



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: Meeting#-xx-xxxx
Date: October 22, 2020
Time: 1:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

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

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

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

	Pages
1. PREVIOUSLY TABLED	
2. RURAL	
2.1. FL/A-20:186460 Con. 10 Rd. E., Flamborough (Ward 15) Owners L. & A. Ancona	5
2.2. FL/A-20:18814 Braeheid Ave., Flamborough (Ward 15) Owners J. & C. DiCecca	39
2.3. AN/A-20:1893549 Powerline Rd. W., Ancaster (Ward 12) Agent harrisonarchitecture Inc. Owner Brandon V. Smith	57
2.4. AN/A-20:191205 Sunny Ridge Rd., Ancaster (Ward 12) Agent Tom Coverdale Owner Herb Mullings	81

- 2.5. GL/B-20:61 5020 Tyneside Rd., Glanbrook (Ward 11) 103
Agent Mike Sullivan
Owner Thomsen-Jung Farms Ltd.
- 2.6. SC/A-20:183601 Green Mountain Rd. E. Stoney Creek (Ward 9) 133
Agent Alexander Aquin
Owners P. & L. Aquin
- 3. URBAN**
- 3.1. Amended HM/A-20:134175 Montrose Ave., Hamilton (Ward 4) 165
Agent Brent Vanderwoude
Owner Sean Dowell
- 3.2. Amended HM/A-19:19045 Martimas Ave., Hamilton (Ward 4) 175
Agent DeFilippis Design
Owner Reno Aquino
- 3.3. Amended HM/A-20:140102 & 104 Wellington St. N., Hamilton (Ward 3) 189
Agent Ken Bekendam
Owner Neat Nests Inc.
- 3.4. HM/A-20:195333 East Ave. N., Hamilton (Ward 3) 195
Agent Ken Bekendam
Owner Robert Frasca
- 3.5. HM/A-20:196129 Sherman Ave. N., Hamilton (Ward 3) 235
Agent Ken Bekendam
Owner John Noble
- 3.6. HM/A-20:18777 Tom St., Hamilton (Ward 1) 271
Agent Chris Hopkins
Owner G. Kass inger
- 3.7. HM/B-20:58133-135 Markland St., Hamilton (Ward 2) 291
Owner Lisa Lynn Lavalee

4. SUBURBAN

- | | | |
|-------|--|-----|
| 4.1. | HM/A-20:94205 West 32nd St., Hamilton (Ward 14)

Agent Christine Brown
Owner K. Weinrebe & H. Guirguis | 321 |
| 4.2. | HM/A-20:17711 Fisher Cres., Hamilton (Ward 14)

Owner Susan Bettencourt | 343 |
| 4.3. | AN/A-20:18533 Enmore Ave., Ancaster (Ward 12)

Owner Ian Young | 373 |
| 4.4. | AN/A-20:190156 Bookjans Dr., Ancaster (Ward 12)

Owners S. Mrmak & M. Vuckovich Mrmak | 393 |
| 4.5. | Amended AN/A-20:155148 John Frederick Dr., Ancaster (Ward 12)

Owner Nick Carrescia | |
| 4.6. | GL/B-20:60110 Aeropark Blvd., Glanbrook (Ward 11)

Agent WEBB Planning Consultants
Owner 11035380 Canada Inc. & GreyCan 8 Properties Inc. | 437 |
| 4.7. | SC/A-20:1984, 8, 12 & 16 Sauvignon Cres. Stoney Creek (Ward 10)

Agent DiCenzo & Associates Professional Corporation c/o Allan Buist | 457 |
| 4.8. | HM/A-20:192612 Upper James St., Hamilton (Ward 8)

Agent Kelsey Hammerton
Owner Dr. Mohammed Reza Noei | 481 |
| 4.9. | HM/A-20:194684 Upper James St., Hamilton (Ward 8)

Owner Giuseppe DiSalvo | 495 |
| 4.10. | HM/A-20:197600 Upper Kenilworth Ave., Hamilton (Ward 6)

Owners D. & A. Eigenbrood | 513 |

5. CLOSED**6. ADJOURNMENT**



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-20:186

APPLICANTS: L. & A. Ancona

SUBJECT PROPERTY: Municipal address **460 Con. 10 Rd. E., Flamborough**

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

ZONING: "A2" (Rural) district

PROPOSAL: To permit the construction of an accessory building comprising 146 square metres located on a residential parcel of land, notwithstanding that;

1. Accessory buildings shall be permitted to be located within the front yard instead of the requirement no accessory buildings or structures shall be located within a front yard.
2. A maximum gross floor area of 221 square metres and a maximum building height of 7.0 metres shall be permitted for all building's accessory to the single detached dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall not exceed a maximum gross floor area of 200 square metres and a maximum building height of 6.0 metres.

NOTE:

1. Construction of the proposed accessory building 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.

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

DATE: Thursday, October 22nd, 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
for viewing purposes only

PUBLIC INPUT

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

FL/A-20:186

Page 2

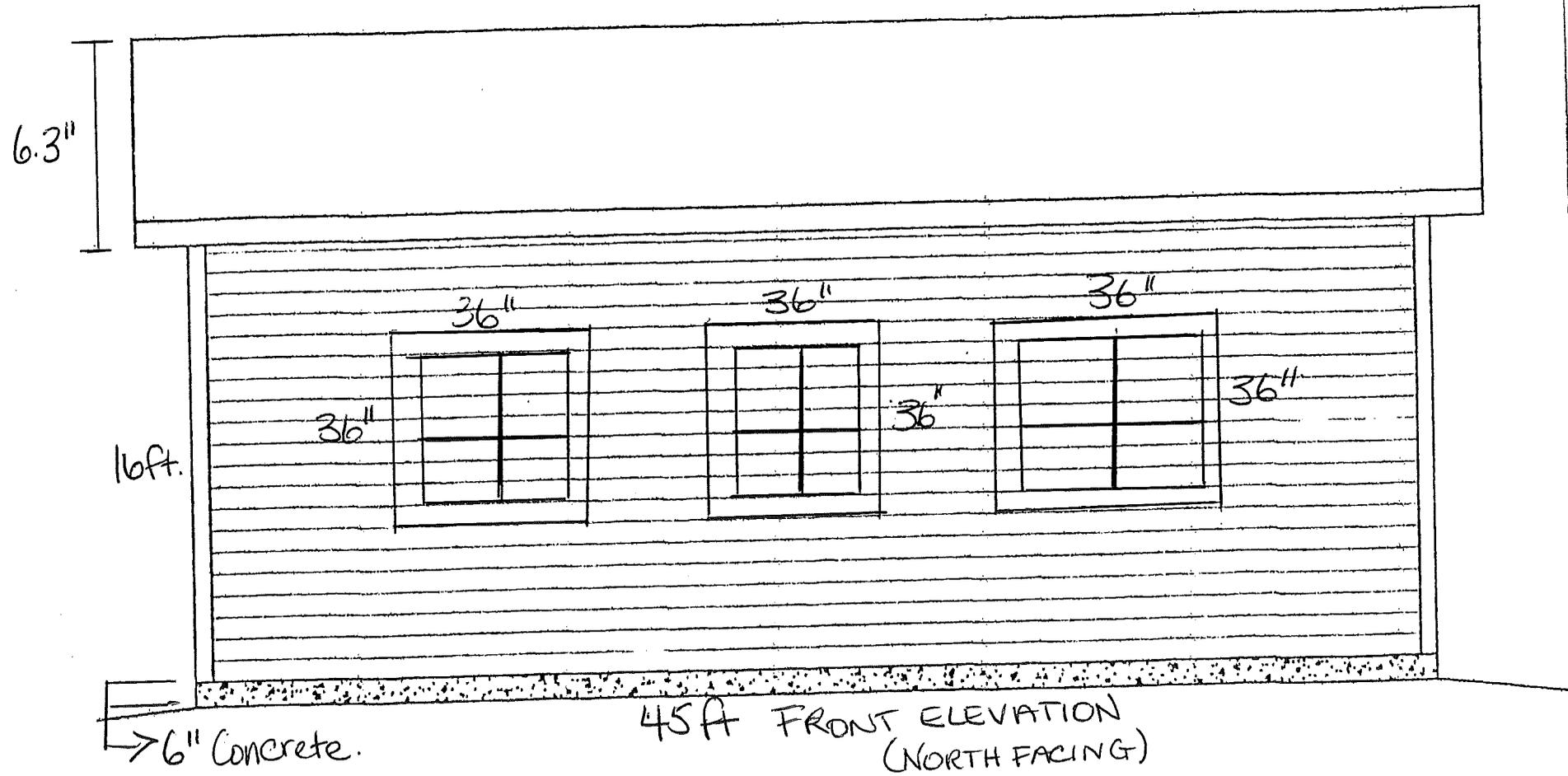
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

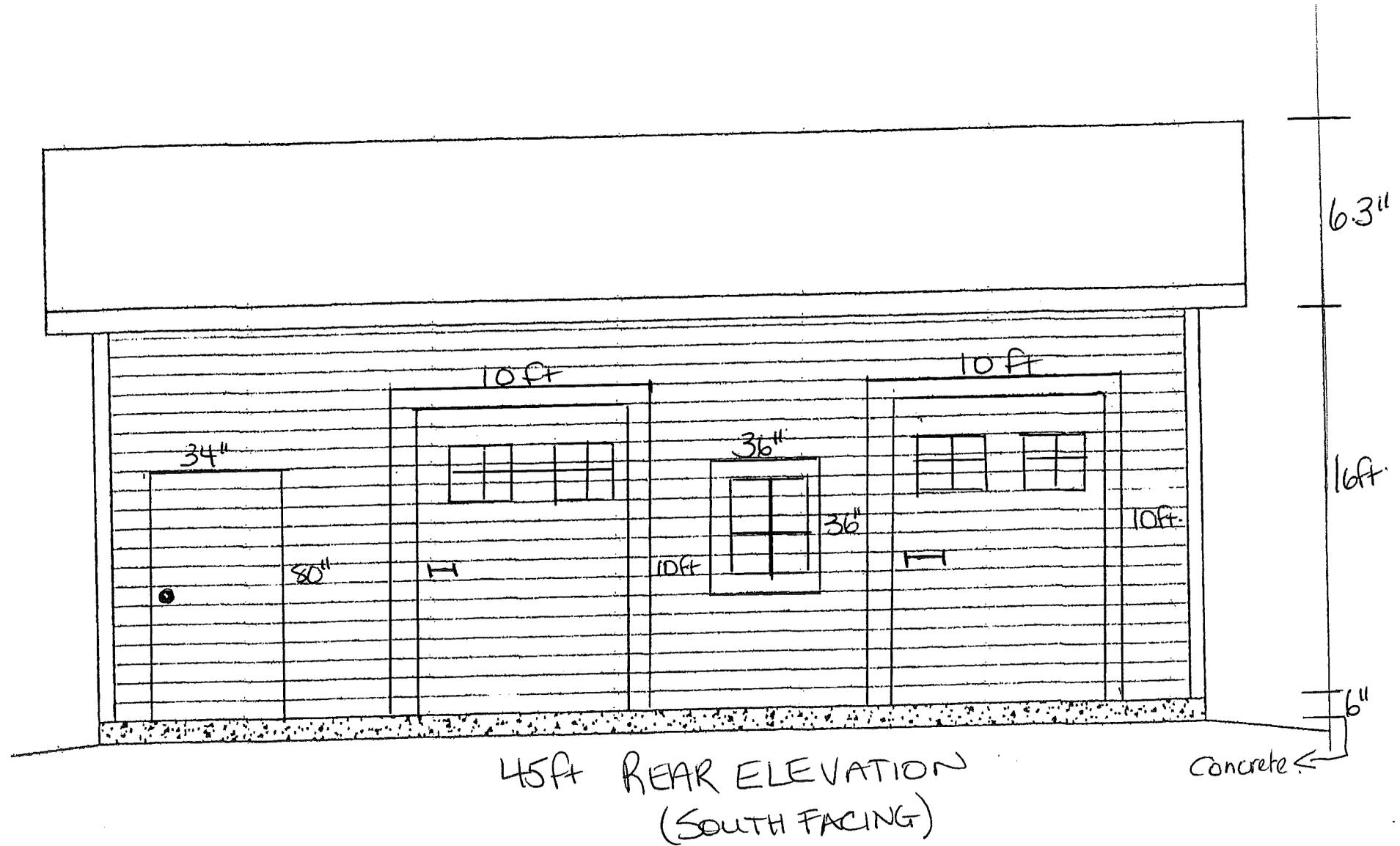
DATED: October 6th, 2020.

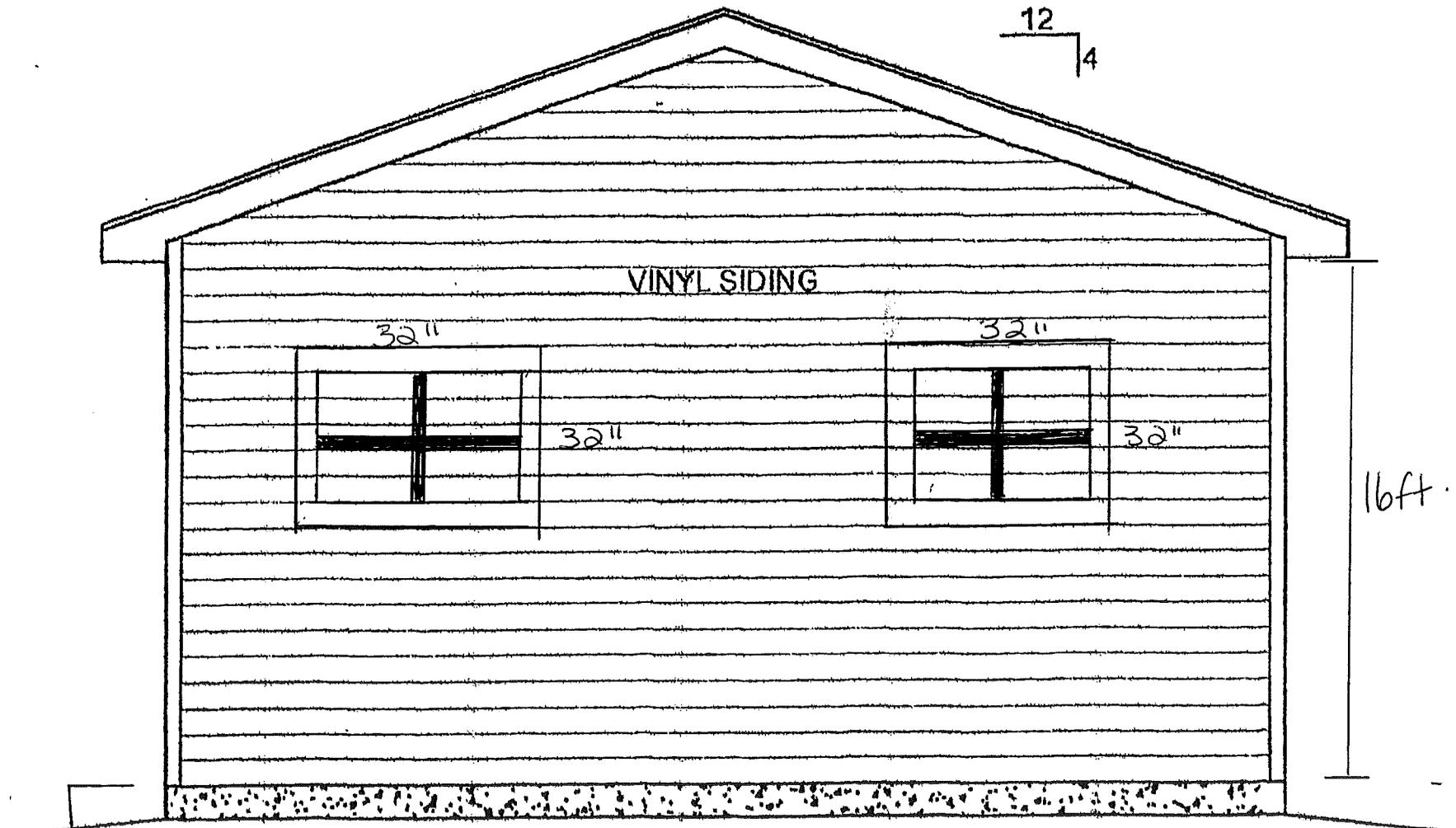


Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

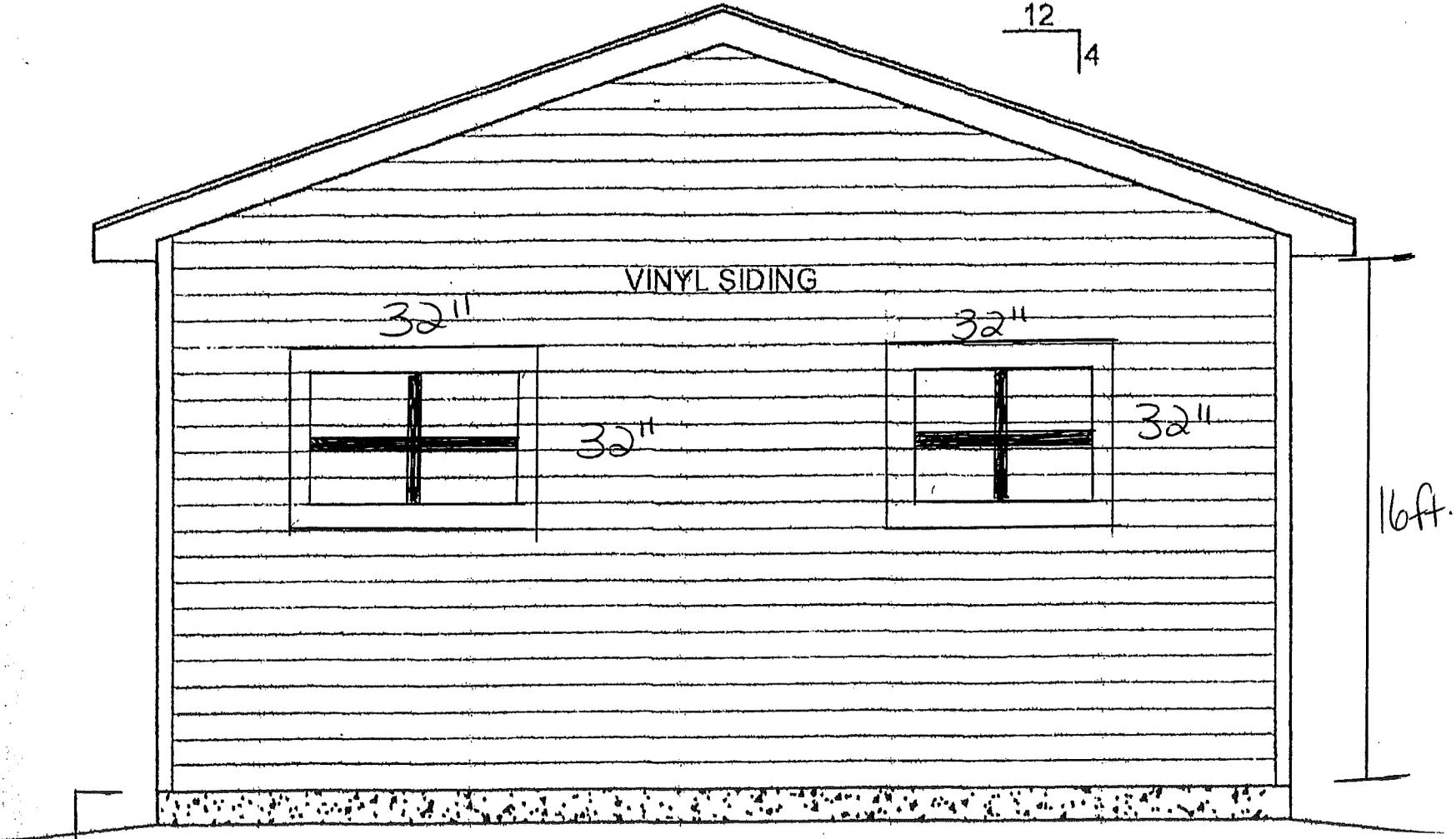






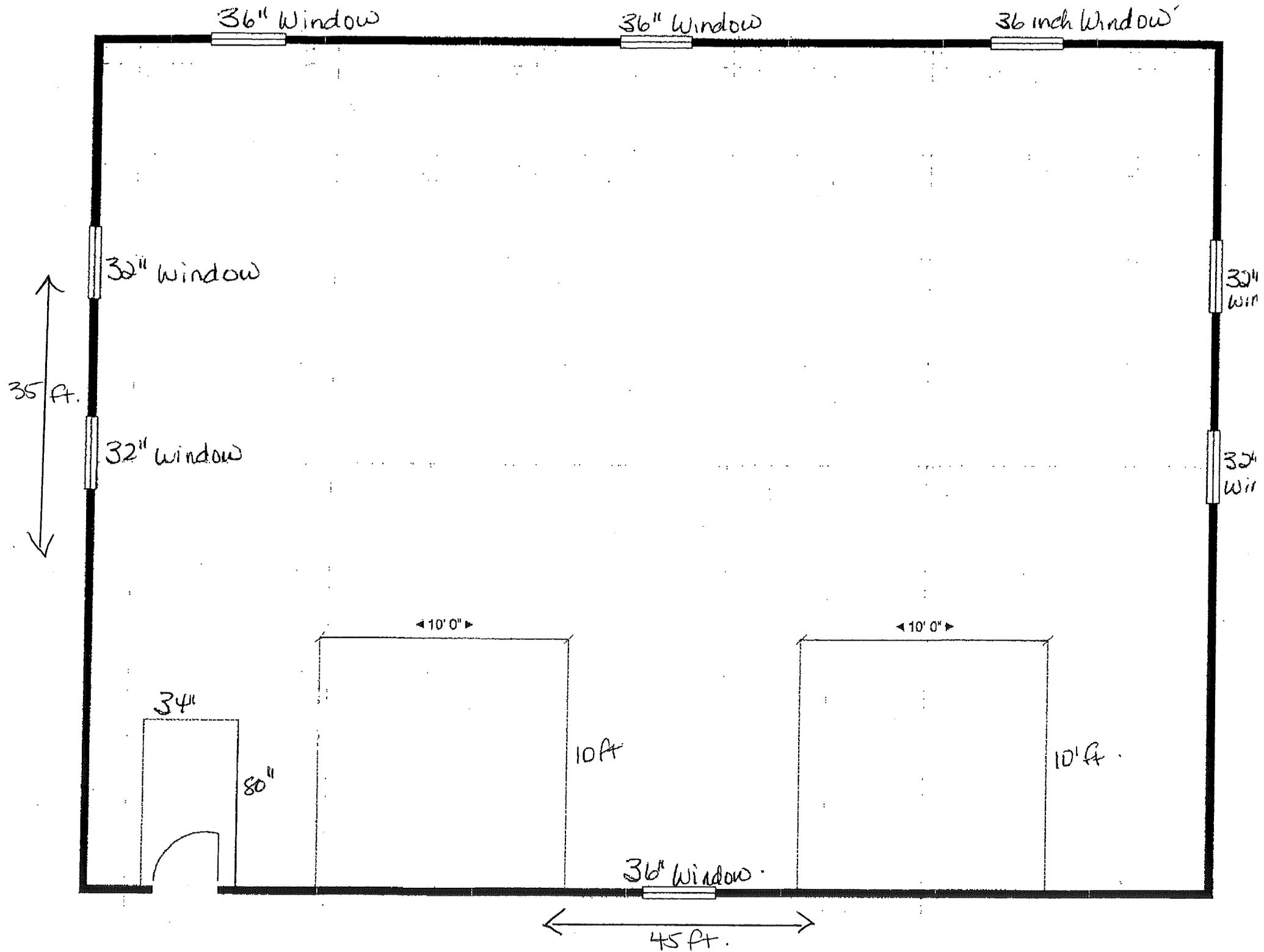
→ 6" Concrete

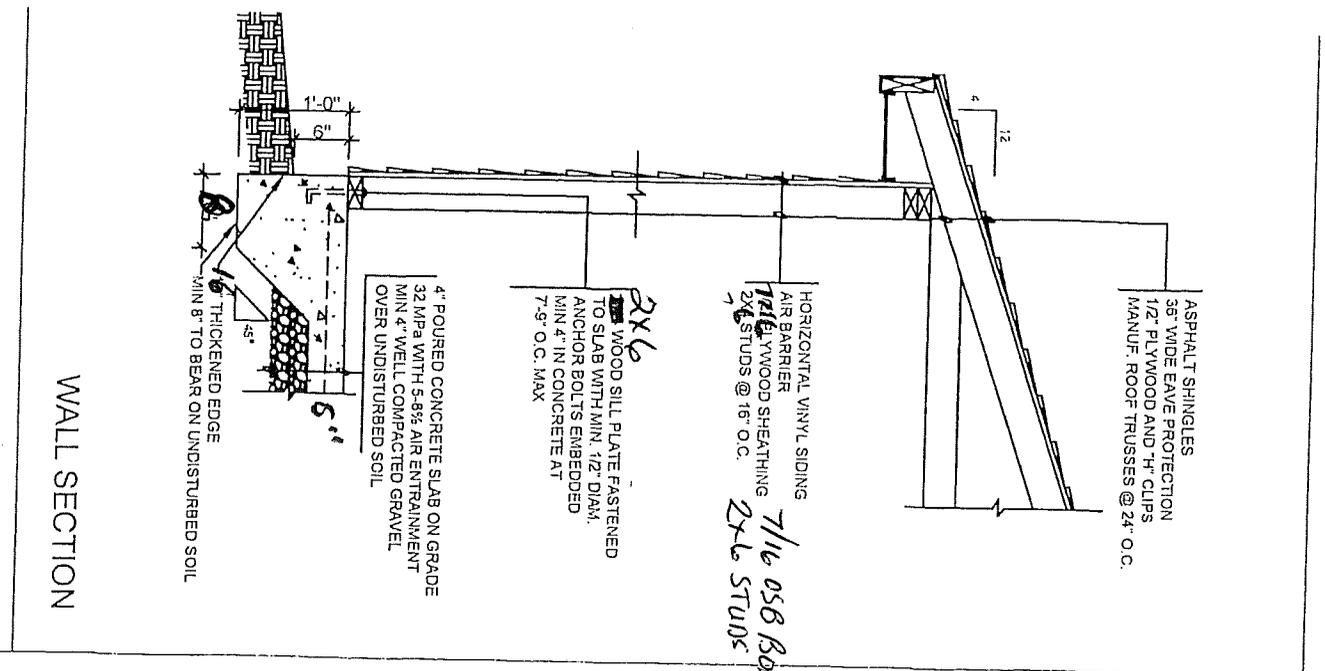
35A. LEFT SIDE ELEVATION
(EAST FACING)



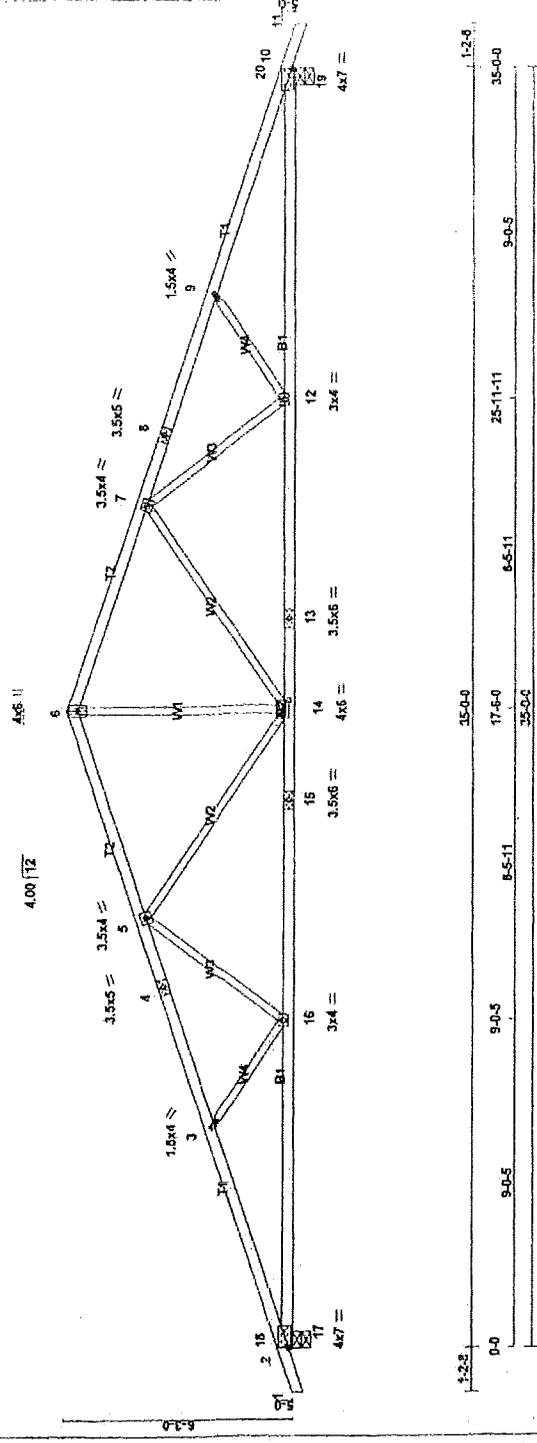
→ 6" Concrete.

35 FT. RIGHT SIDE ELEVATION
(WEST FACING)





JOB NAME	TRUSS NAME	QUANTITY	PLY	JOB DESC.	DRWG NO.
ANCONA	T01	22	1	TRUSS DESC.	
Roof Trusses & Components Ltd., Rockwood, Ont., NOB 2KO, Harry de Vries					
-1-28 0-0 1-2-8-1	5-2-8	5-7-13	11-10-3	5-7-13	5-7-13
	6-2-6				6-2-6
Version 8.310 S Aug 13 2019 Mitek Industries, Inc Tue Aug 18 15:22:19 2020 Page 1					
ID: xjGNDzSE_QyYkRbplTqeyoEuq-7_LbjY7uhGkFOA1twcP4GX_5yJfCSAB8HndUDU7ymbDL					
35-0-0 36-2-8 1-2-8 5-7-13 24-4-10 6-2-6					
Scale = 1:81.5					



LUMBER	N. L. G. A. RULES	DESCR.	LUMBER	W	LEN	Y	X
CHORDS							
1	4	SPF	No.2	4.0	7.0	0.75	0.25
2	4	SPF	No.2	1.5	4.0		
3	4	SPF	No.2	3.5	5.0		
4	6	SPF	No.2	3.5	4.0		
5	8	SPF	No.2	4.0	6.0		
6	11	SPF	No.2	3.5	4.0		
7	15	SPF	No.2	3.5	5.0		
8	15	SPF	No.2	1.5	4.0	0.75	0.25
9	13	SPF	No.2	3.5	6.0		
10	10	SPF	No.2	4.0	7.0		
11	10	SPF	No.2	3.5	6.0		
12	10	SPF	No.2	4.0	6.0	1.50	3.00
13	10	SPF	No.2	3.5	6.0		
14	10	SPF	No.2	3.5	6.0		
15	10	SPF	No.2	3.5	6.0		
16	10	SPF	No.2	3.0	4.0		

PLATES (table is in inches)	W	LEN	Y	X
1	4.0	7.0	0.75	0.25
2	1.5	4.0		
3	3.5	5.0		
4	4.0	6.0		
5	3.5	4.0		
6	3.5	5.0		
7	1.5	4.0	0.75	0.25
8	3.5	6.0		
9	4.0	7.0		
10	3.5	6.0		
11	3.5	6.0		
12	3.0	4.0		
13	4.0	6.0	1.50	3.00
14	3.5	6.0		
15	3.5	6.0		
16	3.0	4.0		

DESIGN CRITERIA	VALUES
SPECIFIED LOADS:	
TOP CH. LL	= 25.6 PSF
BOT CH. LL	= 0.0 PSF
TOTAL LOAD	= 35.9 PSF
SPACING	= 24.0 IN. C/C
THIS TRUSS IS DESIGNED FOR RESIDENTIAL OR SMALL BUILDING REQUIREMENTS OF PART 9, NBC 2015	
THIS DESIGN COMPLIES WITH:	
- PART 9 OF CBC 2016, ABC 2019	
- CSA 086-14	
- TPC 2014	
(65 % OF 31.3 P.S.F. G.S.L. PLUS 8.4 P.S.F. RAIN LOAD) EQUALS 25.6 P.S.F. SPECIFIED ROOF LIVE LOAD	
ALLOWABLE DEFL.(LL) = U/360 (1:17)	
CALCULATED VERT. DEFL.(LL) = U/999 (0.357)	
ALLOWABLE DEFL.(TL) = U/360 (1:17)	
CALCULATED VERT. DEFL.(TL) = U/645 (0.657)	
CSI: TC=0.631 00 (9-20:1), BC=0.811 00 (10-18:1), WB=0.991 00 (5-14:1), SS=0.411 00 (10-20:1)	
DOL LUMBER=1.00 NAIL=1.00 LS BEND=1.10 COMP=1.10 SHEAR=1.10 TENS=1.10	
COMPANION LIVE LOAD FACTOR = 1.00	
TRUSS PLATE MANUFACTURER IS NOT RESPONSIBLE FOR QUALITY CONTROL IN THE TRUSS MANUFACTURING PLANT.	
NAIL VALUES	
PLATE GRIP(DRY) SHEAR SECTION (PSI) (PLI)	
MAX MIN MAX MIN MAX MIN	
MT20 550 371 1747 788 1987 1873	
PLATE PLACEMENT TOL. = 0.250 inches	
PLATE ROTATION TOL. = 5.0 Deg.	
JSI GRIP= 0.90 (10) (INPUT = 0.90)	
JSI METAL= 0.90 (15) (INPUT = 1.00)	

BEARINGS	FACTORED	MAXIMUM FACTORED	INPUT	REQD	DEAD	SOIL
JT	VERT	GROSS REACTION	BRG	IN-SX	0/0	0/0
2	1899	0	5-8	5-8	368/0	0/0
10	1899	0	5-8	5-8	368/0	0/0

UNFACTORED REACTIONS	1ST CASE	MAX	MIN	COMPONENT REACTIONS	LIVE	PERM LIVE	WIND	DEAD
JT	COMBINED	SHOW			0/0	0/0	0/0	0/0
2	1328	960/0			0/0	0/0	0/0	368/0
10	1328	960/0			0/0	0/0	0/0	368/0

BEARING MATERIAL TO BE SPF NO.2 OR BETTER AT JOINT(S) 2, 10

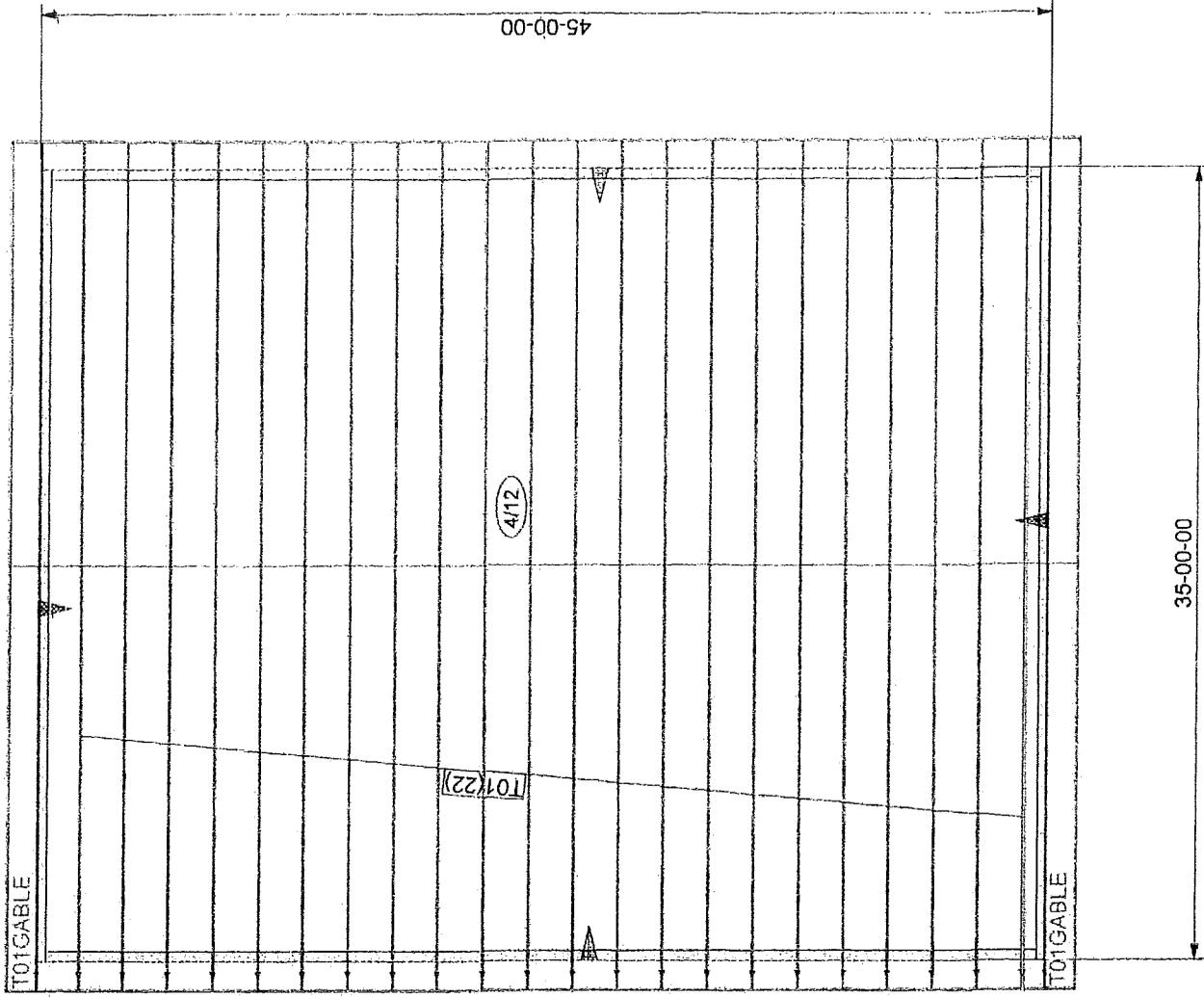
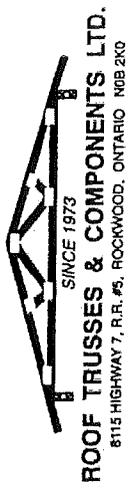
BRACING
TOP CHORD TO BE SHEATHED OR MAX. PURLIN SPACING = 2.85 FT.
MAX. UNBRACED BOTTOM CHORD LENGTH = 10.00 FT. OR RIGID CEILING DIRECTLY APPLIED.

ALL PITCH BREAKS AND PERIMETER CORNER JOINTS MUST BE Laterally RESTRAINED.

LOADING	TOTAL LOAD CASES: (4)	CHORDS	MEMB.	FACTORED	VERT. LOAD	LC1	MAX	MEMB.	MAX	FACTORED	FORCE	MAX
FR-TO	0/12	1-2	0/12	-84.3	-84.3	0.09	(1)	10.00	14-8	0/1393	0.31	(1)
1-2	-4654/0	2-18	-4654/0	-84.3	-84.3	0.49	(1)	2.85	14-7	-1049/0	0.98	(1)
18-3	-4664/0	3-4	-4024/0	-84.3	-84.3	0.63	(1)	2.94	7-12	0/551	0.12	(1)
3-4	-4024/0	4-5	-2817/0	-84.3	-84.3	0.59	(1)	3.11	12-9	-508/0	0.13	(1)
4-5	-2817/0	5-6	-2817/0	-84.3	-84.3	0.45	(1)	3.11	5-14	-1049/0	0.98	(1)
5-6	-2817/0	6-7	-4024/0	-84.3	-84.3	0.45	(1)	3.77	16-5	0/551	0.12	(1)
6-7	-4024/0	7-8	-4024/0	-84.3	-84.3	0.59	(1)	3.11	17-18	-508/0	0.13	(1)
7-8	-4024/0	8-9	-4664/0	-84.3	-84.3	0.59	(1)	3.11	19-20	0/322	0.00	(1)
8-9	-4664/0	9-20	-4664/0	-84.3	-84.3	0.63	(1)	2.94		0/322	0.00	(1)
9-20	-4664/0	20-10	-4664/0	-84.3	-84.3	0.48	(1)	2.85		0/322	0.00	(1)
20-10	-4664/0	10-11	0/12	-84.3	-84.3	0.09	(1)	10.00				
10-11	0/12	2-17	0/4230	-18.2	-18.2	0.81	(1)	10.00				
2-17	0/4230	17-16	0/4230	-18.2	-18.2	0.81	(1)	10.00				
17-16	0/4230	16-15	0/3510	-18.2	-18.2	0.73	(1)	10.00				
16-15	0/3510	15-14	0/3510	-18.2	-18.2	0.73	(1)	10.00				
15-14	0/3510	14-13	0/3510	-18.2	-18.2	0.73	(1)	10.00				
14-13	0/3510	13-12	0/3510	-18.2	-18.2	0.73	(1)	10.00				
13-12	0/3510	12-16	0/4230	-18.2	-18.2	0.81	(1)	10.00				
12-16	0/4230	16-10	0/4230	-18.2	-18.2	0.81	(1)	10.00				
16-10	0/4230											

TOTAL WEIGHT = 22 X 114 = 2507.8 (MFT)

ANCONA, TONY
35 X 45 SHOP
10 CONC. EAST,
CARISLE



SCALE 1/8" = 1'-0"
DATE -AUG 18/ 2020

RECEIVED

SEP 03 2020



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-182544

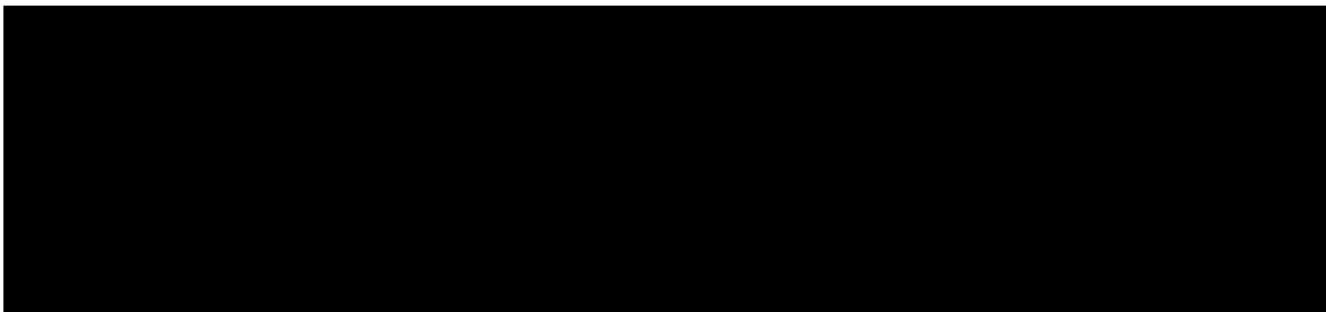
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>FLA-20:186</u>	DATE APPLICATION RECEIVED <u>Sept 3/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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

The Planning Act

Application for Minor Variance or for Permission

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



FAX NO. _____ E-mail address. _____

4. Address _____
Postal Code _____

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

TO BUILD AN ACCESSORY BUILDING (GARAGE)
NORTH EAST SIDE OF PROPERTY

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

THE AREA CONSIDERED IS THE FRONT
YARD OF THE PROPERTY.

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

LOT 3 CONCESSION 9
460 CONCESSION 10 RD EAST

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant
Other _____

9.1 If Industrial or Commercial, specify use

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

SPOKE TO PREVIOUS OWNER MRS. VANDAM
THAT LINED HERE SINCE 1963. WE HAVE LIVED
HERE SINCE 2003.

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



10. Dimensions of lands affected:

Frontage 53.340 m
 Depth 91.440 m
 Area 48.77 m²
 Width of street 20 m +

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

Existing: RESIDENTIAL HOME - 260.1 sq m (2800 sq ft)
Detached Garage - 28.6 sq m (307 sq ft)
Vinyl Shed - 21.6 sq m (232 sq ft)

Proposed: ACCESSORY BUILDING (GARAGE)
LENGTH - 13.716 m (45 ft)
WIDTH - 10.668 m (35 ft)
AREA - 146.32 m²

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

Existing: House - 43.451 m (142.5 ft) from road Eastside from house to
prop line - 21 m (69 ft) Westside from house to prop. line - 6.28 m (20.6 ft)
Southside - from prop. line to house - 40.5 m (133 ft) Vinyl Shed - prop. line to
Southside - 11.8 sq m (387.8 sq ft) Eastside - 1.44 m (4.72 ft) - from vinyl shed

Garage West side of property - 307.59 ft. (28.65q. metres)

Vinyl Shed - northside from shed to rd. - 76m (249.3 ft).

Proposed: ACCESSORY BUILDING (GARAGE)

BUILDING TO ROAD - 25m (82.02 ft) WEST SIDE TO BUILDING (131 ft) 39m
East side of building to prop line (34.07 ft) 10.38 m.

Back of prop (south) to building - (200ft) 60m.

13. Date of acquisition of subject lands:

JUNE 2003.

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

1974

15. Existing uses of the subject property:

RESIDENTIAL HOME / AGRICULTURAL

16. Existing uses of abutting properties:

LOW DENSITY RESIDENTIAL / AGRICULTURAL

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

SINCE 1974.

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

Water N/A Connected _____

Sanitary Sewer N/A Connected _____

Storm Sewers N/A.

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

RURAL / AGRICULTURAL

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

A2

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

Yes

No

If the answer is yes, describe briefly.

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

Yes

No

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION

[Redacted] of

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

[Redacted]

~~A~~ Commissioner, etc.

PART 25 OWNERS AUTHORIZATION

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

_____ of _____

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

DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

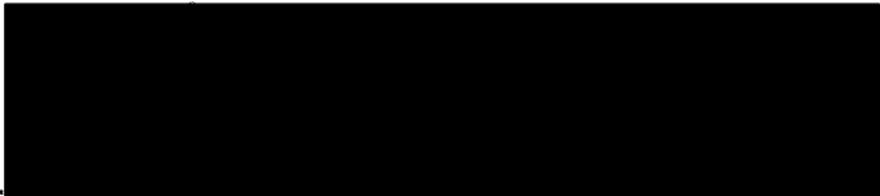
Consent of Owner to the Disclosure of Application Information and Supporting Documentation

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

[Redacted] knowledge

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

August 29, 2020
Date



PART 27 PERMISSION TO ENTER

Date: August 28, 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 460 CONCESSION 10 RD EAST
(Municipal address) FREELTON L8B1H6.

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



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 28 day of AUGUST, 2020.

BETWEEN:



-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated AUGUST 28/20 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 28 day of August 20 20.

BETWEEN



(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated AUGUST 28, 2020

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED



I have authority to bind the corporation

c/s

Assignee:

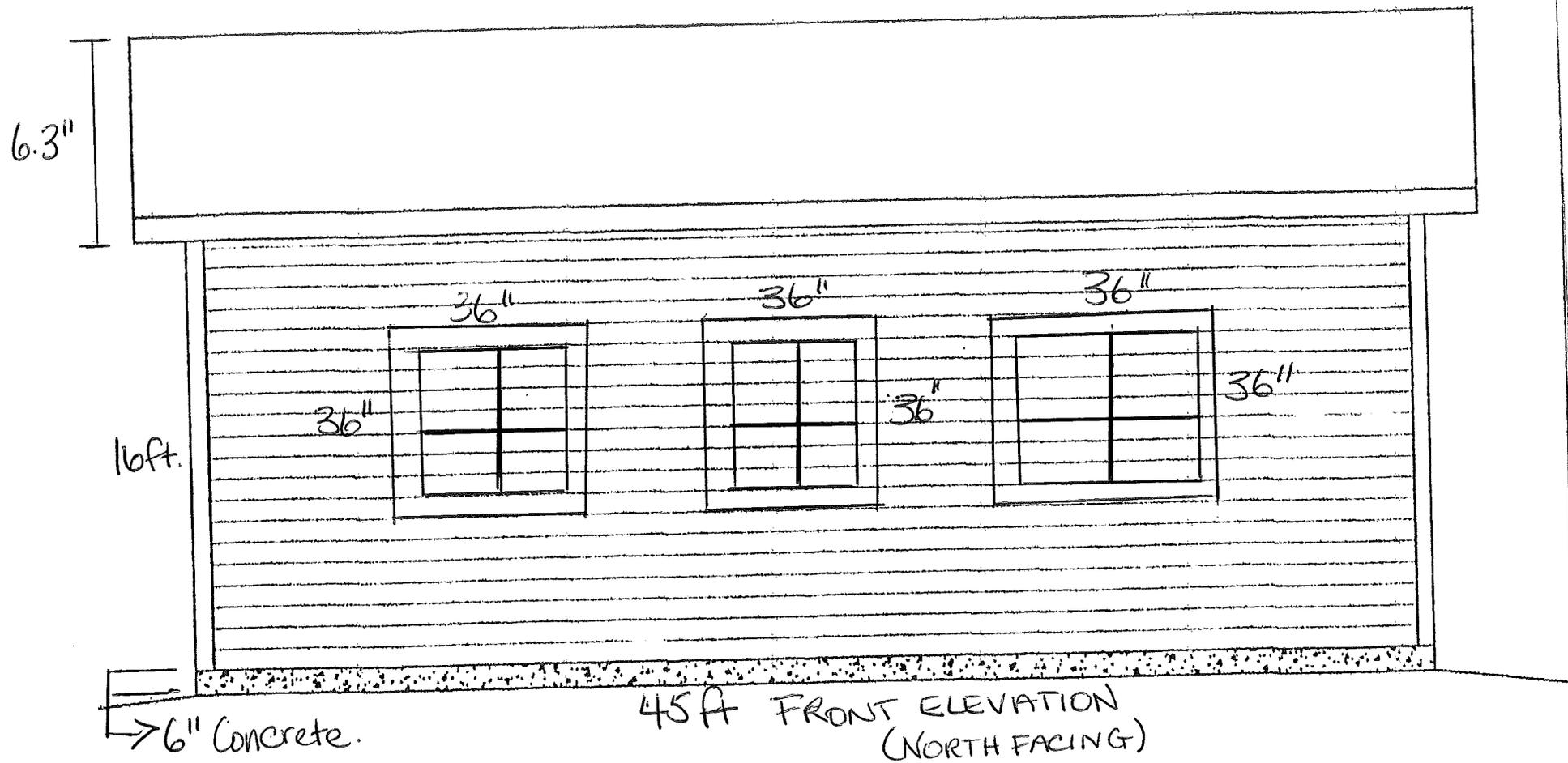
Title:

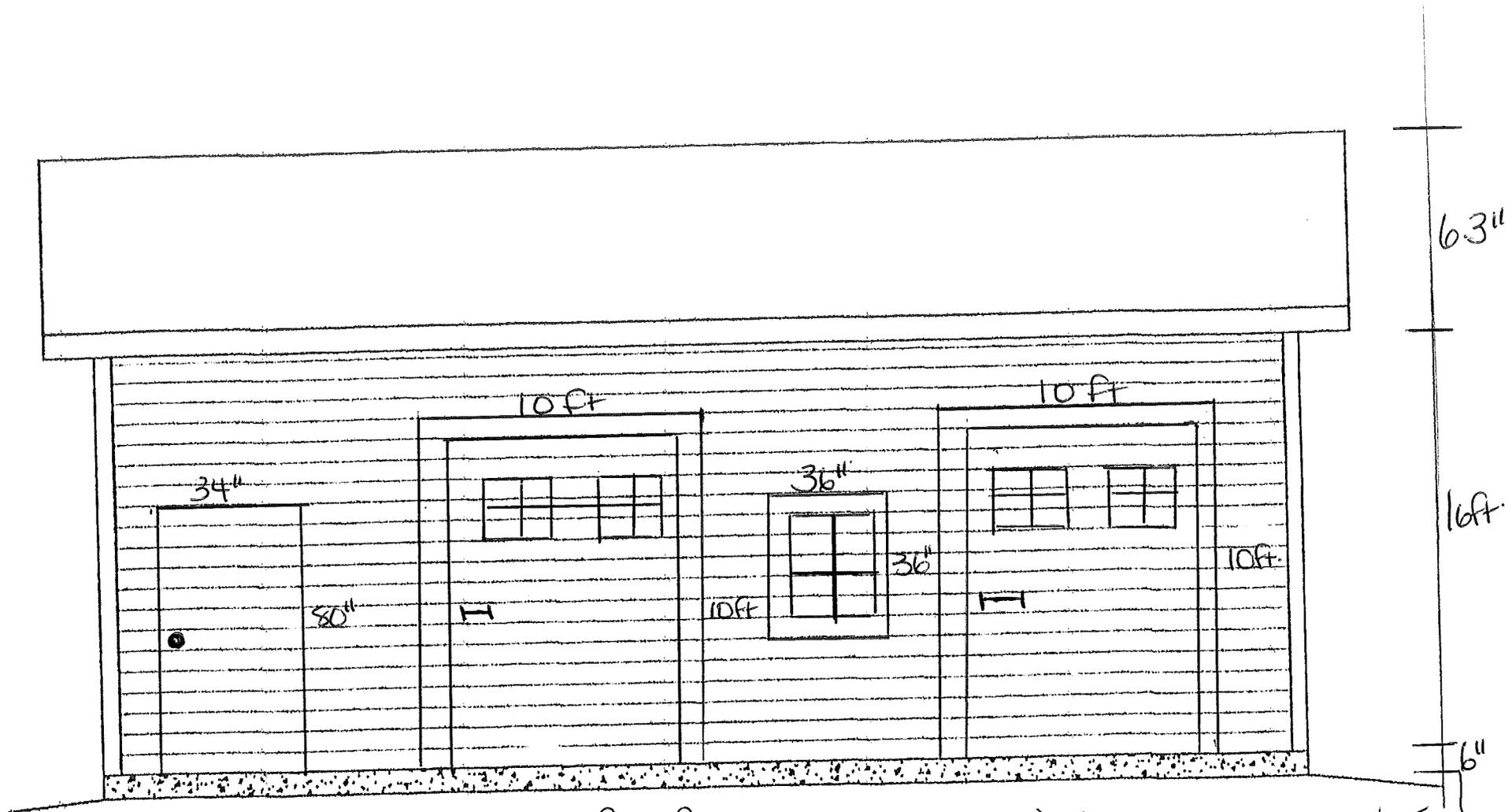
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

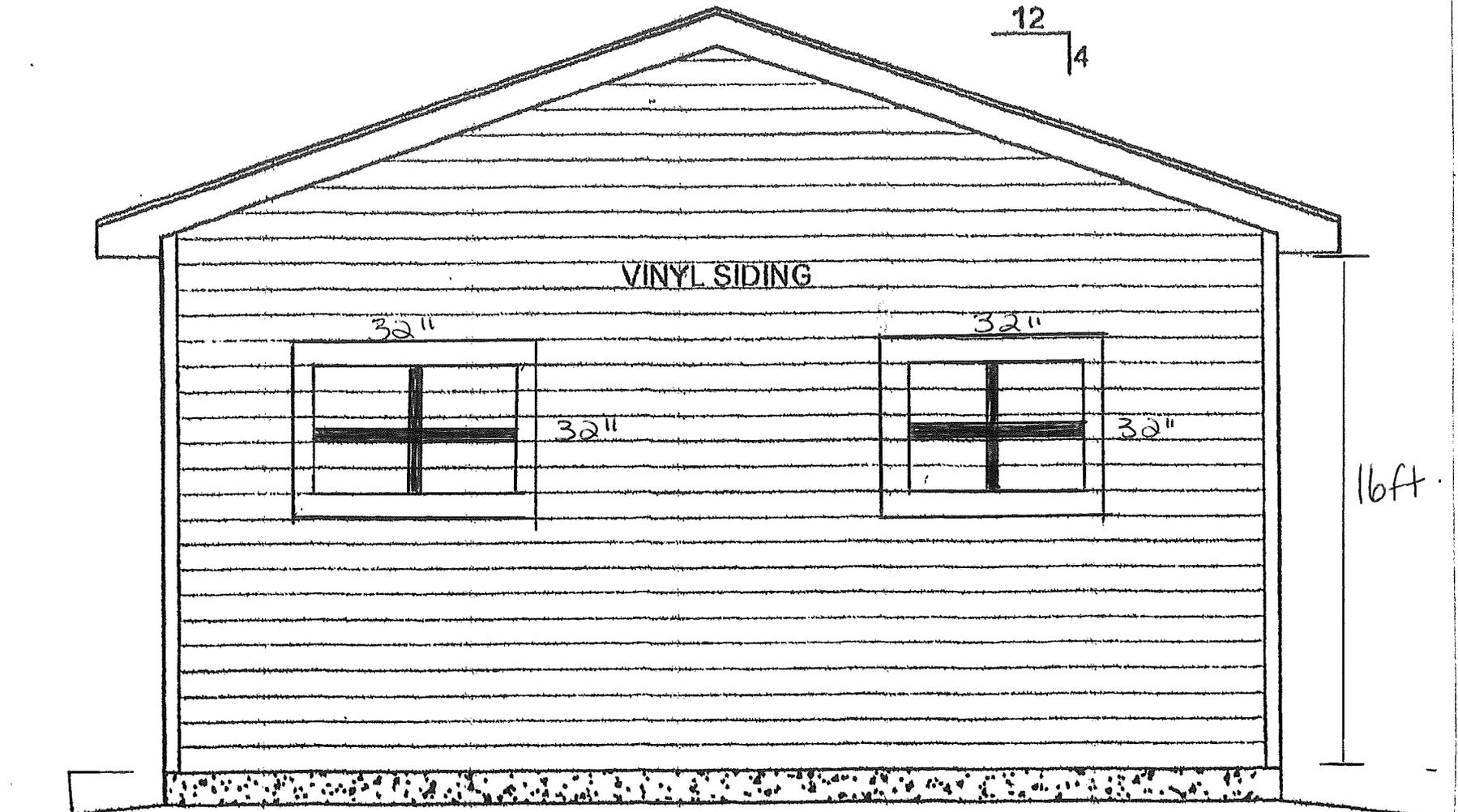
Clerk



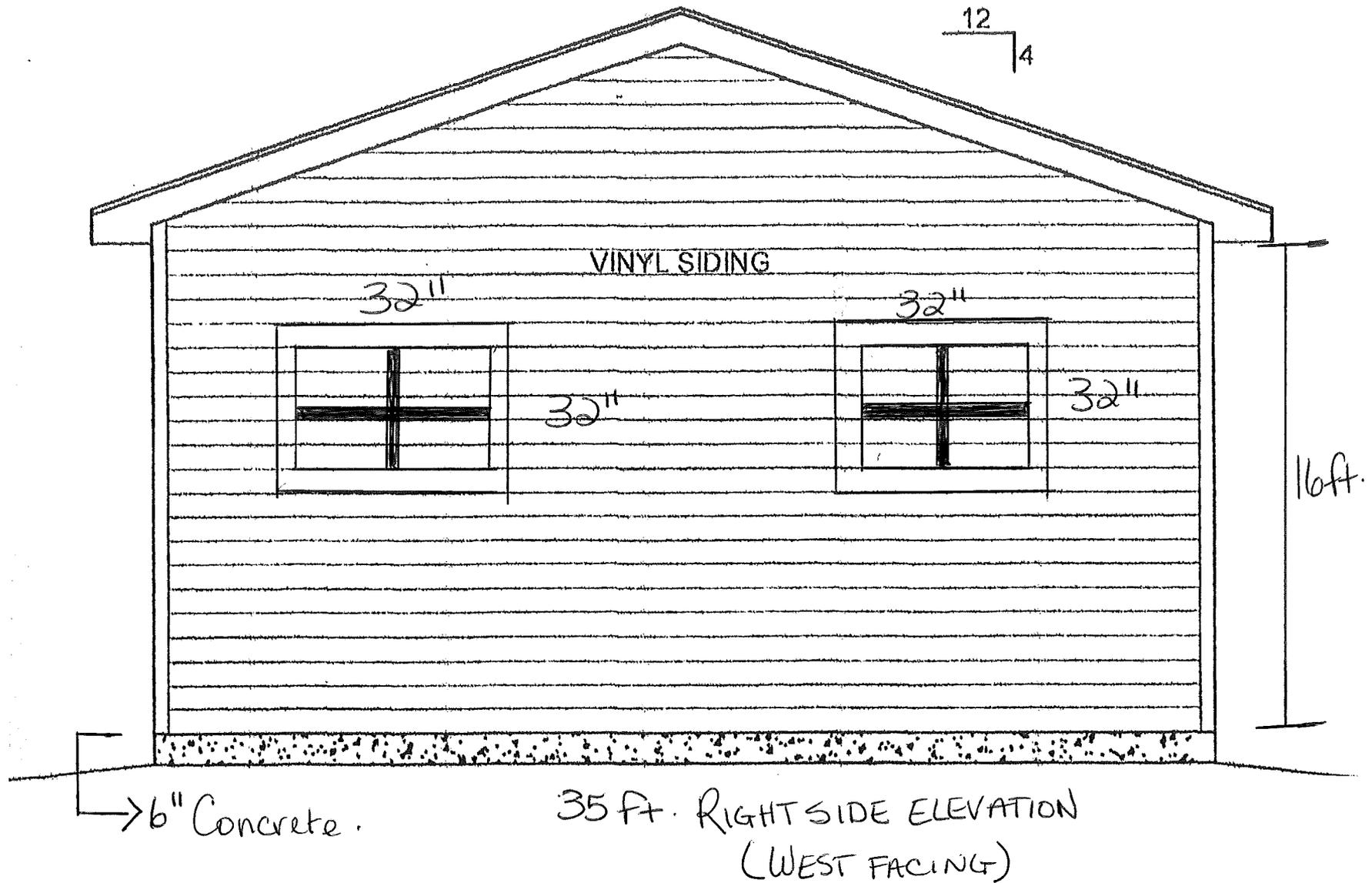


45ft REAR ELEVATION
(SOUTH FACING)

Concrete ← 6"



35ft. LEFT SIDE ELEVATION
(EAST FACING)



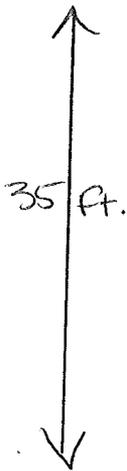
36" Window

36" Window

36 inch Window Page 84 of 529

32" window

32" Win



32" window

32" Win

◀ 10' 0" ▶

◀ 10' 0" ▶

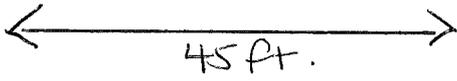
34"

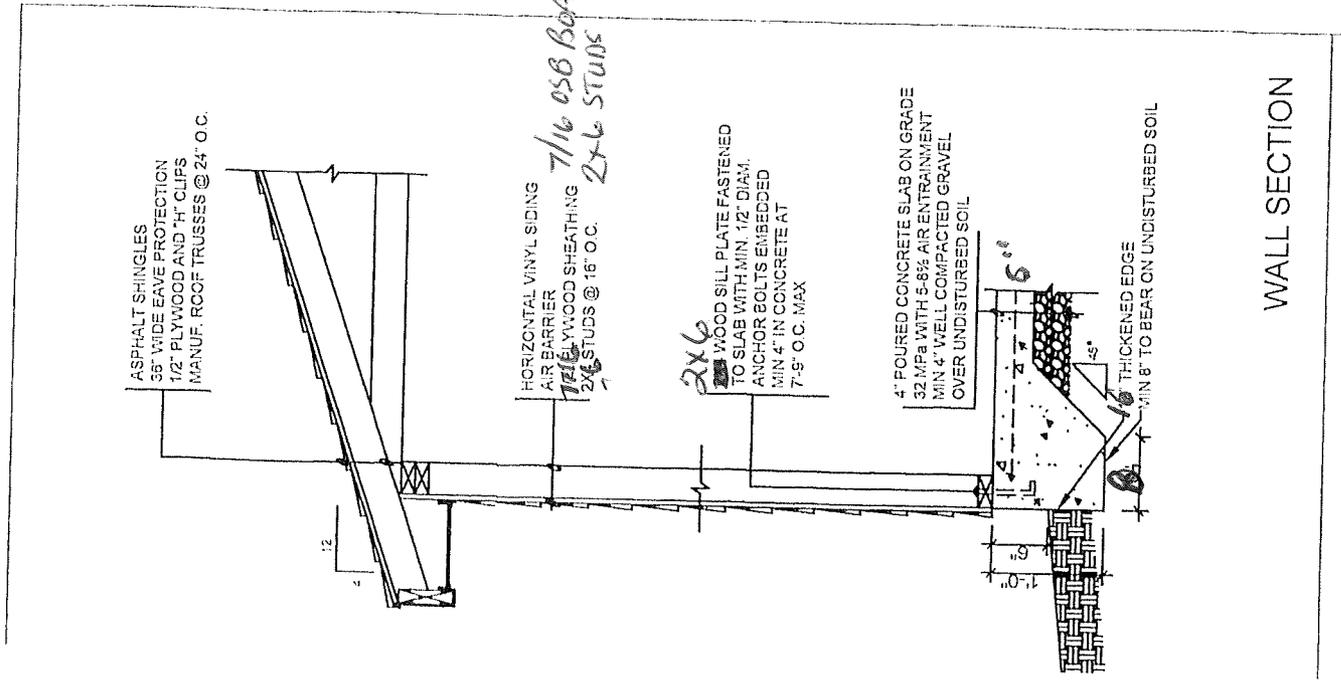
80"

10 ft

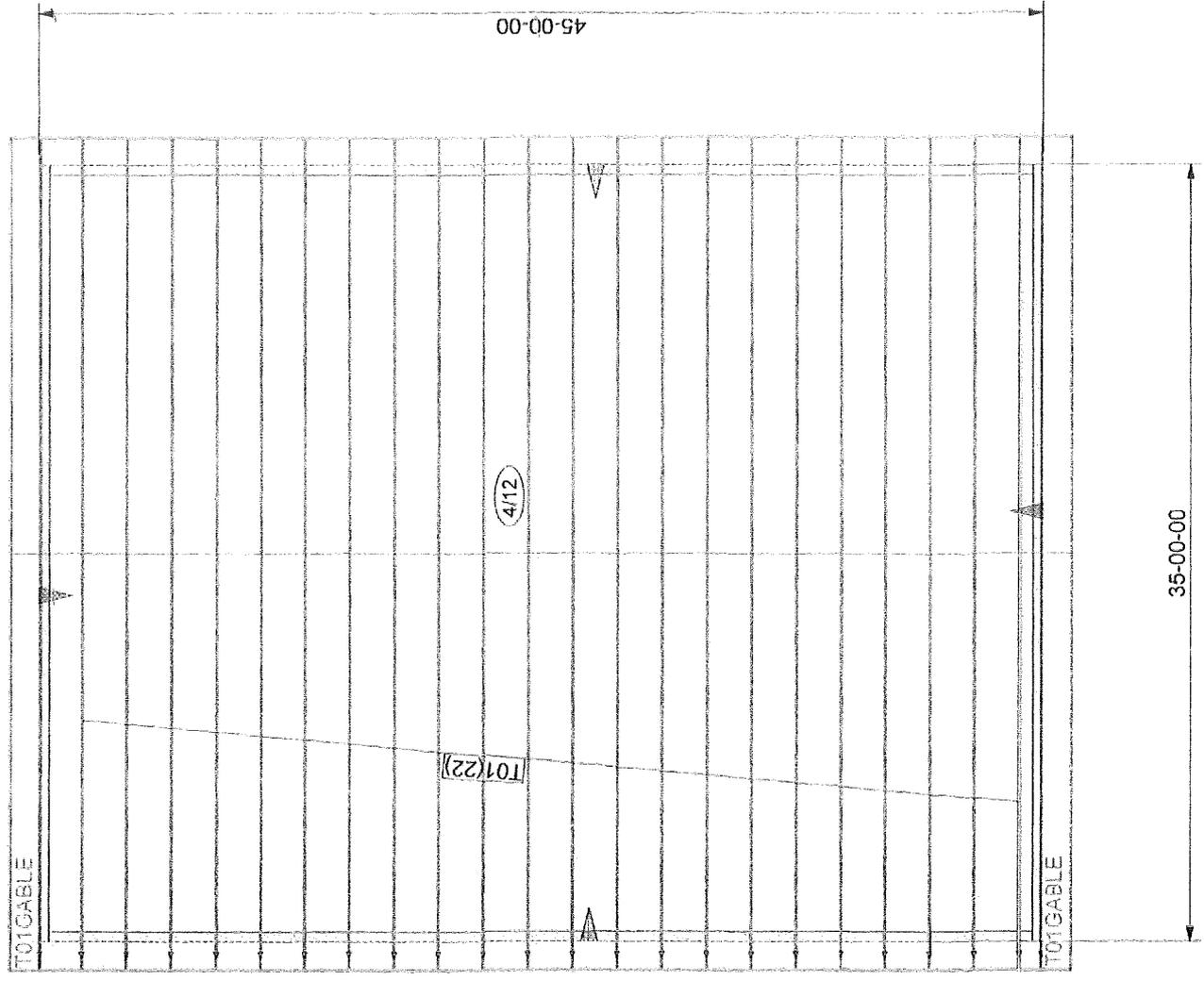
10' ft

36" Window

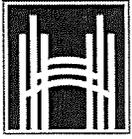




ANCONA, TONY
35 X 45 SHOP
10 CONC. EAST,
CARISLE



SCALE 1/8" = 1'-0"
DATE -AUG 18/ 2020



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-20:188

APPLICANTS: J. & C. DiCecca

SUBJECT PROPERTY: Municipal address **14 Braeheid Ave. Flamborough**

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

ZONING: "R4" (Urban Residential) (Semi detached and Link) Zone

PROPOSAL: To permit the construction of a proposed inground swimming pool and a shed to be located in the rear yard of the existing single-family dwelling notwithstanding that;

1. A minimum of 1.0 m setback shall be provided for the inground pool on the northerly side lot line abutting the property at 16 Braeheid Avenue; and
2. A minimum of 0.4 m setback shall be provided on the easterly rear lot line abutting the property at 75 Royaledge Way; and
3. A minimum of 0.4 m setback shall be provided on the southerly side lot line abutting the property at 12 Braeheid Avenue.

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

DATE: Thursday, October 22nd, 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
 for viewing purposes only

PUBLIC INPUT

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

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

FL/A-20:188

Page 2

MORE INFORMATION

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

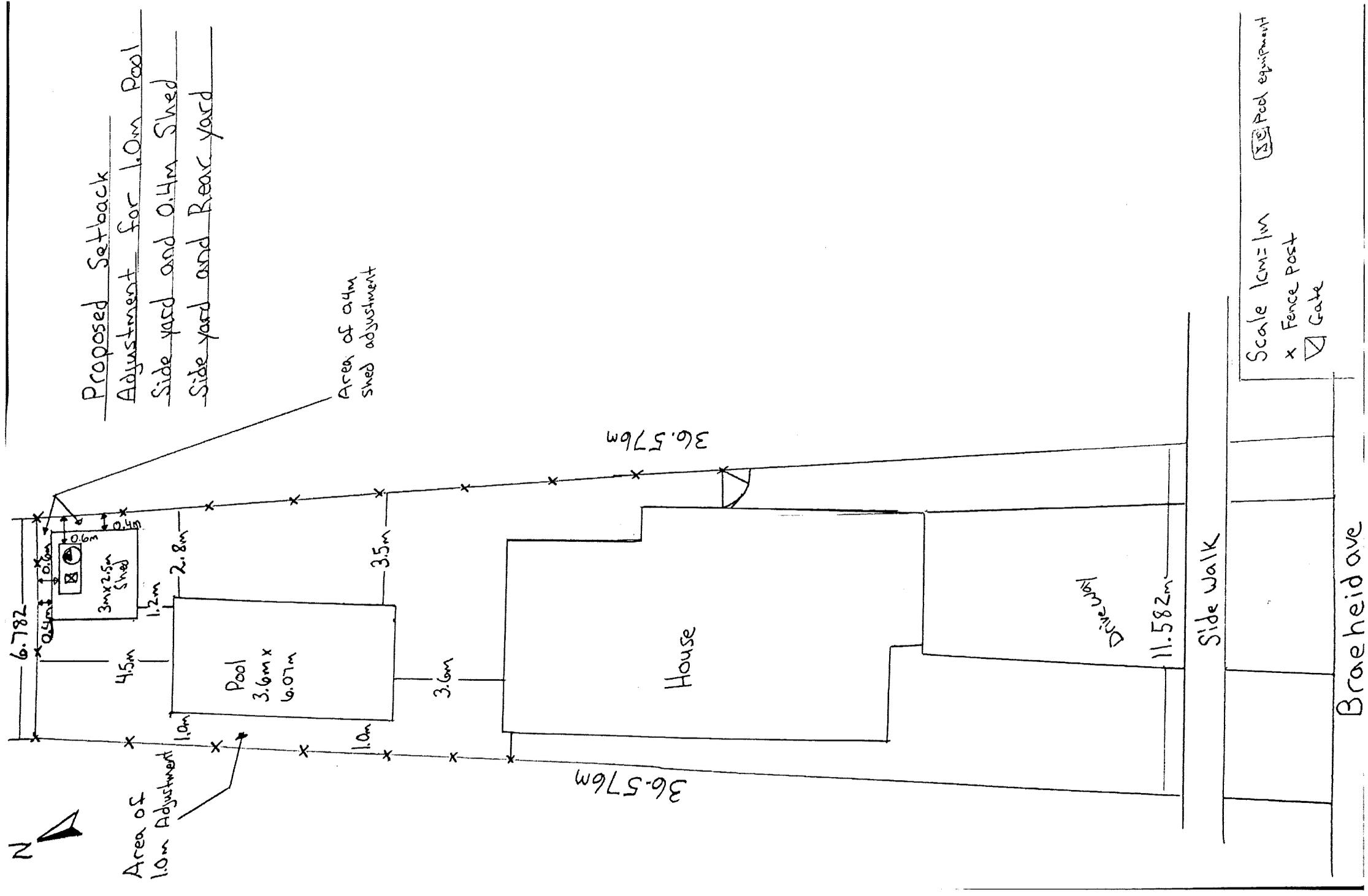
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 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.



Proposed Setback
Adjustment for 1.0m Pool
Side yard and 0.4m Shed
Side yard and Rear yard

Area of 0.4m
 Shed adjustment

Scale 1cm=1m
 x Fence Post
 ▽ Gate
 ⊗ Pool equipment



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

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

CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

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



FAX NO. _____ E-mail address. _____

4. Address _____ Postal Code _____

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

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:
BMO, 95 Dundas st East
Dundas. _____ Postal Code L9H 7G1

_____ Postal Code _____

6. Nature and extent of relief applied for:

We are installing an inground pool and the setbacks set forth for flamborough side yard are 1.8m. The Application for relief is for a 1.0m Side yard Variance. We also plan to build a shed and need relief for 0.4m Side yard and 0.4m rear yard.

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

The Shape our back yard is irregular which limits the use to either side along the pool side. If the pool can be pushed 0.8m to the west side we can utilize the east side of the yard. Having the shed 0.4m to the side and rear yard gives additional walkway.

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

14 Braeheid ave Waterdown

PCL 123-1, sec 62M351; PT LT 123 PL 62 M351, Part 7, 62R6909; Flamborough City of Hamilton

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use Residential _____

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 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?

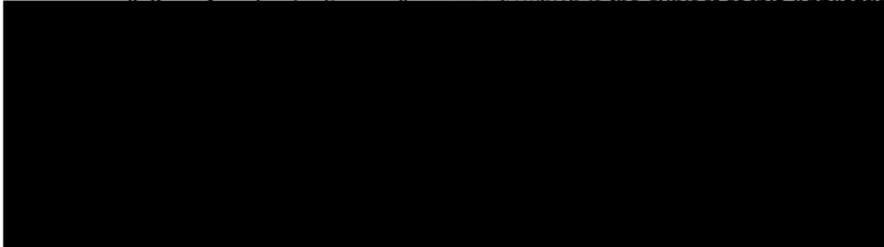
Property has been used for residential purposes _____

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



10. Dimensions of lands affected.

- Frontage 11.6m
- Depth 36.5m
- Area 303 m2
- Width of street 8.73m

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: Only building located on the property is the house. 94m2, 2 stories

Proposed: NA

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

Existing: See drawing

Proposed: See, Drawing

13.

Date of acquisition of subject lands: 2010

14. Date of construction of all buildings and structures on subject lands: 1984

15. Existing uses of the subject property: Residential Home

16. Existing uses of abutting properties: _____ Residential _____

17. Length of time the existing uses of the subject property have continued:
 ___ 36 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:

___ R4 (Urban Residential – Semi-detached & Link) Zone

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 ___ OP, Designation - Neighbourhoods ___ (Pool enclosure by law for flamborough setbacks) .

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

Yes

No x

If the answer is yes, describe briefly.

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

Yes

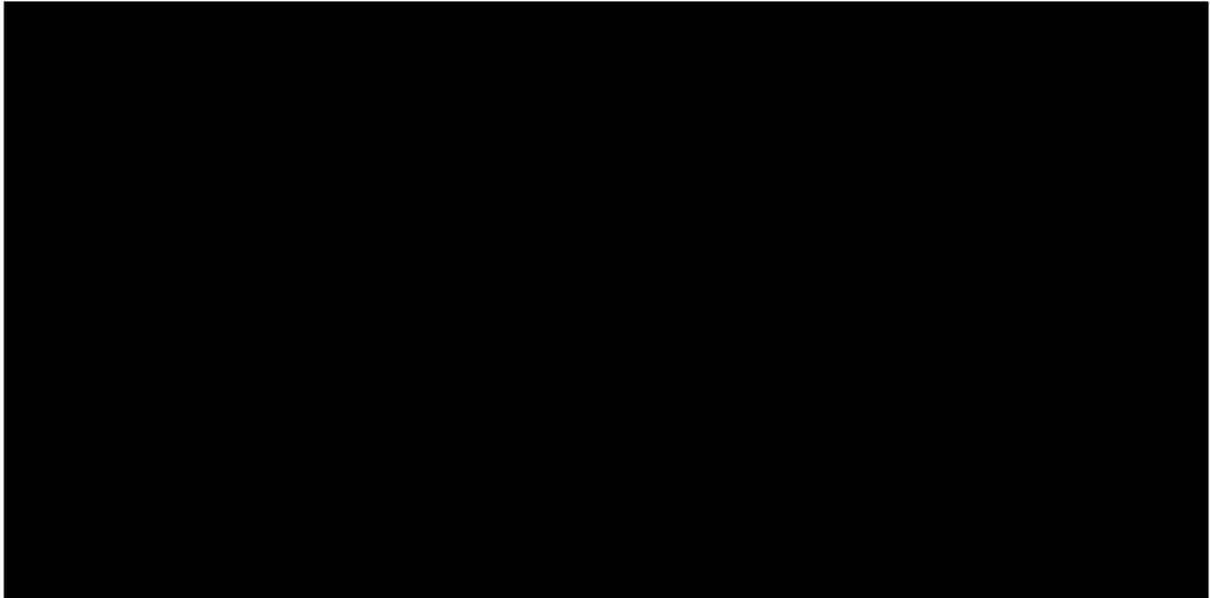
No x

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

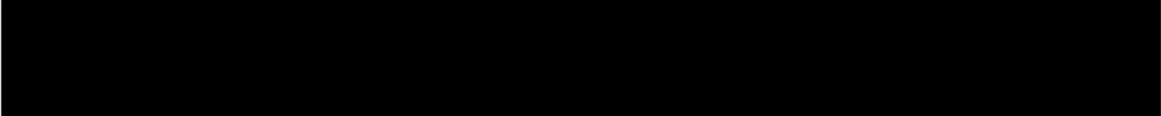
referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



A Commissioner, etc.

[Handwritten signature]
Province of Ontario,
while a licensed Paralegal.
LSO #P16040



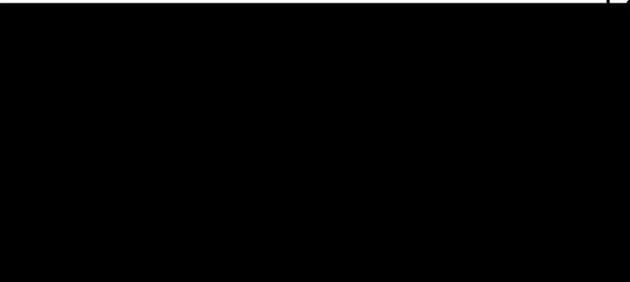
application is correct insofar as I have knowledge of these facts, and I hereby authorize:

_____ of _____

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



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



August 20 2020

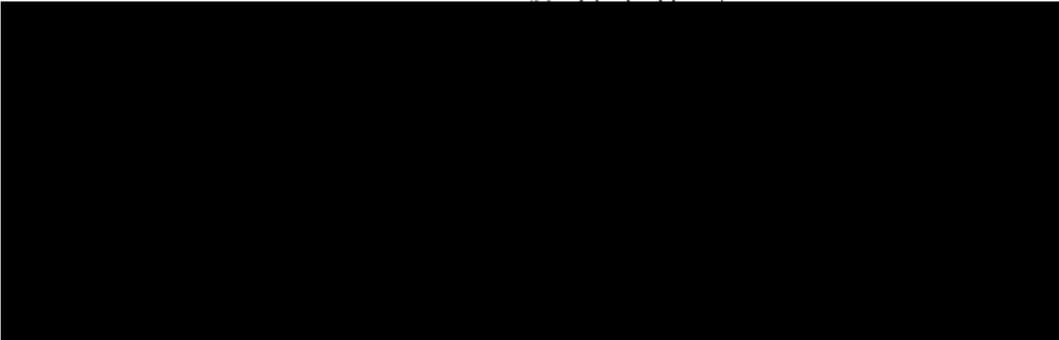
Date

PART 27 PERMISSION TO ENTER

Date: August 20 2020

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

Dear Secretary/Treasurer;
Re: Application to Committee of Adjustment
Location of Land: 14 braeheid ave Waterdown



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

August _____, 20

_____ hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

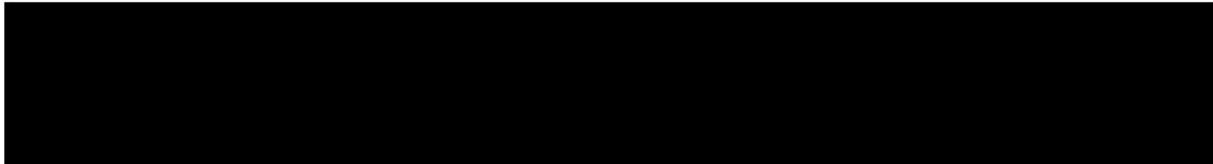
NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated August 20 2020 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



WITNESS

J

Per:

I have authority to bind the corporation.

WITNESS

Per:

I have authority to bind the corporation

DATED at Hamilton, Ontario this ___ day of _____, 20__.

City of Hamilton

Per: _____

Mayor

Per: _____

Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 ____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

_____ c/s

Owner:
Title:
I have authority to bind the corporation

_____ c/s

Assignee:
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk



Area of 1.0m Adjustment

Proposed Setback Adjustment for 1.0m Pool Side yard and 0.4m Shed Side yard and Rear yard

Area of 0.4m shed adjustment

36.576m

36.576m

House

Pool
3.6m x
6.07m

3m x 2.5m
Shed

Drive Way

Side Walk

Braeheid ave

11.582m

3.6m

3.5m

1.0m

1.0m

4.5m

1.2m

2.8m

6.782

0.4m

0.6m

0.6m

0.4m

0.4m

Scale 1cm = 1m

 Pool equipment

x Fence post

 Gate



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-20:189

APPLICANTS: harrisonarchitecture Inc. on behalf of the owner Brandon V. Smith

SUBJECT PROPERTY: Municipal address **3549 Power Line Rd. W., (Ancaster)**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 18-266

ZONING: "A1" (Agriculture) district

PROPOSAL: To permit the expansion of an existing accessory building comprising 43 square metres of gross floor area located on a residential parcel of land, notwithstanding that;

1. A maximum gross floor area of 321m² shall be permitted for all building's accessory to the single detached dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall not exceed a maximum gross floor area of 200m²

NOTE:

1. This application is subsequent to variance application No. AN/A-19:325 granted by the Committee at a previous hearing.
2. The building that is the subject of the variance is referred to as a "barn" in the Application but is regarded as an accessory building because the property is used for residential purposes.
3. The portion of the property abutting the southerly side of the accessory building is regulated by the Grand River Conservation Authority and is within the A1 Zone.

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

DATE: Thursday, October 22nd, 2020

TIME: 1:25 p.m.

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

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

AN/A-20:189

Page 2

PUBLIC INPUT

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

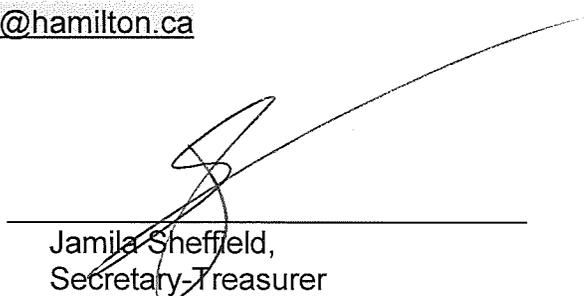
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

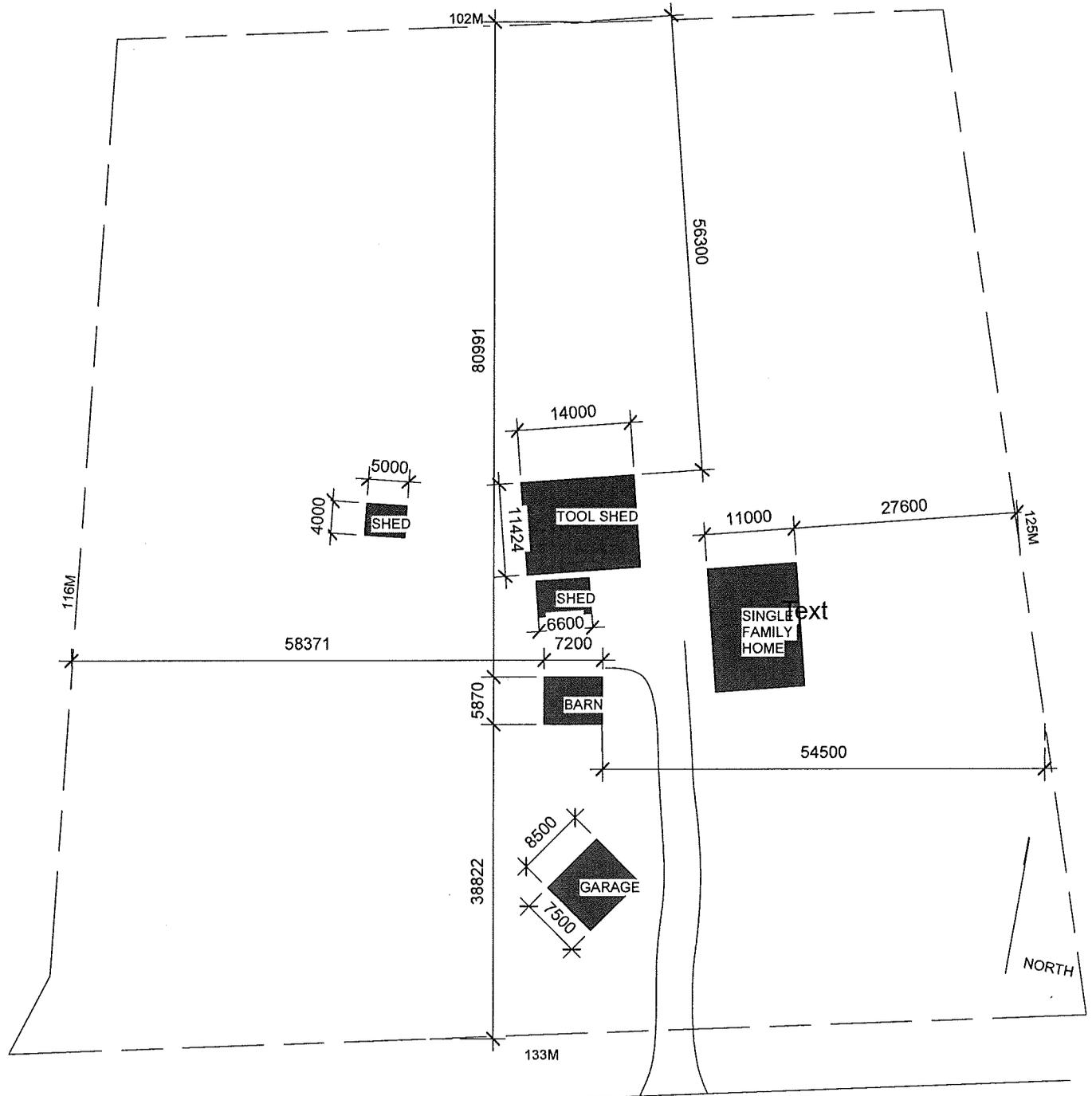
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 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.



04 SEPT 2020
3549 POWERLINE RD
ANCASTER, ON

1 EXIST'G SITE PLAN
1:600

3549 POWERLINE RD WEST

A0_02



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 A MINOR VARIANCE

ALL MINOR VARIANCE APPLICATIONS MUST INCLUDE:

1. Application Form
2. Fee
3. One survey plan or sketch plan
4. Authorization from owner if applicant is not the owner

NOTE: The application cannot be processed until it is considered to be complete. An application is considered to be complete when all of the above have been provided and the requisite sign has been posted on the subject lands and that all signage requirements have been satisfied.

1.0 APPLICATION FEE:

1. **Routine - \$595.00** (applies to pools, decks, sheds, accessory buildings, porches, eave projections and recognizing legal non-complying situations)
2. **Standard - \$2,738.00**
3. **After the Fact* - \$3,394.00** (Applicable fee if construction has taken place.)
4. **Recirculation Fee - \$260.00**

Please make Cheque payable to the "**City of Hamilton**".

Please Note: The application fee is **non-refundable** whether the application is approved or denied. Prior to submitting an application, it is strongly recommended that you contact the planner responsible for your particular area in order to determine the feasibility of your proposal. Please call the Committee of Adjustment office for further information.

5. CONSERVATION AUTHORITY PLAN REVIEW FEES

Conservation Authority	Minor	Major
Hamilton Conservation Authority	\$485.00¹	\$970.00²
Conservation Halton	\$590.00¹	\$1,810.00²
Niagara Peninsula Conservation Authority	\$410.00¹	TBD
Grand River Conservation Authority	\$270.00³	\$600.00⁴

Once an application is submitted, City of Hamilton staff will advise the proponent if their application requires Conservation Authority review, and if so, which Conservation Authority their project falls within. The fee is to be made payable to the appropriate Conservation Authority and submitted to the City of Hamilton upon request. The fee will be forwarded to the Conservation Authority along with the application.

Note: For lands located within the watershed boundaries of the Conservation Authority, combined applications will only be processed at the highest rate.

¹ In the area of interest to the Conservation Authority (Scoped EIS).

² Technical studies (i.e. Storm Water Management or Geotechnical) beyond a scoped EIS are required.

³ Low risk of impact on natural hazard or natural features, no technical reports required.

⁴ A hazard risk and/or potential impact to natural hazards or natural features and requires the review of one or more technical reports/studies.

* Addition fee for the review of a technical report, if required.

2.0 SIGNAGE REQUIREMENTS

1. A sign is required to be posted on the subject lands.
2. A sign will be mailed to the applicant 2 weeks prior to the scheduled hearing or the applicant will be contacted to pick up a sign for the subject property.
3. Once the application is processed a copy of the notice will be forwarded to the applicant/consultant.
4. The sign must be posted on the property so that it is visible to the public.
5. The sign must remain on the property until the appeal period has been completed.

3.0 APPLICATION FORM (ATTACHED)

1. Parts 1 to 27 and the Cost Acknowledgement Agreement to be completed. Please read the application form carefully and answer each item accurately and fully.
2. The signature on page 5 is to be validated by a Commissioner of Oaths. ie. City Clerk, Solicitor.
3. Two copies of the application are required by the Secretary for the Committee of Adjustment.
4. The application shall be signed by all owners registered on title of the land that is the subject of the application or a person authorized by the owner to make the application.
5. Where the application is signed by a person authorized by the owner, the owner's signed authorization in Part 24 of the application shall be completed.
6. Application to be submitted to:
 - Secretary-Treasurer
 - Committee of Adjustment
 - Planning and Economic Development Department
 - 5th floor, 71 Main Street West
 - Hamilton, ON L8P 4Y5

4.0 DETAILED INFORMATION REQUIRED FOR APPLICATIONS

1. Item 6 - This item is extremely important as this is the reason for the application. The Notice of Hearing for the application and the Decision are both formulated from this item. It is imperative that the applicant clearly indicate all of the variances being applied for in exact mathematical terms with proposed figures. If the applicant has any doubt as to why a variance application is necessary or as to the detail of the nature of the variances then the applicant should contact the Building Department or Secretary for the Committee of Adjustment for assistance.

The staff processing the minor variance application cannot look beyond the information provided in Item 6 and must process your application on the basis of information in Item 6. **This Is Your Application. Make Sure You Know The Details Of Exactly Why You Have To Apply To The Committee Of Adjustment.**

Any errors or omissions in Item 6 could result in discovery at the hearing that there is need for additional variances or a change requiring recirculation of your application resulting in further delay and in some cases the need for submission of an additional application with a further application fee.

2. Item 19 - Refers to the City's Official Plan land use designation of the subject property. This can be obtained from the Planning Department if the applicant does not know.
3. Item 20 - Is asking for the zoning of the subject property. This can be obtained from the Building Department if the applicant does not know.
4. Item 22 - An application for consent can also be referred to as a severance.

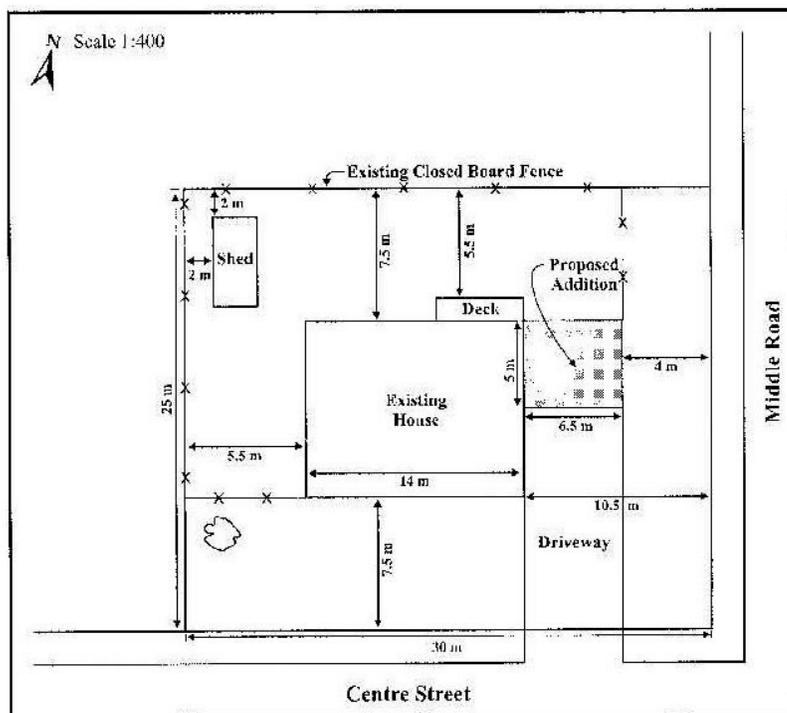
5.0 SKETCH MAP

If a survey plan of the subject property is not available, then a sketch plan may be submitted.

The sketch plan must be submitted with the minor variance application to provide clarification of the variance being applied for. The following details must be supplied:

1. the true dimensions of the property for which the application is being made;
2. the location and dimensions of all existing buildings, structures or uses on the subject property;
3. the setback measurements from the lot lines to the existing or proposed building on the subject property (ie. front yard, rear yard, side yard setbacks). If applicable, the distance of building on neighbouring lots;
4. clearly demonstrate the difference between the existing building and the proposed addition (if applicable);
5. the location and name of the street should be shown;
6. the location must be drawn to scale utilizing good drafting techniques;
7. a scale and north arrow should be shown on the sketch; and
8. the Committee reserves the right to reject sketches for insufficient or poorly presented information.
9. the size has to be a minimum of 8.5 " x 11" and a maximum of 11" x 17".

Example:



6.0 ADDITIONAL INFORMATION FOR THE APPLICANT

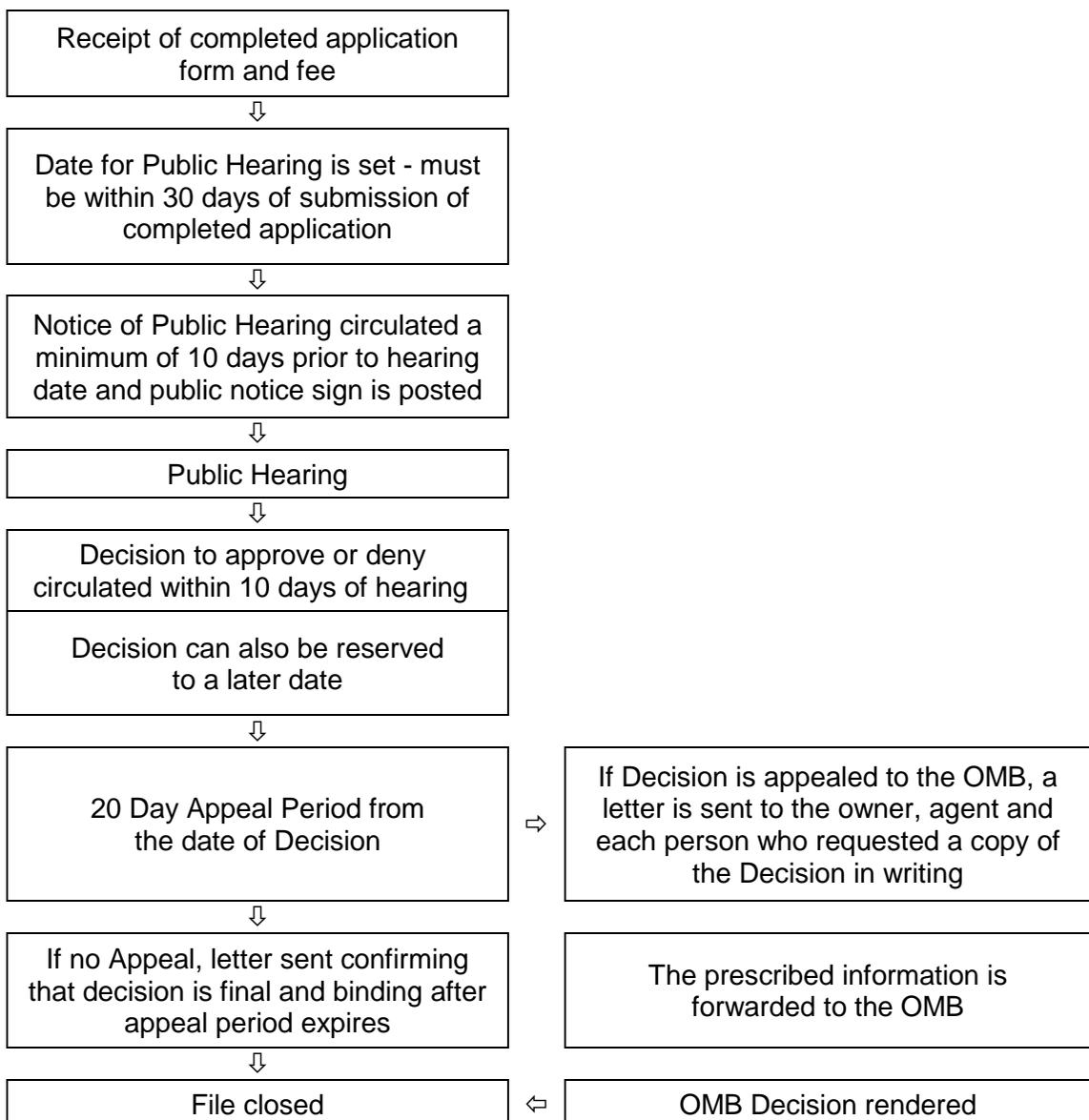
1. All information submitted in support of this application will be considered public information, including any reports, studies, drawings or other documentation submitted by applicant(s), agent(s), consultants(s) or solicitor(s). The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. The City of Hamilton is also permitted to provide copies of the application and any supporting information to any member of the public or other third party that requests the information.
2. The Committee of Adjustment generally meets on Thursday afternoons. The Secretary schedules the applications and will advise the applicant of the actual hearing date by way of notice.

3. The applicant/agent will receive a public notice stating the time and place of their hearing.
4. The applicant/agent is required to attend the hearing on the date and time stated in the public notice to represent his application.
5. The applicant/agent should be prepared to present their application before the Committee if required, explaining the necessity for the variance. The applicant/agent should be prepared to answer any questions by the Committee or members of the public.
6. Once the application has been heard and the Committee members have made a decision the Secretary will send the applicant/agent a notice of decision.
7. There will be a 20 day appeal period after the decision has been made. No construction may occur until this appeal period has expired. A final letter will be received by the applicant at the time of expiration explaining whether or not an appeal to the Local Planning Appeal Tribunal has been lodged. If the applicant, the City or surrounding residents are dissatisfied with the decision of the Committee of Adjustment they may, within the 20 day appeal period, deliver personally to the secretary or send by registered mail a Notice of Appeal, with reason for appeal, together with a cheque in the amount of \$300.00 made payable to the "Minister of Finance". The appeal is then forwarded, with all necessary material, to the Local Planning Appeal Tribunal. The Office of the Local Planning Appeal Tribunal will notify you of a hearing date at which time you must attend.

Note: The approximate total processing time for an application without an appeal is about 7-9 weeks.

7.0 COMMITTEE OF ADJUSTMENT PROCESS

MINOR VARIANCE PROCEDURES





Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

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

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

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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

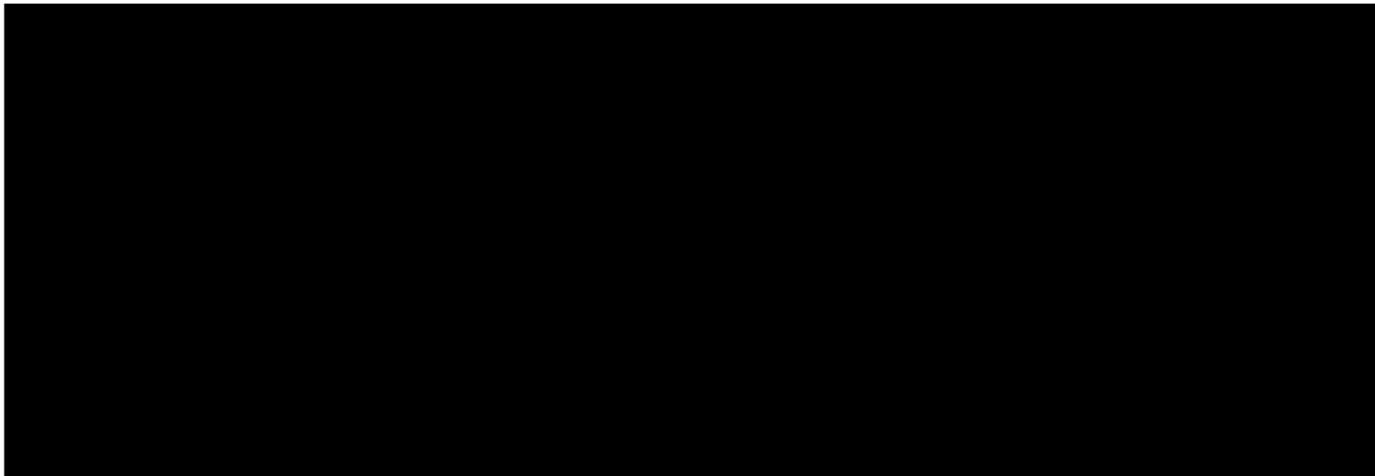
SECRETARY'S
SIGNATURE _____

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

The Planning Act

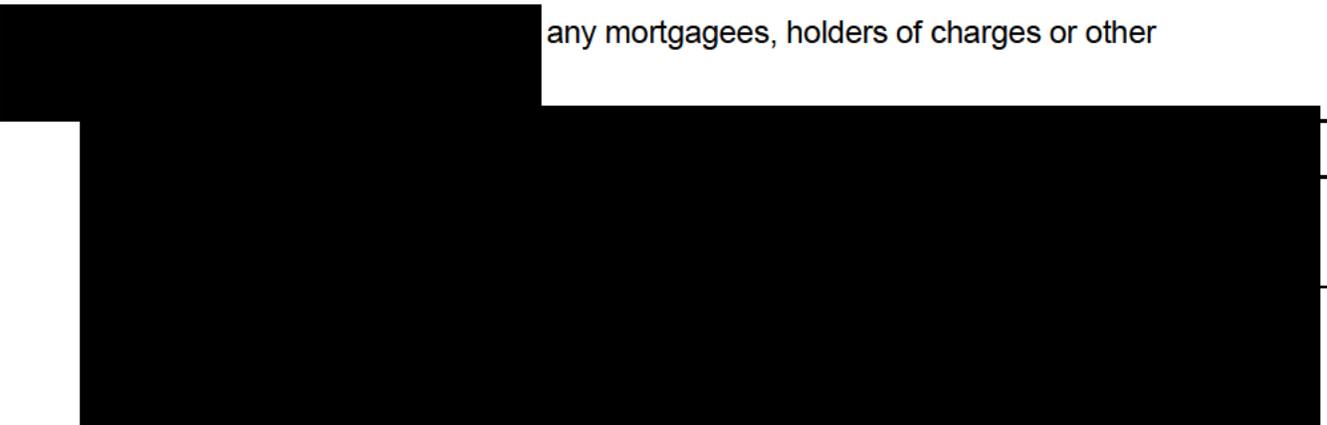
Application for Minor Variance or for Permission

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



agent, if any.

any mortgagees, holders of charges or other



6. Nature and extent of relief applied for:

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

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

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?

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

Is the previous use inventory attached? Yes _____ No _____

ACKNOWLEDGEMENT CLAUSE

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

Date

Signature Property Owner

Print Name of Owner

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area _____
Width of street _____

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

Existing: _____

Proposed: _____

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

Existing: _____

Proposed: _____

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property: _____

16. Existing uses of abutting properties: _____

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

18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:

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

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

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

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

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, _____ of the _____ of _____ in the _____ of _____

solemnly declare that:

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

Declared before me at the

at the _____ of _____)

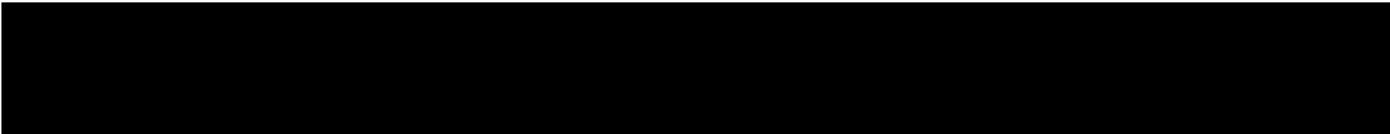
in the _____)

of _____)

this ____ day of _____ A.D. 20 ____)

Applicant

A Commissioner, etc.



registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

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

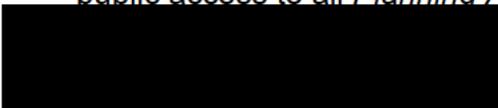
DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

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

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



_____, the Owner, hereby agree and acknowledge

(Print name of Owner)

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

Date

Signature of Owner

PART 27 PERMISSION TO ENTER

Date: _____

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

Dear Secretary/Treasurer;
Re: Application to Committee of Adjustment

Location of Land: _____
(Municipal address)

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

Signature of Owner or Authorized agent

Please print name

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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____ day of _____, 20_____.

BETWEEN:

Applicant's name(s)
hereinafter referred to as the "Developer"

-and-

City of Hamilton
hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 ____ .

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner:
Title:
I have authority to bind the corporation

Assignee:
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

PART 24 AFFIDAVIT OR SWORN DECLARATION

This is a true and correct copy of the original document.

[Redacted Name] of [Redacted Address]

solemnly declare that:

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

Witness as to Signature ONLY



[Redacted Signature]

Witness to Signature of [Redacted Name]

125 WELLINGTON STREET NORTH
HAMILTON, ON L8L 5A8

[Redacted Signature]

ONLY.

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

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

[Redacted Signature]

PART 27 PERMISSION TO ENTER

Date: Sept 4, 2020

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

Dear Secretary/Treasurer,

Re: Application to Committee of Adjustment

Location of Land: 3549 Powerline Rd W, RR#2
(Municipal address)

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



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

PART 28 COLLECTION OF INFORMATION

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

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

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
 _observations and age of existing structures (circa 1850-1940) _____

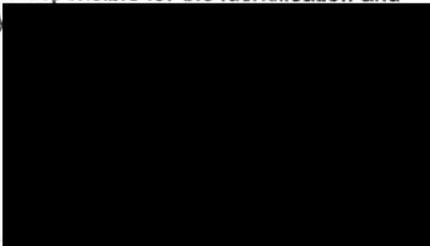
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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 _____ by _____ reason of its approval to this Application.

Date Sept. 4, 2020



10. Dimensions of lands affected:

Frontage 133M
 Depth 125M
 Area 16625M2
 Width of street +/- 10M

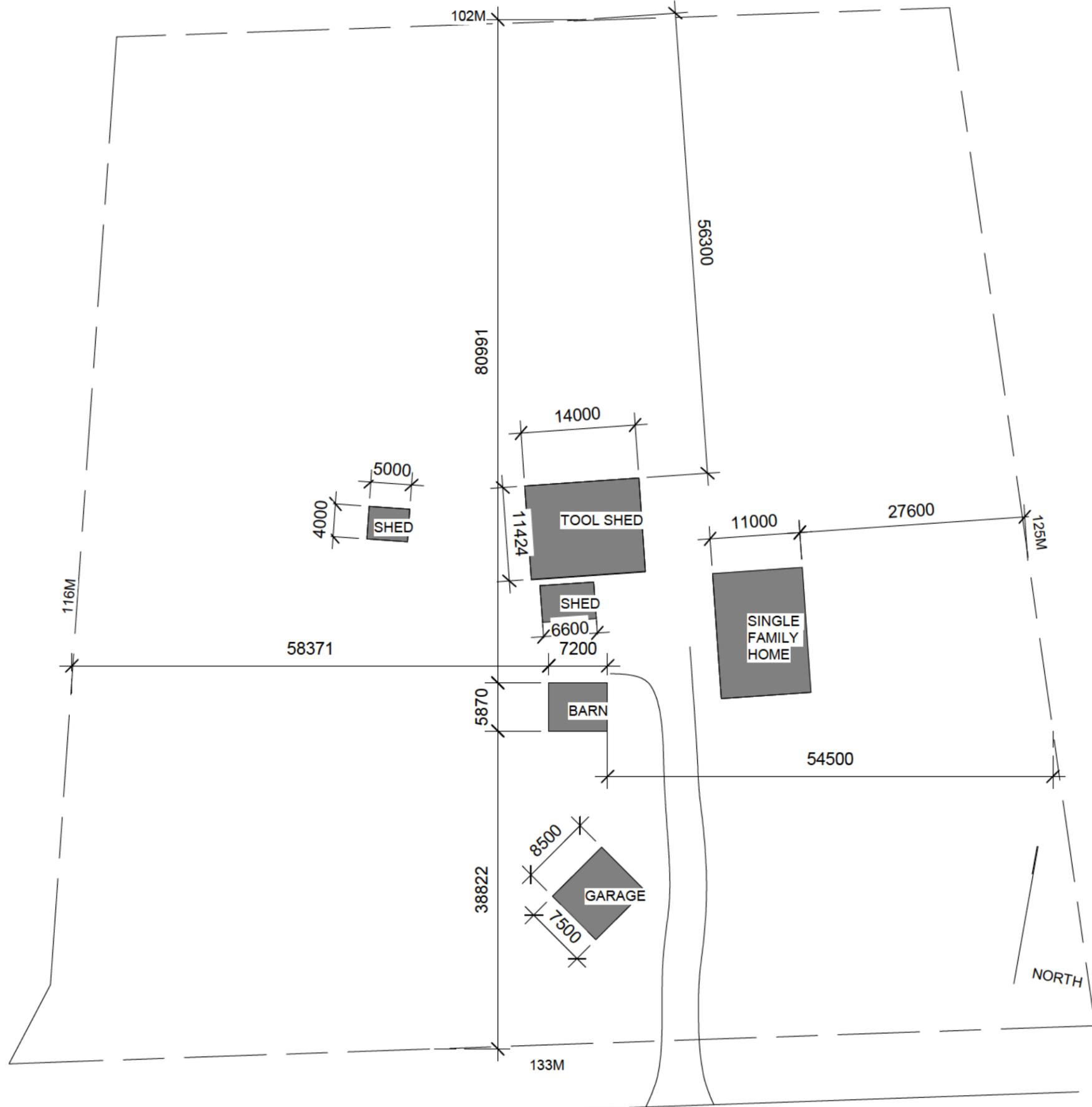
11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:	existing 1 story house:	existing Garage:
_____	<u>11M W x 15.3M L x 7.5M H</u>	_____ <u>7.5 M W x 8.5M L x 4M H</u>
_____	<u>168.3M2 ground floor area</u>	_____ <u>63.75M2 ground floor area</u>
_____	<u>168.3M2 gross floor area</u>	_____ <u>63.75M2 gross floor area</u>
_____	existing Barn to be renovated :	existing Tool Shed:
_____	<u>6.1M W x 7.05M L x 8.84M H</u>	_____ <u>11.533M W x 14ML x 5.6M H</u>
Proposed:	<u>43M2 ground floor area</u>	_____ <u>161.46M2 ground floor area</u>
_____	<u>43M2 gross floor area</u>	_____ <u>161.46M2 gross floor area</u>

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

Existing:	Single Family House:	Tool Shed:	Barn:	Garage:
_____	<u>east side: 26.3 M</u>	<u>east side: 45 M</u>	<u>east side: 54.5M</u>	<u>east side: 51 M</u>
_____	<u>west side: 77 M</u>	<u>west side: 53 M</u>	<u>west side: 58.37M</u>	<u>west side: 59 M</u>
_____	<u>north side: 66.5 M</u>	<u>north side: 81 M</u>	<u>north side: 80.99M</u>	<u>north side: 99 M</u>
_____	<u>south side: 41 M</u>	<u>south side: 56 M</u>	<u>south side: 38.82M</u>	<u>south side: 11.5 M</u>

Proposed: proposed Barn
same as existing

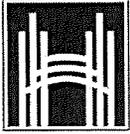


EXIST'G SITE PLAN

3549 POWERLINE RD WEST

1

1 : 500



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-20:191

APPLICANTS: Tom Coverdale on behalf of the owner Herb Mullings

SUBJECT PROPERTY: Municipal address **205 Sunny Ridge Rd., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law15-173

ZONING: "S1" (Settlement Residential) Zone

PROPOSAL: To permit the construction of an accessory building in the rear yard of the existing single detached dwelling, notwithstanding,

1. A maximum lot coverage of 384.5 square metres shall be permitted instead of the maximum permitted lot coverage of 97 square metres for all accessory structures located within the rear yard;
2. A maximum building height of 5.5 metres shall be permitted instead of the maximum permitted building height of 5.0 metres for an accessory structure, and,
3. The maximum height to the underside of the fascia, eaves, overhang or the lower ends of the roof joists, rafters or trusses shall be permitted to exceed 3.0 metres instead of the maximum permitted height of 3.0 metres to the underside of the fascia, eaves, overhang or the lower ends of the roof joists, rafters or trusses.

NOTES:

1. The submitted building elevations do not illustrate the proposed building height in accordance with the definition of "Building Height" and "Grade" as defined within the Zoning By-law. A further variance will be required if the requested building height has not been provided in accordance with "Building Height" and "Grade" as defined within the Zoning By-law.
2. A further variance will be required if the eave and gutter project greater than 0.6 metres into the required 3.0 metre northerly side yard.
3. Details regarding the existing accessory building have not been provided. It is noted a portion of the existing accessory structure is to be demolished, however the specific area to be demolished has not been identified. Additionally, it is unclear if a portion of the existing accessory structure is to be demolished prior to the construction of the proposed accessory structure; as such, the variance is written to include lot coverage for all accessory structures as shown on the submitted site plan.

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

ANA-20:191
Page 2

DATE: Thursday, October 22nd, 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
for viewing purposes only**

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 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.

DETAILED

Farm Buildings Ltd.

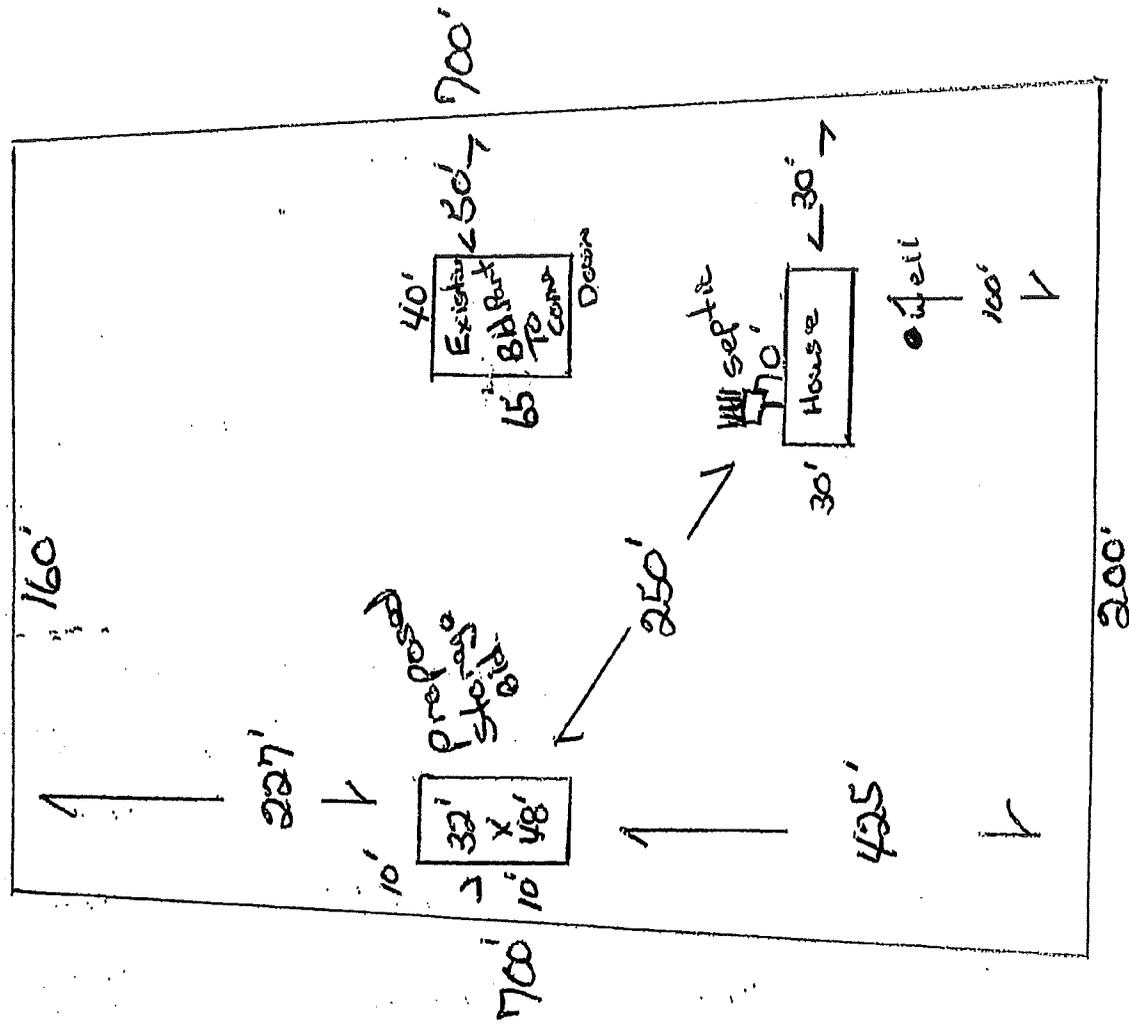


Site Plan
Aerbumlings

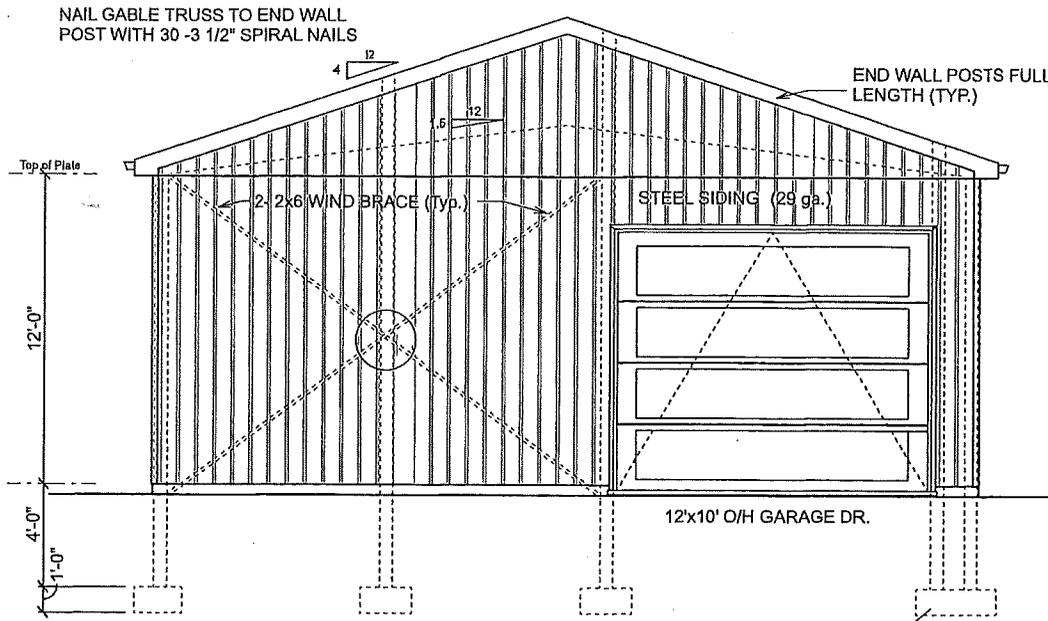
Tom Coverdale
President

tom@detaildbuildings.com
PO Box 8, Rockton, Ontario L0R 1X0

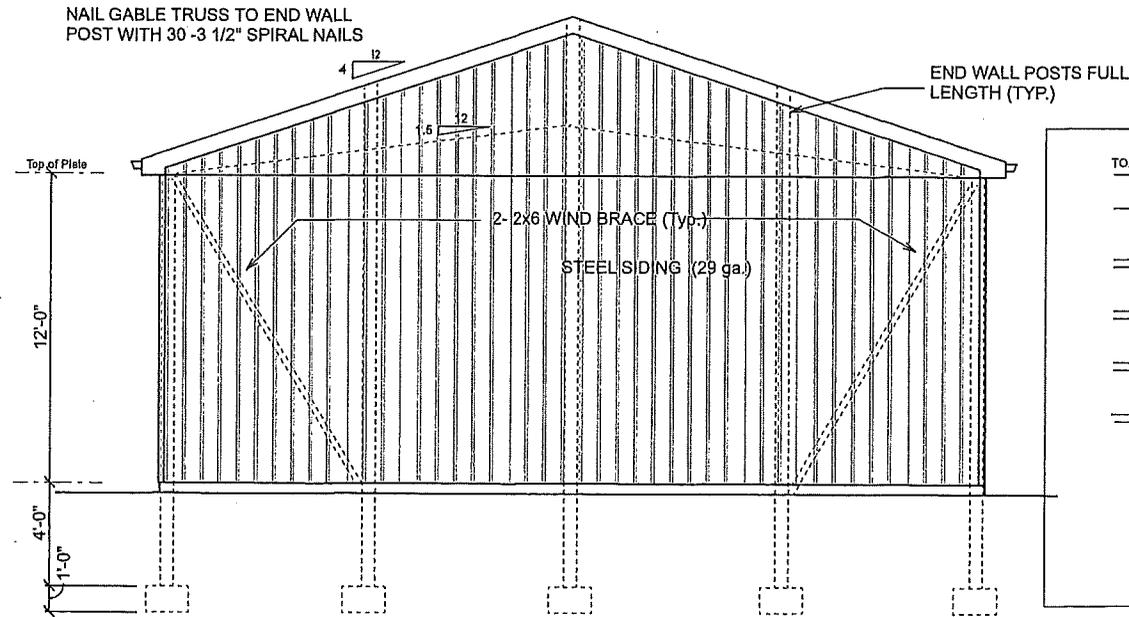
(905) 628-8551
(905) 628-4220
(905) 961-5575



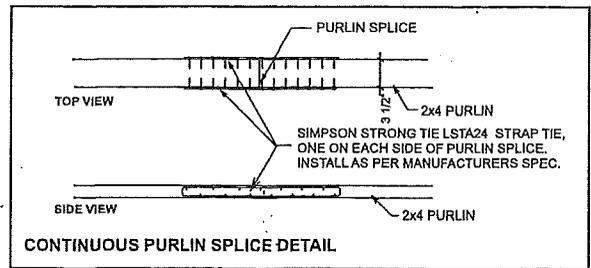
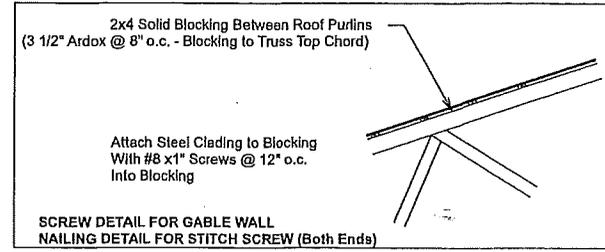
205 Sunny Ridge Road
Jerseyville



FRONT ELEVATION



REAR ELEVATION



**TYPICAL WIND BRACE DETAIL (2 POST)
(2- 2x6 WIND BRACE)**

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to the designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings

BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)
 Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER
 ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING

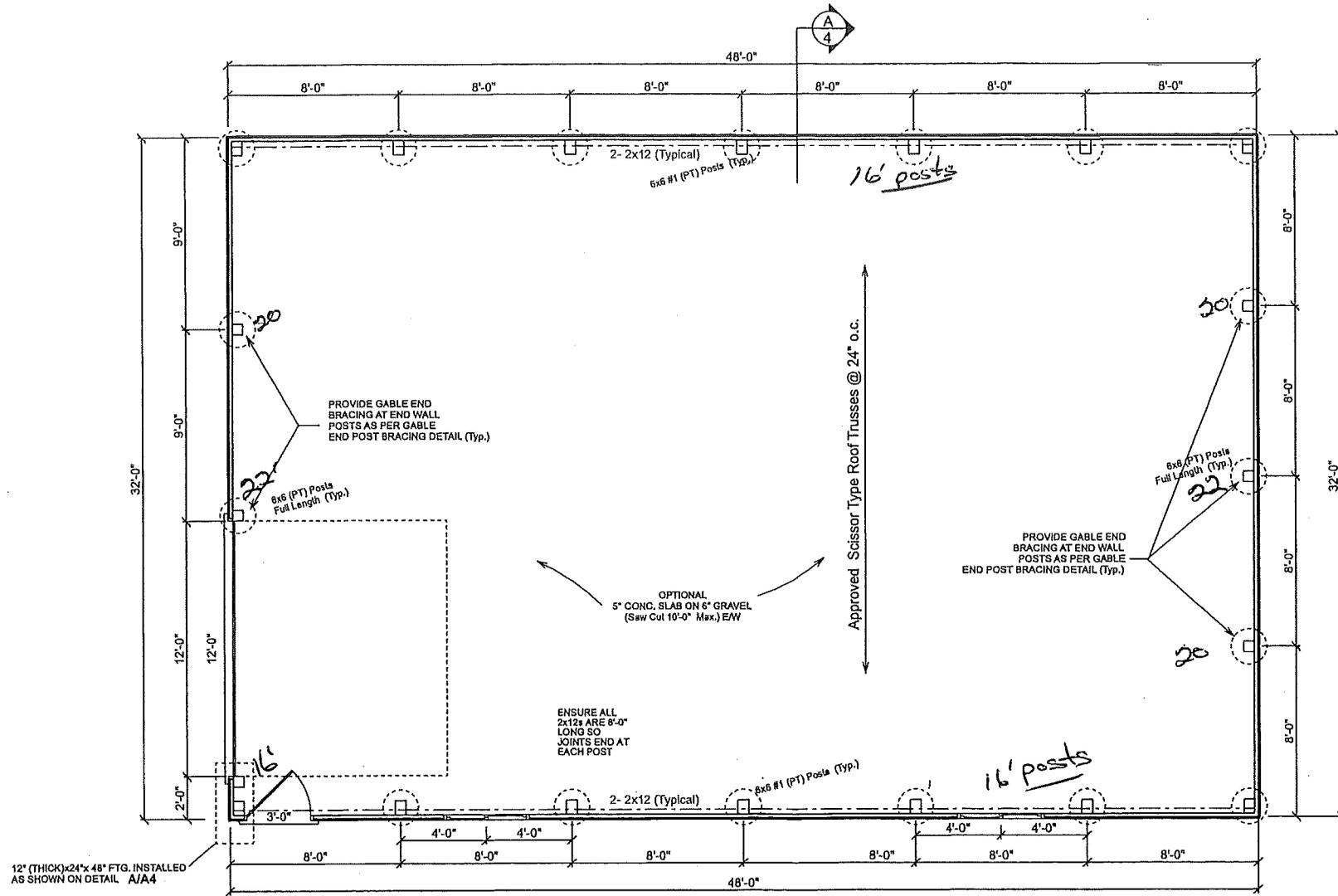


PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
June 5, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME		DRAWING #	
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.		A1	



PLAN VIEW

Notes

These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.

Do Not Scale Drawings

BUILDING CLASSIFICATION

THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING



PHILIP H. RUHLMAN

ARCHITECTURAL DESIGN
82 Piper St., 519-223-7042
Ayr, Ontario
email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER

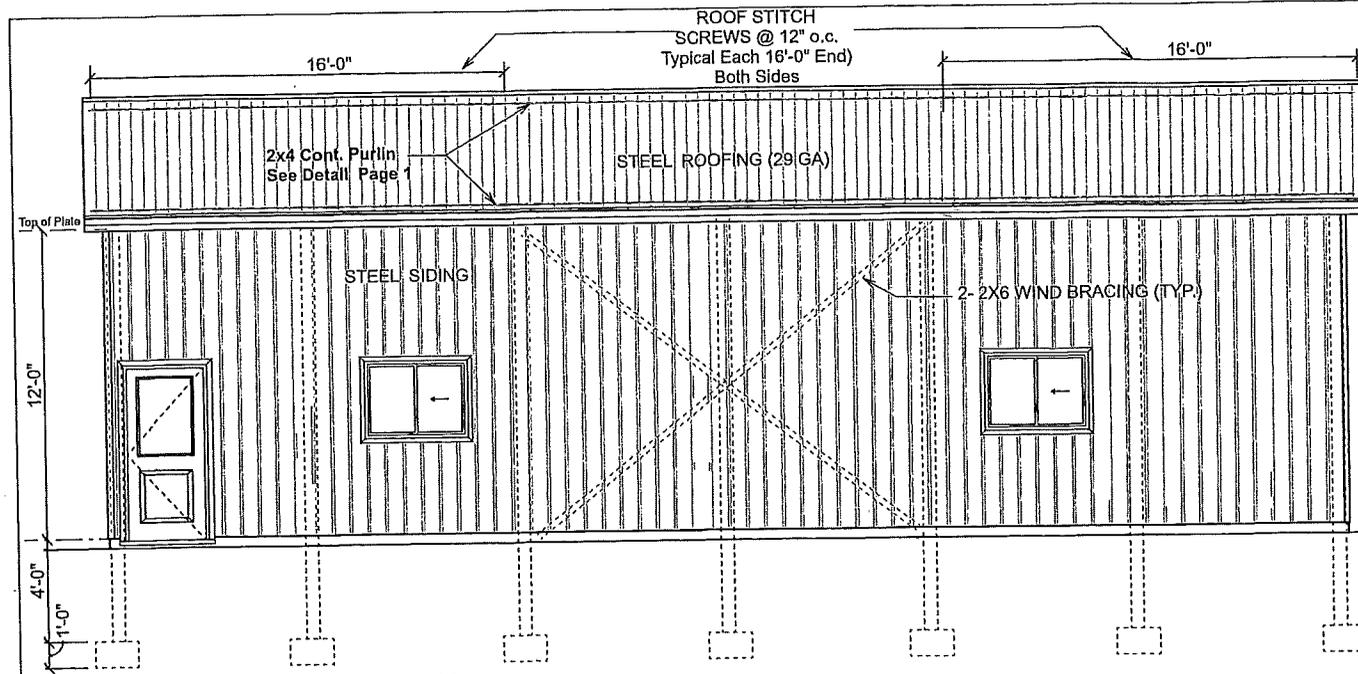
I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

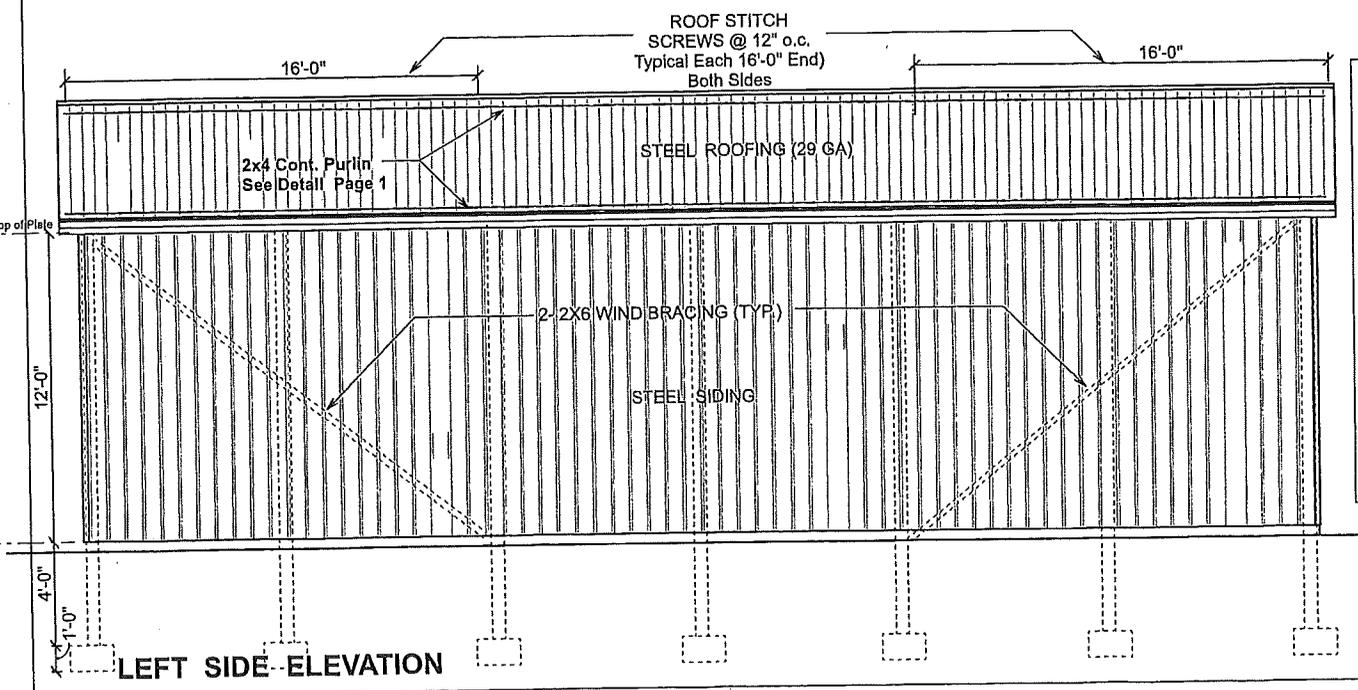
Detailed Buildings
P.O. Box 8
Rockton, Ont. L0R 1X0

DRAWING TITLE			
PLAN VIEW			
DATE	SCALE	AREA	PROJECT NO.
June 19, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME		DRAWING #	
HERB MULLINGS 205 Sunny Rldge Rd. Jerseyville, Ont.		A2	

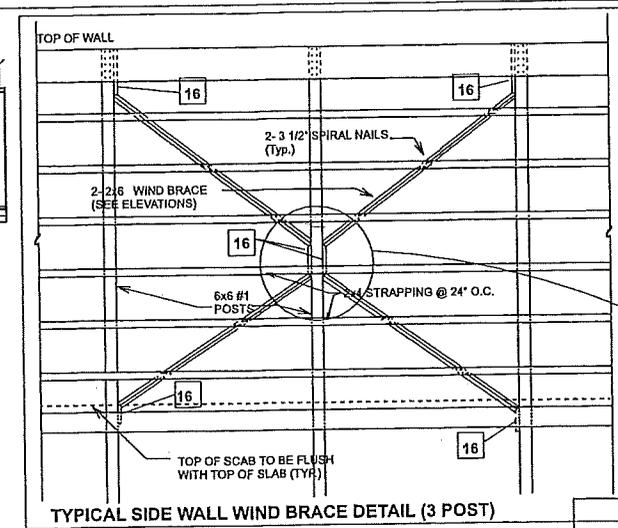
Note:
All LVL to be "West Fraser" LVL (2.0E)
All Steel to be Grade 350W



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

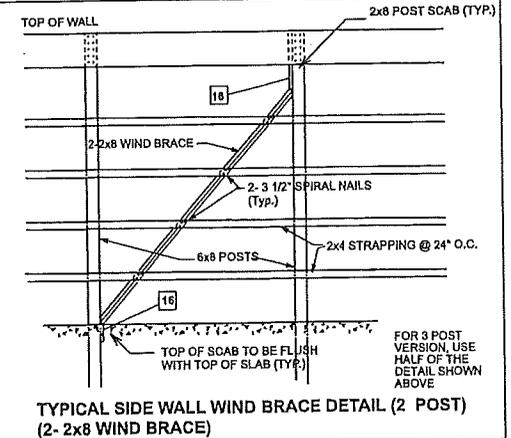


TYPICAL SIDE WALL WIND BRACE DETAIL (3 POST)

BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART @ O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING



TYPICAL SIDE WALL WIND BRACE DETAIL (2 POST) (2- 2x8 WIND BRACE)

□ # of 3 1/2" Ardox Nails Each Side of Post
 ○ # of 6" Ardox Nails Each Side of Post

Typical Nailing Pattern

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
June 19, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME	DRAWING #		
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.	A3		



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-182717

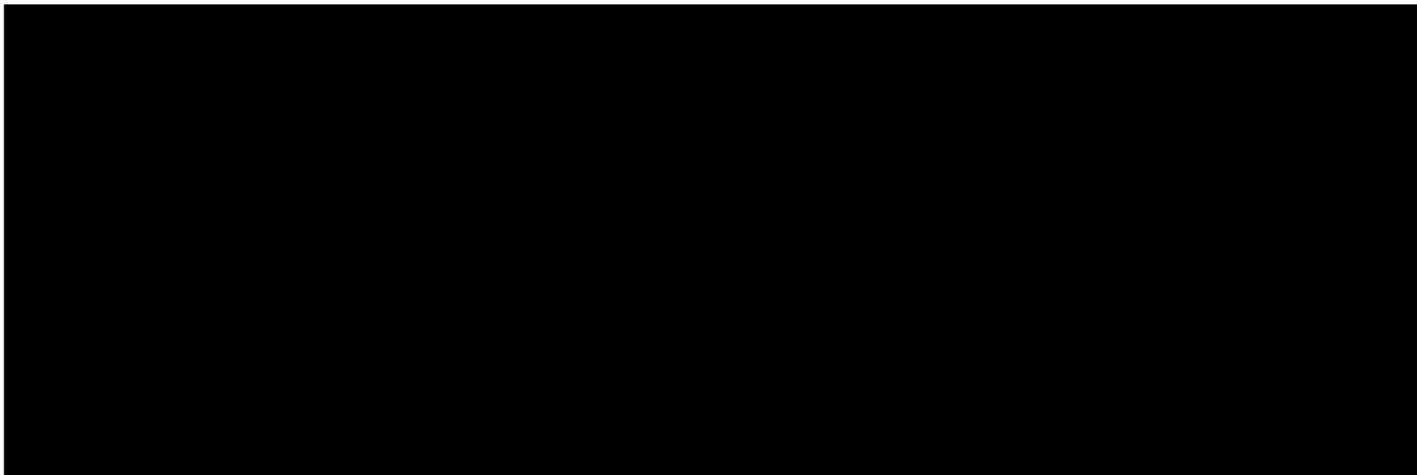
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>AN/A-20: 191</u>	DATE APPLICATION RECEIVED <u>Sept. 8/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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.



Note: _____
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:

Lot Coverage Allowed 35%
Bylaw
But only about 97m² need
175 m². And Height need 1/2 a
meter

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

Because of Zoning Bylaw
should be Allowed 34%^B by Lot Coverage
max 97m² Allowed.

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

CONCEPT LOT 19 IRREG
205 Sunny Ridge Road
Jerseyville

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?

Lived in The Area for 40 Years

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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



10. Dimensions of lands affected:

Frontage 200'
Depth 700'
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: on site plan.

Proposed: 32' x 48' x 12' sidewalk

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

Existing: on site plan.

Proposed:

13. Date of acquisition of subject lands:
November 2016.

14. Date of construction of all buildings and structures on subject lands:
1970.

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:
over 30 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:

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

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

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

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

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

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, _____ of the _____ of _____
_____ in the _____ of _____

solemnly declare that:

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

Declared before me at the

at the _____ of _____)

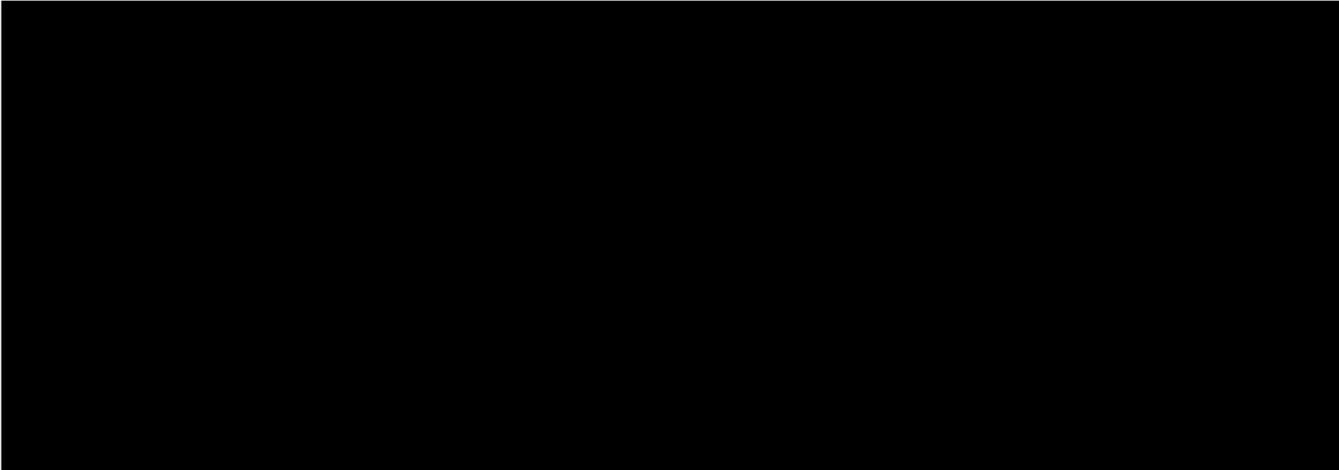
in the _____)

of _____)

this _____ day of _____ A.D. 20 _____)

Applicant

A Commissioner, etc.

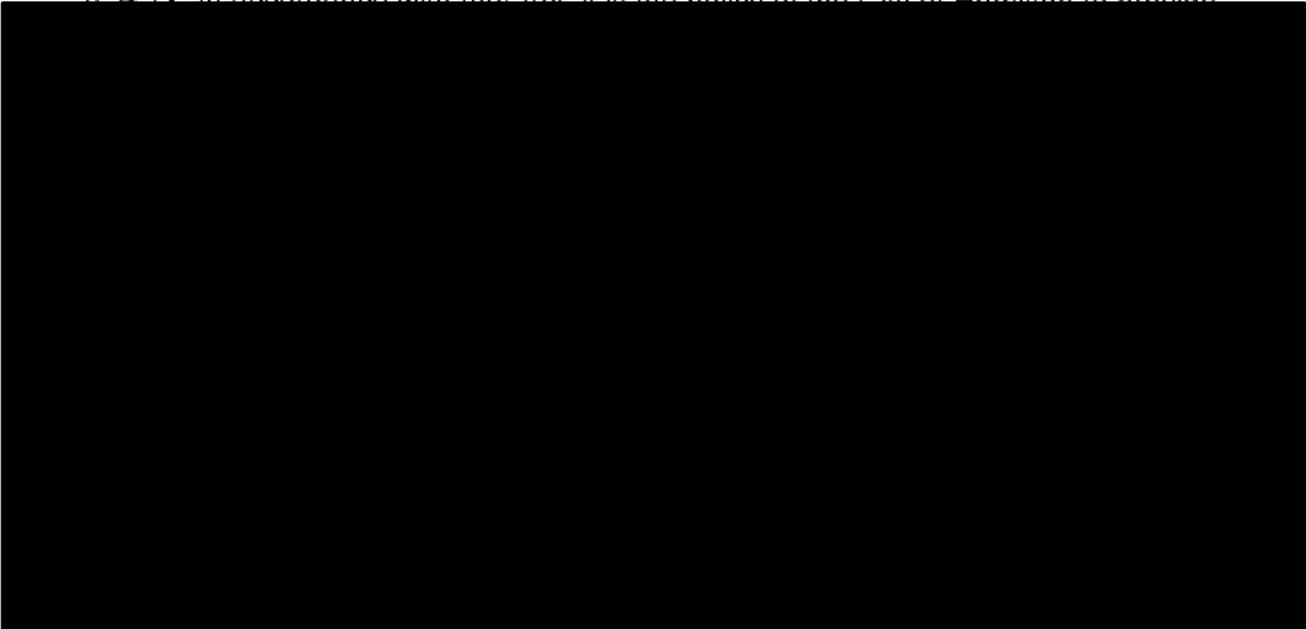


PART 26 CONSENT OF THE OWNER

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

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

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide



CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____ day of _____, 20_____.

BETWEEN:

Applicant's name(s)
hereinafter referred to as the "Developer"

-and-

City of Hamilton
hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20_____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledgement Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

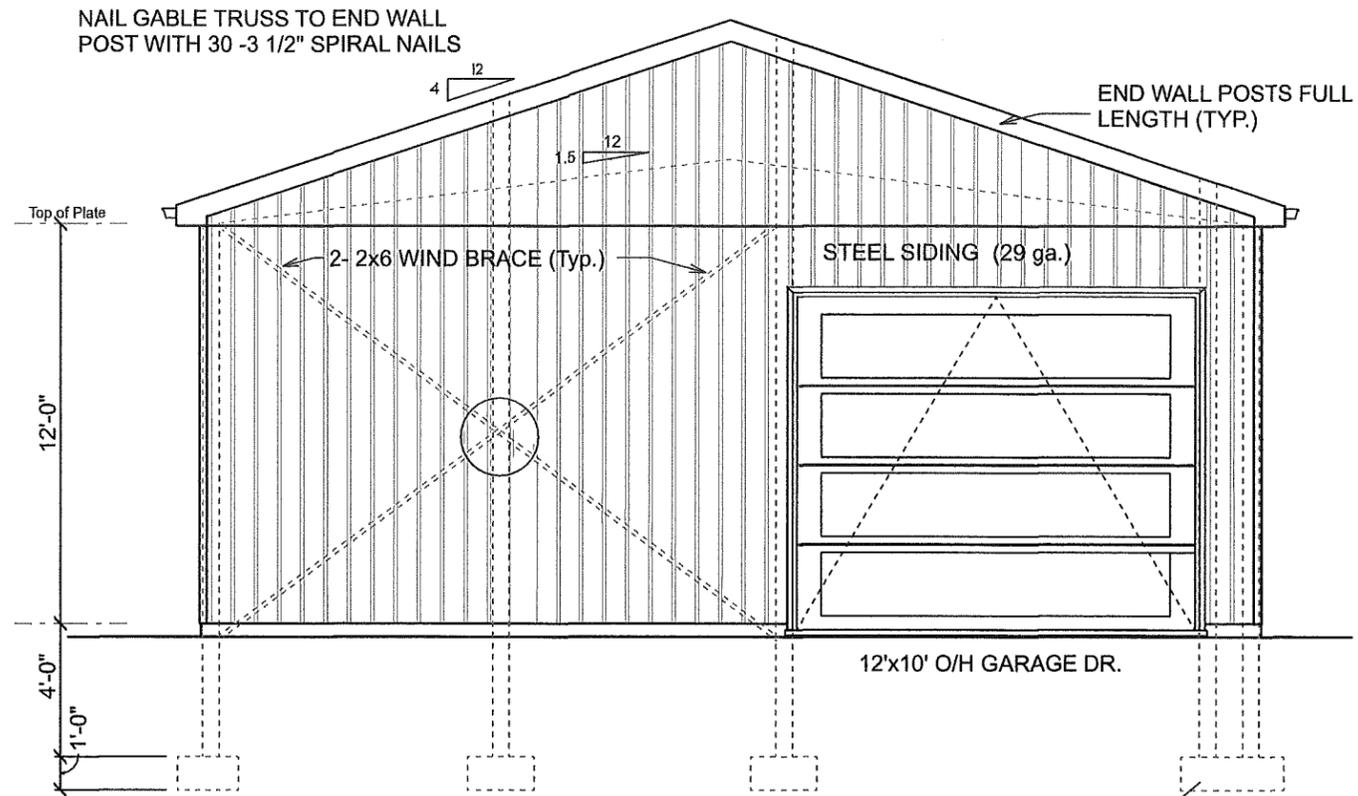
Owner: c/s
Title:
I have authority to bind the corporation

Assignee: c/s
Title:
I have authority to bind the corporation

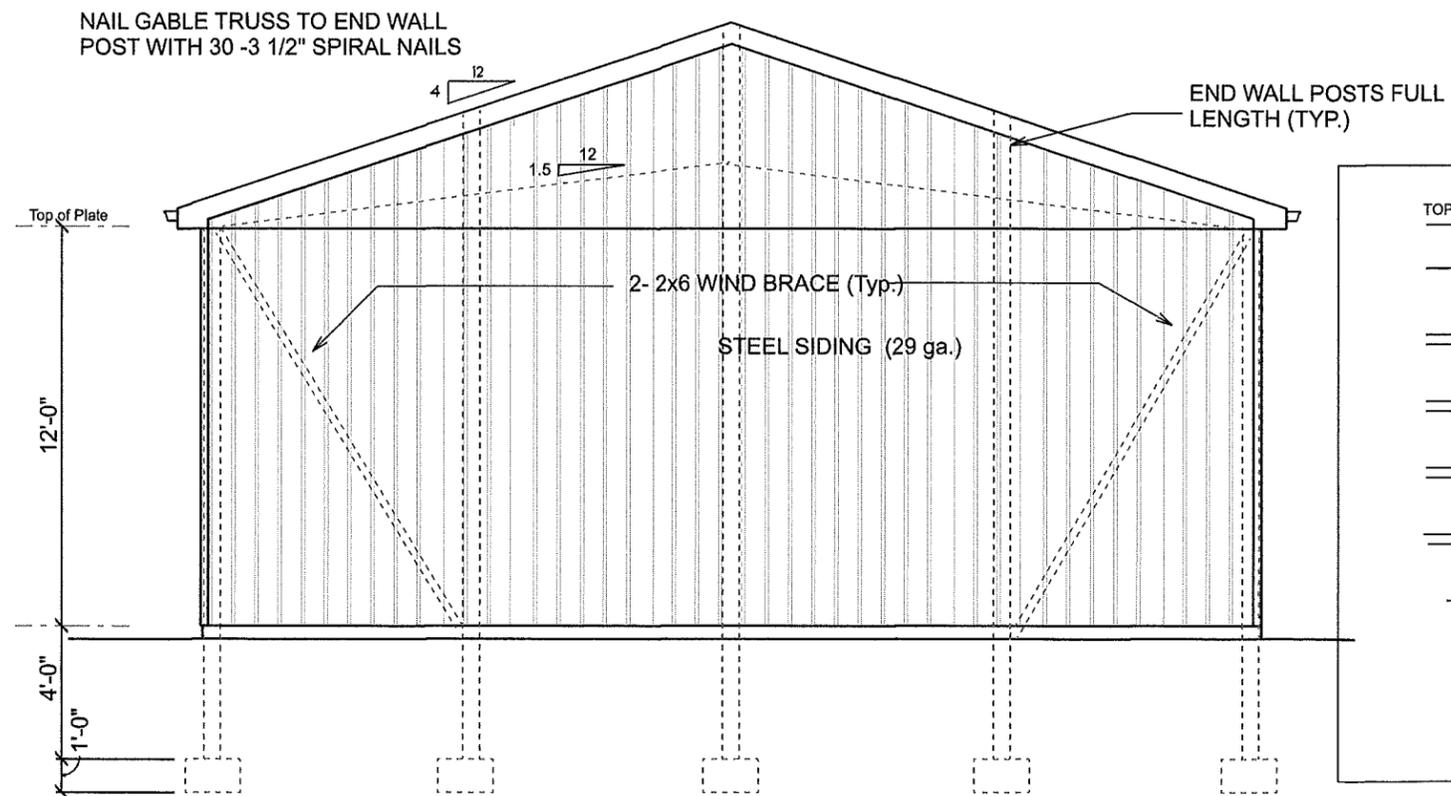
CITY OF HAMILTON

Mayor

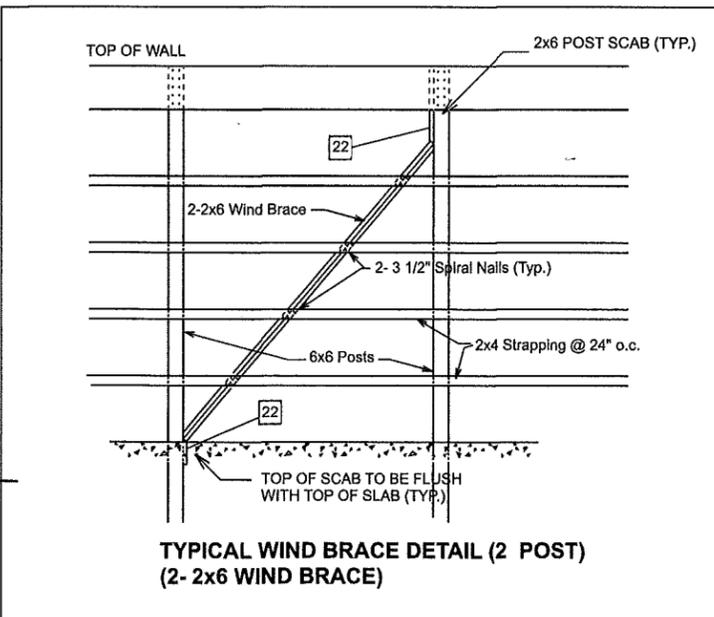
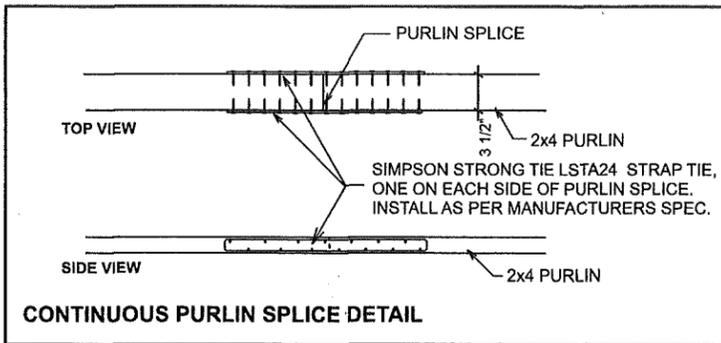
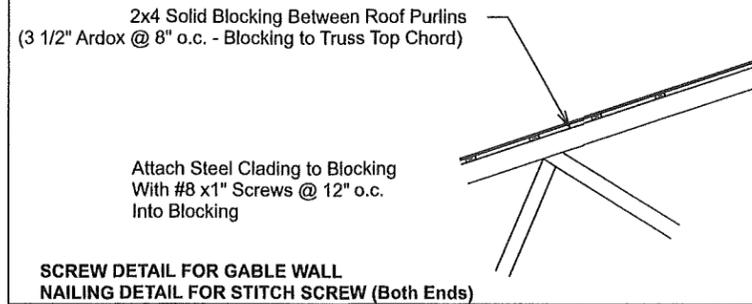
Clerk



FRONT ELEVATION



REAR ELEVATION



Notes
These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported

Do Not Scale Drawings

BUILDING CLASSIFICATION
THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING

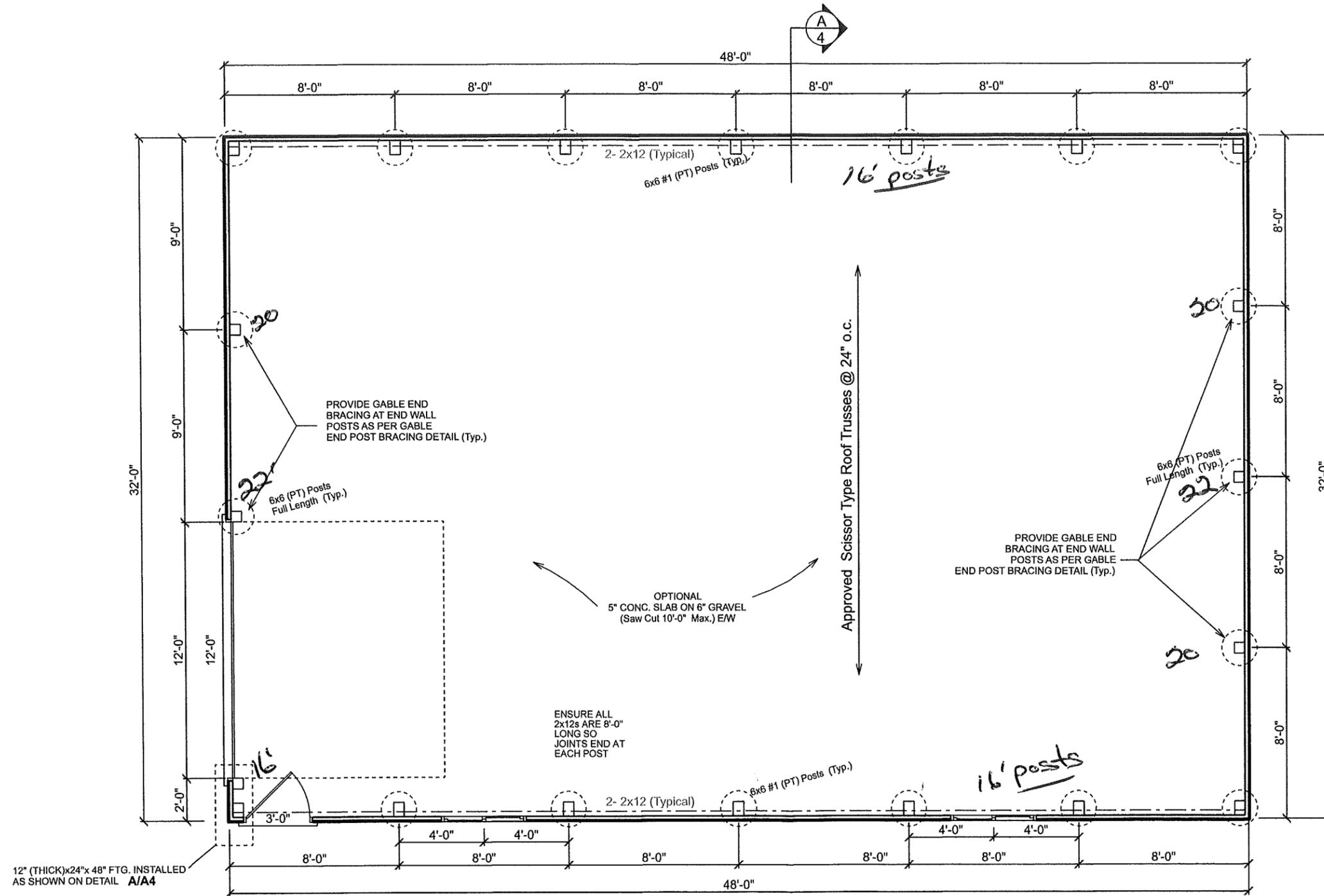


PHILIP H. RUHLMAN
ARCHITECTURAL DESIGN
82 Piper St. 519-223-7042
Ayr, Ontario
email - phil@ruhmandesign.com

DECLARATION OF DESIGNER
I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
P.O. Box 8
Rockton, Ont. L0R 1X0

ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
June 5, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME		DRAWING #	
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.		A1	



PLAN VIEW

Notes

These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported

Do Not Scale Drawings

BUILDING CLASSIFICATION

THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING



PHILIP H. RUHLMAN

ARCHITECTURAL DESIGN
82 Piper St., 519-223-7042
Ayr, Ontario
email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER

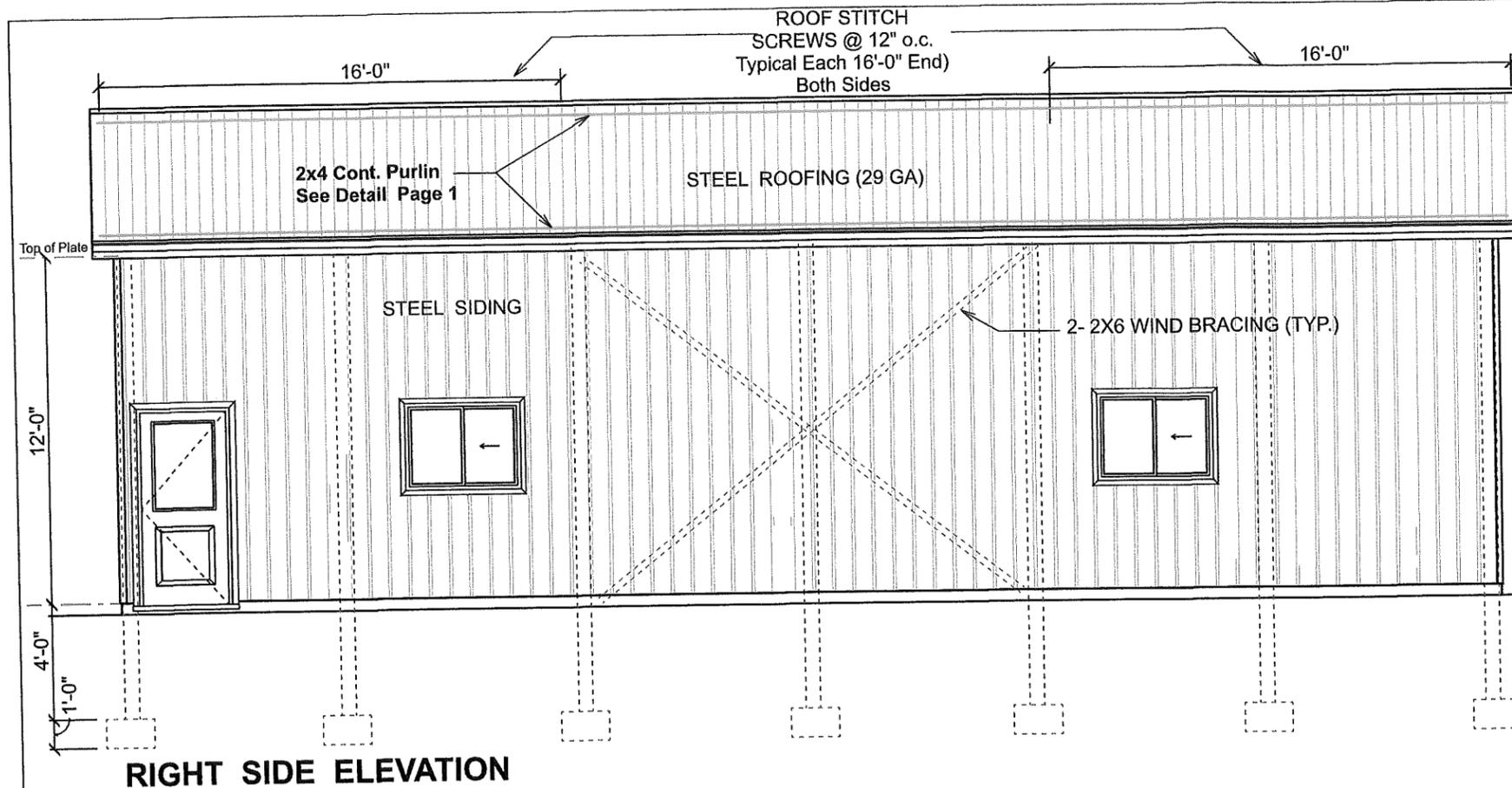
I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

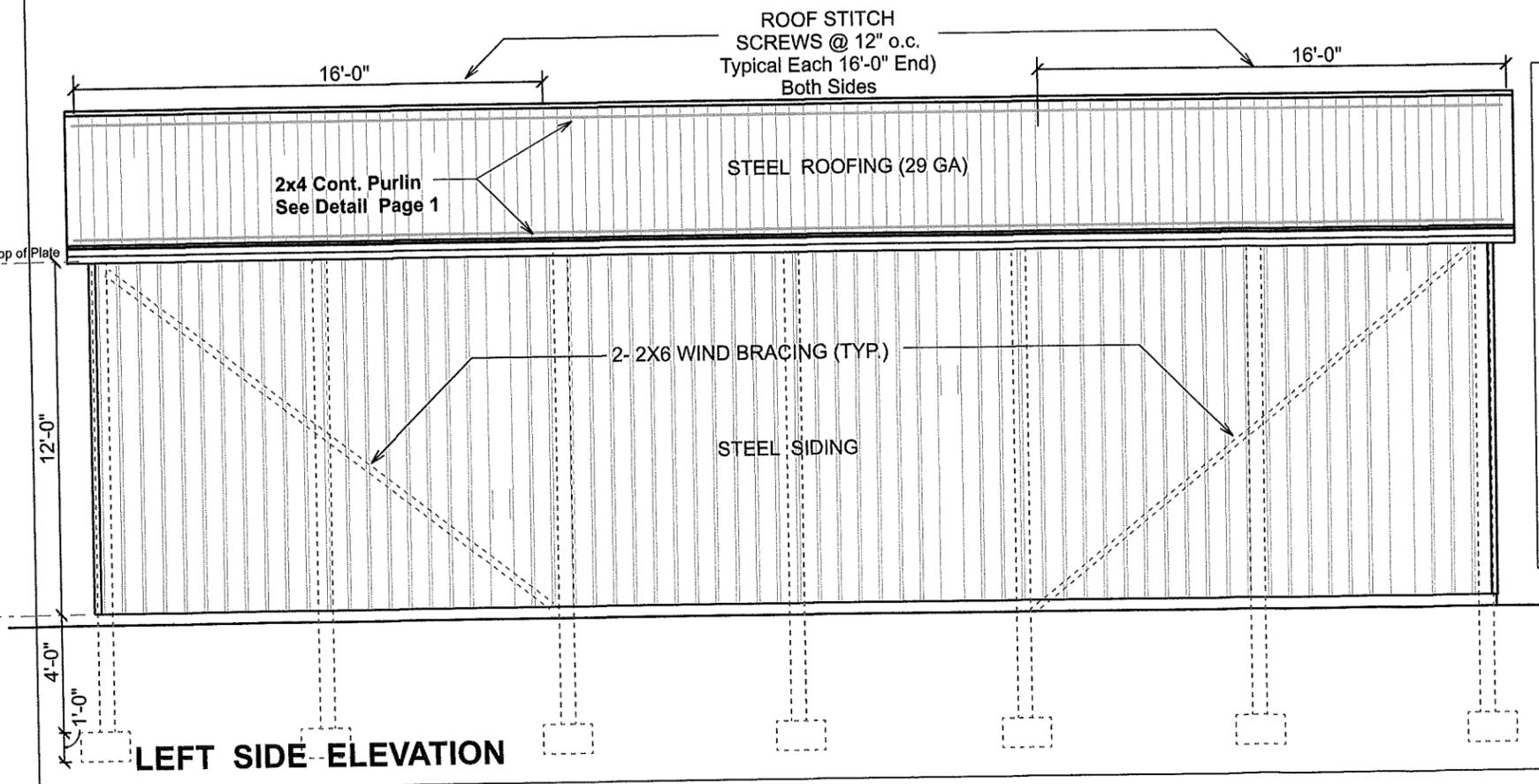
Detailed Buildings
P.O. Box 8
Rockton, Ont. L0R 1X0

DRAWING TITLE PLAN VIEW			
DATE June 19, 2020	SCALE 3/16"=1'-0"	AREA 1,536 Sq. Ft.	PROJECT NO. PHR20-733
PROJECT NAME HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.		DRAWING # A2	

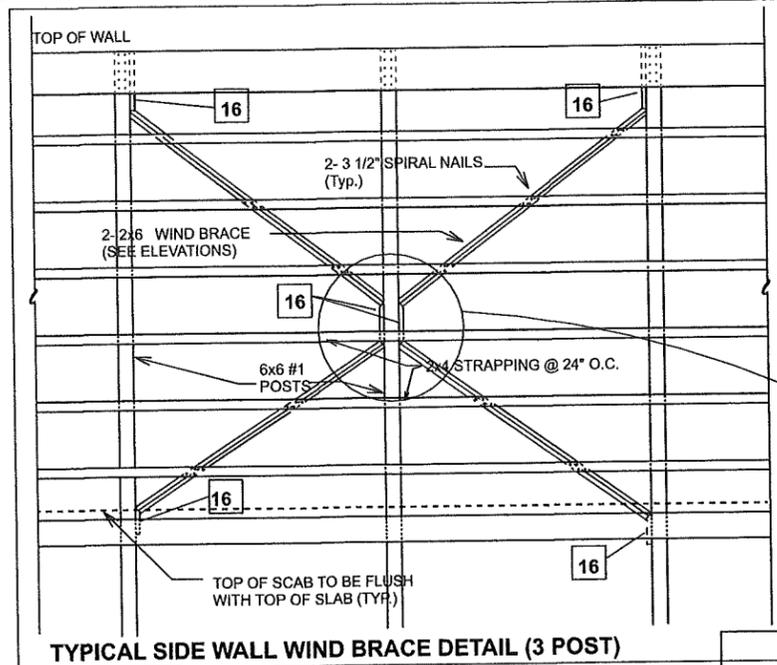
Note:
All LVL to be "West Fraser" LVL (2.0E)
All Steel to be Grade 350W



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

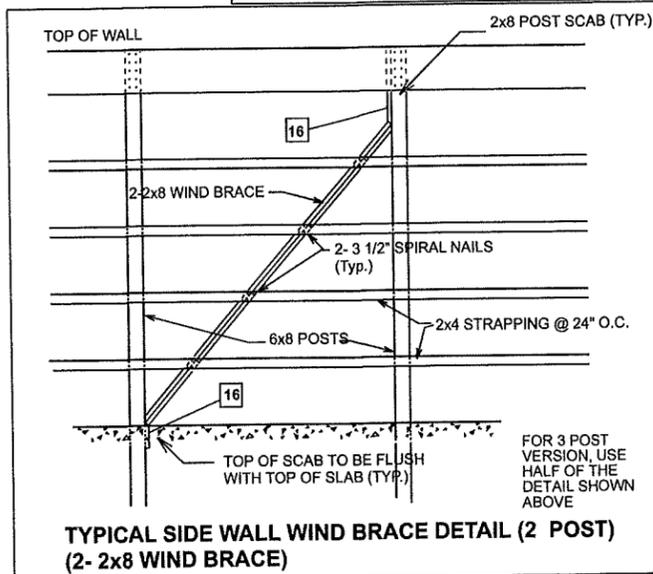


TYPICAL SIDE WALL WIND BRACE DETAIL (3 POST)

BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING



TYPICAL SIDE WALL WIND BRACE DETAIL (2- 2x8 WIND BRACE)

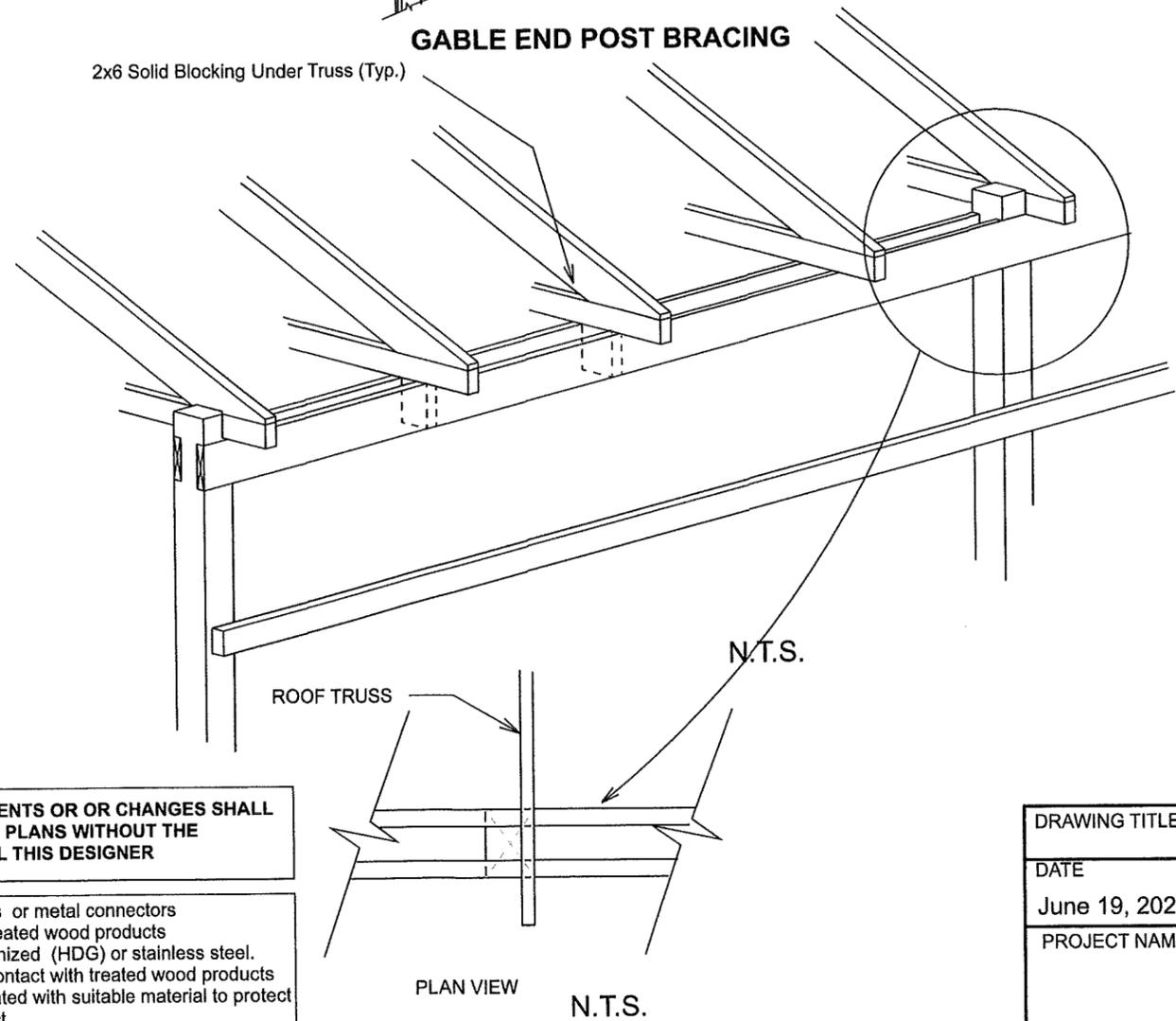
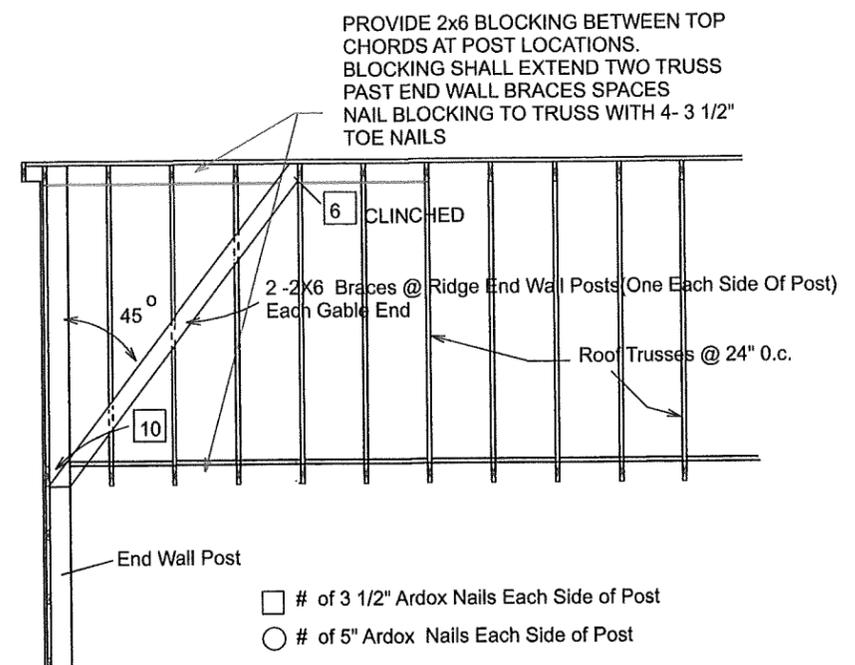
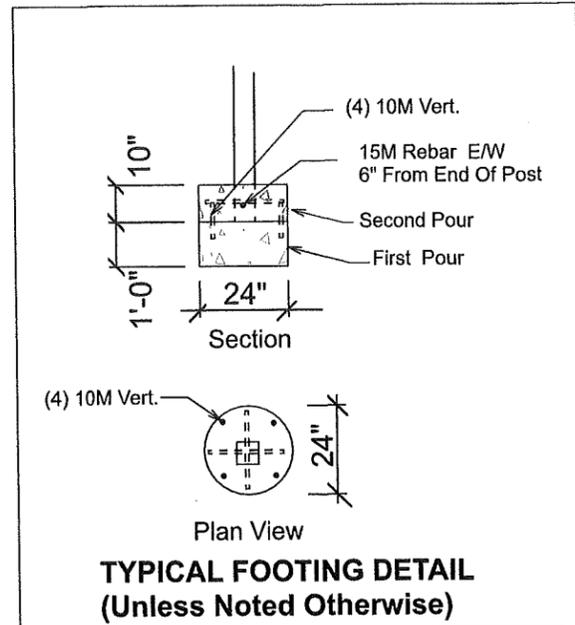
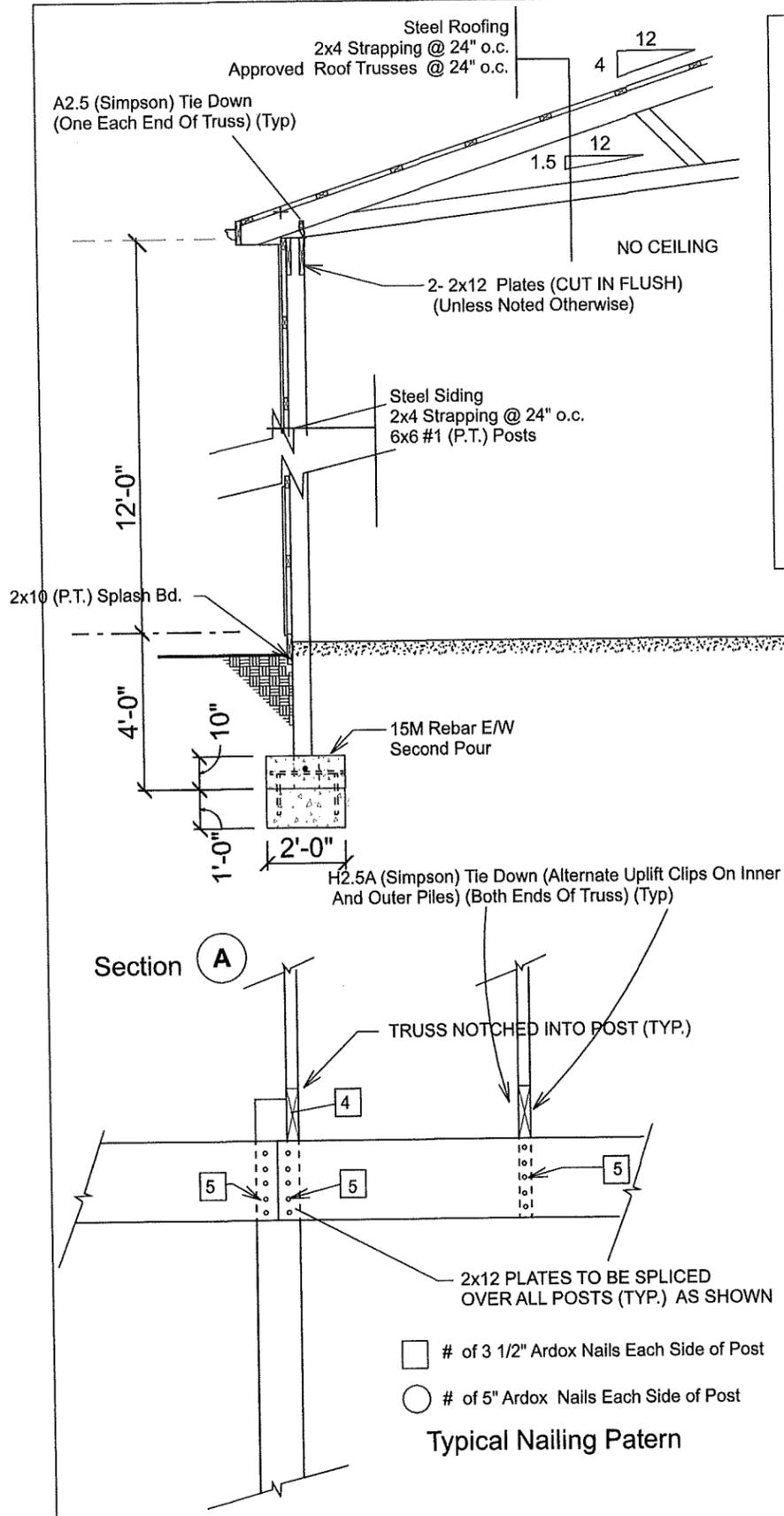
□ # of 3 1/2" Ardox Nails Each Side of Post
 ○ # of 5" Ardox Nails Each Side of Post
 Typical Nailing Patern

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

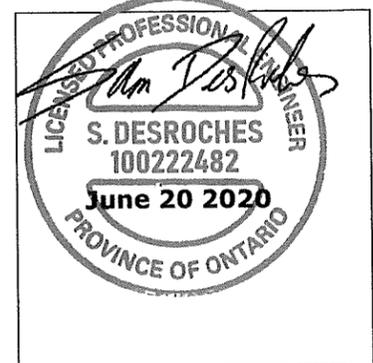
ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
June 19, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME		DRAWING #	
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.		A3	



Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported

Do Not Scale Drawings

BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)



PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

Note: Ensure fasteners or metal connectors in contact with treated wood products are hot dip galvanized (HDG) or stainless steel. Steel siding in contact with treated wood products should be separated with suitable material to protect steel from contact.

DRAWING TITLE			
SECTIONS & DETAILS			
DATE	SCALE	AREA	PROJECT NO.
June 19, 2020	1/4"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME		DRAWING #	
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.		A4	

GENERAL

- DESIGN & CONSTRUCTION OF ALL WORK ON THIS PROJECT SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING:
 - NATIONAL BUILDING CODE
 - ONTARIO BUILDING CODE
 - LOCAL REGULATIONS
 - OHSA REGULATIONS
- THE STRUCTURAL ENGINEERING REVIEW BY WADDELL ENGINEERING LTD (WEL) IS FOR THE STRUCTURAL ITEMS NOTED ON THE STAMPED DRAWINGS FOR WHICH THERE ARE NO ONTARIO BUILDING CODE (OBC) PART 9 PROVISIONS.
- THE SEALED DRAWINGS ARE ONLY FOR USE BY THE PARTY WITH WHOM WEL HAS ENTERED INTO A CONTRACT (THE CLIENT), AND ARE NOT TO BE USED BY OTHERS.
- WEL'S REVIEW IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AT THE TIME OF OUR REVIEW. WEL IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS FROM THIS INFORMATION. IT IS THE CLIENT'S RESPONSIBILITY TO INFORM US OF ANY CHANGES, ADDITIONS OR CORRECTIONS REQUIRED ON OUR DRAWINGS.
- THIS SPECIFICATION SHEET IS TO SUPPLEMENT THE STAMPED DRAWINGS AND OBC PART 9 REQUIREMENTS. PLEASE CONTACT THE LOCAL BUILDING DEPARTMENT OR WEL, IF FURTHER CLARIFICATION IS REQUIRED.
- WEL ASSUMES THAT ALL REQUIRED INSPECTIONS WILL BE DONE BY THE LOCAL BUILDING DEPARTMENT. IF WEL IS REQUIRED TO PERFORM AN INSPECTION, CALL (519) 267-6789. ALLOW 24 HOURS NOTICE FOR ALL INSPECTIONS.
- NO CHANGES SHALL BE MADE TO THE STAMPED DRAWINGS WITHOUT NOTIFYING WEL PRIOR TO MAKING THOSE CHANGES.
- THE CLIENT SHALL CHECK AND VERIFY ALL SITE CONDITIONS AND MEASUREMENTS, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

WOOD-FRAME CONSTRUCTION

- ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23 U.N.O. ON THE STAMPED DRAWINGS.
- ALL STRUCTURAL COMPOSITE LUMBER (SCL) SHALL BE 2.0E WITH Fb=2950 OR BETTER. FASTEN MULTI-PLY SCL BEAMS AS PER MANUFACTURER'S SPECIFICATIONS. PROVIDE 3" MIN. BEARING LENGTH AT ENDS, U.N.O..
- ALL PRE-ENGINEERED SYSTEMS (I.E. ROOF TRUSSES, FLOOR JOISTS, ETC.) ARE TO BE DESIGNED AND SEALED BY A PROFESSIONAL ENGINEER OF ONTARIO. PROVIDE LAYOUTS AND STAMPED DRAWINGS TO WEL AND THE LOCAL BUILDING DIVISION.
- ENSURE THE EXTERIOR WALLS ARE BRACED AS PER OBC 9.23.10.2 TO PROVIDE LATERAL SUPPORT FOR THE BUILDING.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR THE TOP OF ALL DROPPED BEAMS AND LINTELS TO PREVENT LATERAL TORSIONAL BUCKLING.
 - AN EXAMPLE OF SUFFICIENT LATERAL SUPPORT IS (2) 3 1/4" NAILS PER JOIST FOR LEDGER STRIP TO WOOD BEAM CONNECTION (AS PER OBC TABLE 9.23.3.4).
- ALL WOOD COLUMNS SHALL CONFORM TO OBC 9.17, U.N.O. PROVIDE A BUILT-UP WOOD STUD COLUMN EQUAL TO THE WIDTH OF BEAM/GIRDER TRUSS UNDER ALL BEAM/GIRDER TRUSSES MIN. U.N.O. CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL LINTELS TO HAVE 1 JACK STUD, 1 KING STUD AT ENDS U.N.O.
- ALL WOOD SHALL BE NO. 2 SPRUCE OR BETTER.
- ALL GUARDS SHALL CONFORM TO OBC 9.8.8 AND SUPPLEMENTARY STANDARD SB-7 U.N.O.

ROOF AND CEILING FRAMING

- ALL ROOF AND CEILING FRAMING SHALL CONFORM TO OBC 9.23.13 U.N.O. ON THE STAMPED DRAWINGS.
- ALL ROOF RAFTERS/JOISTS AND CEILING JOISTS SHALL CONFORM TO THE SPANS SHOWN IN OBC PART 9 TABLES A-3 TO A-7.
- WHERE REQUIRED, PROVIDE INTERMEDIATE SUPPORT FOR ROOF RAFTERS/JOISTS AS PER OBC 9.23.13.7.
 - WEL ASSUMES THAT COLLAR TIES WILL BE USED TO PROVIDE INTERMEDIATE SUPPORT INSTEAD OF STRUTS OR DWARF WALLS U.N.O. (I.E. ALL ROOF RAFTERS/JOISTS BEAR ON EXTERIOR WALLS ONLY AND INTERIOR WALLS SUPPORT CEILING JOISTS ONLY U.N.O.).
- WHERE THE RIDGE IS UNSUPPORTED, ROOF RAFTERS/JOISTS ARE TO BE TIED TO THE CEILING JOISTS (OR SOLID BLOCKING AT 3'-11" o.c. MAX.) AT THEIR BASE AND NAILED AS PER OBC TABLE 9.23.13.8 TO PREVENT OUTWARD MOVEMENT.
- OVER-FRAMED AREAS ARE TO BE SUPPORTED ON LOWER ROOF RAFTERS/JOISTS BY 2x4 STRUTS @ 24" EACH WAY MIN., U.N.O..
- WOOD ROOF TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH OBC 9.23.13.11, OR PART 4 IF THEIR SPAN EXCEEDS 40'-0" (AS PER OBC 9.23.1.1).
 - IF THE TRUSSES ARE DESIGNED IN ACCORDANCE WITH OBC PART 4, THE DESIGN OF UPLIFT ANCHORS SHALL BE PROVIDED BY THE TRUSS SUPPLIER ALONG WITH LAYOUTS AND STAMPED DRAWINGS.

MATERIALS

- MATERIALS SHALL CONFORM TO THE FOLLOWING REQUIREMENTS U.N.O. ON THE STAMPED DRAWINGS:

CONCRETE	- OBC 9.3.1
REINFORCING STEEL	- CSA G30
LUMBER & WOOD PRODUCTS	- OBC 9.23
STEEL BEAMS	- OBC 9.23.4.3
STEEL COLUMNS	- OBC 9.17
ANCHOR BOLTS, STEEL PLATES & ROLLED SECTIONS	- CAN/CSA-G40.21
STEEL HSS & W-BEAMS	- CAN/CSA-G40.21M-350W
ALL OTHER STEEL	- CAN/CSA-G40.21M-300W
STRUCTURAL BOLTS	- ASTM A325

ALL BRACING NAILS TO HAVE MINIMUM 2.5" SPACING PARALLEL TO GRAIN AND 1.25" PERPENDICULAR TO GRAIN

FOOTINGS AND FOUNDATIONS

- ALL FOOTINGS AND FOUNDATIONS SHALL CONFORM TO OBC 9.15 UNLESS NOTED OTHERWISE (U.N.O.) ON THE STAMPED DRAWINGS.
- FOOTINGS TO BEAR ON SOUND SUB-GRADE SUITABLE FOR 75 kPa (1500 psf) ALLOWABLE SOIL BEARING CAPACITY. THE CLIENT IS TO INFORM WEL IF THE REQUIRED BEARING CAPACITY CANNOT BE ACHIEVED.
- FOUNDATION WALLS SUPPORTING DRAINED EARTH HAVE BEEN DESIGNED FOR THE LOADS PROVIDED IN 9.4.4.6.(1)(a). ENSURE PROVISIONS ARE MADE FOR APPROPRIATE DRAINAGE OF GROUNDWATER.
- ENSURE ALL FOUNDATION WALLS ARE LATERALLY SUPPORTED PRIOR TO BACKFILLING.
- ALL REINFORCING STEEL SHALL CONFORM TO THE REQUIREMENTS OF CAN/CSA-G30. REINFORCING BARS SHALL BE DEFORMED HI-BOND HARD GRADE WITH MINIMUM YIELD STRENGTH OF Fy = 400MPa.

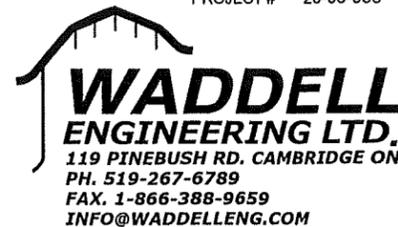
STRUCTURAL STEEL

- ALL WELDING SHALL BE PERFORMED BY A CANADIAN WELDING BUREAU CERTIFIED WELDER AND CONFORM TO CSA STANDARD W59.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR STEEL BEAMS TO PREVENT LATERAL TORSIONAL BUCKLING. SUFFICIENT LATERAL SUPPORT EXAMPLES:
 - DROPPED STEEL BEAM - AS PROVIDED IN OBC 9.23.4.3.(3). OR A 2x6 TOP PLATE w/ 3/8" THRU BOLTS c/w NUTS & WASHERS OR HILTI X-U FASTENERS @ 24" o.c., STAGGERED INTO THE TOP FLANGE & (2) 3 1/4" NAILS FROM EACH JOIST INTO THE TOP PLATE.
 - FLUSH STEEL BEAM - SOLID BLOCKING (2x LUMBER AND PLYWOOD) BOLTED TO THE BEAM WEB WITH 1/2" DIA. THRU BOLTS AT 16" o.c., STAGGERED TOP AND BOTTOM AND APPROVED FACE MOUNT HANGERS FOR THE JOIST TO BLOCKING CONNECTION.
- WHERE A STEEL PLATE SUPPORTING MASONRY VENEER IS SPECIFIED, WELD TO THE TOP OR BOTTOM FLANGE OF THE BEAM WITH (2) ROWS OF 2" LONG FILLET WELDS @ 12" o.c. MIN., STAGGERED.
- ALL STEEL COLUMNS ARE TO BE LATERALLY SUPPORTED TOP & BOTTOM (I.E. BY CONCRETE SLAB ON GRADE, (2) 3/8" Ø BOLTS OR 2" OF 1/4" FILLET WELD MIN.). CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL STRUCTURAL STEEL TO BE FINISHED AS APPROVED BY GENERAL CONTRACTOR.

LOADING

- ROOF LOADING:
 - SNOW LOAD = $C_b \times S_s + 0.4 \text{ kPa}$; NOT LESS THAN 1 kPa (20.9 psf), AS PER OBC 9.4.2.2
 $C_b = 0.55 \text{ kPa}$ FOR ROOF WIDTH > 4.3m
 $C_b = 0.45 \text{ kPa}$ FOR ROOF WIDTH <= 4.3m
 $S_s = 1\text{-IN-}50$ GROUND SNOW LOAD in kPa
 - DEAD LOAD = 0.29 kPa (6 psf) (ROOF RAFTERS/ JOISTS OR TRUSS TOP CHORDS)
- CEILING LOADING:
 - ATTIC OR ROOF SPACE WITH LIMITED ACCESSIBILITY (CEILING JOISTS/TRUSS BOTTOM CHORDS), AS PER OBC 9.4.2.4.(1)
 TOTAL SPECIFIED LOAD = 0.35 kPa (7.3 psf)
 - ACCESSIBLE ATTIC = SEE FLOOR LOADING
- FLOOR LOADING:
 - LIVE LOAD = 1.92 kPa (40 psf), BEDROOMS = 1.44 kPa (30 psf)
 - DEAD LOAD = 0.57 kPa (12 psf)
- ACCESSIBLE EXTERIOR PLATFORMS, AS PER OBC 9.4.2.3:
 - LIVE LOAD = GREATER OF 1.92 kPa (40 psf) OR SNOW LOAD
- GUARD LOADS: AS PER OBC 2012 4.1.5.14 (f)

Project Engineer PROJECT # 20-06-036



Notes

These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported

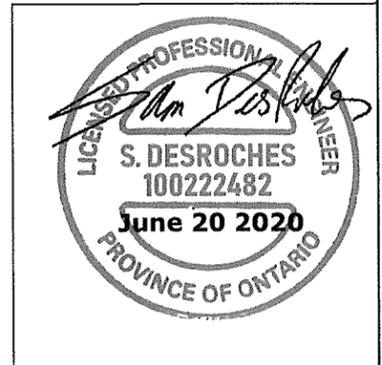
Do Not Scale Drawings

BUILDING CLASSIFICATION

THIS BUILDING IS DESIGNED FOR RESIDENTIAL PART 9 O.B.C. (GROUP C)

Note: NO ADJUSTMENTS OR OR CHANGES SHALL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL THIS DESIGNER

ROOF TRUSS DESIGNS & LAYOUT TO BE SUBMITTED TO THIS DESIGNER BEFORE MANUFACTURING



PHILIP H. RUHLMAN

ARCHITECTURAL DESIGN
82 Piper St., 519-223-7042
Ayr, Ontario
email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER

I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

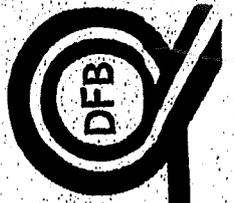
Detailed Buildings
P.O. Box 8
Rockton, Ont. L0R 1X0

DRAWING TITLE			
STRUCTURAL NOTES			
DATE	SCALE	AREA	PROJECT NO.
June 19, 2020	3/16"=1'-0"	1,536 Sq. Ft.	PHR20-733
PROJECT NAME			DRAWING #
HERB MULLINGS 205 Sunny Ridge Rd. Jerseyville, Ont.			S1

Note:
All LVL to be "West Fraser" LVL (2.0E)
All Steel to be Grade 350W

DETAILED

Farm Buildings Ltd.

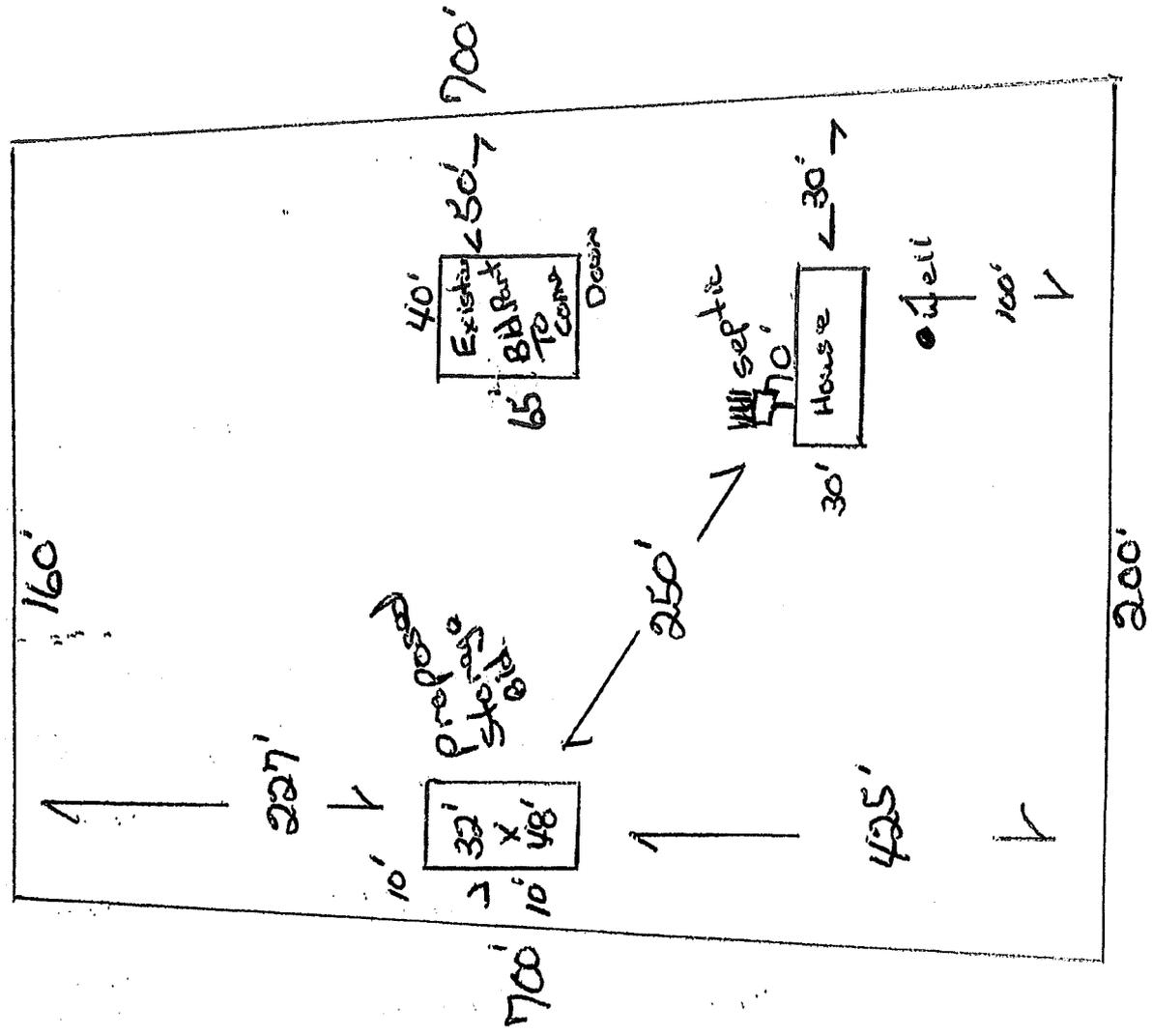


Site Plan
Aerbu Mullings

Tom Coverdale
President

tom@etailedbuildings.com
PO Box 8, Rockton Ontario L0R 1X0

(905) 628-8551
(905) 628-4220
(905) 961-5575



205 Sunny Ridge Road
Jerseyville



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: GL/B-20:61

SUBJECT PROPERTY: 5020 Tyneside Rd., (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): Sullivan Planning Services Inc. on behalf of the owner Thomsen-Jung Farms Ltd.

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing an existing dwelling and two agricultural barns and to retain a parcel of vacant land for agricultural purposes.

Severed lands:

15m[±] x 234m[±] and an area of 3.71ha[±]

Retained lands:

646m[±] x 1,000m[±] and an area of 63.29ha[±]

**This application will be heard in conjunction with
 Minor Variance Application GL/A-20:199**

The Committee of Adjustment will hear this application on:

DATE: Thursday, October 22nd , 2020

TIME: 1:35 p.m.

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

PUBLIC INPUT

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

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

FL/B-19:133
PAGE 2

MORE INFORMATION

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

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

DATED: October 6th, 2020



Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

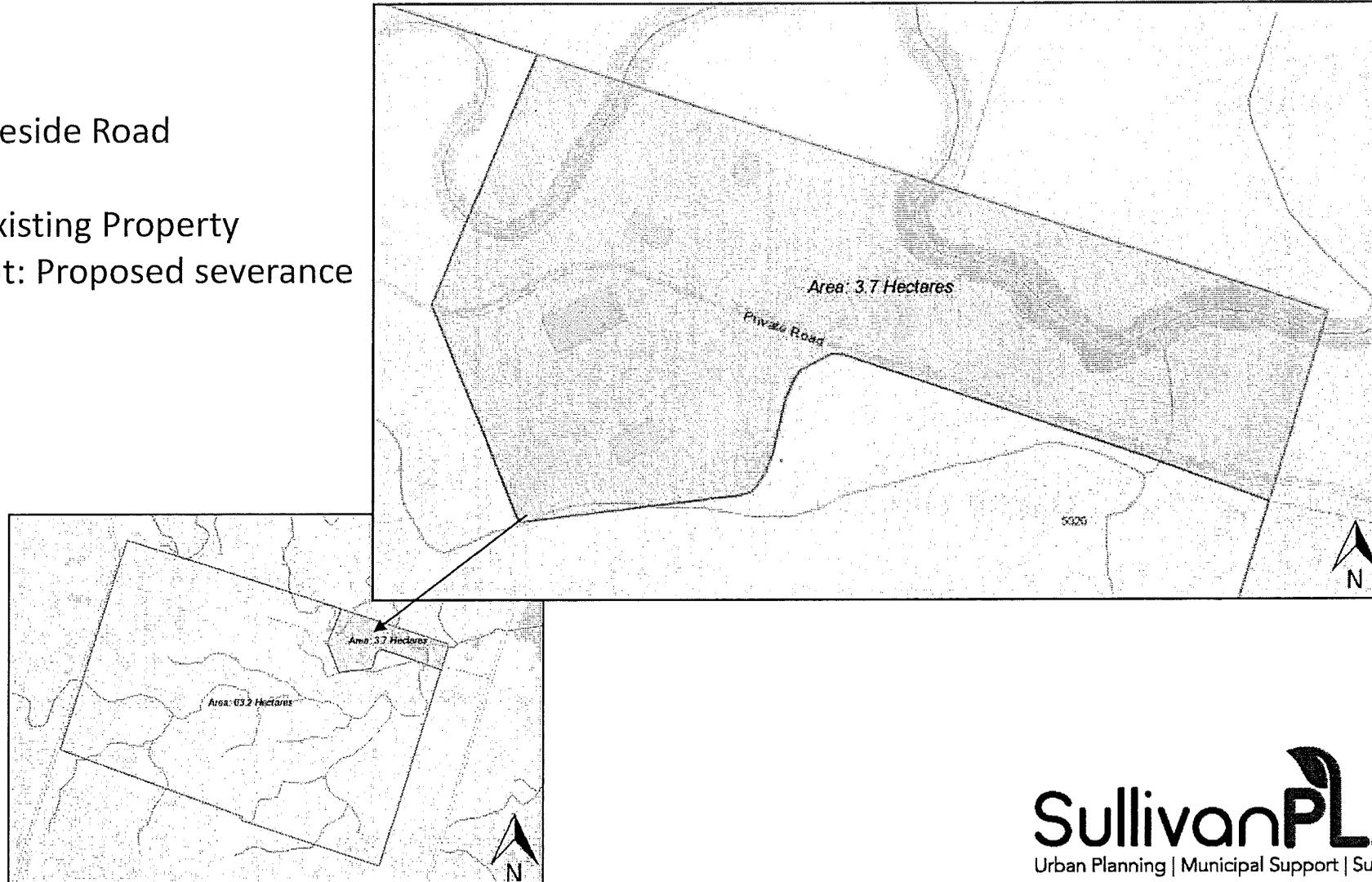
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

Concept for 5020 Tyneside Road Severance

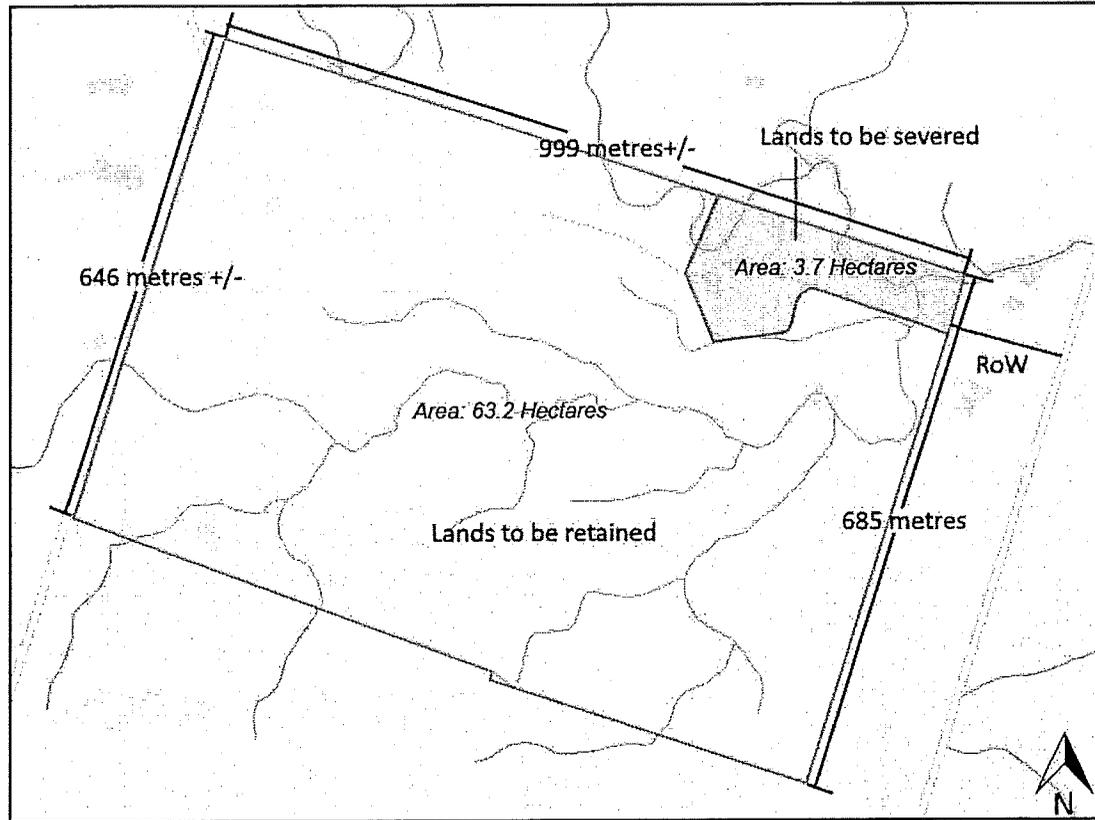
5020 Tyneside Road

Below: Existing Property

Inset right: Proposed severance



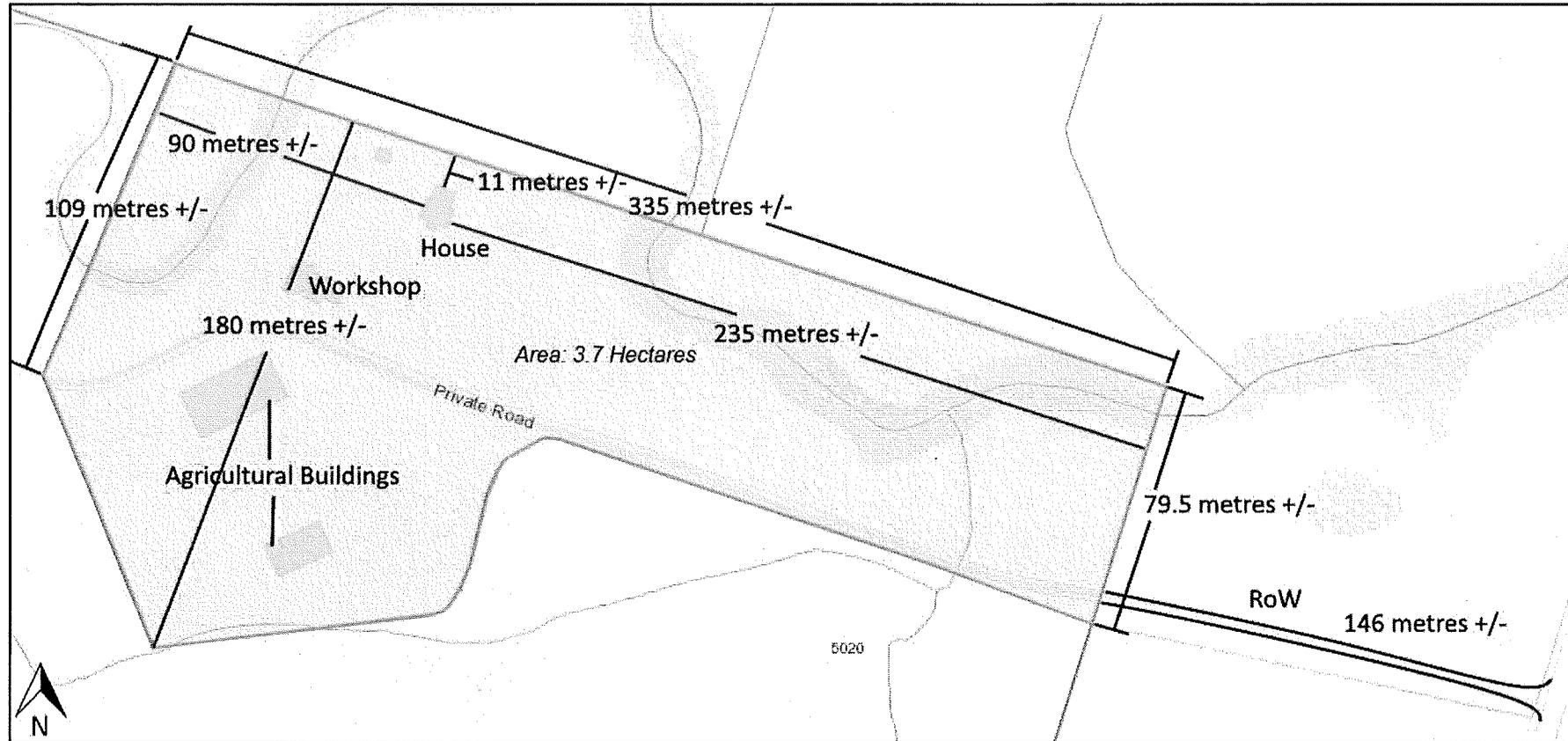
Concept for 5020 Tyneside Road Severance



Approximate Existing Property Dimensions

Depth: 999m +/-
Frontage: 646m +/-
Rear lot length: 685 m +/-

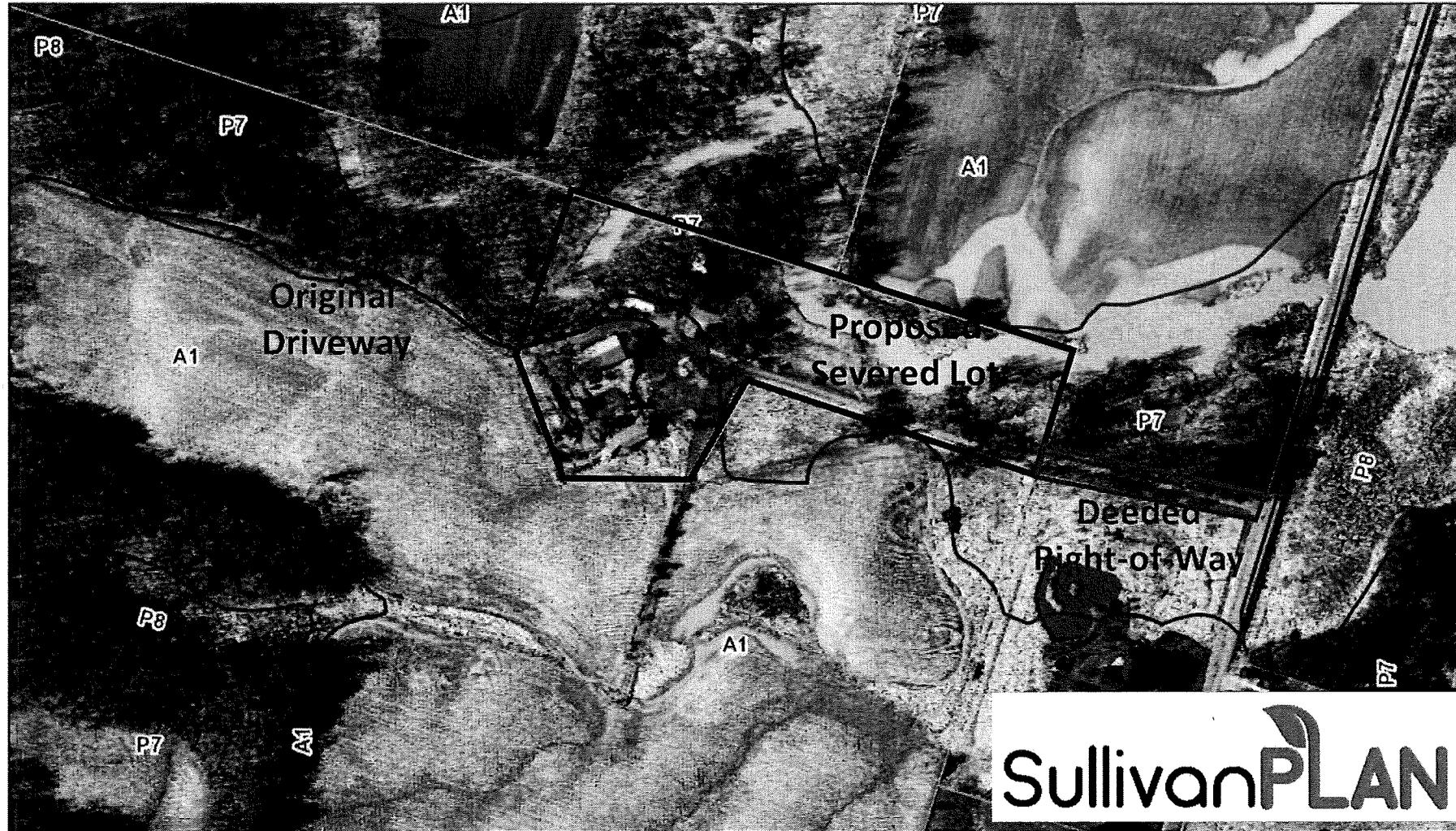
Concept for 5020 Tyneside Road Severance



Approximate Proposed Severance Dimension:

- Front lot length: 79.5m +/-
- Front yard: 235m +/-
- Rear yard length: 109m +/-
- Widest: 180m +/-
- Side yard setback: 11 m +/-
- Rear yard setback: 90m +/-
- RoW: 146m +/-

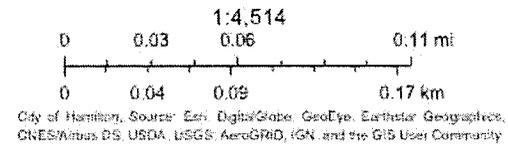
5020 Tyneside Road, Proposed Severance



2020-05-26, 8:01:33 p.m.

- Rural Grid
- Ward Boundary
- Community Boundary
- City Boundary
- Property Parcels
- Zoning Boundaries
- Council Approved - Zoning Boundaries

Proposed Lot
 Area = 3.71ha (approx.)
 Access = Deeded ROW



The City of Hamilton is not liable for any damages resulting from the use of, or the product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.



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**

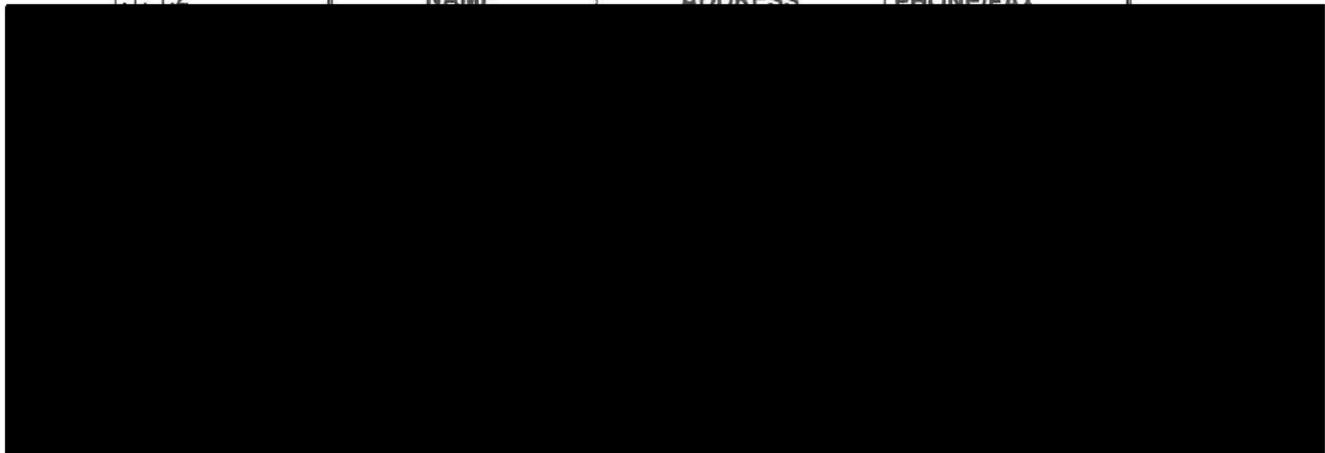
Office Use Only

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

1 APPLICANT INFORMATION

1.1.12

NAME	ADDRESS	PHONE/FAX
------	---------	-----------



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 11 & 12	Concession 8	Former Township Glanbrook
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 5020 Tyneside Road, Mount Hope, L0R 1W0			Assessment Roll N°. 251890271063200

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:

Deeded right-of-way from Tyneside Road.

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):

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> 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:

To be sold - Unknown

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

Frontage (m)	Depth (m)	Area (m ² or ha)
15 metres +/-	Approximately 234 metres +/-	Approximately 3.71 hectares +/-

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Single detached dwelling; two (2) agricultural barns

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 ² or ha)
approximately 646 metres +/-	approximately 1,000 metres +/-	Approximately 63.29 hectares +/-

Existing Use of Property to be retained:

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

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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

Please see attached letter.

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

Please see attached letter.

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
Please see attached letter.

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)

Please see attached letter.

- 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) 15 metres +/-	Area (m ² or ha): (from in Section 4.1) Approximately 3.71 hectares +/-
Existing Land Use: <u>Agricultural</u>	Proposed Land Use: <u>Agricultural</u>

b) Lands to be Retained:

Frontage (m): (from Section 4.2) Approximately 646 metres +/-	Area (m ² or ha): (from Section 4.2) Approximately 63.29 hectares +/-
Existing Land Use: <u>Agricultural</u>	Proposed Land Use: <u>Agricultural</u>

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
Existing Land Use(s): _____	Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
Existing Land Use: _____	Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
Front yard set back: _____	

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
Existing Land Use: _____	Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

5085 Trinity Church Road Hamilton

(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) 15 m +/-	Area (m2 or ha): (from Section 4.1) 3.71 hectares +/-
--	--

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) approx. 646 m	Area (m2 or ha): (from Section 4.2) approx. 63.29 ha
---	---

Existing Land Use: Agricultural/residential Proposed Land Use: Agricultural/residential**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Other properties owned: Roll #902710084000000 (0 Chippewa Rd W)

Roll #901710908000000 (0 Haldibrook Rd); Roll #140510554000000 (0 Norsworthy Rd)

Roll #901710616000000 (5085 Trinity Church Rd)

Planning justification, attached; Lawyer letter detailing Right-of-way, attached;

Ecologist report, 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:

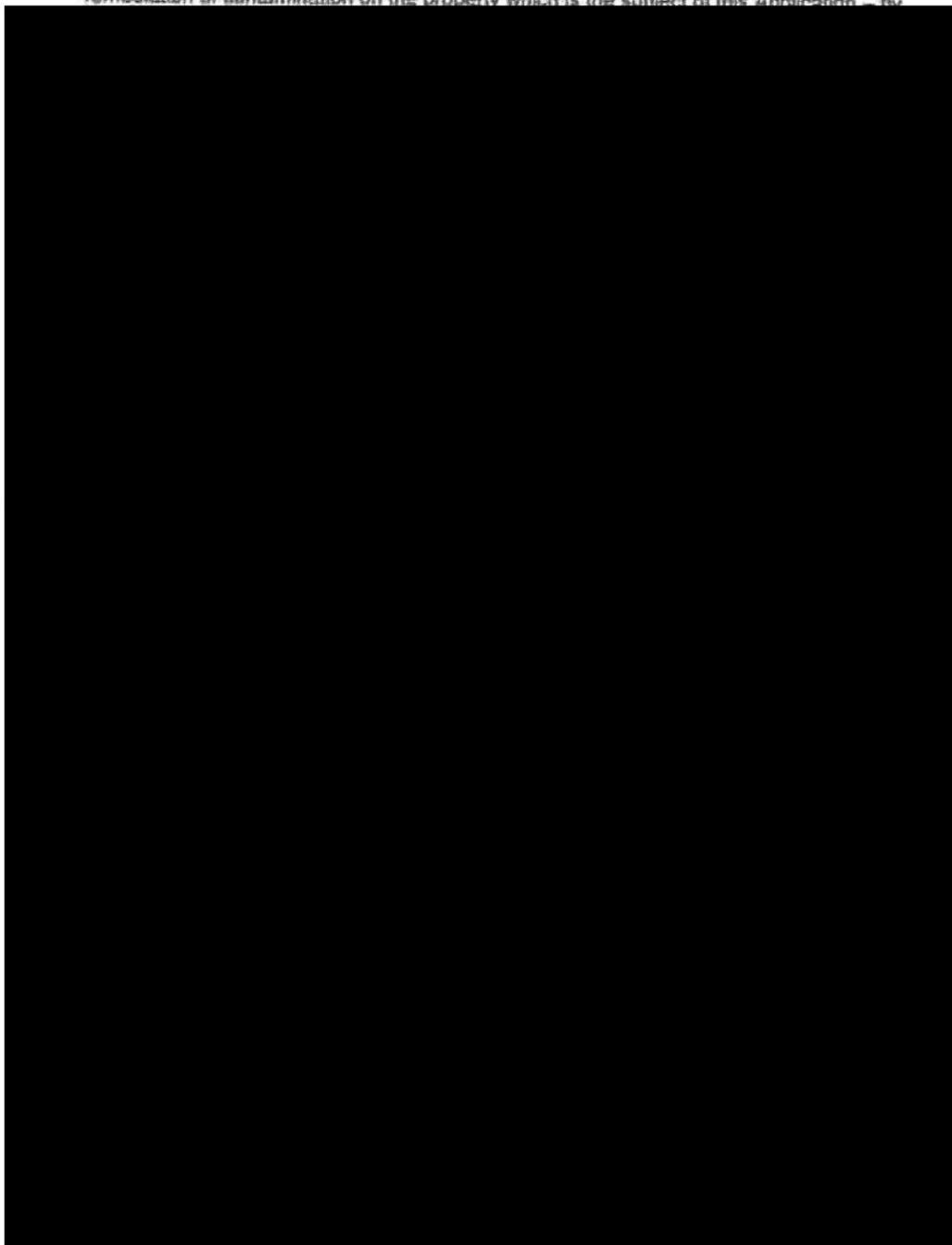
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of 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 or on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

road or a right of way;

(h) the location and nature of any easement affecting the subject land.

13 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application, by



SIGN HERE

road or a right of way;

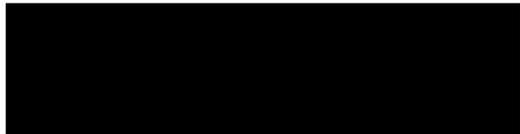
(h) the location and nature of any easement affecting the subject land.

13 ACKNOWLEDGEMENT CLAUSE

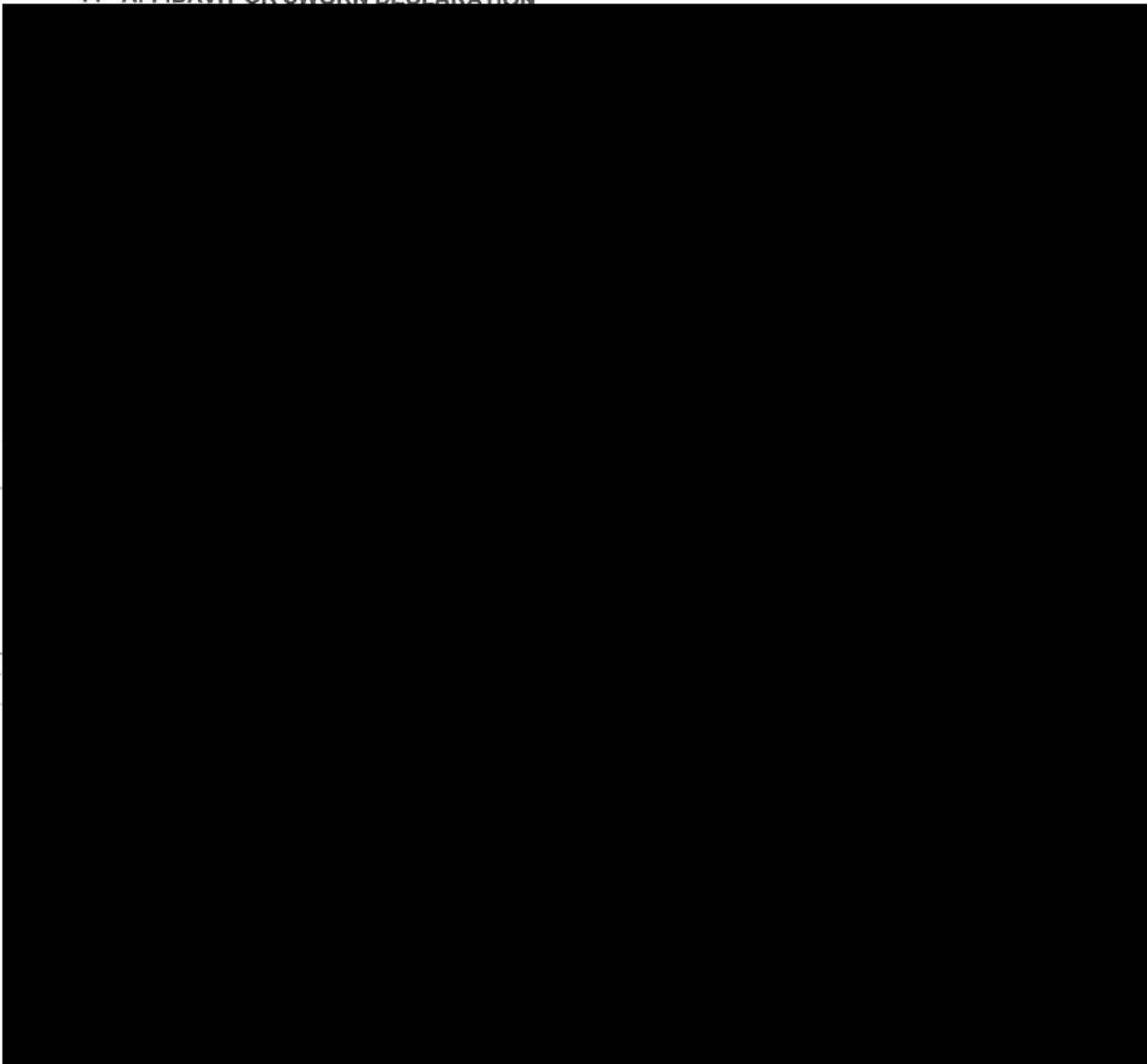
I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

September 14, 2020

Date



14 AFFIDAVIT OR SWORN DECLARATION



16 CONSENT OF THE OWNER

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

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

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

[REDACTED] owner, hereby agree and acknowledge

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

Sign Here

17 COLLECTION OF INFORMATION

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

A File Number will be issued for complete applications and should be used in all communications with the City.

APPLICANT'S CHECKLIST

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. (A cheque or money order payable to the City of Hamilton)

16 CONSENT OF THE OWNER

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

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

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

 the Owner, hereby agree and acknowledge

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

September 8, 2020

Date


Signature of Owner

17 COLLECTION OF INFORMATION

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

A File Number will be issued for complete applications and should be used in all communications with the City.

APPLICANT'S CHECKLIST

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. (**A cheque or money order payable to the City of Hamilton**)

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____ day of _____, 20_____.

BETWEEN:

Applicant's name(s)
hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____, 20____ .

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner: _____ c/s
Title:
I have authority to bind the corporation

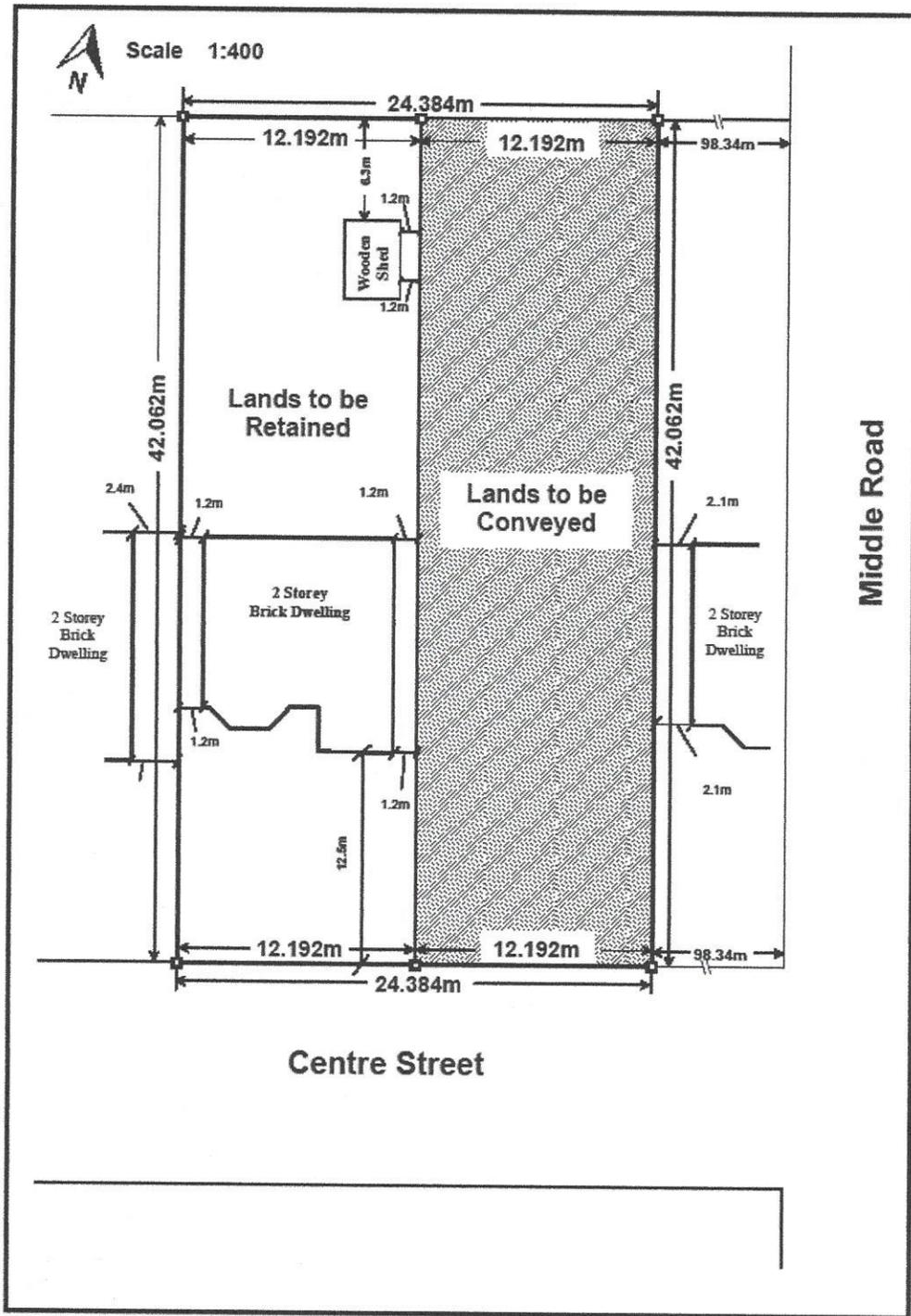
Assignee: _____ c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

Sketch Sheet



DATA SHEET – MDS I - (REPLACES AGRICULTURAL CODE OF PRACTICE)

This is to be completed and attached to the application when applying for a new non-farm use within 1000 metres (3,281 feet) of an existing livestock facility. Complete one sheet for each set of farm buildings.

Reference _____ No. _____ Date _____ By _____

Township _____ Lot _____ Concession _____

Closest distance from the livestock facility to the new use. _____ metres

Closest distance from the manure storage to the new use. _____ metres

Tillable Hectares where livestock facility located _____

Type of Livestock	Existing Housing Capacity #	Manure System (Check one box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY					
BEEF					
SWINE					
POULTRY					
HORSES					
SHEEP					
MINK – Adults					
WHITE VEAL CALVES					
GOATS					
OTHER					

The above information was supplied by:

Signature: _____ Date: _____

Note: Identify particular animal type for each livestock type under DESCRIPTION from Factor Tables, Table 1 attached as Appendix "A"

Appendix "A" (MDS Factor Tables)
(Page 1 of 2)

**Table 1 Factor A (Outdoor Potential) and
Factor D (Manure or Material Form in Storage Facility)**

Animal Type or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 18 to 100% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Swine	Sows with litter, dry sows/boars Segregated Early Weaning (SEW)	3.33	1.0	Most systems have liquid manure stored under the barn slats for short or long periods, or in storages located outside	Systems with solid manure inside on deep bedded packs, or with scraped alleys
	Sows with litter, dry sows or boars (non-SEW)	3.5			
	Breeder gilts (entire barn designed specifically for this purpose)	5			
	Weaners (7 kg - 27 kg)	20			
	Feeders (27 kg - 105 kg)	6			
Dairy Cattle ¹	Milking-age cows (dry or milking)	0.7	0.7	Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added	Tie-stall barns with lots of bedding, or loose housing with deep bedded pack, and with or without outside yard access
	- Large-framed 545 kg - 636 kg (e.g. Holsteins)				
	- Medium-framed 455 kg - 545 kg (e.g. Guernseys)	0.85			
	- Small-framed 364 kg - 455 kg (e.g. Jerseys)	1			
	Heifers (5 months to freshening)	2			
	- Large-framed 182 kg - 545 kg (e.g. Holsteins)				
	- Medium-framed 148 kg - 455 kg (e.g. Guernseys)	2.4			
	- Small-framed 125 kg - 364 kg (e.g. Jerseys)	2.9			
	Calves (0 - 5 months)	6		Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added	Bedded pens or stalls or heavily bedded calf hutches that are outside
	- Large-framed 45 kg - 182 kg (e.g. Holsteins)				
- Medium-framed 39 kg - 148 kg (e.g. Guernseys)	7				
- Small-framed 30 kg - 125 kg (e.g. Jerseys)	8.5				
Beef Cattle	Cows, including calves to weaning (all breeds)	1	0.7	N/A	Bedded pack barns with or without outside yard access
	Feeders (7 - 16 months)	3	0.8	Slatted floor systems, or barns with minimal bedding and yard scraped to a liquid storage	
	Backgrounders (7 - 12.5 months)	3	0.8		
	Shortkeepers (12.5 - 17.5 months)	2	0.8		
Veal	Milk-fed	6	1.1	Slatted floors or slatted stall system	Heavily bedded pack barns
	Grain-fed	6	0.8		
Goats	Does and bucks (for meat kids; includes unweaned offspring and replacements)	8	0.7	N/A	Heavily bedded pack barns
	Does and bucks (for dairy; includes unweaned offspring and replacements)	8			
	Kids (dairy or feeder kids)	20			
Sheep	Ewes and rams (for meat lambs; includes unweaned offspring and replacements)	8	0.7	N/A	All sheep systems
	Ewes and rams (dairy operation; includes unweaned offspring and replacements)	6			
	Lambs (dairy or feeder lambs)	20			
Horses	Large-framed, mature; > 681 kg (including unweaned offspring)	0.7	0.7	N/A	All horse systems
	Medium-framed, mature; 227 kg - 680 kg (including unweaned offspring)	1			
	Small-framed, mature; < 227 kg (including unweaned offspring)	2			
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)	150	1.0	Birds in cages, manure belts, no drying of manure, water added	Birds in cages, manure belts and drying, or floor systems
	Layer pullets (day olds until transferred into layer barn)	500	0.7		
	Broiler breeder growers (males/females transferred out to layer barn)	300	0.7	N/A	Bedded floors
	Broiler breeder layers (males/females transferred in from grower barn)	100	0.7	N/A	
	Broilers on an 8 week cycle	350	0.7	N/A	Bedded floors systems
	Broilers on a 9 week cycle	300			
	Broilers on a 10 week cycle	250			
	Broilers on a 12 week cycle	200			
Broilers on any other cycle, or if unknown, use 24.8 m ² /NU	24.8 m ²				
Turkeys	Turkey pullets (day old until transferred to layer turkey barn)	267	0.7	N/A	Bedded floor systems
	Turkey breeder layers (males/females transferred in from grower barn)	67			
	Breeder toms	45			
	Broilers (day olds to 6.2 kg)	133			
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)	105			
	Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical)	75			
	Turkeys at any other weights, or if unknown, use 24.8 m ² /NU	24.8 m ²			
Quail	Use 24.8 m ² /NU	24.8 m ²	0.7	N/A	Bedded floor systems
Partridge	Use 24.8 m ² /NU	24.8 m ²			
Pheasants	Use 24.8 m ² /NU	24.8 m ²			
Squab	Use 24.8 m ² /NU	24.8 m ²			
Rheas	Adults (includes replacements and market birds)	13			
Emus	Adults (includes replacements and market birds)	12			
Ostriches	Adults (includes replacements and market birds)	4			
Ducks	Peking	105			
Geese	Muscovy, use 24.8 m ² /NU	24.8 m ²			
	Use 24.8 m ² /NU	24.8 m ²			
Rabbits	Breeding females (including males, replacements & market animals)	40	0.8	N/A	Cage or floor systems
Chinchillas	Breeding females (including males, replacements & market animals)	320			
Fox	Breeding females (including males, replacements & market animals)	25			
Mink	Breeding females (including males, replacements & market animals)	90			

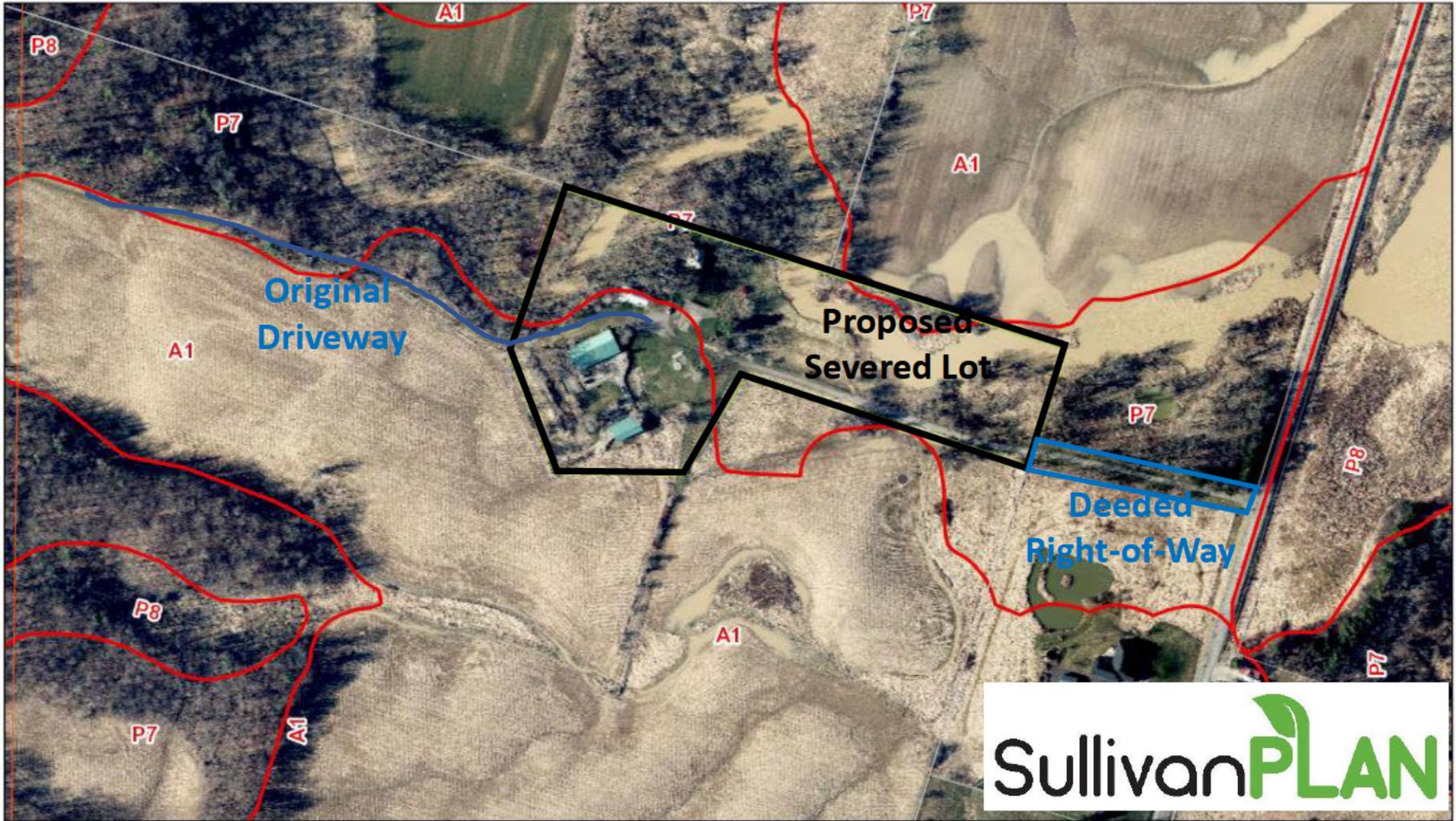
Appendix "A" (MDS Factor Tables)
(Page 2 of 2)

**Table 1 Factor A (Outdoor Potential) and
Factor D (Manure or Material Form in Storage Facility)...cont'd**

Animal Type or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage				
				Liquid Manure: Factor D = 0.8 18 to 100% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter			
Bison	Adults (includes unweaned calves and replacements)	1.3	0.7	N/A	Bedded pack barns with outside access or outside confinement areas			
	Feeders (170 kg - 477 kg)	4						
Llama	Adults (includes unweaned young and replacements)	5						
	Feeders (45 kg - 86 kg)	16						
Alpaca	Adults (includes unweaned young and replacements)	8						
	Feeders (23 kg - 48 kg)	26						
Wild Boar	Breeding age sows (includes boars, replacements and weaned piglets to 27 kg)	5						
	Finishing boars (27 - 86 kg)	7						
Deer	White tailed deer - Adults > 24 mo (including unweaned offspring)	11				0.7	N/A	Bedded pack barns with outside access or outside confinement areas.
	- Feeders	21						
	Red Deer - Adults > 24 MO (including unweaned offspring)	7						
	- Feeders	14						
	Elk - Adults > 24 MO (including unweaned offspring)	2						
	- Feeders	6						
	Elk/deer hybrids - Adults > 24 MO (including unweaned offspring)	4						
	- Feeders	10						
Other livestock not listed in this table	To determine the number per NU, add up the total maximum live weight of animals and divide by the weight of animals per NU in the next column.	453.6 kg (1000lbs)	0.8	All storages with liquid manure.	All storages with solid manure.			
	Manure imported to a lot not generating manure ²	Maximum capacity of permanent storages at any time: solid or liquid capacity.	19.8 m ³ (700 ft ³)	1.2	All storages with liquid manure.	All storages with solid manure.		
Storages for digestate from an Anaerobic Digester (odours reduced during this process)	Maximum capacity of permanent storages at any time: solid or liquid capacity.	19.8 m ³ (700 ft ³)	0.5	All storages with liquid manure.	All storages with solid manure.			

1. On farms with 100 milk-age cows (dry and milking), there are usually about 20 replacement calves and 80 replacement heifers.

5020 Tyneside Road, Proposed Severance



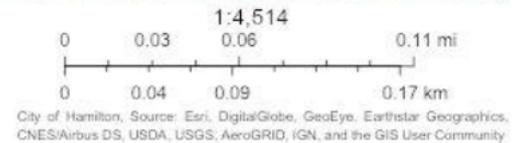
2020-05-26, 8:01:33 p.m.

- Rural Grid
- Ward Boundary
- Community Boundary
- City Boundary
- Property Parcels
- Zoning Boundaries
- Council Approved - Zoning Boundaries

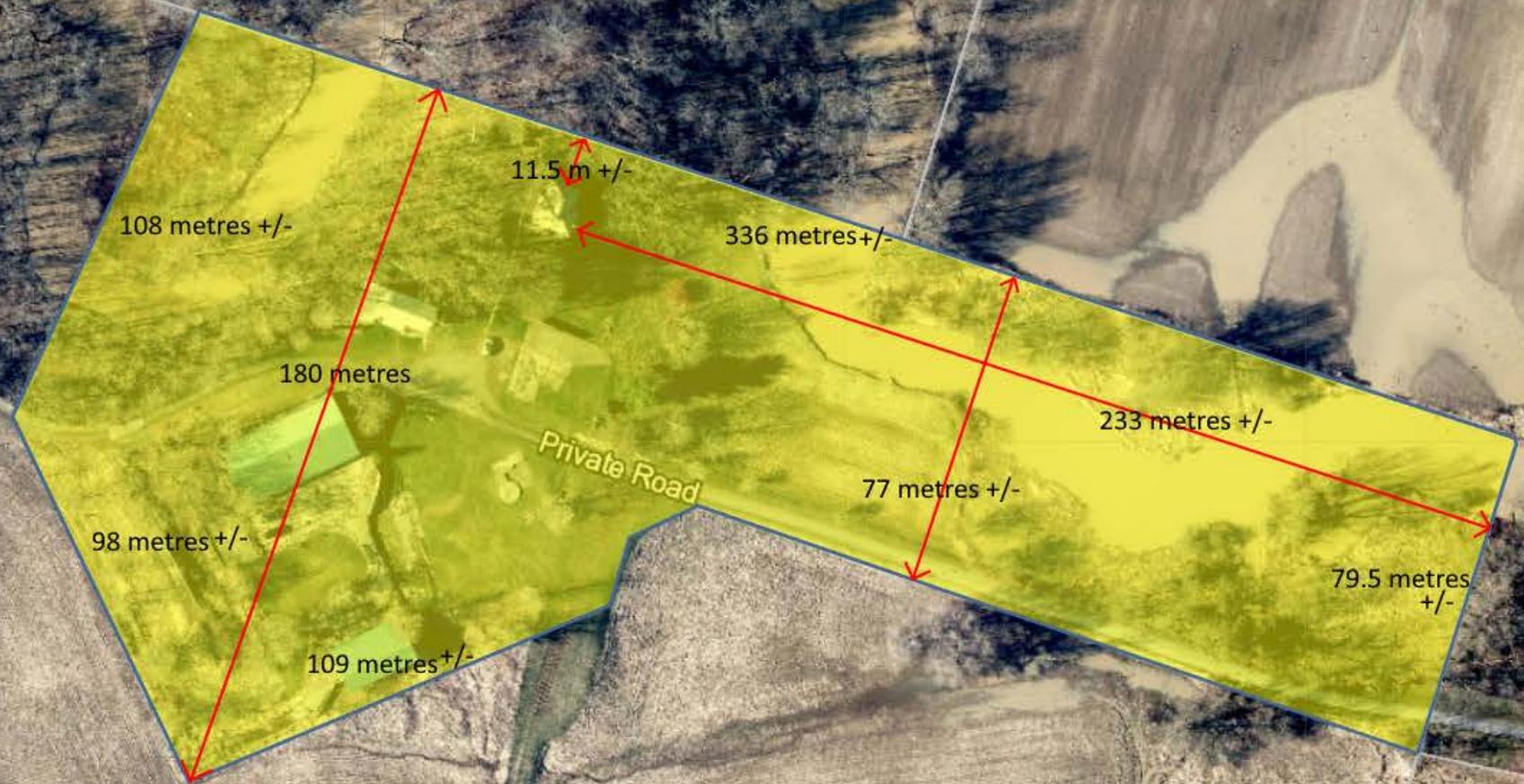
Proposed Lot

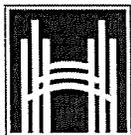
Area = 3.71ha (approx.)

Access = Deeded ROW



City of Hamilton, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: SC/A-20:183

APPLICANTS: Alexander Aquin on behalf of the owners P. & L. Aquin

SUBJECT PROPERTY: Municipal address **601 Green Mountain Rd. E., (Stoney Creek)**

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

ZONING: "A1" (Agriculture) district

PROPOSAL: To permit the construction of an accessory building with a gross floor area of 406 m², located on a residential parcel of land, notwithstanding that;

1. A maximum gross floor area of 406m² shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall not exceed a maximum gross floor area of 200m²

NOTE:

1. A detailed site plan or updated elevation drawings reflecting the current proposal as described in an email dated September 14th, 2020, provided by the applicant, were not included as part of this application. Further variances may be required if compliance with Hamilton Zoning By-law 05-200 is not possible.
2. Construction of the proposed accessory building 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.

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

DATE: Thursday, October 22nd, 2020
TIME: 1:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

SC/A-20:183

Page 2

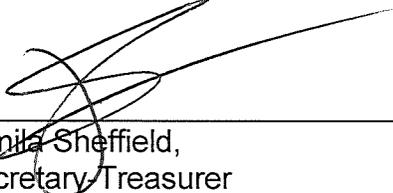
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

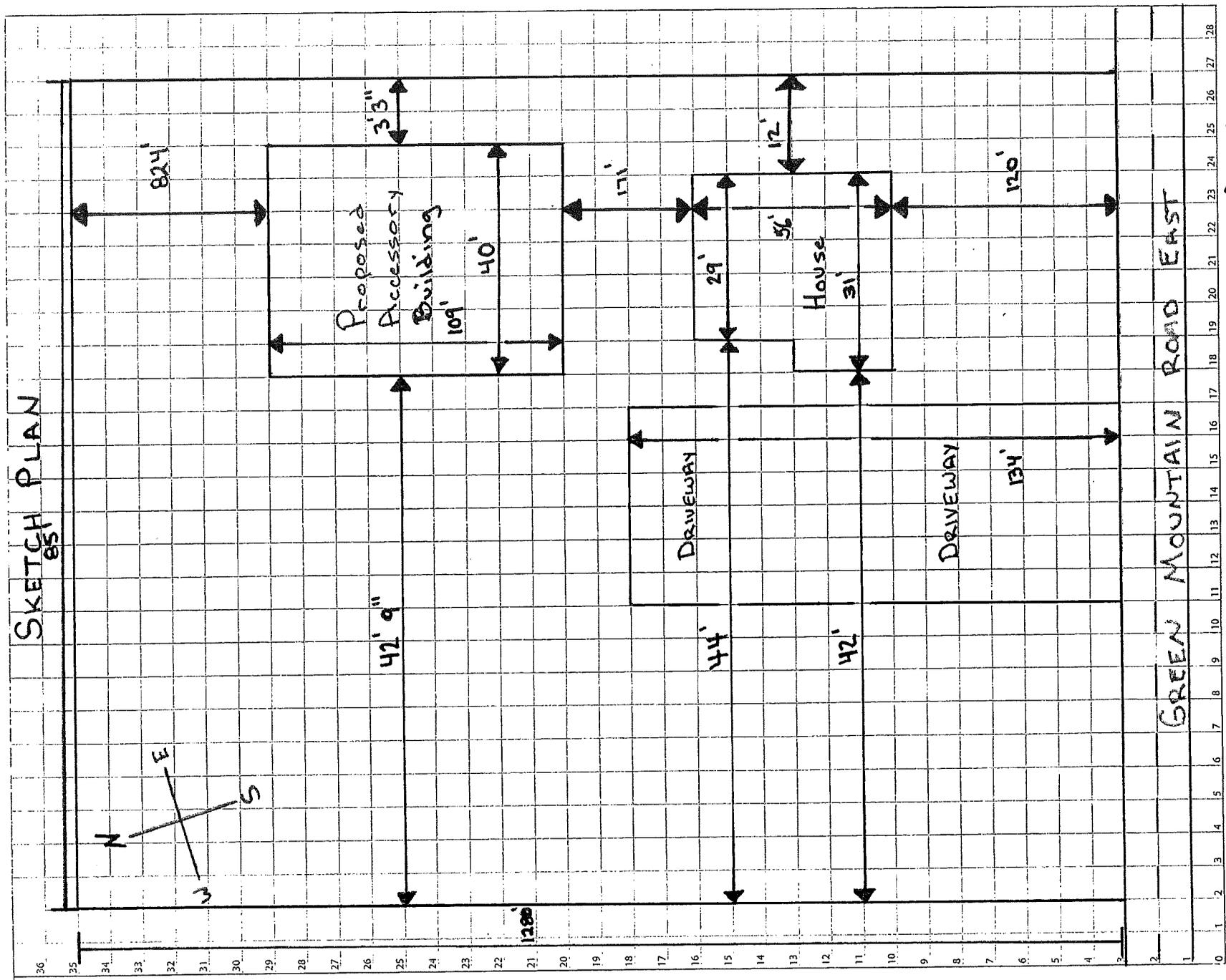
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 2020.

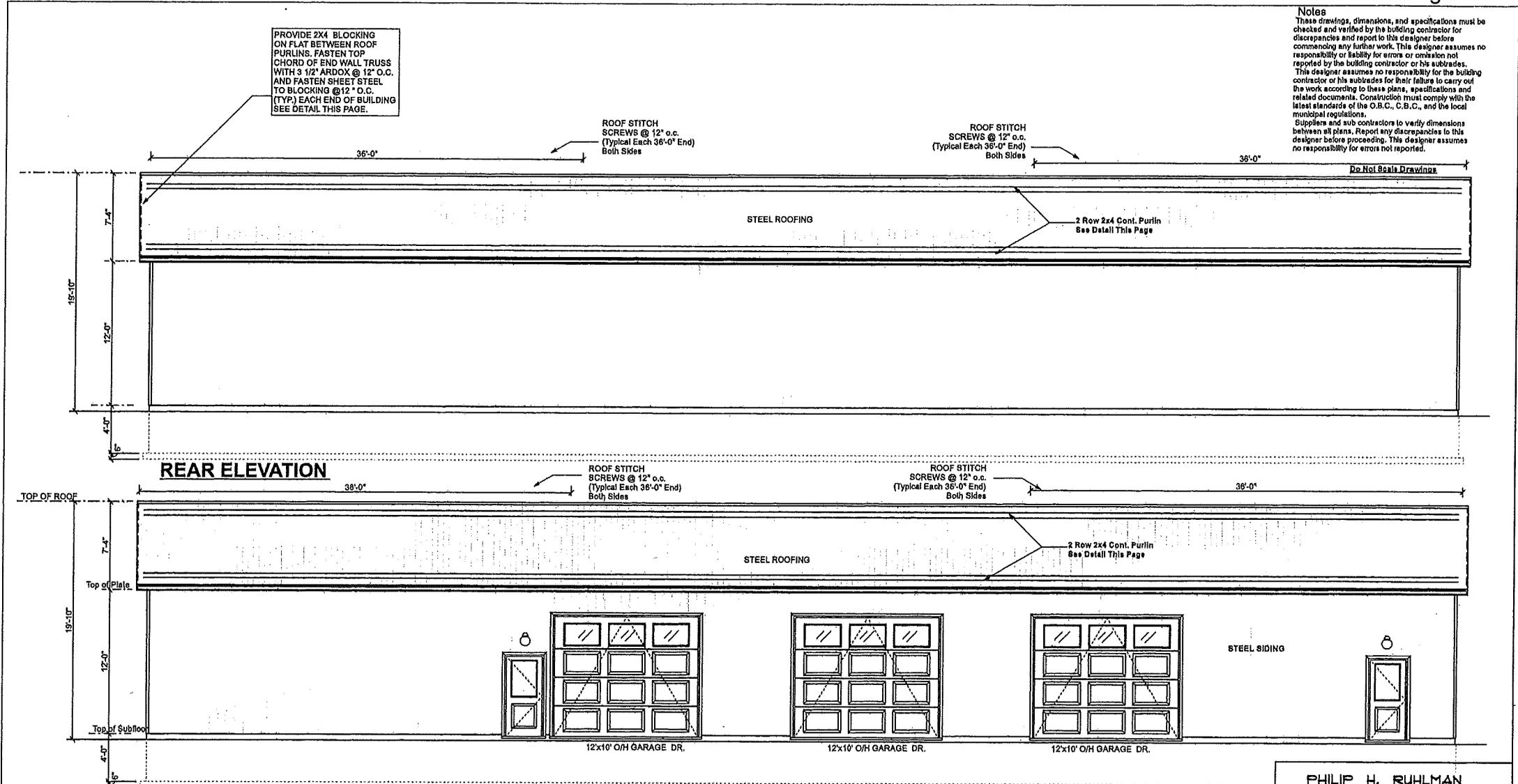


Jamila Sheffield,
Secretary/Treasurer
Committee of Adjustment

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.



Aug 29, 2020



PROVIDE 2x4 BLOCKING ON FLAT BETWEEN ROOF PURLINS. FASTEN TOP CHORD OF END WALL TRUSS WITH 3 1/2" ARDOX @ 12" O.C. AND FASTEN SHEET STEEL TO BLOCKING @ 12" O.C. (TYP.) EACH END OF BUILDING SEE DETAIL THIS PAGE.

ROOF STITCH SCREWS @ 12" o.c. (Typical Each 36'-0" End) Both Sides

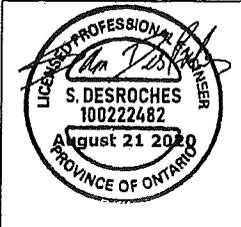
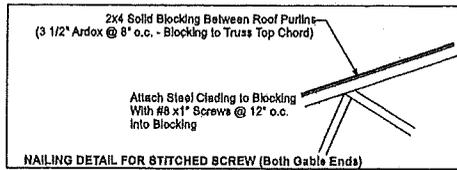
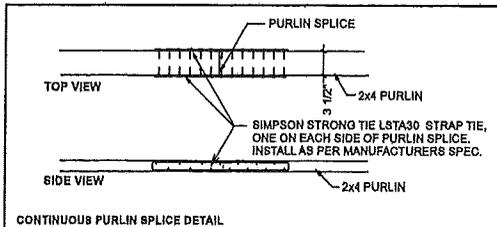
ROOF STITCH SCREWS @ 12" o.c. (Typical Each 36'-0" End) Both Sides

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omissions not reported by the building contractor or his subtrades.
 This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.

Do Not Scale Drawings

REAR ELEVATION

FRONT ELEVATION



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)
 NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THE DESIGNER.
 ROOF TRUSS DESIGN AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING.
 NOTE: ALL LVL TO BE "INVERT FRASER" LVL (2.0E) (3100 lb) ALL STEEL TO BE "300W"

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

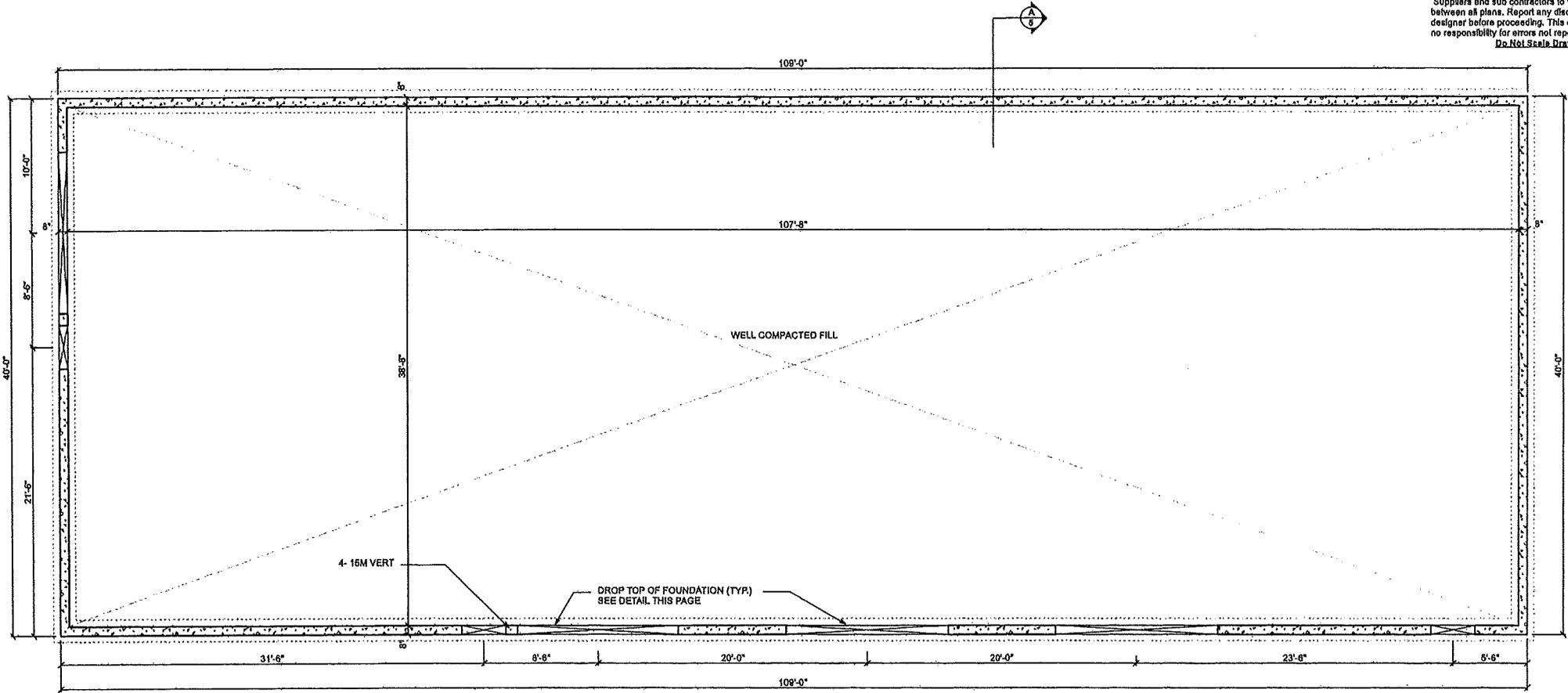
DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31813

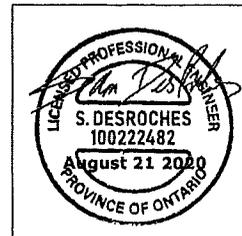
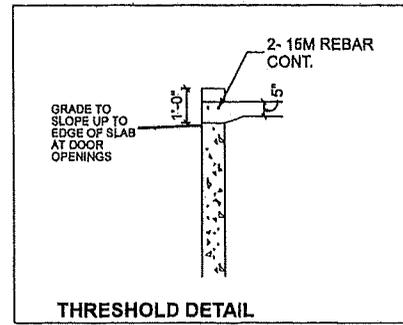
DRAWING TITLE			
ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME	DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.			A1

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades.
 This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub-contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings



FOUNDATION PLAN



BUILDING CLASSIFICATION:
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP 3)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE: ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 K)
 ALL STEEL TO BE 360W

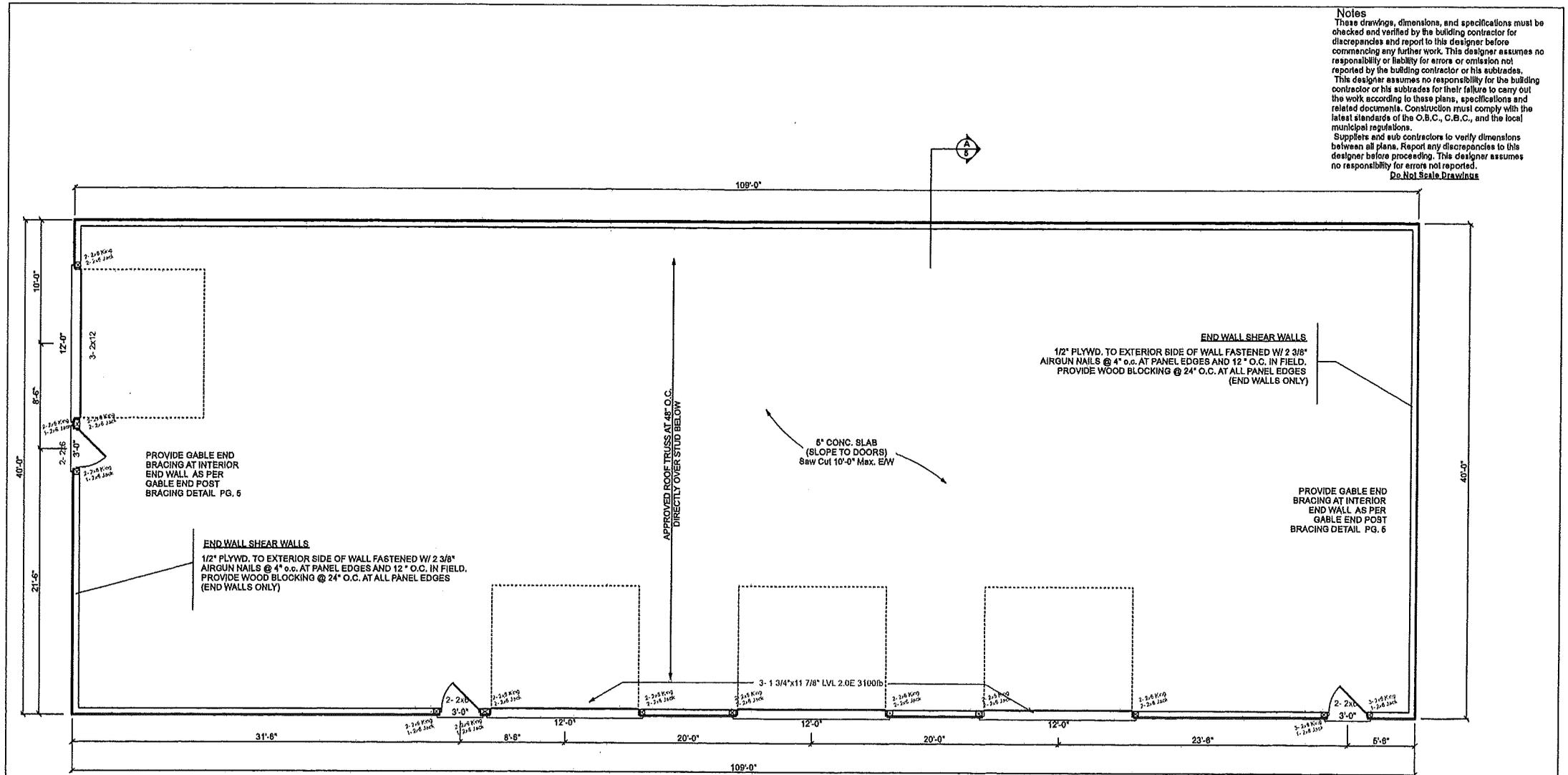
Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmansdesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

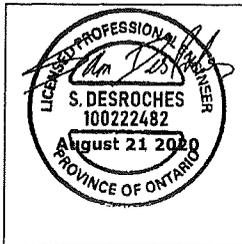
Individual BCIN: 21095 Firm BCIN: 31813

DRAWING TITLE			
FOUNDATION PLAN			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME	DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.			A2



PLAN VIEW

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
 Do Not Scale Drawings



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNATED FOR PART 9 O.B.C. (GROUP C)
 NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THE DESIGNER
 ROOF TRUSS DESIGNER AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING
 NOTE:
 ALL LVL TO BE "WEST FRASER" LVL (L208) (3100 lb)
 ALL STEEL TO BE 305V

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

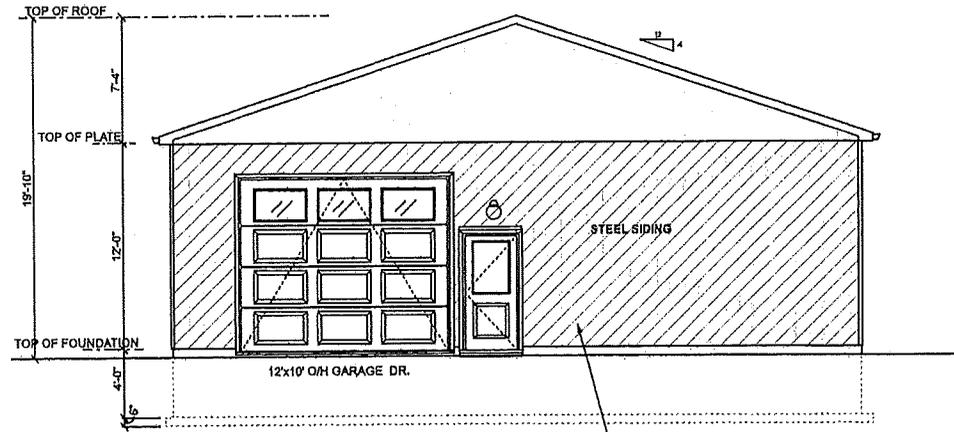
PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Ayr, Ontario
 email - phil@ruhmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

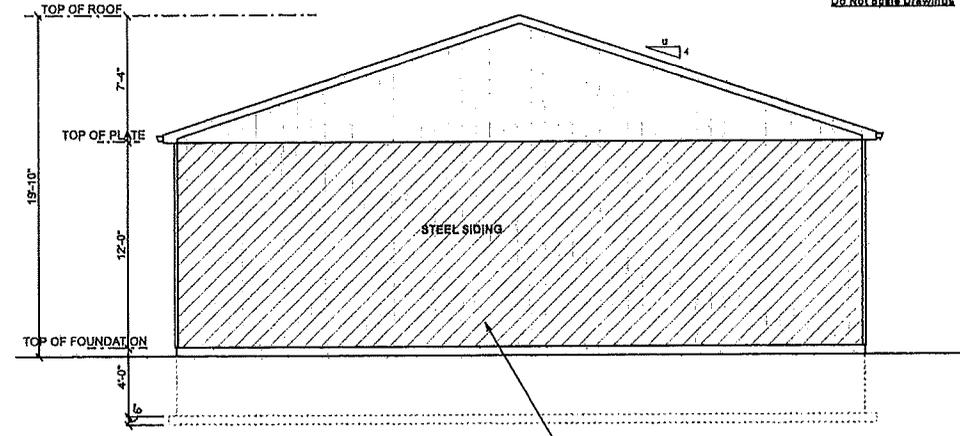
DRAWING TITLE			
MAIN FLOOR PLAN			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,380 Sq. Ft.	PHR20-743
PROJECT NAME	DRAWINGS #		
ALEX AQUIN 801 Green Mountain Rd. E Stoney Creek, Ont.	A3		

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omissions not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings



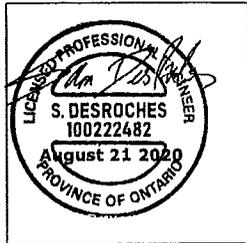
LEFT SIDE ELEVATION

END WALL SHEAR WALLS
 1/2" PLYWD. TO EXTERIOR SIDE OF WALL FASTENED W/ 2 3/8" AIRGUN NAILS @ 4" O.C. AT PANEL EDGES AND 12" O.C. IN FIELD. PROVIDE WOOD BLOCKING @ 24" O.C. AT ALL PANEL EDGES (END WALLS ONLY)



RIGHT SIDE ELEVATION

END WALL SHEAR WALLS
 1/2" PLYWD. TO EXTERIOR SIDE OF WALL FASTENED W/ 2 3/8" AIRGUN NAILS @ 4" O.C. AT PANEL EDGES AND 12" O.C. IN FIELD. PROVIDE WOOD BLOCKING @ 24" O.C. AT ALL PANEL EDGES (END WALLS ONLY)



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THE DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THE DESIGNER FOR APPROVAL BEFORE MANUFACTURING

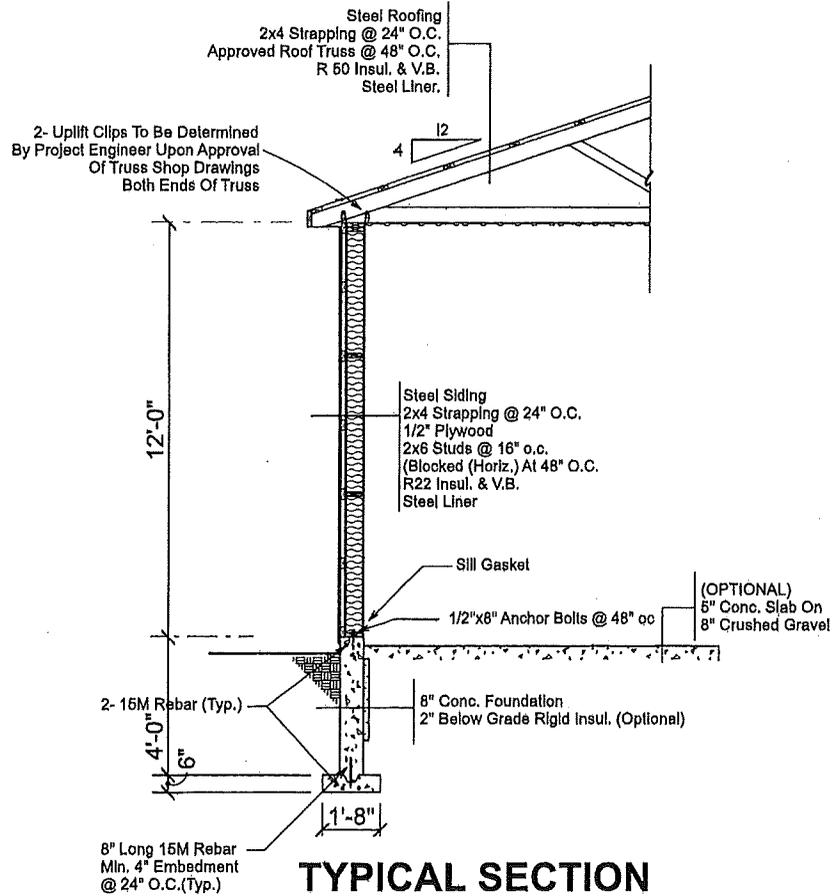
NOTE: ALL LV. TO BE "WEST FRAMER" LV. (2.09) (1100 N) ALL OTHERS TO BE 350W

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St.
 Ayr, Ontario
 email - phil@ruhlmandesign.com

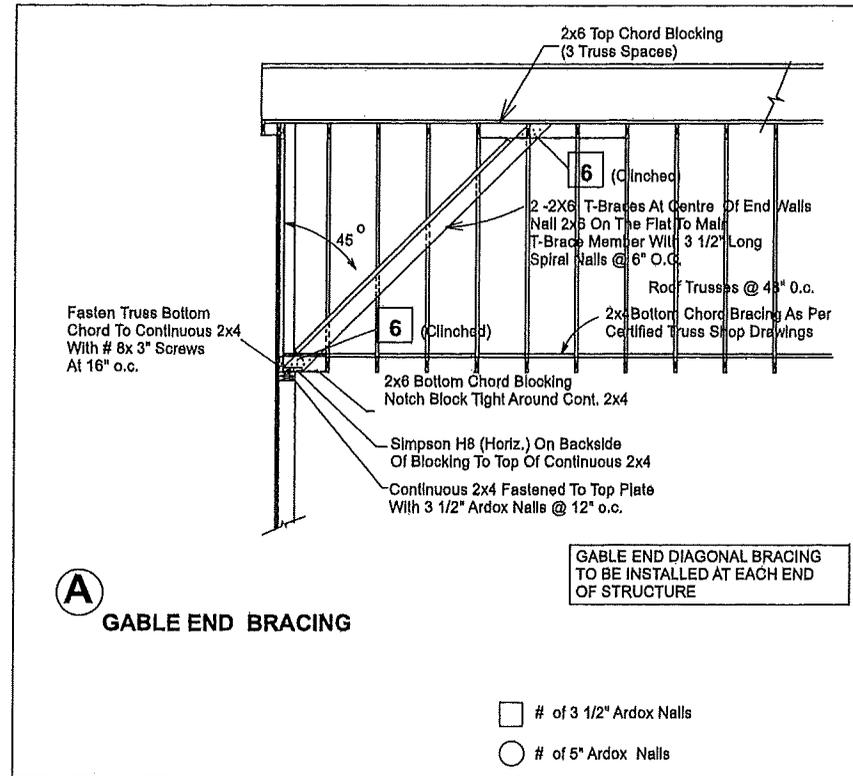
DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

DRAWING TITLE		ELEVATIONS		PROJECT NO.
DATE	SCALE	AREA		
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.		PHR20-743
PROJECT NAME		DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		A4		

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0



TYPICAL SECTION



GABLE END BRACING

BUILDING CLASSIFICATION
THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

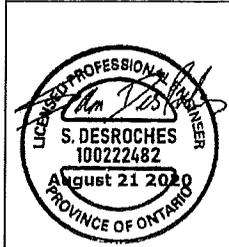
NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE:
ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 lb)
ALL STEEL TO BE 350W

Notes
These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.

Do Not Scale Drawings



PHILIP H. RUHLMAN
ARCHITECTURAL DESIGN
82 Piper St., 519-223-7042
Ayr, Ontario
email - phil@ruhlmansdesign.com

DECLARATION OF DESIGNER
I Phillip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings P.O. Box 8 Rockton, Ont. L0R 1X0	DRAWING TITLE SECTION			
	DATE	SCALE	AREA	PROJECT NO.
	Aug. 20, 2020	1/4"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME		DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		A5		

GENERAL

- DESIGN & CONSTRUCTION OF ALL WORK ON THIS PROJECT SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING:
 - NATIONAL BUILDING CODE
 - ONTARIO BUILDING CODE
 - LOCAL REGULATIONS
 - OHSA REGULATIONS
- THE STRUCTURAL ENGINEERING REVIEW BY WADDELL ENGINEERING LTD (WEL) IS FOR THE STRUCTURAL ITEMS NOTED ON THE STAMPED DRAWINGS FOR WHICH THERE ARE NO ONTARIO BUILDING CODE (OBC) PART 9 PROVISIONS.
- THE SEALED DRAWINGS ARE ONLY FOR USE BY THE PARTY WITH WHOM WEL HAS ENTERED INTO A CONTRACT (THE CLIENT), AND ARE NOT TO BE USED BY OTHERS.
- WEL'S REVIEW IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AT THE TIME OF OUR REVIEW. WEL IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS FROM THIS INFORMATION. IT IS THE CLIENT'S RESPONSIBILITY TO INFORM US OF ANY CHANGES, ADDITIONS OR CORRECTIONS REQUIRED ON OUR DRAWINGS.
- THIS SPECIFICATION SHEET IS TO SUPPLEMENT THE STAMPED DRAWINGS AND OBC PART 9 REQUIREMENTS. PLEASE CONTACT THE LOCAL BUILDING DEPARTMENT OR WEL, IF FURTHER CLARIFICATION IS REQUIRED.
- WEL ASSUMES THAT ALL REQUIRED INSPECTIONS WILL BE DONE BY THE LOCAL BUILDING DEPARTMENT. IF WEL IS REQUIRED TO PERFORM AN INSPECTION, CALL (519) 267-6789. ALLOW 24 HOURS NOTICE FOR ALL INSPECTIONS.
- NO CHANGES SHALL BE MADE TO THE STAMPED DRAWINGS WITHOUT NOTIFYING WEL PRIOR TO MAKING THOSE CHANGES.
- THE CLIENT SHALL CHECK AND VERIFY ALL SITE CONDITIONS AND MEASUREMENTS, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

WOOD-FRAME CONSTRUCTION

- ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23 U.N.O. ON THE STAMPED DRAWINGS.
- ALL STRUCTURAL COMPOSITE LUMBER (SCL) SHALL BE 2.0E WITH Fb>2950 OR BETTER, FASTEN MULTI-PLY SCL BEAMS AS PER MANUFACTURER'S SPECIFICATIONS, PROVIDE 3" MIN. BEARING LENGTH AT ENDS, U.N.O..
- ALL PRE-ENGINEERED SYSTEMS (I.E. ROOF TRUSSES, FLOOR JOISTS, ETC.) ARE TO BE DESIGNED AND SEALED BY A PROFESSIONAL ENGINEER OF ONTARIO, PROVIDE LAYOUTS AND STAMPED DRAWINGS TO WEL AND THE LOCAL BUILDING DIVISION.
- ENSURE THE EXTERIOR WALLS ARE BRACED AS PER OBC 9.23.10.2 TO PROVIDE LATERAL SUPPORT FOR THE BUILDING.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR THE TOP OF ALL DROPPED BEAMS AND LINTELS TO PREVENT LATERAL TORSIONAL BUCKLING.
 - AN EXAMPLE OF SUFFICIENT LATERAL SUPPORT IS (2) 3 1/4" NAILS PER JOIST FOR LEDGER STRIP TO WOOD BEAM CONNECTION (AS PER OBC TABLE 9.23.3.4).
- ALL WOOD COLUMNS SHALL CONFORM TO OBC 9.17. U.N.O. PROVIDE A BUILT-UP WOOD STUD COLUMN EQUAL TO THE WIDTH OF BEAM/ORDER TRUSS UNDER ALL BEAM/GIRDER TRUSSES MIN. U.N.O. CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL LINTELS TO HAVE 1 JACK STUD, 1 KING STUD AT ENDS U.N.O.
- ALL WOOD SHALL BE NO. 2 SPRUCE OR BETTER.
- ALL GUARDS SHALL CONFORM TO OBC 9.8.6 AND SUPPLEMENTARY STANDARD SB-7 U.N.O.

ROOF AND CEILING FRAMING

- ALL ROOF AND CEILING FRAMING SHALL CONFORM TO OBC 9.23.13 U.N.O. ON THE STAMPED DRAWINGS.
- ALL ROOF RAFTERS/JOISTS AND CEILING JOISTS SHALL CONFORM TO THE SPANS SHOWN IN OBC PART 9 TABLES A-3 TO A-7.
- WHERE REQUIRED, PROVIDE INTERMEDIATE SUPPORT FOR ROOF RAFTERS/JOISTS AS PER OBC 9.23.13.7.
 - WEL ASSUMES THAT COLLAR TIES WILL BE USED TO PROVIDE INTERMEDIATE SUPPORT INSTEAD OF STRUTS OR DWARF WALLS U.N.O. (I.E. ALL ROOF RAFTERS/JOISTS BEAR ON EXTERIOR WALLS ONLY AND INTERIOR WALLS SUPPORT CEILING JOISTS ONLY U.N.O.).
- WHERE THE RIDGE IS UNSUPPORTED, ROOF RAFTERS/JOISTS ARE TO BE TIED TO THE CEILING JOISTS (OR SOLID BLOCKING AT 3'-11" o.c. MAX.) AT THEIR BASE AND NAILED AS PER OBC TABLE 9.23.13.8 TO PREVENT OUTWARD MOVEMENT.
- OVER-FRAMED AREAS ARE TO BE SUPPORTED ON LOWER ROOF RAFTERS/JOISTS BY 2x4 STRUTS @ 24" EACH WAY MIN., U.N.O..
- WOOD ROOF TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH OBC 9.23.13.11, OR PART 4 IF THEIR SPAN EXCEEDS 40'-0" (AS PER OBC 9.23.1.1).
 - IF THE TRUSSES ARE DESIGNED IN ACCORDANCE WITH OBC PART 4, THE DESIGN OF UPLIFT ANCHORS SHALL BE PROVIDED BY THE TRUSS SUPPLIER ALONG WITH LAYOUTS AND STAMPED DRAWINGS.

MATERIALS

- MATERIALS SHALL CONFORM TO THE FOLLOWING REQUIREMENTS U.N.O. ON THE STAMPED DRAWINGS:
 - CONCRETE - OBC 9.3.1
 - REINFORCING STEEL - CSA G30
 - LUMBER & WOOD PRODUCTS - OBC 9.23
 - STEEL BEAMS - OBC 9.23.4.3
 - STEEL COLUMNS - OBC 9.17
 - ANCHOR BOLTS, STEEL PLATES & ROLLED SECTIONS - CAN/CSA-G40.21M-350W
 - STEEL HSS & W-BEAMS - CAN/CSA-G40.21M-300W
 - ALL OTHER STEEL - CAN/CSA-G40.21M-300W
 - STRUCTURAL BOLTS - ASTM A325

FOOTINGS AND FOUNDATIONS

- ALL FOOTINGS AND FOUNDATIONS SHALL CONFORM TO OBC 9.16 UNLESS NOTED OTHERWISE (U.N.O.) ON THE STAMPED DRAWINGS.
- FOOTINGS TO BEAR ON SOILD SUB-GRADE SUITABLE FOR 75 kPa (1500 psf) ALLOWABLE SOIL BEARING CAPACITY. THE CLIENT IS TO INFORM WEL IF THE REQUIRED BEARING CAPACITY CANNOT BE ACHIEVED.
- FOUNDATION WALLS SUPPORTING DRAINED EARTH HAVE BEEN DESIGNED FOR THE LOADS PROVIDED IN 9.4.4.8.(1)(a). ENSURE PROVISIONS ARE MADE FOR APPROPRIATE DRAINAGE OF GROUNDWATER.
- ENSURE ALL FOUNDATION WALLS ARE Laterally SUPPORTED PRIOR TO BACKFILLING.
- ALL REINFORCING STEEL SHALL CONFORM TO THE REQUIREMENTS OF CAN/CSA-G30. REINFORCING BARS SHALL BE DEFORMED HI-BOND HARD GRADE WITH MINIMUM YIELD STRENGTH OF Fy = 400MPa.

STRUCTURAL STEEL

- ALL WELDING SHALL BE PERFORMED BY A CANADIAN WELDING BUREAU CERTIFIED WELDER AND CONFORM TO CSA STANDARD W69.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR STEEL BEAMS TO PREVENT LATERAL TORSIONAL BUCKLING. SUFFICIENT LATERAL SUPPORT EXAMPLES:
 - DROPPED STEEL BEAM - AS PROVIDED IN OBC 9.23.4.3.(3). OR A 2x8 TOP PLATE w/ 3/8" THRU BOLTS c/w NUTS & WASHERS OR HILTI X-U FASTENERS @ 24" o.c., STAGGERED INTO THE TOP FLANGE & (2) 3 1/4" NAILS FROM EACH JOIST INTO THE TOP PLATE.
 - FLUSH STEEL BEAM - SOLID BLOCKING (2x LUMBER AND PLYWOOD) BOLTED TO THE BEAM WEB WITH 1/2" DIA. THRU BOLTS AT 16" o.c., STAGGERED TOP AND BOTTOM AND APPROVED FACE MOUNT HANGERS FOR THE JOIST TO BLOCKING CONNECTION.
- WHERE A STEEL PLATE SUPPORTING MASONRY VENEER IS SPECIFIED, WELD TO THE TOP OR BOTTOM FLANGE OF THE BEAM WITH (2) ROWS OF 2" LONG FILLET WELDS @ 12" o.c. MIN., STAGGERED.
- ALL STEEL COLUMNS ARE TO BE Laterally SUPPORTED TOP & BOTTOM (I.E. BY CONCRETE SLAB ON GRADE, (2) 3/8" Ø BOLTS OR 2" OF 1/4" FILLET WELD MIN.), CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL STRUCTURAL STEEL TO BE FINISHED AS APPROVED BY GENERAL CONTRACTOR.

LOADING

- ROOF LOADING:
 - SNOW LOAD = $C_b \times S_s + 0.4 \text{ kPa}$; NOT LESS THAN 1 kPa (20.9 psf), AS PER OBC 9.4.2.2
 - $C_b = 0.55 \text{ kPa}$ FOR ROOF WIDTH > 4.3m
 - $C_b = 0.45 \text{ kPa}$ FOR ROOF WIDTH <= 4.3m
 - $S_s = 1 \text{ IN-50 GROUND SNOW LOAD in kPa}$
 - DEAD LOAD = 0.29 kPa (6 psf) (ROOF RAFTERS/JOISTS OR TRUSS TOP CHORDS)
- CEILING LOADING:
 - ATTIC OR ROOF SPACE WITH LIMITED ACCESSIBILITY (CEILING JOISTS/TRUSS BOTTOM CHORDS), AS PER OBC 9.4.2.4.(1)
 - TOTAL SPECIFIED LOAD = 0.35 kPa (7.3 psf)
 - ACCESSIBLE ATTIC = SEE FLOOR LOADING
- FLOOR LOADING:
 - LIVE LOAD = 1.92 kPa (40 psf), BEDROOMS = 1.44 kPa (30 psf)
 - DEAD LOAD = 0.57 kPa (12 psf)
- ACCESSIBLE EXTERIOR PLATFORMS, AS PER OBC 9.4.2.3:
 - LIVE LOAD = GREATER OF 1.92 kPa (40 psf) OR SNOW LOAD
- GUARD LOADS; AS PER OBC 2012 4.1.5.14 (1)

Project Engineer PROJECT # 20-08-065

WADDELL ENGINEERING LTD.
 119 PINEBUSH RD, CAMBRIDGE ON
 PH. 519-267-6789
 FAX. 1-866-388-9659
 INFO@WADDELLENG.COM

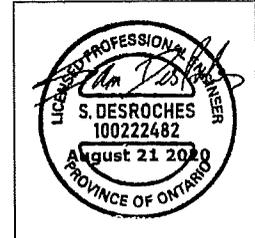
Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings

DESIGNER'S ASSOCIATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THE DESIGNER

ROOF TRUSS DESIGN AND LAYOUT TO BE SUBMITTED TO THE DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE:
 ALL LVL TO BE "WEST FRASER" LVL (240) (3100 N)
 ALL STEEL TO BE 300V



PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 619-223-7042
 Ayr, Ontario
 email - phr@rhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31813

DRAWING TITLE			
STRUCTURAL			
DATE	SCALE	AREA	PROJECT NO.
Aug. 11, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME	DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.	S1		

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED Sept. 1/20

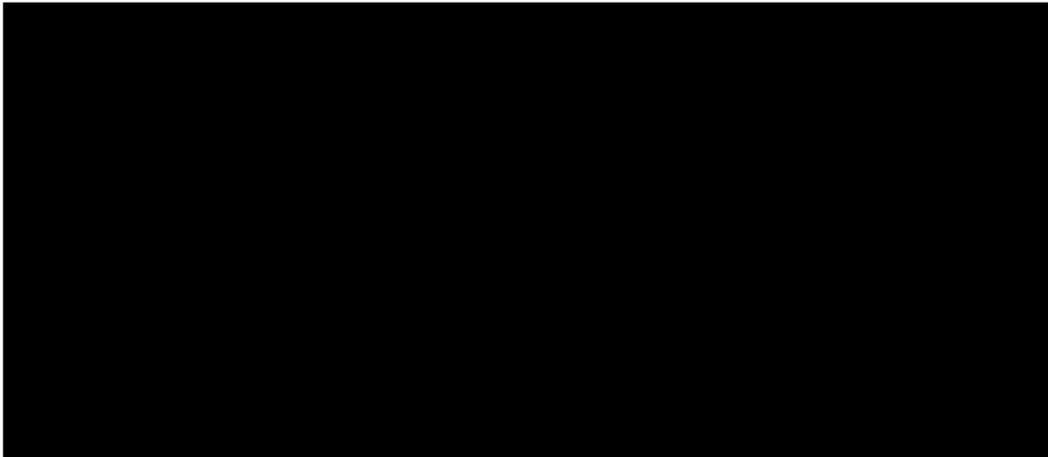
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission



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:

I will be meeting the 5% Lot Coverage
by-law, but by-law is only allowing
200 Sq M.

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

Due to my car collection, number of
boats, Seadoo, ATV's, and Tractors I am
not able to comply with the 200 Sq m by-law
but I will be meeting the 5% Lot Coverage
by-law.

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

Part of lot 14 Concession 5 in the township
of Saltfleet now in the town of Stoney Creek.
601 Green Mountain Road East L8T 2Z7

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?

Lived in area for 40 years.

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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



Frontage 85
Depth 1280'
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: Please See Site Plan/Sketch Plan

Proposed: Please See Site/Sketch 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: Please See Site/Sketch Plan.

Proposed: Please See Site/Sketch Plan.

13. Date of acquisition of subject lands:
2020
14. Date of construction of all buildings and structures on subject lands:
1979 - 41 Years.
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:
1979 - 41 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:

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

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

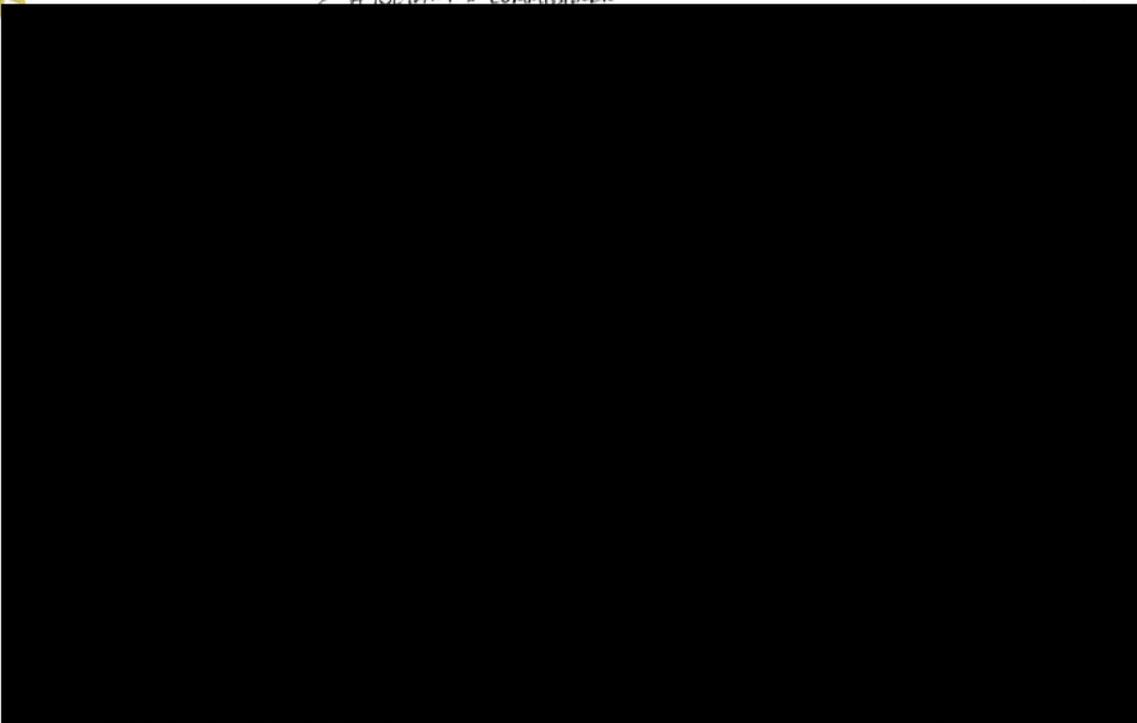
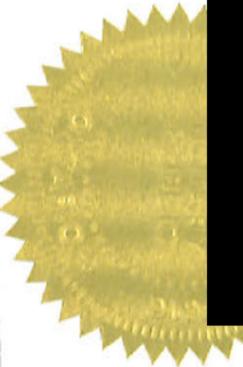
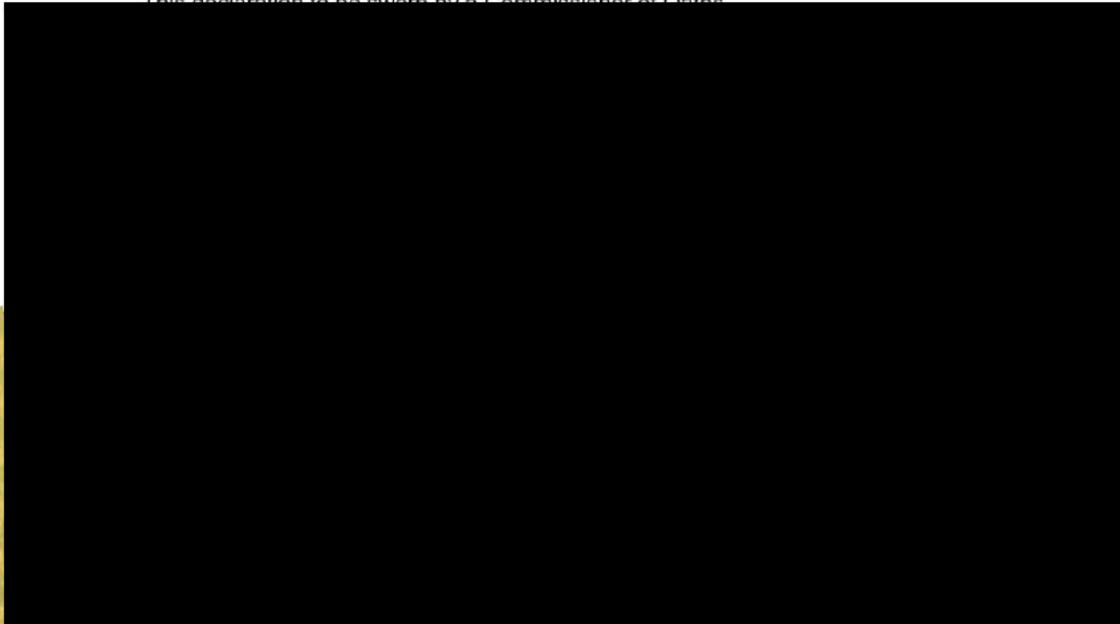
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths



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

August 29 2020
Date



PART 27 PERMISSION TO ENTER

Date: August 29 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 601 Green Mountain Rd E
(Municipal address)

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



Please print name

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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement is made this 7 day of Sept, 2020.

BETW



Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

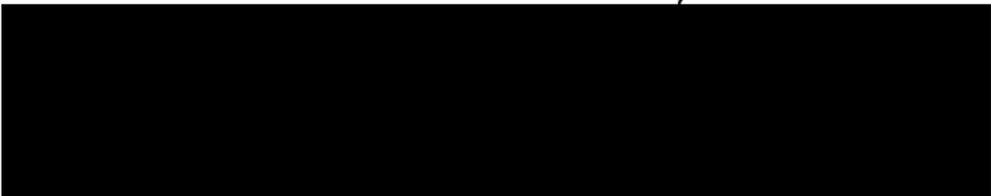
1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated Sept 1/20 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton this 1 day of September, 2020.



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 _____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledgement Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

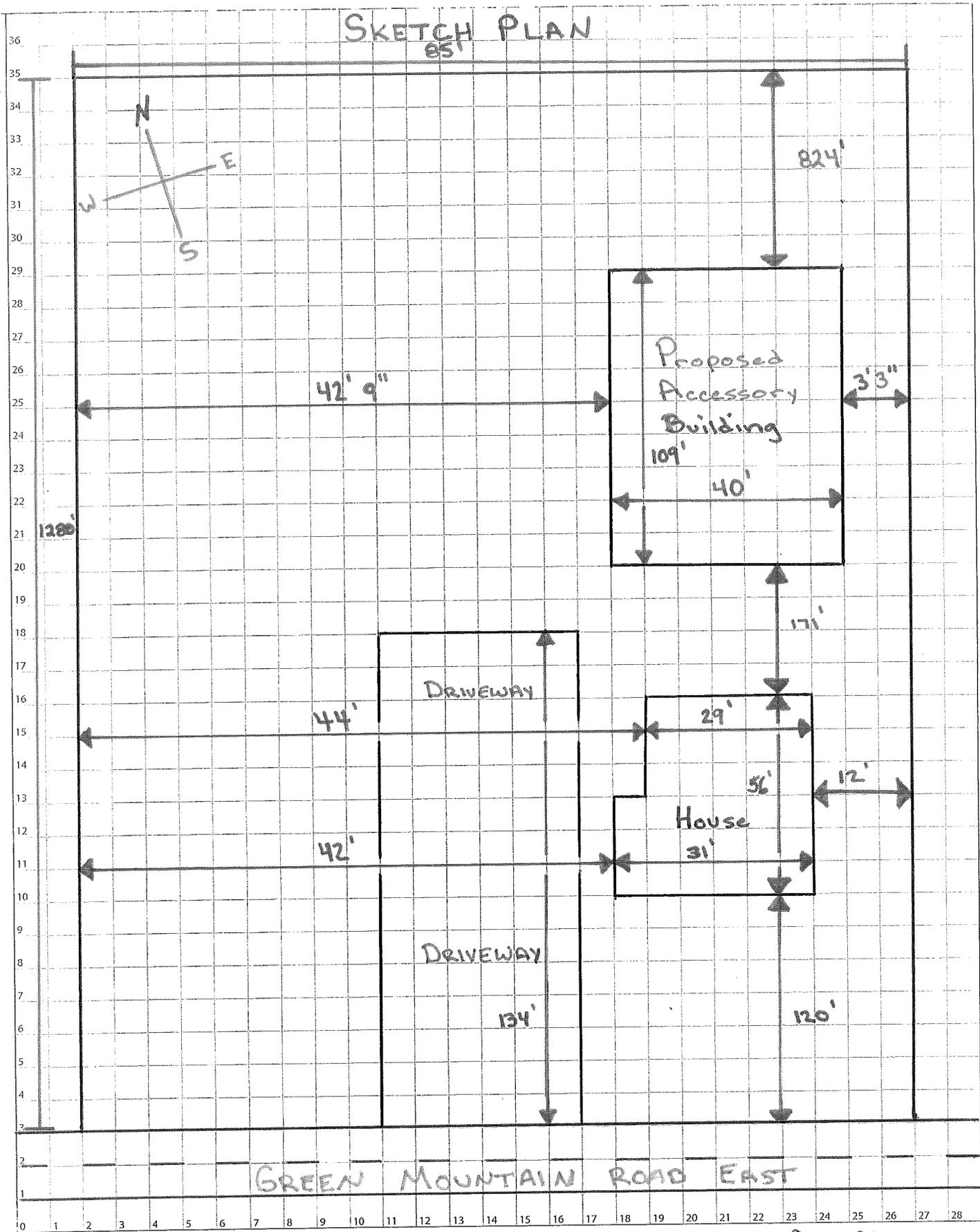
Owner: c/s
Title:
I have authority to bind the corporation

Assignee: c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

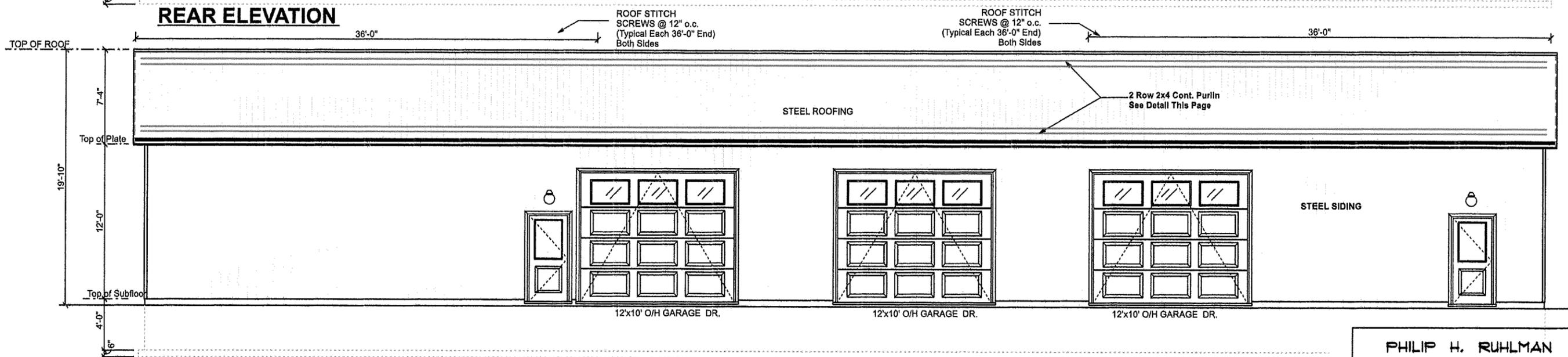
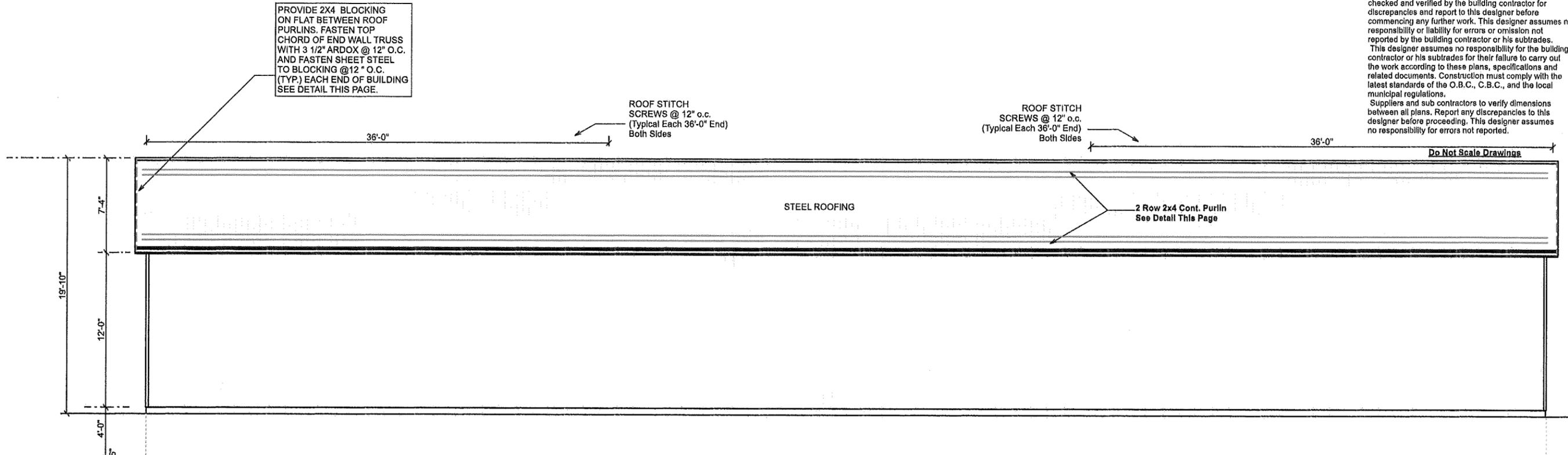
Mayor

Clerk

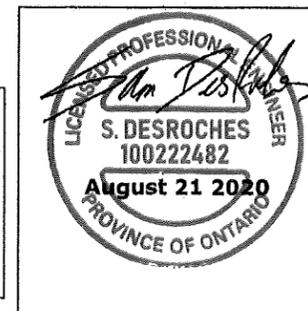
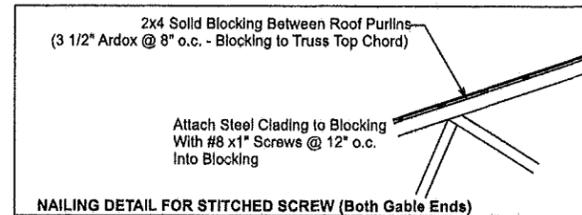
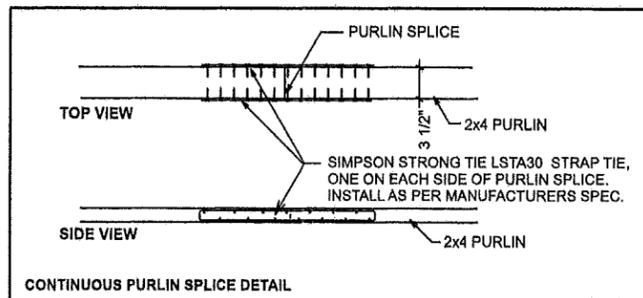


Aug 29, 2020

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.



FRONT ELEVATION



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)
 NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER
 ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING
 NOTE: ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 lb) ALL STEEL TO BE 350W

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

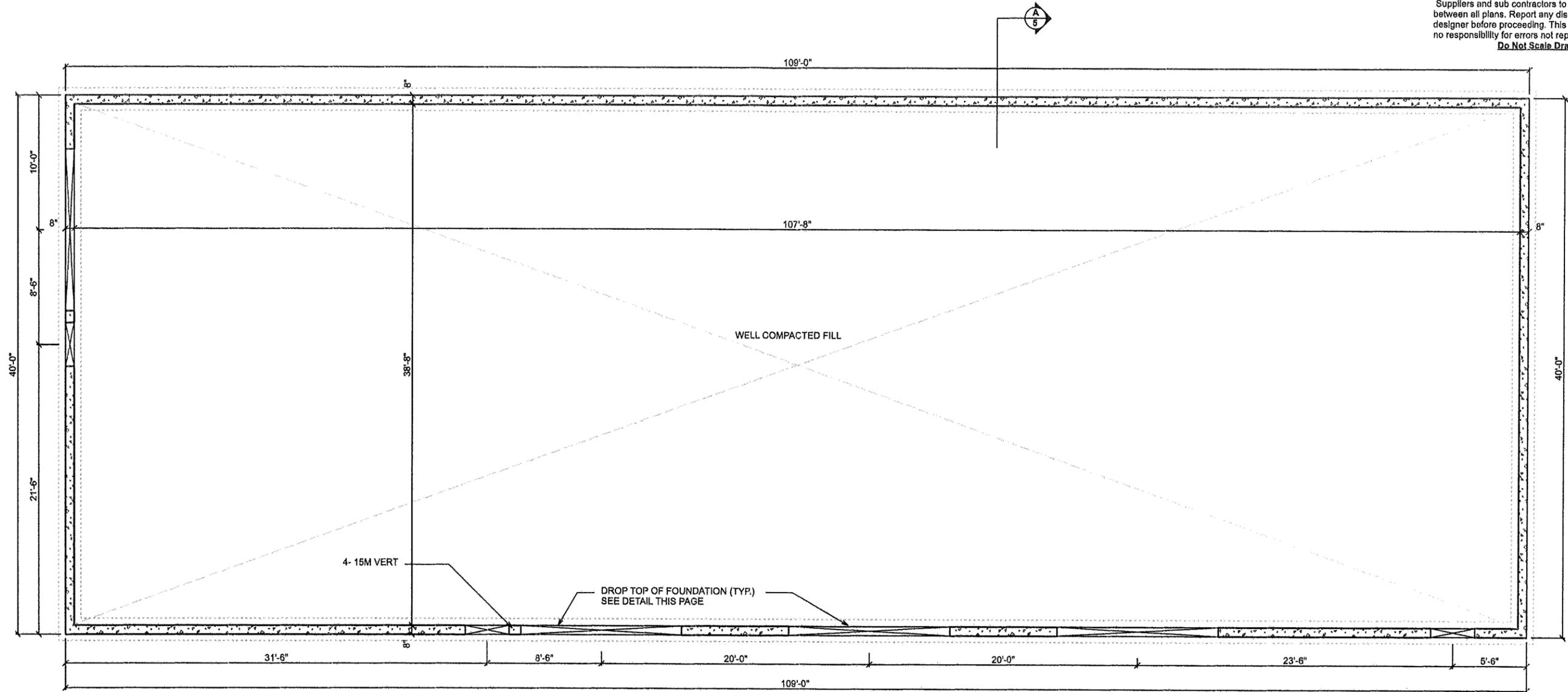
PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Phillip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

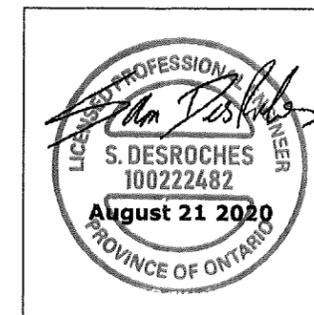
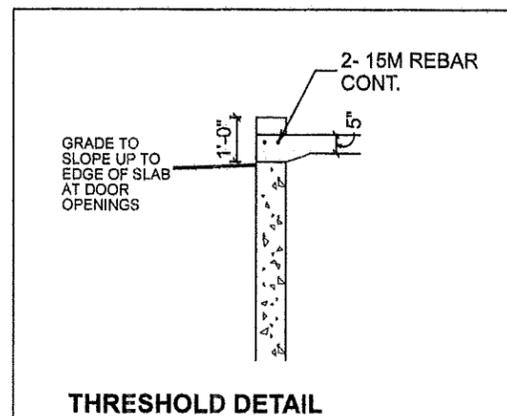
Individual BCIN: 21095 Firm BCIN: 31613

DRAWING TITLE			
ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME	DRAWING #		
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.	A1		

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades.
 This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings



FOUNDATION PLAN



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE:
 ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 lb)
 ALL STEEL TO BE 350W

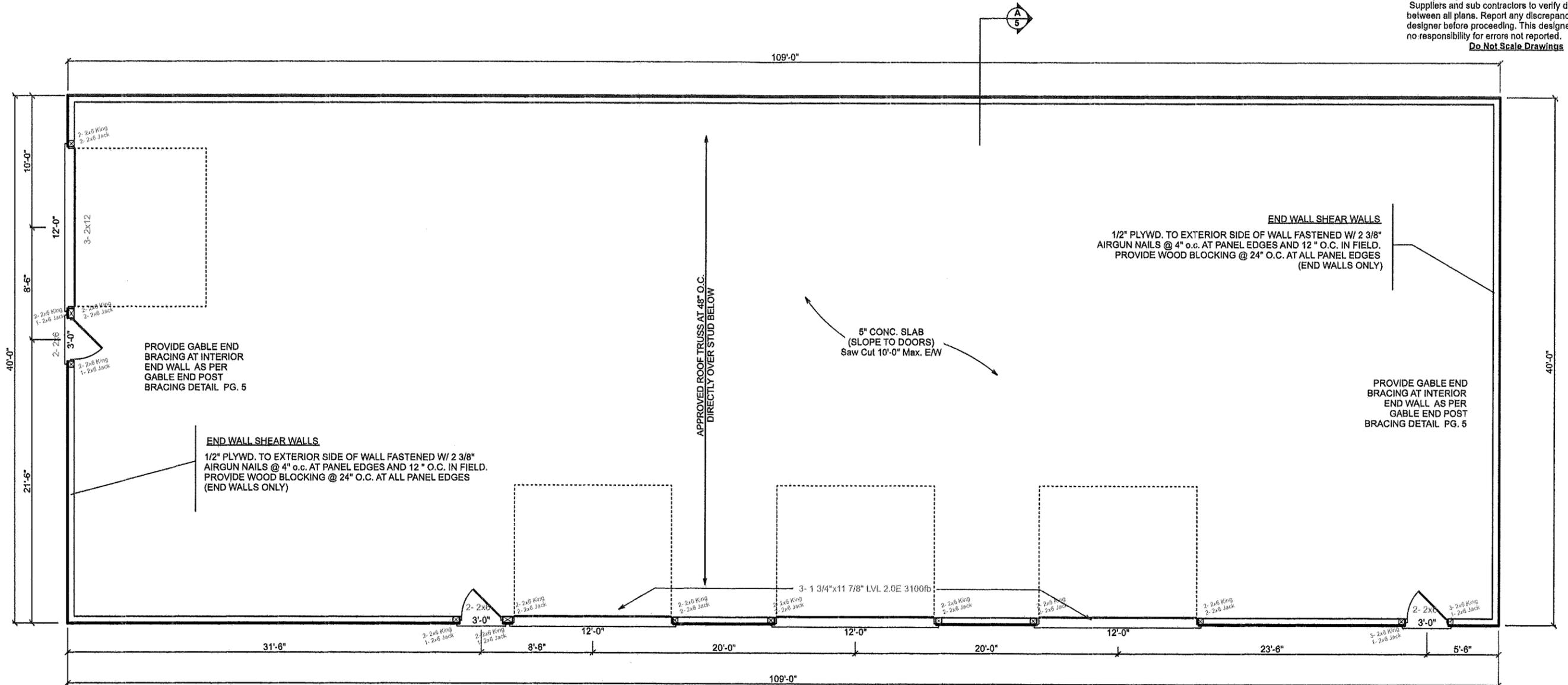
PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

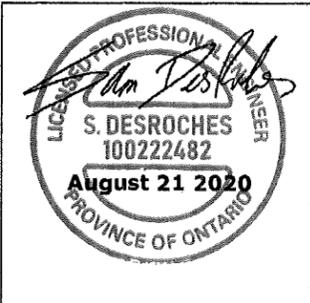
DRAWING TITLE			
FOUNDATION PLAN			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME		DRAWING #	
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		A2	

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings



PLAN VIEW



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)
NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER
ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING
NOTE: ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 lb) ALL STEEL TO BE 350V

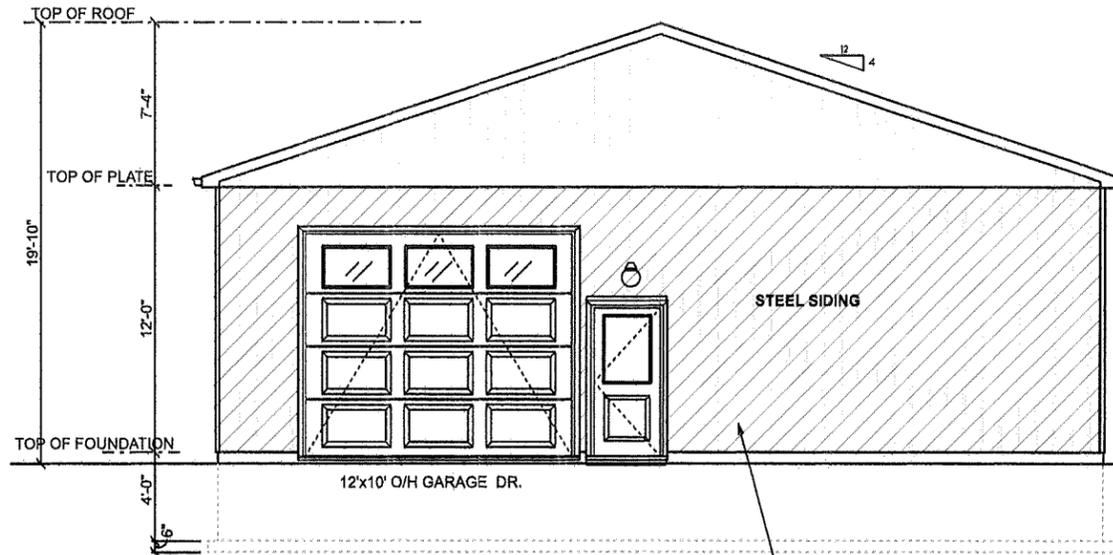
PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.
 Individual BCIN: 21095 Firm BCIN: 31613

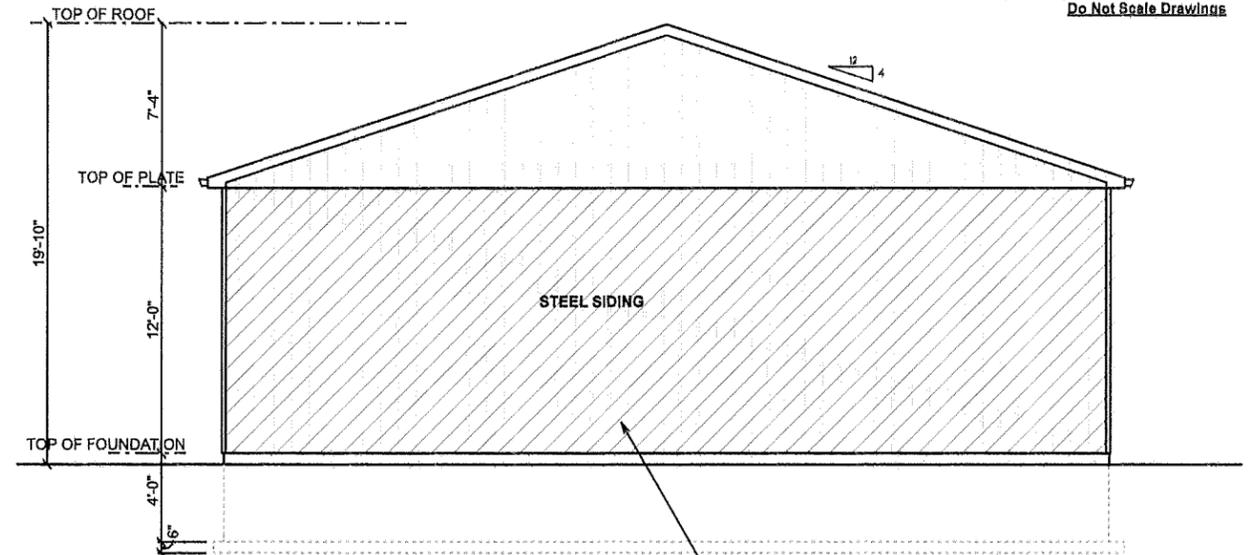
DRAWING TITLE			
MAIN FLOOR PLAN			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME			DRAWING #
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.			A3

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings



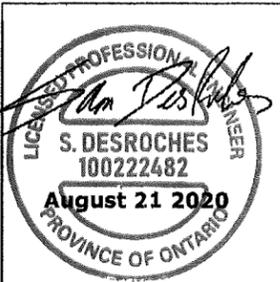
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

END WALL SHEAR WALLS
 1/2" PLYWD. TO EXTERIOR SIDE OF WALL FASTENED W/ 2 3/8" AIRGUN NAILS @ 4" o.c. AT PANEL EDGES AND 12" O.C. IN FIELD. PROVIDE WOOD BLOCKING @ 24" O.C. AT ALL PANEL EDGES (END WALLS ONLY)

END WALL SHEAR WALLS
 1/2" PLYWD. TO EXTERIOR SIDE OF WALL FASTENED W/ 2 3/8" AIRGUN NAILS @ 4" o.c. AT PANEL EDGES AND 12" O.C. IN FIELD. PROVIDE WOOD BLOCKING @ 24" O.C. AT ALL PANEL EDGES (END WALLS ONLY)



BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

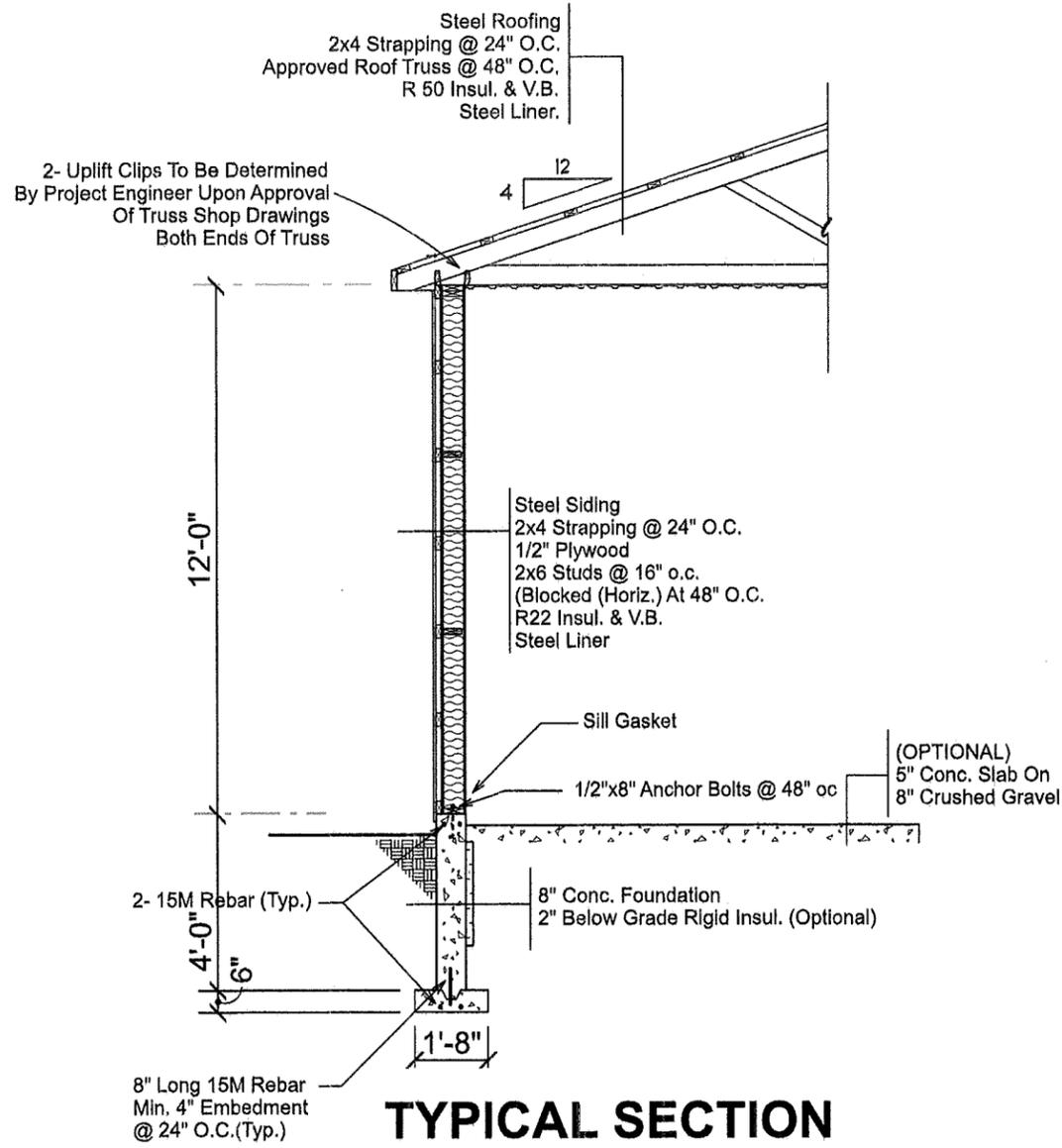
NOTE:
 ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 R)
 ALL STEEL TO BE 355W

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

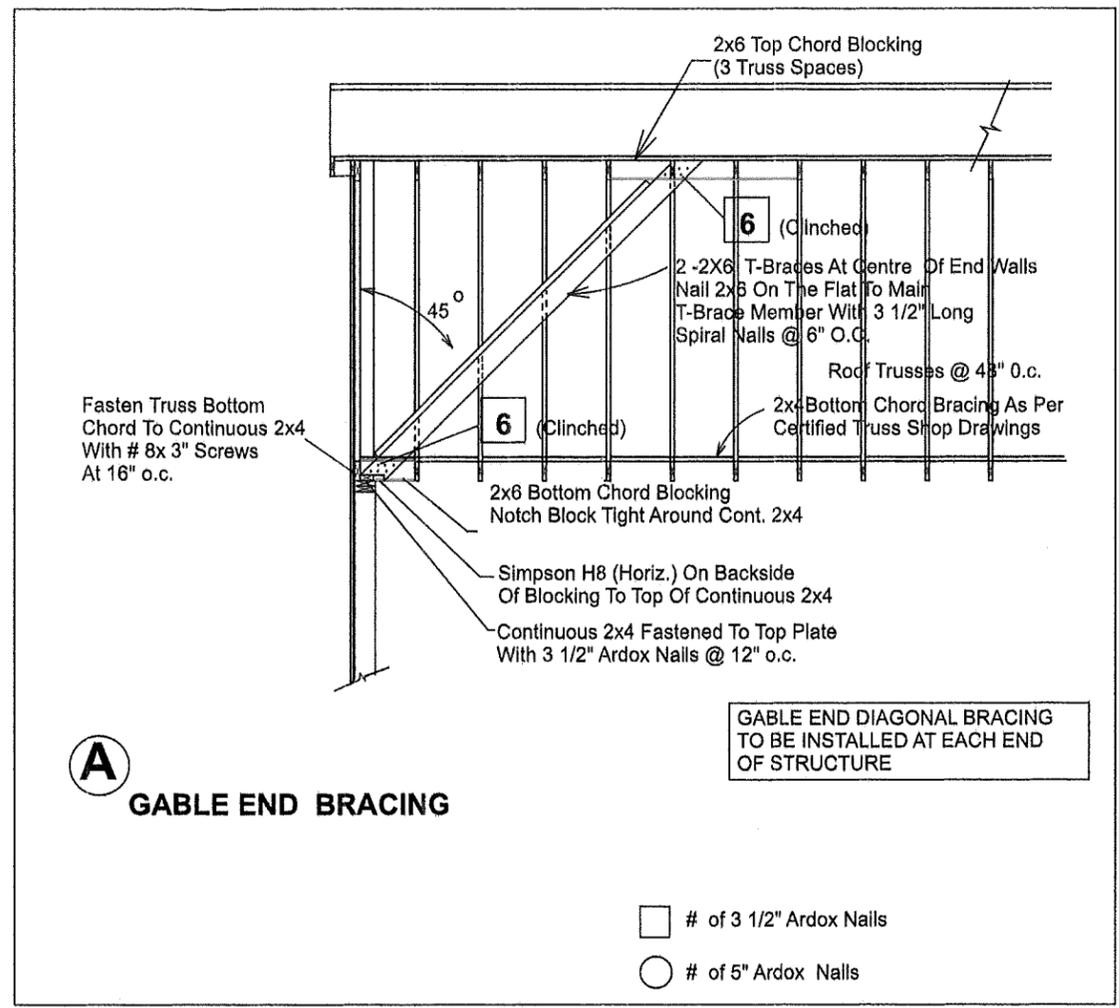
DECLARATION OF DESIGNER
 I Phillip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings			
P.O. Box 8			
Rockton, Ont. L0R 1X0			
DRAWING TITLE: ELEVATIONS			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/8"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME	ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		DRAWING #
			A4



TYPICAL SECTION



A GABLE END BRACING

- # of 3 1/2" Ardox Nails
- # of 5" Ardox Nails

BUILDING CLASSIFICATION
THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

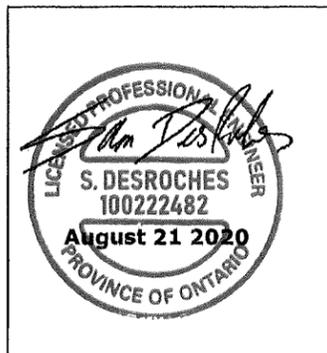
NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE:
ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 fb)
ALL STEEL TO BE 350W

Notes
These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations. Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.

Do Not Scale Drawings



PHILIP H. RUHLMAN
ARCHITECTURAL DESIGN
82 Piper St., 519-223-7042
Ayr, Ontario
email - phl@ruhlmandesign.com

DECLARATION OF DESIGNER
I Phillip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

Detailed Buildings
P.O. Box 8
Rockton, Ont. L0R 1X0

DRAWING TITLE			
SECTION			
DATE	SCALE	AREA	PROJECT NO.
Aug. 20, 2020	1/4"=1'-0"	4,360 Sq. Ft.	PHR20-743
PROJECT NAME		DRAWING #	
ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		A5	

GENERAL

- DESIGN & CONSTRUCTION OF ALL WORK ON THIS PROJECT SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING:
 - NATIONAL BUILDING CODE
 - ONTARIO BUILDING CODE
 - LOCAL REGULATIONS
 - OHSA REGULATIONS
- THE STRUCTURAL ENGINEERING REVIEW BY WADDELL ENGINEERING LTD (WEL) IS FOR THE STRUCTURAL ITEMS NOTED ON THE STAMPED DRAWINGS FOR WHICH THERE ARE NO ONTARIO BUILDING CODE (OBC) PART 9 PROVISIONS.
- THE SEALED DRAWINGS ARE ONLY FOR USE BY THE PARTY WITH WHOM WEL HAS ENTERED INTO A CONTRACT (THE CLIENT), AND ARE NOT TO BE USED BY OTHERS.
- WEL'S REVIEW IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AT THE TIME OF OUR REVIEW. WEL IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS FROM THIS INFORMATION. IT IS THE CLIENT'S RESPONSIBILITY TO INFORM US OF ANY CHANGES, ADDITIONS OR CORRECTIONS REQUIRED ON OUR DRAWINGS.
- THIS SPECIFICATION SHEET IS TO SUPPLEMENT THE STAMPED DRAWINGS AND OBC PART 9 REQUIREMENTS. PLEASE CONTACT THE LOCAL BUILDING DEPARTMENT OR WEL, IF FURTHER CLARIFICATION IS REQUIRED.
- WEL ASSUMES THAT ALL REQUIRED INSPECTIONS WILL BE DONE BY THE LOCAL BUILDING DEPARTMENT. IF WEL IS REQUIRED TO PERFORM AN INSPECTION, CALL (519) 267-6789. ALLOW 24 HOURS NOTICE FOR ALL INSPECTIONS.
- NO CHANGES SHALL BE MADE TO THE STAMPED DRAWINGS WITHOUT NOTIFYING WEL PRIOR TO MAKING THOSE CHANGES.
- THE CLIENT SHALL CHECK AND VERIFY ALL SITE CONDITIONS AND MEASUREMENTS, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

WOOD-FRAME CONSTRUCTION

- ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23 U.N.O. ON THE STAMPED DRAWINGS.
- ALL STRUCTURAL COMPOSITE LUMBER (SCL) SHALL BE 2.0E WITH $F_b=2950$ OR BETTER. FASTEN MULTI-PLY SCL BEAMS AS PER MANUFACTURER'S SPECIFICATIONS. PROVIDE 3" MIN. BEARING LENGTH AT ENDS, U.N.O..
- ALL PRE-ENGINEERED SYSTEMS (I.E. ROOF TRUSSES, FLOOR JOISTS, ETC.) ARE TO BE DESIGNED AND SEALED BY A PROFESSIONAL ENGINEER OF ONTARIO. PROVIDE LAYOUTS AND STAMPED DRAWINGS TO WEL AND THE LOCAL BUILDING DIVISION.
- ENSURE THE EXTERIOR WALLS ARE BRACED AS PER OBC 9.23.10.2 TO PROVIDE LATERAL SUPPORT FOR THE BUILDING.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR THE TOP OF ALL DROPPED BEAMS AND LINTELS TO PREVENT LATERAL TORSIONAL BUCKLING.
 - AN EXAMPLE OF SUFFICIENT LATERAL SUPPORT IS (2) 3 1/4" NAILS PER JOIST FOR LEDGER STRIP TO WOOD BEAM CONNECTION (AS PER OBC TABLE 9.23.3.4).
- ALL WOOD COLUMNS SHALL CONFORM TO OBC 9.17, U.N.O. PROVIDE A BUILT-UP WOOD STUD COLUMN EQUAL TO THE WIDTH OF BEAM/GIRDER TRUSS UNDER ALL BEAM/GIRDER TRUSSES MIN. U.N.O. CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL LINTELS TO HAVE 1 JACK STUD, 1 KING STUD AT ENDS U.N.O.
- ALL WOOD SHALL BE NO. 2 SPRUCE OR BETTER.
- ALL GUARDS SHALL CONFORM TO OBC 9.8.8 AND SUPPLEMENTARY STANDARD SB-7 U.N.O.

ROOF AND CEILING FRAMING

- ALL ROOF AND CEILING FRAMING SHALL CONFORM TO OBC 9.23.13 U.N.O. ON THE STAMPED DRAWINGS.
- ALL ROOF RAFTERS/JOISTS AND CEILING JOISTS SHALL CONFORM TO THE SPANS SHOWN IN OBC PART 9 TABLES A-3 TO A-7.
- WHERE REQUIRED, PROVIDE INTERMEDIATE SUPPORT FOR ROOF RAFTERS/JOISTS AS PER OBC 9.23.13.7.
 - WEL ASSUMES THAT COLLAR TIES WILL BE USED TO PROVIDE INTERMEDIATE SUPPORT INSTEAD OF STRUTS OR DWARF WALLS U.N.O. (I.E. ALL ROOF RAFTERS/JOISTS BEAR ON EXTERIOR WALLS ONLY AND INTERIOR WALLS SUPPORT CEILING JOISTS ONLY U.N.O.).
- WHERE THE RIDGE IS UNSUPPORTED, ROOF RAFTERS/JOISTS ARE TO BE TIED TO THE CEILING JOISTS (OR SOLID BLOCKING AT 3'-11" o.c. MAX.) AT THEIR BASE AND NAILED AS PER OBC TABLE 9.23.13.8 TO PREVENT OUTWARD MOVEMENT.
- OVER-FRAMED AREAS ARE TO BE SUPPORTED ON LOWER ROOF RAFTERS/JOISTS BY 2x4 STRUTS @ 24" EACH WAY MIN., U.N.O..
- WOOD ROOF TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH OBC 9.23.13.11, OR PART 4 IF THEIR SPAN EXCEEDS 40'-0" (AS PER OBC 9.23.1.1).
 - IF THE TRUSSES ARE DESIGNED IN ACCORDANCE WITH OBC PART 4, THE DESIGN OF UPLIFT ANCHORS SHALL BE PROVIDED BY THE TRUSS SUPPLIER ALONG WITH LAYOUTS AND STAMPED DRAWINGS.

MATERIALS

- MATERIALS SHALL CONFORM TO THE FOLLOWING REQUIREMENTS U.N.O. ON THE STAMPED DRAWINGS:

CONCRETE	- OBC 9.3.1
REINFORCING STEEL	- CSA G30
LUMBER & WOOD PRODUCTS	- OBC 9.23
STEEL BEAMS	- OBC 9.23.4.3
STEEL COLUMNS	- OBC 9.17
ANCHOR BOLTS, STEEL PLATES & ROLLED SECTIONS	- CAN/CSA-G40.21
STEEL HSS & W-BEAMS	- CAN/CSA-G40.21M-350W
ALL OTHER STEEL	- CAN/CSA-G40.21M-300W
STRUCTURAL BOLTS	- ASTM A325

FOOTINGS AND FOUNDATIONS

- ALL FOOTINGS AND FOUNDATIONS SHALL CONFORM TO OBC 9.15 UNLESS NOTED OTHERWISE (U.N.O.) ON THE STAMPED DRAWINGS.
- FOOTINGS TO BEAR ON SOUND SUB-GRADE SUITABLE FOR 75 kPa (1500 psf) ALLOWABLE SOIL BEARING CAPACITY. THE CLIENT IS TO INFORM WEL IF THE REQUIRED BEARING CAPACITY CANNOT BE ACHIEVED.
- FOUNDATION WALLS SUPPORTING DRAINED EARTH HAVE BEEN DESIGNED FOR THE LOADS PROVIDED IN 9.4.4.6.(1)(a). ENSURE PROVISIONS ARE MADE FOR APPROPRIATE DRAINAGE OF GROUNDWATER.
- ENSURE ALL FOUNDATION WALLS ARE Laterally SUPPORTED PRIOR TO BACKFILLING.
- ALL REINFORCING STEEL SHALL CONFORM TO THE REQUIREMENTS OF CAN/CSA-G30. REINFORCING BARS SHALL BE DEFORMED HI-BOND HARD GRADE WITH MINIMUM YIELD STRENGTH OF $F_y = 400$ MPa.

STRUCTURAL STEEL

- ALL WELDING SHALL BE PERFORMED BY A CANADIAN WELDING BUREAU CERTIFIED WELDER AND CONFORM TO CSA STANDARD W59.
- PROVIDE SUFFICIENT LATERAL SUPPORT FOR STEEL BEAMS TO PREVENT LATERAL TORSIONAL BUCKLING. SUFFICIENT LATERAL SUPPORT EXAMPLES:
 - DROPPED STEEL BEAM - AS PROVIDED IN OBC 9.23.4.3.(3). OR A 2x6 TOP PLATE w/ 3/8" THRU BOLTS c/w NUTS & WASHERS OR HILTI X-U FASTENERS @ 24" o.c., STAGGERED INTO THE TOP FLANGE & (2) 3 1/4" NAILS FROM EACH JOIST INTO THE TOP PLATE.
 - FLUSH STEEL BEAM - SOLID BLOCKING (2x LUMBER AND PLYWOOD) BOLTED TO THE BEAM WEB WITH 1/2" DIA. THRU BOLTS AT 18" o.c., STAGGERED TOP AND BOTTOM AND APPROVED FACE MOUNT HANGERS FOR THE JOIST TO BLOCKING CONNECTION.
- WHERE A STEEL PLATE SUPPORTING MASONRY VENEER IS SPECIFIED, WELD TO THE TOP OR BOTTOM FLANGE OF THE BEAM WITH (2) ROWS OF 2" LONG FILLET WELDS @ 12" o.c. MIN., STAGGERED.
- ALL STEEL COLUMNS ARE TO BE Laterally SUPPORTED TOP & BOTTOM (I.E. BY CONCRETE SLAB ON GRADE, (2) 3/8" Ø BOLTS OR 2" OF 1/4" FILLET WELD MIN.). CONTINUE ALL COLUMNS DOWN TO FOUNDATION OR FULL BEARING ON BEAMS, BLOCK SOLID IN JOIST SPACES, TYPICAL (TYP.).
- ALL STRUCTURAL STEEL TO BE FINISHED AS APPROVED BY GENERAL CONTRACTOR.

LOADING

- ROOF LOADING:
 - SNOW LOAD = $C_b \times S_s + 0.4$ kPa; NOT LESS THAN 1 kPa (20.9 psf), AS PER OBC 9.4.2.2
 - $C_b = 0.55$ kPa FOR ROOF WIDTH > 4.3m
 - $C_b = 0.45$ kPa FOR ROOF WIDTH ≤ 4.3m
 - $S_s = 1$ -IN-50 GROUND SNOW LOAD in kPa
 - DEAD LOAD = 0.29 kPa (6 psf) (ROOF RAFTERS/ JOISTS OR TRUSS TOP CHORDS)
- CEILING LOADING:
 - ATTIC OR ROOF SPACE WITH LIMITED ACCESSIBILITY (CEILING JOISTS/TRUSS BOTTOM CHORDS), AS PER OBC 9.4.2.4.(1)
 - TOTAL SPECIFIED LOAD = 0.35 kPa (7.3 psf)
 - ACCESSIBLE ATTIC = SEE FLOOR LOADING
- FLOOR LOADING:
 - LIVE LOAD = 1.92 kPa (40 psf), BEDROOMS = 1.44 kPa (30 psf)
 - DEAD LOAD = 0.57 kPa (12 psf)
- ACCESSIBLE EXTERIOR PLATFORMS, AS PER OBC 9.4.2.3:
 - LIVE LOAD = GREATER OF 1.92 kPa (40 psf) OR SNOW LOAD
- GUARD LOADS: AS PER OBC 2012 4.1.5.14 (1)

Project Engineer PROJECT # 20-08-065

WADDELL ENGINEERING LTD.
 119 PINEBUSH RD. CAMBRIDGE ON
 PH. 519-267-6789
 FAX. 1-866-388-9659
 INFO@WADDELLENG.COM

Notes
 These drawings, dimensions, and specifications must be checked and verified by the building contractor for discrepancies and report to this designer before commencing any further work. This designer assumes no responsibility or liability for errors or omission not reported by the building contractor or his subtrades. This designer assumes no responsibility for the building contractor or his subtrades for their failure to carry out the work according to these plans, specifications and related documents. Construction must comply with the latest standards of the O.B.C., C.B.C., and the local municipal regulations.
 Suppliers and sub contractors to verify dimensions between all plans. Report any discrepancies to this designer before proceeding. This designer assumes no responsibility for errors not reported.
Do Not Scale Drawings

BUILDING CLASSIFICATION
 THIS BUILDING IS DESIGNED FOR PART 9 O.B.C. (GROUP C)

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER

ROOF TRUSS DESIGN AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING

NOTE: ALL LVL TO BE "WEST FRASER" LVL (2.0E) (3100 lb) ALL STEEL TO BE 350W

LICENSÉD PROFESSIONAL ENGINEER
S. DESROCHES
 100222482
 August 21 2020
 PROVINCE OF ONTARIO

PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St., 519-223-7042
 Ayr, Ontario
 email - phil@ruhlmandesign.com

DECLARATION OF DESIGNER
 I Philip Ruhlman declare that I review and take responsibility for the design work of this plan. I am qualified, and I am registered.

Individual BCIN: 21095 Firm BCIN: 31613

DRAWING TITLE STRUCTURAL			
DATE Aug. 11, 2020	SCALE 1/8"=1'-0"	AREA 4,360 Sq. Ft.	PROJECT NO. PHR20-743
PROJECT NAME ALEX AQUIN 601 Green Mountain Rd. E Stoney Creek, Ont.		DRAWING # S1	

Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:134

APPLICANTS: Brent Vanderwoude on behalf of the owner Sean Dowell

SUBJECT PROPERTY: Municipal address **175 Montrose Ave., Hamilton**

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

ZONING: "C" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction of a westerly 2.13m (7') x 3.56m (11'8") dormer addition and to convert the existing single-family dwelling to contain two dwelling units and to recognize the location of an existing 5.48m (18'0") x 7.31m (24'0") accessory building (existing garage) notwithstanding that:

1. A minimum floor area of 56m² shall be provided for the basement dwelling unit instead of the requirement that each dwelling unit shall have a floor area of at least 65m² for a residential conversion.
2. The external appearance of the dwelling shall permitted to be altered by the dormer addition, new windows and doors and blocking of existing windows and doors instead of the requirement that the external appearance and character of the dwelling shall be preserved for a residential conversion.
3. The manoeuvring for the two (2) parking spaces in the rear yard for both dwelling units shall be located partially off-site and on the Malta Drive road allowance instead of the requirement that the manoeuvring for one parking space for one of the dwelling units may be permitted off-site for a residential conversion.
4. A minimum front yard depth of 5.9m shall be recognized instead of the minimum required front yard depth of 6.0m.
5. A minimum easterly side yard of 4.2m shall be recognized for the existing accessory building instead of the minimum required side yard of 6.0m.

NOTE:

- i) Be advised that Variance No. 4 is intended to recognize the location of the existing building which appears to be a result due to an error in construction.
- ii) Be advised that the location of basement walkout does not constitute an encroachment into a required yard provided the foundation wall does not project not more than 150 mm above the adjacent grade, with or without a guard. The plans submitted show the foundation

HMA-20:134

Page 2

wall projecting 150mm above adjacent grade which conforms to a building policy. Be advised that if this wall projects more than 150mm above adjacent grade, a further variance shall be required for a non-complying westerly side yard width.

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

DATE: Thursday, October 22nd, 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 for viewing purposes only

PUBLIC INPUT

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

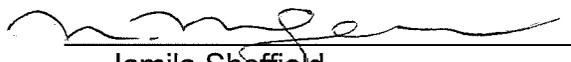
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

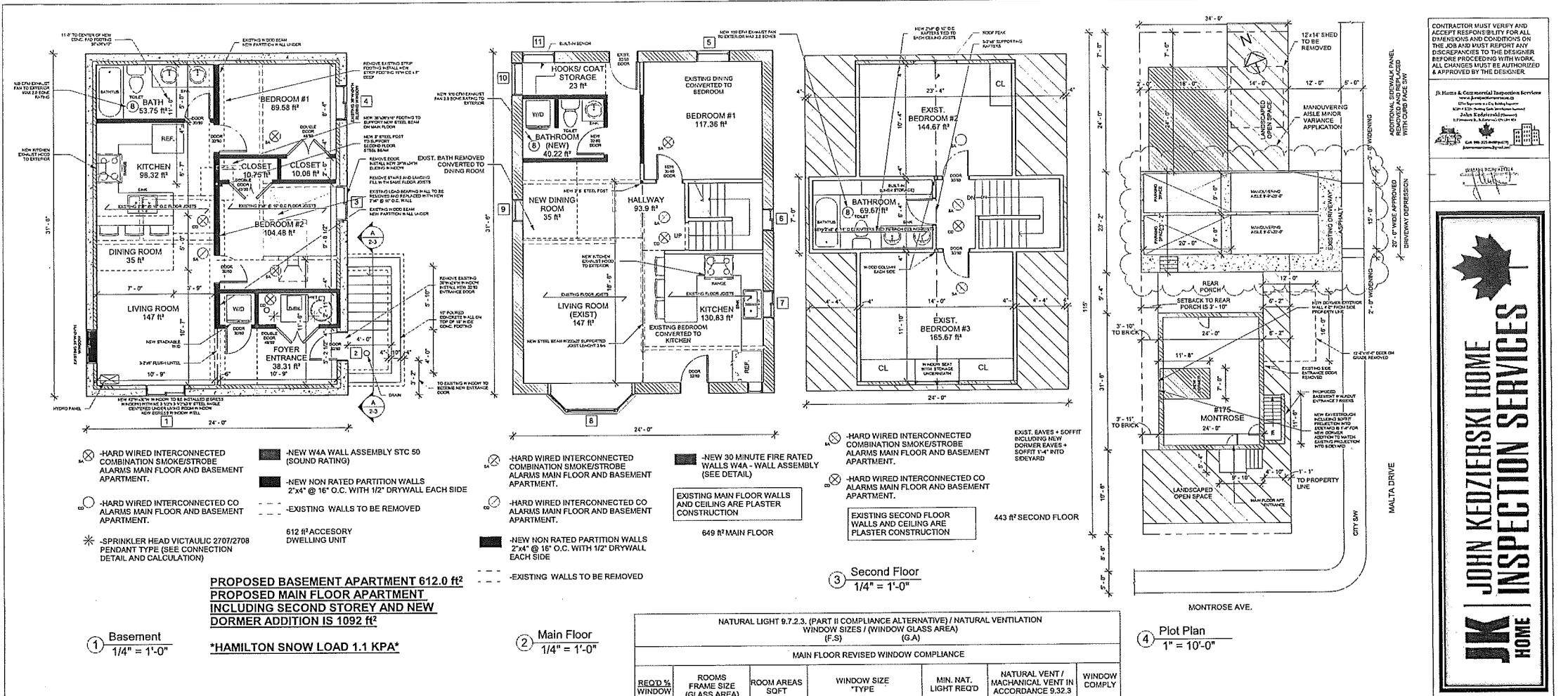
For more information on this matter, including access to drawings illustrating this request:

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

DATED: October 6th, 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.



- ⊗ - HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- ⊗ - HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- * - SPRINKLER HEAD VICTUALIX 2707/2708 PENDANT TYPE (SEE CONNECTION DETAIL AND CALCULATION)
- - NEW W44 WALL ASSEMBLY STC 50 (SOUND RATING)
- - NEW NON RATED PARTITION WALLS 2"x4" @ 16" O.C. WITH 1/2" DRYWALL EACH SIDE
- - EXISTING WALLS TO BE REMOVED
- 612 R² ACCESSORY DWELLING UNIT
- ⊗ - HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- ⊗ - HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- - NEW 30 MINUTE FIRE RATED WALLS W44 - WALL ASSEMBLY (SEE DETAIL)
- - EXISTING MAIN FLOOR WALLS AND CEILING ARE PLASTER CONSTRUCTION
- - EXISTING SECOND FLOOR WALLS AND CEILING ARE PLASTER CONSTRUCTION
- ⊗ - HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- ⊗ - HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.

PROPOSED BASEMENT APARTMENT 612.0 ft²
PROPOSED MAIN FLOOR APARTMENT
INCLUDING SECOND STOREY AND NEW
DORMER ADDITION IS 1092 ft²

1 Basement
1/4" = 1'-0"

HAMILTON SNOW LOAD 1.1 KPA

2 Main Floor
1/4" = 1'-0"

3 Second Floor
1/4" = 1'-0"

4 Plot Plan
1" = 10'-0"

NATURAL LIGHT 9.7.2.3. (PART II COMPLIANCE ALTERNATIVE) / NATURAL VENTILATION WINDOW SIZES / (WINDOW GLASS AREA) (F.S) (G.A)						
BASEMENT APT. WINDOW COMPLIANCE						
REQ'D % WINDOW	ROOMS FRAME SIZE (GLASS AREA)	ROOM AREAS SOFT	WINDOW SIZE *TYPE	MIN. NAT. LIGHT REQ'D	NATURAL VENT / MECHANICAL VENT IN ACCORDANCE 9.32.3	WINDOW COMPLY
5%	COMBINATION ROOM L.R.+D.R. NEW FS- 42"Wx36"H (GA- 40"Wx34"H) EXISTING FS- 38"Wx24"H (GA- 36"Wx22"H)	145 R ² + 35 R ² TOTAL 180 R ²	NEW SLIDING EGRESS WINDOW WITH NEW 3 1/2"x3 1/2"x3/8" STEEL ANGLE OVER FOR BRICK EXISTING SLIDING WINDOW TO BE REPLACED WITH NEW ENTRANCE DOOR	9.0 R ² REQ'D 9.44 R ² PROVIDED	WINDOWS 1/2 OPENABLE 4.72 R ² PROVIDED TYPE 1, 9.32.3	YES
2.5%	BEDROOM #2 NEW FS- 38"Wx24"H (GA- 36"Wx22"H)	104.48 R ²	EXISTING DOOR TO BE REMOVED. INSTALL NEW 3 1/2"x3 1/2"x3/8" STEEL ANGLE OVER FOR BRICK	2.61 R ² REQ'D 5.5 R ² PROVIDED	WINDOWS 1/2 OPENABLE 2.75 R ² PROVIDED TYPE 1, 9.32.3	YES
2.5%	BEDROOM #1 FS- 38"Wx24"H (GA- 36"Wx22"H)	89.58 R ²	EXISTING SLIDING WINDOW TO BE REPLACED WITH NEW SAME SIZE	2.24 R ² REQ'D 5.5 R ² PROVIDED	WINDOW 1/2 OPENABLE 2.75 R ² PROVIDED TYPE 1, 9.32.3	YES

NATURAL LIGHT 9.7.2.3. (PART II COMPLIANCE ALTERNATIVE) / NATURAL VENTILATION WINDOW SIZES / (WINDOW GLASS AREA) (F.S) (G.A)						
MAIN FLOOR REVISED WINDOW COMPLIANCE						
REQ'D % WINDOW	ROOMS FRAME SIZE (GLASS AREA)	ROOM AREAS SOFT	WINDOW SIZE *TYPE	MIN. NAT. LIGHT REQ'D	NATURAL VENT / MECHANICAL VENT IN ACCORDANCE 9.32.3	WINDOW COMPLY
5%	BEDROOM #1 FS- 36"Wx60"H (GA- 34"Wx58"H)	117.36 R ²	EXISTING DOUBLE HUNG 38"Wx60"H TO REMAIN	2.94 R ² REQ'D 13.70 R ² PROVIDED	WINDOWS 1/2 OPENABLE 6.85 R ² PROVIDED TYPE 1, 9.32.3	YES
NON	STAIRWELL FS- 24"Wx24"H	N/A	EXISTING SLIDER 24"Wx24"H TO REMAIN	NON REQ'D 4.0 R ² PROVIDED	WINDOWS 1/2 OPENABLE 2.0 R ² PROVIDED TYPE 1, 9.32.3	YES
NON	KITCHEN REDUCED SIZE TO FS- 30"Wx36"H (GA- 28"Wx34"H)	130.83 R ²	EXISTING DOUBLE HUNG 30"Wx60"H REDUCED IN SLIDE TO F.S 30"Wx36"H	NON REQ'D 7.5 R ² PROVIDED	WINDOW 1/2 OPENABLE 3.75 R ² PROVIDED TYPE 1, 9.32.3	YES
5%	L.R. BAY CENTER FIXED FS- 60"Wx60"H 2 SIDE CASEMENT FS- 18"Wx60"H	147 R ²	EXISTING BAY WINDOW CENTER FIXED FS- 60"Wx60"H 2 SIDE CASEMENT FS- 18"Wx60"H	7.35 REQ'D 35.24 R ² PROVIDED	2 CASEMENT OPENABLE 12.88 R ² PROVIDED TYPE 1, 9.32.3	YES
5%	D.R. FS- 24"Wx60"H (GA- 22"Wx58"H)	35 R ²	EXISTING DOUBLE HUNG 24"Wx60"H TO REMAIN	1.75 R ² REQ'D 8.85 R ² PROVIDED	WINDOW 1/2 OPENABLE 4.43 R ² PROVIDED TYPE 1, 9.32.3	YES
NON	COAT STORAGE FS- 30"Wx60"H (GA- 28"Wx58"H)	23 R ²	EXISTING DOUBLE HUNG 30"Wx60"H TO REMAIN	NON REQ'D 12.5 R ² PROVIDED +	WINDOW 1/2 OPENABLE 6.25 R ² PROVIDED +	YES
NON	COAT STORAGE FS- 36"Wx48"H (GA- 34"Wx46"H)	23 R ²	EXISTING DOUBLE HUNG 36"Wx48"H TO REMAIN	12.0 R ² PROVIDED TOTAL 24.5 R ² PROVIDED	WINDOW 1/2 OPENABLE 6.0 R ² PROVIDED TOTAL 12.25 R ² PROVIDED TYPE 1, 9.32.3	YES

CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

J. H. Horta & Co. Commercial Inspection Services
 175 Montrose Ave., Hamilton, ON L8M 1K2
 905-571-1111
 www.jhh.com

JOHN KEDZERSKI HOME INSPECTION SERVICES

175 Montrose Av., Hamilton, ON

Revision Schedule

No.	Description	Date
11	100% Review	Sept 2, 2020

FOR PERMIT BUILDING 25-Sep-20 10:30:28 AM

PROJECT NAME:
PROPOSED BASEMENT APARTMENT

SHEET TITLE:
FLOOR PLANS / WINDOW CHART

JOB: 00000
 SCALE: As Indicated
 SHEET No. 1-3

PROPOSED BASEMENT APT - 175 MONTROSE AVE., HAMILTON

- 612 ft² BASEMENT APARTMENT PROPOSED
- Current use - Single Family Dwelling
- Building approx. 50 years old.
- 1.1.2.6. Application of Part 11(1)Part 11 of Division B applies to the design and construction of existing buildings, or parts of existing buildings, that have been in existence for at least five years.
- **PROPOSED LOWEST CEILING HEIGHT IN BASEMENT TO DRYWALL UNDER DUCTWORK IS 6'-5"**

OBC REVIEW- PART 9 SFD WITH BASEMENT APARTMENT

SEPARATE ENTRANCES PROVIDED FOR MAIN FLOOR AND BASEMENT DWELLING UNIT - Totally separated, existing side door to basement removed, floor framed in, new basement window installed, new separate basement walkout to be constructed, directly to exterior from basement.

9.9.10.1.(1) EGRESS WINDOW PROVIDED FOR BASEMENT APT. - NEW Dining Room Window 42" wide x 36" high - no opening less than 15", min. open area of 3.8ft²

PROPOSED FIRE SEPARATION/ FIRE RESISTANCE RATING NOTES

Ontario Building Code Review

- **9.10.8.1 Fire Resistance Ratings for Floors** - Table 9.10.8.1 - 45 minutes required, using Part 11 Compliance Alternative - 15 Minutes Permitted
- **Propose 15 Minute Fire Resistance Rating For Horizontal Fire Separation in accordance with Part 11 Compliance Alternative C147** (page 49, Division B) Sentence (b) - In detached houses, semi-detached houses, ...containing not more than two dwelling units, 15 min horizontal fire separation is acceptable where.
 1. Smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
 2. Smoke alarms are interconnected

FIRE SEPARATION/ FIRE RESISTANCE RATINGS AND NOTES:

1. PROPOSE TO INSTALL SMOKE ALARMS AS PER ABOVE.
- 2) **PROPOSED HORIZONTAL FIRE SEPARATION ON BASEMENT CEILING - REQ'D. TO PROVIDE MIN. 15 MINUTE FRR (FIRE RESISTANCE RATING)- STC (SOUND TRANSMISSION) OF 50**

 PROPOSING TO USE SUPPLEMENTARY STANDARD SB-3 -ASSEMBLY - F8D (PROVIDES 30 MINUTE FRR AND 50 STC RATING) - FLOOR JOIST CAVITY FILLED WITH ABSORPTIVE MATERIAL - RESILIENT METAL CHANNEL SPACED AT 24" OC - 1 LAYER 5/8" TYPE X - FIRE RATED DRYWALL. (SEE CEILING SECTION - DETAILS)
- 3) **SERVICE ROOM IS TO BE SPRINKLERED** (see sprinkler calculations). NO FIRE SEPARATION ON CEILING. - W4A WALL ASSEMBLY PROPOSED TO SATISFY SOUND TRANSMISSION RATING OF 50, SINCE A FRR RATING ON SERVICE ROOM WALLS NOT REQUIRED WITH SPRINKLER PROTECTION CONSTRUCTED IN ACCORDANCE WITH - SUPPLEMENTARY STANDARD SB-3 - W4A WALL ASSEMBLY - PROVIDES STC50 - 2X4 STUDS AT 16" OC, STUD CAVITY FILLED WITH ABSORPTIVE MATERIAL, 2 LAYERS 5/8" TYPE X FIRE RATED DRYWALL ON RESILIENT METAL CHANNEL SIDE, ONE LAYER OF 5/8" TYPE X FIRE RATED DRYWALL ON OTHER SIDE - FROM CONCRETE TO FLOOR SHEATHING ABOVE), DOOR TO SERVICE ROOM IS NOT RATED, BUT MUST BE LOCKABLE.

 VERTICAL WALLS ADJACENT TO FOUNDATION TO BE CONSTRUCTED IN ACCORDANCE WITH WALL ASSEMBLY W1C-SB3 - PROVIDING FIRE RESISTANCE RATING OF 30 MINUTES - (SEE FOUNDATION WALL SECTION)

- 4) **9.10.13.1 Doors, Dampers and Other Closures In Fire Separations** - Table 9.10.13.1. Fire Protection Rating for Closures (In fire separations)
 Non Required for a 15 minute Fire Separation - Chart requires Closures for Fire Separations requiring a FRR rating beginning with 30 minutes.
9.10.13.13. Fire Dampers (Ducts Penetrating Fire Separations) - Part 11 Compliance Alternative C167/C168 (Division B - page 50)
 C167-In a building containing not more than 4 dwelling units, the existing heating or air-conditioning system may be altered to serve more than one dwelling unit, provided smoke alarms are installed in each dwelling unit 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.
 Proposing to install the above requirements, therefore fire dampers will not be required.
- 5) **9.10.18.5 - SMOKE DETECTOR REQUIRED IN RECIRCULATING AIR HANDLING SYSTEM - SMOKE DETECTOR INSTALLED IN RETURN AIR PLENUM, UPON DETECTION OF SMOKE FURNACE IS SHUT DOWN,**
- 6) **9.10.19. SMOKE ALARMS - SHALL BE HARD WIRED AND INTERCONNECTED** (BASEMENT AND MAIN FLOOR), INSTALLED IN EVERY SLEEPING ROOM, EVERY HALLWAY ADJACENT TO SLEEPING ROOMS, EVERY LEVEL, MUST BE AUDIBLE AND VISUAL.
- 7) **9.33.4. CARBON MONOXIDE ALARMS - SHALL BE HARD WIRED/ INTERCONNECTED/** INSTALLED IN EACH SUITE OF RESIDENTIAL OCCUPANCY ADJACENT TO EACH SLEEPING AREA IN SUITE, IN SERVICE ROOM WITH FUEL BURNING APPLIANCE.
- 8) **PROTECTION OF WOOD/ STEEL BEAMS AND COLUMNS**

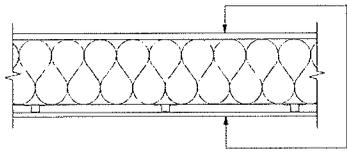
- 9.10.8.3 Fire Resistance Ratings for Walls, Columns and Arches - (1) Except as otherwise,all loadbearing walls, steel/wood beams, columns, in the storey immediately below a floor or roof assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly. - **TO BE FRAMED WITH 2X4 STUDS AND CLAD WITH 5/8" TYPE X DRYWALL TO PROVIDE 15 MINUTE FRR(MINIMUM REQUIRED), USING SB-2 METHOD OF CALCULATION 2.3.4. (60 MINUTE ACTUAL FRR. ACHIEVED)**

9) WINDOWS (See Basement Window Chart for Window Compliance)
9.7.2.3. Minimum Window Areas - Basement Window Areas - Part 11 Compliance Alternative C107....windows may be reduced by 50%
 Proposed Combination Dining Room/Living Room- 9.5.1.4. Combination Rooms(1) Two or more areas may be considered as a combination room.....Kitchen does not require Natural Lighting

WINDOWS Main Floor (See Main Floor Window Chart for Compliance)

- Main Floor Plan is altered from existing, please see Main Floor plan and Window Chart for Compliance

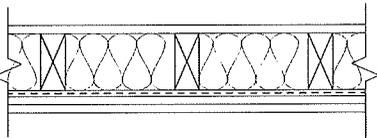
NEW CEILING ENTIRE BASEMENT NOT INCLUDING SERVICE ROOM



F8D - CEILING ASSEMBLY

- EX PLYWOOD SHEATHING
- EXISTING FLOOR JOISTS
- ABSORPTIVE MATERIAL IN CAVITY
- 1/2" RESILIENT METAL CHANNELS @24" O.C
- 1 LAYER OF 5/8" TYPE X GYPSUM BOARD

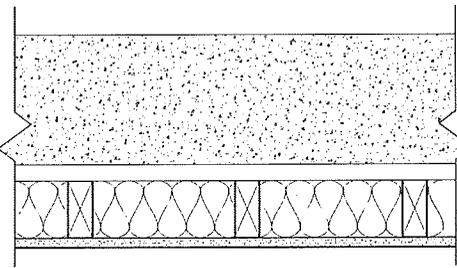
HORIZONTAL FIRE SEPARATION 15 MIN. REQ'D / STC RATING OF 50 REQ'D / 30 MINUTES PROVIDED
 1) 1 1/2" = 1'-0"



W4A - WALL ASSEMBLY:

- 2"x4" STUDS SPACED 16" O.C
- 4" THICK ABSORPTIVE MATERIAL
- 1/2" RESILIENT METAL CHANNELS ON ONE SIDE SPACED 16" O.C.
- 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON RESILIENT METAL CHANNEL SIDE
- 1 LAYER OF 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

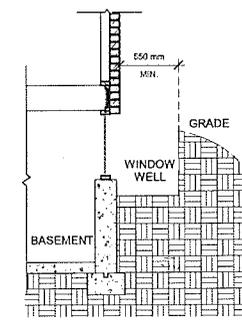
VERTICAL FIRE SEPARATION OF 30 MIN. REQ'D, STC RATING OF 50 REQ'D - 1 HOUR PROVIDED
 2) 3" = 1'-0"



W1C WALL ASSEMBLY AROUND FOUNDATION WALLS 30 MIN. FIRE RESISTANCE RATING PROVIDED

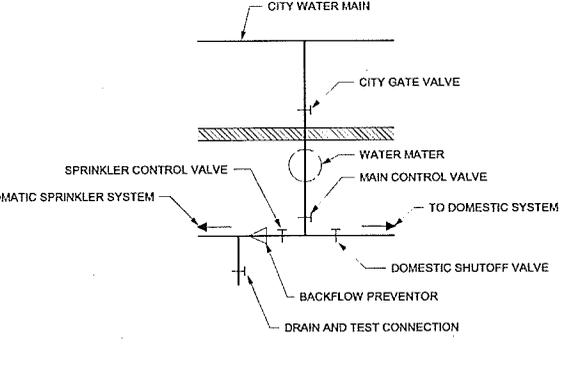
EXTERIOR BASEMENT FOUNDATION WALL DETAIL W1C
 3) 3" = 1'-0"

SECTION A-A
 1/2" = 1'-0"



- 9.9.10. Egress from Bedrooms**
9.9.10.1. Egress Windows or Doors for Bedrooms
 (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 operable from the inside without the use of tools,
 (b) provides an individual, unobstructed open portion having a minimum area of 0.35 m² 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 1 000 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.
 (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 operable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

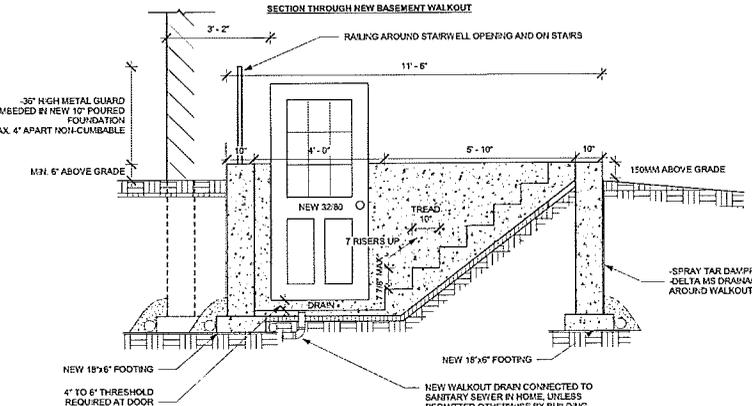
WINDOW EGRESS DETAIL
 4) 1/2" = 1'-0"



NEW SPRINKLER CONNECTION DETAIL NFPA 13D-20
 5)

TYPICAL BASEMENT FOUNDATION WALL W1C - WALL ASSEMBLY

- 8" FOUNDATION WALL
- LAYER TYVEC AGAINST FOUNDATION WALL
- 4" AIRSPACE
- 4" THICK ABSORPTIVE MATERIAL
- 6 MILL VAPOUR BARRIER
- 1/2" REGULAR GYPSUM BOARD
- 30 MIN. FIRE RESISTANCE RATING PROVIDED



PLEASE SEE PROFESSIONAL STRUCTURAL ENGINEER DRAWING FOR FROST PROTECTION AND CONNECTION OF NEW Poured CONCRETE FOUNDATION WALL TO EXISTING 10" CONC. BLOCK FOUNDATION WALL

CONTRACTOR MUST ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

John Kedzierski Home Inspection Services
 175 Montrose Ave., Hamilton, ON
 905-571-1234
 www.jkhomeinspection.com

JK HOME INSPECTION SERVICES

175 Montrose Av., Hamilton, ON

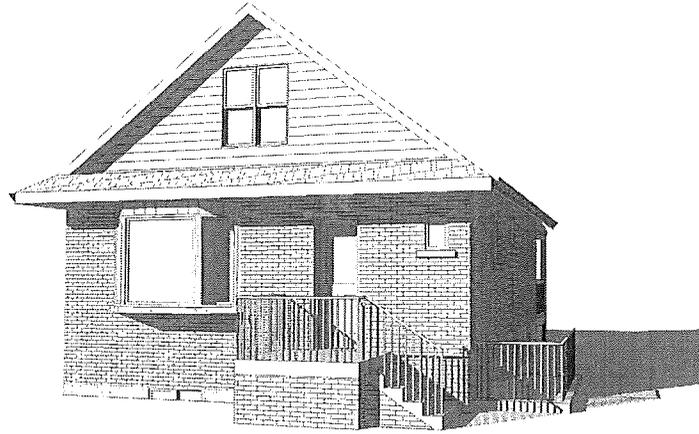
Revision Schedule		
No.	Description	Date
1	Issued For Permit	Sept. 2, 2020

FOR PERMIT BUILDING 25-Sep-20 10:30:31 AM

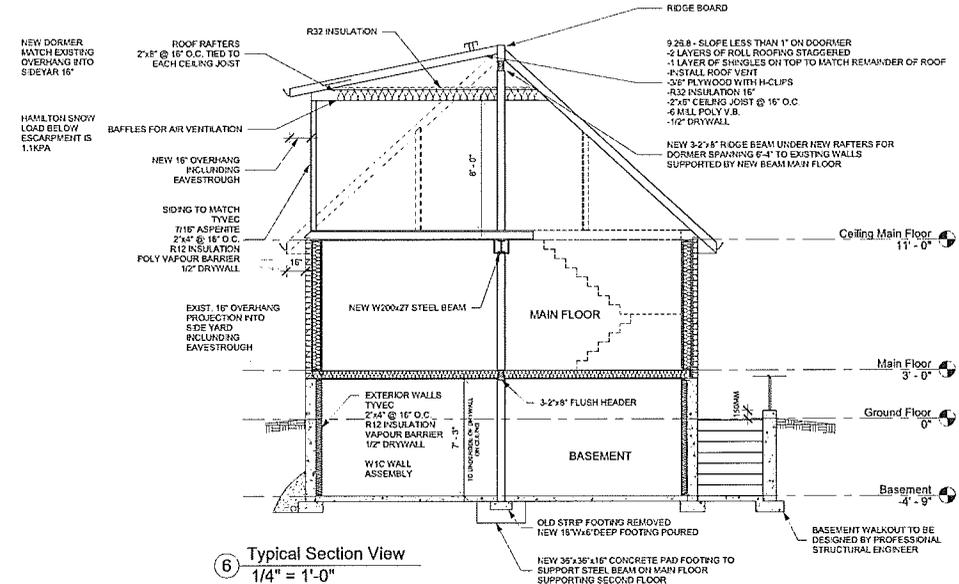
PROJECT NAME:
PROPOSED BASEMENT APARTMENT

SHEET TITLE:
SECTIONS DETAILS / NOTES

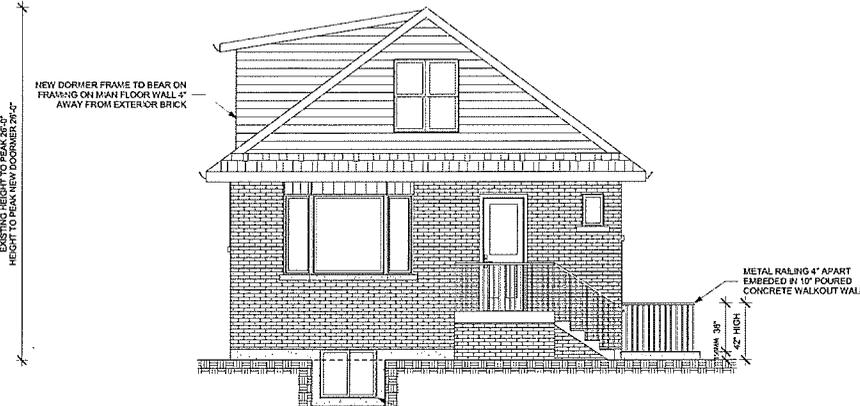
JOB: 0000
 SCALE: As Indicated
 SHEET No: 2-3



1 3D View



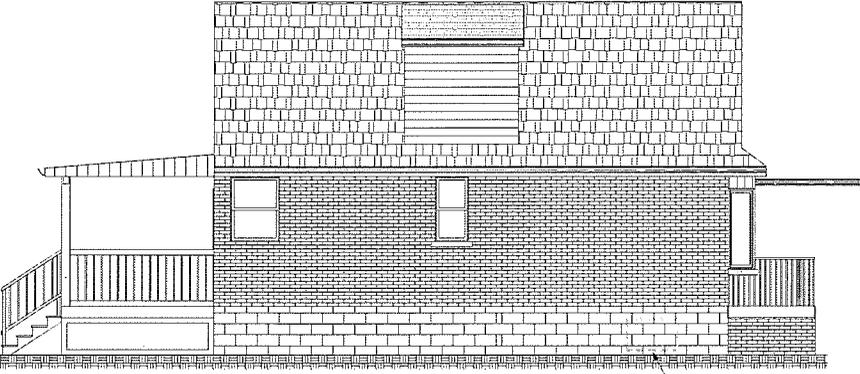
6 Typical Section View
1/4" = 1'-0"



2 Front Elevation
1/4" = 1'-0"



3 Right Elevation
1/4" = 1'-0"



4 Left Elevation
1/4" = 1'-0"



5 Rear Elevation
1/4" = 1'-0"

CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

JK Home & Commercial Inspection Services
www.jkinspection.com
2200 Highway 7 East, Unit 10
Mississauga, Ontario L4X 1L7
Phone: (905) 881-1111
Fax: (905) 881-1112



JK HOME INSPECTION SERVICES

175 Montrose Av.,
Hamilton, ON

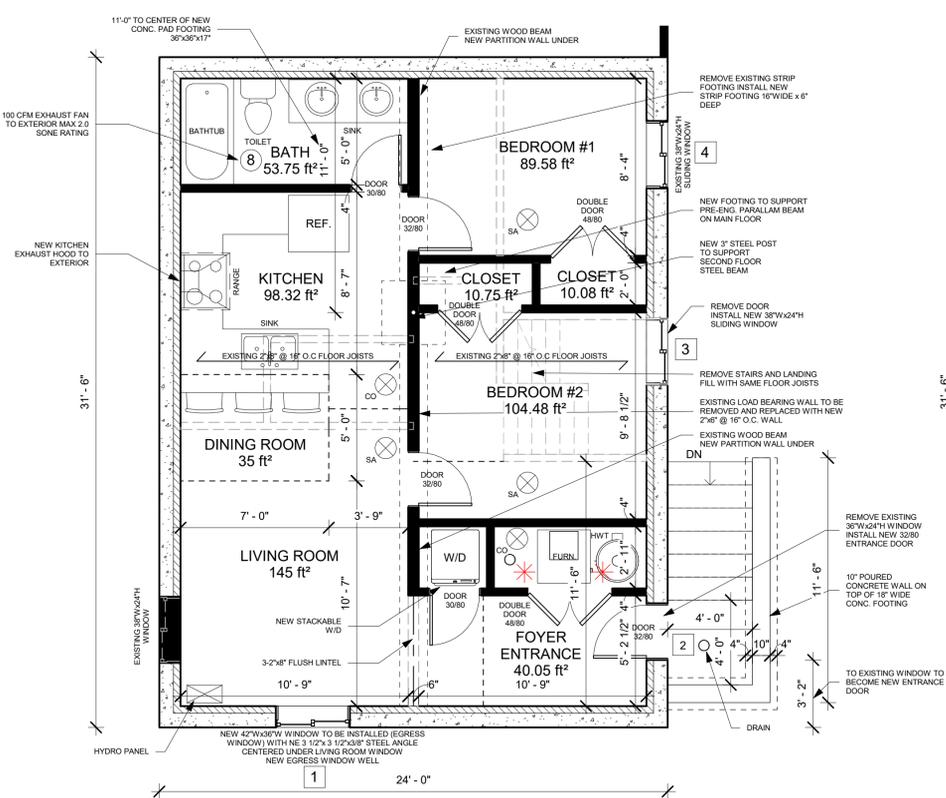
Revision Schedule		
No.	Description	Date
1	Issued	Sept. 2, 2020

FOR PERMIT BUILDING
25-Sep-20 10:30:43 AM

PROJECT NAME:
**PROPOSED
BASEMENT
APARTMENT**

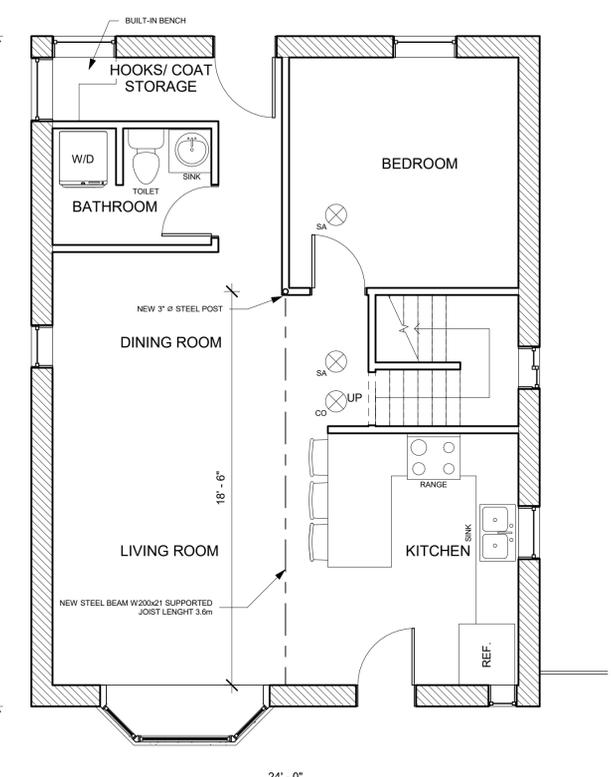
SHEET TITLE:
**SECTION AND
ELEVATIONS**

JOB: 00000
SCALE: As Indicated
SHEET No: 3-3



- SA -HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- CO -HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- * -SPRINKLER HEAD VICTAULIC 2707/2708 PENDANT TYPE (SEE CONNECTION DETAIL AND CALCULATION)
- NEW W4A WALL ASSEMBLY STC 50 (SOUND RATING)
- NEW NON RATED PARTITION WALLS
- EXISTING WALLS TO BE REMOVED
- 612 ft² ACCESSORY DWELLING UNIT

1 Basement
1/4" = 1'-0"

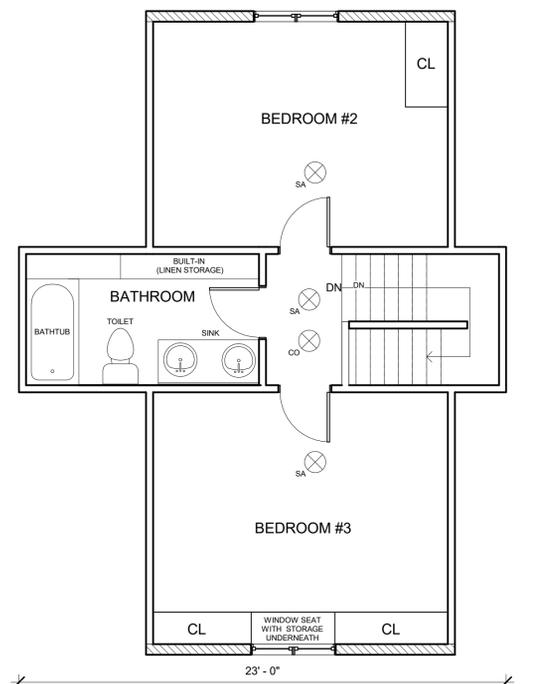


- SA -HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- CO -HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- NEW 30 MINUTE FIRE RATED WALLS W4A - WALL ASSEMBLY (SEE DETAIL)

EXISTING MAIN FLOOR WALLS AND CEILING ARE PLASTER CONSTRUCTION -16mm PLASTER WITH 9.5mm GYPSUM LATH WITH 2"x4" FRAMING PROVIDES 60 MINUTE FIRE RESISTANCE RATING TABLE 2.3.4B-SB2

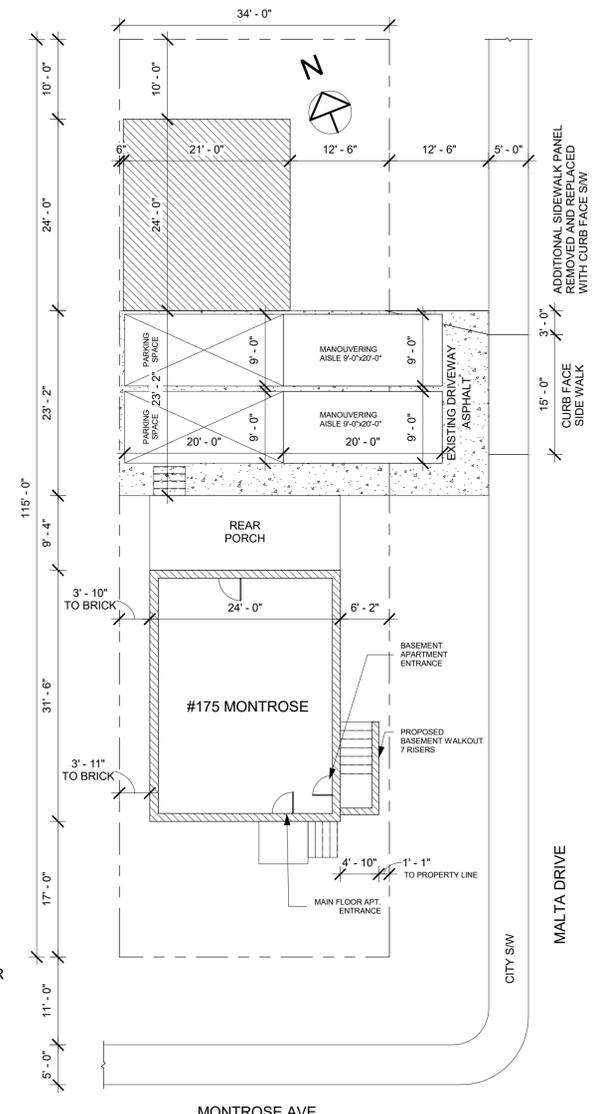
EXISTING SECOND FLOOR WALLS AND CEILING ARE PLASTER CONSTRUCTION -16mm PLASTER WITH 9.5mm GYPSUM LATH WITH 2"x4" FRAMING PROVIDES 60 MINUTE FIRE RESISTANCE RATING TABLE 2.3.4B-SB2

2 Main Floor
1/4" = 1'-0"



- SA -HARD WIRED INTERCONNECTED COMBINATION SMOKE/STROBE ALARMS MAIN FLOOR AND BASEMENT APARTMENT.
- CO -HARD WIRED INTERCONNECTED CO ALARMS MAIN FLOOR AND BASEMENT APARTMENT.

3 Second Floor
1/4" = 1'-0"



4 Plot Plan
3/32" = 1'-0"

NATURAL LIGHT 9.7.2.3. (PART II COMPLIANCE ALTERNATIVE) / NATURAL VENTILATION WINDOW SIZES / (WINDOW GLASS AREA) (F.S) (G.A)						
BASEMENT APT. WINDOW COMPLIANCE						
REQ'D % WINDOW	ROOMS FRAME SIZE (GLASS AREA)	ROOM AREAS SQFT	WINDOW SIZE *TYPE	MIN. NAT. LIGHT REQ'D	NATURAL VENT / MECHANICAL VENT IN ACCORDANCE 9.32.3	WINDOW COMPLY
5% 1 +	COMBINATION ROOM L.R./+D.R. NEW FS- 42"Wx36"H (GA- 40"Wx34"H) EXISTING FS- 38"Wx24"H (GA- 36"Wx22"H)	145 ft ² + 35 ft ² TOTAL 180 ft ²	NEW SLIDING EGRESS WINDOW WITH NEW 3 1/2"x3 1/2"x3/8" STEEL ANGLE OVER FOR BRICK EXISTING SLIDING WINDOW TO BE REPLACED WITH NEW ENTRANCE DOOR	9.0 ft ² REQ'D 9.44 ft ² PROVIDED	WINDOWS 1/2 OPENABLE 4.72 ft ² PROVIDED TYPE 1, 9.32.3	YES
2.5% 3	BEDROOM #2 NEW FS- 38"Wx24"H (GA- 36"Wx22"H)	104.48 ft ²	EXISTING DOOR TO BE REMOVED. INSTALL NEW 38"Wx24"H SLIDING WINDOW NEW 3 1/2"x3 1/2"x3/8" STEEL ANGLE OVER FOR BRICK	2.61 ft ² REQ'D 5.5 ft ² PROVIDED	WINDOWS 1/2 OPENABLE 2.75 ft ² PROVIDED TYPE 1, 9.32.3	YES
2.5% 4	BEDROOM #1 FS- 38"Wx24"H (GA- 36"Wx22"H)	89.58 ft ²	EXISTING SLIDING WINDOW TO BE REPLACED WITH NEW SAME SIZE	2.24 ft ² REQ'D 5.5 ft ² PROVIDED	WINDOW 1/2 OPENABLE 2.75 ft ² PROVIDED TYPE 1, 9.32.3	YES

CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

JK Home & Commercial Inspection Services
www.jkinspectionsservices.ca
32Yrs Experience as a City Building Inspector
BCIN # 41214 (Building Code Identification Number)
John Kedzierski (Owner)
113 Woodward St., St. Catharines ON L2M 4G4
Call 905-325-4848 (P4477)
jkhomeinspections@gmail.com

175 Montrose Av.,
Hamilton, ON

Revision Schedule		
No.	Description	Date
1	Totally Revised	Sept. 2, 2020

FOR PERMIT BUILDING
9/3/2020 12:24:13 PM

PROJECT NAME:
PROPOSED BASEMENT APARTMENT

SHEET TITLE:
FLOOR PLANS / WINDOW CHART

JOB: 00000
SCALE: As indicated
SHEET No. 1-3

CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

JK Home & Commercial Inspection Services
 www.jkinspectionsservices.ca
 20+ Years Experience as a City Building Inspector
 BCIN # 1218 (Building Code Identification Number)
John Kedzierski (Owner)
 111 Woodward Dr., St. Catharines ON L2M 4G2
 Call: 905-325-4647 (477)
 jkhomeinspection@gmail.com

(MMAH) BCIN #21234

175 Montrose Av.,
Hamilton, ON

Revision Schedule		
No.	Description	Date
1	Totally Revised	Sept. 2, 2020

FOR PERMIT BUILDING
9/3/2020 12:24:14 PM

PROJECT NAME:
PROPOSED BASEMENT APARTMENT

SHEET TITLE:

SECTIONS DETAILS / NOTES

JOB:	00000
SCALE:	As indicated
SHEET No.	2-3

- PROPOSED BASEMENT APT. - 175 MONTROSE AVE., HAMILTON**
- **612 f2 BASEMENT APARTMENT PROPOSED**
 - Current use - Single Family Dwelling
 - Building approx. 60 years old.
 - **1.1.2.6. Application of Part 11(1)**Part 11 of Division B applies to the design and construction of existing buildings, or parts of existing buildings, that have been in existence for at least five years.
 - **PROPOSED LOWEST CEILING HEIGHT IN BASEMENT TO DRYWALL UNDER DUCTWORK IS 6'-5"**

OBC REVIEW- PART 9 SFD WITH BASEMENT APARTMENT SEPARATE ENTRANCES PROVIDED FOR MAIN FLOOR AND BASEMENT DWELLING UNIT - upper and lower units separated with a 30 Minute Fire Separation (W4A Assembly - see details), at side door entrance.
9.9.10.1.(1) EGRESS WINDOW PROVIDED FOR BASEMENT APT. - NEW Dining Room Window 42" wide x 36" high - no opening less than 15", min. open area of 3.8ft2
PROPOSED FIRE SEPARATION/ FIRE RESISTANCE RATING NOTES

- Ontario Building Code Review**
- **9.10.8.1 Fire Resistance Ratings for Floors** - Table 9.10.8.1 - 45 minutes required, using Part 11 Compliance Alternative - 15 Minutes Permitted
 - **Propose 15 Minute Fire Resistance Rating For Horizontal Fire Separation in accordance with Part 11 Compliance Alternative C147** (page 49, Division B) Sentence (b) - In detached houses, semi-detached houses....containing not more than two dwelling units, 15 min horizontal fire separation is acceptable where.
 1. Smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
 2. Smoke alarms are interconnected

FIRE SEPARATION/ FIRE RESISTANCE RATINGS AND NOTES:

1. **PROPOSE TO INSTALL SMOKE ALARMS AS PER ABOVE.**
- 2) **PROPOSED HORIZONTAL FIRE SEPARATION ON BASEMENT CEILING - REQ'D. TO PROVIDE MIN. 15 MINUTE FRR (FIRE RESISTANCE RATING)- STC (SOUND TRANSMISSION) OF 50**

PROPOSING TO USE SUPPLEMENTARY STANDARD SB-3 -ASSEMBLY - F8D (PROVIDES 30 MINUTE FRR AND 50 STC RATING) - FLOOR JOIST CAVITY FILLED WITH ABSORPTIVE MATERIAL - RESILIENT METAL CHANNEL SPACED AT 24" OC - 1 LAYER OF 5/8" TYPE X - FIRE RATED DRYWALL. (SEE CEILING SECTION - DETAILS)

3) **VERTICAL FIRE SEPARATION OF 45 MINUTES IS REQUIRED BETWEEN SEPARATE DWELLING UNITS AS PER SECTION 9.10.9.14 AND 9.10.9.15 - PROPOSING TO USE PART 11 COMPLIANCE ALTERNATIVE C 152 - 30 MINUTE FRR (FIRE RESISTANCE RATING) IS ACCEPTABLE.**

VERTICAL FIRE SEPARATION BETWEEN BASEMENT APARTMENT AND MAIN FLOOR APARTMENT - REQUIRED TO PROVIDE 30MINUTE FRR AND STC RATING OF 50.

PROPOSING TO USE SUPPLEMENTARY STANDARD SB-3 - W4A WALL ASSEMBLY - PROVIDES 1 HOUR FRR, STC50 - 2X4 STUDS AT 16" OC, STUD CAVITY FILLED WITH ABSORPTIVE MATERIAL, 2 LAYERS 5/8" TYPE X FIRE RATED DRYWALL ON RESILIENT METAL CHANNEL SIDE, ONE LAYER OF 5/8" TYPE X FIRE RATED DRYWALL ON OTHER SIDE.

SERVICE ROOM IS TO BE SPRINKLERED (see sprinkler calculations)- NO FIRE SEPARATION ON CEILING. - W4A WALL ASSEMBLY PROPOSED TO SATISFY SOUND TRANSMISSION RATING OF 50, SINCE A FRR RATING ON SERVICE ROOM WALLS NOT REQUIRED WITH SPRINKLER PROTECTION (CONSTRUCTED IN ACCORDANCE WITH NOTE #3 ABOVE FROM CONCRETE TO FLOOR SHEATHING ABOVE). SERVICE ROOM DOOR NOT RATED.

VERTICAL WALLS ADJACENT TO FOUNDATION TO BE CONSTRUCTED IN ACCORDANCE WITH WALL ASSEMBLY W1C-SB3 - PROVIDING FIRE RESISTANCE RATING OF 30 MINUTES - (SEE FOUNDATION WALL SECTION)

- 4) **9.10.13.1 Doors, Dampers and Other Closures in Fire Separations** - Table 9.10.13.1. Fire Protection Rating for Closures (in fire separations)
Non Required for a 15 minute Fire Separation - Chart requires Closures for Fire Separations requiring a FRR rating beginning with 30 minutes.
 - **9.10.13.13. Fire Dampers (Ducts Penetrating Fire Separations)** - Part 11 Compliance Alternative C167/C168 (Division B - page 50)
 - **C167-**in a building containing not more than 4 dwelling units, the existing heating or air-conditioning system may be altered to serve more than one dwelling unit, **provided smoke alarms are installed in each dwelling unit 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.**
Proposing to install the above requirements, therefore fire dampers will not be required.

5) **9.10.18.5 - SMOKE DETECTOR REQUIRED IN RECIRCULATING AIR HANDLING SYSTEM - SMOKE DETECTOR INSTALLED IN RETURN AIR PLENUM, UPON DETECTION OF SMOKE FURNACE IS SHUT DOWN.**

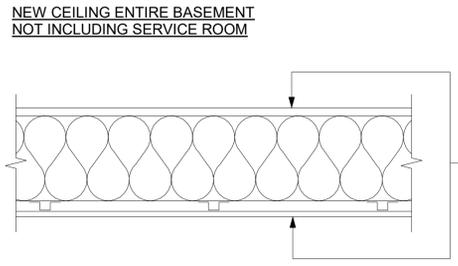
6) **9.10.19. SMOKE ALARMS - SHALL BE HARD WIRED AND INTERCONNECTED** (BASEMENT AND MAIN FLOOR), INSTALLED IN EVERY SLEEPING ROOM, EVERY HALLWAY ADJACENT TO SLEEPING ROOMS, EVERY LEVEL, MUST BE AUDIBLE AND VISUAL.

7) **9.33.4. CARBON MONOXIDE ALARMS - SHALL BE HARD WIRED/ INTERCONNECTED/** INSTALLED IN EACH SUITE OF RESIDENTIAL OCCUPANCY ADJACENT TO EACH SLEEPING AREA IN SUITE, IN SERVICE ROOM WITH FUEL BURNING APPLIANCE.

8) **PROTECTION OF WOOD/ STEEL BEAMS AND COLUMNS**

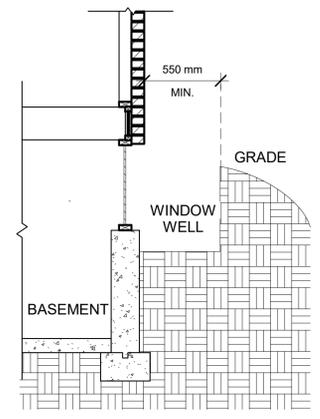
- 9.10.8.3 Fire Resistance Ratings for Walls, Columns and Arches - (1) Except as otherwise.....all loadbearing walls, steel/wood beams, columns.... in the storey immediately below a floor or roof assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly. - **TO BE FRAMED WITH 2X4 STUDS AND CLAD WITH 5/8" TYPE X DRYWALL TO PROVIDE 15 MINUTE FRR(MINIMUM REQUIRED), USING SB-2 METHOD OF CALCULATION 2.3.4. (60 MINUTE ACTUAL FRR. ACHIEVED)**

9) **WINDOWS** (See Window Chart for Window Compliance)
9.7.2.3. Minimum Window Areas - Basement Window Areas - Part 11 Compliance Alternative C107....windows may be reduced by 50%
Proposed Combination Dining Room/Living Room- 9.5.1.4. Combination Rooms(1) Two or more areas may be considered as a combination room.....Kitchen does not require Natural Lighting



- F8D - CEILING ASSEMBLY**
- EX. PLYWOOD SHEATHING
 - EXISTING FLOOR JOISTS
 - ABSORPTIVE MATERIAL IN CAVITY
 - 1/2" RESILIENT METAL CHANNELS @24" O.C
 - 1 LAYER OF 5/8" TYPE X GYPSUM BOARD

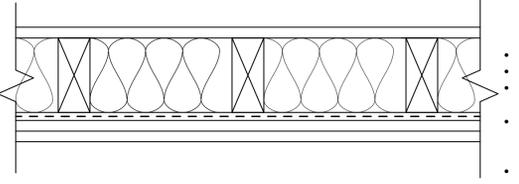
HORIZONTAL FIRE SEPARATION 15 MIN. REQ'D / STC RATING OF 50 REQ'D / 30 MINUTES PROVIDED
 1 1/2" = 1'-0"



- 9.9.10. Egress from Bedrooms**
9.9.10.1. Egress Windows or Doors for Bedrooms
 (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 m² 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 1 000 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.
 (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.

4 WINDOW EGRESS DETAIL
 1/2" = 1'-0"

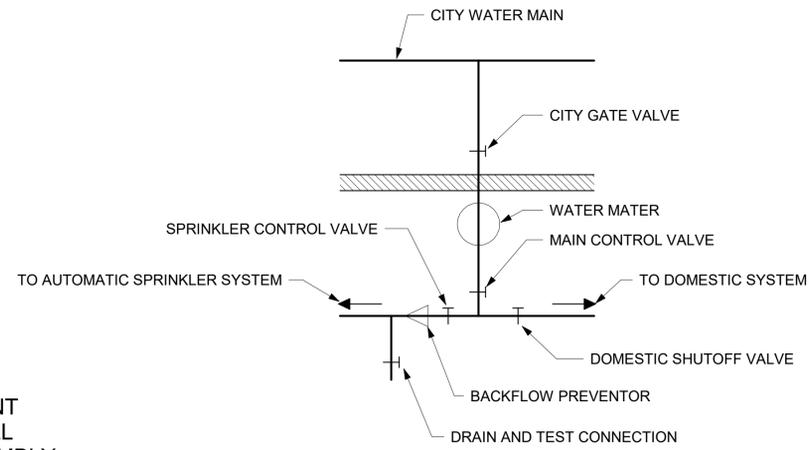
W4A - WALL ASSEMBLY:



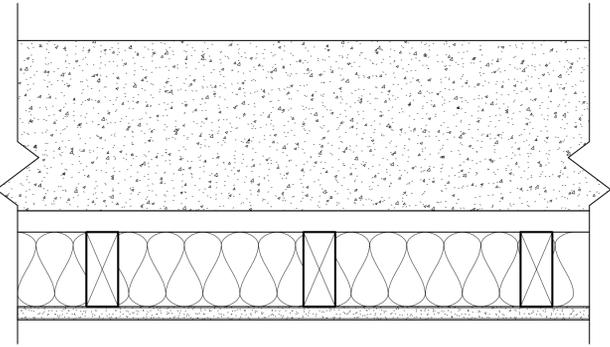
- 2"x4"STUDS SPACED 16" O.C
- 4" THICK ABSORPTIVE MATERIAL
- 1/2" RESILIENT METAL CHANNELS ON ONE SIDE SPACED 16" O.C.
- 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON RESILIENT METAL CHANNEL SIDE
- 1 LAYER OF 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

* SERVICE ROOM - REQUIRES STC RATING OF 50 - ROOM SPRINKLERED FIRE SEPARATION NOT REQ'D

VERTICAL FIRE SEPARATION OF 30 MIN. REQ'D, STC RATING OF 50 REQ'D - 1 HOUR PROVIDED
 3" = 1'-0"



5 NEW SPRINKLER CONNECTION DETAIL NFPA 13D-20



- TYPICAL BASEMENT FOUNDATION WALL W1C - WALL ASSEMBLY**
- 8" FOUNDATION WALL
 - LAYER TYVEC AGAINST FOUNDATION WALL
 - 1" AIRSPACE
 - 4" THICK ABSORPTIVE MATERIAL
 - 6 MILL VAPOUR BARRIER
 - 1/2" REGULAR GYPSUM BOARD
- 30 MIN. FIRE RESISTANCE RATING PROVIDED

W1C WALL ASSEMBLY AROUND FOUNDATION WALLS
30 MIN. FIRE RESISTANCE RATING PROVIDED

EXTERIOR BASEMENT FOUNDATION WALL DETAIL W1C
 3" = 1'-0"

CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK. ALL CHANGES MUST BE AUTHORIZED & APPROVED BY THE DESIGNER.

JK Home & Commercial Inspection Services
 www.jkinspectionsservices.ca
 20+ Years Experience as a City Building Inspector
 BCIP # 1224 (Building Code Identification Number)
John Kedzierski (Owner)
 113 Woodward St., St. Catharines ON L2M 4G4
 Call: 905-325-4949 (4477)
 jkhomeinspections@gmail.com

(MMAH) BCIN #21234
[Signature]

175 Montrose Av.,
 Hamilton, ON

Revision Schedule

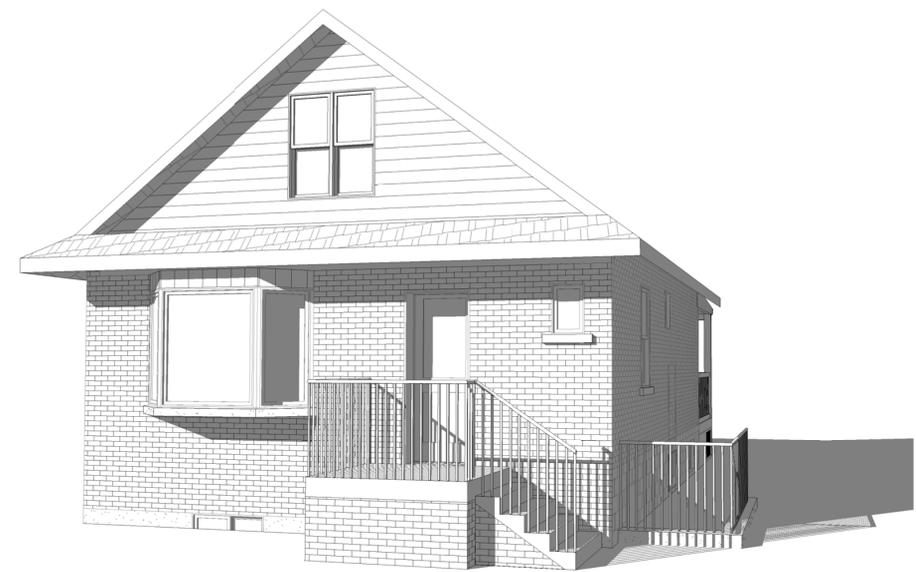
No.	Description	Date
1	Totally Revised	Sept. 2, 2020

FOR PERMIT BUILDING
 9/3/2020 12:24:22 PM

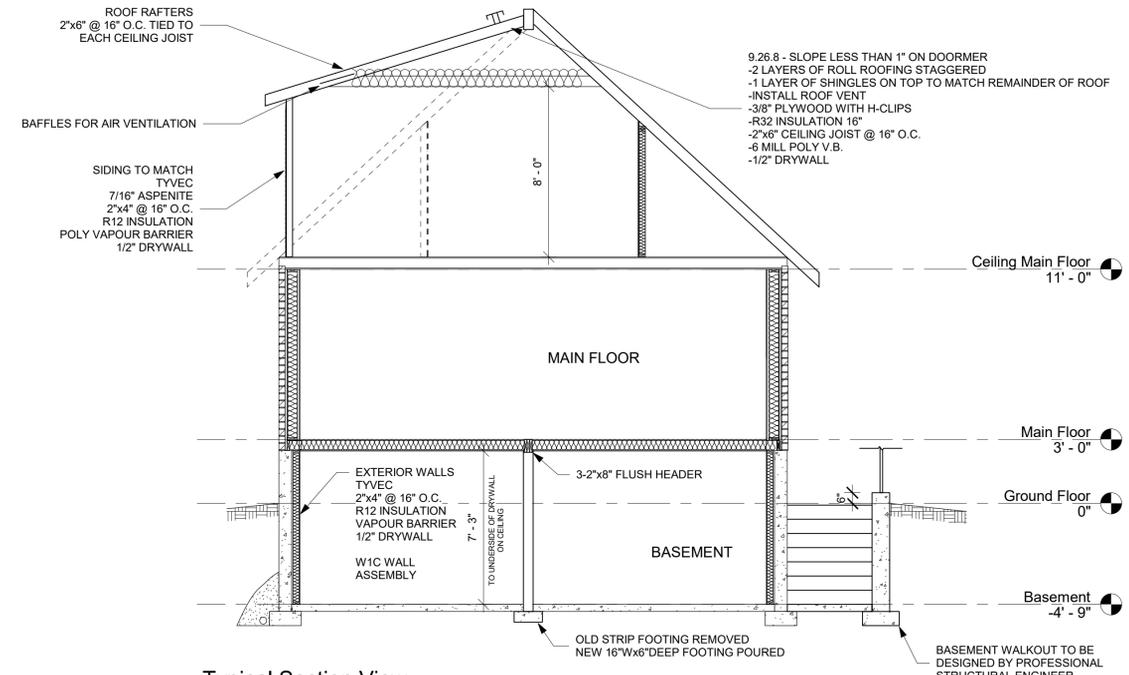
PROJECT NAME:
PROPOSED BASEMENT APARTMENT

SHEET TITLE:
SECTION AND ELEVATIONS

JOB: 00000
 SCALE: As indicated
 SHEET No. 3-3



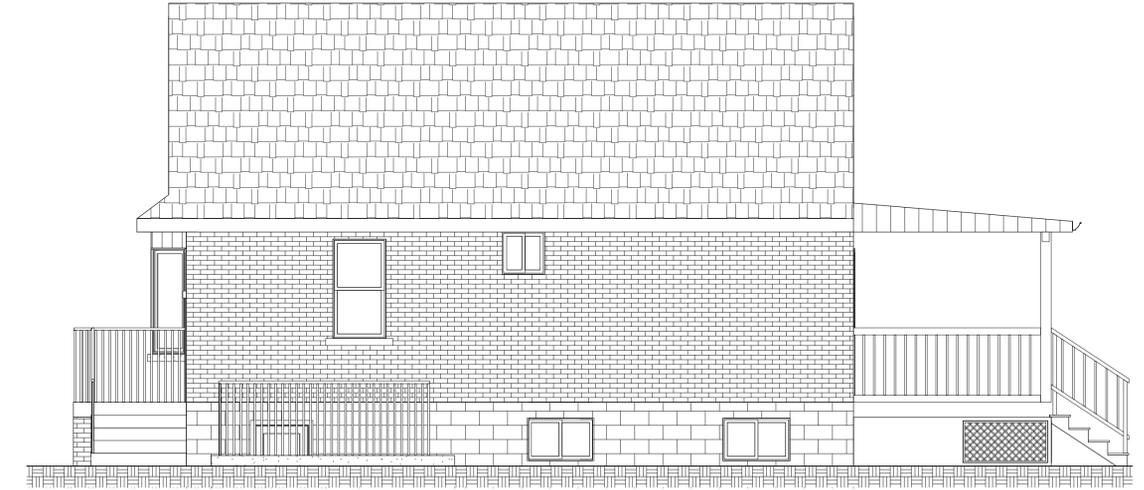
1 3D View



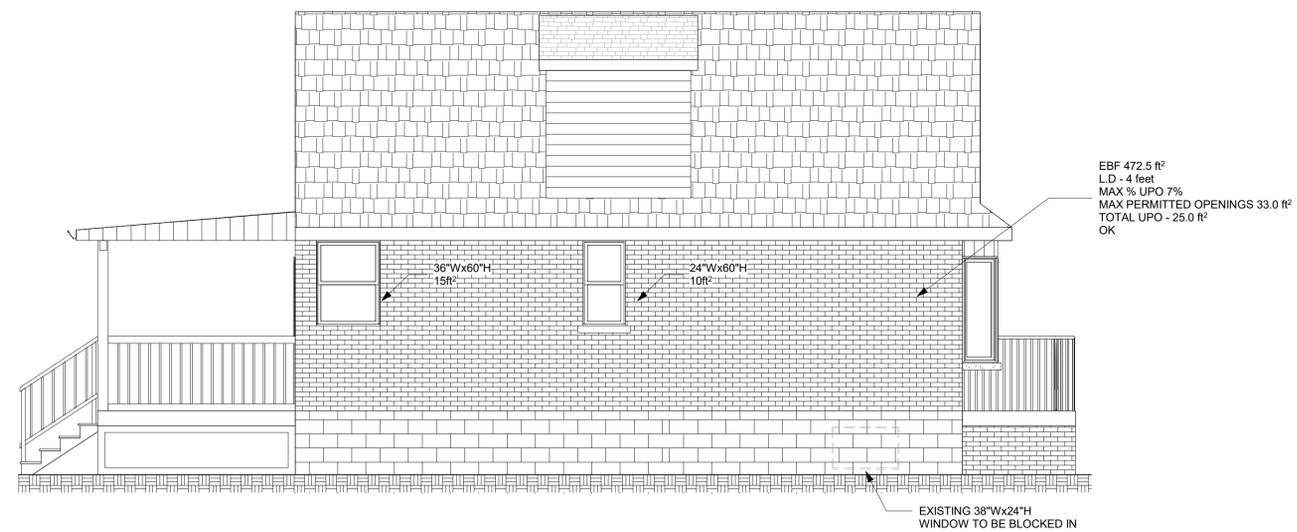
6 Typical Section View
 1/4" = 1'-0"



2 Front Elevation
 1/4" = 1'-0"



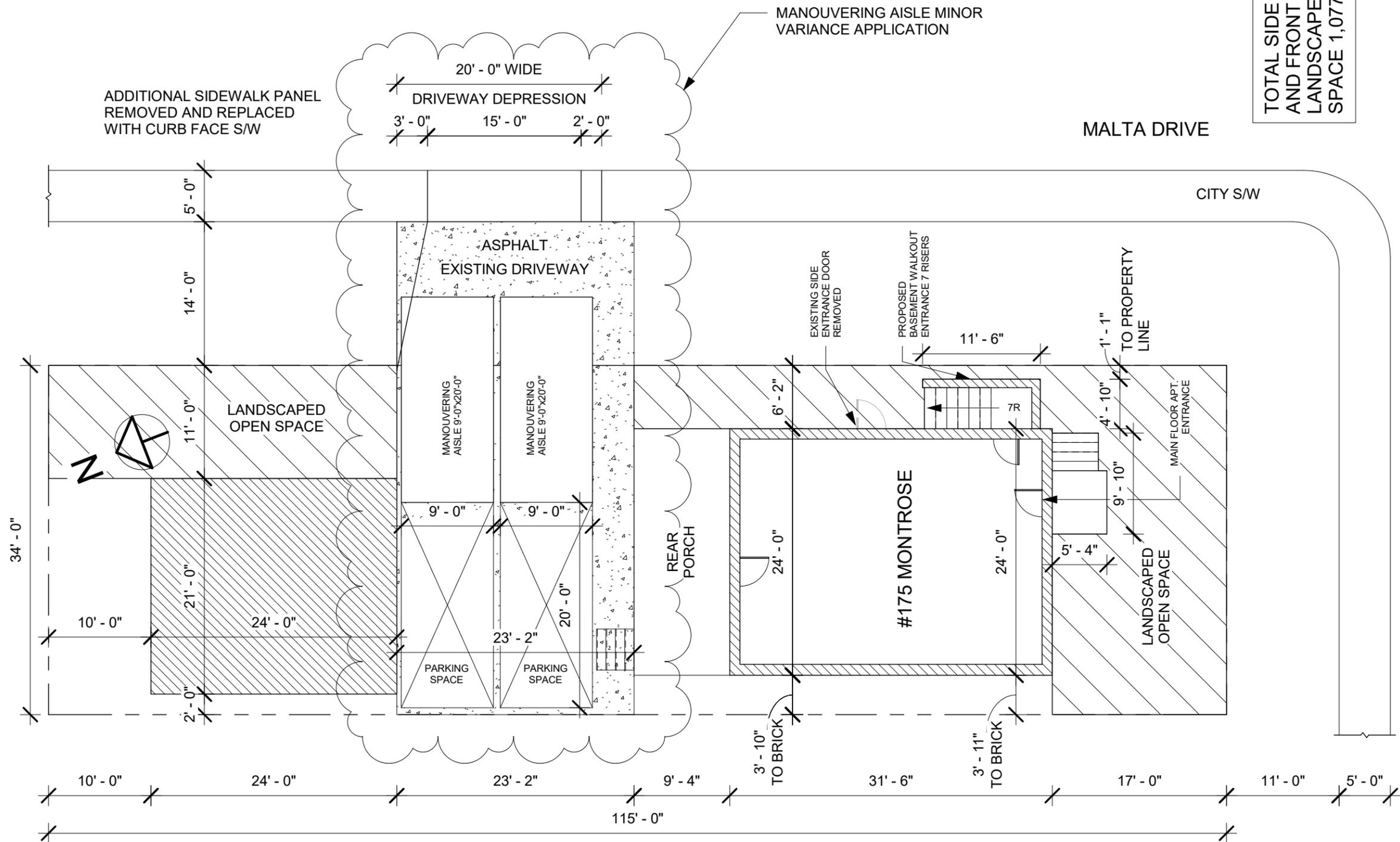
3 Right Elevation
 1/4" = 1'-0"



4 Left Elevation
 1/4" = 1'-0"



5 Rear Elevation
 1/4" = 1'-0"



TOTAL SIDE YARD AND FRONT YARD LANDSCAPED OPEN SPACE 1,077.71 ft²

1 Plot Plan
3/32" = 1'-0"

Drawn by	D.C.	REV. #	DATE
Date Issue Date		1	SEPT-2, 2020

PROPOSED BASEMENT APARTMENT PLOT PLAN

A101



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: samantha.costa@hamilton.ca or scott.baldry@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-19:190

APPLICANTS: DeFilippis Design on behalf of the owner Reno Aquino

SUBJECT PROPERTY: Municipal address **45 Martimas Ave., City of 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 the existing single family dwelling to a two (2) family dwelling under Section 19 (Residential Conversion Requirements) of the Zoning By-law, notwithstanding,

1. A minimum lot area of 262 square metres shall be provided instead of the minimum required lot area of 270 square metres;
2. Alterations to the front façade of the building to remove the existing garage door shall be permitted instead of preserving the external appearance and character of the dwelling;
3. Two (2) parking spaces occupying a maximum of 86% of the gross area of front yard shall be permitted to be located within the required front yard whereas the By-law only permits one (1) parking space occupying a maximum of 50% of the gross area of the front yard to be located within the required front yard;
4. A minimum of 14% of the gross area of the front yard shall be provided as landscaped area instead of providing a minimum of 50% of the gross area of the front yard required to be provided as landscaped area;
5. Off-site manoeuvring shall be permitted for both parking spaces shall be permitted whereas the By-law only permits off-site manoeuvring for one (1) parking space;
6. A minimum parking space size of 2.4 metres in width by 6.0 metres in length shall be permitted instead of providing the minimum required parking space size of 2.7 metres in width by 6.0 metres in length.

NOTES:

1. A further variance will be provided if a minimum access driveway width of 2.8 metres is not provided.
2. A further variance will be required if gravel or similar surface or other suitable paving is not provided for the parking area and access driveway.

HM/A-19:190

Page 2

3. The applicant shall ensure the minimum clear height as required by the Ontario Building Code is provided for the required floor area in each dwelling unit.

4. The variances requested for a reduced lot width and reduced side yard width are not required as this is a Lot of Record and conditions are existing.

5. The agent for the applicant has advised that a minimum parking space size length of 6.0 metres shall be provided notwithstanding the revised site plan shows a minimum parking space length of 5.99 metres.

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

DATE: Thursday, October 22nd, 2020

TIME: 1:50 p.m.

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

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

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 2020.

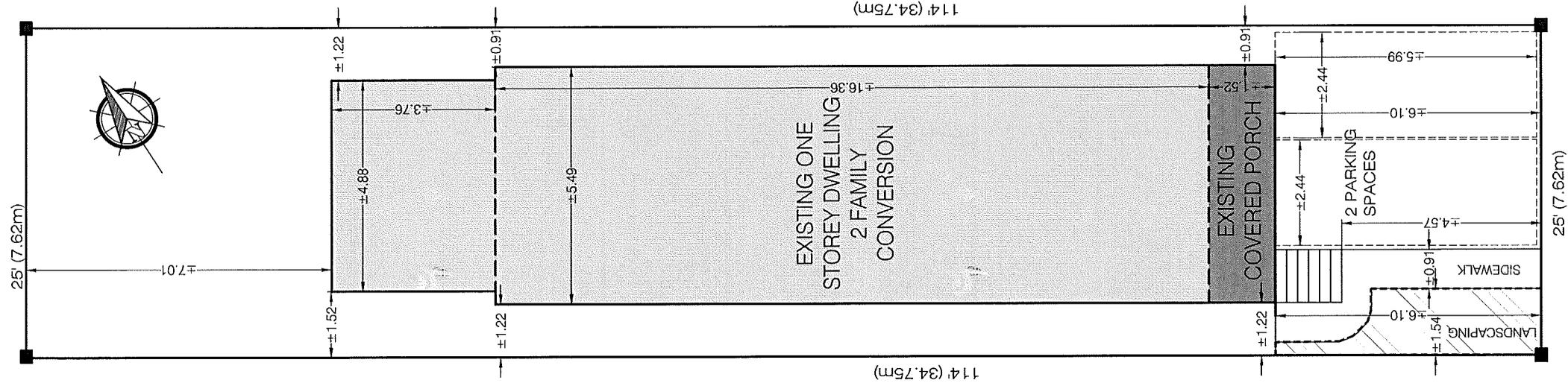

Scott Baldry,
Secretary-Treasurer
Committee of Adjustment

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

SITE STATISTIC

LOT AREA 2,850 sqf (265.00m²)
 APARTMENT #1 MAIN FLOOR 1,100 sqf (102.10m²)
 APARTMENT #2 LOWER LEVEL 1,100 sqf(102.10m²)
 MIN. HEIGHT 6-11'
 GROUND FLOOR AREA 1,100 sqf (102.10m²)

HEIGHT 7.00m
 FRONT YARD PAVING 46.45 m² (500 sqf)
 LANDSCAPING 39.67 m² (427 sqf)
 6.78 m² (73 sqf) 14%



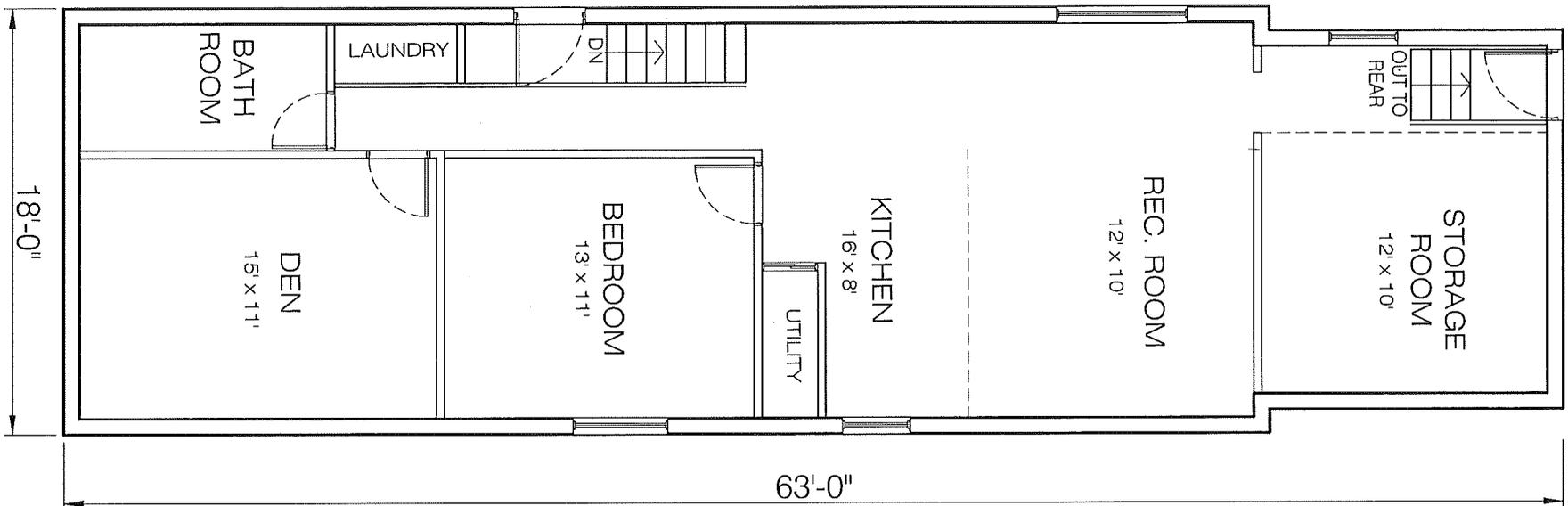
NOTES:
 1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
 2. ANY DEVIATIONS, DEFICIENCIES OR OMISSIONS FROM THE SPECS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

DE FILIPPIS DESIGN
 867 BARTON ST., SUITE 201
 STONEY CREEK, ONTARIO, L8E 6L6
 TEL: 905.477.4444
 EMAIL: info@defilippisdesign.com

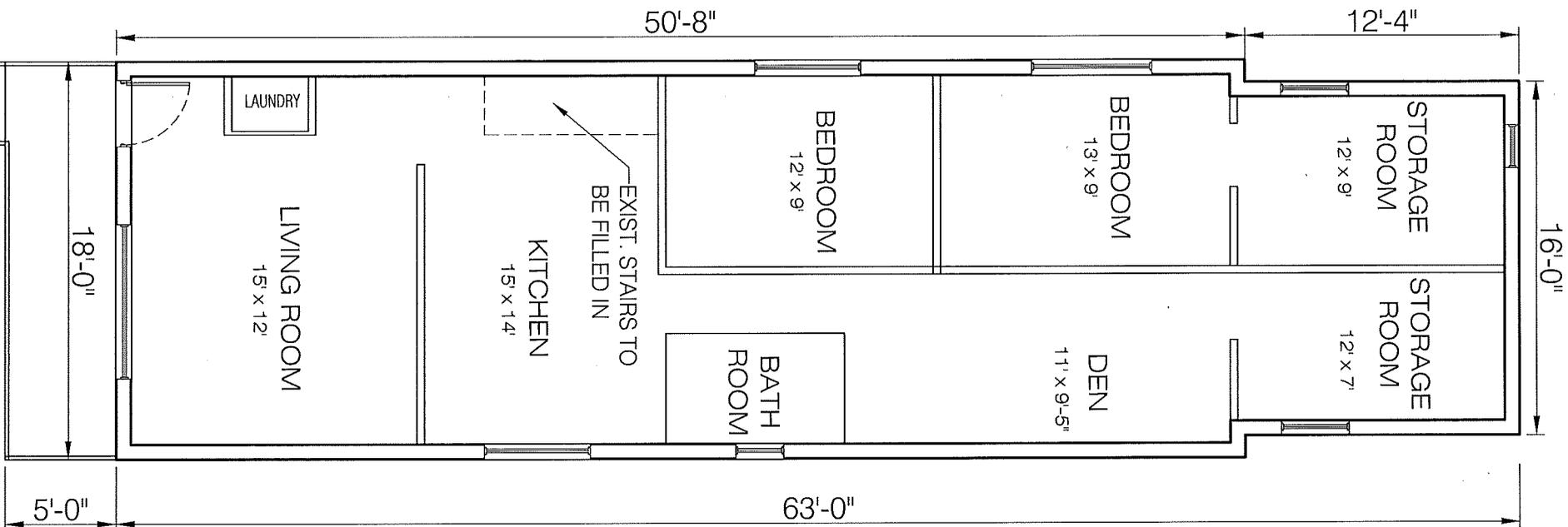
4	
3	
2	
1	SEPTEMBER, 2020
REV.	
JOB NO.	STEREAFER
CHKD. BY	AQUINO, RENO
DRN. BY	45 MAFITIMAS AVE
DATE	4-MAMILTON, ONTARIO
SCALE	
SCALE	AS NOTED
DWG NO.	SF-P-1

MARTIMAS AVENUE

Amended
 HMLA 19:190



LOWER FLOOR
 3/16"=1'-0"
 APT #2 = 1,100 sqf



UPPER FLOOR
 3/16"=1'-0"
 APT #1 = 1,100 sqf

NOTES:
 1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
 2. ANY DEVIATIONS, DEFICIENCIES OR OMISSIONS FROM THESE DRAWINGS AND SPECIFICATIONS SHALL BE REPORTED AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	SEPTEMBER, 2020	
2		
3		
4		

DEFILIPPIS DESIGN
 887 BARKTON ST., SUITE 201
 STONEY CREEK, ONTARIO L6E 5R9
 TEL: 905.882.2222
 EMAIL: defilippisdesign@defilippis.ca

SITEWORKER
 AQUINO, RENO
 HANMINTON, GUSTARIE

DATE: MAY 2019
 SCALE: AS NOTED

FLOOR PLAN

Amended
 HMLA-19.190.

19-122356



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

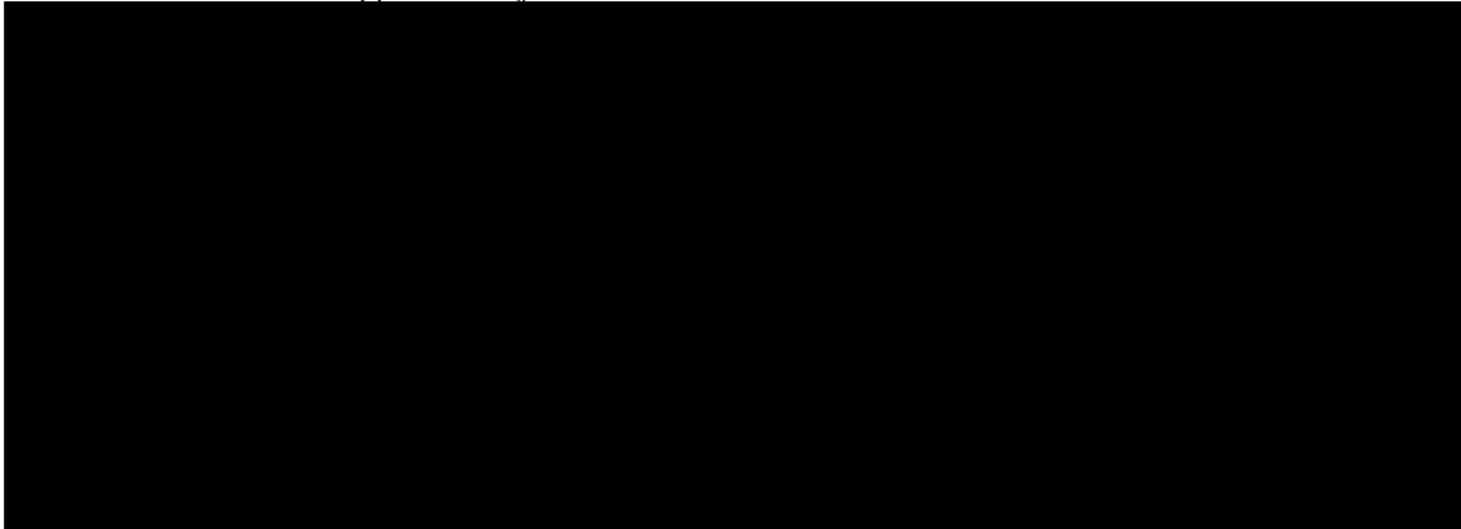
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HMA-19-190</u>	DATE APPLICATION RECEIVED <u>MAY 8 11 9</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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

The Planning Act

Application for Minor Variance or for Permission

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



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

FIRST NATIONAL
(MAIN BRANCH) Postal Code _____

 _____ Postal Code _____

6. Nature and extent of relief applied for:

- TWO FAMILY CONVERSION
- TWO PARKING SPACES IN FRONT YARD WITH NO ON-SITE MANUEVRING
- NO FRONT YARD LANDSCAPING
- SIDEYARDS OF 3'0", LOT WIDTH OF 7.5m instead of 18.0m

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

- EXIST LOT SIZE, BUILDING SIZE AND SET BACKS AS IS
- WITHIN EXISTING STREETSCAPE CHARACTERISTIC - INTENSIFICATION IN HIGH DEMAND RENTAL NEIGHBOURHOOD

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

45 MARTINAS AVE
HAMILTON, ONTARIO

9. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant
 Other _____

9.1 If Industrial or Commercial, specify use
N/A

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

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

Yes ___ No ___ Unknown

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

Yes ___ No Unknown ___

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

EXISTING RESIDENTIAL USE IN
EXISTANCE MORE THAN 50 years
with no changes

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

Is the previous use inventory attached? Yes ___ No

ACKNOWLEDGEMENT CLAUSE

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

May 7/19
Date



Print Name of Owner

10. Dimensions of lands affected:

Frontage 7.6m[±]
Depth 34.4m[±]
Area 262 sqm[±]
Width of street 20m

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

Existing: EXISTING ONE STOREY DWELLING
w/ FULL BASEMENT

Proposed: TWO FAMILY DWELLING WITH
MAIN FLOOR APARTMENT AND
LOWER LEVEL APARTMENT
MIN (2 bedrooms each)

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: 10 years plus

14. Date of construction of all buildings and structures on subject lands: 30 years plus

15. Existing uses of the subject property: SINGLE FAMILY

16. Existing uses of abutting properties: SINGLE FAMILY AND DUPLEX

17. Length of time the existing uses of the subject property have continued: 30 years plus

18. Municipal services available: (check the appropriate space or spaces)
Water ✓ Connected ✓
Sanitary Sewer ✓ Connected ✓
Storm Sewers ✓

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: D-ZONE HAN BYLAW 6593

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

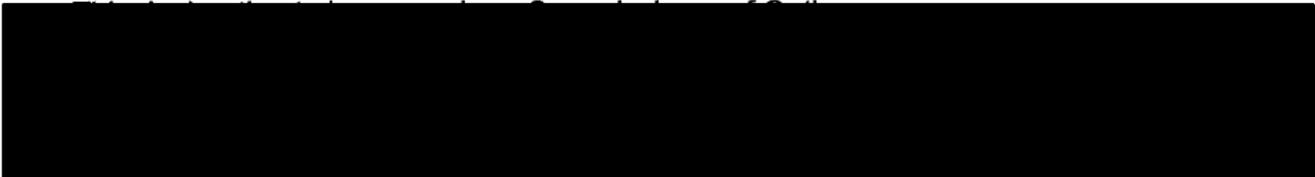
22. Is the subject property the subject of a current application for consent under Section 53 of the Planning Act?
Yes No

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

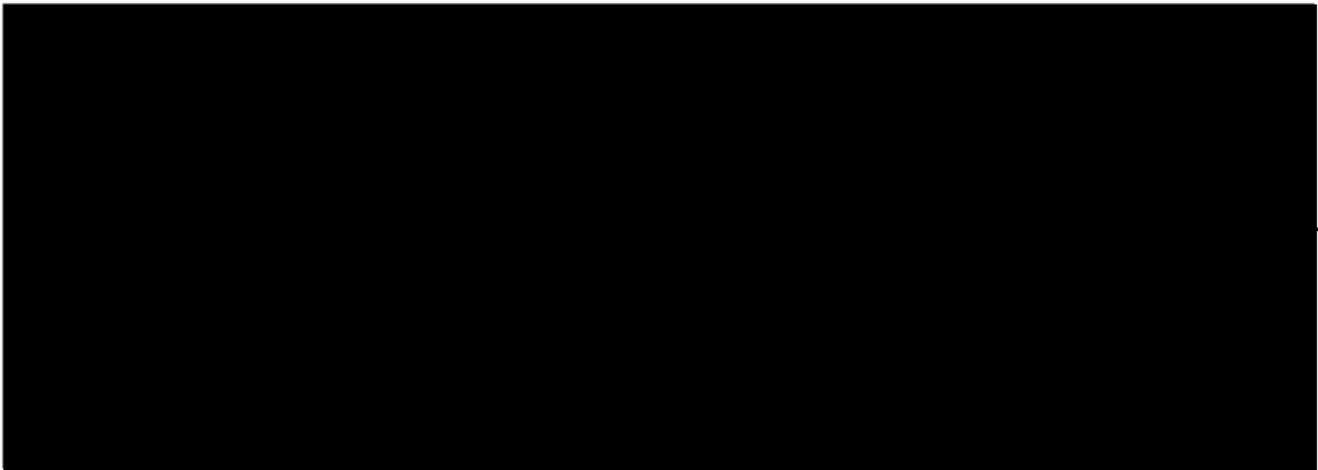
referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION

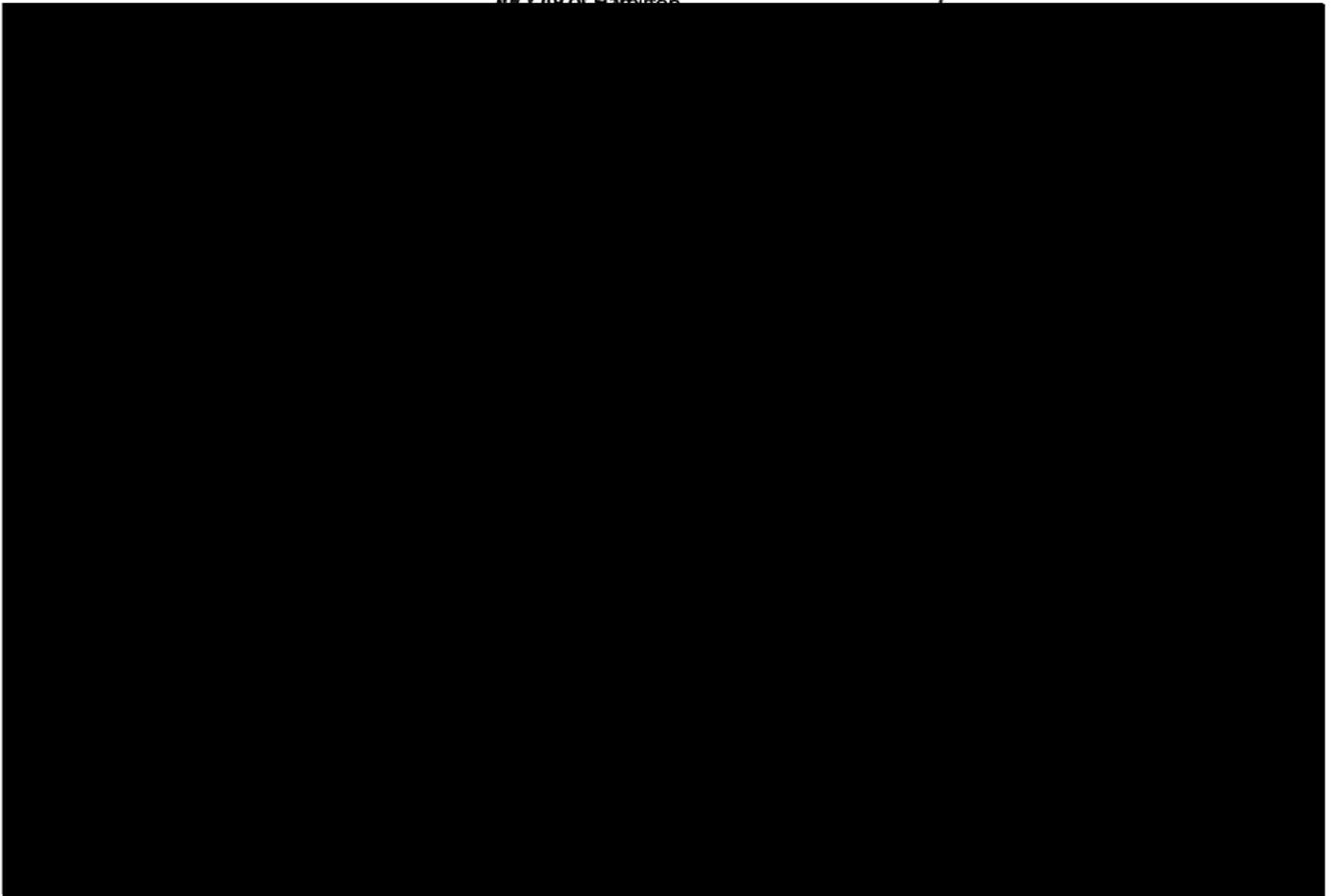


solemnly declare that:

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



Commissioner, etc., Province of Ontario,
for City of Hamilton



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

May 8/19
Date



X

PART 27 PERMISSION TO ENTER

Date: May 8/19

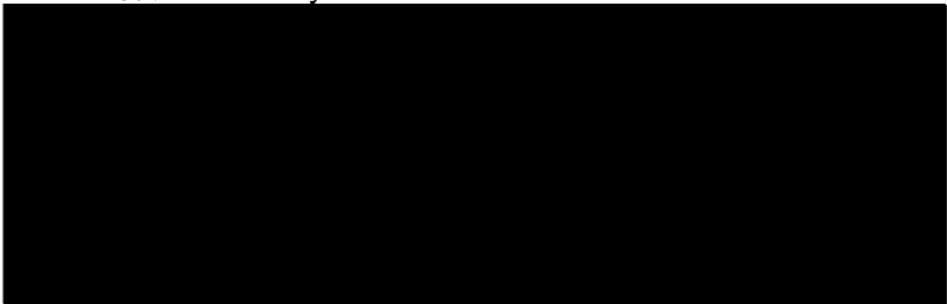
Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 45 MARTINMAS AVE, Hamilton
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



X

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

PART 28 COLLECTION OF INFORMATION

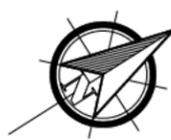
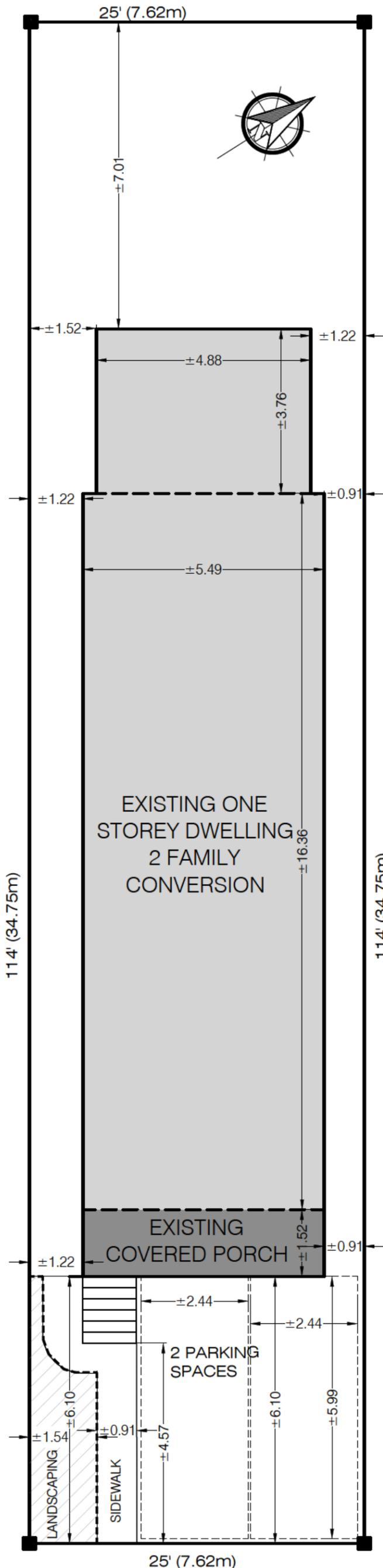
The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions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

SITE STATISTIC

LOT AREA	2,850 sqf (265.00m ²)
APARTMENT #1 MAIN FLOOR	1,100 sqf (102.10m ²)
APARTMENT #2 LOWER LEVEL MIN. HEIGHT 6'-11"	1,100 sqf(102.10m ²)
<u>GROUND FLOOR AREA</u>	<u>1,100 sqf (102.10m²)</u>

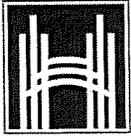
HEIGHT 7.00m

FRONT YARD	46.45 m ² (500 sqf)
PAVING	39.67 m ² (427 sqf)
LANDSCAPING	6.78 m ² (73 sqf) 14%



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

4		 DeFILIPPIS DESIGN 687 BARTON ST., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 943-2250 FAX (905) 943-1095 email: defilippisdesign@bellnet.ca
3		
2		
1	SEPTEMBER, 2020	
REV.		
JOB NO.		SITE PLAN FOR
CHKD. BY		AQUINO, RENO
DRN. BY		45 MARTIMAS AVE
DATE: MAY, 2019		HAMILTON, ONTARIO
SCALE: AS NOTED		SITE PLAN
DWG NO. SP-1		



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:140

APPLICANTS: Ken Bekendam on behalf of the owner Neat Nests Inc.

SUBJECT PROPERTY: Municipal address **102-104 Wellington St. N., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 18-114

ZONING: "D5 and H21" (Downtown Residential (D5) Zone)

PROPOSAL: To permit the conversion of the existing Semi-Detached Dwelling into a Multiple Dwelling containing eight (8) dwelling units, notwithstanding,

1. A minimum lot area of 254 square metres shall be permitted instead of the minimum required lot area of 300.0 square metres;
2. A minimum lot width of 11.8 metres shall be permitted instead of the minimum required lot width of 12.0 metres;
3. A minimum rear yard of 7.0 metres shall be permitted instead of the minimum required rear yard of 7.5 metres; and,
4. A balcony and exterior stair case at the rear of the building shall be permitted to encroach 3.1 metres into the required rear yard instead of the maximum permitted encroachment of 1.5 metres into a required rear yard for an exterior stair case and the maximum permitted encroachment of 1.0 metres into a required rear yard for a balcony.

NOTES:

1. Mapping system GISNet shows 102 Wellington St N and 104 Wellington St N to be two separate parcels of land. The applicant shall ensure that the lots are merged in title or registered under identical ownership to allow for consolidated lot development to facilitate the proposed conversion.
2. A further variance will be required if a minimum of 10% of the lot area is not provided as a landscaped area.
3. The variance requested for a further encroachment of an exterior stair case and balcony at the rear of the building is dependent upon approval of the requested variance for a reduced rear yard.

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

HM/A-20:140

Page 2

DATE: Thursday, October 22nd, 2020
TIME: 1:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 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.

Date Sept 8th 2020
To: The City of Hamilton
Planning Department
Attention: Jamila Sheffield

Re: **Existing Minor Variance Application**
102-104 Wellington ST N

Application Number: HM/A-20:140 (102-104 Wellington ST N, Hamilton)

1.0

This letter is to request a change to variance #4. We would like to amend the variance to allow a balcony and exterior stair case at the rear of the building to encroach 3.15 meters into the required rear yard. This projection will allow us to build the exterior fire escape as per Ontario Building Requirements and accommodating existing site conditions. The upper balcony on the third floor has been reduce to just a walkway to access the staircase. It would not be used for amenity area.

We trust you will find this letter satisfactory,

Yours Truly,

Ken Bekendam

Date Sept 8th 2020
To: The City of Hamilton
Planning Department
Attention: Jamila Sheffield

Re: **Existing Minor Variance Application**
102-104 Wellington ST N

Application Number: HM/A-20:140 (102-104 Wellington ST N, Hamilton)

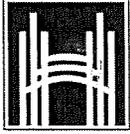
1.0

This letter is to request a change to variance #4. We would like to amend the variance to allow a balcony and exterior stair case at the rear of the building to encroach 3.15 meters into the required rear yard. This projection will allow us to build the exterior fire escape as per Ontario Building Requirements and accommodating existing site conditions. The upper balcony on the third floor has been reduce to just a walkway to access the staircase. It would not be used for amenity area.

We trust you will find this letter satisfactory,

Yours Truly,

Ken Bekendam



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:195

APPLICANTS: Ken Bekendam on behalf of the owner Robert Frasca

SUBJECT PROPERTY: Municipal address **333 East Ave. N., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 92-281

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district

PROPOSAL: To permit the conversion of the existing single family dwelling to a two family dwelling, notwithstanding that:

1. A minimum dwelling unit floor area of 61 square metres shall be provided, instead of the minimum floor area of 65 square metres; and,
2. A minimum lot area of 265 square metres shall be provided, instead of the minimum lot area of 270.0 square metres required.
3. No onsite manoeuvring shall be provided for the two (2) required parking spaces instead of the requirement that a manoeuvring space shall be provided and maintained abutting and accessory to each required parking space on the lot and whereas the zoning By-law only permits off-site manoeuvring for only one parking space.
4. The manoeuvring space for both of the required parking spaces may be provided off-site instead of being provided and maintained only on the lot on which the principle use, building or structure is located

NOTE:

1. A building permit is required for the conversion of the existing single family dwelling into a two family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, October 22nd, 2020
TIME: 2:00 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

HM/A-20:195
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 2020.



Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SITE INFORMATION & STATISTICS			
ADDRESS	333 EAST AVENUE NORTH - HAMILTON - ON.		
ZONING TYPE	D		
LOT AREA	2859.75 SQ FT [265.67 SQ M]		
LOT FRONTAGE	23.25' (7.08m)		
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:

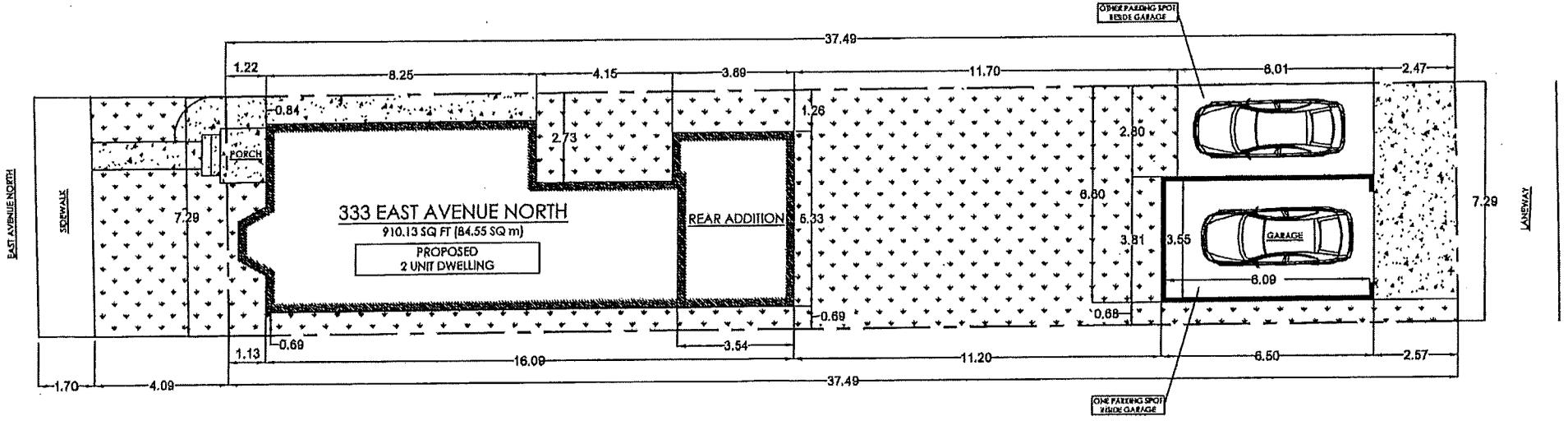
1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH 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 WITH 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.

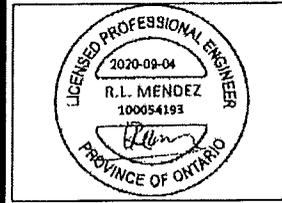
SITE PLAN:
BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

ELECTRONIC STAMP



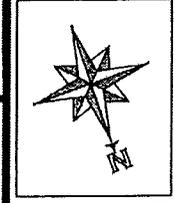
LEAD DESIGNER & CONSULTANT
KEN BEKENDAM
kenbekendam@gmail.com
C: (905)-941-0647
(855) - KINGHMS (546-4467)

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



ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

SITE PLAN



SCALE: **3" = 1'**

PROJECT: **2 UNIT
CONVERSION**

DATE: **AUG 2020**

SHEET#: **SP1.02**

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 SIC50

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:

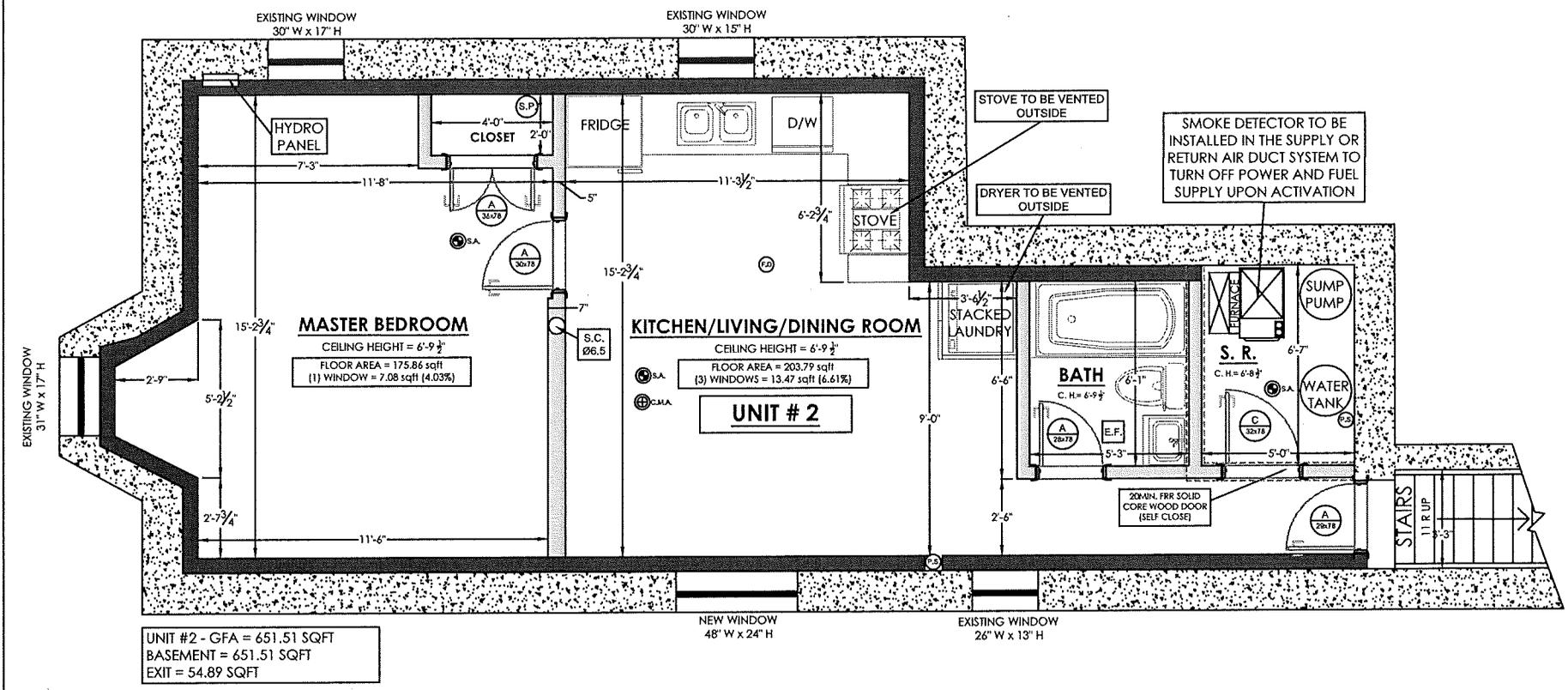
- USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB4)

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.)



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

PLANS LEGEND	
	BATH
	ROOM NAME
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	C.E.H. = 8'-10"
	STRUCTURAL BEAM OR WALL
	P.S. 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

www.legalsecondsuites.com

LEGAL SECOND SUITES.COM

PROFESSIONAL ENGINEER

2020-09-14

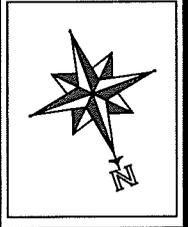
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH HAMILTON, ON.**

PROPOSED BASEMENT UNIT #2



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

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.04**

Amended plan.

SEPARATION BETWEEN UNITS:
 NEW SEPARATION BETWEEN UNITS TO HAVE A 1 HR RESISTANCE RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 AND PART 11 COMPLIANCE - C152 AND C150

BASEMENT CEILING (SEPARATING SECOND SUITE) AND NEW PORTIONS ONLY:
 - EX WOOD JOISTS @ 16" O.C.
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FREE FROM ROCKWOLAG W/ MIN 90mm & MIN SURFACE AREA 1AAS OF 2.0 KG/SG.M
 - RESIDENT METAL CHANNELS SPACED @ 16" O.C.
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

NEW SHARED PARTITIONS: W/A:
 - NEW 2 x 4 STUD WALL SPACED 16" O.C.
 - 3.5" THICK ABSORPTIVE MATERIAL
 - RESIDENT 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

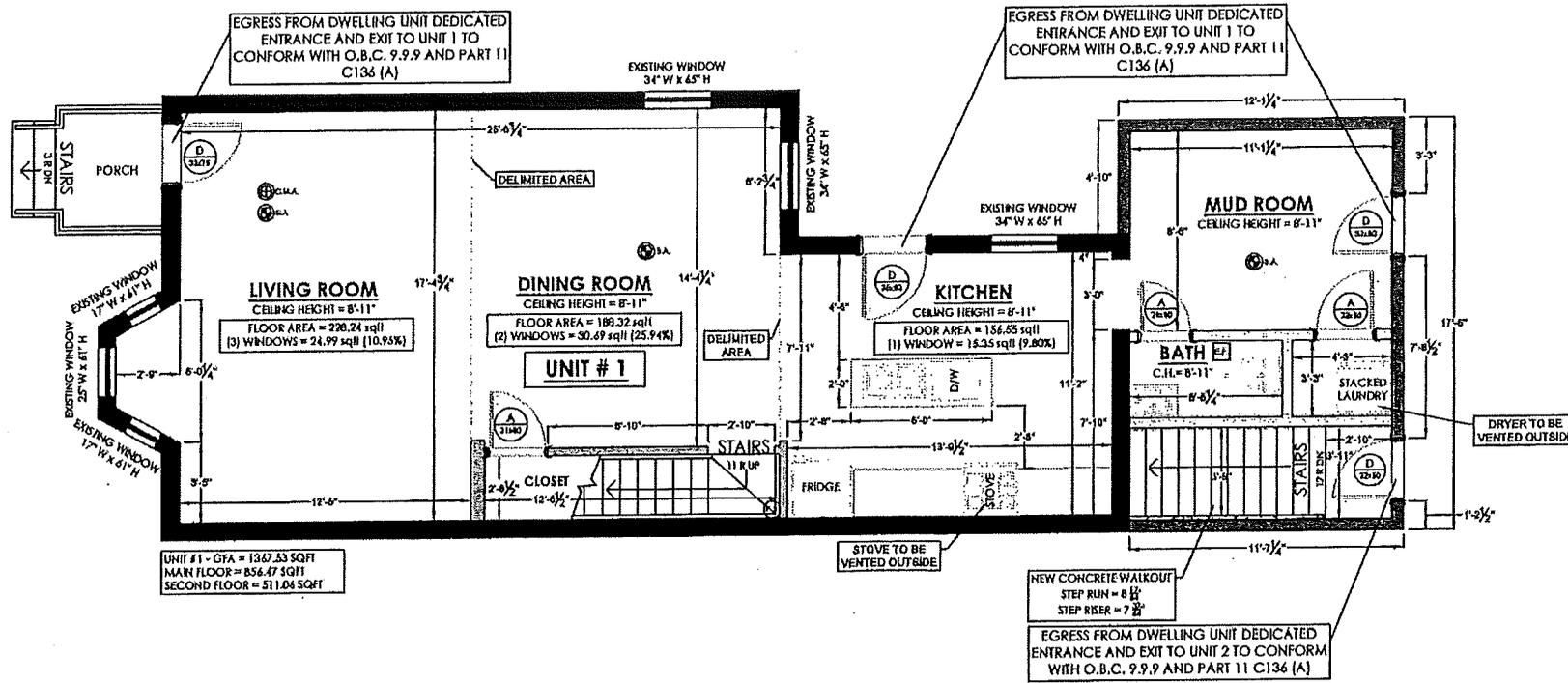
EXISTING CEILING (1/5 MIN FRR BETWEEN DWELLING UNITS)
 - EX. 1/2" REGULAR GYPSUM BOARD OR PLASTER TO REMAIN
 - AS PER PART 11 C149.1. HUD REHABILITATION GUIDELINES. "GUIDELINE ON TREATMENTS OF ARCHAIC MATERIALS AND ASSEMBLIES"
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

FLOOR PIPE AND WIRE PENETRATIONS:
 - USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HULLI FIRE FOAM CP 420 OR 3M FIRE BARRIER SEALANT CP 25WB1)

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

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

ELECTRONIC STAMP



BATH	ROOM NAME
EF	EXHAUST FAN
○	SPECIFICATION TAG
SA	SMOKE ALARM
CO	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
—	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
WM	WATER METER
FD	FLOOR DRAIN
SC	STRUCTURAL COLUMN
FW	FOUNDATION WALL
EW	EXISTING EXTERIOR WALLS
NW	NEW EXTERIOR WALLS
IW	EXISTING INTERIOR WALLS
NIW	NEW INTERIOR WALLS
SW	STRUCTURAL WALLS
NSB	NEW STRUCTURAL BEAMS
W	WINDOWS
SR	SUPPLY REGISTER
RG	RETURN GRILLE
DT	DOOR TYPE
DS	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

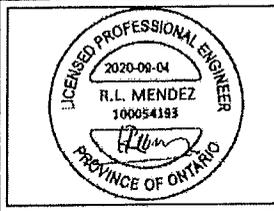
KING HOMES
RESIDENTIAL | COMMERCIAL | INDUSTRIAL

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

LEGAL SECOND SUITES

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

www.legalsecondsuites.com



ADDRESS: **333 EAST AVENUE NORTH HAMILTON, ON.**

PROPOSED GROUND FLOOR UNIT #1

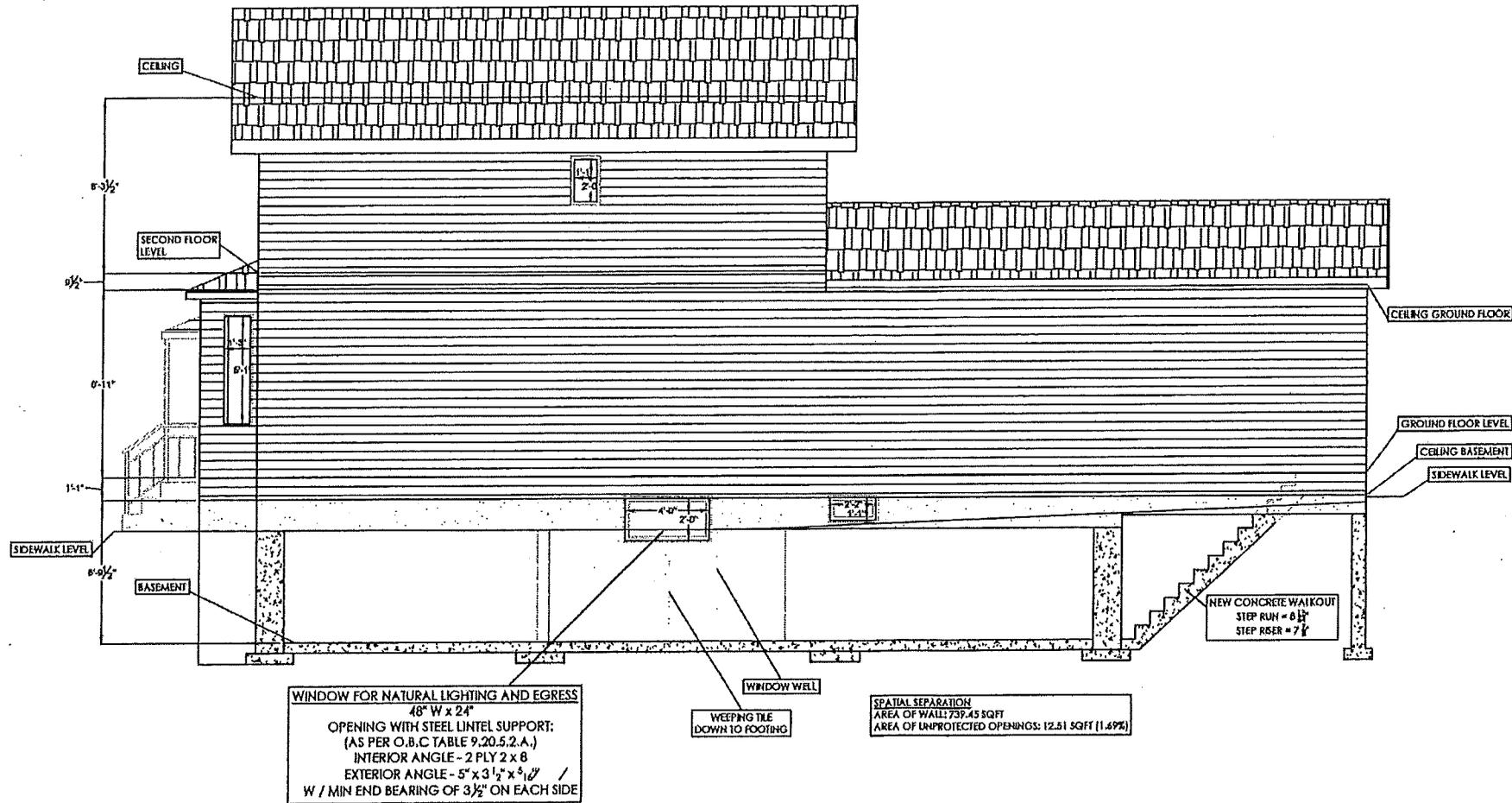


SCALE: **3/16" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.06**



BATH	ROOM NAME
⊖	EXHAUST FAN
⊙	SPECIFICATION TAG
⊙ S.A.	SMOKE ALARM
⊙ C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
▬	STRUCTURAL BEAM OR WALL
⊗ P.S.	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

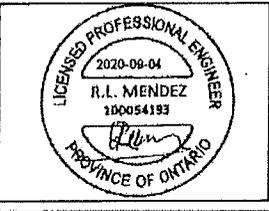
DOOR LEGEND	
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR



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)-807-1672

www.legalrecondsultes.com



ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

NORTH ELEVATION

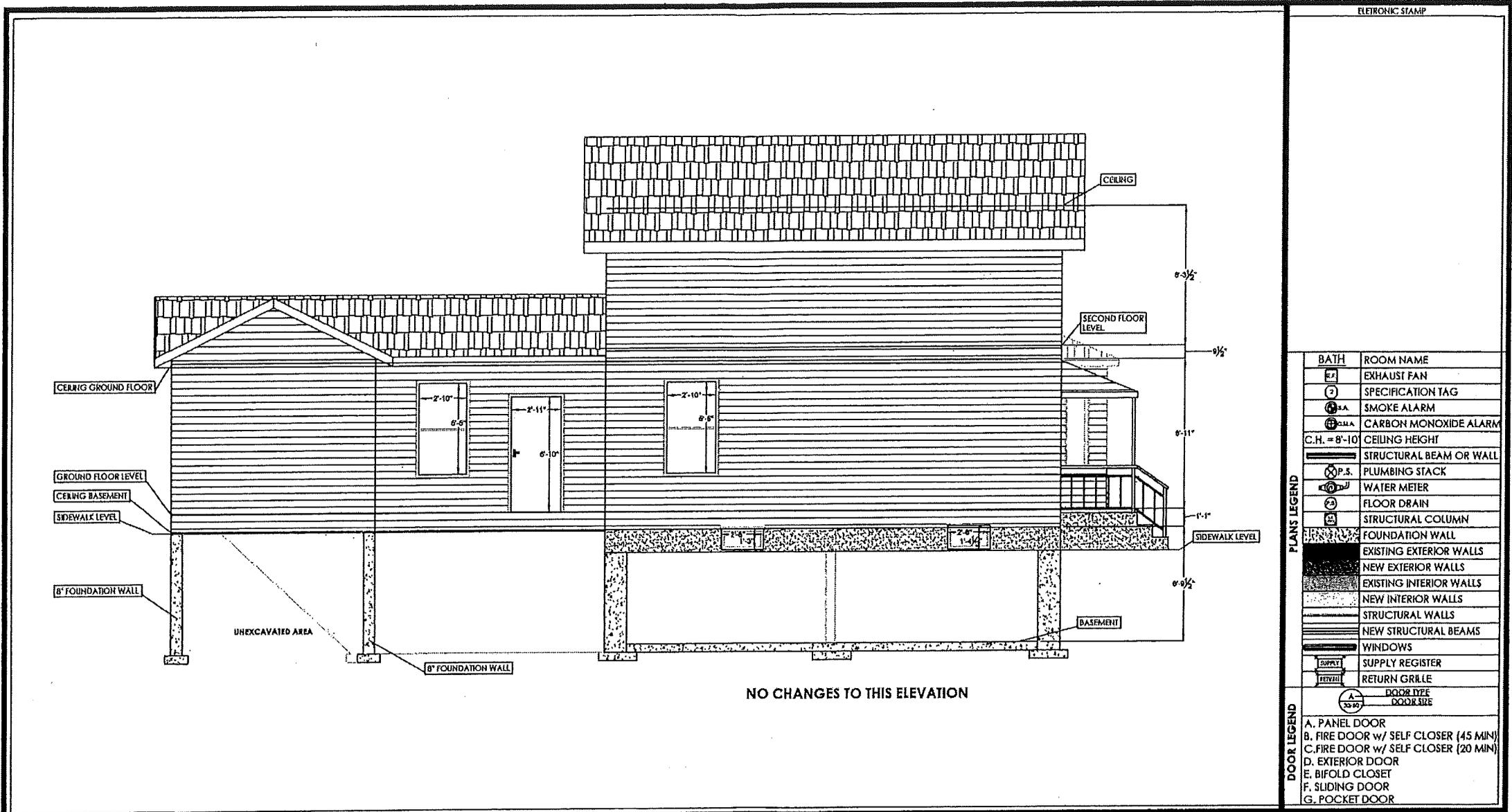


SCALE: **3/16" = 1'**

PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.01**



NO CHANGES TO THIS ELEVATION

ELECTRONIC STAMP

PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	C.E.H. = 8'-10" CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
	P.S. 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
www.legalsecondunits.com

LEGAL SECOND SUITES

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

SOUTH ELEVATION

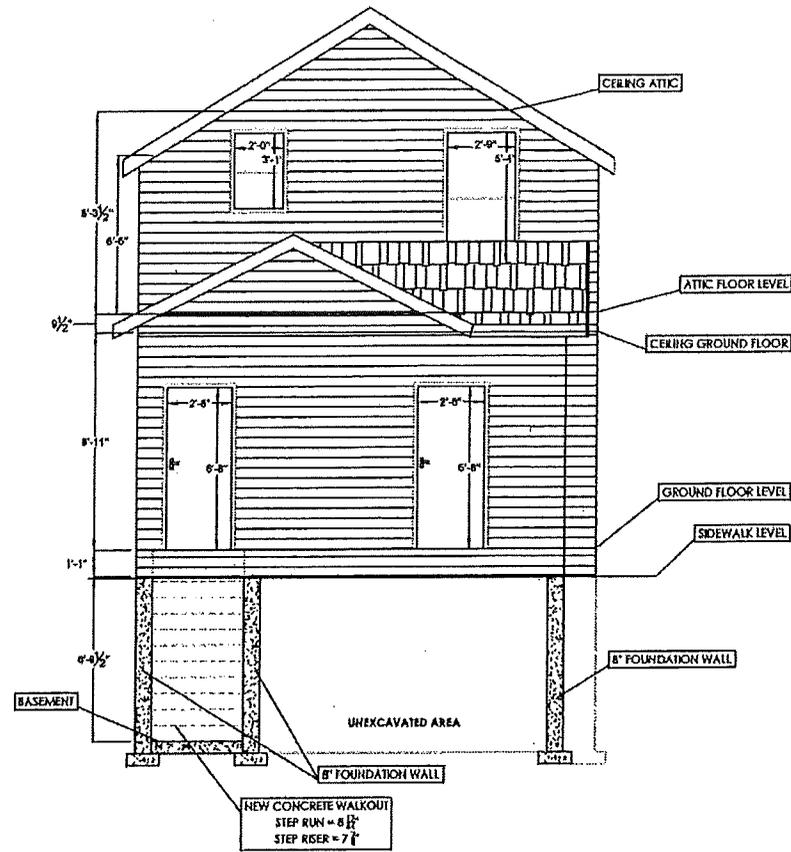


SCALE: $\frac{3}{16}'' = 1'$

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.02**



ELECTRONIC STAMP

BATH	ROOM NAME
EF	EXHAUST FAN
Ⓢ	SPECIFICATION TAG
Ⓢ-A	SMOKE ALARM
Ⓢ-M.A	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
▬	STRUCTURAL BEAM OR WALL
Ⓢ.S.	PLUMBING STACK
Ⓢ-M	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)

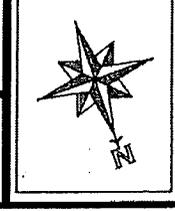
LEAD ENGINEER **ROBERT MENDEZ** P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572
www.legalsecondsuites.com

**LEGAL
SECOND
SUITES**

LICENSED PROFESSIONAL ENGINEER
 2020-00-04
R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

BACK ELEVATION

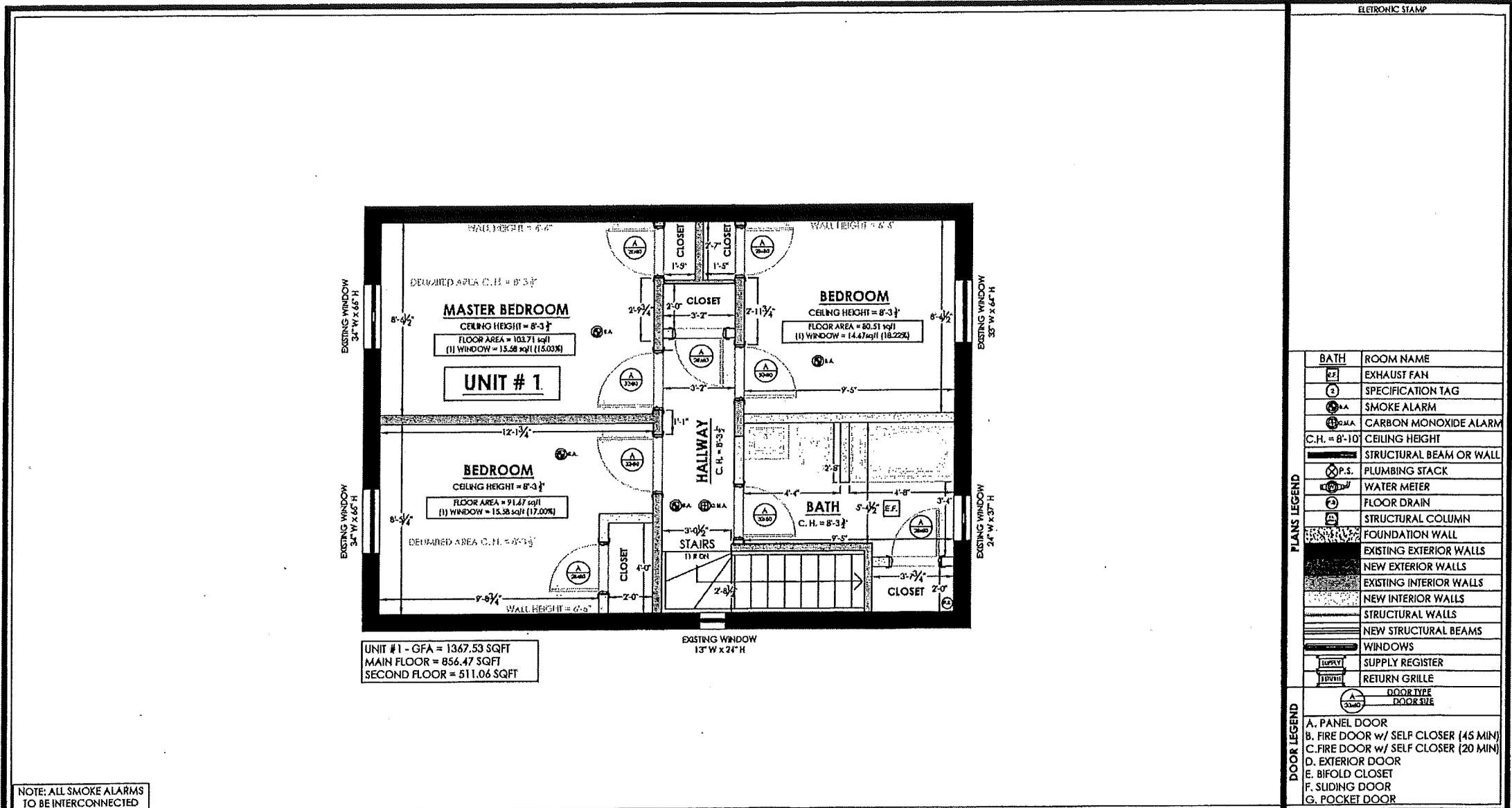


SCALE: **$\frac{3}{16}'' = 1'$**

PROJECT: **2 UNIT
CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.03**



ELECTRONIC STAMP	
BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
—	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
W.M.	WATER METER
F.D.	FLOOR DRAIN
S.C.	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
A	DOOR TYPE
—	DOOR SIZE
PLANS LEGEND	
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

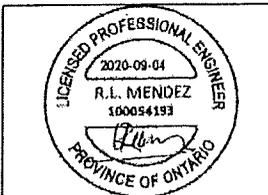
NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED



LEAD DESIGNER & CONSULTANT
KEN BEKENDAM
 kenbekendom@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: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

**PROPOSED SECOND FLOOR
 UNIT #1**



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

PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

SHEET #: **A1.07**



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-183478

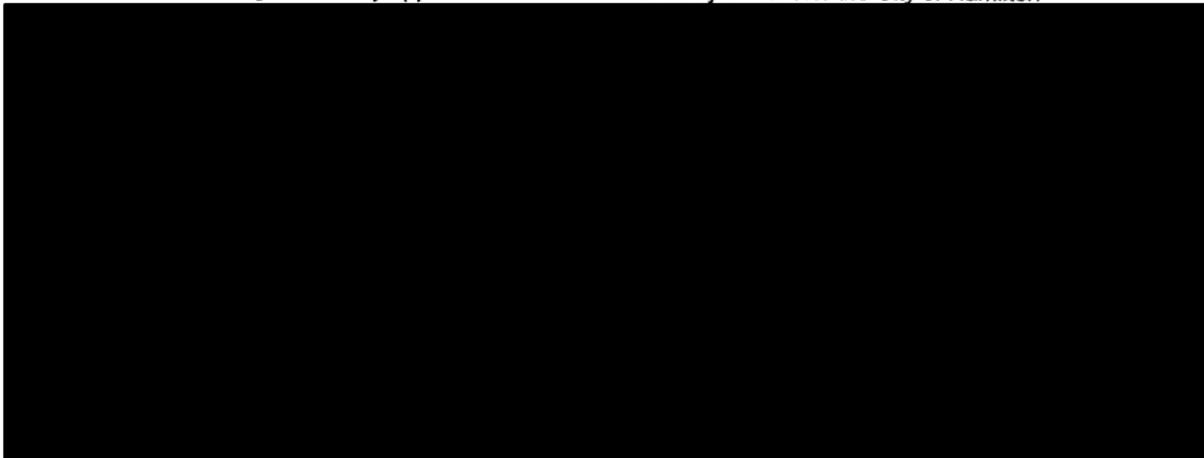
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>4m/A-20-195</u>	DATE APPLICATION RECEIVED <u>Sept. 14/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**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



agent, if any.

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

<u>n/a</u>	Postal Code _____
_____	_____
_____	Postal Code _____

6. Nature and extent of relief applied for:
 Lot Area reduction to 265 sqm

 Unit Size Reduction to 60 sqm

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

 Existing Lot dimensions are too small

 Existing basement size is too small

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

 333 East Ave North, Hamilton, ON

9. PREVIOUS USE OF PROPERTY
 Residential Industrial Commercial
 Agricultural Vacant
 Other _____
- 9.1 If Industrial or Commercial, specify use

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

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

Yes No Unknown

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

Yes No Unknown

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

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



10. Dimensions of lands affected:

Frontage See Site Plan
 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: 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:
Unknown

18. Municipal services available: (check the appropriate space or spaces)
 Water X Connected X
 Sanitary Sewer X Connected X
 Storm Sewers X

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D - One and Two Family Dwelling

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No X

If the answer is yes, describe briefly.

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

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

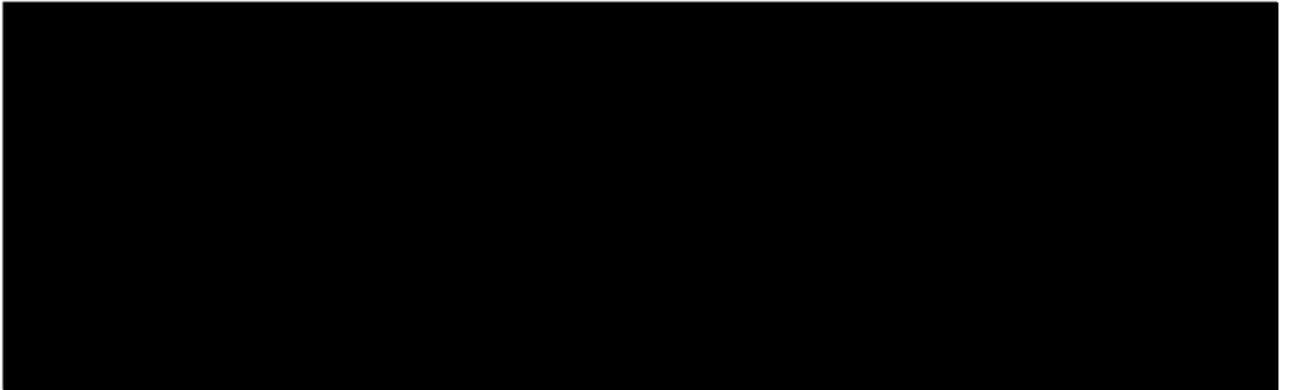
PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

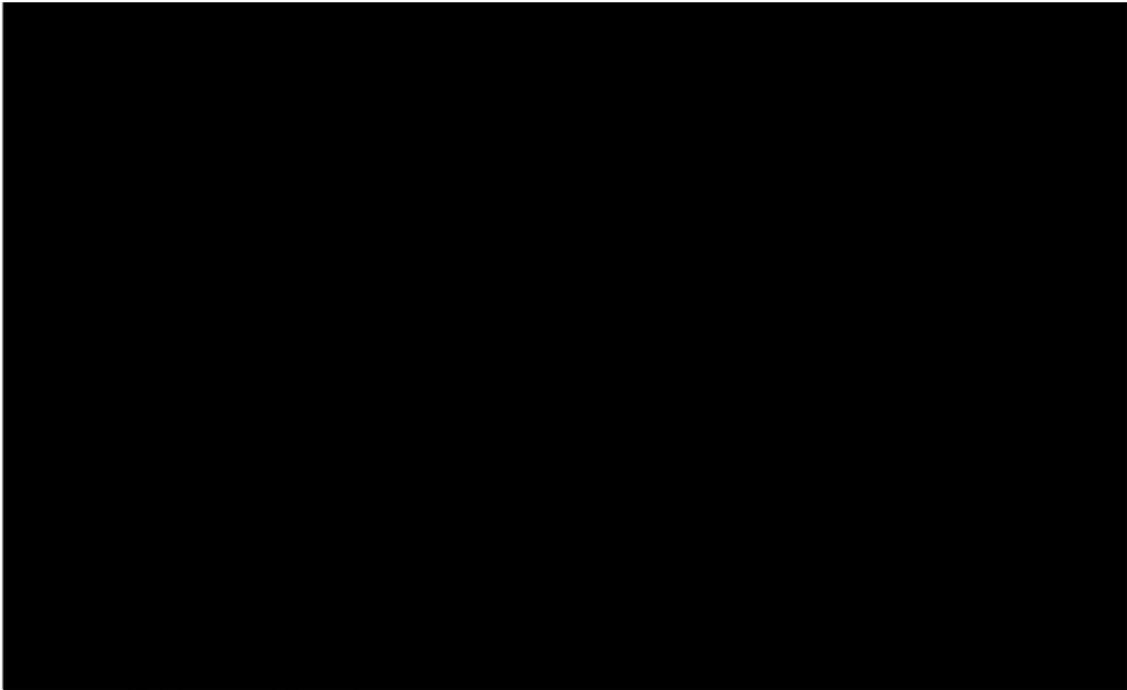


solemnly declare that.

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



Expires March 11, 2022.



(Print name of Owner)

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



Sept 10 2020

Date

PART 27 PERMISSION TO ENTER

Date: Sept 10 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 333 East Ave N, Hamilton, ON

(Municipal address)



nd members of the
y for the limited

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

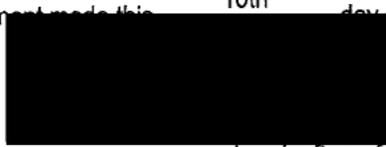
PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 10th day of Sept, 20 20.

BETWEEN:



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

1pm 10th Sept 20



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 10th day of Sept 2020.

BETWEEN



FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

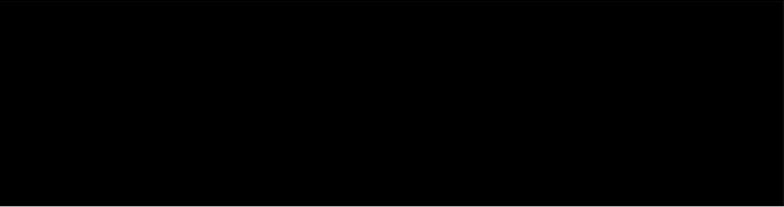
NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND



I have authority to bind the corporation

_____ c/s

Assignee:

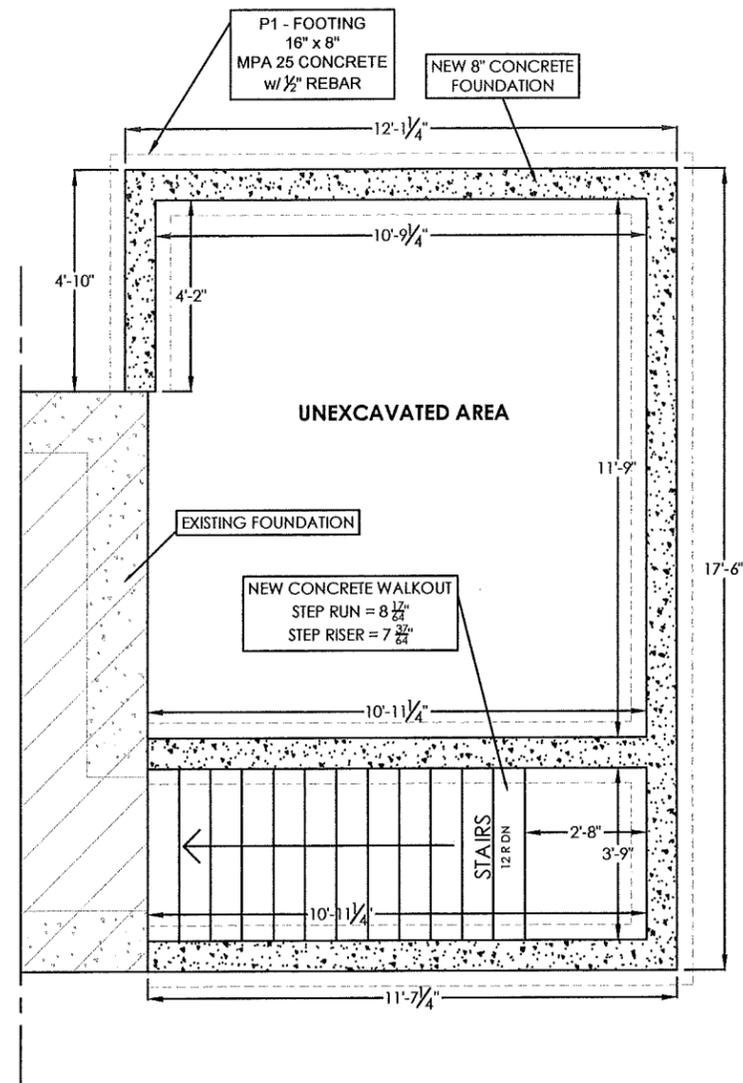
Title:

I have authority to bind the corporation

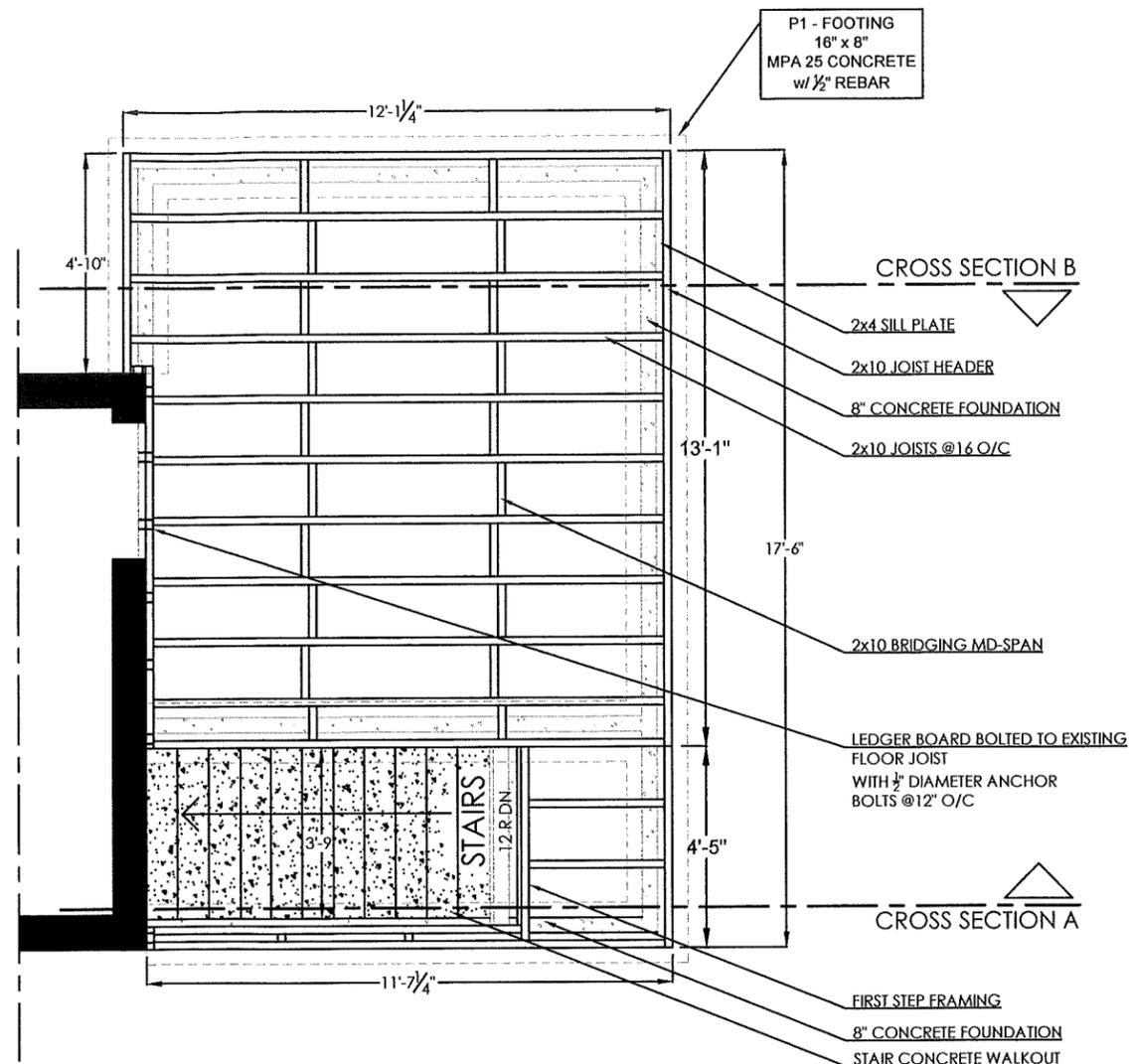
CITY OF HAMILTON

Mayor

Clerk



FOUNDATION PLAN



FLOOR FRAMING PLAN

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
	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



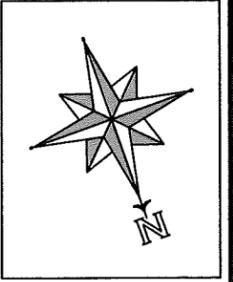
LEAD DESIGNER & CONSULTANT KEN BEKENDAM
 kenbekendam@gmail.com
 C: (905)-961-0647
 (855) - KINGHMS (546-4467)

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




ADDRESS: **333 EAST AVENUE NORTH HAMILTON, ON.**

REAR ADDITION FOUNDATION & FLOOR FRAMING

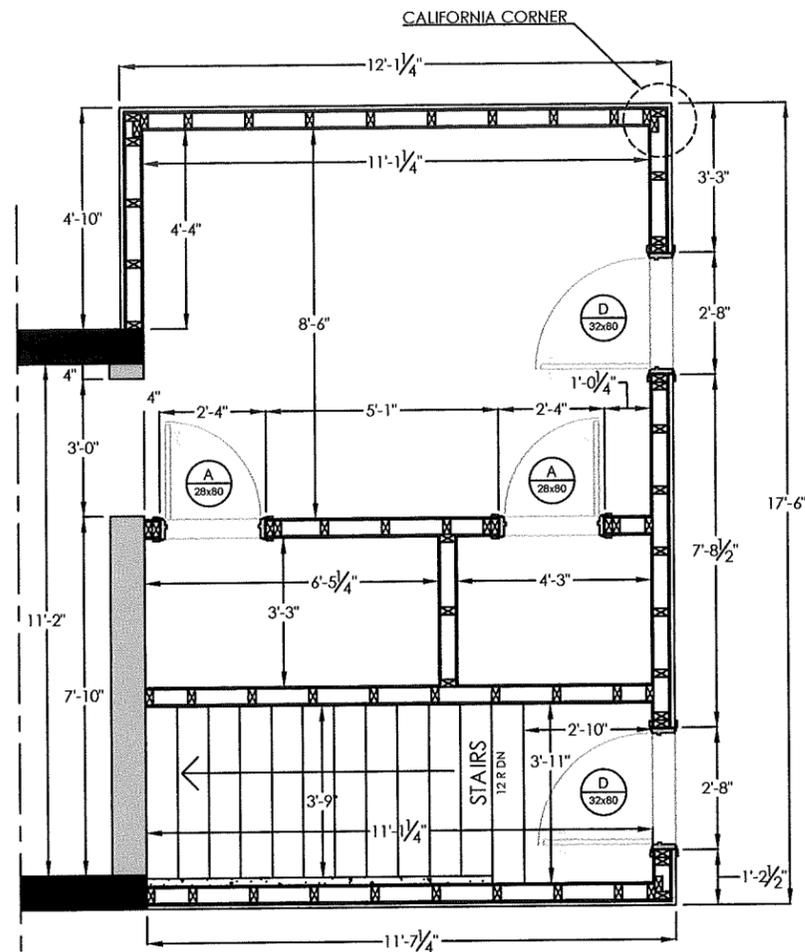


SCALE: **1/4" = 1'**

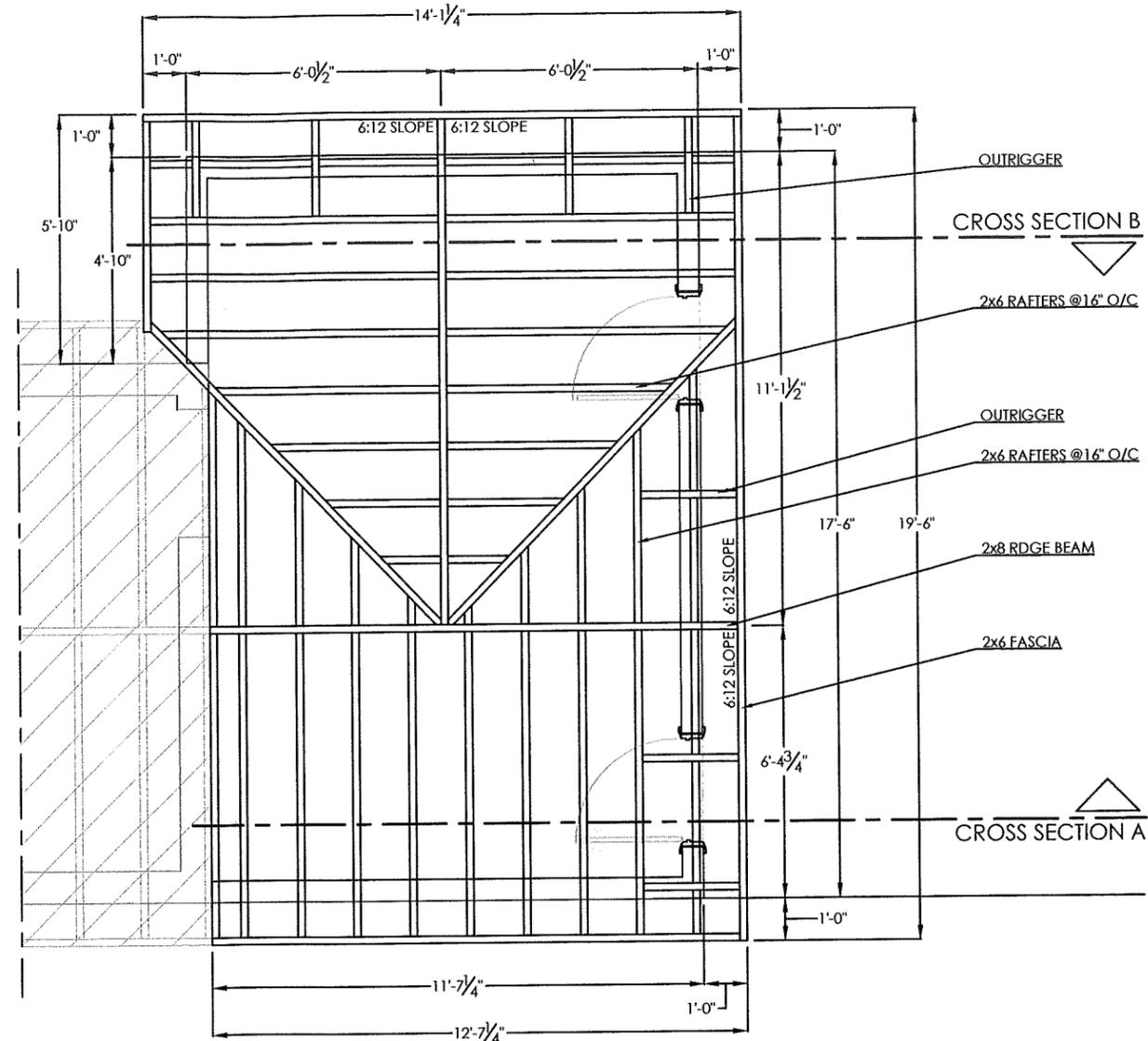
PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A3.01**



WALL FRAMING PLAN



ROOF FRAMING PLAN

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

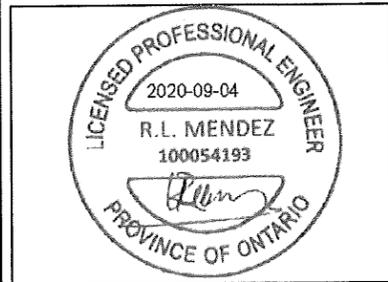
DOOR LEGEND	
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR



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

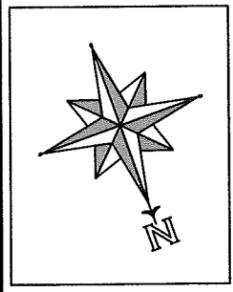
LEAD ENGINEER
 ROBERT MENDEZ P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

**REAR ADDITION
 WALL & ROOF FRAMING**



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

PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

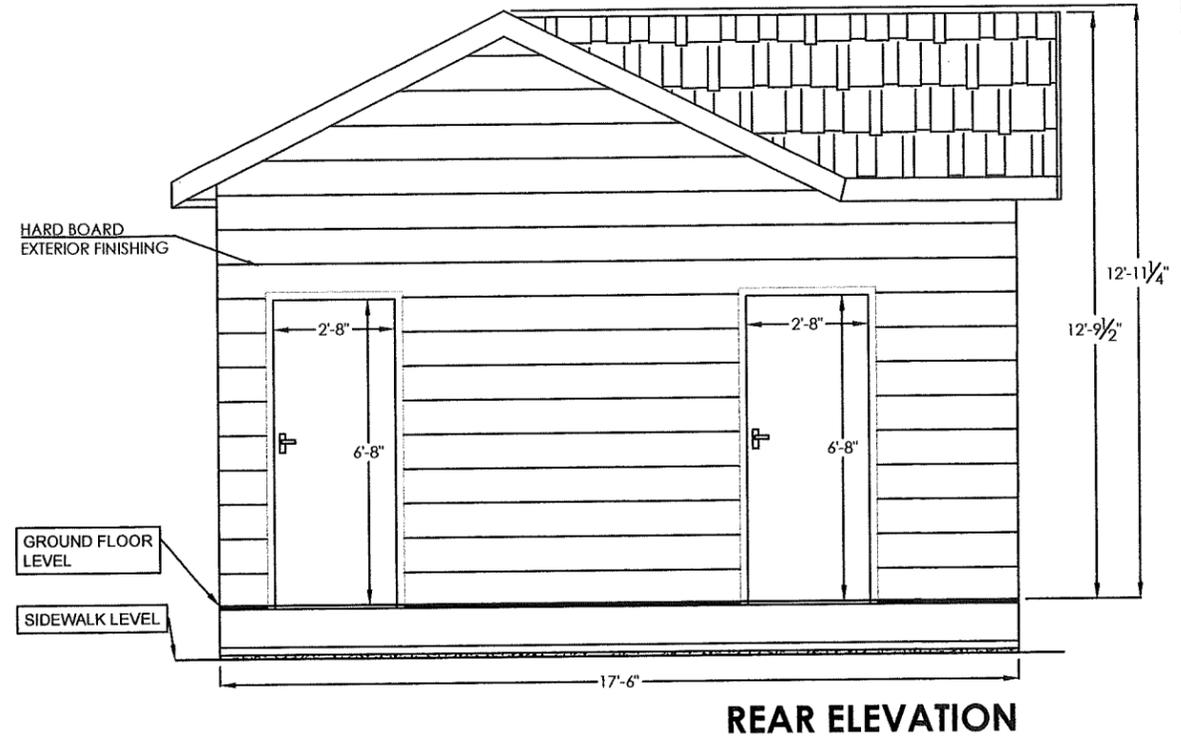
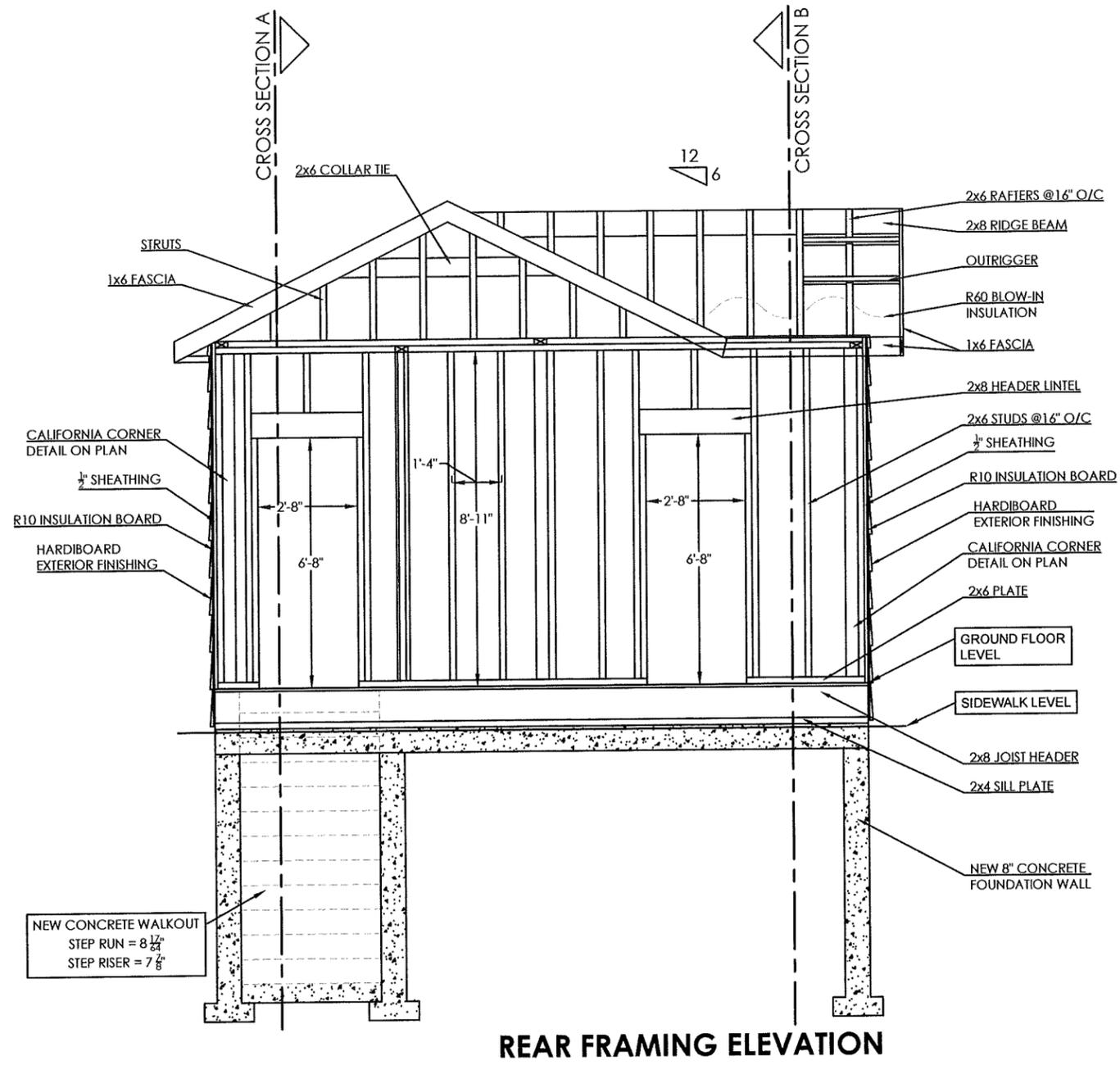
SHEET#: **A3.02**

NEW FLOOR ASSEMBLY:
 - 8" CONCRETE FOUNDATION WALL;
 - CONCRETE WALKOUT STAIR;
 - 2x10 JOISTS @16" O/C;
 - R32 BATT INSULATION MECHANICALLY FASTENED IN PLACE;
 - 6 MIL POLY VAPOUR BARRIER;
 - 3/4" PLYWOOD SUBFLOOR;
 - UNDERLAYMENT;
 - FLOOR FINISHING.

NEW EXTERIOR WALL ASSEMBLY:
 - HARDBOARD EXTERIOR FINISHING;
 - R10 CONTINUOUS INSULATION BOARD;
 - 1/2" SHEATHING;
 - AIR BARRIER;
 - 2x6 STUDS @16" O/C;
 - R22 BATT INSULATION;
 - 6 MIL POLY VAPOR BARRIER;
 - 1/2" GYPSUM BOARD.

NEW CEILING ASSEMBLY:
 - 2x8 CEILING JOISTS @16" O/C;
 - 1/2" GYPSUM BOARD;
 - R60 BLOW-IN INSULATION.

NEW ROOF ASSEMBLY:
 - 2x6 RAFTERS @16" O/C;
 - 1/2" PLYWOOD SHEATHING;
 - ICE & WATER SHIELD ALONG EAVES;
 - SYNTHETIC ROOFING UNDERLAYMENT;
 - ASPHALT SHINGLES.



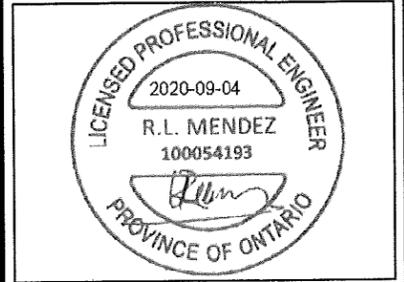
PLANS LEGEND	
[Symbol]	BATH
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION 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
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
DOOR LEGEND	
[Symbol]	DOOR TYPE
[Symbol]	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

KING HOMES
 DESIGN | BUILD | MANAGE

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

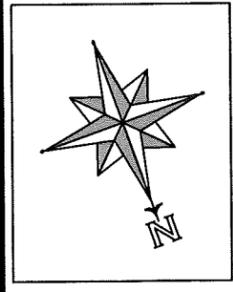
LEAD ENGINEER
 ROBERT MENDEZ P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572

LEGAL SECOND SUITES
 www.legalsecondsuites.com



ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

**REAR ADDITION
 REAR FRAMING & ELEVATION**

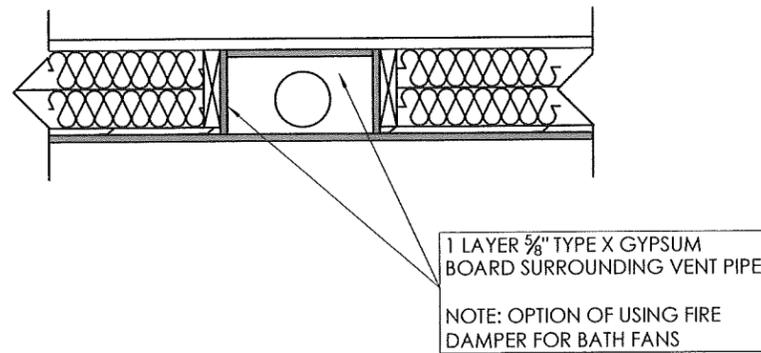


SCALE: **1/4" = 1'**

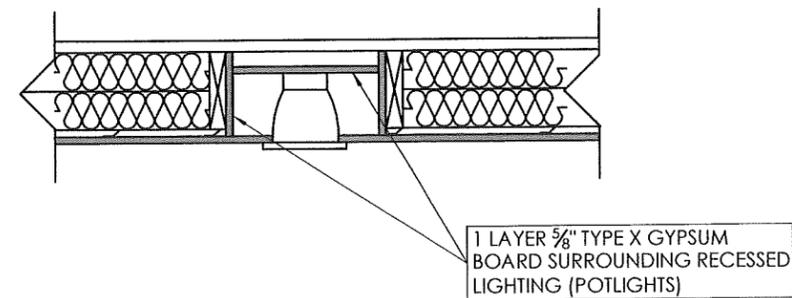
PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

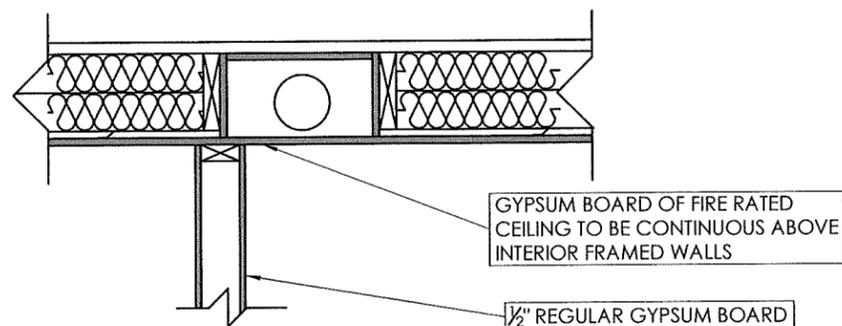
SHEET#: **A3.03**



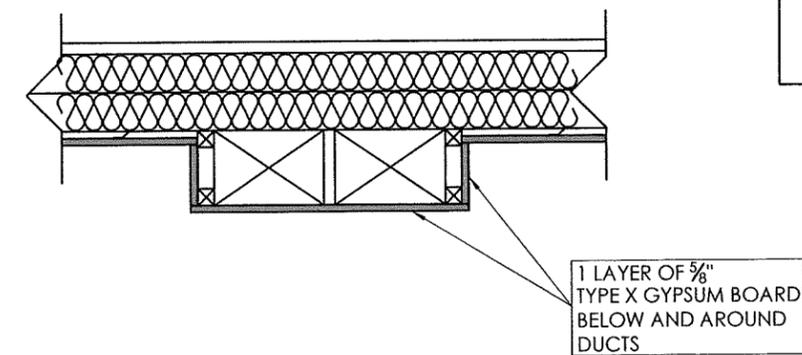
FOR VENTS (BATH FANS, KITCHEN EXHAUSTS, & CLOTHES DRYERS)



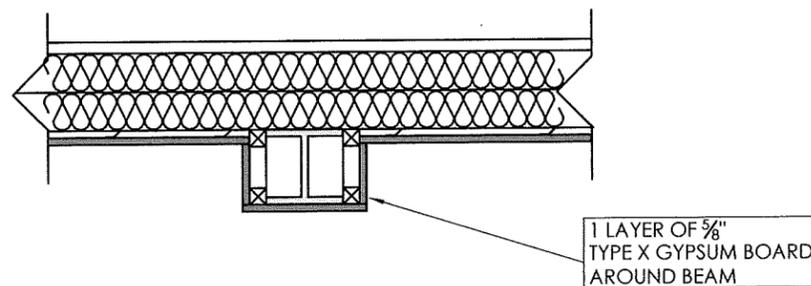
FOR RECESSED LIGHTS



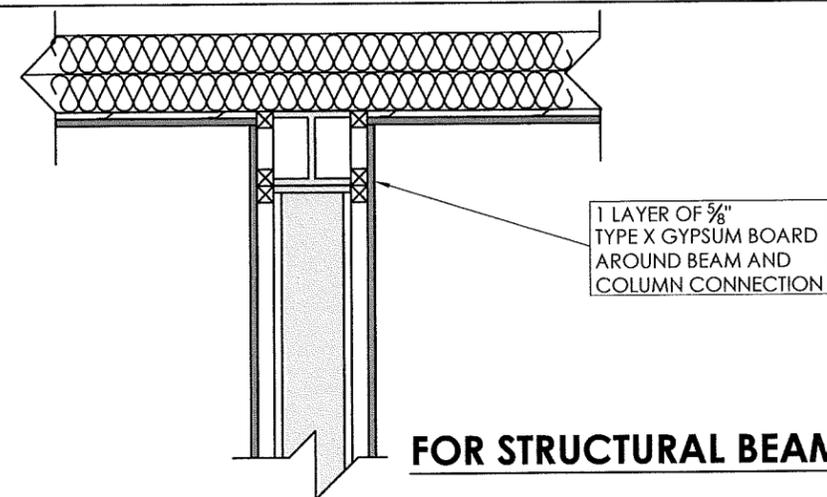
FOR INTERIOR PARTITIONS



FOR DUCTS



FOR BEAM



FOR STRUCTURAL BEAMS, COLUMNS & WALLS



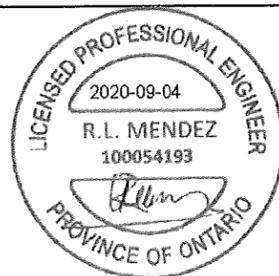
LEAD DESIGNER & CONSULTANT

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



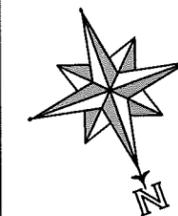
LEAD ENGINEER ROBERT MENDEZ P. ENG. 100054193
robertmendez@yahoo.com
C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS: 333 EAST AVENUE NORTH
HAMILTON, ON.

CROSS SECTION 2 OF 2



SCALE: -

PROJECT: 2 UNIT CONVERSION

DATE: AUG 2020

SHEET#: A4.02

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 m² 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 m² 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 m², 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 Signalling Code".
- (4) The visual signalling component required in Sentence (2) need not, (a) be integrated with the smoke alarm provided 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



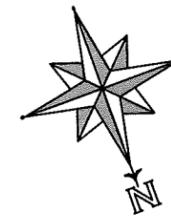
LEGAL SECOND SUITES



ADDRESS:

**333 EAST AVENUE NORTH
 HAMILTON, ON.**

CONSTRUCTION NOTES 1 OF 2



SCALE:

-

PROJECT:

**2 UNIT
 CONVERSION**

DATE:

AUG 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 m² 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 m², 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



KING HOMES
DESIGN | BUILD | MANAGE

LEAD DESIGNER & CONSULTANT

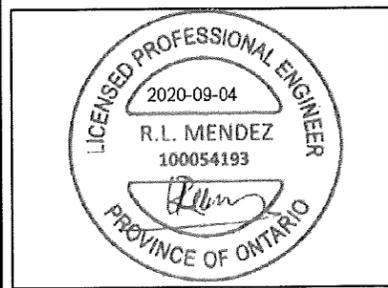
KEN BEKENDAM
kenbekendam@gmail.com
C: (905)-961-0647
(855) - KINGHMS (546-4467)

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



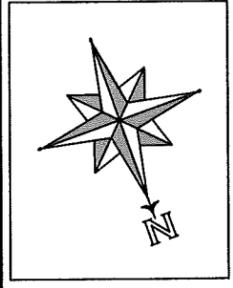
LEGAL SECOND SUITES
www.legalsecondsuites.com

www.legalsecondsuites.com



ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

CONSTRUCTION NOTES 2 OF 2



SCALE: -

PROJECT: **2 UNIT
CONVERSION**

DATE: **AUG 2020**

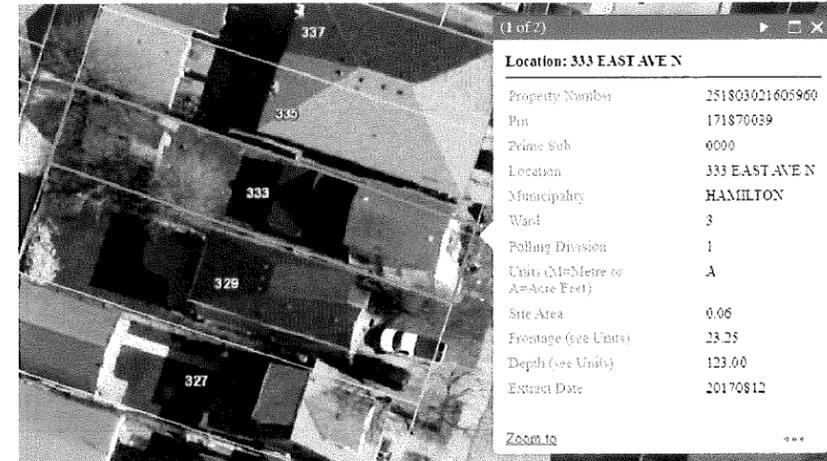
SHEET#: **A0.03**

2 UNIT CONVERSION

333 EAST AVENUE NORTH - 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)

LEAD ENGINEER

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

www.legalsecondsuites.com

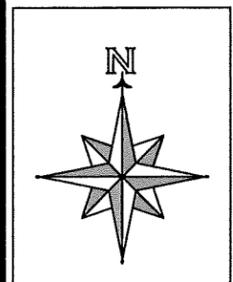


LEGAL
SECOND
SUITES



ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

TITLE PAGE



SCALE:
-

PROJECT:
**2 UNIT
CONVERSION**

DATE:
AUG 2020

SHEET#:
A0.01

SITE INFORMATION & STATISTICS

ADDRESS	333 EAST AVENUE NORTH - HAMILTON - ON.		
ZONING TYPE	D		
LOT AREA	2859.75 SQ FT (265.67 SQ M)		
LOT FRONTAGE	23.25' (7.08m)		
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 WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:

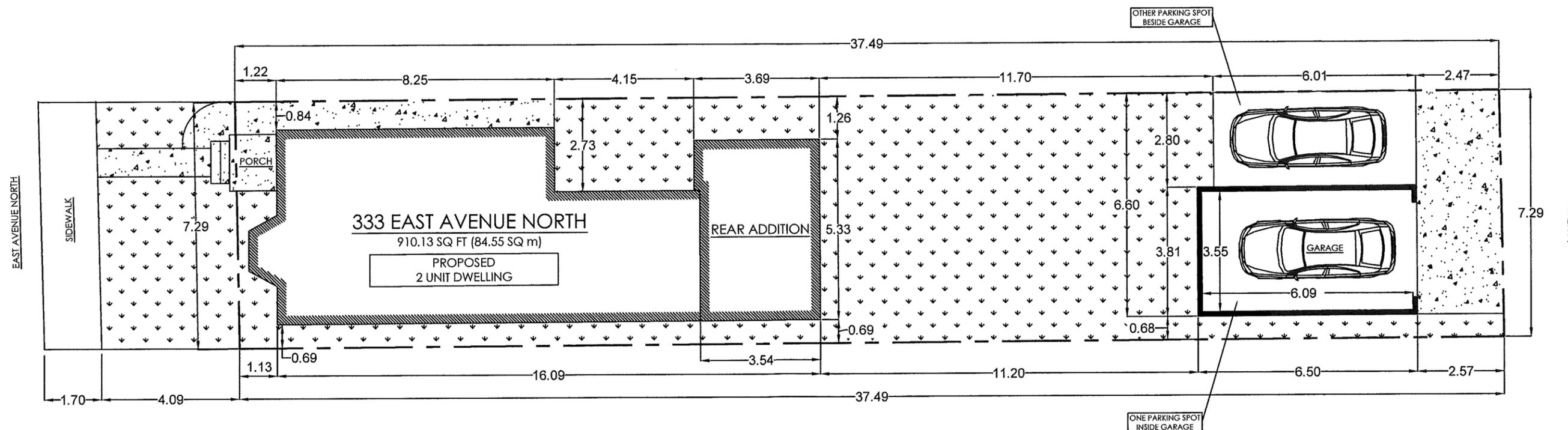
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

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



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

2020-09-04

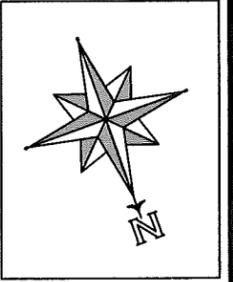
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

SITE PLAN



SCALE:

3" = 1'

PROJECT:

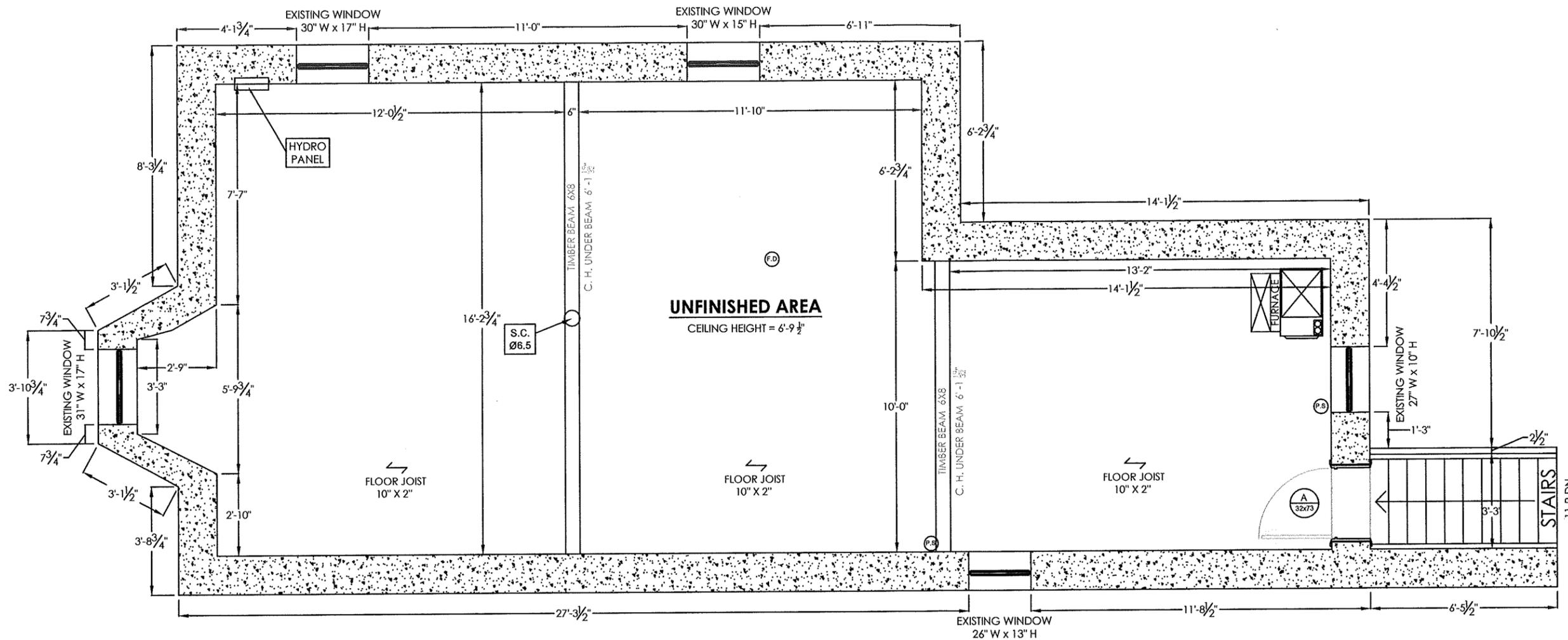
2 UNIT CONVERSION

DATE:

AUG 2020

SHEET#:

SP1.02



BATH	ROOM NAME
[E.F.]	EXHAUST FAN
[2]	SPECIFICATION TAG
[S.A.]	SMOKE ALARM
[C.M.A.]	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[S.B./W.]	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
[S.R.]	SUPPLY REGISTER
[R.G.]	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

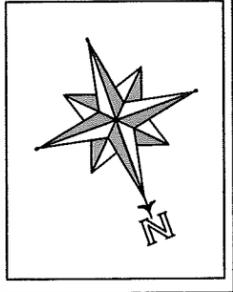
LEAD DESIGNER & CONSULTANT
KEN BEKENDAM
 kenbekendam@gmail.com
 C: (905)-961-0647
 (855) - KINGHMS (546-4467)

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

R.L. MENDEZ
 100054193

ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

EXISTING BASEMENT

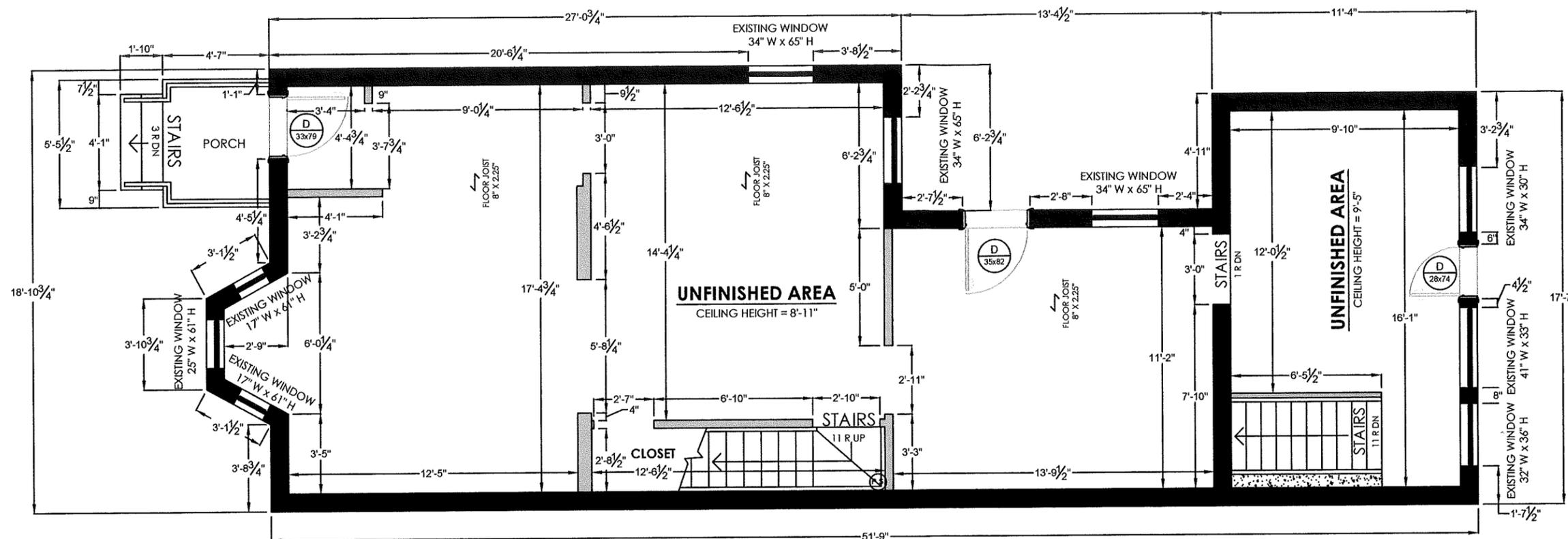


SCALE: **1/4" = 1'**

PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 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

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

2020-09-04

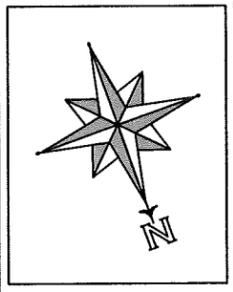
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

EXISTING GROUND FLOOR

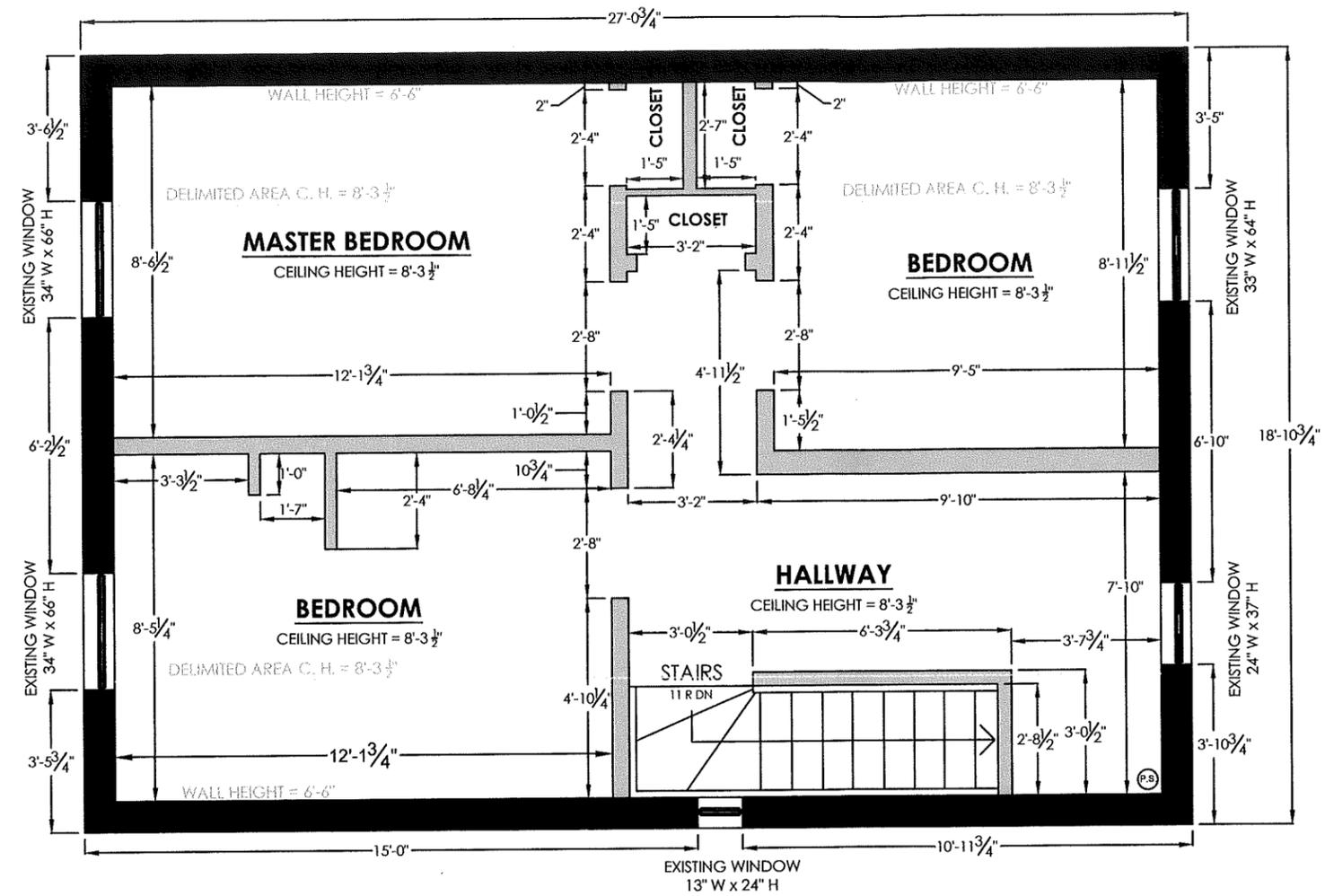


SCALE: **3" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.02**



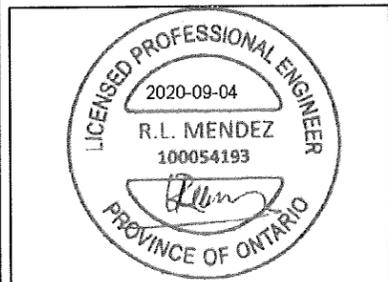
PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL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

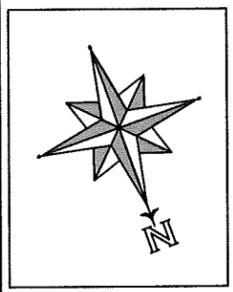
LEAD ENGINEER
 ROBERT MENDEZ P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

EXISTING SECOND FLOOR



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

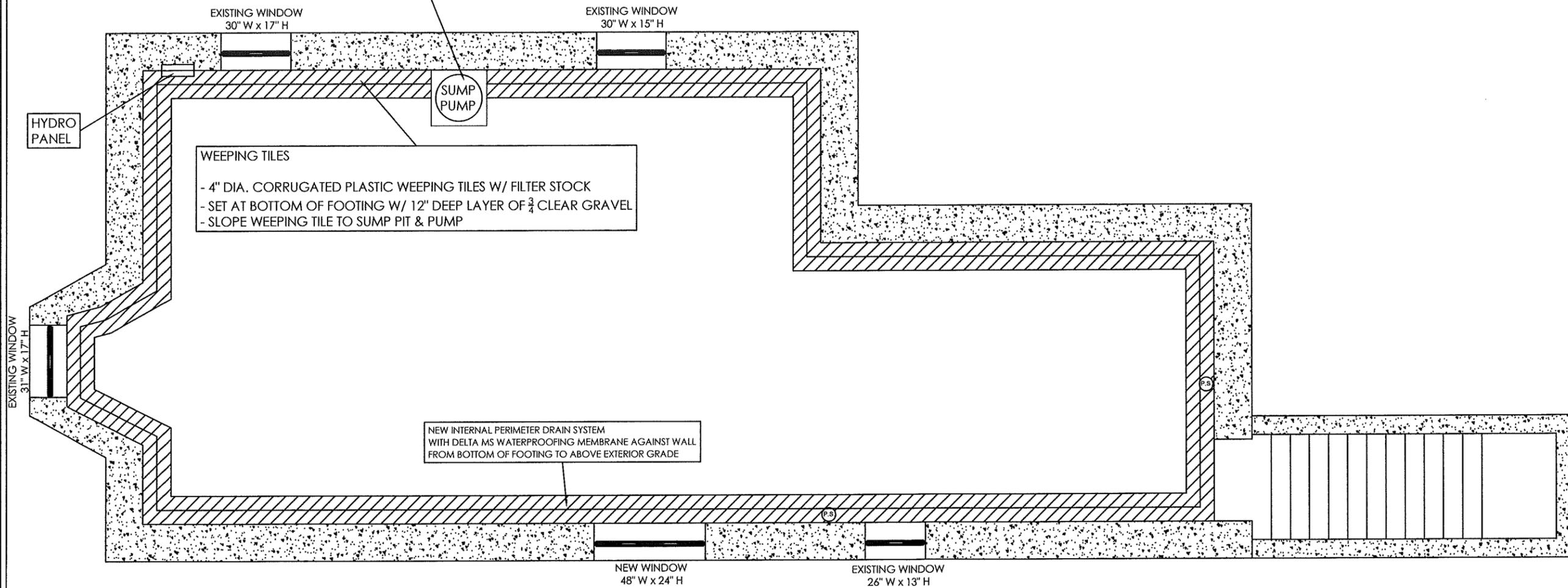
PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.03**

SUMP PUMP & PIT

- MYERS S-25 FULLY SUBMERSIBLE SUMP PUMP C/W PLASTIC BASIN AND SEALED LD FLUSH WITH SURROUNDING FLUSHED FLOOR
- SUMP PUMP TO HAVE HIGH-WATER ALARM
- CONNECT TO POWER SOURCE
- EJECT PUMP TO GRADE
- ENSURE POSITIVE SLOPE AWAY FROM FOUNDATION WALL
- INSTALLATION AS PER O.B.C. 9.14.5.2 & 9.14.6.1



WEeping TILES

- 4" DIA. CORRUGATED PLASTIC WEeping TILES W/ FILTER STOCK
- SET AT BOTTOM OF FOOTING W/ 12" DEEP LAYER OF 3/4 CLEAR GRAVEL
- SLOPE WEeping TILE TO SUMP PIT & PUMP

NEW INTERNAL PERIMETER DRAIN SYSTEM
WITH DELTA MS WATERPROOFING MEMBRANE AGAINST WALL FROM BOTTOM OF FOOTING TO ABOVE EXTERIOR GRADE

PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	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
[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

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

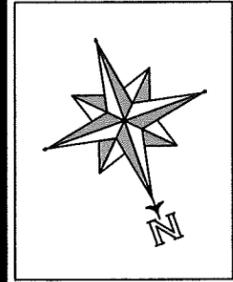
2020-09-04

R.L. MENDEZ
100054193

PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

**PROPOSED BASEMENT
(WATERPROOFING)**



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

PROJECT: **2 UNIT
CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.04**

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 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

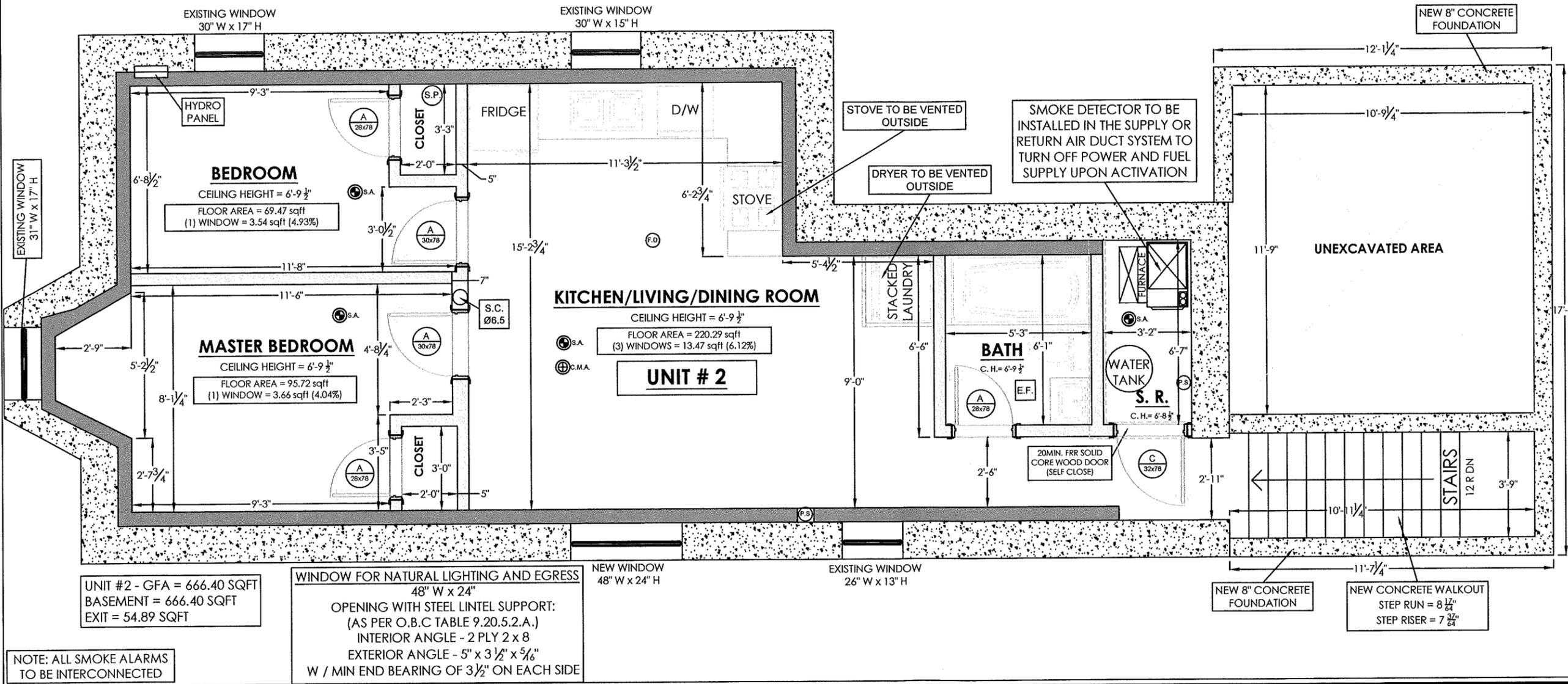
EX. LATH AND PLASTER TO REMAIN AS IS
 - MEETS A 30 MIN FRR AS PER ONTARIO FIRE MARSHALL
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

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 SEPARATION (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
S.A.	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
	DOOR SIZE

DOOR LEGEND	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

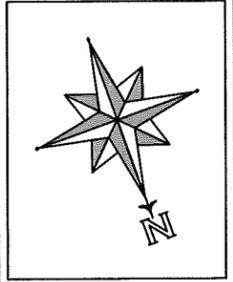
www.legalsecondsuites.com

LEGAL SECOND SUITES

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS:
333 EAST AVENUE NORTH
HAMILTON, ON.

PROPOSED BASEMENT
UNIT #2



SCALE:
1/4" = 1'

PROJECT:
2 UNIT CONVERSION

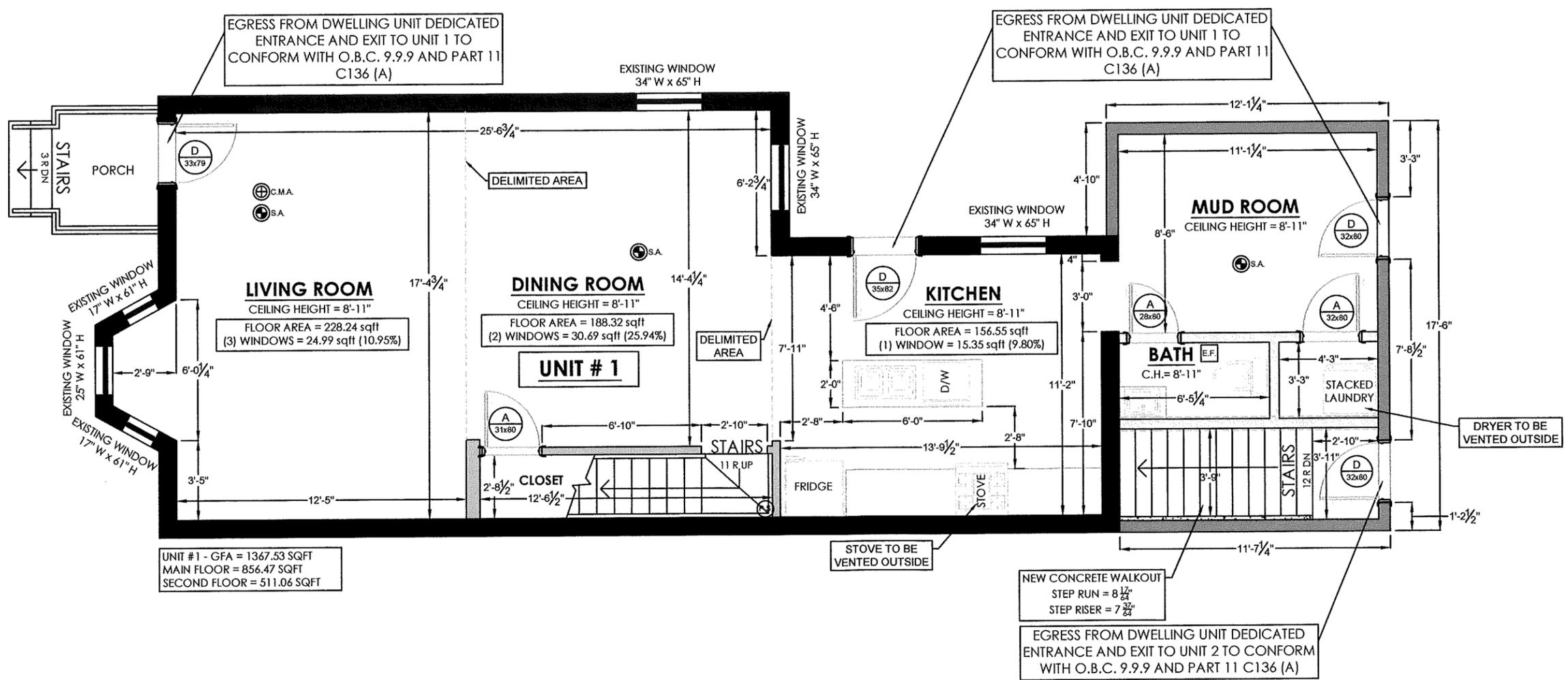
DATE:
AUG 2020

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 STCS0
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 SEPARATION (VALVES, METERS, ELECTRICAL BOXES, ETC):
 - USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	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

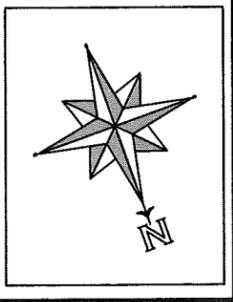
LEGAL SECOND SUITES

www.legalsecondsuites.com

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS:
**333 EAST AVENUE NORTH
 HAMILTON, ON.**

**PROPOSED GROUND FLOOR
 UNIT #1**

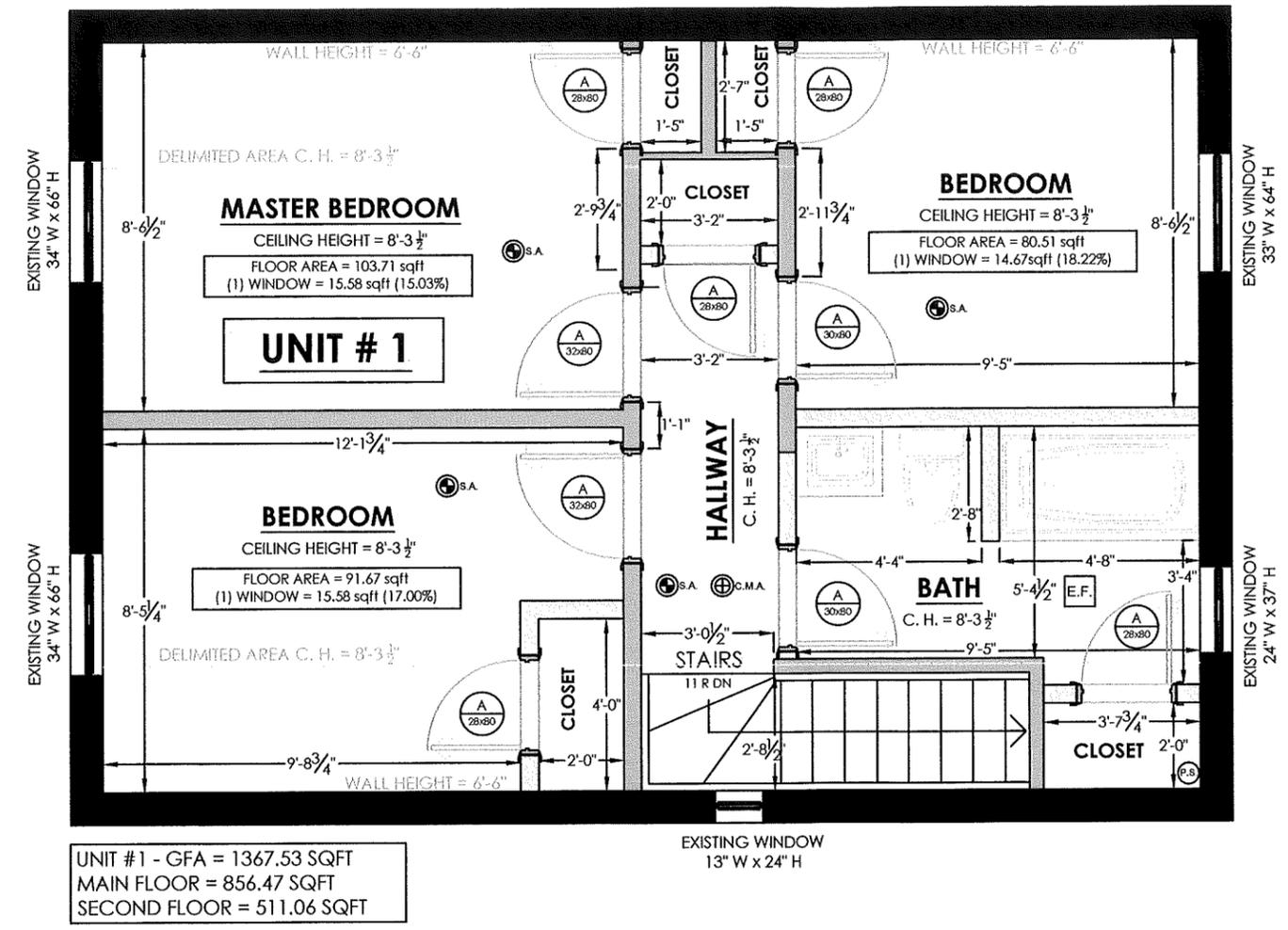


SCALE:
 $\frac{3}{16}'' = 1'$

PROJECT:
**2 UNIT
 CONVERSION**

DATE:
AUG 2020

SHEET#:
A1.06



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

BATH	ROOM NAME
E.F.	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
	WATER METER
P.S.	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

www.legalsecondsuites.com

LEGAL SECOND SUITES .COM

LICENSED PROFESSIONAL ENGINEER

2020-09-04

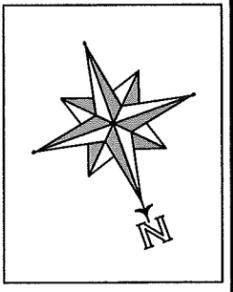
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH HAMILTON, ON.**

PROPOSED SECOND FLOOR UNIT #1

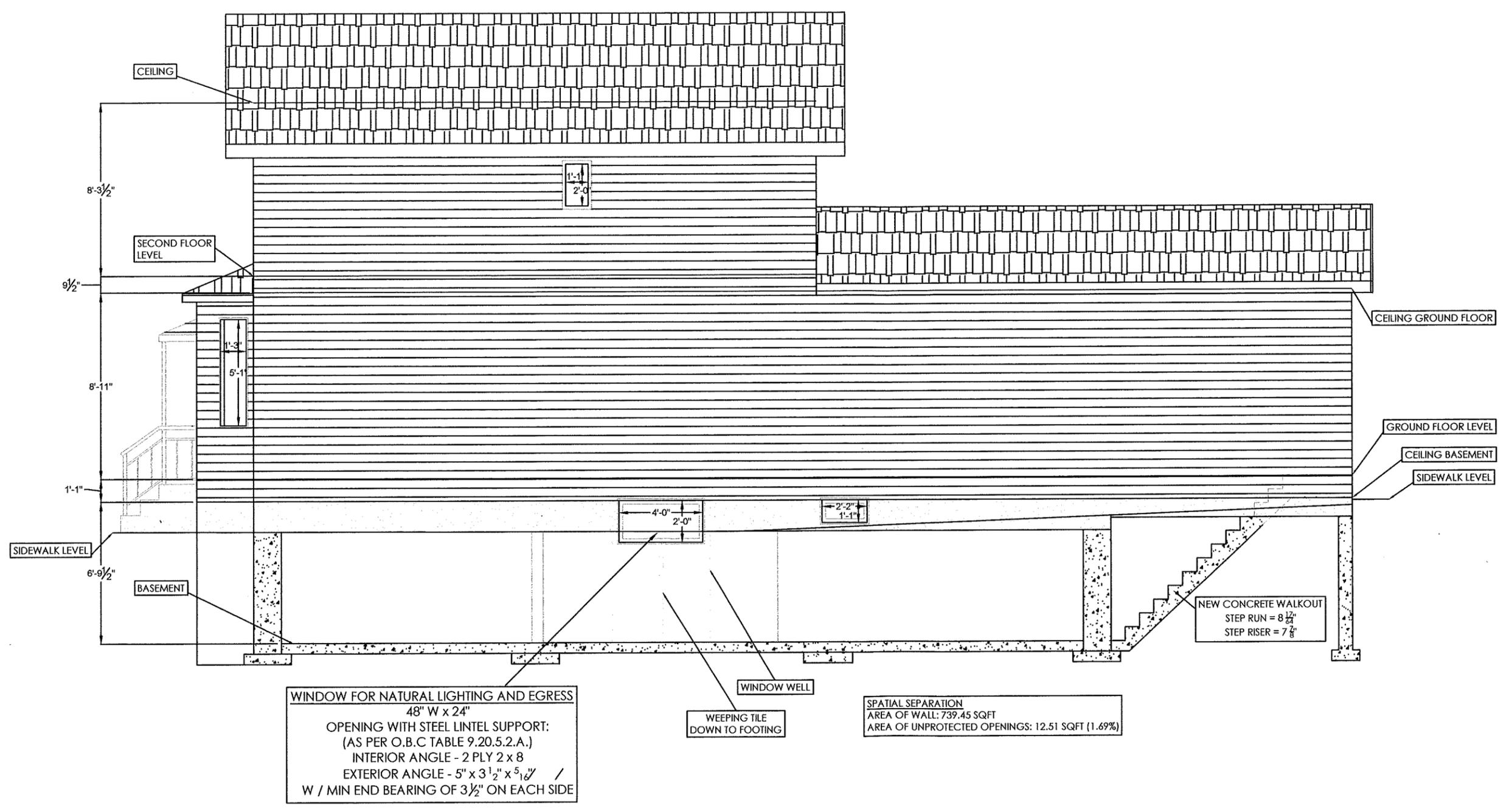


SCALE: **1/4" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A1.07**



BATH	ROOM NAME
E.F.	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	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
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE
A	DOOR TYPE
30x60	DOOR SIZE

PLANS LEGEND

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)

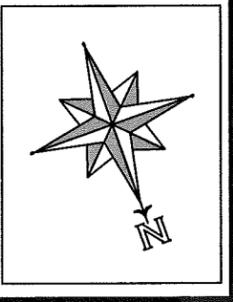
LEAD ENGINEER
 ROBERT MENDEZ P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572
 www.legalsecondsuites.com

LEGAL SECOND SUITES

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
 HAMILTON, ON.**

NORTH ELEVATION

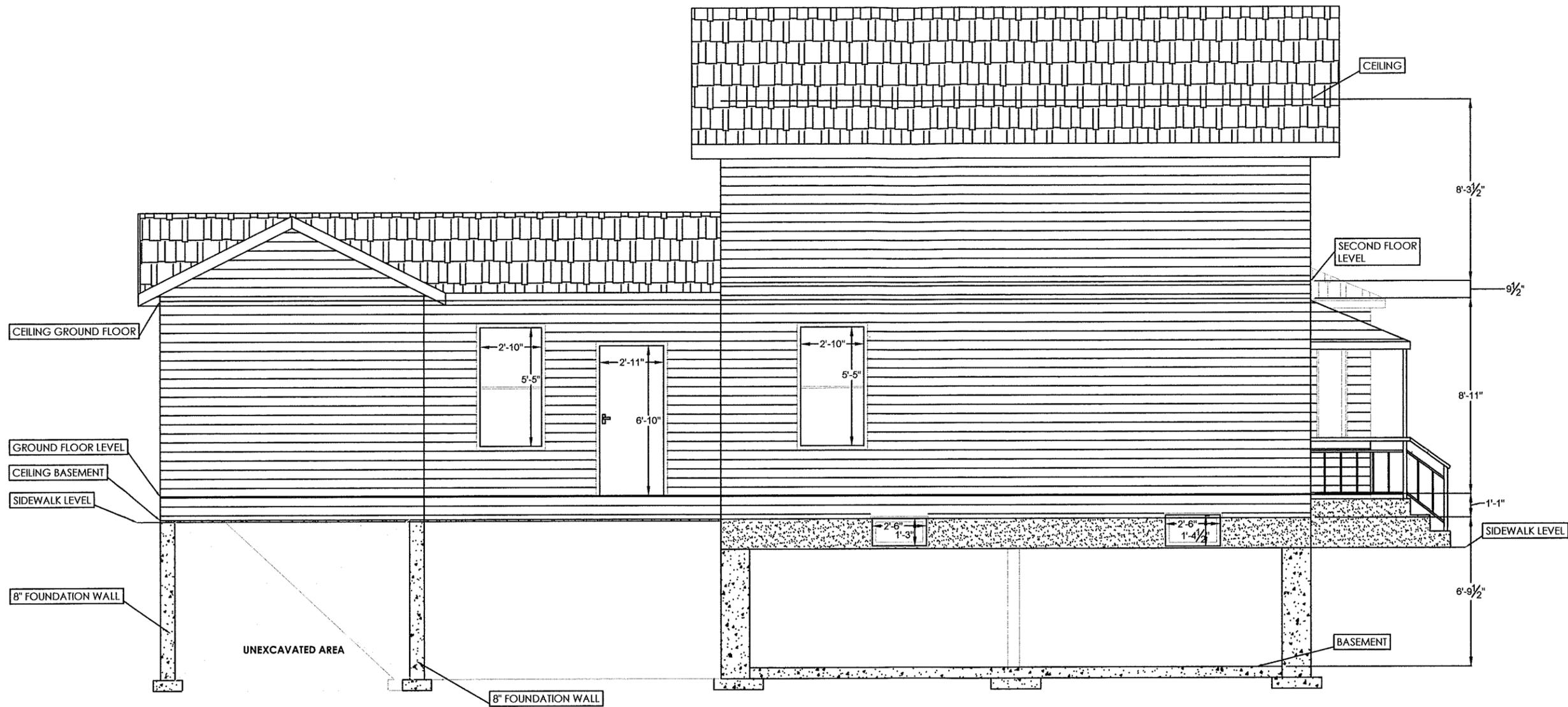


SCALE: **3/16" = 1'**

PROJECT: **2 UNIT
 CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.01**



NO CHANGES TO THIS ELEVATION

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
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
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE

DOOR LEGEND	
A	DOOR TYPE
30x60	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



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



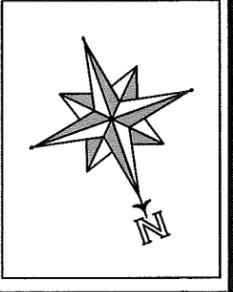
LEGAL SECOND SUITES .COM



LICENSED PROFESSIONAL ENGINEER
2020-09-04
R.L. MENDEZ
100054193
PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

SOUTH ELEVATION

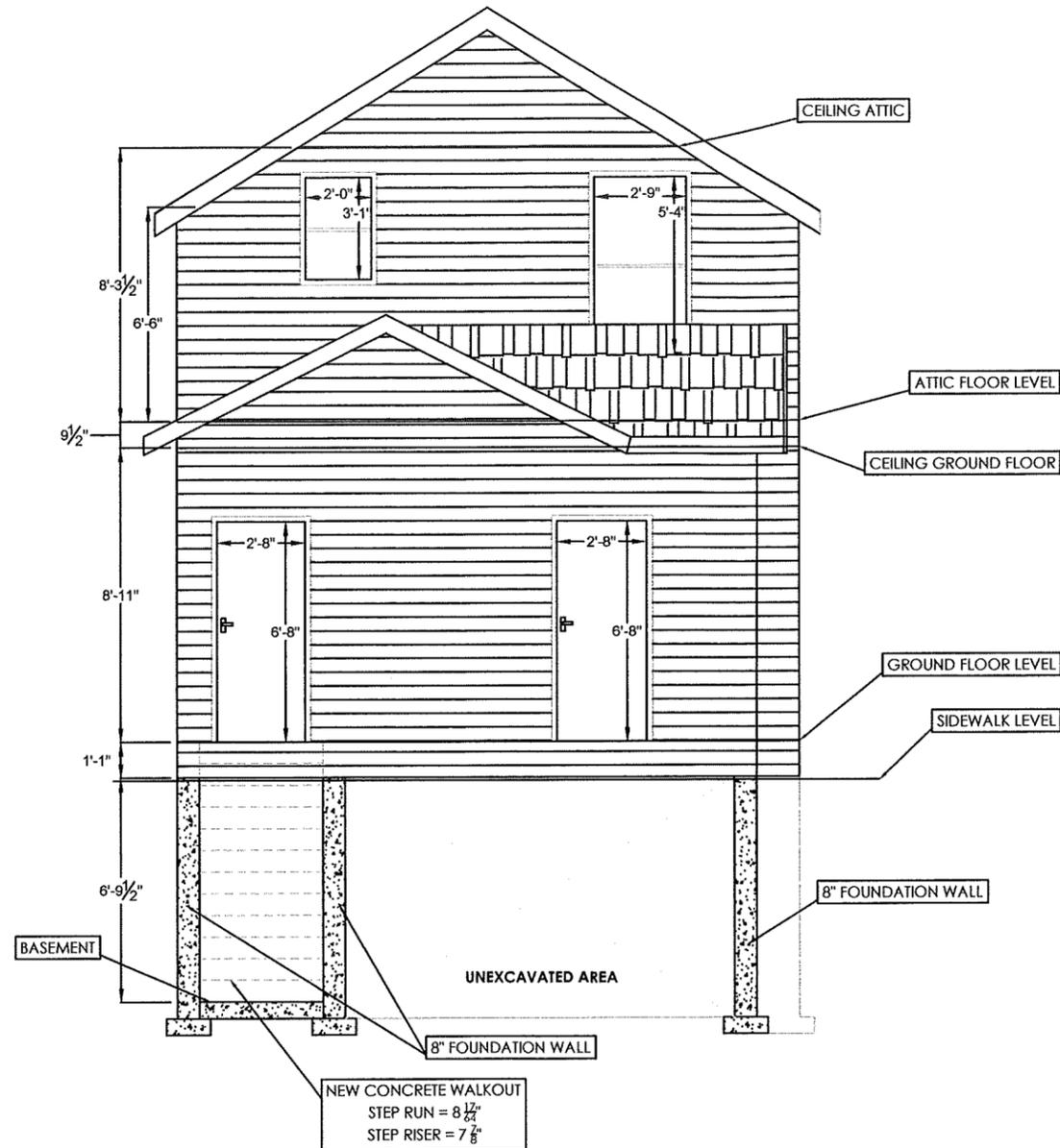


SCALE: **3/16" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.02**



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
(Double line)	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
(Water meter symbol)	WATER METER
F.D.	FLOOR DRAIN
(Structural column symbol)	STRUCTURAL COLUMN
(Stippled pattern)	FOUNDATION WALL
(Dotted pattern)	EXISTING EXTERIOR WALLS
(Solid grey)	NEW EXTERIOR WALLS
(Horizontal lines)	EXISTING INTERIOR WALLS
(Vertical lines)	NEW INTERIOR WALLS
(Thick solid line)	STRUCTURAL WALLS
(Thin solid line)	NEW STRUCTURAL BEAMS
(Double line with break)	WINDOWS
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE
DOOR LEGEND	
A	DOOR TYPE
30x60	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



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



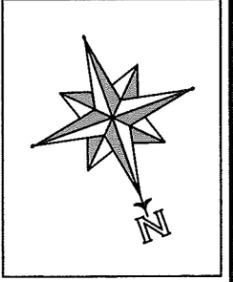
LEGAL SECOND SUITES.com



LICENSED PROFESSIONAL ENGINEER
2020-09-04
R.L. MENDEZ
100054193
PROVINCE OF ONTARIO

ADDRESS: **333 EAST AVENUE NORTH
HAMILTON, ON.**

BACK ELEVATION

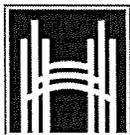


SCALE: **3/16" = 1'**

PROJECT: **2 UNIT CONVERSION**

DATE: **AUG 2020**

SHEET#: **A2.03**



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:196
APPLICANTS: Ken Bekendam on behalf of the owner John Noble
SUBJECT PROPERTY: Municipal address **129 Sherman Ave. N., Hamilton**
ZONING BY-LAW: Zoning By-law 6593, as Amended
ZONING: "D" (Urban Protected Residential) district
PROPOSAL: To permit the conversion of the existing single family dwelling to contain two (2) dwelling units notwithstanding that:

1. A lot area of 183m² shall be provided instead of the minimum required lot area of 270.0m².
2. An open stairway/fire escape shall be permitted to project a maximum of 4.5m into the required rear yard and may be as close as 3.0m to the rear lot line instead of the maximum 1.0m projection permitted.
3. An open stairway/fire escape shall be permitted to project a maximum of 0.6m into the required side yard and may be as close as 0.6m to the side lot line instead of the maximum 0.4m projection permitted.

NOTE:

- i. Please be advised that the floor area for each proposed dwelling unit is required to be at least 65.0m². There is insufficient information provided in order to confirm the floor area of each unit. As such, further variances will be required if either dwelling unit is less than 65.0m².
- ii. For purposes of variances #2 and #3, please note that the current zoning designation requires a minimum Rear Yard depth of 7.5m and a minimum Side Yard width of 1.2m.
- iii. Please be advised that the exterior appearance and character of the dwelling is required to be preserved for converted dwellings, with the exception of exterior stairway and exits. Further variances may be required if additional alterations are intended to the exterior of the existing building.

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

DATE: Thursday, October 22nd, 2020
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

HM/A-20:196

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 2020.



Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SITE INFORMATION & STATISTICS			
ADDRESS	129 SHERMAN AVENUE NORTH - HAMILTON - ON.		
ZONING TYPE	D		
LOT AREA	1975.87 SQ FT (183.56 SQ M)		
LOT FRONTAGE	22' (6.7m)		
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:

- ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
- ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
- ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
- CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
- READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
- ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
- 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.
- 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.
- 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 ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
- REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
- DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

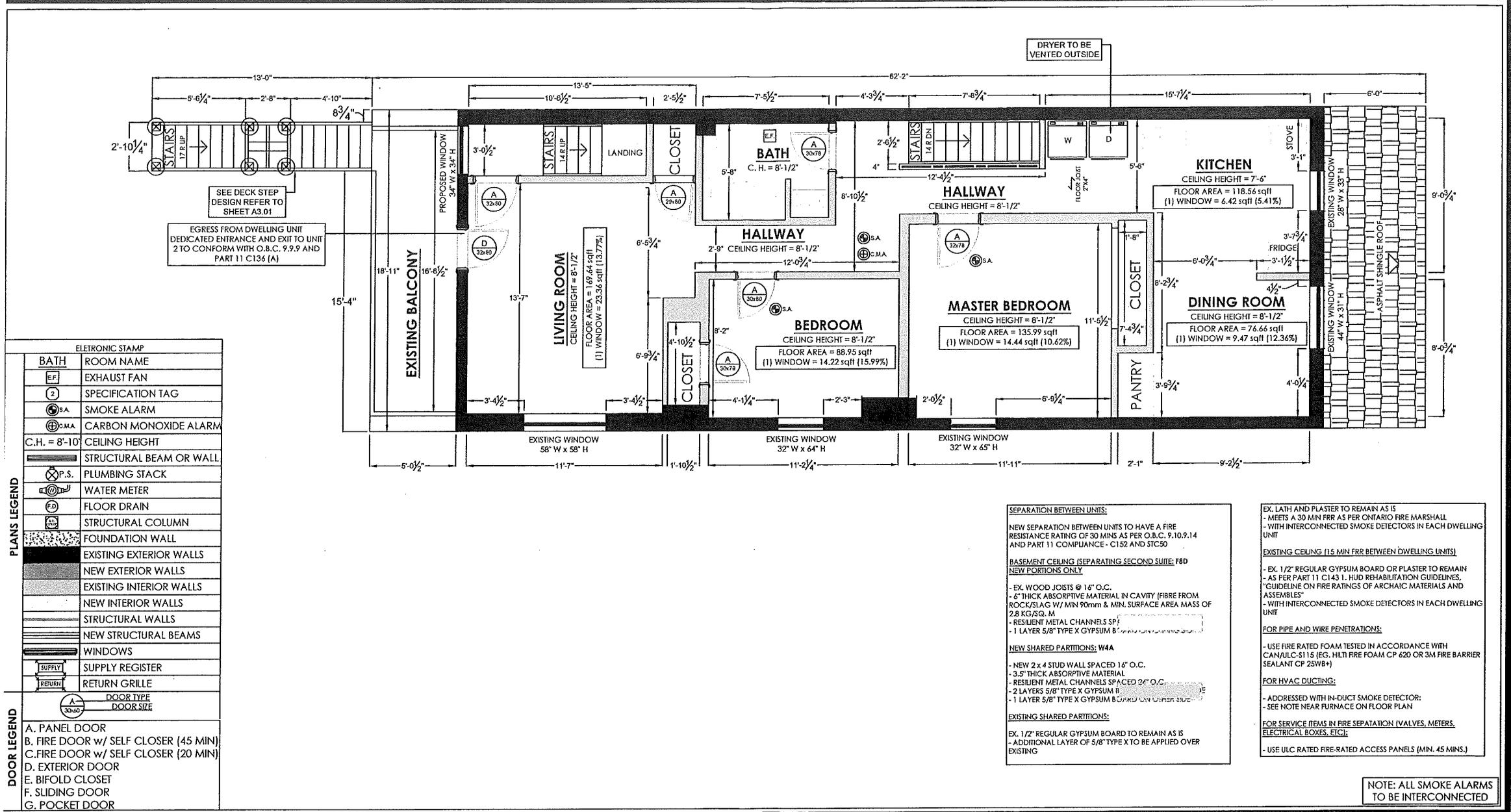
EXISTING STRUCTURE NOTE:
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

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.

ELECTRONIC STAMP

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

<p>KING HOMES DESIGN BUILD MANAGE</p>	<p>LEAD DESIGNER & CONSULTANT</p> <p>KEN BEKENDAM kenbekendam@gmail.com C: (905)-961-0647 (855) - KINGHMS (546-4467)</p>	<p>LEGAL SECOND SUITES</p>	<p>LICENSED PROFESSIONAL ENGINEER 2020-09-04 R.L. MENDEZ 100054193 PROVINCE OF ONTARIO</p>	<p>ADDRESS:</p> <p>129 SHERMAN AVENUE NORTH</p>		<p>SCALE:</p> <p>1" = 1'</p>	<p>DATE:</p> <p>AUG 2020</p>
	<p>LEAD ENGINEER</p> <p>ROBERT MENDEZ P. ENG. 100054193 robertmendez@yahoo.com C: (416)-807-1572</p> <p>www.legalsecondsuites.com</p>			<p>SITE PLAN</p>		<p>PROJECT:</p> <p>2 UNIT CONVERSION</p>	<p>SHEET#:</p> <p>SP1.01</p>



ELECTRONIC STAMP	
EF	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
SB	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
WM	WATER METER
FD	FLOOR DRAIN
SC	STRUCTURAL COLUMN
FW	FOUNDATION WALL
EW	EXISTING EXTERIOR WALLS
NW	NEW EXTERIOR WALLS
EWI	EXISTING INTERIOR WALLS
NWI	NEW INTERIOR WALLS
SW	STRUCTURAL WALLS
NSW	NEW STRUCTURAL BEAMS
W	WINDOWS
S	SUPPLY REGISTER
R	RETURN GRILLE

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

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 SIC50

BASEMENT CEILING (SEPARATING SECOND SUITE; F80 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/250. M)
 - RESILIENT METAL CHANNELS SP
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD

NEW SHARED PARTITIONS; W44
 - 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 B
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD OVER OTHER STUD

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 ASSEMBLIES"
 - WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

FOR PIPE AND WIRE PENETRATIONS:
 - USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CANULC-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

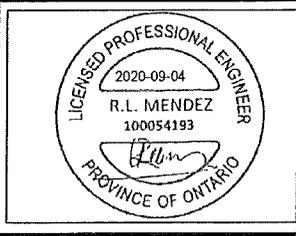
FOR SERVICE ITEMS IN FIRE SEPARATION (VALVES, METERS, ELECTRICAL BOXES, ETC.):
 - USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

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

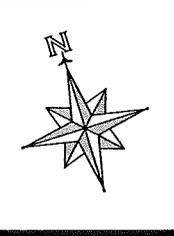
LEAD ENGINEER: **ROBERT MENDEZ** P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572
 www.legalsecondsuites.com

LEGAL SECOND SUITES



ADDRESS:
129 SHERMAN AVENUE NORTH

PROPOSED SECOND FLOOR

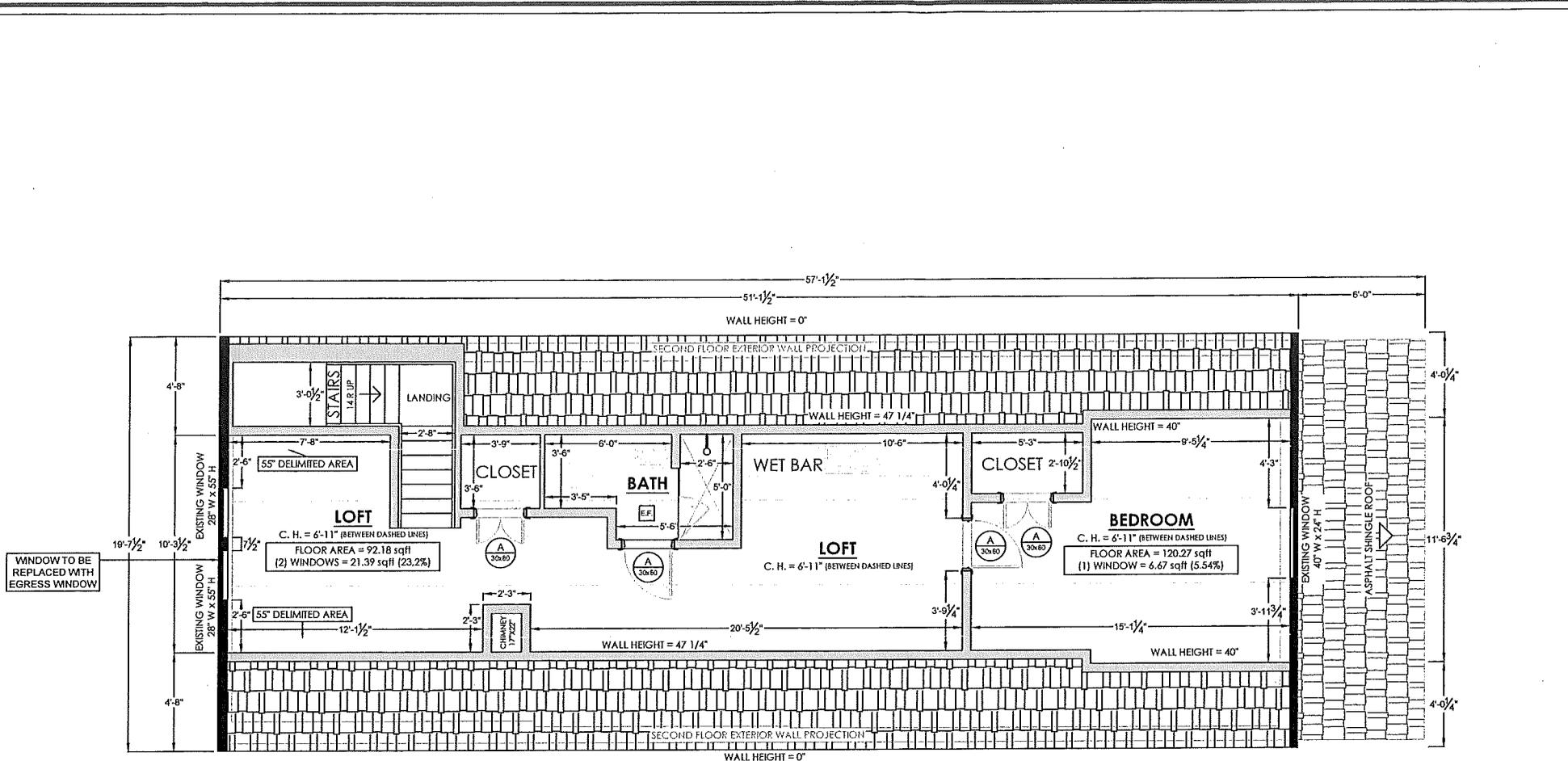


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.07



WINDOW TO BE REPLACED WITH EGRESS WINDOW

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

ELECTRONIC STAMP	
BATH	ROOM NAME
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	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
PLANS LEGEND	
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

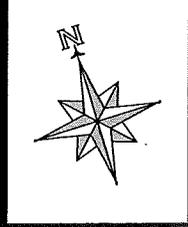
www.legalsecondsuites.com

ADDRESS:
129 SHERMAN AVENUE NORTH

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
R.L. MENDEZ
 100054193

 PROVINCE OF ONTARIO

PROPOSED THIRD FLOOR



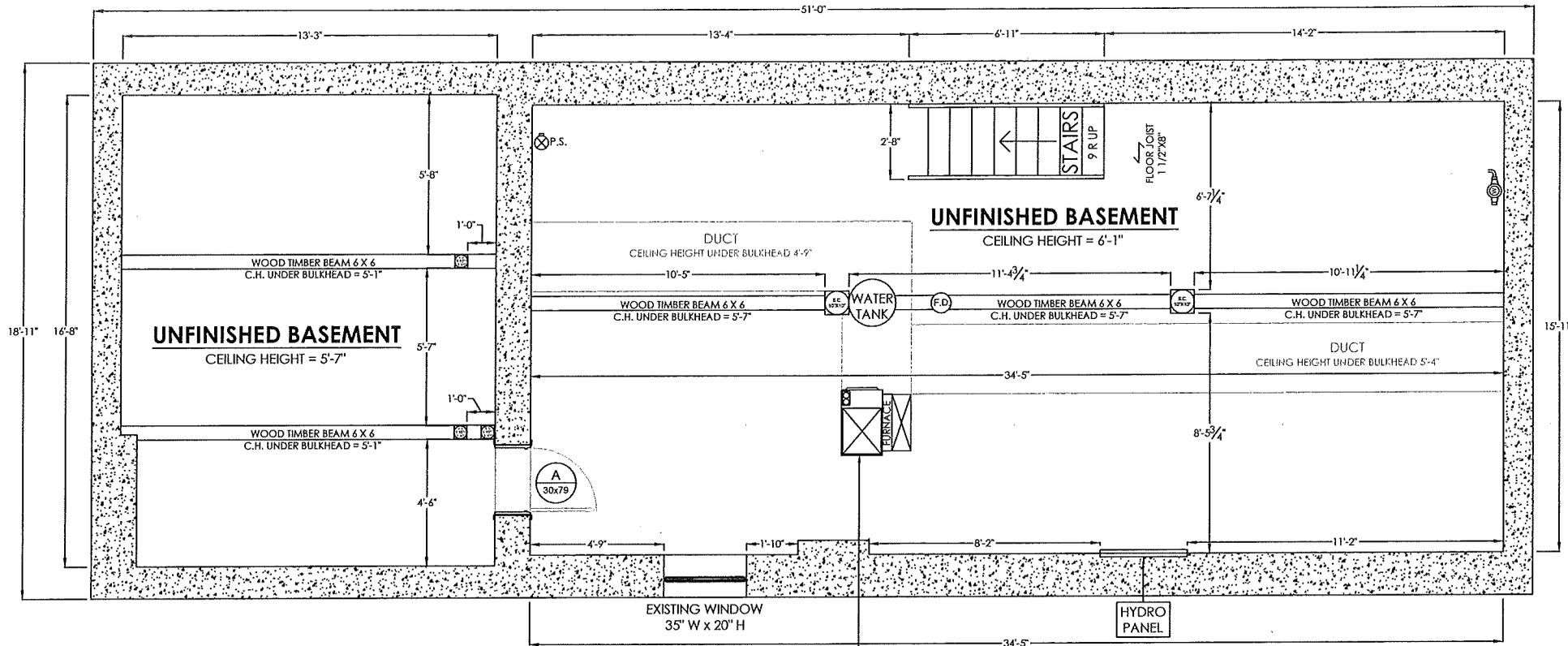
SCALE:
3" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.08

NOTE: BASEMENT TO REMAIN UNFINISHED



ELECTRONIC STAMP

BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
SA	SMOKE ALARM
MA	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
WM	WATER METER
FD	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-30x79	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	

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

SMOKE DETECTOR TO BE INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM TO TURN OFF POWER AND FUEL SUPPLY UPON ACTIVATION



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

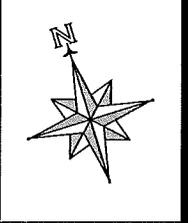
LEAD ENGINEER
 ROBERT MENDEZ P. ENG. 100054193
 robertmendez@yahoo.com
 C: (416)-807-1572
 www.legalsecondsuites.com





ADDRESS:
129 SHERMAN AVENUE NORTH

EXISTING / PROPOSED BASEMENT



SCALE:
1" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.01



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-183484

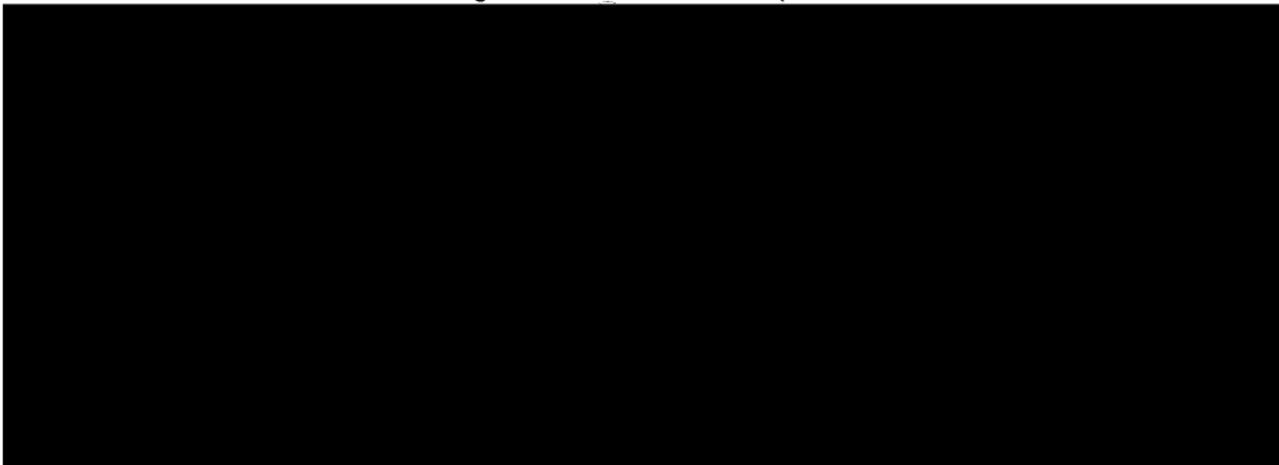
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20-196</u>	DATE APPLICATION RECEIVED <u>Sept. 14/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**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



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:

Lot area reduction to 183 sqm

Rear yard encroachment of 4m for the rear deck steps to second floor balcony

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

Existing lot area is too small

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

129 Sherman Ave N, Hamilton

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes ___ No ___ Unknown X

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

Yes ___ No ___ Unknown X

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

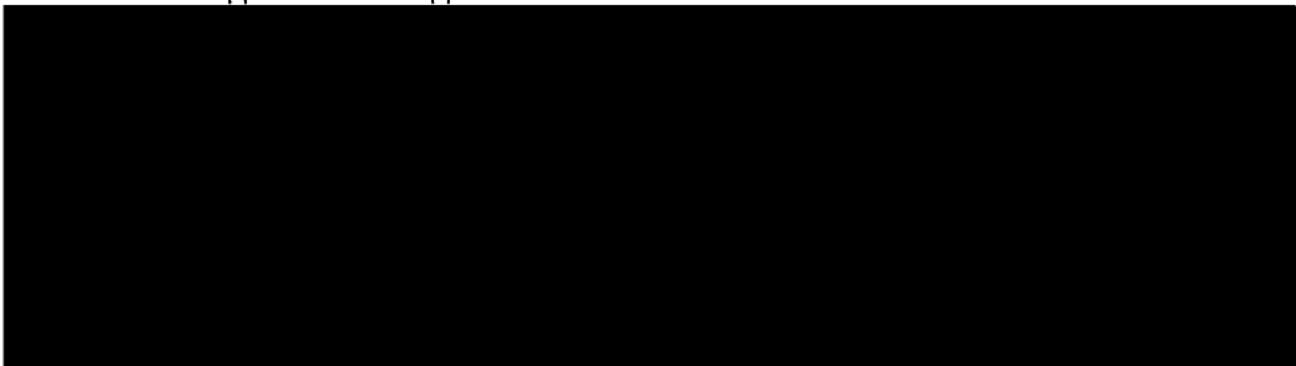
Existing residential use for over 100 years

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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



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 | <u>X</u> | Connected | <u>X</u> |
| Sanitary Sewer | <u>X</u> | Connected | <u>X</u> |
| Storm Sewers | <u>X</u> | | |
-
19. Present Official Plan/Secondary Plan provisions applying to the land:
-
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D - One and Two Family Dwelling
-
-
21. Has the owner previously applied for relief in respect of the subject property?
 Yes _____ No X
 If the answer is yes, describe briefly.
-
-
-
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes _____ No X
-
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

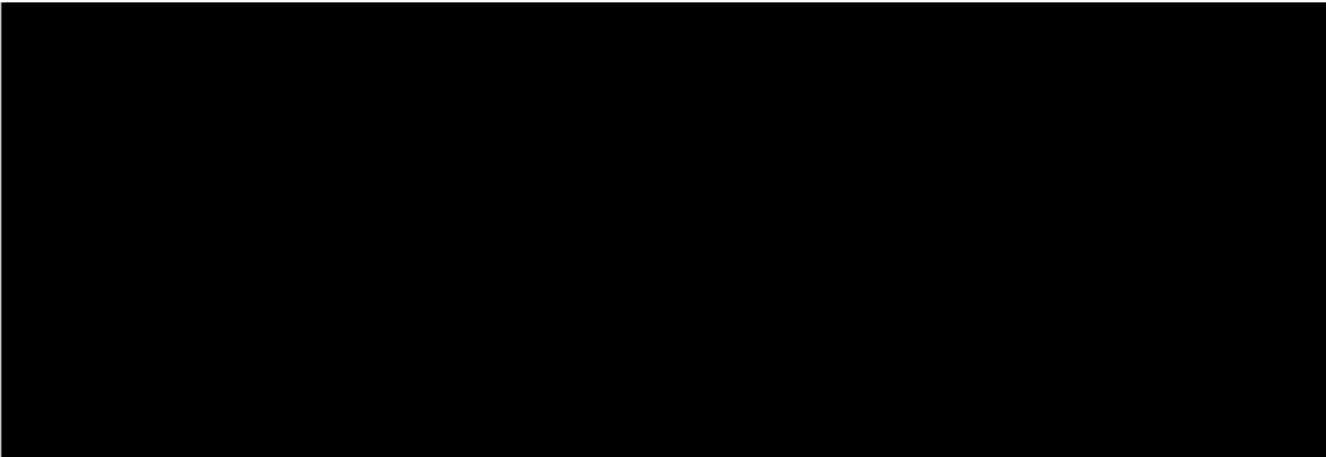
PART 24 AFFIDAVIT OR SWORN DECLARATION



_____ of
Brant

solemnly declare that:

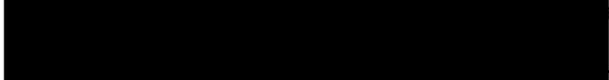
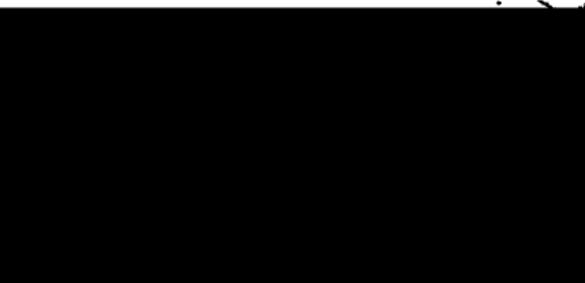
All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.



Expires March 11, 2021

PART 25 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) _____ registered Owner of the lands described in the contents of this application and hereby certify that I am the _____ owner



to act as my agent in this matter and to provide the information included in this application or collected during the process.

DATE Sept 3rd 2020



PART 26 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.
Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.12. In accordance with that Act, it is the policy of the City of Hamilton to provide information and supporting documentation submitted



_____, the Owner, hereby agree and acknowledge

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

Sept 3rd 2020

Date

S



PART 27 PERMISSION TO ENTER

Date: Sept 3rd 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 129 Sherman Ave N, Hamilton

(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 3rd day of Sept, 2020.

BETWEEN:



_____d to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at 5pm this 3rd day of Sept, 2020.

WITNESS



I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ___ day of _____, 20___.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 3rd day of Sept 2020.

BETWEEN



OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

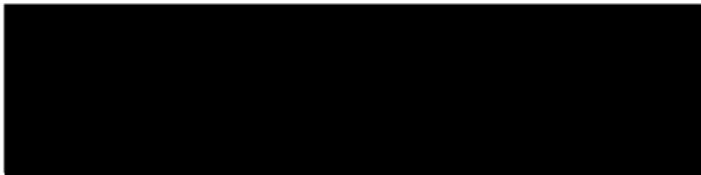
NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED



_____ c/s

Title:
I have authority to bind the corporation

_____ c/s

Assignee:
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

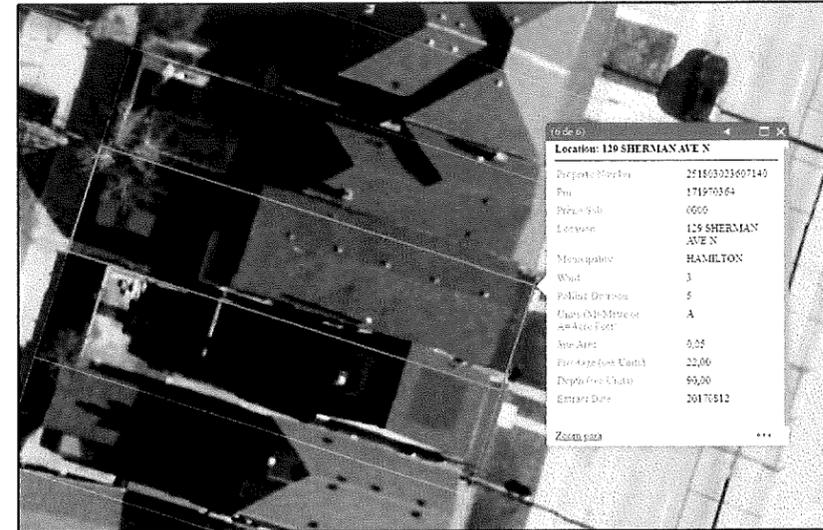
Clerk

2 UNIT CONVERSION

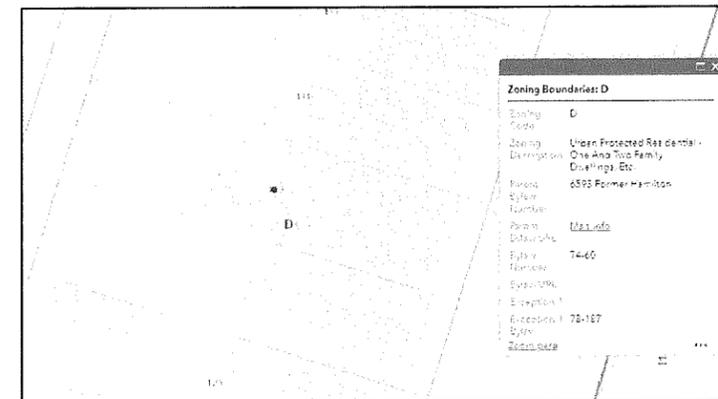
129 SHERMAN AVENUE NORTH - HAMILTON, ON.



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP



LEAD DESIGNER & CONSULTANT

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

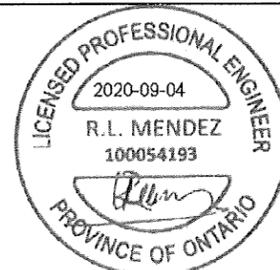
LEAD ENGINEER **ROBERT MENDEZ** P. ENG. 100054193
robertmendez@yahoo.com

C: (416)-807-1572

www.legalsecondsuites.com



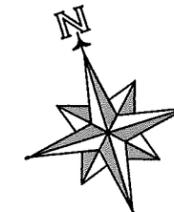
LEGAL SECOND SUITES



ADDRESS:

129 SHERMAN AVENUE NORTH

TITLE PAGE



SCALE:

-

PROJECT:

2 UNIT CONVERSION

DATE:

AUG 2020

SHEET#:

A0.01

SITE INFORMATION & STATISTICS

ADDRESS	129 SHERMAN AVENUE NORTH - HAMILTON - ON.		
ZONING TYPE	D		
LOT AREA	1975.87 SQ FT (183.56 SQ M)		
LOT FRONTAGE	22' (6.7m)		
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 WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:

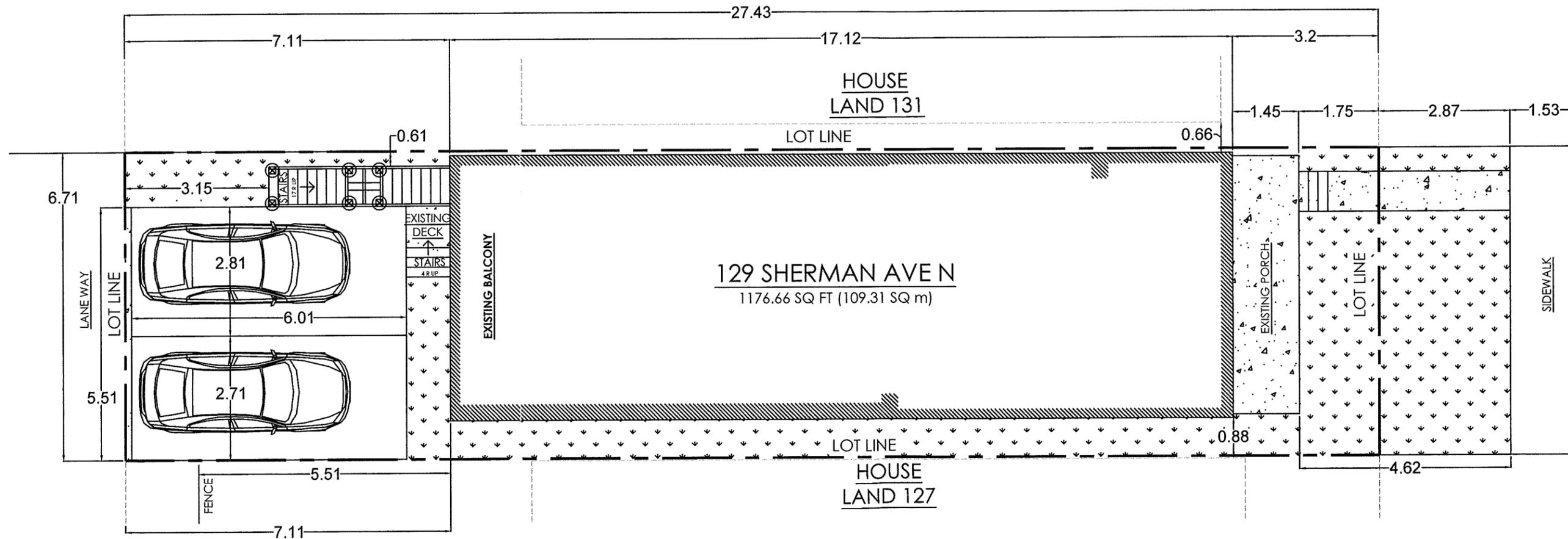
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

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.

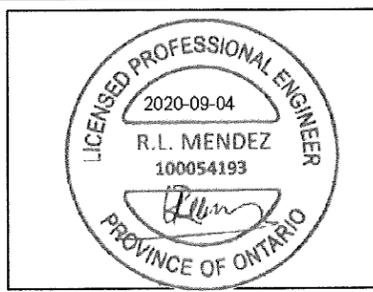
SITE PLAN:

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



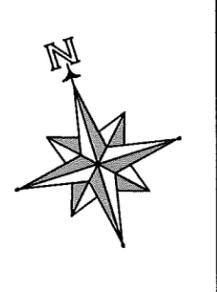
LEAD DESIGNER & CONSULTANT
 KEN BEKENDAM
 kenbekendam@gmail.com
 C: (905)-961-0647
 (855) - KINGHMS (546-4467)

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



ADDRESS:
129 SHERMAN AVENUE NORTH

SITE PLAN



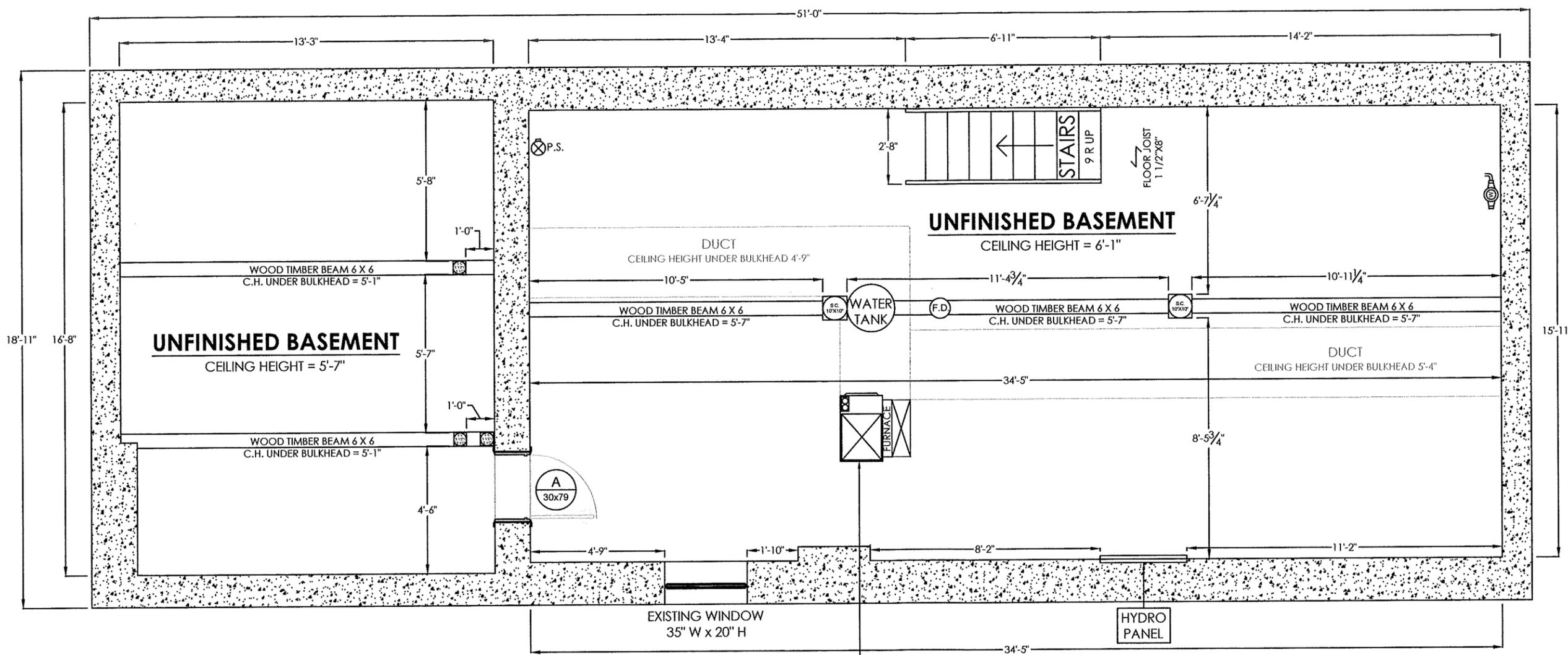
SCALE:
1/8" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
SP1.01

NOTE: BASEMENT TO REMAIN UNFINISHED



SMOKE DETECTOR TO BE INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM TO TURN OFF POWER AND FUEL SUPPLY UPON ACTIVATION

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
	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

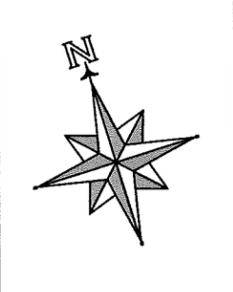
DOOR LEGEND	DOOR TYPE / DOOR SIZE
	A. PANEL DOOR
	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
	D. EXTERIOR DOOR
	E. BIFOLD CLOSET
	F. SLIDING DOOR
	G. POCKET DOOR

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

ADDRESS:
129 SHERMAN AVENUE NORTH

EXISTING / PROPOSED BASEMENT

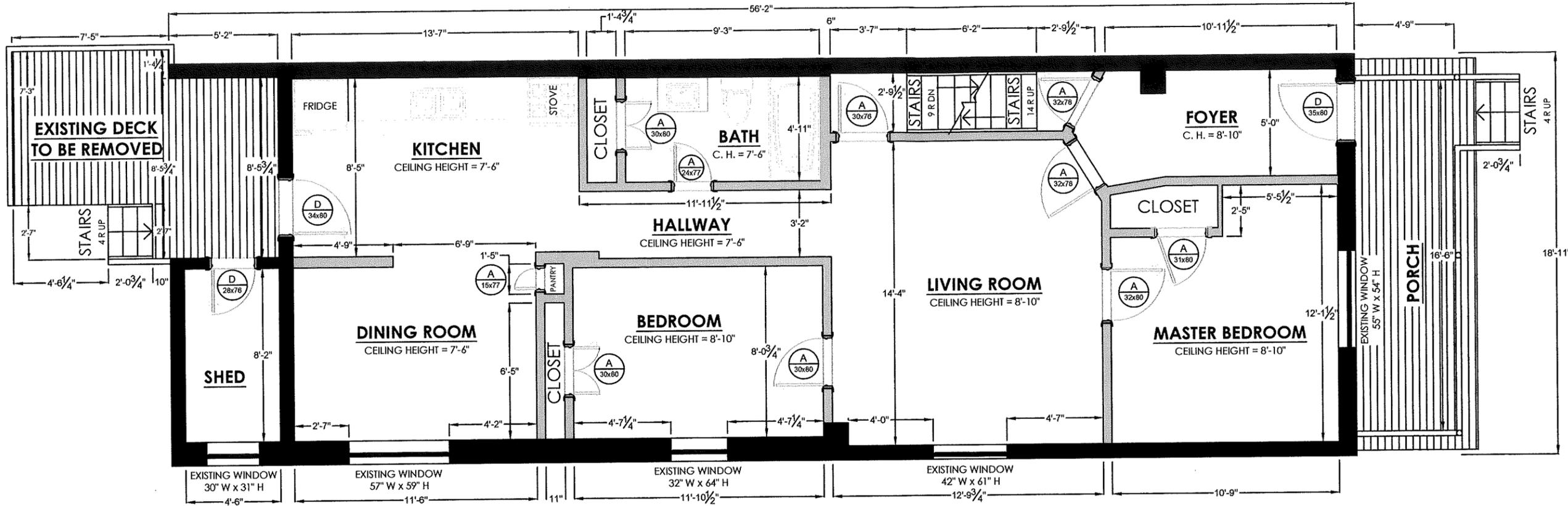


SCALE:
1/4" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.01



PLANS LEGEND	
	BATH
	ROOM NAME
	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 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
www.legalsecondsuites.com

LICENSED PROFESSIONAL ENGINEER

2020-09-04

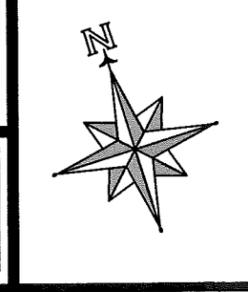
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS:
129 SHERMAN AVENUE NORTH

EXISTING GROUND FLOOR

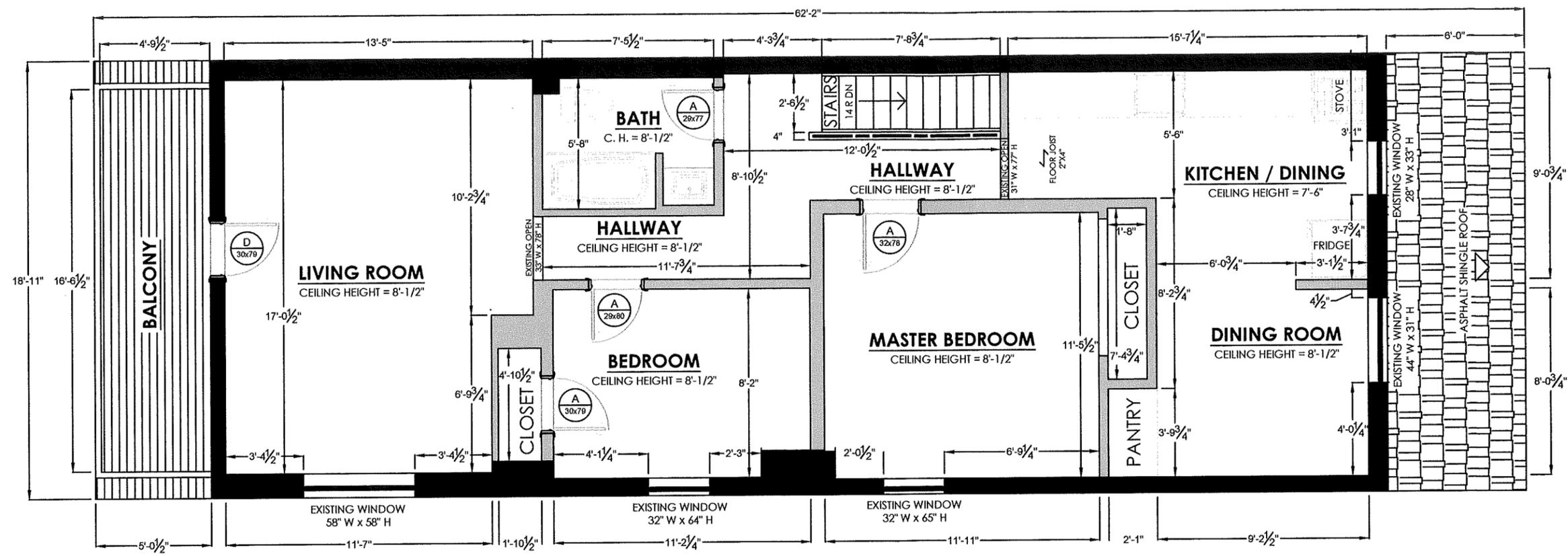


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 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
		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

DOOR LEGEND

	A	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			

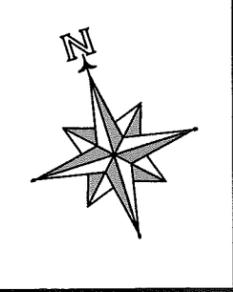
LEAD DESIGNER & CONSULTANT
 KEN BEKENDAM
 kenbekendam@gmail.com
 C: (905)-961-0647
 (855) - KINGHMS (546-4467)

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

LICENSED PROFESSIONAL ENGINEER
 2020-09-04
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

ADDRESS:
129 SHERMAN AVENUE NORTH

EXISTING SECOND FLOOR

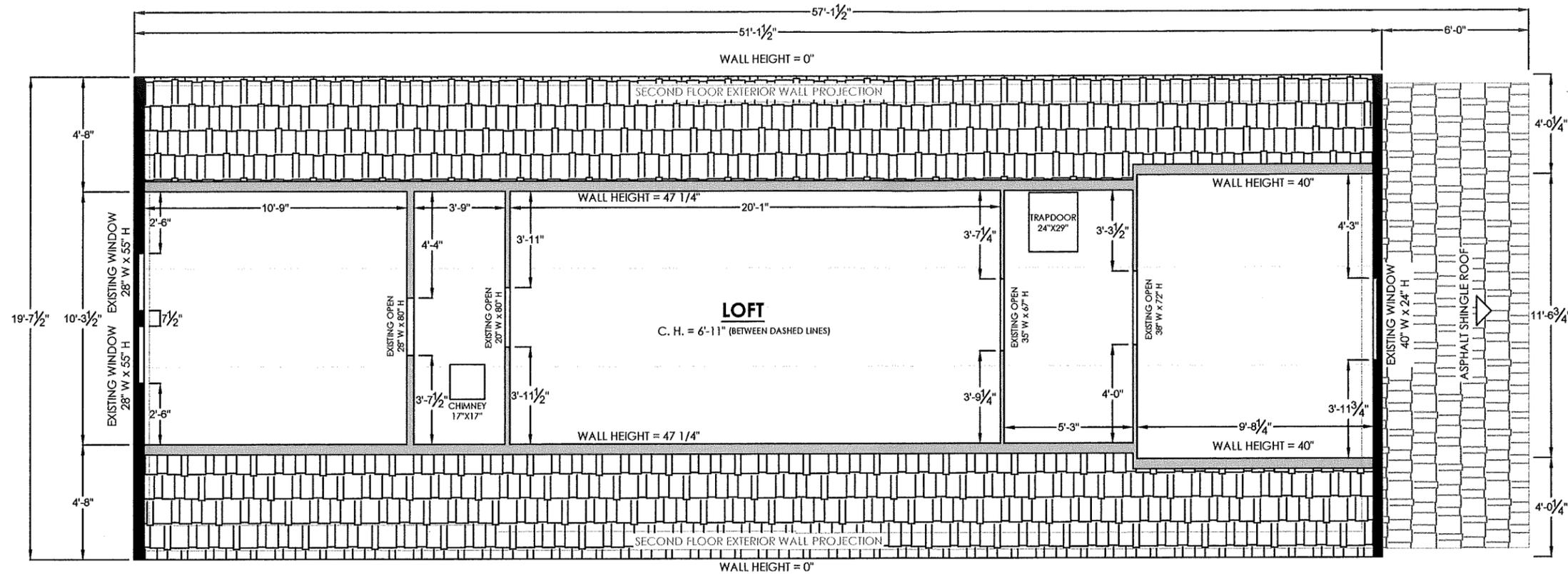


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.03



PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	C.H. = 8'-10"
	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 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)



LEGAL
SECOND
SUITES

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

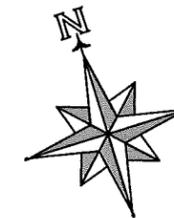
www.legalsecondsuites.com



ADDRESS:

129 SHERMAN AVENUE NORTH

EXISTING THIRD FLOOR



SCALE:

3/16" = 1'

PROJECT:

2 UNIT
CONVERSION

DATE:

AUG 2020

SHEET#:

A1.04

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; F&D 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

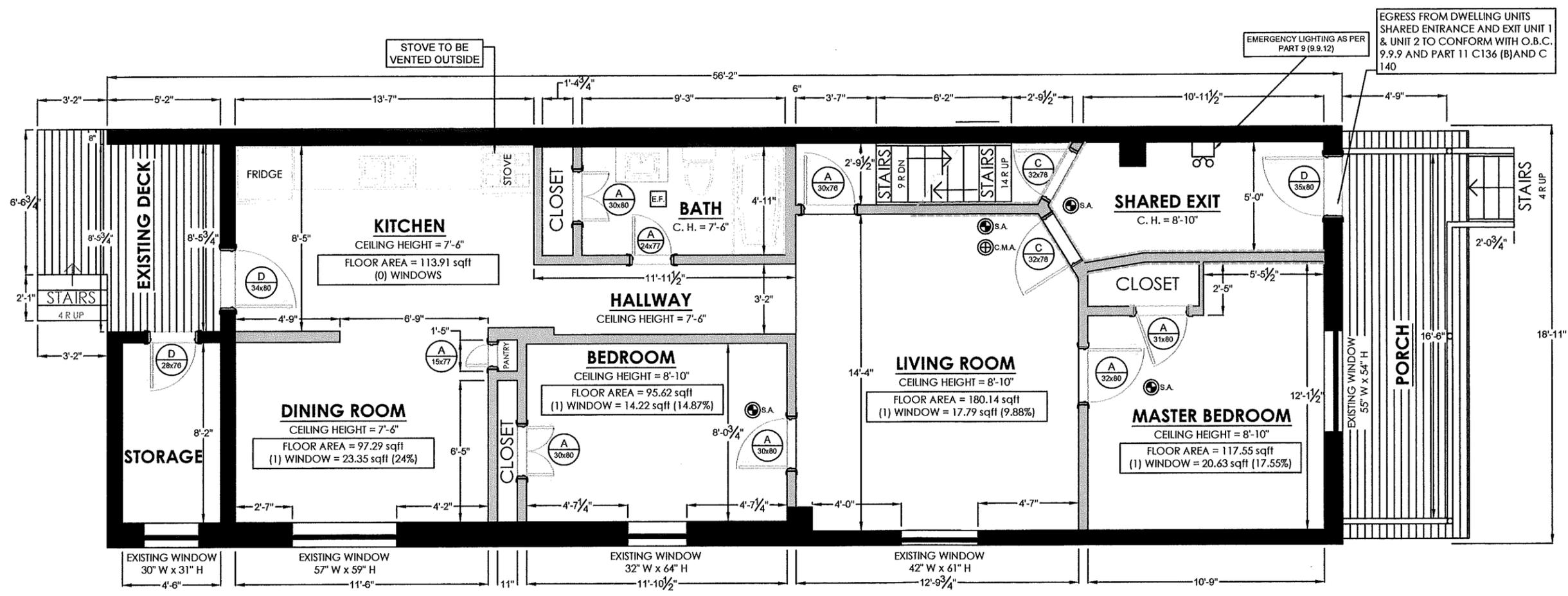
EX. LATH AND PLASTER TO REMAIN AS IS
- MEETS A 30 MIN FRR AS PER ONTARIO FIRE MARSHALL
- WITH INTERCONNECTED SMOKE DETECTORS IN EACH DWELLING UNIT

EXISTING CEILING (15 MIN FRR BETWEEN DWELLING UNITS)
- EX. 1/2" REGULAR GYPSUM BOARD OR PLASTER TO REMAIN
- AS PER PART 11 C143 I. 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.)



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

BATH	ROOM NAME
[E.F.]	EXHAUST FAN
[2]	SPECIFICATION TAG
[S.A.]	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

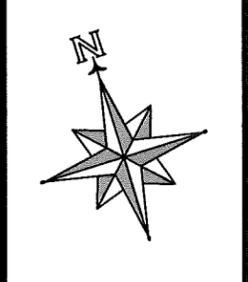
LEAD DESIGNER & CONSULTANT
KEN BEKENDAM
kenbekendam@gmail.com
C: (905)-961-0647
(855) - KINGHMS (546-4467)

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

www.legalsecondsuites.com

ADDRESS:
129 SHERMAN AVENUE NORTH

PROPOSED GROUND FLOOR

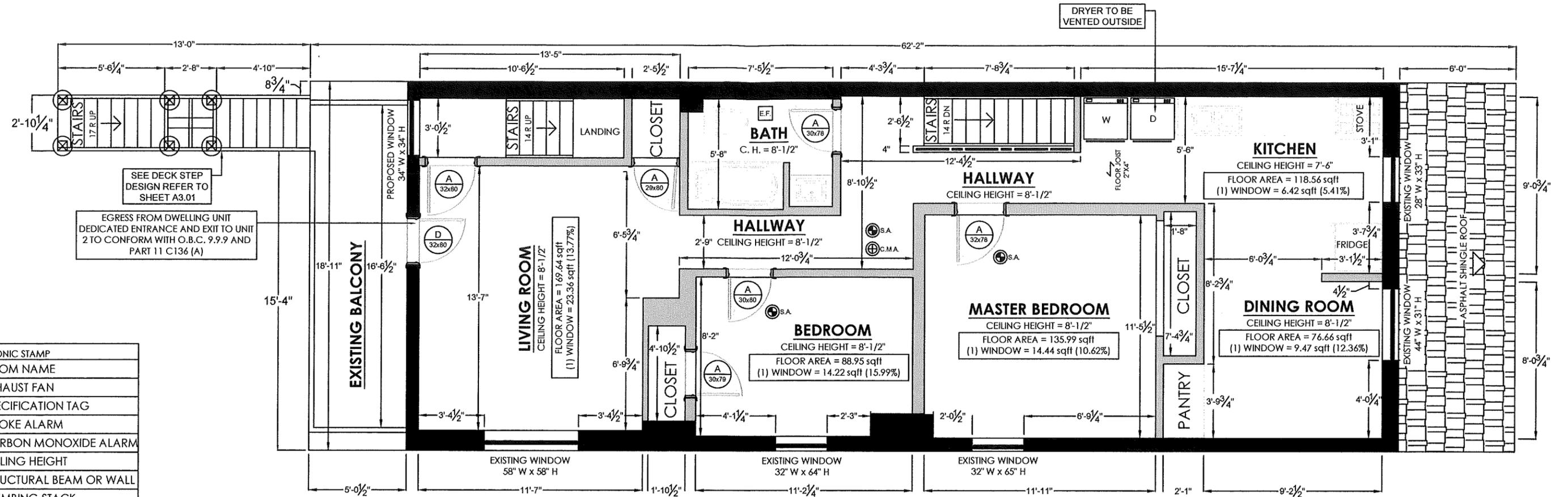


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.06



SEE DECK STEP DESIGN REFER TO SHEET A3.01

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT 2 TO CONFORM WITH O.B.C. 9.9.9 AND PART 11 C.136 (A)

ELECTRONIC STAMP	
BATH	ROOM NAME
E.F.	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	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
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE

DOOR LEGEND	
A	DOOR TYPE
30x60	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

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 24" O.C.
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER 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 OTHER 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 SEPARATION (VALVES, METERS, ELECTRICAL BOXES, ETC.):

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

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

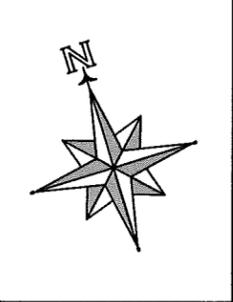
LEAD DESIGNER & CONSULTANT KEN BEKENDAM
 kenbekendam@gmail.com
 C: (905)-961-0647
 (855) - KINGHMS (546-4467)

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

www.legalsecondsuites.com

ADDRESS:
129 SHERMAN AVENUE NORTH

PROPOSED SECOND FLOOR

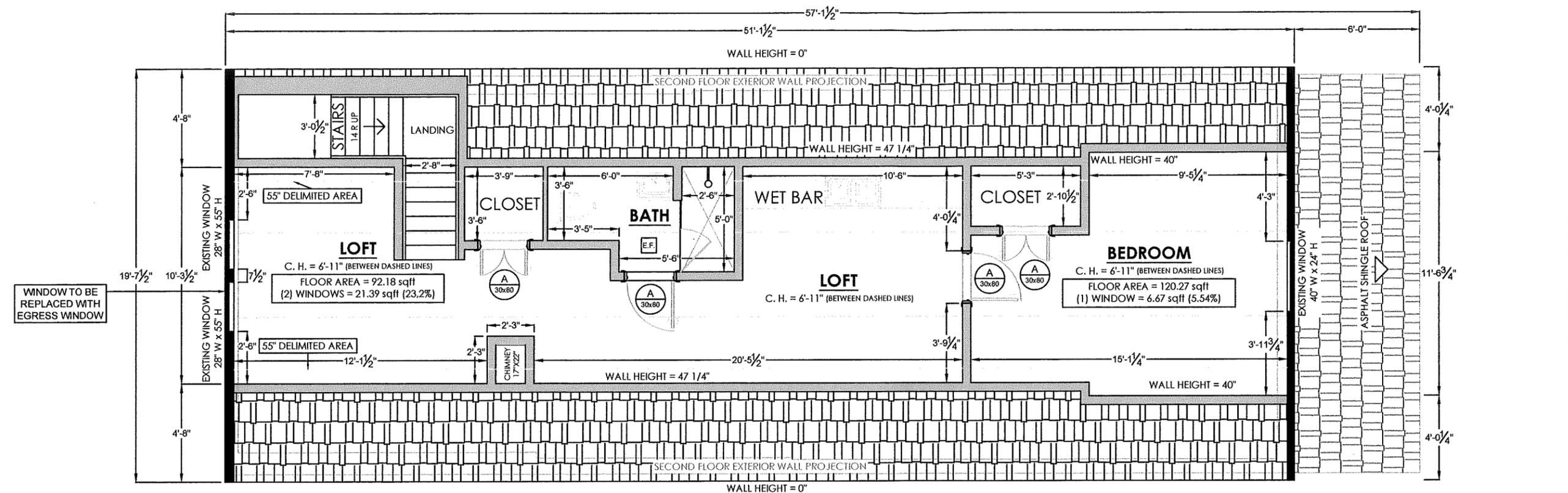


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.07



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

PLANS LEGEND	
	BATH
	ROOM NAME
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	C.E.H. = 8'-10"
	STRUCTURAL BEAM OR WALL
	P.S. PLUMBING STACK
	WATER METER
	F.D. FLOOR DRAIN
	S.C. 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
www.legalsecondsuites.com

LICENSED PROFESSIONAL ENGINEER

2020-09-04

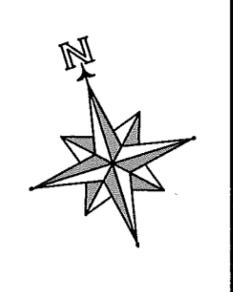
R.L. MENDEZ

100054193

PROVINCE OF ONTARIO

ADDRESS:
129 SHERMAN AVENUE NORTH

PROPOSED THIRD FLOOR

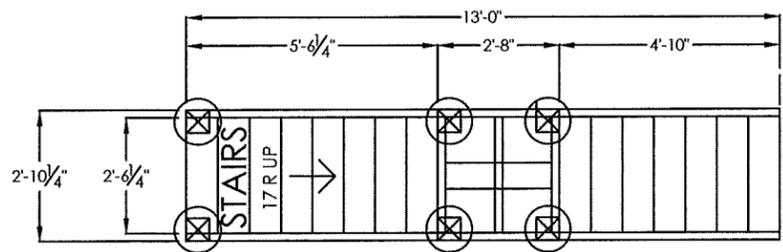
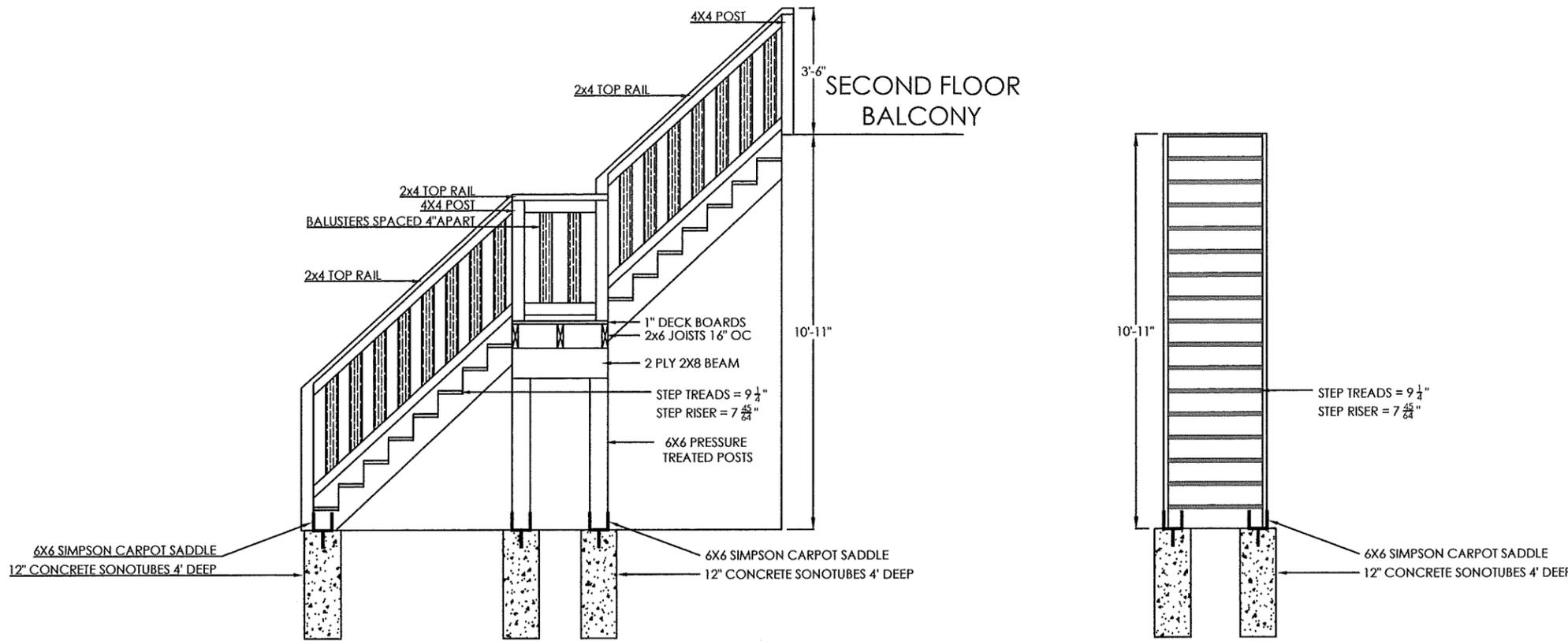


SCALE:
3/16" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A1.08



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

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:
129 SHERMAN AVENUE NORTH

EXTERIOR STAIR DETAIL

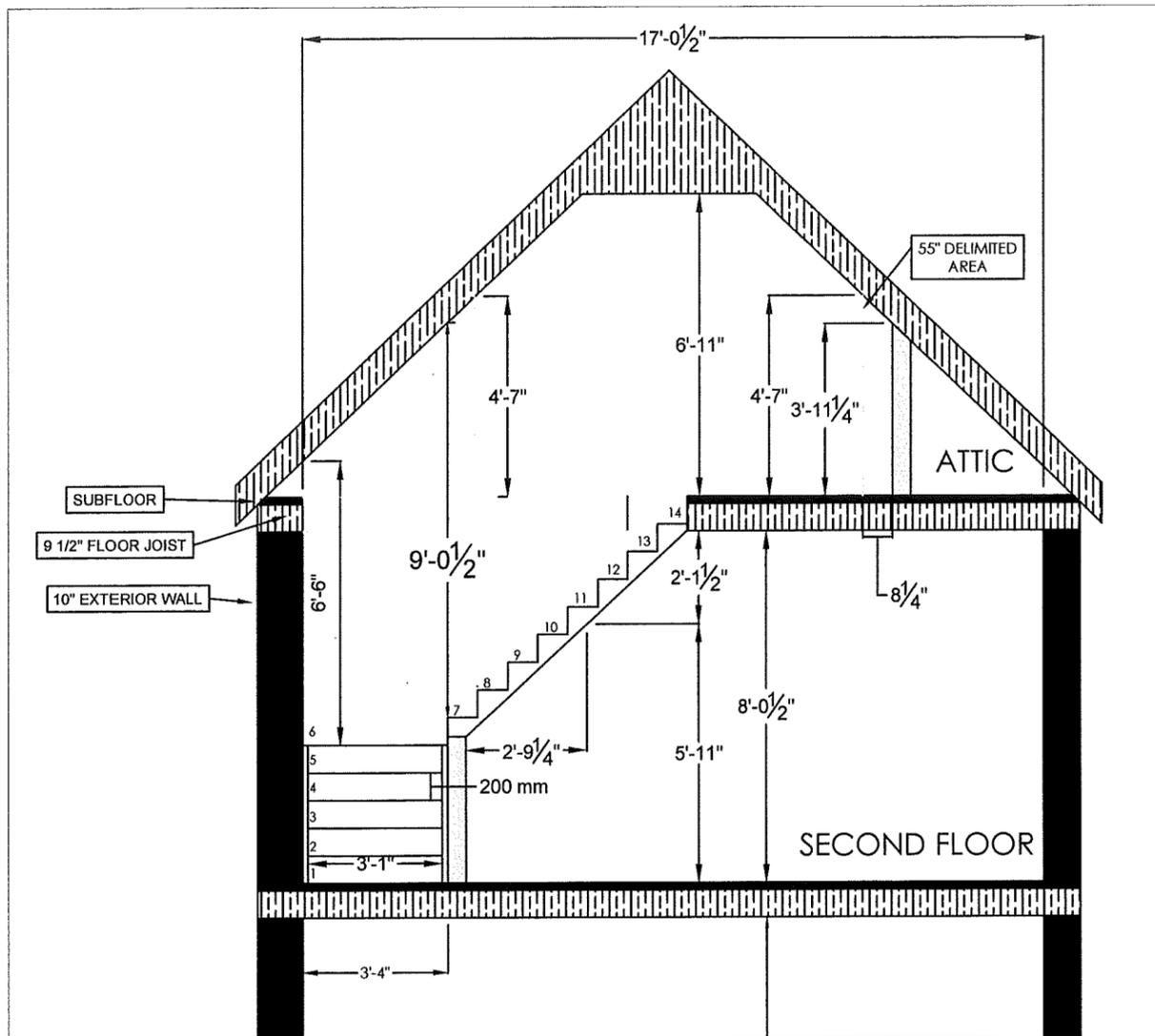


SCALE:
1/4" = 1'

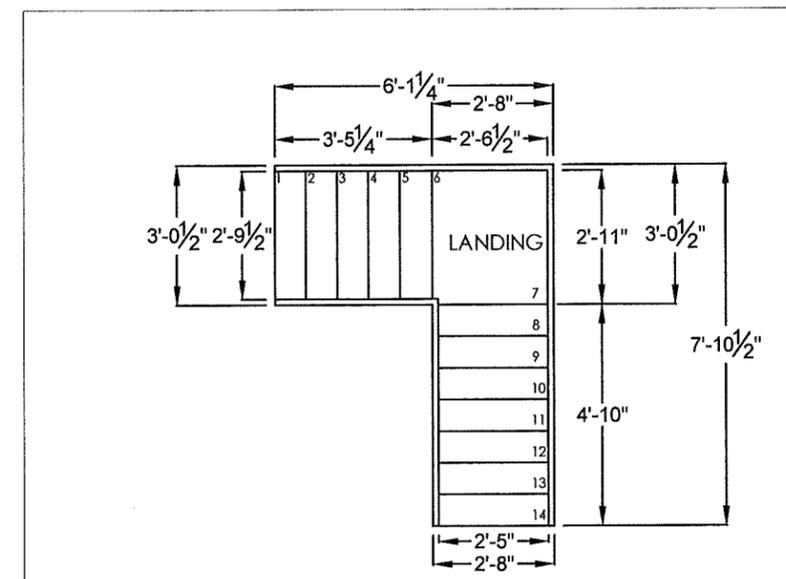
PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A3.01



1 2nd floor/attic stair cross section
1/4" : 1'



2 2nd floor/attic stair detail
1/4" : 1'

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
FD	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
DOOR LEGEND	
A	DOOR TYPE
30x60	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

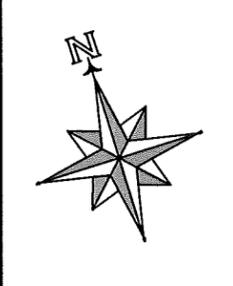
LEAD DESIGNER & CONSULTANT
KEN BEKENDAM
kenbekendam@gmail.com
C: (905)-961-0647
(855) - KINGHMS (546-4467)

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

LICENSED PROFESSIONAL ENGINEER
2020-09-04
R.L. MENDEZ
100054193
PROVINCE OF ONTARIO

ADDRESS:
129 SHERMAN AVENUE NORTH

INTERIOR STAIR DETAIL



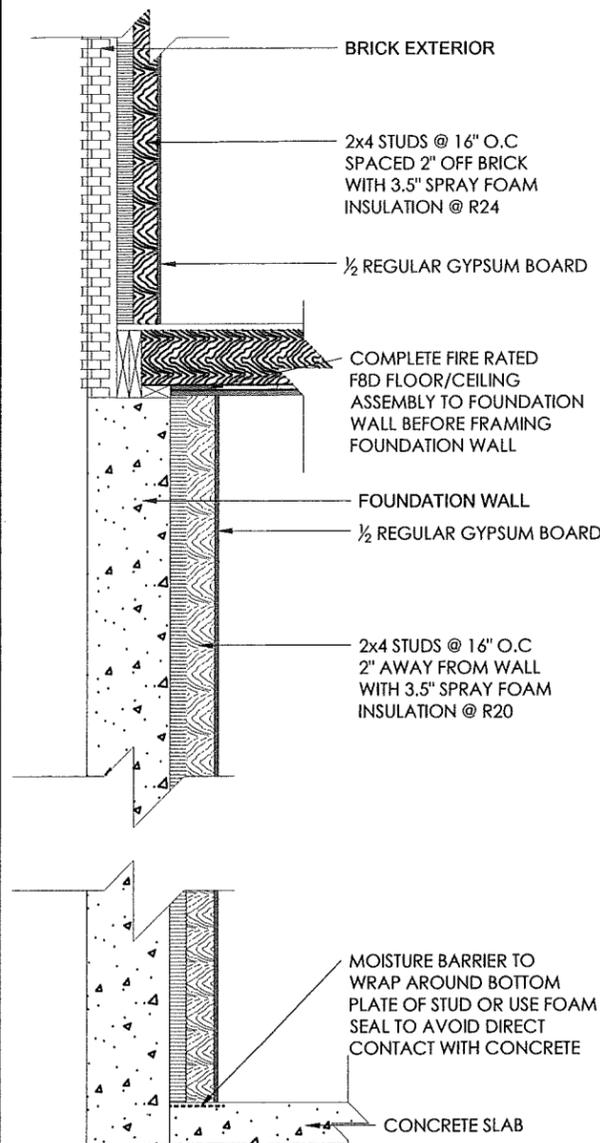
SCALE:
1/4" = 1'

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A3.02

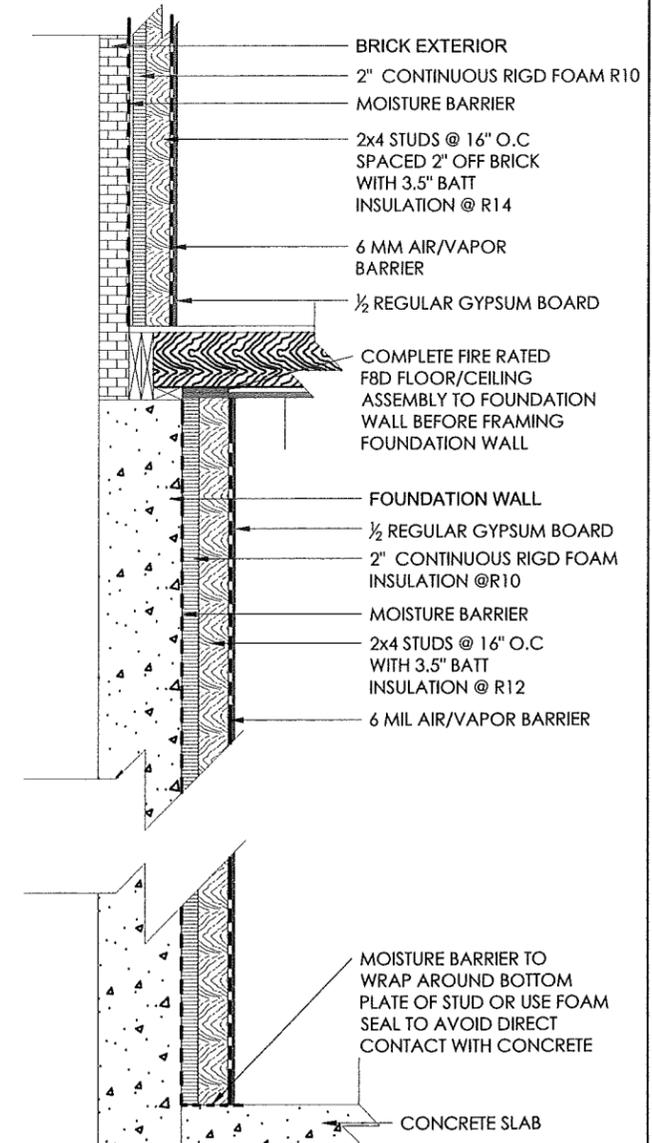
SPRAY FOAM DETAIL



NOTE: FOUNDATION WALL, SLAB AND FOOTING FOR REFERENCE ONLY - EXACT SIZE NOT DETERMINED

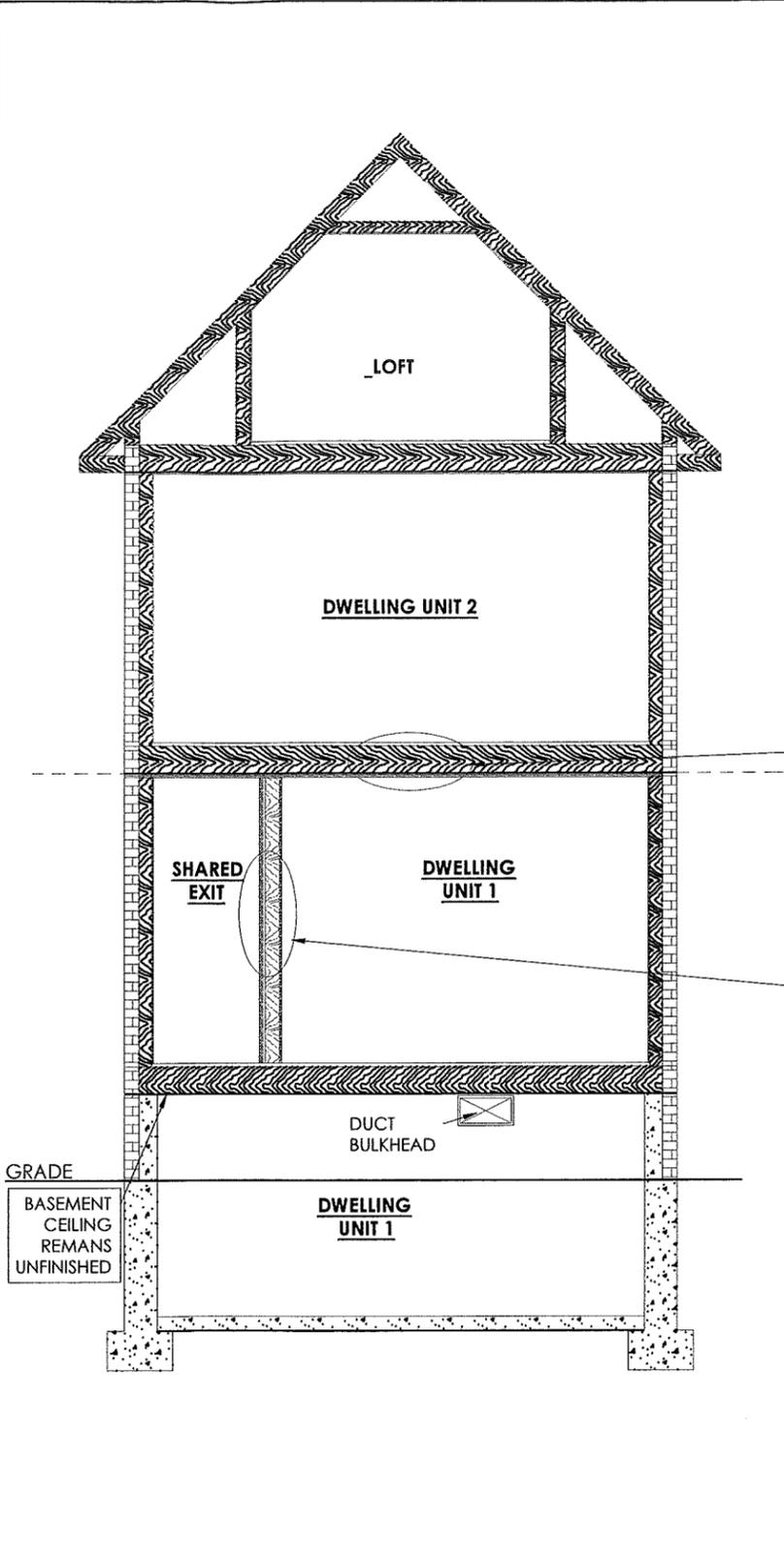
EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY

BATT INSULATION DETAIL



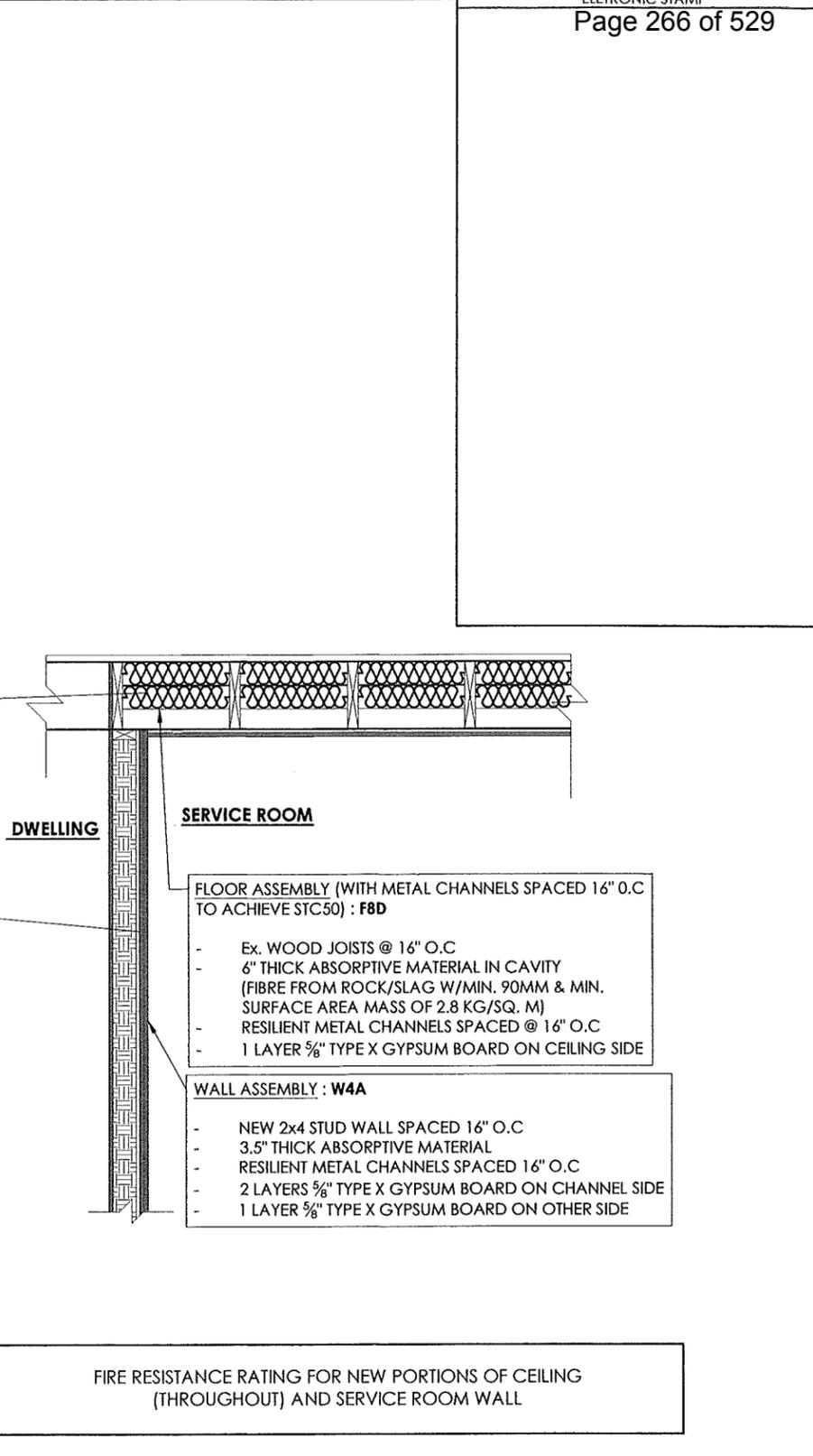
NOTE: FOUNDATION WALL, SLAB AND FOOTING FOR REFERENCE ONLY - EXACT SIZE NOT DETERMINED

EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY



GRADE
BASEMENT CEILING REMAINS UNFINISHED

CROSS SECTION 1 OF 2



FLOOR ASSEMBLY (WITH METAL CHANNELS SPACED 16" O.C TO ACHIEVE STC50) : F8D

- 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

WALL ASSEMBLY : W4A

- NEW 2x4 STUD WALL SPACED 16" O.C
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 16" O.C
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

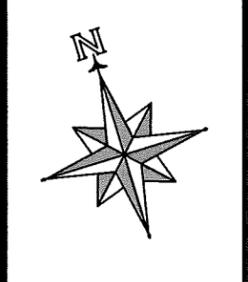
FIRE RESISTANCE RATING FOR NEW PORTIONS OF CEILING (THROUGHOUT) AND SERVICE ROOM WALL

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:
129 SHERMAN AVENUE NORTH

CROSS SECTION 1 OF 2

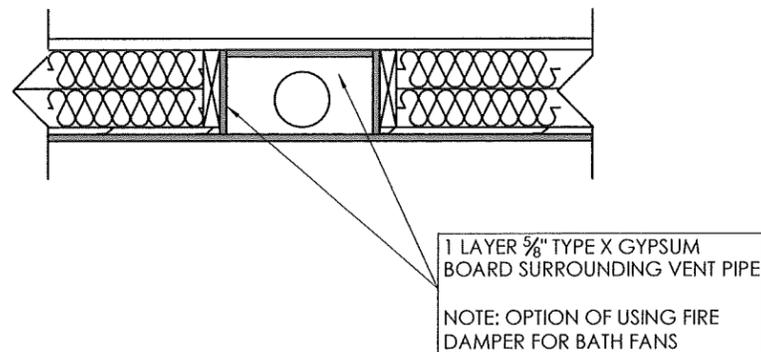


SCALE:
-

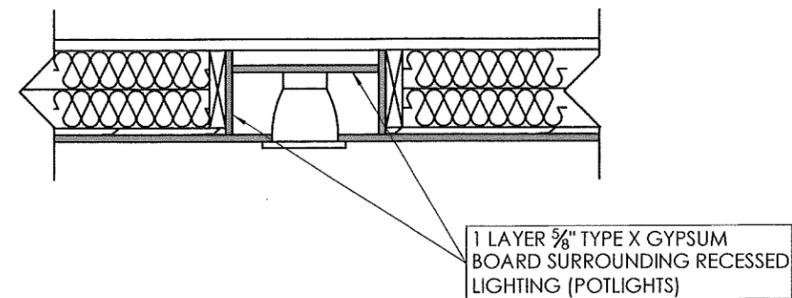
PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

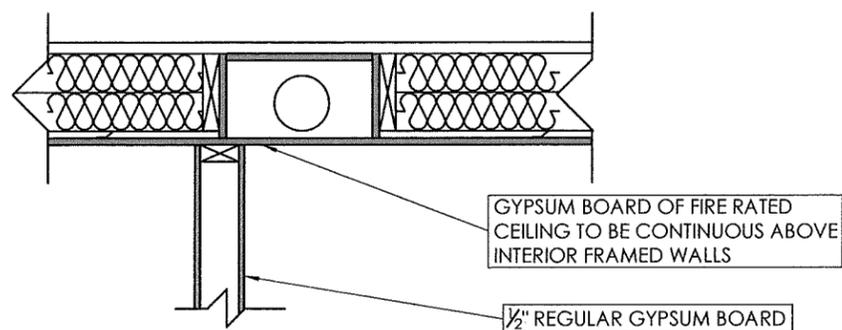
SHEET#:
A4.01



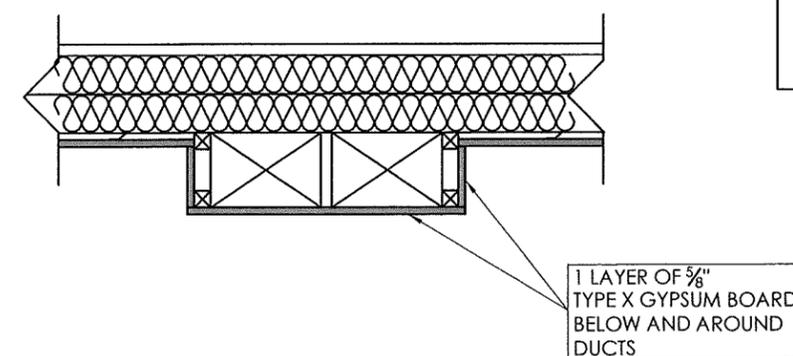
FOR VENTS (BATH FANS, KITCHEN EXHAUSTS, & CLOTHES DRYERS)



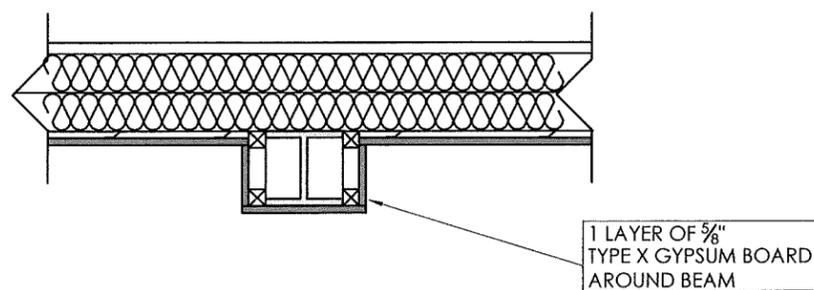
FOR RECESSED LIGHTS



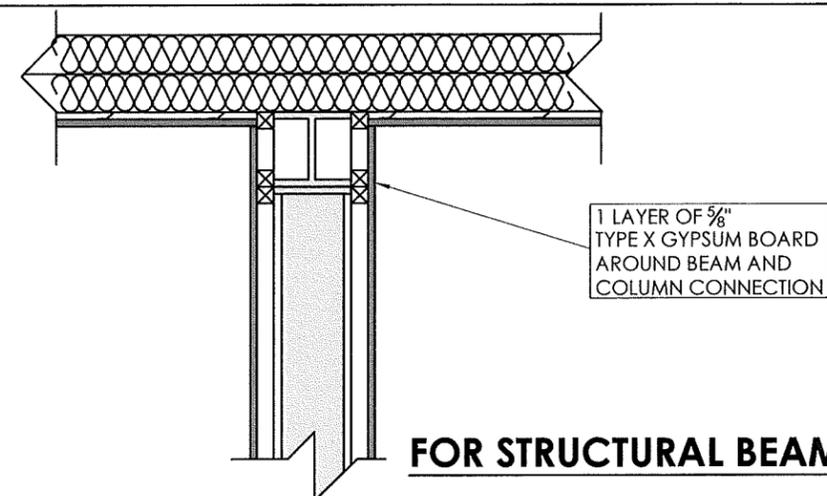
FOR INTERIOR PARTITIONS



FOR DUCTS



FOR BEAM



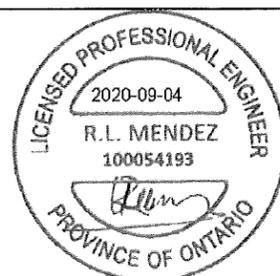
FOR STRUCTURAL BEAMS, COLUMNS & WALLS



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:
129 SHERMAN AVENUE NORTH

CROSS SECTION 2 OF 2



SCALE:
-

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A4.02

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 m² 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 m² 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 m², 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.



KING HOMES
DESIGN | BUILD | MANAGE

LEAD DESIGNER & CONSULTANT

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

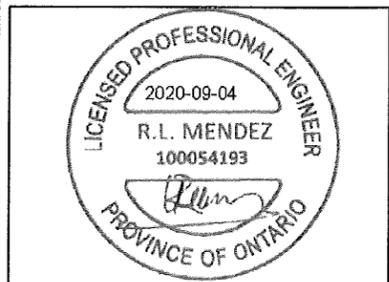


LEGAL SECOND SUITES

LEAD ENGINEER

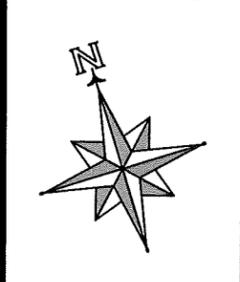
ROBERT MENDEZ P. ENG. 100054193
robertmendez@yahoo.com
C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS:
129 SHERMAN AVENUE NORTH

CONSTRUCTION NOTES 1 OF 2



SCALE:
-

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 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 m² 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 m², 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

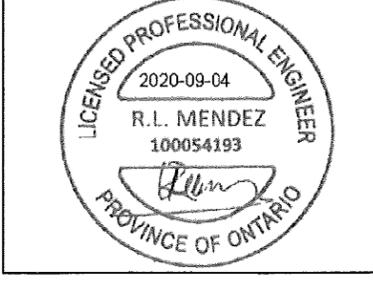
INSTALL HANDRAILS AND GUARDRAILS IN ACCORDANCE WITH 9.8.7. AND 9.8.8 OF THE BUILDING CODE RESPECTIVELY



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

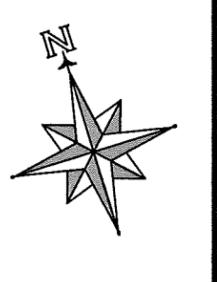
LEAD ENGINEER ROBERT MENDEZ P. ENG. 100054193
robertmendez@yahoo.com
C: (416)-807-1572

www.legalsecondsuites.com



ADDRESS:
129 SHERMAN AVENUE NORTH

CONSTRUCTION NOTES 2 OF 2

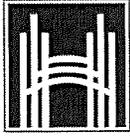


SCALE:
-

PROJECT:
2 UNIT CONVERSION

DATE:
AUG 2020

SHEET#:
A0.03



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:187

APPLICANTS: Chris Hopkins on behalf of the owner G. Kass inger

SUBJECT PROPERTY: Municipal address **77 Tom St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 19-307

ZONING: "D/S-1787" (Urban Protected Residential - One and Two Family Dwellings) district

PROPOSAL: To permit the re-construction of a 2.44m (8') x 3.05m (10') roofed-over unenclosed one storey front porch with stairs at the first storey of an existing single family dwelling notwithstanding that:

1. The roofed over unenclosed one storey porch at the first storey level, including eaves and gutters and stairs, may be permitted to project entirely into a required front yard and shall be 0.0m from the front lot line instead the requirement that a roofed over or screened but otherwise unenclosed one storey porch at the first storey level, including eaves and gutters, may project into a required front yard (being 6.0m) to a distance of not more than 3.0m and every such projecting porch shall be distant at least 1.5m from the front lot line.

NOTE:

- i) An Encroachment Agreement with the Public Works Department shall be required for the roofed over unenclosed one storey porch at the first storey level, including eaves and gutters and stairs, which encroaches onto the Tom Street road

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

DATE: Thursday, October 22nd, 2020
TIME: 2:10 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
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.

HMA-20:187

Page 2

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

MORE INFORMATION

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

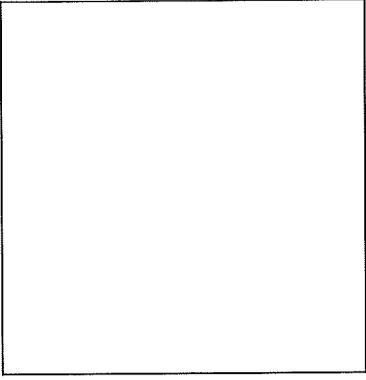
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 2020.

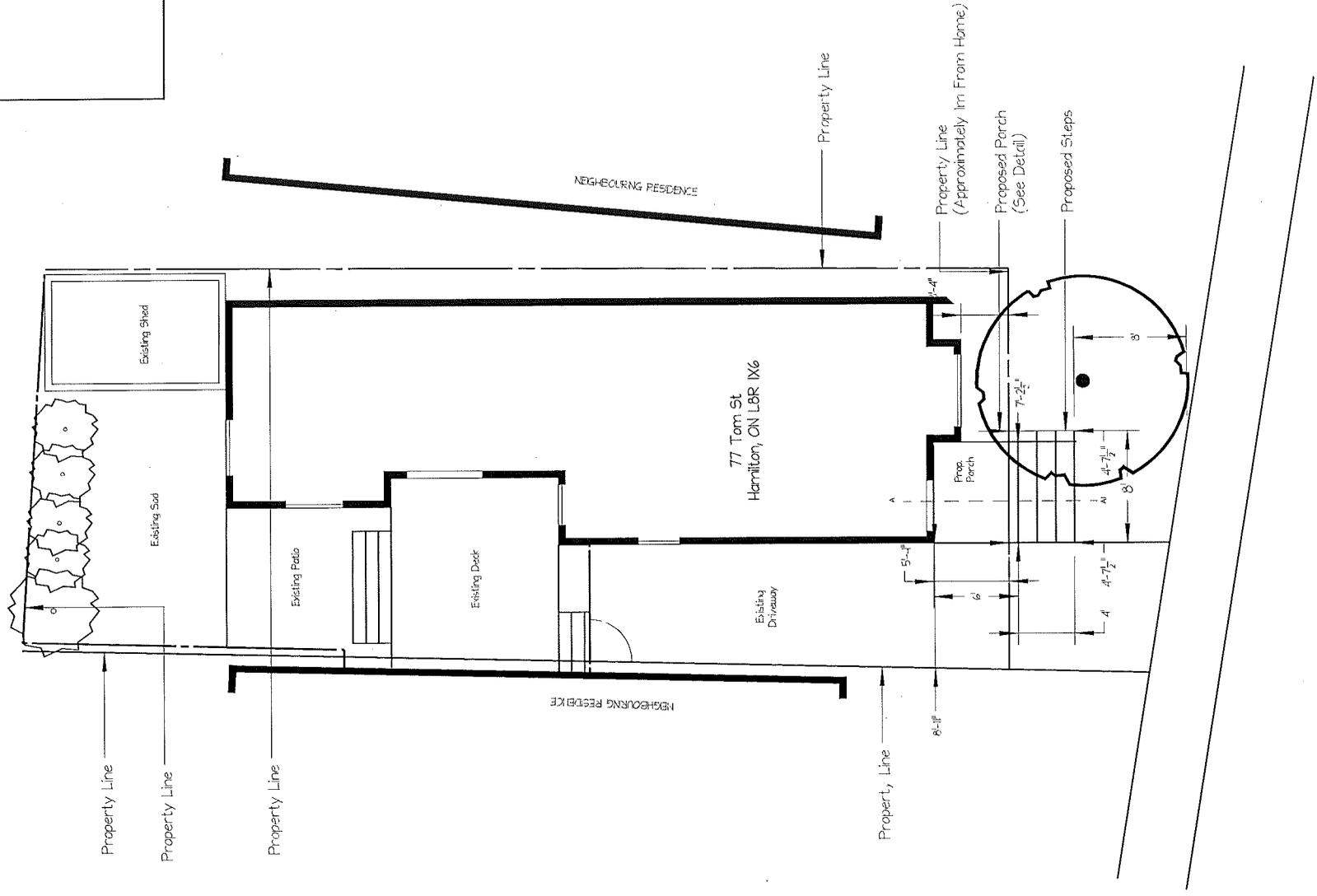


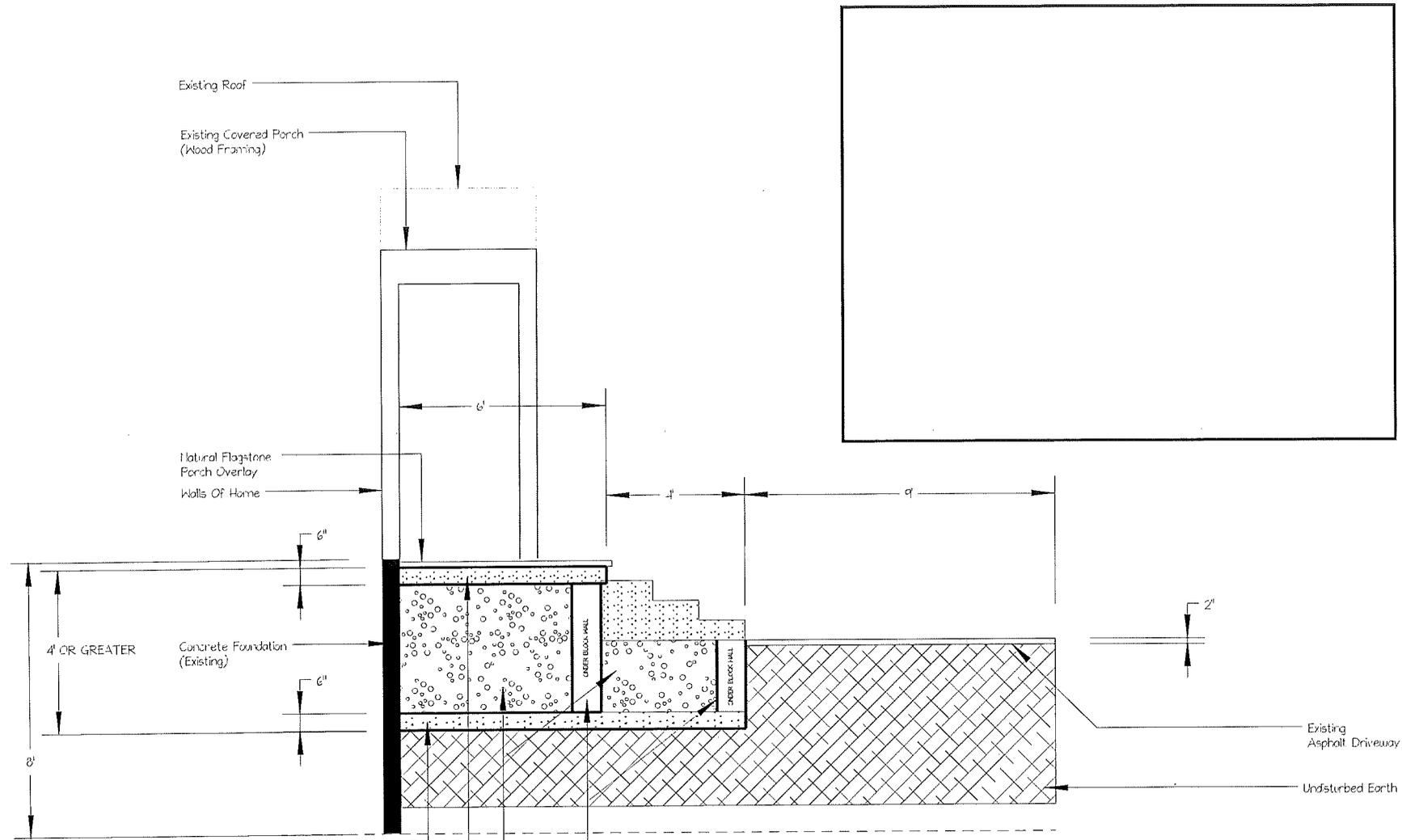
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



Scale: 1" = 10'
Print on 8.5" x 11"





6" Thick Concrete Slab
32MPA
Rebar Mesh As Required
(48" or Greater From Ground Level)

Cinder Block Wall
3/4" Clear Gravel
6" Thick Concrete Slab
32 MPA
Rebar Mesh As Required

77 Tom St
Hamilton, ON L8R 1X6

Scale: 1" = 4'
Print on 8.5" x 11"



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-182557

FOR OFFICE USE ONLY.

APPLICATION NO. Hm/A 20-187 DATE APPLICATION RECEIVED Sept. 3/20

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

CITY OF HAMILTON
BUILDING DIVISION
Planning & Development Department

SEP 03 2020

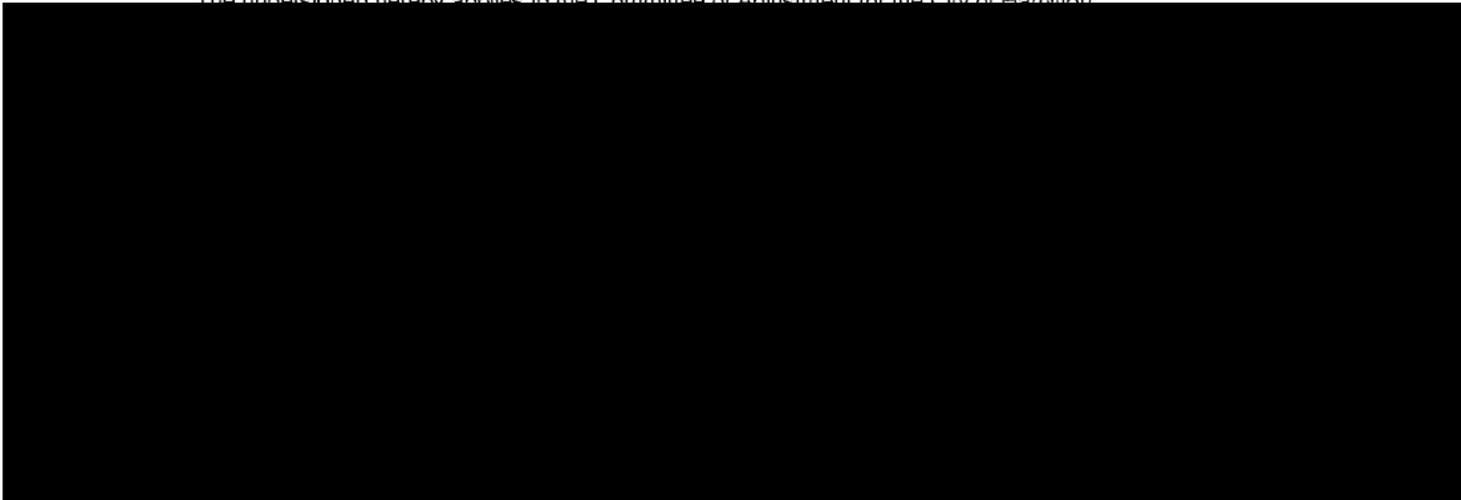
REC'D BY J. Melo DATE _____
REQ'D TO _____ DATE _____

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



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:

- building safe new steps for primary
home access

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

- otherwise no safe access to home
- future considerations for safe, gradual steps

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

PLAN 42 BLK 3 PT LOT 5
REG 0.04AC 27.00FR 66.00P

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?

NEIGHBOUR WHO HAS LIVED IN HER HOUSE OVER 60 YRS. HOUSES ON THIS STREET ARE ORIGINAL WORKERS COTTAGES FOR PONDURN CASTLE

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.

Aug 24, 2020
Date



10. Dimensions of lands affected:

Frontage 27.00 FEET
Depth 66.00 FEET
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: TOTAL 1,240 SQ FT

Proposed: 1,240 SQ FT - NO CHANGE TO HOUSE

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

Existing: _____

Proposed: _____

13. Date of acquisition of subject lands:
JUNE 15, 2008

14. Date of construction of all buildings and structures on subject lands:
1900

15. Existing uses of the subject property: RESIDENTIAL

16. Existing uses of abutting properties: _____

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

18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected ✓
 Sanitary Sewer ✓ Connected ✓
 Storm Sewers ✓

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

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

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

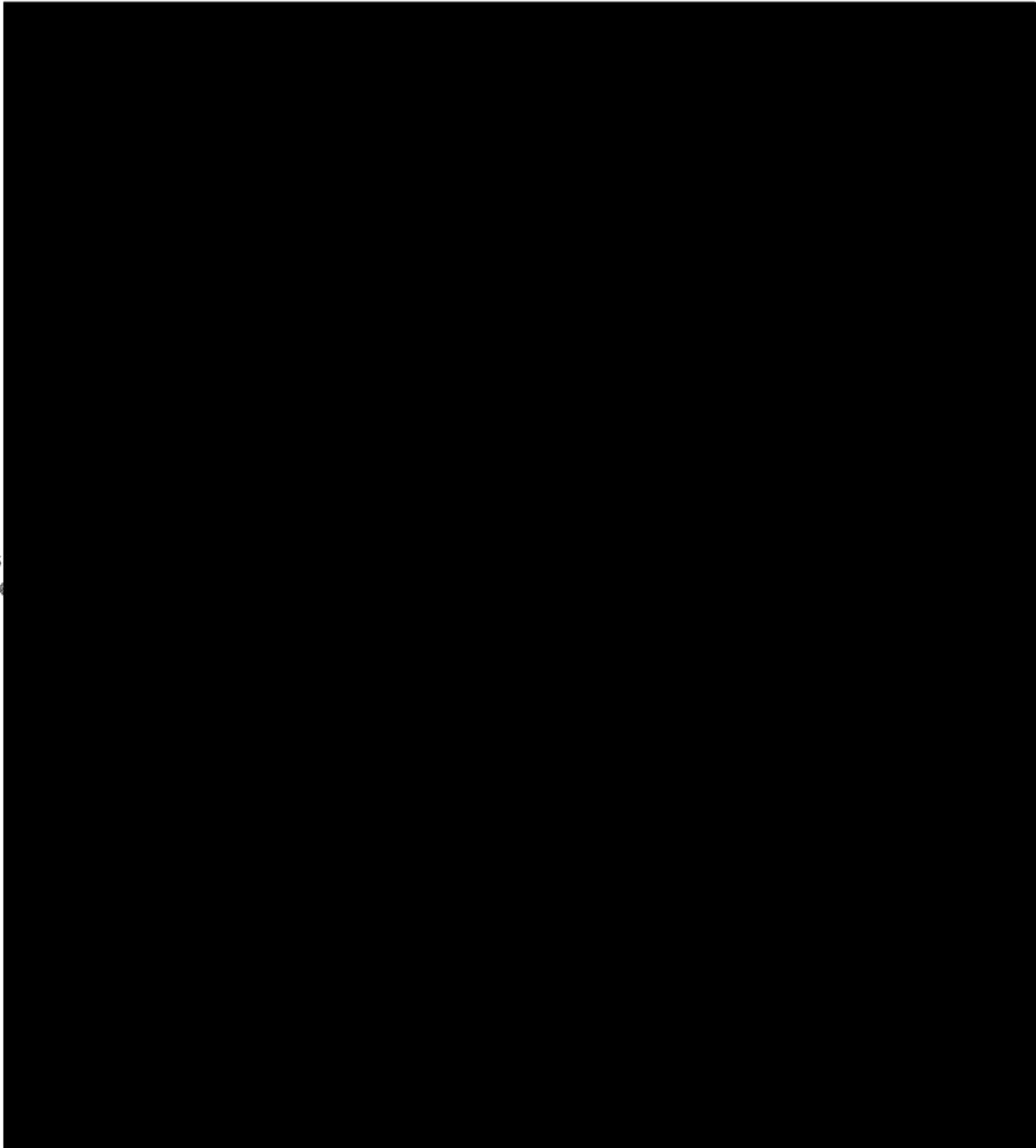
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



Witness as
- No Advice

(Print name of Owner)

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

AUG. 24, 2020
Date



PART 27 PERMISSION TO ENTER

Date: August 31st 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 77 Tom Street
(Municipal address)

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



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 31 day of August, 2020.

BETWEEN



-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

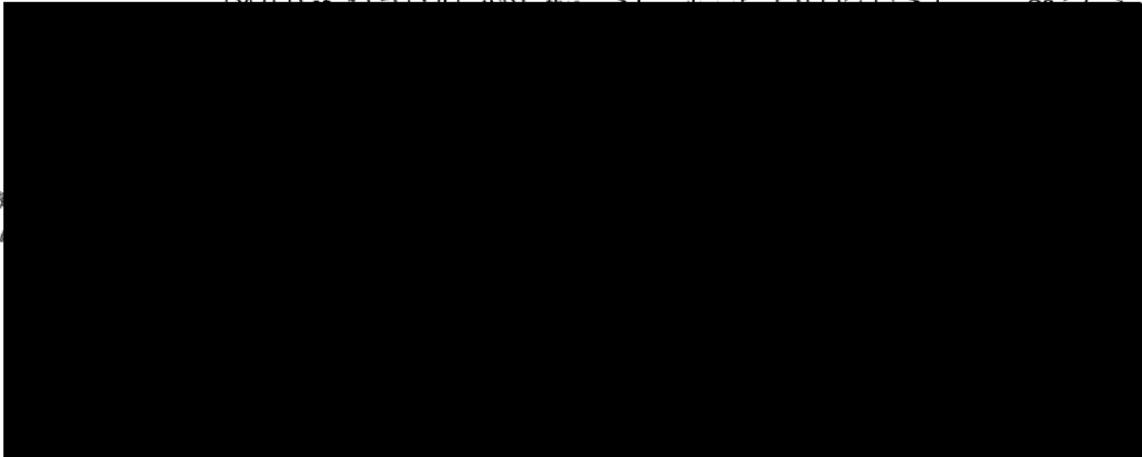
1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated Aug 31st 2020 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

REGISTERED: HAMILTON ON 31 AUGUST 2020



Witne
- No

City of Hamilton

Per: _____
Mayor

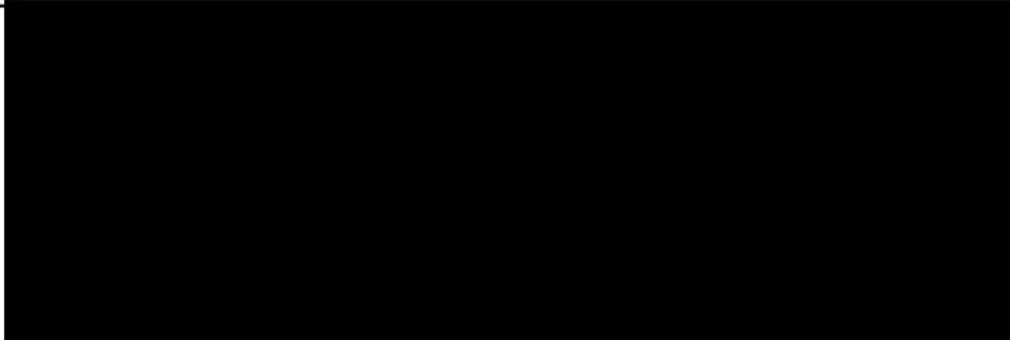
Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 31 day of August 2020

BETWEEN



OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated August 31st 2020

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

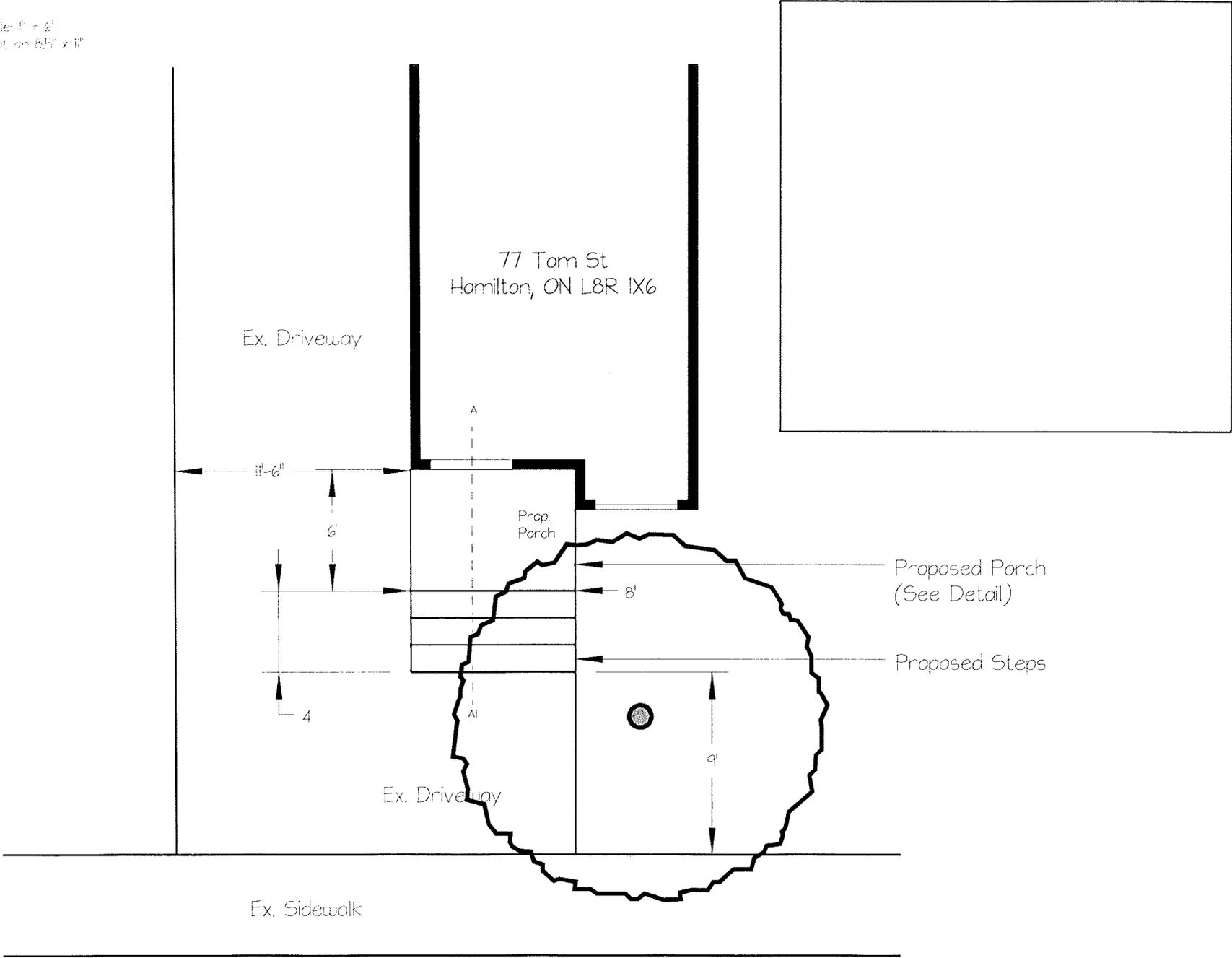


CITY OF HAMILTON

Mayor

Clerk

Circle 8' x 6'
1/4" = 1' on 8.5' x 11'





AA

hamilton.ca



Copycat Cr

Drum Table...

Molly Jong-...

Lotuisiana co...

Coffee Can...

donate.redc...

Savory Spin...

Land Survey...

Interactive Z...

The Lincoln...

OFFICIAL PLAN & ZONING BY-LAW

Official Plan

Provincial Planning Matters

Zoning By-law

Interactive Zoning Mapping

Zoning By-laws for the Former Communities

Zoning By-law No. 05-200

Commercial and Mixed Use Zones

Transit Oriented Corridor Zones (Wards 1 to 4)

Rural Zoning

Regulating Entertainment on Outdoor Commercial Patios

Ancaster - Existing Residential "ER" Zone

Residential Zones

GRIDS 2 & Municipal Comprehensive Review

[Back to Official Plan & Zoning By-law](#)

OTHER SERVICES AVAILABLE

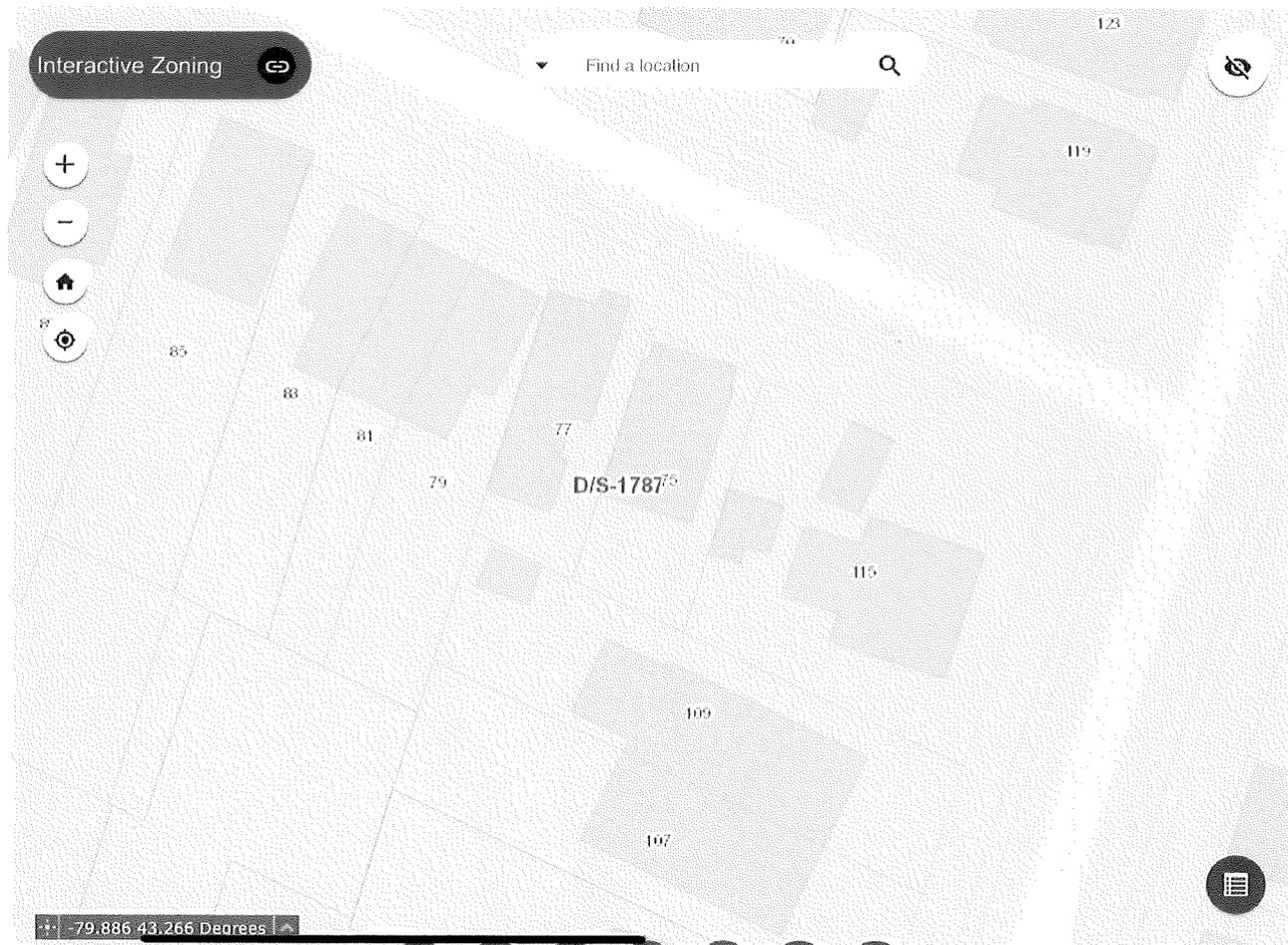


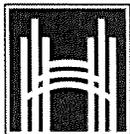
Interactive Zoning Mapping

Home > City Planning > Official Plan & Zoning By-law > Interactive Zoning Mapping

Find a specific area or property

To find zoning information on a specific area or property, enter an address into the search box.





Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:58

SUBJECT PROPERTY: 133-135 Markland St., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Lisa Lynn Lavalee

PURPOSE OF APPLICATION: To permit the conveyance of one half of a semi-detached dwelling (containing 2 dwelling units) and to retain one half of a semi-detached dwelling (containing 2 dwelling units).

Severed lands:

7.3m[±] x 32.05m[±] and an area of 233m^{2±}

Retained lands:

7.9m[±] x 32.05m[±] and an area of 253m^{2±}

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

DATE: Thursday, October 22nd, 2020

TIME: 2:15 p.m.

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

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

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:

HM/B-20:58

Page 2

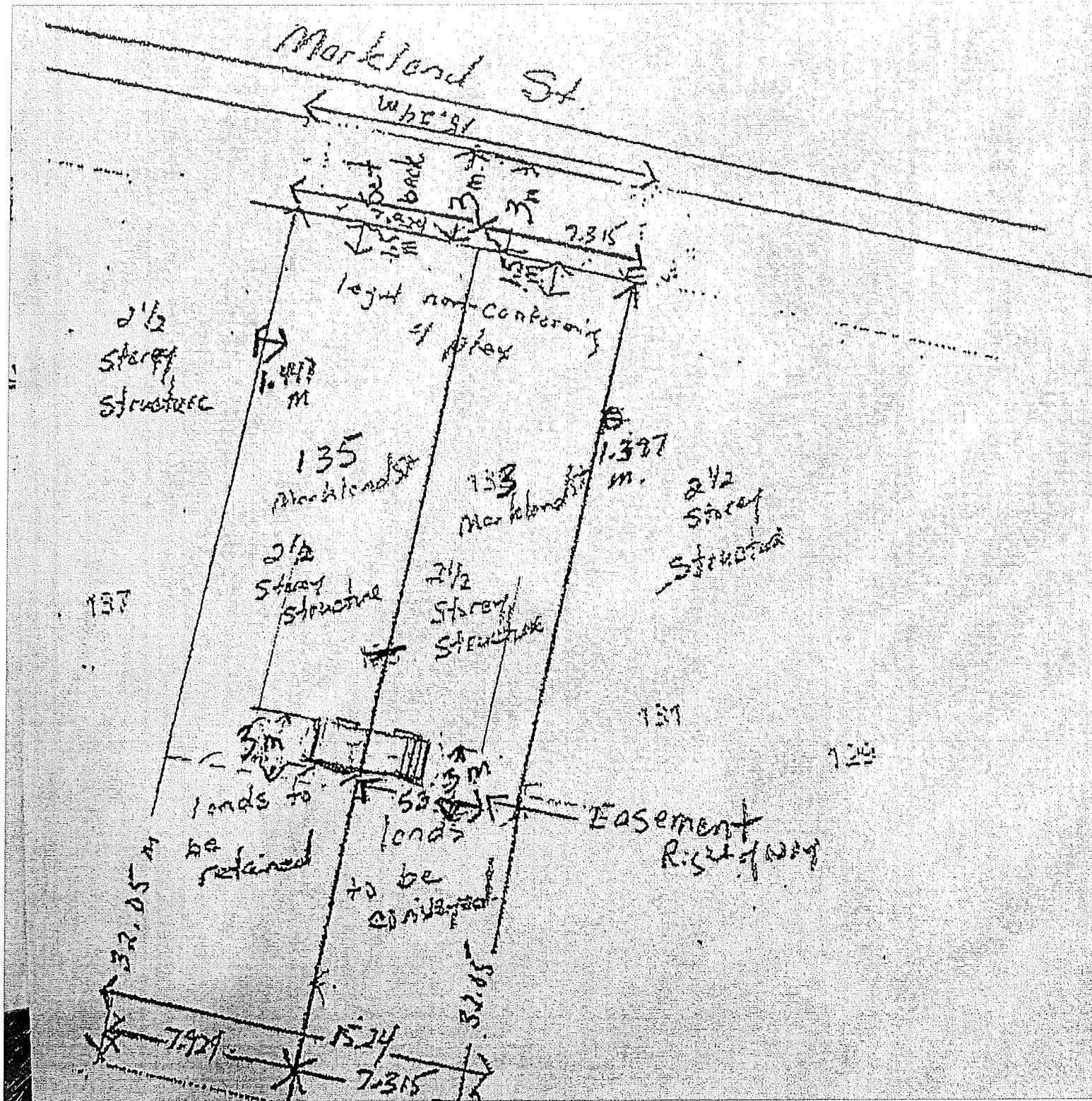
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 2020.



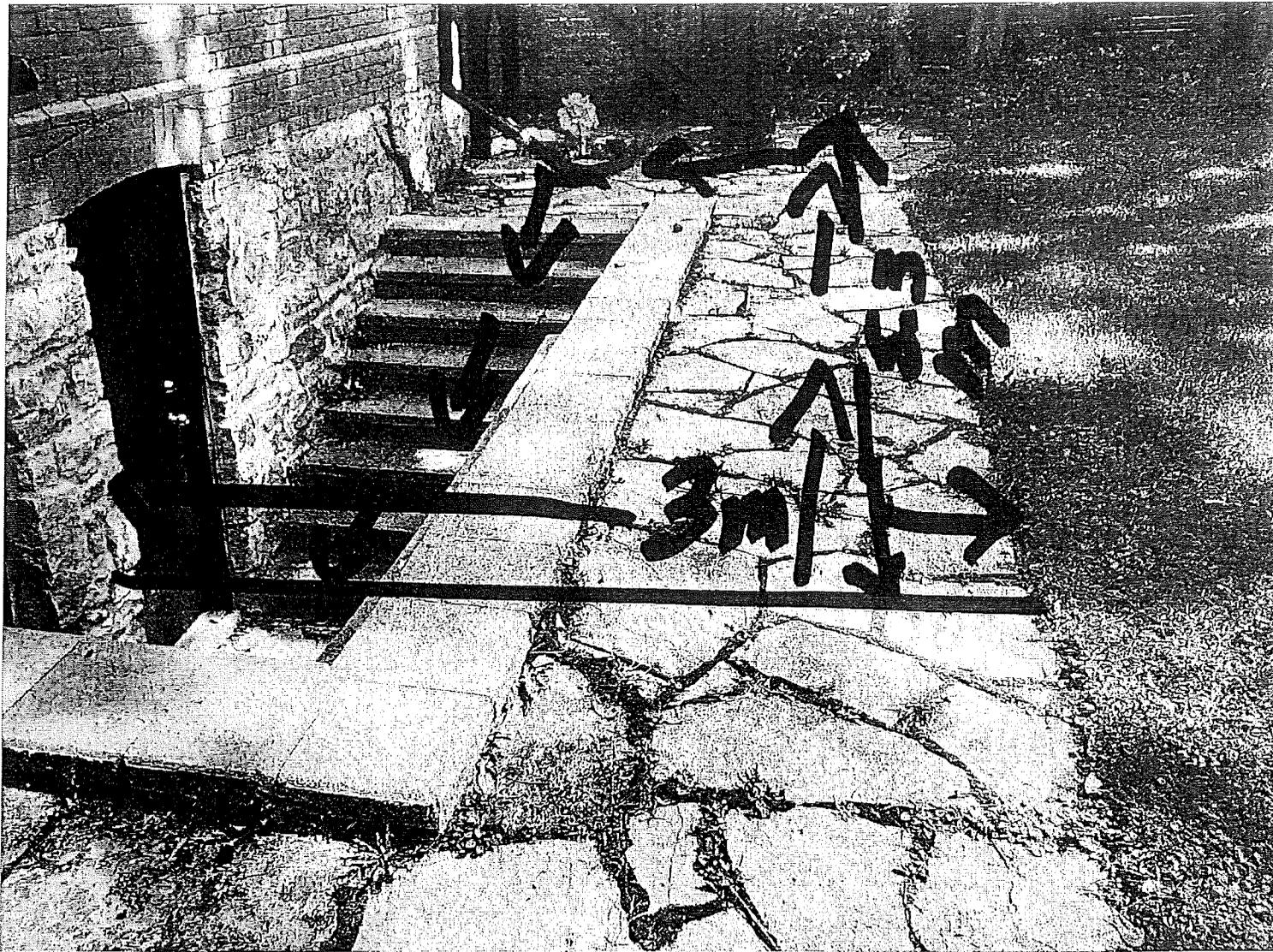
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.





nd Sever line 133 Mockland



Easement / Right of Way



Blond

133

Markland



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

NAME	ADDRESS	PHONE/FAX
[REDACTED]		

Solicitor		Fax: ()
		E-mail:

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality <i>Hamilton</i>	Lot	Concession	Former Township
Registered Plan N°. <i>Pt LT 19, PL87</i> <i>AS IN UM195316</i>	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address <i>135 Markland St</i>	Assessment Roll N°. <i>251802013017130</i>		

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

Frontage (m)	Depth (m)	Area (m ² or ha)
--------------	-----------	-----------------------------

Existing Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: 2 Semi-detached dwellings on one deed

Proposed: 2 Semi-detached dwellings on 2 deeds. One on each new lot.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be Retained:

Frontage (m)	Depth (m)	Area (m ² or ha)
--------------	-----------	-----------------------------

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input checked="" type="checkbox"/> Other (specify) <u>legal non-conforming 4-Plex changed to 2 legal duplexes. (each side to contain 2 legal duplexes)</u> | | |

Proposed Use of Property to be retained:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) 2 Dwellings with legal duplx status.
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Building(s) or Structure(s):

Existing: 2 Semi-detached dwellings on one deed
 Proposed: 2 Semi-detached dwellings each with their own deed.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____
 Urban Hamilton Official Plan designation (if applicable) Neighborhoods.

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

The newly created lots will reflect the general scale & character of the lotting pattern with surrounding area. Fully serviced with frontage on public road.

5.2 What is the existing zoning of the subject land?

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

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (Indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use _____
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Have owned the property for 20 yrs. All area homes are 100+ yrs.
- 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 Consistent with policy growth plan.

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Attached Zoning Verification
The semi-detached properties next door & across the
street (136, 138, 137, 139 Mackland St)
have already been severed.

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that
 - i) are located on the subject land or on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

- road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

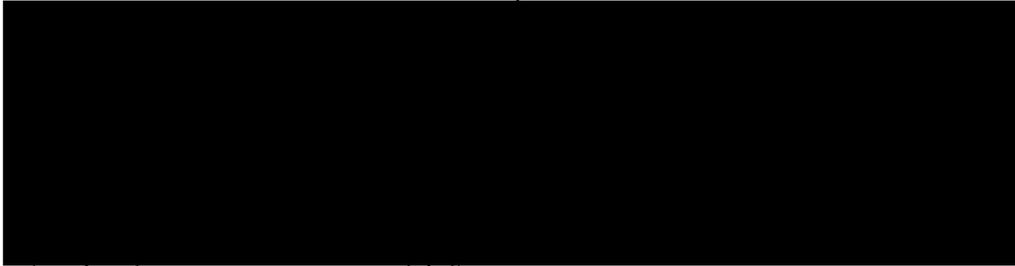
13 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by



information contained in the documents that accompany this application in respect of the application is true.

Sworn (or declared) before me at the



15 AUTHORIZATIONS

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

Authorization of Owner for Agent to Provide Personal Information



the owner of the land that is the subject of this application for purpose of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*, I authorize _____, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date



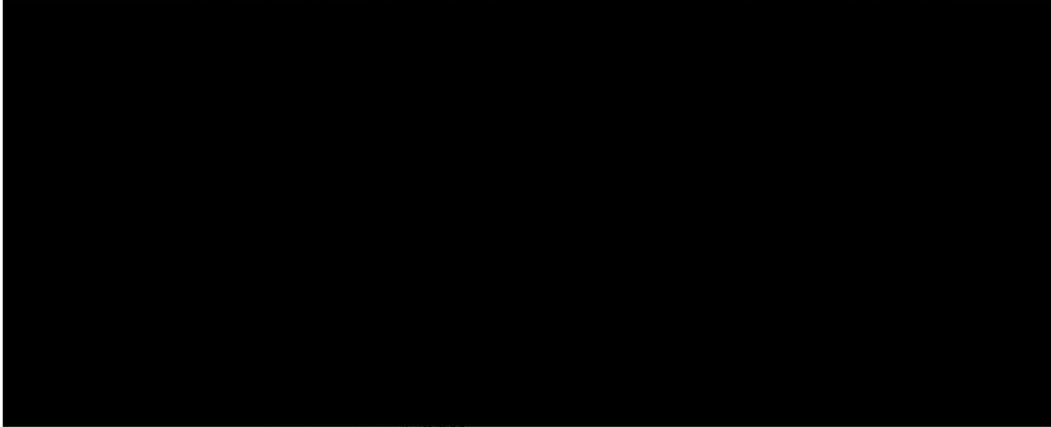
Signature of Owner

16 CONSENT OF THE OWNER

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

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

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

**17 COLLECTION OF INFORMATION**

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

A File Number will be issued for complete applications and should be used in all communications with the City.

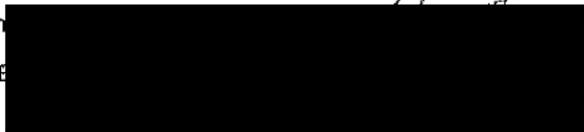
APPLICANT'S CHECKLIST

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. (A cheque or money order payable to the City of Hamilton)

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

Th
BE



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this 24 day of August, 2020

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

In addition to the request to sever 135 and 133 Markland St, the property owner also requests an Easement of right of way for 135 Markland over a portion of the lands at 133 Markland St. This Easement/ Right of Way is requested for 135 Markland St to walk over the existing rear walkway and stairway on the lands of 133 Markland in order to gain access to the rear basement door to 135 Markland St.

The easement requested is an area of 5.3 metres by 3 metres to begin at the dividing (sever) line between the two houses. Running 3 metres from North to South and 5.3 meters from West to East on the lands of 133 Markland.

Pictures and diagram are attached.



**135
Markland**

**133
Markland**



Easement / Right of Way



135 Morkland

Sever line

133 Morkland

Basement / Right of way



THE CORPORATION OF THE CITY OF HAMILTON
BUILDING DEPARTMENT, CITY HALL, 3RD FLOOR, 71 MAIN STREET WEST, HAMILTON, ONTARIO L8P 4Y5

**CERTIFICATE OF ZONING VERIFICATION
AND PROPERTY REPORT**

PROPERTY ADDRESS: 133 Markland St.

SECTION No.:

ATTENTION OF: Susan Parker

PROPOSED USE: 4 Plex

TELEPHONE: (905) 546-2722

A. ZONING VERIFICATION

AS OF THIS DATE, Building Department records indicate the property is subject to:

**ZONING DISTRICT: D
SECTION 10 OF ZONING BY-LAW 6593 AS AMENDED
DISTRICT MAP NUMBER: W6**

THE PROPOSED USE IS: **LEGALLY ESTABLISHED NON CONFORMING**

COMMENTS: The recognized use a legal non-conforming four (4) unit Multiple Dwelling established prior to July 25, 1950.
The Building Department makes no representation and gives no warranty or opinion as to whether the non-conforming use has been lost by discontinuance of use. The Applicant should make appropriate inquiries to satisfy himself that the non-conforming use has not been lost by discontinuance.

IMPORTANT:
THIS CERTIFICATE DOES NOT INDICATE THAT AN EXISTING BUILDING OR ITS USE CONFORMS TO THE REQUIREMENTS OF APPLICABLE BY-LAWS, AND REGULATIONS, NOR THAT A LICENCE WILL BE ISSUED IF REQUIRED, OR THAT THE ZONING WILL NOT BE CHANGED AFTER THE DATE OF ISSUANCE. (COPIES OF THE CITY BY-LAWS MAY BE OBTAINED FROM THE CITY CLERK)

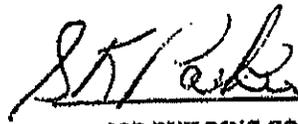
B. PROPERTY REPORT

AS OF THIS DATE, Building Department records indicate the following:

No outstanding work orders.

NOTE:
THE ABOVE INFORMATION PERTAINS TO BUILDING DEPARTMENT FILES ONLY AND RELATES TO ENFORCEMENT PROCEEDINGS COMMENCED BY THIS DEPARTMENT. OTHER DEPARTMENTS MAY HAVE COMMENCED ENFORCEMENT PROCEEDINGS. ONLY THOSE DEPARTMENTS WOULD BE ABLE TO COMMENT UPON THE CURRENT STATUS OF SUCH ENFORCEMENT PROCEEDINGS. ACCORDINGLY, YOU MAY ALSO WISH TO MAKE ENQUIRIES OF THE FIRE PREVENTION BUREAU, REGIONAL HEALTH DEPARTMENT, THE DEPARTMENT OF PUBLIC WORKS AND TRAFFIC OR OTHER REGULATORY AUTHORITIES. ALSO NOTE THAT THIS DOES NOT IMPLY THAT A FIELD INSPECTION HAS BEEN CARRIED OUT.

*** THIS CERTIFICATE IS ISSUED WITHOUT LIABILITY ON THE PART OF THE CITY OF HAMILTON OR ITS OFFICIALS ***



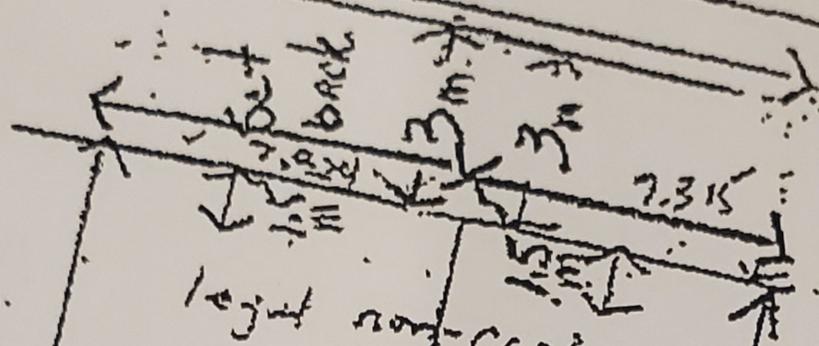
FOR BUILDING COMMISSIONER

CERT. NO. [99-139865 00 ZE]

DATE ISSUED: December 01, 1999

Markland St.

width

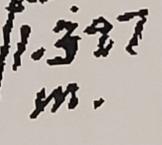


2 1/2 Storey Structure



135 Markland St

133 Markland St



2 1/2 Storey Structure

2 1/2 Storey Structure

2 1/2 Storey Structure

137

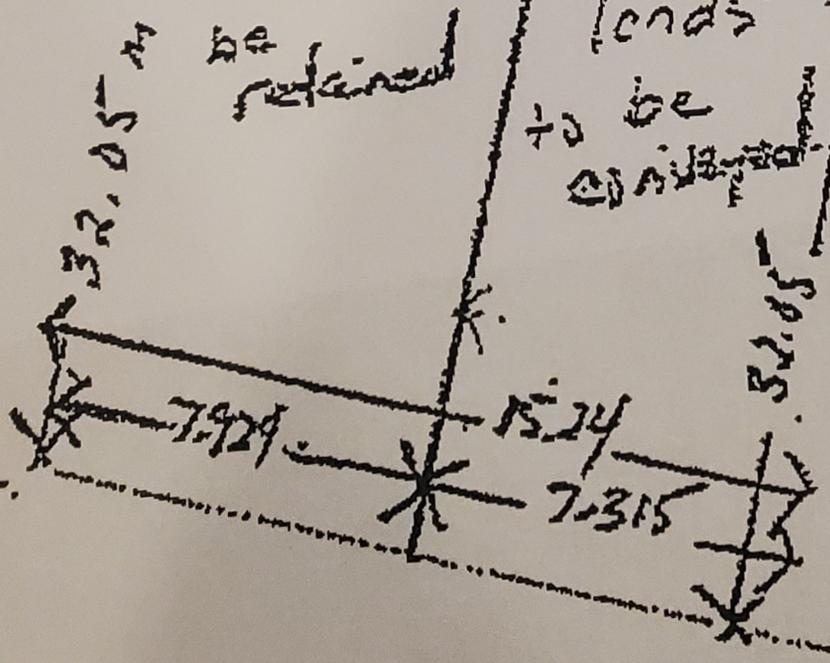
137

139

lands to be retained

lands to be retained

Easement Right of Way





Easement / Right of Way



Basement
Door
135 Mockland
↓

Basement
Door
133 Mockland
↓

→ → →
Easement / Risk of Injury

Sever line

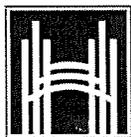
133 Mockland

and



135
Markland

133
Markland



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
 Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202
 E-mail: samantha.costa@hamilton.ca or scott.baldry@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-19:94

APPLICANTS: Christine Brown on behalf of the owners Karin Weinrebe & Hany Guirguis

SUBJECT PROPERTY: Municipal address **205 West 32nd St., City of Hamilton**

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

ZONING: "C" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction a 1.97m (6'5½") x 3.49m (11'5^{3/8}") one storey front addition together with a 3.19m (10'5½") x 7.92m (25'11¾") L-shaped roofed-over unenclosed one storey front porch at the first storey onto an existing single family dwelling notwithstanding that:

1. A minimum front yard depth of 4.1m shall be provided instead of the minimum required front yard depth of 6.0m.
2. A minimum southerly side yard width of 0.5m shall be provided instead of the minimum required side yard width of 1.2m

NOTE:

- i) Variance No. 2 is intended to recognize the southerly side yard setback to the existing attached carport. For your information, the southerly side yard setback to the proposed one storey foyer addition and roofed-over one-storey porch at the first storey (being 4.07m) conforms to the existing side yard width regulation of 1.2m

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

DATE: Thursday, October 22nd, 2020
TIME: 2:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

HM/A-19:94
Page 2

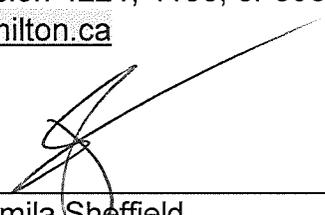
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

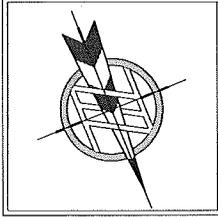
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 2020.



Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

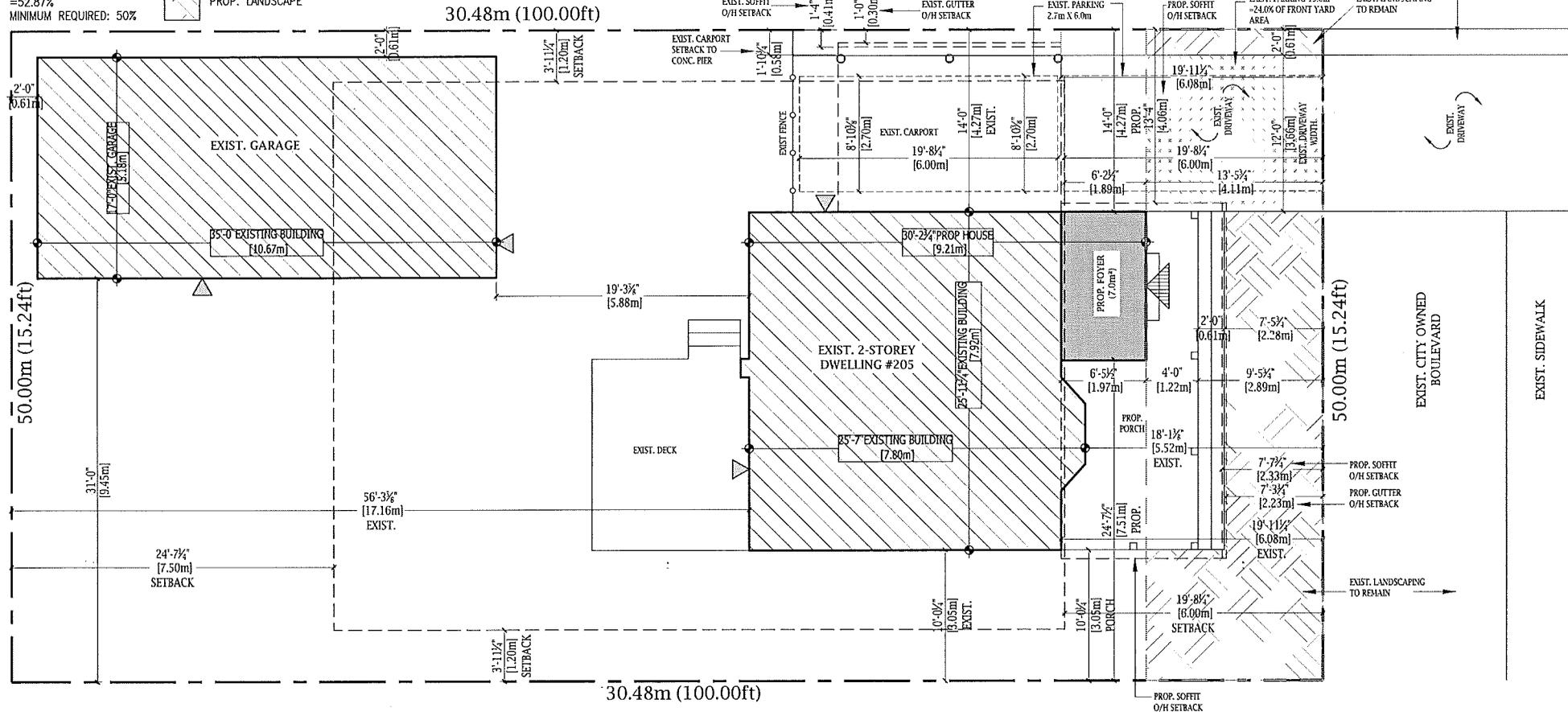
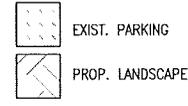


SITE PLAN LEGEND:

---	PROPERTY LINE
---	BUILDING ENVELOPE
---	EXISTING TO BE REMOVED
---	PROPOSED SOLID HOARDING
---	PROPOSED FRAMED HOARDING
---	NEW WATER LINE
---	NEW SANITARY LINE
---	NEW NATURAL GAS LINE
---	NEW BURIED HYDRO VAULT
---	NEW SUMP LINE TO GRADE
---	CONSTRUCTION ACCESS
---	EXISTING GRADE
---	PROPOSED FINISHED GRADE
---	MAIN ENTRY, FRONT DOOR
---	SECONDARY ENTRANCE
---	EXISTING BUILDING TO REMAIN
---	PROPOSED NEW CONSTRUCTION
---	PROPOSED NEW DRIVEWAY
---	EXISTING TREE TO REMAIN
---	EXISTING TREE TO BE REMOVED
---	RAIN WATER LEADERS
---	RWL

PROJECT ADDRESS/OWNER:	Hany Guirguis 205 West 32nd Street Hamilton, Ontario L9C 5H3
DESIGNER:	Christine Brown (My House Designs) 444 Upper Gage Avenue Hamilton, Ontario L8V 4H9
SITE STATISTICS:	ZONING: By-Law Former Hamilton 6593 C
LOT INFORMATION:	LOT AREA: 464.52 IMPERIAL ACTUAL LOT FRONTAGE: 15.24 LOT DEPTH: 30.48
SETBACK INFORMATION:	MINIMUM FRONT YARD SETBACK: 7.50 EXIST. FRONT YARD SETBACK: 5.52 MINIMUM REAR YARD SETBACK: 7.50 EXIST. REAR YARD SETBACK: 18.11 MINIMUM SIDEYARD SETBACK (L): 3.94 EXIST. SIDEYARD SETBACK (L): 1.20 MIN. SIDEYARD SETBACK (R): 3.94 EXIST. SIDEYARD SETBACK (R): 4.25 PROP. SIDEYARD SETBACK TO ADDITION: 4.38
AREA CALCULATIONS:	METRIC IMPERIAL EXISTING MAIN FLOOR AREA: 59.50 640.27 PROP. ADDITIONAL MAIN FLOOR AREA: 7.00 75.35 EXISTING SECOND FLOOR AREA: 55.67 598.97 EXISTING GROSS FLOOR AREA: 115.17 1238.24 PROPOSED GROSS FLOOR AREA: 122.17 1314.59
COVERAGE CALCULATIONS:	METRIC IMPERIAL EXISTING MAIN FLOOR AREA: 59.50 640.27 PROP. ADDITIONAL MAIN FLOOR AREA: 7.00 75.35 EXISTING COVERAGE: 12.81% PROPOSED COVERAGE: 14.32% HEIGHT CALCULATIONS: METRIC IMPERIAL MAX. ALLOWABLE HEIGHT: 11.00 36.09 EXISTING HEIGHT: 7.45 24.44

FRONT YARD AREA:
673.96ft² (62.61m²)
PROPOSED LANDSCAPING:
356.33ft² (33.10m²)
=52.87%
MINIMUM REQUIRED: 50%



2 SITE STATS
SP1.01 N.T.S.

WEST 32nd STREET

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND DRAWINGS OF THIS PROJECT. THE REQUIREMENTS SET OUT IN THE O.M.T. BUILDING CODE TO BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.1.2 OF THE O.M.C.

CHRISTINE BROWN
37240
113120

MY HOUSE DESIGNS

Amended

4	09.02.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS

REF. DATE: DESCRIPTION:

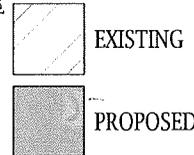
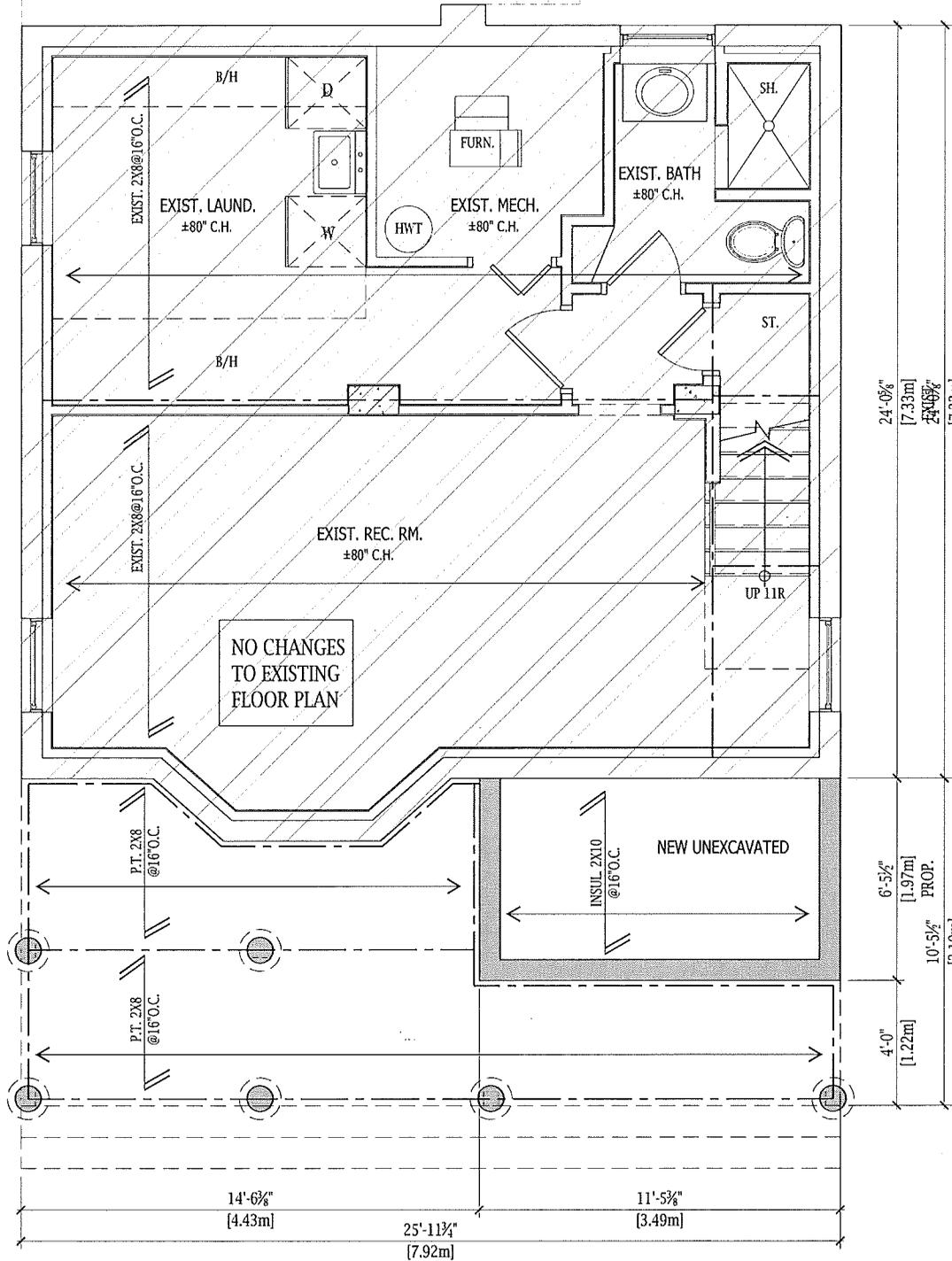
CHRISTINE BROWN
RESIDENTIAL DESIGN AND DRAFTING SERVICES
3405 802-2372
444 UPPER GAGE AVE
HAMILTON, ON L8V 4H9
cbrown@friendly.ca, cbrown@myhouse.ca

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
CITY: HAMILTON, ONTARIO, L9C 5H3
DRAWING TITLE:
SITE PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 24, 20	SHEET: SP1.01
JOB NO.: 18-091	

1 SITE PLAN
SP1.01 Custom



1 PROP. BASEMENT FLOOR PLAN
A1.01 1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION FOR THE UNDERSIGNED HAS BEEN REVIEWED AND TAKES RESPONSIBILITY FOR THE REQUIREMENTS SET OUT IN THE O.M.T. BUILDING CODE TO BE A DESIGNER.
DESIGNER'S DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.1.4 OF THE O.B.C.
CHRISTINE BROWN BCMA 37240
MY HOUSE DESIGNS BCMA 113120

4	09.02.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE:	DESCRIPTION:

MY HOUSE DESIGNS
CHRISTINE BROWN
RESIDENTIAL DESIGN AND DRAFTING SERVICES
444 UPPER GANGE AVE. HAMILTON, ON L4V 4H9
cbrown@myhousedesigns.com

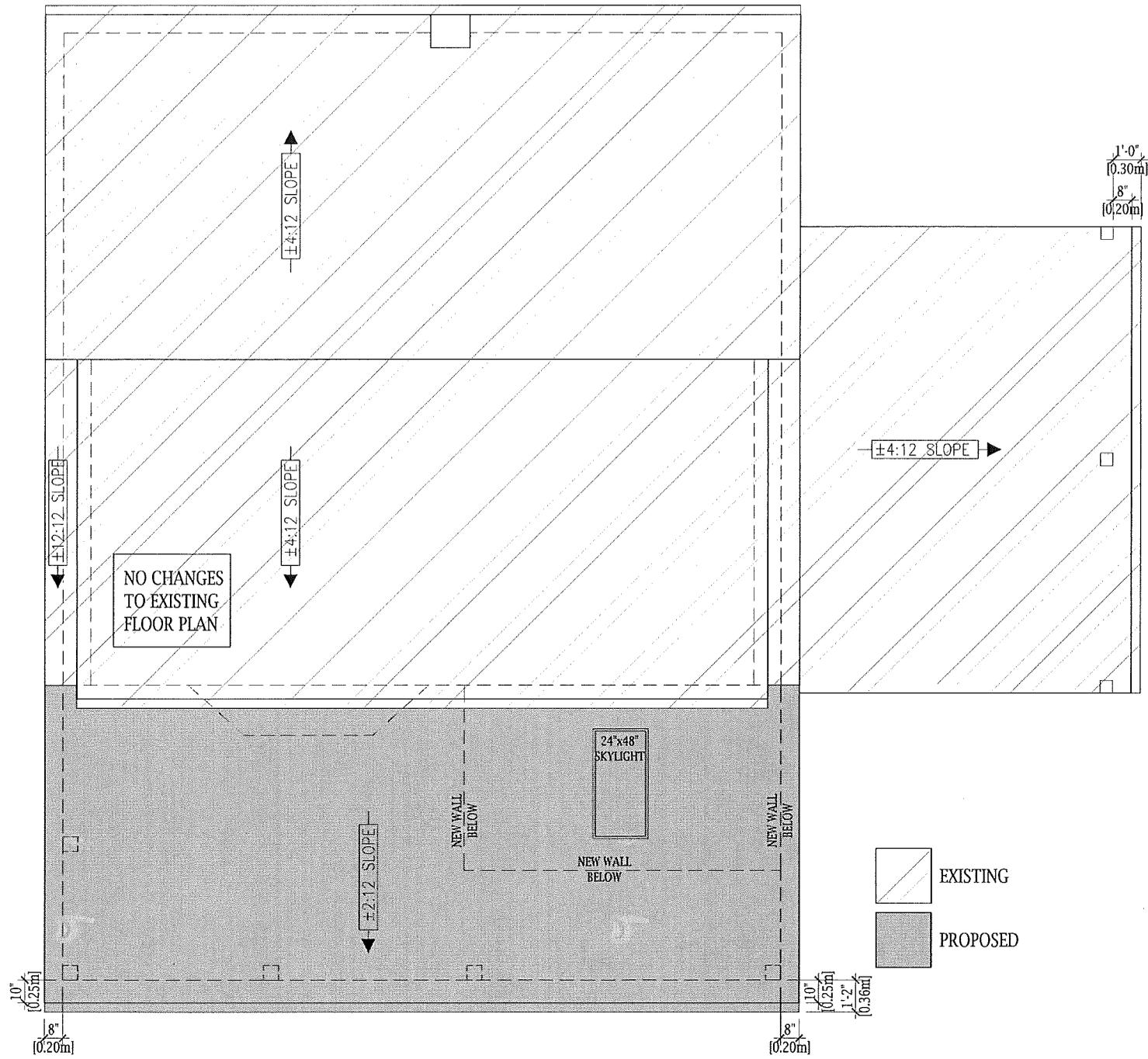
CLIENT: GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE: PROPOSED BASEMENT FLOOR PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 24, 20	SHEET:
JOB NO.: 18-091	A1.01

Amended



	EXISTING
	PROPOSED

1 PROP. ROOF PLAN
 A1.04 1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
 QUALIFICATION INFORMATION FOR ARCHITECTS
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE QUALITY OF THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE DESIGNER'S DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.
 CHRISTINE BROWN 37240
 MY HOUSE DESIGNS 113120

REV	DATE	DESCRIPTION
4	09.02.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS

	
RESIDENTIAL DESIGN AND DRAFTING SERVICES	CHRISTINE BROWN 905 802 5272 441 UPPER GARDEN AVE HAMILTON, ON L9C 5H3 cbrown@myhousebycra.com

CLIENT:
 GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
 PROPOSED ROOF PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 24, 20	SHEET: A1.04
JOB NO.: 18-091	

Amended

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE QUALITY OF THE DESIGN AND THE ACCURACY OF THE REQUIREMENTS SET OUT IN THE O.N.T. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.1.4 OF THE O.B.C.
 CHRISTINE BROWN RBN 37240
 MY HOUSE DESIGNS RBN 113120

4	09.02.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF:	DATE:	DESCRIPTION:

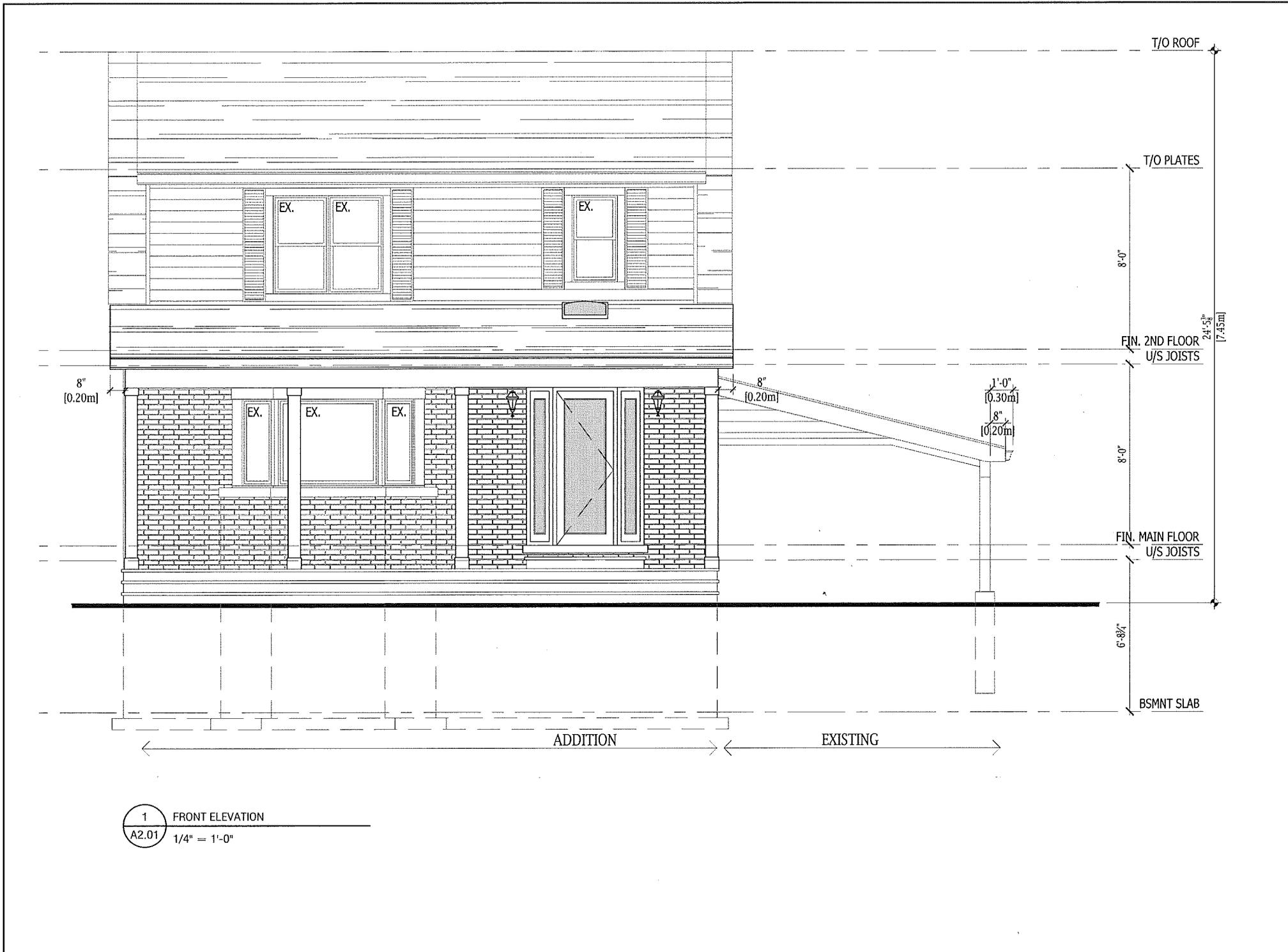
 MY HOUSE DESIGNS RESIDENTIAL DESIGN AND DRAFTING SERVICES	 CHRISTINE BROWN 905 802 5272 441 UPPER GARIBAY AVE HAMILTON, ON L8V 2H9 cbrown@myhouseplans.com
--	--

CLIENT:
GUIRGUIS RESIDENCE
 ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
FRONT ELEVATION

DRAWN: CB	SCALE:
DATE: Sep. 24, 20	AS NOTED
JOB NO.: 18-091	SHEET: A2.01

Amended



Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS VERIFIED THAT THE DESIGN MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 DESIGNER'S SIGNATURE: [Signature]
 DESIGNER'S NAME: CHRISTINE BROWN
 DESIGNER'S ID: 37240
 DESIGNER'S FIRM: MY HOUSE DESIGNS
 DESIGNER'S ADDRESS: 113120

DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.1.4 OF THE O.B.C.

4	09.02.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS

REF	DATE	DESCRIPTION
 		
My House Designs Residential Design and Drafting Services		Christine Brown 905 802 5272 444 UPPER GADE AVE HAMILTON, ONT L8V 4H9 cbrown@myhousedesigns.com

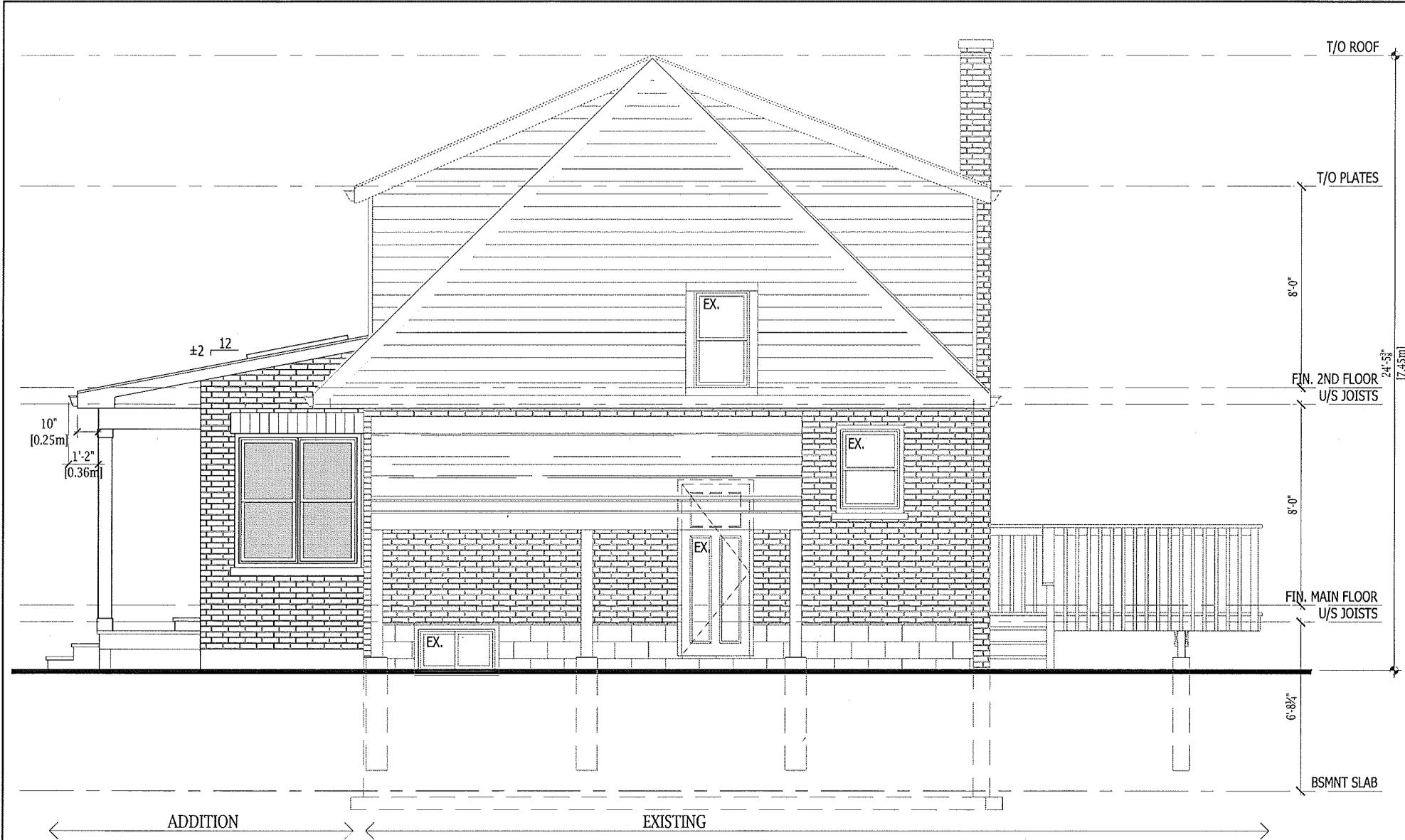
CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C5H3

DRAWING TITLE:
RIGHT ELEVATION

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 24, 20	SHEET:
JOB NO.: 18-091	18-091 A2.03

Amended



1 RIGHT ELEVATION
 A2.03 1/4" = 1'-0"



Planning and Economic Development Department
Planning Division

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

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

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

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

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

The Planning Act

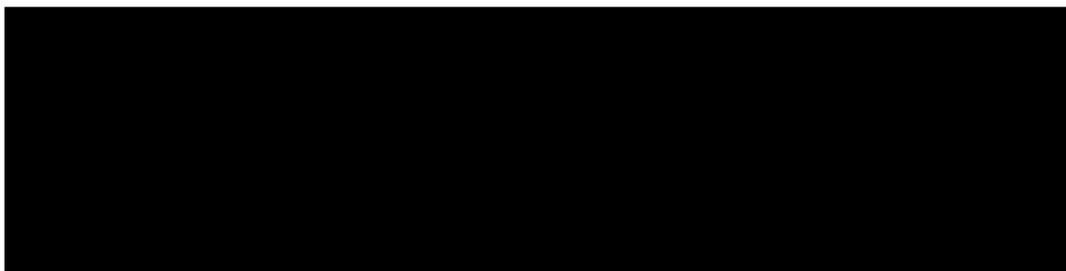
Application for Minor Variance or for Permission

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



Postal Code L8V 4H9

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



6. Nature and extent of relief applied for:
To permit a 7sq.m. one storey addition to the existing single family dwelling, notwithstanding that a minimum front yard depth of 4.11m shall be provided instead of the minimum 6.0m

7. Why it is not possible to comply with the provisions of the By-law?
The existing house is very close to the setback and does not account for any entrance or foyer area. We do not want to go out to the side and restrict parking.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
205 West 32nd Street

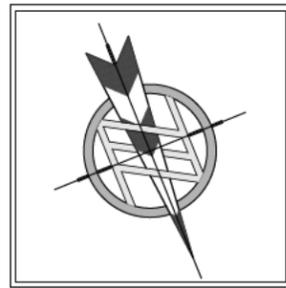
9. PREVIOUS USE OF PROPERTY
 Residential Industrial _____ Commercial _____
 Agricultural _____ Vacant _____
 Other _____
- 9.1 If Industrial or Commercial, specify use

- 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 _____

Proposed: front yard: 4.11m rear yard: no change
left sideyard: no change right sideyard : no change

13. Date of acquisition of subject lands:
september 2018
14. Date of construction of all buildings and structures on subject lands:
1960's
15. Existing uses of the subject property: SFD
16. Existing uses of abutting properties: SFD
17. Length of time the existing uses of the subject property have continued:
since the neighbourhood was built. approximately 60 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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

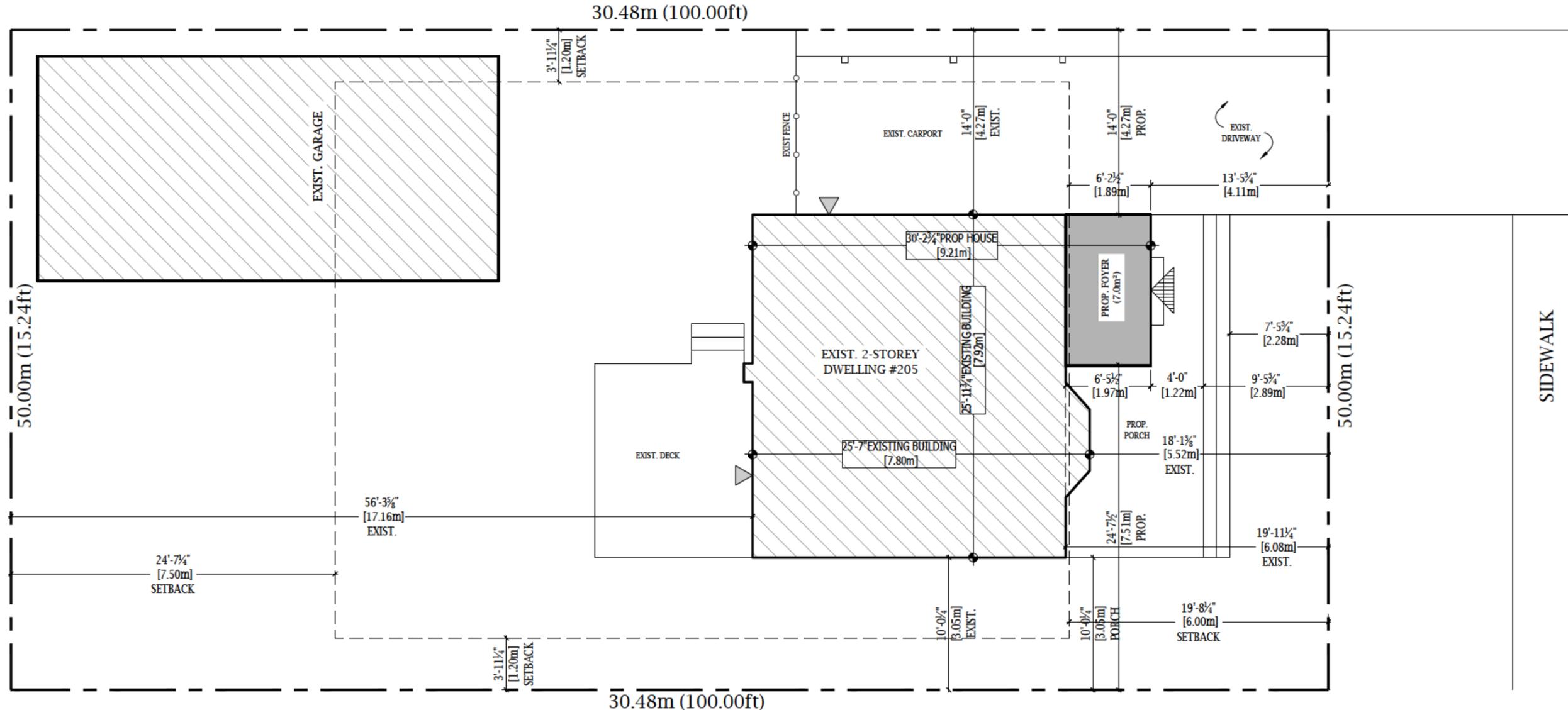


SITE PLAN LEGEND:

---	PROPERTY LINE
- - - -	BUILDING ENVELOPE
---	EXISTING TO BE REMOVED
- - - -	PROPOSED SOLID HOARDING
- - - -	PROPOSED FRAMED HOARDING
WAT	NEW WATER LINE
SAN	NEW SANITARY LINE
GAS	NEW NATURAL GAS LINE
HVC	NEW BURIED HYDRO VAULT
SPI	NEW SUMP LINE TO GRADE
---	CONSTRUCTION ACCESS
---	EXISTING GRADE
100.00	PROPOSED FINISHED GRADE
▲	MAIN ENTRY, FRONT DOOR
▲	SECONDARY ENTRANCE
▨	EXISTING BUILDING TO REMAIN
▩	PROPOSED NEW CONSTRUCTION
▧	PROPOSED NEW DRIVEWAY
☁	EXISTING TREE TO REMAIN
☁	EXISTING TREE TO BE REMOVED
☁	RAIN WATER LEADERS

PROJECT ADDRESS/OWNER:	Designer
Hany Guirguis	Christine Brown (My House Designs)
205 West 32nd Street	444 Upper Gage Avenue
Hamilton, Ontario	Hamilton, Ontario
L9C 5H3	L8V 4H9
SITE STATISTICS:	ZONING: By-Law Former Hamilton 6593
LOT INFORMATION:	LOT AREA: 464.52
ACTUAL LOT FRONTAGE: 15.24	ACTUAL LOT DEPTH: 30.48
SETBACK INFORMATION:	MINIMUM FRONT YARD SETBACK: 7.50
EXIST. FRONT YARD SETBACK: 5.52	PROP. FRONT YARD SETBACK: 4.11
MINIMUM REAR YARD SETBACK: 7.50	EXIST. REAR YARD SETBACK: 17.07
MIN. SIDEYARD SETBACK (L): 1.20	EXIST. SIDEYARD SETBACK (L): 3.05
PROP. SIDEYARD SETBACK (L): 7.21	MIN. SIDEYARD SETBACK (R): 1.20
EXIST. SIDEYARD SETBACK (R): 4.25	PROP. SIDEYARD SETBACK (R): 4.38
AREA CALCULATIONS:	EXISTING MAIN FLOOR AREA: 59.50
PROP. ADDITIONAL MAIN FLOOR AREA: 7.00	EXISTING SECOND FLOOR AREA: 55.67
EXISTING GROSS FLOOR AREA: 115.17	PROPOSED GROSS FLOOR AREA: 122.17
COVERAGES:	EXISTING MAIN FLOOR AREA: 59.50
PROP. ADDITIONAL MAIN FLOOR AREA: 7.00	EXISTING COVERAGE: 12.81%
PROPOSED COVERAGE: 14.32%	HEIGHT CALCULATIONS:
MAX. ALLOWABLE HEIGHT: 11.00	EXISTING HEIGHT: 8.92

2 SITE STATS
SP1.01 N.T.S.



WEST 32nd STREET

Drawings Page 1 of 20
must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
MY HOUSE DESIGNS BCIN 113120

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS

MY HOUSE DESIGNS
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
905.802.5273
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
CITY: HAMILTON, ONTARIO, L9C 5H3

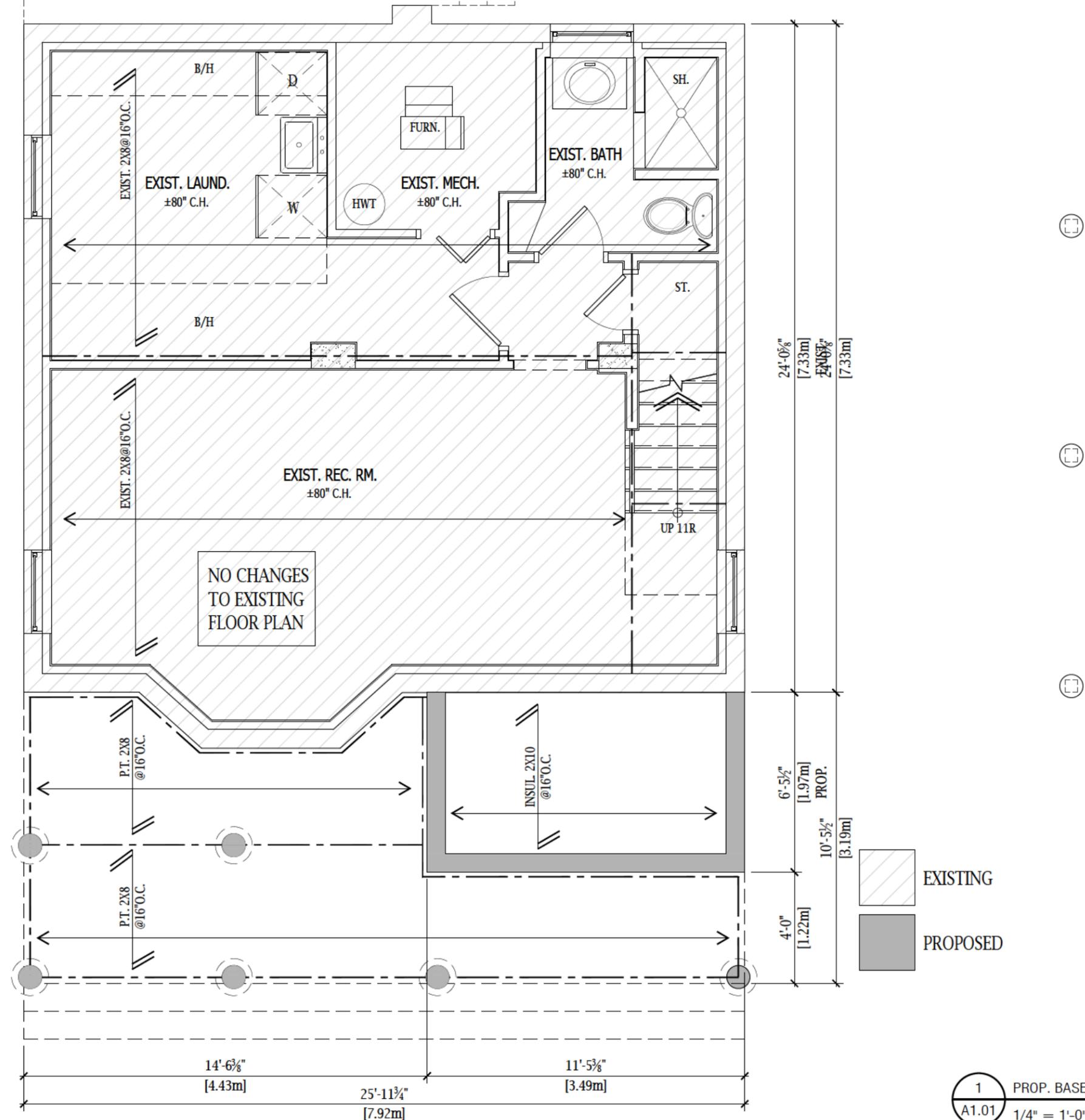
DRAWING TITLE:
SITE PLAN

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.: 18-091	SHEET: SP1.01

1 SITE PLAN
SP1.01 Custom

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



EXISTING
 PROPOSED

1 PROP. BASEMENT FLOOR PLAN
 A1.01 1/4" = 1'-0"

REF.	DATE	DESCRIPTION
4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS

MY HOUSE DESIGNS
 RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
 905.802.5273
 444 UPPER GAGE AVE.
 HAMILTON, ON L8V 4B9
 cbrown@friendlycadmonkey.com

CLIENT:
 GUIRGUIS RESIDENCE

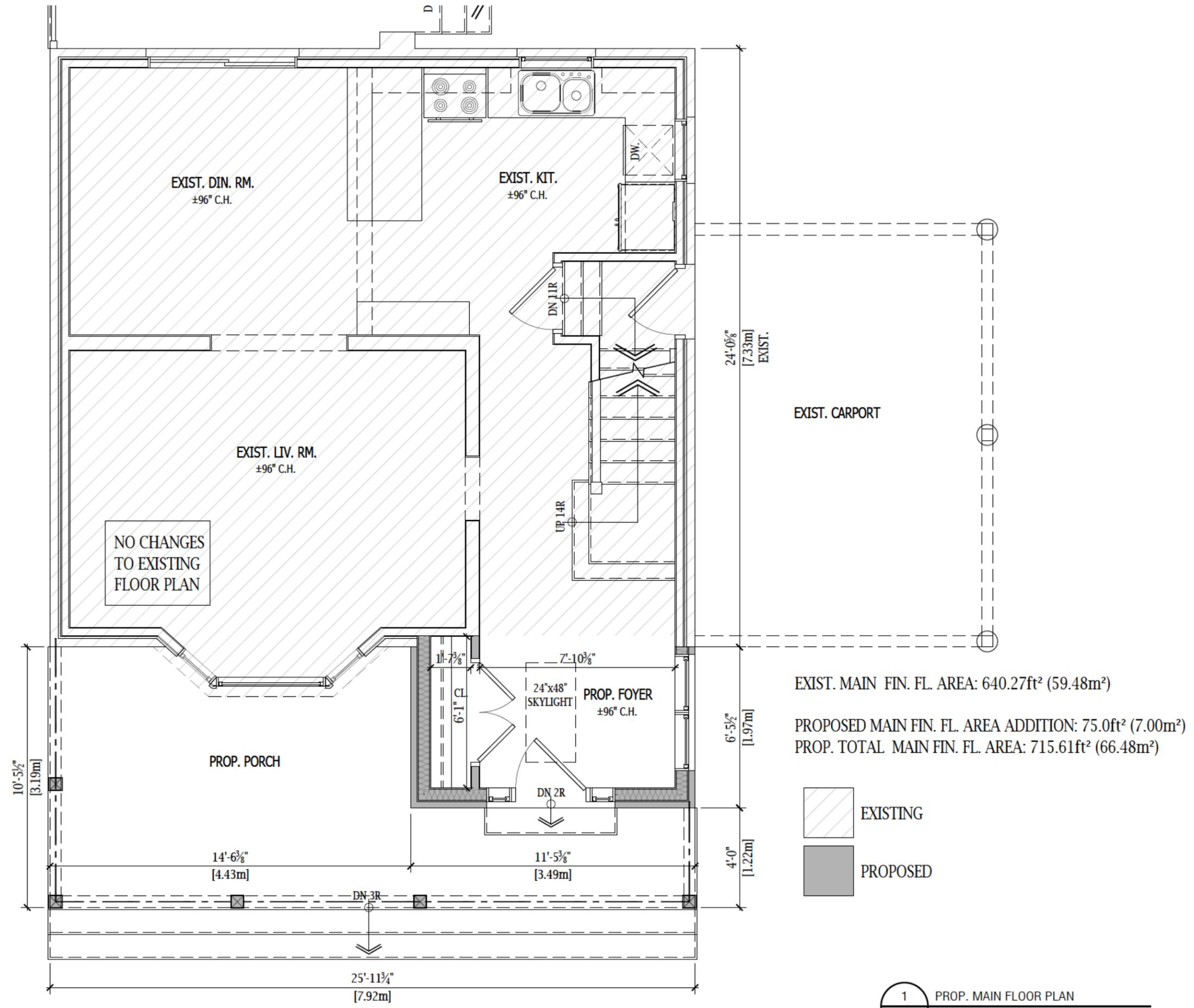
ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
 PROPOSED BASEMENT FLOOR PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Aug. 30, 20	SHEET: A1.01
JOB NO.: 18-091	

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.N.T. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



1 PROP. MAIN FLOOR PLAN
 A1.02 1/4" = 1'-0"

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION

MY HOUSE DESIGNS
 RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
 905.802.5273
 444 UPPER GAGE AVE.
 HAMILTON, ON L8V 4B9
 cbrown@friendlycadmonkey.com

CLIENT:
 GUIRGUIS RESIDENCE

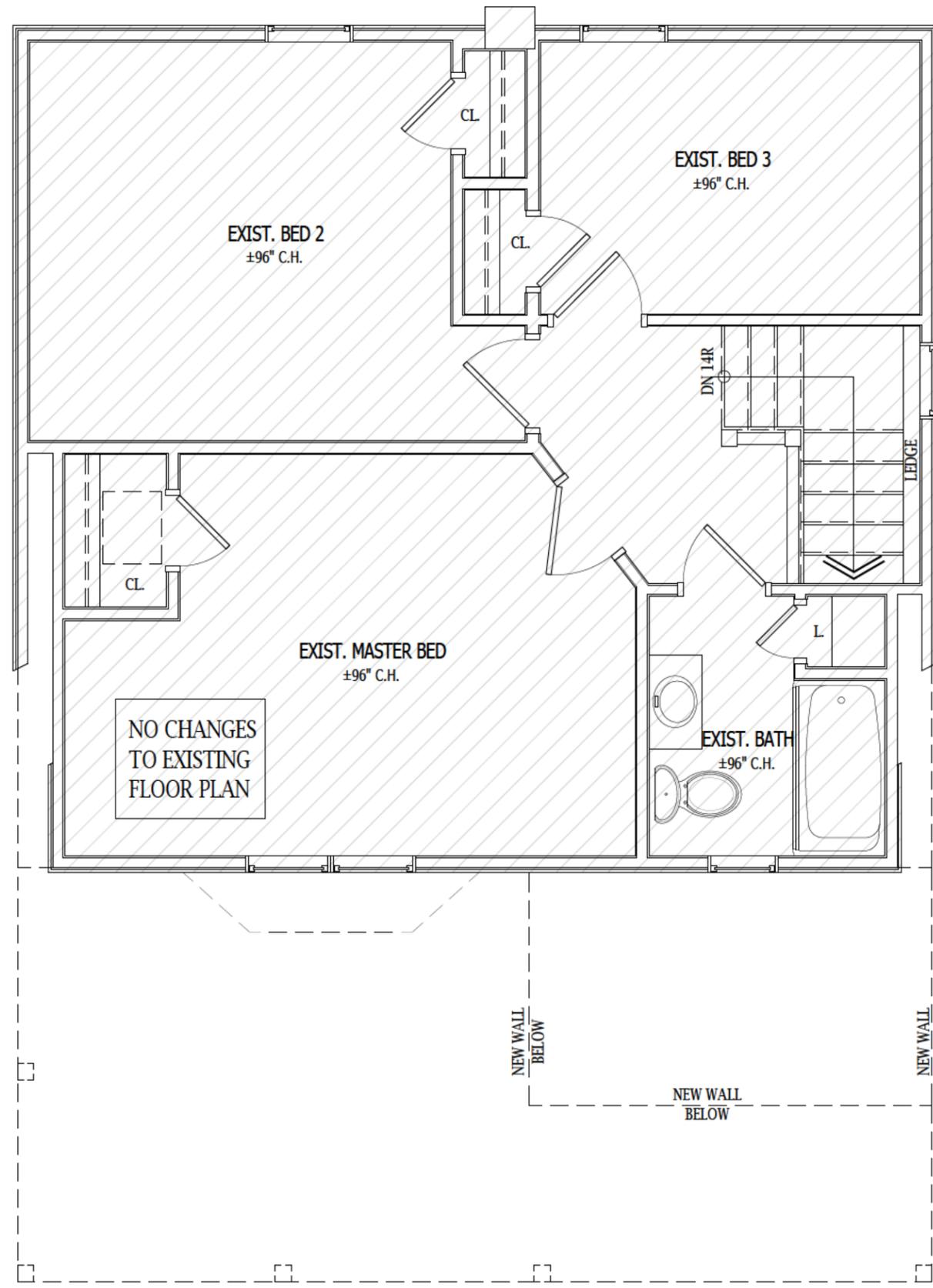
ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
 PROPOSED MAIN FLOOR PLAN

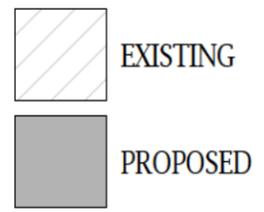
DRAWN: CB	SCALE: AS NOTED
DATE: Aug. 30, 20	SHEET: 18-091 A1.02
JOB NO.:	

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



EXIST. MAIN FIN. FL. AREA: 598.97ft² (55.64m²)



1 PROP. 2ND FLOOR PLAN
 A1.03 1/4" = 1'-0"

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION

RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
 905.802.5273
 444 UPPER GAGE AVE.
 HAMILTON, ON L8V 4B9
 cbrown@friendlycadmonkey.com

CLIENT:
 GUIRGUIS RESIDENCE

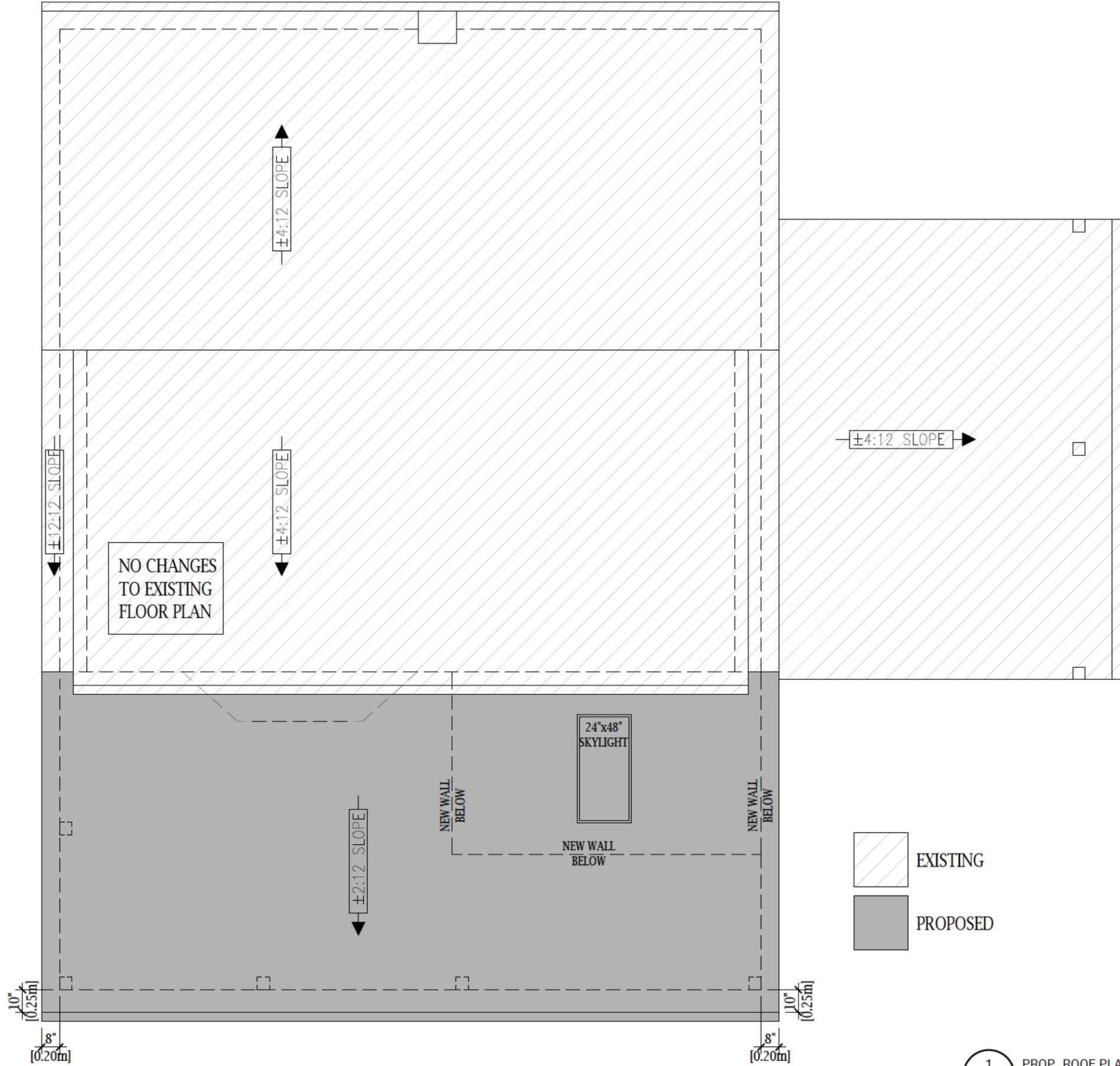
ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
 PROPOSED SECOND FLOOR PLAN

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO:	SHEET:
18-091	A1.03

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION

RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
 905.802.5273
 444 UPPER GAGE AVE.
 HAMILTON, ON L8V 4B9
 cbrown@friendlycadmonkey.com

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
PROPOSED ROOF PLAN

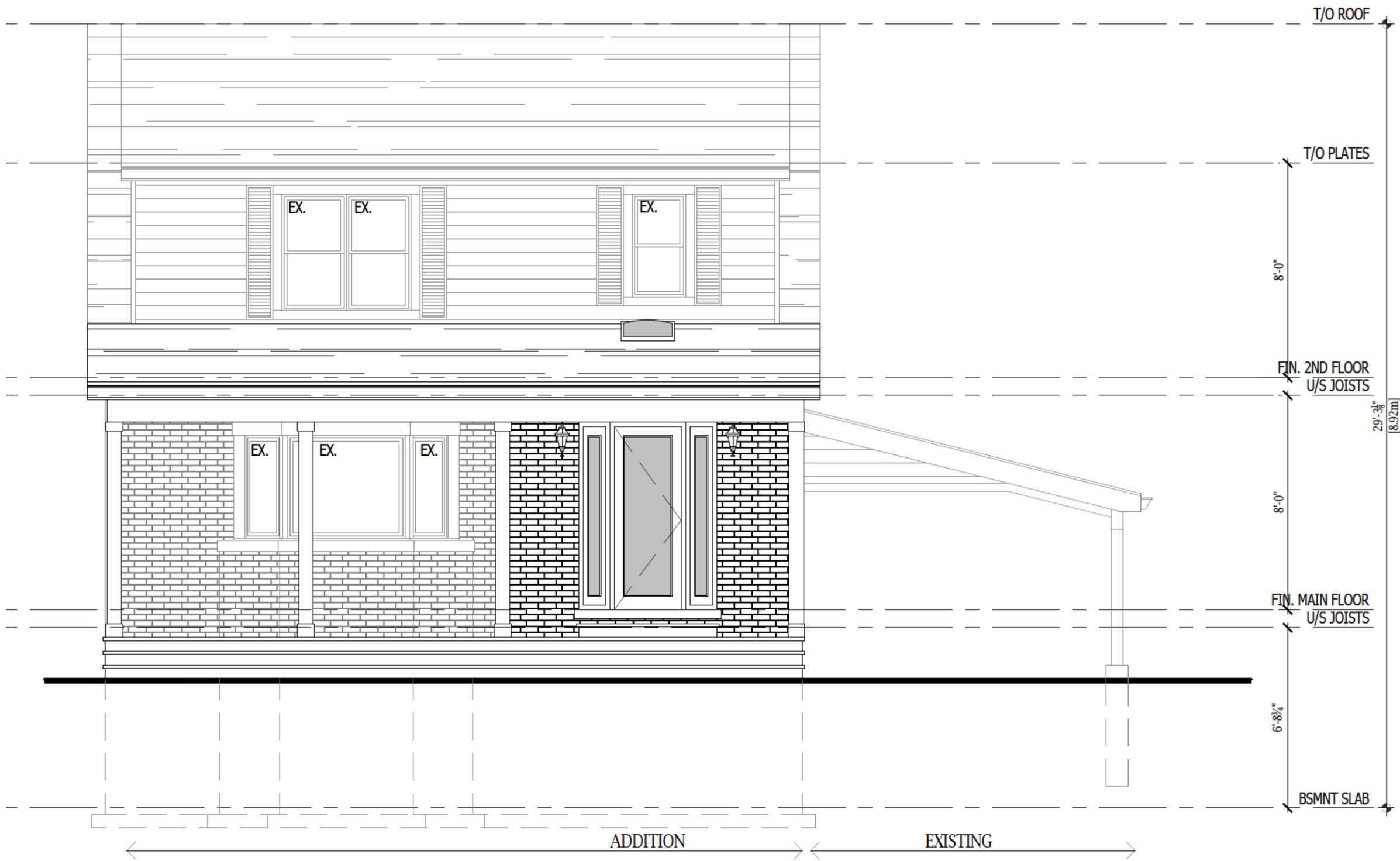
DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.:	SHEET:
18-091	A1.04

1 PROP. ROOF PLAN
 A1.04 1/4" = 1'-0"

Drawings must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

BCIN 37240
 CHRISTINE BROWN
 MY HOUSE DESIGNS
 BCIN 113120



1 FRONT ELEVATION
 A2.01 1/4" = 1'-0"

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION



RESIDENTIAL
DESIGN AND
DRAFTING SERVICES



CHRISTINE BROWN
905.802.5273
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4B9
cbrown@friendlycadmonkey.com

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

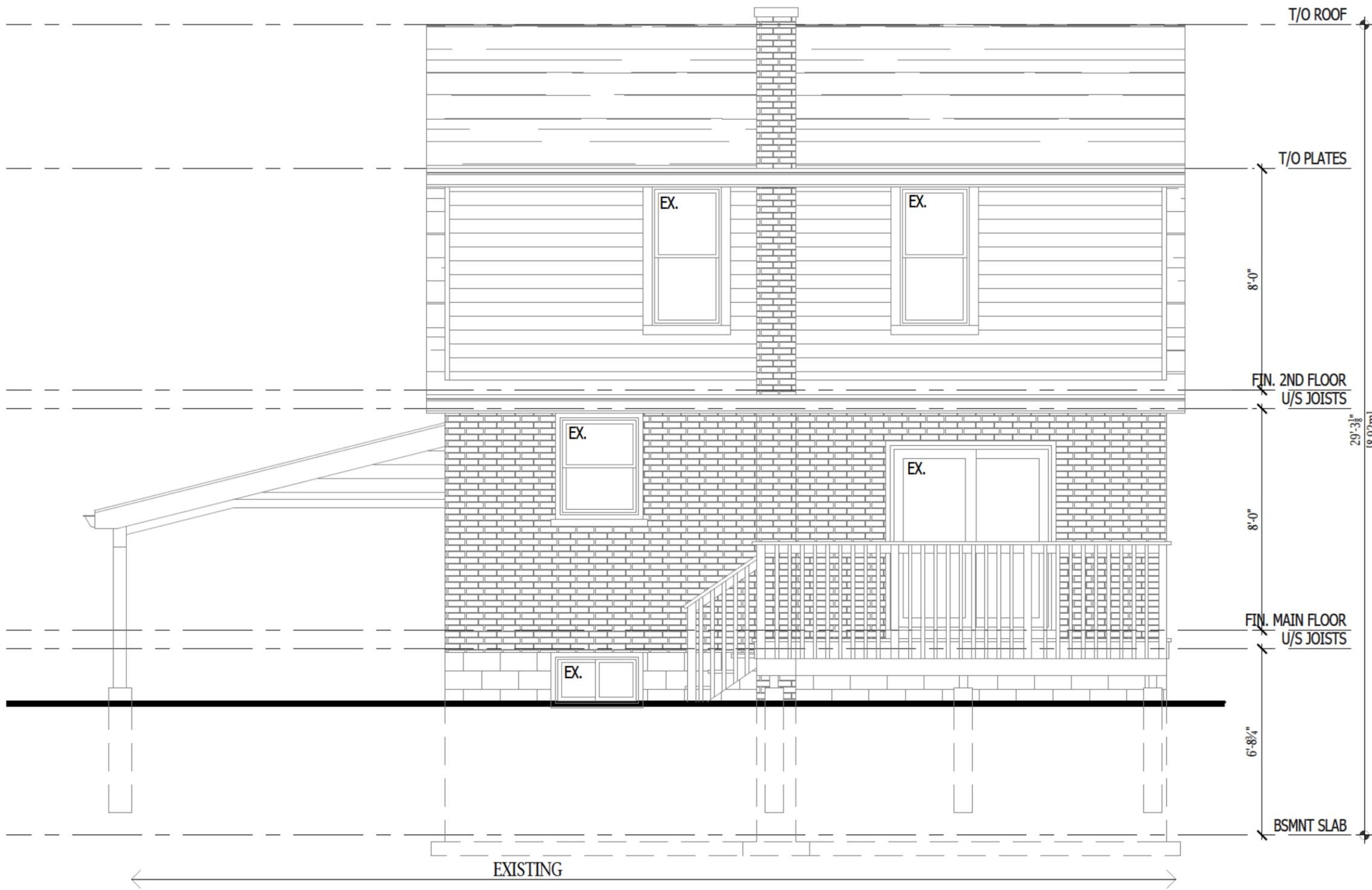
DRAWING TITLE:
FRONT ELEVATION

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.: 18-091	SHEET: A2.01

Drawings must be checked and verified all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



1 REAR ELEVATION
 A2.02 1/4" = 1'-0"

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE:	DESCRIPTION:

 RESIDENTIAL DESIGN AND DRAFTING SERVICES	 CHRISTINE BROWN 905.802.5273 444 UPPER GAGE AVE. HAMILTON, ON L8V 4B9 cbrown@friendlycadmonkey.com
--	--

CLIENT:
 GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

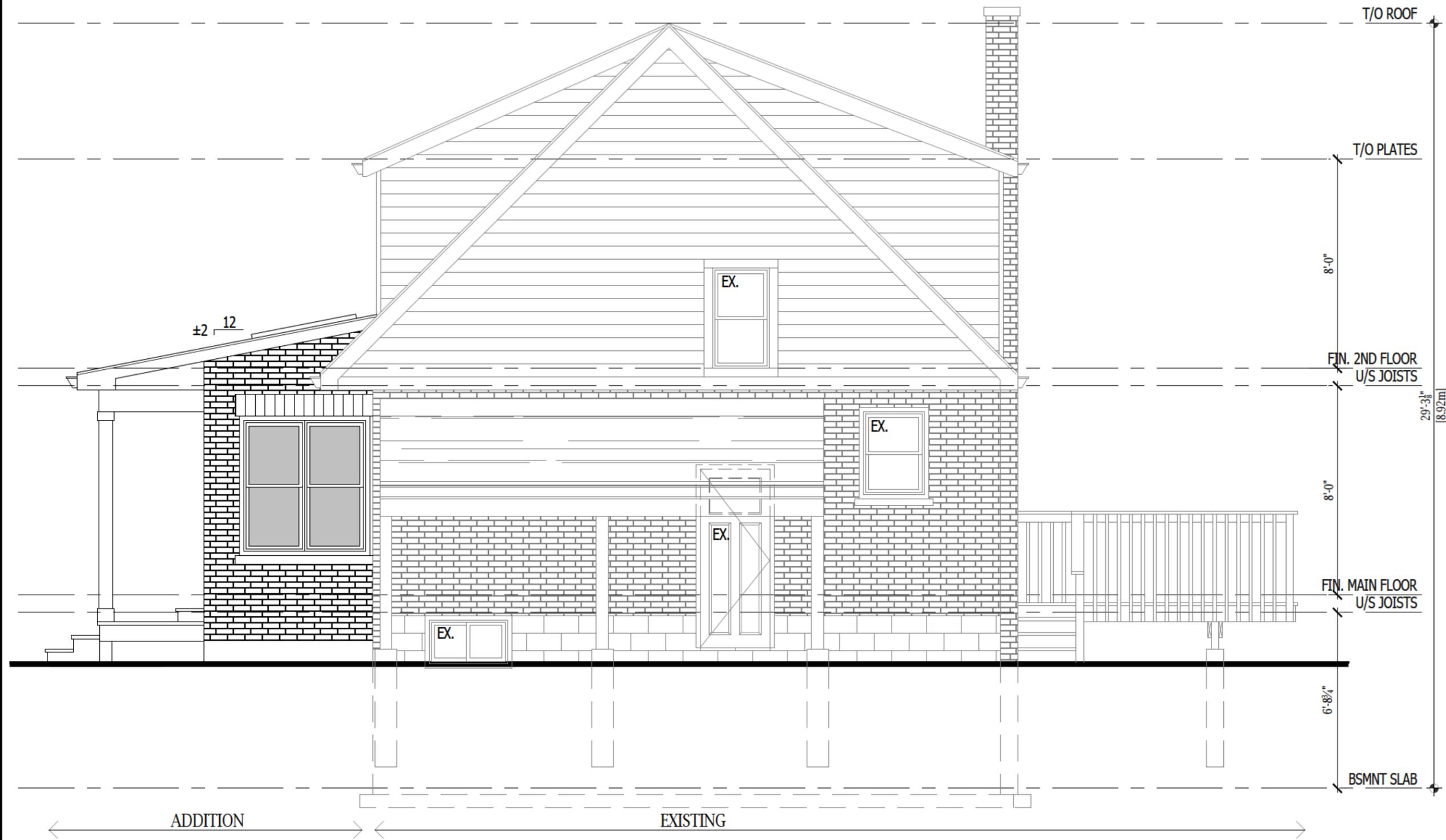
DRAWING TITLE:
 REAR ELEVATION

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.: 18-091	SHEET: A2.02

Drawings must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



1 RIGHT ELEVATION
 A2.03 1/4" = 1'-0"

4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION



RESIDENTIAL
DESIGN AND
DRAFTING SERVICES



CHRISTINE BROWN
905.802.5273
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4B9
cbrown@friendlycadmonkey.com

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

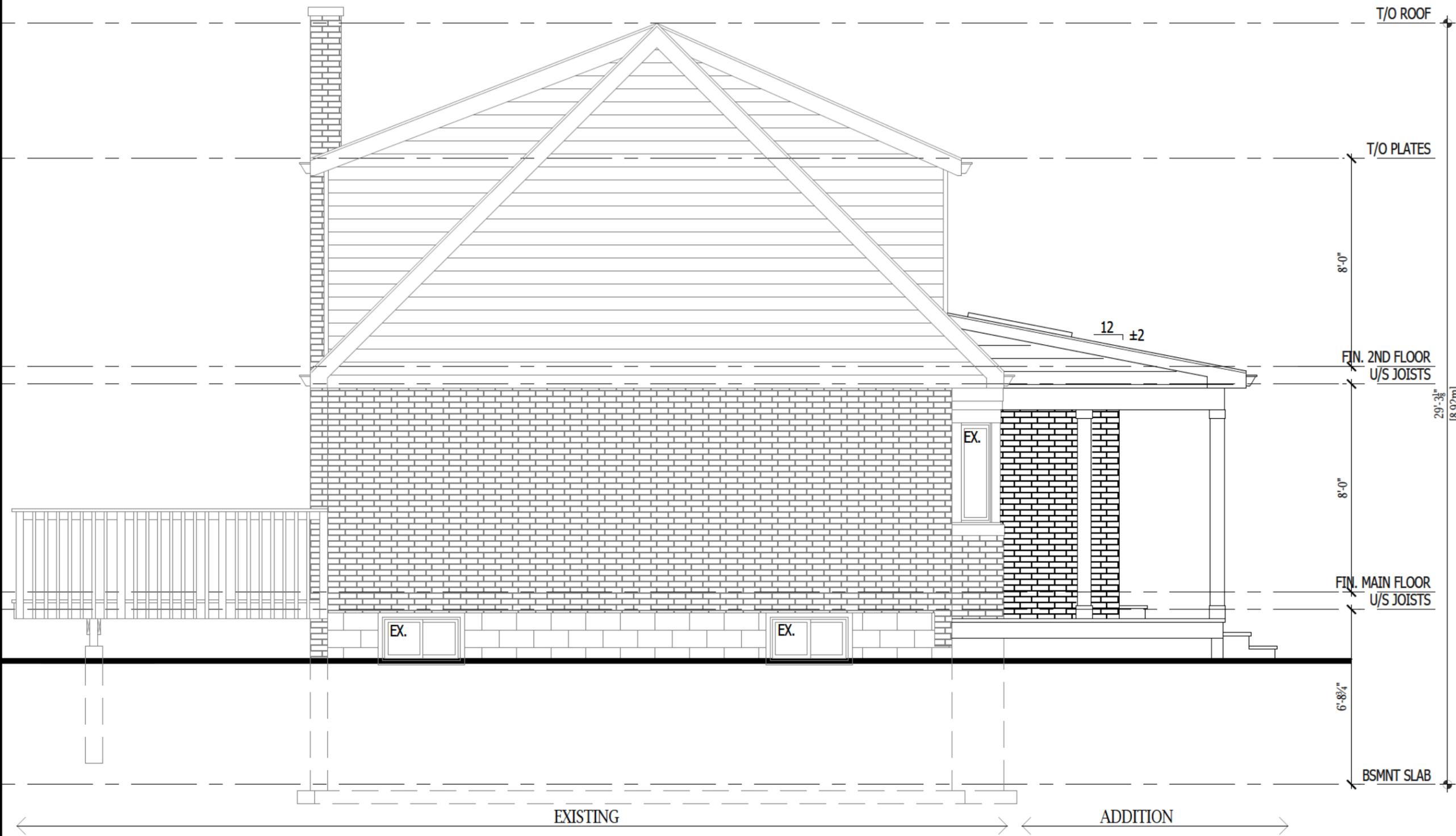
DRAWING TITLE:
RIGHT ELEVATION

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.: 18-091	SHEET: A2.03

Drawings must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.N.T. BUILDING CODE TO BE A DESIGNER.
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240
 MY HOUSE DESIGNS BCIN 113120



4	08.30.20	REVISED FOR COA
3	08.19.20	REVISED DESIGNS
2	03.07.19	ISSUED FOR COA
1	02.27.19	ISSUED FOR AS-BUILTS
REF.	DATE	DESCRIPTION



RESIDENTIAL
DESIGN AND
DRAFTING SERVICES



CHRISTINE BROWN
905.802.5273
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4B9
cbrown@friendlycadmonkey.com

CLIENT:
GUIRGUIS RESIDENCE

ADDRESS: 205 WEST 32nd STREET
 CITY: HAMILTON, ONTARIO, L9C 5H3

DRAWING TITLE:
LEFT ELEVATION

DRAWN: CB	SCALE:
DATE: Aug. 30, 20	AS NOTED
JOB NO.: 18-091	SHEET: A2.04

1 LEFT ELEVATION
 A2.04 1/4" = 1'-0"

September 14th, 2020

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

Re: 205 West 32nd street Minor Variance Application
HM/A-19:94

Dear Committee of Adjustment;

This letter is confirm and explain the revised designs to the committee of adjustments for minor variance. We submitted an application to the city last year and at the time, deferred the application to a later date. The proposal has been redesigned to take into account the complaints from the surrounding neighbours in hopes of coming up with something more desirable.

Some of the complaints referred to the size of the front yard addition being too large and there were concerns about it obstructing views. I have increased the site plan to show where the actual sidewalk and road are in hopes of showing that the addition is not close to the road at all and would not obstruct views of neighbours exiting their driveways.

We have redesigned the addition to reduce the encroachment into the front yard. The purpose of the addition remains the same. The homeowner would like a foyer on the house because there is currently no space when you walk in the front door. One of the complaints was an assumption that this is intended to be a home office for a home-based business and we would like to clarify that was never the purpose nor will it ever be. Simply put, it satisfies the need for a front foyer. As well, this addition will not affect the community like some residents are afraid of. The reason why we did not propose it on the side is because it would reduce the ability to use the driveway and thus force vehicles to park on the street.

We changed the location of the front door to be more appealing directly off the front of the house instead of the side where it was before. In addition, we are also proposing a brick addition so that it is line with the materials of the existing house.

We added a front covered porch to also make the front of the house more appealing but the whole new addition encroaches much less than the original design proposal and we reduced it from 11.24m² to 7.0m².

We hope this satisfies the committee and we can re-visit this application.

Please contact me if you need further clarification.



Christine Brown
Designer/Applicant

cbrown@friendlycadmonkey.com (905)802-5272



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:177

APPLICANTS: Owner Susan Bettencourt

SUBJECT PROPERTY: Municipal address **11 Fisher Cres., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 19-307

ZONING: "C/S-1788" (Urban Protected Residential) district

PROPOSAL: To permit the conversion of the existing single-family dwelling to contain a total of two (2) dwelling units, notwithstanding that;

1. A minimum of one (1) parking space shall be permitted instead of the minimum required two (2) parking spaces.

Note: The applicant requested a variance to permit no onsite manoeuvring; however, the variance is not required as manoeuvring is permitted off-site for one (1) parking space.

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

DATE: Thursday, October 22nd, 2020

TIME: 2:35 p.m.

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

To be streamed at www.hamilton.ca/committeeofadjustment

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

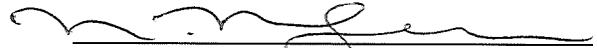
For more information on this matter, including access to drawings illustrating this request:

HM/A-20:177

Page 2

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

DATED: October 6th, 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.

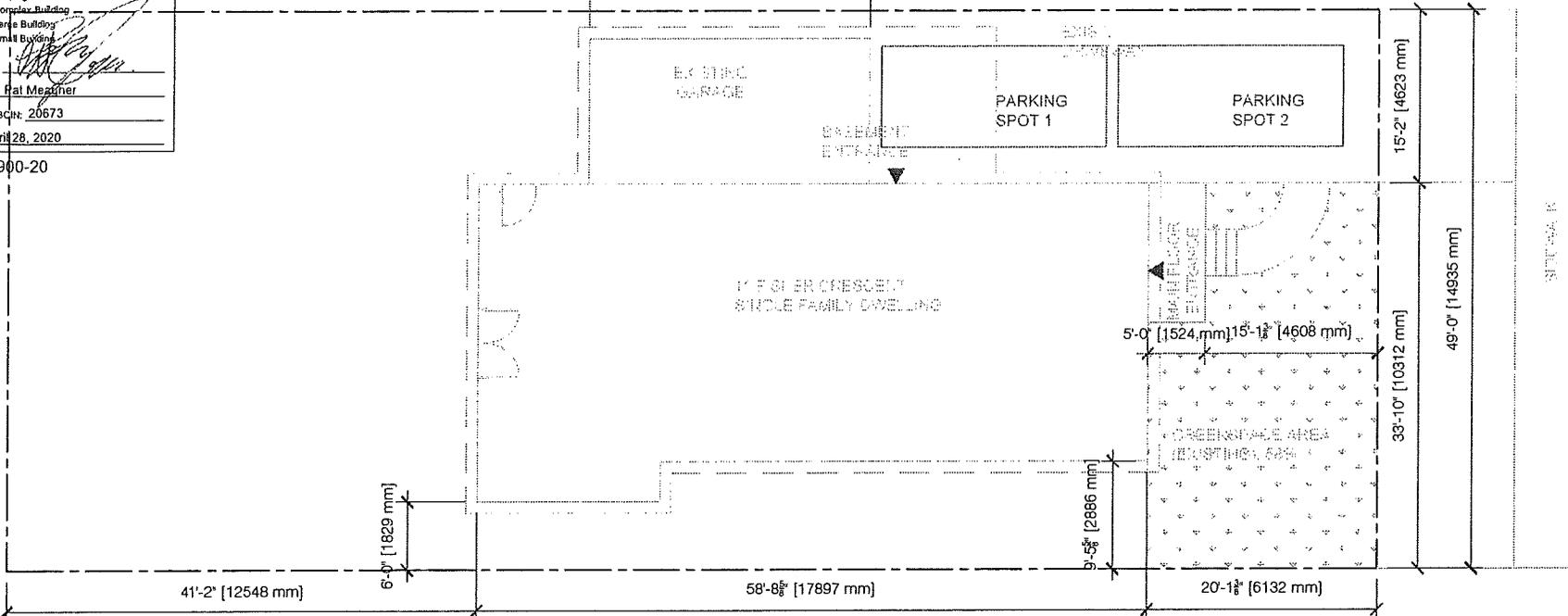
Firm BCIN: 29604
 The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OSC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.
 Building Structural
 Complex Building
 Large Building
 Small Building
 Signature: *[Signature]*
 Designer: **Ral Meagher**
 Designer BCIN: 20673
 Date: April 28, 2020

120'-0" [36576 mm]

50'-9 1/2" [15489 mm]

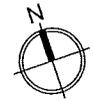
24'-8 1/2" [7520 mm]

44'-6 1/2" [13567 mm]



TE-35900-20

1 SITE PLAN
 A001 SCALE: 3/32" = 1'-0"



ZONING AND SITE STATISTICS

LOT NUMBER	251808101306550		SETBACKS (m)		PARKING	
	LOT AREA (m ²)	546	REQUIRED	PROPOSED	LOCATION	(2) TANDEM
LOT FRONTAGE (m)	14.9		FRONT	-		
GROSS FLOOR AREA			SIDE	-	DESIGN STANDARDS (m)	MINIMUM WIDTH: 2.7 MINIMUM LENGTH: 6.0
	EXISTING (m ²)	PROPOSED (m ²)	REAR	-	REMARKS:	
BASEMENT	101	-	LANDSCAPING INFO			
GROUND FLOOR	138	-	FRONT YARD GROSS AREA (m ²)	91	[985 sqft]	
SECOND FLOOR	42	-	EX LANDSCAPED AREA (m ²)	53	[571 sqft]	
THIRD FLOOR	-	-	NEW LANDSCAPED AREA (m ²)	-	58 %	

SITE LEGEND

- LANDSCAPED AREA
- DRIVEWAY EXPANSION
- MANEUVERING SPACE
- LOT LINE
- PRINCIPLE ENTRANCE
- SECONDARY ENTRANCE

NICHE FOR DESIGN
 www.nichefordesign.com
 info@nichefordesign.com
 370 Main St. E, Unit #301
 Hamilton, ON, L8N 1J6
 905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description:	Date:

- SITE PLAN DEMO NOTES:**
- ITEMS SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL. REMOVE DESIGNATED ITEMS SHOWN ON THE PLAN TO THE FULL DEPTH OF THEIR CONSTRUCTION UNLESS OTHERWISE NOTED.
 - VERIFY THE LOCATION AND DIMENSION OF ITEMS TO BE REMOVED PRIOR TO COMMENCEMENT OF THE WORK.
 - ALL CONCRETE AND ASPHALT REMOVAL SHALL BE SAW CUT. EDGES OF MATERIAL TO REMAIN SHALL BE SHORED UP AND PROTECTED DURING CONSTRUCTION TO PRESERVE EDGE IMPACT. REPAIRS TO DAMAGED EDGES TO BE DONE WITH CARE AND AT NO COST TO THE OWNER.
 - ITEMS ENCOUNTERED BELOW GRADE AND NOT SHOWN ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND/OR LANDSCAPE ARCHITECT.
 - REMOVE DEMOLISHED MATERIALS FROM SITE. DISPOSAL BY BURRING AND/OR BURDING IS PROHIBITED.
 - CONTACT THE LOCAL UNDERGROUND SERVICE OFFICE FOR UTILITY LOCATION AND IDENTIFICATION PRIOR TO DEMOLITION.
 - THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS MAY VARY IN RELATION TO ACTUAL EXISTING CONDITIONS. ADDITIONAL UTILITIES NOT SHOWN ON THE DRAWINGS MAY EXIST. VERIFY IN THE FIELD THE DATA SHOWN, AND CALL ANY DISCREPANCIES TO THE ATTENTION OF THE ENGINEER AND/OR LANDSCAPE ARCHITECT.
 - NO WORK TO ENCRUCH ON TO ADJOINING PROPERTIES

PROJECT:
 ACCESSORY DWELLING UNIT
ADDRESS:
 11 FISHER CRES., HAMILTON
DRAWING TITLE:
 SITE PLAN & STATISTICS
DRAWN BY:
 MB
CHECKED BY:
 --
DATE:
 20.2.11
SCALE:
 AS NOTED
DRAWING #:
 A001



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description	Date

TACOMA ENGINEERS
Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural
 Complex Building
 Large Building
 Small Building

Signature: *Pat Mesinger*
Designer: **Pat Mesinger**
Designer BCIN: **20673**
Date: **April 28, 2020**

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
EXISTING BASEMENT

DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

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

DRAWING #:
A101

DEMOLITION GENERAL NOTES:

- DEMOLITION WORK MUST BE CARRIED OUT BY A CONTRACTOR OR SUB-CONTRACTOR EXPERIENCED IN THIS KIND OF WORK. AN EXPERIENCED STAFF MEMBER SHALL SUPERVISE ALL WORK.
- CONTRACTOR MUST EXAMINE ALL EXISTING WORK TO BE DEMOLISHED CAREFULLY. REPORT ANY DISCREPANCY, UNUSUAL OR UNEXPECTED CONDITIONS TO THE DESIGNER BEFORE PROCEEDING WITH THE DEMOLITION.
- THE METHOD AND/OR THE PROCEDURES OF DEMOLITION, THE EXECUTION OF THE WORK AND ANY TEMPORARY SUPPORTS REQUIRED SHALL BE THE FULL RESPONSIBILITY OF THE CONTRACTOR.
- THE BUILDING COMPONENTS TO REMAIN (STRUCTURAL AND NON-STRUCTURAL) MUST NOT BE DAMAGED BY THE DEMOLITION WORK. ANY DAMAGES CAUSED BY THIS WORK MUST BE REPAIRED TO THE SATISFACTION OF THE OWNER AND AT NO COST TO THE OWNER.
- SHOULD ANY STRUCTURAL STEEL MEMBERS BE FOUND WITHIN THE WALL TO BE DEMOLISHED. DO NOT REMOVE SUCH MEMBER AND REPORT IMMEDIATELY TO DESIGNER OR STRUCTURAL ENGINEER FOR DIRECTION (ANY STEEL COLUMNS ALONG ANY WALL TO BE DEMOLISHED MUST NOT BE REMOVED).
- HANDLE AND DISPOSE OF CONTAMINATED WASTE (IF FOUND) AS REQUIRED UNDER THE ENVIRONMENTAL PROTECTION ACT, ONTARIO MINISTRY OF LABOUR AND LOCAL REQUIREMENTS. ADVISE PROPER AUTHORITIES BEFORE DISCONNECTING ANY EXISTING UTILITY SERVICES. THESE SHALL BE DISCONNECTED AND/OR CAPPED OFF IN ACCORDANCE WITH UTILITY INSTRUCTIONS AND ESTABLISHED PROCEDURES BY SKILLED TRADESMEN.
- MAINTAIN PROPER ACCESS TO SITE. PROVIDE ADEQUATE PROTECTION TO CURBS AND SIDEWALKS MAKING GOOD ANY DAMAGE AT NO COST TO THE OWNER.

EXISTING STRUCTURE NOTE

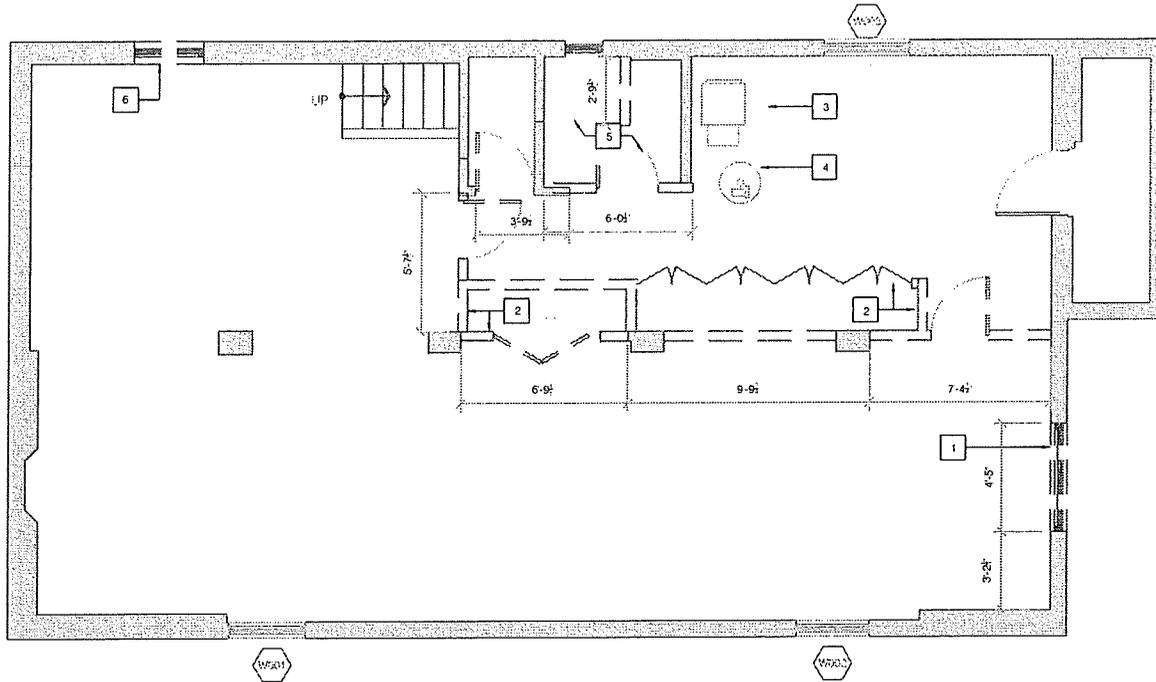
- CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

DEMOLITION KEY NOTES

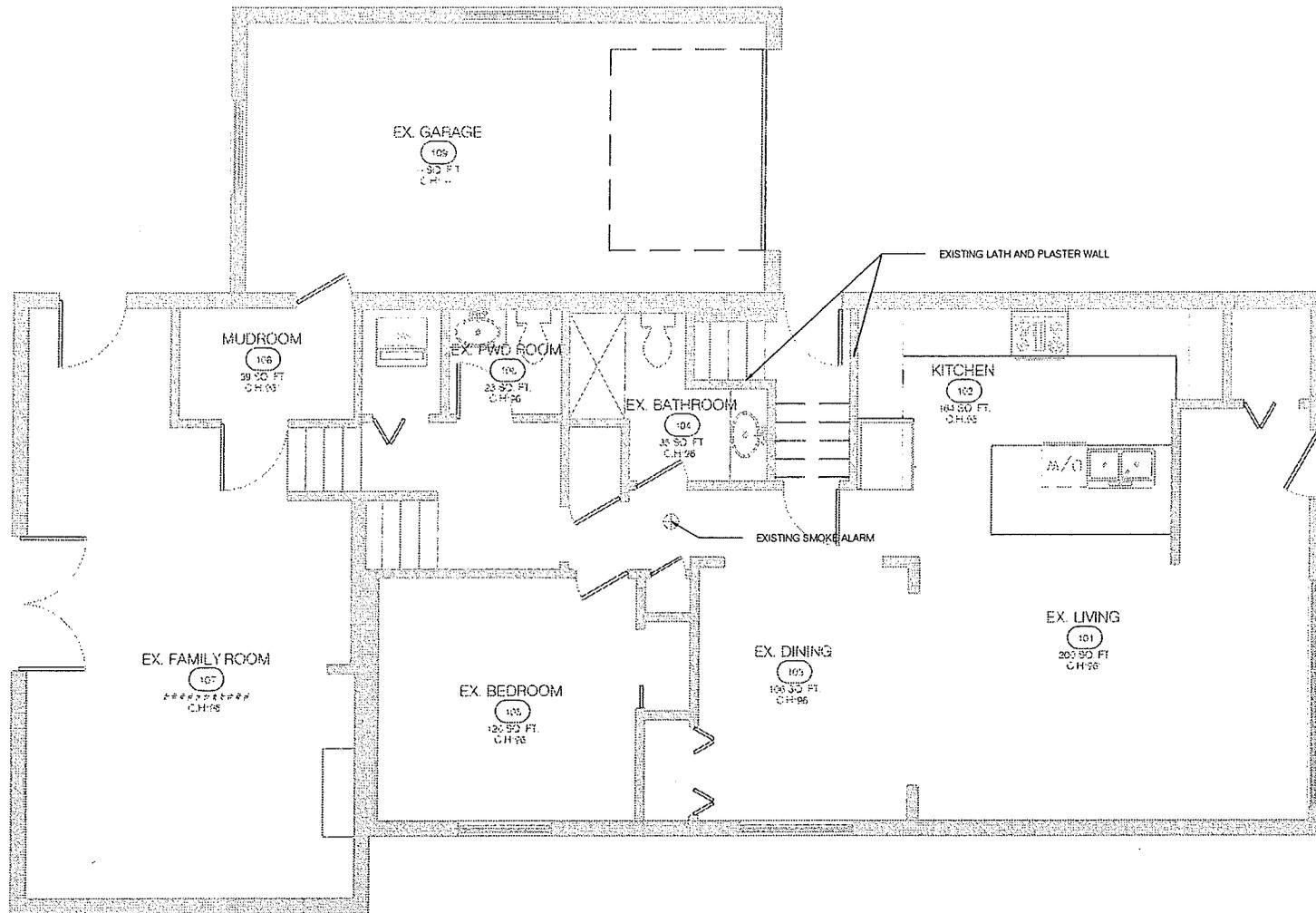
- NEW WINDOW OPENING. REFER TO S101 FOR STRUCTURAL SPECIFICATIONS.
- DEMOLISH AND REMOVE EXISTING NON LOAD BEARING WALL.
- EXISTING HVAC UNIT TO REMAIN.
- EXISTING WATER HEATER TO REMAIN.
- REMOVE & DISPOSE EXISTING PLUMBING FIXTURES. REFER TO 1/A201 FOR NEW PLUMBING LOCATIONS.
- EXISTING WINDOW TO BE REMOVED. VOID IN FOUNDATION WALL TO BE IN FILLED. REFER TO A201 FOR DETAILS.

PLAN LEGEND - WALLS

-  EXISTING FOUNDATION WALLS TO REMAIN
-  EXISTING WALLS TO REMAIN
-  EXISTING WALL OR ELEMENT TO BE DEMOLISHED



1 EXISTING - BASEMENT
A101 SCALE: 3/16" = 1'-0"



1 EXISTING - MAIN FLOOR
A102/SCALE: 3/16" = 1'-0"

GENERAL NOTES

1. PROVIDE MIN 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC
2. MIN WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA
3. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
4. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
5. MIN. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
6. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS
7. MAIN FLOOR DIMENSIONS ARE TO EXISTING

EXISTING STRUCTURE NOTE:

1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E., Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description	Date:



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *Pat Meagher*

Designer: **Pat Meagher**

Designer BCIN: 20673

Date: April 28, 2020

TE-35900-20

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
EXISTING: MAIN FLOOR

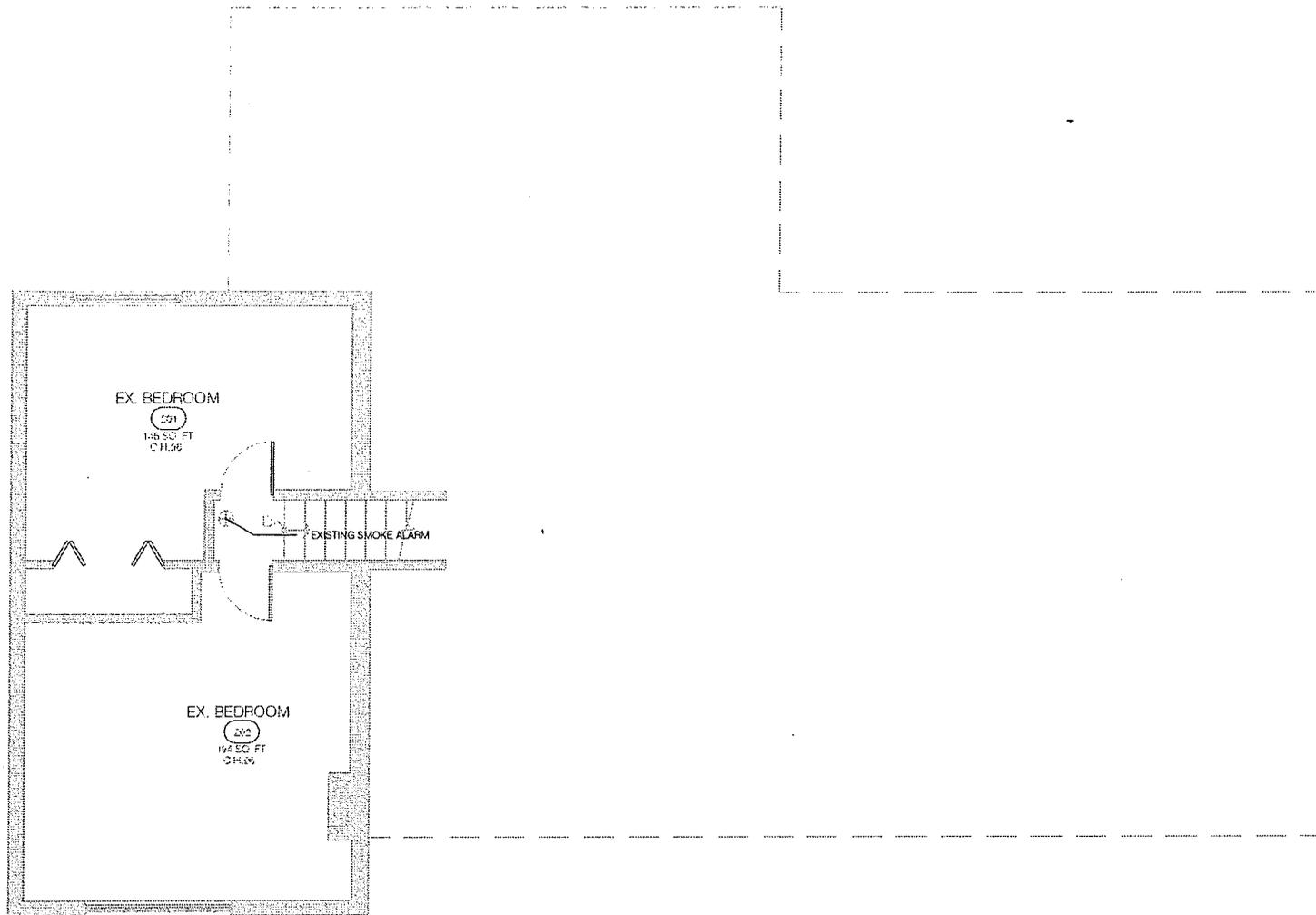
DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A102



1 EXISTING - UPPER FLOOR
A103 SCALE: 3/16" = 1'-0"

GENERAL NOTES:

1. PROVIDE MIN. 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC.
2. MIN. WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA.
3. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
4. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
5. MIN. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
6. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS.
7. UPPER LEVEL DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE/BLOCKS.

EXISTING STRUCTURE NOTE:

1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description:	Date:



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *[Signature]*

Designer: Pal Messner

Designer BCIN: 20673

Date: April 28, 2020

TE-35900-20

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
PROPOSE: UPPER LEVEL

DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A103

NICHE FOR DESIGN

www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

- GENERAL NOTES:**
1. PROVIDE MIN. 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC. MIN. WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC. WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA.
 2. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
 3. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
 4. MIN. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
 5. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS.
 6. MAIN FLOOR DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE/BLOCKS.

- FIRE SEPARATION NOTES:**
1. ALL NEW SMOKE ALARMS SHALL BE SUPPLIED AND INSTALLED AS REQUIRED PER SECTION 9.10.19 AND BE EQUIPPED WITH A VISUAL SIGNALING COMPONENT THAT MEETS NFPA 72 AND SECTION 9.2.4.22 OF THE OBC. NEW SMOKE ALARMS MUST BE INTERCONNECTED WITH EACH OTHER.
 2. WHEN INTERCONNECTED SMOKE ALARMS ARE PROVIDED, THE HORIZONTAL FIRE SEPARATION REQUIRED BETWEEN EACH DWELLING UNIT AS WELL AS COMMON /SHARED AREAS SHALL HAVE A MINIMUM FIRE RESISTANCE RATING OF 15 MINUTES (PER PART 11 COMPLIANCE ALTERNATIVES C147 & C152) EXISTING 1/2" DRYWALL FINISH OR EXISTING LATH/PLASTER FINISH IS DEEMED COMPLIANT IN PROVIDING 15 MINUTE FRR.
 3. FIRE SEPARATIONS HAVING A 30 MINUTE FRR ARE COMPLIANT BETWEEN UNITS AND COMMON SPACES, AS PER CA 147 & 152. HORIZONTAL FIRE SEPARATIONS MAY BE REDUCED TO 15 MIN BE REDUCED TO 15 MIN FRR IS SMOKE ALARMS ARE INTERCONNECTED BETWEEN UNITS.
 4. STRUCTURAL MEMBERS IN FLOOR ASSEMBLIES AS WELL AS ALL LOADBEARING WALLS, COLUMNS AND ARCHES SUPPORTING A RATED ASSEMBLY SHALL HAVE A MINIMUM FIRE RESISTANCE RATING OF 30 MIN. EXISTING CONCRETE OR MASONRY CONSTRUCTION IS DEEMED COMPLIANT. LOAD BEARING WOOD FRAMED WALLS, WOOD POSTS, AND STEEL POSTS MUST BE PROTECTED WITH MINIMUM 1 LAYER OF 5/8" TYPE X DRYWALL.
 5. ALL DOORS LOCATED IN REQUIRED FIRE SEPARATIONS WITH FIRE RESISTANCE RATINGS OF 30 OR 45 MINUTES SHALL BE EQUIPPED WITH A SELF CLOSING DEVICE AND HAVE A MINIMUM FIRE RESISTANCE RATING OF 20 MINUTES.
 6. EXISTING DUCT PENETRATIONS OF FLOOR ASSEMBLIES ACCEPTABLE (PER PART 11 COMPLIANCE ALTERNATIVE C168).

- EXISTING STRUCTURE NOTE:**
1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No	Description:	Date:

TACOMA ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural
 Complex Building
 Large Building
 Small Building

Signature: *Pat Meszner*
Designer: Pat Meszner
Designer BCIN: 20673
Date: April 28, 2020

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT

ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
PROPOSE: BASEMENT

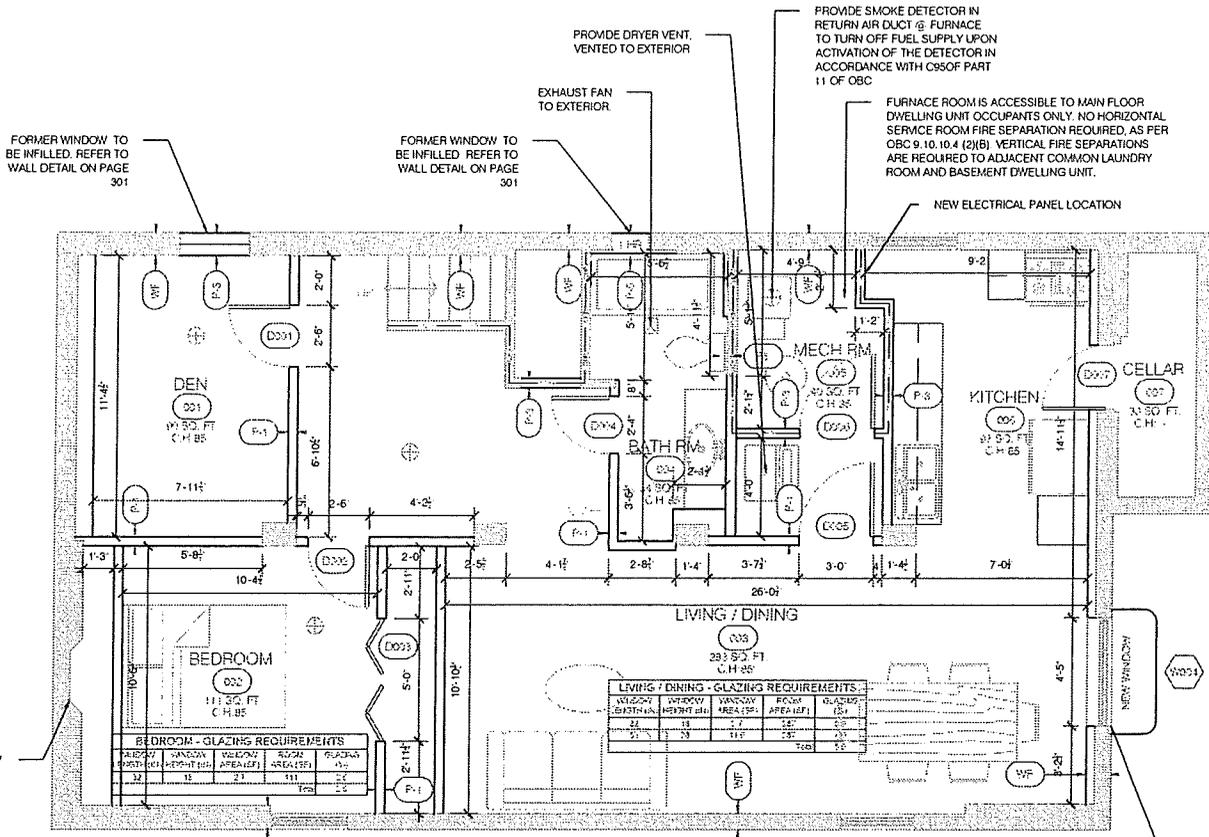
DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE: 1/4" = 1'-0"

DRAWING #:
A201



FORMER WINDOW TO BE INFILLED. REFER TO WALL DETAIL ON PAGE 301

FORMER WINDOW TO BE INFILLED. REFER TO WALL DETAIL ON PAGE 301

EXHAUST FAN TO EXTERIOR

PROMOVE DRYER VENT. VENTED TO EXTERIOR

PROMOVE SMOKE DETECTOR IN RETURN AIR DUCT @ FURNACE TO TURN OFF FUEL SUPPLY UPON ACTIVATION OF THE DETECTOR IN ACCORDANCE WITH C950F PART 11 OF OBC

FURNACE ROOM IS ACCESSIBLE TO MAIN FLOOR DWELLING UNIT OCCUPANTS ONLY. NO HORIZONTAL SERVICE ROOM FIRE SEPARATION REQUIRED, AS PER OBC 9.10.10.4 (2)(B). VERTICAL FIRE SEPARATIONS ARE REQUIRED TO ADJACENT COMMON LAUNDRY ROOM AND BASEMENT DWELLING UNIT.

NEW ELECTRICAL PANEL LOCATION

FULLY SEAL EXISTING FIREPLACE, ADD NEW WALL IN FRONT

INSTALL EGRESS WINDOW WELL CONFORMING TO 9.9.10.1(5) WHERE A WINDOW REQUIRED IN SENTENCE (1) OPENS INTO A WINDOW WELL, A CLEARANCE OF NOT LESS THAN 550MM SHALL BE PROVIDED IN FRONT OF THE WINDOW. EGRESS WINDOW CONFORMING TO 9.9.10.1:

A. IS OPENABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS.

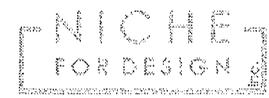
B. PROVIDES AN INDIVIDUAL UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 0.35 m² WITH NO DIMENSIONS LESS THAN 380mm, AND

C. MAINTAINS THE REQUIRED OPENING DESCRIBED IN CLAUSE (B) WITHOUT THE NEED FOR ADDITIONAL SUPPORT.

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS
- COMBINED SMOKE AND CO2 DETECTOR

1 PROPOSED - BASEMENT
A201 SCALE: 3/16" = 1'-0"



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

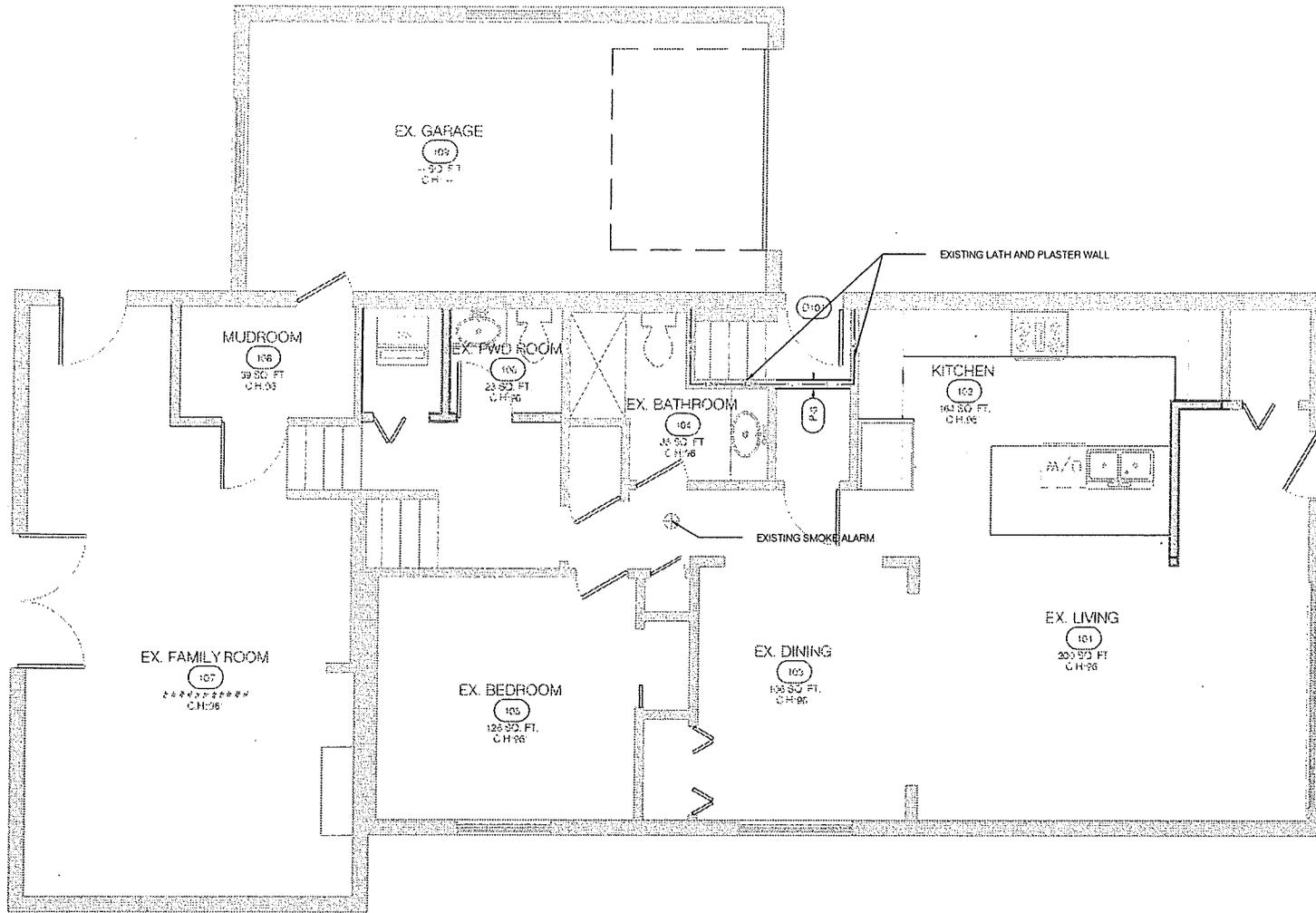
GENERAL NOTES

1. PROVIDE MIN. 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC
2. MIN. WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA
3. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW
4. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
5. MIN. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
6. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS
7. MAIN FLOOR DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE/BLOCKS.

EXISTING STRUCTURE NOTE:

1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No	Description:	Date



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *[Signature]*
Designer: Pat Meszner
Designer BCIN: 20673
Date: April 28, 2020

TE-35900-20

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS

1 EXISTING - MAIN FLOOR
A202/SCALE: 3/16" = 1'-0"

PROJECT: ACCESSORY DWELLING UNIT	
ADDRESS: 11 FISHER CRES., HAMILTON	
DRAWING TITLE: PROPOSE: MAIN FLOOR	
DRAWN BY: MB	
CHECKED BY: --	
DATE: 20.2.11	
SCALE: 1/4" = 1'-0"	DRAWING #: A102



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-180698

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A-20:177</u>	DATE APPLICATION RECEIVED <u>AUG-26/20</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.



FAX NO. _____ E-mail address. _____

4. Address _____
Postal Code _____

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

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:
Royal Bank of Canada. 10 York Mills Road, 3rd Floor, Toronto, ON
Postal Code _____
Postal Code _____

6. Nature and extent of relief applied for:
Relief from Section 18A (1)(a) to permit a minimum of one (1) required parking space, whereas a minimum of two (2) spaces is required for a two family home (duplex).

Relief from Section 18A (1)(f) to permit no on-site manoeuvring for a parking space, whereas a minimum required manoeuvring space with a width of 6.0 m is required.
7. Why it is not possible to comply with the provisions of the By-law?
The subject lot is already developed with an existing single detached dwelling with an attached garage, carport and parking on-site for +4 vehicles. Due to the driveway, location and orientation of the house, it is not feasible to meet the technical requirements of the by-law, however there is ample parking on-site and manoeuvring for vehicles.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Crescent
11 Fisher Street, Hamilton, ON
Legal Description: Lot 28, Part Lot 1155
9. PREVIOUS USE OF PROPERTY
Residential Industrial Commercial
Agricultural Vacant
Other _____
- 9.1 If Industrial or Commercial, specify use
_____ N/A _____
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes No Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

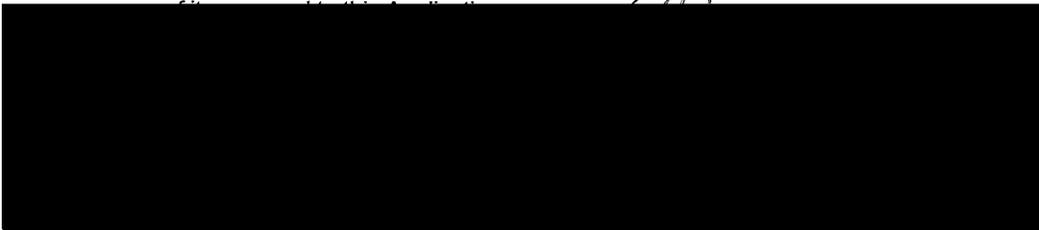
Local knowledge. Information available online.

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



10. Dimensions of lands affected:

Frontage	<u>14.93 m (49 feet)</u>
Depth	<u>36.57 m (120 feet)</u>
Area	<u>545.99 m2 (5,876.98 ft2)</u>
Width of street	<u>+/- 20 m</u>

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

Existing: 2 storey single detached dwelling

Main floor and 2nd floor area = 180 m2 (1,937.50 ft2)

Basement Floor area = 101 m2 (1,087.16 ft2)

Proposed: Proposing converting the basement into a 2nd dwelling unit (two family home).

Unit 1 (main floor and 2nd floor) will contain 3 bedrooms, kitchen, bathrooms and family room

Unit 2 (basement) will contain 1 bedroom + den, a kitchen, family room and 1 bathroom.

Both units will contain their own laundry facilities.

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 detached dwelling

Proposed: No additional or external changes proposed to existing dwelling. All changes will be in the interior of the building.

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:
Since the building was constructed.
-
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer X Connected X
Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
"Neighbourhoods" (Urban Land Use Designation)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"C" (Urban Protected Residential, etc.) district. Site Special Provision 1788 (C/S-1788)
-
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
-
-
-
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Council member of C.O. #



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

Declared before me at the



PART 25 OWNER AUTHORIZATION



contents of this application and hereby certify that the information contained in this application is correct insofar as I have knowledge of these facts, and I hereby authorize

_____ of _____

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

DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below
Consent of Owner to the Disclosure of Application Information and Supporting Documentation

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



(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.58, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date Aug 12, 2020



PART 27 PERMISSION TO ENTER

Date: _____

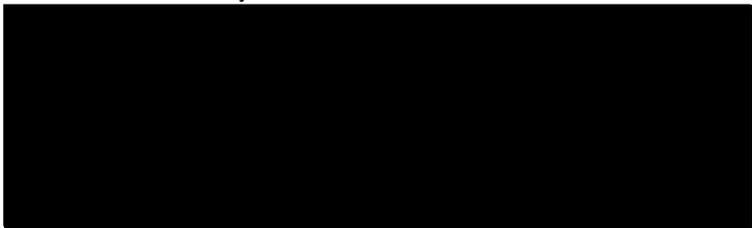
Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 11 FISHER CRE., HAMULTON
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the _____
_____ted property for the limited



Please print name

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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 12th day of August, 2020.

BETWEEN



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton this 12th day of August, 2020.



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 _____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner: c/s
Title:
I have authority to bind the corporation

Assignee: c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name	11 Fisher Cres		Unit no.
Municipality	Hamilton	Postal code	Plan number/ other description
		L9C 4N1	
B. Individual who reviews and takes responsibility for design activities			
Name	Patrick Meagher	Firm	Tacoma Engineers Inc.
Street address	176 Speedvale Ave W		Unit no.
			Lot/con.
Municipality	Guelph	Postal code	Province
		N1H 1C3	ON
Telephone number	(519) 763-2000 x222	Fax number	E-mail
		()	patm@tacomaengineers.com
			Cell number
			()
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input checked="" type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
Conversion of existing single family dwelling to duplex dwelling.			
D. Declaration of Designer			
I, <u>Patrick Meagher</u>		declare that (choose one as appropriate):	
(print name)			
<input checked="" type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.			
Individual BCIN:	20673		
Firm BCIN:	29604		
<input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5 of Division C, of the Building Code.			
Individual BCIN:	_____		
Basis for exemption from registration:	_____		
<input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code.			
Basis for exemption from registration and qualification:	_____		
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. I have submitted this application with the knowledge and consent of the firm.			
Date	April 28, 2020		
Date			
	Signature of Designer		

NOTE:

- For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c) of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
- Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

ACCESSORY DWELLING UNIT - INTERIOR RENO

11 FISHER CRESCENT,
HAMILTON, ONTARIO



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

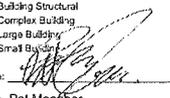
6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description:	Date:



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: 
Designer: Pat Meagher

Designer BCIN: 20673

Date: April 28, 2020

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
Drawing

DRAWN BY:
MB

CHECKED BY:

DATE:
20.2.11

SCALE:
AS NOTED

DRAWING #:
A000

DRAWING LIST

ADD TITLEPAGE
ADD PRELIM & STATISTICS
ADD EXISTING BASEMENT
ADD EXISTING MAIN LEVEL
ADD EXISTING UPPER LEVEL
ADD PROPOSED BASEMENT
ADD PROPOSED MAIN LEVEL
ADD DETAIL & SCHEDULES
ADD DETAIL & SCHEDULES CONTD
SM-BASEMENT STRUCTURE

TACOMA ENGINEERS

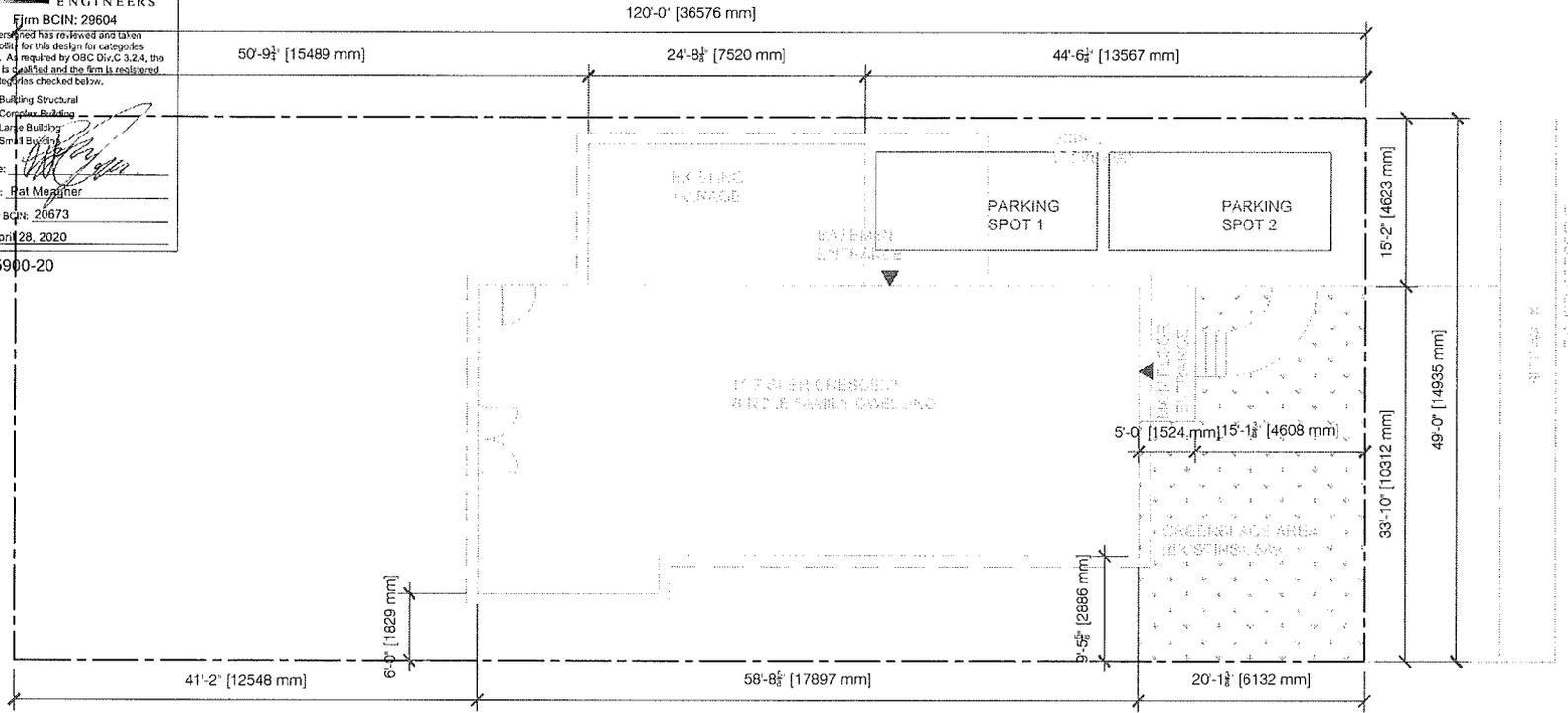
Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *[Signature]*
 Designer: Pat Meagher
 Designer BCIN: 20673
 Date: April 28, 2020

TE-35900-20



1 SITE PLAN
 A001 SCALE: 3/32" = 1'-0"



ZONING AND SITE STATISTICS

LOT NUMBER	251809101306550	SETBACKS (m)	REQUIRED	PROPOSED	PARKING	LOCATION	(2) TANDEM
LOT AREA (m ²)	546	FRONT	--	--	DESIGN STANDARDS (m)	MINIMUM WIDTH: 2.7	MINIMUM LENGTH: 6.0
LOT FRONTAGE (m)	14.9	SIDE	--	--	REMARKS:		
GROSS FLOOR AREA		REAR	--	--			
		EXISTING (m ²)	PROPOSED (m ²)				
BASEMENT	101	--	LANDSCAPING INFO				
GROUND FLOOR	139	--	FRONT YARD GROSS AREA (m ²)	91	[965 sqft]		
SECOND FLOOR	42	--	EX LANDSCAPED AREA (m ²)	53	[571 sqft]		
THIRD FLOOR	--	--	NEW LANDSCAPED AREA (m ²)	--	59 %		

SITE LEGEND

- LANDSCAPED AREA
- DRIVEWAY EXPANSION
- MANEUVERING SPACE
- LOT LINE
- PRINCIPLE ENTRANCE
- SECONDARY ENTRANCE

NICHE FOR DESIGN INC.

www.nichefordesign.com
 info@nichefordesign.com

370 Main St. E. Unit #301
 Hamilton, ON, L8N 1J6

905-379-0792

No.	Description	Date
6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427

- SITE PLAN DEMO NOTES**
- ITEMS SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL. REMOVE DESIGNATED ITEMS SHOWN ON THE PLAN TO THE FULL DEPTH OF THE CONSTRUCTION UNLESS OTHERWISE NOTED.
 - VERIFY THE LOCATION AND DIMENSION OF ITEMS TO BE REMOVED PRIOR TO COMMENCEMENT OF THE WORK.
 - ALL CONCRETE AND ASPHALT REMOVAL SHALL BE SAW CUT. EDGES OF MATERIAL TO REMAIN SHALL BE SHORED UP AND PROTECTED DURING CONSTRUCTION TO PRESERVE EDGE INTACT. REPAIRS TO DAMAGED EDGES TO BE DONE WITH CARE AND AT NO COST TO THE OWNER.
 - ITEMS ENCOUNTERED BELOW GRADE AND NOT SHOWN ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND/OR LANDSCAPE ARCHITECT.
 - REMOVE DEMOLISHED MATERIALS FROM SITE. DISPOSAL BY BURIAL AND/OR BURIAL IS PROHIBITED.
 - CONTACT THE LOCAL UNDERGROUND SERVICE OFFICE FOR UTILITY LOCATION AND IDENTIFICATION PRIOR TO DEMOLITION.
 - THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS MAY VARY IN RELATION TO ACTUAL EXISTING CONDITIONS. ADJACENT UTILITIES NOT SHOWN ON THE DRAWINGS MAY EXIST. VERIFY IN THE FIELD THE DATA SHOWN AND CALL ANY DISCREPANCIES TO THE ATTENTION OF THE ENGINEER AND/OR LANDSCAPE ARCHITECT.
 - NO WORK TO ENCRoACH ONTO ADJACENT PROPERTIES

PROJECT:
 ACCESSORY DWELLING UNIT
ADDRESS:
 11 FISHER CRES., HAMILTON

DRAWING TITLE:
 SITE PLAN & STATISTICS

DRAWN BY:
 IMB

CHECKED BY:
 --

DATE:
 20.2.11

SCALE:
 AS NOTED

DRAWING #:
 A001



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No	Description	Date



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *[Signature]*
Designer: **Pat Meagher**

Designer BCIN: 20673

Date: **April 28, 2020**

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
EXISTING BASEMENT

DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

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

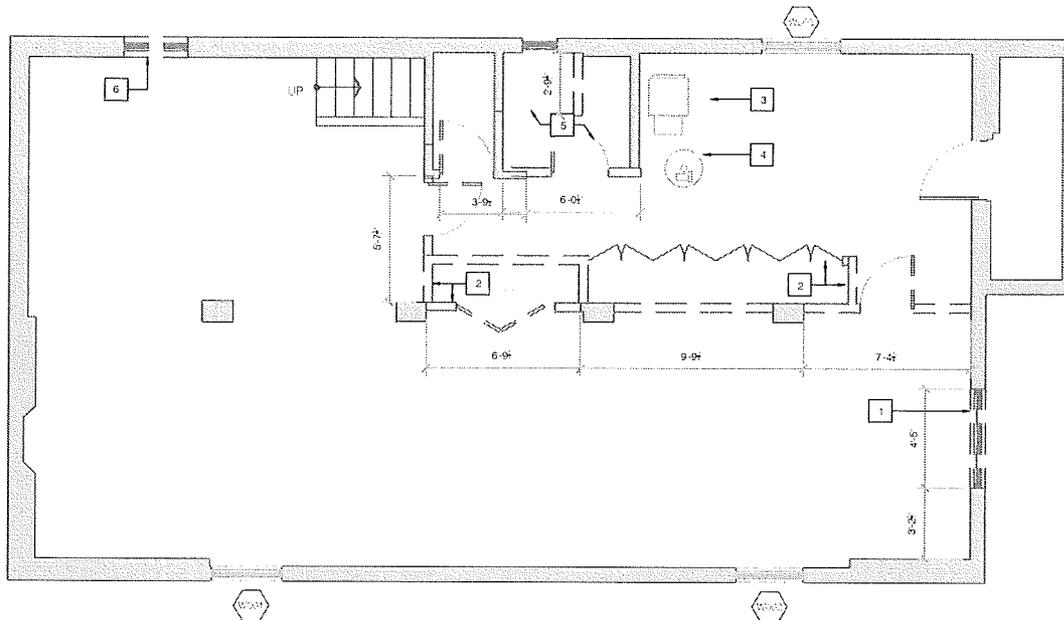
DRAWING #:
A101

DEMOLITION GENERAL NOTES

- DEMOLITION WORK MUST BE CARRIED OUT BY A CONTRACTOR OR SUB-CONTRACTOR EXPERIENCED IN THIS KIND OF WORK. AN EXPERIENCED STAFF MEMBER SHALL SUPERVISE ALL WORK.
- CONTRACTOR MUST EXAMINE ALL EXISTING WORK TO BE DEMOLISHED CAREFULLY. REPORT ANY DISCREPANCY, UNUSUAL OR UNEXPECTED CONDITIONS TO THE DESIGNER BEFORE PROCEEDING WITH THE DEMOLITION.
- THE METHOD AND/OR THE PROCEDURES OF DEMOLITION, THE EXECUTION OF THE WORK AND ANY TEMPORARY SUPPORTS REQUIRED SHALL BE THE FULL RESPONSIBILITY OF THE CONTRACTOR.
- THE BUILDING COMPONENTS TO REMAIN (STRUCTURAL AND NON-STRUCTURAL) MUST NOT BE DAMAGED BY THE DEMOLITION WORK. ANY DAMAGES CAUSED BY THIS WORK MUST BE REPAIRED TO THE SATISFACTION OF THE OWNER AND AT NO COST TO THE OWNER.
- SHOULD ANY STRUCTURAL STEEL MEMBERS BE FOUND WITHIN THE WALL, TO BE DEMOLISHED. DO NOT REMOVE SUCH MEMBER AND REPORT IMMEDIATELY TO DESIGNER OR STRUCTURAL ENGINEER FOR DIRECTION (ANY STEEL COLUMNS ALONG ANY WALL TO BE DEMOLISHED MUST NOT BE REMOVED).
- HANDLE AND DISPOSE OF CONTAMINATED WASTE (IF FOUND) AS REQUIRED UNDER THE ENVIRONMENTAL PROTECTION ACT, ONTARIO MINISTRY OF LABOUR AND LOCAL REQUIREMENTS.
- ADVISE PROPER AUTHORITIES BEFORE DISCONNECTING ANY EXISTING UTILITY SERVICES. THESE SHALL BE DISCONNECTED AND/OR CAPPED OFF IN ACCORDANCE WITH UTILITY INSTRUCTIONS AND ESTABLISHED PROCEDURES BY SKILLED TRADESMEN.
- MAINTAIN PROPER ACCESS TO SITE. PROVIDE ADEQUATE PROTECTION TO CURBS AND SIDEWALKS MAKING GOOD ANY DAMAGE AT NO COST TO THE OWNER.

EXISTING STRUCTURE NOTE

- CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.



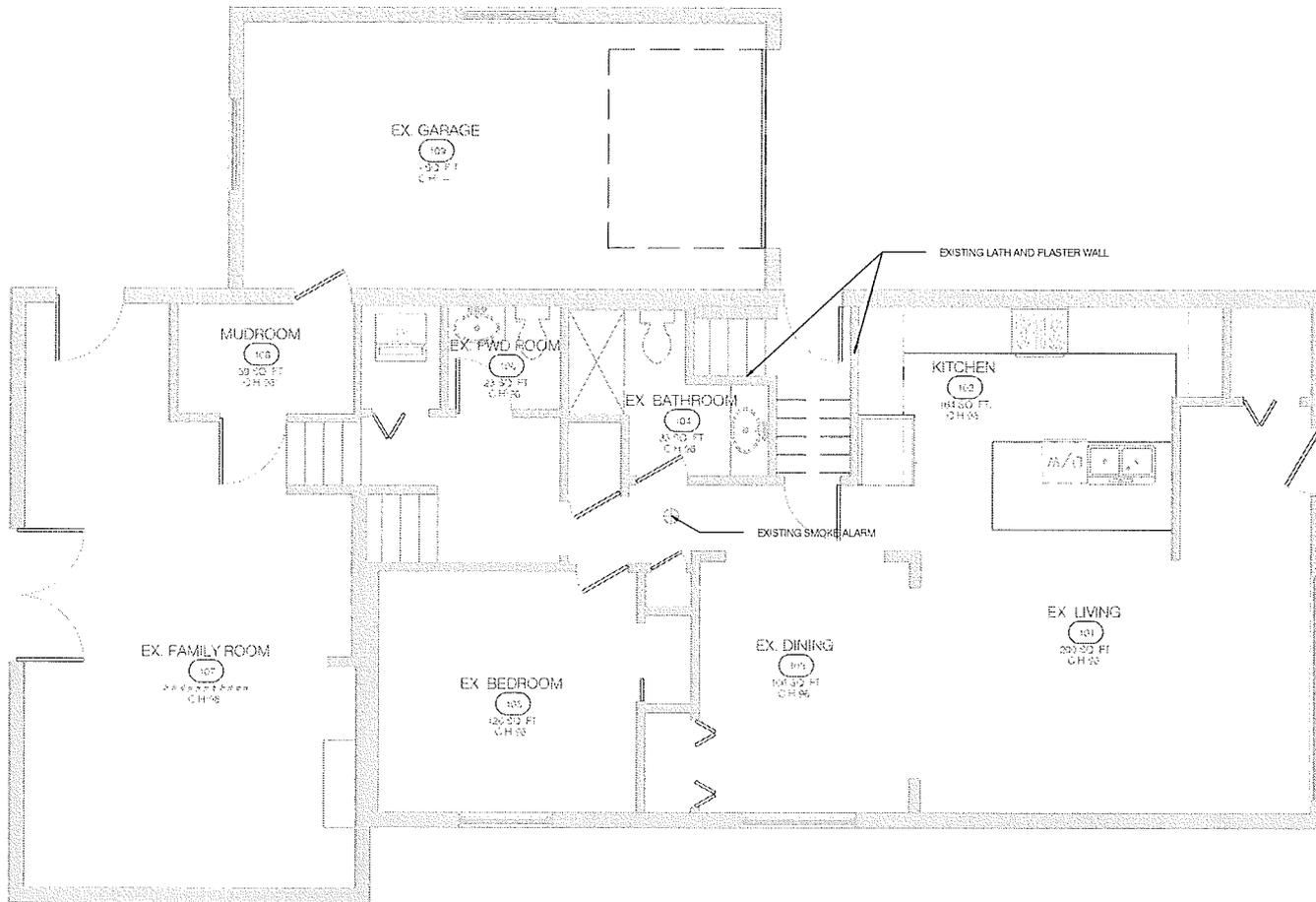
DEMOLITION KEY NOTES

- NEW WINDOW OPENING REFER TO S101 FOR STRUCTURAL SPECIFICATIONS
- DEMOLISH AND REMOVE EXISTING NON LOAD BEARING WALL
- EXISTING HVAC UNIT TO REMAIN
- EXISTING WATER HEATER TO REMAIN
- REMOVE & DISPOSE EXISTING PLUMBING FIXTURES. REFER TO 1/A201 FOR NEW PLUMBING LOCATIONS
- EXISTING WINDOW TO BE REMOVED. VOID IN FOUNDATION WALL TO BE IN FILLED. REFER TO A201 FOR DETAILS

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- EXISTING WALL OR ELEMENT TO BE DEMOLISHED

1 EXISTING - BASEMENT
A101 SCALE: 3/16" = 1'-0"



GENERAL NOTES

1. PROVIDE M.N. EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC
2. M.N. WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA.
3. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
4. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
5. M.N. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm
6. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS
7. MAIN FLOOR DIMENSIONS ARE TO EXISTING

EXISTING STRUCTURE NOTE

1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description	Date

TACOMA ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *Pat Megawer*
Designer: Pat Megawer

Designer BCIN: 20673
Date: April 28, 2020

TE-35900-20

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS

1 EXISTING - MAIN FLOOR
A102 SCALE: 3/16" = 1'-0"

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
EXISTING: MAIN FLOOR

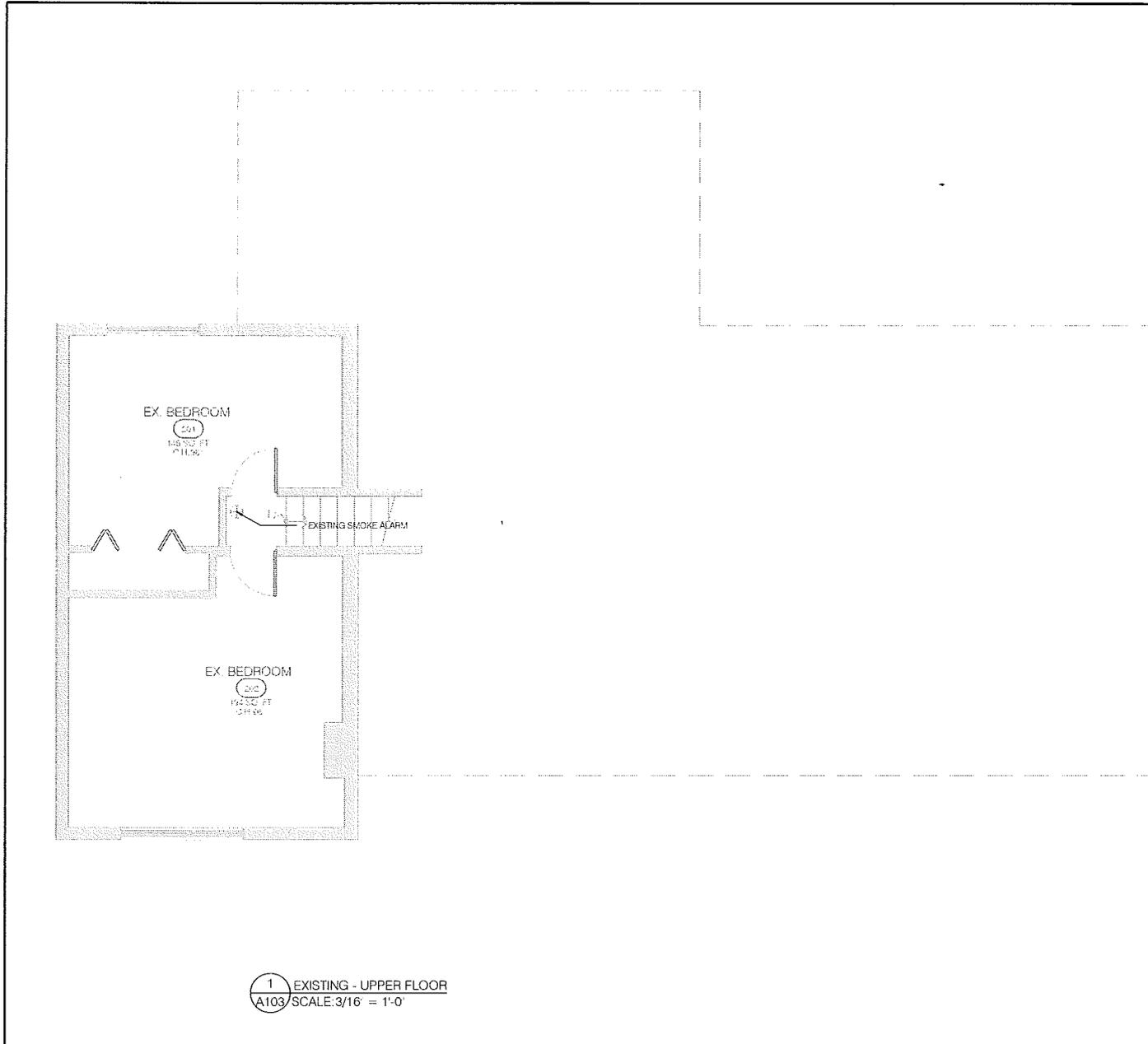
DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A102



GENERAL NOTES:

1. PROVIDE MIN. 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC. M/N WINDOW AREA TO CONFORM TO SECTION 9.7.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA.
2. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
3. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
4. M/N CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
5. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS.
6. UPPER LEVEL DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE BLOCKS.

EXISTING STRUCTURE NOTE:

1. CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGNING PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E, Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No.	Description	Date

TACOMA ENGINEERS
Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural
 Complex Building
 Large Building
 Small Building

Signature: *Pat Messinger*
 Designer: Pat Messinger
 Designer BCIN: 20673
 Date: April 28, 2020

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
PROPOSE: UPPER LEVEL

DRAWN BY:
MB

CHECKED BY:

DATE:

20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A103



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E. Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200327
No	Description	Date



Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C 2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *Pat Meagher*
Designer: **Pat Meagher**
Designer BCIN: **20673**
Date: **April 28, 2020**

TE-35900-20

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
PROPOSE: BASEMENT

DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A201

GENERAL NOTES

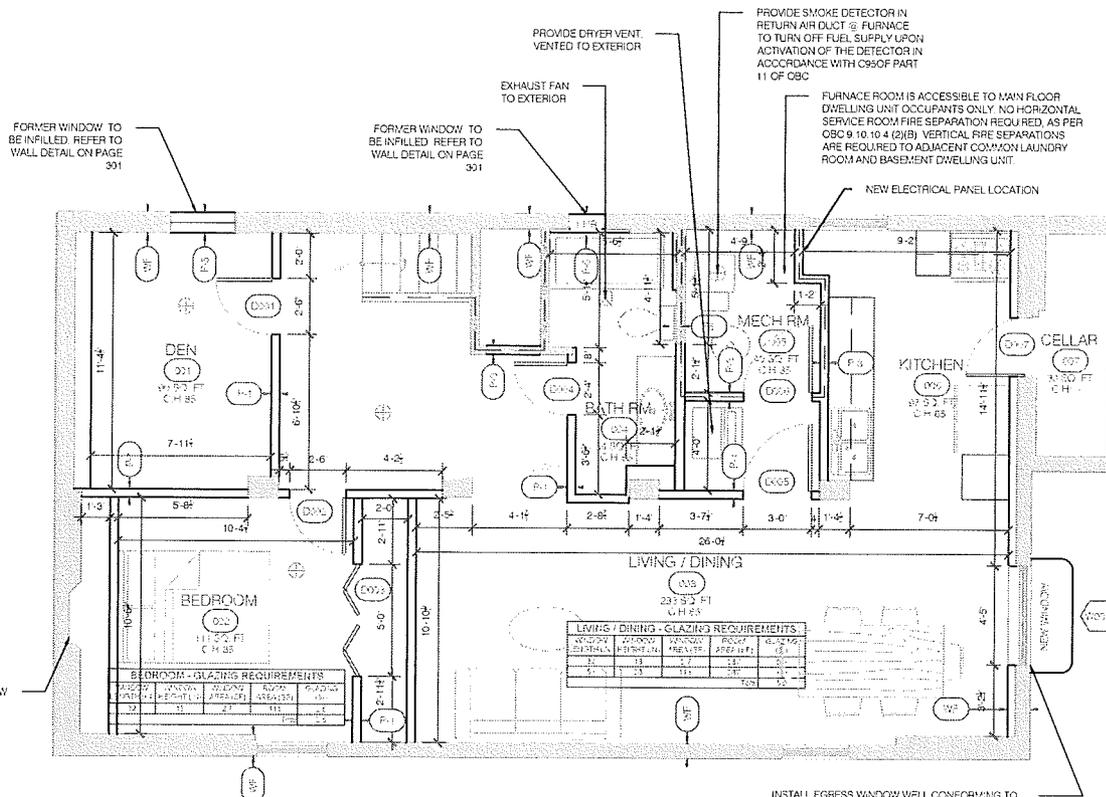
1. PROVIDE MIN. 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC. MIN. WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 50% REDUCTION IN GLAZING AREA.
2. IF WINDOW OPENS INTO A WINDOW WELL, THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW.
3. IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS.
4. MIN. CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm.
5. THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS.
6. MAIN FLOOR DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE/BLOCKS.

FIRE SEPARATION NOTES

1. ALL NEW SMOKE ALARMS SHALL BE SUPPLIED AND INSTALLED AS REQUIRED PER SECTION 9.10.19 AND BE EQUIPPED WITH A VISUAL SIGNALING COMPONENT THAT MEETS NFPA 72 AND SECTION 3.2.4.22 OF THE OBC. NEW SMOKE ALARMS MUST BE INTERCONNECTED WITH EACH OTHER.
2. WHEN INTERCONNECTED SMOKE ALARMS ARE PROVIDED, THE HORIZONTAL FIRE SEPARATION REQUIRED BETWEEN EACH DWELLING UNIT AS WELL AS COMMON SHARED AREAS SHALL HAVE A MINIMUM FIRE RESISTANCE RATING OF 15 MINUTES (PER PART 11, COMPLIANCE ALTERNATIVES C147 & C152) EXISTING 1/2" DRYWALL FINISH OR EXISTING LATH PLASTER FINISH IS DEEMED COMPLIANT IF PROVIDING 15 MINUTE FRR.
3. FIRE SEPARATIONS HAVING A 30 MINUTE FRR ARE COMPLIANT BETWEEN UNITS AND COMMON SPACES, AS PER CA 147 & 152. HORIZONTAL FIRE SEPARATIONS MAY BE REDUCED TO 15 MINUTE FRR IF THE FRR IS SMOKE ALARMS ARE INTERCONNECTED BETWEEN UNITS.
4. STRUCTURAL MEMBERS IN FLOOR ASSEMBLIES AS WELL AS ALL LOADBEARING WALLS, COLUMNS AND ARCHES SUPPORTING A RATED ASSEMBLY SHALL HAVE A MINIMUM FIRE RESISTANCE RATING OF 30 MIN. EXISTING CONCRETE OR MASONRY CONSTRUCTION IS DEEMED COMPLIANT. LOAD BEARING WOOD FRAMED WALLS, WOOD POSTS, AND STEEL POSTS MUST BE PROTECTED WITH MINIMUM 1 LAYER OF 2" TYPE X DRYWALL.
5. ALL DOORS LOCATED IN REQUIRED FIRE SEPARATIONS WITH FIRE RESISTANCE RATINGS OF 30 OR 45 MINUTES SHALL BE EQUIPPED WITH A SELF CLOSING DEVICE AND HAVE A MINIMUM FIRE RESISTANCE RATING OF 20 MINUTES.
6. EXISTING DUCT PENETRATIONS OF FLOOR ASSEMBLIES ACCEPTABLE (PER PART 11 COMPLIANCE ALTERNATIVE C169).

EXISTING STRUCTURE NOTE

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



LIVING / DINING - GLAZING REQUIREMENTS

WINDOW	WINDOW AREA (SQ FT)	WINDOW PERCENT OF FLOOR AREA (%)	PROVIDE	PER OBC	PER PART 11
1	18	1.7	1	18	1.7
2	18	1.7	1	18	1.7
3	18	1.7	1	18	1.7
4	18	1.7	1	18	1.7
5	18	1.7	1	18	1.7
6	18	1.7	1	18	1.7
7	18	1.7	1	18	1.7
8	18	1.7	1	18	1.7
9	18	1.7	1	18	1.7
10	18	1.7	1	18	1.7
11	18	1.7	1	18	1.7
12	18	1.7	1	18	1.7
13	18	1.7	1	18	1.7
14	18	1.7	1	18	1.7
15	18	1.7	1	18	1.7
16	18	1.7	1	18	1.7
17	18	1.7	1	18	1.7
18	18	1.7	1	18	1.7
19	18	1.7	1	18	1.7
20	18	1.7	1	18	1.7
21	18	1.7	1	18	1.7
22	18	1.7	1	18	1.7
23	18	1.7	1	18	1.7
24	18	1.7	1	18	1.7
25	18	1.7	1	18	1.7

- INSTALL EGRESS WINDOW WELL CONFORMING TO 9.9.10.1(5) WHERE A WINDOW REQUIRED IN SENTENCE (1) OPENS INTO A WINDOW WELL. A CLEARANCE OF NOT LESS THAN 550MM SHALL BE PROVIDED IN FRONT OF THE WINDOW. EGRESS WINDOW CONFORMING TO 9.9.10.1
- 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 m² WITH NO DIMENSIONS LESS THAN 350mm AND
 - C. MAINTAINS THE REQUIRED OPENING DESCRIBED IN CLAUSE (B) WITHOUT THE NEED FOR ADDITIONAL SUPPORT.

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS
- COMBINED SMOKE AND CO2 DETECTOR

1 PROPOSED - BASEMENT
A201 SCALE: 3/16" = 1'-0"

FULLY SEAL EXISTING FIREPLACE, ADD NEW WALL IN FRONT

FORMER WINDOW TO BE INFILLED. REFER TO WALL DETAIL ON PAGE 301

FORMER WINDOW TO BE INFILLED. REFER TO WALL DETAIL ON PAGE 301

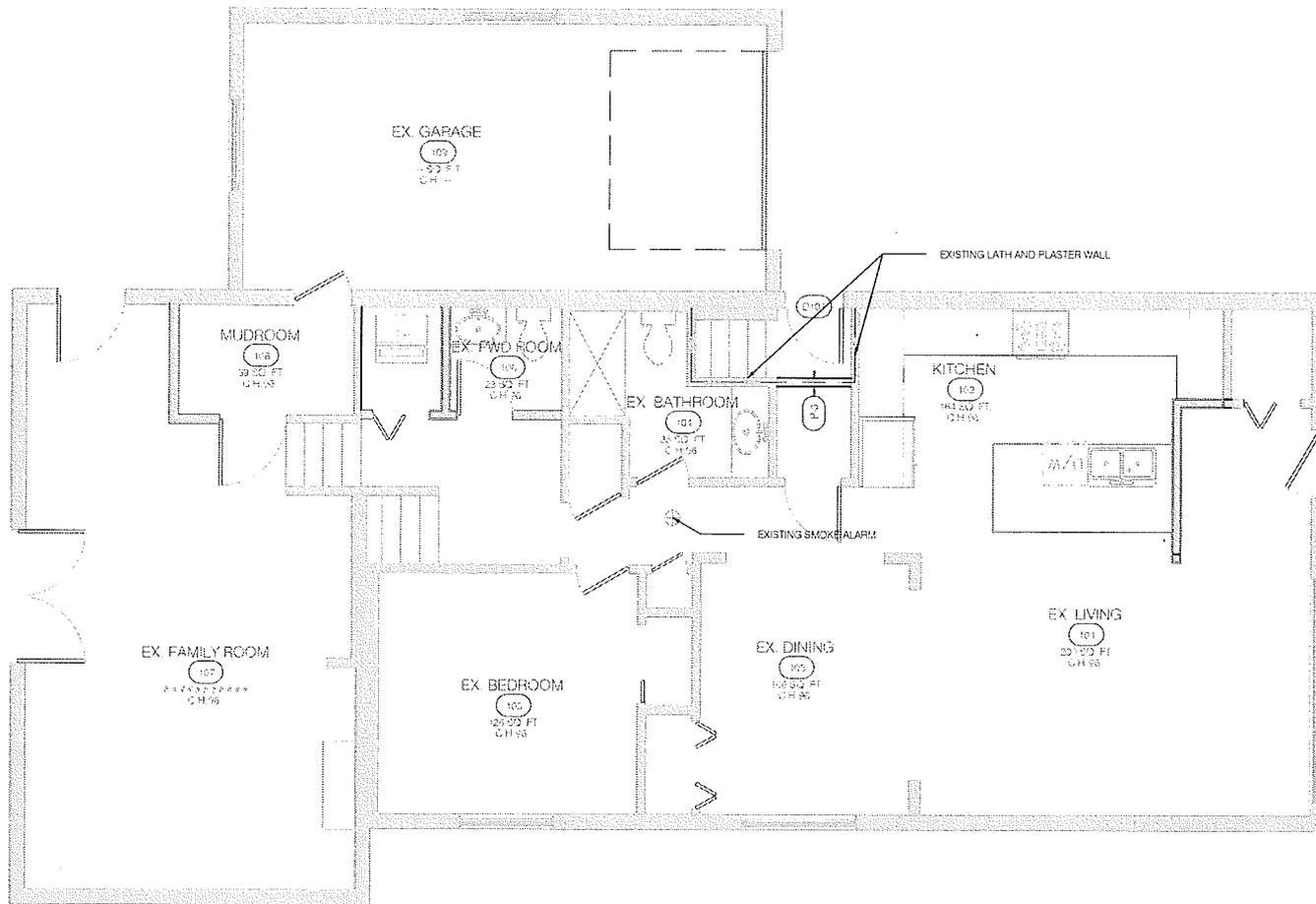
EXHAUST FAN TO EXTERIOR

PROVIDE DRYER VENT VENTED TO EXTERIOR

PROVIDE SMOKE DETECTOR IN RETURN AIR DUCT @ FURNACE TO TURN OFF FUEL SUPPLY UPON ACTIVATION OF THE DETECTOR IN ACCORDANCE WITH C95 OF PART 11 OF OBC

FURNACE ROOM IS ACCESSIBLE TO MAIN FLOOR DWELLING UNIT OCCUPANTS ONLY. NO HORIZONTAL SERVICE ROOM FIRE SEPARATION REQUIRED, AS PER OBC 9.10.10.4 (2)(B). VERTICAL FIRE SEPARATIONS ARE REQUIRED TO ADJACENT COMMON LAUNDRY ROOM AND BASEMENT DWELLING UNIT.

NEW ELECTRICAL PANEL LOCATION



GENERAL NOTES

- 1 PROVIDE MIN 1 EGRESS WINDOW CONFORMING TO SECTION 9.9.10.1 OF OBC
- 2 MIN WINDOW AREA TO CONFORM TO SECTION 9.7.2.3 OF OBC WITH COMPLIANCE ALTERNATIVE C107 FROM PART 11 ALLOWING FOR 55% REDUCTION IN GLAZING AREA
- 3 IF WINDOW OPENS INTO A WINDOW WELL THERE NEEDS TO BE A CLEARANCE OF AT LEAST 22 INCHES IN FRONT OF THE WINDOW, AND THE WELL CAN NOT OBSTRUCT THE FULL OPENING OF THE WINDOW
- 4 IF A WINDOW WELL IS USED, ANY PROTECTIVE COVER MUST BE ABLE TO BE EASILY REMOVED FROM THE INSIDE WITHOUT ANY TOOLS
- 5 MIN CEILING HEIGHT SHALL NOT BE LESS THAN 1950mm
- 6 THERE IS TO BE NO CHANGE TO THE LOCATION OF EXISTING WALLS
- 7 MAIN FLOOR DIMENSIONS ARE TO EXISTING WALLS AND SOLID CONCRETE BLOCKS

EXISTING STRUCTURE NOTE

- 1 CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK AND ALL DISCREPANCIES SHALL BE REPORTED TO NICHE FOR DESIGN INC. PRIOR TO ANY WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK



www.nichefordesign.com
info@nichefordesign.com

370 Main St. E. Unit #301
Hamilton, ON, L8N 1J6

905-379-0792

6		
5		
4		
3		
2		
1	ISSUED PERMIT	200427
No	Description	Date

TACOMA ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div. C-3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- Building Structural
- Complex Building
- Large Building
- Small Building

Signature: *Pat Meagher*
Designer: **Pat Meagher**
Designer BCIN: **20673**
Date: **April 28, 2020**

TE-35900-20

PLAN LEGEND - WALLS

- EXISTING FOUNDATION WALLS TO REMAIN
- EXISTING WALLS TO REMAIN
- NEW WALL TO BE INSTALLED. REFER TO WALL DETAILS

1 EXISTING - MAIN FLOOR
A202 SCALE: 3/16" = 1'-0"

PROJECT:
ACCESSORY DWELLING UNIT
ADDRESS:
11 FISHER CRES., HAMILTON

DRAWING TITLE:
PROPOSE: MAIN FLOOR

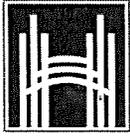
DRAWN BY:
MB

CHECKED BY:
--

DATE:
20.2.11

SCALE:
1/4" = 1'-0"

DRAWING #:
A102



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-20:185

APPLICANTS: Ian Young, owner

SUBJECT PROPERTY: Municipal address **33 Enmore Ave., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended

ZONING: "ER" (Existing Residential) district

PROPOSAL: To permit the construction of a new 4.06m² addition along with an unenclosed porch in the front yard of the existing single detached dwelling notwithstanding that:

1. A minimum front yard setback of 4.7m shall be provided instead of the minimum required front yard of 5.0m

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

DATE: Thursday, October 22nd, 2020

TIME: 2:45 p.m.

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

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

PUBLIC INPUT

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

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

MORE INFORMATION

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

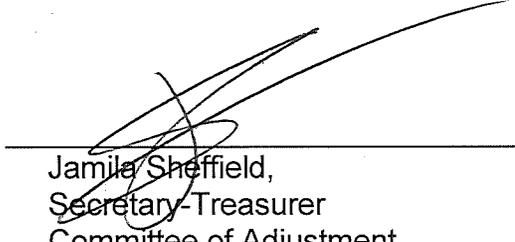
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

AN/A-20:185

Page 2

- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 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
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

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

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

20-182515

FOR OFFICE USE ONLY	
APPLICATION NO. <u>AN/A 20:185</u>	DATE APPLICATION RECEIVED <u>Sept. 8/20</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

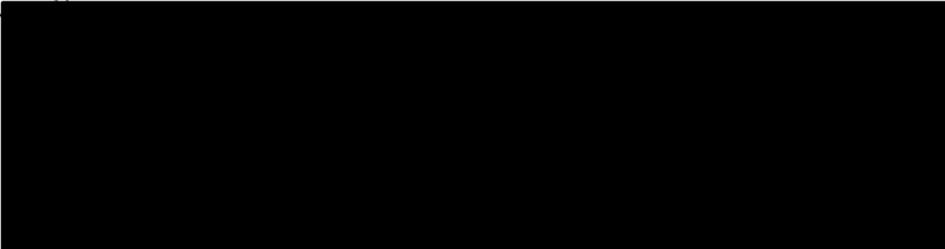
The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. 
2. 
3. 

FAX NO. _____ Telephone No. _____
E-mail address. _____

4. Address _____
Postal Code _____

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

5. 

6. Nature and extent of relief applied for:

The building department has flagged
that a front or side yard setback
is deficient. We need permission to
enclose a porch with a 1.5m roof overhang.

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

We are enclosing a porch but the
existing setback is already
non-compliant.

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

Plan Number 919, Lot 5
33 Enmore Ave, Ancaster

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

NIA

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

General Knowledge of the neighbourhood.

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

Is the previous use inventory attached? Yes No N/A

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.

Aug. 25, 2020

10. Dimensions of lands affected:

Frontage 22.816m
 Depth 33.57m
 Area 767.161 m²
 Width of street unknown

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

Existing: 1 storey house Floor Area 122.9 m²
Length: 51'1"
width 25'10"

Proposed: Enclosing Porch 4.06 m²
Roof overhang of 1.5m extending over porch
New Floor Area 126.9 m²

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

Existing: Front: 4.73 m House: 6.25 m
Porch: Left 10.39 m Left: 3.10 m
right 9.3 m Right: 4.20 m

Proposed: Front 3.35 m House: remains
Porch: Left 10.39 m the same
Right 9.3 m

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

[REDACTED] CITY of
HAMILTON in the PROVINCE of ONTARIO

solemnly declare that:

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

Declared before me at the
at the CITY of BURLINGTON)
in the PROVINCE)
ONTARIO)

[REDACTED]

[REDACTED]

PART 25 OWNERS AUTHORIZATION

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

_____ of _____

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

DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

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

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

[REDACTED]

the Owner, hereby agree and acknowledge

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

[REDACTED]

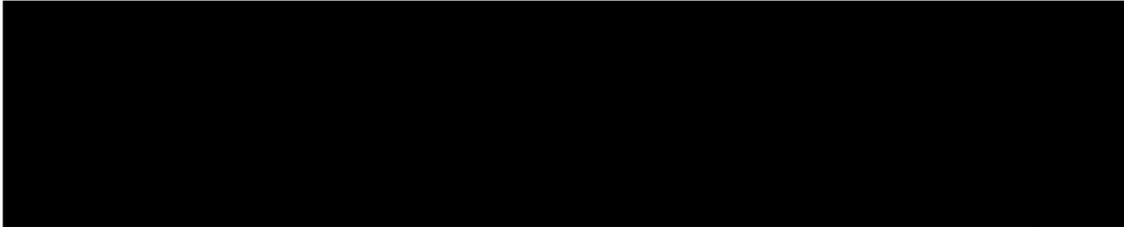
PART 27 PERMISSION TO ENTER

Date: Aug 25/20

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

Dear Secretary/Treasurer,
Re: Application to Committee of Adjustment
Location of Land: 33 ENMORE AVE AMCASTER
(Municipal address)

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



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____ day of _____, 20_____.

BETWEEN:

Applicant's name(s)
hereinafter referred to as the "Developer"

-and-

City of Hamilton
hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:

I have authority to bind the corporation.

WITNESS

Per:

I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 _____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

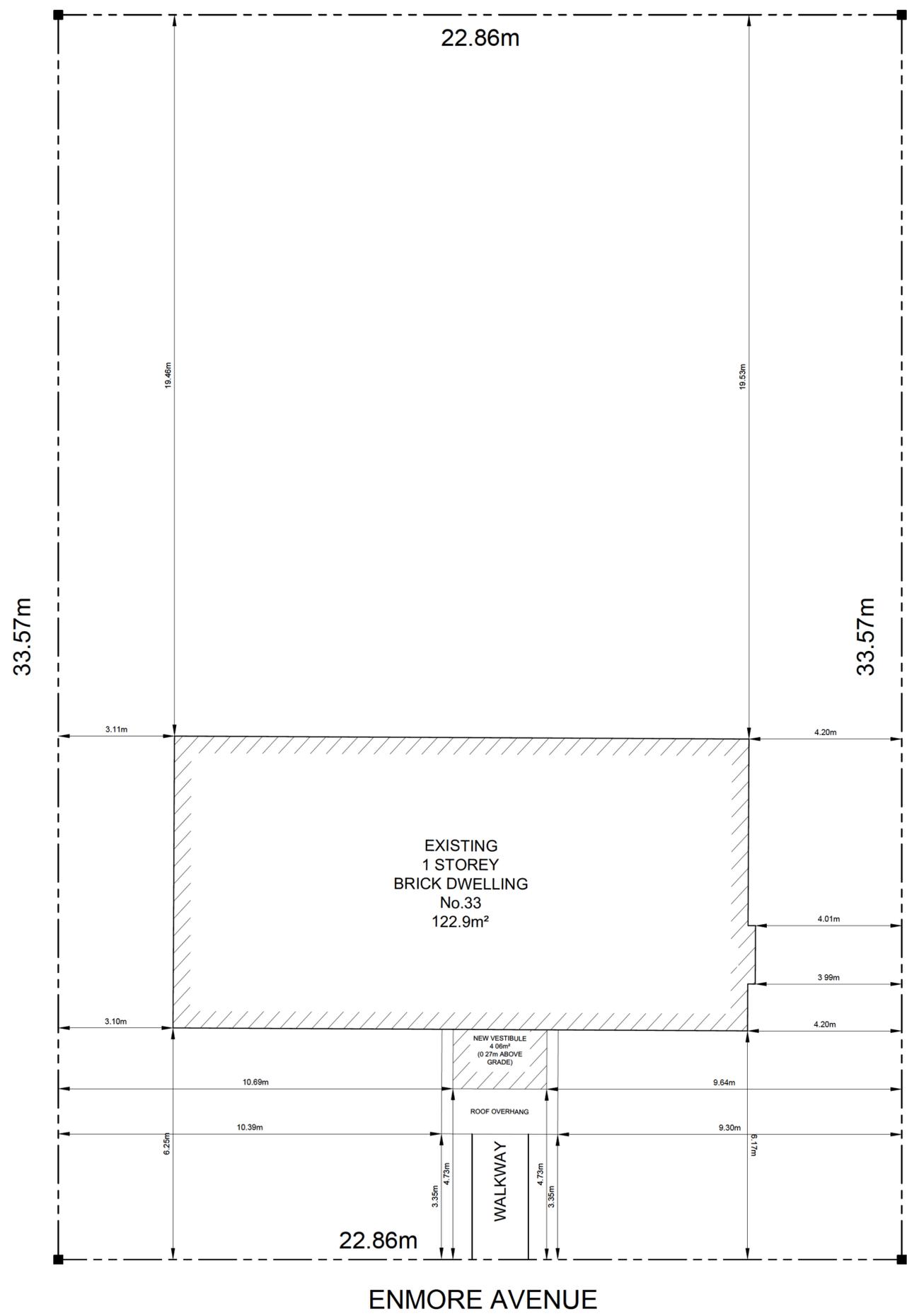
Owner: _____ c/s
Title:
I have authority to bind the corporation

Assignee: _____ c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk



SITE DATA	
ZONE:	ER
LOT AREA:	767.61m ²
EXISTING DWELLING FOOTPRINT:	122.9m ²
NEW VESTIBULE:	4.06m ²
TOTAL AREA:	126.96m ²
LOT COVERAGE:	16.5%
BUILDING HEIGHT	
No. of STOREYS:	1
SETBACKS	
FRONT:	3.35m
LEFT SIDE:	10.39m
RIGHT SIDE:	9.30m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR PERMIT REVIEW	07/30/2020

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED, ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION

LEONARD ANGELICI 42391
NAME BGIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162
NAME BGIN

07/30/2020
DATE SIGNATURE

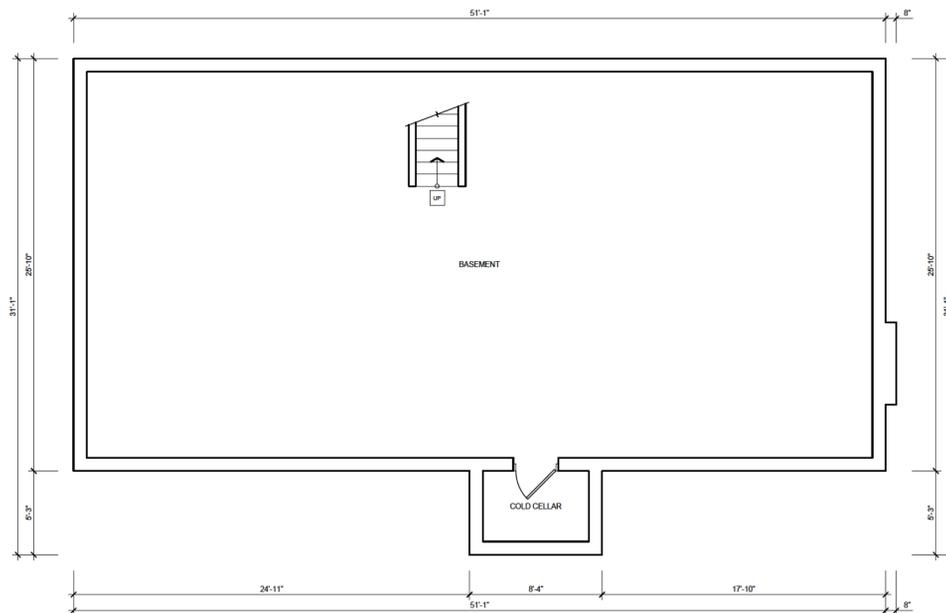
Len Angelici Design

270 SHERMAN AVE N. OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

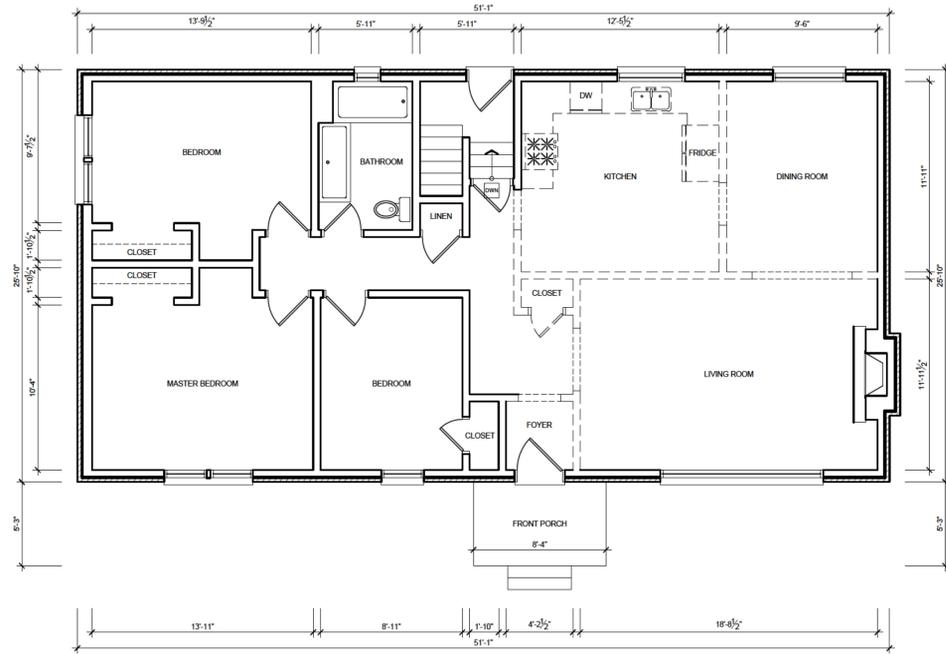
PROJECT

PROPOSED RESIDENCE
**33 ENMORE AVE.
ANCASTER, ON**

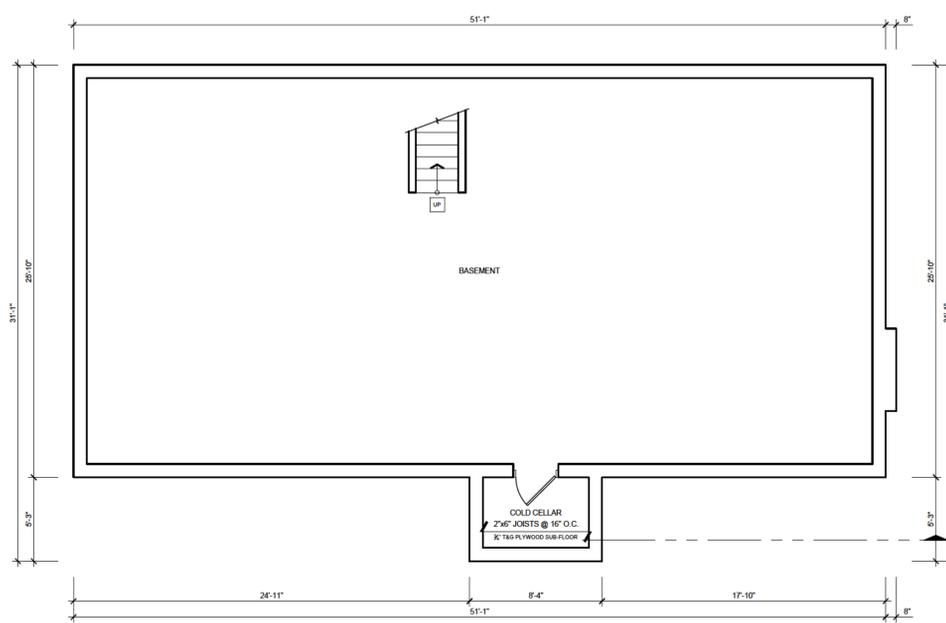
SHEET TITLE	
SITE PLAN	
DRAWN BY	SP1
L. ANGELICI	
DATE	
07/30/2020	
SCALE	
3/16"=1'-0"	
PROJECT No.	
2020-001	



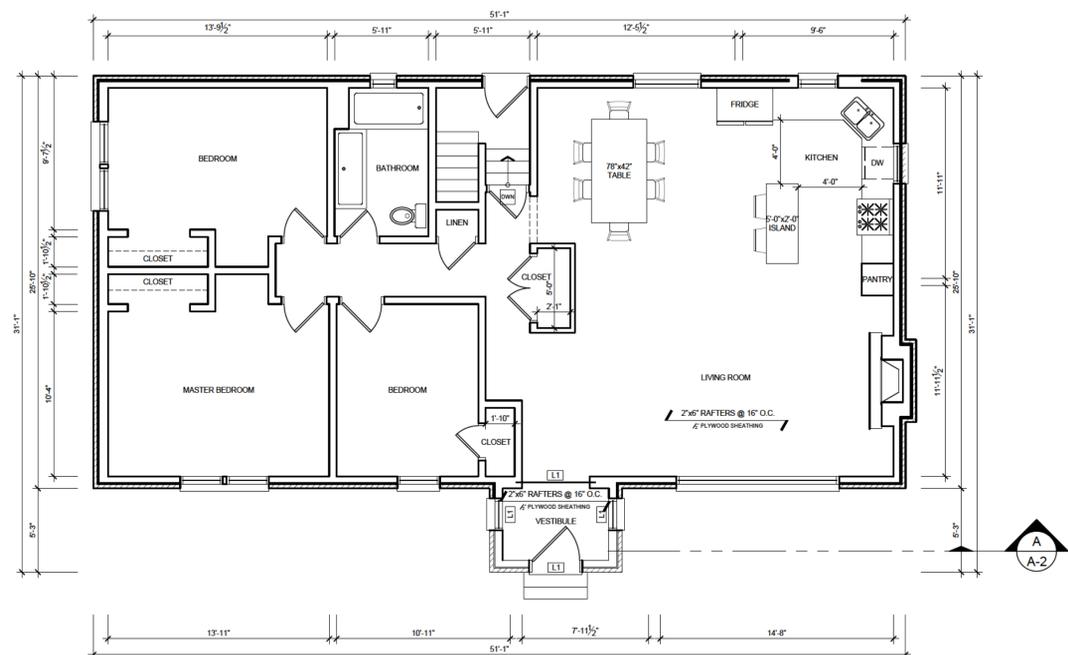
EXISTING FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



EXISTING MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"



EXISTING FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



PROPOSED MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"

PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR PERMIT REVIEW	07/30/2020
No.	REVISION	DATE

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION

LEONARD ANGELICI 42391
NAME BGIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162
NAME BGIN

07/30/2020
DATE SIGNATURE

Len Angelici Design

270 SHERMAN AVE N. OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

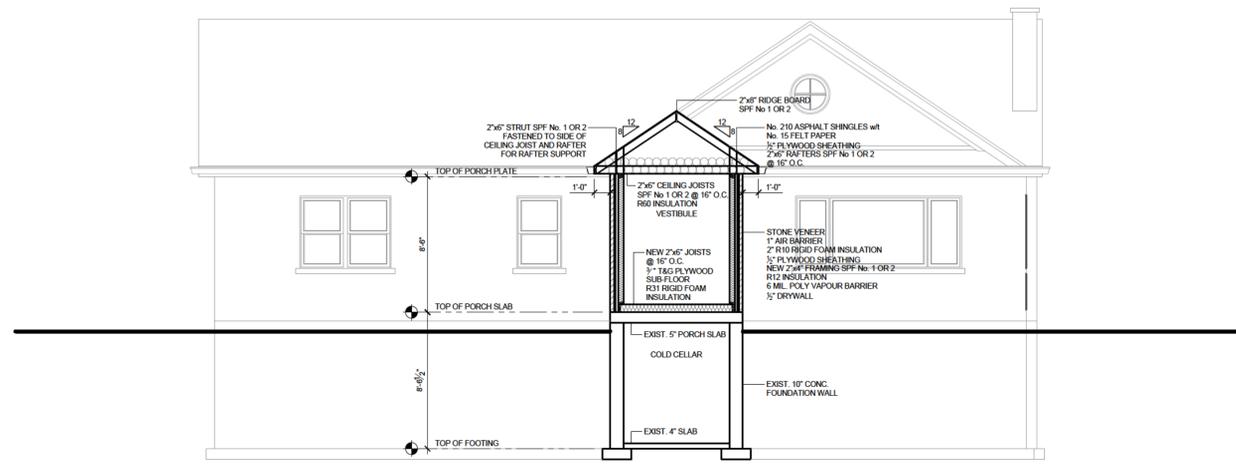
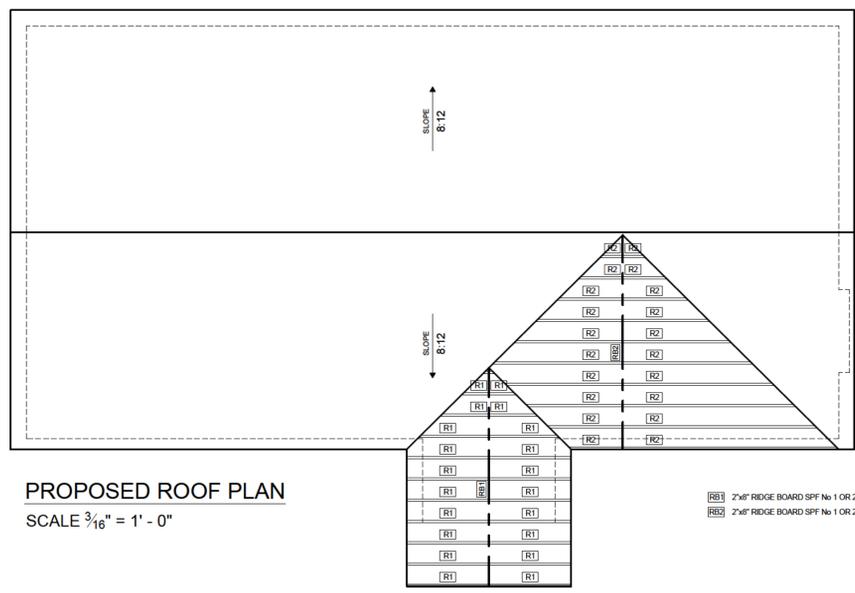
PROPOSED RESIDENCE
33 ENMORE AVE.
ANCASTER, ON

SHEET TITLE

EXISTING AND PROPOSED FLOOR PLANS

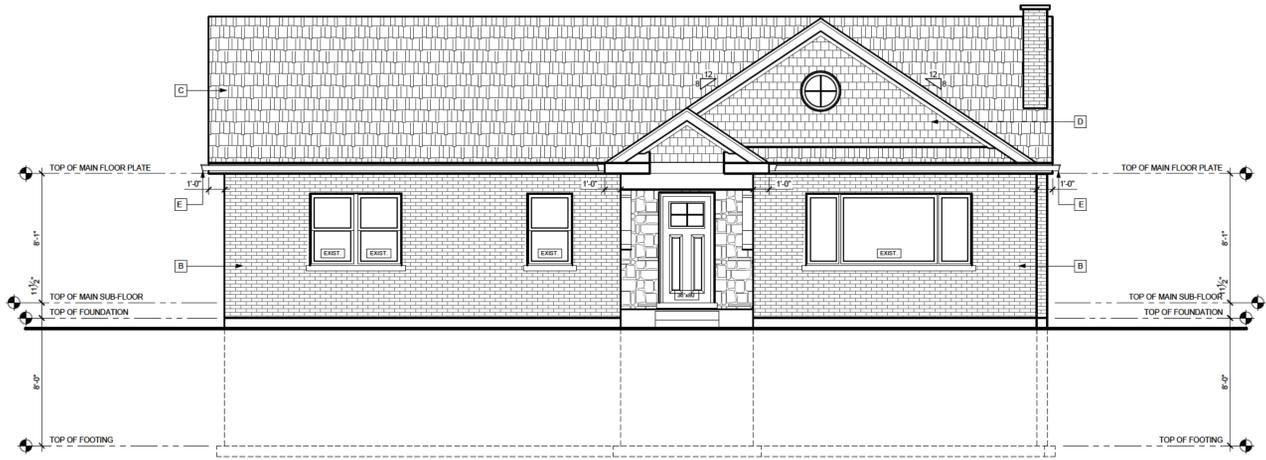
DRAWN BY	L. ANGELICI
DATE	07/30/2020
SCALE	3/16"=1'-0"
PROJECT No.	2020-001

A1



EXTERIOR FINISH INDEX

[A]	EXIST. BRICK SIDING
[B]	NATURAL STONE VENEER
[C]	ASPHALT SHINGLES
[D]	CEDAR SHINGLES
[E]	5" PRE-FIN. ALUM. EAVENTROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT



PROJECT NORTH	TRUE NORTH
---------------	------------

No.	REVISION	DATE
01.	DRAWINGS FOR PERMIT REVIEW	07/30/2020

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION

LEONARD ANGELICI	42391
NAME	BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN	43162
NAME	BCIN

07/30/2020
DATE

Leonard Angelici
SIGNATURE

Len Angelici Design

270 SHERMAN AVE N. OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

PROPOSED RESIDENCE
33 ENMORE AVE.
ANCASTER, ON

SHEET TITLE

ROOF PLAN, SECTION AND ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	07/30/2020
SCALE	3/16"=1'-0"
PROJECT No.	2020-001

A2



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-20:190

APPLICANTS: S. Mrmak & M. Vuckovich Mrmak

SUBJECT PROPERTY: Municipal address **156 Bookjans Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended

ZONING: "R4-648" (Residential) district

PROPOSAL: To permit the construction of a new 3.5m² (1.4m x 2.5m) accessory building in the westerly side yard of the existing single detached dwelling notwithstanding that:

1. A side yard setback of 0.6m shall be provided instead of the minimum required 1.2m side yard setback.

NOTES:

i. Please be advised that a maximum building height of 4.5m is permitted for accessory buildings. Additionally, any eaves and gutters associated with the proposed accessory building may project a maximum of 30cm into the required side yard setback. Insufficient information has been provided in order to determine zoning compliance. Further variances may be required if compliance with these provisions cannot be achieved.

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

DATE: Thursday, October 22nd, 2020
TIME: 2:50 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

PUBLIC INPUT

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

ANA-20:190

Page 2

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

MORE INFORMATION

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

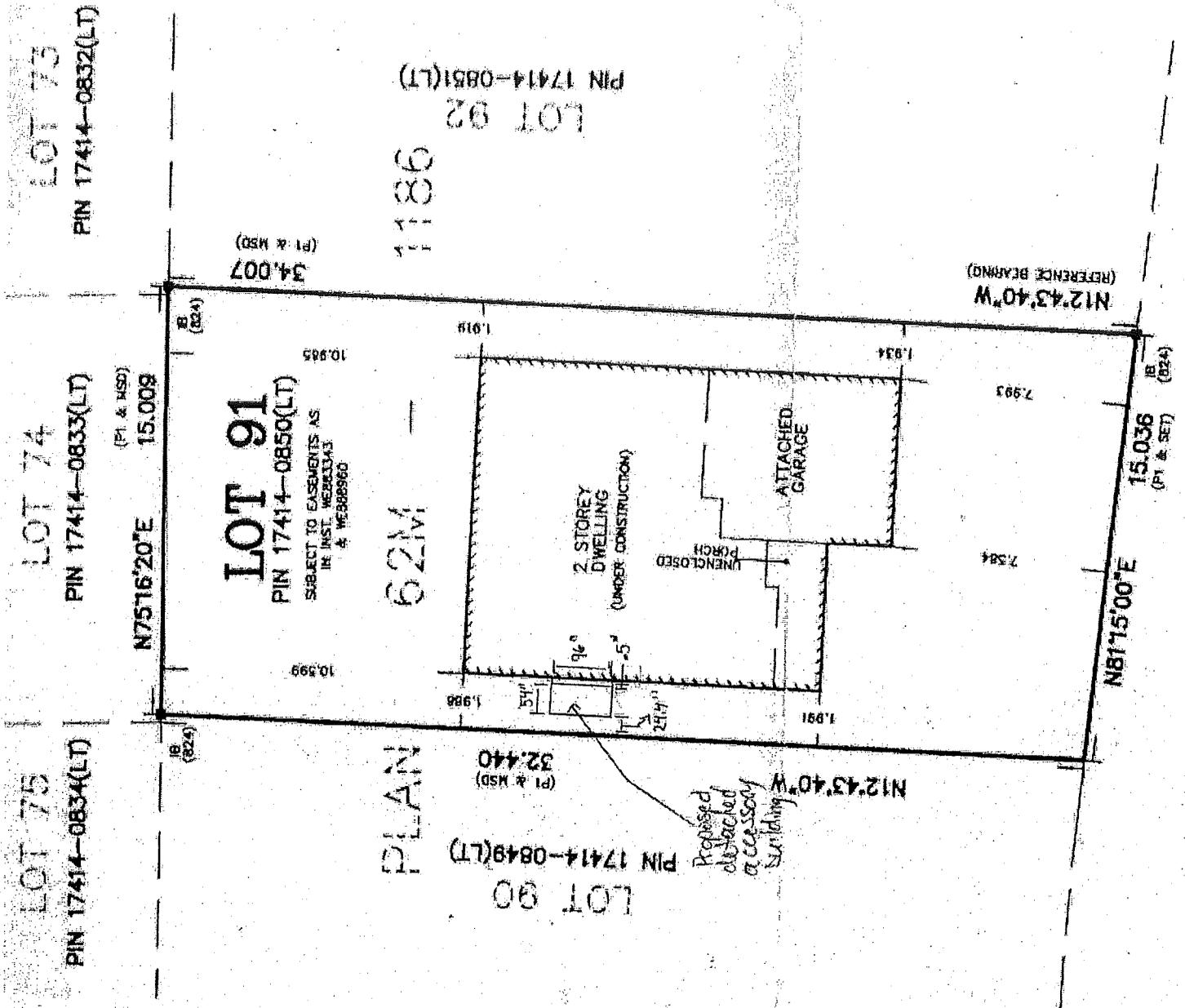
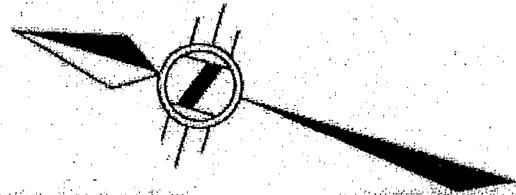
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 2020.



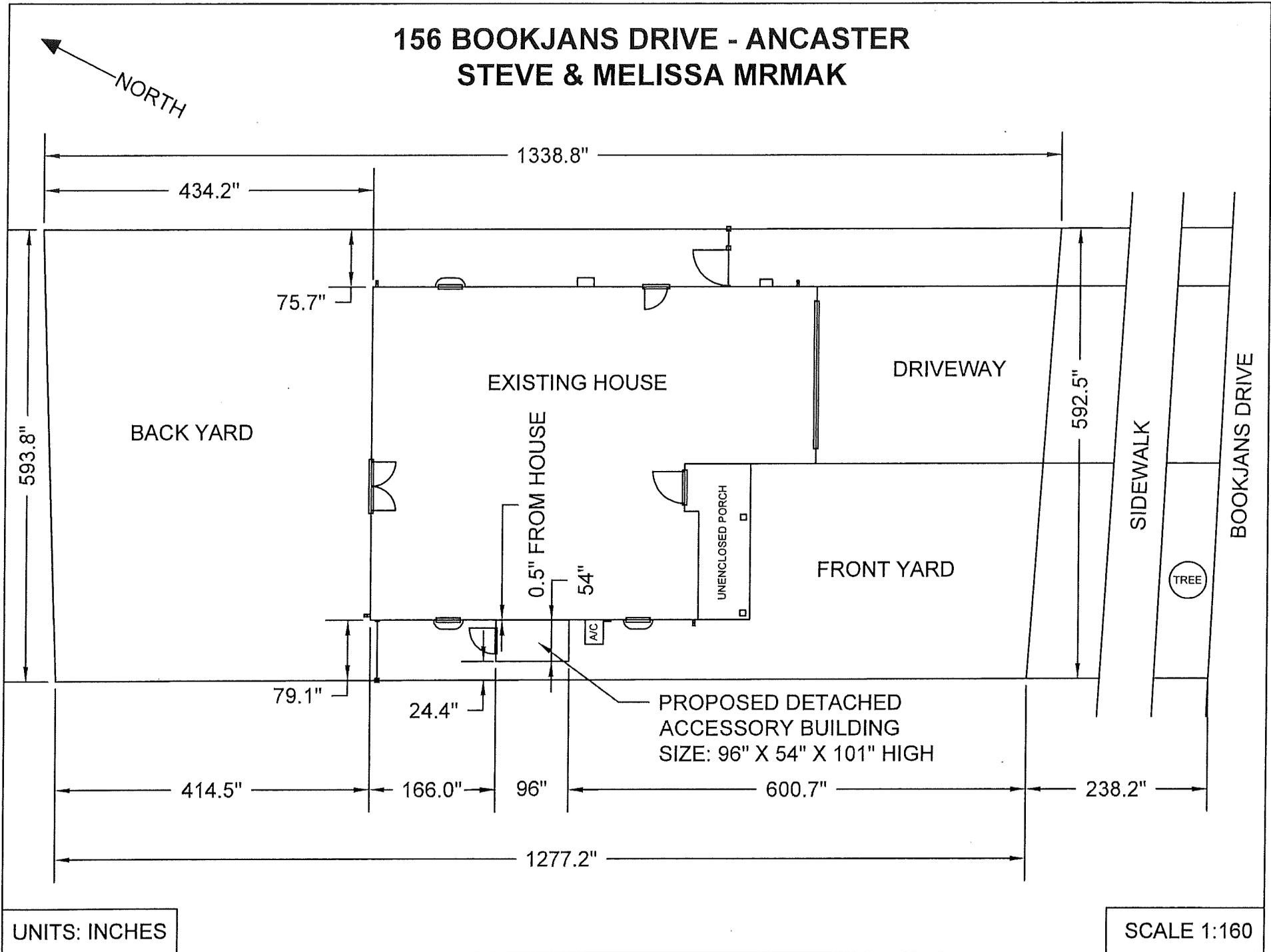
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



BOOKJANS DRIVE
(ESTABLISHED BY PLAN 62M-1186)
PIN 17414-0901(LT)

156 BOOKJANS DRIVE - ANCASTER
STEVE & MELISSA MRMAK



UNITS: INCHES

SCALE 1:160



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-182714

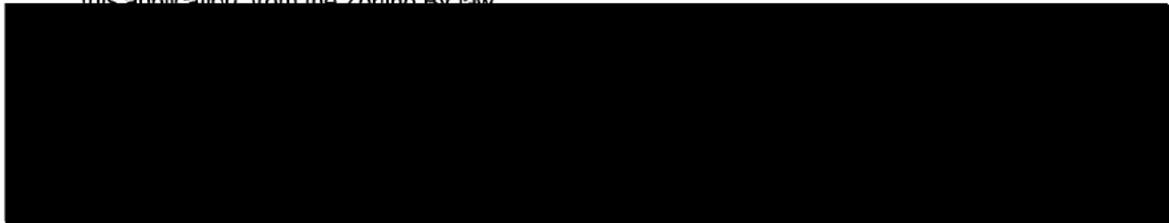
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>AN/A 20:190</u>	DATE APPLICATION RECEIVED <u>Sept. 8/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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.



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

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



_____ Postal Code _____

6. Nature and extent of relief applied for:
 The nature of the relief is to decrease the minimum side yard allowance from 1.2m to .60m or 23.6" for a detached accessory building [storage shed 54" x 96" (3.344sq.m.)]. The Town of Ancaster Zoning By-law 87-57, Section: 7.18 a) ii) states that accessory buildings excluding totally inground swimming pools shall not be located in minimum side yard. Section: 12.2 for Residential Zone 4 states that the minimum side yard is 1.2m.
7. Why it is not possible to comply with the provisions of the By-law?
 The size of the proposed detached accessory building [storage shed 54" x 96" (3.344sq.m)] is larger than the current By-law for a minimum side lot. In addition, the landscaping plans do not allow adequate space in the rear yard and placement of an accessory building (storage shed) in the east and west corners of the rear lot would impede water drainage to the swales surrounding the property.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
 Lot # 91, Plan number 62M-1186 Zone: R4-648
 Address - 156 Bookjans Drive, Ancaster
9. PREVIOUS USE OF PROPERTY
- Residential _____ Industrial _____ Commercial _____
 Agricultural _____ Vacant x _____
 Other _____
- 9.1 If Industrial or Commercial, specify use
 N/A
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
 Yes _____ No 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 Unknown

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

Yes No Unknown

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

Previous knowledge of the area prior to Losani Homes acquiring the land along with knowledge received from the builder as I am the original owner.

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

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

Sept 4, 2020

Date

10. Dimensions of lands affected:

Frontage	<u>15.036m</u>
Depth	<u>East property line: 34.007m, West property line: 32.440m</u>
Area	<u>498.4 sq.m</u>
Width of street	<u>20.00m (appendix A attachment)</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: 2-storey single detached dwelling. Ground floor: 1353.9 sq.ft.

Total Home: 2497 sq.ft.

Width: 34 ft. Length: East wall: 45.9 ft. West wall: 32.9 ft.

Proposed: Existing home remains the same with 2497 sq.ft.

Detached accessory building (storage shed) 54" x 96" (1.372m x 2.438m or 3.344sq.m)

See attached documents

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

Existing: See attached site sketch: Rear lot lines: 414.5" - 434.2"

East side lot lines at the shortest distance is 75.7" and West side lot line at the shortest distance is 79.1". The front lot line at the shortest distance is 298.6"

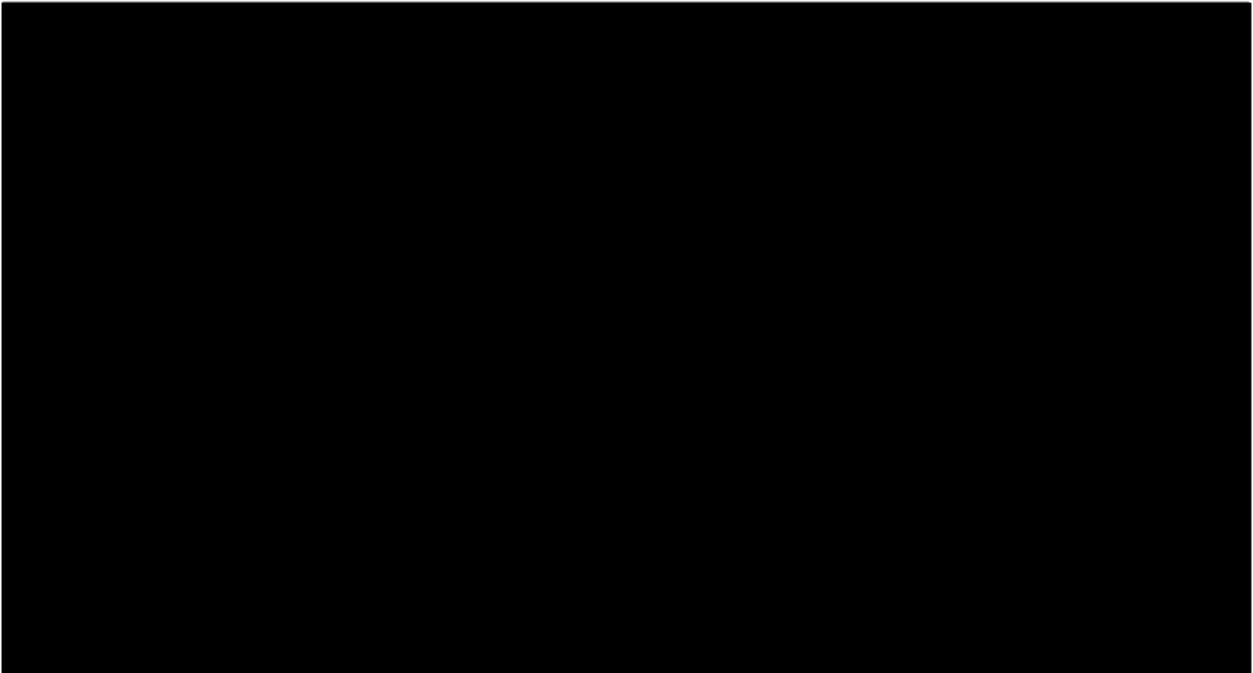
Proposed: Existing lot lines remain the same for the rear, front and side (east) lot lines
 West property line will decrease to 24.9" (.632m) at the detached accessory building (proposed shed)
 See attached site sketch for proposed detached accessory building.

13. Date of acquisition of subject lands:
 Feb. 2014
14. Date of construction of all buildings and structures on subject lands:
 Feb. 2014
15. Existing uses of the subject property: Residential - low density 1a)
16. Existing uses of abutting properties: Residential - low density 1a)
17. Length of time the existing uses of the subject property have continued:
 6 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:
 Official Plan: Urban Designation, Neighbourhood
 Secondary Plan: Ancaster, Garner Neighbourhood, low-density residential 1a)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Town of Ancaster Zoning By-law 87-57, Section 7.18 a) ii) and Section 12.2
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



PART 25 OWNERS AUTHORIZATION

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

N/A

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

DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

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

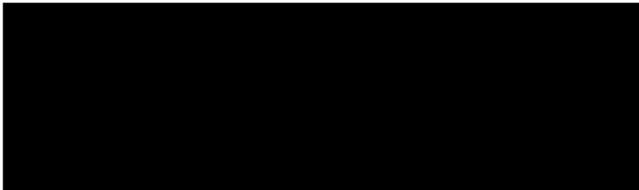
Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.



_____, the owner, hereby agree and acknowledge
(Print name of Owner)

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

Sept. 4, 2020
Date

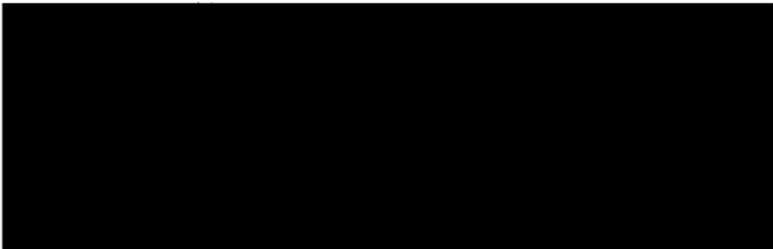


PART 27 PERMISSION TO ENTER

Date: Sept. 4, 2020

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

Dear Secretary/Treasurer;
Re: Application to Committee of Adjustment
Location of Land: 156 Bookjans Dr. Ancaster, Ont. L9G 0E5
(Municipal address)



adjustment and members of the
noted property for the limited

Please print name

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

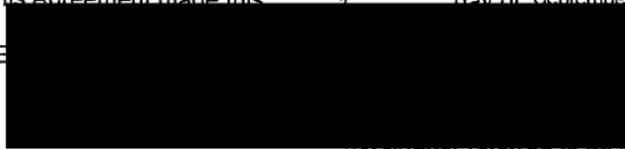
PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 4 day of September, 2020.

BE



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

(a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated Sept. 4, 2020 with respect to the lands described in Schedule "A" hereto.

(b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



20 20 .

WITNESS

Per:

I have authority to bind the corporation.

WITNESS

Per:

I have authority to bind the corporation

DATED at Hamilton, Ontario this ___ day of _____, 20__.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

Residential low-density (a)
R4-648 zone

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 4 day of September 2020.

BETWEEN



OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated Sept. 4, 2020.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED



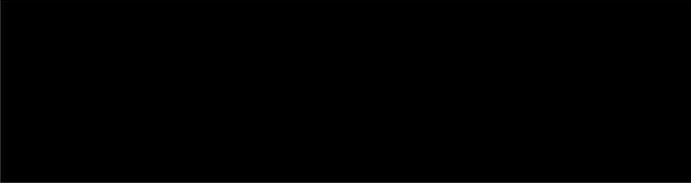
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

Type text here



Jamila Sheffield – Secretary Treasure
Committee of Adjustment
Planning and Economic Development Department
5th floor, 71 Main Street West
Hamilton, ON., L8P 4Y5

RE: Minor variance application for 156 Bookjans Dr., Ancaster (Plan number 62M-1186)

Dear Jamila Sheffield – Secretary Treasure:

In consultation with the Planning Division and direction from the Committee of Adjustment, it was deemed necessary to apply for a minor variance. Please accept this application for the minor variance with respect to a detached accessory building (storage shed). The Town of Ancaster Zoning By-law 87-57, Section 7.18 a) ii), and Section 12.2 states that accessory buildings excluding totally inground swimming pools shall not be located in minimum side yard as defined in residential zone 4 being 1.2m for a minimum side yard. The extent of the relief is to build a detached accessory building (storage shed) with the dimensions of 54" x 96" (1.372m x 2.438m or 3.344sq.m) on the west side yard with the minimum side yard being decreased from 1.2m (48") to .60m (23.6"). The actual detached accessory building will be 24.9" from the side yard.

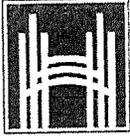
Please consider the follow information as supplementary material when considering this minor variance application. Firstly, the location for the detached accessory building is necessary for the side yard because of the planned landscaping that includes a concrete patio, walkways, pergola, and vegetation (trees) that limits space of a shed. Secondly, the east and west corner rear lot could pose drainage issues to the swales if an accessory building is constructed in that lower elevation location. Thirdly, there will be a fence surrounding the accessory building along with landscaping in the front yard, therefore limiting the view of the accessory building from the street. This is consistent and complies with the Urban Designation and Neighbourhood policy goals section 3.1 and 3.3.1 under the Urban Hamilton Official Plan. Lastly, minor variances in the area that are larger in nature have been approved in the past. For example, decisions on the east adjacent property (lot-92, 152 Bookjans Dr.) and rear yard adjacent property (lot-74, 139 Gregorio Ave.) have been granted for larger projects in scale and design.

Thank you for taking the time to consider this application and we look forward to the decision. The application consists of the following items:

- Fee of \$595
- (2) copies of the application including Cost Acknowledge Agreement and Schedule B
- (2) site surveys with proposed detached accessory building and (2) larger images of the site survey
- (2) site sketches that includes proposed detached accessory building with more detailed measurements
- (2) lot 91 survey that includes street width (Appendix A)
- (2) shed design with dimensions
- (2) lot grading approval notifications plus site and grading plan

Sincerely,





Hamilton

Mailing Address:
Hamilton City Hall
71 Main Street West
Hamilton, Ontario
Canada L8R 3K3
www.hamilton.ca

Planning and Economic Development Department
Physical Address: 71 Main Street West, 6th Floor
Phone: 905-546-2424 Ext.5339 Fax: 905-546-4202

October 05, 2015

FILE No.: S707-096

156 BOOKJANS DR.
ANCASTER, ON
L9G 0E5

Re: Lot Grading Approval Notification for Plan 62M-1186, Lot 91, (ANCASTER)

Dear Occupant:

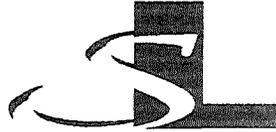
Your lot was designed, inspected and certified to be in accordance with the development grading plans; ensuring that surface drainage is directed away from the building preventing ponding, flooding, foundation settlement/damage and neighbourhood complaints.

It is the Homeowner's continuing responsibility to maintain the grading of their property as approved by the City, particularly when landscaping, fencing, erecting sheds or altering your property grades along the side and rear lot lines where well defined swales are formed.

For your information, included with this letter please find the City of Hamilton Homeowner's Guide to Lot Grading and Drainage Brochure, a copy of the Lot Grading Certification letter for your lot and a copy of the as-built plot plan for your lot.

Should you have any questions regarding this matter you may contact our office at (905) 546-2424 Ext. 5339

Joyce Rogers
Construction Clerk



S. LLEWELLYN & ASSOCIATES LIMITED ,
CONSULTING ENGINEERS

JUN 01 2015

Growth Management
Construction

May 29, 2015
File 13069

City of Hamilton
71 Main Street West
6th Floor
Hamilton, Ontario
L8P 4Y5

Attention: Mr. C. Ammendolia

Dear Mr. Ammendolia:

**RE: ANCASTER GLEN PHASE 1, REGISTERED PLAN 62M-1186
IN THE CITY OF HAMILTON**

Please be advised that we attended on site on May 14, 2015 and have found that the final grading on the following lot complies with the general intent of the approved grading plan and the drainage systems are operating satisfactorily. In addition, we wish to confirm that the curb stop is at grade and was found to be free from defect and/or damage.

- Lot 91, 156 Bookjans Drive

We attach the 'as-built' grading plan for the above mentioned lot for your records.

If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

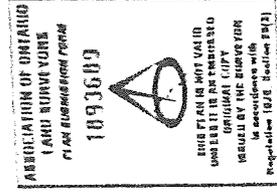
S. LLEWELLYN & ASSOCIATES LIMITED

S. Llewellyn, P.Eng.

cc: K. Topp, Losani Homes (1998) Ltd.

PART 2
THIS PLAN MUST BE READ IN
CONJUNCTION WITH SURVEY REPORT
DATED NOVEMBER 25, 2013.

THIS PLAN WAS PREPARED FOR
TOSCANI HOMES, LTD.



SURVYOR'S REAL PROPERTY REPORT
PART 1 PLAN 01
LOT 91
PLAN 62M 1186
OF THE
CITY OF HAMILTON
SCALE: 1:200 (metric)

S.D. McLAREN, O.L.S. 2013

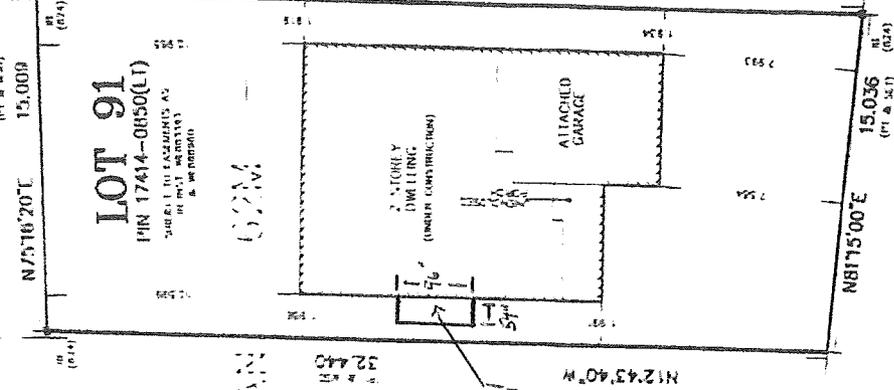
LOT 73
PIN 17414-0832(LT)

LOT 74
PIN 17414-0833(LT)

LOT 75
PIN 17414-0834(11)

LOT 92
PIN 17414-0851(LT)
1:186

LOT 91
PIN 17414-0850(LT)
SUBJECT TO EASEMENTS, AV
RIGHTS, ENCUMBRANCES,
& INTERESTS
REGISTERED THEREON



Proposed detached accessory building (54' x 96')

BOOKJANS DRIVE
(ESTABLISHED BY PLAN 62M-1186)
PIN 17414-0901(LT)

BEARING NOTE
BEARINGS ARE USED AND ARE
RETURNED TO THE EASTERLY LIMIT OF
LOT 91 AS SHOWN ON PLAN
62M-1186 AS BEING N12°43'40\"/>

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

LEGEND:

1	1	BOUNDARY
2	2	ADJACENT LOT
3	3	STANDARD IRON NAIL
4	4	ATLAS IRON NAIL
5	5	MEASURED
6	6	PLAN P.20

NOTE:
A.T.M. CONTROL POINTS 58 & 61
HAVE BEEN USED TO RE-ESTABLISH
THE BOUNDARIES OF LOT 91.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS THEREUNDER;
2. THE SURVEY WAS COMPLETED ON THE 07th DAY OF OCTOBER, 2013.

NOVEMBER 25, 2013
DATE

[Signature]
S.D. McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEY
89 BURN STREET, 6TH FL., SUITE 200
HAMILTON, ONTARIO
PHONE: (905) 577-8550 FAX: (905) 577-0032

Drawn and Checked: PC Scale: 1:200 Design: J3022-01F

NOTE:
O.L.S. REGULATION 1876 - 2013: NO PERSON MAY COPY OR REPRODUCE THIS PLAN OR ANY PART THEREOF WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

LOT 75

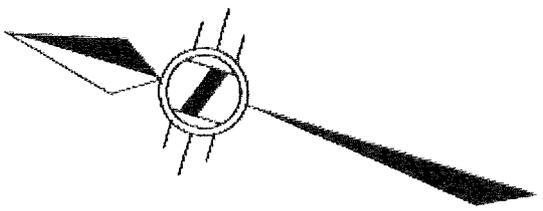
PIN 17414-0834(LT)

LOT 74

PIN 17414-0833(LT)

LOT 73

PIN 17414-0832(LT)



(P1 & MSD)

N75°16'20"E 15.009

IB (824)

IB (824)

LOT 91
PIN 17414-0850(LT)

SUBJECT TO EASEMENTS AS
IN INST. WE983341
& WE988960

34.007
(P1 & MSD)

10.965

10.599

PLAN

62M

1186

LOT 92
PIN 17414-0851(LT)

LOT 90
PIN 17414-0849(LT)

32.440
(P1 & MSD)

*Proposed
detached
accessory
building*

1.986

24.9"

96"

54"

2 STOREY
DWELLING
(UNDER CONSTRUCTION)

UNENCLOSED
PORCH

N12°43'40"W

1.991

ATTACHED
GARAGE

1.934

N12°43'40"W
(REFERENCE BEARING)

7.584

7.993

N81°15'00"E

15.036
(P1 & SE1)

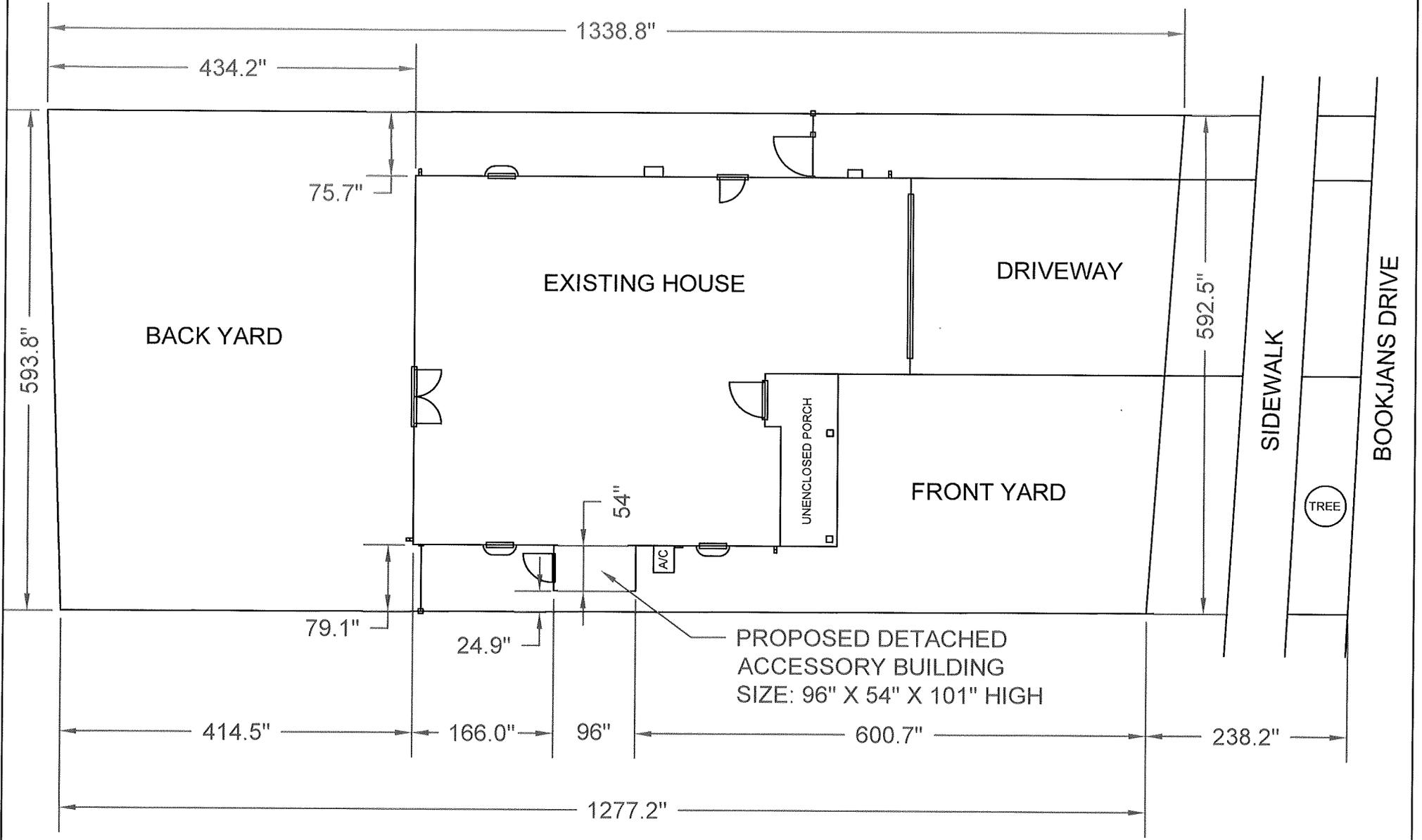
IB (824)

BOOKJANS DRIVE

(ESTABLISHED BY PLAN 62M-1186)

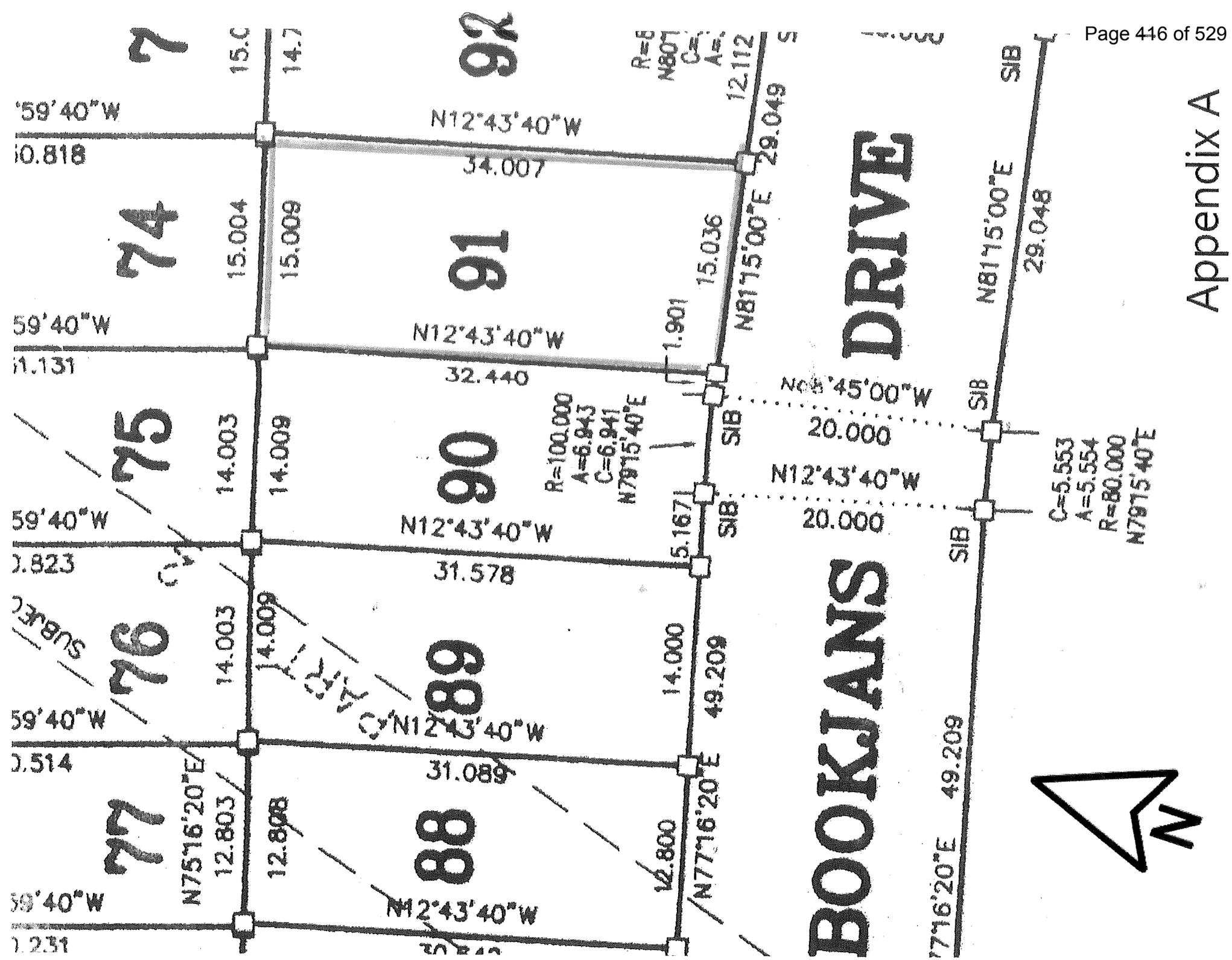
PIN 17414-0901(LT)

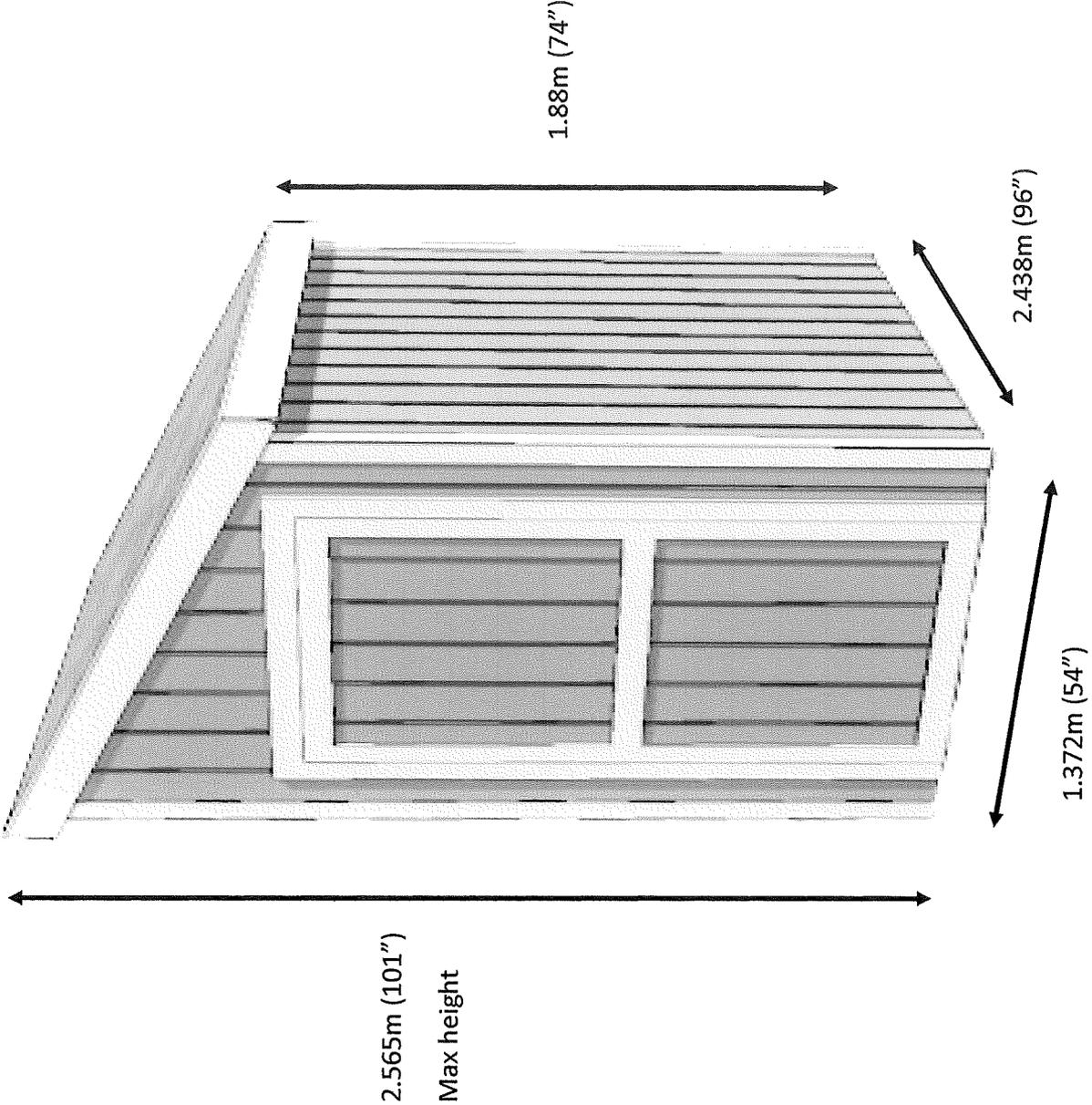
156 BOOKJANS DRIVE - ANCASTER STEVE & MELISSA MRMAK



UNITS: INCHES

SCALE 1:160





SITE AND GRADING PLAN

Received

OF
LOT 91 1/5
PLAN 62M-1186

JUN 01 2013

IN THE
CITY OF HAMILTON

Growth Management
Construction

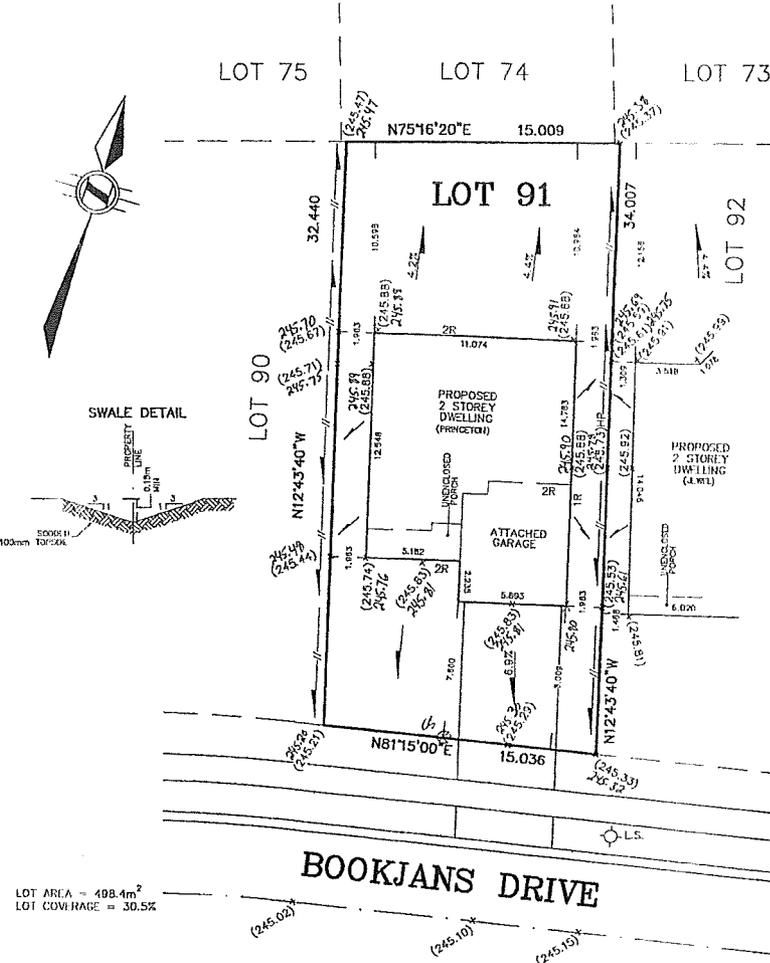
SCALE: 1:200 metres

BENCH MARK:

CITY OF HAMILTON BENCH MARK No 07720020086.
LOCATED IN ANCASTER ALONG GARNER RD 500m
EAST OF FIDDLER'S GREEN RD, NORTHWEST CORNER
OF GARNER RD & MILLER DR, 14m NORTH OF CL OF
GARNER RD, 7m EAST OF MILLER DR & 0.7m SOUTH
OF SIDEWALK.
ELEVATION = 242.519m



S.D. McLAREN, O.L.S. - 2013



LOT AREA = 498.4m²
LOT COVERAGE = 30.5%

BOOKJANS DRIVE

PROPOSED HOUSE ELEVATIONS:
GARAGE FLOOR = 245.83
TOP OF FOUNDATION = 246.33
FIRST FLOOR = 246.33
BASEMENT FLOOR = 243.71
U/S OF FOOTING = 243.48

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

NOTES:
BUILDER TO VERIFY ELEVATION OF SERVICE
CONNECTIONS PRIOR TO BASEMENT EXCAVATION
TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED
FOR GRAVITY SERVICES.

U/S FOOTINGS TO BE MINIMUM OF 1.2m BELOW
FINISHED GRADE.
ALL DWELLINGS TO BE EQUIPPED WITH SUMM
PUMPS.

- LEGEND:**
- 000.00 (000.00) - EXISTING ELEVATION
 - PROPOSED ELEVATION
 - - - DIRECTION OF FLOW
 - - - PROPOSED SWALE
 - R - RISER
 - - - REVISED DIMENSION

DATE: JULY 29, 2013
DESIGNED BY: S.D. McLAREN, O.L.S.

A.T. McLaren Limited
L1011 AND ENGINEERING SURVEYS

40 JAMES STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L9N 2G9
PHONE (905) 577-6552 FAX (905) 577-0032

Drawn: P. (The Land) Scale: 1:200 Date: 03/12/13



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-20:155

APPLICANTS: Nick Carrescia, owner

SUBJECT PROPERTY: Municipal address **148 John Frederick Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 16-244

ZONING: "I1" (Neighbourhood Institutional) district

PROPOSAL: To construct a swimming pool in the front yard of the existing semi-detached dwelling notwithstanding that:

1. The outdoor swimming pool is located in the required front yard at a distance of 1.2m from the front lot line and 1.0m from the northerly side lot line, instead of the requirement that the outdoor swimming pool may be located in any yard except the required front yard and shall be located a minimum of 1.25 metres from any lot line, measured from the water's edge to the lot line.

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

DATE: Thursday, October 22nd, 2020
TIME: 2:55 p.m.

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

PUBLIC INPUT

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

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

MORE INFORMATION

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

- Visit www.hamilton.ca/committeeofadjustment

AN/A-20:155

Page 2

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

DATED: October 6th, 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
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

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

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

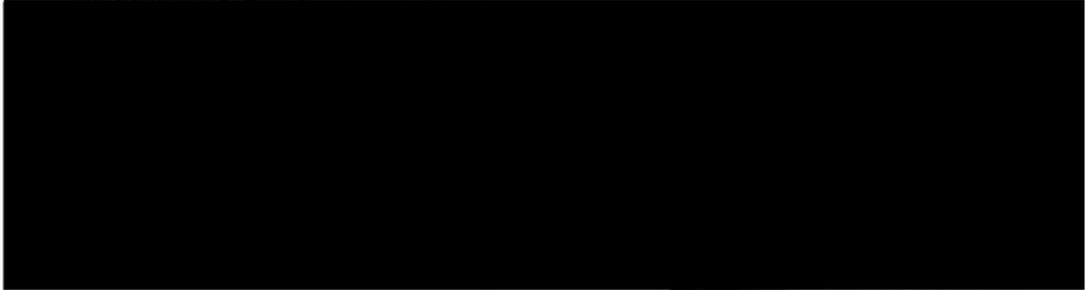
FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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

The Planning Act

Application for Minor Variance or for Permission

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



4. Address _____
_____ Postal Code _____

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

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:
Royal Bank of Canada
59 Wilson Street West, Ancaster, ON _____ Postal Code **L9G 1N1**

_____ Postal Code _____

Text

6. Nature and extent of relief applied for:
Pool and pool equipment location cannot meet requirements of By-law No. 05-200, s4.11
- pool and pool equipment to be located within front yard space
- pool cannot meet minimum setback of 1.25m from lot lines, as measured from the water's edge
Accessory building (storage shed) to be located within front yard space (By-law No. 05-200, s4.8.1)
7. Why it is not possible to comply with the provisions of the By-law?
Irregular, corner lot (triangular)

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
148 John Frederick Drive, Ancaster
PART BLOCK 4, Plan 62M-1226
being Part 61 on Plan 62R-20554
9. PREVIOUS USE OF PROPERTY
Residential _____ Industrial _____ Commercial _____
Agricultural _____ Vacant X
Other _____
- 9.1 If Industrial or Commercial, specify use

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

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

Yes No 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?

I am the original purchaser of the dwelling and vacant land from Losani Homes (1998) Ltd. and can confirm answers 9.1 to 9.10 are true to the best of my knowledge and as documented in the land transfer/deed agreement.

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

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

2020-07-31
Date



10. Dimensions of lands affected:

Frontage	<u>32.488 metres</u>
Depth	<u>22.939 metres</u>
Area	<u>432.7 sq. metres</u>
Width of street	<u>12 metres</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: Two-storey semi-detached dwelling, Tot. building coverage = 1425 sq.ft., Tot. floor area = 2251 sq.ft., 13.741m (width) x 10.211m (length)

Proposed: Fiberglass Pool "Claremont model by Latham Pools" 33' length x 14' width, depth @ 3'-6" (shallow) and 5'-4" (deep)

Storage Shed (triangular), approx 100 sq.ft, 4.3m width x 4.5m length x 9.0m height

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

Existing: Dwelling setbacks: 5.004m (minimum) from front lot line; 2.066m (minimum) from rear lot line; 7.948m (minimum) from side lot line

Proposed: Pool Setbacks: 1.25m* (minimum) from front lot line; 1.0m* (minimum) from side lot line

*as measured to water's edge

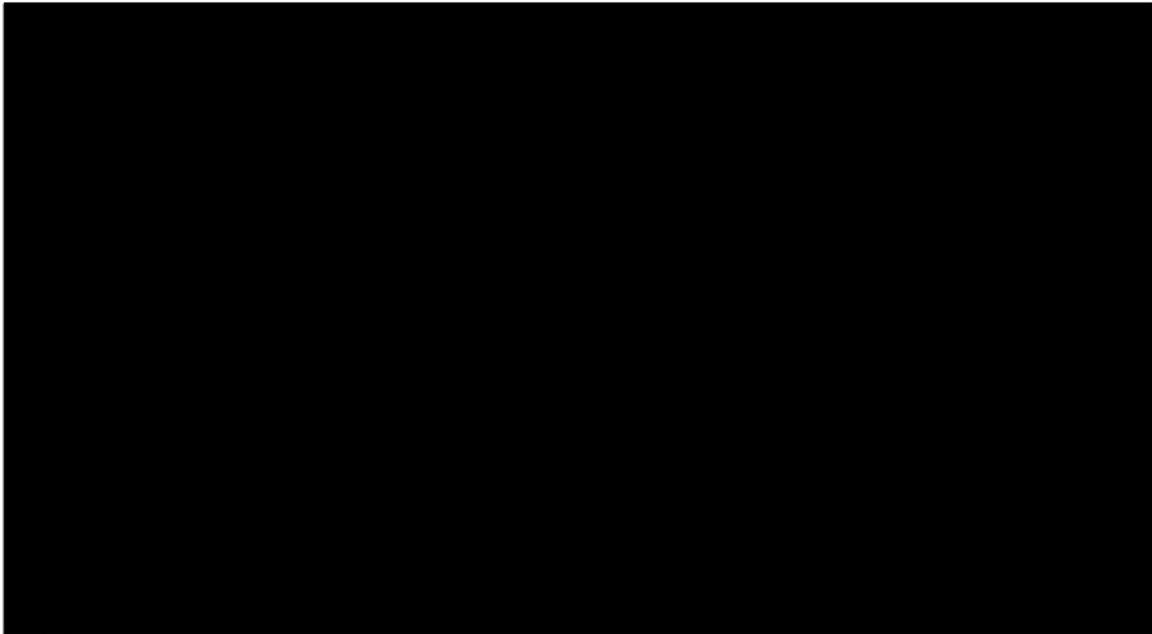
Storage Shed / Pool Equipment Pad: 0.6m from front lot line; 0.6m from side lot line

13. Date of acquisition of subject lands:
June 21, 2017
14. Date of construction of all buildings and structures on subject lands:
June 21, 2017
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:
3 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:
Urban, Neighbourhood Institutional (I1)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
05-200, 16-244
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



A Commissioner, etc.

PART 25 OWNERS AUTHORIZATION

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

_____ of _____

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

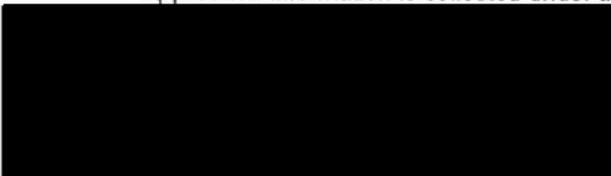
DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

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

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, _____ the policy of the City of Hamilton to provide _____ and supporting documentation submitted



the Owner, hereby agree and acknowledge

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

2020-07-31
Date



PART 27 PERMISSION TO ENTER

Date: 2020-07-31

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 148 John Frederick Drive, Ancaster, ON L9G 0G5
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 31ST day of JULY, 2020.

BETWEEN



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or ~~minor variance~~ dated 2020-7-31 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

- 17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20____.

City of Hamilton

Per: _____
Mayor

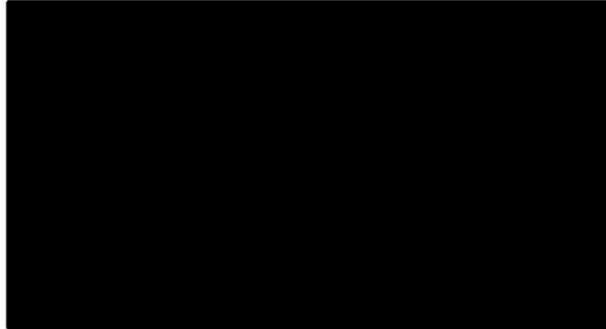
Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 31ST day of July 2020.

BETWEEN



FIRST PART

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated 2020-07-31.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

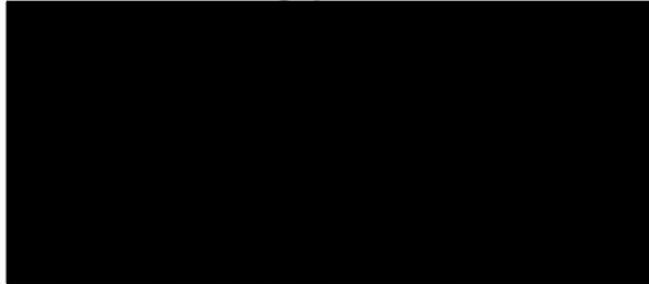
NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED



I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

SITE AND GRADING PLAN
OF PART OF
BLOCK 4
PLAN 62M-1226
IN THE
CITY OF HAMILTON

SCALE: 1:200 metres



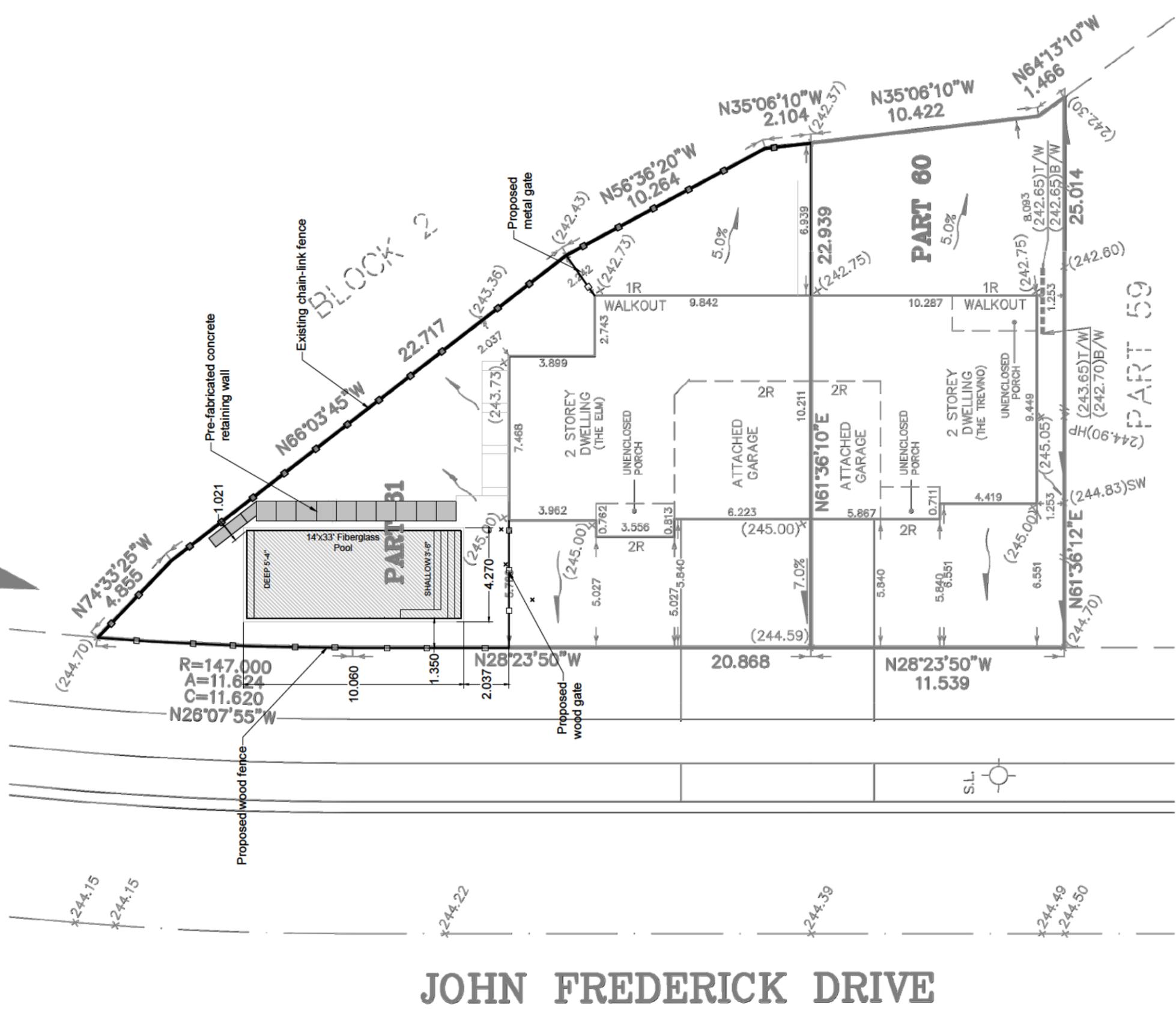
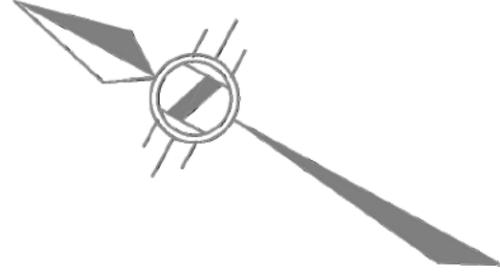
S.D. McLAREN, O.I.S. - 2016

BENCH MARK:

TOWN OF ANCASTER BENCHMARK No. 75U135,
ROUSSEAU SCHOOL, ALONG McNIVENS SIDEROAD,
0.08km SOUTH OF MOHAWK ROAD, TABLET IN
WEST CONCRETE FOUNDATION, 4.66m FROM
NORTHEAST CORNER, 9cm BELOW BRICKWORK.
ELEVATION = 228.439m

METRIC NOTE

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



148 JOHN FREDERICK - POOL/RETAINING WALL

SITE PLAN
07/24/2020

N. CARRESCIA

SP1.01



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn PS Checked KB/SDM Scale 1:200 Dwg.No. 35105-60861



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: GL/B-20:60

SUBJECT PROPERTY: 110 Aeropark Blvd., 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): Webb Planning Consultants on behalf of the owners
11035380 Canada Inc. & GreyCan 8 Properties Inc.

PURPOSE OF APPLICATION: To create land to be leased, for a period greater than
21 years

Leased Lands:
378m[±] x 200m[±] and an area of 22.7ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, October 22nd , 2020
TIME: 3:00 p.m.
PLACE: **Via video link or call in (see attached sheet for details) To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only**

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.

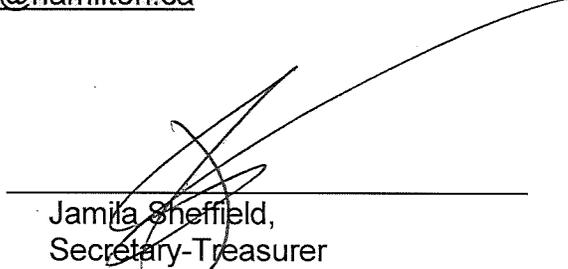
MORE INFORMATION

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

GL/B-20:60
PAGE 2

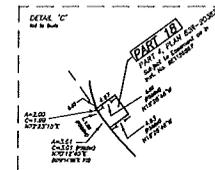
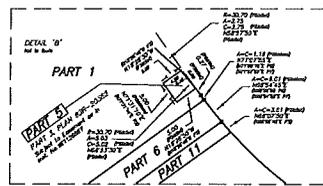
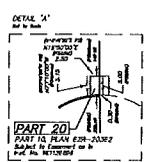
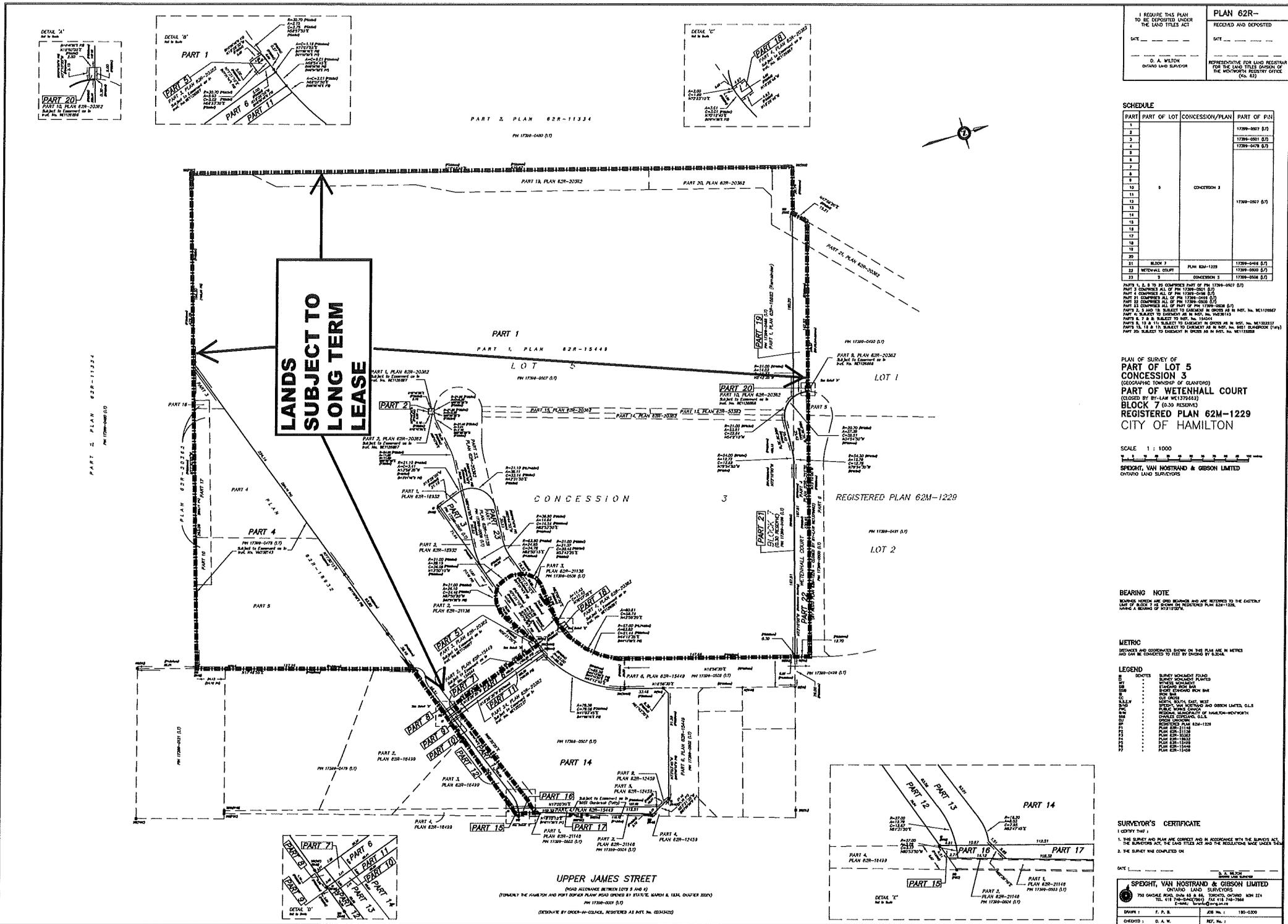
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 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.



PART 2 PLAN 62M-11229
PH 1728-0440 (D)

**LANDS
SUBJECT TO
LONG TERM
LEASE**

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT		PLAN 62R--	
DATE _____		RECEIVED AND DEPOSITED	DATE _____
O. A. WILTON ONOND LAND SURVEYOR		REPRESENTATIVE FOR LAND REGISTRATION FOR THE LAND TITLES DIVISION OF THE MID-WORTH REGISTRY OFFICE (REG. 62)	

SCHEDULE

PART	PART OF LOT	CONCESSION/PLAN	PART OF PH
1			1728-0507 (D)
2			1728-0507 (D)
3			1728-0507 (D)
4			1728-0507 (D)
5			1728-0507 (D)
6			1728-0507 (D)
7			1728-0507 (D)
8			1728-0507 (D)
9			1728-0507 (D)
10			1728-0507 (D)
11			1728-0507 (D)
12			1728-0507 (D)
13			1728-0507 (D)
14			1728-0507 (D)
15			1728-0507 (D)
16			1728-0507 (D)
17			1728-0507 (D)
18			1728-0507 (D)
19			1728-0507 (D)
20			1728-0507 (D)
21			1728-0507 (D)
22	WETENHALL COURT	PLAN 62M-1229	1728-0448 (D)
23			1728-0508 (D)
24			1728-0508 (D)

**PLAN OF SURVEY OF
PART OF LOT 5
CONCESSION 3
(GEOGRAPHIC TOWNSHIP OF QUANTO)
PART OF WETENHALL COURT
(CLOSED BY BY-LAW W61379242)
BLOCK 7 (O.S. RESERVATION)
REGISTERED PLAN 62M-1229
CITY OF HAMILTON**

SCALE 1 : 1000

SPEIGHT, VAN NOSTRAND & GIBSON LIMITED
ONOND LAND SURVEYORS

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

- METRIC**
DIMENSIONS AND COORDINATE POINTS ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
- LEGEND**
- BL IDENTIFY SURVEY MOUNTAIN PLANTS
 - BT IDENTIFY BURNED OR REMOVED PLANTS
 - CB IDENTIFY CONCRETE CURBS
 - CL IDENTIFY CONCRETE CURBS
 - CS IDENTIFY CONCRETE CURBS
 - DC IDENTIFY CONCRETE CURBS
 - DR IDENTIFY CONCRETE CURBS
 - EL IDENTIFY CONCRETE CURBS
 - EM IDENTIFY CONCRETE CURBS
 - EN IDENTIFY CONCRETE CURBS
 - EP IDENTIFY CONCRETE CURBS
 - ES IDENTIFY CONCRETE CURBS
 - ET IDENTIFY CONCRETE CURBS
 - EU IDENTIFY CONCRETE CURBS
 - EV IDENTIFY CONCRETE CURBS
 - EW IDENTIFY CONCRETE CURBS
 - EX IDENTIFY CONCRETE CURBS
 - EY IDENTIFY CONCRETE CURBS
 - EZ IDENTIFY CONCRETE CURBS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATION MADE UNDER LAWS 1.
- THE SURVEY WAS COMPLETED ON _____

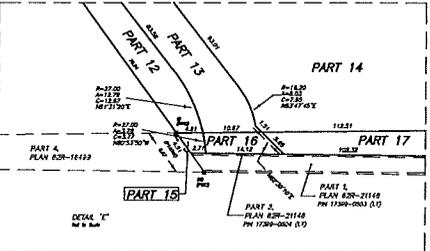
DATE _____

O. A. WILTON
ONOND LAND SURVEYOR

SPEIGHT, VAN NOSTRAND & GIBSON LIMITED
ONOND LAND SURVEYORS
750 GERRARD ROAD, SUITE 100 TORONTO, ONTARIO M5M 1Z1
TEL: (416) 748-5400 FAX: (416) 748-7884
E-MAIL: VAN@SPEIGHT.COM

DRAWN BY: T. P. B. JOB NO.: 190-0300
CHECKED BY: O. A. W. REF. NO.:
FILE NAME: P:\REGISTRATION\190-0300
PLOT SCALE: 1:1000 PLOTTED: JULY 8, 2009
PLOT NO.: 100-0300

UPPER JAMES STREET
ROAD ALIGNMENT BETWEEN LOTS 5 AND 1)
(TOWARDS THE HAMILTON AND PORT DUFFERIN ROAD CROSSING BY 253/152E MARCH 8, 1834, CHAPTER 32(2))
PH 1728-0507 (D)





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

1.3 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 Part Lot 5	Concession Con 3	Former Township GLam
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 110 Aeropark Blvd.			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:

Storm easement in favour of City of Hamilton

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:

To be determined _____

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**: **N/A**

Frontage (m)	Depth (m)	Area (m ² or ha)

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m ² or ha)
378 m	200 m (irregular)	22.7 ha

Existing Use of Property to be retained:

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

A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	Abutting

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?
Site inspection, review of available reports _____
- 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
See discussion below regarding PPS _____

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

Lands are within designated settlement area and fully serviced with municipal water, wastewater services and storm sewers. Proposal implements intended employment use, no conflicts with Natural or Cultural Heritage Resources

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

Land is within designated settlement area and within the designated built-up area. Proposal supports economic development & competitiveness through by development of planned employment uses, full munic. services available

- 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.

Draft Plan of Industrial Subdivision, 25T-200225(R), Draft Approved

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land? **Since 2018**

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

9 OTHER APPLICATIONS

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 **Type of Application** (select type and complete appropriate sections)

- | | | |
|---|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Settlement Area Severance or Lot Addition | } | (Complete Section 10.4) |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from an Abutting Farm Consolidation | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation | | (Complete Section 10.5) |

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m ² 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.

Application seeks Consent Approval to permit a long term lease for the _____ proposed employment tenant.

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant’s opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

13 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the remediation of contamination on the property which is the reason of its approval to this Application.



9/3/2020

Date



d
e

application is true.

Sworn (or declared) before me at the

City of Hamilton this

_____ day of _____, 20____

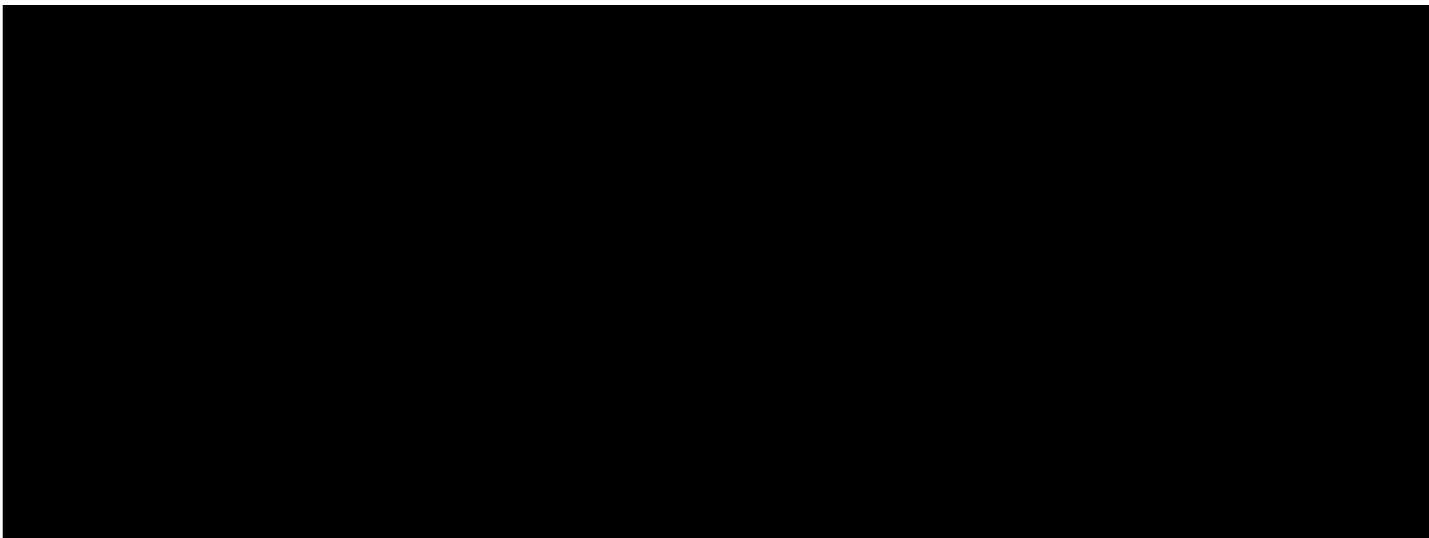
)
)
)
)
)
)
)
)
)
)

Applicant's Signature

A Commissioner, etc.

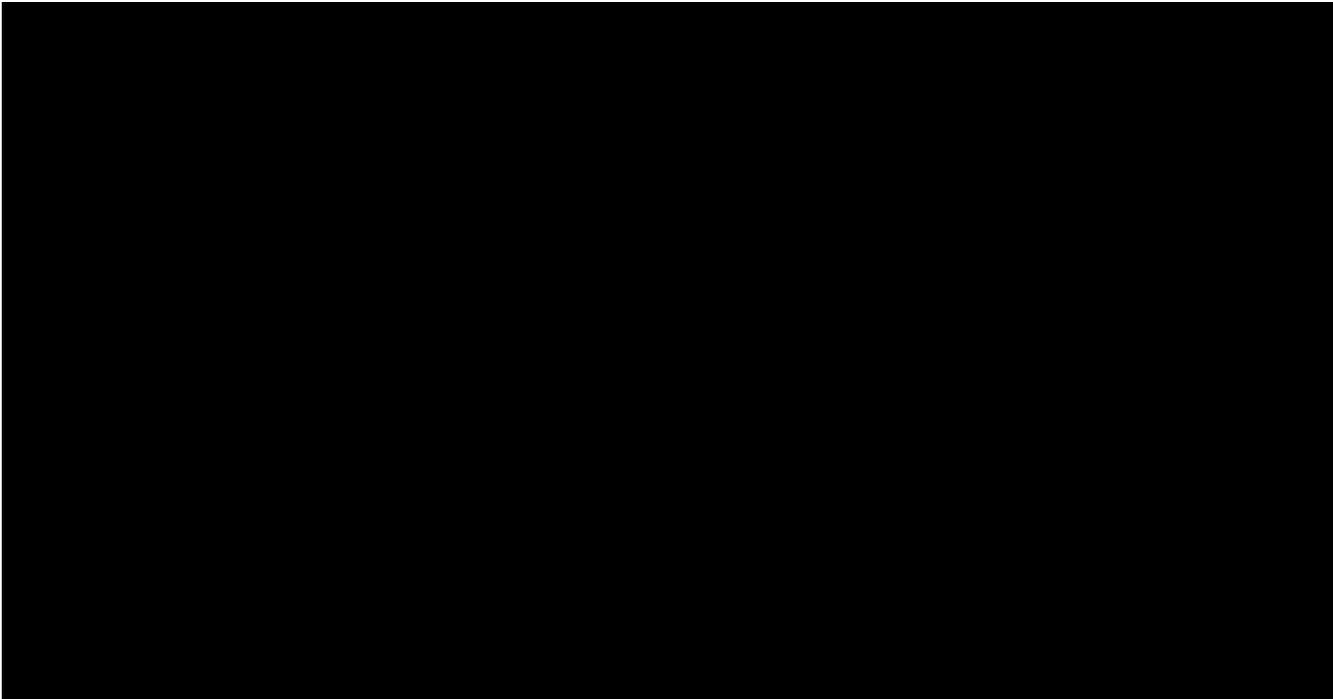
15 AUTHORIZATIONS

15.1 If the applicant is not the owner of the land that is the subject of this application, the



16 CONSENT OF THE OWNER

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

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

90, c.
public
ity.

ledge

s,
ultants
such,
ction

s
pying
neir

17 COLLECTION OF INFORMATION

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

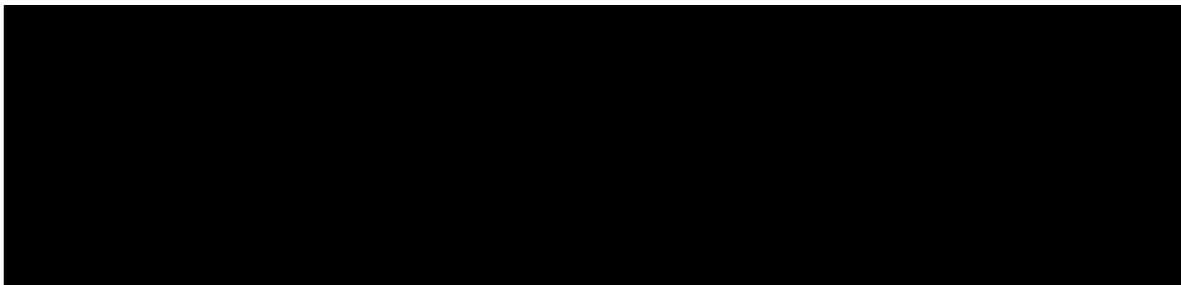
A File Number will be issued for complete applications and should be used in all communications with the City.

APPLICANT'S CHECKLIST

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. (**A cheque or money order payable to the City of Hamilton**)

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT



-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

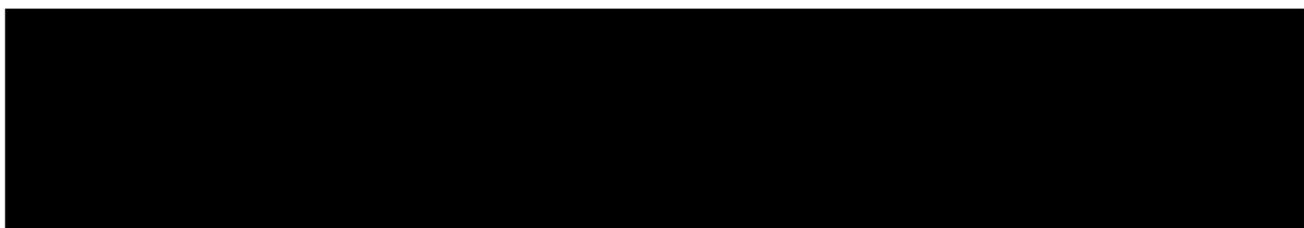
AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ___ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"**Description of Ownership**

Hamilton Airport Lands Limited Partnership by its General Partner 11035380 Canada Inc.,
 GreyCan 8 Properties Limited Partnership by its General Partner GreyCan 8 Properties Inc.

ASO – Wade Dobbin

Description of Lands

PIN 17399-0478(LT)

Part of Lot 5, Concession 3, Glanford being Part 4, Plan 62R-
 Subject to easement over Part 4 as in Instrument No. VM238143

PIN 17399-0488(LT)

Part of Lot 5, Concession 3, Glanford being Parts 19 and 20, Plan 62R-
 Subject to easement in gross over Part 20, Plan 62R- as in Instrument No. WE1126868

PIN 17399-0496(LT)

Block 7 0.30 Reserve, Registered Plan 62M1229, being Part 21, Plan 62R-

Part of PIN 17399-0500(LT)

Part of Wetenhall Court, Registered Plan 62M1229, Closed by By-Law 19-194
 Being Part 22, Plan 62R-

PIN 17399-0501(LT)

Part of Lot 5, Concession 3, Glanford being Part 3, Plan 62R-

Part of PIN 17399-0507(LT)

Part of Lot 5, Concession 3, Glanford being Parts 1, 2, 5, 7, 8, 9, 10, 12, 13, 15, 16 and 18,
 Plan 62R-

Subject to easement over Parts 2, 5 and 18, Plan 62R- as in Instrument No. WE1126867

Subject to easement over Parts 15 and 16, Plan 62R- as in Instrument No. 9651

Glanbrook (firstly)

Subject to easement over Parts 7 and 8, Plan 62R- as in Instrument No. 154044

Subject to easement over Parts 9 and 10, Plan 62R- as in Instrument No. WE1352237

PIN 17399-0508(LT)

Part of Lot 5, Concession 3, Glanford being Part 23, Plan 62R-



September 8, 2020

City of Hamilton
Planning & Economic Development Department
Committee of Adjustment
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Ms. Jamila Sheffield
Secretary Treasurer

Dear Ms. Sheffield,

Re: Application for Consent (Long Term Lease)
110 Aeropark Boulevard, Mt. Hope, City of Hamilton

WEBB Planning Consultants are retained by the property owners, 11035380 Canada Inc. and Greycan 8 Properties Inc., to facilitate the municipal planning approvals required to implement the planned development of their lands located on Aeropark Boulevard, adjacent to the John C. Monroe International Airport.

The City of Hamilton has granted Site Plan Approval to facilitate the planned development of an industrial warehouse having a total gross floor area in the range of 80,000 sq. metres on a parcel of land comprising 22.7 hectares. Pursuant to Site Plan file No. SPA-20-060, all Conditions of Approval have been satisfied, Building Permits have been issued and construction has commenced.

The tenant for the proposed industrial warehouse will be occupying the lands on the basis of a long term lease with the property owners. As the term for the lease will exceed 21 years, it is necessary to obtain Consent Approval pursuant to an Application to the Committee of Adjustment under Section 53 of the Planning Act.

The specific portion of the lands that will be the subject of the lease are graphically shown on the accompanying sketch. A Reference Plan is being prepared based on the proposed boundary and will be deposited in the Registry Office to provide the necessary legal description for the lands.

In keeping with the City's requirements for the submission of an Application for Consent, the following materials are enclosed:

- Completed Application for Consent;
- Application fee of \$5,370.00 payable to the City of Hamilton;
- Sketch Plan illustrating the lands subject to the Long Term Lease.

Attn.: Jamila Sheffield, Secretary Treasurer
Re: 110 Aeropark Blvd.

September 8, 2020
Page 2

We trust that you will find the enclosed materials complete and suitable for the purpose of processing this Application for Consent. Please contact our office immediately should you have any questions or require additional information in support of this submission.

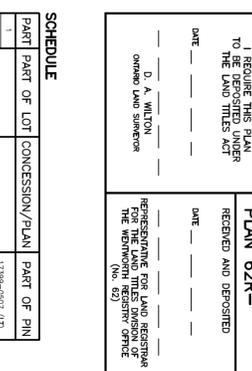
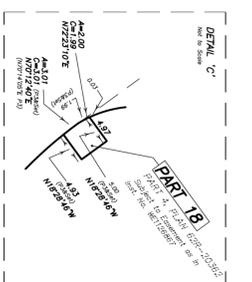
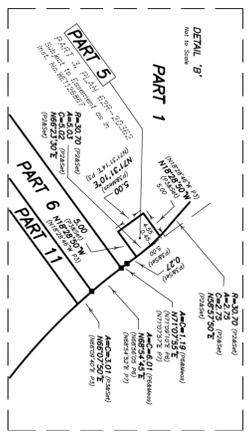
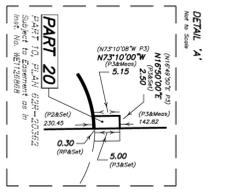
Yours truly,

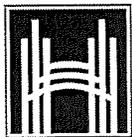
WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read "James Webb". The signature is written in a cursive style with a large initial "J" and "W".

James Webb, MCIP, RPP

cc: 11035380 Canada Inc. and Greycan 8 Properties Inc.,





Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: SC/A-20:198

APPLICANTS: DiCenzo & Associates Professional Corporation c/o Allan Buist

SUBJECT PROPERTY: Municipal address 4, 8, 12 & 16 Sauvignon Cres., Stoney Creek

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 13-130

ZONING: "R3-40" (Single Residential) Zone

PROPOSAL: To permit the creation of two (2) new lots and to facilitate future building permit applications for the construction of a single detached dwelling on each lot for the properties to be known as 8 and 16 Sauvignon Crescent, notwithstanding,

1. A minimum lot area of 330 square metres shall be provided for an interior lot instead of the minimum required lot area of 370 square metres for an interior lot;
2. A minimum lot area of 375 square metres shall be provided for a corner lot instead of the minimum required lot area of 425 square metres for a corner lot;
3. A minimum side yard of 0.8 metres shall be provided instead of the minimum required side yard of 1.25 metres or 1.0 metre to an attached garage or attached carport;
4. A maximum lot coverage of 45% shall be provided instead of the maximum permitted lot coverage of 40%; and,
5. A minimum rear yard of 6.0 metres shall be provided instead of the minimum required rear yard of 7.0 metres.

NOTES:

1. The variances have been written as requested by the applicant; it does not appear future lots to be known as 8 and 16 Sauvignon Crescent are to be corner lots as defined within the Zoning By-law and a minimum side yard of 0.8 metres has not been illustrated on the submitted site plan.
2. A further variance if a minimum lot frontage of 12 metres for an interior lot and 13.75 metres for a corner lot, as defined within the Zoning By-law, is not provided.
3. A further variance will be required if a minimum of two (2) parking spaces are not provided for each single detached dwelling. Please note; a minimum parking space size of 2.75 metres in width and 5.8 metres in length is required to be provided except for a parking space contained within a private residential garage is required to provide an unobstructed area measuring 3.0 metres in width and 6.0 metres in length.

SC/A-20:198

Page 2

4. A further variance will be required if the eaves and gutters project greater than 0.5 metres into any required yard.

5. A further variance will be required if a canopy, unenclosed porch or deck, including steps, project greater than 1.5 metres into a required front yard or 4.0 metres into a required rear yard.

6. The requested variance for a reduced lot width is required to facilitate Part Lot Control application PLC-20-008.

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

DATE: Thursday, October 22nd, 2020
TIME: 3:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 6th, 2020.


 Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

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

SITE AND GRADING PLAN

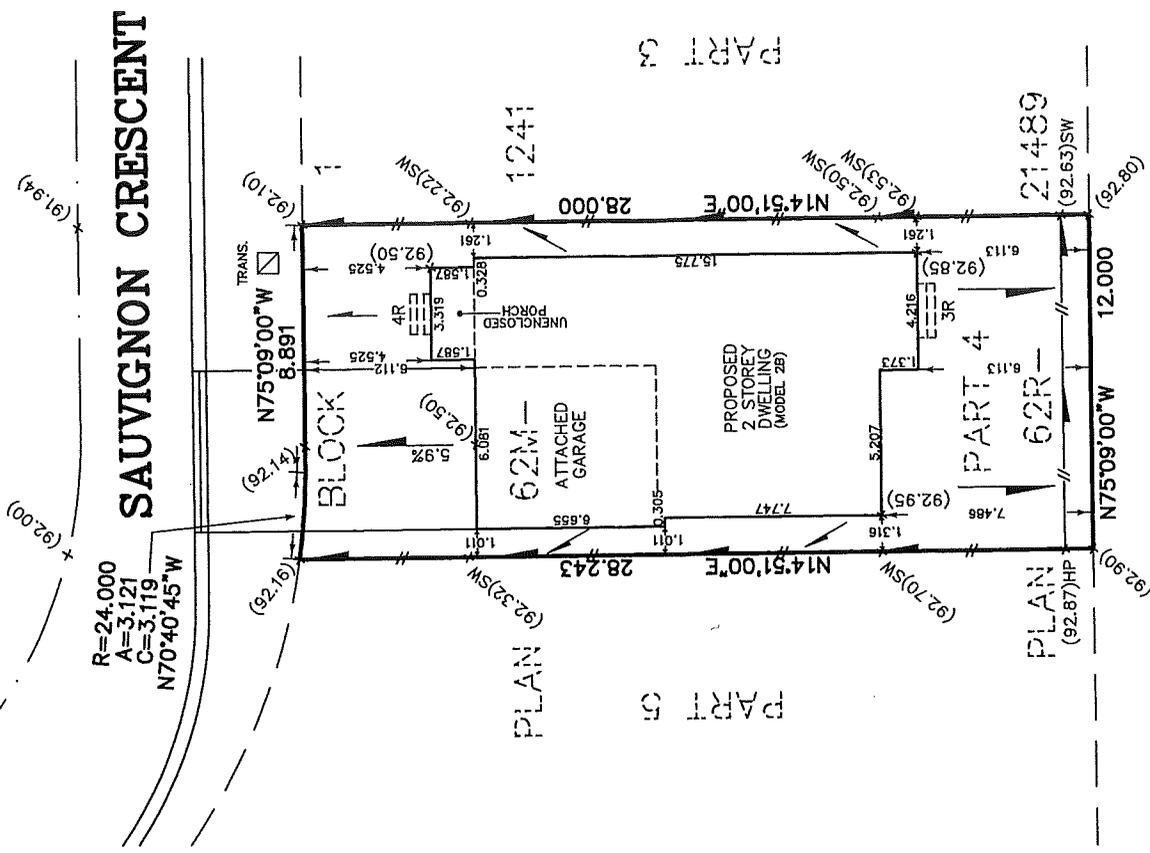
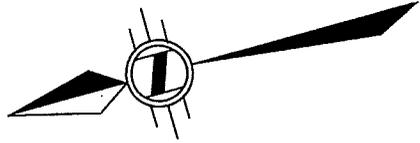
OF PART OF
BLOCK 1
PLAN 62M-1241

IN THE
CITY OF HAMILTON

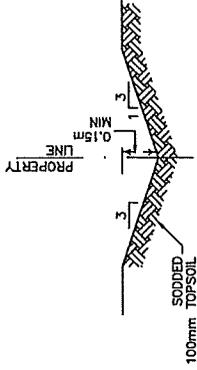
SCALE: 1:200 metres



S.D. McLaren, O.I.S. - 2020



SWALE DETAIL



METRIC NOTE

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

BENCHMARK:

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO HAMILTON-WENTWORTH BENCHMARK 75U1B1, LOCATED ON TOP OF CONCRETE MONUMENT, NORTH-EAST CORNER OF HIGHWAY 8 AND FIFTY ROAD ON BOX CULVERT.

88.574 METRES.

NOTES:

BUILDER TO VERIFY ELEVATION OF SERVICE CONNECTIONS PRIOR TO BASEMENT EXCAVATION TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED FOR GRAVITY SERVICES.

U/S FOOTINGS TO BE MINIMUM OF 1.2m BELOW FINISHED GRADE.

ALL DWELLINGS TO BE EQUIPPED WITH SUMP PUMPS.

LEGEND:

- 000.00 DENOTES EXISTING ELEVATION
- (000.00) " " PROPOSED ELEVATION
- " " DIRECTION OF FLOW
- " " PROPOSED SWALE
- " " RISER
- * " " REVISED DIMENSION

LOT AREA = 336.3m²
LOT COVERAGE = 44.3%
MAX COVERAGE = 40.0%

PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 92.50
TOP OF FOUNDATION = 93.10
FIRST FLOOR = 93.45
BASEMENT FLOOR = 90.68
U/S OF FOOTING = 90.32

B L O C K 1 6



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

S.D. McLaren
S.D. McLaren, O.I.S.

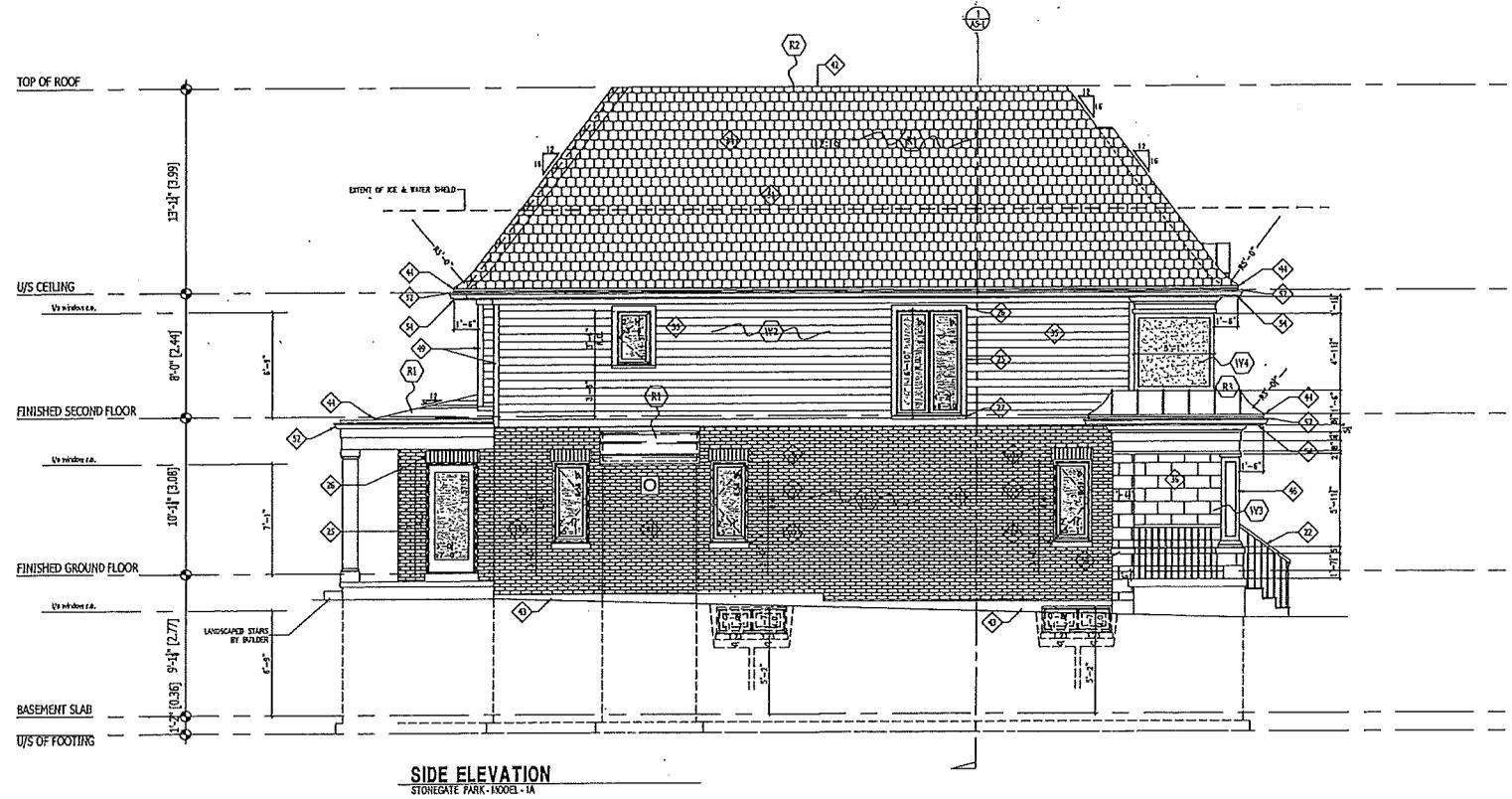
SEPTEMBER 10, 2020

DATE

Drawn KB Checked SDM

Scale 1:200

Dwg.No. 35409-P4



SIDE ELEVATION
STORAGE PARK - MODEL 1A

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Architect prior to proceeding with any of the work.

The undersigned hereby certifies and takes responsibility for the design, drawings, specifications and reports in accordance with the provisions of the Ontario Building Code, to be a Registered Professional Engineer in the Province of Ontario.

REGISTRATION AND QUALIFICATION INFORMATION
Registered under the name of J. Mc. [Signature]
PROFESSIONAL DESIGNER IN ACCORDANCE WITH THE REGULATION OF THE ENGINEERING COUNCIL OF ONTARIO
PROFESSIONAL DESIGNER IN ACCORDANCE WITH THE REGULATION OF THE ENGINEERING COUNCIL OF ONTARIO
INDIVIDUAL REG. NO. 30865
This document must be signed where to be read.
Reproductions should not be attempted.

1	09.11.20	ISSUED FOR REVIEW
REF.	DATE	DESCRIPTION
REVISIONS / ISSUANCE:		

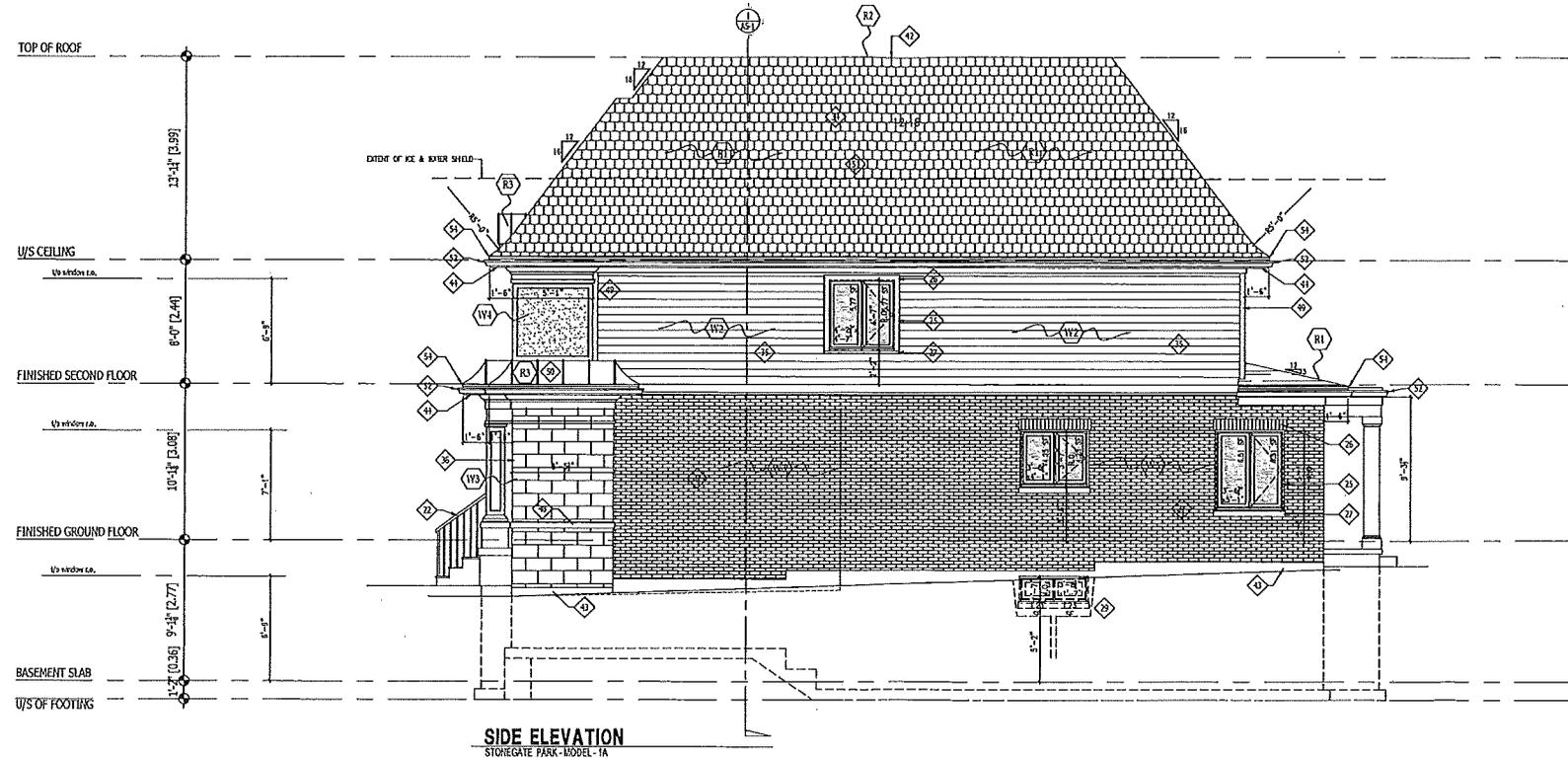

AJM DESIGNS INC.
#3 - 2526 Speers Road, Oakville ON, L4L 5M2
T: 905.825.0433 E: info@ajmdesigns.co

CLIENT:
DICENZO HOMES

ADDRESS: 8 SALVIGNON CRESCENT
CITY: HAMILTON, ONTARIO

DRAWING TITLE:
SIDE ELEVATION (MODEL 1A)

DRAWN: J.Mc.	SCALE: N.T.S.
DATE: 17.4.26	SHEET NUMBER:
JOB NUMBER:	319-17
	A4.2



Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Architect prior to proceeding with any of the work.

The undersigned has prepared and holds responsible for the drawings, has the specifications and plans, the requirements set out in the Ontario Building Code to be a designer. REGISTRATION AND QUALIFICATION INFORMATION: Registered under the Ontario Building Code Act, R.S.O. 1990, c. 11, s. 111(1) as a Designer. REGISTRATION NO. 111071. INDIVIDUAL BCID: 35598. *A. J. McNamee* ARCHITECT. His statement must be signed when he is not. Reproduction should not be accepted.

1	06.11.20	ISSUED FOR REVIEW
REF.	DATE	DESCRIPTION
REVISIONS / ISSUANCE:		


AJM DESIGNS
INC
#3 - 2526 Speers Road, Oakville ON, L4L 5M2
T: 905.826.0433 E: info@ajmdesigns.ca

CLIENT:
DICENZO HOMES

ADDRESS: 8 SALVIGNON CRESCENT
CITY: HAMILTON, ONTARIO

DRAWING TITLE:
**SIDE ELEVATION
(MODEL 1A)**

DRAWN: J.Mc.	SCALE: N.T.S.
DATE: 17.4.26	SHEET NUMBER:
JOB NUMBER: 319-17	A4.4



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-183873

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>SC/A-20:198</u>	DATE APPLICATION RECEIVED <u>Sept. 15/20</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, and the Planning Act



Postal Code L8W 3K8

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 cover letter.

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

Please refer to 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):

Part of Block 1, Registered Plan of Subdivision 62M-1241, 4, 8, 12, 16 Sauvignon
Crescent

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial Agricultural Vacant Other

9.1 If Industrial or Commercial, specify use

N/A

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

Proposed: Please refer to 11 above.

13. Date of acquisition of subject lands:

Unknown

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

N/A

15. Existing uses of the subject property: Vacant

16. Existing uses of abutting properties: North - Residential, East - Future Residential
West - Residential, South - Future 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 X Connected
Sanitary Sewer X Connected
Storm Sewers X

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

Secondary Plan - Low Density Residential 2

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

Single Residential -Two "R2-61" in the Stoney Creek By-law No. 3692-92

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

Yes

No

If the answer is yes, describe briefly.

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

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?

Consultation with the owner.

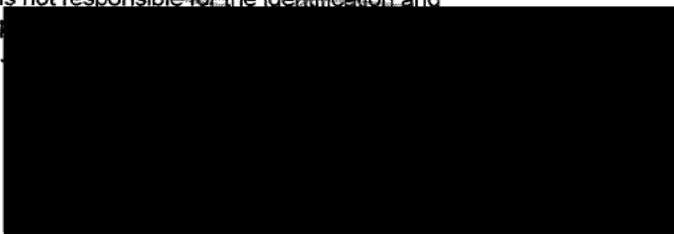
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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

Sept. 11, 2020
Date



10. Dimensions of lands affected:

Frontage Refer to Plan 62 R - 21489 Part 1, 2, 3, 4

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: N/A

Proposed: Refer to Plan 62M-1241

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

Existing: N/A

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

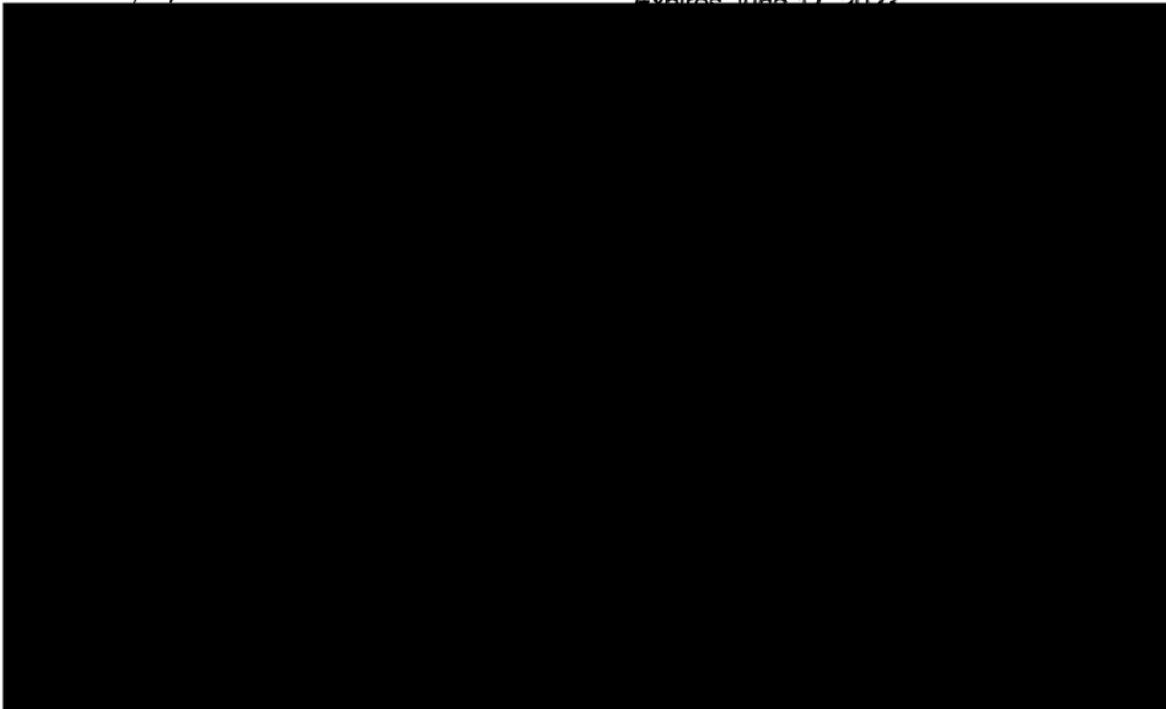
PART 24 AFFIDAVIT OR SWORN DECLARATION



Commissioner, etc.

Professional Corporation, Barristers and Solicitors

Expires June 17, 2022



(Print name of Owner)

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

September 11, 2020

Date

PART 27 PERMISSION TO ENTER

Date: September 11, 2020

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 4-116 Savignion Crescent
(Municipal address)

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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 11th day of September, 2020.

BE

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

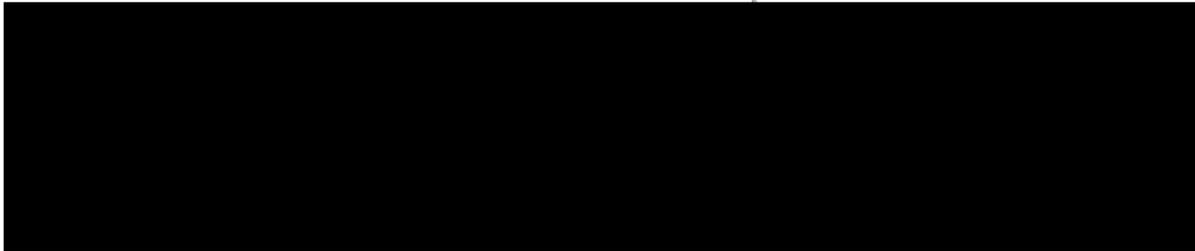
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton this 11 day of September, 20 30.



WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

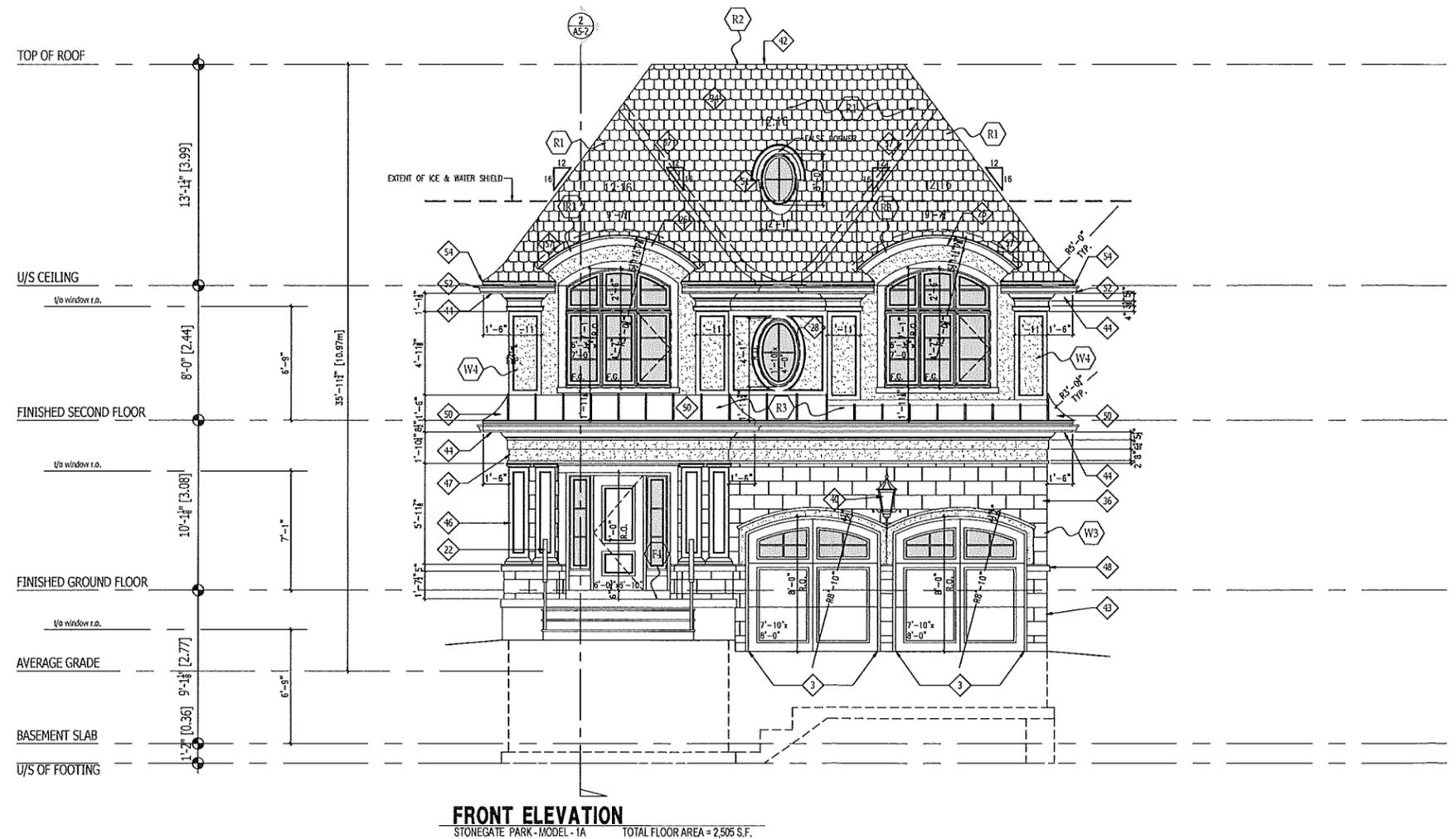
Per: _____
Mayor

Per: _____
Clerk

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Architect prior to proceeding with any of the work.

The undersigned has relieved and takes responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION
 Required unless design is exempt under 2.12.4.1 and/or 2.17.4.1 of the Ontario Building Code
 FIRM BCIN: 111071
 INDIVIDUAL BCIN: 36865
 NAME: A. Janet McNamee
 SIGNATURE: *A. Janet McNamee*
 This document must be signed above to be valid. Reproductions should not be accepted.



1	09.11.20	ISSUED FOR REVIEW
REF. DATE:	DESCRIPTION:	
REVISIONS / ISSUANCE:		

AJM DESIGNS INC

#3 - 2526 Speers Road, Oakville ON, L6L 5M2
 T: 905.825.0433 E: info@ajmdesigns.co

CLIENT:
DICENZO HOMES

ADDRESS: 8 SAUVIGNON CRESCENT
 CITY: HAMILTON, ONTARIO

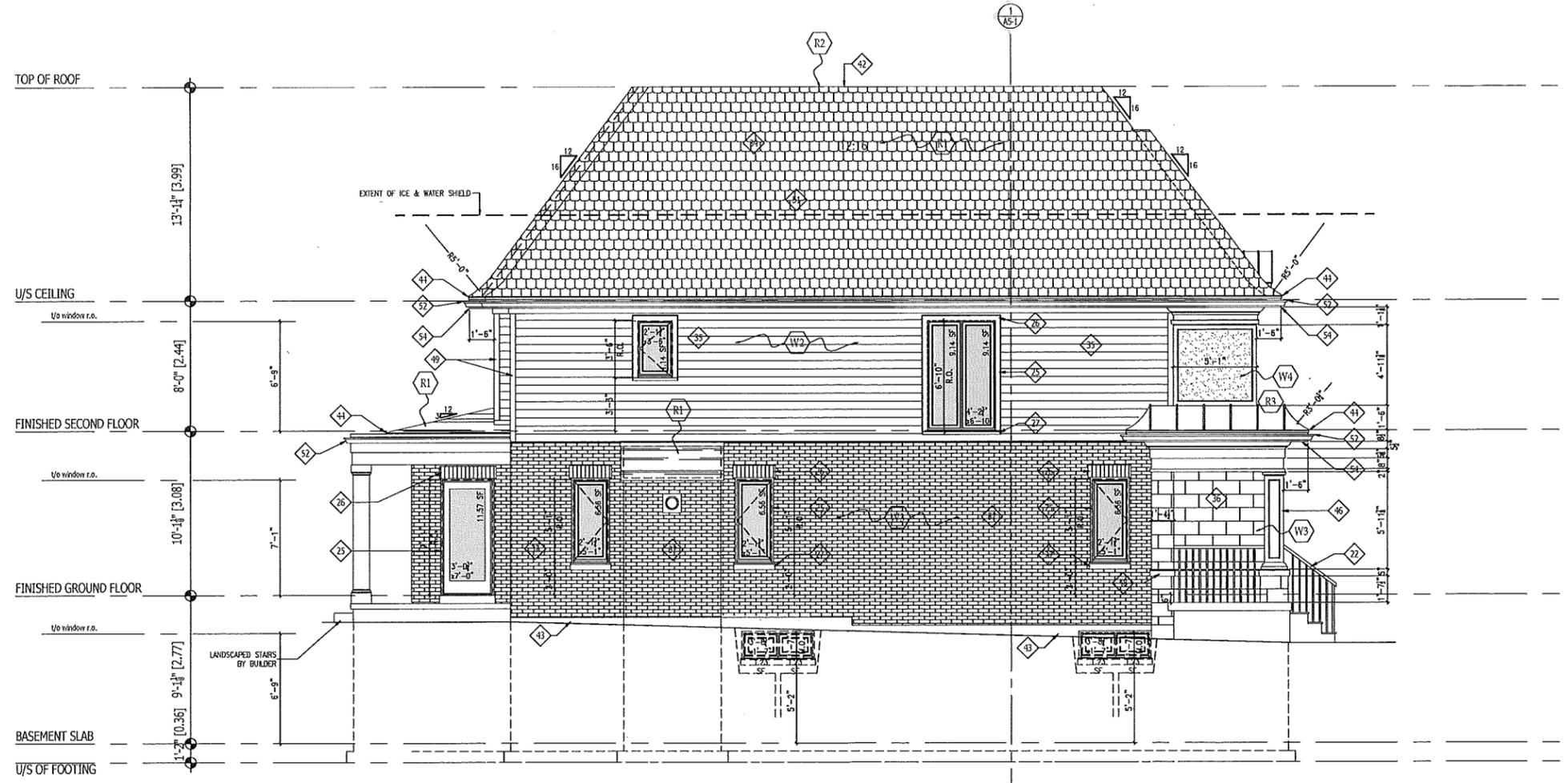
DRAWING TITLE:
FRONT ELEVATION (MODEL 1A)

DRAWN: J.Mc.	DATE: 17.4.26	SCALE: N.T.S.
JOB NUMBER:	SHEET NUMBER:	
319-17	A4.1	

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Architect prior to proceeding with any of the work.

The undersigned has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION
 Required unless design is exempt under 2.17.5.1 and/or 2.17.4.1 of the Ontario Building Code
 FIRM BCIN: 111071
 INDIVIDUAL BCIN: 36888
 NAME: A. Jarret McNamees SIGNATURE: *A. Jarret McNamees*
 This document must be signed above to be valid. Reproductions should not be accepted.



SIDE ELEVATION
 STONEGATE PARK - MODEL - 1A

1	09.11.20	ISSUED FOR REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS / ISSUANCE:		



#3 - 2526 Speers Road, Oakville ON, L6L 5M2
 T: 905.825.0433 E: info@ajmdesigns.ca

CLIENT:
DICENZO HOMES

ADDRESS: 8 SAUVIGNON CRESCENT
 CITY: HAMILTON, ONTARIO

DRAWING TITLE:
**SIDE ELEVATION
 (MODEL 1A)**

DRAWN: J.Mc.	SCALE: N.T.S.
DATE: 17.4.26	SHEET NUMBER:
JOB NUMBER: 319-17	A4.2

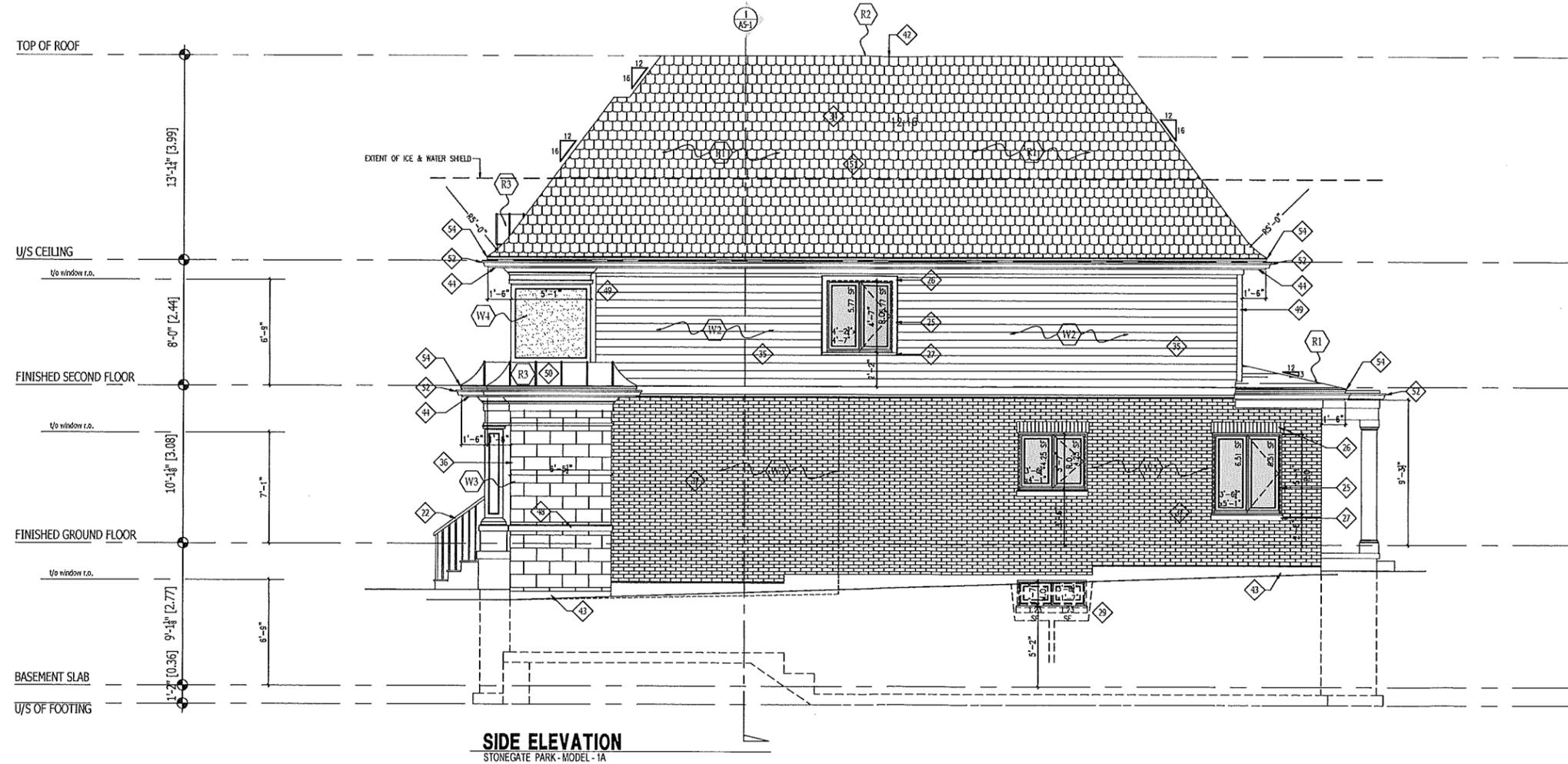
20110209 - 7_AJM_PROJECTS02_DRAWING_SERVICES\PROJECTS\11_STONEGATE_PARK - DICENZO HOMES\MODEL - 1A - SAUVIGNON CRESCENT\DWG

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Architect prior to proceeding with any of the work.

The undersigned has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION
 Required unless design is exempt under 2.17.3.1 and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111071
 INDIVIDUAL BCIN: 36866
 NAME: A. Jarrel McNamee
 This document must be signed above to be valid. Reproductions should not be accepted.



1 | 09.11.20 | ISSUED FOR REVIEW

REF. DATE: DESCRIPTION:

REVISIONS / ISSUANCE:

AJM DESIGNS INC
 #3 - 2526 Speers Road, Oakville ON, L6L 5M2
 T: 905.825.0433 E: info@ajmdesigns.ca

CLIENT:
DICENZO HOMES

ADDRESS: 8 SAUVIGNON CRESCENT
 CITY: HAMILTON, ONTARIO

DRAWING TITLE:
SIDE ELEVATION (MODEL 1A)

DRAWN: J.Mc.
 DATE: 17.4.26 SCALE: N.T.S.
 JOB NUMBER: SHEET NUMBER:
319-17 A4.4

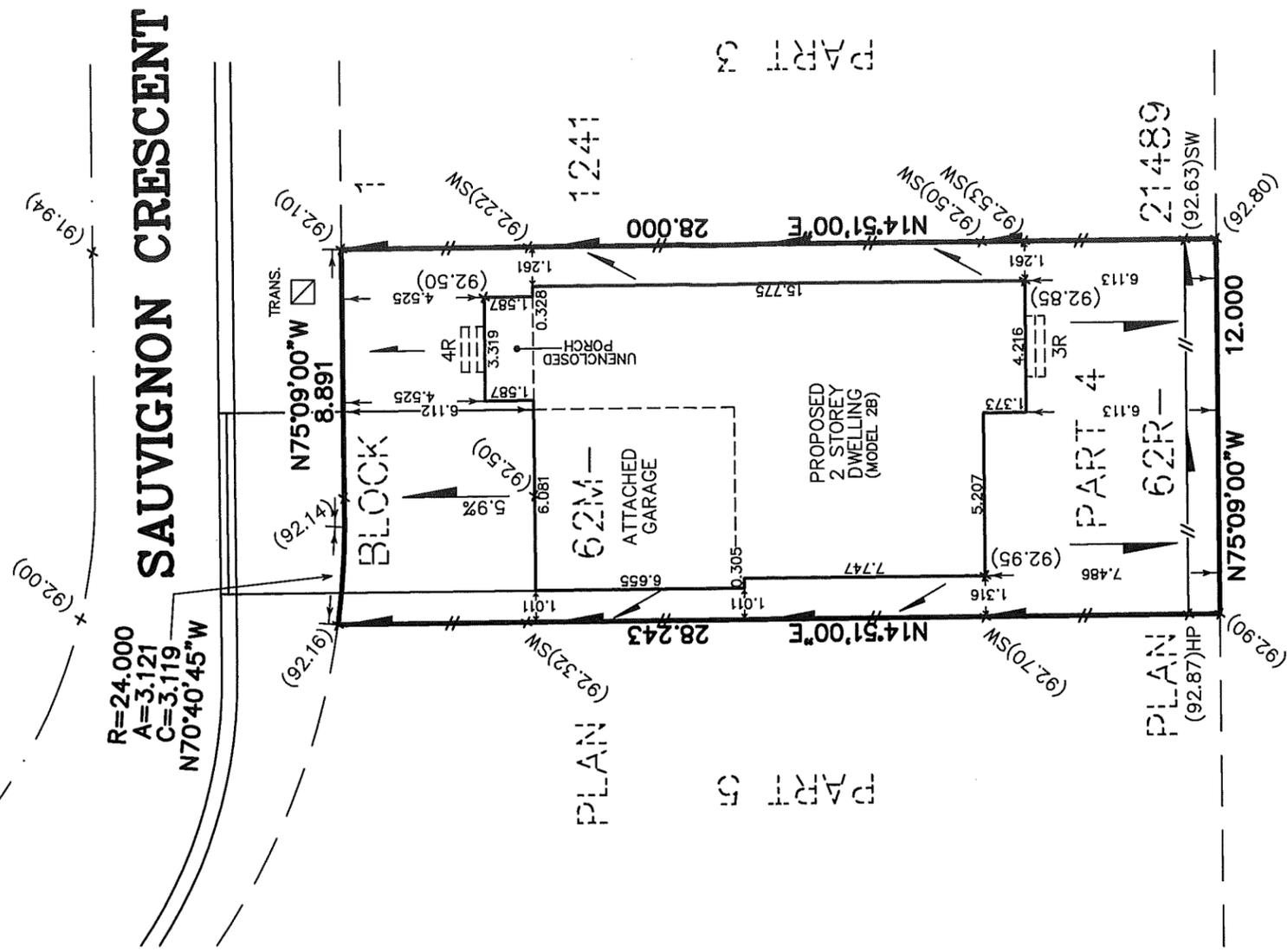
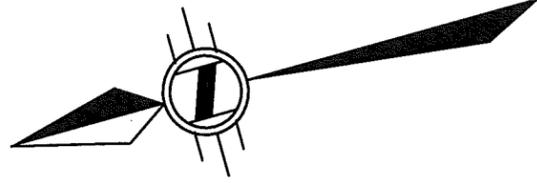
DRAWING: 2-AJM PERFORMING DESIGN SERVICES FOR DICENZO HOMES INC. PROJECT: STONEGATE PARK - DICENZO HOMES INC. 8 SAUVIGNON CRESCENT, HAMILTON, ONTARIO

SITE AND GRADING PLAN
 OF PART OF
BLOCK 1
PLAN 62M-1241
 IN THE
CITY OF HAMILTON

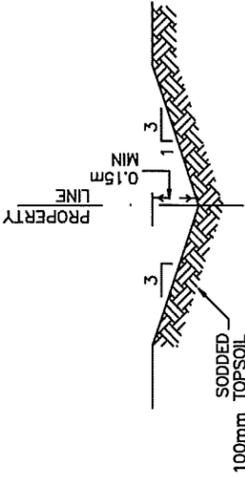
SCALE: 1:200 metres



S.D. McLaren, O.L.S. - 2020



SWALE DETAIL



METRIC NOTE

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

BENCHMARK:

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO HAMILTON-WENTWORTH BENCHMARK 75U181, LOCATED ON TOP OF CONCRETE MONUMENT, NORTH-EAST CORNER OF HIGHWAY 8 AND FIFTY ROAD ON BOX CULVERT.

88.574 METRES.

NOTES:

BUILDER TO VERIFY ELEVATION OF SERVICE CONNECTIONS PRIOR TO BASEMENT EXCAVATION TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED FOR GRAVITY SERVICES.

U/S FOOTINGS TO BE MINIMUM OF 1.2m BELOW FINISHED GRADE.

ALL DWELLINGS TO BE EQUIPPED WITH SUMP PUMPS.

LEGEND:

- 000.00 DENOTES EXISTING ELEVATION
- (000.00) " " PROPOSED ELEVATION
- " " DIRECTION OF FLOW
- " " PROPOSED SWALE
- R " " RISER
- * " " REVISED DIMENSION

LOT AREA = 336.3m²
 LOT COVERAGE = 44.3%
 MAX COVERAGE = 40.0%

PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 92.50
 TOP OF FOUNDATION = 93.10
 FIRST FLOOR = 93.45
 BASEMENT FLOOR = 90.68
 U/S OF FOOTING = 90.32

B L O C K 1 6



A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

S.D. McLaren
 S.D. McLAREN, O.L.S.

SEPTEMBER 10, 2020
 DATE

Drawn KB Checked SDM Scale 1:200 Dwg.No. 35409-P4

DICENZO & ASSOCIATES
PROFESSIONAL CORPORATION
LAWYERS

SEP 15
ab

September 15, 2020

HAND DELIVERED

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

Attention: Jamila Sheffield, Secretary-Treasurer

Dear Sirs/Mesdames:

**Re: Part of Block 1, Registered Plan of Subdivision 62M-1241
4, 8, 12, 16 Sauvignon Crescent, Hamilton, Ontario
Minor Variance Application**

We are the solicitors for the owner, 5000933 Ontario Inc. of the above-captioned lands and are pleased to submit the enclosed Minor Variance Application in respect thereof.

The subject lands are designated "Neighbourhoods" in the Urban Hamilton Official Plan and "Low Density Residential 2" in the Fruitland – Winona Secondary Plan. The subject lands are zoned "Single Residential – Three (R3-40)" in the (former) City of Stoney Creek Zoning By-law No. 3692-92.

Purpose of the Application

The Minor Variance Application is required to achieve relief on the subject lands within a Single Residential – Three "R3-40" Zone to facilitate an existing Part Lot Control application (PLC-20-008) and future Building Permit applications for 8 and 16 Sauvignon Crescent. The following variances are required to facilitate the Building Permit application and the existing Part Lot Control application:

- to permit a minimum lot area of 330 m² for an interior lot whereas 370 m² is required;
- to permit a minimum lot area of 375 m² for a corner lot whereas 425 m² is required;
- to permit a minimum side yard of 0.80 m whereas 1.25 m is required;
- to permit a minimum rear yard of 6.00 m whereas 7.00 m is required; and,
- to permit a maximum lot coverage of 45% whereas 40% is the maximum.

Section 45(1) of the *Planning Act*, R.S.O., 1990, as amended, requires a Minor Variance to satisfy four tests. In consideration of the above, the requested variance is technical in nature and does promote good Urban Design principles. The single detached dwellings are a permitted use in the Neighbourhoods designation of the Urban Hamilton Official Plan, the Low Density Residential 2

DICENZO & ASSOCIATES
PROFESSIONAL CORPORATION

2.

designation of the Fruitland – Winona Secondary Plan, and the Single Residential – Three “R3-40” Zone of the City of Stoney Creek Zoning By-law No. 3692-92. Based on this, it is our opinion that the application for the above minor variances satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the requested relief is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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

- two (2) copies of the Site Plans for 8 and 16 Sauvignon Crescent;
- two (2) copies of the deposited R-Plan for the existing Part Lot Control application;
- two (2) copies of the Building Elevations for 8 and 16 Sauvignon Crescent;
- two (2) copies of the completed Minor Variance application form; and,
- one (1) cheque in the amount of \$3,302.00 payable to the City of Hamilton.

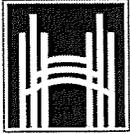
We trust the enclosed is in order, however please feel free to contact the undersigned should you have any questions or concerns or require anything further in this matter.

Yours very truly,

DICENZO & ASSOCIATES
PROFESSIONAL CORPORATION



per: Allan Buist
AB/



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:192

APPLICANTS: Kelsey Hammerton on behalf of the owner Dr. Mohammed Reza Noei

SUBJECT PROPERTY: Municipal address **612 Upper James St., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 17-240

ZONING: "C5a" (Mixed Use Medium Density - Pedestrian Focus) district

PROPOSAL: To permit the conversion of an existing commercial building from a restaurant to a medical clinic on the ground floor comprising 148 square metres of gross floor area and two apartment dwelling units on the second floor, notwithstanding that:

Zoning By-law 05-200

1. The parking requirement for the medical clinic shall be 6 parking spaces instead of the required 9 parking spaces.
2. Parking spaces shall be permitted to be located not closer than 2.75 metres from a street line on Upper James Street and Genesee Street instead of the required 3 metres.
3. No planting strip shall be required between the street line and parking spaces on Upper James Street and Genesee Street instead of the required minimum 3.0 planting strip.
4. The minimum length of a tandem parking space shall be 5.1 metres instead of the minimum required 6.7 metres.
5. Parking spaces which are angled 35 degrees shall have minimum dimensions of 2.7 metres by 3.6 metres, whereas the Zoning By-law permits parking spaces to be angled at 30 degrees with minimum dimensions of 3.0 metres by 5.8 metres.
6. No barrier free parking space shall be required instead of the minimum required 1 barrier free parking space.
7. No short term bicycle parking shall be required instead of the minimum required 5 short term bicycle parking spaces.

Zoning By-law 05-200 (Pre-Amending By-law 17-240)

8. Parking spaces which are angled shall have a minimum length of 3.6 metres, whereas the Zoning By-law requires a minimum length of 5.5 metres.

.../2

HM/A-20:192

Page 2

NOTES:

1. Variance #1 was written by the applicant. Additional variances are applicable to parking and were identified through the review of the application.
2. By-Law 17-240 (Create New Commercial and Mixed Uses and Utility Zones for the City of Hamilton) was passed November 8, 2017, which also made changes to Section 5 (parking Regulations) of Hamilton 05-200 Zoning By-Law. The more restrictive zoning regulations have been noted by an asterisk in variance 5.
3. The C5a Zone permits dwelling units to be developed in conjunction with a commercial use. The two proposed dwelling units are greater in area than 50 square metres and require one parking space in the C5a Zone.
4. The submitted site plan does not show the distance of parking spaces to the street lines, the dimensions of parking spaces, and the aisle widths. Accordingly, additional information for these requirements has been provided by the applicant.
5. The subject property is identified in the City of Hamilton's Inventory of Heritage Buildings.
6. Concerning Variance #5, the Zoning By-law provides minimum aisle width requirements for angled parking spaces in Section 5.1(i). This does not cover 35 degree angled parking spaces. However, if the angle is 30 degrees, the minimum aisle width shall be 3.7m and for 45 degree spaces, the minimum aisle width shall be 4.5m.

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

DATE: Thursday, October 22nd, 2020
TIME: 3:10 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

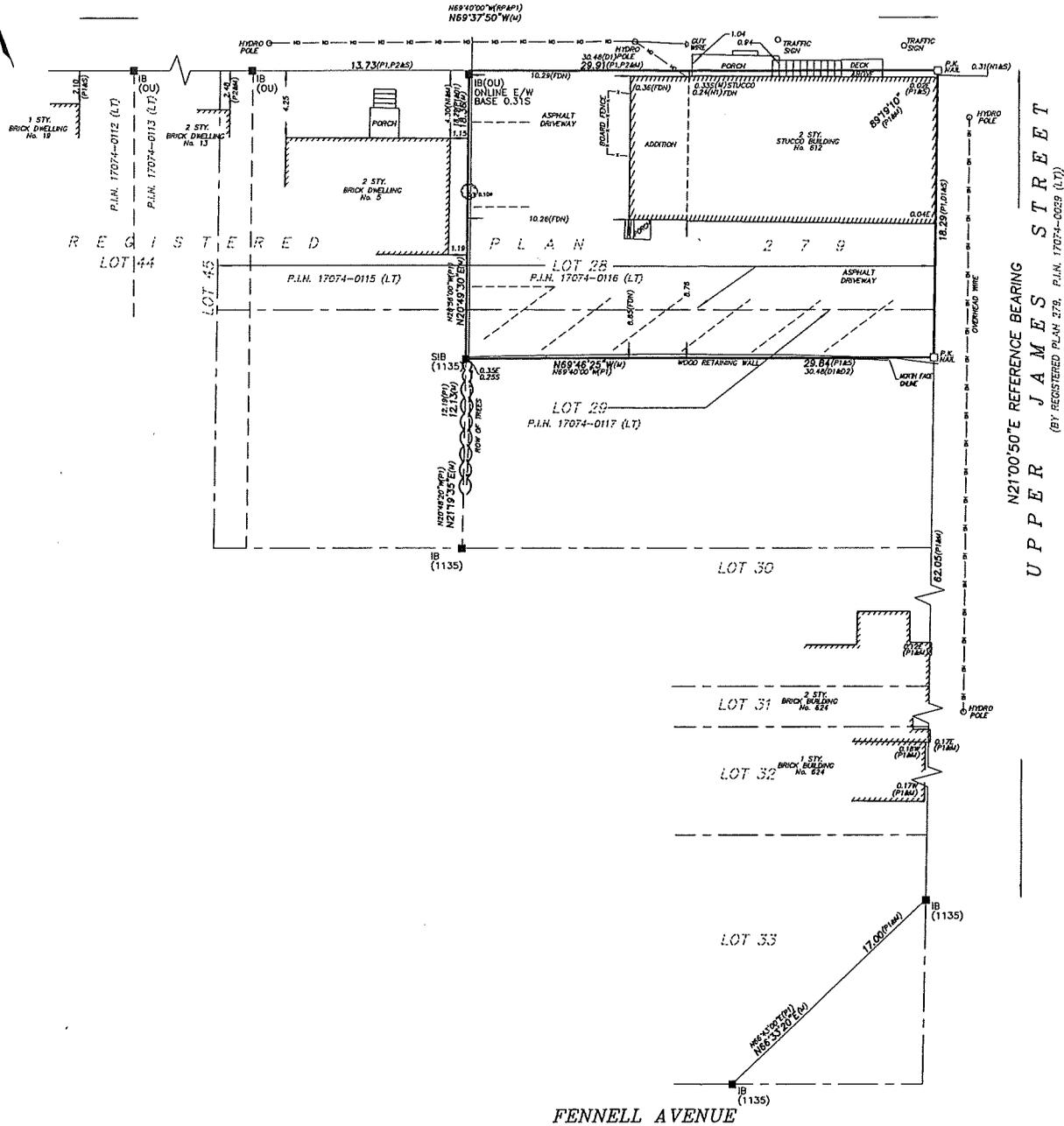
DATED: October 6th, 2020.


 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.



GENESSEE STREET
(BY REGISTERED PLAN 279, P.I.N. 17074-0105 (LT))



FENNELL AVENUE

**SURVEYOR'S REAL PROPERTY REPORT,
PART 1
PART OF LOTS 28 & 29
BLOCK F
REGISTERED PLAN 279
IN THE
CITY OF HAMILTON**

SCALE & NOTES
SCALE: 1:200



THOMAS GONDO
ONTARIO LAND SURVEYOR
© COPYRIGHT 2020

LEGEND

■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
IB	IRON BAR
SIB	STANDARD IRON BAR
OU	ORIGIN UNKNOWN
N-E-W-S	DENOTES NORTH - EAST - WEST - SOUTH
S	DENOTES SET
M	DENOTES MEASURED
RP	DENOTES REGISTERED PLAN 279
P1	DENOTES PLAN 62R18772
P2	DENOTES PLAN 62R2800
D1	DENOTES INST. No. CD293716
D2	DENOTES INST. No. AB232669
D3	DENOTES INST. No. CD444002
N1	DENOTES NOTES BY L.G. WOODS, O.L.S. DATED SEPT 05, 1984
FDN	DENOTES FOUNDATION
---	DENOTES SUBJECT LANDS BOUNDARY
---	DENOTES DEED LINE
---	DENOTES LOT LINE
---	DENOTES LIMIT OF STREET
-x-x-	DENOTES FENCE LINE
1135	DENOTES LAWENCE GEORGE WOODS O.L.S.
---	DENOTES OVER HEAD WIRE

THIS PLAN WAS SIGNED WITH A SCANNED SIGNATURE AS A RESULT OF THE EMERGENCY ORDER RELATED TO THE COVID-19 PANDEMIC

METRIC

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

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF UPPER JAMES STREET HAVING A BEARING OF N21°00'50"E AS SHOWN ON PLAN 62R18772

PART 2 - SURVEY REPORT

- 1) THE FENCES ARE NOT ALWAYS ON THE PROPERTY LINES.
- 2) THE EASTERLY SIDE OF THE BUILDING ON THE SUBJECT PROPERTY IS ENCHROACHING THE STREET LIMIT AS SHOWN ON THE PLAN
- 3) THE PORCH OF THE BUILDING ON SUBJECT PROPERTY IS ENCHROACHING THE STREET LIMIT AS SHOWN ON THE PLAN.

THIS SURVEY IS PREPARED EXCLUSIVELY FOR KELSEY HAMMERTON AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHERS.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON AUGUST 06, 2020.

DATE: AUGUST 11, 2020.

THOMAS GONDO
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2126236



THIS PLAN IS NOT VALID UNLESS IT IS AN ENCLOSED ORIGINAL COPY ISSUED BY THE SURVEYOR



Lejan land Surveying Inc.
572 Barton Street
Stoney Creek, ON L8E 5N3
Phone: 905-643.6131

DWN BY: AS

CHK BY: TG

JOB No. 20-100



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-182719

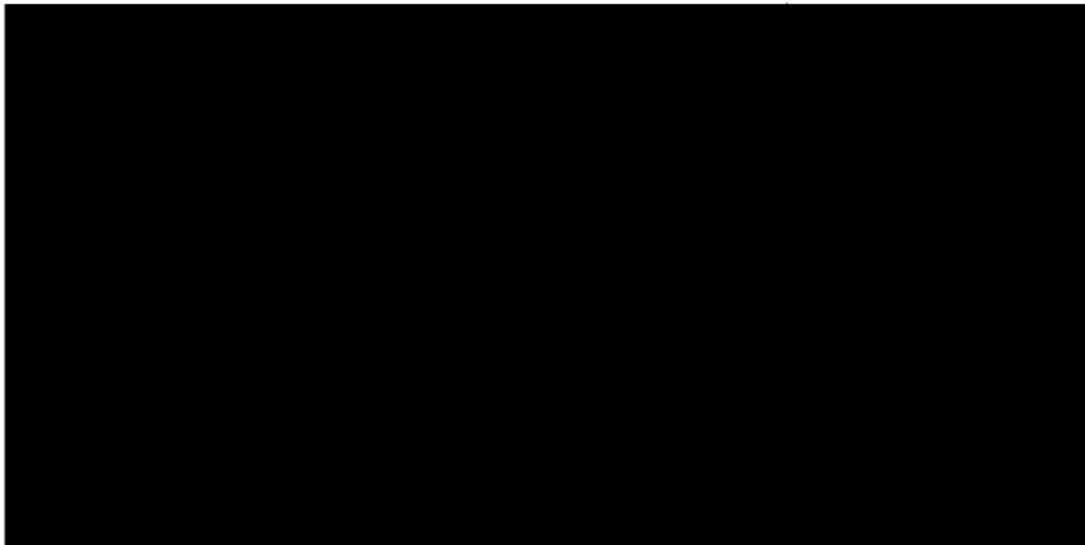
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:192</u>	DATE APPLICATION RECEIVED <u>Sept. 8/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**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.



Postal Code L8N 1G7

Postal Code _____

6. Nature and extent of relief applied for:
ALLOW FOR 2 LESS PARKING SPOTS THAN REQUIRED BY BL-LAW
ACCORDING TO SQUARE FOOTAGE CALCULATION.
-
7. Why it is not possible to comply with the provisions of the By-law?
THERE IS NOT ENOUGH ROOM ON THE EXISTING LOT.
-
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
612 UPPER JAMES ST, HAMILTON, ON, L9C 2Z1
-
9. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
Agricultural Vacant
Other _____
- 9.1 If Industrial or Commercial, specify use
RESTAURANT
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes No Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

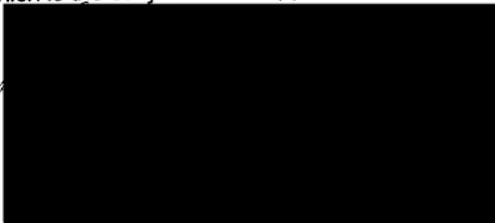
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

2020-08-26
 Date



10. Dimensions of lands affected:

Frontage 18.29 m
 Depth 29.91 m
 Area 548.10 sq m
 Width of street _____

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

Existing: BUILDING AREA - GROUND FLOOR: 148 sq m, SECOND FLOOR: 119 sq m,
MEZZANINE, 40.5 sq m
NUMBER OF STORIES - 3
WIDTH - 29'-9" (9m), LENGTH: 64'-0" (19.5m)

Proposed: BUILDING AREA - GROUND FLOOR: 148 sq m, SECOND FLOOR: 119 sq m,
MEZZANINE, 40.5 sq m
NUMBER OF STORIES - 3
WIDTH - 29'-9" (9m), LENGTH: 64'-0" (19.5m)

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

Existing: FRONT: 0m, REAR: 10.28m, NORTH SIDE: 0.31m, SOUTH SIDE: 8.76m

Proposed: FRONT: 0m, REAR: 10.28m, NORTH SIDE: 0.31m, SOUTH SIDE: 8.76m

13. Date of acquisition of subject lands:
JANUARY 31, 2020
14. Date of construction of all buildings and structures on subject lands:
1917
15. Existing uses of the subject property:
UNKNOWN
16. Existing uses of abutting properties: RETAIL STORE + RESTAURANT
17. Length of time the existing uses of the subject property have continued:
UNKNOWN
18. Municipal services available: (check the appropriate space or spaces)
 Water X Connected YES
 Sanitary Sewer X Connected YES
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:

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

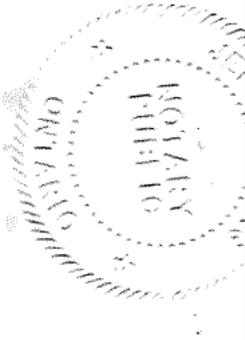
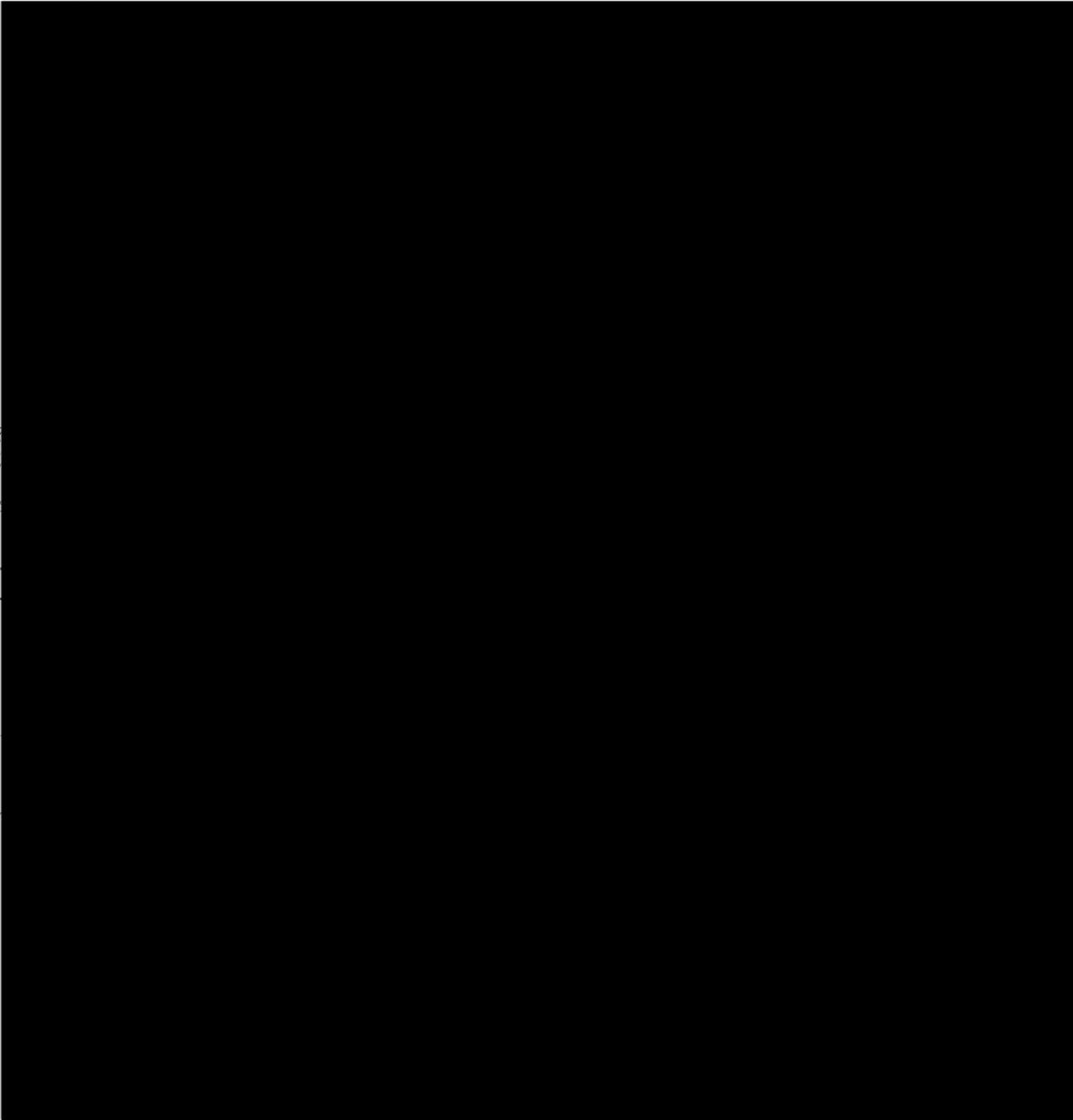
21. Has the owner previously applied for relief in respect of the subject property?
 Yes _____ No (No)
 If the answer is yes, describe briefly.

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes _____ No (No)
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



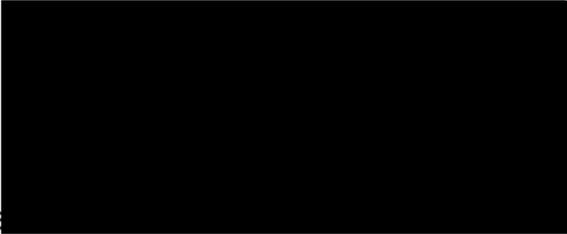
ty
Roak
L 6A3
.com

(Print name of Owner)

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

2020-08-26

Date



PART 27 PERMISSION TO ENTER

Date: _____

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

Dear Secretary/Treasurer;
Re: Application to Committee of Adjustment

Location of Land: _____
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 8th day of SEPTEMBER, 2020.

BETWEEN



Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

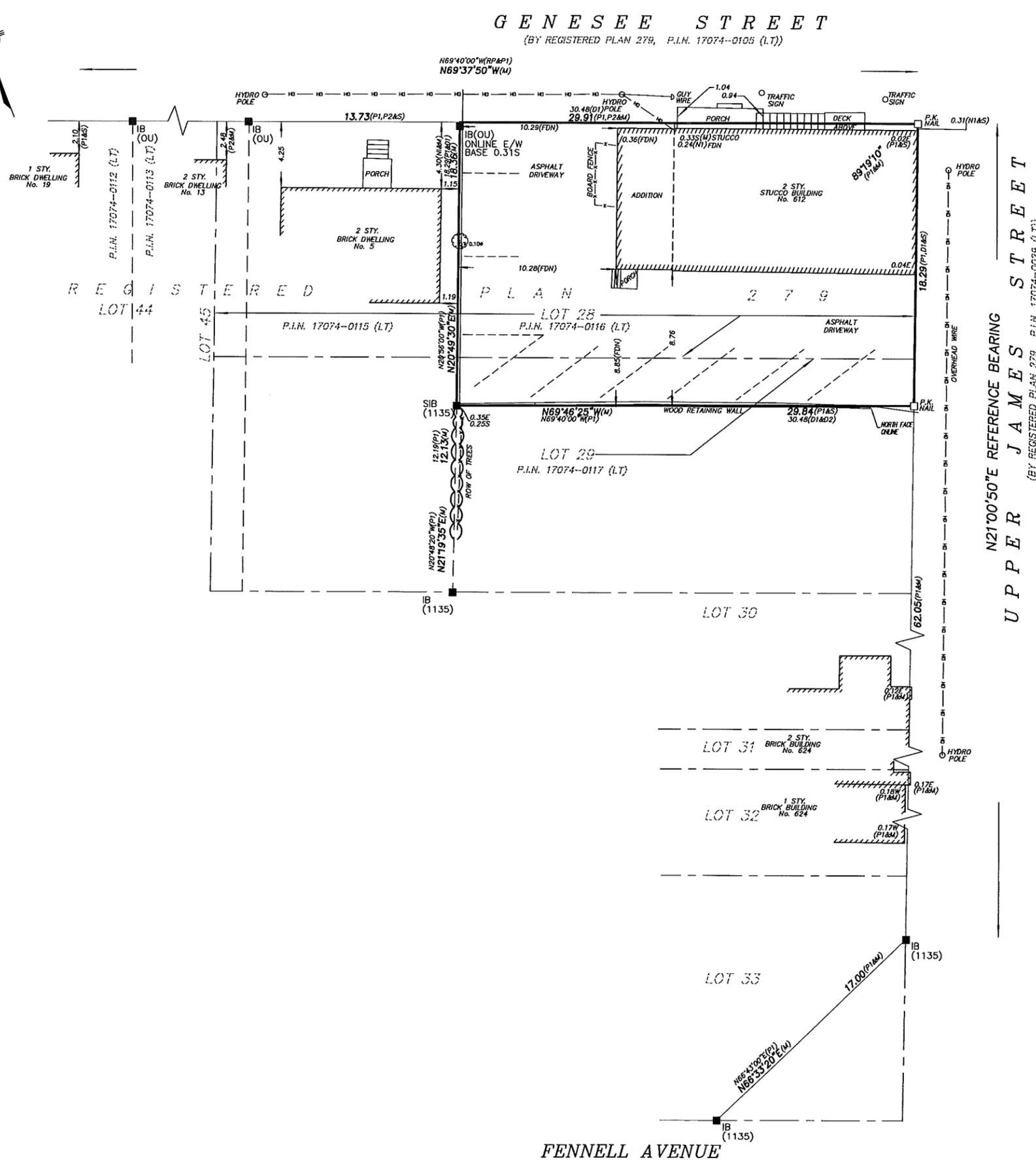
Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk



SCALE & NOTES
SCALE: 1:200
1 2 3 4 5 10 20 Metres

THOMAS GONDO
ONTARIO LAND SURVEYOR
© COPYRIGHT 2020

LEGEND

■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
IB	IRON BAR
SIB	STANDARD IRON BAR
OU	DENOTES ORIGIN UNKNOWN
N-E-W-S	DENOTES NORTH - EAST - WEST - SOUTH
S	DENOTES SET
M	DENOTES MEASURED
RP	DENOTES REGISTERED PLAN 279
P1	DENOTES PLAN 62R18772
P2	DENOTES PLAN 62R2800
D1	DENOTES INST. No. CD293716
D2	DENOTES INST. No. AB232669
D3	DENOTES INST. No. CD444002
N1	DENOTES NOTES BY L.G. WOODS, O.L.S DATED SEPT 05, 1984
FDN	DENOTES FOUNDATION
---	DENOTES SUBJECT LANDS BOUNDARY
---	DENOTES DEED LINE
---	DENOTES LOT LINE
---	DENOTES LIMIT OF STREET
-X-X-	DENOTES FENCE LINE
1135	DENOTES LAWENCE GEORGE WOODS O.L.S.
--- ---	DENOTES OVER HEAD WIRE

THIS PLAN WAS SIGNED WITH A SCANNED SIGNATURE AS A RESULT OF THE EMERGENCY ORDER RELATED TO THE COVID-19 PANDEMIC

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

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF UPPER JAMES STREET HAVING A BEARING OF N21°00'50"E AS SHOWN ON PLAN 62R18772

PART 2 - SURVEY REPORT

- 1) THE FENCES ARE NOT ALWAYS ON THE PROPERTY LINES.
- 2) THE EASTERLY SIDE OF THE BUILDING ON THE SUBJECT PROPERTY IS ENCHROACHING THE STREET LIMIT AS SHOWN ON THE PLAN
- 3) THE PORCH OF THE BUILDING ON SUBJECT PROPERTY IS ENCHROACHING THE STREET LIMIT AS SHOWN ON THE PLAN.

THIS SURVEY IS PREPARED EXCLUSIVELY FOR KELSEY HAMMERTON AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHERS.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON AUGUST 06, 2020.

DATE: AUGUST 11, 2020.

THOMAS GONDO
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2126236



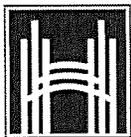
Lejan land Surveying Inc. DWN BY: AS

572 Barton Street
Stoney Creek, ON L8E 5N3
Phone: 905-643.6131
Email: info@lejansurveying.ca

CHK BY: TG

JOB No. 20-062

FENNEL AVENUE



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:194

APPLICANTS: Giuseppe DiSalvo

SUBJECT PROPERTY: Municipal address **684 Upper James St., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 17:240

ZONING: "C2" (Neighbourhood Commercial) district

PROPOSAL: To convert the existing single-family dwelling into a commercial use (Personal Services) on the Main and Second Floor along with one dwelling unit in the basement notwithstanding that;

1. A dwelling unit having 84.0 m² of floor area shall be located in the basement whereas the By-Law states under Section 10.2.1.1 ii) that a Dwelling Unit(s) in conjunction with a commercial use shall only be permitted above the ground floor and shall not occupy more than 50 % of the total gross floor area of all the buildings within the lot.

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

DATE: Thursday, October 22nd, 2020

TIME: 3:15 p.m.

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

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

PUBLIC INPUT

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

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

MORE INFORMATION

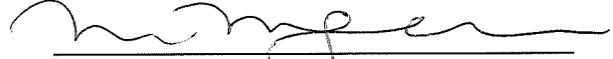
For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment

HM/A-20:194
Page 2

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

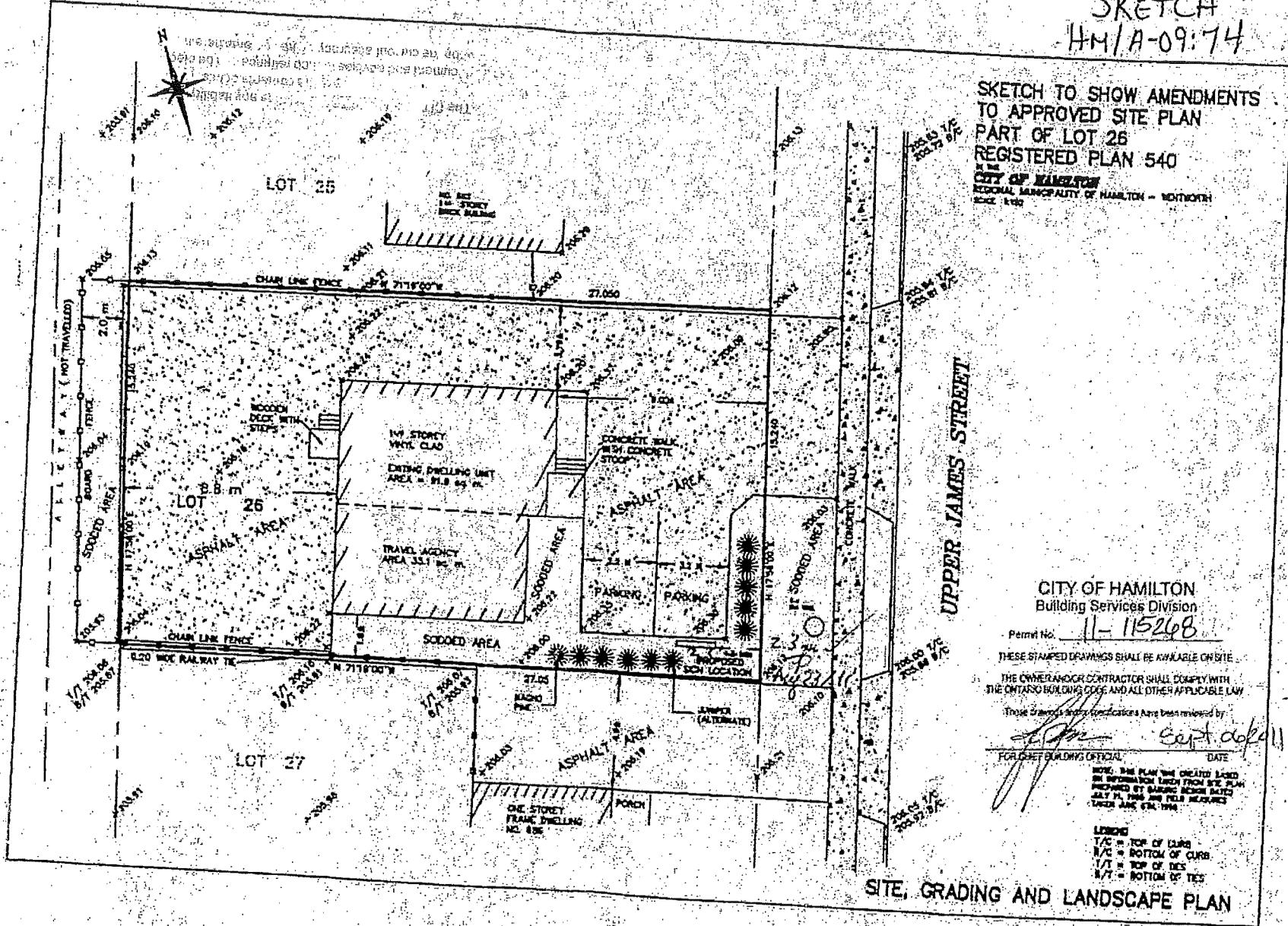
DATED: October 6th, 2020.



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.

2.7 m wide
6.0 m long
SKETCH
HM/A-09:74



SKETCH TO SHOW AMENDMENTS
TO APPROVED SITE PLAN
PART OF LOT 26
REGISTERED PLAN 540
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
2002

CITY OF HAMILTON
Building Services Division

Permit No. 11-115268

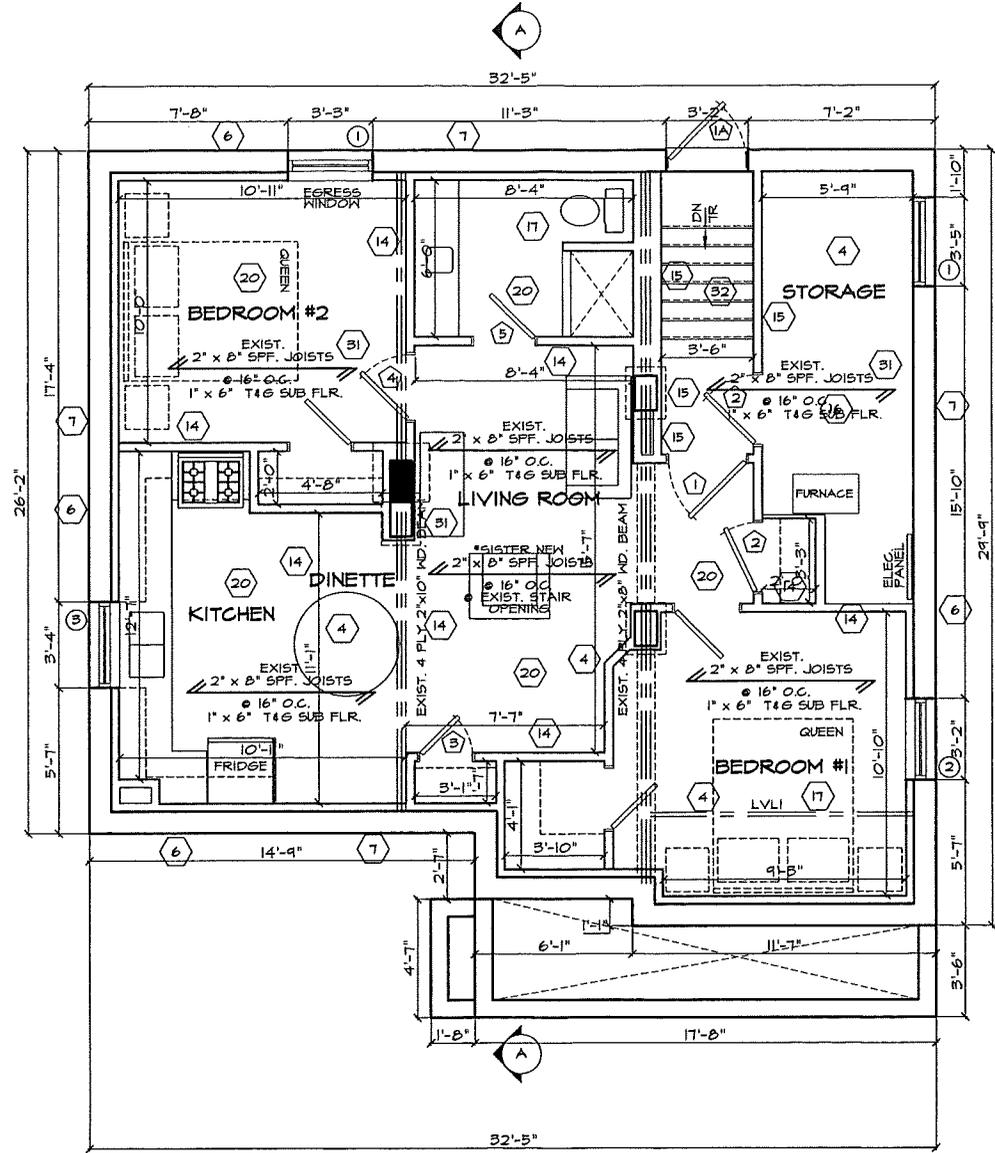
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE.
THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH
THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW.

These drawings and specifications have been reviewed by:
[Signature] Capt. [Name]
FOR SHEET BUILDINGS OFFICIAL DATE

NOTE: THIS PLAN WAS CREATED BASED
ON INFORMATION TAKEN FROM THE PLAN
REVIEWED BY BARRIS DESIGN INC. ON
JULY 14, 1998 AND FIELD MEASUREMENTS
TAKEN AND VERIFIED

LEGEND
T/C = TOP OF CURB
B/C = BOTTOM OF CURB
T/S = TOP OF DECK
B/S = BOTTOM OF DECK

SITE, GRADING AND LANDSCAPE PLAN



NOTE: ELECTRICAL, GAS AND VENT LOCATIONS ARE SCHEMATIC ONLY. TO BE CO-ORDINATED WITH ELECTRICAL AND MECHANICAL CONTRACTORS.

BASEMENT PLAN
SCALE: 3/16" = 1'-0"
EXISTING : 904.7 SqFt

GENERAL NOTES

THIS DRAWING IS THE PROPERTY OF DESIGN-ONE ARCHITECTURAL DESIGN AND MAY NOT BE USED OR REPRODUCED WITHOUT EXPRESSED CONSENT.

THE DESIGNER HAS BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUB-CONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND THE ONTARIO BUILDING AND MUNICIPAL CODES.

THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS REQUIRED TO PERFORM THE WORK AND SHALL REPORT ANY DISCREPANCIES WITH THE CONTRACT DOCUMENTS TO THE DESIGNER.

ENGINEERED TRUSS DRAWINGS TO BE SUBMITTED TO THE DESIGNER FOR THE CO-ORDINATION OF STRUCTURE.

No.	DESCRIPTION	DATE

Design-One
Architectural Design

92 Auchmar Rd.
Hamilton, Ont. L8C 1C5
(289) 308-7664
dcsignonearch@outlook.com



PROJECT

SALON DISALVO
RENOVATION / ADDITION

684 Upper James St.
Hamilton, Ontario

NEW.

SHEET TITLE	
EXIST. BASEMENT	
SCALE: AS NOTED	DATE: AUG. 2, 2019
DRAWN BY: L.A.G.	ACAD FILE: DISALVO.DWG
PROJECT No: 2019-004	SHEET No: AI



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

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

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

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

20-182855

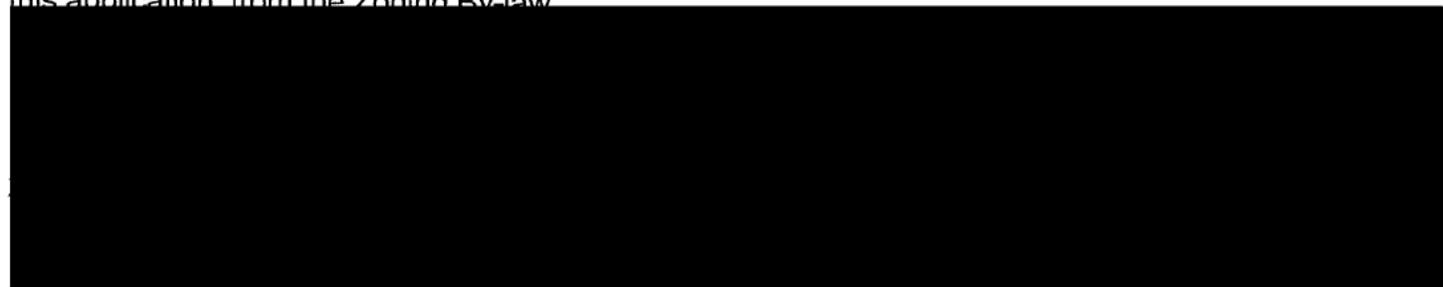
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:194</u>	DATE APPLICATION RECEIVED <u>Sept. 10/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**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.



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

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

6. Nature and extent of relief applied for:

BASEMENT SPOTLIGHT.

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

I operate a hair salon

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

684 Upper James St.

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

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

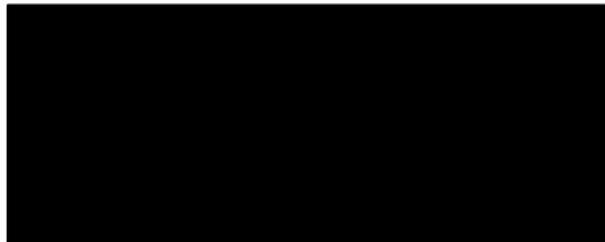
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

Date _____



10. Dimensions of lands affected:

Frontage _____
 Depth _____
 Area _____
 Width of street _____

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

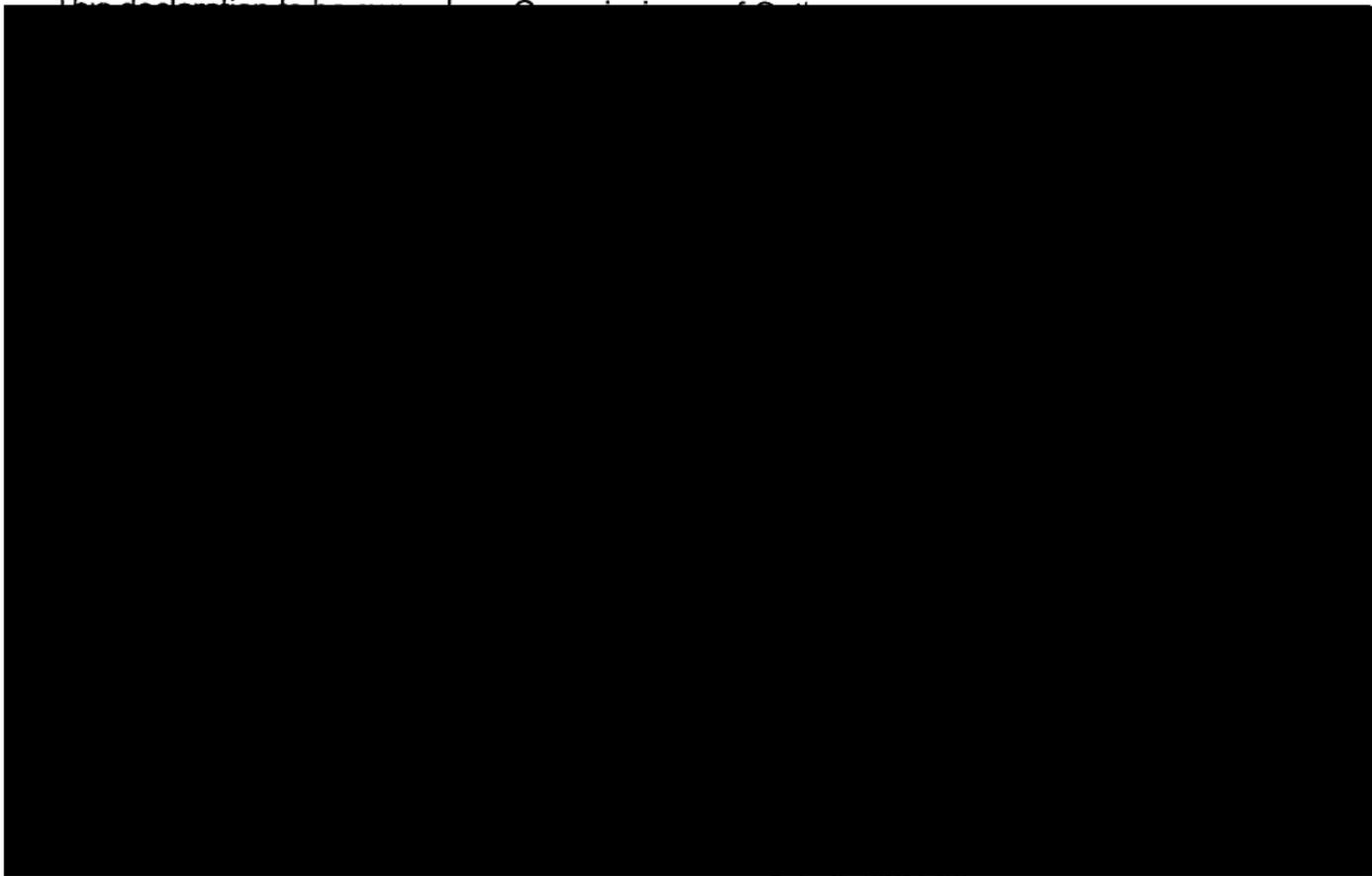
Existing: MAIN FLOOR 920.7 # 84.05 m²
SECOND FLOOR 461.5 # 42.87 m²

Proposed: BASEMENT APARTMENT
 904.7 # 83.05 m²

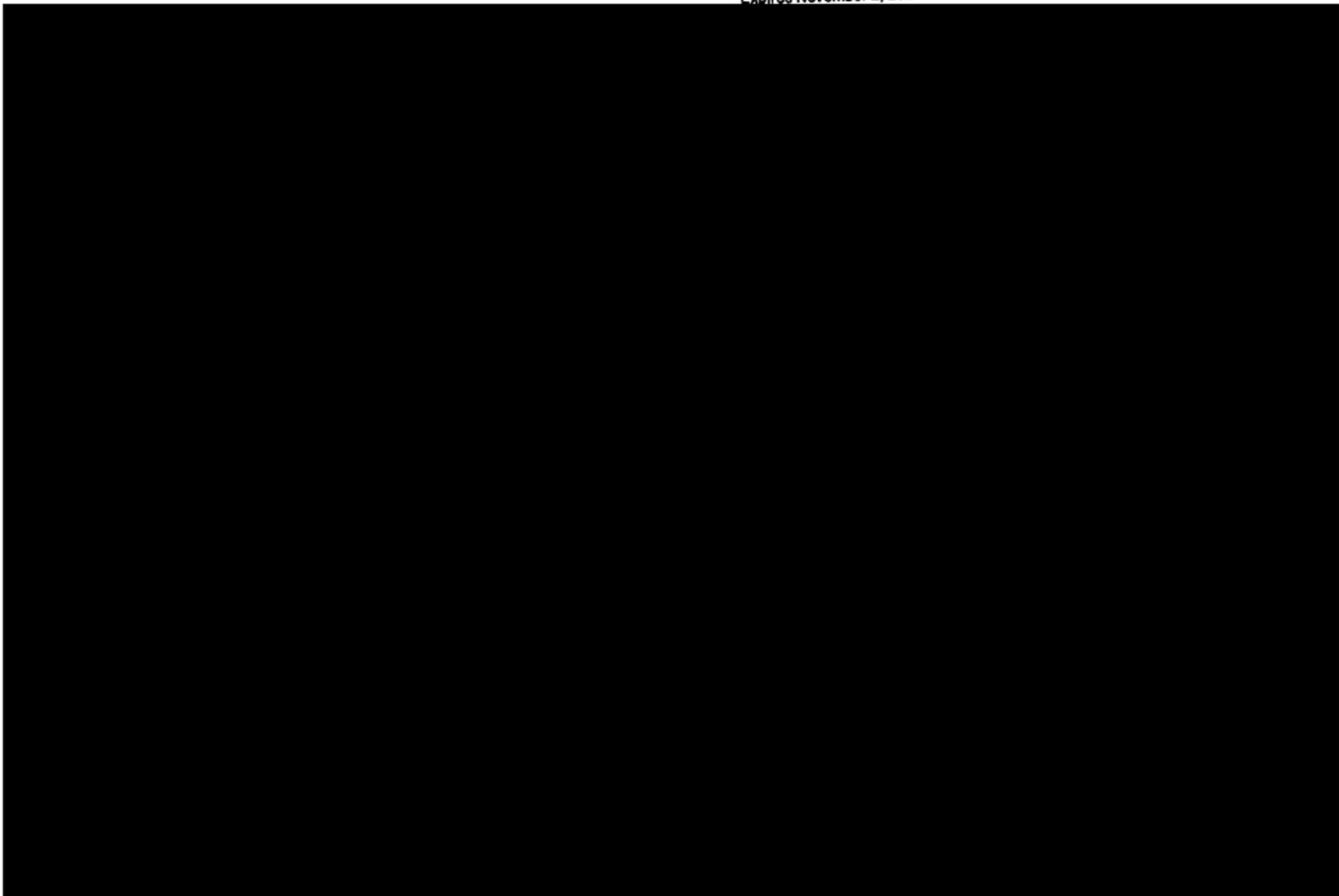
12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be made by the Officer in Charge of the



Expires November 2, 2021.



PART 27 PERMISSION TO ENTER

Date: _____

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

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 604 UPPER JAMES ST.
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____ day of _____, 20_____.

BETWEEN



hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____ with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to or

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at _____ this _____ day of _____, 20 ____.

WITNESS

Per:
I have authority to bind the corporation.

WITNESS

Per:
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 ____.

BETWEEN



OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner:
Title:
I have authority to bind the corporation

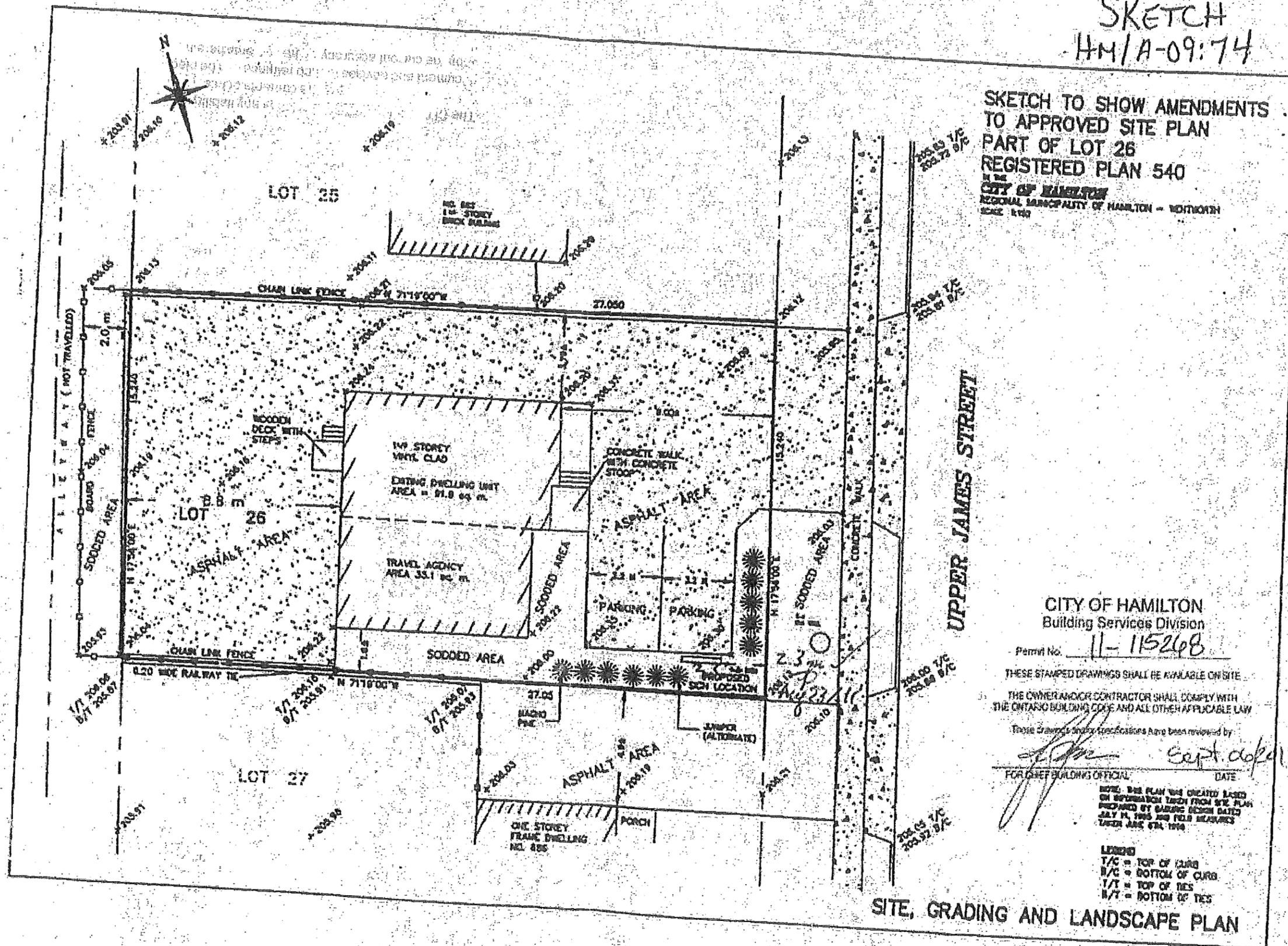
Assignee:
Title:
I have authority to bind the corporation

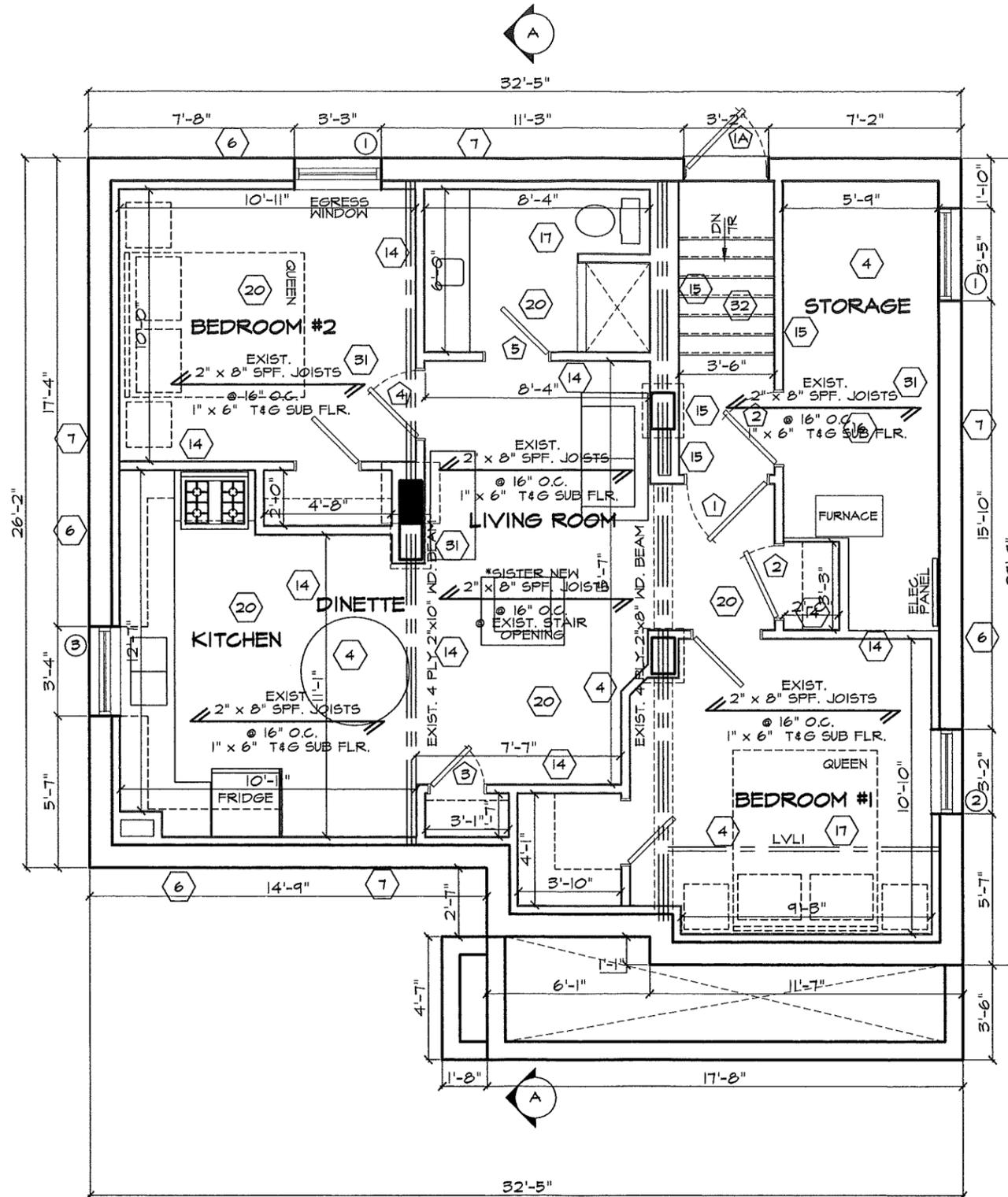
CITY OF HAMILTON

Mayor

Clerk

2.7 m wide
6.0 m long.
SKETCH
HM/A-09:74





NOTE: ELECTRICAL, GAS AND VENT LOCATIONS ARE SCHEMATIC ONLY. TO BE CO-ORDINATED WITH ELECTRICAL AND MECHANICAL CONTRACTORS.

BASEMENT PLAN

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

EXISTING : 904.7 SqFt

GENERAL NOTES

THIS DRAWING IS THE PROPERTY OF DESIGN-ONE ARCHITECTURAL DESIGN AND MAY NOT BE USED OR REPRODUCED WITHOUT EXPRESSED CONSENT.

THE DESIGNER HAS BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUB-CONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND THE ONTARIO BUILDING AND MUNICIPAL CODES.

THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS REQUIRED TO PERFORM THE WORK AND SHALL REPORT ANY DISCREPANCIES WITH THE CONTRACT DOCUMENTS TO THE DESIGNER.

ENGINEERED TRUSS DRAWINGS TO BE SUBMITTED TO THE DESIGNER FOR THE CO-ORDINATION OF STRUCTURE.

No.	DESCRIPTION	DATE

Design-One

Architectural Design

92 Auchmar Rd.
Hamilton, Ont. L9C 1C5
(289) 308-7664
designonearch@outlook.com



PROJECT

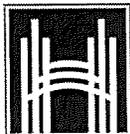
**SALON DISALVO
RENOVATION / ADDITION**

684 Upper James St.
Hamilton, Ontario

SHEET TITLE

EXIST. BASEMENT

SCALE: AS NOTED	DATE: AUG. 2, 2019
DRAWN BY: L.A.G.	ACAD FILE: DISALVO.DWG
PROJECT No: 2019-004	SHEET No: AI



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:197

APPLICANTS: D. & A. Eigenbrood

SUBJECT PROPERTY: Municipal address **600 Upper Kenilworth Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 92-281

ZONING: "C" (Urban Protected Residential and etc.) district

PROPOSAL: To permit the conversion of a single family dwelling for the purpose of creating a second dwelling unit under Section 19 of the Zoning By-law, notwithstanding that:

1. Parking for two parking spaces shall be permitted in the front yard and the minimum area of the front yard shall consist of 22% landscaped area, whereas only one parking space is permitted to be located in the front yard and the required minimum landscaped area for the front yard is 50%.
2. No manoeuvring spaces shall be provided for any of the parking spaces, whereas one manoeuvring space is required for a parking space that is located in the front yard.

NOTES:

1. The variances are written as requested by the applicant.
2. The property is a corner lot. The frontage of the property is recognized as being along Upper Kenilworth Avenue and the flankage side is along Mohawk Road. The property frontage is reduced by the dedication requirements for a 12m x 12m daylight triangle for the corner intersection.

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

DATE: Thursday, October 22nd, 2020

TIME: 3:20 p.m.

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you
 .../2

HM/A-20:197
Page 2

may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

MORE INFORMATION

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

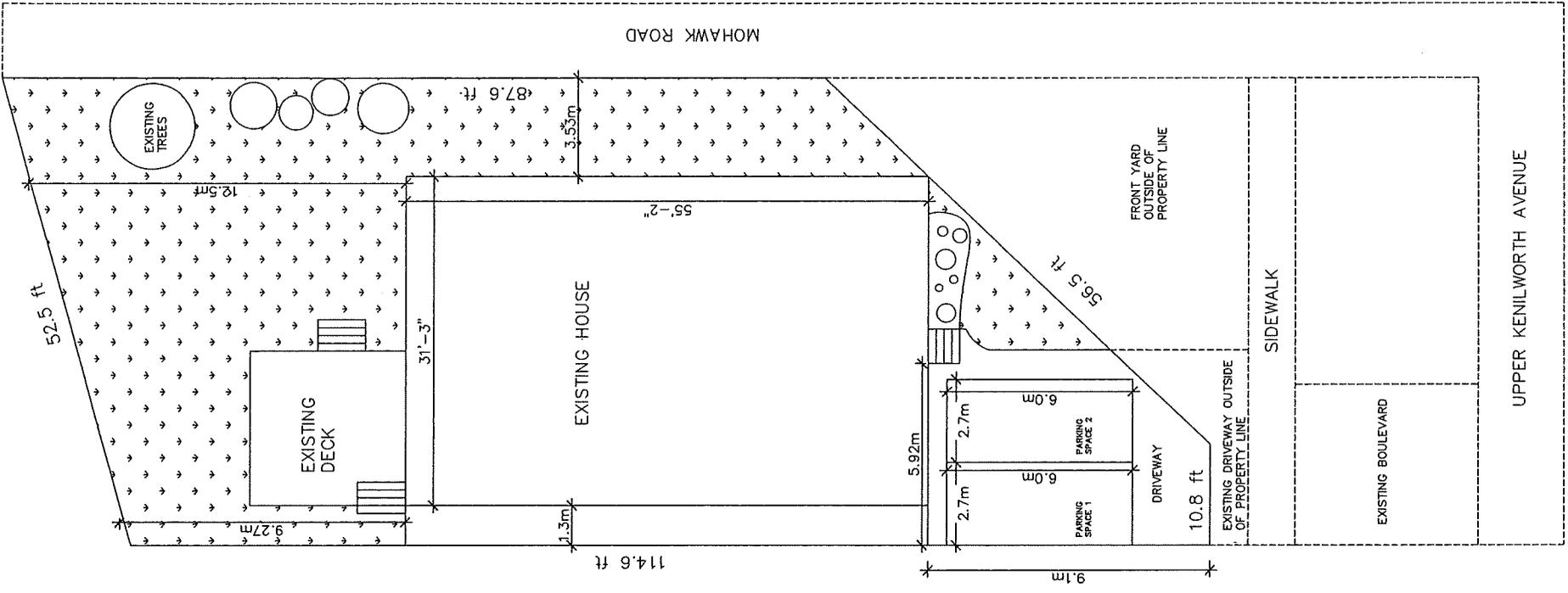
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 6th, 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:
 - Lot Area: 486m²
 - Front Yard is 22% landscaped within property lot line. Yard and driveway extend beyond property lot line

600 Upper Kenilworth Avenue
 Hamilton, Ontario L8T 4T1

SITE PLAN			
DWG NO:	SHEET NO:	SCALE:	DRAWN BY:
SP1	01	1/16" = 1'	A. EIGENBROOD



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

20-183493

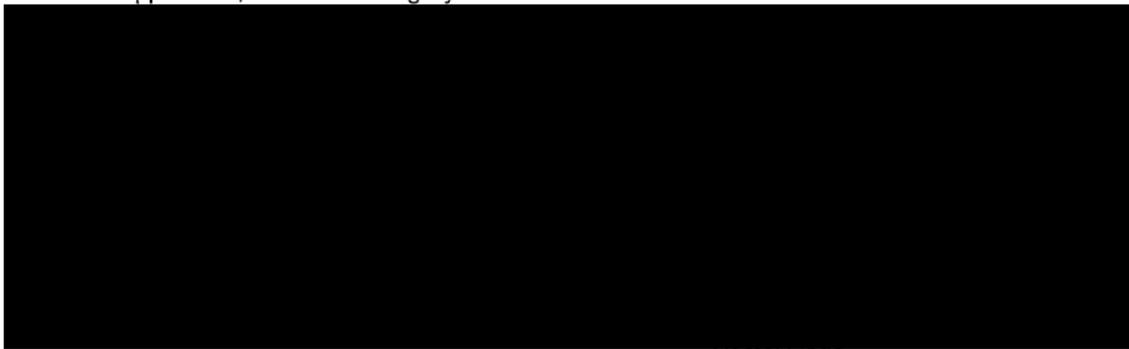
FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20:197</u>	DATE APPLICATION RECEIVED <u>Sept. 14/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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

The Planning Act

Application for Minor Variance or for Permission

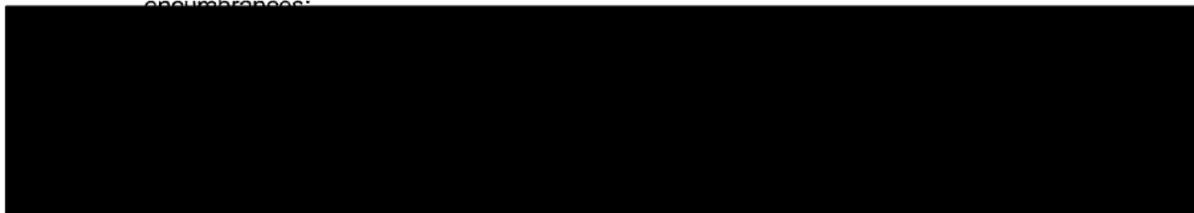
The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.



Postal Code _____

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

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



6. Nature and extent of relief applied for:

- 1) Two of the required parking spaces is permitted to be in the front yard whereas the By-Law states only one is permitted in front yard
- 2) The front yard landscaped area shall be a minimum of 22% of the gross area of the front yard instead of the minimum 50% required front yard landscaped area.

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

Property lot line cuts across existing driveway and front yard (daylighting triangle) which prevents compliance of the landscape requirement. Side yard and rear yard does not permit for parking. Only a portion of the front yard and driveway is located within the property lot lines, even though maintained by owner.

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

600 Upper Kenilworth Avenue
Property # 2518 060 5710 0140
Plan M120 Lot 23

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

N/A

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Personal knowledge. Property has been residential use since 1974. We have owned property since 2011

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 (subject to the City of Hamilton's reason of its approval to this Application.

Sept. 9/2020
Date

10. Dimensions of lands affected:

Frontage 10.80 ft
Depth 114.51 ft
Area 0.12 acres
Width of street 44 ft

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

Existing: Single Family Dwelling (Single Storey)
Main Floor Area: 1317 sq. ft.
Basement Area: 1432 sq. ft.
Width = 31'3" Length = 55'2" Height = 17' (to top of roof)
Proposed: Two Family Dwelling / Legal Duplex (Single Storey)
All existing floor areas and exterior dimensions will remain the 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: Rear (North side) = 12.5m Rear (South side) = 9.27m
North side = 3.53m South side = 1.3m
Front (south side) = 9.1m

Proposed: Same as existing.

13. Date of acquisition of subject lands:
August 26, 2011

14. Date of construction of all buildings and structures on subject lands:
1974

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:
46+ 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:
Schedule E and E-1: Neighbourhoods

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"C" Urban Protected Residential, etc.

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

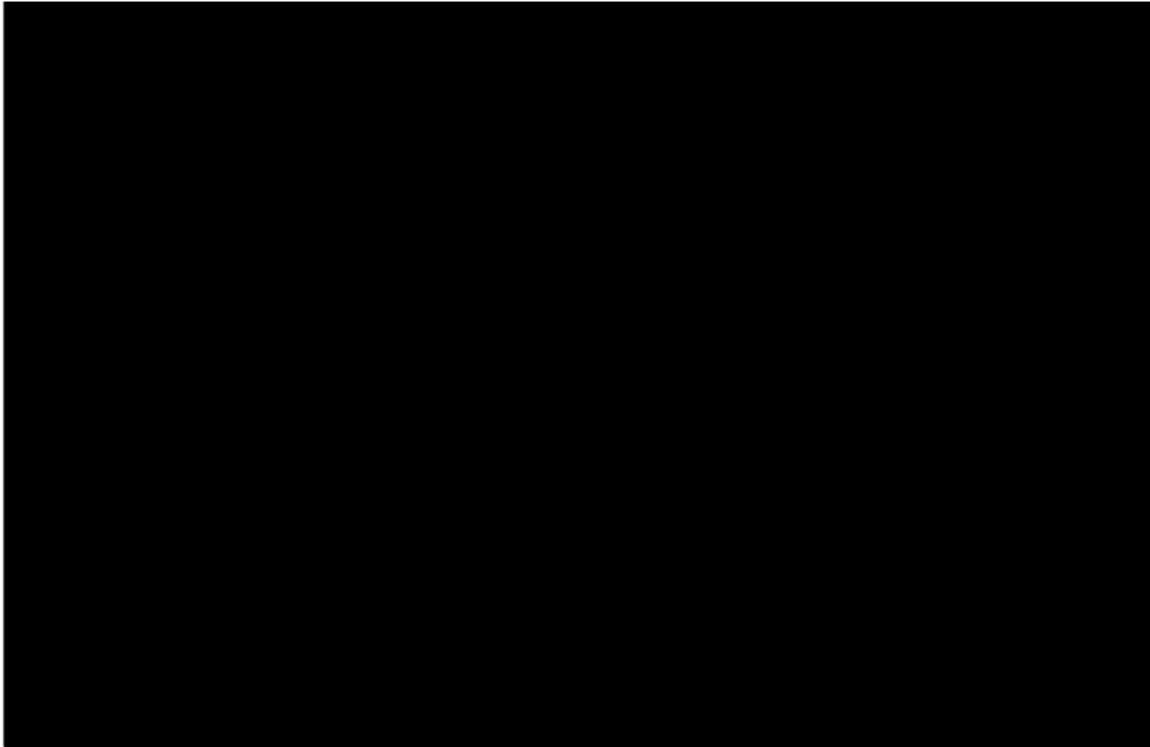
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No

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

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

PART 24 AFFIDAVIT OR SWORN DECLARATION



PART 25 OWNERS AUTHORIZATION

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

_____ of _____

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

DATE _____ SIGNED _____

PART 26 CONSENT OF THE OWNER

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

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

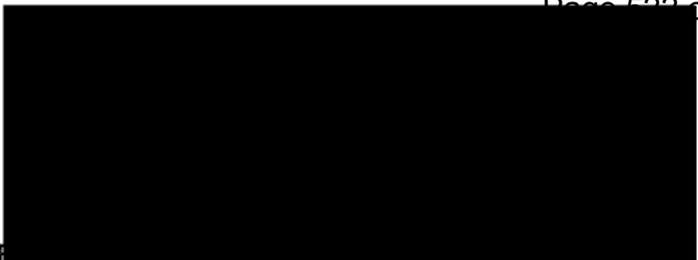
Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, _____ policy of the City of Hamilton to provide _____ and supporting documentation submitted



Owner, hereby agree and acknowledge

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

Sept. 9/2020
Date



PART 27 PERMISSION TO ENTER

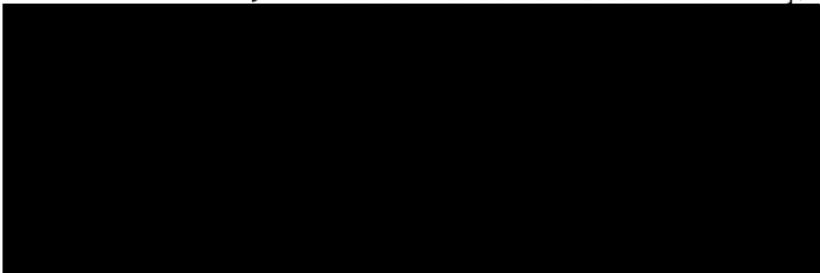
Date: Sept. 9/2020

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

Dear Secretary/Treasurer;
Re: Application to Committee of Adjustment

Location of Land: 600 Upper Kenilworth Avenue
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the
property for the limited



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

PART 28 COLLECTION OF INFORMATION

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 5th day of September, 20 20.

BETWEEN



-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated 09/09/2020, with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

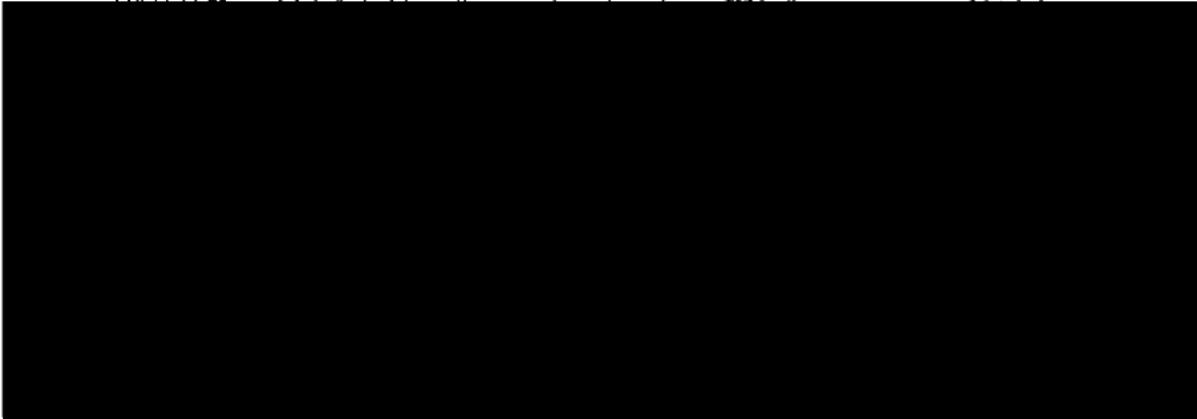
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Simcoe this 9 day of Sept, 2020



City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 ____ .

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except

for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner: _____ c/s
Title:
I have authority to bind the corporation

Assignee: _____ c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

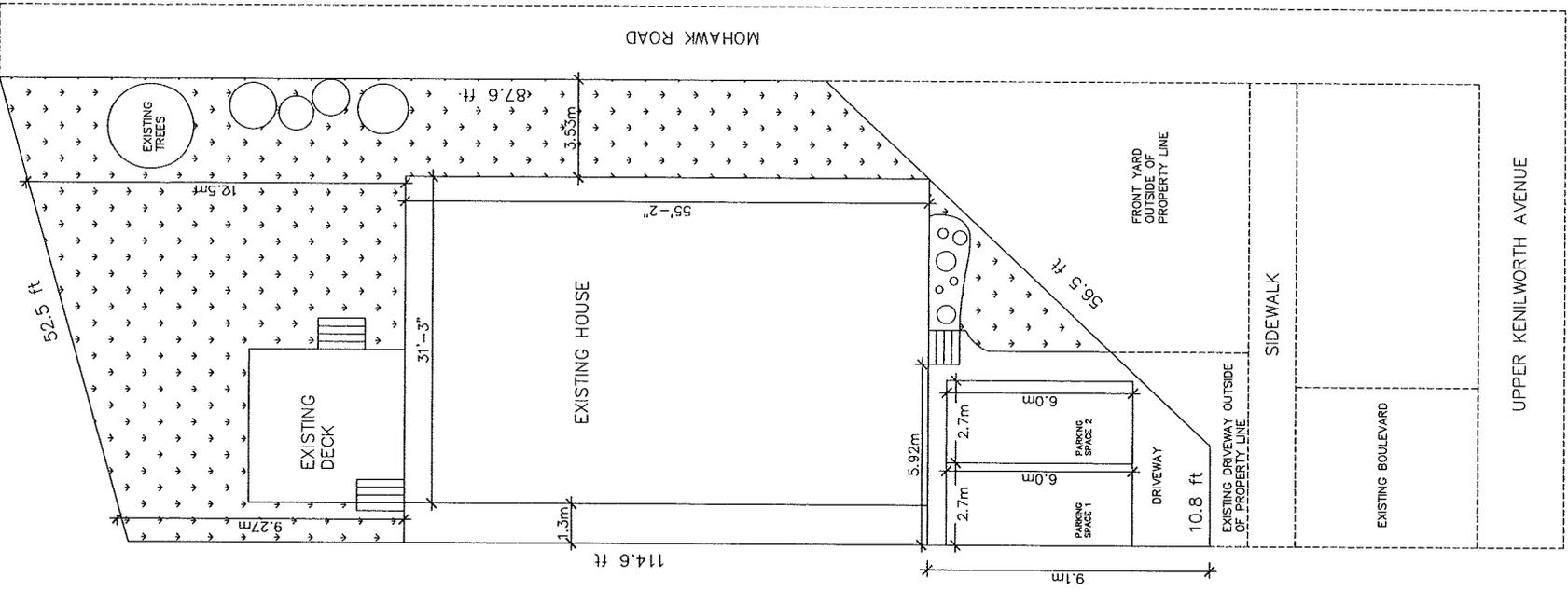
Mayor

Clerk



GENERAL NOTES:

- Lot Area: 486m²
- Front Yard is 22% landscaped within property lot line. Yard and driveway extend beyond property lot line



600 Upper Kenilworth Avenue
Hamilton, Ontario L8T 4T1

SITE PLAN

DWG NO:	SPT	SHEET NO:	01	SCALE:	1/16" = 1'	DRAWN BY:	A. EIGENBROOD
---------	-----	-----------	----	--------	------------	-----------	---------------