



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 21-2
Date: February 4, 2021
Time: 1:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall - ROOM 264

All electronic meetings can be viewed at:

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

City's Youtube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

	Pages
1. PREVIOUSLY TABLED	
2. URBAN	
2.1. 1:20 p.m.HM/B-20:97227 Maplewood Ave., Hamilton(Ward 3) Agent Kirk McPherson Owner Taras Shevchenko Home for the Aged	5
2.2. 1:30 p.m.HM/A-20:277120 McAnulty Blvd., Hamilton(Ward 4) Owners Garry Ball & Debra Gaeler	17
2.3. 1:35 p.m.HM/B-21:01&HM/A-21:02646 and 652 Parkdale Ave. N., Hamilton(Ward 4) Owner 2682168 Ontario Corp.	35
2.4. 1:40 p.m. HM/A-20:217, HM/B-20:68, HM/B-20:69, HM/B-20:70 322 Mt. Albion Rd., Hamilton(Ward 5) Agent Fothergill Planning Owners A & L Colallilo	55

- 2.5. 1:45 p.m.HM/A-20:287555 Bay St. N., Hamilton(Ward 2) 105
Agent Sadee Piper
Owner David Elliot
- 2.6. 1:50 p.m.HM/A-20:274 & HM/B-20:94130 Huxley Ave S., Hamilton(Ward 4) 115
Agent Urban Solutions c/o M. Johnston
Owner Stephen Ford

3. SUBURBAN

- 3.1. 1:55 p.m.AN/A-20:2861040 Garner Rd. W., Ancaster(Ward 12) 135
Agent Urban Solutions c/o S. Manchia
Owner Garner Investments Inc.
- 3.2. 2:00 p.m.SC/A-20:275184 Winona Rd., Stoney Creek(Ward 10) 145
Agent Sadee Piper
Owner Luc Lapensee
- 3.3. 2:05 p.m.HM/B-20:98224 Eaglewood Dr., Hamilton(Ward 6) 157
Agent A. J Clarke & Assoc. c/o Steven Fraser
Owner Sym Construction Inc.
- 3.4. 2:10 p.m.HM/B-20:63832 Upper Wenworth St., Hamilton(Ward 7) 171
Agent Agostino Calandrino
Owner Jorge Rodriguez
- 3.5. 2:15 p.m.HM/A-20:28353 Stonechurch Rd. W., Hamilton(Ward 8) 183
Agent T.Johns Consulting c/o Diana Morris
Owner Jafaar Muhsen
- 3.6. 2:20 p.m.SC/A-20:248 & SC/B-20:78 32 Trillium Ave., Stoney Creek(Ward 10) 201
Agent Jim Colalillo
Owner Kennedy Colalillo
- 3.7. 2:25 p.m.SC/A-20:2811031 North Service Rd., Stoney Creek(Ward 10) 239
Agent Julia Mancini
Owner Amer Murad & Trina Sager

3.8. 2:30 p.m.SC/A-20:282325 Dewitt Rd., Stoney Creek(Ward 10) 253

Owners Kathleen Keebler & Michael Kirk

4. RURAL

4.1. 2:45 p.m.SC/B-20:95136,144 & 146 Upper Mt. Albion Rd(Ward 9) 313

Agent Bousfields Inc c/o D. Falletta

Owner 2178872 Ontario Inc. c/o L. Kelso

4.2. 2:50 p.m.GL/A-20:2797285 English Church Rd., Glanbrook(Ward 11) 339

Agent Structured Creations c/o D. Sanger-Smith

Owners B & L Dupuis

4.3. 2:55 p.m.AN/B-20:89, AN/B-20:90, AN/B-20:9115 Church St.,
Ancaster(Ward 12) 351

Agent WEBB Planning

Owner 2692544 Ontario Inc.

4.4. 3:00 p.m.DN/A-20:278189 Melville St., Dundas(Ward 13) 393

Agent Danielle DesJardins

Owner Don Oakie

4.5. 3:05 p.m.FL/A-20:28535 Taylor Cres, Flamborough(Ward 13) 401

Agent Lucas Kokot

Owner Matthew Henderson

4.6. 3:10 p.m.FL/A-20:276 & FL/B-20:9644 Main St. N., Flamborough(Ward
15) 409

Owners Ralph, Anthony & Nino Naccarato

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

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:97

SUBJECT PROPERTY: 227 Maplewood Ave., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S):

Owner: Taras Shevchenko Home for the Aged
 Agent: Kirk McPherson

PURPOSE OF APPLICATION:

To permit the conveyance of a parcel of land known as 229 Maplewood Ave and to retain a parcel of land known as 227 Maplewood Ave. each containing an existing dwelling. These properties inadvertently merged in title and the owner wishes to recreate the two original lots.

Severed lands:

7.3m[±] x 35.8m[±] and an area of 202m^{2±}

Retained lands:

8.2m[±] x 35.8m[±] and an area of 262m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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

PUBLIC INPUT

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

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

HM/B-20:97
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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: January 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED
COMPLETED ON THE 27th DAY

Nov 29, 1984

BOOK

LEGEND

BEARINGS ARE ASTRONOMIC AND
NORTHERLY LIMIT OF MAPLEWOOD
PLAN 62R-6087 HAVING A B

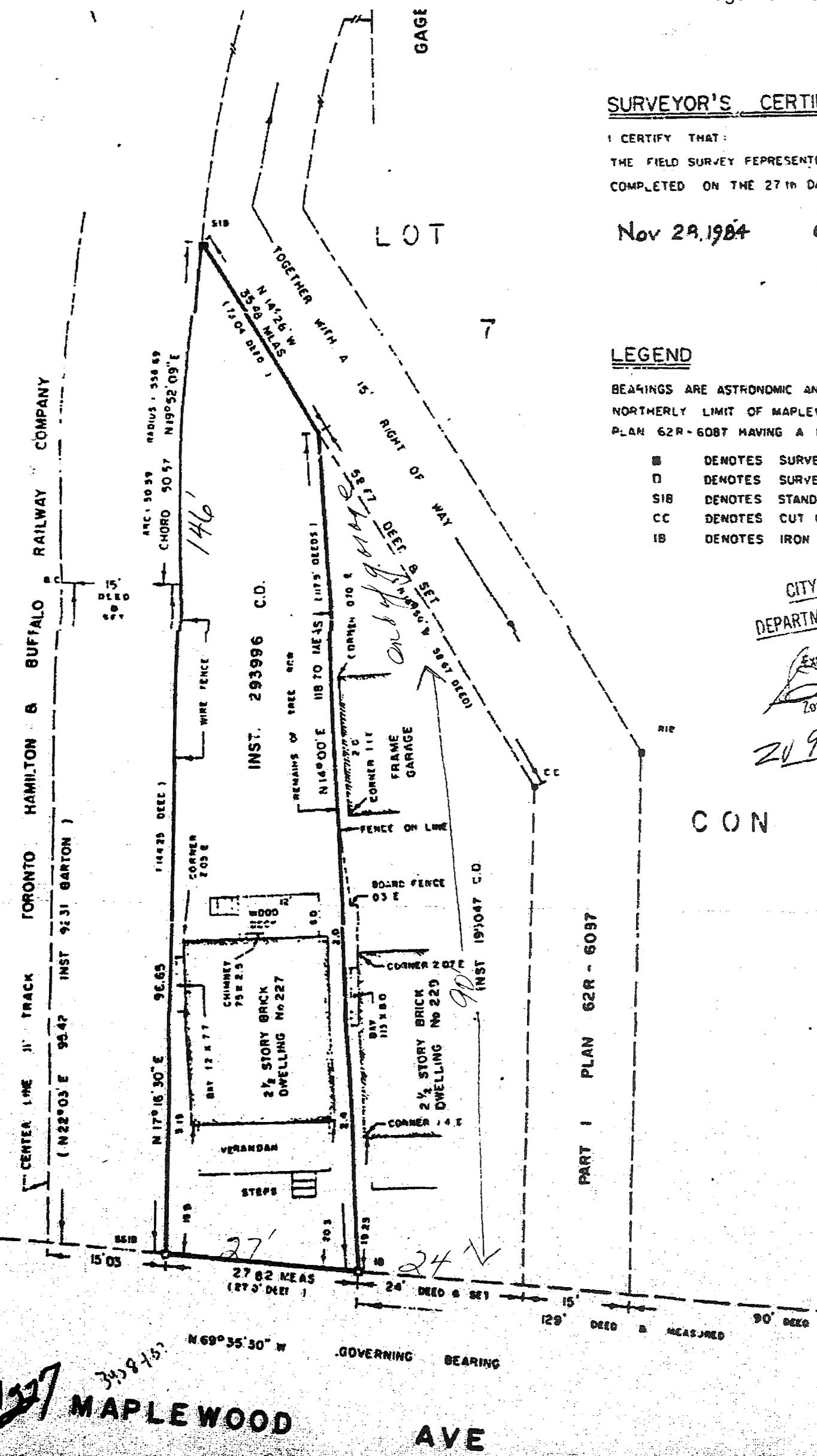
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- CC DENOTES CUT CORNER
- IB DENOTES IRON

CITY
DEPARTMENT

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CON



CENTER LINE 31' TRACK TORONTO HAMILTON & BUFFALO RAILWAY COMPANY

PART 1 PLAN 62R-6087

GOVERNING BEARING

MAPLEWOOD

AVE



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.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	TARAS SHEVCHENKO HOME FOR THE AGED		
Applicant(s)*	TARAS SHEVCHENKO HOME FOR THE AGED		
Agent or Solicitor	KIRK R. MCPHERSON		

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality HAMILTON	Lot 7	Concession 3	Former Township BARTON
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 227 MAPLEWOOD AVENUE HAMILTON ON			Assessment Roll N°. 030-252-03760-000

2.2 Are there any easements or restrictive covenants affecting the subject land?
 Yes No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

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

- creation of a new lot
- addition to a lot
- an easement
- Other: a charge
- a lease
- a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

PETER PAPANAUUM

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

N/A, the purpose of this application is to unmerge lands that were accidentally merged years ago.

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)
7.3m	35.8m	.05 acres

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: 1 building

Proposed: no change

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)
7.315	35.814	261.98

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: 1 building

Proposed: no change

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Residential

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

The lands at 229 Maple Wood Avenue, bought the lands at 227 Maple Wood Avenue. They're two individual lots each with a house on them, but title hasn't put into the name of Taras Shevchenko Home for the for both lots. The intention is to unmerge the lots by way of severance and to sell 229

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? Single family residential

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?
These lands have been held for some time.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No

It's in the application consisting with the provincial policy.

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)

N/A

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

Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

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

Yes No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

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

Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

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

Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?
owned the property since October 22/1997

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

9 OTHER APPLICATIONS

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 Type of Application (select type and complete appropriate sections)

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

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
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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):
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Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-20:277

APPLICANTS: Garry Ball & Debra Gaeler, owners

SUBJECT PROPERTY: Municipal address **120 McAnulty Blvd., Hamilton**

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

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district

PROPOSAL: To Construct a 3.28m (10.75') x 4.06m (13.3') one storey rear addition (labelled "porch overhang") and a 2.29m (7.5') x 4.06m (13.3') uncovered rear porch at the first storey onto the existing single family dwelling and to recognize the location of two (2) existing sheds notwithstanding that:

1. A minimum westerly side yard width of 0.1m shall be provided for the rear addition instead of the minimum required westerly side yard width of 0.9m.
2. The existing easterly shed shall be distant at least 0.2m from the easterly side lot line instead of the requirement that accessory buildings shall be distant at least 0.45m from the nearest side lot line.
3. The eaves and gutters on the existing easterly shed shall be permitted to project a maximum of 0.2m into the required easterly side yard and shall be 0.0m from the easterly side lot line instead of the requirement that eaves and gutter may project into a required side yard not more than one-half of its width (being 0.1m) and shall be distant at least 0.1m from the nearest side lot line.
4. The eaves and gutters on the existing westerly shed shall be permitted to project a maximum of 0.35m into the required westerly side yard and shall be 0.1m from the westerly side lot line instead of the requirement that eaves and gutter may project into a required side yard (being 0.45m) not more than one-half of its width (being 0.225m) and shall be distant at least 0.225m from the nearest side lot line.

NOTE:

- i) The rear "porch overhang" is actually considered an addition due to the partial wall along westerly side.
- ii) Pursuant to Variance # 3 above, the eavestrough of the easterly shed is shown to project 4" (0.10m) over the easterly lot line and onto the neighbouring abutting lot to the east. As such, the following is required:

HM/A-20:277

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- an Encroachment Agreement and Maintenance Easement with the abutting easterly neighbor is required; or,
- the eaves and gutters shall be removed so that they are located entirely on the subject lands; or,
- the shed shall be moved so that the shed including its eaves and gutter (eavestrough) are located entirely on the subject lands.

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

DATE: Thursday, February 4th, 2021
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: January 19th, 2021.

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.

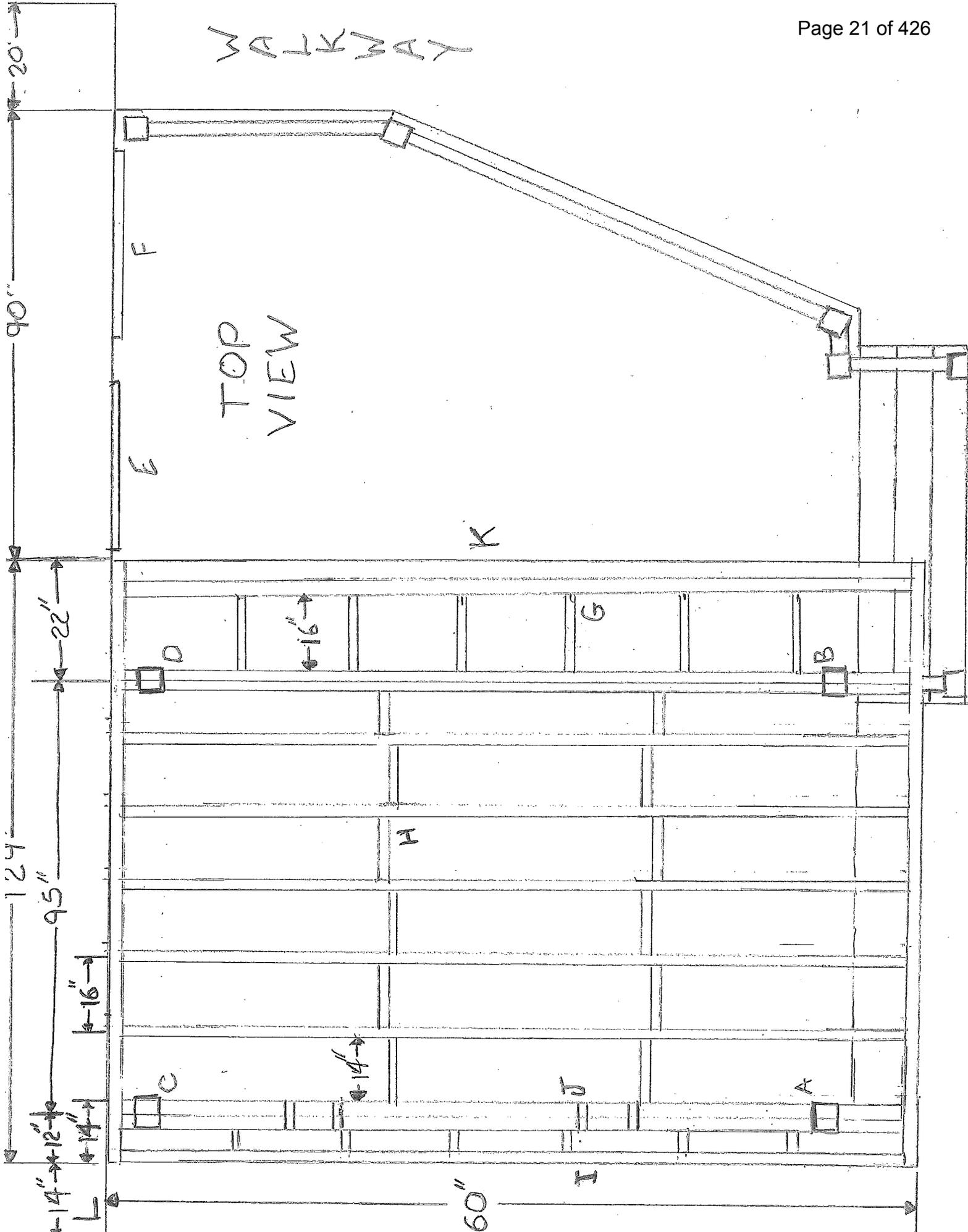
120 MCANULTY BLVD.
HAMILTON, ON. L8H 3H4
APPLICATION # 20-181781-00R9

TOP VIEW PARTS LIST

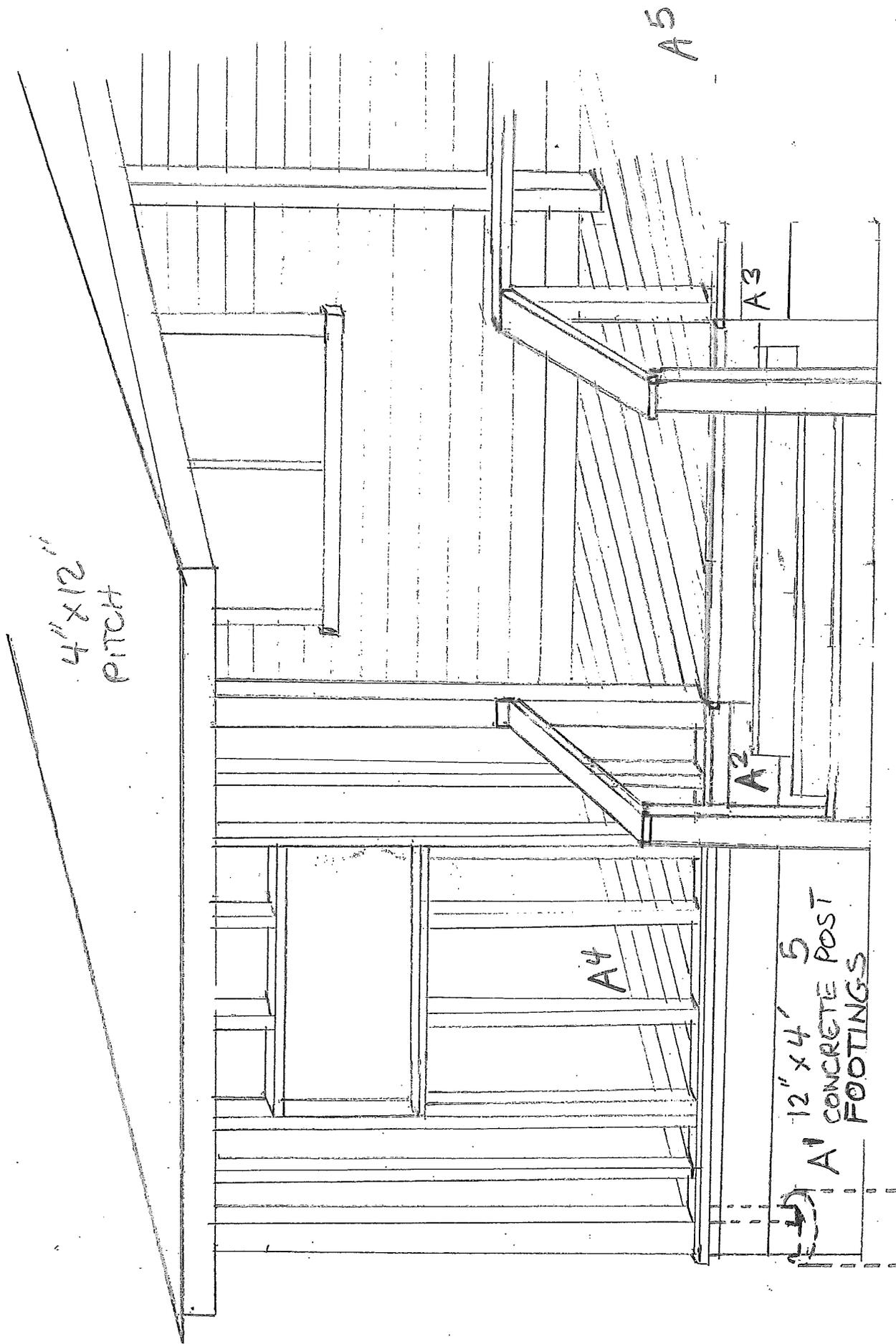
- 8- 4" x 4" POST ANCHORS
- 4- 2" x 4" JOIST HANGERS
- 24- 2" x 6" JOIST HANGERS
- 6- 4" x 6" JOIST HANGERS
- 3 1/2" - #10 DECK SCREWS
- 1 1/2" #8 - DECK SCREWS
- 4" x 4" POST DISTANCE
BETWEEN A AND B 95"
BETWEEN C AND D 95"
- E - BACK DOOR
- F - WINDOW
- G - 6- 2" x 6" x 16"
- H - 10- 2" x 6" x 14"
- I - 6- 2" x 6" x 8"
- J - 4- 2" x 4"
- K - 14- 2" x 6" x 156"
- L - ROOF OVERHANG 14"

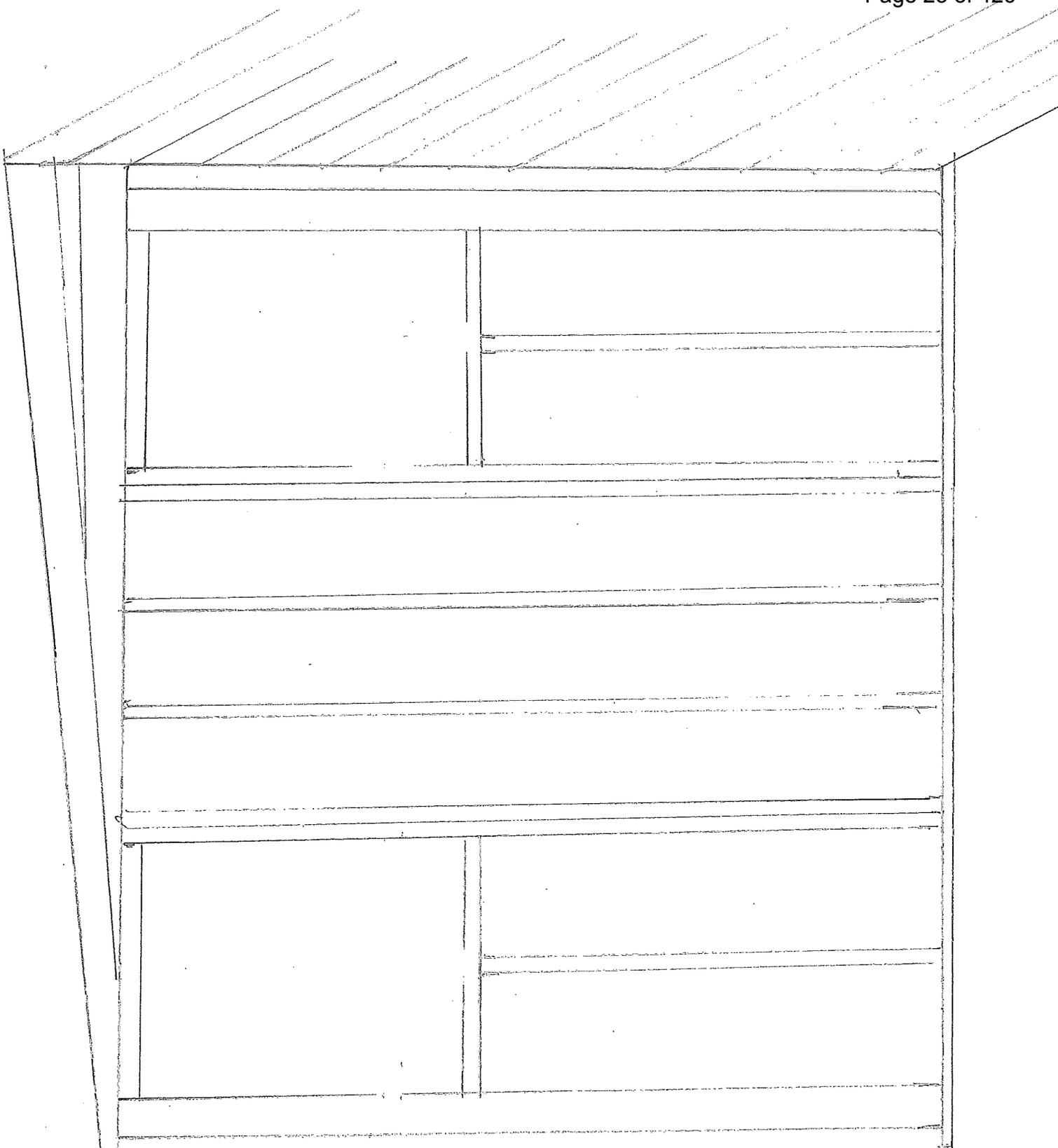
WALKWAY

TOP VIEW

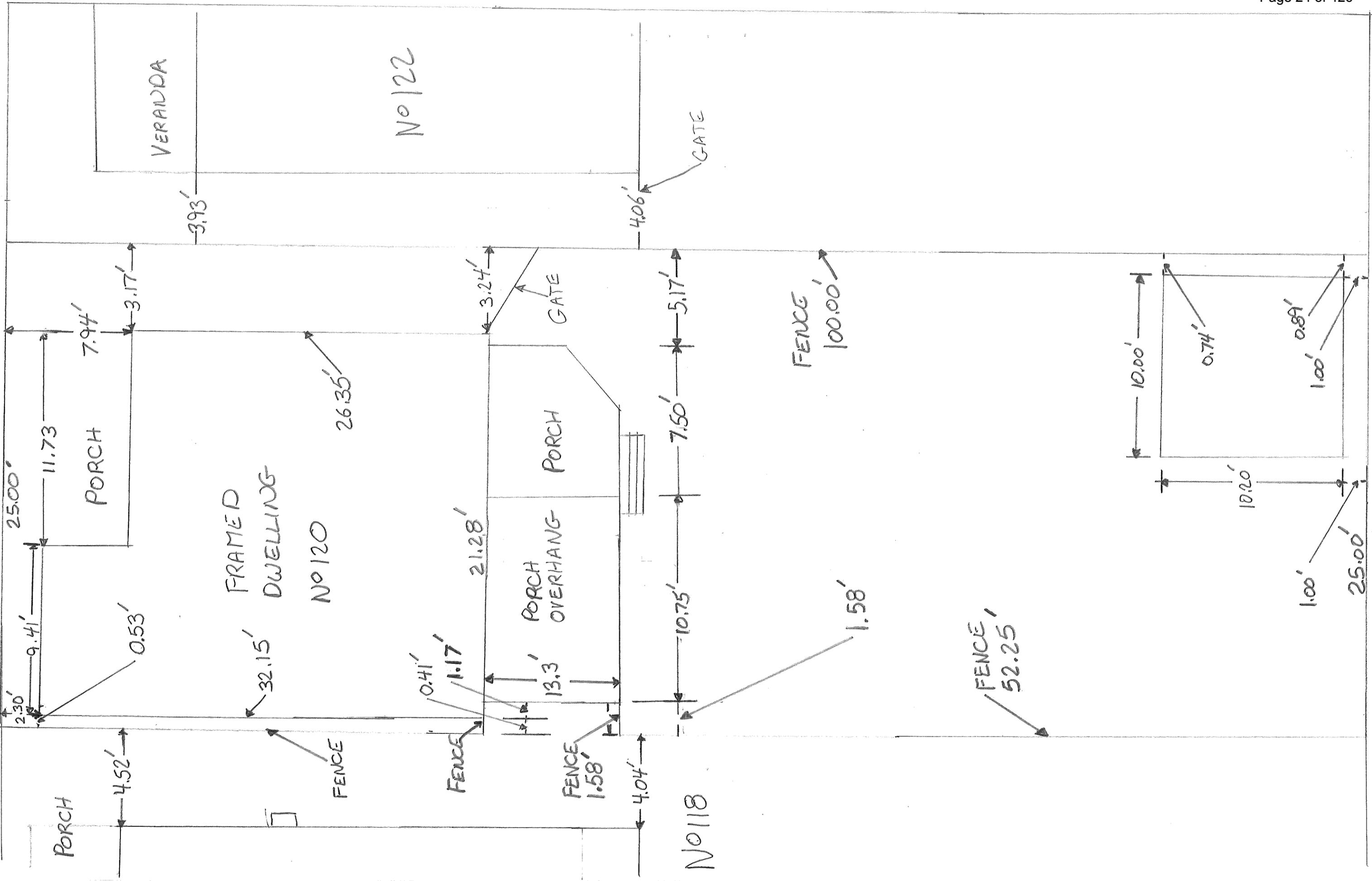


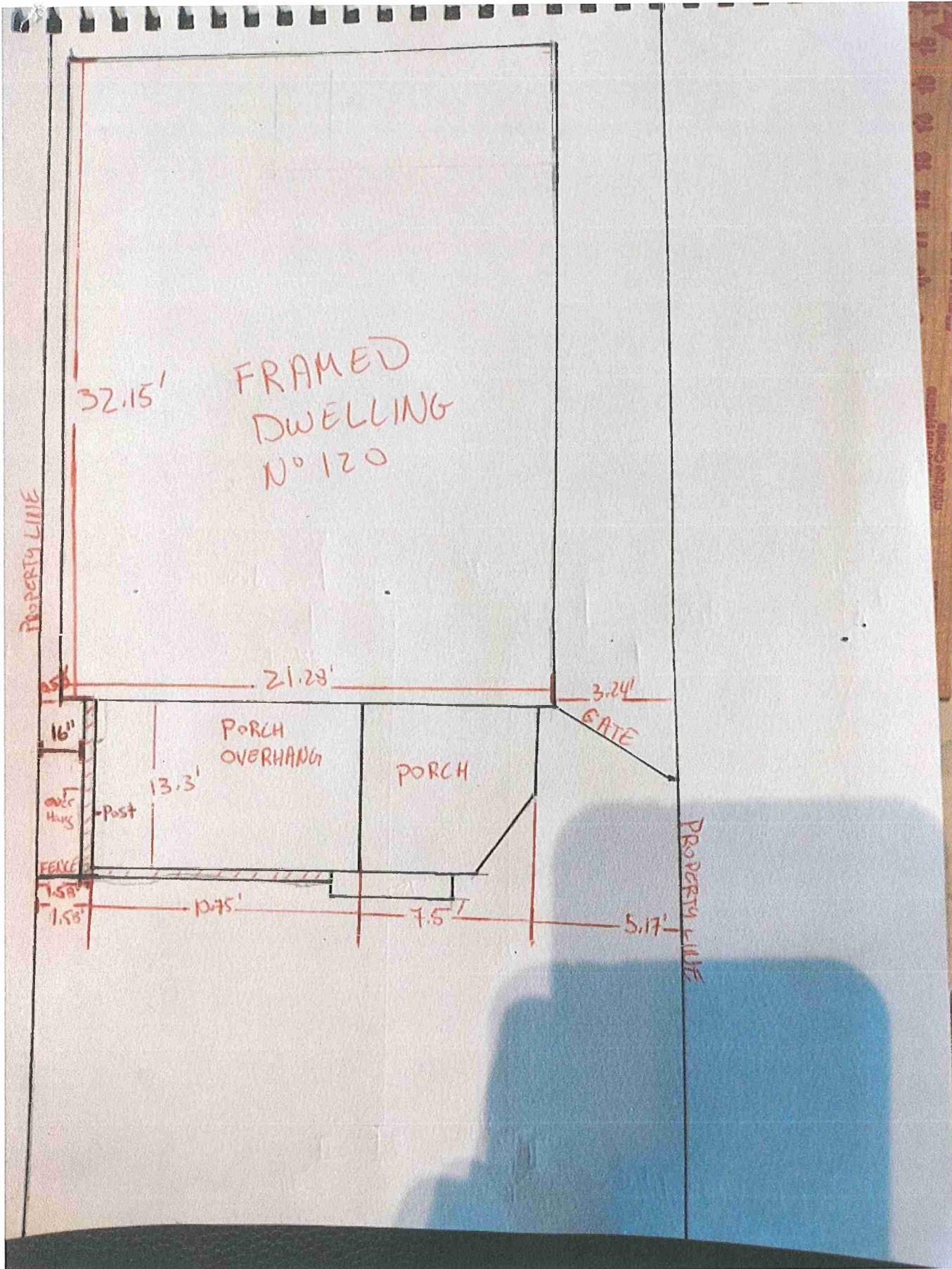
WALKWAY



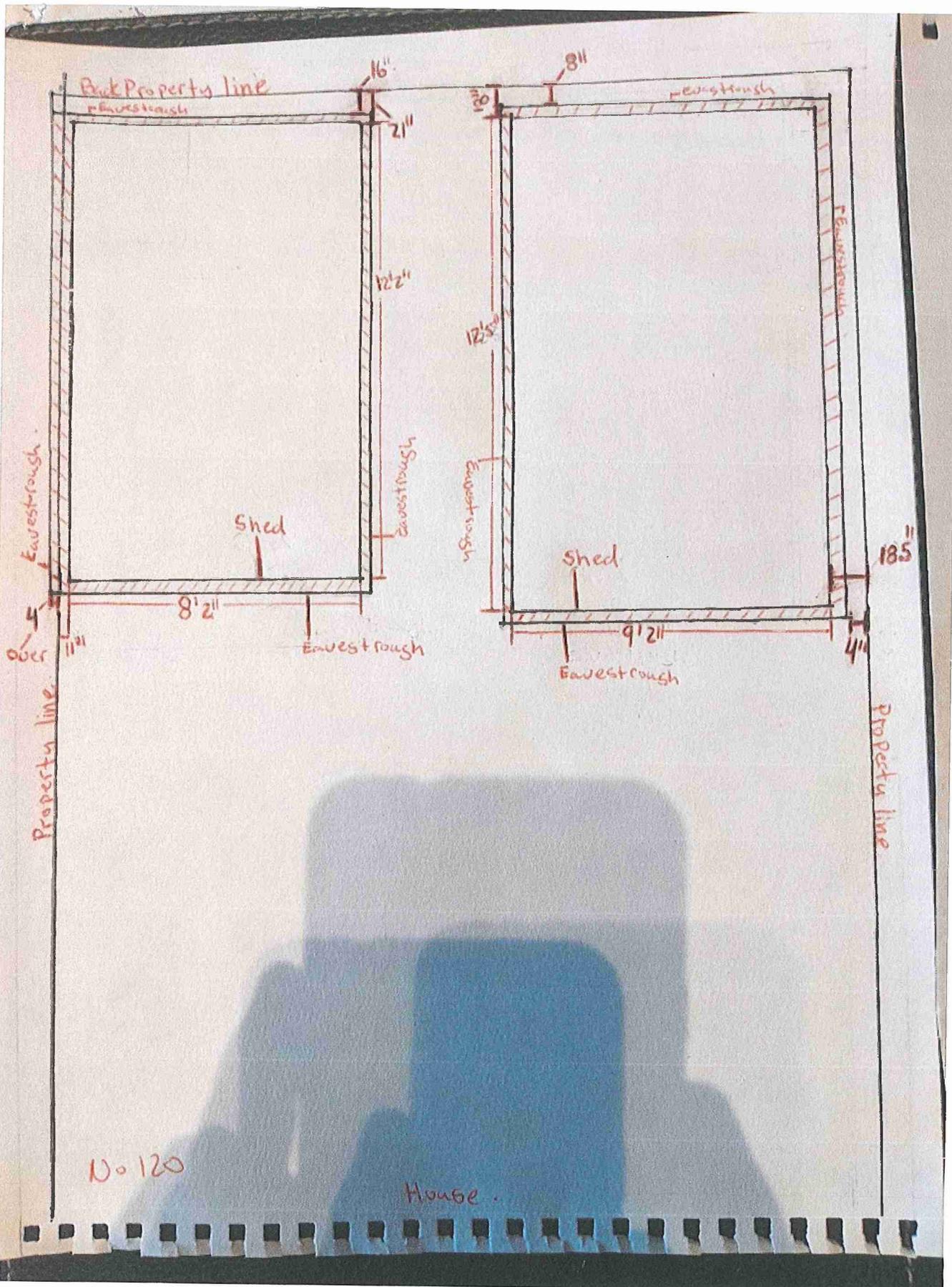


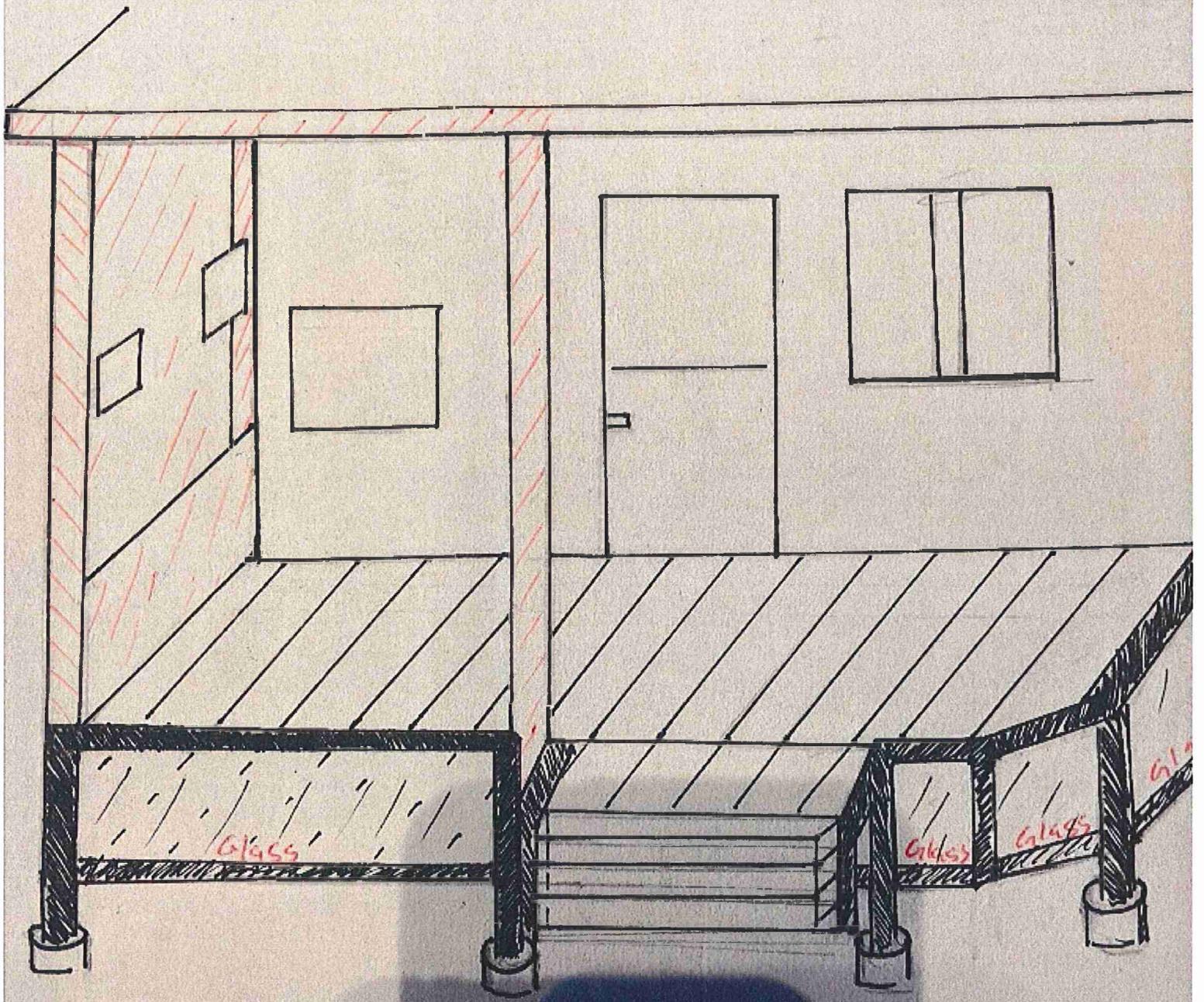
WEST
WALL





120 m. CAWULTY BLDG











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.

- Name of Owner Garry Ball Debra Galet Telephone No. [Redacted]
FAX NO. _____ E-mail address. _____
- Address [Redacted] Postal Code [Redacted]
- Name of Agent _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

N/A

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

was not aware needed permit

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

Residential Lot number 540
120 McAnulty BLVD

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?

Based on 38 years of residing at same residence

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

Is the previous use inventory attached? Yes ___ No

ACKNOWLEDGEMENT CLAUSE

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

Dec 01 / 20
Date


Signature Property Owner

X Debra Coelen, GARY BALL
Print Name of Owner

10. Dimensions of lands affected:

Frontage 24.99 F
Depth 100 F
Area 2,499 sq'
Width of street 16 F

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

Existing: ground/gross floor area 640 sq'
number stories one width 20 feet
length 32.15 feet height 24 feet
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: side 3 24 feet rear 65 feet
front 2.3 feet

Proposed: _____

CB
D-21

13. Date of acquisition of subject lands:
~~(1985)~~ MAY 01 / 1998

14. Date of construction of all buildings and structures on subject lands:
1923

15. Existing uses of the subject property: residential

16. Existing uses of abutting properties: NA

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

18. Municipal services available: (check the appropriate space or spaces)
Water yes Connected yes
Sanitary Sewer yes Connected yes
Storm Sewers yes

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

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

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

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

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-21:02

APPLICANTS: 2682168 Ontario Corp.

SUBJECT PROPERTY: Municipal address **646-652 Parkdale Ave. N., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended By-law 10-128

ZONING: "M6" (Light Industrial) district

PROPOSAL: To allow the retention of the existing industrial buildings on the lands to be severed and retained and to facilitate a severance application notwithstanding that;

652 PARKDALE AVE. NORTH - LOT TO BE SEVERED:

1. A minimum lot area of 1,525 m² shall be provided instead of the minimum required 4,000 m²; and
2. A minimum lot width of 18.0 m shall be provided instead of the minimum required lot width of 45.0 m; and
3. No landscaped area shall be provided abutting a street instead of the minimum required 3.0 m wide landscaped area abutting a street; and
4. A 0.0 m setback from the street line shall be provided for the parking spaces abutting Parkdale Avenue North instead of the minimum required setback of 3.0 m of a street line; and
5. A minimum parking space length of 5.6 m shall be maintained instead of the minimum required of 5.8 m; and
6. To permit the loading space to be provided within the front yard whereas the By-Law states that the location of loading doors and associated loading facilities shall no be permitted within the Front Yard; and
7. No barrier free shall be provided on site instead of the minimum required one (1) barrier free space.

646 PARKDALE AVE. NORTH - LOT TO BE RETAINED:

8. A minimum lot area of 2, 128.0 m² shall be provided instead of the minimum required 4,000 m²; and

HM/A-21:02

Page 2

9. A minimum lot width of 30.0 m shall be provided instead of the minimum required lot width of 45.0 m; and

10. No minimum yard abutting a street shall be provided instead of the minimum required 3.0 m abutting a street; and

11. No landscaped area shall be provided abutting a street instead of the minimum required 3.0 m wide landscaped area abutting a street; and

12. A 0.0 m setback from the street line shall be provided for the parking spaces abutting Mead Avenue instead of the minimum required setback of 3.0 m of a street line; and

13. A minimum parking space length of 5.6 m shall be maintained instead of the minimum required of 5.8 m; and

14. To permit a group of business establishments within an Industrial Zone which is planned, developed, managed and operated as a unit with shared on-site parking, and containing three (3) separated spaces for lease or occupancy whereas the definition of Planned Business Centre states that a group of business establishments within an Industrial Zone which is planned, developed, managed and operated as a unit with shared on-site parking, and containing four or more separated spaces for lease or occupancy, but shall not be considered as a Shopping Centre; and

15. A minimum of 18 parking spaces shall be provided on site instead of the minimum required 21 parking spaces; and

16. No barrier free shall be provided on site instead of the minimum required one (1) barrier free space.

Note:

Please note that the required parking for the property known as 646 Parkdale Avenue North has been calculated based on a Planned Business Centre.

Please be advised that building Division records indicate that the recognized use for the property known as 646 Parkdale Avenue North, Hamilton is as follows:

Our records indicate that the last recognized use is a multi-tenanted building containing a warehouse, retail and accessory office for floor coverings; an office and a restaurant.

Warehousing, offices and a restaurant are permitted subject to compliance with parking regulations contained in Section 5 of Hamilton Zoning By-law 05-200. Retail of floor coverings may be considered a legally established non-conforming provided this use has continuously existed since prior to May 26, 2010 until present. Alternatively, accessory retail and showroom areas are permitted subject to compliance with Section 9.6.3 o) i) of Hamilton Zoning By-law 05-200.

Please be advised that an application for a change of use permit will be required to establish the new uses on site.

Please be advised that building Division records indicate that the recognized use for the property known as 652 Parkdale Avenue North, Hamilton is as follows:

Building Division records indicate that the recognized use is a machine and fabrication shop and storage building, which is permitted.

Parking has been calculated based on the uses as indicated by the applicant.

Please be advised that an application for a change of use permit will be required to establish the new uses on site.

HM/A-21:02
Page 3

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

DATE: Thursday, February 4th, 2021
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.

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: January 19th, 2021.

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.

Minor Variance Application Relief Requested:

To allow for the retention of existing industrial buildings on the severed and retained parcels to facilitate Consent Application HM/B-21: _____, notwithstanding that:

646 Parkdale Avenue North (Retained Parcel)	652 Parkdale Avenue North (Severed Parcel)
1. Minimum lot area of 2,128 sq. m. instead of the required 4,000 sq.m.	1. Minimum lot area of 1,525 sq. m. instead of the required 4,000 sq. m.
2. Minimum lot width of 30 metres instead of the required 45 metres.	2. Minimum lot width of 18 metres instead of the required 45 metres.
3. No minimum yard abutting abutting a street instead of the required minimum 3 meter yard abutting a street.	3. No landscaped area abutting a street instead of the required minimum 3 metre wide landscaped area.
4. No landscaped area abutting a street instead of the required minimum 3 metre wide landscaped area.	4. A loading facility shall be located within a Front Yard.

PLEASE INCLUDE ANY OTHER VARIANCES AS DEEMED REQUIRED BY THE BUILDING DEPARTMENT.

Additional Information:**Uses within each building**

646 Parkdale Avenue North (+/- 11,700 sq. ft / 1,087 sq. m.)	652 Parkdale Avenue North (+/- 9,160 sq. ft. / 851 sq. m.)
Unit 1, approx. 4,600 sq. ft. – Vacant	Tradesperson's Shop – Front half of building (includes approx. 1,100 sq. ft office area)
Unit 2, approx. 3,800 sq. ft. – Office 2,000 sq, ft and Warehouse 1,800 sq. ft.	Warehouse – Rear half of building (no office space)
Unit 3, approx. 3,300 sq. ft., – Equipment and Machinery Service Establishment (no office space)	



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.

- Name of Owner 2682168 Ontario Corp. Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____

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

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

TD Bank _____ Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

See attached sheet.

Approval of any required variances to facilitate approval of the associated Consent Application,
which is required in order to correct an inadvertent merger of 2 lots into 1.

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

Existing Buildings. Correction of an inadvertent merger of 2 lots into 1.

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

RETAINED: 646 Parkdale Avenue North - Part 1 on Plan 62R-11025

SEVERED: 652 Parkdale Avenue North - PT LT 32, CON BROKEN FRONT SALT FLEET HAMILTON

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

Warehouse, Office, Equipment and Machinery Service Establishment, Tradesperson's Shop

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?

Environmental Report has been prepared and is available.

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

Is the previous use inventory attached? Yes ___ No

ACKNOWLEDGEMENT CLAUSE

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

January 5th, 2021
Date



Signature Property Owner

2682168 Ontario Corp.
Print Name of Owner

10. Dimensions of lands affected:

Frontage Severed - 18.2 m, Retained - 30.1 m
Depth Severed - 83.8 m, Retained - 70.7 m
Area Severed - 1,525 m2, Retained - 2,128 m2
Width of street _____

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

Existing: Retained lands - 1 storey building (no basement) with approx. area of 1,087 sq. m. (11,700 sq. ft.), +/- 30m width, +/- 36.3m length
Severed lands - 1 storey building front half, 1 1/2 storey in rear half (no basement) with approx. area of 851 sq. m. (9,160 sq. ft.), +/- 12.8m width front half of bldg, +/- 16.8m width rear half of bldg, +/-60.3m length

Proposed: None

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

Existing: See attached sketch.

Proposed: None

13. Date of acquisition of subject lands:
March 2019

14. Date of construction of all buildings and structures on subject lands:
 Original date of construction unknown. Building on 646 Parkdale Ave N existed at least since 1990. Building on 652 Parkdale Ave N existed at least since 1975.

15. Existing uses of the subject property: Industrial

16. Existing uses of abutting properties: Industrial

17. Length of time the existing uses of the subject property have continued:
Unknown, but at least 5-10 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:
Employment Area - Industrial Land

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Light Industrial (M6) Zone

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No

If the answer is yes, describe briefly.

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

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

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



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-21:01

SUBJECT PROPERTY: 646 & 652 Parkdale Ave. S., 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): 2682168 Ontario Inc., owner

PURPOSE OF APPLICATION: This application is in respect to a correction of title.

Severed lands:

18.2m[±] x 83.8m[±] and an area of 1,525m^{2±}

Retained lands:

30.1m[±] x 70.7m[±] and an area of 2,128m^{2±}

**This application will be heard in conjunction with
 Minor Variance Application HM/A-21:02**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th , 2021

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.

HM/B-21:01
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

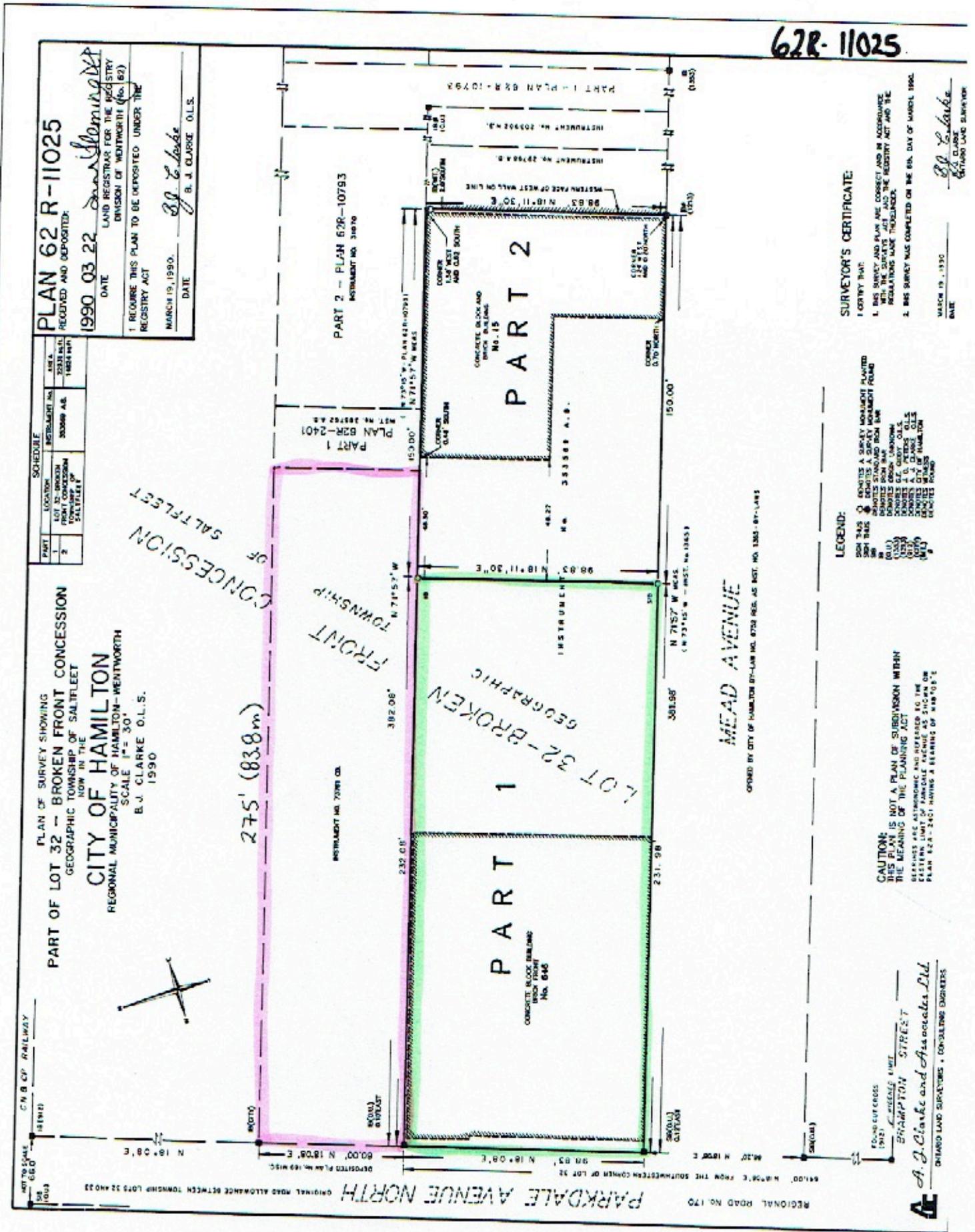
DATED: January 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SEVERANCE SKETCH

62R-11025



PLAN 62 R-11025
RECEIVED AND DEPOSITED:
DATE 1990 03 22
LAND REGISTRAR FOR THE REGISTRY
DIVISION OF WENTWORTH (No. 62)
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE
REGISTRY ACT
MARCH 19, 1990.
DATE B.J. Clarke
B. J. CLARKE O.L.S.

SCHEDULE		AREA
PART	LOCATION	FRONT CONFESSION
1	LOT 32	275.00 AS
2	FRONT CONFESSION	150.00 AS

PLAN OF SURVEY SHOWING
PART OF LOT 32 - BROKEN FRONT CONFESSION
GEOGRAPHIC TOWNSHIP OF SALT FLEET
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1" = 30'
B. J. CLARKE O.L.S.
1990

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER.
2. THIS SURVEY WAS COMPLETED ON THE 6th DAY OF MARCH 1990.
MARCH 19, 1990
DATE B.J. Clarke
B. J. CLARKE
REGISTERED LAND SURVEYOR

LEGEND:
SOLID LINE DENOTES A SURVEY MONUMENT PLANTED
DASHED LINE DENOTES A SURVEY MONUMENT FOUND
DOTTED LINE DENOTES A SURVEY MONUMENT FOUND

CAUTION:
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT
BEARINGS ARE ASTROMONIC AND REFERRED TO THE EASTERN LIMIT OF PARKDALE AVENUE AS SHOWN ON PLAN 62R-2401 HAVING A BEARING OF N48°03' E

FOUND BY CROSS
GREENVILLE
BRIAMPTON STREET
A. J. Clarke and Associates Ltd.
CHARTERED LAND SURVEYORS & CONSULTING ENGINEERS

SEVERED
652 Parkdale
Avenue North

RETAINED
646 Parkdale
Avenue North



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	2682168 Ontario Corp.	646 and 652 Parkdale Avenue North	
Applicant(s)*	Same as above		Business () Fax: () E-mail:
Agent or Solicitor			Business () 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 Hamilton	Lot 32	Concession Broken Front Concession	Former Township Saltfleet
Registered Plan N°.	Lot(s)	Reference Plan N°. 646 Parkdale Ave N 62R-11025	Part(s) 646 Parkdale Ave N - Part 1
Municipal Address 646 and 652 Parkdale Avenue North			Assessment Roll N°. 050401001900000 050401001600000

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

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

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

***** Ontario Corporation

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

N/A

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
18.2	83.8	1,525 m ²

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: Industrial Building

Proposed: N/A

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)
30.1	70.7	2,128 m ²

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"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	Surrounded by various industrial uses.
An active railway line	<input type="checkbox"/>	Within +/- 190 metres
A municipal or federal airport	<input type="checkbox"/>	N/A

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

Warehouse, Office, Equipment and Machinery
Service Establishment, Tradesperson's Shop

- 6.1 If Industrial or Commercial, specify use Warehouse, Office, Equipment and Machinery Service Establishment, Tradesperson's Shop
- 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?
Environmental Report has been prepared and is available.
- 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 No change in use proposed. Lands are remaining industrial.

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No

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

This application is consistent with the PPS in that it maintains a range and choice of suitable sites for employment uses which support a wide range of economic activities.

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

Maintains industrial uses within an established employment area.

- 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 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 (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.

This application is required as a result of an inadvertent merger of two abutting industrial properties into one. There is no change being proposed to the exiting buildings or uses.

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land an on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



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-20:217

APPLICANTS: Ed. Fothergill on behalf of the owners A. & L. Colalillo

SUBJECT PROPERTY: Municipal address **322 Mt. Albion Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 90-102

ZONING: "C/S-1162" (Urban Protected Residential) district

PROPOSAL: To permit the creation of four new lots (Parts 2 – 5 inclusive) and maintain an existing two-family dwelling on Part 1 as per Consent Applications HM/B-20:68, HM/B-20:69 and HM/B-20:79, notwithstanding that;

Part 1 (containing exiting two-family dwelling):

1. A maximum height of 2.5 storeys shall be permitted instead of the maximum 2.5 storeys and 11.0m height permitted.
2. A minimum 1.2m rear yard shall be permitted instead of the minimum 7.5m rear yard required.

Part 3, 4 and 5 (new single-family dwelling lots):

3. A minimum lot area of 310.0m² shall be permitted for Part 3, Part 4 and Part 5 instead of the minimum 360.0m² lot area required.

Notes for proposed lot containing an existing two-family dwelling:

The applicant shall ensure that a minimum parking space size of 2.7m x 6.0m and a minimum 2.8m access driveway is maintained for each of the two parking spaces proposed; otherwise, further variances shall be required.

The applicant shall ensure that a minimum of 50.0% of the front yard shall be maintained as landscaping; otherwise, further variances shall be required.

The applicant shall ensure that any proposed encroachments conform to the zoning By-law; otherwise, further variances shall be required.

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

DATE: Thursday, February 4th, 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

HM/A-20:217

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

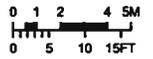
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

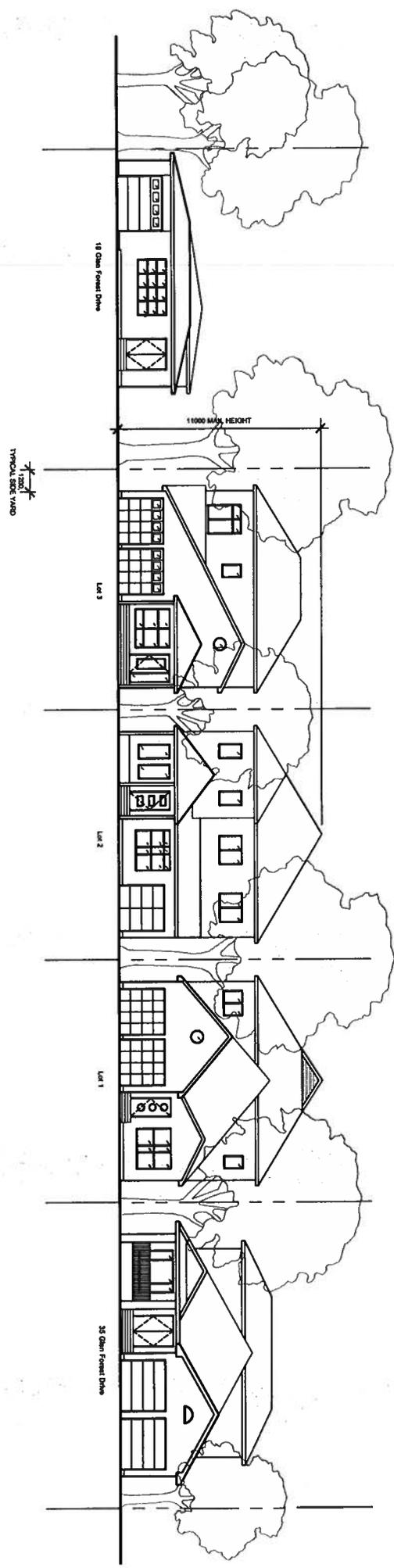
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



SCALE = 1:200

Glen Forest Drive Elevations

December 2, 2020



December 16, 2020

**Re: Application for Consents to Create Four Lots and Minor Variances
322 Mount Albion Road**

You are receiving this correspondence given that you have expressed an interest in the above applications that were tabled at the Committee of Adjustment at their meeting Thursday November 19 to allow the proponent time to respond to questions, concerns and comments arising from those who live in the neighbourhood and have made a submission to the Committee including the signing of the correspondence dated November 12.

I am a professional planning consultant who has been retained to assist Adam Lucas in proceeding through this process.

Since it is impossible to have an in person public gathering, it is more challenging to connect with individuals such as yourself on a matter that I understand and appreciate is of great importance to you and those in your neighbourhood. However, in order to initiate some form of dialogue, I felt it would be helpful to respond to the questions, comments and concerns raised in the correspondence received by the Committee, and hopefully through this exercise eliminate, or possibly mitigate, many of the concerns that have been expressed.

My responses will begin with providing information that was requested regarding the application. It will then follow up with response to a number of concerns that have been expressed with respect to the applications.

This response letter is based on comments from:

1. Gina Constantino, November 13
2. Anna and Dave Brando and family, November 16
3. Mrs. Barcoroli, phone call to Councillors office
4. Correspondence of November 12, 2020 with 25 signatures attached. For those who signed the correspondence, we apologize if the spelling of some names in this response is not accurate. Some of the names on the list proved to be a bit difficult to decipher.
5. Mr. George Hourtovenko, November 15

Is there a proposed plan for the homes which will eventually be built on the four lots?

While it is not normally a condition of severance in cases such as this, staff have requested the preparation of elevation drawings prior to the approval of the applications. The owner has agreed and prepared preliminary plans which are attached. These plans were based on the expectations of the owner and drafted with the assistance of a professional architect.

They are very preliminary plans at this stage however they do provide helpful information regarding the height and width of the proposed buildings, confirmation that the buildings can be accommodated on the site within existing zoning regulations, and provide some details as to what the new buildings will look like. However, the final design will vary from this detail somewhat.

Form of Development

The development does not include any townhouse units.

Conversion of existing farmhouse

There is no intention to include a proposal to convert the existing farmhouse into apartments.

Increase fire loading and not enough fire break between the properties.

The separation between the proposed buildings complies with existing zoning regulations. Requirements for sufficient fire breaks will be examined in more detail at Building Permit stage. Prior to a Building Permit being issued for any one of the four lots, building drawings will be reviewed to ensure they comply with fire regulations and Ontario Building Code standards.

Throughout the application, it contains the words "further variances shall be required". This raises a lot of uncertainties.

It is uncertain as to where this comment originates. There are no further variances required to implement the consent applications.

Concern regarding on street parking.

Each of the lots is sufficient to accommodate on site parking and will not generate any additional parking demand beyond that already experienced by all of the existing single family dwellings in the area. The proposed drawings include allowances for both 1 and 2 car garages which is the same as homes in the immediately surrounding area. The proposal will have to meet City of Hamilton by-law requirements for size and dimension of parking spaces and number of parking spaces for each new home.

Do the current owners plan to sever and sell the lots for development or plan to build themselves?

The proponents, Adam and Lucas, who grew up in the area, plan to construct two of the new houses on Glen Forest Drive for their own use. They would like to remain in the neighbourhood and will ensure that not only their two dwellings, but also the other dwellings on the site will be designed to a very high standard since they plan to continue living there.

Do the proposed building lots on Glen Forest Drive be quite shallow; will the proposed buildings on these lots fit in with the style of homes on Glen Forest that date back 25-50 years? How will this affect me and those around me? Will the proposed building height be consistent with the existing single detached dwelling?

Yes, these lots will have less depth than those currently on Glen Forest Drive. It is for this reason that care has been taken to ensure that the width of the lots and the frontage and side yard setbacks comply with existing zoning regulations as it is the street face that is most important in terms of neighbourhood perceptions.

The three lots on Glen Forest Drive will have back yards that are not as deep as those on Glen Forest Drive. However the depth of the back yards will not be noticeable from the roadway. This depth is dictated by the desire to retain the existing dwelling at 338 Mt. Albion Road. These lot depths could have been increased to match those in the neighbourhood. However this would have required the demolition of the existing building which the owners would rather retain. They felt that the creation of back yards that are not as deep as others in the neighbourhood was a fair tradeoff in order to preserve the existing dwelling at 338 Mount Albion Road.

As can be seen from the elevation plans, the new dwellings will not look like homes that were built 25-50 years ago. A lot has changed in terms of building design and building codes and expectations since that time. It is not surprising that the new designs are somewhat of a departure from those in the neighbourhood.

The two-storey height of the new homes is not unlike the two-storey homes on Mount Albion Road or the two storey back split design of homes on Glen Forest Avenue.

The question of how the lots will "fit in" with the style of homes on Glen Forest Drive is not a test that the planning policies apply to the consideration of infill severances. Rather the test is one of compatibility, with the definition of compatibility as provided in the City of Hamilton Official Plan as follows:

"Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean "same as" or even as "being similar to"."

As can be seen, the Official Plan allows some latitude in assessing compatibility. In this case, it is my opinion that the proposal is compatible. While the built form is different than structures that have been built 25-50 years ago, this form of development can exist in harmony with the neighbourhood.

Planners use tests to measure compatibility by assessing lot widths, setbacks, height and built form. In this case, the proposal illustrated by the sketches will comply with all of the existing zoning regulations that also apply to all of the other lots within the neighbourhood.

While the design will be different, the fundamental use of the property will not be different. It will introduce four new families into the Davis Creek neighbourhood which can be accommodated without any disruption to the lifestyle or the strong feeling of community which is evident from the correspondence we have received.

This will continue to remain a strong, vibrant and healthy community as new families move into these homes. As noted, two of the dwellings will be owned and occupied by Adam and Lucas, who are long time residents of the neighbourhood.

The proposed dwellings will be somewhat higher than many of the existing single detached dwellings in the area. However, the height will comply with existing zoning regulations which is the key test for assessing compatibility from a planning perspective.

Instead of squeezing 3 single family dwellings on Glen Forest Drive, perhaps consider 2 single family dwellings/bungalow.

I interpret the comment to read that the suggestion is to create two lots to accommodate single family dwellings/bungalow.

The creation of two lots on Glen Forest Drive instead of 3 would generate a situation which would be out of character with the neighbourhood. It would also open the door to consideration of what are traditionally referred to as monster homes. If the 36 metre frontage on Glen Forest Drive were divided into two parcels 18 metres each, those two lots could accommodate an extremely large home which would meet zoning regulations but would not be at all in character with the neighbourhood. The creation of three lots in this area provides a greater level of certainty that the ultimate development form will be compatible with the neighbourhood.

The main reason we chose this neighbourhood was for its secluded type of environment nestled partway up the escarpment and Red Hill valley. It has all the amenities nearby to raise a family and be a home and included single family homes that included property that supported the aspirations for such families to lay down their roots for generations. This was not what we had envisioned. We have been strong supporters of the neighbourhood at the school, church, and businesses.

Those desirable elements of the neighbourhood will continue and will not be affected by proposed applications. The most significant change will be the addition of four new dwellings whose inhabitants will also be able to share in the enjoyment of the neighbourhood in the same manner other families and others in the neighbourhood have over the last 30 years. They too can enjoy the amenities, lay down their roots for generations and be supportive of the school, church and businesses in the neighbourhood. As noted, two of the homes will be occupied by those who have over their lifetime enjoyed those very amenities they currently share with other neighbours in the area.

The character and desirability of the Davis Creek neighbourhood will continue, albeit perhaps in a way slightly differently than the way initially envisioned with respect to what this property will look like when neighbours pass this site. One will now see new dwellings where in the past they have enjoyed the views of the rear yard of the existing farmhouse property. However, in all other aspects of life within the neighbourhood, I believe it will continue to retain its desirable character and function, which can now be embraced and shared by four more families.

This will set a precedent for land severance in the neighbourhood which cannot be reversed.

The precedent setting nature of such an application has already been set by the establishment of clear planning policies at Provincial and local level which encourage intensification in urban areas. It is a precedent which applies equally to every neighbourhood in the Province. By its very nature, general intensification throughout urban areas generates change.

The Province has determined that currently 40% and shortly thereafter 50% of all new growth within the City of Hamilton has to occur within areas that are already within the development limits of the Official Plan. That means that a significant amount of new growth has to be accommodated in locations throughout the City. There is no area in the City which is exempt from accepting a fair share of new growth.

This direction is also found in Policy B.2.4.1.3 of the City of Hamilton Urban Plan which notes that 40% of the residential intensification target is anticipated to occur within the Neighbours designation. This property is within the Neighbour designation.

The only consistent expectation is that things will not remain the same. The question for planners and decision makers is to what extent is such change reasonable, compatible, and can be accommodated without adversely affecting the character or function of the neighbourhood.

This theme is picked up in the City of Hamilton Urban Official Plan where, in Section B.2.4, the outcome of change resulting from intensification is anticipated. This section also acknowledges that impacts will occur, but at that they must not be unacceptable.

I hope some of this information may be helpful in understanding the proposal not only in terms of the direct change that will be generated for the neighbourhood but also an understanding of how it fits into the broader planning principles at the local and Provincial level. While these planning policy documents may be difficult to read and understand, they do have practical implications for development applications such as this.

Given that we will not have an opportunity to meet to discuss these matters other than at Committee of Adjustment meeting which will be coming up in a short while, I would offer an invitation for anyone who would like to send me a note or give me a call to discuss this matter, please feel free to do so.

We have asked the Committee to bring the matter forward to the next available meeting. I am not sure when that will be.

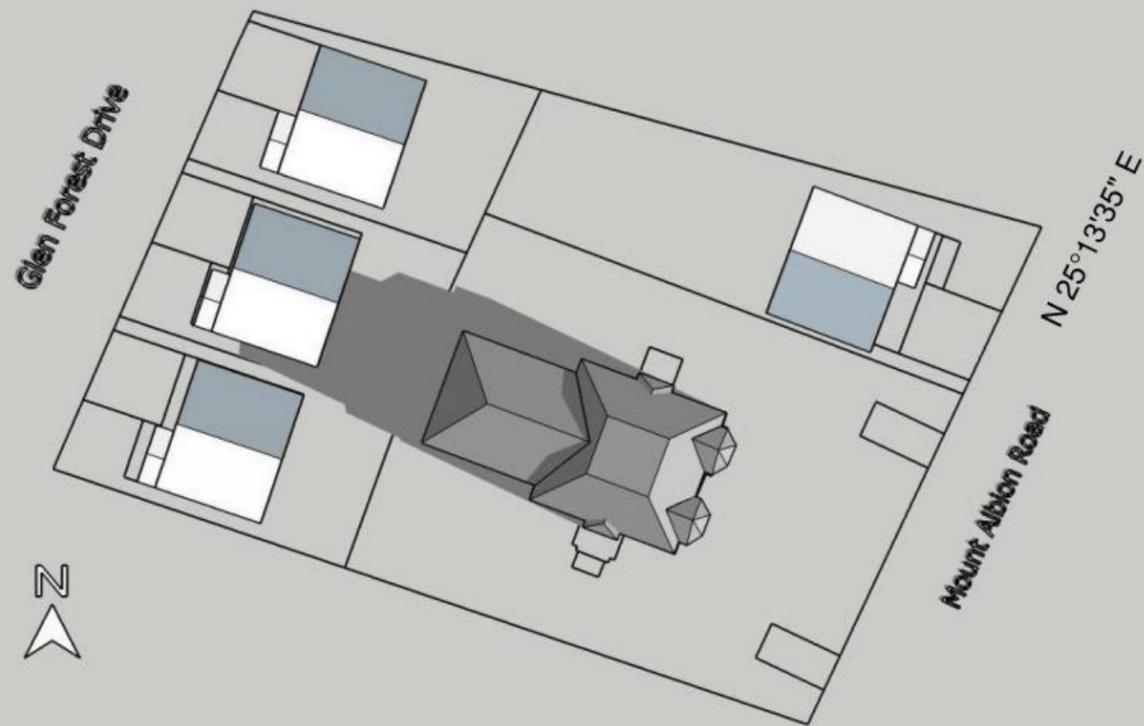
I suspect you will be notified directly by the Committee when the application will be brought back to the Committee of Adjustment for consideration. If you would like to attend the meeting, which will be held virtually, I would recommend that you contact the Committee secretary directly and ask that you be given an invitation to the meeting which will be held in Zoom format. The Secretary Treasurer can be reached at: Jamila.sheffield@hamilton.ca Phone: 905-546-2424 ext. 4144.

Respectfully Submitted,

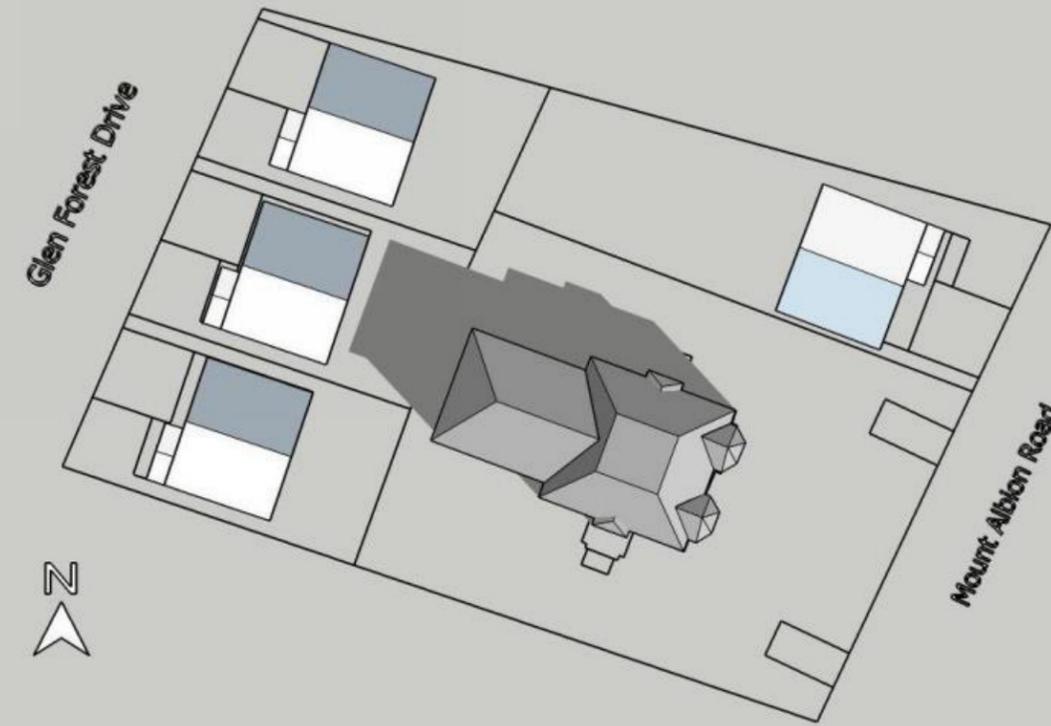
FOTHERGILL PLANNING & DEVELOPMENT INC.

E.J. Fothergill, MCIP, RPP
President

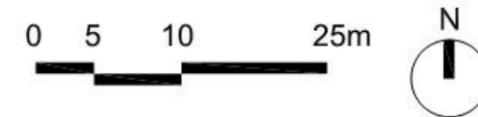
cc. Adam Colalillo, Owner
Lucas Colalillo, Owner
Councillor Chad Collins
Jamila Sheffield, Secretary of Committee of Adjustment



March 21 8:50am
1.5 hours after sunrise



March 21 10:20am



Shadow Impact Study from Existing Duplex Dwelling

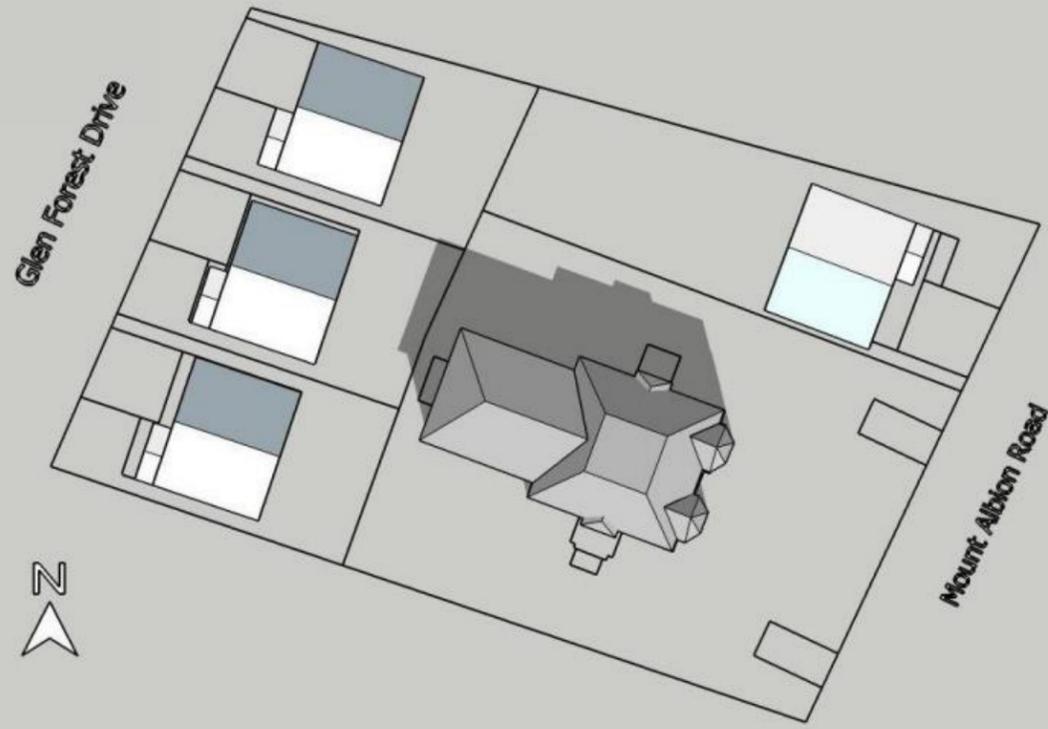
- Confirmation of site latitude and longitude used in shadow drawings: 43.2557° N, 79.8711° W.
- A statement describing how astronomic true north was determined: Astronomic true north was determined by the survey.
- Origin/source of the base plan: Topographic Survey of Part of Lot 35 Concession 2 Geographic Township of Saltfleet in the City of Hamilton by S.D. McLaren O.L.S. - 2020 and Conceptual Site Plan No. CSP5-1 prepared by T. Johns Consulting Group dated July 30th, 2020.
- Description of all locations, uses of areas not meeting the shadow impact criteria (include a key plan for reference): None.
- Quantification and assessment of the impacted areas that do not meet the shadow impact criteria: None.
- Do shadow impacts from the existing heritage duplex dwelling impact the newly created lots' rear yards for more than a maximum of 3 hours of sun coverage between 10:00 a.m. and 4:00 p.m. as measured from March 21st to September 21st : No. The existing dwelling shadow impacts the rear yards as follows: Part 2: 2.5 hours, Part 3: 1 hour, Part 4: 2.5 hours, Part 5: 0.25 hours.
- Summary: In Summary, the Sun Shadow impacts from the existing duplex dwelling do not adversely impact the new lots' rear yards for the stated criteria, particularly Part 4.

Municipal Address: 322 Mount Albion Road, Hamilton
Type of Application: Zoning Bylaw Amendment
Project No.: 20016 Date: 2020-11-20



THIER+CURRAN ARCHITECTS INC.
thoughtful buildings + interiors

TEL: 905-297-0863



March 21 11:50am



March 21 1:20pm
Solar Noon



Shadow Impact Study from Existing Duplex Dwelling

Municipal Address: 322 Mount Albion Road, Hamilton

Type of Application: Zoning Bylaw Amendment

Project No.: 20016 Date: 2020-11-20

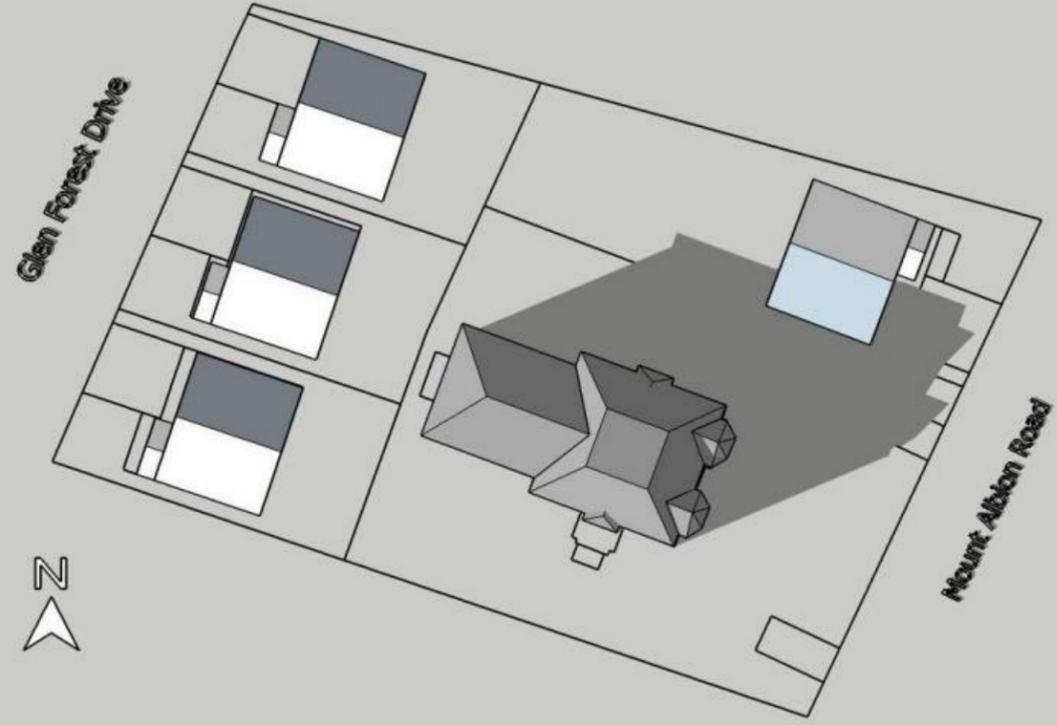


THIER+CURRAN ARCHITECTS INC.
thoughtful buildings + interiors

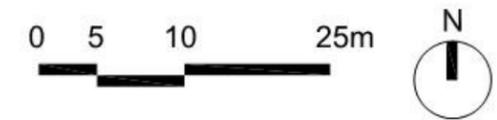
TEL: 905-297-0863



March 21 2:50pm



March 21 4:20pm

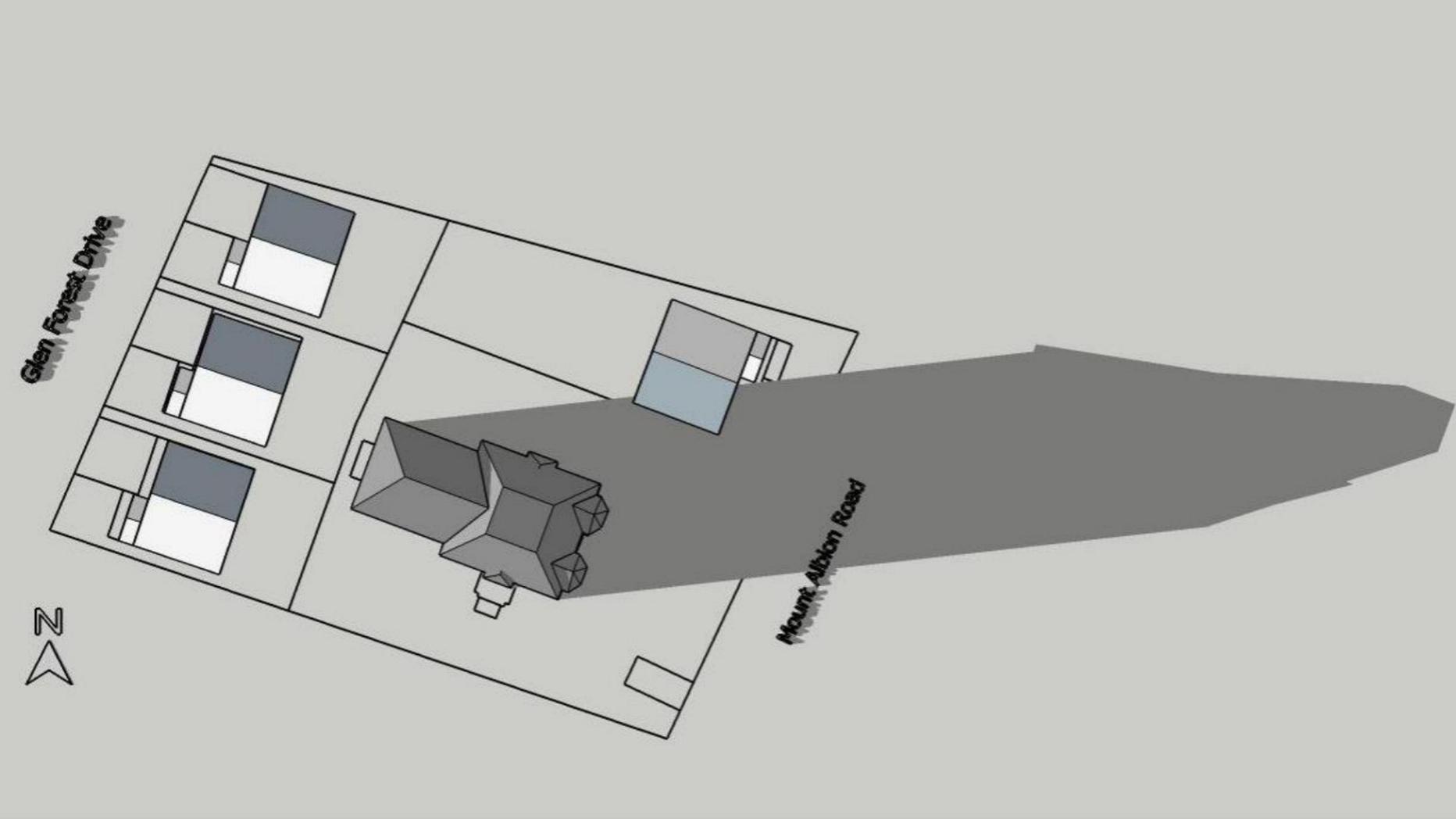


Shadow Impact Study from Existing Duplex Dwelling

Municipal Address: 322 Mount Albion Road, Hamilton
 Type of Application: Zoning Bylaw Amendment
 Project No.: 20016 Date: 2020-11-20



TEL: 905-297-0863



March 21 5:50pm
1.5 hours before sunset

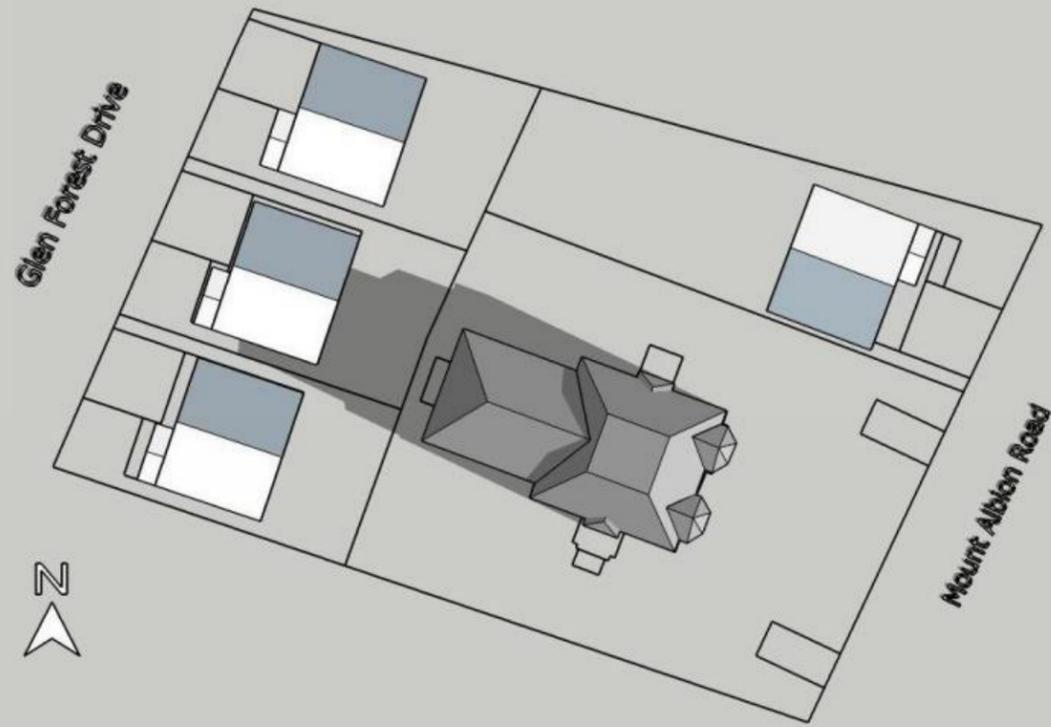


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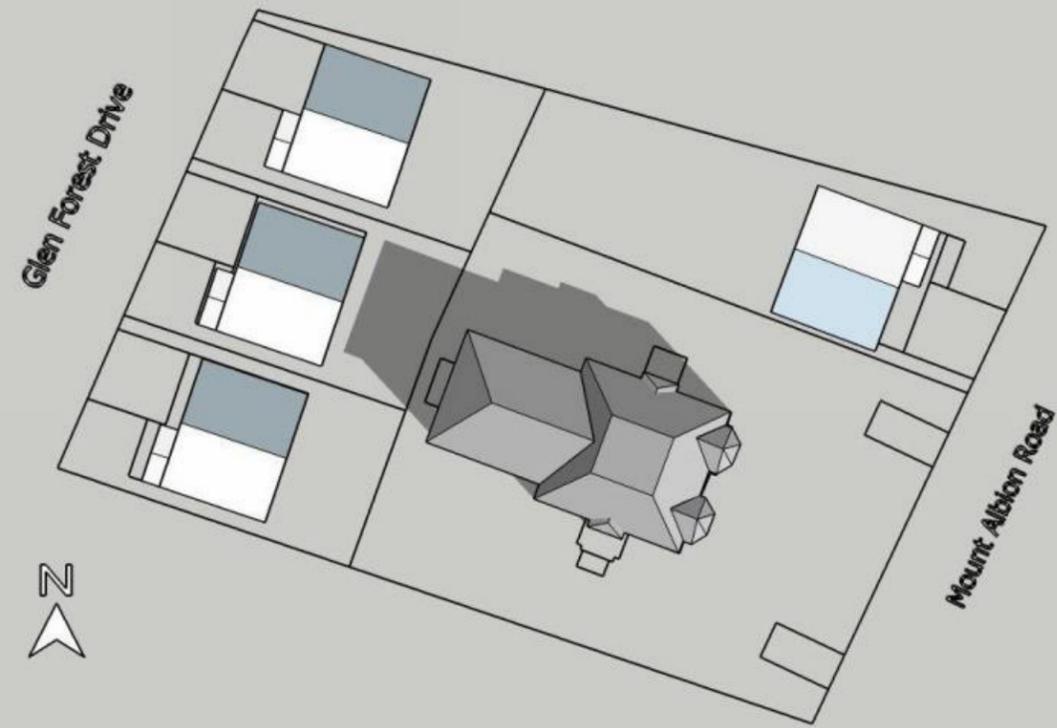
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September 21 8:36am
1.5 hours after sunrise



September 21 10:06am



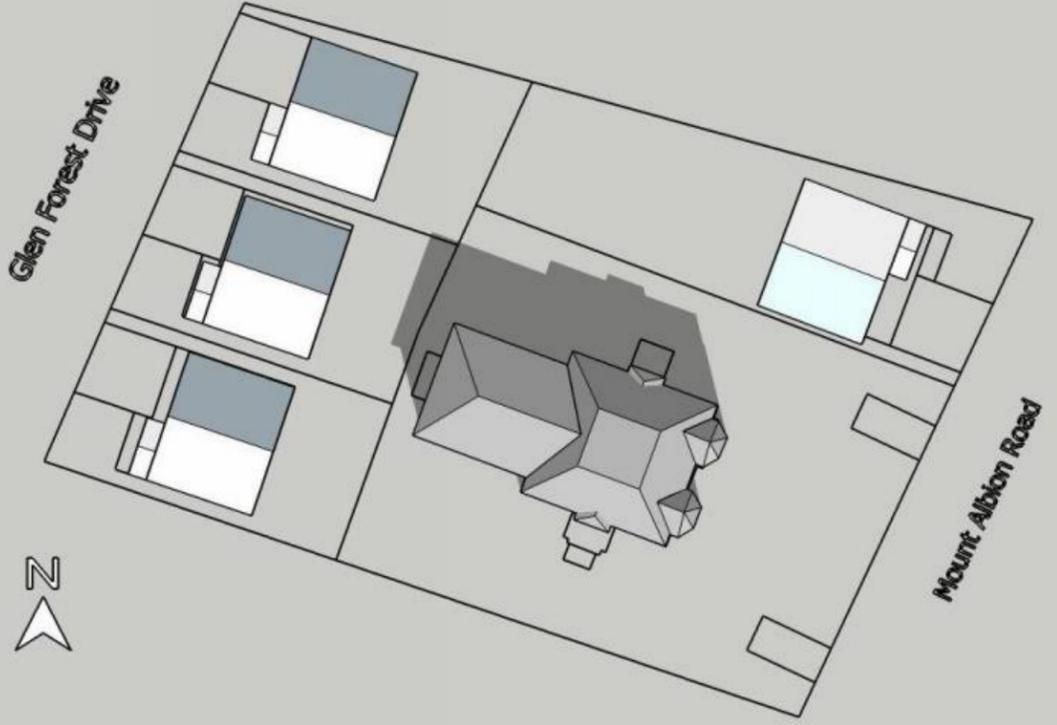
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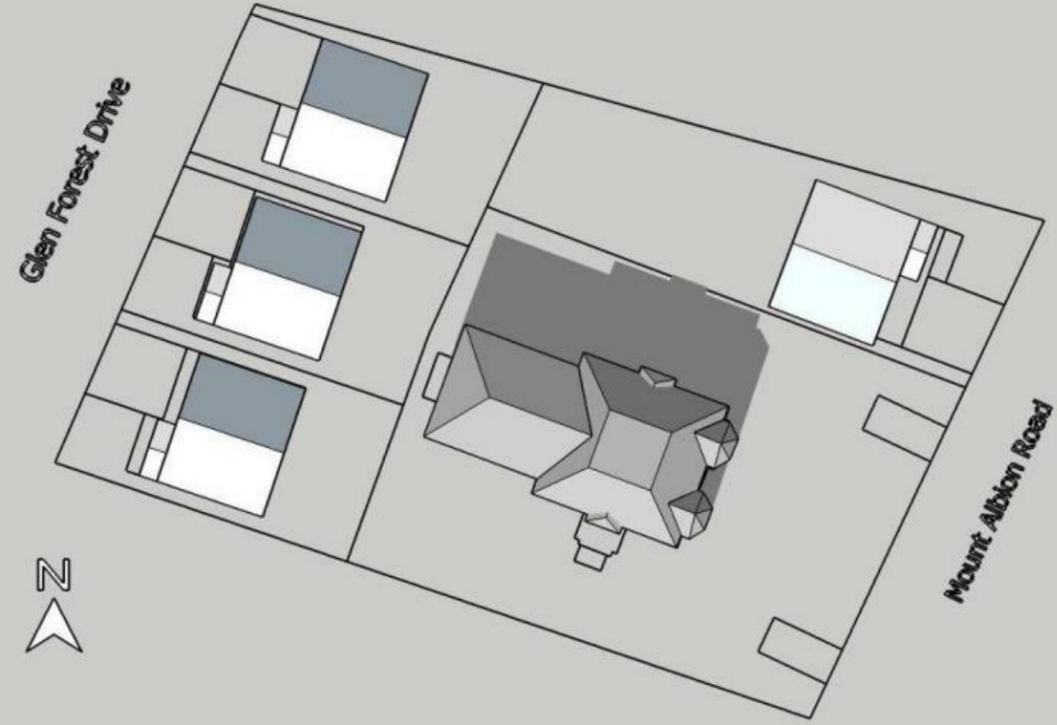


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September 21 11:36am



September 21 1:06pm
Solar Noon

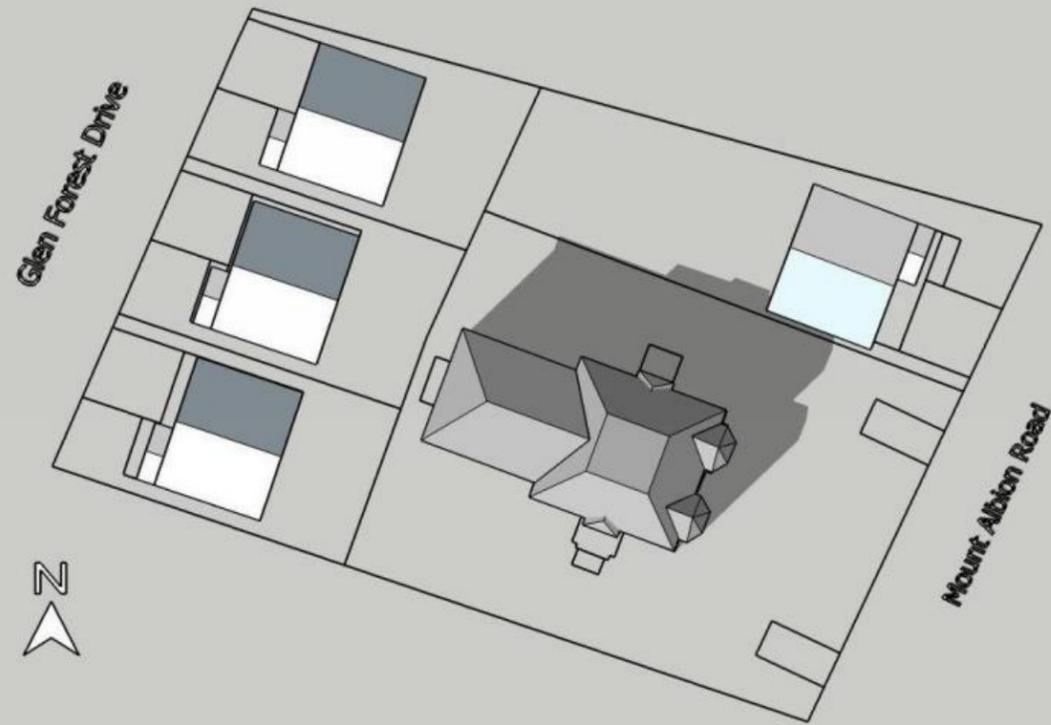


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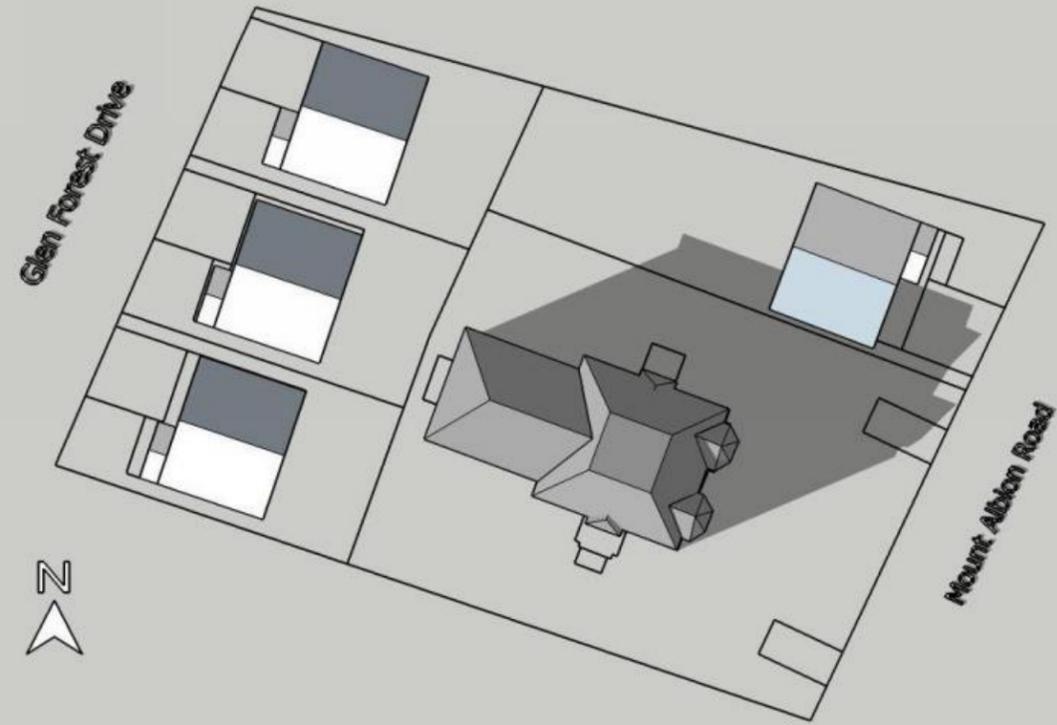
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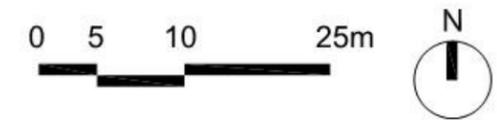
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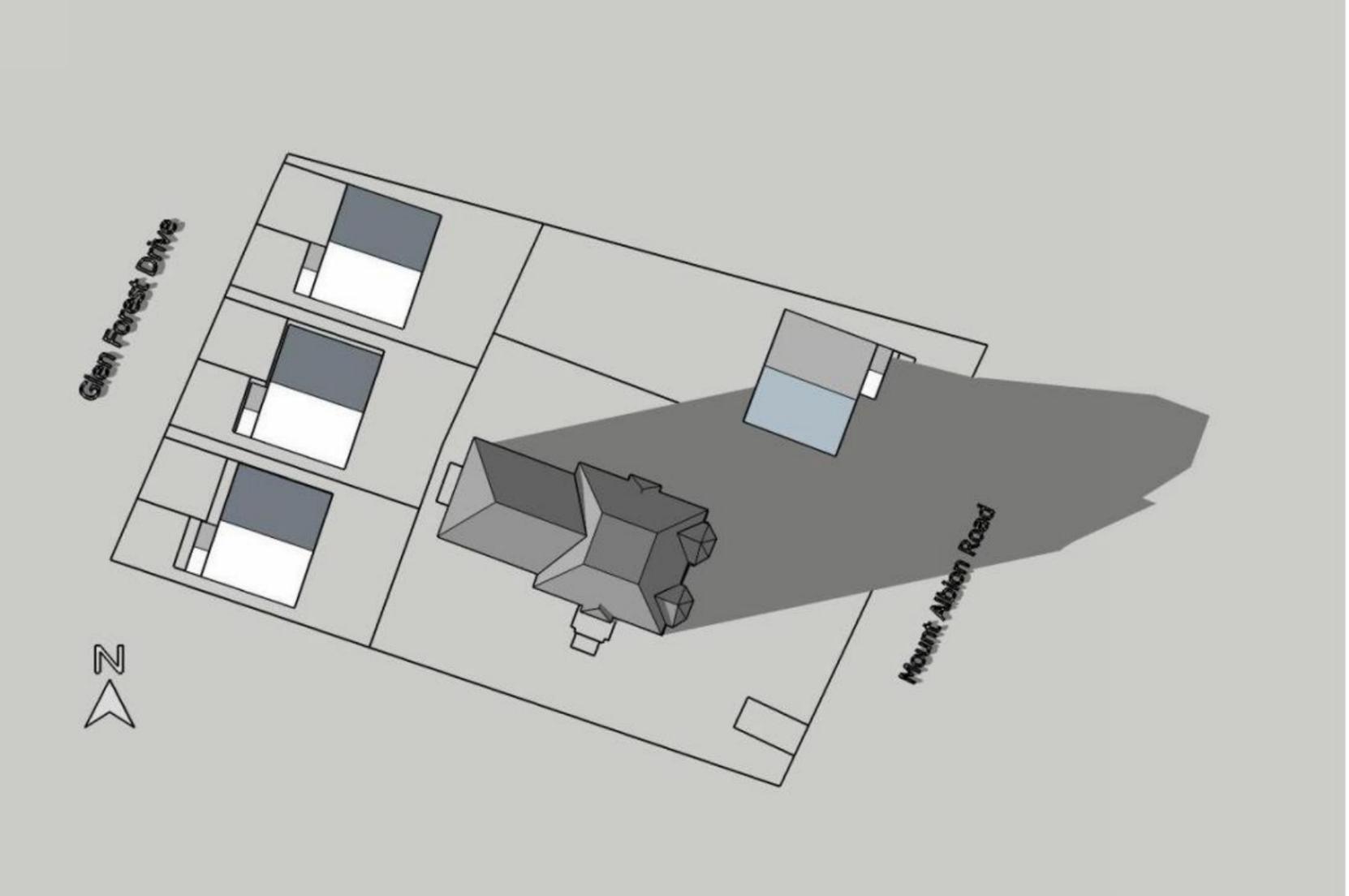
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Hamilton

Planning and Economic Development Department
Planning Division

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

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

**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.

- Name of Owner Adam Colalillo and Lucas Colalillo Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent Fothergill Planning & Development
c/o Ed Fothergill Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
Scotiabank - 4 King Street West, 2nd Floor, Toronto, ON
Postal Code M5H 1B6

Postal Code _____

6. Nature and extent of relief applied for:

Please see justification report.

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

Please see justification report.

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 35, Concession 2, Part 2 Plan 62R-10830, Township of Saltfleet in the City of Hamilton

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes ___ No Unknown ___

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

Yes ___ No Unknown ___

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

Owner's knowledge

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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

9/30/2020

Date


Signature of Property Owner

Adam Colalillo and Lucas Colalillo
Print Name of Owner

10. Dimensions of lands affected:

Frontage Mount Albion Road: +43.62 m, Glen Forest Drive: +36.462 m
Depth +64.989 m
Area +2,649.73 m²
Width of street Mount Albion Road: +30.6m, Glen Forest Drive: +20.0 m

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

Existing: See concept plan.

Proposed: See concept 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 concept plan.

Proposed: See concept plan.

13. Date of acquisition of subject lands:
May 1st, 2020

14. Date of construction of all buildings and structures on subject lands:
1891

15. Existing uses of the subject property: Residential

16. Existing uses of abutting properties: Low Destiny Residential

17. Length of time the existing uses of the subject property have continued:
>1891

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:
Please see justification report.

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

21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.

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

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:68

SUBJECT PROPERTY: 322 Mt. Albion Rd., 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): Ed Fothergill on behalf of the owners A. & L. Colalillo

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing a garage (to be removed) and to retain a parcel of land containing an existing 2½ storey dwelling (to remain) for residential purposes

Severed lands (Parts 3, 4, 5):
 39.65m[±] x 23.75m[±] and an area of 951.3m^{2±}

Retained lands (Parts 1 and 2):
 43.62m[±] x 38.87m[±] and an area of 1,699.0m^{2±}

This application will be heard in conjunction with Severance Application HM/B-20:69 & HM/B-20:70

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

TIME: 1:40 p.m.

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

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

PUBLIC INPUT

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

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

HM/B-20:68
PAGE 2

MORE INFORMATION

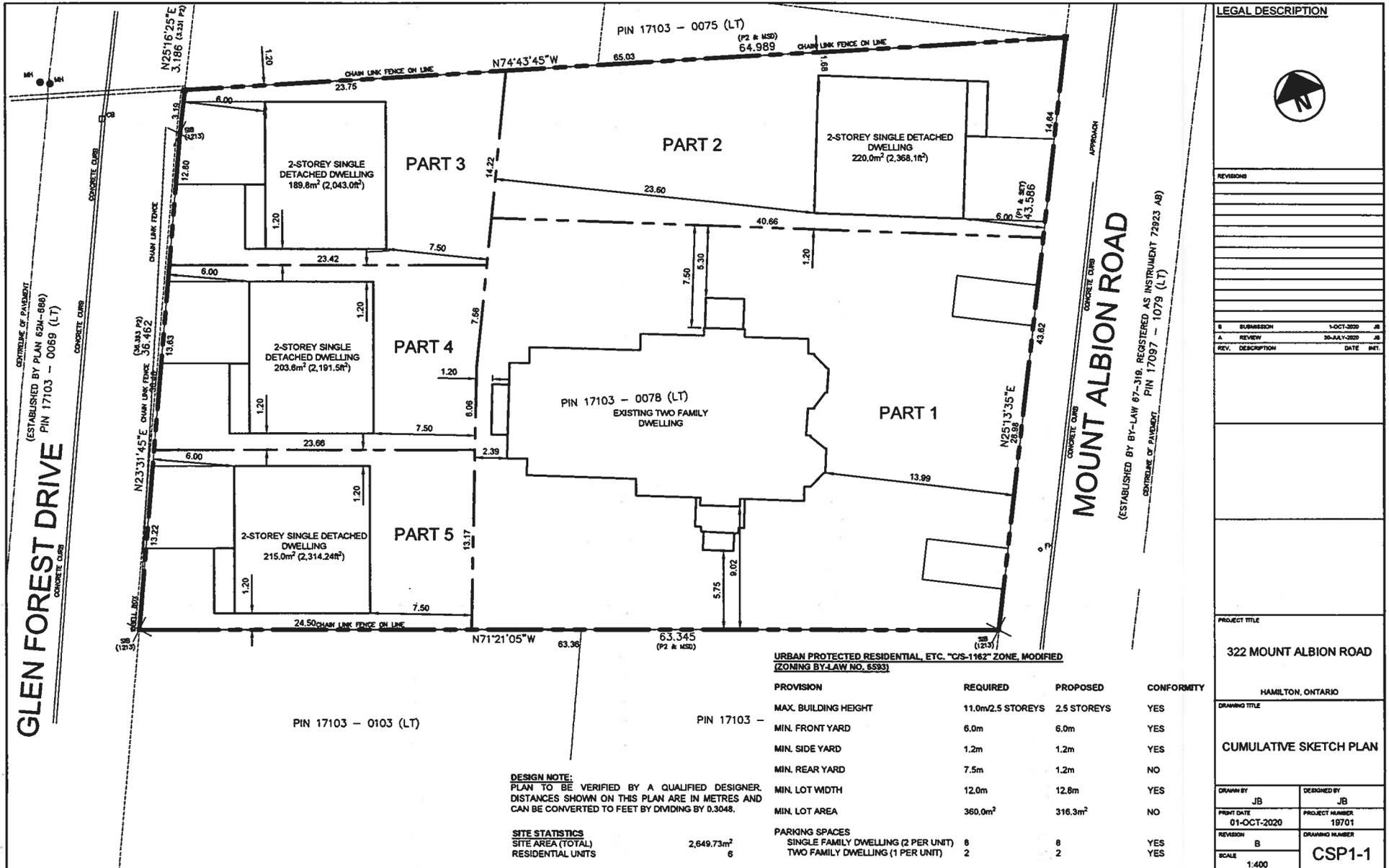
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021

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.



LEGAL DESCRIPTION

REVISIONS

S	SUBMISSION	1-OCT-2020	JB
A	REVIEW	20-JULY-2020	JB
REV.	DESCRIPTION	DATE	INT.

PROJECT TITLE

322 MOUNT ALBION ROAD

HAMILTON, ONTARIO

DRAWING TITLE

CUMULATIVE SKETCH PLAN

DRAWN BY	DESIGNED BY
JB	JB
PRINT DATE	PROJECT NUMBER
01-OCT-2020	19701
REVISION	DRAWING NUMBER
B	CSP1-1
SCALE	1:400

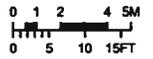
URBAN PROTECTED RESIDENTIAL, ETC. "C/S-1162" ZONE, MODIFIED (ZONING BY-LAW NO. 6593)

PROVISION	REQUIRED	PROPOSED	CONFORMITY
MAX. BUILDING HEIGHT	11.0m/2.5 STOREYS	2.5 STOREYS	YES
MIN. FRONT YARD	6.0m	6.0m	YES
MIN. SIDE YARD	1.2m	1.2m	YES
MIN. REAR YARD	7.5m	1.2m	NO
MIN. LOT WIDTH	12.0m	12.8m	YES
MIN. LOT AREA	360.0m ²	316.3m ²	NO
PARKING SPACES			
SINGLE FAMILY DWELLING (2 PER UNIT)	8	8	YES
TWO FAMILY DWELLING (1 PER UNIT)	2	2	YES

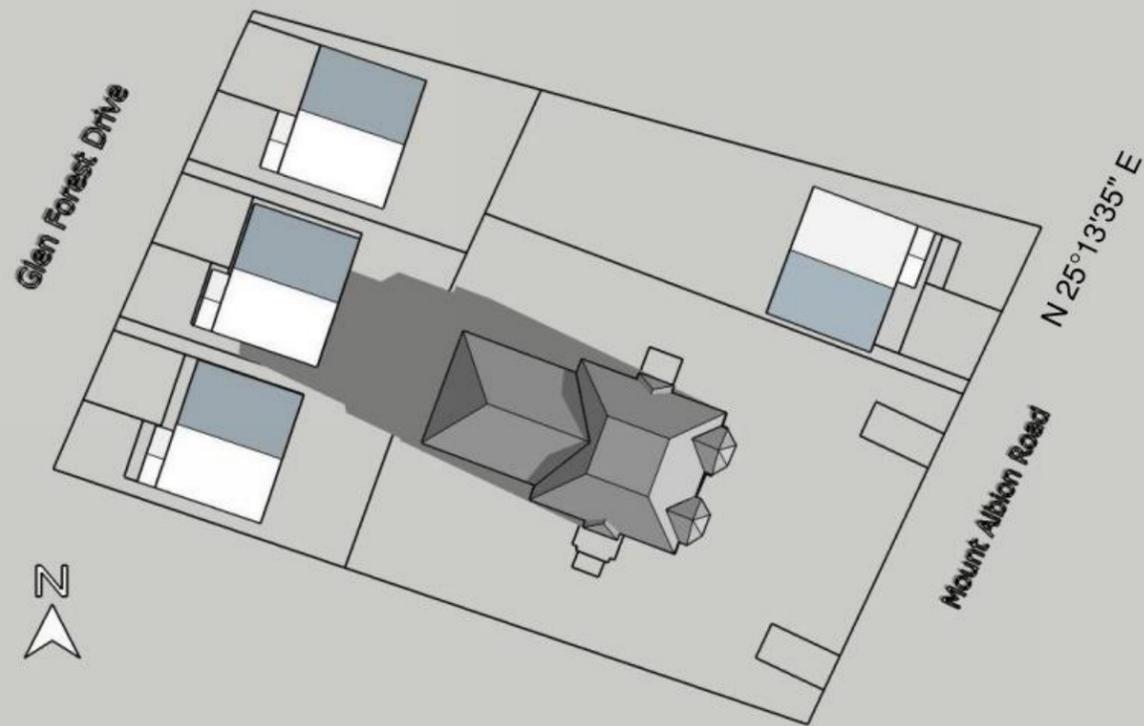
DESIGN NOTE:
 PLAN TO BE VERIFIED BY A QUALIFIED DESIGNER.
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SITE STATISTICS

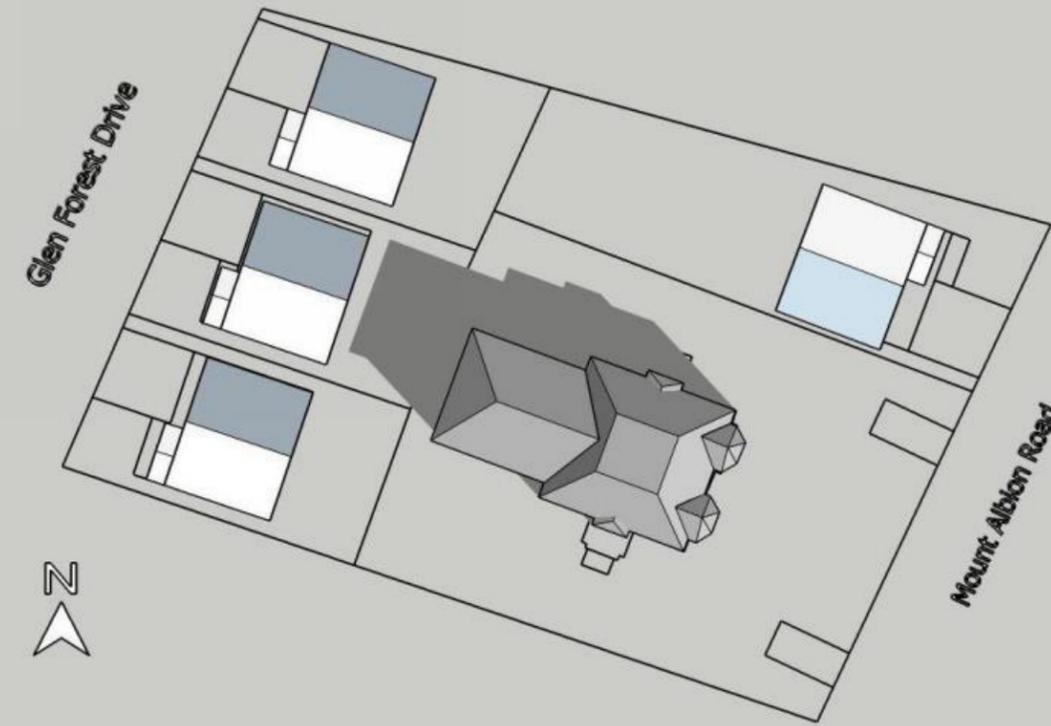
SITE AREA (TOTAL)	2,649.73m ²
RESIDENTIAL UNITS	6



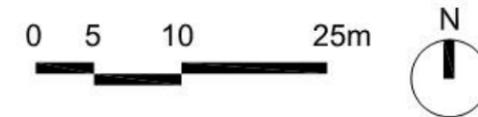
SCALE = 1:200



March 21 8:50am
1.5 hours after sunrise



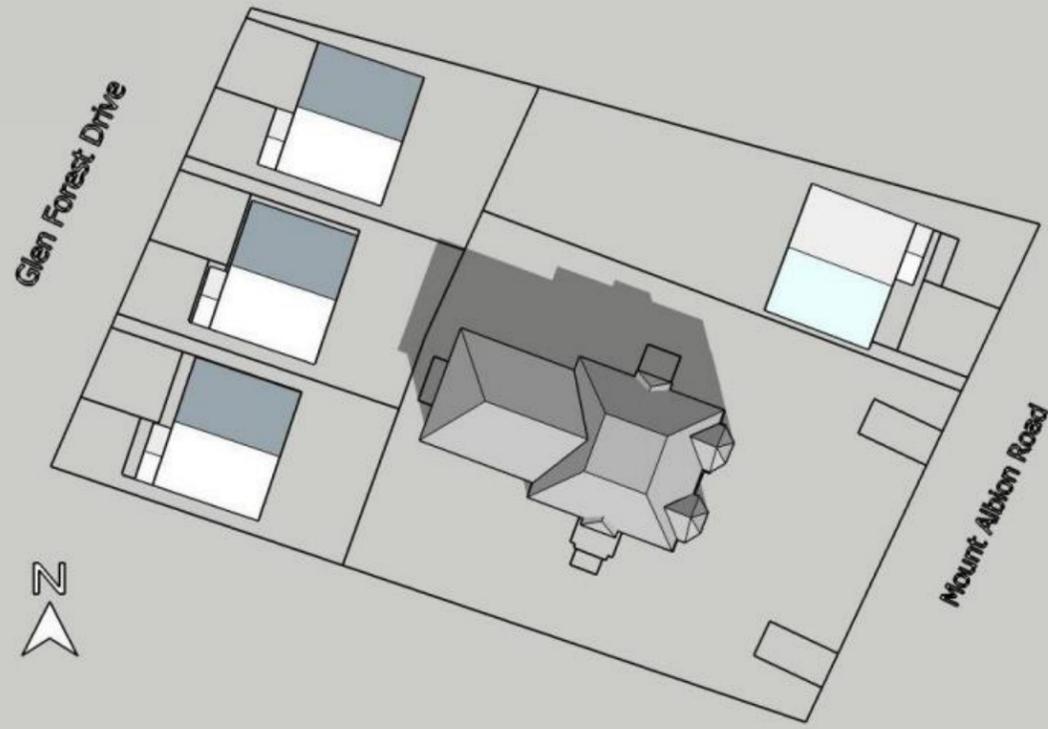
March 21 10:20am



Shadow Impact Study from Existing Duplex Dwelling

- **Confirmation of site latitude and longitude used in shadow drawings:** 43.2557° N, 79.8711° W.
- **A statement describing how astronomic true north was determined:** Astronomic true north was determined by the survey.
- **Origin/source of the base plan:** Topographic Survey of Part of Lot 35 Concession 2 Geographic Township of Saltfleet in the City of Hamilton by S.D. McLaren O.L.S. - 2020 and Conceptual Site Plan No. CSP5-1 prepared by T. Johns Consulting Group dated July 30th, 2020.
- **Description of all locations, uses of areas not meeting the shadow impact criteria (include a key plan for reference):** None.
- **Quantification and assessment of the impacted areas that do not meet the shadow impact criteria:** None.
- **Do shadow impacts from the existing heritage duplex dwelling impact the newly created lots' rear yards for more than a maximum of 3 hours of sun coverage between 10:00 a.m. and 4:00 p.m. as measured from March 21st to September 21st :** No. The existing dwelling shadow impacts the rear yards as follows: Part 2: 2.5 hours, Part 3: 1 hour, Part 4: 2.5 hours, Part 5: 0.25 hours.
- **Summary:** In Summary, the Sun Shadow impacts from the existing duplex dwelling do not adversely impact the new lots' rear yards for the stated criteria, particularly Part 4.

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March 21 11:50am



March 21 1:20pm
Solar Noon



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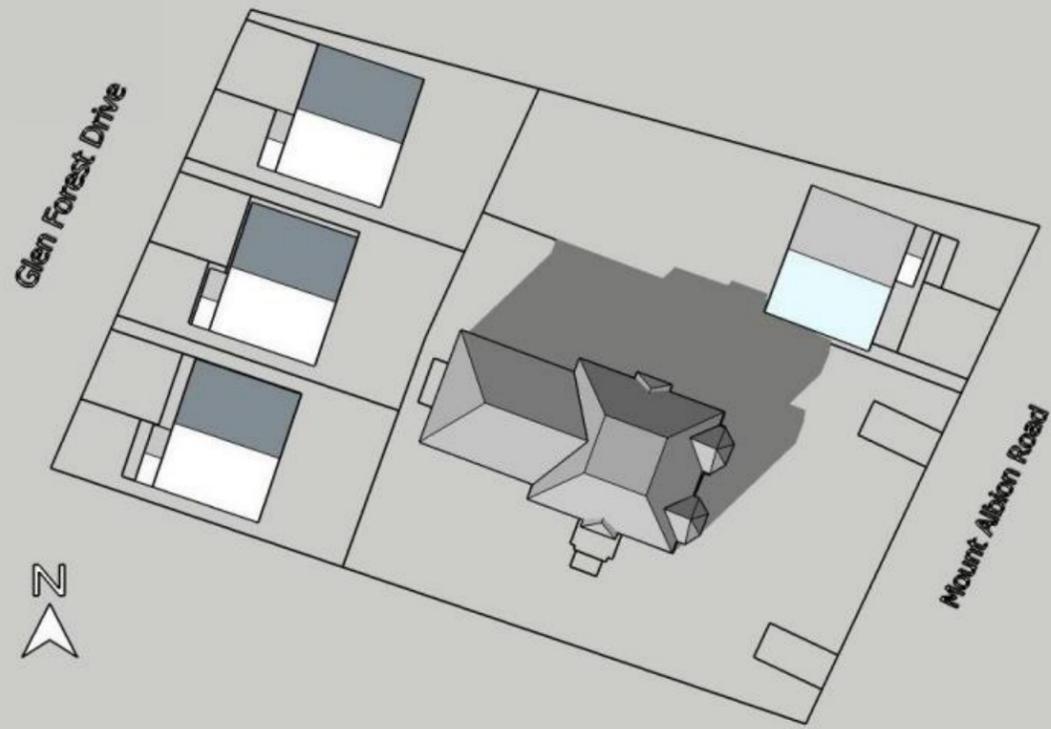
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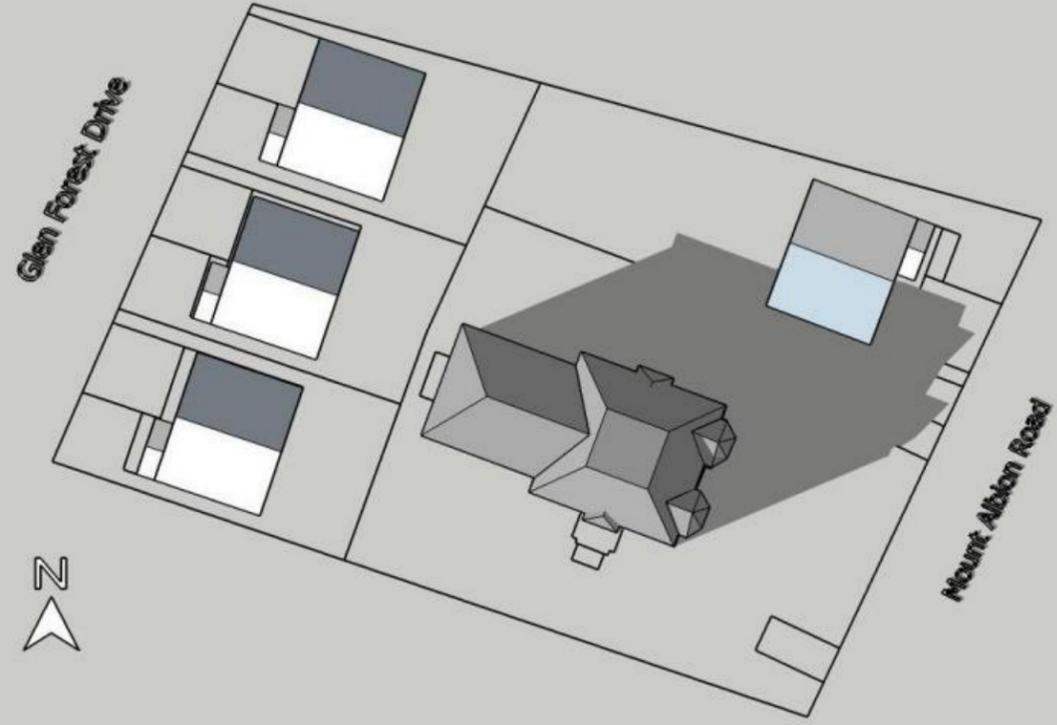


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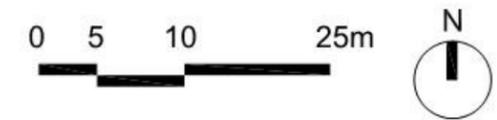
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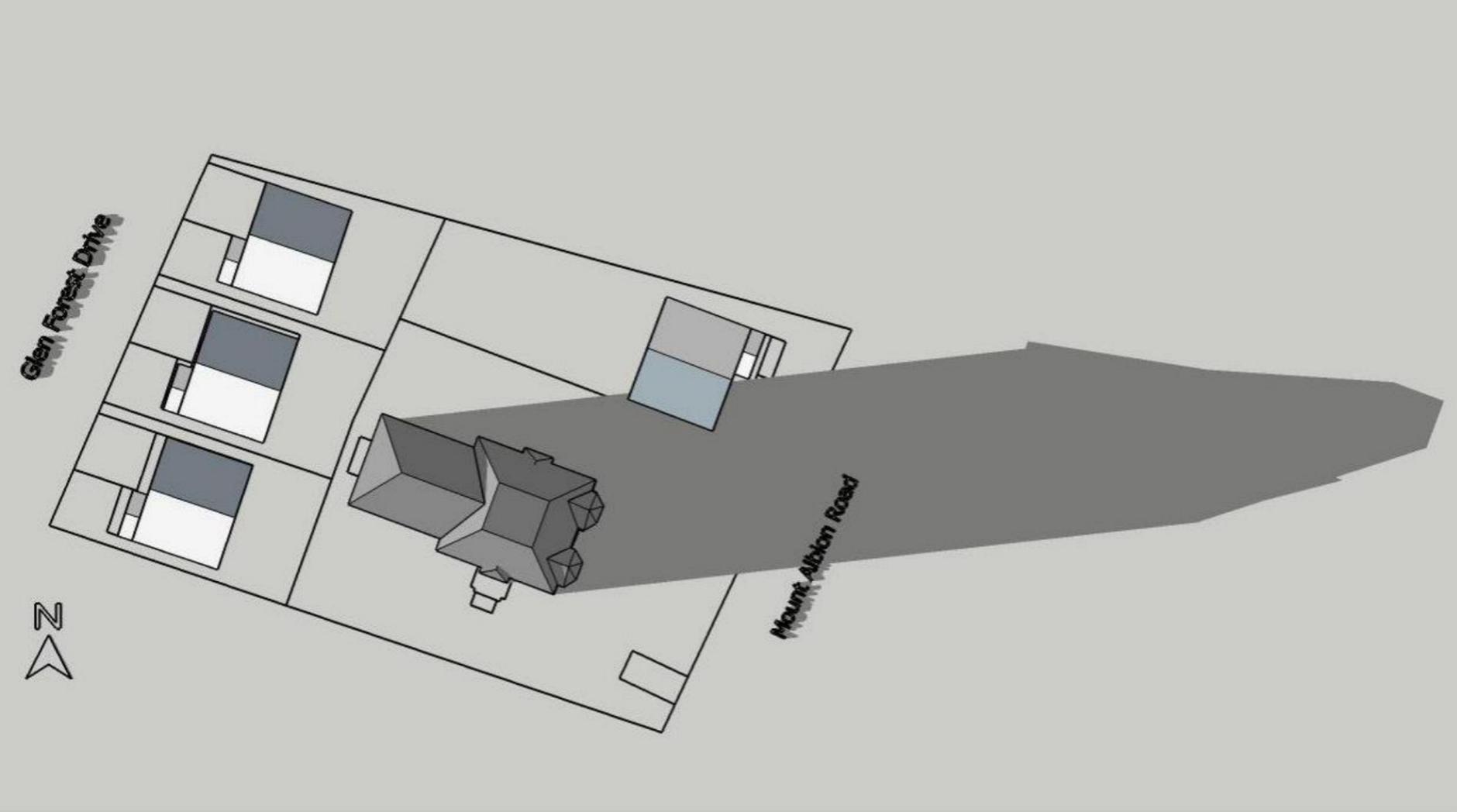
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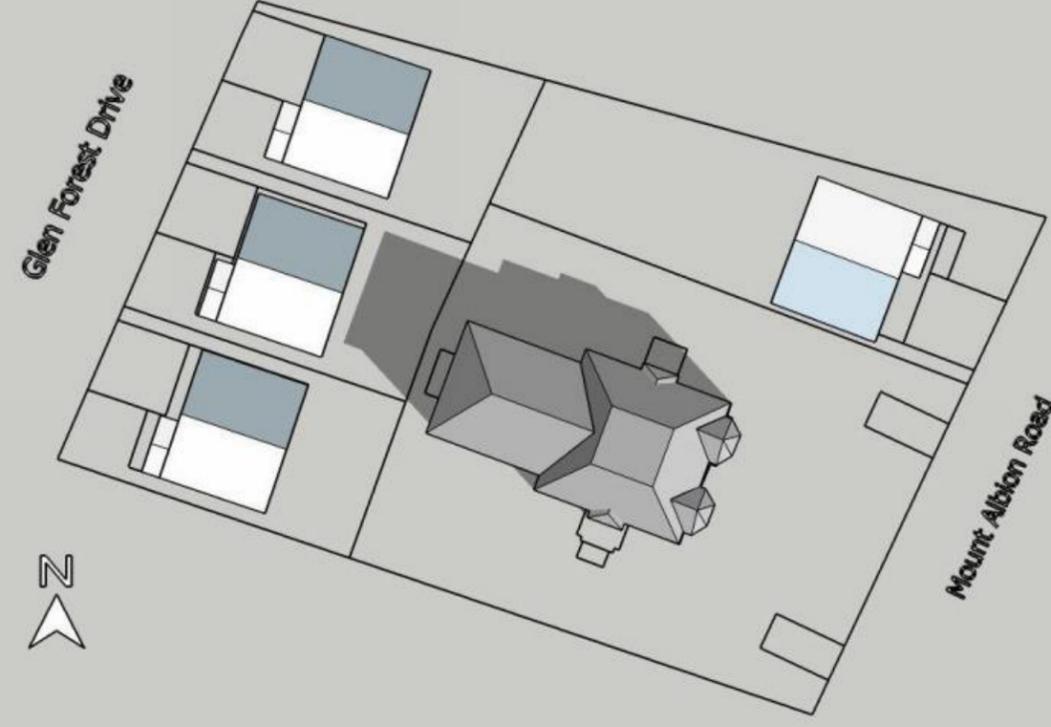
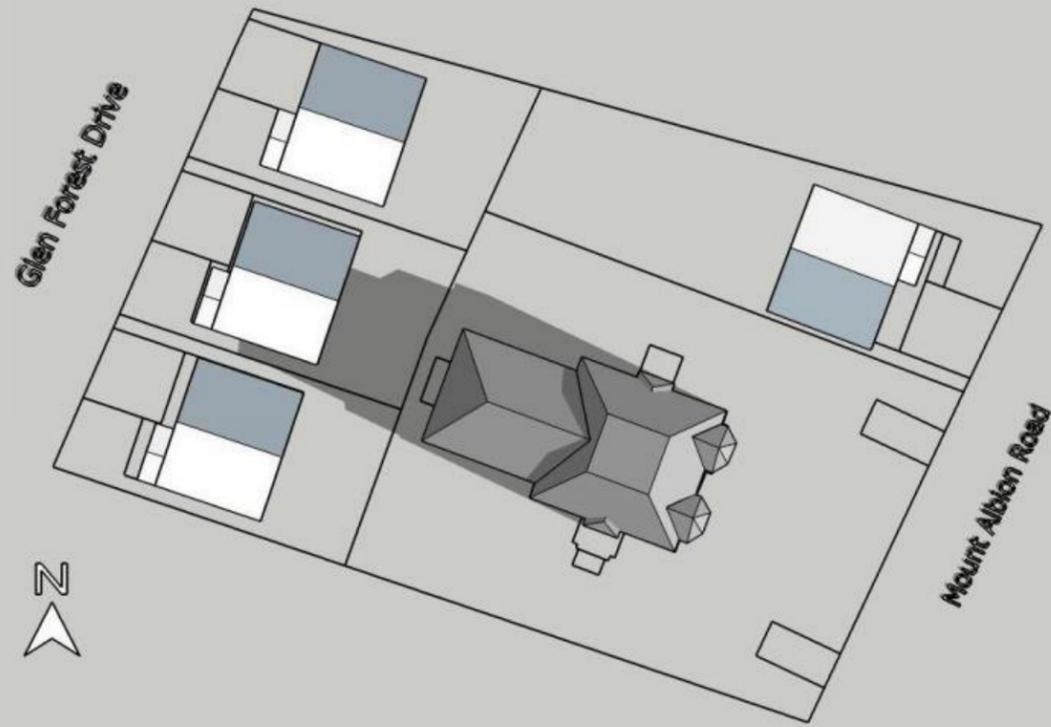


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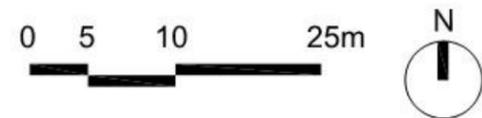
TCA | **THIER+CURRAN ARCHITECTS INC.**
 thoughtful buildings + interiors

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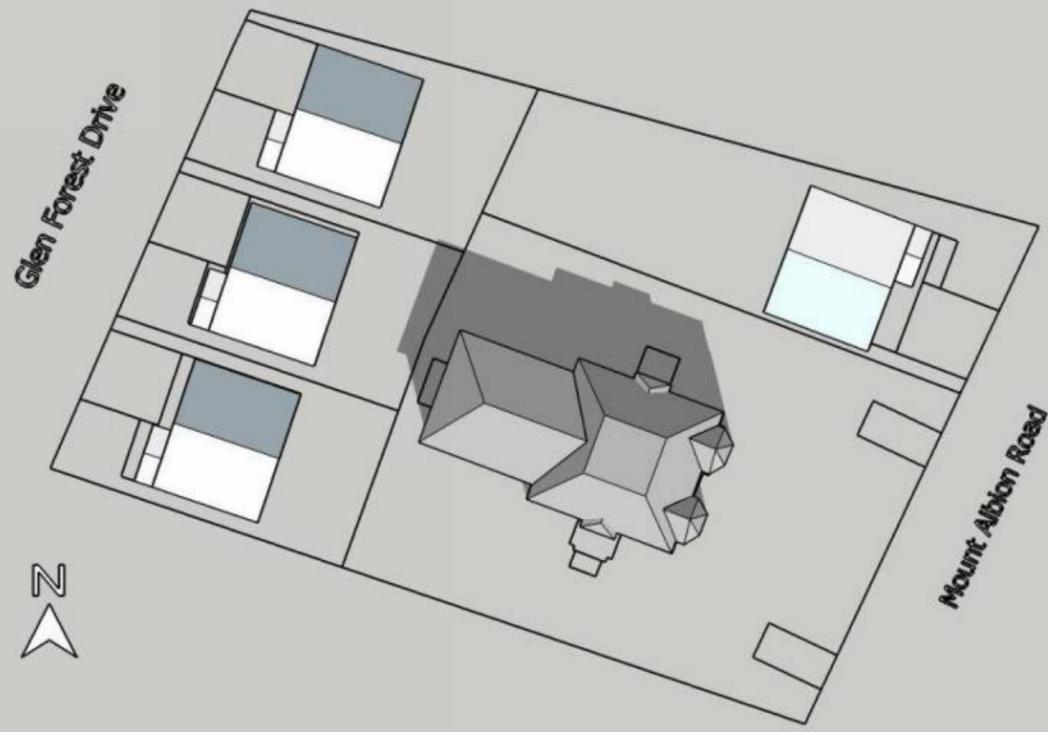
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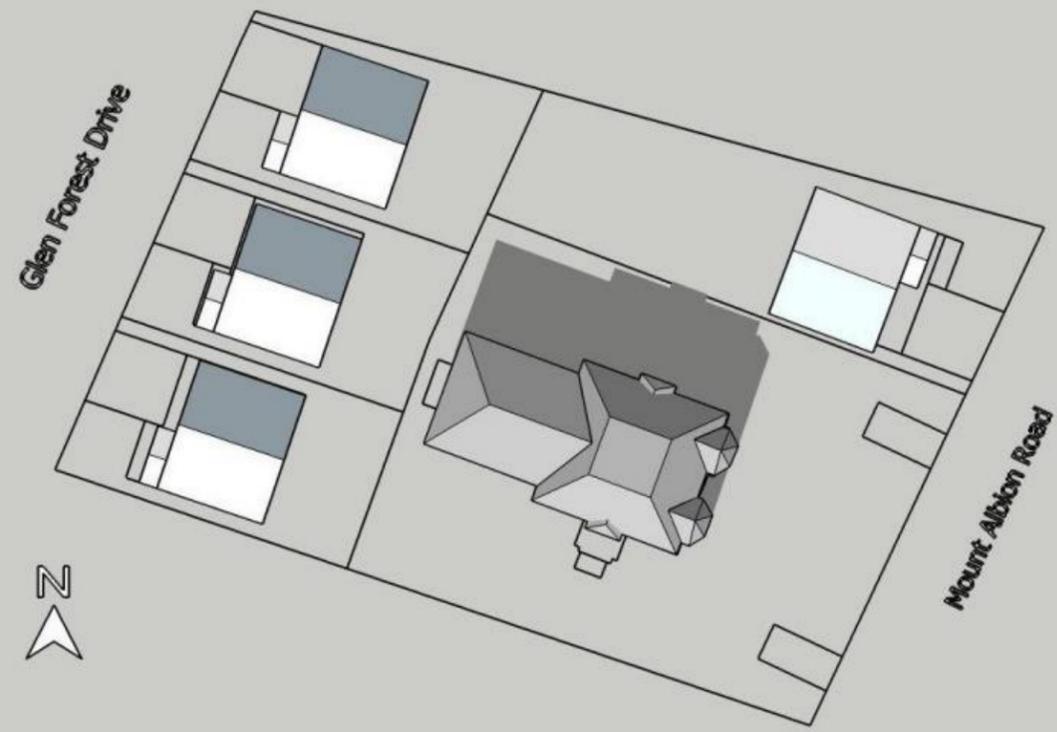


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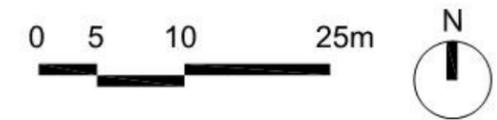
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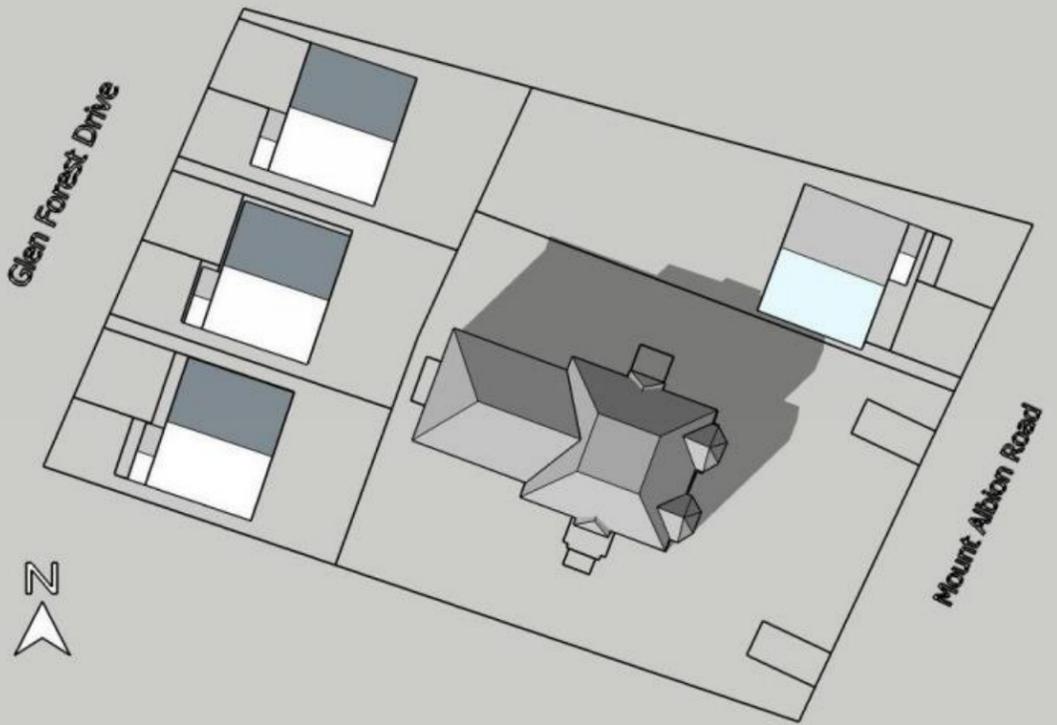


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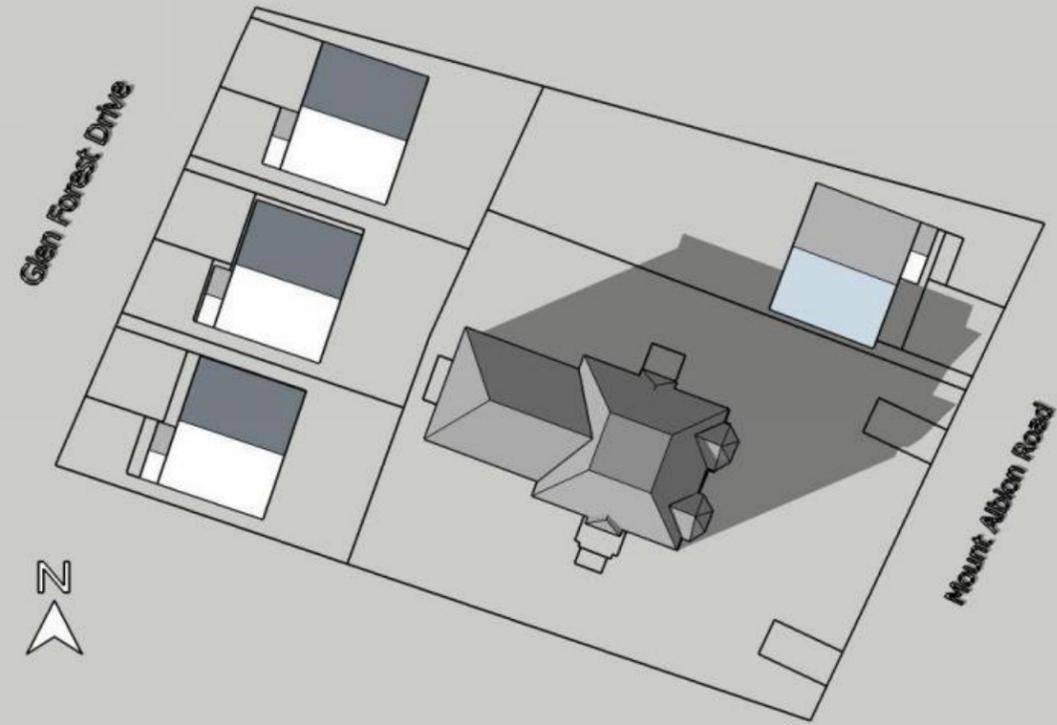
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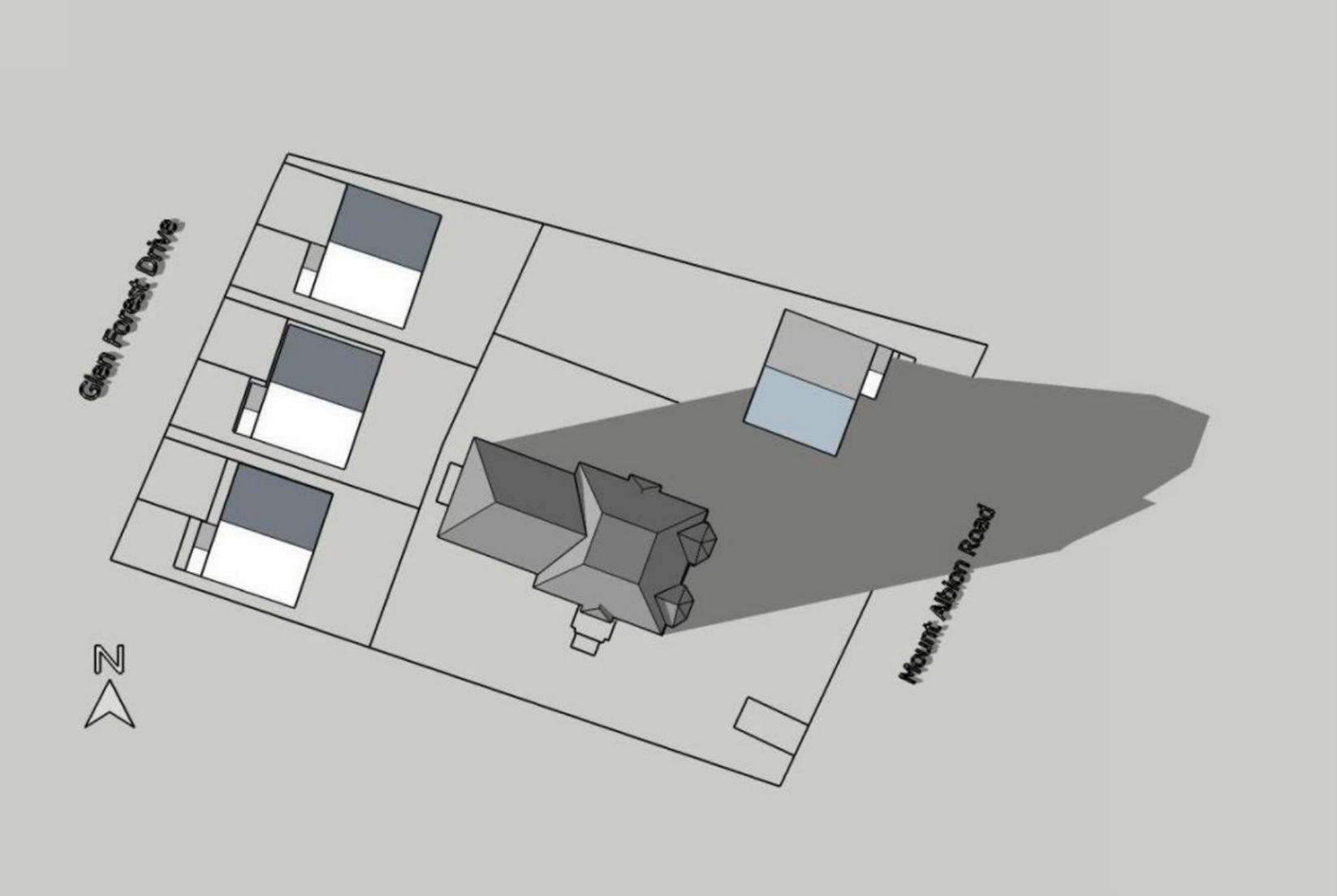


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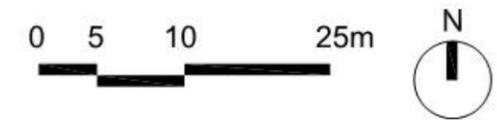
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December 16, 2020

**Re: Application for Consents to Create Four Lots and Minor Variances
322 Mount Albion Road**

You are receiving this correspondence given that you have expressed an interest in the above applications that were tabled at the Committee of Adjustment at their meeting Thursday November 19 to allow the proponent time to respond to questions, concerns and comments arising from those who live in the neighbourhood and have made a submission to the Committee including the signing of the correspondence dated November 12.

I am a professional planning consultant who has been retained to assist Adam Lucas in proceeding through this process.

Since it is impossible to have an in person public gathering, it is more challenging to connect with individuals such as yourself on a matter that I understand and appreciate is of great importance to you and those in your neighbourhood. However, in order to initiate some form of dialogue, I felt it would be helpful to respond to the questions, comments and concerns raised in the correspondence received by the Committee, and hopefully through this exercise eliminate, or possibly mitigate, many of the concerns that have been expressed.

My responses will begin with providing information that was requested regarding the application. It will then follow up with response to a number of concerns that have been expressed with respect to the applications.

This response letter is based on comments from:

1. Gina Constantino, November 13
2. Anna and Dave Brando and family, November 16
3. Mrs. Barcoroli, phone call to Councillors office
4. Correspondence of November 12, 2020 with 25 signatures attached. For those who signed the correspondence, we apologize if the spelling of some names in this response is not accurate. Some of the names on the list proved to be a bit difficult to decipher.
5. Mr. George Hourtovenko, November 15

Is there a proposed plan for the homes which will eventually be built on the four lots?

While it is not normally a condition of severance in cases such as this, staff have requested the preparation of elevation drawings prior to the approval of the applications. The owner has agreed and prepared preliminary plans which are attached. These plans were based on the expectations of the owner and drafted with the assistance of a professional architect.

They are very preliminary plans at this stage however they do provide helpful information regarding the height and width of the proposed buildings, confirmation that the buildings can be accommodated on the site within existing zoning regulations, and provide some details as to what the new buildings will look like. However, the final design will vary from this detail somewhat.

Form of Development

The development does not include any townhouse units.

Conversion of existing farmhouse

There is no intention to include a proposal to convert the existing farmhouse into apartments.

Increase fire loading and not enough fire break between the properties.

The separation between the proposed buildings complies with existing zoning regulations. Requirements for sufficient fire breaks will be examined in more detail at Building Permit stage. Prior to a Building Permit being issued for any one of the four lots, building drawings will be reviewed to ensure they comply with fire regulations and Ontario Building Code standards.

Throughout the application, it contains the words "further variances shall be required". This raises a lot of uncertainties.

It is uncertain as to where this comment originates. There are no further variances required to implement the consent applications.

Concern regarding on street parking.

Each of the lots is sufficient to accommodate on site parking and will not generate any additional parking demand beyond that already experienced by all of the existing single family dwellings in the area. The proposed drawings include allowances for both 1 and 2 car garages which is the same as homes in the immediately surrounding area. The proposal will have to meet City of Hamilton by-law requirements for size and dimension of parking spaces and number of parking spaces for each new home.

Do the current owners plan to sever and sell the lots for development or plan to build themselves?

The proponents, Adam and Lucas, who grew up in the area, plan to construct two of the new houses on Glen Forest Drive for their own use. They would like to remain in the neighbourhood and will ensure that not only their two dwellings, but also the other dwellings on the site will be designed to a very high standard since they plan to continue living there.

Do the proposed building lots on Glen Forest Drive be quite shallow; will the proposed buildings on these lots fit in with the style of homes on Glen Forest that date back 25-50 years? How will this affect me and those around me? Will the proposed building height be consistent with the existing single detached dwelling?

Yes, these lots will have less depth than those currently on Glen Forest Drive. It is for this reason that care has been taken to ensure that the width of the lots and the frontage and side yard setbacks comply with existing zoning regulations as it is the street face that is most important in terms of neighbourhood perceptions.

The three lots on Glen Forest Drive will have back yards that are not as deep as those on Glen Forest Drive. However the depth of the back yards will not be noticeable from the roadway. This depth is dictated by the desire to retain the existing dwelling at 338 Mt. Albion Road. These lot depths could have been increased to match those in the neighbourhood. However this would have required the demolition of the existing building which the owners would rather retain. They felt that the creation of back yards that are not as deep as others in the neighbourhood was a fair tradeoff in order to preserve the existing dwelling at 338 Mount Albion Road.

As can be seen from the elevation plans, the new dwellings will not look like homes that were built 25-50 years ago. A lot has changed in terms of building design and building codes and expectations since that time. It is not surprising that the new designs are somewhat of a departure from those in the neighbourhood.

The two-storey height of the new homes is not unlike the two-storey homes on Mount Albion Road or the two storey back split design of homes on Glen Forest Avenue.

The question of how the lots will "fit in" with the style of homes on Glen Forest Drive is not a test that the planning policies apply to the consideration of infill severances. Rather the test is one of compatibility, with the definition of compatibility as provided in the City of Hamilton Official Plan as follows:

"Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean "same as" or even as "being similar to"."

As can be seen, the Official Plan allows some latitude in assessing compatibility. In this case, it is my opinion that the proposal is compatible. While the built form is different than structures that have been built 25-50 years ago, this form of development can exist in harmony with the neighbourhood.

Planners use tests to measure compatibility by assessing lot widths, setbacks, height and built form. In this case, the proposal illustrated by the sketches will comply with all of the existing zoning regulations that also apply to all of the other lots within the neighbourhood.

While the design will be different, the fundamental use of the property will not be different. It will introduce four new families into the Davis Creek neighbourhood which can be accommodated without any disruption to the lifestyle or the strong feeling of community which is evident from the correspondence we have received.

This will continue to remain a strong, vibrant and healthy community as new families move into these homes. As noted, two of the dwellings will be owned and occupied by Adam and Lucas, who are long time residents of the neighbourhood.

The proposed dwellings will be somewhat higher than many of the existing single detached dwellings in the area. However, the height will comply with existing zoning regulations which is the key test for assessing compatibility from a planning perspective.

Instead of squeezing 3 single family dwellings on Glen Forest Drive, perhaps consider 2 single family dwellings/bungalow.

I interpret the comment to read that the suggestion is to create two lots to accommodate single family dwellings/bungalow.

The creation of two lots on Glen Forest Drive instead of 3 would generate a situation which would be out of character with the neighbourhood. It would also open the door to consideration of what are traditionally referred to as monster homes. If the 36 metre frontage on Glen Forest Drive were divided into two parcels 18 metres each, those two lots could accommodate an extremely large home which would meet zoning regulations but would not be at all in character with the neighbourhood. The creation of three lots in this area provides a greater level of certainty that the ultimate development form will be compatible with the neighbourhood.

The main reason we chose this neighbourhood was for its secluded type of environment nestled partway up the escarpment and Red Hill valley. It has all the amenities nearby to raise a family and be a home and included single family homes that included property that supported the aspirations for such families to lay down their roots for generations. This was not what we had envisioned. We have been strong supporters of the neighbourhood at the school, church, and businesses.

Those desirable elements of the neighbourhood will continue and will not be affected by proposed applications. The most significant change will be the addition of four new dwellings whose inhabitants will also be able to share in the enjoyment of the neighbourhood in the same manner other families and others in the neighbourhood have over the last 30 years. They too can enjoy the amenities, lay down their roots for generations and be supportive of the school, church and businesses in the neighbourhood. As noted, two of the homes will be occupied by those who have over their lifetime enjoyed those very amenities they currently share with other neighbours in the area.

The character and desirability of the Davis Creek neighbourhood will continue, albeit perhaps in a way slightly differently than the way initially envisioned with respect to what this property will look like when neighbours pass this site. One will now see new dwellings where in the past they have enjoyed the views of the rear yard of the existing farmhouse property. However, in all other aspects of life within the neighbourhood, I believe it will continue to retain its desirable character and function, which can now be embraced and shared by four more families.

This will set a precedent for land severance in the neighbourhood which cannot be reversed.

The precedent setting nature of such an application has already been set by the establishment of clear planning policies at Provincial and local level which encourage intensification in urban areas. It is a precedent which applies equally to every neighbourhood in the Province. By its very nature, general intensification throughout urban areas generates change.

The Province has determined that currently 40% and shortly thereafter 50% of all new growth within the City of Hamilton has to occur within areas that are already within the development limits of the Official Plan. That means that a significant amount of new growth has to be accommodated in locations throughout the City. There is no area in the City which is exempt from accepting a fair share of new growth.

This direction is also found in Policy B.2.4.1.3 of the City of Hamilton Urban Plan which notes that 40% of the residential intensification target is anticipated to occur within the Neighbours designation. This property is within the Neighbour designation.

The only consistent expectation is that things will not remain the same. The question for planners and decision makers is to what extent is such change reasonable, compatible, and can be accommodated without adversely affecting the character or function of the neighbourhood.

This theme is picked up in the City of Hamilton Urban Official Plan where, in Section B.2.4, the outcome of change resulting from intensification is anticipated. This section also acknowledges that impacts will occur, but at that they must not be unacceptable.

I hope some of this information may be helpful in understanding the proposal not only in terms of the direct change that will be generated for the neighbourhood but also an understanding of how it fits into the broader planning principles at the local and Provincial level. While these planning policy documents may be difficult to read and understand, they do have practical implications for development applications such as this.

Given that we will not have an opportunity to meet to discuss these matters other than at Committee of Adjustment meeting which will be coming up in a short while, I would offer an invitation for anyone who would like to send me a note or give me a call to discuss this matter, please feel free to do so.

We have asked the Committee to bring the matter forward to the next available meeting. I am not sure when that will be.

I suspect you will be notified directly by the Committee when the application will be brought back to the Committee of Adjustment for consideration. If you would like to attend the meeting, which will be held virtually, I would recommend that you contact the Committee secretary directly and ask that you be given an invitation to the meeting which will be held in Zoom format. The Secretary Treasurer can be reached at: Jamila.sheffield@hamilton.ca Phone: 905-546-2424 ext. 4144.

Respectfully Submitted,

FOTHERGILL PLANNING & DEVELOPMENT INC.

E.J. Fothergill, MCIP, RPP
President

cc. Adam Colalillo, Owner
Lucas Colalillo, Owner
Councillor Chad Collins
Jamila Sheffield, Secretary of Committee of Adjustment



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-20:69

SUBJECT PROPERTY: 322 Mt. Albion Rd., 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): Ed Fothergill on behalf of the owners A. & L. Colalillo

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land shown as Part 4 on the attached sketch and to retain two parcels of land shown as Parts 3 & 5 on the attached sketch for residential purposes.

Severed lands (Part 4):
 13.63m[±] x 23.42m[±] and an area of 317.8m^{2±}

Retained lands (Part 3):
 12.80m[±] x 23.42m[±] and an area of 316.3m^{2±}

Retained lands (Part 5):
 13.22m[±] x 23.42m[±] and an area of 317.2m^{2±}

This application will be heard in conjunction with Severance Application HM/B-20:68 & HM/B-20:70

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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.

HM/B-20:69
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

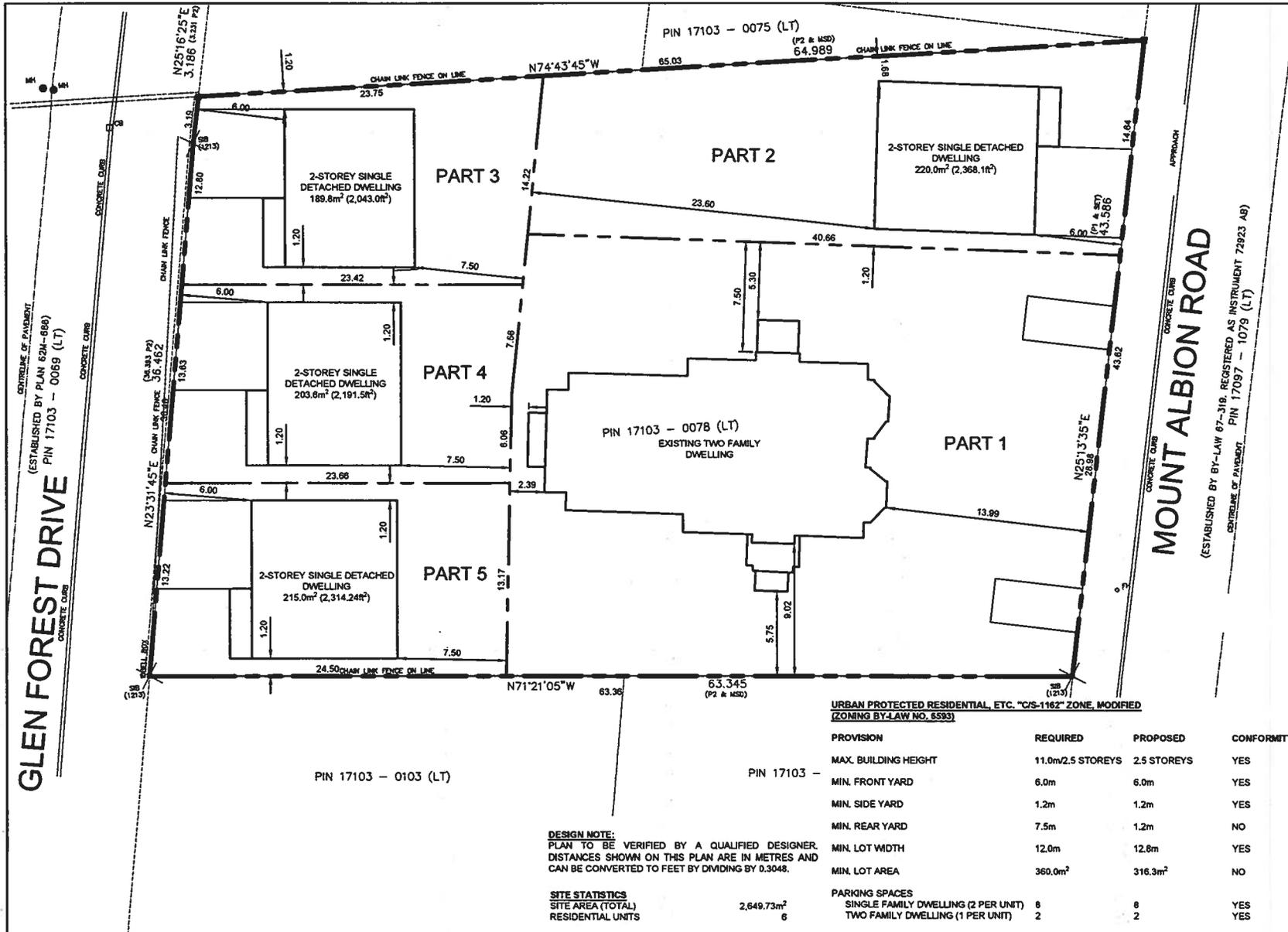
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021

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.



LEGAL DESCRIPTION

REVISIONS

B	SUBMISSION	1-OCT-2020	JB
A	REVIEW	30-JULY-2020	JB
REV.	DESCRIPTION	DATE	INT.

PROJECT TITLE

322 MOUNT ALBION ROAD

HAMILTON, ONTARIO

DRAWING TITLE

CUMULATIVE SKETCH PLAN

DRAWN BY	DESIGNED BY
JB	JB
PRINT DATE	PROJECT NUMBER
01-OCT-2020	19701
REVISION	DRAWING NUMBER
B	CSP1-1
SCALE	1:400

URBAN PROTECTED RESIDENTIAL, ETC. "C/S-1162" ZONE, MODIFIED (ZONING BY-LAW NO. 6593)

PROVISION	REQUIRED	PROPOSED	CONFORMITY
MAX. BUILDING HEIGHT	11.0m/2.5 STOREYS	2.5 STOREYS	YES
MIN. FRONT YARD	6.0m	6.0m	YES
MIN. SIDE YARD	1.2m	1.2m	YES
MIN. REAR YARD	7.5m	1.2m	NO
MIN. LOT WIDTH	12.0m	12.8m	YES
MIN. LOT AREA	360.0m ²	316.3m ²	NO
PARKING SPACES			
SINGLE FAMILY DWELLING (2 PER UNIT)	8	8	YES
TWO FAMILY DWELLING (1 PER UNIT)	2	2	YES

DESIGN NOTE:
 PLAN TO BE VERIFIED BY A QUALIFIED DESIGNER.
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SITE STATISTICS

SITE AREA (TOTAL)	2,649.73m ²
RESIDENTIAL UNITS	6



SCALE = 1:200



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-20:70

SUBJECT PROPERTY: 322 Mt. Albion Rd., 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): Ed Fothergill on behalf of the owners A. & L. Colalillo

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land containing an existing 2½ storey dwelling (to remain) for residential purposes.

Severed lands (Part 2):

14.64m[±] x 40.66m[±] and an area of 515.9m^{2±}

Retained lands (Part 1):

28.97m[±] x 38.87m[±] and an area of 1,183.2m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

TIME: 1:40 p.m.

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

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

PUBLIC INPUT

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

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

HM/B-20:70
PAGE 2

MORE INFORMATION

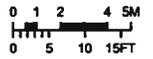
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021

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 = 1:200



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-20:287

APPLICANTS: Sadee Piper on behalf of the owner David Elliot

SUBJECT PROPERTY: Municipal address **555 Bay St. N., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 83-234

ZONING: "F-1/S-838a" (Waterfront Recreation) district

PROPOSAL: To permit the construction of a 50 square metre accessory building for the Hamilton Yacht Club consisting of washroom facilities notwithstanding that:

1. The maximum height for an accessory building shall be 4.5 metres instead of the maximum required 4.0 metre building height.
2. An accessory building may be permitted within a required side yard and within a distance of 2.1 metres from a side lot line, whereas accessory buildings are permitted in the rear yard only.

NOTES:

1. The property is zoned Site-Specific F-1/S-838a (Waterfront Recreational) District which was approved April 15, 1985 by the Ontario Municipal Board. The property is occupied by the Hamilton Yacht Club and Hamilton Sailing Club which operate a marina and private clubs and are permitted in the F-1/S-838a District.
2. The F-1 District regulations apply to development on the subject lands.
3. Variances have been written as requested by the applicant.

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

DATE: Thursday, February 4th, 2021
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

HM/A-20:387

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: January 19th, 2021.

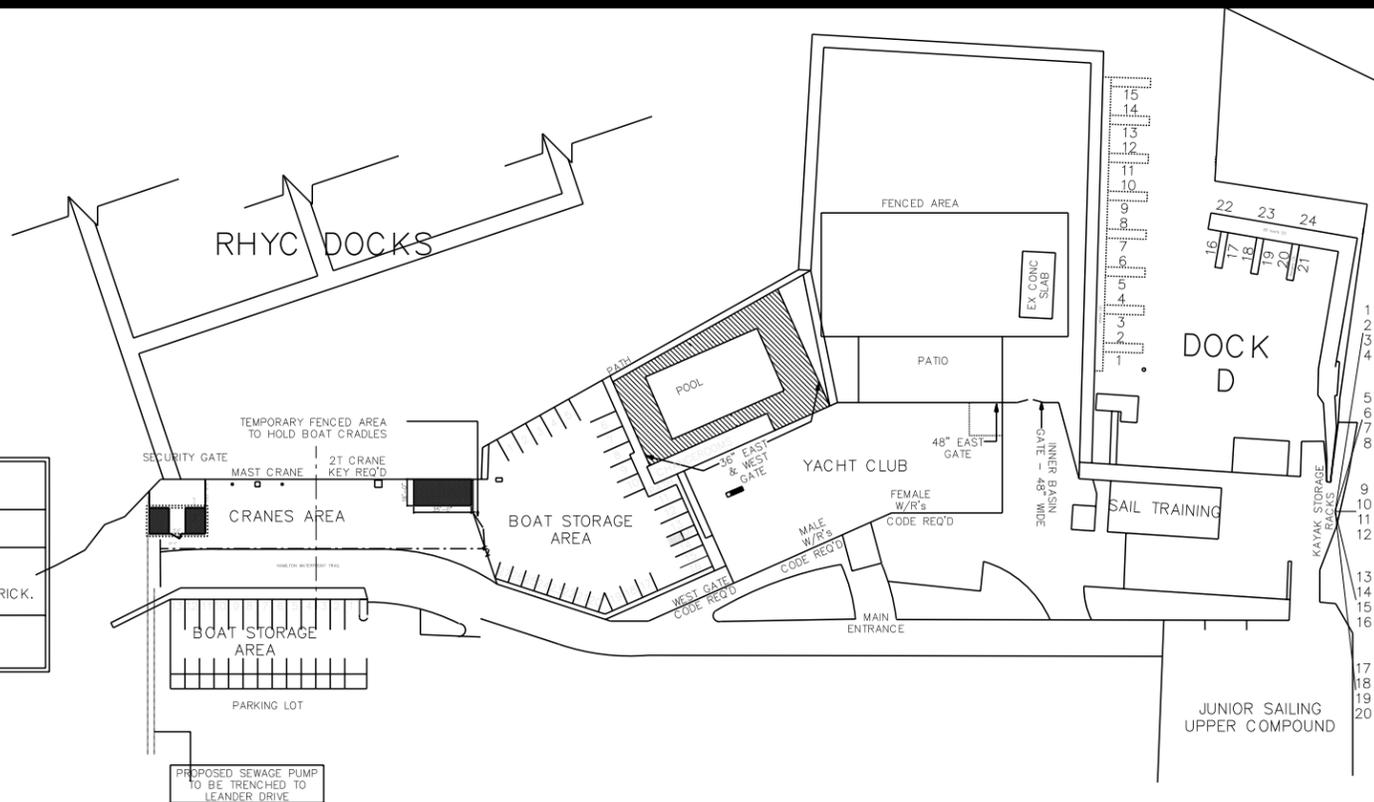
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

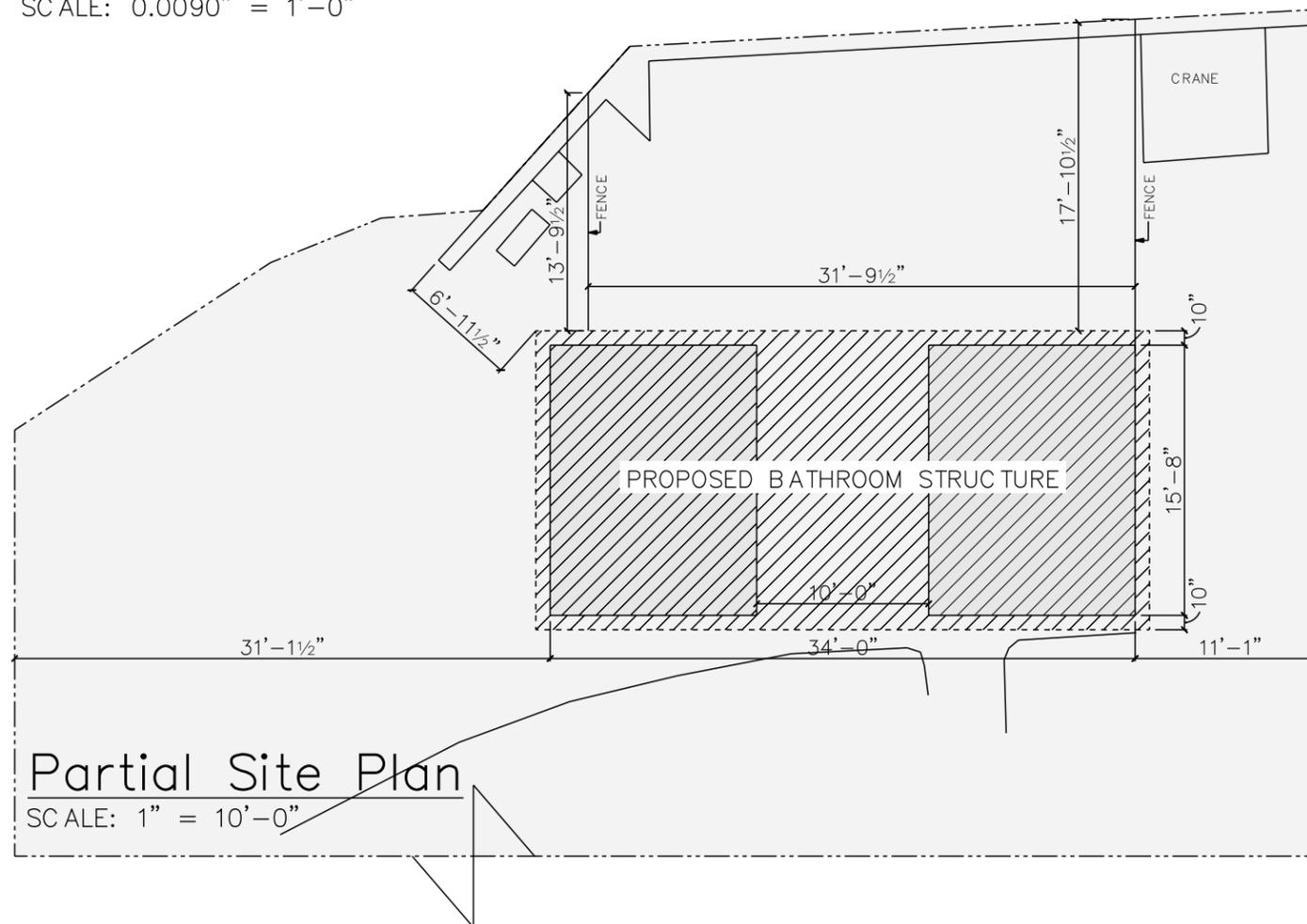
PROPERTY INFORMATION Variance #:		
BY-LAW SECTION	ALLOWED	PROPOSED
ZONE	R3.2	same
MAXIMUM HEIGHT	4 m	4.1 m
FRONT SETBACK	N/A	
LEFT SETBACK	N/A	2.1 m
RIGHT SETBACK	N/A	
REAR SETBACK	N/A	4.2 m

LINE LEGEND	
LINE TYPE	SYMBOL
PROPERTY	----
SETBACK	----
BUILDING	=====
ROOF LINE
ADDITION	////
SILT FENCE	-----
HOARDING	-----

GENERAL NOTES	
TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL. ALL DIMENSIONS ARE TO THE WOOD STUD, UNLESS TO BRICK.
AREAS	GROSS FLOOR AREA IS TO THE EXTERIOR OF WALLS. ALL OTHER AREAS ARE TO THE INTERIOR OF WALLS.



Full Site Plan
SCALE: 0.0090" = 1'-0"



Partial Site Plan
SCALE: 1" = 10'-0"

PROPERTY INFORMATION

SCALE: 1/8" = 1'-0"



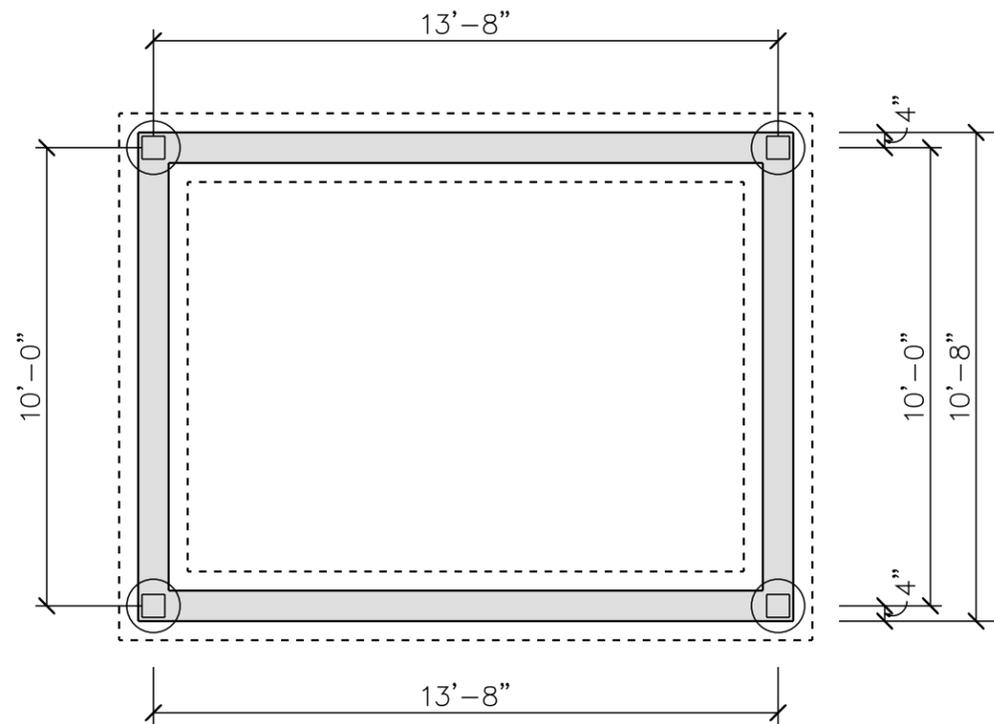
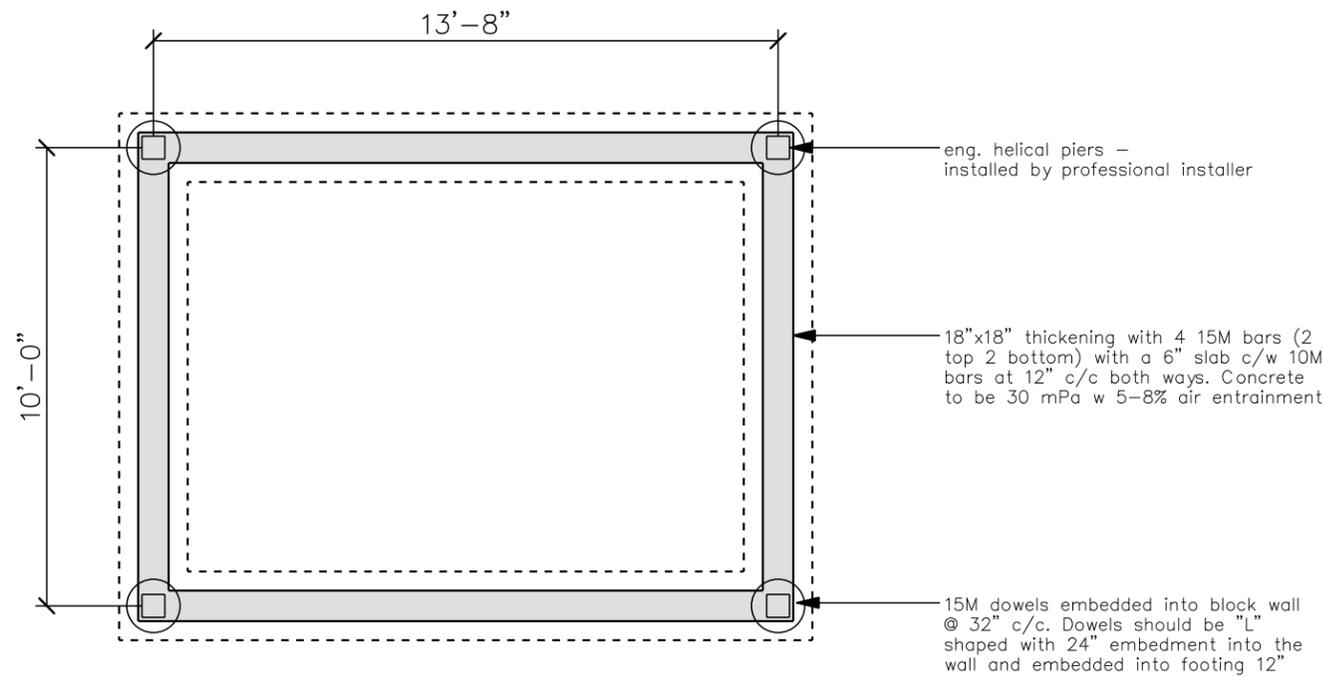
WhiteWillow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	27-MAR-2018	ENG REVIEW
2	27-NOV-2020	MV APP

design by:	D.O.	drawn by:	S.P.	approved by:	D.O.	date:	12/17/2020	scale:	As Noted
Project:	0631	RHYC - Washroom Proposal							
555 Bay St.		Hamilton, Ontario		L8L 1H1					
Sheet Title:	SP.1								
page 1 of 4									



FOUNDATION
SCALE: 1/4" = 1'-0"

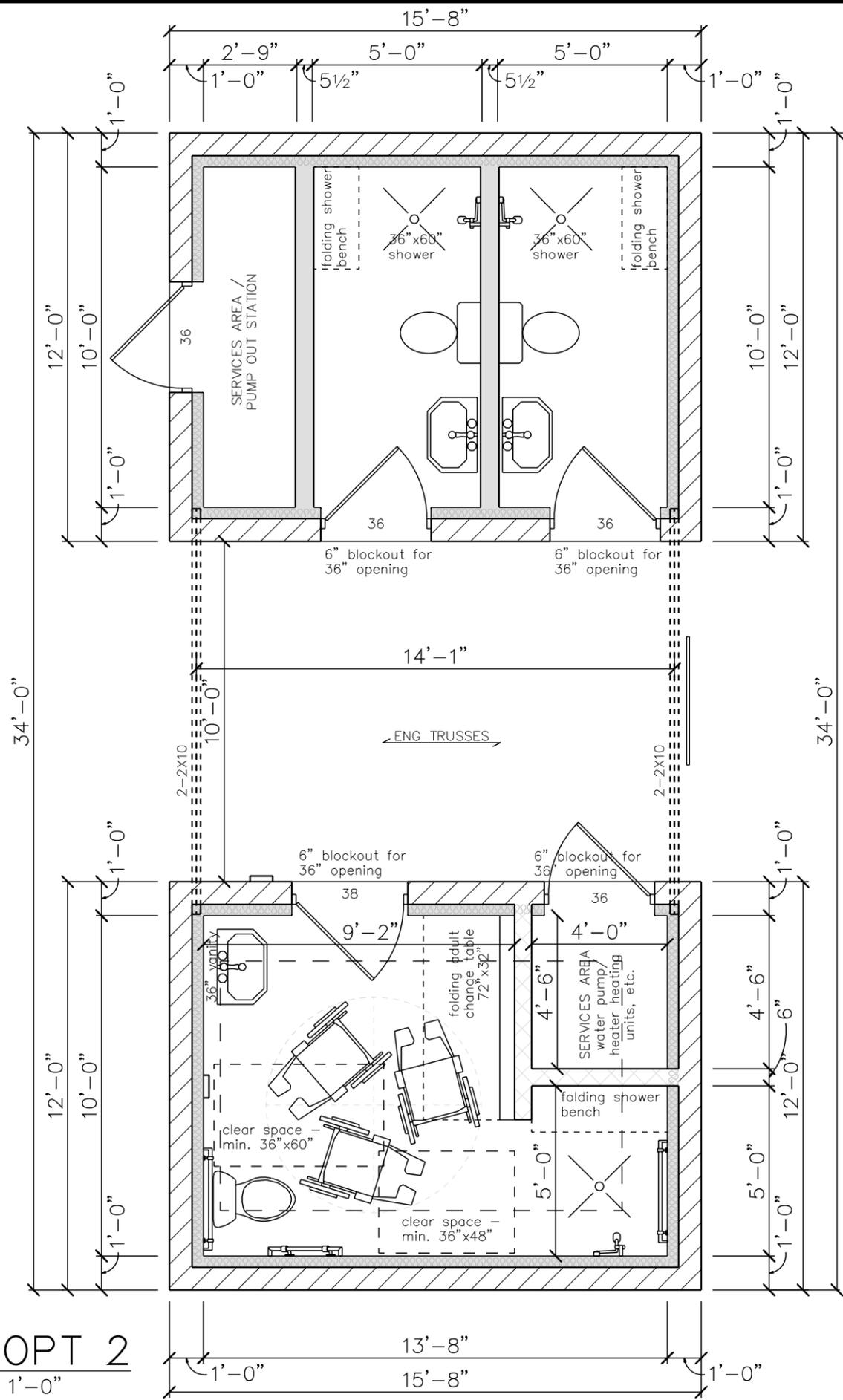


439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

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No.	DATE:	ISSUE / REVISION
1	27-MAR-2018	ENG REVIEW
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design by:	D.O.	drawn by:	S.P.	approved by:	D.O.	date:	12/17/2020	scale:	1/4" = 1'-0"
Project:	0631	RHYC – Washroom Proposal							
555 Bay St.		Hamilton, Ontario		L8L 1H1					
Sheet Title:	A1.0 FDN								
page 2 of 4									



3.8.3.12. Universal Washroom

- (2) A universal washroom shall have,
 - (a) An emergency call system that consists of audible and visual signal devices inside and outside of the washroom that they are activated by a control device inside the washroom, and
 - (b) An emergency sign that contains the words IN THE EVENT OF AN EMERGENCY PUSH EMERGENCY BUTTON AND AUDIBLE AND VISUAL SIGNAL WILL ACTIVATE in letters at least 25mm high with a 5mm stroke and that is posted above the emergency button.

WSHRM OPT 2
 SCALE: 1/4" = 1'-0"



WhiteWillow
DESIGN

439 Bay St N
 Hamilton, ON | L8L 1N2
 C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	27-MAR-2018	ENG REVIEW
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design by: **D.O.** | drawn by: **S.P.** | approved by: **D.O.** | scale: 1/4" = 1'-0"

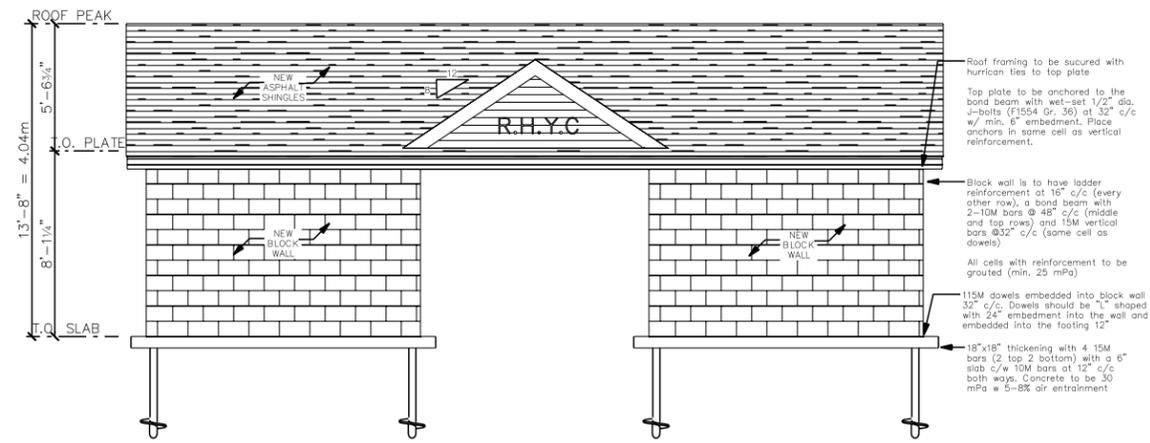
Project: 0631 | date: 12/17/2020

RHYC - Washroom Proposal

555 Bay St. | Hamilton, Ontario | L8L 1H1

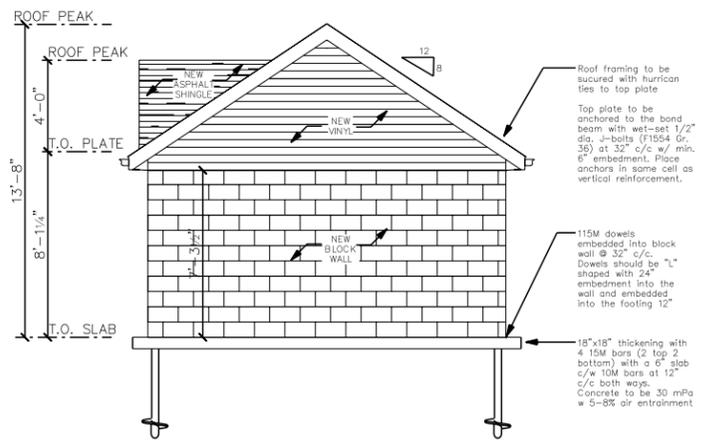
Sheet Title: **A1.1 Level 1**

page 3 of 4



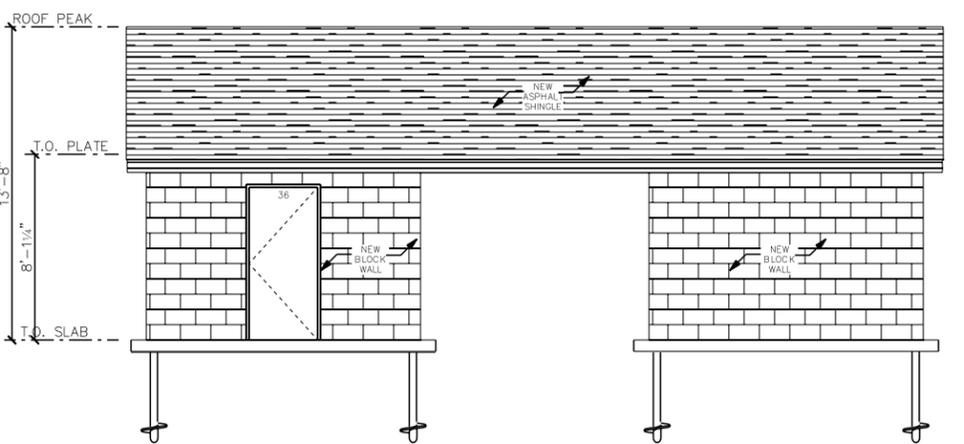
FRONT ELEVATION – WASHROOM

SCALE: 1/8" = 1'-0"



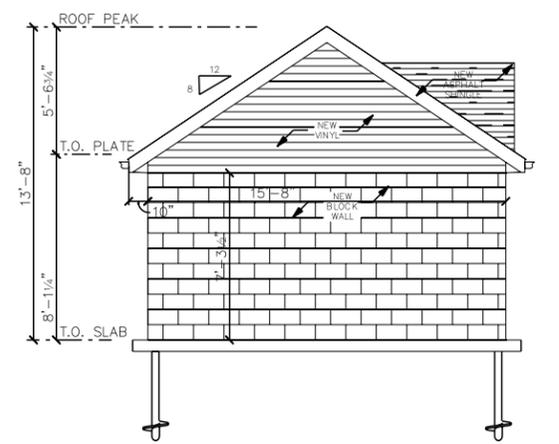
RIGHT ELEVATION – WASHROOM

SCALE: 1/8" = 1'-0"



REAR ELEVATION – WASHROOM

SCALE: 1/8" = 1'-0"



LEFT ELEVATION – WASHROOM

SCALE: 1/8" = 1'-0"



WhiteWillow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	27-MAR-2018	ENG REVIEW
2	27-NOV-2020	MV APP

design by:	D.O.	drawn by:	S.P.	approved by:	D.O.	date:	12/17/2020	scale:	As Noted
Project:	0631	RHYC – Washroom Proposal							
555 Bay St.		Hamilton, Ontario			L8L 1H1				
Sheet Title:	A2.0 Elevations								
page 4 of 4									



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

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

- Name of Owner David A. Elliot Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____
- Name of Agent Sadec Piper Telephone No. _____
FAX NO. _____ E-mail address _____
- Address _____
Postal Code _____

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
- Relief to allow the maximum building height to be 4.5m whereas the bylaw states 4m
 - Relief to allow the proposed structure to be erected in a side yard
-
-
7. Why it is not possible to comply with the provisions of the By-law?
- The existing site conditions do not permit the proposed building to be erected anywhere except the front or side yard.
-
-
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
- 555 Bay St N Hamilton, ON, L8L 1H1
-
-
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 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?

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. I understand that the City of Hamilton is the reason of its approval to this Application.

Dec. 2, 2020

Date

Signature Property Owner

David A. Elliot, President

Print Name of Owner

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 attached drawings

Proposed: See attached drawings

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

Existing: See attached drawings

Proposed: _____

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
 1888

15. Existing uses of the subject property: commercial

16. Existing uses of abutting properties: commercial

17. Length of time the existing uses of the subject property have continued:
 132

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



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-20:274

APPLICANTS: Urban Solutions c/o M. Johnston on behalf of the owner
 Stephen Ford

SUBJECT PROPERTY: Municipal address **130 Huxley Ave. S., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 87-09

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

PROPOSAL: To facilitate the creation of two (2) lots in conjunction with Severance Application HM/B-20:94, and the construction of a single family dwelling on the portion of the lands to be severed, notwithstanding that:

1. A minimum front yard depth of 4.5 metres shall be provided for the portion of the lands to be severed, instead of the minimum required front yard depth of 6.0
2. A minimum northerly side yard width of 0.6 metres shall be provided for the portion of the lands to be severed, instead of the minimum required northerly side yard width of 1.2 metres.
3. A minimum lot width of 7.96 metres shall be provided for the portion of the lands to be severed instead of the minimum required lot width of 12.0 metres.
4. A minimum lot width of 9.33 metres shall be provided for the portion of the lands to be retained instead of the minimum required lot width of 12.0 metres.
5. A minimum lot area of 305.76 square metres shall be provided for the portion of the lands to be severed instead of the minimum required lot area of 360.0 square metres.
6. A minimum lot area of 296.44 square metres shall be provided for the portion of the lands to be retained instead of the minimum required lot area of 360.0 square metres.
7. No onsite manoeuvring shall be provided for the two (2) required parking spaces for the portion of the lands to be severed, instead of the requirement that a manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.
8. No onsite manoeuvring shall be provided for the two (2) required parking spaces for the portion of the lands to be retained, instead of the requirement that a manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.

HM/A-20:274

Page 2

NOTE:

1. Please note this application is to be heard in conjunction with Severance Application HM/B-20:94.
2. Specific details regarding the percentage of gross area of the front yard that is to be used for landscaping have not been provided. Further variances may be required if compliance with Section 18(14)(i) cannot be achieved.
3. Specific details regarding proposed yard encroachments and other supplementary requirements as established by Section 18, were not included as part of this application. Further variances may be required if compliance with Section 18 cannot be achieved.
4. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, February 4th, 2021
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

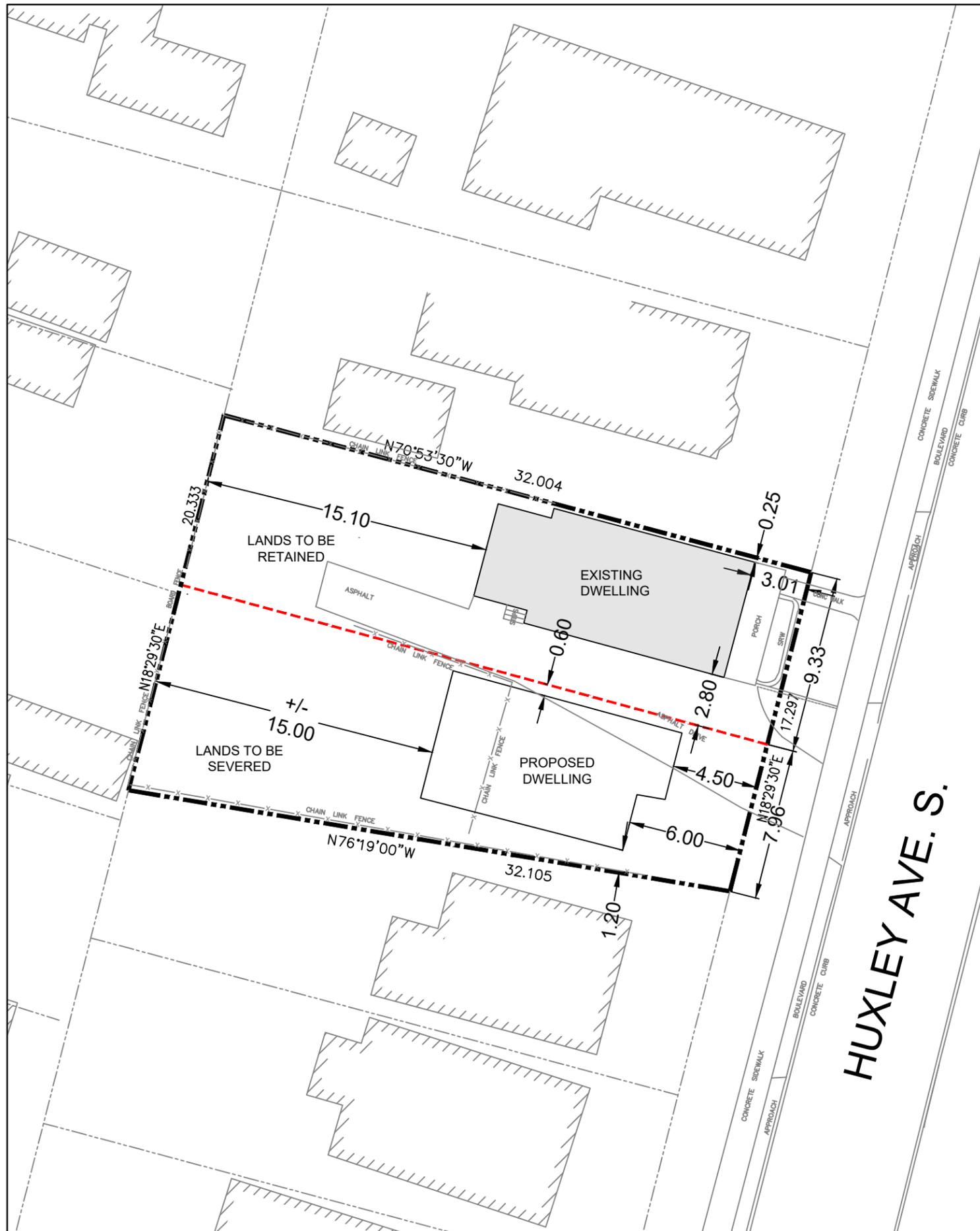
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021.

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.



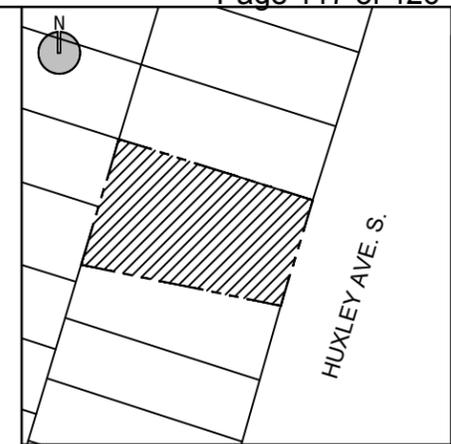
DEVELOPMENT STATISTICS			
Existing Zoning: "C" (Urban Protected Residential)			
Item	Required	Severed	Retained
Permitted Uses: Residential Uses	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling
Max. Building Height	11.0 m	TBC	TBC
Min. Front Yard	6.0 m	4.5 m (MVR 1)	3.01 m (MVR5)
Min. Side Yard	1.2 m	0.6 m (MVR 2)	0.25 m (MVR 6)
Min. Rear Yard	7.5 m	7.5 m	15.10 m
Min. Lot Width	12.0 m	7.96 m (MVR 3)	9.33 m (MVR7)
Min. Lot Area	360.0 m ²	305.67 m ² (MVR 4)	296.44 m ² (MVR 8)

VARIANCES TO ZONING BY-LAW NO. 6593 "C" DISTRICT (SEVERED)

- VARIANCE #1** - TO PERMIT A MINIMUM FRONT YARD OF 4.5 METRES, WHEREAS 6.0 METRES IS REQUIRED.
- VARIANCE #2** - TO PERMIT A MINIMUM SIDE YARD OF 0.6 METRES WHEREAS 1.2 METRES IS REQUIRED.
- VARIANCE #3** - TO PERMIT A MINIMUM LOT WIDTH OF 7.75 METRES WHEREAS 12.0 METRES IS REQUIRED.
- VARIANCE #4** - TO PERMIT A MINIMUM LOT AREA OF 300.0 METRES WHEREAS 360 METRES IS REQUIRED.

VARIANCES TO ZONING BY-LAW NO. 6593 "C" DISTRICT (RETAINED)

- VARIANCE #5** - TO PERMIT A MINIMUM FRONT YARD OF 2.75 METRES, WHEREAS 6.0 METRES IS REQUIRED.
- VARIANCE #6** - TO PERMIT A MINIMUM SIDE YARD OF 0.2 METRES WHEREAS 1.2 METRES IS REQUIRED.
- VARIANCE #7** - TO PERMIT A MINIMUM LOT WIDTH OF 9.25 METRES WHEREAS 12.0 METRES IS REQUIRED.
- VARIANCE #8** - TO PERMIT A MINIMUM LOT AREA OF 290.0 METRES WHEREAS 360 METRES IS REQUIRED.



KEY MAP - N.T.S.
SCALE: 1:250
0 5 10 METRES

- LEGEND:
- SUBJECT LANDS
 - PROPOSED SEVERANCES
 - Existing Buildings
 - EXISTING FENCE

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN DATE: DECEMBER 2, 2020

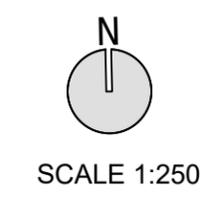
URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
130 HUXLEY AVE. S.
CITY OF HAMILTON

CLIENT:
Mr. Stephen Ford

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER: **378-20** SHEET NUMBER: **1**





December 3, 2020

378-20

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield:

**RE: 130 Huxley Avenue South, City of Hamilton
Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Stephen Ford, the registered owner of the lands municipally known as 130 Huxley Avenue South, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever and Minor Variance Application to the City of Hamilton.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan (UHOP) and are located in the (Urban Protected Residential) "C" District of the former City of Hamilton Zoning By-law No. 6593. The subject lands currently have a frontage of more than 17 metres, considerably wider than the balance of the residential neighbourhood. The lot contains a single detached dwelling on the north half of the lot leaving the south half of the site vacant making it a candidate for the proposed severance.

The purpose of the Consent to Sever application is to separate the subject lands in to two (2) separate parcels. The lands to be severed are proposed for a new single detached dwelling with a total lot area of 305.62m². The existing dwelling on the retained lands will remain while having a lot area of 296.44 m².

The Consent to Sever application is in keeping with Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The subject lands have access to full municipal services and can be considered a reasonable subdivision of land without being subject to the provisions of a full Draft Plan of Subdivision.

The purpose of the Minor Variance application is to facilitate the development of a single detached dwelling on the lot that is to be severed. The requested minor variances for the lands to be retained reflect the existing non-conformities at 130 Huxley Avenue South. The division of lands and minor variances are outlined on the enclosed Committee of Adjustment Sketch in addition to below:

Lands to be Severed

1. To permit a minimum front yard of 4.5 metres, whereas 6.0 metres is required.
2. To permit a minimum side yard of 0.6 metres whereas 1.2 metres is required.
3. To permit a minimum lot width of 7.75 metres whereas 12.0 metres is required.
4. To permit a minimum lot area of 300.0 metres whereas 360.0 metres is required.

Lands to be Retained

5. To permit a minimum front yard of 2.75 metres, whereas 6.0 metres is required.
6. To permit a minimum side yard of 0.2 metres whereas 1.2 metres is required.
7. To permit a minimum lot width of 9.25 metres whereas 12.0 metres is required.
8. To permit a minimum lot area of 290.0 metres whereas 360 metres is required.

Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, requires a Minor Variance to satisfy four tests. As noted earlier, the subject property has considerably more frontage than the other lots on this street. With the position of the existing dwelling on the north half of the lot, the proposed severance accommodates a new dwelling, filling in the gap along the streetscape. With the variances proposed, the severance makes the lots and dwellings to be more in keeping and compatible with the surrounding neighbourhood. As such, the proposed variances satisfy the four test contained Section 45(1) of the Planning Act and represent good land use planning.

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

- One (1) copy of a completed Consent to Sever application form;
- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Committee of Adjustment Sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,845.00** made payable to the City of Hamilton for the Consent to Sever application; and,
- One (1) cheque in the amount of **\$3,302.00** payable to the City of Hamilton for the Minor Variance application.

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

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Brandon Petter, MPlan
Planner

cc: Mr. Stephen Ford
Mr. Charles Wah, Wilson Infill Developments Ltd.
Mr. Sergio Manchia, UrbanSolutions



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.

- Name of Owner Mr. Stephen Ford Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston. Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
 Please refer to cover letter for requested variances.

7. Why it is not possible to comply with the provisions of the By-law?
 Please refer to cover letter for details.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
 Lot 159 Registered Plan 512 in the City of Hamilton
 130 Huxley Street South, Hamilton

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

9.1 If Industrial or Commercial, specify use

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

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

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

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

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

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

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

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

Yes No Unknown

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

Yes No Unknown

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

Consultation with owner.

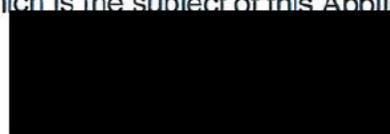
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. N/A

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

Dec 2, 2020
Date


Signature Property Owner

Mr. Stephen Ford
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>7.96 m (Severed) & 9.33 m (Retained)</u>
Depth	<u>32.00 m</u>
Area	<u>305.67 m2 (Severed) & 296.44 m2 (Retained)</u>
Width of street	<u>+/-18.24 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: Please refer to enclosed cover letter and sketch.

Proposed: Please refer to enclosed cover letter and sketch.

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

Existing: Please refer to enclosed cover letter and sketch.

Proposed: Please refer to enclosed cover letter and sketch.

13. Date of acquisition of subject lands:

Unknown

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

Unknown

15. Existing uses of the subject property: 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 _____

Sanitary Sewer X Connected _____

Storm Sewers X

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

Neighbourhoods Designation in Urban Hamilton Official Plan

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

"C" (Urban Protected Residential) District in the City of Hamilton Zoning By-law No. 6593

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

Yes

No

If the answer is yes, describe briefly.

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



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-20:94

SUBJECT PROPERTY: 130 Huxley Ave. S., 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): Urban Solutions c/o M. Johnston on behalf of the owner Stephen Ford

PURPOSE OF APPLICATION: To permit the conveyance of a new lot for residential purposes.

Severed lands:

7.96m[±] x 32.0m[±] and an area of 305.67m² ±

Retained lands:

9.33m[±] x 32.0m[±] and an area of 296.44m² ±

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th , 2021

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.

HM/B-20:94
PAGE 2

MORE INFORMATION

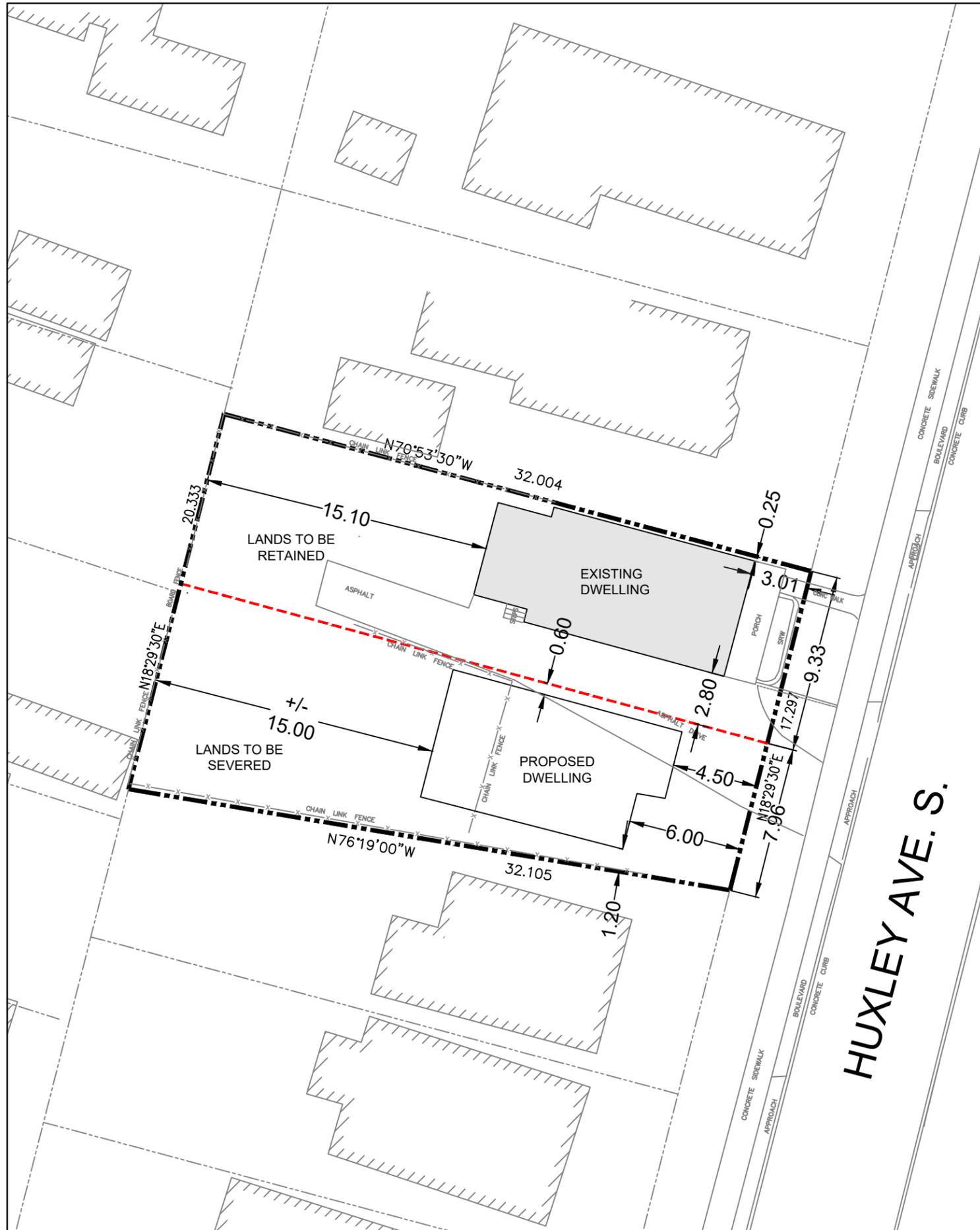
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021

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.



DEVELOPMENT STATISTICS			
Existing Zoning: "C" (Urban Protected Residential)			
Item	Required	Severed	Retained
Permitted Uses: Residential Uses	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling
Max. Building Height	11.0 m	TBC	TBC
Min. Front Yard	6.0 m	4.5 m (MVR 1)	3.01 m (MVR5)
Min. Side Yard	1.2 m	0.6 m (MVR 2)	0.25 m (MVR 6)
Min. Rear Yard	7.5 m	7.5 m	15.10 m
Min. Lot Width	12.0 m	7.96 m (MVR 3)	9.33 m (MVR7)
Min. Lot Area	360.0 m ²	305.67 m ² (MVR 4)	296.44 m ² (MVR 8)

VARIANCES TO ZONING BY-LAW NO. 6593 "C" DISTRICT (SEVERED)

VARIANCE #1 - TO PERMIT A MINIMUM FRONT YARD OF 4.5 METRES, WHEREAS 6.0 METRES IS REQUIRED.

VARIANCE #2 - TO PERMIT A MINIMUM SIDE YARD OF 0.6 METRES WHEREAS 1.2 METRES IS REQUIRED.

VARIANCE #3 - TO PERMIT A MINIMUM LOT WIDTH OF 7.75 METRES WHEREAS 12.0 METRES IS REQUIRED.

VARIANCE #4 - TO PERMIT A MINIMUM LOT AREA OF 300.0 METRES WHEREAS 360 METRES IS REQUIRED.

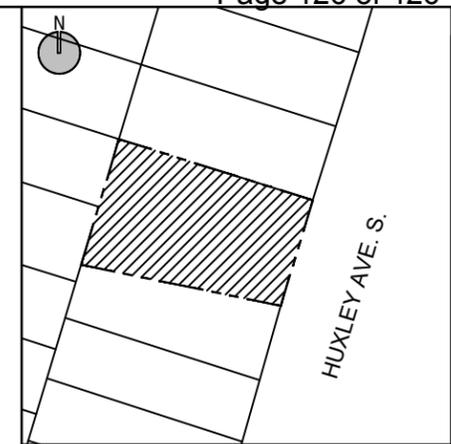
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VARIANCE #5 - TO PERMIT A MINIMUM FRONT YARD OF 2.75 METRES, WHEREAS 6.0 METRES IS REQUIRED.

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VARIANCE #8 - TO PERMIT A MINIMUM LOT AREA OF 290.0 METRES WHEREAS 360 METRES IS REQUIRED.



KEY MAP - N.T.S.

SCALE: 1:250



LEGEND:

- SUBJECT LANDS
- PROPOSED SEVERANCES
- EXISTING BUILDINGS
- EXISTING FENCE

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON

DRAWN BY: L. DRENNAN DATE: DECEMBER 2, 2020



3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

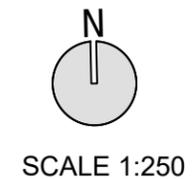
PROJECT:
130 HUXLEY AVE. S.
CITY OF HAMILTON

CLIENT:
Mr. Stephen Ford

TITLE:
**COMMITTEE OF
ADJUSTMENT SKETCH**

U/S FILE NUMBER:
378-20

SHEET NUMBER:
1





December 3, 2020

378-20

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield:

**RE: 130 Huxley Avenue South, City of Hamilton
Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Stephen Ford, the registered owner of the lands municipally known as 130 Huxley Avenue South, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever and Minor Variance Application to the City of Hamilton.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan (UHOP) and are located in the (Urban Protected Residential) "C" District of the former City of Hamilton Zoning By-law No. 6593. The subject lands currently have a frontage of more than 17 metres, considerably wider than the balance of the residential neighbourhood. The lot contains a single detached dwelling on the north half of the lot leaving the south half of the site vacant making it a candidate for the proposed severance.

The purpose of the Consent to Sever application is to separate the subject lands in to two (2) separate parcels. The lands to be severed are proposed for a new single detached dwelling with a total lot area of 305.62m². The existing dwelling on the retained lands will remain while having a lot area of 296.44 m².

The Consent to Sever application is in keeping with Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The subject lands have access to full municipal services and can be considered a reasonable subdivision of land without being subject to the provisions of a full Draft Plan of Subdivision.

The purpose of the Minor Variance application is to facilitate the development of a single detached dwelling on the lot that is to be severed. The requested minor variances for the lands to be retained reflect the existing non-conformities at 130 Huxley Avenue South. The division of lands and minor variances are outlined on the enclosed Committee of Adjustment Sketch in addition to below:

Lands to be Severed

1. To permit a minimum front yard of 4.5 metres, whereas 6.0 metres is required.
2. To permit a minimum side yard of 0.6 metres whereas 1.2 metres is required.
3. To permit a minimum lot width of 7.75 metres whereas 12.0 metres is required.
4. To permit a minimum lot area of 300.0 metres whereas 360.0 metres is required.

Lands to be Retained

5. To permit a minimum front yard of 2.75 metres, whereas 6.0 metres is required.
6. To permit a minimum side yard of 0.2 metres whereas 1.2 metres is required.
7. To permit a minimum lot width of 9.25 metres whereas 12.0 metres is required.
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Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, requires a Minor Variance to satisfy four tests. As noted earlier, the subject property has considerably more frontage than the other lots on this street. With the position of the existing dwelling on the north half of the lot, the proposed severance accommodates a new dwelling, filling in the gap along the streetscape. With the variances proposed, the severance makes the lots and dwellings to be more in keeping and compatible with the surrounding neighbourhood. As such, the proposed variances satisfy the four test contained Section 45(1) of the Planning Act and represent good land use planning.

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

- One (1) copy of a completed Consent to Sever application form;
- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Committee of Adjustment Sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,845.00** made payable to the City of Hamilton for the Consent to Sever application; and,
- One (1) cheque in the amount of **\$3,302.00** payable to the City of Hamilton for the Minor Variance application.

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

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Brandon Petter, MPlan
Planner

cc: Mr. Stephen Ford
Mr. Charles Wah, Wilson Infill Developments Ltd.
Mr. Sergio Manchia, UrbanSolutions



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Mr. Stephen Ford	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Applicant(s)*	Same as owner		Business () [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 130 Huxley Street South			Assessment Roll N°.

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

Yes No Unknown

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m) <u>+/- 7.96 m</u>	Depth (m) <u>+/- 32.0 m</u>	Area (m ² or ha) <u>+/-305.67 m2</u>
-----------------------------------	--------------------------------	--

Existing Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: Refer to enclosed Severance Sketch.

Proposed: Residential dwelling.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m) <u>+/-9.33 m</u>	Depth (m) <u>+/-32.0 m</u>	Area (m ² or ha) <u>+/- 296.44 m2</u>
----------------------------------	-------------------------------	---

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Residential dwelling.
 Proposed: Residential dwelling to remain.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- 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): N/A
 Urban Hamilton Official Plan designation (if applicable): Neighbourhoods

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

The Neighbourhoods designation permits residential uses which is proposed on the subject lands.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "C" (Urban Protected Residential, Etc.) in City of Hamilton Zoning By-law No. 6593.

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	N/A

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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 refer to cover letter.

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

Please refer to cover letter.

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

Please refer to cover 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

N/A

- 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 N/A
 (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 N/A (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 N/A (Provide Explanation)



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-20:286
APPLICANTS:	Urban Solutions c/o S. Manchia on behalf of the owner Garner Investments Inc.
SUBJECT PROPERTY:	Municipal address 1040 Garner Rd. W., Ancaster
ZONING BY-LAW:	Zoning By-law 05-200, as Amended by By-laws 10-128 & 18-219
ZONING:	"M3, Exception 376 and 678" (Prestige Business Park (M3) Zone
PROPOSAL:	To permit a Restaurant use within the Planned Business Centre currently under construction, notwithstanding,

1. A Restaurant use shall be permitted at this location whereas the Zoning By-law does not permit a Restaurant as a principal use at this location.

NOTES:

1. A Restaurant use is listed as a permitted use in the M3 Zone; however, pursuant to Section 9.3.3 r) of the Zoning By-law, the use of a Restaurant is restricted to specific locations and is limited by a maximum gross floor area.

2. The Planned Business Centre currently under construction was approved by site plan application DA-18-027.

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

DATE:	Thursday, February 4th, 2021
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.

AN/A-20:286

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

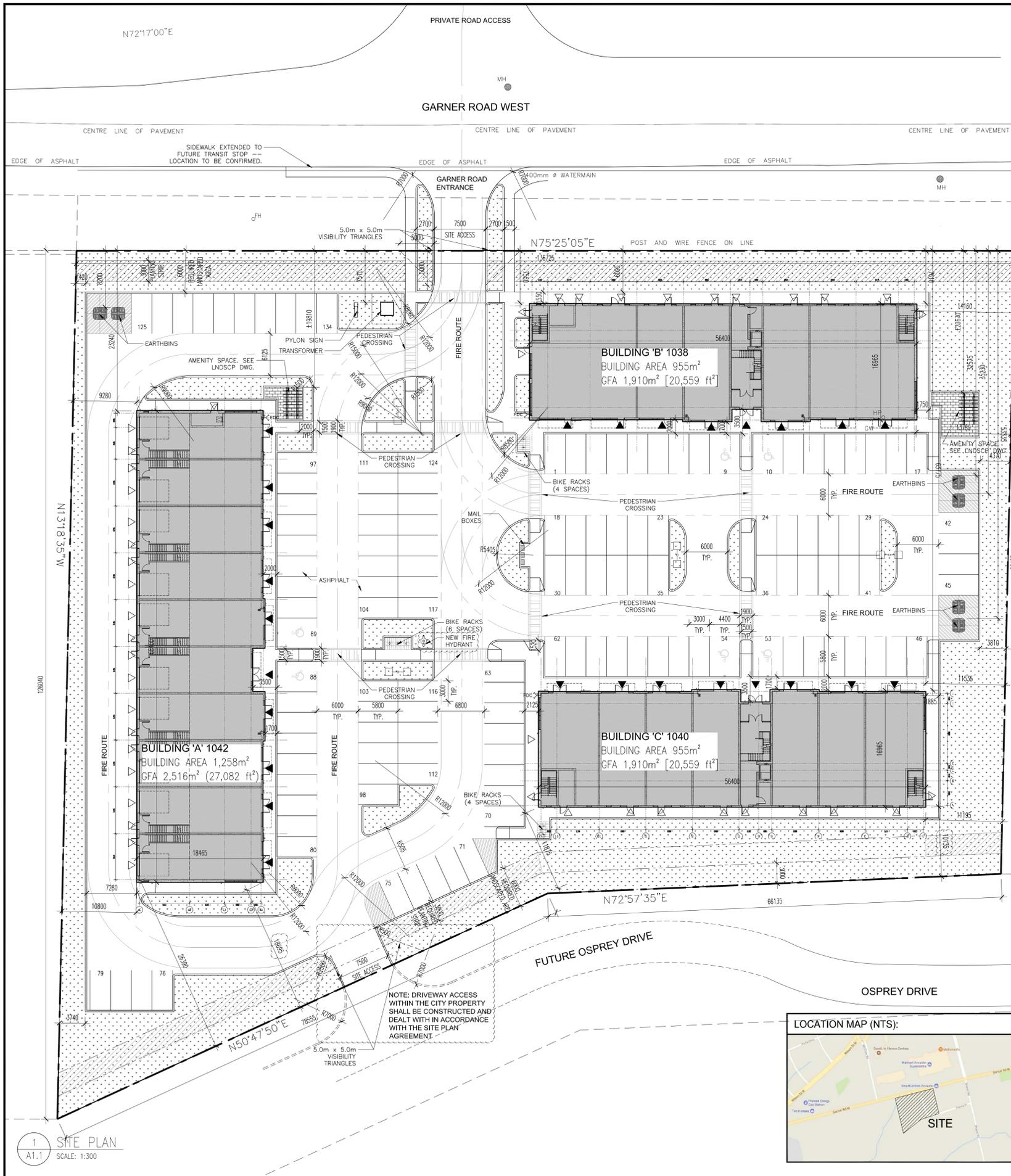
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021.

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 CONT':

13. "CAUTION": NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392)

14. ANY POTENTIAL/FUTURE OUTDOOR DISPLAY, ALCOHOL PRODUCTION FACILITY, MOTOR VEHICLE SERVICE SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON BY LAW.

15. ANY POTENTIAL/ FUTURE ACCESSORY RETAIL, SHOWROOM AREA OR TASTING ROOM SHALL BE IN ACCORDANCE WITH THE CITY HAMILTON BY LAW.

16. AIR CONDITIONER DETAILS SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON BY LAW.

LETTER OF UNDERTAKING

FILE NO. DA-18-027
RE: 1038, 1040, 1042 GARNER RD. W, ANCASTER

I, (We) Garner Investments Inc. c/o Hamid Hakimi, the owner of the land, hereby undertake and agree without reservation,

(a) To comply with all the content of this plan and drawing and not to vary therefrom;
 (b) To perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of approval dated;
 (c) To maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and,
 (d) In the event that the Owner does not comply with the plan dated 2020.01.28, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.
 (e) That the owner agrees to affix the physical municipal numbers to each building and a sign near the driveway at the road with either the municipal numbers or full addresses indicated.
 (f) To contact Corridor Management in the Public Works Department should the applicant require information regarding Commercial and High-density Residential Driveway Access Permits. Any construction related activity that negatively impacts the City's Right of Way that requires a Construction Management Plan, and/or Temporary Lane and Sidewalk Occupancy Permit.
 (g) To complete to the satisfaction of the Director of Engineering of the City of Hamilton and Canada Post:

6. Study on all offers of purchase and sale, a statement that advises the prospective purchaser:
 i) that the home/business mail delivery will be from a designated Centralized Mail Box
 ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any sales.

b. the owner further agrees to:
 i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
 v) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

c. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby.

Dated this 28th day of JANUARY 2020.

Witness (signature) _____ Owner(s) (signature) _____
 Sam Esposito _____ Hamid Hakimi _____
 Witness (print) _____ Owner (print) _____
 548 Upper James St. Hamilton ON L9C 2Y4
 Address of Witness

SITE LEGEND:

SYMBOL	DESCRIPTION
---	PROPERTY LINE
---	REQUIRED LANDSCAPED AREA SETBACK
---	REQUIRED YARD SETBACK
■	NEW BUILDING FOOTPRINT
▼	MAIN BUILDING ENTRANCE / EXITS
▽	SECONDARY BUILDING ENTRANCE / EXITS
→	DIRECTION OF TRAFFIC
▬	CURB CUT C/W DEPRESSED CURB
▬	CONTINUOUS CONCRETE CURB
▨	NEW LANDSCAPED AREA
▨	NO PARKING PAINT
□	BARRIER-FREE PARKING STALL (4.4m x 5.8m) c/w ACCESSIBILITY SIGNAGE
□	TYPICAL PARKING STALL (3.0m x 5.8m)
⚡	FIRE DEPARTMENT CONNECTION
⊕	NEW FIRE HYDRANT

SITE STATISTICS:

	REQUIREMENTS	PROPOSED
ZONING DESIGNATION	PRESTIGE BUSINESS PARK ZONE (M3-376)	PRESTIGE BUSINESS PARK ZONE (M3-376)
LOT FRONTAGE (MIN)	- (GARNER)	136.7 m
LOT AREA (MIN)	4,000 m²	13,817.44 m²
LOT COVERAGE (MAX)	N/A	23%
BUILDING HT (MAX)	N/A	2 STOREY (10m)
MIN YARD	FRONT YARD (NORTH) 6.0m MIN (GARNER) 25m MAX REAR YARD (MIN) 3m (OSPREY) WEST YARD (MIN) 0m EAST YARD (MIN) 0m	BLDG 'A': N = 23.3 m, E = 109 m, S = 18.7 m, W = 9.3 m BLDG 'B': N = 75 m, E = 138 m, S = 66 m, W = 66.1 m BLDG 'C': N = 63.8 m, E = 112 m, S = 101 m, W = 68.7 m TOTAL GFA = 6,336 sqm
PARKING (MIN)	PLANNED BUSINESS CENTRE WITHIN AN INDUSTRIAL ZONE: FOR EACH 50m² GFA = 6,336 m² / 50 = 126.72 THEREFORE, 127 PARKING SPACES ARE REQUIRED.	128 Regular Sized 6 Barrier Free THEREFORE, 134 PARKING SPACES ARE PROVIDED.
BF PARKING (MIN)	1 SPACE + 3% OF TOTAL REQUIRED SPACES FROM 101-200 REQUIRED SPACES = (1)+(127x3%)=4.51 THEREFORE, 5 BF PARKING SPACES ARE REQUIRED.	6 PROVIDED
LOADING SPACE (MIN)	N/A	0
LANDSCAPE AREA (MIN)	6m COMBINED LANDSCAPE AND PLANTING STRIP ABUTTING A STREET, WITHIN 6m LANDSCAPED AREA, 3m PLANTING STRIP BETWEEN PARKING SPACES, ASILES OR DRIVEWAYS AND A STREET.	6m COMBINED LANDSCAPE AND PLANTING STRIP ABUTTING A STREET, WITHIN 6m LANDSCAPED AREA, 3m PLANTING STRIP BETWEEN PARKING SPACES, ASILES OR DRIVEWAYS AND A STREET.
EXT STORAGE/DISPLAY	N/A	0

- GENERAL NOTES:**
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 - MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 m UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM THE PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
 - THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING PERMIT, SEWER AND WATER PERMITS, ROAD CUT PERMITS, RELOCATION OF SERVICES, APPROACH APPROVAL PERMITS, ENCROACHMENT AGREEMENTS (IF REQUIRED), COMMITTEE OF ADJUSTMENT.
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BULLEVAARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC AND ENGINEERING SECTION SECTION, PUBLIC WORKS DEPARTMENT.
 - FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "5 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET."
 - ALL SIGNS SHALL COMPLY TO SIGN BY-LAW No. 10-197
 - THIS DEVELOPMENT IS INELIGIBLE FOR MUNICIPAL WASTE COLLECTION SERVICE. THE COLLECTION OF WASTE MATERIAL IS REQUIRED THROUGH A PRIVATE WASTE HAULER.
 - BOTH BUILDING A AND B SHALL BE CONSTRUCTED FIRST, BUILDING C SHALL BE CONSTRUCTED SECOND. EARTHINGS AND TRELISES WILL BE CONSTRUCTED IN TANDER WITH THE CONSTRUCTION OF BUILDINGS A AND B.
 - FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON FENCE BY LAW NO. 10-142.
 - A MINIMUM OF 1.2m SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE WITH THE APPROPRIATE.

NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

CITY	SITE PLAN SUBMISSION	DATE
CITY (5)	SITE PLAN SUBMISSION 5	2020.01.28
CITY (4)	SITE PLAN SUBMISSION 4	2019.11.18
CITY (3)	SITE PLAN SUBMISSION 3	2019.07.25
CITY (2)	SITE PLAN SUBMISSION 2	2019.04.22
H	AERONAUTICAL FOR REVIEW	2019.03.04
G	CONSULTANTS- FOR REVIEW	2019.01.24
F	CONSULTANTS- FOR REVIEW	2018.11.06
E	CLIENT- FOR REVIEW	2018.10.26
D	CONSULTANTS- FOR REVIEW	2018.10.11
C	CONSULTANTS- FOR REVIEW	2018.10.04
B	CLIENT- FOR REVIEW	2018.09.21
A	CONSULTANTS- FOR REVIEW	2018.09.20
CITY (1)	SITE PLAN SUBMISSION 1	2018.10.22
CITY (0)	FC SUBMISSION 1	2017.12.08

To: (version) For: _____ Date: _____

Issue Table

Note:
 CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.
 CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENANT FIT-UP DRAWINGS.
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL ISSUED FOR CONSTRUCTION BY DESIGN PROFESSIONAL UNDER ISSUE COLUMN.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE PROVIDED CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION BY THE CONSULTANTS.
 ALL DRAWINGS ARE TO BE REVIEWED AS A FULL PACKAGE SET.

Seal: North Arrow:

Architect: **SAM ESPOSTO ARCHITECT INC.**
 548 UPPER JAMES ST. HAMILTON, ON. L9C 2Y4
 T. 905.383.7500 F. 905.383.5700

Project: **GARNER ROAD BUSINESS PARK**
 1038, 1040, 1042 GARNER ROAD W,
 ANCASTER ON
 FILE NO. DA-18-027

Drawing Title: **SITE PLAN**

Drawn By: JAM	Scale: As Noted
Checked By: SE	Plot Date: 2020.01.28
Project Date: November 2017	
Project No. 17-127	
Drawing No. A1.1	Sheet version. 5



December 17, 2020

376-20

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield:

**RE: 1040 Garner Road West, Ancaster
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Garner Investments Inc., who are the registered owner of the lands municipally known as 1040 Garner Road West, Ancaster. On behalf of the owners, UrbanSolutions has prepared the enclosed Minor Variance Application to the City of Hamilton.

The subject lands are designated Business Park in the Urban Hamilton Official Plan (UHOP) and are located in the Prestige Business Park (M3) Zone of the City of Hamilton Zoning By-law No. 05-200. The subject lands are currently under construction in accordance with the approved Site Plan DA-18-027.

The owner obtained the enclosed Certificate of Zoning Verification and Property Report from the City of Hamilton on September 17, 2019. The Certificate confirmed that, "The use of a restaurant is permitted within the current zone". Upon receiving confirmation from the City that restaurants were permitted under the current Zoning By-law, Garner Investments began preparing and finalizing lease agreements to three different restaurants that are to be housed within the planned business centre.

The Certificate of Zoning Verification and Property Report did not make reference to Section 9.3.3 (r) that states, restaurants are only permitted as a primary use within lands described in subsection r), a), b), and c). These lands include:

- a) South Service Road located between Lake Avenue and Winona Road, but shall not be located on any property with frontage on Fruitland Road;
- b) Barton Street located between Lake Avenue and Winona Road, but shall not be located on any property with frontage on Fruitland Road; and
- c) The north side of Highway #5, west of Highway # 6.

As 1040 Garner road is not identified within the lands outlined in subsection r), it was determined that, per the Prestige Business Park (M3) Zone of the City of Hamilton Zoning By-law No. 05-200, a restaurant within these lands are only permitted accessory to the primary use.

Requested Variance

Therefore, the purpose of the Minor Variance application is to vary Section 9.3.3 to include the subject lands.

As proposed and considered via Site Plan Application No. DA-18-027, the restaurants would serve the established business park and broader community without causing adverse impacts.

Based on this, it is our opinion that the application of the above minor variance satisfies the four tests outlined in Section 45(1) of the Planning Act as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

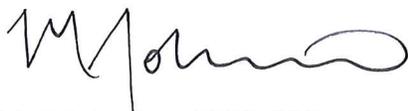
In support of this application, please find enclosed the following:

- One (1) copy of a completed Minor Variance application form;
- One (1) copy of the Approved Site Plan DA-18-027;
- One (1) copy of the Certificate of Zoning Verification and Property Report; and,
- One (1) cheque in the amount of \$3,302.00 made payable to the City of Hamilton for the Minor Variance application.

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

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Brandon Petter, MPlan
Planner

Cc: Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions
Garner Investments Inc.
Councillor Lloyd Ferguson, Ward 12 (via cover letter only)



**CERTIFICATE OF ZONING VERIFICATION
 AND PROPERTY REPORT**

Hamilton

PROPERTY ADDRESS: 1040 Garner Rd. W., Ancaster

SECTION No.:

PROPOSED USE: Medical Center, Pharmacy, Restaurants,
 Dental Clinic, Optical

ATTENTION OF: Ilija Stipic
TELEPHONE: 905.546.2424 ext. 4027

A. ZONING VERIFICATION

AS OF THIS DATE, Building Division records indicate the property is subject to:

ZONING DISTRICT: M3, 375
SECTION 9.3 OF HAMILTON ZONING BY-LAW 05-200 AS AMENDED BY BY-LAW 10-128
SITE PLAN CONTROL: FOR FUTURE DEVELOPMENT OR REDEVELOPMENT

THE PROPOSED USE IS: SEE COMMENTS

COMMENTS:

There is insufficient information in Building Division records to determine the last recognized use.

The proposed use of a medical center would be considered a medical clinic, which is not permitted. A successful application for a rezoning is a course of action you might take to permit the intended use. For further information, please contact the Development Planning Division at (905) 546-2424 extension 2799 or 1355.

The use of a restaurant is permitted within the current zone.

The use and operation of a restaurant business is subject to the issuance and maintenance of a municipal licence from the Municipal Law Enforcement section of the Parking & By-law Services Division.

The lands are subject to Site Plan Control. As such, development or redevelopment may require application to the Development Planning Division. For further information, please contact (905) 546-2424 extension 2799 or 1355.

Subject to the issuance of a building permit in the normal manner for tenant improvements, change of use, conversions, renovations, alterations, additions or new buildings.

No survey submitted showing actual conditions.

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 Division records indicate the following:

No outstanding work orders.

NOTE:

PROPERTY REPORTS PERTAIN TO BUILDING DIVISION FILES ONLY AND RELATE TO ENFORCEMENT PROCEEDINGS COMMENCED BY THIS DIVISION. OTHER DIVISIONS/DEPARTMENTS, INCLUDING BUT NOT LIMITED TO THE PARKING AND BY-LAW ENFORCEMENT DIVISION, FIRE DEPARTMENT, PUBLIC HEALTH SERVICES DEPARTMENT AND PUBLIC WORKS DEPARTMENT MAY HAVE COMMENCED ENFORCEMENT PROCEEDINGS. TO OBTAIN INFORMATION CONCERNING ANY SUCH ENFORCEMENT PROCEEDINGS, YOU MUST CONTACT THOSE DIVISIONS/DEPARTMENTS YOURSELF. ALSO NOTE THAT THIS DOES NOT IMPLY THAT A FIELD INSPECTION HAS BEEN CARRIED OUT.

NOTE: THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT IS CURRENTLY DRAFTING A NEW COMPREHENSIVE ZONING BY-LAW 05-200 FOR THE ENTIRE CITY OF HAMILTON. HAMILTON ZONING BY-LAW 05-200 WILL BE INTRODUCED IN VARIOUS STAGES FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND RURAL ZONES. AS A RESULT, THE ZONING OF PROPERTIES THROUGHOUT THE CITY MAY BE AFFECTED.

*** THIS CERTIFICATE IS ISSUED WITHOUT LIABILITY ON THE PART OF THE CITY OF HAMILTON OR ITS OFFICIALS ***



 FOR DIRECTOR OF BUILDING DIVISION

CERT. NO. [19-144973 00 ZE2]

DATE ISSUED: September 17, 2019

MAIL TO: HAMID HAKIMI, 70 DONNICI DR. , HAMILTON, Ontario, L9B 2K3



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.

- Name of Owner Garner Investments Inc. Telephone No. [REDACTED]
FAX NO. _____ E-mail address. _____
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent UrbanSolutions Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
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):
1040 Garner Road East, Ancaster, ON L9G 3K9

9. PREVIOUS USE OF PROPERTY
- Residential _____ Industrial _____ Commercial _____
- Agricultural _____ Vacant _____
- Other The site is under construction in accordance of the approved Site Plan DA-18-027.
- 9.1 If Industrial or Commercial, specify use
N/A
- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
 Yes No _____ Unknown _____
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes _____ No Unknown _____
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes _____ No Unknown _____
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes _____ No Unknown _____
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
 Yes _____ No Unknown _____
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
 Yes _____ No Unknown _____
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes _____ No Unknown _____

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

Yes No Unknown

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

Yes No Unknown

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

Consultation with 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. N/A

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

12/03/2020
Date


Signature of Property Owner

HAMID HAKIMI
Print Name of Owner

10. Dimensions of lands affected:

Frontage Please refer to DA-18-027.

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: The site is under construction.

Proposed: To construct three prestige industrial buildings as a planned business centre.

The site is under construction in accordance of the approved 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: The site is under construction.

Proposed: To construct three prestige industrial buildings as a planned business centre.
The site is under construction in accordance of the approved Site Plan.

13. Date of acquisition of subject lands:
Please refer to DA-18-027.
14. Date of construction of all buildings and structures on subject lands:

15. Existing uses of the subject property: The site is under construction.

16. Existing uses of abutting properties: Prestige Business Park (East & West), General Business Park (South)

17. Length of time the existing uses of the subject property have continued:
N/A
18. Municipal services available: (check the appropriate space or spaces)
 Water _____ Connected _____
 Sanitary Sewer _____ Connected _____
 Storm Sewers _____ Please refer to DA-18-027.
19. Present Official Plan/Secondary Plan provisions applying to the land:
Please refer to DA-18-027.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Prestige Business Park, M3, Zoning By-law 05-200.
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: SC/A-20:275

APPLICANTS: Sadee Piper on behalf of the owner Luc Lapensee

SUBJECT PROPERTY: Municipal address **184 Winona Rd., Stoney Creek**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a new 16.5m², one (1) storey addition in the rear yard of the existing Single Detached Dwelling, along with a new 23.0m² covered rear porch and front porch notwithstanding that:

1. A roofed-over porch may project 2.5m into a required front yard (therefore being 7.6m from the front lot line) instead of the maximum permitted front porch encroachment of 1.5m.
2. A northerly side yard setback of 2.3m shall be provided instead of the minimum required side yard setback of 3.0m

NOTES:

- i. A variance has also been requested to address the existing lot area however pursuant to subsection 4.12(d) of Hamilton Zoning By-law 05-200, the existing lot area is deemed to conform under the vacuum clause. As such, this variance is not required to facilitate the proposed construction.

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

DATE: Thursday, February 4th, 2021
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

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: 275

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: January 19th, 2021.

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.

PROPERTY INFORMATION Variance #:		
BY-LAW SECTION	ALLOWED	PROPOSED
ZONE	A1	same
PROPERTY SIZE	0.4 hectares (4000 m2)	693.5 m2
LOT WIDTH	30 m	18.2 m
LOT COVERAGE	25%	25%
	144 m2	145 m2
MAXIMUM HEIGHT	10.5 m	9.0 m
FRONT SETBACK	10 m	6.2 m
LEFT SETBACK	3 m	1.7 m
RIGHT SETBACK	3 m	4.3 m
REAR SETBACK	10 m	16.16 m
AREA OF WORK		

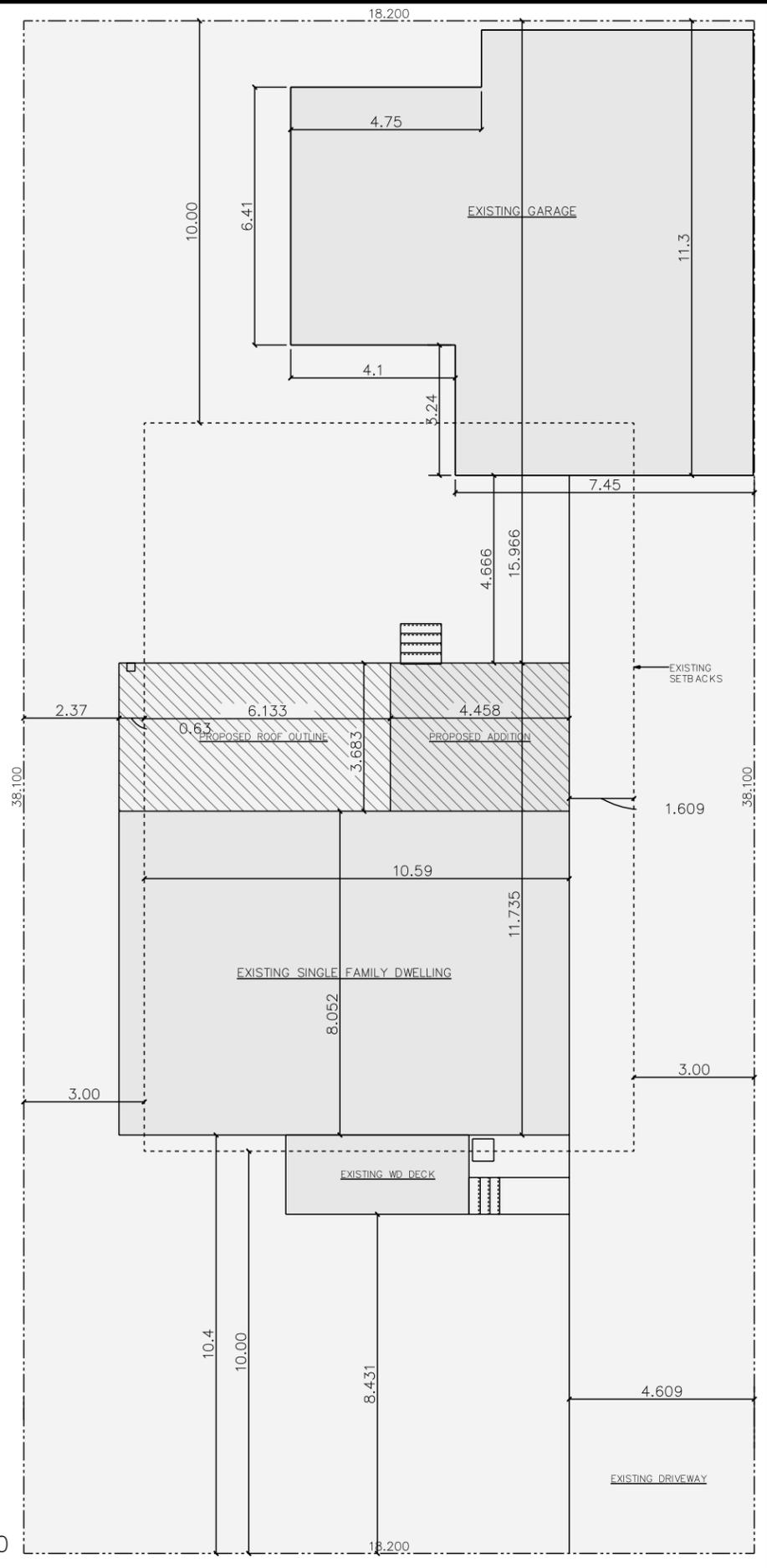
LINE LEGEND	
LINE TYPE	SYMBOL
PROPERTY	---
SETBACK	- - -
BUILDING	=====
ROOF LINE	- - - - -
ADDITION	//////
SILT FENCE	== == ==
HOARDING	== == ==

GENERAL NOTES	
TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL. ALL DIMENSIONS ARE TO THE WOOD STUD, UNLESS TO BRICK.
AREAS	GROSS FLOOR AREA IS TO THE EXTERIOR OF WALLS. ALL OTHER AREAS ARE TO THE INTERIOR OF WALLS.

PROPERTY INFORMATION

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

AREA SCHEDULE	
NAME	AREA
Unit 1 Area	937 sq ft.= 87.1m2
Unit 2 Area	927 sq ft.= 86.1m2
Building Area	1073 sq ft.= 99.7m2



SITE
SCALE: 1:150

BCIN Stamp:
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
Qualification Information required under Div. C, Part 3 of the 2012 OBC
Daniel J. Ott 35686
Name Signature BCIN
White Willow Designs, Inc. 46597
Company BCIN

White Willow
DESIGN
439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT

design by: **G.T. D.O.** approved by: **G.T. D.O.** date: 11/30/2020 scale: As Noted
Project: **Lapensee**
Sheet Title: **SP0.1 Site Plan**
page 1 of 6

BCIN Stamp:

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Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott	35686
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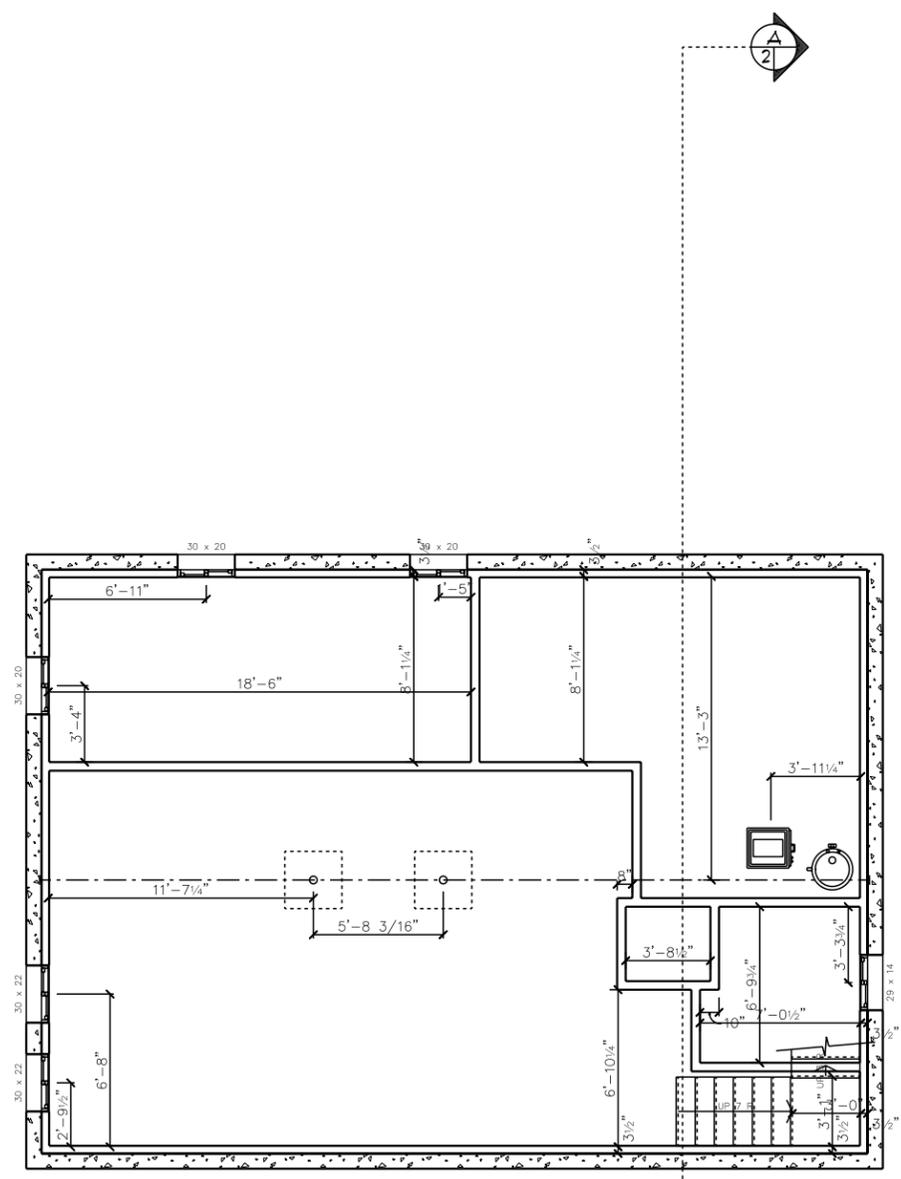
WhiteWillow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

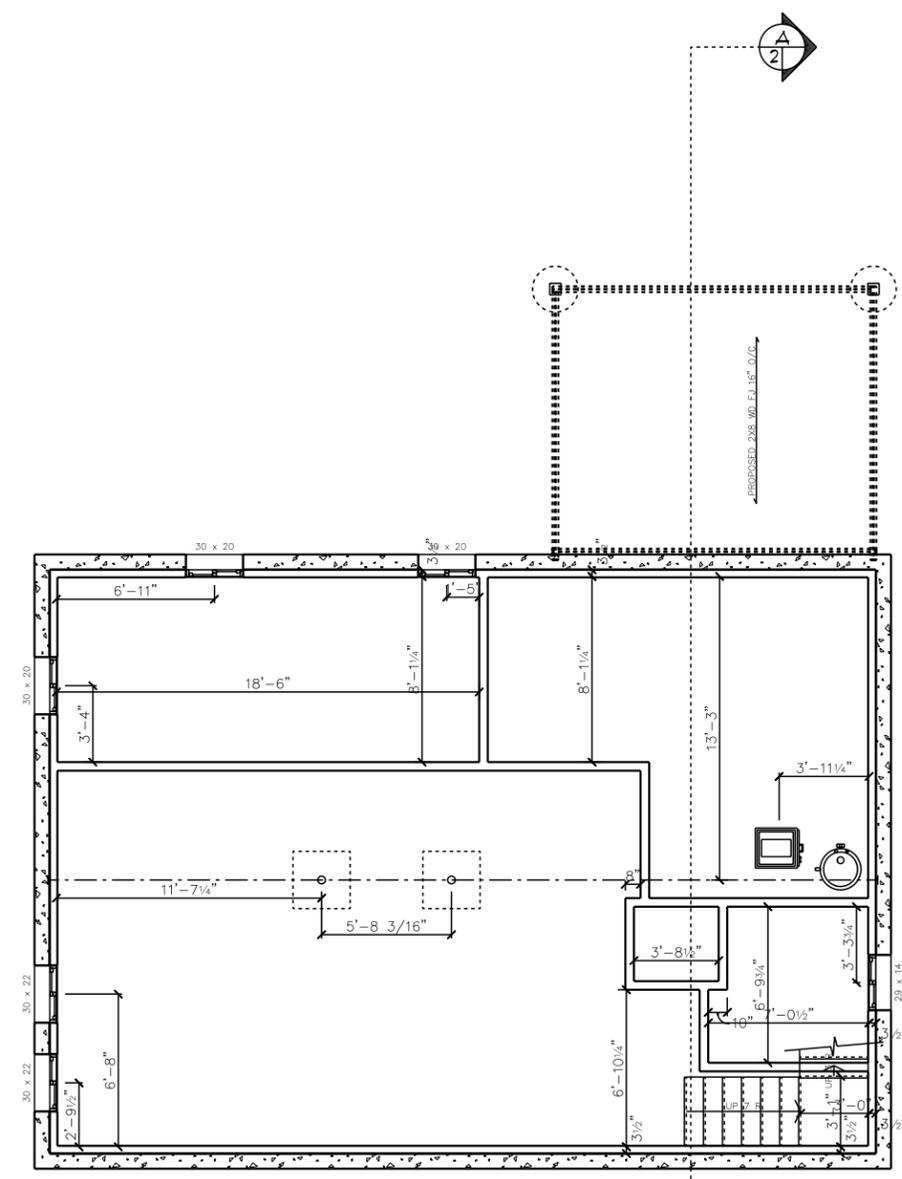
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT

design by:	approved by:	date:	scale:
G.T.	D.O.	11/30/2020	As Noted
Project: Lapensee			
Sheet Title: A1.0 Level 0			
page 2 of 6			



Existing
SCALE: 1/8" = 1'-0"



Proposed
SCALE: 1/8" = 1'-0"

BCIN Stamp:

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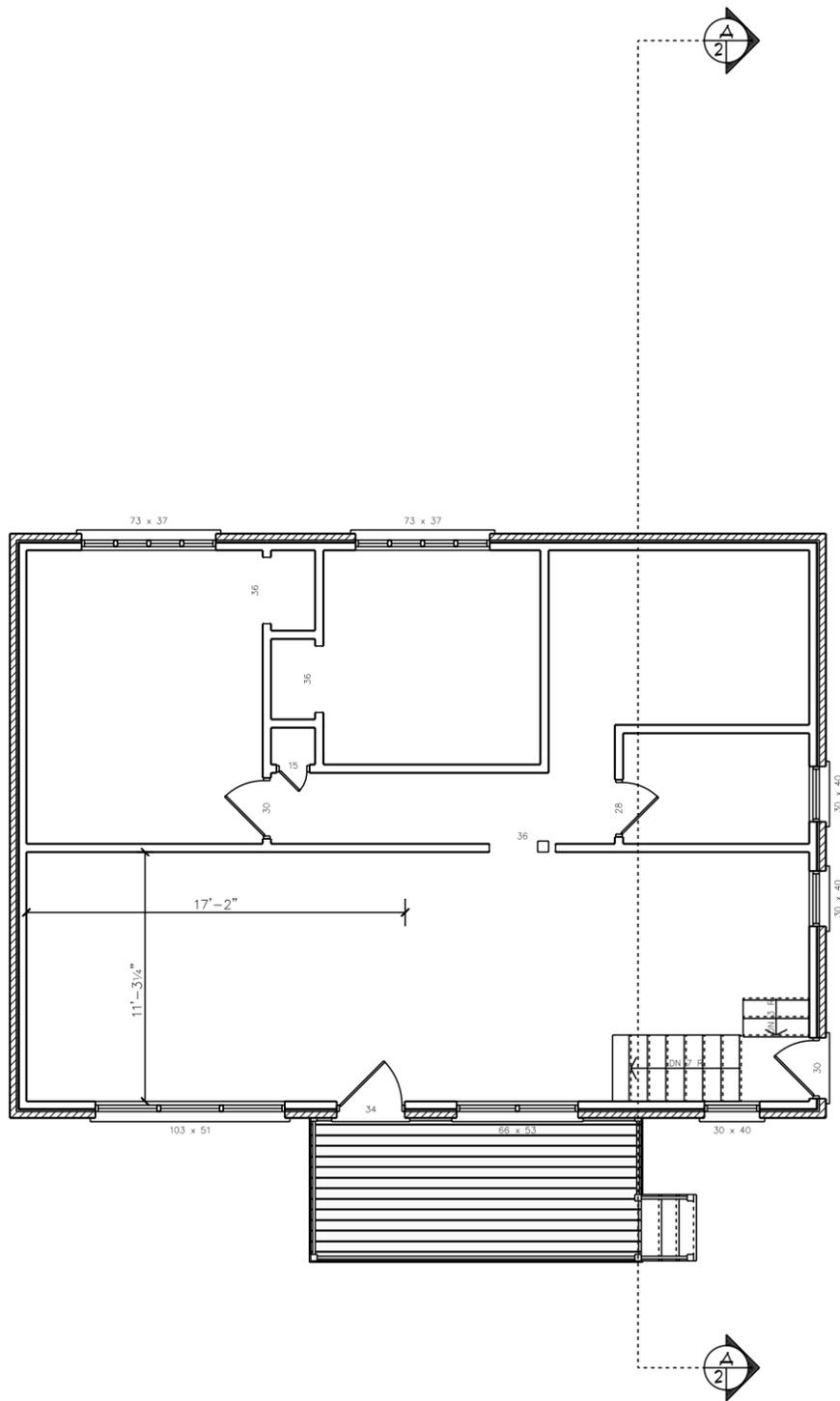
White Willow
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 Hamilton, ON | L8L 1N2
 C: 905-220-9419

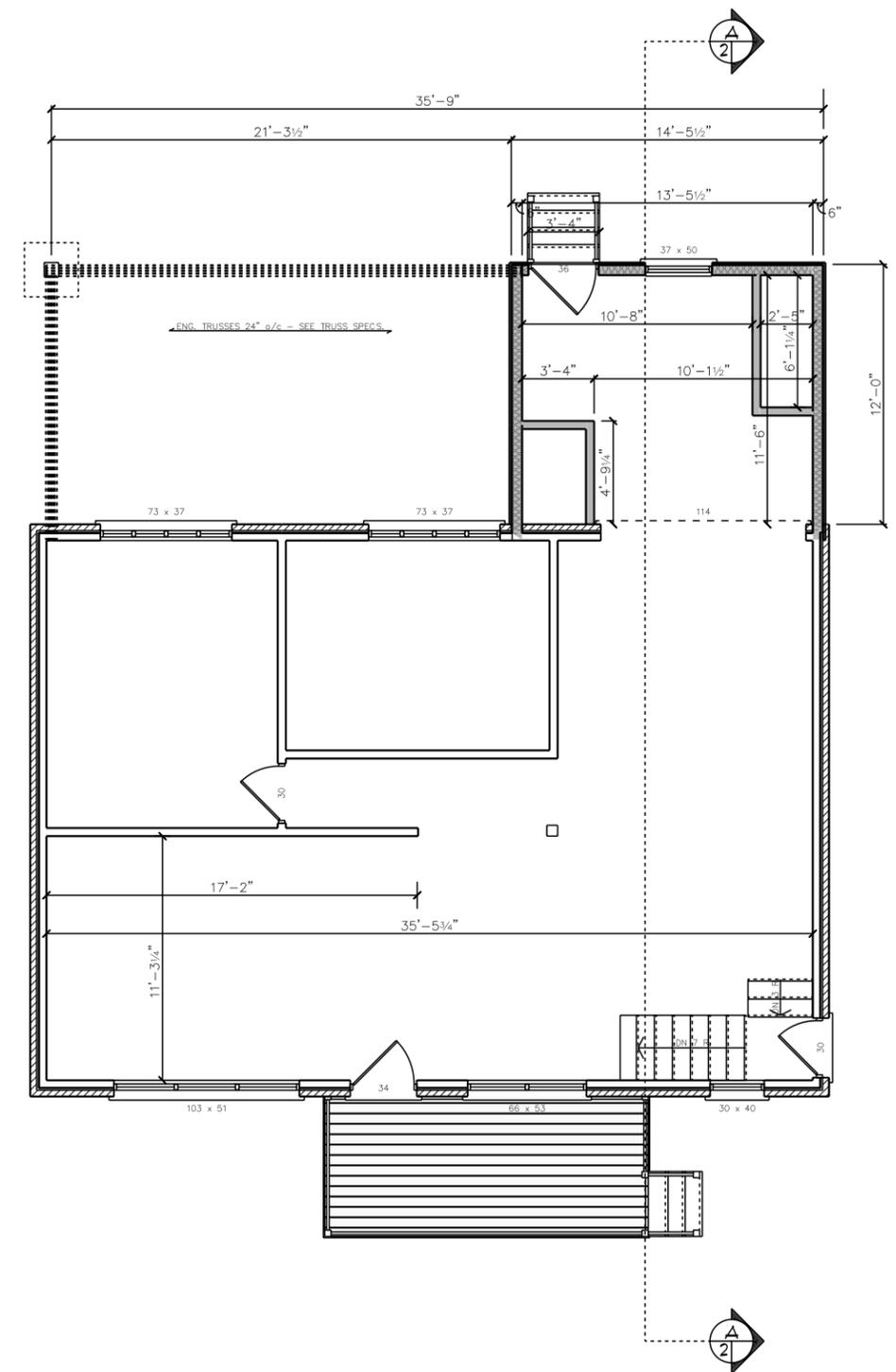
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT

design by:	drawn by:	approved by:	date:	scale:
	G.T.	D.O.	11/30/2020	As Noted
Project: Lapensee				
Sheet Title: A1.1 Level 1				
page 3 of 6				



Existing
 SCALE: 1/8" = 1'-0"



Proposed
 SCALE: 1/8" = 1'-0"

BCIN Stamp:

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott	35686
Name	Signature BCIN
White Willow Designs, Inc.	46597
Company	BCIN



WhiteWillow
DESIGN

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Hamilton, ON | L8L 1N2
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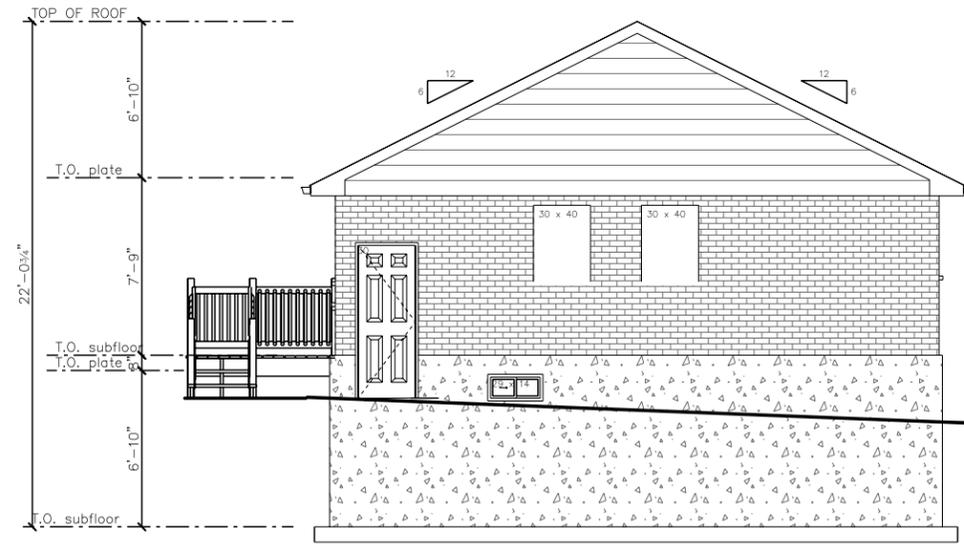
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



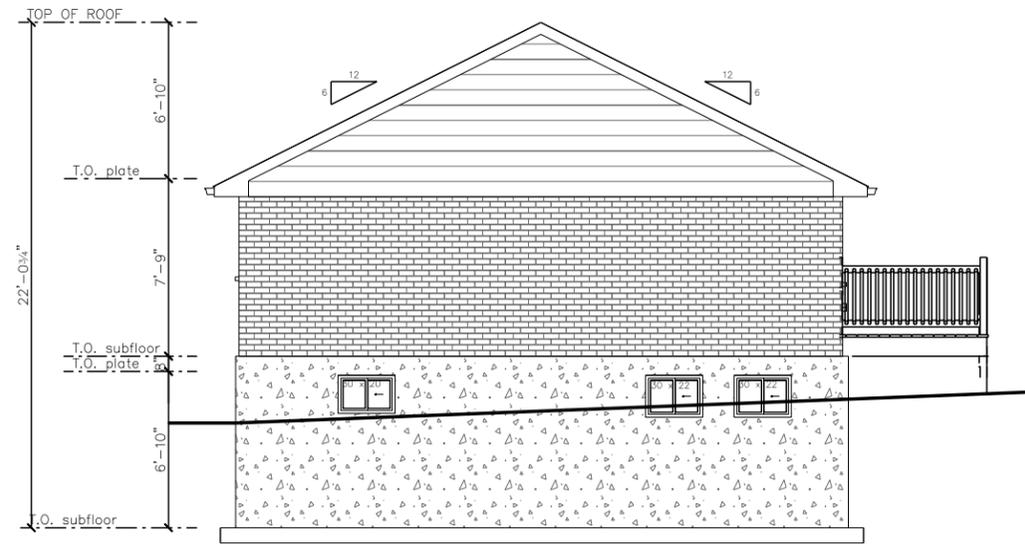
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



EXISTING REAR ELEVATION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"

design by: G.T. D.O. approved by: G.T. D.O. date: 11/30/2020 scale: As Noted

Project: Lapensee

Sheet Title: A2.0 Existing Elevations

BCIN Stamp:

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott	35686
Name	Signature BCIN
White Willow Designs, Inc.	46597
Company	BCIN



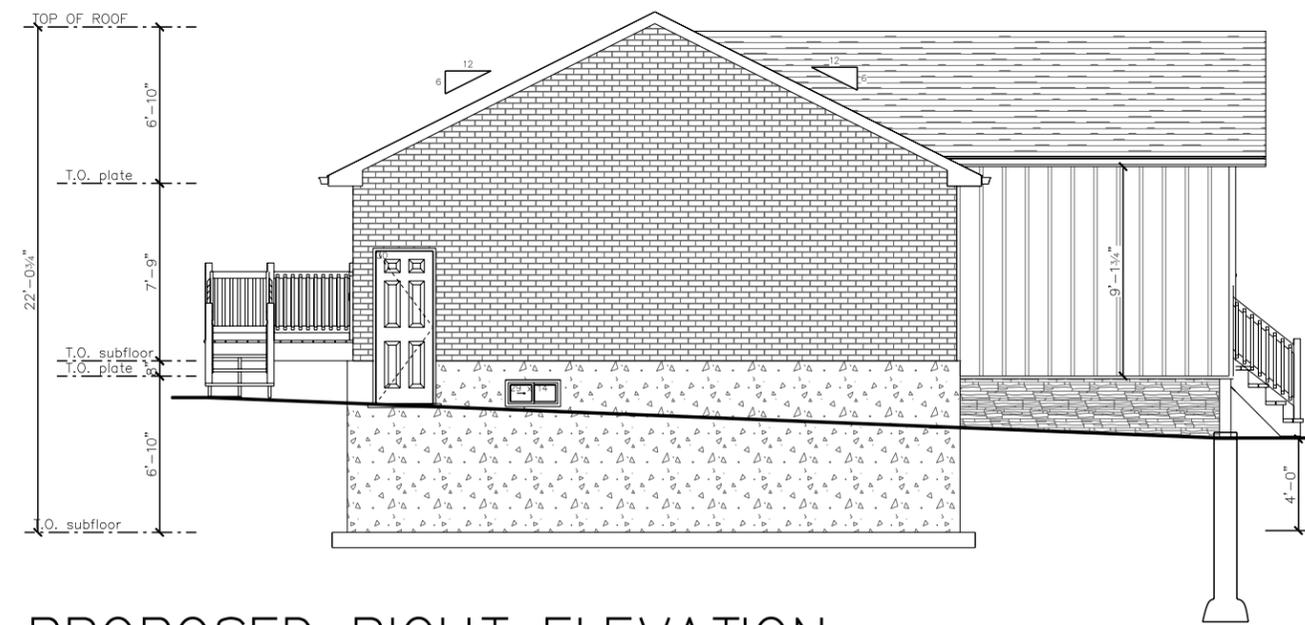
WhiteWillow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

E: daniel@whitewillowdesign.ca



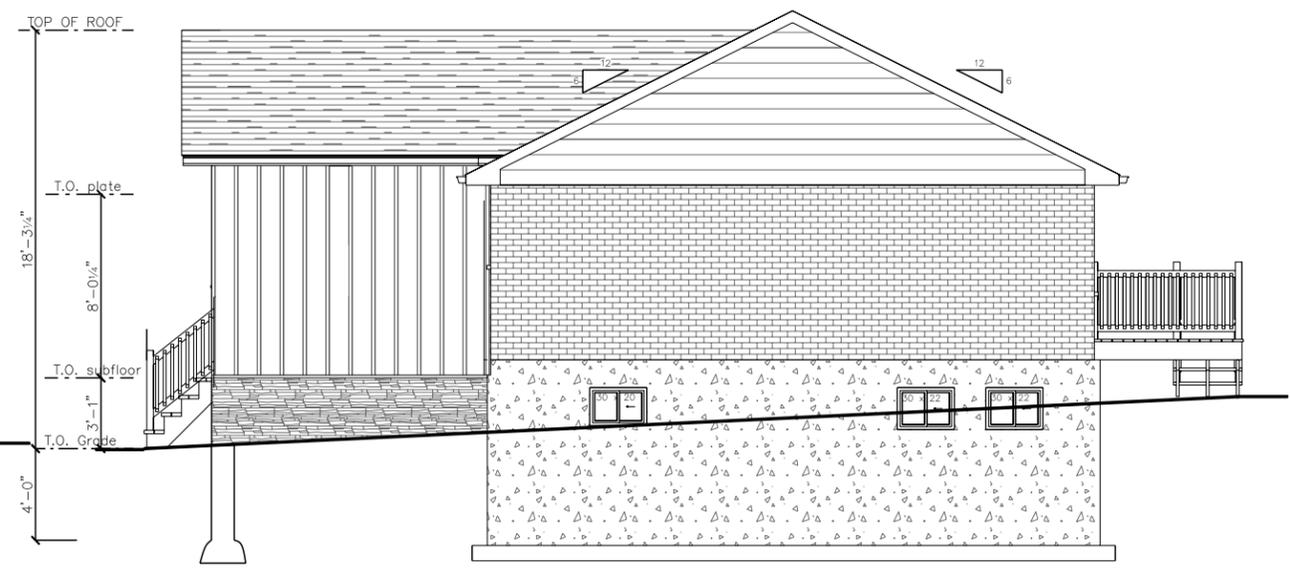
PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED REAR ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED LEFT ELEVATION
SCALE: 1/8" = 1'-0"

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT

design by:	drawn by:	approved by:	date:	scale:
	G.T.	D.O.	11/30/2020	As Noted
Project: Lapensee				
Sheet Title: A2.1 Proposed Elevation				
page 5 of 6				

BCIN Stamp:

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott 35686
Name Signature BCIN

White Willow Designs, Inc. 46597
Company BCIN

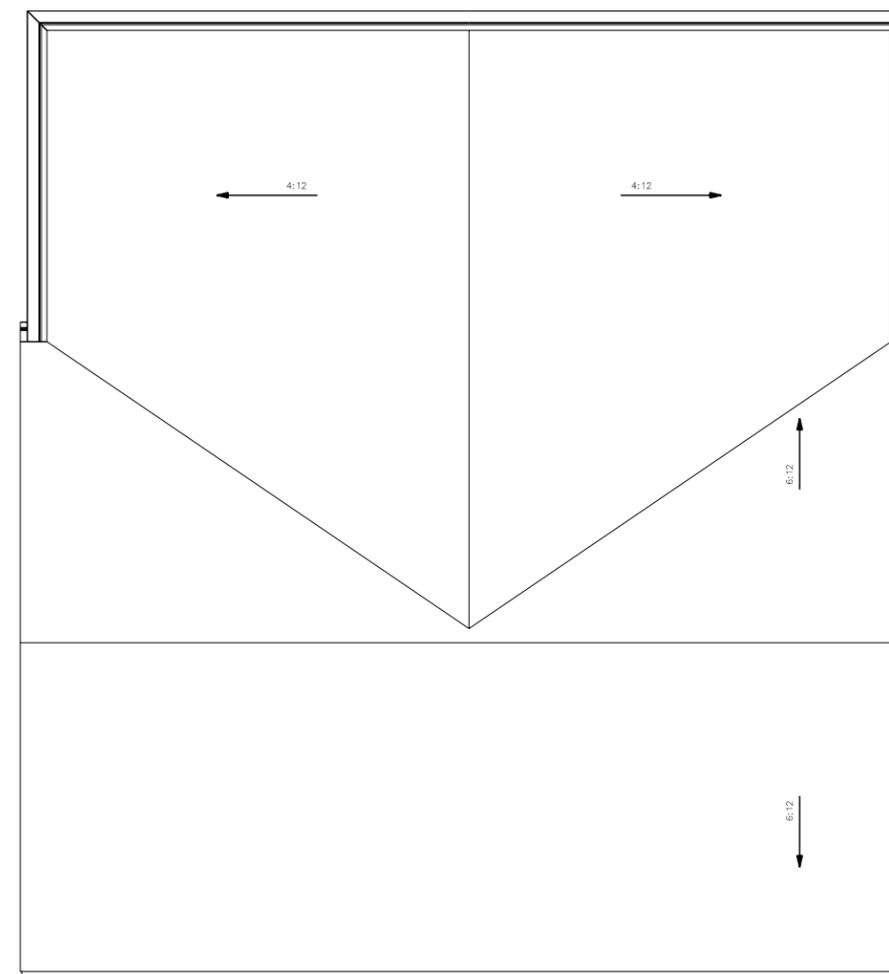


White Willow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	16-FEB-2016	BUILDING PERMIT



TOP ELEVATION
SCALE: 1/8" = 1'-0"

design by:	drawn by:	approved by:	date:	scale:
	G.T.	D.O.	11/30/2020	As Noted
Project: Lapensee				
Sheet Title: A3.0 Roof Plan				
page 6 of 6				



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

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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**

Type text here

The Planning Act

Application for Minor Variance or for Permission

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

- Name of Owner _____ Telephone No. _____
FAX NO. _____
- Address _____
Postal Code _____
- Name of Agent _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

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: _____



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-20:98

SUBJECT PROPERTY: 224 Eaglewood Dr., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S):

Owner: Sym Construction Inc.
 Agent: A.J. Clarke & Associates c/o Steven Fraser

PURPOSE OF APPLICATION:

To permit a creation of a new lot by severing rear portion of the subject property and adding it to the lands to the south (Part of 61 Eleanor Ave.) to facilitate land assembly for future plan of subdivision consisting of single-detached lots.

Severed lands (Part 1):

89.80 m[±] x 15.00 m[±] and an area of 1,380 m²±

Retained lands (Part 2):

3.70 m[±] x 39.60 m[±] and an area of 1,260 m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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

PUBLIC INPUT

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

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

HM/B-20:98
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

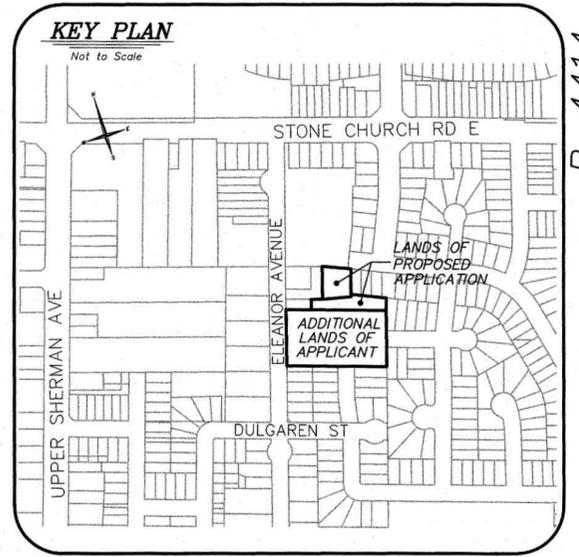
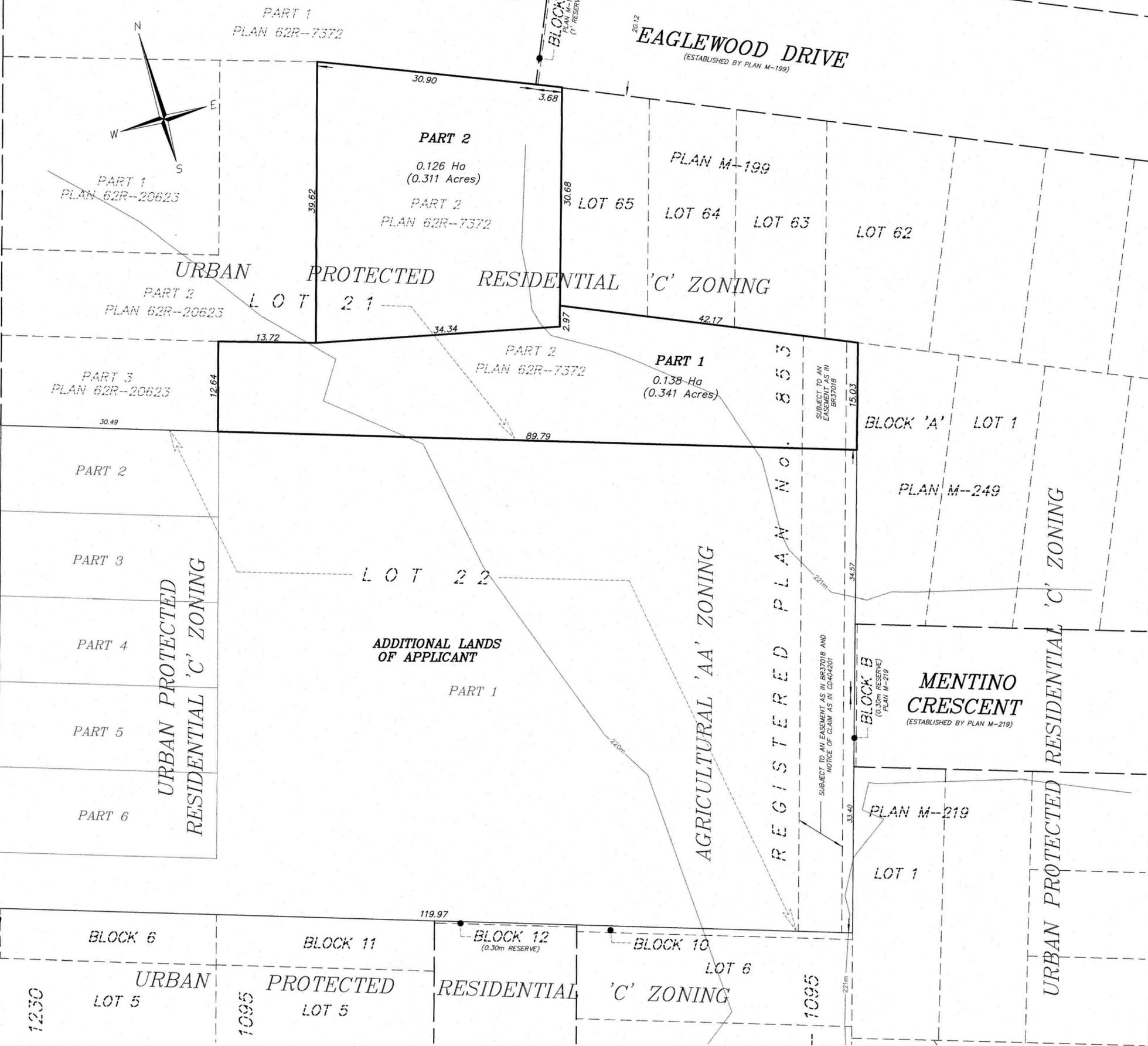
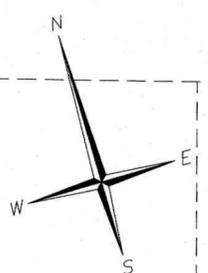
DATED: January 19th, 2021

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.

R-4414

LOT 8 CONCESSION 8
GEOGRAPHIC TOWNSHIP OF BARTON
URBAN PROTECTED RESIDENTIAL 'C' ZONING



SKETCH FOR CONSENT TO SEVER
PART OF LOT 21
REGISTERED PLAN No. 853
IN THE
CITY OF HAMILTON
SCALE 1:400

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

NOTES:
THIS SKETCH IS COMPILED FROM PLANS AND RECORDS
ON FILE IN THIS OFFICE AND IS NOT BASED ON AN
ACTUAL FIELD SURVEY.

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION
TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT OF
SEVERANCE AND IS NOT INTENDED FOR REGISTRATION

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL
COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED
EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

CONSENT SCHEDULE:
PART 1 - PROPOSED SEVERANCE
PART 2 - REMAINING LANDS OF APPLICANT

PART 2 TO MERGE WITH PART 1 OF ADDITIONAL LANDS OF
APPLICANT

OCTOBER 30, 2020
DATE

NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

R-4414



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Sym Construction Inc.	[REDACTED]	Business () Fax: () E-mail:
Applicant(s)*	5025299 Ontario Inc. under agreement of purchase and sale	[REDACTED]	Business () Fax: () E-mail:
Agent or Solicitor	A. J. Clarke and Associates Ltd.	[REDACTED]	Business [REDACTED] Fax: () E-mail: [REDACTED]

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°. Pcl B-1, Sec W852(c), Pl 853	Lot(s) Pt Lt 21	Reference Plan N°. Plan 62R-7372	Part(s) Parts 2, 3, 4
Municipal Address Eaglewood Drive, Hamilton (no municipal # assigned)			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:

Bell Canada easement as in Instrument No. BR37018

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:

5025299 Ontario Inc.

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

To be added to the south (61 Eleanor Ave) for future plan of subdivision

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 1 on sketch

Frontage (m)	Depth (m)	Area (m ² or ha)
N/A	+/-15m (irregular)	+/-1,380sq.m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: None

Proposed: Single detached dwellings (lots to be created through future plan of subdivision application).

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be **Retained**: Part 2 on attached sketch

Frontage (m)	Depth (m)	Area (m ² or ha)
+/-3.7 m	+/-39.6m (irregular)	+/-1,260sq.m

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: None

Proposed: Residential

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (Sch. E-1)

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

Please see attached cover letter.

5.2 What is the existing zoning of the subject land? "C" District

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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

Please refer to concurrently submitted cover letter.

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

Please refer to concurrently submitted cover 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

The Growth Plan. Please refer to concurrently submitted cover 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)

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

_____ Please refer to the concurrently submitted cover letter.

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



A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS

December 9th, 2020

The City of Hamilton
Committee of Adjustment
Planning and Economic Development Department
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

Attn: Ms. Jamila Sheffield - Secretary-Treasurer (via email)

Re: Severance Application for Lot Addition to Lands fronting Eleanor Avenue at Eaglewood Drive, Hamilton

Dear Madam,

Please accept the attached materials in support of an application for municipal consent (severance) on the subject lands. The subject submission proposes to sever the rear portion of the subject lands, shown as Part 1 on the attached sketch and add it to the lands to the south.

The subject lands are irregular in shape, with approximately ± 3.7 metres of frontage along Eaglewood Drive and with an approximate overall depth of ± 52 metres. The lands are zoned Urban Protected Residential "C" District under the City of Hamilton Zoning By-law 6593.

The lot frontage and area requirements of the "C" District are 12 metres and 360 square metres respectively. The current property has a small amount of frontage onto Eaglewood Drive and this proposed severance will not affect this existing situation. The lands being severed will comprise part of land assembly to facilitate orderly development through a draft plan of subdivision application.

Policy Consistency and Conformity

Further to question 5.1 of the attached application form, the following is submitted:

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

The subject land is located within the "Neighbourhoods" designation within the City's Urban Hamilton Official Plan (UHOP). Section E.3.0 provides policies for lands designated "Neighbourhoods" on Schedule E-1 (Urban Land Use Designations). The designation is broadly supportive of the development of complete communities that are made up of more than just homes but include a variety of land uses. The proposal conforms to the applicable policies of the "Neighbourhoods" designation, as it is a permitted use and will conform to the "Neighbourhoods" policies related to function, scale, and design by way of a future plan of subdivision consistent with the lot fabric within the area.

In addition to the designation specific policies of the UHOP, the proposed severance application



is reviewed against the residential intensification policies of Section B.2.4 of the UHOP.

Residential Intensification

The City's residential intensification policies state that 40% of the City's intensification target is to be accommodated within the "Neighbourhoods" designation (Pol. 2.4.1.3 c)). With respect to the evaluation criteria outlined in Policy B.2.4.1.4, the proposal will enable appropriate land assembly for a future plan of subdivision which is of compatible built form and character to surrounding development, which consists of similar land uses, and will integrate well with surrounding development in terms of use, scale, form, and character. Accordingly, the proposal generally satisfies the criteria outlined in Policy B.2.4.1.4.

Section B.2.4.2 of the UHOP deals specifically with residential intensification within the "Neighbourhoods" designation. Policy 2.4.2.2 of the UHOP outlines further evaluation criteria for residential intensification with the "Neighbourhoods" designation. The proposal will facilitate land assembly for a future plan of subdivision consisting of single-detached lots. The future single detached dwellings are intended to be similar in terms of height and massing to the surrounding neighbourhood. Accordingly, the proposed development satisfies the criteria outlined in Policy 2.4.2.2.

Provincial Policy

Further to questions 7.1 a), b) & c) of the attached application form, the following is submitted:

"Is this application consistent with the Policy Statements issued under subsection "2" of the Planning Act?"

The proposed development has sufficient regard for the matters of provincial interest outlined in subsection 2 of the *Planning Act*.

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

This property is appropriate for land assembly and future development as it is within a settlement area as defined in the PPS, and settlement areas shall be the focus of growth. The subject lands are also within the built-up area and the proposed consent application will facilitate compatible residential intensification through land assembly and infill development on full municipal water and wastewater services, and with frontage on a municipal road. Furthermore, the application is consistent with the PPS with respect to Section 3.1 - Natural Hazards, which directs development outside of the hazardous lands adjacent to the shorelines of the Great Lakes. As such, this application is consistent with the PPS (2020).

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

The Growth Plan (2019) stresses the importance of optimizing the existing supply of land already within the built-up area for urban development (intensification) within the Greater Golden Horseshoe to avoid over-designating new land for future urban development. The proposal is consistent with the Growth Plan as it will encourage residential intensification through land assembly, infill development and will optimize the use of existing infrastructure to support growth in a compact, compatible, and efficient form. As such, the proposal conforms to



Attn: Ms. Jamila Sheffield - Secretary-Treasurer
Re: Severance Application Submissions for 61 Eleanor Avenue, Hamilton

December 9th, 2020
Page 3 of 3

the Growth Plan.

As required for the above-noted application, please find attached the following:

1. A cheque in the amount of \$ \$2,845.00 made payable to the *City of Hamilton* in payment of the Application Fee.
2. A copy of the completed and signed Application Form and an authorization letter from the current owner.
3. One (1) copy of the Severance Sketch reduced to 11x17.

Yours very truly,

Stephen Fraser, RPP, MCIP
Planner
A. J. Clarke and Associates Ltd.

Encl.

Copy: 5025299 Ontario Inc. (c/o Mr. Ali Alaichi)



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-20:63

SUBJECT PROPERTY: 832 Upper Wentworth 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): **Agostino Calandrino on behalf of the owner Jorge Rodriguez**

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and to retain a parcel of land

Severed lands:

18.29m[±] x 66.58m[±] and an area of 1,217.75m^{2±}

Retained lands:

18.29m[±] x 66.58m[±] and an area of 1,217.75m^{2±}

The Committee of Adjustment will hear this application on:

DATE: **Thursday February 4th, 2021**

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.

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

Important note: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

HM/B-20:63
Page 2

to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

MORE INFORMATION

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

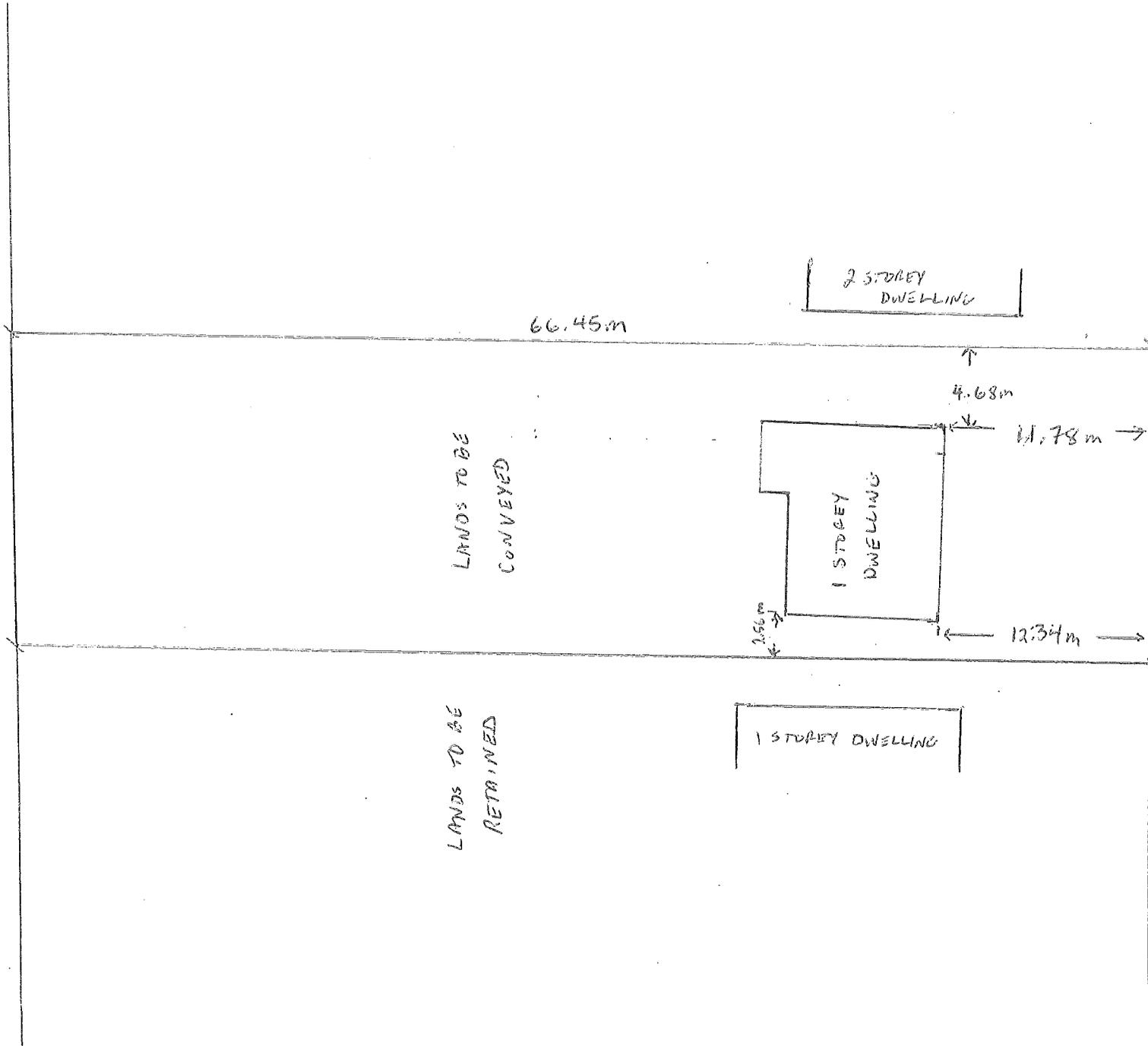
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 19th, 2021

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.

FIELDWAY DRIVE



3cm = 1m

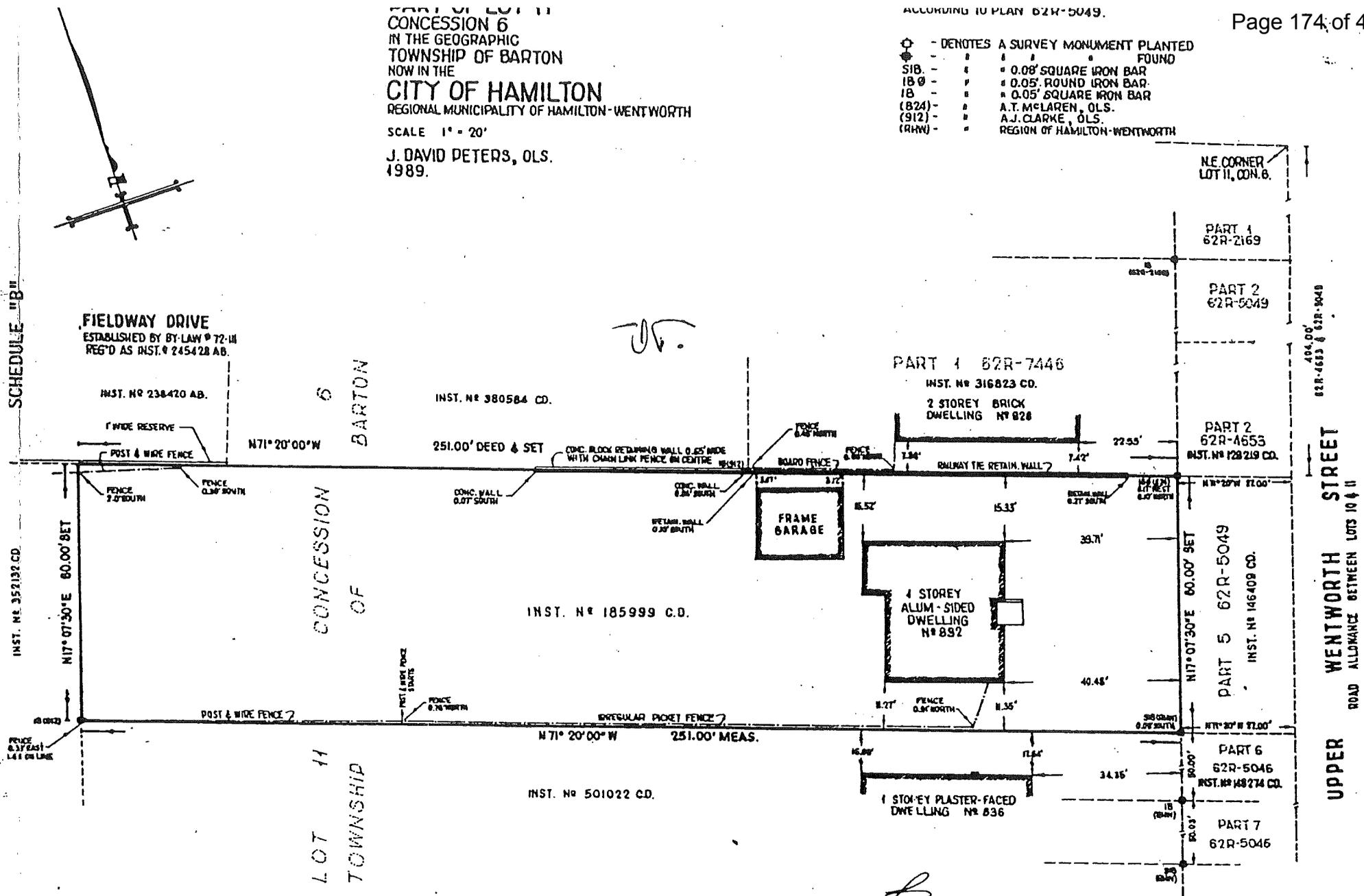
UPPER WENTWORTH STREET

ACCORDING TO PLAN 62R-5049.

PART OF LOT 11
 CONCESSION 6
 IN THE GEOGRAPHIC
 TOWNSHIP OF BARTON
 NOW IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1" = 20'
 J. DAVID PETERS, OLS.
 1989.

- - DENOTES A SURVEY MONUMENT PLANTED
- - DENOTES A SURVEY MONUMENT FOUND
- SIB. - " 0.08' SQUARE IRON BAR
- IB Ø - " 0.05' ROUND IRON BAR
- IB - " 0.05' SQUARE IRON BAR
- (B24) - " A.T. McLAREN, OLS.
- (912) - " A.J. CLARKE, OLS.
- (RHW) - " REGION OF HAMILTON-WENTWORTH



SCHEDULE "B"

UPPER WENTWORTH STREET
 ROAD ALLOWANCE BETWEEN LOTS 10 & 11

-SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE FIELD SURVEY
 REPRESENTED BY THIS PLAN WAS
 COMPLETED ON THE... 6TH... DAY
 OF... JULY, 1989...
 J. David Peters
 ONTARIO LAND SURVEYOR

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 DISTRIBUTE OR ALTER THIS PLAN IN
 WHOLE OR IN PART WITHOUT THE WRIT-
 TEN PERMISSION OF MacKAY, MacKAY
 & PETERS LIMITED

**MacKAY, MacKAY & PETERS
 LIMITED**
 ONTARIO LAND SURVEYORS
 SUITE 608, UNION GAS BUILDING
 20 HUGHSON STREET SOUTH
 HAMILTON, ONTARIO L8N 2A1



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

20-187028

Office Use Only

Date Application Received: <i>Oct 5/20</i>	Date Application Deemed Complete:	Submission No.: <i>HM/B. 20:63</i>	File No.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	<i>JORGE RODRIGUEZ</i>	[REDACTED]	[REDACTED]
Applicant(s)*			Business () Fax: () E-mail:
→ Agent or Solicitor	<i>Agostino Calandrino</i>	[REDACTED]	[REDACTED]

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address <i>832 UPPER WENTWORTH ST. HAM. ON.</i>			Assessment Roll N°. <i>251807083307660</i>

2.2 Are there any easements or restrictive covenants affecting the subject land?
 Yes No
 If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

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

- creation of a new lot
- addition to a lot
- an easement
- Other: a charge
- a lease
- a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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)
18.29	66.58	1,217.75

Existing Use of Property to be severed:

- | | | |
|---|---|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: HOUSE

Proposed: SAME

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)
18.29	66.58	1,217.75

Existing Use of Property to be retained:

- | | | |
|---|---|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

BEEN VACANT FOR OVER 5 YRS

- 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?
PERSONAL KNOWLEDGE
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes No

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
-

- 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 EARLY 1990's*
-

- 8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

- 10.1 Rural Hamilton Official Plan Designation(s)

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

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 Type of Application (select type and complete appropriate sections)

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

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-20:283
APPLICANTS:	T. Johns Consulting c/o Diana Morris on behalf of the owner Jafaar Muhsen
SUBJECT PROPERTY:	Municipal address 53 Stone Church Rd. W., Hamilton
ZONING BY-LAW:	Zoning By-law 6593, as Amended by By-law 19-307
ZONING:	"AA" & "C/S-1788" (Agricultural District and Urban Protected Residential, etc.) district
PROPOSAL:	To permit the construction of a new single family dwelling upon demolition of the existing single family dwelling and associated accessory structures, notwithstanding,

1. A minimum side yard width of 1.2 metres shall be permitted instead of the minimum required side yard width of 4.5 metres.

NOTES:

1. This property is subject to two (2) zoning districts. Pursuant of Section 3(9)(b) of the Zoning By-law, where a building is erected on a lot subject to two or more zoning districts and the use is permitted in each of the zoning districts, the lot shall comply with the least stringent width and area requirements of each of the districts. As such, the variance requested for a reduced lot width and lot area is not required as the lot complies with the least stringent requirements of the two zoning districts, which is a minimum lot width of 12.0 metres and a minimum lot area of 360 square metres, as required by the "C" zoning district.

2. Details regarding the proposed building height have not been provided. A further variance will be required if the proposed building height, provided in accordance with the definition of "Height" and "Grade" as defined within the Zoning By-law, exceeds two and a half storeys or 11.0 metres.

3. Details regarding yards encroachments have not been provided. A further variance will be required if the eave and gutter encroach greater than 0.6 metres into a required side yard.

4. Details regarding front yard landscaping have not been provided. A further variance will be required if a minimum of 50% of the gross area of the front yard is not provided as landscaped area.

HM/A-20:283

Page 2

5. Details regarding parking have not been provided. Further variances will be required is compliance with Section 18A of the Zoning By-law (Parking and Loading Requirements) cannot be complied with. Please be advised, for a single family dwelling, two (2) parking spaces for the first eight (8) habitable rooms in the dwelling plus 0.5 spaces for each additional habitable room are required to be provided.

6. A further variance will be required should the intent be to maintain any existing accessory structure upon demolition of the existing single family dwelling

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

DATE: Thursday, February 4th, 2021
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:

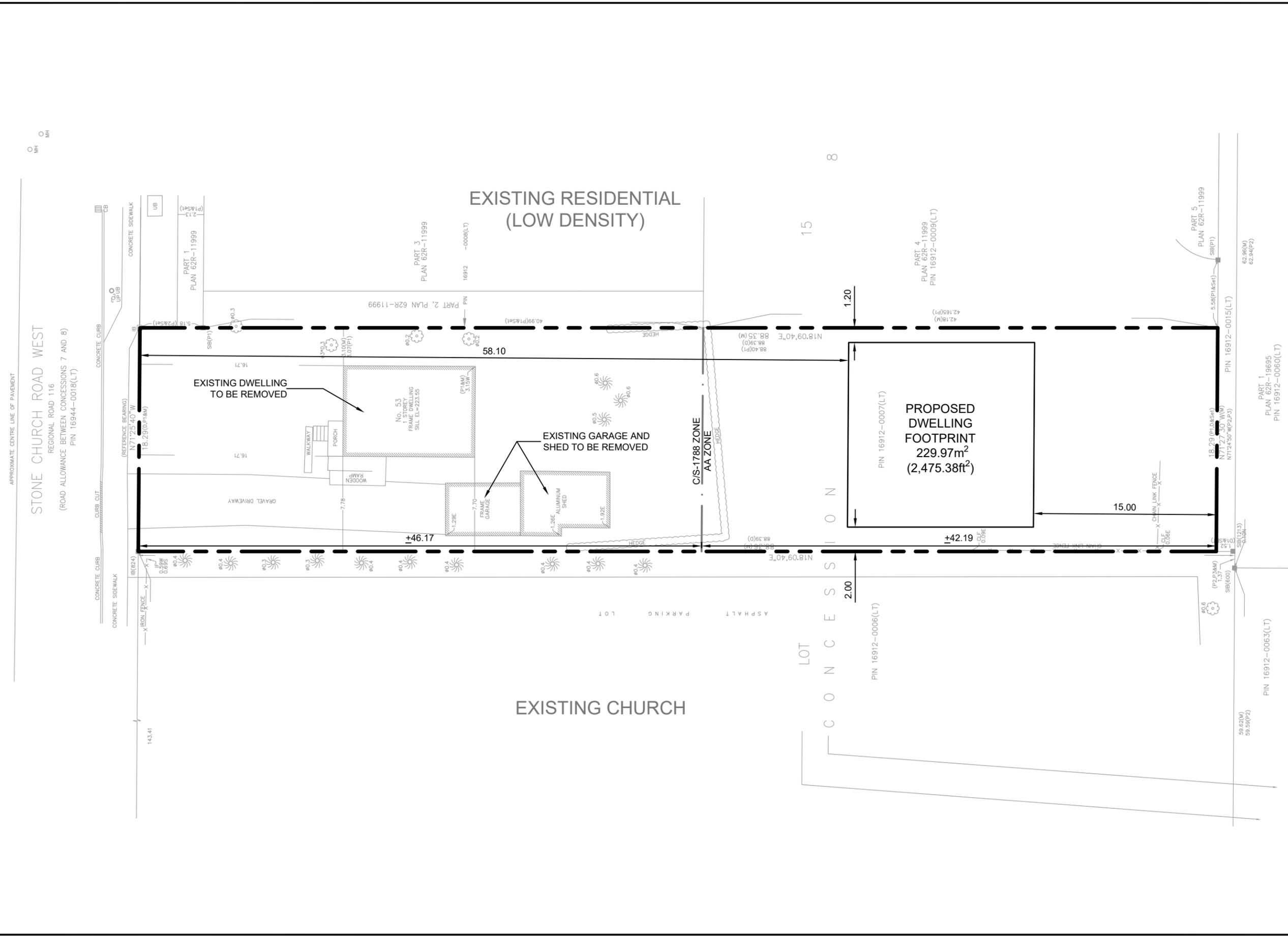
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 19th, 2021.

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.

Plotted by: Jennifer Badley; 12-NOV-2020; 9:20AM



LEGAL DESCRIPTION



REVISIONS		
REV.	DESCRIPTION	DATE
A	REVIEW	14-OCT-2020

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



310 LIMERIDGE ROAD WEST, SUITE 6 HAMILTON ONTARIO, L9C 2V2
 P 905-574-1993 F 905-527-9559

PROJECT TITLE
53 STONE CHURCH ROAD WEST
 HAMILTON, ONTARIO

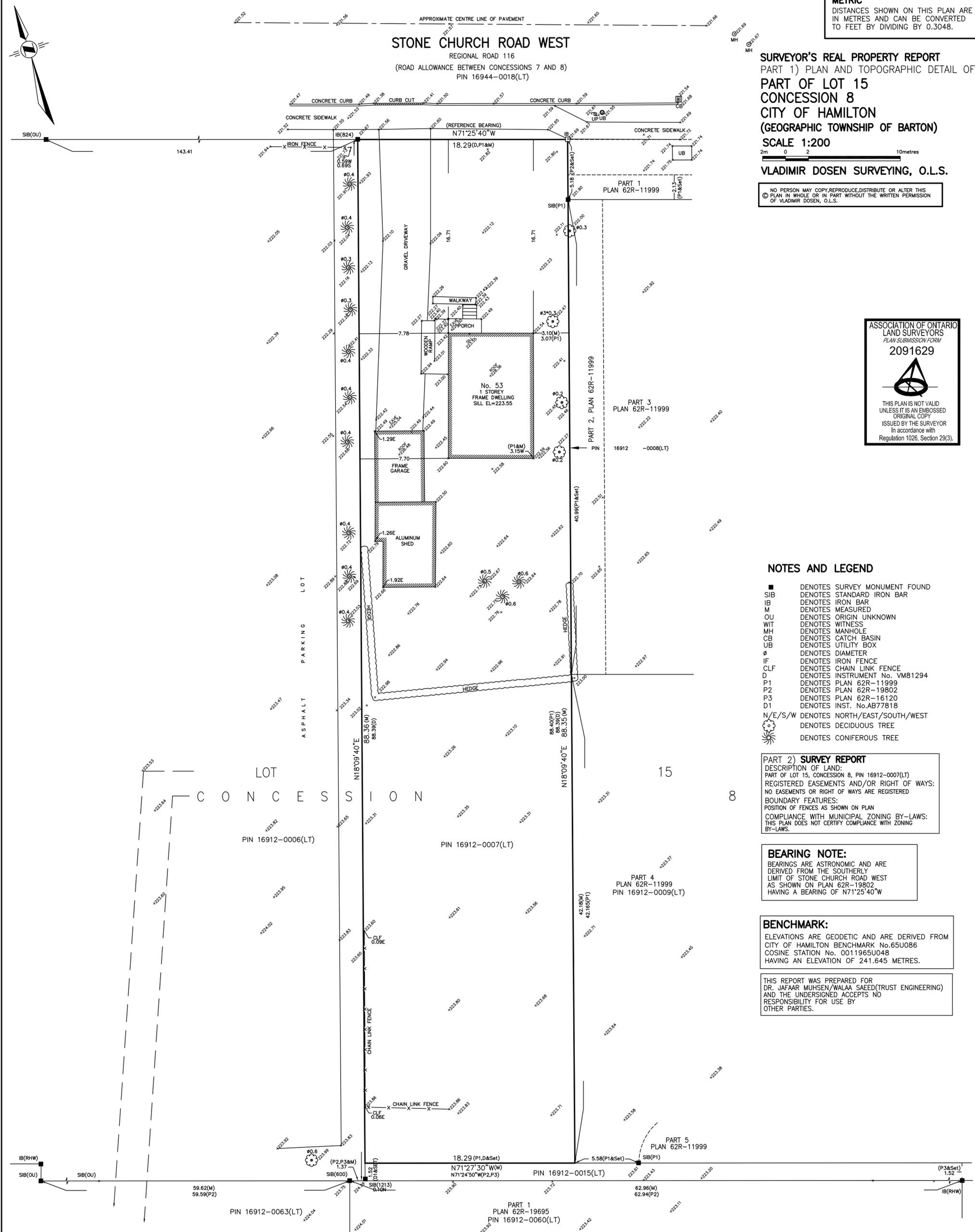
DRAWING TITLE
CONCEPT PLAN

DRAWN BY JB	DESIGNED BY JB
PRINT DATE 12-NOV-2020	PROJECT NUMBER 20201
REVISION A	DRAWING NUMBER CP1-1
SCALE 1:300	

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

SURVEYOR'S REAL PROPERTY REPORT
PART 1) PLAN AND TOPOGRAPHIC DETAIL OF
PART OF LOT 15
CONCESSION 8
CITY OF HAMILTON
(GEOGRAPHIC TOWNSHIP OF BARTON)
SCALE 1:200
2m 0 2 10metres
VLADIMIR DOSEN SURVEYING, O.L.S.

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VLADIMIR DOSEN, O.L.S.



- NOTES AND LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - M DENOTES MEASURED
 - OU DENOTES ORIGIN UNKNOWN
 - WIT DENOTES WITNESS
 - MH DENOTES MANHOLE
 - CB DENOTES CATCH BASIN
 - UB DENOTES UTILITY BOX
 - Ø DENOTES DIAMETER
 - IF DENOTES IRON FENCE
 - CLF DENOTES CHAIN LINK FENCE
 - D DENOTES INSTRUMENT No. VM81294
 - P1 DENOTES PLAN 62R-11999
 - P2 DENOTES PLAN 62R-19802
 - P3 DENOTES PLAN 62R-16120
 - D1 DENOTES INST. No. AB77818
 - N/E/S/W DENOTES NORTH/EAST/SOUTH/WEST
 - DENOTES DECIDUOUS TREE
 - ☼ DENOTES CONIFEROUS TREE

PART 2) SURVEY REPORT
DESCRIPTION OF LAND:
PART OF LOT 15, CONCESSION 8, PIN 16912-0007(LT)
REGISTERED EASEMENTS AND/OR RIGHT OF WAYS:
NO EASEMENTS OR RIGHT OF WAYS ARE REGISTERED
BOUNDARY FEATURES:
POSITION OF FENCES AS SHOWN ON PLAN
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE DERIVED FROM THE SOUTHERLY LIMIT OF STONE CHURCH ROAD WEST AS SHOWN ON PLAN 62R-19802 HAVING A BEARING OF N71°25'40"W

BENCHMARK:
ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 65U086 COSINE STATION No. 0011965U048 HAVING AN ELEVATION OF 241.645 METRES.

THIS REPORT WAS PREPARED FOR DR. JAFAR MUHSEN/WALAA SAIED (TRUST ENGINEERING) AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

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 THE 24th DAY OF MAY, 2019
DATE: JUNE 4, 2019
Vladimir Dosen
VLADIMIR DOSEN, B.Sc.
ONTARIO LAND SURVEYOR

VLADIMIR DOSEN SURVEYING
ONTARIO LAND SURVEYORS
555 DAVISVILLE AVENUE
TORONTO, ONTARIO M4S 1J2
PHONE (416) 466-0440 EMAIL: vladdosen@rogers.com

JOB No: 19182	FIELD BY: KUMAR
FILE: 19-061	DRAWN BY: EGON
CAD FILE: 53 STONE CHURCH ROAD WEST	CHECKED BY: VLAD

December 16, 2020

City of Hamilton
Committee of Adjustment
Planning and Economic Development Department
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

ATTENTION: Jamila Sheffield, Secretary-Treasurer, Committee of Adjustment

Dear Ms. Sheffield:

**RE: 53 Stone Church Road West, Hamilton
Minor Variance Application**

T. Johns Consulting Group Ltd. (“T. Johns”) has been retained by Mr. Jafaar Muhsen, the owner of the above reference lands, to submit the enclosed Minor Variance application on their behalf.

Planning Status

The City of Hamilton designates the subject lands Neighbourhoods in the Urban Hamilton Official Plan. The Neighbourhoods designation seeks to develop compact, mixed use, transit-supportive and active transportation friendly neighbourhoods and permits the full range of residential uses.

The City of Hamilton Zoning By-law No. 6593 zones the front half of the property Urban Protected Residential, Etc. “C/S-1788” District, Modified and the rear half of the property Agricultural “AA” District both of which permit single detached dwellings.

Proposed Development

The proposed redevelopment of 53 Stone Church Road West is for the creation of a new single detached dwelling with the existing dwelling and detached garage to be removed. The submitted Concept Plan shows the proposed dwelling located towards the rear of the property within the lands zoned “AA” District.

Development Applications

To facilitate the proposed development, the following variances are required:

	<u>Zoning By-law 6593</u> <u>Section</u>	<u>Purpose</u>
1	7A(4)	To allow a minimum lot width of 18.29 metres and a minimum lot area of 750.0 square metres within the district, whereas a minimum lot width of 60.0 metres and a minimum lot area of 12,000.00 square metres is required.
2	7(3)(ii)	To allow a minimum side yard of 1.2 metres, whereas a width of at least 4.5 metres is required.

Please refer to **Appendix "A"** for detailed information and planning rationale for each variance.

In support of the application, please find enclosed:

- One (1) copy of the completed Minor Variance Application form;
- One (1) cheque in the amount of \$3,302.00 made payable to the City of Hamilton to satisfy the Minor Variance Application fee;
- One (1) copy of the Survey Plan;
- One (1) copy of the Concept Plan; and
- One (1) copy of Appendix "A": Planning Rationale.

Should you require any additional information, please do not hesitate to contact our office at (905) 574-1993 ext. 202 or dmorris@tjohnsconsulting.com.

Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.



Diana Morris, BA, MCIP, RPP
 Senior Planner

Appendix “A”: Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
 December 15, 2020



T. Johns Consulting Group Ltd. (“T. Johns”) has prepared the following Planning Rationale Report in support of the Minor Variance applications for 53 Stone Church Road West, Hamilton (“subject lands”).

Description of Subject Lands

The subject lands are located in the Mewburn Neighbourhood; on the south side of Stone Church Road West, east of West 5th Street and west of Upper James Street. The subject lands are rectangular in shape, with a total site area of 0.16 hectares (1,615.9 m²) with 18.29 metres of frontage on Stone Church Road West and a depth of 88.35 metres. The lands are generally flat with a minimal northerly slope towards the street of approximately 2 metres over the entire lot depth. The lands encompass mature vegetation central to site and along the side property lines. The site currently contains a one (1) 1-storey single detached dwelling and one (1) detached garage that is accessed off Stone Church Road West. (Refer to **Figure 1 - Site Location**).

The subject lands are designated *Neighbourhoods* in the Urban Hamilton Official Plan and has split zoning. The front portion of the subject lands is zoned Urban Protected Residential, Etc. “C/S-1788” District, Modified and the rear of the property is zoned Agricultural “AA” District in the former City of Hamilton Zoning By-law No. 6593. (Refer to **Figure 2 - Zoning By-law**).

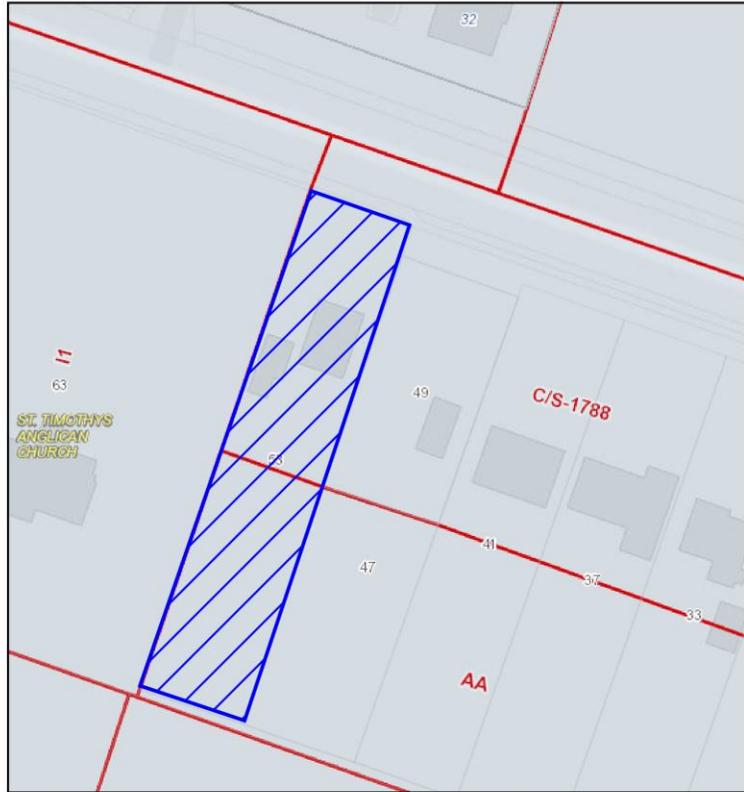
Figure 1 - Site Location



Appendix "A": Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
December 15, 2020



Figure 2 - Zoning By-law



Appendix “A”: Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
 December 15, 2020



Proposed Development

The proposed development of 53 Stone Church Road West is for the creation of a new single detached dwelling which is preferred to be located as far away from the main roadway (Stone Church) as possible to minimize road noise. Due to this, the proposed detached dwelling would be located within the existing “AA” District. This proposal will result in the demolition of the existing dwelling and detached garage fronting Stone Church, currently within the “C/S-1788” District.

To facilitate the proposed development the following applications are required:

- Minor Variance to reduce lot width, lot area and side yard setbacks of the “AA” District and;
- Building Permit.

The intent of the above applications is to facilitate one (1) single family dwelling with access from Stone Church Road West. The proposed redevelopment of the subject lands will not change the density and is in keeping with the existing low-density residential uses to the east. The site has been conceptually designed to illustrate the preferred location of the new dwelling and will exceed the required rear yard setback and front yard setback of the “AA” District. The requested variances provide for the location of the new single detached dwelling and will permit the house to be located within the “AA” District. The proposed building envelope is shown to be setback farther from Stone Church Road West to increase the livability and mitigate any potential noise impact from Stone Church Road West (**refer to Concept Plan submitted**).

The proposed redevelopment of 53 Stone Church Road West requires relief from the Agricultural “AA” District of Zoning By-law No. 6593 as it relates to reductions of the side yard setback, lot area and lot width.

Nature and extent of relief applied for:

Two (2) Minor Variances are being sought from the former City of Hamilton Zoning By-law No. 6593 to facilitate the redevelopment of the subject lands for a compatible low density residential use in the Mewburn Neighbourhood in the City of Hamilton. The requested minor variances are as follows:

	<u>Zoning By-law No. 6593</u> <u>Section</u>	<u>Purpose</u>
1	7A(4)	To allow a minimum lot width of 18.29 metres and a minimum lot area of 750.0 square metres within the district, whereas a minimum lot width of 60.0 metres and a minimum lot area of 12,000.00 square metres is required.
2	7(3)(ii)	To allow a minimum side yard of 1.2 metres, whereas a width of at least 4.5 metres is required.

PLANNING RATIONALE TO SUPPORT THE VARIANCES:

Overall Conformity to the Urban Hamilton Official Plan

Schedule E-1 of The Urban Hamilton Official Plan (UHOP) designates the subject lands as ‘Neighbourhoods’ located to the west of one of the City’s Primary Corridor (Schedule E), being Upper James Street.

UHOP Chapter E, Section 3.0 - Neighbourhoods permits the full range of residential uses. The subject land has frontage on Stone Church Road West (Minor Arterial) and is located between West 5th Street (Minor Arterial) and Upper James Street (Major Arterial). The Neighbourhoods designation seeks to develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods (E.3.1.1). The proposed development has frontage on a road with an existing bike lane and has a planned multi-use trail to the south, accessed from Upper James Street and West 5th Street, according to Map 1A of the City of Hamilton Transportation Master Plan. Policy E.3.1.2 seeks to develop neighbourhoods as part of a complete community. The subject lands are in close proximity to a number of commercial and institutional uses that support the residential use. The proposed development provides a residential scale and density that is compatible and respects the character of the existing neighbourhood (E.3.1.4 & E.3.1.5). Of importance, the use and density will be maintained as is currently existing on the subject lands.

The proposed low density residential redevelopment meets the design policies of E.3.4 as the development offers a single detached built form with a net density of 6.25 units per hectare. The proposed development is integrated into the neighbourhood by providing a low density built form with appropriate scale and setbacks to the existing residential uses to the east and further to the west. The height of the proposed building will not exceed 2.5 storey’s, which is aligned with the surrounding 1-3 storey existing dwellings in the surrounding area.

The proposed redevelopment for one (1) residential dwelling within the Mewburn Neighbourhood is aligned with the City’s Community and Neighbourhood policies found within UHOP’s Chapter B and Chapter E, respectively.

Appendix “A”: Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
 December 15, 2020



VARIANCE 1. To allow a minimum lot width of 18.29 metres and a minimum lot area of 750.0 square metres within the district, whereas a minimum lot width of 60.0 metres and a minimum lot area of 12,000.00 square metres is required within the “AA” District.

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

The subject lands have split zoning with the “AA” District located at the rear of the property and the front portion zoned “C/S-1788” District, Modified. The subject lands are legal non-conforming and as such, the variance to reduce the minimum lot width to 18.29 metres and the minimum lot area to 750.0 square metres within the district is required to recognize the existing conditions. The “AA” District applies to the rear of the subject lands in addition to the five (5) residential lots to the east. The existing property limits within the “AA” District of the subject lands, as well as for the existing lots to the east of these lands, do not meet the required lot width and lot area. As such, the current requirements of a minimum lot width of 60.0 metres and a minimum lot area of 12,000.00 square metres within the urban area are not feasible and do not reflect the current property limits of the zone in relation to the existing lots along Stone Church West.

PLANNING RATIONALE TO SUPPORT VARIANCE 1:

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

The “AA” District permits the proposed use. The intent of lot width and lot area is to ensure a parcel is functional and to protect agricultural lands. The proposed 18.29 metre lot width and 750.0 square metre lot area recognizes the existing conditions of the subject lands. The proposed redevelopment will not change the lot size but rather will bring the existing lot into conformity with Zoning By-law 6593. The proposed lot width and area can accommodate a dwelling footprint that will exceed the rear and front yard setback requirements of the Zoning By-law, while being cohesive with the surrounding residential neighbourhood and is able to maintain private outdoor amenity space.

2. Is the Variance Minor?

The requested variance to permit a reduction in the minimum width and lot area within the “AA” District is minor as it recognizes existing conditions and does not propose any changes to the existing lot fabric/property lines of the neighbourhood. Any potential impact of the proposed residential redevelopment will be mitigated with appropriate setbacks and a building height that meets the Zoning By-law requirements.

3. Is the Variance Desirable for the Development of the Property?

The request is desirable as it will facilitate the construction of a family-sized dwelling unit in the desirable Mewburn Neighbourhood. The proposed development of the property is the same use

Appendix “A”: Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
 December 15, 2020



existing on the lands and therefore is acceptable for the property. Further, the variance will recognize the existing legal non-conforming status of the subject lands.

VARIANCE 2. To allow a side yard depth of 1.20 metres, whereas a side yard depth of 4.5 metres is required within the “AA” District.

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

A 4.5 metre setback is not aligned with UHOP Chapter B.3 Urban Design policies which promotes respecting existing character, development patterns and built form. The variance is required to provide flexibility in the developable area of the property. The front portion of the subject lands are zoned “C/S-1788” District, Modified which requires a minimum side yard width of 1.2 metres. The proposed development provides a side yard setback of 2.0 metres along the abutting western property line to provide additional buffering from the existing institutional use (Assyrian Church of the East). The requested variance to reduce the required side yard depth seeks to provide consistency across the entire lot by requiring the same side yard depth in the “AA” District as is required in the “C/S-1788” District, Modified.

PLANNING RATIONALE TO SUPPORT VARIANCE 2:

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

The proposed single-family dwelling is a permitted use in both the “AA” District and the “C/S-1788” District, Modified. The “AA” District requires a side yard depth of 4.5 metres. Typically, lot widths within the “AA” District are larger, as the width of the zoning requirement of this district is 60.00m and would be able to accommodate the required side yard setbacks. However, as the subject lands have an existing frontage of 18.29m and in order to provide a dwelling that is sufficient in size, the 4.5 metre side yard is not appropriate for these lands. The subject lands are within the urban area and the “AA” zoned lands are a remnant parcel within a developed neighbourhood. The proposed redevelopment is consistent with policies in the UHOP. The proposal provides side yard depths that are consistent with the existing setbacks on the property and within the neighbourhood, and therefore the requested variance conforms to the intent of the Zoning By-law.

2. Is the Variance Minor?

The requested variance to reduce the side yard depth from 4.5 metres to 1.2 metres within the “AA” District is minor as it will continue to provide appropriate side yard setbacks as is permitted in the “C/S-1788” District, Modified. The 1.2 metre setback provides a functional side yard with regard to access, maintenance and landscaping. The proposed side yard setback is consistent with the neighbourhood context. The proposed redevelopment will not change the lotting pattern or density of the subject lands and as such, the impact on the surrounding properties will be minor.

Appendix "A": Minor Variance Planning Rationale
53 Stone Church Rd W, Hamilton
December 15, 2020



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

The existing residential dwelling is located within the "C/S-1788" District in which a 1.2 metre side yard setback is permitted. As such, the requested variance to reduce the side yard depth to 1.2 metres will provide consistency throughout the entire lot and will provide more flexibility in regards to the location of the new dwelling, while maintaining the streetscape and character of the neighbourhood. The proposed side yard setback is consistent with what is already permitted on the property and with the development patterns of the surrounding residential uses.

Conclusion

The proposed redevelopment of 53 Stone Church Road West will revitalize lands and enhance the existing built form of the neighbourhood. The proposed redevelopment maintains the density and existing uses in the stable neighbourhood and is a permitted use. The requested variances meet the intent of the UHOP, general intent of Zoning By-law No. 6593, are minor, desirable and represent good land use planning.

Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.

A handwritten signature in cursive script, appearing to read "D Morris".

Diana Morris, BA, MCIP, RPP
Senior Planner



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
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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.

- Name of Owner Mr. Jafaar Muhsen Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____
- Name of Agent T. Johns Consulting c/o Diana Morris Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____

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

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

N/A _____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

Owner is seeking relief from the required side yard setback of 4.5 m to
minimum of 1.2m of the "AA" Zone and relief from lot width and area to
recognize the existing lot on record (legal non-conforming)

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

Please see Planning Rationale submitted in support of this application

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

53 Stone Church Road West,

Part of Lot 15, Concession 8 (Former Township of Barton)

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?

Owner's knowledge

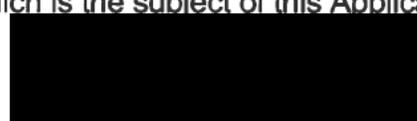
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. N/A

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

Dec 15 2020
 Date


 Signature Property Owner

Jafaar Muhsen
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 18.29 m
 Depth 88.35 m
 Area 1,615 m² (0.16 ha)
 Width of street 20.00 m (Stone Church Road West)

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 single detached dwelling with 1 detached garage, 1 aluminum shed

<u>Principle Dwelling</u>	<u>Garage</u>	<u>Aluminum Shed</u>
<u>± 80.4 m² (904 ft²)</u>	<u>± 26.4 m² (284 ft²)</u>	<u>± 36 m² (387.5 ft²)</u>
<u>± 10.8 m x ± 7.4 m</u>	<u>± 6.1 m x ± 4.3 m</u>	<u>± 7.4 m x ± 5.3 m</u>

Proposed: The proposed development is for one (1) new single detached dwelling

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

<u>Existing: Principle Dwelling</u>	<u>Garage</u>	<u>Aluminum Shed</u>
<u>Front Yard: ± 16.71 m</u>	<u>Front Yard: ± 26.0 m</u>	<u>Front Yard: ± 32.2 m</u>
<u>Side Yard: ± 3.1 m / ± 7.7 m</u>	<u>Side Yard: ± 1.2 m / ± 12.5 m</u>	<u>Side Yard: ± 1.2 m / ± 11.6 m</u>
<u>Rear Yard: ± 62.3 m</u>	<u>Rear Yard: ± 58.6 m</u>	<u>Rear Yard: ± 49.6 m</u>

- Proposed: The proposed single detached dwelling will be as follows:
- Front yard setback: 12.0 m (minimum)
- Rear setback: 15 m
- Side yard setbacks: East - 1.2 m / West - 2.0 m
13. Date of acquisition of subject lands:
November 27, 2013
14. Date of construction of all buildings and structures on subject lands:
1950s
15. Existing uses of the subject property: Residential and vacant to the rear of the property
16. Existing uses of abutting properties: _____
Residential (single detached) to the East, Institutional (church) to the West, Vacant to the South
17. Length of time the existing uses of the subject property have continued:
Approximately 70 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <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:
Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"C/S-1788" and "AA" of Zoning By-law 6593
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: SC/A-20:248

APPLICANTS: Jim Colalillo on behalf of the owner Kennedy Colalillo

SUBJECT PROPERTY: Municipal address **32 Trillium Ave., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 15-173

ZONING: "RR" (Rural Residential) district

PROPOSAL: To permit the development of a two-storey addition to an existing single detached dwelling located on a residential parcel of land, notwithstanding that;

1. A minimum front yard of 0.46 metres shall be permitted, instead of the minimum required front yard of 7.5 metres.
2. A minimum easterly side yard of 0.60 metres shall be permitted, instead of the minimum side yard of 1.25 metres.
3. An eave/gutter shall be permitted to project a maximum of 1.25 metres into the required easterly side yard and may be as close as 0.0 m to the easterly lot line instead of the maximum 0.5 m projection permitted.
4. An eave/gutter shall be permitted to project a maximum of 7.5 metres into the required front yard and may be as close as 0.0 m to the front lot line instead of the maximum 0.5 m projection permitted.
5. An unenclosed porch/balcony shall be permitted to project a maximum of 7.04 metres into the required front yard and may be as close to 0.46 metres to the front lot line instead of the maximum 1.5 metre projection.
6. A driveway, lane or aisle, having a minimum width of 0.46 m shall be permitted instead of the minimum 6.0 metres driveway, lane or aisle width required.

NOTE:

1. Detailed elevation drawings were not included as part of this application to confirm the height of the proposed building addition. Please note that as per Section 5.4.3(f), the maximum permitted building height is 11.0 metres. Further variances may be required if compliance with Section 5.4.3(f) is not possible.
2. Specific details regarding lot coverage were not included as part of this application. Please note that as per Section 5.4.3(c) of Stoney Creek Zoning By-law No. 3692-92, the maximum permitted lot coverage is 40 percent. Additional variances may be required if compliance with Section 5.4.3(c) is not possible.

.../2

SC/A-20:248

Page 2

3. A detailed site plan indicating the specific projection of the proposed eaves/gutters was not included as part of this application. The variances to Section 4.19.1(b) pertaining to the projection of the eaves/gutters into the required side and front yards, has been written as requested by the applicant.
4. Please note this application is to be heard in conjunction with Severance Application SC/B-20:78.
5. Construction of the proposed addition 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, February 4th, 2021
TIME: 2:20 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.

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: January 19th, 2021.

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.

LAKE ONTARIO

SCHEDULE "B"



6.10

13.58

TOE OF ARMOUR STONE

EXISTING EDGE OF WATER

TOP OF ARMOUR STONE BANK

STABLE SLOPE ALLOWANCE

NEW H.C.A. DEVELOPMENT SETBACK

EROSION ALLOWANCE

19.60

14.02

48.12

EXISTING BACK YARD STRUCTURES

EXISTING ONE STORY BRICK DWELLING

PROPOSED 2 CAR GARAGE ADDITION

3.00

0.86

MANTAIN MINIMUM 3 METER SIDE YARD SETBACK

MANTAIN CURRENT SIDE YARD SETBACK

3.00

0.50

0.50

0.60

PROVIDE MINIMUM 0.50 METER FRONT YARD SETBACK ON NEW GARAGE TO MATCH WITH CURRENT CONDITIONS

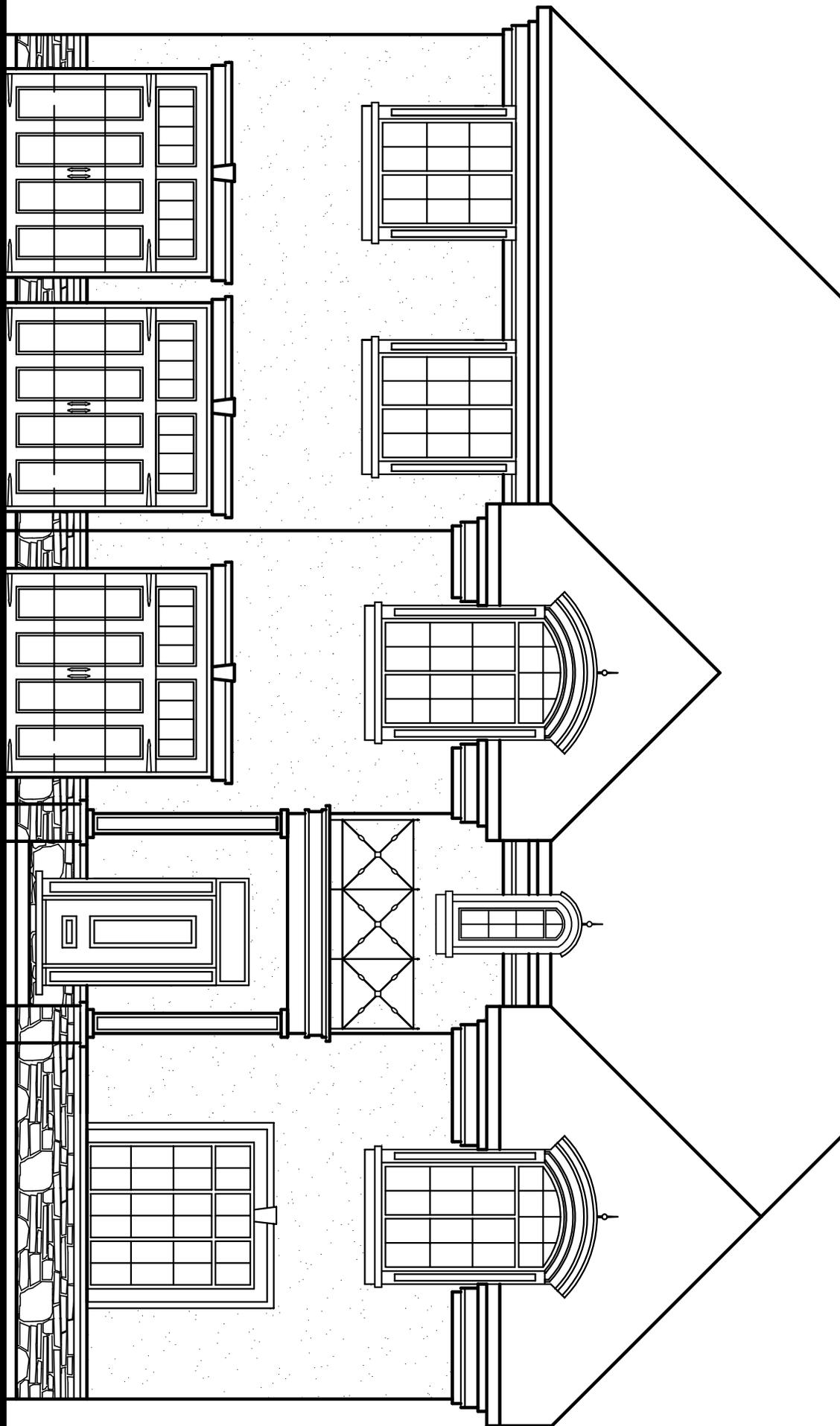
0.46

CURRENT FRONT YARD SETBACK OF 0.46 TO BE MAINTAINED

0.53

PRIVATE RIGHT OF WAY

TRILLIUM AVE.



PRODUCED BY AN AUTODESK STUDENT VERSION

PRODUCED BY AN AUTODESK STUDENT VERSION

LAKE ONTARIO

SCHEDULE "B"



6.10

13.58

TOE OF ARMOUR STONE

EXISTING EDGE OF WATER

TOP OF ARMOUR STONE BANK

STABLE SLOPE ALLOWANCE

NEW H.C.A. DEVELOPMENT SETBACK

EROSION ALLOWANCE

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PROPOSED 2 CAR GARAGE ADDITION

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0.86

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0.50

0.50

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PROVIDE MINIMUM 0.50 METER FRONT YARD SETBACK ON NEW GARAGE TO MATCH WITH CURRENT CONDITIONS

0.46

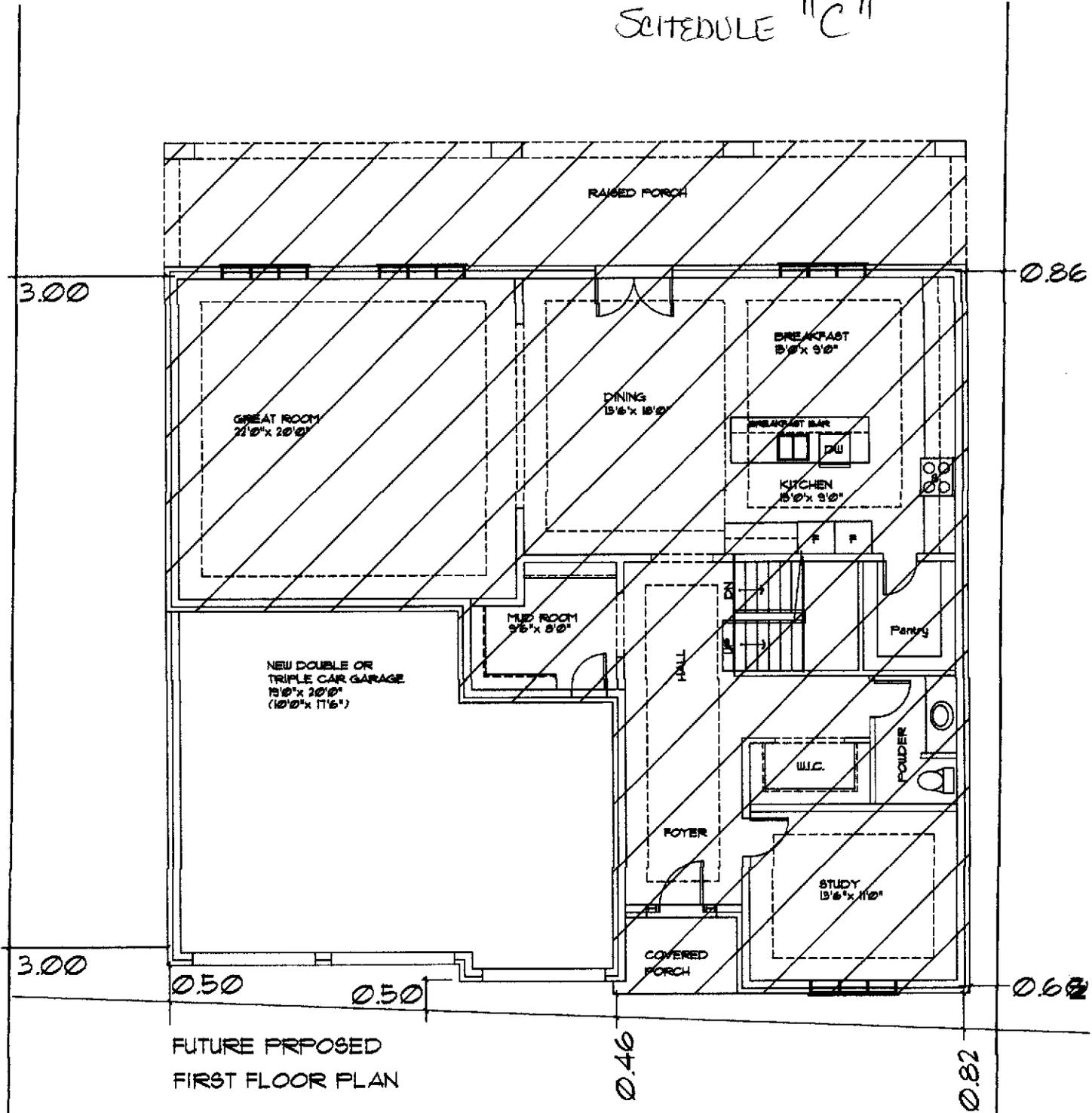
CURRENT FRONT YARD SETBACK OF 0.46 TO BE MAINTAINED

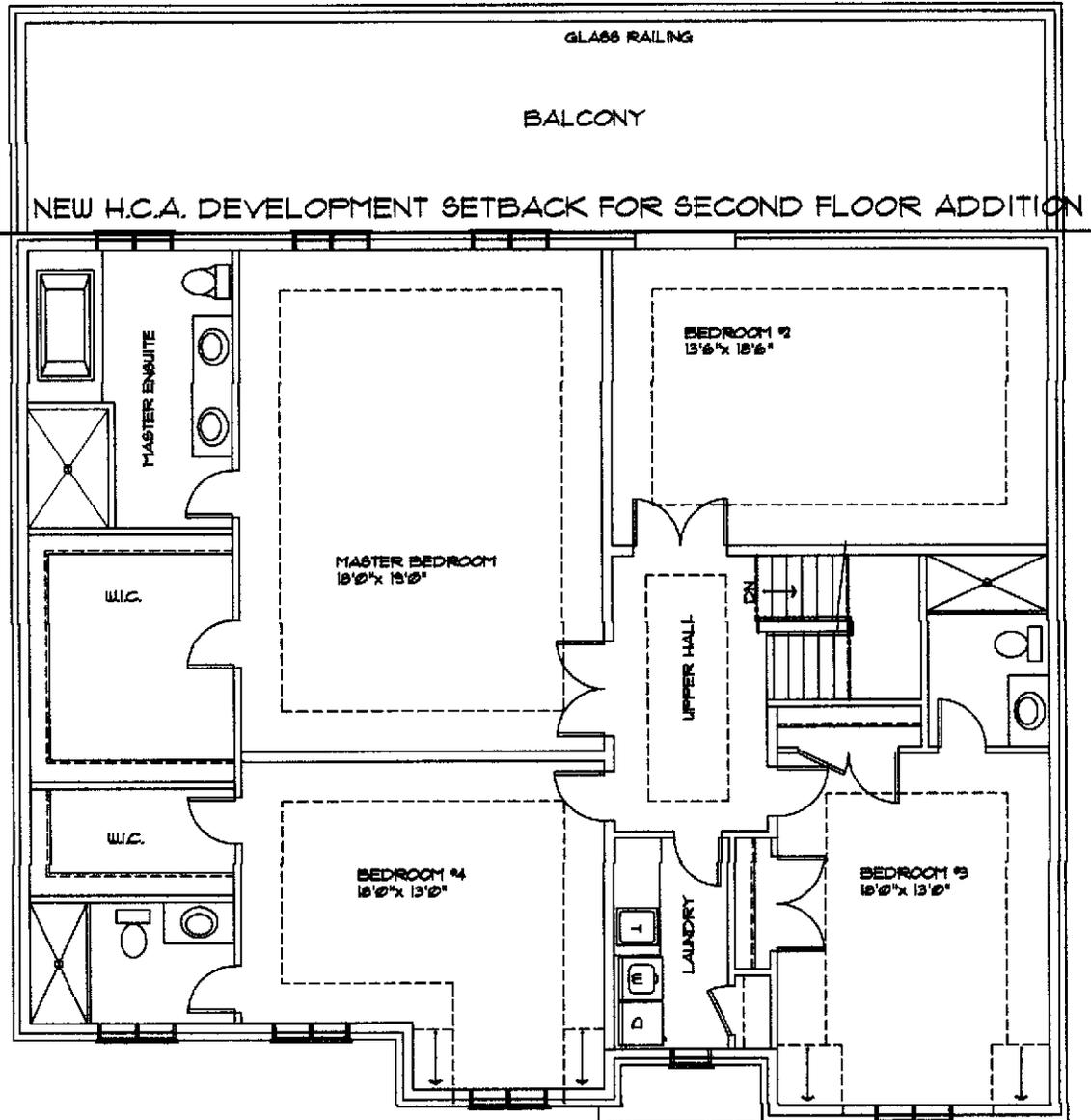
0.53

PRIVATE RIGHT OF WAY

TRILLIUM AVE.

SCHEDULE "C"





FUTURE PROPOSED
SECOND FLOOR PLAN

SCHEDULE "D"

Survey for the use of the Trillium Lake
 this 28th day of July A.D. 1924
 A Public Act - H. C. Dunning

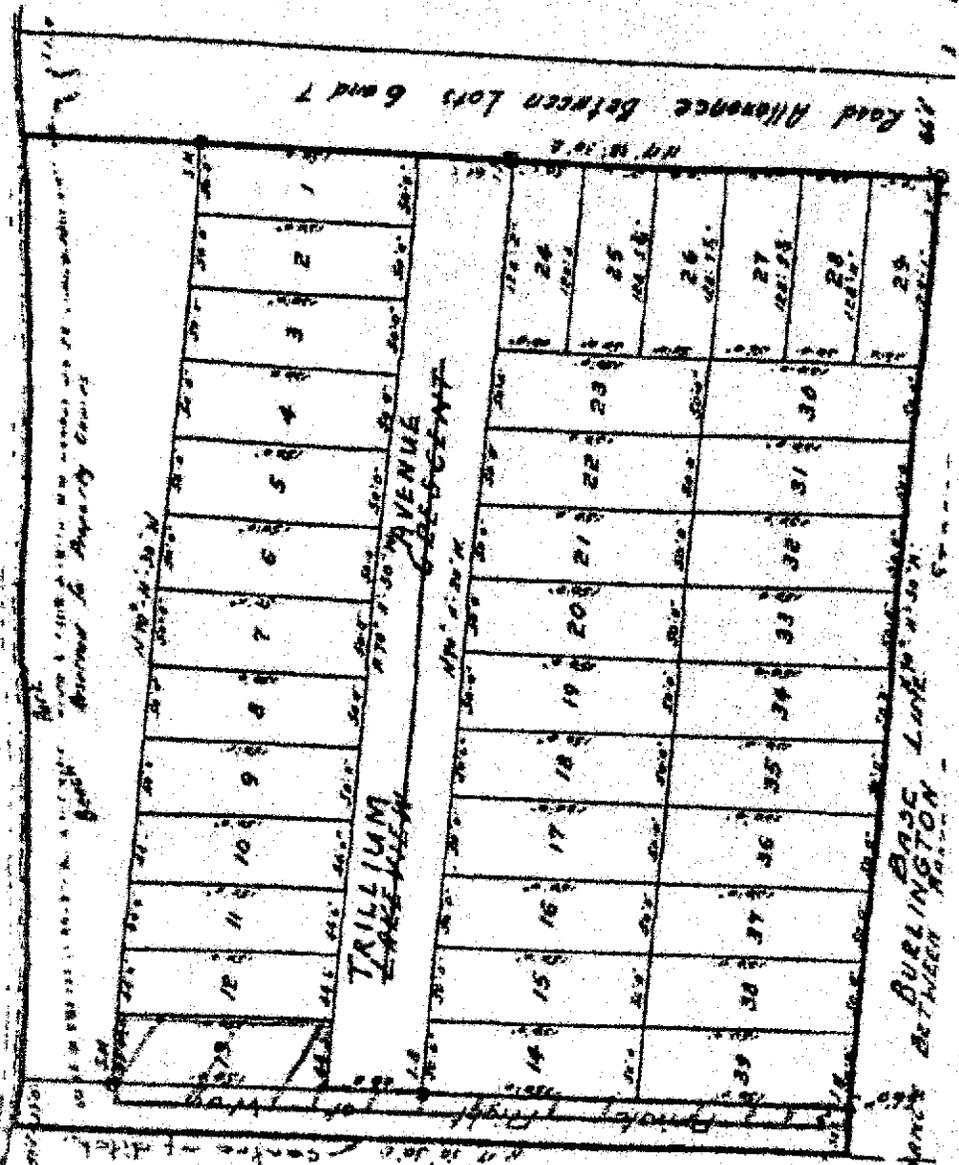
I hereby certify that this plan was made in the
 manner in which the lands enclosed within
 lines has been surveyed and submitted by me
 that this plan has been prepared in accordance
 the provisions of the Survey Act of the Survey.

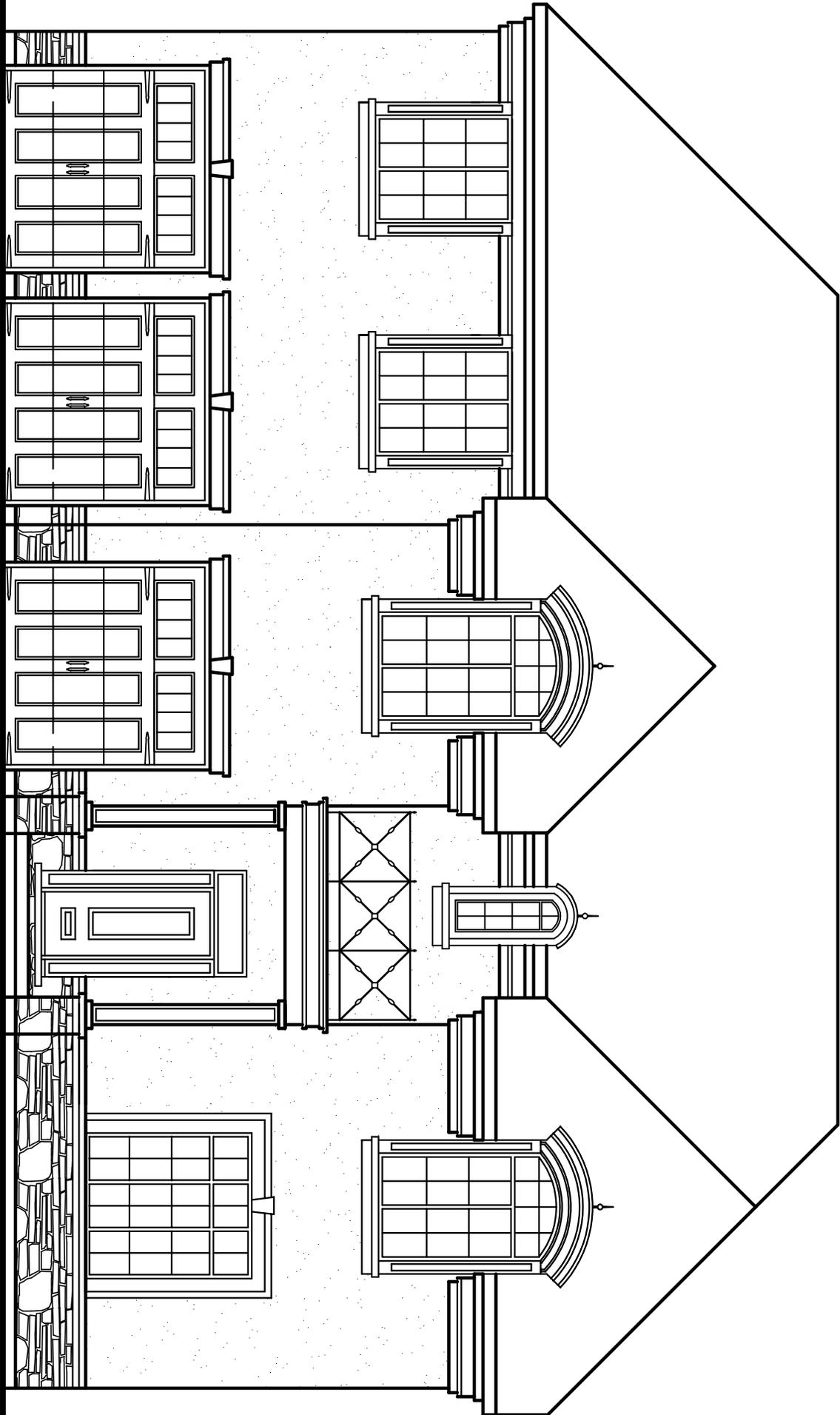
S. L. D. Dated 1st day of July A.D. 1924
 Ontario Land Surveyor

Received from J. Reginald Clear
 H. W. October 1924 plan No. 173

Registrar M.
 This plan has been prepared under our main
 and with our approval for registration

Ontario on Dec 11/24. Witness: H. C. Dunning





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PRODUCED BY AN AUTODESK STUDENT VERSION



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th floor 71 Main Street West
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SECRETARY'S SIGNATURE _____	

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

The Planning Act

Application for Minor Variance or for Permission

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

- Name of Owner Kennedy Colalillo Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED] Postal Code [REDACTED]
- Name of Agent Jim Colalillo Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED] Postal Code [REDACTED]

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
Front yard setback to match pre-existing
conditions to allow for addition to be
built
Maintain existing sideyard setbacks
7. Why it is not possible to comply with the provisions of the By-law?
The location of the pre-existing dwelling is non-conforming
to the existing by-law. We are requesting approval
to match the new garage addition and 2nd floor
to the existing front yard and right side yard setbacks.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
32 TRILLISH AVE
LT 13, PL 675; DT PRIVATE RDW, PL 675, PART 1, 2, 3
62R6027
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?
Pre-existing home in existing residential area.
This residential area has been in existence
since atleast 1924 - see Schedule "D"
- 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.

October 30, 2020
 Date


 Signature Property Owner

Kennedy Colalillo
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 19.68 m
 Depth 45.72 m
 Area 899.77 sqm
 Width of street 20.16 m

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

Existing: 1 storey 1800 sq. ft brick dwelling
- see attached Schedule "A" and
Schedule "B"

Proposed: 2 car garage addition plus 2nd floor
addition for a total gross floor area
of 3900 sq. ft
- see attached proposed Schedule "B" and Schedule "C"

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 Schedule "A" and
Schedule "B"

Proposed: - see attached Schedule "B"
and Schedule "C"

13. Date of acquisition of subject lands:
November 8, 2019
14. Date of construction of all buildings and structures on subject lands:
Unknown - approximately 1970's
15. Existing uses of the subject property:
Residential Single Family Dwelling
16. Existing uses of abutting properties:
Residential Single Family Dwelling
17. Length of time the existing uses of the subject property have continued:
Prior to 1924
18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected ✓
 Sanitary Sewer ✓ Connected ✓
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-20:78

SUBJECT PROPERTY: 32 Trillium Ave., Stoney Creek

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): Jim Colalillo on behalf of the owner Kennedy Colalillo

PURPOSE OF APPLICATION: This application is for purposes of a lot line addition for lands to be added to 1097 North Service Rd.

Severed lands:
48.74m[±] x 93.71m[±] and an area of 5016.70m^{2±}

Retained lands:
19.68m[±] x 45.72m[±] and an area of 899.77m^{2±}

**This application will be heard in conjunction with
Minor Variance Application SC/A-20:248**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

TIME: 2:20 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.

SC/B-20:78
PAGE 2

MORE INFORMATION

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

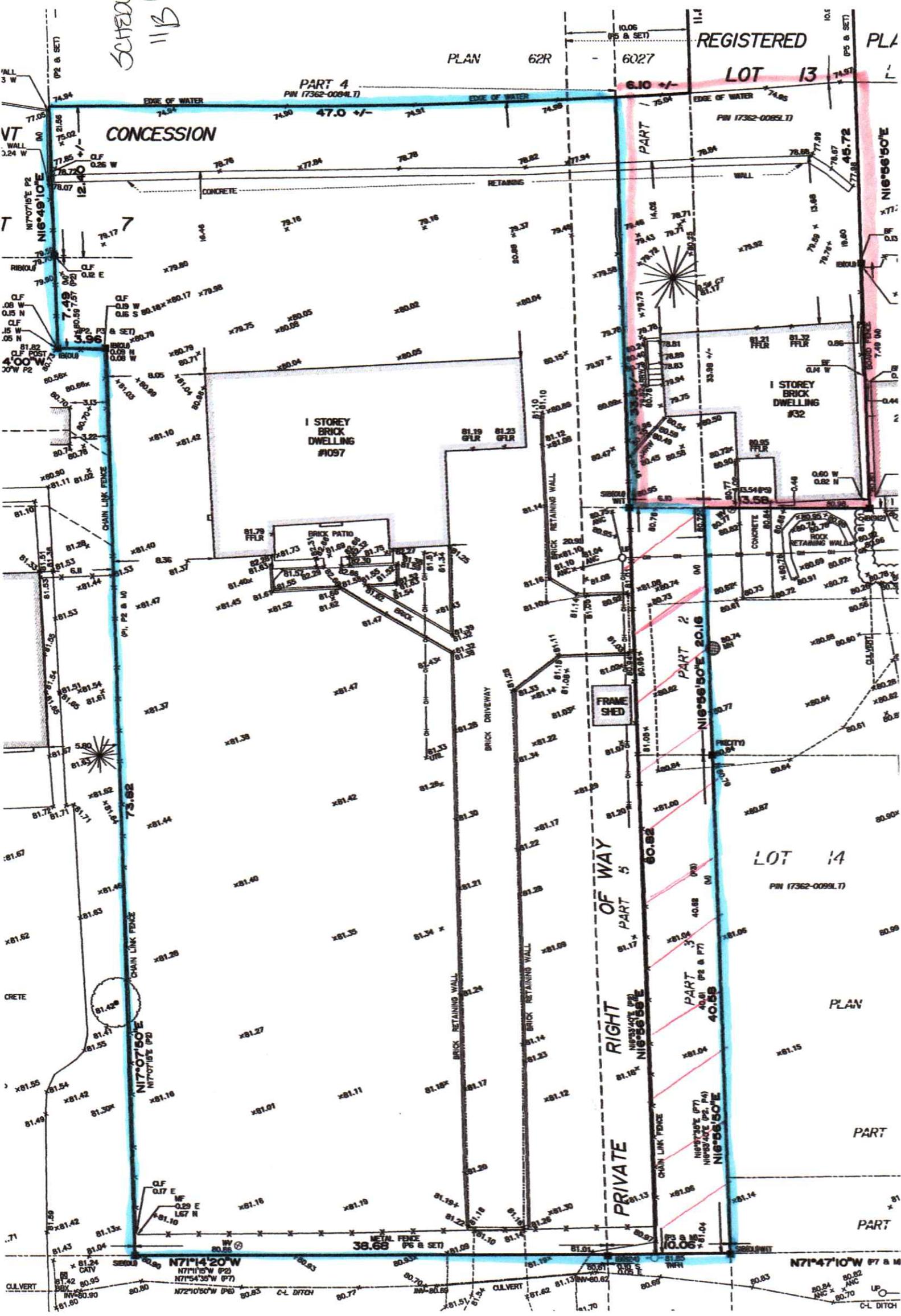
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 19th, 2021

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.

SCHEDULE
11B



REGISTERED LOT 13

CONCESSION

PART 4
PIN 17362-0094(L)

REGISTERED LOT 13

1 STOREY BRICK DWELLING #097

1 STOREY BRICK DWELLING #32

RIGHT OF WAY
PRIVATE

LOT 14

VT WALL 3.24 W

4.00 W

CRETE

CULVERT

REGISTERED LOT 13

SCHEDULE "A"
ENLARGED

LAKE ONTARIO

TOPOGRAPHIC SURVEY OF
LOT 13 AND
PRIVATE-OF-RIGHT-OF-WAY
REGISTERED PLAN 675
AND
PART OF LOT 7
BROKEN FRONT CONCESSION AND
GEOGRAPHIC TOWNSHIP OF SALT FLEET
IN THE
CITY OF HAMILTON

SCALE 1 : 250
5 25 50 100 METRES

ASHENHURST NOUWENS & ASSOCIATES INC.
COPYRIGHT 2020 ©

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

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY.
NONE

THIS SURVEY WAS PREPARED FOR PARK WARDEN HOMES AND THE UNDERSIGNED
ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

BENCHMARK
CITY OF HAMILTON BENCHMARK No. 0011975J229

HAMILTON-WENTWORTH CONCRETE BOX CULVERT ALONG SOUTH SERVICE ROAD
FOR QUEEN ELIZABETH WAY AT INTERSECTION WITH LEWIS ROAD, 1.0 KM NORTH
OF INTERSECTION WITH BARTON STREET, TABLET IN TOP OF SOUTH END OF
CULVERT, 38.1 M EAST OF CENTER LINE OF LEWIS ROAD, 46CM NORTH AND
15CM EAST OF SOUTHWEST CORNER OF CULVERT, 1M BELOW ROAD LEVEL
ELEVATION 80.871 (DATE: 06/02/2018)

NOTE
NOTE THE LOCATION OF THE OVERHEAD WIRES

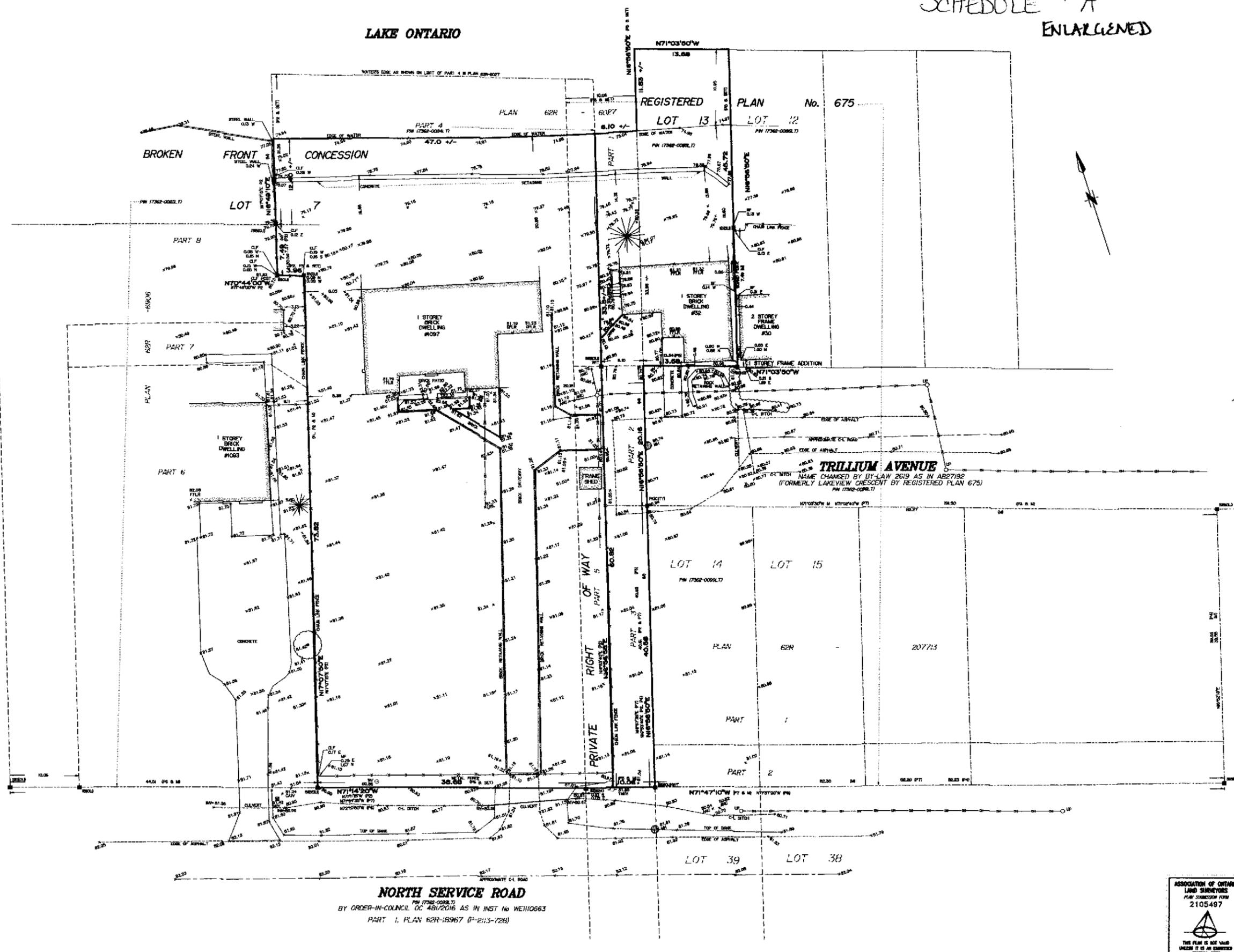
NOTE THE LOCATION OF THE FENCES ALONG THE EAST, WEST AND SOUTH LIMITS
OF THE PROPERTY

NOTE THE LOCATION OF THE STEEL WALL ALONG THE WEST LIMIT OF THE
PROPERTY

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH LIMIT OF TRILLIUM
AVENUE AS SHOWN ON REGISTERED PLAN 675 HAVING A BEARING OF N71°03'50"W

BEARING ROTATION NOTES
BEARINGS ON PLAN P6 HAVE BEEN ROTATED BY 1°10'10" COUNTER
CLOCKWISE FOR COMPARISON

BEARINGS ON PLAN P7 HAVE BEEN ROTATED BY 0°50'25" COUNTER
CLOCKWISE FOR COMPARISON



LEGEND

LD	DENOTES	FOUND
PL	DENOTES	PLANTED
SB	DENOTES	ROUND IRON BAR
SB	DENOTES	STANDARD IRON BAR
RB	DENOTES	ROUND IRON BAR
M	DENOTES	MEASURED
CU	DENOTES	CROWN UNDOOR
WT	DENOTES	WITNESS
P1	DENOTES	PLAN 628-5806
P2	DENOTES	PLAN 622-8027
P3	DENOTES	PLAN 628-4446
P4	DENOTES	PLAN 628-428
P5	DENOTES	REGISTERED PLAN 675
P6	DENOTES	PLAN 628-18867 (GRID)
P7	DENOTES	PLAN 628-20713 (GRID)
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
MF	DENOTES	METAL FENCE
RM	DENOTES	ROCK RETAINING WALL
WB	DENOTES	WOOD RETAINING WALL
CT	DENOTES	COMPEROUS TREE
DT	DENOTES	DECIDUOUS TREE
FTL	DENOTES	FIRST FLOOR ELEVATION
GFL	DENOTES	GARAGE FLOOR ELEVATION
HW	DENOTES	HANDRAIL
OH	DENOTES	OVERHEAD UTILITY
TH	DENOTES	TOP HAT OF FIRE HYDRANT
WV	DENOTES	WATER VALVE
CB	DENOTES	CATCH BASIN
UB	DENOTES	UTILITY BOX
824	DENOTES	A. T. KOLARNA, O.L.S.
812	DENOTES	J. G. PETERS, O.L.S.
1273	DENOTES	CITY OF HAMILTON
D1	DENOTES	INSTRUMENT No. 02194975

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT,
THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 21ST DAY OF AUGUST, 2020.

DATE _____ HARRY KALANTZAKOS
ONTARIO LAND SURVEYOR

NORTH SERVICE ROAD
BY ORDER-IN-COUNCIL OC 481/2016 AS IN INST No WE1110663
PART 1, PLAN 62R-18967 (P-2113-728)



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

AN
SINCE 1956

DRAWN BY: W.S./M.S. CALLED BY: H.K. CHECKED BY: H.K. FILE NO.: 19164 TOPO

TOPOGRAPHIC SURVEY OF
LOT 13 AND
PRIVATE OF RIGHT-OF-WAY
REGISTERED PLAN 675
AND
PART OF LOT 7
BROKEN FRONT CONCESSION AND
GEOGRAPHIC TOWNSHIP OF SALT FLEET
IN THE
CITY OF HAMILTON

SCALE 1 : 250
5 25 50 METRES
ASHENHURST NOUMENS & ASSOCIATES INC.
COPYRIGHT 2020 ©

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

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY:
NONE

THIS SURVEY WAS PREPARED BY THE SURVEYOR, HIS AGENTS AND THE UNDERGROUND
ACCESSORS AND RESPONSIBLE FOR USE BY OTHER PARTIES.

BENCHMARK

CITY OF HAMILTON BENCHMARK No. 0011974229
HAMILTON-WENTWORTH CONCRETE BOX CULVERT ALONG SOUTH SERVICE ROAD
ON QUINN ELIZABETH WAY AT INTERSECTION WITH LEWIS ROAD 1.00 M NORTH
OF THE POINT OF INTERSECTION WITH LEWIS ROAD 1.00 M NORTH
CULVERT, 38.11 M EAST OF CENTER LINE OF LEWIS ROAD, 45.00 M NORTH AND
15.00 M EAST OF SOUTHWEST CORNER OF CULVERT, 1.00 M BELOW ROAD LEVEL.
ELEVATION 504.71 (DATA:000002678)

NOTE

NOTE THE LOCATION OF THE OVERHEAD WIRES
NOTE THE LOCATION OF THE FENCES ALONG THE EAST, WEST AND SOUTH LIMITS
OF THE PROPERTY
NOTE THE LOCATION OF THE STEEL WALL ALONG THE WEST LIMIT OF THE
PROPERTY

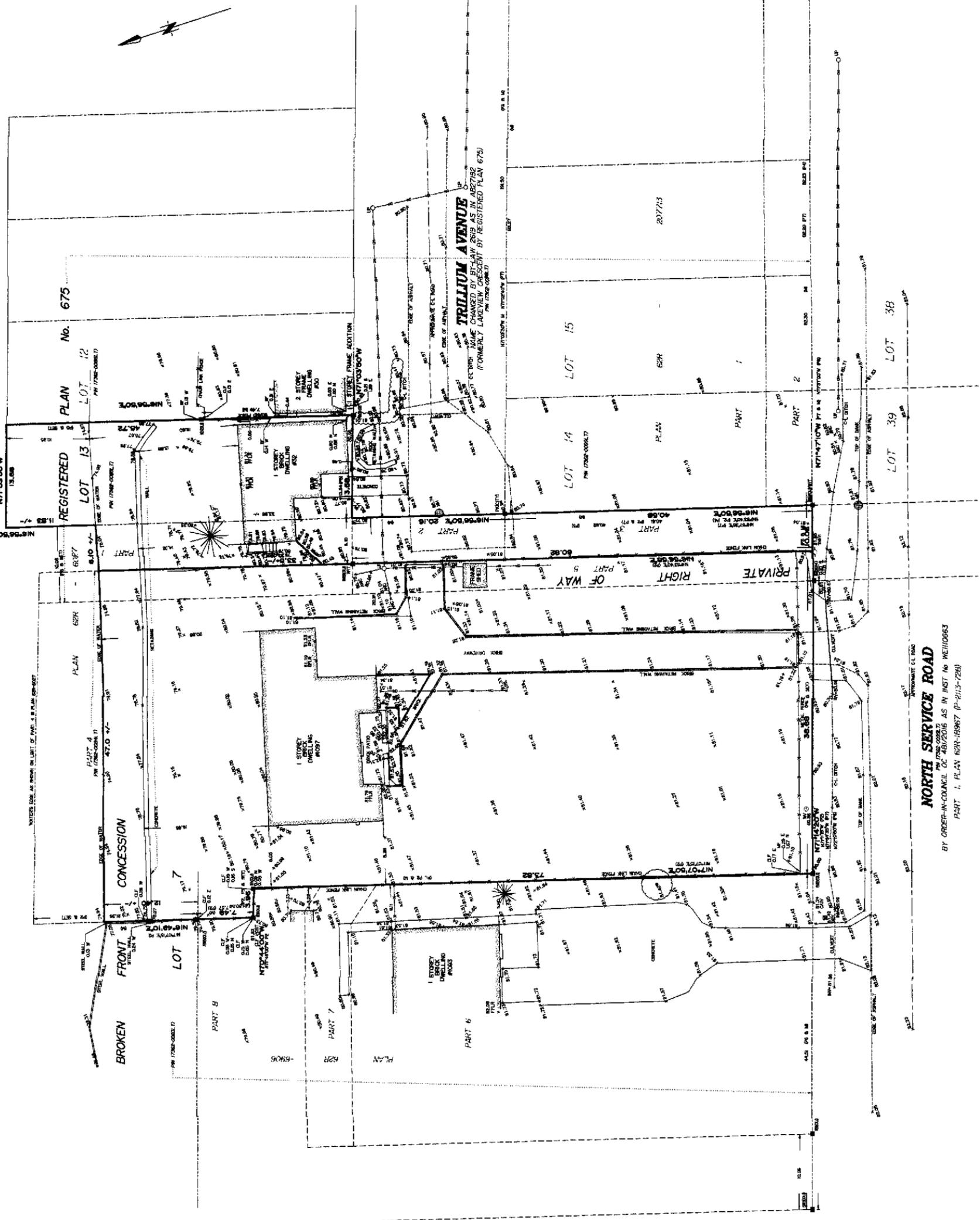
BEARING NOTE

BEARINGS ARE ASTROMERIC AND ARE REFERRED TO THE SOUTH LIMIT OF TRILLIUM
AVENUE AS SHOWN ON REGISTERED PLAN 675 HAVING A BEARING OF N71°03'30"W

BEARING ROTATION NOTES

BEARINGS ON PLAN P4 HAVE BEEN ROTATED BY 1°10'10" COUNTER
CLOCKWISE FOR COMPARISON
BEARINGS ON PLAN P7 HAVE BEEN ROTATED BY 0°50'35" COUNTER
CLOCKWISE FOR COMPARISON

SCHEDULE "A"
ENLARGED



- LEGEND**
- DT DENOTES DISTRICT
 - UT DENOTES UTILITY
 - RD DENOTES ROAD
 - RR DENOTES RAILROAD
 - WB DENOTES WATER BODY
 - WT DENOTES WETLAND
 - WV DENOTES WATERWAY
 - P1 DENOTES PLAN 1
 - P2 DENOTES PLAN 2
 - P3 DENOTES PLAN 3
 - P4 DENOTES PLAN 4
 - P5 DENOTES PLAN 5
 - P6 DENOTES PLAN 6
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 - P97 DENOTES PLAN 97
 - P98 DENOTES PLAN 98
 - P99 DENOTES PLAN 99
 - P100 DENOTES PLAN 100

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT,
THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM,
2. THE SURVEY WAS COMPLETED ON THE 21ST DAY OF AUGUST, 2020

ASSOCIATION OF ONTARIO
LAND SURVEYORS
2105487

THIS PLAN IS NOT VALID
UNLESS IT IS REGISTERED
UNDER THE SURVEY ACT
REGULATIONS MADE UNDER THE
SURVEY ACT

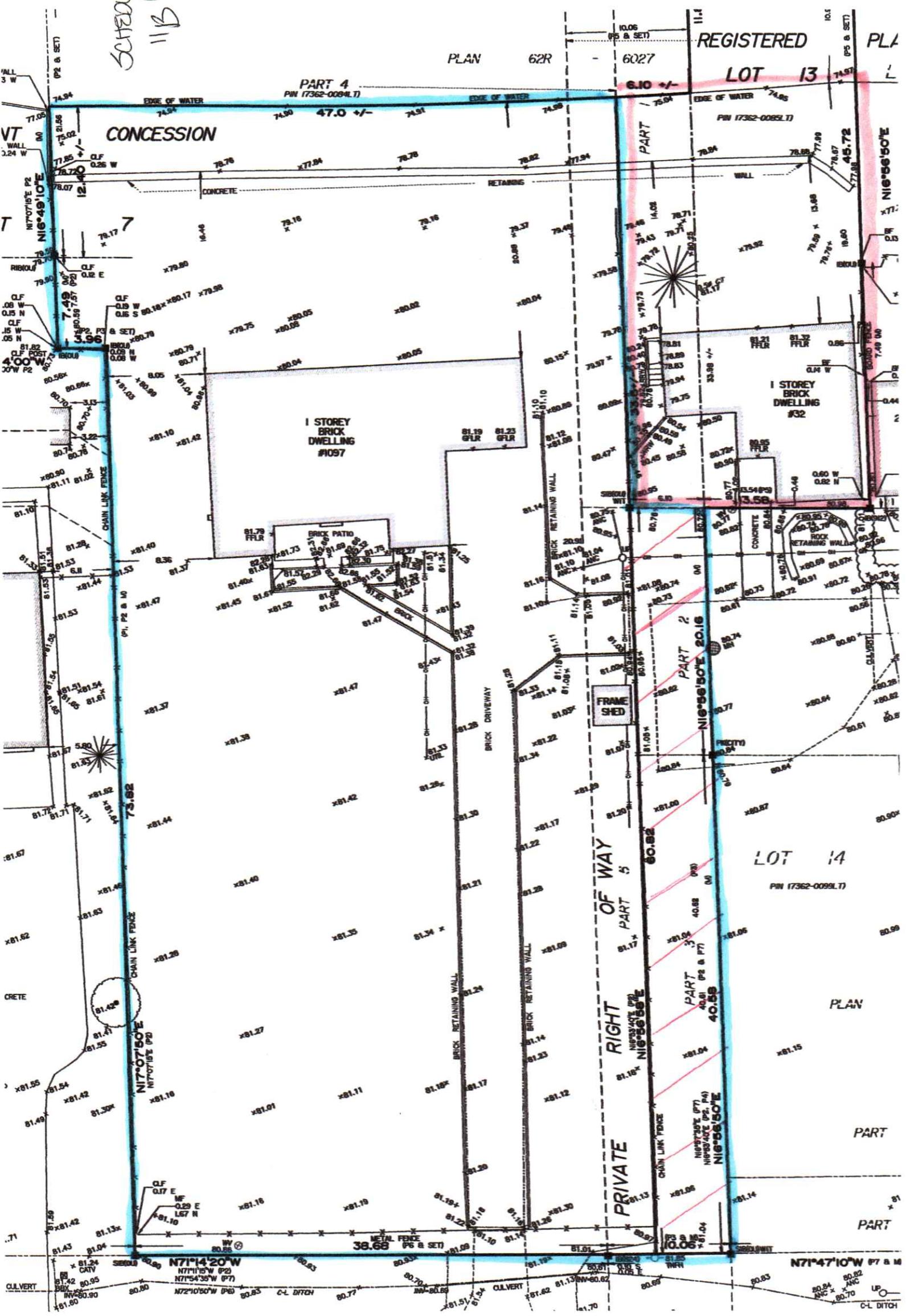
DATE _____
HARRY MALANTZAKIS
OVERSEAS LAND SURVEYOR

ASHENHURST NOUMENS & ASSOCIATES INC.
PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1R1
TELEPHONE: (905) 525-6316
(905) 525-4314
FAX: (905) 525-6651
e-mail: ash@ashenhurstnoumens.ca

PREPARED BY: H.K. FILE NO.: 19164 TDPD
DRAWN BY: W.S./M.S. CHECKED BY: H.K.

NORTH SERVICE ROAD
BY ORDER-IN-COUNCIL 02 48/2016 AS IN PART No WET10693
PART 1, PLAN 62R-16967 (P-213-728)

SCHEDULE
11B



PLAN

REGISTERED LOT 13

PLAN

1 STOREY BRICK DWELLING #32

CONCRETE

BRICK DRIVEWAY

LOT 14

PLAN

PART

PART

CULVERT

C-L DITCH

SCHEDULE "C"

128942 C.D.

8 x 11 plan

THIS INDENTURE made this 26th day of November, 1978.

BETWEEN:

NORMAN ROSS McLEOD,
hereinafter called the
"GRANTOR".....OF THE FIRST PART

- and -

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
hereinafter called the
"GRANTEE".....OF THE SECOND PART

MARGARET McLEOD
hereinafter called the
"PARTY" OF THE THIRD PART

THIS INDENTURE WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) now paid by the Grantee to the Grantor, the receipt whereof is hereby acknowledged, the Grantor hereby grants to the Grantee, its successors and assigns, the free, uninterrupted and unobstructed right and easement:

1. (a) To enter and lay down, install, construct, maintain, open, inspect, add to, alter, repair and keep in good condition, remove, replace, reconstruct, supplement and operate water-main, storm and sanitary sewer systems, including all appurtenances necessary or incidental thereto, on, in, across, under and through the lands described in Schedule "A" hereto and hereinafter referred to as the "said lands" and shown on Schedule "B" attached hereto;
- (b) To keep the "said lands" clear of all obstructions so as to permit the exercise and enjoyment of the rights and easement granted as aforesaid;
- (c) For the servants, agents, contractors and workmen and other persons duly authorized by the Grantee at all reasonable times and from time to time to pass and repass with all plant, machinery, material, vehicles, and equipment as may be necessary on the "said lands" for all purposes necessary or incidental to the exercise and enjoyment of the rights and easement granted as aforesaid.

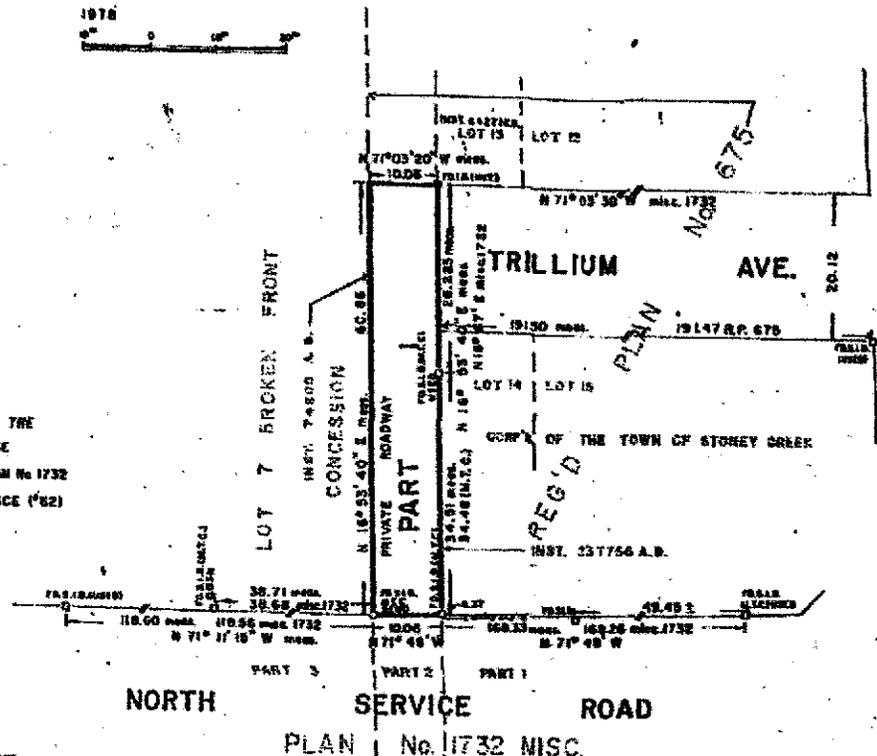
REFERENCED PLAN SHOWING
 PART OF A PRIVATE RD. WAY ON REG'D PLAN No. 675 - WINONA BEACH
 FORMERLY IN THE
 TOWNSHIP OF SALT FLEET
 NOW IN THE
 TOWN OF STONEY CREEK
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE = 1:600
 M. A. CHIDLEY - O.L.S.
 1978



RECEIVED AND DEPOSITED
 PLAN 62R-4446
 DATE October 1978
 M. A. CHIDLEY
 LAND REGISTRAR FOR THE REGISTRY
 DIVISION OF THE WENTWORTH (62)
 I REQUIRE THIS PLAN TO BE
 DEPOSITED UNDER PART II
 OF THE REGISTRY ACT
 DATE October 5 1978
 M. A. CHIDLEY
 REGIONAL SURVEYOR

CAUTION THIS PLAN IS NOT
 A PLAN OF SUBDIVISION WITHIN THE
 MEANING OF SECTION 29, 32 OR 33
 OF THE PLANNING ACT.



ROAD ALLOWANCE BETWEEN LOTS 6 & 7
 LEWIS ROAD

ALL LOTS REFERRED TO THE
 PART OF PART 2 ON A COURSE
 S W AS SHOWN ON MISC. PLAN No. 1732
 IN THE LAND REGISTRY OFFICE (62)

METRIC
 MEASUREMENT SHOWN ON
 THIS PLAN ARE IN METRES
 AND MAY BE CONVERTED TO
 FEET BY DIVIDING BY
 0.3048

SWORN'S CERTIFICATE
 THAT
 THE PLAN AND PLAN ARE CORRECT AND IN
 ACCORDANCE WITH THE SURVEYS ACT AND THE
 REGULATIONS MADE THEREUNDER
 THIS PLAN WAS COMPLETED ON THE 6th DAY
 OF OCTOBER 1978

LEGEND
 Q S.T.B. DENOTES A STANDARD IRON BAR
 M I.S. DENOTES AN IRON BAR

SCHEDULE				
PT.	INSTRUMENT	OWNER	LOT	CON. AREA
1	149856 A.D.	NORMAN H. MCLEOD	PRIVATE ROADWAY PLAN No. 675	612.3 m ²

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
DEPARTMENT OF ENGINEERING

SURVEY BY M. A. CHIDLEY	FIELD BOOK REF. COPIES 1732 MISC.	FILE No.	DATE
DRAWN BY T. RO			CHECKED BY K. GROSS, C.E.

APPROVED *M. A. Chidley*
 M. A. CHIDLEY
 REGIONAL SURVEYOR
 COMMISSIONER OF ENGINEERING

PLAN No. RA-S-145 SURVEY

M. A. Chidley
 M. A. CHIDLEY
 ONTARIO LAND SURVEYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Stoney Creek in the Regional Municipality of Hamilton-Wentworth and Province of Ontario being formerly in the Township of Saltfleet in the County of Wentworth, and being composed of part of a private roadway as shown on Winona Beach, Registered Plan No. 675, and being part of Lot 7 in the Broken Front Concession of the said Township and being more particularly described as all of Part I according to a reference plan received and deposited in the Land Registry Office for the Registry Division of Wentworth as Plan No. 62R-4446.



- 3 -

and the Party of
IN WITNESS WHEREOF the Party of the First Part has hereunto
the Third Part have hereunto affixed their respective hands and seals
affixed the Corporate Seal under the hands of its proper officers duly authorized
and the Party of the Second Part has hereunto affixed its
Corporate Seal under the hands of its proper officers duly authorized in that
behalf.

SIGNED, SEALED & DELIVERED

[Signature]

[Signature]
RODAN ROSS McLEOD

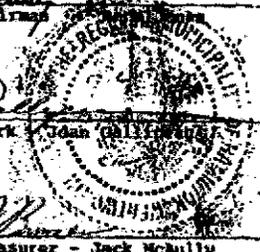
[Signature]
MARGARET McLEOD

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

[Signature]
Chairman

[Signature]
Clerk - Joan [unclear]

[Signature]
Treasurer - Jack McAulley



APPROVED BY COUNCIL

DATE Nov 21 1978

REPORT Eng 21-28-17

INTL 3

Approved
in Form
Affixed
[Signature]
Regional
Solicitor

APPROVED	Checked Approved
DATE	Date
INITIALS	Signature

- 2 -

2. The aforesaid rights and easement shall be granted on the following terms and conditions which are hereby mutually agreed upon:
- (i) The Grantor will not excavate, drill, install, erect or build on, in or over the "said lands" and will not construct any pit, well, pavement, building or structure without the prior written consent of the Commissioner of Engineering but otherwise the Grantor shall have the right fully to use and enjoy the "said lands" subject always to the rights and easement granted to the Grantee as aforesaid.
 - (ii) Any sewer pipe or water pipe and all other equipment and materials brought on to the "said lands" by the Grantee shall at all times remain the property of the Grantee notwithstanding the same may be annexed or affixed to the freehold and shall at any time and from time to time be removable in whole or in part by the Grantee.
 - (iii) The Grantee covenants and agrees with the Grantor that it will be responsible for any damage caused by its agents or employees to the "said lands" and to the property of the Grantor and shall as far as possible replace, at its own expense, any soil, turf or ground coverings removed in connection with any of the work above referred to and shall repair any damage caused by the Grantee, its agents or employees, in the exercise of its rights pursuant to this Agreement, to any property of the Grantor and any lands of the Grantor lying adjacent to the "said lands".
 - (iv) It is understood and agreed that the Grantee will replace the paved access to the property of the Grantor from Trillium Avenue.

This Easement and everything herein contained shall extend to and include the parties hereto and their respective successors and assigns.

The Easement herein is declared to be appurtenant to and for the benefit of the lands and hereditaments of the Grantee more particularly described in Schedule "C" attached hereto.

The Party of the Third Part hereby releases all her right, title and interest in and to the said lands.

4 + 1 plan

128942 C.D.

THIS INDENTURE made this 24th day of November, 1978.

BETWEEN:

NORMAN ROSS McLEOD,
hereinafter called the

"GRANTOR".....OF THE FIRST PART

- and -

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
hereinafter called the

"GRANTEE".....OF THE SECOND PART

MARGARET McLEOD
hereinafter called the

"PARTY" OF THE THIRD PART

THIS INDENTURE WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) now paid by the Grantee to the Grantor, the receipt whereof is hereby acknowledged, the Grantor hereby grants to the Grantee, its successors and assigns, the free, uninterrupted and unobstructed right and easement:

1. (a) To enter and lay down, install, construct, maintain, open, inspect, add to, alter, repair and keep in good condition, remove, replace, reconstruct, supplement and operate water-main, storm and sanitary sewer systems, including all appurtenances necessary or incidental thereto, on, in, across, under and through the lands described in Schedule "A" hereto and hereinafter referred to as the "said lands" and shown on Schedule "B" attached hereto;
- (b) To keep the "said lands" clear of all obstructions so as to permit the exercise and enjoyment of the rights and easement granted as aforesaid;
- (c) For the servants, agents, contractors and workmen and other persons duly authorized by the Grantee at all reasonable times and from time to time to pass and repass with all plant, machinery, material, vehicles, and equipment as may be necessary on the "said lands" for all purposes necessary or incidental to the exercise and enjoyment of the rights and easement granted as aforesaid.

SCHEDULE "D"

Survey for the use of the...
 this 28th day of July A.D. 1924
 A Notary Public - H. J. Downing

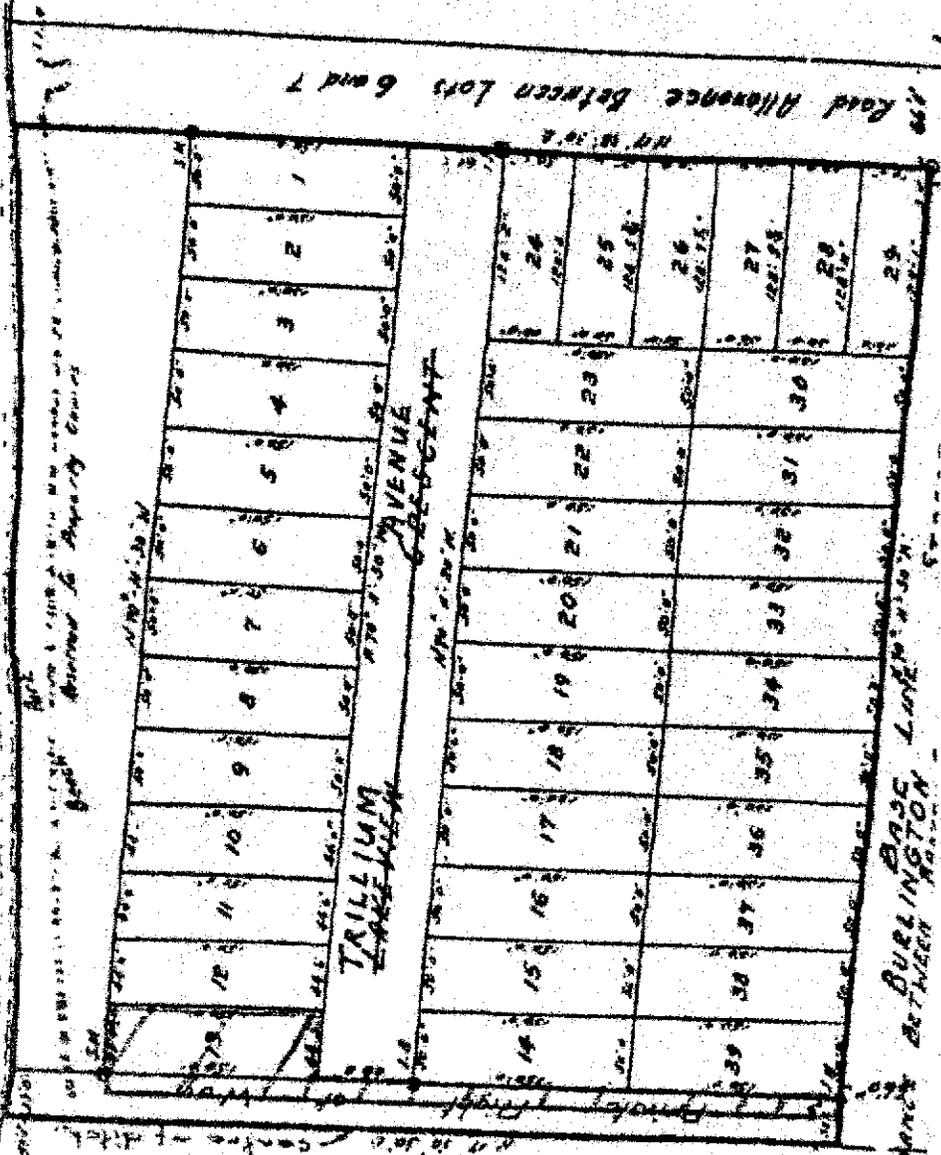
I hereby certify that this plan was made in the manner in which the lands enclosed within lines has been surveyed and submitted by me that this plan has been prepared in accordance with the provisions of the Survey Act of the Province of Ontario.

S. L. D. Dated 1st day of July A.D. 1924
 Ontario Land Surveyor

Received from J. Reginald...
 and registered this 28th day of July A.D. 1924
 Registrar M.

This plan has been prepared under our authority and with our approval for registration

Ontario Land Surveyor, Witness: H. J. Downing





Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Kennedy Colatillo	[REDACTED]	Business () Fax: () E-mail: [REDACTED]
Applicant(s)*	Jim Colatillo	[REDACTED]	Business [REDACTED] Fax: () E-mail: [REDACTED]
Agent or Solicitor	Arthur Compere Compere, Sullivan Bissegger	[REDACTED]	Business [REDACTED] Fax: () E-mail: [REDACTED]

* 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 Stoney Creek	Lot 13	Concession	Former Township
Registered Plan N° 675	Lot(s)	Reference Plan N°	Part(s) 1, 2, 3
Municipal Address 32 TRILLIUM AVE			Assessment Roll N° 003020140000000

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:

CD 128942 Private Right of Way with a City of Hamilton indenture allowing for City Services over private lands

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:

Jim and Denise Colalillo

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) 48.74 m	Depth (m) 93.71 m	Area (m ² or ha) 5016.70 m ²
-------------------------	----------------------	---

48.74 x 93.71
396 x 19.89
6.10 x 60.74

Existing Use of Property to be severed:

- Residential (including ROW)
- 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 Family Dwelling

Proposed: Single Family 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) 19.68	Depth (m) 45.72 m	Area (m ² or ha) 899.77 m ²
-----------------------	----------------------	--

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"/>	No
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	No
A provincially significant wetland	<input type="checkbox"/>	No
A provincially significant wetland within 120 metres	<input type="checkbox"/>	No
A flood plain	<input type="checkbox"/>	No
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	No
An active railway line	<input type="checkbox"/>	No
A municipal or federal airport	<input type="checkbox"/>	No

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use _____
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Pre-existing single family residential area dating back to 1924
- 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. - see Schedule "D"
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes No

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
-

- 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?

1 year

- 8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

- 10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 Type of Application (select type and complete appropriate sections)

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

(Complete Section 10.3)

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land an on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



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-20:281

APPLICANTS: Julia Mancini on behalf of the owner Amer Murad & Trina Sager

SUBJECT PROPERTY: Municipal address **1031 North Service Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 4580-97

ZONING: “RR” (Rural Residential) district

PROPOSAL: To permit the construction of an accessory structure (“pool house”) in the rear yard on a residential parcel of land, notwithstanding that;

1. A maximum building height of 6.31 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 have a maximum building height of 4.5 metres.

NOTE:

1. Specific details regarding total lot coverage were not included as part of this application. Please note that as per Section 5.4.3© of Stoney Creek Zoning By-law No. 3692-92, the maximum permitted lot coverage for all buildings on a lot is 40 percent. Additional variances may be required if compliance with Section 5.4.3© is not possible.
2. Specific details regarding the encroachment of eaves or gutters of the proposed accessory structure (“pool house”) have not been provided. Additional variances may be required if compliance with Section 4.19.1© is not possible.
3. Human habitation is prohibited within the proposed accessory building (“pool house”). In addition, the existing accessory building shall only be used for incidental uses associated with the principle use. Any use or storage not associated with the principle uses (i.e. warehousing) is not permitted.
4. Construction of the proposed accessory building (“pool house”) 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, February 4th, 2021
TIME: 2:25 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

SC/A-20:281

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

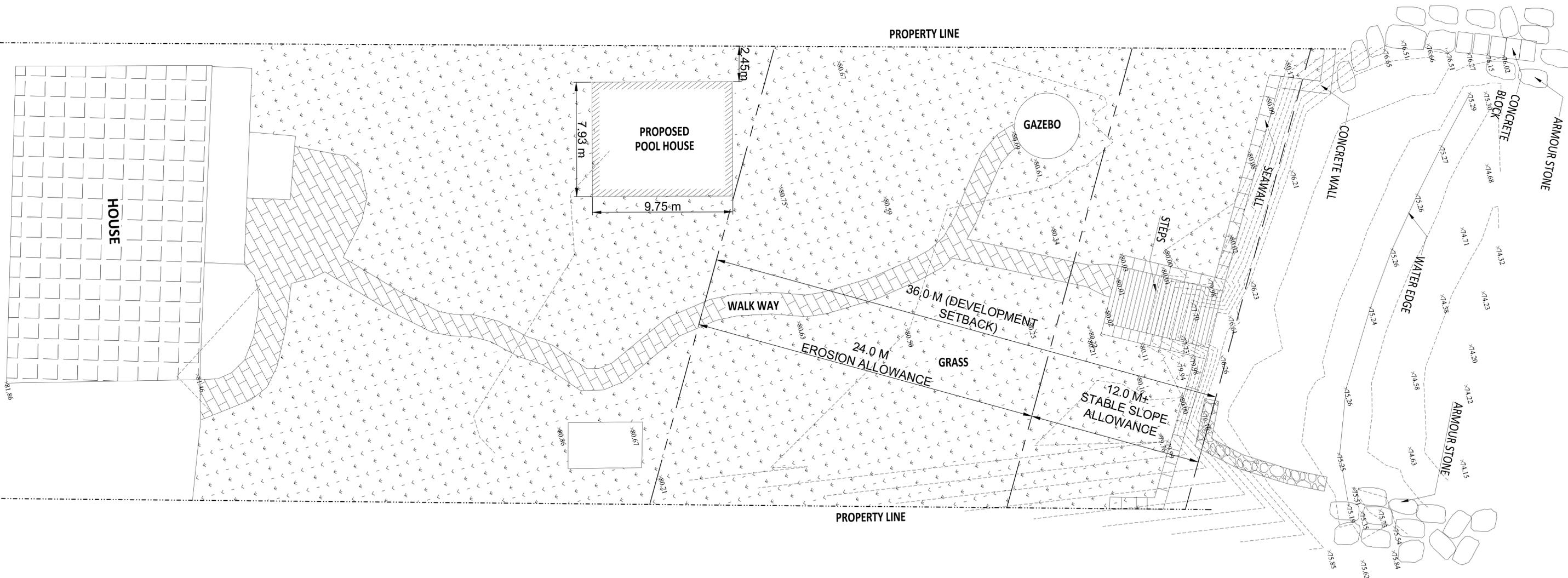
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021.

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.



1031 NORTH SERVICE ROAD
 SHORELINE HAZARD ASSESSMENT
 SCALE-1:125

NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/13/2020
2.			
3.			
4.			
5.			
6.			

DESIGNED BY:
 Dr. Bahar SM

APPROVED BY:

DRAWN BY:
 Moniruzzaman Rayhan
 DATE: (MM.DD.YYYY)
 08.13.2020
 SHEET No.
 1 of 1
 DWG. No.
 1



SHORELINE HAZARD ASSESSMENT
 FOR
 1031 NORTH SERVICE ROAD



1
SP101

SITE PLAN

Scale 1:600

LOT STATISTICS
1031 North Service Road, Stoney Creek
Zoning Designation - RR Rural Residential
Lot Area: 4044.14 m ²
Lot Coverage: 10% required
Rear Yard: 7.5m required
Side Yard: 1.25m required
Building Height: 4.5m required
VARIANCE

	NEW POOL HOUSE
	EXISTING SINGLE FAMILY DWELLING
	REGULATED AREA- HAZARD LANDS

NOTE:
ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE



 **Ontario**
Ministry of Municipal Affairs & Housing

Qualification Information
The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature Julia Mancini

Julia Mancini, Manco Design
BCIN 113168

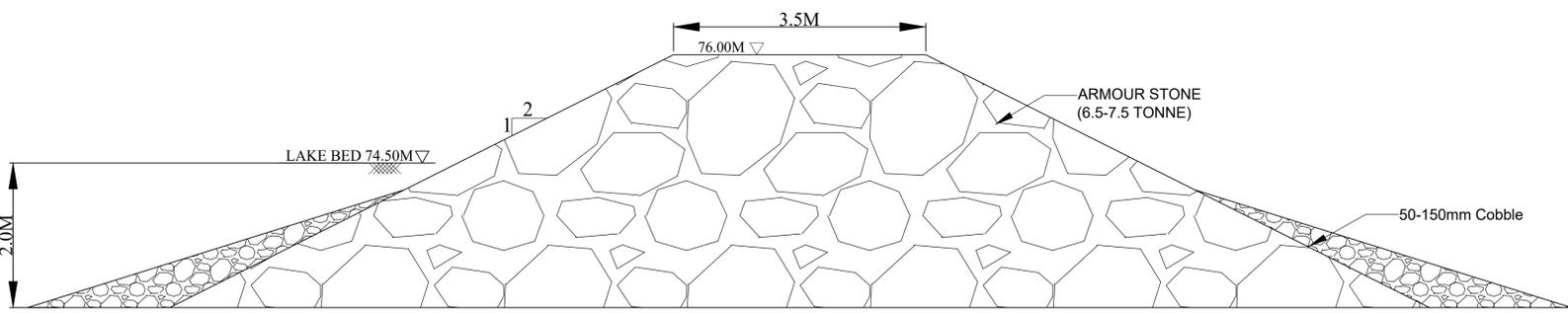
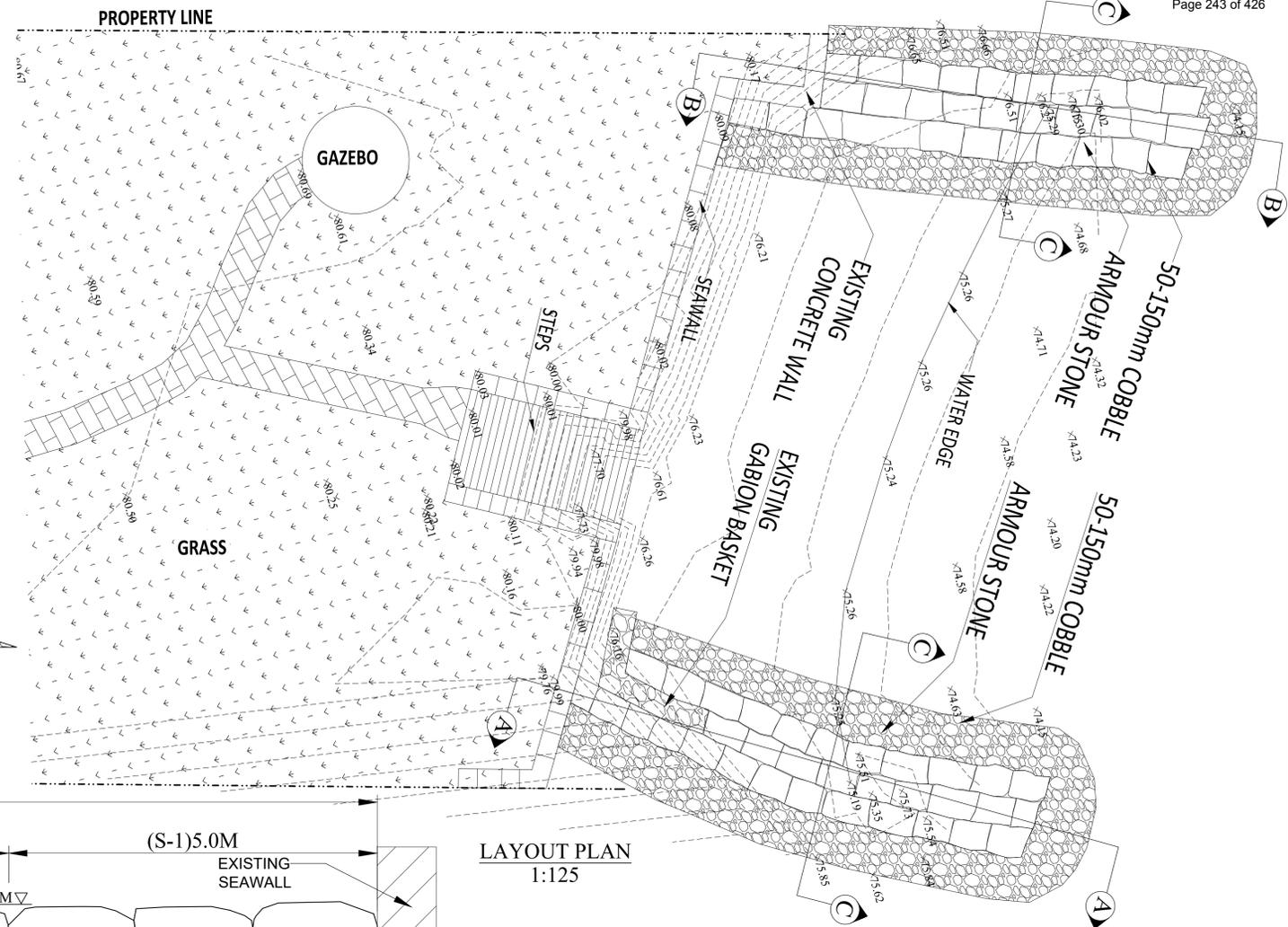


MANCO
ARCHITECTURAL DESIGN
Phone | 905-537-9578
Email | julia@mancodesign.com

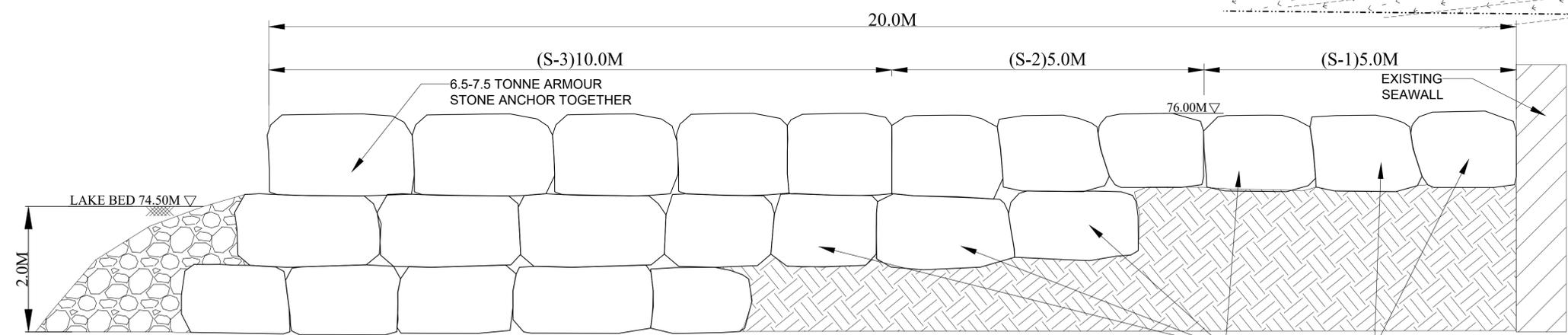
1031 NORTH SERVICE RD.
STONEY CREEK, ONTARIO

DRAWING SUBMISSIONS	
DATE	TYPE
20-12-06	MINOR VARIANCE

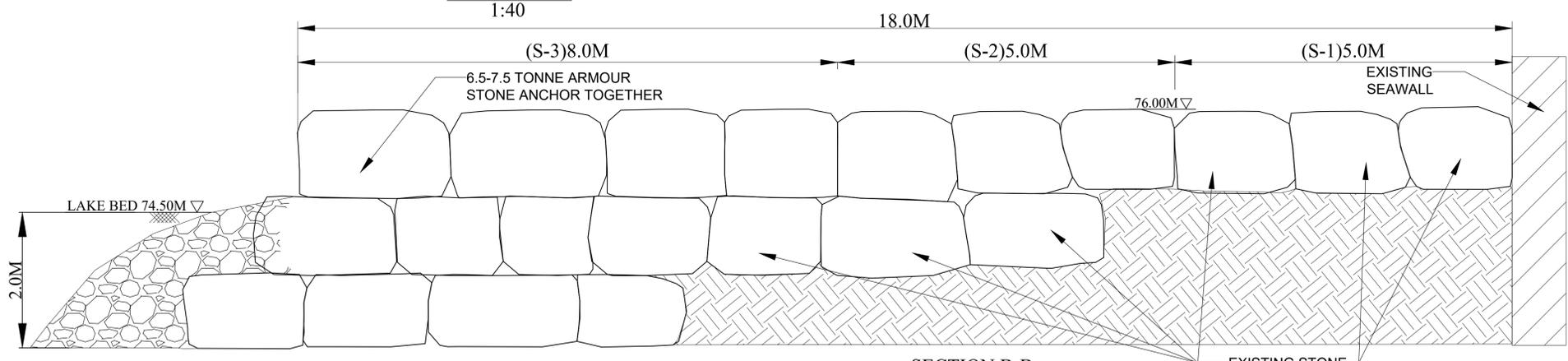
SITE PLAN
SP1.01



SECTION C-C
1:45



SECTION A-A
1:40



SECTION B-B
1:40

LAYOUT PLAN
1:125

NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/08/2020
2.			
3.			
4.			
5.			
6.			

DESIGNED BY:
Dr. Bahar SM

APPROVED BY:

DRAWN BY:
Moniruzzaman Rayhan
DATE: (MM.DD.YYYY)
08.08.2020
SHEET No.
1 of 1
DWG. No.
1



GROYNE DESIGN SECTIONS
FOR
1031 NORTH SERVICE ROAD



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

Planning and Economic Development Department
Planning Division

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

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

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.

- Name of Owner Amer Murad + Trina Sabor Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED]
[REDACTED] Postal Code [REDACTED]
- Name of Agent Julia Mancini Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED]
[REDACTED] Postal Code [REDACTED]

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
Per the City of Stone Creek Zoning Bylaw
30791-20, Section 6.1.4 (Bylaw 4580-97)
the maximum height of an accessory building in a
residential zone is 4.5m. A minor variance is requested
for the pool house, as it exceeds 4.5m in height (see attached plans),

7. Why it is not possible to comply with the provisions of the By-law?
The pool house is two levels, with the
second storey it does not comply.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable street and street number):
1031 North Dewine Road, Stone Creek

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 9.9 to 9.10 above?

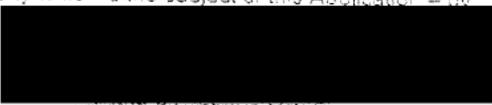
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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 - on reason of its approval to this Application.

Dec 8 2020
 Date



Amer Murad Trina Sayer
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 30.98 m
 Depth 126.74 m
 Area 3918.1 m²
 Width of street 12.5 m

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

Existing: 4 m Ft² home +/-, 2 stories,
7.0m x 4.3m deep.

Proposed: Proposed pool house, 48 m² main and
48 m² upper floor, 2 stories, 6.2m w x 7.92m deep.

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

Existing: Existing home family dwelling

Proposed: pool house in the rear yard.

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: single family dwelling

16. Existing uses of abutting properties: single family dwellings

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

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

Water Connected

Sanitary Sewer _____ Connected _____

Storm Sewers _____ Property on septic

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:

RR - Rural Residential

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

Yes No

If the answer is yes, describe briefly.

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

Yes No

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

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



A Healthy Watershed for Everyone

SC/F,C,A/20/63

November 17, 2020

Amer Murad and Trina Sager
1031 North Service Rd
Stoney Creek, ON L8E 5C8

Dear Mr. Murad and Ms. Sager:

RE: Notice of Decision – Amer Murad and Trina Sager – for the repair and restoration of existing shoreline protection measures in a regulated area associated with Lake Ontario, 1031 North Service Road, Part Lot 8, Broken Front Concession, in the City of Hamilton (former City of Stoney Creek)

Please be advised that Hamilton Conservation Authority staff approved the above noted proposal, subject to the following conditions:

1. The Owner shall retain a copy of the HCA permit and approved plans on-site at all times during construction;
2. The Owner shall adhere to the HCA permit and approved plans, documents and conditions, including HCA redline revisions, herein referred to as the “works”, to the satisfaction of HCA. The Owner further acknowledges that all proposed revisions to the design of this project must be submitted for review and approval by HCA prior to implementation of the redesigned works;
3. The Owner shall notify the HCA Watershed Officer 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein;
4. The Owner shall arrange a final site inspection of the works with the HCA Watershed Officer prior to the expiration date on the permit to ensure compliance with terms and conditions of the permit to the satisfaction of the HCA;
5. THAT all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been restored;
6. THAT all erosion and sediment control measures be inspected after each rainfall to the satisfaction of Authority staff;
7. THAT any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction;

8. THAT all disturbed areas be re-vegetated with permanent cover immediately following completion of construction; and
9. THAT the works are undertaken in accordance with the Drawing Titled Groyne Design Sections for 1031 North Service Road, dated August 8, 2020, prepared by AHYDTECH Geomorphic Ltd.

Please find enclosed Permit #2020-81 issued under the Conservation Authorities Act, pursuant to Ontario Regulation 161/06 - Hamilton Conservation Authority Regulation Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation. Should you have any questions, please contact the undersigned at 905-525-2181, ext. 130.

Yours sincerely,



T. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer/
Director, Watershed Planning and Engineering

TSP:vp
Enc. Permit 2020-81 and approved plan

cc. Dr. Bahar SM, AHYDTECH Geomorphic Ltd., 22 Zecca Dr, Guelph, ON N1L 1T1



A Healthy Watershed for Everyone

838 Mineral Springs Road, PO Box 81067
 Ancaster, Ontario L9G 4X1
 Telephone: 905-648-4427 Fax: 905-648-4622

PERMIT

N^o 2020-81

ISSUED UNDER THE CONSERVATION AUTHORITIES ACT, PURSUANT TO ONTARIO REGULATION 161/06 – HAMILTON CONSERVATION AUTHORITY DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES REGULATION.

Permission has been granted to: **Amer Murad and Trina Sager** Phone: **416-628-8330**
 Mailing Address: **1031 North Service Rd, Stoney Creek, ON L8E 5C8**
 Location: **in a regulated area associated with Lake Ontario, in the City of Hamilton**
 For the: **repair and restoration of existing shoreline protection measures in a regulated area associated with Lake Ontario, 1031 North Service Road, Part Lot 8, Broken Front Concession, in the City of Hamilton (former City of Stoney Creek)**

on the above property during the period of **November 17, 2020 to November 17, 2022** subject to the following conditions.

1. The Owner shall retain a copy of the HCA permit and approved plans on-site at all times during construction;
2. The Owner shall adhere to the HCA permit and approved plans, documents and conditions, including HCA redline revisions, herein referred to as the "works", to the satisfaction of HCA. The Owner further acknowledges that all proposed revisions to the design of this project must be submitted for review and approval by HCA prior to implementation of the redesigned works;
3. The Owner shall notify the HCA Watershed Officer 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein;
4. The Owner shall arrange a final site inspection of the works with the HCA Watershed Officer prior to the expiration date on the permit to ensure compliance with terms and conditions of the permit to the satisfaction of the HCA;

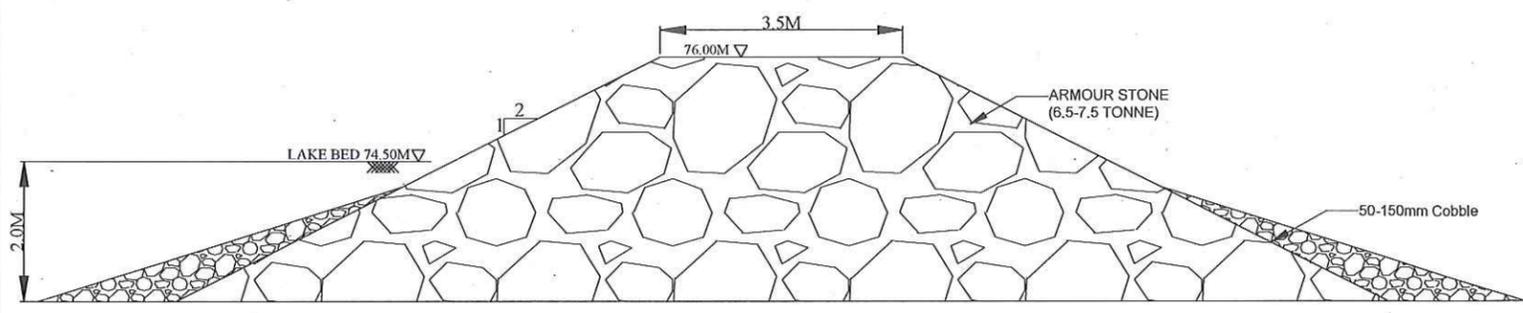
5. THAT all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been restored;
6. THAT all erosion and sediment control measures be inspected after each rainfall to the satisfaction of Authority staff;
7. THAT any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction;
8. THAT all disturbed areas be re-vegetated with permanent cover immediately following completion of construction; and
9. THAT the works are undertaken in accordance with the Drawing Titled Groyne Design Sections for 1031 North Service Road, dated August 8, 2020, prepared by AHYDTECH Geomorphic Ltd.

NOTE:

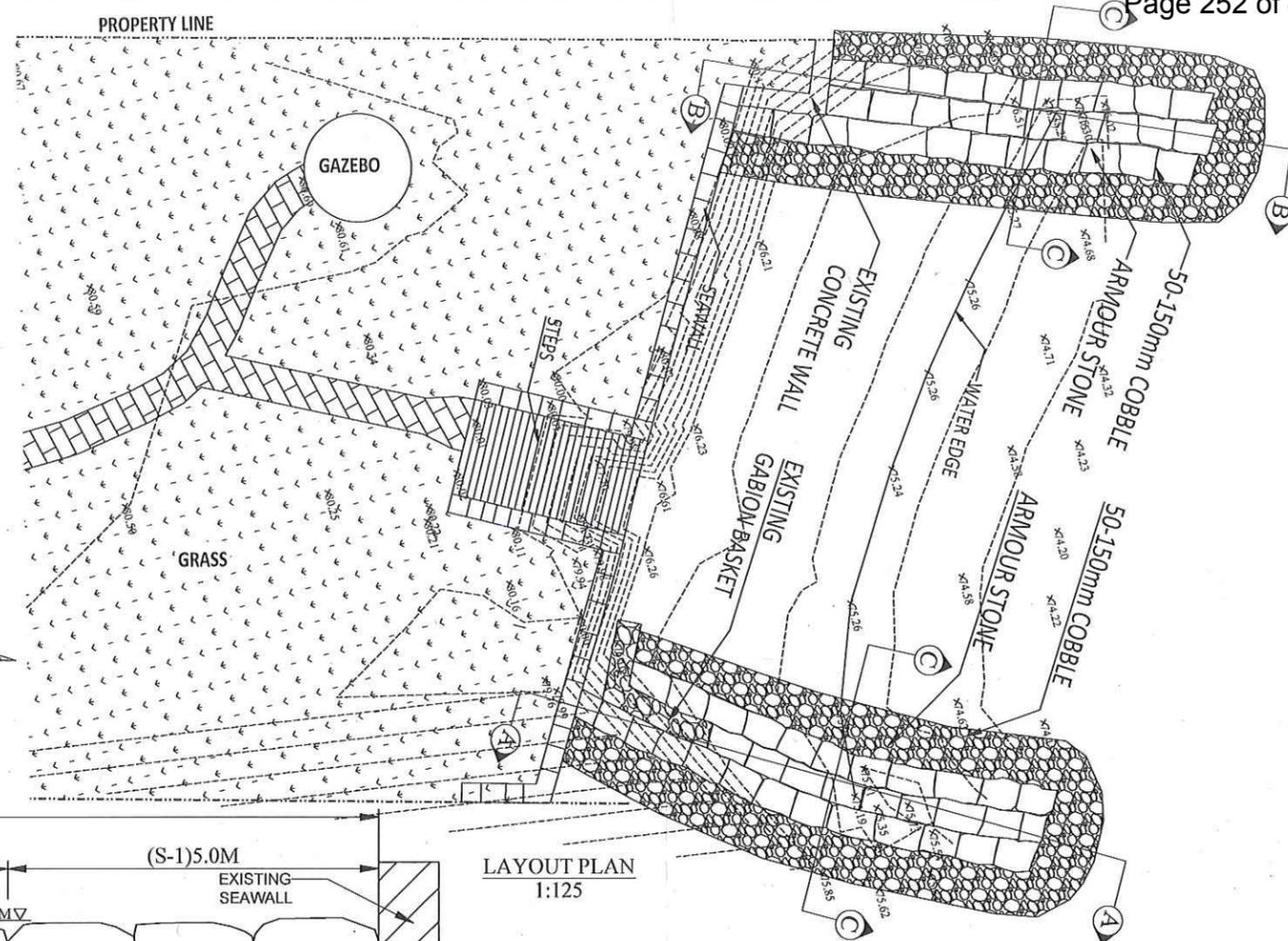
- 1) This permit may be withdrawn by the HCA if the works do not comply with the above noted conditions. Non-compliance with permit conditions also constitutes a violation of the regulation and may result in charges being laid.
- 2) The issuance of this permit does not abrogate the necessity of obtaining all other required permits for development and construction, i.e. permits required by the Niagara Escarpment Commission, Municipality, Ministry of Natural Resources and Forestry, Harbour Commissioners and any or all other agencies.



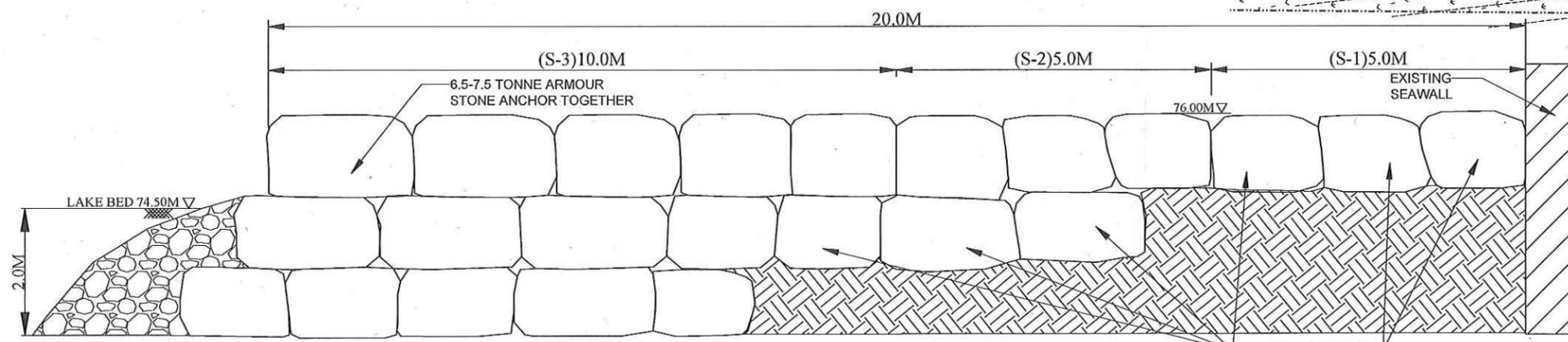
Enforcement Officer
T. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer/
Director, Watershed Planning & Engineering



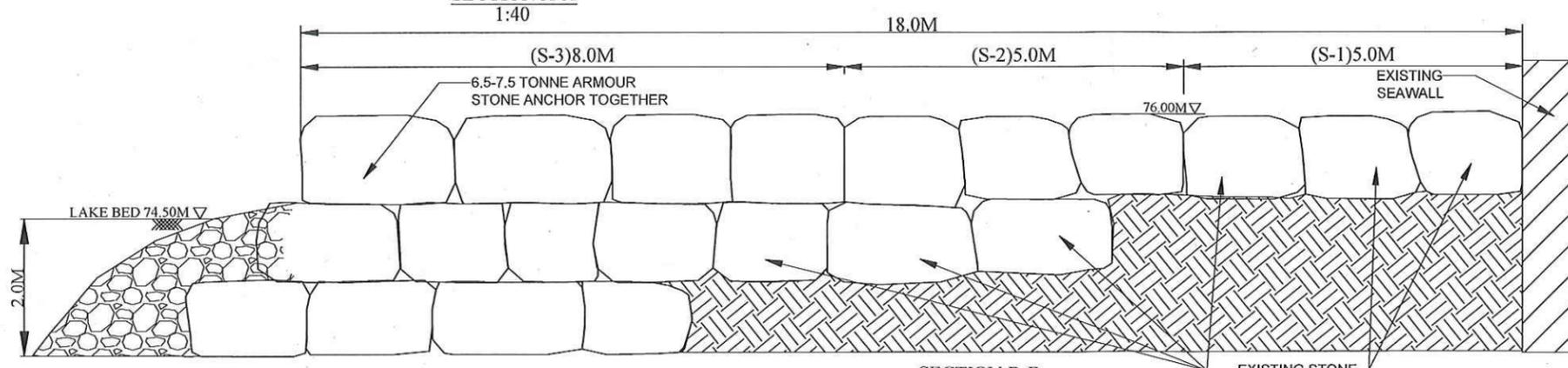
SECTION C-C
1:45



LAYOUT PLAN
1:125



SECTION A-A
1:40



SECTION B-B
1:40



NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/08/2020
2.			
3.			
4.			
5.			
6.			

DESIGNED BY:
Dr. Bahar SM

APPROVED BY:

DRAWN BY:
Moniruzzaman Rayhan
DATE: (MM.DD.YYYY)
08.08.2020
SHEET No.
1 of 1
DWG. No.
1



GROYNE DESIGN SECTIONS
FOR
1031 NORTH SERVICE ROAD



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-20:282

APPLICANTS: Kathleen Keebler & Michael Kirk, owners

SUBJECT PROPERTY: Municipal address **325 Dewitt Rd., Stoney Creek**

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

ZONING: "M3" (Prestige Business Park) district

PROPOSAL: To permit the reconstruction a legally established non-conforming Single Detached Dwelling notwithstanding that the volume of the new building is greater than that of the existing Single Detached Dwelling.

NOTES:

i. The Hamilton Zoning By-law 05-200 permits the reconstruction/rebuild of a building containing a legally established non-conforming use to a safe condition provided that the new building maintains the same height, area, volume and lot coverage of the existing structure. The volume of the building is being increased by way of increasing the height of the basement floor level and through the expansion of the basement level by excavating below the front entryway and below rear portion of the building.

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

DATE: Thursday, February 4th, 2021
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.

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.

SC/A-20:282

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

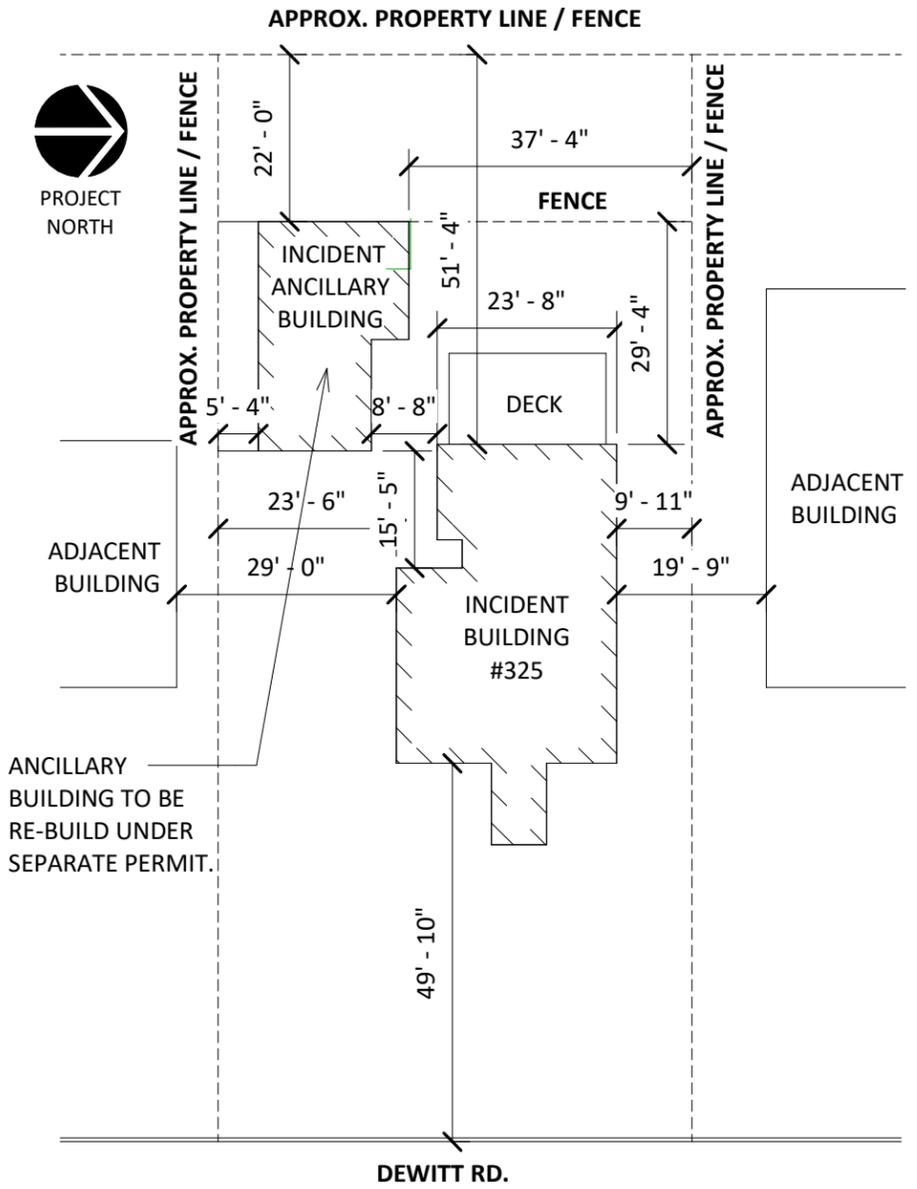
DATED: January 19th, 2021.

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.

FIRE DAMAGE - NEW CONSTRUCTION

325 DEWITT ROAD, STONEY CREEK, ON



SITE LOCATION

NOTE: MEASUREMENTS WERE OBTAINED ON-SITE AND MAY NOT REFLECT LEGAL BOUNDARIES

1 SITE PLAN
1 : 290

2 LOCATION MAP
NTS

SHEET LIST		
SEQUENCE	SHEET TITLE	SHEET NAME
0.01	SP0.01	TITLE SHEET
0.02	A0.02	GENERAL NOTES
1.11A	A1.01	EXISTING PLANS
1.11B	A1.02	EXISTING PLANS
1.12A	A1.03	EXISTING PLANS
1.12B	A1.04	EXISTING PLANS
1.13A	A1.05	EXISTING PLANS
1.13B	A1.06	EXISTING PLANS
1.14	A1.07	EXISTING PLANS
1.15	A1.08	EXISTING PLANS
1.21	A2.01	EXISTING ELEVATIONS
1.22	A2.02	EXISTING ELEVATIONS
1.23	A2.03	EXISTING ELEVATIONS
1.31	S5.01	EXISTING SCHEDULES
2.01	A4.01	SCOPE OF DEMOLITION
2.11	A4.02	DEMOLITION PLANS
2.12	A4.03	DEMOLITION PLANS
3.01	A3.01	SCOPE OF RESTORATION
3.11A	A3.02	NEW CONSTRUCTION PLANS
3.11B	A3.03	NEW CONSTRUCTION PLANS
3.11S	A3.04	NEW CONSTRUCTION PLANS
3.12A	A3.05	NEW CONSTRUCTION PLANS
3.12B	A3.06	NEW CONSTRUCTION PLANS
3.12S	A3.07	NEW CONSTRUCTION PLANS
3.13A	A3.08	NEW CONSTRUCTION PLANS
3.13B	A3.09	NEW CONSTRUCTION PLANS
3.13S	A3.10	NEW CONSTRUCTION PLANS
3.14A	A3.11	NEW CONSTRUCTION PLANS
3.14S	A3.12	NEW CONSTRUCTION PLANS
3.21	A2.04	NEW CONSTRUCTION ELEVATIONS
3.22	A2.05	NEW CONSTRUCTION ELEVATIONS
3.31	S5.02	NEW CONSTRUCTION SCHEDULES
3.32	S5.03	NEW CONSTRUCTION SCHEDULES
3.41	A3.13	NEW CONSTRUCTION DETAILS
3.42	A3.14	NEW CONSTRUCTION DETAILS
3.43	A3.15	NEW CONSTRUCTION DETAILS
4.00	A5.03	LIFE SAFETY PLANS
6.01	A0.03	GENERAL NOTES
6.02	A0.04	GENERAL NOTES
6.03	A0.05	GENERAL NOTES
6.04	A0.06	GENERAL NOTES
6.05	A0.07	GENERAL NOTES
6.06	A0.08	GENERAL NOTES

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



PHONE: 519.502.8832 | EMAIL: ELEMENT@ELEMENTFE.CA
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-ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY. THEY MAY NOT BE REPRODUCED, ALTERED OR REUSED WITHOUT THE EXPRESSED WRITTEN CONSENT OF ELEMENT FORENSIC ENGINEERING.
-CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME, REPORTING ANY DISCREPANCIES TO ELEMENT FORENSIC ENGINEERING PRIOR TO COMMENCEMENT OF WORK.
-LATEST APPROVED DRAWINGS GOVERN CONSTRUCTION.
-DO NOT SCALE DRAWINGS.



DRAWINGS ARE SEALED FOR DESIGN PERTAINING THE RESTORATION OF LOSS RELATED DAMAGE AND ANY NOTED ALTERATION FROM THE AS-BUILT CONDITION. ELEMENT FORENSIC ENGINEERING HAS NOT CONDUCTED A DETAILED REVIEW OR REVERSE ENGINEERING ANALYSIS OF THE BUILDING FOR CONFORMITY WITH THE ONTARIO BUILDING CODE NOR THE LOCAL MUNICIPAL BYLAWS. AS A RESULT CANNOT BE HELD LIABLE OR RESPONSIBLE FOR THIS INFORMATION.

REV.	DATE	DESCRIPTION
1	FEB 24/2020	CLAIM QUANTIFICATION
2	FEB 27/2020	CLAIM QUANTIFICATION - REVISION 1
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5	JUNE 8/2020	ISSUED FOR CLIENT REVIEW
6	JUNE 25/2020	ISSUED FOR PERMIT

ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 0.01
TITLE TITLE SHEET	SHEET SP0.01

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

GENERAL NOTES

PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL READ AND BECOME FAMILIAR WITH THE BUILDING PERMIT RESTORATION DOCUMENTATION, INCLUSIVE OF ANY DRAWINGS AND REPORTS. ANY DEVIATION FROM THE BUILDING PERMIT RESTORATION DOCUMENTS MUST BE FIRST APPROVED, IN WRITING, BY ELEMENT FORENSIC ENGINEERING.

BASED ON A REVIEW OF THE BUILDING AREA, HEIGHT AND USE, IT IS ASSUMED THE BUILDING WAS ORIGINALLY CONSTRUCTED UNDER PART 9 OF THE OBC. RESTORATION WORK WILL BE COMPLETED UNDER PART 11. THE RESTORATION WILL NOT INCREASE THE SIZE, HEIGHT OR VOLUME OF THE BUILDING NOR WILL IT CHANGE THE USE.

CONTRACTOR IS RESPONSIBLE TO DESIGN AND INSTALL CONSTRUCTION SHORING, AS NECESSARY, TO SUPPORT TO THE BUILDING DURING THE RESTORATION.

IN CONFORMANCE WITH PART 11 OF THE OBC, SECTION 11.3, WHERE THE EXISTING WALLS, FLOOR OR ROOF ASSEMBLIES ARE NOT SUBSTANTIALLY REMOVED, THE NEW ELEMENTS SHALL MEET OR EXCEED THE ORIGINAL PERFORMANCE LEVEL. WHERE THE EXISTING WALL, FLOORS OR ROOF ASSEMBLIES ARE SUBSTANTIALLY REMOVED, THE REPLACEMENT WALLS, FLOORS OR ROOF ASSEMBLIES, THE NEW STRUCTURAL AND FIRE-RESISTANCE ELEMENTS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE REQUIREMENTS OF PART 9, THE REMAINDER OF THE NEW ELEMENT SHALL MEET OR EXCEED THE ORIGINAL PERFORMANCE LEVEL.

ALL WORK SHALL BE COMPLETED BY A COMPETENT WORKER WHO IS QUALIFIED BECAUSE OF KNOWLEDGE, TRAINING AND EXPERIENCE TO PERFORM THE WORK, AND IS FAMILIAR WITH THE ONTARIO BUILDING CODE, MUNICIPAL BY-LAWS AND WITH THE PROVISIONS OF ALL GOVERNING REGULATIONS AND STANDARDS THAT APPLY TO THE WORK. ELEMENT FORENSIC ENGINEERING IS NOT RESPONSIBLE FOR THE CONTRACTOR, SUPPLIERS OR SUBTRADES, INCLUDING BUT NOT LIMITED TO NEGLIGENCE AND ERRORS.

ALL WORK SHALL BE IN CONFORMANCE WITH THE OBC AND APPLICABLE CSA STANDARDS. WHERE THE DRAWINGS DEVIATE FROM THE OBC AND APPLICABLE STANDARDS, THE MORE STRINGENT SHALL GOVERN. SPECIFIED PRODUCTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.

ANY AMBIGUITY OR CONFLICT IN THE DRAWINGS SHALL BE IMMEDIATELY REPORTED TO ELEMENT FORENSIC ENGINEERING FOR DIRECTION.

ALL PROPRIETARY COMPONENTS SHALL BE INSTALLED IN CONFORMANCE WITH THE MANUFACTURER'S SPECIFICATION.

SUBMIT ALL SHOP DRAWINGS FOR SHORING AND EXTERNALLY ENGINEERED AND PROPRIETARY COMPONENTS TO ELEMENT FORENSIC ENGINEERING FOR COMMENT PRIOR TO FABRICATION.

ALL CONSTRUCTION RELATED ACTIVITIES AND ACCESS TO THE SITE SHALL BE COMPLETED IN CONFORMANCE WITH THE OHSA.



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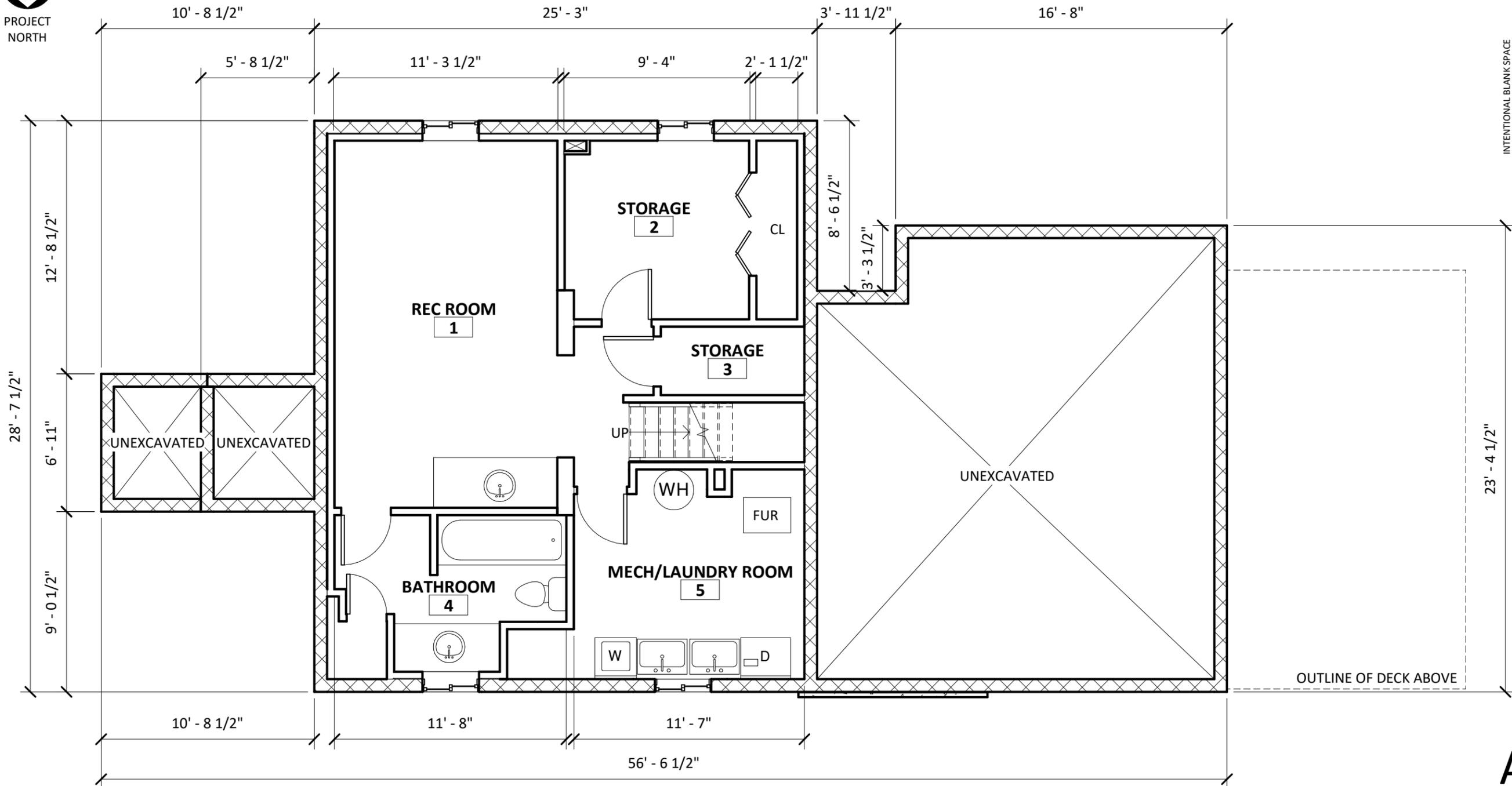
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5	JUNE 8/2020	ISSUED FOR CLIENT REVIEW
6	JUNE 25/2020	ISSUED FOR PERMIT

ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 0.02
TITLE GENERAL NOTES	SHEET A0.02



PROJECT NORTH



AS-BUILTS

1 EXISTING PLAN BASEMENT
3/16" = 1'-0"



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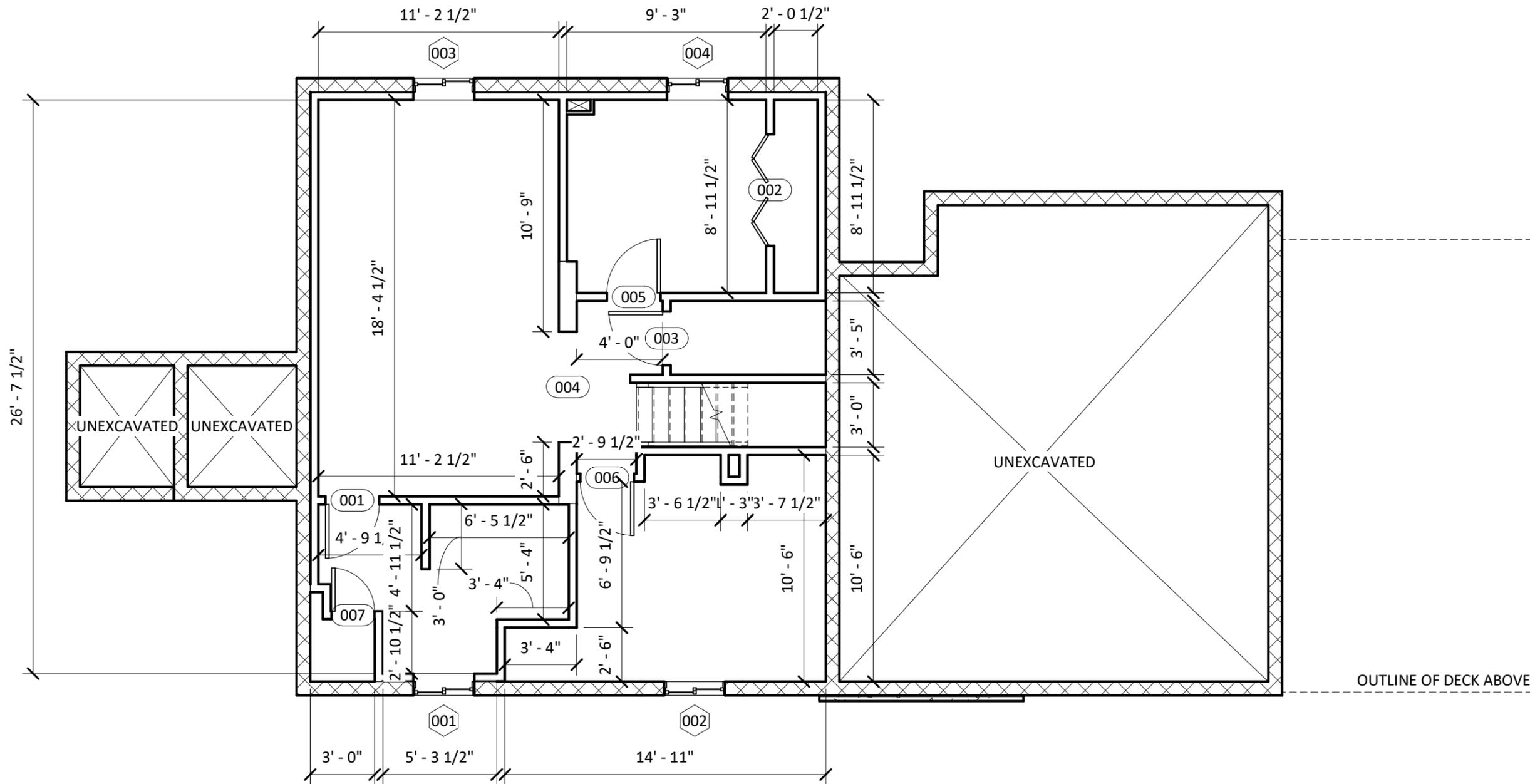
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ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.11A
TITLE EXISTING PLANS	SHEET A1.01



PROJECT
NORTH



AS-BUILTS

1 EXISTING PLAN BASEMENT DIM.
3/16" = 1'-0"



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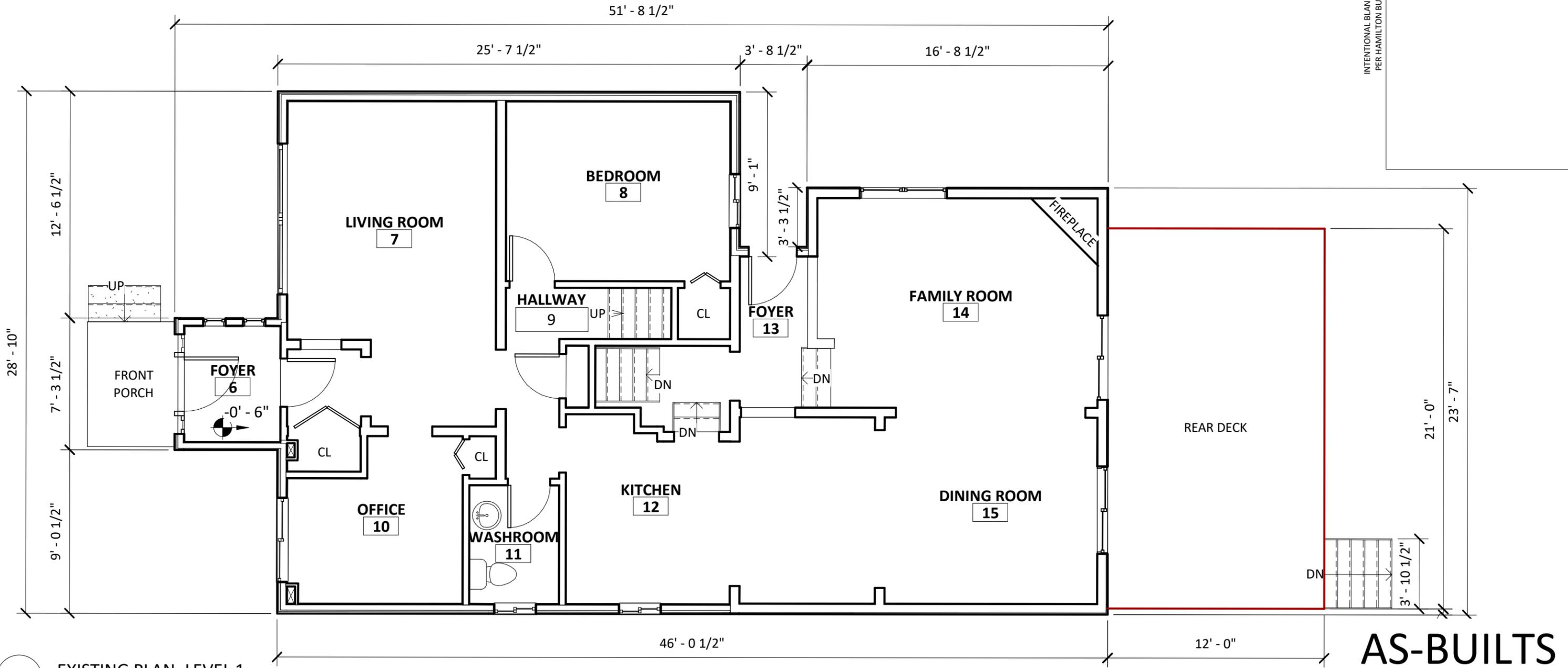
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ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.11B
TITLE EXISTING PLANS	SHEET A1.02



PROJECT
NORTH



1 EXISTING PLAN LEVEL 1
3/16" = 1'-0"

AS-BUILTS



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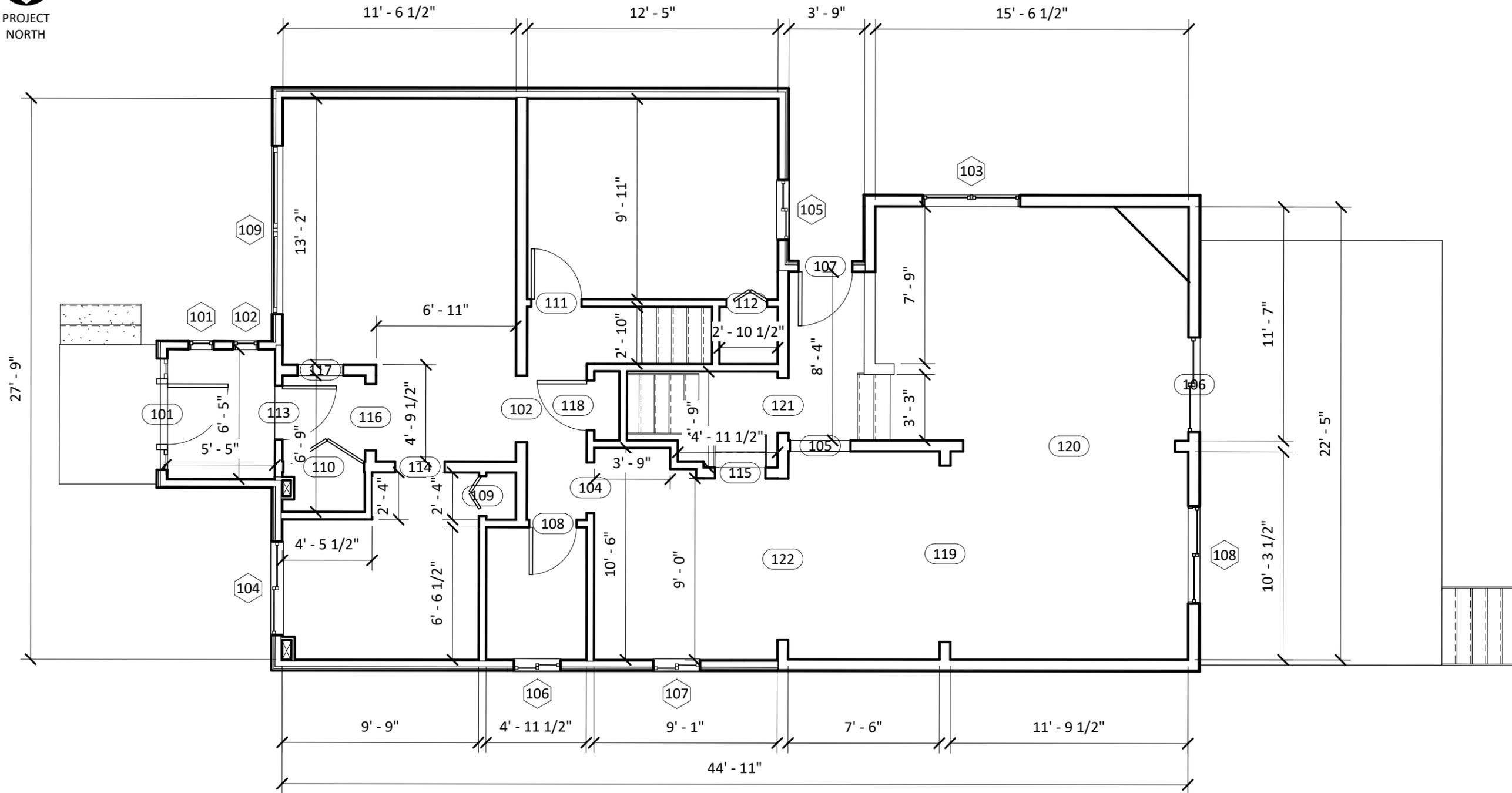
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ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.12A
TITLE EXISTING PLANS	SHEET A1.03

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PROJECT NORTH



INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

AS-BUILTS

1 EXISTING PLAN LEVEL 1 DIM.
3/16" = 1'-0"



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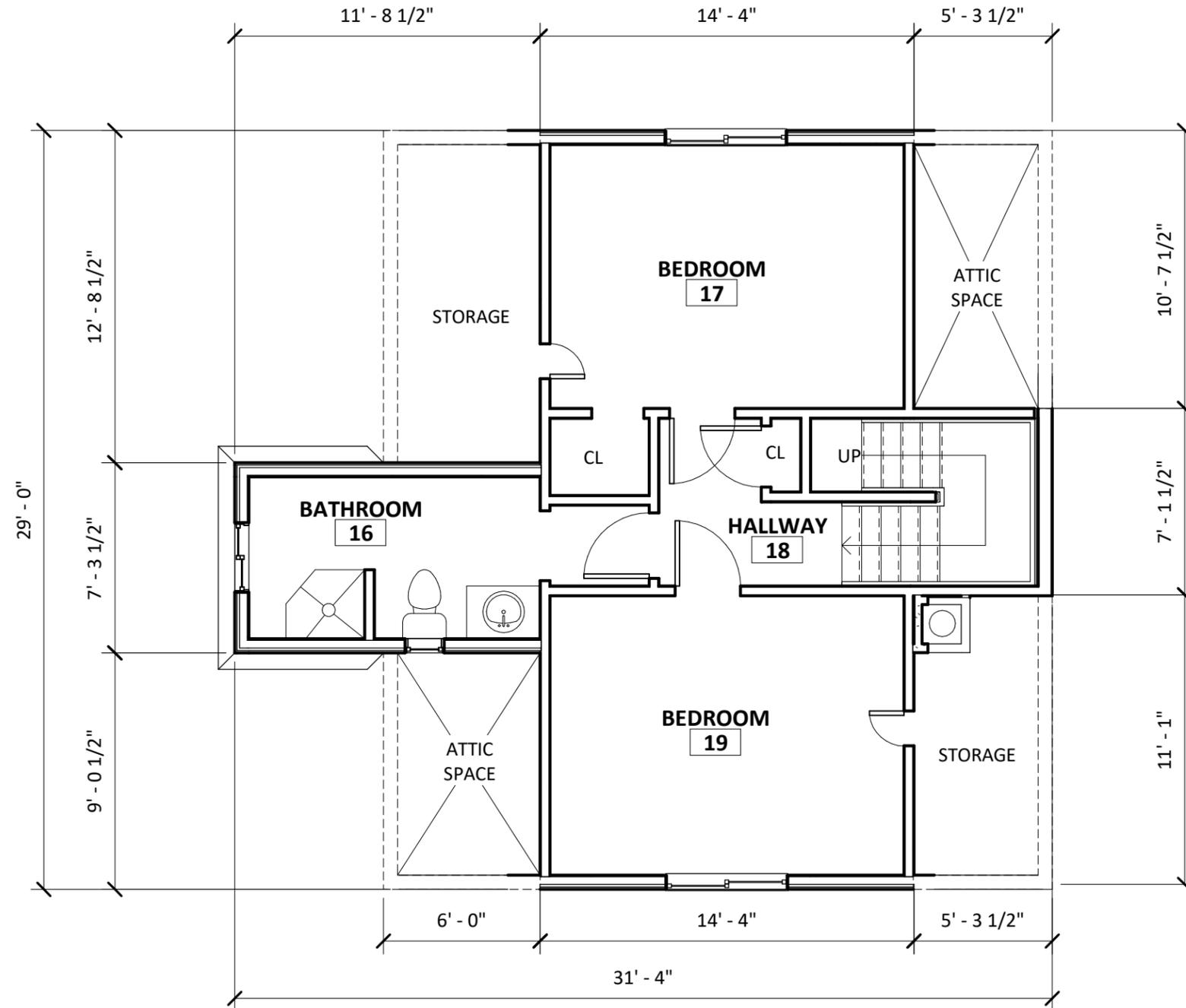
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5	JUNE 8/2020	ISSUED FOR CLIENT REVIEW
6	JUNE 25/2020	ISSUED FOR PERMIT

ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.12B
TITLE EXISTING PLANS	SHEET A1.04



PROJECT NORTH



INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

AS-BUILTS

1 EXISTING PLAN LEVEL 2
3/16" = 1'-0"



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-LATEST APPROVED DRAWINGS GOVERN CONSTRUCTION.
-DO NOT SCALE DRAWINGS.



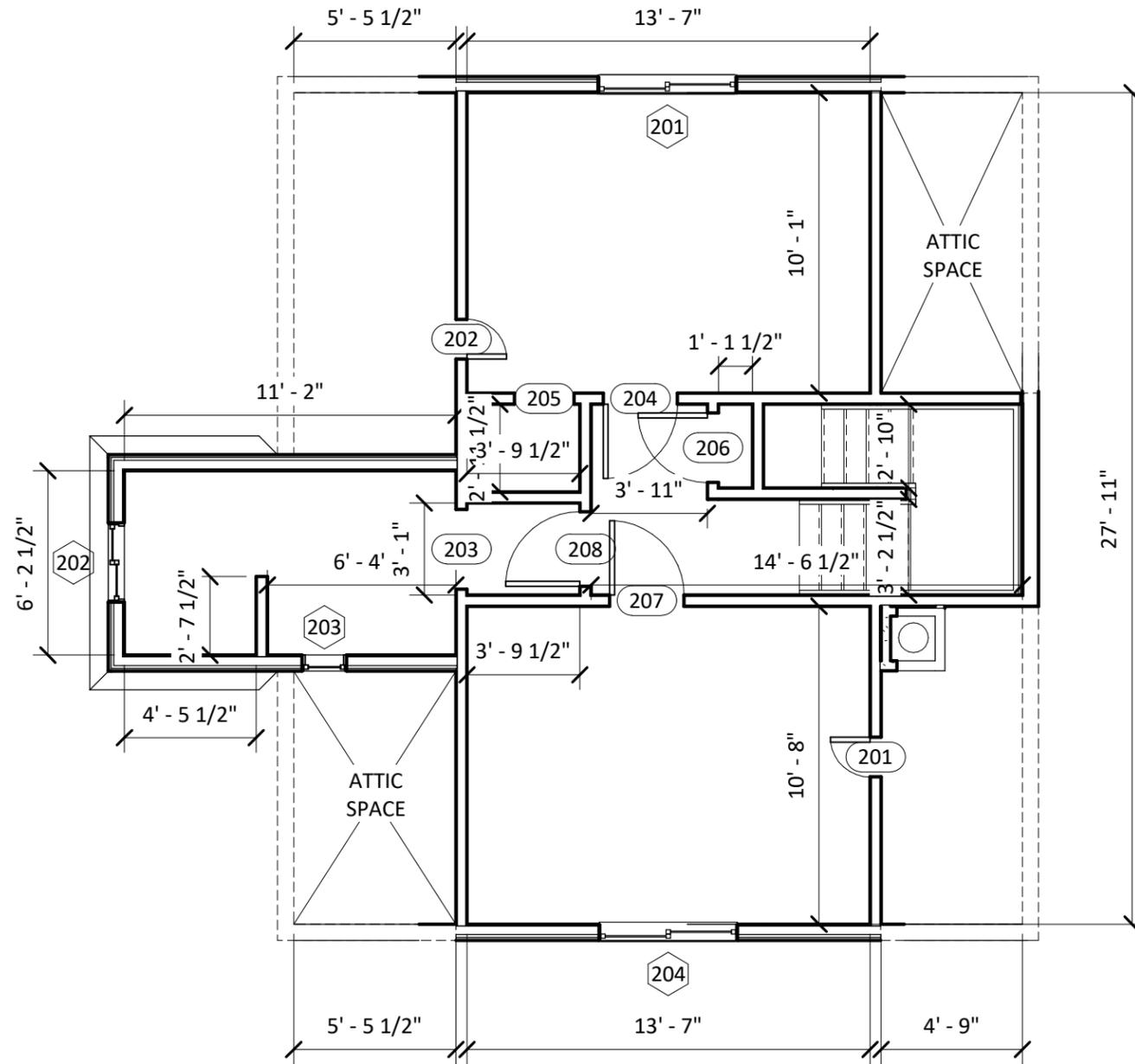
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TITLE EXISTING PLANS	SHEET A1.05



PROJECT
NORTH



INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

AS-BUILTS

1 EXISTING PLAN LEVEL 2 DIM.
3/16" = 1'-0"



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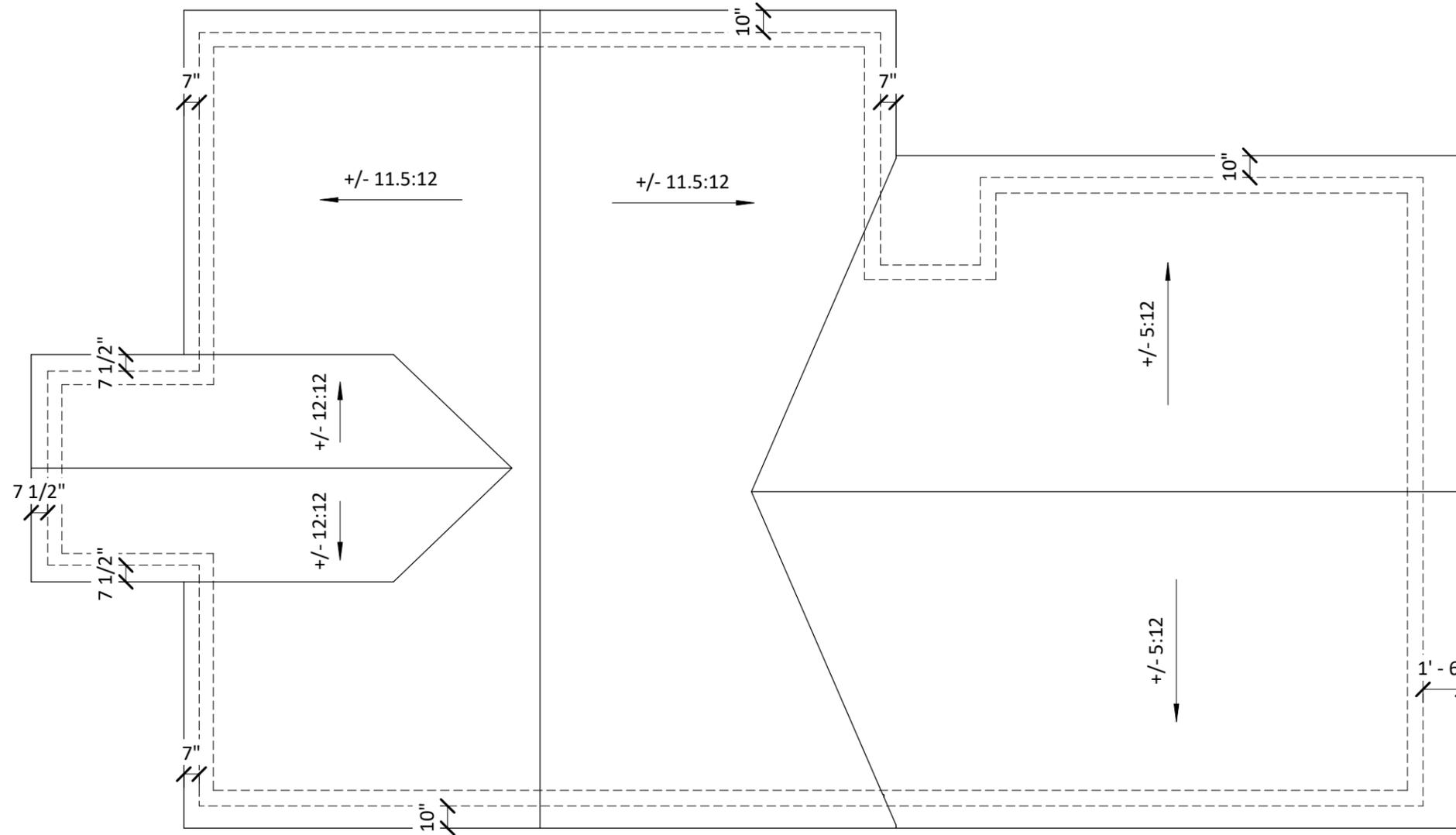
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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.13B
TITLE EXISTING PLANS	SHEET A1.06



PROJECT
NORTH



AS-BUILTS

1

EXISTING PLAN_ROOF
3/16" = 1'-0"



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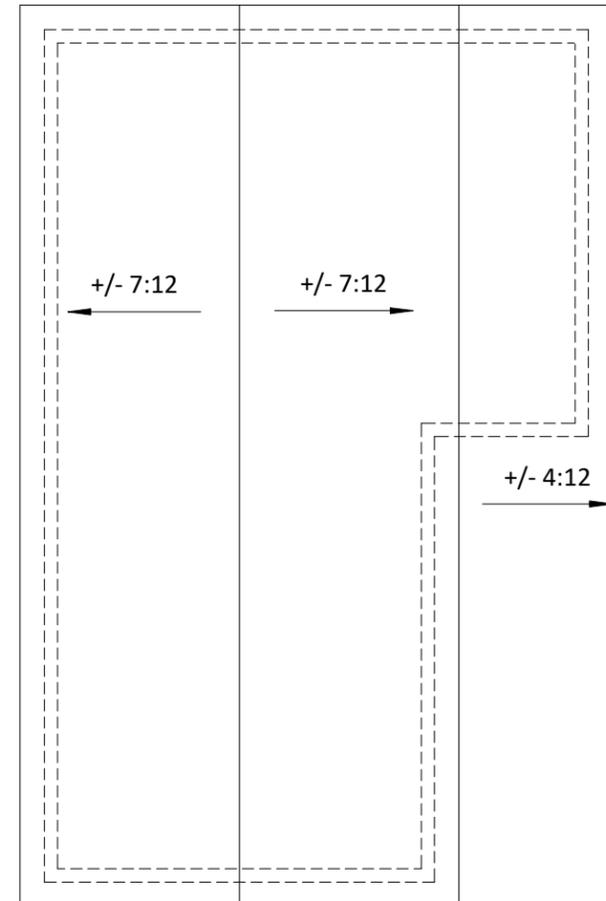
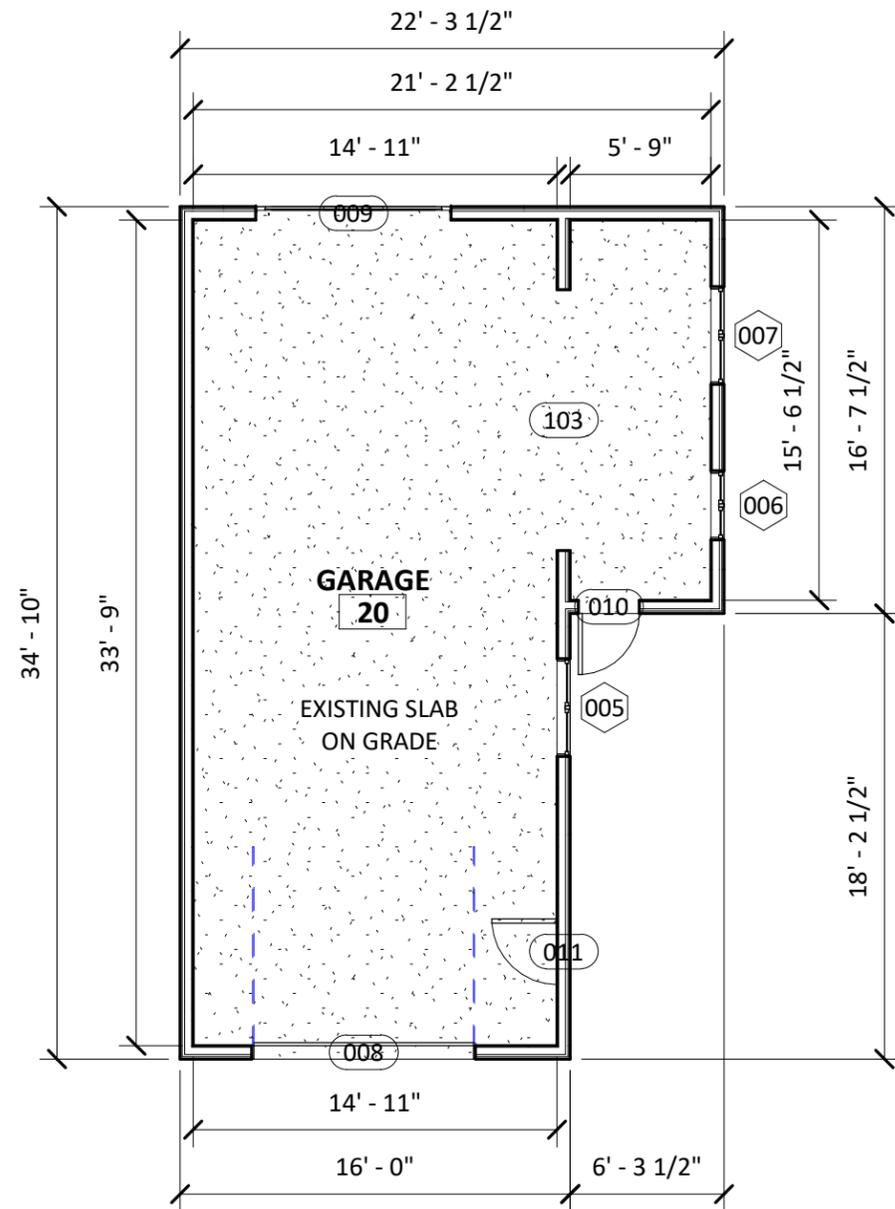
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TITLE EXISTING PLANS	SHEET A1.07



INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

1 EXISTING PLAN_GARAGE SOG
1 : 90

2 EXISTING PLAN_GARAGE ROOF
1 : 90

AS-BUILTS



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FILE
2002-1001-MD

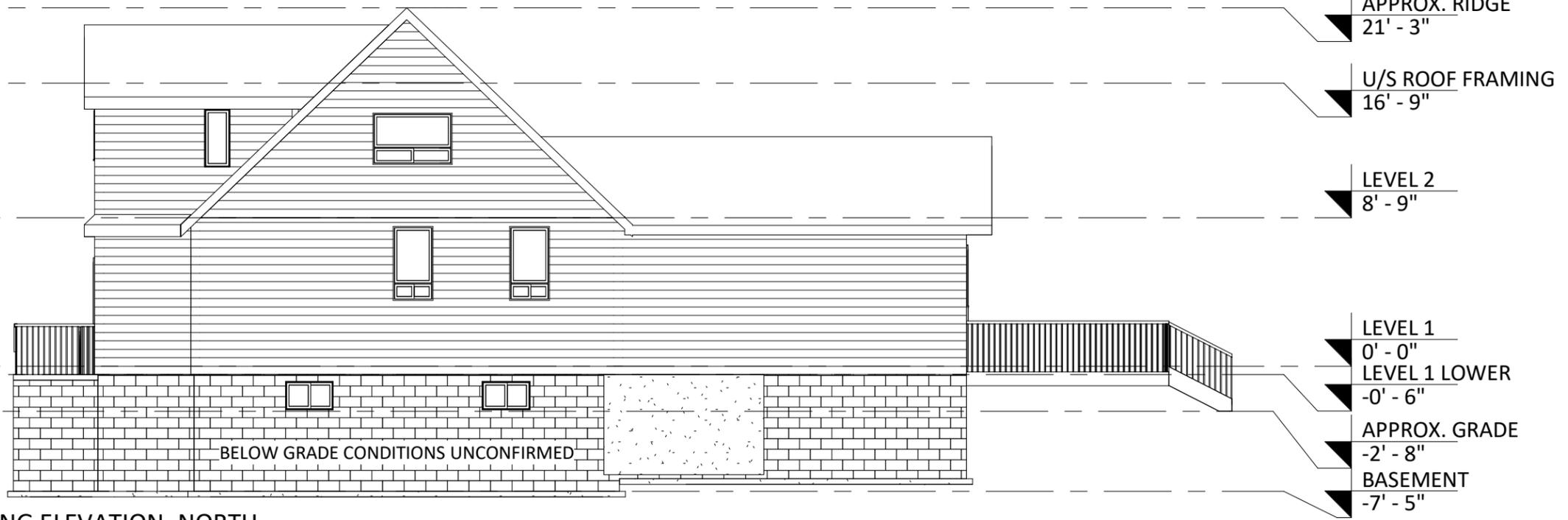
CLIENT
DESJARDINS GENERAL INSURANCE GROUP

SEQUENCE
1.15

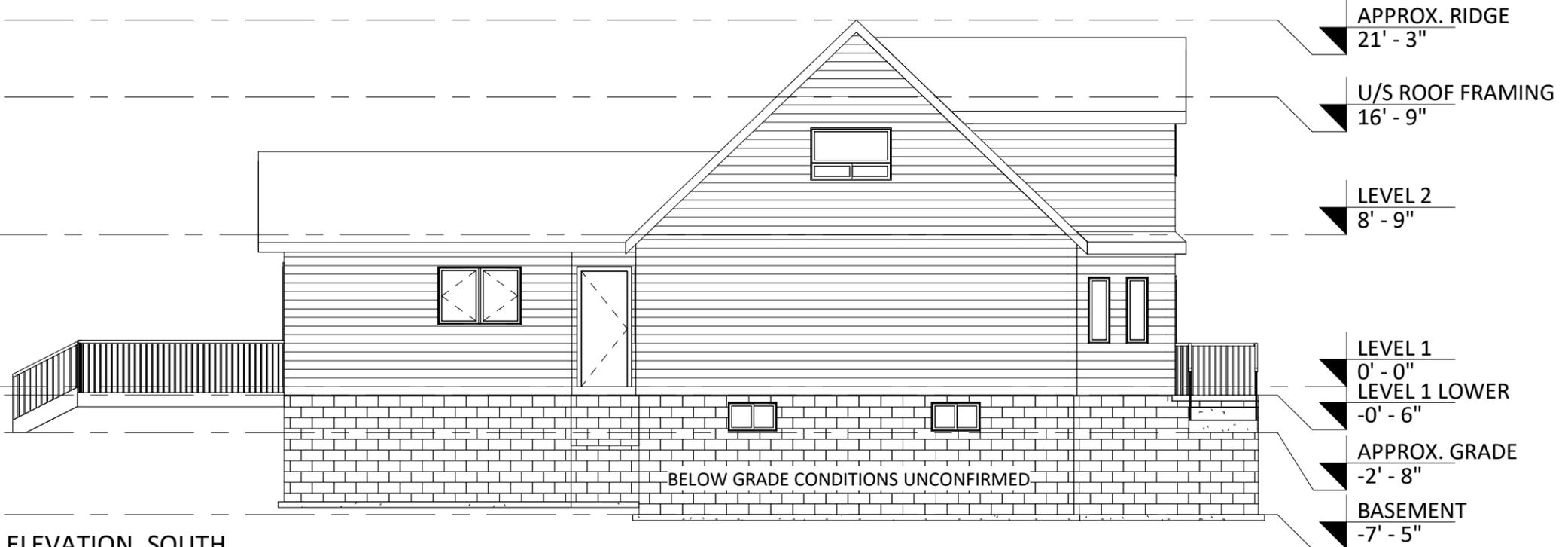
TITLE
EXISTING PLANS

SHEET
A1.08

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



1 EXISTING BUILDING ELEVATION_NORTH
1/8" = 1'-0"



2 EXISTING BUILDING ELEVATION_SOUTH
1/8" = 1'-0"

AS-BUILTS



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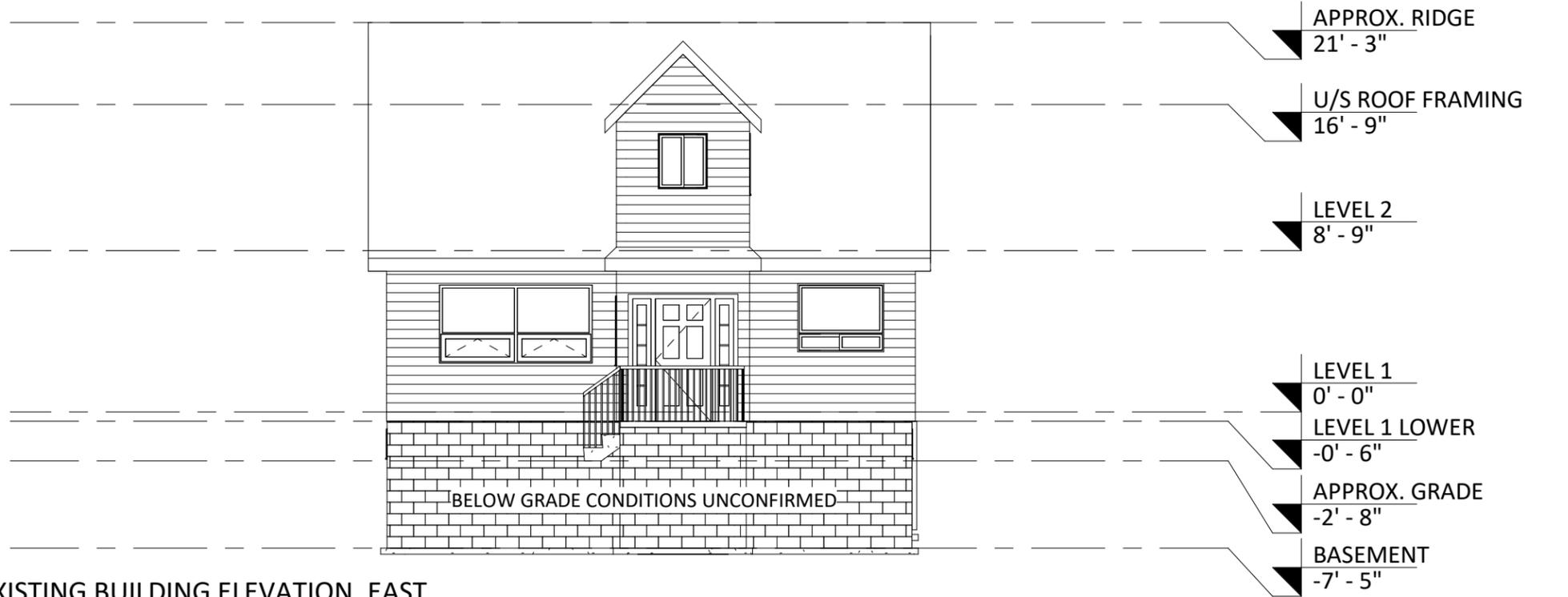


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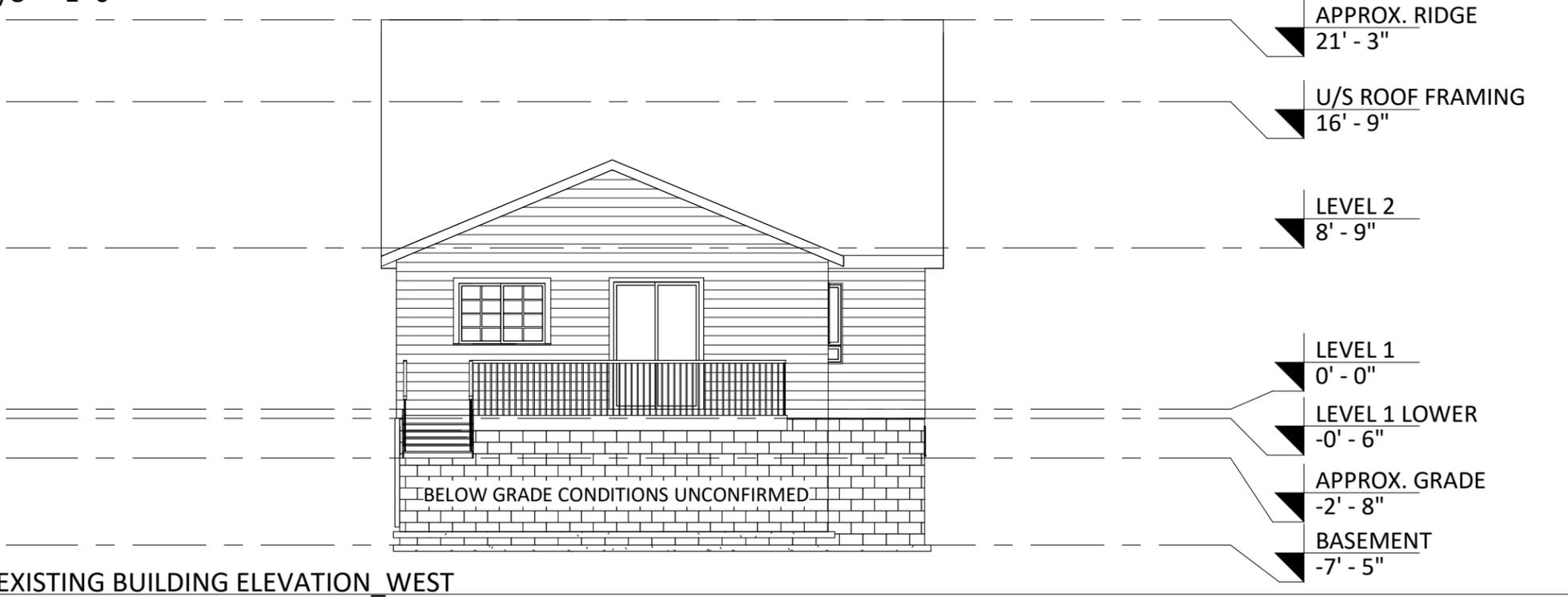
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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.21
TITLE EXISTING ELEVATIONS	SHEET A2.01

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



1 EXISTING BUILDING ELEVATION EAST
1/8" = 1'-0"



2 EXISTING BUILDING ELEVATION WEST
1/8" = 1'-0"

AS-BUILTS



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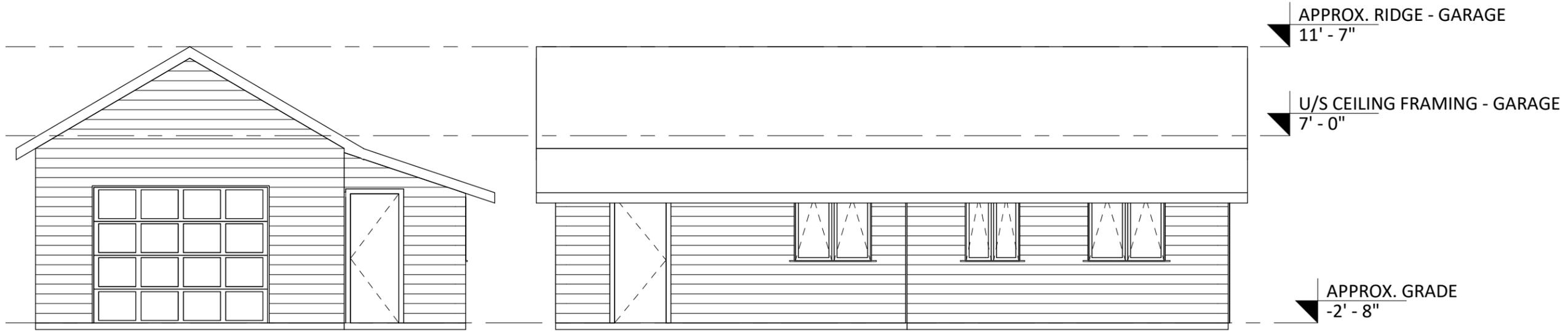
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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 1.22
TITLE EXISTING ELEVATIONS	SHEET A2.02

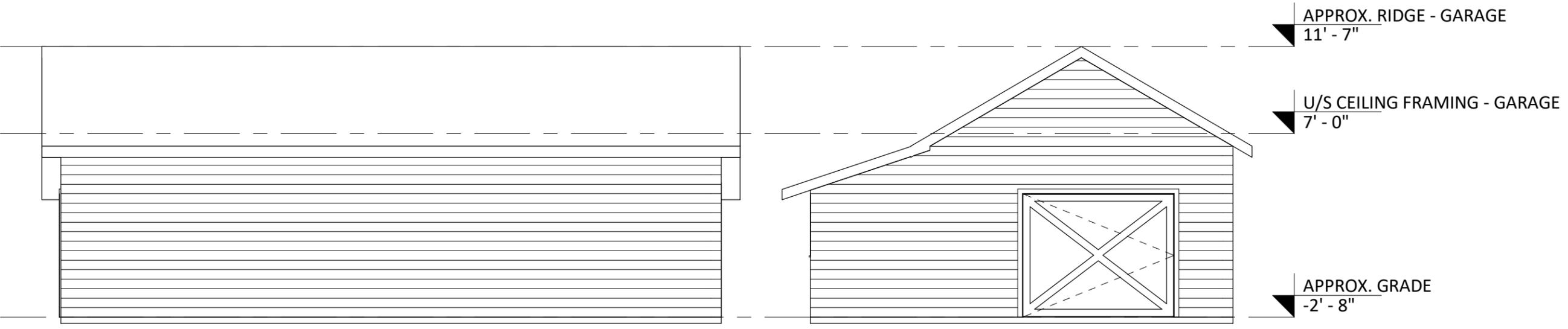


BELOW GRADE CONDITIONS UNCONFIRMED

BELOW GRADE CONDITIONS UNCONFIRMED

1 EXISTING GARAGE ELEVATION_EAST
1 : 70

2 EXISTING GARAGE ELEVATION_NORTH
1 : 70



BELOW GRADE CONDITIONS UNCONFIRMED

BELOW GRADE CONDITIONS UNCONFIRMED

3 EXISTING GARAGE ELEVATION_SOUTH
1 : 70

4 EXISTING GARAGE ELEVATION_WEST
1 : 70

AS-BUILTS



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TITLE EXISTING ELEVATIONS	SHEET A2.03

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EXISTING DOOR SCHEDULE

DOOR NUMBER	WIDTH	HEIGHT	SILL HEIGHT	LEVEL
001	2' - 6"	6' - 6"	0' - 0"	BASEMENT
002	5' - 2"	7' - 0"	0' - 0"	BASEMENT
003	2' - 6"	6' - 0"	0' - 0"	BASEMENT
004	5' - 1"	6' - 8"	0' - 0"	BASEMENT
005	2' - 6"	6' - 6"	0' - 0"	BASEMENT
006	2' - 6"	6' - 0"	0' - 0"	BASEMENT
007	2' - 0"	6' - 6"	0' - 0"	BASEMENT
008	9' - 0"	7' - 0"	0' - 0"	APPROX. GRADE
009	8' - 0"	6' - 6"	0' - 0"	APPROX. GRADE
010	2' - 6"	6' - 8"	0' - 0"	APPROX. GRADE
011	2' - 8"	6' - 6"	0' - 0"	APPROX. GRADE
101	3' - 0"	6' - 8"	0' - 0"	LEVEL 1 LOWER
102	3' - 3"	6' - 6"	0' - 0"	LEVEL 1
103	10' - 8"	6' - 8"	0' - 0"	LEVEL 1
104	2' - 6"	6' - 8"	0' - 0"	LEVEL 1
105	3' - 0"	3' - 6"	3' - 4 1/2"	LEVEL 1
106	4' - 8"	6' - 11"	0' - 0"	LEVEL 1
107	2' - 8"	6' - 8"	0' - 0"	LEVEL 1
108	2' - 4"	6' - 8"	0' - 0"	LEVEL 1
109	2' - 0"	6' - 8"	0' - 0"	LEVEL 1
110	4' - 0"	6' - 8"	0' - 0"	LEVEL 1
111	2' - 6"	6' - 8"	0' - 0"	LEVEL 1
112	2' - 0"	6' - 8"	0' - 0"	LEVEL 1
113	2' - 8"	6' - 8"	0' - 0"	LEVEL 1
114	2' - 6"	6' - 8"	0' - 0"	LEVEL 1
115	2' - 6"	6' - 6"	0' - 0"	LEVEL 1
116	3' - 3"	6' - 8"	0' - 0"	LEVEL 1
117	2' - 3"	3' - 1"	3' - 6 1/2"	LEVEL 1
118	2' - 5"	6' - 8"	0' - 0"	LEVEL 1
119	8' - 9"	6' - 10"	0' - 0"	LEVEL 1
120	10' - 6"	7' - 8"	0' - 0"	LEVEL 1
121	2' - 8"	6' - 10"	0' - 0"	LEVEL 1
122	8' - 0"	6' - 8"	0' - 0"	LEVEL 1
201	1' - 4"	4' - 3"	0' - 0"	LEVEL 2
202	1' - 4"	4' - 3"	0' - 0"	LEVEL 2
203	2' - 8"	6' - 8"	0' - 0"	LEVEL 2
204	2' - 6"	6' - 6"	0' - 0"	LEVEL 2
205	2' - 0"	6' - 0"	0' - 0"	LEVEL 2
206	2' - 4"	6' - 6"	0' - 0"	LEVEL 2
207	2' - 6"	6' - 6"	0' - 0"	LEVEL 2
208	2' - 6"	6' - 6"	0' - 0"	LEVEL 2

EXISTING WINDOW AND DOOR DIMENSIONS WERE TAKEN FROM THE INSIDE FACE OF THE TRIM. CONTRACTOR TO FIELD VERIFY WINDOW AND DOOR SIZES DURING REMOVAL.

EXISTING WINDOW SCHEDULE

WINDOW NUMBER	WIDTH	HEIGHT	SILL HEIGHT	LEVEL
001	2' - 10"	1' - 8"	4' - 10"	BASEMENT
002	2' - 10"	1' - 8"	4' - 10"	BASEMENT
003	2' - 10"	1' - 8"	4' - 10"	BASEMENT
004	2' - 10"	1' - 8"	4' - 10"	BASEMENT
005	4' - 0"	3' - 4"	3' - 2"	APPROX. GRADE
006	2' - 10"	3' - 4"	3' - 2"	APPROX. GRADE
007	4' - 0"	3' - 4"	3' - 2"	APPROX. GRADE
101	1' - 3"	3' - 10"	3' - 0"	LEVEL 1 LOWER
102	1' - 3"	3' - 10"	3' - 0"	LEVEL 1 LOWER
103	4' - 10"	3' - 4"	3' - 7"	LEVEL 1
104	4' - 8"	3' - 8"	3' - 3 1/2"	LEVEL 1
105	3' - 0"	4' - 4"	2' - 6"	LEVEL 1
106	2' - 4"	4' - 4"	3' - 11"	LEVEL 1
107	2' - 4"	4' - 4"	3' - 11"	LEVEL 1
108	4' - 10"	3' - 5"	3' - 6"	LEVEL 1
109	8' - 4"	4' - 3"	2' - 8"	LEVEL 1
201	4' - 8"	3' - 0"	3' - 2"	LEVEL 2
202	2' - 8"	3' - 0"	3' - 4 1/2"	LEVEL 2
203	1' - 6"	3' - 5"	3' - 0"	LEVEL 2
204	4' - 8"	3' - 0"	3' - 2"	LEVEL 2

EXISTING ROOM SCHEDULE

ROOM NUMBER	NAME	LEVEL	AREA
1	REC ROOM	BASEMENT	206 SF
2	STORAGE	BASEMENT	81 SF
3	STORAGE	BASEMENT	25 SF
4	BATHROOM	BASEMENT	72 SF
5	MECH/LAUNDRY ROOM	BASEMENT	124 SF
6	FOYER	LEVEL 1	34 SF
7	LIVING ROOM	LEVEL 1	185 SF
8	BEDROOM	LEVEL 1	123 SF
9	HALLWAY	LEVEL 1	49 SF
10	OFFICE	LEVEL 1	75 SF
11	WASHROOM	LEVEL 1	33 SF
12	KITCHEN	LEVEL 1	88 SF
13	FOYER	LEVEL 1	32 SF
14	FAMILY ROOM	LEVEL 1	181 SF
15	DINING ROOM	LEVEL 1	121 SF
16	BATHROOM	LEVEL 2	30 SF
17	BEDROOM	LEVEL 2	135 SF
18	HALLWAY	LEVEL 2	85 SF
19	BEDROOM	LEVEL 2	144 SF
20	GARAGE	LEVEL 1	503 SF

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



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FILE
2002-1001-MD

CLIENT
DESJARDINS GENERAL INSURANCE GROUP

SEQUENCE
1.31

TITLE
EXISTING SCHEDULES

SHEET
S5.01

DEMOLITION NOTES:

DEMOLISH THE BUILDING AND THE GARAGE COMPLETE, INCLUSIVE OF THE FOUNDATIONS, FOOTINGS AND SLABS ON GROUND.

CONTRACTOR TO PREPARE A DEMOLITION PROCEDURE / PROTOCOL AS AND WHEN DICTATED BY THE MUNICIPALITY AND AVAILBLE UPON REQUEST.

VERIFY DIMENSIONS, APPEARANCE AND LOCATION OF PRE-LOSS CONDITIONS PRIOR TO DEMOLITION.

EXERCISE CARE DURING DEMOLITION TO PROTECT ANY REMAINING AND ADJACENT BUILDINGS AND BUILDING COMPONENTS.

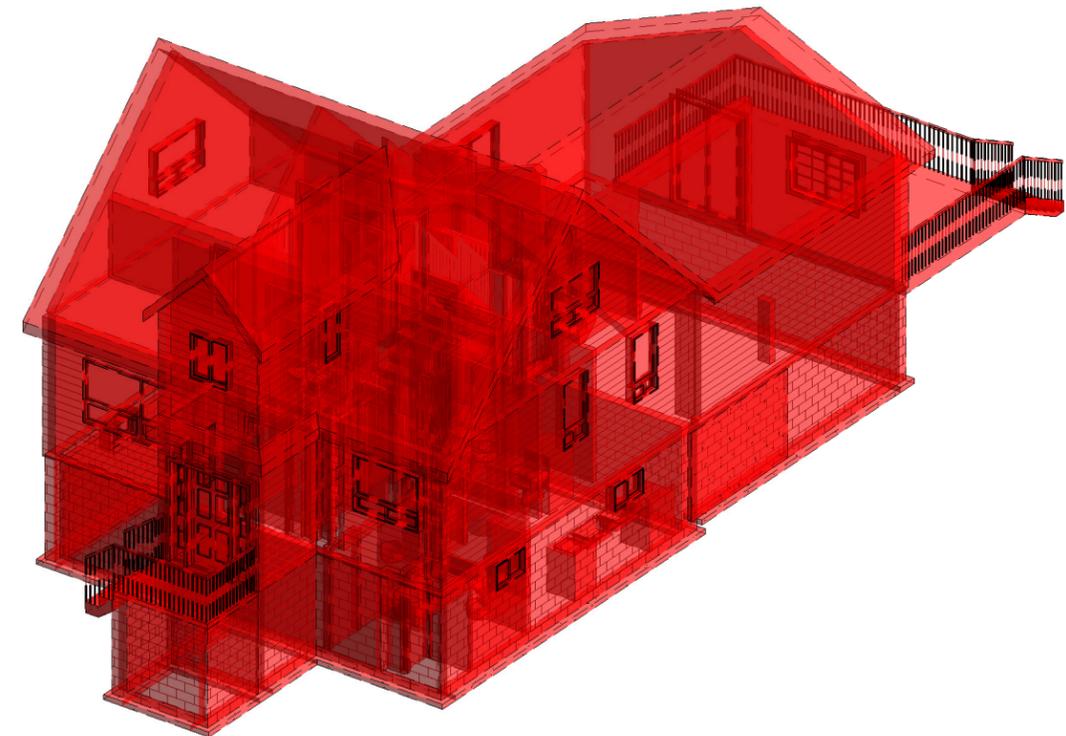
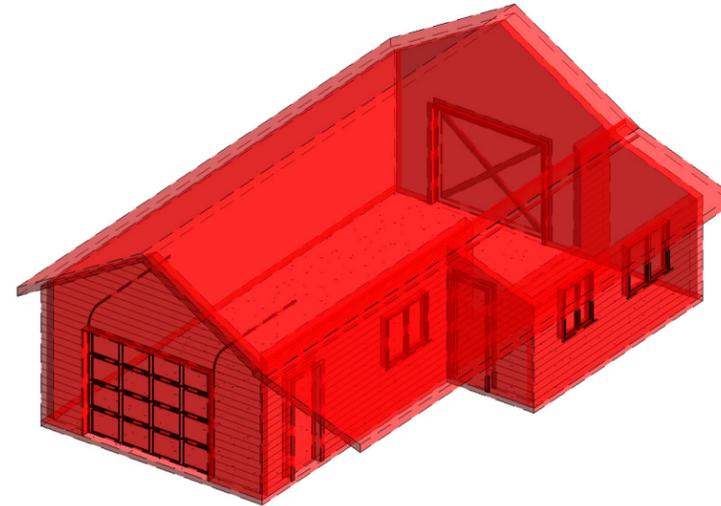
THE CONTRACTOR IS RESPONSIBLE FOR ANY REQUIRED DISCONNECT OF UTILITIES.

ALL GRADING BEYOND THE PERIMETER OF THE BUILDING SHALL BE MAINTAINED OR REINSTATED TO MATCH PRE-LOSS.

WITHIN THE AREA OF BACKFILL, THE TOPOGRAPHY SHALL MATCH EXISTING ALONG THE PERIMETER AND BE GRADED TO SHED SURFACE WATER (SLOPE = MIN 2%, MAX MATCH ADJACENT).

WE RECOMMEND THE DEMOLITION BE COMPLETED USING A COMBINED USE OF MAN LIFTS AND HEAVY EQUIPMENT. THE MAN LIFTS SHALL BE OF A TELESCOPIC CONFIGURATION WHEREBY THE BASE CAN BE POSITIONED A MINIMUM OF 15' BEYOND THE FOOTPRINT OF THE BUILDING AND THE BASKET CAN BE POSITIONED OUTSIDE THE ZONE OF AN OUTWARD COLLAPSE.

REFER TO THE GENERAL NOTES FOR ADDITIONAL DEMOLITION NOTES.



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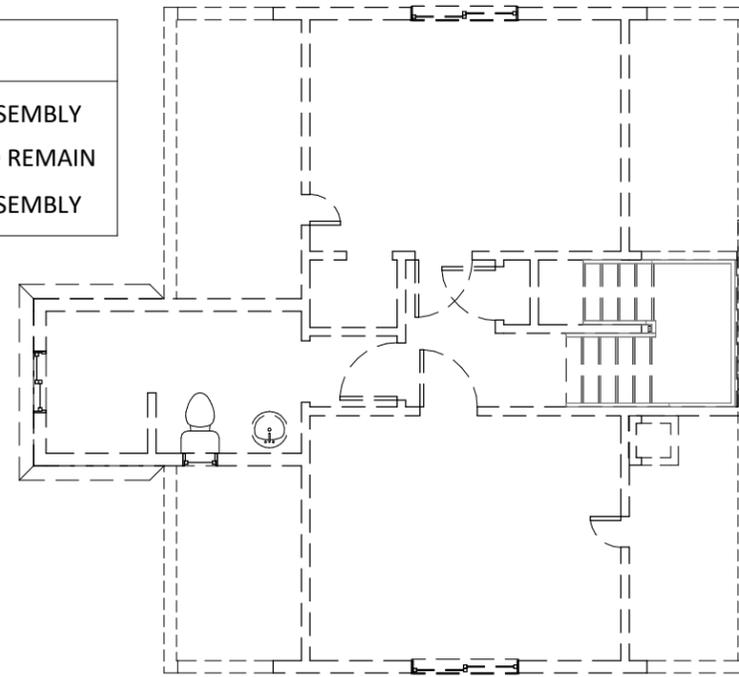
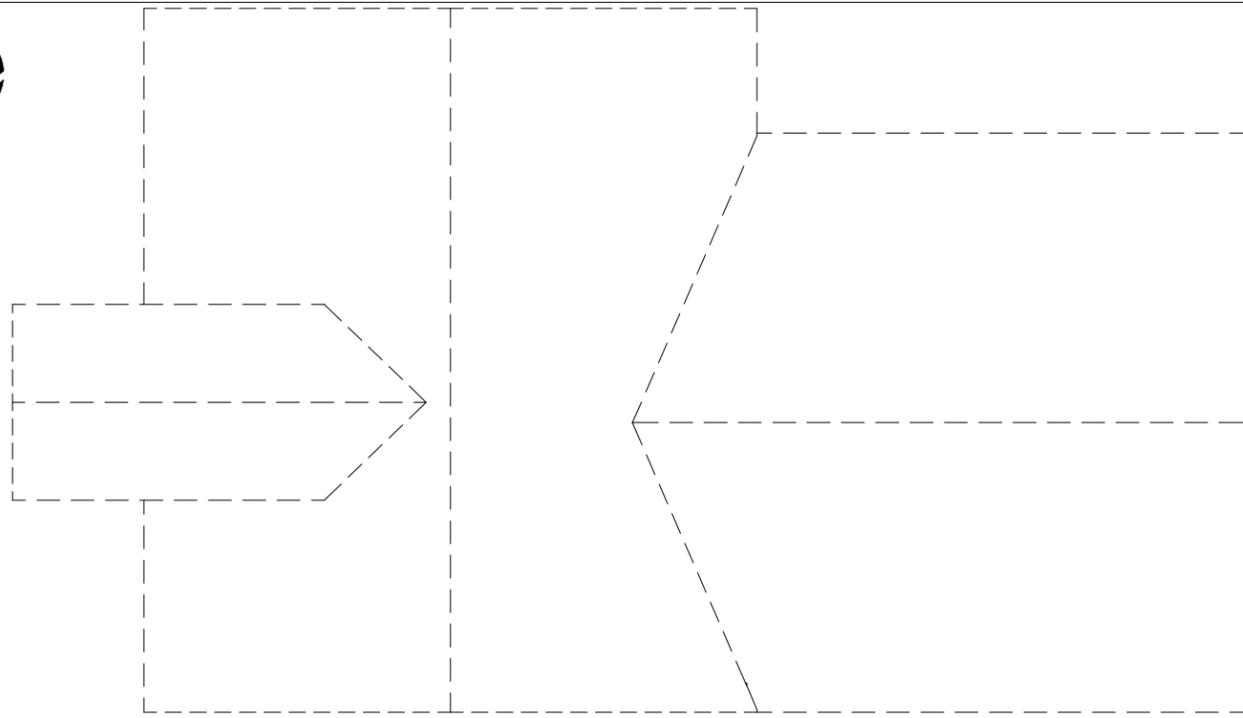
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TITLE SCOPE OF DEMOLITION	SHEET A4.01



PROJECT
NORTH

LEGEND DEMOLITION

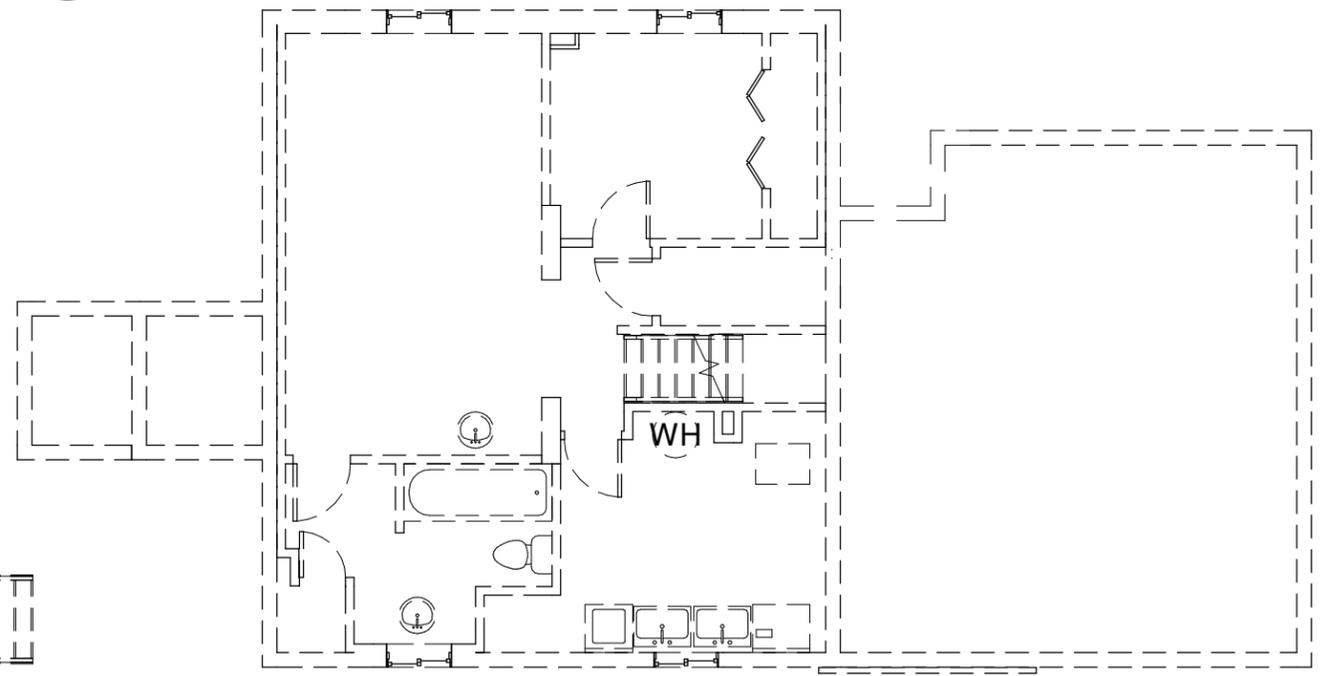
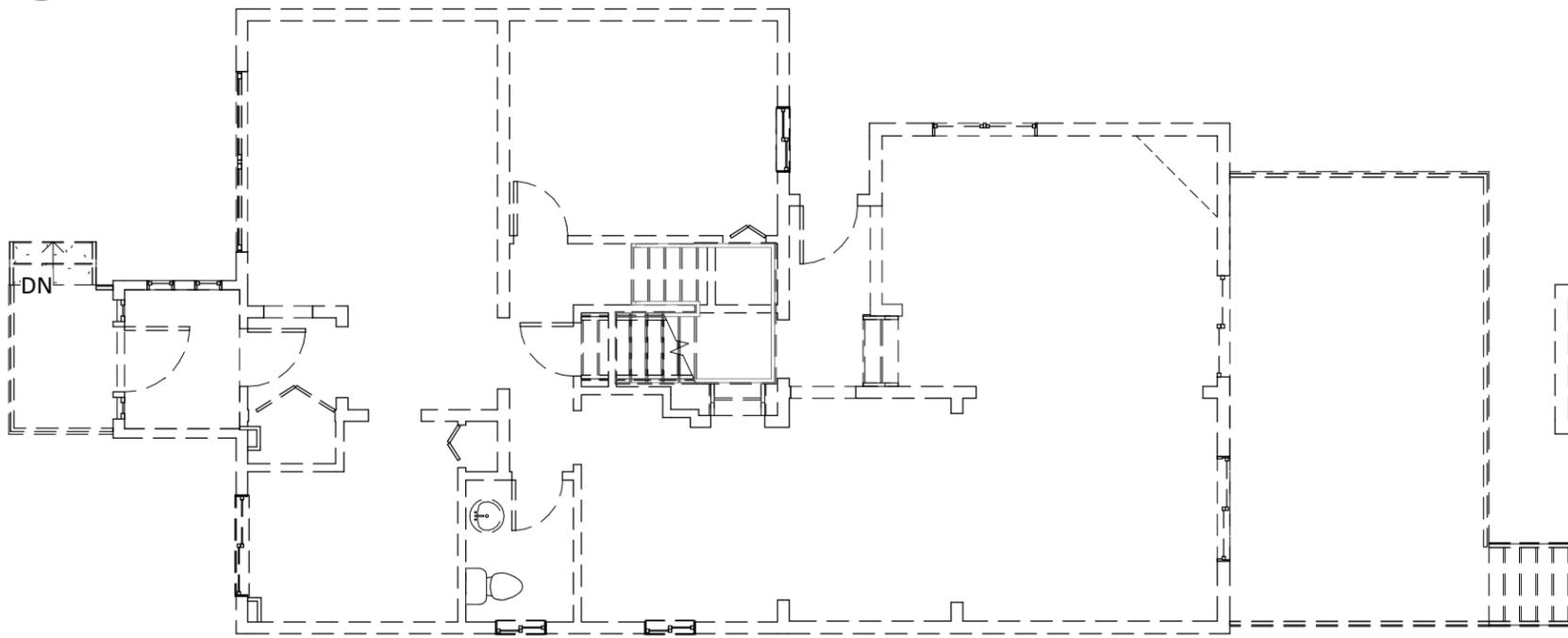
- REMOVE WALL ASSEMBLY
- EXISTING WALL TO REMAIN
- REMOVE ROOF ASSEMBLY



INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

1 DEMOLITION PLAN ROOF
1/8" = 1'-0"

2 DEMOLITION PLAN LEVEL 2
1/8" = 1'-0"



3 DEMOLITION PLAN LEVEL 1
1/8" = 1'-0"

4 DEMOLITION PLAN BASEMENT
1/8" = 1'-0"



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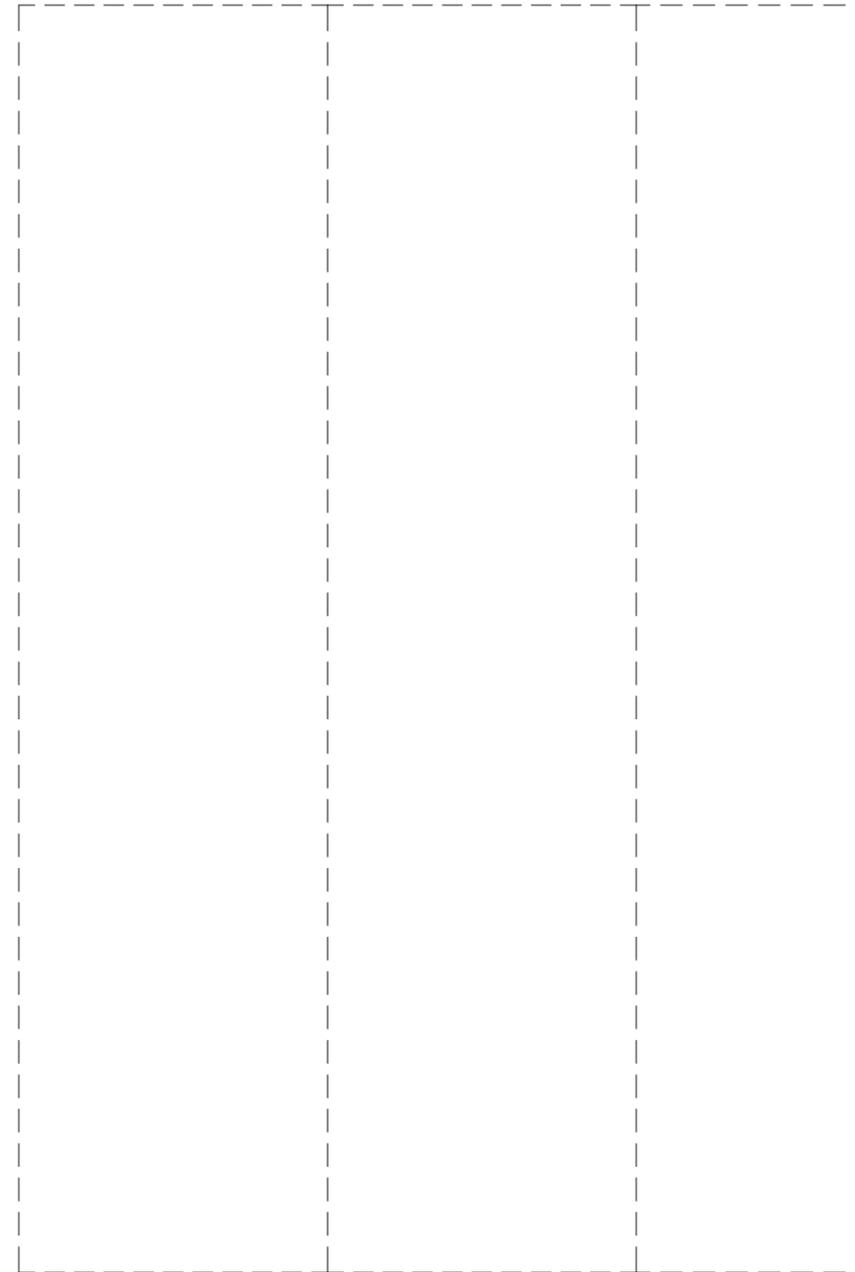
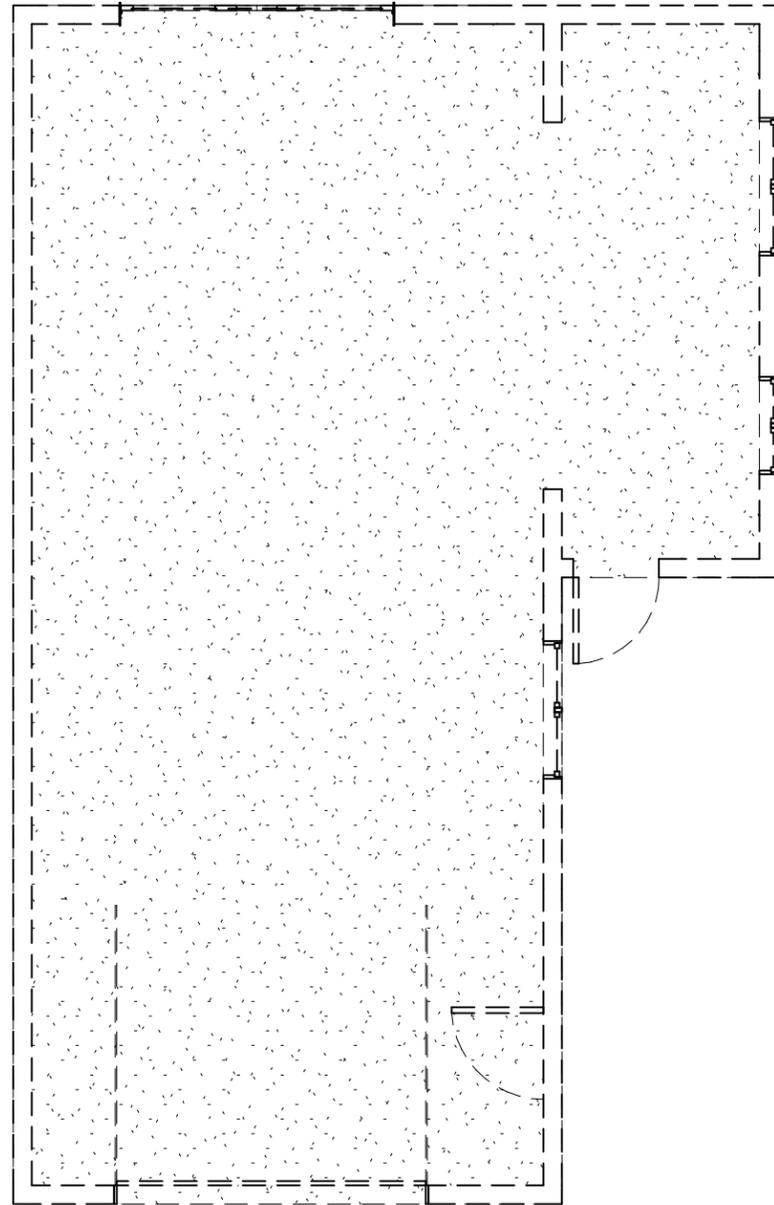
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TITLE DEMOLITION PLANS	SHEET A4.02

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INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

LEGEND DEMOLITION	
-----	REMOVE WALL ASSEMBLY
=====	EXISTING WALL TO REMAIN
-----	REMOVE ROOF ASSEMBLY

1 DEMOLITION PLAN_GARAGE SOG
3/16" = 1'-0"

2 DEMOLITION PLAN_GARAGE ROOF
3/16" = 1'-0"



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INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

SCOPE OF REPAIRS:

REPLACE THE SUPERSTRUCTURE, IN CONFORMANCE WITH THE BELOW DESCRIPTION AND NEW CONSTRUCTION DRAWINGS.

THE CONTRACTOR SHALL INSTALL BLOCKING FOR THE INSTALLATION OF (FUTURE) GRAB BARS IN THE MAIN BATHROOM. THE BLOCKING SHALL BE INSTALLED IN CONFORMANCE WITH SECTION 9.5.2.3 OF THE OBC.

INSTALL AN ATTIC HATCH TO MATCH PRE-LOSS SIZE, LOCATION AND CONFIGURATION.

NEW INSULATION SHALL MEET THE THERMAL PERFORMANCE OF MMAH SB-12 (RESIDENTIAL OCCUPANCY), COMPLIANCE PACKAGE A1 (TABLE 3.1.1.2.A).

ALL EXTERIOR ASSEMBLIES, SEPARATING CONDITIONED AND UNCONDITIONED SPACE, MUST INCLUDE A CONTINUOUS 6 MIL POLYETHYLENE VAPOUR DIFFUSION RETARDER AND AIR BARRIER INSTALLED ON THE CONDITIONED SIDE OF THE INSULATION.

REMOVE AND REPLACE THE DAMAGED DOORS AND WINDOWS.

REMOVE AND REPLACE THE DAMAGED EXTERIOR FINISHES, INCLUDING CLADDING, EAVES TROUGHS, DOWNSPOUTS, FLASHING, SOFFITS, FACIA, TRIM AND ROOF VENTS, AS REQUIRED, TO REINSTATE THE EXTERIOR OF THE BUILDING TO MATCH THE PRE-LOSS.

SECURE THE NEW SILL PLATE TO THE UNDERLYING WALL WITH NEW ANCHOR BOLTS. THE ANCHOR BOLTS SHALL BE SPACED AT A MAXIMUM 4' ON CENTER. NEW ANCHOR BOLTS SHALL BE AND CAST IN PLACE WITH A MINIMUM 4" EMBEDMENT AND A 3" HOOK. CENTER THE ANCHORS, WIDTHWISE, ON THE SILL PLATE +/-1/2". LOCATED END ANCHORS 4" FROM THE ENDS OF THE SILL PLATES. PROVIDE MINIMUM 3-3/4" CLEAR CONCRETE COVER.

LIFE SAFETY COMPONENTS SHALL BE INSTALLED IN CONFORMANCE WITH THE OBC.

THE NEW HANDRAILS AND GUARDS SHALL MEET THE REQUIREMENTS OF OBC PART 9, SECTION 9.8.7 AND 9.8.8.

CONTRACTOR SHALL COORDINATE STAIRS AND STAIR OPENING TO ENSURE CLEAR HEIGHT OVER STAIRS MEETS THE REQUIREMENTS OF OBC PART 9, SECTION 9.8.2.2.

SEE ADDITIONAL, LOCATION SPECIFIC, COMPONENTS OF THE SCOPE OF WORK ON THE NEW CONSTRUCTION PLANS.

SCOPE OF REPAIRS DECK:

REMOVE AND REPLACE THE DECK SUPERSTRUCTURE TO MATCH EXISTING GEOMETRY. SURFACE THE DECK WITH 2X6" DECK BOARDS, SPANNING PERPENDICULAR TO SUPPORTING DECK JOISTS

THE BASE OF THE PIERS SHALL BE SET AT AN ELEVATION BELOW THE DEPTH OF FROST PENETRATION AND A MINIMUM OF 4' - 0". PIERS TO EXTEND MINIMUM 6" ABOVE FINISH GRADE.

SECUREMENT OF STRUCTURAL MEMBERS TO BE CONDUCTED WITH SIMPSON STRONG TIE POST BASES AND POST CAPS. INSTALL 2X6" BRACING MEMBERS AT 45 DEGREES ON ALL VERTICAL POSTS GREATER THAN 24" ABOVE GRADE, BOTH SIDES (BOLTED).

SECURE THE NEW LEDGER BOARD TO THE FOUNDATION WITH 1/2" THRU BOLTS SPACED AT 16" OC W/ OVERSIZED WASHER (PL 4X4X1/4"), WASHER AND DOUBLE NUT AT BOTH ENDS, STAGGER THE HEIGHT OF THE BOLT, MIN LEDGER BOARD EDGE CLEARANCE OF 2" AT TOP AND 1" AT BOTTOM.

REMOVE AND REPLACE GUARDS. REPLACEMENT GUARDS AS DETAILED IN THE NEW CONSTRUCTION DETAILS ON SHEET 3.43. SHOULD AN ALTERNATE GUARD BE SELECTED, IT SHALL DESIGNED TO MEET THE REQUIREMENTS OF OBC PART 9, SECTION 9.8.8 AND PROVIDED TO OUR OFFICE FOR REVIEW, PRIOR TO FABRICATION.

STAIRS TO BE REMOVED AND REPLACED. REPLACEMENT STAIRS AS DETAILED IN THE NEW CONSTRUCTION DETAILS ON SHEET 3.43.



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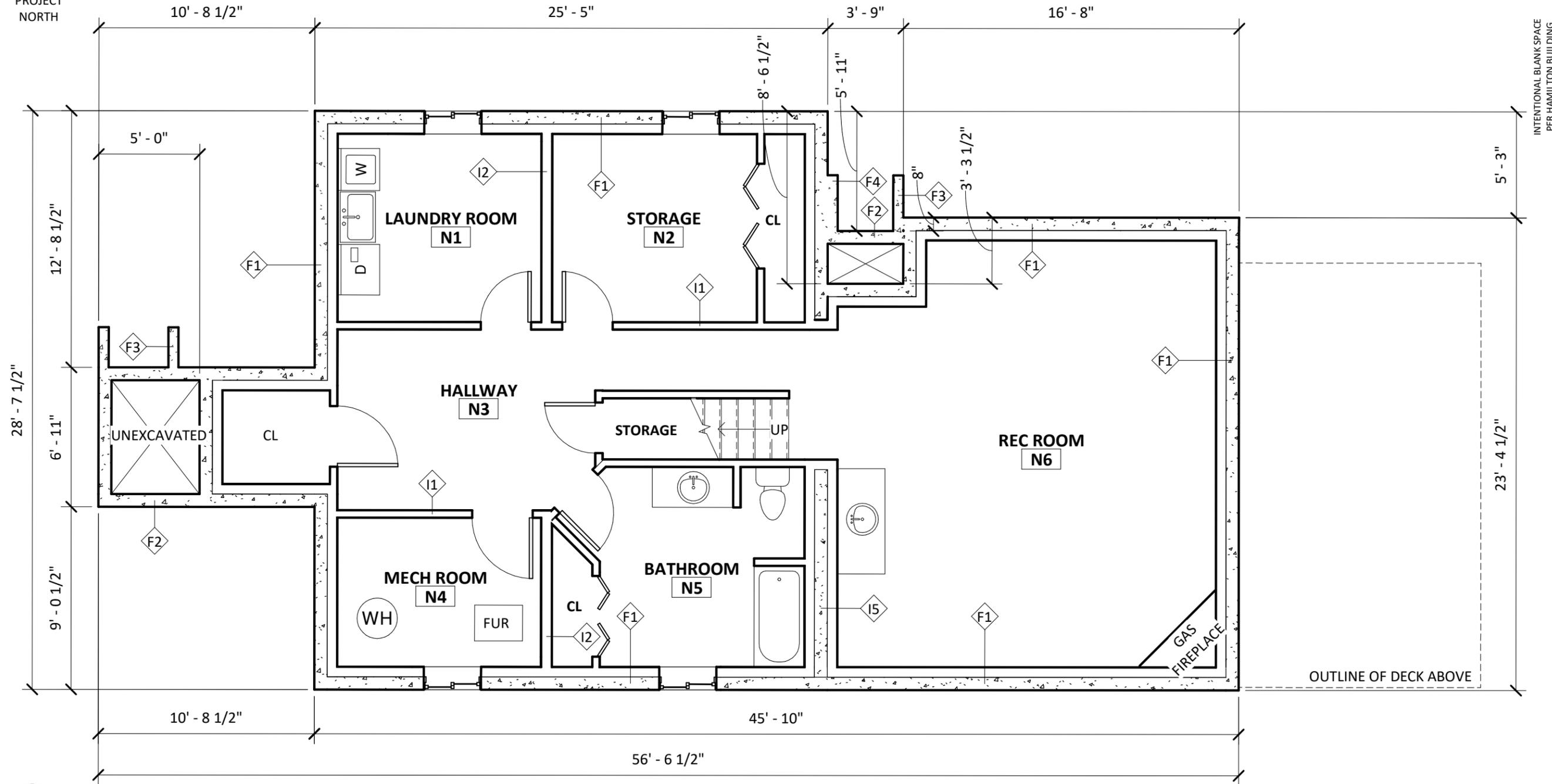
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INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

OUTLINE OF DECK ABOVE

1 NEW CONSTRUCTION PLAN BASEMENT
3/16" = 1'-0"



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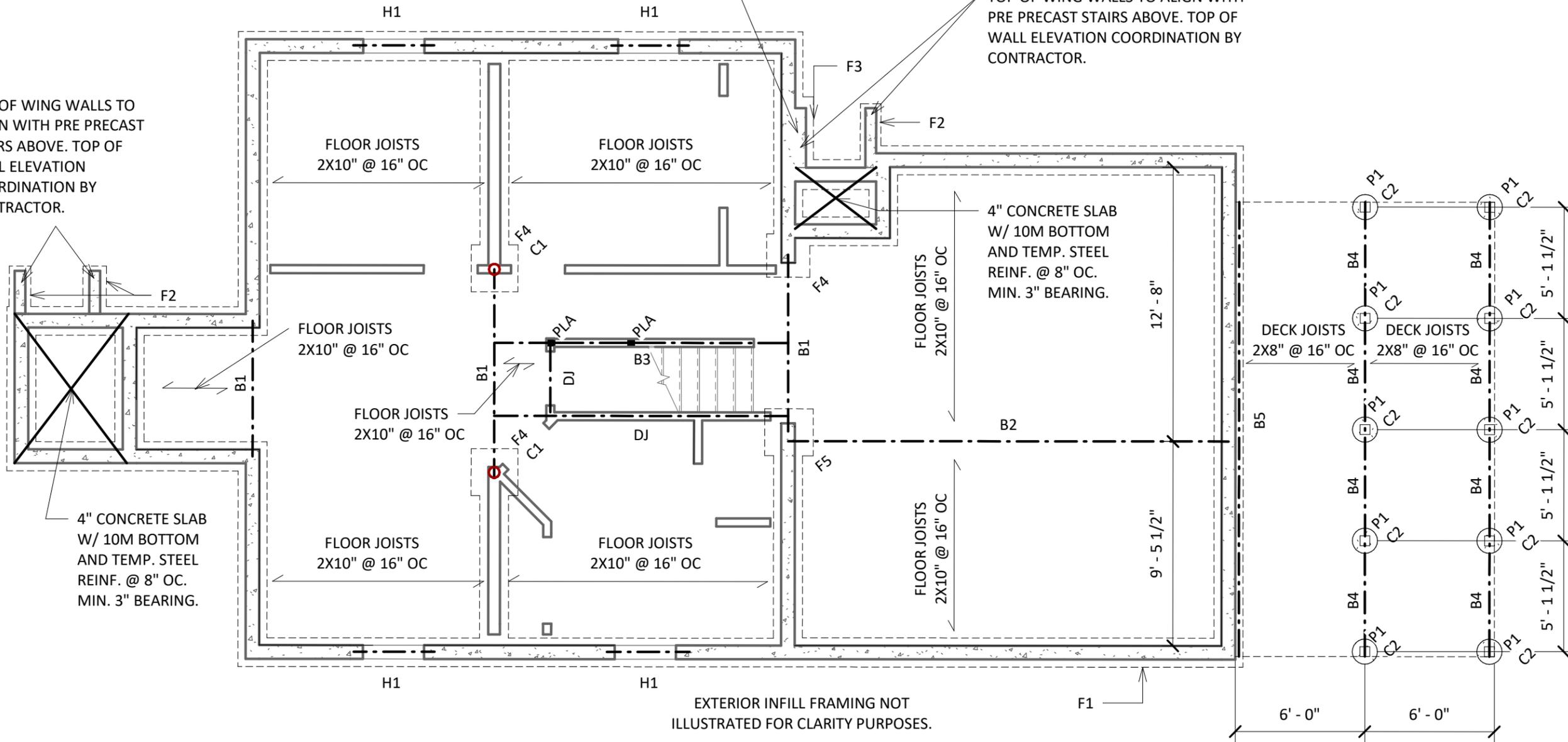
PROJECT
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TOP OF WING WALLS TO ALIGN WITH PRE PRECAST STAIRS ABOVE. TOP OF WALL ELEVATION COORDINATION BY CONTRACTOR.

LOCALLY INCREASE WIDTH OF FOUNDATION WALL AND FOOTING TO SUPPORT PRECAST STAIRS AS SPECIFIED.

TOP OF WING WALLS TO ALIGN WITH PRE PRECAST STAIRS ABOVE. TOP OF WALL ELEVATION COORDINATION BY CONTRACTOR.

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



1 NEW CONSTRUCTION PLAN BASEMENT_STR
3/16" = 1'-0"



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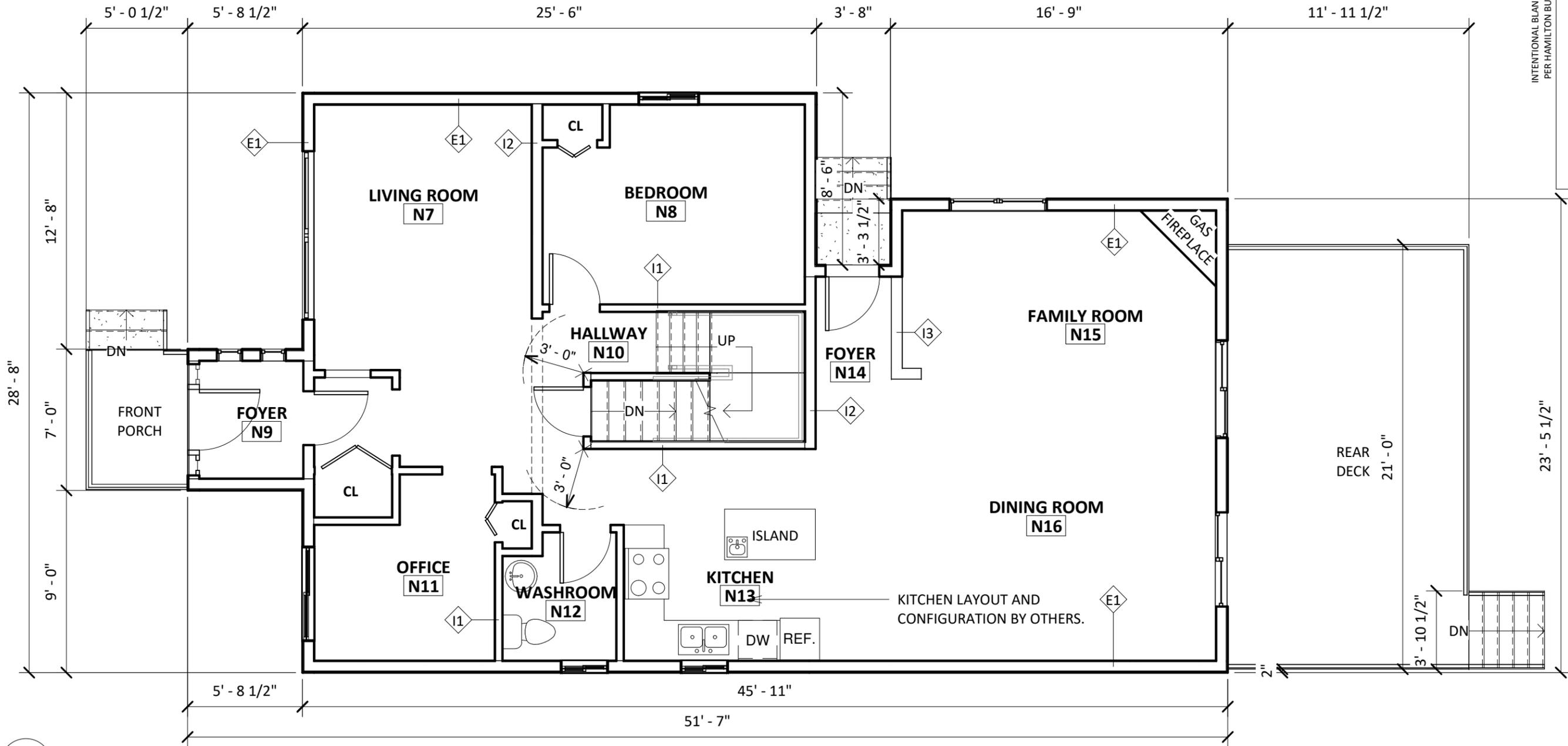
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INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

23' - 5 1/2"

1 NEW CONSTRUCTION PLAN _LEVEL 1
3/16" = 1'-0"



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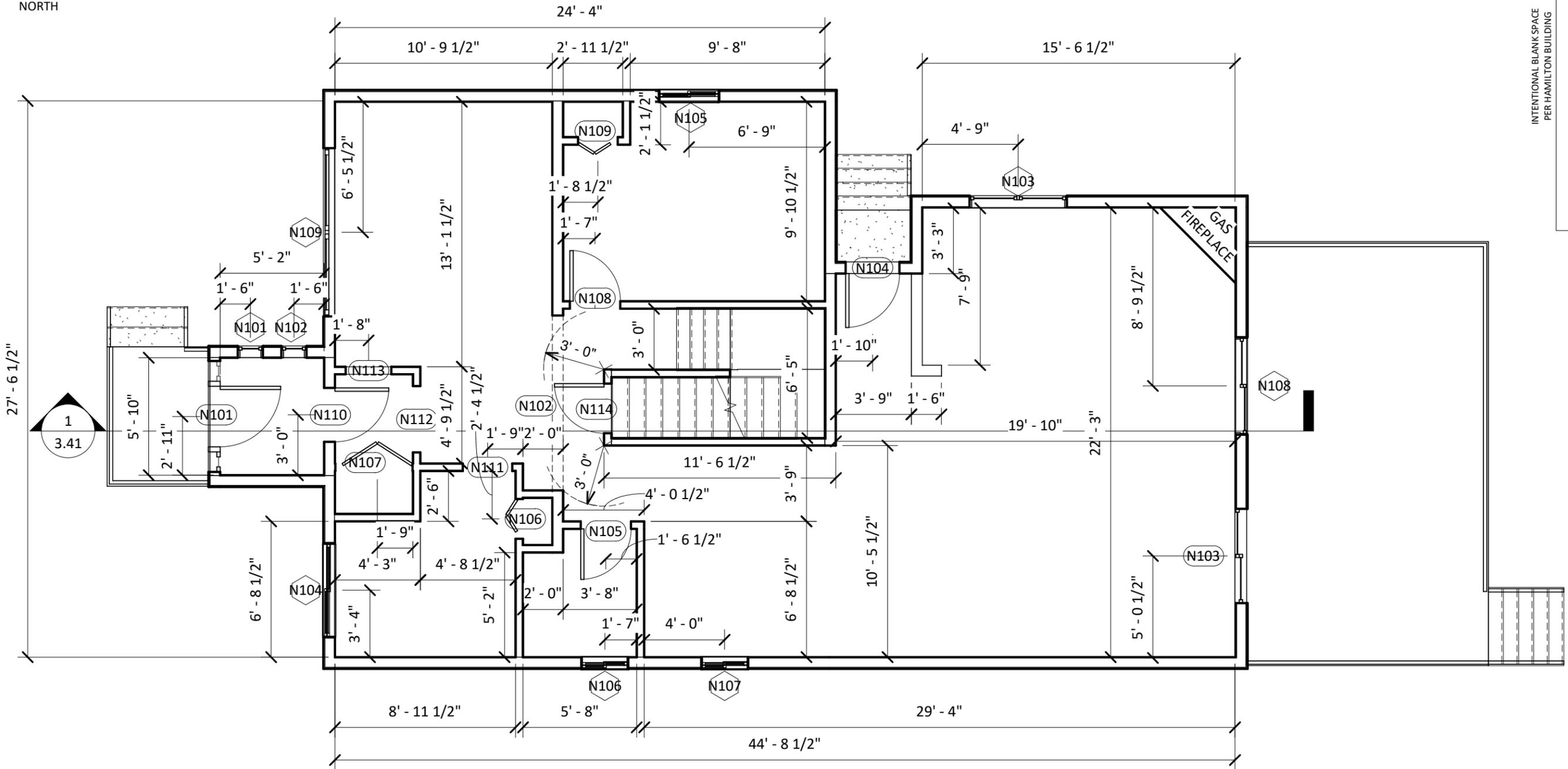
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NORTH



1

NEW CONSTRUCTION PLAN LEVEL 1 ARCH
3/16" = 1'-0"



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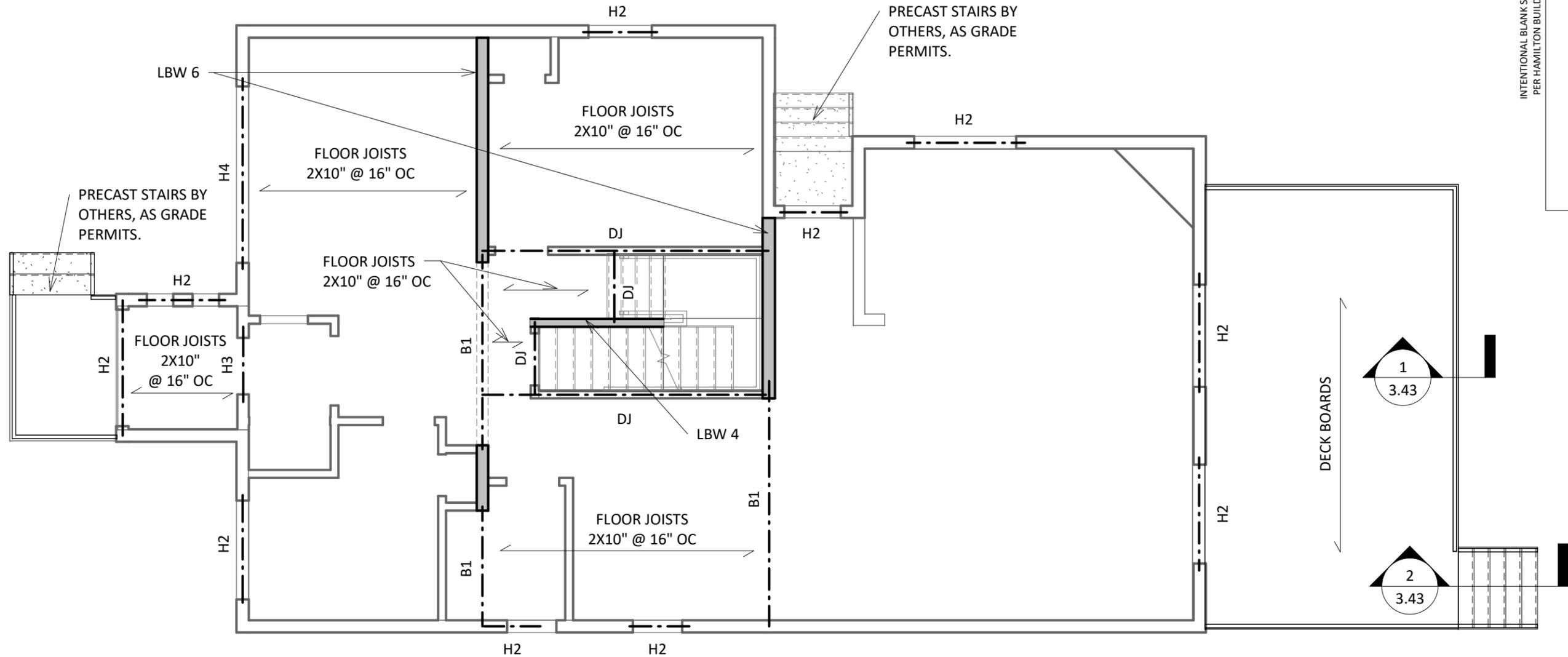
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PROJECT
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1 NEW CONSTRUCTION PLAN LEVEL 1_STR
3/16" = 1'-0"



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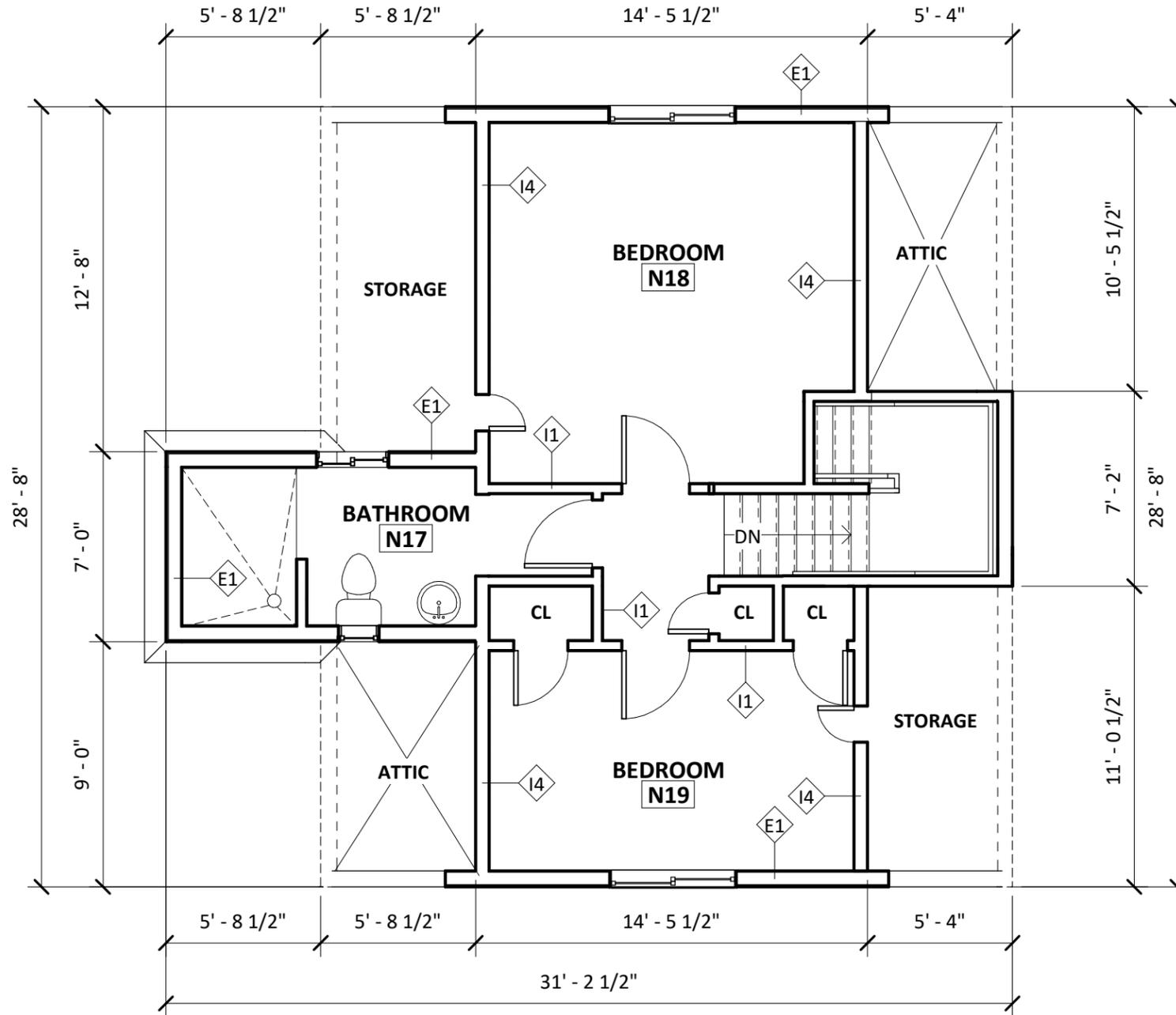
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TITLE NEW CONSTRUCTION PLANS	SHEET A3.07



PROJECT
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INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

1

NEW CONSTRUCTION PLAN_LEVEL 2
3/16" = 1'-0"



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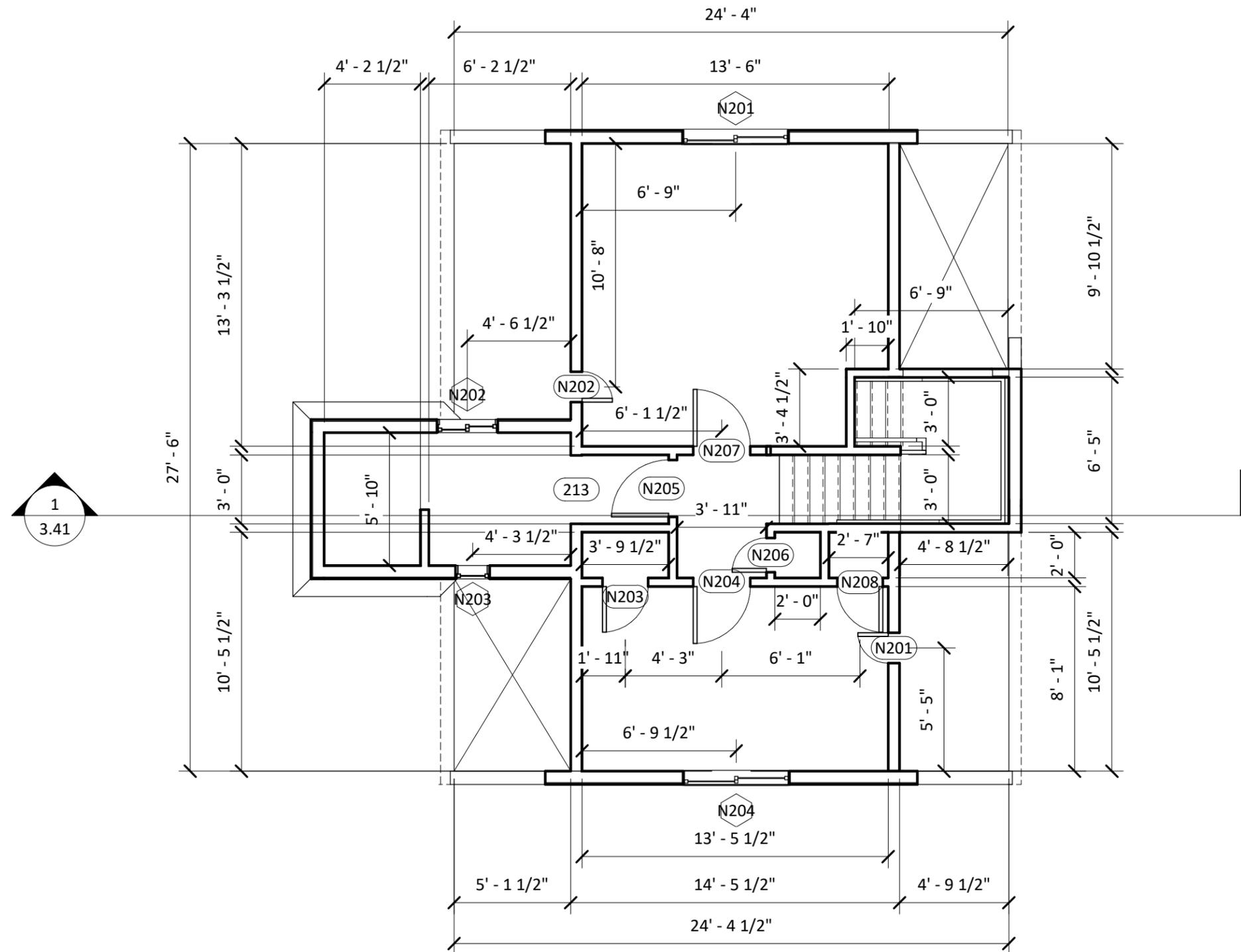
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PROJECT
NORTH



INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

1

NEW CONSTRUCTION PLAN LEVEL 2 ARCH
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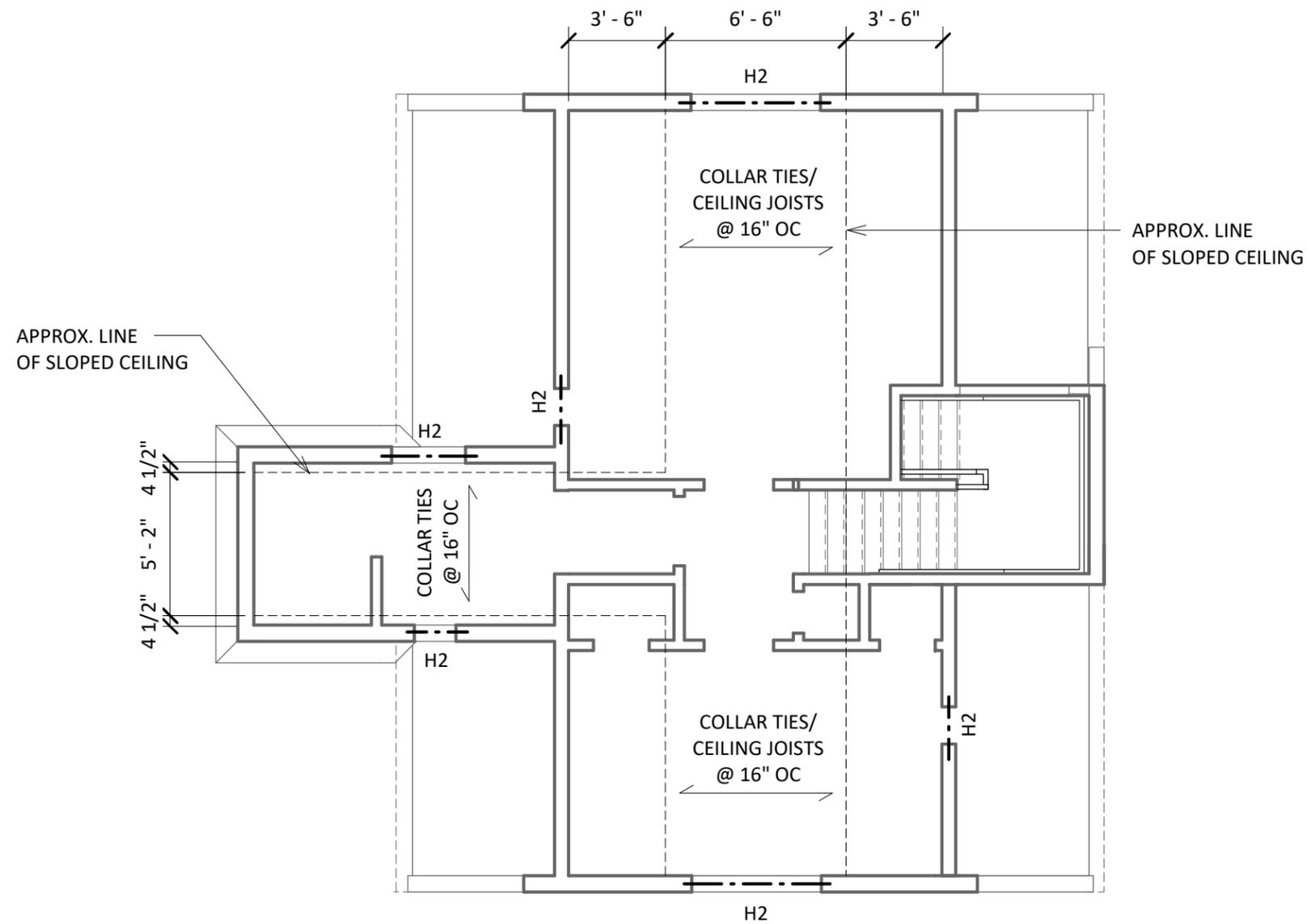
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PROJECT
NORTH



1

NEW CONSTRUCTION PLAN_LEVEL 2_STR
3/16" = 1'-0"



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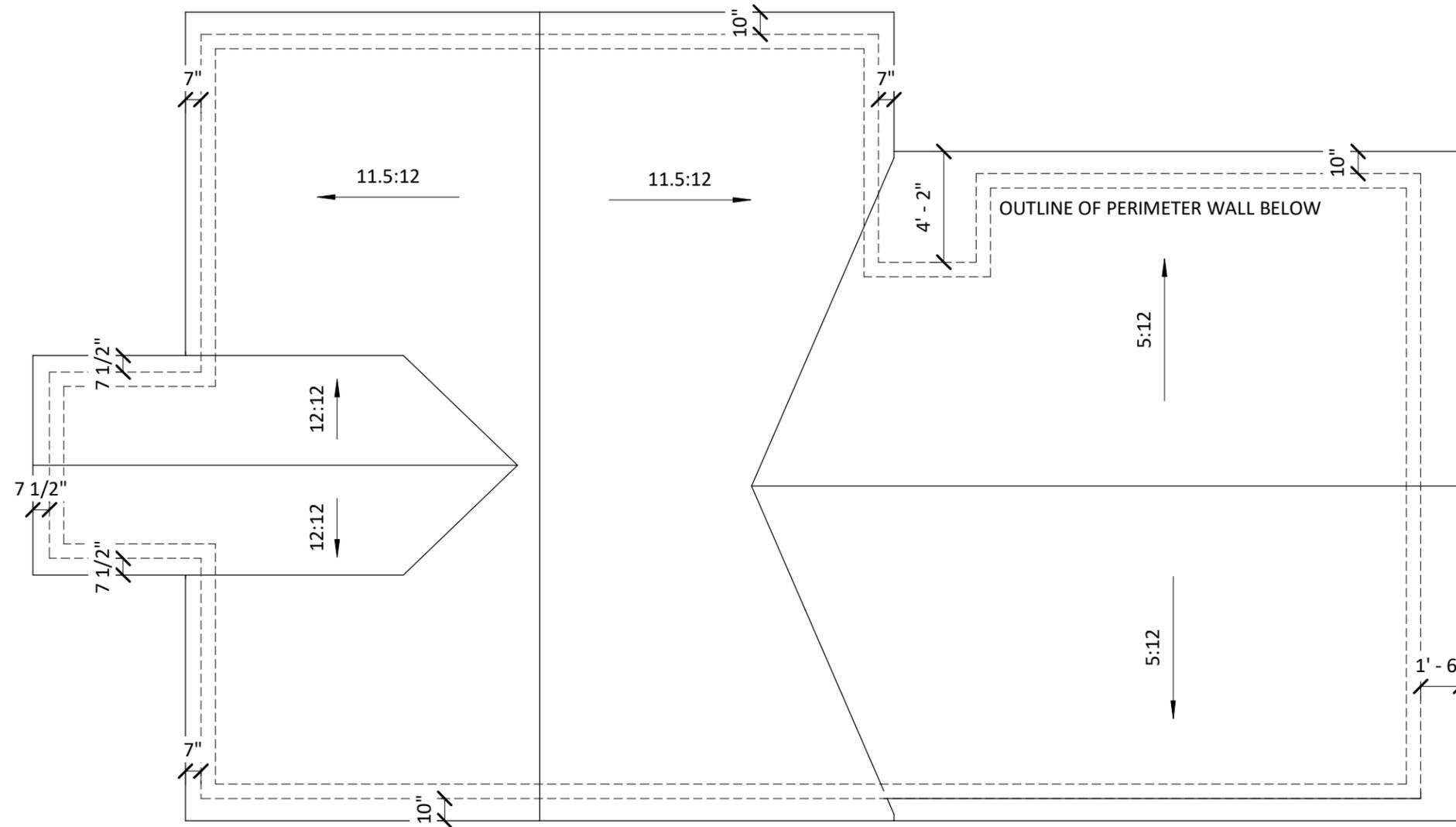
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REV.	DATE	DESCRIPTION
1	FEB 24/2020	CLAIM QUANTIFICATION
2	FEB 27/2020	CLAIM QUANTIFICATION - REVISION 1
3	MAY 22/2020	ISSUED FOR CLIENT REVIEW
4	JUNE 6/2020	ISSUED FOR CLIENT REVIEW
5	JUNE 8/2020	ISSUED FOR CLIENT REVIEW
6	JUNE 25/2020	ISSUED FOR PERMIT

ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.13S
TITLE NEW CONSTRUCTION PLANS	SHEET A3.10



PROJECT
NORTH



INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

1 NEW CONSTRUCTION PLAN_ROOF
3/16" = 1'-0"



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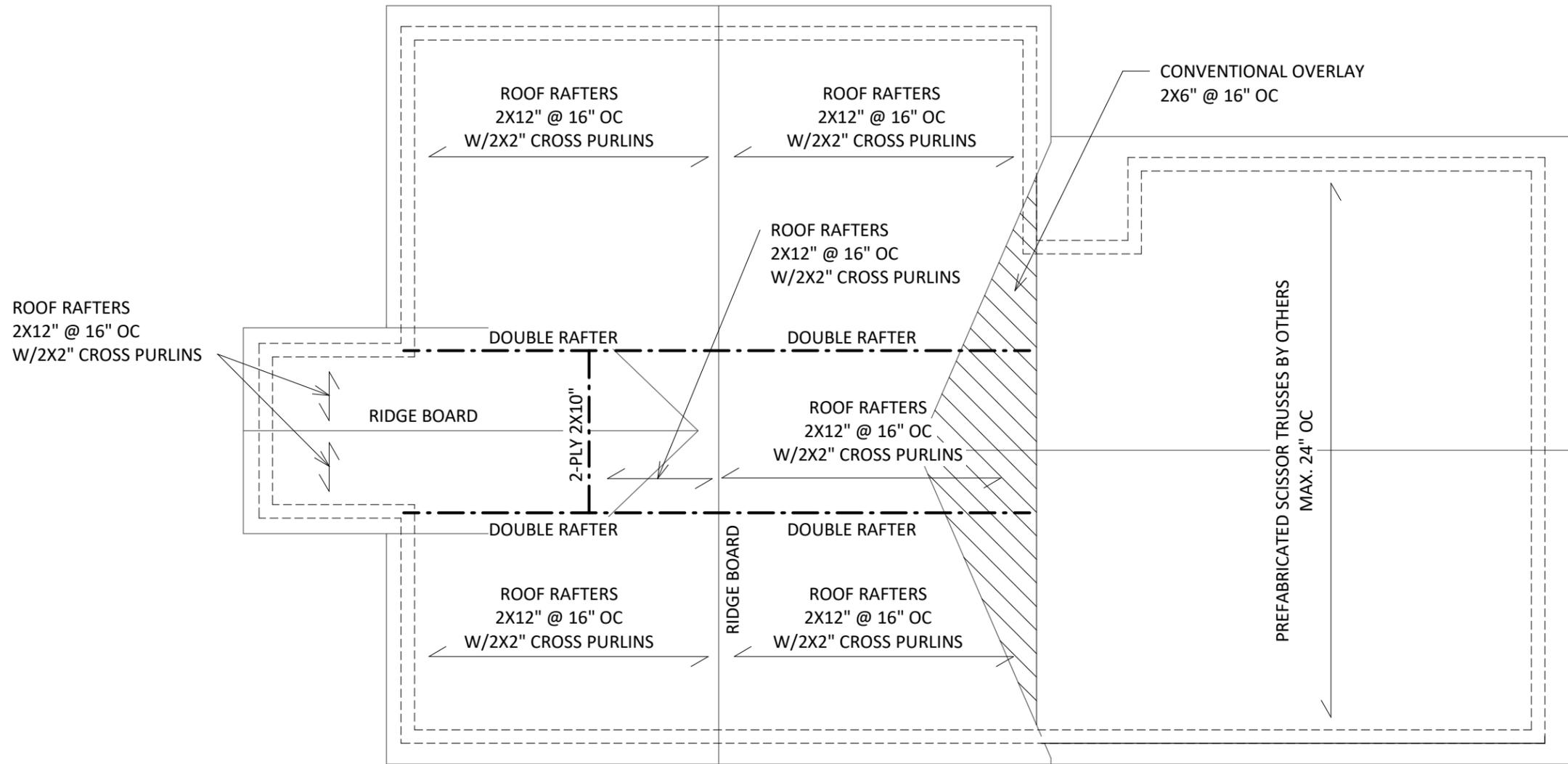
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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.14A
TITLE NEW CONSTRUCTION PLANS	SHEET A3.11



PROJECT
NORTH

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



1 NEW CONSTRUCTION PLAN_ROOF_STR
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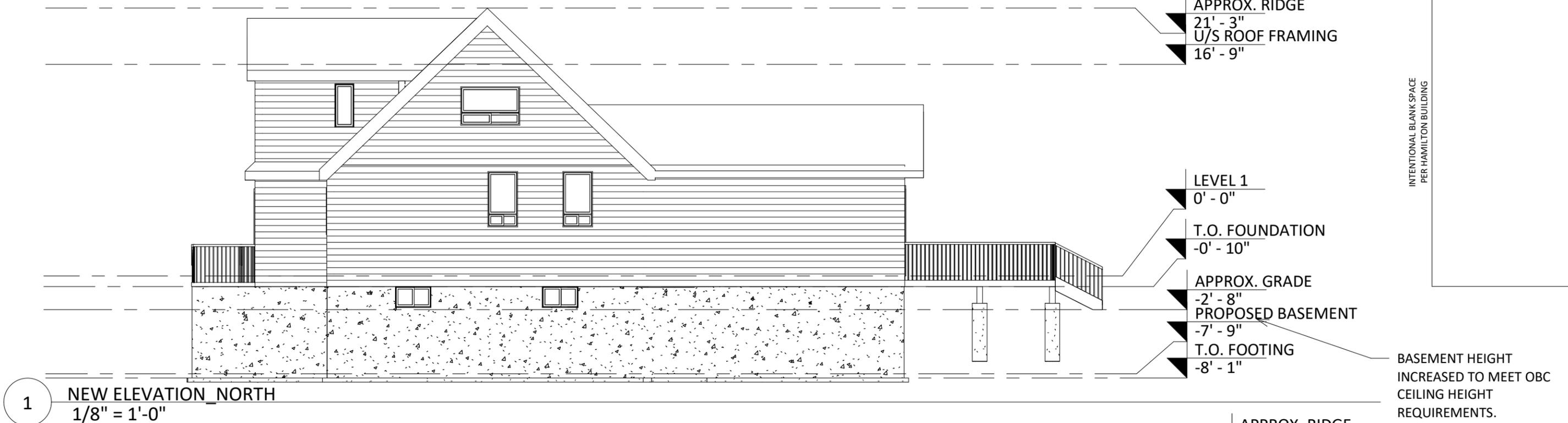
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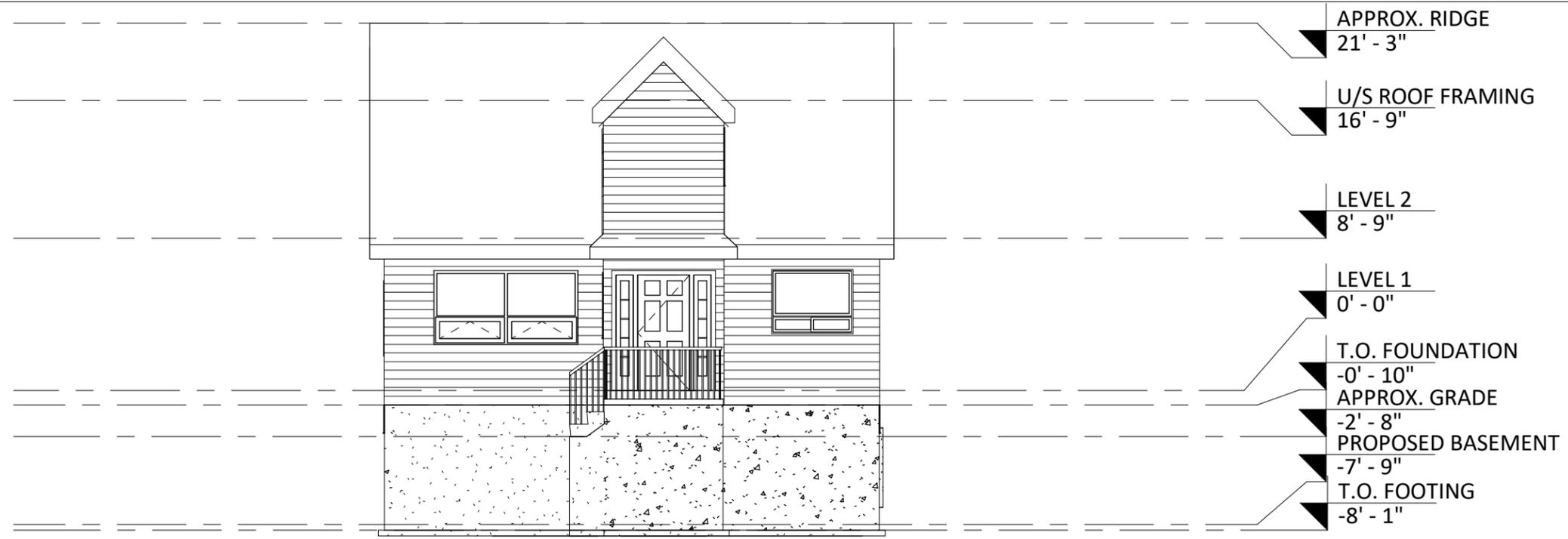


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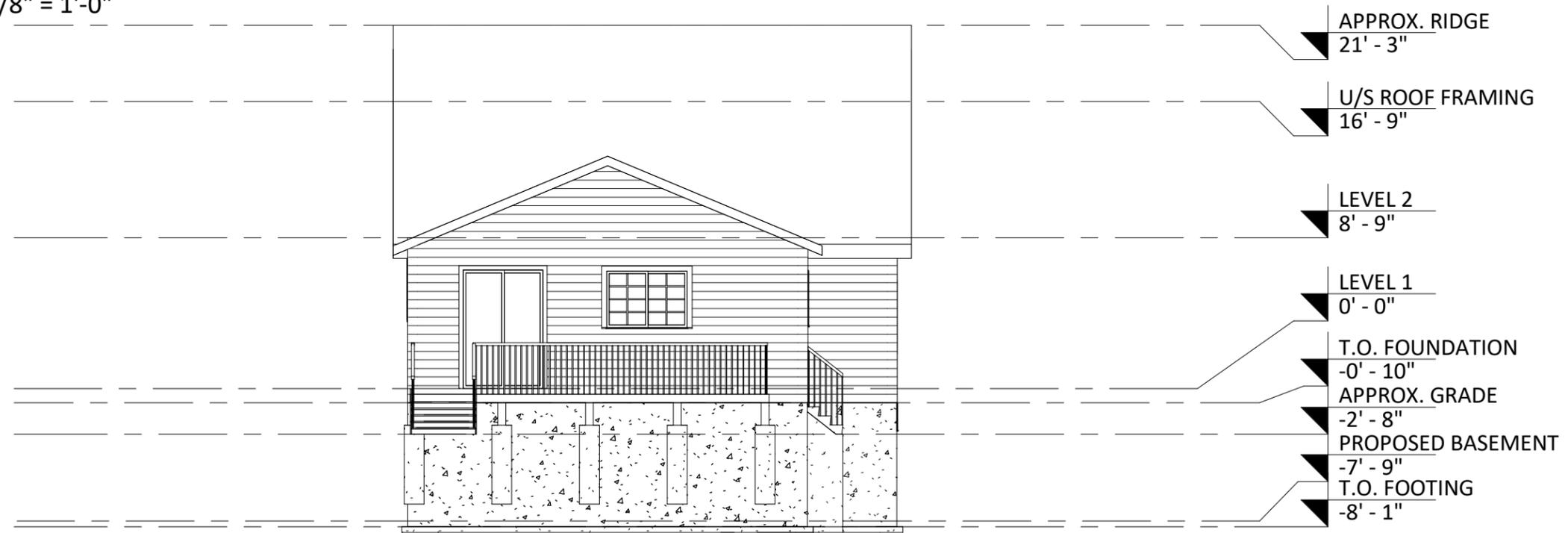
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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.21
TITLE NEW CONSTRUCTION ELEVATIONS	SHEET A2.04

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



1 NEW ELEVATION EAST
1/8" = 1'-0"



2 NEW ELEVATION WEST
1/8" = 1'-0"



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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.22
TITLE NEW CONSTRUCTION ELEVATIONS	SHEET A2.05

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

PROPOSED DOOR SCHEDULE

DOOR NUMBER	WIDTH	HEIGHT	SILL HEIGHT	LEVEL
N001	3' - 0"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N002	5' - 2"	7' - 0"	0' - 0"	PROPOSED BASEMENT
N003	2' - 6"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N004	2' - 6"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N005	2' - 6"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N006	2' - 8"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N007	3' - 0"	6' - 6"	0' - 0"	PROPOSED BASEMENT
N008	4' - 0"	7' - 0"	0' - 0"	PROPOSED BASEMENT
N101	3' - 0"	6' - 8"	0' - 0"	LEVEL 1
N102	8' - 8"	6' - 5 1/2"	0' - 0"	LEVEL 1
N103	4' - 8"	6' - 11"	0' - 0"	LEVEL 1
N104	2' - 8"	6' - 8"	0' - 0"	LEVEL 1
N105	2' - 6"	6' - 8"	0' - 0"	LEVEL 1
N106	1' - 11 1/2"	6' - 8"	0' - 0"	LEVEL 1
N107	2' - 8"	6' - 8"	0' - 0"	LEVEL 1
N108	2' - 6"	6' - 8"	0' - 0"	LEVEL 1
N109	1' - 11 1/2"	6' - 8"	0' - 0"	LEVEL 1
N110	3' - 10"	6' - 8"	0' - 0"	LEVEL 1
N111	2' - 5 1/2"	6' - 8"	0' - 0"	LEVEL 1
N112	3' - 3 1/2"	6' - 8"	0' - 0"	LEVEL 1
N113	2' - 3"	3' - 1"	3' - 6 1/2"	LEVEL 1
N114	2' - 5 1/2"	6' - 8"	0' - 0"	LEVEL 1
N201	1' - 4"	4' - 3"	0' - 0"	LEVEL 2
N202	1' - 4"	4' - 3"	0' - 0"	LEVEL 2
N203	2' - 0"	5' - 0"	0' - 0"	LEVEL 2
N204	2' - 6"	6' - 6"	0' - 0"	LEVEL 2
N205	2' - 6"	6' - 6"	0' - 0"	LEVEL 2
N206	1' - 6"	4' - 3"	0' - 0"	LEVEL 2
N207	2' - 6"	6' - 6"	0' - 0"	LEVEL 2
N208	2' - 0"	4' - 0"	0' - 0"	LEVEL 2

PROPOSED WINDOW SCHEDULE

WINDOW NUMBER	WIDTH	HEIGHT	SILL HEIGHT	LEVEL
N001	2' - 10"	1' - 8"	5' - 3"	PROPOSED BASEMENT
N002	2' - 10"	1' - 8"	5' - 3"	PROPOSED BASEMENT
N003	2' - 10"	1' - 8"	5' - 3"	PROPOSED BASEMENT
N004	2' - 10"	1' - 8"	5' - 3"	PROPOSED BASEMENT
N101	1' - 3"	3' - 10"	3' - 0"	LEVEL 1
N102	1' - 3"	3' - 10"	3' - 0"	LEVEL 1
N103	4' - 10"	3' - 4"	3' - 7"	LEVEL 1
N104	4' - 8"	3' - 8"	3' - 3 1/2"	LEVEL 1
N105	3' - 0"	4' - 4"	2' - 0"	LEVEL 1
N106	2' - 4"	4' - 4"	3' - 11"	LEVEL 1
N107	2' - 4"	4' - 4"	3' - 11"	LEVEL 1
N108	4' - 10"	3' - 5"	3' - 6"	LEVEL 1
N109	8' - 4"	4' - 3"	2' - 8"	LEVEL 1
N201	4' - 8"	3' - 0"	3' - 2"	LEVEL 2
N202	2' - 8"	3' - 0"	3' - 0"	LEVEL 2
N203	1' - 6"	3' - 5"	3' - 0"	LEVEL 2
N204	4' - 8"	3' - 0"	3' - 2"	LEVEL 2

PROPOSED ROOM SCHEDULE

ROOM NUMBER	NAME	LEVEL	AREA
N1	LAUNDRY ROOM	BASEMENT	94 SF
N2	STORAGE	BASEMENT	117 SF
N3	HALLWAY	BASEMENT	141 SF
N4	MECH ROOM	BASEMENT	74 SF
N5	BATHROOM	BASEMENT	103 SF
N6	REC ROOM	BASEMENT	410 SF
N7	LIVING ROOM	LEVEL 1	177 SF
N8	BEDROOM	LEVEL 1	123 SF
N9	FOYER	LEVEL 1	60 SF
N10	HALLWAY	LEVEL 1	37 SF
N11	OFFICE	LEVEL 1	76 SF
N12	WASHROOM	LEVEL 1	36 SF
N13	KITCHEN	LEVEL 1	133 SF
N14	FOYER	LEVEL 1	32 SF
N15	FAMILY ROOM	LEVEL 1	185 SF
N16	DINING ROOM	LEVEL 1	175 SF
N17	BATHROOM	LEVEL 2	47 SF
N18	BEDROOM	LEVEL 2	221 SF
N19	BEDROOM	LEVEL 2	108 SF



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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.31
TITLE NEW CONSTRUCTION SCHEDULES	SHEET S5.02

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INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

F1 FOUNDATION WALL

SIDE - EXT
 DAMPPROOF (BELOW GRADE)
 STRUCTURE 8" CONCRETE
 CI 2" EXPANDED POLYSTYRENE
 INFILL FRAMING 2X4" WOOD STUDS @ 16"
 INSULATION FIBERGLASS BATT (FILL STUD CAVITY)
 BB&AB 6 MIL POLYETHELYENE
 FINISH 1/2" GYPSUM BOARD

SIDE - INT

E1 EXTERIOR WALL

SIDE - EXT
 CLADDING VINYL SIDING
 SM TYPAR/BUILDING PAPER
 SHEATHING PLYWOOD
 STRUCTURE 2X6" WOOD STUDS @ 16" OC
 INSULATION FIBERGLASS BATT (FILL STUD CAVITY)
 VB&AB 6 MIL POLYETHELYENE
 FINISH 1/2" GYPSUM BOARD

SIDE - INT

I1 INTERIOR WALL

SIDE-INT
 FINISH 1/2" GYPSUM BOARD
 STRUCTURE 2X4" WOOD STUDS @ 16" OC
 FINISH 1/2" GYPSUM BOARD

SIDE-INT

F2 FOUNDATION WALL

STRUCTURE 8" CONCRETE

F3 FOUNDATION WALL

STRUCTURE 6" CONCRETE

F4 FOUNDATION WALL

SIDE - EXT
 DAMPPROOF (BELOW GRADE)
 STRUCTURE 14" CONCRETE
 CI 2" EXPANDED POLYSTYRENE
 INFILL FRAMING 2X4" WOOD STUDS @ 16"
 INSULATION FIBERGLASS BATT (FILL STUD CAVITY)
 BB&AB 6 MIL POLYETHELYENE
 FINISH 1/2" GYPSUM BOARD

SIDE - INT

I2 INTERIOR WALL

SIDE-INT
 FINISH 1/2" GYPSUM BOARD
 STRUCTURE 2X6" WOOD STUDS @ 16" OC
 FINISH 1/2" GYPSUM BOARD

SIDE-INT

I3 INTERIOR HALF WALL

SIDE-INT
 FINISH 1/2" GYPSUM BOARD
 STRUCTURE 2X6" WOOD STUDS @ 16" OC
 FINISH 1/2" GYPSUM BOARD

SIDE-INT

I4 INTERIOR WALL

SIDE-INT
 STRUCTURE 2X6" WOOD STUDS @ 16" OC
 INSULATION FIBERGLASS BATT (FILL STUD CAVITY)
 VB&AB 6 MIL POLYETHELYENE
 FINISH 1/2" GYPSUM BOARD

SIDE-INT

I5 INTERIOR WALL

SIDE - INT
 FINISH 1/2" GYPSUM BOARD
 INFILL FRAMING 2X4" WOOD STUDS @ 16"
 STRUCTURE 8" CONCRETE
 INFILL FRAMING 2X4" WOOD STUDS @ 16"
 FINISH 1/2" GYPSUM BOARD

SIDE - INT



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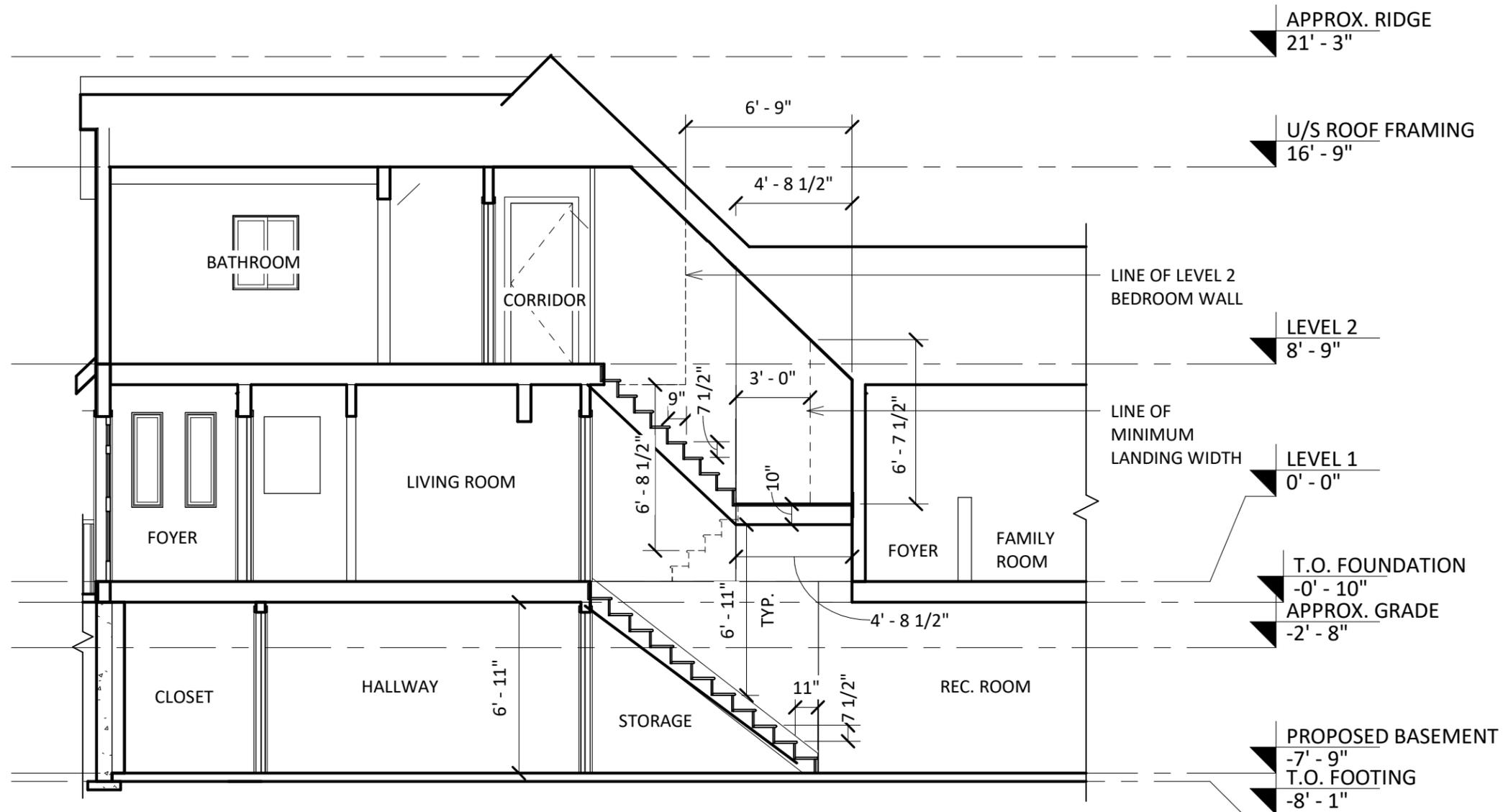


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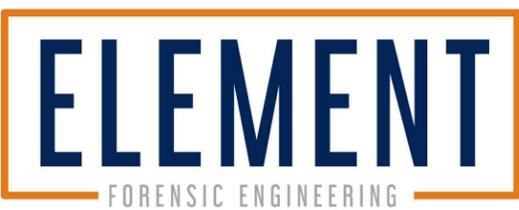
ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.32
TITLE NEW CONSTRUCTION SCHEDULES	SHEET S5.03

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



LEGEND - STRUCTURAL	
H1	2-PLY 2X10" HEADER
H2	3-PLY 2X8" HEADER
H3	3-PLY 2X10" HEADER
H4	3-PLY 2X12" HEADER
B1	3 PLY - 1 3/4" x 9 1/4" LVL BEAM 2.0E (FLUSH)
B2	W8x21 STEEL BEAM (DROPPED)
B3	3-PLY 2X10" BEAM
B4	3-PLY 2X8" BEAM (DROPPED/PRESSURE TREATED)
B5	2-PLY 2X8" LEDGER BOARD (DROPPED/PRESSURE TREATED)
C1	3" DIA x 3/16" COLUMN W PL4x4x1/4" TOP AND BOTTOM CAPS W/ 3/16" CIRCUMFERENTIAL FILLET WELD
C2	6x6" COLUMN (PRESSURE TREATED)
F1	16" x 6" CONCRETE STRIP FOOTING
F2	14" x 4" CONCRETE STRIP FOOTING
F3	22"x 6" CONCRETE STRIP FOOTING
F4	26" x 26" x 12" SPREAD FOOTING W/THREE 15m BARS EW
F5	32" x 32" x 10" SPREAD FOOTING W/THREE 15m BARS EW
LBW 4	2X4" @ 16" OC LOAD BEARING WALL
LBW 6	2X6" @ 16" OC LOAD BEARING WALL
P1	12" DIA CONCRETE PIER

1 SECTION 1
3/16" = 1'-0"



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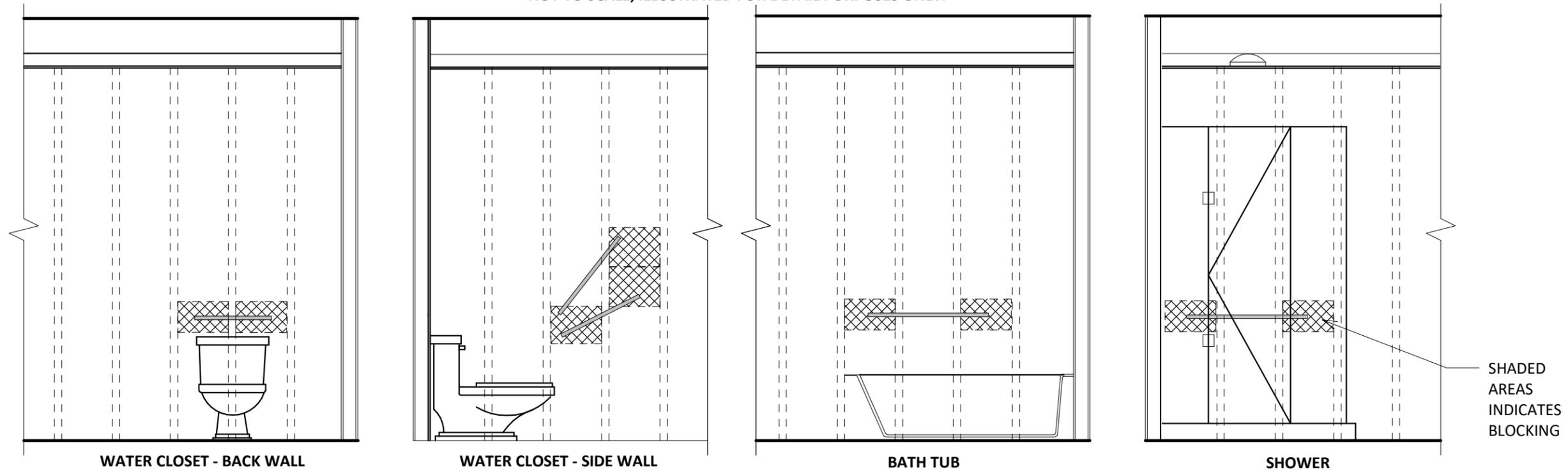
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TITLE NEW CONSTRUCTION DETAILS	SHEET A3.13

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING

GRAB BAR DETAILS
NOT TO SCALE, ILLUSTRATED FOR DETAIL PURPOSES ONLY.



WHEN REQUIRED GRAB BARS SHALL BE PROVIDED WITH BLOCKING AND DESIGNED TO RESIST A LOAD OF NOT LESS THAN 1.3 KN APPLIED VERTICALLY AND HORIZONTALLY

1

BLOCKING DETAIL MAIN BATHROOM
3/8" = 1'-0"



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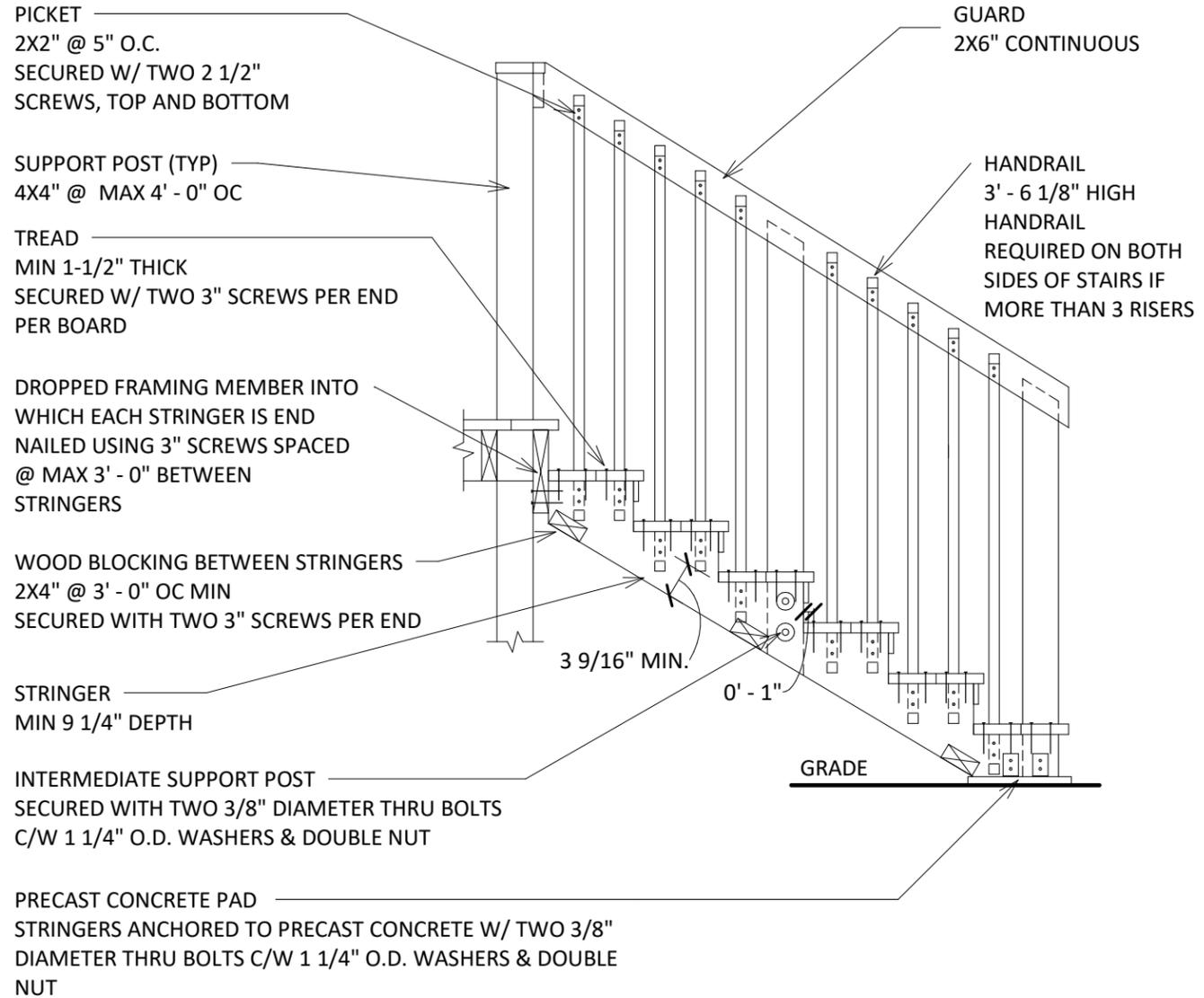
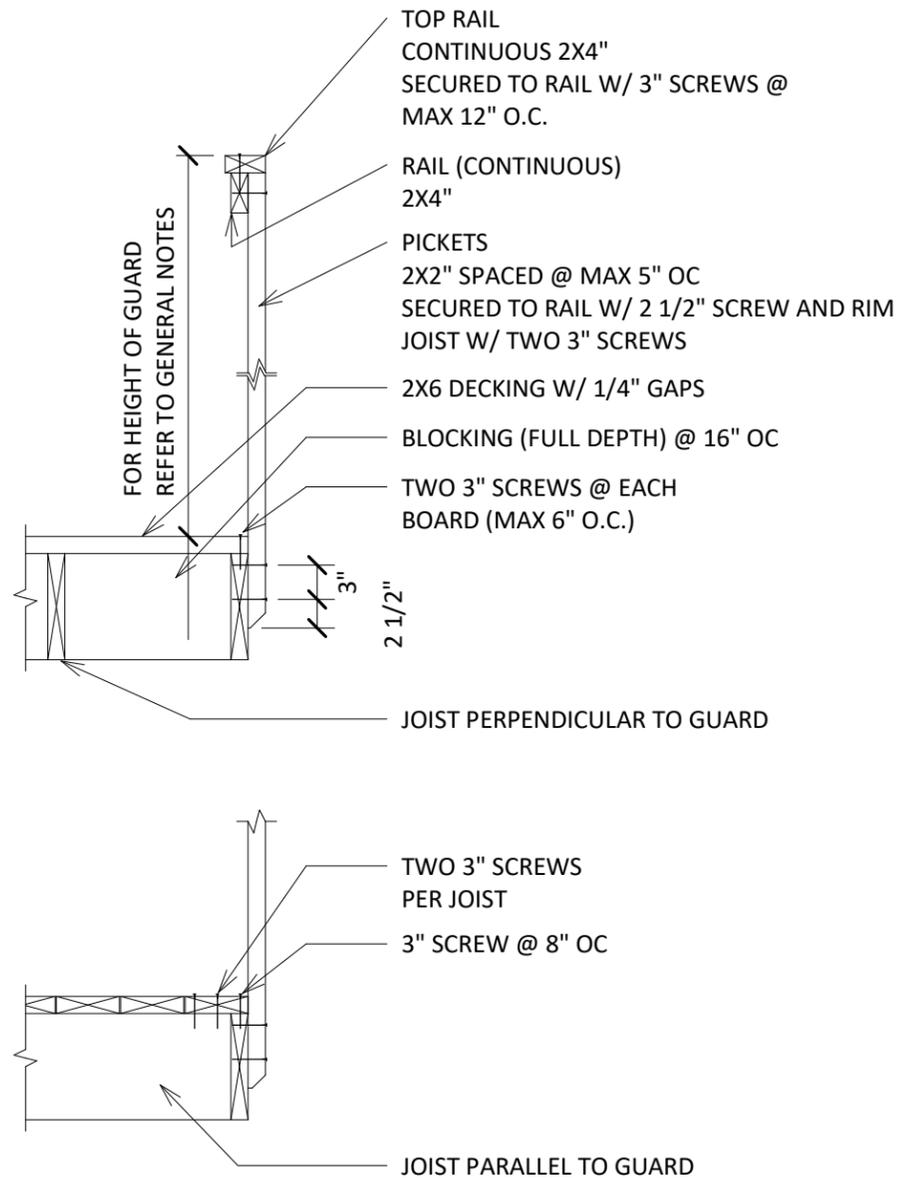


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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 3.42
TITLE NEW CONSTRUCTION DETAILS	SHEET A3.14

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



1 DECK_GUARD
3/4" = 1'-0"

2 DECK_STAIRS
3/4" = 1'-0"



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-DO NOT SCALE DRAWINGS.



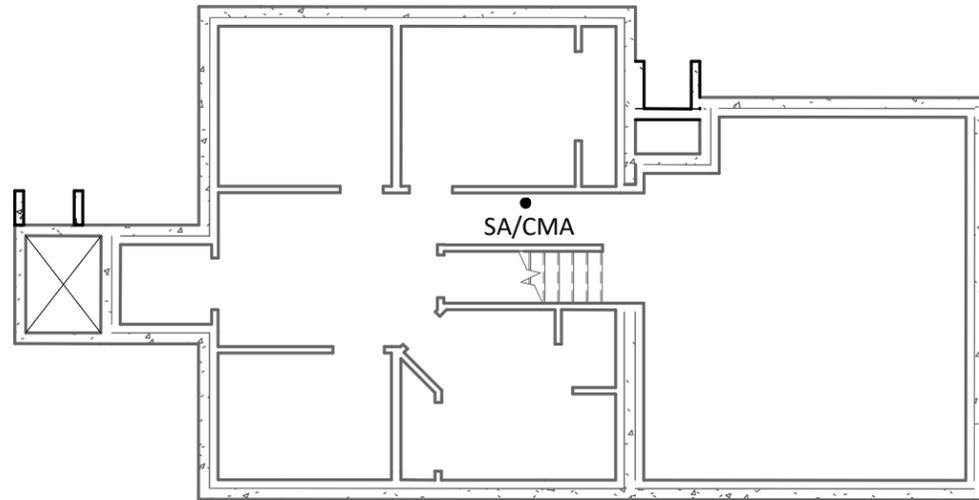
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PROJECT
NORTH

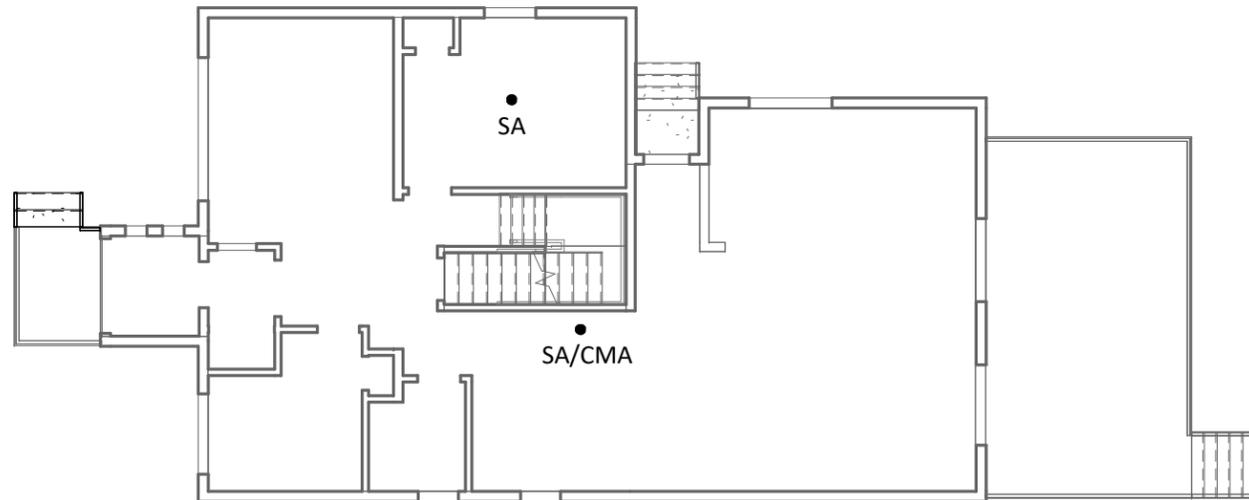


1 LIFE SAFETY PLAN_BASEMENT
3/32" = 1'-0"

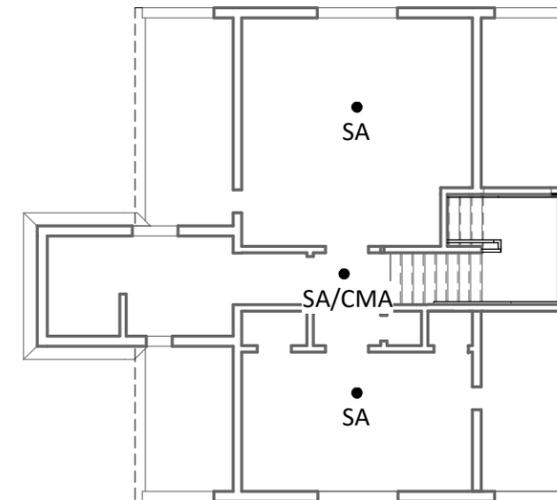
LIFE SAFETY PLANS NOTES:

THESE PLANS ARE INTENDED TO BE USED AS A GENERAL GUIDELINE IN CONFORMANCE WITH THE CURRENT OBC, MINOR VARIANCE IS PERMITTED, PROVIDED COMPLIANCE WITH THE 2012 OBC. PROPOSED LIFE SAFETY COMPONENTS ARE TO ONLY BE INSTALLED ON THE RESPECTIVE FLOOR WHERE FINISHES ARE SUBSTANTIALLY REMOVED. WHERE THE FINISHES ARE NOT REMOVED, LIFE SAFETY COMPONENTS ARE TO BE REINSTATED TO A PRE-LOSS LOCATION, PERFORMANCE AND CONDITION.

INTENTIONAL BLANK SPACE
PER HAMILTON BUILDING



2 LIFE SAFETY PLAN_LEVEL 1
3/32" = 1'-0"



3 LIFE SAFETY PLAN_LEVEL 2
3/32" = 1'-0"



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TITLE LIFE SAFETY PLANS	SHEET A5.03

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

MATERIALS, SYSTEMS AND EQUIPMENT

WOOD

- ALL LUMBER SHALL BE SPRUCE-PINE-FIR NO. 1 & 2, AND SHALL BE IDENTIFIED BY A GRADE STAMP.
- PLYWOOD SHALL BE EXTERIOR GRADE
- MAXIMUM MOISTURE CONTENT 19% AT TIME OF INSTALLATION.
- WOOD FRAMING EXPOSED TO THE ELEMENTS IN THE FINAL CONDITION OR WITHIN 8" OF GRADE SHALL BE PRESSURE TREATED. ALL CUT ENDS OF PRESSURE TREATED WOOD FRAMING SHALL BE TREATED TO PREVENT DECAY.

CONCRETE

- TYPE "R"
- 3 1/8" +/- 1 1/8" SLUMP
- GARAGE AND CARPORT FLOORS AND ALL EXTERIOR FLATWORK SHALL HAVE 5-8% AIR ENTRAINMENT

ELEMENT	COMPRESSIVE STRENGTH*
GARAGE AND CARPORT FLOORS AND ALL EXTERIOR FLATWORK	4,640 PSI (32 MPA)
INTERIOR FLOORS OTHER THAN GARAGE AND CARPORT FLOORS	2,900 PSI (20 MPA)
ALL OTHER APPLICATIONS	2,175 PSI (15 MPA)

* COMPRESSIVE STRENGTH IS MEASURED 28 DAYS AFTER CASTING

STEEL

ELEMENT	GRADE
BEAMS	350W
COLUMNS	ASTM A500 GRADE C
LINTELS	300W

MASONRY

- 2,175 PSI (15 MPA) COMPRESSIVE STRENGTH
- TYPE "S" GROUT
- ALL MASONRY SHALL BE SUPPORTED ON MASONRY, CONCRETE OR STEEL

DESIGN OF AREAS, SPACES AND DOORWAYS

DOORS AND WINDOWS

- EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 0.35M2 AND NO DIMENSIONS LESS THAN 380MM, WHICH IS OPENABLE FROM THE INSIDE WITHOUT TOOLS, MAXIMUM SILL HEIGHT 1000MM FOR FIN FLOORS ABOVE GRADE.
- EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.
- THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT .
- MAXIMUM U-VALUE 1.8 FOR WINDOWS AND SLIDING GLASS DOORS.

CLADDING

MASONRY VENEER

- MINIMUM 2-3/4" THICK IF JOINTS ARE NOT RAKED AND 3-1/2" THICK IF JOINTS ARE RAKED
- MINIMUM 1" AIR SPACE TO SHEATHING
- PROVIDE WEEP HOLES @ 2' 7-1/2" O.C. AT THE BOTTOM OF THE CAVITY AND OVER DOORS AND WINDOWS
- DIRECT DRAINAGE THROUGH WEEP HOLES WITH 20 MIL POLY FLASHING EXTENDING MINIMUM 6" UP BEHIND THE SHEATHING PAPER
- VENEER TIES MINIMUM 30 MIL THICK X 55/64" WIDE CORROSION RESISTANT STRAPS SPACED @ 1' 7-11/16" VERTICALLY AND 1' 11-5/8" HORIZONTALLY
- FASTEN TIES WITH CORROSION RESISTANT 1/8" DIAMETER SCREWS OR SPIRAL NAILS WHICH PENETRATE AT LEAST 1-1/4" INTO STUDS.
- STEEL LINTELS SHALL HAVE MIN 6" EVEN AND LEVEL BEARING AT END SUPPORTS.

REPOINTING

REPOINTING SHALL BE COMPLETED IN CONFORMANCE WITH THE REQUIREMENTS OF CAN/CSA A371-04. REPOINTING SHALL INCLUDE RAKING OUT MORTAR TO SOUND MATERIAL (MIN 1"). CONTRACTOR RESPONSIBLE FOR ANY AND ALL ASSOCIATED SHORING. CARE SHALL BE EXERCISED TO PREVENT DAMAGE TO THE REMAINING MATERIAL. RAKING SHALL LEAVE A CLEAN, SQUARE FACE AT BACK OF JOINT. JOINT GREATER THAN 1" SHALL BE POINTED WITH AN INITIAL LAYER TO BRING THE DEPTH TO A UNIFORM 1" DEEP.

SHEATHING MEMBRANE

- INSTALLED HORIZONTALLY SO THAT JOINTS ARE LAPPED NOT LESS THAN 4" (UPPER SHEETS TO OVERLAP THE LOWER SHEETS)
- NEW SHEATHING MEMBRANE SHALL BE TIED INTO EXISTING

FLASHING

REINSTATE THROUGH WALL FLASHING AT BASE OF WALL ASSEMBLY AND OPENINGS.

STAIRS, RAMPS, HANDRAILS AND GUARDS

DESIGN BY OTHERS UNO

HANDRAILS AND GUARDS

- A HANDRAIL IS REQUIRED FOR INTERIOR STAIRS CONTAINING MORE THAN 2 RISERS AND EXTERIOR STAIRS CONTAINING MORE THAN 3 RISERS.
- GUARDS ARE REQUIRED AROUND EVERY ACCESSIBLE SURFACE WHICH IS MORE THAN 1' 11-5/8" ABOVE THE ADJACENT LEVEL AND WHERE THE ADJACENT SURFACES HAS A SLOPE MORE THAN 1:2.
- INTERIOR AND EXTERIOR GUARDS MINIMUM 2' 11-7/16" HEIGHT EXTERIOR GUARDS SHALL BE 3' 6-1/8" HIGH WHERE HEIGHT ABOVE ADJACENT SURFACE EXCEEDS 5' 10-3/4".
- GUARDS SHALL HAVE OPENINGS SMALLER THAN 3-15/16" AND NO MEMBER BETWEEN 5-1/2" AND 2' 11-1/2" THAT WILL FACILITATE CLIMBING.
- GUARDS SHALL BE DESIGNED IN CONFORMANCE WITH THE REQUIREMENTS OF OBC PART 9, SECTION 9.8.7 AND 9.8.8

STAIRS

	PRIVATE	PUBLIC
MAXIMUM RISE	7-7/8"	7-3/32"
MINIMUM RUN	8-17/64"	11-1/32"
MINIMUM TREAD	9-1/4"	NO LIMIT
MINIMUM HEAD ROOM	6' 4-49/64"	6' 8-45/64"
MINIMUM WIDTH	2' 9-55/64"	2' 11-7/16"*

- CURVED STAIRS SHALL HAVE A MINIMUM RUN OF 6" AT ANY POINT AND A MINIMUM AVERAGE RUN OF 8"MM.
- WINDERS WHICH CONVERGE TO A POINT IN STAIRS MUST TURN THROUGH AN ANGLE OF NO MORE THAN 90 DEGREES, WITH NO LESS THAN 30 DEGREES OR MORE THAN 45 DEGREES PER TREAD. SETS OF WINDERS MUST BE SEPARATED BY 47-1/4" ALONG THE RUN OF THE STAIR .
- A LANDING IS REQUIRED AT THE TOP OF ANY STAIR LEADING TO THE PRINCIPAL ENTRANCE TO A DWELLING AND OTHER EXTERIOR ENTRANCES WITH MORE THAN 3 RISERS.
- THE MAXIMUM VERTICAL HEIGHT BETWEEN ANY LANDINGS SHALL NOT EXCEED 12' 1-43/64".
- EXTERIOR CONCRETE STAIRS WITH MORE THAN 2 RISERS REQUIRE FOOTINGS.

*OR 5/16" PER PERSON BASED ON CODE PRESCRIBED OCCUPANT LOAD, WHICH EVER IS GREATER.

STRUCTURAL REQUIREMENTS

DESIGN LOADS (UNFACTORED)

FLOOR	
LIVE LOAD:	40 PSF (1.9 KPA)
DEAD LOAD:	16 PSF (0.75 KPA)
ROOF	
SNOW LOAD:	26 PSF (1.24 KPA)
DEAD LOAD:	16 PSF (.75 KPA)
WIND UPLIFT:	50 PSF (2.4 KPA)



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INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

FIRE PROTECTION

EXTERIOR WALLS

- NO WINDOWS OR OTHER UNPROTECTED OPENINGS ARE PERMITTED IN EXTERIOR WALLS LESS THAN 1200MM FROM PROPERTY LINES.
- 15.9MM TYPE 'X' FIRE RATED DRYWALL SHALL BE INSTALLED ON THE INSIDE FACE OF ATTACHED GARAGE EXTERIOR WALLS AND GABLE ENDS OF ROOFS WHICH ARE LESS THAN 1200MM AND NOT LESS THAN 600MM FROM PROPERTY LINES.
- NON COMBUSTIBLE CLADDING SHALL BE INSTALLED ON EXTERIOR WALLS LESS THAN 600MM FROM PROPERTY LINES.

GARAGE GASPROOFING

- THE WALLS AND CEILING OF AN ATTACHED GARAGE SHALL BE CONSTRUCTED AND SEALED SO AS TO PROVIDE AN EFFECTIVE BARRIER TO EXHAUST FUMES.
- ALL PLUMBING AND OTHER PENETRATION THROUGH THE WALLS AND CEILING SHALL BE CAULKED.
- DOORS BETWEEN THE DWELLING AND ATTACHED GARAGE MAY NOT OPEN INTO A BEDROOM AND SHALL BE WEATHERSTRIPPED AND HAVE A SELF-CLOSER.

SMOKE ALARMS

FOR FULL REQUIREMENTS, REFER TO OBC 9.10.19 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. SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. (LIGHT, COLOUR, AND PULSE CHARACTERISTICS) OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE". WITHIN DWELLING UNITS, SUFFICIENT SMOKE ALARMS ARE TO BE INSTALLED SO THAT THERE IS AT LEAST ONE SMOKE ALARM INSTALLED ON EACH STOREY, INCLUDING BASEMENTS, AND ON ANY STOREY OF A DWELLING UNIT CONTAINING SLEEPING ROOMS, A SMOKE ALARM IS INSTALLED,

1. IN EACH SLEEPING ROOM, AND
2. 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.

SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT, HAVE NO DISCONNECT SWITCH BETWEEN THE OVERCURRENT DEVICE AND THE SMOKE ALARM, AND 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. WHEN 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.

CARBON MONOXIDE ALARMS

FOR FULL REQUIREMENTS, REFER TO OBC 9.33.4 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. A CARBON MONOXIDE ALARM SHALL BE MECHANICALLY FIXED, AT THE MANUFACTURER'S RECOMMENDED HEIGHT, OR IN THE ABSENCE OF SPECIFIC INSTRUCTIONS, ON OR NEAR THE CEILING. THE CARBON MONOXIDE ALARM SHALL BE PERMANENTLY CONNECTED TO AN ELECTRICAL CIRCUIT AND SHALL HAVE NO DISCONNECT SWITCH BETWEEN THE OVERCURRENT DEVICE AND THE CARBON MONOXIDE ALARM, BE WIRED SO THAT ITS ACTIVATION WILL ACTIVATE ALL CARBON MONOXIDE ALARMS WITHIN THE SUITE, BE EQUIPPED WITH AN ALARM THAT IS AUDIBLE WITHIN BEDROOMS WHEN THE INTERVENING DOORS ARE CLOSED, WHERE LOCATED ADJACENT TO A SLEEPING AREA. CARBON MONOXIDE ALARMS ARE TO CONFORM TO,

- (I) CAN/CSA-6.19, "RESIDENTIAL CARBON MONOXIDE ALARMING DEVICES", OR
- (II) UL 2034, "SINGLE AND MULTIPLE STATION CARBON MONOXIDE ALARMS".

SUBSTITUTIONS

ALL REQUESTS FOR CHANGES AND SUBSTITUTIONS MUST BE SUBMITTED, IN WRITING, TO THE CLIENT AND ELEMENT FORENSIC ENGINEERING FOR APPROVAL. THE REQUEST SHALL INCLUDE A DETAILED DESCRIPTION OF ANY IMPACTS TO SCHEDULE AND COST (INCLUDING INCREASES AND DECREASES) AND A COPY OF ANY ASSOCIATED MANUFACTURER'S SPECIFICATIONS. APPROVAL OF CHANGES/SUBSTITUTIONS, BY ELEMENT FORENSIC ENGINEERING, WILL BE PROVIDED IN WRITING. ANY VERBAL DISCUSSIONS PERTAINING CHANGES AND SUBSTITUTIONS ARE FOR DISCUSSION PURPOSES ONLY AND DO NOT NEGATE THE NEED FOR WRITTEN REQUEST OR APPROVAL. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE FOR A PROFESSIONAL ENGINEER TO SIGN AND SEAL ANY DESIGNED COMPONENT OF THE CHANGE/SUBSTITUTION. UNLESS SPECIFICALLY WRITTEN IN OUR APPROVAL, ELEMENT FORENSIC IS NOT RESPONSIBLE FOR THE DESIGN, SIGNING OR SEALING.

ELECTRICAL FACILITIES

ELECTRICAL

- AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE.
- A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, UTILITY ROOM LAUNDRY ROOM, DINING ROOM, BATHROOM, VESTIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECEPTACLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOMS AND LIVING ROOMS.
- STAIRS SHALL BE LIGHTED, AND EXCEPT WHERE SERVING AN UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS.
- BASEMENTS REQUIRE A LIGHT FOR EACH 323 FT², CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS.

FLOORS ON GROUND

CONCRETE FLOOR SLABS

- MINIMUM 3" THICK, PLACED ON A MINIMUM 4" OF COURSE, CLEAN, GRANULAR MATERIAL, OVERLYING UNDISTURBED, FOUNDED ON NATURAL UNDISTURBED SOIL OR ADEQUATELY COMPACTED GRANULAR FILL .
- ALL FILL OTHER THAN COURSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT.

FOUNDED ON NATURAL UNDISTURBED SOIL, ROCK OR COMPACTED GRANULAR FILL WITH MINIMUM ALLOWABLE BEARING CAPACITY OF 1,600 PSF (75 KPA) -SET AT AN ELEVATION BELOW THE DEPTH OF FROST PENETRATION AND A MINIMUM OF 4'

FOOTINGS, PIERS, FOUNDATIONS

-FOUNDED ON NATURAL UNDISTURBED SOIL, ROCK OR COMPACTED GRANULAR FILL WITH MINIMUM ALLOWABLE BEARING CAPACITY OF 1,600 PSF (75 KPA), TO BE VERIFIED BY EITHER ELEMENT FORENSIC ENGINEERING OR A SOIL ENGINEER RETAINED BY THE CONTRACTOR.

- SET AT AN ELEVATION BELOW THE DEPTH OF FROST PENETRATION AND A MINIMUM OF 4'
- THE PROJECTION OF AN UNREINFORCED FOOTING BEYOND THE WALL SUPPORTED SHALL NOT BE GREATER THAN ITS THICKNESS

STEP FOOTINGS

- 2' MAX. RISE
- 2' MIN. RUN

FOUNDATION WALLS

- TO BE POURED CONCRETE, UNIT MASONRY, ICF OR PRESERVED WOOD (SEE DRAWINGS FOR TYPE AND THICKNESS)
- DAMP PROOFING SHALL BE A HEAVY COAT OF BITUMINOUS MATERIAL.
- FOUNDATION WALL TO EXTEND MINIMUM 6" ABOVE FINISH GRADE.
- A DRAINAGE LAYER IS REQUIRED ON THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 3' BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF
- MINIMUM ¾" MINERAL FIBRE INSULATION WITH MIN DENSITY OF 3.55 LBS/FT³
- MINIMUM 4" OF FREE DRAINAGE GRANULAR MATERIAL, OR
- AN APPROVED SYSTEM WHICH PROVIDES EQUIVALENT PERFORMANCE
- FOUNDATION WALLS SHALL BE BRACED OR HAVE THE FLOOR JOISTS INSTALLED BEFORE BACKFILLING

CRAWL SPACES AND ATTIC SPACES

ACCESS TO ATTICS AND CRAWLSPACES

- ACCESS HATCH MINIMUM 1' 9-1/2 X 1' 11-1/4" TO BE PROVIDED TO EVERY ROOF SPACE WHICH IS 100 FT² OR MORE IN AREA AND MORE THAN 1' 11-5/8" IN HEIGHT
- ACCESS HATCH MINIMUM 1' 7-3/4 X 2' 3-1/2" TO BE PROVIDED TO EVERY CRAWL SPACE



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INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

DEMOLITION AND EXCAVATION

DEMOLITION OF STRUCTURES

- SHALL NOT INTERFERE WITH THE USE OF ADJACENT BUILDINGS. MAINTAIN FREE AND SAFE PASSAGE TO AND FROM.
- PREVENT MOVEMENT OR SETTLEMENT OF ADJACENT STRUCTURES. CONTRACTOR IS LIABLE FOR ANY SUCH MOVEMENT OR SETTLEMENT AND ANY DAMAGE OR INJURY CAUSED.
- CEASE OPERATIONS AND NOTIFY ELEMENT FORENSIC ENGINEERING IMMEDIATELY IF SAFETY OF ANY ADJACENT STRUCTURES APPEAR TO BE ENDANGERED. TAKE ALL PRECAUTIONS TO PROPERLY SUPPORT THESE STRUCTURES. DO NOT RESUME OPERATIONS UNTIL PERMISSION IS GRANTED BY ELEMENT FORENSIC ENGINEERING.
- REPAIR ALL DEMOLITION PERFORMED IN EXCESS OF THAT INDICATED OR REQUIRED, TO THE APPROVAL OF ELEMENT FORENSIC ENGINEERING AND AT NO COST TO THE OWNER.
- TAKE PARTICULAR CARE IN AREAS OF NEW WORK ENSURING PROTECTION OF EXISTING FOUNDATIONS AND SUPPORTING STRUCTURES. PROVIDE UNDERPINNING WORK FOR THE PROTECTION OF EXISTING FOUNDATIONS IF REQUIRED DUE TO THE SITE CONDITIONS.
- THE USE OF EXPLOSIVES AND BURNING OF MATERIALS ON SITE IS NOT PERMITTED.
- BACKFILL AREAS EXCAVATED FOR DEMOLITION. USE PIT RUN GRAVEL ¾" MAXIMUM PARTICLE SIZE.
- REMOVE ALL DEMOLISHED MATERIAL, DEBRIS, TOOLS AND EQUIPMENT FROM THE SITE UPON COMPLETION OF WORK. LEAVE THE SITE IN A CONDITION ACCEPTABLE TO ELEMENT FORENSIC ENGINEERING.
- WHERE NECESSARY, THE WORK SHALL BE SPRAYED PERIODICALLY WITH WATER TO REDUCE DUST. PRECAUTIONS SHALL BE TAKEN TO PREVENT MATERIAL FROM BEING BLOWN FROM THE BUILDING STRUCTURE AND SITE BY STRONG WIND, OR FROM TRUCKS MOVING DEMOLITIONS MATERIALS FROM THE SITE. ALL MATERIALS FROM THE BUILDING SHALL BE PREVENTED FROM ENTERING THE MUNICIPAL SEWERS OR WATER SOURCES.
- DEMOLITION SHALL BE CARRIED OUT IN AN ORDERLY AND CAREFUL MANNER, AND CONFORM TO THE MUNICIPAL AND PROVINCIAL SAFETY REGULATIONS AND STANDARDS. EXCEPT AS OTHERWISE NOTED OR CLARIFIED, THE SEQUENCE SHALL BE IN REVERSE TO ORIGINAL CONSTRUCTION OF THE BUILDING.

ELECTRICAL FACILITIES

ELECTRICAL

- AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE.
- A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, UTILITY ROOM LAUNDRY ROOM, DINING ROOM, BATHROOM, VESTIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECEPTACLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOMS AND LIVING ROOMS.
- STAIRS SHALL BE LIGHTED, AND EXCEPT WHERE SERVING AN UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS.
- BASEMENTS REQUIRE A LIGHT FOR EACH 323 FT², CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS.

EXCAVATION AND BACKFILL

- EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTING STRUCTURES, ADJACENT PROPERTY AND UTILITIES.
- THE TOPSOIL AND VEGETABLE MATTER IN UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED. THE BOTTOM OF EXCAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIAL.
- IF TERMITES ARE KNOWN TO EXIST, ALL STUMPS, ROOTS AND WOOD DEBRIS SHALL BE REMOVED TO A MINIMUM OF 300MM IN EXCAVATED AREAS UNDER A BUILDING, AND THE CLEARANCE BETWEEN UNTREATED STRUCTURAL WOOD ELEMENTS AND THE GROUND SHALL BE NO LESS THAN 450MM.
- BACKFILL WITHIN 600MM OF THE FOUNDATION WALLS SHALL BE FREE OF DELETERIOUS DEBRIS AND BOULDERS OVER 250MM IN DIAMETER.

DAMPPROOFING, WATERPROOFING AND SOIL GAS CONTROL

DAMPPROOFING AND DRAINAGE

- IN NORMAL SOIL CONDITIONS, THE EXTERIOR SURFACES OF FOUNDATION WALLS ENCLOSING BASEMENTS AND CRAWL SPACES SHALL BE DAMPPROOFED. WHERE HYDROSTATIC PRESSURE OCCURS, A WATERPROOFING SYSTEM IS REQUIRED.
- MASONRY FOUNDATION WALLS SHALL BE PARGED WITH 6MM OF MORTAR COVERED OVER THE FOOTING PRIOR TO DAMPPROOFING.
- 100MM DIA FOUNDATION DRAINS SHALL BE LAID ON LEVEL, UNDISTURBED GROUND ADJACENT TO THE FOOTINGS AT OR BELOW THE TOP OF THE BASEMENT SLAB OR CRAWL SPACE FLOOR, AND SHALL BE COVERED WITH 150MM OF CRUSHED STONE. FOUNDATION DRAINS SHALL DRAIN TO A STORM SEWER, DRAINAGE DITCH, DRY WALL OR SUMP.
- WINDOW WELLS SHALL BE DRAINED TO THE FOOTING LEVEL OR TO A DITCH OR SUMP PUMP.
- DOWNSPOUTS NOT DIRECTLY CONNECTED TO A STORM SEWER SHALL HAVE EXTENSIONS TO CARRY WATER AWAY FROM THE BUILDING, AND PROVISIONS SHALL BE MADE TO PREVENT SOIL EROSION.
- CONCRETE SLABS IN ATTACHED GARAGES SHALL BE SLOPED TO DRAIN TO THE EXTERIOR.
- THE BUILDING SITE SHALL BE GRADED SO THAT SURFACE SUMP AND ROOF DRAINAGE WILL NOT ACCUMULATE AT OR NEAR THE BUILDING WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

PLUMBING FACILITIES

PLUMBING

- EVERY DWELLING REQUIRES A KITCHEN SINK, LAVATORY, WATER CLOSET, BATHTUB OR SHOWER SHALL AND THE INSTALLATION OR AVAILABILITY OF LAUNDRY FACILITIES
- A FLOOR DRAIN SHALL BE INSTALLED IN THE BASEMENT AND CONNECTED TO THE SANITARY SEWER WHERE GRAVITY DRAINAGE IS POSSIBLE. IN OTHER CASES, IT SHALL BE CONNECTED TO A SEWAGE EJECTION PUMP.
- SUPPLY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONTAMINATION FROM EXHAUST OUTLETS.

ROOFING

- FASTENERS FOR ROOFING SHALL BE CORROSION RESISTANT. ROOFING NAILS SHALL PENETRATE THROUGH OR AT LEAST ½" INTO ROOF SHEATHING
- EVERY ASPHALT SHINGLE SHALL BE FASTENED WITH AT LEAST 4 NAILS FOR 3' 3" WIDE SHINGLE
- EAVE PROTECTION SHALL EXTEND 3' UP THE ROOF SLOPE FROM THE EDGE, AND AT LEAST 12" FROM THE INSIDE FACE OF THE EXTERIOR WALL, AND SHALL CONSIST OF TYPE M OR TYPE S ROLL ROOFING LAID WITH MINIMUM 4" HEAD AND END LAPS CEMENTED TOGETHER, OR GLASS FIBRE OR POLYESTER FIBRE COATED BASE SHEETS, OR SELF SEALING COMPOSITE MEMBRANES CONSISTING OF MODIFIED BITUMINOUS COATED MATERIAL OR NO. 15 SATURATED FELT LAPPED AND CEMENTED. EAVE PROTECTION IS NOT REQUIRED FOR UNHEATED BUILDINGS, FOR ROOFS EXCEEDING A SLOPE OF 1 IN 1.5, OR WHERE A LOW SLOPE ASPHALT SHINGLE APPLICATION IS PROVIDED
- OPEN VALLEYS SHALL BE FLASHED WITH 2 LAYERS OF ROLL ROOFING, OR 1 LAYER OF SHEET METAL MIN 24" WIDE
- FLASHING SHALL BE PROVIDED AT THE INTERSECTION OF SHINGLE ROOFS WITH EXTERIOR WALLS AND CHIMNEYS
- SHEET METAL FLASHING SHALL CONSIST OF NOT LESS THAN 68 MIL SHEET LEAD, 13 MIL GALVANIZED STEEL, 1/64" COPPER, 14 MIL ZINC, OR 19 MIL ALUMINUM

FLOORING

CERAMIC TILE

WHEN CERAMIC TILE IS APPLIED TO A MORTAR BED WITH ADHESIVE, THE BED SHALL BE A MINIMUM ½" THICK AND REINFORCED WITH GALVANIZED DIAMOND MESH LATH, APPLIED OVER POLYETHYLENE ON SUBFLOORING ON JOISTS AT NO MORE THAN 16" O.C. WITH AT LEAST 2 ROWS CROSS BRIDGING.

SUBSTITUTIONS

ALL REQUESTS FOR CHANGES AND SUBSTITUTIONS MUST BE SUBMITTED, IN WRITING, TO THE CLIENT AND ELEMENT FORENSIC ENGINEERING FOR APPROVAL. THE REQUEST SHALL INCLUDE A DETAILED DESCRIPTION OF ANY IMPACTS TO SCHEDULE AND COST (INCLUDING INCREASES AND DECREASES) AND A COPY OF ANY ASSOCIATED MANUFACTURER'S SPECIFICATIONS. APPROVAL OF CHANGES/SUBSTITUTIONS, BY ELEMENT FORENSIC ENGINEERING, WILL BE PROVIDED IN WRITING. ANY VERBAL DISCUSSIONS PERTAINING CHANGES AND SUBSTITUTIONS ARE FOR DISCUSSION PURPOSES ONLY AND DO NOT NEGATE THE NEED FOR WRITTEN REQUEST OR APPROVAL. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE FOR A PROFESSIONAL ENGINEER TO SIGN AND SEAL ANY DESIGNED COMPONENT OF THE CHANGE/SUBSTITUTION. UNLESS SPECIFICALLY WRITTEN IN OUR APPROVAL, ELEMENT FORENSIC IS NOT RESPONSIBLE FOR THE DESIGN, SIGNING OR SEALING.

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INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

WOOD FRAME CONSTRUCTION

WOOD FRAME CONSTRUCTION

- WOOD FRAMING MEMBERS WHICH ARE SUPPORTED ON CONCRETE IN DIRECT CONTACT WITH SOIL SHALL BE SEPARATED FROM THE CONCRETE WITH 6 MIL POLYETHYLENE OR TYPE 'S' ROLL ROOFING
- NEW FRAMING ELEMENTS SHALL NOT BE SPLICED.
- NEW FLUSH MOUNT CONNECTIONS SHALL BE SUPPORTED ON JOIST HANGERS.
- OVERCUTTING OF BIRDMOUTHS AND STAIR STRINGER NOTCHES IS NOT PERMITTED.
- TERMITES ARE KNOWN TO BE IN SOUTHERN ONTARIO. PRIOR TO BREAKING GROUND THE CONTRACTOR MUST CONDUCT A SURVEY/INSPECTION BY A COMPETENT PROFESSIONAL AND NOTIFY OUR OFFICE SHOULD TERMITES BE PRESENT.
- SOLID FUEL-BURNING FIREPLACES SHALL HAVE A MINIMUM 4" CLEARANCE BETWEEN COMBUSTIBLE FRAMING EXCEPT AT EXTERIOR WALLS, WERE A MINIMUM 2" CLEARANCE IS PERMITTED. SMOKE CHAMBERS OF SOLID FUEL-BURNING FIREPLACES SHALL HAVE A MINIMUM 2" CLEARANCE BETWEEN COMBUSTIBLE FRAMING EXCEPT AT EXTERIOR WALLS, WERE A MINIMUM 1" CLEARANCE IS PERMITTED.

WALLS

- REFER TO WALL SCHEDULE FOR STUD SIZE AND SPACING REQUIREMENTS
- SILL PLATES SHALL NOT BE LESS THAN 2X4" MATERIAL FIXED TO FOUNDATION WITH 1/2" ANCHOR BOLTS @ MAX 7' 10" O.C. UNO.
- STUD WALLS SHALL INCLUDE A SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE, OF A MATCHING SIZE TO THE STUD, UNO.
- WHERE LOAD BEARING WALLS ARE NOT SHEATHED ON BOTH SIDES, INSTALL SOLID BRIDGING AT 4' O.C.
- INSTALL JACK STUDS (WITH ADJACECENT KING STUDS) BELOW ALL HEADERS.

FLOORS

- REFER TO DAMAGE RESTORATION/NEW CONSTRUCTION DRAWINGS FOR FLOOR JOIST SIZE AND SPACING REQUIREMENTS
- JOISTS TO HAVE MINIMUM 1 1/2" OF END BEARING
- JOISTS SHALL BEAR ON A TOP PLATE OR SILL PLATE FIXED TO FOUNDATION WITH 1/2" ANCHOR BOLTS @ 7'10" O.C.
- HEADER JOISTS BETWEEN 3' 11" AND 10' 5" IN LENGTH SHALL BE DOUBLED. HEADER JOISTS EXCEEDING 10' 5" SHALL BE SIZED BY CALCULATIONS
- TRIMMER JOISTS SHALL BE DOUBLED WHEN SUPPORTED HEADER IS BETWEEN 2' 7-1/2" AND 6' 6-1/2". TRIMMER JOISTS SHALL BE SIZED BY CALCULATIONS WHEN SUPPORTED HEADER EXCEEDS 6' 6-1/2"
- 2X2" CROSS BRIDGING REQUIRED NOT MORE THAN 6' 10-1/2" FROM EACH SUPPORT AND FROM OTHER ROWS OF BRIDGING
- JOISTS SHALL BE SUPPORTED ON JOIST HANGERS AT ALL FLUSH BEAMS, TRIMMERS AND HEADERS
- NON-LOAD BEARING PARTITIONS SHALL BE SUPPORTED ON A JOIST OR ON BLOCKING BETWEEN JOISTS.

ROOF & CEILINGS

- REFER TO DAMAGE RESTORATION/NEW CONSTRUCTION DRAWINGS FOR RAFTER, ROOF JOISTS AND CEILING JOIST SIZE AND SPACING REQUIREMENTS
- HIP AND VALLEY RAFTER SHALL BE A MINIMUM 2" DEEPER THAN COMMON RAFTERS
- 2X4" COLLAR COLLAR TIES @ RAFTER SPACING WITH 1X4" CONTINUOUS BRACE AT MID SPAN IF COLLAR TIE EXCEEDS 7' 10" IN LENGTH

NOTCHING & DRILLING OF TRUSSES, JOISTS, RAFTERS

- HOLES IN FLOOR, ROOF AND CEILING MEMBERS TO BE NOT LARGER THAN 1/4 THE ACTUAL DEPTH OF MEMBER AND NOT LESS THAN 2" FROM EDGES
- NOTCHES IN FLOOR, ROOF AND CEILING MEMBERS TO BE LOCATED ON TOP OF THE MEMBER WITH 1/2 THE ACTUAL DEPTH FROM THE EDGE OF BEARING AND NOT GREATER THAN 1/3 THE JOIST DEPTH
- WALL STUDS MAY BE NOTCHED OR DRILLED PROVIDED THAT NO LESS THAN 2/3 THE DEPTH OF THE STUD REMAINS, IF LOAD BEARING, AND 1-5/8" IF NON-LOAD BEARING
- ROOF TRUSS MEMBERS SHALL NOT BE NOTCHED, DRILLED OR WEAKENED UNLESS ACCOMMODATED IN THE DESIGN

COLUMNS, BEAMS AND LINTELS

- MINIMUM 3-1/2" END BEARING FOR WOOD AND STEEL BEAMS, WITH 8" SOLID MASONRY BENEATH THE BEAM
- WOOD COLUMNS FOR CARPORTS AND GARAGES SHALL BE MINIMUM 3-1/2" X 3-1/2"; IN ALL OTHER CASES EITHER 6 X 6" OR 8" ROUND, UNLESS CALCULATIONS BASED ON ACTUAL LOADS SHOW LESSER SIZES ARE ADEQUATE. ALL COLUMNS SHALL BE NOT LESS THAN THE WIDTH OF THE SUPPORTING MEMBER
- PROVIDE SOLID BLOCKING THE FULL WIDTH OF THE SUPPORTED MEMBER UNDER ALL CONCENTRATED LOADS

SHEATHING/SUBFLOOR

- SHEATHING/SUBFLOOR SHALL BE EXTERIOR GRADE, INSTALLED IN FULL SHEETS WHERE FEASIBLE, FULLY SUPPORTED AT ALL EDGES
- SUBFLOOR SHALL BE TONGUE AND GROOVE.
- STAGGER JOINTS
- WHERE THE PRE-LOSS SHEATHING/SUBFLOOR IS GREATER THAN THE MINIMUM REQUIRED THICKNESS, THE NEW SHEATHING/SUBFLOOR CAN CONSIST OF MULTIPLE LAYERS, BUILT UP TO MATCH THE THICKNESS OF THE REMAINING ADJACENT. WHEN THE SHEATHING/SUBFLOOR IS BUILT UP, THE SHEET ADJACENT TO THE FRAMING, MUST MEET THE MINIMUM REQUIRED THICKNESS

SHEATHING/SUBFLOOR THICKNESS

TYPE	MIN REQUIRED THICKNESS (IN)
SUBFLOOR	5/8
ROOF SHEATHING	1/2
WALL SHEATHING	3/8

STEEL CONSTRUCTION

- PROVIDE SOLID BLOCKING THE FULL WIDTH OF THE SUPPORTED MEMBER UNDER ALL CONCENTRATED LOADS.
- ALL NEW STEEL SHALL BE SHOP PRIMED

COLUMNS

- HAVE MINIMUM OUTSIDE DIAMETER 2-7/8" AND MINIMUM WALL THICKNESS OF 3/16".
- SHALL BE FITTED WITH NOT LESS THAN 4X4X1/4" STEEL CAP PLATE AND BASEPLATES EXCEPT WHERE THE COLUMN SITS ON A FOUNDATION WALL, USE 4X8X5/8" BASEPLATE, AND WHERE THE COLUMN SITS ON A FOOTING, USE 6X6X5/8" BASEPLATE.
- WHERE THE COLUMN SUPPORTS A WOOD BEAM, THE TOP PLATE SHALL EXTEND ACROSS THE FULL WIDTH OF THE BEAM.
- MECHANICALLY SECURE CAP PLATE AND BASEPLATE TO THE STRUCTURE
- SECURE BASEPLATE TO FOUNDATION/FOOTING WITH TWO 5/8" Ø ANCHORS BOLTS WITH 8" EMBEDMENT PLUS 2" HOOK, LOCATED ON OPPOSING SIDES.

BEAMS

- MINIMUM 3-1/2" END BEARING, WITH MIN 8" SOLID MASONRY BENEATH THE BEAM.

LINTELS

- MINIMUM 6" END BEARING, WITH MIN 8" SOLID MASONRY BENEATH THE BEAM.

DECKS

- ALL SCREWS AND BOLTS SHALL BE OF A CORROSION RESISTANT TYPE. WOOD FOR PICKETS SHALL BE FREE OF LOOSE KNOTS. FASTENERS AND THE ASSOCIATED INSTALLATION SHALL NOT CAUSE SPLITTING OF THE WOOD ELEMENTS. PROVIDE A SUITABLE POST, RETURN OR SOLID SUPPORT AT EACH END OF THE GUARD. ALTERNATIVES TO THE SPECIFIED GUARD SYSTEM MUST BE DESIGNED IN ACCORDANCE WITH SECTION 9.8.8 OF THE 2012 OBC, STAMPED BY A PROFESSIONAL ENGINEER, AND SUBMITTED TO ELEMENT FORENSIC ENGINEERING, PRIOR TO FABRICATION, FOR COMMENT AND RECORD PURPOSES.



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VENTILATION

NATURAL VENTILATION

- DO NOT BLOCK OR OTHERWISE PREVENT THE FLOW OF AIR TO THE VENTILATION/WEEP HOLES AT THE TOP AND BOTTOM OF NEW OR REMAINING BRICK VENEER WALLS.
- INSTALLATION OF THE NEW ATTIC INSULATION SHALL NOT OBSTRUCT VENTING AT THE SOFFIT.
- EVERY ROOF SPACE ABOVE AN INSULATED CEILING SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA.
- INSULATED ROOF SPACES NOT INCORPORATING AN ATTIC SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO NOT LESS THAN 1/150 OF THE INSULATED CEILING AREA.
- ROOF VENTS SHALL BE UNIFORMLY DISTURBED WITH MIN 25% AT TOP OF THE SPACE AND 25% AT THE BOTTOM OF THE SPACE DESIGNED TO PREVENT THE ENTRY OF RAIN, SNOW OR INSECTS.
- UNHEATED CRAWL SPACES SHALL BE PROVIDED WITH 1.1 FT² OF VENTILATION FOR EACH 540 FT².
- MINIMUM NATURAL VENTILATION AREAS, WHERE MECHANICAL VENTILATION IS NOT PROVIDED, ARE:
 - BATHROOMS: 1 FT²
 - OTHER ROOMS: 3 FT²
 - UNFINISHED BASEMENT: 0.2% OF FLOOR AREA

MECHANICAL VENTILATION

- A MECHANICAL VENTILATION SYSTEM IS REQUIRED WITH A TOTAL CAPACITY AT LEAST EQUAL TO THE SUM OF:
 - 10.0 L/S EACH FOR BASEMENT AND MASTER BEDROOM
 - 5.0 L/S FOR EACH OTHER ROOM.
- A PRINCIPAL DWELLING EXHAUST FAN SHALL BE INSTALLED AND CONTROLLED BY A CENTRALLY LOCATED SWITCH IDENTIFIED AS SUCH.
- SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL CAPACITY OF ALL KITCHEN, BATHROOM AND OTHER EXHAUSTS, LESS THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED CAPACITY.
- A HEAT RECOVERY VENTILATOR MAY BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AN HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLIANCES ARE INSTALLED.

PERMITS

NO PERSON SHALL CONSTRUCT OR DEMOLISH A BUILDING OR CAUSE A BUILDING TO BE CONSTRUCTED OR DEMOLISHED UNLESS A PERMIT HAS BEEN ISSUED THEREFORE BY THE CHIEF BUILDING OFFICIAL.

-CONSTRUCT MEANS TO DO ANYTHING IN THE ERECTION, INSTALLATION, EXTENSION OR MATERIAL ALTERATION OR REPAIR OF A BUILDING AND INCLUDES THE INSTALLATION OF A BUILDING UNIT FABRICATED OR MOVED FROM ELSEWHERE AND "CONSTRUCTION" HAS A CORRESPONDING MEANING.
 -DEMOLISH MEANS TO DO ANYTHING IN THE REMOVAL OF A BUILDING OR ANY MATERIAL PART THEREOF AND "DEMOLITION" HAS A CORRESPONDING MEANING.

AT EACH STAGE OF CONSTRUCTION SPECIFIED IN THE BUILDING CODE, THE CONSTRUCTOR OR OTHER APPOINTED PERSON SHALL NOTIFY THE CHIEF BUILDING OFFICIAL, WHERE APPLICABLE TO THE PROJECT (REFER TO OBC DIVISION C, SECTION 1.3.5.1), AND WHERE MANDATED BY THE APPROVED PERMIT DOCUMENTS, ISSUED BY THE LOCAL MUNICIPAL BUILDING DEPARTMENT.

ELECTRICAL INSTALLATION, REPAIR AND REPLACEMENT WORK NEEDS TO BE DONE IN COMPLIANCE WITH THE ONTARIO ELECTRICAL SAFETY CODE. IT IS THE CONSTRUCTOR'S RESPONSIBILITY TO OBTAIN ALL/ANY PERMIT (ALSO CALLED A NOTIFICATION) NECESSARY UNDER THE ELECTRICAL SAFETY AUTHORITY (ESA).

HVAC SYSTEMS SHALL BE CLEANED, AS DETERMINED BY A QUALIFIED PERSON, IN ACCORDANCE WITH INDUSTRY STANDARD FOR THE ASSESSMENT, CLEANING AND RESTORATION OF HVAC SYSTEMS. SHOULD PARTIAL, SUBSTANTIAL OR COMPLETE REMOVAL AND REPLACEMENT BE DEEMED REQUIRED, THE LOCAL MUNICIPAL BUILDING DEPARTMENT MAY REQUIRE A BUILDING PERMIT FOR REPAIR. IT IS THE CONSTRUCTOR'S RESPONSIBILITY TO COORDINATE WITH THE MUNICIPAL INSPECTOR, SHOULD A BUILDING PERMIT REQUIRED BASED ON THE SCOPE OF WORK. THE MECHANICAL CONTRACTOR SHALL COMPLETE HEAT LOSS CALCULATIONS AND DRAWINGS BY A QUALIFIED DESIGNER (PERSON SHALL MEET THE REQUIREMENTS SET OUT IN THE BUILDING CODE TO BE A DESIGNER), SHOULD A BUILDING PERMIT BE REQUIRED, SUBMITTING TO THE LOCAL MUNICIPAL BUILDING DEPARTMENT IN ORDER TO OBTAIN A BUILDING PERMIT.

ANY TREE(S) THAT FALL WITHIN THE CONSTRUCTION AREA, SHALL BE PROTECTED IN CONFORMANCE WITH THE APPLICABLE REGULATIONS OR BY-LAWS, AS GOVERNED BY THE MUNICIPALITY. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY REQUISITE PERMITS. PRIOR TO ACCESSING A TREE PROTECTION ZONE, DAMAGING OR REMOVING A TREE(S), THE CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS.

ABBREVIATIONS

&	AND	OD	OUTSIDE DIAMETER
@	AT	OF	OUTSIDE FACE
ADD'L	ADDITIONAL	OHSA	OCCUPATIONAL HEALTH AND SAFETY ACT
B/W	BETWEEN	OSB	ORIENTED STRAND BOARD
BLL	BOTTOM LOWER LAYER	PL	PLATE
BOT	BOTTOM	PLA	POINT LOAD ABOVE
BUL	BOTTOM UPPER LAYER	PLY	PLYWOOD
CANT	CANTILEVER	PA	POST ABOVE
CI	CONTINUOUS INSULATION	PT	PRESSURE TREATED
CL	CENTERLINE	RA	ROOFING APPLICATION
CMA	CARBON MONOXIDE ALARM	REINF	REINFORCING
CMU	CONCRETE MASONRY UNIT	R/W	REINFORCED WITH
COL	COLUMN	SA	SMOKE ALARM
CONT	CONTINUOUS	SIM	SIMILAR
C/W	COMPLETE WITH	SM	SHEATHING MEMBRANE
DJ	DOUBLE JOIST	SOG	SLAB ON GRADE
DL	DEAD LOAD	SPDD	STANDARD PROCTOR DRY DENSITY
EA	EACH	SPP	SECONDARY PLANE OF PROTECTION
EF	EACH FACE	TF	FACTORED TENSION
EL	ELEVATION	THK	THICK
EW	EACH WAY	TJ	TRIPLE JOIST
EX	EXISTING	TL	TOTAL LOAD (DL+LL)
EXT	EXTERIOR	TLL	TOP LOWER LAYER
FJ	FLOOR JOIST	TO	TOP OF
FTG	FOOTING	TOS	TOP OF SLAB/STEEL
GL	GRID LINE	TUL	TOP UPPER LAYER
GT	GIRDER TRUSS	TYP	TYPICAL
HORZ	HORIZONTAL	T&G	TONGUE AND GROOVE
IF	INSIDE FACE	UDL	UNIFORMLY DISTRIBUTED LOAD
LG	LONG	UNO	UNLESS NOTED OTHERWISE
LLV	LONG LEG VERTICAL	U/S	UNDERSIDE
LL	LIVE LOAD	VERT	VERTICAL
LVL	LAMINATED VENEER LUMBER	VB&AB	VAPOUR BARRIER AND AIR BARRIER
MAX	MAXIMUM	VF	FACTORED SHEAR
MF	FACTORED MOMENT	WME	WOOD MOISTURE EQUIVALENT
MIN	MINIMUM	WWM	WELDED WIRE MESH
MMAH	MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING	W/	WITH
NTS	NOT TO SCALE		
OBC	ONTARIO BUILDING CODE		
OC	ON CENTER		

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



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Table 3.1.1.2.A (IP)
ZONE 1 - Compliance Packages for Space Heating Equipment with AFUE ≥ 92%
 Forming Part of Sentence 3.1.1.2.(1)

Component	Thermal Values ⁽⁸⁾	Compliance Package					
		A1	A2	A3	A4	A5	A6
Ceiling with Attic Space	Min. Nominal R ⁽¹⁾	60	60	50	60	50	60
	Max. U ⁽²⁾	0.017	0.017	0.020	0.017	0.020	0.017
	Min. Effective R ⁽²⁾	59.22	59.22	49.23	59.22	49.23	59.22
Ceiling Without Attic Space	Min. Nominal R ⁽¹⁾	31	31	31	31	31	31
	Max. U ⁽²⁾	0.036	0.036	0.036	0.036	0.036	0.036
	Min. Effective R ⁽²⁾	27.65	27.65	27.65	27.65	27.65	27.65
Exposed Floor	Min. Nominal R ⁽¹⁾	31	31	35	31	35	31
	Max. U ⁽³⁾	0.034	0.034	0.031	0.034	0.031	0.034
	Min. Effective R ⁽³⁾	29.80	29.80	32.02	29.80	32.02	29.80
Walls Above Grade	Min. Nominal R ⁽¹⁾	22	19 + 5 ci	14 + 7.5 ci	22 + 5 ci	19 + 5 ci	22 + 5 ci
	Max. U ⁽³⁾	0.059	0.049	0.054	0.047	0.049	0.047
	Min. Effective R ⁽³⁾	17.03	20.32	18.62	21.40	20.32	21.40
Basement Walls ⁽⁶⁾	Min. Nominal R ⁽¹⁾	20 ci	12 + 10 ci	20 ci	20 ci	12 + 5 ci	20 ci
	Max. U ⁽⁴⁾	0.047	0.048	0.047	0.047	0.063	0.047
	Min. Effective R ⁽⁴⁾	21.12	20.84	21.12	21.12	15.96	21.12
Below Grade Slab Entire Surface > 600 mm Below Grade	Min. Nominal R ⁽¹⁾	—	—	—	—	—	—
	Max. U ⁽⁴⁾	—	—	—	—	—	—
	Min. Effective R ⁽⁴⁾	—	—	—	—	—	—
Heated Slab or Slab ≤ 600 mm Below Grade	Min. Nominal R ⁽¹⁾	10	10	10	10	10	10
	Max. U ⁽⁴⁾	0.090	0.090	0.090	0.090	0.090	0.090
	Min. Effective R ⁽⁴⁾	11.13	11.13	11.13	11.13	11.13	11.13
Edge of Below Grade Slab ≤ 600 mm Below Grade	Min. Nominal R ⁽¹⁾	10	10	10	10	10	10
Windows and Sliding Glass Doors	Max. U ⁽⁵⁾	0.28	0.28	0.25	0.28	0.28	0.28
	Energy Rating	25	25	29	25	25	25
Skylights	Max. U ⁽⁵⁾	0.49	0.49	0.49	0.49	0.49	0.49
Space Heating Equipment	Min. AFUE	96%	96%	94%	96%	94%	92%
HRV	Min. SRE	75%	75%	81%	75%	70%	65%
Domestic Water Heater ⁽⁷⁾	Min. EF	0.80	0.70	0.67	0.67	0.80	0.80
Column 1	2	3	4	5	6	7	8

HEAT TRANSFER, AIR LEAKAGE AND CONDENSATION CONTROL

INSULATION & WEATHERPROOFING

ASSEMBLY	INSULATING VALUE (R)
CEILING WITH ATTIC	60
ROOF WITHOUT ATTIC	31
EXTERIOR WALL	22
FOUNDATION WALL	20 CI
FOUNDATION >50% EXPOSED	24
EXPOSED FLOOR	31
UNHEATED SLABS ON GRADE	10
HEATED SLABS ON GRADE	10
SUPPLY DUCTS IN HEATED SPACE	12

- INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 6 MIL POLY IS SUFFICIENT FOR FIBERGLASS TYPE INSULATIONS.
- DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE OR SEALANT.
- CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND WINDOWS BETWEEN THE FRAME AND THE EXTERIOR CLADDING.
- WEATHERSTRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR.
- EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR.

Notes to Table 3.1.1.2.A (IP):

- The values listed are minimum Nominal R-Values for the thermal insulation component only.
- U-Value and effective R value shall include entire ceiling assembly components, from interior air film to vented space air film above insulation.
- U-Value and effective R value shall include entire exposed floor or above grade wall assembly components, from interior air film to exterior air film.
- U-Value and effective R value shall include entire basement wall or slab assembly components and interior air film.
- U-Value is the overall coefficient of heat transfer for a window assembly, sliding glass door assembly or skylight assembly expressed in Btu/(h·ft²·F).
- In the case of basement wall assemblies, where R20 ci is required R12 + 10 ci is permitted to be used or vice versa; or where R12 + 5 ci is required, R15 ci is permitted to be used or vice versa.
- If an EF of a water tank is not indicated in a compliance package, there is no EF requirement for water tank for that specific compliance package.
- Nominal and effective R values are expressed in (h·ft²·F)/Btu. U-Values are expressed in Btu/(h·ft²·F).



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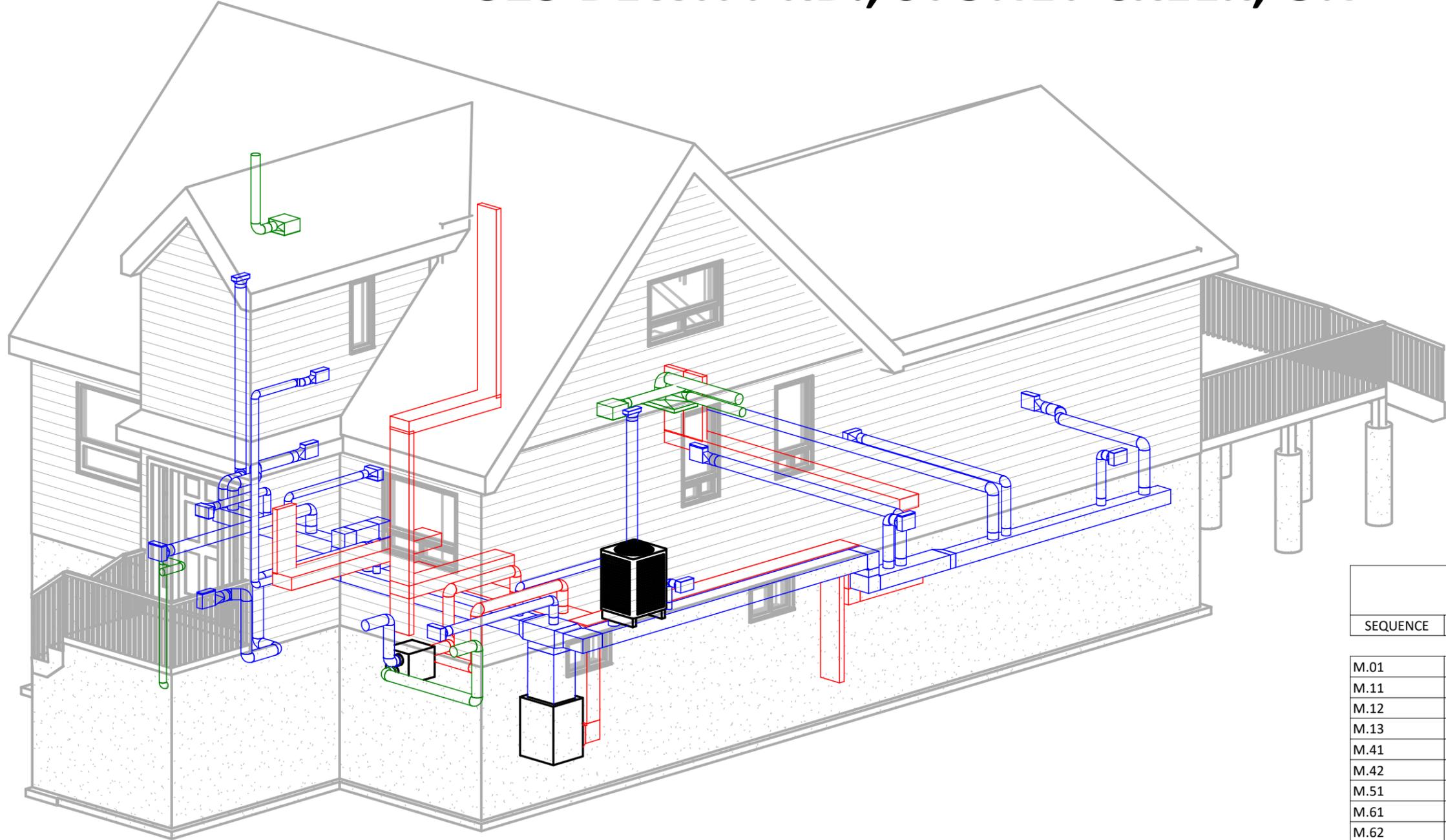
REV.	DATE	DESCRIPTION
1	FEB 24/2020	CLAIM QUANTIFICATION
2	FEB 27/2020	CLAIM QUANTIFICATION - REVISION 1
3	MAY 22/2020	ISSUED FOR CLIENT REVIEW
4	JUNE 6/2020	ISSUED FOR CLIENT REVIEW
5	JUNE 8/2020	ISSUED FOR CLIENT REVIEW
6	JUNE 25/2020	ISSUED FOR PERMIT

ADDRESS 325 DEWITT ROAD, STONEY CREEK, ON.	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE 6.06
TITLE GENERAL NOTES	SHEET A0.08

FIRE DAMAGE - NEW CONSTRUCTION - MECHANICAL

325 DEWITT RD., STONEY CREEK, ON

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



Sheet List		
SEQUENCE	SHEET TITLE	SHEET NAME
M.01	M.01	TITLE PAGE
M.11	M.11	HVAC PLAN AND NOTES
M.12	M.12	HVAC PLAN AND LEGEND
M.13	M.13	HVAC PLAN AND NOTES
M.41	M.31	HVAC HEAT LOSS CALCULATION
M.42	M.32	HVAC CALCULATIONS
M.51	M.33	SCHEDULES
M.61	M.61	MECHANICAL SPECIFICATIONS - GENERAL
M.62	M.62	MECHANICAL SPECIFICATIONS - HVAC



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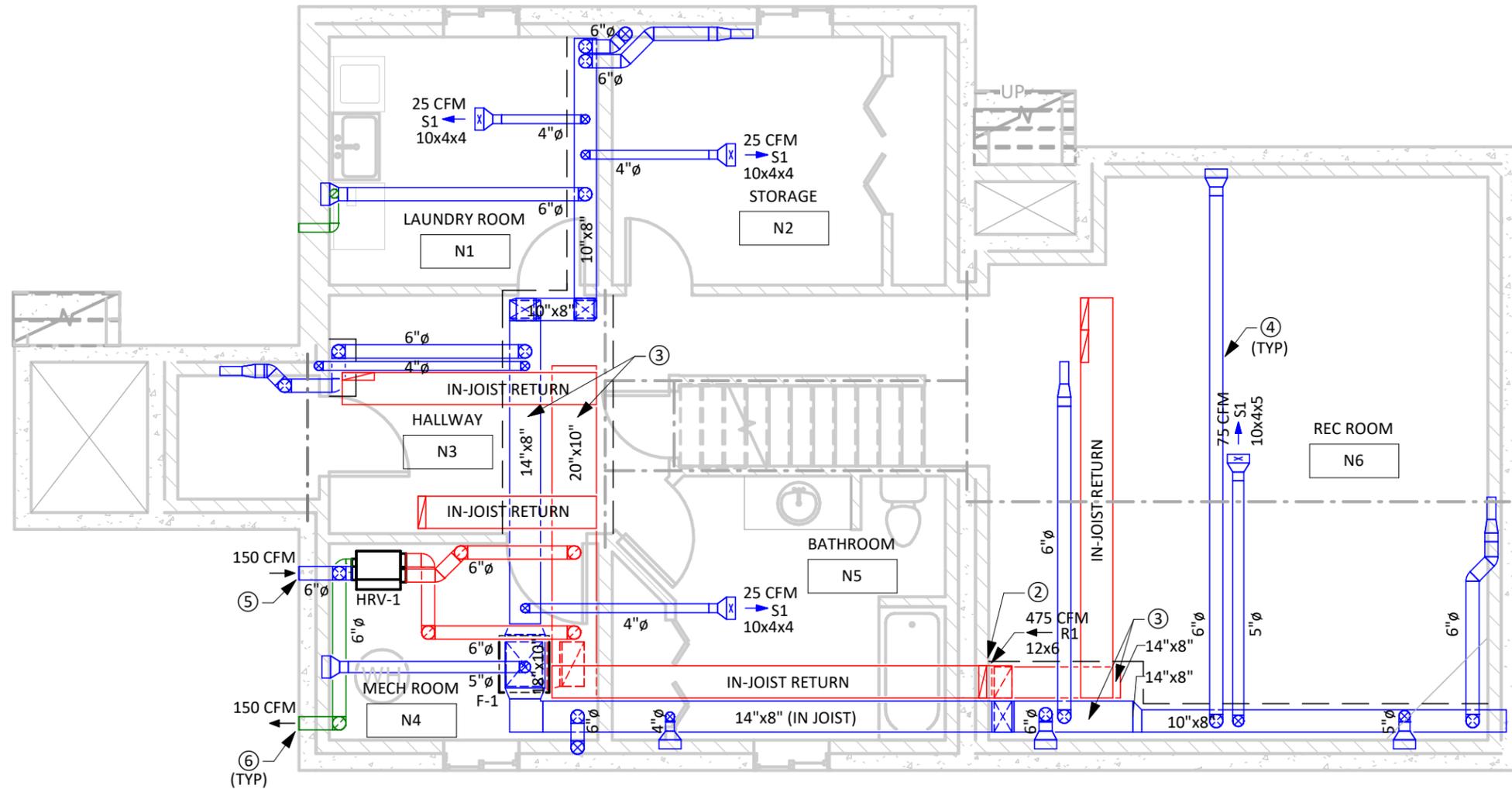


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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.01
TITLE TITLE PAGE	SHEET M.01

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



HVAC KEY NOTES (APPLICABLE TO ALL HVAC PLANS)

- ① RETURN GRILLE TO BE INSTALLED AT HIGH LEVEL BELOW CEILING SPACE.
- ② RETURN GRILLE TO BE INSTALLED AT LOW LEVEL ABOVE FINISHED FLOOR.
- ③ DUCTWORK TO BE INSTALLED TIGHT TO U/S OF JOISTS. INSTALL DUCTWORK IN A MANNER THAT WILL REDUCE BULKHEAD SIZE TO A MINIMUM.
- ④ ALL DUCTWORK TO RUN IN BETWEEN JOISTS WHERE POSSIBLE.
- ⑤ HRV INTAKE TO BE INSTALLED A MINIMUM OF:
 - 3' AWAY FROM GAS SERVICE REGULATOR, AND
 - 6' AWAY FROM ALL GAS APPLIANCE VENT TERMINALS.
- ⑥ ALL SUPPLY/EXHAUST DUCTWORK TERMINATING THROUGH EXTERIOR WALL TO BE INSTALLED C/W APPROPRIATE LOUVER.
- ⑦ ALL EXHAUST DUCTWORK TERMINATING THROUGH ROOF TO BE INSTALLED C/W APPROPRIATE ROOF CAP.
- ⑧ COORDINATE FINAL LOCATION OF CONDENSER WITH CONSTRUCTION PROJECT MANAGER PRIOR TO COMMENCING WORK.

1 NEW HVAC PLAN - BASEMENT
3/16" = 1'-0"



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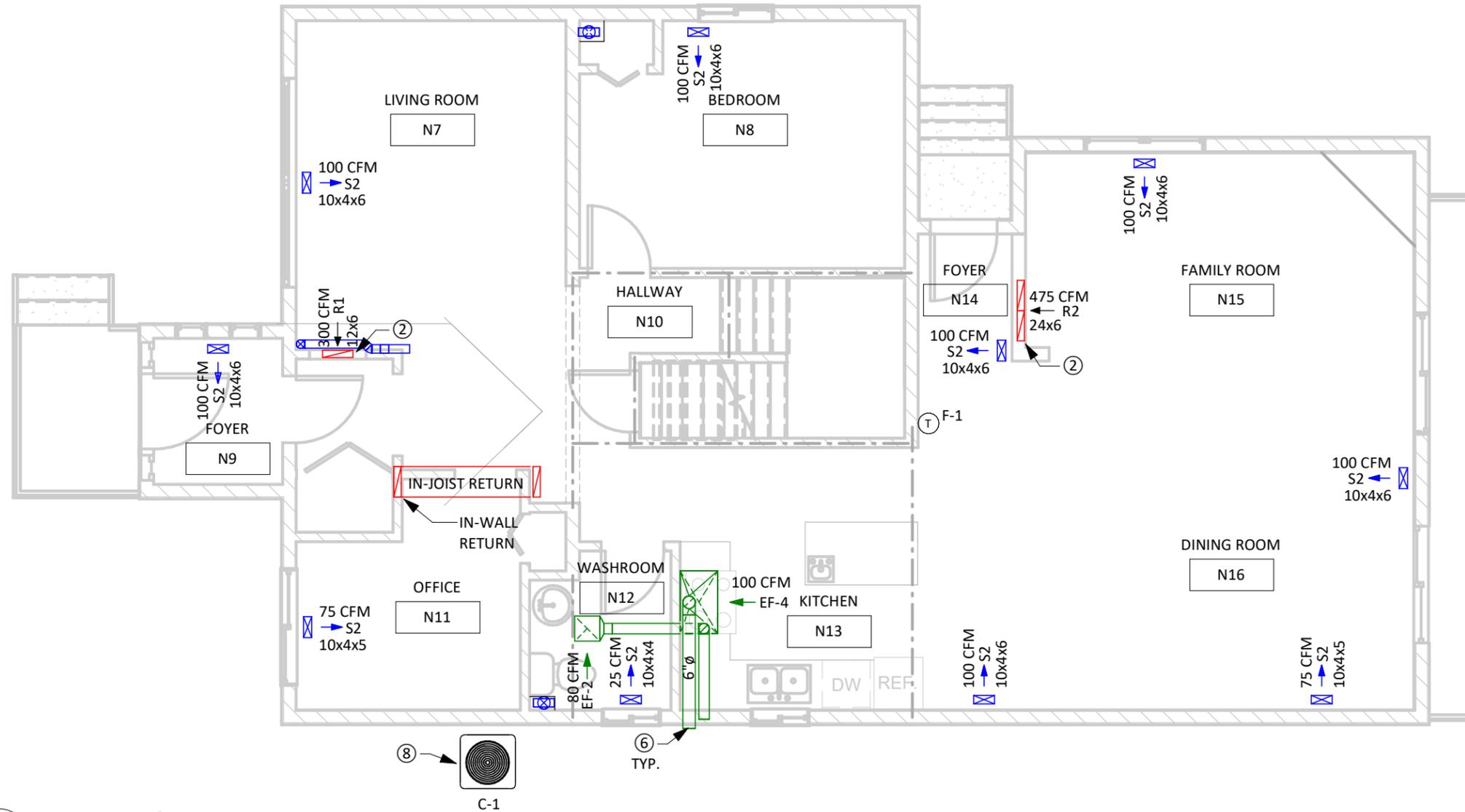


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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.11
TITLE HVAC PLAN AND NOTES	SHEET M.11

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



1 NEW HVAC PLAN - LEVEL 1
3/16" = 1'-0"

HVAC LEGEND	
SYMBOL	DESCRIPTION
	THERMOSTAT SERVING HEATING SYSTEM 'A'
	SMOKE ALARM / SMOKE DETECTOR
FD	FIRE DAMPER
	SUPPLY AIR (BLUE ANNOTATIONS) A. INDICATES TYPE OF DIFFUSER/GRILLE B. INDICATES SIZE OF DIFFUSER/GRILLE & NECK SIZE C. INDICATES CAPACITY FOR EACH
	RETURN AIR (RED ANNOTATIONS) A. INDICATES TYPE OF DIFFUSER/GRILLE B. INDICATES SIZE OF DIFFUSER/GRILLE & NECK SIZE C. INDICATES CAPACITY FOR EACH
	EXHAUST AIR (GREEN ANNOTATIONS) A. INDICATES TYPE OF DIFFUSER/GRILLE B. INDICATES SIZE OF DIFFUSER/GRILLE & NECK SIZE C. INDICATES CAPACITY FOR EACH

DIFFUSERS, GRILLES AND REGISTERS			
NO.	TYPE	SPEC	REMARKS
S1	CEILING SUPPLY	BY G.C.	SIZE AS NOTED ON DRAWINGS.
S2	FLOOR SUPPLY	BY G.C.	SIZE AS NOTED ON DRAWINGS.
R1	12"x6" IN-WALL RETURN	BY G.C.	
R2	24"x6" IN-WALL RETURN	BY G.C.	



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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.12
TITLE HVAC PLAN AND LEGEND	SHEET M.12

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

HVAC GENERAL DRAWING NOTES (APPLICABLE TO ALL HVAC PLANS)

ALL 90 DEG SUPPLY & RETURN ELBOWS SHALL HAVE SMOOTH RADIUS, SQUARE ELBOWS SHALL BE C/W TURNING VANES.

COORDINATE ALL DUCT ROUTING WITH EXISTING/NEW STRUCTURE. IF NOTCHING OF FRAMING ELEMENTS IS REQUIRED, DIVISION 23 IS TO OBTAIN APPROVAL FROM THE STRUCTURAL ENGINEER PRIOR TO COMMENCING WORK. NOTCHING FRAMING ELEMENTS SHALL NOT BE CONDUCTED BEYOND THE PRESCRIPTIVE LIMITS OF THE ONTARIO BUILDING CODE.

UNLESS OTHERWISE NOTED, QUANTITIES AND SIZES INDICATED ON DRAWING ARE:
 - CUBIC FEET PER MINUTE, FOR AIR FLOW
 - INCHES, FOR DIMENSIONS

FOR VENT OR DUCT PASSING THROUGH FIRE RATED ASSEMBLY DIVISION 23 SHALL PROVIDE APPROPRIATE FIRE CLOSURE (DAMPER, CAULKING, FIRE DONUT). RATING OF FIRE CLOSURE TO MATCH RATING OF FIRE RATED ASSEMBLY THROUGH WHICH IT PASSES. REFER TO RESTORATION DRAWINGS FOR RATED ASSEMBLIES AND THEIR RESPECTIVE RATINGS.

ALL DEVICES SHOWN ARE NEW UNLESS OTHERWISE NOTED.

'REL' DENOTES EXISTING DEVICES TO BE RELOCATED. 'ETR' DENOTES EXISTING DEVICES TO REMAIN.

ALL DEVICES, EQUIPMENT AND DUCTWORK SHOWN WITH A GREYED-OUT LINE ARE EXISTING TO REMAIN UNLESS OTHERWISE NOTED.

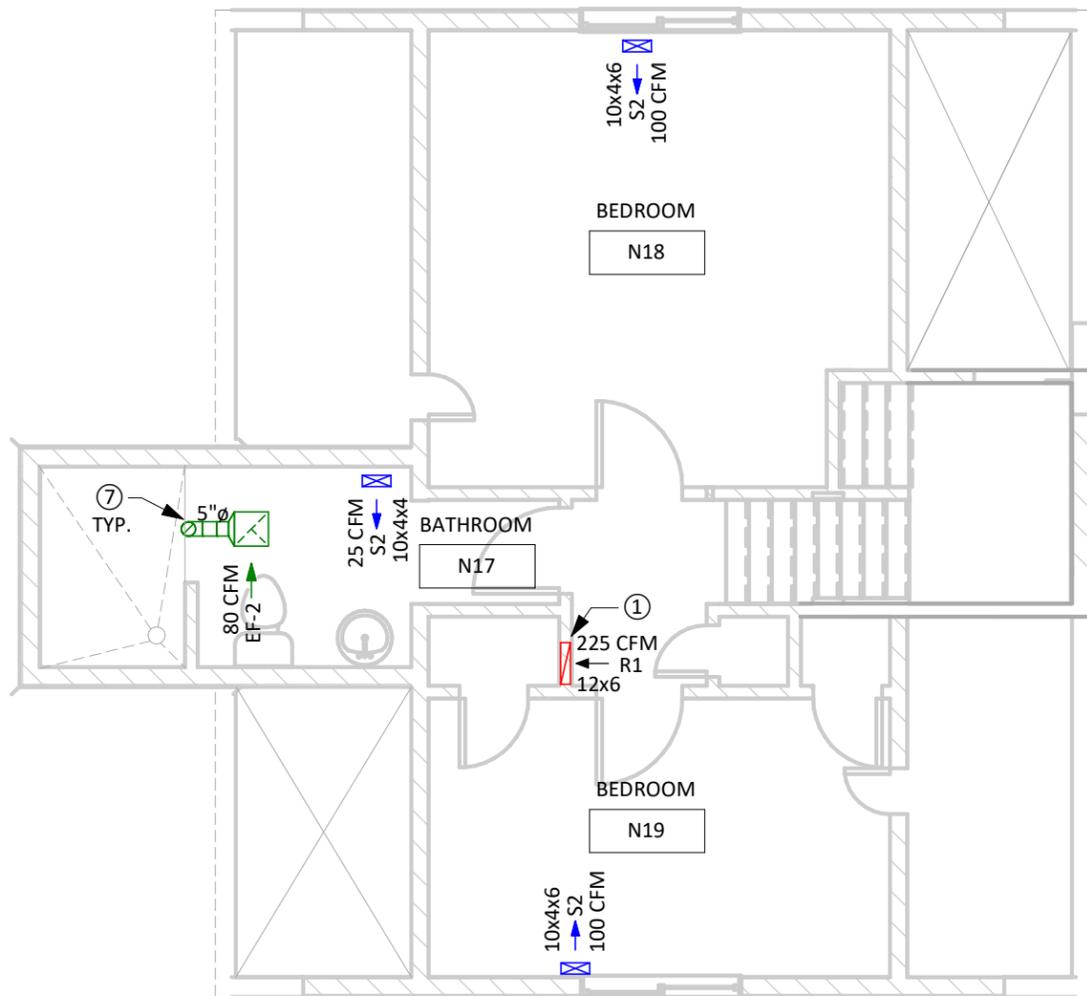
ALL OPENINGS THAT RESULT FROM THE REMOVAL OF EQUIPMENT, DEVICES AND/OR SERVICES SHALL BE INFILLED BY THE GENERAL CONTRACTOR. DIVISION 23 IS RESPONSIBLE FOR ANY CUTTING AND PATCHING REQUIRED TO SUIT THE INSTALLATION OF ANY NEW EQUIPMENT. ALL PATCHING SHALL BE WITH NEW MATERIALS TO SUIT EXISTING AND NEW CONSTRUCTION TO THE SATISFACTION OF THE ENGINEER.

IT IS THE RESPONSIBILITY OF DIVISION 23 TO REVIEW ALL DRAWINGS AND ON-SITE CONDITIONS TO DETERMINE THE EXACT EXTENT OF WORK.

DIVISION 23 TO SUPPLY & INSTALL THERMOSTAT IN LOCATIONS INDICATED ON PLANS. DIVISION 23 SHALL PROVIDE INSULATED BACKBOARD WHERE THE THERMOSTAT IS INSTALLED ON AN EXTERIOR WALL. REFER TO HVAC EQUIPMENT SCHEDULE ON DRAWING M.51 FOR DETAILS.

THE CONTRACTOR SHALL COORDINATE THIS WORK WITH THE WORK OF ALL OTHER TRADES ON SITE AND SHALL COOPERATE TO EFFECT A COMPLETE AND OPERATIONAL SYSTEM WHICH MEETS ALL REQUIREMENTS NOTED.

ALL SUPPLY DUCTWORK TO BE INSTALLED C/W VOLUME DAMPER NEAR TERMINATION.



1 NEW HVAC PLAN - LEVEL 2
 3/16" = 1'-0"



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ADDRESS 325 DEWITT RD., STONEY CREEK, ON	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.13
TITLE HVAC PLAN AND NOTES	SHEET M.13

HEAT GAIN / HEAT LOSS CALCULATION

AREA		2349.00 SF		LOCATION:		325 DeWitt Rd., Stoney Creek, ON							
EXTERIOR WALL		369.58 LINEAR FT											
HEAT LOSS FACTORS				HEAT GAIN FACTORS						HEAT GAIN			
				CONDUCTED HEAT GAIN		SOLAR HEAT GAIN		TOTAL HEAT GAIN					
	QUANTITY	UNITS	CALCULATED HEAT LOSS Btu/hr	CALCULATED HEAT LOSS Watts	CONDUCTED SENSIBLE HEAT GAIN Btu/hr	CONDUCTED LATENT HEAT GAIN Btu/hr	SOLAR GAIN Btu/hr	TOTAL SENSIBLE HEAT GAIN	TOTAL LATENT HEAT GAIN	TOTAL HEAT GAIN Btu/hr	TOTAL HEAT GAIN tons	CFM	l/s
NORTH EXPOSURE													
EXTERIOR WALL	869.21	sf	2,844.68	833.73	497.82			497.82		497.82	0.04	16.59	7.83
WINDOW	48.79	sf	949.46	278.27	166.16		614.78	780.93		780.93	0.07	26.03	12.29
SKY LIGHTS		sf											
DOOR		sf											
INFILTRATION		lf											
EAST EXPOSURE													
EXTERIOR WALL	494.14	sf	1,617.19	473.97	283.01			283.01		283.01	0.02	9.43	4.45
WINDOW	52.53	sf	1,022.16	299.58	178.88		4,141.29	4,320.17		4,320.17	0.36	144.01	67.96
SKY LIGHTS		sf											
DOOR	20.00	sf	1,799.82	527.50	314.97			314.97		314.97	0.03	10.50	4.95
INFILTRATION	19.33	lf	2,555.54	748.98	447.22	737.48		447.22	737.48	1,184.70	0.10	39.49	18.64
SOUTH EXPOSURE													
EXTERIOR WALL	824.75	sf	2,699.19	791.09	472.36			472.36		472.36	0.04	15.75	7.43
WINDOW	70.14	sf	1,364.86	400.02	238.85		4,180.28	4,419.13		4,419.13	0.37	147.30	69.52
SKY LIGHTS		sf											
DOOR	17.78	sf	1,599.84	468.89	279.97			279.97		279.97	0.02	9.33	4.40
INFILTRATION	18.67	lf	2,467.41	723.16	431.80	712.05		431.80	712.05	1,143.84	0.10	38.13	17.99
WEST EXPOSURE													
EXTERIOR WALL	510.54	sf	1,670.86	489.70	292.40			292.40		292.40	0.02	9.75	4.60
WINDOW	16.51	sf	321.35	94.18	56.24		1,284.12	1,340.36		1,340.36	0.11	44.68	21.09
SKY LIGHTS		sf											
DOOR	32.28	sf	2,905.00	851.41	508.38			508.38		508.38	0.04	16.95	8.00
INFILTRATION	23.17	lf	3,062.45	897.55	535.93	883.76		535.93	883.76	1,419.69	0.12	47.32	22.33
COMMON LOADS													
INT. WALL		sf											
CEILING	2,349.00	sf	2,818.00	826.14	493.29			493.29		493.29	0.04	16.44	7.76
PERIMETER	369.58	lf	4,656.75	1,364.82									
FLOOR	2,349.00	sf	2,864.26	839.47									
PEOPLE	4.00	# people			920.00	760.00		920.00	760.00	1,680.00	0.14	56.00	26.43
COMPUTERS		# computers											
LIGHTING		watts											
EQUIPMENT		Btu/hr											
MISCELLANEOUS 1		Btu/hr											
MISCELLANEOUS 2		Btu/hr											
VENTILATION *	37.50	cfm	2,916.00	854.63	510.30	841.50		510.30	841.50	1,351.80	0.11	45.06	21.27
TOTAL			39,941	11,706	6,594	3,879	10,220	16,814	3,879	20,693	1.72	690	326

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING



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CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.41
TITLE HVAC HEAT LOSS CALCULATION	SHEET M.31

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

OBC 2012 - 9.32.3.3 VENTILATION CALCULATION				
ROOM NUMBER	ROOM NAME	OCCUPANCY CATEGORY FROM TABLE 9.32.3.3	Capacity	Capacity
			(L/s)	(cfm)
N1	LAUNDRY ROOM	Laundry Room	5	10.0
N2	STORAGE	Other Habitable Rooms	5	10.0
N3	HALLWAY	N/A	0	0.0
N4	MECH ROOM	Utility Room	5	10.0
N5	BATHROOM	Bathroom	5	10.0
N6	REC ROOM	Recreation Room	5	10.0
N7	LIVING ROOM	Living Room	5	10.0
N8	BEDROOM	Bedroom	5	10.0
N9	FOYER	N/A	0	0.0
N10	HALLWAY	N/A	0	0.0
N11	OFFICE	Other Habitable Rooms	5	10.0
N12	WASHROOM	Bathroom	5	10.0
N13	KITCHEN	Kitchen	5	10.0
N14	FOYER	N/A	0	0.0
N15	FAMILY ROOM	Family Room	5	10.0
N16	DINING ROOM	Dining Room	5	10.0
N17	BATHROOM	Bathroom	5	10.0
N18	BEDROOM	Bedroom	5	10.0
N19	BEDROOM	Bedroom	5	10.0
MINIMUM OUTDOOR AIR REQUIREMENT (cfm)				150
DESIGN OUTDOOR AIR FLOW (cfm)				150

AIR BALANCE SCHEDULE														
MARK	SUPPLY/ MAKE-UP AIR		RETURN AIR		OUTSIDE AIR		CONDITIONED OUTSIDE AIR		RELIEF/ EXHAUST AIR		PRESSURE		MIXED AIR TEMP	
	L/S	CFM	L/S	CFM	L/S	CFM	L/S	CFM	L/S	CFM	L/S	CFM	C	F
F-1	566	1,200	566	1,200									24	75
HRV-1	71	150	71	150	18	38	53	113	71	150				
TOTAL	637	1,350	637	1,350	18	38	53	113	71	150				



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-LATEST APPROVED DRAWINGS GOVERN CONSTRUCTION.
-DO NOT SCALE DRAWINGS.



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REV.	DATE	DESCRIPTION
1	JUNE 30/20	ISSUED FOR PERMIT

ADDRESS 325 DEWITT RD., STONEY CREEK, ON	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.42
TITLE HVAC CALCULATIONS	SHEET M.32

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

HVAC EQUIPMENT SCHEDULE

TAG	MODEL	MFR	NOMINAL TONS	CFM	L/S	WG	PA	VOLT	PHASE	HP	KW	COOLING (MBH)	HEATING INPUT (MBH)		HEATING OUTPUT (MBH)		MIN EER	REMARKS
													LOW	HIGH	LOW	HIGH		
F-1	TM9Y060B12MP11	YORK	-	1,200	566	-	-	120	1	0.50	0.82	-	39.0	60.0	37.0	58.0	-	
C-1	YFE24B21S	YORK	2.00	-	-	-	-	208-230	1	-	2.83	24	-	-	-	-	12.5	
Inv-1	100H Part # 1601706	VANCE	-	150	71	0.50	125	120	1	-	0.20	-	-	-	-	-	-	

NOTES
 ALL EQUIPMENT LISTED ON THIS SCHEDULE ARE SUPPLIED & INSTALLED BY DIVISION 23 UNLESS OTHERWISE NOTED.
 ALTERNATE MODELS WITH SIMILAR PERFORMANCE SPECIFICATIONS MAY BE APPROVED UPON ENGINEER'S REVIEW.
 ALL UNITS SHALL HAVE FANS SET TO CONTINUOUSLY RUN.
 AIR FLOWS SHOWN ABOVE ARE NOMINAL ONLY - REFER TO AIR BALANCE SCHEDULE FOR ACTUAL DESIGN AIR FLOWS.

FAN EQUIPMENT SCHEDULE

TAG	APPLICATION	MODEL	MFR	CFM	L/S	WG	PA	VOLT	PHASE	HP	KW	REMARKS
EF-1	WASHROOM EXHAUST	AR80C	BROAN	80	38	0.10	25	120	1	0.06	0.04	5"Ø INSULATED RIGID DUCT FROM FAN C/W BACKDRAFT DAMPER AND EXHAUST LOUVER FOR WALL TERMINATION OR ROOF CAP FOR ROOF TERMINATION.
EF-2	WASHROOM EXHAUST	AR80C	BROAN	80	38	0.10	25	120	1	0.06	0.04	5"Ø INSULATED RIGID DUCT FROM FAN C/W BACKDRAFT DAMPER AND EXHAUST LOUVER FOR WALL TERMINATION OR ROOF CAP FOR ROOF TERMINATION.
EF-3	WASHROOM EXHAUST	AR80C	BROAN	80	38	0.10	25	120	1	0.06	0.04	5"Ø INSULATED RIGID DUCT FROM FAN C/W BACKDRAFT DAMPER AND EXHAUST LOUVER FOR WALL TERMINATION OR ROOF CAP FOR ROOF TERMINATION.
EF-4	KITCHEN HOOD EXHAUST	-	BY GC	100	47	-	-	120	1	-	-	HOOD TO BE SPECIFIED BY GENERAL CONTRACTOR. 6"Ø RIGID DUCT FROM FAN C/W BACKDRAFT DAMPER AND EXHAUST LOUVER FOR WALL TERMINATION OR ROOF CAP FOR ROOF TERMINATION.

NOTES
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 ALTERNATE MODELS WITH SIMILAR PERFORMANCE SPECIFICATIONS MAY BE APPROVED UPON ENGINEER'S REVIEW.
 THIS CONTRACTOR SHALL VERIFY THE VOLTAGES OF ALL MECHANICAL EQUIPMENT WITH DIVISION 26 PRIOR TO ORDERING.



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1	JUNE 30/20	ISSUED FOR PERMIT

ADDRESS 325 DEWITT RD., STONEY CREEK, ON	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.51
TITLE SCHEDULES	SHEET M.33

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

MECHANICAL SPECIFICATIONS - GENERAL

GENERAL:

1. THE INSTRUCTIONS TO BIDDERS, CONSTRUCTION CONTRACT AND DIVISION 1 SHALL APPLY TO THIS SECTION AS IF WRITTEN IN FULL HEREIN.
 2. SUPPLY AND INSTALL ALL ITEMS, ARTICLES, MATERIALS, OPERATIONS, INCLUDE ALL LABOUR, EQUIPMENT AND TOOLS NECESSARY TO COMPLETE ALL THE SYSTEMS SHOWN ON THE DRAWINGS RENDERING A COMPLETE AND OPERATING INSTALLATION.
 3. VISIT AND INSPECT THE SITE AND ALL OTHER DRAWINGS. COORDINATE THE WORK OF THE LOCAL UTILITY GIVING ALL NOTICES AND DETAILS OF REQUIREMENTS. ALLOW FOR AND MAKE ADJUSTMENTS AS NECESSARY TO CONNECT TO THE SERVICES OF THE LOCAL UTILITY. NO ALLOWANCE WILL BE MADE FOR FAILURE TO DO SO. ALL FEES FOR THE WORK OF THE UTILITY IS TO BE PAID BY THE GENERAL CONTRACTOR.
 4. THIS CONTRACTOR RESPONSIBLE FOR CARE OF THE BUILDING. DO ALL CUTTING PATCHING AND PAINTING REQUIRED FOR THE WORK OF THIS TRADE. PAINT ALL STEEL THAT IS NOT FACTORY FINISHED WITH RED LEAD PRIMER AND TOUCH UP ALL DAMAGED PAINTED EQUIPMENT SURFACES. WORK TO BE PERFORMED BY THIS CONTRACTOR AT THIS CONTRACTOR'S EXPENSE. INSTALL TEMPORARY CAPS OR CLOSERS ON THE ENDS OF ALL PIPES, CONDUITS, ETC., TO PREVENT THE ENTRY OF DEBRIS. CLEAN UP ALL DEBRIS DAILY AND REMOVE FROM THE SITE BEFORE COMPLETION OF CONTRACT. COOPERATE WITH ALL OTHER TRADES.
 5. OBTAIN ALL PERMITS REQUIRED. ARRANGE FOR INSPECTION OF WORK BY INSPECTION AUTHORITY, PAY ALL FEES. RETAIN ALL INSPECTION CERTIFICATES. SUBMIT FINAL CERTIFICATES TO OWNER.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH ALL LAWS AND REGULATIONS OF AUTHORITIES HAVING JURISDICTION. ALL EQUIPMENT AND MATERIALS SHALL BE NEW COMMERCIAL GRADE AND SHALL HAVE THE APPROPRIATE CSA, ULC OR CGA APPROVAL. BEFORE PROCEEDING WITH CHANGES REQUIRED BY LOCAL AUTHORITIES, CONSULT THE ENGINEER.
 7. SHOP DRAWINGS: BEFORE DELIVERY OF ANY PIECE OF EQUIPMENT OR FIXTURES SUBMIT "5" COPIES OF SHOP DRAWINGS C/W ALL DATA PRE-CHECKED AND STAMPED ACCORDINGLY, TO OWNER FOR APPROVAL.
 8. IDENTIFY ALL EQUIPMENT (I.E. HVAC UNITS, FANS, STARTERS ETC.) WITH SECURELY FASTENED BLACK LAMICOID NAMEPLATES WITH 3/8" ENGRAVED WHITE LETTERS.
- FIRESTOPPING:
- FIRESTOPPING MATERIAL AND INSTALLATION WITHIN ANNULAR SPACE BETWEEN CONDUITS, SLEEVES AND ADJACENT FIRE SEPARATION TO BE ULC APPROVED.
- SERVICE PENETRATION COMPONENTS AND ASSEMBLIES, INCLUDING BACK-UP MATERIALS AND SUPPORTS SHALL BE CERTIFIED IN ACCORDANCE WITH CAN4-S115-M85, ULC-S101M-1980, UL 1479, DIN 4102 OR ASTM E814.
- COMBINED AND/OR BUILT-UP SITE SYSTEMS SHALL BE DESIGNED IN ACCORDANCE WITH ULI, ULC, FM, FMPA OR SWR SYSTEM RESTRICTIONS AND TECHNICAL EVALUATION AS APPROVED BY AUTHORITIES HAVING JURISDICTION.

PRODUCTS:

- DOUBLE A/D DISTRIBUTORS LTD., FIREBARRIER FIRESTOPPING OR DOW CORNING CANADA INC., FIRE STOP SEALANT NO. 2000 AND FIRE STOP FOAM NO. 2001.
- THIS CONTRACTOR SHALL FIRESTOP ALL PENETRATIONS BETWEEN SERVICE SPACES AND OTHER FIRE SEPARATIONS. REFER TO ARCHITECTURAL DRAWINGS FOR FIRE SEPARATIONS.
10. RETAIN ONE CLEAN SET OF WHITE PRINTS ON THE SITE AND AS THE JOB PROGRESSES, MARK-UP THESE PRINTS TO ACCURATELY INDICATE THE WORK "AS BUILT". THESE WHITE PRINTS SHALL BE AVAILABLE FOR REVIEW AT THE SITE AT ALL TIMES. ON COMPLETION OF WORK, SUBMIT THESE PRINTS TO OWNER FOR REVIEW. SUBMIT 3 SETS OF AS BUILT AT END OF PROJECT.
 11. SUBMIT A "CERTIFICATE OF GUARANTEE" OF WORKMANSHIP AND MATERIALS FOR ONE YEAR FROM THE DATE OF ACCEPTANCE. THIS GUARANTEE SHALL BIND THE CONTRACTOR TO CORRECT, REPAIR OR REPLACE PROMPTLY ANY DEFECTIVE EQUIPMENT OR WORKMANSHIP WITHOUT COST TO THE OWNER.
 12. ON COMPLETION OF PROJECT SUBMIT 3 HARDCOVER "OPERATING AND MAINTENANCE MANUALS" FOR APPROVAL. THE MANUALS SHALL CONTAIN AN INDEX PAGE, TABBED DIVIDER PAGES, A LIST OF THE SUPPLIERS NAMES, ADDRESSES AND TELEPHONE NUMBERS, OPERATING AND MAINTENANCE INSTRUCTIONS FOR ALL EQUIPMENT, COPIES OF TEST CERTIFICATES, ETC., AND INCLUDING A COMPLETE SET OF APPROVED SHOP DRAWINGS.
 13. CARRY ALL STRAPPING IS NOT PERMITTED TO BE USED IN ANY PART OF THIS PROJECT.
 14. REPORT ANY DISCREPANCIES OR AMBIGUITIES TO OWNER BEFORE PRICING.

PROJECT RECORD DRAWINGS:

1. PRINTS OF THE DRAWINGS WILL BE KEPT ON SITE FOR RECORD PURPOSES. CLEARLY MARK ON THESE PRINTS IN RED, AS THE JOB PROGRESSES, ALL SITE CHANGES AND DEVIATIONS FROM THE ENGINEER'S DRAWINGS.
2. INDICATE DIMENSIONS OF BURIED SERVICES RELATIVE TO THE BUILDING COLUMN LINES, AND INVERTS RELATIVE TO FINISHED FLOOR LEVELS OR GRADES.
3. RECORD REVISIONS OR VARIATIONS COVERED BY AUTHORIZED CHANGES.
4. DURING THE CONSTRUCTION PERIOD, THIS CONTRACTOR SHALL RETAIN DRAWINGS ON SITE FOR THIS PURPOSE AND SHALL PROVIDE THESE DRAWINGS FOR REVIEW AS REQUESTED BY THE ENGINEER.
5. FINAL CERTIFICATE OF ACCEPTANCE WILL NOT BE ISSUED UNTIL ALL ITEMS ARE COMPLETE AND SATISFACTORY TO THE OWNER.



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ADDRESS 325 DEWITT RD., STONEY CREEK, ON	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.61
TITLE MECHANICAL SPECIFICATIONS - GENERAL	SHEET M.61

INTENTIONAL BLANK SPACE PER HAMILTON BUILDING

MECHANICAL SPECIFICATIONS - HVAC

1. THE GENERAL SPECIFICATIONS FOR THIS JOB SHALL APPLY TO THIS CONTRACTOR AS IF WRITTEN HEREIN IN FULL.

2. HVAC UNIT:
 AIR CONDITIONING UNITS SHALL BE AS PER HVAC UNIT SCHEDULE. DOWN DISCHARGE (OR SIDE DISCHARGE - REFER TO PLANS), SINGLE PACKAGE AIR-TO-AIR DX MECHANICAL COOLING SYSTEM AND GAS FIRED (OR ELECTRIC) HEATING SYSTEM - AS SPECIFIED IN HVAC SCHEDULE, COMPLETE WITH AUTOMATIC CONTROLS. MULTIPLE COMPRESSORS SHALL BE RESILIENTLY MOUNTED, HAVE OVERLOAD PROTECTION AND CRANKCASE HEATERS. ALL MODELS SHALL HAVE LOW AMBIENT OPERATION DOWN TO 0 DEG F. ALL UNITS SHALL BE C/W INTEGRATED MODULAR CONTROL, FACTORY INSTALLED AND WIRED COMPLETE WITH RETURN AIR SENSOR, DISCHARGE AIR SENSOR, OUTDOOR AIR SENSOR, A HIGH PRESSURE, LOW PRESSURE, AND FREEZESTAT SWITCH ON EACH REFRIGERATION CIRCUIT. THE CABINET SHALL BE GALVANIZED STEEL WITH POWDERED ENAMEL PAINT FINISH. CABINET PANELS WHERE CONDITIONED AIR IS HANDLED SHALL BE FULLY INSULATED. CONDENSATE DRAIN FOR EVAPORATOR COIL SHALL EXTEND OUTSIDE CABINET AND PVC CONDENSATE TRAP SUPPLIED WITH EACH UNIT FOR FIELD INSTALLATION. CENTRIFUGAL SUPPLY AIR BLOWER SHALL HAVE BALL BEARINGS AND ADJUSTABLE BELT DRIVE. ALL UNITS LARGER THAN 3 TONS SHALL BE COMPLETE WITH ECONOMIZER, FRESH AIR TEMPERING KITS, RECIRCULATED AIR DAMPERS, OUTSIDE AIR DAMPERS & CONTROLS, AND GRAVITY EXHAUST DAMPERS. OUTDOOR AIR HOOD SHALL BE SUPPLIED WITH UNIT FOR FIELD INSTALLATION. DISPOSABLE 2" THICK PLEATED THROWAWAY FILTERS SHALL BE FURNISHED WITH HVAC UNIT. FOR ROOF MOUNTED UNITS, FURNISH AND INSTALL A STEEL ROOF MOUNTING FRAME FOR BOTTOM DISCHARGE AND RETURN AIR CONNECTION. PROVIDE 10 CONDUCTOR THERMOSTAT CABLE FROM UNIT TO THERMOSTAT LOCATION. DIVISION 23 TO SUPPLY, INSTALL AND ACTIVATE A SUITABLE PROGRAMMABLE THERMOSTAT FOR ALL HVAC UNITS UNLESS OTHERWISE NOTED.

TEMPERATURE RANGE: 6 DEG C TO 31 DEG C ALUMINIZED HEAT EXCHANGERS SHALL HAVE 10 YEARS WARRANTY, COMPRESSORS SHALL HAVE FULL FIVE YEARS WARRANTY & ALL OTHER COMPONENTS HAVE A ONE YEAR WARRANTY. BOTTOM ENTRY FOR ELECTRICAL POWER SHALL BE FURNISHED. ALL UNITS SHALL BE COMPLETE WITH DISCONNECT SWITCH FACTORY INSTALLED IN UNIT. ONE AC UNIT ON ROOF SHALL HAVE 115V GFCI TYPE SERVICE OUTLET FACTORY INSTALLED. DIVISION 26 SHALL BE RESPONSIBLE FOR: ELECTRIC SUPPLY CONNECTION TO UNIT TERMINALS, WIRING DISCONNECT SWITCH TO ROOFTOP TERMINAL BLOCK AND FIELD WIRING TO GFCI OUTLET. ALL CONTROL WIRING SHALL BE THE RESPONSIBILITY OF DIVISION 23 CONTRACTOR AND SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER WIRING DIAGRAM AND THE ELECTRICAL SPECIFICATION FOR THIS PROJECT.

3. PROVIDE ALL REGISTERS, GRILLES AND DIFFUSERS AS PER DIFFUSERS, GRILLES & REGISTERS SCHEDULE.

4. DUCTWORK:
 ALL DUCTWORK FOR AIR HANDLING SHALL BE NEW GALVANIZED STEEL. ALL SUPPLY AND RETURN AIR DUCTS SHALL BE SEALED AS PER SMACNA SEAL CLASS 'A'. FLEXIBLE DUCT WILL BE MADE OF DEAD SOFT ALUMINUM AND MANUFACTURED IN A MANNER TO PRODUCE A THREE PLY AIRTIGHT MECHANICAL SEAM, THE CORE WILL BE FACTORY WRAPPED IN FIBERGLASS INSULATION AND COVERED WITH A FLAME RETARDANT, NON-TOXIC POLYETHYLENE VAPOUR BARRIER. THIS FLEXIBLE INSULATED ALUMINUM DUCT WILL BE LISTED IN ACCORDANCE WITH ULC-S110 AND CLASSIFIED CLASS 1. ACCEPTABLE PRODUCT: 'FLEXMASTER' THERMAL DUCT TYPE T/L-T FLEXIBLE DUCT. INSULATED NON-METALLIC, NON-COLLAPSIBLE, ALUMINUM FOIL MYLAR, HELICALLY SUPPORTED BY STEEL WIRE WITH FACTORY APPLIED INSULATION SUCH AS FLEXMASTER FAB-3T IS NOT ACCEPTABLE.

INSTALL FLEXIBLE DUCTS WITH SPIN-ON COLLARS, FULL SIZE BUTTERFLY DAMPER WITH LOCKING SUPPORT, ACCEPTABLE PRODUCT 'DURO DYNE RB-25T SOLID RAPIT', CLAMP & SEALER. CONSTRUCT & INSTALL ALL DUCTWORK TO LATEST "ASHRAE" AND "SMACNA" STANDARDS. ALL CONNECTIONS TO RETURN AIR GRILLES SHALL BE MADE WITH RIGID DUCTS ONLY, FLEXIBLE CONNECTIONS ARE NOT ACCEPTABLE.

5. HANGERS & SUPPORT:
 GENERAL:
 - INSTALL DUCTS IN ACCORDANCE WITH ASHRAE AND SMACNA AND AS INDICATED.
 - DO NOT BREAK CONTINUITY OF INSULATION VAPOUR BARRIER WITH HANGERS OR RODS.
 - SUPPORT RISERS IN ACCORDANCE WITH SMACNA.
 - SUPPORT FLEXIBLE DUCTS IN ACCORDANCE WITH SMACNA.
 - MAXIMUM LENGTH OF FLEXIBLE DUCT: 80".

HANGERS & SUPPORT:
 - STRAP HANGERS: OF SAME MATERIAL AS DUCT BUT NEXT SHEET METAL THICKNESS HEAVIER THAN DUCT. INSTALLED IN ACCORDANCE WITH SMACNA. MAXIMUM SIZE DUCT SUPPORTED BY STRAP HANGER: 20".
 - ANGLE HANGERS: COMPLETE WITH LOCKING NUTS AND WASHERS. GALVANIZED STEEL ANGLE WITH GALVANIZED STEEL RODS TO THE FOLLOWING TABLE:

DUCT SIZE (")	ANGLE SIZE (")	ROD SIZE (")
UP TO 30	1X1X1/8	1/4
30 TO 42	1.5X1.5X1/8	1/4
42 TO 60	1.5X1.5X1/8	3/8

HANGER SPACING AS FOLLOWS:
 - 120" FOR DUCT SIZES UP TO 60", 100"mm FOR DUCTS 60" & OVER.

UPPER HANGER ATTACHMENTS:
 - FOR CONCRETE: MANUFACTURED CONCRETE INSETS
 - FOR STEEL JOIST: MANUFACTURED JOIST CLAMP OR STEEL PLATE WASHER.
 - FOR STEEL BEAMS: MANUFACTURED BEAM CLAMPS.

6. INSULATION:
 DUCT DIMENSIONS SHALL BE CLEAR INSIDE DIMENSIONS AFTER LINING. USE 1" THICK LINER SECURED WITH ADHESIVE AND PINS AND SEAL ALL JOINTS AND EXPOSED LINER MATERIAL WITH MASTIC. SEALING AS PER SMACNA SEAL CLASS A. INSULATE ALL RIGID SUPPLY, RETURN & SANITARY EXHAUST DUCTWORK WHERE DUCT IS INSTALLED IN UNCONDITIONED SPACE WITH 1.5" THICK FIBERGLASS INSULATION WITH FOIL FACED VAPOUR BARRIER. SEAL JOINTS OF VAPOUR BARRIER WITH 1" ALUMINUM FOIL TAPE. FLEXIBLE DUCTS TO HAVE FACTORY APPLIED FLEXIBLE GLASS FIBER THERMAL INSULATION WITH VAPOUR BARRIER.

THERMAL DUCT INSULATION (OUTDOOR): FLEXIBLE MINERAL FIBER BLANKET INSULATION TO CAN/CGSB-51.11-92. SERVICE TEMPERATURE = -40°C TO 65°C. JACKET: FACTORY APPLIED REINFORCED ALUMINUM FOIL VAPOUR BARRIER TO CGSB 51-GP-52 MA. MINIMUM THICKNESS 2". INSTALL IN ACCORDANCE WITH ANSI/NFPA 90A AND ANSI/NFPA 90B AND AS PER MANUFACTURERS RECOMMENDATIONS.

FINISH EXTERNAL THERMAL INSULATED DUCTS EXPOSED TO OUTDOORS WITH ALUMINUM JACKET. COVER ENTIRE SURFACE OF INSULATION WITH 1/8" THICK COAT OF SUITABLE WATERPROOF MASTIC. WHILE WET EMBED A LAYER OF GLASS FABRIC WITH ALL JOINTS LAPPED 2" MINIMUM. COVER WITH A SECOND COAT OF 1/8" THICK MASTIC.

CAULK ALL JOINTS ON JACKET FOR WEATHERTIGHT FINISH. LOCATE LONGITUDINAL JOINTS IN LEAST WEATHER EXPOSED POSITION.

7. SUPPLY ACCESS DOORS TO CONCEALED MECHANICAL EQUIPMENT FOR OPERATING, INSPECTION, ADJUSTING AND SERVICING. FLUSH MOUNTED 24"x24" FOR BODY ENTRY AND 12"x12" FOR HAND ENTRY UNLESS OTHERWISE NOTED. DOORS TO OPEN 180 DEG., HAVE ROUNDED SAFETY CORNERS, CONCEALED HINGES, SCREWDRIVER AND ANCHOR STRAPS. HAVE THESE INSTALLED BY THE TRADE IN WHOSE WORK THE DOOR IS LOCATED. DOORS TO MATCH WALL AND OR CEILING SURFACES.

8. PROVIDE ALL NECESSARY BALANCING AND VOLUME DAMPERS. ASSIST THE BALANCING CONTRACTOR TO BALANCE THE AIR SYSTEM TO ALL VOLUMES SHOWN.

9. PROVIDE FIRE DAMPERS AND OR FIRE FLAPS WHERE REQUIRED BY LOCAL AUTHORITY AND CODES. RATE FIRE DAMPERS/FLAPS TO MATCH THE RATING OF THE SEPARATION CROSSED. PROVIDE ULC LABELED DAMPERS. INSTALL AS SPECIFIED IN NFPA/CUA 90A.

10. ALL TEST MEASUREMENTS ARE TO BE + OR - 5% OF DESIGN

11. CHANGE OR ADJUST THE SHEAVES AND BELTS IF NECESSARY TO ACHIEVE THE SPECIFIED AIR VOLUMES.

AIR BALANCING

1. AIR BALANCING SHALL BE DONE BY AN AIR BALANCING CONTRACTOR WHILE ALL SYSTEMS ARE OPERATING. COORDINATE WITH AIR BALANCING CONTRACTOR AND HAVE MECHANIC AVAILABLE DURING AIR BALANCING.



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ADDRESS 325 DEWITT RD., STONEY CREEK, ON	FILE 2002-1001-MD
CLIENT DESJARDINS GENERAL INSURANCE GROUP	SEQUENCE M.62
TITLE MECHANICAL SPECIFICATIONS - HVAC	SHEET M.62

TOPOGRAPHIC SURVEY OF
PART OF LOT 17
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF SALT FLEET
IN THE
CITY OF HAMILTON

SCALE 1 : 200
1 2 0 10 METRES

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

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY.
NONE

THIS SURVEY WAS PREPARED FOR LAKE VIEW RESTORATION AND THE UNDERSIGNED
ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

BENCHMARK
CITY OF HAMILTON BENCHMARK No.0011975U223
HAMILTON-WENTWORTH SAMUEL SON & COMPANY LTD. BUILDING, ALONG DEWITT
ROAD,, 0.6 KM NORTH OF BARTON STREET, TABLET IN NORTH CONCRETE
FOUNDATION BETWEEN TWO LARGE GARAGE DOORS, 20.51M FROM NORTHEAST
CORNER OF BUILDING, 1.15M WEST OF WEST EDGE OF MOST EASTERLY
DOORWAY, 61 CM BELOW ALUMINIUM SIDING
ELEVATION 80.853 (DATUM: CGVD28:78)

NOTE
NOTE THE LOCATION OF THE FENCES ALONG THE NORTH, WEST AND SOUTH
LIMITS OF YOUR PROPERTY
NOTE THE LOCATION OF THE ASPHALT DRIVEWAYS
NOTE THE LOCATION OF THE HEDGE ALONG THE NORTH LIMIT OF THE PROPERTY

BEARING NOTE
BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE WEST LIMIT OF DEWITT
ROAD AS SHOWN ON PLAN P3 & P2 HAVING A BEARING OF N17°11'00"E

LEGEND

■	DENOTES	FOUND
□	DENOTES	PLANTED
⊕	DENOTES	IRON BAR
⊖	DENOTES	STANDARD IRON BAR
⊗	DENOTES	ROUND IRON BAR
M	DENOTES	MEASURED
OU	DENOTES	ORIGIN UNKNOWN
WT	DENOTES	WITNESS
P1	DENOTES	PLAN 62R-19569
P2	DENOTES	PLAN 62R-10527
P3	DENOTES	PLAN 62R-13676
D1	DENOTES	INSTRUMENT No. M495660
D2	DENOTES	INSTRUMENT No. C0203749
D3	DENOTES	INSTRUMENT No. A8197618
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
DT	DENOTES	DECIDUOUS TREE
FF	DENOTES	FIRST FLOOR ELEVATION
MF	DENOTES	METAL FENCE
MH	DENOTES	MANHOLE
OU	DENOTES	OVERHEAD UTILITY
UPH	DENOTES	TOP NUT OF FIRE HYDRANT
WV	DENOTES	WATER VALVE
UP	DENOTES	UTILITY POLE

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT,
THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 23RD DAY OF JUNE, 2020

July 14, 2020
DATE

Harry Kalantzikos
HARRY KALANTZIKOS
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2127979



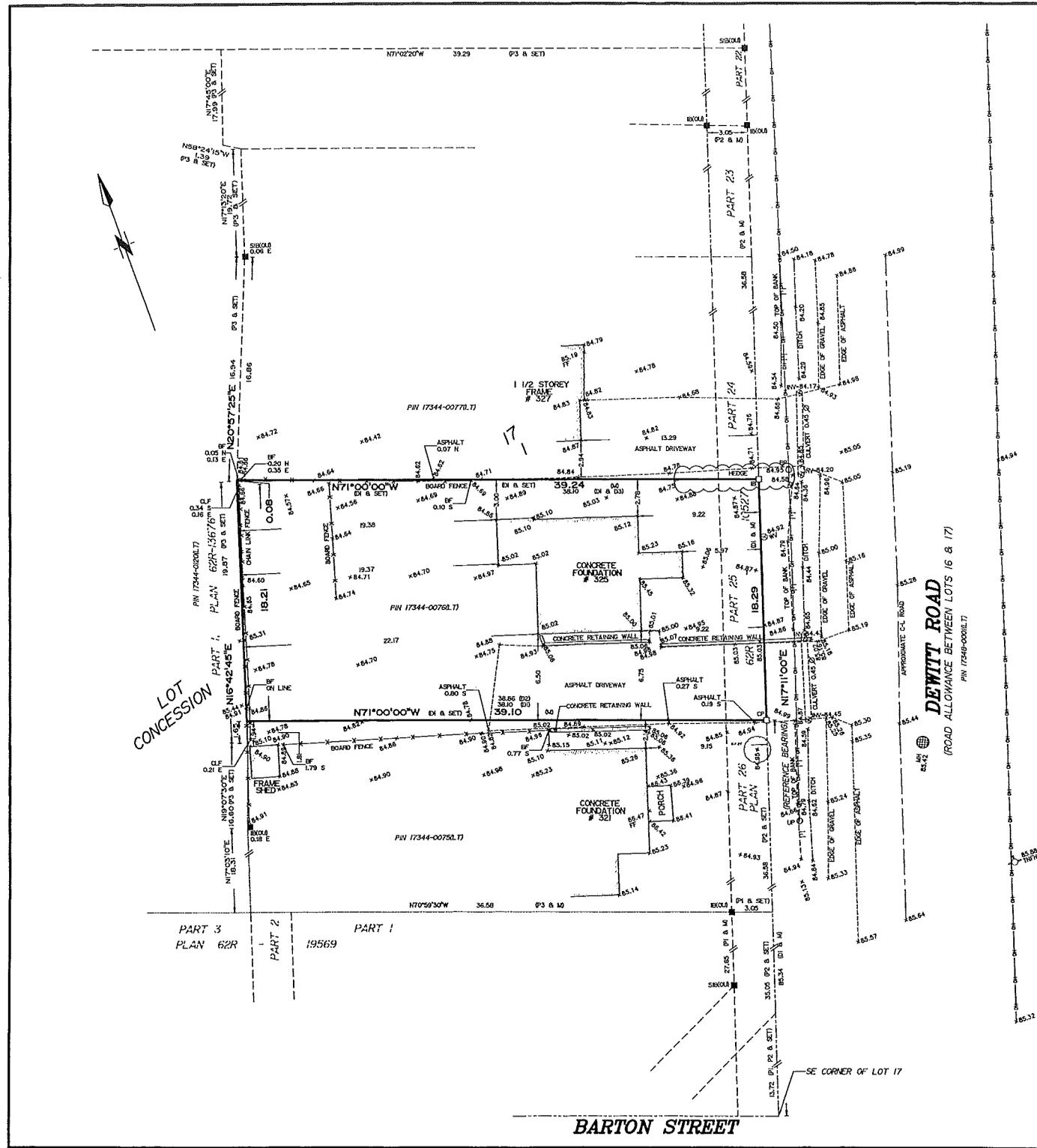
THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 24(4)

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



SINCE 1956

DRAWN BY: W.S. CALCD BY: E.C. CHK'D BY: H.K. FILE No.: 20-048 TOPO



BARTON STREET



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

Planning and Economic Development Department
Planning Division

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

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

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.

- Name of Owner KATHLEEN KEEBLER AND MICHAEL KIRK Telephone No. _____
FAX NO. _____ E-mail address _____
- Address _____
_____ Postal Code _____
- Name of Agent N/A Telephone No. _____
FAX NO. _____ E-mail address _____
- Address _____
_____ Postal Code _____

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
ROYAL BANK - 1145 BARTON ST E
HAMILTON ONT Postal Code L8H-2V2

_____ Postal Code _____

6. Nature and extent of relief applied for:
WE ARE REQUESTING A VARIANCE TO ALLOW US TO INCREASE THE VOLUME OF OUR HOME WHICH WE LOST IN A FIRE. WE REQUEST THIS VARIANCE SO WE CAN REBUILD OUR HOME TO COMPLY WITH THE CURRENT BUILDING CODE STANDARDS.
7. Why it is not possible to comply with the provisions of the By-law?
THE BYLAW REQUIRES THAT WE MAINTAIN THE SAME VOLUME WHEN REBUILDING OUR HOME. BY DOING THIS WE ARE NOT ABLE TO REBUILD THE HOME TO CURRENT BUILDING CODE STANDARDS AS THE CURRENT VOLUME DOES NOT GIVE US THE HEADROOM IN THE BASEMENT.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
325 DEWITT RD STONEY CREEK PART OF LOT #17
CONVESSION 1 - GEOGRAPHIC TOWNSHIP OF
SALT FLEET IN THE CITY OF HAMILTON
9. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
Agricultural Vacant
Other _____
- 9.1 If Industrial or Commercial, specify use

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

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

Yes _____ No _____ Unknown _____

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

Yes _____ No _____ Unknown _____

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

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

Is the previous use inventory attached? Yes _____ No X

ACKNOWLEDGEMENT CLAUSE

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

DEC 08/2020
 Date


 Signature Property Owner

KATHLEEN KEEBLER - MICHEAL KIRK
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 60 FT
 Depth 125 FT
 Area 0.17 ACRES
 Width of street 66 FT 8

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: FROM THE STREET THE HOUSE WILL BE EXACTLY THE SAME FOOTPRINT AS IT WAS PREVIOUSLY TOP HEIGHT APPROX - 21.3 FT

Proposed: TO REBUILD OUR HOUSE USING THE EXACT SAME FOOTPRINT THE ONLY DIFFERENCE IS WE ARE INCREASING THE VOLUME BY EXCAVATING DEEPER INTO THE GROUND. THIS WILL ALLOW US TO ACHIEVE THE REQUIRED CEILING HEIGHT AS PER BUILDING CODE IN THE BASEMENT.

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, GARAGE, REAR DECK

Proposed: THE HOME WILL BE IN THE SAME FOOTPRINT AS PREVIOUS HOME.

13. Date of acquisition of subject lands:

APPROX 2011

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

HOME 1955 GARAGE UNKNOWN

15. Existing uses of the subject property: RESIDENTIAL

16. Existing uses of abutting properties: RESIDENTIAL (LEFT)

RESIDENTIAL (RIGHT) COMMERCIAL (BEHIND)

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

THE SUBJECT PROPERTY WAS RESIDENTIAL SINCE 1955

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

Water Connected CURRENTLY DISCONNECTED
 Sanitary Sewer Connected BECAUSE OF FIRE
 Storm Sewers _____

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

UNKNOWN - WE HAVE ENGINEERED DRAWINGS AND PROPOSED DRAWINGS

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

SPECIALTY INDUSTRIAL - LEGAL NON COMPLYING RESIDENTIAL

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

Yes

No

If the answer is yes, describe briefly.

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

Yes

No

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

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



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: SC/B-20:95

SUBJECT PROPERTY: 136, 144 & 146 Upper Mt. Albion Rd., Stoney Creek

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): Bousfields Inc. c/o D. Falletta on behalf of the owner
 2178872 Ontario Inc.

PURPOSE OF APPLICATION: To permit the creation of a new lot and the establishment of an easement

Severed lands (Part 5):
 90.03m[±] x 57.92m[±] and an area of 5,150.4m^{2±}

Retained lands:
 46m[±] x 57.8m[±] and an area of 2,792m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th , 2021
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.

SC/B-20:95
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: January 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

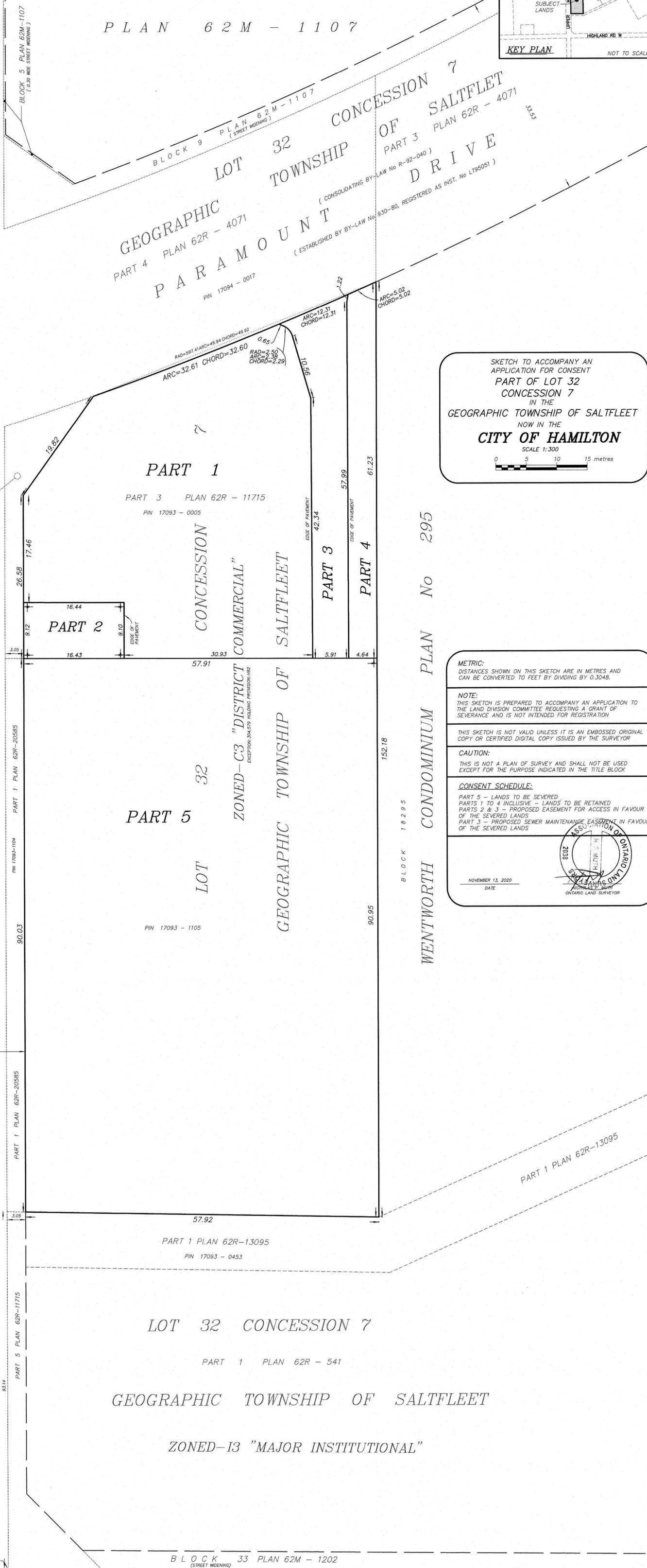
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



UPPER MOUNT ALBION ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 32 AND 33)
FORMERLY MOUNT ALBION ROAD NAME CHANGED BY BY-LAW No R80-079

UPPER MOUNT ALBION ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 32 AND 33)
FORMERLY MOUNT ALBION ROAD NAME CHANGED BY BY-LAW No R80-079

BLOCK 1
PLAN 62M - 1107



SKETCH TO ACCOMPANY AN APPLICATION FOR CONSENT
PART OF LOT 32
CONCESSION 7
IN THE
GEOGRAPHIC TOWNSHIP OF SALTFLEET
NOW IN THE
CITY OF HAMILTON
SCALE 1:300
0 5 10 15 metres

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

NOTE:
THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

CONSENT SCHEDULE:
PART 5 - LANDS TO BE SEVERED
PARTS 1 TO 4 INCLUSIVE - LANDS TO BE RETAINED
PARTS 2 & 3 - PROPOSED EASEMENT FOR ACCESS IN FAVOUR OF THE SEVERED LANDS
PART 3 - PROPOSED SEWER MAINTENANCE EASEMENT IN FAVOUR OF THE SEVERED LANDS

NOVEMBER 13, 2020
DATE

CONCESSION
COMMERCIAL
GEOGRAPHIC TOWNSHIP OF SALTFLEET

WENTWORTH CONDOMINIUM PLAN No 295

LOT 32 CONCESSION 7
PART 1 PLAN 62R - 541
GEOGRAPHIC TOWNSHIP OF SALTFLEET
ZONED-13 "MAJOR INSTITUTIONAL"

BLOCK 33 PLAN 62M - 1202
HIGHLAND ROAD WEST
(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8)



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	2178872 Ontario Inc. c/o Lorraine Kelso	[REDACTED]	Business () Fax: () E-mail:
Applicant(s)*			Business () Fax: () E-mail:
Agent or Solicitor	Bousfields Inc. c/o David Falletta	[REDACTED]	Business () Fax: () E-mail: [REDACTED]

* 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 Stoney Creek	Lot 32	Concession 7	Former Township
Registered Plan N ^o .	Lot(s)	Reference Plan N ^o .	Part(s) 1-5
Municipal Address 136, 144, 146 Upper Mount Albion Road			Assessment Roll N ^o .

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:

Restrictive covenant to the lands as shown as Part 1 and 2 on the submitted survey

3 PURPOSE OF THE APPLICATION

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

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

creation of a new lot

addition to a lot

an easement

Other: a charge

a lease

a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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) 90.03 m	Depth (m) 57.92 m	Area (m ² or ha) 5,150.4 m ²
-------------------------	----------------------	---

Existing Use of Property to be severed:

- | | | |
|---|---|--|
| <input 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 checked="" type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input 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: None

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be Retained:

Frontage (m) 46 m	Depth (m) 57.8 m	Area (m ² or ha) 2,792 m ²
----------------------	---------------------	---

Existing Use of Property to be retained:

- | | | |
|---|---|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

- | | | |
|---|---|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: Mr Lube

Proposed: No change

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

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

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

- | | | | |
|--------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> electricity | <input type="checkbox"/> telephone | <input type="checkbox"/> school bussing | <input type="checkbox"/> garbage collection |
|--------------------------------------|------------------------------------|---|---|

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Local Commercial - West Mountain Area SP

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

Please refer to planning letter

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? C3, Exception 304, 579, H82

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 Mr. Lube/vacant land
- 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?
Owners knowledge and Phase 2 environmental report and record site condition
- 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 Grading on the Subject site was due to site plan control application for Mr. Lube

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 refer to planning letter

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

Please refer to planning letter

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

Please refer to planning 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 refer to planning 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)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

No

- 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?

July 31, 2008

- 8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

- 10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 **Type of Application** (select type and complete appropriate sections)

- | | | |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

- 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.

Nov 26, 2020
Date


Signature of Owner

14 AFFIDAVIT OR SWORN DECLARATION
14.1 Declaration For the Prescribed Information

I, David Falletta of the Province
of Ontario make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application in respect of the application is true.

Sworn (or declared) before me at the
City of Hamilton this

8 day of December, 2020



Applicant's Signature

 Joseph Robert Burodolone, a
Commissioner, etc., Province
of Ontario, for Bousfields Inc.
Expires February 4, 2023
A Commissioner, etc.

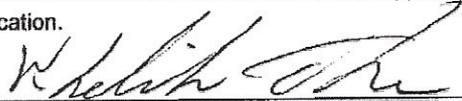
15 AUTHORIZATIONS

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

Authorization of Owner for Agent to Provide Personal Information

I, 2178872 Ontario Inc., am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I authorize Bousfields Inc., 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.

Nov 26/2020
Date


Signature of Owner

16 CONSENT OF THE OWNER

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

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

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

I, 2178872 Ontario Inc., 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.

Nov 24 / 2020
Date


Signature of Owner

17 COLLECTION OF INFORMATION

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 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 "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

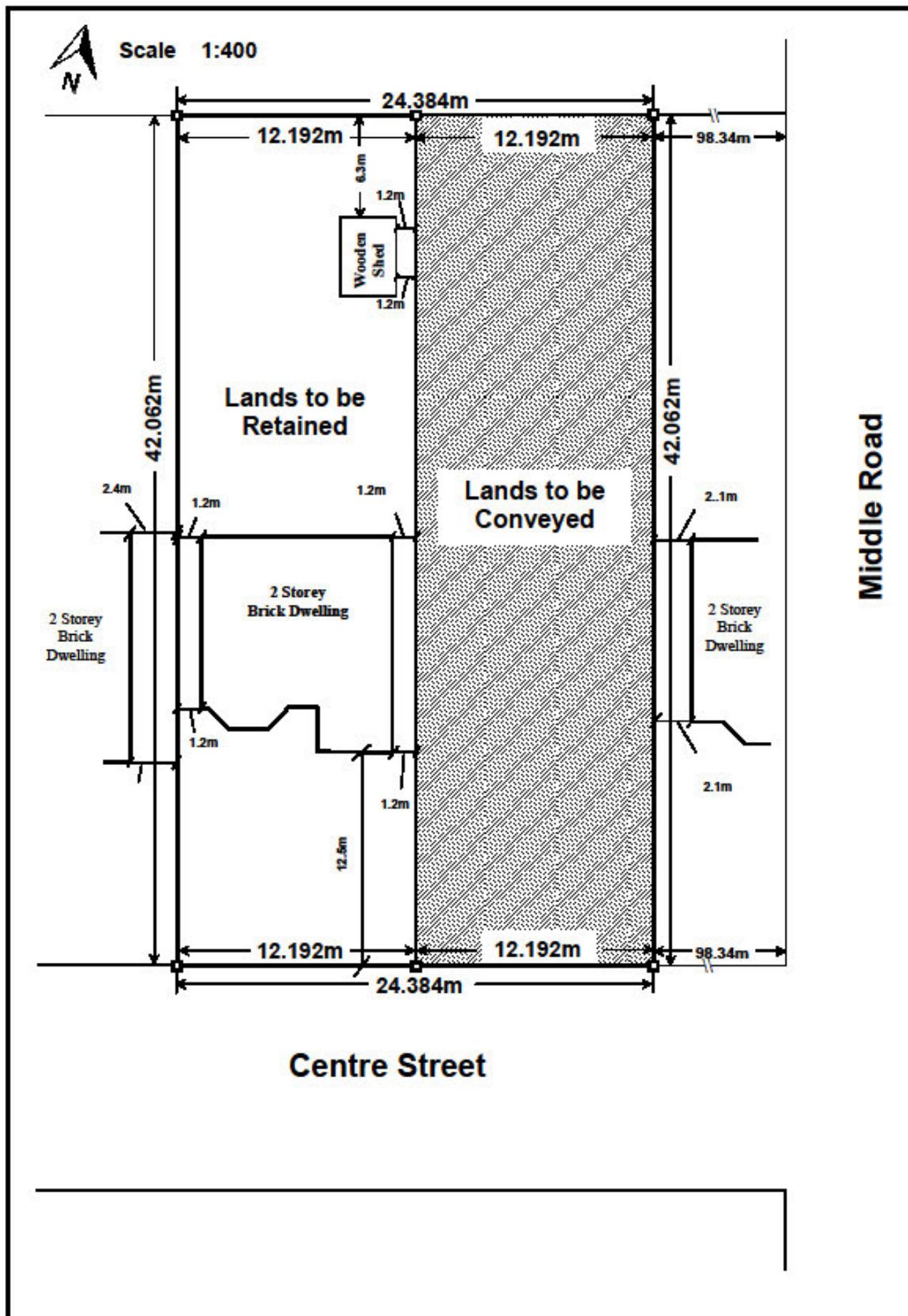
c/s
Assignee:
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

Sketch Sheet





Project No. 16228

December 8, 2020

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

Dear Ms. Evans:

Re: *Consent Application*
136, 144, and 146 Upper Mount Albion Road, Hamilton

Overview

On behalf of our client, 2178872 Ontario Inc., the owners of the property municipally known as 136, 144, and 146 Upper Mount Albion Road (the “subject site”), we are pleased to submit this Consent application to slit the existing lot into two, as well as to grant one access easement and one maintenance easement. The purpose of this letter is to provide a brief planning justification for the consent application which will facilitate the creation of two lots, one being severed, and one being retained.

Site and Surroundings

The subject site is generally comprised of a rectangular shaped parcel of land with an area of approximately 5,665 square metres (0.56 hectares) located at the southwest corner of Paramount Drive and Upper Mount Albion Road. The subject site has frontage of 116.61 metres along Upper Mount Albion Road and approximately 50 metres of frontage along Paramount Drive and a depth of approximately 58 meters. The northern portion of the subject site is currently occupied by a 1- storey motor vehicle service station (Mr. Lube).

The subject site is surrounded by existing low-rise local commercial establishments to the north and west. To the east of the subject site is an existing townhouse development containing 2- storey townhouse dwellings and to the south is vacant land. The subject site is also designated “Neighbourhoods” as



shown in Schedule E-1 Urban Land Use Designations of the Urban Hamilton Official Plan and is zoned C3 – District Commercial, Exception 304 and 579, Holding 82 within the Hamilton Zoning By-law 05-200.

Proposal

As noted above, the consent application is to facilitate the subdivision of the subject site into two parcels of land, as well as the creation of two easements. As shown on the attached sketch (see **Attachment 1**), prepared by A.J. Clarke and Associates and dated November 13, 2020, Parts 1 – 4 are the lands to be retained, with Part 5 to be the lands to be severed. Parts 2 and 3 shown on the survey are proposed easements for access and servicing in favour of the severed lands.

Planning Opinion of Proposed Consent

We have reviewed the proposed consent application in the context of the relevant provisions of Section 51(24) of the *Planning Act* that the proposal conforms to and does not conflict with the criteria set out in 51(24) of the *Planning Act* regarding a consent. In my opinion, the proposed consent application complies to the following Section 51(24) provisions of the *Planning Act* as follows:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

Response: The proposal has regard for the matters of provincial interest as it is an appropriate location of growth and development. The consent application is to allow for the retention of the existing Mr. Lube on a separate lot and the creation of a new lot for a future development. In this regard, the existing Mr. Lube is a permitted use, and the future development of the new lot will be provided in conformity with the applicable provincial and local policy planning framework.

(b) Whether the proposed subdivision is premature or in the public interest;

Response: The proposal is in the public interest and will allow for the development of a vacant and underutilized site within the City's built boundary.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;



Response: The proposed consent application conforms to the Urban Hamilton Official Plan (the “UHOP”), in particular the policies related to lot creation set out in F.1.14.3.3 and policy 7.6.3.2 of the West Mountain/Heritage Green Secondary Plan (the “Secondary Plan”).

(d) the suitability of the land for the purposes for which it is to be subdivided;

Response: The proposed severed lot is approximately 5,211 square metres (1.3 acres) in size with a frontage of approximately 90.03 metres, which is suitable for the range of commercial and mixed uses permitted in the applicable official plan policies and zoning. Furthermore, the existing Mr. Lube shop and its operational requirements fit comfortably on the lands to be retained.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Response: Not applicable

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

Response: The subject site was reviewed as part of site plan application DA-16-139, where detailed engineering related to, among other elements, the existing street network and connections and the adequacy of them. In this regard, site plan approval was obtained for the Mr. Lube (Phase 1) and the redevelopment of the remainder of the site (Phase 2) received conditional site plan approval, which confirmed the feasibility of development related to the transportation network.

(f) the dimensions and shapes of the proposed lots;

Response: The proposed severed and retained lots are suitable for local commercial establishments and are in keeping with the surrounding lot fabric.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;



Response: Easements are proposed to allow for the orderly development of both parcels, which will include vehicular, pedestrian and servicing connections between both parcels.

(h) conservation of natural resources and flood control;

Response: The subject site is not regulated by any natural resources or floor control. Furthermore, through the review and approval of site plan application DA-16-139, a stormwater management report and grading plan were prepared to ensure stormwater management is provided in accordance with the City's standards.

(i) the adequacy of utilities and municipal services;

Response: The subject site is fully serviced by municipal services. A functional servicing report was prepared as part of site plan application DA-16-139, which confirmed that the existing utilities and municipal services are adequate to accommodate the redevelopment of the severed lands.

(j) the adequacy of school sites;

Response: There are several schools nearby. As part of the redevelopment of the severed lands, the local school boards will be engaged to ensure the adequacy of schools as part of any redevelopment plans.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Response: Not applicable

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use, and conservation of energy; and

Response: The proposal seeks to create a separate lot for the undeveloped portion of the subject site to facilitate its future redevelopment. In this regard, the redevelopment of the vacant portion of the subject site optimizes land within the urban boundary and built boundary.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is



also located within a site plan control area designated under subsection 41 (2) of this Act

Response: The development of the proposed severed parcel will be subject to site plan control, where site plan matters will be addressed.

Planning Analysis

From a land use perspective, the proposed consent is conforms with the urban structure policies related to “Community Nodes” and “Neighbourhoods” of the UHOP and will allow for the development of the vacant portion of the subject site within a developed neighbourhood. In this regard, the proposed consent is appropriate and a desirable use for the subject site as it will provide additional opportunity for intensification within the Built-up Area and on underutilized land. The proposed consent meets the criteria for lot creation for mixed uses, commercial, institutional or open space in the Neighbourhoods designation as per Policy 1.14.3.3 as follows:

a) the lots comply with the policies of this Plan including secondary plans, where one exists;

Response: The lots will comply with the policies set out in the UHOP, since they will facilitate the maintenance of the existing commercial building (Mr. Lube) and the future development of the vacant portion of the site in accordance with the applicable UHOP policies. In this regard, there are no policies related to minimum lot sizes for the subject site.

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

Response: The lots will comply with the Zoning By-law. In this regard, there is no minimum lot frontage or area for the subject site in the C3, Exceptions 304, 579 Zone.

c) the lots are fully serviced by municipal water and wastewater systems; and,

Response: The lots are fully serviced by municipal services.

d) the lots have frontage on a public road.



Response: The retained lot will have frontage on Paramount Drive and Upper Mount Albion Road and the severed lot has frontage on Upper Mount Albion Road.

Summary Opinion

Based on the foregoing, it is our opinion that the requested consent is appropriate and desirable, satisfies Section 51(24) of the *Planning Act* as well as the policy for consents found within the UHOP and we respectfully respect that the Committee of Adjustment to approve the application.

A completed application form with signatures and the application fee are provided in **Attachment 2**.

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

Yours very truly,
Bousfields Inc.

A handwritten signature in black ink, appearing to read 'David Falletta', is written over the printed name.

David Falletta, MCIP, RPP

jb/DF:jobs

Attachments (2)

Cc: Y. Rybensky, City of Hamilton (via e-mail)



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.: GL/A-20:279

APPLICANTS: Structured Creations c/o D. Sanger-Smith on behalf of the owners B. & L. Dupuis

SUBJECT PROPERTY: Municipal address **7285 English Church Rd., Glanbrook**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a proposed 2 storey single detached dwelling along with a proposed 2 storey detached garage (at rear) containing habitable space on the second floor notwithstanding that;

1. The proposed habitable space on the second floor comprised of a bar, bench built-in, great room, bedroom and washroom shall be permitted whereas the By-Law states under Section 4.8 that no accessory building shall be used for human habitation; and

2. A maximum height of 8.9 m shall be permitted for the proposed detached garage instead of the maximum permitted height of 6.0 m.

Note:

These variances are necessary to facilitate Building Permit Application # 20-161027.

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

DATE: Thursday, February 4th, 2021
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.

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.

GL/A-20:279
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: January 19th, 2021.

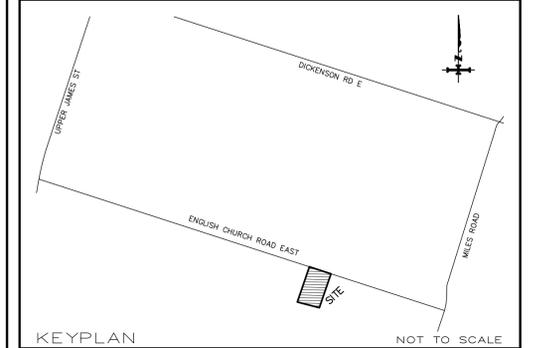
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

LOT 9 CONCESSION 3
 KNOWN AS **ENGLISH CHURCH ROAD EAST**
 (FORCED ROAD THROUGH LOT 9 CONCESSIONS 3 AND 4)
 PIN 17396-0109

LOT 9 CONCESSION 3
 KNOWN AS **ENGLISH CHURCH ROAD EAST**
 (FORCED ROAD THROUGH LOT 9 CONCESSIONS 3 AND 4)
 PIN 17396-0109

**7285 ENGLISH CHURCH ROAD EAST
 SITE & GRADING PLAN FOR BUILDING PERMIT**



GEOGRAPHIC LOCATION NOTE
**PART OF LOT 9
 CONCESSION 4**
 (GEOGRAPHIC TOWNSHIP OF GLANFORD)
 BEING IN THE
CITY OF HAMILTON
 SCALE 1 : 250

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2020
 "METRIC" DISTANCES SHOWN HEREON ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE
 CITY OF HAMILTON B.M. No. 010910101 ELEVATION 213.547 METRES
 (CGVD 1928 : 1978 ADJUSTMENT)
 NORTH SHOULDER OF DICKENSON ROAD, 75 METRES EASTERLY FROM CENTER LINE OF
 MILES ROAD

LEGEND

FFE DENOTES FINISHED FLOOR ELEVATION	BPED DENOTES BELL PEDESTAL
TFW DENOTES TOP OF FOUNDATION WALL	UP DENOTES UTILITY POLE
TBS DENOTES TOP OF BASEMENT SLAB	AC DENOTES AIR CONDITIONER
USF DENOTES UNDERSIDE OF FOOTING	
S DENOTES SUMP PUMP	
DS DENOTES DOWNSPOUT	
→ DENOTES DIRECTION OF DRAINAGE	
XXX.XX DENOTES EXISTING ELEVATIONS	
(XXX.XX) DENOTES PROPOSED ELEVATIONS	
TPZ DENOTES TREE PROTECTION ZONE	

NOTES

- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- EXISTING ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE SURVEYOR'S REAL PROPERTY REPORT ISSUED BY MMP LIMITED (19-183, DATED AUGUST 27, 2019)
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- SANITARY SEWER SERVICE CONNECTION MUST BE INSTALLED BEFORE BASEMENT EXCAVATION TO ENSURE SERVICING AT BASEMENT LEVEL
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL TIES ARE TO FOUNDATION UNLESS OTHERWISE NOTED
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

CAUTION

- THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES

CERTIFICATION NOTE:

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM THE LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY DWELLING LOCATED AT 7285 ENGLISH CHURCH ROAD EAST AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN
 PROPOSED BUILDING HEIGHT AS SHOWN
 PROPOSED LOT COVERAGE AS SHOWN
 PROPOSED BUILDING SITE STATISTICS AS SHOWN

DECEMBER 2, 2020
 DATE

[Signature]
 MACKAY, MACKAY & PETERS LIMITED
 ONTARIO LAND SURVEYORS

No.	DATE	REVISIONS
4	NOVEMBER 30, 2020	REVISED GARAGE NOTATION
5	SEPTEMBER 23, 2020	AVERAGE GRADE RECALCULATED
4	JULY 23, 2020	HOUSE LOCATION REVISED
3	JUNE 25, 2020	HOUSE LOCATION REVISED
2	MAY 12, 2020	GRADE CALCULATIONS ADDED
1	FEBRUARY 7, 2020	SITE PLAN COMPLETED

STAMP: MACKAY, MACKAY & PETERS LIMITED, ONTARIO LAND SURVEYORS, PIN 17395-0020

MMP
 MacKay, MacKay & Peters Limited
 LAND SURVEYORS & MAPPERS
 SINCE 1906

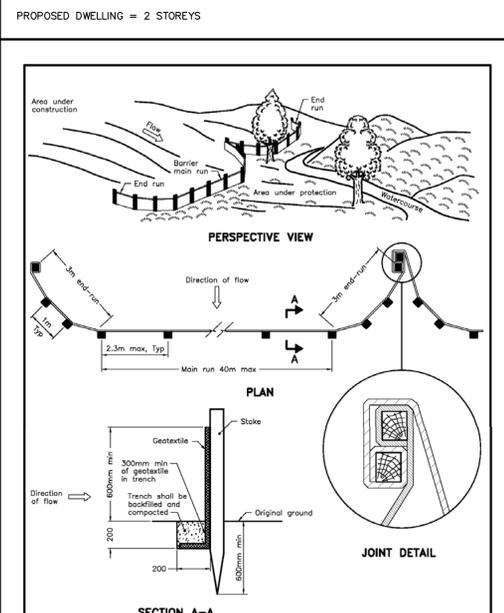
3380 South Service Road
 Unit 101
 Burlington, ON
 L7N 3J5
 (905) 639-1375
 halton@mmplimited.com
 mmpsurveyors.ca
 mmplocators.ca

CAD FILE: E:\(62) Hamilton-Wentworth\TP\GLANFORD\CON 4\LOT 9\20-012-SP-20-SP-2.dwg
 DRAWN BY: A.R. CHECKED BY: PROJECT No. 20-012-SP DWG. No. 1

**CITY OF HAMILTON ZONING BY-LAW 05-200
 ZONING REGULATION - A1**

ZONE	REQUIRED	PROVIDED
LOT WIDTH	30.0m (min)	60.42m
LOT AREA	0.4ha (min)	0.58522 ha
FRONT YARD	10.0m (min)	20.64m
REAR YARD	10.0m (min)	59.61m
SIDE YARD	3.0m (min)	11.72m (EAST) 33.86m (WEST) 3.43m (EAST)
BUILDING AREA	200sq.m. (max)	219.87 sq.m. (PROPOSED STRUCTURES) 101.81 sq.m. (PROPOSED ACCESSORY) 36.69 sq.m. (EXISTING ACCESSORY) 358.37 sq.m. (TOTAL AREA)
LOT COVERAGE	5%	6.1% (TOTAL COVERAGE) 2.4% (ACCESSORY)
BUILDING HEIGHT	10.5m (max)	10.44m

PROPOSED DWELLING = 2 STOREYS



ONTARIO PROVINCIAL STANDARD DRAWING
 Nov 2015 Rev 2
OPSD 219.110

**Tree Protection and Preservation
 Specification No. SS12**

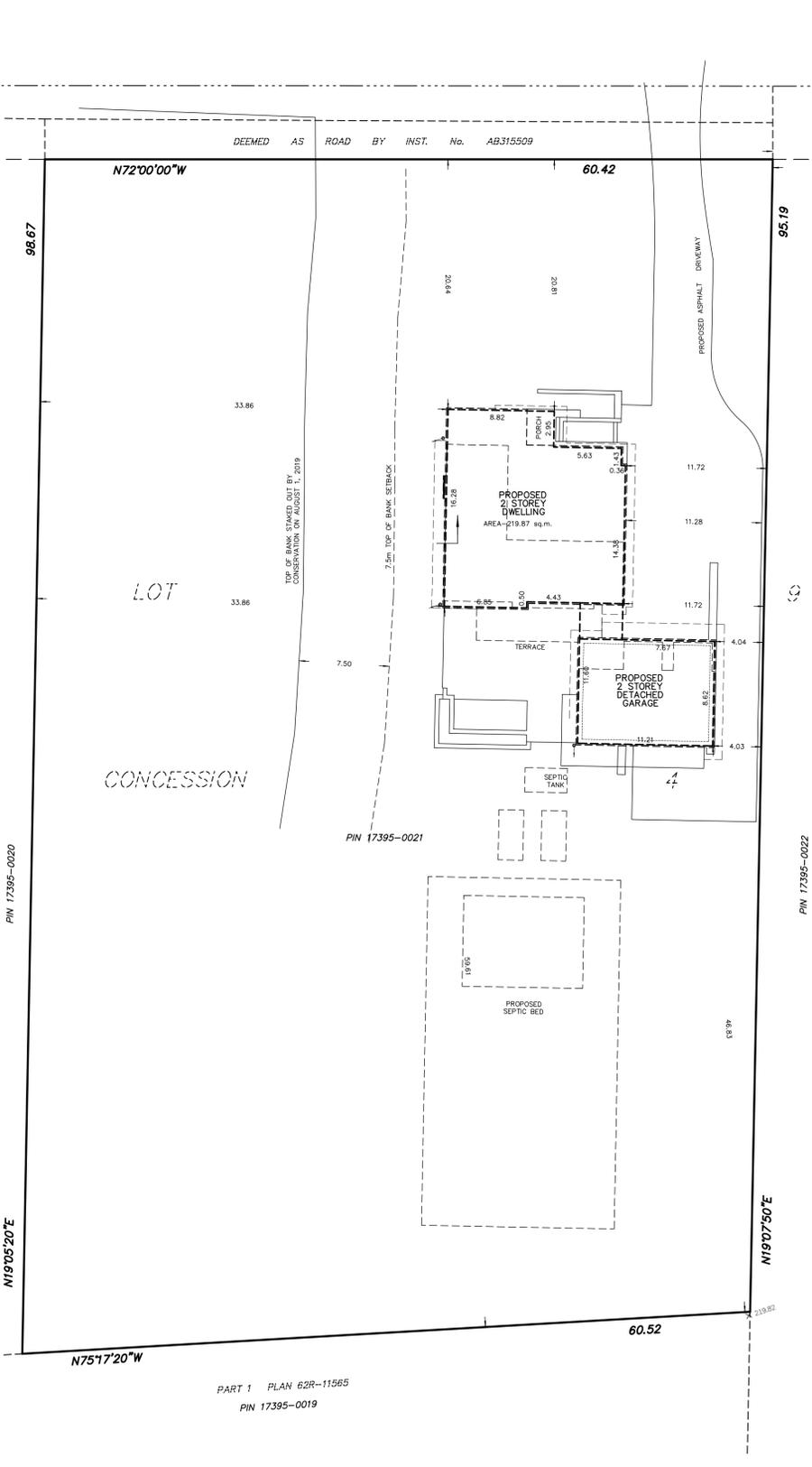
Detail TP-1 - Tree Protection Detail

Trunk Diameter (DBH) ¹	Minimum Tree Protection Zone (TPZ) Distance Required ¹	Critical Root Zone (CRZ) Distance Required ^{2,3,4}
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100 cm	6.0 m	10.0 m

NOTES:
 1 The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
 2 Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
 3 Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
 4 Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

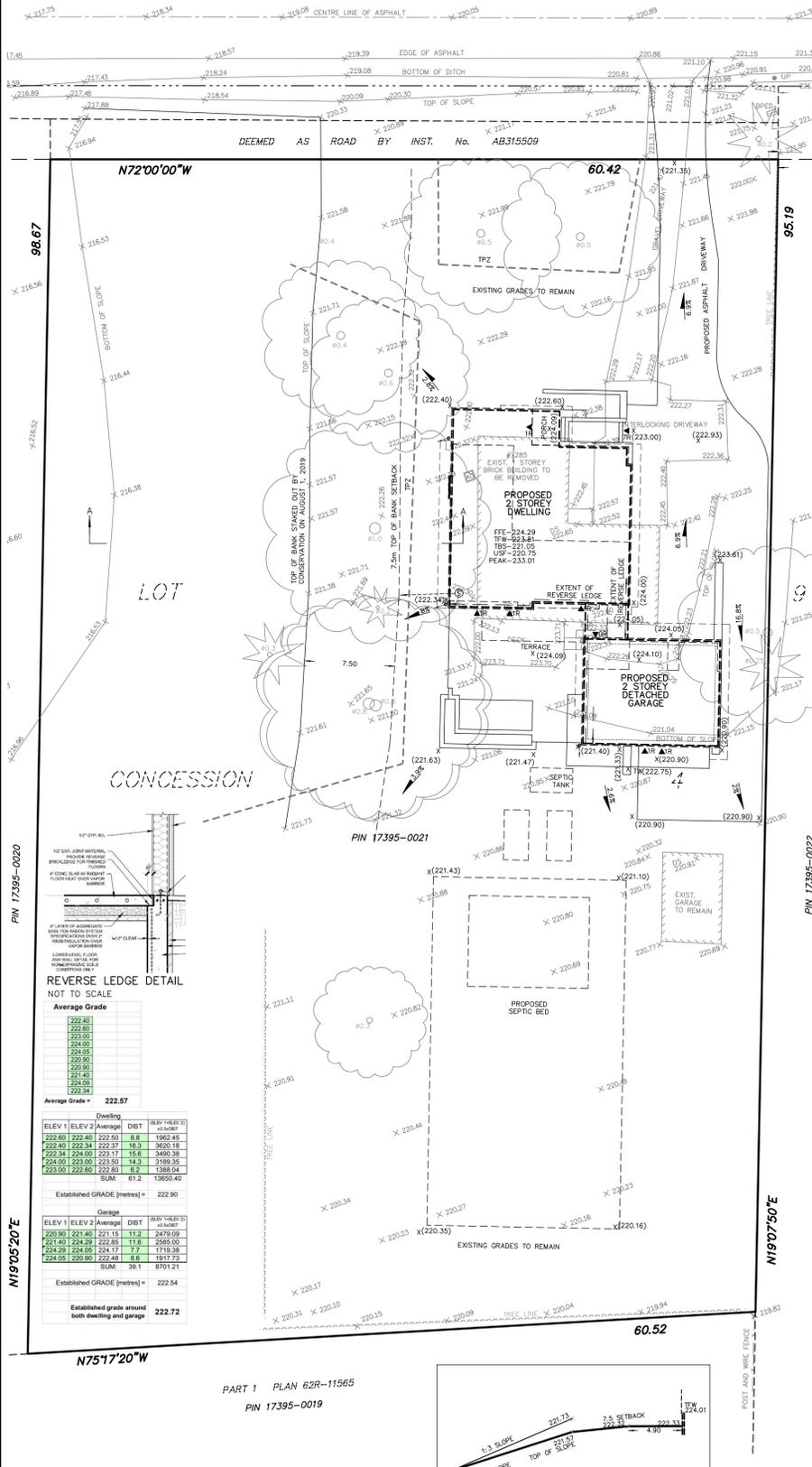
TREE PROTECTION BARRIER

- Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4" supported on metal "T" bars, 2.1m OVC max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
- All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
- Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with all fencing must be used to ensure no material enters the TPZ.
- No materials or fill may be stored within the TPZ.
- Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
- No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.



SITE PLAN
 SCALE 1:250

PART 1 PLAN 62R-11565
 PIN 17395-0019



GRADING AND SERVICING PLAN
 SCALE 1:250

PART 1 PLAN 62R-11565
 PIN 17395-0019

DETAIL A-A
 SCALE 1:500

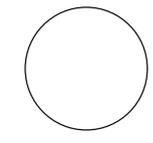


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DUPUIS RESIDENCE NEW RESIDENCE

7285 ENGLISH CHURCH ROAD EAST
HAMILTON ONTARIO

PROJECT NORTH ENG. STAMP:



BCIN STAMP

OBC REGISTRATION

I, DARRIN SANGER-SMITH, DECLARE THAT I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.2 OF THE ONTARIO BUILDING CODE. I AM REGISTERED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES.

NOV 30/20
DATE

D. SANGER-SMITH, B. ARCH BCIN 26286
STRUCTURED CREATIONS INC. BCIN 29617

GENERAL NOTES

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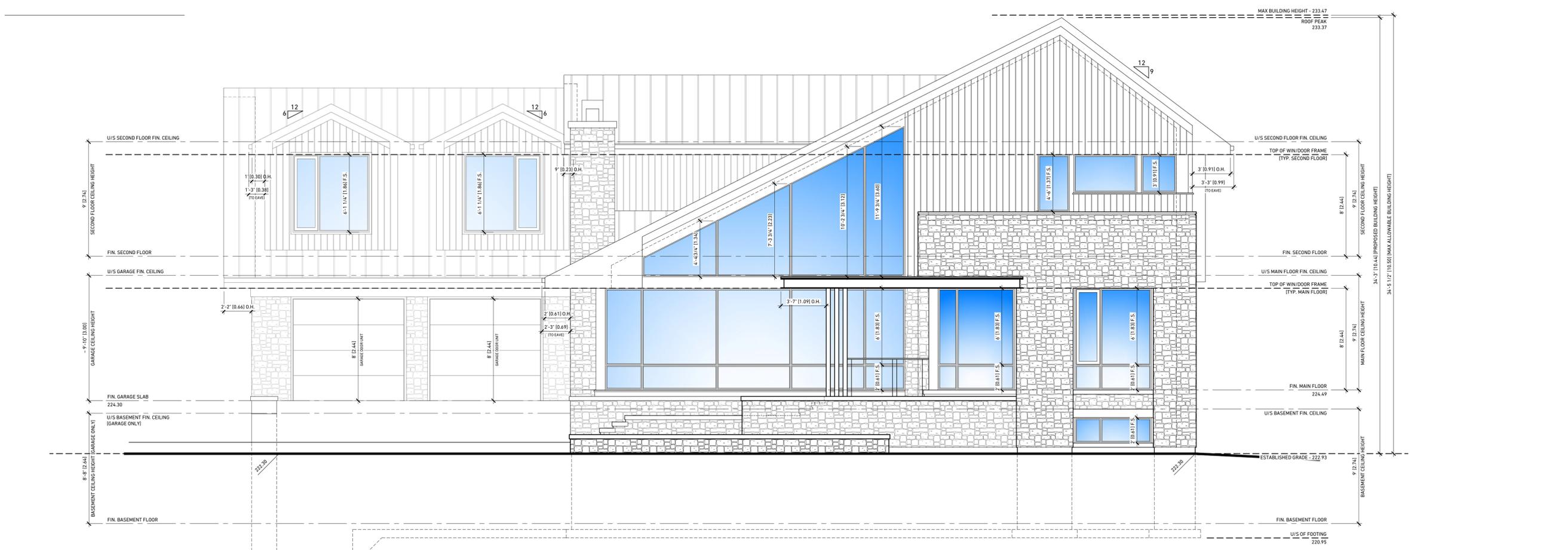
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2	13.11.19	REV1 ISSUED FOR REVIEW	D.S.S.
1	09.10.19	INIT DESIGN PRES	D.S.S.

EXTERIOR ELEVATIONS

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	NOV 30/20	19-087

DRAWING #

A5



2 SIDE (EAST) ELEVATION
SCALE: 1/4"=1'-0"

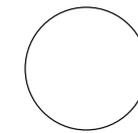


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HAMILTON ONTARIO

PROJECT NORTH ENG. STAMP:



BCIN STAMP
OBC REGISTRATION

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NOV 30/20
DATE
SIGNATURE OF ENGINEER

D. SANGER-SMITH, B ARCH BCIN 26286
STRUCTURED CREATIONS INC. BCIN 29617

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EXTERIOR ELEVATIONS

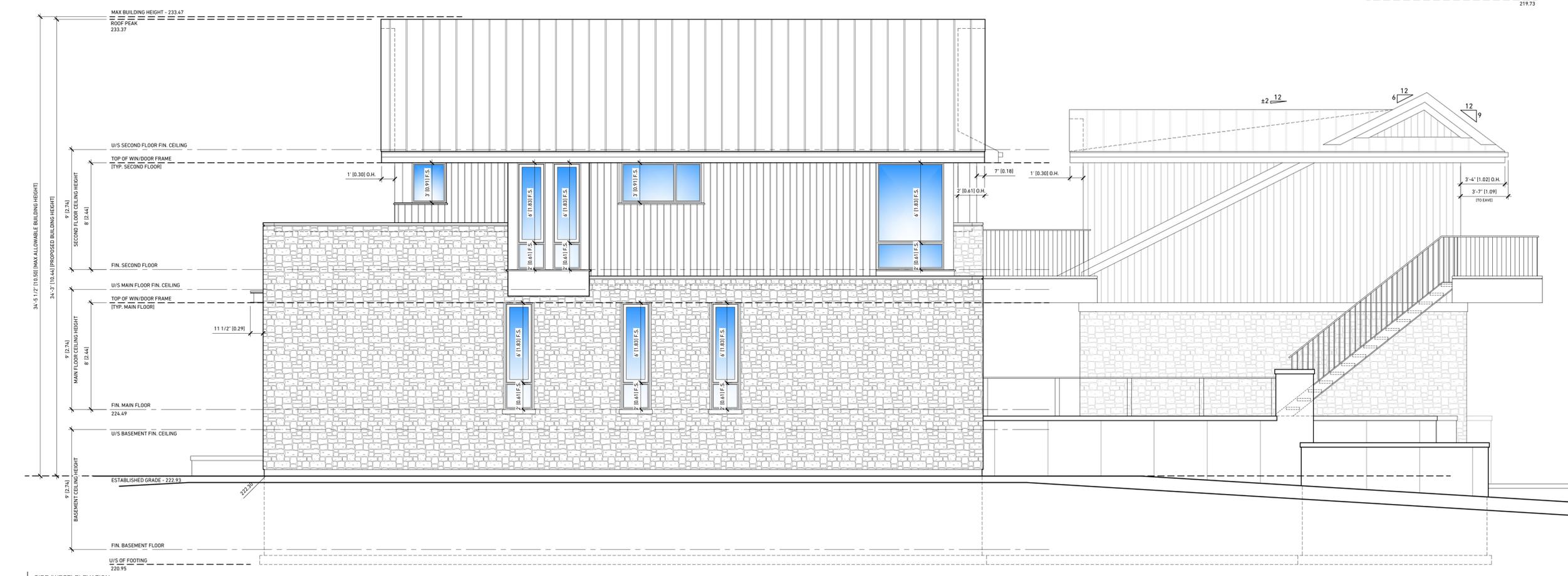
DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	NOV 30/20	19-087

DRAWING #

A6



1 REAR (SOUTH) ELEVATION
SCALE: 1/4"=1'-0"



2 SIDE (WEST) ELEVATION
SCALE: 1/4"=1'-0"

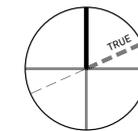


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PROJECT NORTH ENG. STAMP:



BCIN STAMP

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DATE

Darren Sanger-Smith
SIGNATURE OF DESIGNER

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DRAWING ISSUES | REVISIONS

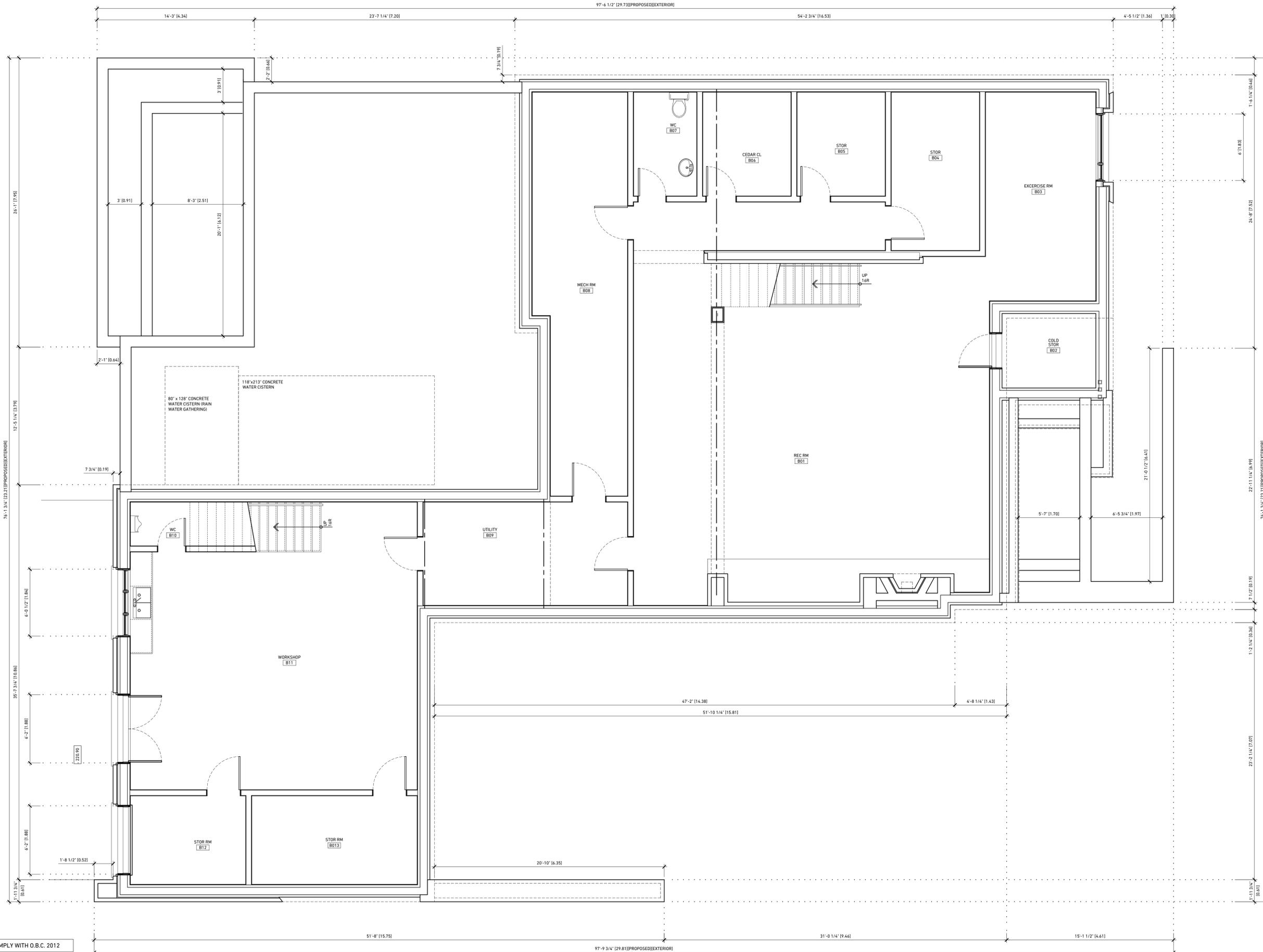
BASEMENT PLAN

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	NOV 30/20	19-087

DRAWING #

A1

19-087-PlansConservation.dwg



ALL CONSTRUCTION TO COMPLY WITH O.B.C. 2012

ALL DIMENSIONS ARE TAKEN FROM THE STUD FACE UNLESS NOTED OTHERWISE
ANY SUBSTITUTION FOR JOIST SIZE OR TYPE AND BEAM SIZE OR TYPE TO BE SUBMITTED IN SKETCH FORM FOR WRITTEN APPROVAL BY ENGINEER OR SUBSTITUTION WILL NOT BE ACCEPTED ON SITE.

1 BASEMENT PLAN
A1 SCALE: 1/4"=1'-0"

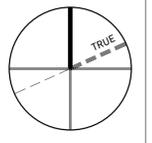


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3	16.12.19	ISSUED FOR FINAL APPROVAL	D.S.S.
2	13.11.19	REV 1 ISSUED FOR REVIEW	D.S.S.
1	09.10.19	INIT DESIGN PRES	D.S.S.

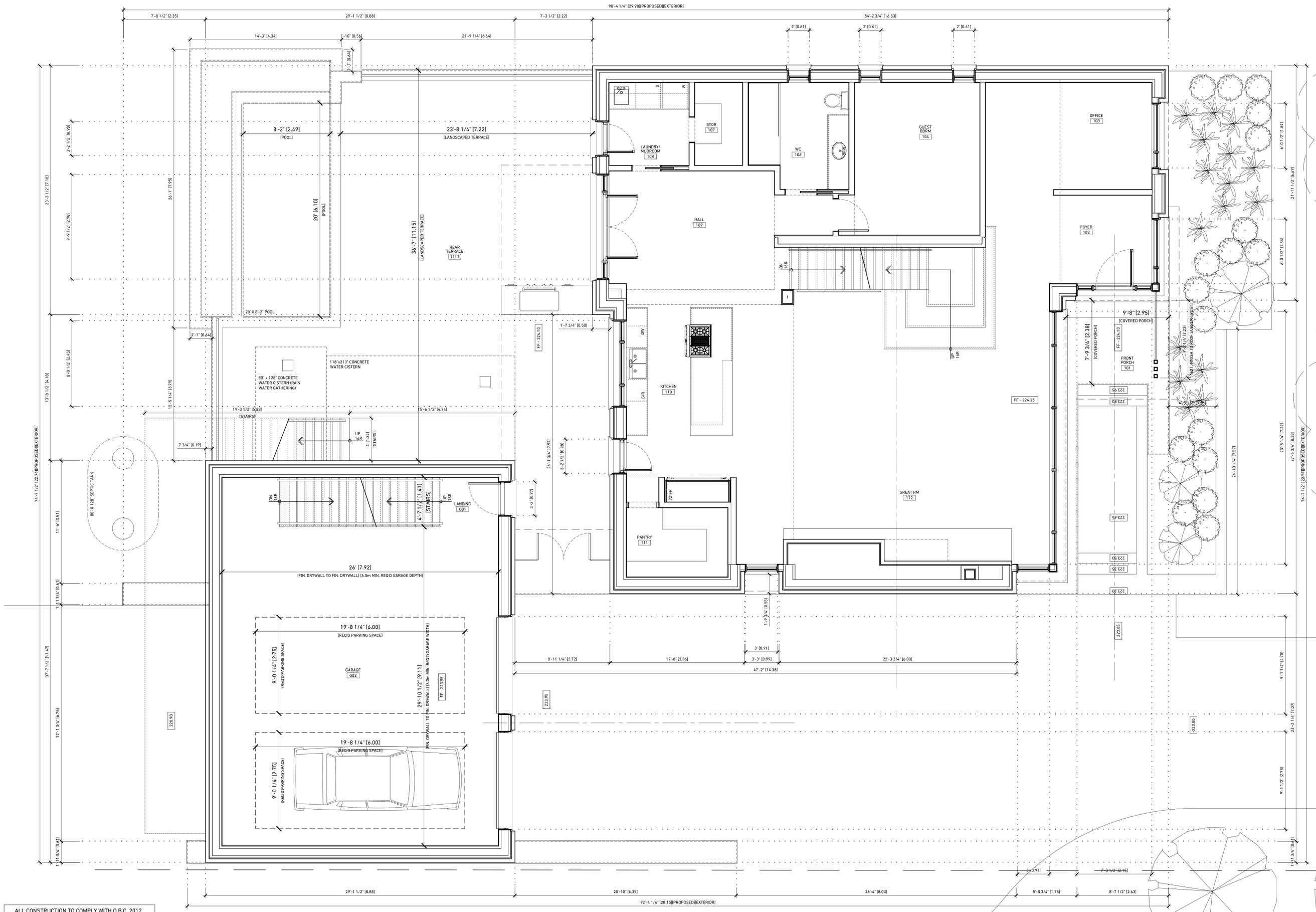
DRAWING ISSUES | REVISIONS

MAIN FLOOR PLAN

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	NOV 30/20	19-087

DRAWING #

A2



ALL CONSTRUCTION TO COMPLY WITH O.B.C. 2012

ALL DIMENSIONS ARE TAKEN FROM THE STUD FACE UNLESS NOTED OTHERWISE
ANY SUBSTITUTION FOR JOIST SIZE OR TYPE AND BEAM SIZE OR TYPE TO BE SUBMITTED IN SKETCH FORM FOR WRITTEN APPROVAL BY ENGINEER OR SUBSTITUTION WILL NOT BE ACCEPTED ON SITE.

1 MAIN FLOOR PLAN
A2 SCALE: 1/4"=1'-0"

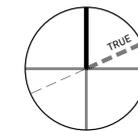


416.204.0351 | 389 PEARL ST., BURLINGTON, ON | info@structuredcreations.com

DUPUIS RESIDENCE NEW RESIDENCE

7285 ENGLISH CHURCH ROAD EAST
HAMILTON ONTARIO

PROJECT NORTH ENG. STAMP:



BCIN STAMP

OBC REGISTRATION

I, DARRIN SANGER-SMITH, DECLARE THAT I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN OR BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.2 OF THE ONTARIO BUILDING CODE. I AM REGISTERED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES.

05-Feb-20
DATE

D. Sanger-Smith
SIGNATURE OF ENGINEER

D. SANGER-SMITH, B ARCH BCIN 26286
STRUCTURED CREATIONS INC. BCIN 29617

GENERAL NOTES

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF STRUCTURED CREATIONS. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL REQUIRED ELECTRICAL PERMITS PERTAINING TO THIS PROJECT. ALL WORK PERFORMED AND APPROVALS OF ELECTRICAL PERMITS ARE THE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR TO NOTIFY DESIGNER OF ANY CONFLICTS PERTAINING TO PROPOSED MECHANICAL DUCTWORK AND STRUCTURE PRIOR TO CONSTRUCTION AND INSTALLATION. CONTRACTOR TO PROVIDE STRUCTURED CREATIONS INC. WITH WINDOW SHOP DRAWINGS FOR REVIEW PRIOR TO ORDERING. CONTRACTOR TO COORDINATE WITH THE WINDOW COMPANY FOR ON-SITE MEASUREMENTS OF FRAMING/CONSTRUCTION CONDITIONS TO CONFIRM ALL NEW AND EXISTING WINDOW SIZES PRIOR TO ORDERING. CONTRACTOR AND WINDOW COMPANY TO VERIFY ALL PROPOSED WINDOW SIZES WITH STANDARD WINDOW COMPANY FRAME SIZES AND INFORM DESIGNER OF ANY COMPLICATIONS DUE TO CUSTOM SIZES AND ASSOCIATED COSTS AS A RESULT PRIOR TO ORDERING.

CONTRACTOR TO REVIEW ALL FINAL DRAWINGS AND CONFIRM AVAILABILITY OF SPECIFIED NOMINAL AND ENGINEERED LUMBER. ANY SUBSTITUTION FOR JOIST OR BEAM SIZE AND/OR TYPE DUE TO TIMING AND/OR AVAILABILITY ISSUES ARE TO BE SUBMITTED TO THE DESIGNER FOR REVIEW AND APPROVAL PRIOR TO ORDERING. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INFORM THE CLIENT AND DESIGNER OF ANY ALL COST DIFFERENCES ASSOCIATED WITH THE CHANGE PRIOR TO ORDERING. STRUCTURED CREATIONS INC. IS NOT RESPONSIBLE FOR ISSUES PERTAINING TO AVAILABILITY AND/OR TIMING OF SPECIFIED LUMBER AND MATERIAL DELIVERY.

CONTRACTOR TO PROVIDE STRUCTURED CREATIONS INC. WITH TRUSS DRAWINGS PRIOR TO ORDERING FOR REVIEW. CONTRACTOR TO COORDINATE WITH TRUSS COMPANY FOR ON-SITE MEASUREMENTS TO VERIFY ALL NEW/EXISTING FRAMING CONDITIONS AND VERIFY/CONFIRM WITH TRUSS SHOP DRAWINGS.

CONTRACTOR TO REVIEW SUBMITTED FINAL DRAWINGS FOR ANY HANGER LOCATIONS THROUGHOUT FLOOR, WALL AND/OR ROOF FRAMING AND COORDINATE WITH LUMBER COMPANY FOR THE MANUFACTURING OF ANY CUSTOM HANGERS PRIOR TO CONSTRUCTION.

CONTRACTOR TO COORDINATE WITH STAIR MANUFACTURER FOR ALL STAIR AND LANDING STRUCTURE, HEIGHTS, CONSTRUCTION AND INSTALLATION, AND CONTACT DESIGNER FOR ANY CLARIFICATIONS. PROVIDE SHOP DRAWINGS UPON REQUEST FOR REVIEW.

No.	DATE	ISSUE/REVISION	BY
6	30.11.20	SUB FOR COA	D.S.S.
5	05.02.20	ISSUED FOR CONSERVATION APPROVAL	J.S.
4	14.01.20	ISSUED FOR FINAL APPR	D.S.S.
3	16.12.19	ISSUED FOR FINAL APPROVAL	D.S.S.
2	13.11.19	REV 1 ISSUED FOR REVIEW	D.S.S.
1	09.10.19	INIT DESIGN PRES	D.S.S.

DRAWING ISSUES | REVISIONS

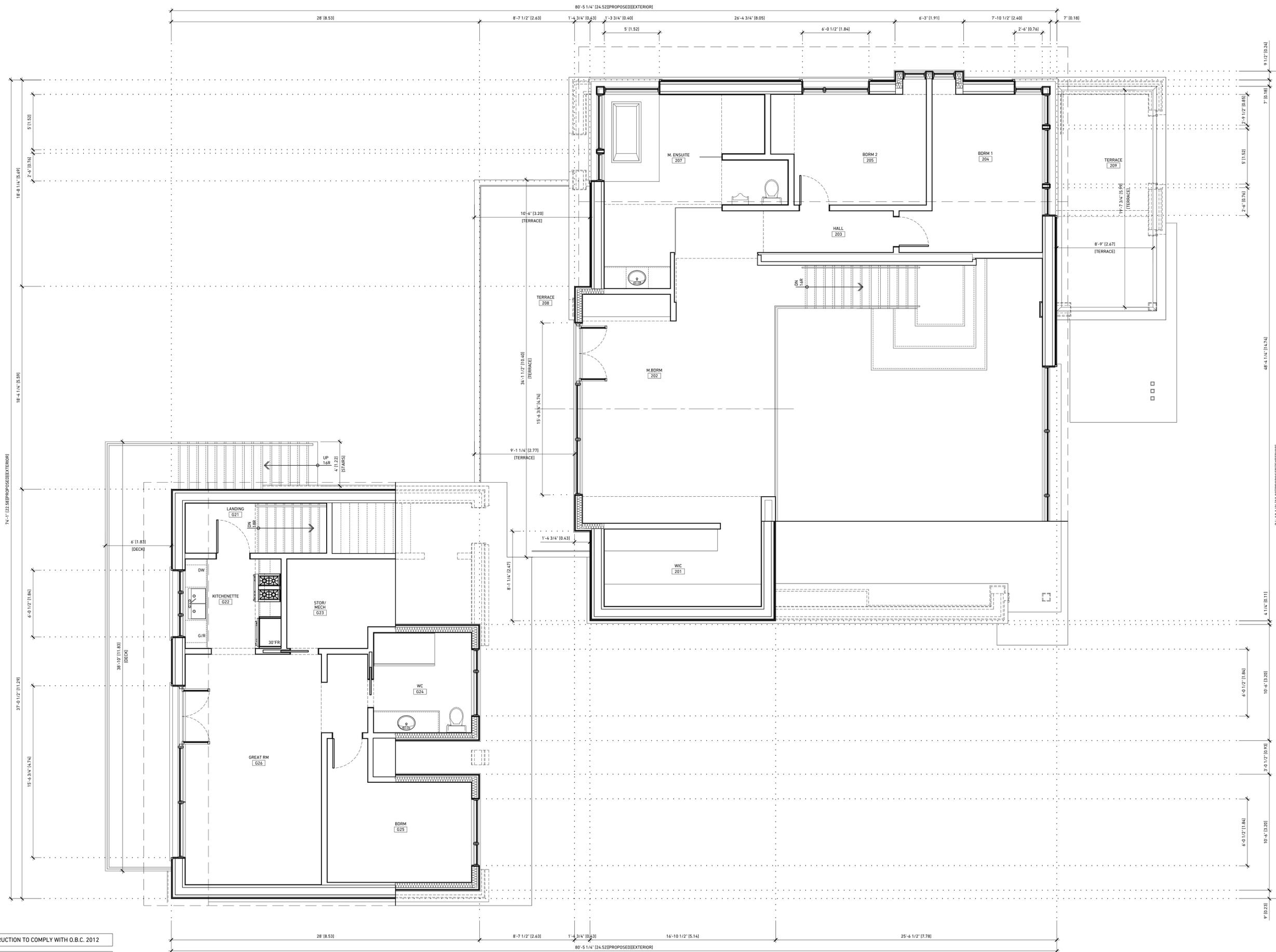
SECOND FLOOR PLAN

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	NOV 30/20	19-087

DRAWING #

A3

19-087-PlansConservation.dwg



ALL CONSTRUCTION TO COMPLY WITH O.B.C. 2012

ALL DIMENSIONS ARE TAKEN FROM THE STUD FACE UNLESS NOTED OTHERWISE

1 SECOND FLOOR PLAN
A3 SCALE: 1/4"=1'-0"



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.

- Name of Owner BERNARD AND LYNN DUPUIS Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
[REDACTED] Postal Code [REDACTED]
- Name of Agent STRUCTURED CREATIONS INC Telephone No. [REDACTED]
ATTN. DARREN SANGER SMITH FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
NONE
Postal Code _____
Postal Code _____

6. Nature and extent of relief applied for:

TO ALLOW FOR A PROPOSED LIVING SPACE ABOVE THE DETACHED GARAGE WHEREAS
 A LIVING SPACE IS NOT ALLOWED ABOVE A DETACHED GARAGE AS PER ZONING BY-LAW
 05-200

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

THE DESIGN FOR THE GARAGE IS ATTACHED TO THE HOUSE THROUGH A BELOW GRADE
 (BASEMENT) ACCESS AS WELL AS A COVERED PORCH ROOF. THE REAR TERRACE, DUE TO THE
 EX GRADE CONDITIONS, IS ELEVATED AND AS SUCH, BLOCKING OFF THE TERRACE WITH AN
 ENCLOSED BREEZEWAY WOULD ELIMINATE ACCESS TO THE REAR TERRACE.

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

PART OF LOT 9 CONCESSION 4 (TOWNSHIP OF GLANFORD) CITY OF HAMILTON
 7285 ENGLISH CHURCH RD, E

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
 Agricultural Vacant
 Other _____

9.1 If Industrial or Commercial, specify use
 NA

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.

DECEMBER 8, 2020

Date

Signature Property Owner

BERNARD DUPUIS

Print Name of Owner

10. Dimensions of lands affected:

Frontage	60.42 M
Depth	98.67 M
Area	0.58522 ha
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: EX SINGLE STOREY (SIDE SPLIT) S.F.D. WITH ATTACHE GARAGE

Proposed: PROPOSED TWO STOREY S.F.D. WITH DETACHED GARAGE WITH SECOND FLOOR LIVING SPACE AND WALK OUT BASEMENT

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 - 22.86M / WEST SIDE - 35.92M / EAST SIDE - 9.22M
 EX 175.12 SQM BUILDING COVERAGE
 HEIGHT UNKNOWN

Proposed: FRONT - 20.64M / REAR - 59.61M / EAST SIDE - 11.72 AND 3.43 TO GARAGE
 WEST SIDE - 33.86M
 219.87 SQM - BUILDING AREA + 101.81 SQM DETACHED GARAGE
 TOTAL COVERAGE - 6.1% (2.4% FOR DETAHCED GARAGE) - PROPOSED HT - 10.44M

13. Date of acquisition of subject lands:
 JUNE 25, 2019

14. Date of construction of all buildings and structures on subject lands:
 EX BUILDINGS - 1950'S +/-

15. Existing uses of the subject property:
 RESIDENTIAL

16. Existing uses of abutting properties: RESIDENTIAL

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

18. Municipal services available: (check the appropriate space or spaces)
 Water SEPTIC AND WELL Connected
 Sanitary Sewer Connected
 Storm Sewers

19. Present Official Plan/Secondary Plan provisions applying to the land:
 AGRICULTURE - RURAL HAMILTON O.P.

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 A1.

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No ✓

If the answer is yes, describe briefly.

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

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:89

SUBJECT PROPERTY: 15 Church St., Ancaster

You are receiving this notice because you are either:

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

APPLICANT(S): Owner: 2692544 Ontario Inc.
Agent: James Webb

PURPOSE OF APPLICATION: To create a new lot for residential purposes and to retain lands for residential purposes. To facilitate the creation of 6 freehold townhouse dwellings.

To be heard in conjunction with AN/B-20:90 and AN/B-20:91.

Severed lands:
6.56m[±] x 25.15m[±] and an area of 165m^{2±}

Retained lands:
43.75m[±] x 25.15m[±] and an area of 1101m^{2±}

The Committee of Adjustment will hear this application on: Thursday, January 21st, 2020

DATE: Thursday, February 4th, 2021

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.

AN/B-20:89
PAGE 2

MORE INFORMATION

For further information on this application, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, 3935 or 4144
- Visit the Committee of Adjustment office in person at Hamilton City Hall, 71 Main Street West, 5th Floor

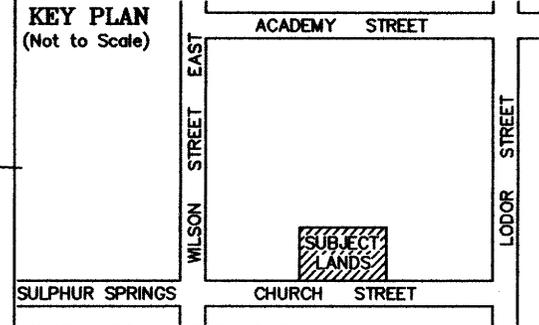
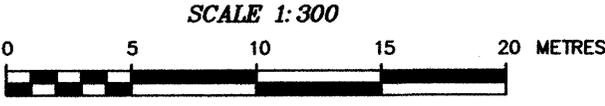
DATED: January 19th, 2021

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.

LAND DIVISION SKETCH
(15 CHURCH STREET)
PART OF LOT 45
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF ANCASTER)
CITY OF HAMILTON

PART 1 PLAN 62R-2564
P.I.N. 17443-0021 (LT)



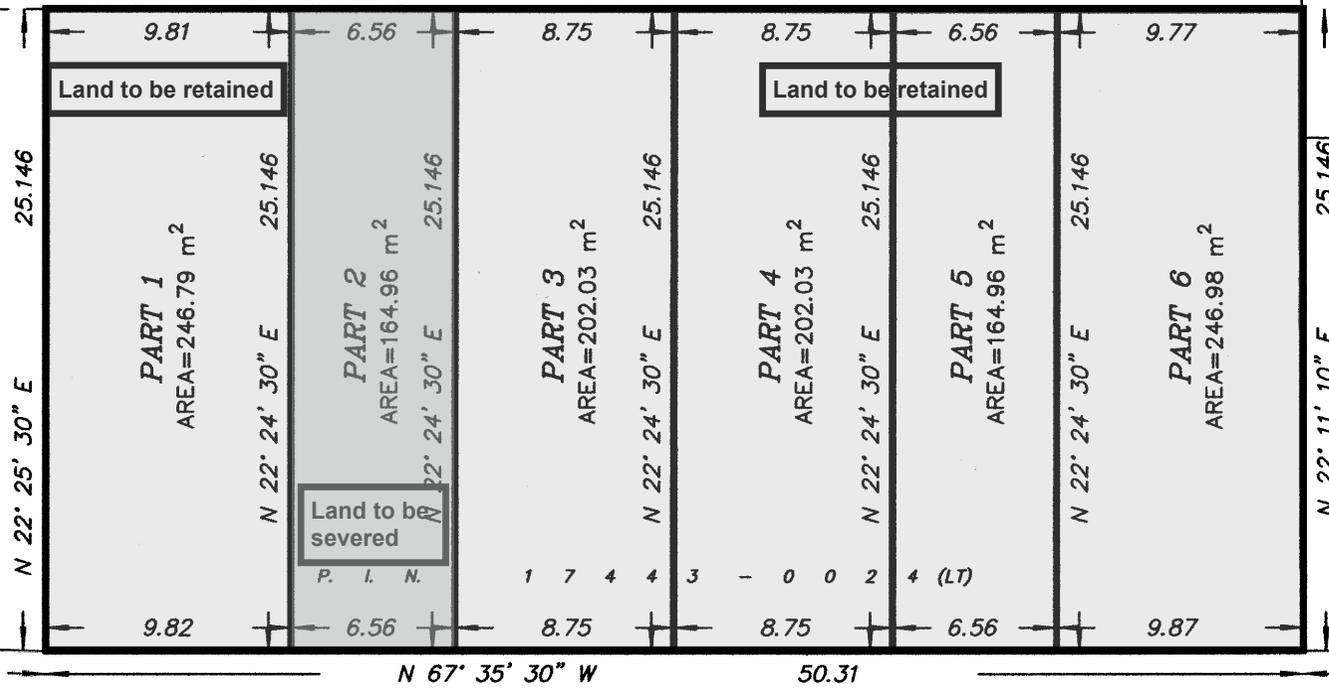
C O N C E S S I O N 2
N 67° 35' 30" W 50.20

WILSON STREET EAST



P.I.N. 17443-0022 (LT)

PART 1
PLAN 62R-7666



PART 1
PLAN 62R-4242
P.I.N. 17443-0025 (LT)

LOT 5

REGISTERED

LOT 4
P.I.N. 17443-0027 (LT)

PLAN 344

LODOR STREET

CHURCH STREET

(12.19 m. WIDE, BY REGISTERED PLAN 344, P.I.N. 17443-0023 (LT))



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	2692544 Ontario Inc.		
Applicant(s)*	2692544 Ontario Inc.		
Agent or Solicitor	Webb Planning Consultants Inc.		

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Ancaster, Hamilton	Part of Lot 45	2	Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address			Assessment Roll N°.
15 Church St, Ancaster			14025014800

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Part 2 on attached sketch

Frontage (m)	Depth (m)	Area (m ² or ha)
6.56m	25.146m	164.96m ²

Existing Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: Residential

Proposed: Residential

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**:

Parts 1,3-6 on attached sketch

Frontage (m)	Depth (m)	Area (m ² or ha)
43.75m	25.146m	1100.14m ²

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Residential

Proposed: Residential

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): UHOP - Neighbourhoods

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

Neighbourhood designation permits range of dwelling types at varying densities and scale of development.

Proposal confirms with the applicable Policies for Low Density Residential uses and conforms

with the General Urban Design and Intensification Policies of the Plan.

5.2 What is the existing zoning of the subject land? **ER**

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No
- _____

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

Property is within urban area and full municipal services are available. Proposal to create infill lots for semi-detached dwellings is an appropriate form of intensification. There are no conflicts with natural or cultural heritage resources, supports the policies of Policy 1.4 by contributing to the appropriate range and mix of housing types at a location having appropriate levels of infrastructure and public service facilities.

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

Proposal seeks to intensify under utilized lands in keeping with intent of Housing Policies.

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

Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

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

Yes No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

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

Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

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

Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?

1.5yrs

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.

UHOPA - 20-006. Public Meeting at Planning Committee scheduled Dec 8

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 ZAC - 20-011

Status Public Meeting at Planning Committee scheduled Dec 8

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
<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 | } | (Complete Section 10.3) |
|--|---|-------------------------|

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



November 20, 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 – Lot Creation
15 Church Street, Ancaster, City of Hamilton

WEBB Planning Consultants are retained by Veloce Luxury Homes to co-ordinate the municipal planning approvals required to facilitate the development of the property located at 15 Church Street, Town of Ancaster, City of Hamilton.

The lands subject to this application are located on Church Street, adjacent to the traditional core area of the Village of Ancaster. The property has an area of approximately 1,280 square metres and approximately 50 metres of frontage on Church Street. The property is presently occupied by a single detached dwelling that is proposed to be removed.

The City is currently processing planning applications for the property intended to facilitate the redevelopment for a low density residential project comprising street townhouse dwellings. Processing of Applications to amend the local Secondary Plan and the Town of Ancaster Zoning By-law has refined the proposal with the configuration comprising a total 6 dwellings arranged in two block of 3 units.

The file No.'s for the Planning Applications are UHOPA-20-006 and ZAC-20-011.

The proposed land use has been thoroughly evaluated by City planning staff with adoption of the planning instruments scheduled for a Public Meeting of Planning Committee on December 8th, 2020. The form and detailed architectural design of the built form has been evaluated by City Urban Design and Cultural Heritage Staff with a final staff recommendation to approve the required planning approvals. Specific to Heritage, staff approved the Cultural Heritage Impact Assessment submitted by the proponent and endorsed the proposed adaptive re-use of certain architectural elements.

To facilitate the intended tenure of the 6 freehold dwellings, the subject parcel is to be subdivided through applications to the Committee of Adjustment for Consent Approval. As summarized below, a total of three applications are required to create the 6 units:

Application One: Sever Part 2, retain Parts 1 and 3 - 6;
Application Two: Sever Part 4, Retain Parts 3 and 5 - 6;
Application Three: Sever Part 6, Retain Part 5.

Policies for the Division of Land are outlined in Section F.1.14 of the Urban Hamilton Official Plan (UHOP). Specific to Lot Creation within the Neighbourhoods Designations, Consents for new lot creation for both the severed and retained lands shall be permitted provided the following conditions are met:

- a) The lots comply with the Policies of the Plan, including Secondary Plans where one exists;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.

We have considered the above criteria in the context of the lands to be severed and retained in our opinion the proposal conforms in all regards.

The proposed housing form and scale of development complies with the Neighbourhoods designation of the UHOP. The property is within the Ancaster Wilson Street Secondary Plan area with an amendment pending for adoption that will change the designation from Low Density Residential 1 to Low Density Residential 3, the appropriate designation for the proposed housing form.

The proposed size and shape of the lots complies with the draft Zoning By-law Regulations that are supported by Planning staff and scheduled for a Public Meeting and adoption on December 8th. As the Zoning is not yet in effect, it is understood that approval of the Consent Applications will include final approval as a Condition of Approval.

With regard to servicing, the lands front onto an open municipal road and will connect to the existing municipal services. A servicing brief has been completed by S. Llewellyn & Associates and accepted by City staff to confirm the principle of servicing can be achieved. The detailed considerations for site servicing, grading and stormwater will be the subject of Consent Agreements that will also be required as Conditions of Approval.

Attn.: Ms. Jamila Sheffield
Re: Application for Consent, Church St.

November 20, 2020
Page 3

In keeping with the City's requirements for the submission of Applications for Consent, the following materials are being submitted to the Committee of Adjustment:

- Copies of each completed Application Form;
- Combined Application fee of \$8535.00 payable to the City of Hamilton;
- Sketch Plans illustrating the three Consent

We trust that you will find the enclosed materials complete and suitable for the purpose of processing these applications. 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.



James Webb, MCIP, RPP

cc: Veloce Luxury Homes



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:90

SUBJECT PROPERTY: 15 Church St., Ancaster

You are receiving this notice because you are either:

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

APPLICANT(S): Owner: 2692544 Ontario Inc.
Agent: James Webb

PURPOSE OF APPLICATION: To create a new lot for residential purposes and to retain lands for residential purposes. To facilitate the creation of 6 freehold townhouse dwellings.

To be heard on conjunction with AN/B-20:89 and AN/B-20:91.

Severed lands:

8.75m[±] x 25.14m[±] and an area of 220.10m²±

Retained lands:

25.18m[±] x 25.14m[±] and an area of 633.20m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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.

AN/B-20:90
PAGE 2

MORE INFORMATION

For further information on this application, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, 3935 or 4144
- Visit the Committee of Adjustment office in person at Hamilton City Hall, 71 Main Street West, 5th Floor

DATED: January 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)		[REDACTED]	Business ([REDACTED]) Fax: () E-mail:
Applicant(s)*		[REDACTED]	Business ([REDACTED]) Fax: () E-mail:
Agent or Solicitor		[REDACTED]	Business [REDACTED] Fax: () E-mail: [REDACTED]

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address			Assessment Roll N°.

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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 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 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: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input 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 type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input 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: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input type="checkbox"/> other means (specify) _____ |

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

- | | | | |
|--------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> electricity | <input type="checkbox"/> telephone | <input type="checkbox"/> school bussing | <input type="checkbox"/> garbage collection |
|--------------------------------------|------------------------------------|---|---|

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): _____

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

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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?

- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No
-

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

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?

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

9 OTHER APPLICATIONS

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?
 Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 **Type of Application** (select type and complete appropriate sections)

- | | | |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



November 20, 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 – Lot Creation
15 Church Street, Ancaster, City of Hamilton

WEBB Planning Consultants are retained by Veloce Luxury Homes to co-ordinate the municipal planning approvals required to facilitate the development of the property located at 15 Church Street, Town of Ancaster, City of Hamilton.

The lands subject to this application are located on Church Street, adjacent to the traditional core area of the Village of Ancaster. The property has an area of approximately 1,280 square metres and approximately 50 metres of frontage on Church Street. The property is presently occupied by a single detached dwelling that is proposed to be removed.

The City is currently processing planning applications for the property intended to facilitate the redevelopment for a low density residential project comprising street townhouse dwellings. Processing of Applications to amend the local Secondary Plan and the Town of Ancaster Zoning By-law has refined the proposal with the configuration comprising a total 6 dwellings arranged in two block of 3 units.

The file No.'s for the Planning Applications are UHOPA-20-006 and ZAC-20-011.

The proposed land use has been thoroughly evaluated by City planning staff with adoption of the planning instruments scheduled for a Public Meeting of Planning Committee on December 8th, 2020. The form and detailed architectural design of the built form has been evaluated by City Urban Design and Cultural Heritage Staff with a final staff recommendation to approve the required planning approvals. Specific to Heritage, staff approved the Cultural Heritage Impact Assessment submitted by the proponent and endorsed the proposed adaptive re-use of certain architectural elements.

To facilitate the intended tenure of the 6 freehold dwellings, the subject parcel is to be subdivided through applications to the Committee of Adjustment for Consent Approval. As summarized below, a total of three applications are required to create the 6 units:

Application One: Sever Part 2, retain Parts 1 and 3 - 6;
Application Two: Sever Part 4, Retain Parts 3 and 5 - 6;
Application Three: Sever Part 6, Retain Part 5.

Policies for the Division of Land are outlined in Section F.1.14 of the Urban Hamilton Official Plan (UHOP). Specific to Lot Creation within the Neighbourhoods Designations, Consents for new lot creation for both the severed and retained lands shall be permitted provided the following conditions are met:

- a) The lots comply with the Policies of the Plan, including Secondary Plans where one exists;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.

We have considered the above criteria in the context of the lands to be severed and retained in our opinion the proposal conforms in all regards.

The proposed housing form and scale of development complies with the Neighbourhoods designation of the UHOP. The property is within the Ancaster Wilson Street Secondary Plan area with an amendment pending for adoption that will change the designation from Low Density Residential 1 to Low Density Residential 3, the appropriate designation for the proposed housing form.

The proposed size and shape of the lots complies with the draft Zoning By-law Regulations that are supported by Planning staff and scheduled for a Public Meeting and adoption on December 8th. As the Zoning is not yet in effect, it is understood that approval of the Consent Applications will include final approval as a Condition of Approval.

With regard to servicing, the lands front onto an open municipal road and will connect to the existing municipal services. A servicing brief has been completed by S. Llewellyn & Associates and accepted by City staff to confirm the principle of servicing can be achieved. The detailed considerations for site servicing, grading and stormwater will be the subject of Consent Agreements that will also be required as Conditions of Approval.

Attn.: Ms. Jamila Sheffield
Re: Application for Consent, Church St.

November 20, 2020
Page 3

In keeping with the City's requirements for the submission of Applications for Consent, the following materials are being submitted to the Committee of Adjustment:

- Copies of each completed Application Form;
- Combined Application fee of \$8535.00 payable to the City of Hamilton;
- Sketch Plans illustrating the three Consent

We trust that you will find the enclosed materials complete and suitable for the purpose of processing these applications. 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.



James Webb, MCIP, RPP

cc: Veloce Luxury Homes



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:91

SUBJECT PROPERTY: 15 Church St., Ancaster

You are receiving this notice because you are either:

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

APPLICANT(S): Owner: 2692544 Ontario Inc.
 Applicant: James Webb

PURPOSE OF APPLICATION: To create a new lot for residential purposes and to retain lands for residential purposes. To facilitate the creation of 6 freehold townhouse dwellings.

To be heard on conjunction with AN/B-20:89 and AN/B-20:90.

Severed lands:
 9.87m[±] x 25.14m[±] and an area of 249m² ±

Retained lands:
 6.56m[±] x 25.14m[±] and an area of 165m² ±

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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.

AN/B-20:91
PAGE 2

MORE INFORMATION

For further information on this application, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, 3935 or 4144
- Visit the Committee of Adjustment office in person at Hamilton City Hall, 71 Main Street West, 5th Floor

DATED: January 19th, 2021

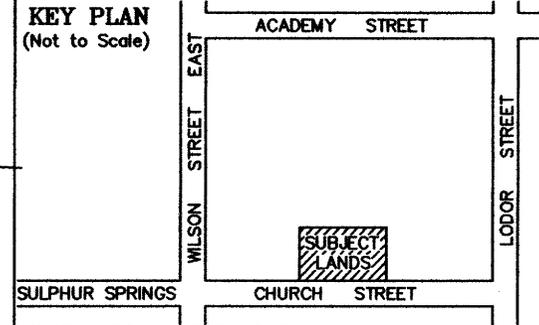
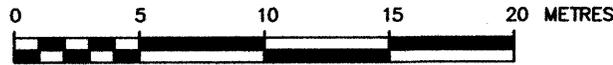
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

LAND DIVISION SKETCH
(15 CHURCH STREET)
PART OF LOT 45
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF ANCASTER)
CITY OF HAMILTON

PART 1 PLAN 62R-2564
P.I.N. 17443-0021 (LT)

SCALE 1:300



C O N C E S S I O N 2

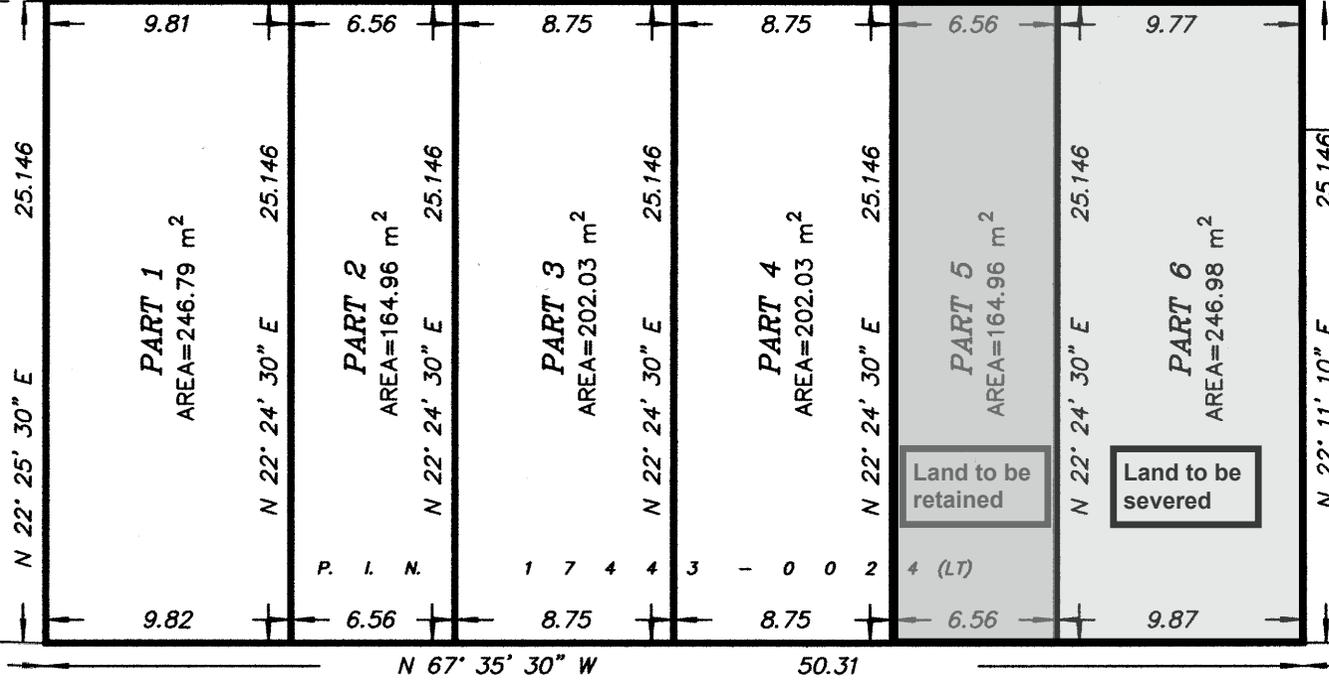
N 67° 35' 30" W 50.20

WILSON STREET EAST



P.I.N. 17443-0022 (LT)

PART 1
PLAN 62R-7666



LOT 4
P.I.N. 17443-0027 (LT)

PLAN 344

REGISTERED

PART 1
PLAN 62R-4242
P.I.N. 17443-0025 (LT)

LOT 5

LODOR STREET

CHURCH STREET

(12.19 m. WIDE, BY REGISTERED PLAN 344, P.I.N. 17443-0023 (LT))



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)			Business [REDACTED] Fax: () E-mail:
Applicant(s)*			Busine [REDACTED] Fax: () E-mail:
Agent or Solicitor			Busine [REDACTED] Fax: () E-mail [REDACTED]

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address			Assessment Roll N°.

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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 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 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: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input 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 type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input 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: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input type="checkbox"/> other means (specify) _____ |

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

- | | | | |
|--------------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> electricity | <input type="checkbox"/> telephone | <input type="checkbox"/> school bussing | <input type="checkbox"/> garbage collection |
|--------------------------------------|------------------------------------|---|---|

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): _____

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

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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?

- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No
-

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

- Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

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?

8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

- Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 **Type of Application** (select type and complete appropriate sections)

- | | | |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

12.1 The application shall be accompanied by a sketch showing the following in metric units:

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 - i) are located on the subject land and on land that is adjacent to it, and
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- (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



November 20, 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

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The proposed land use has been thoroughly evaluated by City planning staff with adoption of the planning instruments scheduled for a Public Meeting of Planning Committee on December 8th, 2020. The form and detailed architectural design of the built form has been evaluated by City Urban Design and Cultural Heritage Staff with a final staff recommendation to approve the required planning approvals. Specific to Heritage, staff approved the Cultural Heritage Impact Assessment submitted by the proponent and endorsed the proposed adaptive re-use of certain architectural elements.

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- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.

We have considered the above criteria in the context of the lands to be severed and retained in our opinion the proposal conforms in all regards.

The proposed housing form and scale of development complies with the Neighbourhoods designation of the UHOP. The property is within the Ancaster Wilson Street Secondary Plan area with an amendment pending for adoption that will change the designation from Low Density Residential 1 to Low Density Residential 3, the appropriate designation for the proposed housing form.

The proposed size and shape of the lots complies with the draft Zoning By-law Regulations that are supported by Planning staff and scheduled for a Public Meeting and adoption on December 8th. As the Zoning is not yet in effect, it is understood that approval of the Consent Applications will include final approval as a Condition of Approval.

With regard to servicing, the lands front onto an open municipal road and will connect to the existing municipal services. A servicing brief has been completed by S. Llewellyn & Associates and accepted by City staff to confirm the principle of servicing can be achieved. The detailed considerations for site servicing, grading and stormwater will be the subject of Consent Agreements that will also be required as Conditions of Approval.

Attn.: Ms. Jamila Sheffield
Re: Application for Consent, Church St.

November 20, 2020
Page 3

In keeping with the City's requirements for the submission of Applications for Consent, the following materials are being submitted to the Committee of Adjustment:

- Copies of each completed Application Form;
- Combined Application fee of \$8535.00 payable to the City of Hamilton;
- Sketch Plans illustrating the three Consent

We trust that you will find the enclosed materials complete and suitable for the purpose of processing these applications. 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.



James Webb, MCIP, RPP

cc: Veloce Luxury Homes



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: DN/A-20:278

APPLICANTS: Danielle DesJardins on behalf of the owner Don Oakie

SUBJECT PROPERTY: Municipal address **189 Melville St. Dundas**

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

ZONING: "R2" (Single Detached Residential) Zone

PROPOSAL: To permit the construction of a one-storey rear addition to the existing single detached dwelling notwithstanding that;

1. A minimum rear yard of 4.4m shall be permitted instead of the minimum 7.5m rear yard required.

Notes: The applicant shall ensure that the maximum 10.5m height is not exceeded. No elevation plans were provided.

The zoning By-law permits an eave or gutter to project a maximum of 1.5m into a rear yard and permits a projection of an eave or gutter into a side yard to a maximum of one-half of its width or 1.0m whichever is lesser. No details were provided to confirm compliance.

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

DATE: Thursday, February 4th, 2021
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.

DN/A-20: 278

Page 2

MORE INFORMATION

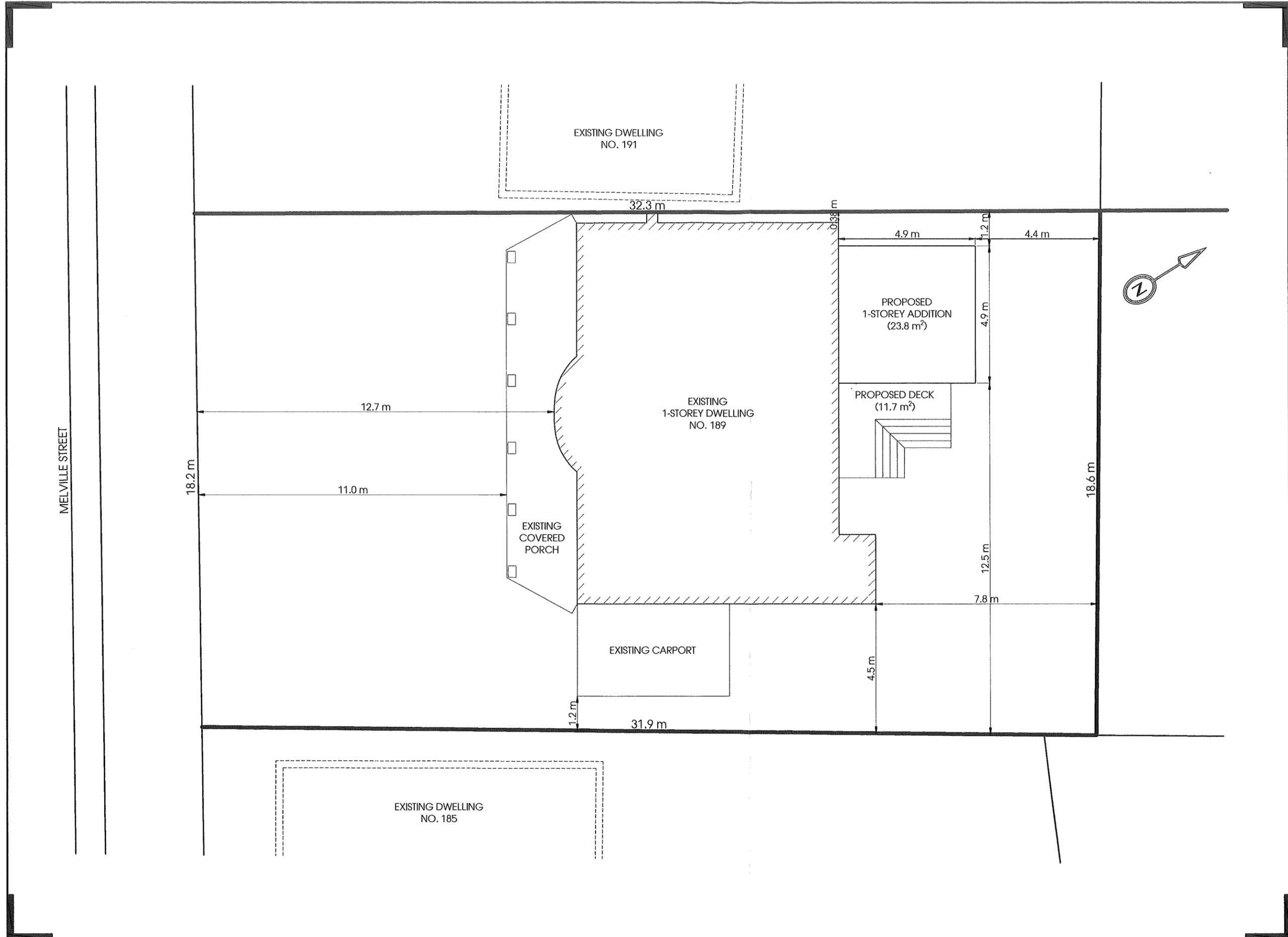
For more information on this matter, including access to drawings illustrating this request:

- 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: January 19th, 2021.

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:

- All construction shall conform to the latest edition of the Ontario Building Code.
- Do not scale drawings.
- All dimensions to be verified by the contractor prior to commencing construction.
- Any alteration to design or construction shall not be undertaken until it has been approved by the designer.
- These drawings and specifications are the property of the designer, and shall not be used, reproduced or altered without written authorization from the designer.

BCIN QUALIFICATION & REGISTRATION:
 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 design the work shown on the attached documents.

QUALIFICATION INFORMATION:
 Name: Danielle Desjardins BCIN: 20301
 Signature: *DD*

REGISTRATION INFORMATION:
 Firm: Big Sky Construction Inc. BCIN: 106184

BIG SKY
 CONSTRUCTION

DESIGN • BUILD • RENOVATE

905 220 9139 | bigskydesign@outlook.com

PROJECT:
 REAR ADDITION & DECK

REVISION/ISSUE DATES:
 12/03/20 - ISSUE FOR VARIANCE APPLICATION

ADDRESS:
 189 MELVILLE STREET
 DUNDAS

DRAWING:
 PROPOSED SITE PLAN

DATE: DEC 2020	SCALE: 1 : 125	DRAWING #: SP1.01
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Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

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

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

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.

- Name of Owner DON OAKIE Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent DANIELLE DESTARONS Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
CIBC, 197 LAKESHORE RD EAST, OAKVILLE ONTARIO
Postal Code L6J 5E8

Postal Code _____

6. Nature and extent of relief applied for:

REAR SETBACK OF 4.4m
WITH FURTHER EAVE PROJECTION

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

EXISTING HOUSE IS ALREADY CLOSE TO REAR PROPERTY LINE
SETBACK.

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

REG. COMP. PLAN 1474, LOT 67
189 MELVILLE STREET, OUNDAS

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?

AGE OF HOUSE & 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.

DECEMBER 3, 2020
 Date


 Signature Property Owner

DON OAKIE
 Print Name of Owner

10. Dimensions of lands affected:

Frontage 18.2m
 Depth 32.1 (AVERAGE)
 Area 592m²
 Width of street 11m *2

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: DWELLING GFA: 132.8m² (GROUND & GROSS FLOOR AREA)
NUMBER OF STORIES: 1
WIDTH: 13.5m, LENGTH: 9.4m (DWELLING)
HEIGHT: 5.4m

Proposed: DWELLING GFA: 143.1m² (GROUND & GROSS FLOOR AREA)
NUMBER OF STORIES: 1
WIDTH: 13.5m, LENGTH 14.3m (DWELLING)
HEIGHT: 5.4m

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 SB TO DWELLING: 12.7m FRONT SB TO PORCH: 11m
WEST SIDE SB TO DWELLING: 0.38m
EAST SIDE SB TO DWELLING: 4.5m EAST SIDE SB TO CARPORT: 1.2m
REAR SB TO DWELLING: 7.8m

Proposed: FRONT SB TO DWELLING: 12.7m FRONT SB TO PORCH: 11m
 WEST SIDE SB TO DWELLING: 0.38m
 EAST SIDE SB TO DWELLING: 4.5m EAST SIDE SB TO CARPOET: 1.2m
 REAR SB TO DWELLING: 4.4m

13. Date of acquisition of subject lands:
 2007

14. Date of construction of all buildings and structures on subject lands:
 1840

15. Existing uses of the subject property: SINGLE FAMILY DWELLING

16. Existing uses of abutting properties: RESIDENTIAL

17. Length of time the existing uses of the subject property have continued:
 SINCE TIME OF CONSTRUCTION

18. Municipal services available: (check the appropriate space or spaces)
 Water Connected
 Sanitary Sewer Connected
 Storm Sewers

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

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

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



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-20:285

APPLICANTS: Lucas Kokot on behalf of the owner Matthew Henderson

SUBJECT PROPERTY: Municipal address **35 Taylor Cres., Flamborough**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of a new 18.3m x 8.0m, one (1) storey accessory building in the rear yard of the existing Single Detached Dwelling notwithstanding that:

1. An area of 145.0m² within an accessory building shall be devoted for parking whereas a maximum parking area of 97.0m² is permitted within an accessory structure.
2. A building height of 5.8m shall be provided instead of the maximum permitted accessory building height of 5.0m.
3. A height of 4.5m shall be provided to the underside of any fascia eaves, overhand or the lower ends of the roof joists, rafters or trusses whereas the by-law permits a maximum height of 3.0m.

NOTES:

- i. Please be advised that no accessory building shall be used for human habitation. The accessory structure appears to be intended entirely for parking purposes however floor plans have not been provided to confirm zoning compliance.

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

DATE: Thursday, February 4th, 2021
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.

FL/A-20:285

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

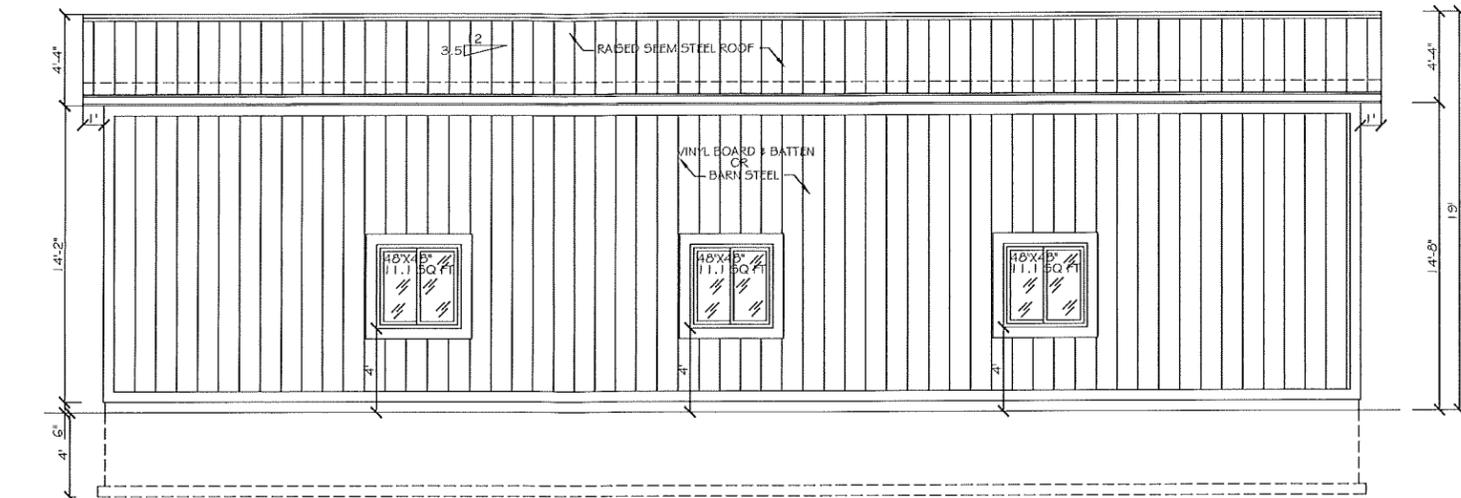
For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
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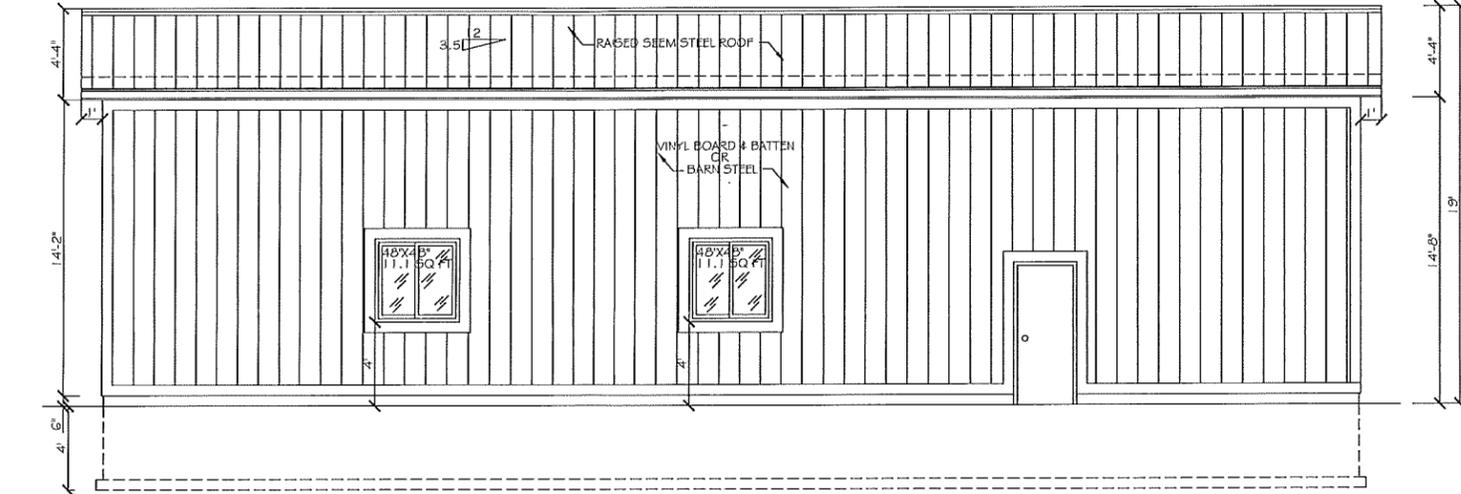
DATED: January 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

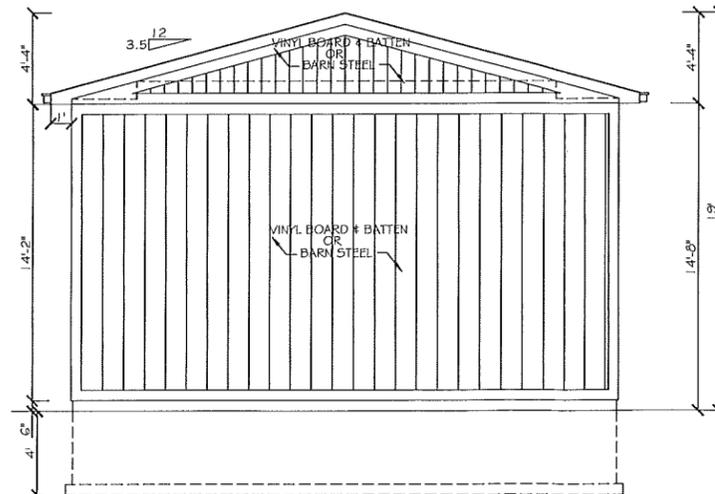
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



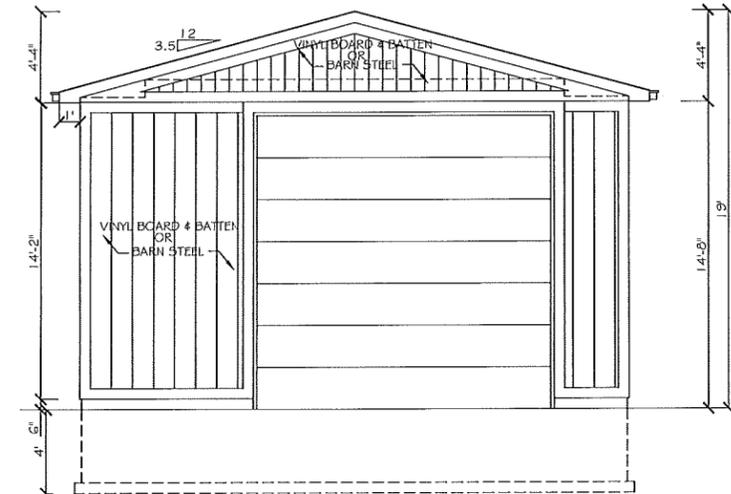
RIGHT ELEVATION
SCALE 1/4"=1'-0"



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



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



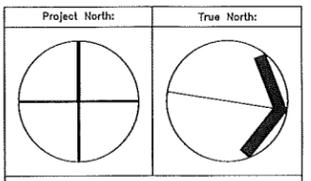
FRONT ELEVATION
SCALE 1/4"=1'-0"

NOTE:
ALL BUILDING MATERIALS AND CONSTRUCTION METHODS TO COMPLY WITH CURRENT OBC
VERIFY ALL DIMENSIONS BEFORE AND DURING CONSTRUCTION TO CONFIRM ACCURACY
VERIFY ALL DIMENSIONS OF SPECIALTY ITEMS BEFORE ORDERING TO CONFIRM ACCURACY

NOTE:
TRUSS DESIGNS AND LAYOUT PROVIDED BY TRUSS MANUFACTURER

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

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



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE 2.17.4.1 (1)(a) TO BE AN "OTHER DESIGNER" QUALIFICATION INFORMATION:
RON CRICKMORE BCIN: 41992

Ron Crickmore

No.	Date:	Issue/Revision	By:

Note:
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF S.D.H. DESIGN.

USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

CRICKMORE DESIGN
111 Yorkville Road, Aurora, Ontario, Canada L6B 4Z8
Tel: 905-477-0478

Project:
**MATT HENDERSON
PROPOSED GARAGE**
35 TAYLOR CRESCENT
GREENSVILLE ONTARIO

Sheet Title:
**PROPOSED GARAGE
ELEVATIONS**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4"=1'-0"	Date: SEPT 2020	Project No.: 20042

Drawing No:
A2

Drawing Series:



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.

- Name of Owner MATTHEW HENDERSON Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent LUCAS A. KOKOT Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
Canadian Imperial Bank of Commerce
199 Bay St, B-2 Securities Level Postal Code M5L 1A2
Toronto, ON
Postal Code _____

6. Nature and extent of relief applied for:
a building height of 18'6" is the
minor variance I am looking to obtain
-
7. Why it is not possible to comply with the provisions of the By-law?
a building height of 18'6" would allow
the storage of a 5th wheel R.V. trailer or
motorhome I would like to purchase.
-
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
LOT 20 Registered Plan 1014
35 Taylor Cres.
-
9. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
- Agricultural Vacant
- Other _____
- 9.1 If Industrial or Commercial, specify use

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

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

Yes ___ No 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?

Local history as shared from neighbors

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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

DEC 13/20
Date

[Redacted Signature]

Signature Property Owner

MATTHEW HENDERSON
Print Name of Owner

10. Dimensions of lands affected:

Frontage 24 M. (79')
Depth 61 M (200')
Area 1464 M² (15,800 SQFT)
Width of street ~~20~~ 20'

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

Existing: Single Story 9m x 10m. 90m²
29.5' x 33' 973 sqft.

Proposed: 60' x 26' 1560 sqft.
Single Story Garage Storage.

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 - 9.7 M. Rear 41 m.
SIDE - 4.7 M Side 10.7 m.

Proposed: FRONT ^{81'7"}~~33'~~ Rear 58'7"
 SIDE 15' SIDE 38'
 "SEE ATTACHED SITE PLAN."

13. Date of acquisition of subject lands:
Dec 15 2011.

14. Date of construction of all buildings and structures on subject lands:
MID 50's

15. Existing uses of the subject property: Residential.

16. Existing uses of abutting properties: Residential.

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

18. Municipal services available: (check the appropriate space or spaces)
 Water _____ Connected _____
 Sanitary Sewer _____ Connected _____
 Storm Sewers _____

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
~~Accessary Building (Garage) #96-92-2~~
S1 Settlement Residential. 15-173 05-200

21. Has the owner previously applied for relief in respect of the subject property?
 Yes No

If the answer is yes, describe briefly.

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

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-20:276

APPLICANTS: Ralph, Anthony & Nino Naccarato, owners

SUBJECT PROPERTY: Municipal address **44 Main St. N., Flamborough**

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

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

PROPOSAL: To permit the conveyance of a vacant parcel of land with an approximate area of 2647 square metres and the retention of a parcel of land with an approximate area of 524 square metres containing an existing single detached dwelling, notwithstanding,

1. A minimum lot area of 524 square metres shall be permitted for the lands to be retained instead of the minimum required lot area of 665 square metres;
2. A minimum lot frontage of 14 metres shall be permitted for the lands to be retained instead of the minimum required lot frontage of 18 metres; and,
3. A maximum lot coverage of 27.4% shall be permitted for the lands to be retained instead of the maximum permitted lot coverage of 25%.

NOTES:

1. The subject lands are currently subject to Interim Control By-law 20-101 which restricts a land owner from replacing any building on a lot, from building on a vacant lot, or from increasing the existing building size by more than 10%. Please be advised that this Interim Control By-law will be in place until May 20, 2021.
2. A further variance will be required should the intent be for the existing accessory structure (frame shed) is intended to be maintained on the lands to be conveyed.
3. Details regarding the height of the existing building have not been provided. A further variance will be required of the height of the existing single detached dwelling exceeds 11.0 metres, provided in accordance with the definition of "Height" and "Grade" as defined within the Zoning By-law.
4. Details regarding yard encroachments have not been provided. Further variances will be required if compliance with Section 5.30 of the Zoning By-law cannot be achieved.
5. It is unclear if the minimum required rear yard of 7.5 metres is provided from the existing structure to the new rear lot line (most easterly lot line of the lands to be retained). A further variance will be required if the minimum required rear yard of 7.5 metres is not provided.

FL/A-20:276

Page 2

6. Details regarding landscaping have not been provided. A further variance will be required if a minimum of 50% of the front yard is not provided as landscaped open space.

7. Details regarding parking have not been provided. Further variances will be required if compliance with Section 5.21 of the Zoning By-law (Parking Regulations) cannot be achieved. Please be advised, for a single detached dwelling, a minimum of one (1) parking space is required to be provided.

8. These variances are necessary to facilitate land severance application FL/B-20:96, to be heard in conjunction with this application.

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

DATE: Thursday, February 4th, 2021
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: January 19th, 2021.

Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

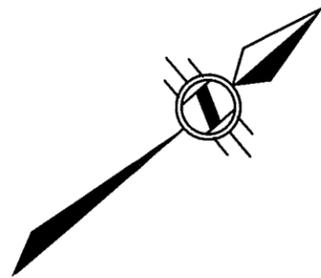
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SKETCH FOR SEVERANCE APPLICATION
 OF ALL OF
LOTS 58, 59 & 60
REGISTERED PLAN M-8
 IN THE
CITY OF HAMILTON

SCALE 1:300 METRIC



S.D. McLAREN, O.L.S. - 2020



MAIN STREET NORTH
 (BY REGISTERED PLAN M-8)
 (17.14m WIDE)

CAUTION

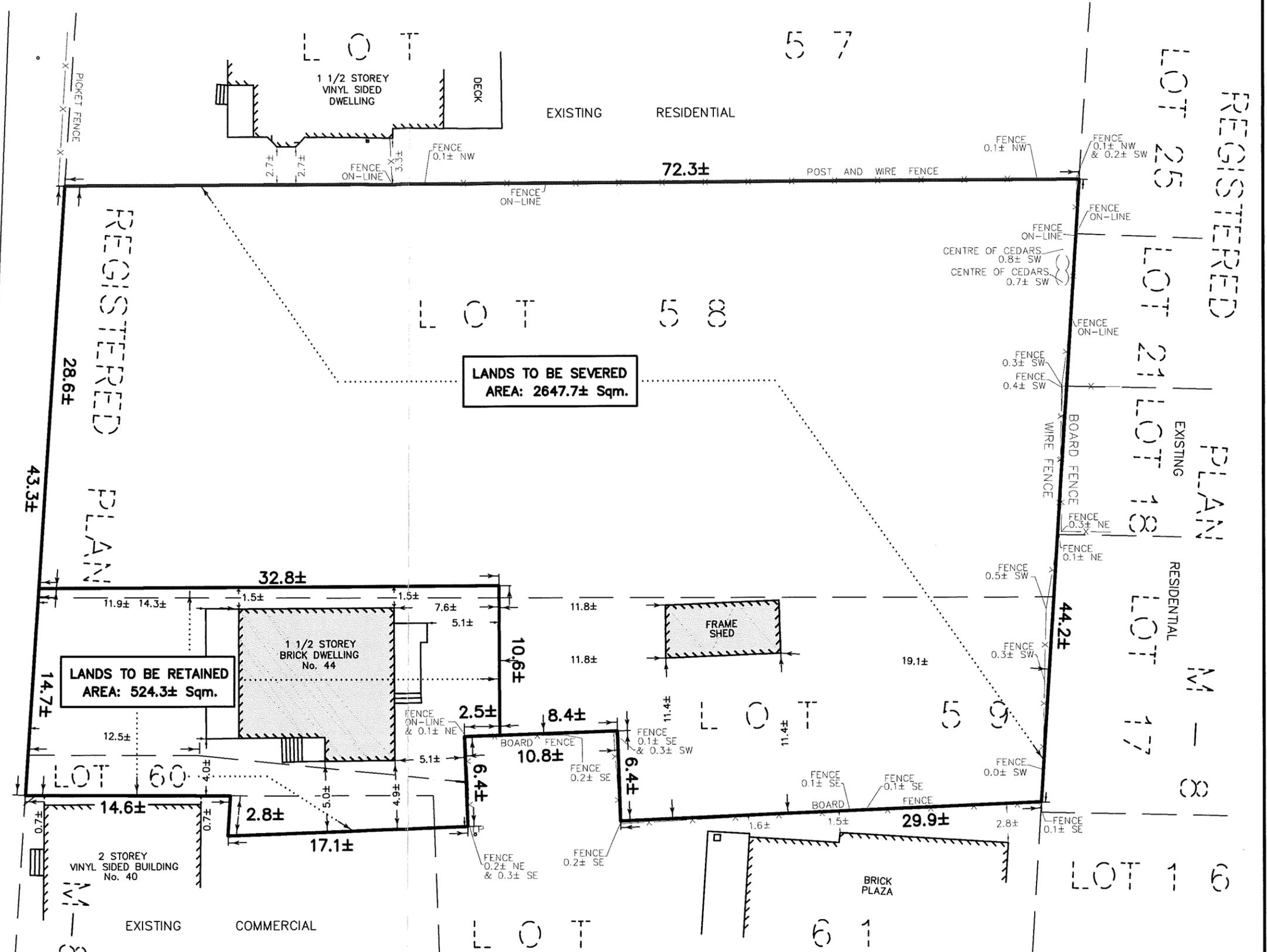
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NOTE

DIMENSIONS ARE DERIVED FROM PLAN 62R-20947

ZONING	REQUIRED	PROPOSED
MIN LOT AREA	665 SQM.	<u>524.3 SQM.</u>
LOT FRONTAGE	18M	<u>14.7M</u>
LOT COVERAGE	25% MAX	<u>27.4%</u>
FRONT	7.5M	14.3M
REAR	7.5M	<u>5.1M EXISTING</u>
SIDE	1.2M	1.5M



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

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 JM	Checked RAM	Scale 1:300	Dwg.No. 35199-LDC
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not commissioned



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.

- RALPH, ANTHONY, & NINO*
- Name of Owner NACCARATO Telephone No. _____
FAX NO. _____ E-mail address. _____
 - Address _____
Postal Code _____
 - Name of Agent _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
 - Address _____
Postal Code _____

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

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

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
REDUCTION OF MINIMUM LOT AREA 665 to 524.3
REDUCTION OF LOT FRONTAGE 18 TO 14.7
INCREASE IN LOT COVERAGE FROM 25% TO 27.4 %

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):
REGISTERED PLAN M-8
LOTS 58, 59 & 60
44 MAIN ST. NORTH

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

9.1 If Industrial or Commercial, specify use

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

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

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

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

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

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

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

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

Yes No Unknown

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

Yes No Unknown

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

WE HAVE OWNED THE PROPERTY NEXT DOOR FOR OVER 35 YEARS AND HAVE NEVER SEEN ANY OF THE ACTIVITIES LISTED 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 with reason of its approval to this Application.

Nov. 2/20
Date



Signature Property Owner

NINO NACCARATO
Print Name of Owner

10. Dimensions of lands affected:

Frontage 43.3
Depth 72.3
Area 3172
Width of street _____

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

Existing: 1 1/2 STOREY EXISTING HOME
APPROX - 1600 SQ. FT.

Proposed: NO CHANGE

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 - 14.3 M
SIDE - 1.5 + 4.0
REAR - 5.1 M

Proposed: _____

13. Date of acquisition of subject lands: 4 YEARS

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: SOUTH SIDE - COMMERCIAL
EAST & NORTH SIDE - RESIDENTIAL

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

18. Municipal services available: (check the appropriate space or spaces)
Water ✓ Connected ✓
Sanitary Sewer ✓ Connected ✓
Storm Sewers _____

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: FL/B-20:96

SUBJECT PROPERTY: 44 Main St. North, Flamborough

You are receiving this notice because you are either:

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

APPLICANT(S): Owners: Ralph, Anthony & Nino Naccarato

PURPOSE OF APPLICATION: To permit the creation of a new lot for existing residential use.

Severed lands:
 14.70 m[±] x 33.80 m[±] and an area of 524.3 m^{2±}

Retained lands:
 28.60 m[±] x 72.30 m[±] and an area of 2647.70 m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 4th, 2021

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

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FL/B-20:96
PAGE 2

MORE INFORMATION

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

DATED: January 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

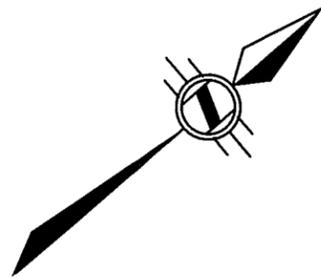
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SKETCH FOR SEVERANCE APPLICATION
 OF ALL OF
LOTS 58, 59 & 60
REGISTERED PLAN M-8
 IN THE
CITY OF HAMILTON

SCALE 1:300 METRIC



S.D. McLAREN, O.L.S. - 2020



MAIN STREET NORTH
 (BY REGISTERED PLAN M-8)
 (17.14m WIDE)

CAUTION

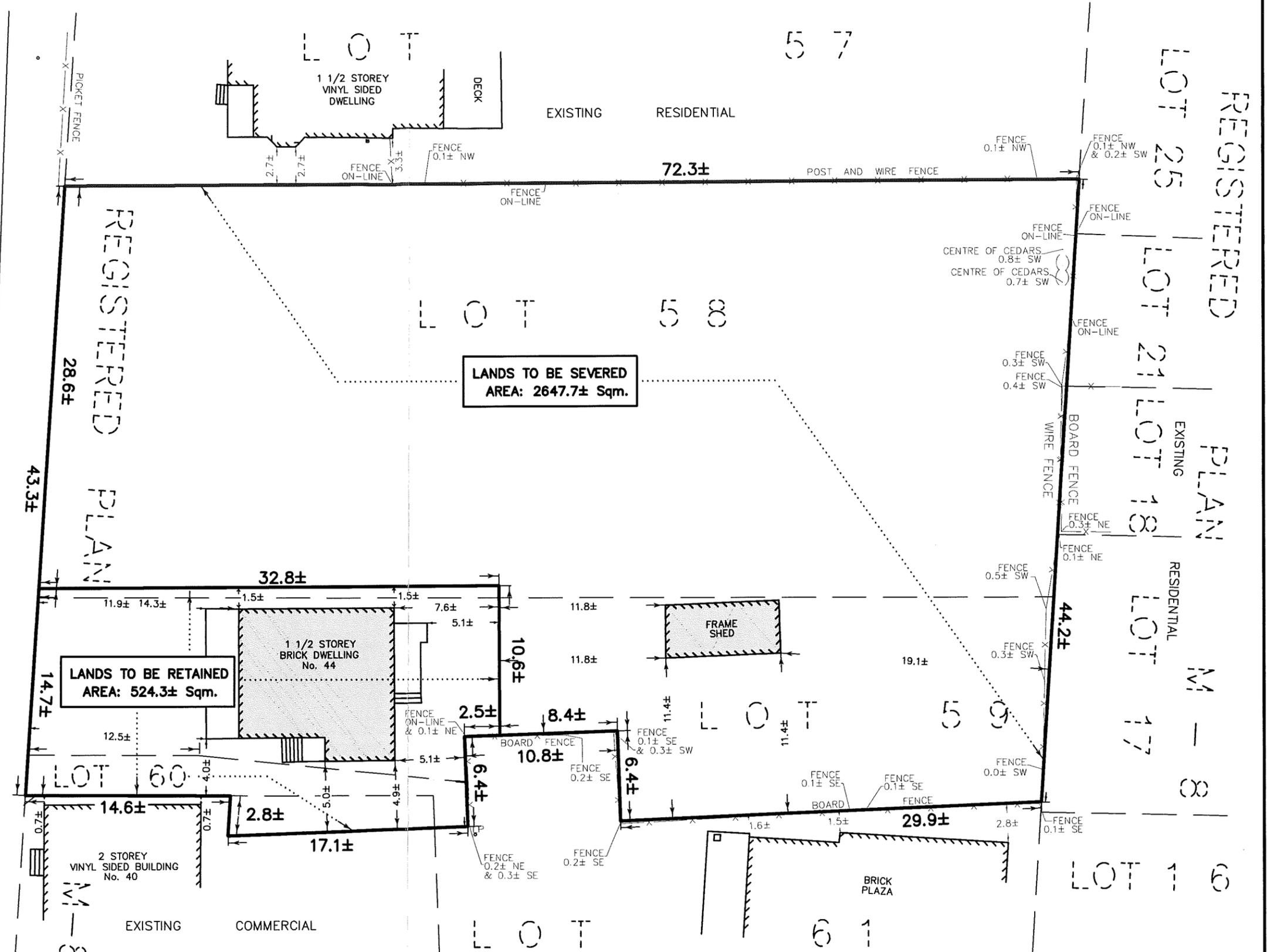
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NOTE

DIMENSIONS ARE DERIVED FROM PLAN 62R-20947

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MIN LOT AREA	665 SQM.	<u>524.3 SQM.</u>
LOT FRONTAGE	18M	<u>14.7M</u>
LOT COVERAGE	25% MAX	<u>27.4%</u>
FRONT	7.5M	14.3M
REAR	7.5M	<u>5.1M EXISTING</u>
SIDE	1.2M	1.5M



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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

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Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	RALPH NACCARATO ANTHONY NACCARATO NINO NACCARATO	[REDACTED]	Business: [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Applicant(s)*			Business () Fax: () E-mail:
Agent or Solicitor			Business () 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	Lot	Concession	Former Township
HAMILTON			WATERLOO N
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
M-8	58, 59, 60	62R-20947	
Municipal Address	Assessment Roll N°.		
44 MAIN ST. NORTH			

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
14.7	32.8	524.3

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 HOME

Existing: _____

Proposed: _____

Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input checked="" type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input 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)
38.6	72.3	2647.7

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: _____

Proposed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): _____

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

5.2 What is the existing zoning of the subject land? **RESIDENTIAL**
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	

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?
WE HAVE OWNED THE ADJACENT PROPERTY FOR 35 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

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
-

- 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? 4 YEARS
-

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

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

- 10.1 **Rural Hamilton Official Plan Designation(s)**

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

Settlement Area _____ Designation _____

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 **Type of Application** (select type and complete appropriate sections)

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

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

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
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Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
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Front yard set back: _____

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
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Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

WE ORIGINALLY WANTED TO DEMOLISH THE EXISTING HOME
BUT BECAUSE THE CITY HAS IDENTIFIED IT AS HAVING
SOME HISTORICAL SIGNIFICANCE WE OPTED TO
SEVER THE HOME FROM THE REMAINING
PROPERTY IN ORDER TO KEEP IT.

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