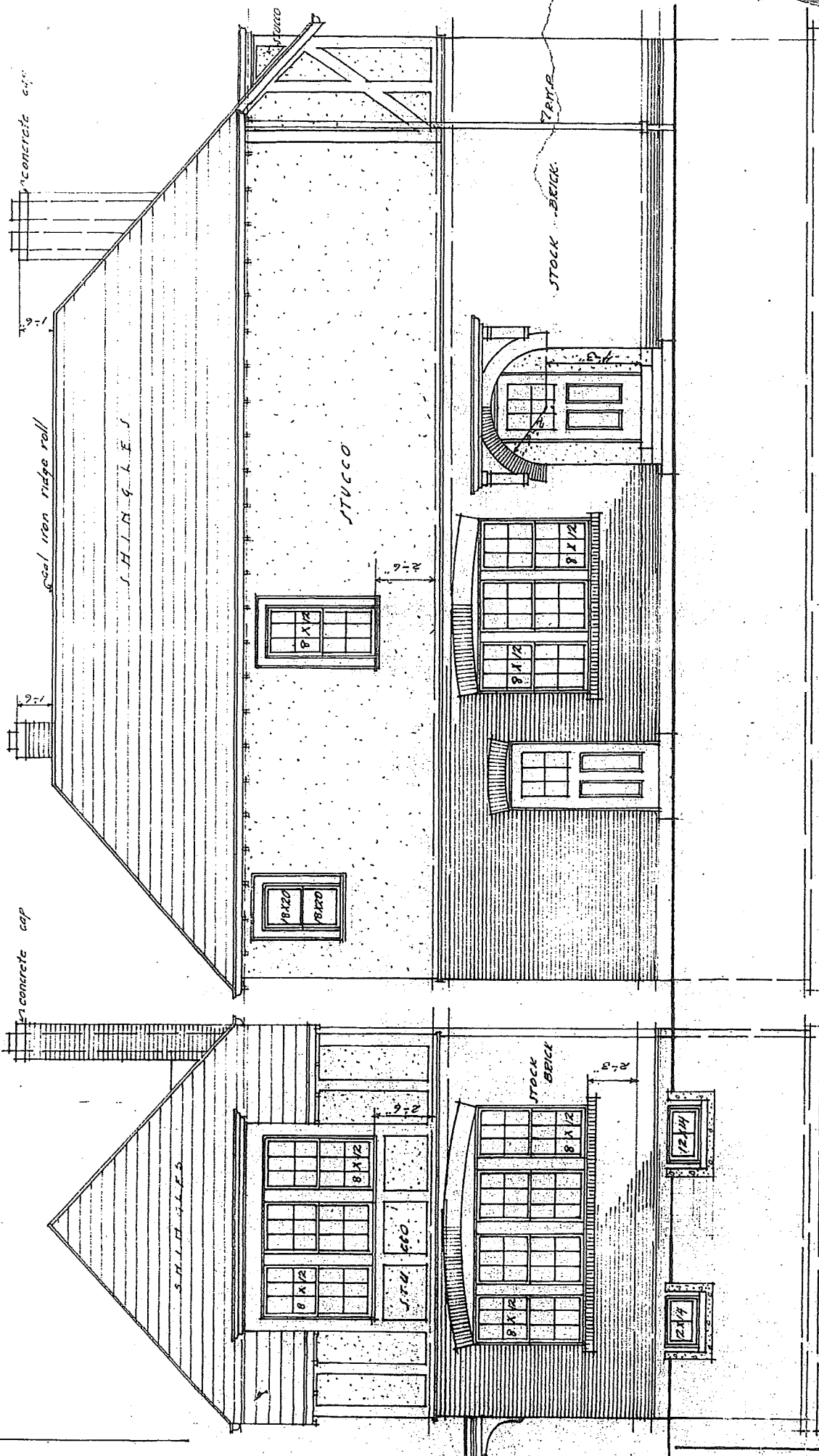
ROOF PLAN

164

12

Jan 16/

EXHIBIT 7



NORTH ELEVATION

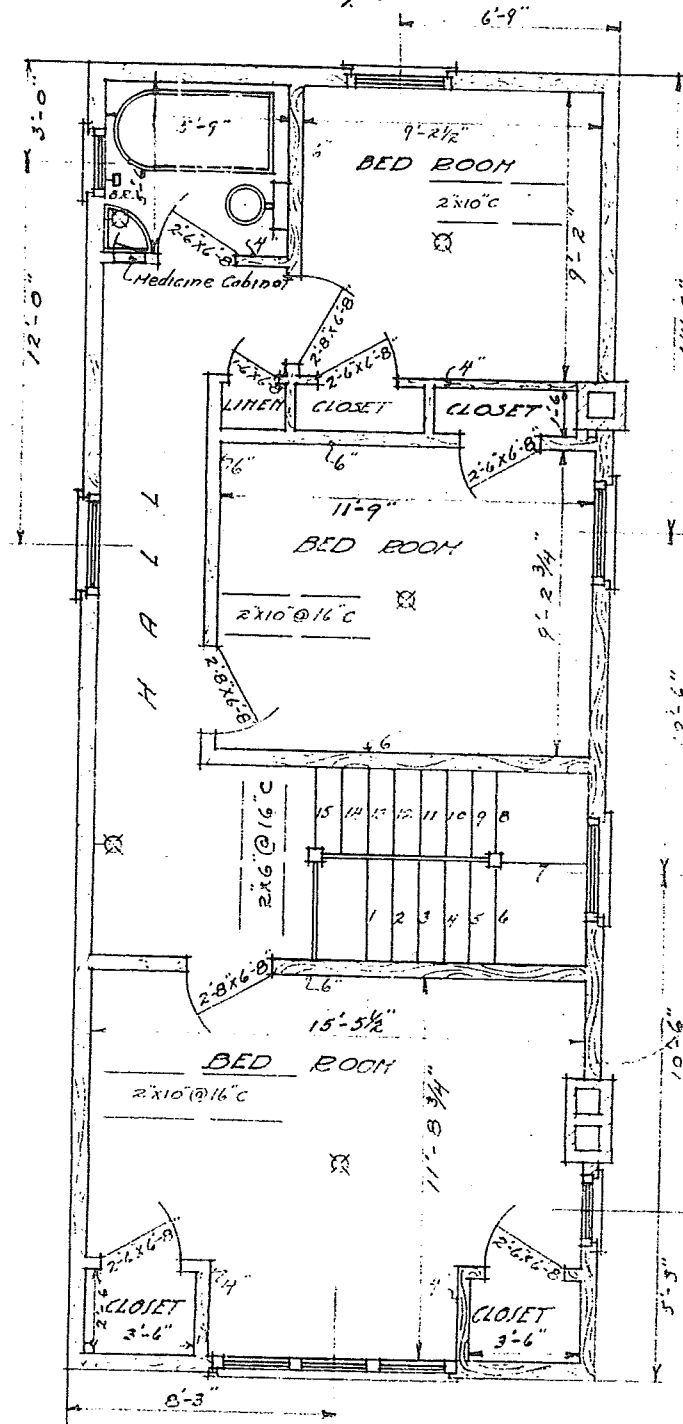
EAST ELEVATION

164
4

RESIDENCE FOR H.J. FELL ESQ.
BAY ST. N. HAMILTON ONT.

FRYER & EYAMS HOME BANK BLDG
REGISTERED ARCHITECTS. HAMILTON ONT.

SCALE 1/4" = 1'-0"

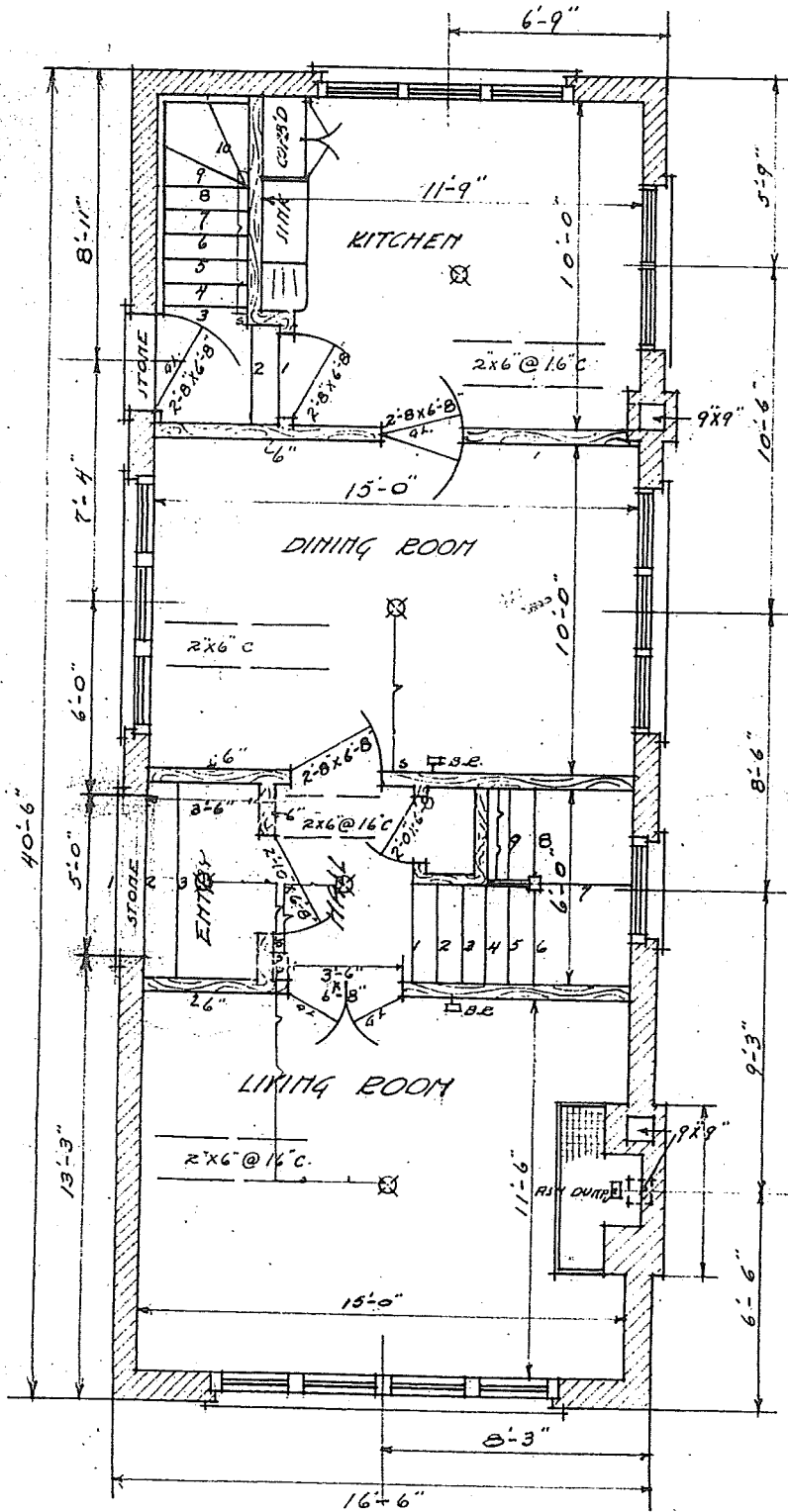


FIRST FLOOR.

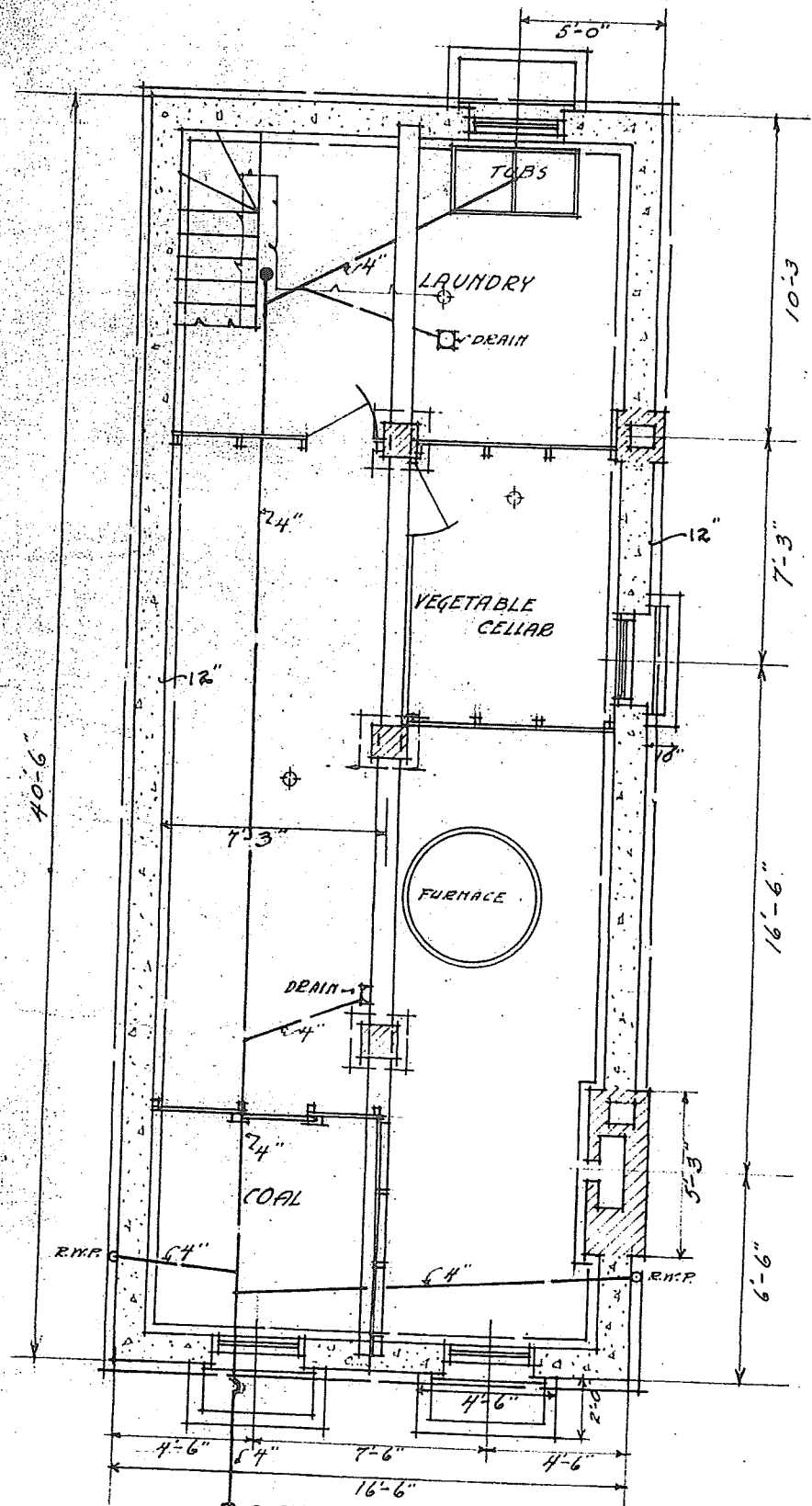
164

3

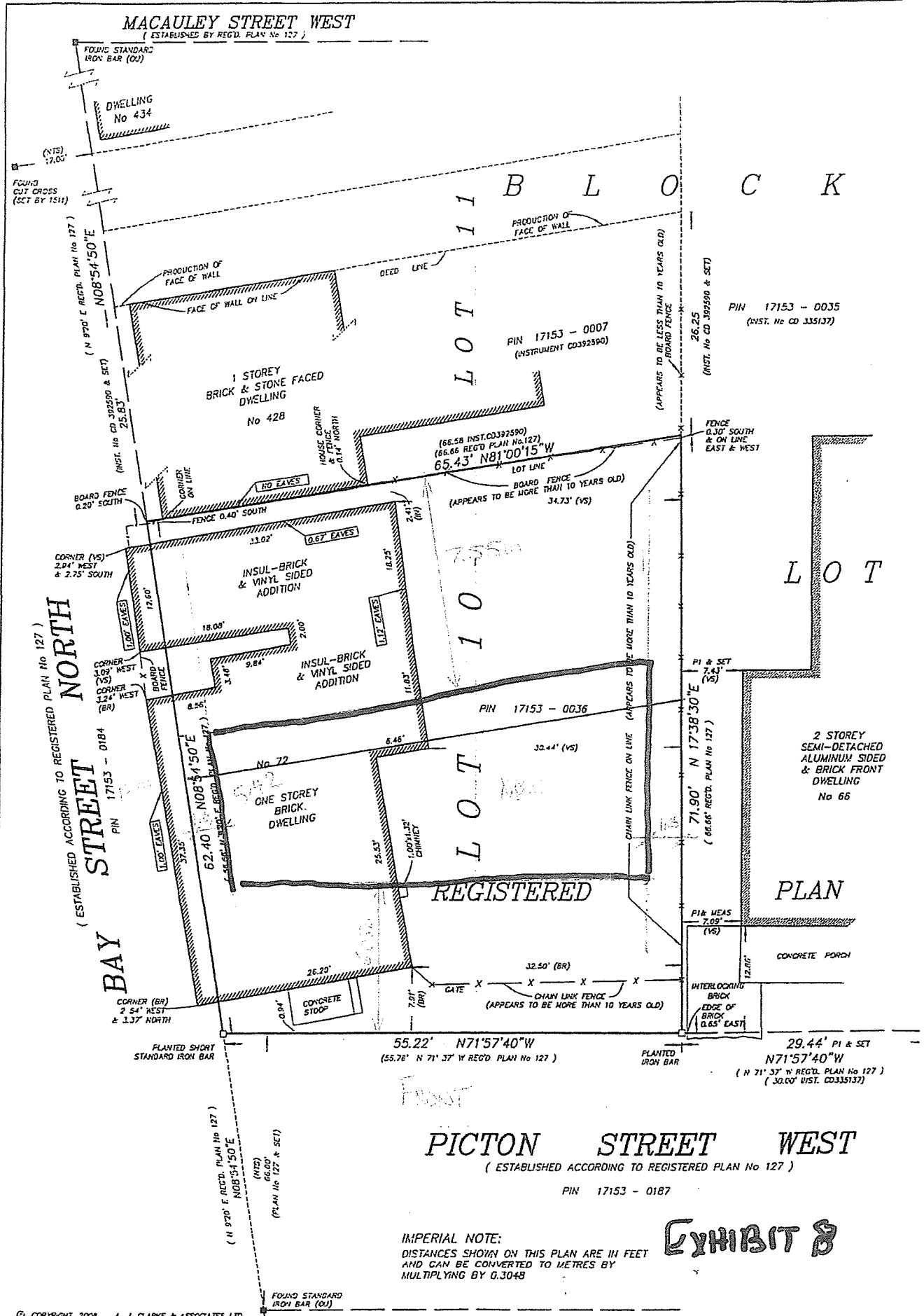
Jan 16/22



GROUND FLOOR



BASEMENT PLAN



R-2991

PICTON STREET WEST
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)

IMPERIAL NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN FEET
AND CAN BE CONVERTED TO METRES BY
MULTIPLYING BY 0.3048

EXHIBIT B

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Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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 or 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.: HM/A-20:24

APPLICANTS: Herman Turkstra on behalf of the owner Adrienne Young

SUBJECT PROPERTY: Municipal address **70 & 72 Picton St. W., City of Hamilton**

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

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings and etc.) district

PROPOSAL: To permit a lot to be conveyed for the construction of a new single family dwelling (to be known as 70 Picton Street West) and to permit a lot to be retained containing an existing single family dwelling and existing frame shed (known as 72 Picton Street West) in order to facilitate Consent Application File No. HM/B-20:07 notwithstanding that:

For the Lands to Be Retained (72 Picton Street West):

1. A minimum easterly side yard width of 0.9m shall be permitted instead of the minimum required side yard width of 1.2m.
2. A minimum lot width of 7.8m shall be provided instead of the minimum required lot width of 12.0m.
3. A minimum lot area of 157.0m² shall be provided instead of the minimum required lot area of 360m².
4. One (1) parking space shall be provided instead of the minimum required two (2) parking spaces.
5. No on-site aisle width manoeuvring space shall be provided instead of the minimum required aisle width manoeuvring space aisle width of 6.0m.
6. The existing frame shed shall be at least 2.5m from the westerly side lot line instead of being a minimum of 6.0m from the westerly side lot lie.

For the Lands to Be Conveyed (70 Picton Street West):

1. A minimum front yard depth of 3.0m shall be permitted instead of the minimum required front yard depth of 6.0m.
2. A minimum westerly side yard width of 0.0m and a minimum easterly side yard width of 0.9m shall be permitted instead of the minimum required side yard width of 1.2m.

.../2

HM/A-20:24

Page 2

3. A minimum rear yard depth of 3.0m shall be permitted instead of the minimum required rear yard depth of 7.5m
4. A minimum lot width of 8.5m shall be provided instead of the minimum required lot width of 12.0m.
5. A minimum lot area of 216.0m² shall be provided instead of the minimum required lot area of 360m².
6. No parking spaces shall be provided instead of the minimum required two (2) parking spaces.

NOTE:

- i) The variances are necessary to facilitate Consent Application File No. HM/B-20:07.
- ii) The applicant has confirmed that the portion of the existing wood deck at the rear of the existing single family dwelling (known municipally as 72 Picton Street West) which is presently shown to encroach into the proposed parking space and is shown to encroach over the new easterly side lot line will be removed. If the rear wood deck is not removed, further variances shall be required.
- iii) As no alterations to the front, rear and westerly side yards are intended for the existing single family dwelling on the lands to be retained, these yards are considered legally established non-conforming.
- iv) The applicant has advised that both the existing single family dwelling on the lands to be retained and the proposed single family dwelling on the lands to be conveyed will contain 8 or less habitable rooms.
- v) An Encroachment Agreement with the City of Hamilton's Public Works Department may be required for the portion of the existing single family dwelling on the lands to be retained encroaching onto the Bay Street North road allowance.

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

DATE: Thursday, July 16th, 2020
TIME: 3:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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.

HM/A-20:24
Page 3

MORE INFORMATION

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

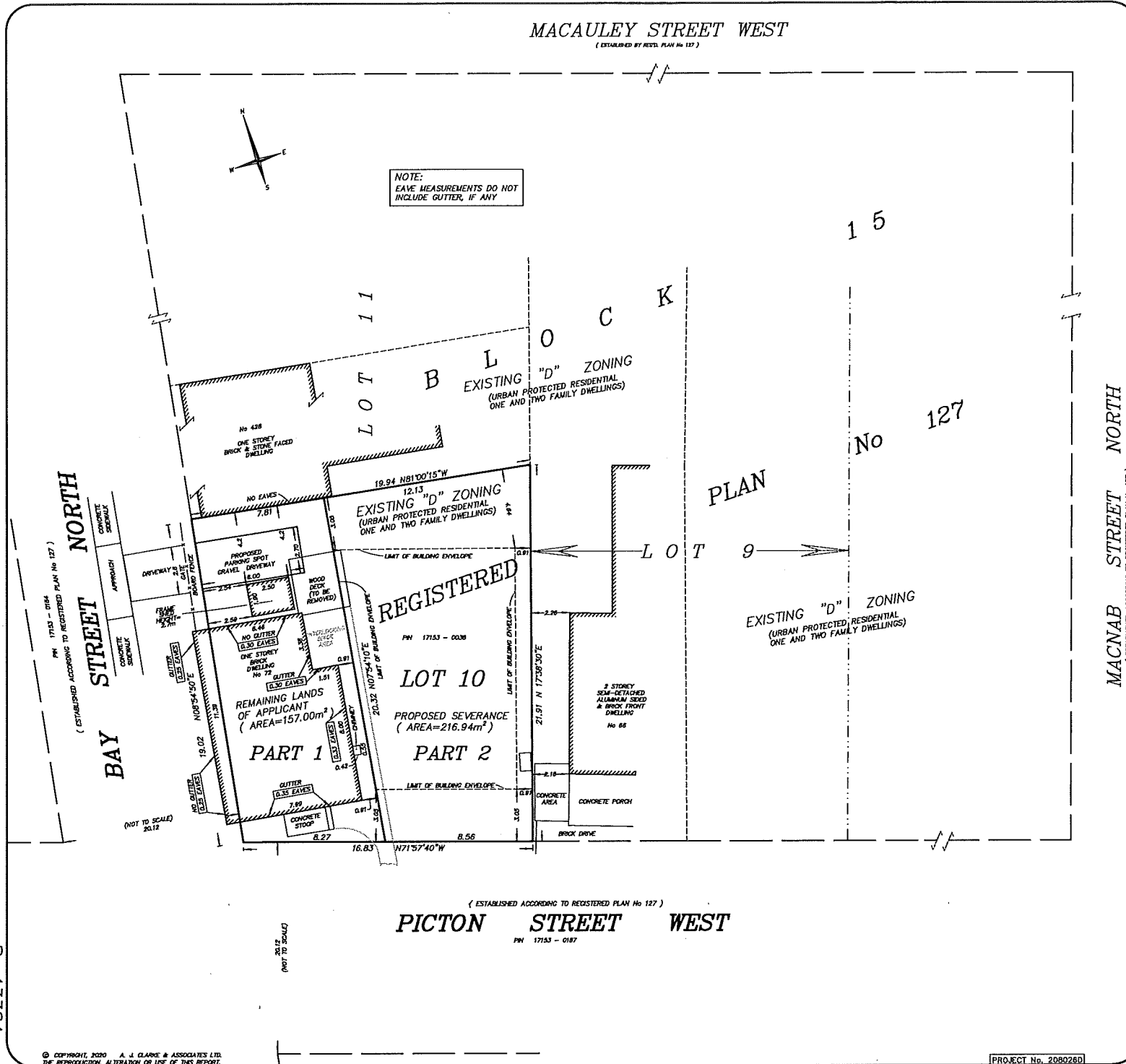
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 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
5th 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. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

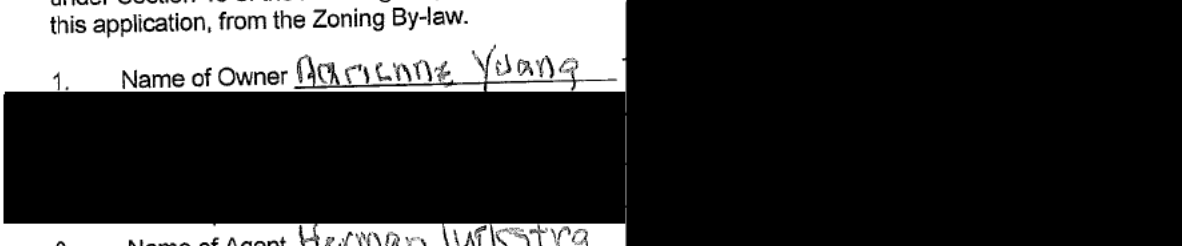
CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

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 ARIELLE YUANG



3. Name of Agent Herman Luistig

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:

NONE

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

3' Side Yards for 72 Acton Street
10' Rear and Front yards for 70 Acton Street
2.5m side yard West for 70 Acton Street
3' Side yard East for 70 Acton Street
Severance of 72 from 70

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

Required yards prohibit development

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

Part lot 10 Block 15
Sir Allan MacNab Survey
Registered Plan 127

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 X Unknown ___

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
Discussions with long time neighbours

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

Signature Property Owner

Adrienne Young
Print Name of Owner

10. Dimensions of lands affected:

Frontage 55.22'
Depth 71.90'
Area
Width of street 66'

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: 72 Picton: Existing One Storey Single Family home as shown in plan
70 Picton Two Storey New house

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: Shown on plan

Proposed: Building envelope shown on plan

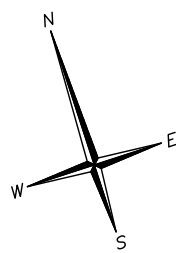
13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
Prior to 1930
15. Existing uses of the subject property: Residential
16. Existing uses of abutting properties: Vacant and Residential
17. Length of time the existing uses of the subject property have continued:
Since prior to 1950
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:
Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Residential
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
with driveway
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.

MACAULEY STREET WEST

(ESTABLISHED BY REG'D. PLAN No 127)



NOTE:
EAVE MEASUREMENTS DO NOT
INCLUDE GUTTER, IF ANY

15

LOT 11
BLOCK
EXISTING "D" ZONING
(URBAN PROTECTED RESIDENTIAL
ONE AND TWO FAMILY DWELLINGS)

No 428
ONE STOREY
BRICK & STONE FACED
DWELLING

12.13
EXISTING "D" ZONING
(URBAN PROTECTED RESIDENTIAL
ONE AND TWO FAMILY DWELLINGS)

REGISTERED

LOT 10

PROPOSED SEVERANCE
(AREA=216.94m²)

REMAINING LANDS
OF APPLICANT
(AREA=157.00m²)

PART 1

PART 2

EXISTING "D" ZONING
(URBAN PROTECTED RESIDENTIAL
ONE AND TWO FAMILY DWELLINGS)

2 STOREY
SEMI-DETACHED
ALUMINUM SIDED
& BRICK FRONT
DWELLING
No 66

CONCRETE AREA
CONCRETE PORCH
BRICK DRIVE

PICTON STREET WEST

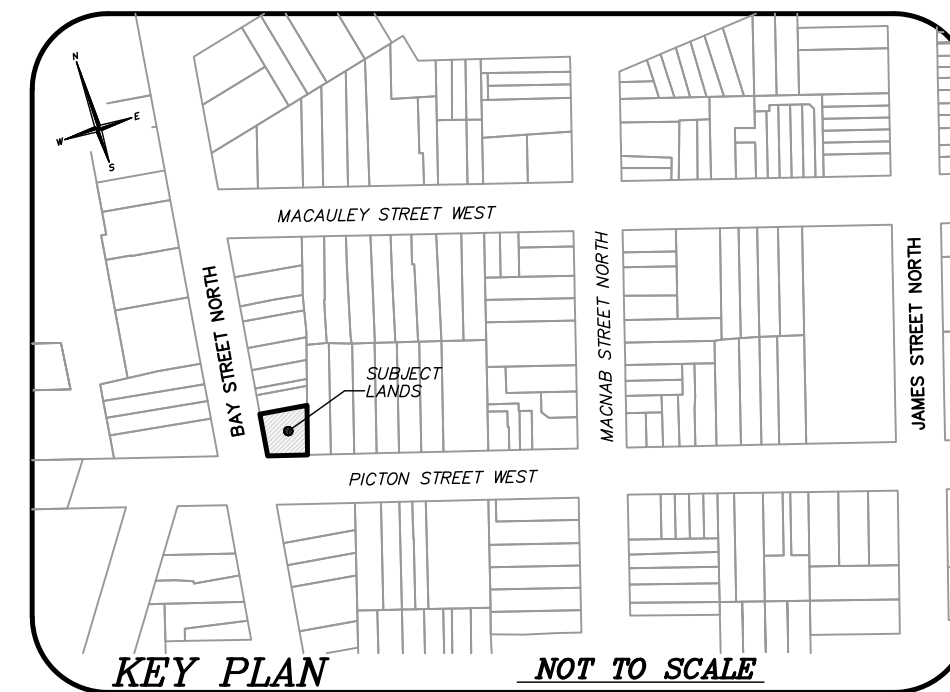
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)
PIN 17153 - 0187

PLAN

No 127

LOT 9

NORTH
BAY STREET
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)
PIN 17153 - 0184



KEY PLAN NOT TO SCALE

SKETCH FOR CONSENT TO SEVER
70/72 PICTON STREET WEST
IN THE
CITY OF HAMILTON

SCALE 1:150
0 1 2 3 4 5 metres

NICHOLAS P. MUTH O.L.S.

THE ABOVE NOTED LANDS ARE
MORE PARTICULAR DESCRIBED AS:
LOT 10-BLOCK 15
SIR ALLAN MACNAB SURVEY
REGISTERED PLAN No 127

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

NOTE:
THIS BOUNDARIES AND MEASUREMENTS SHOWN ON THIS SKETCH
ARE BASED ON A SURVEYOR'S REAL PROPERTY REPORT
PREPARED FOR H. TURKSTRA DATED MARCH 9, 2020

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION
TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT
OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THIS SKETCH IS NOT VALID UNLESS IT IS
AN EMBOSSED ORIGINAL COPY OR CERTIFIED
DIGITAL COPY ISSUED BY THE SURVEYOR

CAUTION:
THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE
USED FOR TRANSACTION OR MORTGAGE PURPOSES.

APRIL 13, 2020
DATE

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

R-4338A

H:\Lucas W-10-5\VRP\127\BLK15\LOT10\72 Picton St W (208026D)\CURRENT\VR-4338A.dwg

72 Picton Street
Application to Sever Land
Application for Minor Variance

Design Notes:

72 Picton Street is a older formerly two family dwelling on a corner lot at Picton and Bay Streets built sometime before 1940. The addition which housed the second family unit was removed as it was structurally unsound in 2005. This left a vacant lot approximately 32 feet wide fronting on Picton Street, 39 feet at the rear and 71 feet on the East boundary.

The applicant studied placing a second single family dwelling attached to the East Wall of the existing house and an alternative of leaving a walkway next to the existing house. While the corner lot has rear access from Bay Street, leaving a walkway along the East side of the existing house provides for easier access to the existing house from Bay Street and increases the level of privacy for both houses by physically separating them.

The study of the attached house design is attached as Exhibit 1.

An alternative design was also undertaken in which the space between two free standing houses was used for storage. It was concluded that this design was less functional than two completely separated houses in that the storage area removed the walkway to the back door of 72 and potentially created conflicts over use of the storage area. This design is attached as Exhibit 2.

Research was then conducted on small homes which would function well on the vacant lot if that lot had a zero lot line on its West side and a three foot sideyard/walkway on its East side. The resulting building envelope would be 26 feet wide on Picton Street, 47 feet along the east side, and approximately 30 feet at the rear, leaving a 10 foot back yard.

This building envelope design is shown on Exhibit 3. (This is the sketch required by the application.)

A number of single family designs were considered which fit in the resulting building envelope. (Exhibits 4, 5 & 6)

A very attractive architect designed house on Bay Street has functioned well as a family home for over 50 years and would fit in the building envelope. (Exhibit 7)
There are many houses on Bay Street which are on lots with 30 feet of frontage or less.

It was clear that a functional single family urban house could be built on the 26 foot wide building envelope on a 30 foot wide house.

The Applicant concluded that a design which left a walkway on the East side of 72 and created a building envelope which would have a zero lot line on its West side and a three foot walkway for the second house on the East side of the vacant lot.

The vacant lot has an existing mature tree. Although the tree is somewhat diseased, it currently is structurally sound and the Applicant proposes that the new house would be built North of the existing drip line.

The front boundary of the proposed building envelope will continue the line of the front walls of 72 and 68 Picton to provide a harmonious street wall.

As to parking, many houses on Picton use street parking. The occupant of 72 Picton has used the parking space in front of the house/lot for many years without conflict. However, in order to provide for street parking for the new house, the applicant has applied for, received and constructed a driveway and parking place at the North Side of 72 Picton so the street parking for both 72 and 70 would be available for 70.

The proposed lot lines severance and variances are consistent with the decision of the Ontario Municipal Board relating to 498 and 500 Bay Street.

The variances are needed because the outdated existing Zoning By-law sideyards would prevent construction of a second house on the lot, The building envelope permitted under the existing Zoning By-Law is shown on Exhibit 8. The existing Zoning ByLaw does permit two family homes.

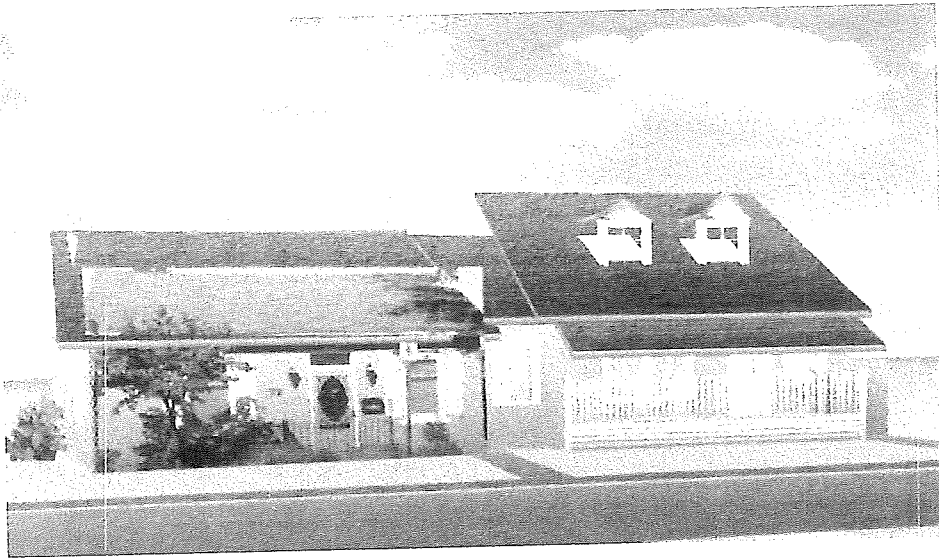
The severance and variances will produce two single family houses that are appropriate for the neighbourhood, permit sound design of the new house which complies with current intensification policies, complies with the approved Secondary Plan and with all relevant provincial policies.

Adrienne Young,
500 Bay Street North
Hamilton, ON, L8L 1N5
905-540-9188

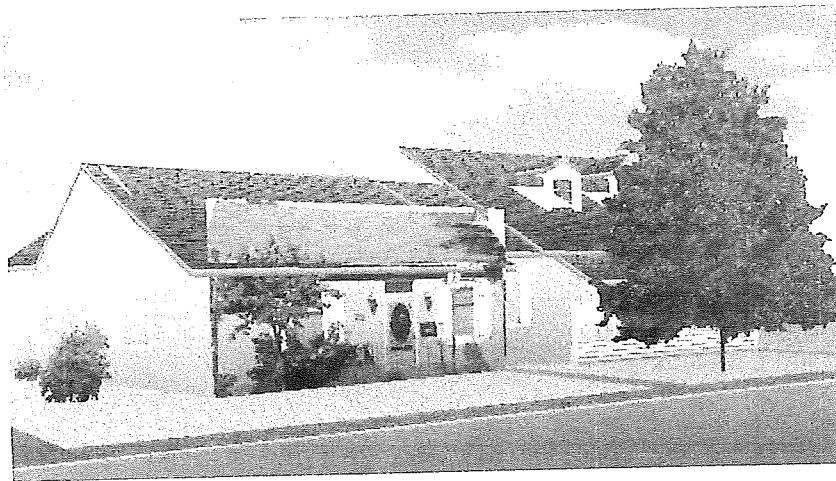
January 15, 2020.

70 -72 Picton Street Design Study:

In view of the position of the neighbour across the street, the site has been examined from the perspective of developing a design with a single building theme. The area is zoned for two family and the existing house, prior to the removal of the back structure shown on the survey had two family occupancy for a number of years.

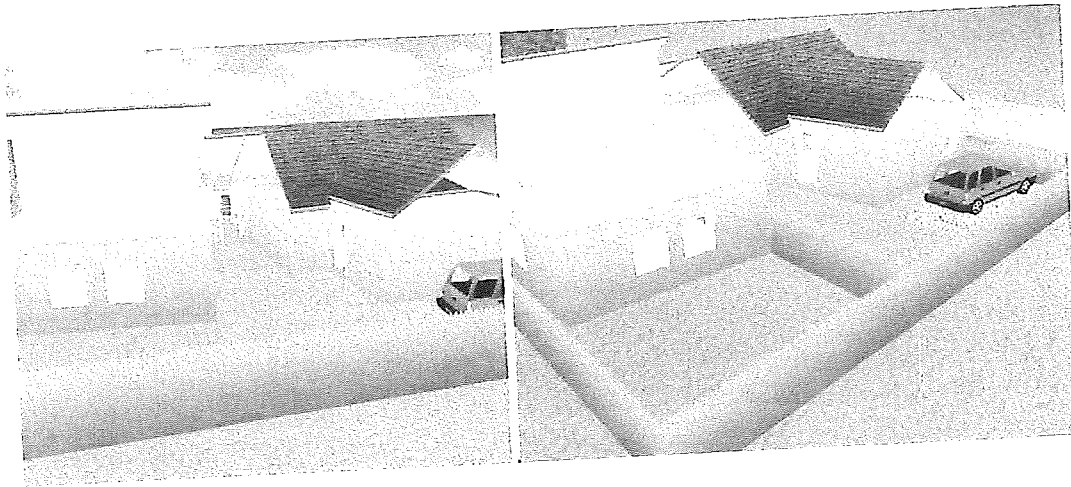


This shows the existing house (photograph) with the new house attached to it by a storage area that has the appearance of a continuation of the residence. The primary entrance to the new house will be the side entrance using essentially the same design as approved by the OMB for 500 Bay Street North. This drawing shows the new house without the existing tree. With the tree it looks like this:

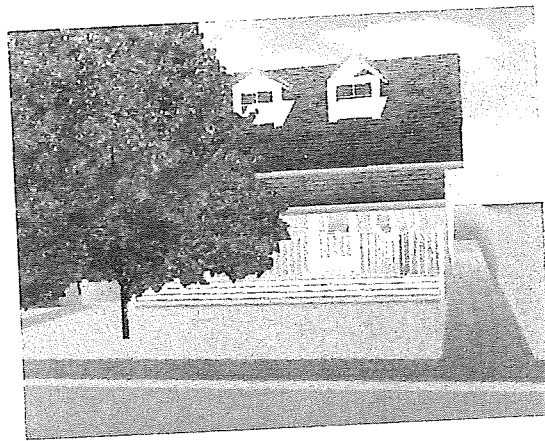


The new house can be constructed outside of the drip line of the existing tree and after allowance for an amenity area in the rear, provides for an 800 square foot floor area on the first floor and about 600 square feet on the second floor

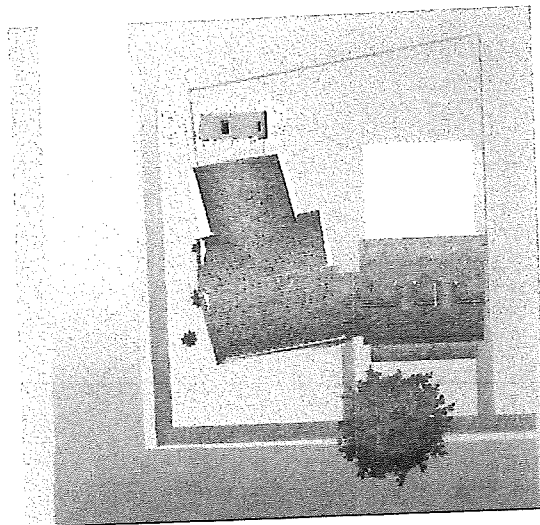
Exhibit 1.



The joining structure is actually a storage area for the existing house and the two amenity areas will be separated by a privacy fence shown in the next sketch. The existing amenity area for the existing house is maintained as it is now. The primary entrance to the new house will be at the East side, following the design of 500 Bay Street North.



The aerial view below shows the overall siting of the addition.



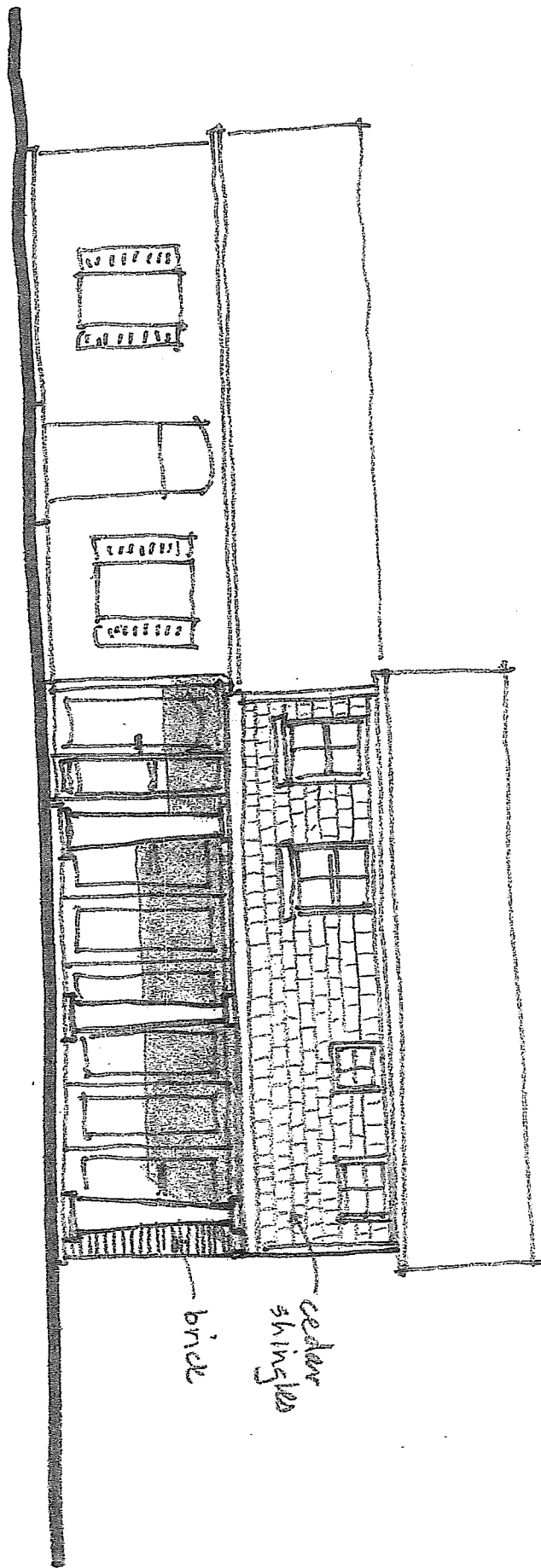
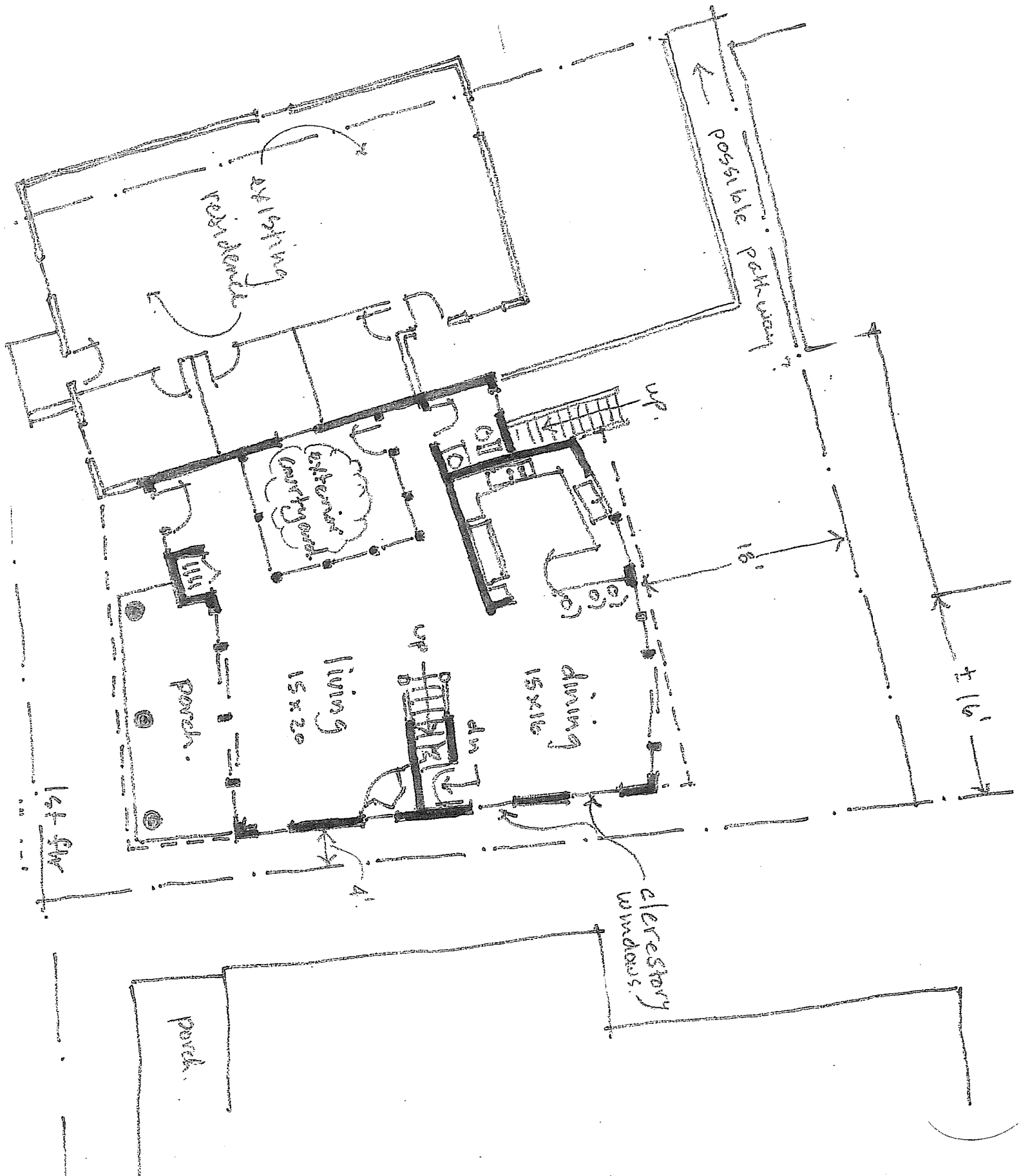
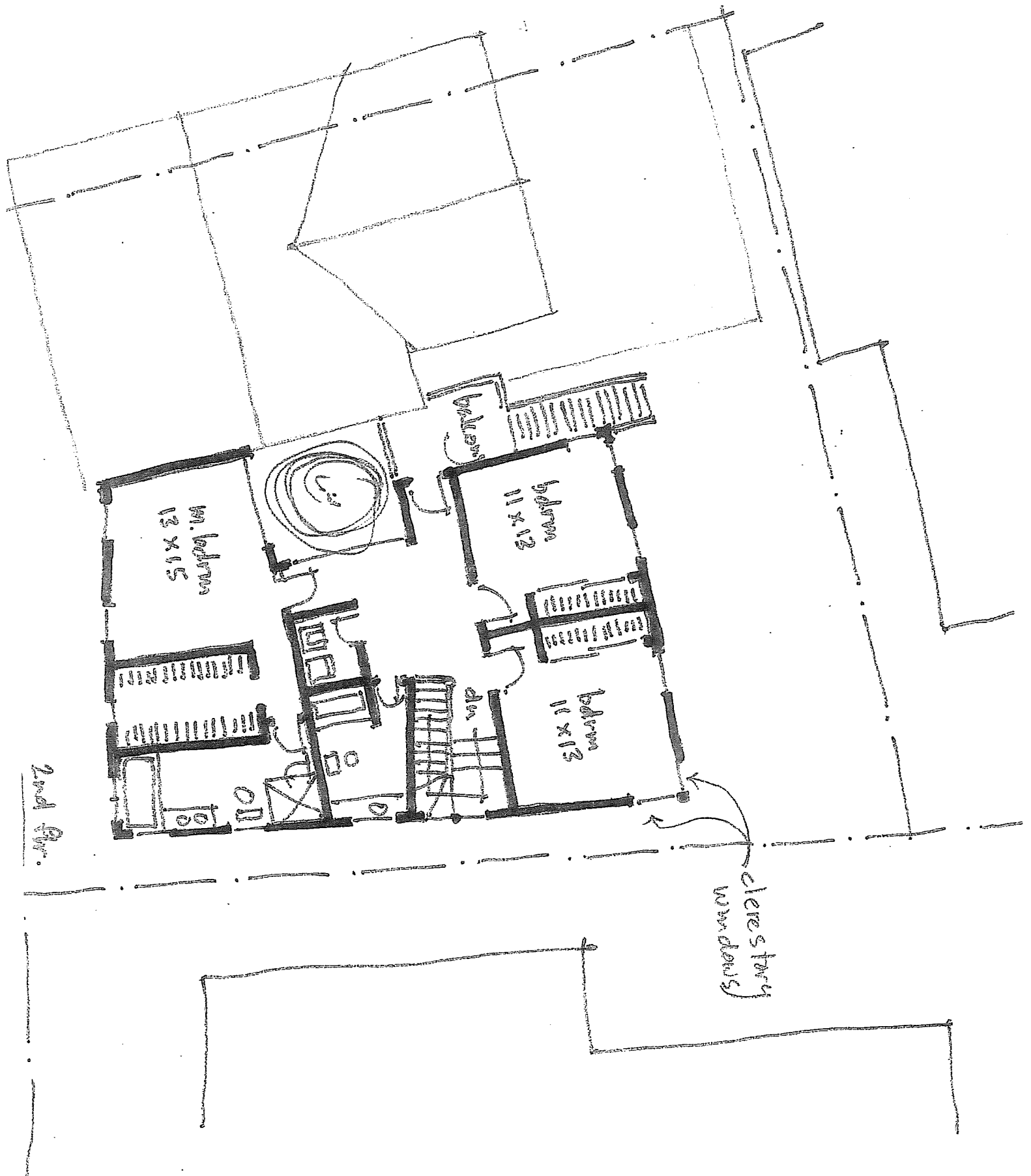


Exhibit 2





(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)
BAY STREET NORTH
PIN 17153 - 0184

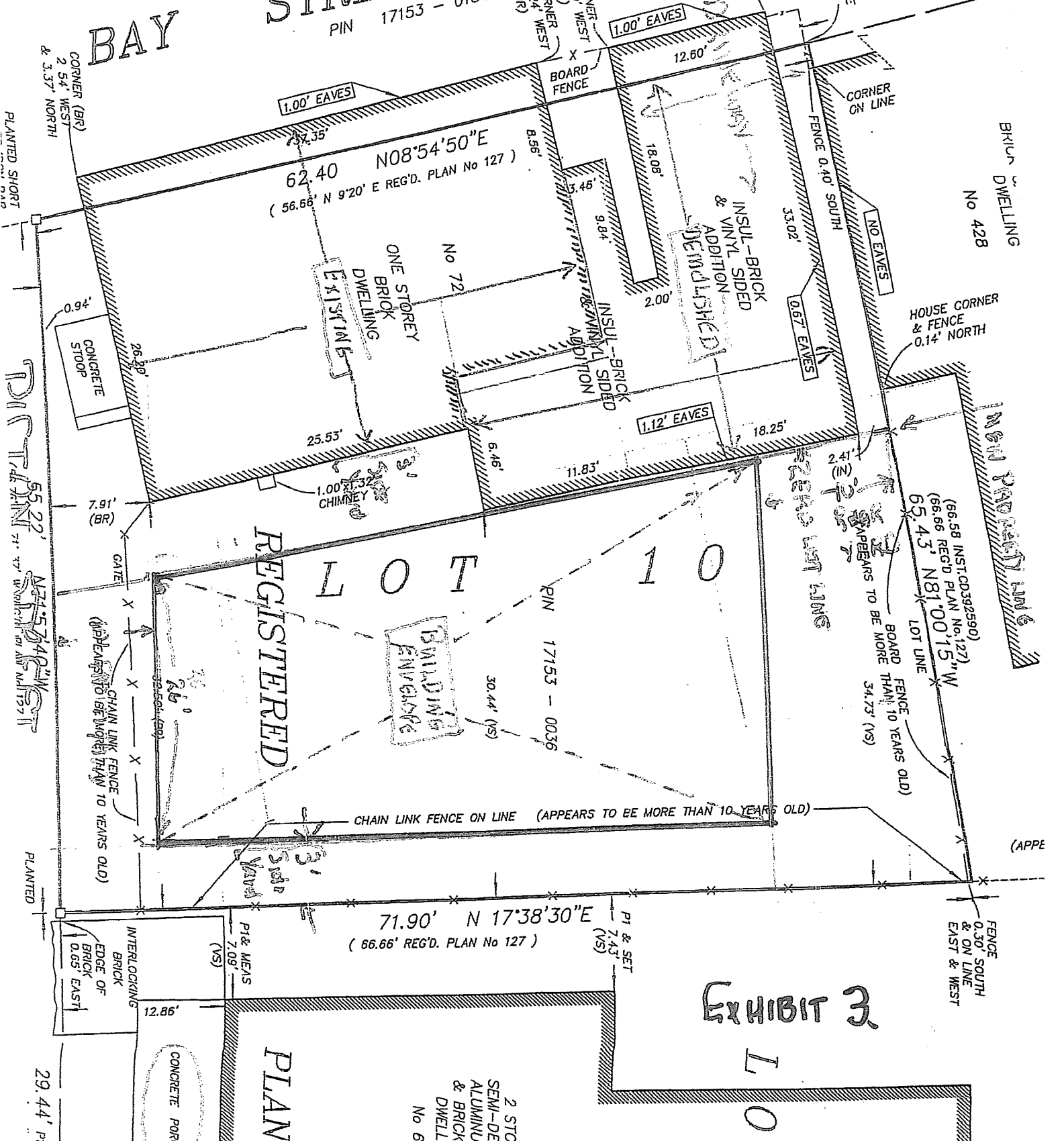


EXHIBIT 3

LOT

PLAN

2 STO
SEMI-DE
ALUMINU
& BRICK
DWELL
No 6

PLANTED SHORT

DIRTY ROAD
55.22'
N 24.57° 49' W
71.77' W
M 11.137'

PLANTED

29.44' P1

(INST. No CD 39259)
25.83'

BRICK DWELLING
No 428

HOUSE CORNER
& FENCE
0.14' NORTH

(66.58 INST. CD 392590)
(66.66 REG'D. PLAN No. 127)
65.43' N 81° 00' 15" W
LOT LINE
BOARD FENCE
TO BE MORE
THAN 10 YEARS OLD

(APPE

FENCE
SOUTH
& ON LINE
EAST & WEST

INTERLOCKING
BRICK
EDGE OF
BRICK
0.65' EAST

CONCRETE PORT

P1 & MEAS
7.09'
(VS)

P1 & SET
7.43'
(VS)

71.90' N 17° 38' 30" E
(66.66' REG'D. PLAN No 127)

CHAIN LINK FENCE ON LINE
(APPEARS TO BE MORE THAN 10 YEARS OLD)

CHAIN LINK FENCE ON LINE
(APPEARS TO BE MORE THAN 10 YEARS OLD)

30.44' (VS)
RIN 17153 - 0036

REGISTERED LOT 10

EXISTING
ONE STOREY
BRICK
DWELLING
No 72

INSUL-BRICK
& VINYL SIDED
DEMOLISHED

INSUL-BRICK
SIDED
ADDITION

62.40 N 08° 54' 50" E
(56.66' N 9° 20' E REG'D. PLAN No 127)

1.00' EAVES

1.00' EAVES

BOARD FENCE
0.20' SOUTH

CORNER
ON LINE

FENCE 0.40' SOUTH

NO EAVES

0.67' EAVES

1.12' EAVES

18.25'

1.00' CHIMNEY

11.85'

5.46'

25.55'

26.20'

0.94'

7.91'
(BR)

GATE

CHAIN LINK FENCE
(APPEARS TO BE MORE THAN 10 YEARS OLD)

30.44'

30.44'

30.44'

30.44'

30.44'

30.44'

30.44'

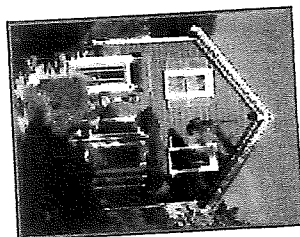
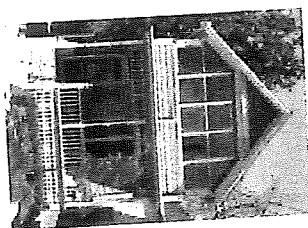
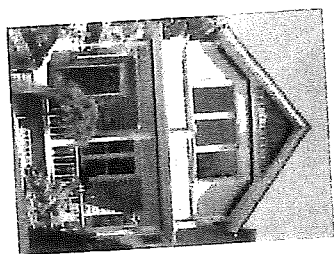
30.44'

30.44'

30.44'

30.44'

30.44'



Each home picture will fit on the proposed lot.

Small Homes of the Future

A practical example

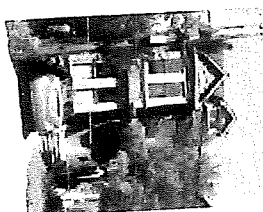
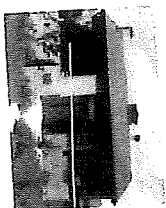
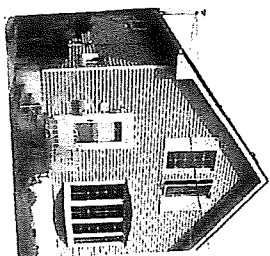
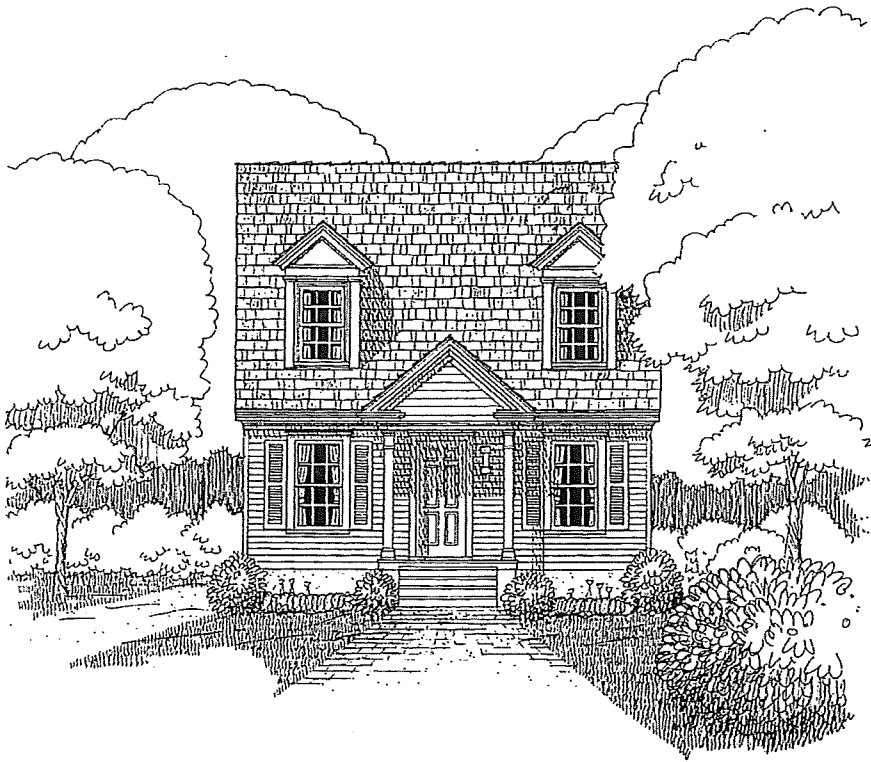
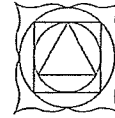


Exhibit 4



Rick Thompson
Architect



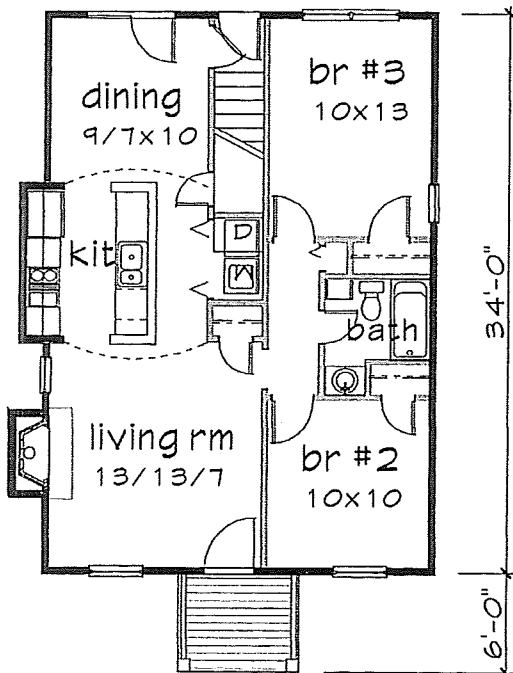
www.thompsonplans.com

P O Box 160
Lake Junaluska, NC
28745

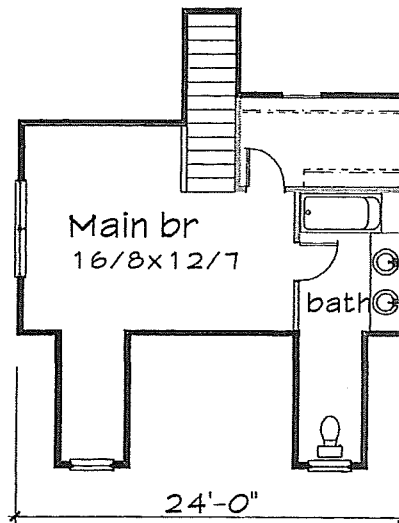
828-627-1479

plan #

1104A



Floor 1 plan



Floor 2 plan

Size fl 1 830
Size fl 2 393
Size Total 1223

Width 24'+ 1'-6"
Depth 34'-0"
Porch 5'

Fl 1 ceiling 8'
Fl 2 ceiling Vaulted
Roof pitch 9/12
Height 22'

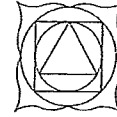
Prints 5 sets Please see
Prints 8 sets web site for
Vellums current
Material list pricing
CAD thank you

Exhibit 5

Please specify foundation type (crawl standard) Available types - Crawl, Slab or Basement



Rick Thompson
Architect



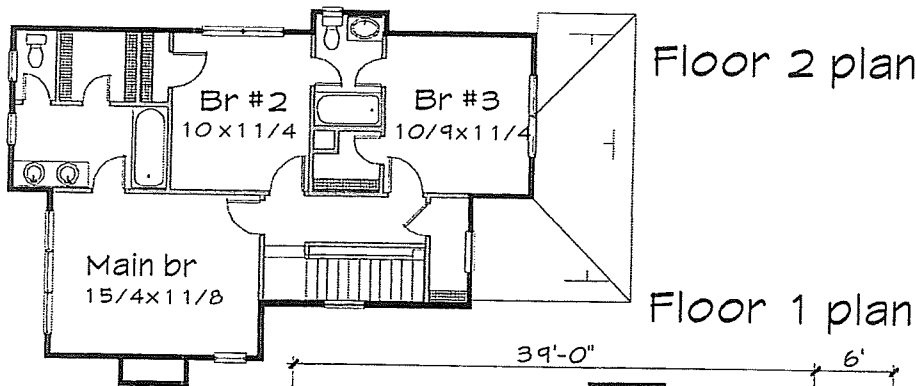
www.thompsonplans.com

P O Box 160
Lake Junaluska , NC
28745

828-627-1479

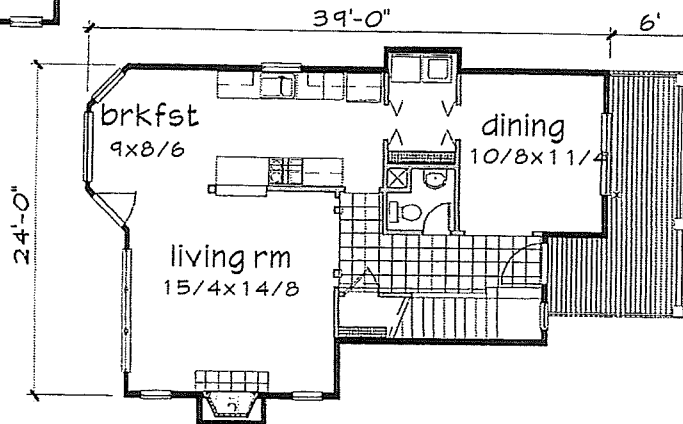
plan #

1501A



Size fl 1 784
Size fl 2 745
Size Total 1529

Width 24'-0"
Depth 39'-0"
Porch 6'-0"



Fl 1 ceiling 9'
Fl 2 ceiling 8'
Roof pitch 9/12
Height 26'-6"

Prints 5 sets Please see
Prints 8 sets web site for
Vellums current
Material list pricing
CAD thank you

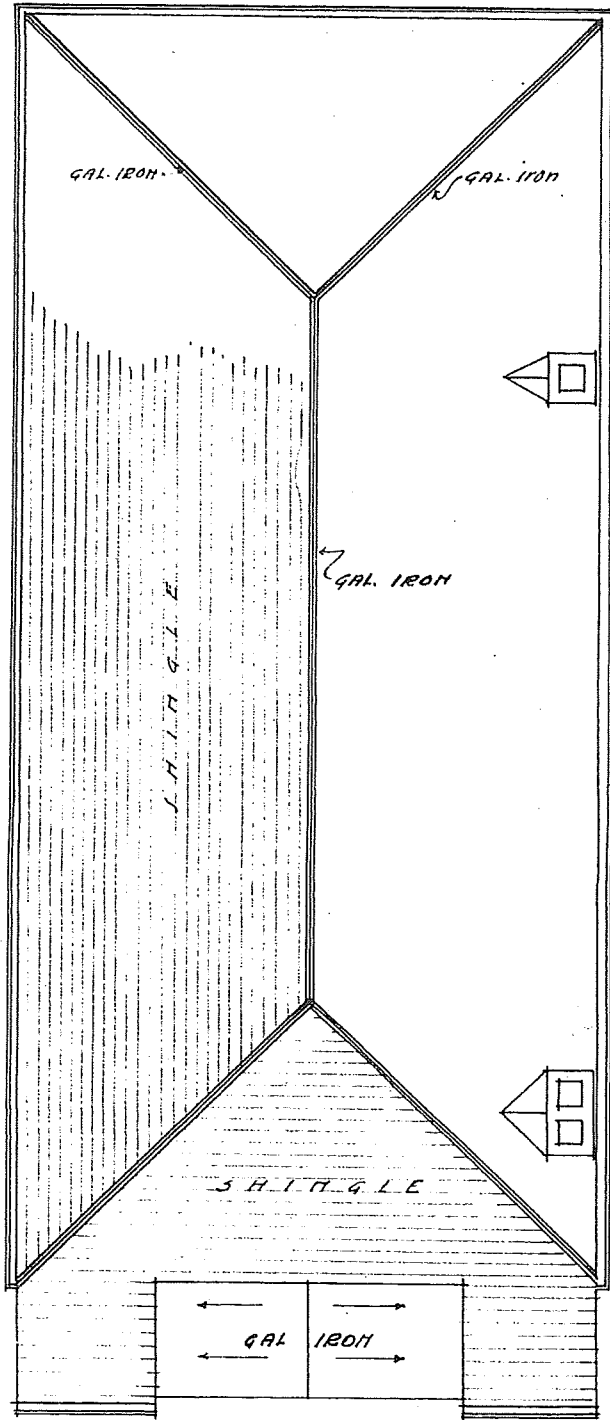
Exhibit C

Please specify foundation type (crawl standard) Available types - Crawl, Slab or Basement

RESIDENCE FOR H.J. FELL ESQ.
BAY ST. N. HAMILTON. ONT.

FRYER & EYANS HOME BANK BLDG.
REGISTERED ARCHITECTS HAMILTON. ONT.

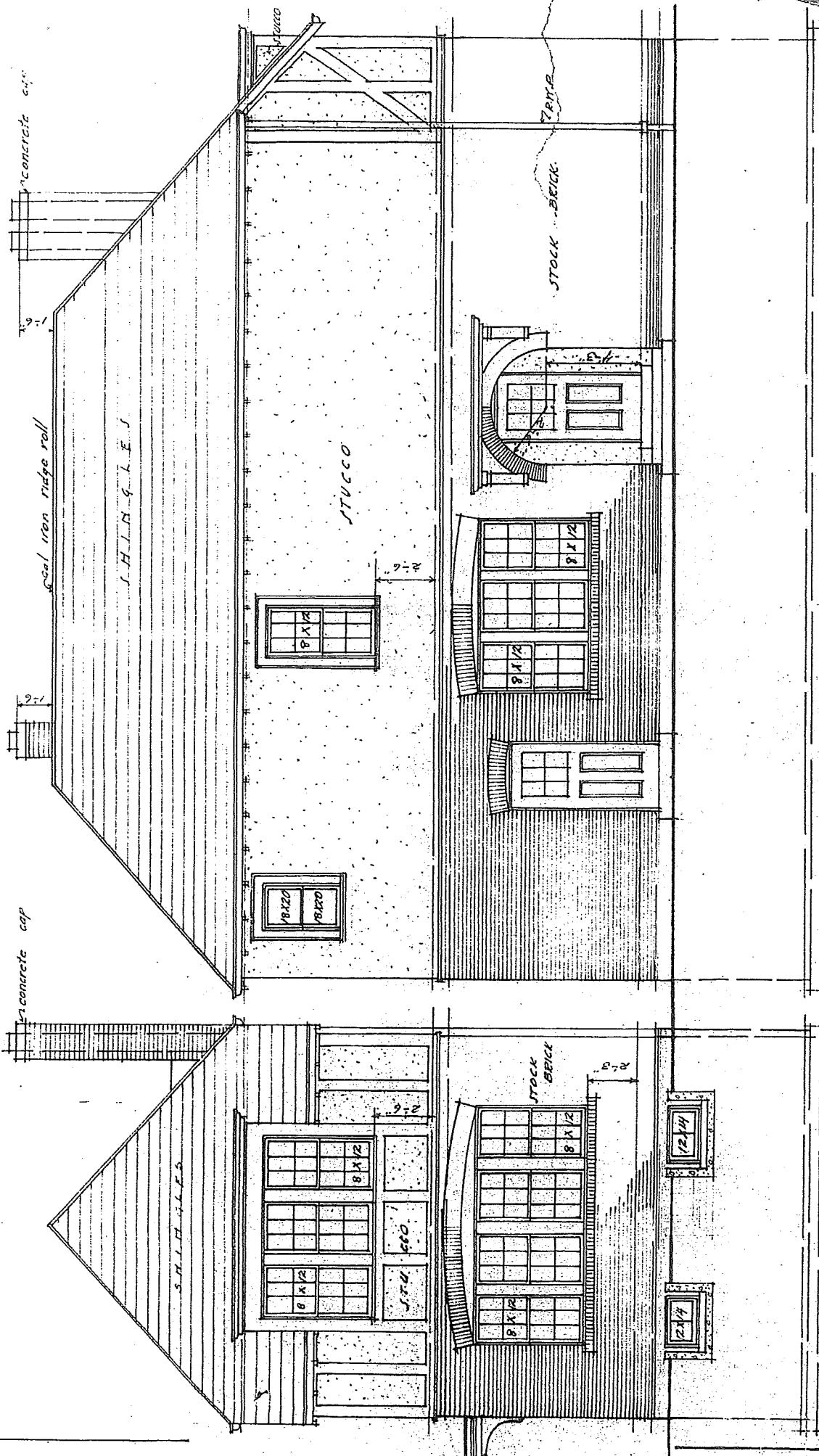
SCALE 1/4" = 1'-0"



ROOF PLAN

164
12
Jan 16/

EXHIBIT 7



NORTH ELEVATION

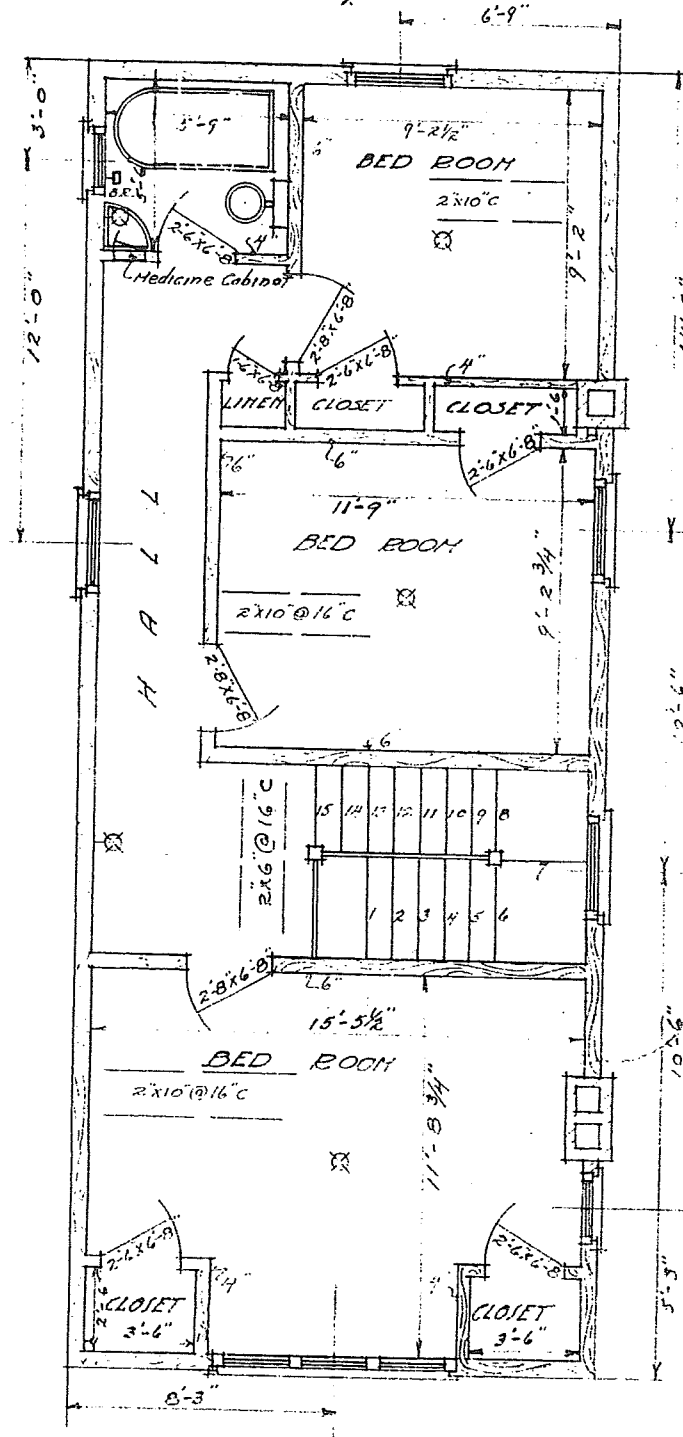
EAST ELEVATION

164
4

RESIDENCE FOR H.J. FELL ESQ.
BAY ST. N. HAMILTON ONT.

FRYER & EYAMS HOME BANK BLDG
REGISTERED ARCHITECTS. HAMILTON ONT.

SCALE 1/4" = 1'-0"

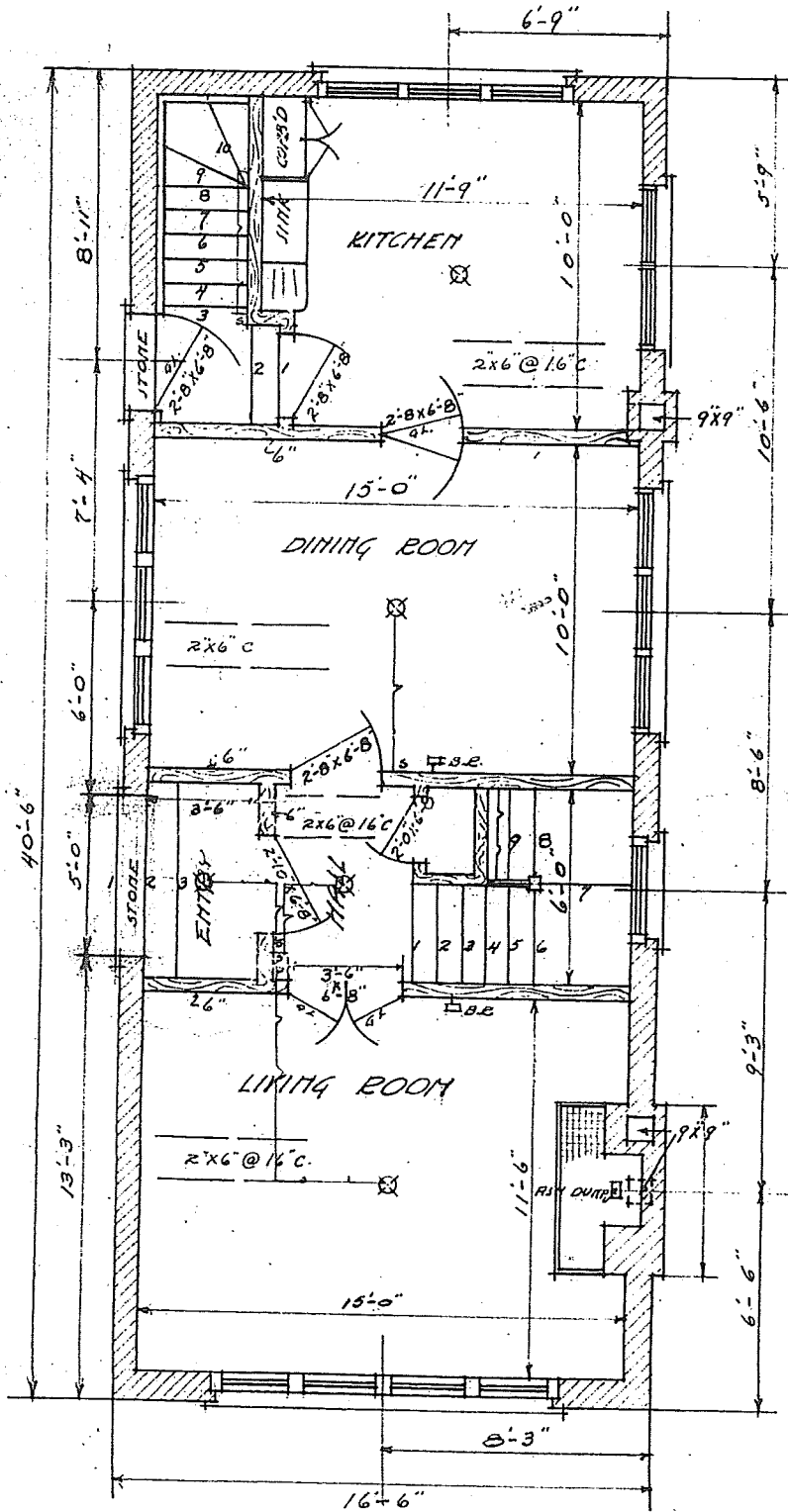


FIRST FLOOR.

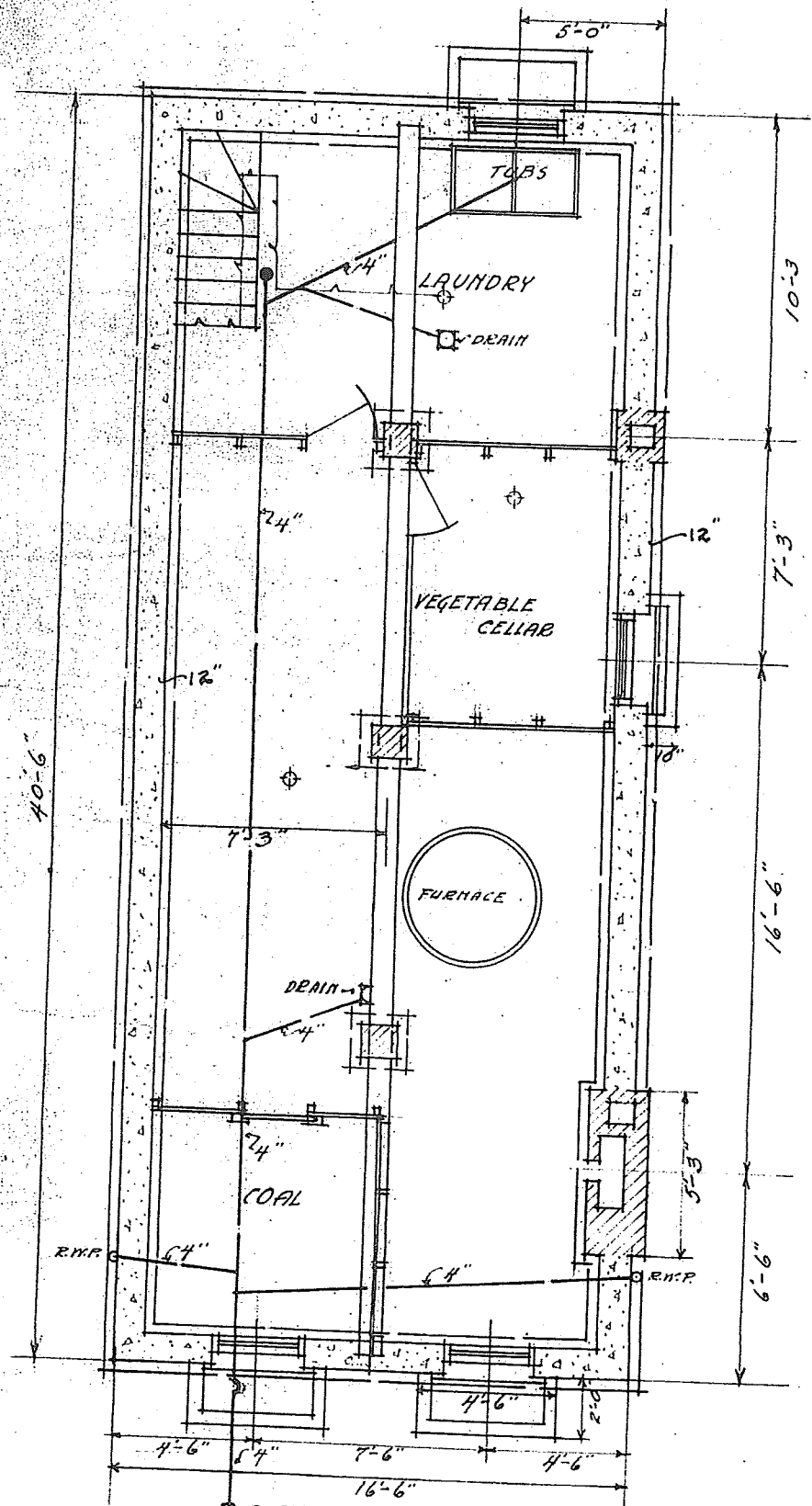
164

3

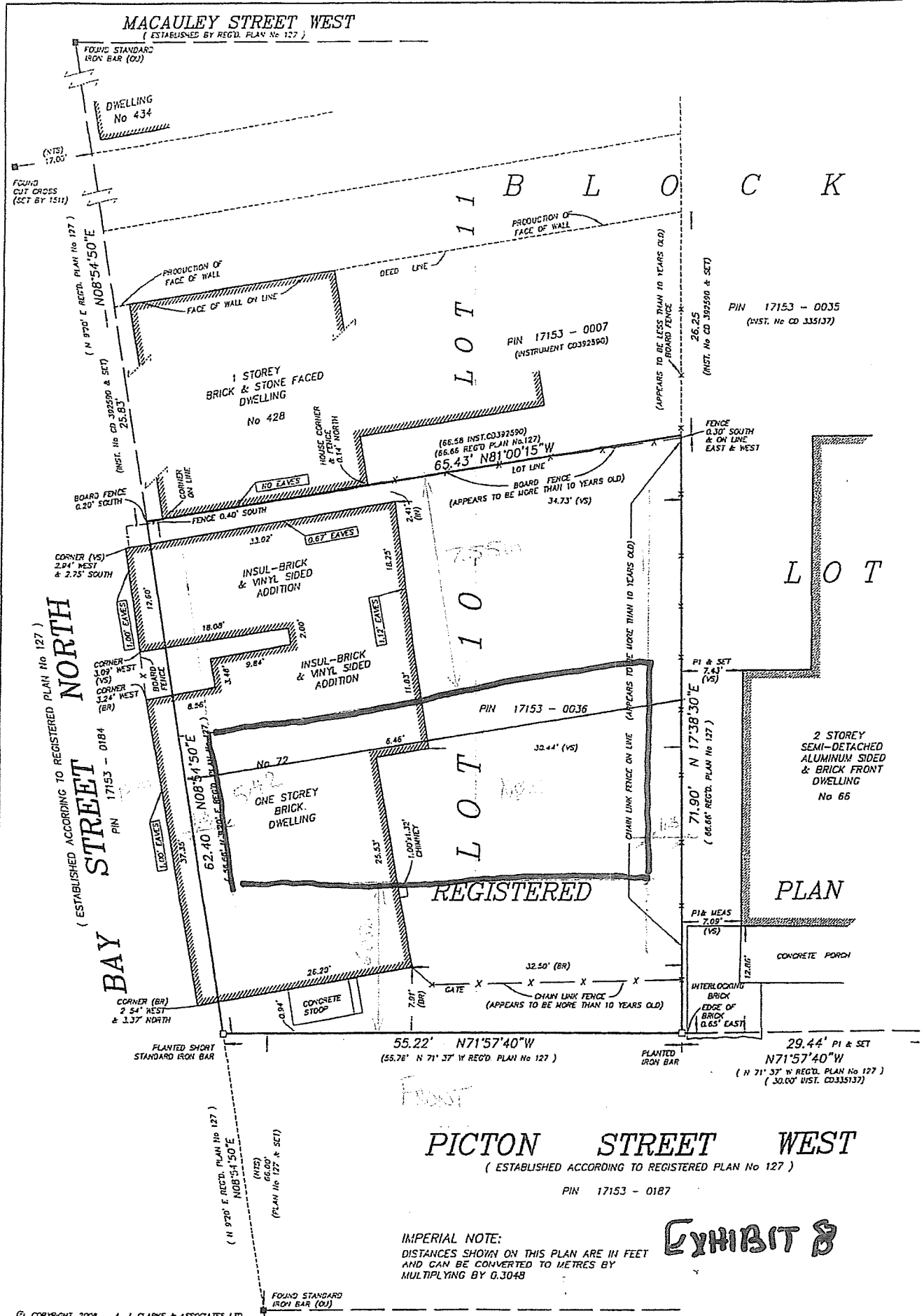
Jan 16/22



GROUND FLOOR



BASEMENT PLAN



MACAULEY STREET WEST
(ESTABLISHED BY REGD. PLAN No 127)

BAY STREET NORTH
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)

PICTON STREET WEST
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 127)

IMPERIAL NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN FEET
AND CAN BE CONVERTED TO METRES BY
MULTIPLYING BY 0.3048

EXHIBIT B

R-2991

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A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-20:113

APPLICANTS: Owner 2606043 Ont. Inc.

SUBJECT PROPERTY: Municipal address **1375 King St. E., Hamilton**

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

ZONING: "C2" (Neighbourhood Commercial) district

PROPOSAL: To permit the construction of a thirty-three (33) square metre commercial outdoor patio associated with an existing restaurant, notwithstanding that:

1. The proposed outdoor patio is to be located on a lot that abuts a Residential Zone ("E" Multiple Dwellings, Lodges, Clubs, Etc, "D" Urban Protected Residential – One and Two Family Dwellings, Etc., and "D/S-535" Urban Protected Residential – One and Two Family Dwellings, Etc.), instead of being located on a lot where the lot lines do not abut a Residential Zone, Downtown D5, or Downtown D6 Zone.

NOTE:

Specific details regarding the seated capacity of the proposed outdoor patio have not been provided to confirm compliance with Section 4.20(b).

The proposed outdoor patio is to comply with Section 4.20(b) and Section 4.20(d) of Hamilton Zoning By-law 05-200.

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

DATE: Thursday, July 16th, 2020
TIME: 3:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at 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-20:113

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

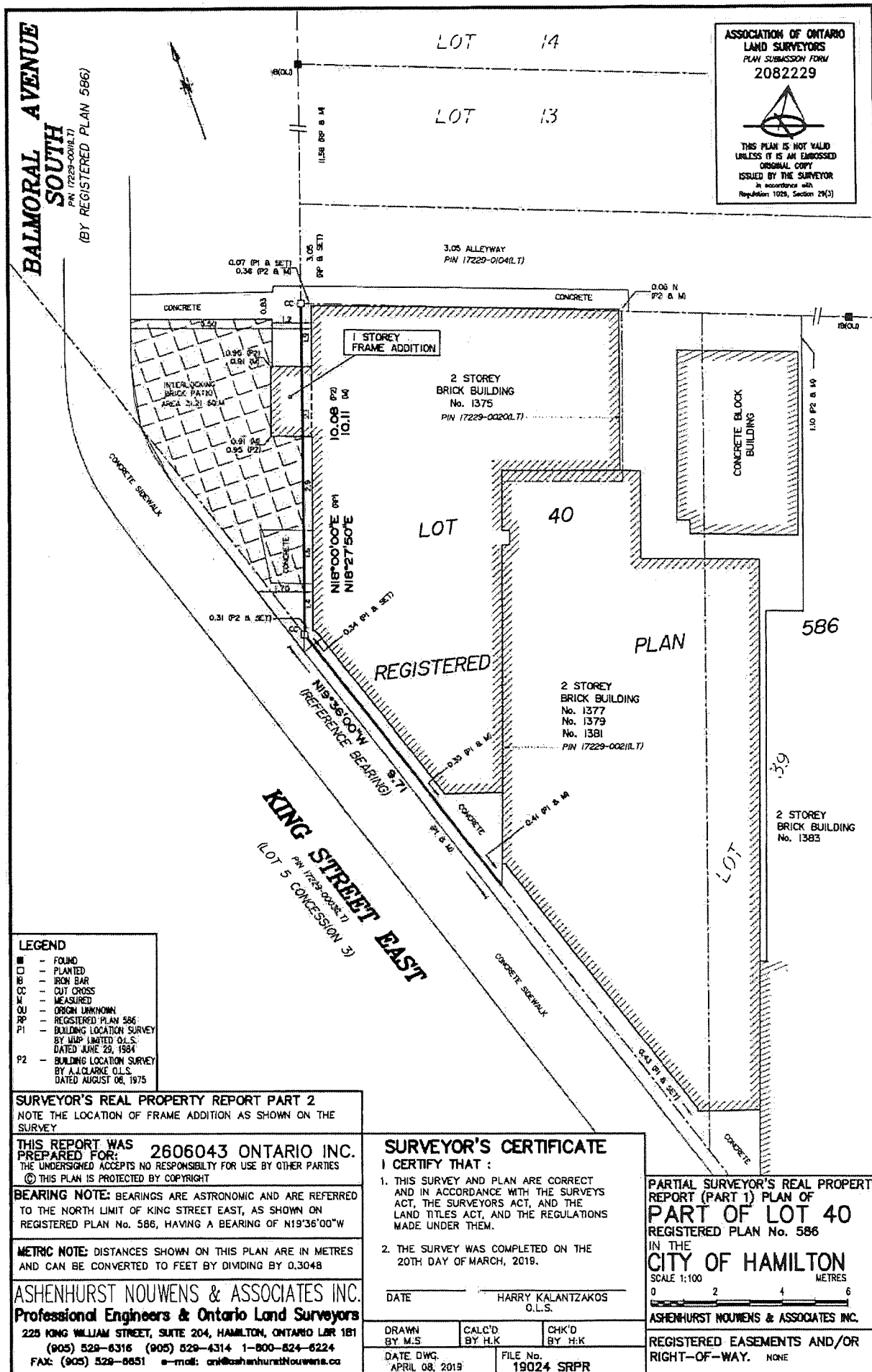
For more information on this matter, including access to drawings illustrating this request:

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

DATED: June 30th, 2020.

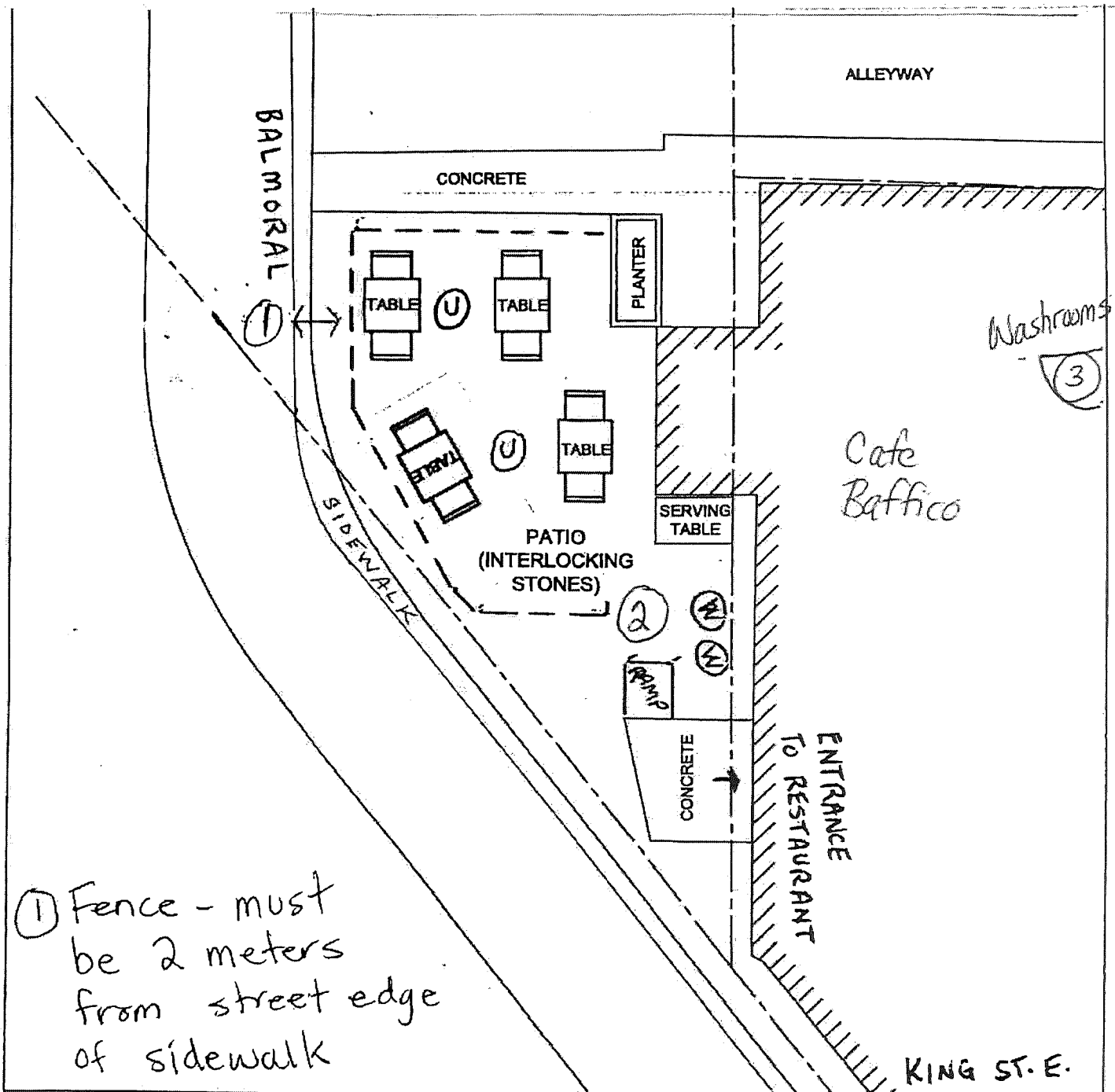
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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/A-20:113
Sketch 1

Residential apartment ↗ N.

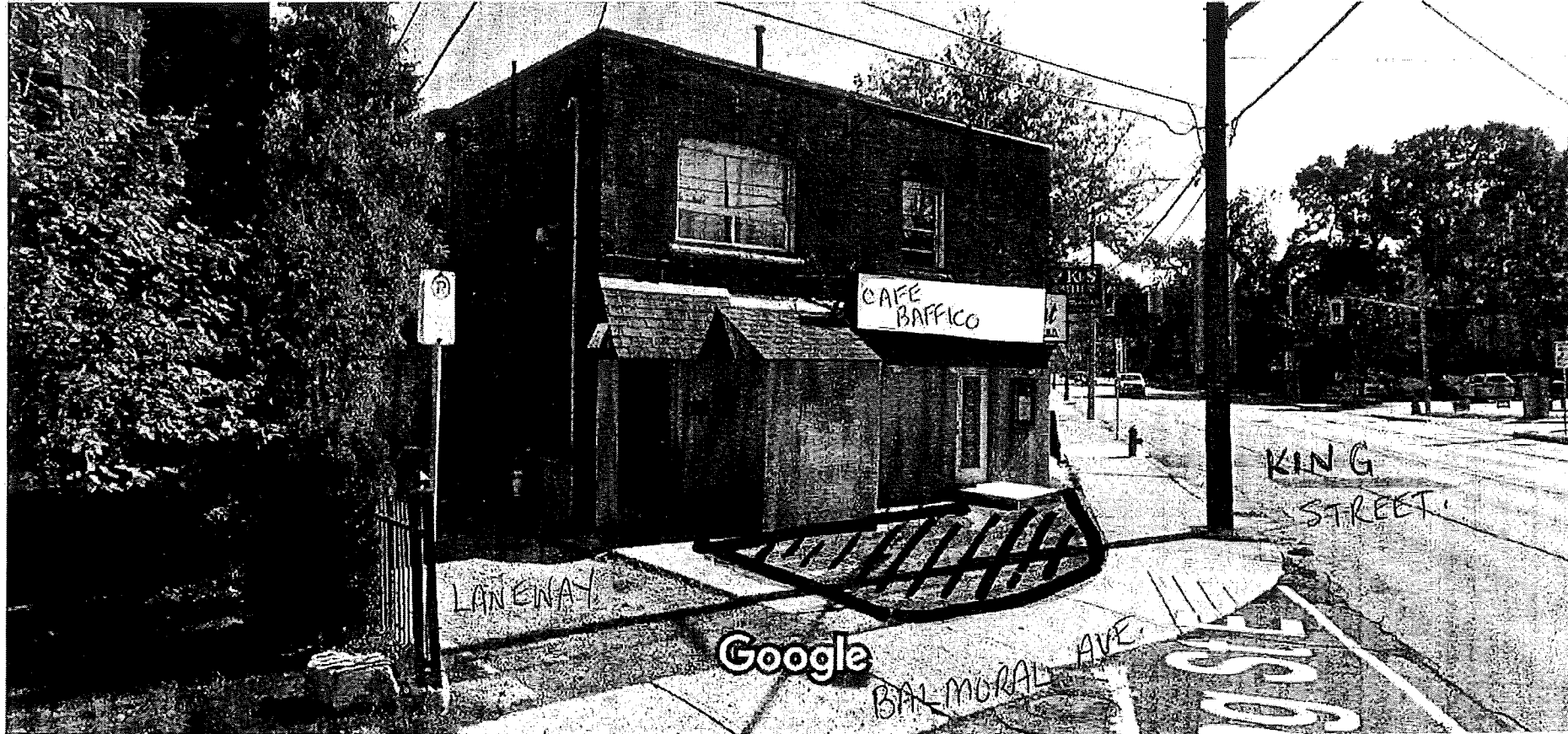


① Fence - must be 2 meters from street edge of sidewalk

JORDAN & SHERRI WEISZ	PROJECT: CAFE BAFFICO PATIO 1575 KING STREET EAST HAMILTON, ON	Date: 04/19	Scale: N.T.S.
	(W) Waste receptacle (U) umbrella/stand	Drawn by: SW	Checked by: JW
	--- fence 36" ht	Drawing No. -	

- ② fence entrance to patio
- ③ indoor washrooms

Google Maps Balmoral Ave S



© 2019 Google

Hamilton, Ontario

Google

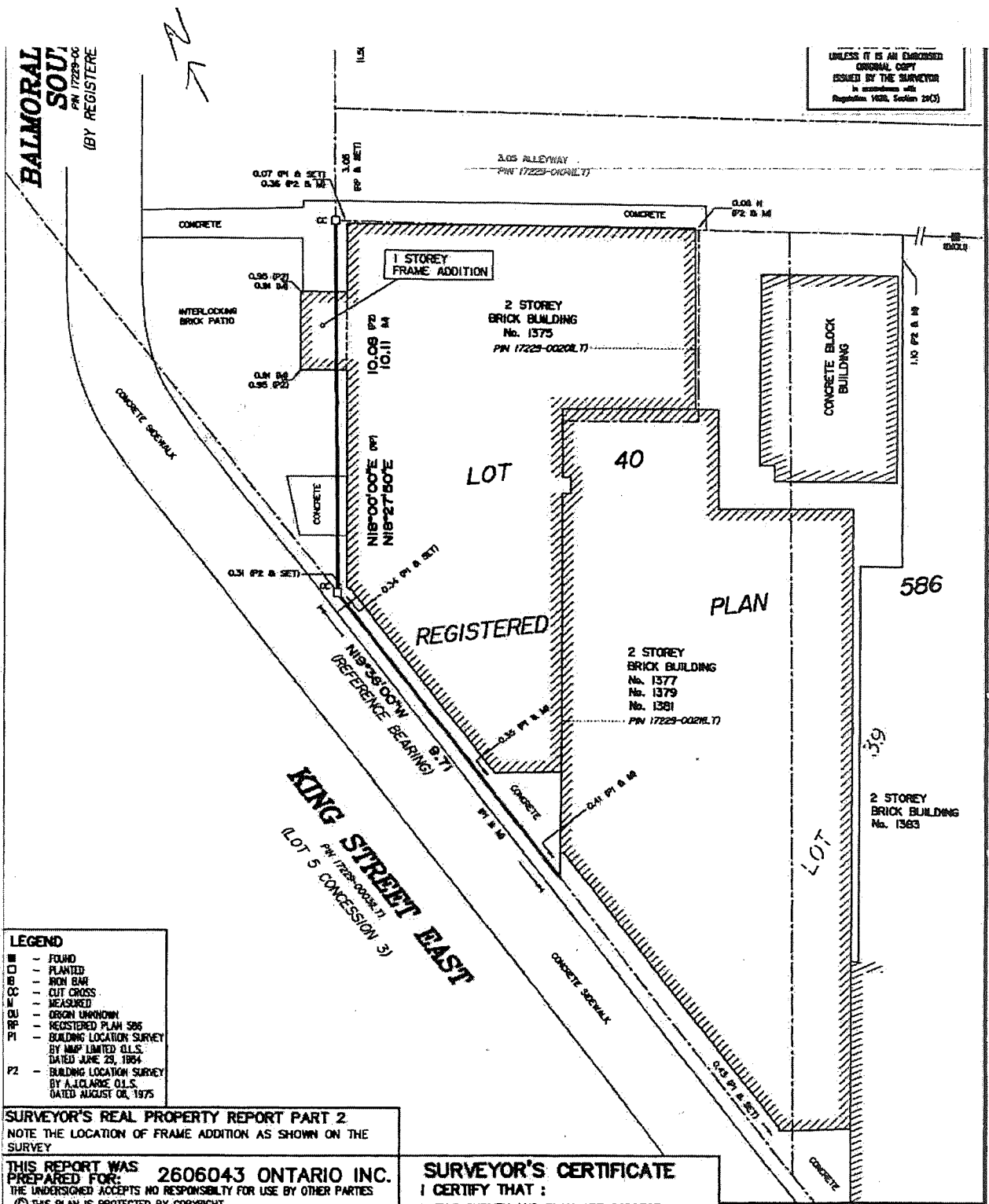
Street View

Cafe Baffico
1375 King St. E.

HM/A-20:113
Sketch 3

King St

Balmoral Ave



UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 148R, SECTION 21(3)

BALMORAL SOUTH
PIN 17229-06
(BY REGISTRE)

LEGEND
 ■ - FOUND
 □ - PLANTED
 B - IRON BAR
 CC - CUT CROSS
 M - MEASURED
 BU - DESIGN UNKNOWN
 RP - REGISTERED PLAN 586
 P1 - BUILDING LOCATION SURVEY BY MAP LIMITED O.L.S. DATED JUNE 29, 1994
 P2 - BUILDING LOCATION SURVEY BY A. JOLARDE O.L.S. DATED AUGUST 08, 1975

SURVEYOR'S REAL PROPERTY REPORT PART 2
NOTE THE LOCATION OF FRAME ADDITION AS SHOWN ON THE SURVEY

THIS REPORT WAS PREPARED FOR: **2606043 ONTARIO INC.**
THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES
© THIS PLAN IS PROTECTED BY COPYRIGHT

BEARING NOTE: BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF KING STREET EAST, AS SHOWN ON REGISTERED PLAN No. 586, HAVING A BEARING OF N19°36'00"W

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

ASHENHURST NOUWENS & ASSOCIATES INC.
Professional Engineers & Ontario Land Surveyors
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
(905) 529-4316 (905) 529-4314 1-800-824-8224
FAX: (905) 529-6831 e-mail: on@ashenhurstnouwens.ca

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 LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 20TH DAY OF MARCH, 2019.

DATE: **APRIL 9, 2019**
MARRY ARLANTZAKOS
P.L.S.

DRAWN BY: M.S. CALC'D BY: H.K. CHK'D BY: H.K.
DATE DWG. FILE No.

PARTIAL SURVEYOR'S REAL PROPERTY REPORT (PART 1) PLAN OF PART OF LOT 40 REGISTERED PLAN No. 586

IN THE **CITY OF HAMILTON**

SCALE 1:100 METRES

ASHENHURST NOUWENS & ASSOCIATES INC.
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY. NONE

Google Maps

1350 King St E

CAFE BAFFICO

Street view

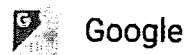
BALMORAL



Google

KING ST E

Hamilton, Ontario



Street View - Apr 2018

Image capture: Apr 2018 © 2018

b



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

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

FOR OFFICE USE ONLY.	
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.

Sherri Weisz

- Name of Owner 2606043 ONT. INC 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:
N/A

Postal Code _____

Postal Code _____

*see attached letter

6. Nature and extent of relief applied for:
To allow an outdoor patio on the west side of building abutting a residential zone, whereby Hamilton by-law 05-200 does not permit an outdoor patio where lot lines abut a residential zone or laneway.
7. Why it is not possible to comply with the provisions of the By-law?
The only physical space for a patio is on the west side of the building adjacent to the residential zone to the north.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
Part Lot 40, Plan 586
1375 King St. E Hamilton ON L8M 1H6
9. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
 Agricultural Vacant
 Other _____
- 9.1 If Industrial or Commercial, specify use restaurant
- 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?

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.

June 16, 2020
 Date

Signature Property Owner

Sherri Weisz
 Print Name of Owner

10. Dimensions of lands affected: - approx.
 Frontage 10.2 m (King St)
 Depth 18 m
 Area 110 sq. m.
 Width of street 13.5 m - King St, 8.3 m Balmoral

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: 2 storey building with interlocking stoned patio area facing Balmoral.
Building - entire lot - 10.2 m x 18 m
- 110 sq. m.

Proposed:
Patio area - approx 9 m x 5.5 m
- 33 sq. metres.

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

Existing: Building abuts all property lines - 0 setbacks

Proposed: Patio is on road allowance

13. Date of acquisition of subject lands:
NOVEMBER 29, 2017
14. Date of construction of all buildings and structures on subject lands:
unknown
15. Existing uses of the subject property: basement + main street level - Cafe Baffico restaurant
- 2nd level - apartment
16. Existing uses of abutting properties: N - residential apartments
E - commercial
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:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
re patio - by law 05-200
21. Has the owner previously applied for relief in respect of the subject property?
 Yes PATIO AREA ONLY No
If the answer is yes, describe briefly.
May 2019 - encroachment acknowledgement - approved
March 2020 - outdoor patio agreement - approved
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

2606043 ONTARIO INC
1375 KING ST. EAST
HAMILTON, ON L8M 1H6
Tel: (647) 228-2161 Sherlee555@gmail.com

June 15, 2020

Attention: Committee of Adjustment – Minor Variance Application - City of Hamilton

I am the owner of the commercial property at 1375 King St. East. The restaurant (Café Baffico) on the main floor is planning an outdoor patio. This process was started when we first opened in December 2018. We were granted an encroachment acknowledgement in May 2019 and had a patio, but, we were not allowed to serve liquor. In March of this year, we were granted the encroachment agreement for an outdoor patio - allowing us to apply for a liquor license. The liquor application is in process. The main stipulation for a liquor license is that the area needs to be fenced in. The AGCO contacted the city and we have since been advised that we may require a minor variance for the patio. The reason explained is that the restaurant is adjacent to both an alleyway and residential property.

The restaurant owner and I have spent a considerable amount of time and money to get the patio up and running for this summer. Of course due to the pandemic, there were obvious delays, but we hoped to have the patio and permits ready by the time the city opens up again. The patio is extremely important as the restaurant has only been open 1.5 years and is very small – interior with seating for 30 people. The restaurant had never provided take-out service – it is a small family run and family-friendly neighborhood restaurant. We have had a lot of support from the community. As we had closed our doors since mid-March, we have lost a lot of revenue and are hoping to recoup by the addition of the patio.

I received an email from the City on June 3 stating that there had been an oversight on the encroachment agreement, and a minor variance would be required. This was not only a shock but came at a very bad time, as we were in the process of fencing the area and purchasing other necessary equipment for the patio. After many conversations with Johanna Black (Planning) she was able to reach out to the various department and the Building department has agreed to support and sponsor our application. (emails attached)

Please find attached our application that we are hoping will be submitted for the July 16th hearing. Looking forward to a favourable outcome. Please let me know if you require further information.

Many thanks,

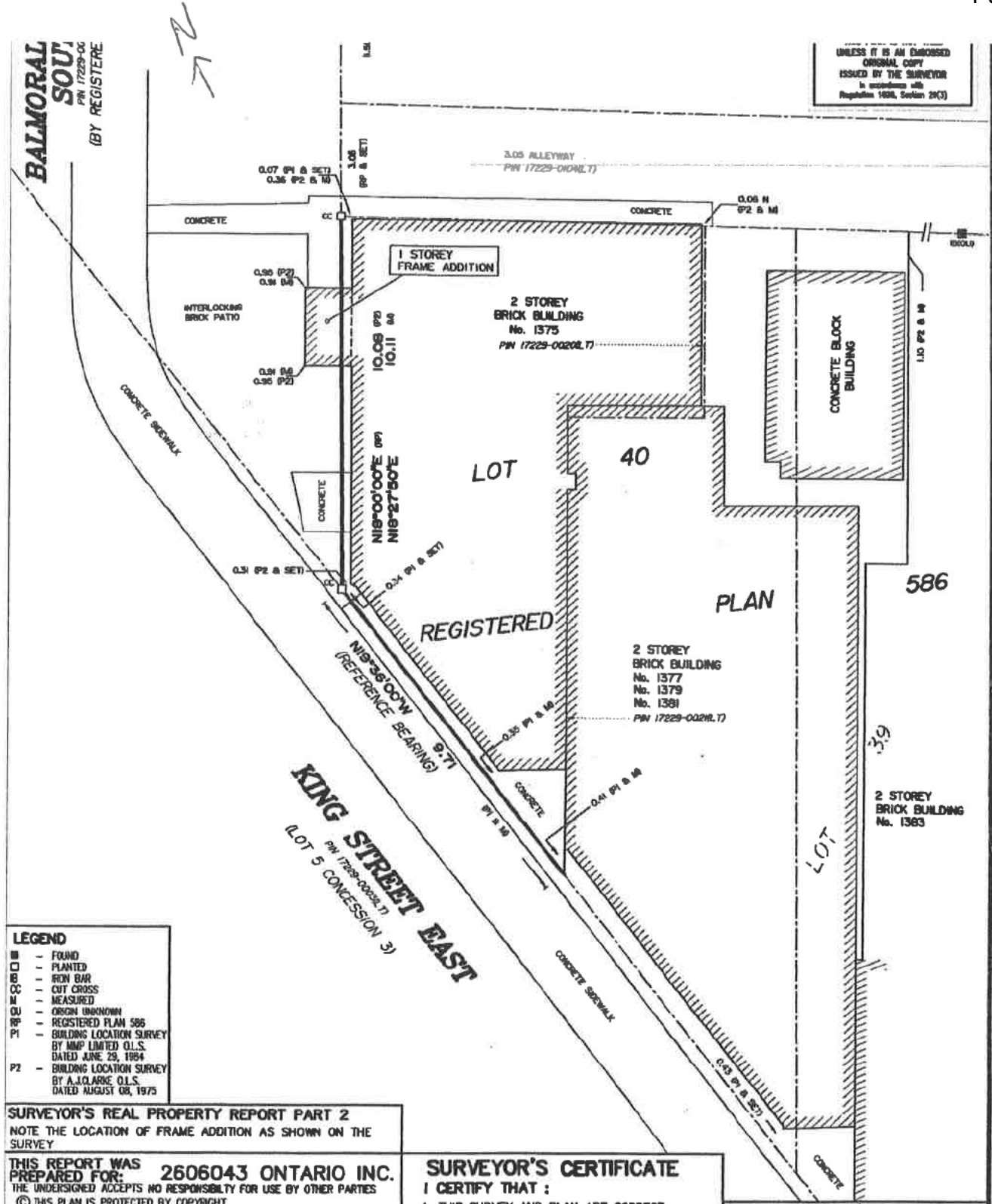

Sherri Weisz

2606043 Ontario Inc.

Encls.

BALMORAL SOUTH
PIN 17229-06
(BY REGISTRE)

UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 194, SECTION 2(C)



LEGEND
 ■ - FOUND
 □ - PLANTED
 ▨ - IRON BAR
 CC - CUT CROSS
 M - MEASURED
 OU - ORIGIN UNKNOWN
 RP - REGISTERED PLAN 586
 P1 - BUILDING LOCATION SURVEY BY MFP LIMITED O.L.S. DATED JUNE 29, 1984
 P2 - BUILDING LOCATION SURVEY BY A. J. LARRE O.L.S. DATED AUGUST 08, 1975

SURVEYOR'S REAL PROPERTY REPORT PART 2
 NOTE THE LOCATION OF FRAME ADDITION AS SHOWN ON THE SURVEY

THIS REPORT WAS PREPARED FOR: 2606043 ONTARIO INC.
 THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES
 © THIS PLAN IS PROTECTED BY COPYRIGHT

BEARING NOTE: BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF KING STREET EAST, AS SHOWN ON REGISTERED PLAN No. 586, HAVING A BEARING OF N19°35'00"W

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

ASHENHURST NOUWENS & ASSOCIATES INC.
 Professional Engineers & Ontario Land Surveyors
 225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
 (905) 528-4318 (905) 528-4314 1-800-824-8224
 FAX: (905) 528-8851 e-mail: onl@ashenhurstnouwens.ca

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:

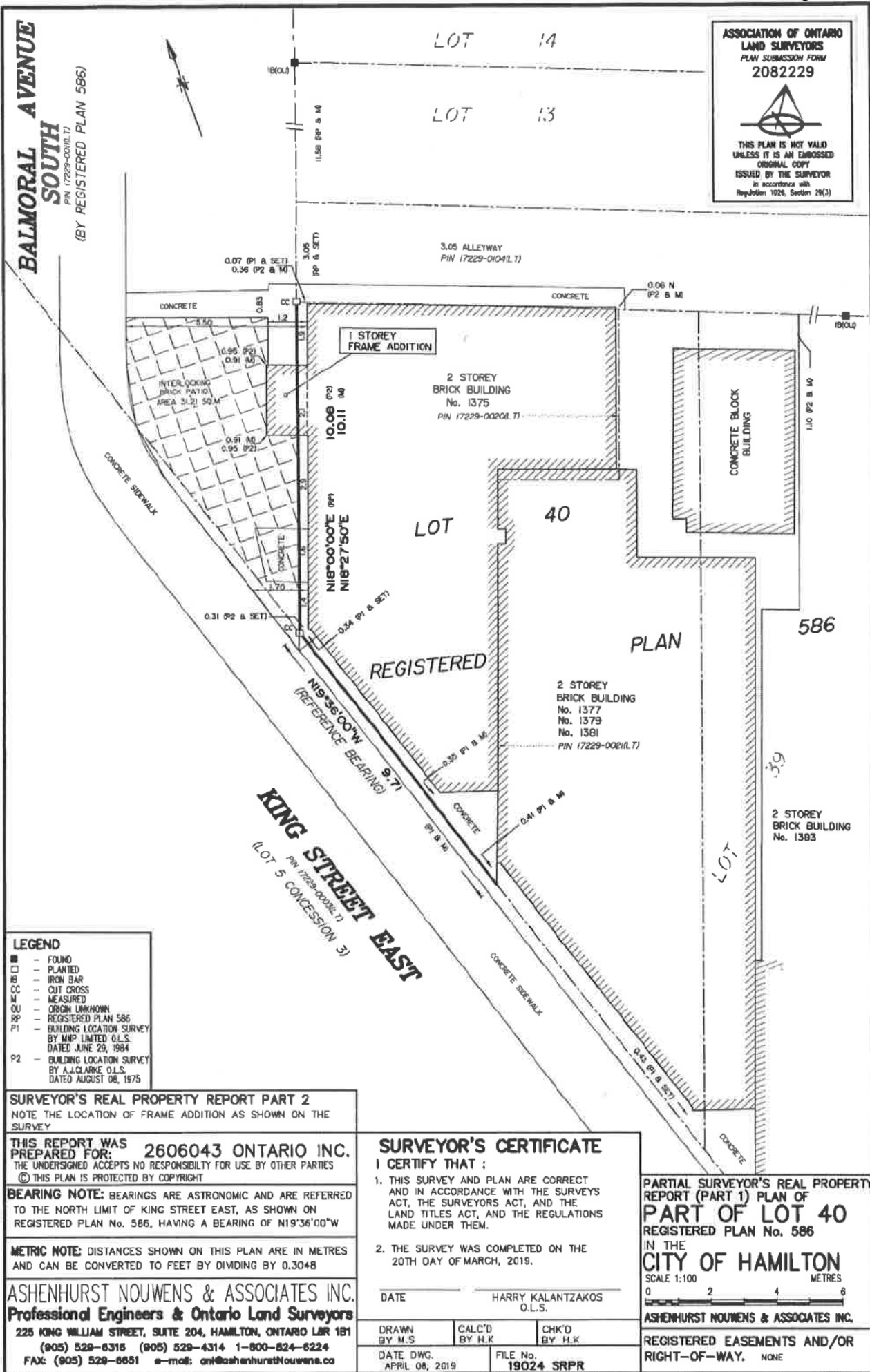
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE 20TH DAY OF MARCH, 2019.
- DATE: APRIL 9, 2019
 HARRY KALANTZAKOS
 O.L.S.

DRAWN BY: M.S. CALC'D BY: H.K. CHK'D BY: H.K.
 DATE DWG. FILE No.

PARTIAL SURVEYOR'S REAL PROPERTY REPORT (PART 1) PLAN OF PART OF LOT 40 REGISTERED PLAN No. 586

IN THE CITY OF HAMILTON
 SCALE 1:100
 METRES

ASHENHURST NOUWENS & ASSOCIATES INC.
 REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY. NONE



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2082229

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
in accordance with
Regulation 1026, Section 29(3)

LEGEND

- - FOUND
- - PLANTED
- IR - IRON BAR
- CC - CUT CROSS
- M - MEASURED
- OU - ORIGIN UNKNOWN
- RP - REGISTERED PLAN 586
- P1 - BUILDING LOCATION SURVEY BY MNP LIMITED O.L.S. DATED JUNE 29, 1984
- P2 - BUILDING LOCATION SURVEY BY A.J. CLARKE O.L.S. DATED AUGUST 08, 1975

SURVEYOR'S REAL PROPERTY REPORT PART 2
NOTE THE LOCATION OF FRAME ADDITION AS SHOWN ON THE SURVEY

THIS REPORT WAS PREPARED FOR: 2606043 ONTARIO INC.
THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES
© THIS PLAN IS PROTECTED BY COPYRIGHT

BEARING NOTE: BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF KING STREET EAST, AS SHOWN ON REGISTERED PLAN No. 586, HAVING A BEARING OF N19°36'00\"/>

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

ASHENHURST NOUWENS & ASSOCIATES INC.
Professional Engineers & Ontario Land Surveyors
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
(905) 529-6316 (905) 529-4314 1-800-824-6224
FAX: (905) 529-6651 e-mail: an@ashenhurstnouwens.ca

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 LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20TH DAY OF MARCH, 2019.

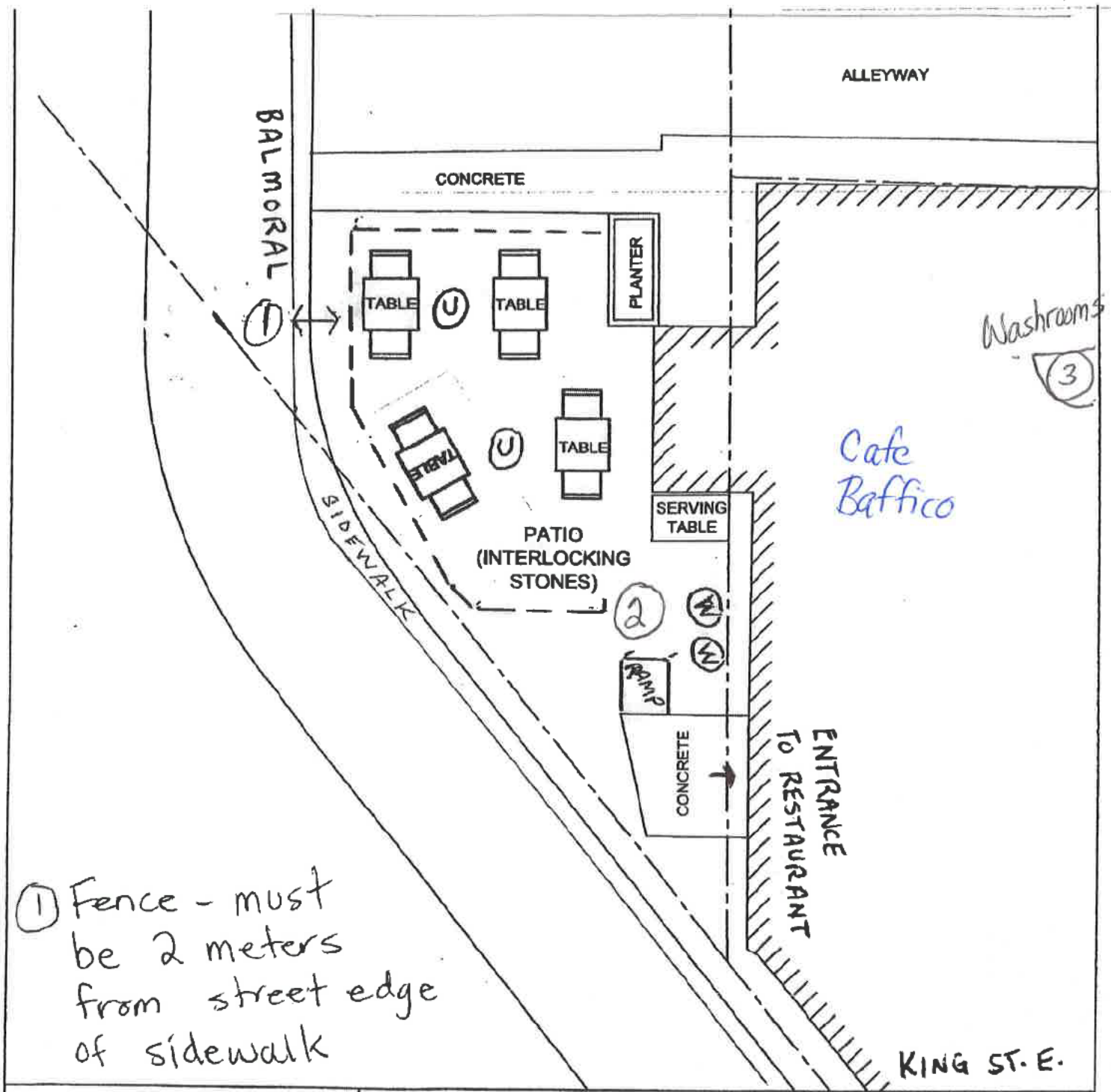
DATE _____ HARRY KALANTZAKOS
O.L.S.

DRAWN BY M.S.	CALC'D BY H.K.	CHK'D BY H.K.
DATE DWG. APRIL 08, 2019	FILE No. 19024 SRPR	

PARTIAL SURVEYOR'S REAL PROPERTY REPORT (PART 1) PLAN OF PART OF LOT 40 REGISTERED PLAN No. 586 IN THE CITY OF HAMILTON
SCALE 1:100 METRES

0 2 4 6

ASHENHURST NOUWENS & ASSOCIATES INC.
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY. NONE

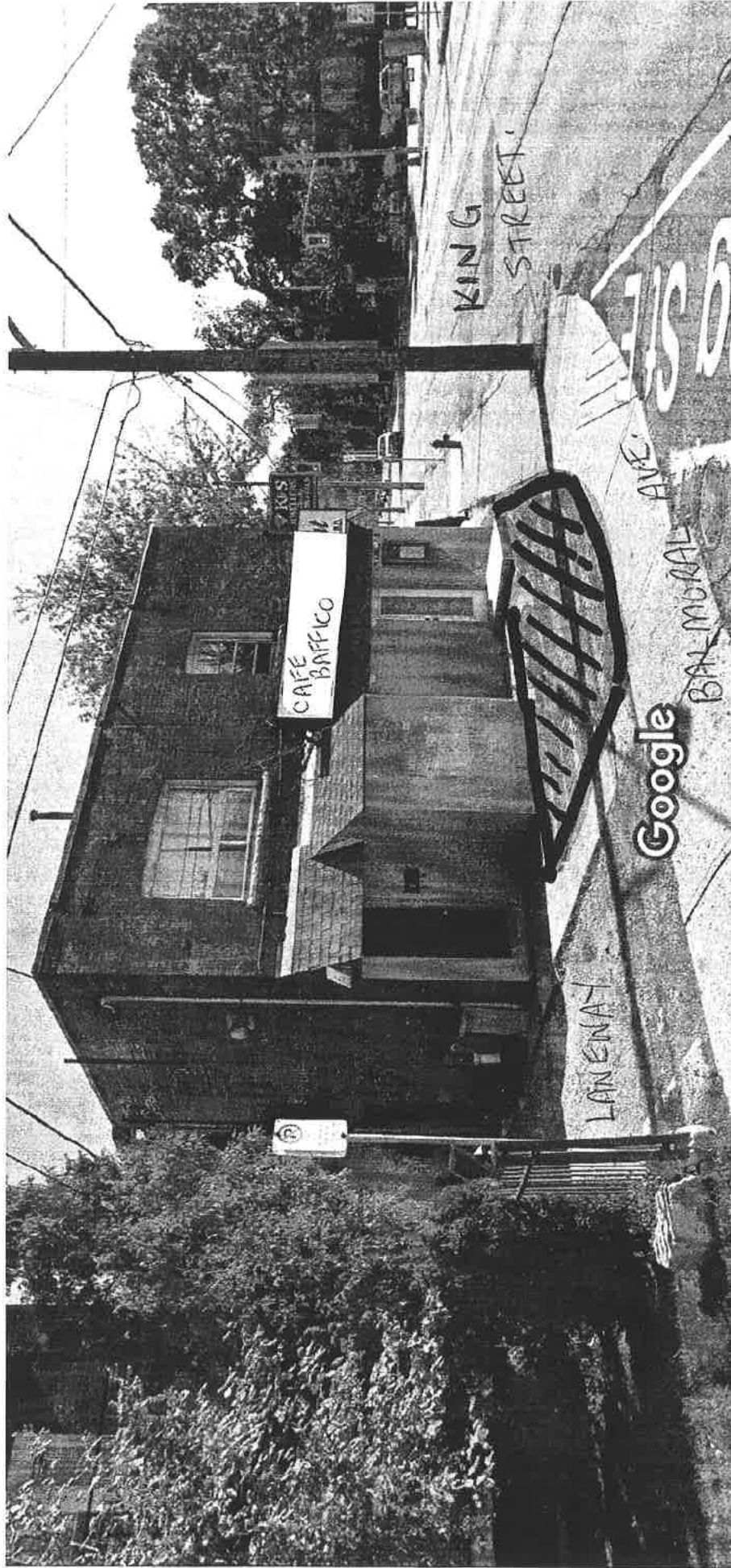


① Fence - must be 2 meters from street edge of sidewalk

JORDAN & SHERRI WEISZ	PROJECT: CAFE BAFFICO PATIO 1370 KING STREET EAST HAMILTON, ON	Date: 04/18	Scale: N.T.S.
	(W) Waste receptacle (U) umbrella/stand	--- fence 36" ht	Drawn by: SW Checked by: JW
		Drawing No. -	

- ② fence entrance to patio
- ③ indoor washrooms

Go g le Maps Balmoral Ave S



} © 2019 Google

Hamilton, Ontario

Google

Street View

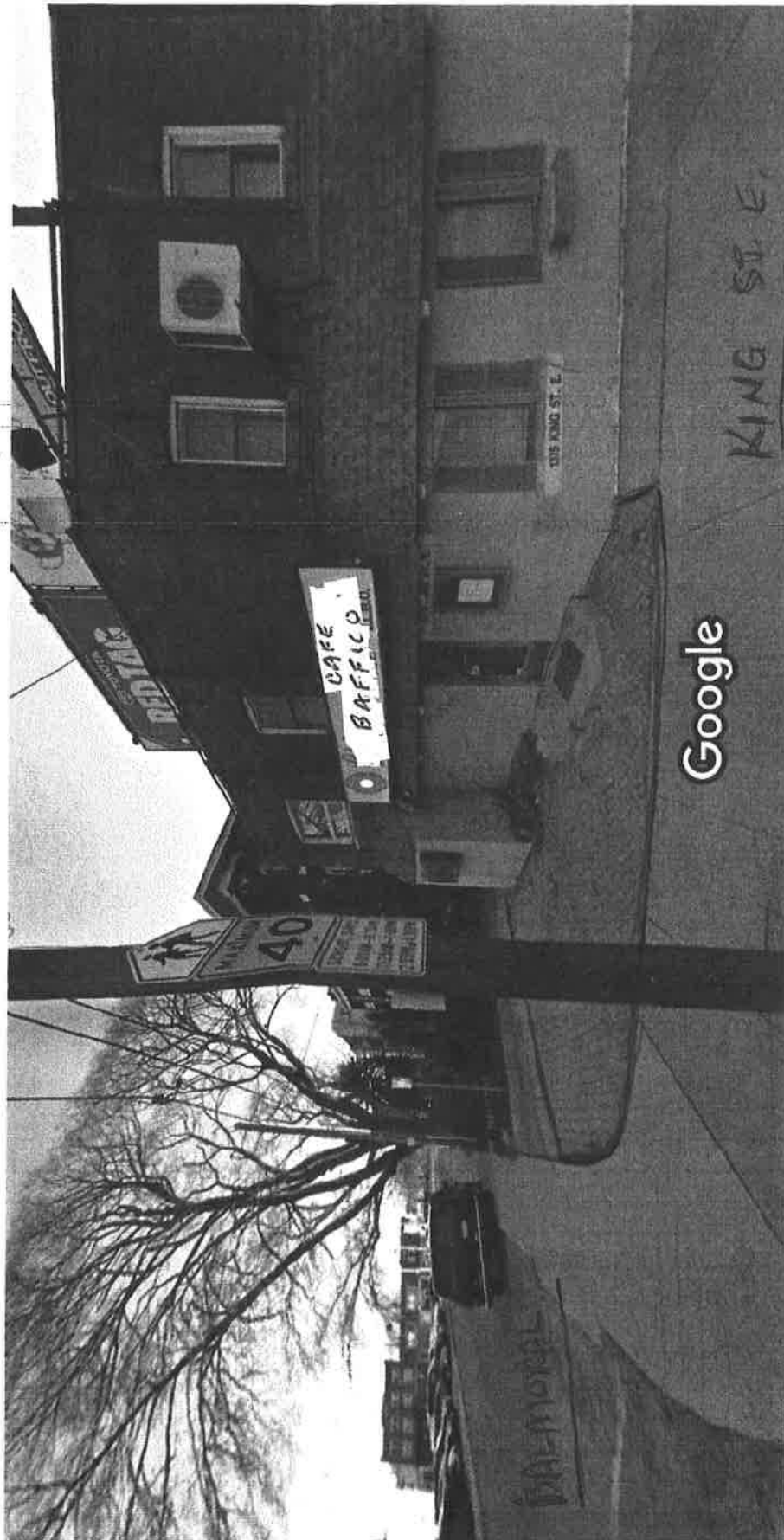
Cafe Baffico
1375 King St. E.

Centre Rd
505

Street view

1350 King St E
CAFE BAFFICO

Google Maps



BALMORAL

Google

KING ST E.

Image capture: Apr 2018 © 201

Hamilton, Ontario



Street View - Apr 2018