



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 21-15
Date: August 12, 2021
Time: 1:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall (RM)

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>

Jamila Sheffield, Secretary Treasurer (905) 546-2424 ext. 4144
cofa@hamilton.ca

Pages

1. PREVIOUSLY TABLED

1.1. 1:10 p.m.HM/A-21:22144 Hughson St. S., Hamilton (Ward 2)

Agent Urban Solutions
Owner Fengate Hamilton Lands GP Inc

see July 22nd, 2021 Hearing

2. RURAL

2.1. 1:15 p.m.FL/A-21:2491072 Centre Road, Flamborough(Ward 15) 7

Agent Matt Cornelisse
Owner A. & B. Sproule

2.2. 1:20 p.m.FL/A-21:248653 Safari Rd., Flamborough(Ward 13) 47

Agent Prem Tewari
Owner Singh Greenhouses

- 2.3. 1:25 p.m.FL/A-21:255881 Valens Rd., Flamborough(Ward 13) 61
Owners B. & G. Clark
- 2.4. 1:30 p.m.FL/B-21:6063 Golden Iris Cres., Flamborough(Ward 15) 71
Agent Eldon Hunt
Owner 1624958 Ontario Inc.
- 2.5. 1:35 p.m.DN/A-21:24619 Sherwood Rise, Dundas(Ward 13) 85
Agent Brent Wybenga
Owner J. & L. Anderson
- 2.6. 1:40 p.m.HM/B-21:62408 Upper Horning Rd., Hamilton(Ward 14) 97
Agent A.J. Clarke & Associates
Owners M. Ali & O. Paracha
- 2.7. 1:45 p.m.GL/B-21:584363 Harrison Rd., Glanbrook(Ward 11) 111
Agent GSP Group
Owner Wesley Lemstra
- 2.8. 1:50 p.m.SC/A-21:2571865 Rymal Rd. E., Stoney Creek(Ward 9) 137
Agent GSP Group
Owner Canadian Grand Developments
- 3. URBAN**
- 3.1. 1:55 p.m.HM/A-21:24275 Clinton St., Hamilton(Ward 3) 149
Agent John Stirling
Owner Michelle Cox
- 3.2. 2:00 p.m.HM/A-21:243174 Beach Blvd., Hamilton(Ward 5) 157
Agent Kelsey Hammerton
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- 3.3. 2:05 p.m.HM/A-21:247133 & 135 Markland, Hamilton(Ward 2) 173
Owner Lisa Lavallee

- 3.4. 2:10 p.m.HM/B-20:77200 Macaulay St. E, Hamilton(Ward 2) 183
Owner Christian Zenteno
- 3.5. 2:15 p.m.HM/A-21:122405 Catharine St. N., Hamilton(Ward 2) 195
Agent Graham McNally
Owner Gabrielle Inglis
- 3.6. 2:20 p.m.HM/B-21:61128 Canada St., Hamilton(Ward 1) 205
Agent A.J. Clarke & Associates
Owner G. & P. Spadafora
- 3.7. 2:25 p.m.HM/A-21:85552 & 554 Cannon St. E., Hamilton(Ward 3) 219
Agent Ken Bekendam
Owner Mansour Trustee
- 3.8. 2:30 p.m.HM/A-21:138222 Grosvenor Ave. N., Hamilton(Ward 3) 245
Owner Kamaway Creek Properties Ltd.
- 3.9. 2:45 p.m.HM/B-21:6343-51 King St. E., Hamilton(Ward 2) 261
Agent Urban Solutions
Owner King William Residences Inc.
- 3.10. 2:50 p.m.HM/A-21:192104 Spadina Ave., Hamlton(Ward 3) 275
Agent Rock Kim
Owner Jay Trefethen
- 3.11. 2:55 p.m.HM/A-21:51 Amended 137 Peter St., Hamilton(Ward 1) 291
Agent GSP Group
Owner B. Fleming & A. McAllister

4. SUBURBAN

- 4.1. 3:00 p.m.SC/A-21:258583 Barton St., Stoney Creek(Ward 10) 309
Agent Gerry Gatto
Owners A. & C. Mariella

4.2.	3:05 p.m.HM/A-21:23622 Rowena Court, Hamilton(Ward 6)	317
	Agent T. Johns Consulting Owner Michelle Spencer	
4.3.	3:10 p.m.AN/A-21:24158 Norma Cres., Ancaster(Ward 12)	333
	Agent Steven Albanese Owners R. & C. Kelly	
4.4.	3:15 p.m.HM/A-21:252198 Inverness Ave. E., Hamilton(Ward 8)	345
	Agent Andrew Sieders Owners M. & B. Nyenhuis	
4.5.	3:20 p.m.HM/B-21:5949 Eleanor Ave., Hamilton(Ward 6)	359
	Agent A.J. Clarke & Associates Owner Sym Construction	
4.6.	3:25 p.m.HM/A-21:2509 Lister Ave., Hamilton(Ward 8)	373
	Agent Matthew Ribau Owner Chad Lyder	
4.7.	3:30 p.m.GL/A-21:25150 Rosebury Way, Glanbrook(Ward 11)	387
	Agent Chris Hopkins Owner J. & P. Cook	
4.8.	3:35 p.m.HM/B-18:143Amended197 Brucedale Ave. E, Hamilton(Ward 8)	403
	Agent Urban Solutions Owner Frank Leonardis	
4.9.	3:35 p.m.HM/A-18:385Amended197 Brucedale Ave. E, Hamilton(Ward 8)	417
	Agent Urban Solutions Owner Frank Leonardis	
4.10.	3:40 p.m.GL/A-21:254185 Springside Dr., Glanbrook(Ward 11)	429
	Owners M. & B. Haldenby	
4.11.	3:45 p.m.GL/A-21:170205 Thames Way., Glanbrook(Ward 11)	445
	Agent Urban Solutions Owner 1536708 Ontario Inc.	

5. CLOSED

6. ADJOURNMENT



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-21:249

APPLICANTS: Agent Matt Cornelisse
 Owner A. & B. Sproule

SUBJECT PROPERTY: Municipal address **1072 Centre Road, Flamborough**

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

ZONING: "A2 & P8" (Rural & Conservation/Hazard Land) district

PROPOSAL: To permit the construction of a new 140.0m² accessory building in the rear yard of the existing single detached dwelling notwithstanding that:

1. A height of 7.3m shall be provided instead of the maximum building height of 6.0m permitted for accessory buildings.

NOTES:

- i. Please be advised that pursuant to Subsection 4.8(a), accessory buildings shall not be used for human habitation.

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

DATE: Thursday, August 12th, 2021
TIME: 1:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

FL/A-21: 249
Page 2

MORE INFORMATION

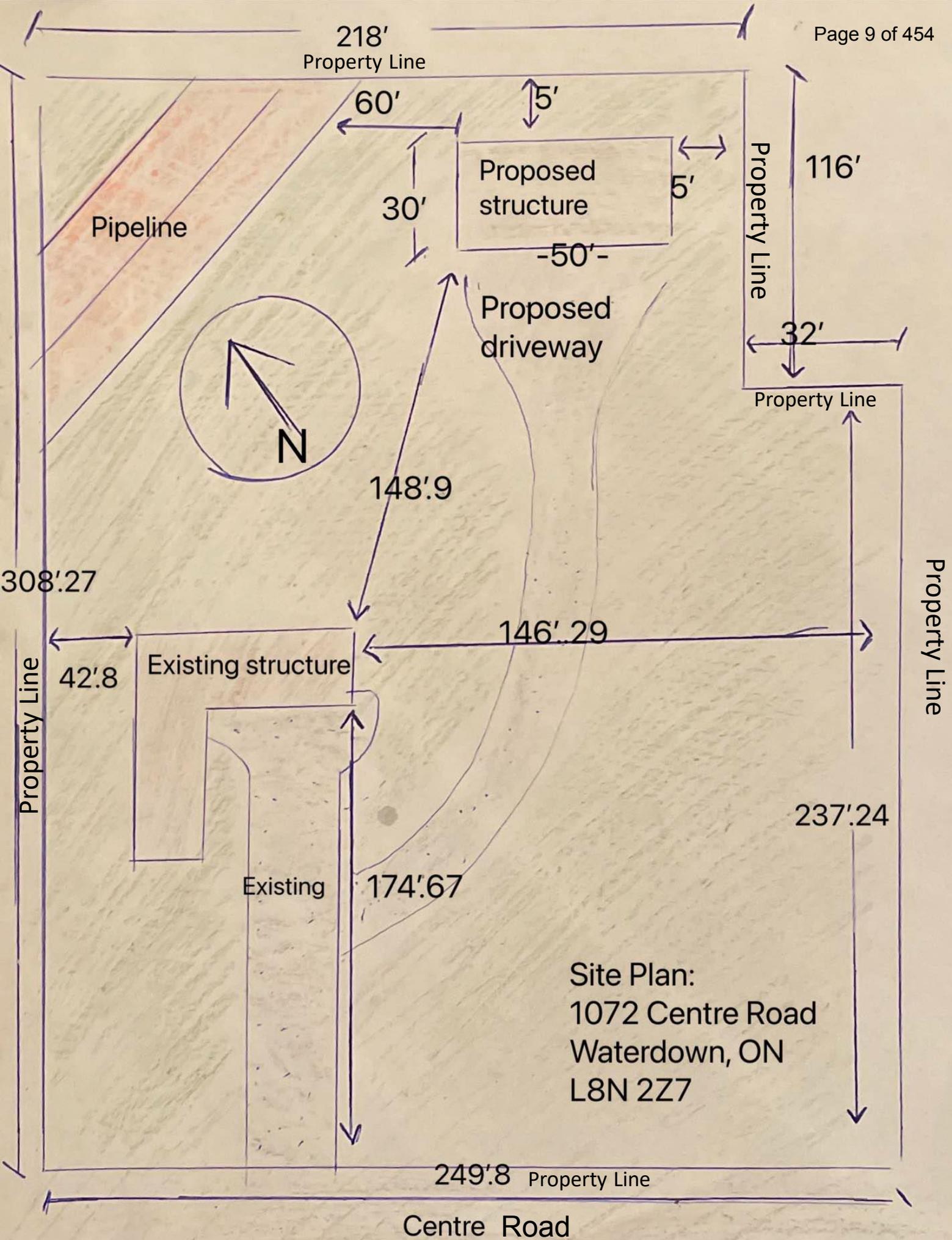
For more information on this matter, including access to drawings illustrating this request:

- 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

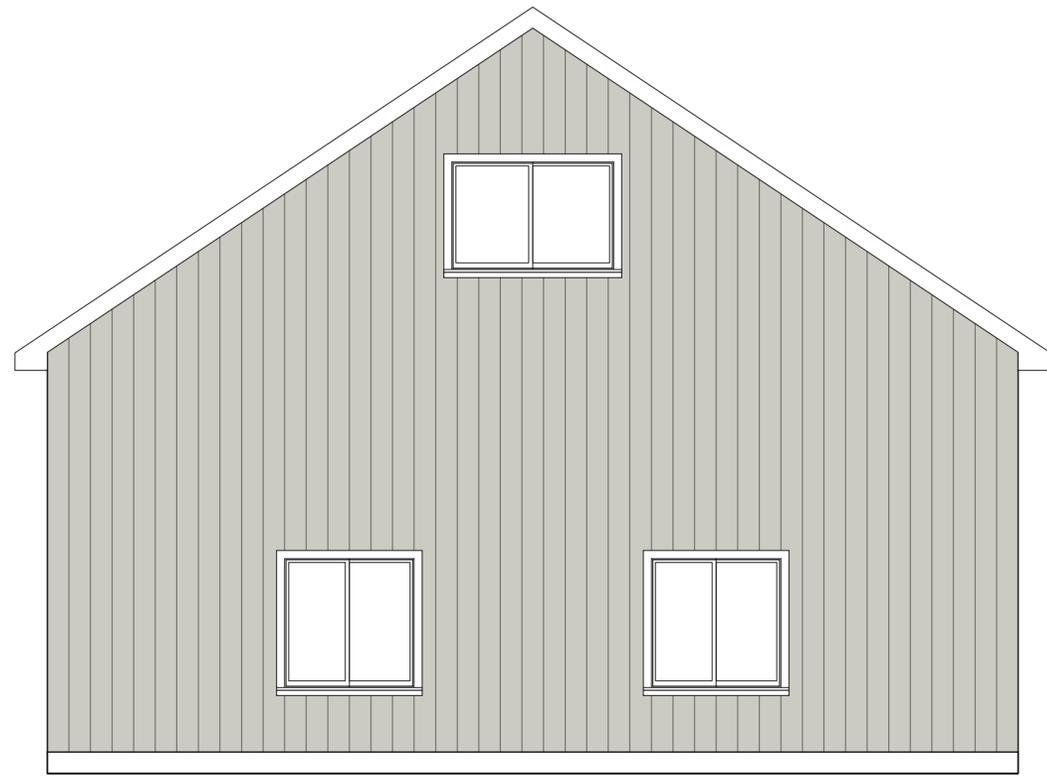
DATED: July 27th, 2021.

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 NOTE: These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.

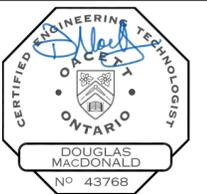


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ROOF PLAN	A-5
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CLIMATIC & DESIGN LOAD DATA	
Hamilton - Above Escarpment - W of J.C. Monro Airport, Ontario	
ROOF LOADING	
GROUND SNOW LOAD S _s	1.5 (31.33 psf)
RAIN LOAD S _r	0.4 (8.35 psf)
SNOW LOAD FACTOR C _b	0.55
ROOF DESIGN SNOW LOAD	1.23 (25.58 psf)
ROOF & CEILING DESIGN DEAD LOAD	0.57 (12.00 psf)
FLOOR LOADING	
GROUND & SECOND FLOOR	1.92 (40.00 psf)
FLOOR/CEILING DESIGN DEAD LOAD	0.72 (15.00 psf)
WIND LOADING	
1/50 WIND PRESSURE	0.46 (9.61 psf)
1/10 WIND PRESSURE	0.36 (7.52 psf)
TEMPERATURE	
DEGREE DAYS BELOW 18°C	3460
SOIL	
ASSUMED ALLOWABLE BEARING PRESSURE AT FOOTING FOUNDING ELEVATION(S)	75 (1556 psf)
ROCK	500 (10,443 psf)
FREEZING INDEX	N/A
ELEVATION	240
THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DRAWINGS AND MATERIALS EITHER SPECIFIED OR ASSUMED. WHERE DIFFERENT OR HEAVIER MATERIALS ARE PROPOSED THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD-BEARING ELEMENTS THAT MAY BE ADVERSELY AFFECTED.	



Waddell Engineering
(519) 301 1779



Matt Cornelisse
1072 center road
Waterdown, Ontario

Date of Issue: April 16, 2021

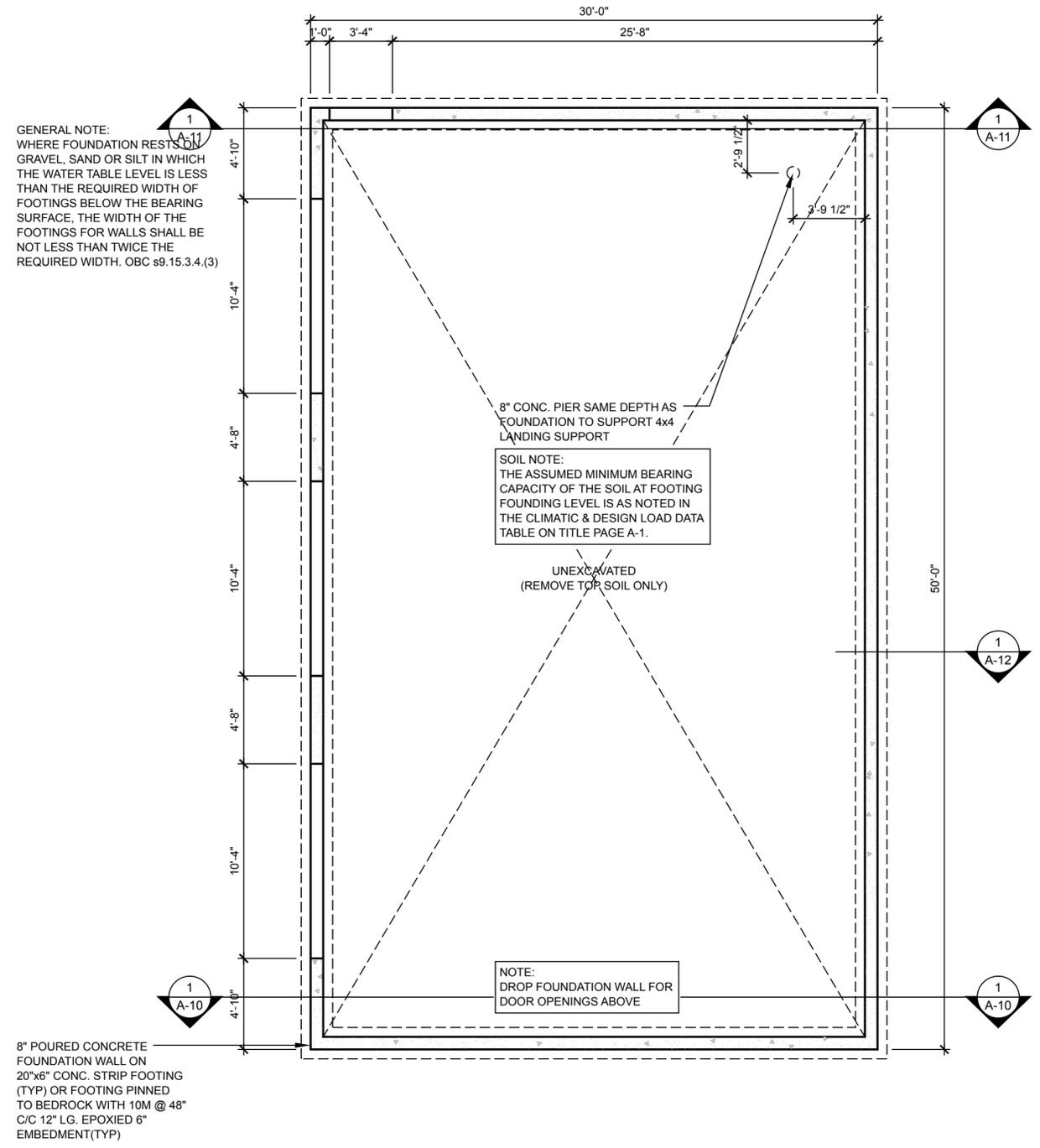
Scale: N/A

TITLE PAGE

Report No:
GP-21-17358

Drawing No:
A-1

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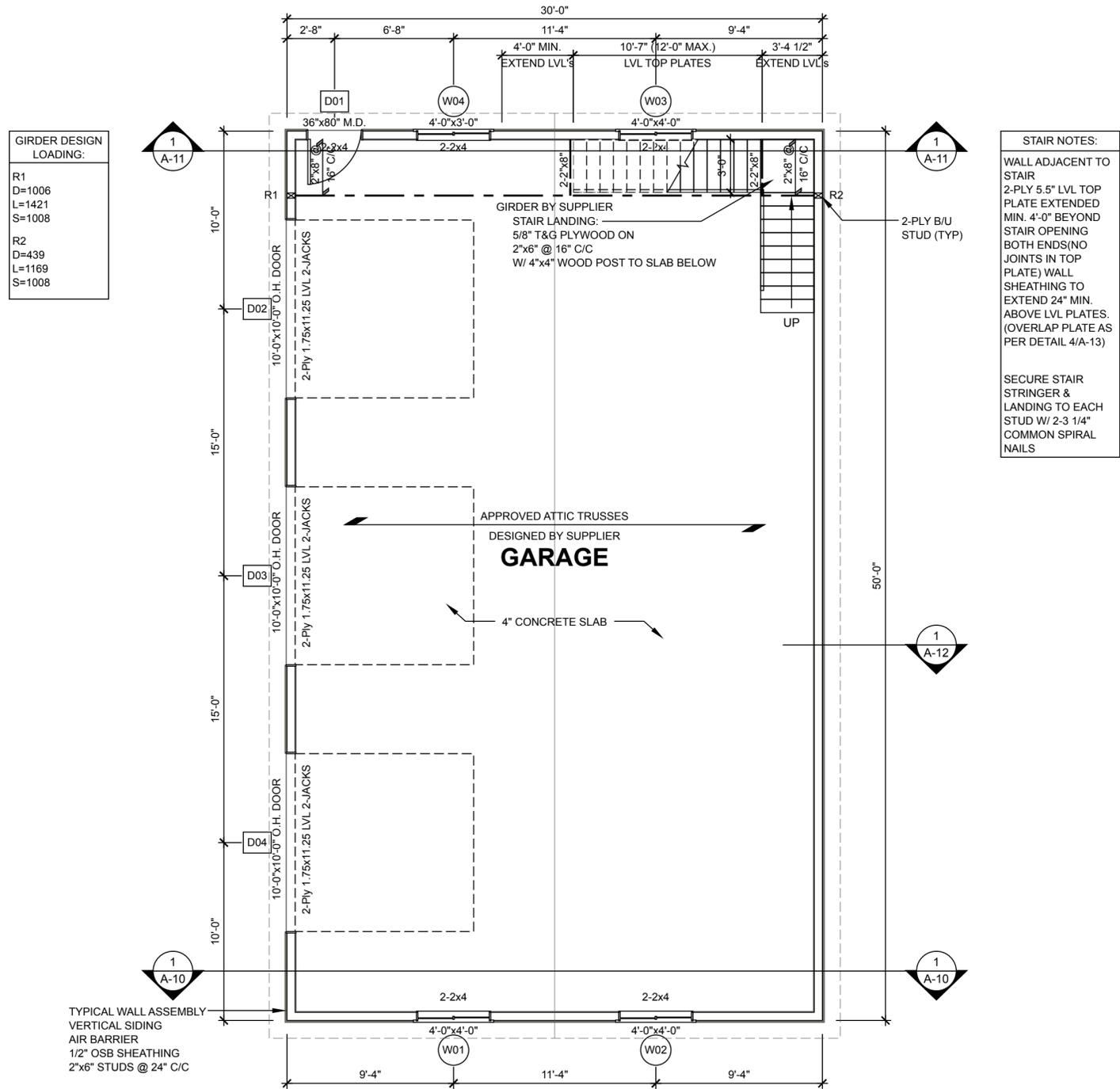
Scale: 3/16" = 1'-0"

FOUNDATION PLAN

Report No:
GP-21-17358

Drawing No:
A-2

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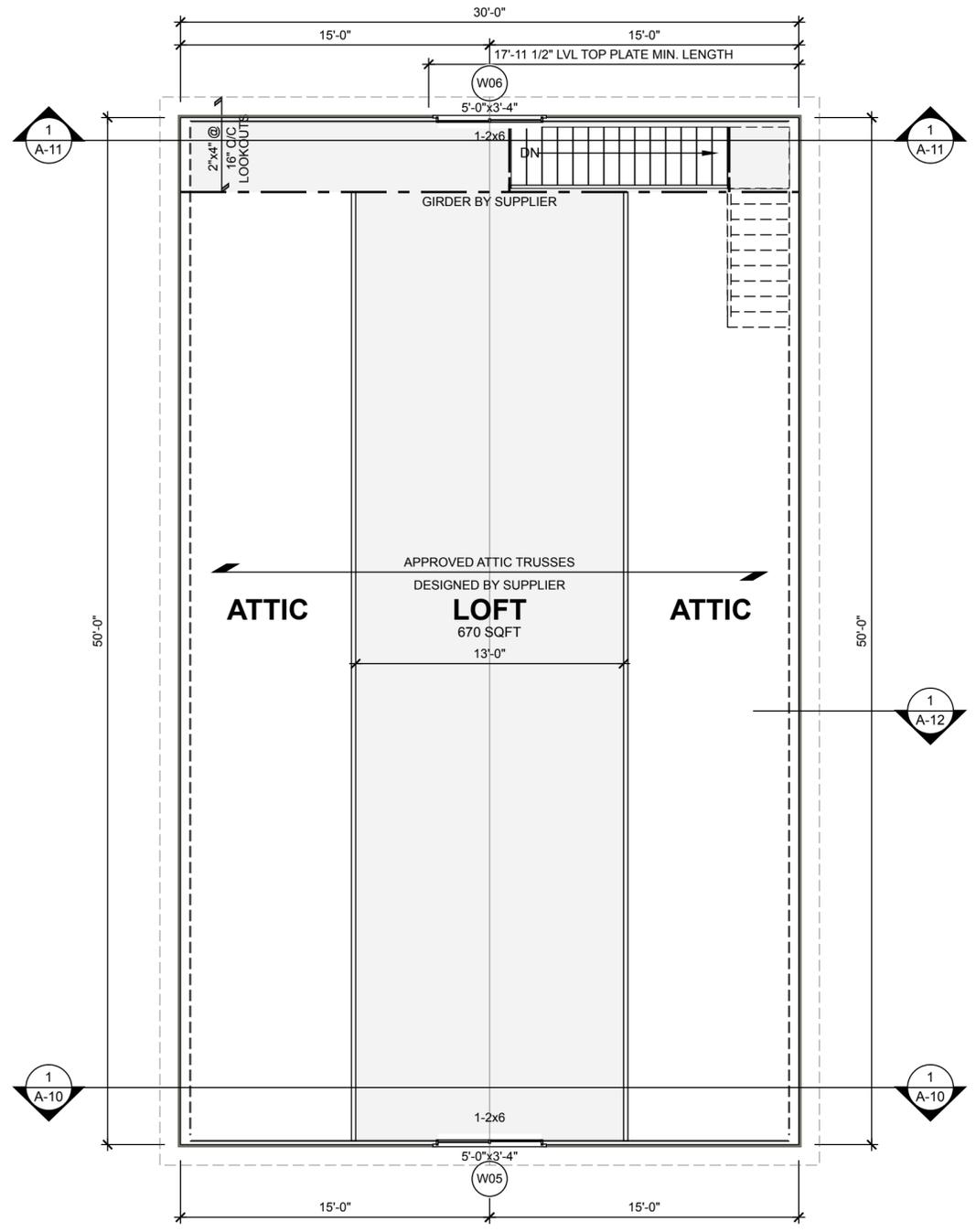
Scale: 3/16" = 1'-0"

MAIN FLOOR PLAN

Report No:
GP-21-17358

Drawing No:
A-3

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STAIR NOTES:
 WALL ADJACENT TO STAIR
 2-PLY 5.5" LVL TOP PLATE EXTENDED MIN. 4'-0" BEYOND STAIR OPENING BOTH ENDS (NO JOINTS IN TOP PLATE) WALL SHEATHING TO EXTEND 24" MIN. ABOVE LVL PLATES. (OVERLAP PLATE AS PER DETAIL 4/A-13)



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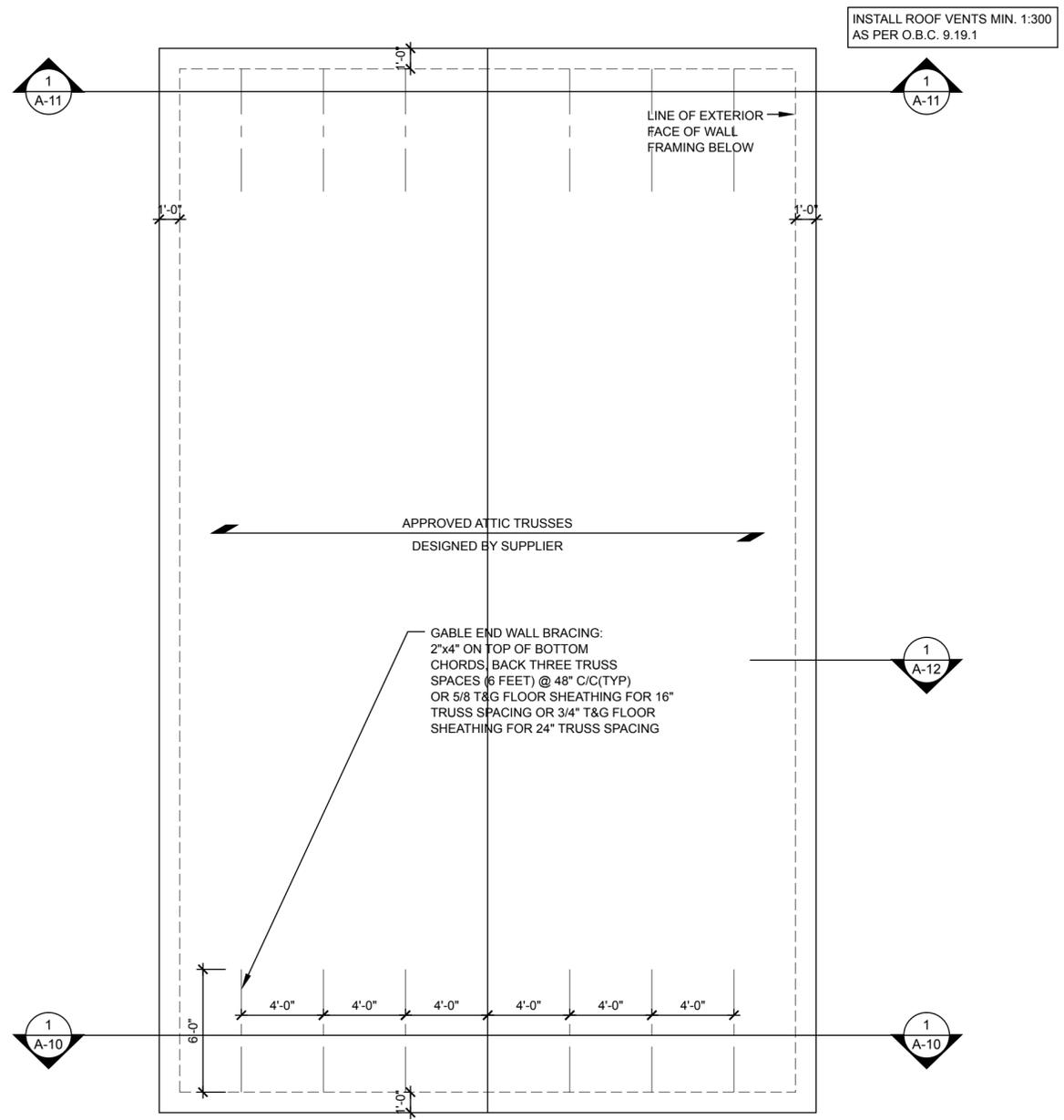
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LOFT FLOOR PLAN

Report No:
 GP-21-17358

Drawing No:
 A-4

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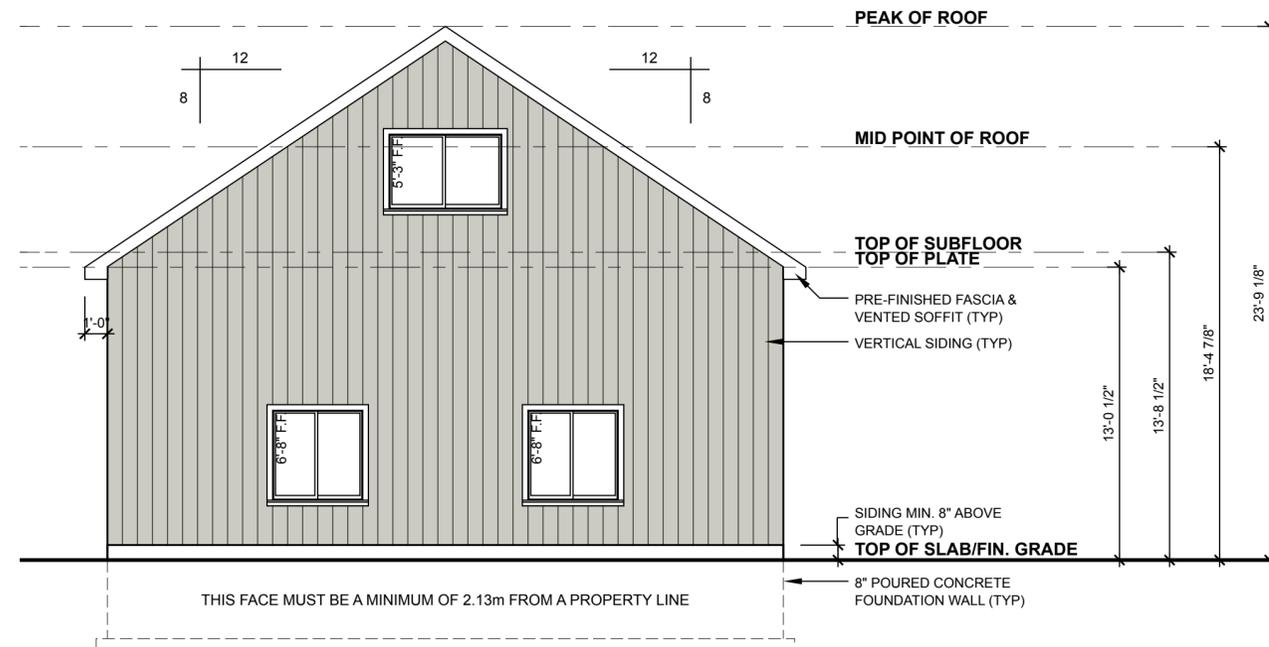
Scale: 3/16" = 1'-0"

ROOF PLAN

Report No:
GP-21-17358

Drawing No:
A-5

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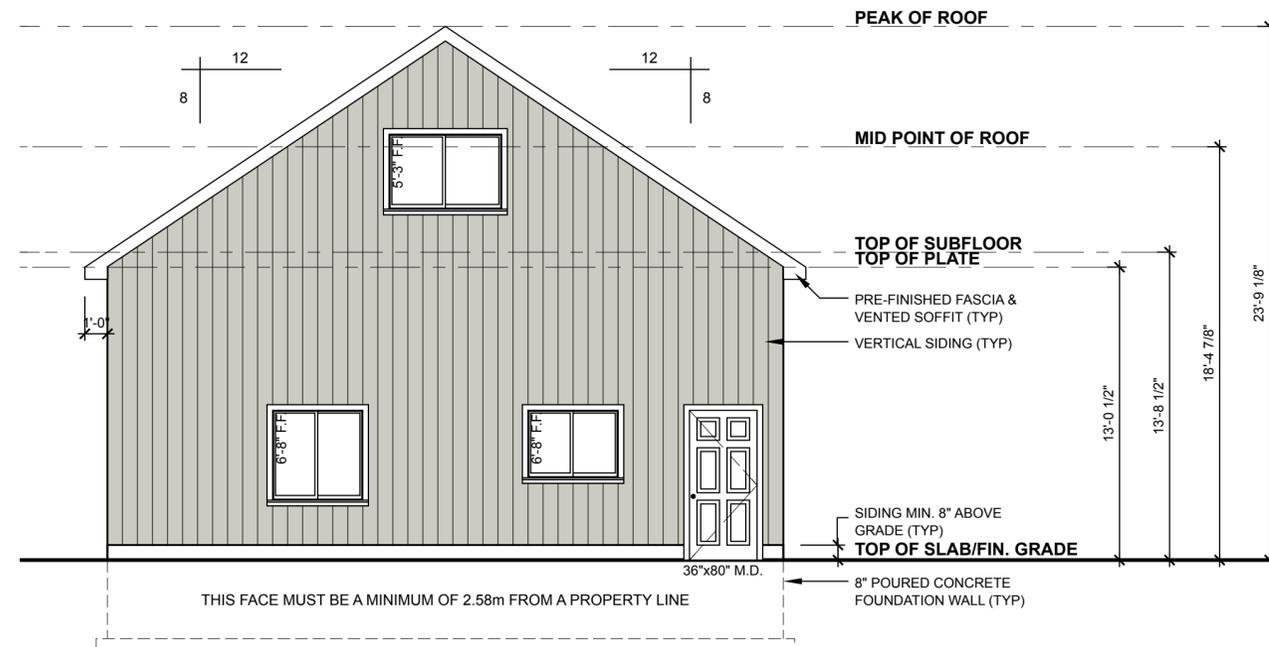
Date of Issue: April 16, 2021

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

FRONT ELEVATION

Report No: GP-21-17358
Drawing No: A-6

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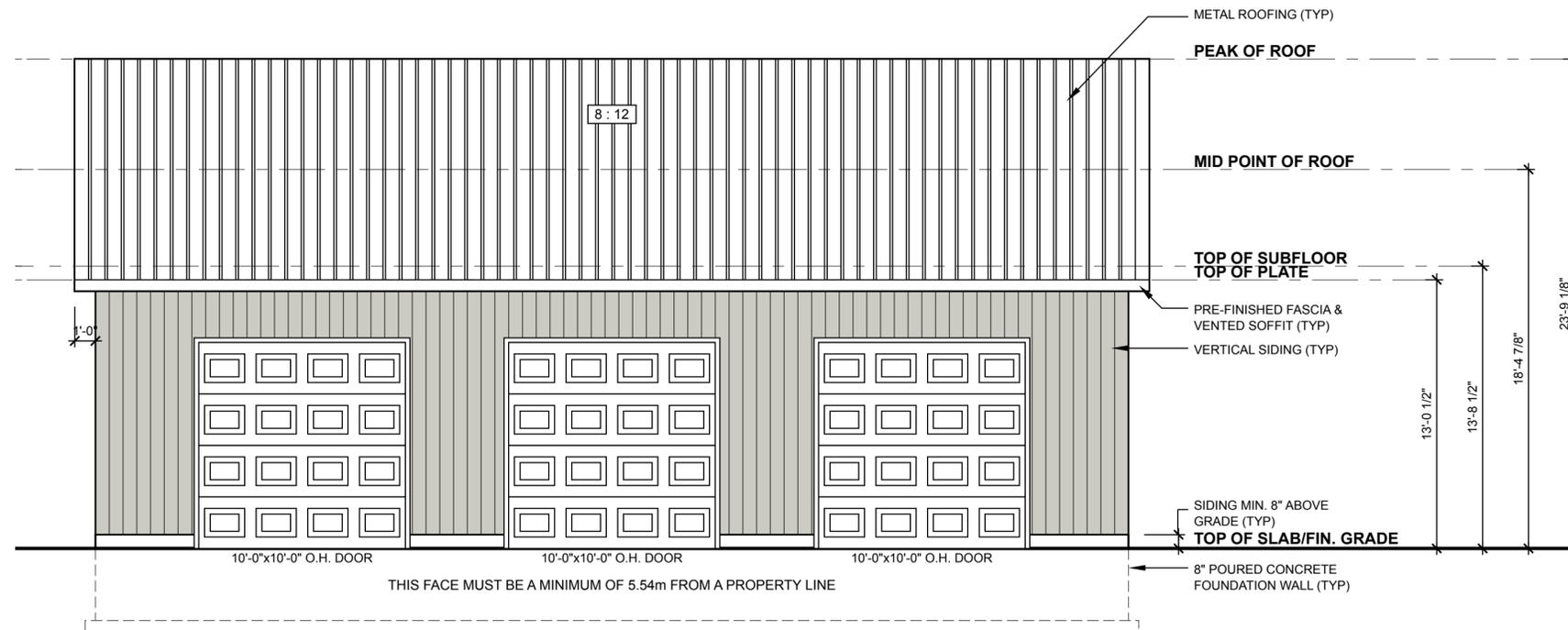
Date of Issue: April 16, 2021

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

REAR ELEVATION

Report No: GP-21-17358
Drawing No: A-7

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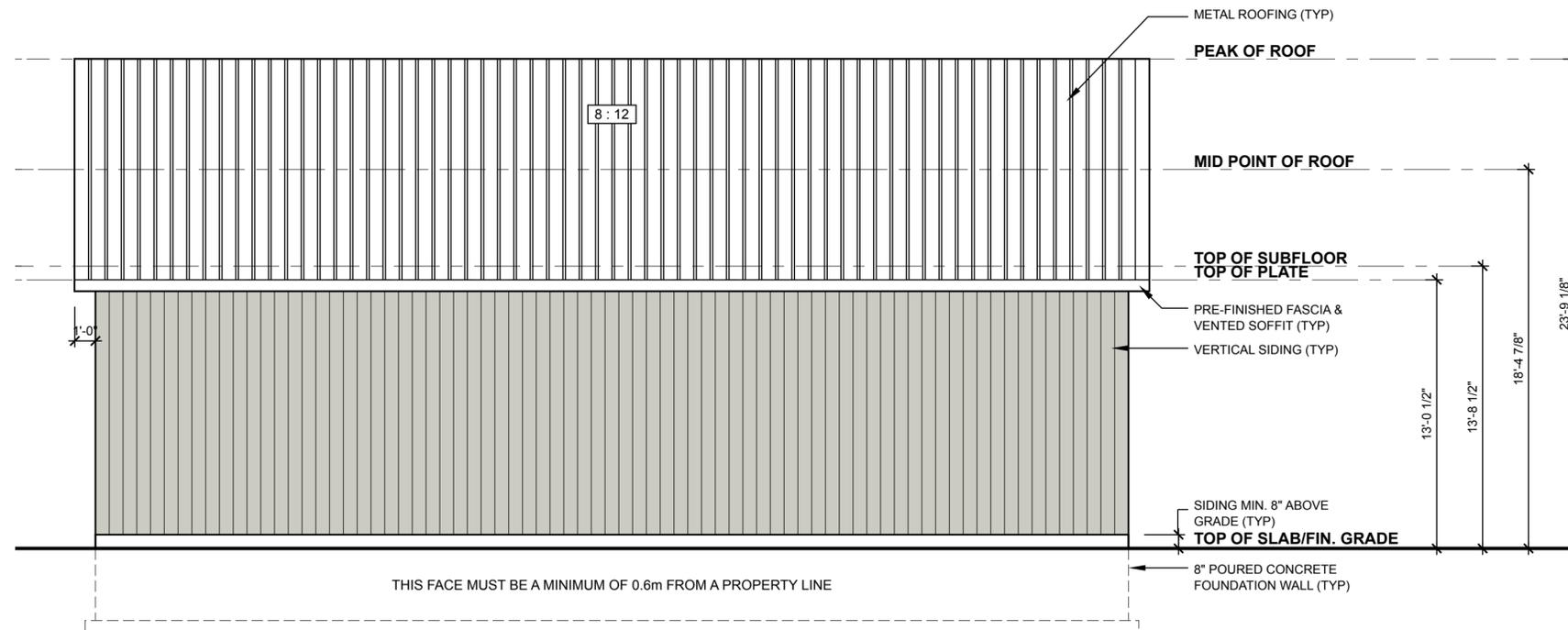
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LEFT ELEVATION

Report No:
GP-21-17358

Drawing No:
A-8

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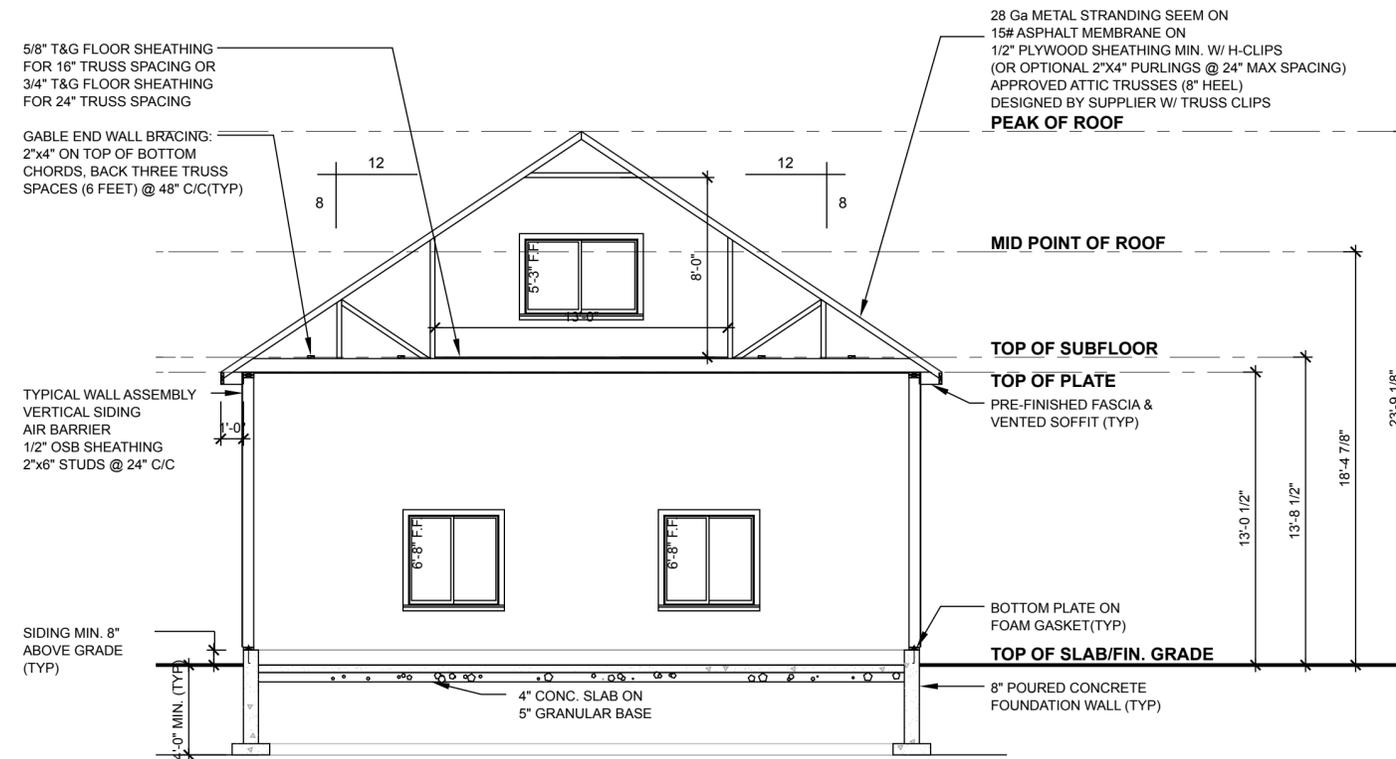
Scale: 3/16" = 1'-0"

RIGHT ELEVATION

Report No:
GP-21-17358

Drawing No:
A-9

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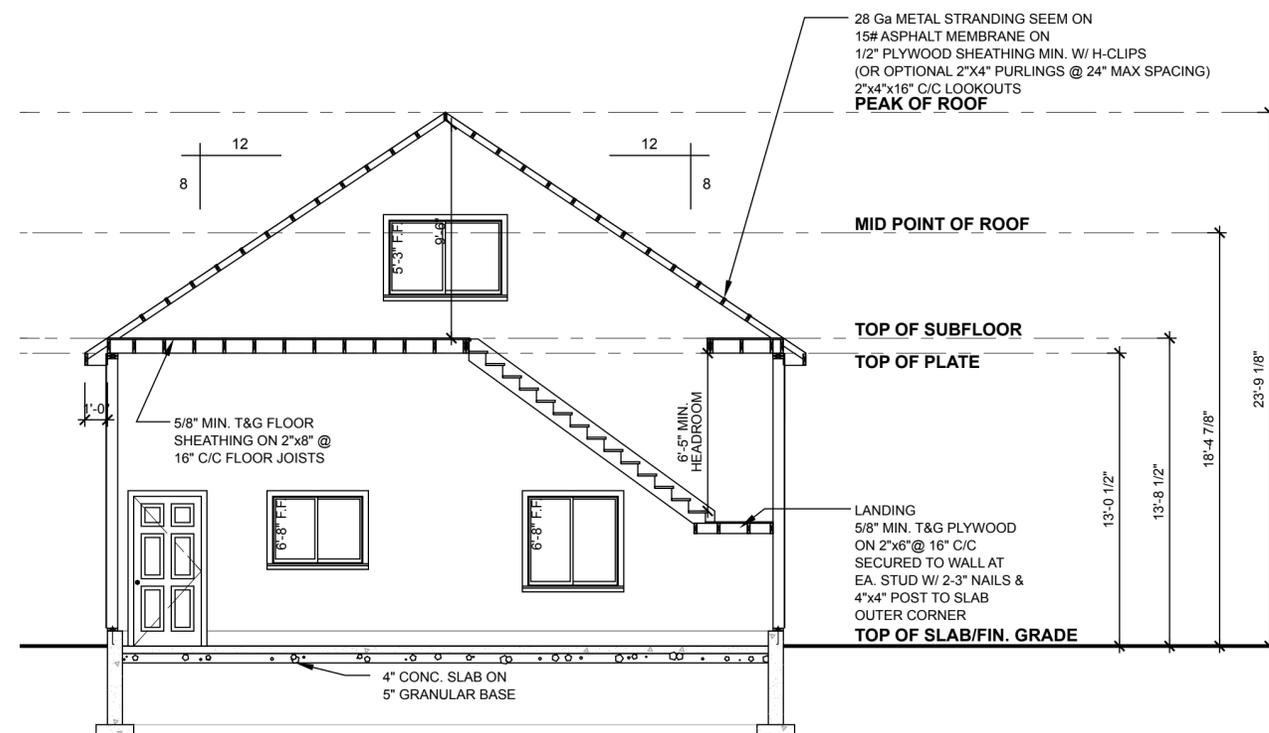
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BUILDING SECTION

Report No:
GP-21-17358

Drawing No:
A-10

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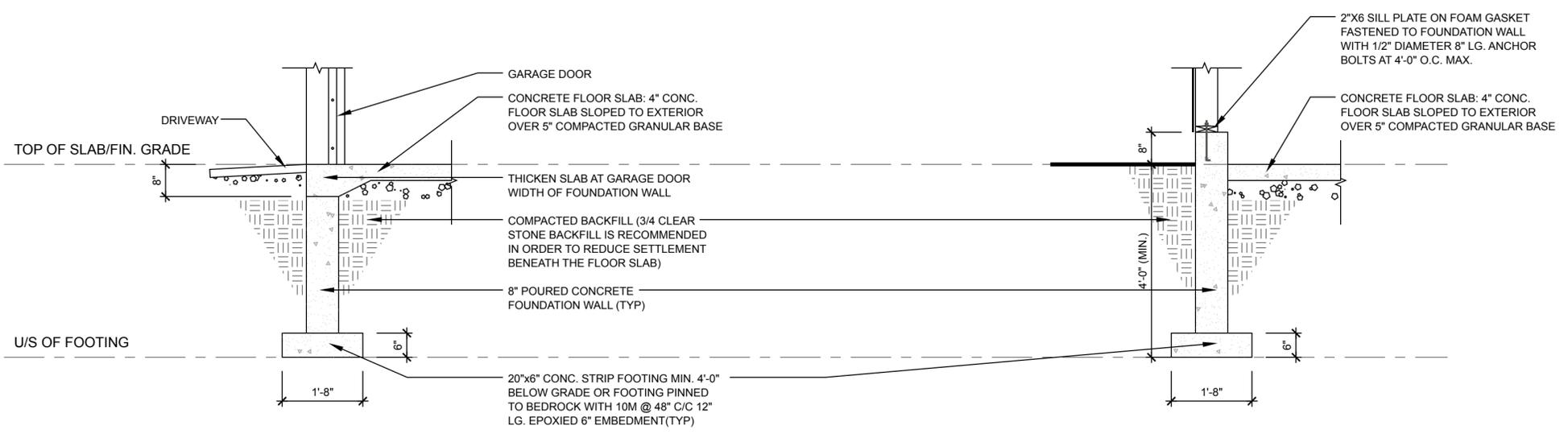
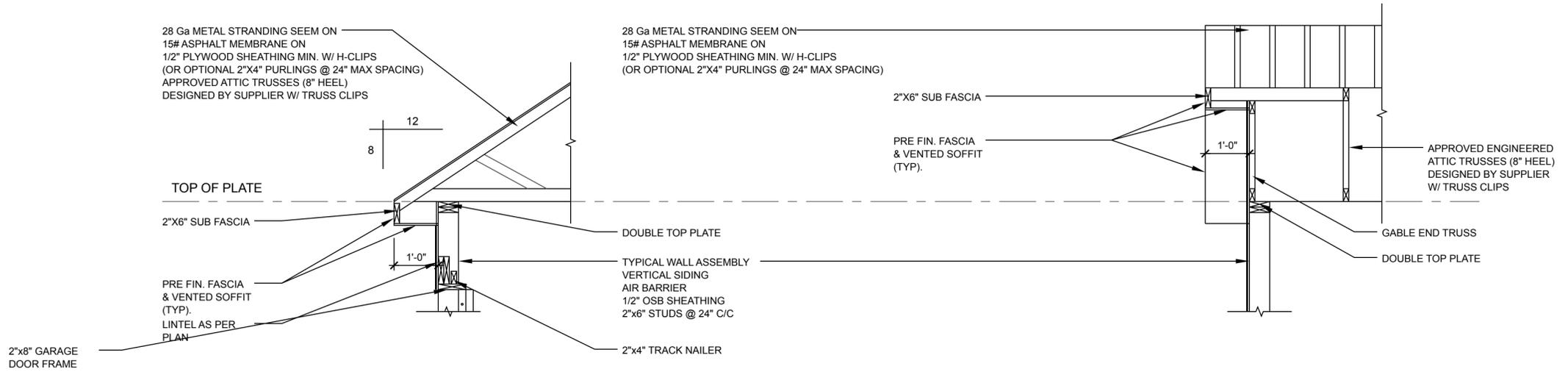
Date of Issue: April 16, 2021

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

STAIR SECTION

Report No: GP-21-17358
Drawing No: A-11

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1 TYPICAL WALL SECTION AT EAVE
SCALE 1/2" = 1'-0"

2 TYPICAL WALL SECTION AT O/H DOOR & GABLE
SCALE 1/2" = 1'-0"



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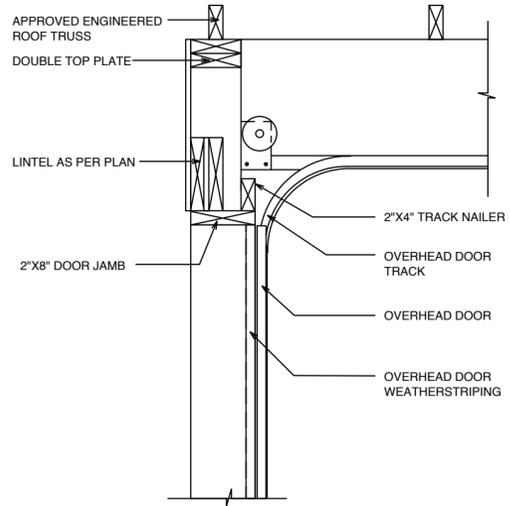
Scale: AS NOTED

WALL SECTIONS

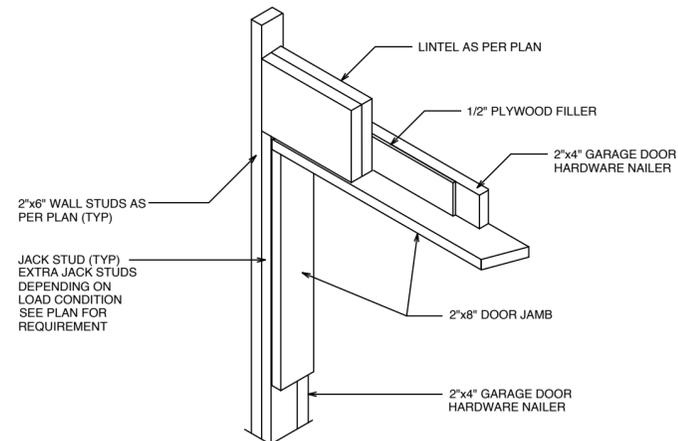
Report No:
GP-21-17358

Drawing No:
A-12

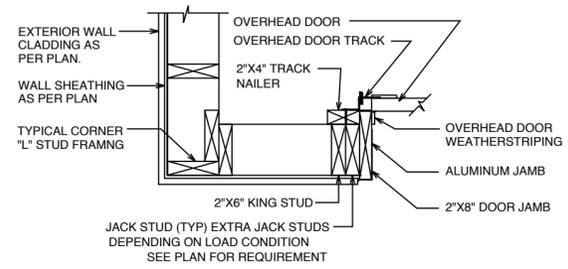
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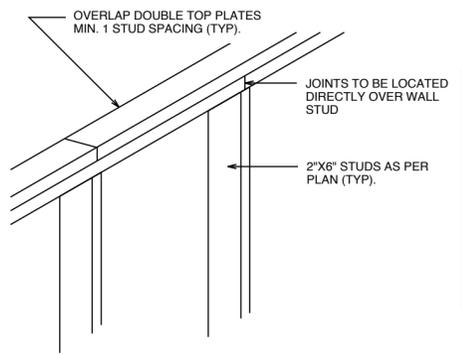
1 GARAGE DOOR JAMB DETAIL
SCALE: N.T.S



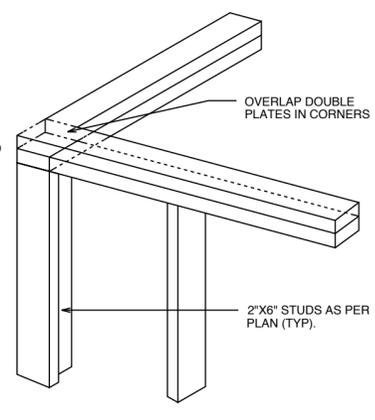
2 LINTEL DETAIL
SCALE: N.T.S



3 GARAGE O.H. DOOR JAMB DETAIL
SCALE: N.T.S



4 TOP PLATE LAP DETAIL
SCALE: N.T.S



5 DOUBLE TOP PLATE CORNER LAP
SCALE: N.T.S



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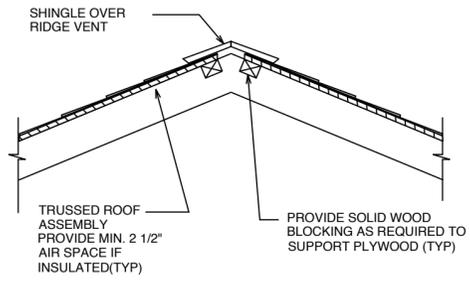
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TYPICAL DETAILS

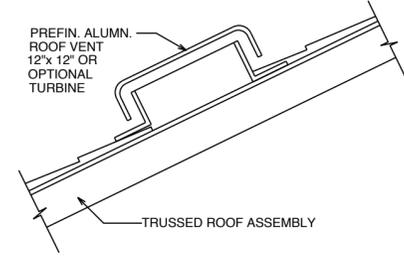
Report No:
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Drawing No:
A-13

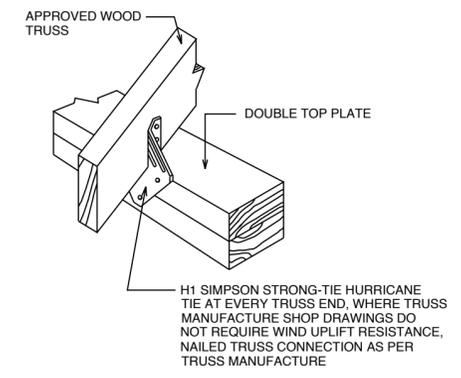
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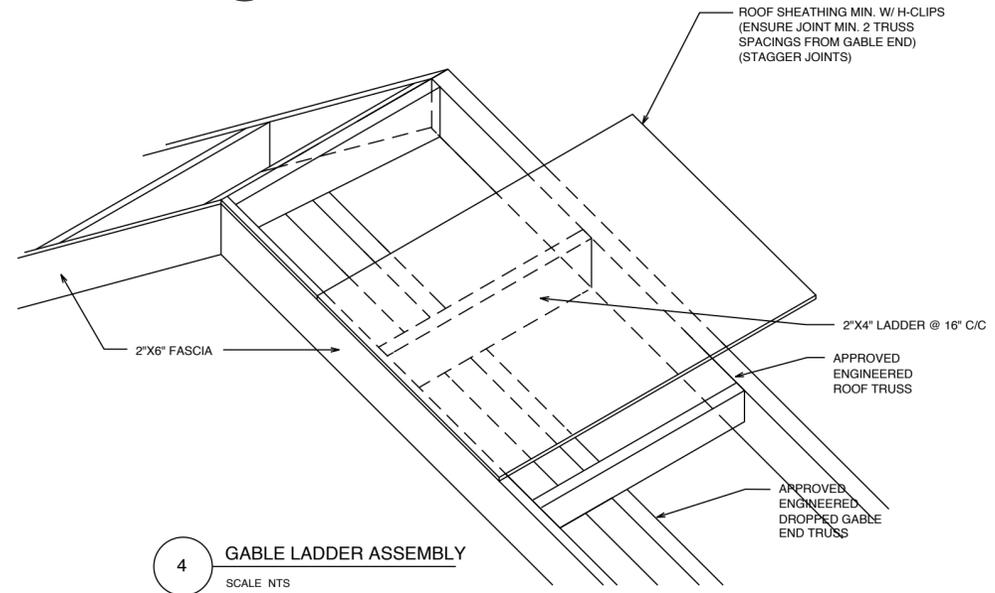
1 ROOF RIDGE VENT DETAIL
SCALE NTS



2 ROOF VENT DETAIL
SCALE NTS



3 TRUSS CLIP DETAIL
SCALE NTS



4 GABLE LADDER ASSEMBLY
SCALE NTS



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Scale: AS NOTED

TYPICAL DETAILS

Report No:
GP-21-17358

Drawing No:
A-14

CONSTRUCTION NOTES

-ALL CONSTRUCTION IS TO CONFORM TO THE LATEST NATIONAL BUILDING CODE OF CANADA (NBCC) & TO THE LATEST ONTARIO BUILDING CODE COMPENDIUM AND ALL OTHER CODES AND LOCAL AUTHORITIES HAVING JURISDICTION (UNLESS OTHERWISE NOTED)
 -ALL DIMENSIONS GIVEN FIRST IN IMPERIAL FOLLOWED BY METRIC
 -DO NOT SCALE DRAWINGS

FOOTINGS / SLABS

TYPICAL STRIP FOOTING: 9.15.1

-BASED ON 16'-1"(4.9m) MAX. SUPPORTED JOIST LENGTH
 -MIN. 2200psi (15MPa) CONCRETE AFTER 28 DAYS (9.15.2.2)
 -SHALL REST ON UNDISTURBED SOIL, ROCK OR COMPACTED GRANULAR MINIMUM 4'-0" BELOW FINISHED GRADE UNLESS NOTED OTHERWISE ON THE PLANS (9.15.3.2)
 -FILL W/ MIN. 10 50psi (75kPa) BEARING CAPACITY
 -FTG. SIZES MAY BE REDUCED FOR SOILS W/ GREATER BEARING CAPACITY THAN 75 MPA (1,566 PSF) (AS PER SOILS ENGINEERING REPORT)

TYPICAL STRIP FOOTING - (EXTERIOR WALLS) 9.15.3.4

- FTG. TO EXTEND MIN. 4'-0" (1200mm) BELOW GRADE
 -1&2 STOREY - 19" X 8" (485mm X 195mm)
 -3 STOREY - 26" X 9" (660mm X 230mm)

PINNING FOOTINGS TO ROCK
 -ROCK TO BE CLEAN & FREE OF DEBRIS
 -FOOTING TO BE PINNED TO ROCK W/ 10m DOWELS @ 24" C/C
 -IF OVERALL SLOPE IS GREATER THEN 20% THEN ENGINEERING REQUIRED

TYPICAL STRIP FOOTING - (INTERIOR BEARING WALLS) 9.15.3.6

STEP FOOTING OBC 9.15.3.9

-SIZES AS PER NOTES 1 & 2
 -23 5/8" (600mm) MAX. VERTICAL RISE
 -23 5/8" (600mm) MIN. HORIZONTAL RUN

DRAINAGE TILE OR PIPE 9.14.3 (SOME ENGINEERED SLAB APPLICATIONS)

-MATERIALS SHALL CONFORM TO OBC- 9.14.3.1
 -4" (100mm) MIN. DIA.
 -LAD ON UNDISTURBED OR WELL COMPACTED SOIL
 -TOP OF TILE OR PIPE TO BE BELOW BTM OF FLR. SLAB
 -COVER TOP & SIDES OF TILE OR PIPE W/ 6" (150mm) OF CRUSHED STONE OR OTHER COURSE CLEAN GRANULAR MATERIAL
 -TILE SHALL DRAIN TO SUMP
 -DRAIN TILE OR PIPE WITH BUTT JOINTS SHALL BE LAID WITH 1/4"(6mm) TO 3/8"(10mm) OPEN JOINTS.
 -TOP HALF OF JOINTS TO BE COVERED WITH SHEATHING & POLY, AS PER OBC 9.14.3.1

GARAGE / EXTERIOR SLABS:

-4" (100mm) CONCRETE SLAB
 -CONCRETE TO BE DESIGNED TO A MINIMUM 28 DAY 32MPa COMPRESSIVE STRENGTH WITH 6-8% AIR ENTRAINMENT. THE SLAB CONSTRUCTION MUST CONFORM TO CAN/CSA A23.3 - 94 AND THE ONTARIO BUILDING CODE.
 -PLACE SLAB ON MIN. 5" GRANULAR 'A' FILL (OBC - 9.14.4.2) (COMPACTED TO 98% SPD) ON SOUND UNDISTURBED ORIGINAL SUBGRADE. ALTERNATELY THE GRANULAR SLAB BASE MAY BE MINIMUM OF 5" OF 3/4" CLEAR STONE WITHOUT COMPACTION.
 -8" X 6" (W2.9 X W2.9) WIRE MESH LOCATED NEAR MID-DEPTH OF SLAB
 -WELDED WIRE FABRIC TO CONFORM TO CSA G30.5M.
 -SAW CUT TO A MAXIMUM DEPTH OF 1" TO CONTROL SHRINKAGE CRACKING. REINFORCING MUST NOT BE CUT WITH THIS OPERATION AND THEREFORE CARE MUST BE TAKEN TO PLACE THE REINFORCING ALLOWING ADEQUATE CONCRETE TOP COVER FOR SAW-CUTTING PURPOSES.

OPTIONAL ENGINEERED SLAB

-REINFORCING SHALL BE DETAILED, BENT, PLACED AND SUPPORTED TO CONFORM TO ACI STANDARD 315 AND THE MANUAL OF STANDARD PRACTICE PUBLISHED BY THE REINFORCING STEEL INSTITUTE OF ONTARIO.
 -SEE ATTACHED ENGINEERED SLAB PLANS FOR STEEL SIZING AND PLACEMENT

STEEL COLUMNS

-WHERE COLUMN SITS ON FDN. WALL, USE 4" X 8" X 5/8" (100mm X 200mm X 16mm) STEEL PLATE WITH 2- 5/8" DIA. (16mm) 36" L.G. x2" HOOK ANCHOR BOLTS
 -EXTERIOR OF STEEL COLUMNS SUSCEPTIBLE TO CORROSION SHALL BE TREATED WITH A RUST INHIBITIVE PAINT.

WOOD COLUMN

-5 1/2" X 5 1/2" (140mm X 140mm) SOLID No. 1 or 2 SPF
 -7 1/4" (184MM) DIA. UNLESS CALCULATIONS PROVE A LESSER SIZE IS ADEQUATE. AS PER OBC - .17.4.1. (2)
 -METAL SHOE ANCHORED TO FTG.
 -36" X 36" X 14" CONC. PAD
 -WIDTH OF COLUMN SHALL BE NO LESS THAN THE WIDTH OF SUPPORTING MEMBERS

FOUNDATIONS

LOAD BEARING MASONRY NOTES:

THE FOLLOWING INDICATES ONLY THE MINIMUM REQUIREMENTS APPLICABLE TO STRUCTURAL LOAD BEARING MASONRY, BASED UPON EMPIRICAL RULES FOR PLAIN MASONRY.

REFER ALSO TO ARCHITECTURAL DRAWINGS &/OR THE SPECIFICATION FOR REQUIREMENTS OTHER THAN STRUCTURAL, AND FOR NON-LOAD BEARING WALLS & PARTITIONS.

MASONRY CONSTRUCTION TO CONFORM TO CS & CAN3-A371-M.A STANDARDS CAN3-S304-M.

CONCRETE BLOCKS & BRICKS:- TO CONFORM TO ONE OR MORE OF CSA A165-1M, 2M,3M OR 4M BLOCKS TO BE MODULAR UNITS AS SHOWN ON THE ARCHITECTURAL DRAWINGS &/OR SPECIFICATION, AND UNLESS OTHERWISE NOTED SHALL BE:-
 FOR BELOW GRADE & EXTERIOR EXPOSED WALLS USE NORMAL WEIGHT UNITS:
 STANDARD HOLLOW,..... TYPE H15/A.M.
 75% SOLID:..... TYPE S15/A.M.
 100% SOLID:..... TYPE S15/A.M.
 CLAY BRICKS:- TO CONFORM TO ONE OR MORE OF CSA A82-1M, 3M, 4M, 5M OR 8M SEE ARCHITECTURAL DRAWINGS &/OR SPECIFICATIONS FOR TYPES & STYLES OF BRICKS REQUIRED, UNLESS OTHERWISE NOTED, THE MINIMUM COMPRESSIVE STRENGTH (BRICK FLATWISE) GROSS AREA SHALL BE 20 MPa

MORTAR:- TO CONFORM TO CSA A179M. FOR LAYING CONCRETE BLOCKS. USE TYPE "S" MORTAR UNLESS NOTED. FOR LAYING CLAY BRICKS. USE TYPE "N" MORTAR UNLESS NOTED MASONRY GROUT:- TO CONFORM TO CSA A179-M. THE SLUMP SHALL BE + 200mm (+8") AND THE MINIMUM 28 DAY COMPRESSIVE STRENGTH SHALL BE 12.5 MPa.

MASONRY CONNECTORS:- (ANCHORS, FASTENERS & TIES) SHALL CONFORM TO CSA CAN3-A370-M, AND BE INSTALLED TO COMPLY WITH CSA CAN3- A371M. SPACING, STRENGTH & GALVANIZING OF STRIP TIES, DOVETAIL ANCHORS, BAR ANCHORS, ROD ANCHORS, STRAP ANCHORS, WALL & PARTITION ANCHORS SHALL COMPLY WITH CSA CAN3-A370-M

HORIZONTAL JOINT REINFORCEMENT FOR ALL MASONRY WALLS:

THE FOLLOWING ARE MINIMUM REQUIREMENTS:-
 1- CONFORM TO CSA CAN3 A370-M & CAN 3-A371-M
 2- REINFORCEMENT SHALL BE AN APPROVED CONTINUOUS "LADDER"

THE FOLLOWING ARE MINIMUM REQUIREMENTS: 1- CONFORM TO CSA CAN3 A370-M & CAN 3-A371-M
 2- REINFORCEMENT SHALL BE AN APPROVED CONTINUOUS "LADDER" TYPE, PREFABRICATED WITH 3.66 mm DIAMETER (9 GAUGE) LONGITUDINAL & CROSS WIRES
 3- SPACING- PROVIDE REINFORCING IN THE TOP COURSE IMMEDIATELY BELOW FLOOR & ROOF BEARING LEVELS AND THE FIRST TWO COURSES ABOVE AND BELOW EVERY WALL OPENING. THE REINFORCING SHALL EXTEND 600mm (24") BEYOND SUCH OPENINGS. FOR THE REMAINDER OF WALLS, THE VERTICAL SPACING SHALL NOT EXCEED 400mm (16")
 4- OVERLAP SPLICES:- SHALL BE A MIN. OF 150mm (6") FOR KURLED WIRE & 300mm (12") FOR PLAIN WIRE. LAPS SHALL BE STAGGERED A MINIMUM OF 750mm (30") FROM COURSE TO COURSE. REINFORCING SHALL NOT PASS THROUGH A VERTICAL CONTROL JOINT UNLESS OTHERWISE SHOWN.
 5 - CORROSION RESISTANCE:- JOINT REINFORCING FOR ALL WALLS IN CONTACT WITH SOIL, EXTERIOR WALLS & WALLS IN A MOIST ENVIRONMENT SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION TO ASTM A153-B2, 458 g/m² meter (1.5 oz./sq.ftoon).
 6- PROVIDE ALL PREFABRICATED CORNER AND TEE SECTIONS.

COMPOSITE WALLS:- SHALL HAVE THE VERTICAL COLLAR JOINTS BETWEEN WYTHES COMPLETELY FILLED WITH MORTAR OR GROUT.

BOND BEAMS:- MADE FROM LINTEL BLOCKS, OR HALF WEB BLOCKS WHERE SHOWN ON STRUCTURAL DRAWINGS SHALL CONFORM TO CSA A371-M.

GROUTING:- BY FILLING VOIDS OF HOLLOW UNITS & REINFORCED HOLLOW UNITS SHALL CONFORM TO CSA 1-371-M (MORTAR IS NOT ACCEPTABLE).

EXPANSION & CONTROL JOINTS:- SHALL BE PROVIDED. SEE ARCHITECTURAL DRAWINGS &/OR SPECIFICATION FOR DETAILS.

EXECUTION

BEARINGS ON MASONRY:-
 1- MINIMUM BEARING ON MASONRY UNLESS OTHERWISE NOTED:-
 BEAMS (STEEL, CONC, WOOD).....200mm (8") NOMINAL
 LINTELS (STEEL, CONC, WOOD).....150mm (6") NOMINAL
 JOISTS (STEEL, WOOD).....100mm (4") NOMINAL
 SLABS (CAST-IN-PLACE PRECAST).....100mm (4") NOMINA
 2- MASONRY BEARINGS SHALL BE OF SOLID BLOCKS (OR GROUTED SOLID) OR BRICKS LAID IN MORTAR. ALL JOINTS ARE TO BE FULLY FILLED WITH TYPE "S" MORTAR.
 3- MIN. SIZE OF SOLID BEARINGS AT BEAMS AND LINTELS UNLESS NOTED SHALL BE EQUAL TO TWICE THE BEARING/WALL PLATE (WP) LENGTH AND FOR A DEPTH EQUAL TO THE BEARING/WALL PLATE (WP) LENGTH, AND IN NO CASE LESS THAN 400 LONG X 200 DEEP (16" X 8"), SYMMETRICAL UNDER BEARING POINT.
 4- PROVIDE A MINIMUM OF ONE CONTINUOUS COURSE 200mm (8") OF SOLID OR GROUTED VOID BLOCKS OR BRICKS LAID IN MORTAR AT THE TOP COURSE IMMEDIATELY BELOW ALL FLOOR AND ROOF BEARING LEVELS.

COLD WEATHER CONSTRUCTION:- REQUIREMENTS & PROTECTION SHALL CONFORM TO CSA CAN3 A371- M AND UNDER NO CIRCUMSTANCES SHALL MASONRY CONSTRUCTION BE PERMITTED WHEN THE AIR TEMPERATURE FALLS BELOW - 12°C.

CAST-IN PLACE CONCRETE NOTES:

-Concrete foundation walls to be minimum 8" (200mm) thick and have a minimum compressive strength of 15 MPa

GENERAL
 PROVIDE ALL LABOUR, MATERIALS, TOOLS AND EQUIPMENT REQUIRED TO CARRY OUT THE WORK.

REFER ALSO TO GENERAL NOTES, NOTES UNDER PLANS AND SCHEDULES, TYPICAL DETAILS AND SPECIFICATION.

PRODUCTS

PORTLAND CEMENT, WATER AND AGGREGATES SHALL CONFORM TO CSA CAN3-A23.1M. PROVIDE AN APPROVED WATER REDUCING ADDITIVE IN ALL CONCRETE. PROVIDE AN APPROVED AIR ENTRAINING ADDITIVE IN ALL CONCRETE WHICH WILL BE EXPOSED TO A FREEZE/THAW CYCLE AND/OR THE ACTION OF DE-ICING SALT ADMIXTURES SHALL CONFORM TO CSA CAN3-A269M SERIES.

FORMWORK SHALL CONFORM TO CSA CAN3-A23.1M AND FALSEWORK SHALL CONFORM TO CSA S269.1.

REINFORCING STEEL UNLESS SPECIFICALLY NOTED, SHALL BE DEFORMED BARS CONFORMING TO CSA G30.18-M GRADE 400 (68000 PSI). WELDED WIRE FABRIC TO CONFORM TO CSA G30.5M. REINFORCING SHALL BE DETAILED, BENT, PLACED AND SUPPORTED TO CONFORM TO ACI STANDARD 315 AND THE MANUAL OF STANDARD PRACTICE PUBLISHED BY THE REINFORCING STEEL INSTITUTE OF ONTARIO. CURING AND SEALING COMPOUNDS WHERE APPROVED FOR USE TO CONFORM TO ASTM STANDARD C309. GENERALLY, ALL CONCRETE SURFACES ARE TO BE SEALED UNLESS NOTED OTHERWISE. COMPOUNDS ARE TO BE COMPATIBLE WITH APPLIED FINISHES.

EXECUTION

MINIMUM COMPRESSIVE STRENGTH FOR CONCRETE @ 28 DAYS SHALL BE AS NOTED ON THE DRAWINGS OR GENERAL NOTES (30 MPa MINIMUM).

SLUMP AT THE POINT OF DISCHARGE SHALL BE CONSISTENT AT 90mm + 20mm (3 1/2" + 3/4") UNLESS NOTED OTHERWISE. GREATER SLUMPS ARE NOT ACCEPTABLE.

CONCRETE MIXING, TRANSPORTATION, HANDLING AND PLACING SHALL CONFORM TO CSA CAN3-A23.1M.

CONSTRUCTION JOINTS FOR SLABS, AND BEAMS NOT SHOWN ON THE DRAWINGS SHALL BE APPROVED BY THE STRUCTURAL CONSULTANT BEFORE CONSTRUCTION. GENERALY JOINTS IN SLABS SHALL BE AT RIGHT ANGLES TO THE SPANS, AT MID-SPAN IF POSSIBLE AND BE CLEAR OF SUPPORTS AND POINT LOADS.

OPENINGS AND DRIVEN FASTENERS REQUIRED IN THE CONCRETE AFTER THE CONCRETE IS PLACED SHALL BE APPROVED BY A STRUCTURAL CONSULTANT BEFORE PROCEEDING.

FINISHING. REFER TO ARCHITECTURAL DRAWINGS AND SPECIFICATIONS FOR REQUIRED FINISH TO EXPOSED CONCRETE. ALL HONEYCOMBING SHALL BE CUT OUT AND FILLED. FLOOR FINISHES SHALL BE AS REQUIRED BY THE ARCHITECTURAL DRAWINGS AND SPECIFICATIONS AND SHALL CONFORM TO CSA STANDARD CAN3-A23.1-M (CLASS A FINISH UNLESS NOTED).

TOLERANCES FOR PLACING STRUCTURAL CONCRETE, REINFORCING STEEL, CAST-IN HARDWARE AND FOR FLOOR & ROOF FINISHES SHALL BE AS SPECIFIED IN CSA STANDARD CAN3-A23.1M.

QUALITY CONTROL
 FOR INSPECTION AND TESTING, SEE GENERAL NOTES.

ICF FOUNDATION WALL NOTES:

-ICF FOUNDATION WALL
 -DAMP-PROOF EXTERIOR SURFACE
 -INSULATED CONCRETE FORM FOUNDATIONS MUST BE INSTALLED IN ACCORDANCE WITH THE APPROVED MANUFACTURER'S SPECIFICATIONS
 -ROOF FRAMING FIXED TO TOP PLATES

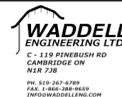
ICF FOUNDATION MINIMUM WALL REINFORCEMENT

HORIZONTAL REINFORCEMENT
 -10M BARS SPACED NOT MORE THEN
 -23 5/8" O.C.(600mm) ON THE INSIDE HALF OF THE WALL SECTION, WITH MIN. COVER OF 1 1/4" (30mm) FROM THE INSIDE FACE OF THE CONCRETE.
 -ONE 10M BAR PLACED NOT MORE THEN 11 3/4"(300mm) FROM THE TOP OF THE WALL VERTICAL REINFORCEMENT
 -10M AT 10" O.C.(250mm) ON THE INSIDE HALF OF THE WALL SECTION, WITH MIN. COVER OF 1 1/4" (30mm) FROM THE INSIDE FACE OF THE CONCRETE.
 -WHERE INTERRUPTED BY WALL OPENING BE PLACED NOT MORE THAN 23 5/8"(600mm) FROM EA. SIDE OF THE OPENING.

MAIN FLOOR LEVEL ICF WALLS:

- COVER INSIDE FOAM WITH DRYWALL OR APPROVED WOODS WOOD SHEATHING. INSTALL IN ACCORDANCE WITH 9.29 OF THE NATIONAL BUILDING CODE.

GENERAL NOTE: These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.



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Scale: N/A

CONSTRUCTION NOTES

Report No: GP-21-17358
 Drawing No: A-15

FRAME WALL CONSTRUCTION

LUMBER:

- UNLESS OTHERWISE NOTED TO BE SPRUCE-PINE-FIR (SPF), GRADE NO. 2, CONFORMING TO CSA STANDARD WITH D141 WITH A MAXIMUM MOISTURE CONTENT OF 19% AT THE TIME OF INSTALLATION.
 LUMBER SHALL BEAR THE GRADING STAMP OF AN AGENCY APPROVED BY THE CANADIAN LUMBER STANDARDS ADMINISTRATION BOARD.
 -NAILS, SPIKES, AND STAPLES: - TO CSA STANDARD B111; GALVANIZED FOR EXTERIOR WORK, OR HIGHLY HUMID AREAS AND FOR TREATED LUMBER; PLAIN ELSEWHERE; NAILING OF FRAMING UNLESS OTHERWISE NOTED, SHALL CONFORM TO TABLES 9.23.3.A, B, AND 9.23.13.A IN THE ONTARIO BUILDING CODE & NBC.
 -ROUGH HARDWARE: - BOLTS, NUTS, WASHERS, LAGS, PINS, SCREWS, ALL TO BE HOT DIP GALVANIZED.
 -WOOD PRESERVATIVES (PRESSURE TREATED): - WHERE REQUIRED TO CONFORM TO CSA STANDARD 089-M.
 -FRAMING ANCHORS: - FRAMING ANCHORS, JOIST HANGERS, BEAM HANGERS, POST CAPS, POST ANCHORS, BACK-UP CLIPS AND ANGLES, UNLESS OTHERWISE SHOWN ON THE STRUCTURAL DRAWINGS, ARE ALL TO BE AS MANUFACTURED BY TIMBER ENGINEERING COMPANY (TECO) OR AN APPROVED EQUAL, SIZED TO THE JOB AT HAND. ALL ARE TO BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS UTILIZING "SPECIAL" NAILS WHERE REQUIRED.

STUD WALLS:

-PROVIDE FULL WIDTH SILL PLATES, MIN. 38x69 (2x4) ANCHORED TO FOUNDATION WITH 12 mm (1/2") DIAMETER BOLTS x 250 mm (10") LONG @ 1200 mm (4'-0") CENTRES. BOLTS TO BE GROUTED OR CONCRETED IN SOLID.
 -PROVIDE MINIMUM TWO (2) TOP PLATES FOR LOAD BEARING WALLS. PLATES TO BE LAPPED OR TIED AT CORNERS AND INTERSECTIONS.
 -2"x4" (38mmx89mm) WOOD STUDS@16" (400mm) O.C. 9.23.10.1
 -EXTERIOR SIDING TO COMPLY WITH LIMITING DISTANCE REQUIREMENTS AS LISTED IN OBC 9.10.14. WHERE THE WALL IS CLOSER THAN 2'-0" TO THE PROPERTY LINE.
 -SIDING OR STUCCO AS PER ELEVATIONS, MIN. 8" (200mm) FROM FINISHED GRADE
 -STONE OR BRICK AS PER ELEVATIONS, MIN. 6" (150mm) FROM FINISHED GRADE
 -WALL SHEATHING MEMBRANE TO BE MIN. 7/16" OSB SHEATHING OR EQUIVALENT AS PER CODE 9.23.16
 WALL SHEATHING SHALL BE INSTALLED SO THAT ALL ENDS ARE SUPPORTED WITH END JOINTS STAGGERED. A GAP OF NOT LESS THAN 2 mm (1/16") SHALL BE LEFT BETWEEN SHEETS OF PLYWOOD, WAFFER BOARD OR FIBRE BOARD. MAKE BUTT JOINTS ON SOLID MATERIAL.
 -NOTCHING & DRILLING: - ONLY ALLOWED WITHIN THE LIMITATIONS SET OUT IN THE ONTARIO BUILDING CODE.
 -BEAMS, LINTELS AND JOISTS SHALL BE AS SUPPLIED BY AN APPROVED MANUFACTURER.

ACCEPTABLE TYPES:

LP SOLIDSTART BY LOUISIANA PACIFIC, GANGLAM BY GANG NAIL CANADA LTD, MICROLAM BY TRUS JOIST CORPORATION PARALAM BY MacMILLAN BLOEDEL LTD. LAMINATED VENEER LUMBER (LVL)
 -WOOD VENEERS & ADHESIVES: - SHALL BE IN ACCORDANCE WITH APPROVED MANUFACTURER'S STANDARDS AND APPLICABLE CSA STANDARDS.
 -ALL MEMBERS SHALL BEAR IDENTIFICATION MARKS OF THE MANUFACTURER.
 -NAILING AND/OR BOLTING: -OF MULTI-PLYS SHALL BE IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND IN NO CASE LESS THAN 2 ROWS OF 16d (3 1/2") NAILS AT 300mm (12") CENTRES, EACH ROW.
 -NAILS INTO EDGES OF LVL SHALL BE SPACED AT A MINIMUM OF 75mm (3") FOR 8d (2 1/2") NAILS AND 100 (4") FOR 10d (3") NAILS.
 -LVL TO HAVE MINIMUM END BEARING SHALL BE 75mm (3") UNLESS NOTED.

FRONT WALL:

ANALYSIS OF THE GARAGE FRONT WALL SHEAR RESISTANCE HAS NOT BEEN CONDUCTED DUE TO THE APPARENT PAST INSIGNIFICANCE OF SMALL ONE STOREY WOOD FRAME UNINHABITED STRUCTURES, PAST PERFORMANCE OF SIMILAR BUILDINGS IN ONTARIO HAS PRESENTED LITTLE OR NO DATA THAT HAS PROVEN THIS ASPECT OF A GARAGE STRUCTURE TO FAIL UNDER LATERAL WINDLOAD FORCES. PART 9 OF THE ONTARIO BUILDING CODE IS SILENT ON THE ISSUE OF LATERAL STABILITY IN EXTERIOR SHEAR WALLS. IBD THEREFORE THROUGH ITS DESIGN EXPERIENCE DEEMS THE FRONT WALL AT THIS TIME UNWARRANTED FOR DETAILED SHEARWALL ANALYSIS.

WINDOW AND MAN DOOR:

-THE WINDOW AND MAN DOOR ON THE SIDE CAN BE MOVED WITHIN THE WALL AS LONG AS A MINIMUM OF 16" IS MAINTAINED BETWEEN THE WINDOW AND THE DOOR AS WELL AS BE A MINIMUM OF 16" FROM THE CORNERS. IF THE SIDE WINDOW OR MAN DOOR IS MOVED WITHIN THE WALL, THE OPENING MUST BE CLEAR OF ANY GIRDER TRUSS BEARING.

HIGH WALL CONSTRUCTION:

WHERE THE WALL STUDS ARE IN EXCESS OF 9'-10" IN LENGTH THE WALL IS TO BE CONSTRUCTED AS FOLLOWS: (OBC SECTION 9.23.10.1.(2))
 1. PROVIDE 1/2" PLYWOOD SHEATHING ON THE EXTERIOR
 2. 1/2" MINIMUM GWB ON THE INSIDE FACE OF THE STUD
 3. SOLID BLOCKING BETWEEN THE STUDS @ 4'-0" O.C. MAX
 4. STUDS ARE TO BE FASTENED TO THE PLATES WITH (3) 3 1/4" TOED NAILS
 5. DOUBLE TOP PLATES ARE TO BE FASTENED TOGETHER WITH MIN. 3" NAILS @ 8" O.C. MAX
 6. BOTTOM PLATES MUST BE FASTENED WITH THE EQUIVALENT OF 3 1/4" NAILS @ 8" O.C. MAX
 7. PROVIDE 3-PLY CONTINUOUS KING STUDS EACH SIDE OF THE WINDOW OPENINGS

SPATIAL SEPARATION:

- IF ELEVATION FACES ONE STREET THEN PROPOSED UNPROTECTED OPENING AREA CAN BE 100%
 - IF ELEVATION FACES DWELLING ON SAME PROPERTY THEN PROPOSED UNPROTECTED OPENING AREA CAN BE 100%

TYPICAL ROOF CONSTRUCTION

-NO. 210 (30.5KG/m2) ASPHALT SHINGLES
 -FOR ROOFS BETWEEN 4:12 & 8:12 PITCH PROVIDE ICE & WATER SHIELD INSTALLED ON PERIMETER OF ROOF. INSTALL AS PER MANUFACTURERS INSTRUCTIONS
 -ICE & WATER SHIELD TO BE LAID BENEATH STARTER STRIP
 -STARTER STRIP AS PER OBC 9.26.7.2
 -STARTER STRIP NOT REQUIRED IF TYPE M ROLL ROOFING IS USED FOR EAVES PROTECTION
 -7/16" OSB SHEATHING MIN. (0-1 GRADE) WITH METAL "H" CLIPS OR NOT LESS THAN 2"x2" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS
 -ROOF SHEATHING PROVIDE AT LEAST A 2 mm (1/16") GAP BETWEEN SHEETS.
 -EXTERIOR TYPE PLYWOOD USED AS ROOF AND/OR WALL SHEATHING SHALL BE LEGIBLY IDENTIFIED THAT THE MATERIAL IS OF EXTERIOR TYPE
 -APPROVED WOOD TRUSSES DESIGNED BY SUPPLIER TRUSS BRACING AS PER TRUSS MANUFACTURER
 -PREFINISHED ALUMINUM FASCIA AND ALUMINUM VENTED SOFFIT
 -ROOF VENTILATION: 1 SQUARE FOOT PER 300 SQ.FT. OF CEILING AREA. (50% AT EAVES) 6.2.2.7

LOW SLOPE ROOF APPLICATION (SLOPES LESS THEN 4:12)
 -NO. 210 (30.5KG/m2) ASPHALT SHINGLES
 -EXCEPT FOR FIRST 2 COURSES COVERAGE SHALL NOT BE LESS THAN 3 THICKNESSES OF SHINGLES OVER ENTIRE ROOF
 -ICE & WATER SHIED OVER ENTIRE ROOF SURFACE
 -STARTER STRIP TO BE LAID IN CONTIN. BAND OF CEMENT NOT LESS THEN 7 7/8" WIDE
 -SECURE TABS W/ COOL APPLICATION CEMENT APPLIED AT A RATE OF NOT LESS THEN 1 gal/100 ft2 OF CEMENTED AREA OR HOT APPLICATION ASPHALT AT A RATE OF 0.2 LB/ft2 OF CEMENTED AREA
 -SHINGLES ON HIPS AND RIDGES SHALL NOT BE LESS THEN 1 3/4" WIDE
 -ALL FLASHING TO WINDOWS, DOORS AND GLAZING TO BE INSTALLED AS PER OBC 9.27.3.8
 -1" X 2" (19mmX 38mm) BOTH SIDES OF STEEL BEAM FLANGE OR WOOD CONT'S WOOD PLATE SECURED TO TOP FLANGE.

-WOOD FRAMING MEMBERS SUPPORTED ON CONCRETE IN CONTACT WITH GROUND OR FILL SHALL BE PRESSURE TREATED OR SEPARATED FROM CONCRETE W/ 6 mil POLYETHYLENE OR No. 15 ROLL ROOFING
 -'SB' PROVIDE EQUAL NUMBER OF PILES IN POST AS ARE IN THE SUPPORTED BUILT-UP BEAM

POINT LOAD:

BUILT-UP POSTS SUPPORTING PL. (FROM ABOVE) MUST BE AS WIDE AS THE COLUMN ABOVE. THE BLOCKING IN THE JOIST SPACE ABOVE THE BUILT-UP POST TO BE THE SAME NUMBER OF PILES AS IN THE POST

TRUSSES:

IF ANOTHER TRUSS MANUFACTURE IS DESIRED THEN THESE APPROVED ENGINEERED TRUSS DETAILS & LAYOUTS MUST BE REPLACED WITH THE CHOSEN MANUFACTURER'S APPROVED ENGINEERED DETAILS & LAYOUT. THESE FINAL TRUSS DETAILS & LAYOUT MUST BE SUBMITTED TO THE AUTHORITY HAVE JURASTICTION AND MUST BE KEEP ON SITE FOR CONSTRUCTION & INSPECTION PURPOSES

GIRDER TRUSS:

GIRDER LOADS HAVE BEEN CALCULATED FROM TRIBUTARY AREA

STAIR CONSTRUCTION

STAIRS & GUARDS 9.8

STAIRS: 9.8 - RESIDENTIAL

-MAX. RISE = 7-7/8" (200mm)
 -MIN. RISE = 5" (125mm)
 -MAX. RUN = 14" (355mm)
 -MIN. RUN = 8-1/4" (210mm)
 -MIN. TREAD = 9-1/4" (235mm)
 -MAX. NOSING = 1" (25mm)
 -MIN. HEADROOM = 6'-5" (1950mm) OVER CLEAR WIDTH OF STAIR
 -RAIL @ STAIR & LANDING = MIN 2'-10" (865mm) MAX. 3'-2"(965mm)
 -MIN. WIDTH = 2'-10" (800mm)
 -MIN LANDING = WIDTH OF STAIR
 -(BETWEEN WALL FACES)
 -MIN. WIDTH = 2'-11" (900mm)
 -MAX HEIGHT = 12'-2" (3.7M) BETWEEN LANDINGS
 -(EXIT STAIRS, BETWEEN GUARDS)
 -AS PER OBC - 9.8 TOLERANCE BETWEEN TREADS 3/16" BETWEEN ADJACENT TREADS OR LANDINGS, AND 3/8" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.
 -FIN. RAILING ON WOOD PICKETS MAX. 4" CENTERLINE BETWEEN PICKETS
 -EXT. COND. STEPS TO HAVE 10'(254mm) RUN & 8'(200mm) RISE
 -FDN. WALL REQUIRED WHEN NUMBER OF RISERS EXCEEDS 2
 -FTG. FOR FDN. WALL TO BE MIN. 4'-0" (1.22mm) BELOW GRADE
 -HANDRAIL TO BE CONTINUOUS THROUGH FLIGHT OF STAIRS EXCEPT AT LANDINGS
 -SLOPE OF LANDING SHALL NOT EXCEED 1 IN 50
 -HANDRAIL TO BE CONTINUOUS THROUGH WINDERS
 -EXTERIOR CONCRETE STEPS = MAX. RISER 7-7/8" (200mm)
 -LOFT SPACE HAS NOT BEEN DESIGNED AS A DWELLING UNIT. WHERE LOFT DEEMED TO BE A DWELLING UNIT, WINDOWS SHALL BE A MINIMUM 19" (480mm) ABOVE FINISHED FLOOR

STAIR LANDING:

- 5/8" T&G PLYWOOD ON 2"x6" @ 16" C/C SECURE LANDING TO EACH STUD W/ 2- 3 1/4" COMMON SPIRAL NAILS. SUPPORT OUTSIDE CORNER W/ 4"x4" WOOD POST TO SLAB BELOW, SECURE

GUARDS: 9.8.8.

GUARDS REQUIRED IF:
 -THERE IS A DIFFERENCE IN ELEVATION OF MORE THAN 1'-11 5/8" (600 mm) BETWEEN THE WALKING SURFACE AND THE ADJACENT SURFACE, OR
 -THE ADJACENT SURFACE WITHIN 3'-11 1/4" (1200 mm) FROM THE WALKING SURFACE HAS A SLOPE OF MORE THAN 1 IN 2.
 -THE HEIGHT OF GUARDS FOR EXTERIOR STAIRS AND LANDINGS MORE THAN 10 M ABOVE ADJACENT GROUND LEVEL SHALL BE NOT LESS THAN 4'-11 1/8" (1500 mm.)

GENERAL NOTE: These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.



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Date of Issue: April 16, 2021

Scale: N/A

CONSTRUCTION NOTES

Report No: GP-21-17358	Drawing No: A-16
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Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	321 Lbs
Factored Load at Right Beam Support	321 Lbs
% Stress Allowed in Bending	24 % OK
% Stress Allowed in Shear	11% OK
% Allowed Live Load Deflection	25% OK
% Allowed Total Load Deflection	20% OK
% Allowed Permanent Deflection	16% OK
Minimum Length of Bearing for Beam (Left)	0.17
Minimum Length of Bearing for Beam (Right)	0.17
Min. Length of Bearing for Support Member (Lft)	0.08
Min. Length of Bearing for Support Member (Rt)	0.08

Wood - Lumber Built-up

Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	4	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	89	Dead:	89
Live:	87	Live:	87
Snow:	111	Snow:	111
Factored:	321	Factored:	321
Max Moment Location: 2.15' From Left Support			

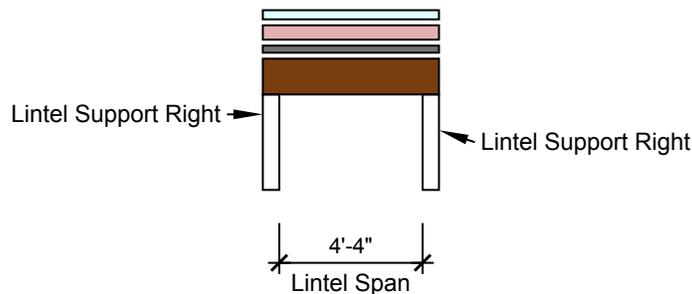
Design Summary

Description:	2-2x4
Minimum Left Bearing Length:	0.17 in B/U Stud
Minimum Right Bearing Length:	0.17 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 (519) 301 1779

Brian Waddell
 LICENSED PROFESSIONAL ENGINEER
 B. WADDELL
 90473372
 April 16 2021
 PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 Scale: N/A
 Lintel Name:
LINTEL W01

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
 1
 File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	394 Lbs
Factored Load at Right Beam Support	394 Lbs
% Stress Allowed in Bending	35 % OK
% Stress Allowed in Shear	20% OK
% Allowed Live Load Deflection	24% OK
% Allowed Total Load Deflection	20% OK
% Allowed Permanent Deflection	15% OK
Minimum Length of Bearing for Beam (Left)	0.43
Minimum Length of Bearing for Beam (Right)	0.43
Min. Length of Bearing for Support Member (Lft)	0.2
Min. Length of Bearing for Support Member (Rt)	0.2

Wood - Lumber Built-up

Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	6	1

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	109	Dead:	109
Live:	107	Live:	107
Snow:	137	Snow:	137
Factored:	394	Factored:	394
Max Moment Location: 2.64' From Left Support			

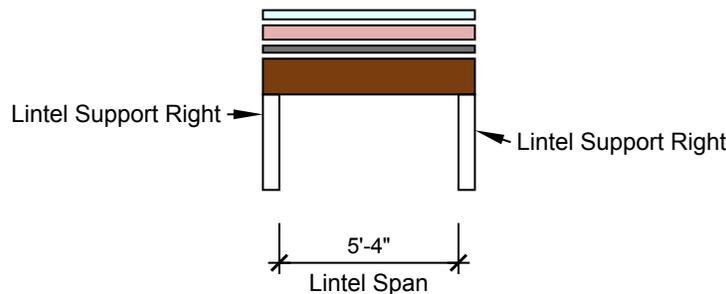
Design Summary

Description:	1-2x6
Minimum Left Bearing Length:	0.43 in B/U Stud
Minimum Right Bearing Length:	0.43 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 (519) 301 1779

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS

Date: 2021-04-16 | Scale: N/A

Lintel Name:
LINTEL W05

Project Title:
 Matt Cornelisse

Project Address:
 1072 center road
 Waterdown, Ontario

Drawing No.:
2

File No.:

Load Determination		
Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

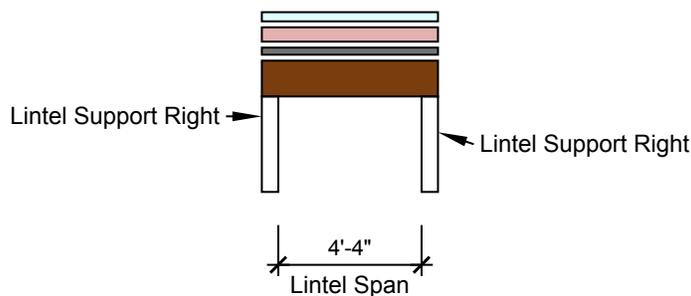
Calculation Results		
Factored Load at Left Beam Support	321 Lbs	
Factored Load at Right Beam Support	321 Lbs	
% Stress Allowed in Bending	24 %	OK
% Stress Allowed in Shear	11%	OK
% Allowed Live Load Deflection	25%	OK
% Allowed Total Load Deflection	20%	OK
% Allowed Permanent Deflection	16%	OK
Minimum Length of Bearing for Beam (Left)	0.17	
Minimum Length of Bearing for Beam (Right)	0.17	
Min. Length of Bearing for Support Member (Lft)	0.08	
Min. Length of Bearing for Support Member (Rt)	0.08	

Wood - Lumber Built-up				
Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	4	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	89	Dead:	89
Live:	87	Live:	87
Snow:	111	Snow:	111
Factored:	321	Factored:	321
Max Moment Location: 2.15' From Left Support			

Design Summary	
Description:	2-2x4
Minimum Left Bearing Length:	0.17 in B/U Stud
Minimum Right Bearing Length:	0.17 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:
 All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.
 Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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LICENSED PROFESSIONAL ENGINEER
Brian Waddell
B. WADDELL
 90473372
April 16 2021
PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 | Scale: N/A
 Lintel Name:
LINTEL W02

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
3
 File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	321 Lbs
Factored Load at Right Beam Support	321 Lbs
% Stress Allowed in Bending	24 % OK
% Stress Allowed in Shear	11% OK
% Allowed Live Load Deflection	25% OK
% Allowed Total Load Deflection	20% OK
% Allowed Permanent Deflection	16% OK
Minimum Length of Bearing for Beam (Left)	0.17
Minimum Length of Bearing for Beam (Right)	0.17
Min. Length of Bearing for Support Member (Lft)	0.08
Min. Length of Bearing for Support Member (Rt)	0.08

Wood - Lumber Built-up

Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	4	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	89	Dead:	89
Live:	87	Live:	87
Snow:	111	Snow:	111
Factored:	321	Factored:	321
Max Moment Location: 2.15' From Left Support			

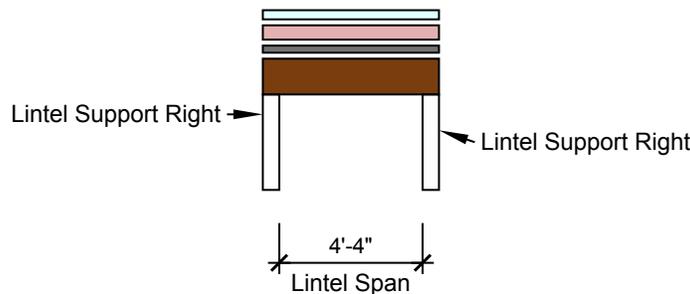
Design Summary

Description:	2-2x4
Minimum Left Bearing Length:	0.17 in B/U Stud
Minimum Right Bearing Length:	0.17 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 Scale: N/A
 Lintel Name:
LINTEL W03

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
4
 File No.:

Load Determination		
Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

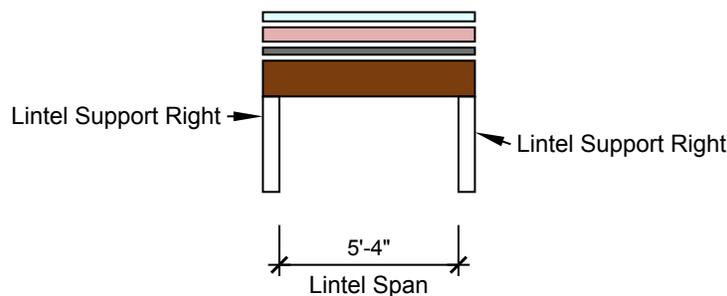
Calculation Results		
Factored Load at Left Beam Support	394 Lbs	
Factored Load at Right Beam Support	394 Lbs	
% Stress Allowed in Bending	35 %	OK
% Stress Allowed in Shear	20%	OK
% Allowed Live Load Deflection	24%	OK
% Allowed Total Load Deflection	20%	OK
% Allowed Permanent Deflection	15%	OK
Minimum Length of Bearing for Beam (Left)	0.43	
Minimum Length of Bearing for Beam (Right)	0.43	
Min. Length of Bearing for Support Member (Lft)	0.2	
Min. Length of Bearing for Support Member (Rt)	0.2	

Wood - Lumber Built-up				
Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	6	1

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	109	Dead:	109
Live:	107	Live:	107
Snow:	137	Snow:	137
Factored:	394	Factored:	394
Max Moment Location: 2.64' From Left Support			

Design Summary	
Description:	1-2x6
Minimum Left Bearing Length:	0.43 in B/U Stud
Minimum Right Bearing Length:	0.43 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:
 All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.
 Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 April 16 2021
 PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 Scale: N/A
 Lintel Name:
LINTEL W06

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
5
 File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	321 Lbs
Factored Load at Right Beam Support	321 Lbs
% Stress Allowed in Bending	24 % OK
% Stress Allowed in Shear	11% OK
% Allowed Live Load Deflection	25% OK
% Allowed Total Load Deflection	20% OK
% Allowed Permanent Deflection	16% OK
Minimum Length of Bearing for Beam (Left)	0.17
Minimum Length of Bearing for Beam (Right)	0.17
Min. Length of Bearing for Support Member (Lft)	0.08
Min. Length of Bearing for Support Member (Rt)	0.08

Wood - Lumber Built-up

Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	4	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	89	Dead:	89
Live:	87	Live:	87
Snow:	111	Snow:	111
Factored:	321	Factored:	321
Max Moment Location: 2.15' From Left Support			

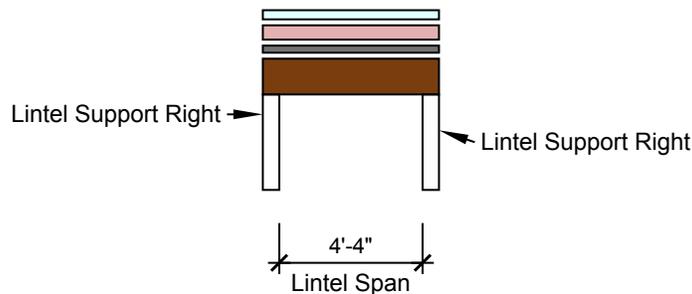
Design Summary

Description:	2-2x4
Minimum Left Bearing Length:	0.17 in B/U Stud
Minimum Right Bearing Length:	0.17 in B/U Stud
Beam Weight Based on Span	9 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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Brian Waddell
LICENSED PROFESSIONAL ENGINEER
B. WADDELL
90473372
April 16 2021
PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS

Date: 2021-04-16 | Scale: N/A

Lintel Name:
LINTEL W04

Project Title:
 Matt Cornelisse

Project Address:
 1072 center road
 Waterdown, Ontario

Drawing No.:
6

File No.:

Load Determination		
Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

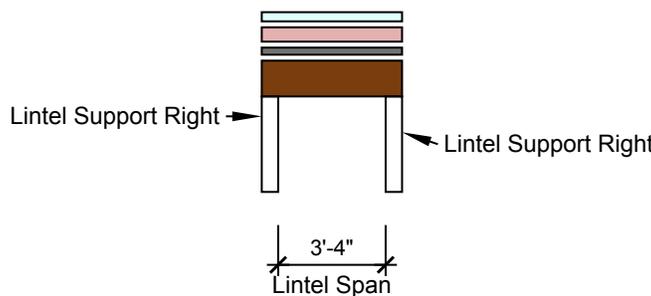
Calculation Results		
Factored Load at Left Beam Support	247 Lbs	
Factored Load at Right Beam Support	247 Lbs	
% Stress Allowed in Bending	14 %	OK
% Stress Allowed in Shear	8%	OK
% Allowed Live Load Deflection	12%	OK
% Allowed Total Load Deflection	10%	OK
% Allowed Permanent Deflection	7%	OK
Minimum Length of Bearing for Beam (Left)	0.13	
Minimum Length of Bearing for Beam (Right)	0.13	
Min. Length of Bearing for Support Member (Lft)	0.06	
Min. Length of Bearing for Support Member (Rt)	0.06	

Wood - Lumber Built-up				
Generic Material				
Species	Grade	Width	Depth	# of Plies
S-P-F	No. 1	2	4	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	69	Dead:	69
Live:	67	Live:	67
Snow:	86	Snow:	86
Factored:	247	Factored:	247
Max Moment Location: 1.65' From Left Support			

Design Summary	
Description:	2-2x4
Minimum Left Bearing Length:	0.13 in B/U Stud
Minimum Right Bearing Length:	0.13 in B/U Stud
Beam Weight Based on Span	7 Lbs

Qualification Notes:
 All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.
 Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 Waddell Engineering
 (519) 301 1779

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 | Scale: N/A
 Lintel Name:
LINTEL D01

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
7
 File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	8350 Lbs
Factored Load at Right Beam Support	8350 Lbs
% Stress Allowed in Bending	71 % OK
% Stress Allowed in Shear	54% OK
% Allowed Live Load Deflection	70% OK
% Allowed Total Load Deflection	54% OK
% Allowed Permanent Deflection	38% OK
Minimum Length of Bearing for Beam (Left)	2.18
Minimum Length of Bearing for Beam (Right)	2.18
Min. Length of Bearing for Support Member (Lft)	1.79
Min. Length of Bearing for Support Member (Rt)	1.79

Wood - LVL Built-up

LP SolidStart				
Species	Grade	Width	Depth	# of Plies
2.0 E	5452	1.75	11.25	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	2182	Dead:	2182
Live:	3053	Live:	3053
Snow:	2088	Snow:	2088
Factored:	8350	Factored:	8350
Max Moment Location: 5.12' From Left Support			

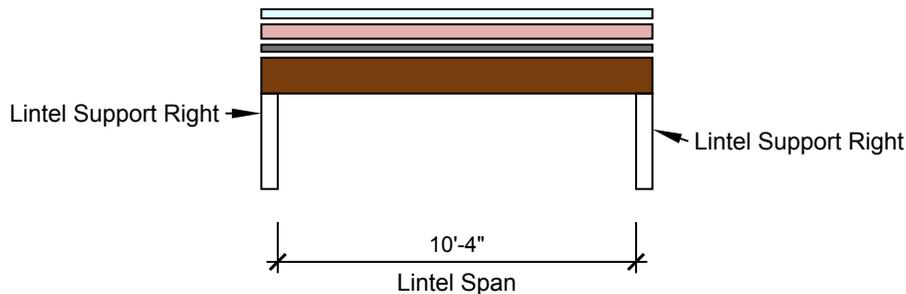
Design Summary

Description:	2-Ply 1.75x11.25 LVL 2-JACKS
Minimum Left Bearing Length:	2.18 in B/U Stud 2-JACKS
Minimum Right Bearing Length:	2.18 in B/U Stud 2-JACKS
Beam Weight Based on Span	117 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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 (519) 301 1779

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS

Date: 2021-04-16 | Scale: N/A

Lintel Name:
LINTEL D02

Project Title:
 Matt Cornelisse

Project Address:
 1072 center road
 Waterdown, Ontario

Drawing No.:
8

File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	8350 Lbs
Factored Load at Right Beam Support	8350 Lbs
% Stress Allowed in Bending	71 % OK
% Stress Allowed in Shear	54% OK
% Allowed Live Load Deflection	70% OK
% Allowed Total Load Deflection	54% OK
% Allowed Permanent Deflection	38% OK
Minimum Length of Bearing for Beam (Left)	2.18
Minimum Length of Bearing for Beam (Right)	2.18
Min. Length of Bearing for Support Member (Lft)	1.79
Min. Length of Bearing for Support Member (Rt)	1.79

Wood - LVL Built-up

LP SolidStart				
Species	Grade	Width	Depth	# of Plies
2.0 E	5452	1.75	11.25	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	2182	Dead:	2182
Live:	3053	Live:	3053
Snow:	2088	Snow:	2088
Factored:	8350	Factored:	8350
Max Moment Location: 5.12' From Left Support			

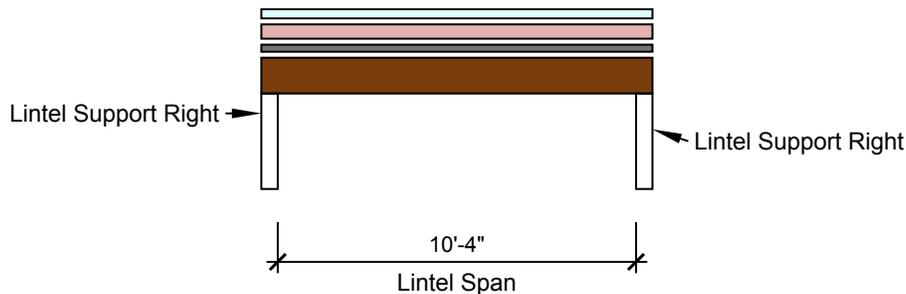
Design Summary

Description:	2-Ply 1.75x11.25 LVL 2-JACKS
Minimum Left Bearing Length:	2.18 in B/U Stud 2-JACKS
Minimum Right Bearing Length:	2.18 in B/U Stud 2-JACKS
Beam Weight Based on Span	117 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



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Brian Waddell
 LICENSED PROFESSIONAL ENGINEER
 B. WADDELL
 90473372
 April 16 2021
 PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 Scale: N/A
 Lintel Name:
LINTEL D03

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
9
 File No.:

Load Determination

Lintel Supporting 1 Floor + Roof		
Location	Construction	PSF
Floor 1 Dead Load:	Typical Light Finish Residential	15
Floor 1 Live Load:	Typical Residential Floor	40
Roof Design Snow Load:	Hamilton - Above Escarpment - W of J.C. Monro Airport	25.58

Calculation Results

Factored Load at Left Beam Support	8350 Lbs
Factored Load at Right Beam Support	8350 Lbs
% Stress Allowed in Bending	71 % OK
% Stress Allowed in Shear	54% OK
% Allowed Live Load Deflection	70% OK
% Allowed Total Load Deflection	54% OK
% Allowed Permanent Deflection	38% OK
Minimum Length of Bearing for Beam (Left)	2.18
Minimum Length of Bearing for Beam (Right)	2.18
Min. Length of Bearing for Support Member (Lft)	1.79
Min. Length of Bearing for Support Member (Rt)	1.79

Wood - LVL Built-up

LP SolidStart				
Species	Grade	Width	Depth	# of Plies
2.0 E	5452	1.75	11.25	2

Load at Left Supports (Lbs)		Load at Right Supports (Lbs)	
Dead:	2182	Dead:	2182
Live:	3053	Live:	3053
Snow:	2088	Snow:	2088
Factored:	8350	Factored:	8350
Max Moment Location: 5.12' From Left Support			

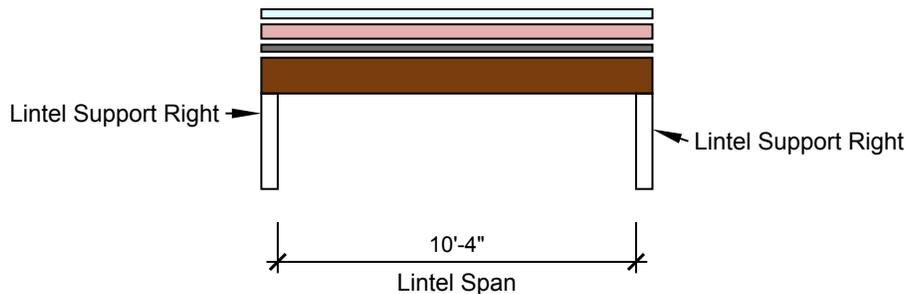
Design Summary

Description:	2-Ply 1.75x11.25 LVL 2-JACKS
Minimum Left Bearing Length:	2.18 in B/U Stud 2-JACKS
Minimum Right Bearing Length:	2.18 in B/U Stud 2-JACKS
Beam Weight Based on Span	117 Lbs

Qualification Notes:

All Beams and Lintels must be supported on the compression edge at intervals not exceeding 24" O.C. - Beams must be laterally supported at their bearing points - Design of wood beams is based on dry service conditions without treatments and "Standard Term" load duration - 1.75" wide Engineered Wood Beams greater than 14" in depth must be comprised of multiple member units - Where a Generic LVL Material has been chosen always verify sizing with a Manufacturer.

Any of the supporting members for the beam are not included in this design. The support must be the same width as the beam.



WADDELL ENGINEERING LTD.
 C - 119 PINEBUSH RD
 CAMBRIDGE ON
 N1R 7J8
 PH. 519-267-6789
 FAX. 1-866-388-9659
 INFO@WADDELLENG.COM
 Waddell Engineering
 (519) 301 1779

LICENSED PROFESSIONAL ENGINEER
Brian Waddell
B. WADDELL
 90473372
April 16 2021
 PROVINCE OF ONTARIO

Drawing Title:
LINTEL SUPPORTING ROOF CALCULATIONS
 Date: 2021-04-16 | Scale: N/A
 Lintel Name:
LINTEL D04

Project Title:
 Matt Cornelisse
 Project Address:
 1072 center road
 Waterdown, Ontario
 Drawing No.:
10
 File No.:

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name <p style="text-align: center; color: blue;">1072 center road</p>	Unit no.	Lot/con	
Municipality <p style="text-align: center; color: blue;">Hamilton, City of, Ontario</p>	Postal code	Plan number / other description	
B. Individual who reviews and takes responsibility for design activities			
Name <p style="text-align: center; color: blue;">Doug MacDonald</p>	Firm <p style="text-align: center; color: blue;">MacDonald Design & Management</p>		
Street address <p style="text-align: center; color: blue;">36 Melrose Place</p>	Lot/con	Plan number / other description	
Municipality <p style="text-align: center; color: blue;">Guelph</p>	Postal code <p style="text-align: center; color: blue;">N1K 1W4</p>	Province <p style="text-align: center; color: blue;">Ontario</p>	Email <p style="text-align: center; color: blue;">doug@macdonalddesign.ca</p>
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input checked="" type="checkbox"/> House <input checked="" type="checkbox"/> Small Buildings <input type="checkbox"/> Large Buildings <input type="checkbox"/> Complex Buildings	<input type="checkbox"/> HVAC - House <input type="checkbox"/> Building Services <input type="checkbox"/> Detection, Lighting and Power <input type="checkbox"/> Fire Protection	<input checked="" type="checkbox"/> Building Structural <input type="checkbox"/> Plumbing - House <input type="checkbox"/> Plumbing - All Buildings <input type="checkbox"/> On-site Sewage Systems	
Description of designer's work <p style="text-align: center; color: blue; font-weight: bold;">New Detached Wood Frame Garage</p>			
D. Declaration of Designer			
I, Doug MacDonald, C.E.T., M.A.A.T.O., OAAAS declare that (choose one as appropriate):			
<input checked="" type="checkbox"/> I reviewed and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: 25628 Firm BCIN: 31087			
<input type="checkbox"/> I reviewed and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code. Individual BCIN: Firm BCIN:			
<input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____ Individual BCIN: Firm BCIN:			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge. 2. I have submitted this application with the knowledge and consent of the firm.			
April 16, 2021 _____ Date	 _____ Signature		

NOTE:
 1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) d) of Division C, Article 3.2.5.1. of Division C, and of all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
 2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.
 Application for a Permit to Construct or Demolish - Effective January 1, 2014



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	MAILING ADDRESS		
Registered Owners(s)			
Applicant(s)*			
Agent or Solicitor			Phone:
			E-mail:

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

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

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

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ____ No Unknown ____

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

Yes ____ No Unknown ____

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

Yes ____ No Unknown ____

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

Yes ____ No Unknown ____

8.6 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 ____

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

Yes ____ No Unknown ____

8.8 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 ____

8.9 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 ____

8.10 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 _____

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

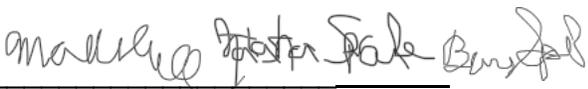
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes _____ No _____

9. 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(s) *asproule*

Matt Cornelisse, Natasha Sproule, ~~Cornelisse~~, Barry Sproule, April Sproule

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

Width of street _____

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

Existing: _

Proposed

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

Existing:

Proposed:

13. Date of acquisition of subject lands:
August 25th 2016
14. Date of construction of all buildings and structures on subject lands:
1966
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
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. Additional Information
24. 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.



Conservation
Halton

Planning & Watershed Management
905.336.1158 | Fax: 905.336.6684
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

Letter of Permission in accordance with Ontario Regulation 162/06

April 28, 2021

Matt Cornelisse
1072 Centre Road PO Box 196
Waterdown, Ontario L0R 2H0

BY EMAIL (motograter@gmail.com)

To Matt Cornelisse:

Re: Driveway extension within the 15m regulatory allowance from Grindstone Creek and construction of a detached garage between 30 metres and 120 metres of a Provincially Significant Wetland
1072 Centre Road
City of Hamilton
Conservation Halton File: A/21/H/15

The approved development includes a driveway extension within the 15m allowance from the floodplain of Grindstone Creek, and construction of a ±30ft x 50ft detached garage within 30 - 120 metres of a Provincially Significant Wetland

Ontario Regulation 162/06

Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property, 1072 Centre Road, is adjacent to lands traversed by a tributary of Grindstone Creek and contains the flooding hazard associated with that watercourse. Additionally, the property contains Provincially Significant Wetland (PSW). CH regulates those hazards/features, plus 15m from the flooding hazard and up to 120m from the limit of a PSW for this particular site. Permission is required from CH prior to undertaking any development within CH's regulated area and must meet CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06*.

Based on our Approximate Regulation Limit (ARL) mapping, the development will be located outside of the floodplain and PSW; Minor grading works associated with the driveway extension are to occur within the 15m regulatory allowance from the floodplain and the proposed garage is located within the 120m limit from the wetland, maintaining the 30m minimum setback required as per Policy. Therefore, staff is of the opinion that the proposed development meets Policy 2.25.2.3 and 2.39.4 within CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06* most recently revised November 26, 2020 for development within 30-120m from the wetland. While not required for this application, accurate delineation of the regulated hazards/features may be required at the time of future development.

This Letter of Permission represents Conservation Halton's consent to undertake the works as shown on the attached drawing, stamped approved April 28, 2021 subject to the following site-specific conditions:

- a. That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of CH.
- b. That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes.
- c. That effective sediment and erosion control measures be installed prior to starting work, maintained during construction and fully removed once all disturbed areas have been stabilized. That site conditions be monitored and that the sediment and erosion control measures be modified if site conditions warrant it.
- d. That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to Ontario Regulation 162/06.

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

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

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

We trust the above is of assistance in this matter. Should you require further information, please contact Cassandra Connolly, Regulations Officer, at cconnolly@hrca.on.ca.

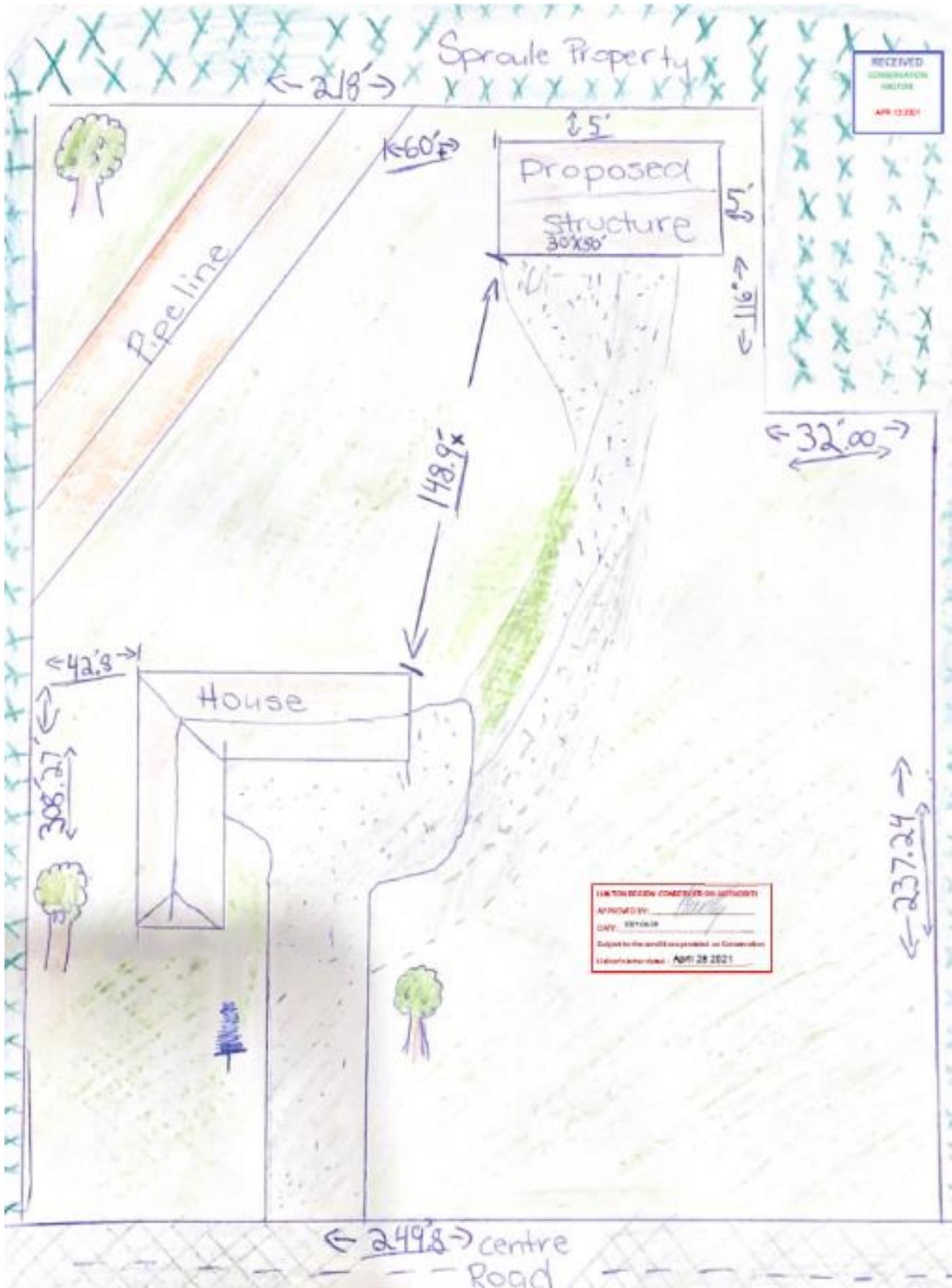
Sincerely,



Kellie McCormack, MA, MCIP, RPP
Associate Director, Planning and Regulations

Encl. 1

Cc: Building Department, City of Hamilton (Letter and Drawing By Email: building@hamilton.ca)



RECEIVED
CONSERVATION
AUTHORITY
APR 13 2021

TOWN OF CENTRE ROAD COMPLETED ON APPROVAL
APPROVED BY: *[Signature]*
DATE: 28/04/21
Subject to the approval and conditions of Conservation
Authority for the date: April 28 2021



Hamilton

Planning and Economic
Development Department

Memorandum

To: George Wong
Acting Manager, Building Engineering and Zoning

From: Cathy Plosz, Natural Heritage Planner (ext. 1231)
Development Planning, Heritage and Design

Melissa Kiddie, Natural Heritage Planner (ext. 1290)
Development Planning, Heritage and Design

Date: **May 3, 2021**

Subject: **Exemption from Site Plan Control By-law No. 15-176 for 1072 Centre Road, Flamborough for Development within or adjacent to Core Areas**

In accordance with Section 9.1 of Site Plan Control By-law No. 15-176, Site Plan Control shall apply to *“any buildings or structures, including accessory buildings and structures, decks and additions to existing buildings, situated Adjacent to or within a Core Area (s), except for single detached, duplex, semi-detached or street townhouse dwellings located within a plan of subdivision or plan of condominium draft approved after January 1, 2013”*.

Proposed Development (Please briefly describe proposed development and attach concept plan/map):

Driveway extension and detached garage.

Core Areas include:

Significant Woodland, Environmentally Significant Area, Provincially Significant Wetland.

Based on a review of the proposed development, the following is applicable:

- Proposed development is located within the footprint of an existing structure.
- Proposed development is located within a disturbed area (i.e. manicured area).
- Proposed development is located at least 30 metres away from the Core Areas.
- Correspondence has been provided by the relevant Conservation Authority (attached).

Therefore, Site Plan Control for the above property is waived.

- 2 -

Notes:

This memo does not exempt the proposal from the requirements of a building permit, nor does it exempt the proposal from the requirements of the Zoning By-law or any further regulations. Please be advised that should the application change, the Planning Division has the right to review the revised submission.

If you have any questions, please contact Catherine Plosz by e-mail at Catherine.Plosz@hamilton.ca.



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-21:248

APPLICANTS: Agent Prem Tewari
 Owner Singh Greenhouses

SUBJECT PROPERTY: Municipal address **653 Safari Rd., Flamborough**

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

ZONING: "A2, P7 and P8" (Rural (A2) Zone; Conservation/Hazard Land - Rural (P7) Zone and Conservation/Hazard Land - Rural (R8) Zone

PROPOSAL: To permit the alteration of an existing single detached dwelling into a permanent farm labour residence and to permit the construction three (3) permanent farm labour residences for a total of four (4) permanent farm labour residences and also to permit the construction of a single detached farm dwelling and greenhouses for an Agriculture use notwithstanding that:

1. A total of four (4) permanent farm labour residences shall be permitted instead of the requirement that a maximum of one farm labour residence shall be permitted on a lot.
2. A total of four (4) farm labour residences shall be permitted in the form of permanent construction instead of the requirement that the farm labour residences are only permitted in the form of an accessory detached dwelling of temporary construction, such as a mobile home; or, an accessory detached bunk house of temporary construction, where cooking and sanitary facilities are shared.
3. The permanent farm labour residence labelled as "existing farm labour residence" shall be permitted prior to the construction of a existing permanent principal farm dwelling instead of the requirement that a farm labour residence shall be on the same lot as an existing permanent principal Farm Dwelling.
4. Full-time farm labourers accommodated within the four (4) permanent farm labour residences shall be permitted to be employed on farm operations on other lots with an agricultural use instead of the requirement that a farm labour residence including their full-time farm labourers shall be accessory to Agriculture and on the same lot.
5. The four (4) permanent farm labour residences shall be permitted be located within 265m of the farm dwelling instead of the requirement that a farm labour residence shall be located within 30.0 metres of the farm dwelling.

FL/A-21: 248

Page 2

6. The four (4) permanent farm labour residences shall be permitted to utilize a new driveway which does not have access to the farm dwelling instead of the requirement that a farm labour residence shall utilize the existing driveway access to the farm dwelling.

7. The permanent farm labour residence labelled as “existing farm labour residence” shall be permitted to have a maximum floor area of 207m² instead of the requirement that any temporary detached dwelling shall have a maximum floor area of 116.2m².

NOTE:

i) Pursuant to Variance No. 7, there is a discrepancy on the Grading Plan respecting the floor area of the permanent farm labour residence labelled as “existing farm labour residence”. The Grading Plan indicates this building has a main floor area of 125m² and a 2nd floor area of 81.2m² for a total floor area of 206.2m²; however, the Legend on this Plan indicates this building has an area of 130m². As such, the greater gross floor area was used for this variance.

ii) Full details have not been provided for the proposed single detached farm residence and the proposed two (2) greenhouse buildings. If zoning compliance cannot be achieved, further variances shall be required.

iii) The variances are not intended to vary the Official Plan regulations.

iv) The lands are subject to subject to Site Plan Control. To date, no application has been made.

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

DATE: Thursday, August 12th, 2021
TIME: 1:20 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

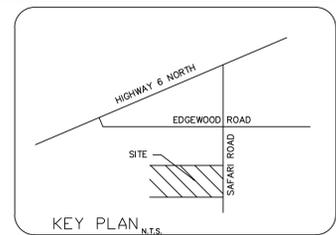
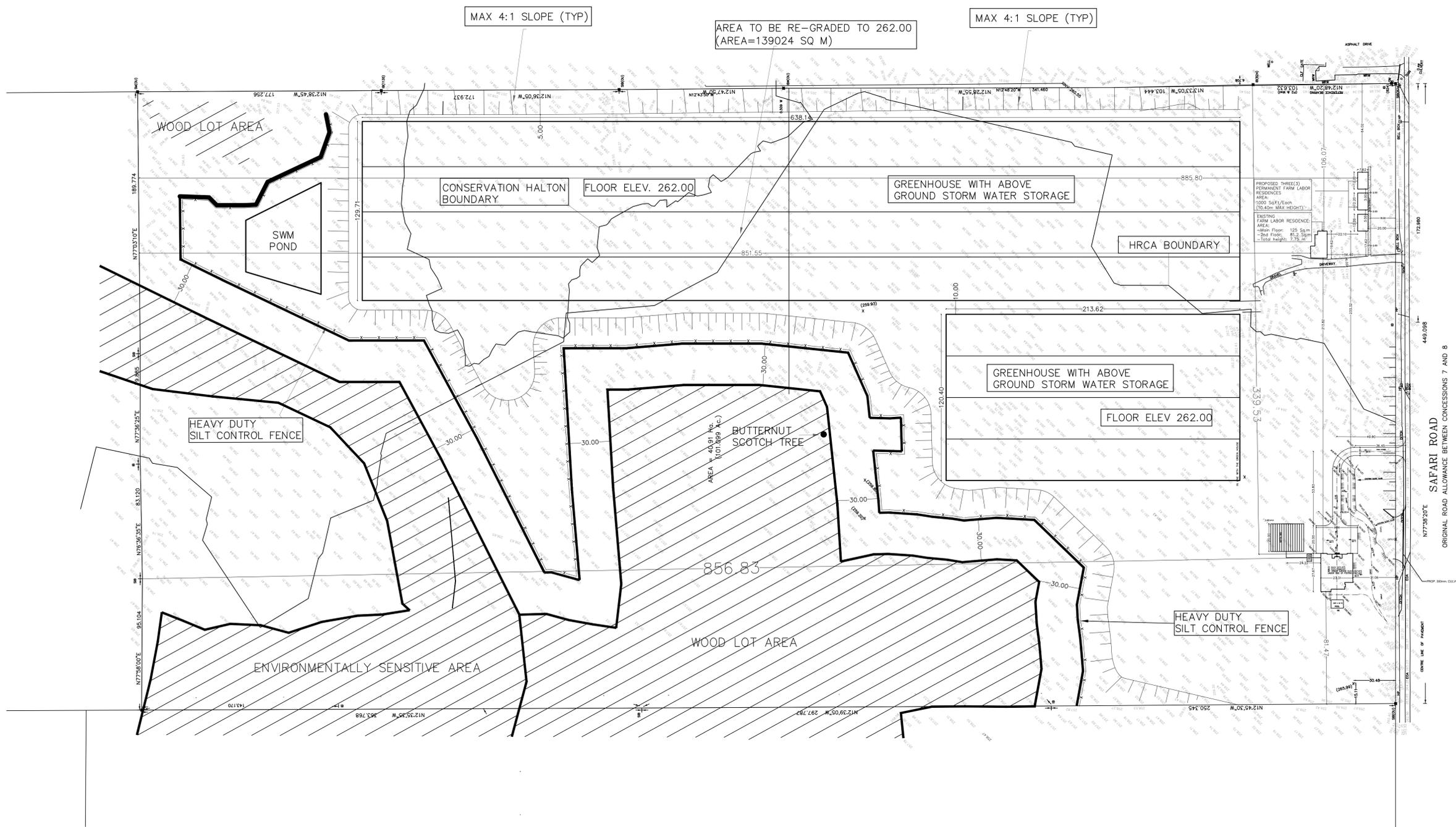
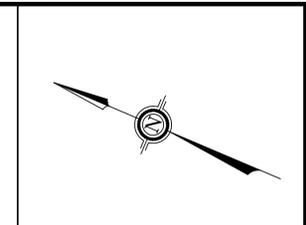
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 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 11
 CONCESSION 7
 GEOGRAPHIC
 TOWNSHIP OF WEST FLAMBOROUGH
 IN THE
 CITY OF HAMILTON



LEGEND

(268.02): PROPOSED GRADE
 268.00: EXISTING GRADE

LOT AREA: 409,135.84 Sq.m
 LOT COVERAGE AREA (0.24%):

- EXISTING FARM LABOR RESIDENCE: 130.00 Sq.m
- PROPOSED 3 FARM LABOR RESIDENCES: 278.90 Sq.m
- PROPOSED PRINCIPAL RESIDENCE: 581.00 Sq.m

NO.	REVISIONS	DATE	BY

OWNER: SINGH GREENHOUSES

MUNICIPALITY: 653 SAFARI ROAD
 FLAMBOROUGH
 CITY OF HAMILTON

PROJECT NAME: GREENHOUSE CONSTRUCTION

DRAWN BY: MS
 DATE: MAR 2021
 DESIGNED BY: CKY
 CHECKED BY: CKY

DATE OF ISSUE:

DATE OF PLOT:
 MAR 23, 2021



IDM (2005) CONSULTANTS INC

5325 HARVESTER RD.,
 BURLINGTON ONTARIO
 L7L 5K4
 TEL. 905-928-2542

SCALE IN METERS: 1:1500

DRAWING TITLE: GRADING PLAN

PROJECT NO. 3613 DRAWING NO. SP04-01



Hamilton

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	SINGH GREENHOLD		
Applicant(s)*	IDM(2005) Consultants Inc.		
Agent or Solicitor	Same as above		Phone:
			E-mail:

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Please refer to the attached Appendix.

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The current Bylaw allows only Temporary Farm House.

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

Lot 11, Cone. 7 Township of West Flamborough
653 Safari Rd, Flamborough

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use No

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Local knowledge

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

JUNE 11, 2021
Date



Signature Property Owner(s)

TERANTIT SINGH
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 449.98 m
Depth 911.90 m
Area 410336.76 sq.m (= 100 Ac)
Width of street 26.0m

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

Existing: Two stories, width = 27 ft, length = 23 ft
Ht. 24 ft.

Proposed - Same as above -

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

Existing: South Setback (from Safari Rd) = 95.0m
East " = 7100m
West " = 200m
North " = 300m

Proposed: - Same as above -

13. Date of acquisition of subject lands:
Sept 2011
14. Date of construction of all buildings and structures on subject lands:
More than 50 years old
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family, farming, greenhouses
17. Length of time the existing uses of the subject property have continued:
Since 1970s
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--------------------------|-----------|--------------------------|
| Water | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Agricultural A3
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. Additional Information
24. 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.

Appendix

Application for a Minor Variance

653 Safari Rd, Flamborough

Our agricultural operation currently consists of growing English Cucumbers at 629 Safari Rd and 87 Carlisle Rd, in Freulton and Carlisle respectively. The greenhouses at 629 Safari Rd are 12 acres in size and the greenhouses at 87 Carlisle Road are 6 acres with an additional 4 acres under site plan review with the City.

We have had Site Alteration permit to grade 653 Safari Rd to construct approximately 40 Acres of Greenhouse in order to prepare for a greenhouse after a site plan approval from the City. The discussions have already started with the City, Conservation Halton and Hamilton Conservation Authority as to the requirements of Site Plan approval process. We plan to submit an application in the coming months. This operation alone will require approximately 60 farm labourers.

The greenhouse operates on a 24/7, 365 days schedule. Even though a lot of operation has been automated, we still need about 30 farm labourers to carry out the day to day operation. Due to the sensitivity of the vegetable growing operation, staff sometimes has to attend to it in the middle of the night. That is the main reason we need staff to be in close proximity of the greenhouses. With the two operations under way, we are planning to cross employ farm labour between the two operations.

The existing house on site has been modified to meet the Ontario Building Code as well as Service Canada requirements. However, it has not been designated as a Farm Labour House due to current by-law. We do want to maintain the existing house as a Farm Labour House. It has its own potable water system and an independent septic system – approved by the City's Building Department. It has its own driveway as well.

Based on the needs of the operation, we are applying for the following Variances:

- Section 12.2.4.1 of zoning by law 05-200 states that a Farm labour house if detached should be temporary in nature. We are requesting that the current house on site be designated as a permanent Farm Labour House with its own driveway access.
- Further, there is a Rural Official Plan policy that requires the dwelling to be on same septic system as the main residence. We are requesting that the Permanent farm house be on an independent septic and potable water system.
- Further, the zoning allows only one Farm Labour House on one property. Due to the nature of our business and the requirements by the health department and current pandemic, we will require more than one Farm Labour House on the property. Our request is to allow multiple Farm labour house as long as the houses meet the regulatory requirements set out by Ontario Building Code and the Health Department requirements.
- Please allow one principal residence at 653 Safari rd in addition to multiple Farm Labour Houses on site independent of the principal residence.



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-21:255

APPLICANTS: Owner B. & G. Clark

SUBJECT PROPERTY: Municipal address **881 Valens Rd., Flamborough**

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

ZONING: "A1" (Agricultural (A1) Zone

PROPOSAL: To permit construction of a "L" shaped addition onto an existing detached garage for a total detached garage/shed size of 17.07m (56') x 20.12m (66') accessory to the single detached dwelling notwithstanding that:

1. The detached garage/shed shall be permitted within a flankage yard instead of the requirement that accessory buildings shall not be located within a front or flankage yard.
2. A maximum gross floor area of 351m² shall be permitted for all accessory buildings instead of the requirement that the aggregate gross floor area of all accessory buildings shall not exceed 200m².
3. A maximum building height of 7.2m shall be permitted for the proposed 17.07m (56') x 20.12m (66') accessory building instead of the requirement that all accessory buildings shall have a maximum height of 6.0m.

NOTE:

- i) This is a corner lot. Valens Road has been considered the front lot line and Concession 5 Road West is considered the side (flankage) lot line.
- ii) Pursuant to Variance No. 2 above, the total accessory building gross floor area of 351m² is based on the combined gross floor areas of the 7.32m² (8' x 10') existing pool shed and the 343.37m² (56' x 66' storage shed/3 car garage). The owner has advised that there is an existing "12' x 24' temporary structure" which has not been shown on the Site Plan submitted which is intended to be removed once the 56' x 66' shed/garage is constructed. Further, the owner advised that she is not proceeding with construction of a 16' x 24' shed which was subject of Building Permit No. 19-109847. Be advised if the "12' x 24' temporary structure" is not removed/demolished and if Building Permit No. 19-109847 is not cancelled, a further variance shall be required as the gross floor area of all accessory structures will exceed 351m².

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

FL/A-21: 255
Page 2

DATE: Thursday, August 12th, 2021
TIME: 1:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

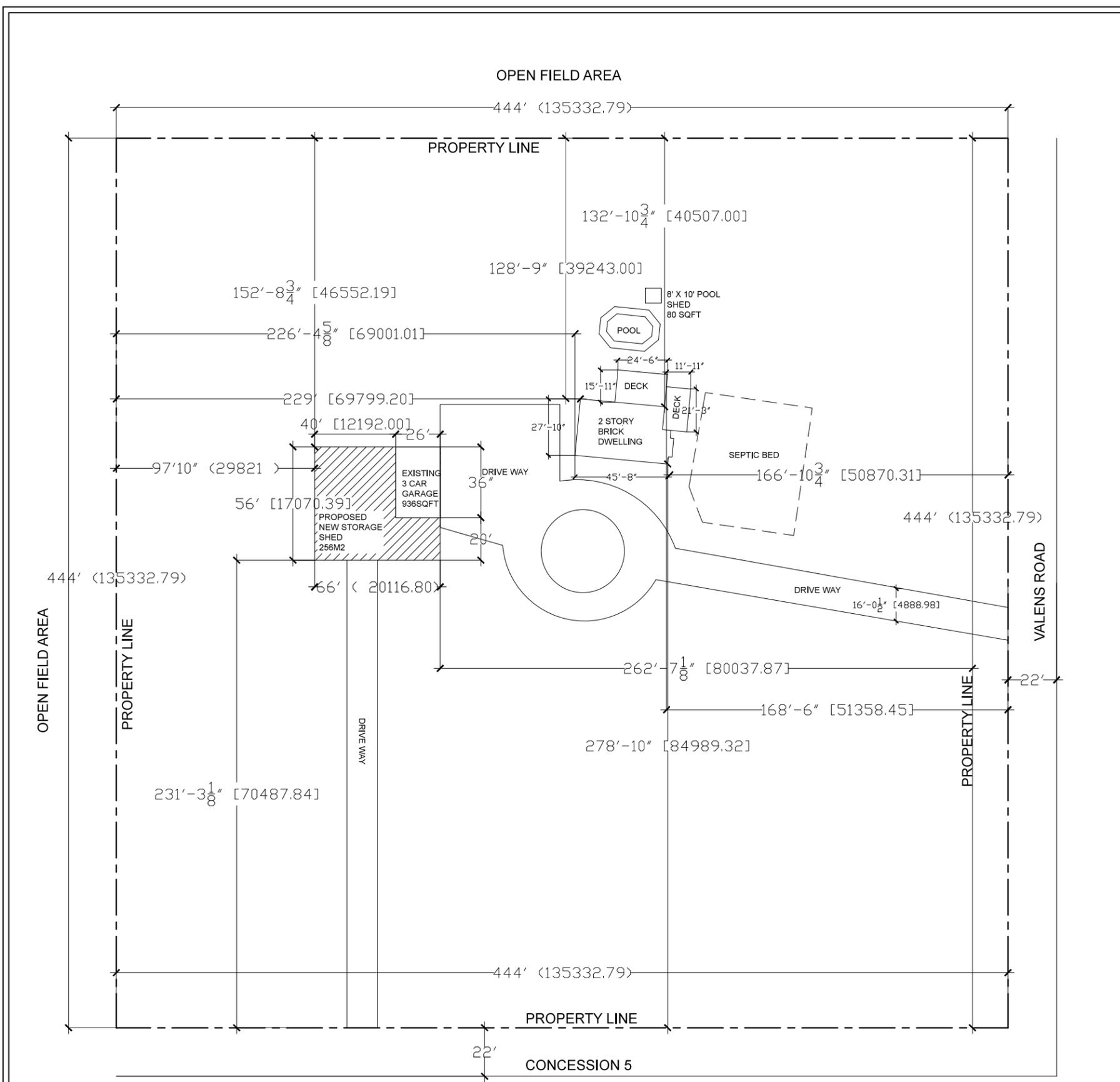
For more information on this matter, including access to drawings illustrating this request:

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

DATED: July 27th, 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.



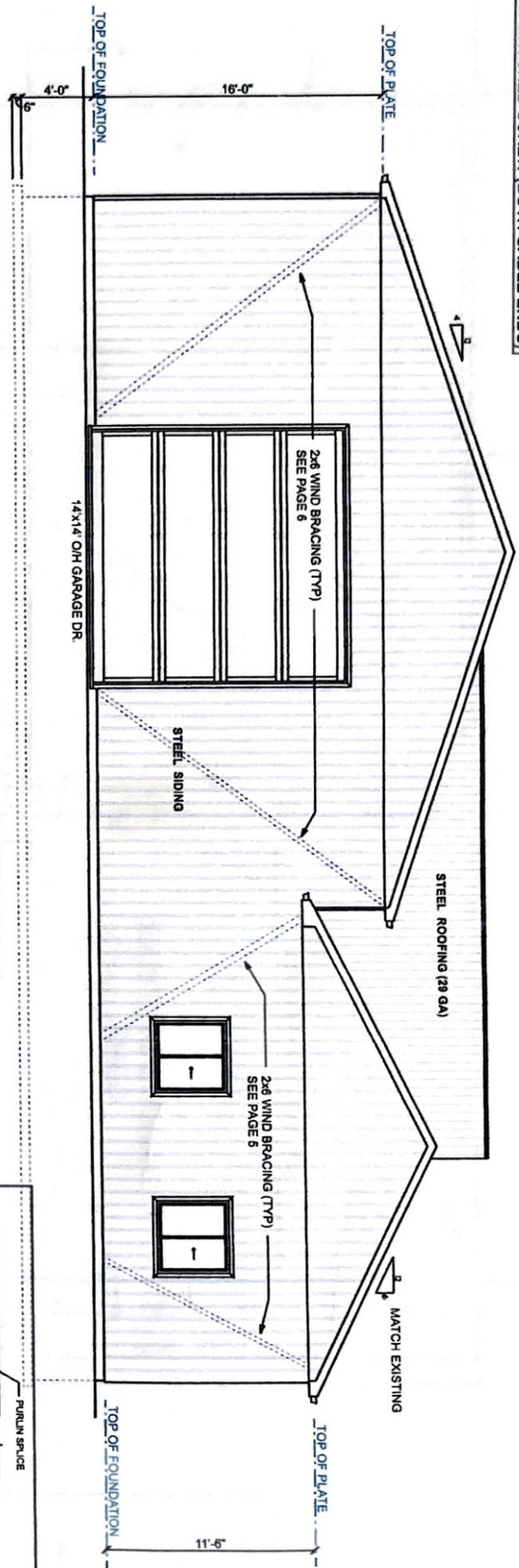
DESCRIPTION	EXISTING	PROPOSED
LOT COVERAGE	1.48%	2.80%

881 Valens Road
Branchton ON

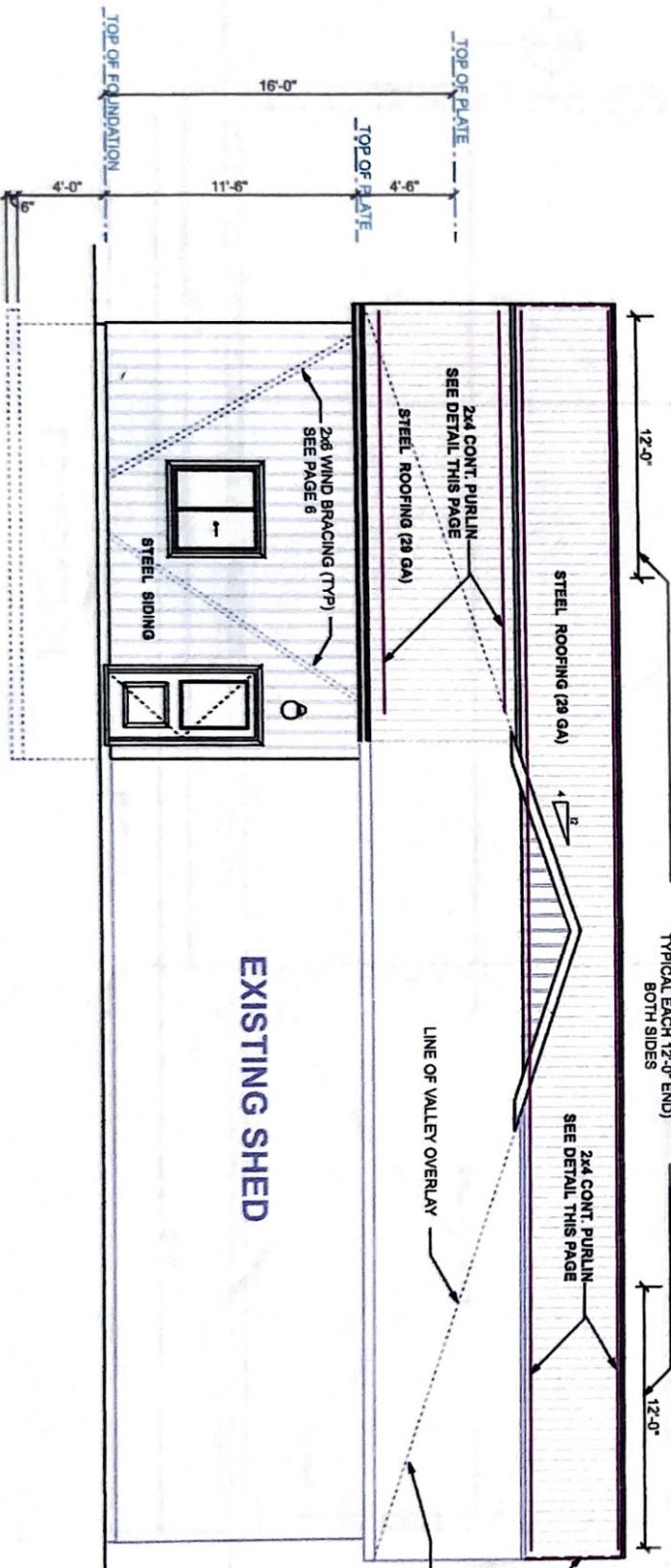
Site Plan

S1

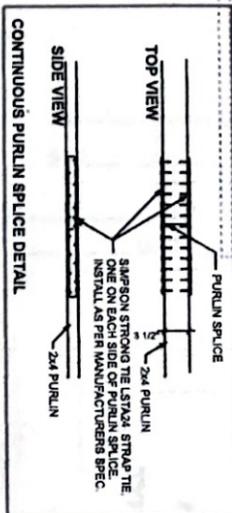
2x4 SOLID BLOCKING BETWEEN ROOF PURLINS @ 8" O.C. - BLOCKING TO TRUSS TOP CHORD.
 ATTACH STEEL CLADDING TO BLOCKING WITH #8 x1" SCREWS @ 12" O.C. INTO BLOCKING.
NAILING DETAIL FOR STITCHED SCREW (BOTH GABLE ENDS)



FRONT ELEVATION



RIGHT SIDE ELEVATION



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

NOTE: EXTEND OVERLAY OUT TO GABLE OVERHANGS

NOTES
 THESE DRAWINGS, DIMENSIONS, AND SPECIFICATIONS, MUST BE READ AND VERIFIED BY THE BUILDING CONTRACTOR FOR DISCREPANCIES AND REPORT TO THIS DESIGNER BEFORE COMMENCING ANY FURTHER WORK. THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE BUILDING CONTRACTOR OR HIS SUBTRADERS. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE BUILDING CONTRACTOR OR HIS SUBTRADERS FOR THEIR FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE SPECIFICATIONS AND RELATED DOCUMENTS. CONTRACTOR MUST COMPLY WITH THE LATEST STANDARDS OF THE O.C., C.B.C. AND THE LOCAL MUNICIPAL REGULATIONS TO VERIFY DIMENSIONS. SUPERSEDE THE PLAY SET. REPORT ANY DISCREPANCIES TO THIS DESIGNER BEFORE PROCEEDING. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR ERRORS NOT REPORTED.
DO NOT SCALE DRAWINGS.

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

NOTE: NO ADJUSTMENTS OR CHANGES TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN APPROVAL FROM THIS DESIGNER.
 ROOF TRUSS DESIGNS AND LAYOUT TO BE SUBMITTED TO THIS DESIGNER FOR APPROVAL BEFORE MANUFACTURING



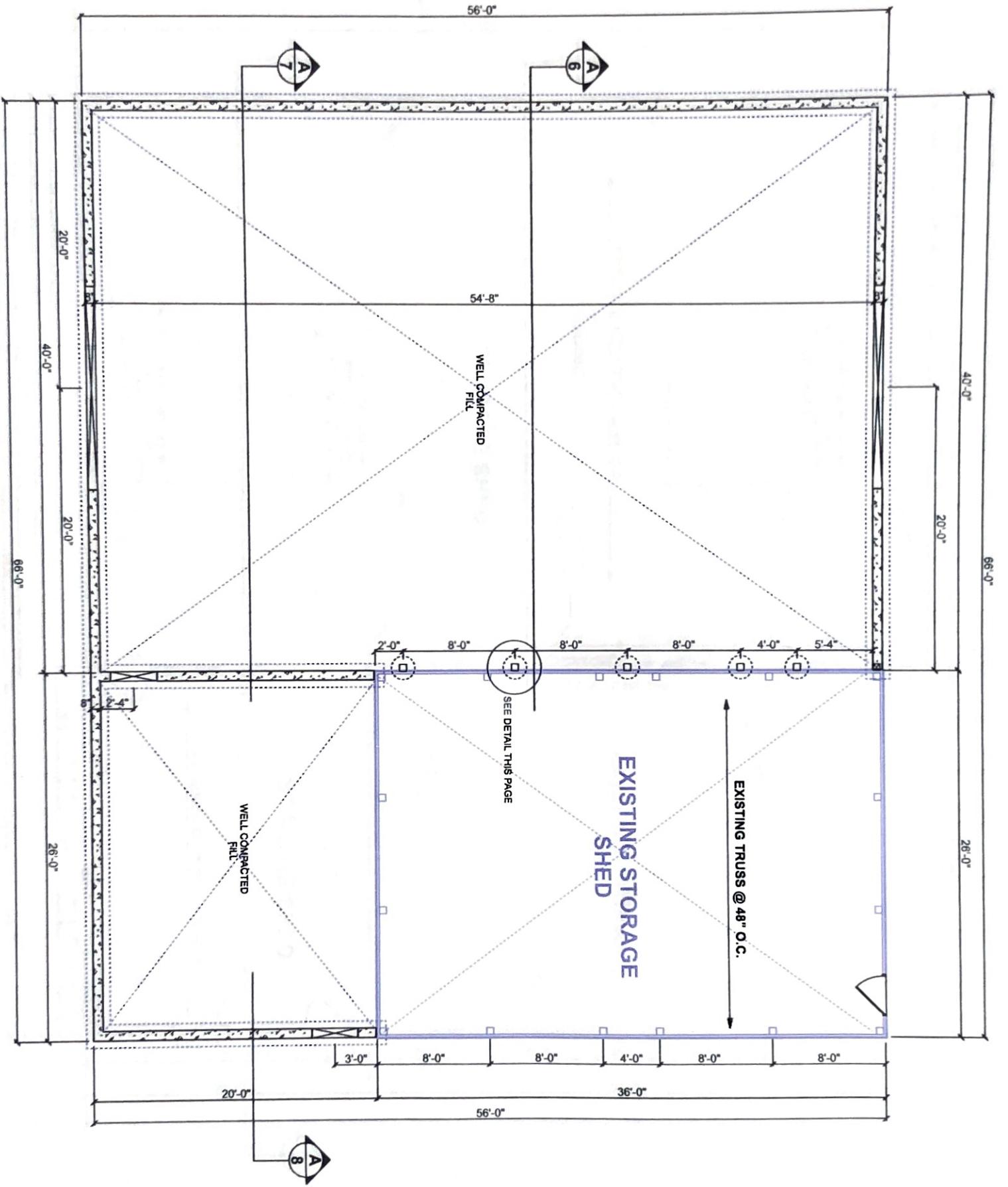
Detailed Buildings
 P.O. Box 8
 Rockton, Ont. L0R 1X0

DECLARATION OF DESIGNER
 I, PHILIP H. RUHLMAN DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK OF THIS PLAN. I AM QUALIFIED, AND I AM REGISTERED.

INDIVIDUAL BCIN: 21095 FIRM BCIN: 31813
PHILIP H. RUHLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Avr. Ontario
 email: phil@ruihandesign.com

DRAWING TITLE: **Detailed Buildings**
 DATE: May 11, 2021
 SCALE: 1/8"=1'-0"
 PROJECT NUMBER: PHR21-744
 AREA: 3,200 Sq. Ft.
 PROJECT NAME: GREG CLARK
 881 Valens Rd.
 Branchton, Ont.

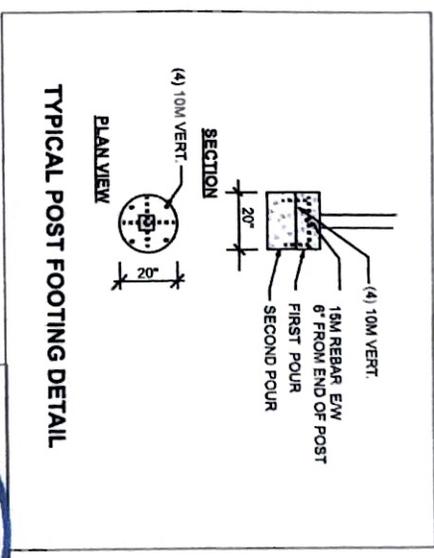
DRAWING # **A1**



FOUNDATION

NOTES
 THESE DRAWINGS, SPECIFICATIONS AND SPECIFICATIONS, MUST BE CHECKED AND REVISIONS BY THE BUILDING CONTRACTOR FOR COMPLETION AND REPORT TO THIS DESIGNER BEFORE COMMENCING ANY FURTHER WORK. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE BUILDING CONTRACTOR OR HIS SUBCONTRACTOR OR HIS SUBTRADEES OR THEIR SPECIFICATIONS OUT OF THE WORK ACCORDING TO THEIR SPECIFICATIONS WITH THE LATEST STANDARDS OF THE O.C.C., C.B.C. AND THE LOCAL MUNICIPAL REGULATIONS.
 SUPPLIERS AND SUBTRADEES TO VERIFY DIMENSIONS BETWEEN THE PLAN SET. REPORT ANY DISCREPANCIES TO THIS DESIGNER BEFORE PROCEEDING. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR ERRORS NOT REPORTED.
DO NOT SCALE DRAWINGS

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

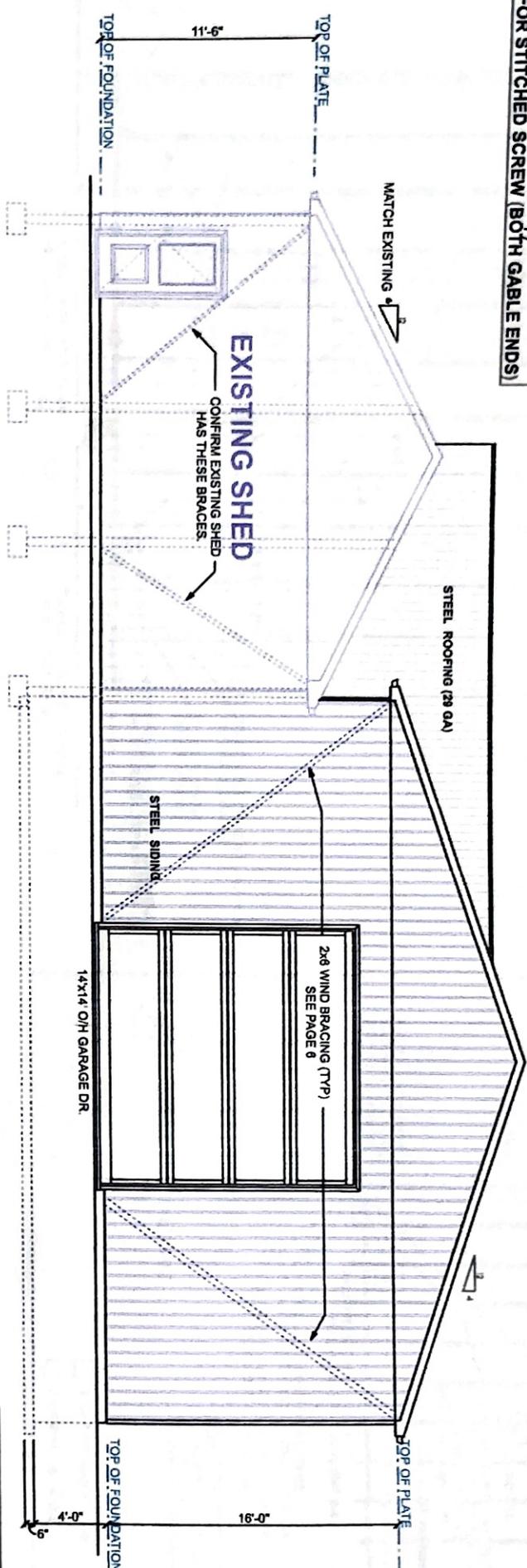
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 INDIVIDUAL BCIN: 21095 FIRM BCIN: 31613
PHILIP H. RULLMAN
 ARCHITECTURAL DESIGN
 82 Piper St. 519-223-7042
 Ayr, Ontario
 email: phil@rullmandesign.com

DRAWING TITLE		PROJECT NUMBER	
FOUNDATION		PHR21-774	
DATE	SCALE	AREA	DRAWING #
May 11, 2021	1/8"=1'-0"	3,200 Sq. Ft.	A2
PROJECT NAME		DRAWING #	
Detailed Buildings P.O. Box 8 Rockton, Ont. L0R 1X0		A2	
DRAWN BY		CHECKED BY	
GREG CLARK 881 Valens Rd. Branchton, Ont.			

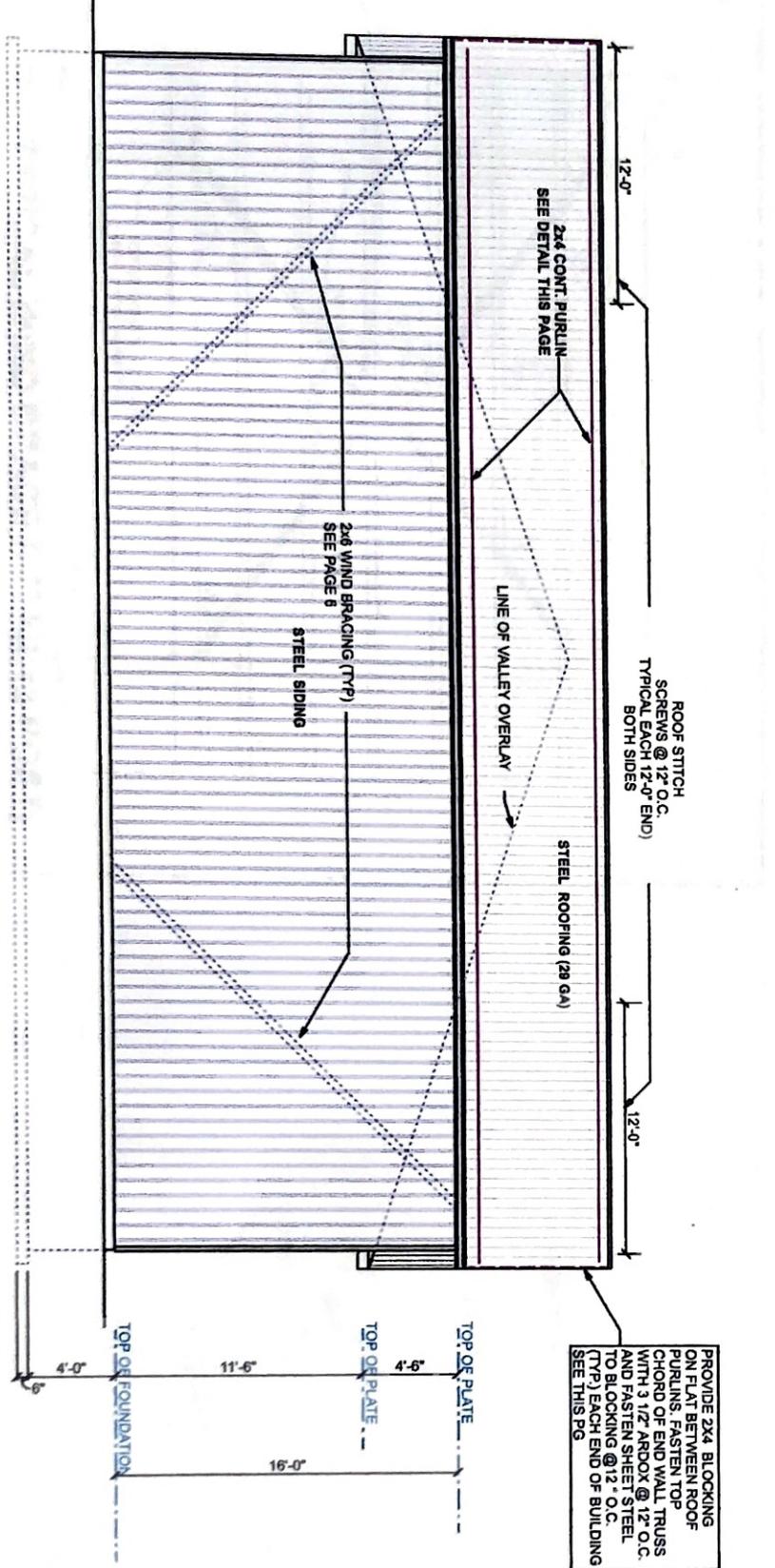
2x4 SOLID BLOCKING BETWEEN ROOF PURLINS @ 12" O.C. - BLOCKING TO TRUSS TOP CHORD

ATTACH STEEL CLADDING TO BLOCKING WITH #8 X1" SCREWS @ 12" O.C. INTO BLOCKING

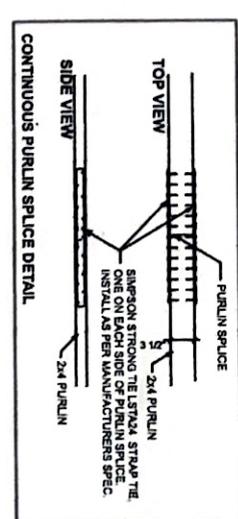
NAILING DETAIL FOR STITCHED SCREW (BOTH GABLE ENDS)



REAR ELEVATION



LEFT SIDE ELEVATION



NOTES

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SUPPLIERS AND SUBTRADEE TO VERIFY DIMENSIONS BETWEEN THE PLAN AND FIELDING. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR ERRORS NOT REPORTED.

DO NOT SCALE DRAWINGS

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

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

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



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

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

DRAWING TITLE	PROJECT NUMBER
EL ELEVATIONS	PHR21-774
DATE	SCALE
May 11, 2021	1/8"=1'-0"
PROJECT NAME	AREA
Greg Clark 881 Valens Rd. Branchton, Ont.	3,200 Sq. Ft.
DRAWING #	
A4	

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

Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Bonnie Clark Greg Clark Erenest Bergsma Katherine Bergsma		
Applicant(s)*	Bonnie Clark		
Agent or Solicitor	N/A		
			Phone:
			E-mail:

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

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

The Royal Bank of Canada 304 Dundas St E Waterdown ONL0R 2H0

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Requesting to increase the allowable size of a accessory building to 256m2 from the allowed 200m2 and increase the height of the building to 7.13m from the allowed 6.0m as well as allowing the accessory building to be located on the front yard of the property.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

We require a large storage building for our personal storage and our RV inside and hight are required to accomodate the RV. The location is requested as this is where the existing accessory structure is located and we are adding to the current building.

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

881 Valens Road Branchton ON N0B1L0 - (Con 5 PT lot 24 Bev FLM Reg 4.53 AC 444FR 444 D)

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Common Knowledge of the area

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

June 17, 2021

Date

Bonnie Clark, Greg Clark
 Print Name of Owner(s) Katherine Bergsma
 EDENEST BERGSMIA

10. Dimensions of lands affected:

Frontage	<u>444'</u>
Depth	<u>444'</u>
Area	<u>18314.53m2</u>
Width of street	<u>22'</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:
 Dwelling unit - 2 story, Length 46', Width 28', Height 23' 1288 SQFT, Gross floor area 2576 SQFT
 3 car accessory building - 1 story, Length 36', Width 26', Height 19' 936 SQFT
 Proposed
 Accessory building - 1 story Length 66', Width 56', Height 23'-5" Area 256m2

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

Existing:
 Dwelling unit - Front Yard 168'-6" Side R- 128'-9" Side L- 288' Rear 229'
 Existing accessory building - Front yard -280' Side R- 152'-9" Side L- 252'-3" Rear- 137'-7"
 Proposed:
 Accessory Building - Front yard - 280' Side R - 152'-8" Side L- 231'-3" Rear 97'-10"

13. Date of acquisition of subject lands:
August 2016
-
14. Date of construction of all buildings and structures on subject lands:
Dwelling unit 1985, Accessory Building unknown
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Home
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Agriculture
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--------------------------|-----------|--------------------------|
| Water | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
None
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
None
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
24. 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.



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-21:60

SUBJECT PROPERTY: 63 Golden Iris Cres., 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): Agent Eldon Hunt
 Owner 1624958 Ontario Inc.

PURPOSE OF APPLICATION: To permit the conveyance of a lot containing an existing dwelling and to retain a lot containing an existing dwelling, due to a correction of title.

Severed lands:
 7.77m[±] x 33.50m[±] and an area of 376m^{2±}

Retained lands:
 7.00m[±] x 34.20m[±] and an area of 594m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 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.

FL/B-21:60
PAGE 2

MORE INFORMATION

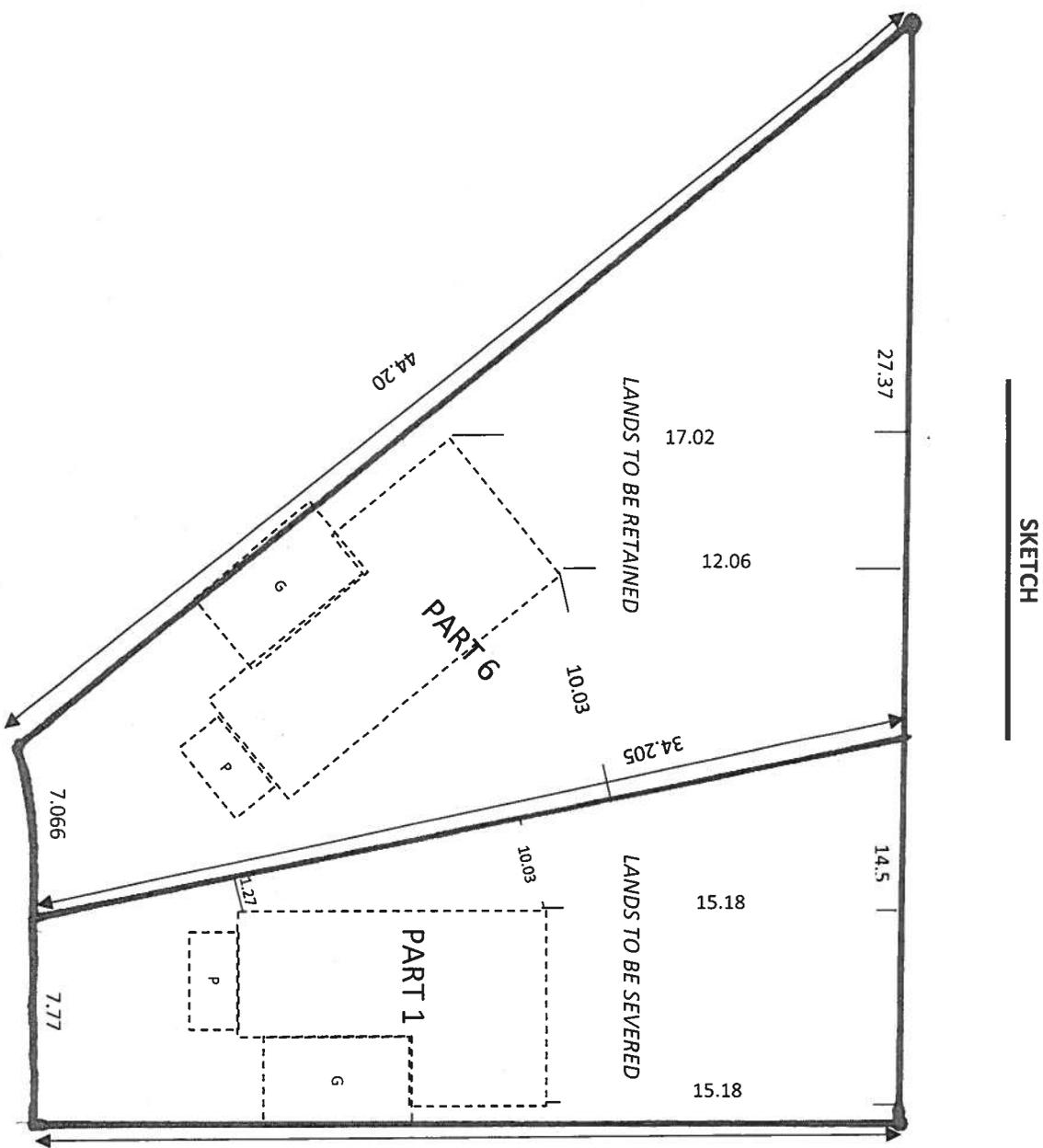
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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

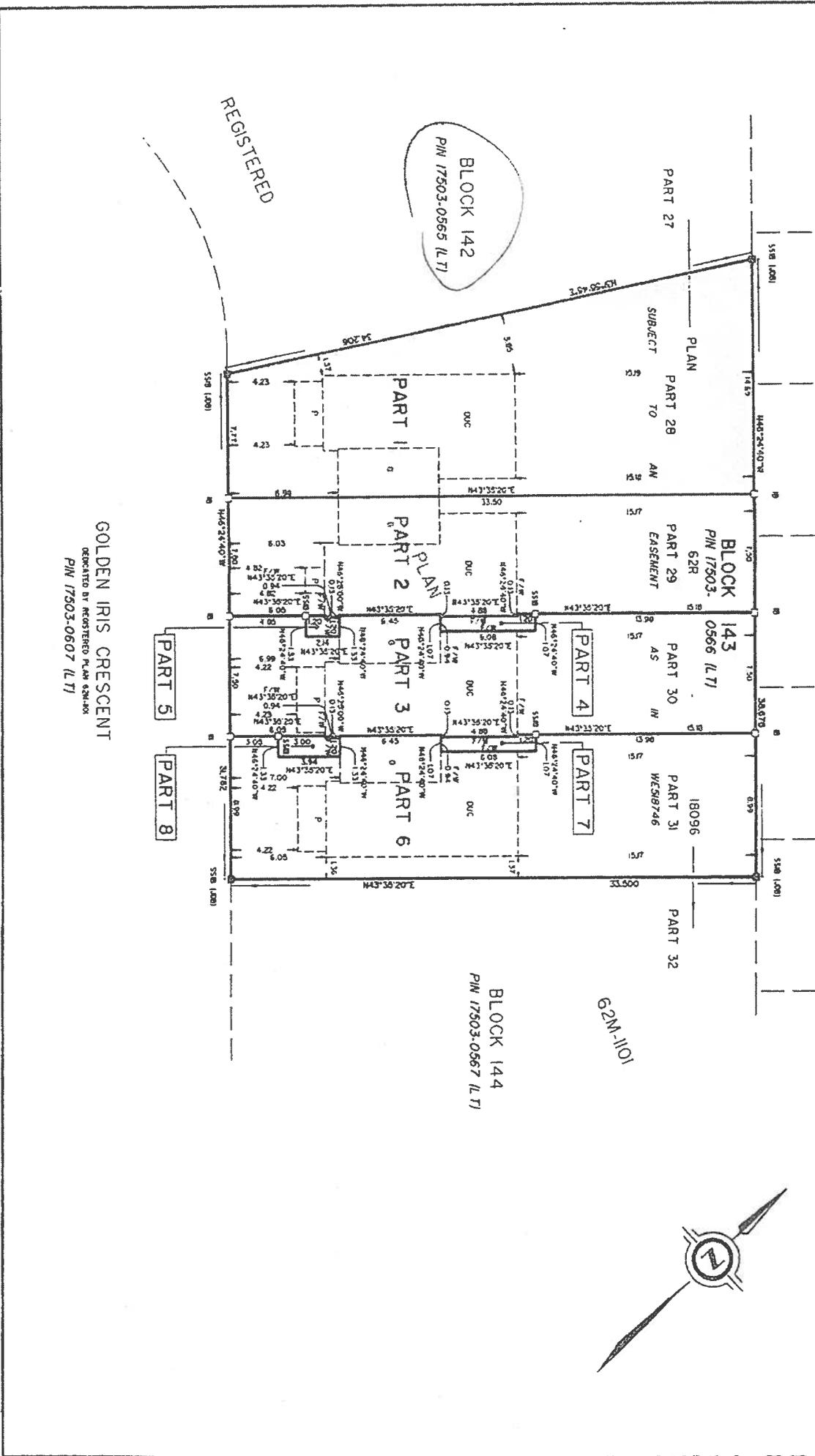
Notes:

- (1). Lands to be severed more specifically described as Part 1 Reference Plan 18141 attached hereto.
- (2). Lands to be retained more specifically described as Part 6 Reference Plan 18150 attached hereto.

Block 143

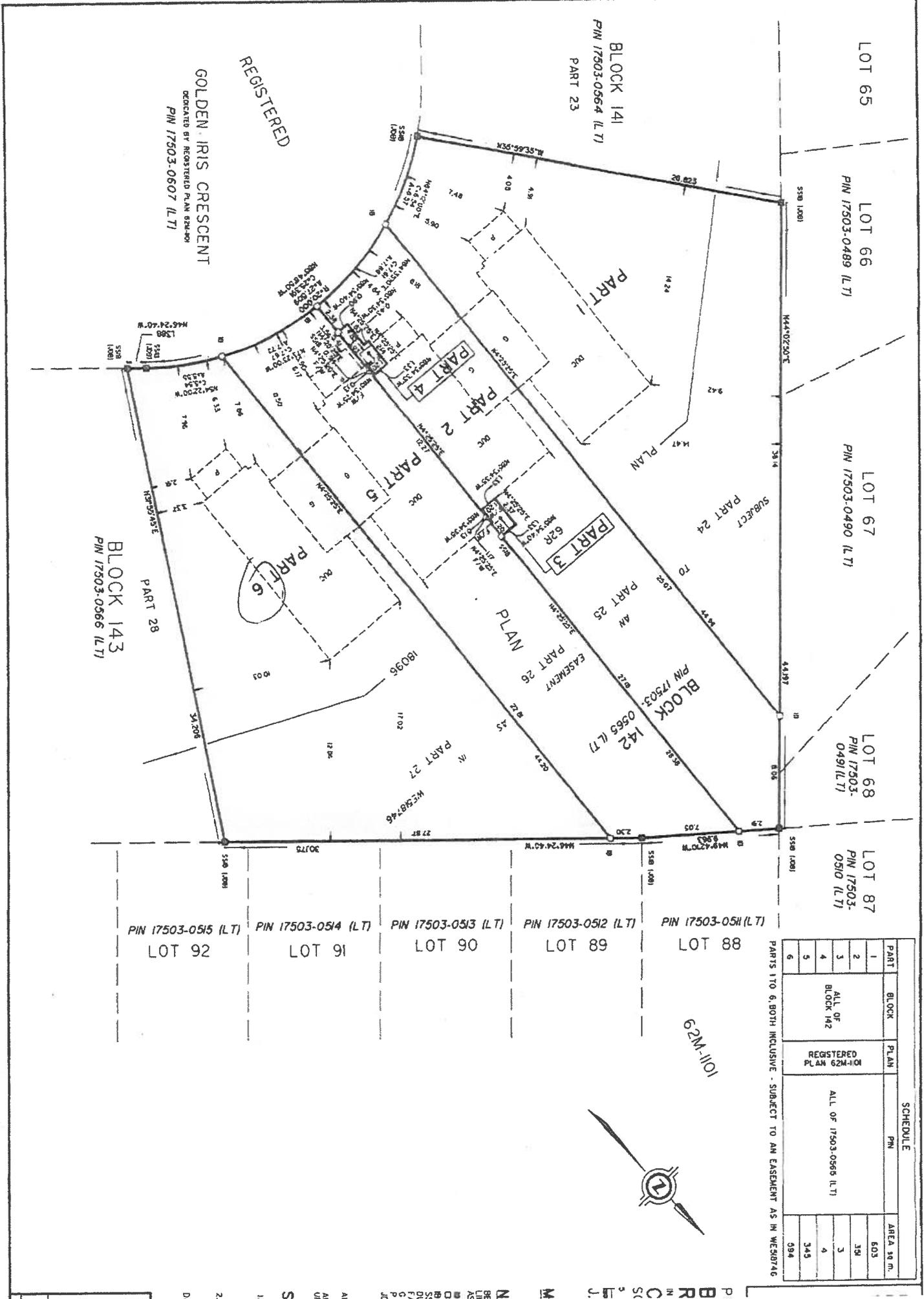
SCHEDULE		
PART	BLOCK	PLAN
1		376
2		292
3		242
4		6
5		3
6		289
7		5
8		5

PARTS 1 TO 8, BOTH INCLUSIVE - SUBJECT TO AN EASEMENT AS IN WES98746



GOLDEN IRIS CRESCENT
 DEPOSITED BY REGISTERED PLAN 62M-1101
 PIN 17503-0607 (L.T.)

PL BR N C S J. E. M. NI BE LA S B M R S5 DK F C D AL AL UM SI L 2 DA



SCHEDULE			
PART	BLOCK	PLAN	PIN
1			603
2			39
3	ALL OF BLOCK 142		3
4			4
5			345
6			094

PARTS 1 TO 6, BOTH INCLUSIVE - SUBJECT TO AN EASEMENT AS IN WES98746

REGISTERED
 GOLDEN IRIS CRESCENT
 DEDICATED BY REGISTERED PLAN 62M-1101
 PIN 17503-0607 (LTI)
 BLOCK 141
 PIN 17503-0564 (LTI)
 PART 23
 BLOCK 142
 PIN 17503-0565 (LTI)
 PART 24
 BLOCK 143
 PIN 17503-0566 (LTI)
 PART 28
 LOT 65
 PIN 17503-0489 (LTI)
 LOT 66
 PIN 17503-0489 (LTI)
 LOT 67
 PIN 17503-0490 (LTI)
 LOT 68
 PIN 17503-0491 (LTI)
 LOT 87
 PIN 17503-0510 (LTI)
 LOT 88
 PIN 17503-0511 (LTI)
 LOT 89
 PIN 17503-0512 (LTI)
 LOT 90
 PIN 17503-0513 (LTI)
 LOT 91
 PIN 17503-0514 (LTI)
 LOT 92
 PIN 17503-0515 (LTI)

Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

**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
Registered Owners(s)	1624958 Ontario Inc	
Applicant(s)*	Eldon Hunt	
Agent or Solicitor	Eldon Hunt	

* 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 Waterdown	Lot	Concession	Former Township
Registered Plan N°. 62M 1101	Lot(s) Block 143	Reference Plan N°. 62R 118151	Part(s) 1
Municipal Address 63 Golden Iris Crescent Waterdown			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

Other: a charge

- addition to a lot
- an easement

- 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:

Lexis Ross and Sarah Anne Marie Goulet

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)
7.77m	33.50m--irregular	376 m²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: single family home attached at garage

Proposed: no change

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)
7.006	34.206m ---irregular	594 m²

Existing Use of Property to be retained:

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

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?
 There has been no change since development was approved by the City of Hamilton for construction of the home in 2008
- 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

All approvals were obtained when lot created and home constructed in 2008 and there has been no change

- 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)
 Lot is established and home constructed with approvals and no change is requested
- 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)
 Lot is established and home constructed with approvals and no change is requested
- 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)

Lot is established and home constructed with approvals and no change is requested

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 August 14, 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 | | |
| <input type="checkbox"/> Rural Settlement Area Severance or Lot Addition | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from an Abutting Farm Consolidation | | (Complete Section 10.4) |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation | | (Complete Section 10.5) |

10.3 **Description of Lands**

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

Frontage (m): (from Section 4.1)	Area (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.

The purpose of the application is for consent to allow the property to be transferred to the persons identified in 3.2 The current owner purchased the subject property on August 14th 2008 and purchased adjoining property, being Part 6 on Reference Plan 62R-18150 on August 15th.2008.The transfers were valid and consent was not then required due to Part Lot Control Exemption By Law No. 08-073. Consent is now required because By Law No 08-073 expired on April 9th 2010. There has been no change to the properties since they were purchased.

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

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

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

13 ACKNOWLEDGEMENT CLAUSE

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

Date

Signature of Owner



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-21:246

APPLICANTS: Agent Brent Wybenga
 Owner J. & L. Anderson

SUBJECT PROPERTY: Municipal address **19 Sherwood Rise, Dundas**

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

ZONING: "R2" (Single Detached Residential) district

PROPOSAL: To permit the construction of a new 58.0m² one storey addition in the front yard of the existing single detached dwelling notwithstanding that:

1. A front yard setback of 1.8m shall be provided instead of the minimum required front yard setback of 6.0m
2. No front yard landscaping shall be provided whereas the by-law requires a minimum 50.0% front yard landscaped area.
3. A flankage side yard setback of 2.5m shall be provided instead of the minimum required flankage side yard setback of 6.0m.

NOTES:

This is a corner lot. For zoning purposes, the lot line along Sherwood Rise is considered the front lot line and the other lot lines abutting a street are considered flankage side lot line(s).

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

DATE: Thursday, August 12th, 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.

DN/A-21: 246

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

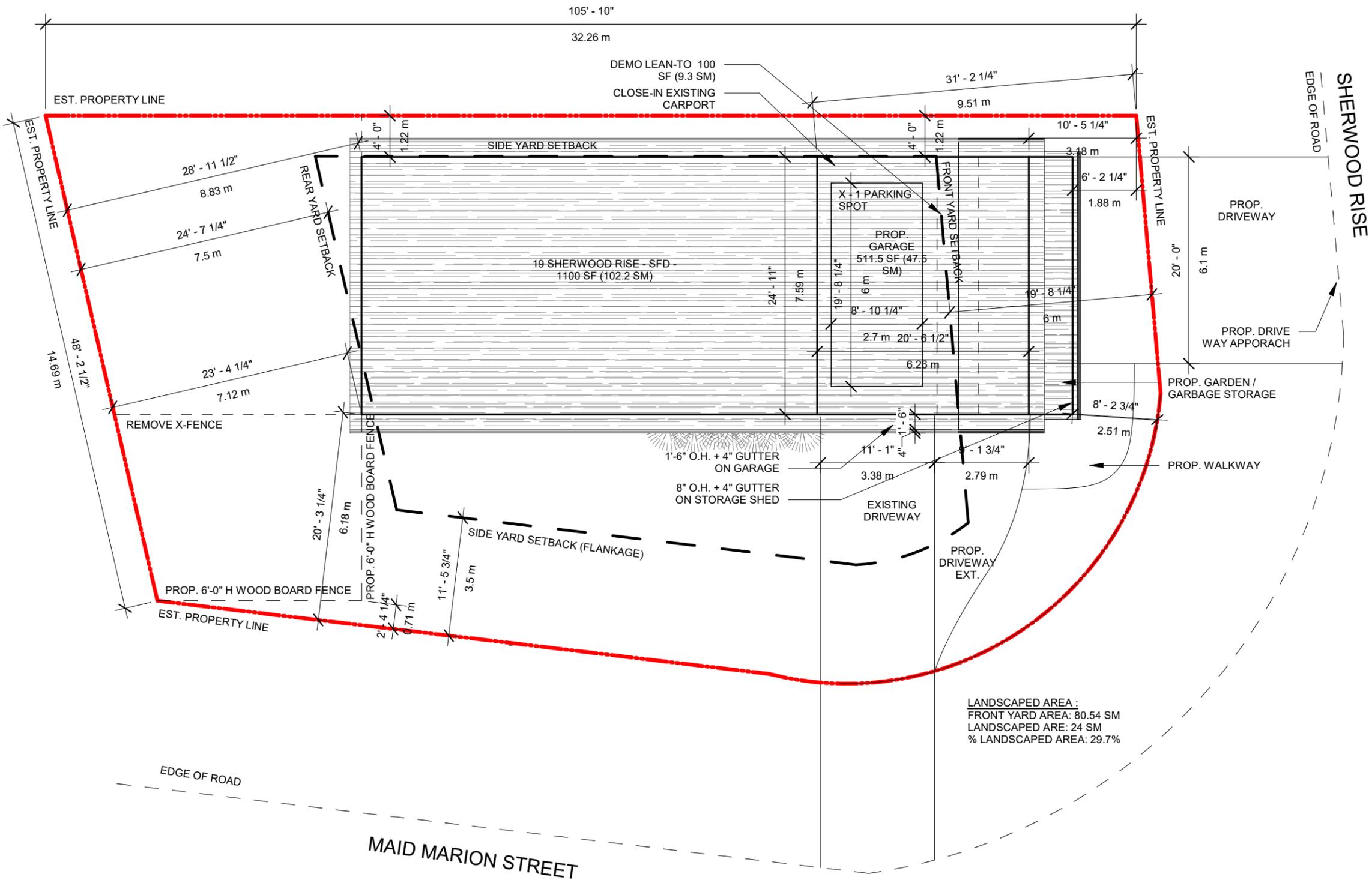
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



1 SITE PLAN
3/32" = 1'-0"

19 SHERWOOD RISE, DUNDAS
PROP. GARAGE
JOHN & LISA ANDERSON

SITE PLAN		SP1.01
Project number	21005	
Date	21/02/10	
Drawn by	B.M.W.	
Checked by	B.M.W.	Scale 3/32" = 1'-0"

DESIGN LOADS

1. GROUND SNOW (S_s) / RAIN (S_r): 1.1 / 0.4 kPa
2. MAXIMUM ROOF SNOW (S): 1.28 kPa
3. ROOF DEAD LOAD (D): 1.0 kPa
4. WIND (q₅₀): 0.46 kPa
5. FLOOR (1ST/2ND) DEAD LOAD (D): 1.0 kPa
6. FLOOR (1ST 2ND) LIVE LOAD (L): 1.9 kPa

GENERAL NOTES

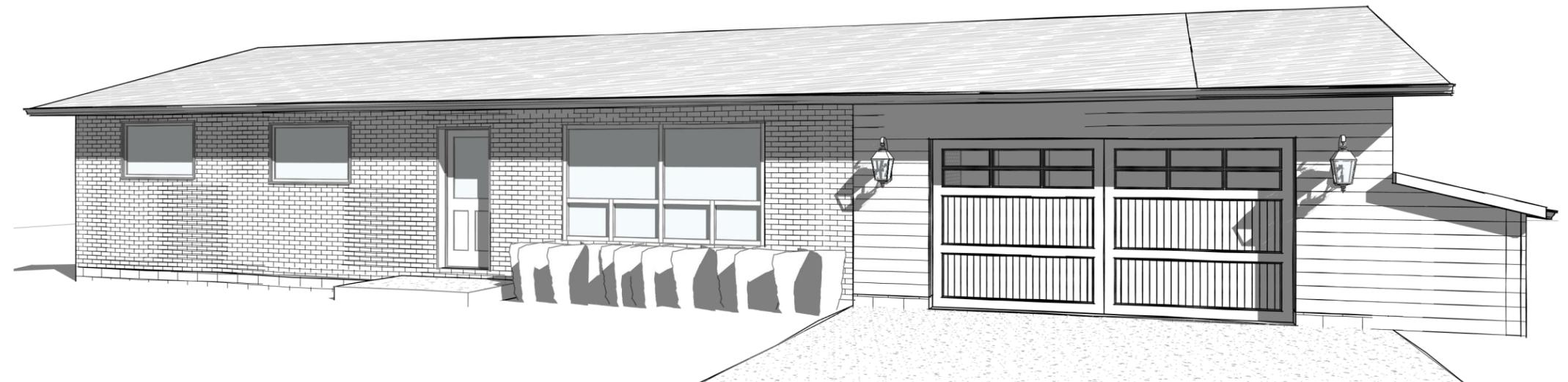
1. UNDER NO CIRCUMSTANCES ARE THESE DRAWINGS TO BE SCALED.
2. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE (OBC) INCLUDING ALL THE LATEST STANDARDS REFERENCED WITHIN.
3. ALL DRAWINGS ARE THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT.
4. CONTRACTOR/STEEL FABRICATOR IS REQUIRED TO FIELD MEASURE THE STRUCTURE PRIOR TO FABRICATION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER.
5. CONTRACTOR TO CHECK AND VERIFY ALL STRUCTURAL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.

LUMBER NOTES

1. ALL SAWN LUMBER TO BE S.P.F. No. 2 GRADE or BETTER AND CONFORM TO CSA-0141.
2. ALL LUMBER EXPOSED TO THE EXTERIOR IS TO BE PRESSURE TREATED U.O.N.
3. TRUSS DESIGN TO BE IN ACCORDANCE WITH PART 4 OF THE O.B.C. PROVIDE HOLD DOWN CLIPS AT ALL TRUSSES, WHICH ARE TO BE DESIGNED BY THE ROOF TRUSS ENGINEERS.
4. ROOF SHEATHING TO BE 12 mm (1/2") PLYWOOD (MINIMUM) T&G, NAILED W/ 10D NAILS AT 6" C/C ALONG EDGES.
5. PROVIDE APPROVED BLOCKING OR BRIDGING AT 2000 mm (7'-0") O/C MAX. FOR FLOOR JOISTS.
6. ALL LUMBER BEAMS ARE TO BE SUPPORTED ON LUMBER POSTS (U.N.O) WITH EQUAL NUMBER OF LAMINATIONS.
7. WOOD IS NOT TO BEAR DIRECTLY ON CONCRETE/MASONRY, PROVIDE PRESSURE TREATED, POLY, OR SILL GASKET BETWEEN CONCRETE/MASONRY AND WOOD SILL PLATE.
8. ALL JOISTS SHOULD HAVE A MINIMUM OF 40 mm (1 1/2") OF BEARING U.O.N. BY MANUFACTURER.
9. ALL LUMBER BEAMS SHOULD HAVE A MINIMUM OF 75 mm (3") BEARING.

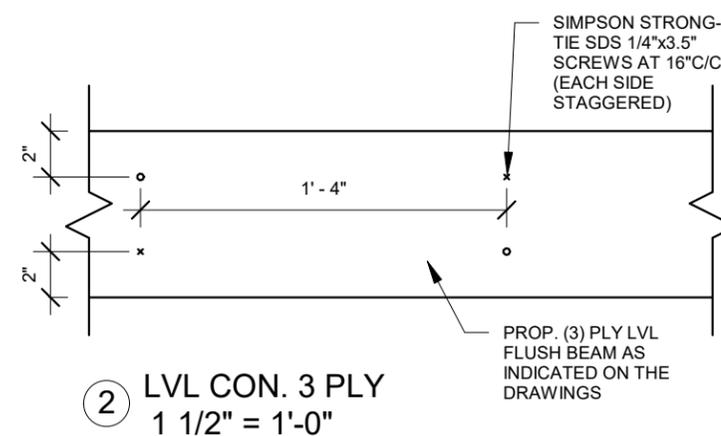
FOUNDATION NOTES

1. ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL HAVING A SAFE BEARING CAPACITY OF 1577 P.S.F.
2. PROVIDE 4'-0" MINIMUM OF FROST COVER FOR ALL EXTERIOR FOOTINGS.
3. ALL REINFORCING STEEL TO BE 400W AND SHALL CONFORM TO CSA-G30.18-M92.
4. ALL PIERS TO BE POURED INTEGRALLY WITH FOUNDATION WALLS.
5. PROVIDE 8" DEEP DOOR BUCKS AT ALL EXTERIOR DOOR LOCATIONS.
6. CONTRACTOR TO NOTIFY ENGINEER PRIOR TO THE PLACEMENT OF CONCRETE FOR:
 - A. VERIFICATION OF SOIL BEARING CAPACITY
 - B. INSPECTION OF REINFORCING



STRUCTURAL SCHEDULE

	<u>WOOD LINTELS:</u>
L1	2 PLY - 2X8
	<u>BEAMS:</u>
B1	3-PLY 2.0E LVL 1 3/4" x 14" (FLUSH W/ HANGERS WHERE INDICATED),
B2	PROVIDE 2 ROWS OF SDS SCREWS - SEE DETAIL
	6X6 P.T. WOOD BEAM
	<u>LEDGER BOARD / JOISTS / RAFTERS:</u>
R1	STICK FRAME TO MATCH EXISTING - 2X8 c/w 2X6 COLLAR TIES / 2X6 CL.
R2	JOISTS WHERE REQ'D @ 16" O/C c/w 1/2" SPF PLYWOOD W/ H CLIPS
	2X6 RAFTERS @ 16" O/C c/w 1/2" SPF PLYWOOD W/ H CLIPS
	<u>WOOD BUILT UP POSTS / COLUMNS:</u>
P2	2 PLY - 2"X6"
P3	3 PLY - 2"X6"
P4	4 PLY - 2"X6"
COL. 1	6X6 P.T. WOOD POST c/w GALV. POST CAP AND POST BASE
	<u>FOUNDATION WALLS:</u>
TYP.	8" CONC. OR BLOCK FDN. WALL
	<u>STRIP FOOTINGS:</u>
EXT.	18" x 6" THK. r/w (2) CONT. 15M BARS - U.N.O
	<u>PAD & PIER FOOTINGS:</u>
FTG.1	10" DIA. CONC. PIER (4'-0" MIN. FROST PROTECTION)



19 SHERWOOD RISE, DUNDAS

PROP. GARAGE

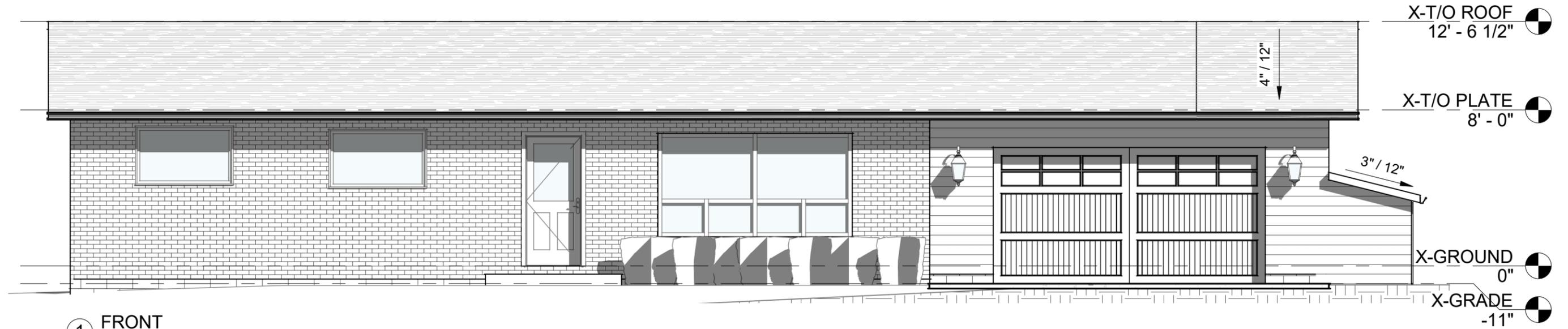
JOHN & LISA ANDERSON

NOTES

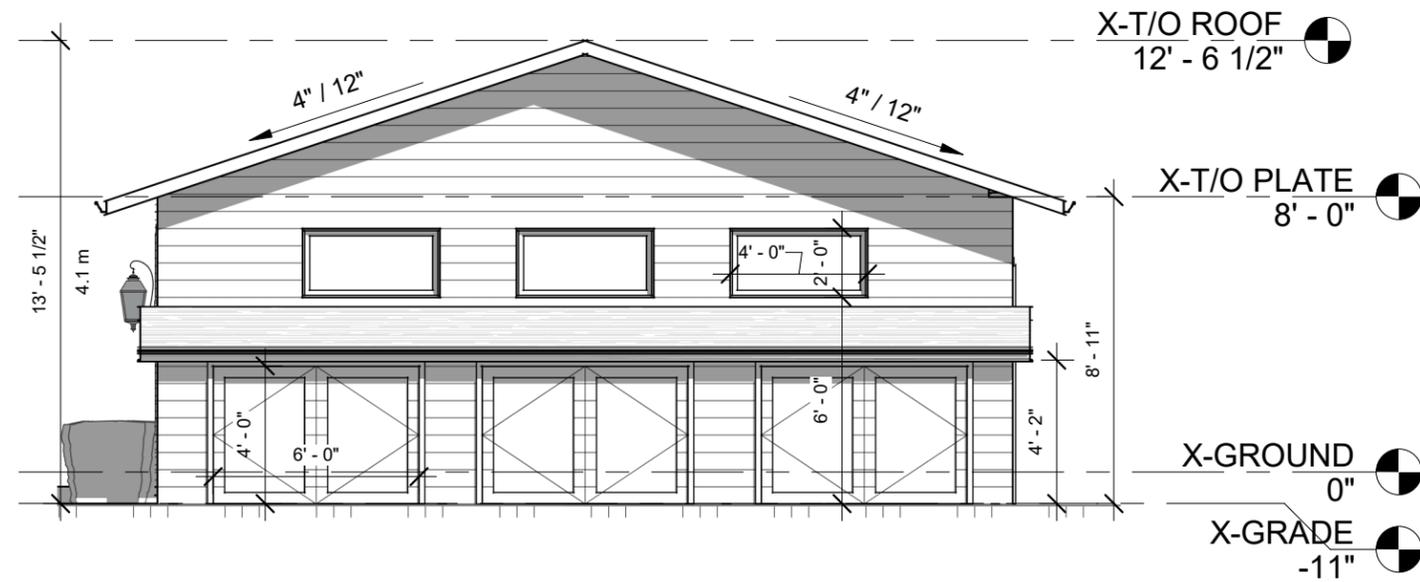
Project number	21005
Date	21/02/10
Drawn by	B.M.W.
Checked by	B.M.W.

A0.01

Scale 1 1/2" = 1'-0"



① FRONT
3/16" = 1'-0"



② SIDE (SHERWOOD)
3/16" = 1'-0"

19 SHERWOOD RISE, DUNDAS

PROP. GARAGE

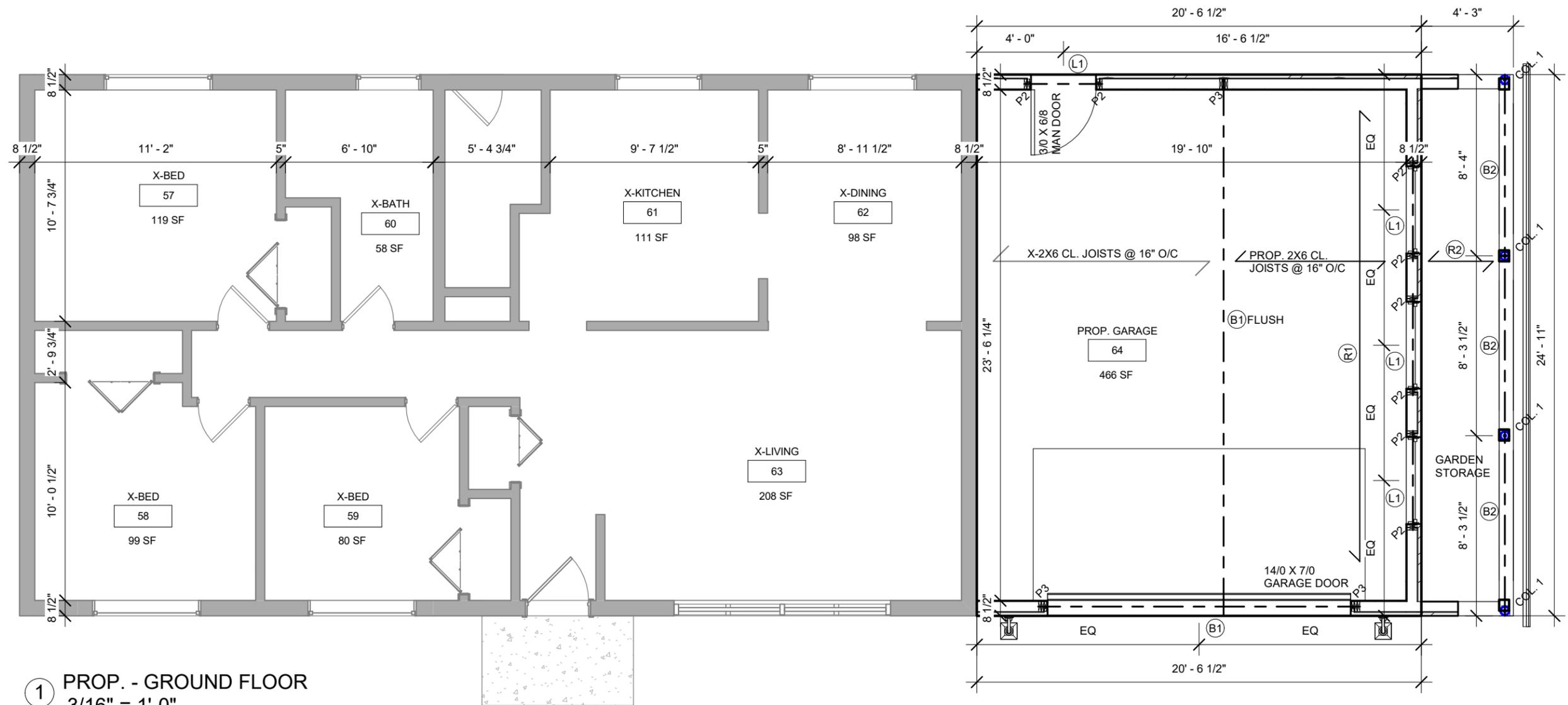
JOHN & LISA ANDERSON

ELEVATIONS

Project number	21005
Date	21/02/10
Drawn by	B.M.W.
Checked by	B.M.W.

A2.01

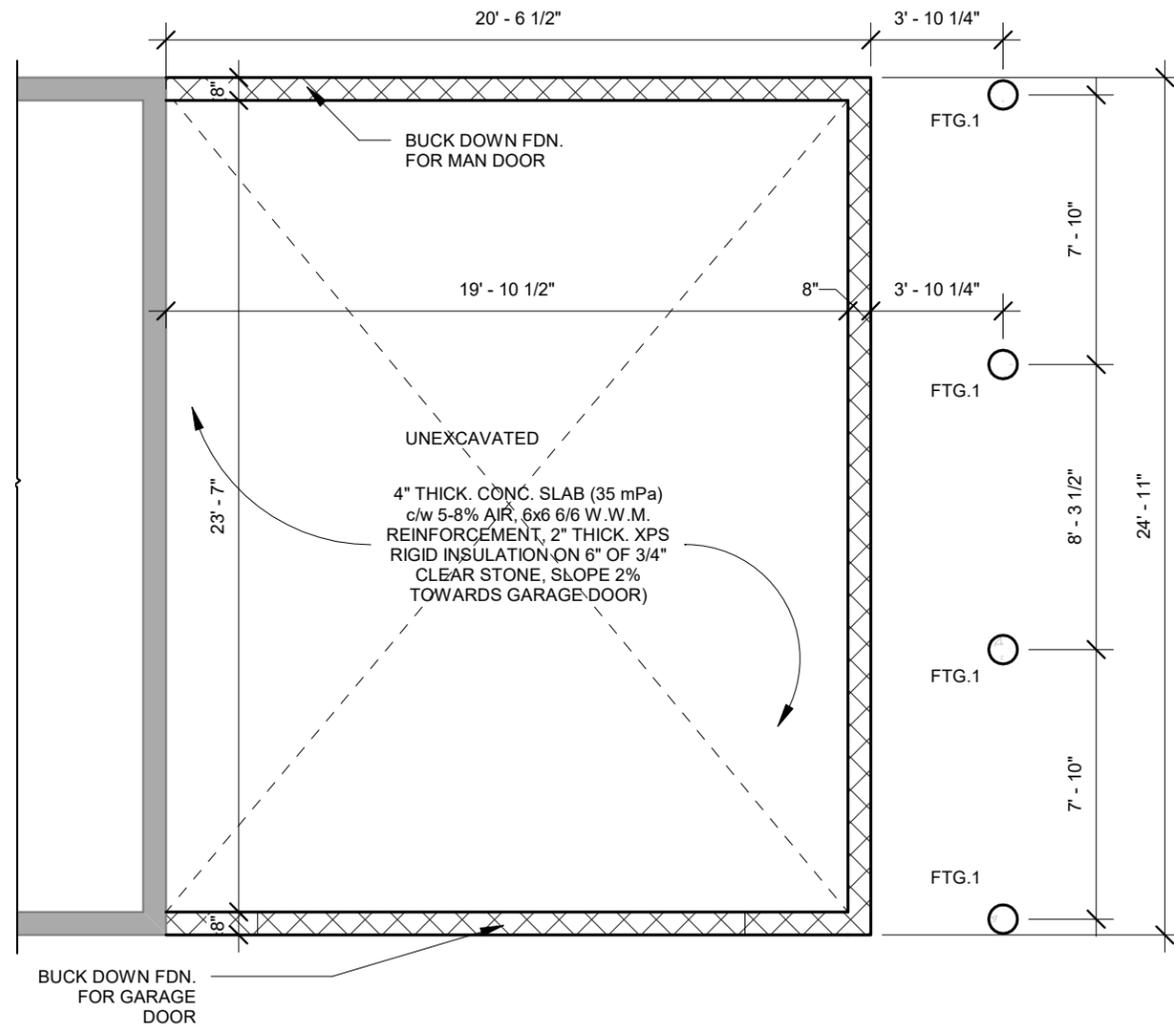
Scale 3/16" = 1'-0"



1 PROP. - GROUND FLOOR
3/16" = 1'-0"

19 SHERWOOD RISE, DUNDAS
PROP. GARAGE
JOHN & LISA ANDERSON

PROP. GROUND FLOOR		A1.01
Project number	21005	
Date	21/02/10	
Drawn by	B.M.W.	
Checked by	B.M.W.	Scale 3/16" = 1'-0"



① T/O FTG
3/16" = 1'-0"

19 SHERWOOD RISE, DUNDAS

PROP. GARAGE

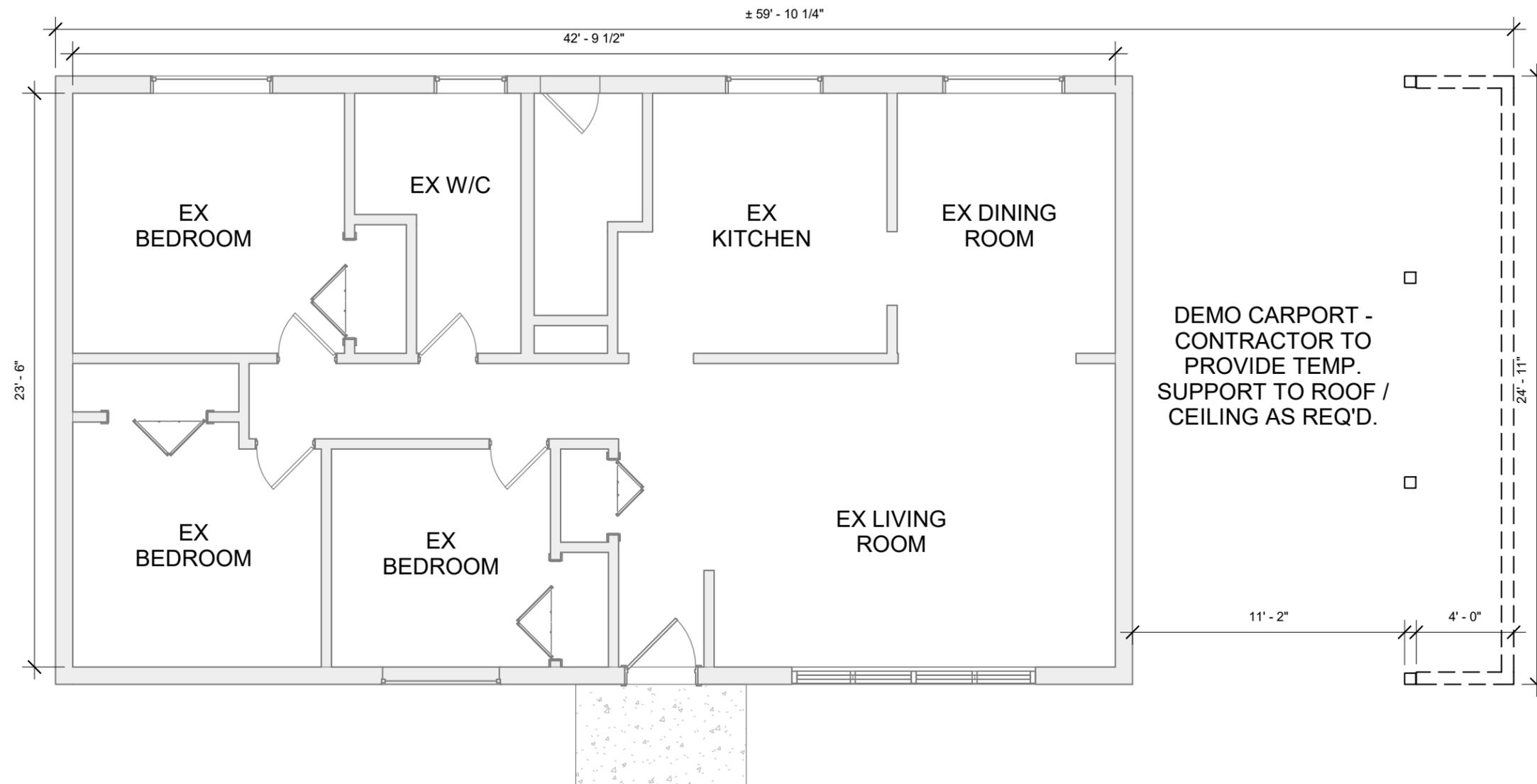
JOHN & LISA ANDERSON

FOUNDATION PLAN

Project number 21005
 Date 21/02/10
 Drawn by B.M.W.
 Checked by B.M.W.

A1.02

Scale 3/16" = 1'-0"



① EX - GROUND FLOOR
3/16" = 1'-0"

19 SHERWOOD RISE, DUNDAS

PROP. GARAGE

JOHN & LISA ANDERSON

DEMO PLAN

Project number 21005

Date 21/02/10

Drawn by B.M.W.

Checked by B.M.W.

A1.03

Scale 3/16" = 1'-0"



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS
Registered Owners(s)	JOHN & LISA ANDERSON	
Applicant(s)*	PARK EIGHT C/O BRENT WYBENGA	
Agent or Solicitor	PARK EIGHT C/O BRENT WYBENGA	

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

- PROPOSED GARAGE (FILL IN CARPORT) & CONNECTED STORAGE
- ENCROACHMENT OF FRONT YARD SETBACK
- UNDER 50% LANDSCAPED AREA (FRONT YARD)

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

EXISTING CORNER LOT, UNDERSIZED

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

19 SHERWOOD RISE, DUNDAS, ON., L9H 4E7

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 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
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 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
- 8.9 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

8.10 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

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

EXISTING RESIDENTIAL SFD FOR 60+ YEARS

8.12 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

9. ACKNOWLEDGEMENT CLAUSE

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

MAY 6 2021
Date

[Redacted Signature]
Signature Property Owner

JOHN ANDERSON
Print Name of Owner

10. Dimensions of lands affected:

Frontage 42.3m (MAIN MARION & HERWOOD AVE)
 Depth 32.26m
 Area 474.7m²
 Width of street 9.42m

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

Existing: GROUND FLOOR AREA: 138.56m² LENGTH: 18.25m
GROSS FLOOR AREA: 138.56m² HEIGHT: 4.1m
OF STORIES: 1
WIDTH: 7.59m

INCLUDING CARPORT

Proposed GROUND FLOOR AREA: 159.72m² LENGTH: 21.03m
GROSS FLOOR AREA: 159.72m² HEIGHT: 4.1m
OF STORIES: 1
WIDTH: 7.59m

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

Existing: REAR: 7.12m FRONT: 6.0m
SIDE: 1.22m
SIDE (MAIN MARION): 6.18m

Proposed: REAR: 7.12m FRONT: 1.88m (STORAGE SHED)
SIDE: 1.22m 3.18m (GARAGE)
SIDE (MAIN MARION): 6.18m

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
60+ YEARS
15. Existing uses of the subject property:
RESIDENTIAL - SFD
16. Existing uses of abutting properties:
RESIDENTIAL - SFD
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 | <u>X</u> | Connected | <u>X</u> |
| Sanitary Sewer | <u>X</u> | Connected | <u>X</u> |
| Storm Sewers | <u>I</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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. Additional Information
24. 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.



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-21:62

SUBJECT PROPERTY: 408 Upper Horning 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): Agent A.J. Clarke & Associates
 Owners M. Ali & O. Paracha

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

Severed lands:
 15.24m[±] x 68.15m[±] and an area of 1,014m^{2±}

Retained lands:
 15.24m[±] x 74.45m[±] and an area of 1,063m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 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-21:62
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: July 27th, 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.



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

June 18, 2021

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

Delivered via e-mail

Attn: Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

**Re: Severance Application Submission
408 Upper Horning Road, City of Hamilton**

Dear Madam,

On behalf of our clients, we are pleased to provide you with the enclosed submission in support of an application for consent to sever for the subject lands. Please find the following enclosed materials:

1. A cheque in the amount of \$2,860.00 made payable to the City of Hamilton, in payment of the requisite application fees;
2. One (1) Electronic copy of signed and executed Severance Application form.
3. One (1) Electronic copy of a Severance Sketch, Prepared by F.S Surveying Inc, dated June 4, 2021.

The proposed development consists of a severance application to sever one parcel of land from the existing lot at 408 Upper Horning Road, in the City of Hamilton. The proposed severed and retained parcels are identified as Parts 1 & 2, respectively on the enclosed severance sketch. Currently, there exists a single-detached dwelling and accessory building on the subject lands which are intended to be demolished in favour of the proposed redevelopment. The resultant lots are as follows:

Proposed Lot	Frontage	Area
Part 1	15.24m	1,014m ²
Part 2	15.24m	1,063m ²

A concurrent minor variance application will be submitted upon approval of the severance application. It is anticipated that as a condition of approval, a Minor Variance Application will need to be submitted and approved in order to finalize the severance.



Urban Hamilton Official Plan (UHOP)

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan. The “Neighbourhoods” designation permits single-detached dwellings. Further, the “Neighbourhoods” designation encourages intensification that is compatible with the existing neighbourhood-built form and a lot fabric that is compatible with the existing lot fabric found in the existing neighbourhood.

Further, this neighbourhood is classified as a low-density neighbourhood. Low-density neighbourhoods permit single-detached dwellings having maximum density of 60 units per hectare. Accordingly, the proposal would achieve a density of approximately 10 units per hectare, as such the proposal would conform to the UHOP.

Chapter F of the UHOP outlines the applicable policies for residential intensification within the Neighbourhoods designation.

F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the “Neighbourhoods” designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- 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.*

Accordingly, the proposed lots have frontage onto a public road, are serviced and comply with the intent of the policies within the UHOP, including managing appropriate intensification within the “Neighbourhoods” designation.

The proposed lots are consistent with the general lot fabric of the neighbourhood and can facilitate the construction of single-detached dwellings which are compatible with the neighbourhood. Upon approval of the subject applications, single-detached dwellings will be erected upon each lot.

Based on the foregoing, the severance conforms to the Urban Hamilton Official Plan, including the policies which speak to facilitating a compatible form of intensification within the neighborhoods. The proposal has sufficient regard to the matters listed under Section 51 (24) of the *Planning Act*.

City of Hamilton Zoning By-law No. 05-200

The property is zoned “B - Suburban Residential” in Hamilton Zoning By-law 6593. The current zone permits single-detached dwellings. The proposed lots will require the following variances to facilitate the severance application:



1. To permit the proposed lots (Parts 1 and 2) to have a minimum lot size of 1,014m² and 1,062m² respectively, whereas the By-law requires a minimum lot size of 1,100m².
2. To permit a minimum lot frontage of 15.24m whereas a minimum lot frontage of 20m is required.

In our opinion, the variances are appropriate and meet the four requisite tests as per the Section 45(1) of the *Planning Act*. Additional justification will be submitted along with detailed drawings of the proposed lots in order to finalize this severance application.

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter.

We look forward to being scheduled to the next available Committee date. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, BURPI, CPT

A. J. Clarke and Associates Ltd.

Encl.

Copy: Mr. Paracha / Mrs. Ali (via email)



Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
Email: cofa@hamilton.ca

**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
Registered Owners(s)	Mr. Omar Paracha and Mrs. Maliha Ali	
Applicant(s)*	A.J Clarke & Associates Ltd. c/o Ryan Ferrari	
Agent or Solicitor	same as above	

* Owner's authentication 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 Pt. Lot 54	Concession 2	Former Township Ancaster
Registered Plan N°. 989	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 408 Upper Horning Road	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

Other: a charge

- addition to a lot
 an easement
- a lease
 a correction of title

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

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

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

N/A

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24	68.15	1,014m 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: Single Detached Dwelling and Accessory Building To be demolished

Proposed: Single Detached Dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24	74.45m	1,063

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Single Detached Dwelling and Accessory Building To be demolished

Proposed: Single Detached Dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

See cover letter.

5.2 What is the existing zoning of the subject land? "B" Suburban Agriculture and Residential etc. 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 information
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes No

See attached cover letter.

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

See attached cover letter.

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

See attached 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

See attached 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)

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 2020

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

9 OTHER APPLICATIONS

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

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

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

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

File number To be assigned. Status To be submitted.

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
 Rural Settlement Area Severance or Lot Addition } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 **Description of Lands**

a) Lands to be Severed:

Frontage (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.

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.

June 9, 2021

Date

Signature of Owner



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: GL/B-21:58

SUBJECT PROPERTY: 4363 Harrison Rd., Glanbrook

You are receiving this notice because you are either:

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

APPLICANT(S): Agent GSP Group
 Owner Wesley Lemstra

PURPOSE OF APPLICATION: To permit the creation of a new non-farm parcel of land for residential purposes.

Severed lands:
 61.7m[±] x 65.2m[±] and an area of 6,136.4m^{2±}

Retained lands:
 varies x varies and an area of 23 ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th, 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

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/B-21:58
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: July 27th, 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

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

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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
Registered Owners(s)	Wesley Lemstra	
Applicant(s)*	Eric and Alexa Wildschut	
Agent or Solicitor	GSP Group Inc. c/o Joseph M. Liberatore	

* 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 Binbrook	Lot 21	Concession 7	Former Township Binbrook
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 4363-4339 Harrison Road			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:

Part 2, Plan 62R-21393 in favour of Hydro One Networks

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 lotOther: a charge

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ZPW

- addition to a lot
- an easement
- 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: Alexa Wildschut

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)
61.7m	65.2m	6,136.4m 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: Single detached dwelling, septic bed

Proposed: as existing

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)
		23.6ha

Existing Use of Property to be retained:

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

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Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: _____

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): Agriculture

Urban Hamilton Official Plan designation (if applicable): _____

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

Refer to Planning Justification Report.

5.2 What is the existing zoning of the subject land? Agricultural (A1) and Conservation/Hazard Land (P7), By-law 05-200

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? No

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 checked="" type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input checked="" type="checkbox"/>	

iu
spw

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes No

Refer to Planning Justification Report.

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

Yes No (Provide explanation)

Refer to Planning Justification Report.

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

Yes No (Provide explanation)

Refer to Planning Justification Report.

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

Yes No

Refer to Planning Justification Report.

- 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)

Refer to Planning Justification Report.

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)

- 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
 Rural Settlement Area Severance or Lot Addition } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (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: _____

M
PPW

b) Lands to be Retained:

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

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

4339 Harrison Road Hamilton LOR 1C0
 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m): ±258m	Area (m ² or ha): ±18.94ha
------------------------	--

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

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

Frontage (m): ±237.1m	Area (m ² or ha): ±23.6ha
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Existing Land Use: Agricultural Proposed Land Use: Agricultural

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

Frontage (m): (from Section 4.1) ±61.7m	Area (m ² or ha): (from Section 4.1) 6,136.4m ²
--	--

Front yard set back: ±27.3,

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) ±61.7m	Area (m ² or ha): (from Section 4.2) ±6,136.4m ²
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Existing Land Use: Rural Residential Proposed Land Use: Rural Residential

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):
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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 (m ² 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 (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.

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

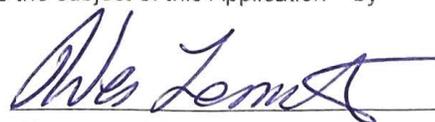
12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (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.

6/13/2021
Date


Signature of Owner

Handwritten initials



June 15, 2021

File No: 20160

Jamila Sheffield
 Secretary-Treasurer
 City of Hamilton
 Committee of Adjustment
 71 Main Street West, 5th Floor
 Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**Re: 4363-4339 Harrison Road, RR#2, Binbrook, Hamilton
 Consent Application for Surplus Dwelling from Farm Consolidation**

GSP Group is the planning representative of the property owner of the property municipally addressed as 4363 Harrison Road. 4363 Harrison Road is intended to merge on title with 4339 Harrison Road resulting in a farm consolidation (see **Figure 1** the pre-farm consolidation lot configuration and **Figure 2** for the requested severance, post-farm consolidation). The farm consolidation has resulted in a surplus dwelling located on the property and the requested severance seeks to sever the dwelling from the remaining agricultural land.

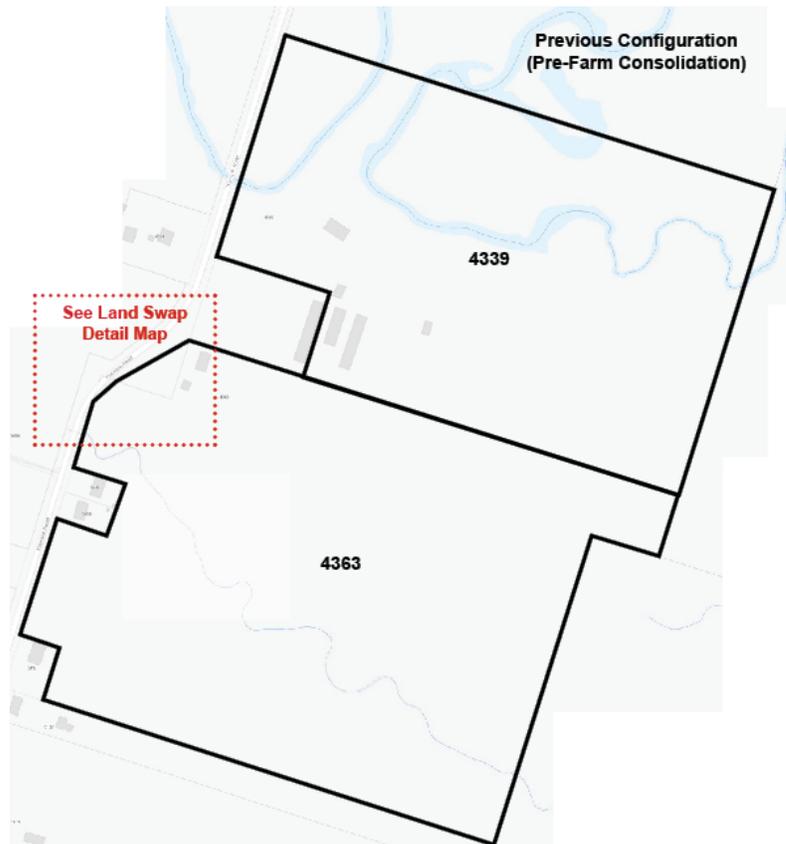


Figure 1: Pre-Farm Consolidation Lot Configuration.

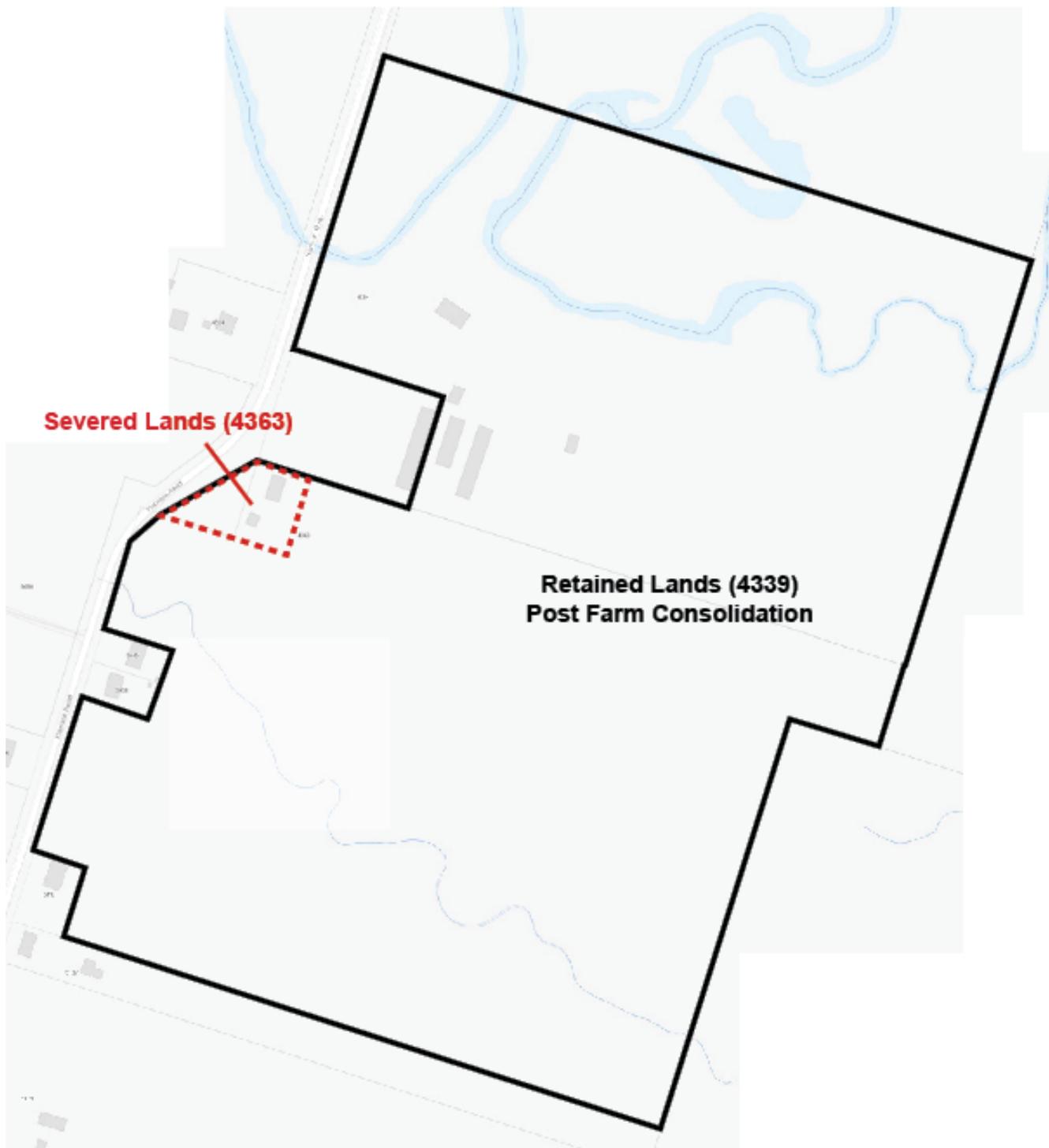


Figure 2: Requested Severance

Land Swap with City - 2019/2020

In 2019/2020 the following transfer of ownership (**Figure 3**) occurred between the owner, the City and Hydro One:

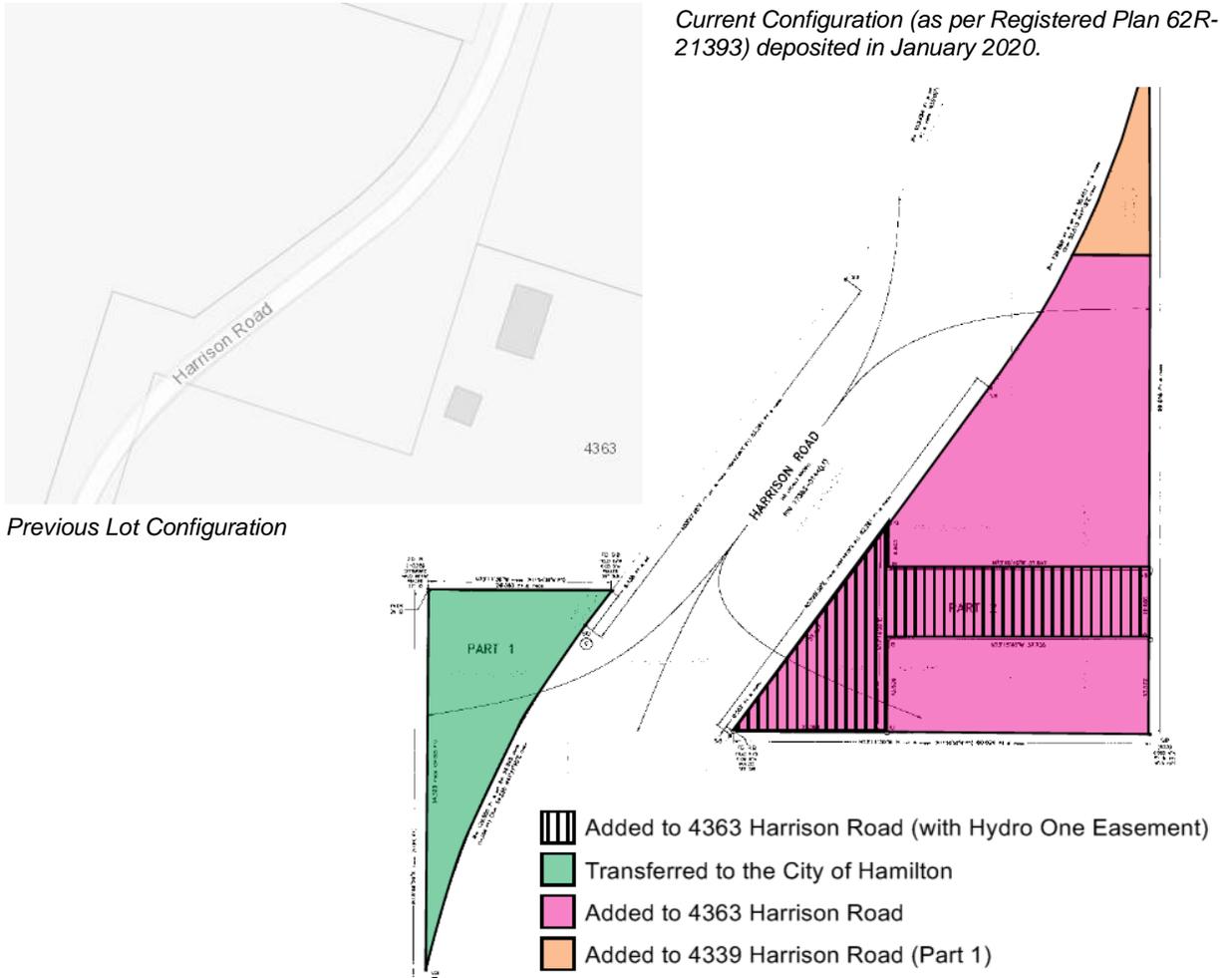


Figure 3: 2019/2020 Land Swap between Owner and City of Hamilton

The above transfer of ownership and adjustment of lot lines are reflected in the provided severance sketches and diagrams.

1.0 Site Overview

4339 and 4363 Harrison Road (hereinafter referred to as the “Site”) is located on the east side of Harrison Road, situated approximately halfway between Kirk Road and Hall Road and has an area of approximately 42.95 ha. The Site currently has approximately 591 m of combined frontage on Harrison Road.

There is currently one (1) existing dwelling on the lands to be severed (formerly 4363 Harrison Road). The dwelling underwent a renovation in 2014. There is an existing dwelling and several agricultural related structures on 4339 Harrison Road. The existing dwelling and accessory structures will remain on the retained agricultural lot. See below **Figure 4**.

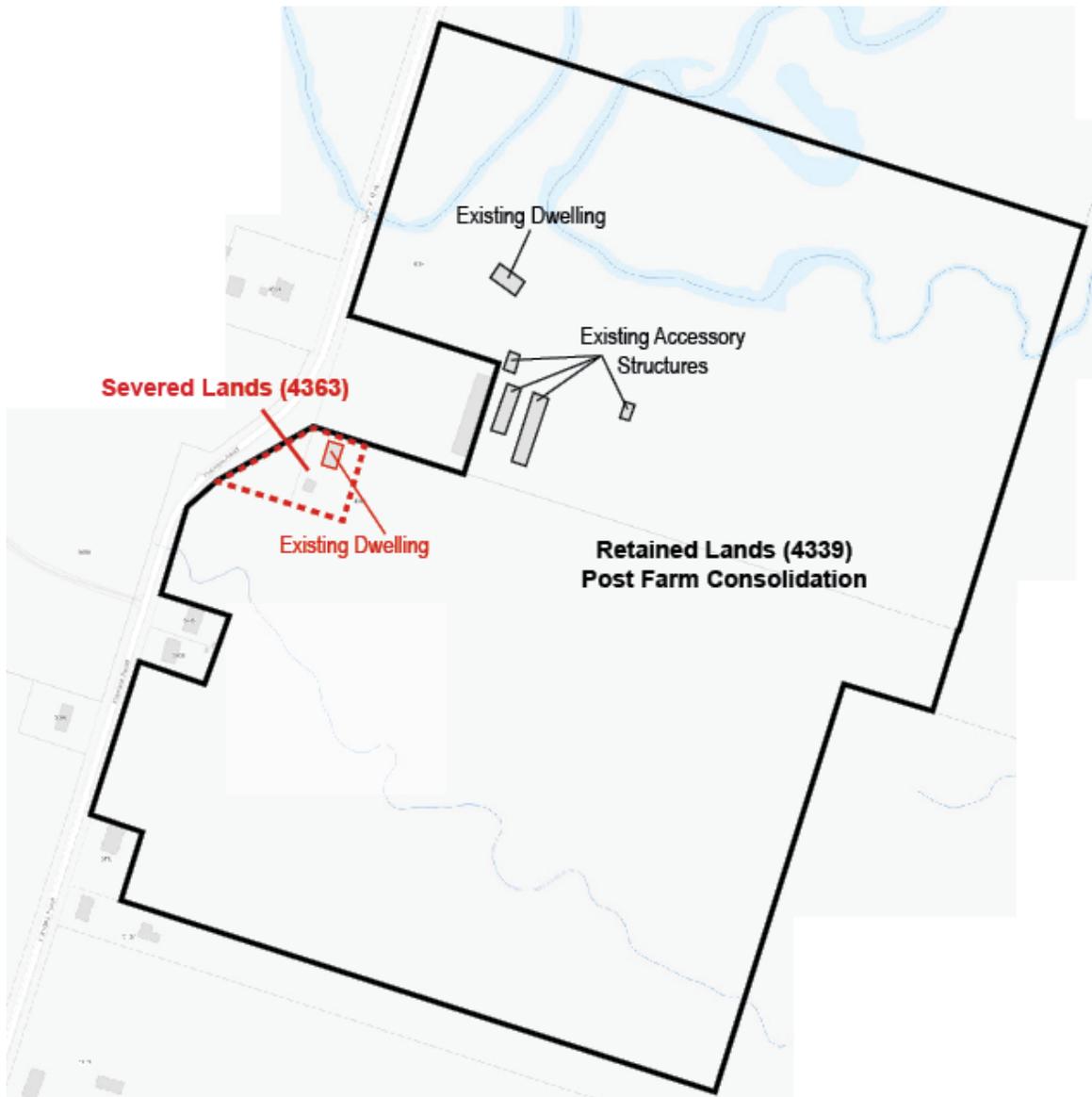


Figure 4: Existing Structures on Severed and Retained Lands

2.0 Requested Severance

The purpose of the requested severance is to sever the portion of the Site that contains a surplus residential dwelling on 4363 Harrison Road that is surplus as a result of a farm consolidation that is intended to occur as a condition of approval of the consent application.

The lands proposed to be severed (the surplus residential dwelling) have an approximate area of 6,136 sq m and the lands to be retained (the agricultural land) have an approximate area of 23.6 ha and will increase to 42.34 ha following the farm consolidation.

3.0 Planning Analysis

Greenbelt Plan, 2017

The subject lands are located within the Protected Countryside of the Greenbelt Area. The northern portion of the retained lands is located within the Greenbelt Natural Heritage System but the severed portion is located outside of the Natural Heritage System. As defined in the Greenbelt, the Site is within a prime agricultural area.

The severance of a residence surplus to a farming operation, as per Policy 4.6.1.f), as a result of a farm consolidation on which a habitable residence was an existing use, is permitted, albeit discouraged (as per Policy 4.6.1) provided that:

- i. *The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and*
- ii. *The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered.*



In terms of criteria i. above, the severed lot is proposed with an area of 0.614 ha which encompasses the septic area located east of the dwelling, the hydro poles/Hydro One Easement, the water well, and several mature trees located to the south and west of the

existing dwelling. The proposed severance is limited to the minimum size needed to accommodate the on-site sewage and water services while also including the portion of land that, until very recently, was part of the municipal right-of-way while also facilitating a lot configuration that is regular in shape and compatible with other residential lots along Harrison Road. The portion of the proposed severed land that was formerly within the municipal right-of-way is not suitable for agricultural purposes due to the presence of the hydro poles and mature trees.

Regarding criteria ii. above, the retained lands already contains a residential dwelling. No more than one (1) residential dwelling is permitted on the lands as per the Zoning By-law. The merging on title of abutting farm parcels satisfies this condition as it will maintain the intent of the policy by not permitting the construction of an additional dwelling on the retained parcel (farmland).

Based on the above, the proposed severance of the surplus residence to a farm consolidation is appropriate and satisfies the applicable policies of the Greenbelt Plan, 2017.

Rural Hamilton Official Plan (RHOP)

The subject lands are designated “Agriculture” on “Schedule D - Rural Land Use Designations”. The proposed severed lands do not contain any natural heritage features as identified on Schedule B - Natural Heritage System” of the RHOP. The northern portion of 4339 Harrison Road is located within the “Core Areas” identified on “Schedule B - Natural Heritage System” however, the proposed severance line is more than 100 m away from any of the environmental features and no changes are proposed to the structures/dwellings on either the proposed severed or retained lots.

Policy F.1.14.2.8 contains a number of conditions that must be met in order to permit the severance of an existing farm dwelling that is a residence surplus to a farming operation as a result of a farm consolidation. Below is a list of the conditions along with an analysis as to how each policy has been satisfied:

Policy		Analysis
F.1.14.2.8.a) i)	The farm consolidation shall have been completed prior to the time of application	Similarly to recent farm consolidation and surplus dwelling severance at 905 Centre Road in Flamborough (File FL/B-20:71), consolidation will occur prior to final approval of the Consent.

Policy		Analysis
F.1.14.2.8.a) ii)	The farm dwelling shall be determined to be surplus to the farm operation for no reason other than the farm dwelling is surplus to the needs of the farm consolidation. Farm dwellings that have been determined to be surplus to a farm operation prior to December 16, 2004 and prior to the acquisition of the additional farm parcel(s), or as a result of changing agricultural operations, are deemed not to be surplus farm dwellings for the purposes of Section F.1.14.2.8.	The residential dwelling on the severed lands has been determined to be surplus to the farm operation on the retained lands, deemed to be surplus due to the recent desire to consolidate agricultural operations.
F.1.14.2.8.a) iii)	The proposed surplus farm dwelling: 1) shall have been built on or before December 16, 2004; and, 2) shall be habitable on the date of the application for the surplus farm dwelling severance and shall meet the City's standards for occupancy without requiring substantial demolition and new construction.	1) The surplus farm dwelling was constructed before December 16, 2004 and subsequently underwent a renovation in 2014. 2) The surplus farm dwelling is habitable on the date of the severance application and meets the City's standards for occupancy in its current state.
F.1.14.2.8.a) iv)	The surplus dwelling lot shall be a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Wastewater Services of this Plan. The maximum size of the surplus dwelling lot shall be the size required for servicing in accordance with Section C.5.1, with as little acreage as possible taken out of agricultural production;	The severed lot has a proposed area of 0.6 ha, meeting the minimum 0.4 ha requirement. The additional area is required to encompass the septic area, well, and hydro poles (subject to Hydro One Easement). Appendix A is a septic area locate analysis prepared by ESSA Canada to delineate the location of the existing septic and well systems on the Site, which are wholly contained on the severed parcel. In addition, no acreage will be taken out of agricultural production because

Policy		Analysis
		of the severance (see aerial imagery in Figure 5).
F.1.14.2.8.a) v)	A private water well and private sewage disposal system shall be provided in accordance with Section C.5.1, Private Water and Wastewater Services of this Plan	The residential dwelling on the severed lands is privately serviced (water well and septic system) in accordance with Section C.5.1.
F.1.14.2.8.a) vi)	The shape and dimensions of the surplus farm dwelling lot shall: <ol style="list-style-type: none"> 1. not impair agricultural operations on the retained land; and 2. generally not exceed a depth of 122 metres (400 feet); 	<ol style="list-style-type: none"> 1. The shape and dimensions of the surplus farm dwelling will not impair the agricultural operations on the retained lot; and 2. has varying depths of between 65 m (north lot line) and 114.5 m (south lot line)
F.1.14.2.8.a) vii)	The surplus dwelling lot shall not include barns or other farm buildings which are not suitable to be used as accessory structures to a residential use prescribed by the Zoning By-law, and no such buildings or structures shall be used for industrial or commercial purposes.	The severed lands only contain the residential dwelling and do not contain any agricultural structures. All agricultural-related structures are located on the retained lands.
F.1.14.2.8.a) viii)	Where a barn or other farm building exists within the immediate vicinity of the surplus residence, the City may require demolition of the barn.	There is a barn located on 4339 Harrison Road Part 1 and is located approximately 62.6 m north east of the proposed severance line and an additional ± 30 m from the surplus farm dwelling (a total distance of 92.6 m)
F.1.14.2.8.b) i)	The owner and operator of the farm maintains another existing dwelling on land that has been merged in title;	There is an existing dwelling on the proposed retained lands that will remain.
F.1.14.2.8.b) iii)	The area of the merged farm parcel after the surplus farm dwelling lot is severed shall generally be a minimum of 8.1 hectares (20 acres) in size for	The retained lands have an area of approximately 42.34 ha thereby satisfying this criteria.

Policy	Analysis	
	lands designated Specialty Crop on Schedule D - Rural Land Use Designations, or 16.2 hectares (40 acres) in size for lands designated Agriculture or Rural on Schedule D - Rural Land Use Designations; and	
F.1.14.2.8.b) iv)	The lot to be created for the surplus farm dwelling shall comply with the provisions of Section F.1.14.2.8 a) of this Plan	See the above analysis.



Figure 5: Aerial Imagery of Proposed Severed Lands

Based on the above, and subject to meeting the criterion in Policy F.1.14.2.8, a severance of the existing surplus dwelling resulting from a from consolidation conforms to the applicable policies of the Rural Hamilton Official Plan.

City of Hamilton Zoning By-law 05-200

The Site is currently split zoned Agricultural (A1) and Conservation/Hazard Land (P7). Single detached dwellings and a range of agricultural uses are permitted in the A1 zone.

The severed lot complies with the applicable zoning regulations as shown in the table below.

The severed and retained lots require the following for the single detached dwellings:

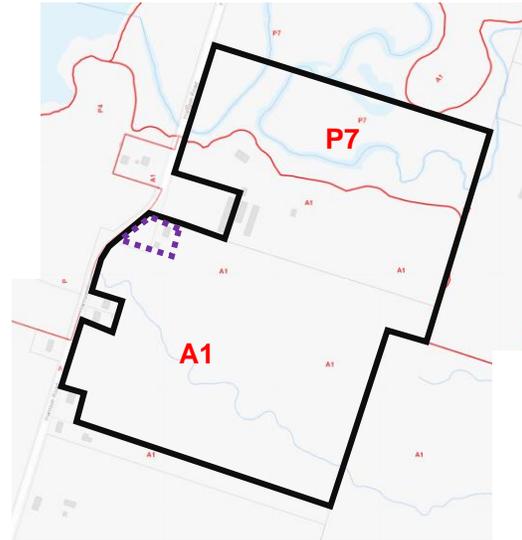


Figure 6: Zoning By-law 05-200 Map

Required/Permitted	Proposed Severed	Proposed Retained	Complies (✓ / X)
Minimum lot area of 0.4 ha	0.6 ha	N/A - See table below	✓
Minimum lot width of 30.0 m	±68.6 m	N/A - See table below	✓
Maximum building height of 10.5 m	Existing: 2 storeys (<10.5 m)	Existing: 1.5 storeys (<10.5 m)	Existing - ✓
Minimum front yard of 10.0 m	27.3 m	<100 m	✓
Minimum side yard of 3.0 m	8.6 m	>50 m	✓
Minimum rear yard of 10.0 m	28.8 m	>300 m	✓
Minimum 1 parking space per detached dwelling	2 spaces in attached garage	2+ spaces in attached garage	Existing - ✓
Setback for all structures from P7 zone	<200 m	±27 m	Existing - ✓

The following regulations apply to the agricultural-related structures on the proposed retained lot:

Required/Permitted	Proposed Severed	Proposed Retained	Complies (✓ / X)
Minimum lot area of 40.4 ha	N/A - See table above	42.34 ha	✓
Minimum front yard of 15.0 m (agricultural buildings)	N/A - See table above	±138 m	Existing - ✓
Minimum side yard of 15.0 m (agricultural buildings)	N/A - See table above	4.5 m and 11 m for accessory structures	Existing - X Does not comply but is existing condition to existing lot line*
Minimum rear yard of 15.0 m	N/A - See table above	>300 m	✓
Maximum Lot Coverage of 20%	N/A - See table above	Building areas of: 385m ² , 152m ² , 536m ² 753m ² , 130m ² for a total coverage of: 1,956 sq m out of 42.34 ha = 0.46% lot coverage	✓
No accessory buildings or structures shall be located within a front yard	N/A - See table above	Accessory structures not located in front yard located	Existing - ✓

**For severance applications, only setbacks to the severance line are required to comply. The non-compliant side yard setbacks are existing condition to an existing lot line and as such no variances would be required. This is based on recent discussions with City of Hamilton Zoning staff on other severance applications.*

Based on the above, both the retained and severed lands with the applicable regulations in Zoning By-law 05-200. The non-compliant side yard setback for the agricultural structures on the retained lot is an existing condition related to an existing lot line and therefore no variances are required.

4.0 Summary and Conclusions

Based on the analysis above, the requested consent to sever the existing residential dwelling that is surplus to a farm consolidation is appropriate for the following reasons:

- the requested severance satisfies the criteria for farm consolidation severances in the Greenbelt Plan, 2017;
- the requested severance conforms to the applicable policies in the Rural Hamilton Official Plan; and
- the requested severance complies with the applicable regulations in the City of Hamilton Zoning By-law 05-200.

Should you have any questions or require any additional information, please do not hesitate to contact me at 226-243-7433 or via email at jliberatore@gspgroup.ca.

Yours truly

GSP Group Inc.



Joseph M. Liberatore, BURPI., Dip. GIS & Pl.
Planner

WTS Inspection Photos: [4363 Harrison Road]



1. Location of Septic tank (inlet below deck)



2. Septic tank discharge lid



3. Condition of discharge portion of septic tank



4. Interior condition of septic tank



5. 90 degree elbow baffle installed 4 years prior – air locking system causing high levels



6. Sludge measurement of system (1 compartment) 35% solids – requires pump-out

WTS Inspection Photos: [4363 Harrison Road]



7. Approximate leaching field area (from corner closest to house)



8. End of leaching field distribution lines – yellow flag represents end of lines (11.5m from property) blue flag is the 5m required setback



9. Fence post is proposed severance line – setbacks met



10. Leaching field from side profile



11. Leaching field saturated – water above distribution pipes



12. Soil profile of existing leaching field

SITE DIAGRAM: [4363 Harrison Road]

Note: all dimensions and locations approximate



Blue flag represents 5m required setback from property line to leaching field



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-21:257

APPLICANTS: Agent GSP Group
 Owner Canadian Grand Developments

SUBJECT PROPERTY: Municipal address **1865 Rymal Rd. E., Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 17-240

ZONING: "C5 Exception 589" district

PROPOSAL: To permit the construction of a six (6) storey mixed use building consisting of 54 dwelling units and 891 square metre of commercial floorspace on the ground floor, notwithstanding that:

Variance Required Under Zoning By-law 05-200

1. The maximum building height shall be 20.8 metres instead of the maximum required 14.0 metre building height for Exception 589;

Variance Required Under Zoning By-law 05-200 Prior to Amending By-law 17-240

2. The required parking shall consist of 89 parking spaces instead of the minimum required 95 parking spaces

Variances Required Under Zoning By-law 3692-92

3. The minimum setback from Columbus Gate shall be 3.8 metres (after the required road widening dedication) instead of the minimum required 6.0 metres for a front yard;
4. The minimum setback from Rymal Road East and the hypotenuse of a daylighting triangle shall be 1.5 metres (after the required road widening dedication) instead of the minimum required 3.0 metres for a flankage side yard;

NOTES:

1. The variances are written as requested by the applicant.
2. The proposal is the subject of Site Plan Application DA-21-017 which is currently under review. The proposed mixed use building for the requested variances have been modified from the site plan application without a further site plan review from 13.6 metres and 4 storeys in height to 20.8 metres and 6 storeys and from 32 dwelling units to 54 dwelling units. As a further site plan submission and review are required for the proposed development, additional variances may be required.

SC/A-21:257

Page 2

3. Variance #2 for parking is required because certain parking regulations affecting the Commercial Mixed Use (CMU) Zones created by amending by-law 17-240 remain under appeal to the LPAT and are not currently in effect. Therefore, the parking requirement is much greater because older parking regulations are applied which remain in effect for the dwelling units and the retail uses. By comparison, the mixed use building under the current C5 Zoning under appeal would require 16 parking spaces for the residential and 0 spaces for the retail uses.

4. Variances #3 and #4 are required because the setback requirements for the building from the street line for the C5 Zone are under appeal to the LPAT. Therefore, the setbacks from Stoney Creek Zoning By-law 3692-92 for the former R1 Zone on this property are applicable.

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

DATE: Thursday, August 12th, 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: July 27th, 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.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

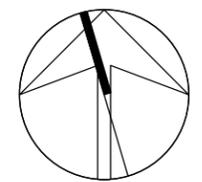
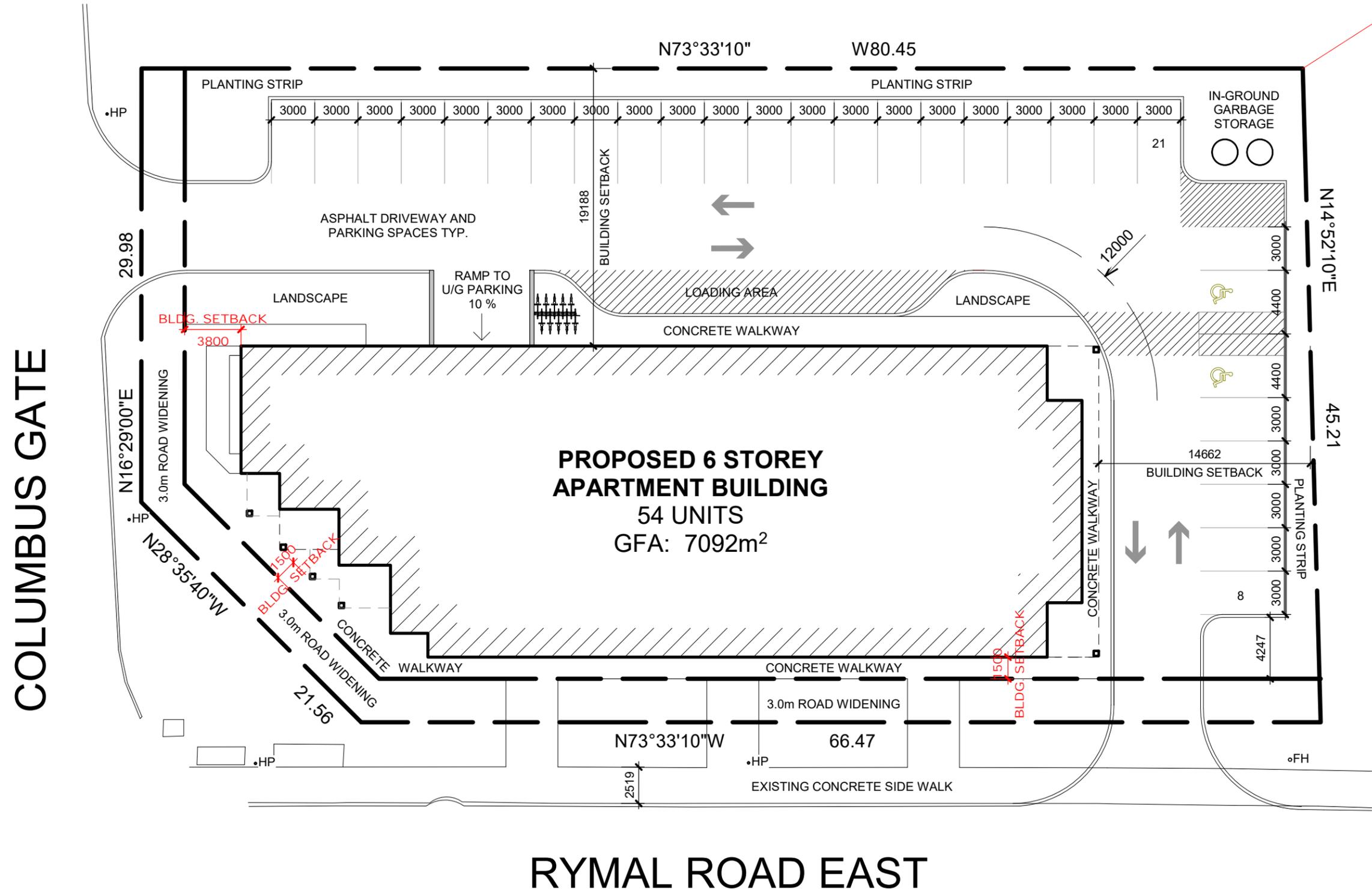
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DO NOT SCALE THESE DRAWINGS.

REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



MASRI O Inc. ARCHITECTS
 101-609 KUMPF DRIVE
 WATERLOO, ON, N2V 1K8
 PH. 519.579.0072
 www.MasriO.ca

PROJECT:

APARTMENT BUILDING
 APARTMENT BUILDING
 POLCAN
 CONSTRUCTION

DRAWING TITLE:

SITE SKETCH

DATE: 2021.01.18

SCALE: 1 : 300

DRAWN: Author

STATUS: SPA

JOB No.: 2020

DRAWING NO.:

***A1.1**

DATA	
ZONING	C5 - 589 Zone
GROSS LOT AREA (m ²)	3549.0
AREA OF ROW (m ²)	346.4
NET LOT AREA (m ²)	3202.6
BUILDING AREA (m ²)	1132.0
BUILDING COVERAGE (%)	35%
LANDSCAPE AREA (m ²)	811.0

	DATA	REQ'D	PRVDD
SETBACKS	COLUMBUS GATE (m)	6.0	3.9
	RYMAL RD E (m)	3.0	1.5
	REAR YARD (m)	7.5	14.7
	INT. SIDE YARD (m)	7.5	19.2
	PLANTING STRIP (m)	1.5	1.5-2.1
	BUILDING HEIGHT (m)	14.0	20.8
	NUMBER OF STOREYS	-	6

	DATA	REQ'D	PRVDD
	NUMBER OF UNITS	-	54
	AMENITY AREA (m ²)	316.0	670.0
PARKING	RESIDENTIAL	54	59
	COMMERCIAL	30	30
	BARRIER FREE	4	4
	SHORT-TERM BIKE	10	10
	LONG-TERM BIKE	35	35

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

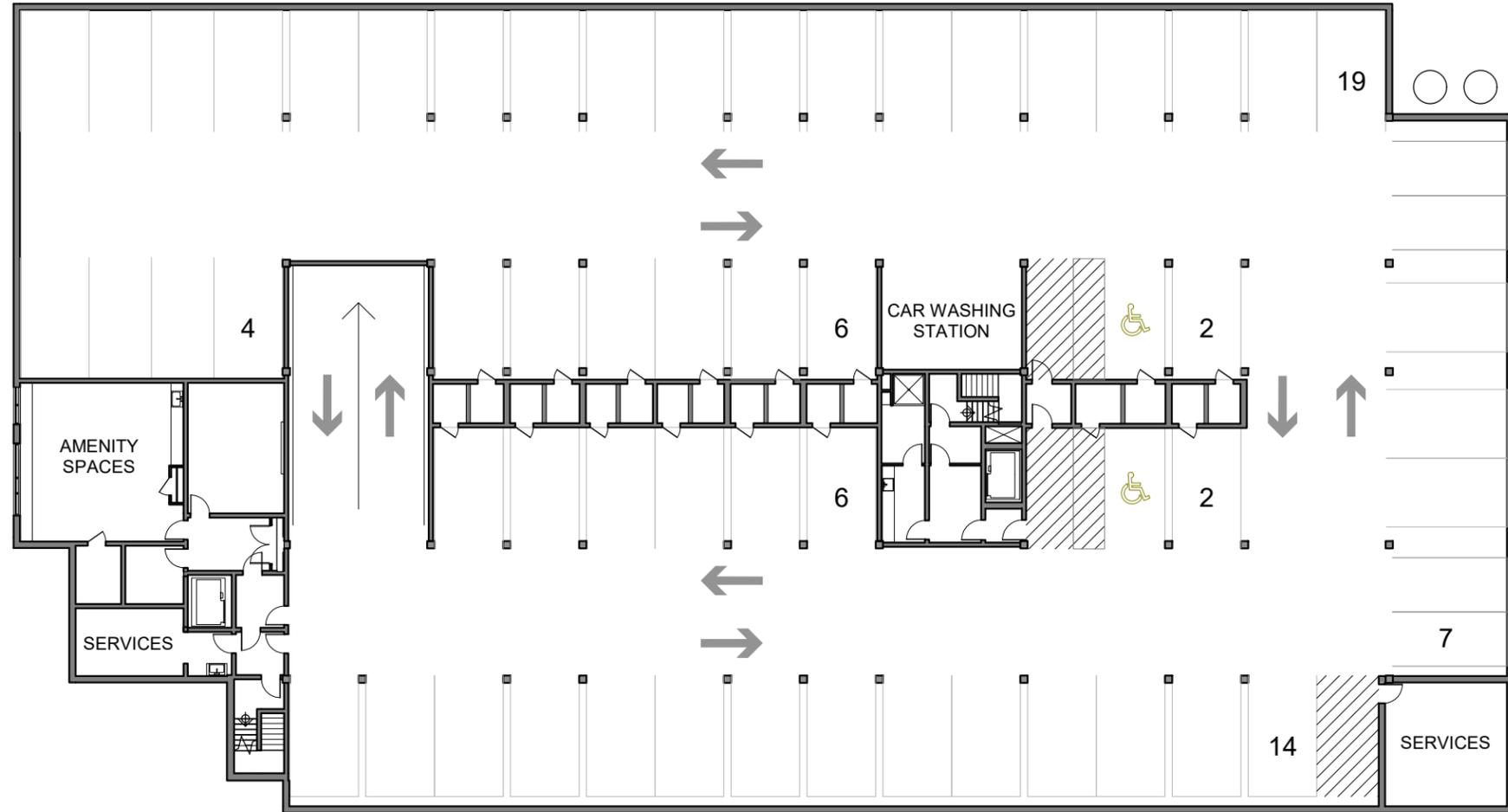
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REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



1 U/G PARKING FLOOR PLAN
 *A1.2 SCALE: 1 : 300



PROJECT:
APARTMENT BUILDING
 APARTMENT BUILDING
POLCAN CONSTRUCTION

DRAWING TITLE:
UNDERGROUND PARKING FLOOR PLAN

DATE: 2021.01.18 | DRAWING NO.:
 SCALE: 1 : 300
 DRAWN: Author
 STATUS: SPA
 JOB No.: 2020

***A1.2**

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

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REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



PROJECT:
APARTMENT BUILDING
 APARTMENT BUILDING
POLCAN CONSTRUCTION

DRAWING TITLE:
ELEVATIONS

DATE: 2021.01.18 | DRAWING NO.:
 SCALE: 1 : 250
 DRAWN: Author
 STATUS: SPA
 JOB No.: 2020

***A1.3**



1 WEST ELEVATION
 *A1.3 SCALE: 1 : 250



2 SOUTH ELEVATION
 *A1.3 SCALE: 1 : 250

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

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DO NOT SCALE THESE DRAWINGS.

REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



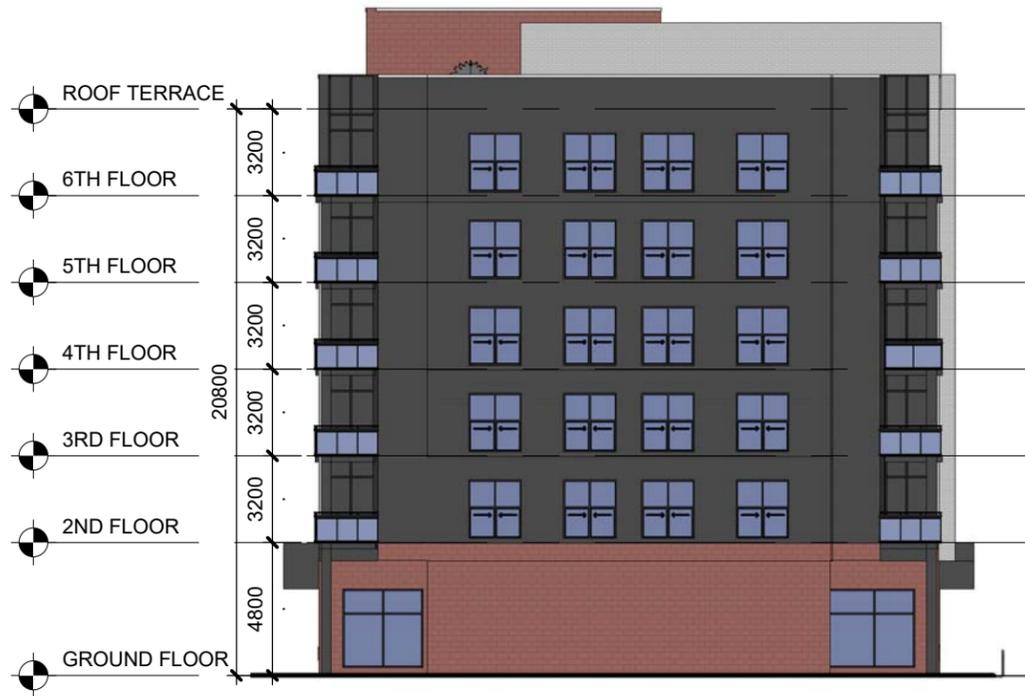
PROJECT:
APARTMENT BUILDING
 APARTMENT BUILDING
POLCAN CONSTRUCTION

DRAWING TITLE:
ELEVATION

DATE: 2021.01.18
 SCALE: 1 : 250
 DRAWN: Author
 STATUS: SPA
 JOB No.: 2020

DRAWING NO.:

***A1.4**



1 EAST ELEVATION
 *A1.4 SCALE: 1 : 250



2 NORTH ELEVATION
 *A1.4 SCALE: 1 : 250



SHAPING GREAT COMMUNITIES

June 24, 2021

File No: 19236

Jamila Sheffield
 Secretary-Treasurer
 City of Hamilton
 Committee of Adjustment
 71 Main Street West, 5th Floor
 Hamilton, ON
 L8P 4Y5

Dear Ms. Sheffield:

**RE: 1865 Rymal Road East
 MINOR VARIANCE APPLICATION**

GSP Group is pleased to submit on behalf of the owner, Grand Canadian Developments Inc., an application for minor variance to permit a new 6-storey 54-unit mixed use building on the property.

Requested Minor Variances

As noted above, the Site is zone Light Industrial (M6) Zone under City Zoning By-law No. 05-200. Accordingly, to implement the Approved Site Plan, the following variances are required:

1. A 1.5m reduction to allow a 1.5m minimum flankage side yard, whereas a 3m minimum flankage side yard is required (Section 6.2.3.d.1 of Stoney Creek By-law 3692-92);
2. A 2.2m reduction to allow a 3.8m minimum front yard, whereas a 6m minimum front yard is required (Section 6.2.3.c of Stoney Creek By-law 3692-92);
3. A 1.5m reduction to allow a 1.5m minimum setback from a daylight triangle, whereas a 3m minimum setback from a daylight triangle is required (Section 4.13.1 of Stoney Creek By-law 3692-92); and,
4. A 6.8m increase to allow a 20.8m maximum building height, whereas a 14m maximum building height is required (Schedule "C" – Exception 589 b) of Hamilton By-law 05-200).

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883
 162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477
 gspgroup.ca

The Site is in the process of being approved to facilitate the proposed development contemplated as part of the application submitted for 1865 Rymal Road East (City File: DA-21-017). This Minor Variance application will not affect the clearing of conditions related to SPA. The Application fee payment noted below has been delivered via mailbox drop-off to the attention of City of Hamilton – Committee of Adjustment.

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

- One (1) original of the completed application form with signatures;
- One (1) copy of the Site Plan;
- One (1) copy of the Underground Parking Plan;
- One (1) copy of the Elevation Plans; and,
- One (1) cheque made payable to the “City of Hamilton” for \$3,320.00.

Should you have any questions or require any additional information, please do not hesitate to contact me at 226-243-7433 or via email at jliberatore@gspgroup.ca.

Yours truly

GSP Group Inc.



Joseph M. Liberatore, B.U.R.Pl., Dip. GIS & Pl.
Planner

cc. Client

P:\19236-Polocan Construction-1865 Rymal Rd\documents\Minor Variance\Cover Letter.docx



Hamilton

Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	Canadian Grand Developments Inc. c/o Bruno Artensosi		
Applicant(s)*	GSP Group Inc. c/o Joseph Liberatore		
Agent or Solicitor			Phone: E-mail:

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

- a) To permit a minimum setback of 1.5m from Rymal Road East, whereas a minimum setback of 3m is required;
 b) To permit a minimum setback of 3.8m from Columbus Gate, whereas a minimum setback of 6m is required;
 c) To permit a minimum setback of 1.5m from the Daylighting Triangle, whereas a minimum setback of 3m is required;
 and,
 d) To permit a maximum height of 20.8m, whereas a maximum height of 14m is permitted.

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

Refer to Planning Justification Brief.

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

PT LT 32, CON 8 SALTFLEET , AS IN AB148111 EXCEPT CM768 ,SAVE AND
 EXCEPT PT 1 ON 62R19771
 1865 Rymal Road East

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

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

Owner's Knowledge

8.12 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

9. 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.

24/06/21
Date


Signature Property Owner
Canadian Grand Developments Inc.
c/o Bruno Arsenosi
Print Name of Owner

10. Dimensions of lands affected:

Frontage ±66.47m
Depth ±45.21m
Area ±3549m²
Width of street Rymal Road East - ±33.6m, Columbus Gate - ±22.9m

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: _

No Buildings Existing on Site.

Proposed

A 6-storey, 54 Unit, 1132m² Mixed Use Mid-Rise Building with 93 Parking Spaces and 45 Bike Parking Spaces.

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

Existing:

No Buildings Existing on Site.

Proposed:

Front Yard Setback: 1.5m
Side Yard Setback (east): 14.6m
Side Yard Setback (west): 3.8m
Rear Yard Setback: 19.1m

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
No Buildings Existing on Site.

15. Existing uses of the subject property:
No Buildings Existing on Site.
16. Existing uses of abutting properties:
Residential, Parking, and Retirement Residence Uses
17. Length of time the existing uses of the subject property have continued: No Buildings Existing on Site.
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: Mixed Use - Medium Density (Trinity West Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: C5 - Exception 589 (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. Additional Information
 Purpose of Minor Variance Application is to implement Approved Site Plan Application DA-21-017.
24. 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.



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-21:242

APPLICANTS: Agent John Stirling
 Owner Michelle Cox

SUBJECT PROPERTY: Municipal address **75 Clinton St., Hamilton**

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

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

PROPOSAL: To construct a 2.44m wide x 5.19m long roofed-over unenclosed porch on the ground floor and a 2.44m wide x 5.19m long second floor balcony (without a roof), notwithstanding that:

1. A minimum 0m side yard setback shall be provided for the easterly side yard for the roofed-over portion of an unenclosed porch and for a balcony instead of the minimum required 1.2 metre side yard;
2. A minimum 1.06m side yard setback shall be provided for the westerly side yard for the roofed-over portion of an unenclosed porch and for a balcony instead of the minimum required 1.2 metre side yard;
3. The projection for a balcony shall be 2.5 metres into the rear yard instead of the maximum projection of 1.0 metre into the rear yard;
4. The projection for a balcony shall be 1.2 metres into the easterly side yard instead of the maximum projection of not more than one-third of its width, or 0.4 metres into the side yard;
5. The projection for a balcony shall be 1.06 metres into the westerly side yard instead of the maximum projection of not more than one-third of its width, or 0.4 metres into the side yard.

NOTES:

1. The variances are generally written as requested by the applicant. Additional variances have been identified through the review to address the requirements for roofed over porch and balcony projections.
2. The plans submitted did not include elevations to show the proposed roofed over porch and the second-floor balcony. Please note that the zoning by-law provides additional regulations for porches to address the maximum height of guards

HM/A-21:242

Page 2

around the perimeter of the porch; the maximum width of columns or piers; the maximum depth of beams, lintels or the crown of an arch and the minimum distance between piers or columns. As such, additional variances may apply if the proposal does not comply with these porch requirements.

3. Please note that the proposed roof-over unenclosed porch at the rear of the dwelling is not permitted to encroach into the side yard as there are no regulations for side yard encroachments. Therefore, variances 1 and 2 have been written for the minimum required 1.2 m side yard width for the principal building (dwelling). The variance for side yards also includes balconies.
4. Eaves and gutters are permitted to project into a required side yard not more than one-half its width. Therefore, the eaves projection for the roofed-over unenclosed porch shall not be greater than 0.5m for the westerly side yard and 0m for the easterly side yard. This information was not identified on the submitted plan.

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

DATE: Thursday, August 12th, 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.

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

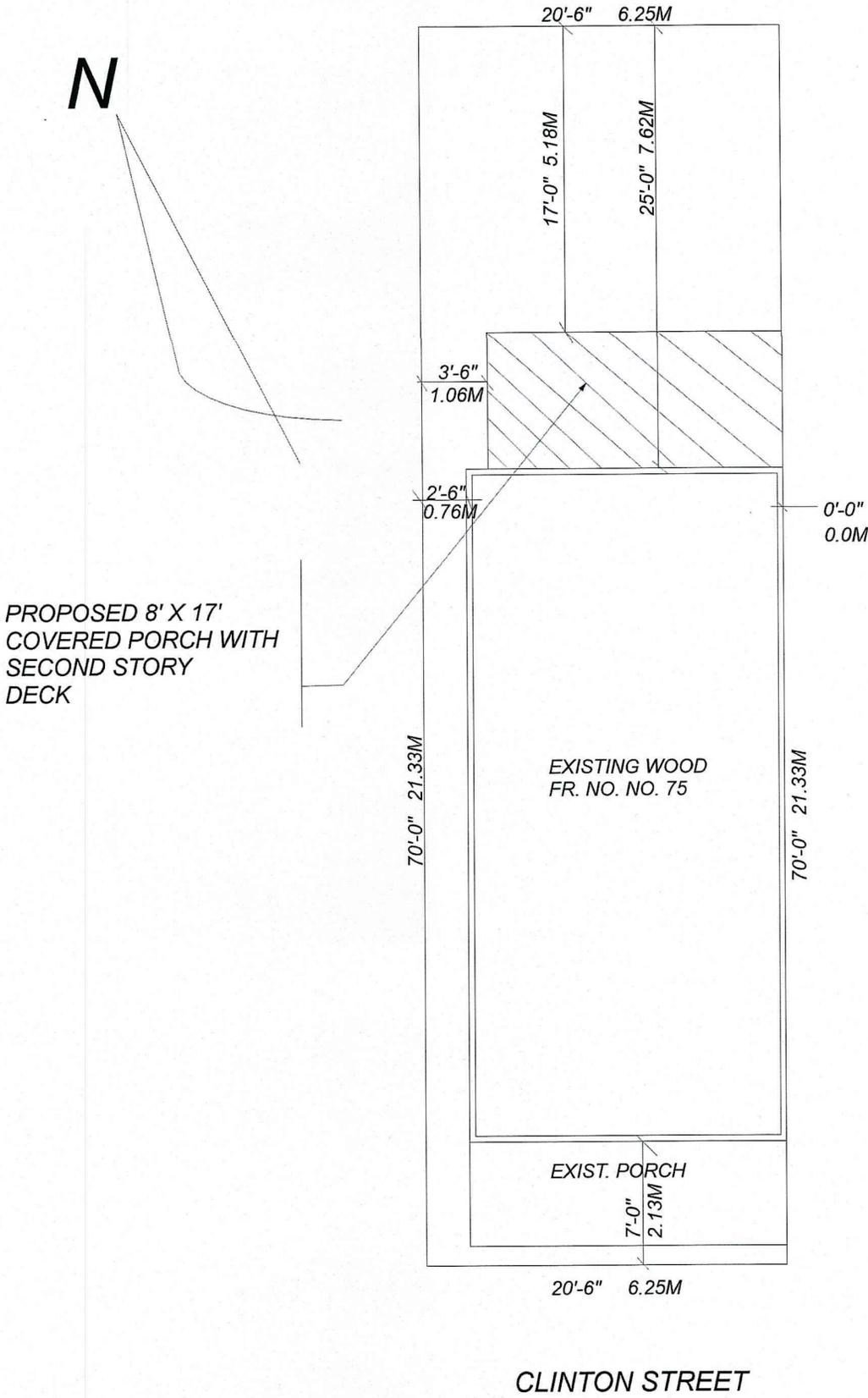
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



75 CLINTON STREET HAMILTON, ONTARIO

NOTES:

PROPOSED COVERED PORCH ADDITION WITH SECOND STORY DECK

VARIANCE RELIEF FOR SIDE YARDS AND REAR YARD

ZONING - D - single family house

LOT AREA - 1,435 SQ. FT.

NO. OF STORIES - 2

EXISTING HOUSE IS A WOOD FRAME HOUSE WITH SIDING.

SITE PLAN

SCALE 1/2" = 1'



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Michelle Ann COX	
Applicant(s)*	JOHN STIRLING	
Agent or Solicitor	SAME AS APPLICANT	
		E-mail:

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

TO ALLOW A BACK YARD AS WELL AS A SECOND STORY DECK PORCH IN THE

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

PROPERTY IS SMALL.

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

75 CLINTON ST. HAMILTON

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

8.6 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

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

- Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Records

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

∞

11 May 21 2021
Date



MICHELLE A COY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 20.5'
Depth 70'
Area 1435 sqft
Width of street 29'

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

Existing: EXISTING 2 STORY HOUSE GFA-684 sqft
GROSS FA - 1368 sqft 18' WIDE X 38' LONG
HEIGHT 24'

Proposed 2 STORY HOUSE GFA-820 sqft
GROSS FA-1504 sqft 18' WIDE X 46' LONG
HEIGHT 24'

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

Existing: REAR YARD - 25' EAST SIDE YARD 0'
WEST SIDE YARD 2.5' FRONT YARD 7'

Proposed: REAR YARD 18' EAST SIDE YARD 0'
WEST SIDE YARD 2.5' FRONT YARD 7'

✶

13. Date of acquisition of subject lands:

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

1990's

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):

SINGLE FAMILY

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

(single family) (duplex) (retail) (factory etc.):

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

100 YEARS

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

Water	<input checked="" type="checkbox"/>	Connected	<input checked="" type="checkbox"/>
Sanitary Sewer	<input checked="" type="checkbox"/>	Connected	<input type="checkbox"/>
Storm Sewers	<input type="checkbox"/>		

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

RESIDENT

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. Additional Information

24. 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.



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-21:243

APPLICANTS: Agent Kelsey Hammerton
 Owner John Apanashk

SUBJECT PROPERTY: Municipal address **174 Beach Blvd., Hamilton**

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

ZONING: "C/S-1436b" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new addition to the existing single family dwelling notwithstanding that:

1. A building height of 3 storeys shall be provided instead of the maximum permitted 2.5 storeys.
2. Two (2) parking spaces shall be provided in the front yard whereas the by-law permits a maximum of one (1) parking space to be provided in the front yard of a Single Family Dwelling.
3. No onsite manoeuvring shall be provided for the two (2) parking spaces located within the front yard instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

NOTES:

- i. These variances are necessary to facilitate Site Plan Control Application DAB-19-151.
- ii. Please be advised that the current zoning designation generally permits a maximum building height of 2.5 storeys and 11.0m. However, Committee of Adjustment Decision HM/A-20:175 previously approved a maximum building height of 2.5 storeys and 11.71m.

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

DATE: Thursday, August 12th, 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

HM/A-21: 243

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: July 27th, 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.

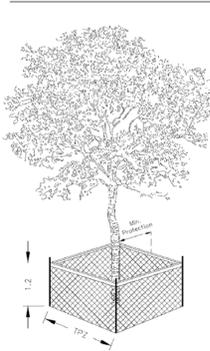
CITY OF HAMILTON ZONING BY-LAW 6593
ZONING REGULATION - C/S-1436B
AS AMENDED BY BY-LAW 99-170

ZONE	REQUIRED	PROVIDED
LOT WIDTH	12.0 m	15.98 m
LOT AREA	360 sq.m (min)	762.39 sq.m.
FRONT YARD	6.0 m	11.60 m (EXISTING)
REAR YARD	7.5 m (min)	13.99 m
SIDE YARD	1.7 m (min)	2.46 m (EXISTING)
BUILDING AREA		157.25 sq.m. (EXISTING STRUCTURES) 188.43 sq.m. (PROPOSED STRUCTURES) 188.43 sq.m. (TOTAL AREA)
LOT COVERAGE	24.7%	
BUILDING HEIGHT	11.0 m (max)	11.49 m*
GROUND FLOOR	76.00 (min)	77.41 (EXISTING)

PROPOSED ADDITION = 2 STOREYS
*VARIANCE REQUIRED
BUILDING HEIGHT=PEAK (88.36) - CURB GRADE(76.87)=11.49m.

TOTAL FRONT YARD AREA=185.4 sq.m.
LANDSCAPED AREA (RIGHT SIDE OF DRIVEWAY)=80.3 sq.m.
LANDSCAPED AREA (LEFT SIDE OF DRIVEWAY)=17.1 sq.m.
TOTAL LANDSCAPED AREA=97.4 sq.m.
LANDSCAPED AREA=52.5% OF FRONT YARD

Tree Protection and Preservation
Specification No. SS12



Detail TP-1 - Tree Protection Detail

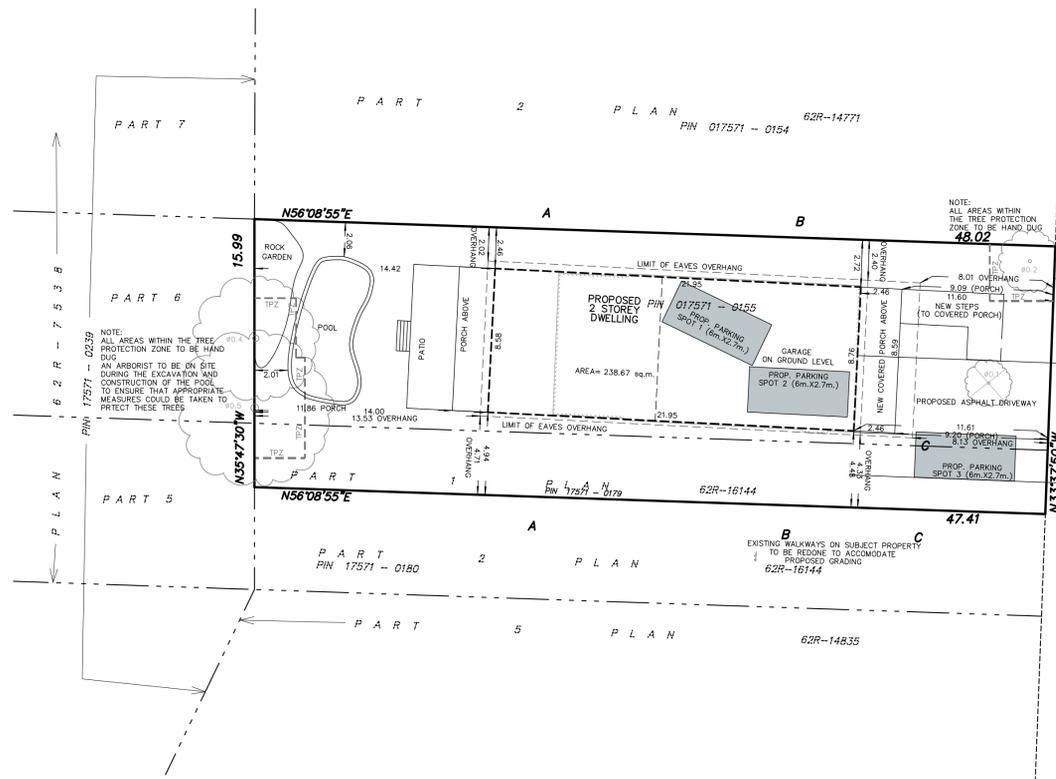
Trunk Diameter (DBH) ¹	Minimum Tree Protection Zone (TPZ) Distances Required ²	Critical Root Zone (CRZ) Distances Required ³
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100 cm	6.0 m	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"s, supported on metal "T" bars, 2.0m O.C. 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 salt 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 of Hamilton.

Page 6
February 2013



KNOWN AS BEACH BOULEVARD
(BY DEPOSED PLAN 1488 MACKAY & PETERS LIMITED PIN 17571-0104)

UNDERTAKING:

RE: SITE PLAN CONTROL APPLICATION FOR 174 BEACH BOULEVARD

FILE NO. DAB-19-151

I (we) JOHN APANASHK THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT ANY RESERVATIONS.

- TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
- TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWINGS IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED FEBRUARY 10, 2021;
- 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)(a) OF THE SAD ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS;
- IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED MARCH 4, 2021, 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.
- 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 HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES (MHSOTD) SHOULD BE NOTIFIED IMMEDIATELY (416-212-8886). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MHSOTD AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE ONTARIO REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (416-212-7499).

SITE PLAN NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEPARTMENT.
- 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 PERMIT
-ROAD CUT PERMITS
-RELOCATION OF SERVICES
-APPROACH APPROVAL PERMITS
-ENCROACHMENT AGREEMENTS (IF REQUIRED)
-COMMITTEE OF ADJUSTMENT
- ABANDONED ACCESS MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- THE OWNER IS TO BE AWARE OF THE MIGRATORY BIRD CONVENTION ACT, 1994 WHICH IS IMPLEMENTED BY ENVIRONMENT CANADA. THE OWNER IS TO MAKE EVERY EFFORT TO AVOID REMOVAL OF VEGETATION BETWEEN MARCH 31st AND AUGUST 31st.
- WHEREVER POSSIBLE, THE CUTTING OF SURFACE ROOTS OF THE EXISTING TREES IS TO BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, CUTS SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY

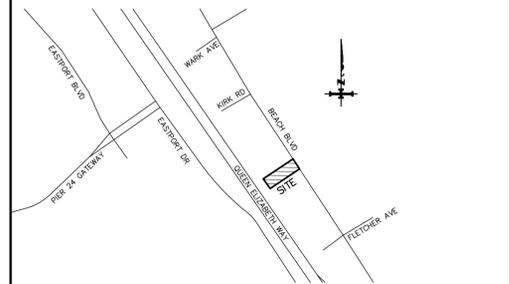
Dated this _____ day of _____

Witness (signature) _____ Owner(s) (signature) _____

Witness (print) _____ Owner (print) _____

Address of Witness _____

174 BEACH BOULEVARD
SITE PLAN FOR BUILDING PERMIT
FILE: DAB-19-151



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
**PART OF BURLINGTON BEACH
WEST SIDE BEACH BOULEVARD
(UNREGISTERED)**
(GEOGRAPHIC TOWNSHIP OF SALT FLEET)
NOW IN THE
CITY OF HAMILTON
SCALE 1 : 200

MackAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2021

"METRIC" DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE
BENCHMARK No. 00119653130H ELEVATION 76.809 METRES (CGVD 1928:1978 READJUSTMENT)

CONCRETE PIER AT SOUTHEAST SIDE OF BURLINGTON CANAL, AT NORTHEAST SIDE OF LIFT BRIDGE, TABLET IN TOP OF AND AT THE CORNER OF A CONCRETE WALL, 7.6 METRES SOUTHEAST OF WOODEN EDGE OF PIER, 8.5 METRES SOUTHWEST OF HYDRO POLE, 0.42 METRES ABOVE TOP OF PIER

- LEGEND
- DSLL DENOTES ELEVATION AT DOOR SILL
 - HYPM DENOTES HYDRO POLE WOOD
 - GM DENOTES GAS METER
 - RD DENOTES ROUND
 - OHW DENOTES OVERHEAD WIRE
 - DN DENOTES DOWNSPOUT
 - DR DENOTES DIRECTION OF DRAINAGE
 - XXX.XX DENOTES EXISTING ELEVATIONS
 - (XXX.XX) DENOTES PROPOSED ELEVATIONS
 - HP DENOTES HIGH POINT
 - DENOTES DECIDUOUS TREE (TREE SCALED TO CANOPY SIZE, TRUNK SIZE NOTED IN METRES)
 - AC DENOTES AIR CONDITIONER
 - XX/XX DENOTES TREE TO BE REMOVED
 - XXX/XX DENOTES EXISTING ELEVATIONS TO REMAIN
 - SW DENOTES SWALE
 - ATM DENOTES GRADING BY A.T. McLAREN
 - SITE & GRADING PLAN 31129-SG DATED JULY 27, 2017

- 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 SURVEY REAL PROPERTY REPORT ISSUED BY MACKAY, MACKAY & PETERS LIMITED, DRAWING No. 19-009, DATED FEBRUARY 11, 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 LAND REGISTRY OFFICE RECORDS AND FROM SURVEY RECORDS OF MMP LIMITED
 - WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY ADDITION LOCATED AT 174 BEACH BOULEVARD AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES.

MAY 3, 2021
DATE _____
[Signature]
MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
10	MAY 3, 2021	REVISED AS PER CITY COMMENTS
9	MARCH 3, 2021	REVISED AS PER CLIENT AND CITY COMMENTS
8	FEBRUARY 24, 2021	REVISED AS PER CLIENT
7	FEBRUARY 18, 2021	REVISED AS PER CITY COMMENTS
6	FEBRUARY 9, 2021	ADDED DRIVEWAY DIMENSIONS
5	JANUARY 26, 2021	ADDED LANDSCAPED AREA PERCENTAGE
4	NOVEMBER 18, 2020	ADDRESSED ZONING COMMENTS
3	NOVEMBER 03, 2020	ADDRESSED CITY COMMENTS
2	JULY 23, 2020	SITE PLAN DESIGN REVISED
1	MAY 15, 2019	SITE PLAN COMPLETED

MMP
Mackay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

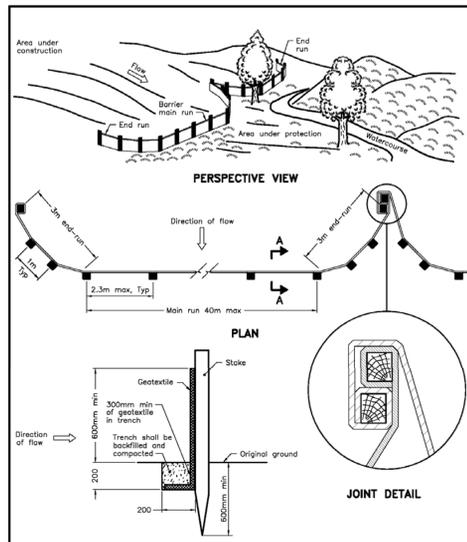
3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375
halton@mmplimited.com
mmplimited.com

CAD FILE: E:\(62) Hamilton-Wentworth\TPM\ SALT FLEET\BURLINGTON BEACH\19-009\19-009-SP
DRAWN BY: A.R./M.S. CHECKED BY: D.R. PROJECT No. 19-009-SP DWG. No. 1

CITY OF HAMILTON ZONING BY-LAW 6593
ZONING REGULATION - C/S-1436B
AS AMENDED BY BY-LAW 99-170

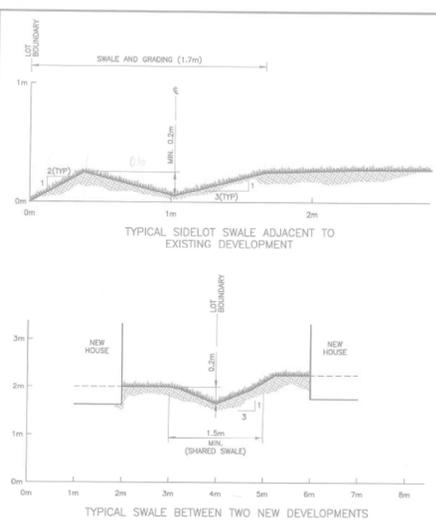
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LOT COVERAGE		24.7%
BUILDING HEIGHT	11.0 m (max)	11.49 m*
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PROPOSED ADDITION = 2 STOREYS
*VARIANCE REQUIRED
BUILDING HEIGHT=PEAK (88.36) - CURB GRADE(76.87)=11.49m.



NOTE:
A All dimensions are in millimetres unless otherwise shown.

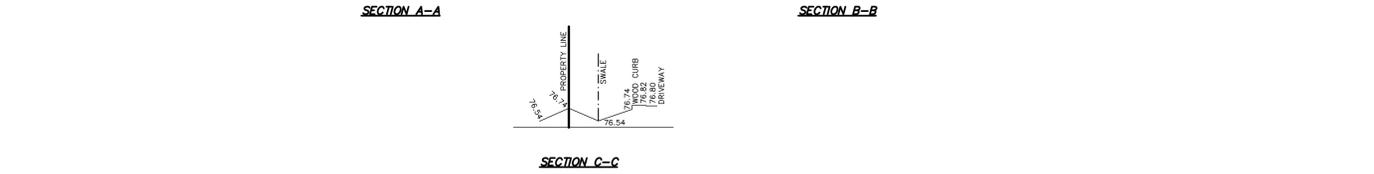
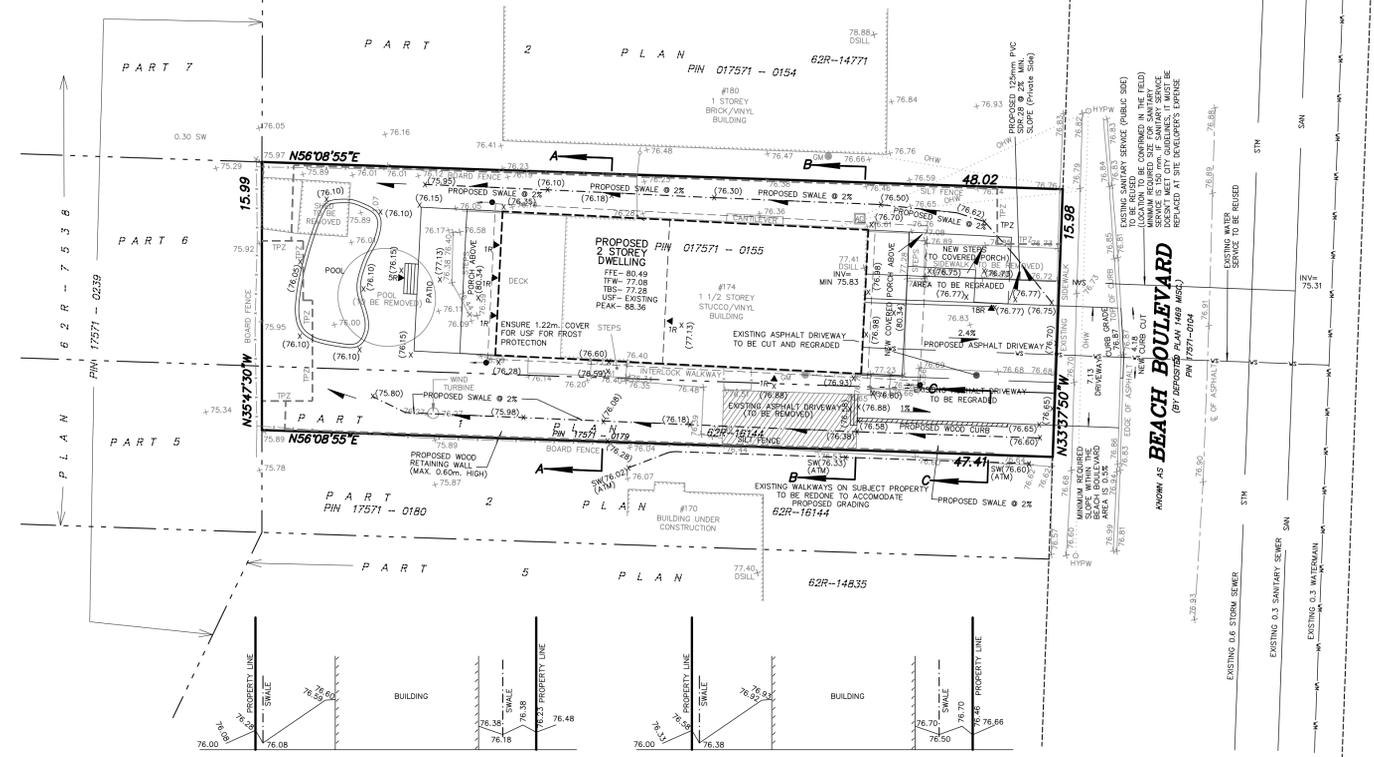
ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2015	Rev 2
LIGHT-DUTY SILT FENCE BARRIER		
OPSD 219.110		



CITY OF HAMILTON

Marshall Macklin Monaghan
Professional Engineers
60 Corporation Way Dr. E. Hamilton, Ont. L7Y 4K6
Tel: 905.571.1100 Fax: 905.571.1101

Checked: J.C.P. Drawn: A.M.C./D.R.B./S.B.
Date: JUL 29 2020 Pkg. No.: 19-009-19-001
Scale: N.T.S. Figure No.: 5.3 (REV. 01)



UNDERTAKING:
RE: SITE PLAN CONTROL APPLICATION FOR 174 BEACH BOULEVARD
FILE No. DAB-19-151

I (WE) JOHN APANASHK (THE OWNERS) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT ANY RESERVATIONS.

(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 DRAWINGS IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED FEBRUARY 10, 2021;

(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)(a) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWINGS, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS;

(d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED MARCH 4, 2021, 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.

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SITE PLAN NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEPARTMENT.
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- SEWER AND WATER PERMIT
- ROAD CUT PERMITS
- RELOCATION OF SERVICES
- APPROACH APPROVAL PERMITS
- ENCROACHMENT AGREEMENTS (IF REQUIRED)
- COMMITTEE OF ADJUSTMENT
- ABANDONED ACCESS MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOG AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT
- THE OWNER IS TO BE AWARE OF THE MIGRATORY BIRD CONVENTION ACT, 1994 WHICH IS IMPLEMENTED BY ENVIRONMENT CANADA. THE OWNER IS TO MAKE EVERY EFFORT TO AVOID REMOVAL OF VEGETATION BETWEEN MARCH 31st AND AUGUST 31st.
- WHEREVER POSSIBLE, THE CUTTING OF SURFACE ROOTS OF THE EXISTING TREES IS TO BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, CUTS SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY

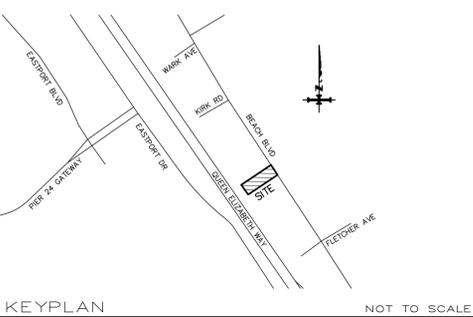
Dated this _____ day of _____

Witness (Signature) _____ Owner(s) (Signature) _____

Witness (print) _____ Owner (print) _____

Address of Witness _____

174 BEACH BOULEVARD
GRADING PLAN FOR BUILDING PERMIT
FILE: DAB-19-151



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
PART OF BURLINGTON BEACH WEST SIDE BEACH BOULEVARD (UNREGISTERED)
(GEOGRAPHIC TOWNSHIP OF SALTFLLEET)
NOW IN THE
CITY OF HAMILTON
SCALE 1 : 200

MacKay, MacKay & Peters Limited - ONTARIO LAND SURVEYORS
© 2021
"METRIC" DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE
BENCHMARK No. 00119653130H ELEVATION 76.809 METRES (CGVD 1928:1978 READJUSTMENT)
CONCRETE PIER AT SOUTHEAST SIDE OF BURLINGTON CANAL, AT NORTHEAST SIDE OF LIFT BRIDGE, TABLET IN TOP OF AND AT THE CORNER OF A CONCRETE WALL, 7.6 METRES SOUTHEAST OF WOODEN EDGE OF PIER, 8.5 METRES SOUTHWEST OF HYDRO POLE, 0.42 METRES ABOVE TOP OF PIER

LEGEND

DSILL DENOTES ELEVATION AT DOOR SILL	AC DENOTES AIR CONDITIONER
HYPW DENOTES HYDRO POLE WOOD	△ DENOTES TREE TO BE REMOVED
GM DENOTES GAS METER	XXX DENOTES EXISTING ELEVATIONS TO REMAIN
○ DENOTES ROUND	○ DENOTES DOWNSPOUT
OHW DENOTES OVERHEAD WIRE	SW DENOTES SWALE
○ DENOTES DIRECTION OF DRAINAGE	ATM DENOTES GRADING BY A.T. McLAREN
XXX.XX DENOTES EXISTING ELEVATIONS	31125-SG DATED JULY 27, 2017
(XXX.XX) DENOTES PROPOSED ELEVATIONS	HP DENOTES HIGH POINT
○ DENOTES DECIDUOUS TREE (TREE SCALED TO CANOPY SIZE, TRUNK SIZE NOTED IN METRES)	

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 SURVEY REAL PROPERTY REPORT ISSUED BY MACKAY, MACKAY & PETERS LIMITED, DRAWING No. 19-009, DATED FEBRUARY 11, 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 LAND REGISTRY OFFICE RECORDS AND FROM SURVEY RECORDS OF MMP LIMITED
- WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY ADDITION LOCATED AT 174 BEACH BOULEVARD AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES.

MAY 3, 2021
DATE

[Signature]
MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
10	MAY 3, 2021	REVISED AS PER CITY COMMENTS
9	MARCH 3, 2021	REVISED AS PER CLIENT AND CITY COMMENTS
8	FEBRUARY 24, 2021	REVISED AS PER CLIENT
7	FEBRUARY 18, 2021	REVISED AS PER CITY COMMENTS
6	FEBRUARY 9, 2021	ADDED DRIVEWAY DIMENSIONS
5	JANUARY 26, 2021	ADDED LANDSCAPED AREA PERCENTAGE
4	NOVEMBER 18, 2020	ADDRESSED ZONING COMMENTS
3	NOVEMBER 03, 2020	ADDRESSED CITY COMMENTS
2	JULY 23, 2020	SITE PLAN DESIGN REVISED
1	MAY 15, 2019	SITE PLAN COMPLETED

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
mmplimited.com

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ISSUED / REVISION

--	MP	04/18/19	ISSUED FOR CLIENT REVIEW
--	KH	22/08/19	ISSUED FOR SITE PLAN APPROVAL
--	AG	11/08/20	COMM OF ADJUSTMENTS
--	KH	07/06/21	COMM OF ADJUSTMENTS

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Qualification Information

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Angelo Gatti
Angelo Gatti B.C.I.N. 30263

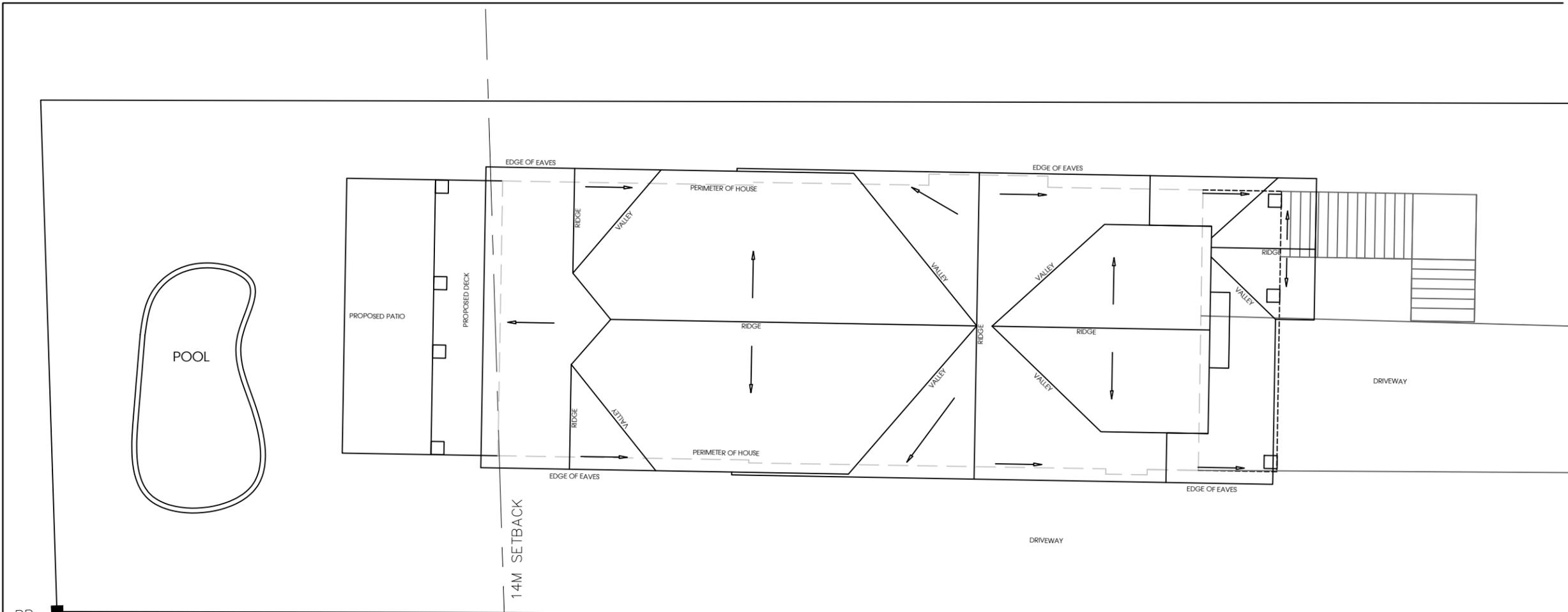
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Baudit Interior Design B.C.I.N. 108411

BAUDIT
INTERIOR DESIGN

3077 NEW ST, SUITE 101
BURLINGTON, ONTARIO L7N 1M6
905 335 9828 info@baudit.ca
www.baudit.ca



UNPROTECTED OPENINGS ANALYSIS

FACE	MS Area	Limiting Distance	Percentage Allowed	Permissible Area (MS)	Actual Area	Opening MS	# of Openings	Total Areas
NORTH FACE								
MS Area	209.76	2.5	9.00%	18.88		Existing Window	0.89	4.00
Limiting Distance						Existing Window	2.72	2.00
Percentage Allowed						Existing Window	3.79	1.00
Permissible Area (MS)						Existing Window	5.17	1.00
						Existing Window	0.46	1.00
						Proposed Window N1	3.12	1.00
Proposed Area	21.54							21.54
Requires Variance								
SOUTH FACE								
MS Area	209.76	4.5	15.00%	31.46		Proposed Window S1	3.71	3.00
Limiting Distance						Proposed Window S2	0.89	3.00
Percentage Allowed						Proposed Door S3	3.62	1.00
Permissible Area (MS)						Existing Window	0.84	3.00
						Existing Window	0.89	1.00
						Existing Window	0.69	2.00
						Existing Window	0.46	1.00
Actual Area	22.66							22.66
EAST (street facing)								
MS Area	66.08	8.01	70.00%	46.26		Proposed Garage Door E1	11.71	1.00
Limiting Distance						Existing Window	3.96	1.00
Percentage Allowed						Existing Door	3.67	1.00
Permissible Area (MS)						Existing Windows	0.84	2.00
						Proposed Door E2	2.08	1.00
Actual Area	23.09							23.09
WEST FACE								
MS Area	84.05	14	no limits			Proposed Patio Doors W1	38.90	9.00
Limiting Distance								350.10
Percentage Allowed								0.00
								0.00
								0.00
								0.00
Actual Area	32.53717472							0.00
Permissible Area (MS)	no limits							350.10

1 SITE PLAN
ID1 SCALE: 1/16" = 1'-0"

project
APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title
SITE PLAN

date	22/08/19	project no.	18-058
drawn by	KH	checked by	AG
north		scale	AS NOTED
		drawing no.	ID1

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--	KH	24/02/21	RESPONSE TO S.P.A. COMMENTS
--	KH	07/06/21	COMM OF ADJUSTMENTS

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Angelo Gatti
Angelo Gatti

B.C.I.N. 30263

Registration Information

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Baudit Interior Design

B.C.I.N. 108411

BAUDIT
INTERIOR DESIGN

3077 NEW ST, SUITE 101
BURLINGTON, ONTARIO L7N 1M6
905 335 9828 info@baudit.ca
www.baudit.ca

DAB-19-151

project

APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title

EXTERIOR ELEVATIONS

date	22/08/19	project no.	18-058
drawn by	KH	checked by	AG
north		scale	AS NOTED
		drawing no.	ID2



1 EAST EXTERIOR ELEVATION
ID2 SCALE: 1/8" = 1'-0"

2 WEST EXTERIOR ELEVATION
ID2 SCALE: 1/8" = 1'-0"

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DAB-19-151

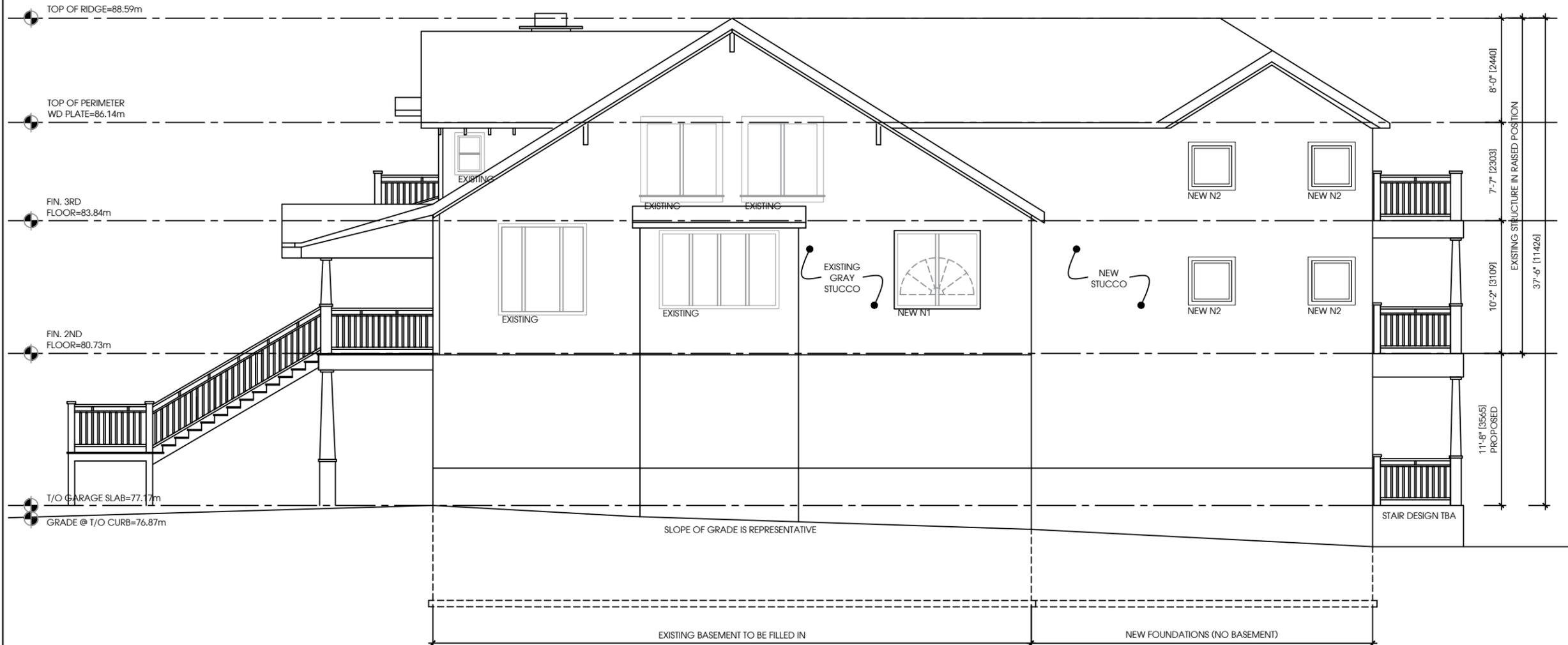
project

APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title

EXTERIOR ELEVATIONS

date	22/08/19	project no.	18-058
drawn by	KH	checked by	AG
north		scale	AS NOTED
		drawing no.	ID3



1 NORTH EXTERIOR ELEVATION
ID3 SCALE: 1/8" = 1'-0"

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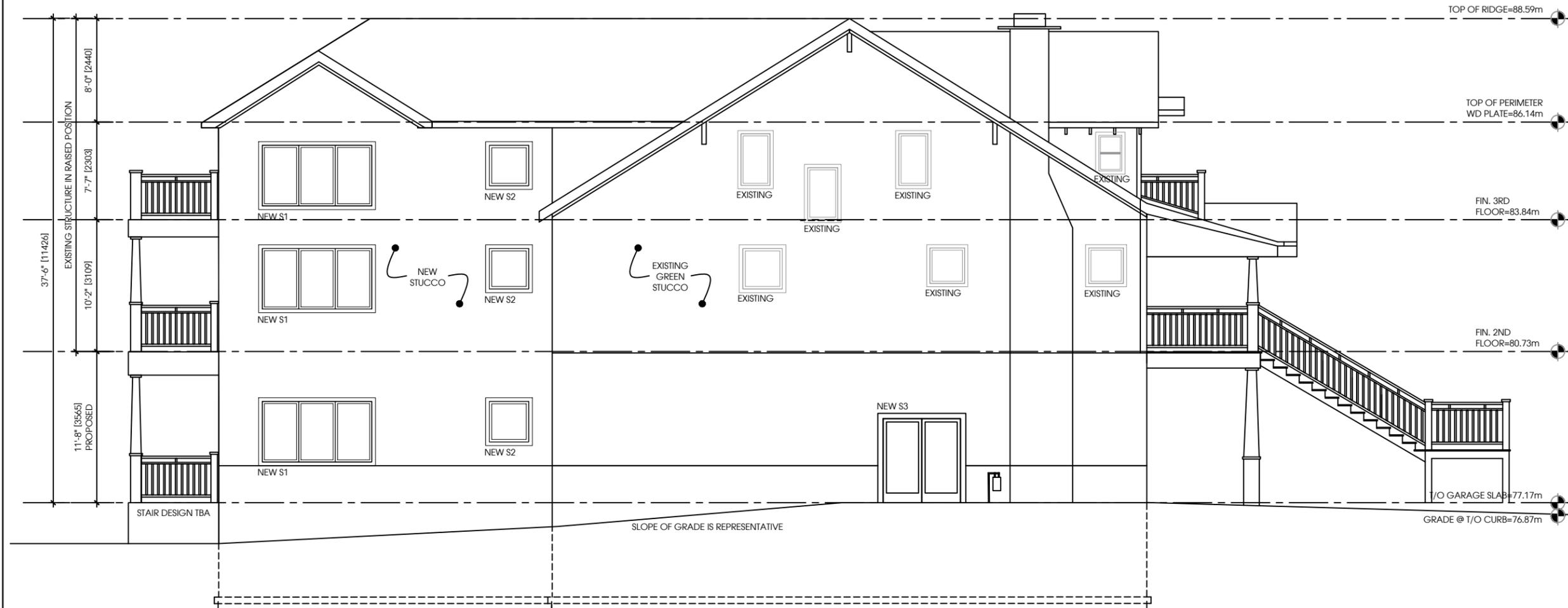
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 www.baudit.ca



1 SOUTH EXTERIOR ELEVATION
 ID4 SCALE: 1/8" = 1'-0"

project	
APANASHK RESIDENCE 174 BEACH BLVD HAMILTON, ONT	
drawing title	
SOUTH EXTERIOR ELEVATION	
date	project no.
22/08/19	18-058
drawn by	checked by
KH	AG
north	scale
	AS NOTED
	drawing no.
	ID4

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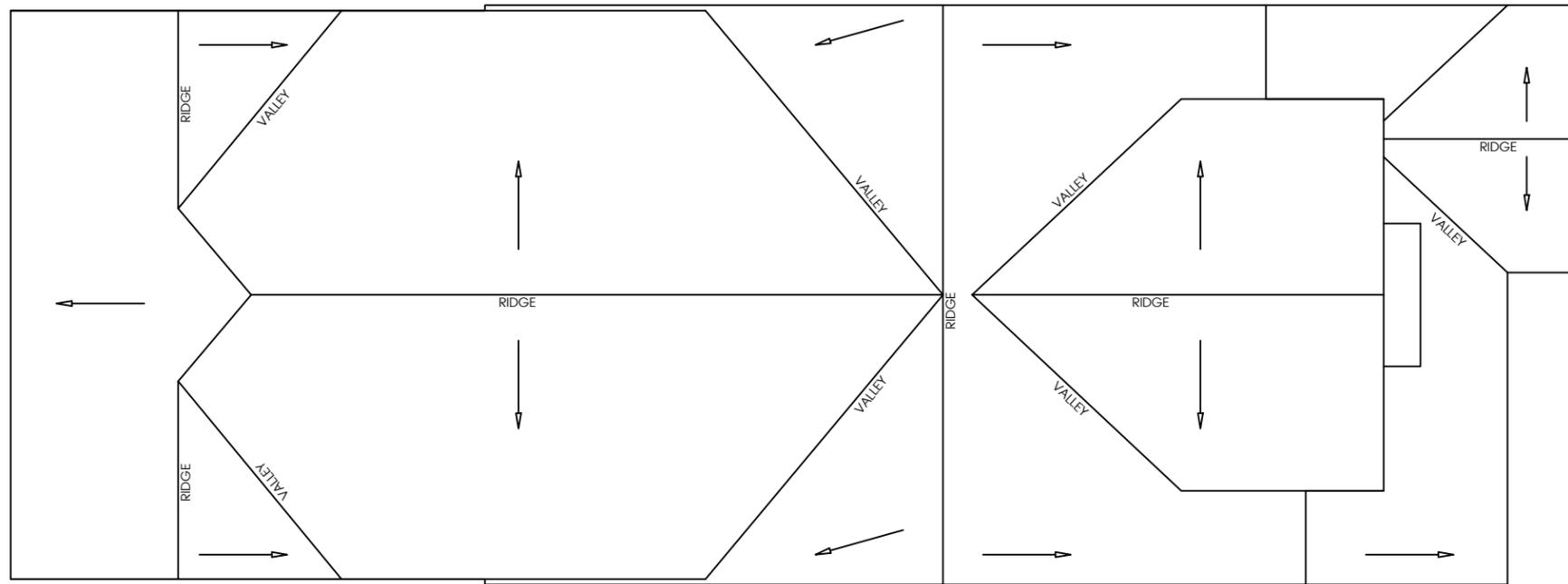
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1 ROOF PLAN
ID5 SCALE: 1/8" = 1'-0"

project
APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title
ROOF PLAN

date	04/20/2018	project no.	PROJECT
drawn by	M.PARSONS	checked by	E.McCARTHY
north		scale	AS NOTED
		drawing no.	ID5

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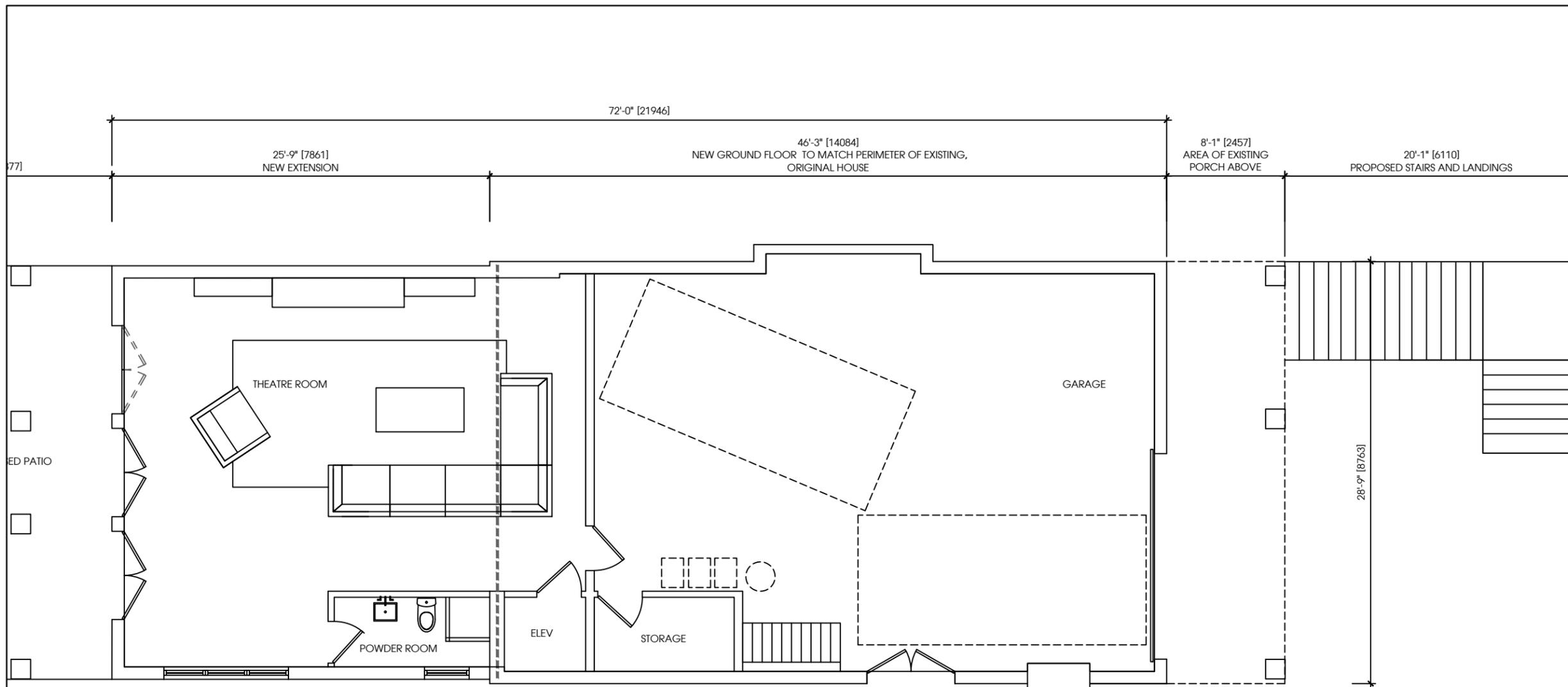
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project
APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title
GROUND FLOOR

date	04/20/2018	project no.	PROJECT
drawn by	M.PARSONS	checked by	E.McCARTHY
north		scale	AS NOTED
		drawing no.	ID6



1 GROUND FLOOR
ID6 SCALE: 1/8" = 1'-0"

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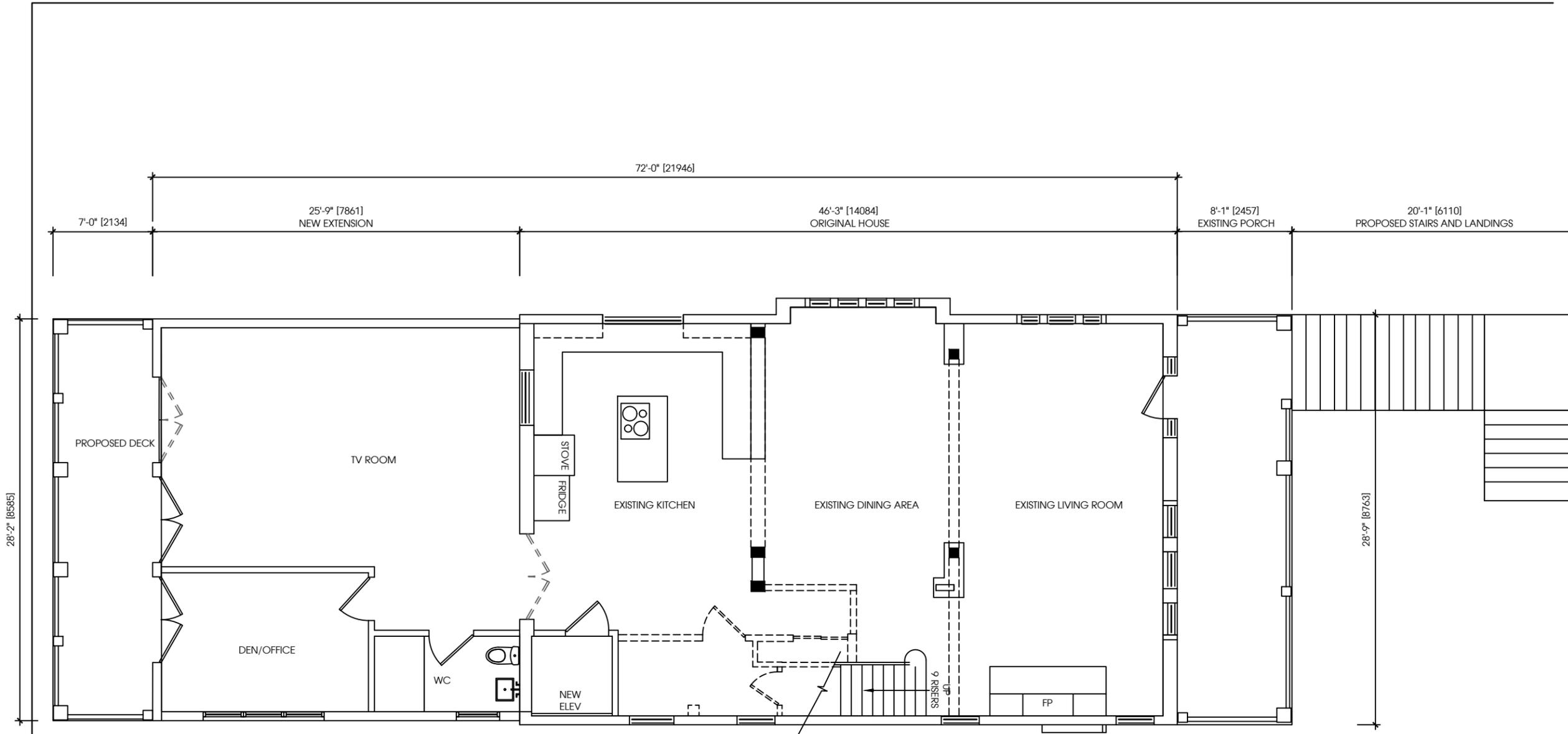
project

APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

drawing title

SECOND FLOOR

date	04/20/2018	project no.	PROJECT
drawn by	M.PARSONS	checked by	E.McCARTHY
north		scale	AS NOTED
		drawing no.	ID7



1 SECOND FLOOR
ID7 SCALE: 1/8" = 1'-0"

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project
APANASHK RESIDENCE
174 BEACH BLVD
HAMILTON, ONT

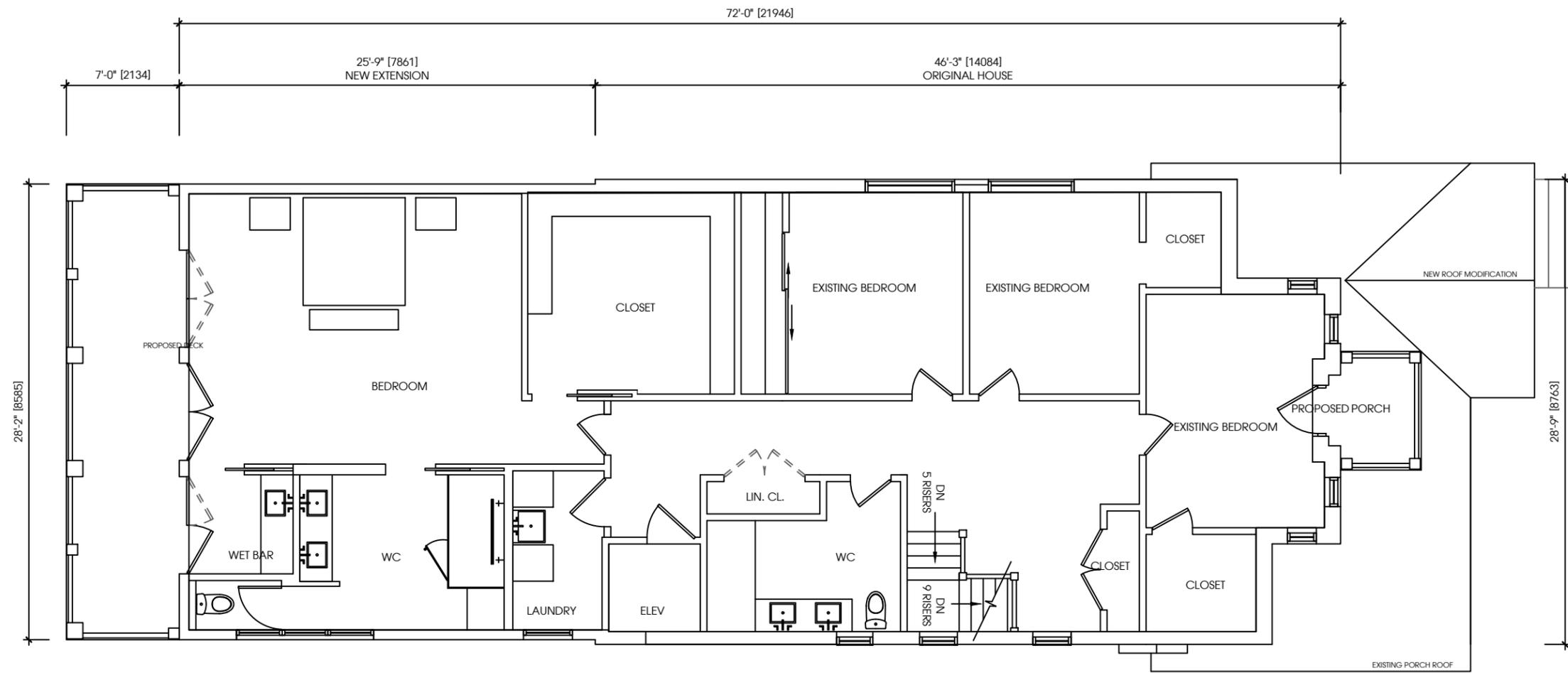
drawing title
THIRD FLOOR

date 04/20/2018 project no. PROJECT
drawn by M.PARSONS checked by E.McCARTHY

north scale AS NOTED
drawing no.



ID 8



1 THIRD FLOOR
ID8 SCALE: 1/8" = 1'-0"



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

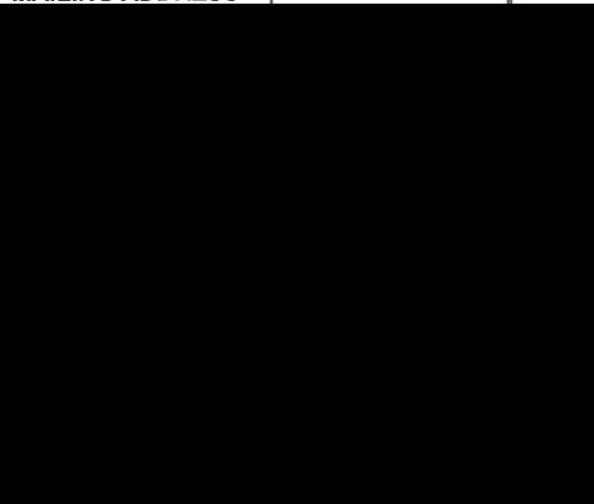
APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	JOHN APANASHK LORRAINE APANASHK	
Applicant(s)*	KELSEY HAMMERTON	
Agent or Solicitor	KELSEY HAMMERTON	

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
 Scotia Bank
 547 Brant St,
 Burlington, ON L7R 2G6

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

3 STOREY HOUSE WHERE ONLY 2.5 STOREY IS ALLOWED
2 CARS PARKING IN FRONT OF GARAGE WHERE 1 IS ALLOWED

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

2 CARS, INCLUDING MANEUVERING SPACE, DOES NOT FIT WITHIN GARAGE. ONE SPACE REQUIRED IN FRONT OF GARAGE, ONE SPACE REQUIRED TO THE SIDE OF THE GARAGE. HEIGHT OF HOUSE PREVIOUSLY APPROVED IN MINOR VARIANCE CASE HM/A-20:175, BUT NOW REQUIRE APPROVAL FOR 3 STOREY HEIGHT.

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

174 BEACH BLVD, HAMILTON, ON
PIN 017571-0155

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Historical Record

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

June 4, 2021

Date

John Apanashk

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	15.98m
Depth	48.02m
Area	762.8 sq m
Width of street	

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

Existing:

GROUND FLOOR - 1,554 SQ FT
 SECOND FLOOR - 1,100 SQ FT
 GROSS FLOOR AREA - 2,656 SQ FT
 +/- 60'-7"L x 29'-6"W x 26'-7"H

Proposed

LOWER LEVEL - 1,900 SQ FT (INCL. GARAGE)
 GROUND FLOOR - 1,932 SQ FT
 SECOND FLOOR - 1,833 SQ FT
 GROSS FLOOR AREA - 5,665 SQ FT (INCL. GARAGE)

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

Existing:

FRONT LOT - 9m TO LOT LINE
 NORTH SIDE LOT - 2.74m TO LOT LINE
 SOUTH SIDE LOT - 4.48m TO LOT LINE
 REAR LOT - 16m TO LOT LINE

Proposed:

FRONT LOT - 9m TO LOT LINE
 NORTH SIDE LOT - 2.74m TO LOT LINE
 SOUTH SIDE LOT - 4.48m TO LOT LINE
 REAR LOT - 14.1m TO LOT LINE

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
1911

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
RESIDENTIAL
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- | | | | | |
|----------------|----|-------------------------------------|-----------|-------------------------------------|
| Water | -- | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
24. 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.



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-21:247

APPLICANTS: Owner Lisa Lavallee

SUBJECT PROPERTY: Municipal address **133 & 135 Markland St., Hamilton**

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

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

PROPOSAL: To permit a lot to be conveyed (133 Markland Street) containing a two family dwelling and to permit a lot to be retained (135 Markland Street) in order to facilitate Consent File No. HM/B-20:58 notwithstanding that:

Lot to be Conveyed (133 Markland Street)

1. A minimum lot width of 7.2m shall be permitted instead of the minimum required lot width of 18.0m for a two (2) family dwelling.
2. A minimum lot area of 262m² shall be permitted instead of the minimum required lot area of 540m² for a two (2) family dwelling.
3. A 0.0m easterly side yard width shall be provided instead of the minimum required side yard width of 2.7m.
4. The existing open stairway/fire escape (steps) shall be permitted to project into the required westerly side yard a maximum of 1.9m so that the existing open stairway/fire escape may be as close as 0.8m to the westerly side lot line instead of the requirement that an open fire escape or open stairway may project into a required side yard (being 2.7m) not more than one-third of its width (being a maximum of 0.9m).
5. The existing balcony (2nd storey landing) shall be permitted to project into the required westerly side yard a maximum of 2.1m so that the existing balcony may be as close as 0.6m to the westerly side lot line instead of the requirement that a balcony (2nd storey landing) may project into a required side yard (being 2.7m) not more than one-third of its width (being a maximum of 0.9m).
6. No parking spaces shall be provided instead of the minimum required two (2) parking spaces.

HM/A-21: 247

Page 2

Lot to be Retained (135 Markland Street)

1. A minimum lot width of 7.4m shall be permitted instead of the minimum required lot width of 18.0m for a two (2) family dwelling.
2. A minimum lot area of 278m² shall be permitted instead of the minimum required lot area of 540m² for a two (2) family dwelling.
3. A 0.0m westerly side yard width shall be provided instead of the minimum required side yard width of 2.7m.
4. The existing open stairway/fire escape (steps) shall be permitted to project into the required easterly side yard a maximum of 1.8m so that the existing open stairway/fire escape (steps) may be as close as 0.9m to the easterly side lot line instead of the requirement that an open fire escape or open stairway may project into a required side yard (being 2.7m) not more than one-third of its width (being a maximum of 0.9m).
5. The existing balcony (2nd storey landing) shall be permitted to project into the required easterly side yard a maximum of 1.7m so that the existing balcony (2nd storey landing) may be as close as 1.0m to the easterly side lot line instead of the requirement that a balcony may project into a required side yard (being 2.7m) not more than one-third of its width (being a maximum of 0.9m).
6. No parking spaces shall be provided instead of the minimum required two (2) parking spaces.

NOTE:

- i) The variances are necessary to facilitate Consent File No. HM/B-20:58.

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

DATE: Thursday, August 12th, 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.

MORE INFORMATION

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

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

HM/A-21: 247
Page 3

DATED: July 27th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

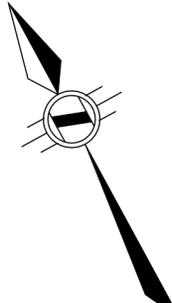
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SURVEYOR'S REAL PROPERTY REPORT
PART 1, PLAN OF PART OF
LOT 18
REGISTERED PLAN 87
IN THE
CITY OF HAMILTON

SCALE 1:100 METRIC



S.D. McLAREN, O.L.S. - 2021



SURVEYOR'S REAL PROPERTY REPORT
(PART 2)

PART OF LOT 18, REGISTERED PLAN 87 IS NOT SUBJECT TO ANY EASEMENTS.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS PLAN WAS PREPARED FOR LISA LYNN LAVALLEE.

MARKLAND STREET

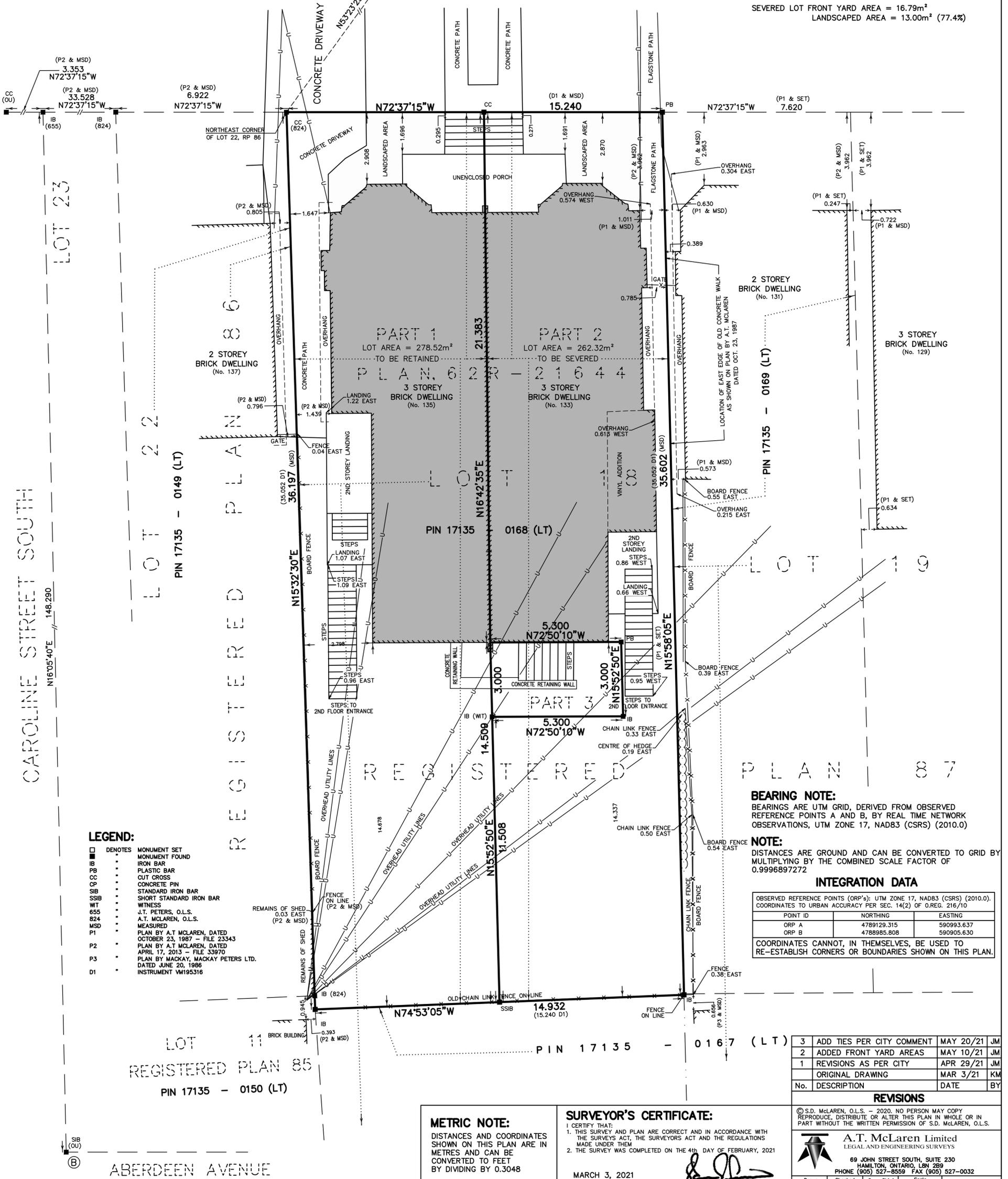
(ESTABLISHED BY REGISTERED PLAN 87, 88 & 256)

PIN 17135 - 0359 (LT)

FRONT YARD AREAS:

RETAINED LOT FRONT YARD AREA = 19.87m²
CONCRETE DRIVEWAY = 9.46m² (47.6%)
LANDSCAPED AREA = 9.95m² (50.1%)

SEVERED LOT FRONT YARD AREA = 16.79m²
LANDSCAPED AREA = 13.00m² (77.4%)



- LEGEND:**
- DENOTES MONUMENT SET
 - MONUMENT FOUND
 - IB IRON BAR
 - PB PLASTIC BAR
 - CC CUT CROSS
 - CP CONCRETE PIN
 - SIB STANDARD IRON BAR
 - SSIB SHORT STANDARD IRON BAR
 - WT WITNESS
 - 655 J.T. PETERS, O.L.S.
 - 824 A.T. McLAREN, O.L.S.
 - MSD MEASURED
 - P1 PLAN BY A.T. McLAREN, DATED OCTOBER 23, 1987 - FILE 23343
 - P2 PLAN BY A.T. McLAREN, DATED APRIL 17, 2013 - FILE 33870
 - P3 PLAN BY MACKAY, MACKAY PETERS LTD. DATED JUNE 20, 1986
 - D1 INSTRUMENT VM195316

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996897272

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4789129.315	590993.637
ORP B	4788985.808	590905.630

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

No.	DESCRIPTION	DATE	BY
3	ADD TIES PER CITY COMMENT	MAY 20/21	JM
2	ADDED FRONT YARD AREAS	MAY 10/21	JM
1	REVISIONS AS PER CITY	APR 29/21	JM
	ORIGINAL DRAWING	MAR 3/21	KM

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

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
2. THE SURVEY WAS COMPLETED ON THE 4th DAY OF FEBRUARY, 2021

MARCH 3, 2021
DATE

[Signature]
S. DAN McLAREN, O.L.S.

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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

Drawn KM	Checked RAM	Crew Chief MWJ	Scale 1:100	Dwg.No. 36581-F
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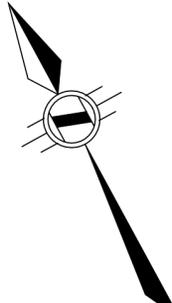
ABERDEEN AVENUE

SURVEYOR'S REAL PROPERTY REPORT
PART 1, PLAN OF PART OF
LOT 18
REGISTERED PLAN 87
IN THE
CITY OF HAMILTON

SCALE 1:100 METRIC



S.D. McLAREN, O.L.S. - 2021



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(PART 2)

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MARKLAND STREET

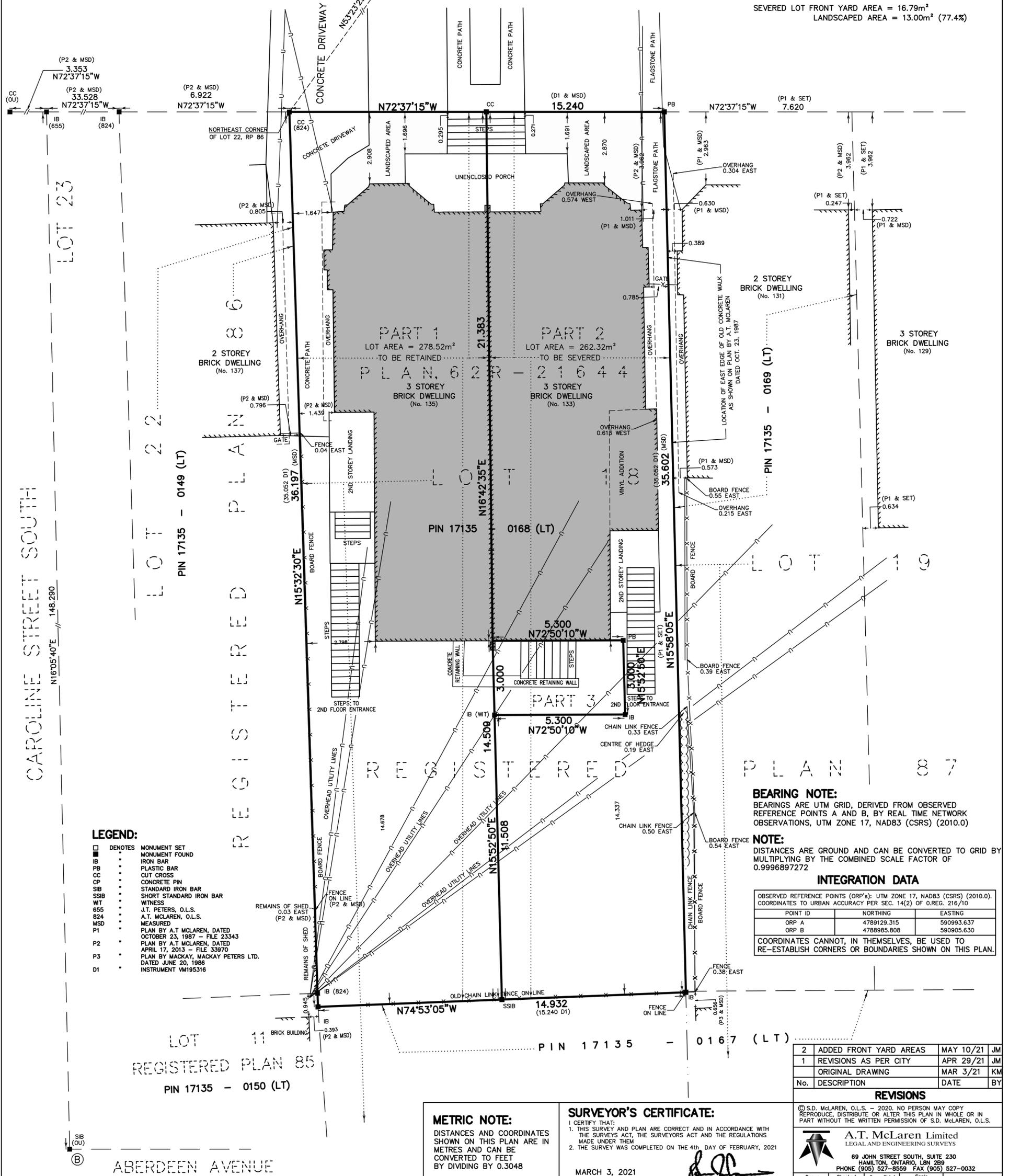
(ESTABLISHED BY REGISTERED PLAN 87, 88 & 256)

PIN 17135 - 0359 (LT)

FRONT YARD AREAS:

RETAINED LOT FRONT YARD AREA = 19.87m²
CONCRETE DRIVEWAY = 9.46m² (47.6%)
LANDSCAPED AREA = 9.95m² (50.1%)

SEVERED LOT FRONT YARD AREA = 16.79m²
LANDSCAPED AREA = 13.00m² (77.4%)



CAROLINE STREET SOUTH

N16°05'40"E 148.290

LOT 23

LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- CC CUT CROSS
- CP CONCRETE PIN
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- WT WITNESS
- 655 J.T. PETERS, O.L.S.
- 824 A.T. McLAREN, O.L.S.
- MSD MEASURED
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- P2 PLAN BY A.T. McLAREN, DATED APRIL 17, 2013 - FILE 33870
- P3 PLAN BY MACKAY, MACKAY PETERS LTD. DATED JUNE 20, 1986
- D1 INSTRUMENT VM195316

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996897272

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4789129.315	590993.637
ORP B	4788985.808	590905.630

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

REGISTERED PLAN 85

PIN 17135 - 0150 (LT)

ABERDEEN AVENUE

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
2. THE SURVEY WAS COMPLETED ON THE 4th DAY OF FEBRUARY, 2021

MARCH 3, 2021
DATE

S. Dan McLaren
S. DAN McLAREN, O.L.S.

No.	DESCRIPTION	DATE	BY
2	ADDED FRONT YARD AREAS	MAY 10/21	JM
1	REVISIONS AS PER CITY	APR 29/21	JM
	ORIGINAL DRAWING	MAR 3/21	KM

REVISIONS

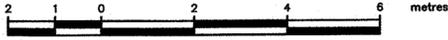
© S.D. McLAREN, O.L.S. - 2020. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

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

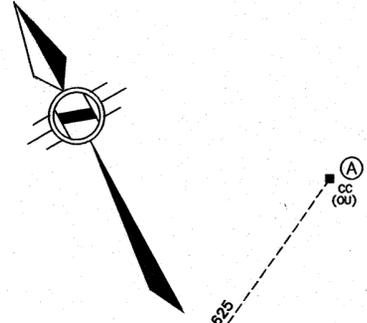
Drawn KM	Checked RAM	Crew Chief MWJ	Scale 1:100	Dwg. No. 36581-F
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PLAN OF SURVEY
OF PART OF
LOT 18
REGISTERED PLAN 87
IN THE
CITY OF HAMILTON

SCALE 1:100 METRIC



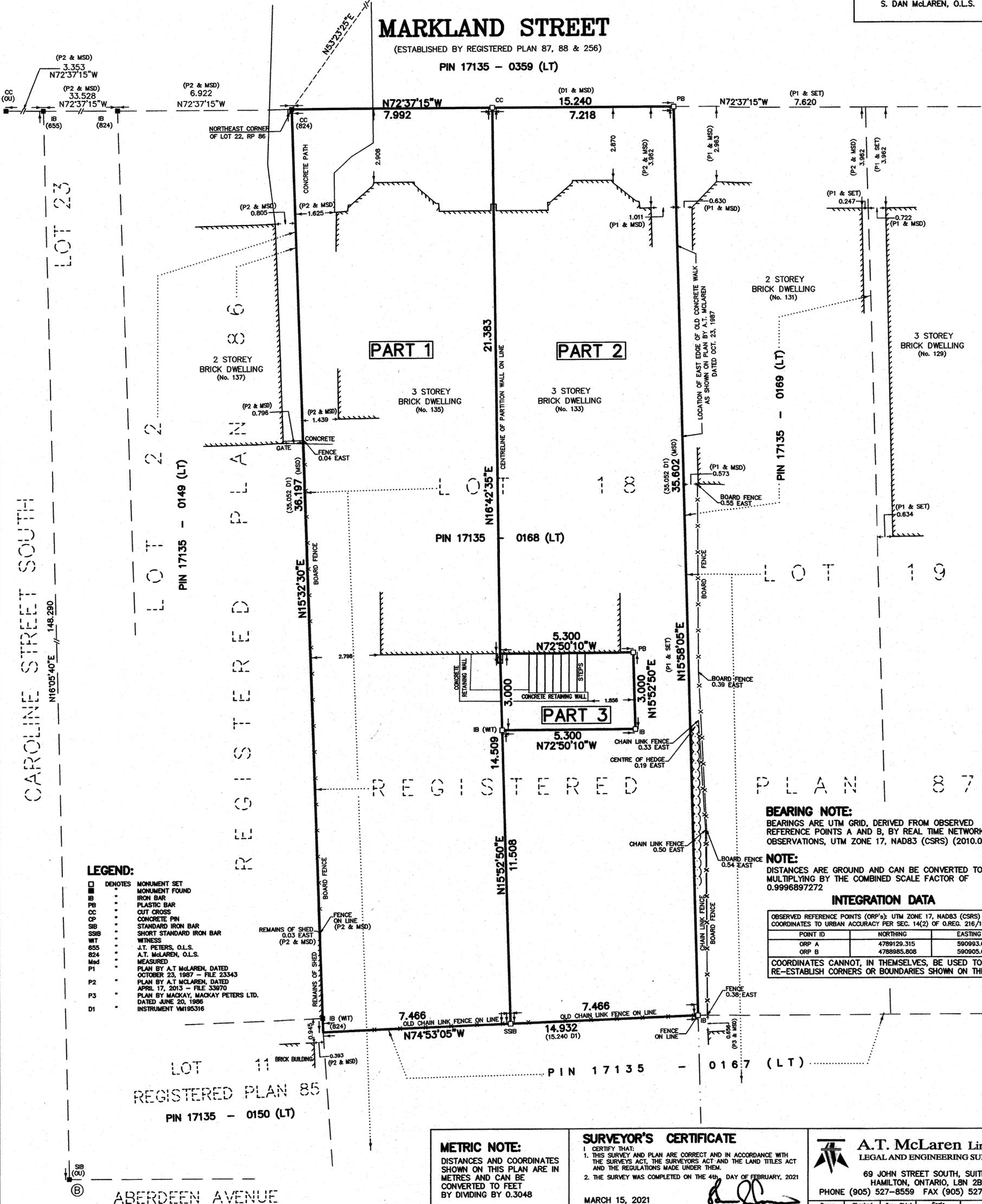
S.D. McLAREN, O.L.S. - 2021



SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1			
2	PART OF LOT 18	REGISTERED PLAN 87	ALL OF PIN 17135-0168 (LT)
3			

PLAN 62 R-21644
RECEIVED AND DEPOSITED
Date March 22, 2021
C. Adsett
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF WENTWORTH (No. 62)
I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE LAND
TITLES ACT.
Date MARCH 15, 2021
S. Dan McLaren
S. DAN McLAREN, O.L.S.

PARTS 1 TO 3, INCLUSIVE, COMPRISE ALL OF PIN 17135-0168 (LT)



- LEGEND:**
- DENOTES MONUMENT SET
 - DENOTES MONUMENT FOUND
 - IRON BAR
 - PLASTIC BAR
 - CUT CROSS
 - CONCRETE PIN
 - STANDARD IRON BAR
 - SHORT STANDARD IRON BAR
 - WITNESS
 - 855 J.T. PETERS, O.L.S.
 - 824 A.T. McLAREN, O.L.S.
 - Med MEASURED
 - P1 PLAN BY A.T. McLAREN, DATED OCTOBER 23, 1987 - FILE 23343
 - P2 PLAN BY A.T. McLAREN, DATED APRIL 17, 2013 - FILE 33970
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 - D1 INSTRUMENT WM195316

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NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996897272

INTEGRATION DATA

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ORP A	4789129.315	590993.637
ORP B	4788985.808	590905.630

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METRIC NOTE:
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SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
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2. THE SURVEY WAS COMPLETED ON THE 4th DAY OF FEBRUARY, 2021
MARCH 15, 2021
DATE
S. Dan McLaren
S. DAN McLAREN, O.L.S.

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 KM Checked RAM Crew Chief MWJ Scale 1:100 Dwg.No. 36581-R



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Lisa Lavallee		
Applicant(s)*	Lisa Lavallee		
Agent or Solicitor			Phone:
			E-mail:

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
 Bank of Montreal Mortgage, 910 Queenston Rd, Stoney Creek, ON L8G 1B5

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Minor Variance APPLICABLE LAW REVIEW – Clearance of Condition Nos. 4 & 5 for Consent File No. HM/B-20:58 See attached schedules A, B & C

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

To recognize existing buildings that are not in conformity with the by-law. See schedule A, B & C

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

133 & 135 Markland St , Hamilton, On L8P2K3
PT LT 18, PL 87 , AS IN VM195316 ; HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

The subject property is residential and was built in 1895. The area and adjacent home

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. 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(s)

_____ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>See Schedule B</u>
Depth	<u>See Schedule B</u>
Area	<u>See Schedule B</u>
Width of street	<u>See Schedule B</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: _

See attached plan of survey Schedule B and C

Proposed

See attached plan of Survey Schedules B & 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 plan of survey Schedule B

Proposed:

See Attached plan of Survey Schedule B

13. Date of acquisition of subject lands:
2000
-
14. Date of construction of all buildings and structures on subject lands:
1895
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
4plex
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family and duplex.
17. Length of time the existing uses of the subject property have continued:
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:
neighborhood designation
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D district
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
Consent file application No. HM/B :20:58 2 plans of survey attached ...Schedule
24. 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.



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-20:77

SUBJECT PROPERTY: 200 Macaulay St. E., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Christian Zenteno

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

Severed lands:

6.72m_± x 49.56 m_± and an area of 333 m²_±

Retained lands:

6.88m_± x 49.56m_± and an area of 336 m²_±

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 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.

HM/B-20:77
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: July 27th, 2021

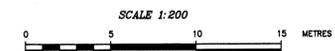
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

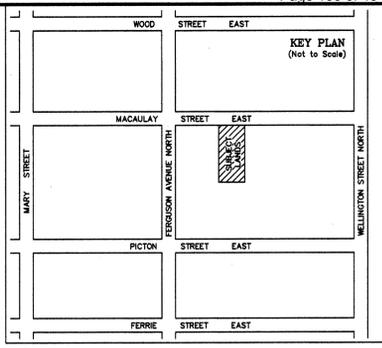
MACAULAY STREET EAST

(BY REGISTERED PLAN 82, P.I.N. 17157-0366 (LT))

PROPOSED SEVERANCE & LOT GRADING PLAN (200 MACAULAY STREET EAST) LOT 23 REGISTERED PLAN 82 CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR



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

GENERAL GRADING NOTES:

- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SODDED SLOPES (min. 3H to 1V) AND/OR RETAINING WALLS AS SPECIFIED.
- ALL RETAINING WALLS, WALKWAYS, CURBS, ETC. SHALL BE PLACED A MIN. OF 0.45 m OFF THE PROPERTY LINE. ALL WALLS 1.0 m OR HIGHER SHALL BE DESIGNED BY A P.Eng.
- SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150 mm ABOVE THE PROPOSED SIDE YARD SWALES.
- RETAINING WALLS 0.6 m. IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
- SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33% SLOPES (3:1 SLOPES).
- WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED PROVIDED A 150 mm. SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM 0.3 m. COVER OVER THE SUB-DRAIN), OR OTHER MITIGATION MEASURES.
- MINIMUM GRADE FOR A WRAP-AROUND SWALE IN THE BACKYARD SHALL BE 1.0%.
- UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED AS A STRAIGHT LINE.
- TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150 mm. (min) ABOVE FINISHED GRADE.
- DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0% REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED.
- CARAGE FLOOR ELEVATION TO BE SET MINIMUM 0.3 m. HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
- ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300 mm. LIFTS.
- FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS AND PROTECTION SCHEMATICS, ETC. REFER TO TREE PROTECTION PLAN.
- LOT GRADING FOR ALL LOTS IN THE SUBDIVISION SHALL CONFORM STRICTLY WITH THIS PLAN, ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE CITY, SHALL RESULT IN NON ACCEPTANCE OF THE SUBDIVISION BY THE CITY.
- IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
- DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2 m. FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.

ELEVATION NOTE:
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON BENCH MARK INDEXED AS No. 3-04. LOCATION: HOUSE No. 225 MACAULAY STREET NEAR WELINGTON STREET, PLAQUE ON SOUTH FACE, 0.20 m. EAST OF SOUTHWEST CORNER, No. 184. ELEVATION = 82.645 m.

LEGEND & NOTES:

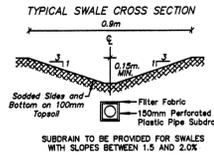
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - DENOTES STANDARD IRON BAR
 - DENOTES SHORT STANDARD IRON BAR
 - DENOTES IRON BAR
 - DENOTES CUT CROSS
 - WT. DENOTES WITNESS
 - (OU) DENOTES ORIGIN UNKNOWN
 - P1 DENOTES REGISTERED PLAN 82
 - P2 DENOTES PLAN BY A.J. CLARKE LTD. (FILE E-11375)
 - P3 DENOTES PLAN 62R-9058
 - P4 DENOTES PLAN BY THIS OFFICE (FILE: 94-178)
 - (1243) DENOTES ED. BARCH O.L.S.
 - (1497) DENOTES J.P. MOUWENS O.L.S.
 - (CITY) DENOTES CITY OF HAMILTON
 - (PROP) DENOTES PROPORTIONED DISTANCE
 - C.B. DENOTES CATCH BASIN
 - M.H. DENOTES MANHOLE
 - T.C. DENOTES TOP OF CURB
 - U.P. DENOTES UTILITY POLE
 - W.V. DENOTES WATER VALVE
 - Ø 3.0 DENOTES DIAMETER OF TREE
 - x 81.00 DENOTES EXISTING ELEVATION
 - x (81.00) DENOTES PROPOSED ELEVATION
- BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 0019843309 AND 07720100045, UTM ZONE 17, NAD83 (ORIGINAL).
- FOR BEARING COMPARISONS, A ROTATION OF 0°43'55" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS SHOWN ON A PLAN BY THIS OFFICE (FILE: 94-178)

BACKYARD GRADING NOTES:

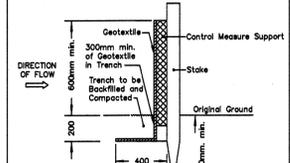
- DEFINITION: "REQUIRED BACKYARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY-LAW OR 6 METRES.
- THE MAXIMUM SLOPE IN THE BACKYARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACKYARD SHALL BE 5%, EXCEPT AS SET OUT IN ITEMS BELOW.
- THE 5% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT.
- WHERE THE 5% RESTRICTION ON THE BACKYARD GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3 m.
- GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
- THE 5% RESTRICTION DOES NOT PRECLUDE RETAINING WALLS IN THE REQUIRED BACKYARDS PROVIDING THE TERRACES ARE MAINTAINED TO THE 5% GRADE AS SET OUT IN ITEM b) ABOVE. THE INTENTION OF THIS PROVISION IS TO PROVIDE FOR FLEXIBILITY OF HOUSE CONSTRUCTION.
- THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS, OUTSIDE THE AREA DEFINED IN a) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (MINIMUM 3H:1V).

ROOFWATER LEADERS NOTE:

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6m. FROM THE BUILDING FACE.



ALL HEAVY-DUTY SILT FENCE BARRIERS TO COMPLY WITH OPSD 219.130 (NOV. 2015) REV. #2



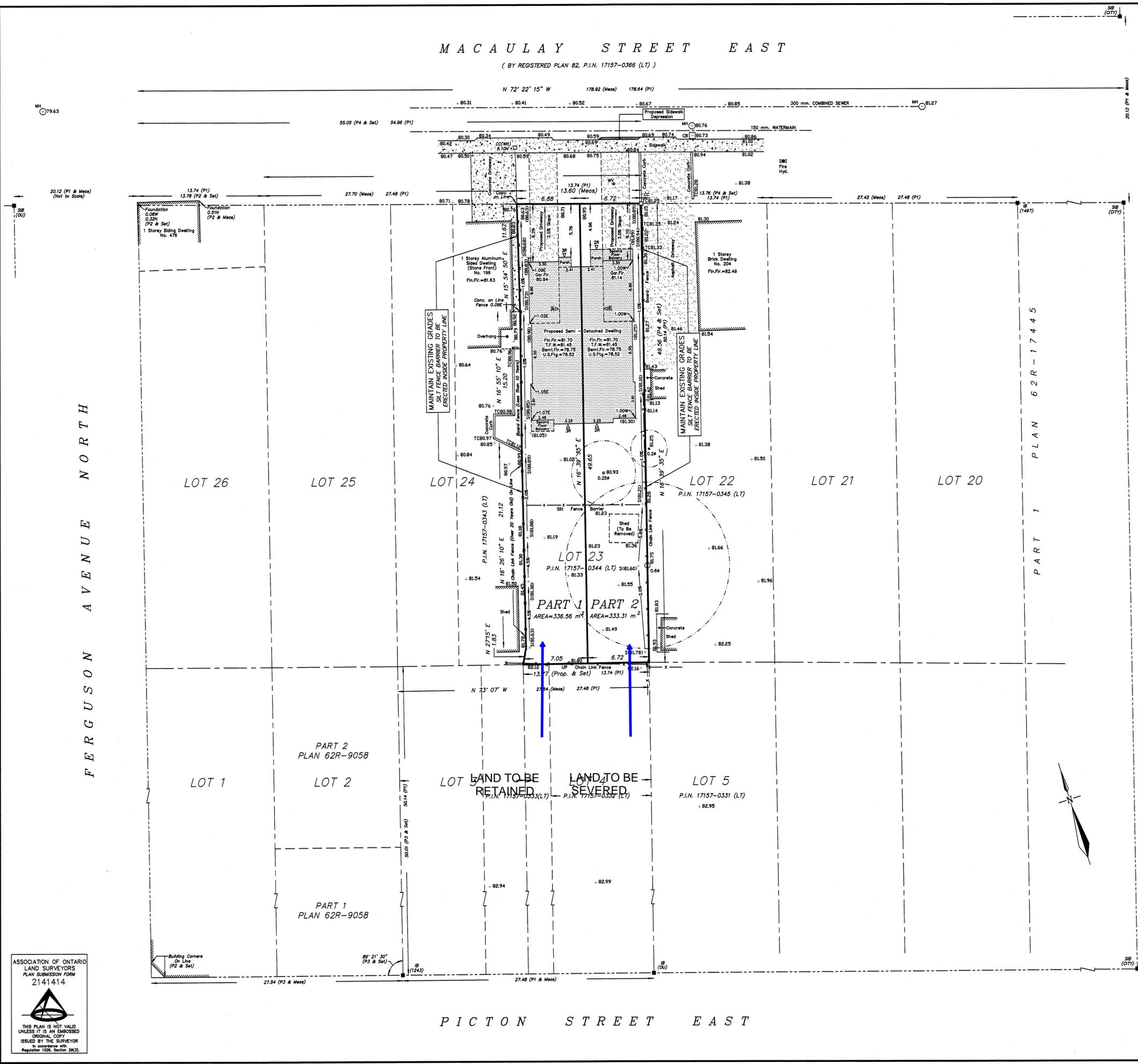
NOTE:
ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SHOWN

OCTOBER 22, 2020
DATE

Brian Jacobs
BRIAN JACOBS
ONTARIO LAND SURVEYOR



B.A. JACOBS SURVEYING LTD.
152 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L8N 1L3)
PHONE 905-821-1535 bjacobs@rogers.com



ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2141414
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1028, SECTION 28(3).



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

**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)	Christian Zenteno	[REDACTED]	[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 HAMILTON	Lot 23	Concession	Former Township
Registered Plan N°. 82	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 200 Macaulay St East			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) 6.72m	Depth (m) 49.56m	Area (m ² or ha) 333.31m 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: _____ Single Family two storey _____

Proposed: _____ Single family two storey _____

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) 6.88m	Depth (m) 4.56m	Area (m ² or ha) 336.56m
-----------------------	--------------------	--

Existing Use of Property to be retained:

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

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

 Previous 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)

Yes, in reference to PPS section 1.4, "Housing," this plan meets the requirements for residential housing and conforms to and implements the (official plan) intensification goals adopted in conformity with the PPS by adding range of housing forms in an area designated for intensification. This proposal does not conflict with the intent of the Urban Hamilton Official Plan. It is in keeping with the development in the area.

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

This plan contributes to the province's and the city's residential intensification goals, adds to the existing range of built forms (detached homes), and enriches the surrounding residential neighbourhood. It also serves to maintain and support existing character and the proposed character of the surrounding 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)

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?

 2.5 Years

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

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

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

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

- | | | |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

- 95 John St East

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-21:122

APPLICANTS: Agent Graham McNally
Owner Gabrielle Inglis

SUBJECT PROPERTY: Municipal address **405 Catharine St. N., Hamilton**

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

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

PROPOSAL: To permit the construction of a 1.78m x 2.69m roofed-over unenclosed one storey front porch at the first storey level, including stairs, onto the existing single family dwelling notwithstanding that:

1. The roofed-over unenclosed one storey front porch at the first storey, including stairs, shall be permitted to project entirely into the required front yard so that it is 0.0m from the front lot line instead of the requirement that a roofed over or screened but otherwise unenclosed one storey porch at the first storey level, including eaves and gutters, may project into a required front yard (being 6.0m) to a distance of not more than 3.0m and every such projecting porch shall be distant at least 1.5m from the front lot line.

NOTE:

- i) A variance for 0 parking spaces and a reduced parking space size is not required as the single family dwelling existed prior to the passage of Hamilton Zoning By-law No. 6593.
- ii) A boulevard parking agreement is required for the parking space located on the Catharine Street North road allowance.
- iii) An encroachment agreement will be required for steps shown to encroach onto the Catharine Street North road allowance.

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

DATE: Thursday, August 12th, 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

HM/A-21: 122

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:

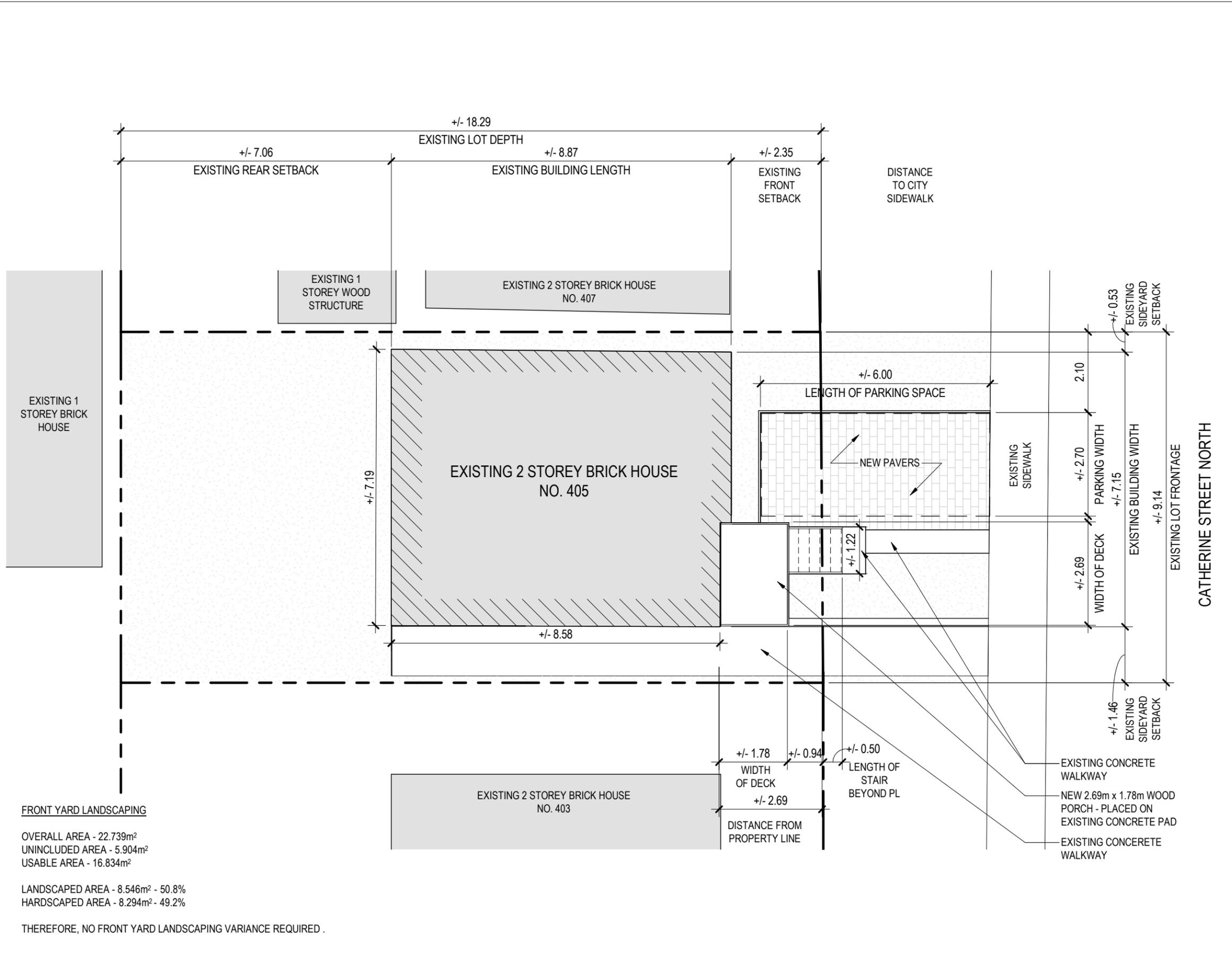
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 2021.

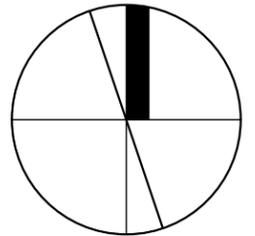
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

C:\Users\USER\Documents\2001-CTHRN_CENTRAL_amber\G5EE.rvt



1. These Contract Documents are the copyright property of the Architect.
2. Drawings are not to be scaled for construction. Contractor to verify all existing conditions and dimensions required to perform the Work and report any discrepancies with the Contract Documents to the Architect before commencing work.
3. The Architect bears no responsibility for the interpretations of these documents by the Contractor. Upon written application the Architect will provide written and graphic clarification or supplementary information regarding the intent of the Contract Documents. The Architect will review Shop Drawings submitted by the Contractor for design conformance only.
4. All construction shown in these Contract Documents forms part of the Work unless noted as existing.
5. Positions of exposed or finished mechanical or electrical devices, fittings, and fixtures are indicated on the Architectural drawings. The locations shown on the Architectural drawings govern over the Mechanical and Electrical drawings. Those items not clearly located will be located as directed by the Architect.



4	ISSUED FOR MV	2021-06-08
2	RE-ISSUED FOR MV	2021-05-27
1	ISSUED FOR MV	2021-03-22

No.	Description	Date
-----	-------------	------

TOMS + MCNALLY
 DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | Ontario | L8N 1B1 | 289 768 2211
 www.toms-mcnally.ca

405 CATHERINE
 405 CATHERINE STREET NORTH, HAMILTON, ON

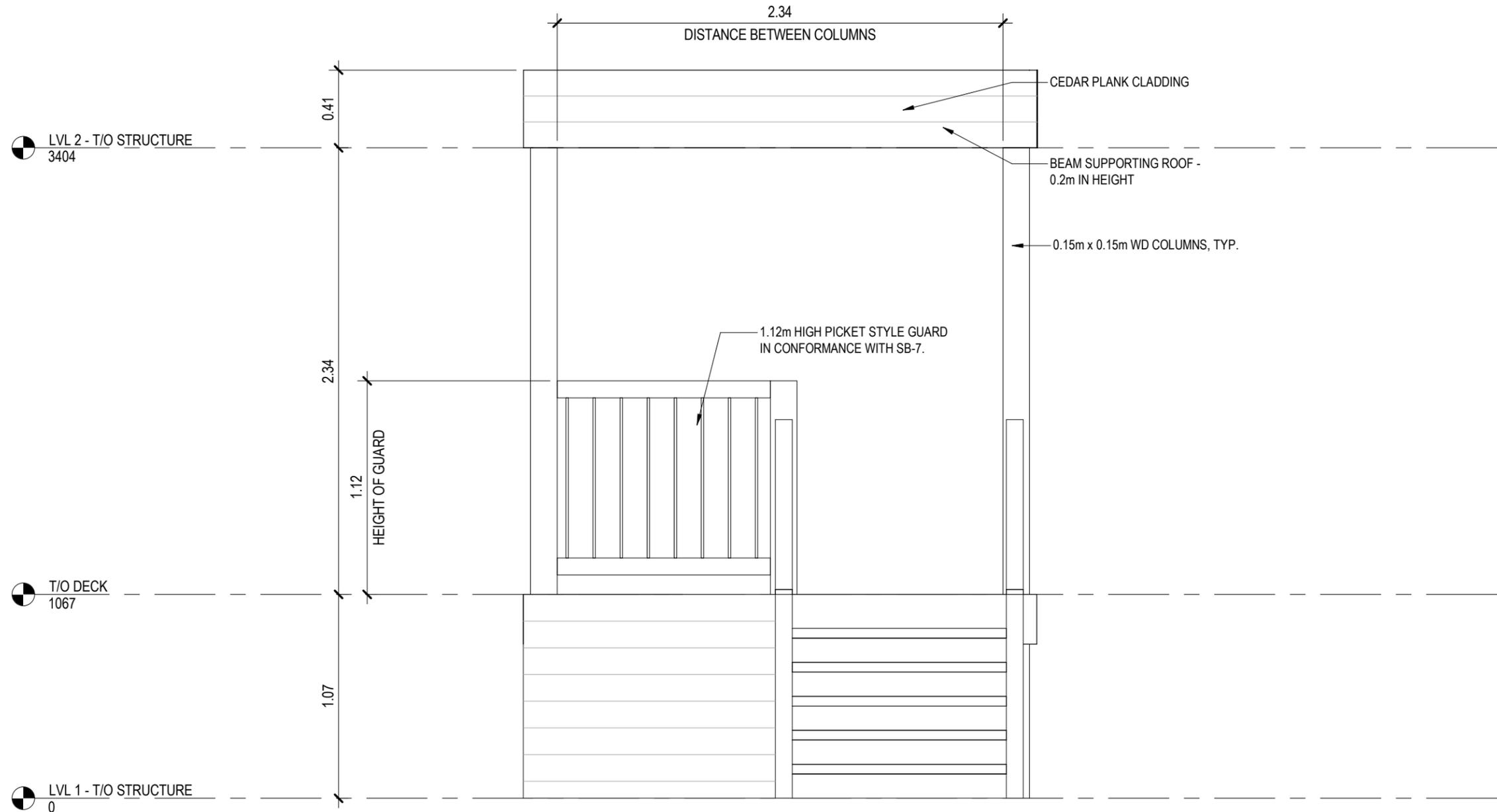
SITE PLAN

Project No:	20001
Scale:	1 : 100
Drawn By:	T+M
Checked By:	T+M

A1.01

21/06/08 12:15:09 PM

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4 ISSUED FOR MV 2021-06-08

No.	Description	Date
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TOMS + MCNALLY
 DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | Ontario | L8N 1B1 | 289 768 2211
 www.toms-mcnally.ca

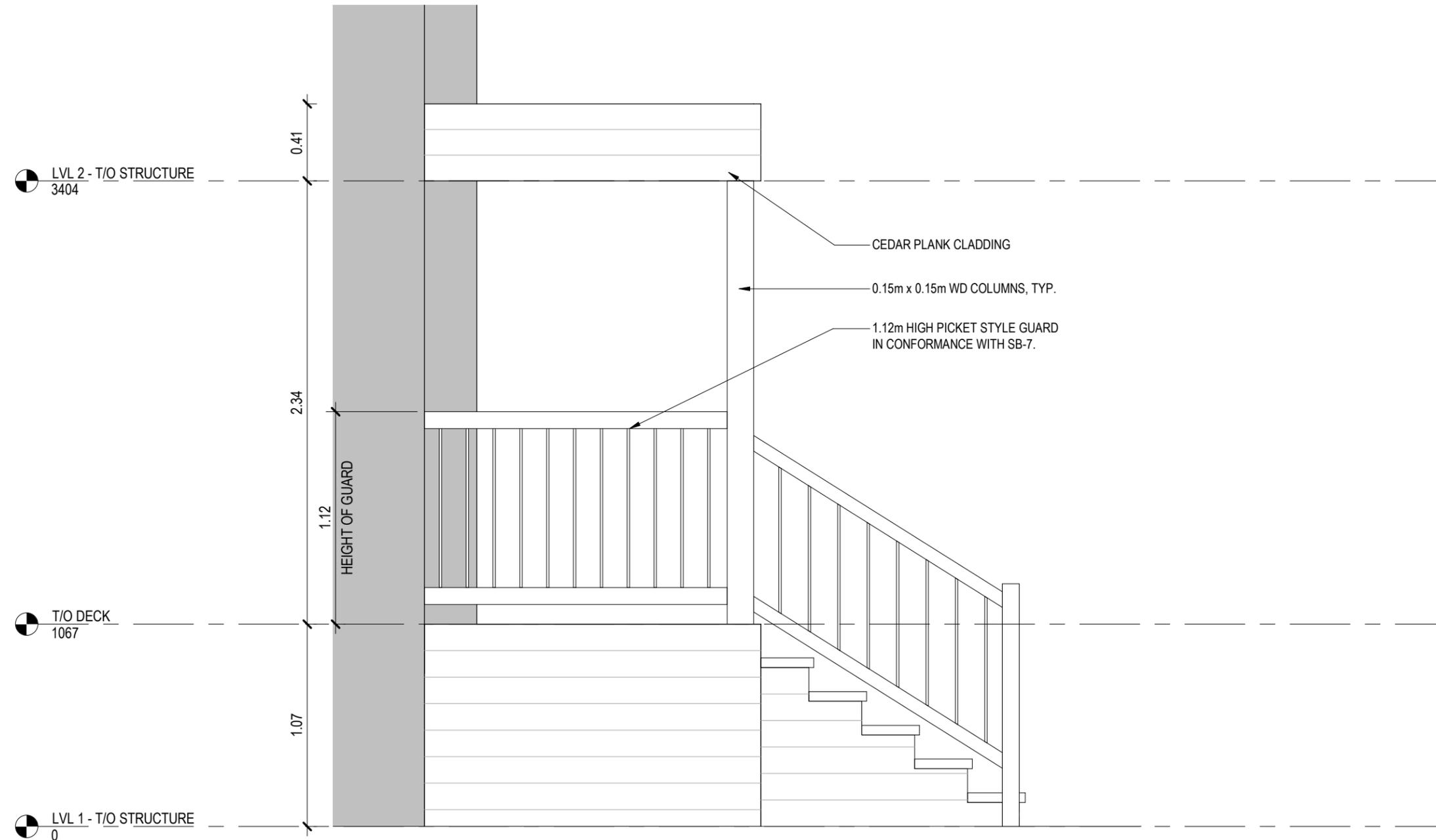
405 CATHERINE
 405 CATHERINE STREET NORTH, HAMILTON, ON
EAST PORCH ELEVATION

Project No: 2001
 Scale: 1 : 25
 Drawn By: T+M
 Checked By: T+M

NO EAVES AND/OR GUTTERS ON THE PORCH; NO FURTHER PROJECTIONS INTO YARD THAN SHOWN ON SITE PLAN.

21/06/08 12:15:09 PM

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NO EAVES AND/OR GUTTERS ON THE PORCH; NO FURTHER PROJECTIONS INTO YARD THAN SHOWN ON SITE PLAN.

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4 ISSUED FOR MV 2021-06-08

No.	Description	Date
-----	-------------	------

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | Ontario | L8N 1B1 | 289 768 2211
www.toms-mcnally.ca

405 CATHERINE

405 CATHERINE STREET NORTH, HAMILTON, ON

SOUTH PORCH ELEVATION

Project No: 2001
Scale: 1 : 25
Drawn By: T+M
Checked By: T+M

A1.03

21/06/08 12:15:09 PM



Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	Gabrielle Inglis	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]
Applicant(s)*	Martinus Geleynse	[REDACTED]	Phone: [REDACTED] [REDACTED]
Agent or Solicitor	Graham McNally	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

A roofed over but otherwise unenclosed one-storey wood porch at first level shall be a distance of 0m from front lot line rather than 3m.

Only one parking space to be provided on the property, up from no existing parking on the property

Reduced Parking Space Dimensions of: 2.7m x4.2m

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

Existing concrete entry to be removed and replaced with unenclosed one-storey wood porch in the same location of the existing. Existing location of dwelling determined location of front entry porch.

No previous parking available on site.

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

405 Catherine Street North,

Hamilton, ON

L8L 4T5

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

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

Observations made as the neighborhood has been a residential community for many years.

8.12 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

9. ACKNOWLEDGEMENT CLAUSE

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

Mar 13 2021

Date

Signature Property Owner

Gabrielle Inglis

Print Name of Owner

10. Dimensions of lands affected:

Frontage	+/- 8.11m
Depth	+/- 16.11m
Area	+/- 129.25m ²
Width of street	+/- 7.5m

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

Existing: _

House

Width: +/- 6.92m; Length: +/- 8.57m; Height: +/- 6.2m

Number of Stories: 2

Gross Floor Area: +/- 117.22m² Ground Floor Area: +/- 58.61m²

Proposed

Front Covered Deck

Width: +/- 1.69m

Length: +/- 2.69m

Height: +/- 3.81m

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

Existing:

House

FRONT LOT LINE: +/- 1.52m

REAR LOT LINE: +/- 6.02m

SIDE LOT LINE (EAST): +/- 0.05m

SIDE LOT LINE (WEST): +/- 1.00m

Proposed:

Front Covered Deck

FRONT LOT LINE: +/- 0.00m

REAR LOT LINE: +/- 14.32m

SIDE LOT LINE (EAST): +/- 4.28m

SIDE LOT LINE (WEST): +/- 1.11m

NO CHANGE TO EXISTING LOCATION OF HOUSE

13. Date of acquisition of subject lands:
Oct 1, 2020
14. Date of construction of all buildings and structures on subject lands:
House: +/- 75 years; Front Covered Porch: 2020
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:
 +/- 75 years
18. Municipal services available: (check the appropriate space or spaces)
 Water X Connected X
 Sanitary Sewer X Connected X
 Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
 Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Bylaw 65-93
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. Additional Information
24. 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.



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-21:61

SUBJECT PROPERTY: 128 Canada 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): Agent A.J. Clarke & Associates
 Owners G. & P. Spadafora

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

Severed lands: (Part 1)
 7.62m[±] x 29.41m[±] and an area of 223.5m^{2±}

Retained lands: (Part 2)
 7.62m[±] x 29.06m[±] and an area of 222.0m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 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.

HM/B-21:61
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

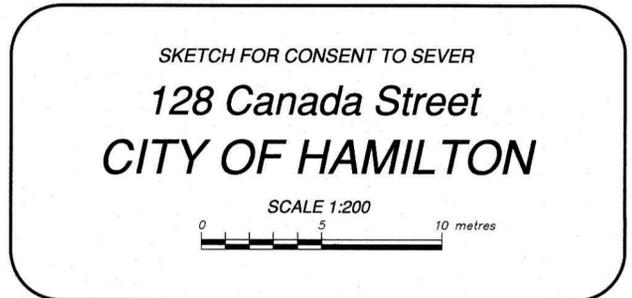
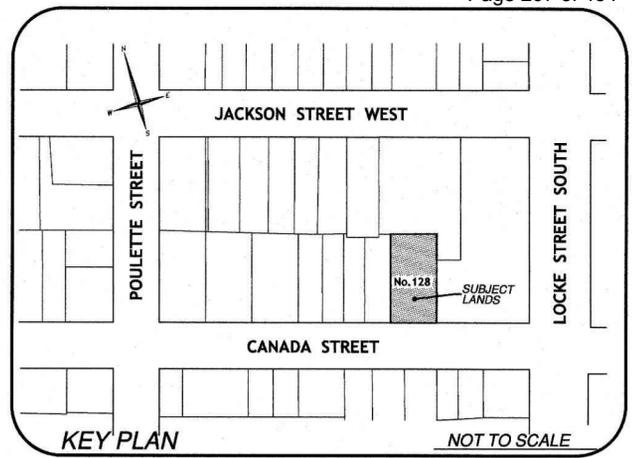
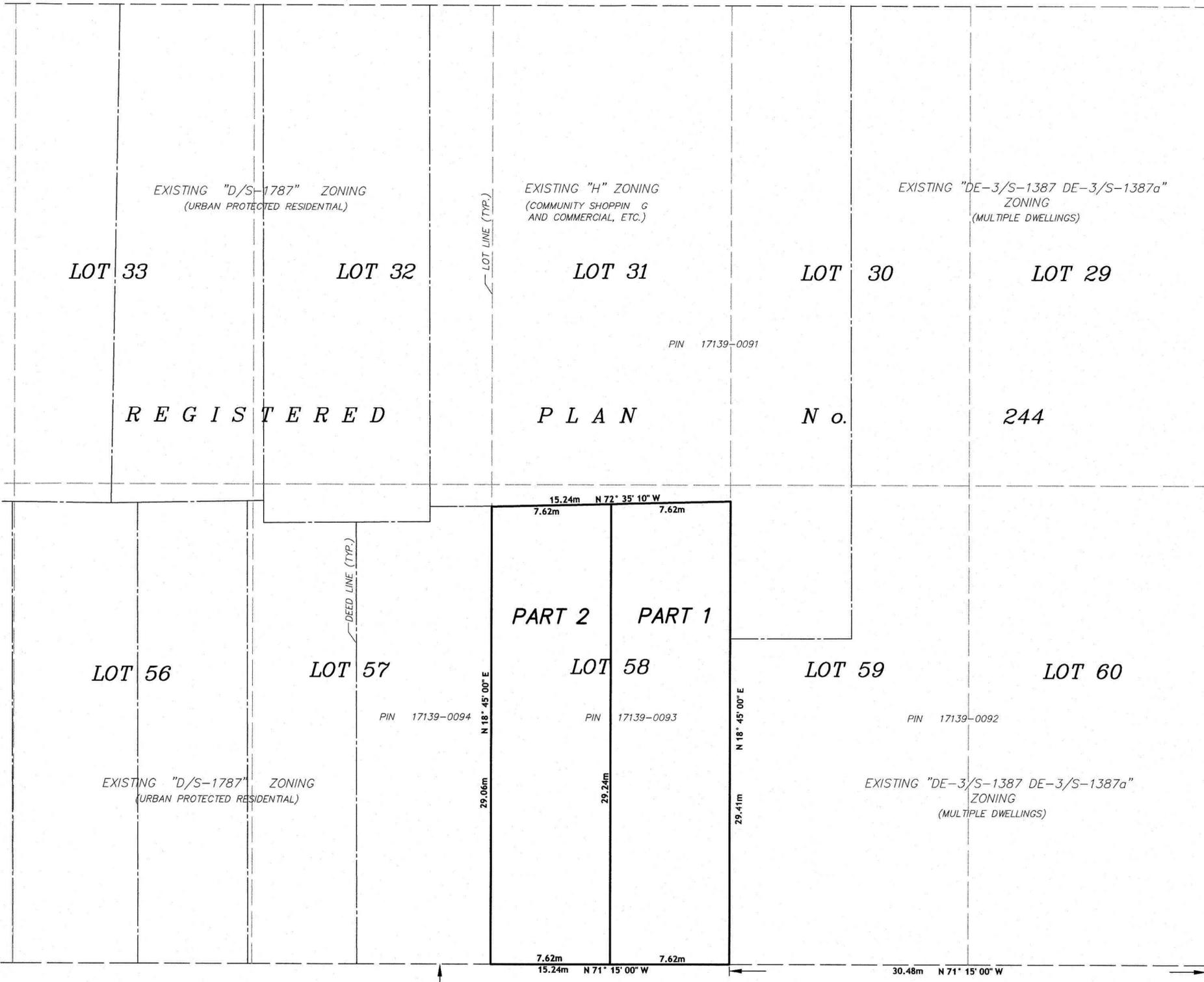
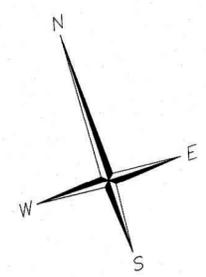
DATED: July 27th, 2021

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.

JACKSON STREET WEST

(ESTABLISHED BY REGISTERED PLAN 244)



THE ABOVE NOTED LANDS ARE PART OF LOT 58 - RICHARD BEASLEY SURVEY REGISTERED PLAN No. 244

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

NOTE: THE BOUNDARIES AND MEASUREMENTS SHOWN ON THIS SKETCH ARE APPROXIMATE AND ARE COMPILED FROM PLANS ON FILE IN OUR OFFICE AND IS NOT BASED ON A FIELD SURVEY.

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

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

CONSENT SCHEDULE:
PART 1 (PROPOSED SEVERANCE) AREA=223.48m²
PART 2 (REMAINING LANDS OF APPLICANT) AREA=222.07m²

CAUTION: THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.



May 5, 2021
DATE

NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR

PIN 17139-0267
CANADA STREET
(ESTABLISHED BY REGISTERED PLAN 244)

LOCKE STREET SOUTH
(ESTABLISHED BY REGISTERED PLAN 244)

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R-4528

R-4528



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

June 16th, 2021

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
128 Canada Street, 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 lands into two effectively equal parcels facilitate a new semi-detached dwelling consistent with the neighbourhood context and lot fabric.

The subject lands are regular in shape, with approximately ± 15.24 metres of frontage along Canada Street and with an approximate overall depth of ± 24 metres. The lands are zoned "D" District (Urban Protected Residential - One and Two Family Dwellings, etc.) under the City of Hamilton Zoning By-law 6593.

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 is 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 the creation of a semi-detached dwelling which is of compatible built form and character to surrounding development, which consists of similar land uses, small lot single-detached dwellings 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 the creation of a semi-detached dwelling. The future semi-detached dwelling is 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) & d) 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 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 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 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 the Growth Plan.



Attn: Ms. Jamila Sheffield - Secretary-Treasurer
Re: Severance Application Submission for 128 Canada Street, Hamilton

June 16th, 2021
Page 3 of 3

As required for the above-noted application, please find attached the following:

1. A cheque in the amount of \$ \$2,860.00 made payable to the *City of Hamilton* in payment of the Application Fee.
2. A copy of the completed and signed Application Form.
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 Client via email



Hamilton

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
Email: cofa@hamilton.ca

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
Registered Owners(s)	Paul Anthony Spadafora and/or Giovanna Spadafora	
Applicant(s)*	Same as owner	
Agent or Solicitor	A.J. Clarke and Associates Ltd.	

* 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 Lt 58	Concession	Former Township Hamilton
Registered Plan N°. 244	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 128 Canada Street			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:

N/A

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

Other: a charge

- addition to a lot
 an easement
- 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:

Unknown at this time.

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)
+/- 7.62 m	+/- 29.41 m	+/- 223.5 sq m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: One single detached dwelling (to be demolished)

Proposed: One half of a semi-detached dwelling (1 unit)

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m ² or ha)
+/- 7.62 m	+/- 29.06 m	+/- 222.0sq 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
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Building(s) or Structure(s):

Existing: One single detached dwelling (to be demolished)

Proposed: One half of a semi-detached dwelling (1 unit)

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please see attached cover 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? D/S-1787 - Urban Protected Residential - One and Two Family Dwellings, Etc.

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"/>	Commercial uses to the east on Locke
An active railway line	<input type="checkbox"/>	+/- 31m to the south
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 N/A
- 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?
Online mapping and knowledge of property 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

Please see attached cover letter.

- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 Please see attached cover letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 Please see attached 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
 Please see attached 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)

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.

N/A

8.4 How long has the applicant owned the subject land?

Since 2016

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
 - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
 - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (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.
Please see attached 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 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.

June 11, 2021

Date



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-21:85

APPLICANTS: Agent Ken Bekendam
 Owner Mansour Trustee

SUBJECT PROPERTY: Municipal address **552 & 554 Cannon St. E.**

ZONING BY-LAW: Zoning By-law 6593, as Amended 21-076

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

PROPOSAL: To permit an existing single family dwelling on the lands to be retained (552 Cannon Street East shown as Parts 1 and 2 on Draft 62R Plan) and then to permit the establishment of a secondary dwelling unit within this existing single family dwelling and to permit an existing single family dwelling on the lands to be conveyed (554 Cannon Street East shown as Parts 3 and 4 on Draft 62R Plan) and then to permit the establishment of a secondary dwelling unit within this existing single family dwelling in order to facilitate Consent Application File No. SC/B-21:013 notwithstanding that:

Variations required for the lands to be Conveyed (552 Cannon Street East)

i) Variations required for the existing Single Family Dwelling prior to the establishment of the secondary dwelling unit:

1. A minimum lot width of 7.3m shall be permitted instead of the minimum required lot width of 12.0m.
2. A minimum lot area of 140m² shall be permitted instead of the minimum required lot area of 360m².
3. A minimum easterly side yard width of 0.4m shall be provided instead of the minimum required side yard width of 1.2m.
4. Eaves and gutters shall be permitted to project 0.3m into the minimum required easterly side yard (being 0.4m) so that the eaves and gutters may be as close as 0.1m to the easterly side lot line instead of the requirement that an eave or gutter may project into the required side yard (being 0.4m) not more than ½ of its required width (being 0.2m).
5. A minimum of 40% of the front yard shall be used for a landscaped area instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.

HM/A-21: 85

Page 2

6. Two (2) parking spaces shall be provided instead of the minimum required three (3) parking spaces.

7. No onsite manoeuvring shall be provided for the parking spaces instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

ii) Variances required for the establishment of the Secondary Dwelling Unit within the existing Single Family Dwelling:

1. Two (2) parking spaces shall be provided instead of the minimum required four (4) parking spaces (composed of: three (3) spaces for the single family dwelling [Unit # 1] and 1 parking space for the secondary dwelling unit [Unit # 2]).

2. The entrance to the Secondary Dwelling Unit (Unit # 2) shall be permitted to be oriented to the front lot line instead of the requirement that Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the flankage lot line, interior side lot line or rear lot line.

NOTE:

a) This is a corner lot; therefore, the following lot line configurations have been made:

Front Lot Line:	Cannon St E
Rear Lot Line:	Southerly 17'7" (5.36m) NEW lot Line
Side Lot Lines:	Easterly 18.08m (combined 5.13m and 12.73m) NEW lot line Angled 2.94m NEW lot line Westerly 20.116m (combined 8.726m + 3.04m + 8.35m) lot line

b) As setbacks to the front lot line and westerly side lot line are not being altered by the severance, these setbacks are considered legally established non-complying. As such, variances are not required to these yards.

c) The eaves and gutters are not shown to project beyond the easterly side lot line.

Variances required for the lands to be Retained (554 Cannon Street East)

iii) Variances required for the existing Single Family Dwelling prior to the establishment of the secondary dwelling unit:

1. A minimum lot width of 7.3m shall be permitted instead of the minimum required lot width of 12.0m.

2. A minimum lot area of 190m² shall be permitted instead of the minimum required lot area of 360m².

3. A minimum westerly side yard width of 0.2m shall be provided instead of the minimum required side yard width of 1.2m.

4. Eaves and gutters shall be permitted to project 0.2m into the minimum required westerly side yard (being 0.4m) so that the eaves and gutters may be as close as 0.0m to the easterly side lot line instead of the requirement that an eave or gutter may project into the required side yard (being 0.2m) not more than ½ of its required width (being 0.1m).

5. A minimum of 40% of the front yard shall be used for a landscaped area instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.

6. Two (2) parking spaces shall be provided instead of the minimum required three (3) parking spaces.

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Page 3

7. No onsite manoeuvring shall be provided for the parking spaces instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

iv) Variances required for the establishment of the Secondary Dwelling Unit within the existing Single Family Dwelling:

1. One (1) parking spaces shall be provided instead of the minimum required three (3) parking spaces (composed of: two (2) spaces for the single family dwelling [Unit # 1] and 1 parking space for the secondary dwelling unit [Unit # 2]).

2. The entrance to the Secondary Dwelling Unit (Unit # 2) shall be permitted to be oriented to the front lot line instead of the requirement that Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the flankage lot line, interior side lot line or rear lot line.

NOTE:

a) As setbacks to the front lot line and easterly side lot line are not being altered by the severance, these setbacks are considered legally established non-complying. As such, variances are not required to these yards.

b) The eaves and gutters are not shown to project beyond the westerly side lot line.

c) While the Site Plan shows 2 parking spaces being provided, it does not appear that adequate manoeuvring can be provided for the angled parking space due to the lack of aisle width manoeuvring space (+ 3.0m instead of the required 6.0m) and the building location on the adjacent lands (22 Birch Avenue). As such, Variance # 6 for the single family dwelling and Variance # 1 for the secondary dwelling unit and single family is intended to allow only one (1) parking space on the subject lands.

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

DATE: Thursday, August 12th, 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

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

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Page 4

DATED: July 27th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

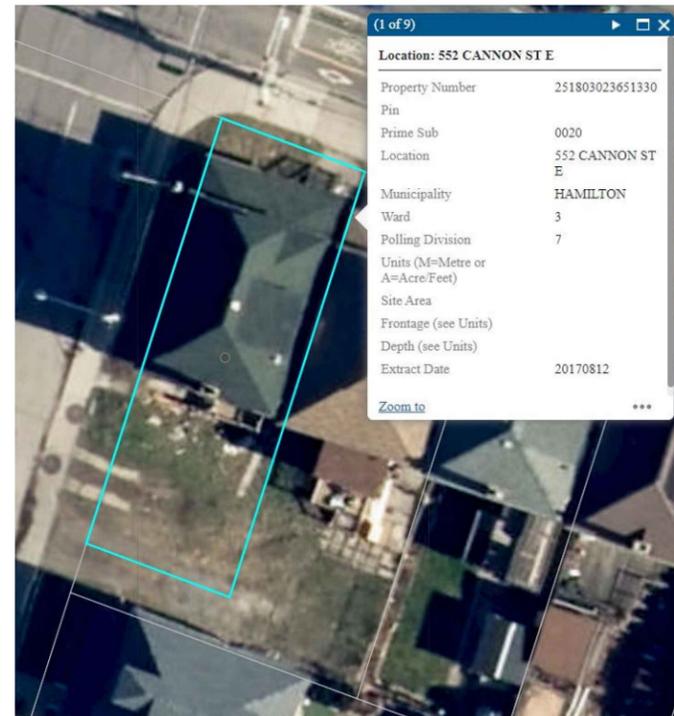
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

2 UNIT CONVERSION

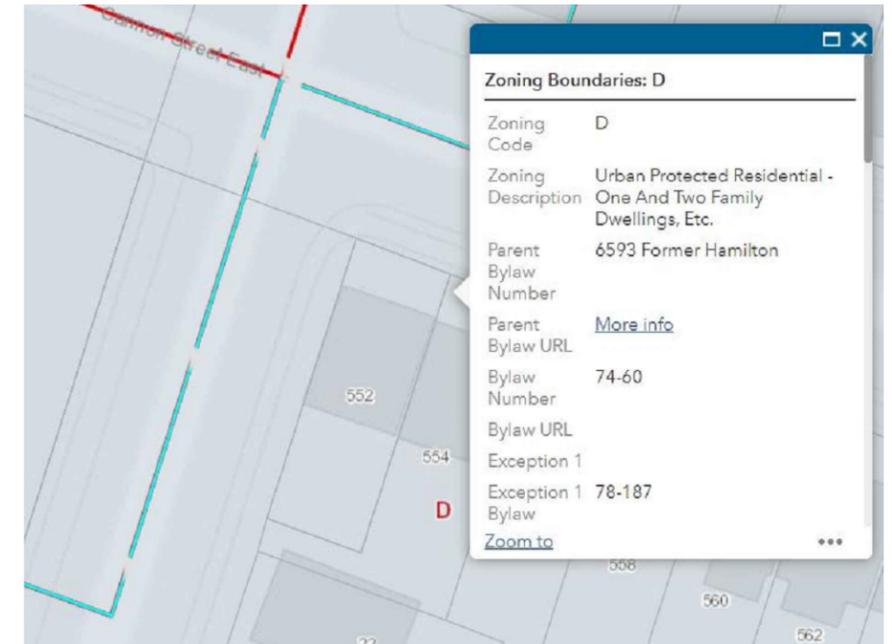
552 CANNON STREET EAST - HAMILTON, ON.



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP



LEAD DESIGNER & CONSULTANT

Ken Bekendam B.A. BUSCOM, L.T.
kenbekendam@gmail.com
office: 855.546.4467 cell: 905.961.0647

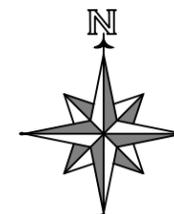
LEAD ENGINEER

Robert Mendez P. Eng 100054193
robertmendez@yahoo.com
cell: 416.807.1572

Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc.



NORTH POSITION:



ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **TITLE PAGE**

PROJECT: **2 UNIT CONVERSION**

SCALE:

-

DATE:

MAR 2021

SHEET#:

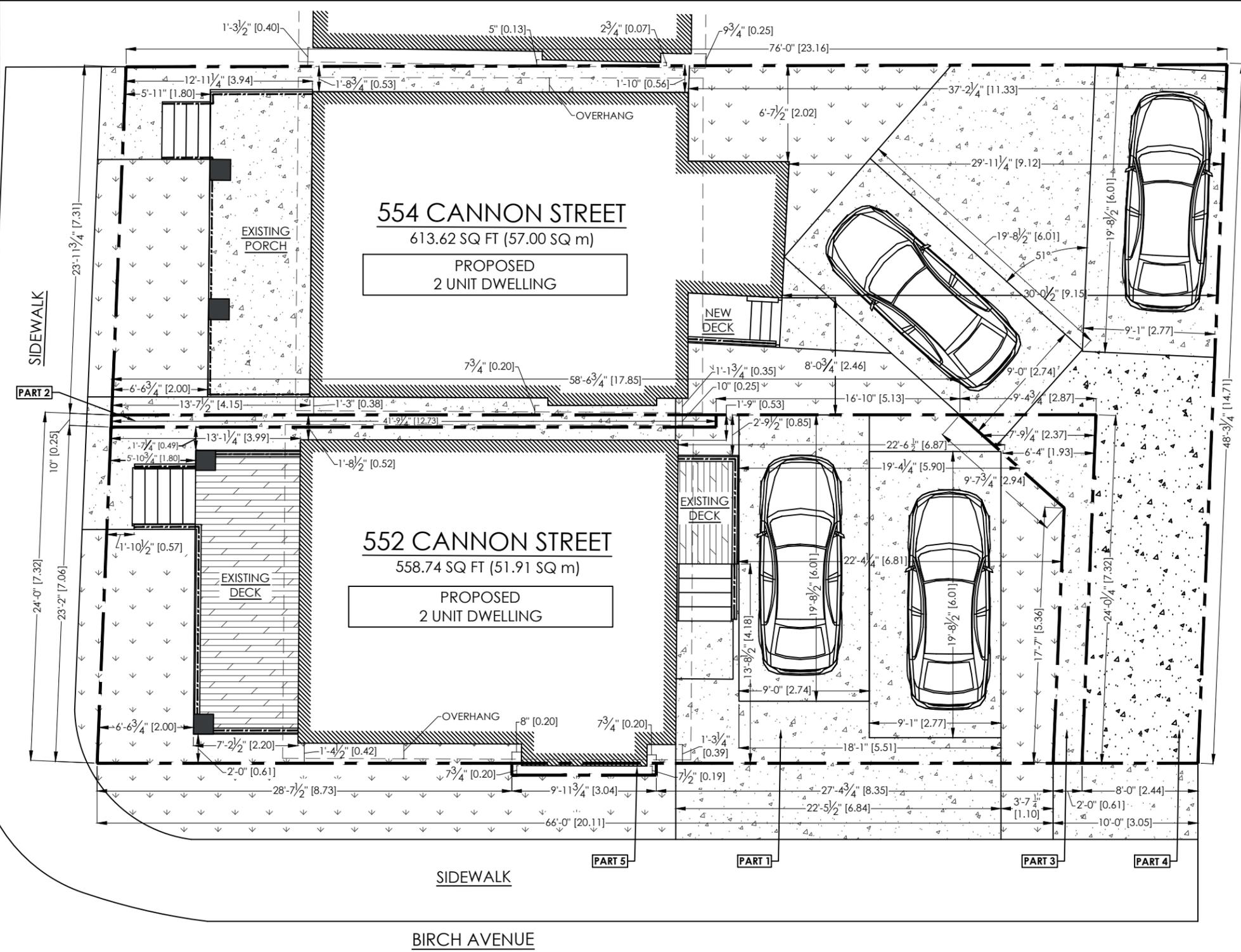
A 0.01

SITE INFORMATION & STATISTICS	
ADDRESS	552 CANNON STREET EAST - HAMILTON - ON.
ZONING TYPE	D
LOT AREA	1,560.77 SQ FT (145 SQ M) - PART 1, PART 2
LOT FRONTAGE	24' (7.315 m)

- GENERAL NOTES:**
1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
 2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
 3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
 4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
 5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
 6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
 7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
 8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
 9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
 10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
 11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
 12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

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

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



LANDSCAPED FRONT YARD
LANDSCAPED AREA = 282.62 SQFT = 44.33%
HARD SURFACE AREA = 354.96 SQFT = 55.67%

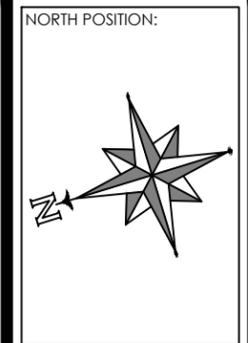
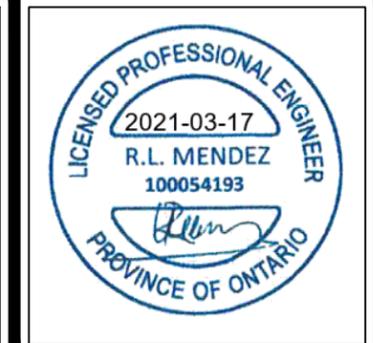
SITE PLAN:
BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCRUCH ONTO ADJOINING PROPERTIES



LEAD DESIGNER & CONSULTANT
Ken Bekendam B.A. BUSCOM, L.T.
kenbekendam@gmail.com
office: 855.546.4467 cell: 905.961.0647

LEAD ENGINEER
Robert Mendez P. Eng 100054193
robertmendez@yahoo.com
cell: 416.807.1572

Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc.



ADDRESS: **552 CANNON STREET EAST HAMILTON, ON.**

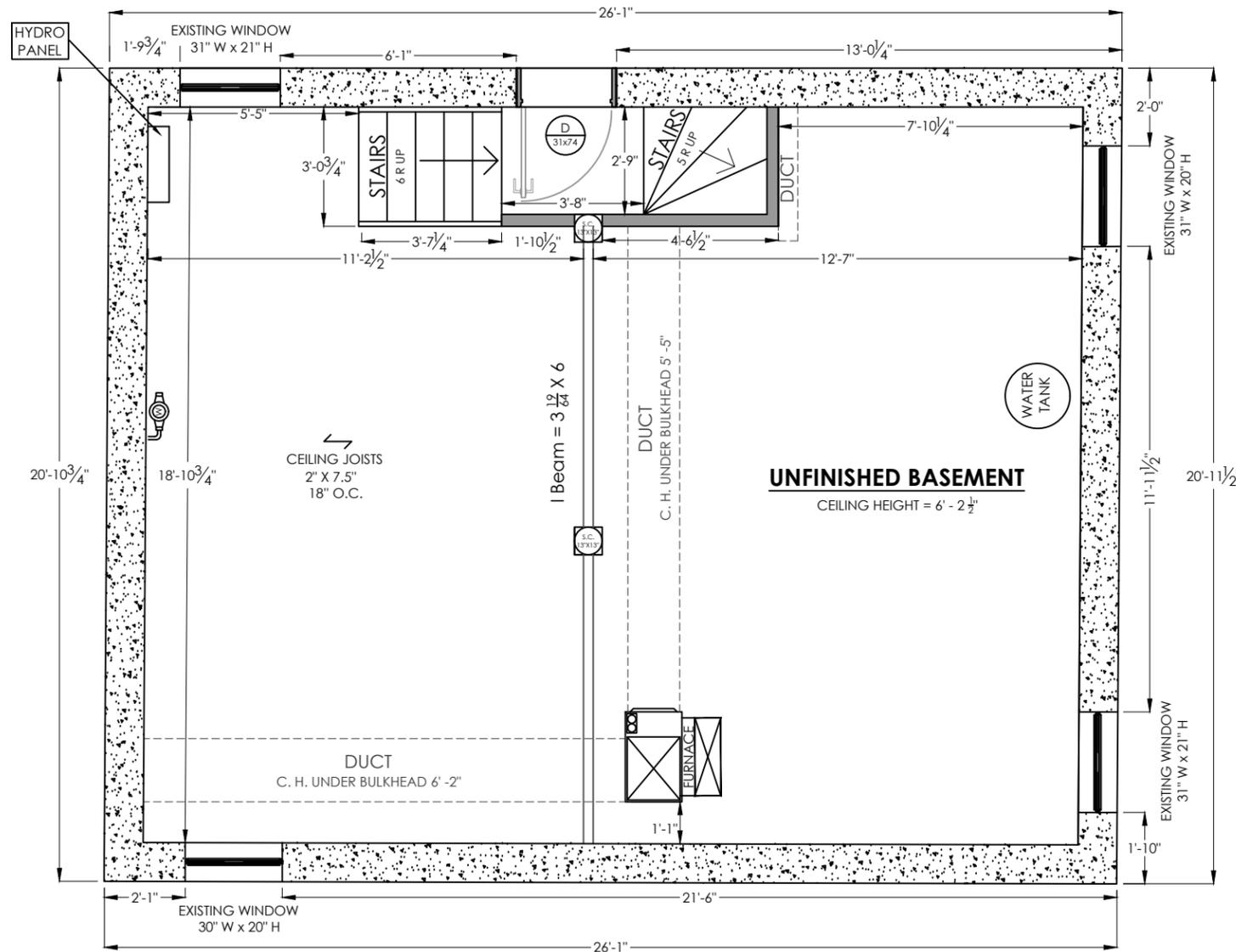
SUBJECT: **SITE PLAN**

PROJECT: **2 UNIT CONVERSION**

SCALE: **1" = 1'**

DATE: **MAR 2021**

SHEET#: **SP 1.01**



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



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Robert Mendez P. Eng 100054193
robertmendez@yahoo.com
cell: 416.807.1572

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NORTH POSITION:



ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

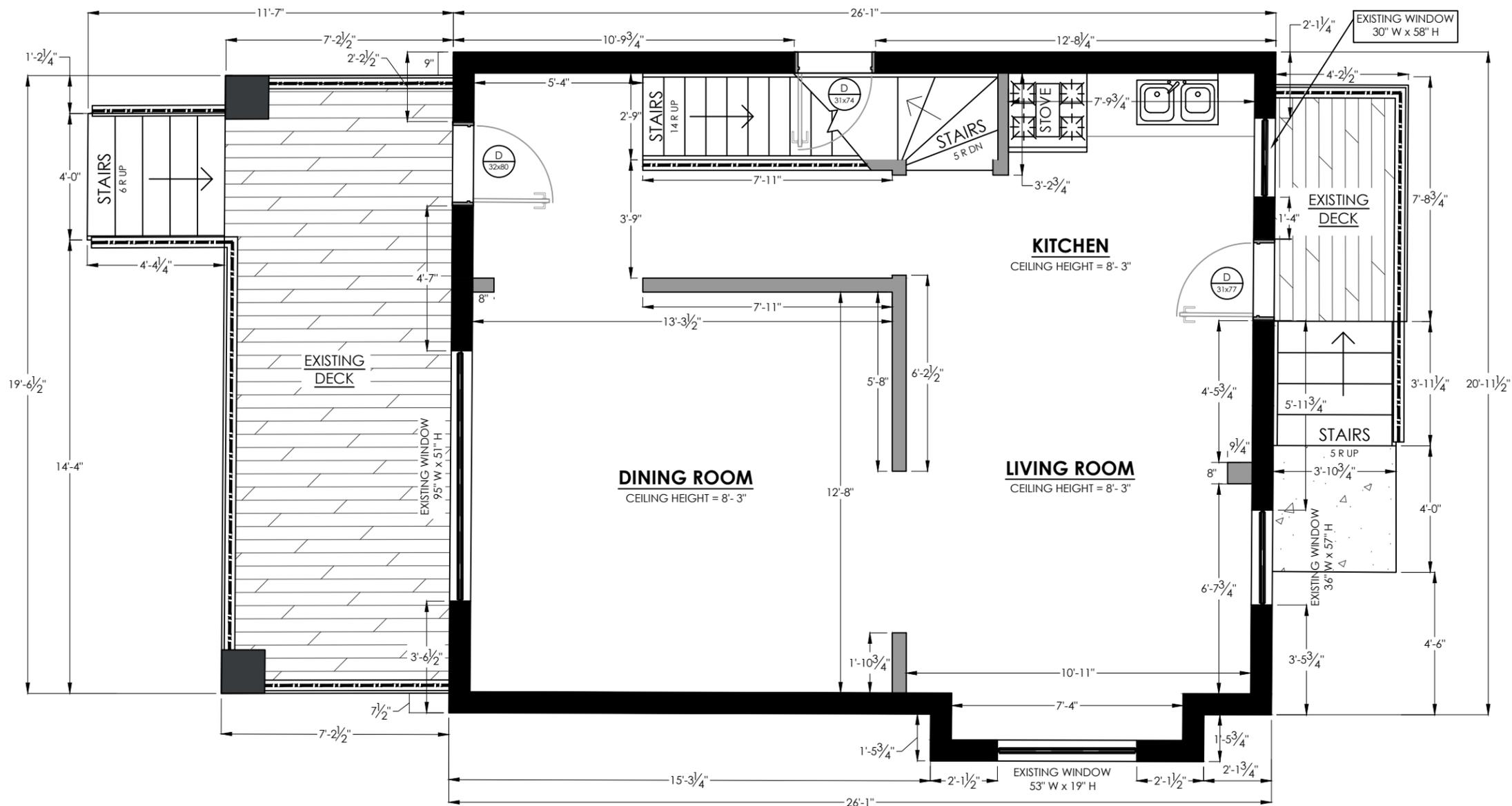
SUBJECT: **EXISTING BASEMENT**

PROJECT: **2 UNIT CONVERSION**

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

DATE: **MAR 2021**

SHEET#: **A 1.01**



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



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NORTH POSITION:



ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **EXISTING GROUND FLOOR**

PROJECT: **2 UNIT CONVERSION**

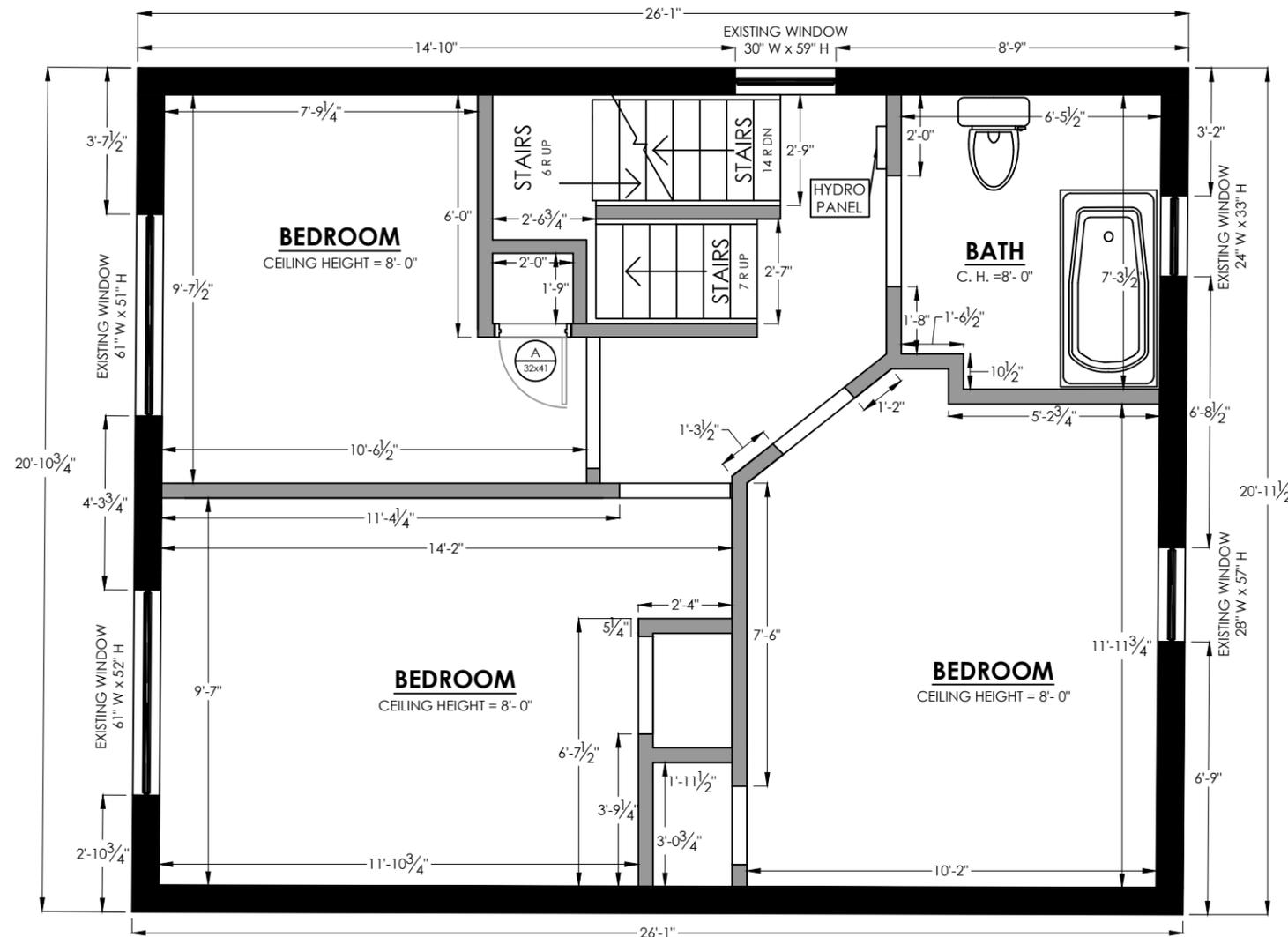
SCALE: **1" = 1'**

DATE: **MAR 2021**

SHEET#: **A 1.02**

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PLANS LEGEND

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

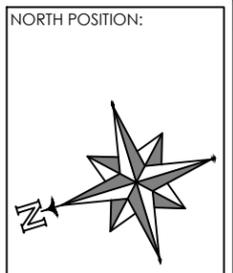
DOOR LEGEND

	A-30x60	DOOR TYPE DOOR SIZE
A. PANEL DOOR		
B. FIRE DOOR w/ SELF CLOSER (45 MIN)		
C. FIRE DOOR w/ SELF CLOSER (20 MIN)		
D. EXTERIOR DOOR		
E. BIFOLD CLOSET		
F. SLIDING DOOR		
G. POCKET DOOR		



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ADDRESS: **552 CANNON STREET EAST
 HAMILTON, ON.**

SUBJECT: **EXISTING SECOND FLOOR**

PROJECT: **2 UNIT CONVERSION**

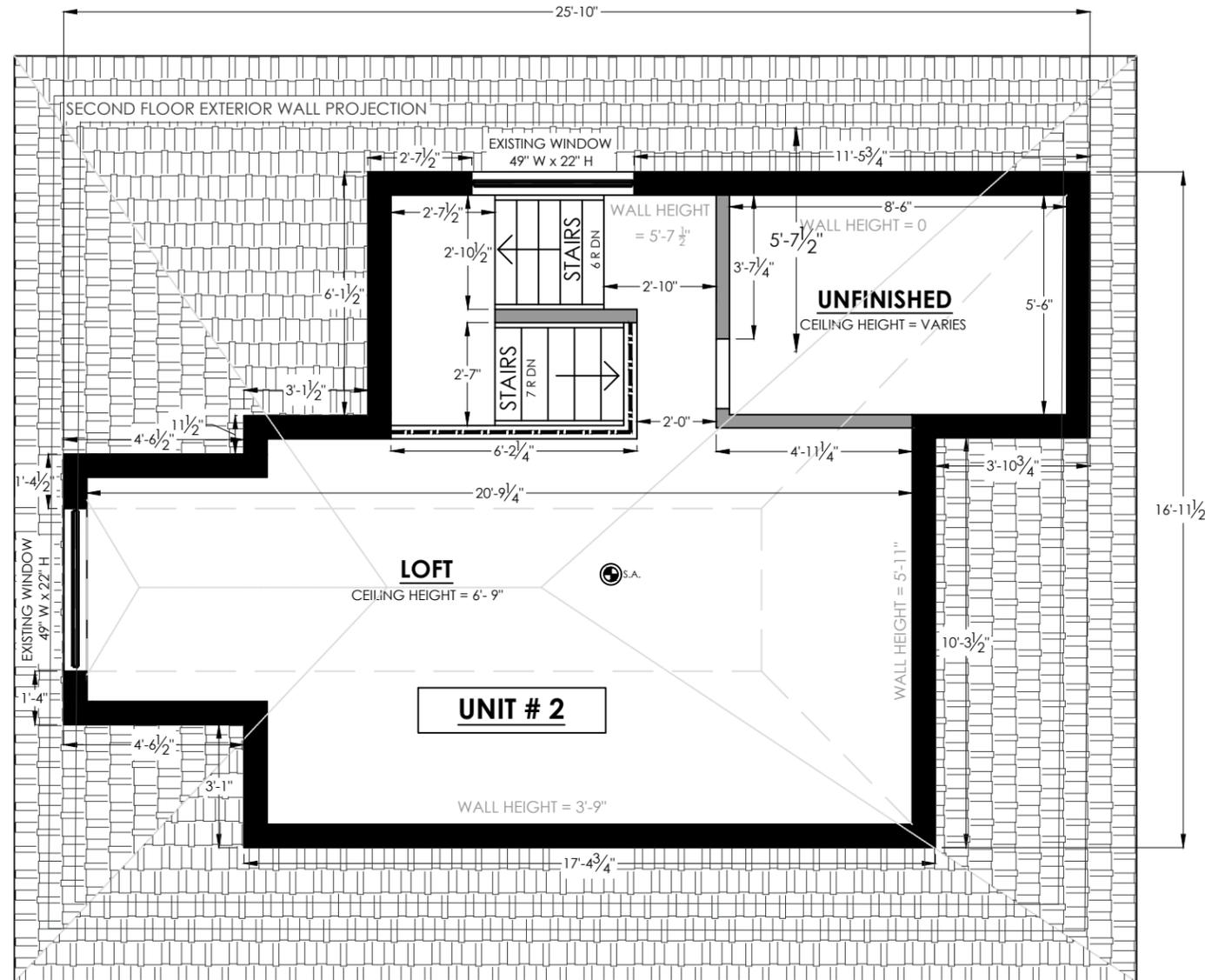
SCALE: **1" = 1'**

DATE: **MAR 2021**

SHEET#: **A 1.03**

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NOTE: NO CHANGES TO THIS FLOOR

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



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cell: 416.807.1572



NORTH POSITION:



ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **EXISTING/PROPOSED ATTIC
UNIT #2**

PROJECT: **2 UNIT CONVERSION**

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

DATE: **MAR 2021**

SHEET#: **A 1.04**

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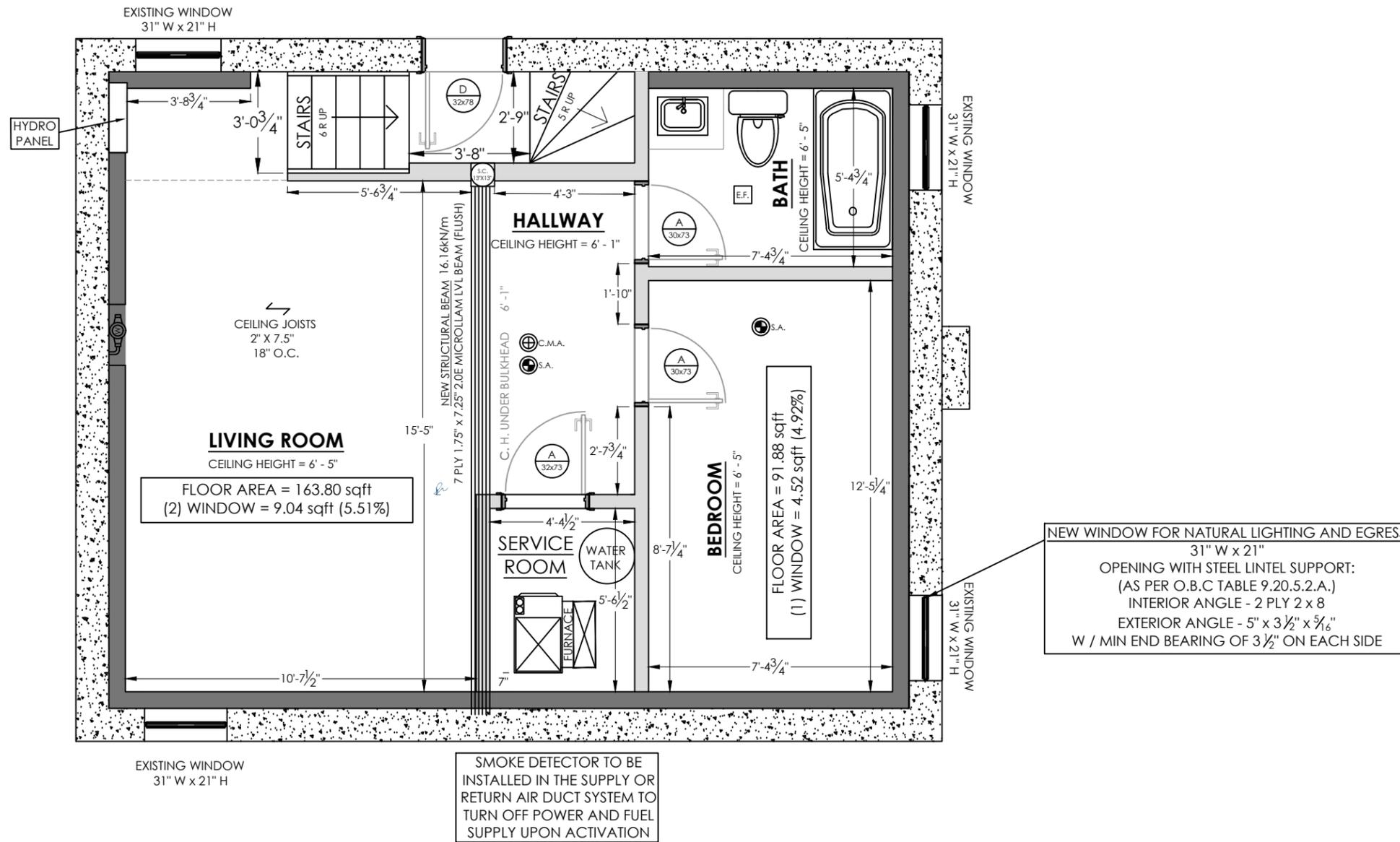


UNDER SIDE OF FOYER AND STAIRS

SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF **30 MINS** AS PER O.B.C. 9.10.9.14 (1), PART 11 C152 (a) AND PART 9.11.2.1(1) - STC 50. REFER TO SB3 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

HORIZONTAL PARTITION (CEILING) - F8D (30MIN FR, STC50)

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



NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN DWELLING UNITS

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

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

legal second suites.com

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LICENSED PROFESSIONAL ENGINEER
 2021-03-17
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST HAMILTON, ON.**

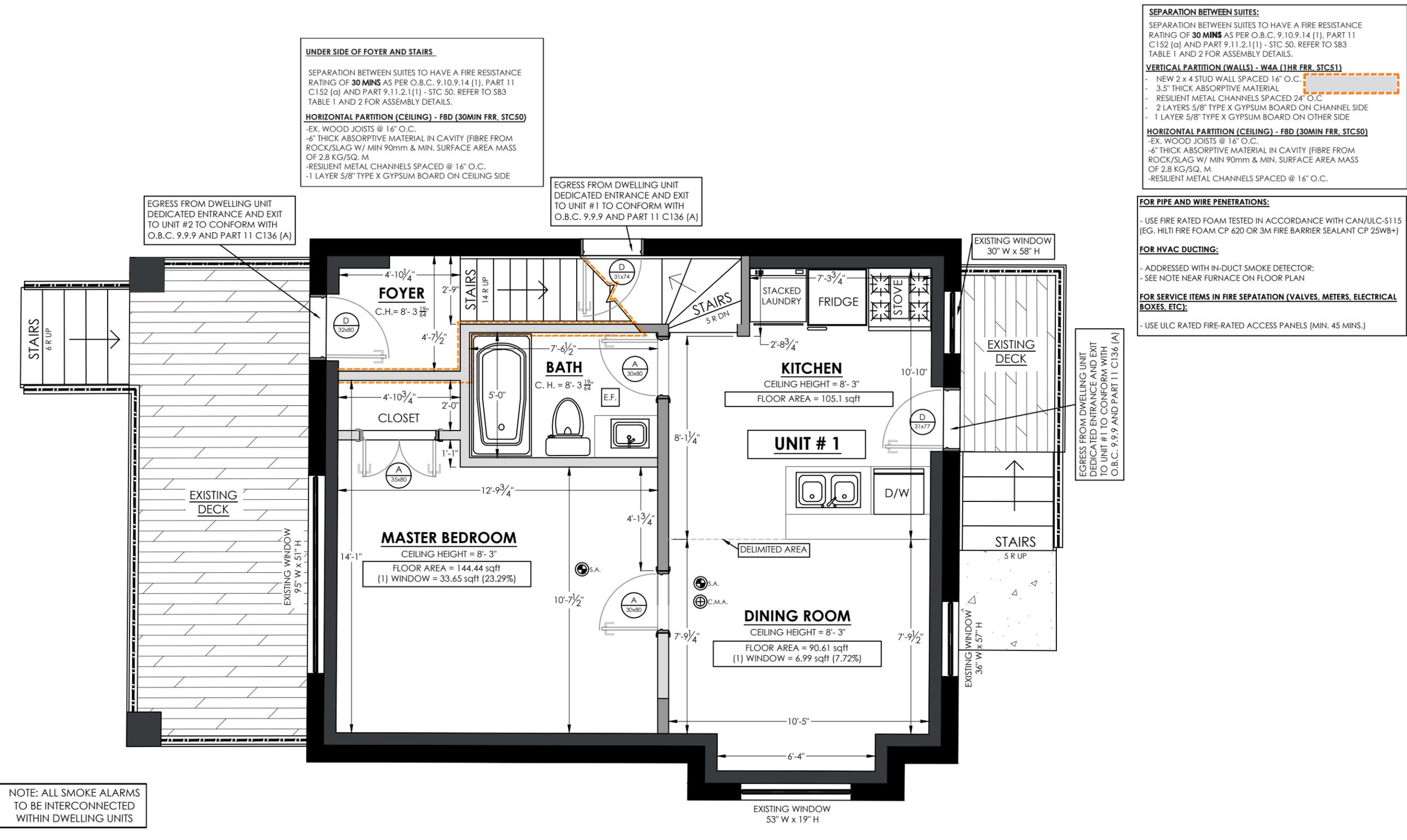
SUBJECT: **PROPOSED BASEMENT UNIT #1**

PROJECT: **2 UNIT CONVERSION**

SCALE: **1" = 1'**

DATE: **MAR 2021**

SHEET#: **A 1.05**



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

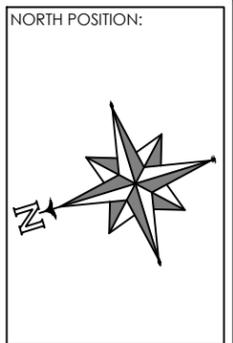
DOOR LEGEND	
[A-30x60]	DOOR TYPE DOOR SIZE
A.	PANEL DOOR
B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
D.	EXTERIOR DOOR
E.	BIFOLD CLOSET
F.	SLIDING DOOR
G.	POCKET DOOR

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN DWELLING UNITS

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second
suites.com

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ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **PROPOSED GROUND FLOOR
UNIT #1**

PROJECT: **2 UNIT CONVERSION**

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

DATE: **MAR 2021**

SHEET#: **A 1.06**

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NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN DWELLING UNITS

PLANS LEGEND

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

DOOR LEGEND

	A. 30x60	DOOR TYPE DOOR SIZE
	A.	PANEL DOOR
	B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
	C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
	D.	EXTERIOR DOOR
	E.	BIFOLD CLOSET
	F.	SLIDING DOOR
	G.	POCKET DOOR

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LICENSED PROFESSIONAL ENGINEER
 2021-03-17
 R.L. MENDEZ
 100054193
 PROVINCE OF ONTARIO

NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST HAMILTON, ON.**

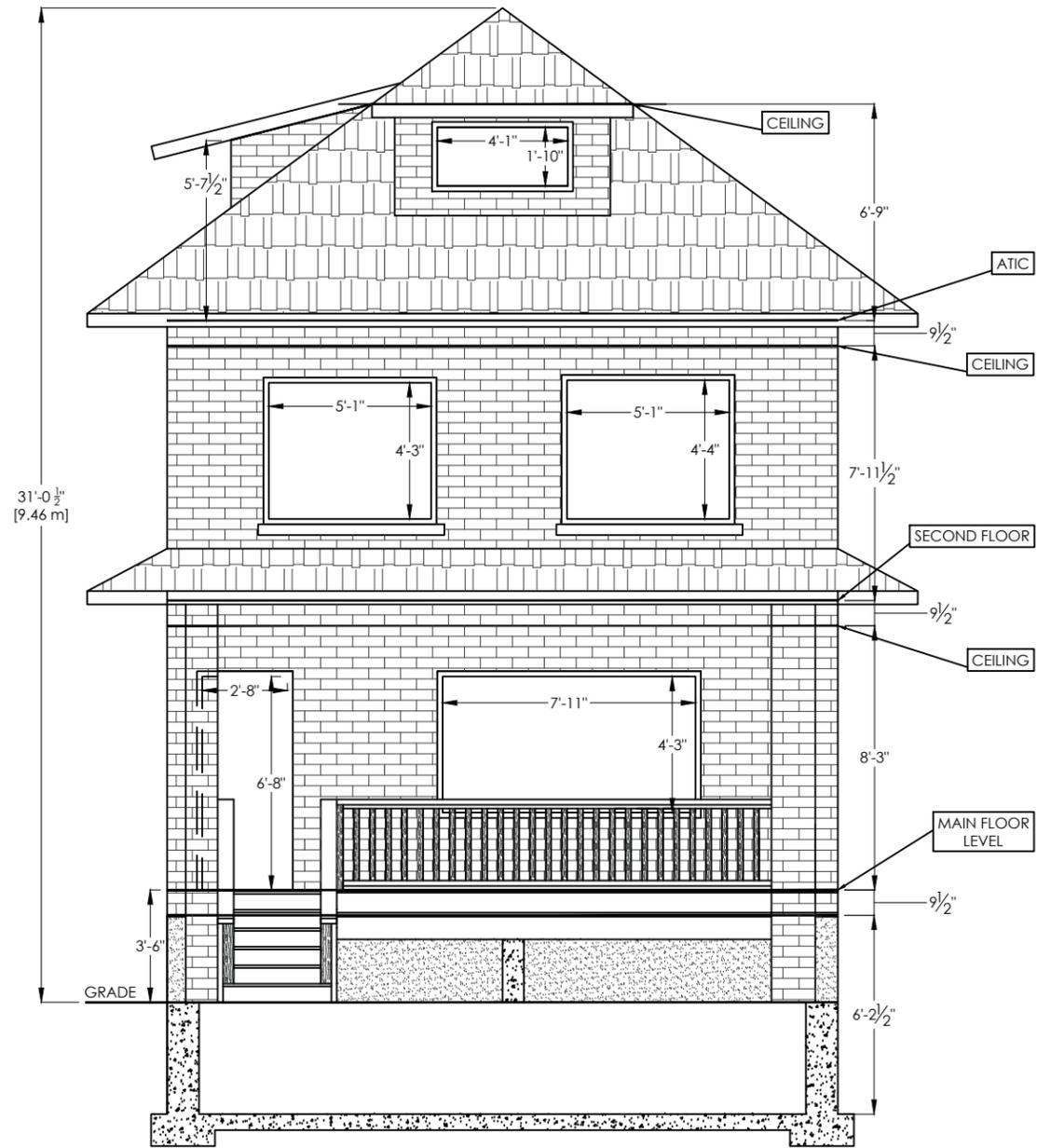
SUBJECT: **PROPOSED SECOND FLOOR UNIT #2**

PROJECT: **2 UNIT CONVERSION**

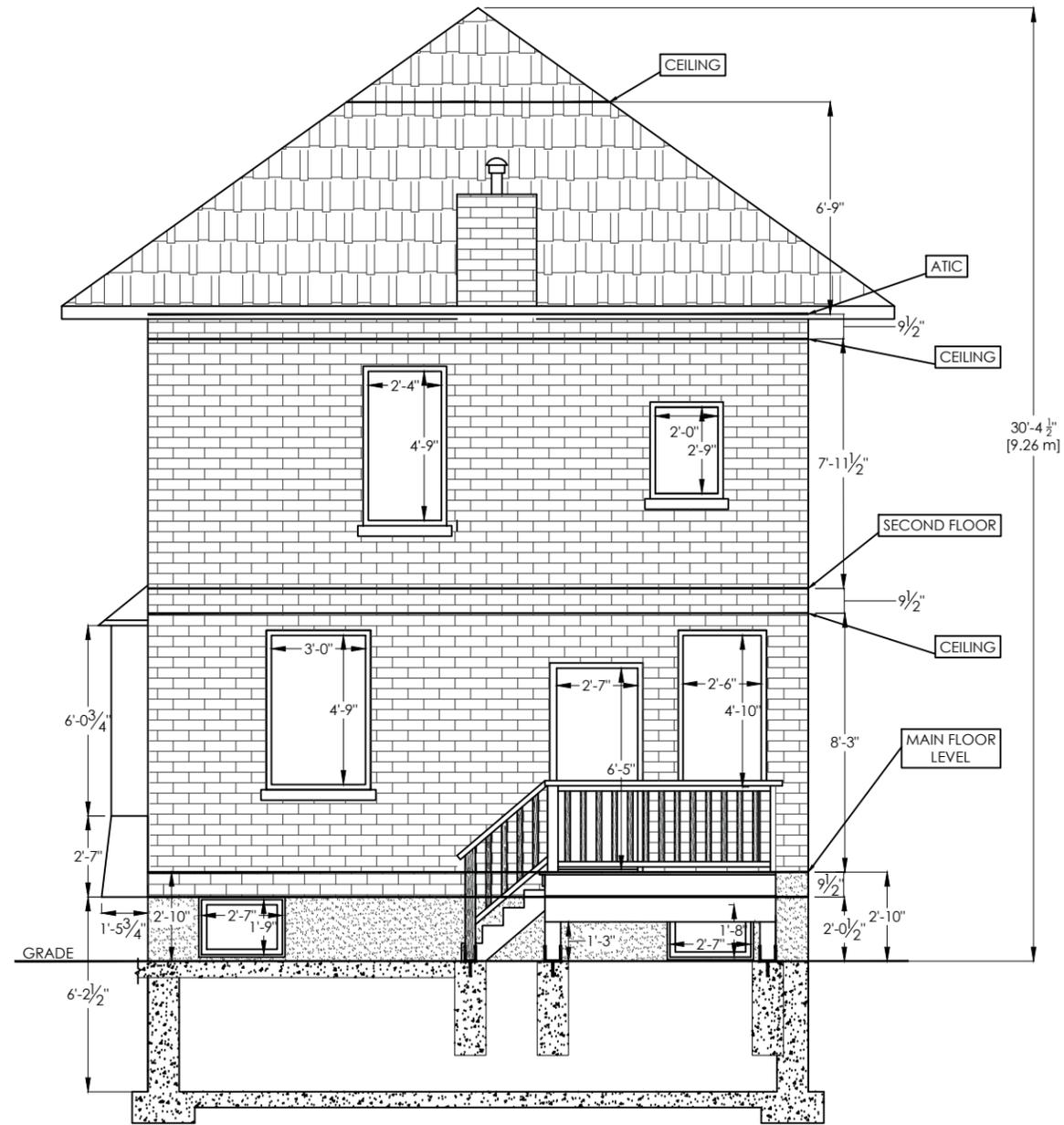
SCALE: **1/4" = 1'**

DATE: **MAR 2021**

SHEET#: **A 1.07**



FRONT ELEVATION



REAR ELEVATION



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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

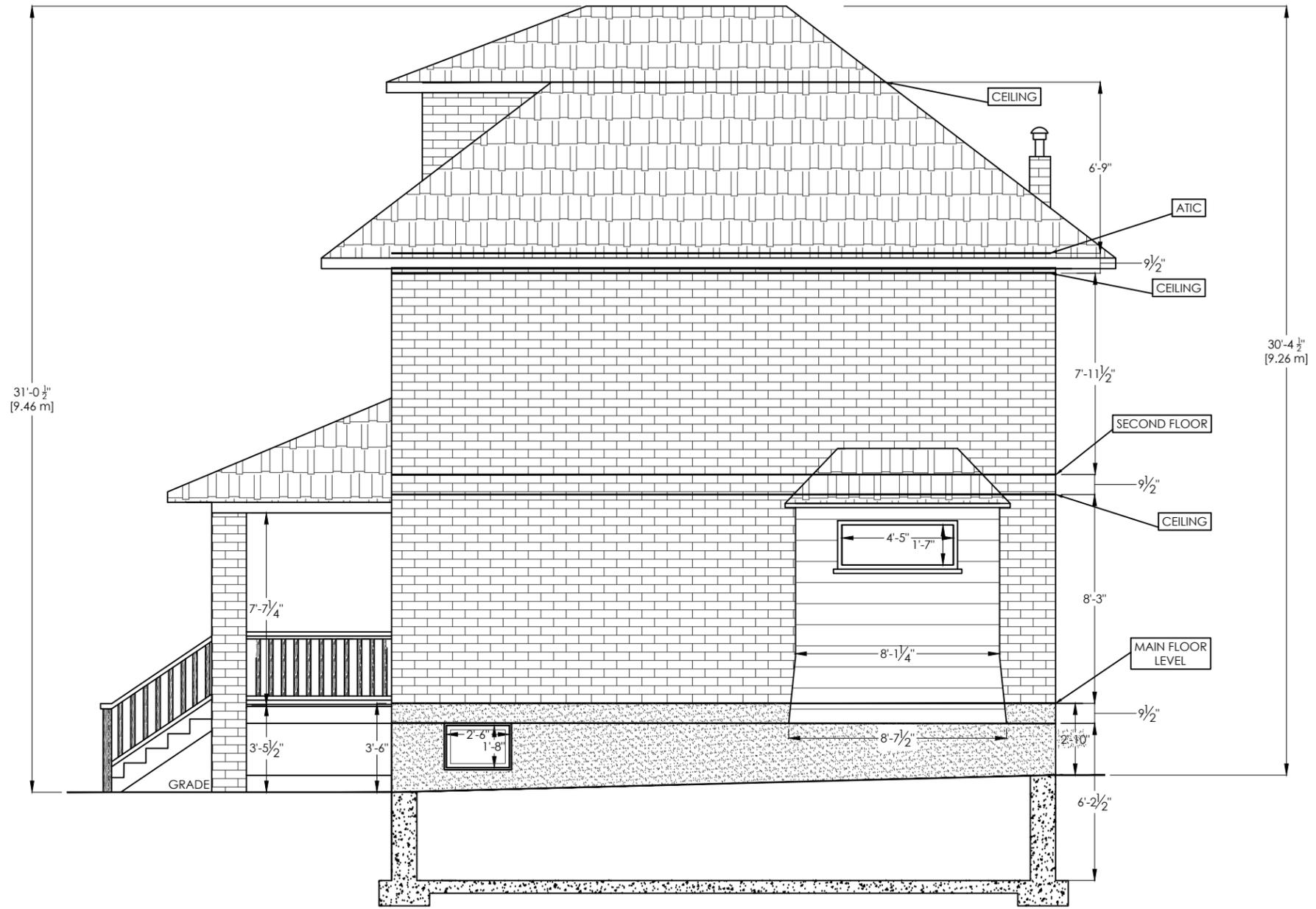
SUBJECT: **FRONT AND REAR ELEVATION**

PROJECT: **2 UNIT CONVERSION**

SCALE: **3/16" = 1'**

DATE: **MAR 2021**

SHEET#: **A 2.01**



LEAD DESIGNER & CONSULTANT
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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **WEST ELEVATION**

PROJECT: **2 UNIT CONVERSION**

SCALE: **3/16" = 1'**

DATE: **MAR 2021**

SHEET#: **A 2.02**



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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **EAST ELEVATION**

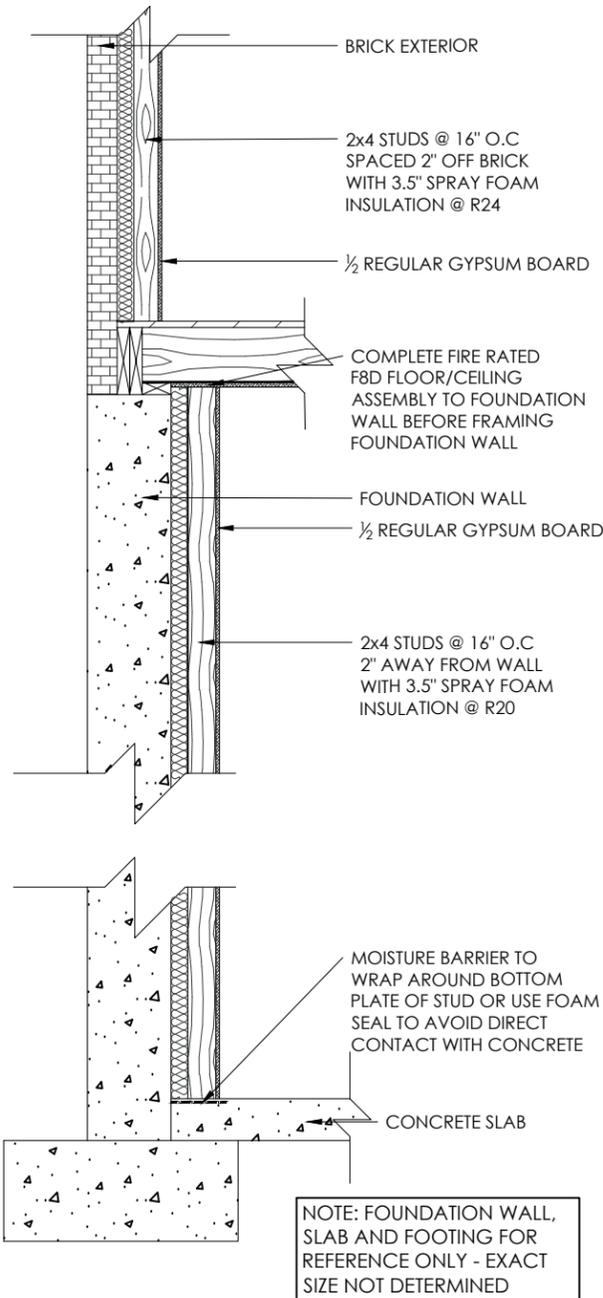
PROJECT: **2 UNIT CONVERSION**

SCALE: **3/16" = 1'**

DATE: **MAR 2021**

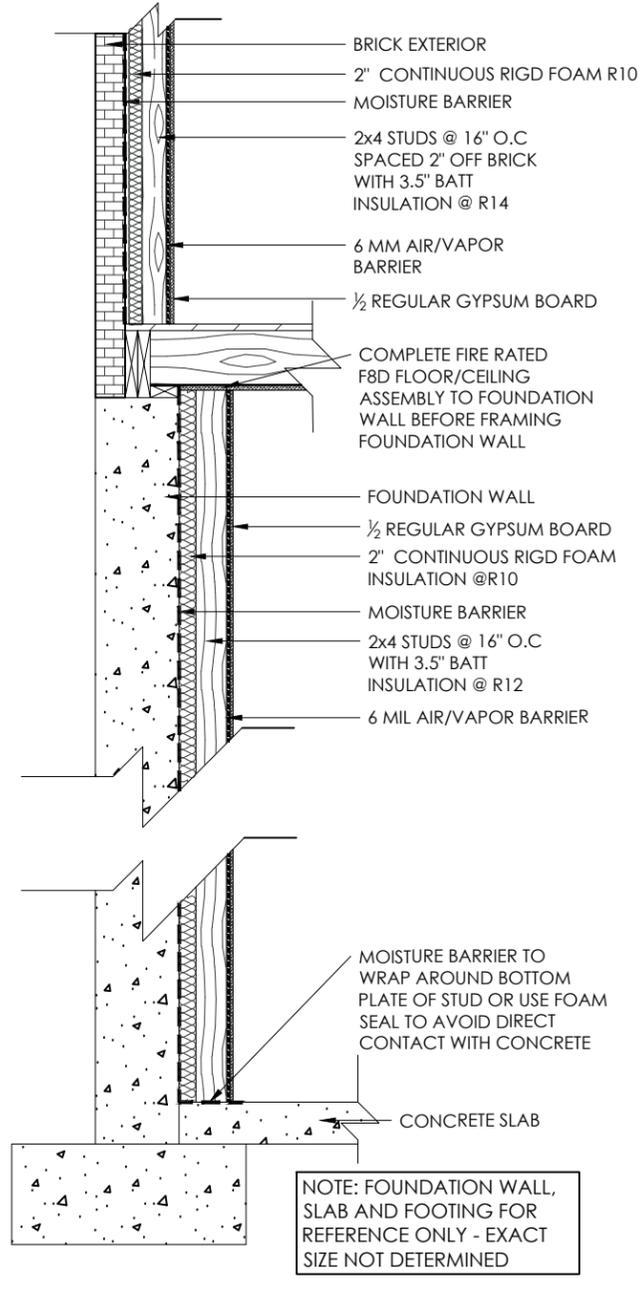
SHEET#: **A 2.03**

SPRAY FOAM DETAIL

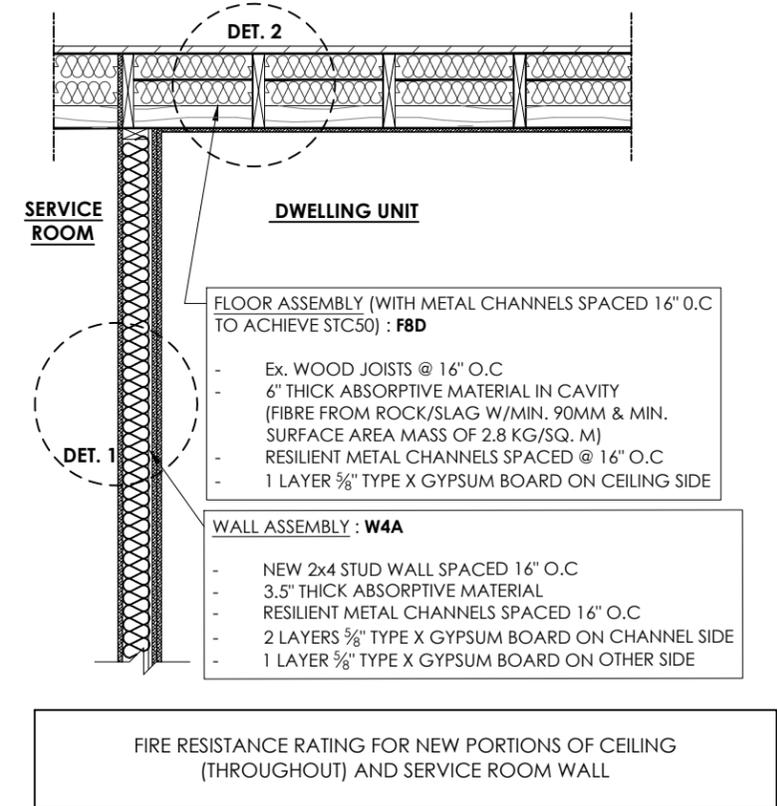
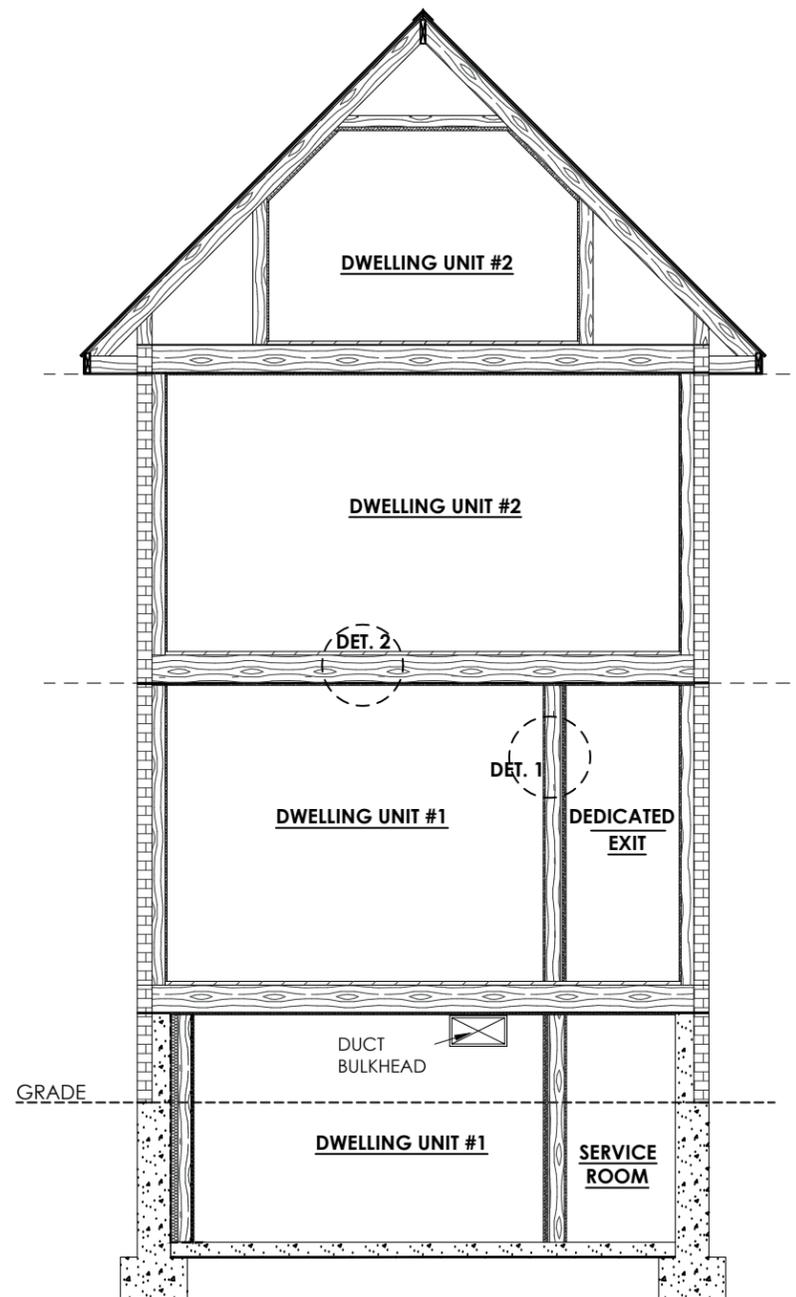


EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY

BATT INSULATION DETAIL



EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY



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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST HAMILTON, ON.**

SUBJECT: **CROSS SECTION 1 OF 2**

PROJECT: **2 UNIT CONVERSION**

SCALE:

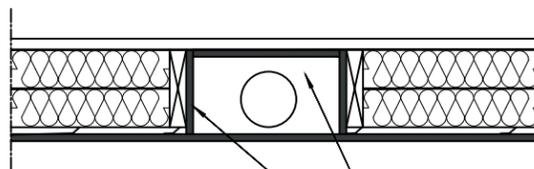
-

DATE: **MAR 2021**

SHEET#: **A 4.01**

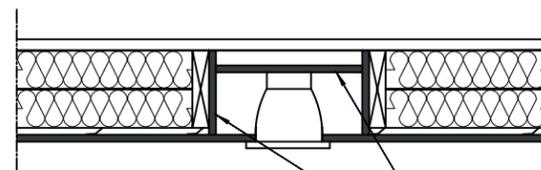
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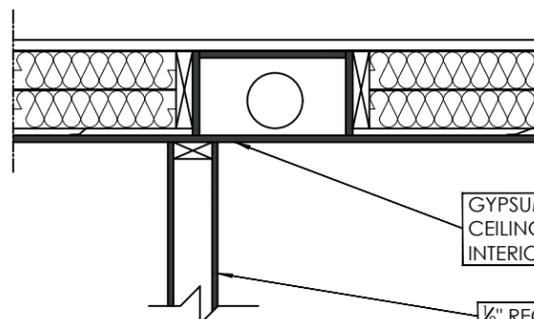
1 LAYER 5/8" TYPE X GYPSUM BOARD SURROUNDING VENT PIPE
NOTE: OPTION OF USING FIRE DAMPER FOR BATH FANS

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



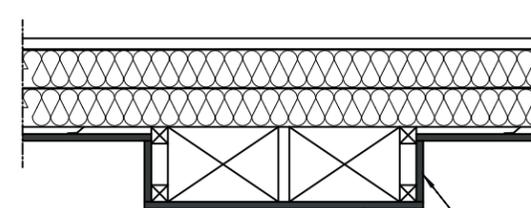
1 LAYER 5/8" TYPE X GYPSUM BOARD SURROUNDING RECESSED LIGHTING (POTLIGHTS)

FOR RECESSED LIGHTS



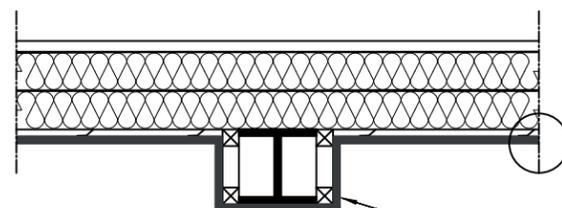
GYPSUM BOARD OF FIRE RATED CEILING TO BE CONTINUOUS ABOVE INTERIOR FRAMED WALLS
1/2" REGULAR GYPSUM BOARD

FOR INTERIOR PARTITIONS



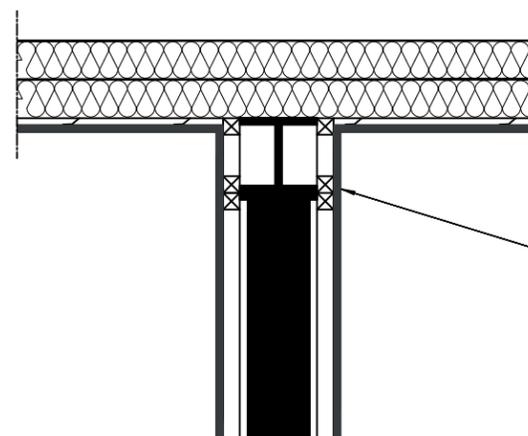
1 LAYER OF 5/8" TYPE X GYPSUM BOARD BELOW AND AROUND DUCTS

FOR DUCTS



1 LAYER OF 5/8" TYPE X GYPSUM BOARD AROUND BEAM

FOR BEAM



1 LAYER OF 5/8" TYPE X GYPSUM BOARD AROUND BEAM AND COLUMN CONNECTION

FOR STRUCTURAL BEAMS, COLUMNS & WALLS



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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **CROSS SECTION 2 OF 2**

PROJECT: **2 UNIT CONVERSION**

SCALE:

-

DATE:

MAR 2021

SHEET#:

A 4.02

GENERAL NOTES:

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

CODE REFERENCES AND SPECIFICATIONS

1. FIRE PROTECTION MEASURES

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

2. CEILING HEIGHTS

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

PART 9:

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

3. EGRESS FROM DWELLING UNIT

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

PART 9:

9.9.9.1. Travel Limit to Exits or Egress Doors

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

9.9.9.2. Two Separate Exits

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

9.9.9.3. Shared Egress Facilities

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

PART 11 (COMPLIANCE ALTERNATIVE):

- In a house, exit requirements are acceptable if at least one of the following conditions exists:
 (a) a door, including a sliding door, that opens directly to the exterior from a dwelling unit, serves only that dwelling unit and has reasonable access to ground level, and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.,
 (b) an exit that is accessible to more than one dwelling unit and provides the only means of egress from each dwelling unit, provided that the means of egress is separated from the remainder of the building and common areas by a fire separation having a 30 min fire-resistance rating and provided further that the required access to exit from any dwelling unit cannot be through another dwelling unit, service room or other occupancy, and both dwelling units and common areas are provided with smoke alarms that are installed in conformance with Subsection 9.10.19. and are interconnected, or
 (c) access to an exit from one dwelling unit which leads through another dwelling unit where,
 (i) an additional means of escape is provided through a window that conforms to the following:
 (A) the sill height is not more than 1 000 mm above or below adjacent ground level,
 (B) the window can be opened from the inside without the use of tools,
 (C) the window has an individual unobstructed open portion having a minimum area of 0.38 m² with no dimension less than 460 mm
 ,(D) the sill height does not exceed 900 mm above the floor or fixed steps,
 (E) where the window opens into a window well, a clearance of not less than 1 000 mm shall be provided in front of the window, and
 (F) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected,
 (ii) an additional means of escape is provided through a window that conforms to the following:
 (A) the window is a casement window not less than 1 060 mm high, 560 mm wide, with a sill height not more than 900 mm above the inside floor,
 (B) the sill height of the window is not more than 5 m above adjacent ground level, and
 (C) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected, or (iii) the building is sprinklered and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.

4. EGRESS FROM BEDROOMS

EGRESS FROM BEDROOMS SHALL COMPLY WITH OBC 9.9.10.1

PART 9:

- (1) Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with at least one outside window that,
 (a) is openable from the inside without the use of tools,
 (b) provides an individual, unobstructed open portion having a minimum area of 0.35 m² with no dimension less than 380 mm, and
 (c) maintains the required opening described in Clause (b) without the need for additional support.
 (2) Except for basement areas, the window required in Sentence (1) shall have a maximum sill height of 1000 mm above the floor.
 (3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window.
 (4) Where the sleeping area within a live/work unit is on a mezzanine with no obstructions more than 1 070 mm above the floor, the window required in Sentence (1) may be provided on the main level of the live/work unit provided the mezzanine is not more than 25% of the area of the live/work unit or 20 m², whichever is less, and an unobstructed direct path of travel is provided from the mezzanine to this window.
 (5) Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window.
 (6) Where the sash of a window referred to in Sentence (5) swings towards the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency.
 (7) Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be openable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

5. SMOKE ALARMS

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

PART 9:

9.10.19.1. Required Smoke Alarms

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

9.10.19.3. Location of Smoke Alarms

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

9.10.19.4. Power Supply

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

9.10.19.5. Interconnection of Smoke Alarms

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

PART 11 (COMPLIANCE ALTERNATIVE):

Smoke alarms may be battery operated.



LEAD DESIGNER & CONSULTANT

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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **CONSTRUCTION NOTES 1 OF 2**

PROJECT: **2 UNIT CONVERSION**

SCALE:

-

DATE:

MAR 2021

SHEET#:

A 0.02

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6. CARBON MONOXIDE ALARMS

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

PART 9:

9.33.4.1. Application

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

9.33.4.2. Location of Carbon Monoxide Alarms

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

9.33.4.3. Installation and Conformance to Standards

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

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

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

PART 9:

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

8. SEPARATION OF SERVICE ROOMS

SEPARATION OF SERVICE ROOMS SHALL COMPLY WITH OBC 9.10.10.4

PART 9:

- 9.10.10.1. Appliances and Equipment to be Located in a Service Room
 - (1) Except as provided in Sentences (2) and (3) and Article 9.10.10.5., fuel-fired appliances shall be located in a service room separated from the remainder of the building by a fire separation having not less than a 1 h fire-resistance rating.
 - (2) Except as required in the appliance installation standards referenced in Sentences 6.2.1.4.(1) and 9.33.1.2.(1), fuel fired spaceheating appliances, space-cooling appliances and service water heaters need not be separated from the remainder of the building as required in Sentence (1) where the equipment serves,
 - (a) not more than one room or suite,
 - (b) a house, or
 - (c) a building, other than a house, with a building area of not more than 400 m² and a building height of not more than 2 storeys.
 - (3) Sentence (1) does not apply to fireplaces and cooking appliances.

9. SEPARATION OF RESIDENTIAL SUITES

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

PART 9:

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

10. CLOSURES (DOORS):

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

PART 9:

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

PART 11 (COMPLIANCE ALTERNATIVE):

- Existing functional closures are acceptable subject to C.A.'s C8 and C156.
 - (a) Existing functional and sound doors in existing buildings that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min,
 - (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1.5 h labels are acceptable in lieu of current 1.5 h labels and may contain wired glass panels not exceeding 0.0645 m², at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and
 - (c) every fire door, window assembly or glass block used as a closure in a required fire separation shall be installed in conformance with good engineering practice. In a house, existing unlabelled doors at least 45 mm solid core wood or metal clad are acceptable. For existing closures, ratings of 20 min will not be required where the entire floor area is sprinklered.

11. LAUNDRY FIXTURES

LAUNDRY FIXTURES SHALL COMPLY WITH OBC 9.31.4.2.

PART 9:

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

12. NATURAL VENTILATION

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

PART 9:

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

13. ELECTRICAL FACILITIES

ELECTRICAL FACILITIES SHALL COMPLY WITH OBC 9.34.

14. INTERCONNECTION OF SYSTEMS

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

PART 6:

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

PART 11 (COMPLIANCE ALTERNATIVE):

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

15. PENETRATIONS

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

16. PLUMBING

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

17. HANDRAILS AND GUARDRAILS

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



LEAD DESIGNER & CONSULTANT

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NORTH POSITION:

ADDRESS: **552 CANNON STREET EAST
HAMILTON, ON.**

SUBJECT: **CONSTRUCTION NOTES 2 OF 2**

PROJECT: **2 UNIT CONVERSION**

SCALE:

-

DATE:

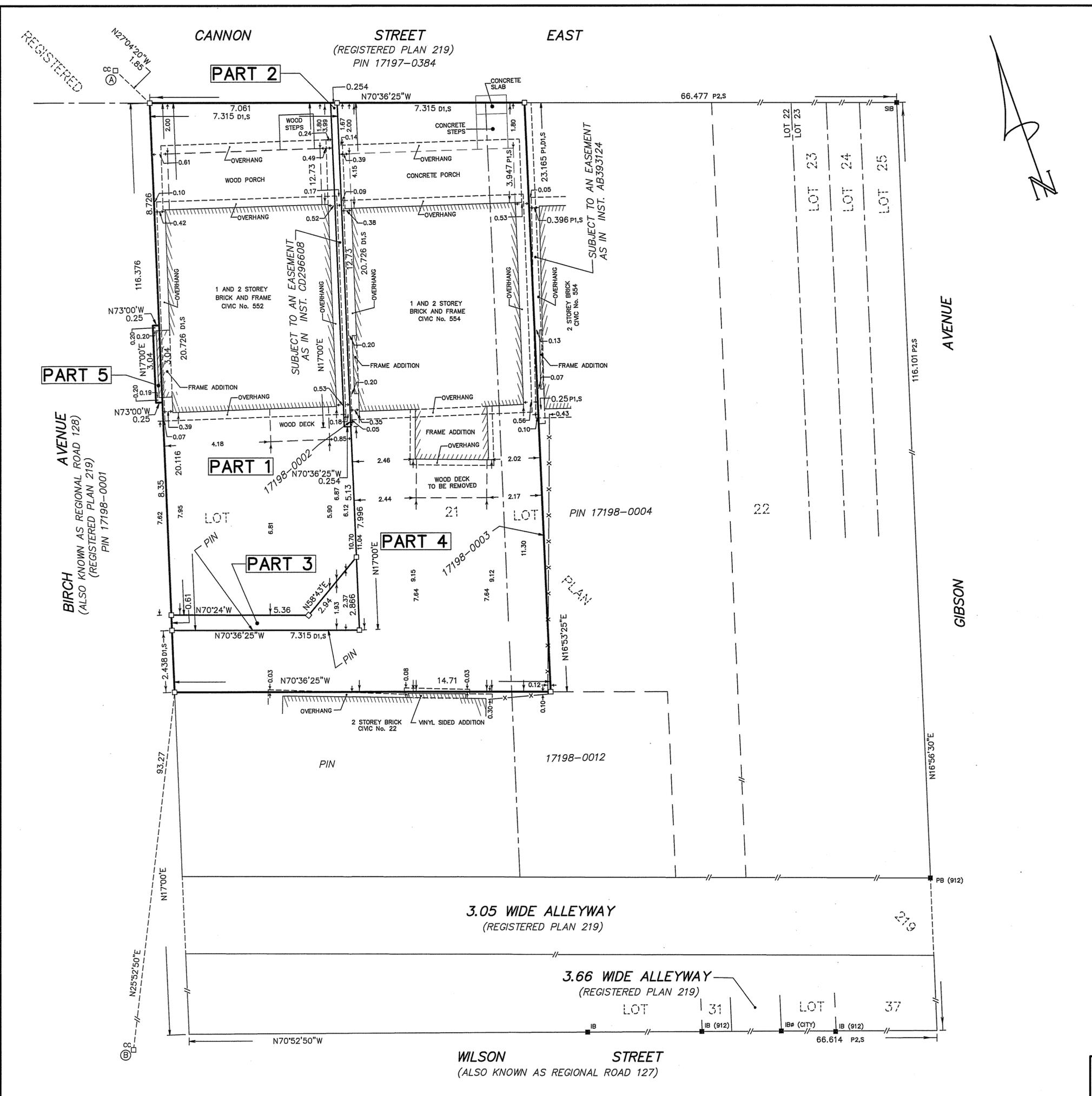
MAR 2021

SHEET#:

A 0.03

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I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R- _____
RECEIVED AND DEPOSITED.

DATE MARCH 9, 2021 DATE _____

J. MUIR REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62).

PARTS SCHEDULE				
PART	LOT	PLAN	PIN	AREA IN SQUARE METRES
1				142
2	PART OF LOT 21	219	17198-0002	3
3				7
4	PART OF LOTS 21 AND 22	219	17198-0003	188
5	PART OF BIRCH AVENUE (ALSO KNOWN AS REGIONAL ROAD 128)		17198-0001	1

PART 1, 2 AND 3 COMPRISE ALL OF PIN 17198-0002
 PART 4 COMPRISES ALL OF PIN 17198-0003
 PART 5 COMPRISES PART OF PIN 17198-0001
 PART 2 IS SUBJECT TO AN EASEMENT DESCRIBED IN INST. CD296608

PLAN OF SURVEY OF
 LOT 21 AND PART OF LOT 22
 REGISTERED PLAN 219
 CITY OF HAMILTON
 (REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH)
 SCALE 1:100

MacAULAY, WHITE & MUIR LTD.

LEGEND

- SIB - STANDARD IRON BAR
- SSIB - SHORT STANDARD IRON BAR
- IB - IRON BAR
- CC - CUT CROSS
- CP - CONCRETE PIN
- - PLANTED
- - FOUND
- - ROUND
- WIT - WITNESS
- S - SET
- P1 - PLAN BY J.M. GIBSON (FILE Y.18156)
- P2 - PLAN BY GUIDO CONSOLI SURVEYING LTD. (FILE 87-364)
- D1 - PIN 17198-0003 (INST. CD296608)
- X- - CHAIN LINK FENCE, (UNLESS NOTED)

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

NOTE:
 BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999701.
 ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED.
 ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010)
 CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG 216/10.

POINT ID	NORTHING	EASTING
A	4789688.99	594066.59
B	4789581.30	594019.95

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE XX DAY OF DECEMBER, 2020.

MARCH 9, 2021

JOHN W. MUIR
 ONTARIO LAND SURVEYOR

MacAULAY, WHITE & MUIR LTD.
 ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS
 440 HARDY ROAD, UNIT 2, BRANTFORD, ONTARIO, N3T 5L8
 TEL 519-752-0040 FAX 519-752-0087 mwmsurvey@bellnet.ca

20-286



Hamilton

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	5038803 Ontario Corp		
Applicant(s)*	Ken Bekendam		
Agent or Solicitor			Phone:
			E-mail:

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
n/a

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Lot reduction to 140sqm from the required 270sqm

Maneuvering space of 0.1m from the required 6m for the parking spaces off Birch Ave.

Front landscape area reduction to 40% from the required 50%.

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

Existing site constraints

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

552 Cannon St E, Hamilton, ON

Registered Plan 219, Lot 21

PIN 17198-0002

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

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

Existing residential use

8.12 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

9. ACKNOWLEDGEMENT CLAUSE

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

Feb 16th, 2021
Date


Signature Property Owner
5038803 Ontario Corp
Print Name of Owner

10. Dimensions of lands affected:

Frontage See Survey Sketch
Depth See Survey Sketch
Area See Survey Sketch
Width of street See Survey Sketch

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 Survey Sketch

Proposed
See Survey 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:
See Survey Sketch

Proposed:
See Survey Sketch

13. Date of acquisition of subject lands:
2020
-
14. Date of construction of all buildings and structures on subject lands:
unknown
-
15. Existing uses of the subject property:
residential
16. Existing uses of abutting properties:
residential
17. Length of time the existing uses of the subject property have continued:
unknown
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>X</u> | Connected | <u>X</u> |
| Sanitary Sewer | <u>X</u> | Connected | <u>X</u> |
| Storm Sewers | <u>X</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D - One and Two Family Dwelling
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 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. Additional Information
 554 Cannon St E is being severed from 552 Cannon St E. Part 3 of the survey sketch is being added to Part 4 (554 Cannon St E) in order to provide space for the required parking
24. 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.



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-21:138

APPLICANTS: Owner Kamaway Creek Properties Ltd.

SUBJECT PROPERTY: Municipal address **222 Grosvenor Ave. N., Hamilton**

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

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

PROPOSAL: To permit the construction of a 2 storey rear addition comprising 23.4 square metres of gross floor area, a 7.92 square metre uncovered rear deck, exterior stairs and the creation of a secondary dwelling unit within an existing single family dwelling, notwithstanding that:

1. The minimum southerly side yard width shall be 0.9 metres instead of the minimum required 1.2 metre side yard for a building not over two and a half storeys;
2. An open stairway shall project 0.9m into the required 0.9m southerly side yard instead of the requirement of not more than one-third of its width or 0.3 metres.

NOTES

1. Variance #2 is based on the approval of Variance #1 to permit the 0.9m southerly side yard.
2. The application was submitted based on the Section 19 requirements in which one parking space is required for the principal dwelling unit and one unobstructed parking space is required for the secondary dwelling unit. By-law 21-076 was approved by City Council on May 12, 2021 to permit secondary dwelling units in single detached, semi-detached and street townhouses in all residential districts and the H District and is currently in effect. As the subject property is within Schedule P of By-law 21-076, the parking space requirements under By-law 21-076 require two parking spaces for the principal dwelling but no parking space for the secondary dwelling unit, which is consistent with the revised plan.
3. If variance # 1 is approved for the 0.9 m southerly side yard width, no variances would be required for the eaves /gutter encroachment onto the southerly side yard, providing the encroachment does not exceed half of the side yard width or 0.45m.
4. The Zoning Section interprets the Zoning By-law to permit up to allow two parking spaces for a single family dwelling to access an adjacent laneway for manoeuvring purposes.

HM/A-21: 138
Page 2

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

DATE: Thursday, August 12th, 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.

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: July 27th, 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.

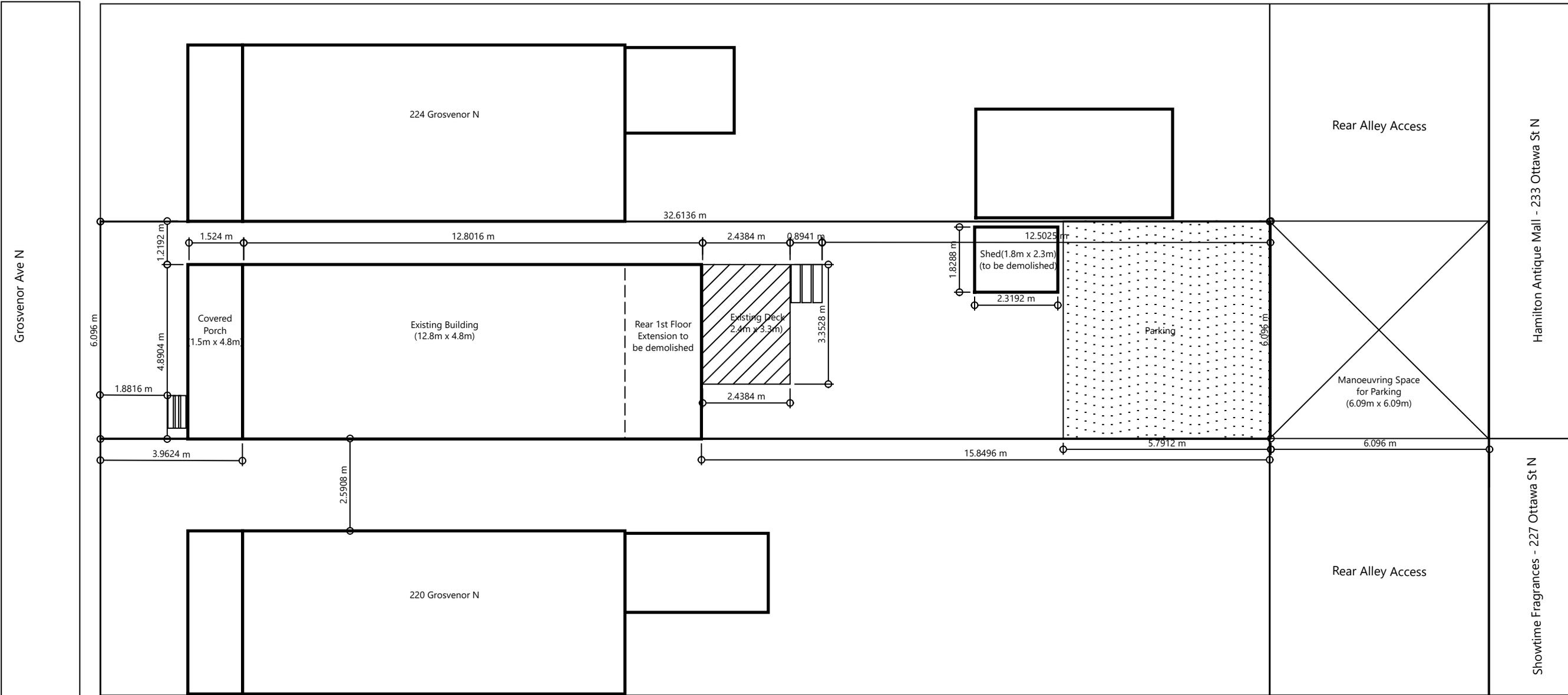
222 Grosvenor Ave N - Existing Site Plan

Address: 222 Grosvenor Ave N, Hamilton
 Lot Size: 6.09m x 32.61m
 PIN: 17223-0250 LT
 Description: PT LT 151, PL 463, AS IN VM31025; Hamilton
 Scale 1:96

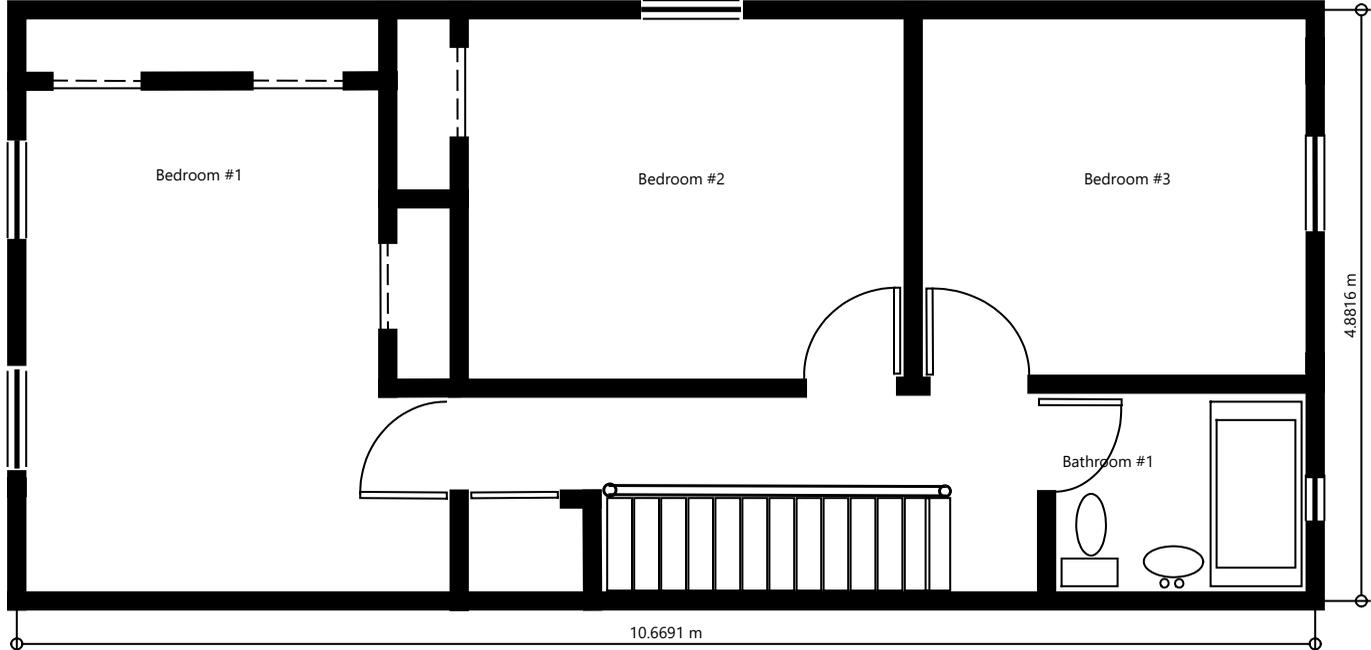
Existing Setbacks
 - Front Yard - 3.96m
 - North Side Yard - 1.21m
 - South Side Yard - 0m (Distance from 220 Grosvenor - 2.59m)
 - Rear Yard - 15.84m

Front Yard Details
 - Size: W6.09m x 3.96m (from property line to dwelling)
 - Gross landscaped area - 15.8sqm (front lot minus front porch)
 - Allocated landscaped area - 70%

Existing Parking Details
 - Parking area size: W6.09m x D5.79m
 - Gross parking area - 35sqm
 - Laneway width - 6.09m (to building)
 - Manoeuvring Space - L6.09m x W6.09m

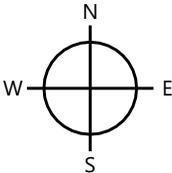


Existing

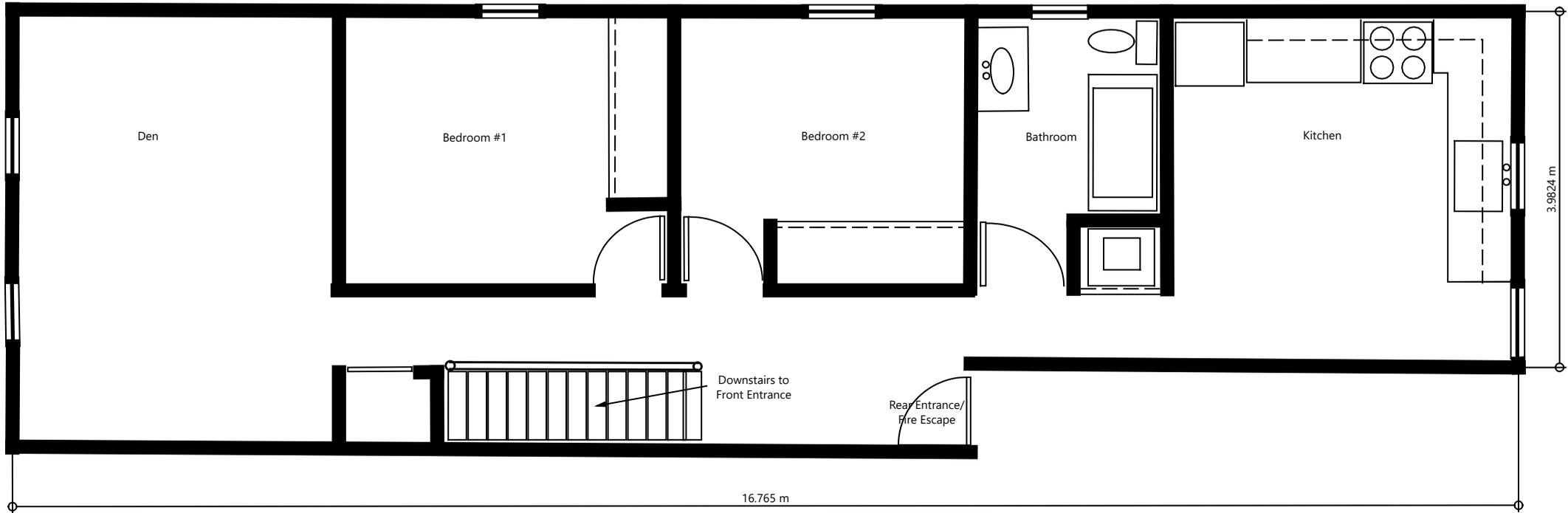


Scale 1:48

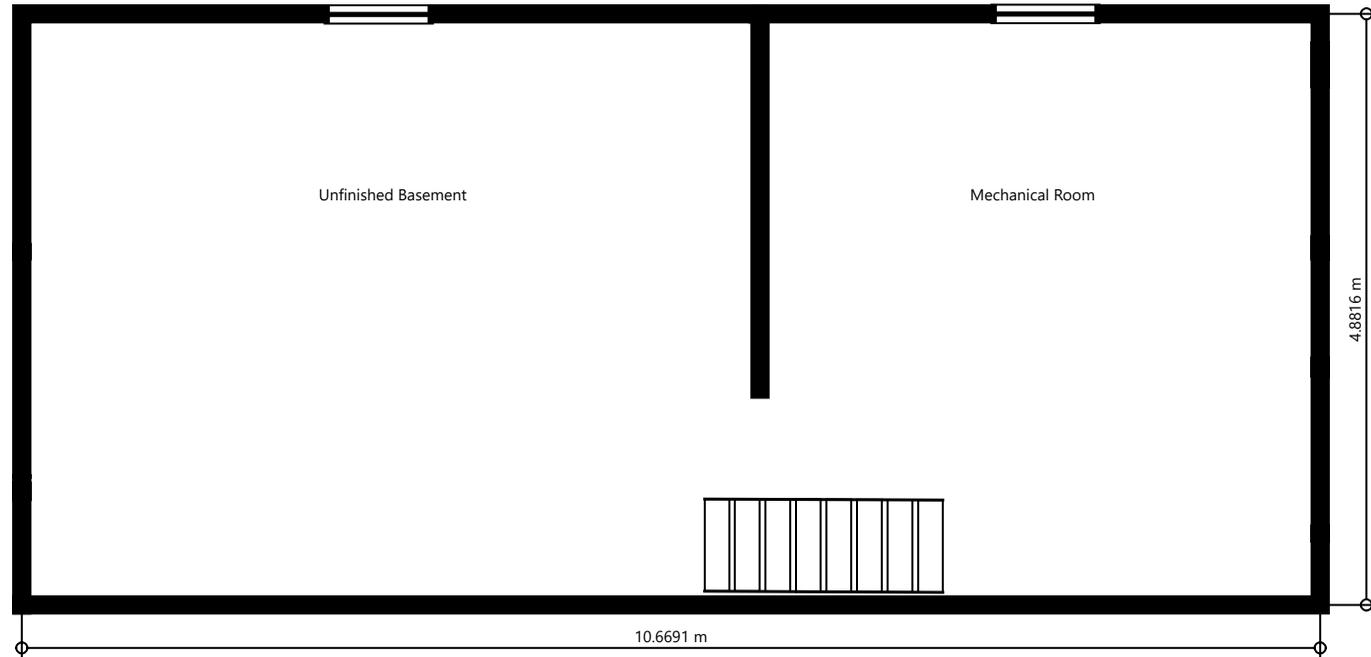
- Existing Floor Space: 10.6m x 4.8m = 50.88sqm
- Proposed Floor Space: 50.88 + 23.5 = 74.38sqm



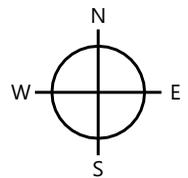
Proposed



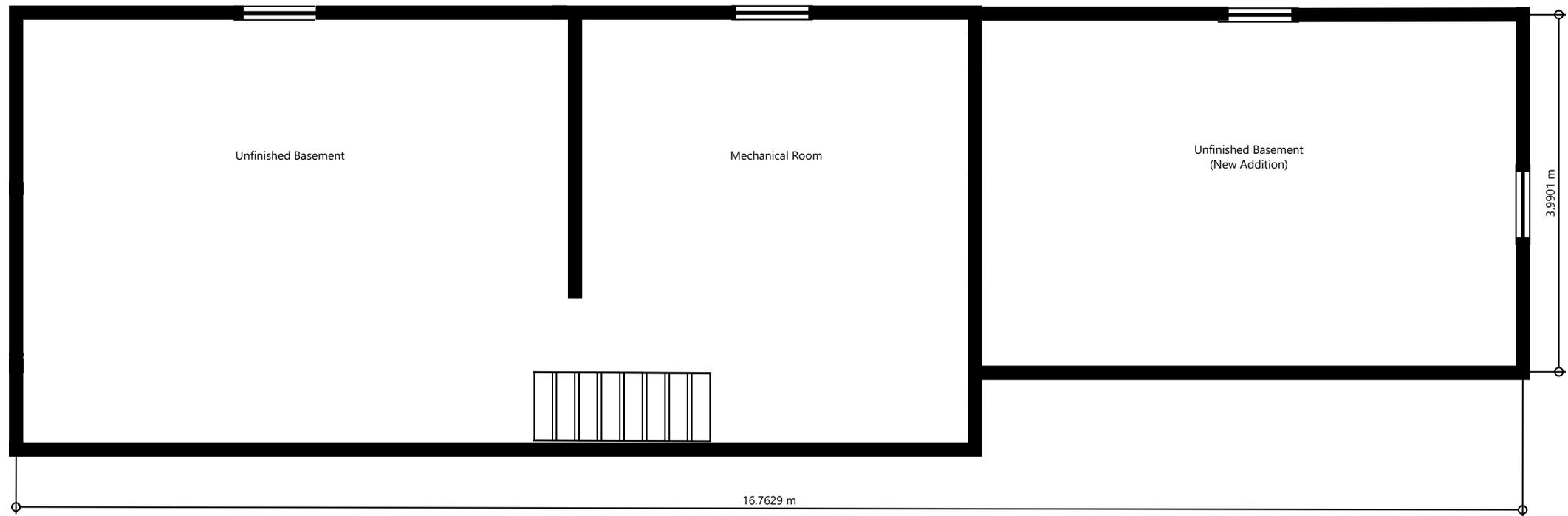
Existing



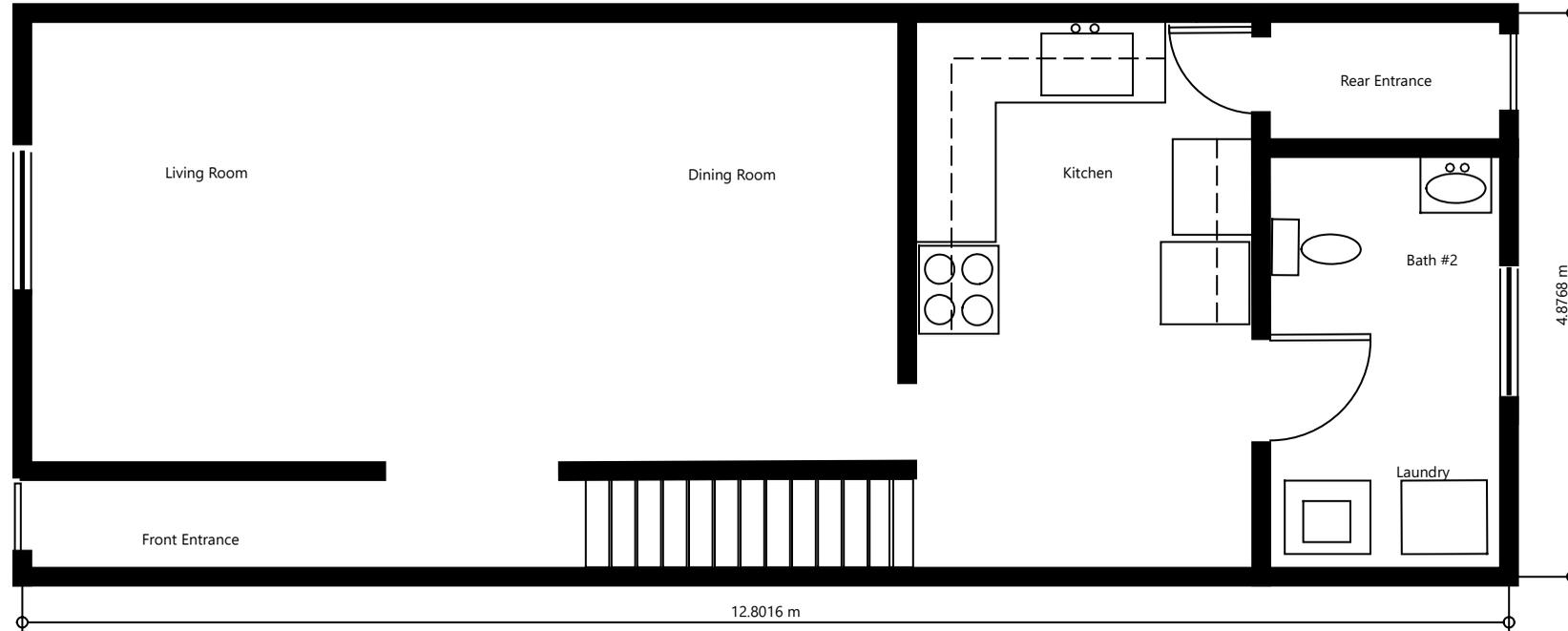
Scale 1:48
- Existing Floor Space:
10.6m x 4.8m = 50.88sqm
- Proposed Floor Space:
50.88+23.5 = 74.38sqm



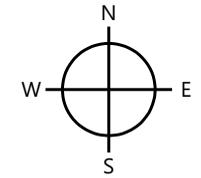
Proposed



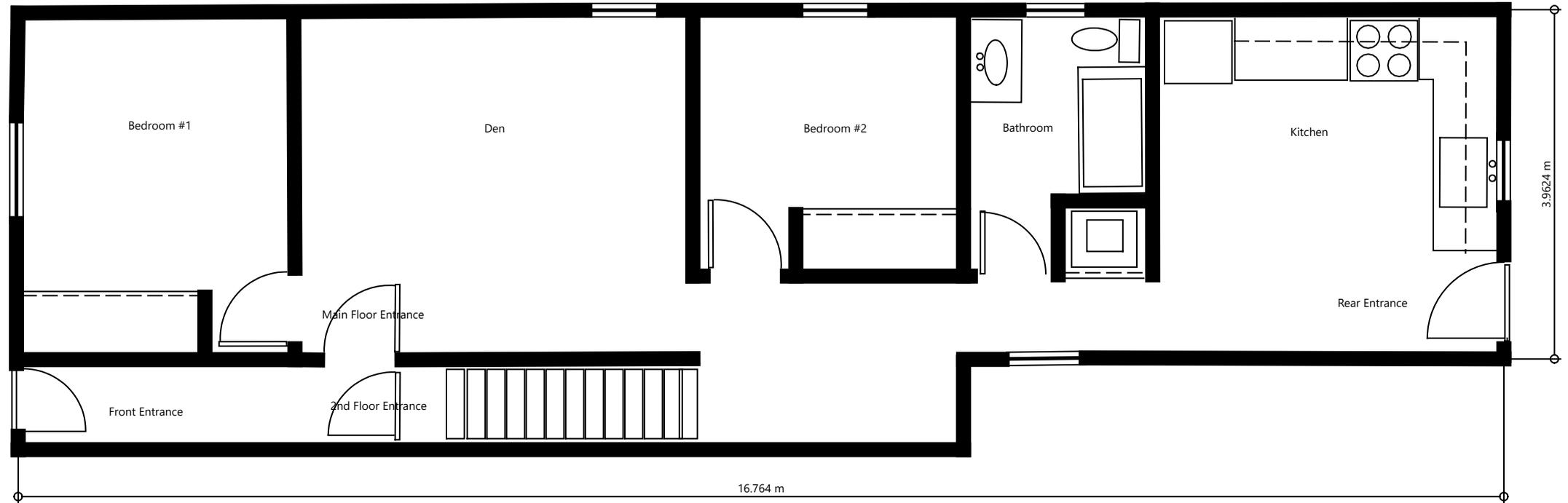
Existing



Scale 1:48
- Existing Floor Space:
12.8m x 4.8m = 61.44sqm
- Proposed Floor Space:
50.88 x 23.5 = 74.38sqm



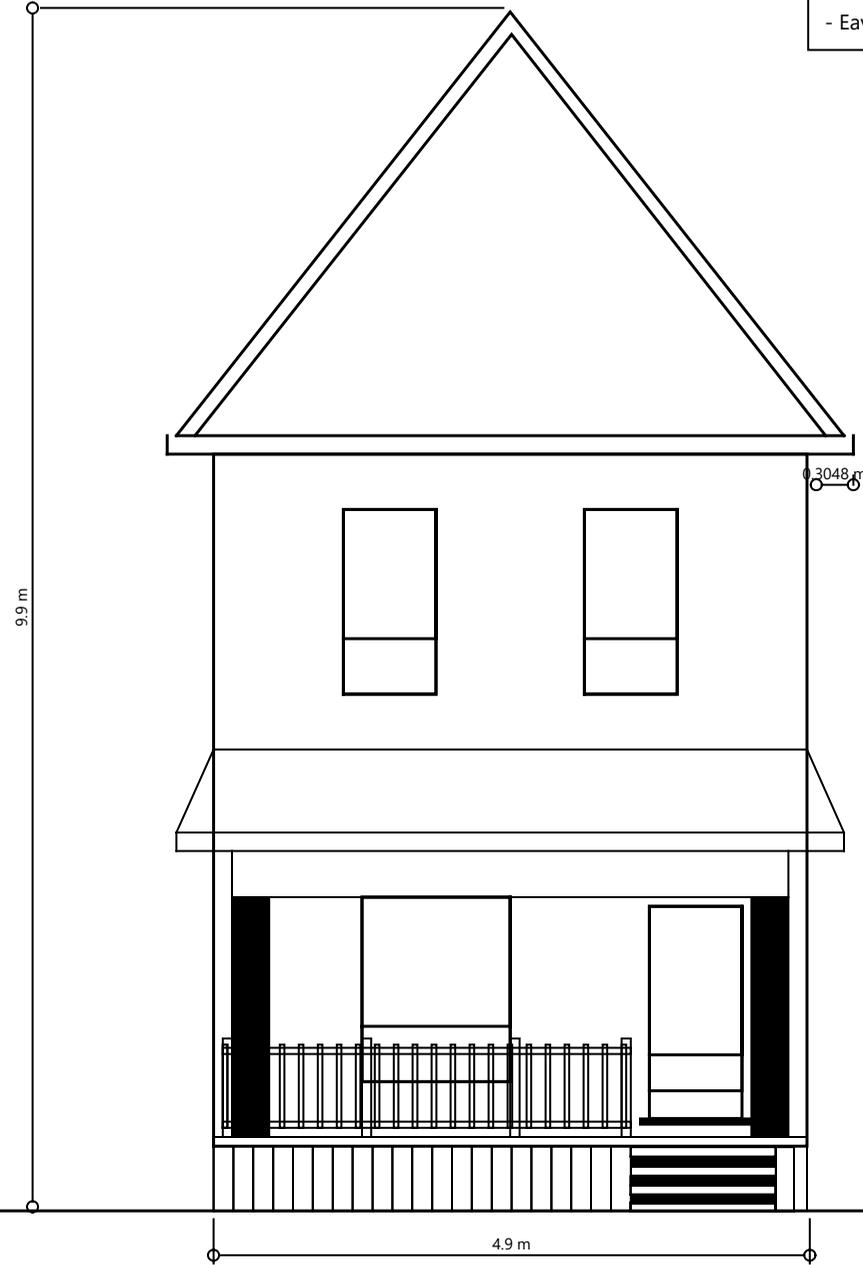
Proposed



Existing

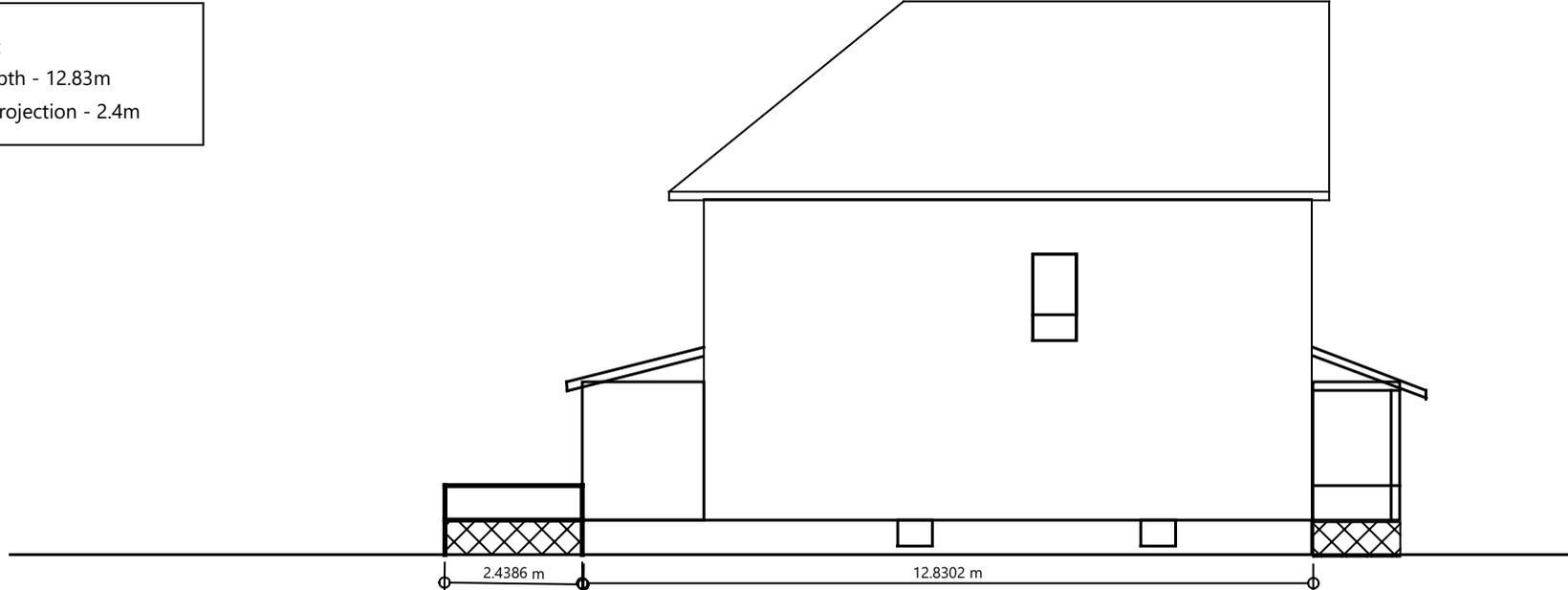


Proposed



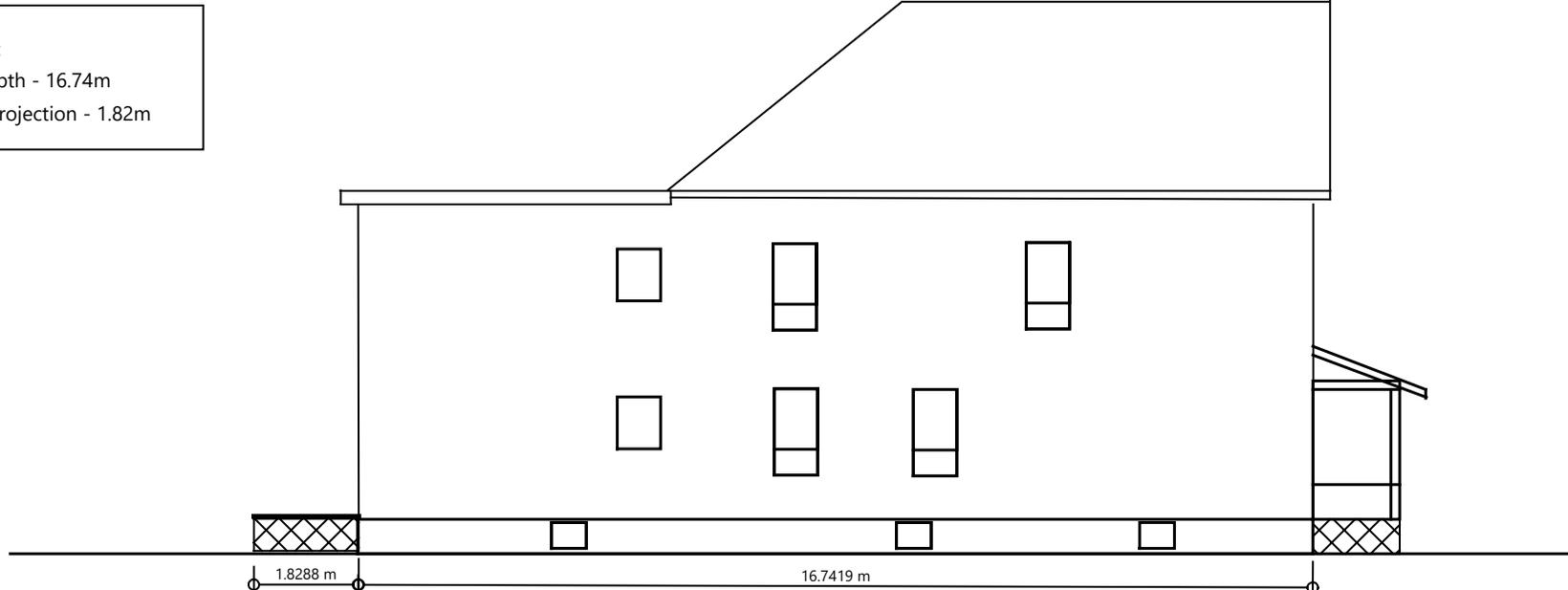
Dimensions: Scale 1:48
- Building Width - 4.9m
- Building Height (from grade) - 9.9m
- Eave & Gutter Projection - 30.48cm

Scale 1:96
Dimensions:
- Building Depth - 12.83m
- Rear Deck Projection - 2.4m



Existing

Scale 1:96
Dimensions:
- Building Depth - 16.74m
- Rear Deck Projection - 1.82m



Proposed

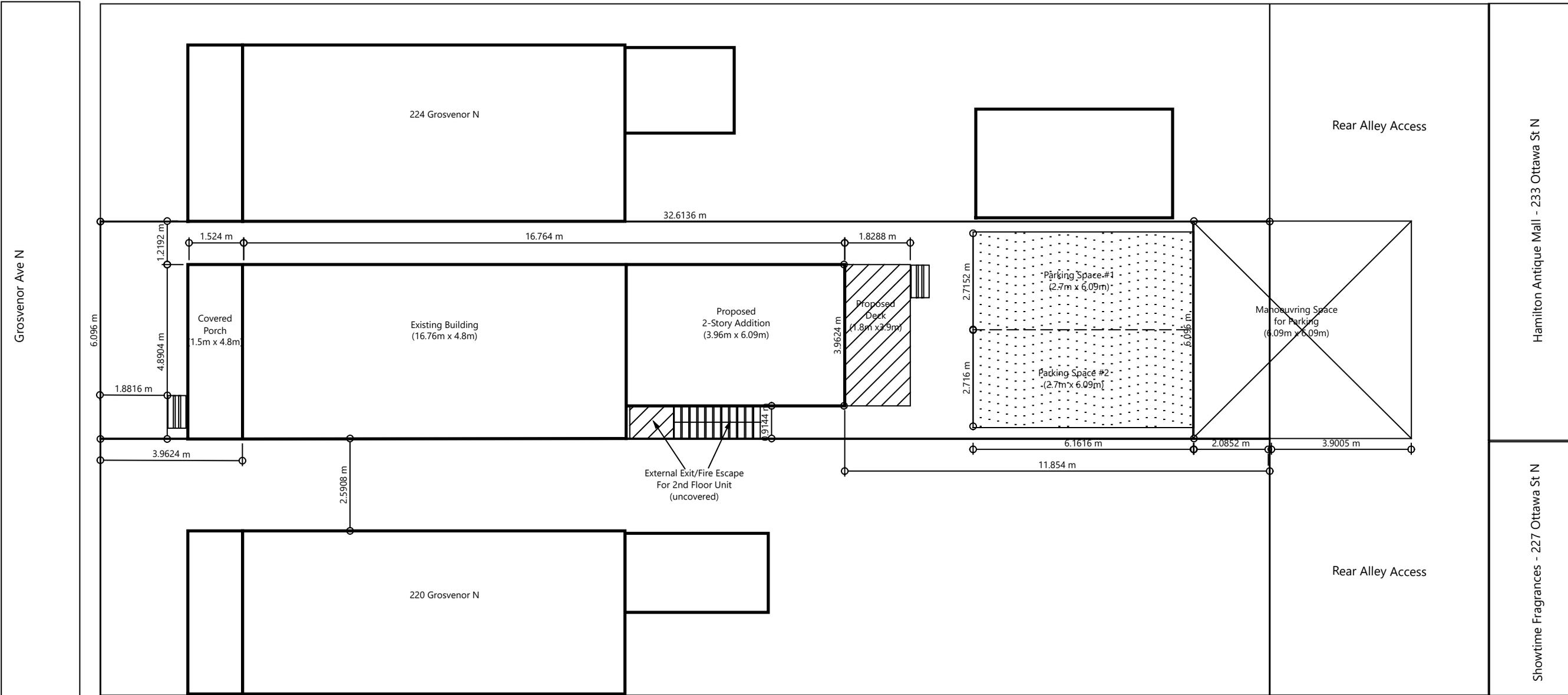
222 Grosvenor Ave N - Proposed Site Plan(Revised)

Address: 222 Grosvenor Ave N, Hamilton
 Lot Size: 6.09m x 32.61m
 PIN: 17223-0250 LT
 Description: PT LT 151, PL 463, AS IN VM31025; Hamilton
 Scale 1:96

Proposed Setbacks
 - Front Yard - 3.96m
 - North Side Yard - 1.21m
 - South Side Yard - 0.9m
 (for proposed Addition)
 - Rear Yard - 11.87m

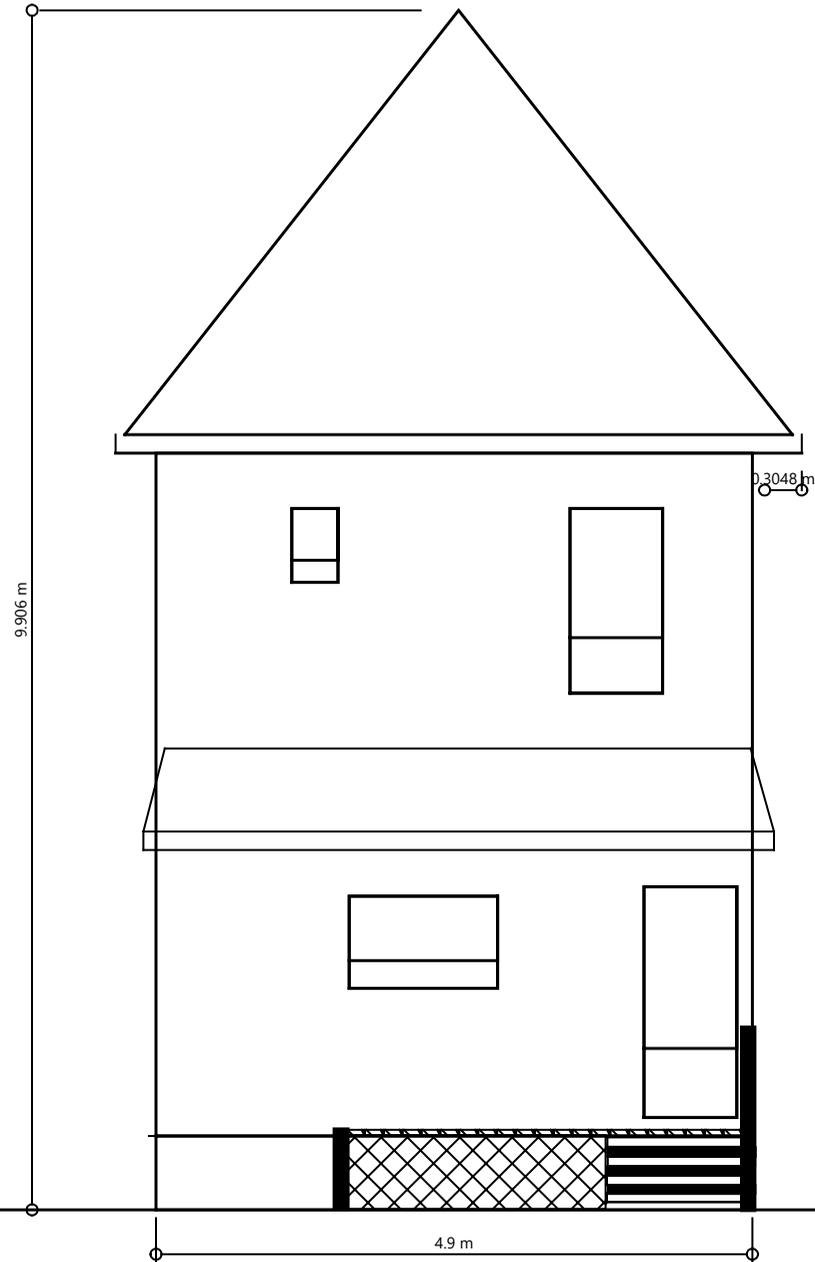
Front Yard Details
 - Size: W6.09m x 3.96m (from property line to dwelling)
 - Gross landscaped area - 15.8sqm
 (front lot minus front porch)
 - Allocated landscaped area - 70%

Proposed Parking Details
 - 2 Car Parking: (W2.7m x L6.09m) x 2
 - Gross parking area - 42sqm
 - Laneway width - 3.6m
 - Onsite Manoeuvring Space - L2.08m x W6.0m
 - Alleyway Manoeuvring Space - L3.9m x 6.0m

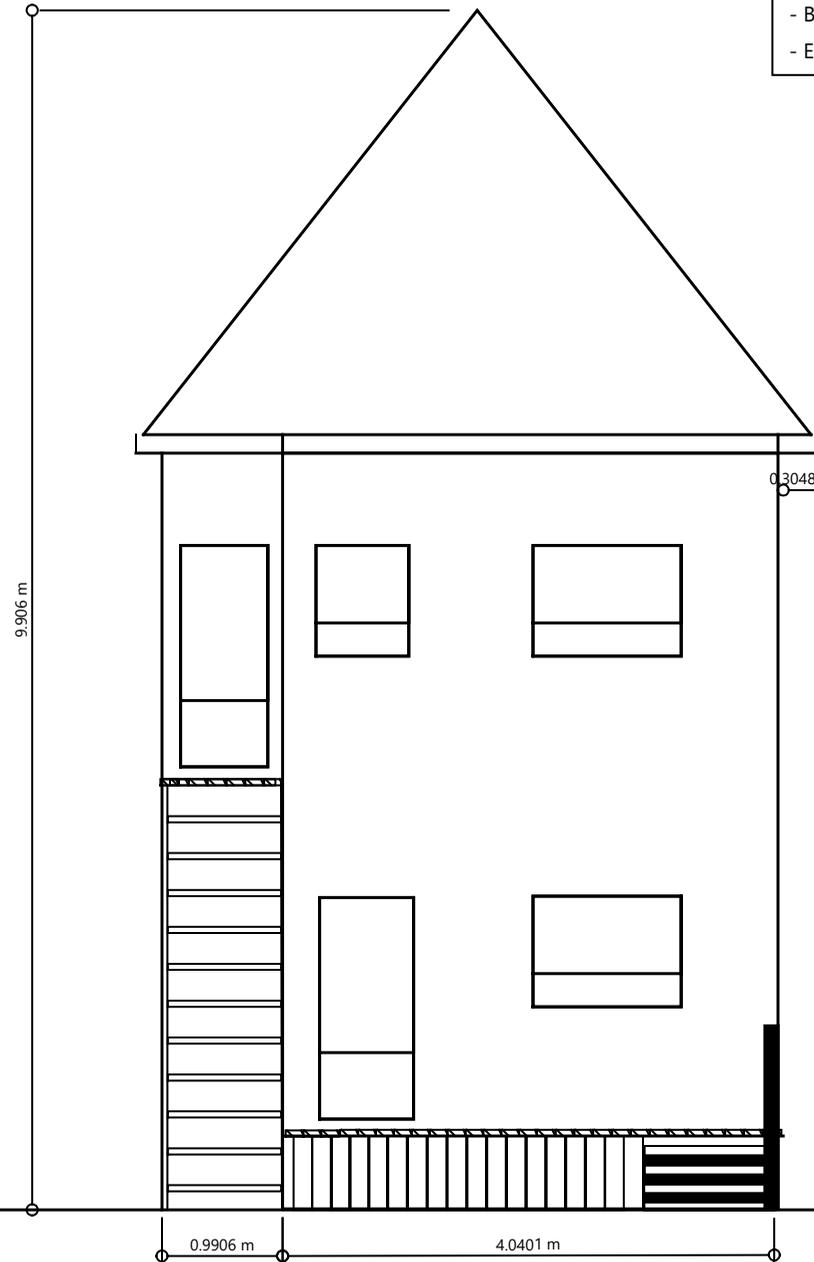


Dimensions: Scale 1:48
- Building Width (existing dwelling) - 4.9m
- Building Width (new addition) - 4.0m
- Building Height (from grade) - 9.9m
- Eave & Gutter Projection - 30.48cm

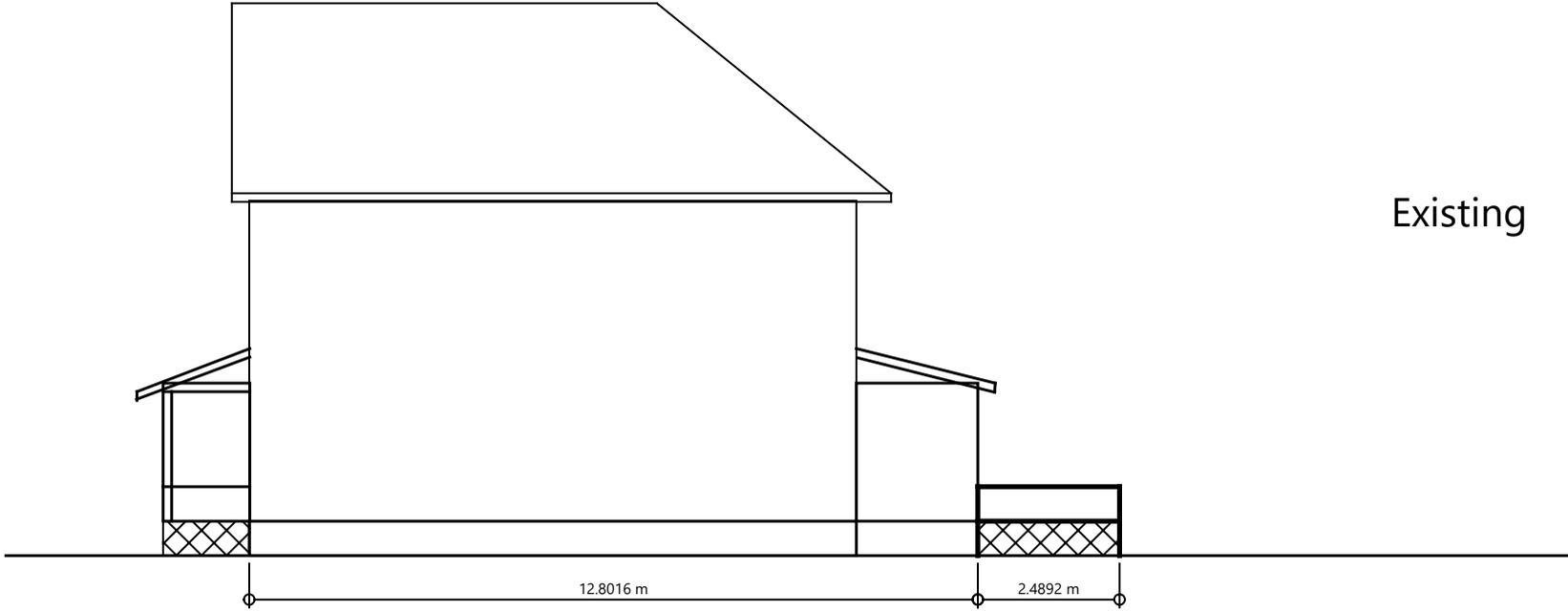
Existing



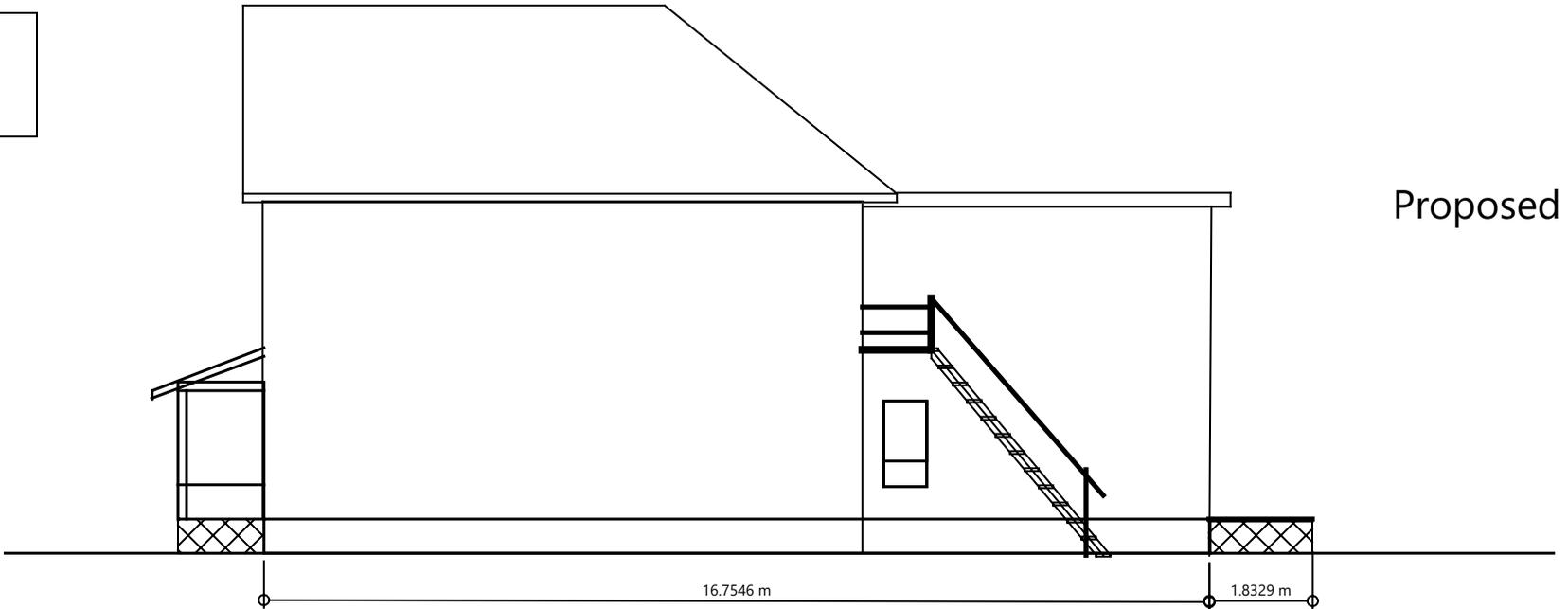
Proposed



Scale 1:96
Dimensions:
- Building Depth - 12.8m
- Rear Deck Projection - 2.4m



Scale 1:96
Dimensions:
- Building Depth - 16.75m
- Rear Deck Projection - 1.8m





Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	Kamaway Creek Properties Ltd		
Applicant(s)*	Kamaway Creek Properties Ltd Owners: Greg Thomas Christopher Plock		
Agent or Solicitor			Phone:
			E-mail:

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

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

Mortgage Holder:
 TD Bank
 3569 Lakeshore Blvd W
 Toronto ON
 M8W 0A7

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

See appendix A

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

See appendix A

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

222 Grosvenor Ave N

PIN: 17223-0250 LT

Description: PT LT 151, PL 463, AS IN VM31025; Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 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
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 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
- 8.9 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

8.10 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

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

Personal knowledge of the property.

8.12 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

9. 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.

Apr 1, 2021
Date

Greg Thomas
Signature Property Owner
Kamaway Creek Properties Ltd
Print Name of Owner

Digitally signed by Greg Thomas
Date: 2021.04.01 11:45:24 -04'00'

10. Dimensions of lands affected:

Frontage 6.09m
Depth 32.61m
Area 198.59m
Width of street TBD

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 appendix A. Refer to drawings for details

Proposed See appendix A. Refer to drawings for details

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

Existing: See appendix A. Refer to drawings for details

Proposed: See appendix A. Refer to drawings for details

13. Date of acquisition of subject lands:
May 22, 2013
14. Date of construction of all buildings and structures on subject lands:
1920
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:
101yrs
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:
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Urban Protected Residential – One and Two Family Dwellings "D" District
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
24. 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.



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-21:63

SUBJECT PROPERTY: 43-51 King St. E., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent Urban Solutions
 Owner King William Residences Inc.

PURPOSE OF APPLICATION: To permit the establishment of an easement in favour of property known as 23-25 John St. N.

Easement Lands: (Part 4)
 8.74m[±] x 24.5m[±] and an area of 211.0m^{2±}

Retained lands: Irregular parcel
 Frontage 86.6m[±] and an area of 4,411.6m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 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.

HM/B-21:63
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

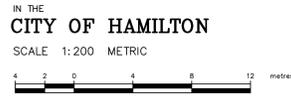
DATED: July 27th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

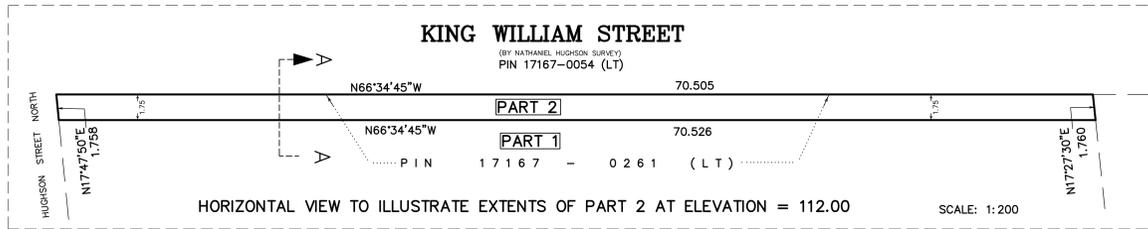
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

STRATA PLAN OF SURVEY
OF
LOT 5
AND PART OF
LOT 6
NORTH SIDE OF KING STREET BETWEEN
HUGHSON AND JOHN STREET
AND
LOT 28
AND PART OF
LOTS 26 & 27
SOUTH SIDE OF KING WILLIAM STREET BETWEEN
HUGHSON STREET AND JOHN STREET
AND PART OF
ALLEYWAY
BETWEEN HUGHSON STREET, KING WILLIAM STREET, JOHN STREET & KING STREET
(CLOSED BY BL1159) (CLOSED BY BY-LAW 18-340, AS IN INST. WE1359390)
ALL IN
NATHANIEL HUGHSON SURVEY (UNREGISTERED)

IN THE
CITY OF HAMILTON
SCALE 1:200 METRIC



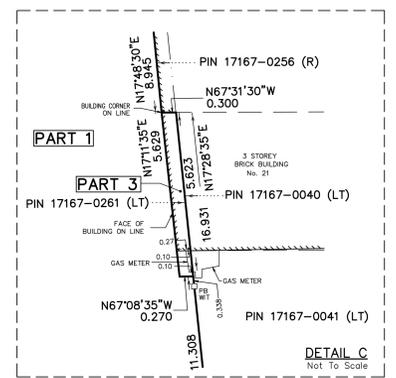
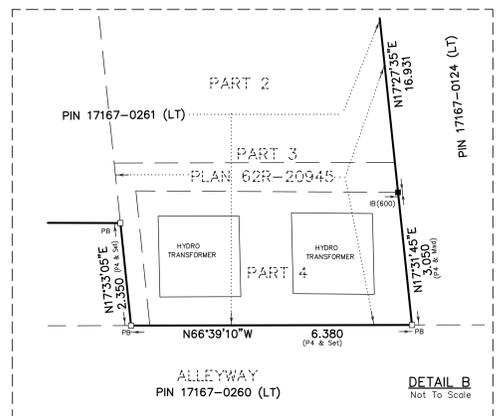
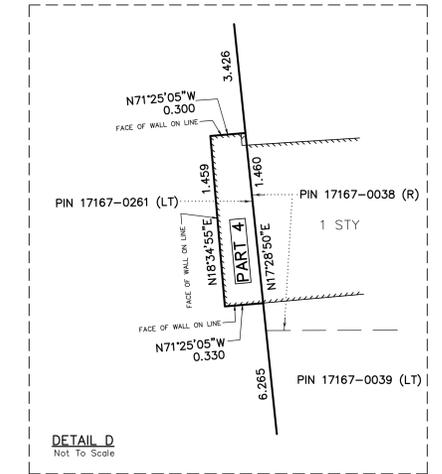
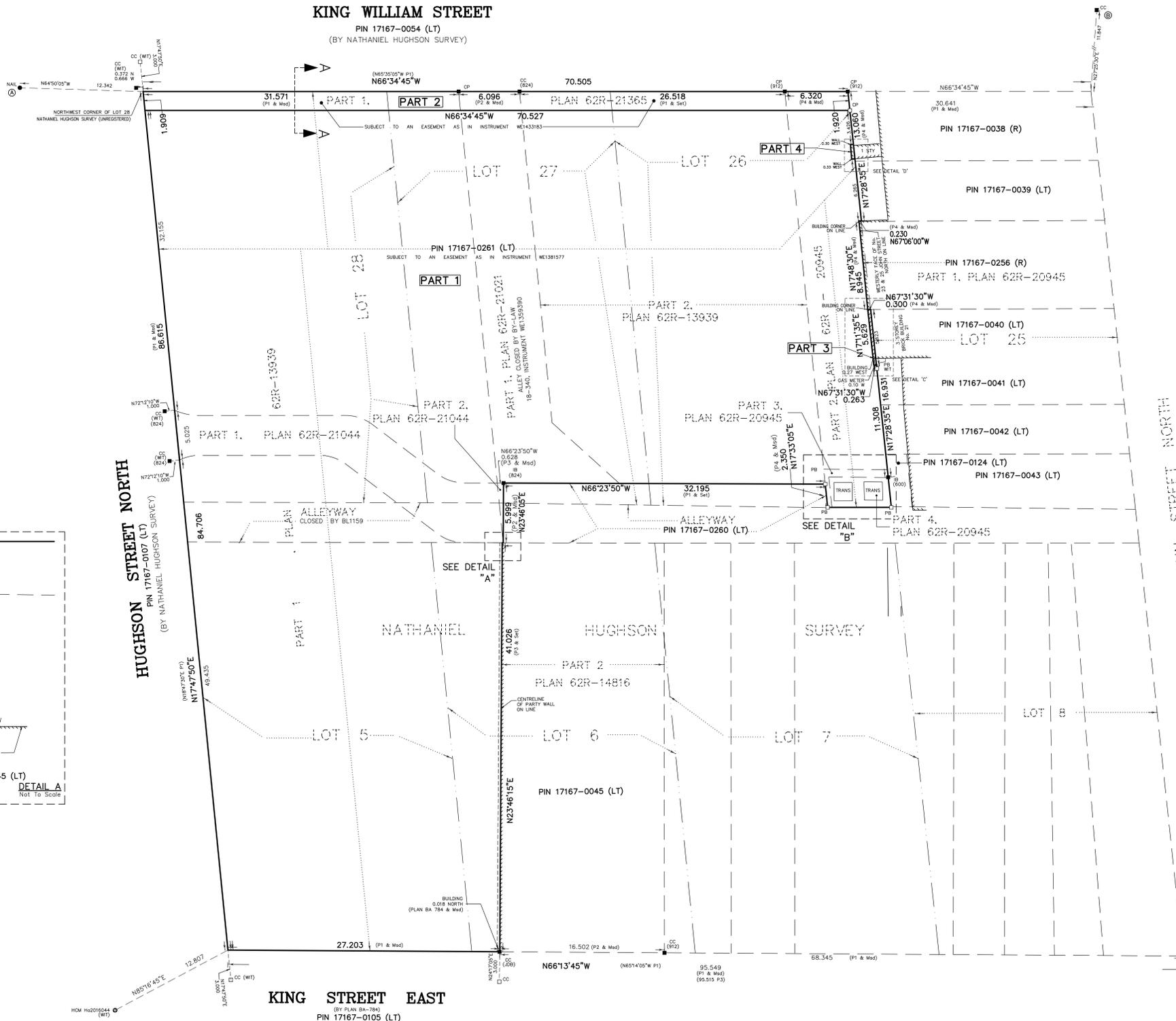
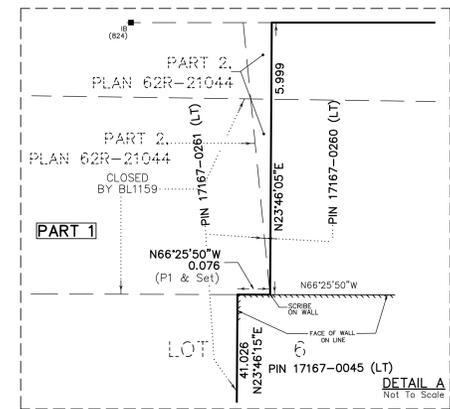
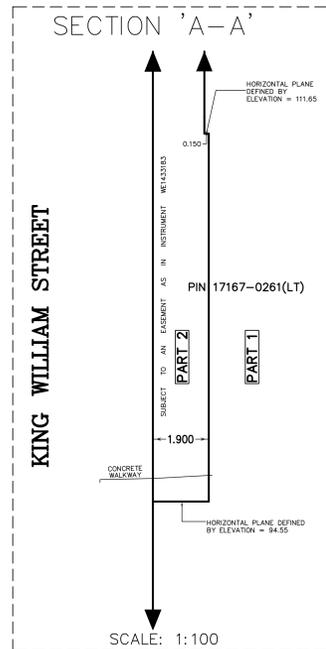
S.D. McLAREN, O.L.S. - 2020



SCHEDULE			
PART	LOTS	PLAN	P.I.N.
1	ALL OF LOT 5 AND PART OF LOT 6 NORTH SIDE OF KING STREET BETWEEN HUGHSON STREET AND JOHN STREET AND PART OF LOTS 26, 27 & 28 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET AND PART OF ALLEYWAY BETWEEN HUGHSON STREET, KING WILLIAM STREET, JOHN STREET & KING STREET (CLOSED BY BL1159) (CLOSED BY BY-LAW 18-340, AS IN INST. WE1359390)	NATHANIEL HUGHSON SURVEY (UNREGISTERED)	ALL OF P.I.N. 17167 - 0261 (LT)
2	PART OF LOTS 26, 27 & 28 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET		
3	PART OF LOT 26 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET		
4			

PLAN 62 R-
RECEIVED AND DEPOSITED
Date _____
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF ONTARIO (No. 62)
I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE LAND
TITLES ACT.
Date AUGUST 19, 2020
S. DAN McLAREN, O.L.S.

PART 2 IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1433183
PARTS 1, 2, 3, AND 4 ARE SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1381577



LEGEND:
 □ DENOTES MONUMENT SET
 ■ MONUMENT FOUND
 ○ IRON BAR
 CC OUT CROSS
 SSB STANDARD IRON BAR
 SSB SHORT STANDARD IRON BAR
 S24 A.S. McLAREN, O.L.S.
 JOB J.D. BARNES LIMITED
 W22 A.S. McLAREN, O.L.S.
 WT WITNESS
 MME MEASURED
 P1 PLAN 62R-13039
 P2 PLAN 62R-21021
 P3 PLAN 62R-21044
 P4 PLAN 62R-20945
 P5 PLAN 62R-21365
 PS PLASTIC BAR
 CP CONCRETE PIN

BEARING NOTE:
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999594422

INTEGRATION DATA

POINT ID	NORTHING	EASTING
GRP @	4789994.762	581925.500
GRP @	4789992.346	581923.108

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

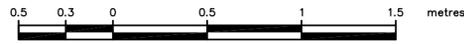
METRIC NOTE
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE
 I, S.D. McLAREN, O.L.S., being duly sworn, depose and say that I am a duly qualified and licensed Surveyor in the Province of Ontario, and that I have personally supervised the execution of the above described survey, and that the same is a true and correct copy of the original survey as shown to me by the Surveyor, and that I have not been furnished with any false or incorrect information, and that I have not been influenced by any person in the execution of the same, and that I have not been furnished with any false or incorrect information, and that I have not been influenced by any person in the execution of the same, and that I have not been furnished with any false or incorrect information, and that I have not been influenced by any person in the execution of the same.

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

August 19, 2020
 S. DAN McLAREN, O.L.S.

STRATA PLAN OF SURVEY
 OF PART OF
LOT 26
SOUTH SIDE OF KING WILLIAM STREET BETWEEN
HUGHSON STREET AND JOHN STREET
 ALL IN
NATHANIEL HUGHSON SURVEY (UNREGISTERED)
 IN THE
CITY OF HAMILTON
 SCALE 1:25 METRIC



S.D. McLAREN, O.L.S. - 2021

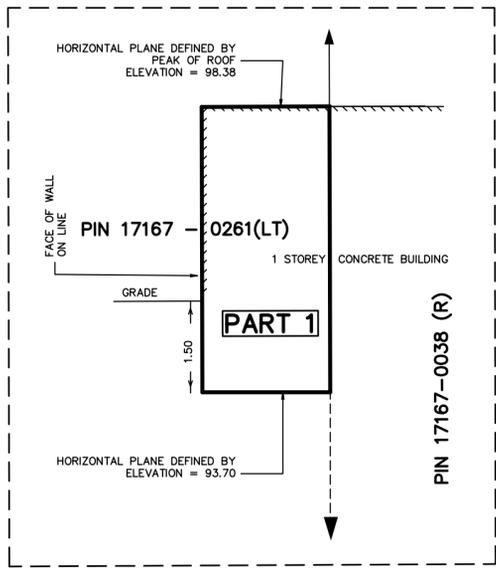
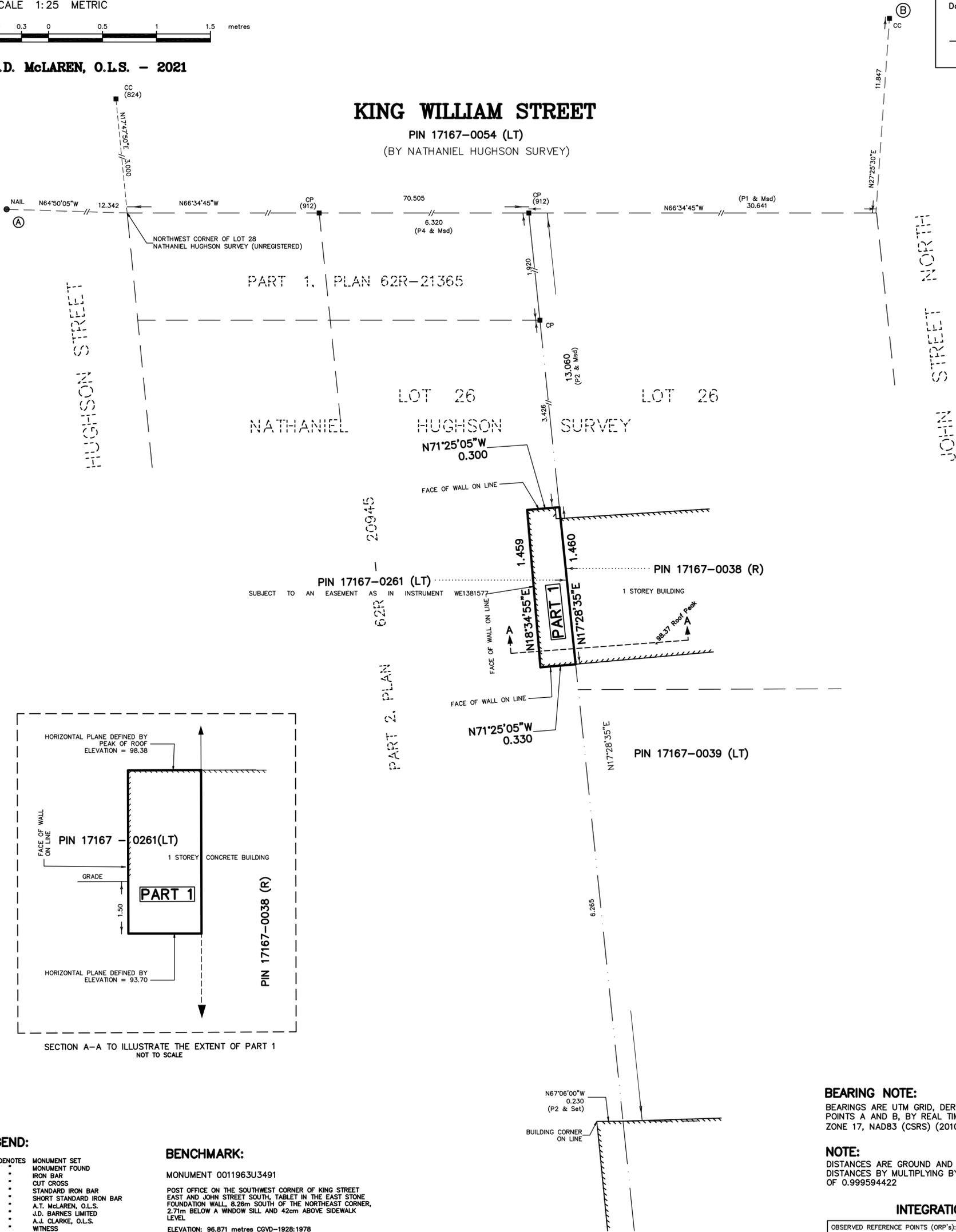
SCHEDULE			
PART	LOTS	PLAN	P.I.N.
1	PART OF LOT 26 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET	NATHANIEL HUGHSON SURVEY (UNREGISTERED)	PART OF P.I.N. 17167 - 0261 (LT)

PART 1 IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1381577

PLAN 62 R-
 RECEIVED AND DEPOSITED
 Date _____
 REPRESENTATIVE FOR
 LAND REGISTRAR FOR THE LAND
 TITLES DIVISION OF WENTWORTH (No. 62)
 I REQUIRE THIS PLAN TO BE
 DEPOSITED UNDER THE LAND
 TITLES ACT.
 Date JUNE 1, 2021
 S. DAN McLAREN, O.L.S.

KING WILLIAM STREET

PIN 17167-0054 (LT)
 (BY NATHANIEL HUGHSON SURVEY)



LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- CC CUT CROSS
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- 824 A.T. McLAREN, O.L.S.
- JDB J.D. BARNES LIMITED
- 912 A.J. CLARKE, O.L.S.
- WT WITNESS MEASURED
- P1 PLAN 62R-13939
- P2 PLAN 62R-20945
- PB PLASTIC BAR
- CP CONCRETE PIN

BENCHMARK:

MONUMENT 0011963U3491
 POST OFFICE ON THE SOUTHWEST CORNER OF KING STREET EAST AND JOHN STREET SOUTH, TABLET IN THE EAST STONE FOUNDATION WALL, 8.28m SOUTH OF THE NORTHEAST CORNER, 2.71m BELOW A WINDOW SILL AND 42cm ABOVE SIDEWALK LEVEL.
 ELEVATION: 96.871 metres CGVD-1928:1978

METRIC NOTE

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THE STRUCTURES SHOWN ON THIS PLAN ARE IN EXISTENCE.
 2. THE DIMENSIONS SHOWN ON THIS PLAN HAVE BEEN VERIFIED BY ACTUAL MEASUREMENTS.

JUNE 1, 2021
 DATE _____
 S. DAN McLAREN, O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 1st DAY OF JUNE, 2021

JUNE 1, 2021
 DATE _____
 S. DAN McLAREN, O.L.S.

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999594422

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4789994.762	591925.500
ORP B	4789962.348	592029.108
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

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 DG	Checked RBM	Crew Chief MW	Scale 1:25	Dwg.No. 35298-R6
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June 16, 2021

247-17

Via Email and Delivered

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield:

**RE: 43-51 King Street East, 60 King William Street and 23-25 John Street North, City of Hamilton
Consent Application to Establish Easement**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of King William Residences Inc. c/o Hi-Rise Group, the registered owner of the lands municipally known as 43-51 King Street East and 60 King William Street, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Consent Application to the City of Hamilton to grant an easement to accommodate an encroachment onto the subject lands by a building located on 23-25 John Street North.

The subject lands are designated Downtown Mixed Use Area in the Urban Hamilton Official Plan (UHOP) and are designated as Downtown Mixed Use – Pedestrian Focus in the Hamilton Downtown Secondary Plan. Further, the subject property is located in the Downtown Mixed Use – Pedestrian Focus (D2) Zone of the City of Hamilton Zoning By-law No. 05-200. The subject lands are currently vacant with the exception of the rear portion of a 1-storey building located on 23-25 John Street North, which encroaches onto the subject lands by approximately 0.33 metres.

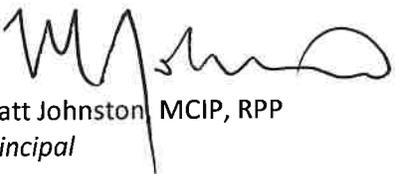
The encroachment was discovered through the land titles process that was carried out to facilitate the development of the subject lands as per DA-18-016. To rectify this matter, the purpose of this application is to grant an easement in favour of the encroaching building at 23-25 John Street North. The area of permitted encroachment will be approximately 0.48 m² and will extend from 1.5 metres below grade to the horizontal plane defined by the peak of the roof at 3.2 metres above grade, as shown on the enclosed draft Reference Plan.

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

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the draft Reference Plan prepared by A.T. McLaren Limited; and,
- One (1) cheque in the amount of **\$2,860.00** made payable to the City of Hamilton.

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


Scott Beedie, BURPI
Planner

cc: King William Residences Inc.
The Hi-Rise Group
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc.



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)	King William Residences Inc. c/o Hi-Rise Group		
Applicant(s)*	Same as owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston		

* 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 43-51 King Street East & 60 King William Street			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:

Refer to Site Plan DA-18-016

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: Easement in favour of 23-25 John Street North

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:~~ Lands subject to easement

Frontage (m)	Depth (m)	Area (m ² or ha)
+/- 8.74 m	+/- 24.5 m	+/- 211.0 m ²

Existing Use of Property ~~to be severed:~~ Subject to easement

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

Proposed Use of Property ~~to be severed:~~ Subject to easement

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) Use not proposed to change
- Industrial
 Agricultural-Related
- Commercial
 Vacant

Building(s) or Structure(s):

Existing: 3-storey restaurant

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:~~ Subject Lands

Frontage (m)	Depth (m)	Area (m ² or ha)
+/- 86.6 m (Hughson Street North)	+/- 27.4 m +/- 70.5 m	+/- 4,411.6 m ²

Existing Use of ~~Property to be retained:~~ Subject Lands

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

Proposed Use of ~~Property to be retained~~: Subject Lands

- | | | |
|---|---|-------------------------------------|
| <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: N/A

Proposed: 30-storey Multiple dwelling containing 581 residential units

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input checked="" type="checkbox"/> school bussing | <input checked="" type="checkbox"/> garbage collection |
|---|---|--|--|

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): N/A

Urban Hamilton Official Plan designation (if applicable): Downtown Mixed Use Area

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

Please refer to cover 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? Downtown Mixed Use - Pedestrian Focus (D2) in Zoning By-law No. 05-200

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)

Building subject to easement is
Commercial and subject lands are
currently under construction to build
multi-residential development.

- 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)

8 HISTORY OF THE SUBJECT LAND

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

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

N/A

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

N/A

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

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

N/A

8.4 How long has the applicant owned the subject land?

10+ years

8.5 Does the applicant own any other land in the City? Yes No Unknown

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.

N/A

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 N/A Status N/A

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.

[Please refer to cover letter for additional information.](#)

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-21:192

APPLICANTS: Agent Rock Kim
 Owner Jay Trefethen

SUBJECT PROPERTY: Municipal address **104 Spadina Ave., Hamilton**

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

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

PROPOSAL: To permit the construction of a new third storey dormer addition and to convert the existing single family dwelling to contain a secondary dwelling unit notwithstanding that:

1. A height of three (3) storeys shall be provided instead of the maximum permitted building height of 2.5 storeys.
2. A northerly side yard width of 0.6m shall be provided instead of the minimum required side yard width of 1.2m

NOTES:

- i. Please be advised that eaves and gutters are permitted to project into a required side yard not more than one-half of its width or 1.0m, whichever is the lesser. The distance of any proposed eave and gutter projections have not been provided in order to determine zoning compliance and as such, further variances may be required if compliance cannot be achieved.

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

DATE: Thursday, August 12th, 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.

HM/A-21: 192

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:

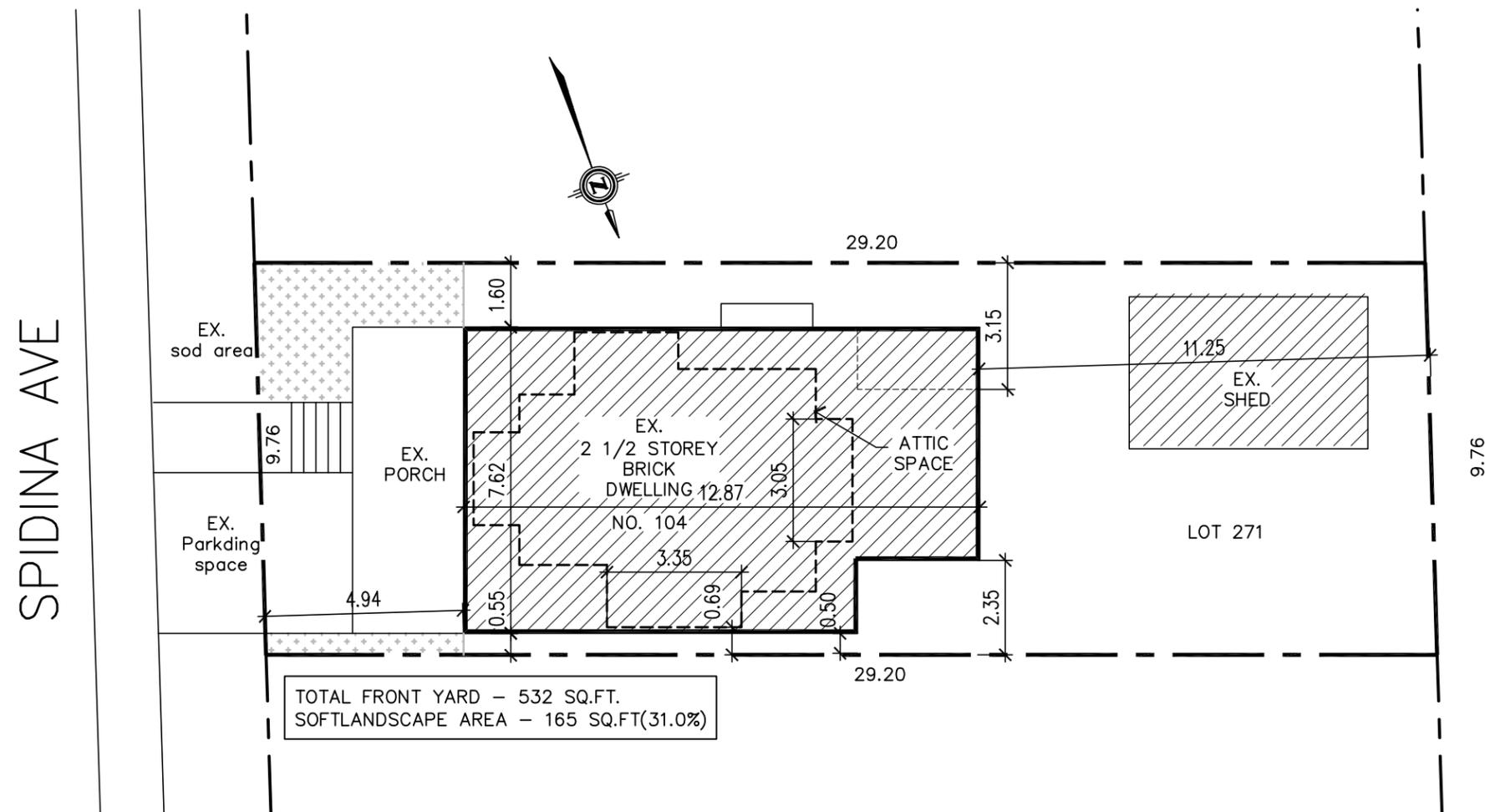
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 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.

PLAN SHOWS
 LOT 271
 REGISTERED PLAN 448
 CITY OF HAMILTON



TOTAL FRONT YARD - 532 SQ.FT.
 SOFTLANDSCAPE AREA - 165 SQ.FT(31.0%)

SITE DATA

LOT Area	284.73 Sq.m
Existing building area	
Ground floor area	93.83 Sq.m
Porch area	21.08 Sq.m
Second floor area	90.12 Sq.m
Shed area	22.29 Sq.m
Third floor area	49.39 Sq.m

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

QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.5.1 of the building code
ROCK KIM 36340
 Name BCIN#

[Signature] JAN. 16, 2021
 Signature Date

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379
 Firm Name BCIN#

GENERAL NOTES:
 This drawing, as an instrument of service, is provided by and is the property of the DESIGNER. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the DESIGNER of any variations from the supplied information. The Designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriated engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirement of authorities having jurisdiction. This drawing is not to be scaled.

REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE
SITE PLAN

DRAWN BY
 R.K.

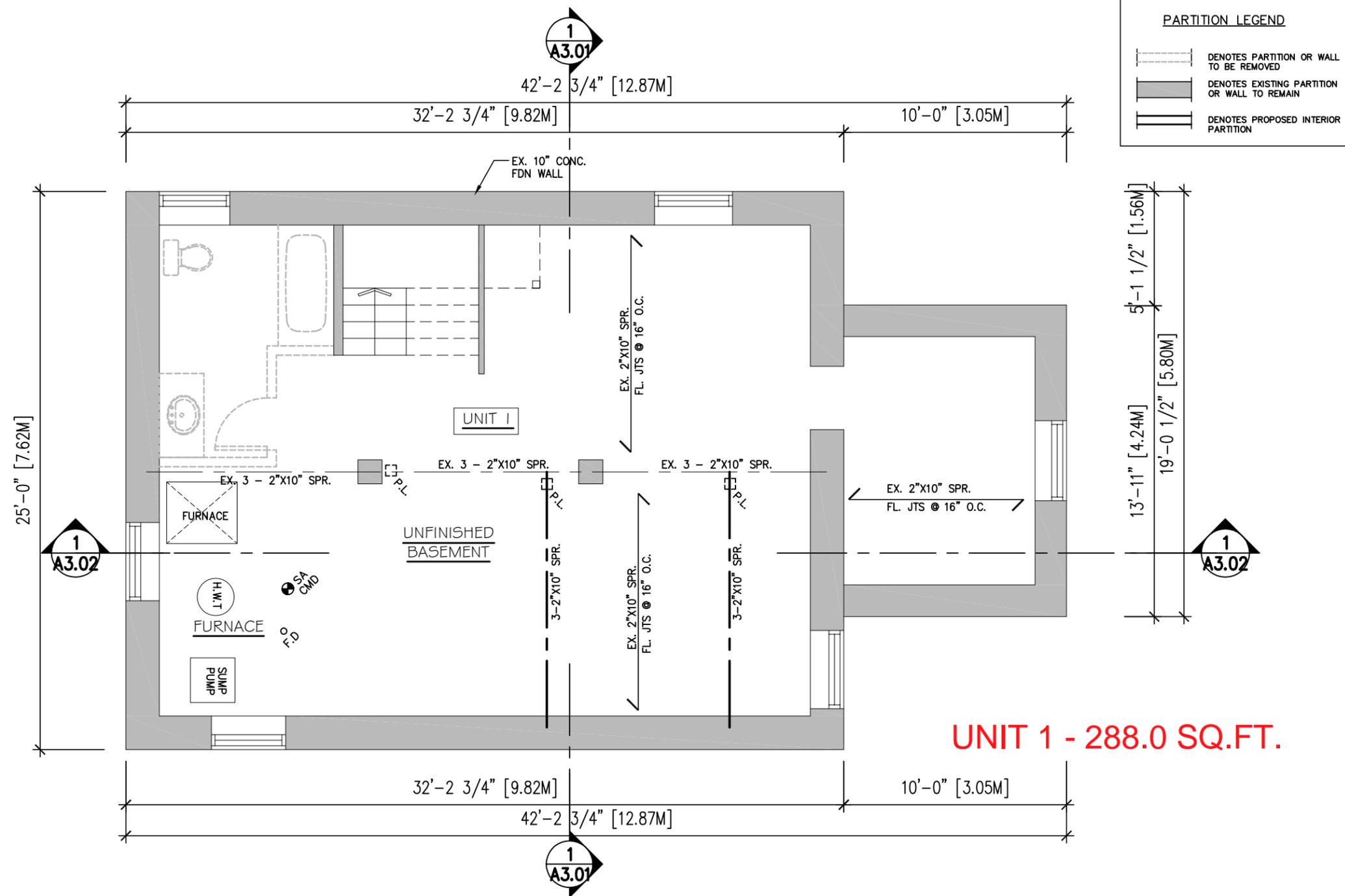
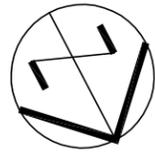
CHECKED BY

SCALE
 1:150

DATE
 JAN., 2021

PROJECT NUMBER

DRAWING NUMBER
A0.01



1 BASEMENT FLOOR PLAN
SCALE: 3/16"=1'-0"

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

QUALIFICATION INFORMATION
Required unless design is exempt under 3.2.5.1 of the building code
ROCK KIM 36340
Name BCIN#

[Signature] JAN. 16, 2021
Signature Date

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379
Firm Name BCIN#

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REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
104 SPADINA AVENUE HAMILTON, ON

DRAWING TITLE
FLOOR PLAN

DRAWN BY
R.K.

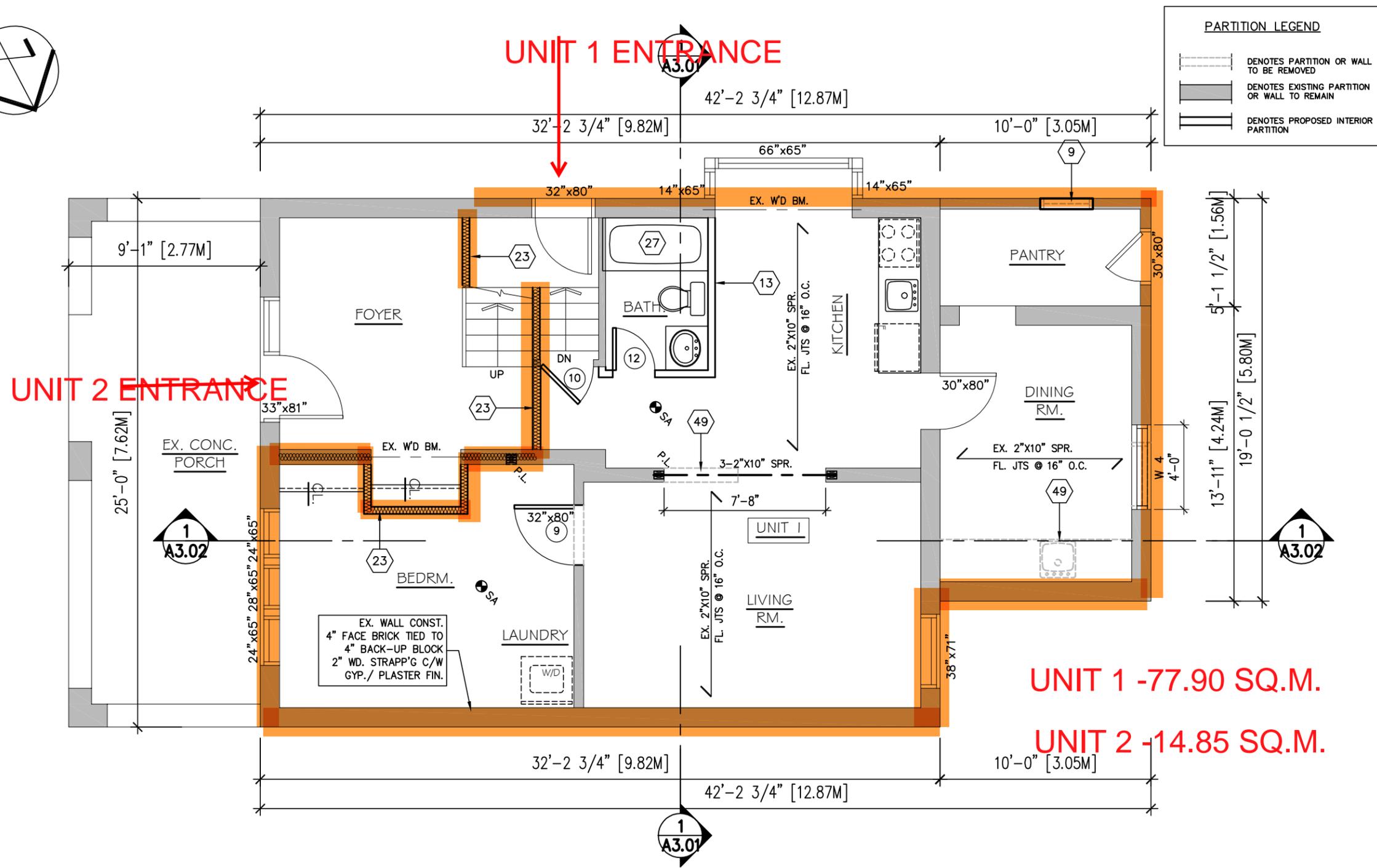
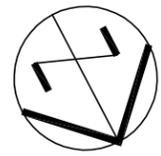
CHECKED BY

SCALE
AS NOTED

DATE
JAN., 2021

PROJECT NUMBER

DRAWING NUMBER
A1.01



PARTITION LEGEND

- DENOTES PARTITION OR WALL TO BE REMOVED
- DENOTES EXISTING PARTITION OR WALL TO REMAIN
- DENOTES PROPOSED INTERIOR PARTITION

UNIT 1 -77.90 SQ.M.
UNIT 2 -14.85 SQ.M.

WOOD LINTEL SCHEDULE
 (2-PLY WOOD MEMBERS)

- W1 = 2-2" X 8" SPRUCE No.1
- W2 = 2-2" X 10" SPRUCE No.1
- W3 = 2-2" X 12" SPRUCE No.1

(3-PLY WOOD MEMBERS)

- W4 = 3-2" X 8" SPRUCE No.1
- W5 = 3-2" X 10" SPRUCE No.1
- W6 = 3-2" X 12" SPRUCE No.1

(LVL- 20 f-E Grade)

- W7 = 1 3/4" X 9 1/2" LVL
- W8 = 1 3/4" X 11 7/8" LVL
- W9 = 1 3/4" X 14" LVL
- W10 = 1 3/4" X 16" LVL

STEEL LINTEL SCHEDULE

- L1 = L- 3 1/2" X 3 1/2" X 1/4"
- L2 = L- 4" X 3 1/2" X 5/16"
- L3 = L- 5" X 3 1/2" X 5/16"
- L4 = L- 5" X 3 1/2" X 3/8"
- L5 = L- 6" X 4" X 3/8"
- L6 = 3-15M REBARS

1 GROUND FLOOR PLAN
 SCALE: 3/16"=1'-0"

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

QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.5.1 of the building code
ROCK KIM 36340
 Name BCIN#
 Signature Date
JAN. 16, 2021

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379
 Firm Name BCIN#

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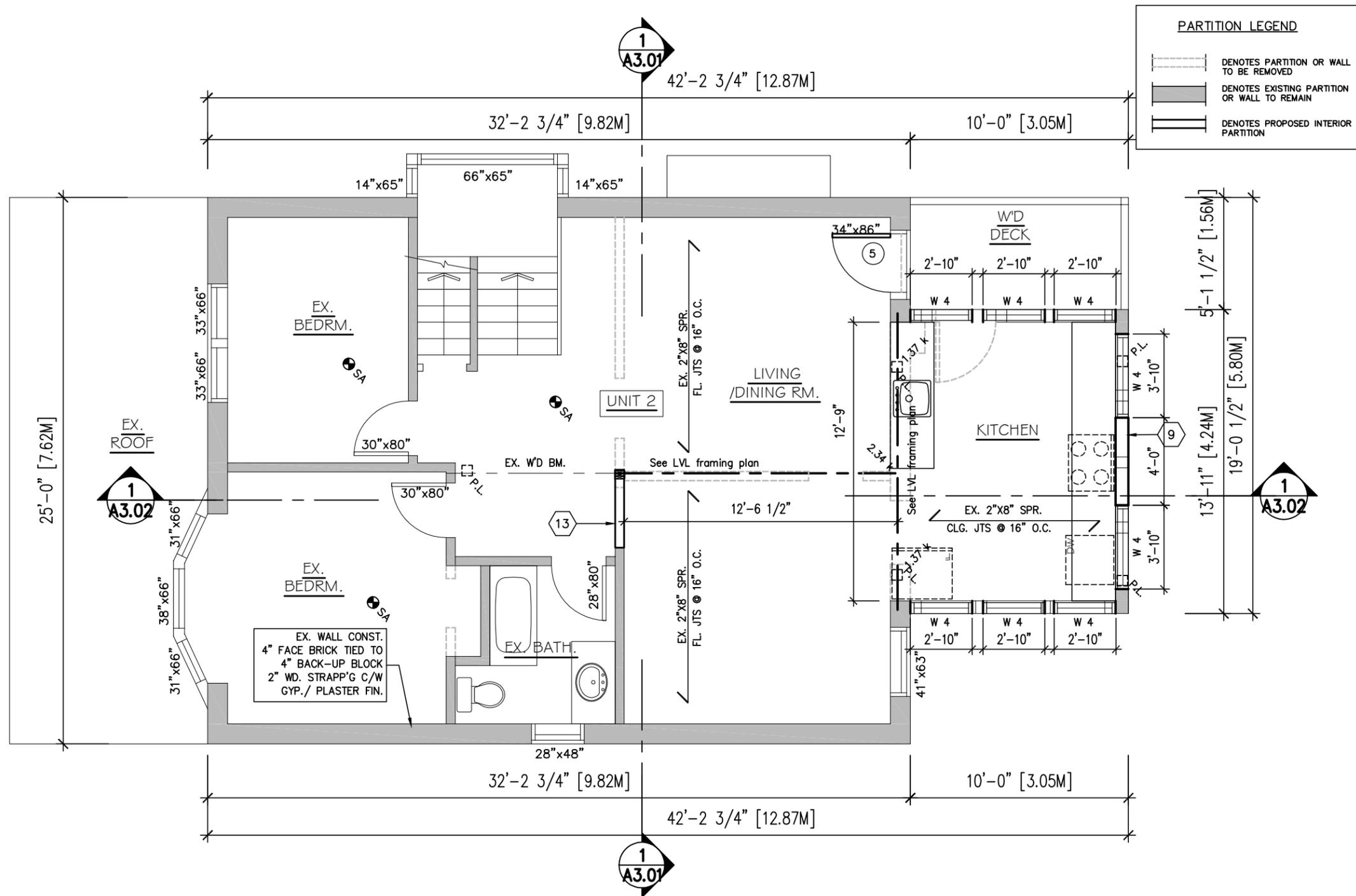
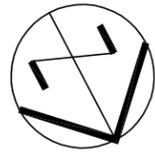
REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT: **PROPOSED INTERIOR ALTEARTION + DORMER ADDITION**
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE: **FLOOR PLAN**

DRAWN BY	R.K.
CHECKED BY	
SCALE	AS NOTED
DATE	JAN., 2021
PROJECT NUMBER	

DRAWING NUMBER
A1.02



PARTITION LEGEND

- DENOTES PARTITION OR WALL TO BE REMOVED
- DENOTES EXISTING PARTITION OR WALL TO REMAIN
- DENOTES PROPOSED INTERIOR PARTITION

WOOD LINTEL SCHEDULE
(2-PLY WOOD MEMBERS)

W1 = 2-2" X 8" SPRUCE No.1
 W2 = 2-2" X 10" SPRUCE No.1
 W3 = 2-2" X 12" SPRUCE No.1

(3-PLY WOOD MEMBERS)

W4 = 3-2" X 8" SPRUCE No.1
 W5 = 3-2" X 10" SPRUCE No.1
 W6 = 3-2" X 12" SPRUCE No.1

(LVL- 20 f-E Grade)

W7 = 1 3/4" X 9 1/2" LVL
 W8 = 1 3/4" X 11 7/8" LVL
 W9 = 1 3/4" X 14" LVL
 W10 = 1 3/4" X 16" LVL

STEEL LINTEL SCHEDULE

L1 = L- 3 1/2" X 3 1/2" X 1/4"
 L2 = L- 4" X 3 1/2" X 5/16"
 L3 = L- 5" X 3 1/2" X 5/16"
 L4 = L- 5" X 3 1/2" X 3/8"
 L5 = L- 6" X 4" X 3/8"
 L6 = 3-15M REBARS

UNIT 2 - 27.18 SQ.M.S

1 SECOND FLOOR PLAN
 SCALE: 3/16"=1'-0"

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

QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.5.1 of the building code
 ROCK KIM 36340
 Name BCIN#

[Signature] JAN. 16, 2021
 Signature Date

REGISTRATION INFORMATION
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 ROCKIM DESIGN INC. 45379
 Firm Name BCIN#

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REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE
FLOOR PLAN

DRAWN BY
 R.K.

CHECKED BY

SCALE
 AS NOTED

DATE
 JAN., 2021

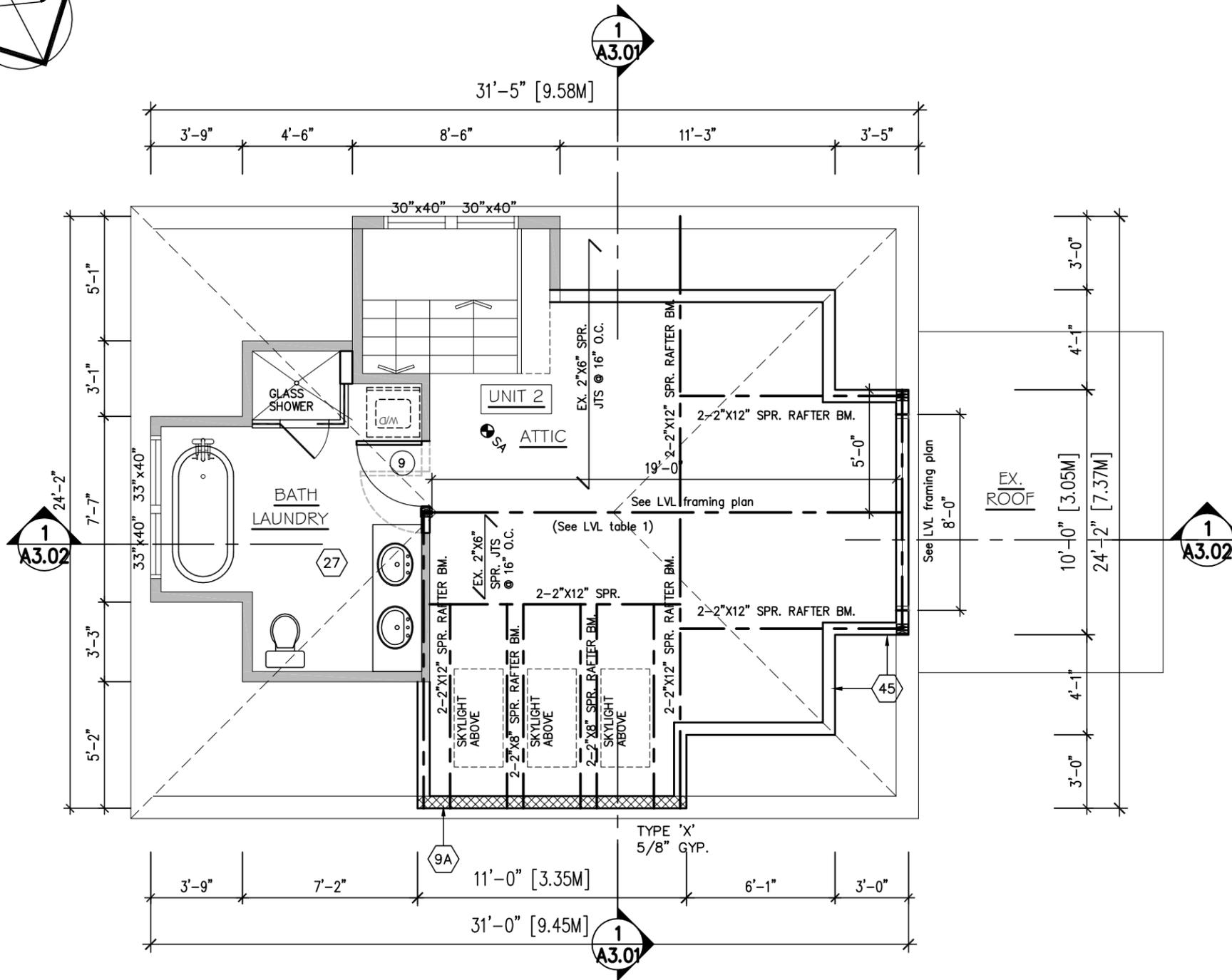
PROJECT NUMBER

DRAWING NUMBER
A1.03



PARTITION LEGEND

	DENOTES PARTITION OR WALL TO BE REMOVED
	DENOTES EXISTING PARTITION OR WALL TO REMAIN
	DENOTES PROPOSED INTERIOR PARTITION



DOOR SCHEDULE

- 1 3'-0" X 7'-6" SOLID WOOD CUSTOM FRONT DOOR OPERABLE FROM THE INTERIOR WITHOUT THE USE OF A KEY.(GLAZING AS SHOWN ON ELEVATION)
- 2 2'-10" X 7'-0" SOLID WOOD CUSTOM FRONT DOOR OPERABLE FROM THE INTERIOR WITHOUT THE USE OF A KEY.(GLAZING AS SHOWN ON ELEVATION)
- 3 3'-0" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- 4 2'-10" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- 5 2'-8" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- 6 2'-6" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- 7 3'-0" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 8 2'-10" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 9 2'-8" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 10 2'-6" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 11 2'-4" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 12 2'-0" X 7'-0" X 1 3/8" HOLLOW CORE DOOR

WOOD LINTEL SCHEDULE
(2-PLY WOOD MEMBERS)

W1 = 2-2" X 8" SPRUCE No.1
W2 = 2-2" X 10" SPRUCE No.1
W3 = 2-2" X 12" SPRUCE No.1

(3-PLY WOOD MEMBERS)

W4 = 3-2" X 8" SPRUCE No.1
W5 = 3-2" X 10" SPRUCE No.1
W6 = 3-2" X 12" SPRUCE No.1

(LVL- 20 f-E Grade)

W7 = 1 3/4" X 9 1/2" LVL
W8 = 1 3/4" X 11 7/8" LVL
W9 = 1 3/4" X 14" LVL
W10 = 1 3/4" X 16" LVL

STEEL LINTEL SCHEDULE

L1 = L- 3 1/2" X 3 1/2" X 1/4"
L2 = L- 4" X 3 1/2" X 5/16"
L3 = L- 5" X 3 1/2" X 5/16"
L4 = L- 5" X 3 1/2" X 3/8"
L5 = L- 6" X 4" X 3/8"
L6 = 3-15M REBARS

ALL EXTERIOR DOORS, WINDOWS, AND SKYLIGHTS RESISTANCE TO FORCED ENTRY TO CONFORM WITH O.B.C. REQUIREMENTS SUBSECTION 9.6.6 AND 9.6.7

1 ATTIC FLOOR PLAN
SCALE: 3/16" = 1'-0"

UNIT 2 - 49.39 SQ.M.

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

QUALIFICATION INFORMATION
Required unless design is exempt under 3.2.5.1 of the building code
ROCK KIM 36340
Name BCIN#

[Signature] JAN. 16, 2021
Signature Date

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379
Firm Name BCIN#

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REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT: PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
104 SPADINA AVENUE HAMILTON, ON

DRAWING TITLE: ROOF PLAN

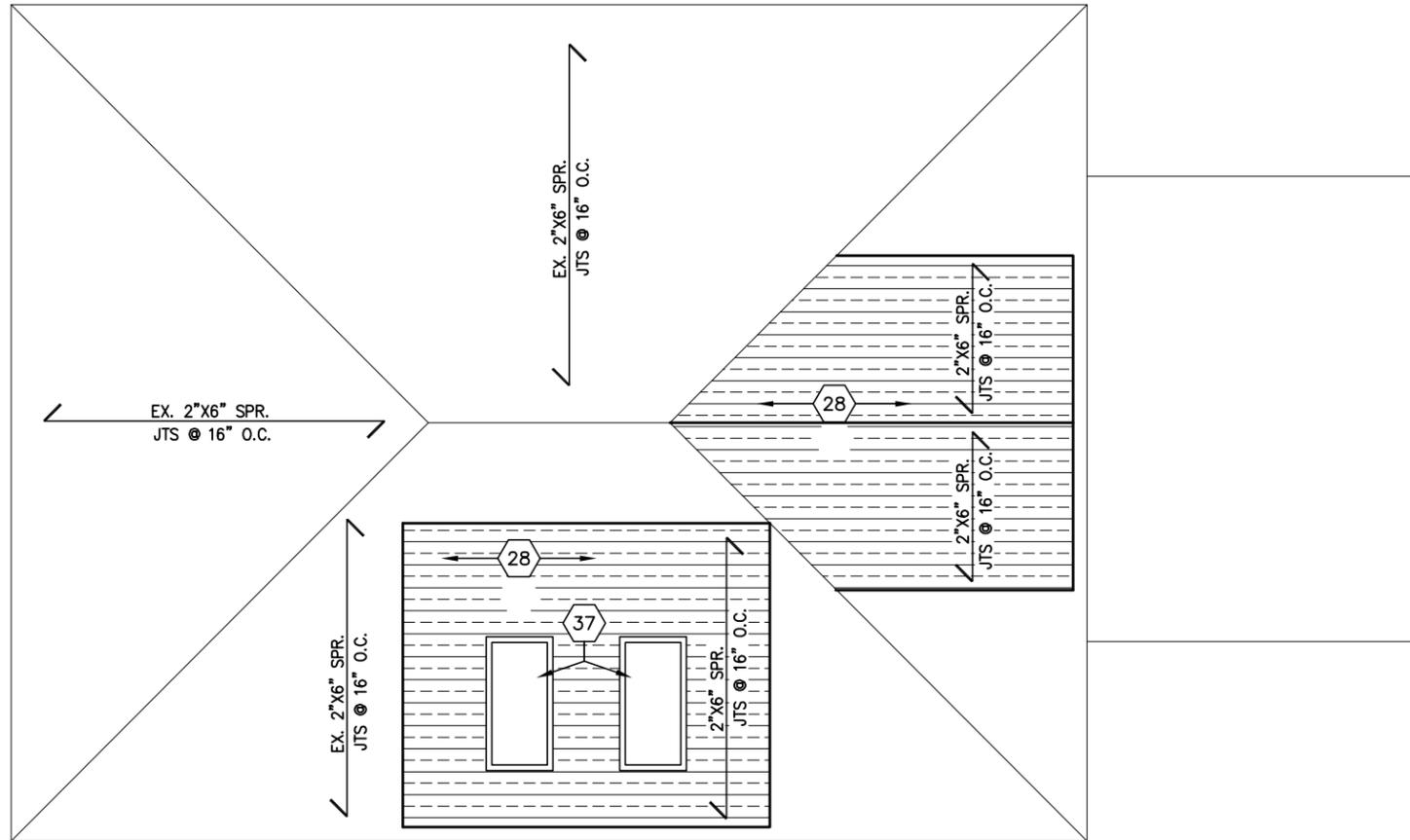
DRAWN BY: R.K.
CHECKED BY:
SCALE: AS NOTED
DATE: JAN., 2021
PROJECT NUMBER:

A1.04



PARTITION LEGEND

	DENOTES PARTITION OR WALL TO BE REMOVED
	DENOTES EXISTING PARTITION OR WALL TO REMAIN
	DENOTES PROPOSED INTERIOR PARTITION



1 ROOF PLAN
A1.05 SCALE: 3/16"=1'-0"

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ROCK KIM 36340
 Name BCIN#

JAN. 16, 2021
 Signature Date

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379
 Firm Name BCIN#

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REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE
ROOF PLAN

DRAWN BY
 R.K.

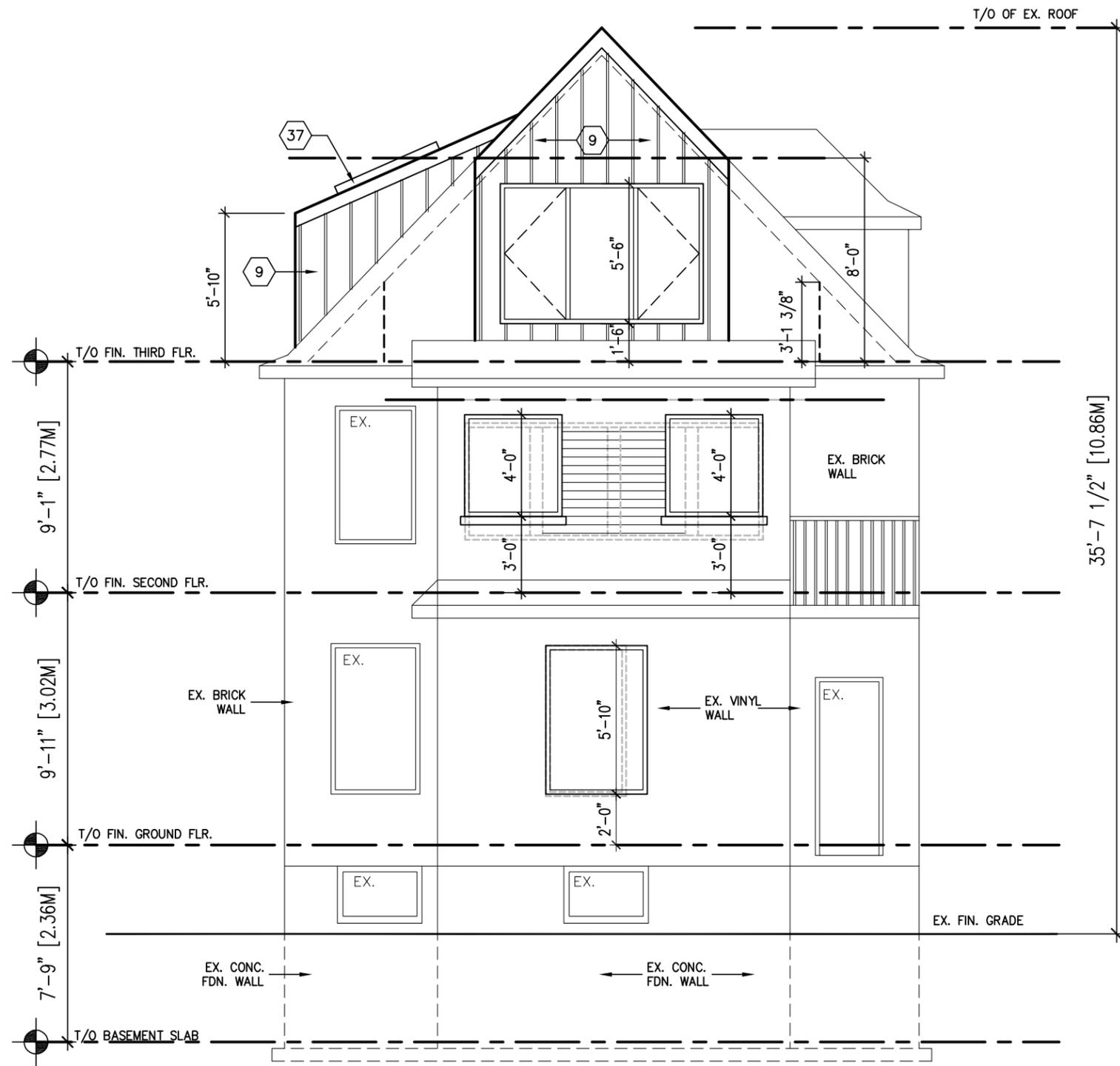
CHECKED BY

SCALE
 AS NOTED

DATE
 JAN., 2021

PROJECT NUMBER

DRAWING NUMBER
A1.05



PARTITION LEGEND

- DENOTES PARTITION OR WALL TO BE REMOVED
- DENOTES EXISTING PARTITION OR WALL TO REMAIN
- DENOTES PROPOSED INTERIOR PARTITION

1 WEST SIDE ELEVATION
 SCALE: 3/16" = 1'-0"

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QUALIFICATION INFORMATION
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ROCK KIM 36340
 Name BCIN#

JAN. 16, 2021
 Signature Date

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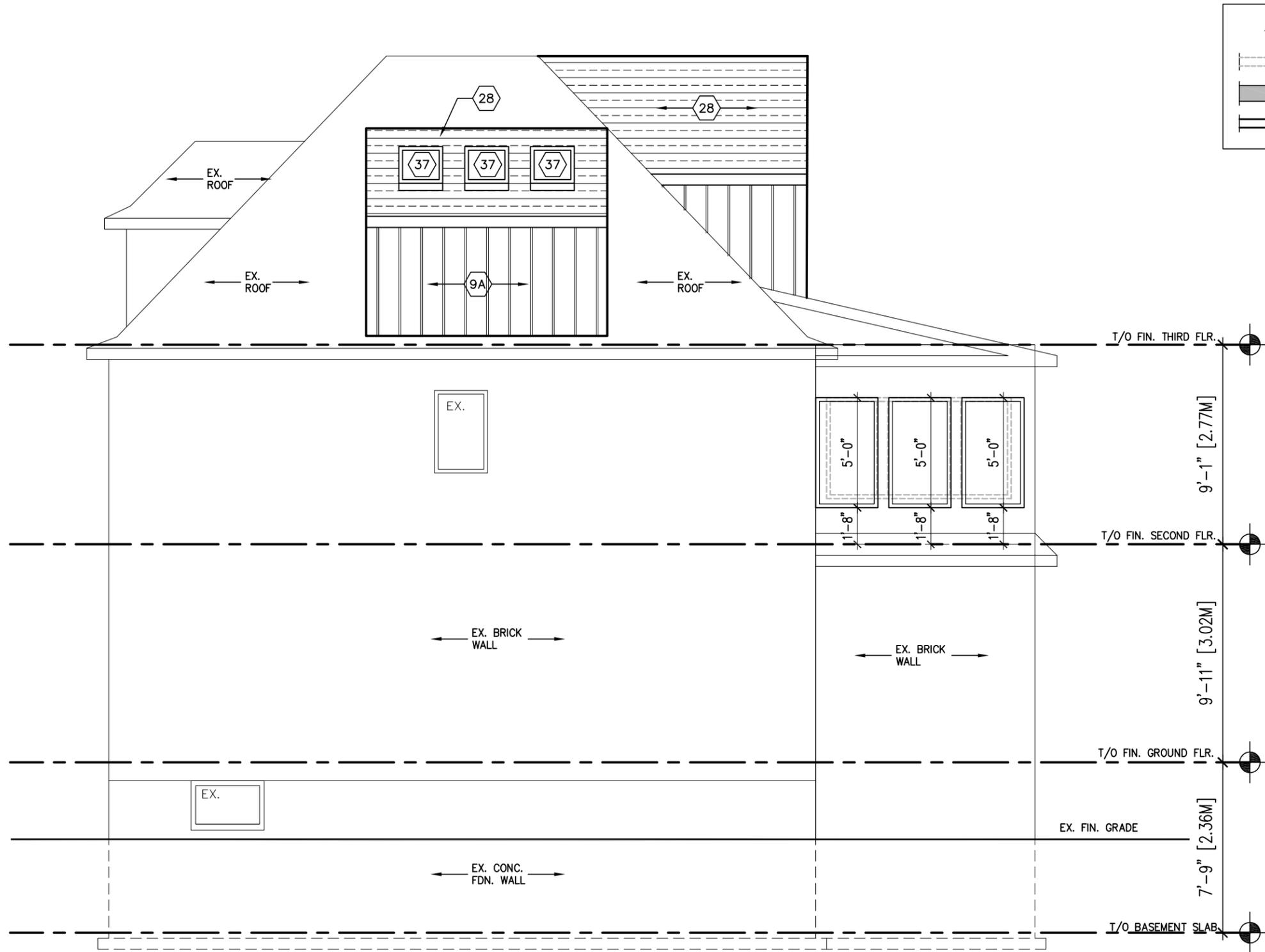
REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE
ELEVATION

DRAWN BY	R.K.
CHECKED BY	
SCALE	AS NOTED
DATE	JAN., 2021
PROJECT NUMBER	

DRAWING NUMBER
A2.01



PARTITION LEGEND

	DENOTES PARTITION OR WALL TO BE REMOVED
	DENOTES EXISTING PARTITION OR WALL TO REMAIN
	DENOTES PROPOSED INTERIOR PARTITION

UNPROTECTED OPENING CALCULATION

LIMITING DISTANCE:	7.5	ft.
ALLOWABLE PERCENTAGE:	18.0	%
ALLOWABLE AREA:	40.5	Sq.ft.
TOTAL WALL AREA:	225	Sq.ft.
TOTAL AREA OF OPENING:	35.0	Sq.ft.

1 NORTH SIDE ELEVATION
A2.02 SCALE: 3/16"=1'-0"

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

QUALIFICATION INFORMATION
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ROCK KIM 36340
 Name BCIN#
 Signature *[Signature]* Date **JAN. 16, 2021**

REGISTRATION INFORMATION
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REVISIONS			
No.	DESCRIPTION	DATE	BY

PROJECT
PROPOSED INTERIOR ALTEARTION + DORMER ADDITION
 104 SPADINA AVENUE
 HAMILTON, ON

DRAWING TITLE
ELEVATION

DRAWN BY
R.K.

CHECKED BY

SCALE
AS NOTED

DATE
JAN., 2021

PROJECT NUMBER

DRAWING NUMBER
A2.02

Committee of Adjustment

Address: 104 Spadina Ave, Hamilton, ON

Date: Jun. 19th, 2021

Description of relief applied for Minor Variances.

1. **Maximum Building Height** [As per Section 9(2) of Hamilton Zoning By-law 6593]
Maximum 2.5 storey allowed and proposed 3 storey required.
2. **Minimum Side Yard** [As per Section 9(3) of Hamilton Zoning By-law 6593]
Minimum 1.2 m required and proposed dormer addition has 0.6m.



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	JAY TREFETHEN	[REDACTED ADDRESS]	
Applicant(s)*	ROCK KIM		
Agent or Solicitor			Phone: E-mail:

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
 Scotiabank
 4 King St W 2nd floor, Toronto, ON M5H 1B6
 416 350 7400

ID: 0118877

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Existing single family dwelling.

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

Existing house has 0 parking space.
3rd floor is existing and make dormer for windows.

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

LOT 271, REG. PLAN 448
104 SPADINA AVE

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

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

Legal survey and City map

8.12 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.

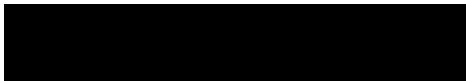
Is the previous use inventory attached? Yes No

9. 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.

APR. 29, 2021

Date


Signature Property Owner

JAY TREFETHEN

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>9.75 m</u>
Depth	<u>29.26 m</u>
Area	<u>285 sq.m.</u>
Width of street	<u>6.5m</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: _

Ground floor area - 93.83 sq.m. Gross floor area -233.34 sq.m. 2 1/2 storey
7.62m width x 12.87 m length x 10.86m height

Shed-22.29 sq.m.

Proposed

Ground floor area - 93.83 sq.m. Gross floor area -233.34 sq.m. 3 storey
7.62m width x 12.87 m length x 10.86m height

Shed-22.29 sq.m.

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

Existing:

Front setback- 4.95 m Side setback - 0.5m Side setback - 1.6 m
Rear setback-11.33 m

Proposed:

Front setback- 4.95 m Side setback - 0.5m Side setback - 1.6 m
Rear setback-11.33 m

13. Date of acquisition of subject lands:
DEC. 2020
-
14. Date of construction of all buildings and structures on subject lands:
1950
-
15. Existing uses of the subject property:
Single family dwelling
16. Existing uses of abutting properties:
Single family dwelling
17. Length of time the existing uses of the subject property have continued:
Since it built
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Protected Residential / 6593 Former Hamilton
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
76-205
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. Additional Information
24. 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.



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-21:51

APPLICANTS: Agent GSP Group
 Owner Canadian Grand Developments

SUBJECT PROPERTY: Municipal address **137 Peter St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 19-307

ZONING: "D/S-1787" (Urban Protected Residential - 1 & 2 Family Dwellings, etc.) district

PROPOSAL: To permit the construction of a new two and a half storey semi-detached two-family dwelling on the subject lands and the future separation of the dwelling, notwithstanding that;

1. A minimum front yard depth of 1.0 metre shall be permitted instead of the minimum 6.0 metre front yard depth required.
2. A minimum rear yard depth of 5.5 metre shall be permitted instead of the minimum 7.5m rear yard depth required.
3. A minimum manoeuvring aisle width of 2.7 metre shall be permitted instead of the minimum 6.0m wide manoeuvring aisle width required.
4. The front yard landscaped area shall be a minimum of 46.9% of the gross area of the front yard instead of the minimum 50.0% of the gross area of the front yard required as landscaped area.
5. A minimum lot area of 272.0 square metres shall be permitted instead of the minimum 540.0 square metres lot area required for a two-family dwelling.
6. A minimum lot width of 17.4 metres shall be permitted instead of the minimum 18.0 metres lot width required for a two-family dwelling.
7. A canopy may be permitted to be located as close as 0.39 metres from the street line instead of the minimum 1.5 metres setback required.

NOTE:

1. The finished level of the garage floor shall be a minimum of 0.3m above grade. Insufficient details were provided from which to confirm compliance; as such, further variances may be required.

HM/A-21: 51
Page 2

2. Details respecting eaves or gutters where not shown. The applicant shall ensure that the maximum eave and gutter projections are achieved; otherwise, further variances may be required.

3. The proposed balcony/deck in the rear yard is indicated as projecting into the current required rear yard (i.e. 7.5 metres) 3.0 metres, and is distanced 4.5 metres from the rear lot line. As per Section 18(3)(cc), a balcony is permitted to project into a required rear yard not more than 1.0 metre. Should Variance No. 2 above, regarding a reduction of the minimum required rear yard to 5.5 metres, the proposed balcony/deck would project 1.0 metre into the reduced rear yard and would therefore comply with Section 18(3)(cc).

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

DATE: Thursday, August 12th, 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.

MORE INFORMATION

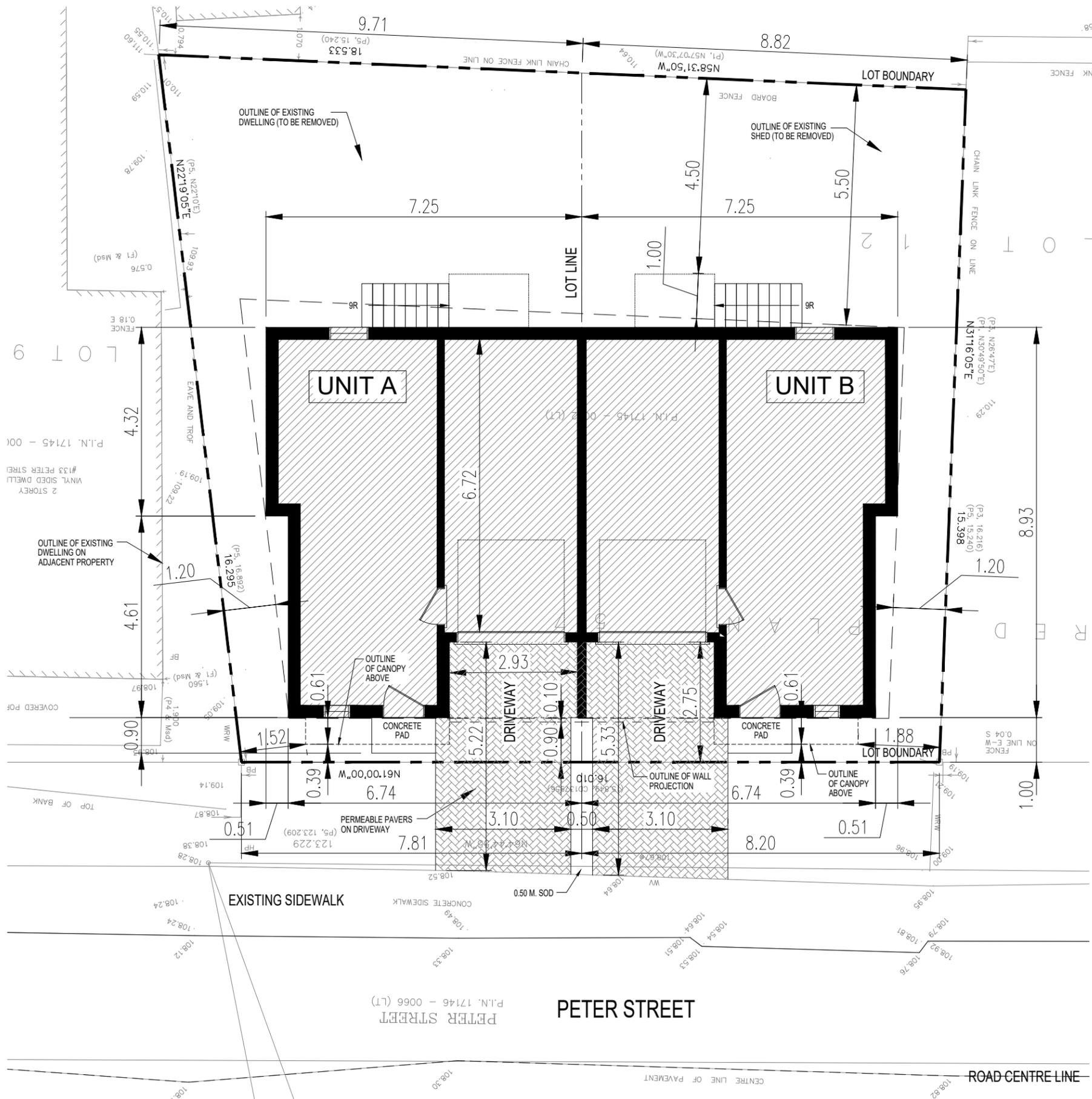
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



TOPOGRAPHIC SURVEY
 OF PART OF
 LOT 12
 REGISTERED PLAN 57
 IN THE
CITY OF HAMILTON
 Prepared by:
 A.T. McLaren Limited
 Legal and Engineering Surveys

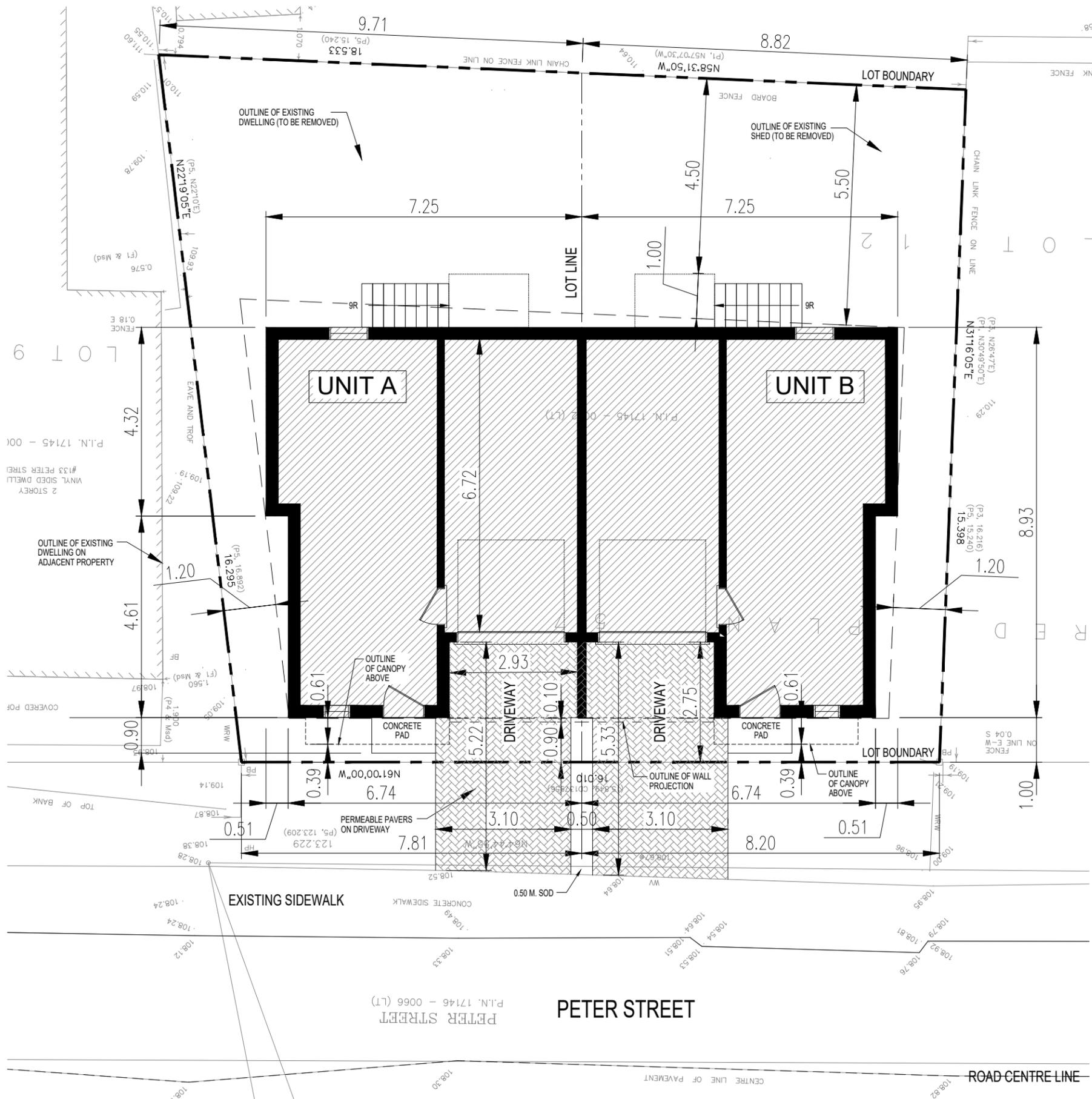


ZONE 'D' (URBAN PROTECTED RESIDENTIAL)			
	REQUIRED	PROPOSED	
LOT AREA	540.00 SQ.M.	272.24 SQ.M.	
LOT AREA (UNIT 'A')		139.66 SQ.M.	
LOT AREA (UNIT 'B')		132.58 SQ.M.	
BUILDING FOOTPRINT		64.81 SQ.M.	INCLUDING PORCH PER UNIT
LOT COVERAGE			
LOT COVERAGE (UNIT 'A')		46.40 %	
LOT COVERAGE (UNIT 'B')		48.88 %	
LOT FRONTAGE	18.00 M.	16.01 M.	REQUIRED FOR TWO FAMILY DWELLING
LOT FRONTAGE (UNIT 'A')		7.81 M.	
LOT FRONTAGE (UNIT 'B')		8.20 M.	
FRONT YARD SETBACK	6.00 M.	1.00 M.	FRONT CANOPY ENCROACHING 0.61 M. INTO FRONT YARD; WALL PROJECTION ENCROACHING 0.10 M. INTO FRONT YARD
REAR YARD SETBACK	7.50 M.	5.50 M.	DECK ENCROACHING 1.0 M. TO REAR YARD
SIDE YARD SETBACK	1.20 M.	1.20 M.	

PRELIMINARY SITE PLAN
 PROPOSED SEMI-DETACHED DWELLING
 137 PETER STREET, HAMILTON
 W-2157 (JULY 9, 2021)



40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
 905-780-0500 info@williamsarch.com williamsarch.com



TOPOGRAPHIC SURVEY
 OF PART OF
 LOT 12
 REGISTERED PLAN 57
 IN THE
 CITY OF HAMILTON
 Prepared by:
 A.T. McLaren Limited
 Legal and Engineering Surveys

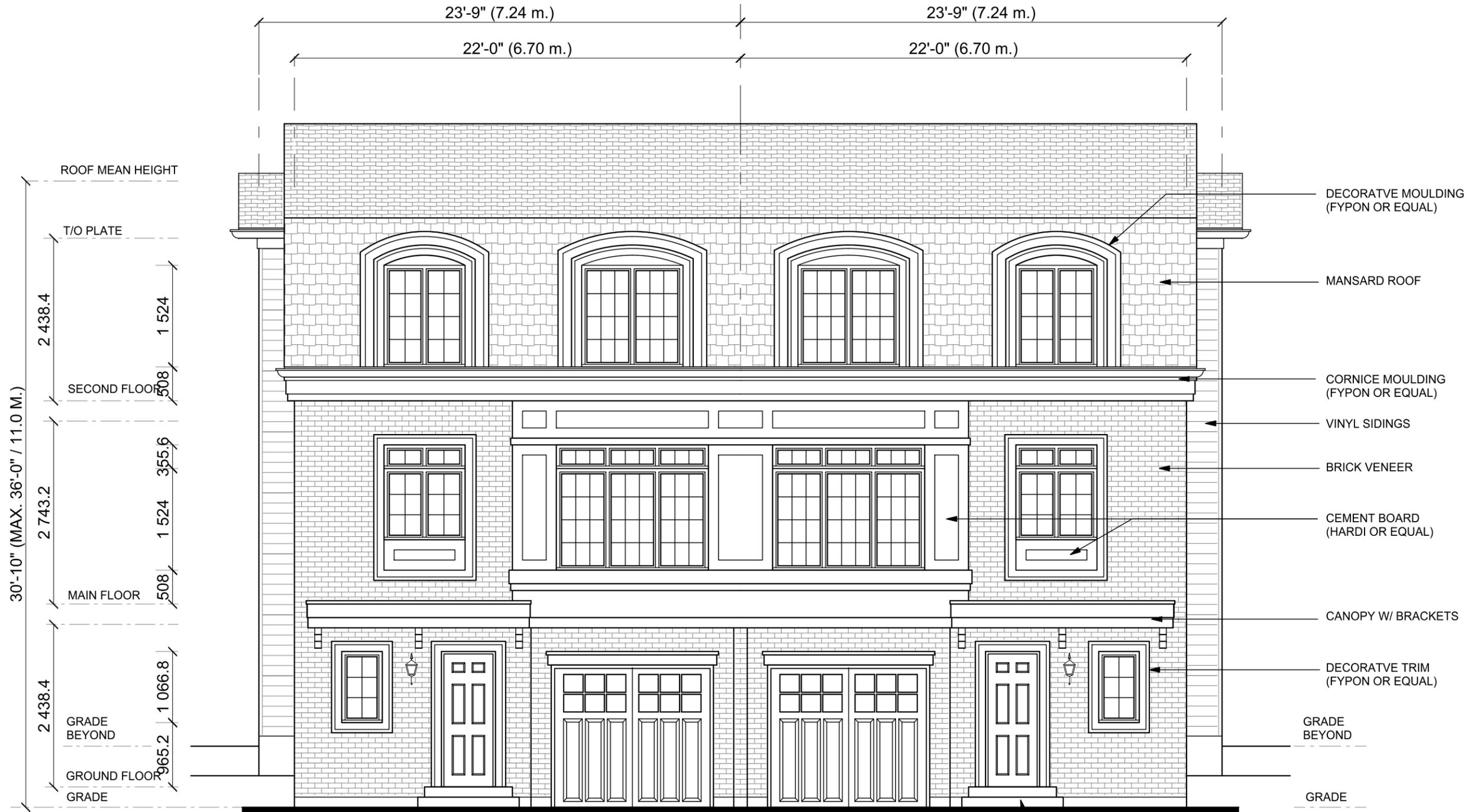


ZONE 'D' (URBAN PROTECTED RESIDENTIAL)			
	REQUIRED	PROPOSED	
LOT AREA	540.00 SQ.M.	272.24 SQ.M.	
LOT AREA (UNIT 'A')		139.66 SQ.M.	
LOT AREA (UNIT 'B')		132.58 SQ.M.	
BUILDING FOOTPRINT		64.81 SQ.M.	INCLUDING PORCH PER UNIT
LOT COVERAGE			
LOT COVERAGE (UNIT 'A')		46.40 %	
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LOT FRONTAGE	18.00 M.	16.01 M.	REQUIRED FOR TWO FAMILY DWELLING
LOT FRONTAGE (UNIT 'A')		7.81 M.	
LOT FRONTAGE (UNIT 'B')		8.20 M.	
FRONT YARD SETBACK	6.00 M.	1.00 M.	FRONT CANOPY ENCROACHING 0.61 M. INTO FRONT YARD; WALL PROJECTION ENCROACHING 0.10 M. INTO FRONT YARD
REAR YARD SETBACK	7.50 M.	5.50 M.	DECK ENCROACHING 1.0 M. TO REAR YARD
SIDE YARD SETBACK	1.20 M.	1.20 M.	

PRELIMINARY SITE PLAN
 PROPOSED SEMI-DETACHED DWELLING
 137 PETER STREET, HAMILTON
 W-2157 (April 30, 2021)



40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
 905-780-0500 info@williamsarch.com williamsarch.com



FRONT ELEVATION

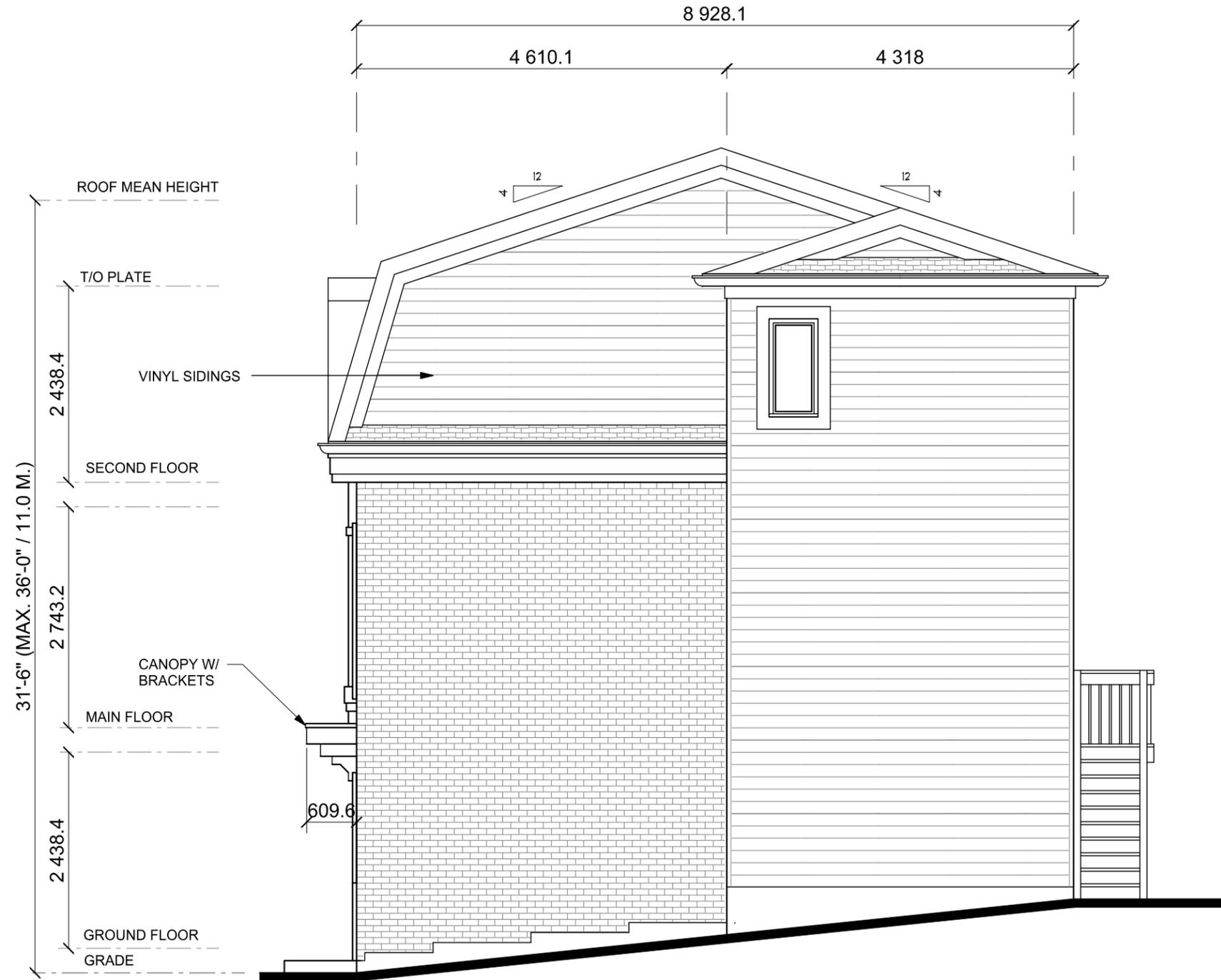
PRELIMINARY ELEVATIONS

PROPOSED SEMI-DETACHED DWELLINGS
 137 PETER ST, HAMILTON, ON
 W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
 ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
 905-780-0500 info@williamsarch.com williamsarch.com



SIDE ELEVATION

PRELIMINARY ELEVATIONS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



REAR ELEVATION

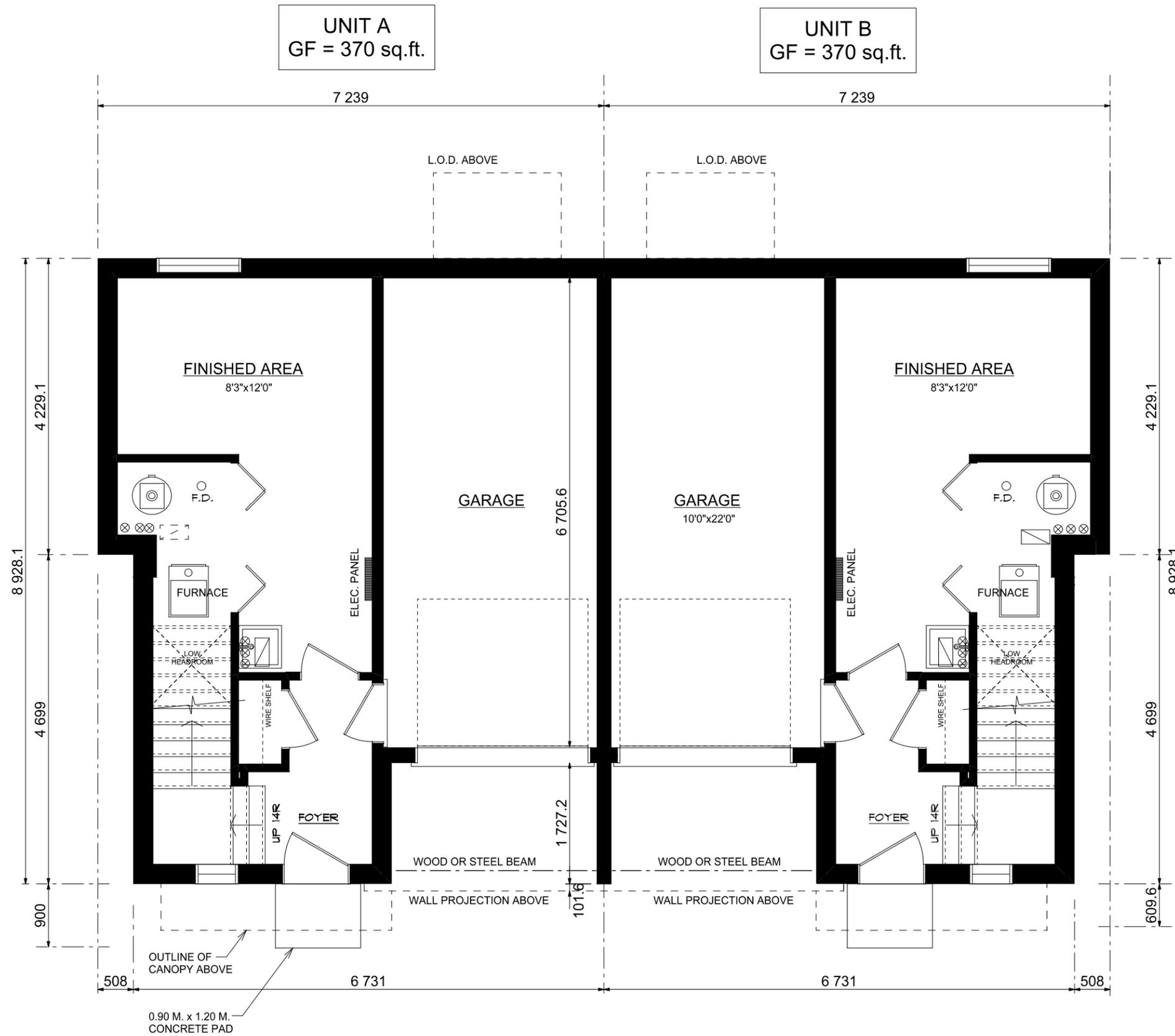
PRELIMINARY ELEVATIONS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



GROUND FLOOR PLAN

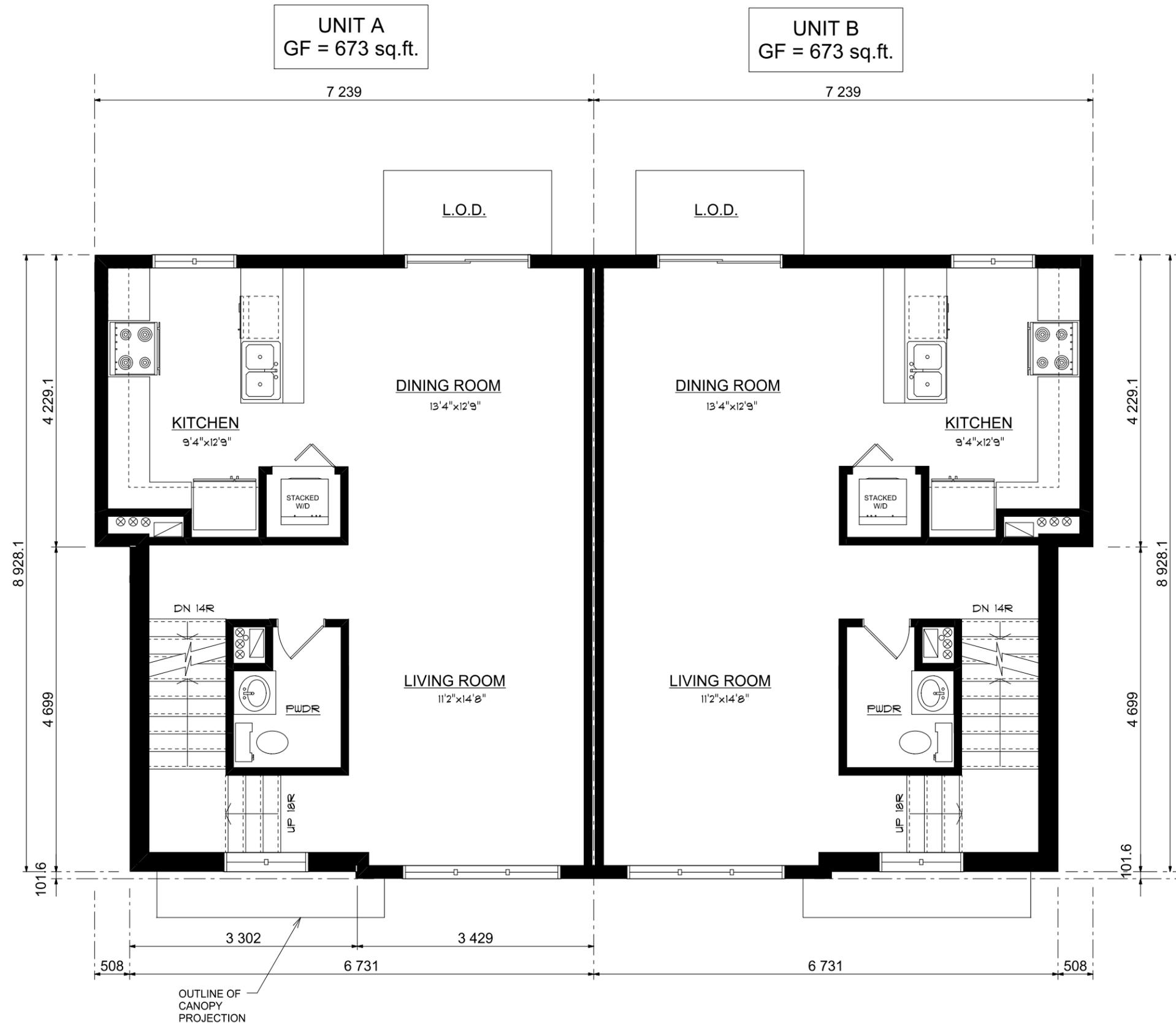
PRELIMINARY FLOOR PLANS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



UNIT A
GF = 673 sq.ft.

UNIT B
GF = 673 sq.ft.

MAIN FLOOR PLAN

GROSS FLOOR AREA
PER UNIT = 1,709 sq.ft.

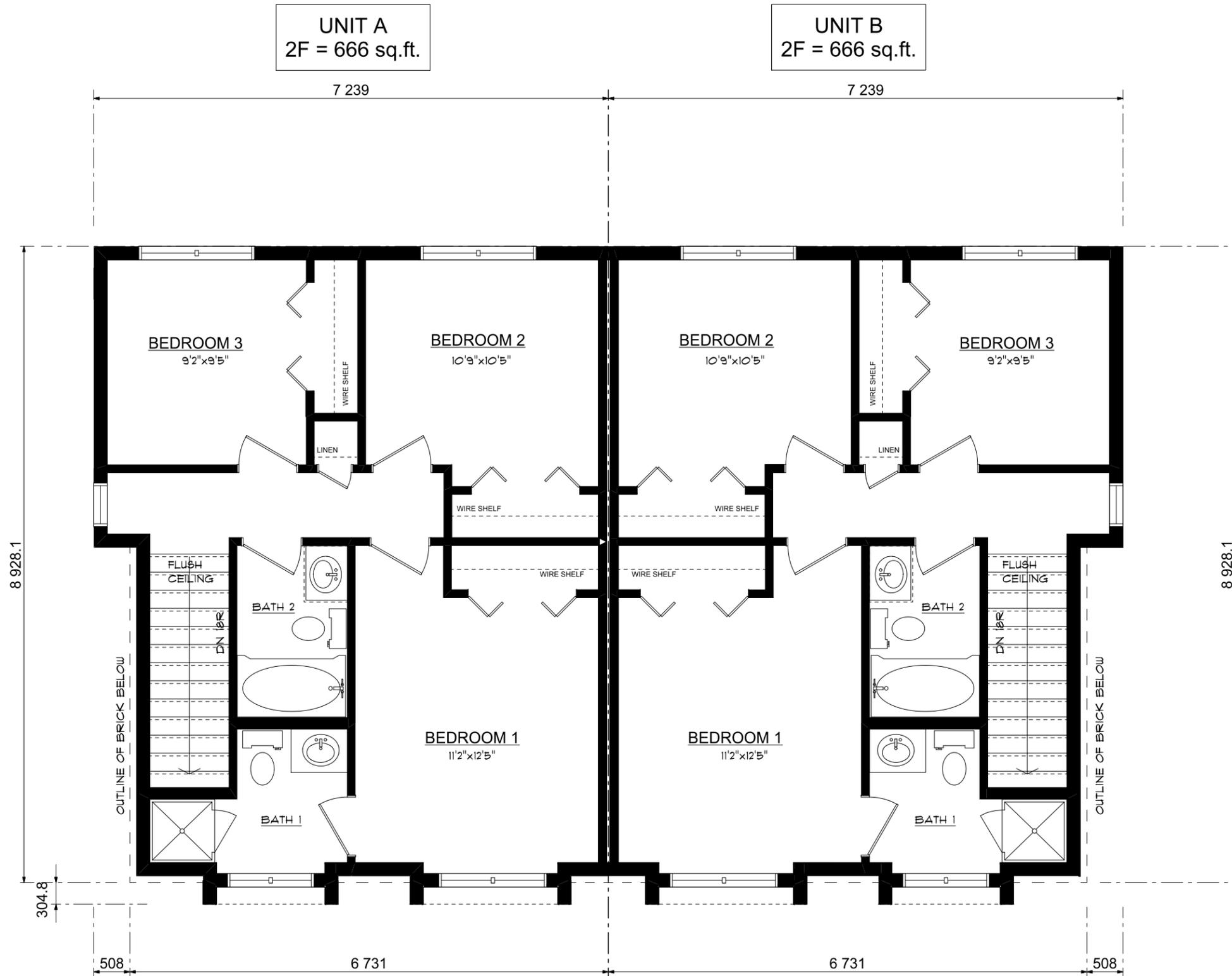
PRELIMINARY FLOOR PLANS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



SECOND FLOOR PLAN

PRELIMINARY FLOOR PLANS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



SHAPING GREAT COMMUNITIES

June 24, 2021

File No. 20313

Jamila Sheffield
 Secretary-Treasurer
 City of Hamilton
 Committee of Adjustment
 71 Main Street West, 5th Floor
 Hamilton, ON
 L8P 4Y5

Dear Ms. Sheffield:

**RE: 137 PETER STREET
 MINOR VARIANCE APPLICATION**

GSP Group is pleased to resubmit on behalf of the owner, Blair Fleming and Andrew McAllister, an updated application for minor variance to permit a new semi-detached dwelling on the property. The intent is to apply for consent to sever once the semi-detached dwelling has been constructed. Therefore, Minor Variances have been requested with two future lots in mind. The existing building on the Site will be demolished.

The resubmission provided in this package in response to several concerns that had been raised with comments provided by both the public and City staff at the March 4, 2021 Committee of Adjustment Meeting. Accordingly, the revisions to the design include:

- the reduction in height from 3 storeys to 2.5 storeys;
- the elimination of the setback variance for a covered front porch;
- the increase to front yard landscaping from 26% to 46.9%; and,
- the redesign of the front façade of the proposed units to an architectural style similar to other dwellings within the broader neighbourhood.

The above noted changes have been incorporated with a collaborative effort from the project team in tandem with City of Hamilton Planning Staff to ensure concerns noted in the comments have been addressed. Accordingly, the noted design changes had several impacts on the requested variances as indicated in the chart in the preceding section of this Letter, which compares the zoning requirements, the variances needed as part of the original submission and the ones needed in order to facilitate the revised design.

Requested Minor Variances

The Site is currently zoned “D” (Urban Protected Residential – One and Two Family Dwellings) District in Hamilton Zoning By-law 6593, where semi-detached dwellings are permitted. In order to permit the requested semi-detached dwelling, variances are required to the “D” District zoning regulations as well as the General Regulations of Zoning By-law No. 6593. The table below summarizes the required variances:

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

“D” District Regulations					
Section	Regulation	Required	Initial Design	Revised Design	Conforms? ✓/✗
10 (2)	Maximum Height	3 storeys 14m	3 storeys 12m	2.5 storeys 11m	✓
10 (3) (i)	Minimum Front Yard Setback	6m	1.00m	1.00m	✗
10 (3) (ii)	Minimum Side Yard Setback (buildings not over 2½ storeys or 11m in height)	1.2m	East: 1.20m West: 1.20m	East: 1.20m West: 1.20m	✓ ✓
10 (3) (iii)	Minimum Rear Yard Setback	7.5m	5.50m	5.50m	✗
10 (4) (ii)	Minimum Lot Width (measured 9m back from front lot line)	18.0m	17.42m	17.42m	✗
10 (4) (ii)	Minimum Lot Area	540.0m ²	272.24m ²	272.24m ²	✗
General Regulations					
Section	Regulation	Required	Provided	Revised Design	Conforms? ✓/✗
18 (3) (vi) (b)	Minimum Setback from Canopy to Front Lot Line	1.5m	No Canopy Provided	0.35m	✗
18 (3) (vi) (d)	Minimum Setback from Covered Porch to Front Lot Line	1.5m	0.15m	No Covered Porch Provided	✓
18 (14) (i)	Minimum Front Yard Landscaped Area (Minimum % of Gross Area of Front Yard)	50%	26%	46.9%	✗
*Those highlighted in gold require a variance.					

The following variances are requested to the “D” District Regulations:

1. 5m reduction in the required minimum front yard setback from 6.0m to 1.00m;
2. 2m reduction in the required minimum rear yard setback from 7.5m to 5.50m;
3. 0.6m reduction in the required minimum lot width from 18.0m to 17.40m; and,
4. 268m² reduction in the required minimum lot area from 540m² to 272.00m².

The following additional variances are required to the general provisions of the Zoning By-law to permit the following:

5. 1.15m reduction in the required minimum front yard setback of a canopy from the front lot line from 1.5m to 0.35m; and,
6. 3.1% reduction in the required minimum front yard landscaped area from 50% to 46.9%.

In support of the Updated Minor Variance applications, the following information is provided:

1. A cheque in the amount of \$275.00 representing the City's 2021 recirculation fee for Minor Variance;
2. One (1) copy of the updated Minor Variance application form; and,
3. One (1) copy of the updated site plan, floor plans and elevations.

Should you have any question, or require any additional information, please contact me by phone at 226-243-7433 or by email at jjliberatore@gspgroup.ca.

Yours truly

GSP Group Inc.



Joseph M. Liberatore, B.U.R.Pl., Dip. GIS & Pl.

Planner

cc. Client



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	Blair Fleming & Andrew McAllister		Phone: _____
			E-mail: _____
Applicant(s)*	GSP Group Inc. c/o Brenda Khes		Phone: _____
			E-mail: _____
Agent or Solicitor			Phone: _____
			E-mail: _____

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

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

TD Canada Trust
 South Milton, 1040 Kennedy Circle, Milton, ON L9T 0J9

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

1. 5m reduction in the required minimum front yard setback from 6.0m to 1.00m;
2. 1.5m reduction in the required minimum side yard setback from 2.7m to 1.20m;
3. 2m reduction in the required minimum rear yard setback from 7.5m to 5.50m;
4. 0.6m reduction in the required minimum lot width from 18.0m to 17.40m; and,
5. 268m² reduction in the required minimum lot area from 540m² to 272.00m².
6. 1.35m reduction in the required minimum front yard setback of a covered porch from the front lot line from 1.5m to 0.15m; and,
7. 24% reduction in the required minimum front yard landscaped area from 50% to 26%.

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

Please refer to Planning Justification Brief.

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

Part of Lot 12, Plan 57

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
 Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

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

Owner's knowledge of property from sale.

8.12 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

9. 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 23, 2020

Date



Signature Property Owner

Blair Fleming & Andrew McAllister

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>±16m</u>
Depth	<u>±16.11m (irregular)</u>
Area	<u>±274m²</u>
Width of street	<u>15m ROW</u>

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

Existing: _

1-storey single detached dwelling, ±130 square metre ground floor area, ±7.9m by ±15m

Proposed

3-Storey semi detached dwelling, ±130 square metre ground floor area, width of 7.25 metres per unit and a height of 12 metres from grade to peak of roof

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

Existing:

Front Yard Setback: 1.34 metres (Covered Porch encroaches 0.16m into ROW) Side Yard Setback (West): 7.3 metres
Side Yard Setback (East): 0 metres
Rear Yard Setback: 2.3 metres

Proposed:

Front Yard Setback: 1 metre
Side Yard Setback (West): 1.2 metres
Side Yard Setback (East): 1.2 metres
Rear Yard Setback: 5.5 metres

13. Date of acquisition of subject lands:
October 2015
-
14. Date of construction of all buildings and structures on subject lands:
Late 1800s
-
15. Existing uses of the subject property:
 Residential
16. Existing uses of abutting properties:
 Residential
17. Length of time the existing uses of the subject property have continued:
 ±100 years
18. Municipal services available: (check the appropriate space or spaces)
 Water Yes Connected Yes
 Sanitary Sewer Yes Connected Yes
 Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
 Neighbourhoods (UHOP), Low Density Residential 3 (Strathcona Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Zoning By-law 6593 - "D" District - Urban Protected Residential - One and Two Family Dwellings
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
24. 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.



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-21:258

APPLICANTS: Agent Gerry Gatto
 Owners A. & C. Mariella

SUBJECT PROPERTY: Municipal address **583 Barton St., Stoney Creek**

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

ZONING: "M3" (Prestige Business Park) district

PROPOSAL: To permit the severance of the subject lands in accordance with Consent Application No. SC/B-21:18 notwithstanding that:

1. A yard setback being 29.5m shall be provided abutting a street instead of the maximum yard setback of 27.0m permitted abutting a street.
2. The use of Retail shall be permitted on the lands to be retained whereas this use is not permitted in the current M3 zone.
3. The use of a Personal Service shall be permitted on the lands to be retained whereas this use is not permitted in the current M3 zone.

NOTE:

- i. These variances are necessary to facilitate Consent Application No. SC/B-21:18.

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

DATE: Thursday, August 12th, 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.

SC/A-21: 258
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

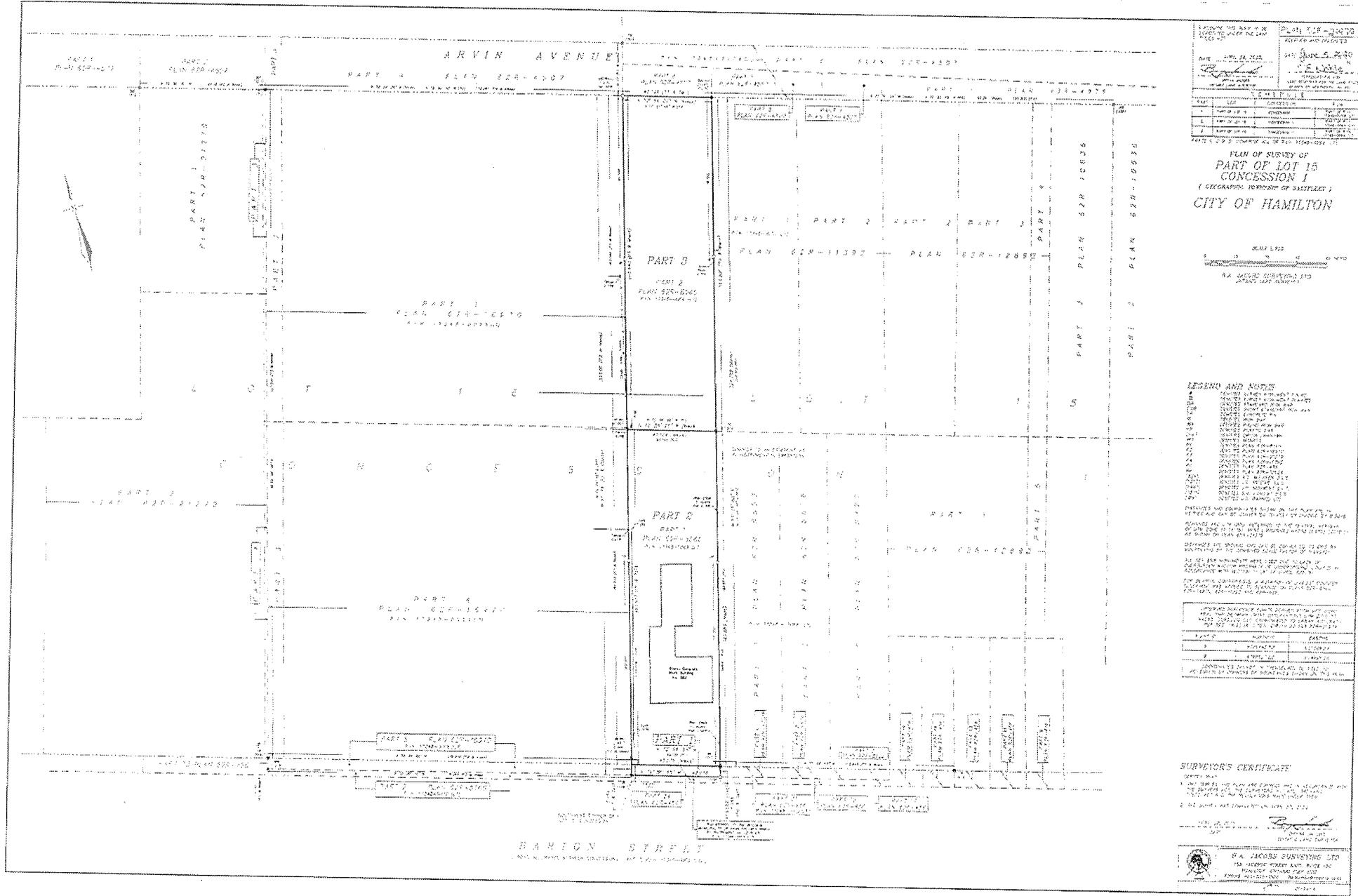
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



APPROVED BY THE SURVEYOR	DATE
APPROVED BY THE CITY ENGINEER	DATE
APPROVED BY THE CITY CLERK	DATE
APPROVED BY THE CITY COUNCIL	DATE

PLAN OF SURVEY OF
PART OF LOT 15
CONCESSION 1
 (CITY OF HAMILTON)
CITY OF HAMILTON

SCALE 1:250
 0 10 20 30 40 50 METERS

LEGEND AND NOTES

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.

2. THE SURVEY IS BASED ON THE HAMILTON CITY PLAN 528-10000.

3. THE SURVEYOR HAS BEEN ADVISED THAT THE LOTS SHOWN ON THIS PLAN ARE THE SAME AS SHOWN ON THE CITY PLAN 528-10000.

4. THE SURVEYOR HAS BEEN ADVISED THAT THE LOTS SHOWN ON THIS PLAN ARE THE SAME AS SHOWN ON THE CITY PLAN 528-10000.

5. THE SURVEYOR HAS BEEN ADVISED THAT THE LOTS SHOWN ON THIS PLAN ARE THE SAME AS SHOWN ON THE CITY PLAN 528-10000.

Part No.	Plan No.	Area (sq. m.)
1	528-10010	100.00
2	528-10011	100.00
3	528-10012	100.00
4	528-10013	100.00
5	528-10014	100.00
6	528-10015	100.00
7	528-10016	100.00
8	528-10017	100.00
9	528-10018	100.00
10	528-10019	100.00
11	528-10020	100.00
12	528-10021	100.00
13	528-10022	100.00
14	528-10023	100.00
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16	528-10025	100.00
17	528-10026	100.00
18	528-10027	100.00
19	528-10028	100.00
20	528-10029	100.00
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22	528-10031	100.00
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67	528-10076	100.00
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263	528-10272	100.00
264	528-10273	100.00
265	528-10274	100.00
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267	528-10276	100.00
268	528-10277	100.00
269	528-10278	100.00
270	528-10279	100.00
271	528-10280	10



Hamilton

Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Antonietta Mariella	[REDACTED]
Applicant(s)*	Antonietta Mariella	
Agent or Solicitor	Gerry G. Gatto	

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

First, we are asking for a minor variance to seek an exception to the Yard Abutting a Street Zoning requirement per section 9.3.3(b) of Hamilton Zoning By-Law No. 05-200. This section states the maximum yardage abutting a street allowed is 27.0 m, whereas our property's yardage is 29.450 m. Continued on next page. +

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

First, we are not able to comply with the yard abutting the street because the building was constructed before the by-law came into effect, and bringing the building into compliance would require demolition and reconstruction of majority of the building and would require shutting down all of the businesses which operate on the property. Continued on the next page. +

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

PT LT 15, CON 1 SALTFLEET, AS IN CD407187; STONEY CREEK CITY OF HAMILTON
 PIN: 17348-0069 (LT)
 583 Barton Street, Stoney Creek, Ontario, L8E 6E4

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

8.6 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

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

- Yes No Unknown

8.8 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

8.9 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

- 8.10 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

- 8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Client has owned the property since 1987 and is very familiar with the area.

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

JUNE 28, 2021
Date


Signature Property Owner(s)

ANTONIETTA MARIELLA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>Fronting on Barton St. - 43.079m; on Arvin Ave. - 43.129m</u>
Depth	<u>East side - 332.974m; West side - 333.060m (prior to road wi</u>
Area	<u>1.746 acs.</u>
Width of street	<u>Barton St., from centreline - 13.106m; Arvin Ave. - 13.106m</u>

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

Existing: _

1 storey plus mezzanine brick dwelling; ground floor area - 1369 metres squared; gross floor area - 1495.4 metres squared; height - 5160 mm to upstairs, 5485 mm overall

Proposed

1 storey plus mezzanine brick dwelling - 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:

1 storey building - 1.2m from west lot line, 12.5m from south lot line, 13.392m from east lot line

Wooden shed - 6.3m from north lot line, 13.392m from east lot line

Proposed:

N/A

13. Date of acquisition of subject lands:
 04/30/1987
-
14. Date of construction of all buildings and structures on subject lands:
 December 1986
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
 Commercial, retail, personal service
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
 Commercial, personal service
17. Length of time the existing uses of the subject property have continued:
 1995 and 2000
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|--------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
 62R-8560
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 By-law No.05-200, section 9.3
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. Additional Information
24. 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.



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-21:236

APPLICANTS: T. Johns Consulting
 Owner Michelle Spencer

SUBJECT PROPERTY: Municipal address **22 Rowena Court, Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 21-076

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

PROPOSAL: To permit a secondary dwelling unit within the basement of an existing single family dwelling, notwithstanding that:

1. The minimum front yard landscaped area shall be 48.7% instead of the minimum required 50%;
2. The two parking spaces to be provided in the driveway shall be permitted to obstruct the garage parking space for manoeuvring instead of the required arrangement of tandem parking for the principal dwelling and a separate unobstructed parking space for the secondary dwelling unit.

NOTES:

1. By-law 21-076 was approved by City Council on May 12, 2021 to permit secondary dwelling units in single detached, semi-detached and street townhouses in all residential districts and the H District and is in effect.
2. For clarification of Variance 2, three parking spaces are provided as per the requirement, however the garage parking space and the driveway parking spaces would not be properly aligned to allow for tandem parking for the principal dwelling and a separate side by side parking space for the secondary dwelling unit.
3. The variances are written as requested by the applicant.

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

DATE: Thursday, August 12th, 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

HM/A-21: 236

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: July 27th, 2021.

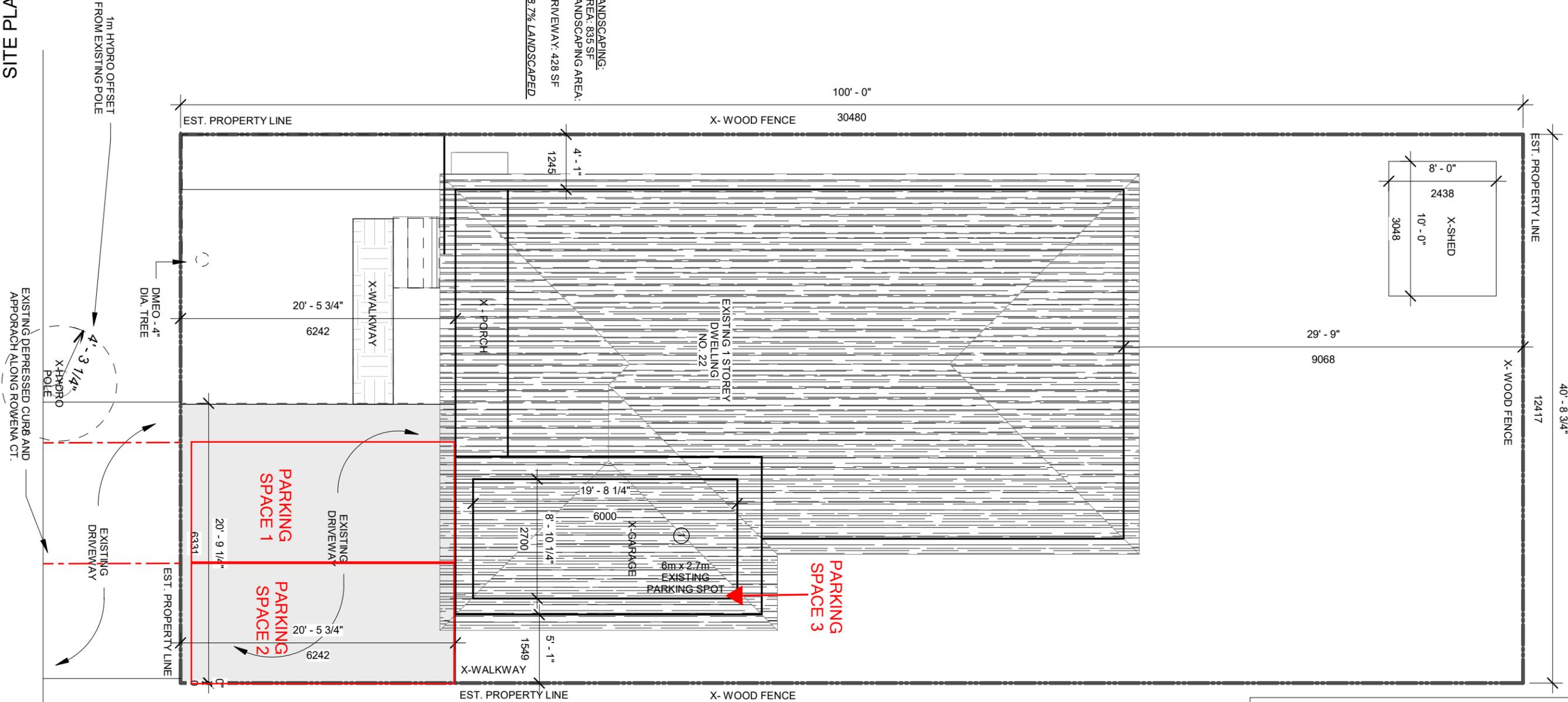
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

FRONT YARD LANDSCAPING:
 FRONT YARD AREA: 835 SF
 FRONT YARD LANDSCAPING AREA:
 407 SF
 FRONT YARD DRIVEWAY: 428 SF
 THEREFORE: 48.7% LANDSCAPED
 AREA

1 SITE PLAN
 1/8" = 1'-0"

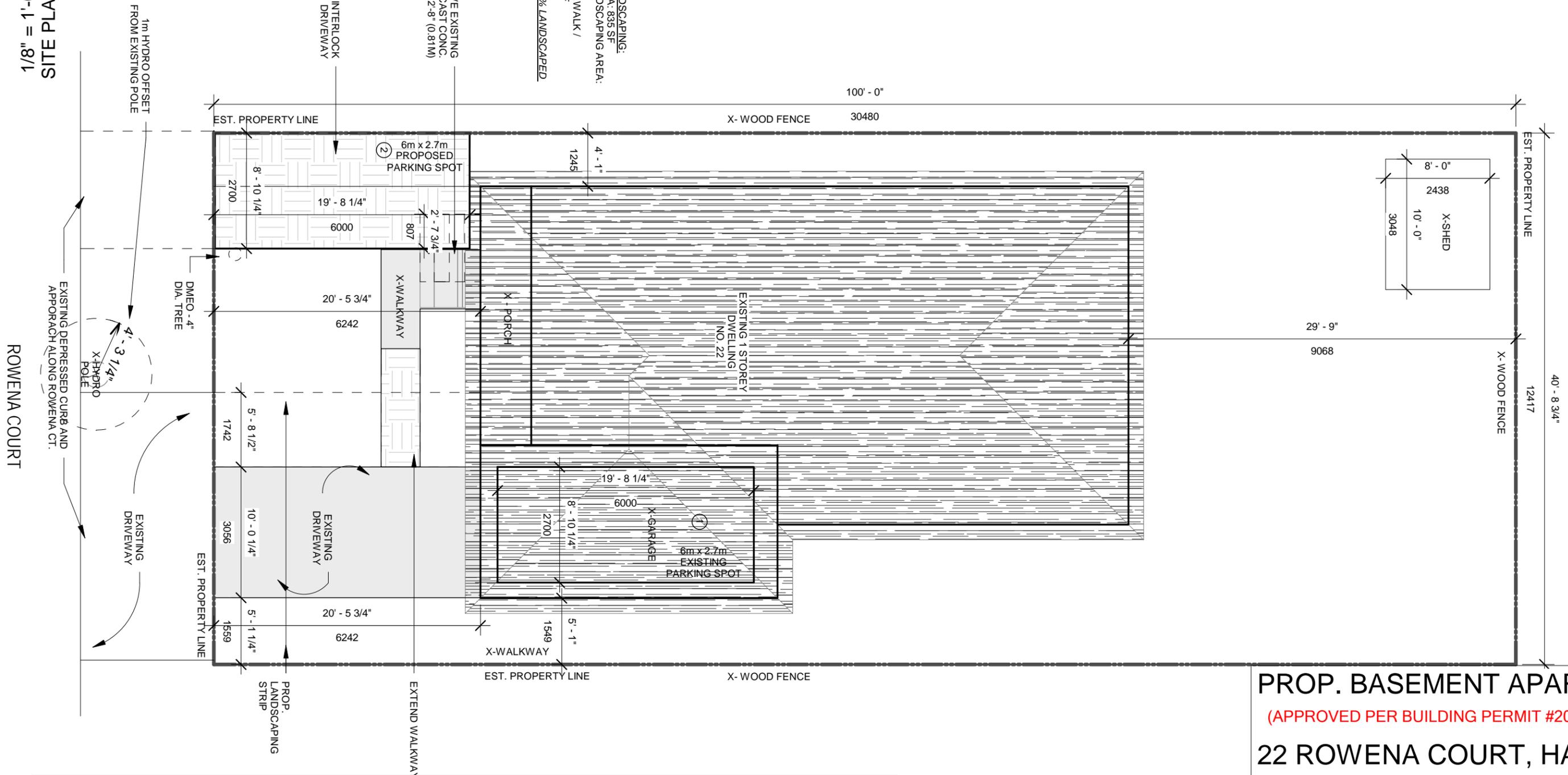
ROWENA COURT



PROP. BASEMENT APARTMENT
 (PROPOSED SITE PLAN/EXISTING CONDITION)
 (VARIANCES REQUIRED)
22 ROWENA COURT, HAMILTON
M. BERMAN HOMES

SITE PLAN		SP1.01
Project number	20056	
Date	20/11/20	
Drawn by	B.M.W.	
Checked by	B.M.W.	Scale 1/8" = 1'-0"

1
1/8" = 1'-0"
SITE PLAN



PROP. BASEMENT APARTMENT
(APPROVED PER BUILDING PERMIT #20 195989 00)
22 ROWENA COURT, HAMILTON

M. BERMAN HOMES

Spatial Separation - Construction of Exterior Walls					3.2.3.			9.10.14.		
Wall	Area of EBF (m ²)	L.D. (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings	FRR (hours)	Listed Design or Description	Comb. Const.	Comb. Constr. Nonc. Cladding	Non-comb. Constr.
FRONT					NO CHANGE			Y		
SIDE LEFT (GAR.)					NO CHANGE			Y		
SIDE	54.2	1.2	N/A	7	6.9			Y		
BACK					NO CHANGE			Y		

2
SPATIAL SEPERATION
12" = 1'-0"



SITE PLAN

Project number	20056
Date	20/11/20
Drawn by	B.M.W.
Checked by	B.M.W.

SP1.01

Scale As indicated

June 3rd, 2021

Via Email

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

ATTENTION: Jamila Sheffield, Secretary-Treasurer

Dear Ms. Sheffield,

**RE: 22 Rowena Court, Hamilton
Committee of Adjustment - Minor Variance**

T. Johns Consulting Group Ltd. (“T. Johns Consulting”) is the retained agent on behalf of the landowner of 22 Rowena Court (subject lands). T. Johns Consulting respectfully submits the enclosed Minor Variance application.

Site Description

22 Rowena Court is within the Quinndale neighbourhood. The property is rectangular in shape with an approximate site area of 388.49 m² and 12.5 metres of frontage on Rowena Court with an approximate depth of 30.48 metres. The site is occupied by one (1) detached dwelling. The house has one (1) attached garage and a driveway with a width of approximately 6.33 metres, which can accommodate two (2) parked vehicles for a total of three (3) parking spaces. The property has been issued a building permit for a Secondary Dwelling Unit within the basement per Section 19 (Residential Conversion) of Zoning By-law No. 6593. The existing dwelling is single storey.

Planning Status

The *Urban Hamilton Official Plan* (“UHOP”), Volume 1 designates the subject lands “Neighbourhoods” which permits a range of residential uses. The former City of Hamilton Zoning By-law No. 6593 (“ZBL No. 6593”) zones the subject lands “C” District. A single detached dwelling with a secondary dwelling unit is permitted.

Proposed Variances

The owners have received a Building Permit (#20 195989 00) to construct a Secondary Dwelling Unit (“SDU”) in the basement of the existing home based on a site plan that involves constructing a second driveway on the property. However, the owner is proposing to maintain the existing front yard condition of the property which can accommodate two (2) parking spaces in the driveway and a minimum of 48% front yard landscaping. Variances are required for vehicle maneuvering and front yard landscaping.

Refer to the Site Plan and Appendix A: Planning Rationale dated June 4, 2021 for further detail.

Please find the enclosed electronic documents:

Minor Variance:

- Minor Variance application with signatures;
- Cheque in the amount of \$600.00 made payable to the City of Hamilton (copy);
 - Note the cheque was delivered to the City of Hamilton mailbox on June 3, 2021.
- Appendix A: Planning Rationale;
- Site Plan (Approved);
- Site Plan (Existing/Proposed).

Please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207 with any questions.

Respectfully submitted,
T. Johns Consulting Group Ltd.



Katelyn Gillis, BA
Intermediate Planner

Cc: Ms. Michelle Spencer, Landowner

Appendix “A”: Planning Rationale
22 Rowena Court, Hamilton
 June 3rd, 2021



T. Johns Consulting Group Ltd. (“T. Johns”) has prepared the following Planning Rationale Report in support of the Minor Variance application for 22 Rowena Court, Hamilton (“subject lands”).

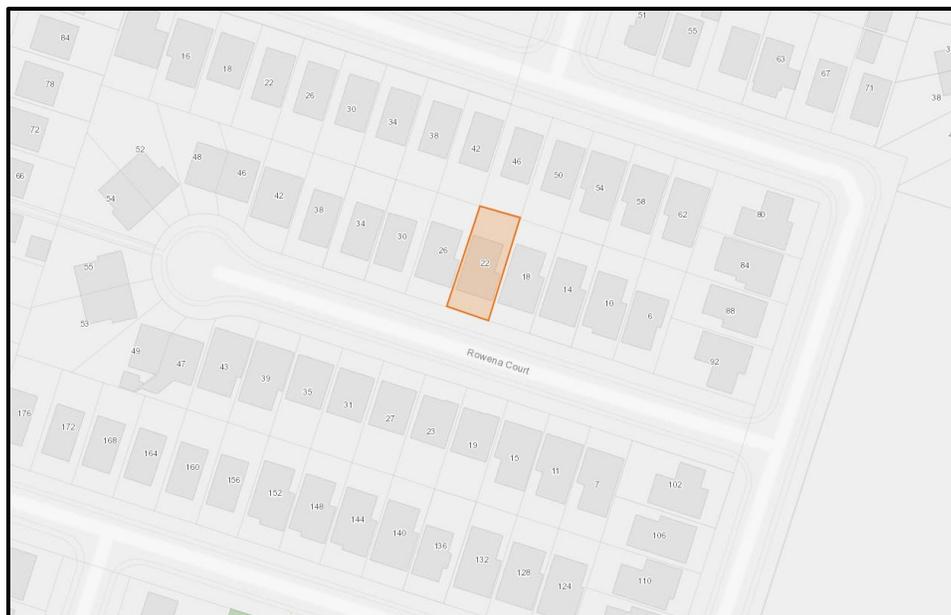
Description of Subject Lands

The subject lands are located on the East Mountain in the Quinndale neighbourhood, south of the Lincoln M. Alexander Parkway and west of Upper Ottawa Street (**Refer to Figure 1 - Site Location**). The subject lands are rectangular in shape with an approximate site area of 388.49 m² and 12.5 metres of frontage on Rowena Court with an approximate depth of 30.48 metres. The site is an existing residential lot of record and occupied by one (1) detached dwelling. The house has one (1) attached garage and a driveway with an approximate width of 7.8 metres, which can accommodate two (2) parked vehicles for a total of three (3) parking spaces. The property has been issued a building permit for a Secondary Dwelling Unit within the basement per Section 19 (Residential Conversion) of Zoning By-law No. 6593. The existing dwelling is one-storey and provides the following approximate yards:

Front Yard	6.26 m
Side Yard (East)	1.24 m
Side Yard (West)	1.5 m
Rear Yard	9.11 m

The subject lands are designated *Neighbourhoods* per the Urban Hamilton Official Plan and are zoned “C” District (Urban Protected Residential, Etc.) per the former City of Hamilton Zoning By-law No. 6593. A single detached dwelling with a secondary dwelling unit is permitted.

Figure 1 - Site Location



Proposed Development

The existing single storey, detached dwelling was originally constructed in approximately 1975. The current owners purchased the home in 2013. The owners have received a Building Permit (#20 195989 00) to construct a Secondary Dwelling Unit (“SDU”) in the basement of the existing home based on a site plan that involves constructing a second driveway on the property (**Refer to Submitted Approved Site Plan**). This was a result of ensuring the dedicated parking space of the SDU does not obstruct the parking space within the garage and achieving 50% landscaping in the front yard. The approved site plan conforms to Section 19 of Zoning By-law no. 6593. However, the approved plan is a departure from a traditional single family front yard by providing two (2) driveways, one on each side of the parcel, breaking up the landscape area and increases the amount of vehicle and pedestrian conflicts by introducing another curb cut onto the street.

The owner is proposing to maintain the existing front yard condition of the property, including the driveway and landscape area, which can accommodate two (2) parking spaces in the driveway with one (1) curb cut and a minimum of 48% front yard landscaping (**refer to Submitted Existing/Proposed Site Plan**).

Nature and extent of relief applied for:

In order to maintain the existing condition of the front yard while permitting a Secondary Dwelling Unit, relief from Zoning By-law No. 6593 Sections 18, 18A and 19 is required facilitated through Minor Variances. The requested minor variances are as follows:

	<u>Zoning By-law No. 6593 Section</u>	<u>Purpose</u>
1.	19(1)(v)(1) and 19(1)(v)(2)	To permit two (2) parking spaces within the required front yard with an area for parking, maneuvering and access driveway that shall not occupy more than 52% of the gross area of the front yard whereas one (1) parking space is permitted within the front yard with an area for parking, maneuvering and access shall not occupy more than 50% of the gross area of the front yard; and, Not less than 48% of the gross area of the front yard shall be used for landscape area, whereas not less than 50% of the gross area of the front yard shall be used for landscape area.
2.	18(14)(i)	To allow a minimum front yard landscape area of 48%, whereas a minimum of 50% is required.
3.	18A(10)	To permit one (1) obstructed parking space within the attached garage whereas sufficient space additional to required parking space shall be provided and maintained

		<p>on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.</p>
--	--	---

PLANNING RATIONALE TO SUPPORT THE VARIANCES:

Overall Conformity to the *Urban Hamilton Official Plan*

The Urban Hamilton Official Plan (UHOP) designates the subject lands *Neighbourhoods* (Schedule E-1). Low density residential uses and forms are permitted, including a single detached dwelling with a secondary dwelling unit (E.3.4.3). The SDU is appropriate and gentle residential intensification while contributing to a mix of tenure and affordability within the City.

The proposed parking configuration and landscape area is an existing condition for the existing single detached dwelling which is reflective of the surrounding development within the stable neighbourhood and therefore are compatible with the existing neighbourhood character (B.2.4.1.4). The proposed variances to recognize the existing front yard maintain the intent of the UHOP.

VARIANCE 1. To permit two (2) parking spaces within the required front yard with an area for parking, maneuvering and access driveway that shall not occupy more than 52% of the gross area of the front yard and, not less than 48% of the gross area of the front yard shall be used for landscape area.

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

The driveway and landscape area within the front yard is an existing condition of the dwelling, constructed around 1975. The proposed variance is technical in nature as the existing driveway can accommodate two (2) parking spaces more than 1 metre from an existing utility pole, however, only one (1) of the spaces can be considered "required" as not more than one (1) space is permitted in the front yard. The other "required" parking space would need to be in the existing garage. However, when being considered as a "Two-Family Dwelling", required parking cannot be in tandem as each Class A unit is required an unobstructed parking space. As the driveway is centered with the garage, the garage parking space would be partially obstructed by the vehicle in the driveway. In result, a second driveway and alteration of the front yard landscaping would be required, as approved. However, variances are the more sustainable and efficient solution. The proposed variances will maintain the existing function of the lot with a total of three (3) parking spaces, two (2) spaces being unobstructed.

PLANNING RATIONALE TO SUPPORT VARIANCE 1:

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

The intent of the zoning by-law is to ensure a balance of landscape to impermeable coverage within the front yard of residential uses along with a sufficient area to park with maneuverability to safely exit the space. The proposed variance will maintain a traditional front yard design and function of single detached dwelling with sufficient on-site parking to support the SDU.

2. Is the Variance Minor and Desirable?

The variance is minor as it proposes to recognize the existing front yard design of the lot and does not propose to alter, add, or remove any of the existing driveway or landscaping.

The request is desirable as it promotes the efficient use of suburban lands, implementing appropriate and minor intensification, that maintains the consistency and aesthetic of the neighbourhood.

VARIANCE 2. To allow a minimum front yard landscape area of 48%, whereas a minimum of 50% is required.

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

The proposed variance is requested to recognize the legal non-conforming condition of the subject lands to allow for a SDU in the basement of the existing dwelling.

PLANNING RATIONALE TO SUPPORT VARIANCE 2:

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

The existing front yard provides a traditional single family design and function. The existing driveway is reflective of the other houses within the neighbourhood. The front yard accommodates a continuous green space and a walkway that provides direct access from the driveway to the front door of the principal dwelling. Rowena Court is a municipal road of which the front yard landscaping provides additional greenspace lining the street to create a comfortable pedestrian experience and scale.

The minimum of 48% landscaping in the front yard maintains the intent of the zoning by-law by providing permeable surface to contribute to the management of overland stormwater flow and promote high quality urban design.

2. Is the Variance Minor and Desirable?

The requested variance to permit a 2.0% relief of landscaped area is minor and is required to facilitate the existing landscaping on an existing residential lot. The front yard landscape area is desirable as it accommodates on-site parking and the landscape and reflects the neighbourhood character.

VARIANCE 3. To permit one (1) obstructed parking space within the attached garage.

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

As discussed for Variance 1, the existing front yard design can provide two (2) parking unobstructed parking spaces within the front yard. At this time, only two (2) parking spaces are required for a Residential Conversion. However, it is T. Johns' understanding that new Secondary Dwelling Unit Zoning will be coming into effect which will require a total of three (3) parking spaces; two (2) for a single detached and one (1) for an SDU. As such, the garage parking space will be obstructed by the spaces within the driveway.

PLANNING RATIONALE TO SUPPORT VARIANCE 3:

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

The intent of the Zoning By-law is to provide sufficient and safe space to exit a parking space. The subject lands can accommodate unobstructed parking for two (2) vehicles. Single family dwellings are permitted tandem parking, one space in the garage and one space in the driveway. However, the introduction of the SDU no longer permits the tandem situation. The variance requests that the existing driveway and parking function is maintained.

4. Is the Variance Minor and Desirable?

The variance is minor as it proposes to recognize the existing front yard condition of the site with a sufficient number of on-site parking spaces. The variance is desirable as it will allow for the existing street character to be maintained while mitigating the number of pedestrian and vehicle conflicts by maintaining the one (1) existing curb cut.

Appendix "A": Planning Rationale
22 Rowena Court, Hamilton
June 3rd, 2021



Conclusion

Through the variances described, the SDU at 22 Rowena Court will achieve a safe and functional rental unit within the neighbourhood while contributing to the retention of existing residential resources. The requested variances conform to the intent of the UHOP, and to Zoning By-law No. 6593 and are minor and desirable. The proposed variances represent good land use planning.

Respectfully Submitted,
T. Johns Consulting Group Ltd.

A handwritten signature in black ink that reads "Katelyn Gillis". The signature is written in a cursive, flowing style.

Katelyn Gillis, BA
Intermediate Planner



Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	Michelle Spencer		
Applicant(s)*	Same as above.		
Agent or Solicitor	T. Johns Consulting Group c/o Katelyn Gillis		

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

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

Mortgage with Scotiabank

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
To permit one (1) obstructed parking space and 48.7% landscaped area in the front yard.
5. Why it is not possible to comply with the provisions of the By-law?
Please see Appendix A: Planning Rationale.
6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

22 Rowena Court
Hamilton, Ontario
L8W 1H8

62M-123
Queensway Manor, Ph. 2

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 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
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 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
- 8.9 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

8.10 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

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

Owner's knowledge.

8.12 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

9. ACKNOWLEDGEMENT CLAUSE

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

May 28, 2021
Date


Signature Property Owner

Michelle Spencer
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>+ 12.49 m</u>
Depth	<u>+ 30.48 m</u>
Area	<u>+ 364.21 sq. m</u>
Width of street	<u>+ 20 m</u>

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

Existing: _

Single storey, approximately 11 m wide and approximately 16.5 m long

Proposed

N/A

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

Existing:

Left Side: + 1.11 m
Right Side Lot Line: + 0.93 m
Rear Lot Line: + 7.11 m
Front Lot Line: + 5.74 m

Proposed:

N/A

13. Date of acquisition of subject lands:
September 16, 2013

14. Date of construction of all buildings and structures on subject lands:
1975

15. Existing uses of the subject property:
Single family residential with secondary suite in basement.
16. Existing uses of abutting properties:
Residential
17. Length of time the existing uses of the subject property have continued:
Since construction of subdivision.
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"C" Urban Protected Residential, etc. in Hamilton Zoning Bylaw 6593
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
24. 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.



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-21:241

APPLICANTS: Agent Steven Albanese
 Owners R. & C. Kelly

SUBJECT PROPERTY: Municipal address **58 Norma Cres., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 85-129 & 88-58

ZONING: "R3-207" (Residential R3) Zone

PROPOSAL: To permit the construction 4.88m (16'0") x 13.51m (44'4") deck with stairs of which 4.22m (13'10") x 9.4m (30'8") is a roofed-over deck at the rear of the existing single detached dwelling notwithstanding that:

1. A minimum rear yard of 4.0m shall be provided instead of the minimum required rear yard of 7.5m.

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

DATE: Thursday, August 12th, 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.

AN/A-21: 241
Page 2

MORE INFORMATION

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

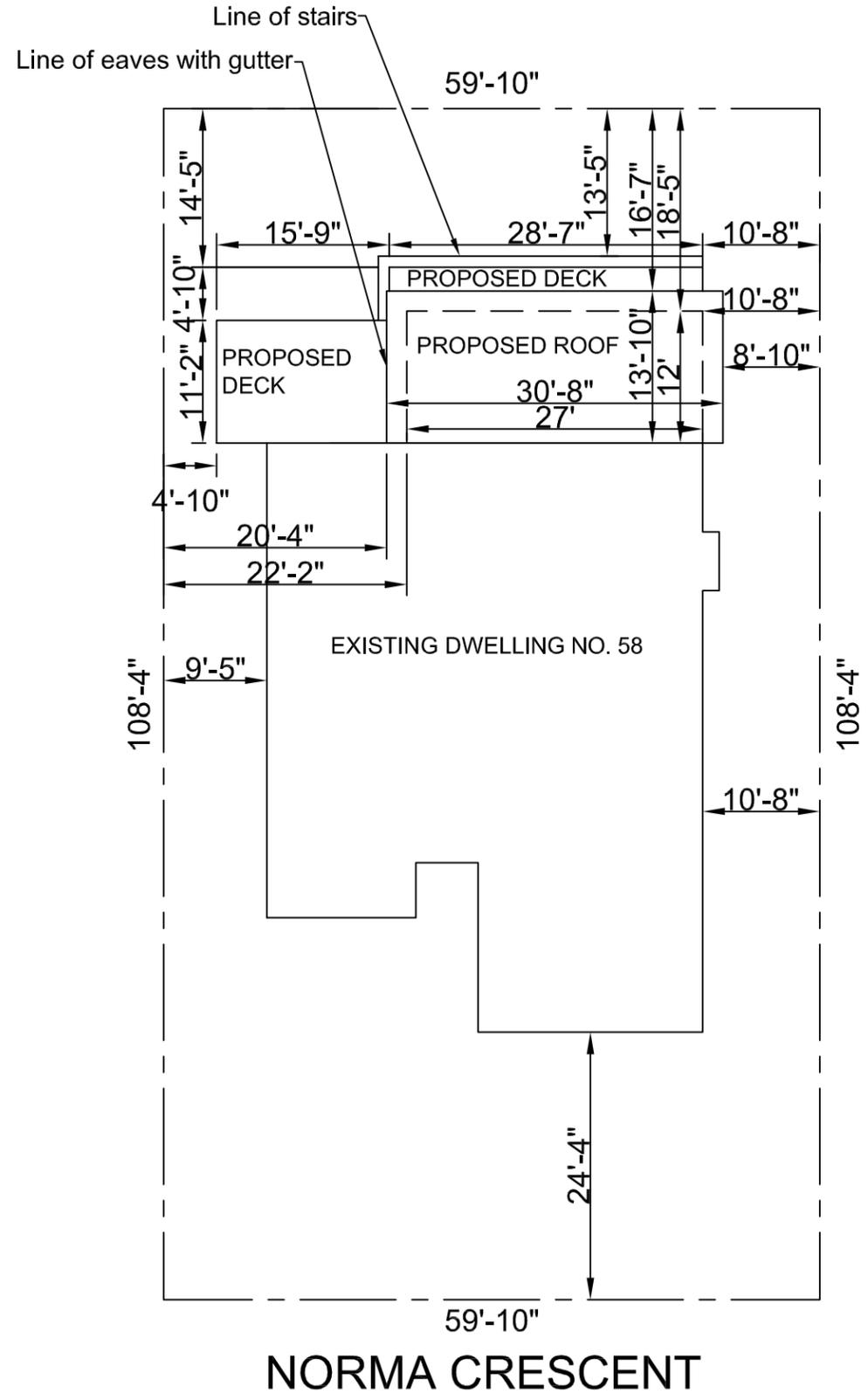
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 2021.

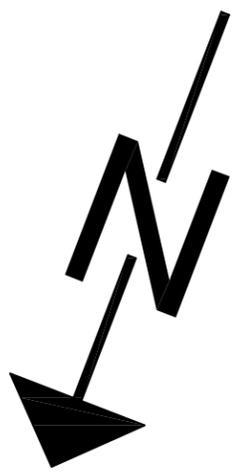
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21



LOT AREA: 6482sqft
 EXISTING LOT COVERAGE: 1910sqft
 DECK & ROOF COVERAGE: 634sqft
 TOTAL LOT COVERAGE: 2544sqft (39.25%)



Firm Name & Address:

Project Name & Address:
 Site Plan
 58 Norma Crescent,
 Ancaster, On

Project:
 Proposed Deck & Roof

Date:
 05/19/21

Scale:
 N.T.S.

Sheet:

A1

No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21

Firm Name & Address:

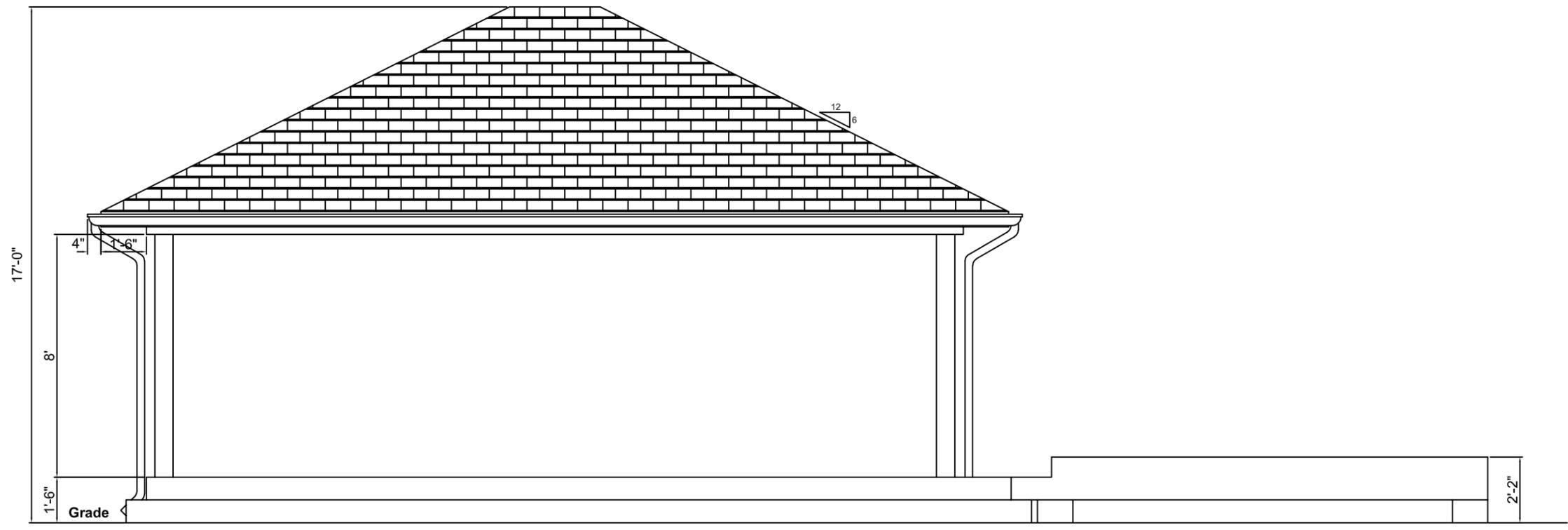
Project Name & Address:
Elevations
 58 Norma Crescent
 Ancaster, On

Project:
Proposed Deck & Roof

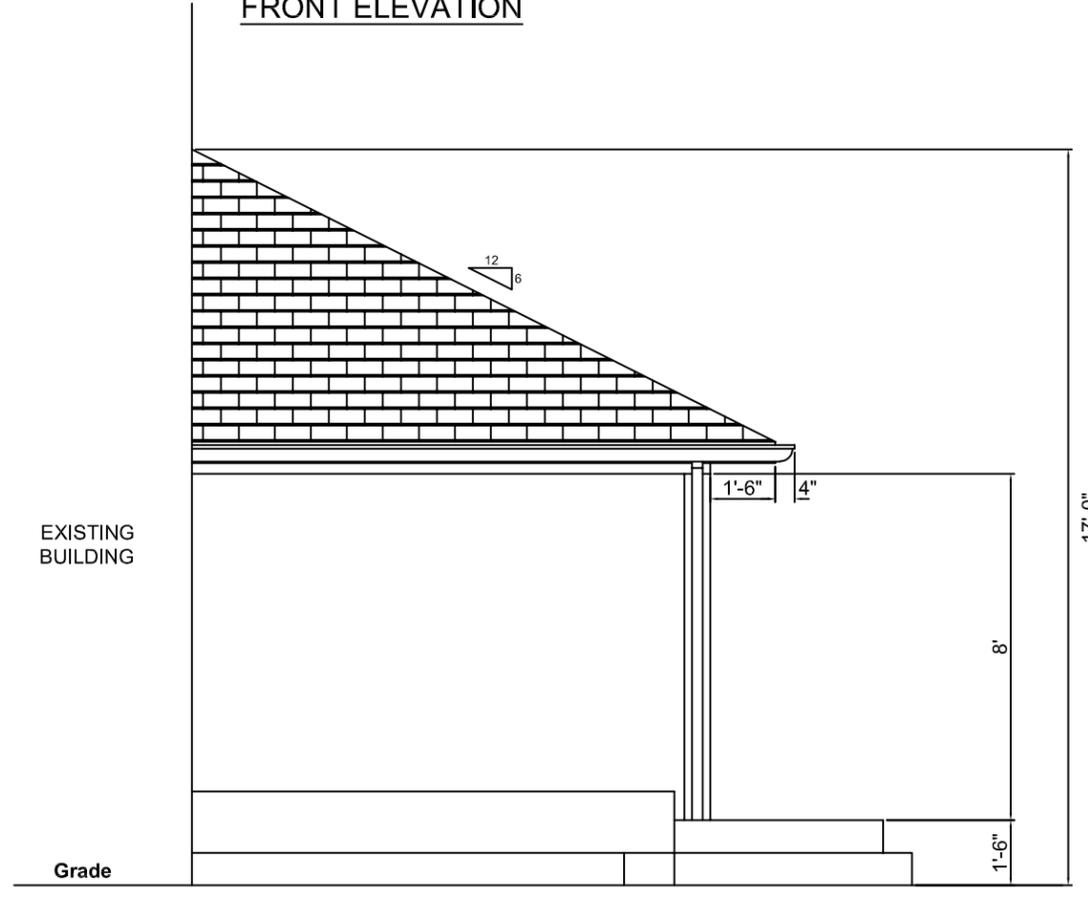
Date:
05/19/21

Scale:
N.T.S.

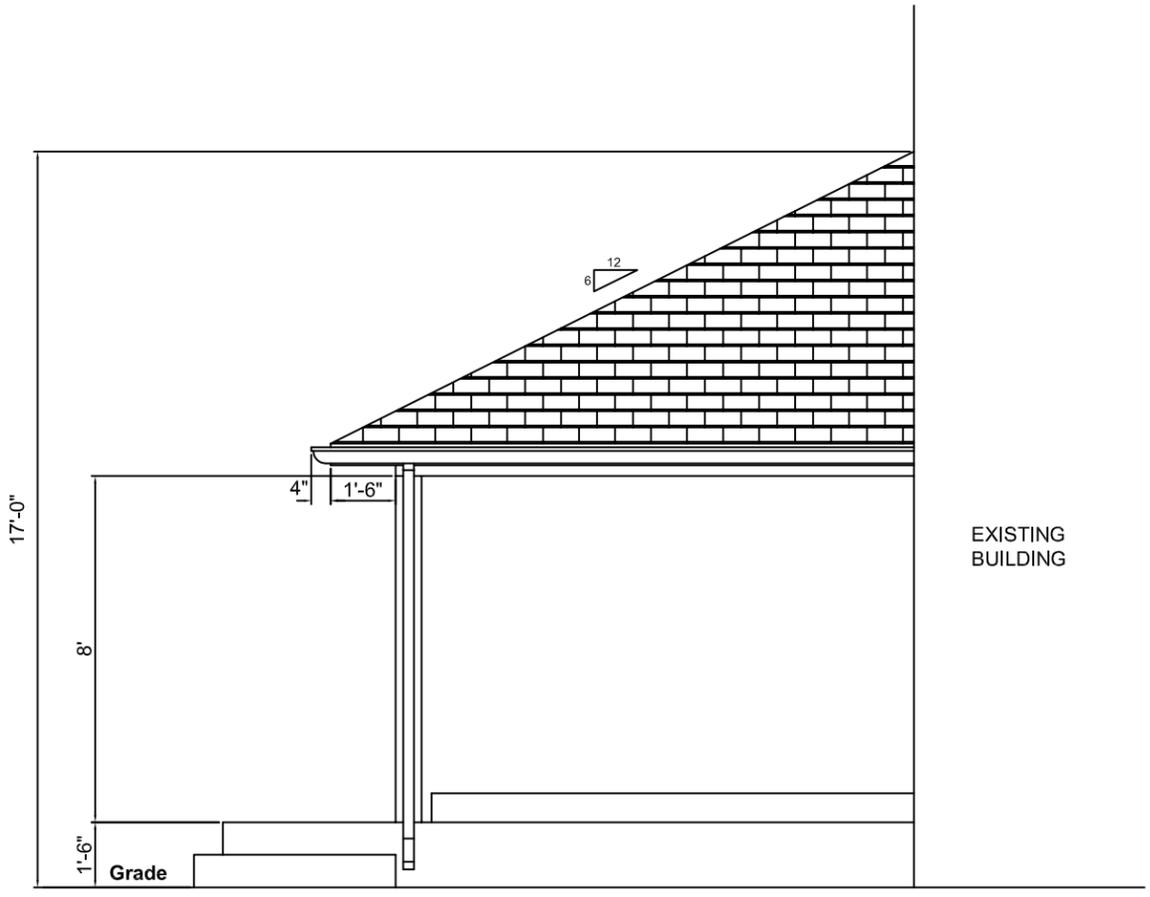
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A5



FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21

Firm Name & Address:

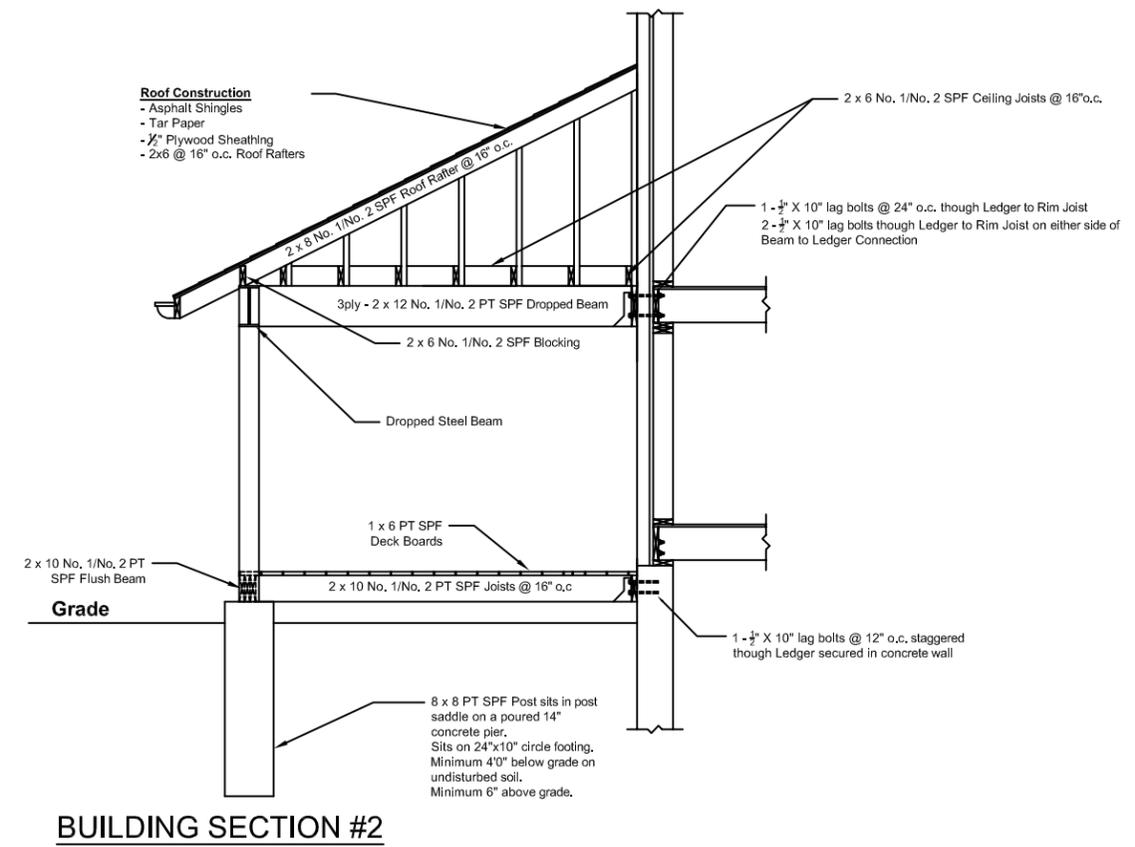
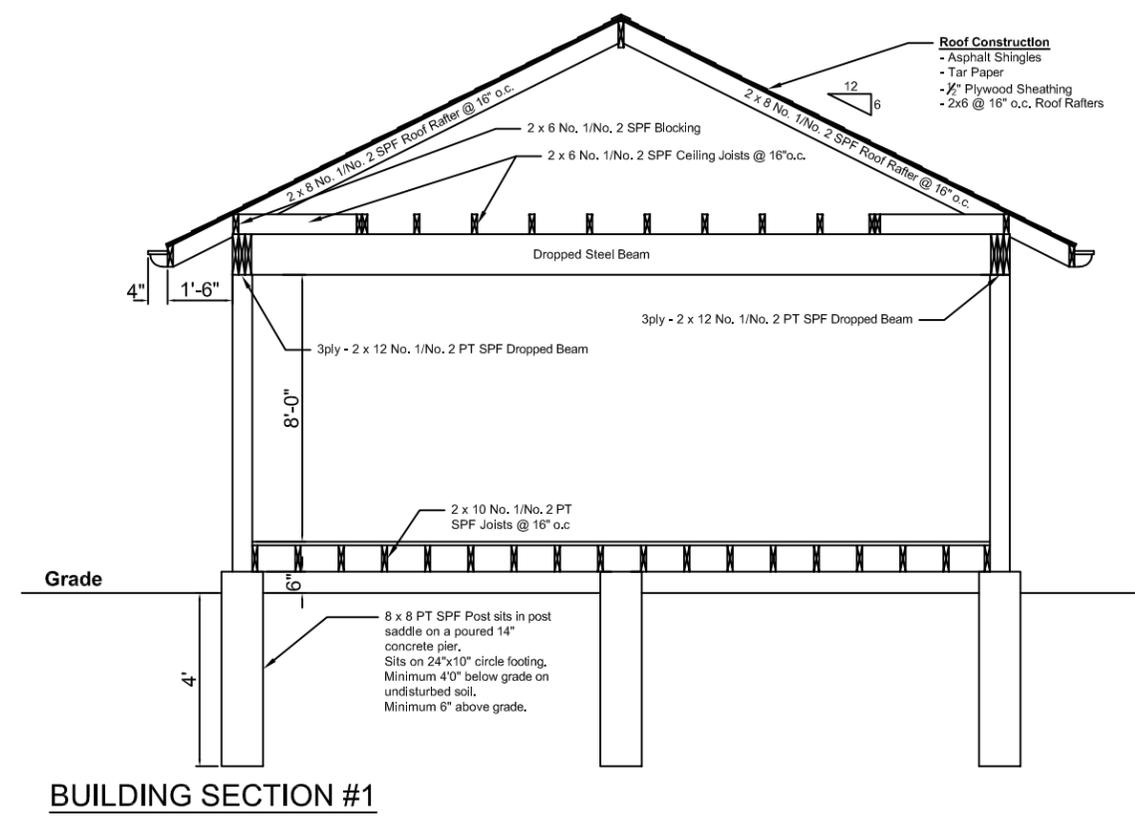
Project Name & Address:
Building Sections
58 Norma Crescent
Ancaster, On

Project:
Proposed Deck & Roof

Date:
05/19/21

Scale:
N.T.S.

Sheet:



No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21

Firm Name & Address:

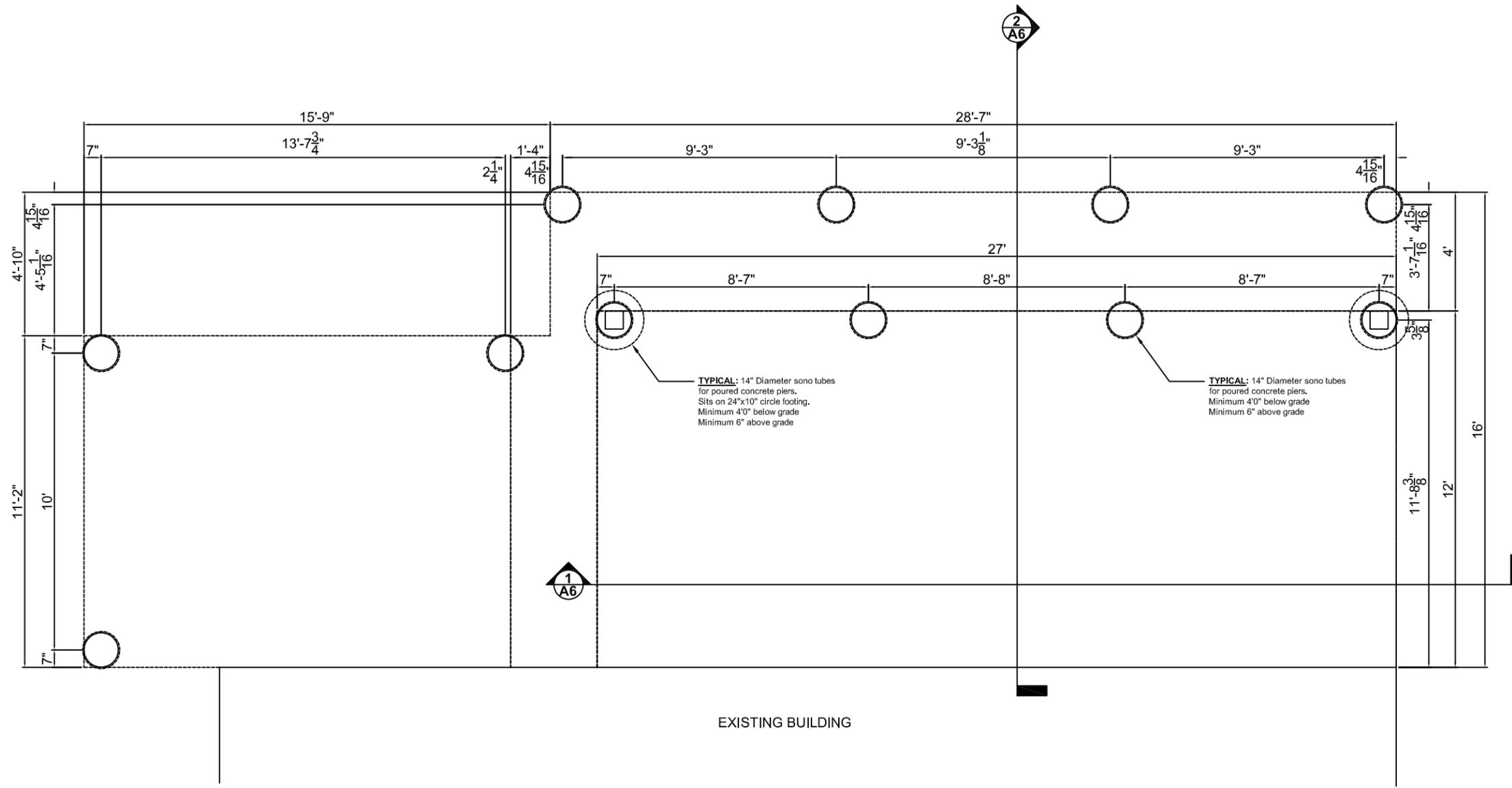
Project Name & Address:
Foundation Plan
 58 Norma Crescent
 Ancaster, On

Project:
Proposed Deck & Roof

Date:
05/19/21

Scale:
N.T.S.

Sheet:
A2



FOUNDATION PLAN

EXISTING BUILDING

A2

No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21

Firm Name & Address:

Project Name & Address:
Deck Plan
 58 Norma Crescent
 Ancaster, On

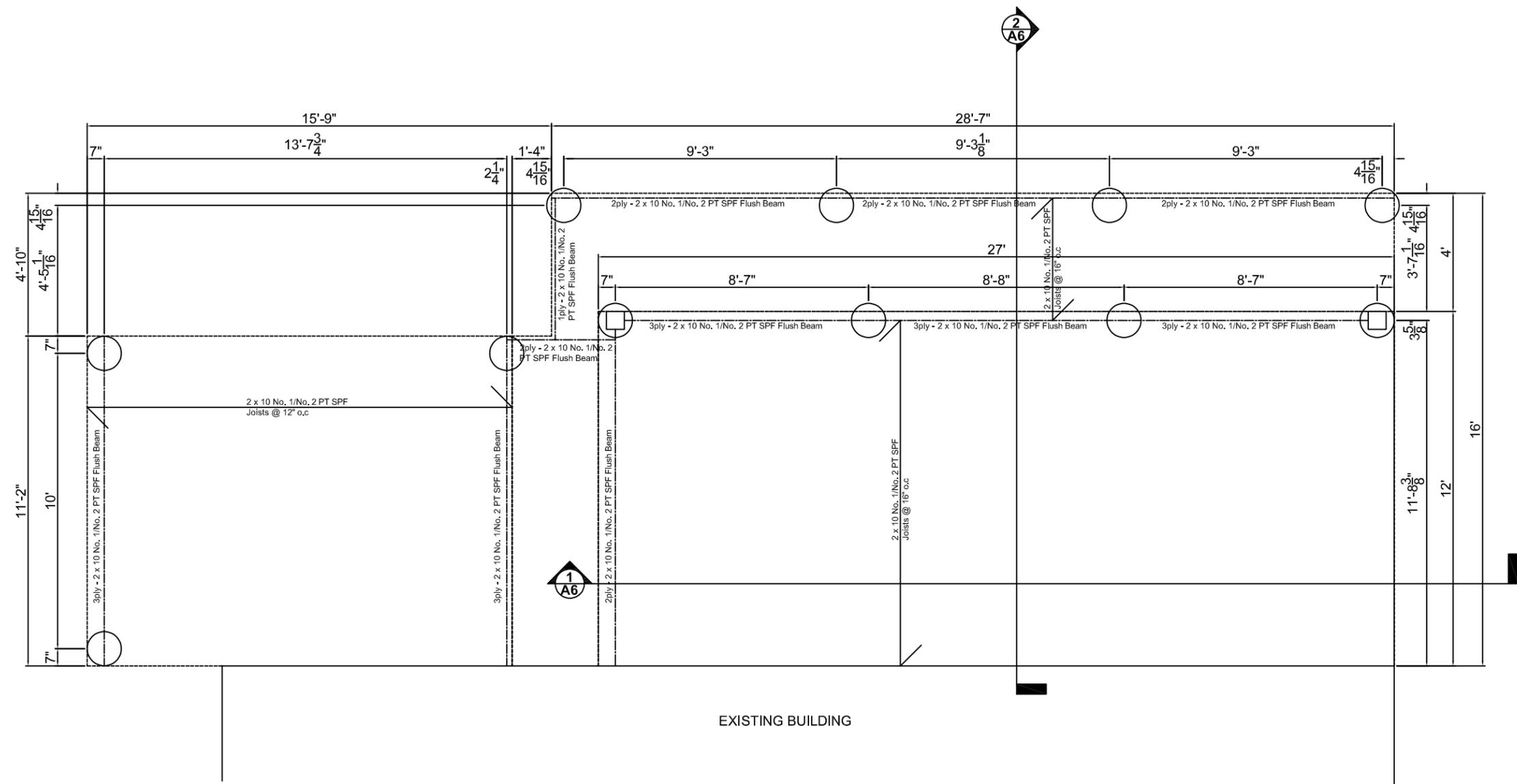
Project:
Proposed Deck & Roof

Date:
05/19/21

Scale:
N.T.S.

Sheet:

A3



DECK PLAN

EXISTING BUILDING

No.	Revision / Issue:	Date:
1	FOR PERMIT	05/19/21
2	FOR PERMIT	06/17/21

Firm Name & Address:

Project Name & Address:
Roof Plan
 58 Norma Crescent
 Ancaster, On

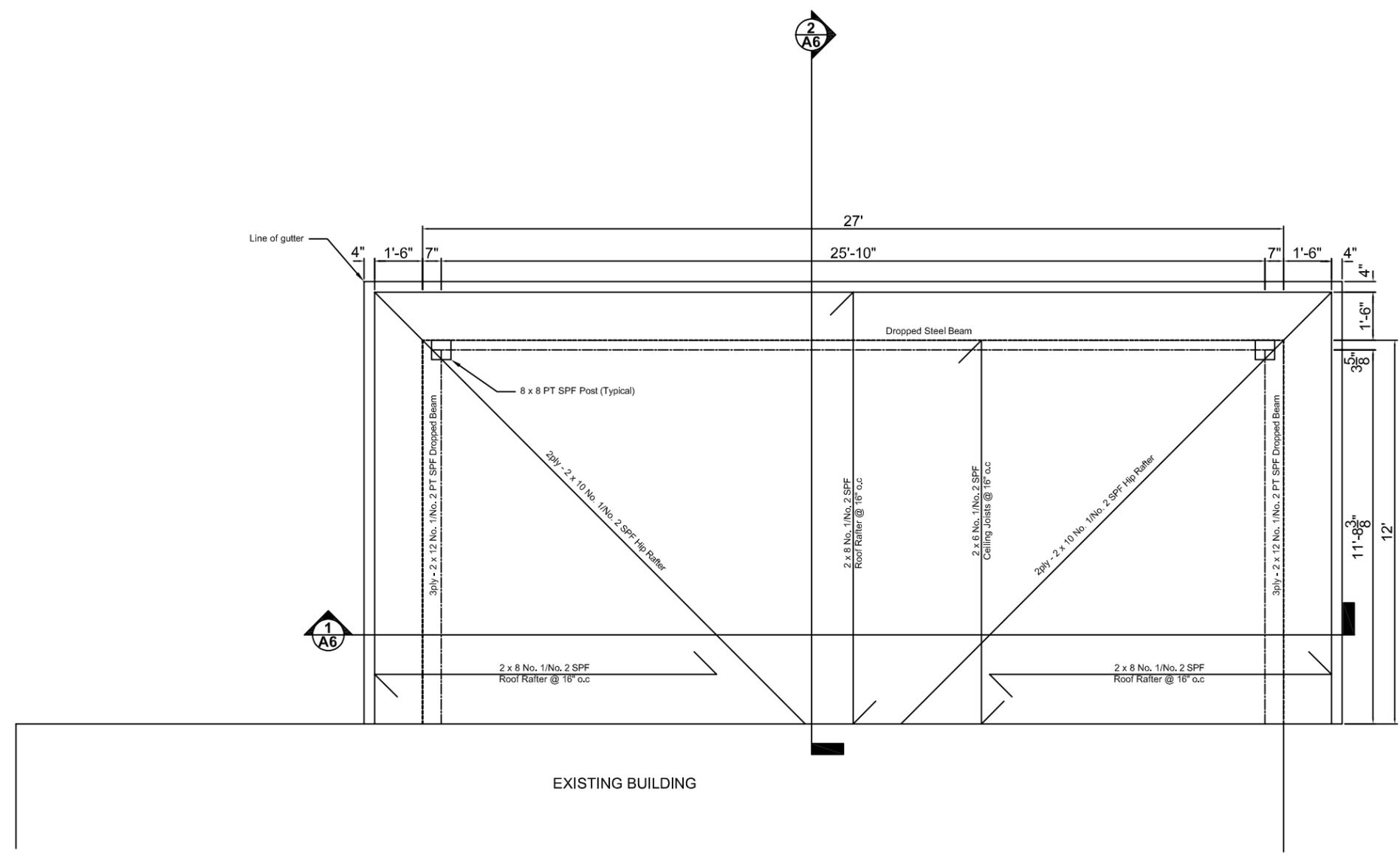
Project:
Proposed Deck & Roof

Date:
05/19/21

Scale:
N.T.S.

Sheet:

A4



ROOF PLAN



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 Ryan and Caitlyn Kelly Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED] Postal Code [REDACTED]
- Name of Agent Steven Albanese Telephone No. [REDACTED]
FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED]

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

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

_____ Postal Code _____

 _____ Postal Code _____

6. Nature and extent of relief applied for:
REAR YARD SETBACK.

7. Why it is not possible to comply with the provisions of the By-law?
Current Rear yard Set back is 7m, only allowing 7' +/- (2.1m) for a covered porch which is too small for a family of 4.

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

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 _____

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

Yes ___ No Unknown ___

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

Information Requested From the City

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

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

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

May 28, 2021
Date



Ryan Kelly Caitlin Kelly
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>59'10"</u>	-	<u>18.23m</u>
Depth	<u>108'4"</u>	-	<u>33m</u>
Area	<u>6482 SF</u>	-	<u>602.19m²</u>
Width of street	<u>30'</u>	-	<u>9.14m</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: Ground Floor Area - 1760 SF (163.5m²)
Gross Floor Area - 3253 SF (302.21m²)
STORIES - TWO
Width - 39'8" (12m) Length - 53'6" (16.3m) Height - 26' (7.92m)
Proposed: Ground Floor Area - 1760 SF (163.5m²)
Gross Floor Area - 3253 SF (302.21m²)
Width - 39'8" (12m) Length - 53'6" (16.3m) Height - 26' (7.92m)

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

Existing: LS - 9'5" (2.87m) RS - 10'8" (3.25m)
Rear - 30'5" (9.27m)
Front - 24'4" (7.41m)

Proposed: LS - 4'10" (1.47) RS - 10'8" (3.25)
RWAR - 14'6" (4.39)
FRONT - 24'4" (7.41)

13. Date of acquisition of subject lands:
FALL 2020

14. Date of construction of all buildings and structures on subject lands:
1990

15. Existing uses of the subject property: SFD.

16. Existing uses of abutting properties: SFD.

17. Length of time the existing uses of the subject property have continued:
1990 +

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:
Low Density Residential - Meadowbrook West - Secondary PLAN.

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R3-207 ZOU - Ancaster Zoning By-law 87-57

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-21:252

APPLICANTS: Agent Andrew Sieders
 Owners M. & B. Nyenhuis

SUBJECT PROPERTY: Municipal address **198 Inverness Ave. E., Hamilton**

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

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

PROPOSAL: To permit the construction of a 35.1 square metre second storey addition, and a 9.3 square metre front porch addition to a single family dwelling, notwithstanding that:

1. The minimum parking space depth shall be 5.8m instead of the minimum required 6.0m parking space depth;
2. No manoeuvring spaces are required on site instead of two unobstructed 6.0m manoeuvring spaces for a tandem parking space and an unobstructed parking space, for three parking spaces required for a single family dwelling having 10 habitable rooms;
3. The garage parking space shall be obstructed by two driveway parking spaces without tandem parking being provided, whereas only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces where tandem parking is provided.
4. To permit the minimum front yard landscaped area for a single family dwelling to be 49% instead of the minimum 50% landscaped area.

NOTES:

1. The Zoning By-law permits the projection of eaves not more than 0.6m into the required side yard. As the eave projection for the proposed addition was not identified on the submitted elevations, additional variances may apply if the eaves projections into the side yards exceed 0.6m.
2. Variance #2 is based on the expanded single family dwelling having up to ten (10) habitable rooms in which three (3) parking spaces are required.
3. The parking noted in Variances #2 and 3 proposes a parking arrangement in which the garage parking space and the driveway parking spaces do not properly align as tandem parking to allow for unobstructed parking and proper on site manoeuvring.

HM/A-21:252
Page 2

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

DATE: Thursday, August 12th, 2021
TIME: 3:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

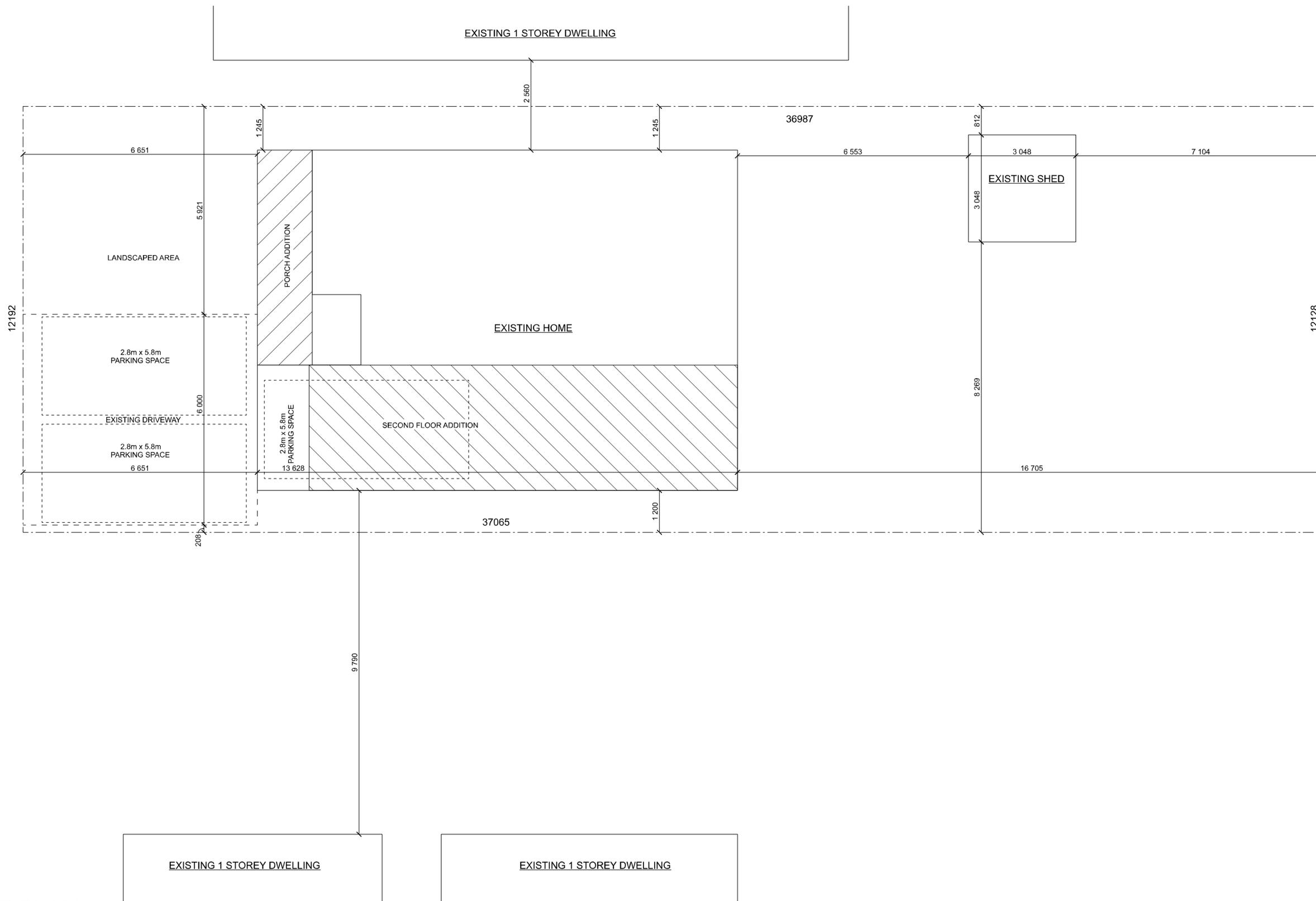
For more information on this matter, including access to drawings illustrating this request:

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

DATED: July 27th, 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.



SITE PLAN
SCALE: 1:75

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



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

QUALIFICATION INFORMATION
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.

John Vanderwoerd

John Vanderwoerd BCIN 21611
REGISTRATION INFORMATION
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.
Firm Name: Vanderwoerd Drafting & Design
BCIN 39975

VANDERWOERD
DRAFTING & DESIGN

John Vanderwoerd, M.A.A.T.O.
34 Duke Street, Arthur, Ontario N0G 1A0
www.home-design-bcin.ca
519-848-2128

Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Site Plan

STARTING DATE:
Jun 4, 2020

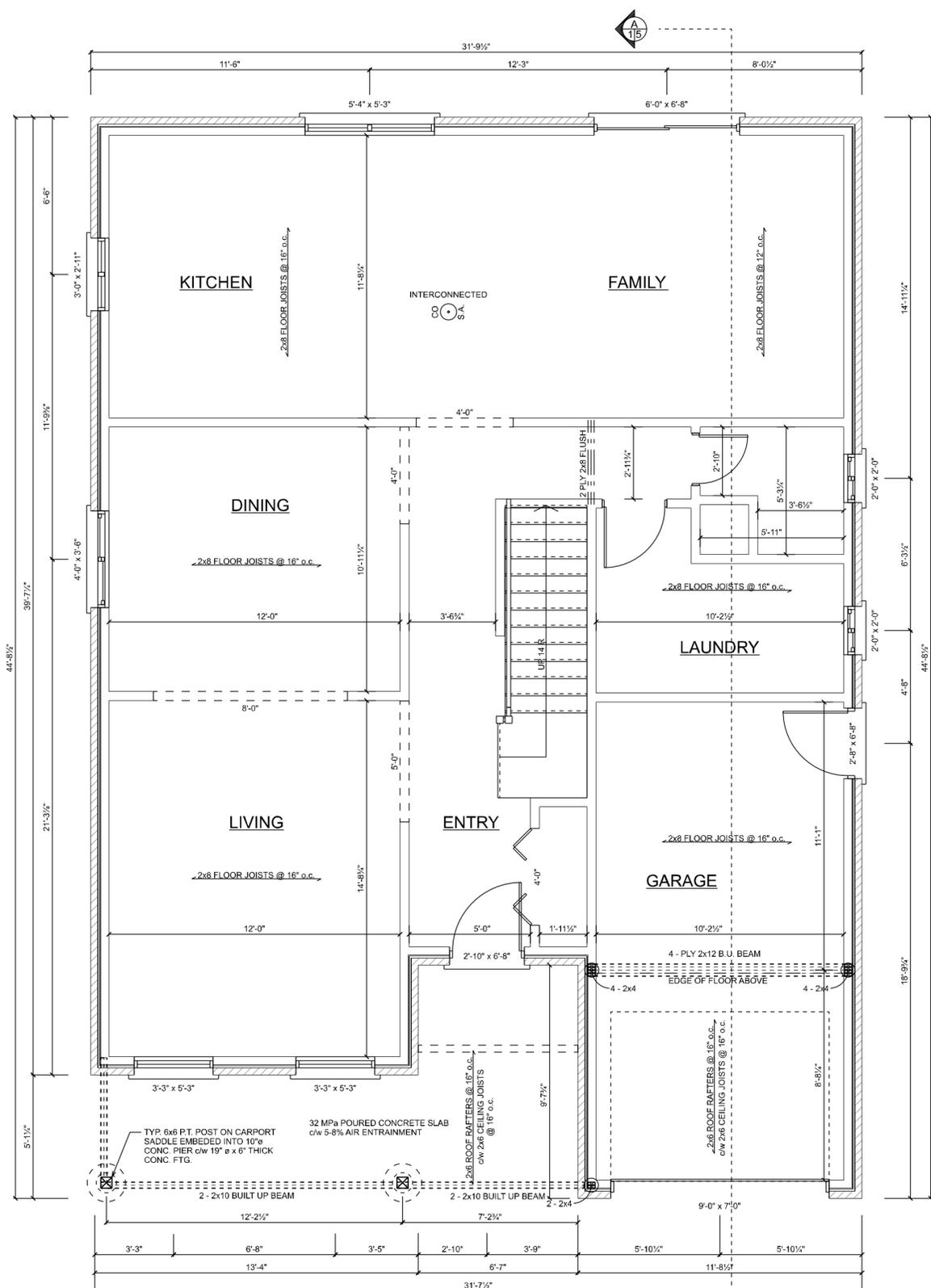
DRAWING #:
20-209

SCALE:
1:75

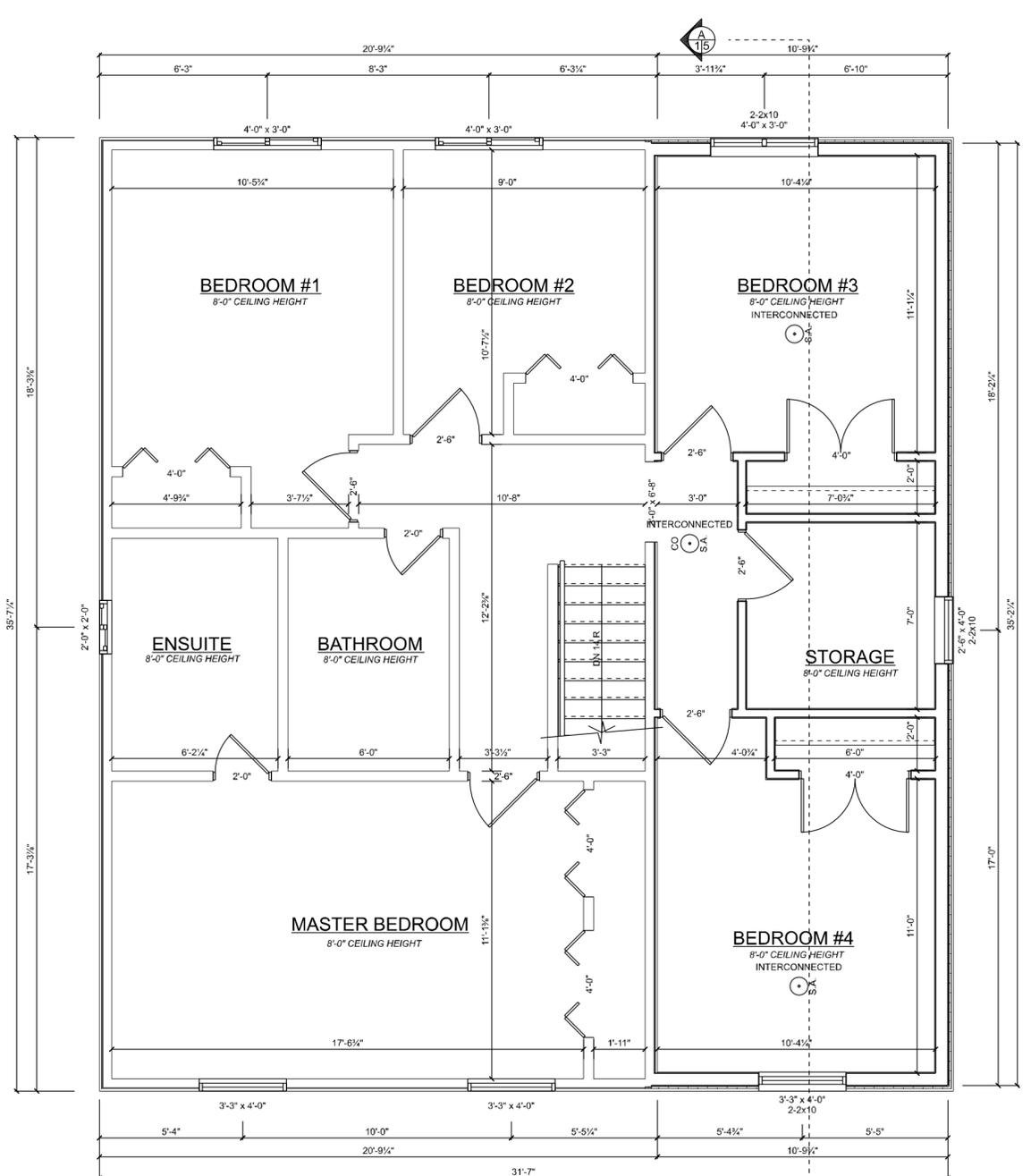
LAST REVISION DATE:
Jun 9, 2021

PAGE #:
1 of 1

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PROPOSED MAIN FLOOR
SCALE: 1/4" = 1'-0"



PROPOSED SECOND FLOOR
SCALE: 1/4" = 1'-0"

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Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Proposed Floor Plans

STARTING DATE:
Jun 4, 2020

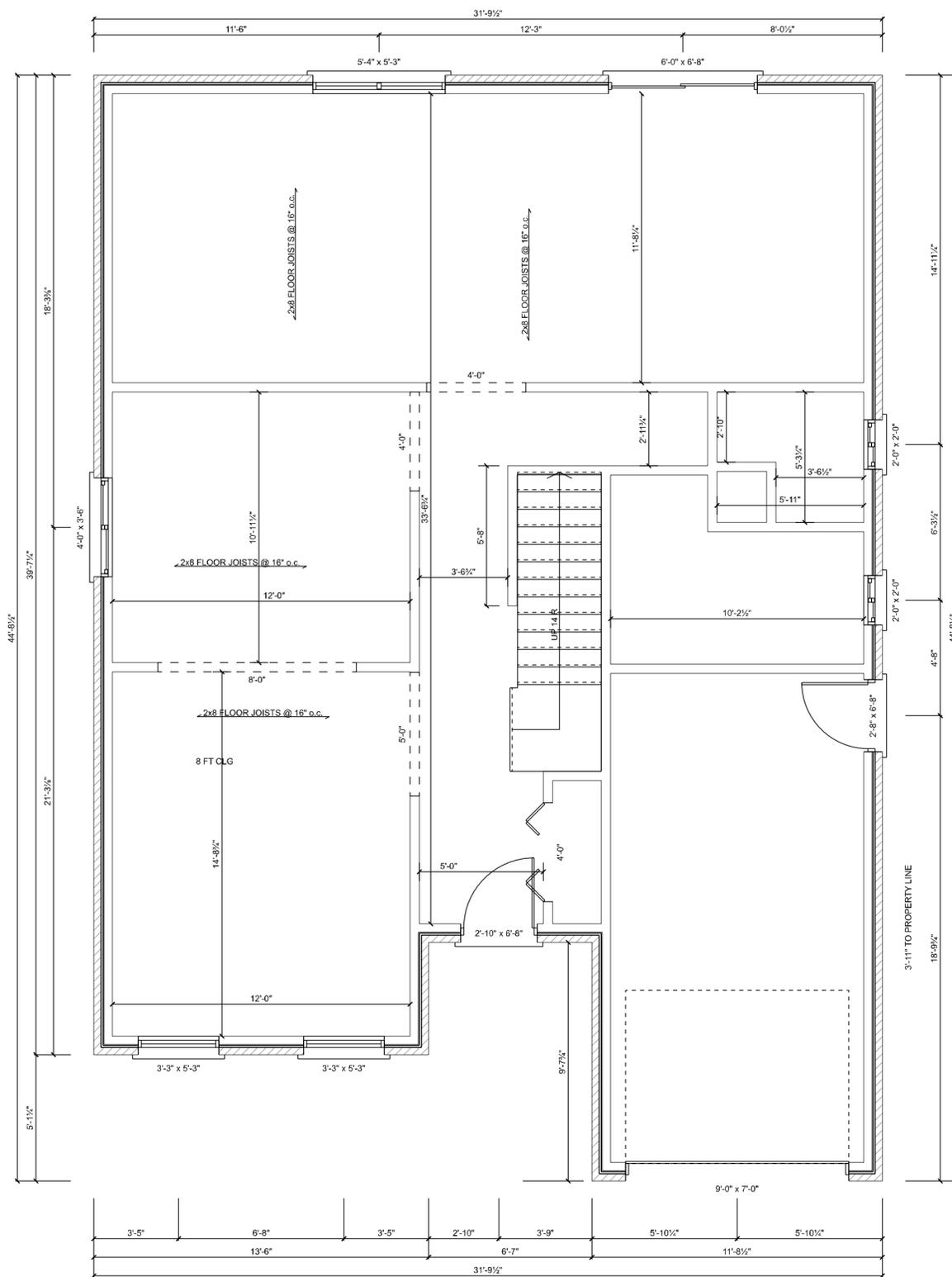
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20-209

SCALE:
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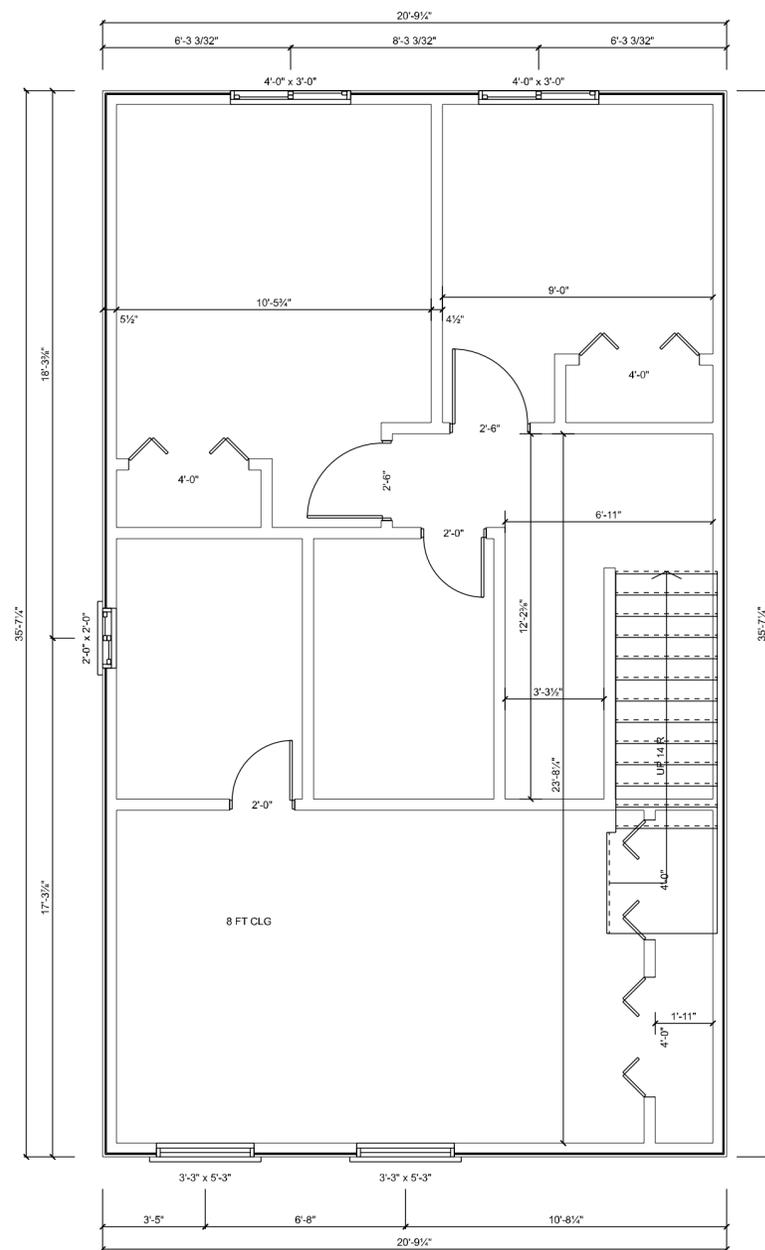
LAST REVISION DATE:
Feb 17, 2021

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1 of 8

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EXISTING MAIN FLOOR
SCALE: 1/4" = 1'-0"



EXISTING SECOND FLOOR
SCALE: 1/4" = 1'-0"

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BCIN 38975



Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Existing Floor Plans

STARTING DATE:
Jun 4, 2020

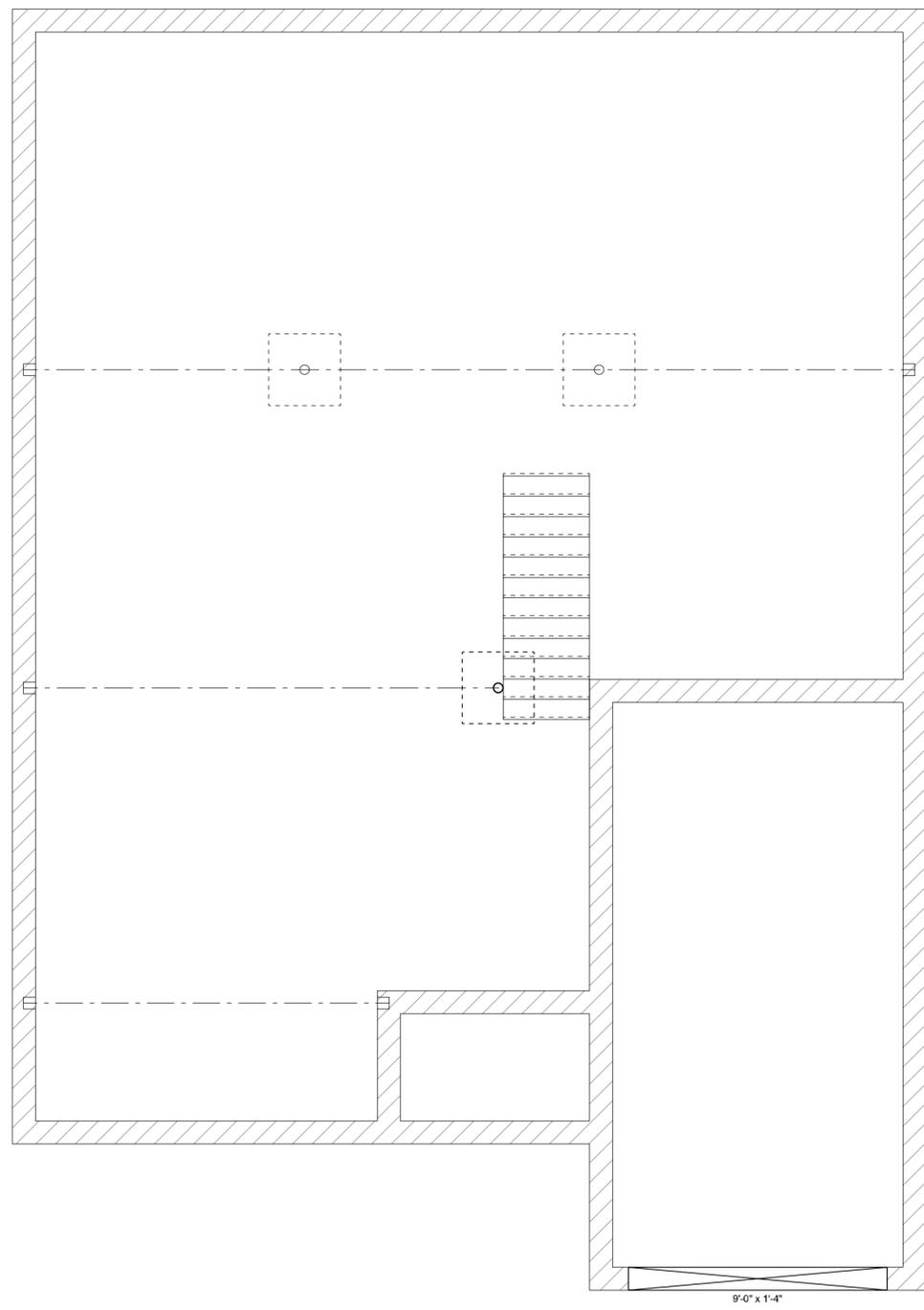
DRAWING #:
20-209

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

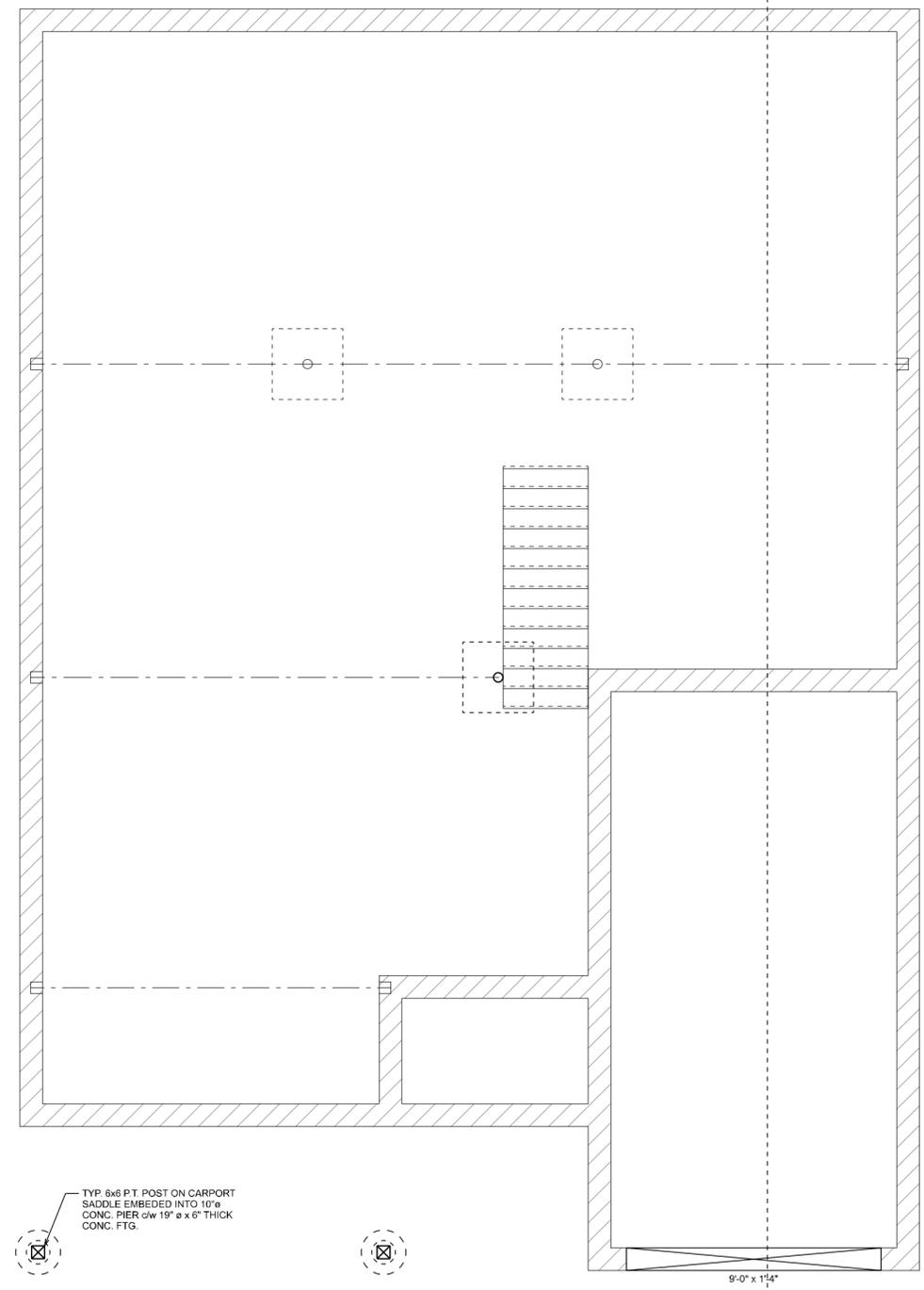
LAST REVISION DATE:
Jul 28, 2020

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



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

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519-848-2128

Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Foundation Plans

STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

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

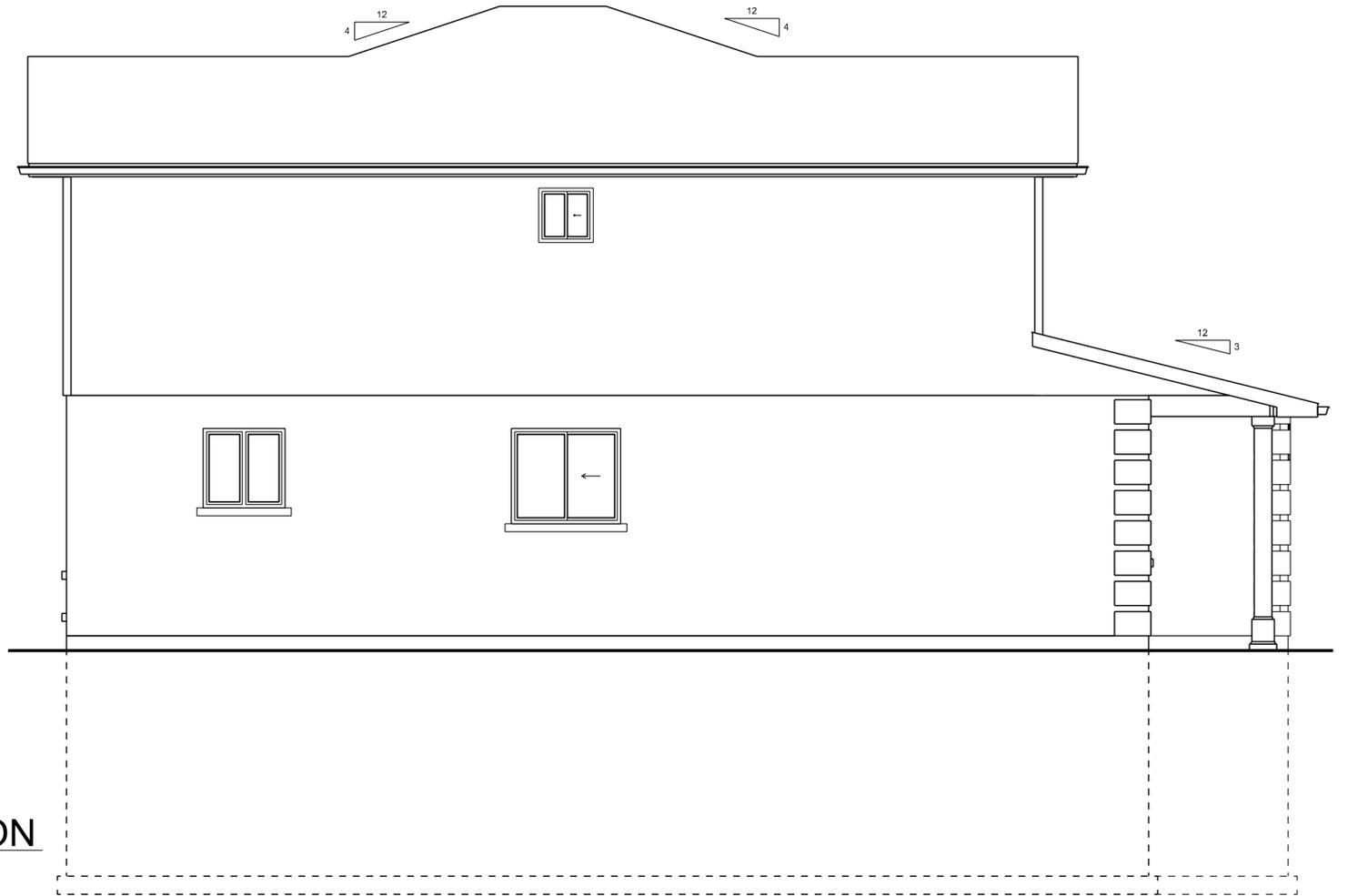
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FRONT ELEVATION
SCALE: 1/4" = 1'-0"



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

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Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

PROJECT:
2nd Floor Addition

STARTING DATE:
Jun 4, 2020

LAST REVISION DATE:
Feb 17, 2021

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

DRAWING TITLE:
Front & Left Elevations

DRAWING #:
20-209

PAGE #:
6 of 8

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

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



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

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Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Rear & Right Elevations

STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

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

LAST REVISION DATE:
Jul 28, 2020

PAGE #:
6 of 7

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Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Bert + Michelle Nyenhuis	
Applicant(s)*		
Agent or Solicitor	Andrew Sieders Purecraft Renovations Inc.	

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

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

Nick Nyenhuis
 261 Stone Church Rd E Unit 241
 Hamilton, ON L9B 1B1

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Exception for parking by law 6593 Section 18A in order to construct a second story addition over the existing single garage

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The existing home has a single garage and a double driveway in front of the building. There is no place for a double driveway

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

Single family residential dwelling unit
198 Inverness Ave E. Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.6 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

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

Yes No Unknown

8.8 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

8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Owner's history

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

May 28, 2021
Date



Bert Nyenhuis Michelle Nyenhuis
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40'
Depth 120'
Area 4800 Square Ft.
Width of street

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

Existing: 2 Story single family dwelling with attached single story garage.
Main floor: 1000 s.f. Second floor 700 s.f. Gross 1700 s.f. not incl. basement.

Proposed

- Second Story addition adding 2 bedrooms over the existing garage. 10'-9" wide x 35'2" long approx 350 s.f. floor area
- 5' x 20' covered porch on the front of the house - approx. 100 s.f.

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

Existing: 10' x 10' Shed - 23.5' from rear lot line
2.75' from side lot line
86.5' from front lot line

Proposed:

13. Date of acquisition of subject lands:
March 30, 2007
14. Date of construction of all buildings and structures on subject lands:
March 1980
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family on the West and South Side and east side
Retail/Commercial
17. Length of time the existing uses of the subject property have continued:
40 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
24. 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.



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-21:59

SUBJECT PROPERTY: 49 Eleanor Ave., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent A.J. Clarke & Associates
 Owner Sym Construction

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be added to property to the east (known as 224 Eaglewood Dr.)

Severed lands:
 Having a depth of 39.62m[±] and an area of 543m^{2±}

Retained lands:
 12.2m[±] x 30.48m[±] and an area of 371.8m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th , 2021

TIME: 3:20 p.m.

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

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you 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-21:59
PAGE 2

MORE INFORMATION

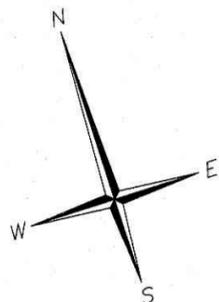
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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 8 CONCESSION 8
TOWNSHIP OF BARTON

PART 1 PLAN 62R-7372 EXISTING "C" ZONING

13.67 N72°52'40"W

NORTHWEST CORNER
LOT 21
REGISTERED PLAN No. 853

20.12m wide

LOT

PART 1
PLAN 62R-20623

N16°33'20"E

PART 2

PROPOSED SEVERANCE

AREA=543.0±m²

21

853

27.42

N16°31'20"E

39.62

PLAN 62R-7372

EXISTING "C" ZONING

No.

PART 2
PLAN 62R-20623

ELEANOR AVENUE

PART 1
REMAINING LANDS
OF APPLICANT

AREA=371.8±m²

PLAN

N16°33'15"E

N16°30'00"E

PART 2
PLAN 2

30.48 N72°04'40"W

30.49 N72°04'40"W

13.72 N72°52'40"W

PART 3
PLAN 62R-20623

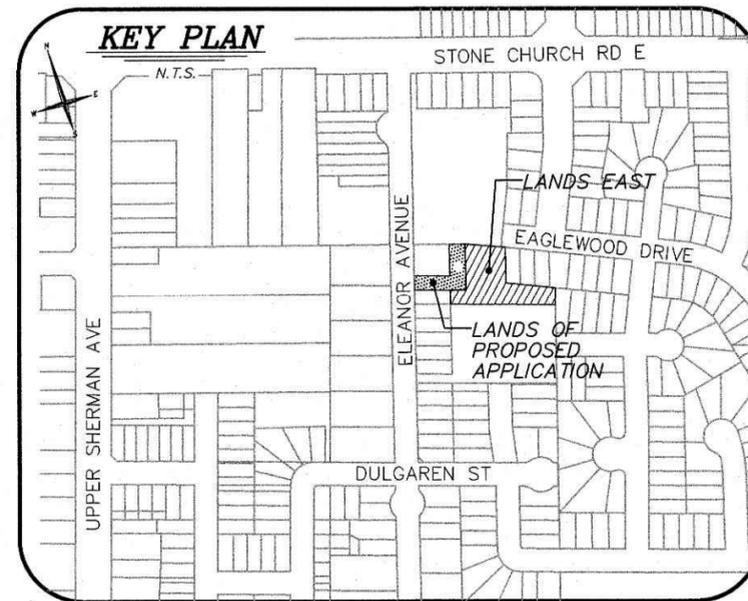
EXISTING "C" ZONING

20.12m wide

REGISTERED

LOT

22



SKETCH OF
PART OF LOT 21
REGISTERED PLAN No. 853
CITY OF HAMILTON

SCALE 1:250



METRIC:

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

NOTE:

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

THIS PLAN 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 SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

LAND SEVERANCE SCHEDULE:

PART 1 - LANDS TO BE RETAINED
PART 2 - LANDS TO BE SEVERED

NOTE: SEVERED LANDS TO BE MERGED WITH LANDS TO THE EAST.

JUNE 3, 2021
DATE



A. J. Clarke and Associates Ltd.

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

PROJECT No. 218133P



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

June 16th, 2021

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
49 Eleanor Avenue, 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 2 on the attached sketch and add it to the lands to the east.

The subject lands are irregular in shape, with Part 1 having an approximate frontage of ± 12.20 metres along Eleanor Avenue and an approximate depth of ± 30.49 metres. Part 2 has an approximate frontage of ± 13.67 metres along Eaglewood Drive once Eaglewood Drive is extended westerly from the east and an approximate depth of ± 39.62 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 property to which part 2 is to be added 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 within 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 which will be part of a future plan of subdivision. 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



Attn: Ms. Jamila Sheffield - Secretary-Treasurer
Re: Severance Application Submissions for 49 Eleanor Avenue, Hamilton

June 16th, 2021
Page 3 of 3

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 the Growth Plan.

As required for the above-noted application, please find attached the following:

1. A cheque in the amount of \$ \$2,860.00 made payable to the *City of Hamilton* in payment of the Application Fee.
2. A copy of the completed and signed Application Form.
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: Sym Electric Inc. (via email)



Hamilton

Committee of AdjustmentCity Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

**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
Registered Owners(s)	Sym Electric Inc.	
Applicant(s)*	Same as owner	
Agent or Solicitor	A. J. Clarke and Associates Ltd.	

* 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°. 853	Lot(s) Part of Lot 21	Reference Plan N°.	Part(s)
Municipal Address 39 Eleanor Avenue, Hamilton			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:

Subject To An Easement In Gross Over Part 2 Plan 62R-20623; As In We1244122 City Of Hamilton

3 PURPOSE OF THE APPLICATION

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

a) Urban Area Transfer (do not complete Section 10): creation of a new lotOther: a charge

- addition to a lot
- an easement

- 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:
Part 2 on sketch to be added to the lands to the east, described as Parts 2, 3, 4 on Plan 62R-7373

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

Frontage (m) N/A (13.67m on future Eaglewood Drive)	Depth (m) +/-39.62m	Area (m ² or ha) +/-543sq.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: N/A

Proposed: Single-detached dwelling through future plan of subdivision

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) 12.2m	Depth (m) +/-30.48m	Area (m ² or ha) +/-371.8sq.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: N/A

Proposed: Single-detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposal will enable land assembly for the severed lands to the lands directly east and will be subject to a future plan of subdivision. The remaining lands will be a newly created lot compatible with the existing character of the area. The subject application will facilitate residential intensification within Neighbourhoods and meet the relevant policies within Section F.1.14.3 of the UHOP.

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? N/A. Answer to above question is "C" District.

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

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes No

Please see attached cover letter.

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

Please see attached cover letter.

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

Please see attached 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

Please see attached 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)

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.

The lands north of the subject lands were severed from the subject lands for future residential use. Date of transfer and transferee unknown.

8.4 How long has the applicant owned the subject land?

Since 2018

8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

- 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
 - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
 - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (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.

The subject application will sever Part 2 on the attached sketch and add it to the lands to the east for future development by way of a plan of subdivision. Part 1 will become the remnant lands to allow the future construction of a single-detached dwelling.

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:

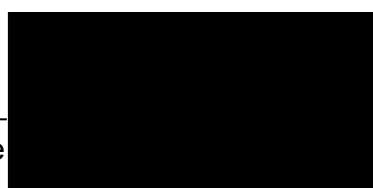
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of 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.

June 11, 2021

 Date

 Signature 



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-21:250

APPLICANTS: Agent Matthew Ribau
 Owner Chad Lyder

SUBJECT PROPERTY: Municipal address **9 Lister Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 21-076

ZONING: "B" (Suburban Agriculture and Residential, etc.) district

PROPOSAL: To permit the construction of a 7.95m (26'1") x 11.07m (36'4") easterly one (1) storey addition; a southerly 6.5m (21'4") x 12.8m (42'0") one (1) storey addition which will attach the existing one storey 6.10m (20'0") x 7.24m (23'9") accessory building (labelled as the "casita") onto the dwelling; a northerly open stairway/fire escape and a front porch onto an existing single family dwelling and to establish a secondary dwelling unit within an existing single family dwelling notwithstanding that:

1. A minimum front yard depth of 7.0m shall be provided instead of the minimum required front yard depth of 12.0m.
2. A minimum northerly side yard width of 2.0m shall be provided instead of the minimum required side yard width of 3.0m.
3. An open stairway/fire escape shall be permitted to project into minimum required northerly side yard a maximum of 1.3m so that the open stairway/fire escape shall be as close as 0.7m to the northerly side lot line instead of the requirement that an open fire escape or open stairway may project into a required side yard not more than one-third of its width (being 0.66m).
4. A minimum of 37% of the gross area of the front yard shall be provided as landscaped area instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials.
5. The parking area shall be permitted to occupy 63% of the gross area of the front yard instead of the requirement that the area for parking shall not occupy more than 50% of the gross area of the front yard.
6. The external appearance and character of the front façade of a single detached/family dwelling to be converted to contain a secondary dwelling unit shall be permitted to be altered by construction of the southerly addition, roofed-over unenclosed

HM/A-21: 250
Page 2

one storey front porch and northerly open stairway instead of the requirement that the exterior appearance and character of the front façade of the single detached dwelling shall be preserved.

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

DATE: Thursday, August 12th, 2021
TIME: 3:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 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

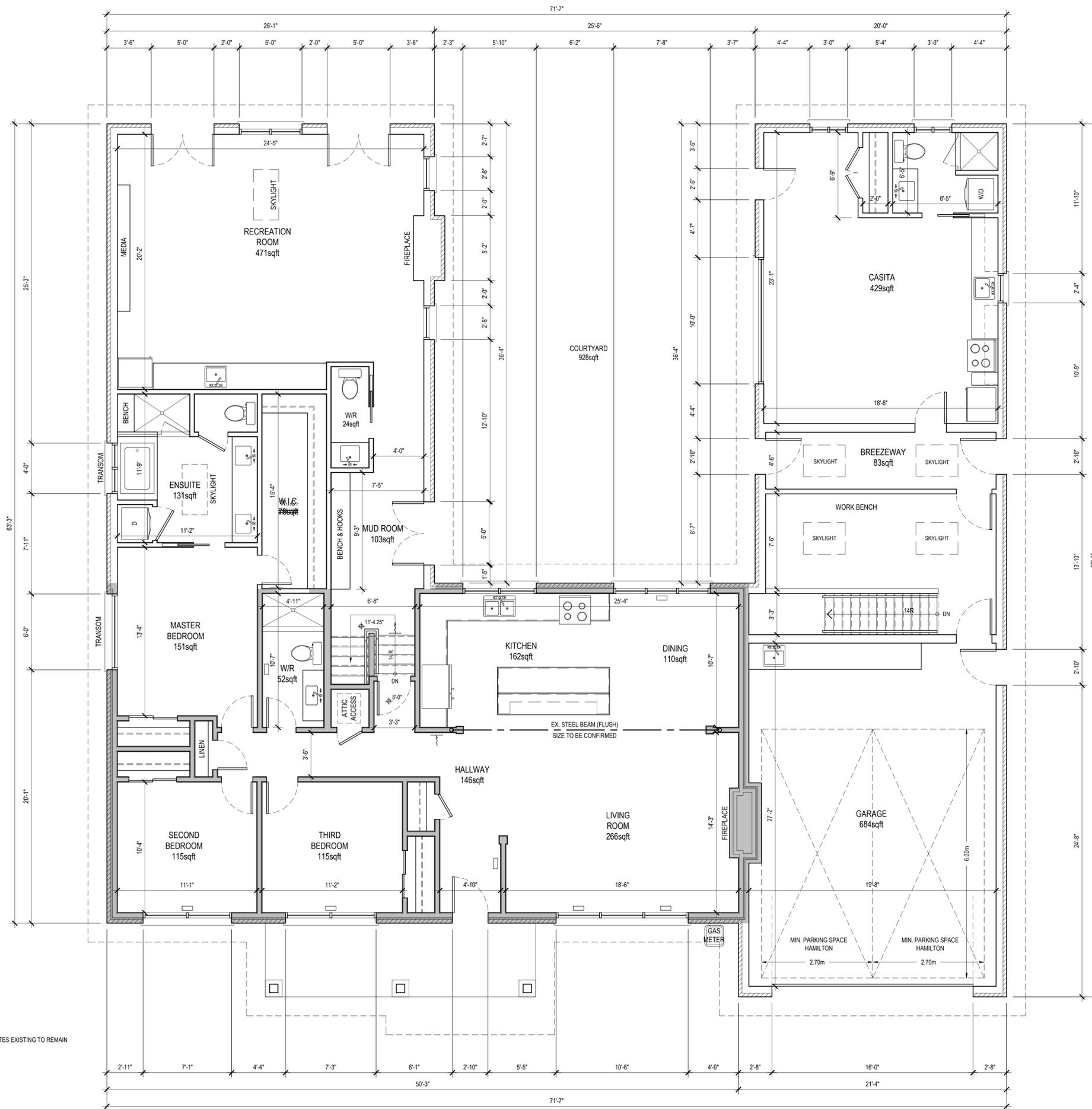
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



■ DENOTES EXISTING TO REMAIN



126 CATHARINE STREET N
HAMILTON ON L8R 1J4
e. info@perspectiveviews.com p.289.389.4502

GENERAL NOTES:
DRAWINGS MUST NOT BE SCALED
DRAWINGS TO BE READ IN CONJUNCTION WITH THE GENERAL NOTES AND THE O.B.C.
All drawings & information shown on these drawings must be checked & verified on site prior to construction or fabrication of its components.
Unless noted otherwise, 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 construction.
All dimensions are given in imperial units unless otherwise indicated.
All drawings are the property of the Architect / Designer & must be returned upon request.



No.	REVISION	DATE
1	ISSUED FOR MINOR VARIANCE	21/06/17
2	RESUBMITTED FOR MINOR VARIANCE	21/06/29

- PROJECT: CHAD AND TINA LYDER
ADDITION & INTERIOR ALTERATION
8 LISTER AVENUE
HAMILTON, ON
- DRAWING: PROPOSED MAIN FLOOR PLAN
DESIGN DRAWINGS
- SCALE: 1/4" = 1'-0"
- DATE: APR 13, 2021
- DRWN BY: ADRIANO PASSARELLO
- CHKD BY: MATTHEW RIBAU
- PROJECT No: PV21-010
- DRAWING No: A01.2



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Chad Lyder	[REDACTED]
Applicant(s)*	Matthew Ribau	
Agent or Solicitor		
		E-mail:

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
Minimum setback requirements

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
The existing home encroaches on the current setback requirements.

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):
Lot 26 of Registered Plan 1013 in the township of Glanford
9 Lister Avenue, Hamilton, Ontario

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant Other

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 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
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 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
- 8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Review of zoning, existing surveys and site assessment

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

9. ACKNOWLEDGEMENT CLAUSE

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

June 7, 2021

Date

Signature

Chris Lyden

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	100 ft
Depth	150 ft
Area	15000 sf
Width of street	20m

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

Existing:

Existing House: 1380 SF, 1 storey, 51 ft wide, 27 ft deep, approx 14 ft high
 Existing detached garage: 488 SF, 1 storey, 20 ft wide, 25 ft deep, approx 12 ft high.

Proposed

Proposed house: 3730 SF, 1 storey, 71 ft wide, 63 ft deep, approx 14 ft high

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

Existing:

House: front=8.98m, left flank=2.09, right flank=12.68, rear=28.26
 Detached Garage: front=20.71m, left flank=18.01m, right flank=6.24m, rear=17.46m

Proposed:

House: front=7.09m, left flank=2.09m, right flank=6.24m, rear=17.46m

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
1957

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
single family home
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
single family homes
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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. Additional Information
24. 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.



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-21:151

APPLICANTS: Agent Chris Hopkins
J. & P. Cook

SUBJECT PROPERTY: Municipal address **50 Rosebury Way, Glanbrook**

ZONING BY-LAW: Zoning By-law 464, as Amended 04-160

ZONING: "R4" (Residential 4) district

PROPOSAL: To permit the construction of a roofed-over unenclosed porch in the rear yard on a residential parcel of land, notwithstanding that:

1. A maximum of 47 percent lot coverage shall be permitted instead of the requirement that lot coverage shall not exceed a total of 35 percent.

NOTE:

1. 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, August 12th, 2021
TIME: 3:30 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.

GL/A-21: 251
Page 2

MORE INFORMATION

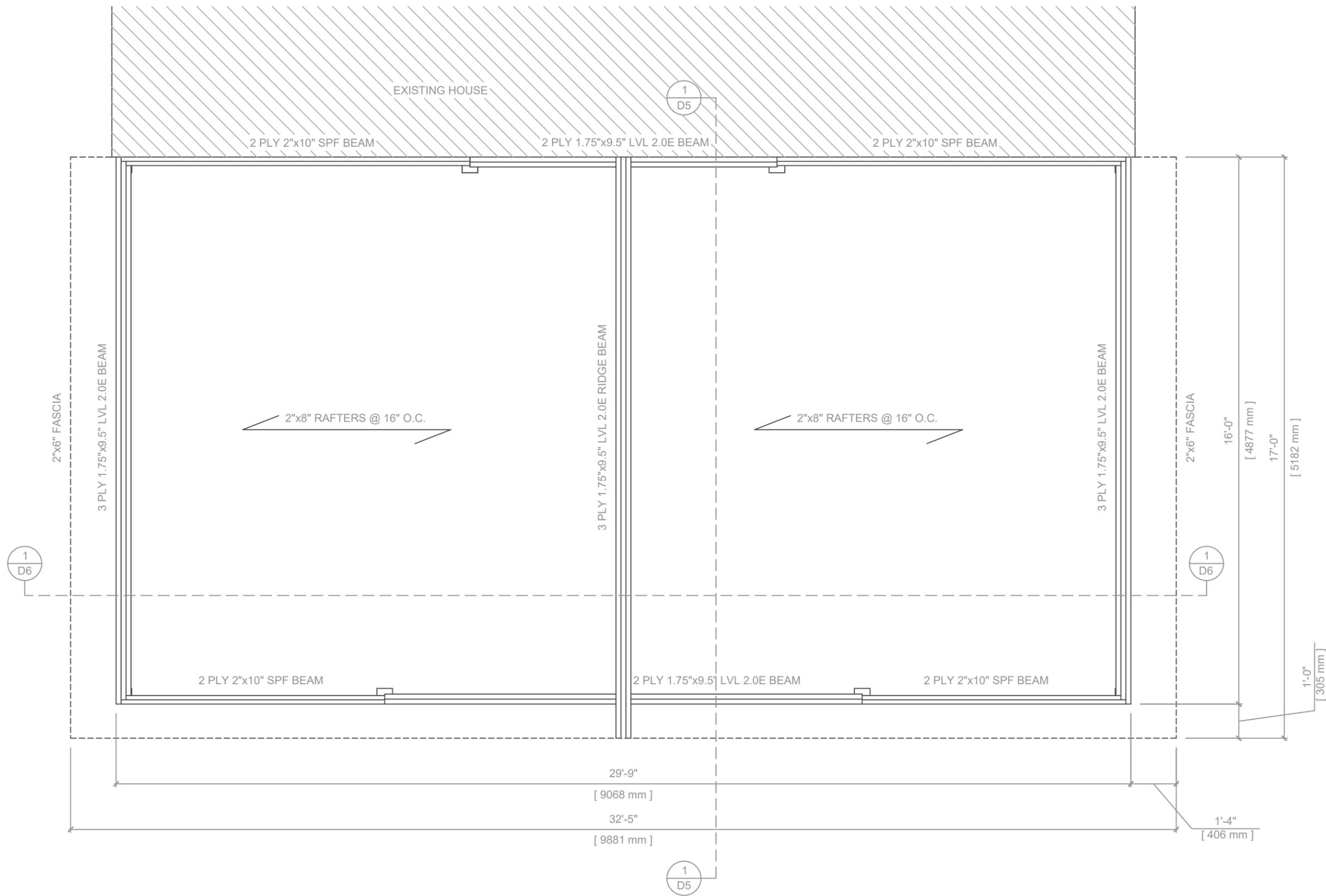
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

**PAVILION
FRAMING PLAN**

DATE:

MAY 24, 2021

REVISION DATE:

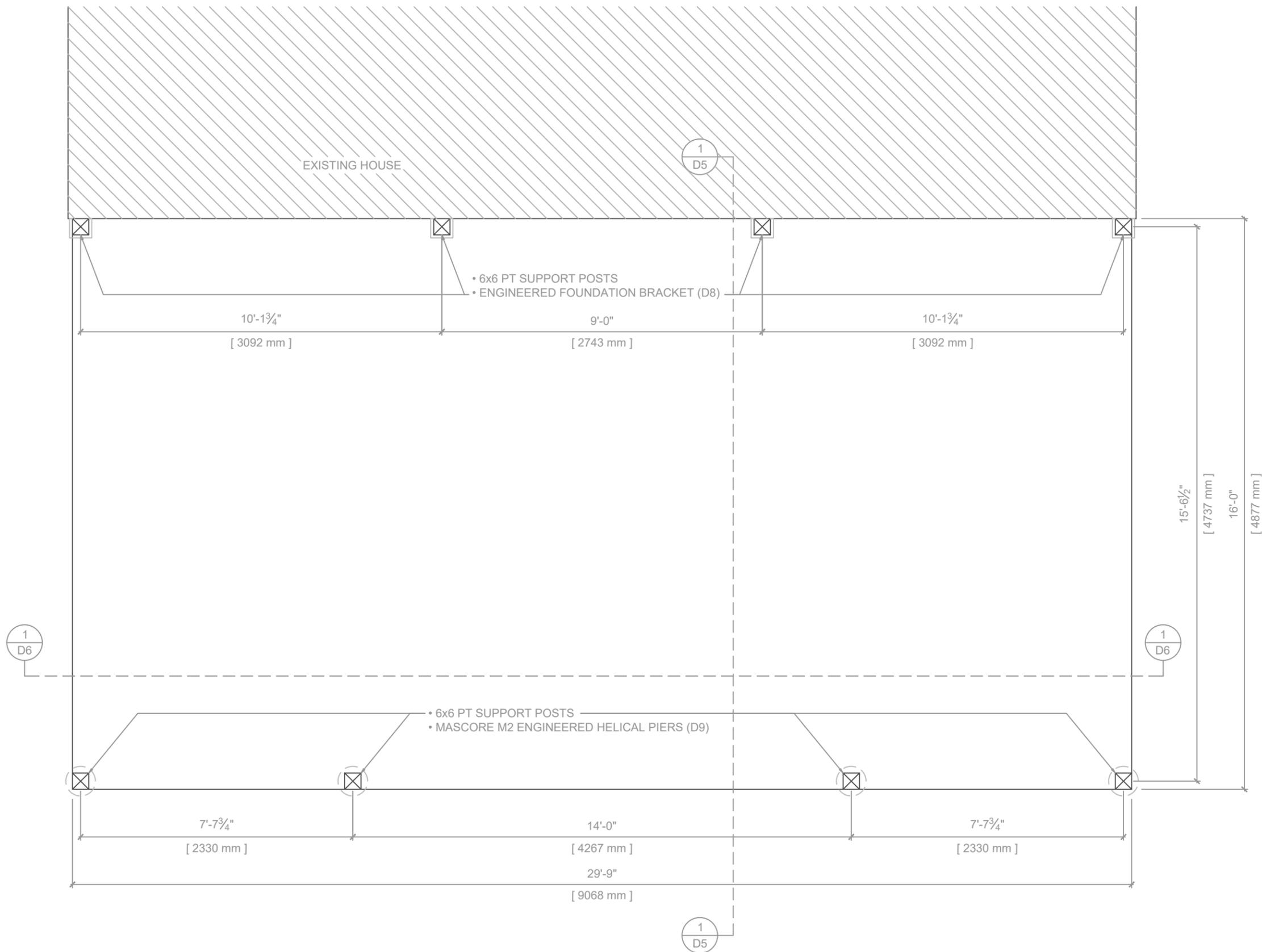
PAPER SIZE:

11" x 17"

SCALE:

1:35

D1



REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
FOUNDATION PLAN

DATE:

MAY 24, 2021

REVISION DATE:

PAPER SIZE:

11" x 17"

SCALE:

1:35

D2



REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
FRONT ELEVATION

DATE:

MAY 24, 2021

REVISION DATE:

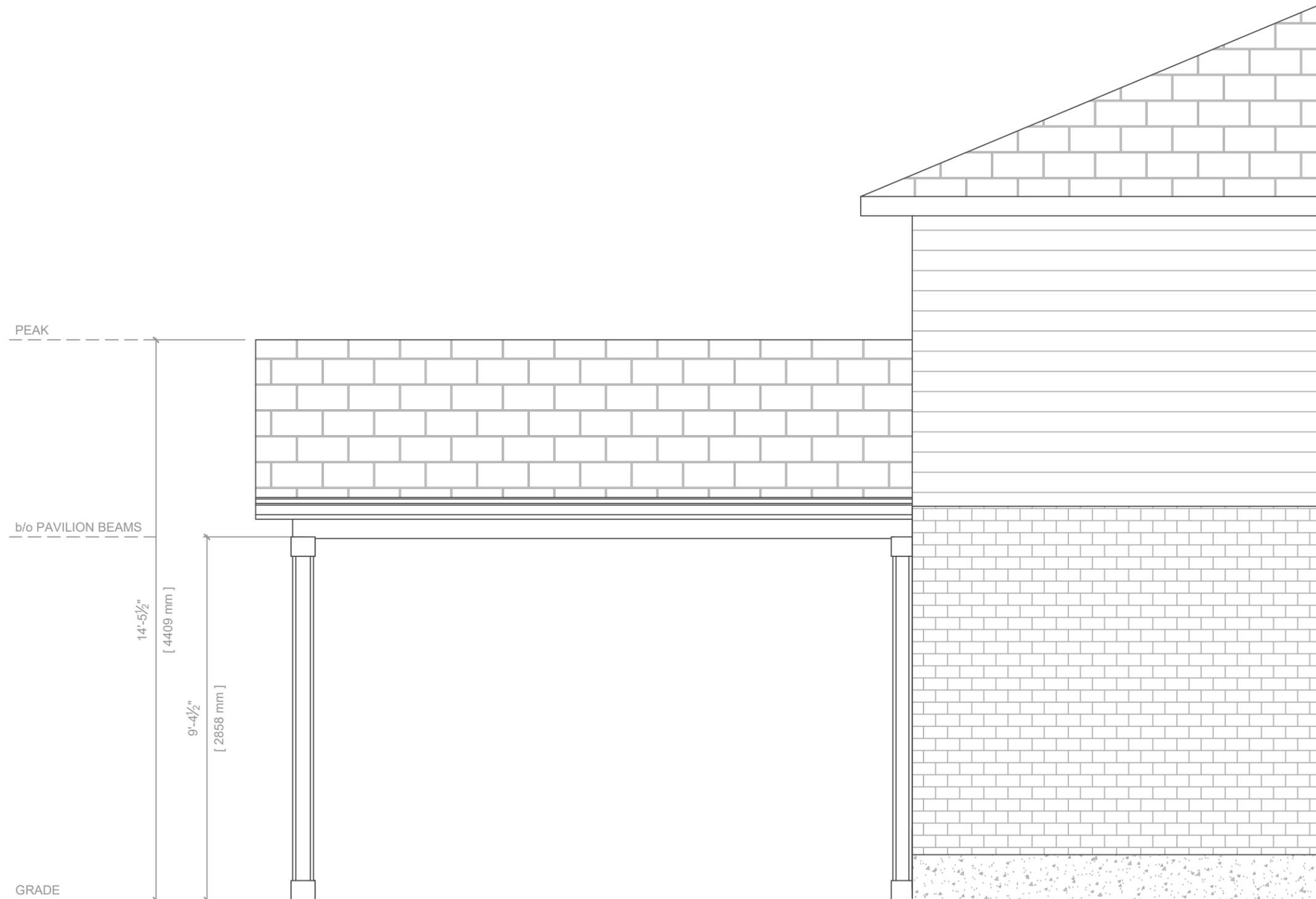
PAPER SIZE:

11" x 17"

SCALE:

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D3



LEFT ELEVATION IS IDENTICAL

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
RIGHT ELEVATION

DATE:

MAY 24, 2021

REVISION DATE:

PAPER SIZE:

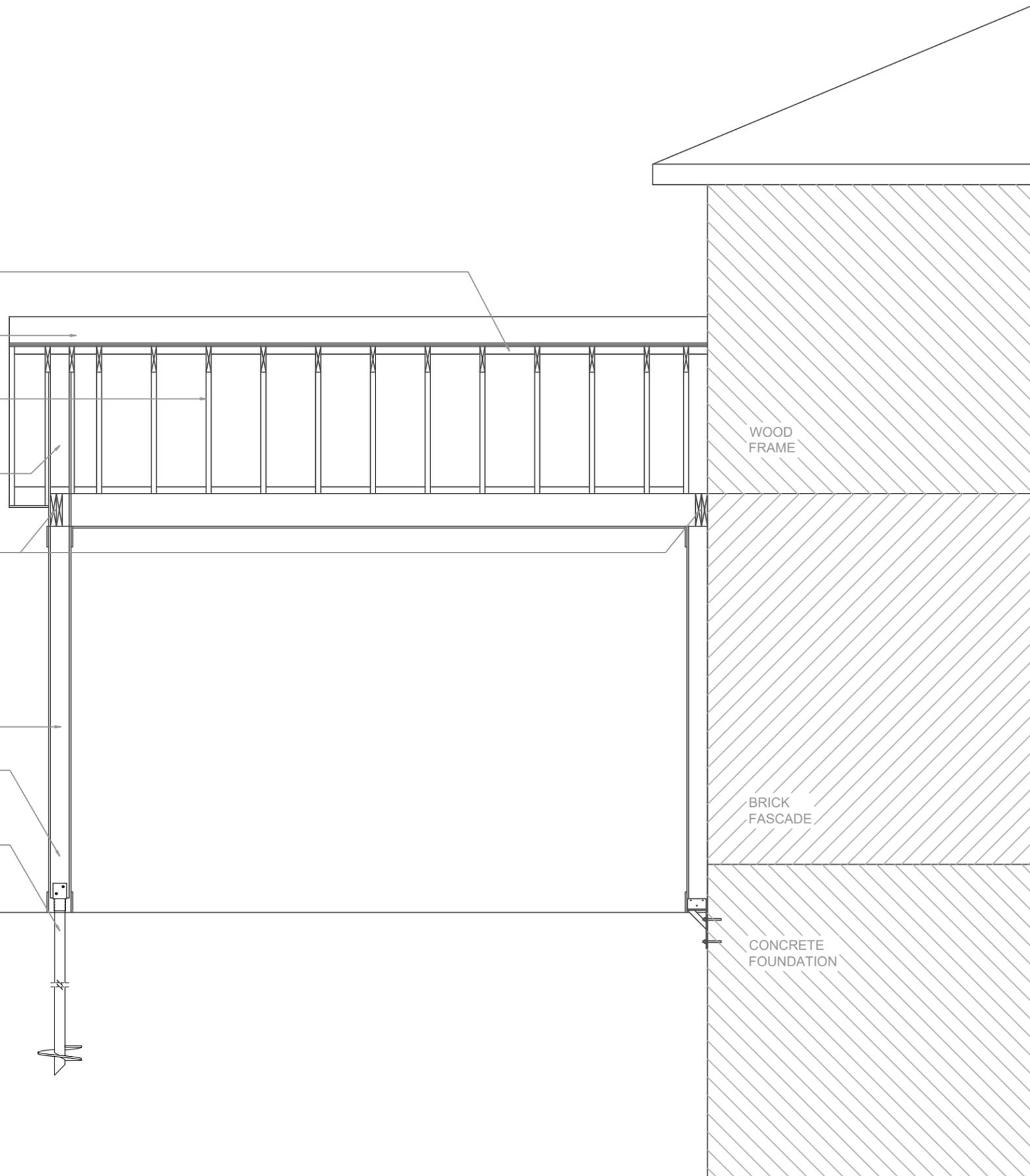
11" x 17"

SCALE:

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D4

- 3 PLY 1.75"x9.5" LVL RIDGE BEAM SUPPORTED BY 6x6 POST AT EACH END BEARING ON BEAM BELOW
- ASPHALT SHINGLES
- 7/16" OSB SHEATHING
- 'H' CLIPS
- 2x8 RAFTERS @ 16" O.C. CONNECTED TO BEAMS WITH HURRICANE TIES RAFTERS CUT WITH A 1.5" BIRDSMOUTH
- 6x6 RIDGE POST TO SUPPORT RIDGE BEAM DOWN TO MAIN BEAMS AND 6x6 ANGLE SUPPORTS
- 2 PLY 1.75"x9.5" LVL BEAM BEARING ON 6x6 PT POSTS WITH SIMPSON STRONG TIE MENDING PLATES OVER EACH CONNECTION
- 6x6 PT SUPPORT POSTS
- 6x6 PT PAVILION POSTS FASTENED TO HOUSE FOUNDATION WITH FOUNDATION BRACKETS (D8) (4 TOTAL)
- MASCORE M2 ENGINEERED HELICAL PEIRS (D9) (4 TOTAL)



NOTES

- ALL PIERS TO EXTEND 4' BELOW GRADE AND 4" ABOVE GRADE
- BEAMS TO BE ADEQUATELY TIED TO PREVENT HORIZONTAL MOVEMENT
- COLUMNS TO BE ADEQUATELY TIED TO PREVENT HORIZONTAL MOVEMENT
- ALL LUMBER TO BE GRADE 1 OR BETTER
- BEAMS TO BEAR DIRECTLY ON COLUMNS OR HANGERS SHALL BE USED
- ALL CONSTRUCTION SHALL CONFORM TO THE ONTARIO BUILDING CODE
- CONNECTIONS AS PER CSA-086-01 (minimum)

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
SECTION

DATE:

MAY 24, 2021

REVISION DATE:

-

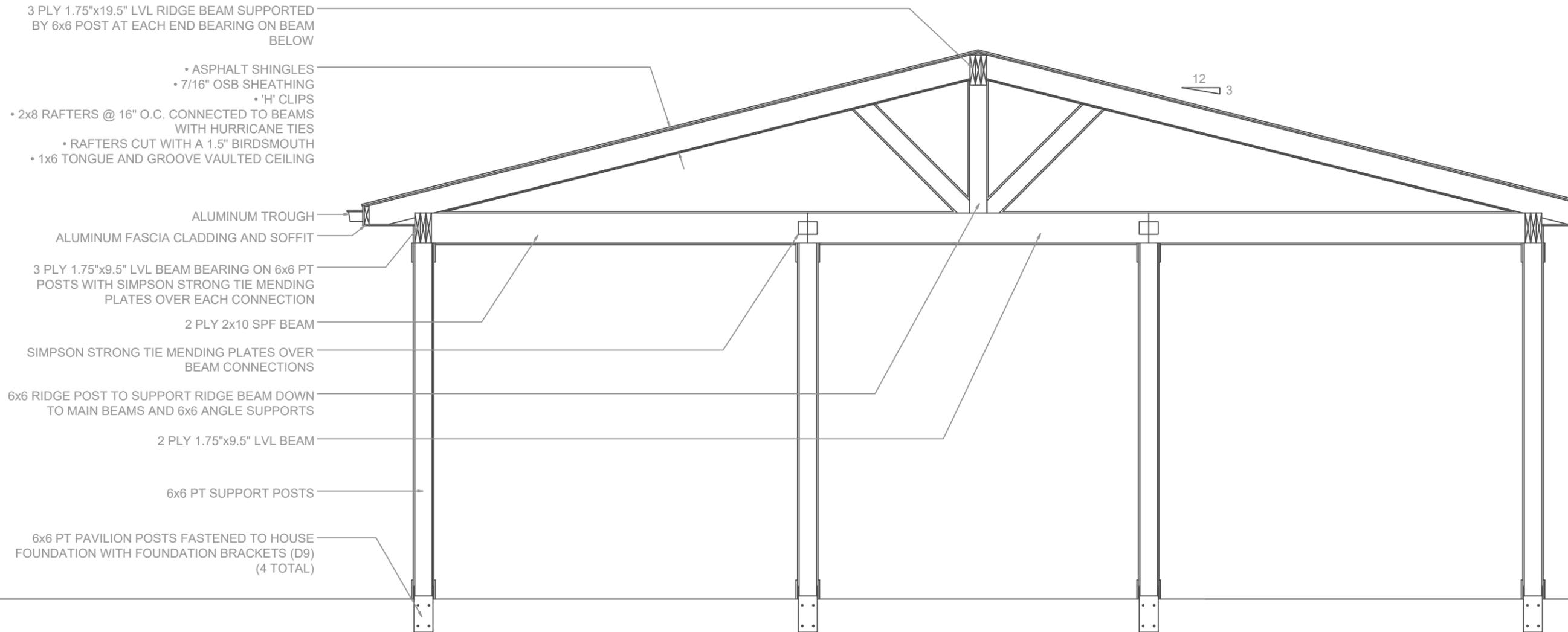
PAPER SIZE:

11" x 17"

SCALE:

1:35

D5



12
3

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
SECTION

DATE:

MAY 24, 2021

REVISION DATE:

-

PAPER SIZE:

11" x 17"

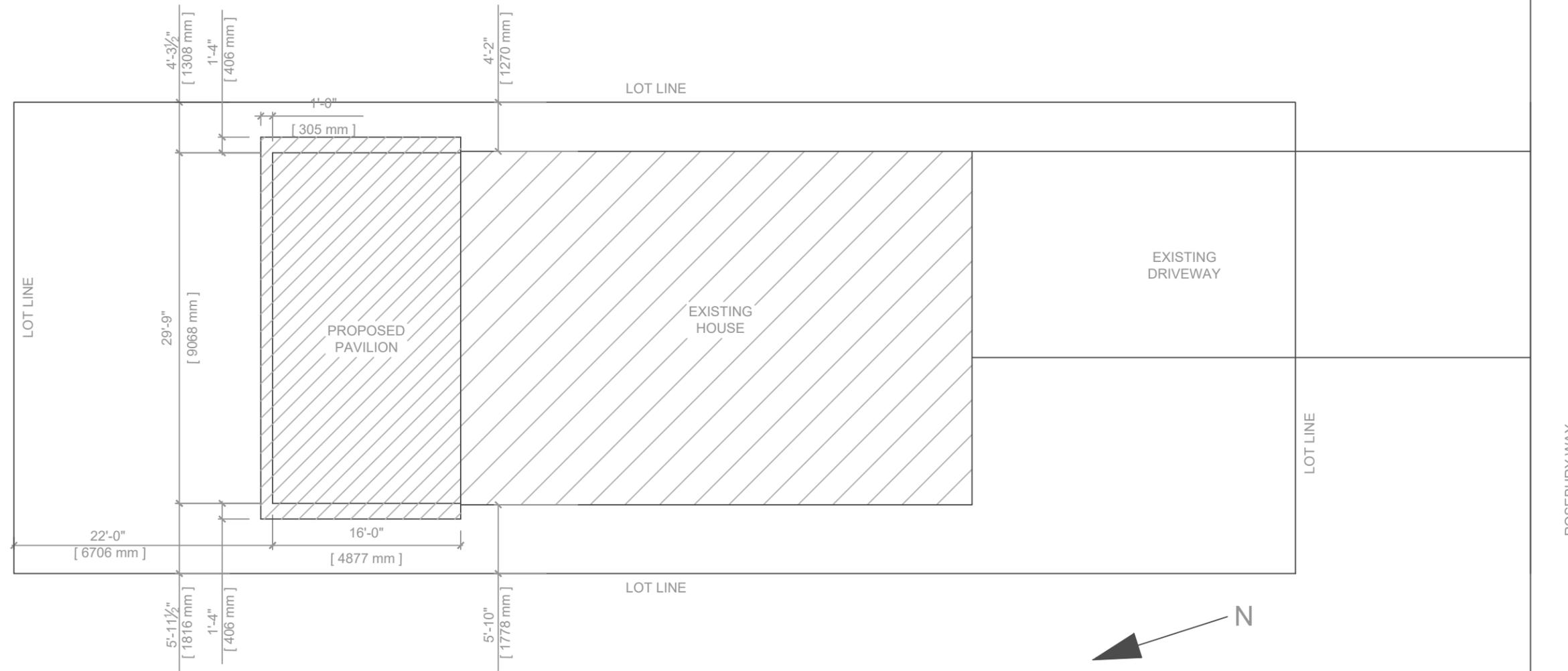
SCALE:

1:35

D6

NOTES

- ALL PIERS TO EXTEND 4' BELOW GRADE AND 4" ABOVE GRADE
- BEAMS TO BE ADEQUATELY TIED TO PREVENT HORIZONTAL MOVEMENT
- COLUMNS TO BE ADEQUATELY TIED TO PREVENT HORIZONTAL MOVEMENT
- ALL LUMBER TO BE GRADE 1 OR BETTER
- BEAMS TO BEAR DIRECTLY ON COLUMNS OR HANGERS SHALL BE USED
- ALL CONSTRUCTION SHALL CONFORM TO THE ONTARIO BUILDING CODE
- CONNECTIONS AS PER CSA-086-01 (minimum)



EXISTING SITE STATISTICS:

LOT AREA:	405.69 m ²
EXISTING HOUSE FOOTPRINT:	121.24 m ²
EXISTING HOUSE ROOF AREA:	140.11 m ²
TOTAL EXISTING LOT COVERAGE:	140.11 m ²
EXISTING LOT COVERAGE:	34.53 %

PROPOSED STRUCTURE STATISTICS:

PAVILION FOOTPRINT:	44.22 m ²
PAVILION ROOF FOOTPRINT:	51.19 m ²
OVERLAPPING EXISTING/PROPOSED ROOF:	4.01 m ²
TOTAL ADDITIONAL ROOF FOOTPRINT:	47.18 m ²
ADDITIONAL LOT COVERAGE:	11.63 %

EXISTING BUILDING AND PROPOSED STRUCTURE SITE STATISTICS:

TOTAL LOT ROOF COVERAGE:	187.29 m ²
TOTAL LOT COVERAGE:	46.16 %

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
SITE PLAN

DATE:

MAY 24, 2021

REVISION DATE:

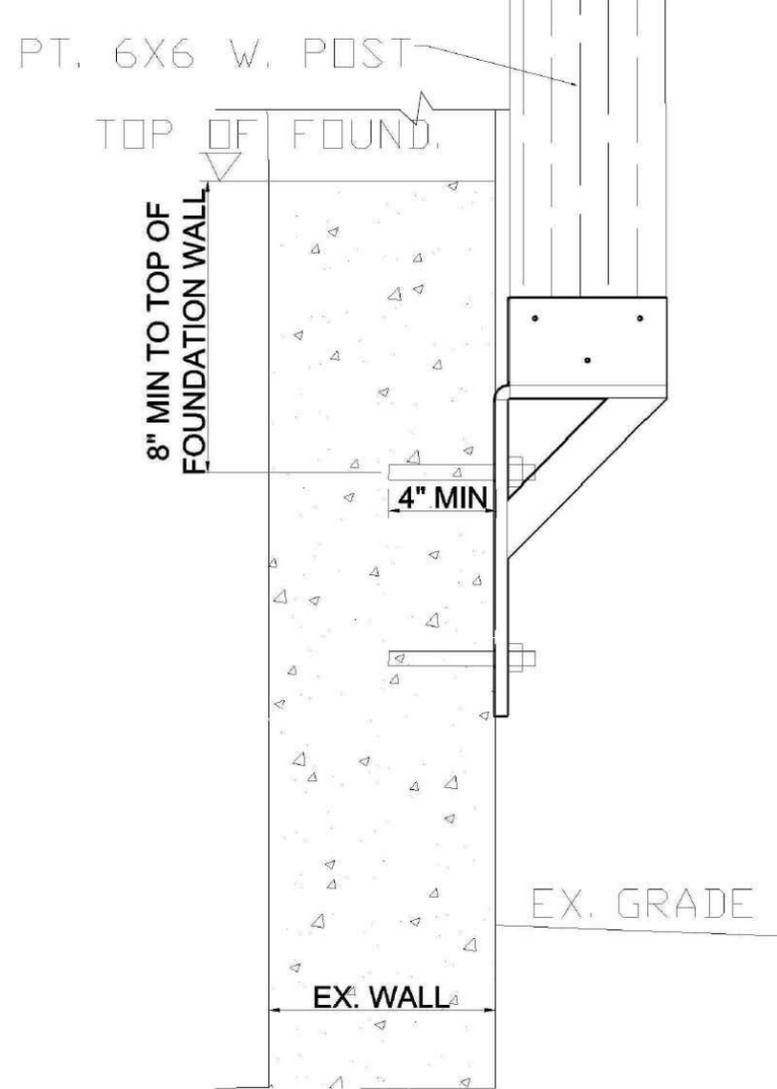
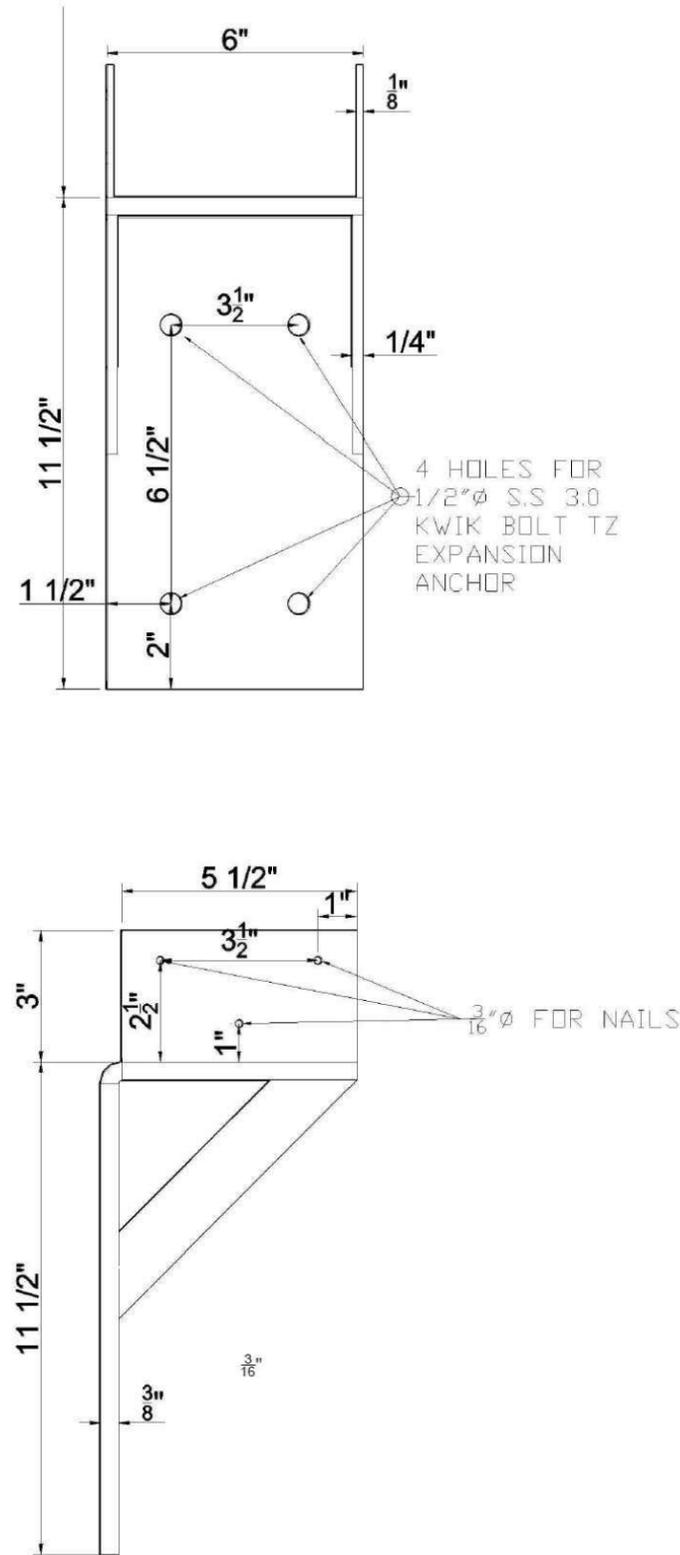
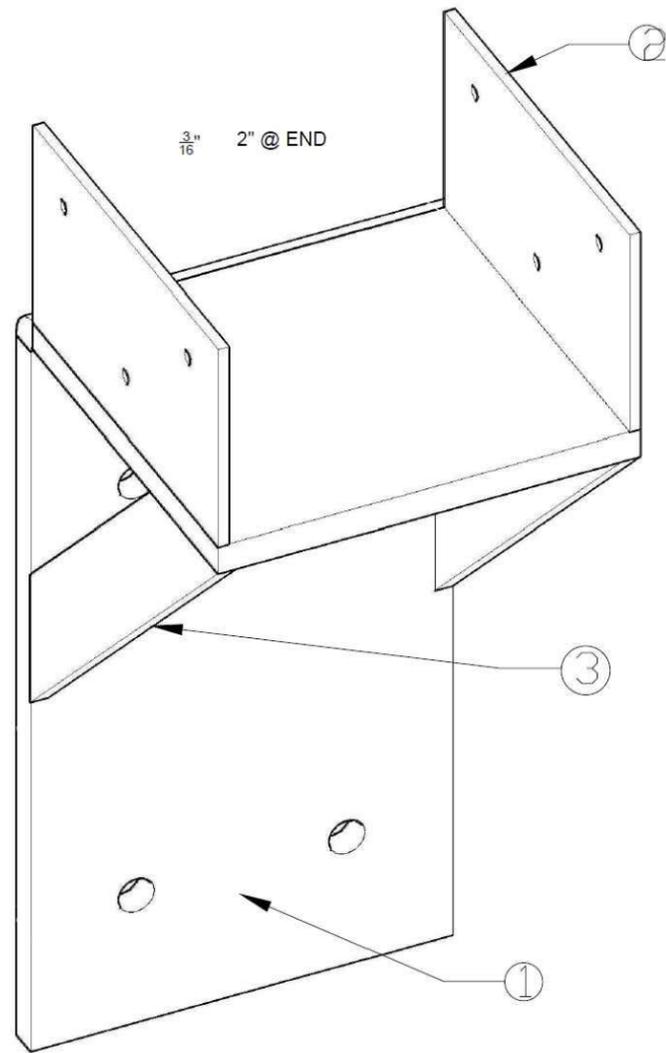
PAPER SIZE:

11" x 17"

SCALE:

1:125

D7



ITEM NO.	DIMENSION	QTY.
1	(11.5+6) X 6 X 3/8 BENT PLATE	1
2	PL 5 1/2 X 3 X 3/8	2
3	PL 7 1/2 X 1 1/2 X 1/4	2

- GENERAL NOTE:
- MAXIMUM LOAD 3,000LBS.
 - STRUCTURAL STEEL SHALL CONFORM TO CSA G40.21 GRADE 300W OR 350W.
 - WELDING SHALL BE MADE WITH E49XX(E70XX) ELECTRODES IN ACCORDANCE WITH CSA W59 BY A WELDER QUALIFIED UNDER CSA W47.1.
 - THE FABRICATOR SHALL BE CERTIFIED TO THE REQUIREMENTS OF CSA W47.1.
 - WELDS CONNECTING MAIN MEMBERS IN THE JOINTS TO BE FILLET AS SHOWN.
 - ANCHORS DESIGN AND CONCRETE EMBEDMENT BY OTHER CONTRACTORS.



DRAWN BY YF	CHECKED BY BW	DWG. NO.:
DATE	SCALE AS SHOWN	PROJ. NO.:
PROJ. TITLE WOOD DECK	DWG. TITLE WOOD COLUMN BRACKET	
No.	Revision / Issue	
1		
2		
3		
LHW ENGINEERING LTD. 23 Canham Cres. Toronto, ON M1S 2H7 T: 416-299-8837, 647-923-4818 lhw.engineering@gmail.com		
THE DECK STORE INC. 454 South Service Rd. West, Oakville, ON, L6K 2H4 T: 905-337-7707 Deckstore.ca		

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:
50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:
PAVILION
FOUNDATION BRACKET

DATE:
MAY 24, 2021

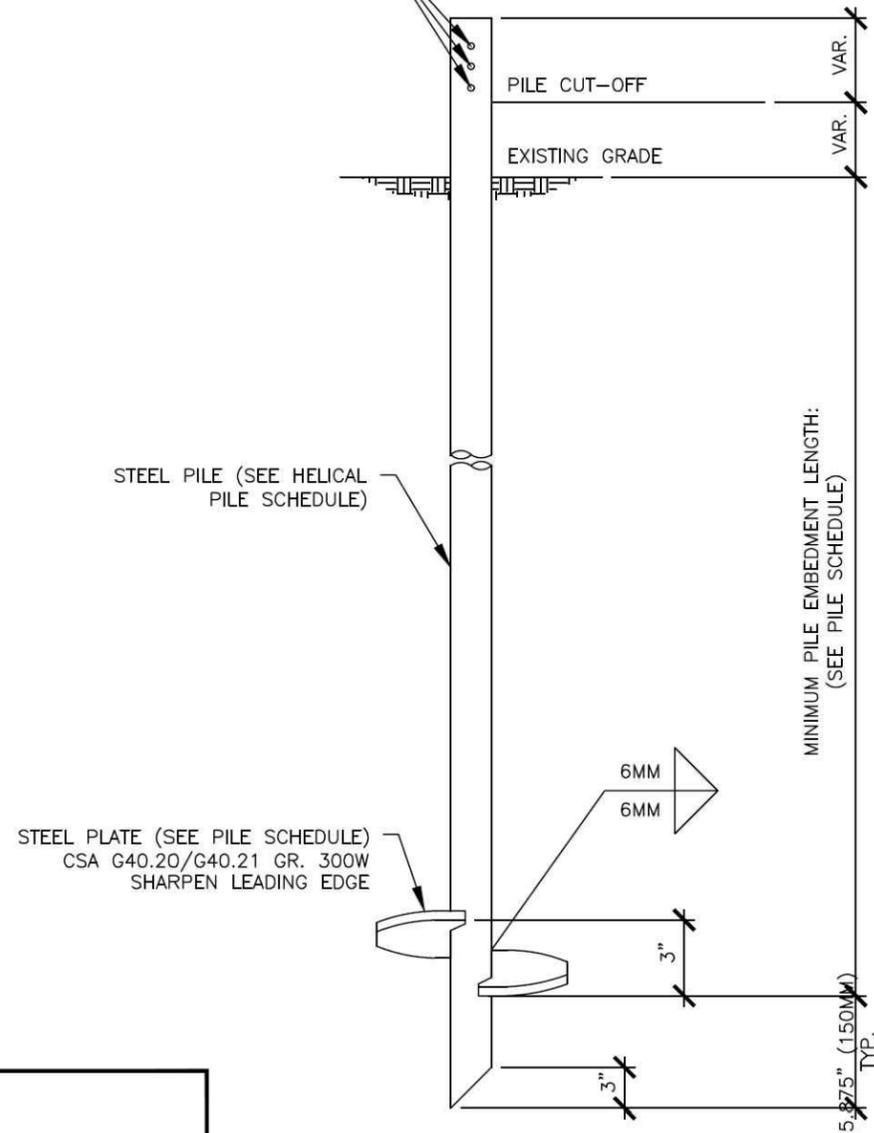
REVISION DATE:

PAPER SIZE:
11" x 17"

SCALE:
AS NOTED

D8

DRIVE HOLES: QUANTITY, SIZE & LOCATION AS REQUIRED



NOTES:

1. **GENERAL:**
 - 1.1 THE DESIGN, FABRICATION AND INSTALLATION OF PILES SHALL BE GOVERNED BY THE FOLLOWING CODES, STANDARD AND REGULATIONS:
 - 1.1.1 CSA G40.21 STRUCTURAL QUALITY STEEL.
 - 1.1.2 2012 ONTARIO BUILDING CODE.
 - 1.1.3 CSA W48-18 FILLER METALS AND ALLIED MATERIAL FOR METAL ARC WELDING.
 - 1.1.4 CSA W47.1 CERTIFICATION OF COMPANIES FOR FUSION WELDING OF STEEL STRUCTURES.
 - 1.1.5 ASTM A252 WELDED AND SEAMLESS STEEL PIPE PILES.
 - 1.1.6 ASTM A53 WELDED AND SEAMLESS STEEL PIPE.
 - 1.1.7 PROVINCIAL HEALTH AND SAFETY REGULATIONS.
 - 1.2 PILE SHAFT DIAMETER, WALL THICKNESS AND HELIX PLATE THICKNESS SHALL NOT BE LESS THAN MINIMUM SPECIFIED IN PILE SCHEDULE.
2. **MATERIALS:**
 - 2.1 STEEL PIPE PILE MATERIALS SHALL CONFORM TO ASTM A500, GRADE B OR ASTM A252 (GRADE 3) MINIMUM.
 - 2.2 HELICES SHALL CONFORM TO CSA-G40.21. GRADE 300W.
 - 2.3 HELICES SHALL BE WELDED TO THE PIPE SECTION USING A CONTINUOUS FILLET WELD ON BOTH SIDES OF THE HELIX-PIPE CONNECTION. HELICES SHALL HAVE MINIMUM THICKNESS AS SPECIFIED.
 - 2.4 SACRIFICIAL STEEL THICKNESS HAS BEEN PROVIDED TO ACCOUNT FOR CORROSION. AS PER ONTARIO BUILDING CODE SECTION 4.2.3.10.
 - 2.5 ALL WELDS SHALL BE MIN. 6MM FILLET WELDS, UNLESS NOTED OTHERWISE.
 - 2.6 WELD TENSILE STRENGTH = 480MPA.
 - 2.7 WELDING ELECTRODES SHALL CONFORM TO CSA W48.1.
3. **DESIGN:**
 - 3.1 PILES DESIGN LOAD IS BASED ON THE EXISTING STRUCTURAL DRAWING.
 - 3.2 ANY CHANGES TO THE PILE LAYOUT SHALL BE REVIEWED BY CONSULTANT ENGINEER FOR APPROVAL.
 - 3.3 DUE TO NO GEOTECHNICAL INFO AVAILABLE, SOIL PROPERTY IS ASSUMED BASED ON ADJACENT PROJECT, ANY UNFORESEEABLE GEOTECHNICAL CHANGES WILL BE THE RESPONSIBILITY OF OWNER.
4. **CONSTRUCTION:**
 - 4.1 PILES SHALL BE INSTALLED OPEN ENDED; AND ENDS SHALL BE CUT AS 45 DEGREES.
 - 4.2 PILES SHALL BE INSTALLED CONTINUOUSLY WITHOUT INTERRUPTION TO THE MINIMUM EMBEDMENT DEPTH AND MINIMUM INSTALLATION TORQUE INDICATED ON THE PILE SCHEDULE.
 - 4.3 PILE INSTALLATION RECORDS SHALL BE DOCUMENTED BY A QUALIFIED PILING INSPECTOR REPRESENTING THE GEOTECHNICAL ENGINEER.
 - 4.4 FABRICATION SHALL BE CARRIED OUT IN ACCORDANCE WITH STANDARD PRACTICES AND APPLICABLE CODES.
 - 4.5 PILE EMBEDMENT DEPTHS INDICATED IN THE PILE SCHEDULE ARE HELIX DEPTH FROM THE EXISTING GRADE. STICKUP AND TIP PROJECTION LENGTHS SHALL BE ADDED TO THE PILE LENGTH AS REQUIRED.
 - 4.6 INSTALL PILES VERTICALLY AND ENSURE THE RATE OF ADVANCEMENT INTO THE SOIL PER REVOLUTION IS EQUAL TOT HE HELIX PITCH.
5. **TOLERANCES:**
 - 5.1 PILE SHALL BE INSTALLED TO THE FOLLOWING TOLERANCES:
 - 5.1.1 TOP OF PILE WITHIN 75MM OUT OF ALIGNMENT.
 - 5.1.2 NOT MORE THAN 2% INCLINATION FROM VERTICAL.
 - 5.2 ANY GAP AROUND INSTALLED PILE MUST BE BACKFILLED WITH CRUSHED STONES OR APPROVED EQUIVALENT.
 - 5.3 WHERE PILES DEVIATE FROM ABOVE TOLERANCE AND DESIGN REQUIREMENTS, THE CONDITION OF THE FOUNDATION SHALL BE ASSESSED BY THE ENGINEER AND WHERE REQUIRED, CORRECTIONS SHALL BE MADE.
6. **ACCEPTANCE:**
 - 6.1 BOTH MINIMUM TOP HELIX EMBEDMENT DEPTH AND MINIMUM INSTALLATION TORQUE MUST BE ACHIEVED FOR PILE ACCEPTANCE.

HELICAL PILE SCHEDULE

PILE TYPE	QUANTITY	MAX. FACTORED DESIGN LOAD			AXIAL STRUCTURAL CAPACITY (KN)	SHAFT SIZE (MM)	HELIX SIZE (MM)	TOP HELIX MIN. EMBEDMENT (MM)	NO. OF HELIX	MIN. TORQUE (LB-FT)	MAX. TORQUE (LB-FT)
		COMPRESSION (KN)	UPLIFT (KN)	LATERAL (KN)							
M2	4	85	60		280	76.2 X 4.76	254 X 9.53	1200	1	3200	6200

REVISIONS:

#	DATE	REVISION
1	05-24-21	ISSUED
2	06-28-21	REVISED FOR PERMIT

PROJECT ADDRESS:

50 ROSEBURY WAY
MOUNT HOPE, ON

DRAWING:

PAVILION
HELICAL PIERS

DATE:

MAY 24, 2021

REVISION DATE:

PAPER SIZE:

11" x 17"

SCALE:

AS NOTED

D9

NO. Revision By Date

No.	Date	Description	By	No.	Date	Description	By

CLIENT: MASCORE INC.		Designed	S.N.	Project:	Project Number:
CONSULTANT:		Drawn	S.N.	Title: HELICAL PILE DETAILS	Drawing Number: F1
		Checked	S.N.		
		Date:			



Hamilton

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Jamie and Peter Cook	
Applicant(s)*	Same as above	
Agent or Solicitor	Chris Hopkins	

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

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

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
The existing deck and pergola are rotting and becoming unsafe for our family. To make our backyard safe for our family we're proposing to create a space that will provide shade for our kids to play and protection covered from the elements.

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
In order to provide shade from the sub and protection from the elements we need to cover the entire new patio.

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

Registered Plan Number: 62M-1051

Lot Number: 59

Legal Description: S/T EASEMENT IN GROSS OVER LOT 59 PLAN 62M1051 AS IN WE375392. S/T/ EASEMENT FOR ENTRY UNTIL 2011/05/07 AS IN WE383208. CITY OF HAMILTON SUBJECT TO AN EASEMENT FOR ENTRY AS IN WE616747.

Street and Street Number: 50 Rosebury Way

7. PREVIOUS USE OF PROPERTY

<input checked="" type="radio"/> Residential	<input type="radio"/> Industrial	<input type="radio"/> Commercial
<input type="radio"/> Agricultural	<input type="radio"/> Vacant	<input type="radio"/> Other

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes ___ No X Unknown ___
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes ___ No X Unknown ___
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes ___ No X Unknown ___
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes ___ No X Unknown ___
- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes ___ No X Unknown ___
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes ___ No X Unknown ___
- 8.8 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?

13. Date of acquisition of subject lands:
November 15, 2017
-
14. Date of construction of all buildings and structures on subject lands:
Unknown
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family
17. Length of time the existing uses of the subject property have continued:
Over 15 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:
Neighbourhoods
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. Additional Information
24. 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.



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-18:143

SUBJECT PROPERTY: 197 Brucedale Ave. E., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent Urban Solutions
 Owner Frank Leonardis

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

Severed lands:
 7.2m[±] x 31.3m[±] and an area of 230.0m^{2±}

Retained lands:
 7.5m[±] x 31.3m[±] and an area of 240.0m^{2±}

**This application will be heard on conjunction with
 Minor Variance Application HM/A-18:385**

The Committee of Adjustment will hear this application on:

DATE: Thursday, August 12th, 2021

TIME: 3:35 p.m.

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

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

PUBLIC INPUT

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

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

HM/B-18:143
PAGE 2

MORE INFORMATION

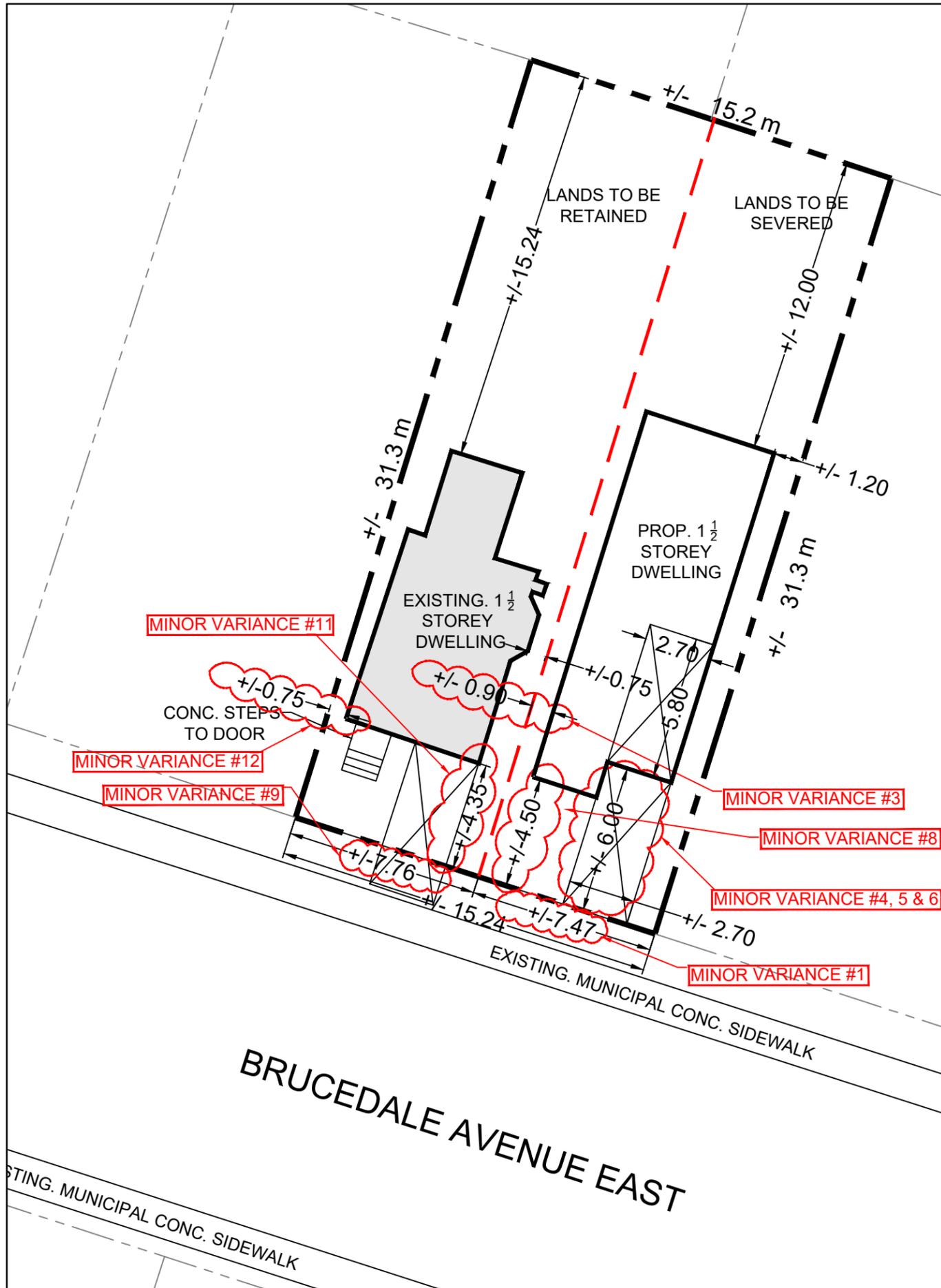
For more information on this matter, including access to drawings illustrating this request:

- 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: July 17th, 2021

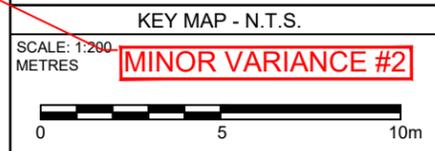
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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 #10

Development Statistics			
Zone: "C/S-1788" (Urban Protected Residential, Etc.)			
Item	Required	Retained Lands	Severed Lands
Permitted Use	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling
Min. Lot Area	360.0 m ²	+/- 247.80 m ² (MVR)	+/- 239.39 m ² (MVR)
Min. Lot Frontage	12.0 m	+/- 7.76 m (MVR)	+/- 7.47 m (MVR)
Min. Front Yard	6.0 m	+/- 4.35 m (MVR)	+/- 4.50 m (MVR)
Min. Side Yard	1.2 m	+/- 0.75 m (MVR)	+/- 0.90 m (MVR)
Min. Rear Yard	7.5 m	+/- 15.24 m	+/- 12.00 m
Max. Building Height	2.5 storeys (11.0 m)	1.5 storeys	1.5 storeys
Min. Front Yard Landscape Area	50%	+/- 21.67 m ² (64.81%)	+/- 21.53 m ² (63.84%)
Parking Spaces	2 spaces	0 space (MVR)	1 space (MVR)
Min. Parking Space Dim.	2.7 m x 6.0 m	N/A	2.7 m x 6.0 m
Min. Manoeuvring Space	6.0 m	0.0 m	0.0 m (MVR)
Parking Location	Not Front Yard	Front Yard	Front Yard (MVR)



MINOR VARIANCE #2

MINOR VARIANCE #7

REQUIRED VARIANCES:

LANDS TO BE SEVERED

- VARIANCE NO. 1:** A MINIMUM LOT WIDTH OF 7.2 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 12.0 METRES.
- VARIANCE NO. 2:** A MINIMUM LOT AREA OF 230.0 SQUARED METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 360.0 SQUARED METRES.
- VARIANCE NO. 3:** A MINIMUM SIDE YARD WIDTH OF 0.90 METRES SHALL BE PROVIDED ON THE WESTERLY SIDE LOT LINE INSTEAD OF THE MINIMUM REQUIRED 1.2 METRES.
- VARIANCE NO. 4:** A MINIMUM 1 RESIDENTIAL PARKING SPACE IS PROVIDED INSTEAD OF THE MINIMUM REQUIRED TWO (2) SPACES.
- VARIANCE NO. 5:** TO PERMIT A PARKING SPACE TO BE LOCATED WITHIN THE REQUIRED FRONT YARD INSTEAD OF THE REQUIREMENT IN THE BY-LAW WHICH STATES THAT NO PART OF A REQUIRED PARKING SPACE FOR A SINGLE FAMILY DWELLING IN A RESIDENTIAL DISTRICT SHALL BE LOCATED IN A REQUIRED FRONT YARD.
- VARIANCE NO. 6:** A MINIMUM OF 2.7 METRE ACCESS WIDTH SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 2.8 METRE ACCESS DRIVEWAY WIDTH WHERE THERE ARE FIVE OR LESS PARKING SPACES TO BE PROVIDED.
- VARIANCE NO. 7:** NO MANOEUVRING SPACE SHALL BE PROVIDED ON SITE INSTEAD OF THE MINIMUM REQUIRED 6.0 METRES.
- VARIANCE NO. 8:** TO PERMIT A FRONT YARD OF 4.5 METRES INSTEAD OF THE MINIMUM REQUIRED 6.0 METRES.

LANDS TO BE RETAINED

- VARIANCE NO. 9:** A MINIMUM LOT WIDTH OF 7.5 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 12.0 METRES
- VARIANCE NO. 10:** A MINIMUM LOT AREA OF 240.0 SQUARED METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 360.0 SQUARED METRES.
- VARIANCE NO. 11:** A MINIMUM FRONT YARD DEPTH OF 4.3 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED FRONT YARD DEPTH OF 6.0 METRES.
- VARIANCE NO. 12:** A MINIMUM SIDE YARD WIDTH OF 0.7 METRES SHALL BE PROVIDED ON THE EASTERLY AND WESTERLY SIDE LOT LINE INSTEAD OF THE MINIMUM REQUIRED 1.2 METRES.
- VARIANCE NO. 13:** NO PARKING SHALL BE PROVIDED ON SITE INSTEAD OF THE MINIMUM REQUIRED 2 PARKING SPACES.

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: APRIL 5, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

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

PROJECT:
**197 BRUCEDALE AVENUE EAST
CITY OF HAMILTON**

CLIENT:
MR. FRANK LEONARDIS

TITLE:
**COMMITTEE OF ADJUSTMENT
SKETCH**

U/S FILE NUMBER: 397-21 SHEET NUMBER: 1



June 18, 2021

397-21

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: 197 Brucedale Avenue East, City of Hamilton
Consent to Sever and Minor Variance Applications
HM/B-18:143 & HM/A-18:385**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Mr. Frank Leonardis, the registered owner of the lands municipally known as 197 Brucedale Avenue East, in the City of Hamilton (subject lands). The purpose of the Consent to Sever application is to separate the subject lands in to two (2) separate parcels.

These applications (HM/B-18:143 & HM/A-18:385) were heard at the January 24, 2019, Committee of Adjustment hearing where the decision was tabled. A revised application was submitted and heard by the Committee of Adjustment on June 3rd, 2021. At this hearing the application was tabled to allow additional discussion with the City to review and revise the proposed applications. Through discussions with the City and the applicant the below list includes revisions to the proposed development.

- Limiting the future dwelling to be a maximum building height of 9 metres (1.5 storeys) to reflect and complement the existing built form of the neighborhood.
- Increasing the east side yard setback for the lands to be severed to 1.20 metres for sufficient access and to satisfy development engineering comments.
- Increasing the rear yard to be a minimum of 12.00 metres to the rear of the property line to increase privacy on subject lands and surrounding properties.
- Reducing the front yard setback to 4.5 metres to a dwelling and 6 metres to an attached garage to create a street edge similar to adjacent properties along Brucedale Avenue East.

The revised list of requested Minor Variances as shown on the Committee of Adjustment Sketch include:

Lands to be Severed.

- **Variance No. 1:** A minimum lot width of 7.2 metres shall be provided instead of a minimum required 12.0 metres.
- **Variance No. 2:** A minimum lot area of 230.0 squared metres shall be provided instead of the minimum required 360.0 squared metres.
- **Variance No. 3:** A minimum side yard width of 0.90 metres shall be provided on the westerly side lot line instead of the minimum required 1.2 metres.
- **Variance No. 4:** A minimum 1 residential parking space is provided instead of the minimum required two (2) spaces.
- **Variance No. 5:** To permit a parking space to be located within the required front yard instead of the requirement in the by-law which states that no part of a required parking space for a single-family dwelling in a residential district shall be in a required front yard.
- **Minor Variance No. 6:** A minimum of 2.7 metre access width shall be provided instead of the minimum required 2.8 metre access driveway width where there are five or less parking spaces to be provided.
- **Minor Variance No. 7:** No maneuvering space shall be provided on site instead of the minimum required 6.0 metres.
- **Minor Variance No. 8:** To permit a front yard of 4.5 metres instead of the minimum required 6.0 metres

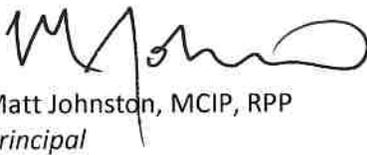
Lands to be Retained.

- **Variance No. 9:** A minimum lot width of 7.5 metres shall be provided instead of the minimum required 12.0 metres.
- **Variance No. 10:** A minimum lot area of 240.0 squared metres shall be provided instead of the minimum required 360.0 squared metres.
- **Variance No. 11:** A minimum front yard depth of 4.3 metres shall be provided instead of the minimum require front yard depth of 6.0 metres.
- **Variance No. 12:** A minimum side yard width of 0.7 metres shall be provided on the easterly and westerly side lot line instead of the minimum require 1.2 metres.
- **Variance No. 13:** No parking shall be provided on site instead of the minimum required 2 parking spaces.

In addition, we have been working with the City of Hamilton to initiate a Residential Boulevard Parking Agreement, which will allow a parking space which meets the Zoning By-law requirement of 2.70 metres in width by 6.0 metres in length within the municipal right of way for the lands to be retained. With the enhanced built form control measures as described on page one and the Residential Boulevard Parking Agreement, the variances outlined above and within the enclosed Minor Variance Sketch satisfy the 4 tests in Section 45 of the *Planning Act* and allow for the appropriate severance of the lands as per Section 53 of the *Planning Act*.

At this time, we request to be put on the next available Committee of Adjustment agenda. We trust the enclosed is in order; however please feel free to contact the undersigned with any questions. In support of this application, please find enclosed one (1) PDF of the Committee of Adjustment Sketch.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Laura Drennan, CPT
Planning Technician

cc: Councillor Danko, Ward 8
Mr. Frank Leonardis
Mr. Sergio Manchia, UrbanSolutions Planning & Lands Development Consultants Inc.

18-144993



Hamilton

Planning and Economic Development Department
 Planning Division

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

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

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

Office Use Only

Date Application Received: Nov 23/18	Date Application Deemed Complete: HM18-18:143	Submission No.:	File No.:
---	--	-----------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE NO.
Registered Owners(s)	Frank Leonardis	[REDACTED]	[REDACTED]
Applicant(s)*	Frank Leonardis	[REDACTED]	[REDACTED]
Agent or Solicitor		[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 Hamilton Wentworth	Lot 72	Concession	Former Township
Registered Plan N°. 495	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 197 Brucevale Ave East			Assessment Roll N°. 0809030008500000

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:
Frank Leonard

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) 15.24m 7.48m	Depth (m) 31.272m	Area (m ² or ha) 476,585 m² 233.91 m ²
---	----------------------	---

Existing Use of Property to be severed:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input checked="" 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: ~~existing house on property to be retained~~ vacant
 Proposed: single detached 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**:

Frontage (m) 7.47m	Depth (m) 31.272m	Area (m ² or ha) 233.60 m ²
-----------------------	----------------------	--

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: 1 1/2 story single detached home to be retained

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): ✓

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

- land size of proposed lot is in character with neighborhood (see attached)

- this is an underutilized potential lot within previously developed area which achieves efficient development that optimizes use of land, resources and public investment in infrastructure

5.2 What is the existing zoning of the subject land? Urban Protected Residential, District "C"
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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

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

N/A

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"/>	

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

- cost effective development that minimizes land consumption and servicing costs

- proposed land use focuses on growth + development within urban settlement area.

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

Yes No (Provide explanation)

1.1.3.4 - 1.1.3.5 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form.

Planning authorities shall establish and implement minimum targets to intensification and redevelopment within built up areas;

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

Yes No (Provide explanation)

This will prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability

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 (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.

*Proposed lot is around corner of East 8th Street
 most homes on East 8th are approximated 25' Frontage
 *See attached, lot and proposed home will
 be in character with neighborhood*

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-18:385

APPLICANTS: Agent Urban Solutions
 Owner Frank Leonardis

SUBJECT PROPERTY: Municipal address **197 Brucedale Ave. E., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the creation of two lots through Land Severance Application HM/B-18: 143 and the construction of a new one storey single family dwelling on the lot to be severed notwithstanding that;

Lands to be Severed:

1. A minimum lot width of 7.2 m shall be provided instead of the minimum required of 12.0 m; and
2. A minimum lot area of 230.0 m² shall be provided instead of the minimum required of 360.0 m²; and
3. A minimum front yard depth of 4.5 m shall be provided instead of the minimum required front yard depth of 6.0 m; and
4. A minimum side yard width of 0.9 m shall be provided on the westerly side lot line instead of the minimum required of 1.2 m; and
5. A minimum of one (1) Parking space shall be provided instead of the minimum required two (2) spaces; and
6. A minimum parking space length of 5.8 m shall be provided within the attached garage instead of the minimum required parking space length of 6.0 m; and
7. A minimum of 2.7 m access width shall be provided instead of the minimum required 2.8 m access driveway width where there are five or less parking spaces to be provided.

Lands to be Retained:

1. A minimum lot width of 7.5 m shall be provided instead of the minimum required of 12.0 m; and
2. A minimum lot area of 240.0 m² shall be provided instead of the minimum required of 360.0 m²; and

HM/A-18:385

Page 2

3. A minimum front yard depth of 4.3 m shall be maintained instead of the minimum required front yard depth of 6.0 m; and

4. A minimum side yard width of 0.7 m shall be provided on the easterly and westerly side lot line instead of the minimum required of 1.2 m; and

5. No parking shall be provided on site instead of the minimum required instead of the minimum required 2 spaces.

Notes:

Please be advised that the proposed variances have been written based on the lot width and area provided on the application by the applicant; should this information is inaccurate then further variances may be required.

Eaves and gutters may encroach into a required side yard not more than one-half of its width, or 1.0 metre, whichever is the lesser. No details have been provided; therefore, further variances may be required.

These variances are necessary to facilitate Land Severance Application # HM/B-18: 143.

Lands to be Severed:

Variances have been written as requested by the applicant.

Please note that variance # 4 has been written based on eight (8) habitable rooms. No floor plans have been provided with the application. If the number of habitable rooms exceed eight (8) then further variances shall be required.

Variance for manoeuvring has been requested by the applicant; however, 6.0 m is provided outside the garage; therefore, the requested variance is not necessary.

Eaves and gutters may project into a required side yard not more than one-half of its width or 1.0m whichever is lesser. Insufficient details were provided from which to determine compliance.

Lands to be Retained:

Please note that variance # 3 has been written as requested by the applicant. Please note that no additions or alterations are being proposed for the retained lands; therefore, no variances are being triggered and the existing parking shall remain as is. The requested variance for reduced parking length has not been included as this is not considered to be a parking space, and since no alterations to increase the total number of habitable rooms no variances are being triggered for parking and the existing parking shall remain. However, variance # 5 has been written as per the applicant request.

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

DATE: Thursday, August 12th, 2021
TIME: 3:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

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PUBLIC INPUT

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

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

MORE INFORMATION

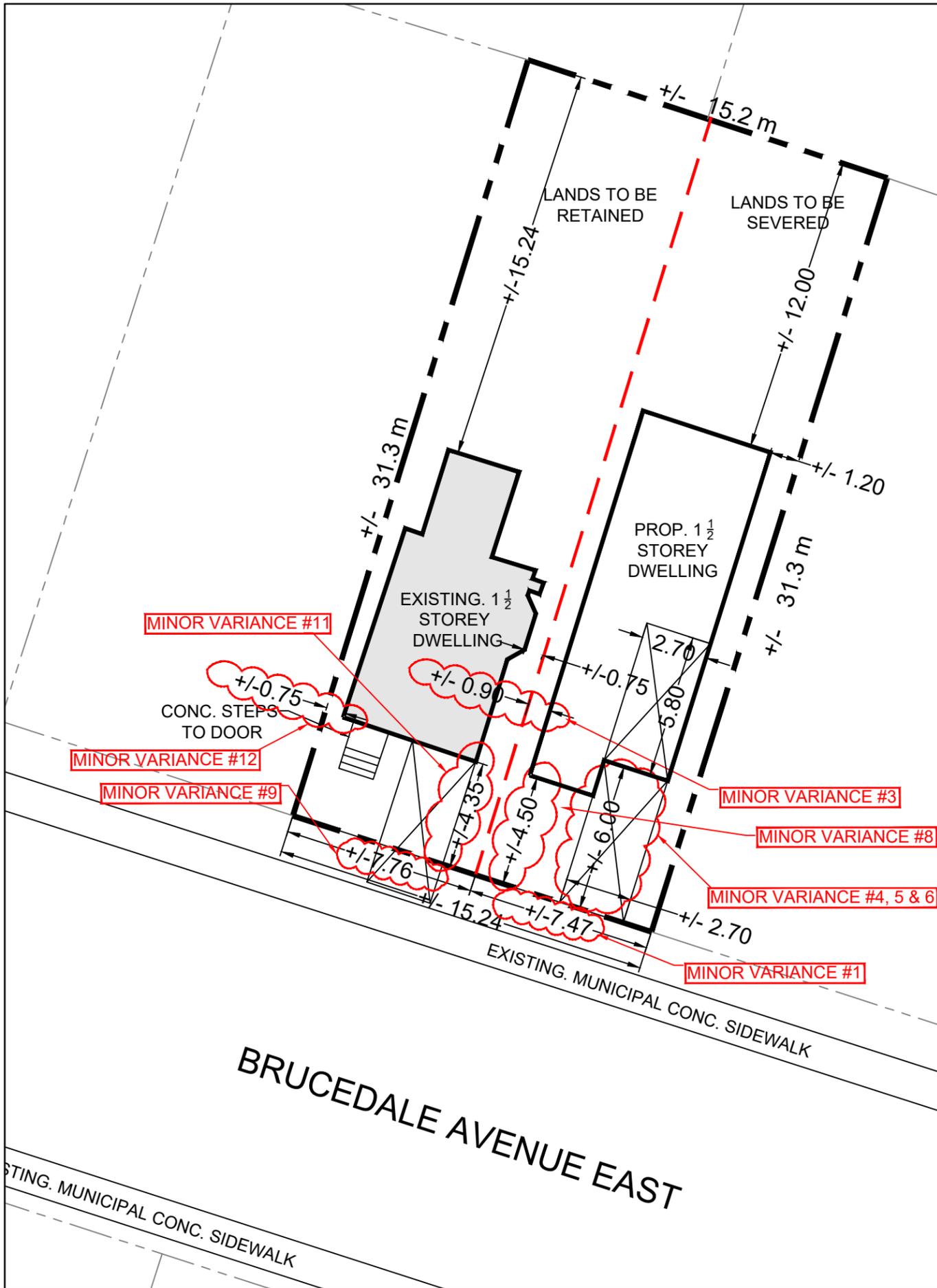
For more information on this matter, including access to drawings illustrating this request:

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

DATED: July 27th, 2021.

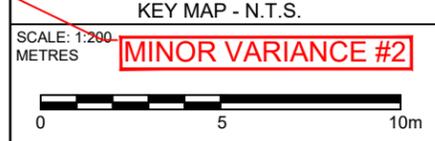
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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 #10

Development Statistics			
Zone: "C/S-1788" (Urban Protected Residential, Etc.)			
Item	Required	Retained Lands	Severed Lands
Permitted Use	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling
Min. Lot Area	360.0 m ²	+/- 247.80 m ² (MVR)	+/- 239.39 m ² (MVR)
Min. Lot Frontage	12.0 m	+/- 7.76 m (MVR)	+/- 7.47 m (MVR)
Min. Front Yard	6.0 m	+/- 4.35 m (MVR)	+/- 4.50 m (MVR)
Min. Side Yard	1.2 m	+/- 0.75 m (MVR)	+/- 0.90 m (MVR)
Min. Rear Yard	7.5 m	+/- 15.24 m	+/- 12.00 m
Max. Building Height	2.5 storeys (11.0 m)	1.5 storeys	1.5 storeys
Min. Front Yard Landscape Area	50%	+/- 21.67 m ² (64.81%)	+/- 21.53 m ² (63.84%)
Parking Spaces	2 spaces	0 space (MVR)	1 space (MVR)
Min. Parking Space Dim.	2.7 m x 6.0 m	N/A	2.7 m x 6.0 m
Min. Manoeuvring Space	6.0 m	0.0 m	0.0 m (MVR)
Parking Location	Not Front Yard	Front Yard	Front Yard (MVR)



MINOR VARIANCE #2

MINOR VARIANCE #7

REQUIRED VARIANCES:

LANDS TO BE SEVERED

- VARIANCE NO. 1:** A MINIMUM LOT WIDTH OF 7.2 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 12.0 METRES.
- VARIANCE NO. 2:** A MINIMUM LOT AREA OF 230.0 SQUARED METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 360.0 SQUARED METRES.
- VARIANCE NO. 3:** A MINIMUM SIDE YARD WIDTH OF 0.90 METRES SHALL BE PROVIDED ON THE WESTERLY SIDE LOT LINE INSTEAD OF THE MINIMUM REQUIRED 1.2 METRES.
- VARIANCE NO. 4:** A MINIMUM 1 RESIDENTIAL PARKING SPACE IS PROVIDED INSTEAD OF THE MINIMUM REQUIRED TWO (2) SPACES.
- VARIANCE NO. 5:** TO PERMIT A PARKING SPACE TO BE LOCATED WITHIN THE REQUIRED FRONT YARD INSTEAD OF THE REQUIREMENT IN THE BY-LAW WHICH STATES THAT NO PART OF A REQUIRED PARKING SPACE FOR A SINGLE FAMILY DWELLING IN A RESIDENTIAL DISTRICT SHALL BE LOCATED IN A REQUIRED FRONT YARD.
- VARIANCE NO. 6:** A MINIMUM OF 2.7 METRE ACCESS WIDTH SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 2.8 METRE ACCESS DRIVEWAY WIDTH WHERE THERE ARE FIVE OR LESS PARKING SPACES TO BE PROVIDED.
- VARIANCE NO. 7:** NO MANOEUVRING SPACE SHALL BE PROVIDED ON SITE INSTEAD OF THE MINIMUM REQUIRED 6.0 METRES.
- VARIANCE NO. 8:** TO PERMIT A FRONT YARD OF 4.5 METRES INSTEAD OF THE MINIMUM REQUIRED 6.0 METRES.

LANDS TO BE RETAINED

- VARIANCE NO. 9:** A MINIMUM LOT WIDTH OF 7.5 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 12.0 METRES
- VARIANCE NO. 10:** A MINIMUM LOT AREA OF 240.0 SQUARED METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED 360.0 SQUARED METRES.
- VARIANCE NO. 11:** A MINIMUM FRONT YARD DEPTH OF 4.3 METRES SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED FRONT YARD DEPTH OF 6.0 METRES.
- VARIANCE NO. 12:** A MINIMUM SIDE YARD WIDTH OF 0.7 METRES SHALL BE PROVIDED ON THE EASTERLY AND WESTERLY SIDE LOT LINE INSTEAD OF THE MINIMUM REQUIRED 1.2 METRES.
- VARIANCE NO. 13:** NO PARKING SHALL BE PROVIDED ON SITE INSTEAD OF THE MINIMUM REQUIRED 2 PARKING SPACES.

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: APRIL 5, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

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

PROJECT:
197 BRUCEDALE AVENUE EAST
CITY OF HAMILTON

CLIENT:
MR. FRANK LEONARDIS

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER: 397-21 SHEET NUMBER: 1



June 18, 2021

397-21

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: 197 Brucedale Avenue East, City of Hamilton
Consent to Sever and Minor Variance Applications
HM/B-18:143 & HM/A-18:385**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Mr. Frank Leonardis, the registered owner of the lands municipally known as 197 Brucedale Avenue East, in the City of Hamilton (subject lands). The purpose of the Consent to Sever application is to separate the subject lands in to two (2) separate parcels.

These applications (HM/B-18:143 & HM/A-18:385) were heard at the January 24, 2019, Committee of Adjustment hearing where the decision was tabled. A revised application was submitted and heard by the Committee of Adjustment on June 3rd, 2021. At this hearing the application was tabled to allow additional discussion with the City to review and revise the proposed applications. Through discussions with the City and the applicant the below list includes revisions to the proposed development.

- Limiting the future dwelling to be a maximum building height of 9 metres (1.5 storeys) to reflect and complement the existing built form of the neighborhood.
- Increasing the east side yard setback for the lands to be severed to 1.20 metres for sufficient access and to satisfy development engineering comments.
- Increasing the rear yard to be a minimum of 12.00 metres to the rear of the property line to increase privacy on subject lands and surrounding properties.
- Reducing the front yard setback to 4.5 metres to a dwelling and 6 metres to an attached garage to create a street edge similar to adjacent properties along Brucedale Avenue East.

The revised list of requested Minor Variances as shown on the Committee of Adjustment Sketch include:

Lands to be Severed.

- **Variance No. 1:** A minimum lot width of 7.2 metres shall be provided instead of a minimum required 12.0 metres.
- **Variance No. 2:** A minimum lot area of 230.0 squared metres shall be provided instead of the minimum required 360.0 squared metres.
- **Variance No. 3:** A minimum side yard width of 0.90 metres shall be provided on the westerly side lot line instead of the minimum required 1.2 metres.
- **Variance No. 4:** A minimum 1 residential parking space is provided instead of the minimum required two (2) spaces.
- **Variance No. 5:** To permit a parking space to be located within the required front yard instead of the requirement in the by-law which states that no part of a required parking space for a single-family dwelling in a residential district shall be in a required front yard.
- **Minor Variance No. 6:** A minimum of 2.7 metre access width shall be provided instead of the minimum required 2.8 metre access driveway width where there are five or less parking spaces to be provided.
- **Minor Variance No. 7:** No maneuvering space shall be provided on site instead of the minimum required 6.0 metres.
- **Minor Variance No. 8:** To permit a front yard of 4.5 metres instead of the minimum required 6.0 metres

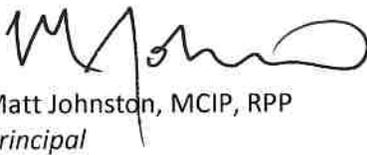
Lands to be Retained.

- **Variance No. 9:** A minimum lot width of 7.5 metres shall be provided instead of the minimum required 12.0 metres.
- **Variance No. 10:** A minimum lot area of 240.0 squared metres shall be provided instead of the minimum required 360.0 squared metres.
- **Variance No. 11:** A minimum front yard depth of 4.3 metres shall be provided instead of the minimum require front yard depth of 6.0 metres.
- **Variance No. 12:** A minimum side yard width of 0.7 metres shall be provided on the easterly and westerly side lot line instead of the minimum require 1.2 metres.
- **Variance No. 13:** No parking shall be provided on site instead of the minimum required 2 parking spaces.

In addition, we have been working with the City of Hamilton to initiate a Residential Boulevard Parking Agreement, which will allow a parking space which meets the Zoning By-law requirement of 2.70 metres in width by 6.0 metres in length within the municipal right of way for the lands to be retained. With the enhanced built form control measures as described on page one and the Residential Boulevard Parking Agreement, the variances outlined above and within the enclosed Minor Variance Sketch satisfy the 4 tests in Section 45 of the *Planning Act* and allow for the appropriate severance of the lands as per Section 53 of the *Planning Act*.

At this time, we request to be put on the next available Committee of Adjustment agenda. We trust the enclosed is in order; however please feel free to contact the undersigned with any questions. In support of this application, please find enclosed one (1) PDF of the Committee of Adjustment Sketch.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Laura Drennan, CPT
Planning Technician

cc: Councillor Danko, Ward 8
Mr. Frank Leonardis
Mr. Sergio Manchia, UrbanSolutions Planning & Lands Development Consultants Inc.

18-146416



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

FOR OFFICE USE ONLY.

APPLICATION NO. HM/A-18: 385 DATE APPLICATION RECEIVED Nov 23/18

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 Frank Leonardis 
FAX NO. _____ E-mail address _____
- Address 
- 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:
Ukrainian Credit Union Postal Code L8H 2V9
1252 Barton Street East
Postal Code _____

-reduction of maneuvering space for parking on retained and severed land

6. Nature and extent of relief applied for: Bylaw calls for:
-sideyard along each lot line of a width of at least 12m (39.4ft) requested sideyard of .749 meters (24.6ft) same distance as existing structure on lot
-every tract of land in C district have a width of 12m (39.37ft) and area of 360sq/m (3875.13sq/ft) requesting width of 7.48m (24.54') and area of 233sq/m (2517sq/ft)

7. Why it is not possible to comply with the provisions of the By-law?
-current house on property is built, reduced lot would not allow a home to be built.

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 495, lot 72

Address of land is 195 Brucedale Avenue E

9. PREVIOUS USE OF PROPERTY

Residential [checked] Industrial [] Commercial []
Agricultural [] Vacant [checked]
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 [checked] Unknown []
9.3 Has a gas station been located on the subject land or adjacent lands at any time? Yes [] No [checked] Unknown []
9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands? Yes [] No [checked] 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 [checked] 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 [checked] Unknown []
9.7 Have the lands or adjacent lands ever been used as a weapon firing range? Yes [] No [checked] 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 [checked] 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 [checked] 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?

purchase agreement, discussion with 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

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.

Date _____

Signature Property Owner

Frank Leonardis

Print Name of Owner

10. Dimensions of lands affected:

Frontage 50ft
Depth 102.6ft-102.9ft (see survey)
Area 5130 sq/ft
Width of street 60ft (Brucedale Ave E)

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 house, 20.54' wide, 38.22' length, ground floor area 685 sq/ft, gross floor area 1165 sq/ft

Proposed: 1 1/2 or 2 storey house, 1091 sq/ft ground floor, 1800 sq/ft total gross floor area, 19.62' wide, 55.61' length

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

Existing: east side yard 2.46-2.9 from lot line to house, see survey
- west side of house to east property line 27'
- 14.22' front of house to front lot line

Proposed: side yard along each lot line 2.46ft (same as existing structure on lot)
- 22ft front property line to house
- 25ft rear house to rear property line

13. Date of acquisition of subject lands:
March 19, 2018

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

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:

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

19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Protected Residential "C" District

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

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

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

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 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-21:254

APPLICANTS: Owners M. & B. Haldenby

SUBJECT PROPERTY: Municipal address **185 Springside Dr., Glanbrook**

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

ZONING: "464" (Existing Residential) district

PROPOSAL: To permit the construction of an accessory building in the rear yard for a single family dwelling, notwithstanding that:

1. An accessory building over 12 square metres in gross floor area shall have a 1.8 metre rear yard, whereas the property does not meet the specific criteria of the Zoning By-law to have a 1.8 metre rear yard in the ER Zone;
2. The rear lot line of the property shall abut lots which are less than 0.8 hectares in lot area instead of the requirement for the rear lot line of the property to only abut lot(s) which are greater than 0.8 hectares in lot area to permit an accessory building over 12 square metres in gross floor area with a 1.8 metre rear yard;
3. The lands which abut the rear lot line of the property shall have a Residential (i.e. Neighbourhoods) designation in the Official Plan, whereas the Zoning By-law requires the lands abutting the rear lot line to have an Official Plan land use designation other than Residential to permit an accessory building over 12 square metres in gross floor area with a 1.8 metre rear yard;
4. The maximum gross floor area of an accessory building shall be 112 square metres of gross floor area instead of the required 40 square metres.

NOTES:

1. Variances #2 and #3 are to address two of the four criteria provided in Section 7.13 of the Zoning By-law, as noted in Variance #1, to allow for an accessory building that is greater than 12 square metres to have a 1.8 metre rear yard. The variances have applied the wording of the Zoning By-law for the 1.8 metre rear yard which is the same as a setback of 1.8m from the rear lot line. The wording for Variance #3 has been updated to reflect the applicable designation provided in the current City of Hamilton Urban Official Plan instead of the former Township of Glanbrook Official Plan.
2. The variances are written as requested by the applicant except that additional variances have been included based on the review of the application.

GL/A-21: 254
Page 2

3. As the application has identified the proposed accessory building to also be a “workshop, it is noted that the Zoning By-law does not permit a home occupation to be carried out within an attached or detached garage, shed or other accessory building on the subject lot. The use of the building as a workshop would be required to be for purposes of a hobby instead of as a home business, or further variances will be required.

4. The Zoning By-law requires the floor area of a building used for a garage to be a minimum of 0.3m (30 cm) above the centreline of the adjacent street. As no information pertaining to this requirement was provided, further variances may be required if the floor height does not comply.

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

DATE: Thursday, August 12th, 2021
TIME: 3:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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Certificate of Design and Manufacturing Conformance

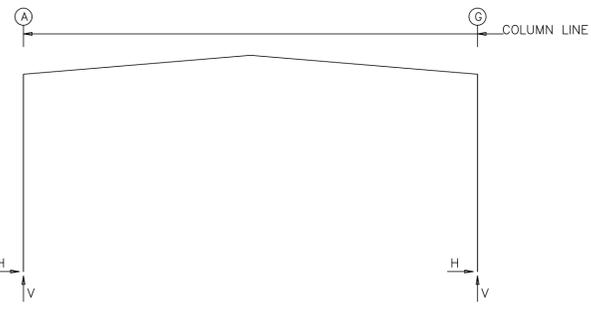
This Certificate is to affirm that all components of the steel building system described below, to be supplied by the named Manufacturer certified in accordance with CSA A660, have been or will be designed and fabricated in accordance with the following Standards to carry the loads and load combinations specified.

<p>1. DESCRIPTION Manufacturer's Name and Address: Steelway Building Systems, Springwater Rd., Aylmer, ON, Canada Manufacturer's Certificate No. under CSA A660: STEEL0 Customer Order Number: 76021 Building Type and Size: Allsteel [9144Wx12192Lx3962/3962H] (mm) Intended Use and Occupancy: Commercial Importance Category (OBC, Sentence 4.1.2.1.(3)): II - Normal Site Location: Hamilton, Ontario, Canada Applicable Building Code: OBC 2012-88/19 Builder's Name and Address: ower Steel Buildings, 311 Amber Street, Markham, Ontario Owner's Name and Address: HB970-30X40X13, Hamilton, Ontario</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>(d) Wind Load Application CL (i) Applied as per <i>OBC</i>, Part 4, Section 4.1.7 (ii) Pressure coefficients as per User's Guide – <i>NBC</i> 2015 Structural Commentaries (Part 4 of Division B), <i>Commentary I: Wind Loads</i>, Figures 4.1.7.6 A-H, A-4.1.7.5 (iii) Building internal pressure Category 2 per User's Guide – <i>NBC</i> 2015 Structural Commentaries (Part 4 of Division B), <i>Commentary I: Wind Loads</i></p>
<p>2. DESIGN STANDARDS <i>Ontario Building Code, 2012-88/19, Part 4: Structural Design</i> CAN/CSA-S16-14, <i>Limit States Design of Steel Structures</i> CAN/CSA-S136-16, <i>North American Specification for the Design of Cold-Formed Steel Structural Members</i> Other (specify):</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>(e) Crane Loads (where applicable) N/A Type: (top running)(under-running)(jib) Capacity: (tonnes) Wheel base: (m) Maximum static, vertical wheel load: (kN) Vertical impact factor: % Lateral factor: % Lateral wheel load: (kN) Longitudinal factor: % Maximum longitudinal load: (kN/side)</p>
<p>3. MANUFACTURING STANDARDS (a) Fabrication has been or will be in accordance with CAN/CSA-S16 and CAN/CSA-S136, as applicable. (b) Welding has been or will be performed in accordance with CSA W59 and CAN/CSA-S136, as applicable. (c) The Manufacturer has been certified in accordance with CSA W47.1, for Division 1 or Division 2, and/or CSA W55.3, if applicable. (d) Welders have been qualified in accordance with CSA-W47.1.</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>(f) Mezzanine Live Load: (kPa) N/A (g) Seismic Load: CL (Applied as per <i>OBC</i>, Part 4, Sub-section 4.1.8 $S_a(0.2)$ 0.260, $S_a(0.5)$ 0.128, $S_a(1.0)$ 0.061, $S_a(2.0)$ 0.028, $S_a(5.0)$ 0.0068, $S_a(10.0)$ 0.0027, F_a 1.19, F_v 1.50, I_E 1.00)</p>
<p>4. PURLIN STABILITY Purlin braces are provided in accordance with CAN/CSA-S136, Clause D3 and Appendix B, Clause D3.2.2. In particular, for a standing seam roof supported on movable clips, braces providing lateral support to both top and bottom purlin flange have been or will be provided. The number of rows is determined by analysis but in no case is less than 1 for spans up to 7m inclusive or less than 2 for spans greater than 7m.</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>(h) Other Live Loads N/A (Specify):(kPa) (i) Dead Loads CL Dead load of building components is incorporated in the design Collateral load (mechanical, electrical, ceiling, sprinklers, etc.): 0.05 (kPa) Mezzanine: (kPa) Other (specify): ()</p>
<p>5. LOADS (a) Snow, Ice, and Rain Load CL 1-in-50 year ground snow load, S_s, 1.3 (kPa) 1-in-50 year associated rain load, S_r, 0.4 (kPa) Wind exposure factor, C_w, 1.00 Importance factor, I_s, 1.00 Roof snow load, S, 1.44 (kPa) Drift load considered (<i>OBC</i> Sub-section 4.1.6.2.8) refer to drawing of specific building Specified rain load (<i>OBC</i>, Article 4.1.6.4) 108 (mm).</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>(j) Load Combinations CL Applied in accordance with <i>OBC</i>, Part 4, Section 4.1.</p>
<p>(b) Full and Partial Snow Load CL (i) Applied on any one and any two adjacent spans of continuous purlins (ii) Applied on any one and any two adjacent spans of modular rigid frames with continuous roof beams (iii) Applied as described for the building geometry in <i>OBC</i>, Part 4, and in the User's Guide - <i>NBC</i> 2015 Structural Commentaries (Part 4), <i>Commentary G: Snow Loads</i></p> <p>(c) Wind Load CL 1-in-50 year reference velocity pressure 0.46 (kPa) Importance factor, I_w 1.00 Wind Topographic factor, C_t, 1.0</p>	<p>Engineer's Initials * <div style="border: 1px solid black; padding: 2px; text-align: center;">CL</div></p>	<p>6. GENERAL REVIEW DURING CONSTRUCTION The Manufacturer does not provide general review during construction for regulatory purposes.</p> <p>7. CERTIFICATION BY ENGINEER I Chung Lee, P.Eng., a Professional Engineer registered or licensed to practice in the Province or Territory of Ontario, hereby certify that I have reviewed the design and manufacturing process for the steel building system described. I certify that the foregoing statements, initialed by me, are true.</p> <p>Name: Chung Lee, P.Eng. Title: Scheduling & Quality Standards Leader Affiliation: Steelway Building Systems Date: Apr 20, 2021</p>



* Initial each true statement. Mark N/A if statement does not apply.

FRAME LINES: 2 3 4



RIGID FRAME: BASIC COLUMN REACTIONS (UNFACTORED) (k)

Frame Line	Column Line	Dead Horiz	Dead Vert	Collateral Horiz	Collateral Vert	Live Horiz	Live Vert	Snow Horiz	Snow Vert	Wind_Left1 Horiz	Wind_Left1 Vert	Wind_Right1 Horiz	Wind_Right1 Vert	Wind Press Horiz
2*	A	0.2	0.8	0.0	0.2	0.9	3.1	1.3	4.5	-1.0	-2.6	0.4	-1.6	
2*	G	-0.2	0.8	0.0	0.2	-0.9	3.1	-1.3	4.5	-0.4	-1.6	1.0	-2.6	

Frame Line	Column Line	Wind_Left2 Horiz	Wind_Left2 Vert	Wind_Right2 Horiz	Wind_Right2 Vert	Wind_Long1 Horiz	Wind_Long1 Vert	Wind_Long2 Horiz	Wind_Long2 Vert	Seismic_Left Horiz	Seismic_Left Vert	Seismic_Right Horiz	Seismic_Right Vert
2*	A	-1.2	-0.6	0.2	0.4	0.2	-3.7	0.1	-3.4	-0.3	-0.2	0.3	0.2
2*	G	-0.2	0.4	1.2	-0.6	-0.1	-3.4	-0.2	-3.7	-0.3	0.2	0.3	-0.2

Frame Line	Column Line	Seismic_Long Horiz	Seismic_Long Vert	F1UNB_SL_L Horiz	F1UNB_SL_L Vert	F1UNB_SL_R Horiz	F1UNB_SL_R Vert
2*	A	0.0	-1.3	1.0	4.0	1.0	2.8
2*	G	0.0	-1.3	-1.0	2.8	-1.0	4.0

2* Frame lines: 2 3 4

DESIGN PARAMETERS:

- A. CLIMATIC DESIGN DATA BASED ON THE FOLLOWING

 - Design Code = OBC 2012-88/19
 - Province = Ontario
 - Location* = Hamilton Above Escarpment East of John C. Munro Int'l Airport
 - Snow Load $S_s (1/50) = 27.17 \text{ psf}$
 - Rain Load $S_r (1/50) = 8.36 \text{ psf}$
 - Wind Pressure $q (1/50) = 9.61 \text{ psf}$
 - Seismic Data:
 - $S_a(0.2) = 0.260$
 - $S_a(0.5) = 0.128$
 - $S_a(1.0) = 0.061$
 - $S_d(2.0) = 0.028$
 - $S_d(5.0) = 0.0068$
 - $S_d(10.0) = 0.0027$
 - PGA = 0.1680

*Actual Site Location May Differ.
- B. Building Importance Category = II - Normal
- C. SEISMIC INFORMATION

 - Importance Seismic $I_e = 1.00$
 - Structural Configuration = Regular
 - Fundamental Lateral Period $T_a = 0.2387 \text{ seconds (Moment Frames)}$
 - Fundamental Lateral Period $T_a = 0.0991 \text{ seconds (Braced Frames)}$
 - Site Class = D
 - Acceleration Coefficient $F_a = 1.19$
 - Velocity Coefficient $F_v = 1.50$
 - Seismic Hazard Index = 0.308984
 - Design Method = Equivalent Static Force Method
 - SFRS = Conventional Steel Construction of Braced Frames
 - $R_d = 1.5$
 - $R_o = 1.3$
 - Restrictions = None

Steelway Building Systems confirms that the seismic force resisting system, diaphragms, and all connections within the SFRS have been designed in accordance with the 2012 Ontario Building Code as amended by regulation 88/19, Part 4, Clause 4.1.8 and CSA S16-14, Clause 27.11 for Conventional Construction.
- D. ROOF

 - Roof Dead Load = 4.0 psf (Excluding Self-Weight of Rigid Frames)
 - Collateral Load = 1 psf
 - Roof Live Load = 20.90 psf
 - Importance Snow (ULS) $I_s = 1.00$
 - Importance Snow (SLS) $I_s = 0.9$
 - Exposure Factor $C_w = 1.00$
 - Slope Factor $C_s = 1.00$
 - Basic Roof Snow Load Factor $C_b = 0.8000$
 - Shape Factor $C_a = 1.0000$
 - Specified Roof Snow Load $S = [S_s(C_b C_w C_s C_a) + S_r] = 30.1 \text{ psf}$
- E. WIND

 - Importance Wind (ULS) $I_w = 1.00$
 - Importance Wind (SLS) $I_w = 0.75$
 - Topographic Factor $C_t = 1.0$
 - Internal Pressure Category = 2
 - Exposure = 0
 - R - Rough Terrain $\geq 1.0\text{km}$
 - R1 - 0.75km rough
 - R2 - 0.50km rough
 - R3 - 0.25km rough
 - 0 - Open terrain

ENDWALL COLUMN: BASIC COLUMN REACTIONS (UNFACTORED) (k)

Frm Line	Col Line	Dead Vert	Collat Vert	Live Vert	Snow Vert	Wind_Left1 Horiz	Wind_Left1 Vert	Wind_Right1 Horiz	Wind_Right1 Vert	Wind_Left2 Horiz	Wind_Left2 Vert	Wind_Right2 Horiz	Wind_Right2 Vert	Wind Press Horiz
1	A	0.1	0.0	0.3	0.4	0.0	-0.3	0.0	-0.2	0.0	-0.1	0.0	0.0	-0.3
1	B	0.3	0.0	1.0	1.4	-0.5	-1.8	0.0	0.1	-0.5	-1.2	0.0	0.7	-0.7
1	D	0.3	0.1	1.1	1.6	0.0	-0.2	0.5	-1.7	0.0	0.4	0.5	-1.1	-0.9
1	F	0.2	0.0	0.9	1.4	0.0	-0.6	0.0	-1.1	0.0	0.1	0.0	-0.5	-0.6
1	G	0.0	0.0	-0.1	-0.1	0.0	0.0	0.0	0.2	0.0	-0.1	0.0	0.1	-0.2

Frm Line	Col Line	Wind Suct Horiz	Wind Suct Vert	Wind Long1 Vert	Wind Long2 Vert	Seis_Left Horiz	Seis_Left Vert	Seis_Right Horiz	Seis_Right Vert	E1UNB_SL_L Horiz	E1UNB_SL_L Vert	E1UNB_SL_R Horiz	E1UNB_SL_R Vert
1	A	0.3	-0.3	-0.3	-0.3	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.2
1	B	0.5	-1.1	-1.1	-0.3	-0.4	0.0	0.5	0.0	1.4	0.0	0.7	0.7
1	D	0.7	-1.2	-1.2	0.0	0.4	0.3	-0.5	0.0	1.1	0.0	1.3	1.3
1	F	0.4	-1.0	-1.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	1.5	1.5
1	G	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.2	-0.2

Frm Line	Col Line	Dead Vert	Collat Vert	Live Vert	Snow Vert	Wind_Left1 Horiz	Wind_Left1 Vert	Wind_Right1 Horiz	Wind_Right1 Vert	Wind_Left2 Horiz	Wind_Left2 Vert	Wind_Right2 Horiz	Wind_Right2 Vert	Wind Press Horiz
5	G	0.1	0.0	0.4	0.6	0.0	-0.5	0.0	-0.3	0.0	-0.1	0.0	0.0	-0.5
5	E	0.3	0.1	1.2	1.7	-0.5	-1.9	0.0	-0.1	-0.5	-1.3	0.0	0.6	-0.9
5	C	0.3	0.1	1.2	1.7	0.0	-0.1	0.5	-1.9	0.0	0.6	0.5	-1.3	-0.9
5	A	0.1	0.0	0.4	0.6	0.0	-0.3	0.0	-0.5	0.0	0.0	0.0	-0.1	-0.5

Frm Line	Col Line	Wind Suct Horiz	Wind Suct Vert	Wind Long1 Vert	Wind Long2 Vert	Seis_Left Horiz	Seis_Left Vert	Seis_Right Horiz	Seis_Right Vert	E2UNB_SL_L Horiz	E2UNB_SL_L Vert	E2UNB_SL_R Horiz	E2UNB_SL_R Vert
5	G	0.4	-0.5	-0.5	-0.5	0.0	0.0	0.0	0.0	0.0	0.6	0.0	0.3
5	E	0.6	-1.3	-1.3	-0.3	-0.5	0.0	0.4	0.0	1.7	0.0	0.9	0.9
5	C	0.6	-1.3	-1.3	0.0	0.4	0.3	-0.5	0.0	0.9	0.0	1.7	1.7
5	A	0.4	-0.5	-0.5	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.6	0.6

BUILDING BRACING REACTIONS (UNFACTORED)

Loc	Wall Line	Col Line	± Reactions(k)				Panel Shear (lb/ft)	
			Wind Horiz	Wind Vert	Seismic Horiz	Seismic Vert	Wind	Seis
L_EW	1	B,D	0.5	0.7	0.3	0.4		
F_SW	G	2,3	1.3	1.5	1.1	1.3		
R_EW	5	E,C	0.5	0.7	0.3	0.4		
B_SW	A	3,2	1.3	1.5	1.1	1.3		

GENERAL NOTES

- INFORMATION ON THIS DRAWING IS INTENDED FOR CONSTRUCTION ONLY WHEN BEARING A STEELWAY ENGINEERS SIGNED PROFESSIONAL SEAL AND WHEN FREE OF ANY NOTATIONS STATING OTHERWISE.
- REACTIONS ARE BASED ON THE ORDER DOCUMENTS AT THE TIME OF TRANSMITTAL. ANY CHANGES TO BUILDING LOADS OR DIMENSIONS MAY CHANGE THE REACTIONS. THE REACTIONS WILL BE SUPERCEDED AND VOIDED BY ANY FUTURE TRANSMITTAL.
- THE BUILDING REACTION DATA REPORTS THE LOADS WHICH THIS BUILDING PLACES ON THE FOUNDATIONS. POSITIVE REACTIONS ARE AS SHOWN IN THE SKETCH. FOUNDATION LOADS ARE IN OPPOSITE DIRECTIONS.
- BRACING REACTIONS (UNFACTORED) ARE IN THE PLANE OF THE BRACE WITH THE 'H' POINTING AWAY FROM THE BRACED BAY. THE VERTICAL REACTION IS DOWNWARD. THE ENDWALL WIND LOAD REACTIONS INCLUDE REACTIONS FROM ENDWALL BRACING.
- UNITS ARE KIPS/KIP-FT FOR IMPERIAL UNITS OR KN/KN-M FOR METRIC UNITS.
- FOUNDATION DESIGN AND CONSTRUCTION IS NOT THE RESPONSIBILITY OF STEELWAY BUILDING SYSTEMS.
- UNFACTORED 'SERVICE' REACTIONS ARE PROVIDED FOR EACH LOAD CASE. IT IS THE RESPONSIBILITY OF THE FOUNDATION DESIGNER TO USE THESE REACTIONS IN CONJUNCTION WITH THE APPLICABLE LOAD COMBINATIONS, CODES AND STANDARDS FOR THE DESIGN OF THE FOUNDATION.
- REFER TO ANCHOR PLAN & DETAILS FOR ANCHOR ROD DIAMETER, QUANTITY AND PLACEMENT. THESE ARE SUGGESTED MINIMUMS BASED ON CALCULATED REACTIONS AND FACTORED LOAD COMBINATIONS FOR THE STEEL BUILDING. FOUNDATION DESIGN MAY REQUIRE DIFFERENT LOAD COMBINATIONS - FOUNDATION ENGINEER MUST SPECIFY FINAL DIAMETER, QUANTITY, ARRANGEMENT, AND EMBEDMENT LENGTH & STYLE (HOOKED, WELED PLATE, ETC).
- ALL APPLICABLE BUILDING CODE AND CSA CRANE GUIDE LOAD COMBINATIONS HAVE BEEN APPLIED TO THE STEELWAY STRUCTURE.
- REFER TO G1 SHEET FOR ADDITIONAL INFORMATION ON DESIGN RESPONSIBILITIES.
- ALL ANCHOR RODS SHALL BE MINIMUM 1554 GR36 OR EQUIVALENT.
- COLUMN BASE PLATES ARE DESIGNED ASSUMING A MINIMUM SPECIFIED COMPRESSIVE STRENGTH (fc') OF CONCRETE OF 2,900 P.S.I. (20 MPA) AT 28 DAYS.
- RIGID FRAME SEISMIC REACTIONS HAVE NOT BEEN AMPLIFIED BY R_d , R_o .
- BRACING & PORTAL FRAME SEISMIC REACTIONS HAVE NOT BEEN AMPLIFIED BY R_d , R_o , UNLESS 'SEISMIC HAZARD INDEX' >0.45 (SEE SECTION C), IN WHICH CASE THEY ARE AMPLIFIED BY R_o -1.3.
- THE BASIC UNFACTORED COLUMN REACTIONS ARE BASED ON THE FOLLOWING LOADS:

BASIC LOAD DEFINITIONS

DEAD - SELF-WEIGHT OF THE BUILDING SYSTEM.
 COLLAT/COLLATERAL - MECHANICAL, ELECTRICAL, CEILINGS, SPRINKLERS, ETC.
 LIVE - ROOF LIVE LOAD
 FLOOR - FLOOR LIVE LOAD DUE TO INTENDED USE & OCCUPANCY.
 SNOW - ROOF SNOW LOAD
 DRIFT - SNOW LOAD DUE TO SNOW ACCUMULATION.

EXTERNAL WIND PERPENDICULAR TO RIDGE

WIND_LEFT1 - FROM LEFT COMBINED WITH INTERNAL PRESSURE.
 WIND_RIGHT1 - FROM RIGHT COMBINED WITH INTERNAL PRESSURE.
 WIND_LEFT2 - FROM LEFT COMBINED WITH INTERNAL SUCTION.
 WIND_RIGHT2 - FROM RIGHT COMBINED WITH INTERNAL SUCTION.

EXTERNAL WIND PARALLEL TO RIDGE

WIND_LONG1 - FROM RIGHT COMBINED WITH INTERNAL PRESSURE.
 WIND_LONG2 - FROM LEFT COMBINED WITH INTERNAL PRESSURE.
 WIND_P - EXTERNAL PRESSURE COMBINED WITH INTERNAL SUCTION.
 WIND_S - EXTERNAL SUCTION COMBINED WITH INTERNAL PRESSURE.
 SEISMIC_LEFT - SEISMIC FORCE PERPENDICULAR TO RIDGE & FROM LEFT.
 SEISMIC_RIGHT - SEISMIC FORCE PERPENDICULAR TO RIDGE & FROM RIGHT.
 SEISMIC_LONG - SEISMIC FORCE PARALLEL TO RIDGE.
 UNB_SL_L - FULL & PARTIAL SNOW LOAD
 UNB_SL_R - FULL & PARTIAL SNOW LOAD
 PAT_SL - PATTERNED SHOW LOAD (MULTI-SPAN FRAMES ONLY)
 CRANE - CRANE LIVE LOAD

APPROVAL REQUIRED

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APPROVED FOR FABRICATION - NO CHANGES

APPROVED FOR FABRICATION AS NOTED
NO FURTHER APPROVAL REQUIRED

REVISE AND RESUBMIT

THE BUILDING ORDER'S DELIVERY SCHEDULE WILL BE DETERMINED ONCE FINAL APPROVALS ARE RETURNED TO STEELWAY WITH NO FURTHER CHANGES.

BY: _____ DATE: _____

Rev.	Date	By	Description
0	4/20/2021	CL	ISSUED FOR INFORMATION

CLIENT
TOWER STEEL BUILDINGS

PROJECT
HB970-30x40x13

PROJECT LOCATION
HAMILTON, ONTARIO

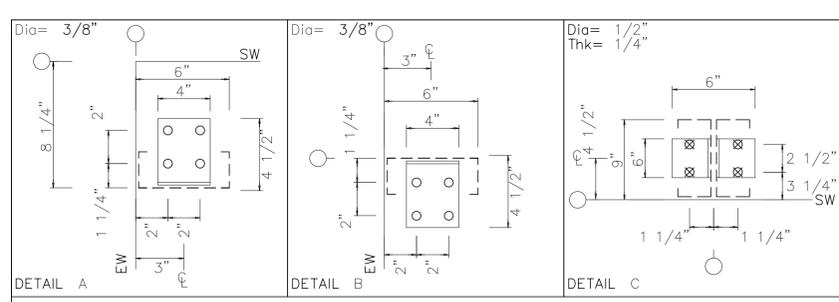
DRAWING NAME
ANCHOR BOLT REACTIONS

DRAWING No.
76021-R1

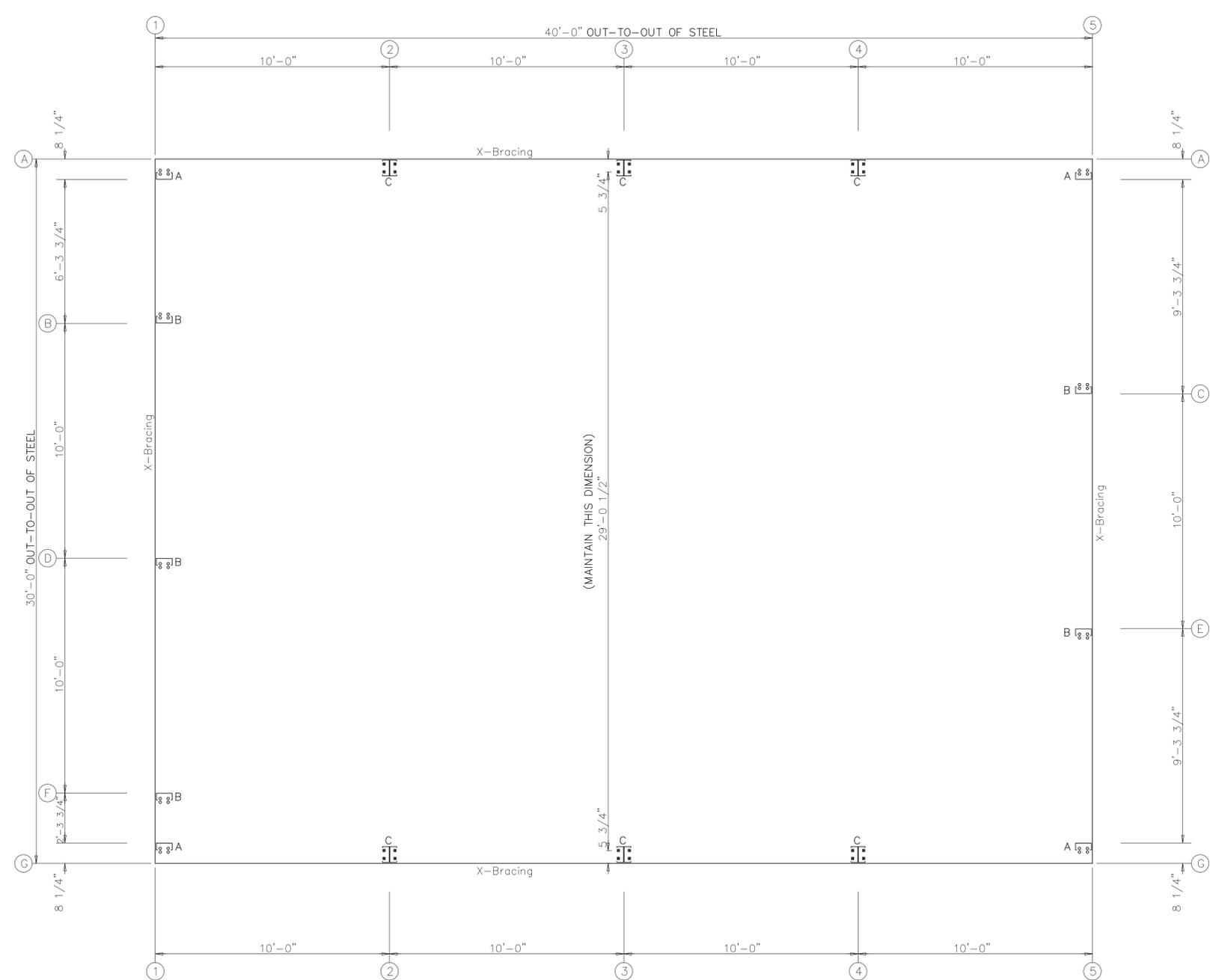
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SHEET: ANSI D (22"x34") ENGINEER'S SEAL APPLIES ONLY TO EXSTEEL PRODUCTS





LEGEND:
 Dia=Anchor Bolt Diameter
 Thk=Base Plate Thickness
 EW=ENDWALL
 SW=SIDEWALL



ANCHOR BOLT PLAN
 NOTE: Underside of All Base Plates @ 100'-0" (U.N.)
 Finished Floor @ 100'-0"

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 APPROVED FOR FABRICATION AS NOTED NO FURTHER APPROVAL REQUIRED
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Rev.	Date	By	Description
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CLIENT
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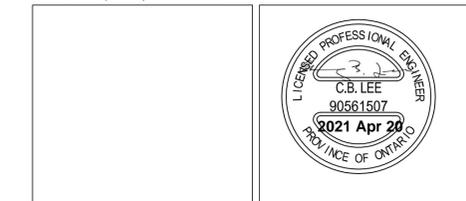
PROJECT
 HB970-30x40x13

PROJECT LOCATION
 HAMILTON, ONTARIO

DRAWING NAME
 ANCHOR BOLT PLAN & DETAILS

DRAWING No.
 76021-S1

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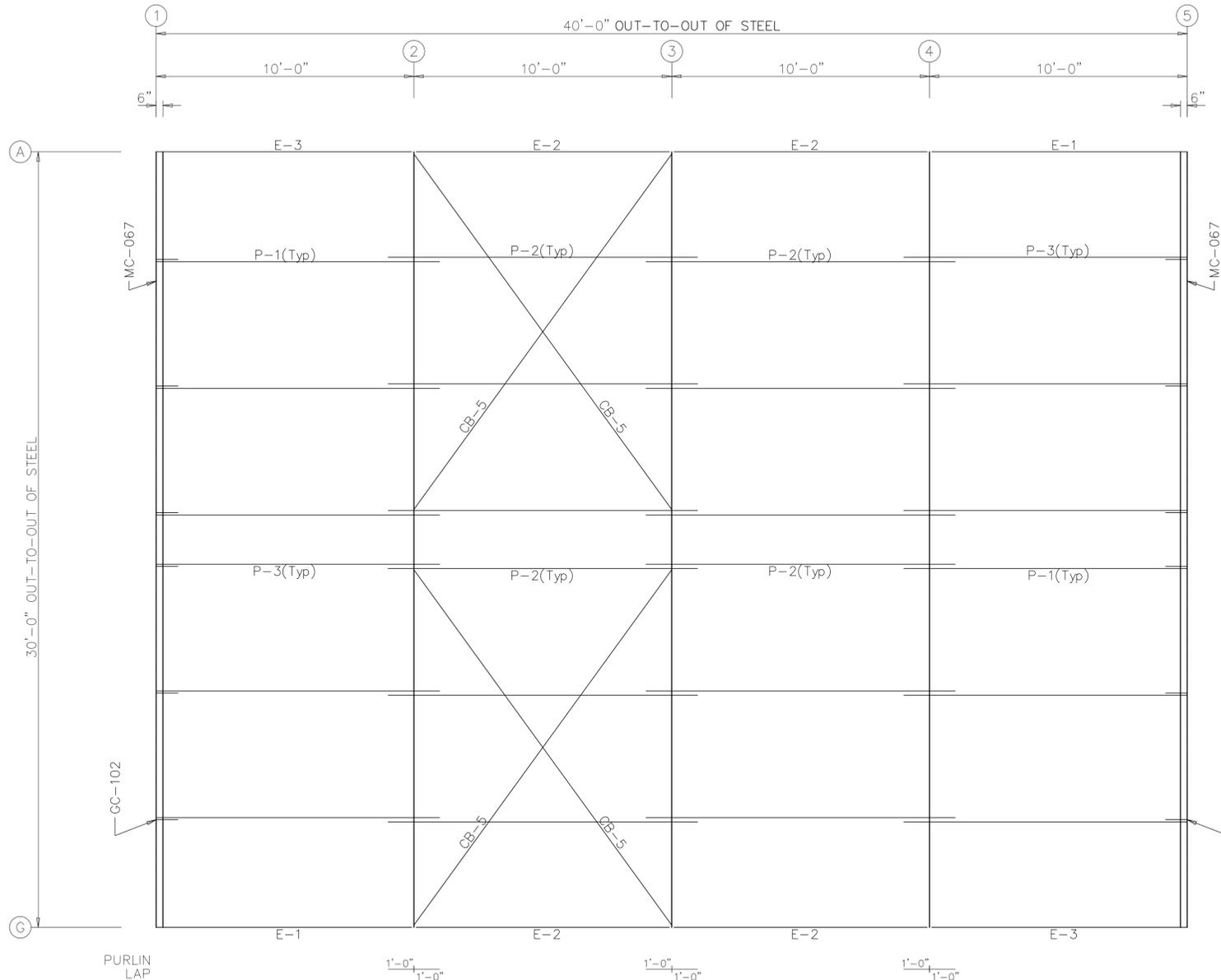


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 Aylmer, Ontario N5H 2R4
 519.765.2244
 exsteel.com

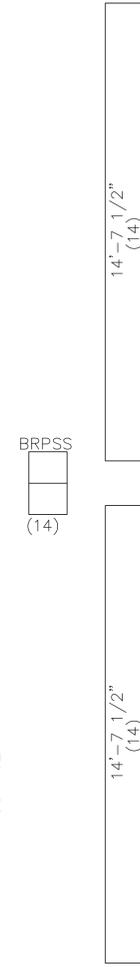
NOTE:
 REFER TO WEDGE ANCHOR MANUFACTURERS INSTALLATION INSTRUCTIONS INCLUDED WITH WEDGE ANCHORS

MEMBER PART	
MARK	PART
P-1	06Z16
P-2	06Z16
P-3	06Z16
E-1	06V16
E-2	06V16
E-3	06V16
CB-5	CB14H

NOTE:
ALL CONNECTIONS TO PURLINS FOR ANY COMPONENT WITH A LOAD IS TO BE CONNECTED TO THE WEB OF THE PURLIN. PLEASE CONSULT WITH STEELWAY BUILDING SYSTEMS OR A PROFESSIONAL ENGINEER IF CONNECTION TO THE FLANGE OF THE PURLIN IS REQUIRED.



ROOF FRAMING PLAN



ROOF SHEETING
PANELS: 26 Ga. STORM SEAL - NRO - GALVALUME

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- REVISE AND RESUBMIT

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BY: _____ DATE: _____

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CLIENT
TOWER STEEL BUILDINGS
PROJECT
HB970-30x40x13
PROJECT LOCATION
HAMILTON, ONTARIO

DRAWING NAME
ROOF FRAMING
DRAWING No.
76021-S2

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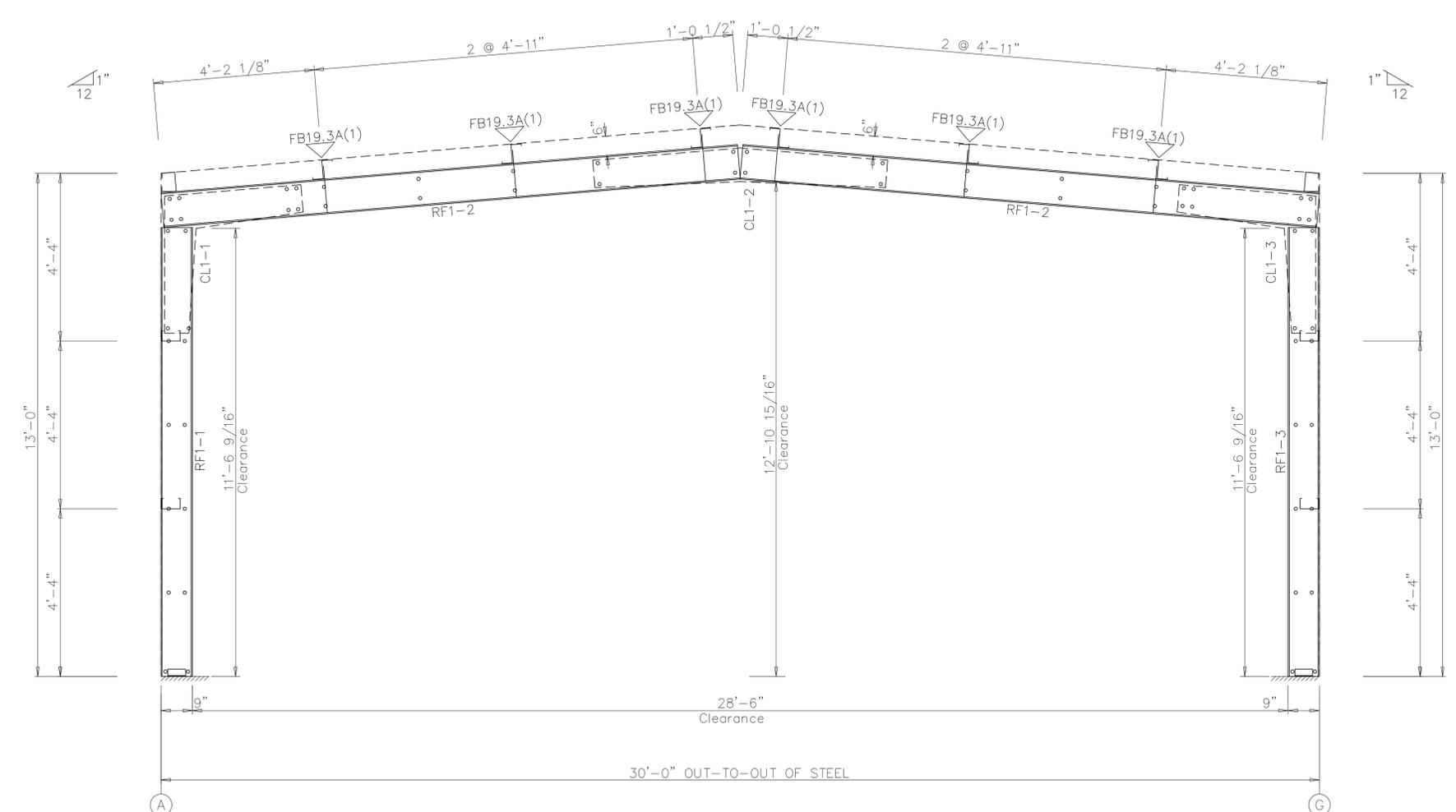
SHEET: ANSI D (22"x34") ENGINEER'S SEAL APPLIES ONLY TO EXSTEEL PRODUCTS



SPLICE PLATE & BOLT TABLE										
Mark	Qty		Int	Type	Dia	Length	Width	Thick	Length	
	Top	Bot								
CL1-1	8	16	0	Gr8.8	0.500	1.50	1'-0 5/8"	5/16"	7'-1"	
CL1-2	4	4	0	Gr8.8	0.500	1.50	11 15/16"	5/8"	7'-8"	
CL1-3	16	8	0	Gr8.8	0.500	1.50	1'-0 5/8"	5/8"	7'-1"	

MEMBER SIZE TABLE Page 437 of 454		
MARK	MEMBER	LENGTH
RF1-1	09DC14	11'-7 15/16"
RF1-2	10DC14	14'-11 13/16"
RF1-3	09DC14	11'-7 15/16"

FLANGE BRACES: (1) One Side; (2) Two Sides
 FBxxA(1): xx=length(in)
 A - L2X13GA



RIGID FRAME ELEVATION: FRAME LINE 2 3 4

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 APPROVED FOR FABRICATION AS NOTED
 NO FURTHER APPROVAL REQUIRED
 REVISE AND RESUBMIT

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BY: _____ DATE: _____

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0	4/20/2021	CL	ISSUED FOR INFORMATION

CLIENT
 TOWER STEEL BUILDINGS

PROJECT
 HB970-30x40x13

PROJECT LOCATION
 HAMILTON, ONTARIO

DRAWING NAME
 RIGID FRAME ELEVATION

DRAWING No.
 76021-S3

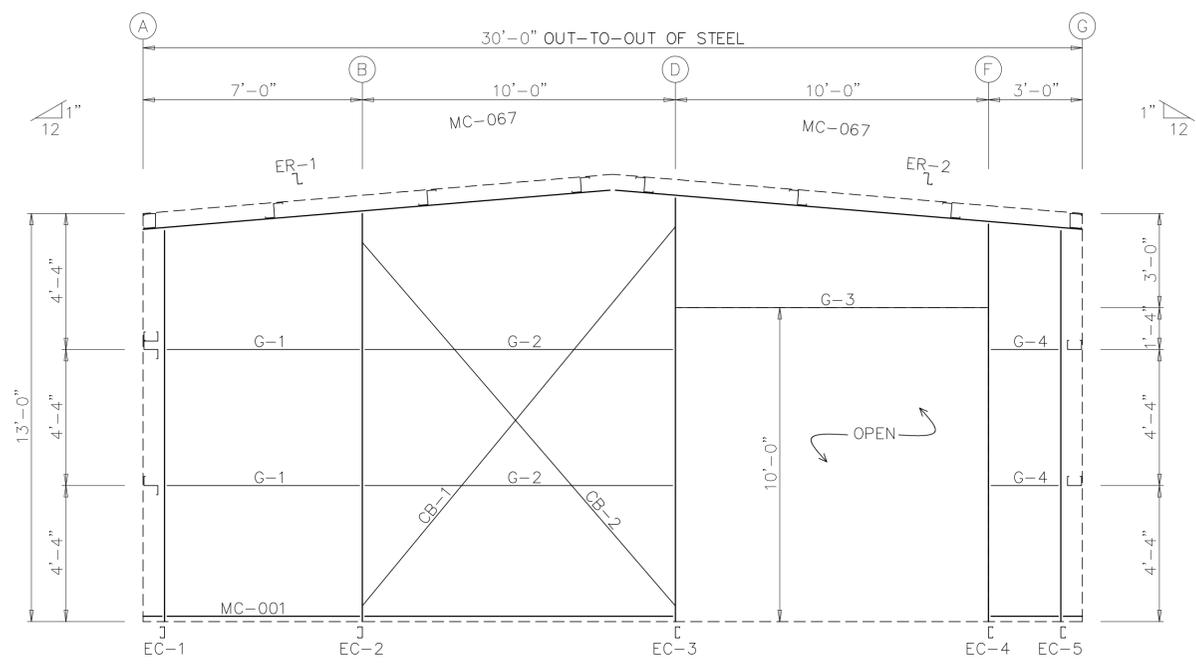
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SHEET: ANSI D (22"x34") ENGINEER'S SEAL APPLIES ONLY TO EXSTEEL PRODUCTS

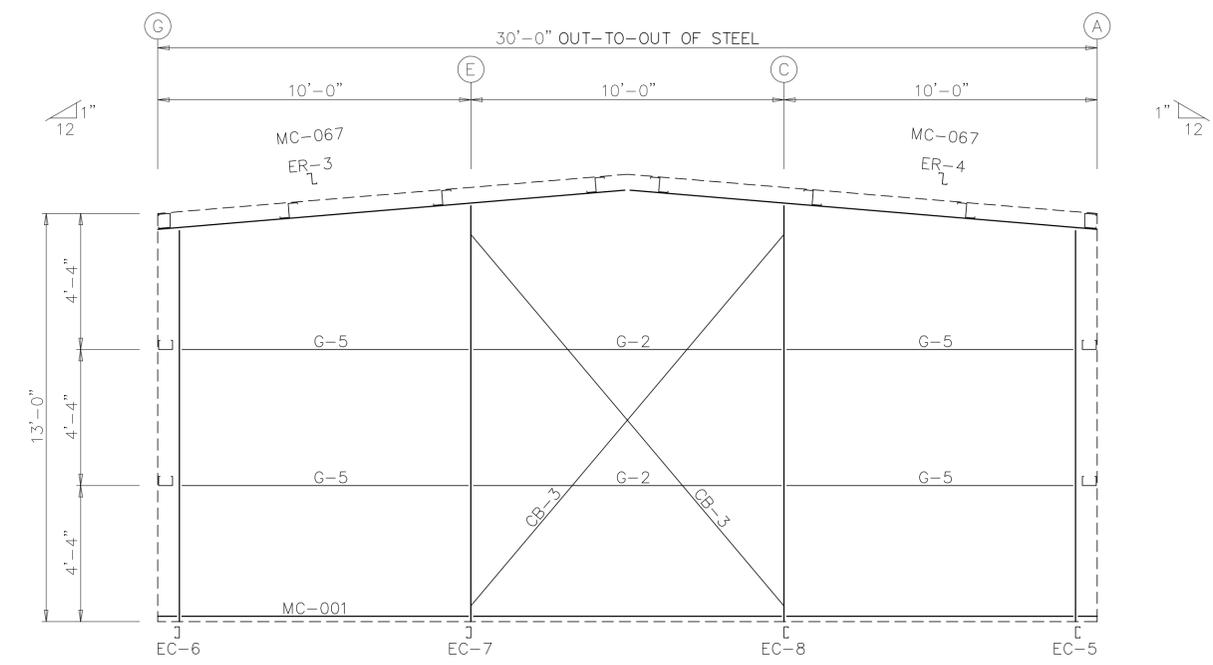


BOLT TABLE			
FRAME LINE 1 & 5			
LOCATION	QUAN	TYPE	LENGTH
ER-1/ER-2	4	Gr8.8 1/2"	1 1/2"
ER-3/ER-4	4	Gr8.8 1/2"	1 1/2"
Columns/Raf	3	Gr8.8 1/2"	1 1/2"

MEMBER TABLE	
FRAME LINE 1 & 5	
MARK	PART
EC-1	06C16
EC-2	06C16
EC-3	06C14
EC-4	06C16
EC-5	06C16
EC-6	06C16
EC-7	06C14
EC-8	06C14
ER-1	10Z16
ER-2	10Z16
ER-3	10Z16
ER-4	10Z16
G-1	06C16
G-2	06C16
G-3	06C16
G-4	06C16
G-5	06C16
CB-1	R34
CB-2	R34
CB-3	CB14H



ENDWALL FRAMING: FRAME LINE 1



ENDWALL FRAMING: FRAME LINE 5

APPROVAL REQUIRED

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APPROVED FOR FABRICATION - NO CHANGES

APPROVED FOR FABRICATION AS NOTED
NO FURTHER APPROVAL REQUIRED

REVISE AND RESUBMIT

THE BUILDING ORDER'S DELIVERY SCHEDULE WILL BE DETERMINED ONCE FINAL APPROVALS ARE RETURNED TO STEELWAY WITH NO FURTHER CHANGES.

BY: _____ DATE: _____

Rev.	Date	By	Description
0	4/20/2021	CL	ISSUED FOR INFORMATION

CLIENT
TOWER STEEL BUILDINGS

PROJECT
HB970-30x40x13

PROJECT LOCATION
HAMILTON, ONTARIO

DRAWING NAME
ENDWALL FRAMING

DRAWING No.
76021-S4

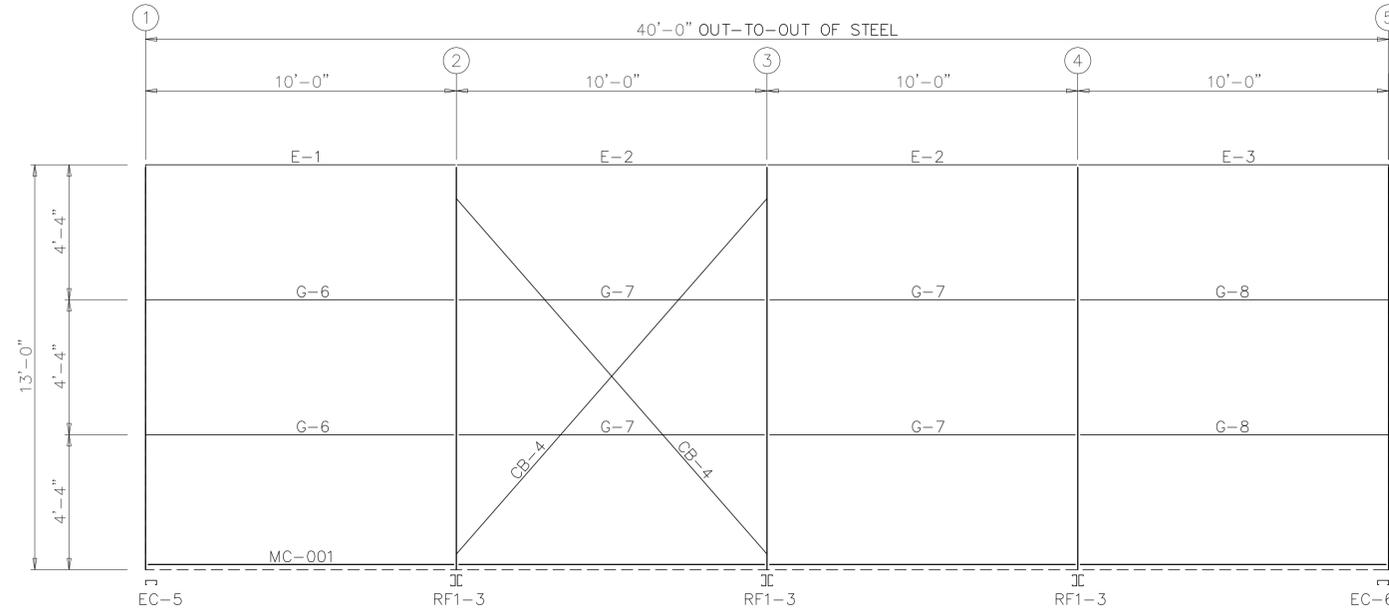
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SHEET: ANSI D (22"x34") ENGINEER'S SEAL APPLIES ONLY TO EXSTEEL PRODUCTS

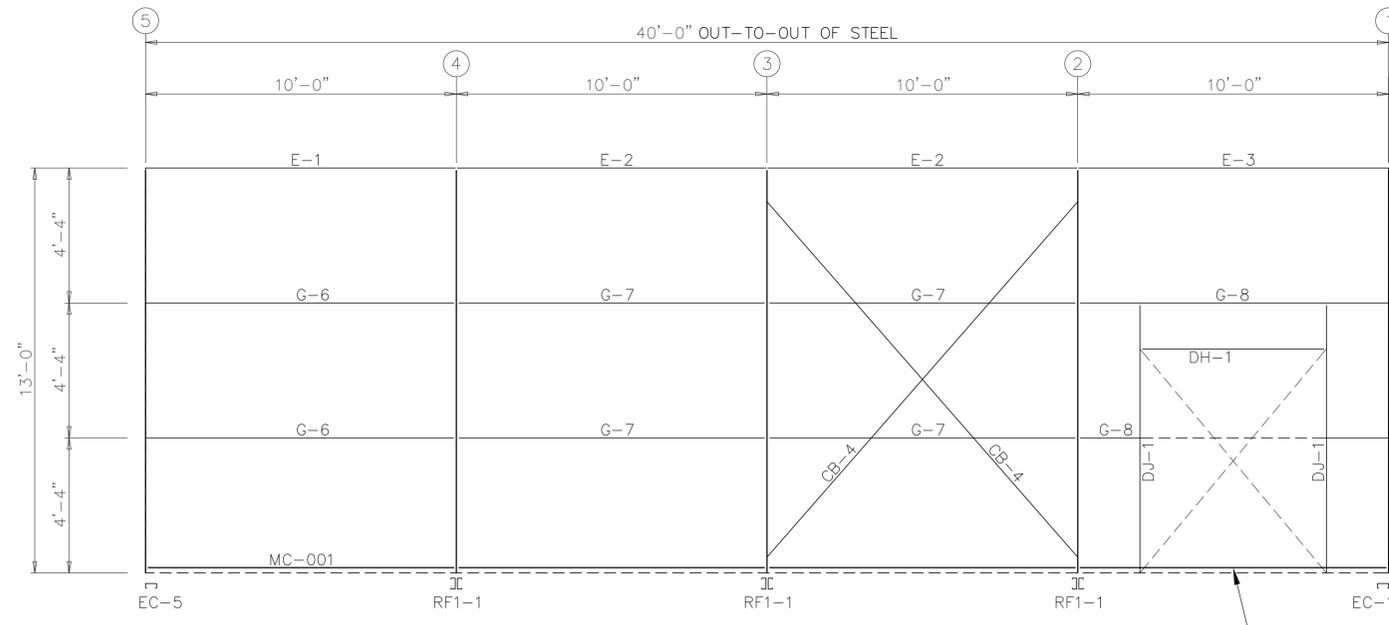
PLEASE NOTE THAT YOU HAVE SELECTED A LIGHT GAUGE CHANNEL END WALL FRAMING SYSTEM. THIS SYSTEM TYPICALLY WILL PROVIDE YOU WITH THE MOST ECONOMICAL FRAMING SOLUTION, HOWEVER, CHANNEL END FRAMES WILL REQUIRE EXTRA TEMPORARY BRACING TO ERECT AND HAVE EXTRA CLIPS, BOLTS AND SPECIAL BRACING DETAILS. IF THIS IS NOT WHAT YOU INTENDED, PLEASE SELECT HOT ROLLED R SECTION END WALL RAFTERS AND COLUMNS

Page 439 of 454

MEMBER TABLE	
MARK	PART
DJ-1	06CD16
DH-1	06CD16
E-1	06V16
E-2	06V16
E-3	06V16
G-6	06C16
G-7	06C16
G-8	06C16
CB-4	CB14H



SIDEWALL FRAMING: FRAME LINE G



SIDEWALL FRAMING: FRAME LINE A

FIELD LOCATE (1) 6'-0"x7'-2 1/4" FRAMED MANDOR OPENING (DOOR AND HARDWARE NOT INCLUDED). FIELD CUT GIRT.

APPROVAL REQUIRED

THIS DRAWING REPRESENTS STEELWAY'S INTERPRETATION OF THE CONTRACT REQUIREMENTS FOR THIS PROJECT. PLEASE PERFORM A THOROUGH REVIEW OF ALL ITEMS SHOWN. APPROVAL OF THIS DRAWING CONSTITUTES ACCEPTANCE OF OUR INTERPRETATION. SEE 'PRELIMINARY DRAWINGS' ON PAGE G1 FOR MORE INFORMATION ON OUR APPROVAL PROCESS.

APPROVED FOR FABRICATION - NO CHANGES
 APPROVED FOR FABRICATION AS NOTED NO FURTHER APPROVAL REQUIRED
 REVISE AND RESUBMIT

THE BUILDING ORDER'S DELIVERY SCHEDULE WILL BE DETERMINED ONCE FINAL APPROVALS ARE RETURNED TO STEELWAY WITH NO FURTHER CHANGES.

BY: _____ DATE: _____

Rev.	Date	By	Description
0	4/20/2021	CL	ISSUED FOR INFORMATION

CLIENT
TOWER STEEL BUILDINGS

PROJECT
HB970-30x40x13

PROJECT LOCATION
HAMILTON, ONTARIO

DRAWING NAME
SIDEWALL FRAMING

DRAWING No.
76021-S5

DRAWN BY EC CHECKED BY _____

SHEET: ANSI D (22"x34") ENGINEER'S SEAL APPLIES ONLY TO EXSTEEL PRODUCTS



exsteel BUILDING COMPONENTS

7825 Springwater Road
Aylmer, Ontario N5H 2R4
519.765.2244
exsteel.com



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Brian + mana Haldenby		
Applicant(s)*	Brian + mana Haldenby		
Agent or Solicitor			Phone:
			E-mail:

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

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

B2B Bank. 199 Bay Street Suite 610
 PO Box 35 STN Commerce Court.
 Toronto ON M5L 0A3

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

*Prefabricated
Garage/ Workshop - Detached.*

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Gross floor area exceeds the by law of 10 sq m.

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

185 Springside Drive, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant Other

Other *Not applicable*

- 8.1 If Industrial or Commercial, specify use *Not applicable*

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

- 8.6 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

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

Yes No Unknown

- 8.8 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

- 8.9 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

8.10 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

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Purchase Agreement from home + Previous Site Drawings

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 Not Applicable

9. ACKNOWLEDGEMENT CLAUSE

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

June 14
Date

[Redacted Signature]
Signature Property Owner(s)

MARIA HALDENBY / BRIAN HALDENBY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area 12.192m x 9.154m - New Build Lot size 38.10m x 39.38m
Width of street _____

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

Existing: Single floor home
Refer to Site Plan Dated Aug 17 2015
Prepared by Ashenhurst Nouwens + Associates Specifics for Existing Single Storey Dwelling

Proposed
Prefabricated Detached workshop 9.15m W x 12.2m L x 3.95m H
Peak is 4.57m H

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

Existing:
Home Distance from back of Lot line ~~15.1m~~ ^{mH} 15.1m
from South lot line 8.08m
from North lot line 2.44m
from Street 13.11m

Workshop Distance from back of lot line 1.8m
from South lot line 1m
from North lot line 28.2m

13. Date of acquisition of subject lands:
Jan 8 2021
14. Date of construction of all buildings and structures on subject lands:
Last dated drawings 2015 Home approx 56 yrs old.
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family
17. Length of time the existing uses of the subject property have continued:
Since Original Construction
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Attached Drawing (Survey) Aug 17 2015
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
no restrictions at this time
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. Additional Information
24. 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.
Refer to attached Drawing Dated Aug 17, 2015 by Ashenhurst Nouwens + Associates.



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-21:170

APPLICANTS: Owner 1536708 Ontario Inc.

SUBJECT PROPERTY: Municipal address **205 Thames Way, Glanbrook**

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

ZONING: "H-RM3-147" (Residential Multiple) district

PROPOSAL: To to permit the construction of block townhouse development consisting of 51 dwelling units notwithstanding that:

1. A lot coverage of 33% shall be provided instead of the maximum permitted lot coverage of 35%
2. A density of 41 units per hectare shall be provided instead of the maximum permitted 35 units per hectare.
3. A front yard setback of 3.0m shall be provided instead of the minimum required 9.0m front yard setback.
4. A side yard setback of 6.0m shall be provided instead of the minimum required 7.5m side yard setback
5. A rear yard setback of 3.5m shall be provided instead of the minimum required 7.5m rear yard setback.
6. The minimum separation distance between two (2) exterior walls which each contain windows to a habitable room shall be 12.0 metres instead of the minimum required 15.0 metres.
7. A landscaped area being at least 37% of the lot area shall be provided instead of the minimum required landscaped area of 50%
8. No amenity area shall be provided instead of the minimum amenity area required at a rate of 5.0m² per unit.
9. Two (2) barrier free parking spaces shall be provided instead of the three (3) minimum required barrier free parking spaces.

NOTES:

1. A formal Site Plan Control application has not yet been applied for. As such, variances have been written as requested by the applicant.

GL/A-21: 170
Page 2

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

DATE: Thursday, August 12th, 2021
TIME: 3:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

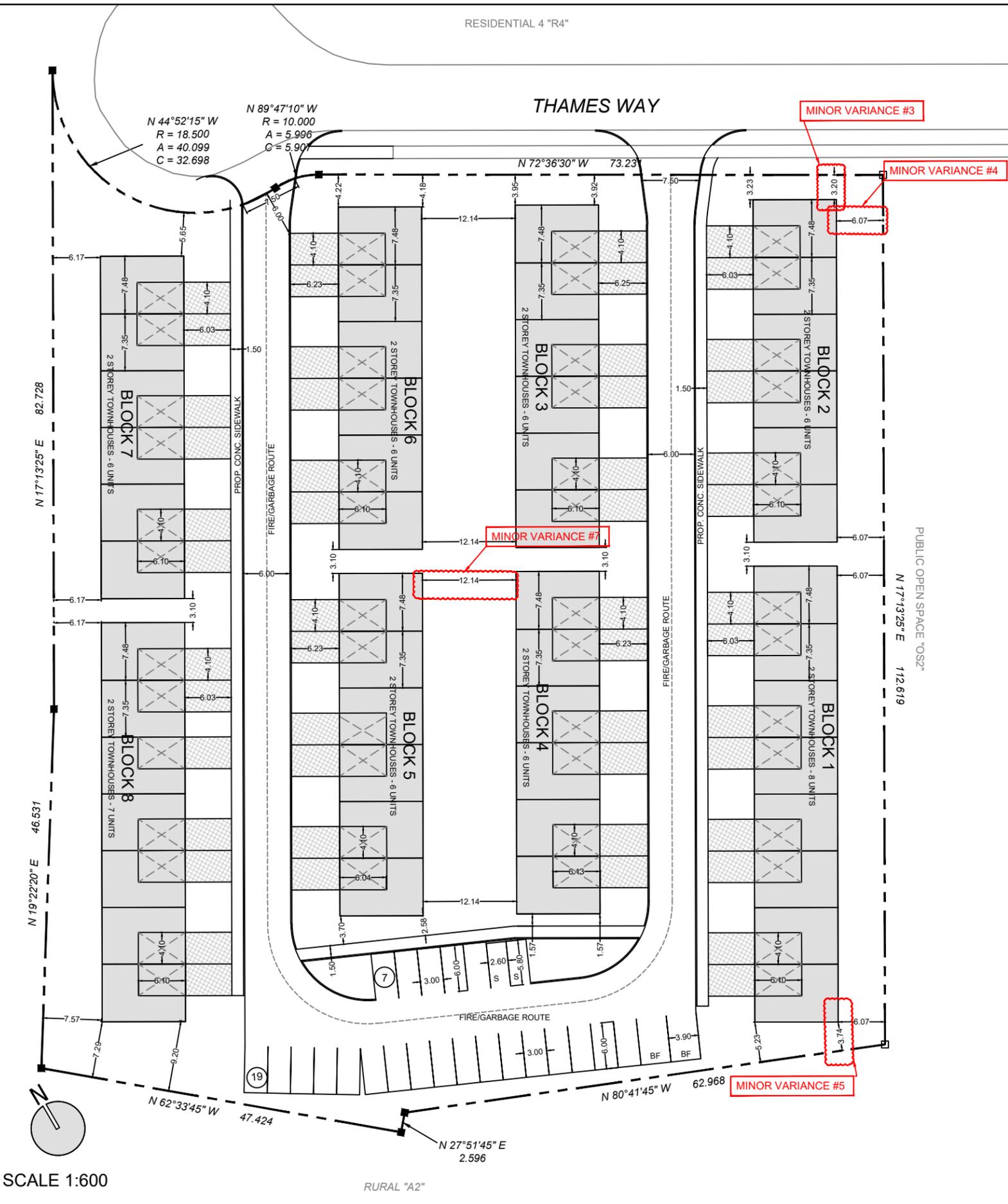
For more information on this matter, including access to drawings illustrating this request:

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

DATED: July 27th, 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.



VARIANCES TO GLANBROOK ZONING BY-LAW NO. 464 "H-RM3-147" ZONE

VARIANCE NO. 1: TO INCREASE THE MAXIMUM LOT COVERAGE FROM 30% TO 33%.

VARIANCE NO. 2: TO INCREASE THE MAXIMUM DENSITY REQUIREMENT FROM 35 UNITS PER HECTARE TO 40 UNITS PER HECTARE.

VARIANCE NO. 3: TO DECREASE THE MINIMUM FRONT YARD SETBACK FROM 9.0 METRES TO 3.20 METRES.

VARIANCE NO. 4: TO DECREASE THE MINIMUM EASTERLY AND WESTERLY SIDE YARD SETBACK FROM 7.5 METRES TO 6.0 METRES.

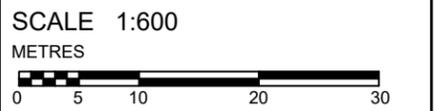
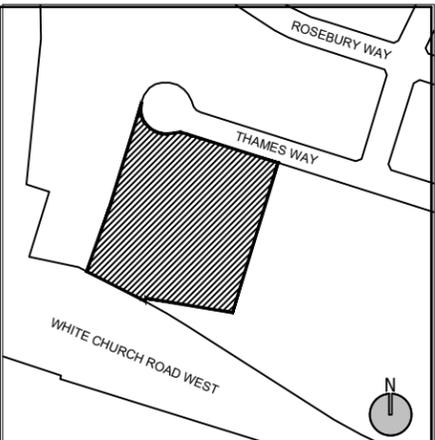
VARIANCE NO. 5: TO DECREASE THE MINIMUM REAR YARD SETBACK FROM 7.5 METRES TO 3.7 METRES.

VARIANCE NO. 6: NOTWITHSTANDING, AS PER SITE PLAN APPROVAL DA-12-192, THE MTO SETBACK IS NOT APPLICABLE AS THE LANDS OWNED BY THE MTO DO NOT FORM PART OF THE RIGHT-OF-WAY.

VARIANCE NO. 7: TO DECREASE THE MINIMUM SEPARATION DISTANCE BETWEEN EXTERIOR WALLS WHICH BOTH HAVE WINDOWS FROM 15.0 METRES TO 12.14 METRES

VARIANCE NO. 8: TO DECREASE THE REQUIRED MINIMUM AMENITY AREA FROM 5 SQUARED METRES PER DWELLING UNIT TO 0 SQUARED METRES.

VARIANCE NO. 9: TO DECREASE THE MINIMUM LANDSCAPED AREA FROM 50% TO 36%.



LEGEND:
 - - - - - SUBJECT LANDS
 [Hatched Box] PROPOSED BUILDINGS

DEVELOPMENT STATISTICS		
Existing Zoning: Residential Multiple (H-RM3-147)		
Item	Required	Proposed
No. Units	N/A	51 Units
Min. Lot Frontage	45.00 m	107.82 m
Min. Lot Area	0.40 ha	1.273 ha
Max. Lot Coverage	30%	32.03% (MVR)
Max. Density	35 UPH	40.06 UPH (51 units) (MVR)
Min. Front Yard	9.00 m	3.20 m (MVR)
Min. Side Yard	7.50 m	6.07 m (MVR)
Min. Rear Yard	7.50 m	3.74 m (MVR)
Min. Separation Distance		
Between Exterior Walls with No Windows	3.00 m	3.10 m
Between Exterior Walls with One of Which Has Windows	9.00 m	N/A
Between Exterior Walls which Both Have Windows	15.00 m	12.14 m (MVR)
Min. Floor Area	95 m ²	95 m ² +
Max. Height	10.70 m	10.70 m
Min. Landscaped Area	50%	37.72% (MVR)
Min. Privacy Area	35 m ²	45.96 m ²
Min. Amenity Area	5 m ² /dwelling unit = 250 m ²	0 m ² (MVR)
Transformer Location	TBC	TBC
Parking Location		
Setback from Street Line	6.0 m	N/A
Setback from Easterly R Zone	3.0 m	N/A
Parking Requirements	2 spaces/unit	2 spaces/unit
Visitor Parking	0.5 spaces/unit = 25 spaces	0.5 spaces/unit = 26 spaces
Barrier Free Parking	2 spaces	2 spaces
Parking Space Size		
Residential Parking Units	3.0 m x 6.0 m	4.10 m x 6.10 m
Visitor Parking Units	3.0 m x 6.0 m	3.0 m x 6.0 m
Small Car Parking Units	2.6 m x 5.8 m	2.6 m x 6.0 m
Barrier Free Parking Units	3.9 m x 6.0 m	3.9 m x 6.0 m
Barrier Free Parking Spaces (Side by Side)	3.5 m x 6.0 m	3.9 m x 6.0 m

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: S. MCKAY CHECKED BY: S. MANCHIA
 DRAWN BY: L. DRENNAN DATE: APRIL 9, 2021

MINOR VARIANCE #9

MINOR VARIANCE #8

URBANCORE DEVELOPMENTS

1147 Garner Road West
Hamilton, ON L9G 3K9
905-540-4280 - urbancore.info

PROJECT:
THAMES WAY SOUTH HAMPTON ESTATES
CITY OF HAMILTON

OWNER:
1536708 ONTARIO INC.

TITLE:
MINOR VARIANCE SKETCH

U/C FILE NUMBER: 339-19 SHEET NUMBER: 1

DICENZO & ASSOCIATES
PROFESSIONAL CORPORATION
LAWYERS

April 16, 2021

BY COURIER

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

Attention: Jamila Sheffield, Secretary-Treasurer, Committee of Adjustment

Dear Ms. Sheffield,

RE: 205 Thames Way, Glanbrook - Minor Variance Application (FC-19-116)

We are the solicitors for 1536708 Ontario Inc., and are pleased to submit the enclosed Minor Variance application for the lands municipally known as 205 Thames Way in Mount Hope, City of Hamilton.

The subject lands are located on the South side of Thames Way between Highway 6 and Upper James Street. The lands are legally known as Block 149 of the Registered Plan of Subdivision 62M-1051. The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and Low Density Residential 2c in the Mount Hope Secondary Plan. In addition to their land use designation the subject lands are located in the Residential Multiple, Modified, Holding (H-RM3-147) Zone in the Township of Glanbrook Zoning By-law No. 464.

A former Minor Variance application (GL/A-20:107) was submitted for the subject lands and was subsequently denied by the Committee of Adjustment on February 18, 2021. Since then, our team has revised the concept plan design, this new submission contains an alternate development proposal which decreases the number of units contained in the development from 57 units to 51 units.

The proposed development has altered the previous design to include 51 two (2) storey townhouse units, each with a driveway and a garage, allowing for 2 parking spaces per unit. The reduction in proposed units allows the subject lands to achieve a less compact design that reduces density, while providing 26 visitor parking spaces including 2 barrier free parking spaces. Note that, although a variance to increase the permitted density is included in this submission, the proposed density falls within the permitted density range of 26 – 40 units per hectare established for Townhouse dwellings in Section B.5.4.2.2.b) of the Mount Hope Secondary Plan. As such, the requested variance to density can be considered minor in nature and conforms to both the Urban Hamilton Official Plan and Mount Hope Secondary Plan.

This Minor Variance application is intended to achieve relief from the Council Approved Township of Glanbrook Zoning By-law No. 464 with respect to the Residential Multiple, Modified, Holding (H-RM3-147), as follows:

- Variance No. 1: To increase the maximum lot coverage from 30% to 33%.

- Variance No. 2: To increase the maximum density requirement from 35 units per hectare to 40 units per hectare.
- Variance No. 3: To decrease the minimum front yard setback from 9.0 metres to 3.2 metres.
- Variance No. 4: To decrease the minimum easterly and westerly side yard setback from 7.5 metres to 6.0 metres.
- Variance No. 5: To decrease the minimum rear yard setback from 7.5 metres to 3.7 metres.
- Variance No. 6: Notwithstanding, as per site plan approval DA-12-192, the MTO setback is not applicable as the lands owned by the MTO do not form part of the right-of-way.
- Variance No. 7: To decrease the minimum separation distance between exterior walls which both have windows from 15.0 metres to 12.14 metres.
- Variance No. 8: To decrease the required minimum amenity area from 5 square metres per dwelling unit to 0 square metres.
- Variance No. 9: To decrease the minimum landscaped area from 50% to 36%.

Below, is a chart which provides justification for the revisions to the Concept to address the comments and concerns raised by City staff and the Ward Councillor.

Variance Requested	Justification
Increase max. lot coverage from 30% to 33%	A 3% increase to lot coverage can be considered minor in nature, will not have adverse effects on the surrounding context and maintains the intent of the Zoning By-law and Official Plan.
Increase max. permitted density from 35 units/ha to 40 units/ha	Although the parent Zoning By-law permits a maximum of 35 units/ha, density range established for the proposed use in the Mount Hope Secondary Plan is 26 – 40 units/ha. As such, the density requested meets the intent of the Official Plan and is appropriate for the subject lands.
Decrease min. front yard setback from 9.0 metres to 3.2 metres	Given that the proposed dwellings front the proposed internal street, the 3.2 metre setback to Thames Way represents a typical flankage side yard rather than a front yard and therefore is technical in nature.
Decrease min. easterly and westerly side yard setback from 7.5 metres to 6.0 metres.	The reduction in min. side yard setback can be considered minor in nature as it is a reduction of 1.5 metres and still provides appropriate distance to abutting properties for the purpose of buffering and exceeds the min. required privacy areas for each unit.
Decrease min. rear yard setback from 7.5 metres to 3.7 metres	This reduction in min. rear yard setback can also be considered minor in nature as it is a reduction of 1.0 metre and similarly provides appropriate distance to abutting properties for the purpose of buffering and privacy. In addition, the “rear” yard is not directly abutting any sensitive land uses as the subject lands back onto White Church Road.

As per Site Plan Approval DA-12-192, MTO setback is not applicable	The MTO setback is unnecessary in this circumstance as White Church Road West to the South of the development contains adequate space along the Right-of-Way to accommodate any future expansion without affecting the subject lands.
Decrease min. separation distance between exterior walls which both have windows from 15.0 metres to 12.00 metres	As the Zones established in the new Hamilton Zoning By-law No. 05-200 do not have provisions for separation distance between exterior walls which have windows, this variance can be considered appropriate and more in line with the regulations established in the most up-to-date Zoning By-law for the City.
Decrease the required amenity area from 5.0 square metres to 0.0 square metres per unit	The requested variance is appropriate as a pedestrian connection is being established to the existing Southampton Estates Park which is directly abutting the proposed development to the east. Thus, the proposal adequately provides ample access to landscaped amenity space.
Decrease min. landscaped area from 50% to 36%	The requested variance is appropriate as a pedestrian connection is being established to the existing Southampton Estates Park which is directly abutting the proposed development to the east. Thus, the development adequately provides ample access to landscaped amenity space.

Section 45(1) of the Planning Act, R.S.O., 1990, as amended, requires Minor Variances to satisfy the four tests. The above variances are technical in nature, are desirable and represent appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

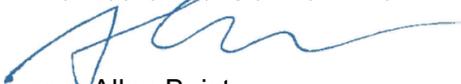
In support of this application, please find enclosed the following:

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the revised Concept Plan; and,
- One (1) cheque in the amount of **\$3,320.00** made payable to the City of Hamilton.

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

Yours very truly,

DICENZO & ASSOCIATES
PROFESSIONAL CORPORATION



per: Allan Buist
AB/



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	ADDRESS	
Registered Owners(s)	1536708 Ontario Inc.	[REDACTED]	
Applicant(s)*			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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

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

N/A

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

[Refer to enclosed cover letter for details](#)

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

[Refer to enclosed cover letter for details](#)

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

[Registered Plan 62M-1051, Block 149, Reference Plan 62R-16650, Part 2](#)
[205 Thames Way, Mount Hope](#)

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other Temporary stormwater management pond

- 8.1 If Industrial or Commercial, specify use N/A

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

- 8.6 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

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

Yes No Unknown

- 8.8 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

- 8.9 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

8.10 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

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

Consultation with owner.

8.12 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

9. ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is providing the remediation of contamination on the property as a condition of its approval to this Application.



April 15, 2021
Date

Anthony G. DiCenzo
Print Name of Owner

10. Dimensions of lands affected:

Frontage +/- 108.65 m
Depth +/- 112.62 m
Area +/- 1.27 ha
Width of street +/- 18.0 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: N/A

Proposed Please refer to enclosed Minor Variance Sketch

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

Existing: N/A

Proposed: Please refer to enclosed Minor Variance Sketch

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
N/A
15. Existing uses of the subject property:
Temporary Stormwater Management Pond
16. Existing uses of abutting properties:
NORTH: Single Family Homes, EAST: Southampton Estates Park,
WEST: Vacant Land, SOUTH: White Church Road W
17. Length of time the existing uses of the subject property have continued:
+/- 15 years
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected _____
Sanitary Sewer X Connected _____
Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods in the Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Residential Multiple "H-RM3-147" Zone in the Township of Glanbrook Zoning By-law No. 464
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
Minor Variance application for previous design was submitted for property on May 7, 2020 and was subsequently denied at the Committee of Adjustment
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
N/A
24. 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.