



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

**Meeting #:** 20-11  
**Date:** September 17, 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

---

	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
<b>2. RURAL</b>	
2.1 1:15 p.m.DN/A-20:1627 Wilmar Crt., Dundas (Ward 13) Owner Marie Maganinho	3
2.2 1:20 p.m.FL/A-20:164298 Dundas St. E., Flamborough (Ward 15) Owner: Michelle Sala Agent: Bousfields Inc. c/o David Falletta	11
<b>3. URBAN</b>	
3.1 1:25 p.m.HM/B-20:4720 Ainslie Ave., Hamilton (Ward 1) Agent T. Johns Consulting Group c/o D. Morris Owner 2652385 Ontario Inc. c/o J. Sharma	23

- 3.2 1:25 p.m.HM/A-20:15920 Ainslie Ave., Hamilton (Ward 1) 43  
Agent T. Johns Consulting Group c/o D. Morris  
Owner 2652385 Ontario Inc. c/o J. Sharma
- 3.3 1:30 p.m.HM/A-20:163970 Barton St. E., Hamilton (Ward 3) 65  
Owner: S. Sathyathevan  
Agent: Zoltan Engineering c/o Gerrit Vander Meulen
- 3.4 1:35 p.m.HM/A-20:16531 Hilda Ave., Hamilton (Ward 3) 73  
Owner: Mike & Heather Mileski  
Agent: Mark Deboer
- 3.5 1:40 p.m.HM/A-20:16656 Stirton St., Hamilton (Ward 3) 87  
Owner: Nanan Mangroo  
Agent: Ken Bekendam
- 3.6 1:45 p.m.HM/A-20:13820 Reid Ave. N., Hamilton (Ward 4) 109  
Owner Roxborough Park Inc.

#### 4. SUBURBAN

- 4.1 1:50 p.m.HM/A-20:116988 Concession S., Hamilton (Ward 6) 119  
Owner Allan Hurman
- 4.2 1:55 p.m.GL/B-20:553055 Homestead Dr., Glanbrook (Ward 11) 127  
Owner E.C. Lalli  
Agent Kevin Danielson
- 4.3 2:00 p.m.HM/A-20:161667 Upper Sherman Ave., Hamilton (Ward 7) 139  
Owner Steven DiGiandomenico
- 4.4 2:05 p.m.AN/A-20:69722 Shaver Rd., Ancaster (Ward 12) 155  
Owner Savoy Trailer Installations Inc. c/o R. Savoy

#### 5. CLOSED

#### 6. ADJOURNMENT



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

**APPLICATION NO.:** DN/A-20:162

**APPLICANTS:** Owner: Marie Maganinho

**SUBJECT PROPERTY:** Municipal address **7 Wilmar Crt., Dundas**

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

**ZONING:** R2 (Single-Detached Residential zone) district

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

1. A minimum 0.7m setback shall be permitted from the rear lot line instead of the minimum 2.0m setback required from the rear lot line.
2. A minimum 0.7m setback shall be permitted from the southerly side lot line instead of the minimum 2.0m setback required from the side lot line.

Note: No elevation plans were provided to confirm compliance; as such, further variances may be required.

**DATE:** Thursday, September 17<sup>th</sup>, 2020

**TIME:** 1:15 p.m.

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

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

## 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.

DN/A-20:162

Page 2

## MORE INFORMATION

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

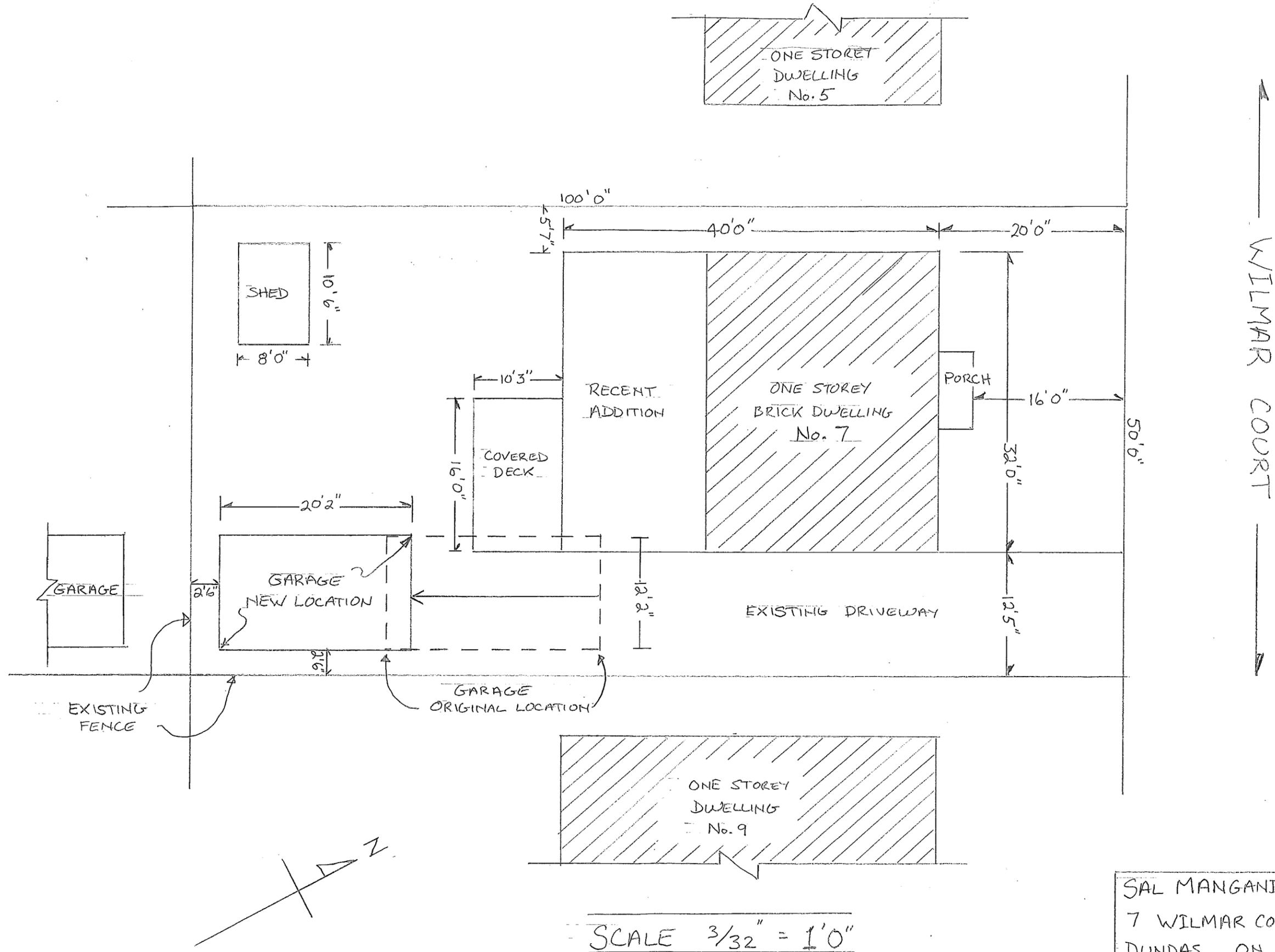
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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





Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-179340

RECEIVED

AUG 11 2020

<b>FOR OFFICE USE ONLY</b>	
APPLICATION NO. <u>DNA 20-162</u>	DATE APPLICATION RECEIVED <u>COM OF ADJUSTMT</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 MARIE MAGANINHO Telephone No. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

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:

WOULD LIKE A GARAGE SITUATED WITH REDUCED SET BACKS  
EXISTING SIDEYARD .762 m EXISTING REAR YARD 6.67 m  
PROPOSED SIDEYARD .762 m PROPOSED REAR YARD .762 m

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

COMPLIANCE WITH SET BACKS RESULTS IN A GARAGE DOOR LOCATION THAT IS NOT ACCESSIBLE BY VEHICLE

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

7 WILMAR CRT DUNDAS  
PLAN 820, LOT 28

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?

PROPERTY HAS BEEN CENTRAL IN A SURVEY FOR APPROXIMATELY 70 YEARS. CANNOT FIND ANY INFORMATION ON THIS PROPERTY PRIOR TO THAT

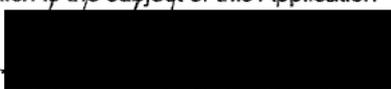
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

July 20/20  
Date

  
Signature Property Owner

MARIE MAGANINHO  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>50'</u>	<u>15.24 m</u>
Depth	<u>100'</u>	<u>30.48 m</u>
Area		<u>464.5 SQ M.</u>
Width of street	<u>39'</u>	

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

Existing: 1 STOREY DWELLING 32' x 40' x 16'5" HEIGHT (1280 SQ FT)  
- ATTACHED COVERED DECK 10'3" x 16', FRONT OPEN PORCH 4' x 8'  
- SHED 7' x 10'6" x 9'6" HEIGHT (73.5 SQ FT)  
- GARAGE 12'2" x 20'2" x 12' HEIGHT (246 SQ FT)  
 Proposed: SAME AS ABOVE  
- WOULD LIKE THE GARAGE IN A NEW LOCATION

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

Existing: HOUSE w/PORCH + DECK - SIDE 3.67M, SIDE 1.7CM, FRONT 4.3 m,  
SHED SIDE 1.67m, REAR 1.19 m REAR 8.8 m  
GARAGE SIDE .762 m, REAR 6.67 m, FRONT 20m  
 Proposed: HOUSE / SHED UNCHANGED  
GARAGE SIDE .762 m, REAR .762 m, FRONT 25.9 m

13. Date of acquisition of subject lands:  
APRIL 2 2019
14. Date of construction of all buildings and structures on subject lands:  
DWELLING CIRCA 1950'S, GARAGE/SHED UNKNOWN, ADDITION 2019
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:  
APPROXIMATELY 70 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:  
NEIGHBORHOOD DESIGNATION WITHIN UHOP
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 SINGLE DETACHED RESIDENTIAL WITHIN 3581-86 DUNDAS ZONING BYLAW
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

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

**APPLICATION NO.:** FL/A-20:164

**APPLICANTS:** Owner: Michelle Sala  
 Agent: Bousfields Inc. c/o David Falletta

**SUBJECT PROPERTY:** Municipal address **298 Dundas St. E., Flamborough**

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

**ZONING:** C5a (Mixed Use Medium Density) district

**PROPOSAL:** To establish the use of a Medical Clinic in the existing building notwithstanding that:

1. Two (2) parking spaces shall be provided whereas the by-law requires parking to be provided at a rate of at least one (1) space for each 16.0m<sup>2</sup> of gross floor area for a Medical Clinic use.
2. No barrier free parking spaces shall be provided instead of the one (1) required barrier free parking space.
3. Tandem parking spaces shall be provided whereas the by-law requires each parking spaces to have adequate and unobstructed access from the street.

**NOTES:**

- i. The total gross floor area of the proposed Medical Clinic has not been provided. As such, the minimum number of parking spaces that would be required under the current provision cannot be determined.
- ii. The proposed parking spaces have not been illustrated on the submitted site plan. As such, variances have been written as requested by the applicant.
- iii. Please be advised that a variance to permit a gravel parking area instead of a hard-surface such as asphalt or concrete was requested. However, pursuant to Subsection 5.2(e)(i)&(ii) and Section 2 (Definition – Parking Lot); a parking area containing less than four (4) parking spaces is permitted to be comprised of gravel. Therefore, this variance has not been included.
- iv. Please be advised that no parking spaces are permitted within 3.0m of a street line pursuant to Subsection 5.1(a)(v). Insufficient information has been provided to confirm the exact location of each parking space within the parking area. As such, further variances may be required. Furthermore, each parking space is required to be at least 3.0m wide and 5.8m in length.

FL/A-20:164  
Page 2

---

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:20 p.m.

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

---

## PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

---

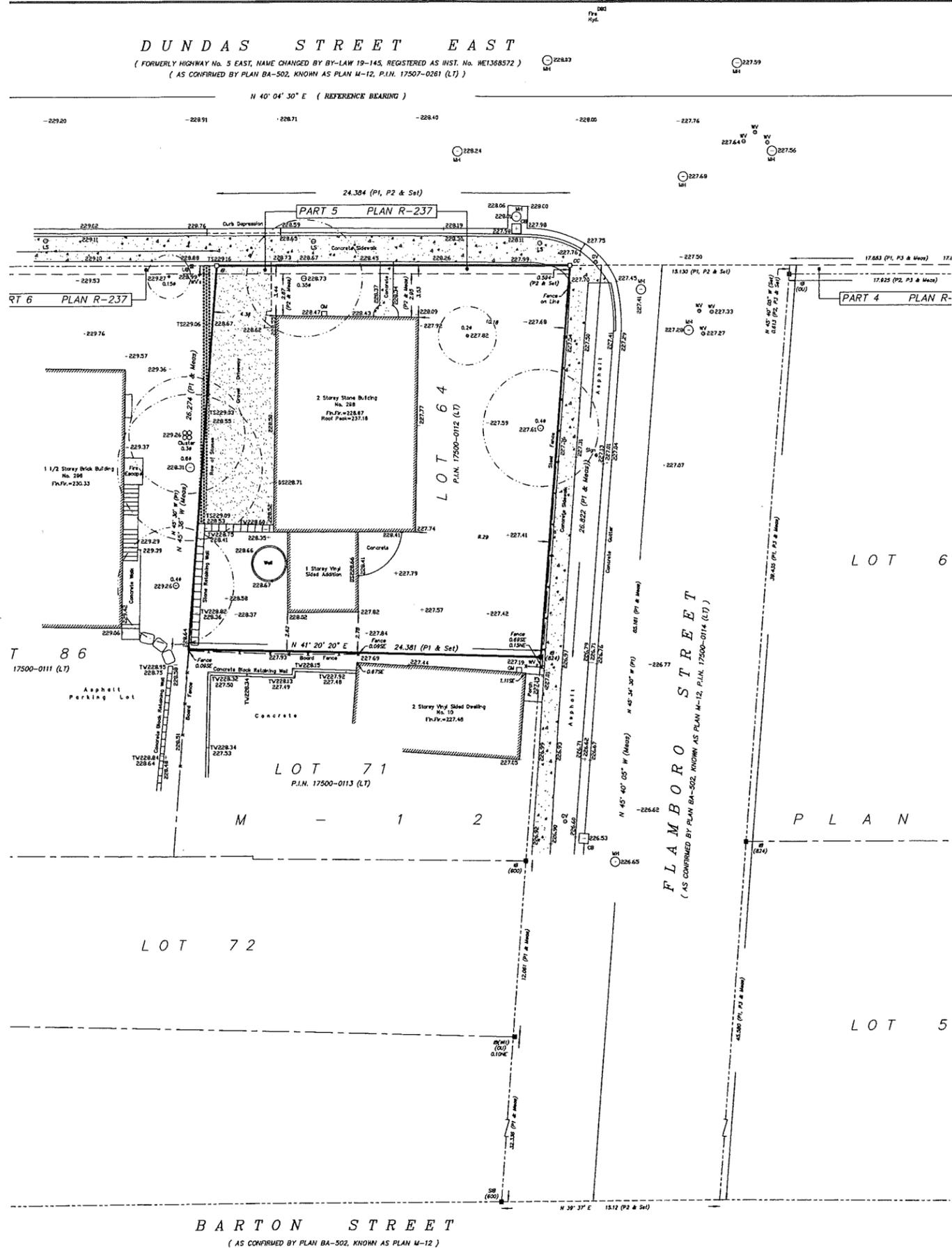
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

# DUNDAS STREET EAST

( FORMERLY HIGHWAY No. 5 EAST, NAME CHANGED BY BY-LAW 19-145, REGISTERED AS INST. No. HE1368572 )  
( AS CONFIRMED BY PLAN BA-502, KNOWN AS PLAN M-12, P.L.N. 17507-0261 (L.T.) )

N 40° 04' 30" E ( REFERENCE BEARING )



BARTON STREET  
( AS CONFIRMED BY PLAN BA-502, KNOWN AS PLAN M-12 )



Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-179350

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>FL/A-20-104</u>	DATE APPLICATION RECEIVED <u>AUG. 18/20</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 Michelle Sala

2.

3. Name of Agent Bousfields Inc. c/o David Falletta

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:

Michelle Sala, 16 Medwin Drive Dundas

Rick Golarz, 16 Medwin Drive, Dundas Postal Code L9H 7N4

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

6. Nature and extent of relief applied for:  
Please refer to the submitted cover letter.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Why it is not possible to comply with the provisions of the By-law?  
Please refer to the submitted cover letter.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
\_\_\_\_\_  
\_\_\_\_\_ 298 Dundas St. E. \_\_\_\_\_  
\_\_\_\_\_
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  X  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?

Historical knowledge of the site, discussion with owner and ESA  
\_\_\_\_\_  
\_\_\_\_\_

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  X  No    
ESA attached

**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.

July 20/20  
Date

  
Signature Property Owner

Michelle Sale  
Print Name of Owner

10. Dimensions of lands affected:

Frontage Approximately 24 metres  
Depth Approximately 25 metres  
Area 645 square metres  
Width of street +/- 20 metres

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 heritage building  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: 2- storey heritage building converted into psychological practice  
\_\_\_\_\_  
\_\_\_\_\_

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:  
September 27 2019

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

15. Existing uses of the subject property: Unoccupied

16. Existing uses of abutting properties: Commercial and Residential

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

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:  
Mixed-Use Medium Density

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Mixed-Use Medium Density - Pedestrian Focused C5a

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



Project No. 19P775

August 17, 2020

Morgan Evans  
 Committee of Adjustment  
 City of Hamilton – Planning and Economic Development Department  
 71 Main Street West, 5<sup>th</sup> Floor  
 Hamilton, Ontario L8P 4Y5

Dear Ms. Evans:

**Re: *Minor Variance Application***  
***298 Dundas Street East, Waterdown***

---

### **Overview**

On behalf of our client, Dr. Michelle Sala, the owner of the property municipally known as 298 Dundas Street East (the “subjects site”), we are pleased to submit this Minor Variance application in order to facilitate the conversion of the existing Heritage building into a psychological practitioners office. In support, the following will provide an overview of the background, description of site and surrounding, the proposed minor variances, and our planning opinion.

### **Background**

Dr. Sala purchased the property with the intention of moving her practice into the existing building, since the zoning of the subject site permits the use, which is defined as a “medical office”. Dr. Sala’s practice involves the treatment of children and adolescents, which she typically treats in the afternoons, evenings, and weekends outside of normal school hours. Only one patient at a time can be treated and appointments are staggered to allow sufficient time for patients to leave before the next patient arrives.

Dr. Sala has invested significantly to renovate the existing building, which is a heritage property that is on the City’s list of registered (non-designated) list of buildings with historical and/or architectural interest. As part of the building permit process, a parking shortfall was identified. Given the lack of parking on-site, the intention is to allow for a single practitioner (psychologist) to operate within the entire building and limit the amount of on-site parking required.

### **Site and Surroundings**

The subject site is comprised of a generally square shaped parcel of land with an area of approximately 645 square metres (0.0645 hectares) located at the southwest corner of Dundas Street East and Flamboro Street. The subject site has approximately 24 metres of frontage along Dundas Street East and a depth of approximately 25 metres. The subject site is currently occupied by a 2- storey stone building that is identified as being Registered Non-Designated within the City of Hamilton’s list of Heritage properties. There is an existing gravel driveway along the west boundary of the site, which connects to Dundas Street East and is wide and deep enough to accommodate two (2) vehicular parking spaces a tandem form (**see attached site plan**).

The subject site is located along a Major Arterial road (Dundas Street) as identified on Schedule C – Functional Road Classifications in the Urban Hamilton Official Plan. In terms of surrounding uses, there are a variety of uses along Dundas Street East, including local commercial establishments and low, medium, and high-density residential dwellings such as a 10- storey residential building

located at 1 Hamilton Street. The subject site is located along a traditional commercial “main street” that accommodates a variety of service commercial, retail, and restaurant uses with on-street parking and local bus transit. To the immediate north, east, and west are 1- and 2- storey commercial establishments while to the south of the subject site is an existing 2- storey residential dwelling.

### **Proposal & Requested Minor Variances**

The proposal seeks to adaptively reuse an existing former institutional (church) building, which was built in 1859, in order to accommodate a psychiatrist's office for one practitioner. In this regard, the subject site falls within Hamilton Zoning By-law 05-200 where are medical practitioners fall within the definition of a “medical clinic” regardless of the type, size, and number of practitioners.

The following five (5) minor variances are required to implement the proposal:

1. **Section 5.6(c)iv of Zoning By-law 05-200, as amended**  
*That 2 tandem parking spaces are permitted for a medical clinic accommodating a single psychologist only, whereas the By-law requires 1 parking space for each 16.0 square metres of gross floor area.*
  
2. **Section 5.2(c) of Zoning By-law 05-200, as amended**  
*That parking spaces may be provided in tandem, whereas the By-law requires that parking spaces be arranged without the necessity of moving any other motor vehicle.*
  
3. **Section 5.2(c) of Zoning By-law 05-200, as amended**  
*That a parking lot shall provide ingress and egress of vehicles to and from a street in a backward motion, whereas any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.*
  
4. **Section 5.2(e)(ii) of Zoning By-law 05-200, as amended**  
*That a parking lot be designed with gravel, whereas a parking lot shall be designed and maintained with a stable surface such as asphalt, concrete, or other hard surfaces.*
  
5. **Section 5.5(a) of Zoning By-law 05-200, as amended**  
*That 0 barrier free parking spaces be provided, whereas the By-law requires a minimum of 1 barrier free parking spaces when 1-49 parking spaces are required.*

### **Planning Analysis**

Section 45(1) of the *Planning Act* authorizes the Committee of Adjustment the authority to grant a minor variance from the provisions of the by-law, in respect of the land, building or structure, or the use thereof, if, in its opinion, it meets the following four tests:

#### *1. Maintaining the general intent and purpose of the Official Plan*

The subject site is designated *Mixed Use – Medium Density* as shown on Schedule E-1 – Urban Land Use Designations within the Urban Hamilton Official Plan (the “UHOP”). Policy E.4.6.5 of the UHOP provides permitted uses on lands designated *Mixed Use – Medium Density* and include commercial uses including medical clinics and offices. As the proposal seeks to utilize the subject site with a use that is permitted by the Official Plan, it is our opinion that the proposal maintains the general intent and purpose of the Official Plan. Furthermore, the

minor variances will facilitate the adaptive reuse of an existing heritage building, which achieves numerous provincial and local policy objectives.

#### *2. Maintaining the general intent and purpose of the Zoning By-law*

The general intent and purpose of the Zoning By-law is to ensure that sufficient parking is being provided for the use on the subject site. As noted above, the medical clinic will be solely for one medical practitioner who would be able to regulate how many patients they will be attending to at the clinic at a given time. Also, the clients are limited to children and adolescents that attend outside of normal school hours when many of the surrounding commercial uses (such as office and service uses) have lower parking demands on the on-street parking. In our opinion, a sole psychiatrist practitioner has a much lower parking demand than a medical clinic with numerous practitioners and staff. The zoning by-law does not differentiate between these uses and instead applies a common parking ratio based on the gross floor area of the clinic. In our opinion, by limiting the use to one psychiatrist practitioner, it would ensure that sufficient on-site parking is available to service patients and sufficient overflow parking can be accommodated via on-street parking on Dundas Street East. Accordingly, it is our opinion that the general intent and purpose of the Zoning By-law is being maintained.

In terms of the proposed tandem parking, the general intent and purpose of the Zoning By-law is to ensure that no vehicle is obstructed from movement and that anyone can enter or exit the parking space and property at all times. As mentioned above, the medical clinic will have only one medical practitioner who will be able to regulate the number of patients they are seeing at any given time. It is our opinion that if the practitioner uses one parking space for their use and provides the tandem parking space for patients, no issues will arise as no patient parking space will be obstructed.

Regarding the parking surface, the general intent and purpose of the Zoning By-law is to ensure a clean and safe parking surface. As the minor variance is required to legalize an existing situation and operate similarly, it is our opinion that the general intent and purpose of the zoning by-law is maintained.

Based on the foregoing, it is our opinion that the proposed variances maintain the general intent and purpose of the Zoning By-law.

#### *3. Desirable and appropriate for the development of the land*

It is our opinion that the variances being requested are desirable and appropriate for the development of the land as it will allow for the subject site to accommodate a use that it is planned for, since it is permitted by the Official Plan, while preserving adaptively reusing a registered (Non-Designated) heritage building, which achieves numerous provincial and local planning policy objectives. As the proposed minor variances will restrict the use to medical clinic accommodating a single psychologist only, it is our opinion that the proposal will not create any parking issues for the surrounding neighbourhood and can be supported. Regarding the minor variances for maneuvering space and gravel surface, the existing gravel driveway, which currently accommodates two tandem parking spaces, will function in the same way and the variances are to facilitate an existing situation. In our opinion, the proposal is desirable and appropriate.

#### *4. Minor in nature*

In our opinion, the variances are minor from both a quantitative and qualitative perspective. Minor is not simply a numerical calculation but is based on an analysis of the sense of fit of the proposal having regard to its context and any impacts that may arise.

The variances will facilitate the adaptive reuse of a registered (Non-Designated) heritage building that will preserve a cultural heritage resource. The reduction in parking is minor in impact, since the use is restricted to medical clinic accommodating a single psychologist only where the frequency of patients is limited and dictated by the psychologist and considered self-regulating. Also, the subject site includes several site-specific characteristics, such as on-street parking along Dundas Street East, intended to service visitors to the traditional "main street" commercial uses, which will accommodate any potential parking overflow. Accordingly, it is our opinion that the proposed minor variances are minor and should be supported.

### **Summary Opinion**

Based on the foregoing, it is our opinion that the requested variances satisfy the four-part test set out in the Planning Act and we respectfully respect that the Committee of Adjustment approve the application.

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

- Application form
- Cheque
- Site plan

We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact the undersigned or Joe Buordolone of our office at 905-549-3005.

Yours very truly,  
**Bousfields Inc.**

A handwritten signature in black ink, appearing to be 'David Falletta', written over the company name 'Bousfields Inc.'.

David Falletta, MCIP, RPP

jb/DF:jobs

Attachments (1)

Cc: J. Christy, City of Hamilton (via e-mail)





Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:47

SUBJECT PROPERTY: 20 Ainslie Ave., 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):** Agent T. Johns Consulting Group c/o D. Morris  
 Owner 2652385 Ontario Inc. c/o J. Sharma

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land for the same. The existing residence will be removed to facilitate this application.

To be heard in conjunction with minor variance application HM/A-20:159.

**Severed lands:**

8.38m<sup>±</sup> x 36.59m<sup>±</sup> and an area of 306.0m<sup>2±</sup>

**Retained lands:**

8.38m<sup>±</sup> x 36.59m<sup>±</sup> and an area of 306.0m<sup>2±</sup>

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

**DATE:** Thursday, September 17<sup>th</sup>, 2020

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

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

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

### 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-20:47  
Page 2

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

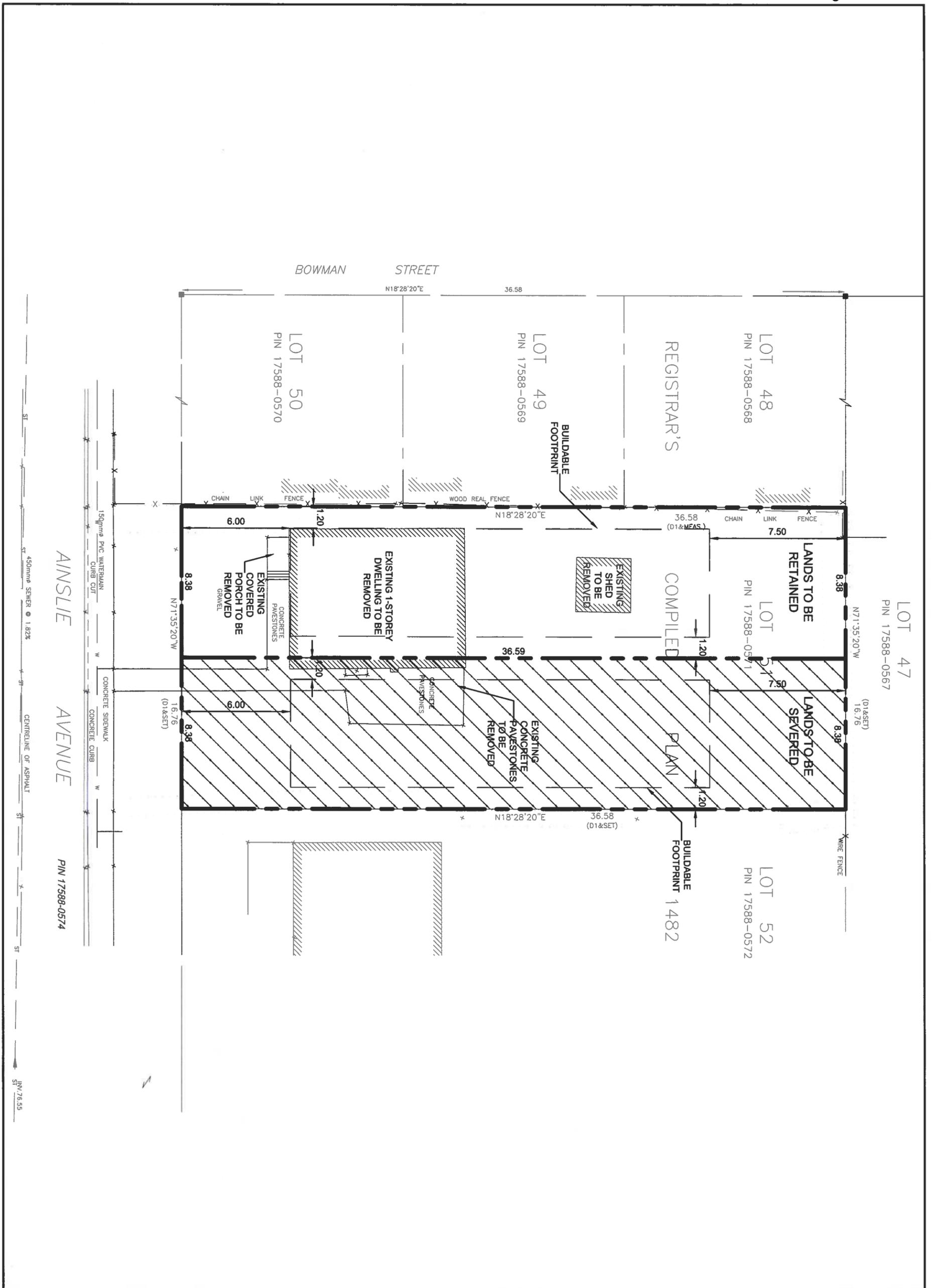
DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

File Location: D:\Dropbox (T. Johns Consulting)\TJCG SERVER\Projects\19201 - Annslie Avenue, Hamilton\Drawings\Planning\20 Annslie Ave - Consent Sketch.dwg



**LEGAL DESCRIPTION**

LOT 51  
REGISTRAR'S COMPILED PLAN 1482  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON-WENTWORTH



**REVISIONS**

REV.	DESCRIPTION	DATE	INT.
A	ISSUE	16-JUL-2020	JB

**DISCLAIMER**  
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.  
ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.  
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

**LEGEND**

LANDS TO BE SEVERED



**PROJECT TITLE**

20 ANNSLIE AVENUE

HAMILTON, ONTARIO

**DRAWING TITLE**

CONSENT SKETCH

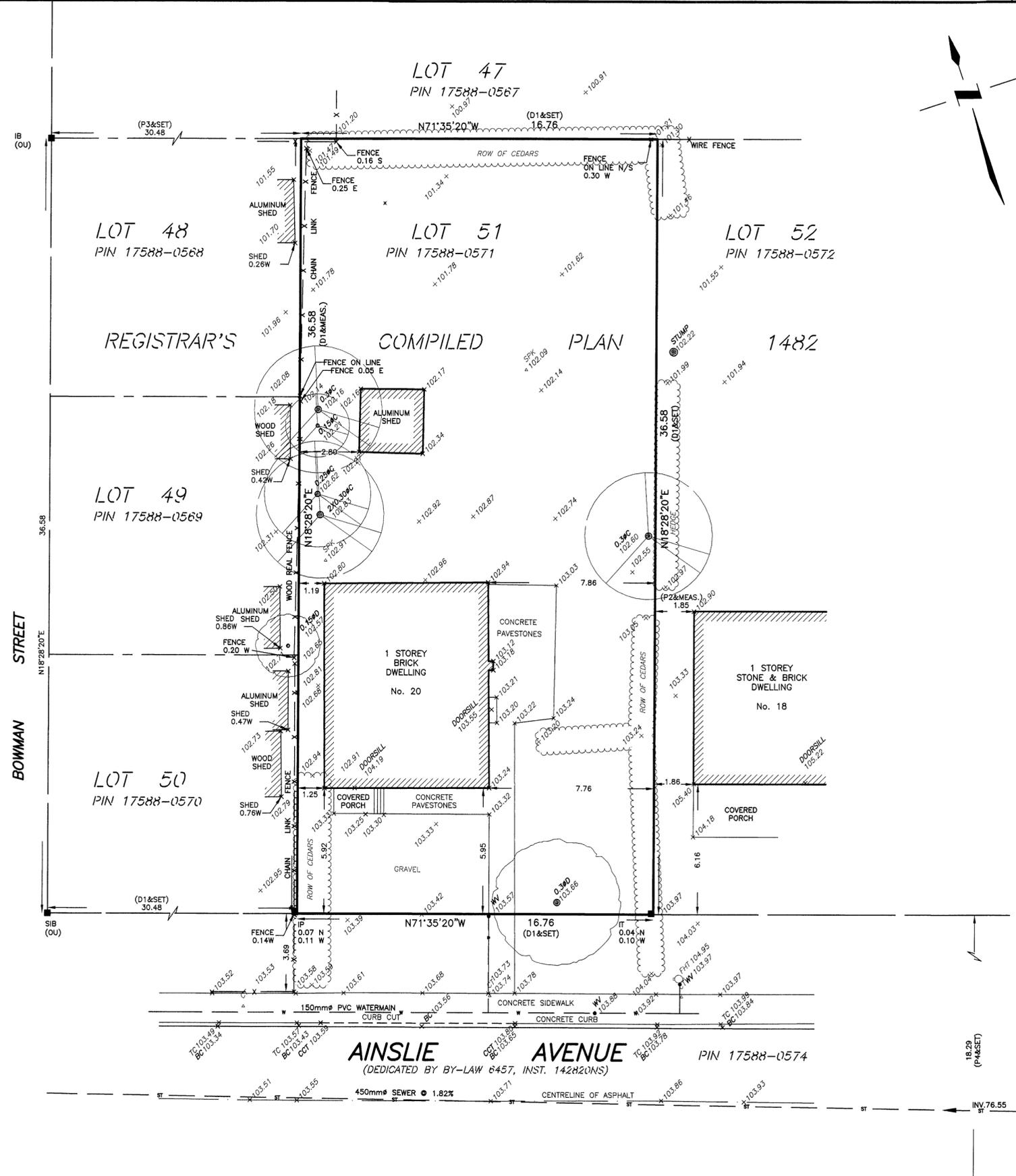
<b>DRAWN BY</b>	JB	<b>DESIGNED BY</b>	JB
-----------------	----	--------------------	----

<b>PRINT DATE</b>	16-JUL-2020	<b>PROJECT NUMBER</b>	19201
-------------------	-------------	-----------------------	-------

<b>REVISION</b>	A	<b>DRAWING NUMBER</b>	CS1-1
-----------------	---	-----------------------	-------

<b>SCALE</b>	1:200
--------------	-------

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



SURVEYOR'S REAL PROPERTY REPORT  
PLAN OF SURVEY WITH TOPOGRAPHY OF  
**LOT 51**  
**REGISTRAR'S COMPILED PLAN 1482**  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



**TARASICK McMILLAN KUBICKI LIMITED**  
ONTARIO LAND SURVEYORS

© COPYRIGHT, 2019

**REPORT SUMMARY**

**PROPERTY DESCRIPTION:** 20 AINSIE AVENUE, BEING LOT 51, REGISTRAR'S COMPILED PLAN 1482, CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH, PIN 17588-0571.  
**THERE ARE NO EASEMENTS REGISTERED ON TITLE.**  
**COMMENTS:** NOTE LOCATION OF FENCES.

**ELEVATION NOTE**

ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM-1928 (1978 ADJUSTMENT), AND WERE DERIVED FROM ONTARIO CONTROL MONUMENT No. 0011965U033, HAVING A PUBLISHED ELEVATION OF 100.149 metres.

**BEARING NOTE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF AINSIE AVENUE AS SHOWN ON PLAN 62R-3975, HAVING A BEARING OF N71°35'20"W.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
IP	DENOTES	IRON PIPE
IT	DENOTES	IRON TUBE
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
CCT	DENOTES	CURB CUT
MH	DENOTES	MANHOLE
WV	DENOTES	WATER VALVE
FHT	DENOTES	FIRE HYDRANT TOP
P1	DENOTES	PLAN 62R-3975
P2	DENOTES	MACKAY & MACKAY, O.L.S., AUG. 13, 1952
P3	DENOTES	MACKAY & MACKAY, O.L.S., MAY 18, 1951
P4	DENOTES	A.J. CLARKE AND ASSOCIATES O.L.S., OCT. 8, 1979
D1	DENOTES	INSTRUMENT HL213397
(OU)	DENOTES	ORIGIN UNKNOWN

- 0.20φ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
- 0.20φ DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER

TREE CANOPIES ARE DRAWN TO SCALE.

**PREPARED FOR:**

THIS REPORT WAS PREPARED FOR JAYANT SHARMA AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON NOVEMBER 18, 2019.

NOVEMBER 20, 2019  
DATE

BORYS KUBICKI  
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2106283

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3)

**TARASICK McMILLAN KUBICKI LIMITED**  
ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2  
TEL: (905) 569-8849 FAX: (905) 569-3160  
E-MAIL: office@tmksurveyors.com

DRAWN BY: H.P.

FILE No. 8322-SRPR-T



# Hamilton

Planning and Economic Development Department  
Planning Division

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

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

## APPLICATION FOR CONSENT TO SEVER LAND UNDER SECTION 53 OF THE PLANNING ACT

**Office Use Only**

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

### 1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	2652385 Ontario Inc. c/o Jayant Sharma		
<b>Applicant(s)*</b>	Same as above		
<b>Agent or Solicitor</b>	T. Johns Consulting Group c/o Diana Morris		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

### 2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality City of Hamilton	Lot 51	Concession	Former Township
Registered Plan N°. Registrar's Compiled Plan 1482	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 20 Ainslie Avenue, Hamilton ON, L8S 2J3			Assessment Roll N°.

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

Yes  No

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

### 3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 addition to a lot  
 an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot  
 creation of a new non-farm parcel  
(i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

---

3.3 If a lot addition, identify the lands to which the parcel will be added:  
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 <sup>2</sup> or ha)
8.38m	36.59m	306.0m <sup>2</sup>

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) Concrete pave stones
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant
- 

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

---

Proposed: Single Detached Dwelling

---

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
8.38m	36.59m	306.0m <sup>2</sup>

Existing Use of Property to be retained:

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



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

**6 PREVIOUS USE OF PROPERTY**

- Residential                       Industrial                       Commercial  
 Agriculture                       Vacant                       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No       Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Owner's knowledge
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
 Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes                       No  
Represents good land use planning, providing an appropriate residential use that does not over intensify the subject lands.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

This application is consistent with the Provincial Policy Statement, in that growth is directed to Settlement Areas adjacent to existing development

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

This application is consistent with the Growth Plan, in that the site is located in Built-Up area which is already serviced and contributes to achieving growth targets.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

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

Yes  No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes  No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?

Yes  No

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

Yes  No (Provide Explanation)



- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

#### f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (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.

\_\_\_\_\_ The registered owner also owns 266 Broadway Avenue, 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



August 11, 2020

Jamila Sheffield, Secretary Treasurer  
Committee of Adjustment  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: Minor Variance and Consent Applications  
20 Ainslie Avenue, Hamilton**

---

T. Johns Consulting Group (T. Johns) has been retained by the landowner of the above-referenced lands to submit the minor variance and consent applications on their behalf to construct 2 new single-detached dwellings.

#### **Description of Subject Lands**

20 Ainslie Avenue is located north-west of Hwy 403 and east of Bowman Street. The subject lands have an approximate area of 0.06ha (613.1sqm) with 16.76m of frontage on Ainslie Avenue and a depth of 36.58m. The lands are currently occupied by a one (1) storey single detached dwelling, which will be demolished to construct two (2) new single-detached dwellings.

#### **Planning Status**

The subject land is designated "*Neighbourhoods*" on Schedule E-1 of the *Urban Hamilton Official Plan ("UHOP")*. The Neighbourhoods designation permits low density residential infill redevelopment for gentle intensification within the interior of stable neighbourhoods, subject to reflecting the character of the neighbourhood.

The subject lands are also designated "*Low Density Residential 2*" of Volume 2- *Ainslie Woods Secondary Plan*. This designation permits single-detached dwellings, which are the primary form of housing located within the interior of a neighbourhood.

The former City of Hamilton By-law No. 6593 zones the lands 'C' which permits single-detached dwellings. However, both the retained and severed lots require relief from the regulations to permit reduced lot width, lot area and increase the gross floor area.

#### **Proposed Development**

The applicant is proposing to demolish the existing single-detached dwelling and build 2 new dwellings. This requires a consent application to create 1 new lot and minor variance application to provide relief from the existing zoning regulations.

#### **Request for Formal Consultation**

T. Johns respectfully requests that this letter and enclosed documents be circulated to all relevant Departments at the City of Hamilton and outside agencies for commenting. We look forward to discussing the proposal with you:



Please find the enclosed:

- Two (2) copies of the Minor Variance Application;
- Two (2) copies of the Consent Application;
- Five (5) copies of the Survey Plan;
- Five (5) copies of the Planning Rationale;
- Two (2) copies of floor plans/elevations for each proposed dwelling/lot;
- Three (3) copies of the Consent Sketch;
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton to satisfy the Consent application fee, and;
- One (1) cheque in the amount of \$3,302.00 made payable to the City of Hamilton to satisfy the Minor Variance application fee.

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,  
**T. JOHNS CONSULTING GROUP LTD.**

A handwritten signature in black ink, appearing to read "D. Morris", is written in a cursive style.

Diana Morris, BA, MCIP, RPP  
Senior Planner

**Appendix “A”: Planning Rationale for Minor Variance**  
August, 2020



T. Johns Consulting Group has prepared this Planning Rationale Report in support of the Consent to Sever and Minor Variance applications for 20 Ainslie Avenue, Hamilton (“subject lands”).

**Proposed Development**

The proposed development is for two (2) single detached dwellings that are proposed to be 2-storeys in height. Each dwelling is proposed to be provide a minimum of two (2) parking spaces; one (1) in the garage and one (1) in the driveway. Each lot will meet the required zoning setbacks required for a single detached dwelling. The proposed dwellings are to be freehold tenure.

To facilitate the proposed development, a Consent to Sever application is required to retain “Part 1” of Ainslie Street and sever “Part 2” to establish a new lot. Both the retained and sever lot require relief from Zoning By-law No. 6593, “C” District regulations to permit a reduced lot width, lot area and increased gross floor area.

**Nature and extent of relief applied for:**

Three (3) Minor Variances are being sought from the former City of Hamilton Zoning By-law No. 6593, as amended, Subsection 9.4 and Amending By-law No. 95-02 Section 1.b to facilitate a Consent to Sever to establish a new single detached lot.

**PLANNING RATIONALE TO SUPPORT THE VARIANCES:**

Overall Conformity to the Urban Hamilton Official Plan, Volume 1

The Urban Hamilton Official Plan Volume 1 Schedule E-1 designates the subject lands “*Neighbourhoods*”. The Neighbourhoods designation permits low density residential infill redevelopment for gentle intensification within the interior of stable neighbourhoods, subject to reflecting the character of the neighbourhood (E.3.2.3, E.3.2.4).

The Urban Hamilton Official Plan Volume 2, Ainslie Woods Secondary Plan, further designates the subject lands “*Low Density Residential 2*”. The objectives of the Secondary Plan are to provide diversity of suitable housing choice for families, students, seniors and others while maintaining existing low density, single detached areas. The Low Density Residential 2 (“LDR2”) area permits single detached dwellings, which are also the primary form of housing located within the interior of the neighbourhood (B.6.2.5.4.i). New infill housing is to be compatible with existing development. Changes to the existing housing stock shall be comparable to existing housing styles on the same block and street. New construction shall be encouraged to reflect similar housing styles, massing, height, setbacks and other elements of style as the adjacent homes (B.6.2.5.3.c). Where there is a less consistent style of homes on a street or block, compatible

styles reflecting one style or a suitable combination should be planned rather than being of a height or style not found in the area (B.6.2.5.3.d).

The proposed Consent to Sever and Minor Variances will facilitate one (1) new residential lot, in addition to the retained lot, in which each can accommodate the construction of two (2) new single detached dwellings. The subject lands are located northwest of the Bowman Street and Ainslie Avenue intersection. Ainslie Avenue is a dead-end street. There are two (2) existing single detached dwellings to the east of the subject lands, which are one to two-storeys in height with a mix of materials including red brick, stone and vinyl siding. The roof pitches also vary, with both gable and hip roofs with dormers.

There is not a consistent housing style within the existing neighbourhood. However, the proposed dwelling design, although 2-storeys, is reflective of the mix in housing typologies in the area, which in part, establishes the desirable and eclectic character of the neighbourhood. Further, the proposed infill redevelopment includes the construction of two (2) new dwellings of similar scale and massing. As such, the pair of dwellings will be cohesive and each will have exterior materials reflective of materials found throughout the neighbourhood, including the immediate block. Please see floor plans and elevations submitted with this planning rationale/applications.

As the subject lands are located at the end of a local street, the subject lands are not located on a well-travelled route and therefore, the proposed dwellings will not have as much exposure to the general public realm.

**VARIANCE 1. To allow a lot width of 8.3 metres and an area of 300 square metres, whereas a lot width of 12 metres and an area of 360 square metres is required.**

Why is it not possible to comply with the provision of the by-law?

The proposed lot width and area is required to permit the Consent to Sever to create a new lot to facilitate the construction of a single detached dwelling. The overall lot width is 16.76 metres and the overall lot area is approximately 613.1 square metres. As such, to establish two (2) separate lots, a variance to reduce the lot width to 8.3 metres and a lot area of 300 square metres is required.

**PLANNING RATIONALE TO SUPPORT THE VARIANCE:**

1. Conformity to the Intent of the Zoning By-law

The residential use of a single-family dwelling is permitted within the “C” (Urban Protected Residential, Etc.) District. The proposed lot width can accommodate 1.2 metre side yards and a feasible dwelling width. The proposed lot area can accommodate a minimum 6.0 metre front yard with a minimum of 50% landscaping and a 7.5 metre rear yard with a feasible dwelling length. The

proposed lot width and area facilitate a single-family dwelling that can comply to applicable setback requirements and therefore, meeting the intent of the zoning by-law.

2. Is the Variance Minor?

The requested variance to reduce lot width and area is minor as the proposed single detached lots can accommodate a single-detached dwelling that will contribute to the diverse character of the neighbourhood that respects the existing lot fabric.

3. Is the Variance Desirable for the development of the property?

The request is desirable as it facilitates two (2) single-detached dwellings that are suitable for families. The proposed residential infill development is a form of gentle residential intensification within a stable neighbourhood with a form and typology that is compatible with the existing low density residential areas. The subject lands are unique as the existing lot of record is over 16 metres in width and near the end of a dead-end street, integrated within the neighbourhood.

**VARIANCE 2. To allow a maximum gross floor area ratio of 0.65 whereas a maximum gross floor area ratio of 0.45 square metres is permitted.**

Why is it not possible to comply with the provision of the by-law?

The proposed infill redevelopment requires a 300 square metre lot area, instead of the required 360 square metres. As a result of the request for a reduction in lot area, the permitted floor area ratio (FAR) is reduced. The intent of the proposed lot creation and variances is to facilitate family-sized detached dwellings. Further, the site-specific regulation requires that the cellar is included in the GFA calculation, which typically is excluded. The increase in GFA accounts for the cellar area, which will not have an impact on the above-grade scale and massing of the proposed dwellings. The proposed GFA, excluding the cellar is 142.81 sq.m. which equates to a FAR of 0.47. However, for the purposes of including the cellar, the required variance is proposed to increase the permitted FAR to 0.65 from 0.45.

PLANNING RATIONALE TO SUPPORT THE VARIANCE:

4. Conformity to the Intent of the Zoning By-law

The intent of the FAR is to ensure lots are not overbuilt and as discussed in OMB Case No. PL130972, was implemented to prevent “Monster Homes” at the size of 3,500 square feet. The proposed increase in FAR is calculated based on a dwelling design that is 2-storeys with a “cellar”, as defined, which includes 4 bedrooms, 2 bathrooms and living and kitchen areas. The proposed dwelling complies to and exceeds the required setbacks. As such, the proposed lot area is

sufficient to provide required setbacks, amenity area, on-site parking and a 2-storey dwelling. The proposed increase in FAR will not facilitate an overbuilt lot.

5. Is the Variance Minor?

The requested variance to increase the proposed GFA based on a 0.65 FAR from 0.45 FAR is minor as the increase in floor area does not require relief of zoning setbacks or parking. The proposed lot coverage is approximately 27%, which is aligned with the existing lot coverage in the surrounding area which ranges between 13% to 40%.

6. Is the Variance Desirable for the development of the property?

The request is desirable as it facilitates two (2) single-detached dwellings that are suitable for families. The proposed residential infill development is a form of gentle residential intensification within a stable neighbourhood. The subject lands are unique as the existing lot of record is over 16 metres in width and is located at a dead-end street, interior to the existing neighbourhood. The character of the existing neighbourhood consists of the integration of one and two-storey dwellings. The proposed two-storey dwellings will be integrated within the surrounding character of the existing neighbourhood with the use of similar materials and setbacks.

OMB Case No. PL130972 regarding lands at 38 Holmes Avenue heard a Case subject to a Minor Variance to increase the FAR to permit a 2-storey detached dwelling 1,512 square feet above grade. Through the Decision Delivered by M.C. Denhez and Order of the Board, the variance was granted for similar reasons and rationale outlined above. Rationale included that a  $\pm 1,500$  square foot home above grade does not constitute “*the kind of dwelling that the By-law intended to control, particularly when the City had specified that its apprehensions pertained to 3,500 square foot houses.*”

Further, the nature of the neighbourhood is eclectic and the fact that two dwellings of similar scale, massing and style will be neighbouring each other, a similar scale and massing will be established. There are existing dwellings on Ainslie Avenue that range from 890 square feet to 1,700 square feet above grade. The Ainslie Woods neighbourhood is eclectic in nature and the proposed 1,537 square foot home above grade will contribute and enhance the streetscape.

**Conclusion**

In conclusion, the request variances to permit a reduced lot width and lot area as well as increase the Floor Area Ratio to permit the creation of a new lot and the construction of two (2) single-detached dwellings; one (1) on each of the retained and severed lots, are minor and desirable for the reasons that it will facilitate gentle intensification of family-sized dwellings. The proposed consent and variances will allow for compact urban development with a scale and massing that

**Appendix "A": Planning Rationale for Minor Variance**  
August, 2020



will not conflict with the existing character of the neighbourhood. The proposed development represents good planning and is recommended for approval.

Respectfully Submitted,  
T. Johns Consulting Group Ltd.

A handwritten signature in black ink, appearing to read "D Morris".

**Diana Morris, BA, MCIP, RPP**  
Senior Planner





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

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

**APPLICATION NO.:** HM/A-20:159

**APPLICANTS:** Owner 2652385 Ontario Inc. c/o J. Sharma  
 Agent T. Johns Consulting Group c/o D. Morris

**SUBJECT PROPERTY:** Municipal address **20 Ainslie Ave., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-law 95-02; 95-33; 19-307

**ZONING:** C/S-1335; C/S-1335a; C/S-1788 (Urban Protected Residential) district

**PROPOSAL:** To permit the conveyance of the easterly portion of the subject lands (known as Part 2) in order to facilitate the creation of one (1) new lot for the construction of a single family dwelling, and retain the westerly portion of the subject lands (known as Part 1) in order to facilitate the construction of a single family dwelling as per consent application HM/B-20:47, notwithstanding that:

1. A lot width of 8.3 metres shall be permitted instead of the minimum required lot width of 12.0 metres.
2. A minimum lot area of 300.0 square metres shall be permitted instead of the minimum required lot area of 360.0 square metres.
3. A maximum gross floor area ratio factor of 0.65 shall be permitted instead of the maximum gross floor area ratio factor required of 0.45.

**NOTES:**

1. The owner shall ensure building height is provided from grade as defined. A maximum building height of 9.0 metres and two-storeys is permitted, should the proposed single family dwelling exceed the maximum building height permitted, further variances shall be required.
2. Variance for maximum gross floor area has been written as requested by the owner. Should the maximum gross floor area exceed a ratio factor of 0.65, further variances will be required.
3. The owner shall ensure a minimum of 50% front yard landscaping is provided for each single family dwelling. Planning Rationale prepared by T. Johns Consulting Group states "the proposed lot area can accommodate... a minimum of 50.0% landscaping". Site plan submitted has not provided front yard landscaping details from which to confirm zoning compliance. As such, further variances will be required should the requirements under Section 18(14) not be met.

HM/A-20:159

Page 2

4. The owner shall ensure the garage floor level of the attached garage be a minimum of 0.3 metres above grade for each single family dwelling. Site plan submitted has not provided details of the parking from which to confirm zoning compliance. As such, further variances will be required should the requirements under Section 18A(7b) not be met.

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

---

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:25 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at** [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
**for viewing purposes only**

---

#### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

#### MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

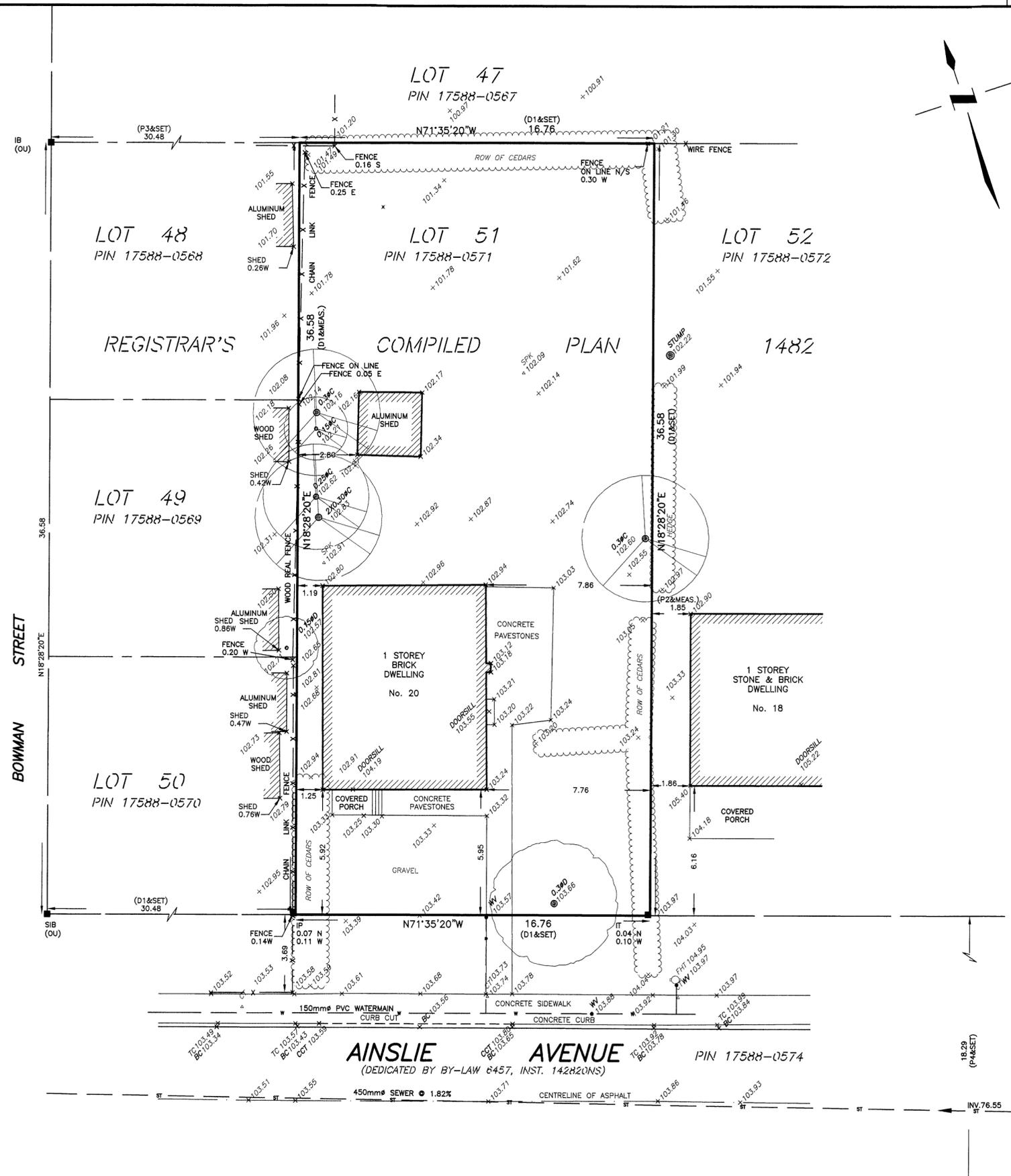
DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
 Secretary-Treasurer  
 Committee of Adjustment

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

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



**SURVEYOR'S REAL PROPERTY REPORT**

PLAN OF SURVEY WITH TOPOGRAPHY OF  
**LOT 51**  
**REGISTRAR'S COMPILED PLAN 1482**  
**CITY OF HAMILTON**  
**REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**



**TARASICK McMILLAN KUBICKI LIMITED**  
ONTARIO LAND SURVEYORS

© COPYRIGHT, 2019

**REPORT SUMMARY**

**PROPERTY DESCRIPTION:** 20 AINSIE AVENUE, BEING LOT 51, REGISTRAR'S COMPILED PLAN 1482, CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH, PIN 17588-0571.  
**THERE ARE NO EASEMENTS REGISTERED ON TITLE.**  
**COMMENTS:** NOTE LOCATION OF FENCES.

**ELEVATION NOTE**

ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM-1928 (1978 ADJUSTMENT), AND WERE DERIVED FROM ONTARIO CONTROL MONUMENT No. 0011965U033, HAVING A PUBLISHED ELEVATION OF 100.149 metres.

**BEARING NOTE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF AINSIE AVENUE AS SHOWN ON PLAN 62R-3975, HAVING A BEARING OF N71°35'20"W.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
IP	DENOTES	IRON PIPE
IT	DENOTES	IRON TUBE
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
CCT	DENOTES	CURB CUT
MH	DENOTES	MANHOLE
WV	DENOTES	WATER VALVE
FHT	DENOTES	FIRE HYDRANT TOP
P1	DENOTES	PLAN 62R-3975
P2	DENOTES	MACKAY & MACKAY, O.L.S., AUG. 13, 1952
P3	DENOTES	MACKAY & MACKAY, O.L.S., MAY 18, 1951
P4	DENOTES	A.J. CLARKE AND ASSOCIATES O.L.S., OCT. 8, 1979
D1	DENOTES	INSTRUMENT HL213397
(OU)	DENOTES	ORIGIN UNKNOWN

- 0.20φ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
- 0.20φ DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER

TREE CANOPIES ARE DRAWN TO SCALE.

**PREPARED FOR:**

THIS REPORT WAS PREPARED FOR JAYANT SHARMA AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON NOVEMBER 18, 2019.

NOVEMBER 20, 2019  
DATE

BORYS KUBICKI  
ONTARIO LAND SURVEYOR



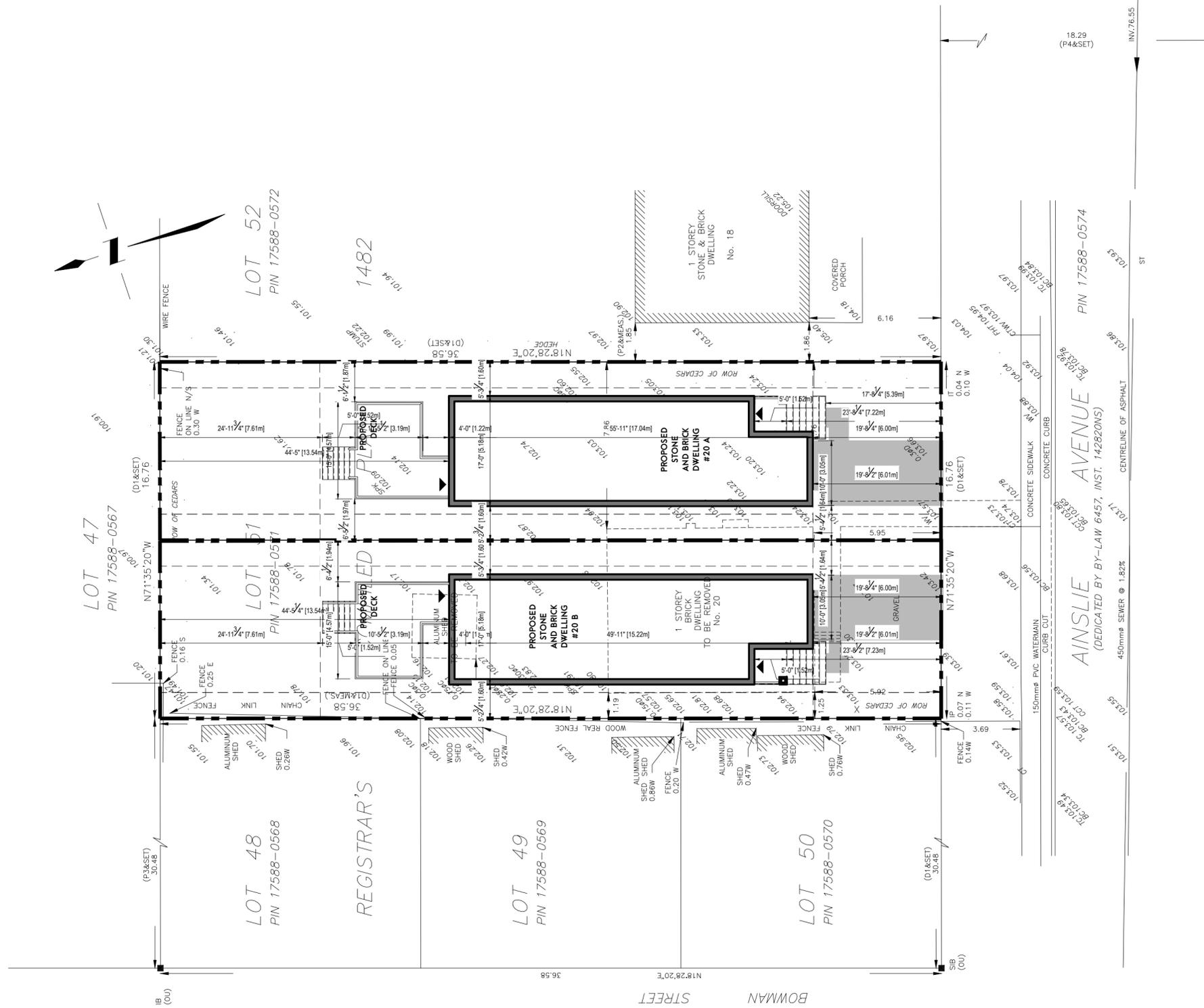
**TARASICK McMILLAN KUBICKI LIMITED**  
ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2  
TEL: (905) 569-8849 FAX: (905) 569-3160  
E-MAIL: office@tmksurveyors.com

DRAWN BY: H.P.

FILE No. 8322-SRPR-T

AINSLIE AVENUE		
	#20A	#20B
Lot Area	306.02 sq. m	306.02 sq. m
Lot Width	8.38 m	8.38 m
Front Yard	6.00 m	6.00 m
Side Yard	1.60 m	1.60 m
Side Yard	1.60 m	1.60 m
Rear Yard	13.54 m	13.54 m
Lot Cov.		
House (Garage Included)	83 sq. m	83 sq. m
Porch	2.55 sq. m	2.55 sq. m
Deck	17.04 sq. m	17.04 sq. m
Total	102.59 sq. m	102.59 sq. m
	33.52 %	33.52 %
GFA		
First Floor	61.72 sq. m	61.72 sq. m
Second Floor	81.09 sq. m	81.09 sq. m
Basement	51.33 sq. m	51.33 sq. m
Total	194.14 sq. m	194.14 sq. m
	0.63	0.63



1:150  
**CONCEPTUAL SITE PLAN**



HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:647.226.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: B.C.I.N.  
FIRM NAME: B.C.I.N.

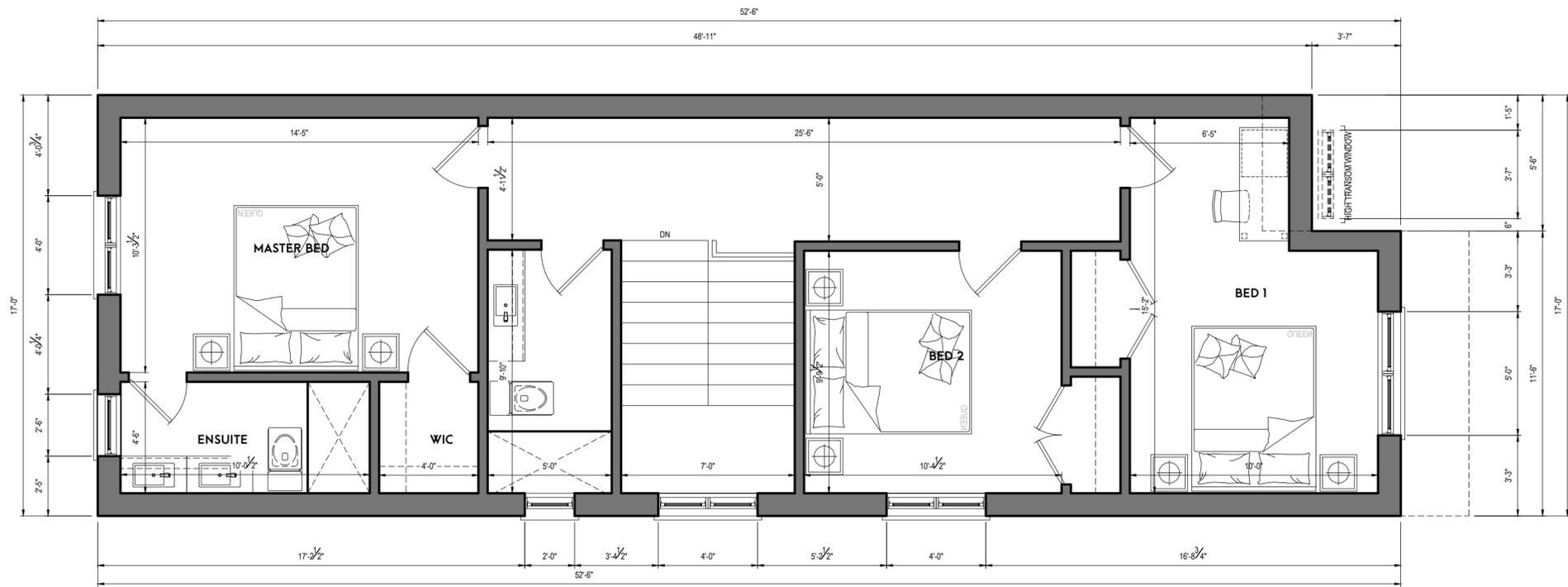
REVISION LIST		ISSUE LIST	
1	REVISED AS PER CLIENT	06.16.2020	
2		MM.DD.YYYY	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	
1	ISSUED TO CLIENT	02.19.2020	
2	ISSUED FOR REVIEW	04.06.2020	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: SITE PLAN  
DRAWN BY: J.D.  
ADDRESS: 20 AINSLIE AVE  
PROJECT NO. 2020-026  
SHEET NO. SCALE: 1:150

**SP**





20A AINSIE AVENUE  
SECOND FLOOR  
872.83 SQ. FT.

1/4"=1'-0"  
**SECOND FLOOR PLAN**



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



HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

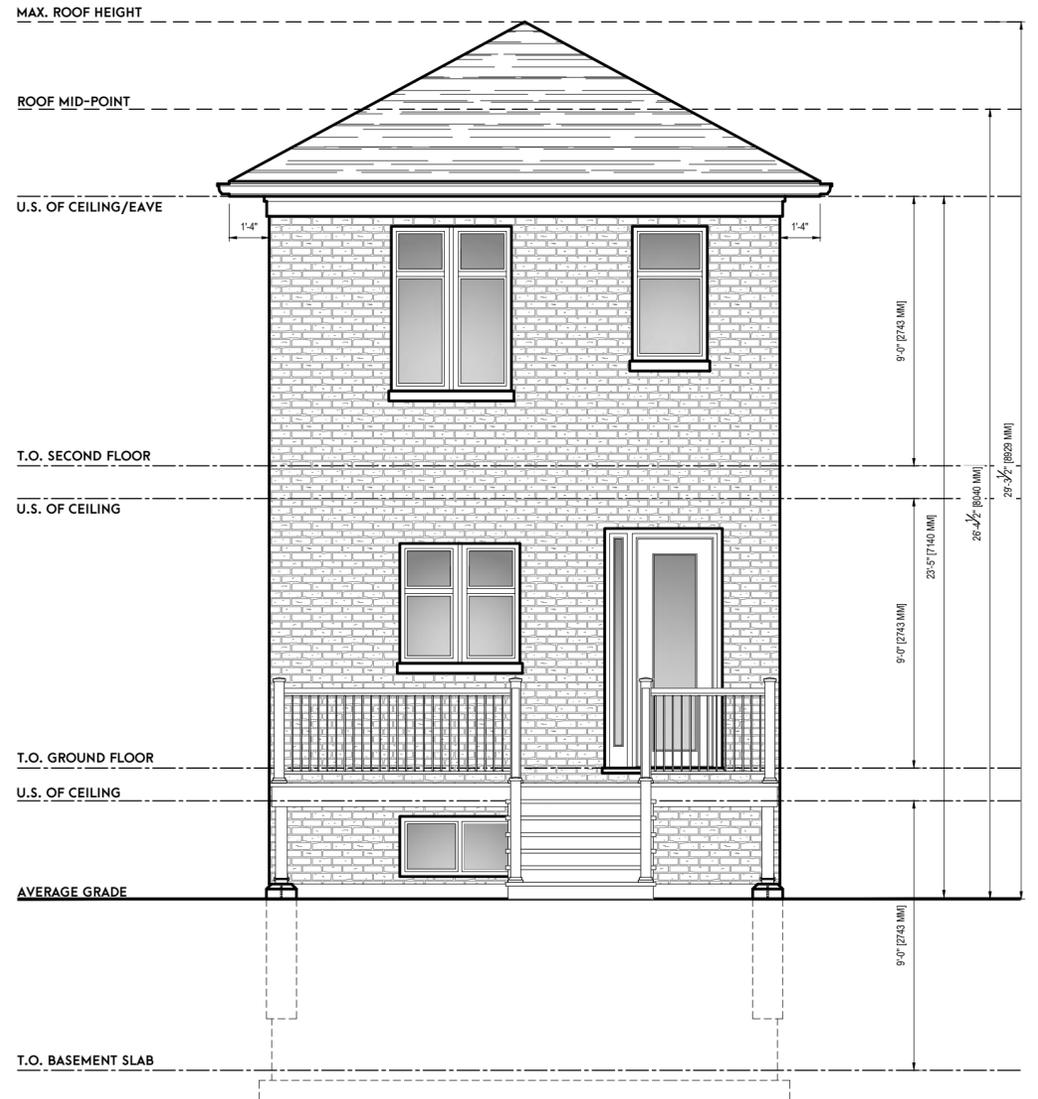
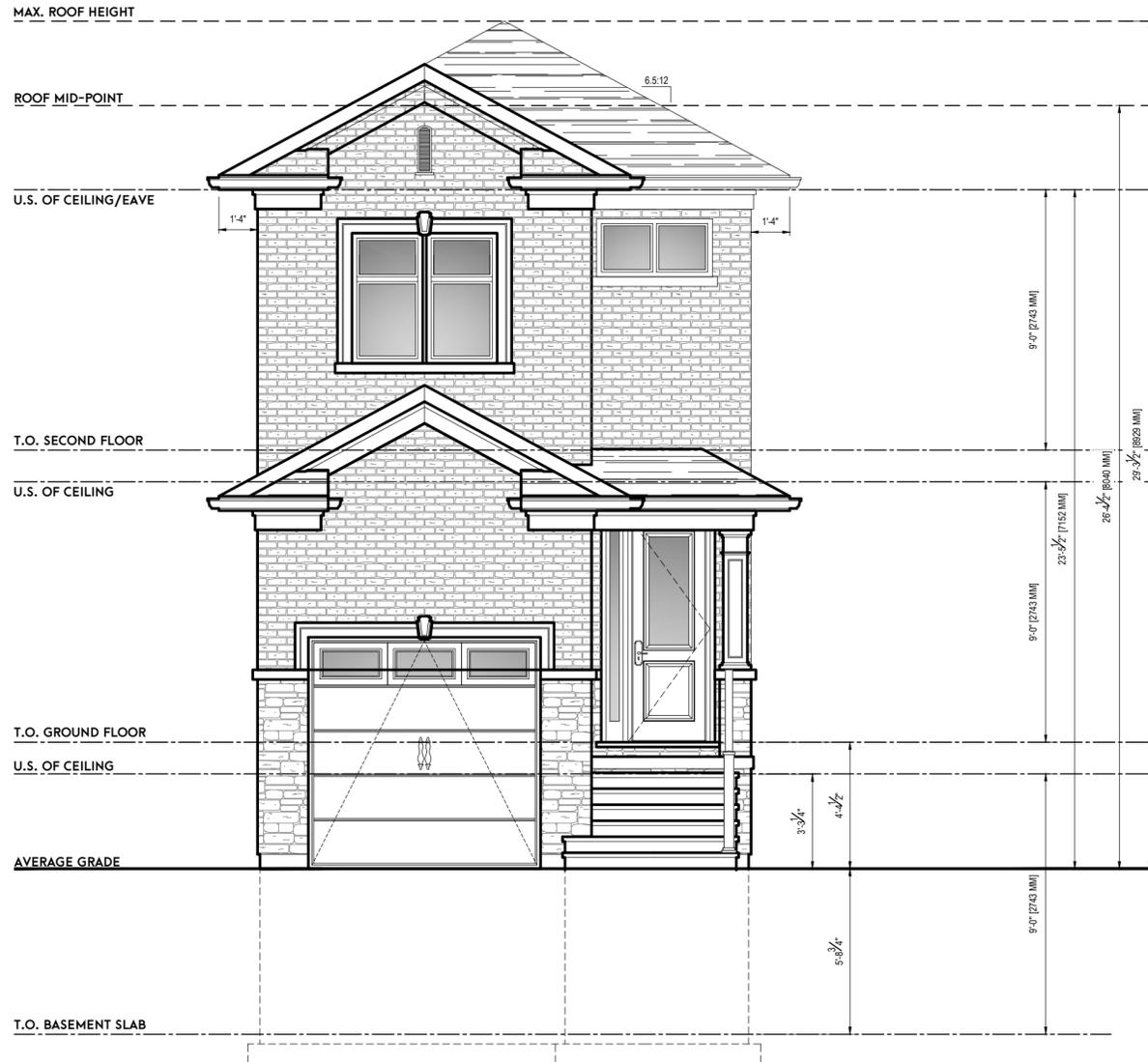
**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

REVISION LIST		ISSUE LIST	
1	REVISED AS PER CLIENT	06.16.2020	
2		MM.DD.YYYY	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	
1	ISSUED TO CLIENT	02.19.2020	
2	ISSUED FOR REVIEW	04.06.2020	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: SECOND FLOOR PLAN & ROOF PLAN  
DRAWN BY: S.E. CHECKED BY: J.D.  
ADDRESS: 20 AINSIE AVE  
PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"  
SHEET NO. **A102**



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

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

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

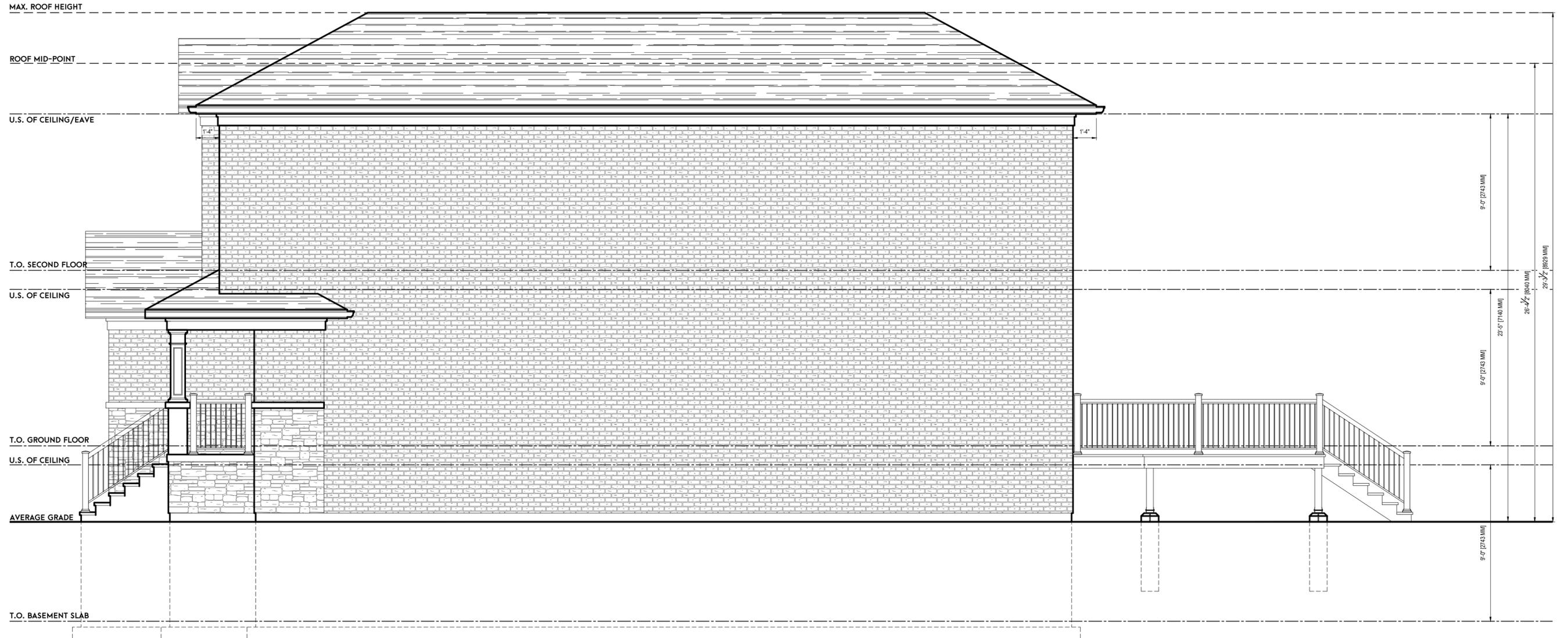
REVISION LIST		
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

ISSUE LIST		
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS  
DRAWN BY: J.H. CHECKED BY: J.D.  
ADDRESS: 20 ANSLIE AVE  
PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"  
SHEET NO. **A201**



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

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: B.C.I.N.

**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

FIRM NAME: B.C.I.N.

**REVISION LIST**

NO.	REVISION	DATE
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

**ISSUE LIST**

NO.	ISSUED TO	DATE
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH:



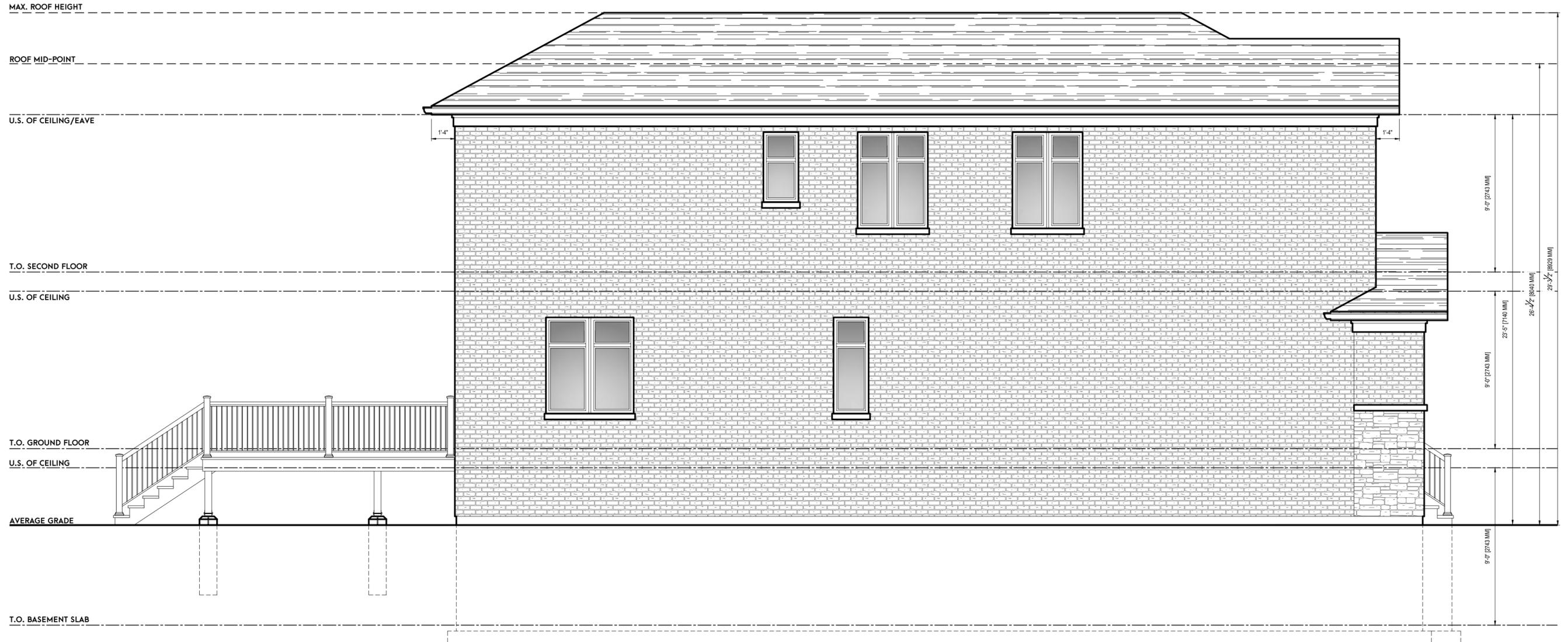
DRAWING TITLE: ARCHITECTURAL ELEVATIONS

DRAWN BY: J.H. CHECKED BY: J.D.

ADDRESS: 20 AINSLIE AVE

PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"

SHEET NO. **A202**



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



HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

**REVISION LIST**

NO.	REVISION AS PER CLIENT	DATE
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

**ISSUE LIST**

NO.	ISSUED TO CLIENT	DATE
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH:



DRAWING TITLE: ARCHITECTURAL ELEVATIONS

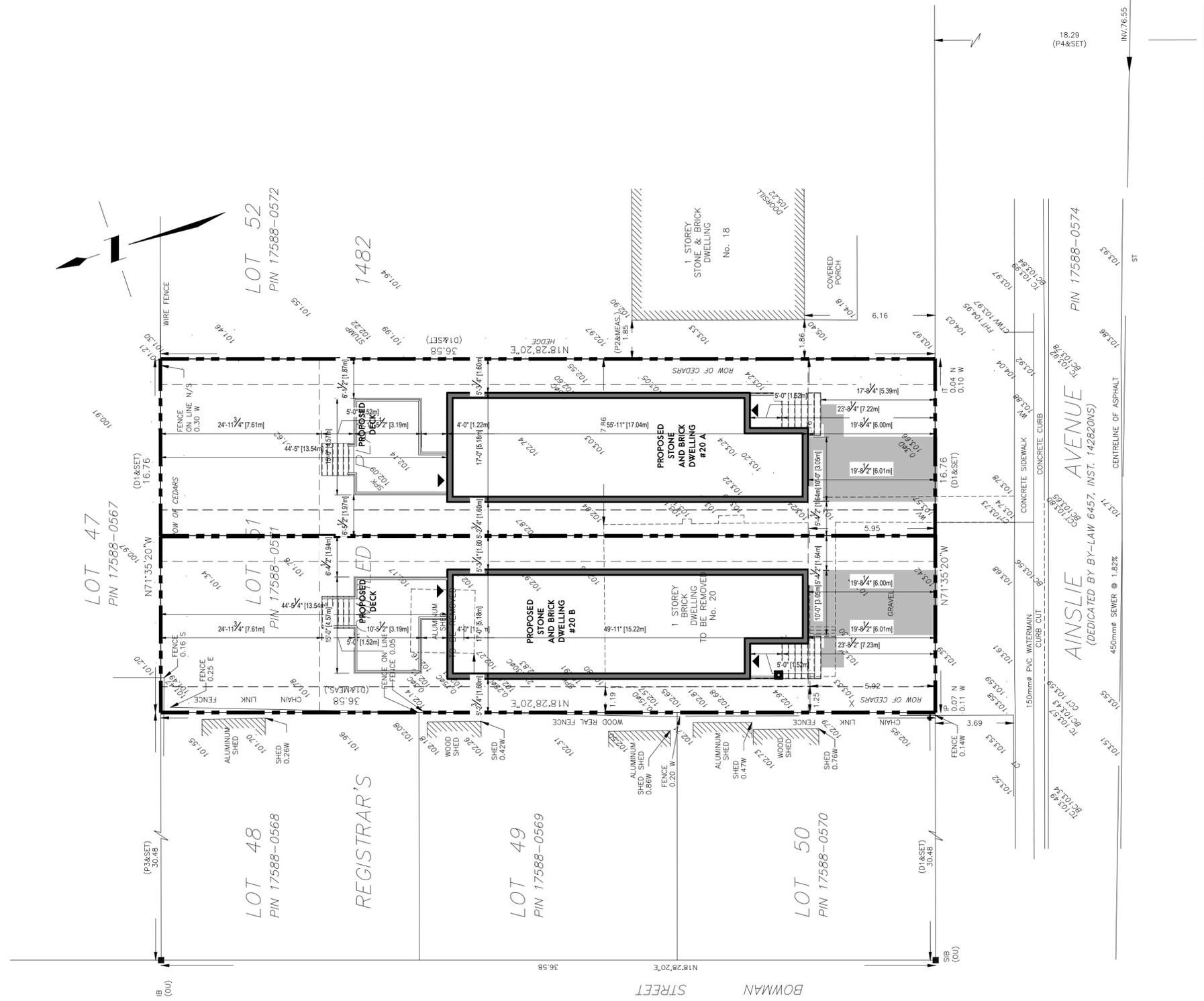
DRAWN BY: J.H. CHECKED BY: J.D.

ADDRESS: 20 ANSLIE AVE

PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"

SHEET NO. **A203**

AINSLIE AVENUE		
	#20A	#20B
Lot Area	306.02 sq. m	306.02 sq. m
Lot Width	8.38 m	8.38 m
Front Yard	12.00 m	6 m
Side Yard	1.60 m	1.6 m
Side Yard	1.60 m	1.6 m
Rear Yard	9.37 m	13.54 m
Lot Cov.		
House (Garage Included)	83 sq. m	83 sq. m
Porch	2.55 sq. m	2.55 sq. m
Deck	17.04 sq. m	17.04 sq. m
Total	102.59 sq. m	102.59 sq. m
	33.52 %	33.52 %
GFA		
First Floor	61.72 sq. m	61.72 sq. m
Second Floor	81.09 sq. m	81.09 sq. m
Basement	51.33 sq. m	51.33 sq. m
Total	194.14 sq. m	194.14 sq. m
	0.63	0.63



1:150  
**CONCEPTUAL SITE PLAN**

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:647.226.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: B.C.I.N.  
FIRM NAME: B.C.I.N.

REVISION LIST	
1	REVISED AS PER CLIENT 06.16.2020
2	ISSUED FOR REVIEW 04.06.2020
3	MM.DD.YYYY
4	MM.DD.YYYY
5	MM.DD.YYYY

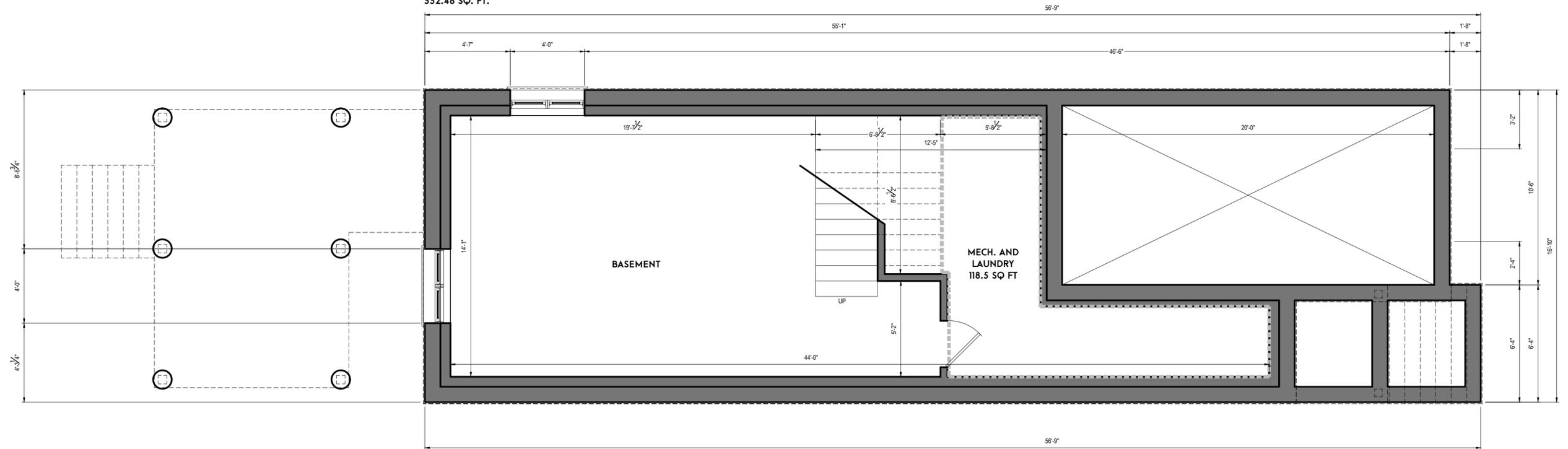
ISSUE LIST	
1	ISSUED TO CLIENT 02.19.2020
2	ISSUED FOR REVIEW 04.06.2020
3	MM.DD.YYYY
4	MM.DD.YYYY
5	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH

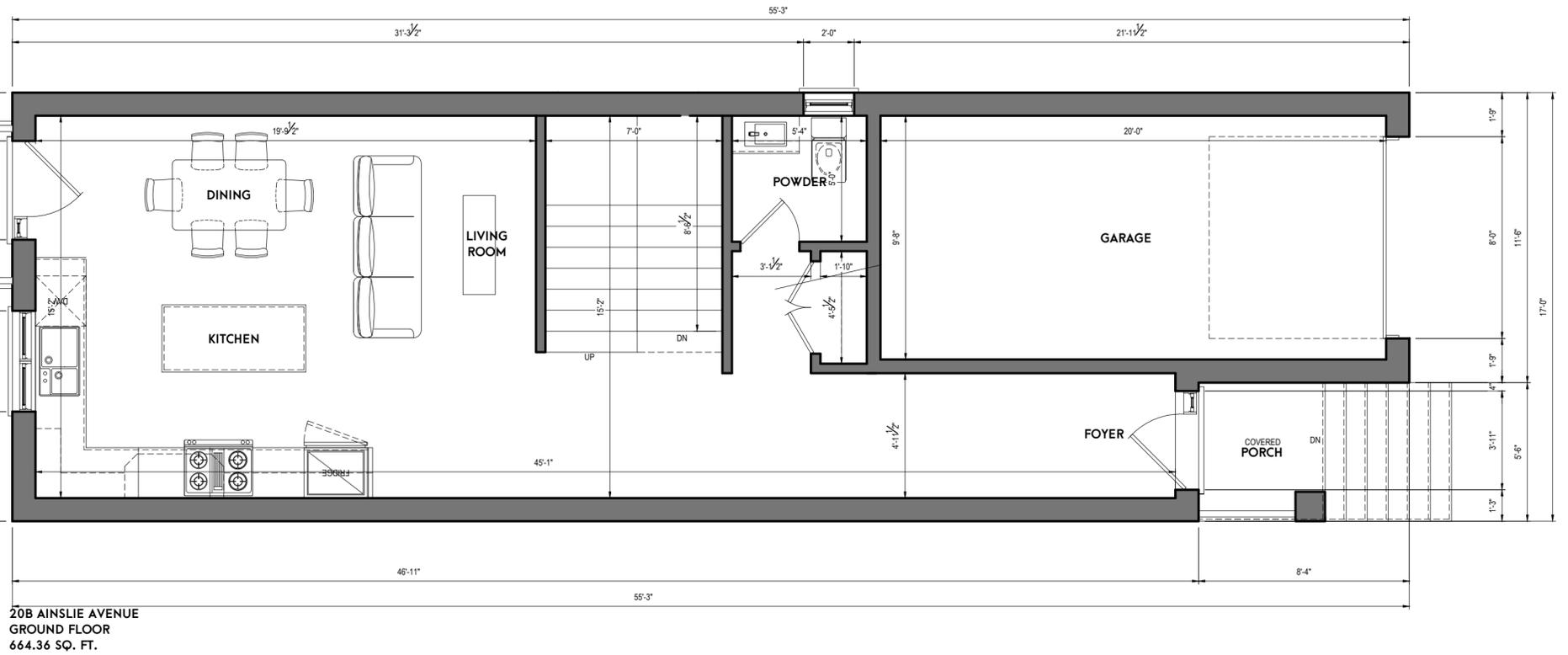
DRAWING TITLE: SITE PLAN  
DRAWN BY: J.D.  
ADDRESS: 20 AINSLIE AVE  
PROJECT NO. 2020-026  
SHEET NO. SCALE: 1:150

**SP**

**BASEMENT**  
552.46 SQ. FT.



**BASEMENT FLOOR PLAN**



**20B AINSLIE AVENUE**  
**GROUND FLOOR**  
664.36 SQ. FT.

**GROUND FLOOR PLAN**



HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

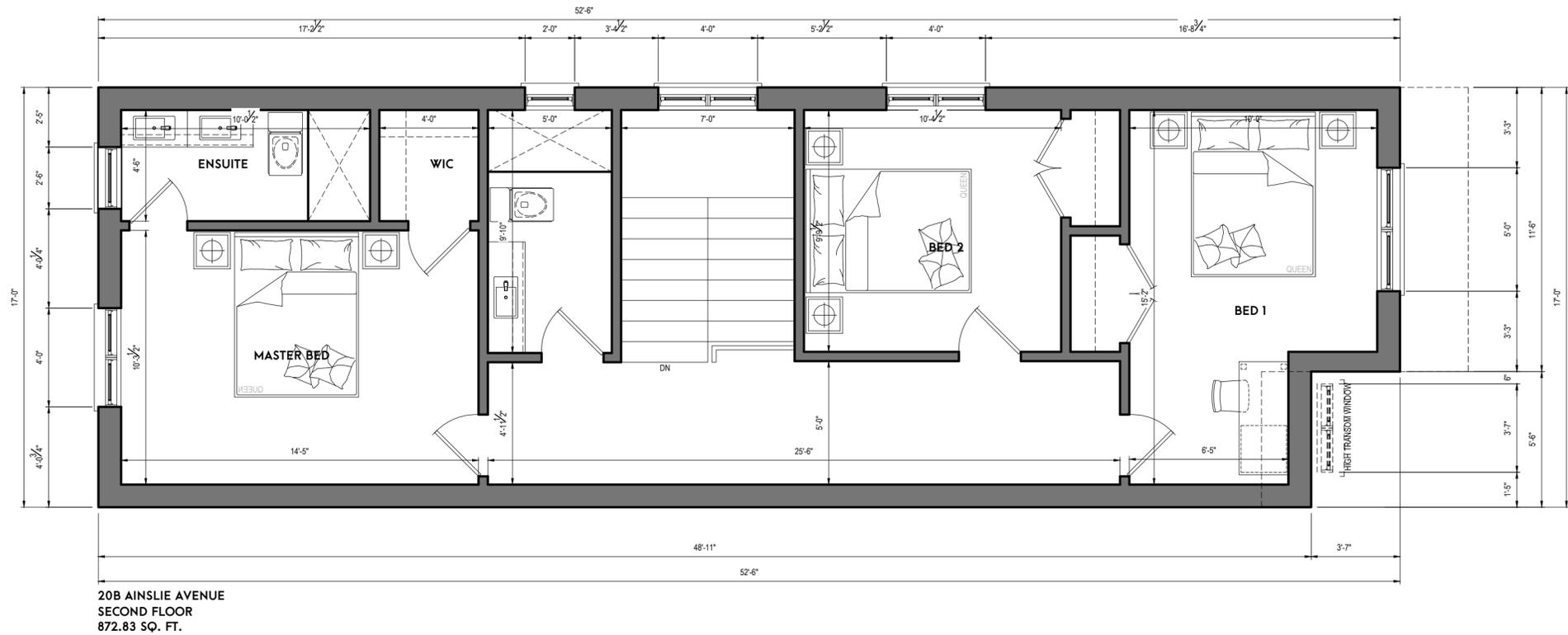
**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

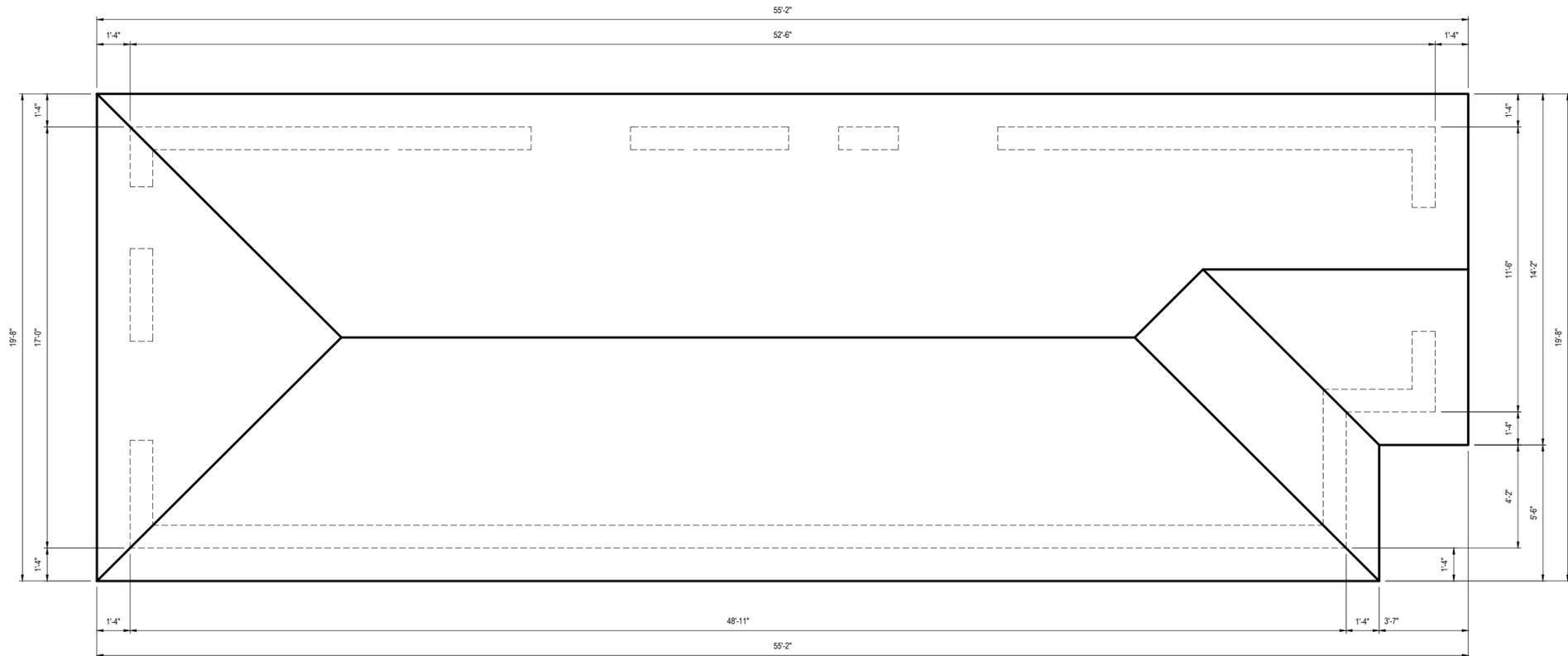
REVISION LIST		ISSUE LIST	
1	REVISED AS PER CLIENT	06.16.2020	
2		MM.DD.YYYY	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	
1	ISSUED TO CLIENT	02.19.2020	
2	ISSUED FOR REVIEW	04.06.2020	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	

**PROJECT NORTH:** TRUE NORTH

**DRAWING TITLE:** BASEMENT & GROUND FLOOR PLAN  
**DRAWN BY:** S.E. **CHECKED BY:** J.D.  
**ADDRESS:** 20 AINSLIE AVE  
**PROJECT NO.:** 2020-026 **SCALE:** 1/4" = 1'-0"  
**SHEET NO.:** **A101**



1/4"=1'-0"  
**SECOND FLOOR PLAN**



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



HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #3011 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

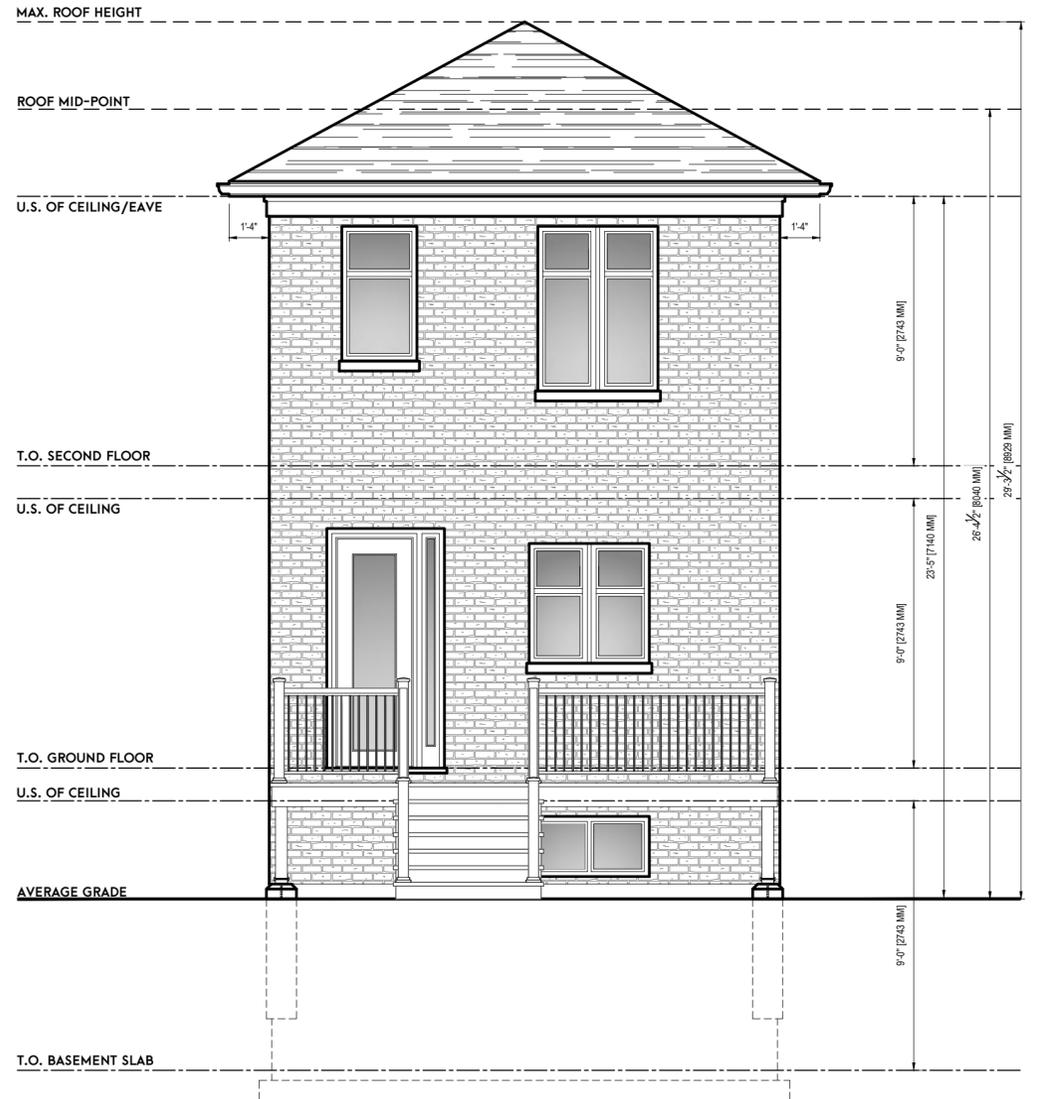
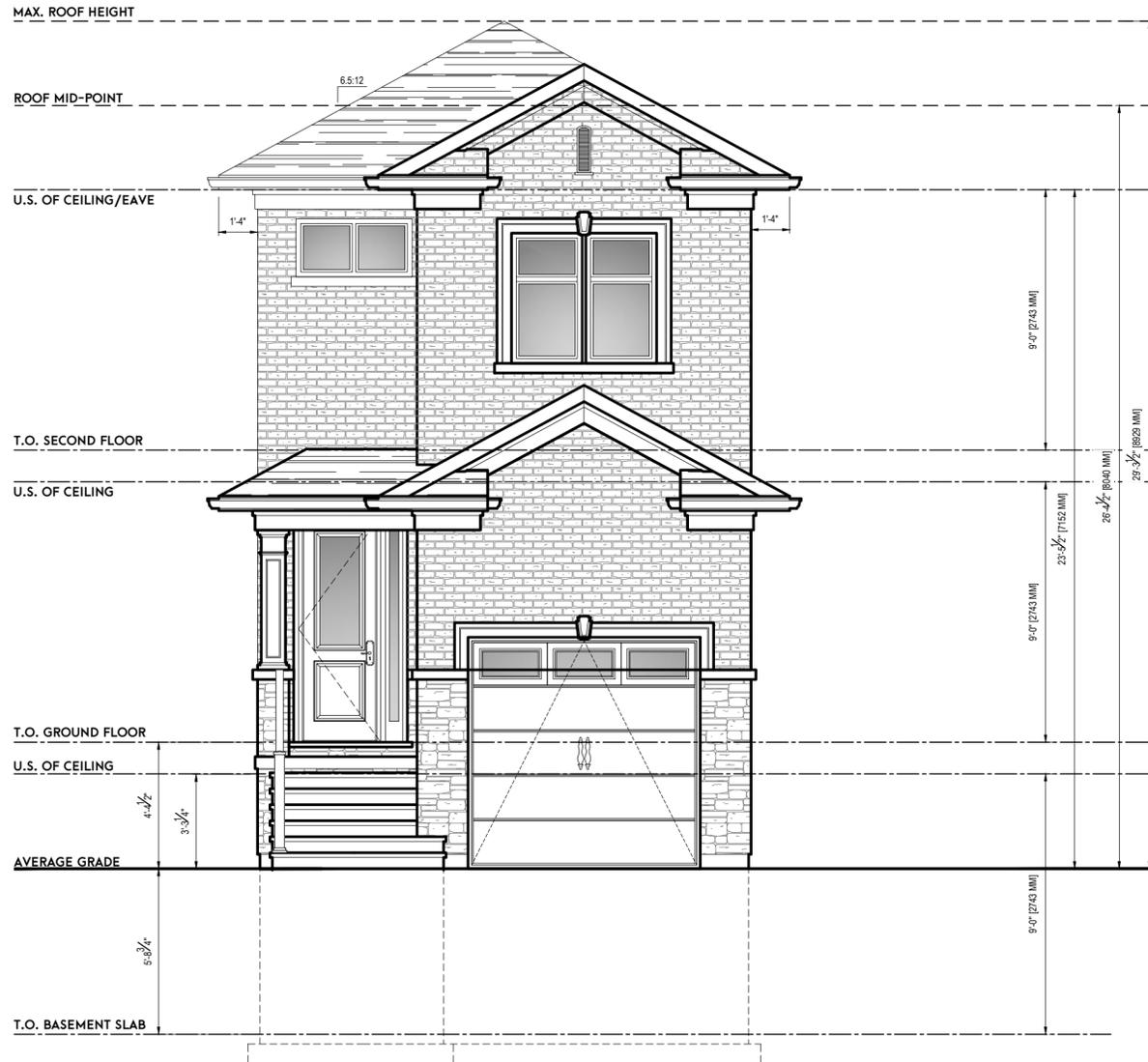
**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

REVISION LIST		ISSUE LIST	
1	REVISED AS PER CLIENT	06.16.2020	
2		MM.DD.YYYY	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	
1	ISSUED TO CLIENT	02.19.2020	
2	ISSUED FOR REVIEW	04.06.2020	
3		MM.DD.YYYY	
4		MM.DD.YYYY	
5		MM.DD.YYYY	

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: SECOND FLOOR PLAN & ROOF PLAN  
DRAWN BY: S.E. CHECKED BY: J.D.  
ADDRESS: 20 AINSIE AVE  
PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"  
SHEET NO. **A102**



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

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

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

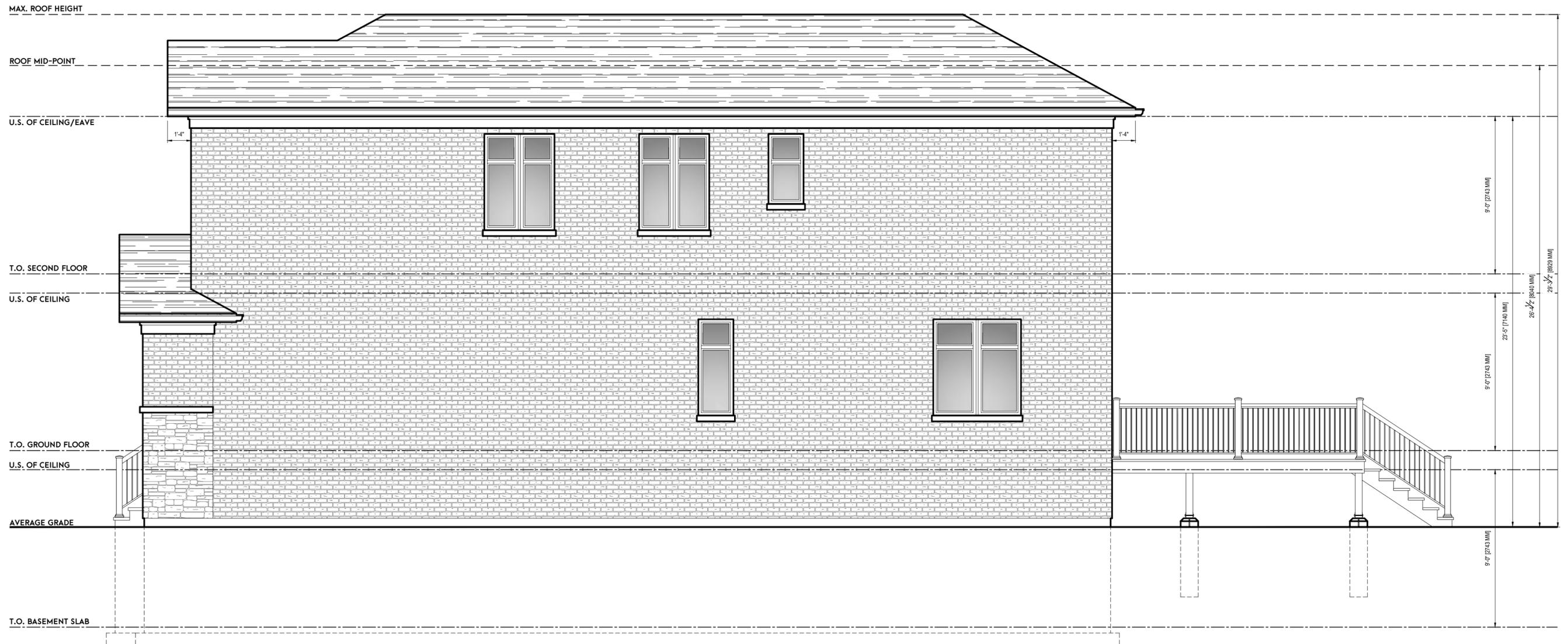
REVISION LIST		
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

ISSUE LIST		
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS  
DRAWN BY: J.H. CHECKED BY: J.D.  
ADDRESS: 20 ANSLIE AVE  
PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"  
SHEET NO. **A201**



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

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

**REGISTRATION INFORMATION**  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

**REVISION LIST**

NO.	REVISION	DATE
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

**ISSUE LIST**

NO.	ISSUED TO	DATE
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH



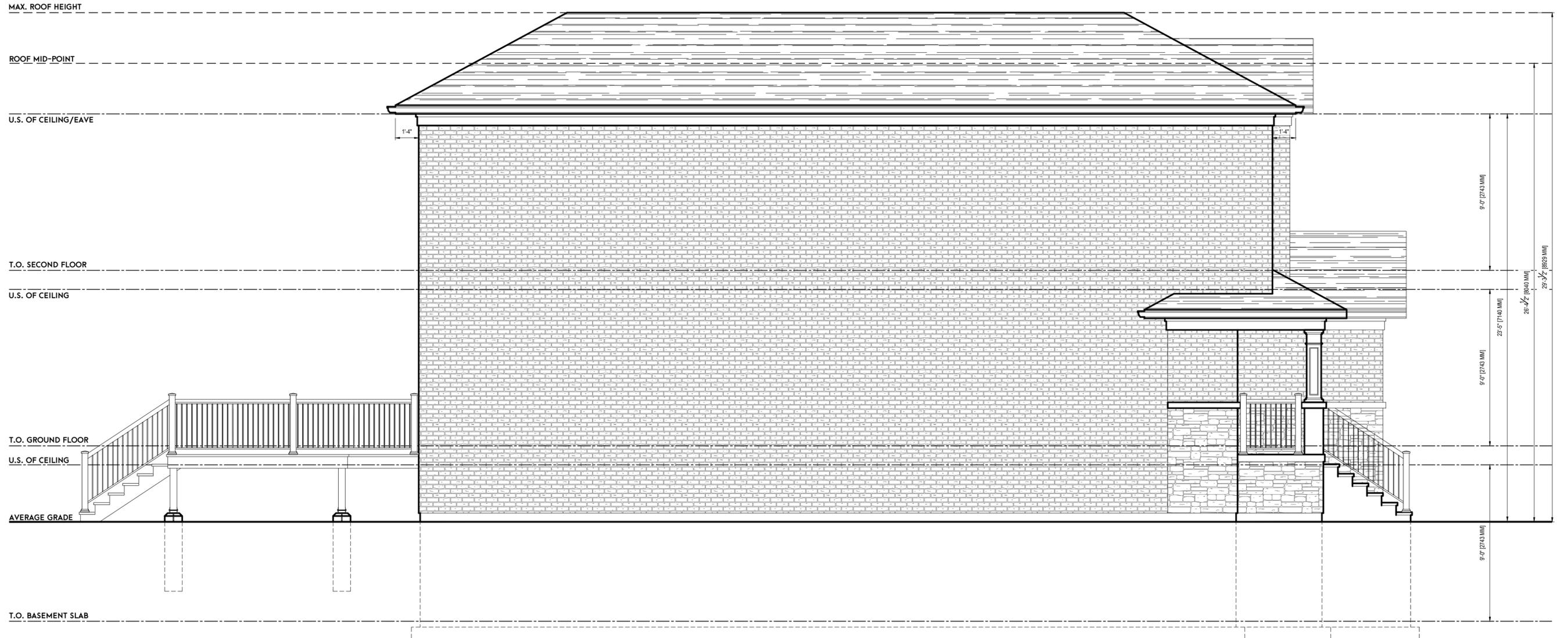
DRAWING TITLE: ARCHITECTURAL ELEVATIONS

DRAWN BY: J.H. CHECKED BY: J.D.

ADDRESS: 20 ANSLIE AVE

PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"

SHEET NO. **A202**



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

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #301 BRAMPTON, ON L6Z 4N5  
T:47.206.9555 | E:INFO@HUISDESIGNS.CA  
HUISDESIGNS.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 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 HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: B.C.I.N.

**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE

FIRM NAME: B.C.I.N.

**REVISION LIST**

NO.	REVISION AS PER CLIENT	DATE
1	REVISED AS PER CLIENT	06.16.2020
2	-	MM.DD.YYYY
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

**ISSUE LIST**

NO.	ISSUED TO CLIENT	DATE
1	ISSUED TO CLIENT	02.19.2020
2	ISSUED FOR REVIEW	04.06.2020
3	-	MM.DD.YYYY
4	-	MM.DD.YYYY
5	-	MM.DD.YYYY

PROJECT NORTH: TRUE NORTH:



DRAWING TITLE: ARCHITECTURAL ELEVATIONS

DRAWN BY: J.H. CHECKED BY: J.D.

ADDRESS: 20 AINSLIE AVE

PROJECT NO. 2020-026 SCALE: 1/4" = 1'-0"

SHEET NO. **A203**



**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

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

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

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

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

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

***The Planning Act***

**Application for Minor Variance or for Permission**

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

- Name of Owner 2652385 Ontario Inc.  
c/o Jayant Sharma Telephone No.
- 
- Name of Agent T. Johns Consulting Group  
c/o Diana Morris 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:  
Neighbourhood Holdings  
310-1050 Homer Street, Vancouver BC Postal Code V6B 2W9  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

See Appendix A: Planning Rationale

---



---



---

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

See Appendix A: Planning Rationale

---



---



---

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

Lot 51 Registrar's Compiled Plan 1482, City of Hamilton, Regional Municipality of Hamilton-Wentworth

---

9. PREVIOUS USE OF PROPERTY

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

9.1 If Industrial or Commercial, specify use

---

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
Owner's knowledge.

\_\_\_\_\_

\_\_\_\_\_

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

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

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

August 5<sup>th</sup>, 2020  
Date

  
Signature Property Owner

2652385 Ontario Inc. c/o Jayant Sharma  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 16.76m  
Depth 36.58m  
Area 613.41m<sup>2</sup>  
Width of street 18.4m

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

Existing: Single detached dwelling

\_\_\_\_\_

\_\_\_\_\_

Proposed: Single detached dwelling

\_\_\_\_\_

\_\_\_\_\_

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

Existing: Front Yard: 5.92m

Side Yard: 1.19m

Rear Yard: 20.93m

Proposed: See concept plan.

13. Date of acquisition of subject lands:

August 9, 2019

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

1952

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:

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:

Neighbourhoods

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

Urban Protected Residential, Etc. "C/S-1335, C/S-1335a, C/S-720, C/S-1788" District,

Modified)

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*? **Running concurrent with this application**

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**



August 11, 2020

Jamila Sheffield, Secretary Treasurer  
Committee of Adjustment  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: Minor Variance and Consent Applications  
20 Ainslie Avenue, Hamilton**

---

T. Johns Consulting Group (T. Johns) has been retained by the landowner of the above-referenced lands to submit the minor variance and consent applications on their behalf to construct 2 new single-detached dwellings.

#### **Description of Subject Lands**

20 Ainslie Avenue is located north-west of Hwy 403 and east of Bowman Street. The subject lands have an approximate area of 0.06ha (613.1sqm) with 16.76m of frontage on Ainslie Avenue and a depth of 36.58m. The lands are currently occupied by a one (1) storey single detached dwelling, which will be demolished to construct two (2) new single-detached dwellings.

#### **Planning Status**

The subject land is designated "*Neighbourhoods*" on Schedule E-1 of the *Urban Hamilton Official Plan ("UHOP")*. The Neighbourhoods designation permits low density residential infill redevelopment for gentle intensification within the interior of stable neighbourhoods, subject to reflecting the character of the neighbourhood.

The subject lands are also designated "*Low Density Residential 2*" of Volume 2- *Ainslie Woods Secondary Plan*. This designation permits single-detached dwellings, which are the primary form of housing located within the interior of a neighbourhood.

The former City of Hamilton By-law No. 6593 zones the lands 'C' which permits single-detached dwellings. However, both the retained and severed lots require relief from the regulations to permit reduced lot width, lot area and increase the gross floor area.

#### **Proposed Development**

The applicant is proposing to demolish the existing single-detached dwelling and build 2 new dwellings. This requires a consent application to create 1 new lot and minor variance application to provide relief from the existing zoning regulations.

#### **Request for Formal Consultation**

T. Johns respectfully requests that this letter and enclosed documents be circulated to all relevant Departments at the City of Hamilton and outside agencies for commenting. We look forward to discussing the proposal with you:



Please find the enclosed:

- Two (2) copies of the Minor Variance Application;
- Two (2) copies of the Consent Application;
- Five (5) copies of the Survey Plan;
- Five (5) copies of the Planning Rationale;
- Two (2) copies of floor plans/elevations for each proposed dwelling/lot;
- Three (3) copies of the Consent Sketch;
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton to satisfy the Consent application fee, and;
- One (1) cheque in the amount of \$3,302.00 made payable to the City of Hamilton to satisfy the Minor Variance application fee.

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,  
**T. JOHNS CONSULTING GROUP LTD.**

A handwritten signature in black ink, appearing to read "D. Morris", is positioned below the typed name.

Diana Morris, BA, MCIP, RPP  
Senior Planner





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

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

**APPLICATION NO.:** HM/A-20:163

**APPLICANTS:** Owner: Sathajenderaa Sathyathevan  
 Agent: Zoltan Engineering c/o Gerrit Vander Meulen

**SUBJECT PROPERTY:** Municipal address **970 Barton St. E., Hamilton**

**ZONING BY-LAW:** Zoning By-law 05-200 & 6593, as Amended

**ZONING:** C5, E300, H80 (05-200) & K (6593) (Mixed Use Medium Density (05-200) & Heavy Industry Etc. (6593))district

**PROPOSAL:** To permit the construction of a motor vehicle gas bar, notwithstanding that:

**VARIANCES TO HAMILTON ZONING BY-LAW 6593**

Six (6) parking spaces shall be provided instead of the minimum required thirteen (13) parking spaces [as per Section 18A(Table 1)(4)(i) of Hamilton Zoning By-law 6593].

**VARIANCES TO HAMILTON ZONING BY-LAW 05-200**

Six (6) parking spaces shall be provided instead of the minimum required eight (8) parking spaces [as per Section 5.6(a) of Hamilton Zoning By-law 05-200].

**NOTE:**

1. Be advised that Amending By-law No. 17-240 was passed on November 8, 2017 which changed the zoning of this property from "K" (Heavy Industry Etc.) under Hamilton Zoning By-law No. 6593 to C5, E300, H80 (Mixed Use Medium Density) under Hamilton Zoning By-law No. 05-200. However, there are portions of Amending By-law No. 17-240 which are still under appeal to the Local Appeal Planning Tribunal (LPAT); therefore, it is not yet final. As such, the proposed development is reviewed under the regulations contained within Hamilton Zoning By-law 05-200, except where portions of these regulations are still under appeal by By-law No. 17-240 both the existing and proposed Zoning By-law regulations will be examined with the more restrictive zoning regulation being applied. An exception to this policy is for Building Permits, which are reviewed under the former existing Zoning By-law regulation until such time that Amending By-law No. 17-240 comes fully into force. Once By-law No. 17-240 is approved in its entirety by the Local Appeal Planning Tribunal (LPAT), the zoning and regulations under this By-law will be applicable.
2. Please be advised that a 'H80' holding provision is currently assigned to this property. The Holding contains specific conditions required to be satisfied prior to any development on this site.

HM/A-20:163  
Page 2

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

---

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:30 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at** [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
**for viewing purposes only**

---

## PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

## MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

DRAWING LEGEND

- PROPERTY LINE
- - - SURFACE COVER (EXISTING)
- - - SURFACE COVER (PROPOSED)
- HO HYDRO POLE / LIGHT POLE
- FHO FIRE HYDRANT
- WOOD FENCE (EXISTING)
- WOOD FENCE (PROPOSED)
- CONTOUR LINES (EXISTING)
- TOPO ELEVATION (EXISTING)
- 15.00 TOPO ELEVATION (PROPOSED)
- DRAINAGE ARROW
- SWALE (EXISTING)
- SWALE (PROPOSED)
- SILT FENCE (PROPOSED)
- COMB SEWER (EXISTING)
- COMB SEWER (PROPOSED)
- STORMWATER LINE (EXISTING)
- STORMWATER LINE (PROPOSED)
- DOMESTIC WATER LINE (EXISTING)
- DOMESTIC WATER LINE (PROPOSED)
- HO HYDRO SERVICES (EXISTING)
- MANHOLE
- CATCH BASIN

CITY OF HAMILTON SITE PLAN NOTES

1. 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.
2. 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.
3. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - BUILDING PERMIT
  - SEWER AND WATER PERMITS
  - ROAD CUT PERMITS
  - RELOCATION OF SERVICES
  - APPROACH APPROVAL PERMITS
  - ENCROACHMENT AGREEMENTS (IF REQUIRED)
  - COMMITTEE OF ADJUSTMENT
4. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: 5 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.
5. ALL FENCES MUST COMPLY WITH HAMILTON FENCE BY-LAW NO. 10-142
6. ALL SIGNS MUST COMPLY WITH HAMILTON SIGN BY-LAW NO. 10-197
7. UNION GAS, HYDRO ONE, AND ALECTRA UTILITIES MAY HAVE SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES. ANY SERVICE RELOCATIONS WOULD BE AT THE COST OF THE PROPERTY OWNER.
8. MAINTAIN SIDEWALK WIDTH OF 1.50 METRES. ENSURE SIDEWALK IS UNOBSTRUCTED DURING CONSTRUCTION.

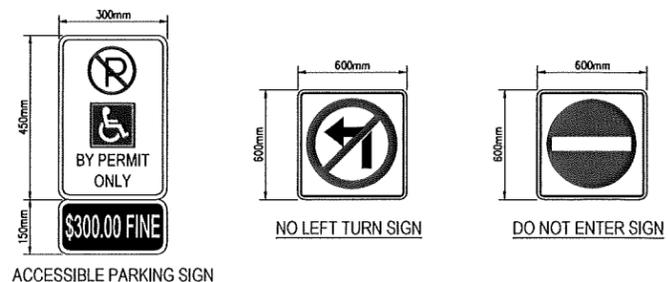
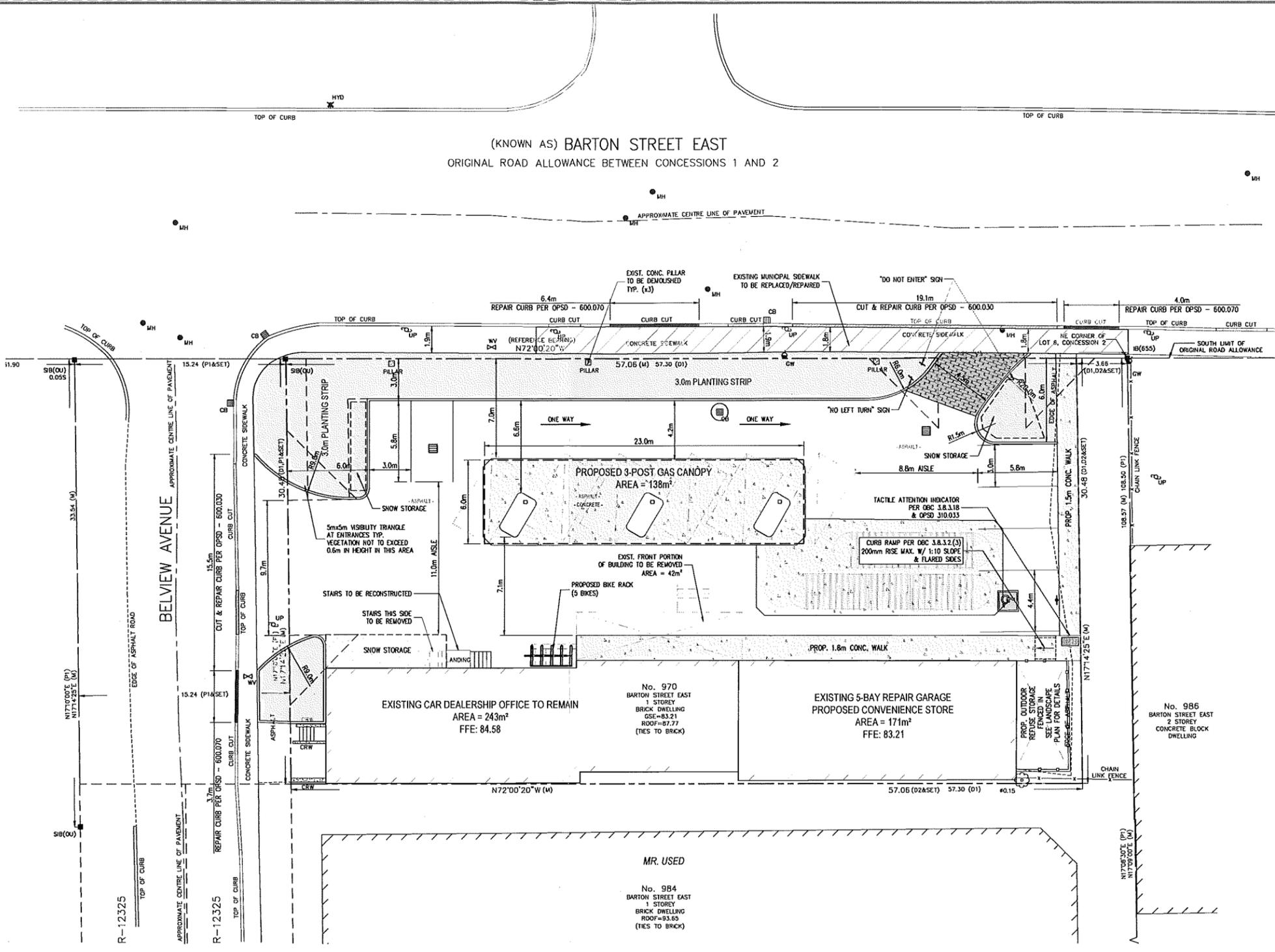
CAUTION

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 THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTCOS) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTCOS AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CELEBRITIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.328.8392).

Zoning Analysis - C5, 300 Zone, By-Law 05-200			
Item	Required	Provided	Compliance
Minimum Yard Abutting a Street	4.5m	21.6m	YES
Minimum Yard for Canopy, Pump, & Island	4.5m	6.1m	YES
Minimum Planting Strip	3.0m	3.0m	YES
Maximum GFA for Convenience Retail	175m <sup>2</sup>	171m <sup>2</sup>	YES

Parking Regulations				
Item	Required	Provided	Compliance	
Parking Setback	3.0m	3.0m	YES	
Parking Size	3.0m x 5.8m	3.0m x 5.8m	YES	
Parking Surface	Hard Surface	Asphalt	YES	
Barrier Free Parking Spaces	4.4m x 5.8m	4.4m x 5.8m	YES	
Parking Aisle (90 degree)	6.0m	>6.0m	YES	
Parking Aisle (0 degree)	3.7m	>3.7m	YES	
Required Parking				
Other Commercial Uses not Listed	414m <sup>2</sup> @ 1/30m <sup>2</sup>	13	6	NO
*Motor Vehicle Dealership (243m <sup>2</sup> @ 1/100m <sup>2</sup> )		2	1	NO
*Motor Vehicle Gas Bar (171m <sup>2</sup> @ 1/25m <sup>2</sup> )		6	5	NO
Barrier Free Parking Spaces		1	1	YES
Bicycle Parking Spaces		5	5	YES

\*Parking calculations as amended by By-Law 17-240 (not final and binding)



SCALE - 1:150

KEY PLAN - NOT TO SCALE

THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS ENTERED INTO A CONTRACT AND THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGN PROFESSIONAL TO ANY PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS NOT ENTERED INTO A CONTRACT.

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS AND OMISSIONS TO THE ENGINEER. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS MARKED AS "ISSUED FOR CONSTRUCTION", CERTIFIED AND DATED.

**LEGAL DESCRIPTION**  
PART 1) PLAN AND TOPOGRAPHIC DETAIL OF PART OF LOT 6, CONCESSION 2 (GEOGRAPHIC TOWNSHIP OF BARTON) CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

**BENCHMARK**  
ELEVATIONS ARE GEODETIC AND WERE OBTAINED BY REAL TIME KINEMATIC (RTK) MEASUREMENTS

REV.	DATE	REMARKS
2	07AUG20	REVISED PER RED LINES
1	20FEB20	ISSUED FOR S.P.A.
0	01OCT19	ISSUED FOR S.P.A.

**ZOLTAN ENGINEERING**  
4380 S Service Road, Suite #25  
Burlington, ON L7L 5Y6  
905.331.8307  
www.zoltanengineering.com

**PROJECT TITLE**  
PROPOSED GAS STATION  
SPA-19-158  
970 BARTON STREET EAST  
HAMILTON, ONTARIO

**DRAWING TITLE**  
SITE PLAN

SCALE	AS NOTED
DATE	07AUG20
DRAWN	EP
DESIGNED	ZL
CHECKED	ZL

PROJECT No. 18-429 SHEET No. SP-1





Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-179346

RECEIVED

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>HM/A-20-163</u>	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

AUG 17 2020  
COM OF ADJUSTMT

**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 Sathajenderaa Sathyathevan Telephone No. [REDACTED]
- [REDACTED]
- Name of Agent Gerrit Vander Meulen 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:  
We are proposing 6 parking spaces which is less than required by the current regulations  
The current by-law requires 13 parking spaces.  
By-law 17-240, which is not in effect yet, requires 8 parking spaces.  
The proposed site plan shows 6 parking spaces.

7. Why it is not possible to comply with the provisions of the By-law?  
The existing site is very small. After taking room for the gas canopy and vehicle maneuvering  
there is only enough room for 6 parking spaces. Since the city requires a 3.0m planting strip  
and 6.0m distance from the property line to the first parking space this further limits  
available room for parking.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
970 Barton Street East, Part of Lot 6, Concession 2, City of Hamilton

9. PREVIOUS USE OF PROPERTY

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

9.1 If Industrial or Commercial, specify use  
Motor Vehicle Dealership and Service Station

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?

Available data and information from the site owner and developer.

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.

Date July 8, 2020



Signature Property Owner

Sathajenderaa Sathyathevan

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>57 meters</u>
Depth	<u>30.5 meters</u>
Area	<u>1750 m<sup>2</sup></u>
Width of street	<u>15.2 meters</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: Existing Car Dealership: GFA=285m<sup>2</sup>, 1-Storey, Width=12m, Length=30m, Height=5.9m

Existing 5-Bay Repair Garage: GFA=171m<sup>2</sup>, 1-Storey, Width=8.7m Length=20m, Height=5.5m

Proposed: Car Dealership: GFA=243m<sup>2</sup>, 1-Storey, Width=8.7m, Length=30m, Height=5.9m

Gas Station Convenience Store: GFA=171m<sup>2</sup>, 1-Storey, Width=8.7m Length=20m, Height=5.5m

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

Existing: Existing Car Dealership: Front=18.2m, Rear=0.1m Side=2.6m, Side=24.3m

Existing 5-Bay Repair Garage: Front=18.2m, Rear=0.1m Side=32.3m, Side=4.8m

Proposed: Car Dealership: Front=21.6m, Rear=0.1m Side=2.6m, Side=24.7m

Gas Station Convenience Store: Front=18.2m, Rear=0.1m Side=32.3m, Side=4.8m

13. Date of acquisition of subject lands:  
Dec. 13, 2019
14. Date of construction of all buildings and structures on subject lands:  
>40 years
15. Existing uses of the subject property:  
Motor Vehicle Dealership and Service Station
16. Existing uses of abutting properties: Commercial warehouse and office buildings and retail buildings.
17. Length of time the existing uses of the subject property have continued:  
>25 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:  
Holding Provision H80 & Special Exemption 300
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
 \_\_\_\_\_  
 \_\_\_\_\_
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No  
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

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

---

**APPLICATION NO.:** HM/A-20:165

**APPLICANTS:** Owner: Mike & Heather Mileski  
 Agent: Mark Deboer

**SUBJECT PROPERTY:** Municipal address **31 Hilda Ave., Hamilton**

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

**ZONING:** D (Urban Protected Residential - One and Two Family Dwelling etc.) district

**PROPOSAL:** To permit the construction of a two (2) storey addition at the rear of the existing single family dwelling, notwithstanding,

1. A minimum northerly side yard width of 0.6 metres shall be permitted instead of the minimum required side yard width of 1.2 metres;
2. The eave and gutter shall be permitted to encroach the entire width of the required northerly side yard instead of the maximum permitted encroachment of one-half the width of the required side yard; and,
3. No on-site parking spaces shall be required instead of providing a minimum of three (3) parking spaces.

**NOTES:**

Parking at a rate of 2 spaces, plus an additional 0.5 spaces for each habitable room in excess of eight (8) habitable rooms is required to be provided for a single family dwelling. Based on the submitted floor plans, nine (9) habitable rooms, including "foundation" level, are proposed for the single family dwelling.

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

---

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:35 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

---

HM/A-20:165

Page 2

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

**MORE INFORMATION**

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

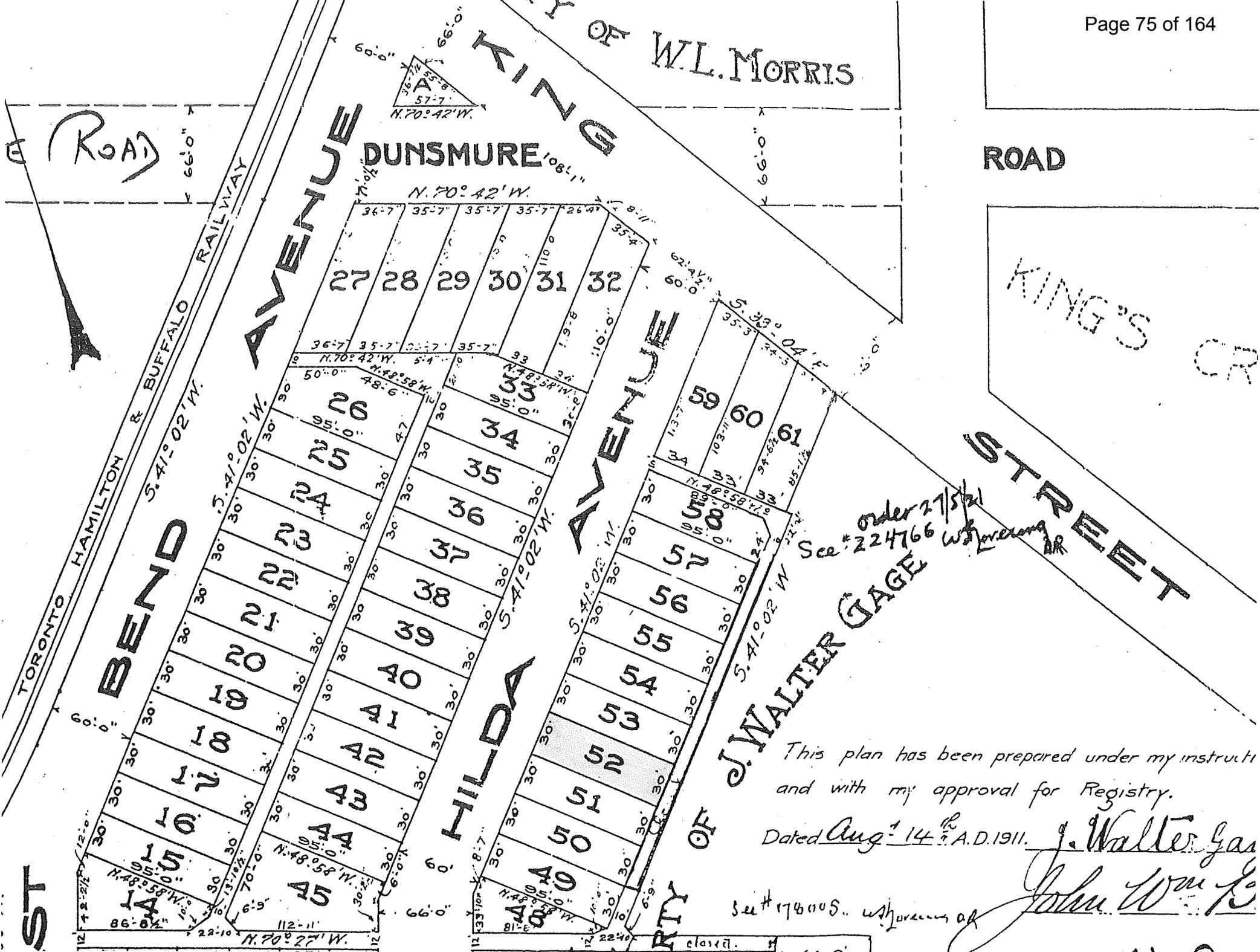
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



ROAD

KING'S

OR

STREET

order 27/5/11  
See # 224766 with approval of

This plan has been prepared under my instructions and with my approval for Registry.

Dated Aug 14<sup>th</sup> A.D. 1911. J. Walter Gage

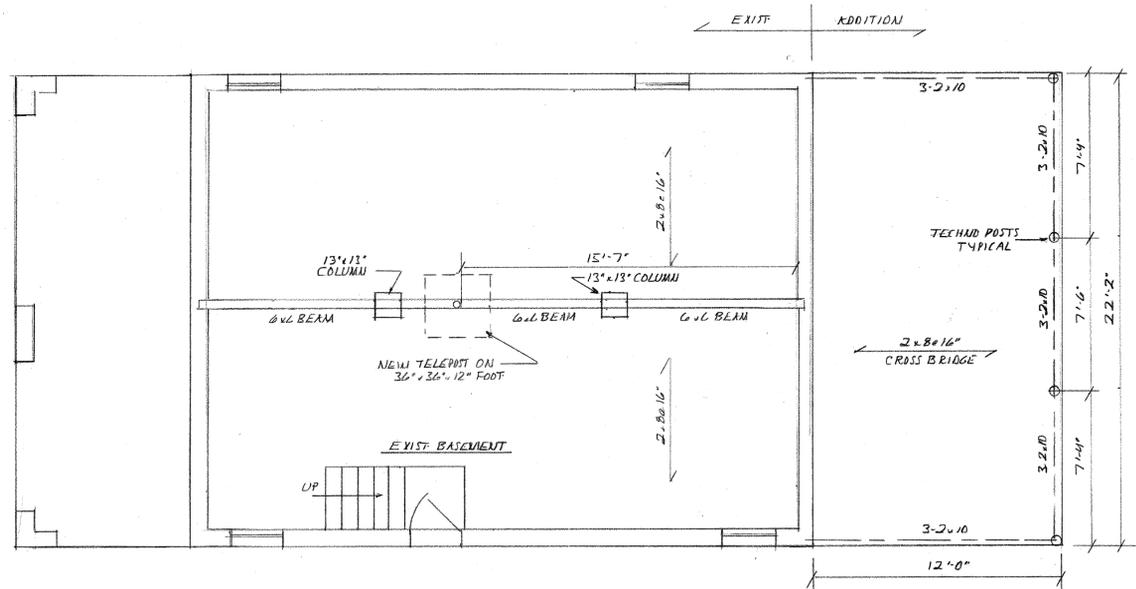
John W. Gage

See # 174005.. with approval of

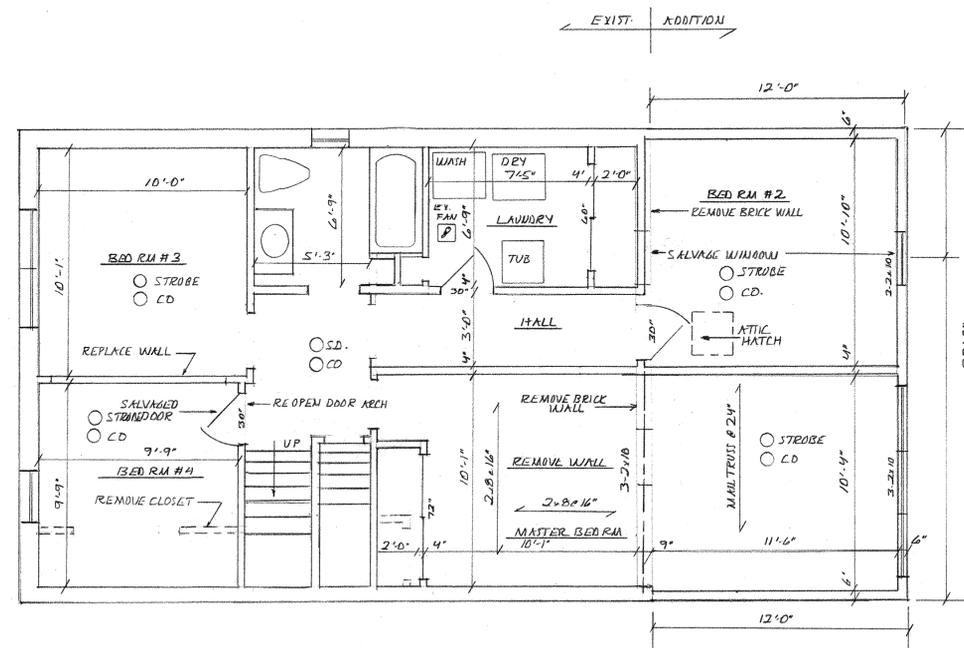
RTY OF

closed. H.

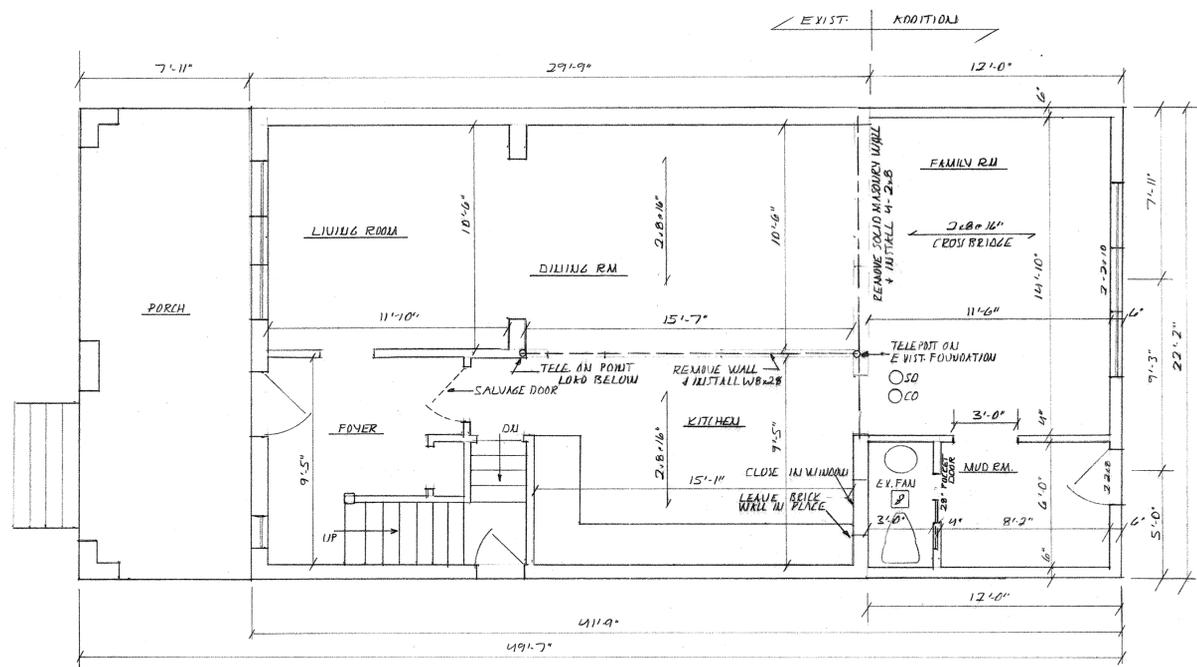




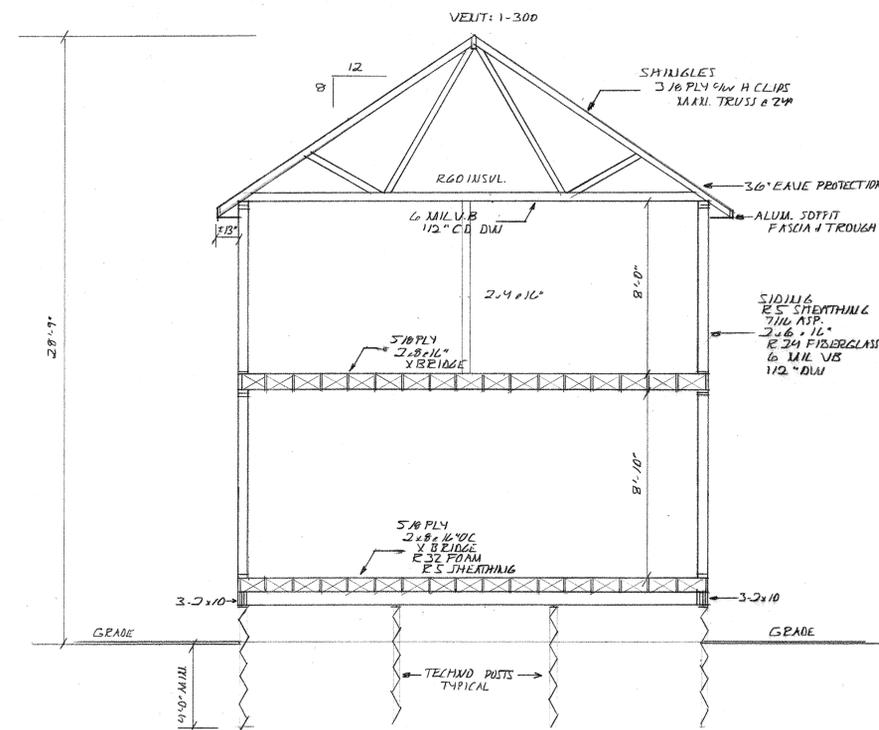
FOUNDATION



SECOND FLOOR

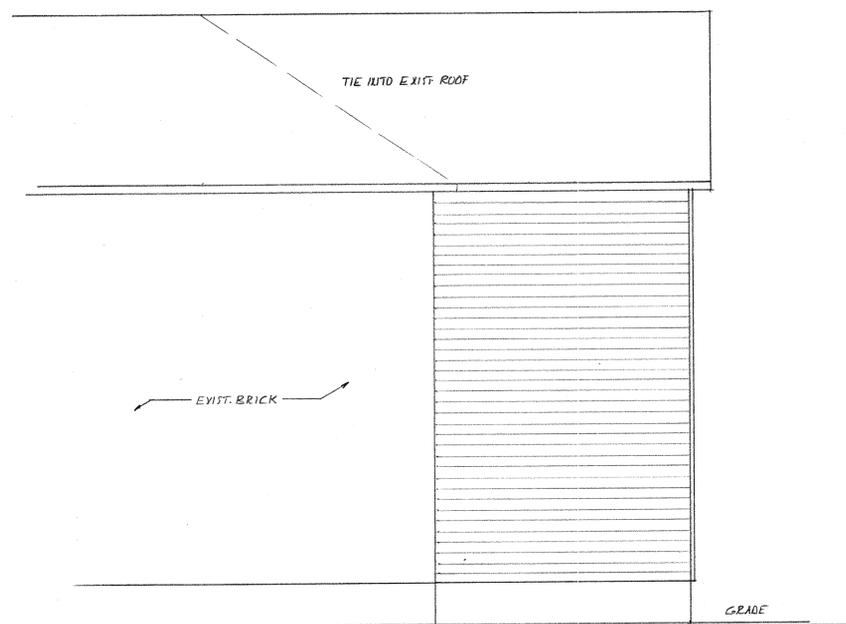


GROUND FLOOR

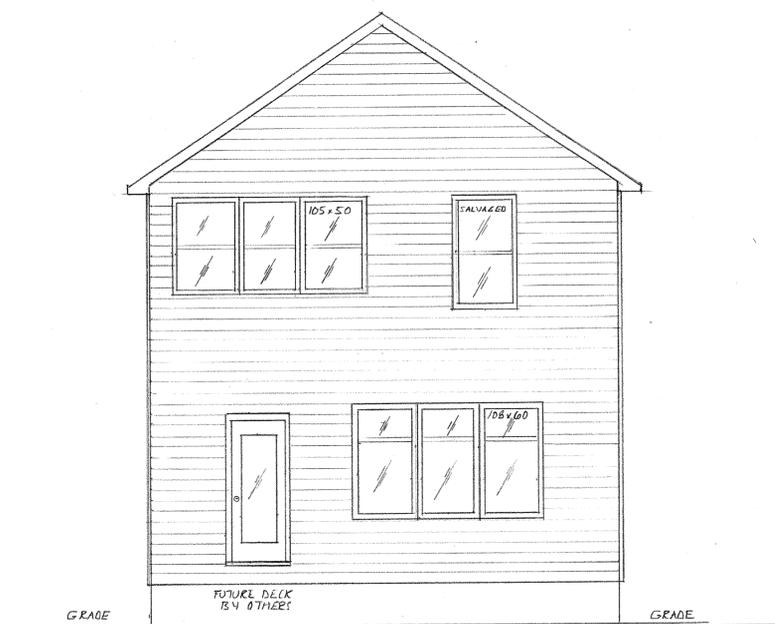


SECTION

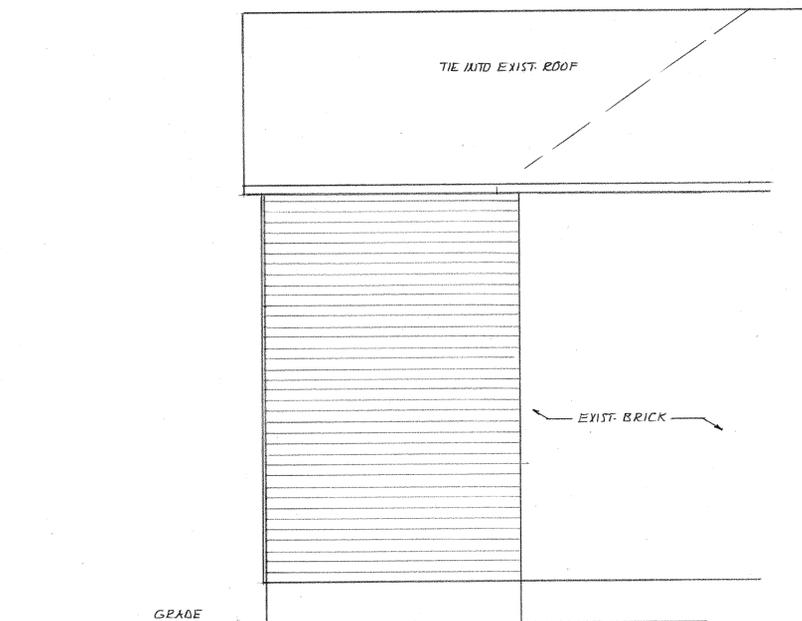
MILESKI RESIDENCE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: M.A.D.R.
DATE: 28-04-2020		REVISED:
31 HILDA AVE. HAMILTON		
MARCON CONSTRUCTION LTD		DRAWING NUMBER: 1 DF2



WEST ELEVATION



REAR ELEVATION



EAST ELEVATION

MILESKI RESIDENCE			
SCALE 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: M.D.R.	
DATE 28-02-2020		REVISED:	
31 HILDA AVE. HAMILTON			
MARCON CONSTRUCTION LTD			DRAWING NUMBER 2 OF 2



Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-179355

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>HM/A-20-1105</u>	DATE APPLICATION RECEIVED <u>Aug. 18/20</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 MIKE J HARTER MILESKI Telephone N

2.

3. Name of Agent MARK DABOER Telephone N

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 Mortgage Servicing Centre  
PO Box 115 Commerce Court Postal Code M5L 1E5  
Postal Station, Toronto ON  
 \_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

SIDE YARD ALLOWANCE IS SET AT 1.2m  
EXISTING HOME IS 0.68m

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

EXISTING HOME IS LEGAL NOW CONFORMING

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

LOT 53  
PLAN 989  
31 Hilda 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?

STANDARD BUILDING LOT IN CITY DEVELOPMENT  
 \_\_\_\_\_  
 \_\_\_\_\_

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.

August 12/2020  
 Date



Signature Property Owner

Heather Mileski MICHAEL MILESKE  
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 30'-0"  
 Depth 95'-0"  
 Area 2850<sup>sq</sup>  
 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: TWO STOREY HOME 29'-9" x 22'-2" = 659<sup>sq</sup> x 2 = 1318<sup>sq</sup>  
TOTAL HEIGHT 28'-9"  
DETACHED GARAGE 16'-0" x 21'-9" = 341<sup>sq</sup>  
HEIGHT OF 12'-4"

Proposed: REAR ADDITION 12'-0" x 22'-2" = 265<sup>sq</sup> 2 FLOORS = 532<sup>sq</sup>  
TOTAL HEIGHT 28'-9"

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

Existing: HOUSE FRONT 14.07' REAR 51.18' SIDE 5.7' SIDE 2.24'  
GARAGE FRONT 61.44' REAR 12.27' SIDE 0' SIDE 14.0'

Proposed: ADDITION FRONT 43.82'  
REAR 39.08'  
SIDE 5.70'  
SIDE 2.24'

13. Date of acquisition of subject lands:  
AUG 11 2006
14. Date of construction of all buildings and structures on subject lands:  
± 1900
15. Existing uses of the subject property: S.F.D.
16. Existing uses of abutting properties: S.F.D.
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTED
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:  
ZONE D
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes No  
 If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

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

From: Endeman, Rochelle Rochelle.Endeman@hamilton.ca  
Subject: RE: Variance  
Date: Jul 28, 2020 at 1:00:16 PM  
To: Marcon marconconstruction1@gmail.com

---

Hi Mark,

Here are the required setbacks in the Zone (D).  
Anything not conforming to these would require a variance.

Max Height: 14.0m

- (i) a front yard of a depth of at least 6.0 metres (19.69 feet); (79-288)  
(80-049)
- (ii) for a building or structure not over two and a half storeys or 11.0 metres (36.09 feet) in height, a side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet), and for any other building or structure, side yards of a width each of at least 2.7 metres (8.86 feet); and (6902/52)  
(79-288) (80-049)
- (iii) a rear yard of a depth of at least 7.5 metres (24.61 feet). (79-288)  
(80-049)

Sorry for the delay, as you know we were away. I also am supposed to be reducing my time at City hall, and am not supposed to handle any more paper permits as I am expecting, so I think it would be best if you couriered in or dropped off anything new that you have. There is now a drop off counter on the Main floor of City Hall, but they are not answering any questions there.

Thanks,

Rochelle Endeman  
Plans Examiner

To: Endeman, Rochelle <[Rochelle.Endeman@hamilton.ca](mailto:Rochelle.Endeman@hamilton.ca)>  
Subject: Re: Variance

Thanks Rochelle.

I still have a concern about the detached garage that is showing on the survey. It has been there since the home was built by the look of it and it is actually extending into the neighbours yard. Is that something I need to deal with on my application?

Your email reads two ways?

Are you handling more paper work than you were expecting or are YOU EXPECTING?

I don't want to start any rumours, but congrats if the two of you are EXPECTING.

I will attempt to drop my next application off to the main floor. Glad they are doing that now.

Regards

Mark Deboer  
Marcon Construction Ltd.  
905 332 9834

Sent from my iPad

On Jul 28, 2020, at 1:00 PM, Endeman, Rochelle  
<[Rochelle.Endeman@hamilton.ca](mailto:Rochelle.Endeman@hamilton.ca)> wrote:

Hi Mark,

From: Endeman, Rochelle Rochelle.Endeman@hamilton.ca  
Subject: RE: Variance  
Date: Jul 28, 2020 at 2:19:09 PM  
To: Marcon marconconstruction1@gmail.com

---

Hi Mark,

If you aren't making any changes to the existing garage, I wouldn't be concerned.

And yes - we are expecting 😊. Thanks!

Let me now if you need anything else...

Cheers,

Rochelle Endeman  
Plans Examiner  
Planning and Economic Development  
Building, City of Hamilton  
(905) 546-2424 Ext.3675

This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information which may be subject to the provision of the Municipal Freedom of Information & Protection of Privacy Act and/or is confidential. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify me immediately by telephone, fax or e-mail and permanently delete the original transmission, including any attachments, without making a copy.

-----Original Message-----

From: Marcon <[marconconstruction1@gmail.com](mailto:marconconstruction1@gmail.com)>  
Sent: Tuesday, July 28, 2020 1:53 PM





Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

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

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

**APPLICATION NO.:** HM/A-20:166

**APPLICANTS:** Owner: Nanan Mangroo  
 Agent: Ken Bekendam

**SUBJECT PROPERTY:** Municipal address **56 Stirton St., Hamilton**

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

**ZONING:** D (Urban Protected Residential - One and Two Family Dwellings Etc.) district

**PROPOSAL:** To permit the conversion of a single family dwelling to contain two (2) dwelling units notwithstanding that a minimum lot area of 205m<sup>2</sup> shall be provided instead of the minimum required lot area of 270m<sup>2</sup> for a residential conversion.

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

**DATE:** Thursday, September 17<sup>th</sup>, 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](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

### MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144

HM/A-20:165

Page 2

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

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

# 2 UNIT CONVERSION

56 STIRTON STREET - HAMILTON, ON.



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP



LEAD DESIGNER & CONSULTANT

**KEN BEKENDAM**  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

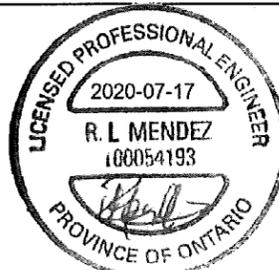


**LEGAL SECOND SUITES** .COM

LEAD ENGINEER

**ROBERT MENDEZ** P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS:

**56 STIRTON STREET  
HAMILTON, ON.**

**TITLE PAGE**



SCALE:

-

PROJECT:

**2 UNIT  
CONVERSION**

DATE:

**JUL 2020**

SHEET#:

**A0.01**

**GENERAL NOTES:**

- ALL CONSTRUCTION TO COMPLY WITH THE CURRENT ONTARIO BUILDING CODE (REVISED 2012 OBC – DEC 19, 2017).
  - ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING, MASONRY, OR CONCRETE SURFACES U.O.N.
  - ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENING.
  - CONTRACTOR SHALL VERIFY WINDOW OPENINGS WITH THE MANUFACTURER PRIOR TO WORK.
  - READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH ELECTRICAL PLANS SUPPLIED BY LICENSED ELECTRICAL CONTRACTOR.
  - ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND FIELD CONDITIONS BEFORE COMMENCING FABRICATION.
  - THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFORM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
  - PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
  - CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCE NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
  - THE CONTRACTOR IS NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.
  - EXISTING DRAINAGE PATTERNS TO REMAIN. ANY NEW SUMP PUMP INSTALLATIONS TO DISCHARGE IN REAR YARD. BUILDING FROM THESE SHALL PROCEED ONLY WHEN MARKED "ISSUED FOR CONSTRUCTION."
- EXISTING STRUCTURE NOTE:  
- OWNER AND CONTRACTOR ARE FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING GENERAL AND STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK.  
- OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK IF REQUIRED.

**CODE REFERENCES AND SPECIFICATIONS**

**1. FIRE PROTECTION MEASURES**

ALL FIRE PROTECTION MEASURES MUST COMPLY WITH OBC 9.10. (U.O.N.)

**2. CEILING HEIGHTS**

CEILING HEIGHTS SHALL COMPLY WITH OBC 9.5.3.1. AND PART 11 – C102 OF TABLE 11.5.1.1.C.

**PART 9:**

BASEMENT SPACE - 2 100 mm (6'-10 3/4") over at least 75% of the basement area except that under beams and ducts the clearance is permitted to be reduced to 1 950 mm (6'-4 7/8")

**PART 11 (COMPLIANCE ALTERNATIVE):**

- In a house,  
(a) minimum room height shall not be less than 1 950 mm (6'-4 7/8") over the required floor area and in any location that would normally be used as a means of egress, or  
(b) minimum room height shall not be less than 2 030 mm (6'-8") over at least 50% of the required floor area, provided that any part of the floor having a clear height of less than 1 400 mm (4'-7 1/8") shall not be considered in computing the required floor area.

**3. EGRESS FROM DWELLING UNIT**

EGRESS FROM DWELLING UNIT SHALL COMPLY WITH OBC 9.9.9 AND PART 11 COMPLIANCE – C136 OF TABLE 11.5.1.1.C.

**PART 9:**

**9.9.9.1. Travel Limit to Exits or Egress Doors**

- (1) Except as provided in Sentences (2) and (3), every dwelling unit containing more than 1 storey shall have exits or egress doors located so that it shall not be necessary to travel up or down more than 1 storey to reach a level served by,  
(a) an egress door to a public corridor, enclosed exit stair or exterior passageway, or  
(b) an exit doorway not more than 1 500 mm above adjacent ground level.  
(2) Where a dwelling unit is not located above or below another suite, the travel limit from a floor level in the dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level is served by an openable window or door,  
(a) providing an unobstructed opening of not less than 1 000 mm in height and 550 mm in width, and  
(b) located so that the sill is not more than,  
(i) 1 000 mm above the floor, and  
(ii) 7 m above adjacent ground level.  
(3) The travel limit from a floor level in a dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level has direct access to a balcony.

**9.9.9.2. Two Separate Exits**

- (1) Except as provided in Sentence 9.9.7.3.(1), where an egress door from a dwelling unit opens onto a public corridor or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in opposite directions to two separate exits unless the dwelling unit has a second and separate means of egress.

**9.9.9.3. Shared Egress Facilities**

- (1) A dwelling unit shall be provided with a second and separate means of egress where an egress door from the dwelling unit opens onto,  
(a) an exit stairway serving more than one suite,  
(b) a public corridor,  
(i) serving more than one suite, and  
(ii) served by a single exit,  
(c) an exterior passageway,  
(i) serving more than one suite,  
(ii) served by a single exit stairway or ramp, and  
(iii) more than 1.5 m above adjacent ground level, or  
(d) a balcony,  
(i) serving more than one suite,  
(ii) served by a single exit stairway or ramp, and  
(iii) more than 1.5 m above adjacent ground level.

**PART 11 (COMPLIANCE ALTERNATIVE):**

- In a house, exit requirements are acceptable if at least one of the following conditions exists:  
(a) a door, including a sliding door, that opens directly to the exterior from a dwelling unit, serves only that dwelling unit and has reasonable access to ground level, and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.,  
(b) an exit that is accessible to more than one dwelling unit and provides the only means of egress from each dwelling unit, provided that the means of egress is separated from the remainder of the building and common areas by a fire separation having a 30 min fire-resistance rating and provided further that the required access to exit from any dwelling unit cannot be through another dwelling unit, service room or other occupancy, and both dwelling units and common areas are provided with smoke alarms that are installed in conformance with Subsection 9.10.19. and are interconnected, or  
(c) access to an exit from one dwelling unit which leads through another dwelling unit where,  
(i) an additional means of escape is provided through a window that conforms to the following:  
(A) the sill height is not more than 1 000 mm above or below adjacent ground level,  
(B) the window can be opened from the inside without the use of tools,  
(C) the window has an individual unobstructed open portion having a minimum area of 0.38 m<sup>2</sup> with no dimension less than 460 mm  
(D) the sill height does not exceed 900 mm above the floor or fixed steps,  
(E) where the window opens into a window well, a clearance of not less than 1 000 mm shall be provided in front of the window, and  
(F) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected,  
(ii) an additional means of escape is provided through a window that conforms to the following:  
(A) the window is a casement window not less than 1 060 mm high, 560 mm wide, with a sill height not more than 900 mm above the inside floor,  
(B) the sill height of the window is not more than 5 m above adjacent ground level, and  
(C) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected, or (iii) the building is sprinklered and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.

**4. EGRESS FROM BEDROOMS**

EGRESS FROM BEDROOMS SHALL COMPLY WITH OBC 9.9.10.1

**PART 9:**

- (1) Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with at least one outside window that,  
(a) is openable from the inside without the use of tools,  
(b) provides an individual, unobstructed open portion having a minimum area of 0.35 m<sup>2</sup> with no dimension less than 380 mm, and  
(c) maintains the required opening described in Clause (b) without the need for additional support.  
(2) Except for basement areas, the window required in Sentence (1) shall have a maximum sill height of 1000 mm above the floor.  
(3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window.  
(4) Where the sleeping area within a live/work unit is on a mezzanine with no obstructions more than 1 070 mm above the floor, the window required in Sentence (1) may be provided on the main level of the live/work unit provided the mezzanine is not more than 25% of the area of the live/work unit or 20 m<sup>2</sup>, whichever is less, and an unobstructed direct path of travel is provided from the mezzanine to this window.  
(5) Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window.  
(6) Where the sash of a window referred to in Sentence (5) swings towards the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency.  
(7) Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be openable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

**5. SMOKE ALARMS**

SMOKE ALARMS SHALL COMPLY WITH OBC 9.10.19. AND PART 11 COMPLIANCE – C175 OF TABLE 11.5.1.1.C.

**PART 9:**

**9.10.19.1. Required Smoke Alarms**

- (2) Smoke alarms conforming to CAN/ULC-S531, "Smoke Alarms", shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit.  
(3) Smoke alarms required in Sentence (1) shall have a visual signalling component conforming to the requirements in 18.5.3. (Light, Color and Pulse Characteristics) of NFPA 72, "National Fire Alarm and Signaling Code".  
(4) The visual signalling component required in Sentence (2) need not, (a) be integrated with the smoke alarm provided if it is interconnected to it, (b) be on battery backup, or (c) have synchronized flash rates, when installed in a dwelling unit.  
(5) The luminous intensity for visual signalling components required in Sentence (2) that are installed in sleeping rooms shall be a minimum of 175 cd.  
(6) Smoke alarms required in Sentence (1) shall be installed on or near the ceiling.

**9.10.19.3. Location of Smoke Alarms**

- (1) Within dwelling units, sufficient smoke alarms shall be installed so that,  
(a) there is at least one smoke alarm installed on each storey, including basements, and  
(b) on any storey of a dwelling unit containing sleeping rooms, a smoke alarm is installed,  
(i) in each sleeping room, and  
(ii) in a location between the sleeping rooms and the remainder of the storey, and if the sleeping rooms are served by a hallway, the smoke alarm shall be located in the hallway.  
(2) Within a house that contains an interior shared means of egress or common area, a smoke alarm shall be installed in each shared means of egress and common area.  
(3) A smoke alarm required in Sentences (1) and (2) shall be installed in conformance with CAN/ULC-S553, "Installation of Smoke Alarms".

**9.10.19.4. Power Supply**

- (1) Except as provided in Sentences (2) and (3), smoke alarms required in Sentences 9.10.19.1.(1) and 9.10.19.3.(2) shall,  
(a) be installed with permanent connections to an electrical circuit,  
(b) have no disconnect switch between the overcurrent device and the smoke alarm, and  
(c) in case the regular power supply to the smoke alarm is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the smoke alarm for a period of not less than 7 days in the normal condition, followed by 4 min of alarm.

**9.10.19.5. Interconnection of Smoke Alarms**

- (1) Where more than one smoke alarm is required in a dwelling unit, the smoke alarms shall be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound.

**PART 11 (COMPLIANCE ALTERNATIVE):**

Smoke alarms may be battery operated.



**LEAD DESIGNER & CONSULTANT**

**KEN BEKENDAM**  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

**LEAD ENGINEER** **ROBERT MENDEZ** P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572

www.legalsecondsuites.com





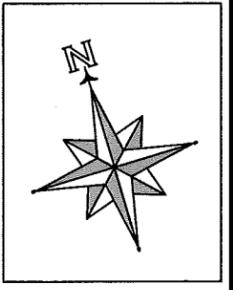
**R. L. MENDEZ**  
100054193  
PROVINCE OF ONTARIO

ADDRESS:

**56 STIRTON STREET  
HAMILTON, ON.**

---

**CONSTRUCTION NOTES 1 OF 2**



SCALE:

-

---

PROJECT:

**2 UNIT  
CONVERSION**

DATE:

**JUL 2020**

---

SHEET#:

**A0.02**

**6. CARBON MONOXIDE ALARMS**

CARBON MONOXIDE ALARMS SHALL COMPLY WITH OBC 9.33.4. AND PART 11 COMPLIANCE - C197 OF TABLE 11.5.1.1.C.

**PART 9:**

**9.33.4.1. Application**

- (1) This Subsection applies to every building that
  - (a) contains a residential occupancy, and
  - (b) contains a fuel-burning appliance or a storage garage.

**9.33.4.2. Location of Carbon Monoxide Alarms**

- (1) Where a fuel-burning appliance is installed in a suite of residential occupancy, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the suite.
- (2) Where a fuel-burning appliance is installed in a service room that is not in a suite of residential occupancy, a carbon monoxide alarm shall be installed,
  - (a) adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the service room, and
  - (b) in the service room.
- (3) Where a storage garage is located in a building containing a residential occupancy, a carbon monoxide alarm shall be installed adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the storage garage.
- (4) Where a storage garage serves only the dwelling unit to which it is attached or built in, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the dwelling unit.
- (5) A carbon monoxide alarm shall be mechanically fixed,
  - (a) at the manufacturer's recommended height, or
  - (b) in the absence of specific instructions, on or near the ceiling.

**9.33.4.3. Installation and Conformance to Standards**

- (1) The carbon monoxide alarm required by Article 9.33.4.2. shall,
  - (a) except as permitted in Sentence (2), be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide alarm,
  - (b) be wired so that its activation will activate all carbon monoxide alarms within the suite, where located within a suite of residential occupancy,
  - (c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area, and
  - (d) conform to,
    - (i) CAN/CSA-6.19, "Residential Carbon Monoxide Alarming Devices", or
    - (ii) UL 2034, "Single and Multiple Station Carbon Monoxide Alarms".
- (2) Where the building is not supplied with electrical power, carbon monoxide alarms are permitted to be battery operated.

**PART 11 (COMPLIANCE ALTERNATIVE):**

Carbon monoxide alarms may be battery operated or plugged into an electrical outlet.

**7. FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES**

FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES SHALL COMPLY WITH OBC 9.10.8.3 AND PART 11 COMPLIANCE - C147 OF TABLE 11.5.1.1.C.

**PART 9:**

- (1) Except as otherwise provided in this Subsection, all load bearing walls, columns and arches in the storey immediately below a floor or roof assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly.

**PART 11 (COMPLIANCE ALTERNATIVE):**

- (a) Except as provided in (b) and (c), 30 min rating is acceptable.
- (b) In a house, 15 min horizontal fire separation is acceptable where,
  - (i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
  - (ii) smoke alarms are interconnected.
- (c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.

**8. SEPARATION OF SERVICE ROOMS**

SEPARATION OF SERVICE ROOMS SHALL COMPLY WITH OBC 9.10.10.4

**PART 9:**

9.10.10.1. Appliances and Equipment to be Located in a Service Room

- (1) Except as provided in Sentences (2) and (3) and Article 9.10.10.5., fuel-fired appliances shall be located in a service room separated from the remainder of the building by a fire separation having not less than a 1 h fire-resistance rating.
- (2) Except as required in the appliance installation standards referenced in Sentences 6.2.1.4.(1) and 9.33.1.2.(1), fuel fired spaceheating appliances, space-cooling appliances and service water heaters need not be separated from the remainder of the building as required in Sentence (1) where the equipment serves,
  - (a) not more than one room or suite,
  - (b) a house, or
  - (c) a building, other than a house, with a building area of not more than 400 m<sup>2</sup> and a building height of not more than 2 storeys.
- (3) Sentence (1) does not apply to fireplaces and cooking appliances.

**9. SEPARATION OF RESIDENTIAL SUITES**

SEPARATION OF RESIDENTIAL SUITES SHALL COMPLY WITH OBC 9.10.9.14 AND PART 11 COMPLIANCE - C152 OF TABLE 11.5.1.1.C.

**PART 9:**

- (1) Except as provided in Sentences (2) and (3) and Article 9.10.21.2., suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 min.
- (2) Sleeping rooms in boarding, lodging or rooming houses where sleeping accommodation is provided for not more than 8 boarders or lodgers shall be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 30 min where the sleeping rooms form part of the proprietor's residence and do not contain cooking facilities.
- (3) Except as provided in Sentences (4) and (5), dwelling units that contain 2 or more storeys including basements shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h.
- (4) Except as provided in Sentence (5), dwelling units in a house shall be separated from each other and common areas by a fire separation having a fire-resistance rating of not less than 45 min.
- (5) The fire-resistance rating of the fire separation required in Sentence (4) is permitted to be waived where the house is sprinklered.

**PART 11 (COMPLIANCE ALTERNATIVE):**

- (a) Except as provided in (b) and (c), 30 min fire separation is acceptable.
- (b) In a house, 15 min horizontal fire separation is acceptable where,
  - (i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
  - (ii) smoke alarms are interconnected.
- (c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.

**10. CLOSURES (DOORS):**

CLOSURES SHALL COMPLY WITH OBC 9.10.13.1 AND PART 11 COMPLIANCE - C155 OF TABLE 11.5.1.1.C.

**PART 9:**

- (1) Except as provided in Article 9.10.13.2., openings in required fire separations shall be protected with a closure conforming to Table 9.10.13.1. and shall be installed in conformance with NFPA 80, Fire Doors and Other Opening Protectives, unless otherwise specified in this Part.

**PART 11 (COMPLIANCE ALTERNATIVE):**

- Existing functional closures are acceptable subject to C.A.'s C8 and C156.
  - (a) Existing functional and sound doors in existing buildings that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min,
  - (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1.5 h labels are acceptable in lieu of current 1.5 h labels and may contain wired glass panels not exceeding 0.0645 m<sup>2</sup>, at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and
  - (c) every fire door, window assembly or glass block used as a closure in a required fire separation shall be installed in conformance with good engineering practice. In a house, existing unlabelled doors at least 45 mm solid core wood or metal clad are acceptable. For existing closures, ratings of 20 min will not be required where the entire floor area is sprinklered.

**11. LAUNDRY FIXTURES**

LAUNDRY FIXTURES SHALL COMPLY WITH OBC 9.31.4.2.

**PART 9:**

- (1) Laundry facilities or a space for laundry facilities shall be provided in every dwelling unit or grouped elsewhere in the building in a location conveniently accessible to occupants of every dwelling unit.

**12. NATURAL VENTILATION**

NATURAL VENTILATION SHALL COMPLY WITH OBC 9.32.2.1 AND PART 11 COMPLIANCE - C194 OF TABLE 11.5.1.1.C.

**PART 9:**

- (1) The unobstructed openable ventilation area to the outdoors for rooms and spaces in a residential occupancy ventilated by natural means shall conform to Table 9.32.2.1.

**PART 11 (COMPLIANCE ALTERNATIVE):**

In a house, rooms or spaces to be ventilated by natural means in accordance with Subsection 9.32.2. or by providing adequate mechanical ventilation.

**13. ELECTRICAL FACILITIES**

ELECTRICAL FACILITIES SHALL COMPLY WITH OBC 9.34.

**14. INTERCONNECTION OF SYSTEMS**

INTERCONNECTION OF SYSTEMS SHALL COMPLY WITH OBC 6.2.3.9 AND PART 11 COMPLIANCE - C91 OF TABLE 11.5.1.1.C.

**PART 6:**

- (1) In a residential occupancy, air from one suite shall not be circulated to any other suite or to a public corridor or public stairway.

**PART 11 (COMPLIANCE ALTERNATIVE):**

In a building containing not more than four dwelling units or residential suites, the existing heating or air-conditioning system may be altered to serve more than one dwelling unit or suite, provided smoke alarms are installed in each dwelling unit or suite and provided a smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detector.

**15. PENETRATIONS**

PIPING, TUBING, DUCTS, CHIMNEYS, WIRING, CONDUIT, ELECTRICAL OUTLET BOXES AND OTHER SIMILAR SERVICE EQUIPMENT THAT PENETRATE A FIRE SEPARATION MUST BE NON COMBUSTIBLE AND FIRE STOPPED.

**16. PLUMBING**

ALL PLUMBING MUST CONFORM TO O.REG.332/12, DIV. B PART 7 OF THE BUILDING CODE

**17. HANDRAILS AND GUARDRAILS**

INSTALL HANDRAILS AND GUARDRAILS IN ACCORDANCE WITH 9.8.7. AND 9.8.8 OF THE BUILDING CODE RESPECTIVELY

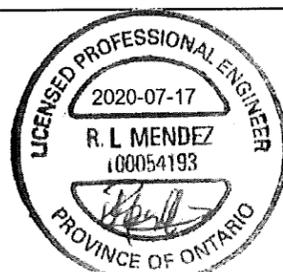


LEAD DESIGNER & CONSULTANT

**KEN BEKENDAM**  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

LEAD ENGINEER

**ROBERT MENDEZ** P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572



ADDRESS:

**56 STIRTON STREET  
HAMILTON, ON.**

**CONSTRUCTION NOTES 2 OF 2**



SCALE:

-

DATE:

**JUL 2020**

PROJECT:

**2 UNIT  
CONVERSION**

SHEET#:

**A0.03**

**SITE INFORMATION & STATISTICS**

ADDRESS	56 STIRTON STREET - HAMILTON - ON.		
ZONING TYPE	D		
LOT AREA	2259.63 SQ FT (209.92 SQ M)		
LOT FRONTAGE	24.58' (7.49m)		
FLOOR AREAS	ALLOWED	EXISTING	PROPOSED
BASEMENT			NO CHANGE
MAIN FLOOR			NO CHANGE
SECOND FLOOR			NO CHANGE
THIRD FLOOR			NO CHANGE
SETBACKS			
FRONT			NO CHANGE
SIDE			NO CHANGE
BACK			NO CHANGE
SIDE			NO CHANGE

**GENERAL NOTES:**

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS 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 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WIT LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

**EXISTING STRUCTURE NOTE:**

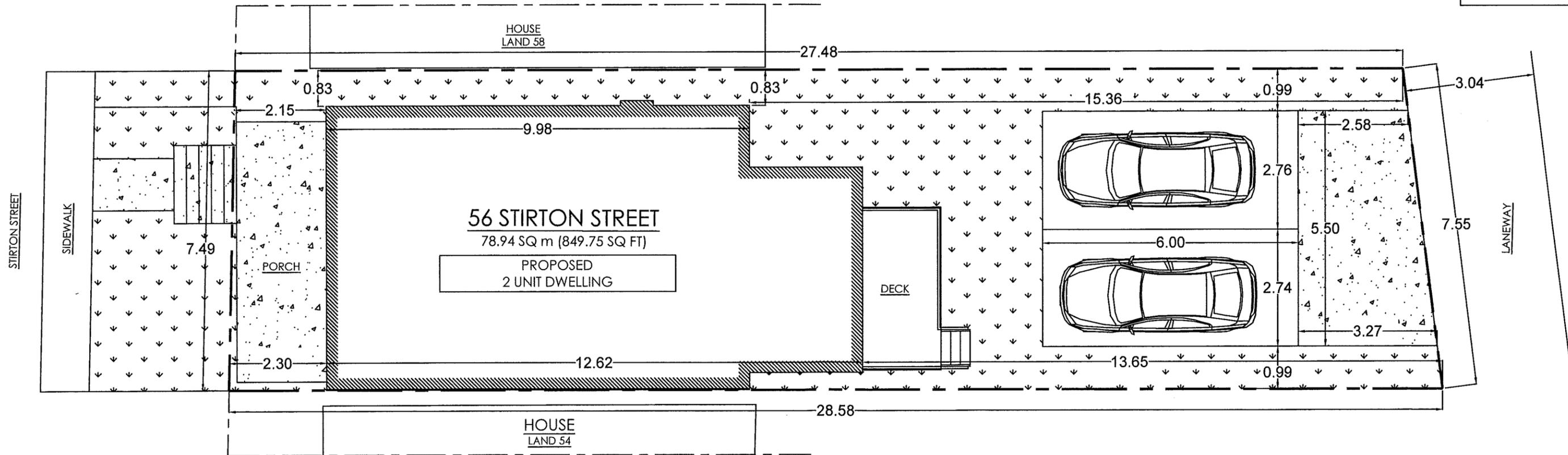
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

**BUILDING CODE COMPLIANCE NOTE:**

THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

**SITE PLAN:**

BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES





**KING HOMES**  
DESIGN | BUILD | MANAGE

**LEAD DESIGNER & CONSULTANT** **KEN BEKENDAM**  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

**LEAD ENGINEER** **ROBERT MENDEZ P. ENG.** 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572

www.legalsecondsuites.com



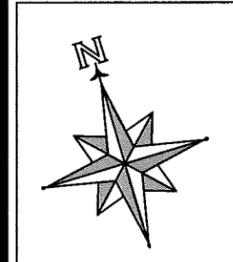
**LEGAL  
SECOND  
SUITES**



LICENSED PROFESSIONAL ENGINEER  
2020-07-14  
**R. L. MENDEZ**  
100054193  
PROVINCE OF ONTARIO

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**SITE PLAN METRIC**

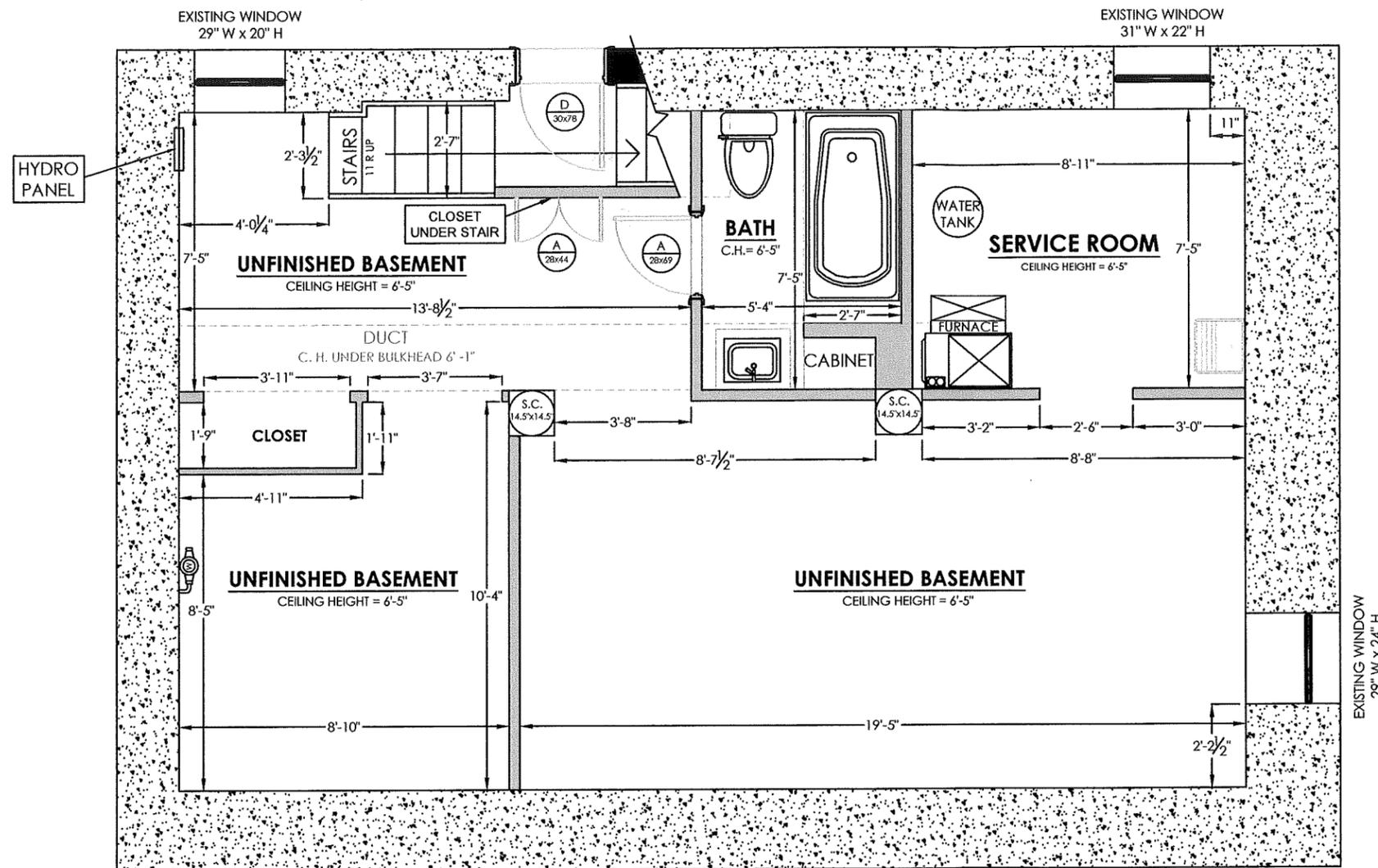


SCALE: **1/8" = 1'**

PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUN 2020**

SHEET#: **SP1.02**



PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	C.E.H. = 8'-10"
	STRUCTURAL BEAM OR WALL
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	NEW STRUCTURAL BEAMS
	WINDOWS
	SUPPLY REGISTER
	RETURN GRILLE
DOOR LEGEND	
	DOOR TYPE
	DOOR SIZE
A. PANEL DOOR B. FIRE DOOR w/ SELF CLOSER (45 MIN) C. FIRE DOOR w/ SELF CLOSER (20 MIN) D. EXTERIOR DOOR E. BIFOLD CLOSET F. SLIDING DOOR G. POCKET DOOR	

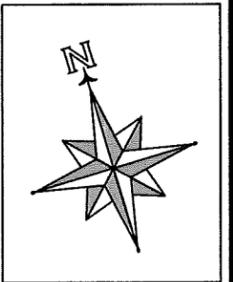
**LEAD DESIGNER & CONSULTANT**  
**KEN BEKENDAM**  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER** **ROBERT MENDEZ** P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572  
 www.legalsecondsuites.com

**LICENSED PROFESSIONAL ENGINEER**  
 2020-07-17  
**R. L. MENDEZ**  
 100054193  
 PROVINCE OF ONTARIO

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**EXISTING BASEMENT**

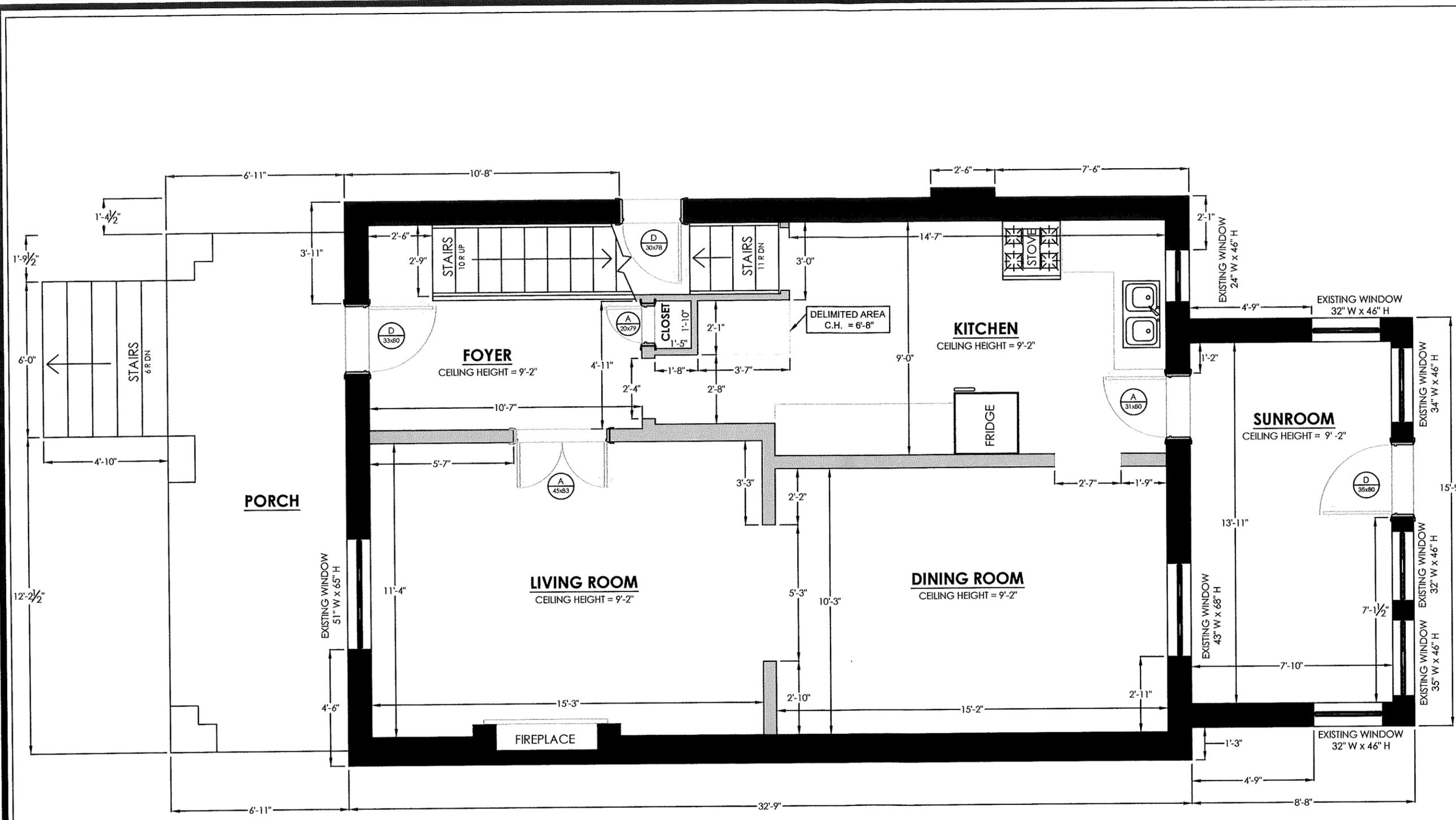


SCALE: **1/4" = 1'**

PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUL 2020**

SHEET#: **A1.01**



BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
C.M.A	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	NEW STRUCTURAL BEAMS
	WINDOWS
	SUPPLY REGISTER
	RETURN GRILLE
	DOOR TYPE
	DOOR SIZE

DOOR LEGEND
A. PANEL DOOR
B. FIRE DOOR w/ SELF CLOSER (45 MIN)
C. FIRE DOOR w/ SELF CLOSER (20 MIN)
D. EXTERIOR DOOR
E. BIFOLD CLOSET
F. SLIDING DOOR
G. POCKET DOOR

**KING HOMES**  
DESIGN | BUILD | MANAGE

**LEAD DESIGNER & CONSULTANT**  
KEN BEKENDAM  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

**LEAD ENGINEER** ROBERT MENDEZ P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572

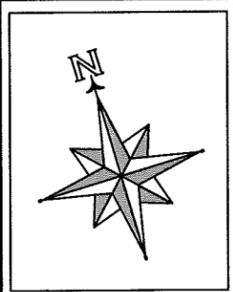
www.legalsecondsuites.com

**LEGAL  
SECOND  
SUITES** .COM

LICENCED PROFESSIONAL ENGINEER  
2020-07-17  
R. L. MENDEZ  
100054193  
PROVINCE OF ONTARIO

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**EXISTING GROUND FLOOR**



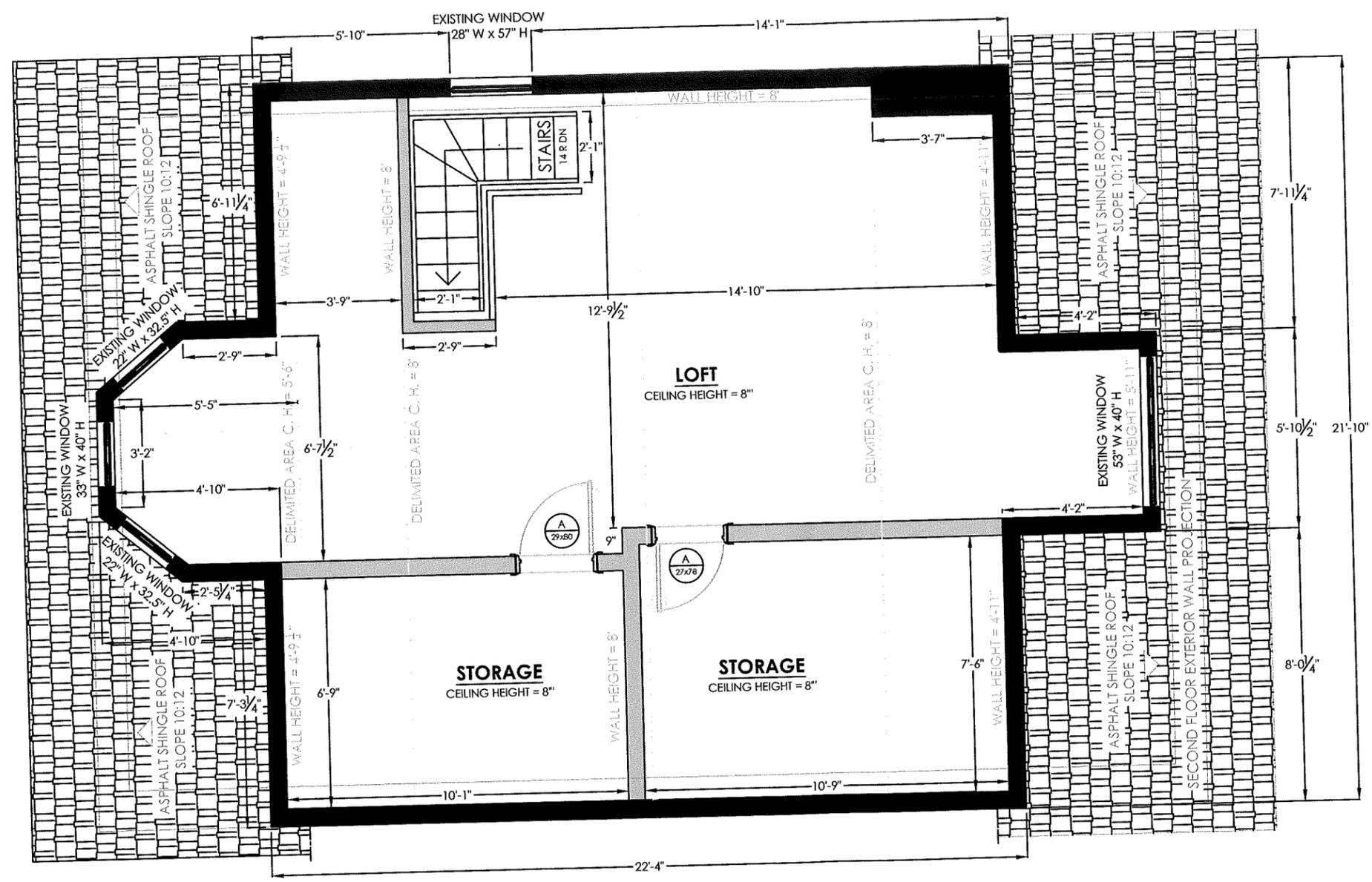
SCALE:  
**1/4" = 1'**

PROJECT:  
**2 UNIT  
CONVERSION**

DATE:  
**JUL 2020**

SHEET#:  
**A1.02**





PLANS LEGEND	
BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE
A-30x60	DOOR TYPE DOOR SIZE

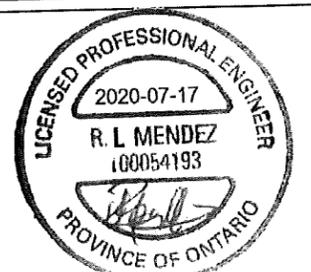
  

DOOR LEGEND	
A	PANEL DOOR
B	FIRE DOOR w/ SELF CLOSER (45 MIN)
C	FIRE DOOR w/ SELF CLOSER (20 MIN)
D	EXTERIOR DOOR
E	BIFOLD CLOSET
F	SLIDING DOOR
G	POCKET DOOR



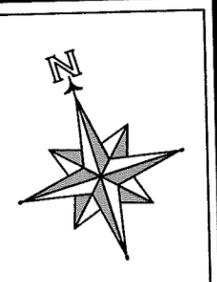
**LEAD DESIGNER & CONSULTANT**  
 KEN BEKENDAM  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER**  
 ROBERT MENDEZ P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572



ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**EXISTING ATTIC**

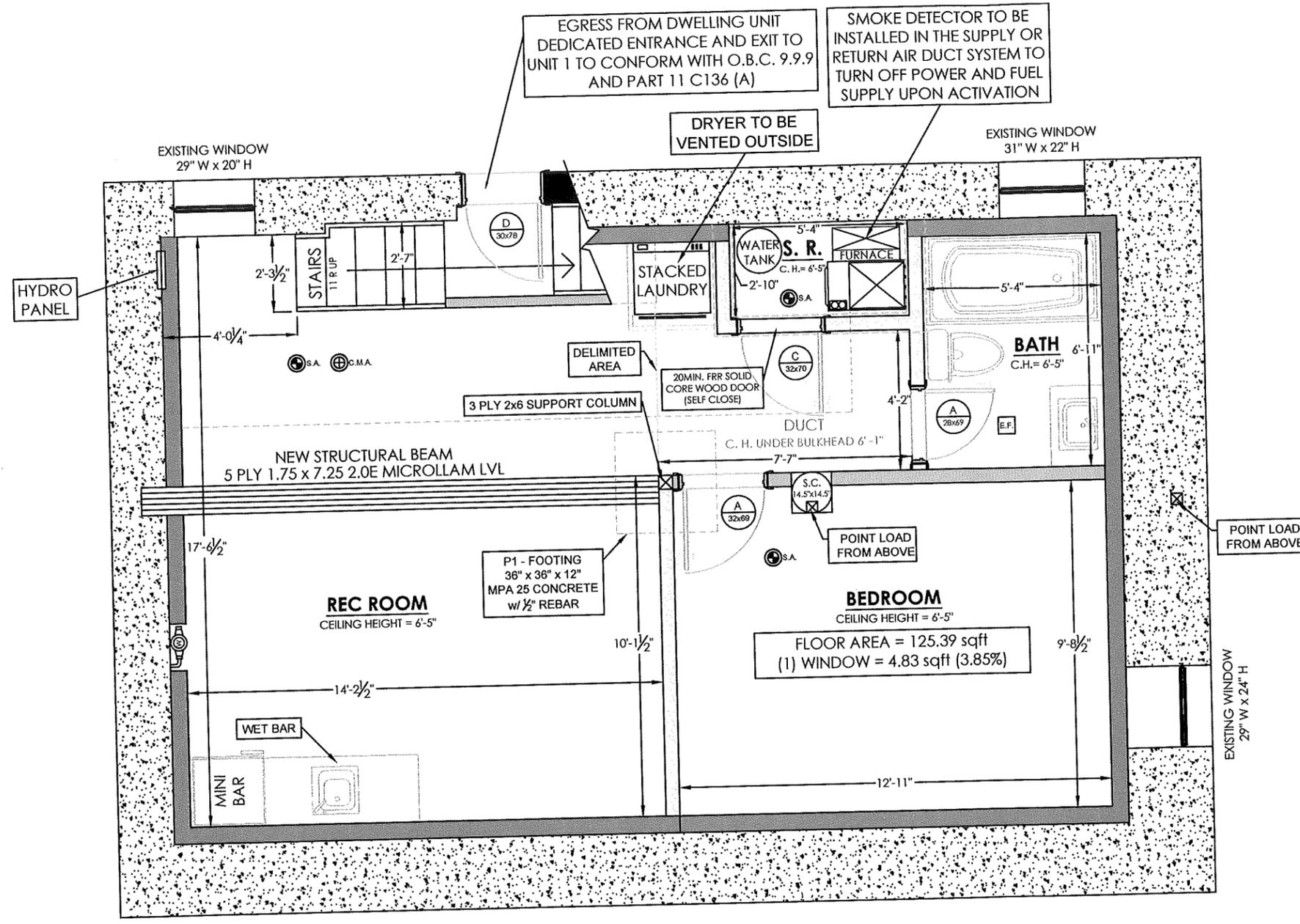


SCALE: **1/4" = 1'**

PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUL 2020**

SHEET#: **A1.04**



UNIT #1 - GFA = 1072.98 SQFT  
 MAIN FLOOR = 624.92 SQFT  
 BASEMENT = 448.06 SQFT  
 EXIT = 53.84 SQFT

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

**SEPARATION OF SERVICE ROOM:**

- SERVICE ROOM TO CONFORM WITH OBC SECTION 9.10.10.4

**IMPORTANT NOTE:**

- SERVICE ROOM NO LONGER REQUIRES FIRE SEPARATION TO PROVIDE FIRE SEPARATION FROM BOTH UNITS AS IT IS NOW EXEMPT UNDER 9.10.10.4 (2)(b) FOR A "HOUSE", DEFINED IN O.B.C. AS "a detached house, semi-detached house or row house containing not more than two dwelling units"

VERTICAL PARTITIONS STILL REQUIRE FIRE SEPARATION TO PROVIDE FIRE RESISTANCE RATING BETWEEN DWELLING UNITS. W4A

- NEW 2 x 4 STUD WALL SPACED 16" O.C.
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 24" O.C.
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

GYPSUM BOARD INSIDE SERVICE ROOM TO EXTEND INTO JOIST CAVITY AND BUTTED TIGHTLY AGAINST FLOOR JOISTS AND SUBFLOOR ABOVE

- SMALL GAPS TO BE CAULKED WITH FIRE BARRIER SEALANT IN ACCORDANCE WITH CAN/ULC/S115

**IMPORTANT - ADEQUATE COMBUSTION AIR NEEDED FOR APPLIANCES**

**SEPARATION BETWEEN UNITS:**

NEW SEPARATION BETWEEN UNITS TO HAVE A FIRE RESISTANCE RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 AND PART 11 COMPLIANCE - C152 AND STC50

**BASEMENT CEILING (SEPARATING SECOND SUITE: F8D NEW PORTIONS ONLY)**

- EX. WOOD JOISTS @ 16" O.C.
- 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M)
- RESILIENT METAL CHANNELS SPACED @ 16" O.C.
- 1 LAYER 5/8" TYPE X GYPSUM BC

**NEW SHARED PARTITIONS: W4A**

- NEW 2 x 4 STUD WALL SPACED 16" O.C.
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 24" O.C.
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BC

**EXISTING SHARED PARTITIONS:**

- EX. 1/2" REGULAR GYPSUM BOARD TO REMAIN AS IS
- ADDITIONAL LAYER OF 5/8" TYPE X TO BE APPLIED OVER EXISTING

EX. LATH AND PLASTER TO REMAIN AS IS

- MEETS A 30 MIN FRR AS PER ONTARIO FIRE MARSHALL
- WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**EXISTING CEILING (15 MIN FRR BETWEEN DWELLING UNITS)**

- EX. 1/2" REGULAR GYPSUM BOARD OR PLASTER TO REMAIN
- AS PER PART 11 C143.1. HUD REHABILITATION GUIDELINES, "GUIDELINE ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLES"
- WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**FOR PIPE AND WIRE PENETRATIONS:**

- USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB+)

**FOR HVAC DUCTING:**

- ADDRESSED WITH IN-DUCT SMOKE DETECTOR:
- SEE NOTE NEAR FURNACE ON FLOOR PLAN

**FOR SERVICE ITEMS IN FIRE SEPARATION (VALVES, METERS, ELECTRICAL BOXES, ETC.):**

- USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	NEW STRUCTURAL BEAMS
	WINDOWS
	SUPPLY REGISTER
	RETURN GRILLE
	DOOR TYPE
	DOOR SIZE

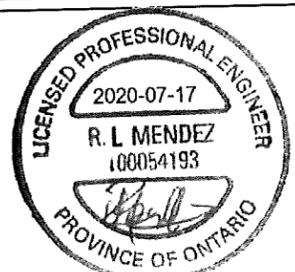
  

DOOR LEGEND	
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR



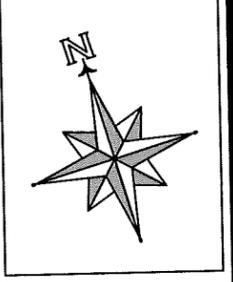
**LEAD DESIGNER & CONSULTANT**  
 KEN BEKENDAM  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER**  
 ROBERT MENDEZ P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572



ADDRESS: **56 STIRTON STREET HAMILTON, ON.**

**PROPOSED BASEMENT UNIT #1**



SCALE: **1/4" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **JUL 2020**

SHEET#: **A1.05**

**SEPARATION BETWEEN UNITS:**  
 NEW SEPARATION BETWEEN UNITS TO HAVE A FIRE RESISTANCE RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 AND PART 11 COMPLIANCE - C152 AND STC50

**BASEMENT CEILING (SEPARATING SECOND SUITE; F8D NEW PORTIONS ONLY)**  
 - EX. WOOD JOISTS @ 16" O.C.  
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M)  
 - RESILIENT METAL CHANNELS SPACED @ 16" O.C.  
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

**NEW SHARED PARTITIONS: W4A**  
 - NEW 2 x 4 STUD WALL SPACED 16" O.C.  
 - 3.5" THICK ABSORPTIVE MATERIAL  
 - RESILIENT METAL CHANNELS SPACED 24" O.C.  
 - 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE  
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

**EXISTING SHARED PARTITIONS:**  
 EX. 1/2" REGULAR GYPSUM BOARD TO REMAIN AS IS  
 - ADDITIONAL LAYER OF 5/8" TYPE X TO BE APPLIED OVER EXISTING

EX. LATH AND PLASTER TO REMAIN AS IS  
 - MEETS A 30 MIN FRR AS PER ONTARIO FIRE MARSHALL  
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**EXISTING CEILING (15 MIN FRR BETWEEN DWELLING UNITS)**  
 - EX. 1/2" REGULAR GYPSUM BOARD OR PLASTER TO REMAIN  
 - AS PER PART 11 C143.1, HUD REHABILITATION GUIDELINES, "GUIDELINE ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLES"  
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**FOR PIPE AND WIRE PENETRATIONS:**  
 - USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB+)

**FOR HVAC DUCTING:**  
 - ADDRESSED WITH IN-DUCT SMOKE DETECTOR  
 - SEE NOTE NEAR FURNACE ON FLOOR PLAN

**FOR SERVICE ITEMS IN FIRE SEPARTATION (VALVES, METERS, ELECTRICAL BOXES, ETC):**  
 - USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

UNIT #1 - GFA = 1072.98 SQFT  
 MAIN FLOOR = 624.92 SQFT  
 BASEMENT = 448.06 SQFT  
 EXIT = 53.84 SQFT

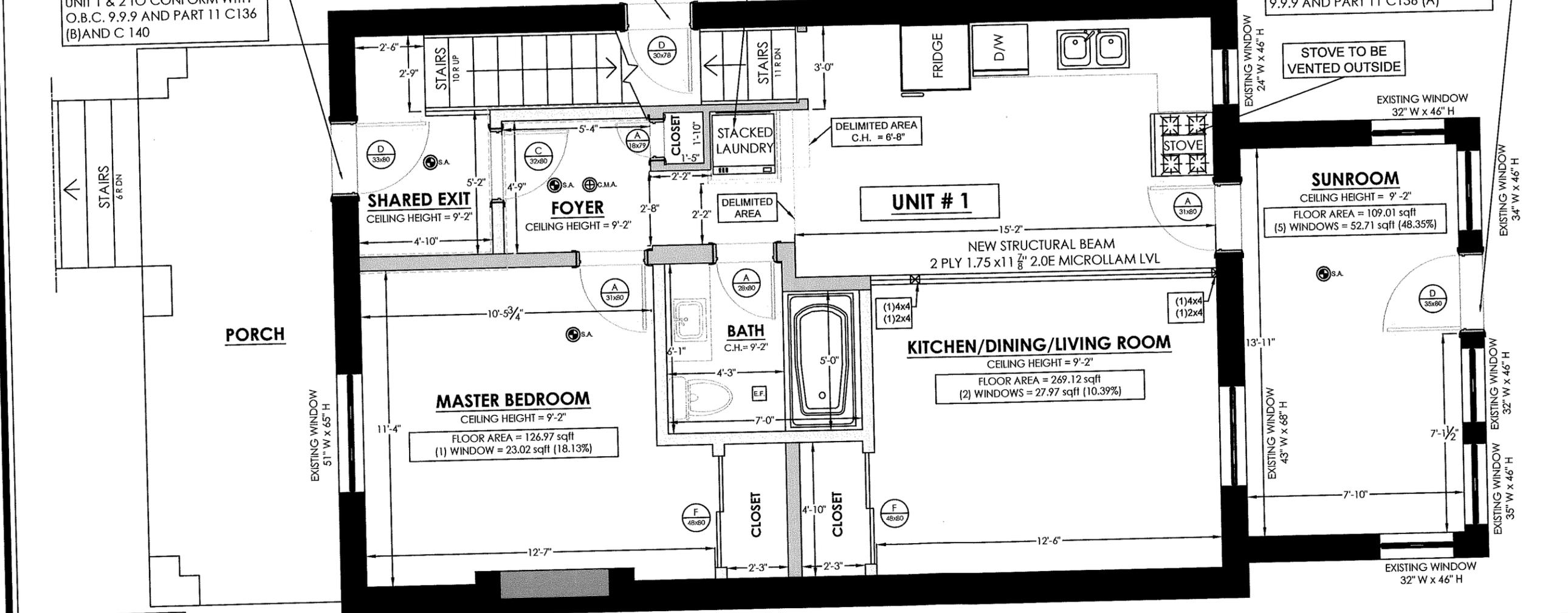
EGRESS FROM DWELLING UNIT SHARED ENTRANCE AND EXIT TO UNIT 1 & 2 TO CONFORM WITH O.B.C. 9.9.9 AND PART 11 C136 (B) AND C 140

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT 1 TO CONFORM WITH O.B.C. 9.9.9 AND PART 11 C136 (A)

DRYER TO BE VENTED OUTSIDE

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT 1 TO CONFORM WITH O.B.C. 9.9.9 AND PART 11 C136 (A)

STOVE TO BE VENTED OUTSIDE



BATH	ROOM NAME
E.F.	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
[Symbol]	WATER METER
F.D.	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

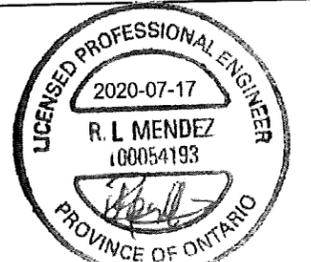
DOOR LEGEND
A. PANEL DOOR
B. FIRE DOOR w/ SELF CLOSER (45 MIN)
C. FIRE DOOR w/ SELF CLOSER (20 MIN)
D. EXTERIOR DOOR
E. BIFOLD CLOSET
F. SLIDING DOOR
G. POCKET DOOR

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED



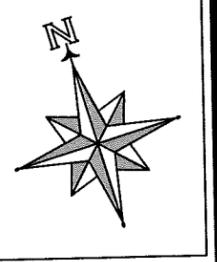
**LEAD DESIGNER & CONSULTANT**  
 KEN BEKENDAM  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER**  
 ROBERT MENDEZ P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572



ADDRESS: **56 STIRTON STREET  
 HAMILTON, ON.**

**PROPOSED GROUND FLOOR  
 UNIT #1**



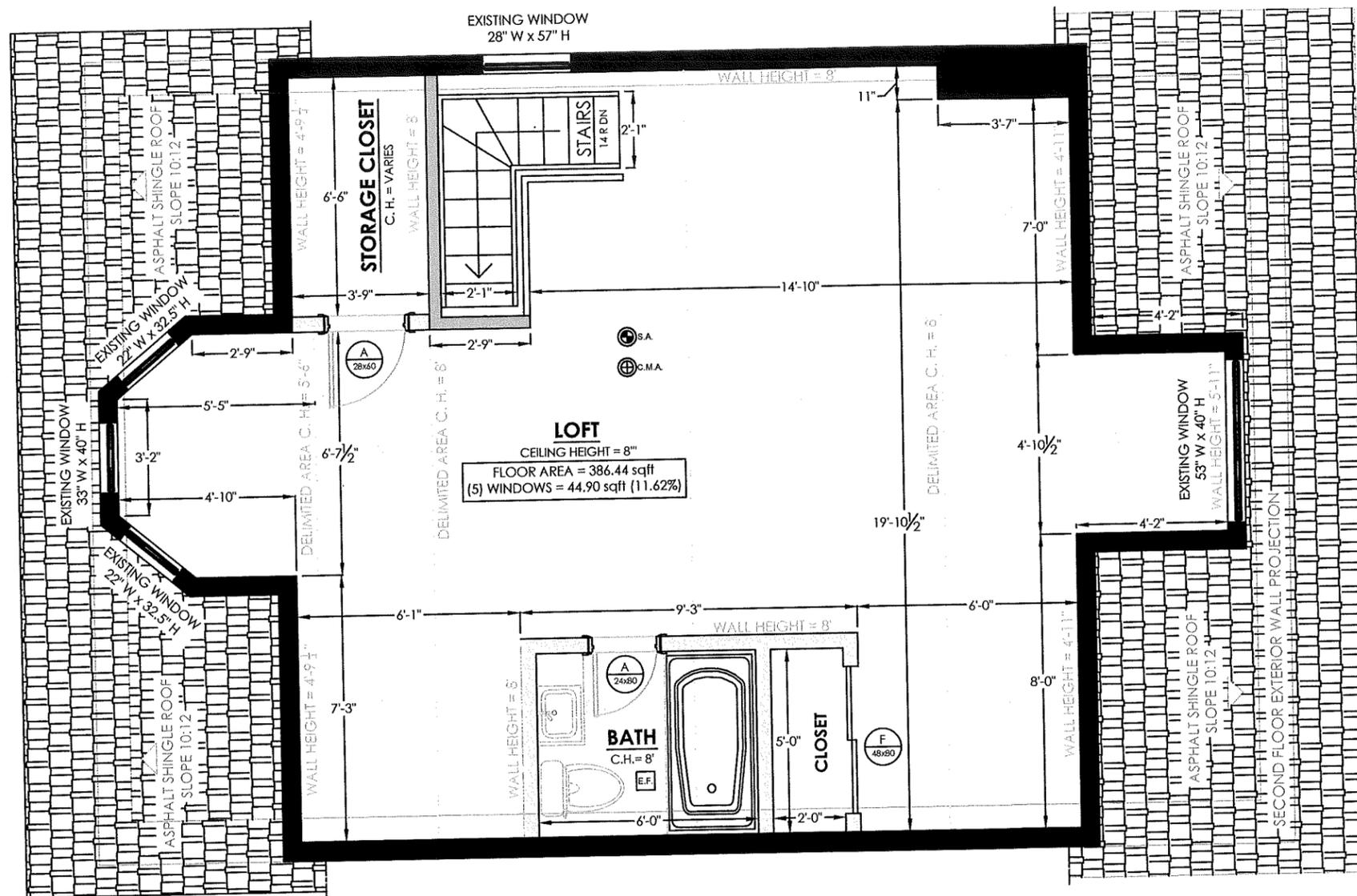
SCALE: **1/4" = 1'**

PROJECT: **2 UNIT  
 CONVERSION**

DATE: **JUL 2020**

SHEET#: **A1.06**





UNIT #2 - GFA = 1012.09 SQFT  
 SECOND FLOOR = 537.87 SQFT  
 THIRD FLOOR = 474.22 SQFT  
 EXIT = 19.99 SQFT

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

**SEPARATION BETWEEN UNITS:**  
 NEW SEPARATION BETWEEN UNITS TO HAVE A FIRE RESISTANCE RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 AND PART 11 COMPLIANCE - C152 AND STC50

**BASEMENT CEILING (SEPARATING SECOND SUITE: F8D NEW PORTIONS ONLY)**  
 - EX. WOOD JOISTS @ 16" O.C.  
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M  
 - RESILIENT METAL CHANNELS SPACED @ 16" O.C.  
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

**NEW SHARED PARTITIONS: W4A**  
 - NEW 2 x 4 STUD WALL SPACED 16" O.C.  
 - 3.5" THICK ABSORPTIVE MATERIAL  
 - RESILIENT METAL CHANNELS SPACED 24" O.C.  
 - 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE  
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

**EXISTING SHARED PARTITIONS:**  
 EX. 1/2" REGULAR GYPSUM BOARD TO REMAIN AS IS  
 - ADDITIONAL LAYER OF 5/8" TYPE X TO BE APPLIED OVER EXISTING

EX. LATH AND PLASTER TO REMAIN AS IS  
 - MEETS A 30 MIN FRR AS PER ONTARIO FIRE MARSHAL  
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**EXISTING CEILING (15 MIN FRR BETWEEN DWELLING UNITS)**  
 - EX. 1/2" REGULAR GYPSUM BOARD OR PLASTER TO REMAIN  
 - AS PER PART 11 C143 1. HUD REHABILITATION GUIDELINES, "GUIDELINE ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLES"  
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

**FOR PIPE AND WIRE PENETRATIONS:**  
 - USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB+)

**FOR HVAC DUCTING:**  
 - ADDRESSED WITH IN-DUCT SMOKE DETECTOR:  
 - SEE NOTE NEAR FURNACE ON FLOOR PLAN

**FOR SERVICE ITEMS IN FIRE SEPARTATION (VALVES, METERS, ELECTRICAL BOXES, ETC):**  
 - USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

BATH	ROOM NAME
[E.F.]	EXHAUST FAN
[2]	SPECIFICATION TAG
[SA]	SMOKE ALARM
[C.M.A.]	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[S.B.]	STRUCTURAL BEAM OR WALL
[P.S.]	PLUMBING STACK
[W.M.]	WATER METER
[F.D.]	FLOOR DRAIN
[S.C.]	STRUCTURAL COLUMN
[F.W.]	FOUNDATION WALL
[E.W.]	EXISTING EXTERIOR WALLS
[N.W.]	NEW EXTERIOR WALLS
[E.I.W.]	EXISTING INTERIOR WALLS
[N.I.W.]	NEW INTERIOR WALLS
[S.W.]	STRUCTURAL WALLS
[N.S.B.]	NEW STRUCTURAL BEAMS
[W.]	WINDOWS
[S.R.]	SUPPLY REGISTER
[R.G.]	RETURN GRILLE
[A 30x60]	DOOR TYPE DOOR SIZE

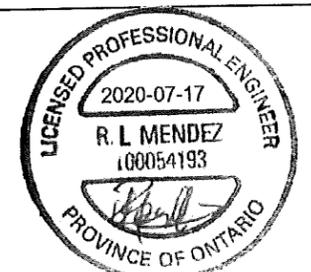
  

DOOR LEGEND
A. PANEL DOOR
B. FIRE DOOR w/ SELF CLOSER (45 MIN)
C. FIRE DOOR w/ SELF CLOSER (20 MIN)
D. EXTERIOR DOOR
E. BIFOLD CLOSET
F. SLIDING DOOR
G. POCKET DOOR



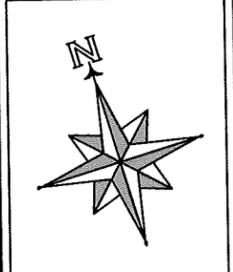
**LEAD DESIGNER & CONSULTANT**  
 KEN BEKENDAM  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER**  
 ROBERT MENDEZ P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572



ADDRESS:  
**56 STIRTON STREET  
 HAMILTON, ON.**

**PROPOSED ATTIC  
 UNIT #2**

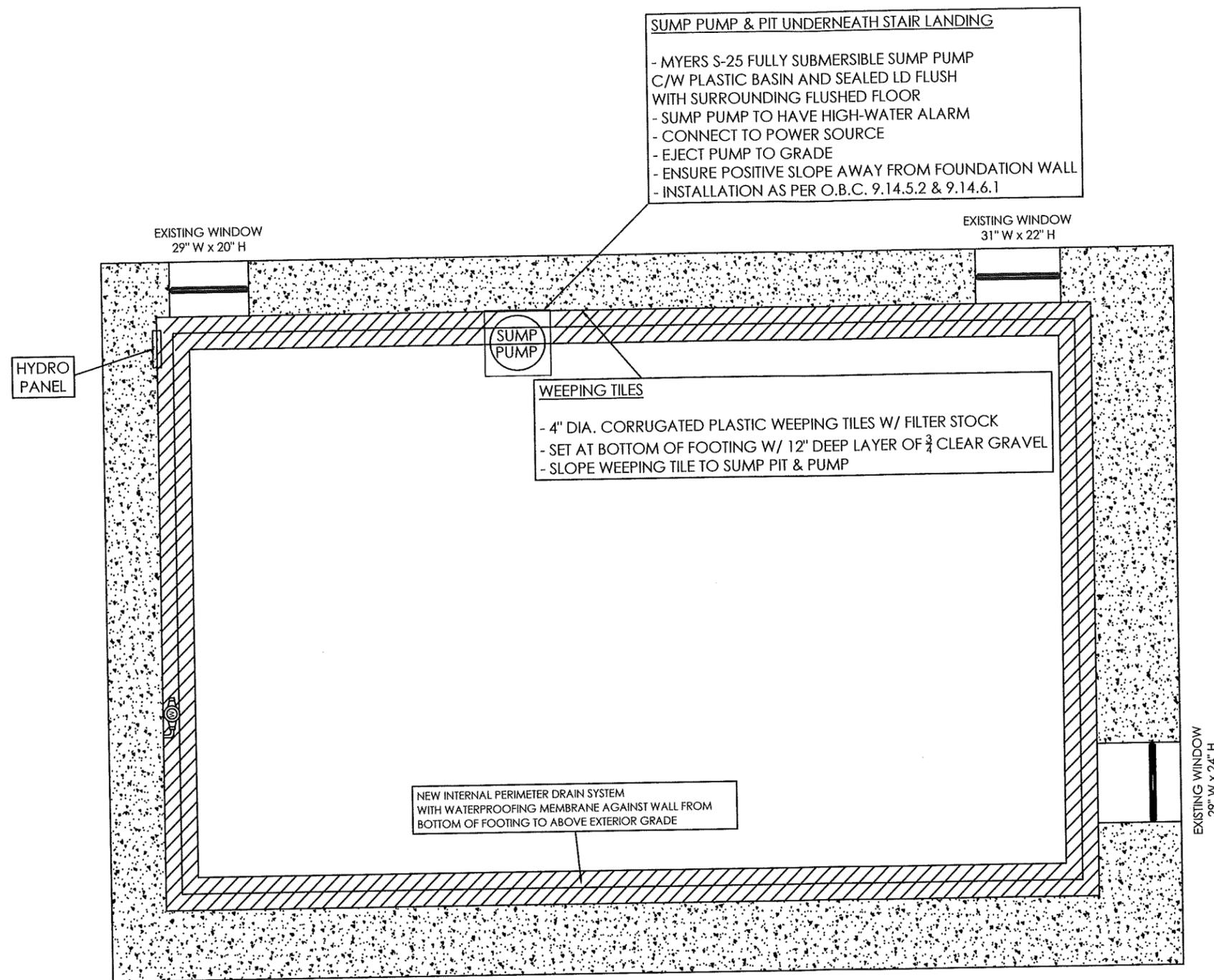


SCALE:  
**1/4" = 1'**

PROJECT:  
**2 UNIT  
 CONVERSION**

DATE:  
**JUL 2020**

SHEET#:  
**A1.08**



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
C.M.A	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
	WATER METER
F.D	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	NEW STRUCTURAL BEAMS
	WINDOWS
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE
A	DOOR TYPE
30x60	DOOR SIZE

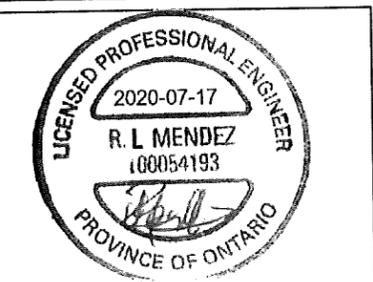
  

DOOR LEGEND	
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR



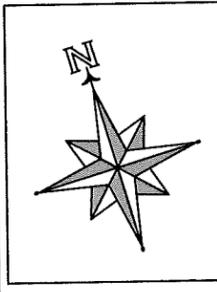
**LEAD DESIGNER & CONSULTANT**  
 KEN BEKENDAM  
 kenbekendam@gmail.com  
 C: (905)-961-0647  
 (855) - KINGHMS (546-4467)

**LEAD ENGINEER**  
 ROBERT MENDEZ P. ENG. 100054193  
 robertmendez@yahoo.com  
 C: (416)-807-1572



ADDRESS: **56 STIRTON STREET HAMILTON, ON.**

**PROPOSED BASEMENT (WATERPROFING)**



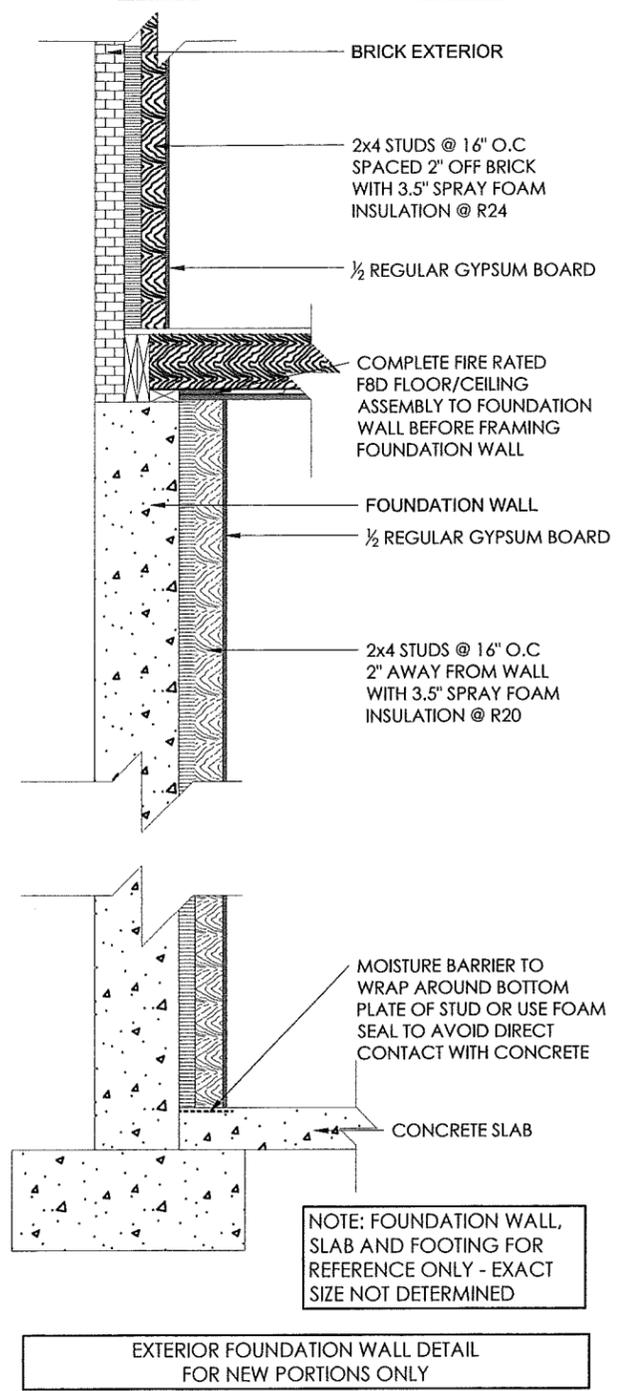
SCALE: **1/4" = 1'**

DATE: **JUL 2020**

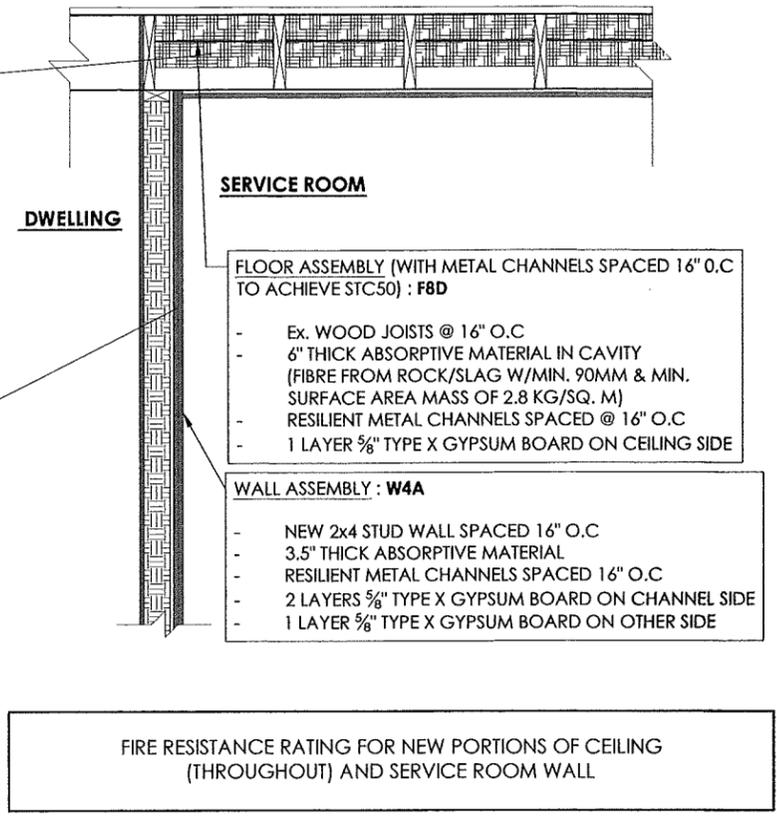
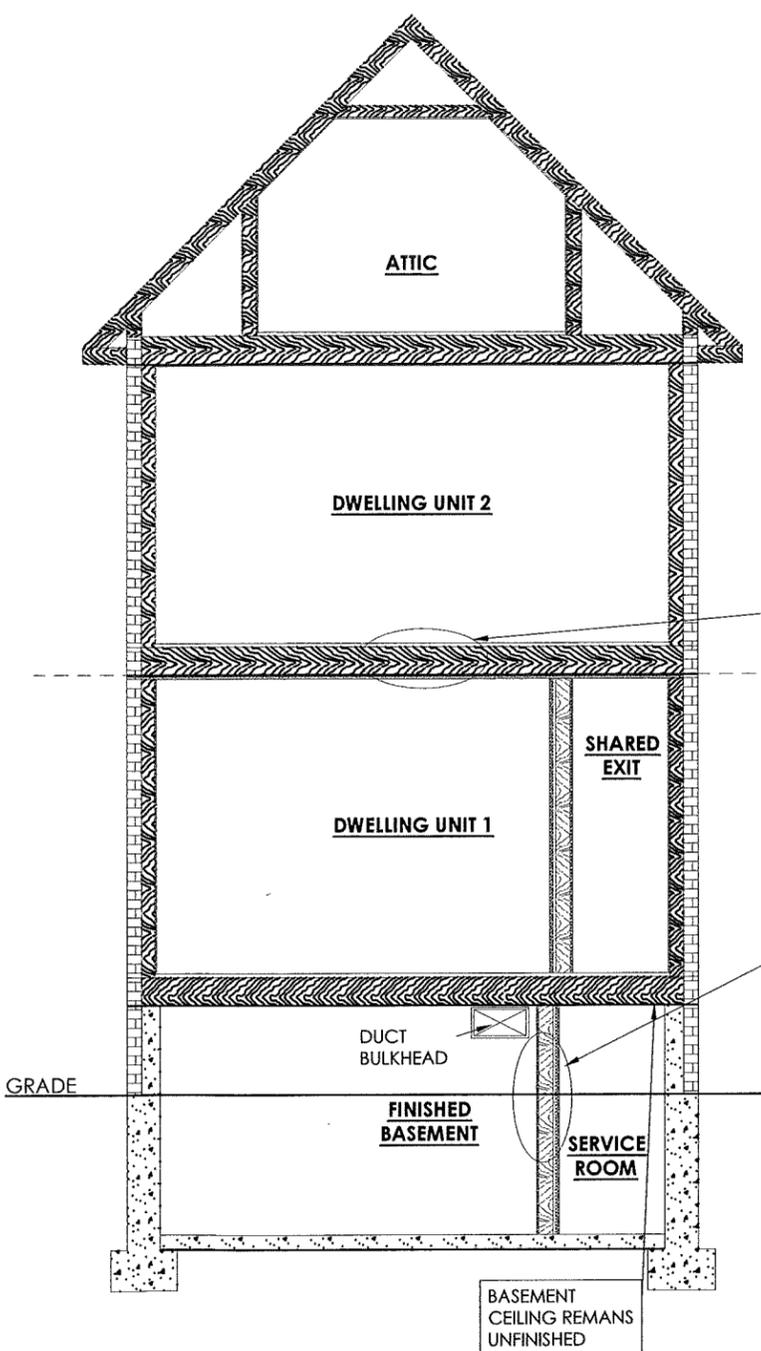
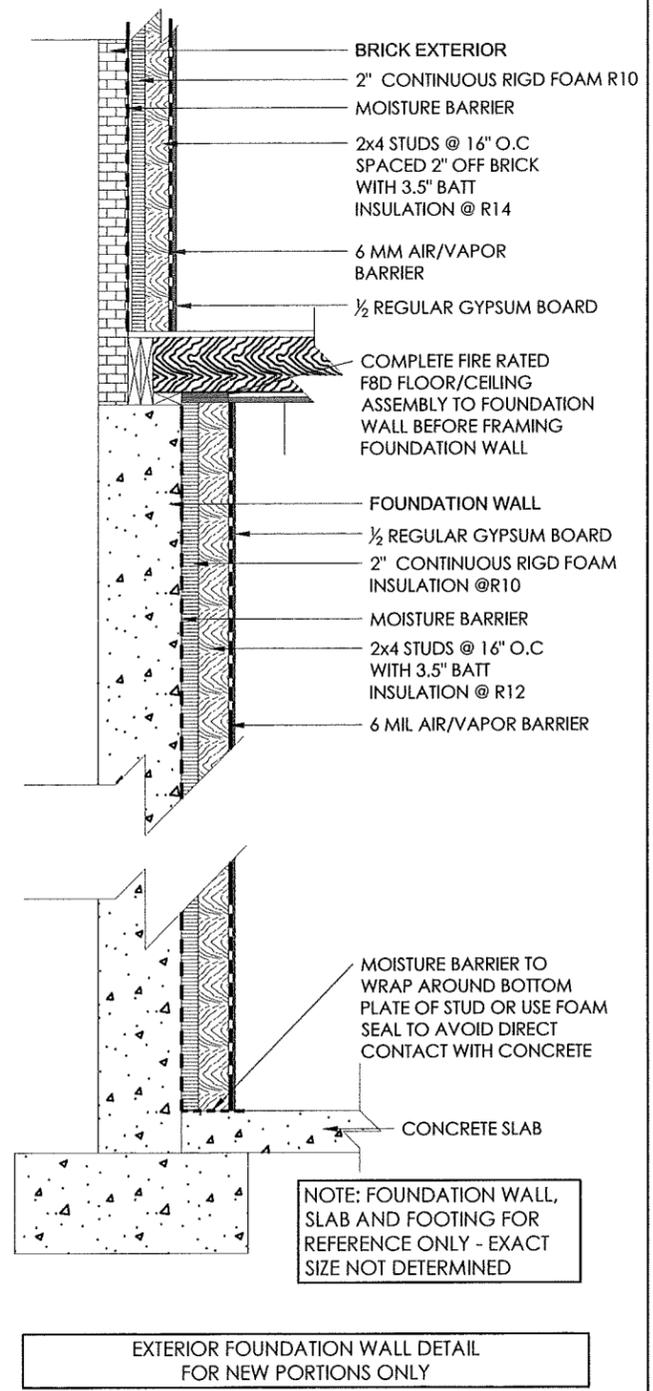
PROJECT: **2 UNIT CONVERSION**

SHEET#: **A1.09**

**SPRAY FOAM DETAIL**



**BATT INSULATION DETAIL**



**LEAD DESIGNER & CONSULTANT**  
KEN BEKENDAM  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

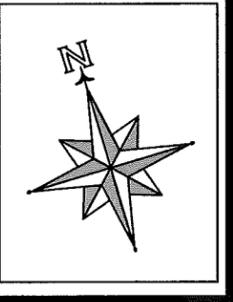
**LEAD ENGINEER** ROBERT MENDEZ P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572  
www.legalsecondsuites.com

**LEGAL SECOND SUITES**

LICENSED PROFESSIONAL ENGINEER  
2020-07-17  
R. L. MENDEZ  
100054193  
PROVINCE OF ONTARIO

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**CROSS SECTION 1 OF 2**

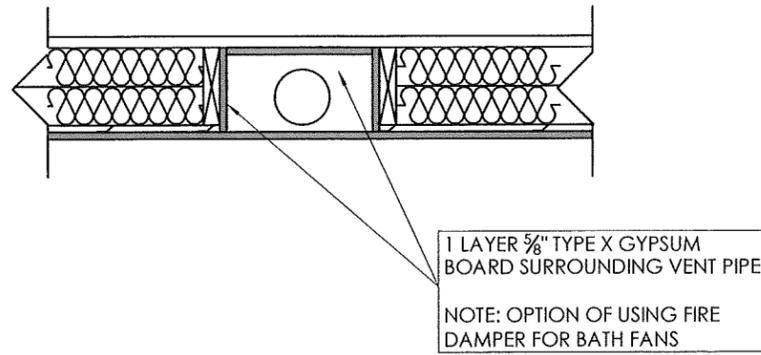


SCALE: -

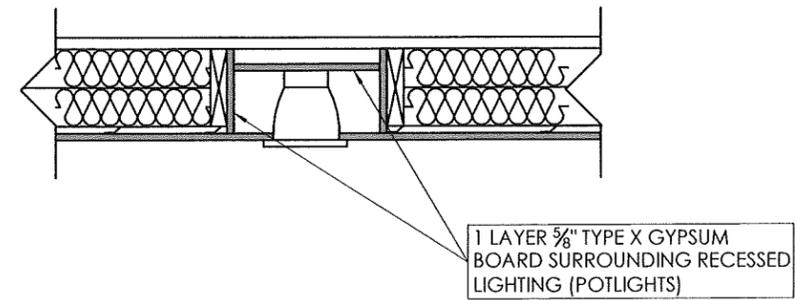
PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUL 2020**

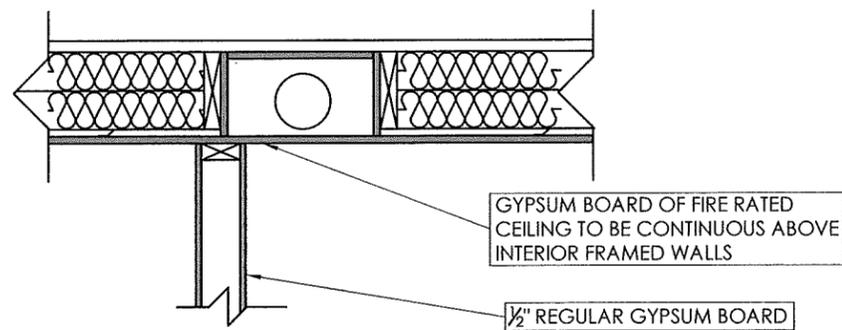
SHEET#: **A4.01**



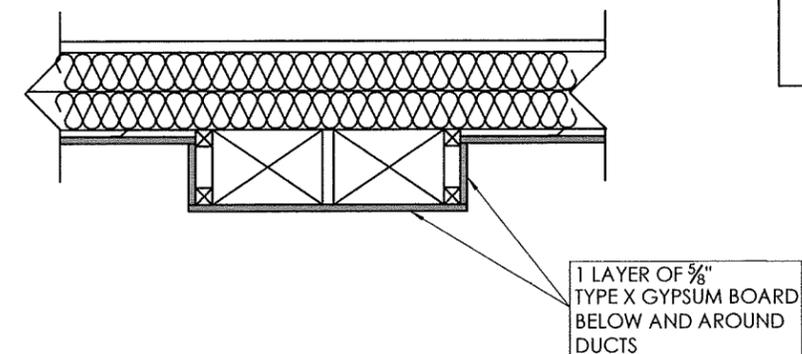
**FOR VENTS (BATH FANS, KITCHEN EXHAUSTS, & CLOTHES DRYERS)**



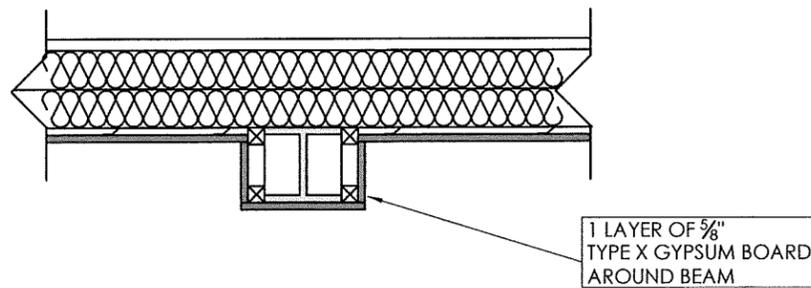
**FOR RECESSED LIGHTS**



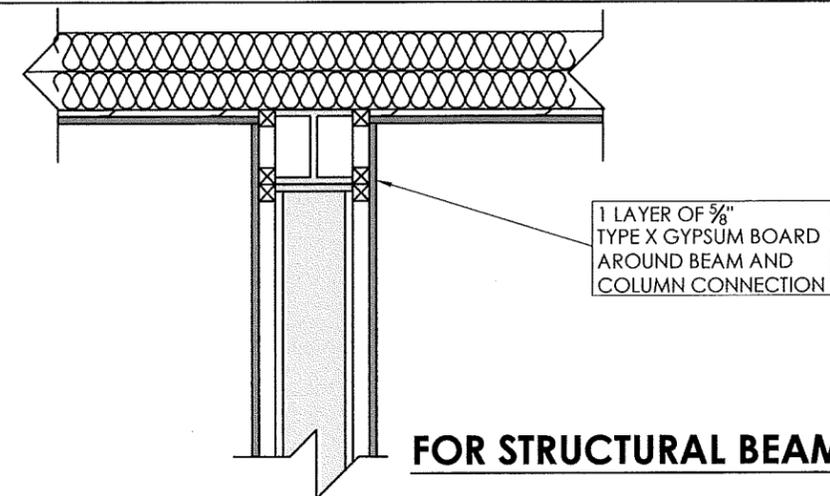
**FOR INTERIOR PARTITIONS**



**FOR DUCTS**



**FOR BEAM**



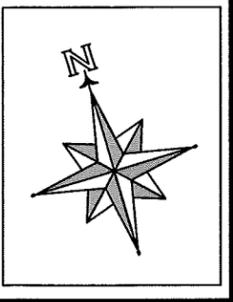
**FOR STRUCTURAL BEAMS, COLUMNS & WALLS**

**LEAD DESIGNER & CONSULTANT**  
KEN BEKENDAM  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

**LEAD ENGINEER** ROBERT MENDEZ P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572  
www.legalsecondsuites.com

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**CROSS SECTION 2 OF 2**

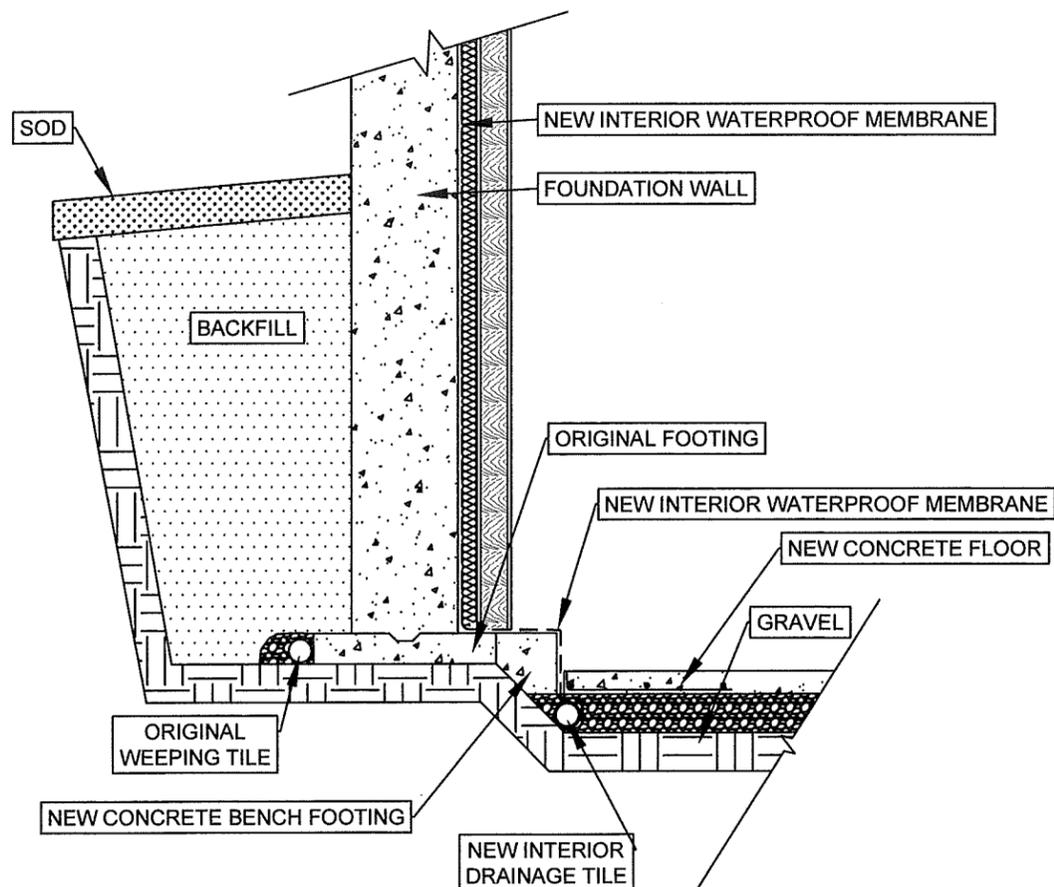


SCALE: -

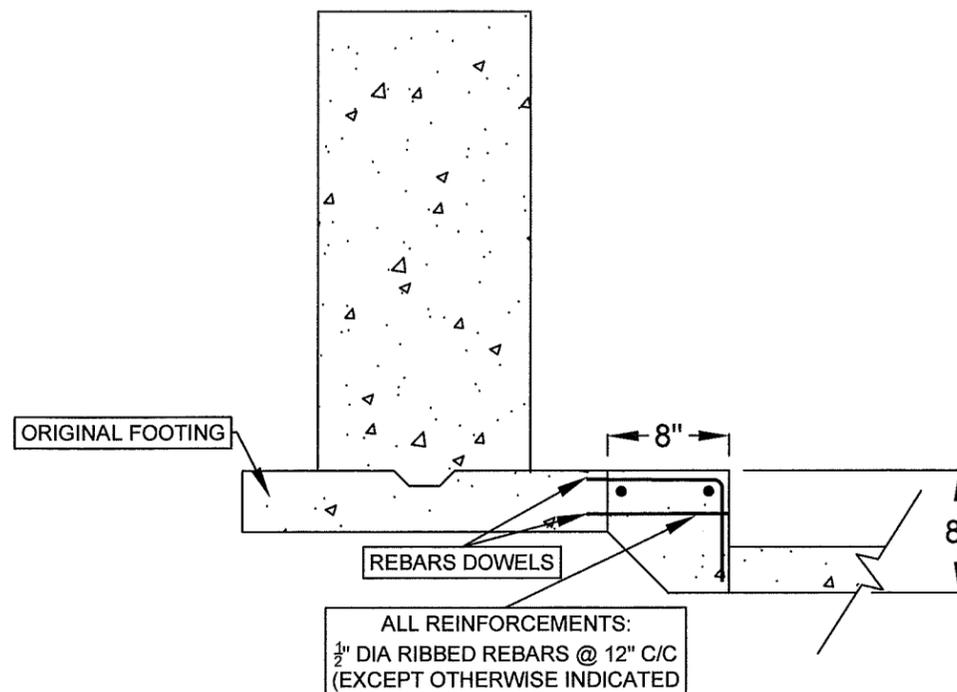
PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUL 2020**

SHEET#: **A4.02**



1 Bench footing detail  
1/2" : 1'



2 Reinforcements detail  
1" : 1'

PLANS LEGEND	
BATH	ROOM NAME
[E.F.]	EXHAUST FAN
[2]	SPECIFICATION TAG
[SA]	SMOKE ALARM
[C.M.A.]	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[S.B.]	STRUCTURAL BEAM OR WALL
[P.S.]	PLUMBING STACK
[W.M.]	WATER METER
[F.D.]	FLOOR DRAIN
[S.C.]	STRUCTURAL COLUMN
[F.W.]	FOUNDATION WALL
[E.E.W.]	EXISTING EXTERIOR WALLS
[N.E.W.]	NEW EXTERIOR WALLS
[E.I.W.]	EXISTING INTERIOR WALLS
[N.I.W.]	NEW INTERIOR WALLS
[S.W.]	STRUCTURAL WALLS
[N.S.B.]	NEW STRUCTURAL BEAMS
[W.]	WINDOWS
[SUPPLY]	SUPPLY REGISTER
[RETURN]	RETURN GRILLE
[A]	DOOR TYPE
[30x60]	DOOR SIZE

DOOR LEGEND	
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR

**LEAD DESIGNER & CONSULTANT**  
KEN BEKENDAM  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

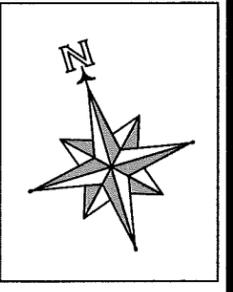
**LEAD ENGINEER** ROBERT MENDEZ P. ENG. 100054193  
robertmendez@yahoo.com  
C: (416)-807-1572

www.legalsecondsuites.com

LICENSED PROFESSIONAL ENGINEER  
 2020-07-17  
 R. L. MENDEZ  
 100054193  
 PROVINCE OF ONTARIO

ADDRESS: **56 STIRTON STREET  
HAMILTON, ON.**

**BENCH FOOTING DETAIL**



SCALE: **INDICATED**

PROJECT: **2 UNIT  
CONVERSION**

DATE: **JUL 2020**

SHEET#: **A3.01**



Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-179359

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A-20:1106</u>	DATE APPLICATION RECEIVED <u>Aug. 19/20</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 Nanan Mangroo
- [Redacted]
- Name of Agent Ken Bekendam
- [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:  
 Reduce lot area requirement to 205 SQM  
 \_\_\_\_\_  
 Reduce maneuvering space to 2.4m  
 \_\_\_\_\_  
 \_\_\_\_\_

7. Why it is not possible to comply with the provisions of the By-law?  
 \_\_\_\_\_  
 Existing lot size  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
 \_\_\_\_\_  
 56 Stirton St, Hamilton, ON  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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

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

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

Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown  x

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

Existing Residential Use

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.

July 25 2020

Date

[Redacted Signature]

Signature Property Owner

Nanan Mangroo

Print Name of Owner

10. Dimensions of lands affected:

Frontage \_\_\_\_\_  
Depth  See Site Plan   
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:  See Site Plan

Proposed:  See 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 Plan

Proposed:  See Site Plan

13. Date of acquisition of subject lands:  
 \_\_\_\_\_  
 2020
14. Date of construction of all buildings and structures on subject lands:  
 \_\_\_\_\_  
 unknown
15. Existing uses of the subject property: \_\_\_\_\_ Residential
16. Existing uses of abutting properties: \_\_\_\_\_ Residential
17. Length of time the existing uses of the subject property have continued:  
 \_\_\_\_\_  
 100 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:  
 \_\_\_\_\_  
 Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
 \_\_\_\_\_  
 D - One and Two Family Dwellings
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes \_\_\_\_\_ No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes \_\_\_\_\_ No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

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

**APPLICATION NO.:** HM/A-20:138

**APPLICANTS:** Roxborough Park Inc.

**SUBJECT PROPERTY:** Municipal address **20 Reid Ave. N., Hamilton**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 18-203

**ZONING:** "D6,E696" (Downtown Multiple Residential) district

**PROPOSAL:** To permit the construction of seventy-six (76) townhouse dwellings and eighty-eight (88) back to back townhouse dwellings accessed from either a municipal road or private condominium road, notwithstanding that:

1. A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
2. A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
3. A minimum flankage yard of 2.65 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
4. Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.

**NOTE:**

1. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. No elevation drawings were included as part of this application. Specific details have not been provided regarding proposed yard encroachments. Further variances may be required if compliance with Section 4.6 and E696(b)(B)(1) & (2) cannot be achieved.
3. Specific details have not been provided regarding proposed mechanical and unitary equipment. Further variances may be required if compliance with Section 4.9(a) & (b) cannot be achieved.

HM/A-20:138

Page 2

4. Specific details have not been provided regarding a proposed Architectural Wall or Feature within the required planting strip adjacent to the visitor parking area abutting the Reid Avenue South street line on "Block 4a". Further variances may be required if compliance with E696(g)(v)(l)(3) cannot be achieved.
5. The requested variances are necessary to facilitate Site Plan Application File No. DA-20-056

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

---

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:45 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

---

#### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

#### MORE INFORMATION

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

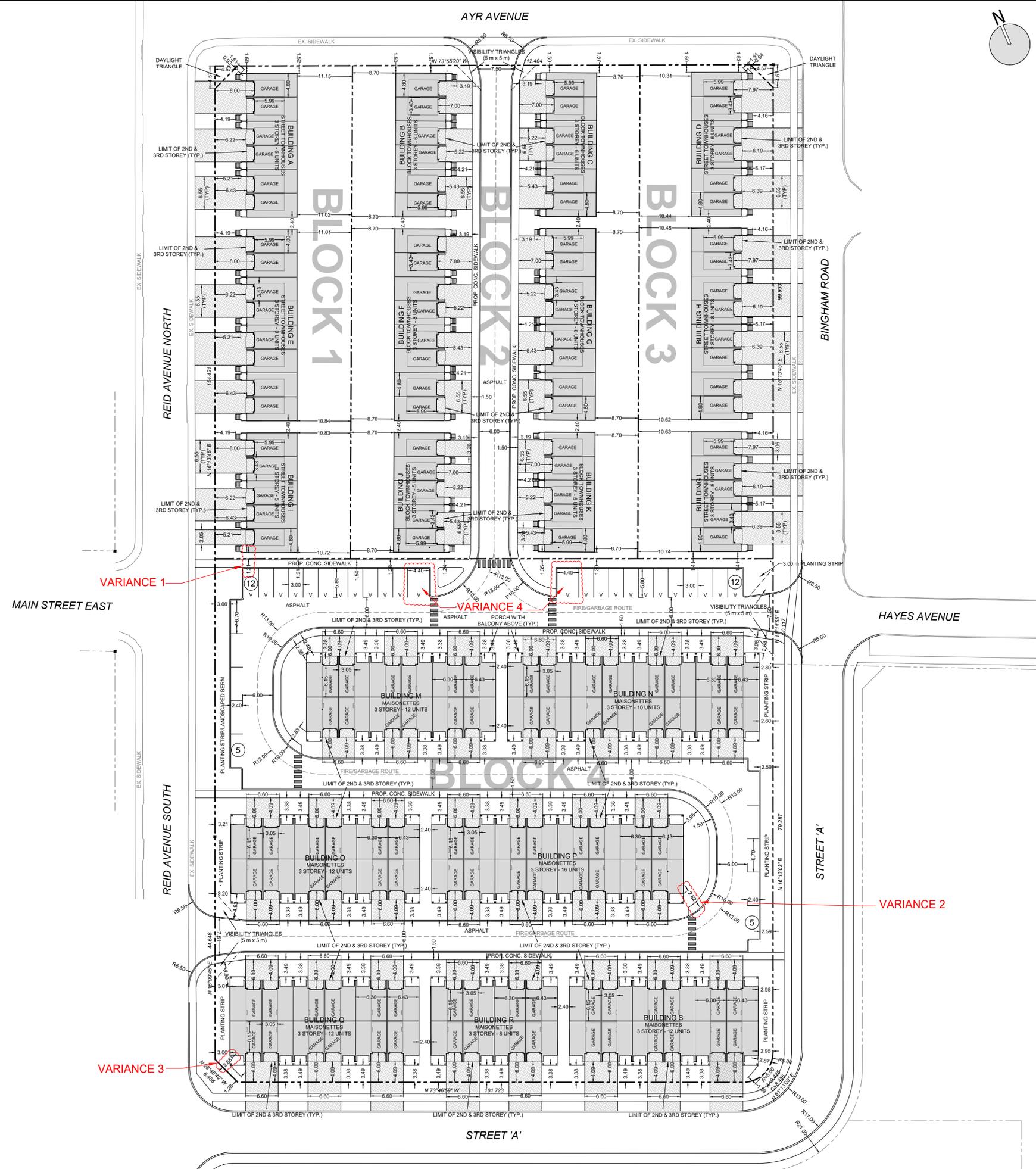
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
 Secretary-Treasurer  
 Committee of Adjustment

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



**GENERAL NOTES**

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR AND CHIEF PLANNER OF THE PLANNING DIVISION, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. 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.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE 7.5 M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - BUILDING PERMIT
  - ROAD CUT PERMITS
  - APPROACH APPROVAL PERMITS
  - ENCROACHMENT AGREEMENTS (IF REQUIRED)
  - SEWER AND WATER PERMITS
  - RELOCATION OF SERVICES
  - COMMITTEE OF ADJUSTMENT
6. ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
7. ALL SIGNS MUST COMPLY WITH HAMILTON SIGN BY-LAW NO. 10-197.
8. ALL FENCES MUST COMPLY WITH HAMILTON FENCE BY-LAW NO. 10-142.

**UNDERTAKING**

RE: DA-20-056

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 MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,

(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.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ (SEAL)

WITNESS (SIGNATURE) \_\_\_\_\_ OWNER(S) (SIGNATURE) \_\_\_\_\_

WITNESS (PRINT) \_\_\_\_\_ OWNER (PRINT) \_\_\_\_\_

ADDRESS OF WITNESS \_\_\_\_\_

**DEVELOPMENT STATISTICS**  
BLOCKS 1 & 3

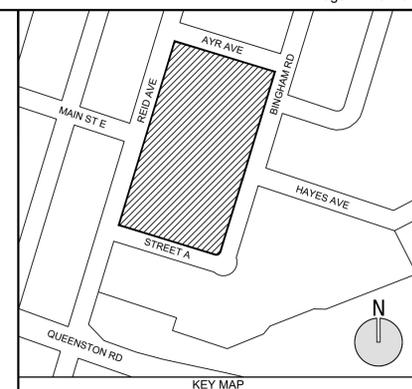
Item	Required	Proposed
Permitted Use	Street Towns	Street Towns
Min. Lot Area	120.00 m <sup>2</sup>	129.01 m <sup>2</sup>
Min. Unit Width	4.80 m	4.80 m
Min. Front Yard	To a Dwelling 4.50 m	6.22 m 8.00 m
Min. Side Yard	1.20 m	1.20 m
Min. Flankage Yard	1.50 m	1.50 m
Min. Rear Yard	7.00 m	10.31 m
Building Height	Minimum 9.00 m Maximum 12.00 m	N/A 10.40 m
Maximum No. of Units in a Row	8	8
Total No. of Units	N/A	38 Units
Parking Requirements	1 per unit	1 per unit

**BLOCK 2**

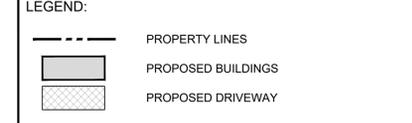
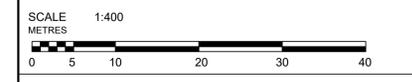
Item	Required	Proposed
Permitted Use	Block Towns	Block Towns
Min. Lot Width	12.00 m	> 12.00 m
Min. Front Yard	1.50 m	1.50 m
Max. Flankage Yard	3.00 m	N/A
Min. Side Yard	6.00 m	8.70 m
Min. Rear Yard	1.50 m	1.24 m (M/R)
Building Height	Minimum 9.00 m Maximum 12.00 m	N/A 10.40 m
Min. Setback to a Condo Road	4.50 m	5.22 m
Min. Distance Between End Walls	2.40 m	2.40 m
Total No. of Units	N/A	38 Units
Parking Requirements	Per Unit 1 per unit Visitor 0.25 per unit = 9.5	1 per unit = 38 10

**BLOCK 4**

Item	Required	Proposed
Permitted Use	Maisonettes	Maisonettes
Min. Lot Width	12.00 m	> 12.00 m
Min. Front Yard	3.00 m	3.00 m
Min. Rear Yard	2.00 m	N/A
Min. Side Yard	Northerly Lot Line 10.00 m Southerly Lot Line 4.50 m	19.66 m N/A
Min. Flankage Yard	4.50 m	2.65 m (M/R)
Building Height	Minimum 9.00 m Maximum 15.00 m	N/A 11.05 m
Min. Setback to a Condo Road	4.50 m	2.82 m (M/R)
Min. Distance Between End Walls	2.40 m	2.40 m
Min. Private Amenity Area	3.00 m <sup>2</sup>	5.59 m <sup>2</sup>
Min. Landscaped Area	10%	2,020 m <sup>2</sup> (17%)
Min. Planting Strip Requirements	Front Lot Line 3.00 m Rear Lot Line 2.00 m	3.00 m 2.00 m
Total No. of Units	N/A	88 Units
Parking Requirements	Per Unit 1 per unit Visitor 0.25 per unit = 22 Barrier Free 4	1 per unit = 88 24 2 (M/R)



**SITE PLAN**  
BLOCKS 1,2,3,4  
DRAFT PLAN OF SUBDIVISION 25T-201802  
CITY OF HAMILTON



DESIGN BY: S. MCKAY  
DRAWN BY: S. MCKAY

CHECKED BY: S. MANCHIA  
DATE: MARCH 24, 2020

NO.	DATE	BY	DESCRIPTION
1	JULY 16, 2020	SM	BASED ON T. PLANNING COMMENTS
1	MAY 11, 2020	SM	BASED ON ZONING COMMENTS

DRAWING ISSUE RECORD

**APPROVALS**

**CARRIAGEGATE**  
home to new living

**urbancore**  
DEVELOPMENTS

**ROXBOROUGH PARK INC.**

PROJECT: **ROXBOROUGH PARK**  
PHASE 2 - TOWNS  
CITY OF HAMILTON

FILE NUMBER: 146-16  
SHEET NUMBER: 1

VARIANCE 1

VARIANCE 4

VARIANCE 1

VARIANCE 2

VARIANCE 3

VARIANCE 3

VARIANCE 2

VARIANCE 4



Hamilton

Planning and Economic Development Department  
Planning Division

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

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

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

20-173426

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A. 20:138</u>	DATE APPLICATION RECEIVED <u>July 2/20</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 Roxborough Park Inc.

2.

3. Name of Agent N/A

FAX NO. \_\_\_\_\_ E-mail address \_\_\_\_\_

4. Address \_\_\_\_\_

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

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

N/A

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

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

## 6. Nature and extent of relief applied for:

Please refer to enclosed cover letter and Minor Variance sketch.

---



---



---



---

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

Please refer to enclosed cover letter and Minor Variance sketch.

---



---



---



---

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

Blocks 1-4 on the approved Draft Plan of Subdivision (25T-201802).


---



---



---

## 9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial Agricultural  Vacant Other Institutional - Former Roxborough School

## 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?

\_\_\_\_\_  
 We are the owners of subject lands.  
 \_\_\_\_\_

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.

July 2nd 2020  
 Date

  
 Signature Property Owner

S. MANCHIA  
 Print Name of Owner

10. Dimensions of lands affected:

Frontage Varies (depends on block)  
 Depth Varies (depends on block)  
 Area Total = 22,848 m<sup>2</sup>  
 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: Two (2) 2-Storey Townhouses blocks and One (1) 1 storey Townhouse block to be demolished.

Proposed: Please refer to enclosed Minor Variance Sketch.

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

Existing: Existing Building are in the process of being demolished.

Proposed: Please refer to the enclosed Minor Variance sketch.

13. Date of acquisition of subject lands:  
To be confirmed

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

15. Existing uses of the subject property: Residential/Vacant

16. Existing uses of abutting properties: Residential

17. Length of time the existing uses of the subject property have continued:  
> 25 years

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:  
The subject lands are designated as "Neighbourhoods" with a site specific policy area "UHN-25" in the Urban Hamilton Official Plan.

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Downtown Multiple Residential (D6,696) Zone in the City of Hamilton Zoning By-law No. 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



August 6, 2020

146-16

**Via Delivered**

**Ms. Jamila Sheffield,**  
Secretary-Treasurer  
Committee of Adjustment

City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**Re:     Blocks 1-4, Draft Approved Plan of Subdivision (25T-201802)  
       Minor Variance Application Resubmission**

In keeping with ongoing discussions, the Site Plan (DA-20-056) has been revised based on discussions with Development Planning and Transportation Planning. As a result of the changes made to the Site Plan, the following variances are now required:

- Variance 1: A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
- Variance 2: A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
- Variance 3: A minimum flankage yard of 2.65 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
- Variance 4: Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.

In support of this revision please find enclosed two (2) copies of the revised Minor Variance Sketch.



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

Regards,

Roxborough Park Inc.



*Spencer McKay*

cc: Councillor Merulla, Ward 4, City of Hamilton  
Mr. Steve Robichaud, Chief Planner, City of Hamilton  
Ms. Anita Fabac, City of Hamilton  
Ms. Shannon McKie, City of Hamilton  
Mr. Daniel Barnett, City of Hamilton  
Messrs. S. Manchia & N. Carnicelli & D. Horwood, Roxborough Park Inc.





Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

**APPLICATION NO.:** HM/A-20:116

**APPLICANTS:** Owner: Alan and Laurie Hurman

**SUBJECT PROPERTY:** Municipal address **988 Concession St., Hamilton**

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

**ZONING:** B (Suburban Agriculture and Residential) district

**PROPOSAL:** To permit the construction of an accessory building in the rear yard notwithstanding that the accessory building shall be permitted a height of 5.4 metres whereas the by-law requires no accessory building to exceed 4.0 metres.

### NOTES:

Variances have been written exactly as requested by the applicant. A scaled and dimensioned site plan with grading details, elevation drawings, and details of the parking area has not been provided. Therefore, a full zoning review could not be conducted. The applicant shall ensure that the height of the accessory building has been measured from grade as defined in Section 2, and parking is in compliance with Section 18A. Otherwise additional variances may be required.

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

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:50 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
 To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
 for viewing purposes only

### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

HM/A-20:116

Page 2

## MORE INFORMATION

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

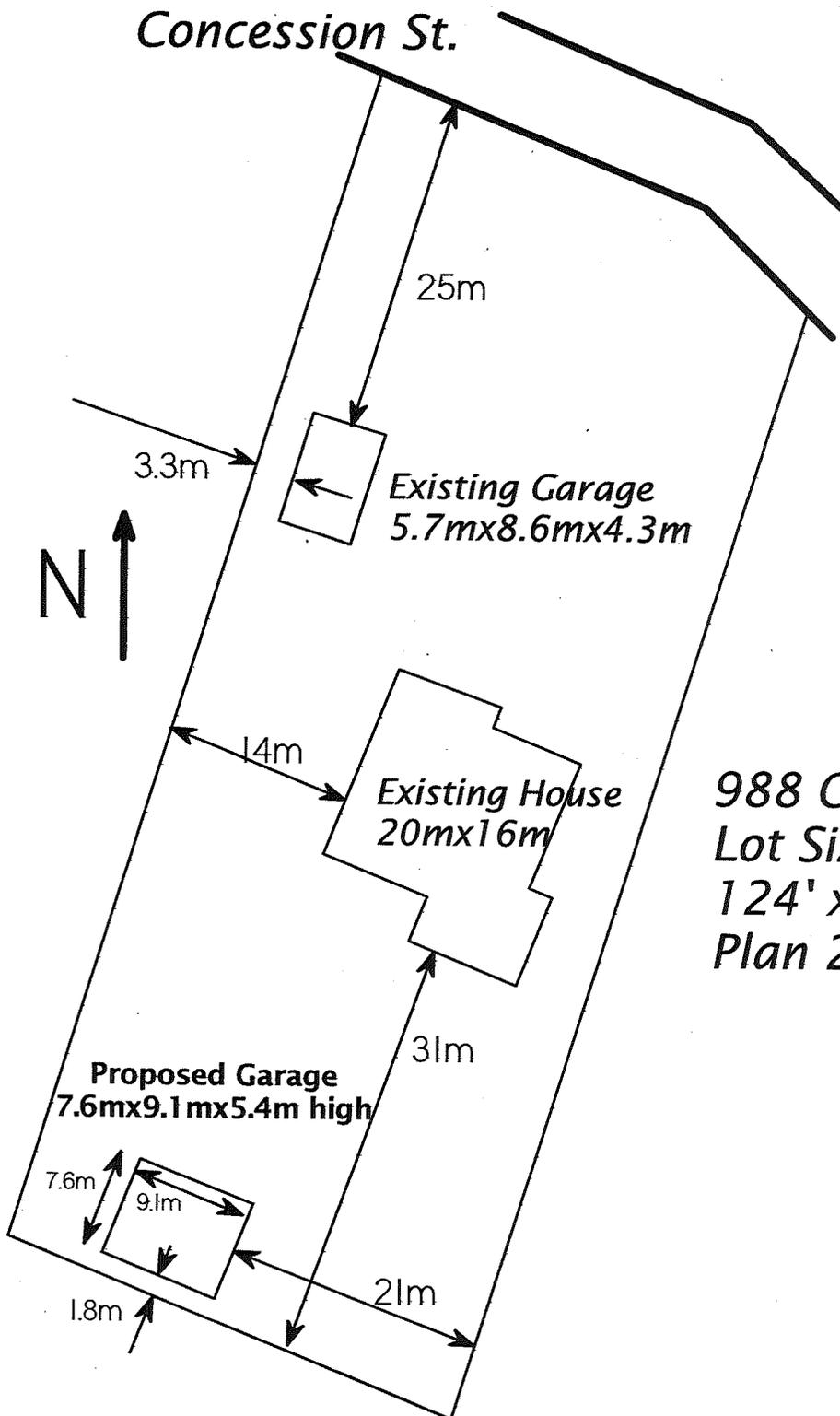
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

Dated: September 1, 2020

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

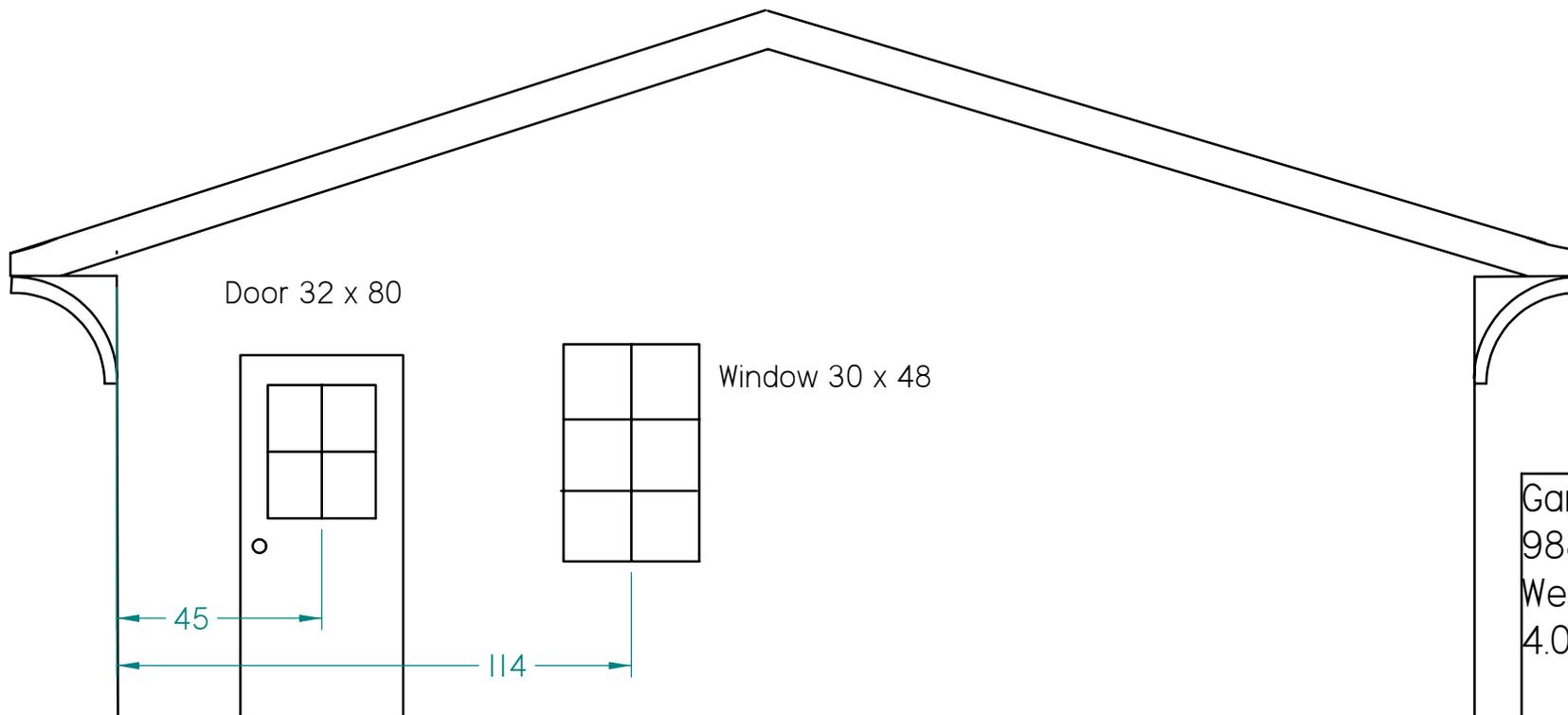
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



**988 Concession St.**  
**Lot Size 37.8m x 91.35m**  
**124' x 300'**  
**Plan 296 Pt Lots 1&2**

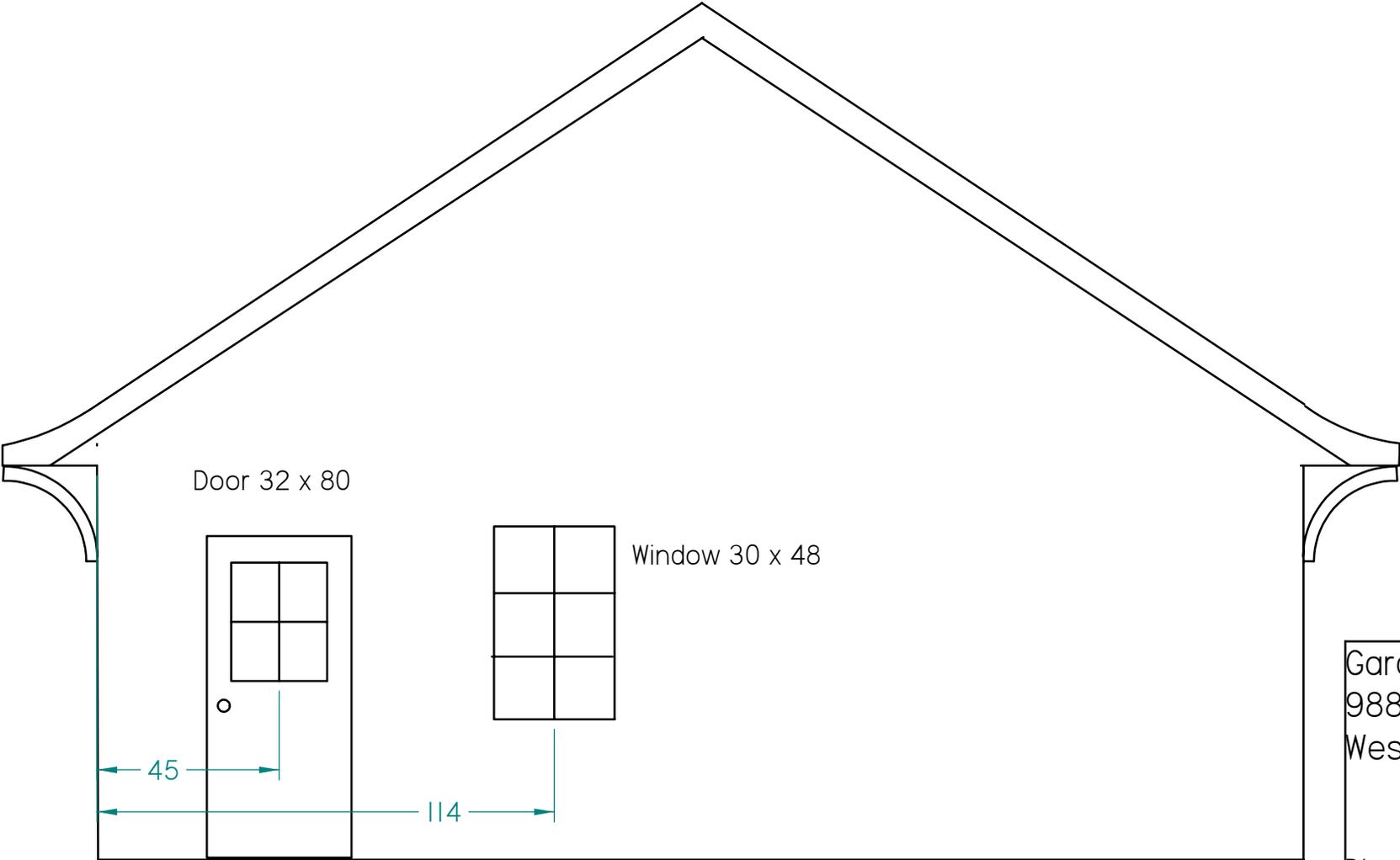
Proposed Garage  
988 Concession St  
Garage Location  
Scale 1:500

# GARAGE WITH 4/12 ROOF PITCH - HEIGHT 4.0m



Garage  
988 Concession St  
West Elevation  
4.0 m Roof Height  
Dim in inches

GARAGE WITH 8/12 ROOF PITCH - HEIGHT 5.4m



Garage  
988 Concession St  
West Elevation

Dim in inches









Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: GL/B-20:55

SUBJECT PROPERTY: 3055 Homestead Dr., Glanbrook

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 E.C. Lalli  
 Agent Kevin Danielson

**PURPOSE OF APPLICATION:** To permit the conveyance of a vacant parcel of land for commercial purposes and to retain a parcel of land containing an existing commercial building.

**Severed lands:**  
 20.89m<sup>±</sup> x 37.90m<sup>±</sup> and an area of 817m<sup>2</sup> ±

**Retained lands:**  
 28.60m<sup>±</sup> x 38.6m<sup>±</sup> and an area of 1132.74m<sup>2</sup> ±

**DATE:** Thursday, September 17<sup>th</sup>, 2020  
**TIME:** 1:55 p.m.

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

### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

### MORE INFORMATION

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

GL/B-20:55  
Page 2

DATED: September 1<sup>st</sup>, 2020.

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

PARK.

LANDS TO BE CONVEYED  
817.42

LANDS TO BE RETAINED  
132.71 M<sup>2</sup>

HOUSE  
#3041

ER.

7.705

4.406M

37.9 M

EXISTING 2 HOUR  
FIRE RATED BLOCK WALL

38.6M

ER

400M ±

AIRPORT ROAD.

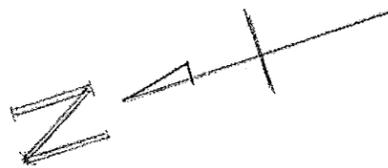
#3055

9.070 M

20.89 M

28.60

49.49 M



SK1  
1 | 1

SK-2

SCALE 1:200

3051/3055  
HOMESTEAD DR.

SEVERANCE SKETCH  
FOR DR. EC. LALLI





**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**

20-179364  
 Office Use Only

Date Application Received: Aug. 19/20	Date Application Deemed Complete:	Submission No.: GL/B-20:55	File No.:
--	-----------------------------------	-------------------------------	-----------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	E.C. Lall:		
Applicant(s)*	E.C. Lall:		
Agent or Solicitor	Kevin Danielson		

\* Owner's author

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality	Lot 6	Concession 4	Former Township Clanford
Registered Plan N°. 313	Lot(s) pt Lot 6 CON 4	Reference Plan N°. 02R 5874	Part(s) 1, 2, 3
Municipal Address 3041/3055 Homestead Dr. Mount Hope	Assessment Roll N°. 90231034800000		

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

Yes  No

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

**3 PURPOSE OF THE APPLICATION**

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 addition to a lot  
 an easement
- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- |  |  |
|--|--|
| <input type="checkbox"/> creation of a new lot   | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>(i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot   | <input type="checkbox"/> a correction of title |
|  | <input type="checkbox"/> an easement           |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

---

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

---

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

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

Frontage (m) <i>20.84</i> <sup>21</sup>	Depth (m) <i>77.90</i>	Area (m <sup>2</sup> or ha) <i>817 m<sup>2</sup></i>
--	---------------------------	---

Existing Use of Property to be severed:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Residential                            | <input type="checkbox"/> Industrial           | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input checked="" type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |  |

Proposed Use of Property to be severed:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Residential                            | <input type="checkbox"/> Industrial           | <input checked="" 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: \_\_\_\_\_

Proposed: *CO-USES.*

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) <i>28.60</i>	Depth (m) <i>38.6</i>	Area (m <sup>2</sup> or ha) <i>1132.74 m<sup>2</sup></i>
------------------------------	--------------------------	---

Existing Use of Property to be retained:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Residential                            | <input type="checkbox"/> Industrial           | <input checked="" 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 checked="" type="checkbox"/>	Abonit

## 6 PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use Doctors Office
- 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?  
Property has been used for doctors office/residence for 100+ years
- 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  
OP and zoning by-law is consistent with the PPS.

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

See 7.1(a)

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

See 7.1(a)

- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes       No

- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?  
 Yes       No  
 (Provide Explanation)

- f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes       No

If yes, is the proposal in conformity with the Parkway Belt West Plan?  
 Yes       No      (Provide Explanation)

- g) Are the subject lands subject to the Greenbelt Plan?  
 Yes       No

If yes, does this application conform with the Greenbelt Plan?  
 Yes       No      (Provide Explanation)

**8 HISTORY OF THE SUBJECT LAND**

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?  
 Yes  No  Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

---

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

---

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  Yes  No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

---

8.4 How long has the applicant owned the subject land?

30 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.

74/78 Stonechurch Rd. E.

**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 <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

#### f) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

## b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

## d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004       After December 16, 2004

## e) Condition of surplus farm dwelling:

 Habitable       Non-Habitable

## f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

*Former zoning C3-137 (Glanbrook) was designed for future severance. (see attached) Further, the building at 3055 has a 2 hour fire resistance rating (north building face) to allow for a 0 (zero) setback to the new property line. (see C3-137) attached*

**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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
 E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

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

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

**APPLICATION NO.:** HM/A-20:161

**APPLICANTS:** Steven DiGiandomenico

**SUBJECT PROPERTY:** Municipal address **667 Upper Sherman Ave., Hamilton**

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

**ZONING:** C (Urban Protected Residential) district

**PROPOSAL:** To permit the construction of a 42.5m<sup>2</sup> attached garage addition in the northerly side yard of the existing single family dwelling notwithstanding that:

1. A side yard width of 0.45m shall be provided instead of the minimum required 1.2m side yard width.
2. Eaves and gutters shall be permitted to project a maximum of 0.45m into the required side yard and may be as close as 0.0m to the side lot line instead of the maximum permitted projection of one-half of the required side yard width.

**NOTE:**

- i. A minimum front yard depth of 6.0m is required to be provided. The submitted site plan illustrates the proposed addition as being 31' (9.4m) from the front lot line, however it is unclear if this distance has been measured accurately to the actual property line. Please be advised that further variances may be required if the proposed addition is located less than 6.0m from the front property line.

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

**DATE:** Thursday, September 17<sup>th</sup>, 2020

**TIME:** 2:00 p.m.

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

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

## 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-20:161

Page 2

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

## MORE INFORMATION

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

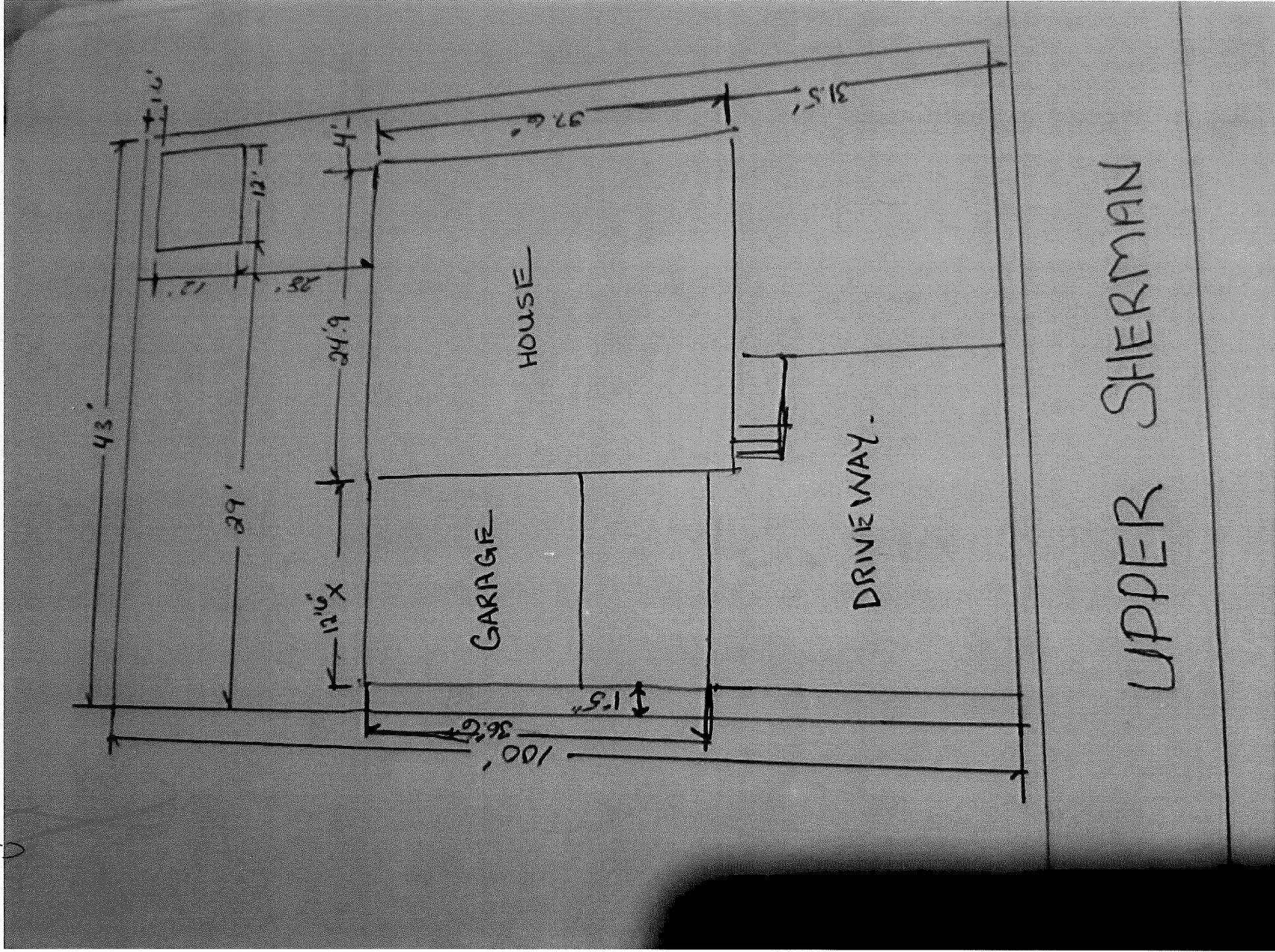
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

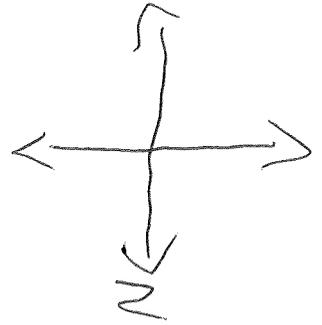
---

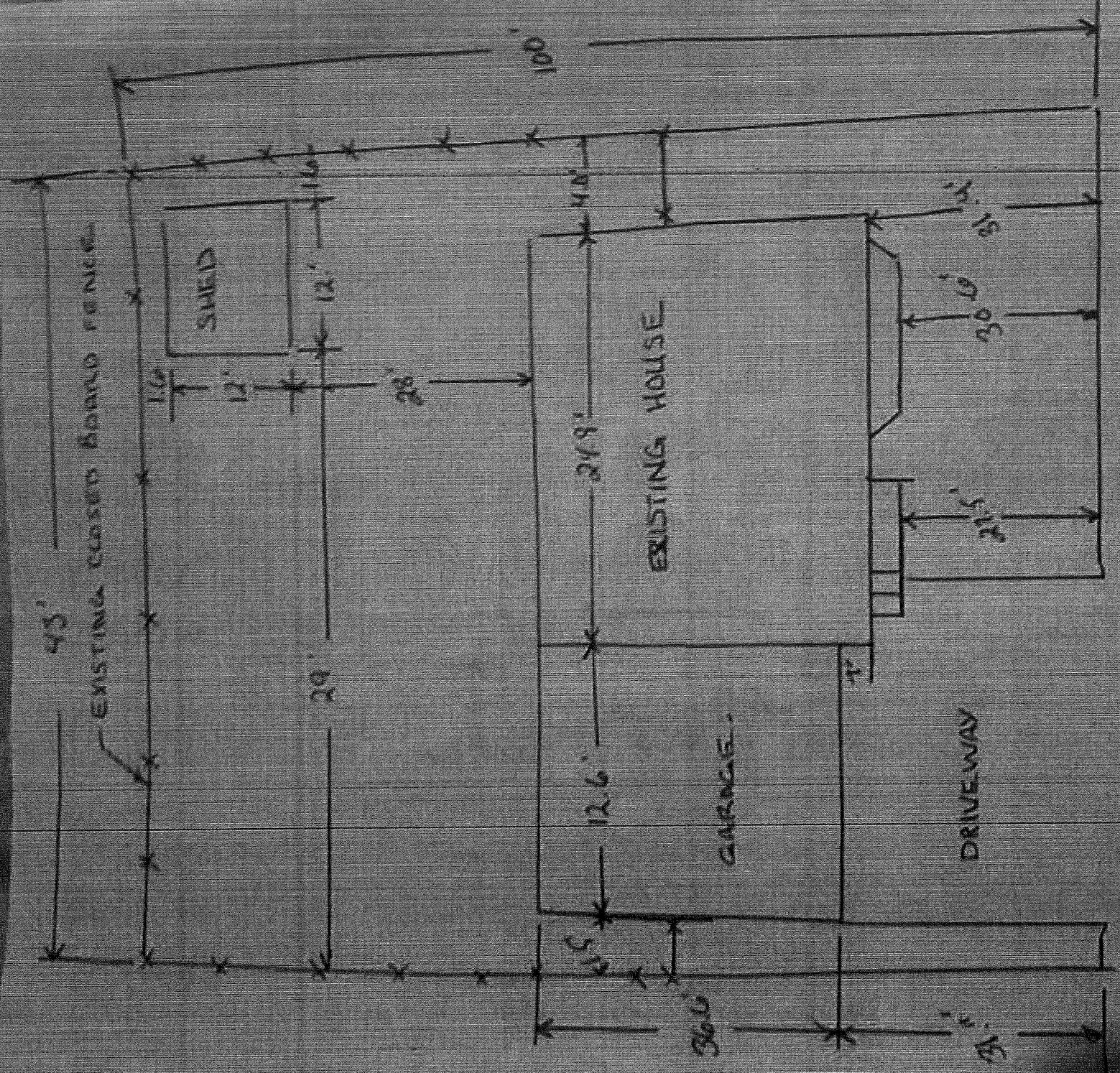
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

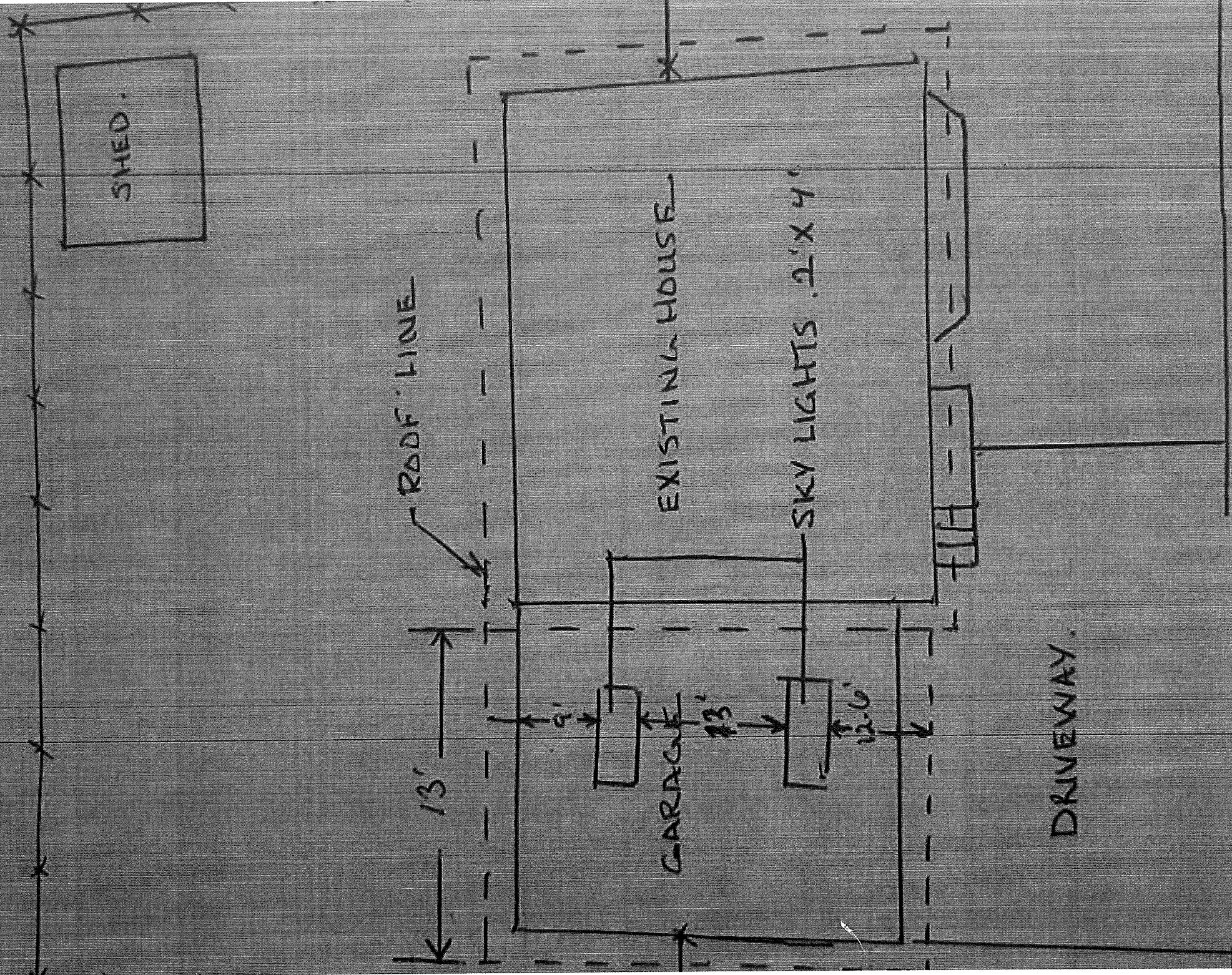


FENWELL AVE





UPPER SHERMAN AVE.



UPPER SHERMAN AVE



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

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

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

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

20-179329

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>HM/A-20:161</u>	DATE APPLICATION RECEIVED <u>AUG-16/20</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 STEVEN & KRISTINA Telephone No. \_\_\_\_\_  
DIGIAN DOMENICO

2.

3.

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:

REPLACEMENT OF EXISTING GARAGE STRUCTURE.  
ORIGINAL STRUCTURE WAS DILAPIDATED AND UNSAFE.  
NEW STRUCTURE IS ON THE SAME FOOTPRINT & BUILT TO  
CODE

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

ORIGINAL STRUCTURE WAS CLOSE TO LOT LINES.  
NEW STRUCTURE IS ON SAME FOOTPRINT. SIDEYARD  
SET BACK IS IDENTICAL TO ORIGINAL STRUCTURE.

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

PLAN 1041 Lot 4 Reg O.10AC  
43.00FR 100.00  
6607 Upper Sherman 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?

We purchased the property Sept 10 2010 and ARE familiar with the property since that time

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

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

**ACKNOWLEDGEMENT CLAUSE**

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

July 13 2020  
Date



Signature Property Owner

STEVEN DiGIANDOMENICO  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 16 feet forward to street from existing 20'6"  
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: Single storey residential home 24.9 x 37.6  
with attached garage 20.6 x 12.6, 9/1/259.56, HOUSE IS  
24.9 x 37.6 Long outside dimensions 936.24 S/F

Proposed: SAME

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

Existing: Shed back south corner of yard built in 2011  
12x12, Side garage existing when purchased 2010  
12.6 x 20.6, HOUSE 37.6 x 24.9  
Width Length



Proposed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Date of acquisition of subject lands:

Sept 10 2010

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

HOUSE 1955, Shed 2011, GARAGE 12.6 X 20.6 EXSISTING

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 BUILT IN 1955

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:

U/K

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

U/K

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*?

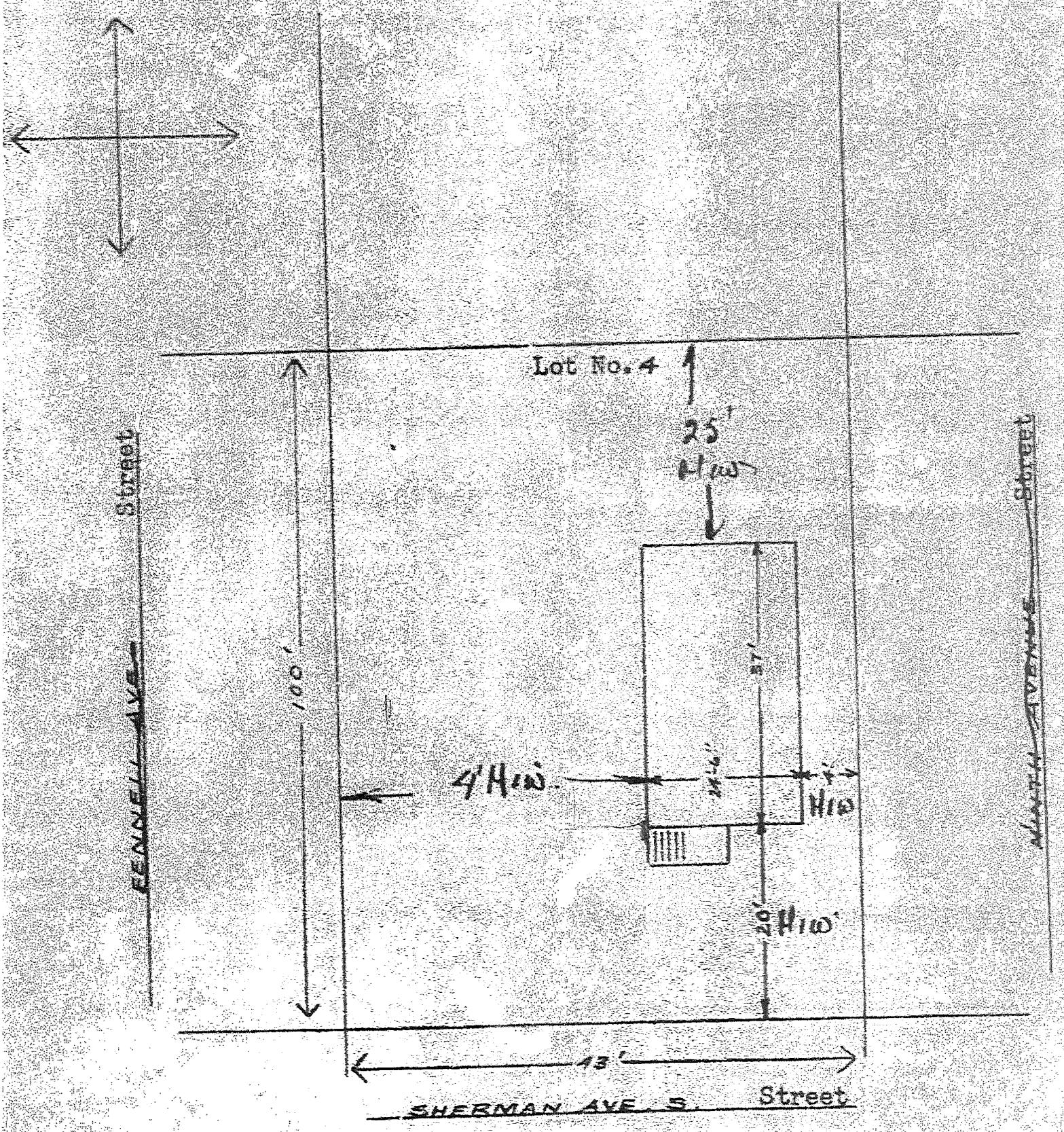
Yes

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

Copy of  
Plot Plan  
Based on an Ontario Land Surveyor's  
Survey



This side

11 27 228 229 230 231 232 233 234 235 236 237 238 239  
19 1 2 3 4 5 6 7 8 9 10 11  
20 240 241 242 243 244 245 246 2













Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## **CORRECTED 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-20:69

**APPLICANTS:** Owner Savoy Trailer Installations Inc.

**SUBJECT PROPERTY:** Municipal address **722 Shaver Rd., Ancaster**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-laws 10-128 & 18-219

**ZONING:** "M3,678" (Prestige Business Park) district

**PROPOSAL:** To permit the establishment of 425 square metres of warehouse use with 103 square metres of office use notwithstanding that:

1. A landscaped area of 4.1 metres shall be provided instead of the minimum 6.0 metres wide landscaped area required.
2. The proposed establishment will not have a sanitary sewer system instead of the requirement that no building or structure may be erected, used or occupied unless adequate watermains, storm and sanitary sewer systems are existing or have been provided for in a binding and secured development agreement and all regulatory approvals have been received to the satisfaction of the General Manager of Planning and Economic Development Department and/or his or her designate.

**NOTES:**

1. Variances have been written exactly as requested by the applicant. Please note, that this property is subject to Site Plan Control SPA-19-082; to date, a recirculation of the revised plan has not been submitted and a full zoning review has not been conducted for the new proposal. Further variances may be required at such time that a full zoning review is conducted on the new proposal.

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

---

**DATE:** Thursday, September 17th, 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](http://www.hamilton.ca/committeeofadjustment)  
**for viewing purposes only**

---

AN/A-20:69  
PAGE 2

## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

## **MORE INFORMATION**

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

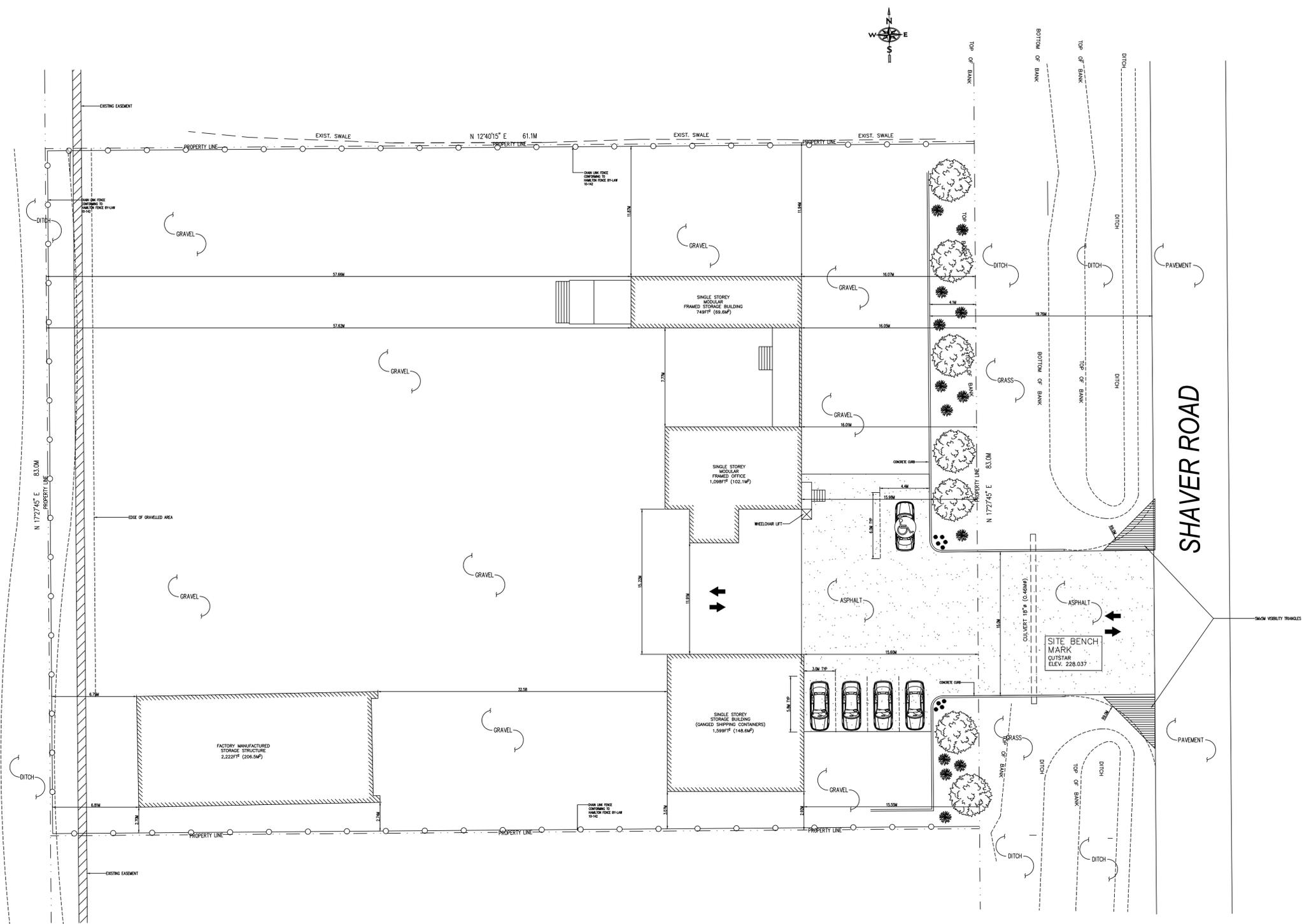
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

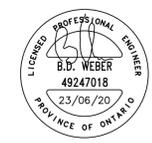
---

Jamila Sheffield  
Secretary-Treasurer  
Committee of Adjustment

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



REVISIONS			
NO	CHANGE	BY	DATE
△	ISSUED FOR REVIEW	BDW	30/11/18
△	REVISED	BDW	20/11/19
△	REVISED	BDW	06/12/19
△	REVISED	BDW	20/04/20
△	REVISED	BDW	03/06/20
△	REVISED	BDW	21/06/20
△	REVISED	BDW	23/06/20



**KEY:**

DETAIL (triangle symbol)  
 REFER TO SHEET (circle with arrow symbol)  
 FOUND ON SHEET (circle with checkmark symbol)

DO NOT SCALE PRINTS. VERIFY ALL DIMENSIONS AND CONDITIONS. REPORT ALL DISCREPANCIES TO CANDOMO DESIGN ASSOCIATES INC. ALL DRAWINGS, SPECIFICATIONS, AND RELATED MATERIALS ARE THE PROPERTY OF CANDOMO DESIGN ASSOCIATES INC. AND MUST BE RETURNED ON DEMAND.

THIS DRAWING IS NOT APPROVED FOR CONSTRUCTION UNTIL SIGNED AND DATED.

**Savoy Trailer Installations Inc.**  
 722 Shaver Road, Ancaster, Ontario  
 Ph: (905) 304-8974 Fax: (905) 304-9115 email: info@savoystalls.com  
 www.savoystalls.com

**candomo**  
 Candomo Design Associates Inc.  
 P.O. Box 5, Gormley, Ontario, Canada L0H 1G0  
 Telephone (905) 737-7997 Facsimile (905) 780-7998

722 SHAVER ROAD  
 ANCASTER, ONTARIO

DRAWN BY BDW	PROJECT NO. 2018-32	SCALE 1:200
CHECKED BY	DISK NO.	DATE 30/11/18
TITLE SITE PLAN		SHEET NO. SP



**Hamilton**

Planning and Economic Development Department  
Planning Division

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

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

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

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>AN/A-20:69</u>	DATE APPLICATION RECEIVED <u>Feb.18/20</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 Savoy Trailer Installations Telephone No. \_\_\_\_\_
- \_\_\_\_\_
- Name of Agent Robert Savoy 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:  
TD Bank 4720 Tahoe Blvd, 4th floor, Building 1  
Mississauga, ON Postal Code L4W 5P2  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

SPA-19-082

**Preamble:**

The property is a gravel lot that we are seeking site plan approval for four structures, including the modular office and self-contained washroom that services the staff. We have been operating out of the office since 2014.

The property has water services available, however, we have not been using them.

There are no sanitary services available.

New site plan approvals in an Urban Area now requires connection to both water and sanitary services.

The city does not want to build a sanitary extension to the property that is located in the Ancaster Business Park.

**Request:**

Exempt the property from the provision for Adequate Services (4.22) to allow site plan approval.

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

The city does not want to extend the sanitary line to the property.

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?

See attached

---



---



---

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

PLAN 62M637 LOT 9  
1.25 AC 200.13FR 272,310  
722 Sharer Rd, Ancaster, ON

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

To our understanding, previous use was agricultural.

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 13/20  
Date



Signature/Property Owner  
Joseph A Savoy  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 61m  
Depth 83m  
Area 5063m<sup>2</sup>  
Width of street 7.4m

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

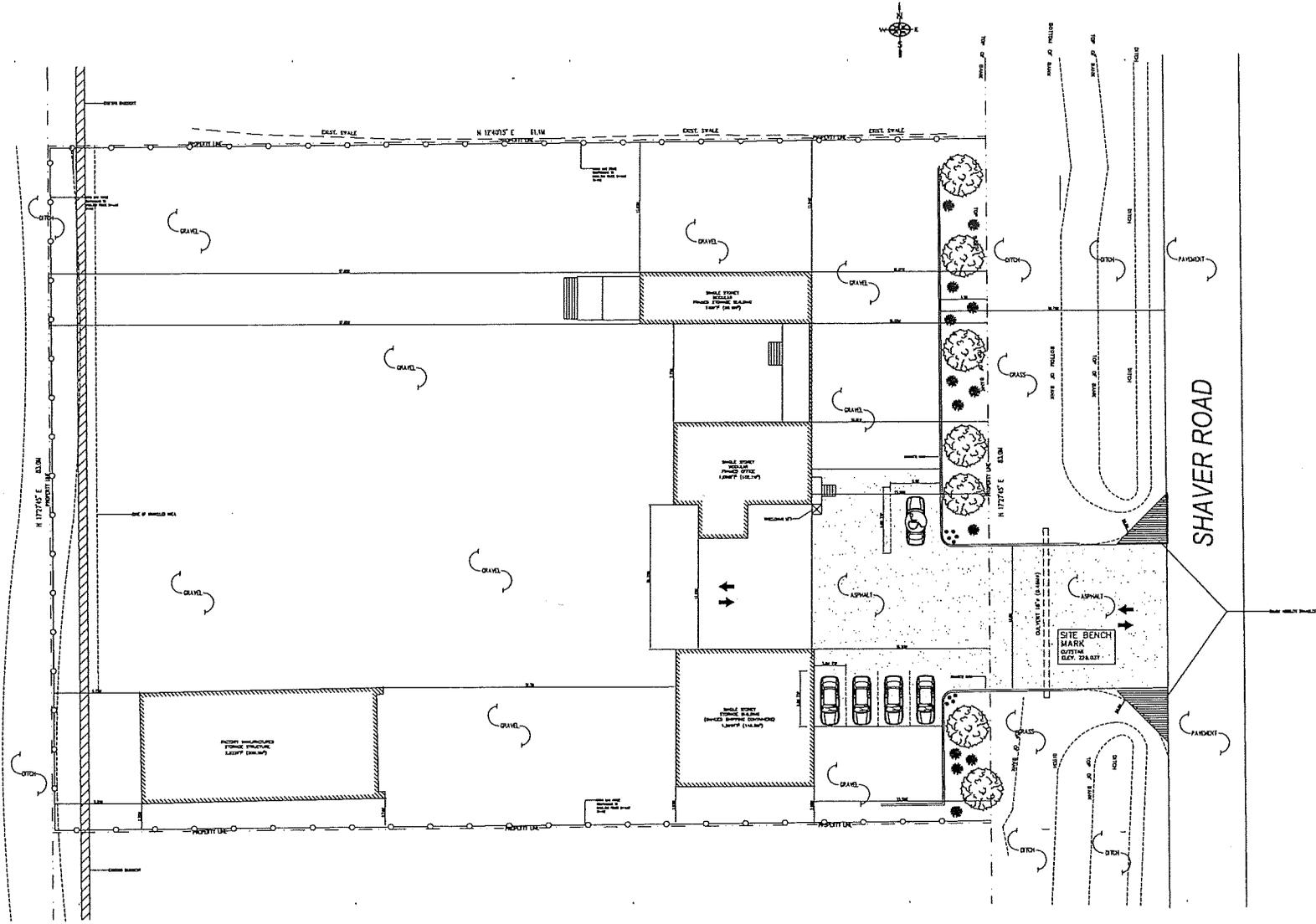
Existing: Single Story Modular Office: 102.1m<sup>2</sup> W 7.3m L 12.2m H 4.26m  
Workshop: 69.6m<sup>2</sup> W 4.5m L 15.24m H 4.26m  
Gauged shipping containers: 148.6m<sup>2</sup> W 12m L 12m H 2.74m  
Truss Shelter: 206.5m<sup>2</sup> W 9.1m L 19.8m H 5.1m  
Proposed: ''

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

Existing: Single Story Modular Office: Front - 17.25m  
Workshop: Front - 17.17m Side - 12.77m  
Gauged Shipping Containers: Front - 12.5m Side - 2.14m  
Truss Shelter: Side 1.87m Rear - 3.4m  
Proposed: ''

13. Date of acquisition of subject lands:  
November 1, 2017
14. Date of construction of all buildings and structures on subject lands:  
Office & workshop (2014). Shipping containers & truss shelter (Spring 2018)
15. Existing uses of the subject property: Office / Storage of materials
16. Existing uses of abutting properties: Industrial
17. Length of time the existing uses of the subject property have continued:  
5 years
18. Municipal services available: (check the appropriate space or spaces)  
 Water Yes Connected No  
 Sanitary Sewer No Connected No  
 Storm Sewers No
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Urban Hamilton Official Plan  
Business Park
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Hamilton Zoning By-law No. 05-200 M3,678  
General Provisions (Section 4, provision 4.22)
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.



REVISIONS			
NO	CHANGE	BY	DATE
△	ISSUED FOR REVIEW	BDW	29/11/18
△	REVISED	BDW	29/11/18
△	REVISED	BDW	26/12/18
△	REVISED	BDW	23/02/20
△	REVISED	BDW	03/02/20
△	REVISED	BDW	21/02/20
△	REVISED	BDW	22/09/20



**KEY:**

<p>ACTUAL FOUND ON SHEET</p> <p>REFER TO SHEET</p>	<p>DO NOT SCALE PRINTS. VERIFY ALL DIMENSIONS AND COORDINATES. REPORT ALL DISCREPANCIES TO CANDOMO DESIGN ASSOCIATES INC. ALL DIMENSIONS, SPECIFICATIONS, AND RELATED MATERIALS ARE THE PROPERTY OF CANDOMO DESIGN ASSOCIATES INC. AND MUST BE REVIEWED BY OWNER.</p>
--	---

THIS DRAWING IS NOT APPROVED FOR CONSTRUCTION UNTIL SIGNED AND DATED.

**Savoy** Planning & Architecture Inc.  
 722 Shaver Road, Ancaster, Ontario  
 P: (905) 884-9811 Fax: (905) 884-1113 Email: info@savoyinc.com

**candomo**  
 Candomo Design Associates Inc.  
 703 Box 6 Goringham Ontario Canada L9K 1G1  
 Telephone (905) 722-7007 Facsimile (905) 722-7008

722 SHAVER ROAD  
 ANCASTER, ONTARIO

DRAWN BY BDW	PROJECT NO. 2018-32	SCALE 1:200
CHECKED BY	DISE NO.	DATE 30/11/18
TITLE SITE PLAN	SHEET NO.	SP <sup>△</sup>

Amended  
 AN/A-20:69 June 24/20

