



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 21-21
Date: November 4, 2021
Time: 1:00 p.m.
Location: As of June 22, 2021 all Police Services Board Meeting Information May be Found at <https://hamiltonpolice.on.ca/about/police-services-board/meetings>

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

	Pages
1. PREVIOUSLY TABLED	
2. RURAL	
2.1. 1:15 p.m.SC/A-21:3501186 Highway 8., Stoney Creek (Ward 10) Owner John Soltes	5
2.2. 1:20 p.m.GL/B-21:880 Chippewa Rd., Glancaster (Ward 11) Agent A.J. Clarke & Associates c/o Ryan Ferrari Owners 2363823 ONTARIO INC	13
2.3. 1:20 p.m.GL/A-21:3510 Chippewa Rd., Glancaster (Ward 11) Agent A.J. Clarke & Associates c/o Ryan Ferrari Owners 2363823 ONTARIO INC	31
2.4. 1:25 p.m.FL/A-21:289*Amended*302 Carlisle Rd., Flamborough (Ward 15) Owner Maryline & Dennis Mella	43

- 2.5. 1:30 p.m.FL/A-21:36019 Laurendale Ave., Flamborough (Ward 15) 51
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- 2.6. 1:35 p.m.FL/A-21:3621384 Hwy 8, Flamborough (Ward 13) 65
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- 2.7. 1:40 p.m.FL/A-21:3541824 Concession 8 Rd. W., Flamborough (Ward 13) 75
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- 2.9. 1:50 p.m.SC/A-21:34855 Eringate Crt., Stoney Creek (Ward 9) 103
Agent A.J. Clarke & Associates c/o Stephan Fraser
Owner 1376412 Ontario Ltd. c/o Zenia Homes

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- 3.1. 1:55 p.m.AN/A-21:34715 Fair St., Ancaster (Ward 12) 113
Agent Brent Wybenga
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Owner Doug & Doris Holder
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- 3.4. 2:10 p.m.AN/A-21:35715 Cheyenne Crt., Ancaster (Ward 12) 147
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- 3.5. 2:20 p.m.SC/A-19:184*Amended*501 Barton St., Stoney Creek (Ward 10) 155
Owners Kuldip & Tej Rehsi

- 3.6. 2:25 p.m.SC/B-21:90272 Dewitt Rd., Stoney Creek (Ward 10) 165
Agent Barich Grenkie c/o Julianna Hribljan
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- 3.7. 2:30 p.m.HM/A-21:356220 West 18th St., Hamilton (Ward 8) 177
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Owner Wallace Smith
- 3.8. 2:35 p.m.GL/B-21:913392 Homestead Dr., Glancaster (Ward 11) 185
Agent John Stirling
Owner Ernesto & Paula Costa
- 3.9. 2:40 p.m. GL/A-21:35915 Ambitious Crt., Glancaster (Ward 11) 197
Agent IBI Group c/o Jared Marcus
Owner Vicano Developments Inc. c/o Yaw Yawson

4. URBAN

- 4.1. 2:55 p.m.HM/A-21:287*Amended*33 Sterling St., Hamilton (Ward 1) 207
Agent Mainline Planning Services Inc.
Owner Brian Gogek
- 4.2. 3.00 p.m.HM/A-21:36478 Stanley Ave.,Hamilton (Ward 1) 225
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Owner Kathy Hollands
- 4.3. 3.05 p.m.HM/A-21:35291 Wellington St. S., Hamilton (Ward 2) 233
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Owner Maria Fara-on
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Agent Lisa Cockwell
Owners Sean Balog

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.: SC/A-21:350

APPLICANTS: Owner John Soltes

SUBJECT PROPERTY: Municipal address **1186 Hwy #8, Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 21-071

ZONING: "A1" (Agriculture) district

PROPOSAL: To permit a farm labour residence in association with an agricultural operation and farm dwelling, notwithstanding that:

1. A farm labour residence shall be located within 80 metres of the farm dwelling instead of within 30 metres;
2. A farm labour residence shall have a driveway which is separate from the farm dwelling instead of utilizing the existing driveway access to the farm dwelling.

NOTES:

1. The variance was written as requested by the applicant except that a second variance was included to address the driveway requirement for the proposed farm labour residence.
2. The proposed farm labour residence would not require a variance for the proposed covered and unenclosed porch because it is not included in the calculation of the gross floor area for the building.
3. The Zoning By-law defines a Farm Labour Residence as follows:
 Farm Labour Residence shall mean accommodation for full-time farm labour where the size and nature of the farm operation requires additional employment
4. Farm Labour Residences are not subject to Site Plan Approval. However, a letter to demonstrate the need for the Farm Labour Residence is a requirement of Development Planning.
5. The subject property is within an area identified as Specialty Crop in Schedule F, Special Figures. The Specialty Crop Area permits the minimum lot area for agricultural uses to be 16.2 ha instead of 40 ha.
6. The subject property is included within the City's Heritage Inventory.

SC/A-21: 350

Page 2

7. The proposed farm labour residence is located on a portion of the subject property that is regulated by the Hamilton Conservation Authority. For further information, please contact the Hamilton Conservation Authority at 905-525-2181.

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

DATE: Thursday, November 4th, 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.

MORE INFORMATION

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

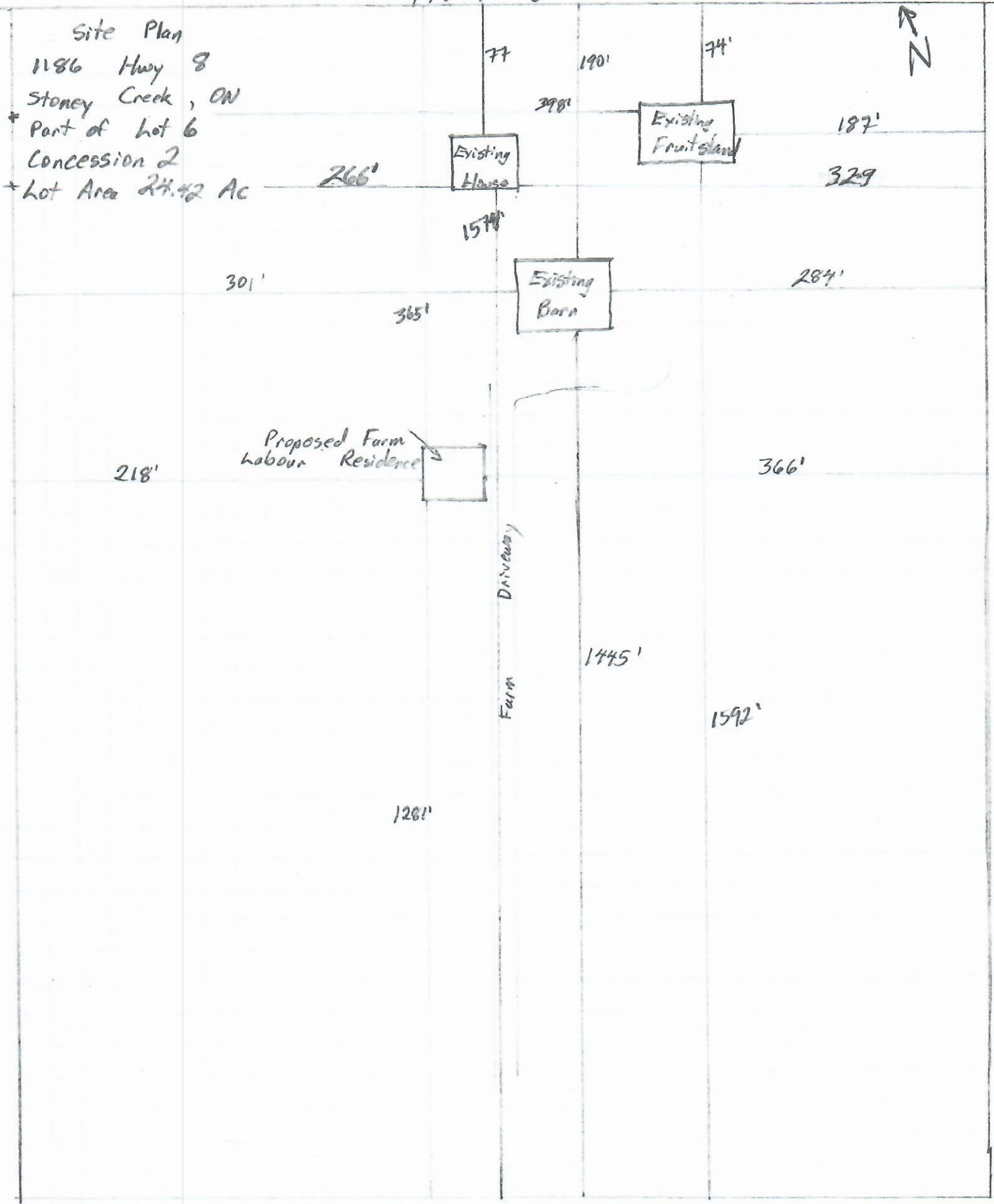
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 19th, 2021.

Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

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

HWY 8



Site Plan
 1186 Hwy 8
 Stoney Creek, ON
 Part of Lot 6
 Concession 2
 Lot Area 24.42 Ac

Existing House

Existing Fruitstand

Existing Barn

Proposed Farm Labour Residence

Farm Driveway



77'

190'

74'

398'

187'

266'

329'

157'

301'

365'

284'

218'

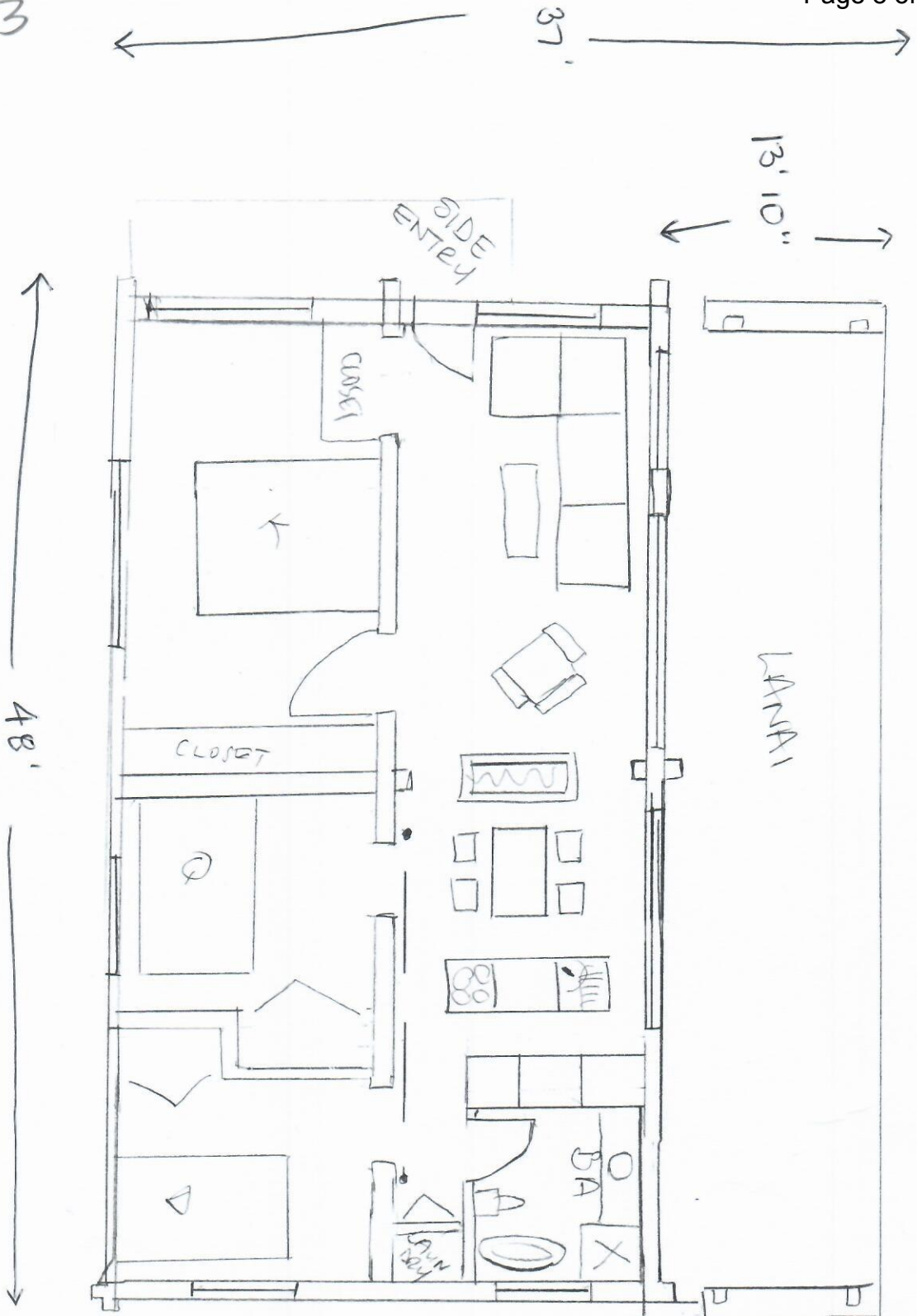
366'

1445'

1592'

1281'

Attachment 3



RESIDENCE
104 SQFT.

DECK
672 SQFT



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)		
Applicant(s)*		
Agent or Solicitor		

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:

MERIDIAN CREDIT UNION
75 CORPORATE PARK DR
ST CATHARINES ON L2S3W3

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:
 IN THE CONSTRUCTION OF A FARM LABOUR RESIDENCE
 1. LOCATION TO BE 80M FROM EXISTING RESIDENCE (NOT 30M)
 2. SIZE TO BE 1665 SQFT DUE TO COVERED DECK, NOT 1250.
 RESIDENCE WITHOUT DECK 1104 SQ FT Attachment 3
5. Why it is not possible to comply with the provisions of the By-law?
 PLEASE SEE ATTACHMENT 1
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 6, CONCESSION 2
 CITY OF STONEY CREEK
 1186 HIGHWAY 8, STONEY CREEK
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?
OWNERSHIP SINCE 1955 (4 GENERATIONS)

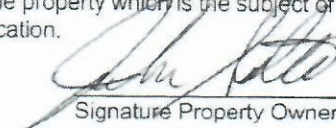
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

AUG 29, 2021
 Date


 Signature Property Owner

JOHN SALTES
 Print Name of Owner

10. Dimensions of lands affected:
 Frontage 192 M
 Depth 515 M
 Area 25 ACRES
 Width of street 20 M

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

Existing:	① HOUSE	② BARN 1	③ BARN 2	④ PROPOSED FLR:
	GND FLR: 900	1974 FT ²	560 FT ²	1776 SQFT
	GROSS FLR: 1400			1776 SQFT
	STORIES: 2	1	1	1
	WIDTH: 28	42 FT	16	37'
Proposed	LENGTH: 32	47 FT	35	48'
	HEIGHT: 24	26 FT	18	15'

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 ATTACHMENT 2

Proposed:



13. Date of acquisition of subject lands:
MAY 5 1955 (1ST GENERATION) 1993 J. SOLTES
OWNERSHIP
14. Date of construction of all buildings and structures on subject lands:
HOUSE 1942. BARN1 PRE 1955. BARN2 1994
15. Existing uses of the subject property:
CHERRY FARM - AGRICULTURE
16. Existing uses of abutting properties: EAST - RESIDENTIAL NORTH - Hwy B
WEST - AGRICULTURAL
SOUTH - AGRICULTURAL
17. Length of time the existing uses of the subject property have continued:
SINCE 1955 IN CURRENT FAMILY OWNERSHIP
100+ YRS TOTAL
18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected YES
 Sanitary Sewer NO Connected
 Storm Sewers NO
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: GL/B-21:88

SUBJECT PROPERTY: 0 Chippewa Road

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 2363823 Ontario Inc. c/o Mike Beittol
 Agent A.J Clarke and Associates Ltd. c/o
 Ryan Ferrari

PURPOSE OF APPLICATION: To sever a vacant parcel of land from the existing agricultural parcel for the purposes of merging the lands on title with an existing agricultural parcel fronting onto Tyneside Rd known as 3235 Tyneside Rd.

Severed lands:
 120m[±] x 284m[±] and an area of 5.2 ha[±]

Retained lands:
 344m[±] x varies and an area of 10.46 ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, November 4th , 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

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GL/B-21: 88
PAGE 2

MORE INFORMATION

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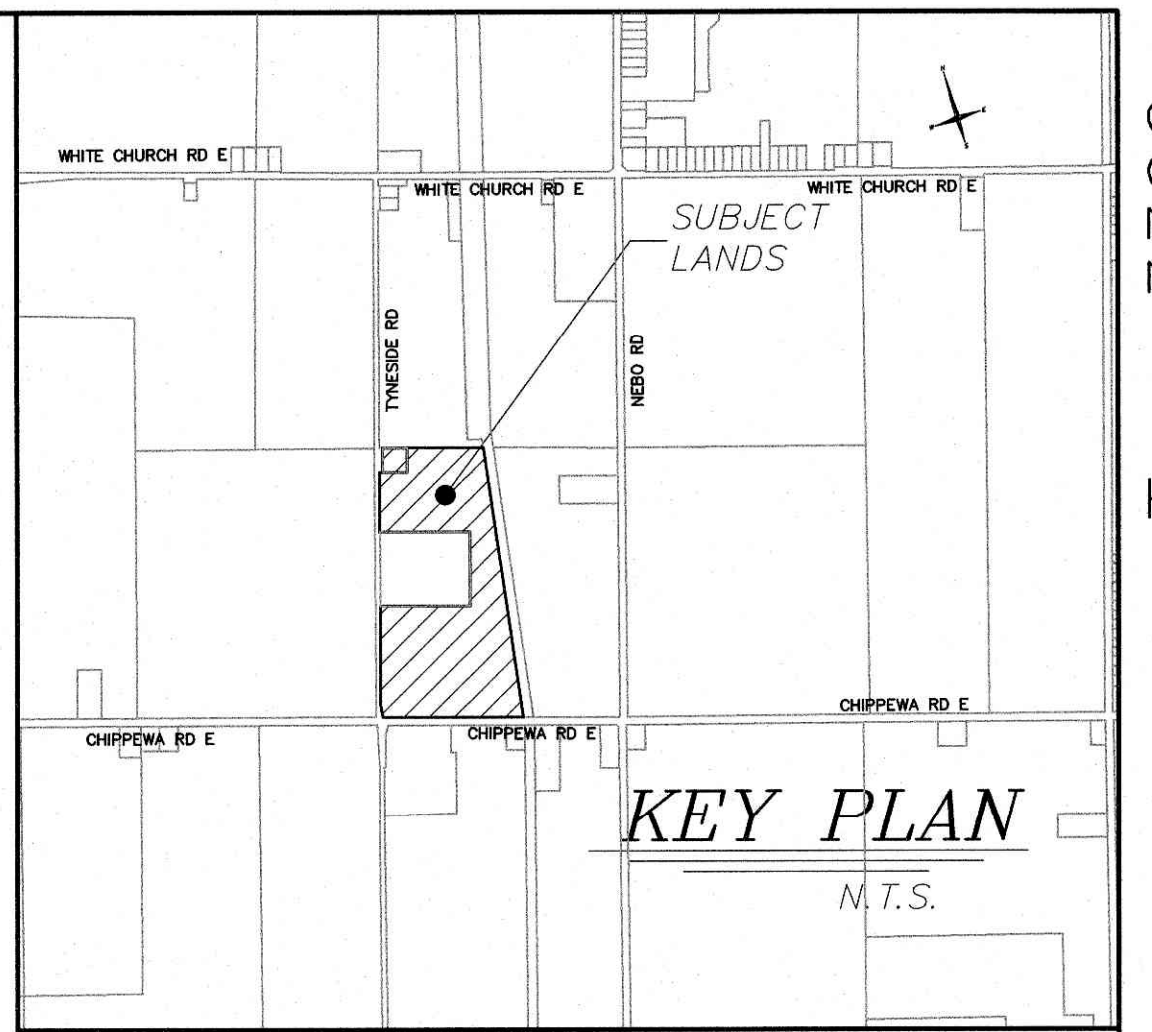
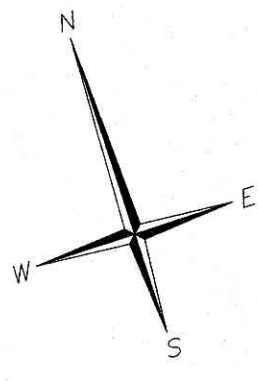
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

T - 3302

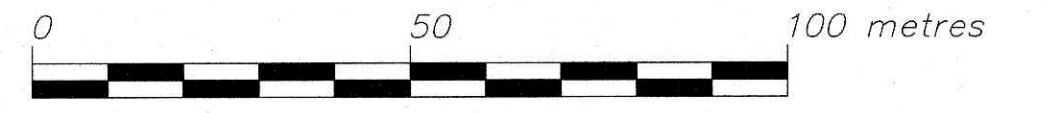


SKETCH FOR CONSENT TO SEVER

3253 TYNESIDE ROAD

CITY OF HAMILTON

SCALE 1:1500



THE ABOVE NOTES LANDS ARE:
PART OF LOT 13
CONCESSION 6
GEOGRAPHIC TOWNSHIP OF GLANFORD

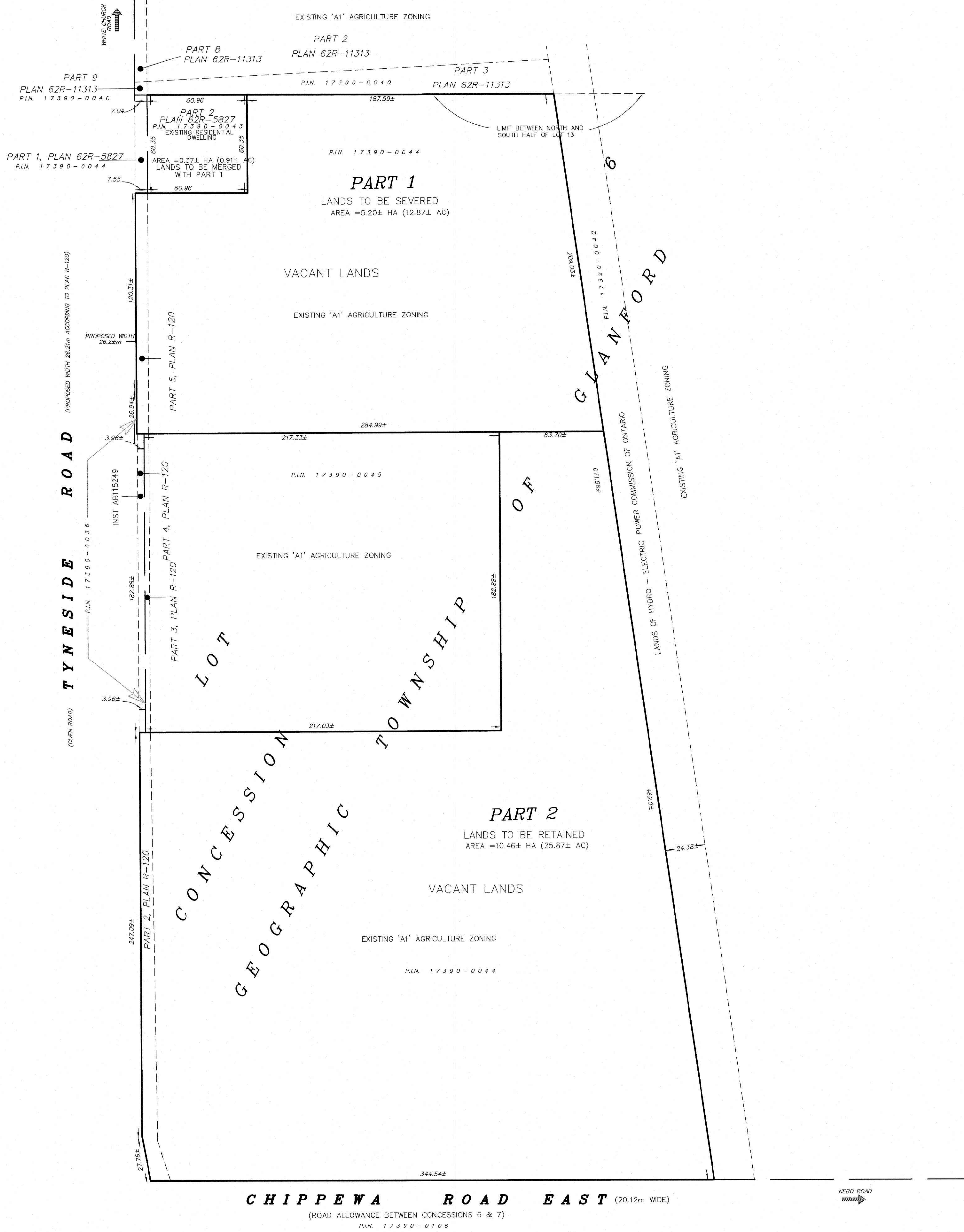
METRIC:
DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
DISTANCES SHOWN ON THIS SKETCH ARE COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE AND ARE NOT BASED ON AN ACTUAL FIELD SURVEY.

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

CONSENT SCHEDULE:

- PART 1 - LAND TO BE SEVERED
AREA = 5.20± HA (12.84± AC)
- PART 2 - LANDS TO BE RETAINED
AREA = 10.46± HA (25.87± AC)
- PART 1, SEVERED LANDS TO BE MERGED WITH THE ADJACENT LANDS TO THE NORTHWEST (BEING PART 2, PLAN 62R-5827, AREA = 0.37± HA (0.91± AC))



AUGUST 3, 2021
DATE

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

T - 3302



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

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

September 22, 2021

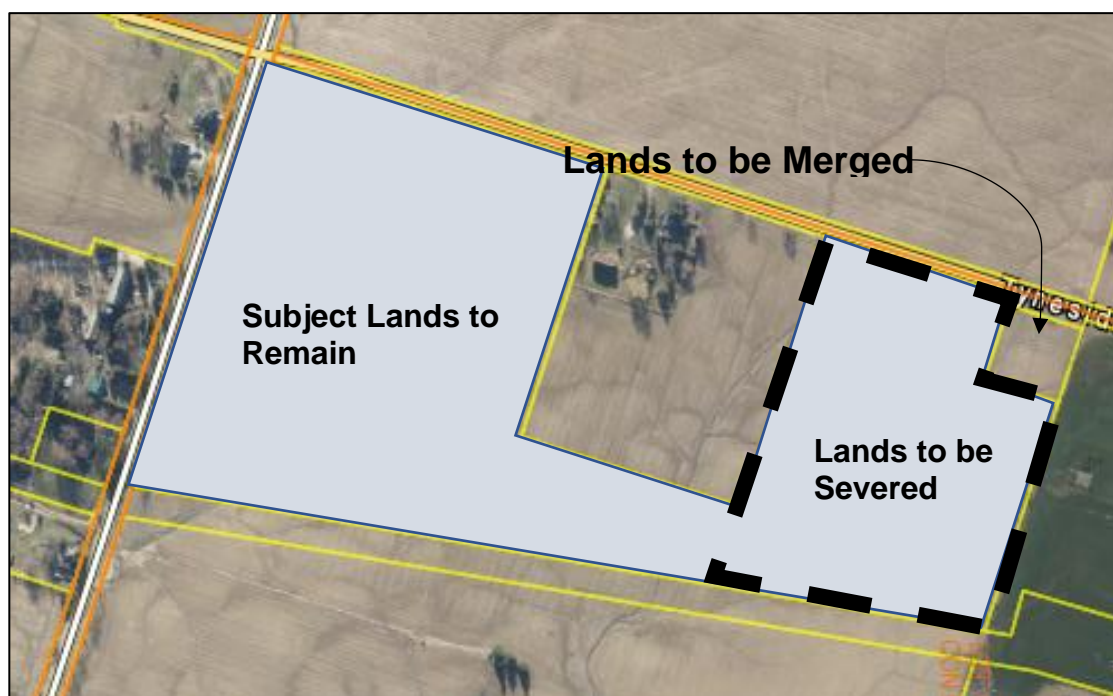
Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: NE of Tyneside Road and Chippewa Road East (0 Chippewa Road)
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by 2363823 Ontario Inc., owner of the subject lands for the purposes of submitting the enclosed Minor Variance and Consent Applications. The subject lands are located northeast of Tyneside Road and Chippewa Road East, and have yet to have been assigned a municipal address.

The subject lands are bounded by Chippewa Road East to the south, a pipeline right of way to the east and Tyneside Road to the west. Currently, the entirety of the lands is used for agricultural purposes and are rented out to a single farmer. This same farmer also farms the entire block of lands bounded by Chippewa Road, Tyneside Road and Nebo Road. See the attached letter as Appendix "A". Various properties containing single detached dwellings exist surrounding the subject lands. An aerial view of the subject lands is located below (VuMap, 2021):





2363823 Ontario Inc. also owns the abutting lands to the east which front onto Nebo Road. A future single detached dwelling is also proposed for this lot. In addition, the balance of the subject lands along with the abutting lands which are owned by our client is currently and will continue to be rented out to the aforementioned farmer.



Subject Lands and Surrounding Area (VuMap, 2021)



Purpose

Along the northwest corner of the subject lands, an existing 0.36 hectare (0.88 ac.) parcel exists and is currently subject to a building permit application for a proposed single detached dwelling. The purpose of this application is to sever approximately 5.20 hectares (12.87 acres) of land from the subject property and merge them on title with this property by way of a lot addition.

In addition, variances to the Zoning By-law will be required to recognize that the resultant parcels will be less than 40.4 ha. in size. It should be noted that the existing parcels are already undersized.

The following supporting materials are submitted to your attention, in support of the subject application:

- 1) One (1) copy of the required filled and signed Minor Variance Application Form;
- 2) One (1) copy of the required filled and signed Severance Application Form;
- 3) One (1) digital copy of the Sketch Plan, prepared by A.J. Clarke & Associates Ltd., dated August 3, 2021, depicting the lands to be severed and retained.

Consent Application

The effect of the consent application is to sever a parcel of land having an area of 5.2 ha. from the existing farm parcel for the purposes of merging the lands on title with the 0.36 ha parcel fronting onto Tyneside Road. The attached Sketch Plan depicts the proposed severance.

Greenbelt Plan

4.6 Lot Creation

For lands falling within the Protected Countryside, the following policies shall apply:

1. *Lot creation is discouraged and may only be permitted for:*
 - e) *Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in prime agricultural areas, including specialty crop areas, and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature;*

The Greenbelt Plan permits boundary additions provided that no new lots are created. The lands to be severed are intended to be merged on title with an existing parcel. The existing cash crop operation is proposed to continue on the subject lands. Therefore, the proposal conforms to the Greenbelt Plan.

Rural Hamilton Official Plan

The subject lands are designated "Agriculture" on Schedule D in the Rural Hamilton Official Plan. The Agriculture designation permits a range of agricultural uses, including one single detached dwelling per lot. The proposed uses are permitted on the subject lands.

Severance

The following Lot Creation policies are applicable to the application:



F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:

- a) No new lots shall be created;*
- b) All resulting lots shall be:
 - i) 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, except as permitted in F.1.14.2.7 d); and,*
 - ii) be compatible with and not hinder surrounding agricultural operations.**
- f) The minimum lot size requirements in F.1.14.2.5 b), c), and d) may also include lands designated as Open Space on Schedule D – Rural Land Use Designations, or identified as within the Natural Heritage System on Schedule B – Natural Heritage System.*
- g) The maximum lot size for lot additions outside of designated Rural Settlement Areas, except lot additions for agricultural purposes where both the severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.*
- h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties.*

The intent of the above noted policies are to allow for lot additions to take place in the Rural Area provided the no new lots are created and to ensure that Agricultural Operations can continue on the subject lands.

Regarding condition a), no new lots are being created as a result of the application. The resultant lot is greater than 0.4 hectares in size thereby able to maintain sustainable private services on site. The resultant lot does not impact any of the surrounding agricultural operations and the entirety of the lands will continue to be used for farming purposes (Appendix “A”). No lands are being taken out of Agricultural production and will continue to be farmed. The lands will be merged on title, ensuring that no new lots are being created. A condition relating to proving that the lands are farmed would be appropriate in order to confirm the intent of the proposal is to ensure that the existing agricultural operation remains.

Minor Variance

The lands are zoned Agriculture (A1) Zone in the City of Hamilton Zoning By-law No. 05-200, which permits Agricultural Uses and a Single Detached Dwelling. As noted above, a Minor Variance Application is required to facilitate the severance application. Accordingly, the following variances are required:



Retained Lands

1. To permit the retained parcel (Part 2) to have a minimum lot size of 10.4 ha., whereas the Zoning By-law requires a minimum lot size of 40.4 hectares for an agricultural parcel.
2. To permit the severed parcel (Part 1) to have a minimum lot size of 5.57 ha., whereas the Zoning By-law requires a minimum lot size of 40.4 hectares for an agricultural parcel.

Severed and Merged Lands

The required lot size for a parcel in the Rural Area is 40.4 ha in size. The existing lot, prior to the completion of the severance is approximately 15 ha. in size and therefore does not currently meet the By-law. The resulting lot will be 10 ha. in size. As the lot is already undersized and is currently being farmed and will continue to be farmed for the foreseeable future, there are no anticipated impacts stemming from the lot size. As the existing forming use will be maintained, there are no impacts to the agricultural viability of the parcel despite the severance. Therefore, the variance meets the four tests.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the Planning Act.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Ryan Ferrari, BURPI, CPT
Planner

A. J. Clarke and Associates Ltd.

Encl.

cc: 2363823 Ontario Inc
c/o Mike Beittol



APPENDIX A



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

I, Roy Cox, am the individual who has leased the lands bounded by Tyneside Road, Chippewa Road and Nebo Road from Mike Bettiol, owner of the subject lands. I farm approximately 4,000 acres in and around the Glanbrook Area and I will continue to farm these lands for the foreseeable future.

DATE: September 3, 2021

SIGNATURE:



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*

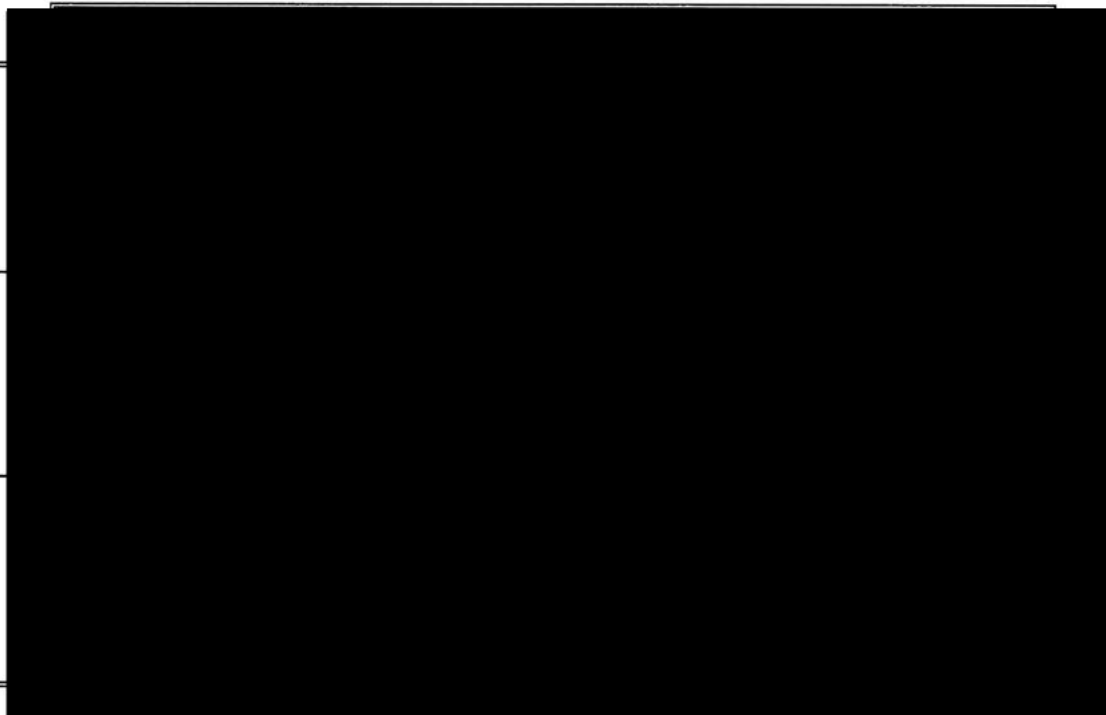
Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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1 APPLICANT INFORMATION

1.1, 1.2

Registered Owners(s)
Applicant(s)*
Agent or Solicitor



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 Mount Hope	Lot Pt Lt 13	Concession 6	Former Township Glanford
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s) 1 and 2
Municipal Address N/A	Assessment Roll N°. 251890261064600		

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:

N/A

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

Portion of irregular shaped lot East of subject site will be severed at the northern lot line of 3325 Tyneside and added to 3235 Tyneside

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)
+ - 120 m	+ - 284m	+ - 5.2 ha

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: None on severed lands (one single detached dwelling on lands to be added to)

Proposed: One 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)
+ - 344 m	+ - irregular m	+ - 10.46 ha

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: none

Proposed: none

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): N/A

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

Lot addition is not creating any new lot lines, nor will it result in any adverse environmental effects.

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? A1 - Agriculture

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"/>	650m
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 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; 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 Cover letter.

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

See Cover letter.

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

See 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

- 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)

N/A

- 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)

N/A

- 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)

It will not result in any adverse environmental effects.

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.

Unknown

8.4 How long has the applicant owned the subject land?

Unknown

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.

Unknown

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 _____ 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.

N/A

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) +- 120 m	Area (m ² or ha): (from in Section 4.1) +- 5.2 ha
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Existing Land Use: agricultural Proposed Land Use: residential/agriculture

b) Lands to be Retained:

Frontage (m): (from Section 4.2) +- 344m	Area (m ² or ha): (from Section 4.2) +- 10.46 ha.
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Existing Land Use: agricultural Proposed Land Use: agricultural/residential

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Currently, a farmer leases out the lands for cash crops. This will continue on the entirety of the lands.

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

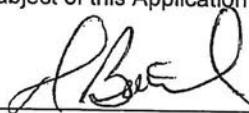
12.1 The application shall be accompanied by a sketch showing the following in metric units:

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

13 ACKNOWLEDGEMENT CLAUSE

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

Sep 3, 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
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-21:351

APPLICANTS: Agent A.J. Clarke & Associates c/o Ryan Ferrari
 Owner 2363823 Ontario Inc.

SUBJECT PROPERTY: Municipal address **0 Chippewa Rd., Glancaster**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the creation of 2 lots through Land Severance application GL/B-21: 88 and to merge in title the lands to be severed shown as Part 1 with the lands known as 3235 Tyneside Road notwithstanding that;

RETAINED LAND (PART 2):

1. A minimum lot area of 10.4 Ha shall be provided whereas the Zoning By-Law requires a minimum lot area of 40.4 Ha for an agricultural parcel.

SEVERED LAND (PART 1):

2. A minimum lot area of 5.5 Ha shall be provided whereas the Zoning By-Law requires a minimum lot area of 40.4 ha for an agricultural parcel.

Notes:

These variances are necessary to facilitate severance application GL/B-21: 88.

A portion of this property is within the Niagara Peninsula Conservation Authority

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

DATE: Thursday, November 4th, 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

GL/A-21: 351
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

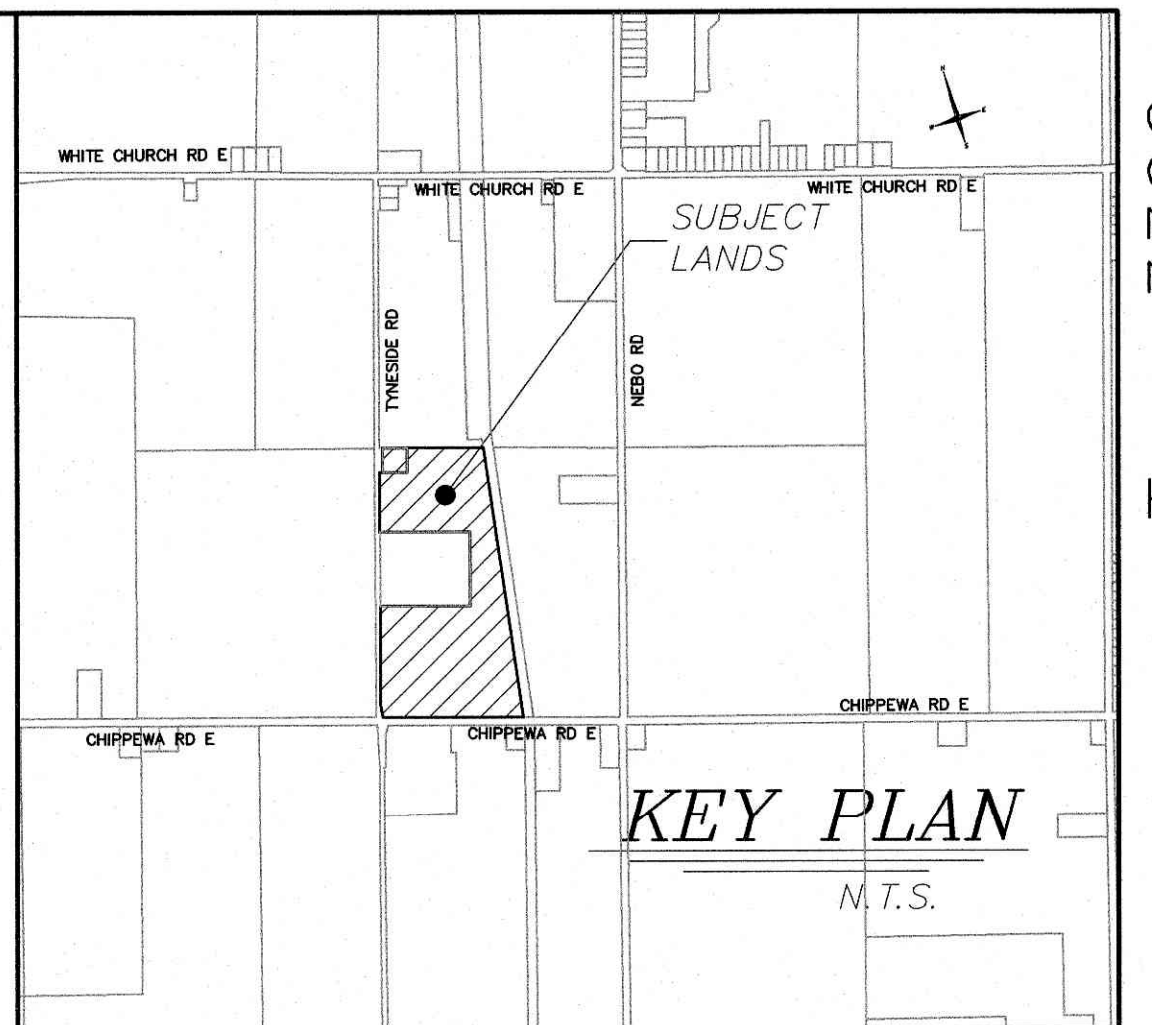
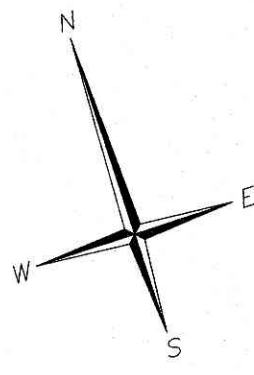
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

T - 3302



SKETCH FOR CONSENT TO SEVER

3253 TYNESIDE ROAD

CITY OF HAMILTON

SCALE 1:1500



THE ABOVE NOTES LANDS ARE:
PART OF LOT 13
CONCESSION 6
GEOGRAPHIC TOWNSHIP OF GLANFORD

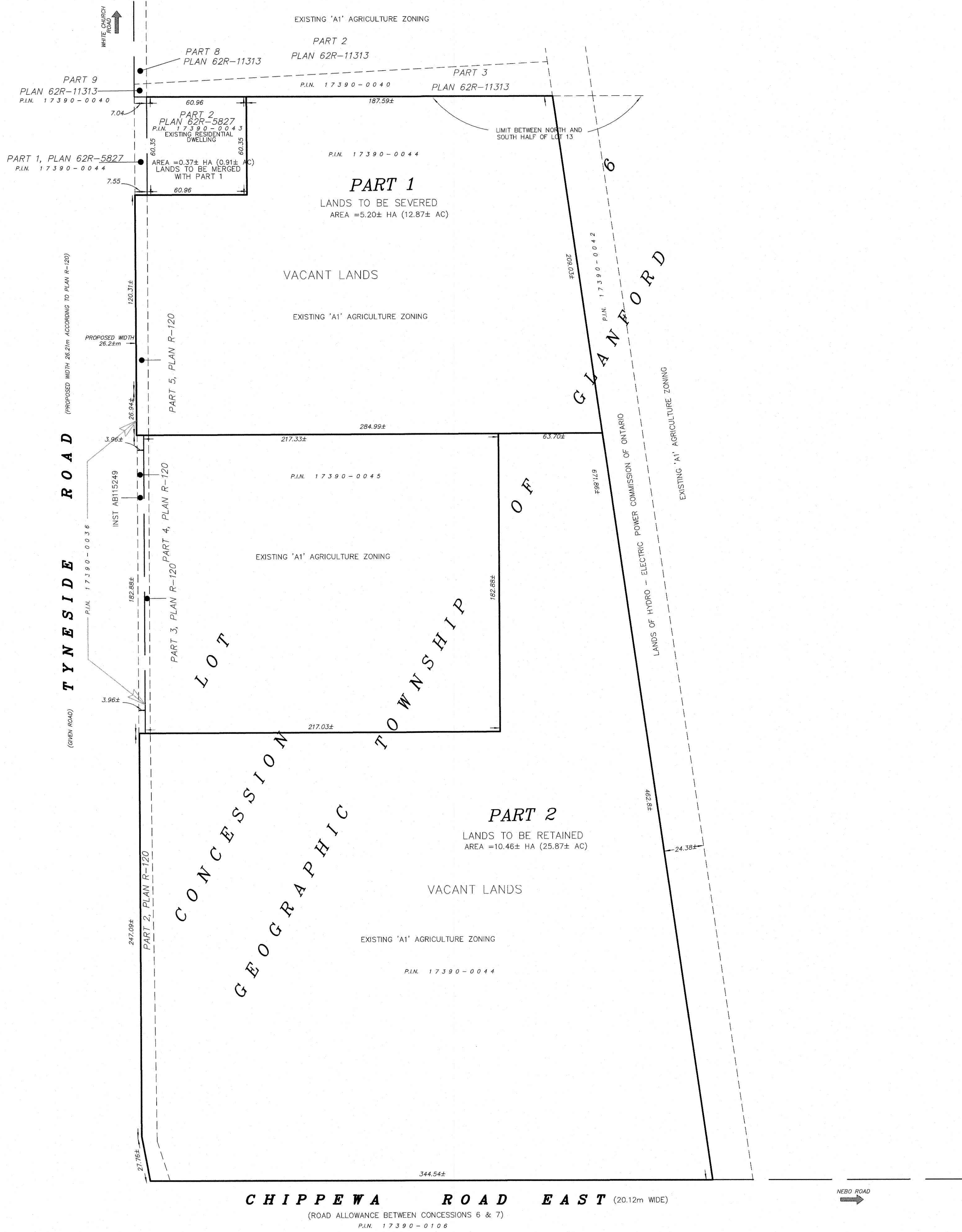
METRIC:
DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
DISTANCES SHOWN ON THIS SKETCH ARE COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE AND ARE NOT BASED ON AN ACTUAL FIELD SURVEY.

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

CONSENT SCHEDULE:

- PART 1 - LAND TO BE SEVERED
AREA = 5.20± HA (12.84± AC)
- PART 2 - LANDS TO BE RETAINED
AREA = 10.46± HA (25.87± AC)
- PART 1, SEVERED LANDS TO BE MERGED WITH THE ADJACENT LANDS TO THE NORTHWEST (BEING PART 2, PLAN 62R-5827, AREA = 0.37± HA (0.91± AC))



AUGUST 3, 2021
DATE

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

T - 3302



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

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

September 22, 2021

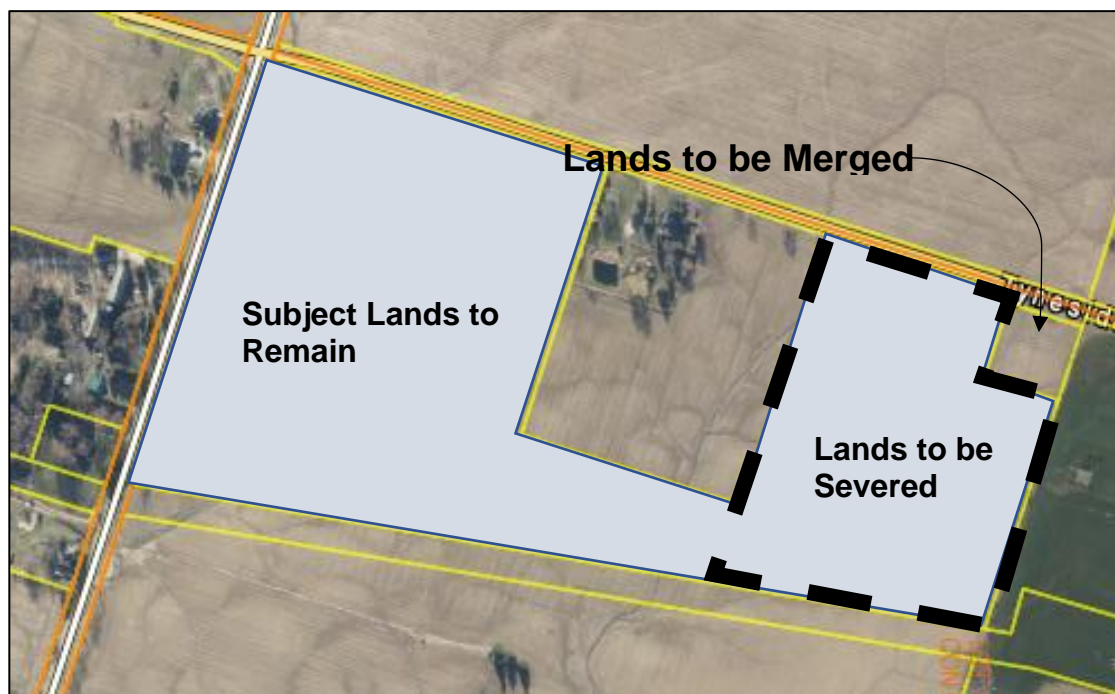
Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: NE of Tyneside Road and Chippewa Road East (0 Chippewa Road)
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by 2363823 Ontario Inc., owner of the subject lands for the purposes of submitting the enclosed Minor Variance and Consent Applications. The subject lands are located northeast of Tyneside Road and Chippewa Road East, and have yet to have been assigned a municipal address.

The subject lands are bounded by Chippewa Road East to the south, a pipeline right of way to the east and Tyneside Road to the west. Currently, the entirety of the lands is used for agricultural purposes and are rented out to a single farmer. This same farmer also farms the entire block of lands bounded by Chippewa Road, Tyneside Road and Nebo Road. See the attached letter as Appendix "A". Various properties containing single detached dwellings exist surrounding the subject lands. An aerial view of the subject lands is located below (VuMap, 2021):





2363823 Ontario Inc. also owns the abutting lands to the east which front onto Nebo Road. A future single detached dwelling is also proposed for this lot. In addition, the balance of the subject lands along with the abutting lands which are owned by our client is currently and will continue to be rented out to the aforementioned farmer.



Subject Lands and Surrounding Area (VuMap, 2021)



Purpose

Along the northwest corner of the subject lands, an existing 0.36 hectare (0.88 ac.) parcel exists and is currently subject to a building permit application for a proposed single detached dwelling. The purpose of this application is to sever approximately 5.20 hectares (12.87 acres) of land from the subject property and merge them on title with this property by way of a lot addition.

In addition, variances to the Zoning By-law will be required to recognize that the resultant parcels will be less than 40.4 ha. in size. It should be noted that the existing parcels are already undersized.

The following supporting materials are submitted to your attention, in support of the subject application:

- 1) One (1) copy of the required filled and signed Minor Variance Application Form;
- 2) One (1) copy of the required filled and signed Severance Application Form;
- 3) One (1) digital copy of the Sketch Plan, prepared by A.J. Clarke & Associates Ltd., dated August 3, 2021, depicting the lands to be severed and retained.

Consent Application

The effect of the consent application is to sever a parcel of land having an area of 5.2 ha. from the existing farm parcel for the purposes of merging the lands on title with the 0.36 ha parcel fronting onto Tyneside Road. The attached Sketch Plan depicts the proposed severance.

Greenbelt Plan

4.6 Lot Creation

For lands falling within the Protected Countryside, the following policies shall apply:

1. *Lot creation is discouraged and may only be permitted for:*
 - e) *Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in prime agricultural areas, including specialty crop areas, and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature;*

The Greenbelt Plan permits boundary additions provided that no new lots are created. The lands to be severed are intended to be merged on title with an existing parcel. The existing cash crop operation is proposed to continue on the subject lands. Therefore, the proposal conforms to the Greenbelt Plan.

Rural Hamilton Official Plan

The subject lands are designated "Agriculture" on Schedule D in the Rural Hamilton Official Plan. The Agriculture designation permits a range of agricultural uses, including one single detached dwelling per lot. The proposed uses are permitted on the subject lands.

Severance

The following Lot Creation policies are applicable to the application:



F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:

- a) No new lots shall be created;*
- b) All resulting lots shall be:
 - i) 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, except as permitted in F.1.14.2.7 d); and,*
 - ii) be compatible with and not hinder surrounding agricultural operations.**
- f) The minimum lot size requirements in F.1.14.2.5 b), c), and d) may also include lands designated as Open Space on Schedule D – Rural Land Use Designations, or identified as within the Natural Heritage System on Schedule B – Natural Heritage System.*
- g) The maximum lot size for lot additions outside of designated Rural Settlement Areas, except lot additions for agricultural purposes where both the severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.*
- h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties.*

The intent of the above noted policies are to allow for lot additions to take place in the Rural Area provided the no new lots are created and to ensure that Agricultural Operations can continue on the subject lands.

Regarding condition a), no new lots are being created as a result of the application. The resultant lot is greater than 0.4 hectares in size thereby able to maintain sustainable private services on site. The resultant lot does not impact any of the surrounding agricultural operations and the entirety of the lands will continue to be used for farming purposes (Appendix “A”). No lands are being taken out of Agricultural production and will continue to be farmed. The lands will be merged on title, ensuring that no new lots are being created. A condition relating to proving that the lands are farmed would be appropriate in order to confirm the intent of the proposal is to ensure that the existing agricultural operation remains.

Minor Variance

The lands are zoned Agriculture (A1) Zone in the City of Hamilton Zoning By-law No. 05-200, which permits Agricultural Uses and a Single Detached Dwelling. As noted above, a Minor Variance Application is required to facilitate the severance application. Accordingly, the following variances are required:



Retained Lands

1. To permit the retained parcel (Part 2) to have a minimum lot size of 10.4 ha., whereas the Zoning By-law requires a minimum lot size of 40.4 hectares for an agricultural parcel.
2. To permit the severed parcel (Part 1) to have a minimum lot size of 5.57 ha., whereas the Zoning By-law requires a minimum lot size of 40.4 hectares for an agricultural parcel.

Severed and Merged Lands

The required lot size for a parcel in the Rural Area is 40.4 ha in size. The existing lot, prior to the completion of the severance is approximately 15 ha. in size and therefore does not currently meet the By-law. The resulting lot will be 10 ha. in size. As the lot is already undersized and is currently being farmed and will continue to be farmed for the foreseeable future, there are no anticipated impacts stemming from the lot size. As the existing forming use will be maintained, there are no impacts to the agricultural viability of the parcel despite the severance. Therefore, the variance meets the four tests.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the Planning Act.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Ryan Ferrari, BURPI, CPT
Planner

A. J. Clarke and Associates Ltd.

Encl.

cc: 2363823 Ontario Inc
c/o Mike Beittol



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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 see attached cover letter.

5. Why it is not possible to comply with the provisions of the By-law?
Please see attached cover letter.

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 13, Concession 6 Former Township of Glanford; 0 Chippewa Road south and 0 Tyneside Road

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?
 Property Owner information

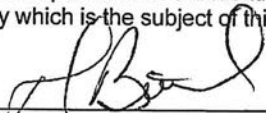
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Sep 3, 2021
 Date


 Signature Property Owner

Mike Bettiol
 Print Name of Owner

10. Dimensions of lands affected:
 Frontage 346m Chippewa Road S; 720m Tyneside Road
 Depth Irregular
 Area 15 hectares
 Width of street Tyneside Road 20.1 m; Chippewa Road S 20.1m

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:_
 Agriculture

Proposed
 Agriculture

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

Existing:
 Agriculture

Proposed:
 Agriculture

13. Date of acquisition of subject lands:
2020
-
14. Date of construction of all buildings and structures on subject lands:
N/A
-
15. Existing uses of the subject property:
Agriculture
16. Existing uses of abutting properties:
Agriculture; Single Detached Dwellings
17. Length of time the existing uses of the subject property have continued:
Indeterminate
18. Municipal services available: (check the appropriate space or spaces)
Water N/A Connected _____
Sanitary Sewer N/A Connected _____
Storm Sewers N/A
19. Present Official Plan/Secondary Plan provisions applying to the land:
Agriculture - Schedule D Rural Land Uses
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Agriculture (A1) Zone
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
Consent to sever land for a lot addition, submitted concurrently.
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.: FL/A-21:289

APPLICANTS: Owners M. & D. Mella

SUBJECT PROPERTY: Municipal address **302 Carlisle Rd., Flamborough**

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

ZONING: S1, P7 district (Settlement Residential, Conservation/Hazard Land)

PROPOSAL: To permit the conversion of an existing single detached dwelling to be used as an accessory building in the front yard, and to facilitate the construction of a new single detached dwelling, notwithstanding that:

1. An accessory building shall be permitted within a front yard, instead of the requirement that an accessory building shall not be permitted within a front or flankage yard.
2. An accessory building shall be permitted to be erected prior to the erection of the principal building or structure on the lot, instead of the requirement that an accessory building shall not be erected prior to the erection of the principal building or structure on the lot.
3. A maximum height of 6.40 metres shall be permitted for an accessory building, instead of the requirement that all accessory buildings shall have a maximum height of 4.5 metres.
4. A maximum gross floor area of 323 square metres shall be permitted for all buildings accessory to a single detached dwelling, instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed an aggregate gross floor area of 45 square metres.

NOTE:

1. Subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
2. Specific details regarding the projection of eaves/gutters for the proposed accessory building were not indicated on the submitted site plan. As per Section 4.8(h) of Hamilton Zoning By-law No. 05-200, an eave or gutter of any accessory building may encroach into any required yard to a maximum of 0.45 metres. Additional variances may be required if compliance with Section 4.8(h) is not possible.

FL/A-21:289
Page 2

3. Please note that a full zoning compliance review was completed for the structure indicated as building "A" on the submitted plans only, and which is proposed to be converted to an accessory building to be used for storage purposes associated with the new proposed single detached dwelling.

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

DATE: Thursday, November 4th, 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: October 19th, 2021.

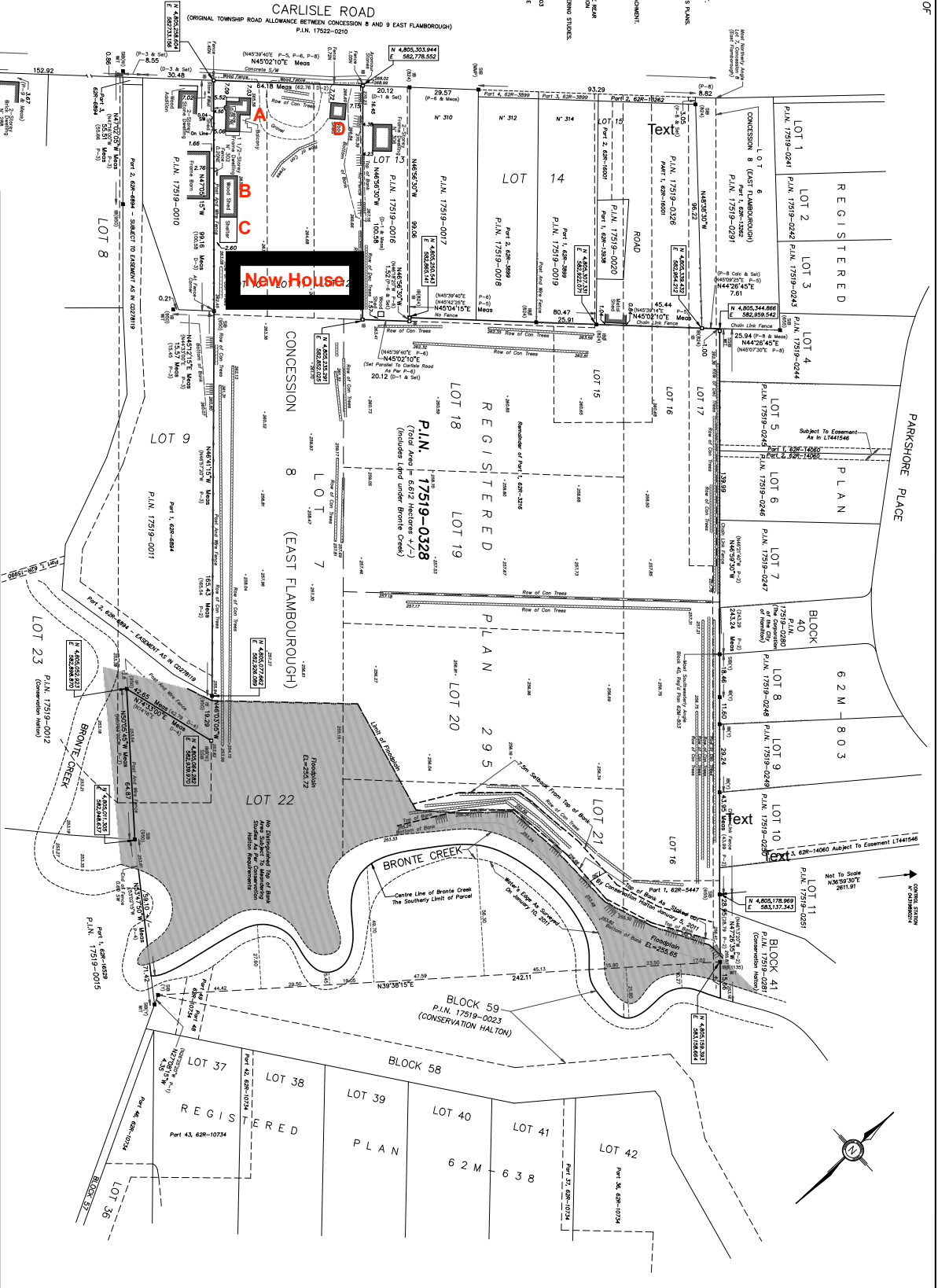
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SURVEYOR'S REAL PROPERTY REPORT - PLAN OF CONVEYANCE
 PART OF LOT 7
 CONVEYANCE TO
 CONVEYANCE TO
 CITY OF HAMILTON
 PROPERTY OF THE TOWN OF FLAMBOROUGH
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1:750
 GRAPHIC SCALE - METERS

- A = 1264 sq ft measuring all exterior walls and 21ft high in the front and 17 ft high in the back**
- B = 57x24 = 1368 sq ft**
- C = this is only shelter 35x24=840 sq ft**
- D = this is only shelter 21x21=441sq ft
This structure will be demolished**

- PART 2 - SURVEY REPORT**
1. MONUMENTATION: THE EXISTING REGULATION IS 50% PER UNDER THE SURVEYORS ACT.
 2. COMPANIONS: SOME COMPANIONS BETWEEN FIELD MEASUREMENTS AND THOSE REPORTED ON PREVIOUS PLANS.
 3. FENCES: ON PART OF THE PLAN.
 4. ENCROACHMENT: NONE FROM ADJACENT, WE FOUND NO VISIBLE ITEMS THAT MAY CONSTITUTE AN ENCROACHMENT.
 5. EASEMENTS/RIGHTS-OF-WAY: NONE REPORTED ON TITLE AND AFFECTING THE SUBJECT LOTS.
 6. FLOODPLAIN - TOP OF BANK: THE SUBJECT LOTS ARE NOT IN A FLOODPLAIN AS DETERMINED BY THE CITY OF HAMILTON AND ARE SUBJECT TO FLOODPLAIN AND TOP OF BANK RESTRICTIONS AS PER CONSERVATION HALTON.
 7. ROAD ACCESS: THE SUBJECT LOTS ARE FRONTING ONTO THE PUBLIC ROAD KNOWN AS CARLISLE ROAD. THERE IS A ROAD ACCESS TO THE SUBJECT LOTS FROM CARLISLE ROAD. THE ROAD ACCESS IS TO BE DETERMINED BY THE ZONING DEPARTMENT OF THE CITY OF HAMILTON.



<p>ASSIGNMENT OF RIGHTS</p> <p>17 9 3 9 3 7</p>	
<p>LEGEND</p> <p>1. REGISTERED PLANS</p> <p>2. UNREGISTERED PLANS</p> <p>3. CONVEYANCE</p> <p>4. EASEMENT</p> <p>5. FENCE</p> <p>6. ROAD</p> <p>7. BRONTE CREEK</p> <p>8. CARLISLE ROAD</p> <p>9. PARKSHORE PLACE</p> <p>10. CENTRE ROAD</p> <p>11. BRONTE CREEK</p> <p>12. BRONTE CREEK</p> <p>13. BRONTE CREEK</p> <p>14. BRONTE CREEK</p> <p>15. BRONTE CREEK</p> <p>16. BRONTE CREEK</p> <p>17. BRONTE CREEK</p> <p>18. BRONTE CREEK</p> <p>19. BRONTE CREEK</p> <p>20. BRONTE CREEK</p> <p>21. BRONTE CREEK</p> <p>22. BRONTE CREEK</p> <p>23. BRONTE CREEK</p> <p>24. BRONTE CREEK</p> <p>25. BRONTE CREEK</p> <p>26. BRONTE CREEK</p> <p>27. BRONTE CREEK</p> <p>28. BRONTE CREEK</p> <p>29. BRONTE CREEK</p> <p>30. BRONTE CREEK</p> <p>31. BRONTE CREEK</p> <p>32. BRONTE CREEK</p> <p>33. BRONTE CREEK</p> <p>34. BRONTE CREEK</p> <p>35. BRONTE CREEK</p> <p>36. BRONTE CREEK</p> <p>37. BRONTE CREEK</p> <p>38. BRONTE CREEK</p> <p>39. BRONTE CREEK</p> <p>40. BRONTE CREEK</p> <p>41. BRONTE CREEK</p> <p>42. BRONTE CREEK</p> <p>43. BRONTE CREEK</p> <p>44. BRONTE CREEK</p> <p>45. BRONTE CREEK</p> <p>46. BRONTE CREEK</p> <p>47. BRONTE CREEK</p> <p>48. BRONTE CREEK</p> <p>49. BRONTE CREEK</p> <p>50. BRONTE CREEK</p>	
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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)	Dennis & Maryline Mella	
Applicant(s)*	Marilyne Mella Dennis Mella	
Agent or Solicitor		

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:
 None

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: *Front yard & a storage*
Converting existing single family home to accessory building.
 Secondary Dwelling Unit Reconstruction of Existing Dwelling
Front yard & height & size

5. Why it is not possible to comply with the provisions of the By-law? ?
Front yard, height & size.

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**):
 CONS PT LOTS 6 THE FLM AND RP62R5447 PART 1 AND RP62R3216 PART 1

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?

This is a residential property

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.

July 27, 2021
Date

Marilyn Mella
Signature Property Owner(s)

Marilyn Mella & Dennis Mella
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 64.18 meters
 Depth 165 meters
 Area 16.5 acres
 Width of street ~~64.18 meters~~

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

Existing: _

- Old farmhouse. (we would like to convert to a ^{Storage} accessory building.)
- New home
- Shop.

Proposed

Convert old farmhouse to a ^{Storage} accessory building.

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:

- Old farmhouse is 7.03 meters from Rd.

13. Date of acquisition of subject lands:
March, 2019
14. Date of construction of all buildings and structures on subject lands:

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 & Honey Store
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:
Zoned S1
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.: FL/A-21:360

APPLICANTS: Agent Kevin Webster
 Owner Roland Carre

SUBJECT PROPERTY: Municipal address **19 Laurendale Ave., Flamborough**

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

ZONING: "CM and R1" (Conservation Management and Urban Residential) (Single Detached) district

PROPOSAL: To permit the construction of a 223 square metre second-storey addition to the existing single family dwelling notwithstanding that:

1. A minimum 1.2 metre southerly interior side yard setback, and a minimum 2.2 metre northerly interior side yard setback shall be permitted, instead of the minimum 7.5 metre interior side yard setback required.

NOTE:

1. Specific details regarding the projection of eaves/gutters of the proposed addition were not indicated on the submitted site plan. Please note that should the variance requested to Section 28.2(g) to permit reduced interior side yard setbacks be approved, eaves and gutters shall be permitted to project into the new minimum side yard(s) a distance of not more than 0.65 metres. Additional variances may be required if compliance with Section 5.30 is not possible.
2. Please be advised that a portion of this property is under Conservation Management. Please contact the Conservation Halton for further information.
3. This property is within the area controlled by the Niagara Escarpment Planning and Development Act. For further information please contact Niagara Escarpment Commission at (905) 877-5191.
4. A building permit is required for the construction of the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

FL/A-21: 360
Page 2

DATE: Thursday, November 4th, 2021
TIME: 1:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

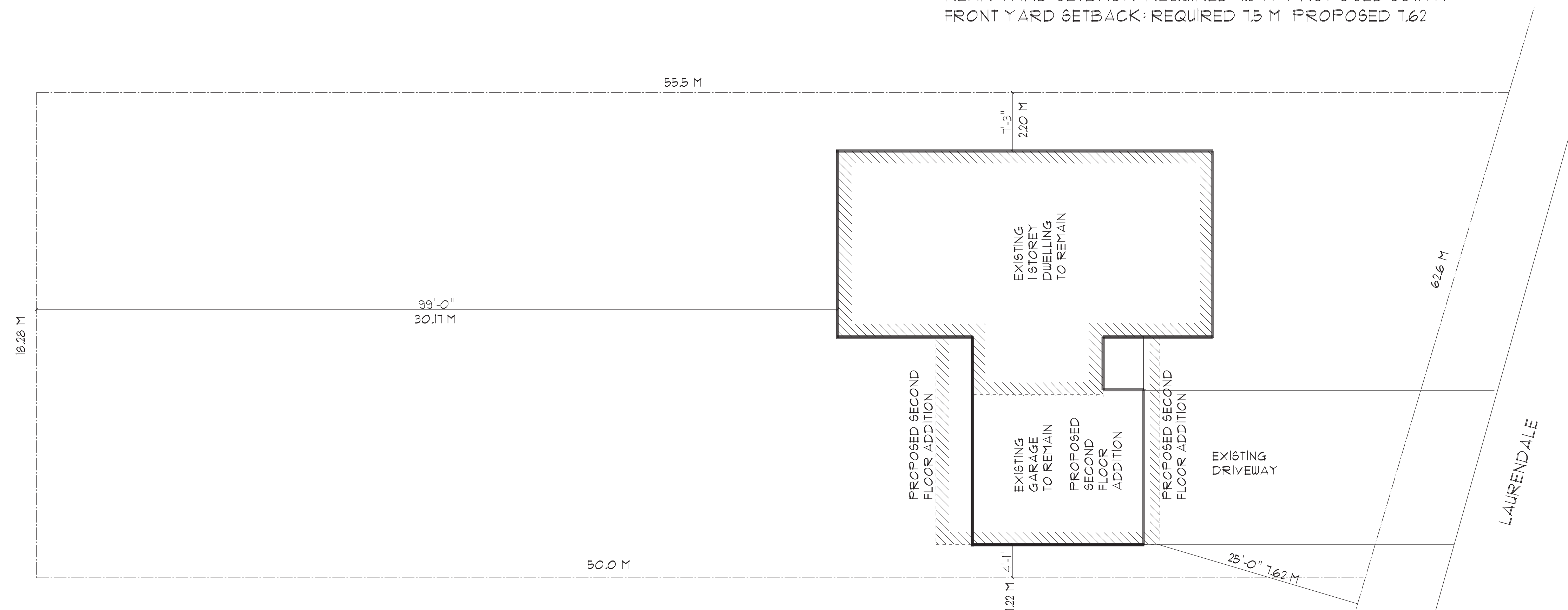
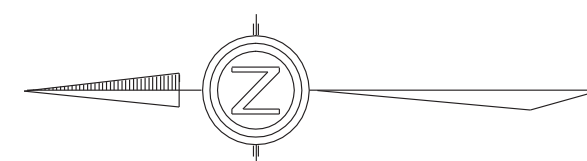
DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

CITY OF HAMILTON

SITE STATISTICS:
 ZONING: RI CM FLAMBOROUGH
 LOT AREA: 912.52 SQ. M EXISTING
 COVERAGE: EXISTING 146.41 SQ. M 15.05% PROPOSED 164.81 SQ. M 16.94%
 EXISTING HEIGHT: 5.18 M PROPOSED HEIGHT: 7.50 M
 SIDE YARD SETBACKS: REQUIRED 1.20 M PROPOSED 1.22 M & 2.20 M
 REAR YARD SETBACK: REQUIRED 7.5 M PROPOSED 30.11 M
 FRONT YARD SETBACK: REQUIRED 7.5 M PROPOSED 7.62



SITE PLAN
 SCALE: 1:50

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

REVISIONS

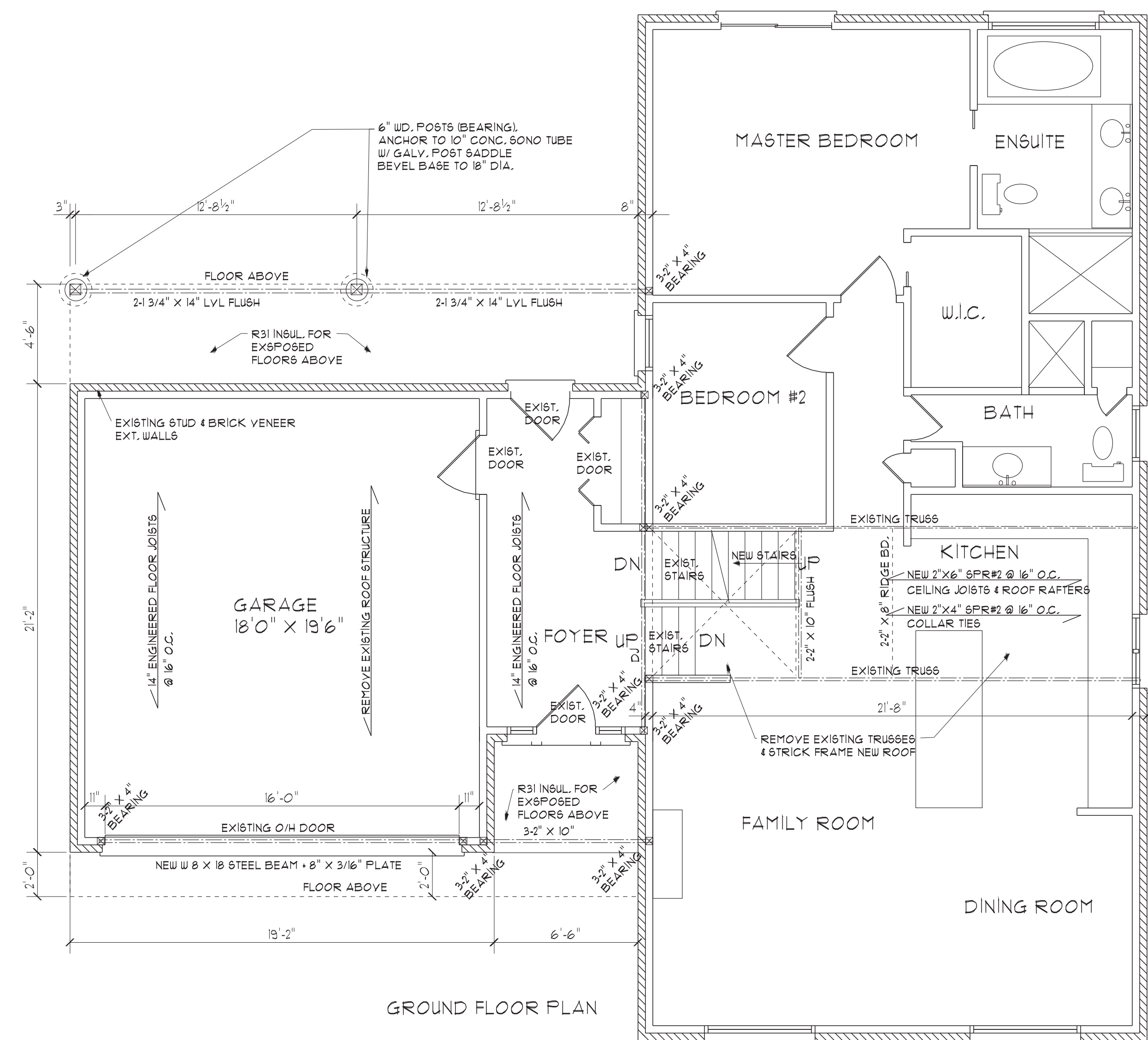
Kevin Webster Designs Inc.
 RESIDENTIAL & COMMERCIAL
 DESIGN, DRAFTING & CONSULTING
 68 North Valley Dr., Welland, Ontario L3c 7L6
 (905)639-2009 Fax (905)689-9773

PROJECT NO: 202115	DATE: MAR 2021
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PROJECT NAME:
 CARRE RESIDENCE
 19 LAURENDALE AVE.
 WATERDOWN, ONT.

MODEL:
 DRAWING:
SITE PLAN

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 10"	PAGE: SP1



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

REVISIONS

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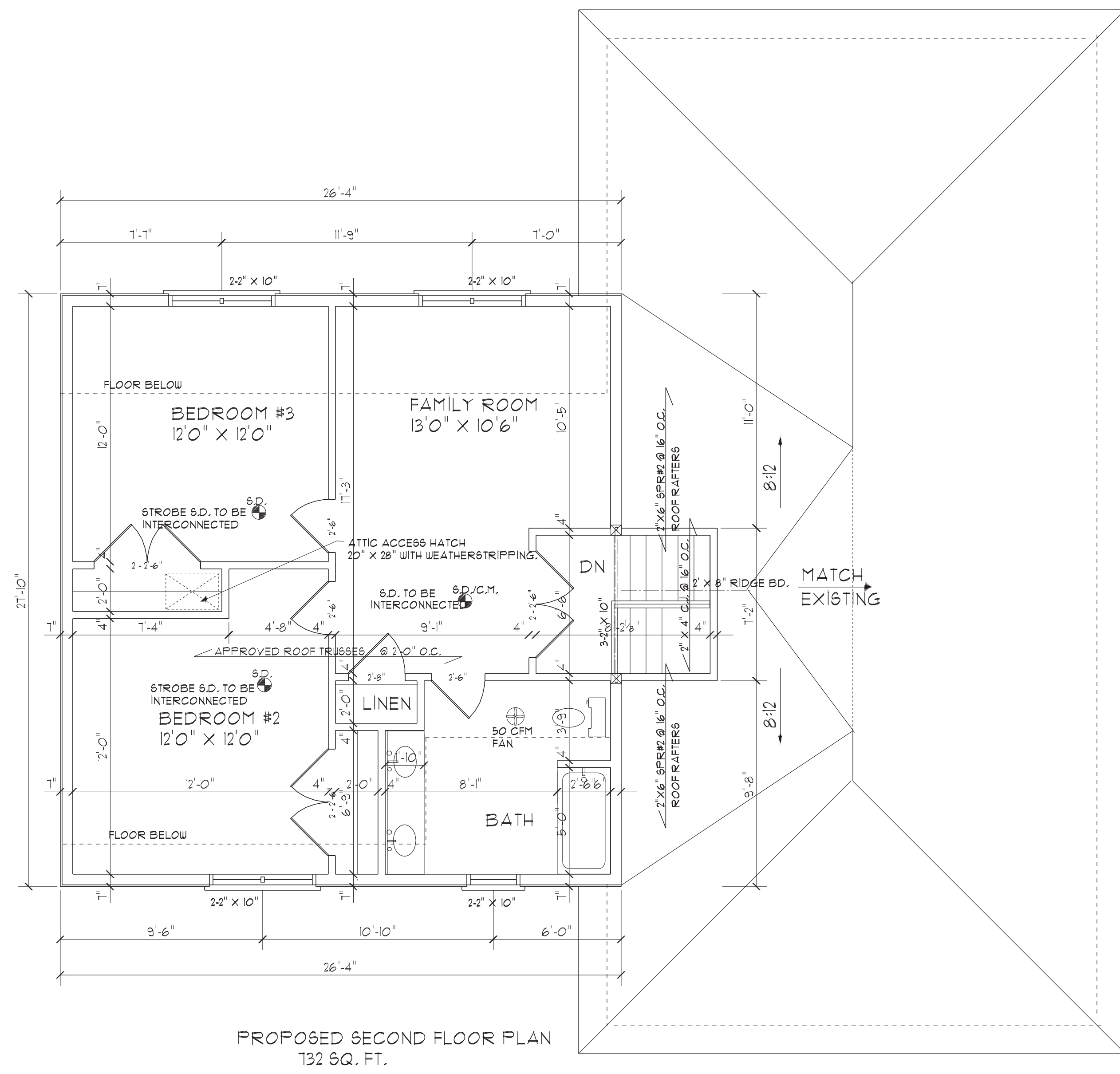
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 68 North Valley Dr., Welland, Ontario L3c 7L6
 (905)639-2009 Fax (905)689-9773

PROJECT NO. 202115	DATE: MAR 2021
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PROJECT NAME:
 CARRE RESIDENCE
 19 LAURENDALE AVE.
 WATERDOWN, ONT.

MODEL:
 DRAWING:
GROUND FLOOR PLAN

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'0"	PAGE: 1



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

REVISIONS

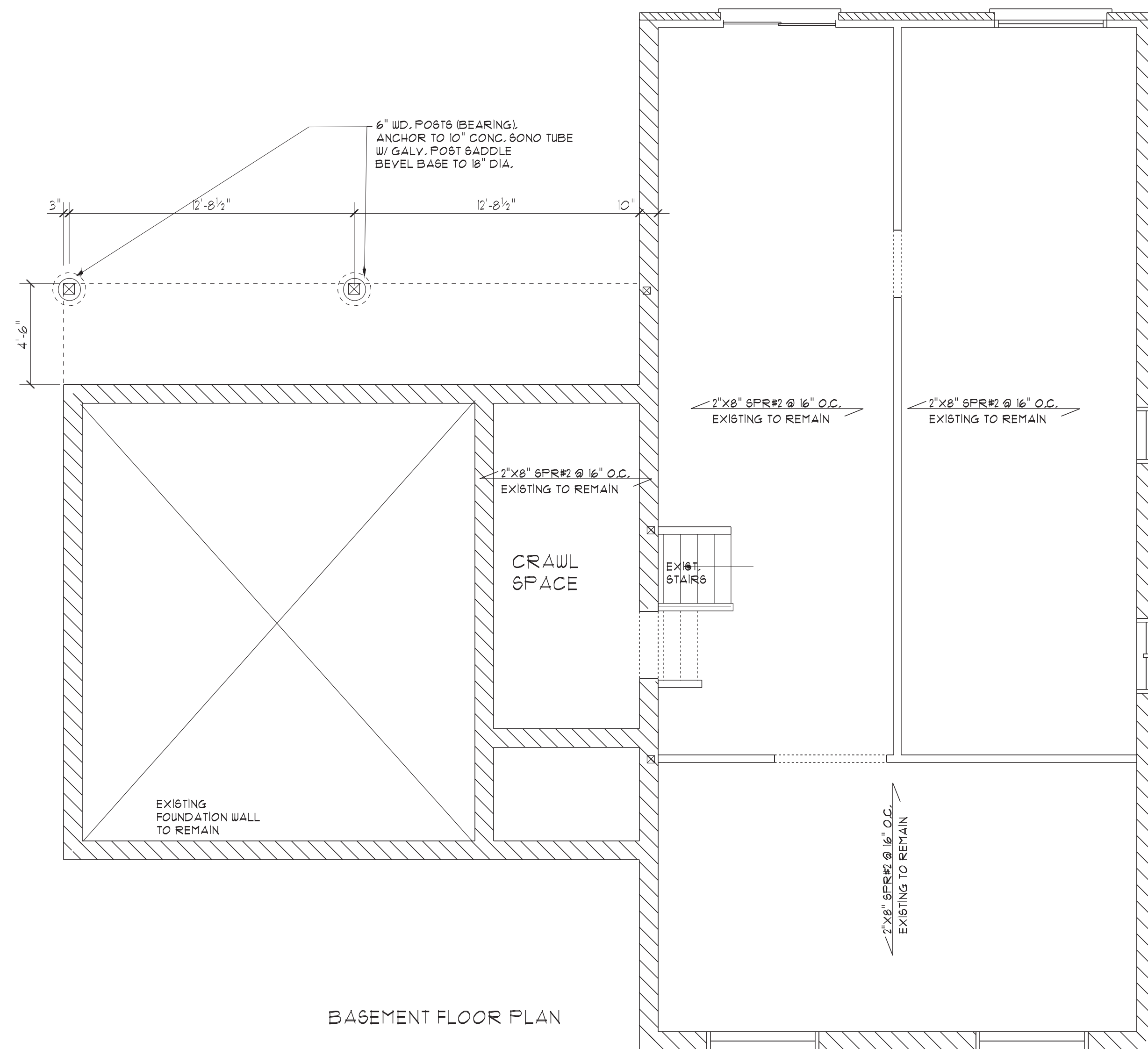
Kevin Webster Designs Inc.
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68 North Valley Dr., Welland, Ontario L3c 7L6
(905)639-2009 Fax (905)689-9773

PROJECT NO. 202115	DATE: MAR 2021
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BUILDER:
PROJECT NAME:
CARRE RESIDENCE
19 LAURENDALE AVE.
WATERDOWN, ONT.

MODEL:
DRAWING:
PROPOSED SECOND FLOOR PLAN

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'0"	PAGE: 2



BASEMENT FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

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(905)639-2009 Fax (905)689-9773

PROJECT NO. 202115	DATE: MAR 2021
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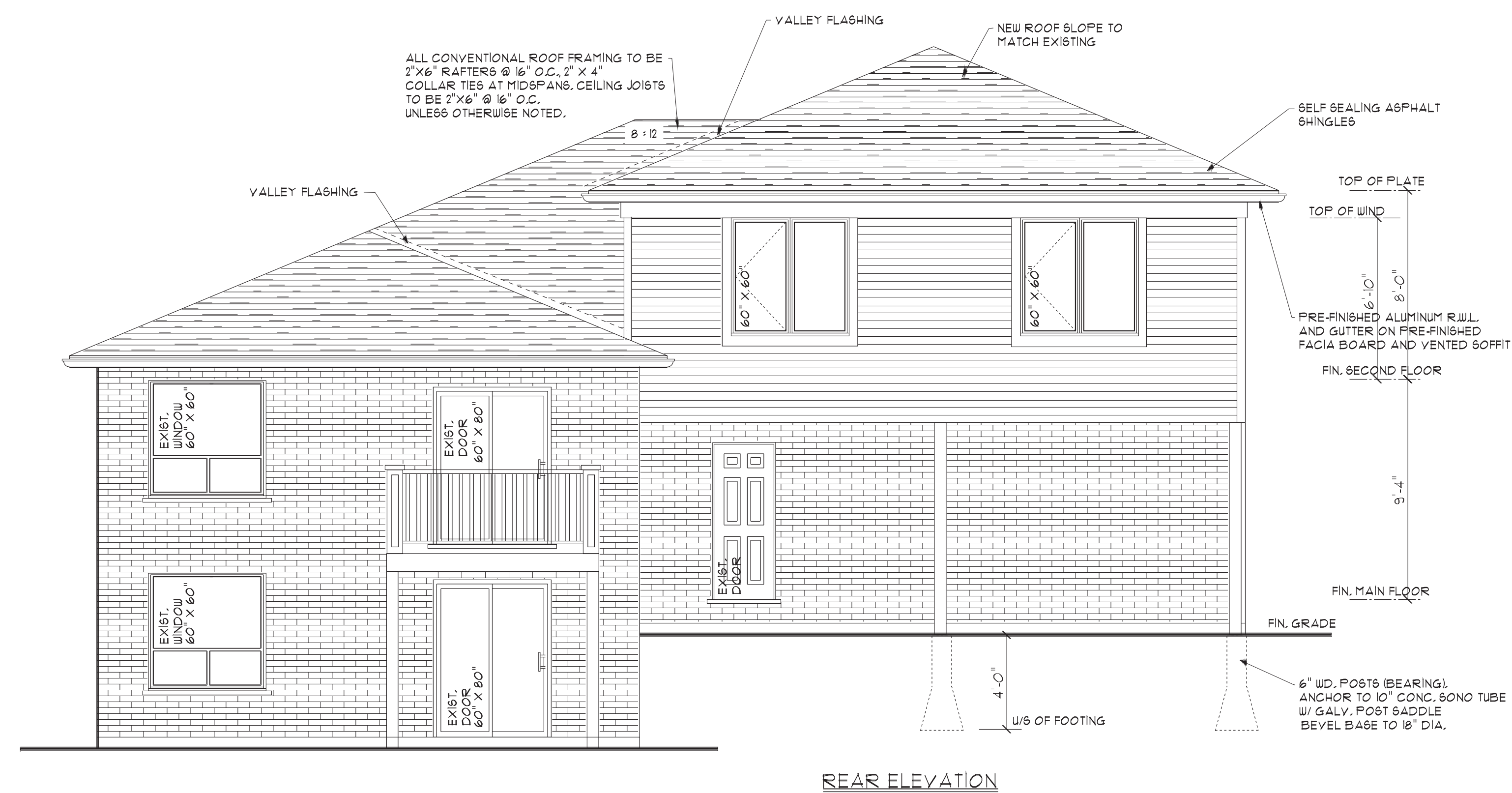
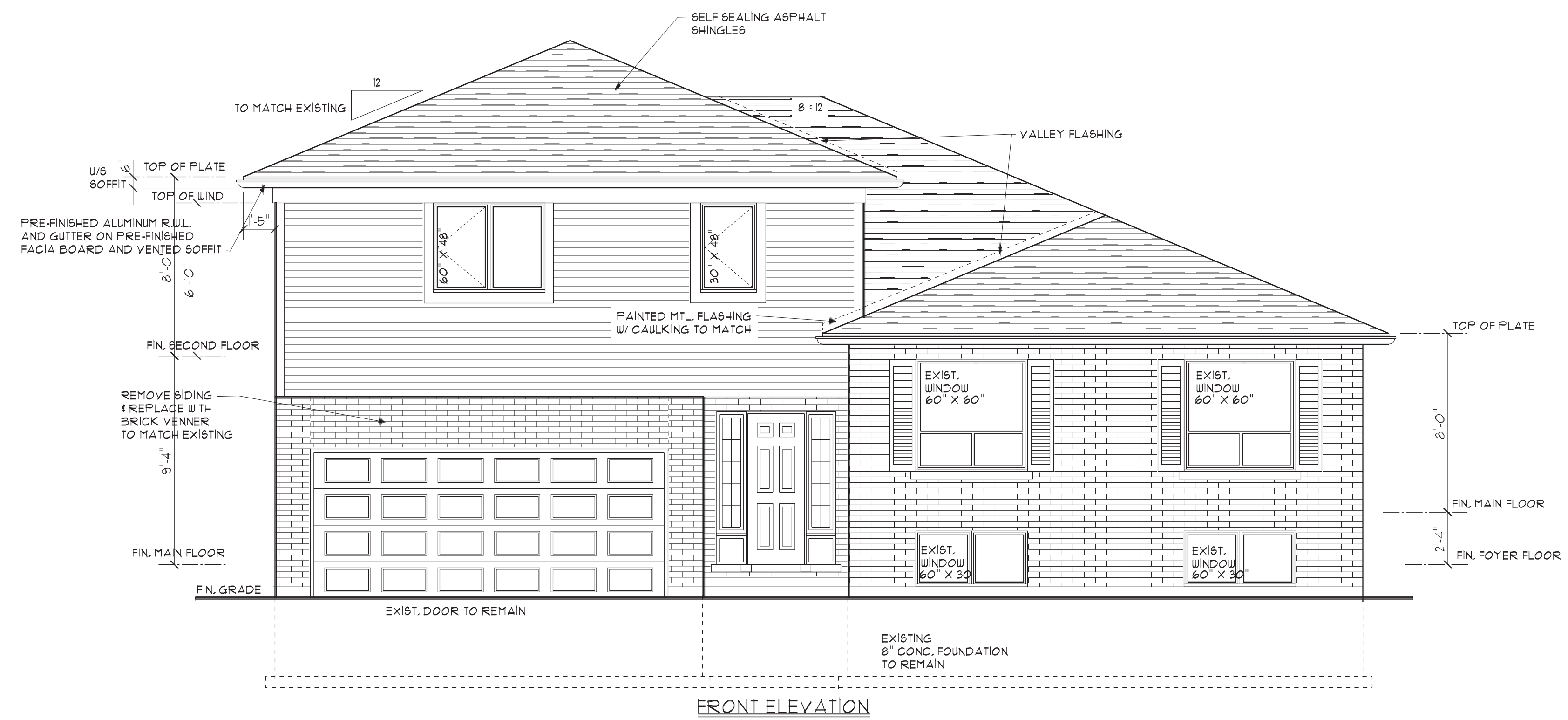
BUILDER:

PROJECT NAME:
CARRE RESIDENCE
19 LAURENDALE AVE.
WATERDOWN, ONT.

MODEL:

DRAWING:
EXISTING/PROPOSED BASEMENT

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'0"	PAGE: 3



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

REVISIONS

NO.	DESCRIPTION	DATE	BY

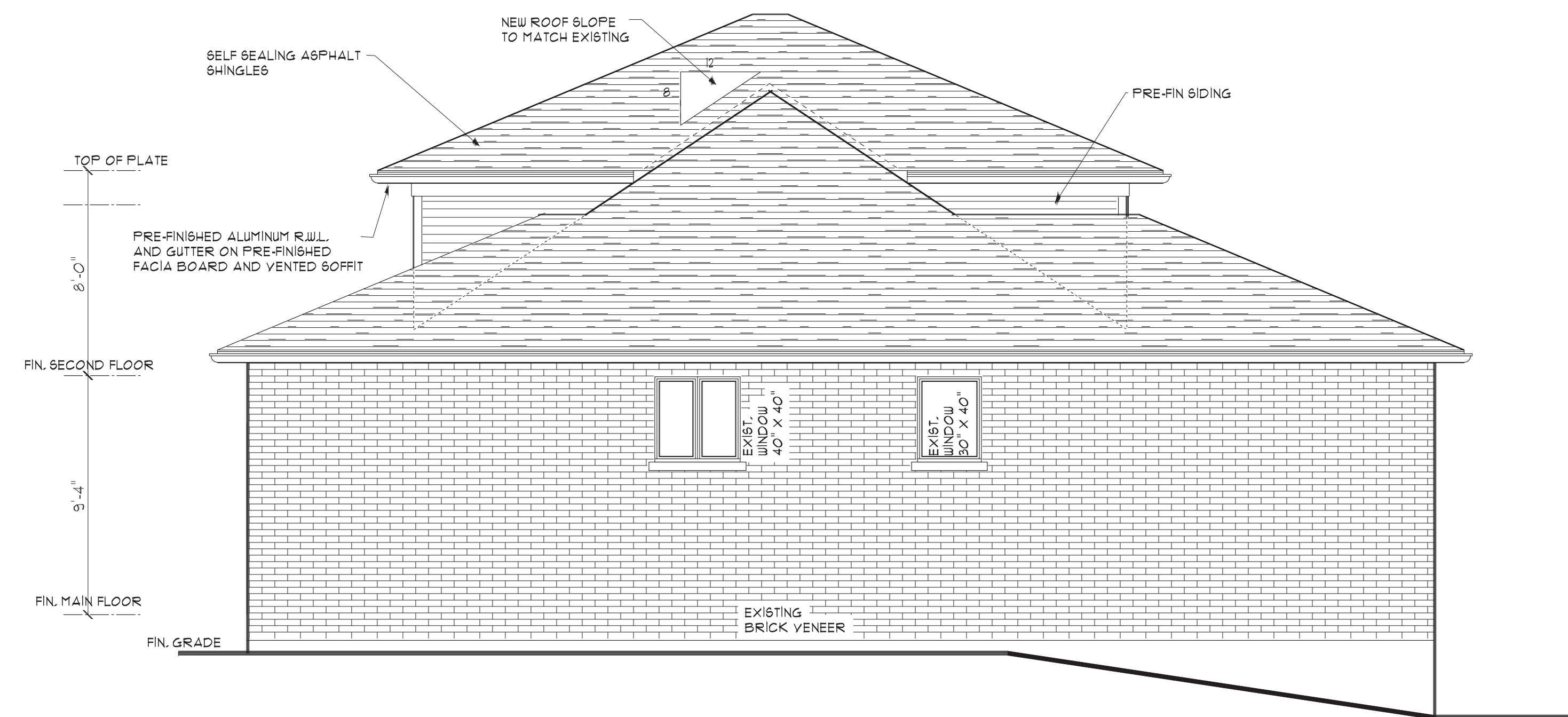
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PROJECT NO. 202115	DATE MAR 2021
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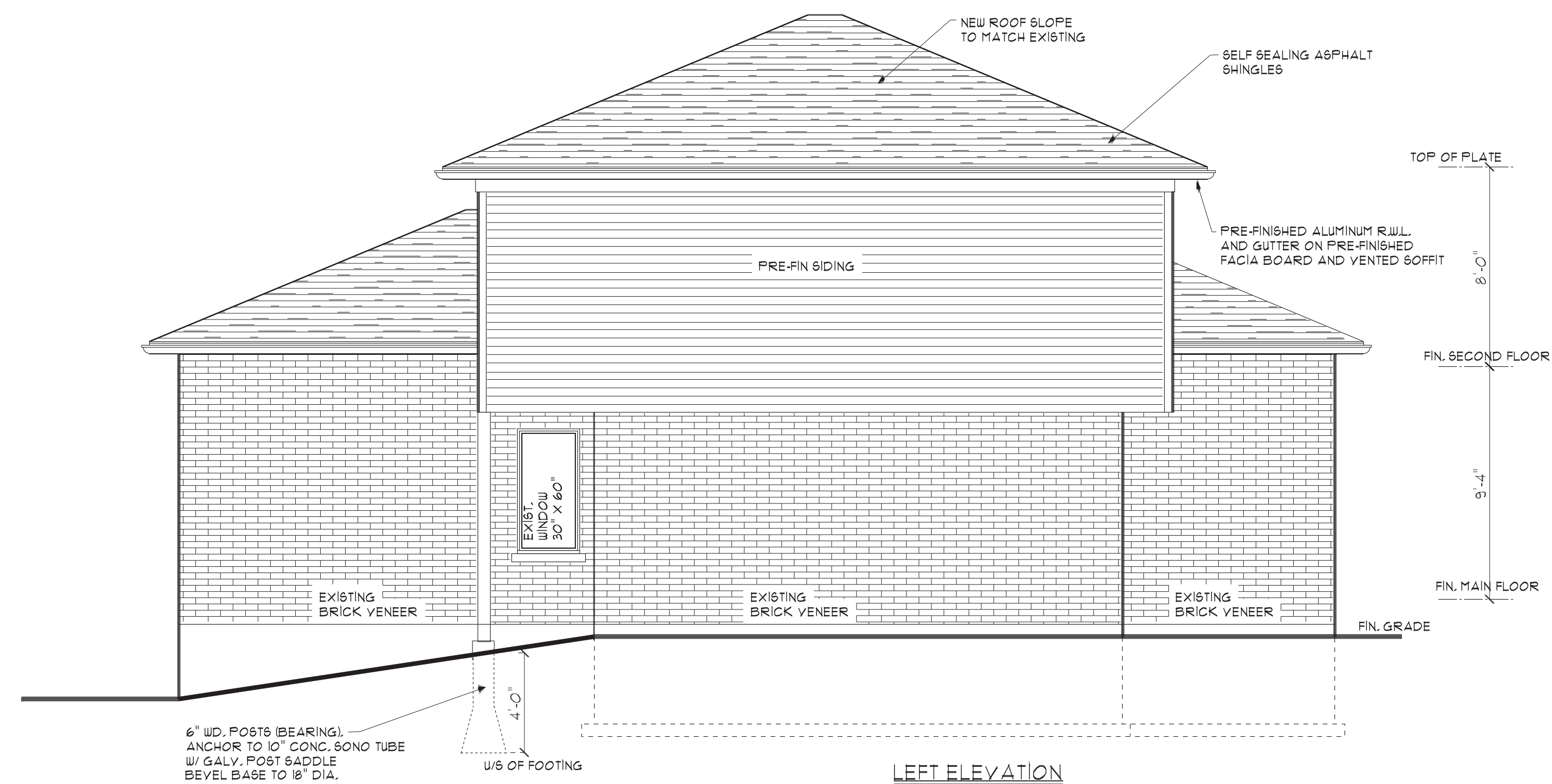
BUILDER:
 PROJECT NAME:
 CARRE RESIDENCE
 19 LAURENDALE AVE.
 WATERDOWN, ONT.

MODEL:
 DRAWING:
EXTERIOR ELEVATIONS

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'0"	PAGE: 4



RIGHT ELEVATION



LEFT ELEVATION

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	03/25/21	K.W.

REVISIONS

NO.	DESCRIPTION	DATE	BY

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 (905)639-2009 Fax (905)689-9773

PROJECT NO. 202115	DATE MAR 2021
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BUILDER:
 PROJECT NAME:
 CARRE RESIDENCE
 19 LAURENDALE AVE.
 WATERDOWN, ONT.

MODEL:
 DRAWING:
EXTERIOR ELEVATIONS

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'0"	PAGE: 5

CONSTRUCTION NOTES
(UNLESS OTHERWISE NOTED)
ALL CONSTRUCTION TO CONFORM TO THE ONTARIO BUILDING CODES AND ALL OTHER CODES AND LOCAL AUTHORITIES HAVING JURISDICTION.
ALL DIMENSIONS GIVEN FIRST IN METRIC (MM) FOLLOWED BY IMPERIAL.

1. ROOF CONSTRUCTION
NO.210(30.5KG/M2) ASPHALT SHINGLES, 1/2" SPRUCE PLYWOOD SHEATHING WITH "H" CLIPS, APPROVED WOOD TRUSSES @ 16" O.C. APPROVED EAVES PROTECTION TO EXTEND 750MM BEYOND INNER FACE OF EXTERIOR WALL 2"x4" TRUSS BRACING 7'-0" O.C. AT BOTTOM CHORD, METAL EAVESTROUGH ON ALUM. FASCIA & VENTED SOFFIT, ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES.

2. FRAME WALL CONSTRUCTION
SIDING AS PER ELEVATION TYVEK AIR BARRIER, 2 X 6 STUDS @ 16" O.C., R19+R5 CI INSUL. AND VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH.

3. BRICK VENEER CONSTRUCTION
4" FACE BRICK, 1" AIR SPACE, 1"x7"x22GA. METAL TIES @ 16" O.C. HORIZONTAL, 24" O.C. VERTICAL NO.15(0.7KG/M2)BLDG.PAPER, 7/16" ASPENITE, 2"x6" STUDS 24" O.C., R19+R5 CI AND 6MIL VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH. PROVIDE WEEP HOLES @ 30" O.C. BOTTOM COURSE ONLY AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" BEHIND SHEATHING PAPER.

4. INTERIOR STUD PARTITIONS
2"x4" @ 16" O.C. BEARING, 1/2" INT. DRYWALL BOTH SIDES, 2"x4" BOTTOM PLATE 2/2"x4" TOP PLATE.

5. FOUNDATION WALL/FOOTINGS
10" POURED CONC. FDN. WALL BITUMINOUS DAMPPROOFING AND DRAINAGE LAYER ON 24" X 6" CONTINUOUS KEYED CONC.FTG. OR AS PER SOIL REPORT. BACKFILL WITH NON-FROST SUSCEPTIBLE SOIL. C/W DRAINAGE LAYER

ALL FOOTINGS SHALL REST ON NATURAL UNDISTURBED SOIL OR COMPACTED GRANULAR FILL, WITH MIN. BEARING CAPACITY OF 1500PSF OR GREATER.

6. 4" DIA. WEEPING TILE, 6" CRUSHED STONE OVER AND AROUND ALL FOOTINGS.
7. 4" 25MPA CONC. SLAB ON 5" CRUSHED STONE

8. FIN. FLOOR ON 5/8" SPRUCE PLYWOOD SUBFLOOR ON WD FLOOR JOISTS PROVIDE ADDITIONAL 5/8" PANEL TYPE UNDERLAY BENEATH CERAMIC TILES.

9. R60 ROOF INSULATION 5/8" DRYWALL FINISH.

10. ALL STAIRS/EXTERIOR STAIRS
MAX. RISE = 200(7 7/8")
MIN. RUN = 210(8-1/4")
MIN. TREAD = 235(9-1/4")
MIN NOSING = 25 (1")

MIN. HEAD ROOM = 1950(6'-5")
RAIL @ LAND = 915(3'-0")
@ STAIR = 810(2'-8")
MIN. WIDTH = 860(2'-10")
FOR CURVED STAIRS
MIN RUN = 150(6")
MIN AVG RUN = 200(8")

11. FIN. RAILING ON WOOD PICKET MAX. 4" BETWEEN.

12. 2"x4" SILL PLATE WITH 1/2" DIA. ANCHOR BOLTS 12" LONG, MIN. 4" IN CONCRETE @ 7'-10" O.C. CAULKING OR GASKET BETWEEN PLATE AND CONCRETE WALL.

13. FULL HEIGHT R 20 CI INSULATION 2" X 6" WOOD STUDS @ 16" O.C. 6MIL VAPOUR BARRIER FULL HEIGHT, DAMPPROOF BETWEEN FOUNDATION WALL AND INSULATION WITH BUILDING PAPER

14. BEARING STUD PARTITION 2"x4" STUDS @ 16" O.C. 2"x4" SILL PLATES ON DAMPPROOFING MATERIAL, 1/2" DIA. ANCHOR BOLTS 7'-10" O.C. ON 4" HIGH CONC. CURB ON 16"x6" CONC. FOOTING.

15. 3-1/2" X 0.188" PIPE COLUMN, 38"x38"x16" CONC. FTG. 9" X 5" X 1/4" TOP PLATE AND 6" X 6" X 1/4" BASE PLATE.

16. BEAM POCKET 8"x8" POURED CONC. IN WALLS.

17. 1"x4" BOTH SIDES OF STEEL BEAM.

18. 4" CONC. SLAB, 5" CRUSHED STONE SLOPE TO FRONT, CONC. STRENGTH 25MPA AND WITH 5-8% AIR ENTRAINMENT.

19. 1/2" GYPSUM BD. ON WALLS AND CEILING BETWEEN HOUSE AND GARAGE, R24 IN WALLS, R31 IN CEILINGS. ADD VAPOUR BARRIER. TAPE AND SEAL ALL JOINTS GAS TIGHT.

20. DOOR GAS PROOFED WITH SELF CLOSER AND WEATHERSTRIPPING. MIN. 6" SILL.

21. PRECAST CONCRETE STEP.

22. CAPPED DRYER VENT.

23. ATTIC ACCESS HATCH 20"x28" WITH WEATHERSTRIPPING.

24. TOP OF FIREPLACE CHIMNEYS SHALL BE 915(3'-0") ABOVE HIGHEST POINT AT WHICH IT COMES IN CONTACT WITH THE ROOF AND 610(2'-0") ABOVE ROOF SURFACE WITHIN A HORIZONTAL DISTANCE OF 3050(10'-0") FROM THE CHIMNEY.

25. LINEN CLOSET 4 SHELVES MIN. 350(1'-2") DEEP.

26. WASHROOMS TO BE MECHANICALLY VENTED TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR.

27. JOISTS AND BEAMS TO BE STAGGERED MIN. 100MM(4") AT PARTY WALL.

28. U.L.C. RATED CLASS "B" VENT 610 (2'-0") HIGH FROM POINT IN CONTACT WITH ROOF FOR SLOPES UP TO 9/12 AND 1220(4'-0") FOR SLOPES GREATER THAN 9/12.

29. 140X140(6"x6") WOOD COL. ON METAL BASE SHOE AND 127(1/2") DIA. BOLT, 610X610X155(24"x24"x6") CONC. FTG.

30. STEP FOOTINGS: HORIZONTAL STEP =610MM (2'-0") MIN. VERTICAL STEP =600MM MAX. FOR FIRM SOILS AND 400MM FOR SAND AND GRAVEL.

31. MIN. 75MM(3") CONCRETE SLAB-ON-GRADE ON 125MM CRUSHED STONE. SLAB SHALL BE REINFORCED WITH 6X6-W2.9XW2.9 MESH AND SUCH REINFORCEMENTS SHALL BE LOCATED NEAR MID-DEPTH OF SLAB. CONC. STR. 25MPA AND WITH 5-8% AIR ENTRAINMENT.

32. PROVIDE 200MM(8") DEEP SOLID MASONRY UNDER ALL BEAMS.
33. MASONRY PARTY WALLS SHALL EXTEND TO UNDERSIDE OF ROOF DECK MIN. 1 HR. FIRE RATING.

34. ALL JOIST TO BE BRIDGED WITH A CONTINUOUS 19X89(1"x4") OR 38X38(2"x2") CROSS BRIDGING OR SOLID BLOCKING AT 2100(7'-0") O.C. MAX. OR 1375(4'-6") O.C. WITHIN 460(18") OF MAX. SPAN.

35. WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE TREATED WITH A WOOD PRESERVATIVE AND WHICH ARE SUPPORTED ON CONCRETE IN CONTACT WITH THE GROUND OR FILL SHALL BE SEPARATED FROM THE CONC.

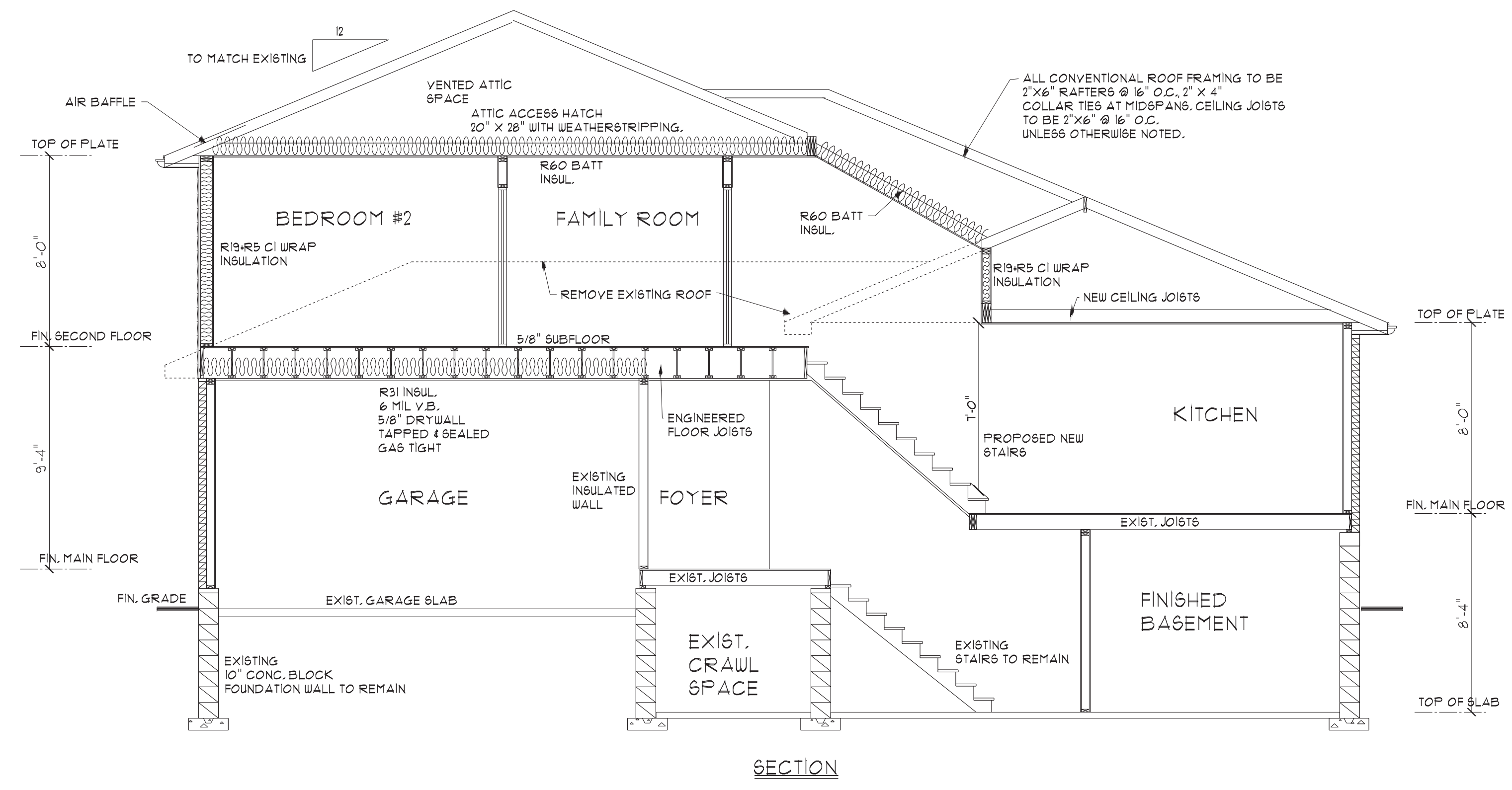
PROVIDE 6MIL POLYETHYLENE FILM OR NO. 50(45LB) ROLL ROOFING DAMPPROOFING BETWEEN WOOD AND CONC.

36. PORCH SLABS ABOVE COLD CELLARS: 125(5") POURED CONC. SLAB WITH 10M BARS @ 300 O.C. EACH WAY. 610X610(24"x24") DOWELS @ 600 O.C. ANCHORED IN PERIMETER FDN. WALLS SLOPES SLAB MIN 1.5%.

37. WHERE THE FDN. WALL IS REDUCED IN THICKNESS TO ALLOW MASONRY FACING THE MIN. REDUCED THICKNESS SHALL NOT BE LESS THAN 90MM THICK, AND TIED TO FACING MATERIAL WITH METAL TIES SPACED 200MM O.C. HORIZONTALLY MAX. FILL SPACE BETWEEN WALL AND FACING SOLID WITH MORTAR.

38. ALL CONVENTIONAL ROOF FRAMING TO BE 2"x6" RAFTERS @ 16" O.C., 2" X 4" COLLAR TIES AT MIDSPANS. CEILING JOISTS TO BE 2"x6" @ 16" O.C. UNLESS OTHERWISE NOTED.

39. 3 - 1/2" SHEETS OF FIRE RESISTANT DRYWALL FIRE BREAK



I	ISSUED FOR PRICING	03/25/21	K.W.
NO.	DESCRIPTION	DATE	BY

REVISIONS

Kevin Webster Designs Inc.
RESIDENTIAL & COMMERCIAL
DESIGN, DRAFTING & CONSULTING
68 North Valley Dr., Welland, Ontario L3c 7L6
(905)639-2009 Fax (905)689-9773

PROJECT NO.	DATE:
202115	MAR 2021

BUILDER:
PROJECT NAME:
CARRE RESIDENCE
19 LAURENDALE AVE.
WATERDOWN, ONT.

MODEL:
DRAWING:

CROSS SECTION & NOTES

DRAWN BY:	CHECKED BY:
K.W.	K.W.

SCALE:	PAGE:
1/4" = 1'0"	6



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	
Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:
Require 1.20m side yard setback instead of required 7.5m setback
- Secondary Dwelling Unit Reconstruction of Existing Dwelling
5. Why it is not possible to comply with the provisions of the By-law?
The existing dwelling is located 1.2m from the property line.
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 Laurendale Ave., 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?

common 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.

Sept 21 2021

Date

X *Flame*

Signature Property Owner(s)

Roland Carre

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 59'10"
 Depth 182'2"
 Area 972.52 SQ.M
 Width of street 20 M

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

Existing:

1 storey raised bungalow.

GROSS AREA 1576 S.F., GROUND FLOOR AREA 1576 S.F.
 48'8" x 46'6", 17'0" HIGH

Proposed

PROPOSED 2ND FLOOR ADDITION OVER EXISTING GARAGE
 GROSS AREA 2308, GROUND FLOOR AREA 1576 S.F.
 48'8" x 46'6", 25'0" 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:

Front setback 7.5m
 left side 1.22 m
 right side 2.20 m
 Rear 30.17 m

Proposed:

Front setback 7.5m
 left side 1.22 m
 right side 2.20 m
 Rear setback 30.17 m

13. Date of acquisition of subject lands:
2000
-
14. Date of construction of all buildings and structures on subject lands:
1980
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family Residential, Conservation
17. Length of time the existing uses of the subject property have continued:
SINCE BUILT
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|--------------------------|
| Water | <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:
Low density
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R1 & CM
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.: FL/A-21:362

APPLICANTS: Agent Zoltan Engineering Inc. c/o Tara Veurink
 Owner Todd & Naomi Shepherd

SUBJECT PROPERTY: Municipal address **1384 Hwy #8, Flamborough**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a new 69.3m² accessory building notwithstanding that:

1. An accessory building shall be located within the front yard whereas the by-law prohibits an accessory structure to be within a front or flankage yard.
2. Eaves and gutters may project 0.49m into the required side yard whereas the by-law permits eaves and gutters associated with an accessory building to encroach a maximum of 0.45m into a required yard.
3. A building height of 7.7m shall be permitted instead of the maximum permitted accessory building height of 6.0m.

NOTES:

- i. The applicant shall be advised that accessory buildings shall not be used for human habitation pursuant to subsection 4.8(a) of Hamilton Zoning By-law 05-200.

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

DATE: Thursday, November 4th, 2021
TIME: 1:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

FL/A-21: 362

Page 2

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

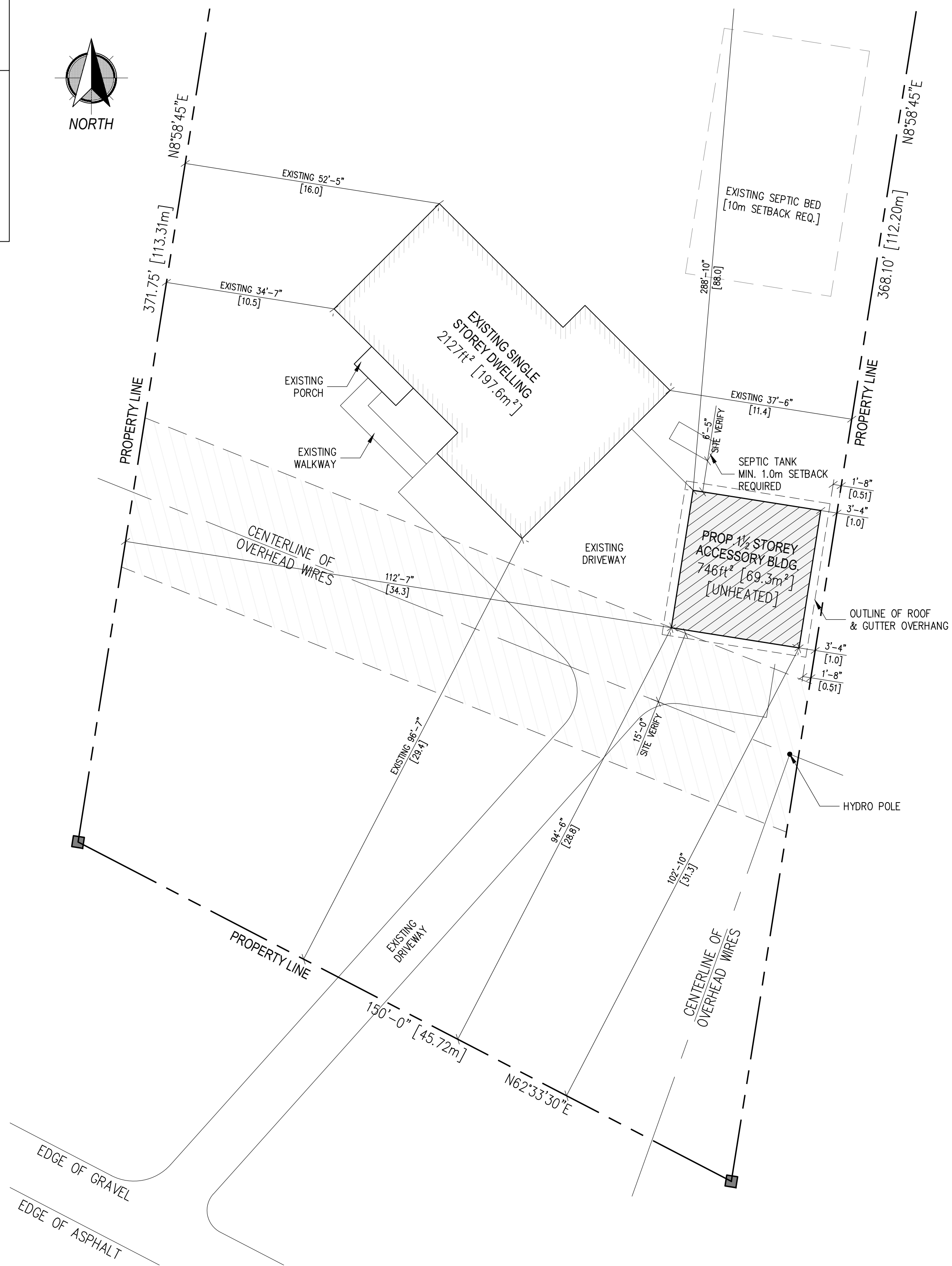
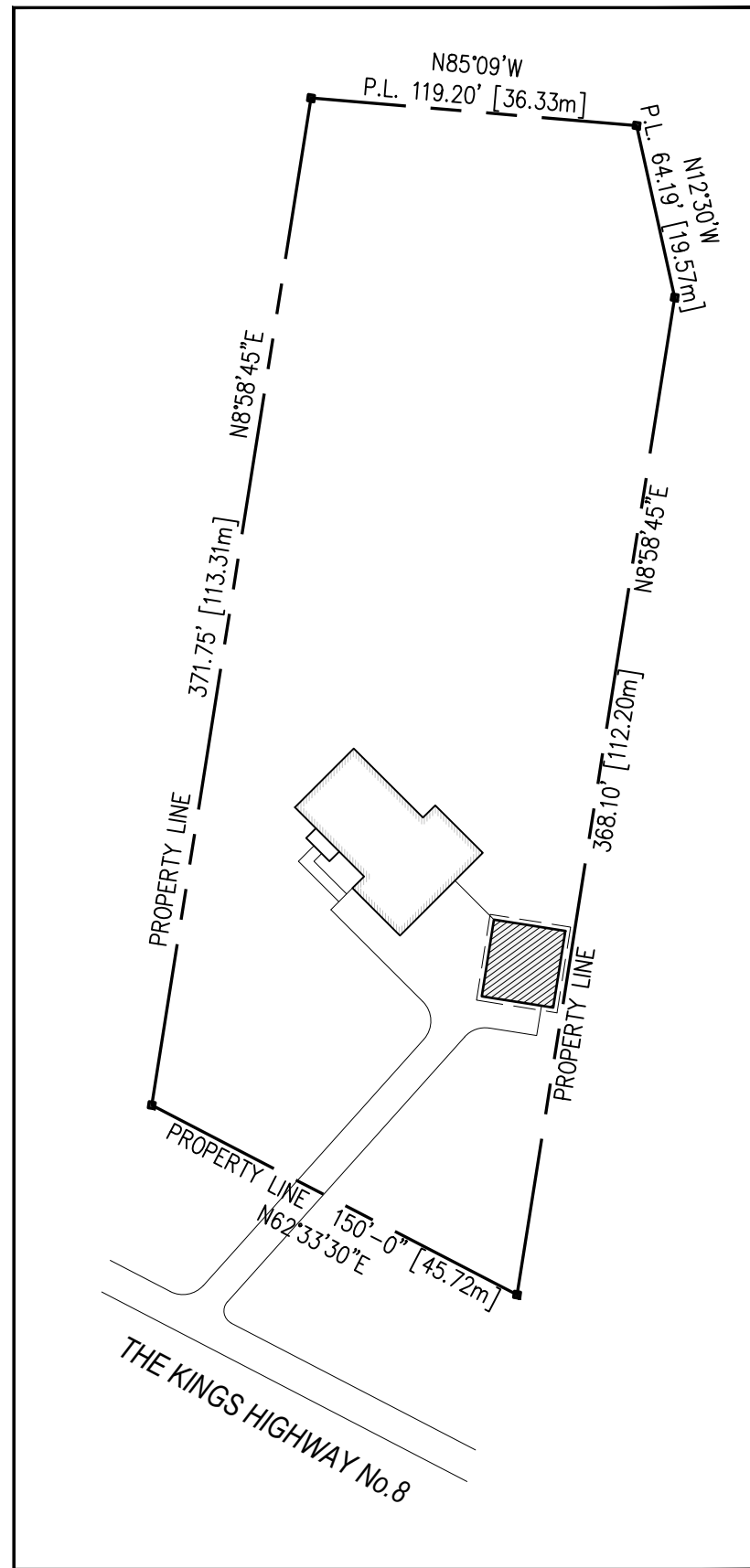
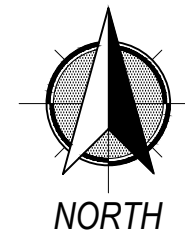
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

ZONING STATISTICS - 1384 Highway No. 8, Flamborough, ON

A1 - Agriculture - Rural Zoning
 Accessory Building - In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.

ITEM	REQUIRED	PROVIDED	COMPLIANCE
LOT AREA	40.4 HECTARES	0.523 HECTARES [5228.7m ²]	EXIST.
LOT COVERAGE	5% [MAX. 200m ²]	1.3% [69.3m ²]	Y
NOT PERMITTED WITHIN A FRONT YARD	--	27.6m	Y
MINIMUM SIDE YARD [EAST]	1.0m	1.0m	Y
MINIMUM SIDE YARD [WEST]	1.0m	34.3m	Y
MINIMUM REAR YARD	1.0m	89.3m	Y
MAXIMUM BUILDING HEIGHT	6.0m	7.61m	N



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

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

REV.	DATE	REMARKS
2	01JUN21	ISSUED FOR MINOR VARIANCE
1	20MAY21	ISSUED FOR APPROVAL
0	20APR21	ISSUED FOR APPROVAL

ZOLTAN ENGINEERING

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

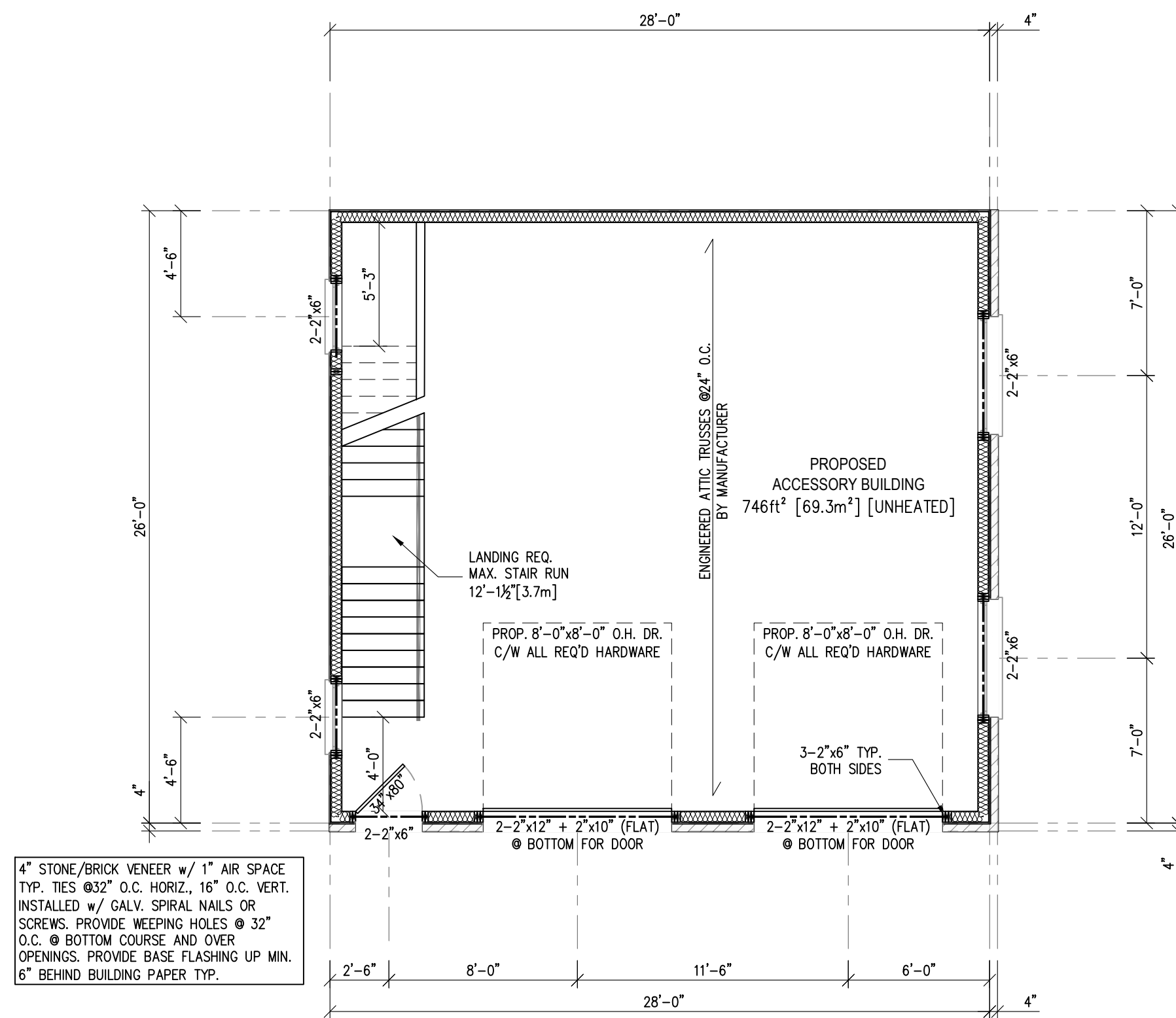
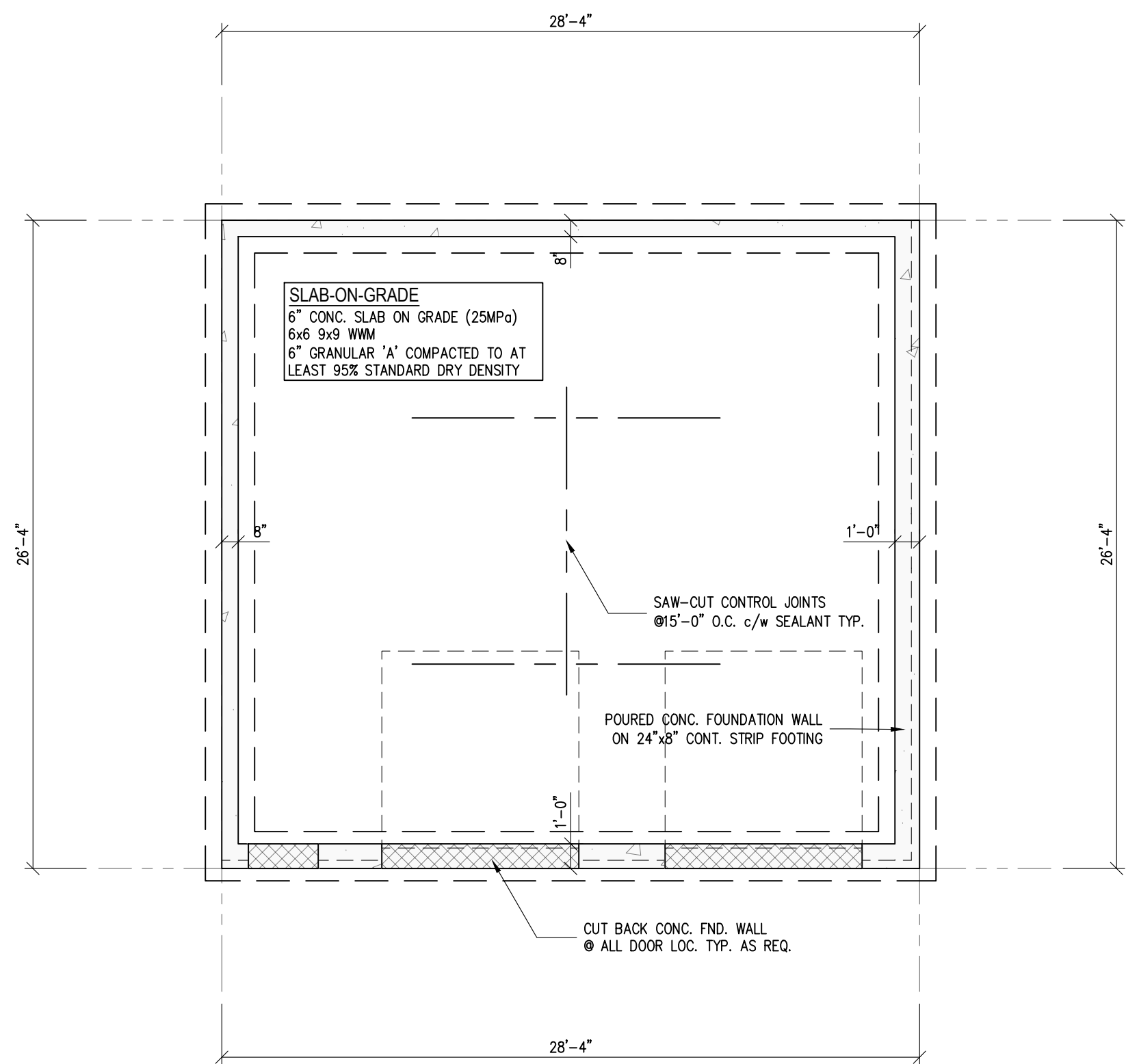
PROJECT TITLE
SHEPHERD ACCESSORY BUILDING
 1384 HWY 8
 FLAMBOROUGH, ONTARIO

DRAWING TITLE
ARRANGEMENT PLAN

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

PROJECT No. **21-085** SHEET No. **S1**





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PROJECT TITLE
 SHEPHERD ACCESSORY BUILDING
 1384 HWY 8
 FLAMBOROUGH, ONTARIO

DRAWING TITLE
 FOUNDATION PLAN
 & GROUND FLOOR FRAMING PLAN

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

PROJECT No. 21-085 SHEET No. A1

CLIMATIC DATA (HAMILTON ESCARPMENT, WEST OF AIRPORT)	
Ss =	1.5kPa
Sr =	0.4kPa
Cs =	0.91kPa
q(½h) =	0.46kPa
DESIGN LOADS	
SNOW LOAD =	31.5psf
DEAD LOAD =	15psf

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REV.	DATE	REMARKS
2	01JUN21	ISSUED FOR MINOR VARIANCE
1	20MAY21	ISSUED FOR APPROVAL
0	20APR21	ISSUED FOR APPROVAL

ZOLTAN ENGINEERING

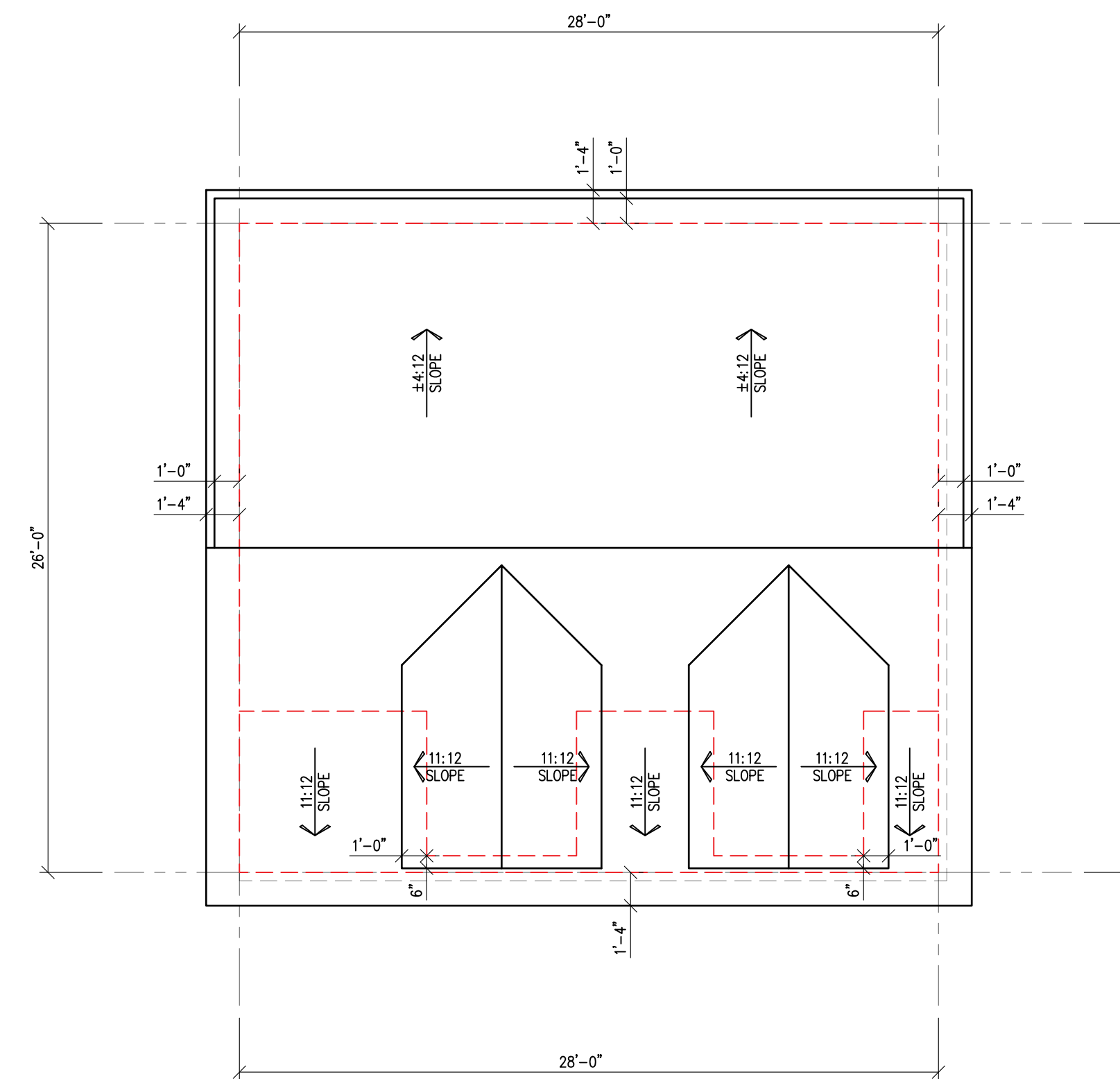
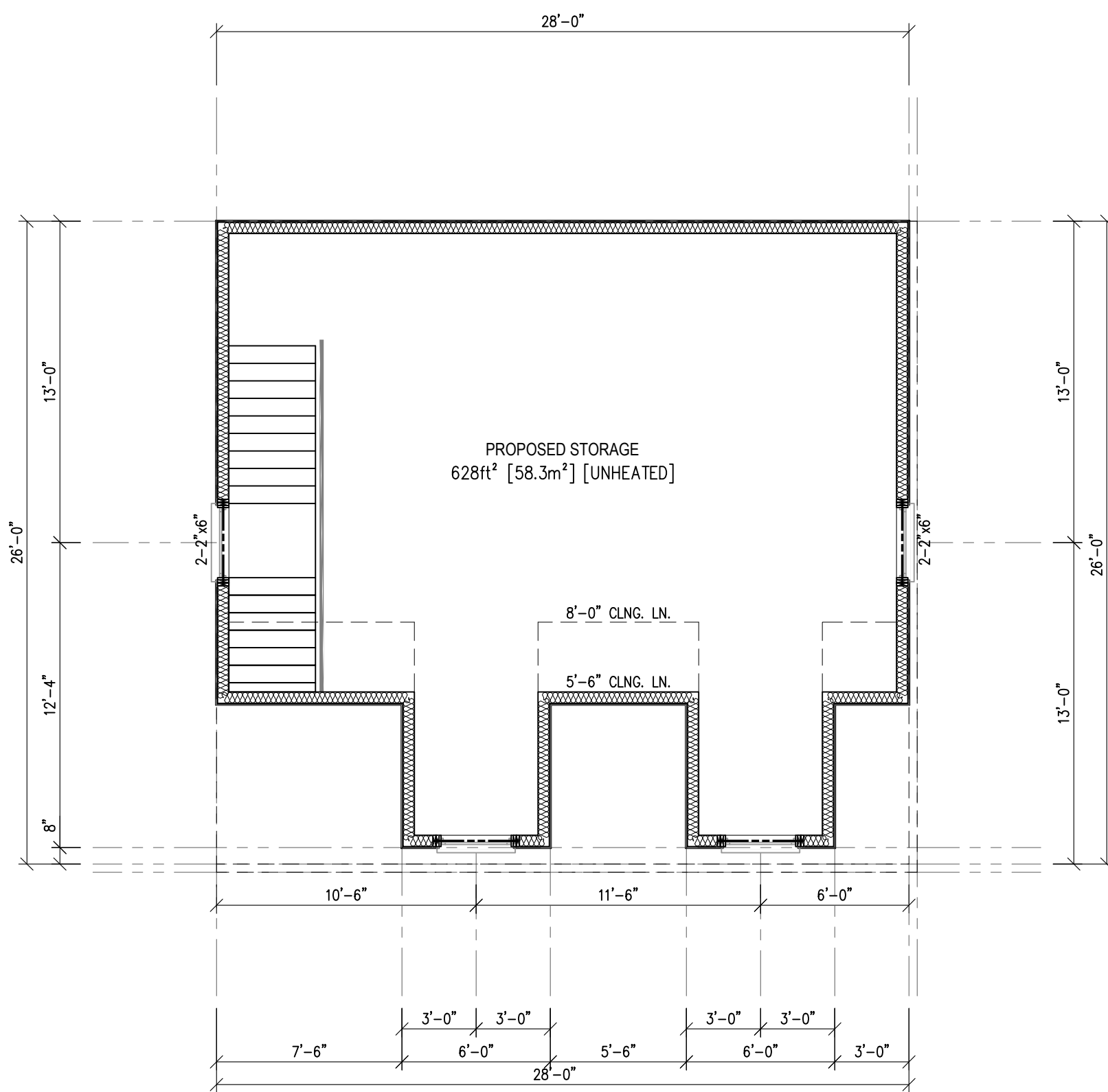
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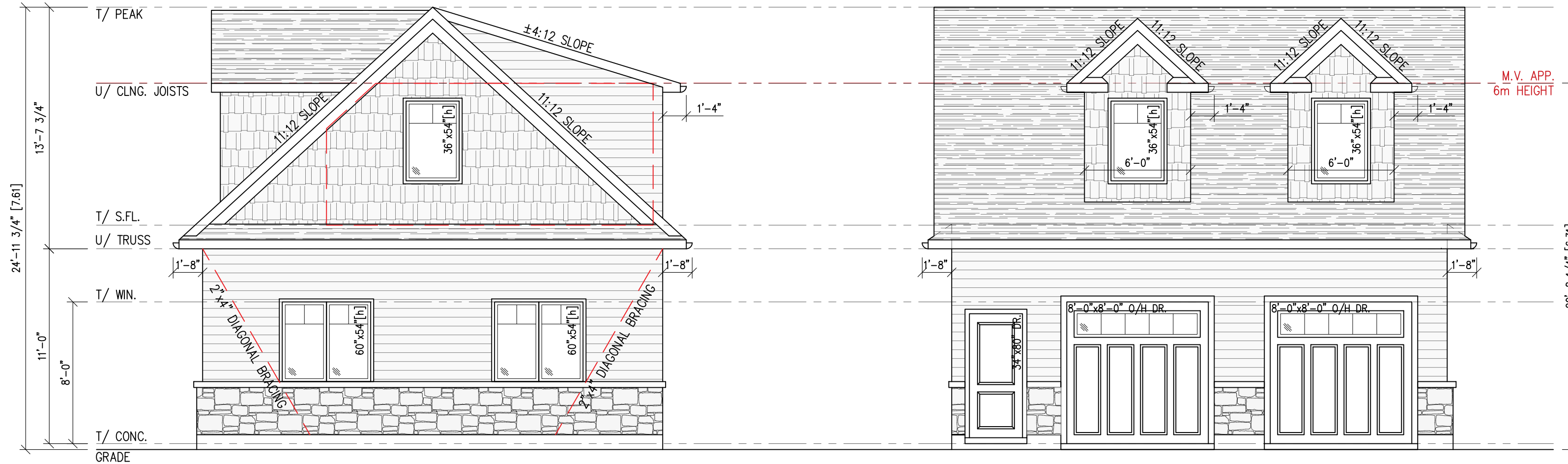
PROJECT TITLE
SHEPHERD ACCESSORY BUILDING
1384 HWY 8
FLAMBOROUGH, ONTARIO

DRAWING TITLE
**SECOND FLOOR FRAMING PLAN
& ROOF FRAMING PLAN**

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE 
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

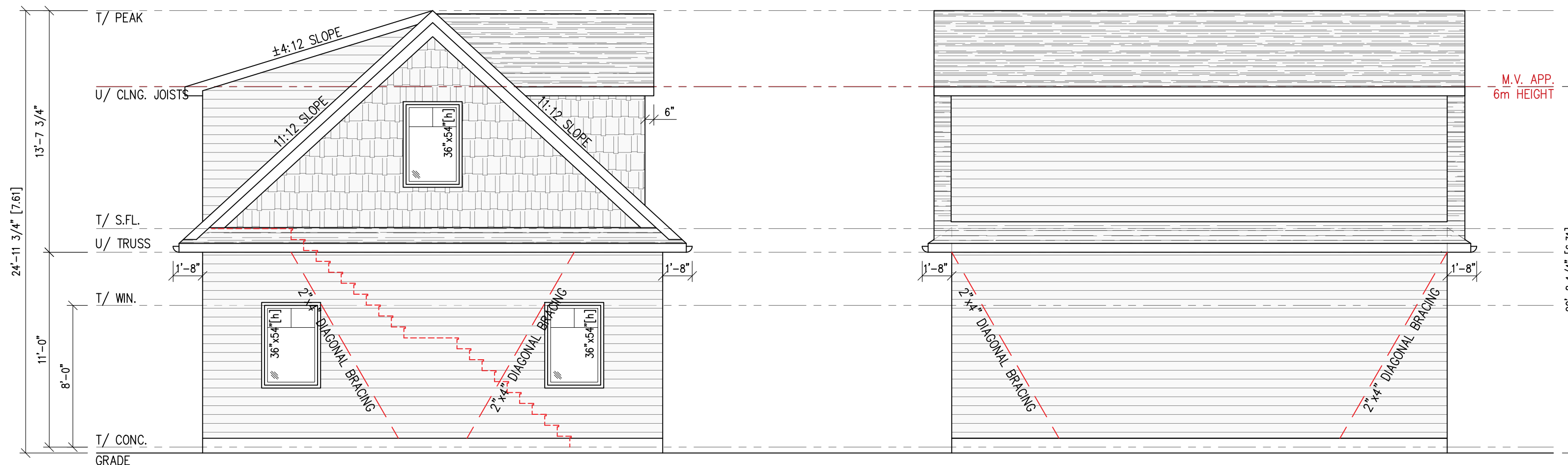
PROJECT No. **21-085** SHEET No. **A2**





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

2 FRONT ELEVATION
Scale: 3/16"=1'-0"



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

4 REAR ELEVATION
Scale: 3/16"=1'-0"

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PROJECT TITLE
 SHEPHERD ACCESSORY BUILDING
 1384 HWY 8
 FLAMBOROUGH, ONTARIO

DRAWING TITLE
 ELEVATIONS

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

PROJECT No. 21-085
 SHEET No. A3



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

Note: Unk any

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
TD Canada Trust, 231 Guelph St.
Georgetown, Ontario
L7G 4A8

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 a maximum building height of 7.62 [25'-0] which is more than allowed

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Owner would like to build an accessory building that does not meet the required maximum 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**):

1384 Highway 8 PT. LT3, Conc 7 Beverly Part 1, Flamborough, 62R4534
T/W CD 116685

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?

20 years on the property, purchased from owner and local knowledge.

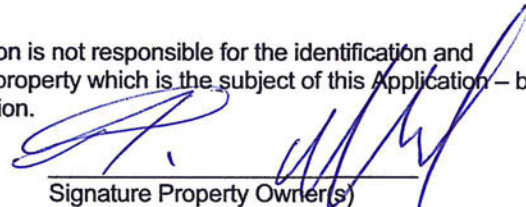
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

7/19/21
Date


Signature Property Owner(s)

TODD & NAOMI SHEPHERD
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>45.72m</u>
Depth	<u>113.31m</u>
Area	<u>5229m²</u>
Width of street	<u>40m</u>

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

Existing: _

Existing Residence:

GFA = 197.6m², 1 Storey,
Width = 18.3m, Depth = 13.0m, Height = 5.5m

Proposed

Accessory Building:

GFA = 69.3m², 1-1/2 Storey,
Width = 8.64m, Depth = 8.02m, Height = 7.62m

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

Existing:

Existing Residence

Front - 29.4m, Rear - 71.6m, Right (East) - 11.4m, Left (West) 10.5m

Proposed:

Accessory Building:

Front - 28.8m, Rear - 88.0m, Right (East) - 1.0m, Left (West) 34.3m

13. Date of acquisition of subject lands:
Aug. 23, 2002
-
14. Date of construction of all buildings and structures on subject lands:
1980
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential (Single Family)
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential (Single Family) and Agricultural
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:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. 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.: FL/A-21:354

APPLICANTS: Owner Ryan Klaas

SUBJECT PROPERTY: Municipal address **1824 Concession 8 Rd. W., Flamborough**

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

ZONING: "S1, Exception 53 and P8" (Settlement Residential, Modified (S1, Ex.53) and Conservation/Hazard - Rural (P8)) district

PROPOSAL: To permit the construction of an accessory building to be used for a garage for a proposed single detached dwelling, notwithstanding that:

1. The maximum height for an accessory building shall be 6.4 metres instead of 4.5 metres;
2. The maximum aggregate gross floor area for accessory buildings shall be 108 square metres instead of the maximum 45 square metres;

NOTES:

1. The variance was written as requested by the applicant except that a second variance was included to address the maximum gross floor area for accessory buildings.
2. The 1.1 ha lot was created by Consent Application FL/B-19:134, approved October 1, 2020. The property is currently vacant but building permits have been submitted and are under review for a new single detached dwelling and the proposed accessory building. The applicant is intending to construct the proposed accessory building after the single detached dwelling has been constructed in accordance with City of Hamilton Zoning By-law 05-200.
3. The property is within the Kirkwall Settlement Area. The portion of the property subject to the proposed development is zoned S1, Exception 53. The portion zoned P8 is located near the northerly part of the property abutting Concession 8 Road West.
4. The property is regulated by the Grand River Conservation Authority.

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

FL/A-21: 354
Page 2

DATE: Thursday, November 4th, 2021
TIME: 1:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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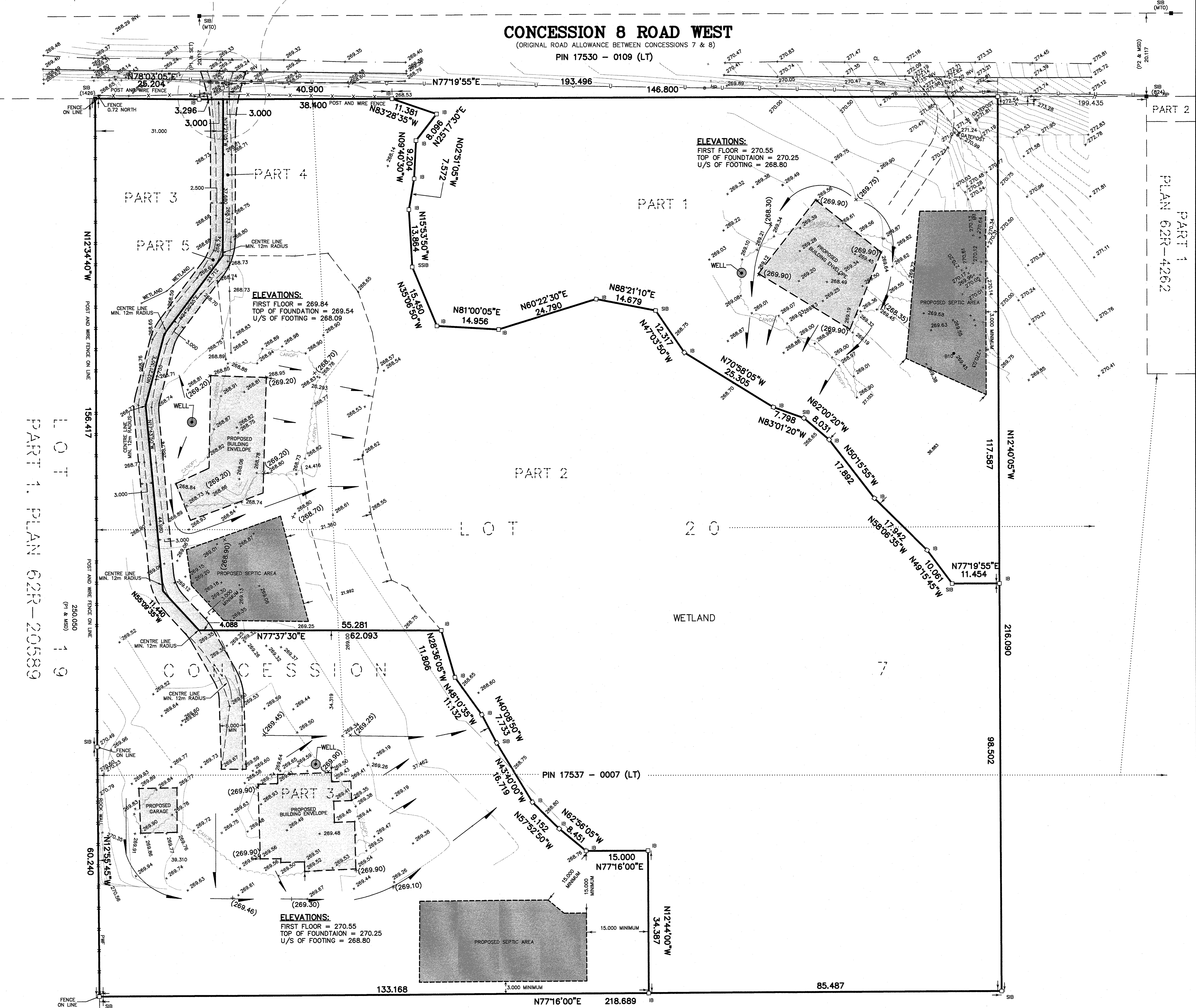
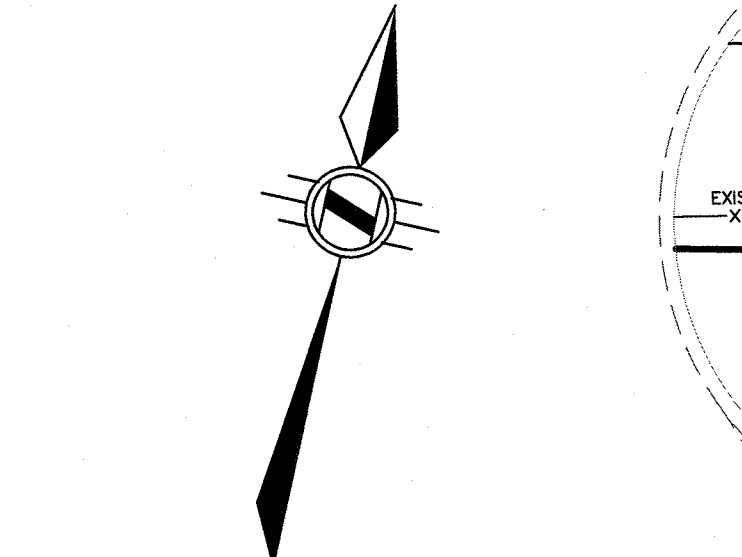
DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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SITE AND GRADING PLAN
 OF PART OF
LOT 20
CONCESSION 7
 GEOGRAPHIC
TOWNSHIP OF BEVERLY
 IN THE
CITY OF HAMILTON
 SCALE 1:500 METRIC

S.D. McLAREN, O.L.S. - 2021



PART 1. PLAN 62R-20689

LOT 19

LOT 20

PART 2. PLAN 62R-4262

LEGEND:

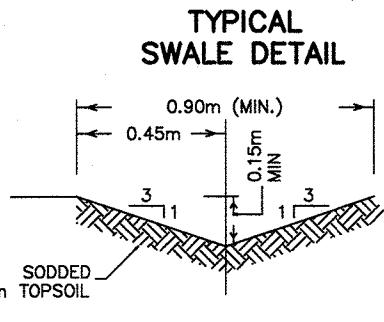
□	MONUMENT SET
■	MONUMENT FOUND
●	IRON BAR
○	PLASTIC BAR
+	CUT CROSS
×	STANDARD IRON BAR
⊙	SHORT STANDARD IRON BAR
⊗	A.T. McLAREN, O.L.S.
1425	MACDONALD TAMBLIN LORD SURVEYING
MHO	MINISTRY OF TRANSPORTATION ONTARIO
MHS	MEASURED
P1	PLAN 62R-20589
P2	PLAN 62R-4262

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 G.

INTEGRATION DATA

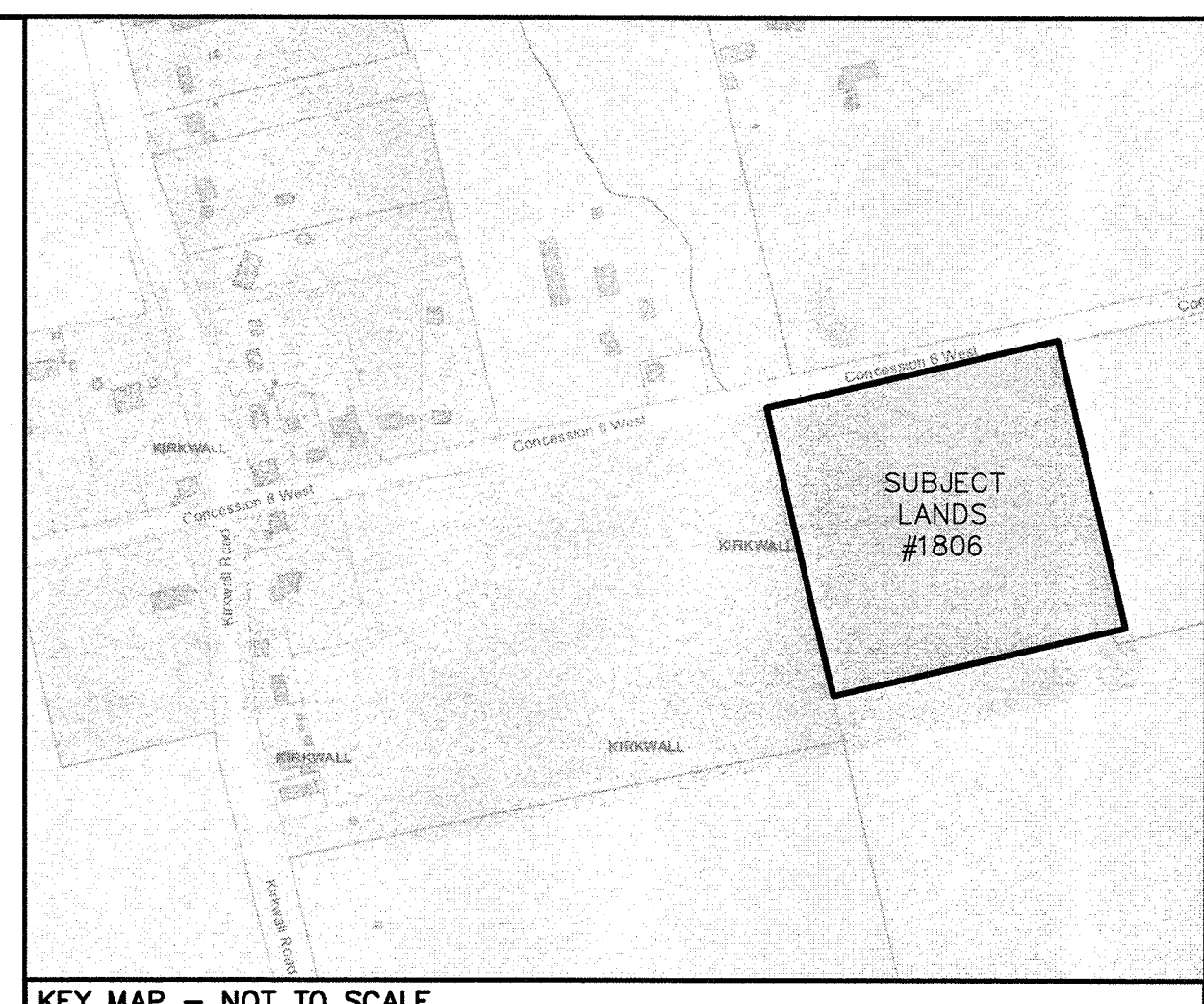
OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4800964.425	568679.821
ORP B	4800966.771	568687.148
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		



ROOFWATER LEADERS:
 ALL ROOFWATER LEADERS SHALL DISCHARGE INTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6m FROM THE BUILDING FACE.

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

BENCH MARK NOTE:
 ELEVATIONS SHOWN ON THIS PLAN ARE GEODETIC AND ARE REFERRED TO BENCH MARK NO 0011975U118
 KIRKWALL PRESBYTERIAN CHURCH AT INTERSECTION OF HIGHWAY NO. 52 AND BEVERLY CONCESSION ROAD VIII, 2.1 KM SOUTH OF INTERSECTION WITH HIGHWAY NO. 97, TABLET IN SOUTH STONE FOUNDATION WALL, 26.4 M WEST OF ROAD CENTRE LINE, 2.2 M FROM SOUTHEAST CORNER, 19 CM ABOVE GROUND LEVEL.
 ELEVATION - 276.834 metres CGVD-1978



CONCESSION 8 ROAD WEST
 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8)
 PIN 17530 - 0109 (LT)

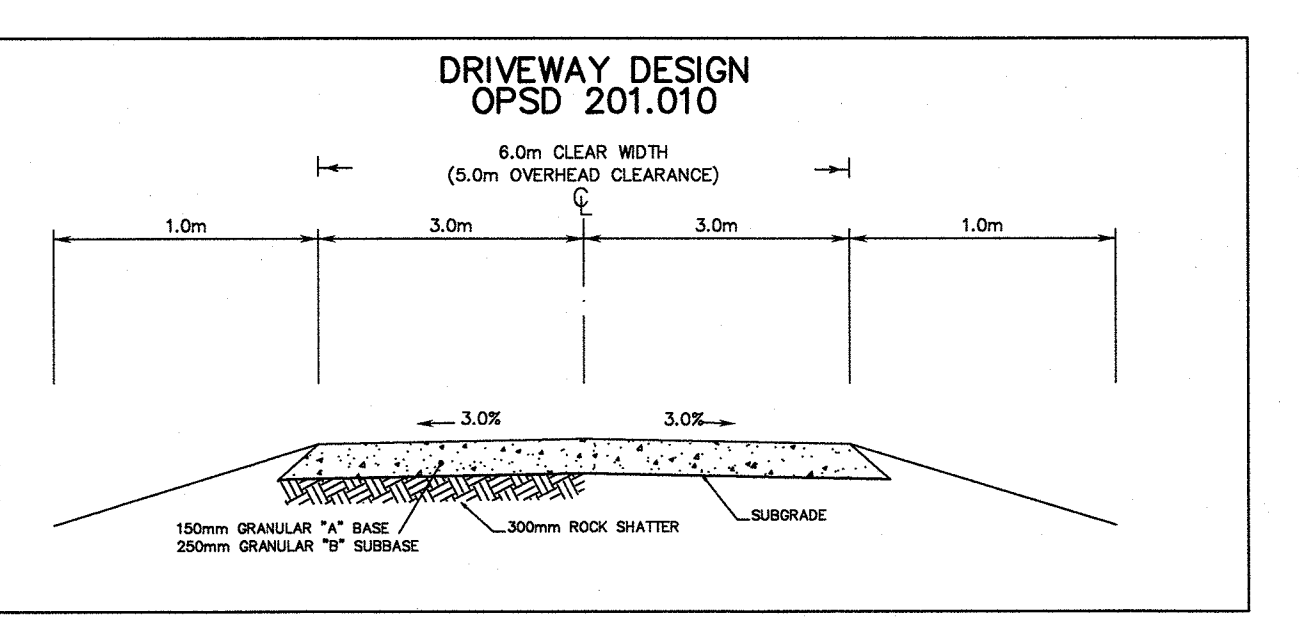
ELEVATIONS:
 FIRST FLOOR = 270.55
 TOP OF FOUNDATION = 270.25
 U/S OF FOOTING = 268.80

GENERAL NOTES:

- ALL WORK INVOLVED IN CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS SITE 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 PERMITS
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOO AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- ALL NEW SIGNS MUST COMPLY WITH THE REGULATIONS OF SIGN BY-LAW 10-197.
- ALL FENCING SHALL CONFORM TO FENCE BY-LAW 10-142.
- THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANICS, AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATION INDICATED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW 09-067.AS AMENDED.
- EAVES AND GUTTERS SHALL COMPLY TO SECTION 4.19.1 (B) OF BY - LAW 3692-92.
- ANY PARKING AREA, PARKING SPACE, LOADING SPACE, DRIVEWAY, MANOEUVRING AREA, OR AISLE REQUIRED TO BE PROVIDED OR PERMITTED ACCORDING TO THE PROVISIONS OF THIS BY-LAW FOR ANY USE IN ANY ZONE SHALL BE PROVIDED AND MAINTAINED IN ACCORDANCE WITH THIS BY-LAW.
- UNENCLOSED PORCHES MAY PROJECT INTO ANY REQUIRED FRONT YARD 1.5m. THE PROPOSED UNENCLOSED PORCH AT THE FRONT HAS A MAXIMUM ENCROACHMENT OF 1.2m, WHICH CONFORMS.
- SUBJECT TO THE ISSUANCE OF A BUILDING PERMIT IN THE NORMAL MANNER.
- THE DESIGNER SHALL ENSURE THAT THE FIRE ACCESS ROUTE CONFORMS TO THE ONTARIO BUILDING CODE.
- A MINIMUM OF 1.2m SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN AN ACCESS AND ANY UTILITY, FIRE HYDRANT, TREE, SIGN, ECT. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER.

GENERAL GRADING NOTES:

- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOTTED SLOPES (MIN. 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED.
- ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0m OR HIGHER SHALL BE DESIGNED BY A P.Eng.
- SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
- RETAINING WALLS 0.60m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARDRAIL 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 AND FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33%.
- WHEN MATCHING TO EXISTING PROPERTIES WHERE 2% SLOPE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED, PROVIDED A 150mm SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM OF 0.30m 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 150mm (MIN.) ABOVE FINISHED GRADE.
- DRIVEWAY SLOPES SHALL BE NO LESS THAN 2% AND NO MORE THAN 7%.
- GARAGE FLOOR ELEVATION TO BE SET 0.30m (MIN.) 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 300mm LIFTS.
- FOR DELINEATION OF TREE PROJECTION ZONES, BUFFERS, REMOVALS AND PROTECTION SCHEMATICS, ETC. REFER TO TREE PROTECTION PLAN.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR WITHDRAWN PRIOR TO COMMENCING THE WORK, THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT OF THE SITE.
- DRIVEWAYS AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VALVETS AND OTHER STREET FURNITURE ARE A MINIMUM 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.



- NOTES:**
- A PORTION OF ROADWAY OR YARD PROVIDED AS A REQUIRED ACCESS ROUTE FOR FIRE DEPARTMENT USE SHALL:
- HAVE A CLEAR WIDTH NOT LESS THAN 6m, UNLESS IT CAN BE SHOWN LESSER WIDTHS ARE SATISFACTORY.
 - HAVE A CENTRELINE RADIUS NOT LESS THAN 12.0m.
 - HAVE AN OVERHEAD CLEARANCE NOT LESS THAN 5m.
 - HAVE A CHANGE OF GRADIENT NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15m.
 - BE DESIGNED TO SUPPORT THE EXPECTED LOADS IMPOSED BY FIREFIGHTER EQUIPMENT (36,514kg OR 80,500lbs.) AND BE SURFACED WITH CONCRETE, ASPHALT OR OTHER MATERIAL DESIGNED TO PERMIT ACCESSIBILITY UNDER ALL CLIMATIC CONDITIONS.
 - HAVE TURNAROUND FACILITIES FOR ANY DEAD-END PORTION OF THE ACCESS ROUTE MORE THAN 90m LONG.
 - BE CONNECTED WITH A PUBLIC THROUGHFARE.

2	REV. AS PER CITY COMMENTS	SEP 06/21 AM
1	REV. AS PER CITY COMMENTS	MAR 03/21 AM
	ORIGINAL DRAWING	JAN 06/21 AM
No.	DESCRIPTION	DATE
REVISIONS		
69 JOHN STREET SOUTH, SUITE 230 HAMILTON, ONTARIO, L8N 2B9 PHONE (905) 527-8559 FAX (905) 527-0032		
Drawn	Checked	Crew Chief
KM	SDM	MW
Scale	1:500	Dep. No. 36500-93



JANUARY 6, 2021
 DATE

SITE AND GRADING PLAN

OF PART OF
LOT 20
CONCESSION 7
GEOGRAPHIC
TOWNSHIP OF BEVERLY
IN THE
CITY OF HAMILTON

SCALE 1:500 METRIC
10 5 0 10 20 30 metres

S.D. McLAREN, O.L.S. - 2021

ROOFWATER
ALL ROOFWATER
SPLASH-PAGE
AREAS A MIN.

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.

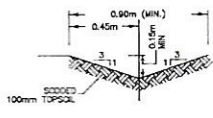
INTEGRATION DATA

POINT ID	NORTHING	EASTING
REF A	4800864.425	268879.821
REF B	4800956.771	268871.146

COORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

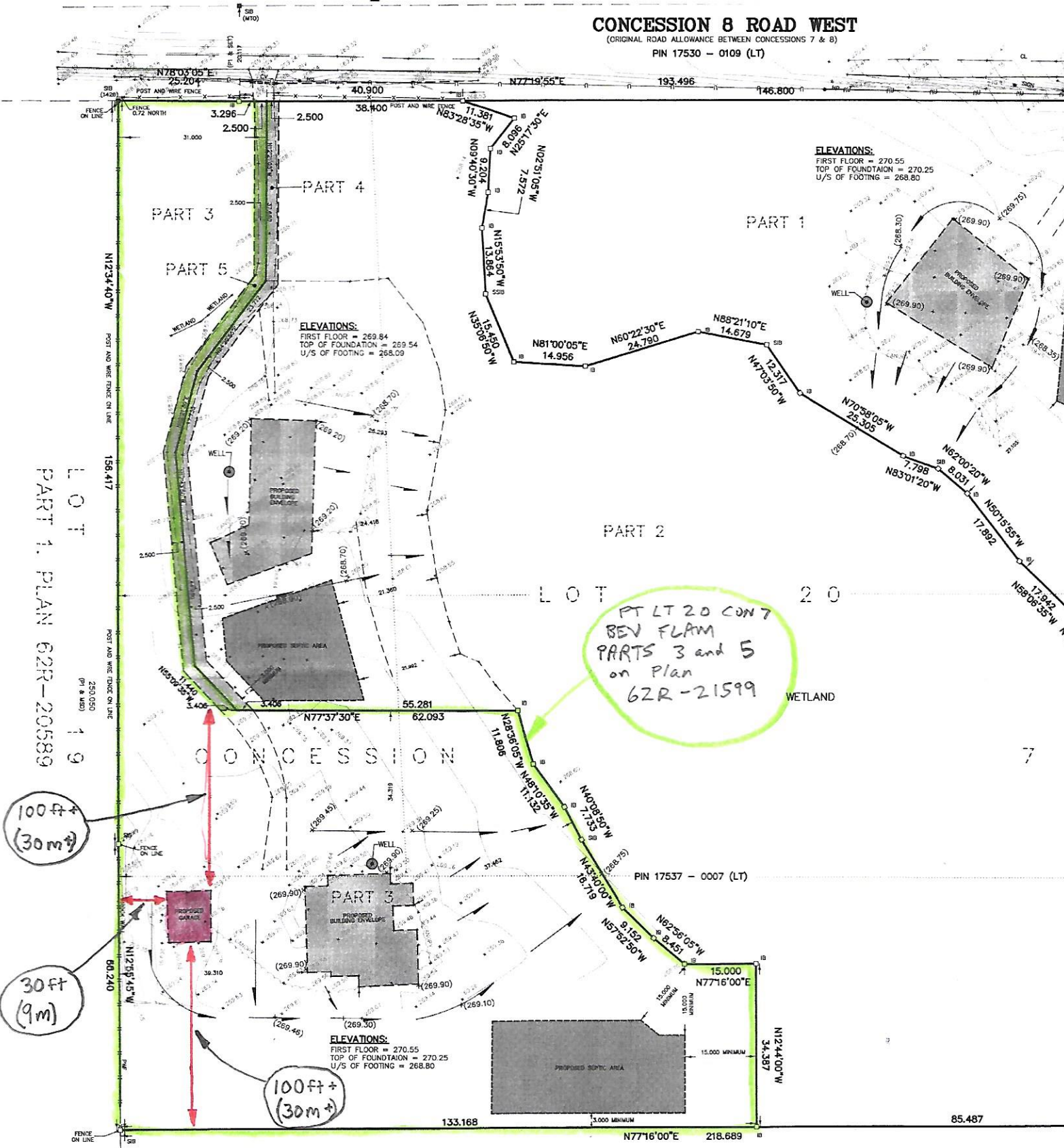
METRIC
DISTANCES
SHOWN ON
METRES AND
CONVERTED
BY DIVIDING

TYPICAL SWALE DETAIL



CONCESSION 8 ROAD WEST

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8)
PIN 17530 - 0109 (LT)



ELEVATIONS:
FIRST FLOOR = 270.55
TOP OF FOUNDATION = 270.25
U/S OF FOOTING = 268.80

ELEVATIONS:
FIRST FLOOR = 269.84
TOP OF FOUNDATION = 269.54
U/S OF FOOTING = 268.09

ELEVATIONS:
FIRST FLOOR = 270.55
TOP OF FOUNDATION = 270.25
U/S OF FOOTING = 268.80

PT LT 20 CON 7
BEV FLAM
PARTS 3 and 5
on Plan
62R-21599

100ft+
(30m)

30ft
(9m)

100ft+
(30m)

GENERAL NOTES:



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)		
Applicant(s)*		
Agent or Solicitor		

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:

garage

- Secondary Dwelling Unit
- Reconstruction of Existing Dwelling

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

- The pitch of the truss roof and the floor to ceiling height in the garage (12 feet) exceeds the height requirement (total height of 21 feet)

- The footprint is for 3 cars

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 20 CON 7, BEV, FLAM.
 Parts 3 and 5 on Plan 62R-21599
 -1824 Con. 8 W, FLAMBOROUGH, NIR 552

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant Other

Other Tree farm

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?

because our family has owned the property before myself for over 40 years.

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.

Sept. 21/21
Date

[Signature]
Signature Property Owner(s)
RYAN KLAAS
Print Name of Owner(s)

10. Dimensions of lands affected: *garage dimensions & lands affected*

Frontage

11 m

Depth

9.75 m

Area

11 x 9.75 (approx. 107 m²)

Width of street

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

Existing: _

n/a

Proposed

Refer to blueprint / design

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

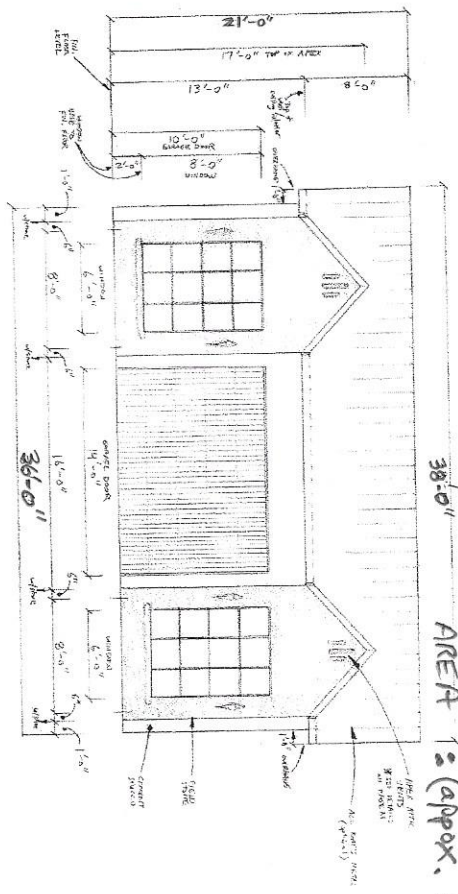
Proposed:

Refer to site plan

13. Date of acquisition of subject lands:
July 12 2021
14. Date of construction of all buildings and structures on subject lands:
n/a
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
- vacant land
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
- our farm (hay fields)
17. Length of time the existing uses of the subject property have continued:
- over 40 years
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:
residential - Hamlet settlement
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
n/a
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
- If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
- Consent Agreement was approved as part of the COFA severance application approval
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.

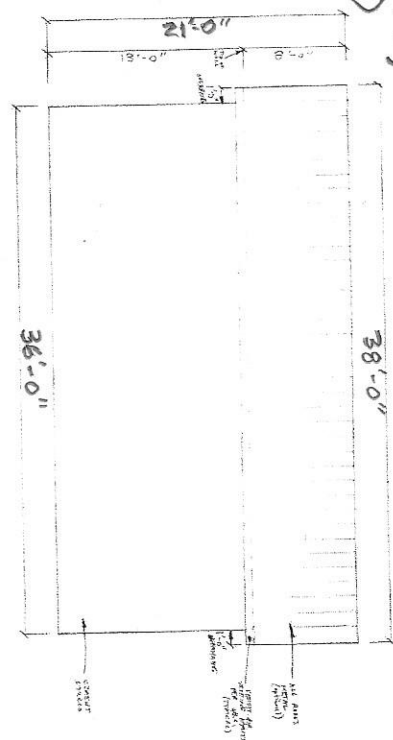
PROPOSED GARAGE

* GARAGE * (Garage)
 FRONT ELEVATION (EAST)

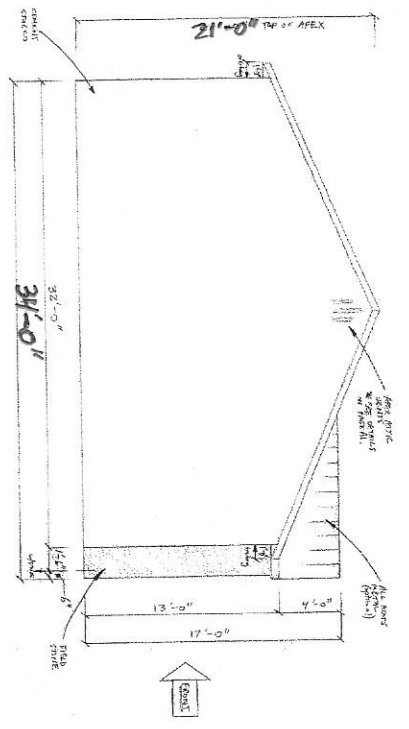


HEIGHT : 21 ft (6.4m)
 LENGTH : 36 ft (10.9m)
 DEPTH : 32 ft (9.7m)
 AREA : (approx. 107m²)

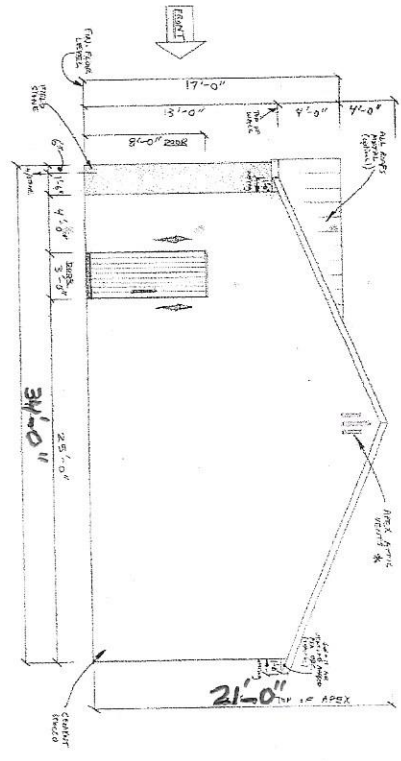
* GARAGE * (Garage)
 REAR ELEVATION (WEST)



* GARAGE * (Garage)
 LEFT SIDE ELEVATION (SOUTH)



* GARAGE * (Garage)
 RIGHT SIDE ELEVATION (NORTH)



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

TITLE: FRONT ELEVATION, REAR ELEVATION, LEFT SIDE ELEVATION, RIGHT SIDE ELEVATION * GARAGE * (Garage)

PERSONAL RESIDENCE: MR. & MRS. R. KLANS (M.M. WEST. DNT.)

DATE: MARCH, 7/2024

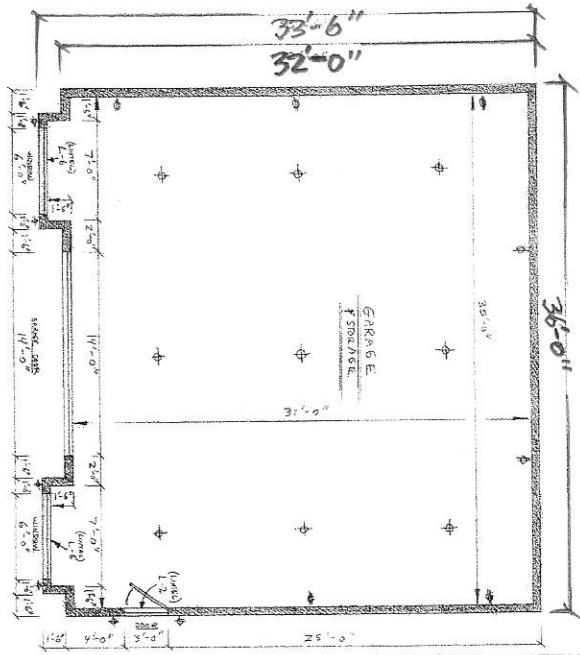
DESIGN BY: RYAN KLANS





* GARAGE * (SHOWN)
 GROUND FLOOR LAYOUT
 AREA 1,106 SQ. FT.

GENERAL CONSTRUCTION NOTES:
 - SEE PAGE #13
 ELECTRICAL NOTES:
 - SEE PAGE #13
 - REFER TO SHEET #13
 - LIGHT FIXTURES SHOWN AS P



LIMIT SCHEDULE:

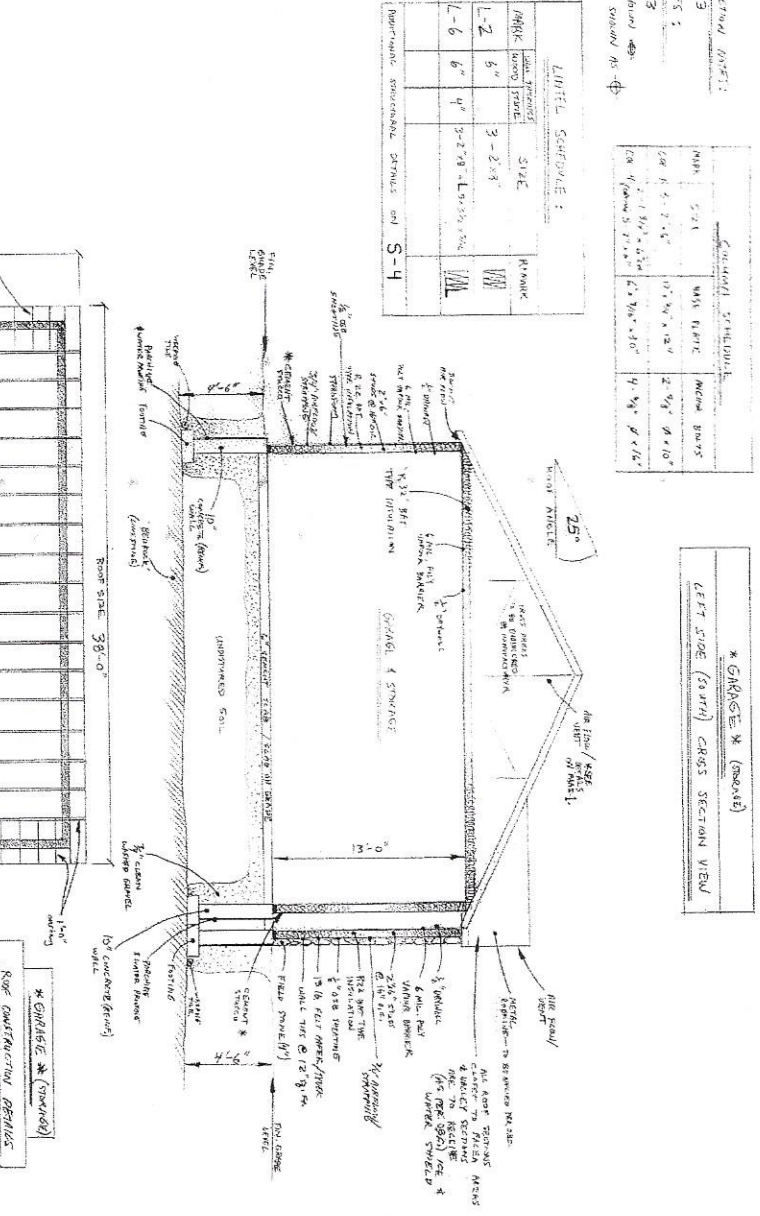
MARK	NO.	SIZE	MARK
L-2	6"	3-2'8"	W-1
L-6	6"	3-2'8"	W-2

IMPORTANT STRUCTURAL DETAILS ON S-4

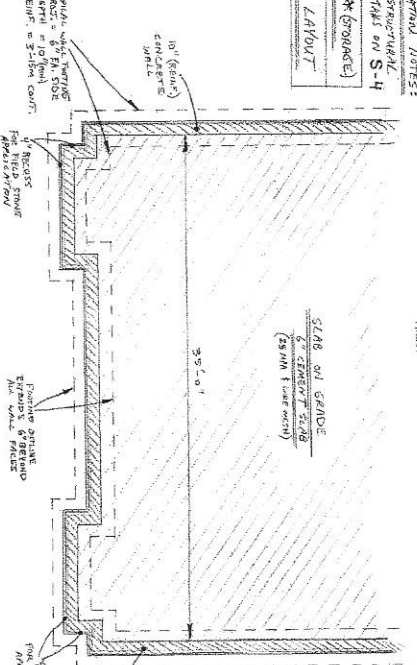
Structural Schedule

MARK	SIZE	MARK	SIZE
W-1	2" x 8"	W-2	2" x 8"
W-3	2" x 8"	W-4	2" x 8"

* GARAGE * (SHOWN)
 LEFT SIDE (SOUTH) CROSS SECTION VIEW



GENERAL CONSTRUCTION NOTES:
 - ADDITIONAL STRUCTURAL CONSTRUCTION DETAILS ON S-4
 * GARAGE * (SHOWN)
 FOUNDATION LAYOUT



SCALE: 1:50
 1/4" = 1'-0"

TITLE: GROUND FLOOR LAYOUT, (BASE CONSTR.)
 (LEFT SIDE (SOUTH) CROSS SECTION VIEW)

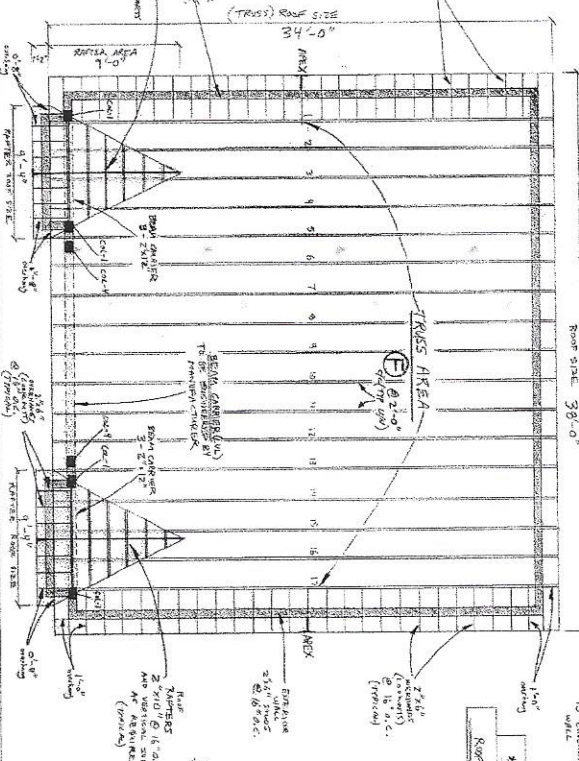
DESIGNED BY: R. R. KAHNS

DATE: MARCH, 7/2021

DESIGNED BY: RIAN KAHNS

19

GENERAL CONSTRUCTION NOTES:
 - ADDITIONAL STRUCTURAL CONSTRUCTION DETAILS ON S-4
 * GARAGE * (SHOWN)
 FOUNDATION LAYOUT



GENERAL NOTES:
 - ADDITIONAL STRUCTURAL CONSTRUCTION DETAILS ON S-4
 * GARAGE * (SHOWN)
 FOUNDATION LAYOUT

GENERAL CONSTRUCTION NOTES:
 - ALL TRUSSES & GARAGE DOOR LVL. TO BE ENGINEERED. HOUSE OR ELL TRUSSES (OVERALL SIZES AS SHOWN ON DRAWING)
 - 17 UNITS
 SIGNED: [Signature]
 DATE: [Date]



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

September 7, 2021

Ryan Klaas, Nathan Klaas & Aaron Klaas
1285 Kirkwall Road
Cambridge, ON N1R 5S2

Re: Application for Permission No. 715/21, Pursuant to Ontario Regulation 150/06

The Grand River Conservation Authority approved your application on September 2, 2021. The permit and attached schedules are enclosed. The schedules form part of the permit and describe the work as approved by the Grand River Conservation Authority. Any changes to these plans must be reviewed and approved by Grand River Conservation Authority staff.

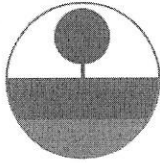
Please note that this permission is based on existing information, policies, and practices, and does not bind nor imply that any other permission will be forthcoming. Please review when the permit expires (maximum is 2 years) and keep a copy of the permit on-site.

If you have questions regarding this letter or the conditions described on the permit, please contact Jenn Simons, Resource Planner, at (519) 621-2763 ext. 2230.

Encl.

c.c. Clerk, City of Hamilton
Building Inspector, City of Hamilton

Permit No. 715/21



Grand River Conservation Authority

Under Ontario Regulation 150/06 made under the Conservation Authorities Act, R.S.O. 1990, Chapter C.27, permission is granted to:

Ryan Klaas, Nathan Klaas & Aaron Klaas

Whose address for purposes pertaining to this project is:

1285 Kirkwall Road
Cambridge, ON
N1R 5S2

To execute proposed works in accordance with the following particulars and conditions:

Location of Work: 1816, 1820 & 1824 Concession 8 West
City of Hamilton

Purpose of Work: To construct three residences with septic systems.

This permit is valid from: **September 2, 2021**

And expires on: **September 2, 2023**

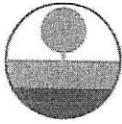
The attached Schedules form parts of this permit describing the approved work and must be implemented in order so that the true intent of the permit can be achieved.

The Permittee, by acceptance and in consideration of the issuance of this permit, agrees to the conditions listed on the reverse side of Schedule "A".

Dated at Cambridge, Ontario, this 2nd day of September, 2021

GRAND RIVER CONSERVATION AUTHORITY

Samantha Lawson,
Chief Administrative Officer



Grand River Conservation Authority

Administration Office:
400 Clyde Road, P.O. Box 729, Cambridge, Ontario N1R 5W6
Telephone: 519-621-2761 Fax: (519) 621-4945

GRCA USE ONLY
APPLICATION NUMBER

715/21

Schedule "A" - Application for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06)

Please read, complete each section as required, attach fee and sign and date this application.

Owner's name: RYAN KLAS, NATHAN KLAS, AARON KLAS E-mail: info@klasdesign.com
Mailing address: 1285 KIRKWALL RD. City/Town: CAMBRIDGE Postal Code: N1R 5S2
Telephone: Bus. (519) 623 4418 Res. (310) 699 6496 Fax ()

Agent's name (Consultant/Contractor): *same as above
Mailing address: _____ City/Town: _____ Postal Code: _____
Telephone: Bus. () _____ Fax. () _____ Email: _____

Location of proposed work:

Lot No. (original lot # 1806) Concession No. 8th W. Township Flamborough
Municipal address of property: (newly assigned) # 1816 #1820 #1824
City/Town/Village: FLAMBOROUGH County/Region: Hamilton
(Circle One)

Application is hereby made for:

For examples of Minor, Standard and Major applications please refer to the Fee Schedule on pages 3 and 4.

- Minor Development
- Minor Interference with Wetlands, Alteration to Shorelines & Watercourses
- Standard Development
- Standard Interference with Wetlands, Alteration to Shorelines & Watercourses
- Major Development
- Major Interference with Wetlands, Alteration to Shorelines & Watercourses

Description of proposed work: personal residences

This application must include four (4) FOLDED copies of each appropriate plan(s) showing the proposed work.

Land Use: Present farm Proposed change (if any) personal residences

I declare that I have read and agree to the General Conditions of Permit on the reverse of this form and that all information provided is true.

[Signature]
Signature of Owner

July, 27 2021
Date

[Signature]
Signature of Agent

[Signature]

[Signature]

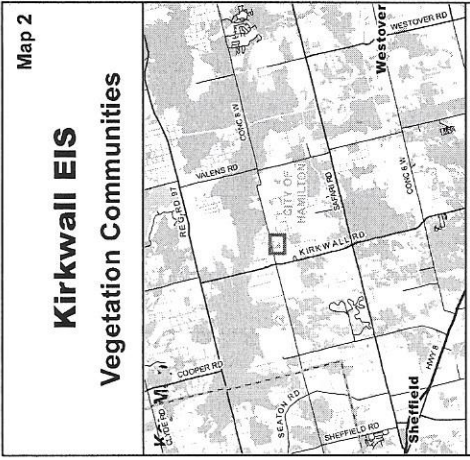
January 1, 2020

GENERAL CONDITIONS OF PERMIT

1. This permit does not absolve the permittee of the responsibility of obtaining necessary permission from applicable federal and provincial agencies or local municipalities.
2. The permittee agrees by acceptance of the permit:
 - (a) to indemnify and save harmless, the Grand River Conservation Authority and its officers, employees, or agents, from and against all damage, injury, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the permittee or of any of his agents, employees or contractors relating to any of the particular terms or conditions of this permit.
 - (b) that this permit shall not release the permittee from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law.
 - (c) that all complaints arising from the proposed works authorized under this permit shall be reported immediately by the permittee to the Grand River Conservation Authority. The permittee shall indicate any action which has been taken, or is planned to be taken, with regard to each complaint.
 - (d) to provide certification of conformance to ensure compliance with the intent of the permit. This certification must be provided by an accredited professional and is to be submitted as may be specified in the permit.
3. Authorized representatives of the Grand River Conservation Authority will be granted entry at any time into lands and buildings which are the subject of this permit application in order to make such surveys, examinations, investigations, inspections or other arrangements which such representatives deem necessary.
4. The Grand River Conservation Authority may cancel this permit or may change any of the conditions at any time and without prior notice if it is determined that:
 - (a) the works are not in conformance to the intent of the permission granted;
 - (b) the information presented to obtain a permit is false;
 - (c) the works or method of construction have detrimental impacts on the environment.
5. This permit shall not be assigned (non-transferable).
6. Permits are valid for two years. No notice will be issued on expiration of the permit and it is the responsibility of the permittee to ensure a valid permit is in effect at the time work is occurring.
7. The Grand River Conservation Authority may make copies of Schedule A, as required, for the purposes of assessing the proposal and, where approved, to form part of the permit issued.

NOTICE OF COLLECTION

Pursuant to section 29(2) of the Municipal Freedom of Information and Protection of Individual Privacy Act, 1989, the personal information contained on this form is collected under the legal authority of the Conservation Authorities Act, R.S.O. 1980, c85, as amended. This information is used to assess applications for and, where approved, issue the Permit. Information on this form may be disclosed to Government and Municipal Agencies for review and comment. The name of the applicant, location of the work and a description of the project may be published in GRCA documents including agendas, reports and meeting minutes which are posted on the GRCA website. Questions about the collection of personal information should be directed to the Freedom of Information Co-ordinator, Administration Division, Grand River Conservation Authority, 400 Clyde Road, P.O. Box 729, Cambridge, Ontario, N1R 5W6, (519) 621-2761.



- Legend**
- Subject Site
 - Cleared Area
 - Culvert
 - Existing Laneway
 - Potential Laneway
 - Surveyed Wetland Boundary
 - Wetland Buffer (30m)
 - Ephemeral Watercourse
 - Ecological Land Classification (ELC)
 - (CUP) Plantation
 - (CUM1) Mineral Cultural Woodland Ecosite
 - (H) Hedgerow
 - (MM2-2) Reed-canary Grass Mineral Meadow Marsh Type
 - (SWD3-3) Swamp Maple Mineral Deciduous Swamp Type
 - ELC Inclusion
 - (CUM) Cultural Meadow
 - (FOD6-5) Freshwater Forested Wetland Ecosite

SCHEDULE B

NATURAL RESOURCE SOLUTIONS INC.
 Aquatic, Terrestrial and Wetland Biologists

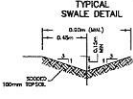
Map Produced by Natural Resource Solutions Inc. The map is proprietary and all rights are reserved. No part of this map may be reproduced without express written permission of NRSI. Data provided by MNRFO Copyright, Queens Printer Ontario, Imagery: First Base Solutions Inc. (2017).

Project: 2275	MNRFO UTM Zone 17
Date: May 20 2020	Scale: 1:1,000



Map 2 of 2, UTM Zone 17, 2000, 1:1,000, 568600, 480100, 569000, 480900, 480100, 568600

SITE AND GRADING PLAN
 OF PART OF
LOT 20
CONCESSION 7
 GEOGRAPHIC
TOWNSHIP OF BEVERLY
 IN THE
CITY OF HAMILTON
 SCALE 1:500 METRIC
 S.D. McLaren, O.L.S. - 2021



BEARING NOTE:
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS; UTM ZONE 17, NAD83 (CRS) (2011-0).

NOTE:
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORNERED SCALE FACTOR OF 0.

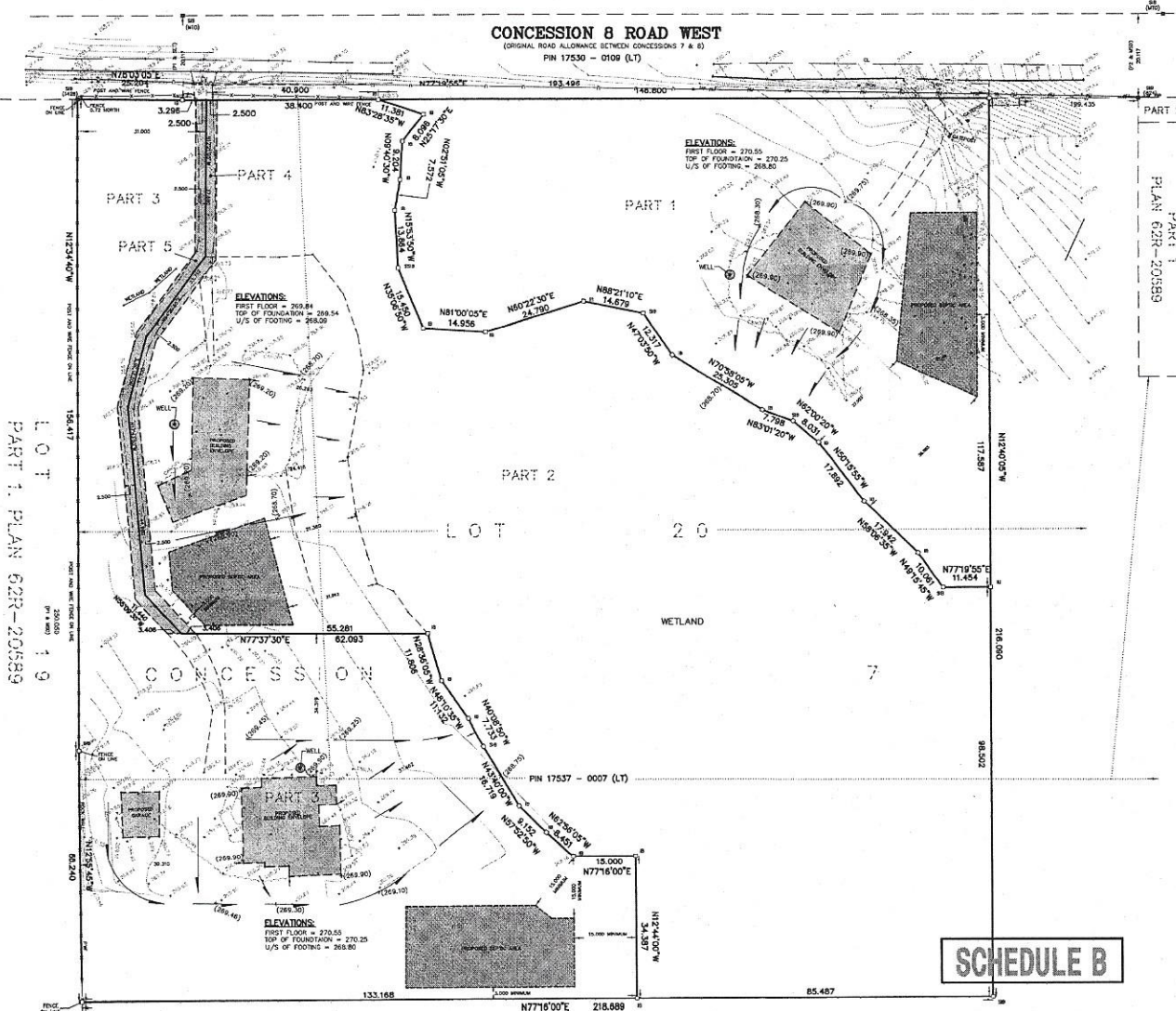
INTEGRATION DATA

COORDINATE SYSTEM	UNIT	PROJECTION	SPHEROID	SEMI-MAJOR AXIS (m)	SEMI-MINOR AXIS (m)	FLATTENING
UTM	Metres	UTM	WGS 84	6378137	3146376	1/29825297

COORDINATES CANNOT, BY THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ROOFWATER LEADERS:
 ALL ROOFWATER LEADERS SHALL DISCHARGE INTO SPASH PANS AND THEN TO GRAVELLED OR LANDSCAPED AREAS A MIN. OF 0.6m FROM THE BUILDING FACE.

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

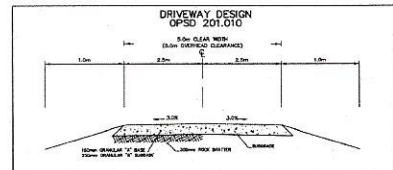


PART 1, PLAN 62R-20589
 LOT 19
 PART 1, PLAN 62R-20589

PART 1
 PART 2
 PLAN 62R-20589

- GENERAL GRADING NOTES:**
- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOPED SIDES (MIN. 3% TO 1%) AND/OR RETAINING WALLS AS SPECIFIED.
 - ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.40m OFF THE PROPERTY LINE. ALL WALLS 1.0m OR HIGHER SHALL BE DESIGNED BY A P.E.
 - SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
 - RETAINING WALLS 0.60m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A RETAINING FOUNDATION AT THE TOP OF THE FACE OF THE WALL. SQUARES FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR WALLS AS CONTAINED IN THE ONTARIO BUILDING CODE.
 - SLOPES OF SWALES FOR BOTH "BACK AND FRONT" AND "SILT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 3.0%.
 - WHEN MATCHING TO EXISTING PROPERTIES WHERE 2% SLOPE CANNOT BE ACHIEVED, A 1.0% GRADE IS PERMITTED, PROVIDED A 150mm SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, WITH A MINIMUM OF 0.30m COVER OVER THE SUB-DRAIN, OR OTHER MITIGATED 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 150mm (min.) ABOVE FINISHED GRADE.
 - DRIVEWAY SLOPES SHALL BE NO LESS THAN 2% AND NO MORE THAN 7%.
 - GARAGE FLOOR ELEVATION TO BE SET 6.30m (min.) HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
 - ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM SIX SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
 - FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS AND PROTECTION SCHEMATICS, ETC. REFER TO TREE PROTECTION PLAN.
 - THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED, THE WRITTEN PERMISSION FROM THE CITY OF HAMILTON SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT OF THE SITE.
 - DRIVEWAYS AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT WINDING WALLS AND OTHER STREET FURNITURE ARE A MINIMUM 1.0m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.

- GENERAL NOTES:**
- ALL WORK INVOLVED IN CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 - MAJOR DRIVEWAY EMERGENCIES AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 2.5M UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 2.5M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE 10% MAXIMUM GRADE.
 - THE APPROVAL OF THIS SITE PLAN DOES NOT EXEMPT THE OWNER'S BONDING 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 PERMITS
 -ROAD CUT PERMITS
 -APPROACH APPROVAL PERMITS
 -COMMITTEE OF ADJUSTMENT
 -ENCROACHMENT AGREEMENTS
 - ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BULLEVAARD RESTORED WITH CDD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
 - ALL NEW SIGNS MUST COMPLY WITH THE REGULATIONS OF SIGN BY-LAW 10-187.
 - ALL FENCING SHALL CONFORM TO FENCE BY-LAW 10-142.
 - THIS PROPERTY IS SUITABLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANIC AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS PROVIDED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW 09-067AS AMENDED.
 - EXES AND OUTERS SHALL CONFORM TO SECTION A.181 (B) OF BY-LAW 3092-92.
 - ANY PARKING AREA, PARKING SPACES, LOADING SPACES, DRIVEWAY HANDOVERING AREA, OR ASSESSED TO BE PROVIDED OR PERMITTED ACCORDING TO THE PROVISIONS OF THIS BY-LAW FOR ANY USE IN ANY ZONE SHALL BE PROVIDED AND MAINTAINED IN ACCORDANCE WITH THIS BY-LAW.
 - UNENCLOSED PORCHES MAY PROJECT INTO ANY REQUIRED FRONT YARD 1.5m, THE PROPOSED UNENCLOSED PORCH AT THE FRONT HAS A MAXIMUM ENCROACHMENT OF 1.2m, WHICH CONFORMS.
 - SUBJECT TO THE ISSUANCE OF A BUILDING PERMIT IN THE NORMAL MANNER.
 - THE DESIGNER SHALL ENSURE THAT THE FIRE ACCESS ROUTE CONFORMS TO THE ONTARIO BUILDING CODE.
 - A MINIMUM OF 1.2m SEPARATION MUST BE PROVIDED WITH THE CITY'S ROAD ALLOWANCE AREA BETWEEN AN ACCESS AND ANY UTILITY, FIRE HYDRANT, TREE, SIGN, ETC. ANY COSTS FOR TRUNKING SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER.



- NOTES:**
- A PORTION OF ROADWAY OR YARD PROVIDED AS A REQUIRED ACCESS ROUTE FOR FIRE DEPARTMENT USE SHALL:
 - HAVE A CLEAR WIDTH NOT LESS THAN 5m, UNLESS IT CAN BE SHOWN LESSER WIDTHS ARE SATISFACTORY.
 - HAVE A CENTRELINE RADIUS NOT LESS THAN 6.0m.
 - HAVE AN OVERHEAD CLEARANCE NOT LESS THAN 5.0m.
 - HAVE A CHANGE OF GRADE NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15m.
 - BE DESIGNED TO SUPPORT THE EXPECTED LOADS IMPOSED BY PREVENTER EQUIPMENT (45.4kN OR 10,000lbs) AND BE SURFACED WITH CONCRETE, ASPHALT OR OTHER MATERIAL DESIGNED TO PERMIT ACCESSIBILITY UNDER ALL CLIMATIC CONDITIONS.
 - HAVE TURNAROUND FACILITIES FOR ANY DEAD-END PORTION OF THE ACCESS ROUTE MORE THAN 30m LONG.
 - BE CONNECTED WITH A PUBLIC THROUGHFARE.

LEGEND:

- 1.0m
- 2.0m
- 3.0m
- 4.0m
- 5.0m
- 6.0m
- 7.0m
- 8.0m
- 9.0m
- 10.0m
- 11.0m
- 12.0m
- 13.0m
- 14.0m
- 15.0m
- 16.0m
- 17.0m
- 18.0m
- 19.0m
- 20.0m

C.D. McLaren
 O.L.S.

A.T. McLaren Limited
 LOCAL AND PROVISIONAL SURVEYORS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 827-8038 FAX (905) 827-0032

JANUARY 6, 2021

GRCA Permit Approval

From: Planning (planning@grandriver.ca)
To: info@klaasdesign.com
Cc: clerk@hamilton.ca; building@hamilton.ca
Date: Tuesday, September 7, 2021, 03:54 PM EDT

Hello,

The Grand River Conservation Authority has approved permit application 715/21 for the proposed work at 1816, 1820 & 1824 Concession 8 West. Please find a copy of the permit in the form of an attachment or a link provided below.

We're aware of the garage in part three on the second Schedule B and have no issues with it.

Should you have any further questions, please contact the GRCA planning department at planning@grandriver.ca.

Thank you.



GRCA Permit 715-21.pdf
2.3MB



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-21:363

APPLICANTS: Agent Rinaldo Divincenzo
 Owner Lesa Divincenzo

SUBJECT PROPERTY: Municipal address **28 Robinhood Dr., Dundas**

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

ZONING: "R1" (Single Detached Residential) district

PROPOSAL: To permit the construction of a one (1) storey front garage addition to the existing single family dwelling notwithstanding that;

1. A minimum front yard setback of 3.6 m shall be provided instead of the minimum required front yard setback of 6.0 m;

Note:

No such required parking shall be located in a required front yard, except for the access driveway leading to the required parking space.

Where there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres. No details provided; therefore, further variances may be required.

The parking space size within the proposed garage has not been provided. A minimum parking space size of 2.7 m x 6.0 m is required to be provided. Otherwise, further variances may be required

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

DATE: Thursday, November 4th, 2021
TIME: 1:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

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: 363

Page 2

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

MORE INFORMATION

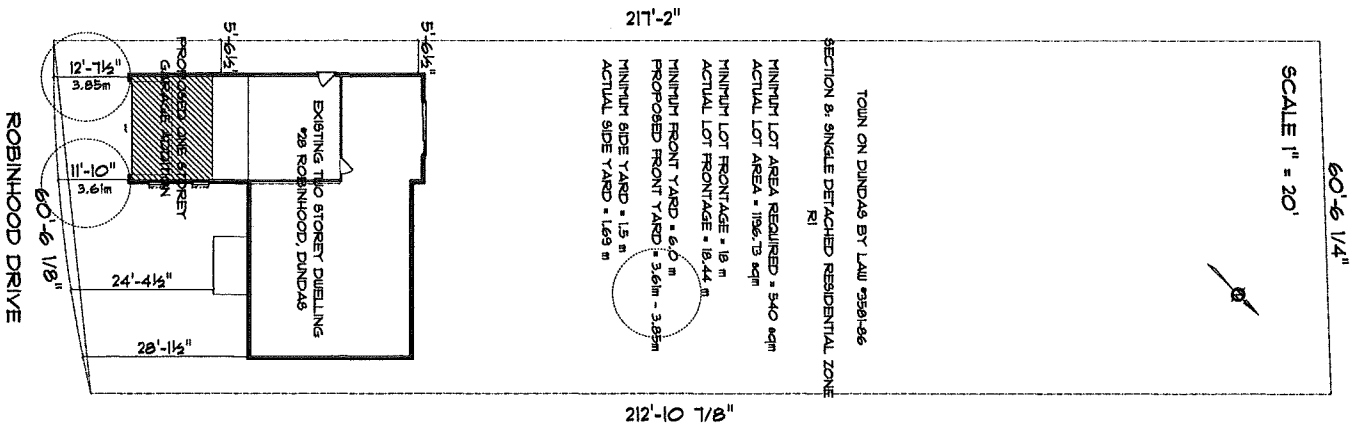
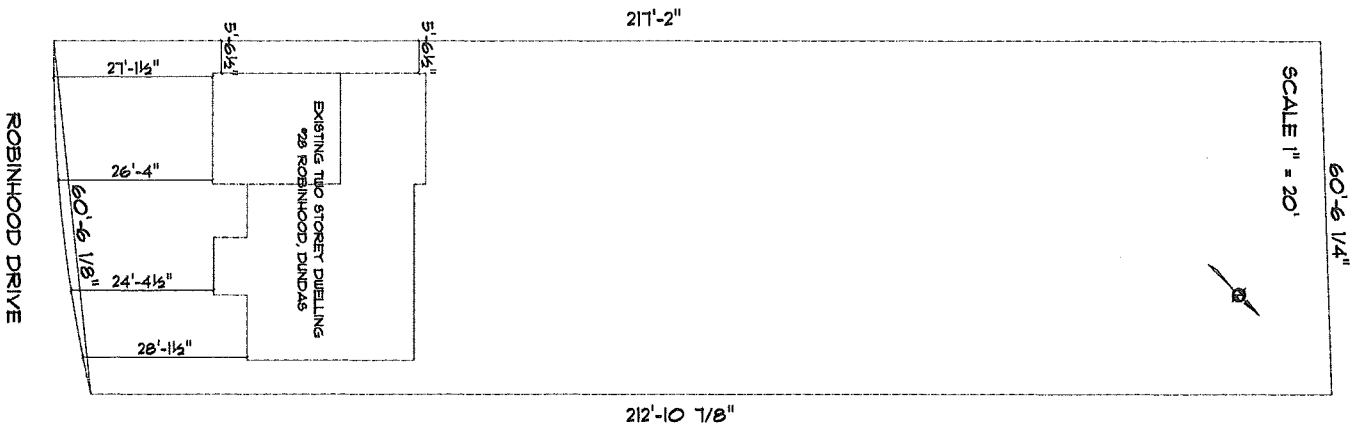
For more information on this matter, including access to drawings illustrating this request:

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

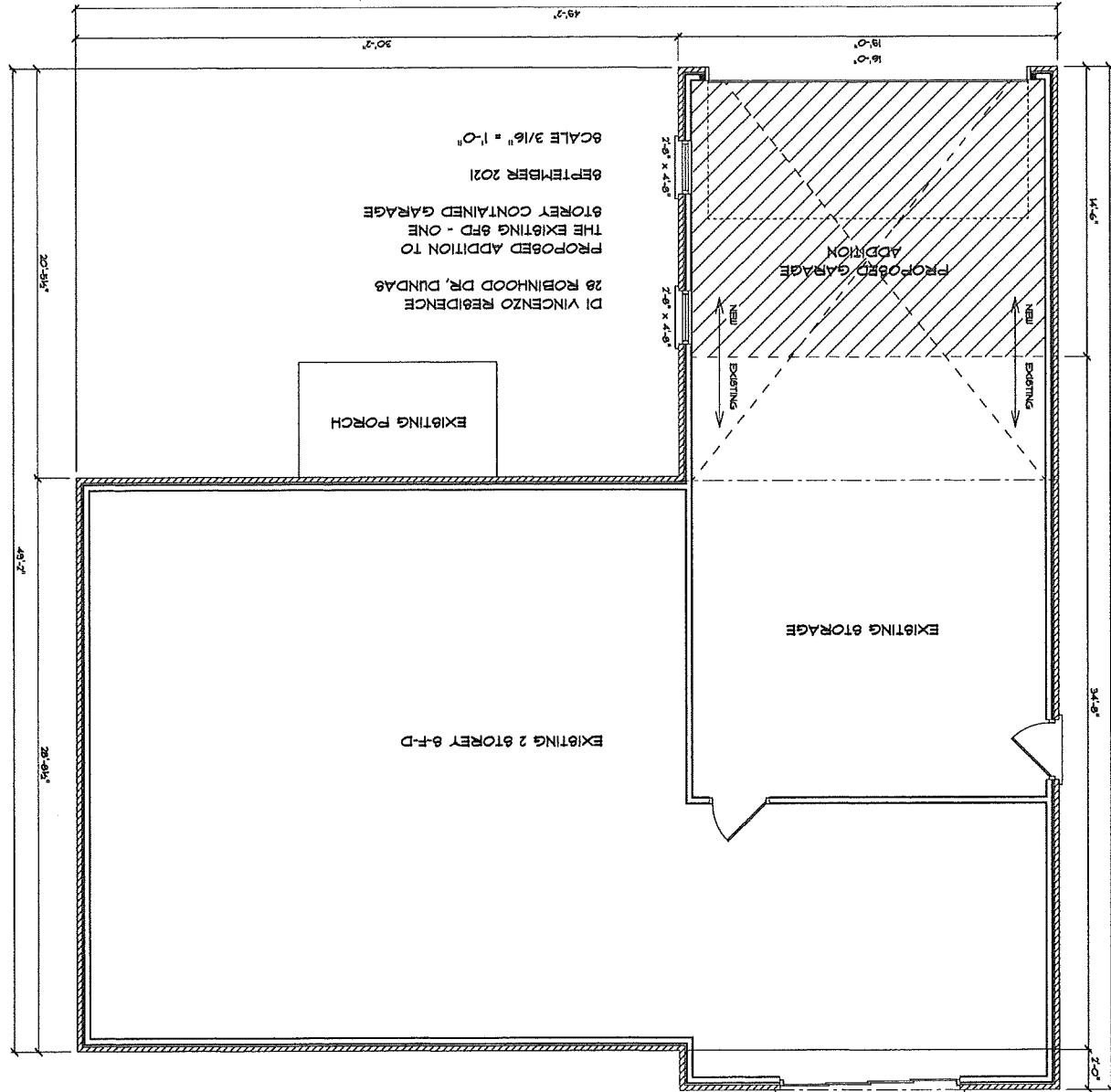
DATED: October 19th, 2021.

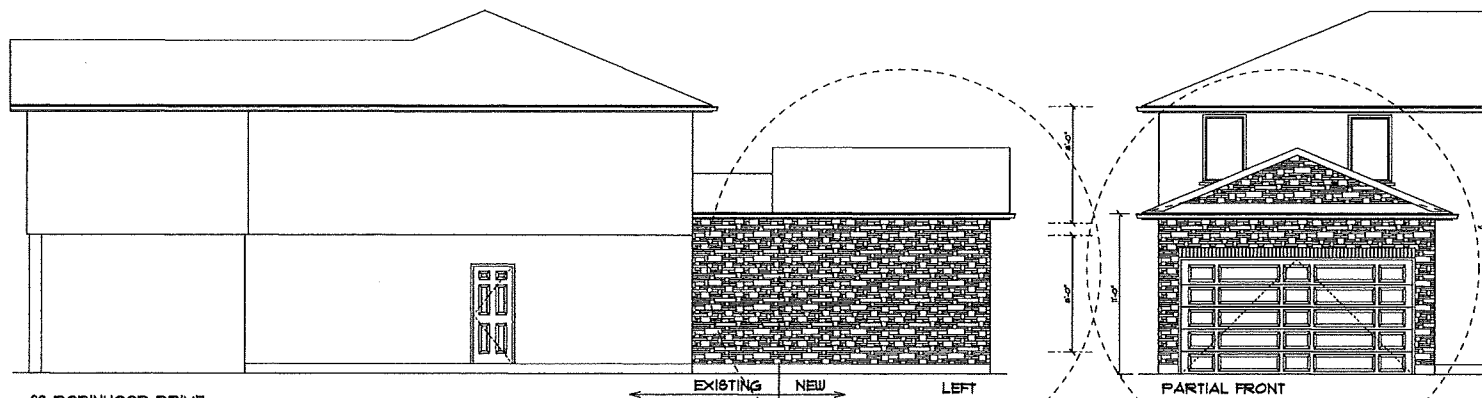
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



TOWN ON DUNDAS BY LAW #3581-86
SECTION 8: SINGLE DETACHED RESIDENTIAL ZONE
R1



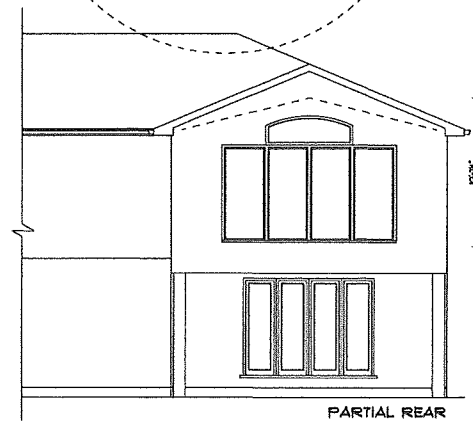
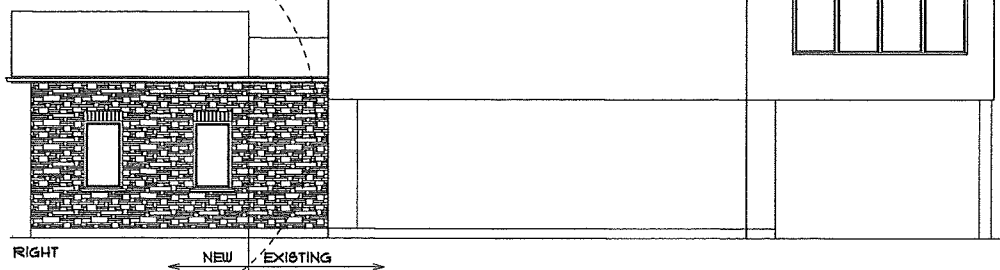


28 ROBINHOOD DRIVE
DUNDAS, ONTARIO

PROPOSED ELEVATIONS - PARTIAL

ADDITION OF CONTAINED GARAGE SPACE
SEPTEMBER 2021

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: ca@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)		
Applicant(s)*		
Agent or Solicitor		

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:

To allow for a reduced minimum front yard setback from the required 6.0 metres to an average setback of 3.73 metres (3.61m to 3.85m). This 2.15m to 2.39m encroachment will allow for an addition to the existing single family dwelling, namely, the attached **garage**.

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Currently, personal vehicles are being parked in the driveway and in the front yard of the existing home and attached garage. The existing garage is being used primarily for storage and it's size does not allow for vehicle parking. The additional garage space would allow for contained parking and clear the driveway and front yard of vehicles and open storage. This will also eliminate "visual clutter" in the front yard and avoid potential

6. Legal description and Address of subject lands (including a map reference and other other legal description and where applicable, street and street number).

28 Robinhood Drive, Dundas, Ontario, L9H 4G1

LT194, PL 1327 AB 16886

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

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 8.1 to 8.10 above?

Personal knowledge of the home and neighbourhood of over 28 years.

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.

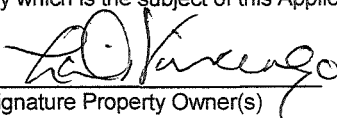
Is the previous use inventory attached? Yes No

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.

September 20, 2021

 Date



 Signature Property Owner(s)
 Lesa DiVincenzo

 Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage 60'-6" (18.44m)
 Depth 212'-11" (64.90m)
 Area 12,882 sqft (1196.73sqm)
 Width of street 30' +/- (9.0m +/-)

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:
 Existing 2 storey single family dwelling, complete attached garage. Overall width of 49'-2" and overall depth of 34'-8". Building footprint area is 1564 sqft and the gross floor area is 2900 sqft. the overall building height is 25' or 7.62m.

Proposed
 Construction of the proposed contained garage addition will increase the overall depth of the home to 51'-2" from 34'-8" and the building footprint area to 1954 sqft from 1564 sqft. No other changes to the existing building stats.

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 Plot Plan attached

Proposed:
 See Plot Plan attached

13. Date of acquisition of subject lands: **February 28, 2003**
-
14. Date of construction of all buildings and structures on subject lands.
approx 1967
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family Residential
17. Length of time the existing uses of the subject property have continued:
54 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:
Town of Dundas Zoning By Law #3581-86 - Section 8: Single Detached Residential zone - R1
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-21:348

APPLICANTS: Agent A. J. Clarke & Associates c/o Stephen Fraser
 Owner 1376412 Ontario Ltd., c/o Zenia Homes

SUBJECT PROPERTY: Municipal address **55 Eringate Crt., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended 16-257

ZONING: "R3-42" (Single Residential) district

PROPOSAL: To recognize the location of the proposed two storey single detached dwelling currently under construction notwithstanding:

1. A minimum front yard of 5.7 metres shall be provided instead of the minimum required front yard setback of 6.0 metres; and,
2. A minimum rear yard setback of 7.3 metres shall be provided instead of the minimum required rear yard setback of 7.5 metres.

Notes:

For the purposes of this application, the front lot line is considered to be the southerly lot line.

1. The applicant shall ensure the proposed building height has been calculated in accordance with "Height" and "Grade" as defined within the Zoning By-law.
2. Details regarding lot coverage, building height, parking and yard encroachments have not been provided. The applicant shall ensure compliance with Stoney Creek Zoning By-law 3692-92, as amended.
3. Building permit 21-114995 was issued April 14, 2021 for the construction of the two-storey single detached dwelling.

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

DATE: Thursday, November 4th, 2021
TIME: 1:50 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

SC/A-21: 348
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

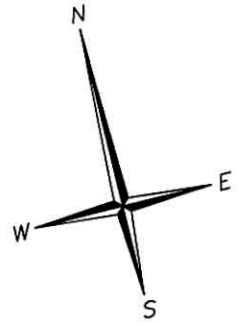
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SURVEYOR'S REAL PROPERTY REPORT
PART 1

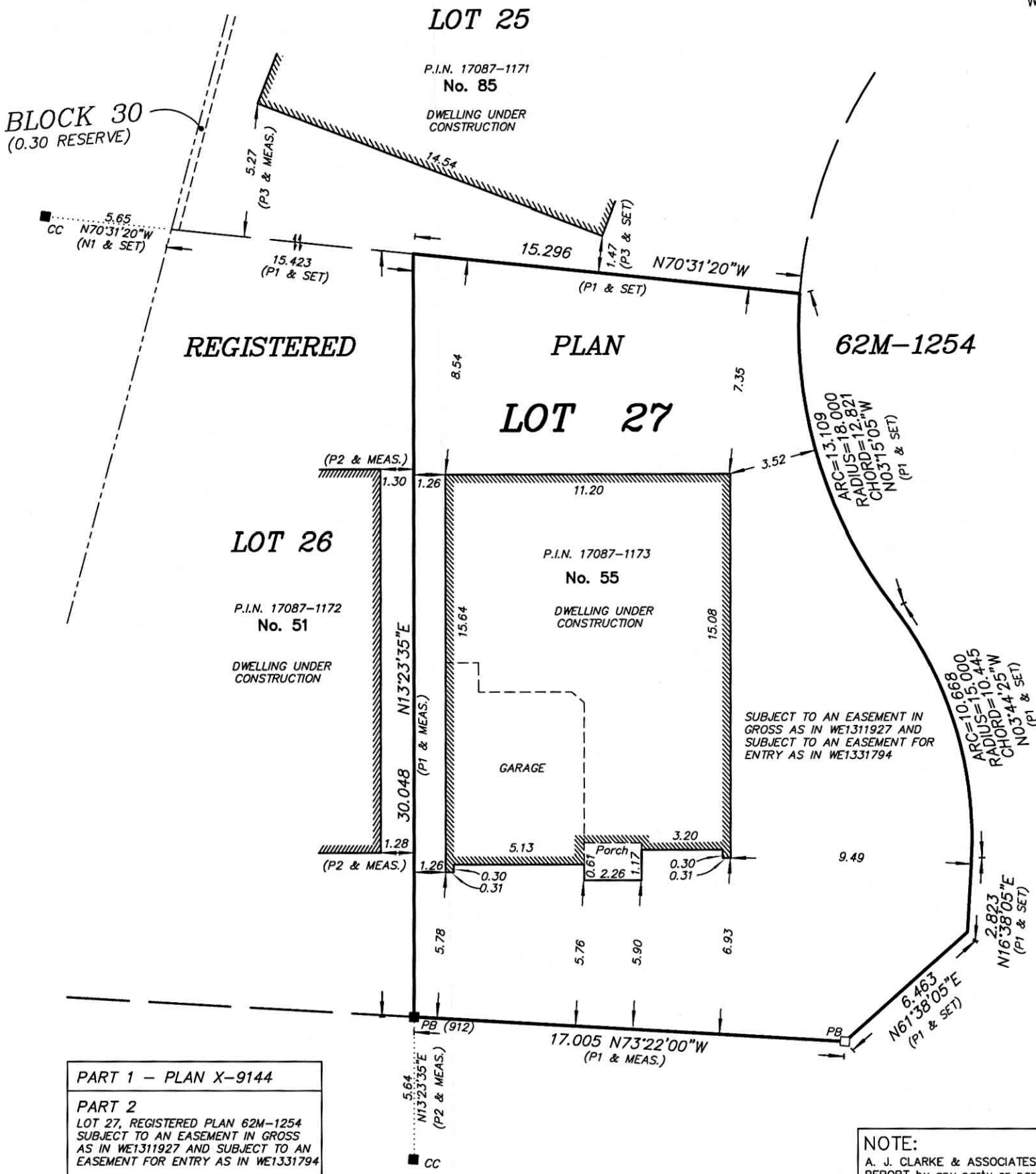
PLAN OF
LOT 27 - ERINGATE COURT
REGISTERED PLAN 62M-1254
IN THE
CITY OF HAMILTON

SCALE 1:200
0 5 10 metres

G. G. ALDWORTH O.L.S.



X-9144



**ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2171898**

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

ERINGATE COURT
(ESTABLISHED BY PLAN 62M-1254)
P.I.N. 17087-1177

PART 1 - PLAN X-9144

PART 2
LOT 27, REGISTERED PLAN 62M-1254
SUBJECT TO AN EASEMENT IN GROSS
AS IN WE1311927 AND SUBJECT TO AN
EASEMENT FOR ENTRY AS IN WE1331794

THIS REPORT WAS PREPARED FOR
ZIENA HOMES

NOTE:
TIES ARE TAKEN TO FOUNDATION
UNLESS OTHERWISE NOTED

NOTE:
A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this
REPORT by any party or parties for FUTURE TRANSACTIONS
or for any unrelated purposes.

This REPORT reflects conditions at time of survey. UPDATING
may be required to issue ADDITIONAL COPIES subsequent to
DATE of the SURVEYOR'S CERTIFICATE.

X-9144

- LEGEND:**
- DENOTES SURVEY MONUMENT PLANTED
 - DENOTES SURVEY MONUMENT FOUND
 - CC DENOTES CUT CROSS
 - PB DENOTES PLASTIC BAR
 - (912) DENOTES A. J. CLARKE O.L.S.
 - (MEAS.) DENOTES MEASURED
 - (P1) DENOTES PLAN 62M-1254
 - (P2) DENOTES SURVEYOR'S REAL PROPERTY REPORT
BY AJ CLARKE & ASSOCIATES LTD DATED
JUNE 30, 2021. INDEXED AS X-9143
 - (P3) DENOTES SURVEYOR'S REAL PROPERTY REPORT
BY AJ CLARKE & ASSOCIATES LTD DATED
FEBRUARY 4TH, 2021. INDEXED AS X-9142
 - (N1) DENOTES NOTES BY A. J. CLARKE AND
ASSOCIATES LTD DATED 12 APRIL 2021

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

ERINGATE COURT
(ESTABLISHED BY PLAN 62M-1254)
P.I.N. 17087-1177

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 29th DAY OF JUNE, 2021.

JULY 6, 2021
DATE

G. G. Aldworth
G. G. ALDWORTH, O.L.S.
ONTARIO LAND SURVEYOR

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

PROJECT No 190180

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A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

September 21st, 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: Minor Variance Application Submission
55 Eringate Court, Stoney Creek (Hamilton)

Dear Madam,

A.J Clarke and Associates Ltd. has been retained by the owners of 55 Eringate Court for the purposes of submitting the enclosed Minor Variance application. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Minor Variance Application form.
- One (1) cheque in the amount of \$4,145.00 representing the required application fee.
- One (1) electronic copy of the survey, prepared by A.J. Clarke and Associates Ltd.

The subject site is designated "Neighbourhoods" on Schedule E-1 of the Urban Hamilton Official Plan and is zoned Single Residential "R3-42" by site specific by-law 16-257. The subject lands are currently vacant with the single-detached dwelling under construction.

The proposed development will feature the construction of one single detached dwelling, with an attached garage, and associated paved parking. The proposed development requires a Minor Variance to permit a reduced minimum rear yard requirement and a reduced minimum front yard requirement due to a construction error. The existing Zoning By-law permits a minimum rear yard requirement of 7.5 metres, whereas 7.35 metres is provided. Further, the existing Zoning By-law permits a minimum front yard requirement of 6 metres, whereas 5.78 metres is provided. As a result of the unique lot configuration, the jog in the front west portion of the dwelling and the construction error, the dwelling was unable to be properly situated on the lot.

It is my opinion that a reduced rear yard requirement of 0.15 metres, and a reduced front yard requirement of 0.22 metres, are minor in nature, desirable for the lands and are in keeping with the general intent of the Official Plan and the Zoning By-law.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact this office.



Attn: Ms. Jamila Sheffield - Secretary-Treasurer
Re: Minor Variance Application – 55 Eringate Court, Hamilton

September 21st, 2021
Page 2 of 2

Yours very truly,

Stephen Fraser, RPP, MCIP
Planner
A. J. Clarke and Associates Ltd.
Encl.

Copy via email: 1376412 Ontario Limited c/o Zeina Homes ali@zeinahomes.ca



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)		
Applicant(s)*		
Agent or Solicitor		

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:
See attached Cover Letter.
5. Why it is not possible to comply with the provisions of the By-law?
See attached Cover Letter.
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**):
55 Eringate Court
Lot 27
Registered Plan 62M-1254
7. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
Agricultural Vacant
Other _____
- 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?
Online mapping, and property owner information.

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.

September 17, 2021

Date


Signature Property Owner

1376412 Ontario Limited

Print Name of Owner

10. Dimensions of lands affected:

Frontage +- 17.005 m

Depth +- 30.048 m

Area +- 510 sq m

Width of street +- 20.1 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: _

None.

Proposed

One single detached dwelling.

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

Existing:

None.

Proposed:

One single detached dwelling.

13. Date of acquisition of subject lands:
Unknown.
-
14. Date of construction of all buildings and structures on subject lands:
Under construction.
-
15. Existing uses of the subject property:
Residential.
16. Existing uses of abutting properties:
Residential.
17. Length of time the existing uses of the subject property have continued:
Unknown.
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
"Neighbourhoods" Schedule E-1 Urban Hamilton Official Plan.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Single Residential "R3-42" Zone (By-law 16-257)
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
N/A
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
See attached Survey.
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-21:347

APPLICANTS: Agent Brent Wybenga
 Owner C. & F. Kucman

SUBJECT PROPERTY: Municipal address **15 Fair St., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 18-105

ZONING: "R4-519" (Residential "R4") Zone

PROPOSAL: To permit the construction of roofed-over unenclosed deck at the rear of the existing single family dwelling notwithstanding that:

1. A maximum 41% lot coverage shall be permitted for a two storey single detached dwelling, instead of the requirement that lot coverage for a two storey single detached dwelling shall not exceed 40%.
2. A minimum 3.9 metre rear yard setback shall be permitted, instead of the minimum 7.5 metre rear yard setback required.

NOTE:

1. Please note that Variance No. 1 as requested to Section 34 and the site-specific regulations for the R4-519 Zone, to permit a maximum lot coverage of 41% for a two storey single detached dwelling, has been written as requested by the applicant. Please note that a roofed-over unenclosed deck at the rear of a dwelling is considered to be part of the principle building i.e. subject to minimum setback/yard requirements, but is not subject to lot coverage requirements, as it does not meet the definition of "building" as per Ancaster Zoning By-law No. 87-57. Therefore, a variance to this Section is not required.
2. Specific details regarding the projection of eaves/gutters of the proposed addition were not indicated on the submitted site plan. Please note that should the variance requested to Section 12.2(f) to permit a reduced rear yard setback be approved, eaves and gutters shall be permitted to project into the new minimum rear yard a distance of not more than 0.60 metres. Additional variances may be required if compliance with Section 7.12(b) is not possible.
3. Specific details regarding the projection of the stairs associated with the proposed roofed-over unenclosed deck were not indicated on the submitted site plan. Please note that should the variance requested to Section 12.2(f) to permit a reduced rear yard setback be approved, an open stairway shall be permitted to project into the new minimum rear yard a distance of not more than 1.5 metres. Additional variances may be required if compliance with Section 7.12(c) is not possible.

AN/A-21:347

Page 2

4. Please note that the portion of the deck that is indicated to be covered by a pergola type structure is not considered to be covered/roofed-over, and is therefore subject to Section 9.10(a) and the regulations pertaining to decks in a Residential Zone. Specific details regarding this portion of the deck were not indicated on the submitted site plan to confirm zoning compliance. Additional variances may be required if compliance with Section 9.10(a) is not possible.

5. A building permit is required for the construction of the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, November 4th, 2021
TIME: 1:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

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

S.I.B.

REGISTERED PLAN

PLAN

62M -- 10

N 37°27'35"E 16.78
PLAN & SET

N 37°27'35"E 16.78
PLAN & MEAS

LOT 35

PLAN & MEAS

32.89

N 59°40'15"W

1.32

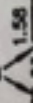
15.00

LOT 34

FOUNDATION OF DWELLING UNDER CONSTRUCTION

11.24

0.51



2.23

12.03

PLAN & SET

N 52°41'00"W

LOT 33

LOT

L.B.

L.B.

N33°49'30"E
CD=12.81
Arc=12.81
Rad=105.00
PLAN & SET

N40°49'00"E
CD=12.80
Arc=12.81
Rad=105.00
PLAN & SET

N47°48'05"E
CD=12.78
Arc=12.79
Rad=105.00
PLAN & SET

FAIR STREET

(BY REGISTERED PLAN 62M-1065)

2.17

8.28

7.67

0.46

4.99

7.78

1.25

8.63



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	
Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:
 -Encroachment into rear yard setback with covered (unenclosed) Porch (22.6 sm) & lot coverage 41%
 -Rear yard setback : 3.9m
5. Why it is not possible to comply with the provisions of the By-law?
 No encroachment for Rear Yard Covered Porches (unenclosed)
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**):
 15 Fair St. Ancaster, On. L9K 0A

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 subdivision, fences and grades from developer

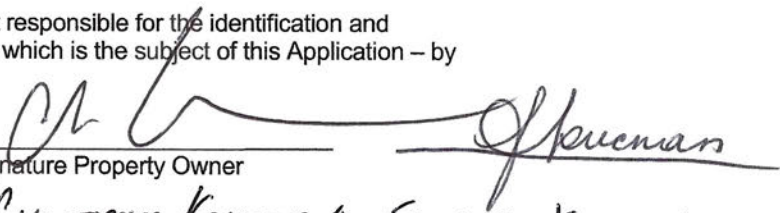
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Sept 8/21
Date


Signature Property Owner

CHRISTOPHER KUCMAN FRANCESCA KUCMAN
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>12.9</u>
Depth	<u>32.9 m</u>
Area	<u>476.5 SM</u>
Width of street	<u>8.4m</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: _

(SFD) GROUND FLOOR AREA: 171.6 SM, (SFD) NUMBER OF STORIES: 2,
(SFD) WIDTH: 11.2M, (SFD) LENGTH: 15.4 M, (SFD) HEIGHT: 7.69M

Proposed

(SFD) GROUND FLOOR AREA: 194.2 SM, (SFD) NUMBER OF STORIES: 2, (SFD)
WIDTH: 11.2M, (SFD) LENGTH: 20.8 M, (SFD) HEIGHT: 7.69M,

PROPOSED UNENCLOSED PORCH: 22.6 SM

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

Existing:

(SFD) FRONT 7.7M, (SFD) SIDE : 1.2M / 1.2M, (SFD) REAR 8.6M

Proposed:

(SFD) FRONT 7.7, (SFD) SIDE : 1.2M / 1.2M, (SFD) REAR 8.6M

(PORCH) SIDE 2.8M / 8.8M, (PORCH) REAR 3.9M

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
10 - 20 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:
10 - 20 years
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. 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-21:349

APPLICANTS: Owners Doug & Doris Holder
 Applicant Mel Ross and Mal Benham

SUBJECT PROPERTY: Municipal address **925 Montgomery Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended by By-law 18-105

ZONING: ER district (Existing Residential)

PROPOSAL: To permit the construction of 18.99 square metre one-storey addition at the rear of the existing single family dwelling notwithstanding that:

1. A minimum 1.56 metre westerly interior side yard setback shall be permitted, instead of the minimum 2.0 metre interior side yard setback required.

NOTE:

1. Specific details regarding the projection of eaves/gutters of the proposed addition were not indicated on the submitted site plan. Please note that should the variance requested to Section 7.12 to permit a reduced westerly interior side yard setback be approved, eaves and gutters shall be permitted to project into the new minimum side yard a distance of not more than 0.60 metres. Additional variances may be required if compliance with Section 7.12(b) is not possible.
2. Please note that as per Section 10.3.5(1), a minimum of one metre within the side yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod. Additional variances may be required if compliance with Section 10.3.5(1) is not possible.
3. Please note that this property is subject to Site Plan Control By-law No. 15-176, as amended by By-law NO. 18-104, 19-026, and 21-069.
4. Please be advised that a portion of this property is under Conservation Management. Please contact the Hamilton Conservation Authority for further information.
5. The lands are located within or adjacent to an Environmentally Sensitive Area (ESA) and are subject to Site Plan Control

AN/A-21:349

Page 2

6. A building permit is required for the construction of the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, November 4th, 2021
TIME: 2:00 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Tel: 519-624-1966
1-877-624-1966
Fax: 519-623-3994

COMPLETE Home CONCEPTS Inc.
180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1

HOLDER RESIDENCE NEW SOLARIUM ADDITION

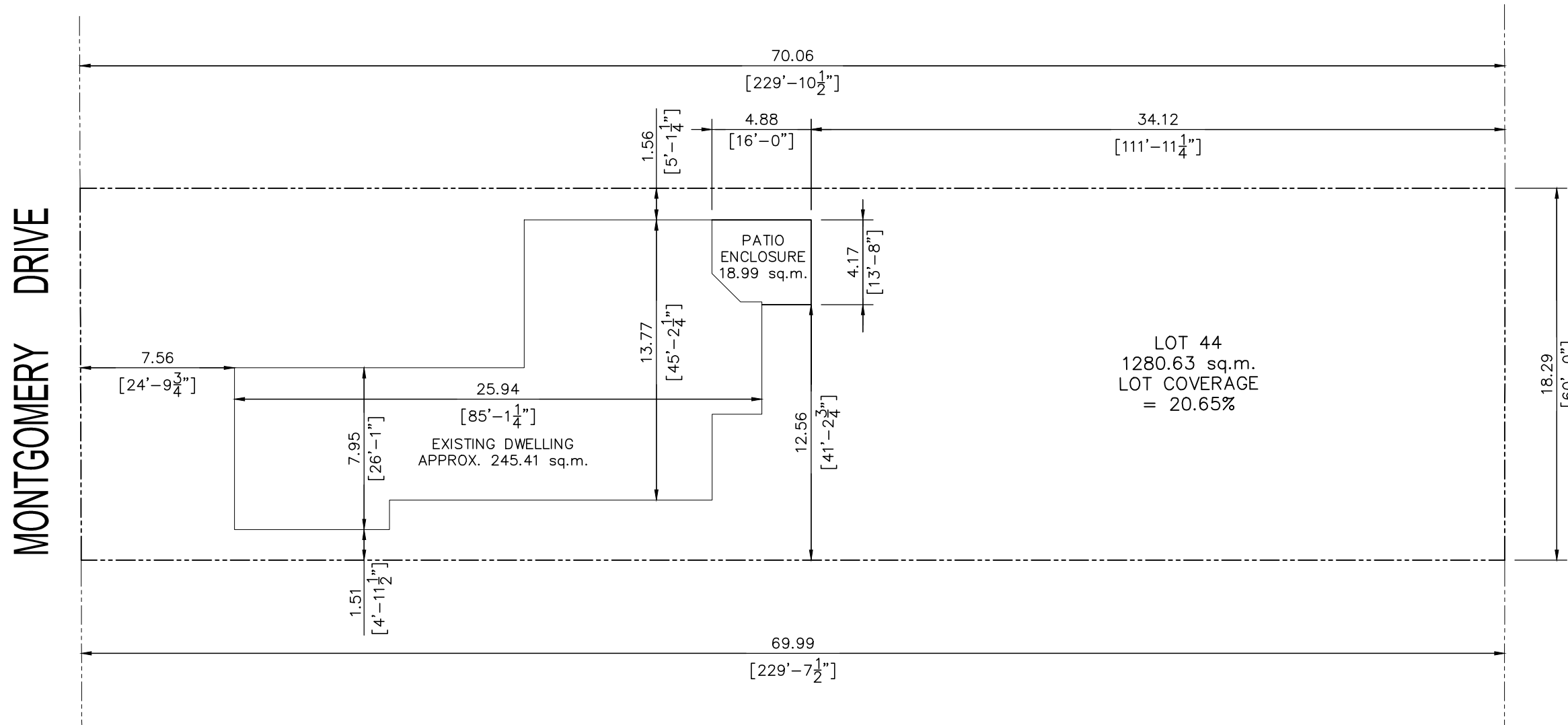
925 MONTGOMERY DRIVE
ANCASTER, ONTARIO

 **Colin A Lee
Engineering Ltd.**

Tel: 519•570•4120 Fax: 519•570•9288

LIST OF DRAWINGS:

- SP1.01 - LOT LAYOUT
- A1.01 - SOLARIUM LAYOUT - PROPOSED PLANS
- A2.01 - SOLARIUM LAYOUT - PROPOSED ELEVATIONS
- A2.02 - SOLARIUM LAYOUT - PROPOSED ELEVATION
- A2.03 - REAR ELEVATION
- A2.04 - LEFT SIDE ELEVATION
- A3.01 - SOLARIUM - TYPICAL DETAILS
- A3.02 - SOLARIUM - TYPICAL DETAILS
- A3.03 - WOOD DECK DETAILS
- A3.04 - WOOD DECK DETAILS



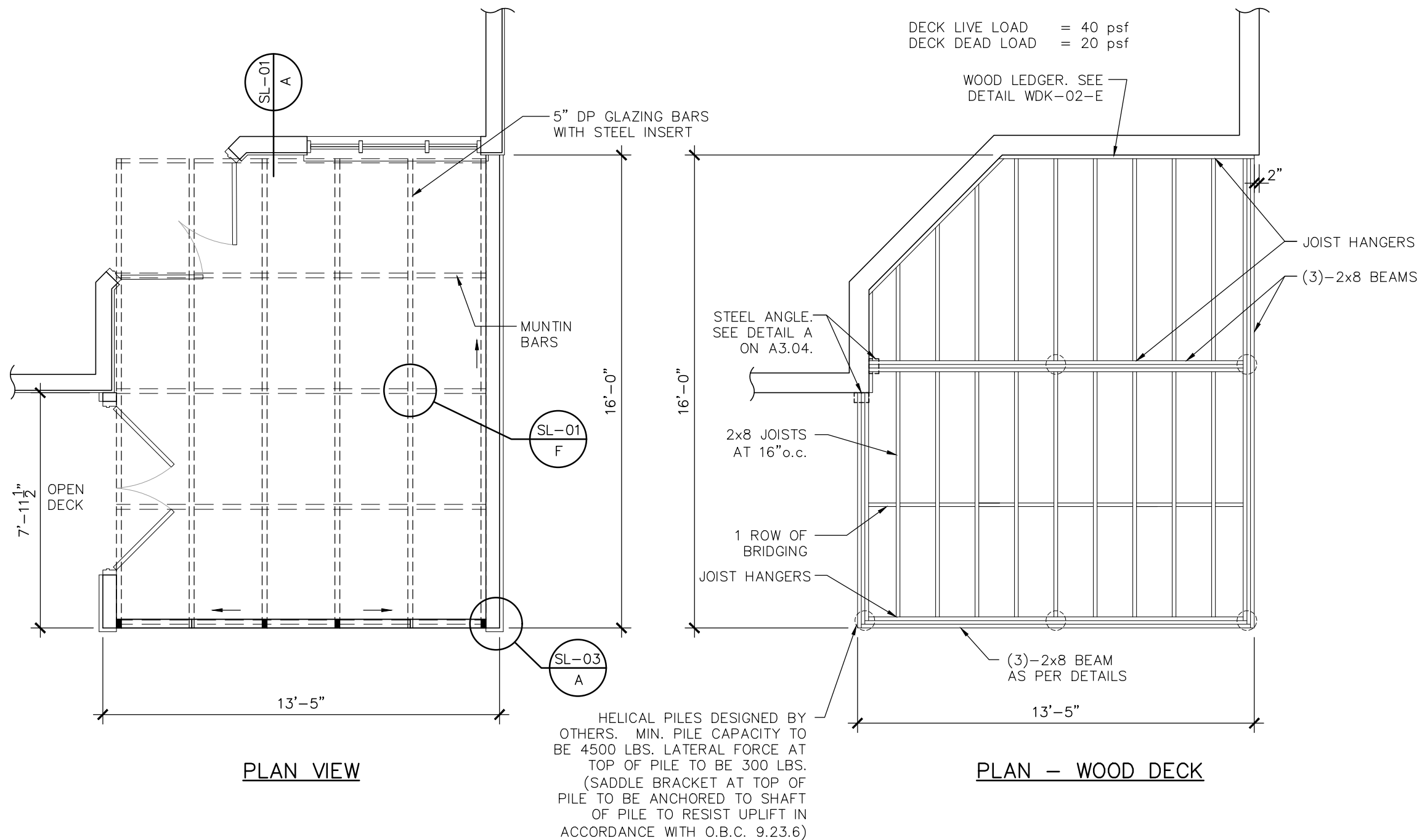
LOT 44
 REG. PLAN 769 ANCASTER HEIGHTS
 TOWN OF ANCASTER
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



SCALE = 1:250 metric

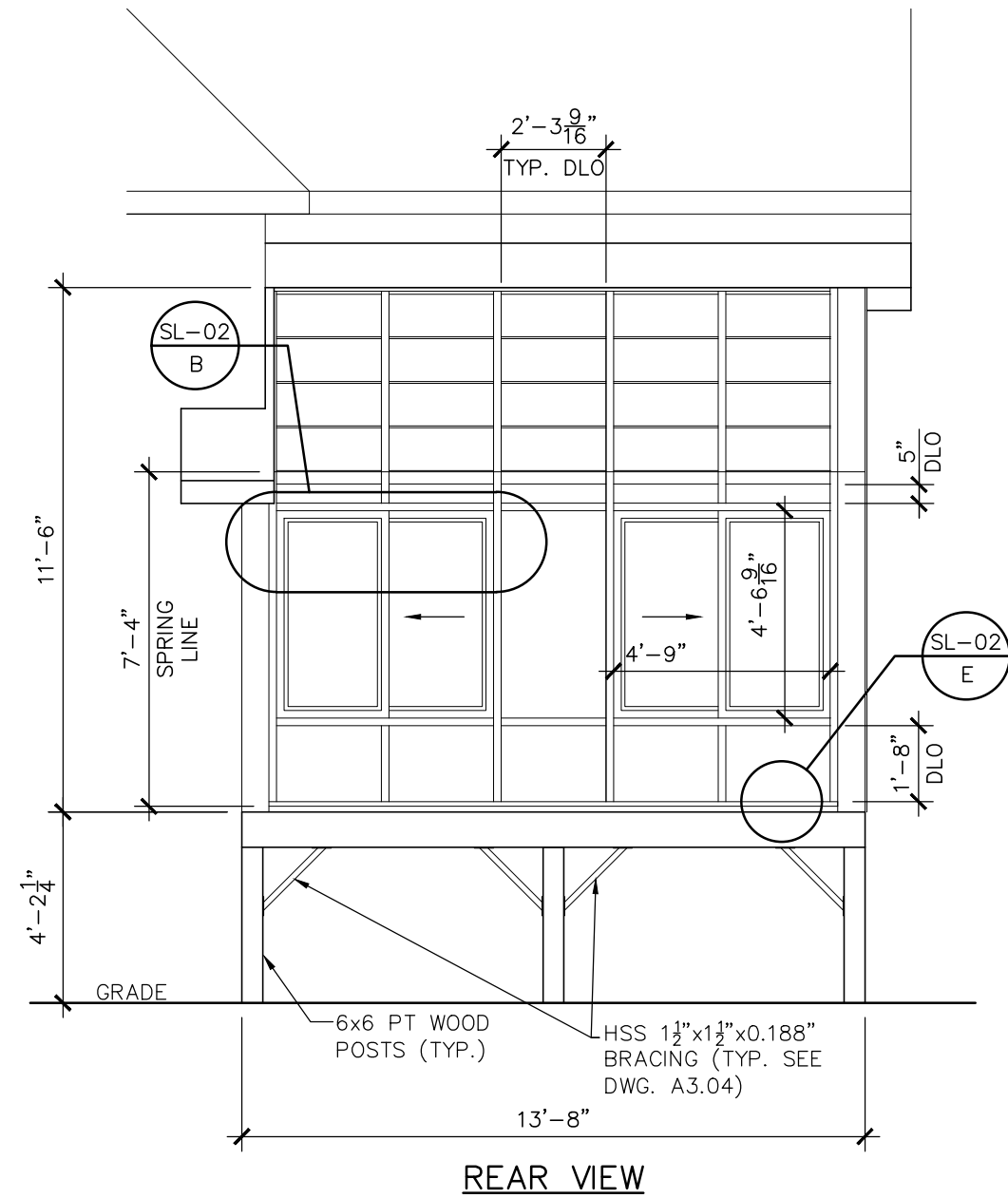
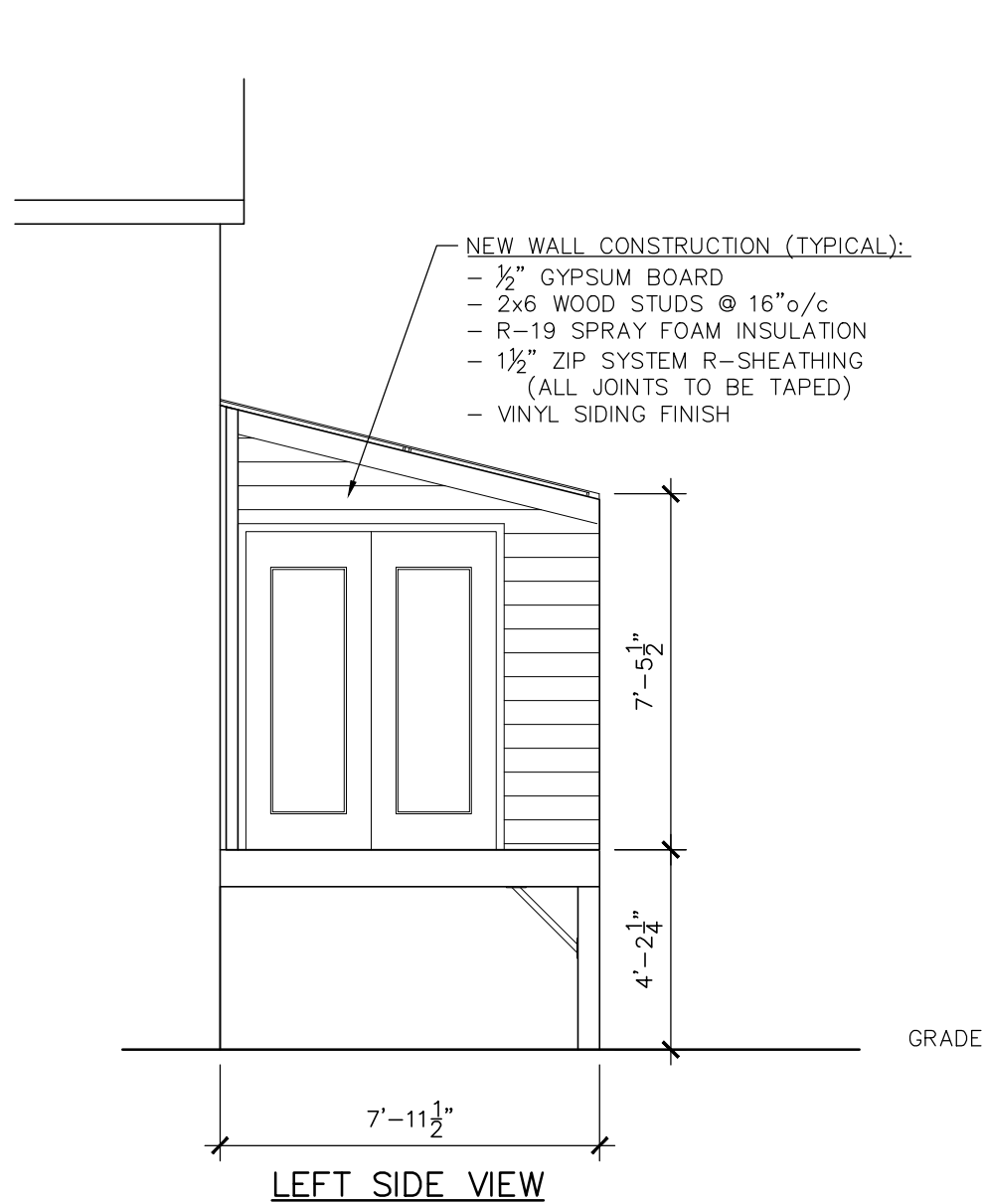
LOT INFORMATION OBTAINED FROM SURVEYOR'S REAL PROPERTY REPORT PREPARED BY MacKAY, MacKAY & PETERS LIMITED, O.L.S. DATED 17TH AUG. 1999.

<p>HOLDER RESIDENCE 925 MONTGOMERY DRIVE, ANCASTER</p>		<p>Colin A Lee Engineering Ltd. Tel: 519-570-4120 Fax: 519-570-9288</p>	
<p>LOT LAYOUT</p>		<p>scale: 1:250 metric date: MAY 2021 dwg No. SP1.01</p>	<p>Tel: 519-624-1966 1-877-624-1966 Fax: 519-623-3994</p> <p>COMPLETE Home CONCEPTS Inc. 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1</p>



- NOTES:**
- DESIGN STANDARDS**
- (a) 2012 BUILDING CODE COMPENDIUM (VOL. 1 & 2)
 - (b) ALUMINUM: CAN-S157 - SUB-SECTION 4.1.3 "STRENGTH DESIGN IN ALUMINUM" AS PER OBC-DIV B, 4.3.5. ALUMINUM ALLOY TO BE 6063-T6 WITH A MINIMUM YIELD STRENGTH OF 170 MPa (25 KSI)
 - (c) GLASS: CAN/CGSB-12.20-M "STRUCTURAL DESIGN OF GLASS FOR BUILDINGS" AS PER OBC-DIV B, 4.3.6 SLOPED ROOF GLASS TO BE LAMINATED WITH PVB INTERLAYER AS PER CAN/CGSB-12.20-M
 - (d) STRUCTURAL STEEL: CSA STANDARD S16-01 "LIMITS STATES DESIGN OF STEEL STRUCTURES"
 - (e) TIMBER: CAN/CSA-086 "ENGINEERING DESIGN IN WOOD". ALL DIMENSION LUMBER TO BE NO. 2 SPF OR BETTER.
- DESIGN LOADS**
- ROOF:**
- ROOF SNOW LOAD (SNOW + RAIN)
= 33 PSF + SNOW SHADOW
- ROOF DEAD LOAD = 6 PSF
- WIND LOAD Q (1/50) = 10 PSF
- FLOOR:**
- LIVE LOAD = 40 PSF
- DEAD LOAD = 20 PSF
- SOLARIUM NOTES:**
- MODEL: CUSTOM SOLARIUM (SE), (14')
5 BAY UNIT, 1 STORY MOUNT
- COLOR: WHITE
- GLASS: ROOF: SOLARBAN 70 VT / CLEAR
FRONT WALL: SOLARBAN 70 VT / CLEAR
- WINDOWS: (2)-GDI DOUBLE BAY SLIDERS CA8
- OTHER: 5" GLAZING BARS (RAFTER GLAZING BARS REINFORCED W/ 1 1/2" x 4" x 3/16" HSS STL. TUBE)

<p>HOLDER RESIDENCE 925 MONTGOMERY DRIVE, ANCASTER</p>		<p>Colin A Lee Engineering Ltd. Tel: 519-570-4120 Fax: 519-570-9288</p>	 Authorized Dealer Tel: 519-624-1966 1-877-624-1966 Fax: 519-623-3994
<p>SOLARIUM LAYOUT – PROPOSED PLANS</p>	<p>scale: 1/4"=1'-0"</p> <p>date: MAY 2021</p> <p>dwg No. A1-01</p>		<p>COMPLETE HOME CONCEPTS Inc. 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1</p>



HOLDER RESIDENCE
925 MONTGOMERY DRIVE, ANCASTER

SOLARIUM LAYOUT – PROPOSED ELEVATIONS



Colin A Lee
Engineering Ltd.
Tel: 519-570-4120 Fax: 519-570-9288

scale: 1/4" = 1'-0"

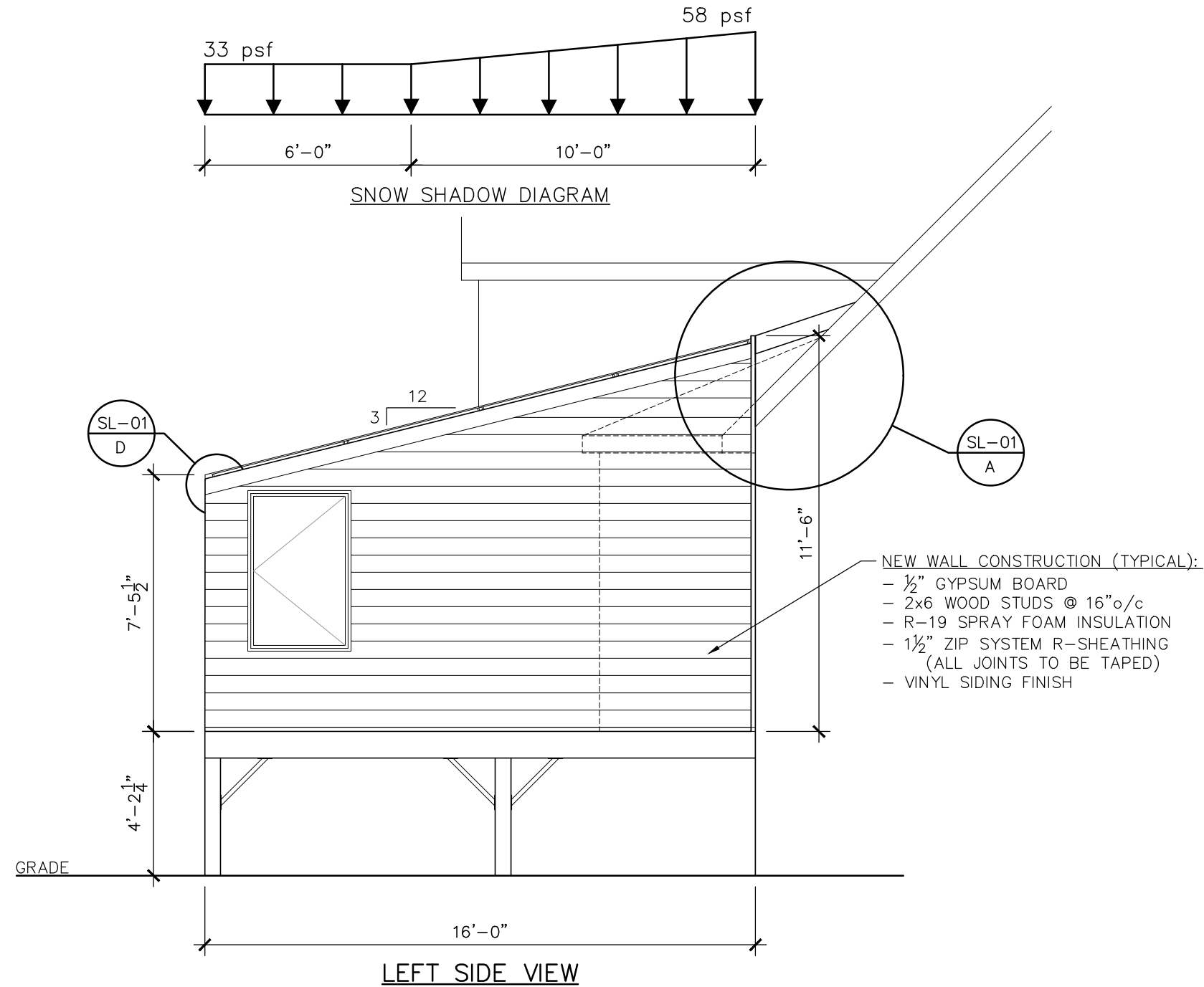
date: MAY 2021

dwg No. **A2.01**

patio ENCLOSURES INC.
Authorized Dealer

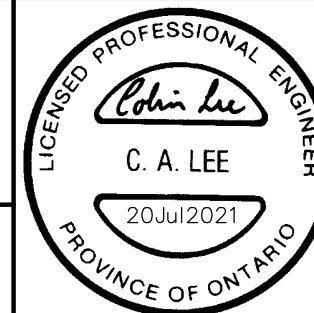
Tel: 519-624-1966
1-877-624-1966
Fax: 519-623-3994

COMPLETE Home CONCEPTS Inc.
180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



HOLDER RESIDENCE
 925 MONTGOMERY DRIVE, ANCASTER

SOLARIUM LAYOUT – PROPOSED ELEVATION



Colin A Lee
 Engineering Ltd.
 Tel: 519-570-4120 Fax: 519-570-9288

scale: 1/4"=1'-0"

date: MAY 2021

dwg No. A2.02



Tel: 519-624-1966
 1-877-624-1966
 Fax: 519-623-3994

COMPLETE Home CONCEPTS Inc.
 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



<p>HOLDER RESIDENCE 925 MONTGOMERY DRIVE, ANCASTER</p>		<p>Colin A Lee Engineering Ltd. Tel: 519-570-4120 Fax: 519-570-9288</p>	 <small>Authorized Dealer</small> Tel: 519-624-1966 1-877-624-1966 Fax: 519-623-3994
<p>REAR ELEVATION</p>		<p>scale: 3/16"=1'-0" date: MAY 2021 dwg No. A2.03</p>	<p>COMPLETE Home CONCEPTS Inc. 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1</p>

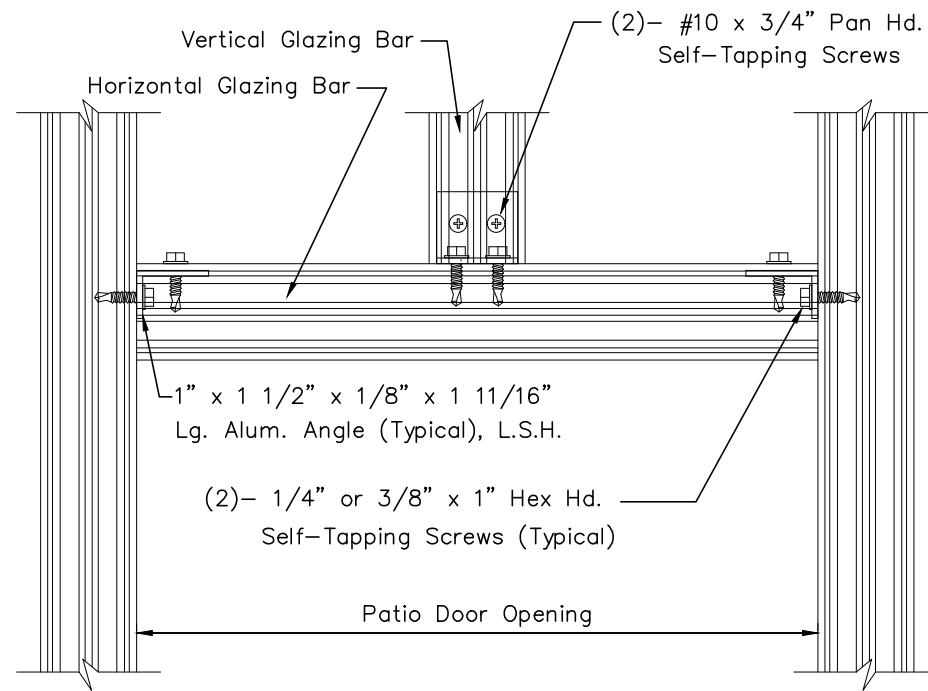
GLAZED COVERAGE CALCULATIONS:

LEFT SIDE ELEVATION

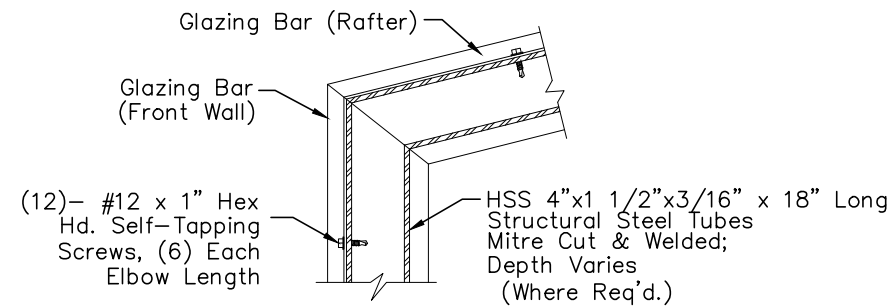
LIMITING DISTANCE:	1.54m
EXIST. EXPOSED BUILDING FACE AREA	71.67m ²
PROP. SUNROOM FACE AREA	<u>13.38m²</u>
TOTAL EXPOSING BUILDING FACE AREA:	85.05m ²
% GLASS ALLOWED:	8%
TOTAL ALLOWABLE GLAZED AREA:	6.80m ²
EXIST. HOUSED GLAZED AREA:	5.51m ²
NEW SUNROOM GLAZED AREA:	<u>0.91m²</u>
TOTAL GLAZED AREA:	6.42m ²



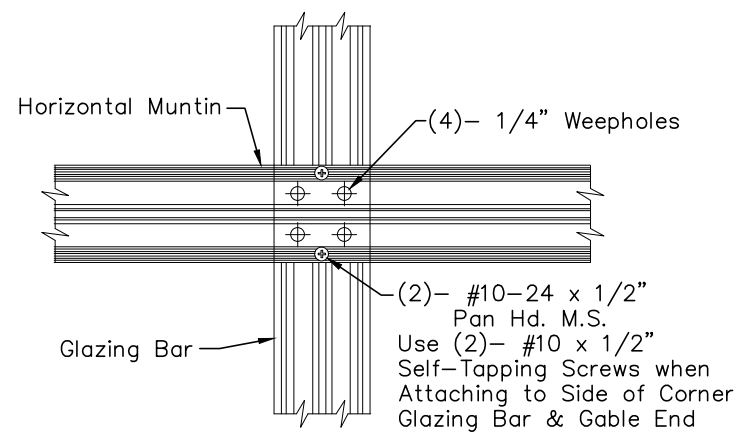
<p>HOLDER RESIDENCE 925 MONTGOMERY DRIVE, ANCASTER</p>		<p>Colin A Lee Engineering Ltd. Tel: 519-570-4120 Fax: 519-570-9288</p>	 <p>Tel: 519-624-1966 1-877-624-1966 Fax: 519-623-3994 Authorized Dealer</p>
<p>LEFT SIDE ELEVATION</p>		<p>scale: 3/16"=1'-0"</p> <p>date: MAY 2021</p> <p>dwg No. A2.04</p>	<p>COMPLETE Home CONCEPTS Inc. 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1</p>



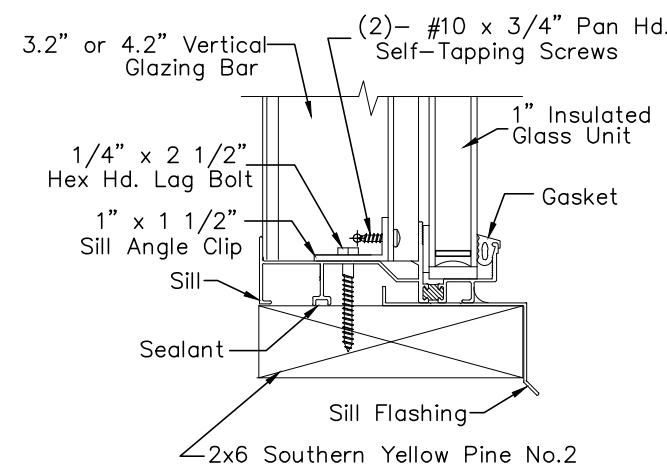
DETAIL SL-02
SCALE 3"=1'-0" B



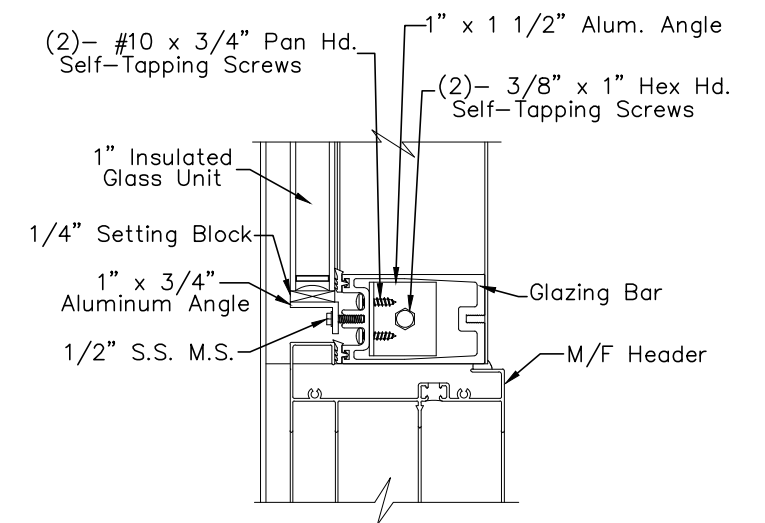
DETAIL SL-01
SCALE 1 1/2"=1'-0" D



DETAIL SL-01
SCALE 1 1/2"=1'-0" F



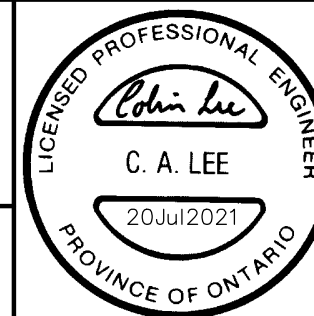
SILL DETAIL SL-02
SCALE 3"=1'-0" E



DETAIL SL-02
SCALE 3"=1'-0" C

HOLDER RESIDENCE
925 MONTGOMERY DRIVE, ANCASTER

SOLARIUM – TYPICAL DETAILS



Colin A Lee
Engineering Ltd.
Tel: 519-570-4120 Fax: 519-570-9288

scale: AS NOTED

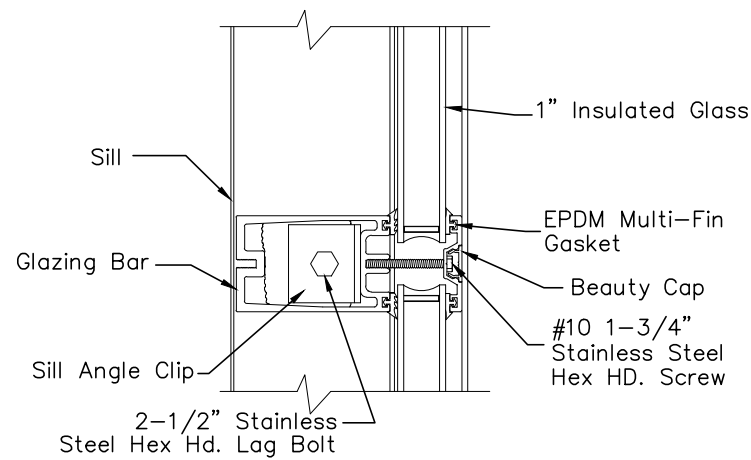
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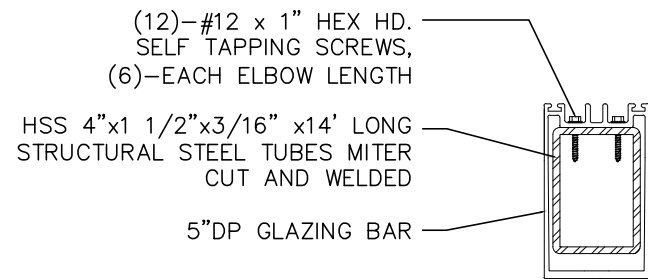


Tel: 519-624-1966
1-877-624-1966
Fax: 519-623-3994

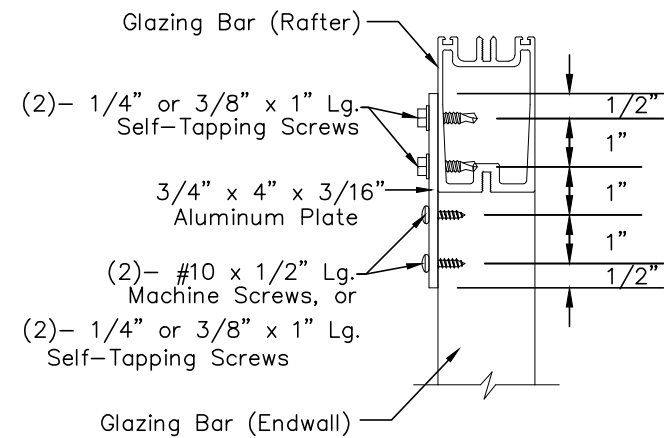
COMPLETE HOME CONCEPTS Inc.
180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



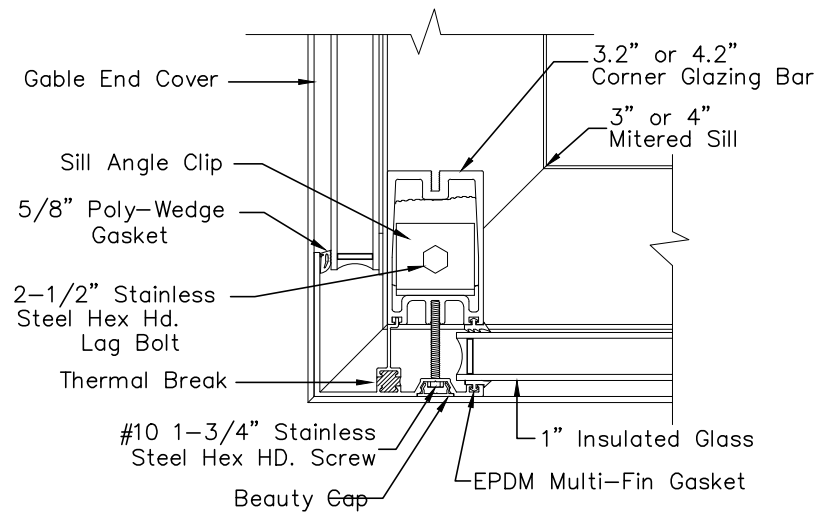
DETAIL SL-03
SCALE 3"=1'-0" C



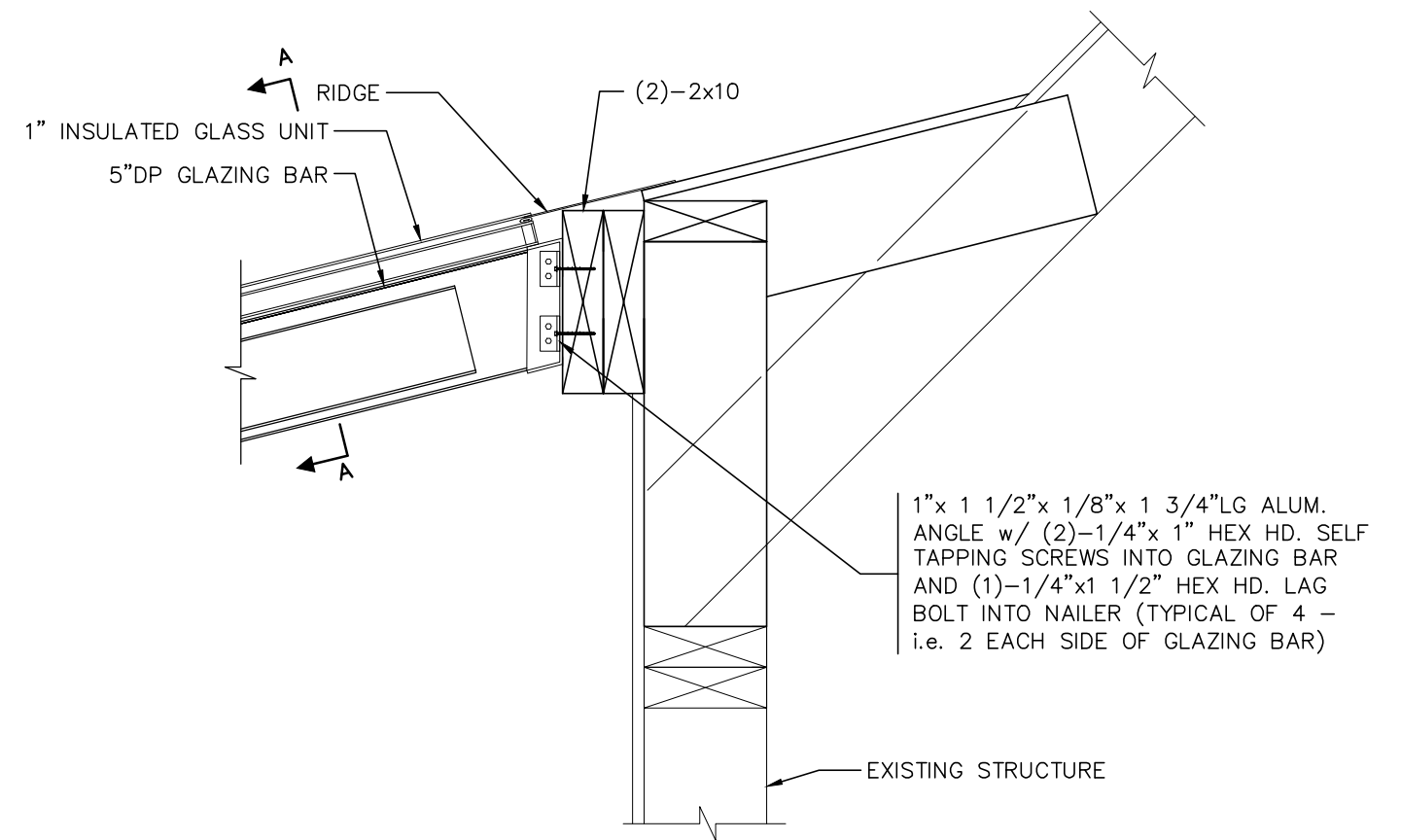
SECTION A-A



DETAIL SL-01
SCALE 3"=1'-0" G



CORNER POST DETAIL SL-03
SCALE 3"=1'-0" A



ROOF HANGER DETAIL SL-01
N.T.S. A

HOLDER RESIDENCE
925 MONTGOMERY DRIVE, ANCASTER

SOLARIUM – TYPICAL DETAILS



Colin A Lee
Engineering Ltd.

Tel: 519-570-4120 Fax: 519-570-9288

scale: AS NOTED

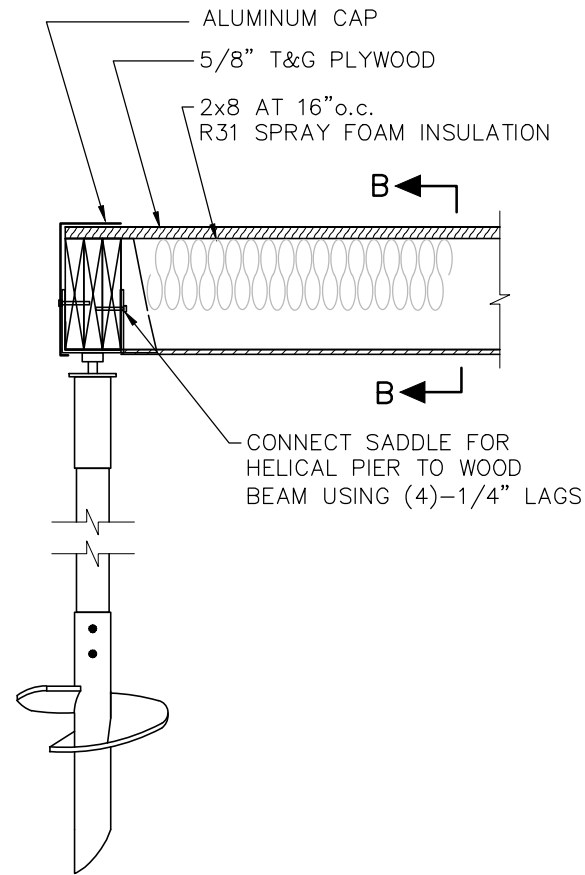
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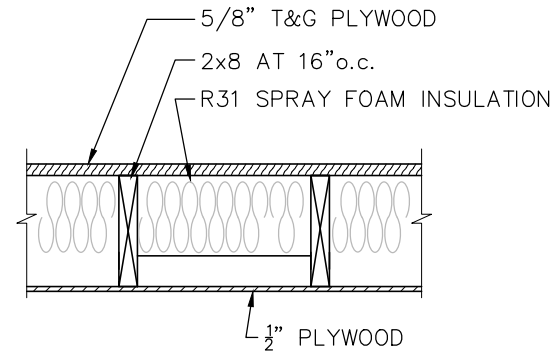


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1-877-624-1966
Fax: 519-623-3994

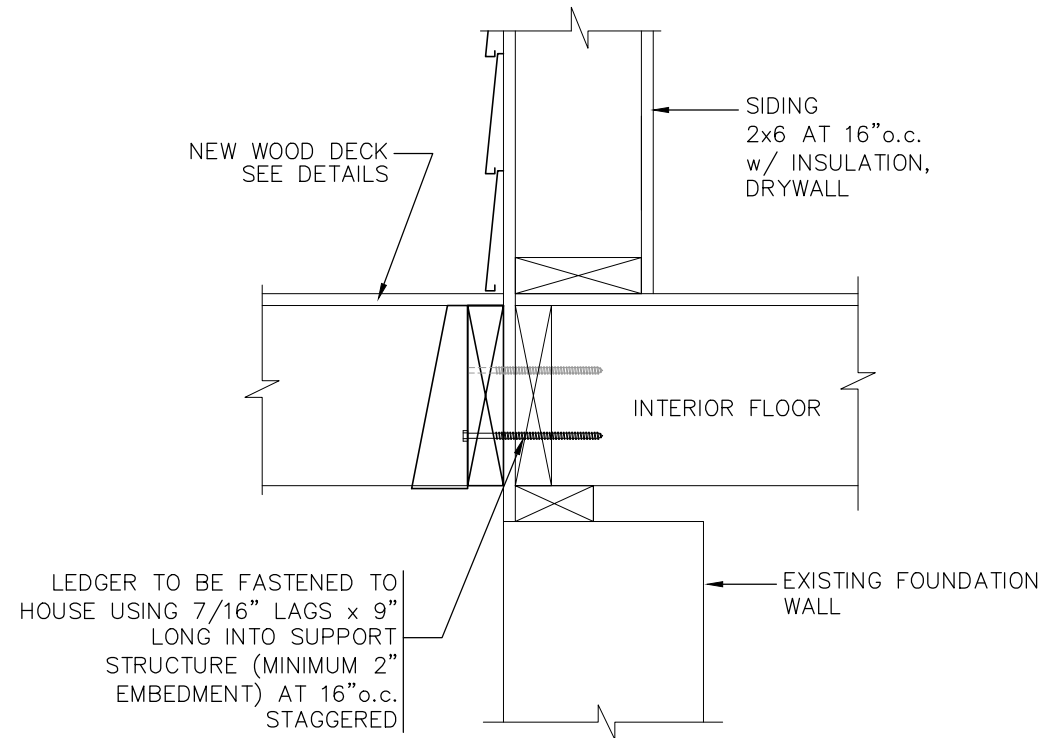
COMPLETE Home CONCEPTS Inc.
180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



HELICAL PILE DETAIL
 3/4" = 1'-0"



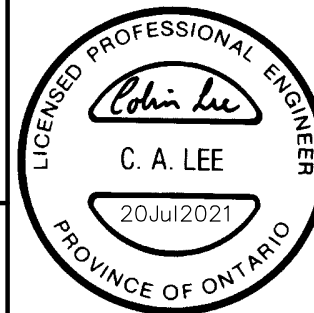
SECTION B-B
 3/4" = 1'-0"



DETAIL WDK-02
 SCALE 1 1/2" = 1'-0" E

HOLDER RESIDENCE
 925 MONTGOMERY DRIVE, ANCASTER

WOOD DECK DETAILS



Colin A Lee
 Engineering Ltd.
 Tel: 519-570-4120 Fax: 519-570-9288

scale: AS NOTED

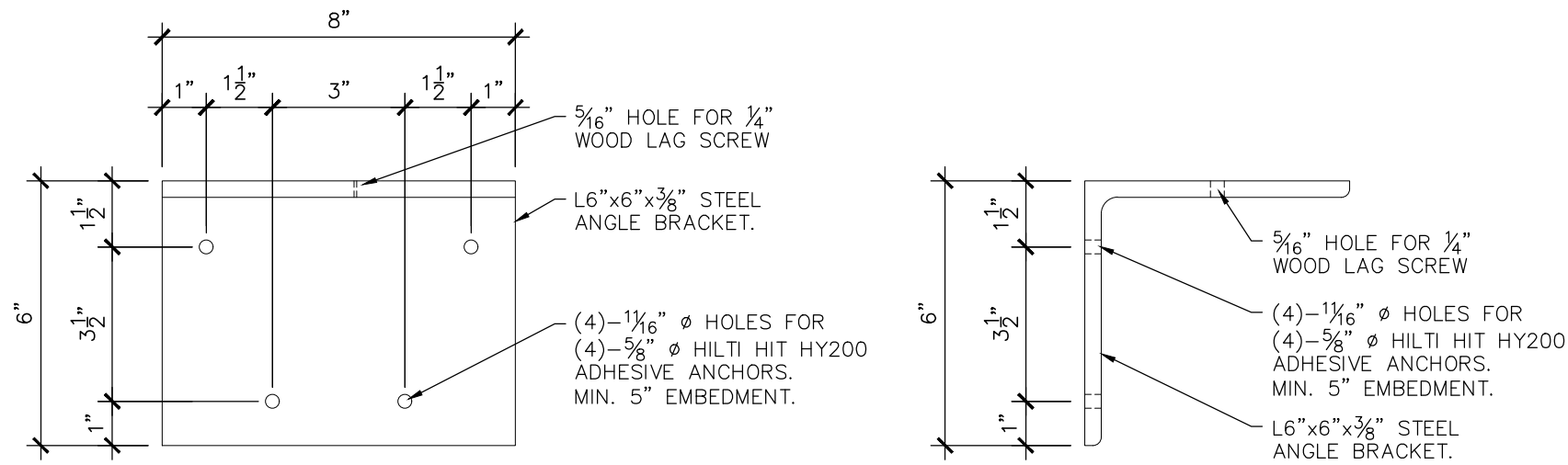
date: MAY 2021

dwg No. **A3.03**



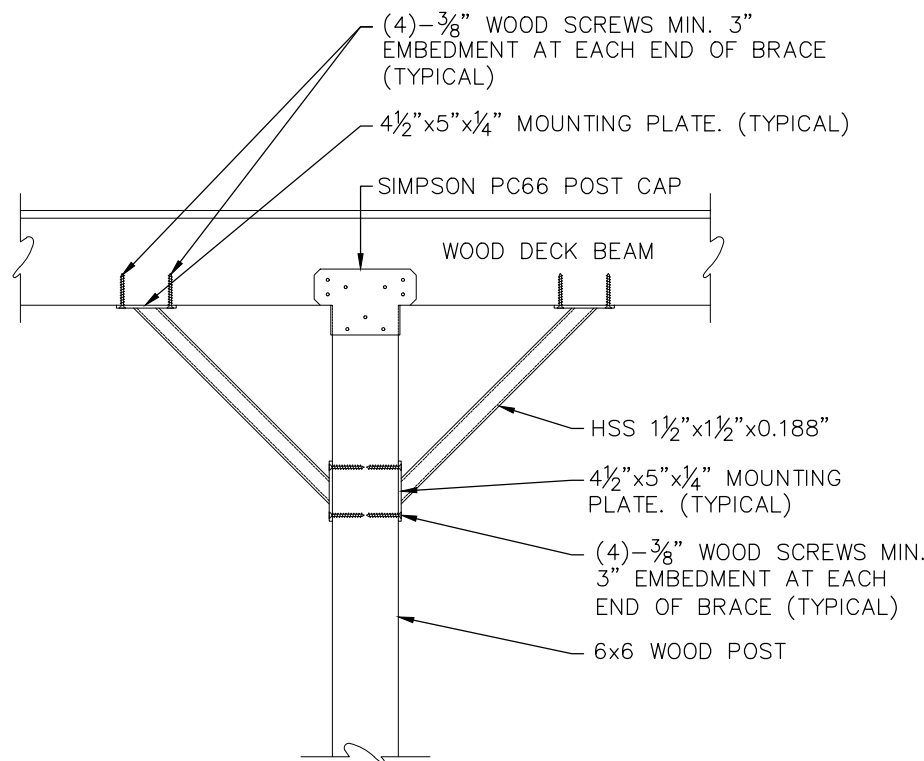
Tel: 519-624-1966
 1-877-624-1966
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COMPLETE Home CONCEPTS Inc.
 180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



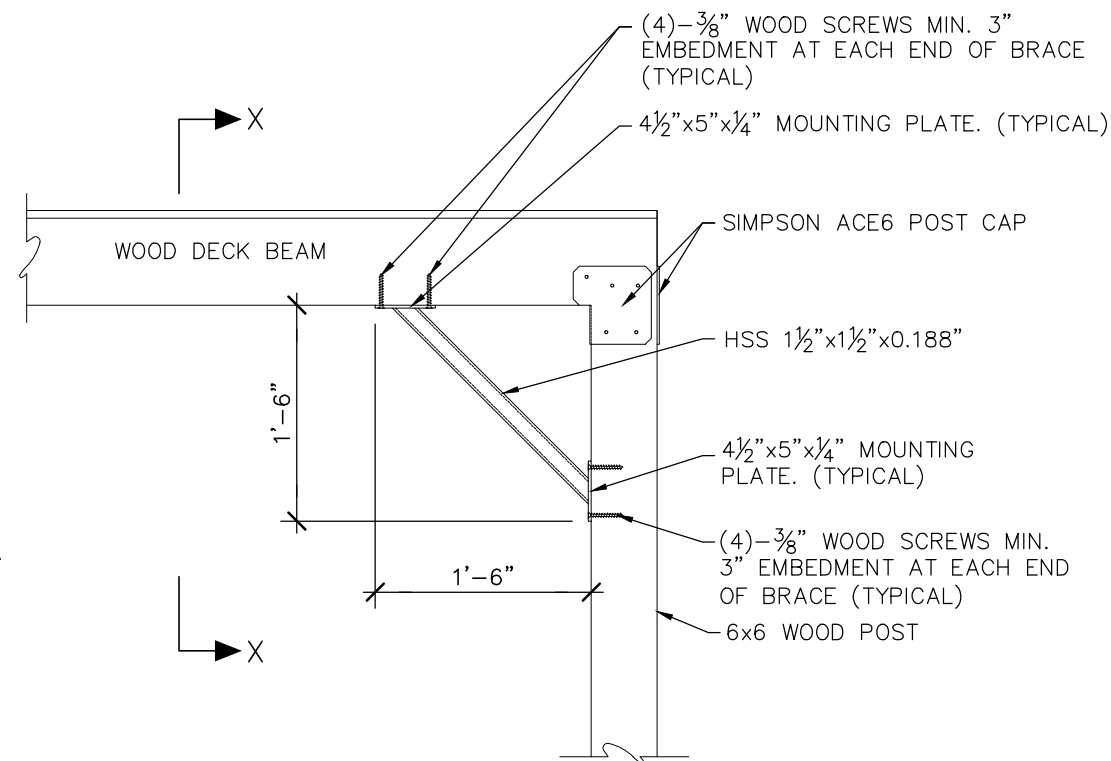
DETAIL A – STEEL ANGLE BRACKET

3"=1'-0"



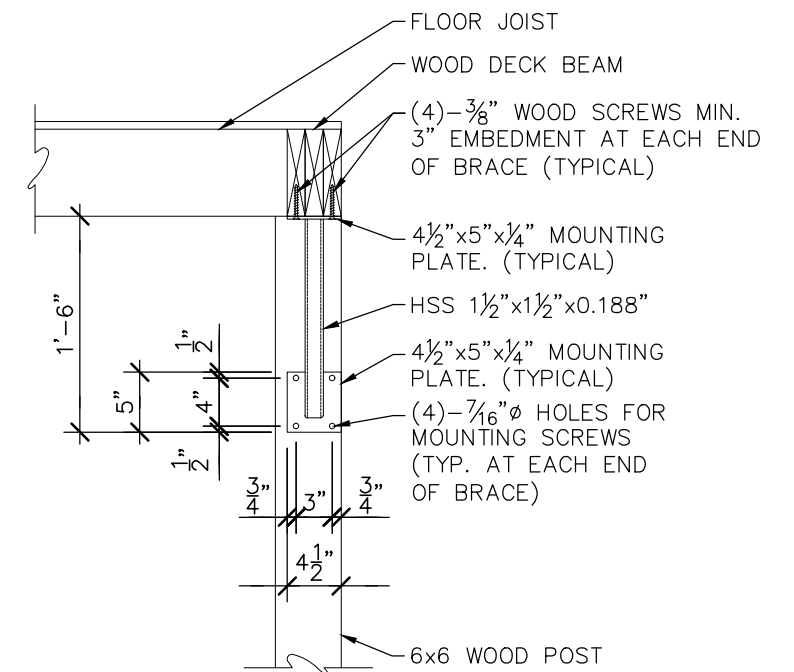
BRACING DETAIL

SCALE 3/4"=1'-0"



CORNER BRACING DETAIL

SCALE 3/4"=1'-0"



BRACING DETAIL X-X

SCALE 3/4"=1'-0"

HOLDER RESIDENCE
925 MONTGOMERY DRIVE, ANCASTER

WOOD DECK DETAILS



Colin A Lee
Engineering Ltd.

Tel: 519-570-4120 Fax: 519-570-9288

scale: AS NOTED

date: MAY 2021

dwg No. **A3.04**



Tel: 519-624-1966
1-877-624-1966
Fax: 519-623-3994

COMPLETE Home CONCEPTS Inc.
180 Sheldon Drive, Unit 2A, Cambridge ON N1R 6V1



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

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:
None

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 minimum required side yard in a ER Zone is 2.0m.

We are proposing 1.56m which is the current set back of the existing dwelling.

This is a requested relief of .44m.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

It would make the room too small to be usable

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 44, Plan 796, 925 Montgomery Dr.

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 information was relayed by the Real Estate Agent

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.

Sept 21/21
Date


Signature Property Owner(s)

Doug Wood
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	18.29m
Depth	70.06m
Area	1280.63 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: _

Home - 245.41 sq.m Gr Fl area, 1.5 story, 25.95m deep x 13.77m wide 5.88m high

Proposed

Sunroom Addition - on rear of existing dwelling, 18.99 sq.m, 4.17m wide x 4.88m deep x 4.75m 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:

Home - Front 7.56m, Left 1.56m, Right 1.51m, Rear 36.55m

Proposed:

Sunroom Addition - Front N/A, Left 1.56m, Right 12.56m, Rear 34.12m

13. Date of acquisition of subject lands:
Aug 17, 1999
-
14. Date of construction of all buildings and structures on subject lands:
Aug 17, 1999
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family Dwelling
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:
ER Zone
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. 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-21:353

APPLICANTS: Owners Eugene Maida

SUBJECT PROPERTY: Municipal address **572 Highvalley Rd., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 18-105

ZONING: "R3-626" (Residential) district

PROPOSAL: To permit the construction of a 34.21 square metre accessory building ("cabana") in the rear yard on a residential parcel of land notwithstanding that:

1. An accessory building ("cabana") with a gross floor area of 34.21 square metres shall be permitted to be located in the required 7.5 metre rear yard and located 6.4 metres from the rear lot line, instead of the requirement that accessory buildings in excess of 12 square metres shall not be located in any minimum rear yard.
2. An eave and gutter shall be permitted to extend 37 centimetres into the required minimum side yard setback area and into the required minimum rear yard, instead of the maximum 30 centimetres permitted.

NOTE:

1. Please note that should Variance No. 1 as indicated above be approved to permit an accessory building to be located in the required 7.5 metre rear yard, the eave and gutter of the proposed accessory building as indicated on the submitted site plan would extend 37 centimetres into the newly established minimum setback area, instead of the maximum 30 centimetres permitted. Therefore, Variance No. 2 has been included for zoning compliance of Section 7.18(a)(viii), should the noted variance be approved.
2. A building permit is required for the construction of the proposed accessory building. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, November 4th, 2021
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

AN/A-21: 353
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

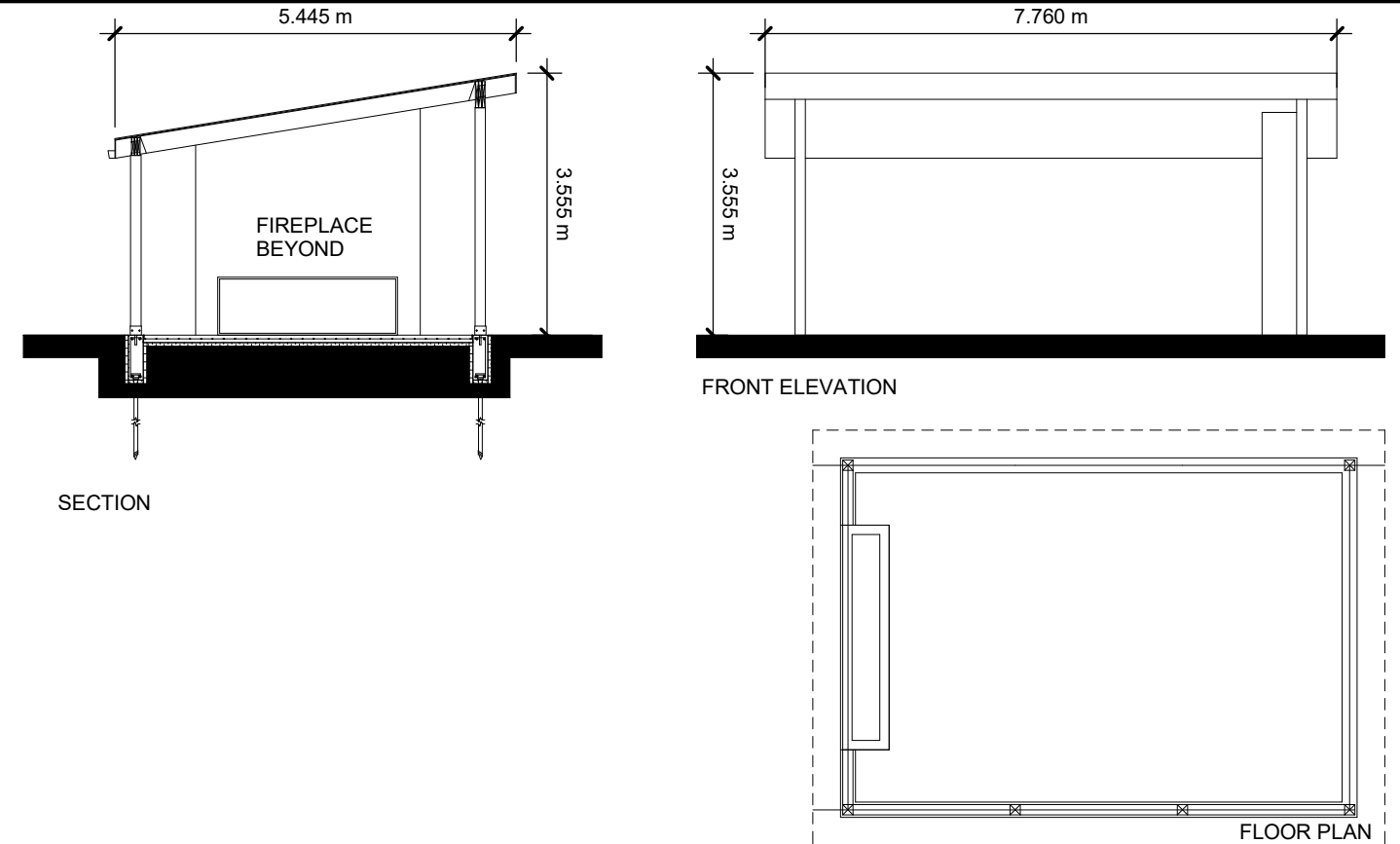
DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Chamberlain Architect
 Services Limited
 Unit 1, 4671 Palladium Way .
 Burlington . Ontario
 L7M 0W9 . Canada
 Tel: 905.631.7777
 www.chamberlainipd.com



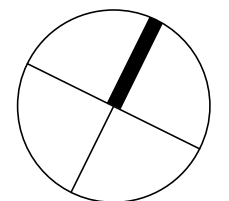
GENERAL PROVISIONS		
ZONING DESIGNATION: R3-626 ANCASTER ZONING BY-LAW 87-57 LEGAL DESCRIPTION: LOT 10 PLAN 62M-1212		
ZONING DATA	REQUIRED	PROVIDED
LOT FRONTAGE	15m	17m
LOT AREA	500 MSQ MIN	730 SQM
REAR YARD	7.5m	6.4m
SIDE YARD - SOUTH	1.5m	.75m

SITE STATISTICS - PROPOSED			
DESCRIPTION	AREA (SM)	AREA (SF)	%
LANDSCAPE + DRIVEWAY			
GRASS	115.39 m ²	1242 ft ²	15.8%
PATIO STONE	298.84 m ²	3217 ft ²	40.9%
POOL	35.68 m ²	384 ft ²	4.9%
LANDSCAPE + DRIVEWAY	449.91 m ²	4843 ft ²	61.6%
LOT COVERAGE			
EXISTING	246.27 m ²	2651 ft ²	33.7%
PROPOSED	34.21 m ²	368 ft ²	4.7%
LOT COVERAGE	280.48 m ²	3019 ft ²	38.4%
OVERALL			
EXISTING SITE: 7	730.39 m ²	7862 ft ²	100.0%
ALLOWABLE SITE COVERAGE: 42.5%			

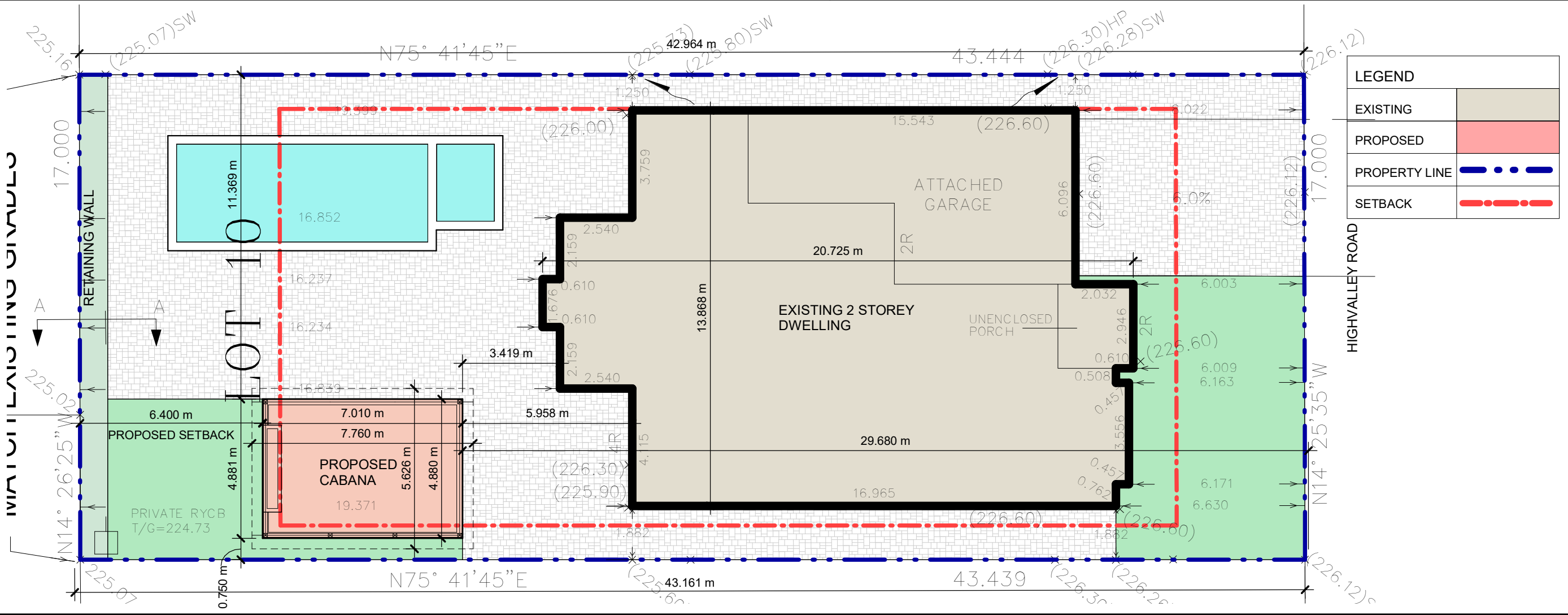
NO.	ISSUED	DATE
SPA	MINOR VARIANCE	2021.09.16



SEAL



TRUE NORTH



LEGEND	
EXISTING	
PROPOSED	
PROPERTY LINE	
SETBACK	

PROJECT NAME
HIGHVALLEY ROAD

PROJECT ADDRESS
 572 HIGHVALLEY ROAD
 ANCASTER

SHEET NAME
SITE PLAN - PROPOSED

DRAWN BY
sm
 PLOT DATE
06/24/21
 SCALE
 As indicated

DRAWING:
A001

C:\Users\mauro\Documents\MAIDA HOUSE_smauroipd.rvt



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:
REQUESTING REDUCTION IN REAR YARD SETBACK , FROM 7.5m TO 6.4m
- Secondary Dwelling Unit Reconstruction of Existing Dwelling
5. Why it is not possible to comply with the provisions of the By-law?
WE REQUIRE ADDITIONAL SEPARATION BETWEEN THE HOUSE AND ACCESSORY STRUCTURE
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 10 PLAN 62M-1212
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?

HISTORIC LAND DATA

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	17m	_____
Depth	43.16m	_____
Area	730.4sm	_____
Width of street	10m	_____

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

Existing: _

2 STOREY DETACHED DWELLING , 343SM, 20.7mx13.8m x 10m high

Proposed

7.7mx5.6mx3.6m HIGH CABANA, 34.5sm GFA, 1 STOREY

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 - 6.009m
 REAR - 16.234m
 SOUTH SIDE - 1.882m
 NORTH SIDE - 1.25M

Proposed:

FRONT - 6.009m (EXISTING)
 REAR - 6.4m (ACCESSORY)
 SOUTH SIDE - .75M (ACCESSORY)
 NORTH SIDE - 1.25M (EXISTING)

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property (single family, 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:

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:

BUILT UP AREA

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

BYLAW 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. 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-21:357

APPLICANTS: Owner Justin & Lisa Morris

SUBJECT PROPERTY: Municipal address **15 Cheyenne Crt., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended

ZONING: "R3" (Residential) district

PROPOSAL: To permit the construction of a one (1) storey rear addition (covered porch) to the existing single detached dwelling notwithstanding that;

1. A minimum rear yard setback of 6.1 m shall be provided instead of the minimum required 7.5 m rear yard setback; and

Notes:

A maximum height of 10.5 m is permitted. No details with regards to the proposed height have been provided in order to determine zoning compliance; therefore, further variances may be required.

The proposed addition does not meet the definition of an unenclosed porch; therefore, the principal setbacks for the dwelling are being applied.

Variances have been written based on the information provided on the submitted drawings and the application

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

DATE: Thursday, November 4th, 2021
TIME: 2:10 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

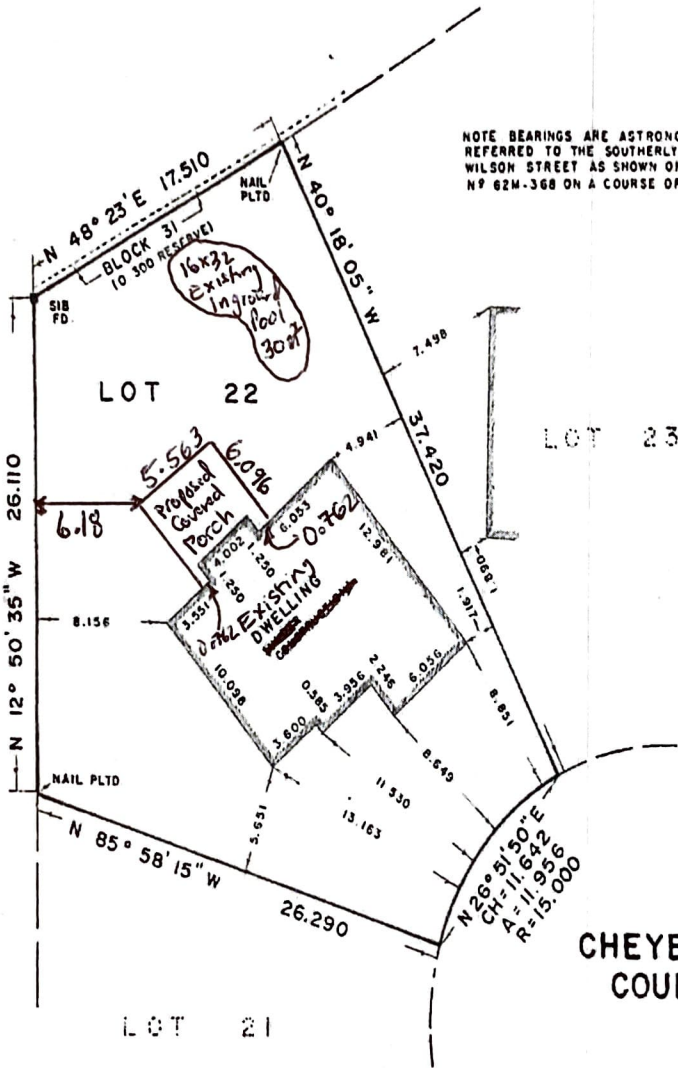
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

BUILDING LOCATION SURVEY
OF
LOT 22
REGISTERED PLAN N^o 62M-368
IN THE
TOWN OF ANCASTER
SCALE 1:300



NOTE BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF WILSON STREET AS SHOWN ON REG'D PLAN N^o 62M-368 ON A COURSE OF N 48° 23' E.



SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE FIELD NOTES AND
PLANS BY THIS SURVEYOR ARE TRUE AND
CORRECT.
8th NOV 1984

David Victor
Surveyor

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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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 Bank of Nova Scotia - 851 Golf Links Rd Ancaster ON
L9G 3K9

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:

Approximately 1.32m of relief from By-law 07-57 Ancaster Section 11.1.2(f). Odd pie shape lot with 2 rear lot lines including North West line being with 7.5m of proposed covered porch structure.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law? ^{existing}
Given proposed structure ~~is~~ is considered from ^{existing} walk out doors of the dwelling and size of $\approx 5.5m \times 6.1m$, there is insufficient rear setback from the North West rear lot line.

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):

Plan No 62M-368 Lot 22
15 Cheyenne Ct Ancaster ON

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?

House built in approximately 1984 and knowledge of property.

- 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.

Sept 29/21
Date


Signature Property Owner(s)

Justin Morris
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

Refer to Attached Survey - odd pie shape lot

Depth

Area

Width of street

Court - N/A

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

Existing:

Two storey 2300 sqft dwelling
width of 13.5m and length ranging from 10.1m to 12.96m

Proposed

no material change other than constructing a covered porch to existing dwelling in rear yard. Size is approximately 29.5m². Covered porch is open air - no walls.

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

Existing:

→ from Northern rear lot > 7.5m
→ from North West rear lot line 8.1m
→ from east side lot line 1.9m to 4.9m, from west lot line 5.6m
→ from front lot line 8.6m or greater

Proposed:

No change other than north west rear lot line is 6.18m to proposed structure. ~~North~~ North rear lot line is > 7.5m.

13. Date of acquisition of subject lands:
December 2013
14. Date of construction of all buildings and structures on subject lands:
Approximately 1984
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:
36 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Official Plan - Low Density Residential 1
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R3 Residential 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.

- refer Survey attached

SIGNED, SEALED AND DELIVERED


Owner: Justin Morris c/s

Title:
I have authority to bind the corporation

Assignee: c/s

Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk



Hamilton

SCCOMMITTEE 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-19:184

APPLICANTS: Owner Kuldip & Tej Renhsi

SUBJECT PROPERTY: Municipal address **501 Barton St., Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 18-219

ZONING: "M3" (Prestige Business Park) district

PROPOSAL: To permit the expansion of a legal non-conforming use by 26.3% to facilitate a rear addition consisting of 46.3 square metres of gross floor area on two floors for an existing 176.1 square metre two storey single detached dwelling, notwithstanding that:

1. A legal non-conforming single detached dwelling shall be expanded without requiring the restoration and repair of the dwelling and the dwelling shall be permitted to be increased in terms of its height, volume and lot coverage, whereas the Zoning By-law permits a legal non-conforming single detached dwelling to be repaired and restored to a safe condition and that such restoration and/or repair shall not increase the height, volume and lot coverage of the dwelling.

NOTES:

1. An Applicable Law Review undertaken July 4, 2018 and December 12, 2018 has identified the existing single detached dwelling as being a legally established non-conforming use. It is further noted that the existing 60 year old dwelling was initially constructed as a 1.5 storey single detached dwelling. Over time with significant dormer additions to the front and rear second floors, this use is now being correctly recognized for the purpose of this application as a legal non-conforming two storey single detached dwelling.

2. The application has been revised and new drawings have been provided based on a new proposed expansion for the legal non-conforming single detached dwelling. Accordingly, based on new information, it has been determined that the existing single detached dwelling comprises a gross floor area of 176.1 square metres. However, previously the gross floor area of this dwelling without the additions was identified as comprising 88.64 square metres of gross floor area.

3. Legal non-conforming uses are regulated in Section 1.1 of the Zoning By-law.

4. Site Plan Amendment application SPA-19-112 was previously submitted to address the former minor variance to expand the legal non-conforming single detached dwelling and

SC/A-19: 184
Page 2

to permit an expansion to the existing tradesperson's (machinist) shop. An updated site plan has not been submitted for the proposed expansion of the legal non-conforming single detached dwelling.

5. The M3 Zone identifies dwelling unit as a prohibited use, even as an accessory use.

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

DATE: Thursday, November 4th, 2021
TIME: 2:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SITE PLAN PREPARED ON THE BASE OF SURVEY PLAN PREPARED BY:

MacKAY & MacKAY & PETERS.
 LAND SURVEYOR'S

PLAN OF LOT 17 - CONCESSION 1
 TOWNSHIP OF SALT FLEET

Bldg floor area

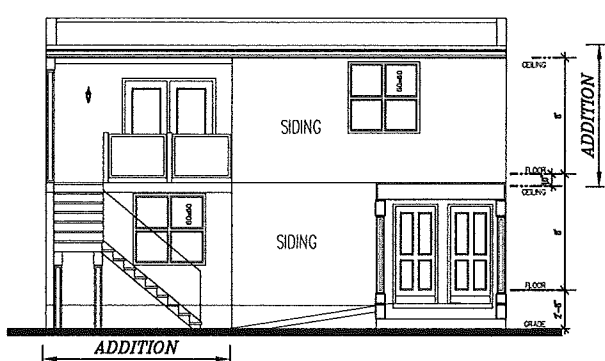
	Existing	Proposed
1st FLOOR	1072 sq.f. - 99.6 sq.m.	1219 sq.f. - 113.2 sq.m.
2nd FLOOR	823 sq.f. - 76.5 sq.m.	1174 sq.f. - 109.1 sq.m.

Addition floor area

	Proposed
1st FLOOR	147 sq.f. - 13.7 sq.m.
2nd FLOOR	351 sq.f. - 32.6 sq.m.
TOTAL	498 sq.f. - 46.3 sq.m.

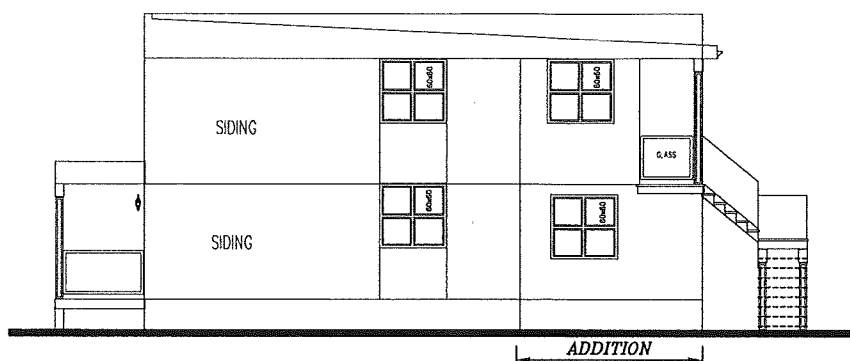
EXTERIOR STAIRS
 MAX. RISE 200mm (7 7/8")
 MIN. RUN 210mm (8 1/4")
 MIN. TREAD 235mm (9 1/4")
 NOSING 25mm (1")

GUARD HEIGHT:
 GREATER THAN 2'-0" ABOVE GRADE = 900mm (35")
 GREATER THAN 5'-11" ABOVE GRADE = 1070mm (42")

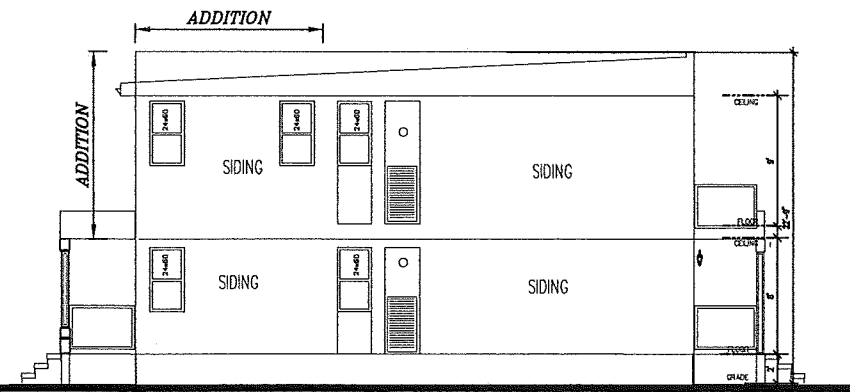


REAR ELEVATION

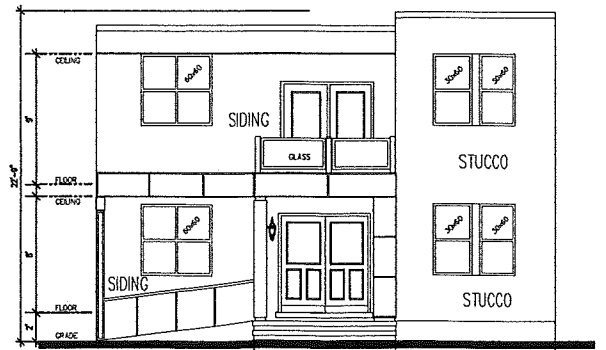
NOTE:
 WINDOW SIZES SHOWN ARE APPROXIMATE.
 EXACT ROUGH OPENINGS TO BE DETERMINED
 BY WINDOW MANUFACTURERS SPECIFICATIONS.



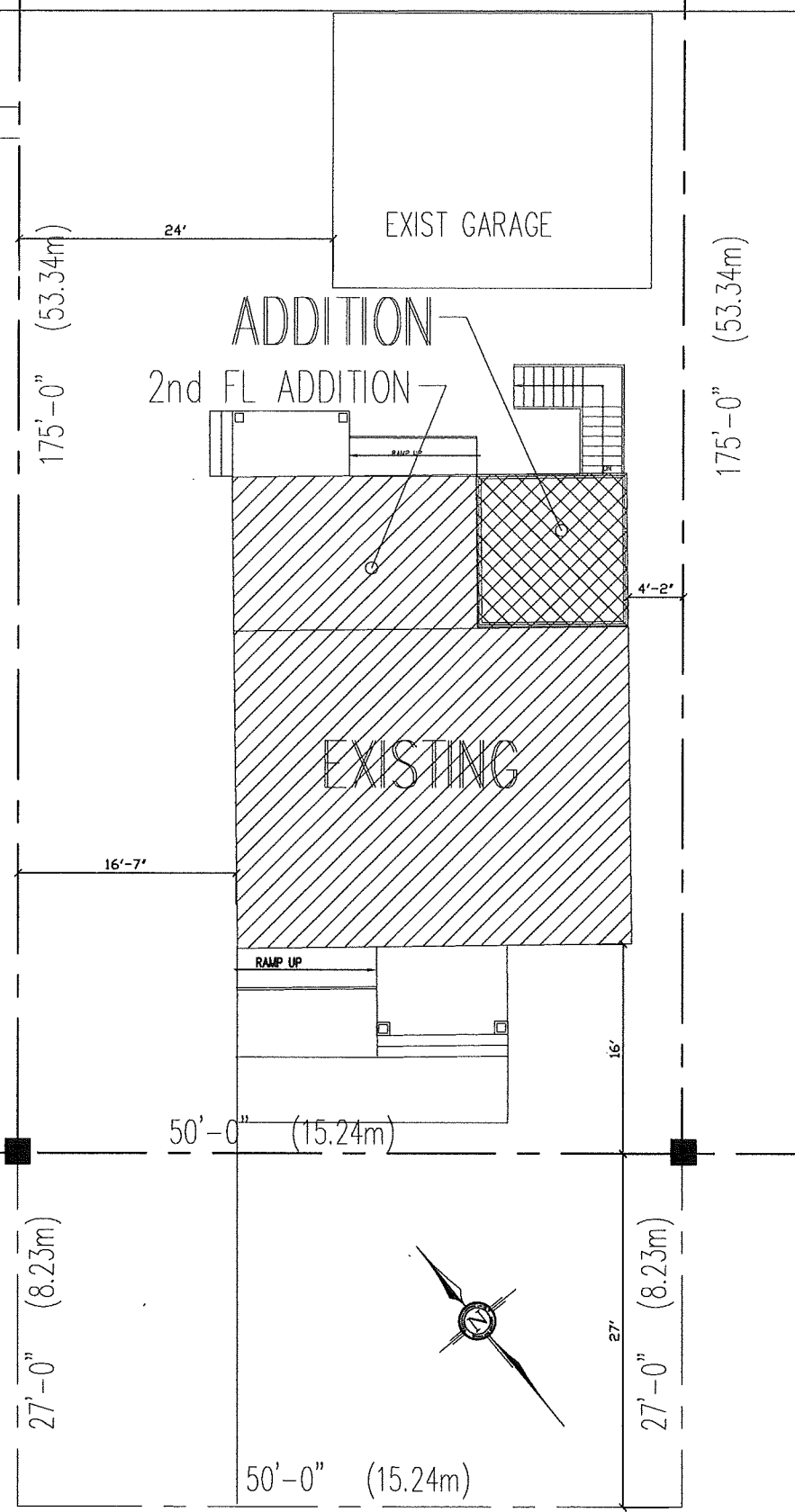
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



BARTON Street

REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC. CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
 CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
 THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THIS DRAWING IS NOT TO BE SCALED.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the 3.2.4 CS - 2012 O.B.C. to be a designer.

QUALIFICATION INFORMATION
 Gregory Spurnik ARCHITECT 22220
 NAME SIGNATURE BCN

REGISTRATION INFORMATION
 Gregory Spurnik ARCHITECT 22220
 FIRM NAME BCN



HAMILTON, ONTARIO
 tel. (905) 549 9044
 gspurnek.archgate@bellnet.ca

NO	DATE	DESCRIPTIONS
3.		
2.	Sept. 25, 2021	Bldg Permit Application comments Review Letter - September 3, 2021
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021

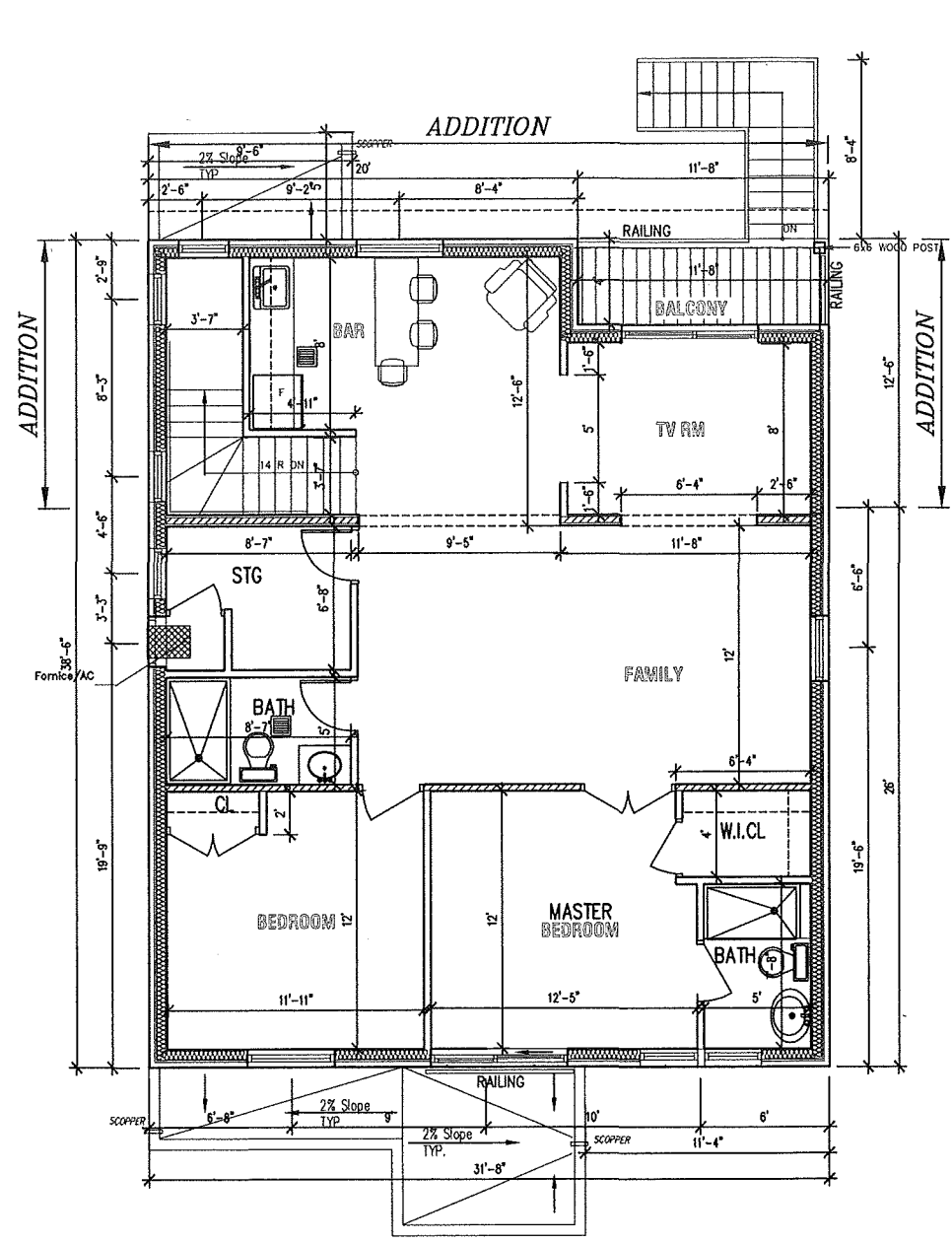
REVISIONS

PROJECT:
ALTERATION & ADDITION
 501 BARTON Street
 STONEY CREEK, Hamilton

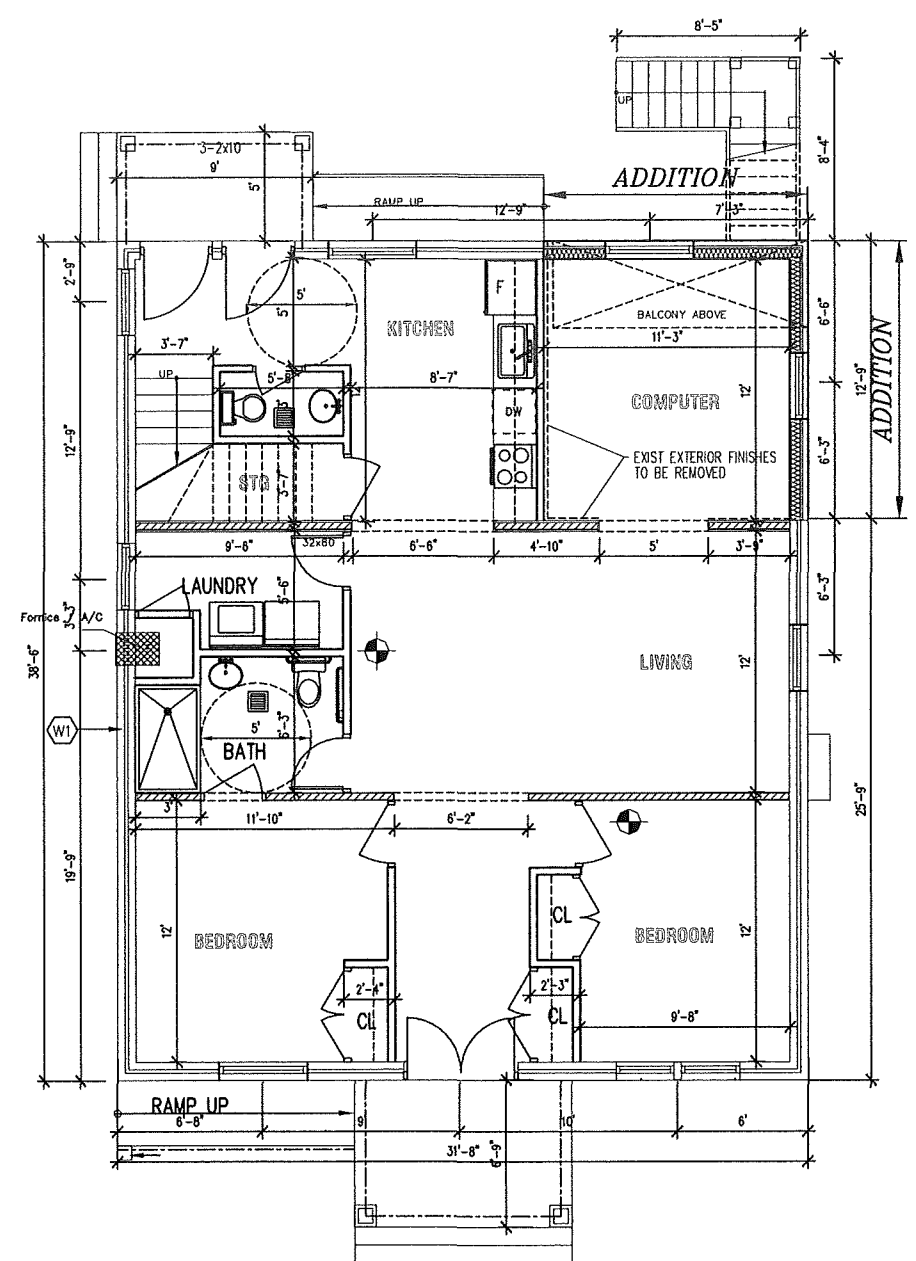
DATE: May, 2021
 DESIGN: G.S.
 DRAFTING: G.S.
 ISSUED:
 ACAD: SAM
 SCALE: 1/8"=1'-0"

DRAWING:
 -
SITE PLAN ELEVATIONS

DRAWING No.
A-01



2nd FLOOR
1174 sq.f. – 109.1 sq.m.



1st FLOOR
1219 sq.f. – 113.2 sq.m.

REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC., CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THIS DRAWING IS NOT TO BE SCALED.

The undersigned has reviewed and taken responsibility for this design, and has the qualifications and capacity to be a designer.
The undersigned has reviewed and taken responsibility for this design, and has the qualifications and capacity to be a designer.
The undersigned has reviewed and taken responsibility for this design, and has the qualifications and capacity to be a designer.



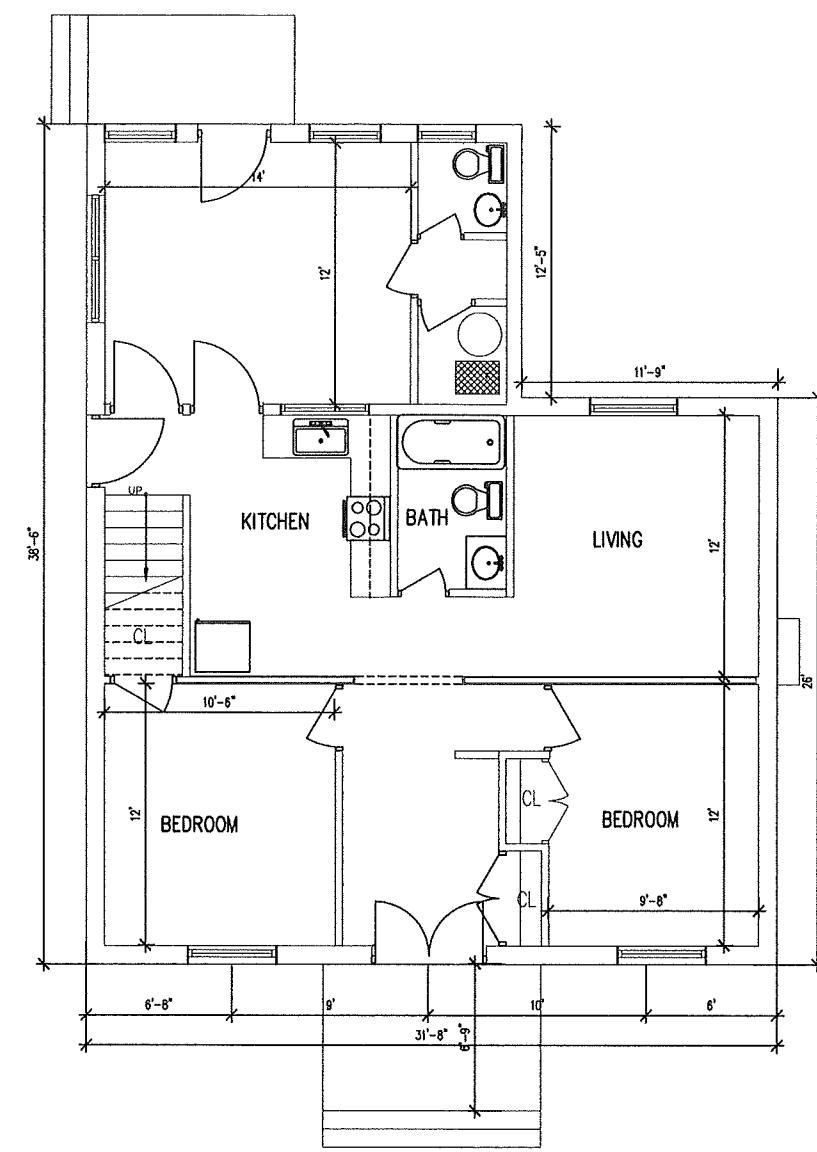
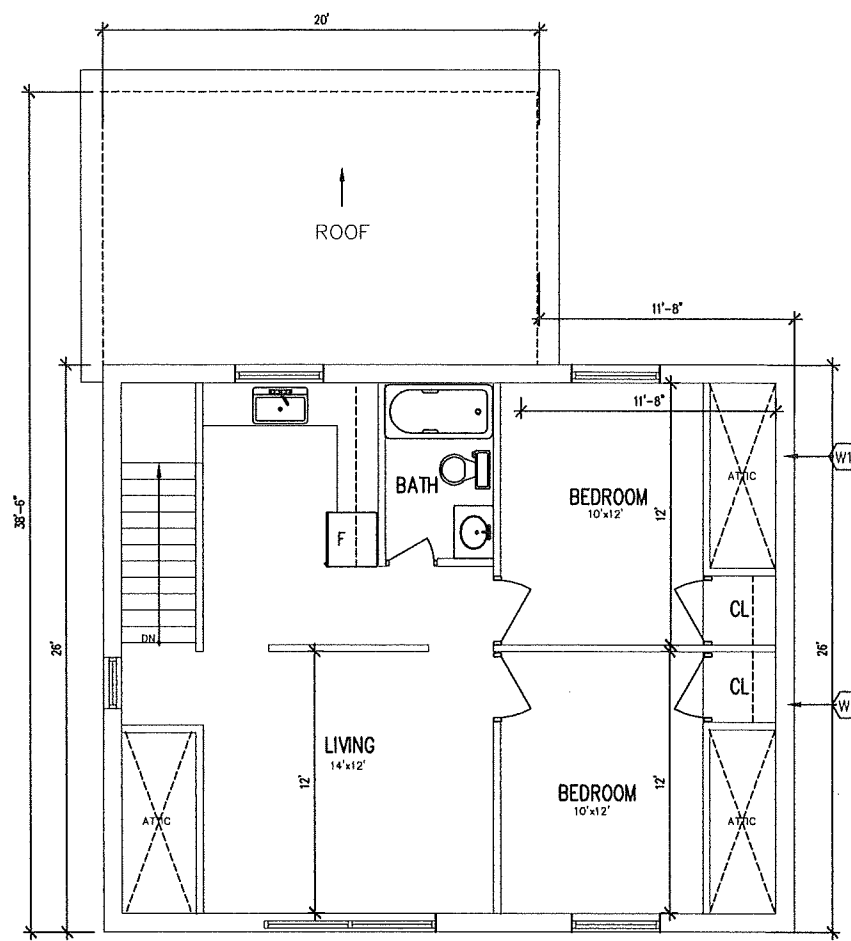
NO	DATE	DESCRIPTIONS
1.	July 05 2021	Bldg Permit Application comments Review Letter – June 24, 2021
2.		
3.		

PROJECT:
ALTERATION & ADDITION
501 BARTON Street
STONE CREEK, Hamilton

DATE: May, 2021
DESIGN: G.S.
DRAFTING: G.S.
ISSUED:
ACAD: SAM
SCALE: 3/16"=1'-0"

DRAWING:
-
FLOOR PLAN
-

DRAWING No.
A-02



REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC. CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THIS DRAWING IS NOT TO BE SCALED.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the 1.2.4 O.S. - 2012 O.B.C. to be a designer.

QUALIFICATION INFORMATION
 Gregor Spurek 22286
 NAME SIGNATURE BORN

REGISTRATION INFORMATION
 Gregor Spurek, aka ARCHGATE 22222
 FIRM NAME BORN



NO	DATE	DESCRIPTIONS
3.		
2.		
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021

REVISIONS

PROJECT :
ALTERATION & ADDITION
 501 BARTON Street
 STONEY CREEK, Hamilton

DATE: May, 2021
 DESIGN: G.S.
 DRAFTING: G.S.
 ISSUED:
 ACAD: SAM
 SCALE: 1/8"=1'-0"

DRAWING:
EXISTING FLOOR PLAN

DRAWING No.
A-03



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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: RENOVATION & RECONSTRUCTION
EXISTING COMPLY WITH AN ESTABLISHED LEGAL
NON CONFORMING SINGLE FAMILY DWELLING.
PROPOSED ADDITIONS NOT PERMITTED UNDER THE CURRENT
ZONING. M3 BY-LAW 05-200

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
PROPOSED RECONSTRUCTION REQUIRED ADDITIONAL STRUCTURE
ELEMENTS & EXPANSION.

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**):
PLAN OF LOT 17- CONCESSION I TOWNSHIP OF SALTFLY
501 BARTON ST, STONEY CREEK

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use WORK SHOP

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?

SURVEY PLAN

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.

1/10/2021
Date

[Signature]
Signature Property Owner(s)

KULDIP SINGH REHSI
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 15,24 m
Depth 53,34 m
Area 795 m²
Width of street N/A

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

Existing: 176,1 m² FLOOR AREA

2 STORY
9,65 WIDTH
11,75 LENGTH
7,85 HEIGHT

Proposed

~~222,3~~ 222,3 m² FLOOR AREA
2 STORY, 9,65 WIDTH, 11,75 LENGTH
7,85 HEIGHT

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

Existing: LEFT SIDE - 1,27 m
RIGHT SIDE - 10,9 m
REAR - 37,5 m
FRONT - 8,23 m

Proposed:

AS EXISTING

13. Date of acquisition of subject lands:
1979

14. Date of construction of all buildings and structures on subject lands:
APPROX 60 YEARS

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.):
COMMERCIAL & SINGLE FAMILY

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

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

Water	<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:
AIN

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
M3 PRESTIGE BUSINESS PARK ZONE

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

If the answer is yes, describe briefly.

PREVIOUS APPLICATION WITHDRAWN (REACTIVATE PERMIT #)
 No. 2021.131216. R9

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: SC/B-21:90

SUBJECT PROPERTY: 272 Dewitt Rd., Stoney Creek

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Roger Sherwood
 Agent Barich Grenkie c/o Julianna Hribljan

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

Severed lands:
 10.84m[±] x 51.82m[±] and an area of 560.97m² ±

Retained lands:
 10.84m[±] x 51.82m[±] and an area of 560.89m² ±

The Committee of Adjustment will hear this application on:

DATE: Thursday, November 4th , 2021
TIME: 2:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

SC/B-21: 90
PAGE 2

MORE INFORMATION

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

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

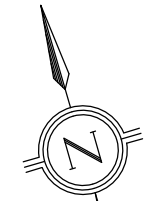
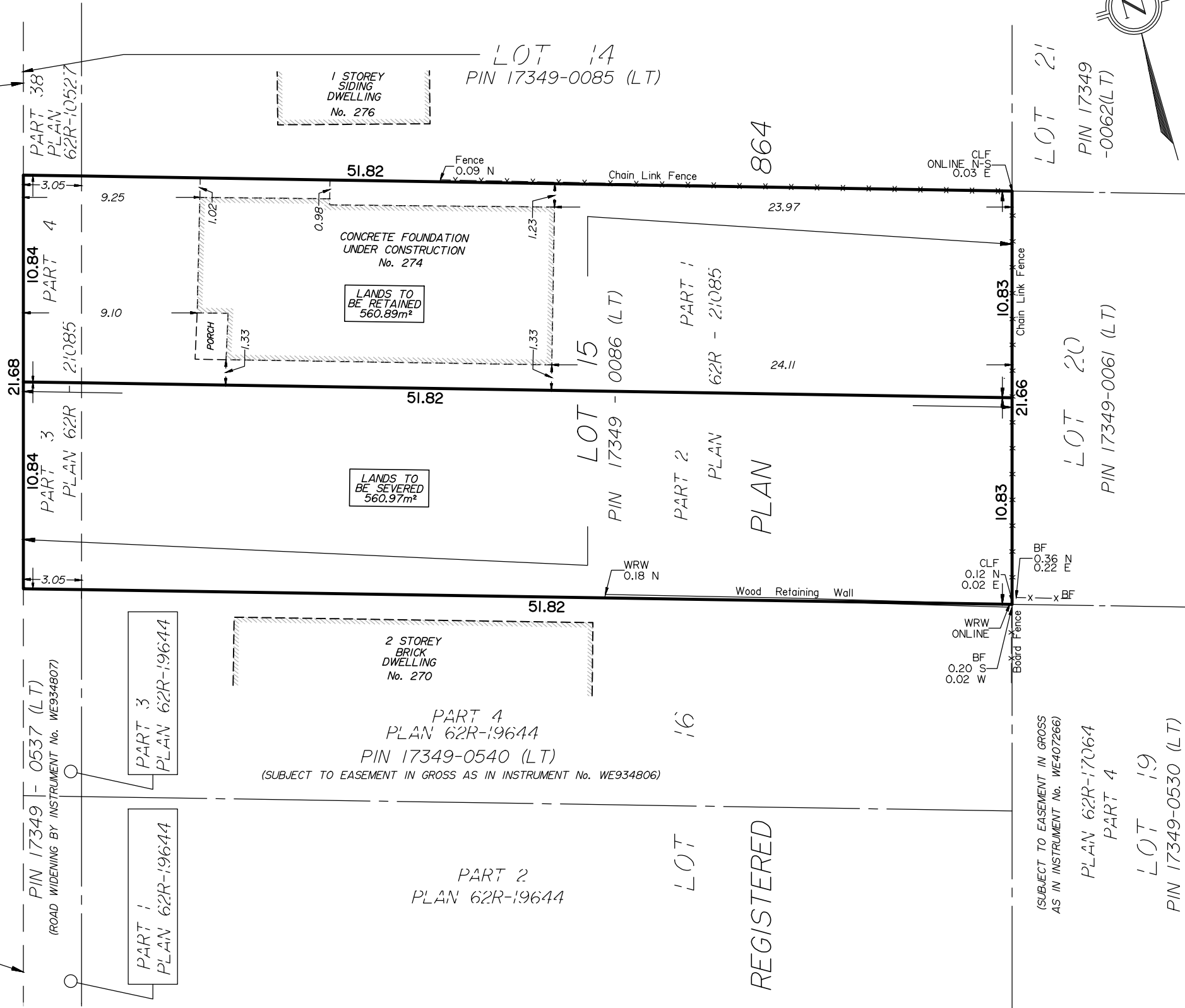
DATED: October 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

D E W I T T R O A D

(ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 16 & 17)
PIN 17349-0001 (LT)



ADDRESS: 272 DEWITT ROAD, STONEY CREEK

SKETCH FOR SEVERANCE APPLICATION
LOT 15
REGISTERED PLAN 864
CITY OF HAMILTON

SCALE & NOTES
Scale 1:250

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2021

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

- NOTES**
1. THE SOURCE OF THE DIMENSIONS AND INFORMATION SHOWN ARE TAKEN FROM BARICH GRENKIE SURVEYING LTD., PLAN 19-2460.
 2. THE SKETCH IS AN ORIGINAL IF EMBOSSED BY THE SURVEYOR'S SEAL OR IF IT IS PDF CERTIFIED IN AN ELECTRONIC VERSION.

CAUTION
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED, EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

<p>Barich Grenkie Surveying Ltd. 297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON L8G 1E5 (905) 662-6767</p>	DWN BY: JMH
	CHK BY: GRCH
	JOB No. 19-2460

A DIVISION OF GEOMAPLE

Committee of AdjustmentCity Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

Hamilton

**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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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°. 864	Lot(s) 15	Reference Plan N°.	Part(s)
Municipal Address 272 Dewitt Road, Stoney Creek			Assessment Roll N°. 00324001600

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 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:

N/A

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)
10.84m	51.82m	560.97m 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: Residential Dwelling

Proposed: Residential 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)
10.84m	51.82m	560.89m ²

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: Residential Dwelling

Proposed: Existing residential dwelling to remain

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): N/A

Urban Hamilton Official Plan designation (if applicable): Neighbourhoods

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

Both Lands to be Severed and Lands to be Retained will remain as residential lands.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? Residential "R6" Zone

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?
 Owner of property has given 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

- 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)
- The subject lands are designated 'Urban Area', which permits lot creation that follows zoning by-laws.
- 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.

The application was approved - conditions were not met. Since then property is under new owners.
 Unknown Application File Number.

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

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

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

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ | _____ | _____ |
| | Settlement Area | Designation |

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

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

- | | | |
|---|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |
| <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.

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.

SEPT 12/21

 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.: HM/A-21:356

APPLICANTS: Agent Michael Annis
 Owner Wallace Smith

SUBJECT PROPERTY: Municipal address **220 West 18th St., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To establish a Secondary Dwelling Unit within an existing Single Family Dwelling notwithstanding that:

1. A parking space size of 2.4m x 6.0m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.
2. The front yard landscaped area shall be a minimum of 48% of the gross area of the front yard instead of the minimum 50% required front yard landscaped area.
3. The parking area shall be permitted to occupy 52% of the gross area of the front yard instead of the maximum 50% gross area of the front yard permitted for parking purposes.

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

DATE: Thursday, November 4th, 2021
TIME: 2:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

HM/A-21: 356
Page 2

MORE INFORMATION

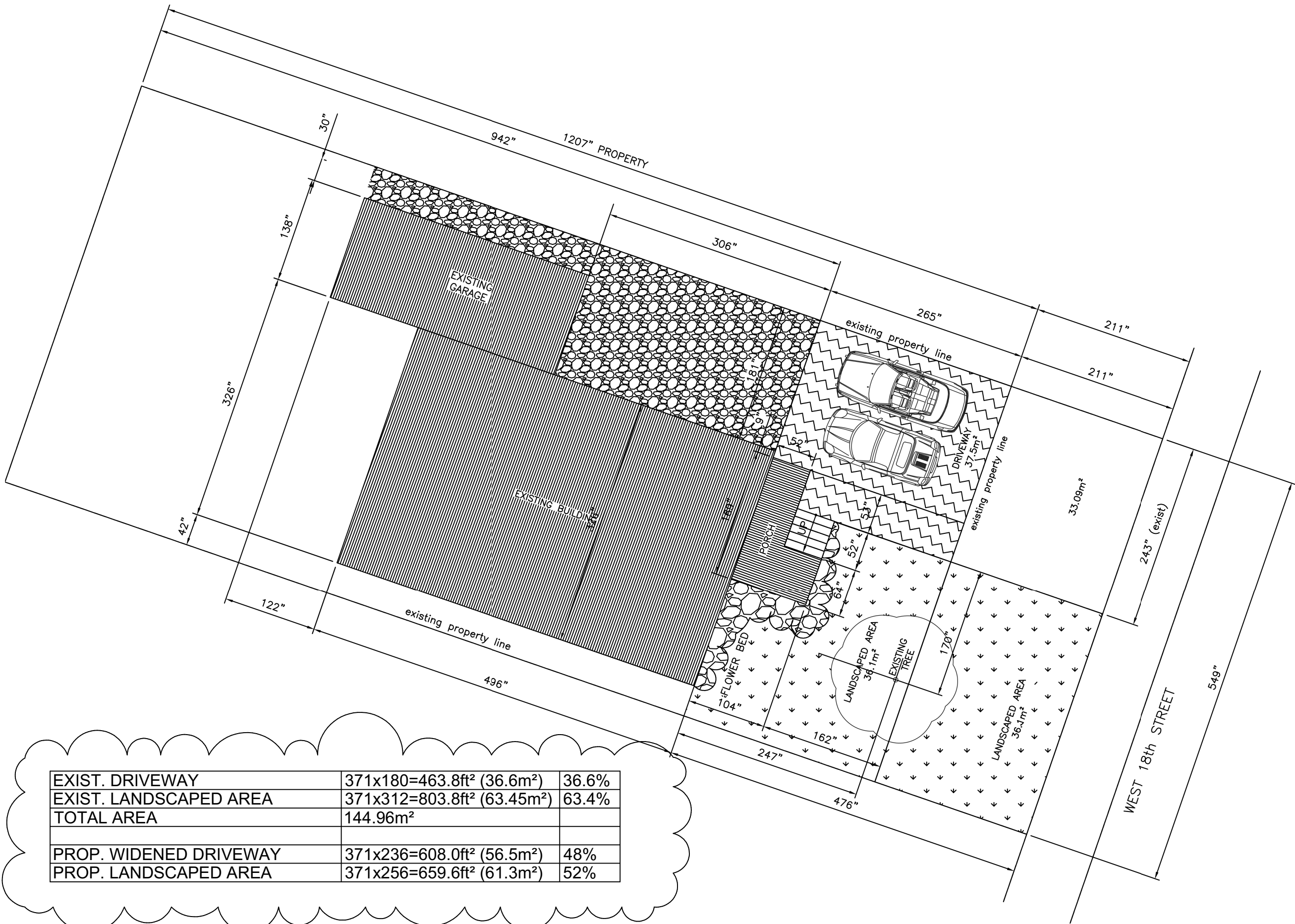
For more information on this matter, including access to drawings illustrating this request:

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



EXIST. DRIVEWAY	371x180=463.8ft ² (36.6m ²)	36.6%
EXIST. LANDSCAPED AREA	371x312=803.8ft ² (63.45m ²)	63.4%
TOTAL AREA	144.96m ²	
PROP. WIDENED DRIVEWAY	371x236=608.0ft ² (56.5m ²)	48%
PROP. LANDSCAPED AREA	371x256=659.6ft ² (61.3m ²)	52%



SITE PLAN,
PROPOSED 2 CAR
PARKING SPACES

RESIDENTIAL
INTERIOR RENOVATIONS

220 WEST 18th STREET
HAMILTON, ONTARIO
L9C4G9



date:
2021-09-17
scale:
3/16"=1'-0"
sheet:
SP1.01

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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:
Home Trust - 145 King St W Suite 2300, Toronto, ON M5H 1J8

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:
Zoning deficiencies that was identified by Zoning staff through your permit submission.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
The stairs and landing are part of the foundation that is encroaching on the area that would be part of the necessary space to comply with existing parking guidelines for a duplex.

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**):
220 West 18th Street Hamilton ON L9C 4G9

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?

This is a residential neighborhood and has been for many many years

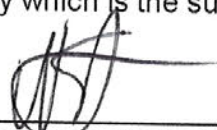
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

September 14 2021
 Date


 Signature Property Owner(s)

Wallace Smith
 Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage 536" - 44.67'
 Depth 1207" - 100.583'
 Area 4493.057 sq feet - 417.42 sq metres
 Width of street Unknown

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

Existing: _

The porch encroaches on the area that is required for a legal duplex parking approval. The amount of space required is 5.4m X 6m

What the property has from the edge of foundation to property line is 6.731m in Proposed

Provide a variance allowing the porch to remain as is and give parking authority to provide license allowing the city to provide final permit for duplex at the property.

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:
February 3 2021
-
14. Date of construction of all buildings and structures on subject lands:
Between February 3 2021 and September 2021 (Renovation and Conversion)
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family - Applied for Duplex
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family - Unsure if any Duplex exist on abutting properites
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:
Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Unknown
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: GL/B-21:91

SUBJECT PROPERTY: 3392 Homestead Dr., Glancaster

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 Ernesto & Paula Costa
 Agent John Stirling

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for the purpose of a single family dwelling and detached garage and to retain a parcel of land for residential purposes.

Severed lands:
 14.00m[±] x 79.48m[±] and an area of 1112.73m²±

Retained lands:
 31.72m[±] x 79.48m[±] and an area of 2521.14m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, November 4th , 2021
TIME: 2:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

GL/B-21: 91
PAGE 2

MORE INFORMATION

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

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

DATED: October 19th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



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

A

1.1, 1.2	NAME	ADDRESS
Registered Owners(s)	[REDACTED]	
Applicant(s)*		
Agent or Solicitor		

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality HAMILTON	Lot 5	Concession S	Former Township GLANFORD
Registered Plan N°. 62	Lot(s)	Reference Plan N°. 17400-0611 (LT)	Part(s) PART 12.
Municipal Address 3392 HOMESTEAD DR.			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: UNKNOWN

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

Frontage (m)	Depth (m)	Area (m ² or ha)
14.0	79.481	1.12 x 73

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: 1 GARAGE

Proposed: 1 HOUSES, 1 GARAGE

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)
31.72	79.481	2521.14

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: 1 HOUSE, 1 GARAGE

Proposed: 1 HOUSE

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): ER

Urban Hamilton Official Plan designation (if applicable): _____

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

ADDITIONAL HOUSING,
INFIL.

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? ER

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"/>	No
A land fill	<input type="checkbox"/>	No
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	No
A provincially significant wetland	<input type="checkbox"/>	No

A provincially significant wetland within 120 metres	<input type="checkbox"/>	NO
A flood plain	<input type="checkbox"/>	NO
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	YES
An active railway line	<input type="checkbox"/>	NO
A municipal or federal airport	<input type="checkbox"/>	YES

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

7 PROVINCIAL POLICY

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

Yes No INFILL DEVELOPMENT
 HIGHER DENSITY.

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

2020 L.V. 3 (b)(2) RESIDENTIAL INTERPRETATION

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

GROWTH WITHIN EXISTING SETTLEMENT 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.

No

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

2010's

8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.



9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

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

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

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 Rural Institutional Severance or Lot Addition
 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 or on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

13 ACKNOWLEDGEMENT CLAUSE

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

** Sept 15 / 21*

 Date

Grant ...

 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.: GL/A-21:359

APPLICANTS: Agent IBI Group c/o Jared Marcus
 Owner Vicano Developments Inc. c/o Yaw Yawson

SUBJECT PROPERTY: Municipal address **15 Ambitious Crt., Glancaster**

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

ZONING: "M3" (Prestige Business Park (M3) Zonedistrict

PROPOSAL: To permit the construction of two (2) industrial buildings to be occupied by a warehouse use(s), with a combined gross floor area of approximately 10,670 square metres, notwithstanding,

1. A planting strip with a minimum width of 1.5 metres shall be provided between the parking area and the street line instead of providing a planting strip with a minimum width of 3.0 metres required to be provided between a parking area and the street line.

NOTES:

1. This variance is necessary to facilitate Site Plan Application DA-20-034.
2. Minor variance GL/A-20:216 was previously approved to facilitate the proposed development.

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

DATE: Thursday, November 4th, 2021
TIME: 2:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

GL/A-21: 359
Page 2

MORE INFORMATION

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

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

UNDERTAKING

RE: 15 Ambitious Court, Hamilton
File No. DA-20-034

I, Vicano Developments Limited, the owner of the land, hereby undertake and agree without reservation,

- (a) to comply with all the content of this plan and drawing and not to vary therefrom;
(b) to perform the facilities, works or matters mentioned in Section 41(7)(a) of The Planning Act...
(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act...
(d) in the event that the Owner does not comply with the plan dated August 9, 2021, the owner agrees that the City may enter the land and do the required works...

- (i) That the Owner acknowledges that any development in conjunction with the site plan must not block vehicular access to any HONI facilities located on the transmission corridor...
(j) That the Owner acknowledges that hte transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts...
(k) The Owner acknowledges and agrees that the City will not issue a servicing permit or grant a building permit for this development until such time that the municipal mains within Ambitious Court are assumed by the City and utilities are completed to the satisfaction of the Manager of Development Approvals.

(l) That the Owner agrees to physically affix the municipal numbers 11 and 15 Ambitious Court and the assigned unit number to each building entrance or on a sign in accordance with the City's Sign By-law near the driveway at the road.
Dated this 9th day of August 2021
Witness (signature) Owner(s) (signature)
Yad Vason Peter Vicano
Witness (print) Owner (print)
110 Healey Avenue North, Hamilton, ON
Address of Witness

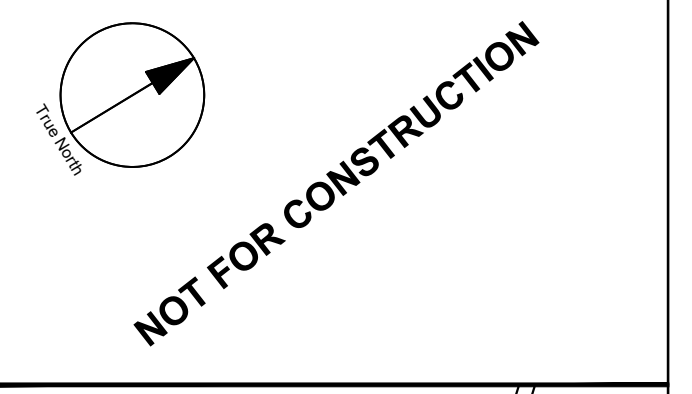
DEVELOPMENT DETAILS
PRESTIGE BUSINESS PARK (M3) ZONE
Table with columns: MINIMUM LOT AREA, MINIMUM YARD ABUTTING A STREET, MAXIMUM YARD ABUTTING A STREET, MAXIMUM BUILDING HEIGHT, GROSS FLOOR AREA FOR OFFICE USE, GROSS FLOOR AREA FOR INDUSTRIAL ADMINISTRATIVE OFFICE, MINIMUM LANDSCAPED AREA ABUTTING A STREET, MINIMUM PLANTING STRIP ABUTTING A STREET, OUTDOOR STORAGE SHALL NOT BE PERMITTED IN A FRONT YARD, MAXIMUM OUTDOOR STORAGE, MAXIMUM ACCESSORY RETAIL, PARKING REQUIREMENTS, MINIMUM SETBACK TO A STREET LINE, MINIMUM PLANTING STRIP ABUTTING A STREET LINE, MINIMUM PARKING STALL SIZE, MINIMUM BARRIER FREE STALL SIZE, WAREHOUSE (10,591.3m²), ACCESSORY OFFICE (78m²), TOTAL PARKING, BARRIER FREE PARKING, LOADING FACILITIES, LOCATION IN FRONT YARD.

- GENERAL NOTES:
1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
- ROAD CUT PERMITS
- APPROACH APPROVAL PERMITS
- COMMITTEE OF ADJUSTMENT
- BUILDING PERMITS
- SEWER PERMITS
- RELOCATION OF SERVICES
- ENCROACHMENT AGREEMENTS (IF REQUIRED)

- 6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "5.0 METRE BY 5.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."
8. THIS PROPERTY IS INELIGIBLE FOR MUNICIPAL COLLECTION OF GARBAGE, RECYCLABLE MATERIAL AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON. WASTE WILL BE MANAGED THROUGH A PRIVATE COMPANY.
9. PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW No. 10-197.
10. ALL FENCES MUST COMPLY WITH THE CITY OF HAMILTON FENCE BY-LAW No. 10-142.
11. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.

CLIENT
VICANO DEVELOPMENTS LIMITED
225 PARIS ROAD, BRANTFORD

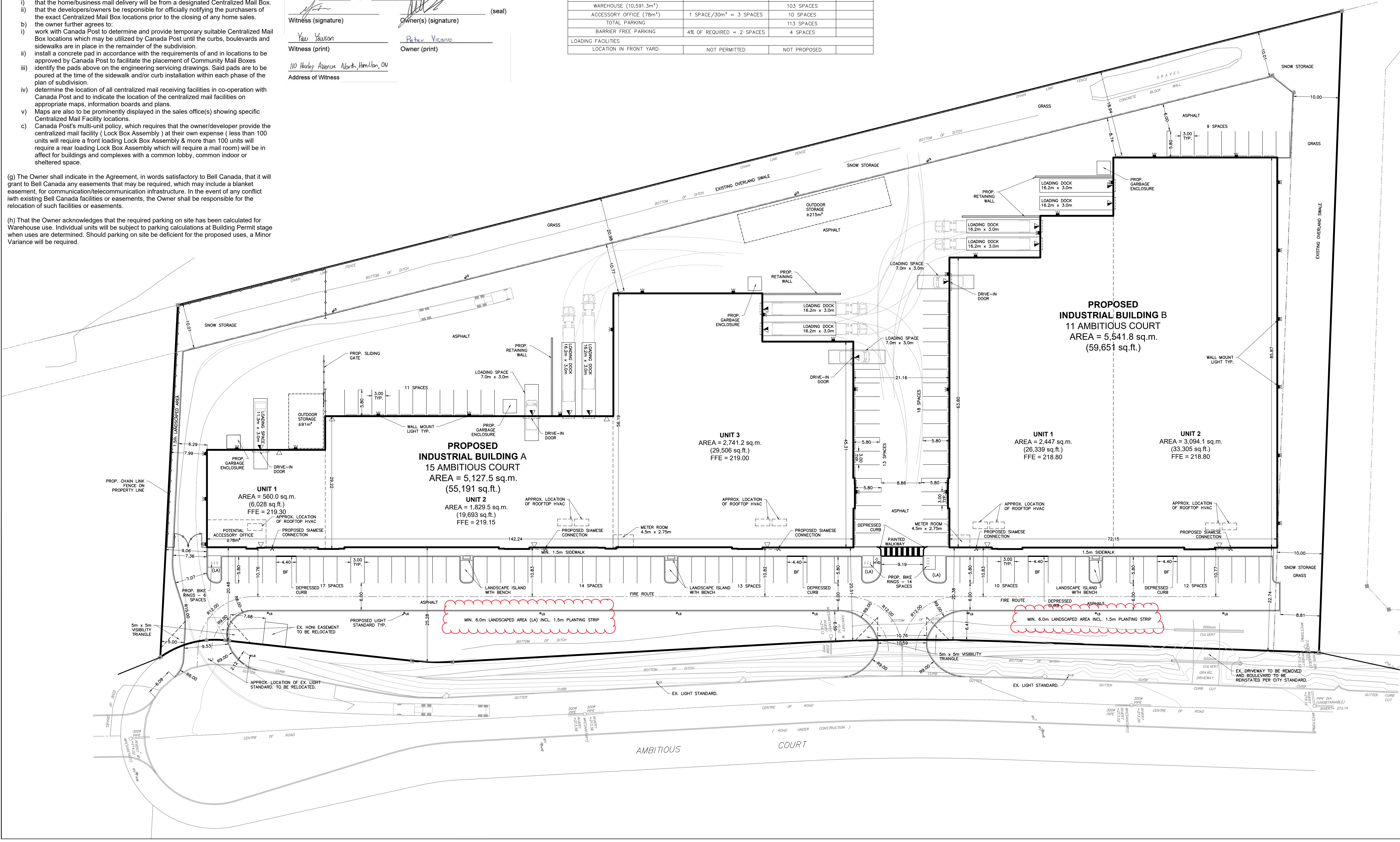
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IBI Group Professional Services (Canada) Inc.
ISSUES
Table with columns: No., DESCRIPTION, DATE
1. FIRST SITE PLAN SUBMISSION 2020-02-04
2. FIRST CLEARANCE SUBMISSION 2020-07-16
3. SECOND CLEARANCE SUBMISSION 2021-01-06
4. THIRD CLEARANCE SUBMISSION 2021-04-28
5. FOURTH CLEARANCE SUBMISSION 2021-08-09



CONSULTANTS
LEGEND
PROPOSED LOADING DOOR
PROPOSED MAN DOOR
SEAL
MICHAEL GROULI
REGISTERED PROFESSIONAL PLANNER
R.P.P.
SOURCE: TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM WEST & RULSKA LTD., DWG. No. V190217, DATED NOVEMBER 26, 2019.
ELEVATION NOTE: ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS)(2010)

PROJECT
15 AMBITIOUS COURT
BLOCK 5, 62M-129S
SCALE
1:400 (m)
PROJECT NO: 123421
DRAWN BY: J.MARCUS
PROJECT MGR: J.MARCUS
CHECKED BY: M.CROUGH
APPROVED BY: M.CROUGH

SHEET TITLE
SITE PLAN
DA-20-034
SHEET NUMBER
SP1
ISSUE
4



LANDSCAPE NOTES:

- ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH BY-LAWS AND CODES HAVING JURISDICTION OVER SITE LOCATION.
- COMPLETE ALL WORK TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.
- REPORT ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS TO THE LANDSCAPE ARCHITECT FOR REVIEW. OBTAIN APPROVAL FROM THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE EXISTING SERVICE LOCATIONS.
- EXACT LOCATIONS OF PLANT MATERIAL WILL BE DETERMINED BY PLACEMENT OF SITE SERVICES SUCH AS HYDRO VAULTS, METERS, UTILITIES ROOF RAIN WATER LEADERS, DRIVEWAYS, LIGHT STANDARDS, ETC.
- ALL PLANT MATERIAL LOCATIONS TO BE STAKED OR MARKED OUT AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- SUPPLY ALL PLANT MATERIAL IN ACCORDANCE WITH THE CANADIAN STANDARDS FOR NURSERY STOCK (BIS 6J).
- INSTALL PLANT MATERIAL ACCORDING TO DETAILS SHOWN.
- DISTURBED SOIL AREAS AROUND TREES AND SHRUBS ARE TO BE COVERED WITH SHREDED COMFIER BARK MULCH SUCH AS CANADA RED OR GRO-BARK SPM MULCH, OR APPROVED EQUIVALENT. ALTERNATIVE MULCHES MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
- CONTRACTOR TO UTILIZE LAYOUT DIMENSIONS WHERE PROVIDED.
- PROVIDE PLANTING BED AREA AS NOTED ON THE DRAWING OR TO ACCOMMODATE MATURE SIZE OF PLANT MATERIAL.
- ALL SUPPORT SYSTEMS MUST BE REMOVED BY THE CONTRACTOR AT TIME OF FINAL ACCEPTANCE. NO EXTRAS WILL BE PAID TO COMPLETE THIS WORK.

- SUPPLY AND PLACE TOPSOIL IN ACCORDANCE WITH OPSS 802 TO A MINIMUM DEPTH OF 150mm UNLESS OTHERWISE SPECIFIED.
- SUPPLY AND PLACE SOD IN ACCORDANCE WITH OPSS 803 UNLESS OTHERWISE SPECIFIED.
- SUPPLY AND PLACE SEED IN ACCORDANCE WITH OPSS 804 UNLESS OTHERWISE SPECIFIED. ALL 1:1 OR GREATER SLOPES TO BE SEEDED WITH TACIFER. CONTRACTOR TO PROVIDE NECESSARY EROSION CONTROL, PROTECTION AS REQUIRED TO ENSURE SOIL STABILIZATION AND PROPER SEED GERMINATION.
- ALL DIMENSIONS IN METRES UNLESS OTHERWISE NOTED.
- IF DISCREPANCIES ARISE BETWEEN PLANT MATERIAL COUNT SHOWN ON DRAWING AND PLANT LIST, THE DRAWING SHALL BE CONSIDERED CORRECT.
- CONTRACTOR TO PROVIDE MINIMUM TWO (2) YEAR WARRANTY FROM DATE ACCEPTED ON ALL WORK UNLESS OTHERWISE SPECIFIED.
- ANY SITE PLAN OR GRADING AND SERVICES SHOWN IS FOR INFORMATION ONLY. REFER TO APPROVED DRAWINGS.
- NOT FOR CONSTRUCTION UNLESS STAMPED, SIGNED AND DATED BY LANDSCAPE ARCHITECT.
- DRAWINGS NOT TO BE REPRODUCED WITHOUT WRITTEN CONSENT FROM LANDSCAPE ARCHITECT.
- APPROVAL OF LANDSCAPE PLAN TO BE OBTAINED FROM MUNICIPALITY.
- FOR GRADING AND SERVICES INFORMATION REFER TO THE ENGINEER'S DRAWINGS.
- FOR LIGHTING INFORMATION AND POWER DISTRIBUTION REFER TO THE ELECTRICAL DRAWINGS.

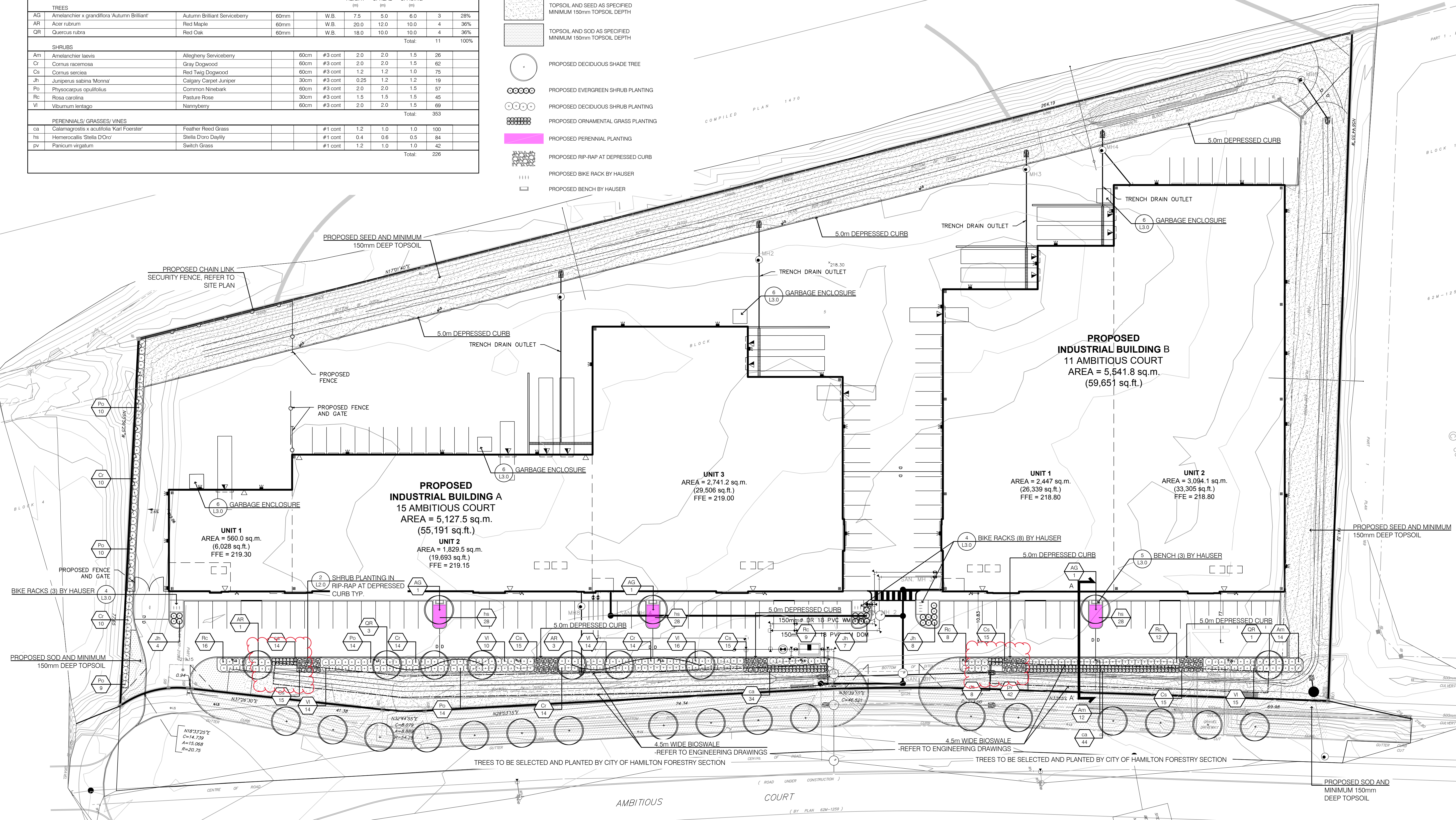
SEEDING NOTES:

- CONTRACTOR TO SOW NURSE CROP OVER THE AREA INDICATED, TO BE SEEDED AT A RATE OF 28kg/HECTARE.
- ROADSIDE EDGE MIX (MODIFIED) TO INCLUDE:
 - Virginia Wild Rye (*Elymus virginicus*) 60%
 - Bottlebrush Grass (*Elymus hystrix*) 15%
 - Blue Vervain (*Verbena hastata*) 6%
 - Common Milkweed (*Asclepias syriaca*) 6%
 - Swamp Milkweed (*Asclepias incarnata*) 6%
 - Brown Eyed Susan (*Rudbeckia hirta*) 2%
 - Early Goldenrod (*Solidago juncea*) 2%
 - Indian Hemp (*Apocynum cannabinum*) 1%
 - Poverty Oat Grass (*Danthonia spicata*) 1%
 - Graceful Sedge (*Carex gracilima*) 1%
- ROADSIDE EDGE MIX (MODIFIED) AS MANUFACTURED BY ST. WILLIAMS NURSERY & ECOLOGY CENTRE P: 519-586-9116 OR APPROVED EQUIVALENT. APPLY AT A RATE OF 28kg/HECTARE.
- NATIVE SEED MIXES DO BEST WHEN PLANTED IN THE FALL, BETWEEN OCTOBER 15TH AND NOVEMBER 15TH. LATE FALL SOWINGS ADDITIONALLY STRATIFY THE SEED. AN EARLY SPRING SOWING IN APRIL WILL WORK BUT NOT AS EFFECTIVELY. IF IDEAL GROWING SEASONS ARE UNAVAILABLE, THE SEED MAY GO DORMANT AND NOT GERMINATE UNTIL SPRING THE FOLLOWING YEAR.
- SUBSTITUTIONS MAY BE MADE WITH NATIVE SPECIES ONLY. SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PLANT SCHEDULE										
KEY	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	COND.	MATURE HEIGHT (m)	MATURE SPREAD (m)	O.C. SPACING (m)	QNTY.	%
TREES										
AG	Amelanchier x grandiflora 'Autumn Brilliant'	Autumn Brilliant Serviceberry	60mm		W.B.	7.5	5.0	6.0	3	28%
AR	Acer rubrum	Red Maple	60mm		W.B.	20.0	12.0	10.0	4	36%
QR	Quercus rubra	Red Oak	60mm		W.B.	18.0	10.0	10.0	4	36%
SHRUBS										
Am	Amelanchier laevis	Allegheny Serviceberry	60cm	#3 cont.		2.0	2.0	1.5	26	
Cr	Cornus racemosa	Gray Dogwood	60cm	#3 cont.		2.0	2.0	1.5	62	
Cs	Cornus sericea	Red Twig Dogwood	60cm	#3 cont.		1.2	1.2	1.0	75	
Jh	Juniperus sibirica 'Morma'	Calgary Carpet Juniper	30cm	#3 cont.		0.25	1.2	1.2	19	
Po	Physocarpus opulifolius	Common Ninebark	60cm	#3 cont.		2.0	2.0	1.5	57	
Rc	Rosa carolina	Pasture Rose	30cm	#3 cont.		1.5	1.5	1.5	45	
Vi	Viburnum lentago	Nannyberry	60cm	#3 cont.		2.0	2.0	1.5	69	
PERENNIALS/GRASSES/VINES										
ca	Calamagrostis x acutifolia 'Karl Foerster'	Feather Reed Grass	#1 cont.			1.2	1.0	1.0	100	
hs	Hemerocallis 'Stella D'Oro'	Stella Doro Daylily	#1 cont.			0.4	0.6	0.5	84	
pv	Panicum virgatum	Switch Grass	#1 cont.			1.2	1.0	1.0	42	
Total: 226										

LEGENDS:

- TOPSOIL AND SEED AS SPECIFIED MINIMUM 150mm TOPSOIL DEPTH
- TOPSOIL AND SOD AS SPECIFIED MINIMUM 150mm TOPSOIL DEPTH
- PROPOSED DECIDUOUS SHADE TREE
- PROPOSED EVERGREEN SHRUB PLANTING
- PROPOSED DECIDUOUS SHRUB PLANTING
- PROPOSED ORNAMENTAL GRASS PLANTING
- PROPOSED PERENNIAL PLANTING
- PROPOSED RIP-RAP AT DEPRESSED CURB
- PROPOSED BIKE RACK BY HAUSER
- PROPOSED BENCH BY HAUSER

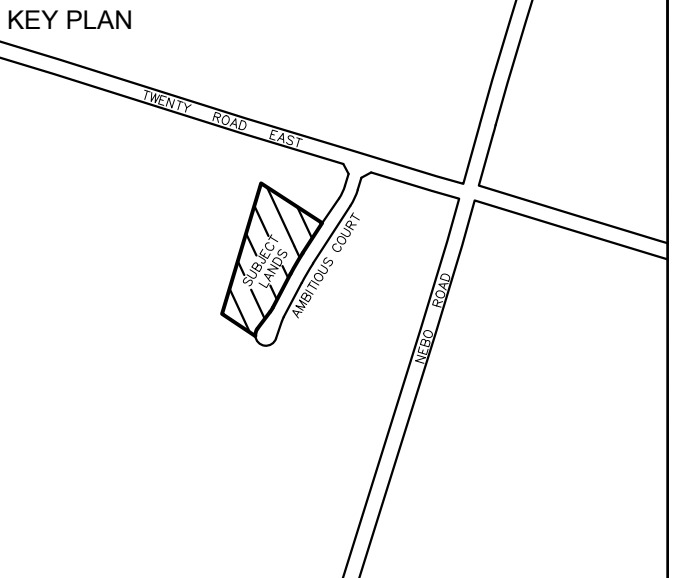


CLIENT
VICANO DEVELOPMENTS LIMITED
225 PARIS ROAD, BRANTFORD

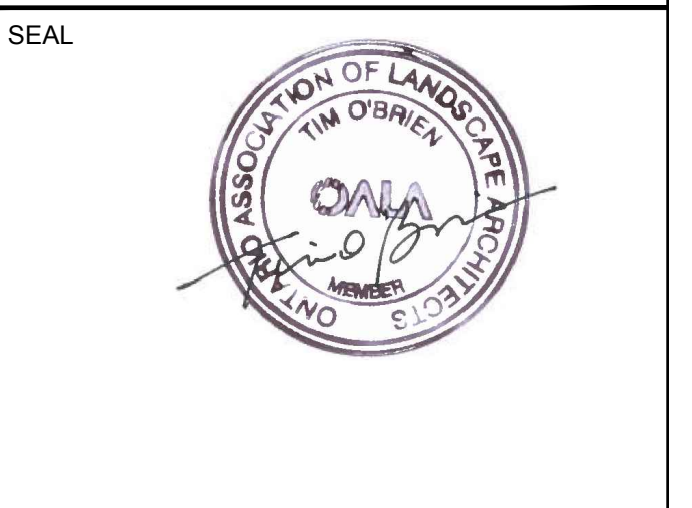
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IBI Group Professional Services (Canada) Inc.
is a member of the IBI Group of companies.

ISSUES	NO.	DESCRIPTION	DATE
	1	FIRST SITE PLAN SUBMISSION	2020-02-04
	2	ISSUED FOR CLIENT REVIEW	2020-06-30
	3	SUBMITTED FOR SPA	2020-07-06
	4	SUBMITTED FOR SPA	2021-01-07
	5	SUBMITTED FOR SPA	2021-04-27
	6	SUBMITTED FOR SPA	2021-07-27

NOT FOR CONSTRUCTION



CONSULTANTS



SEAL
SOURCE: TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM WEST & RUKUSA LTD., DWG. NO. V190217, DATED NOVEMBER 26, 2019.
ELEVATION NOTE: ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS/2010)

IBI GROUP
Suite 200 - 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

PROJECT
15 AMBITIOUS COURT
SCALE
0 2 0 5 10 15
1:400 (m)

PROJECT NO: 123421
DRAWN BY: C.LEE
PROJECT MGR: J.MARCUS
CHECKED BY: T.O'BRIEN
APPROVED BY: J.ARIENS

SHEET TITLE
LANDSCAPE PLAN
DA-20-034

SHEET NUMBER L1.0 **ISSUE** 1



IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

September 30, 2021

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

Dear Ms. Sheffield:

**15 AMBITIOUS COURT, HAMILTON (DA-20-034)
MINOR VARIANCE APPLICATION**

On behalf of our client, Vicano Developments Limited, we are pleased to submit a Minor Variance application for the above noted development. The application seeks permission for a reduced Planting Strip width where a parking lot and drive aisle are located abutting a street.

As part of the ongoing engineering review process for the project the design changed to introduce natural bioswales to accommodate required ground water infiltration rates. This change resulted in two pinch points where the bioswale encroaches within the required 3.0m Planting Strip to a minimum width of 1.5m. The overall Landscape Area width and most of the Planting Strip width still comply with the minimum requirement, and the intent of the Planting Strip to provide a buffer from the street for the on-site parking is still being maintained. A detailed Landscape Plan has already been approved, and the proposed variances will implement the concurrent conditional Site Plan approval, DA-20-034.

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

- One (1) copy of the Minor Variance application form;
- One (1) copy of the Landscape Plan and Site Plan drawings;
- One (1) cheque in the amount of \$3,320.00; and,
- One (1) copy of the Articles of Incorporation for Vicano Developments Limited.

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,

A handwritten signature in black ink, appearing to read 'Jared Marcus', written over a horizontal line.

Jared Marcus, CPT

Associate, Manager – Planning

Encl.

Cc: Vicano Developments Limited



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)		
Applicant(s)*		
Agent or Solicitor		

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:

Section 9.3.3(i)(ii) To permit a minimum 1.5m wide Planting Strip between parking spaces, aisles or driveways and a street.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

As a result of engineering requirements to provide a bioswale to control stormwater management the planting strip has pinch points that don't meet the required width. Most of the planting strip will still meet the required width with the exception of two pinch points. A landscape plan has been approved via DA-20-034.

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**):

Block 5, 62M-1259
15 Ambitious Court, 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?

Subject lands were reviewed under Draft Plan of Subdivision 25T-201207

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.

September 30, 2021
Date


Signature Property Owner(s)

Vicano Developments Limited
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>+/-256.1m</u>
Depth	<u>+/-77.6m</u>
Area	<u>+/-27,433sq.m</u>
Width of street	<u>26m</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: None

Proposed

Two industrial buildings with GFA +/-10,669.3sq.m.
See enclosed Site Plan drawing.

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

Existing: None

Proposed:

See enclosed Site Plan drawing.

13. Date of acquisition of subject lands:
2019
-
14. Date of construction of all buildings and structures on subject lands:
2022
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Vacant
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
North: Vacant; East: Vacant; South: Vacant Industrial; West: Factory
17. Length of time the existing uses of the subject property have continued:
2 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:
Business Park
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
City of Hamilton Zoning By-law No. 05-200 - Prestige Business Park (M3)
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
GL/A-20:216 - approved to permit a hydro transformer within a landscape area, and to permit a maximum 25% retail GFA.
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
Property is subject to concurrent Site Plan application DA-20-034. Landscape Plans showing the proposed design have been approved through this application.
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-21:287

APPLICANTS: Agent Mainline Planning Services Inc.
 Owner Brian Gogek

SUBJECT PROPERTY: Municipal address **33 Sterling St., Hamilton**

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

ZONING: "C/S-1361" (Urban Protected Residential) district

PROPOSAL: To establish a Detached Secondary Dwelling Unit located in the rear yard of the existing Single Family Dwelling notwithstanding that:

1. Three (3) bedrooms shall be provided instead of the maximum two (2) bedrooms permitted within a Detached Secondary Dwelling Unit.
2. The required 1.2m side yard of the Detached Secondary Dwelling Unit shall be permitted to be comprised of interlocking brick whereas the by-law prohibits such yard from containing any structures, walkways, sidewalks, hard-surfaced material and landscaping other than sod.
3. A total gross floor area of 81.0m² shall be provided instead of the maximum 75.0m² gross floor area permitted for a Detached Secondary Dwelling Unit.
4. The required 1.0m wide unobstructed path leading from the front lot line to the Detached Secondary Dwelling Unit shall be permitted to form part of the access driveway on-site.
5. One (1) of the three (3) provided on-site parking spaces shall be a minimum 2.7m wide and 4.6m in length instead of the minimum required parking space size of 2.7m x 6.0m.

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

DATE: Thursday, November 4th, 2021
TIME: 2:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-21: 287
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

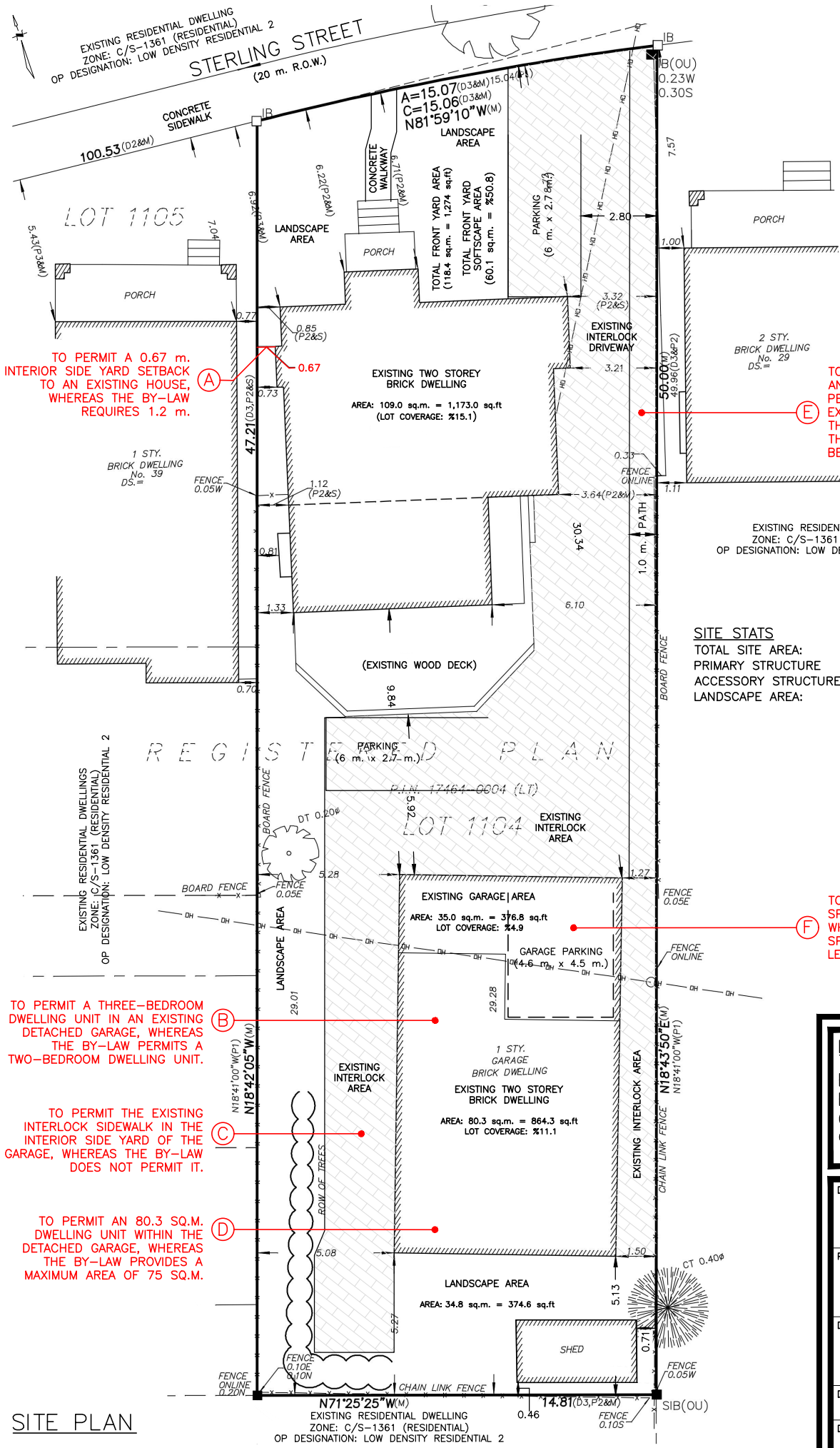
For more information on this matter, including access to drawings illustrating this request:

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



LEGEND

- DENOTES SUBJECT LANDS BOUNDARY
- DENOTES DEED LINE
- DENOTES LOT LINE
- DENOTES LIMIT OF STREET
- X-X- DENOTES FENCE LINE
- H-H- DENOTES OVER HEAD WIRE

TO PERMIT A 0.67 m. INTERIOR SIDE YARD SETBACK TO AN EXISTING HOUSE, WHEREAS THE BY-LAW REQUIRES 1.2 m.

TO PERMIT A DRIVEWAY INCLUDING AN UNOBSTRUCTED 1.0-METRE-WIDE PEDESTRIAN PATH CONNECTING THE EXISTING SECONDARY DWELLING TO THE MUNICIPAL SIDEWALK WHEREAS THE BY-LAW REQUIRES THE PATH TO BE INDEPENDENT OF THE DRIVEWAY.

TO PERMIT A THREE-BEDROOM DWELLING UNIT IN AN EXISTING DETACHED GARAGE, WHEREAS THE BY-LAW PERMITS A TWO-BEDROOM DWELLING UNIT.

TO PERMIT A GARAGE PARKING SPACE THAT IS 4.6 METRES LONG, WHEREAS THE BY-LAW REQUIRES SPACES TO BE A MINIMUM LENGTH OF 6.0 METRES.

TO PERMIT THE EXISTING INTERLOCK SIDEWALK IN THE INTERIOR SIDE YARD OF THE GARAGE, WHEREAS THE BY-LAW DOES NOT PERMIT IT.

TO PERMIT AN 80.3 SQ.M. DWELLING UNIT WITHIN THE DETACHED GARAGE, WHEREAS THE BY-LAW PROVIDES A MAXIMUM AREA OF 75 SQ.M.

SITE STATS

TOTAL SITE AREA:	=	721.7 sq.m. (100%)
PRIMARY STRUCTURE	=	109.0 sq.m. (15.1%)
ACCESSORY STRUCTURE	=	115.3 sq.m. (15.9%)
LANDSCAPE AREA:	=	497.4 sq.m. (69.0%)

LEGAL DESCRIPTION
 PART OF LOT 1104
 REGISTERED PLAN 652
 CITY OF HAMILTON
 (REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH)

DRAWING TITLE			
APPLICATION FOR MINOR VARIANCE			
PROJECT			
33 STERLING STREET HAMILTON, ONTARIO			
DEVELOPER/OWNER			
BRIAN GOGEK			
DRAWN	CHECKED	SCALE	DWG. NO.
K.R.	J.L.O./J.P.P.	1:200	MV-1
DATE	ISSUED	JOB NO.	
APRIL-21	J.P.P.		

SITE PLAN

EXISTING RESIDENTIAL DWELLING
 ZONE: C/S-1361 (RESIDENTIAL)
 OP DESIGNATION: LOW DENSITY RESIDENTIAL 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)	Brian Gogek	
Applicant(s)*	See Agent	
Agent or Solicitor	Mainline Planning Services 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:

Consider Clear

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. Variance to By-law Section 9 (3) (ii): To permit a 0.67m interior side yard setback to an existing house, whereas the By-law requires 1.2m.
2. Variance to By-law Section 19 (1) (vi): To permit a three-bedroom dwelling unit in an existing detached garage, whereas the By-law permits a two-bedroom dwelling unit.
3. Variance to By-law Section 19 (1) (1) (ii) (2): To permit the existing interlock sidewalk in the interior side yard of the garage, whereas the By-law does not permit it.
4. Variance to By-law Section 19 (1) (1) (ii) (8): To permit an 80.3 sq.m. dwelling unit within the detached garage, whereas the By-law provides a maximum area of 75 sq.m.
5. Variance to By-law Section 19 (1) (1) (ii) (12): To permit a driveway including an unobstructed 1.0-metre-wide pedestrian path connecting the existing secondary dwelling to the municipal sidewalk whereas the By-law requires the path to be independent of the driveway.
6. Variance to By-law Section 18A (7): To permit a garage parking space that is 4.6 metres long, whereas the By-law requires spaces to be a minimum length of 6.0 metres.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The existing interior side yard setback of the primary dwelling is less than 1.2m.

The accessory structure is existing and the requested variances are to bring the structure up to compliance with the By-law.

(Please refer to cover letter for more 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**):

PART OF LOT 1104, REGISTERED PLAN 652, CITY OF HAMILTON (REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH). 33 STERLING STREET, HAMILTON, ON.

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

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 8.1 to 8.10 above?

Information provided by current owner.

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.

July 19, 2021
Date


Signature Property Owner(s)

Brian Gogek
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	15.06m
Depth	47.21m (irregular)
Area	721.7 sq.m.
Width of street	20m (approx.)

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: Primary Dwelling:	Accessory Structure:
Ground Floor Area = 109 sq.m.	Ground Floor Area = 115.3 sq.m.
Gross Floor Area = 296 sq.m.	Gross Floor Area (unit) = 80.32 sq.m.
Width = 10.37m (approx.)	Gross Floor Area (garage) = 35 sq.m.
Length = 11.58 m (approx.)	Width = 8.23m
Height = +/- 4m	Length = 14.02m
Proposed	Height = +/-3m
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: Primary Dwelling:	Accessory Structure:
Front yard setback = 6.22m	Front yard setback = 30.34m
Side yard setback (west) = 0.67m	Side yard setback (west) = 5.08m
Side yard setback (east) = 3.21m	Side yard setback (east) = 1.27m
Rear yard setback = 29.01m	Rear yard setback = 5.13m
Proposed:	
N/A	

13. Date of acquisition of subject lands:
May 29, 2009
-
14. Date of construction of all buildings and structures on subject lands:
Circa 1940 & 2016
-
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.):
Residential
17. Length of time the existing uses of the subject property have continued:
81 Years (approx.)
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Hamilton Official Plan = Neighbourhoods
Ainslie Wood Westdale Secondary Plan = Low Density Residential 2
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Former City of Hamilton Zoning By-law 6593 and By-law 19-307.
The property is zoned C/S-1361, exception S-1788.
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. 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.



September 16, 2021

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

Attention: Ms. Jamila Sheffield, Secretary-Treasurer for the Committee of Adjustment

RE: Minor Variance Application. 33 Sterling Street, Hamilton

Dear Ms. Sheffield,

Mainline Planning Services Inc. is retained by Brian Gogek ('owner') as his agent with respect to the above referenced matter.

The purpose of this minor variance application ('the proposal') is to address zoning deficiencies associated with an existing primary dwelling and an existing secondary dwelling unit (located in a detached garage).

The following plans and documents are provided in support of the above referenced application.

- One (1) 'pdf' copy of the duly completed Minor Variance Application Form.
- One (1) 'pdf' copy of the sketch prepared by Mainline Planning Services Inc.
- One (1) 'pdf' copy of letters provided by neighbours.
- The required application fee of \$600 will be paid via credit card.

Background:

The Subject Property

- The municipal address of the subject property is 33 Sterling Street. The existing home was constructed circa 1940's.
- The property is within a walkable community, only 1 kilometer east of McMaster University, near restaurants, grocery stores, community centers, schools, parks.
- The property is well serviced by transit, linking it to all areas of the city including the King Street commercial district.

Secondary Housing By-law

- Following the enactment of By-laws 18-299 and 19-307, the City of Hamilton passed By-law 21-076 ('the By-law') in April of 2021 to create a supply of affordable rental housing within accessory buildings ('secondary structures').

Proposal

- The variance is required to address zoning deficiencies to bring existing buildings into compliance with the By-law.

The Variances (Zoning By-law No. 6593):

- a. Variance to By-law Section 9 (3) (ii): To permit a 0.67m interior side yard setback to an existing house, whereas the By-law requires 1.2m.
- b. Variance to By-law Section 19 (1) (vi): To permit a three-bedroom dwelling unit in an existing detached garage, whereas the By-law permits a two-bedroom dwelling unit.

- c. Variance to By-law Section 19 (1) (1) (ii) (2): To permit the existing interlock sidewalk in the interior side yard of the garage, whereas the By-law does not permit it.
- d. Variance to By-law Section 19 (1) (1) (ii) (8): To permit an 80.3 sq.m. dwelling unit within the detached garage, whereas the By-law provides a maximum area of 75 sq.m.
- e. Variance to By-law Section 19 (1) (1) (ii) (12): To permit a driveway including an unobstructed 1.0-metre-wide pedestrian path connecting the existing secondary dwelling to the municipal sidewalk whereas the By-law requires the path to be independent of the driveway.
- f. Variance to By-law Section 18A (7): To permit a garage parking space that is 4.6 metres long, whereas the By-law requires spaces to be a minimum length of 6.0 metres.

The Planning Act:

Section 45(1) of the *Planning Act* ("Act") allows the Committee of Adjustment to authorize variances to a zoning By-law where the variance is minor; is desirable for the appropriate development or use of land, building or structure; maintains the general intent and purpose of the Official Plan; and maintains the general intent and purpose of the zoning By-law. The Committee must be satisfied that all four tests are met to authorize the requested variance.

The Four Tests

1. The Variances are Minor

a. Permitting a Reduction in Side-Yard Setback of the Principal Residence is Minor:

Planning Opinion

It is our considered and professional planning opinion that the variance is minor as the principal dwelling was constructed circa 1940 and is therefore considered legal non-conforming to the in-force Bylaw.

b. Permitting a 3-Bedroom Dwelling Unit is Minor:

Planning Opinion

The property is in an existing residential community that is adequately serviced by public transit and is within walking distance to neighbourhood stores, schools and parks. Allowing a 3-bedroom unit in this case is a minor amendment to the By-law and will provide affordable rental housing that could be used by families or students which is encouraged by Official Plan policies.

c. Permitting an Existing Interlock Sidewalk Within an Interior Side Yard is Minor:

Planning Opinion

It is our considered and professional planning opinion that the existing sidewalk will not cause an unacceptable adverse impact on the neighbour's property and is necessary to provide access to the garage and the existing dwelling unit.

d. The Proposed Increase in Floor Area of the Secondary Dwelling Unit is Minor:

- ✓ The By-law limits the gross floor area ('GFA') of a secondary dwelling to 75 sq.m.
- ✓ A variance is needed to permit an existing rental dwelling that is 80.3 sq.m. in habitable GFA.

Planning Opinion

It is our considered and professional planning opinion that the variance is minor in size as the

relief will result in a unit that is approximately 5 sq. m. larger than a unit otherwise permitted by the By-law.

e. Utilizing an Existing Driveway for Pedestrian Access to the Secondary Dwelling is Minor:

Planning Opinion

It is our considered and professional planning opinion that there is sufficient space on the property to accommodate parking and allow the driveway to remain unobstructed to pedestrians accessing the secondary dwelling (i.e. garage apartment unit).

f. Permitting a parking spot with a reduced length is Minor:

- ✓ The average length of a compact sedan is 4.5m (177.2 in)
- ✓ The average length of a compact SUV is 4.4m (172.3 in)

Planning Opinion

It is our considered and professional planning opinion that the variance is minor as the proposed parking length of 4.6m is sufficient to accommodate the tenant's vehicle.

2. The Proposal is Desirable for the Appropriate Development of Land, Building and Structure

Planning Opinion

It is our considered and professional planning opinion that the proposal is desirable for the appropriate development of land, building, and structures.

- ✓ The proposal is **desirable to the owner** who wishes to bring the property into compliance with the By-law.
- ✓ The proposal is **desirable to adjacent property owners** who provided letters in support of the proposal.
- ✓ The proposal is **desirable to the City** as it creates affordable rental housing.
- ✓ The proposal is **desirable to the Province** as it creates affordable rental housing.
- ✓ The proposal is **desirable to students (existing tenants)** that require affordable housing close to McMaster University.

3. The Proposal Maintains the General Intent and Purpose of the Official Plan

We have reviewed the City's Urban Official Plan ('OP') and offer that the following policies support this proposal.

- ✓ In conformity with OP policy 3.2.4.1 and 3.2.4.2, "*The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development*".
- ✓ In conformity with OP policy 3.2.4.2, "*Where there are documented unmet needs for housing tenure, affordability levels or support services, priority shall be given to development applications that help meet those needs*".
- ✓ In conformity with OP Policy 3.2.4.5, "*Subject to the City undertaking a study, in certain conditions it may be appropriate to permit new detached second dwelling units on lots of existing single detached dwellings*". The study was completed, and the By-law now permits secondary dwellings in garages.
- ✓ In conformity with policy 6.2.4(a) in the Ainslie Wood Westdale Secondary Plan the proposal will ... "*Provide a diversity of suitable housing choice for families, students, seniors and others*".
- ✓ In conformity with OP policies 6.2.5.2 (a-c) as well as general policy 6.2.5.3 (a), the proposal will provide a unique form of housing that maintains the existing low-density character of the neighbourhood while taking advantage of an infill opportunity that maintains the built form of the site while providing affordable rental housing.

Planning Opinion

It is our considered and professional planning opinion that the proposal maintains the general intent and purpose of the Official Plan.

4. The Proposal Maintains the General Intent and Purpose of the Zoning By-law

- ✓ The subject property is zoned C/S-1361 ('C' District - Urban Protected Residential)
- ✓ By-law 21-076 is in force and applicable to the subject property permitting secondary dwelling units in accessory structures.

Planning Opinion

It is our considered and professional planning opinion that the proposal meets the general intent and purpose of the zoning By-law as it promotes the existing secondary dwelling unit and the principal residence.

Conclusion:

It is our professional planning opinion that the Committee's approval of the proposal is justified and is good planning. The variances are minor in nature, consistent with the general purpose and intent of the By-law and Official Plan and will cause no unacceptable adverse impact on neighbours. In addition, the creation of affordable housing within urban settlement areas is consistent with the Provincial Policy Statement and in conformity with provincial plans including the Growth Plan and Bill 108: The More Homes, More Choice Act, 2019.

We trust that our Planning opinion is supported by staff and results in a recommendation for Committee approval. If you require anything further, please do not hesitate to contact the undersigned at 905-893-0046.

Respectfully Submitted,
mainline planning services inc.



Joseph P. Plutino, RPP, MCIP

cc. client



Naeem Lakhani, Junior Planner

Support Letters for a Secondary Dwelling at 33 Sterling St., Hamilton



Irene Vujic – 39 Sterling St., Hamilton

James Zourntos – 29 Sterling St., Hamilton

Dr. Jean Wilson – 38 Cline Ave. N., Hamilton

From the Desk of
Irene Vujic

May 31, 2019

To Whom It May Concern:

Re: Secondary Dwelling - 33 Sterling St., Hamilton

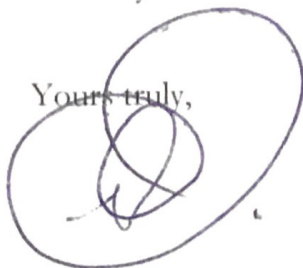
I reside immediately to the west of the subject property, at 39 Sterling Street. I have owned my property since 2004.

I'm aware that Brian Gogek is taking steps to remedy compliance issues related to his garage conversion to a secondary dwelling.

This letter is an unqualified endorsement of the use, and he has my full support. Let me add that for the ten years I've known him, he has been a responsible Landlord and neighbour.

Should you need to contact me, my info is noted below.

Yours truly,

A handwritten signature in blue ink, consisting of several overlapping loops and a final flourish, positioned to the right of the text "Yours truly,".

James Zourntos
j_zourntos@yahoo.ca
29 Sterling Street,
Hamilton, ON
L8S 4H6
905 531 7820

May 31, 2019

To Whom It May Concern:

Re: Secondary Dwelling - 33 Sterling St., Hamilton

I own the property at 29 Sterling Street, immediately to the east of the subject property. I've owned my property since 2011.

I'm aware of the City's By-Law relating to Laneway residences and secondary dwellings, which regrettably does not cover our area.

Be that as it may, I'm aware that Brian Gogek is taking steps to remedy compliance issues related to his garage conversion to a secondary dwelling, and he has my full unqualified support of the use.

Incidentally over the years, I've known Mr. Gogek to be a responsible property owner and neighbour.

Do not hesitate to contact me, should it be required.

Yours truly,



James Zourntos

Dr. Jean Wilson
38 Cline Avenue North
Hamilton, ON, L8S 3Z4
(905) 546-1581
wilsonj@mcmaster.ca

8 June 2019

To Whom It May Concern:

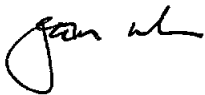
Re: Secondary Dwelling – 33 Sterling St., Hamilton, Ontario

I am the homeowner at 38 Cline Ave. North, where I have lived since buying the property in 1991. My backyard meets the backyard of 33 Sterling St., and I'm very familiar with the property. (For instance, I remember years ago, when a former owner of the 33 Sterling property and I consulted on the building of a new fence to separate the two backyards as well as the planting of trees in each of our yards.)

I am acquainted with Brian Gogek and am aware that he is taking steps to address the compliance issues related to the conversion of his garage to a secondary dwelling. This letter is to indicate my support for Brian's efforts in this regard and indeed for efforts by others in the City of Hamilton to develop by-laws that would permit such secondary dwellings where appropriate. I applaud Brian's initiative here and support it fully.

Please do not hesitate to contact me if I can be of any assistance.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jean Wilson". The signature is written in a cursive, flowing style.

Dr. Jean Wilson



Jean Wilson



Jean Wilson

Professor at McMaster University

Hamilton, Ontario, Canada · 199 connections

Join to Connect



[McMaster University](#)



[McMaster University](#)

Experience



Director, Arts & Science Program

McMaster University

Jul 2011 - Present · 10 years 1 month

Hamilton, ON



Director, Comparative Literature Program

McMaster University

Jul 2007 - Jun 2010 · 3 years

Hamilton, ON

Education



McMaster University

B.A. (Honours) · French and German



Jean Wilson



Licenses & Certifications



YWCA Hamilton Women of Distinction Nominee

YWCA Hamilton

Issued Mar 2019

Credential ID www.ywcahamilton.org

Languages

French

-

German

-

Groups



YWCA Hamilton Women of Distinction Alumni

-



McMaster Arts & Science Alumni

-

View Jean's full profile

See who you know in common

Get introduced

Contact Jean directly

[Join to view full profile](#)



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-21:364

APPLICANTS: Agent DeFilippis Design c/o Nick DeFilippis
 Owner Kathy Hollands

SUBJECT PROPERTY: Municipal address **78 Stanley Ave., 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 replace the existing stairs of the front porch with new stairs, notwithstanding:

1. The roofed over unenclosed porch will be located 0.9 m from the westerly lot line, whereas a side yard with of 2.7 m is required.
2. The roofed over unenclosed porch including the stairs will encroach the entire depth of the required front yard and be located 0 m from the front lot line, whereas a roofed over unenclosed porch including the stairs is permitted to encroach a maximum of 3.0 m into the required front yard while maintaining 1.5 m from the front lot line.
3. No front yard landscaping will be provided, whereas a minimum of 50% of the front yard shall be provided and maintained as landscaping.

Notes:

1. The front lot line is the southerly lot line.
2. Pursuant to Building Divisions policy ZON-021, the existing dwelling is deemed to be a three storey building, as such the minimum required side yards are 2.7 metres and the minimum required yard is 10.5 m pursuant to Section 18(2) of the Zoning By-law.
3. Elevation drawings were not included in the submission. Additional variance(s) may be required if the eaves and gutters encroach greater than 1/3 (0.90 m) of the width of the required side yard width of 2.7 metres.
4. A further variance may be required should the minimum required side yard width of 2.7 m not be provided from the porch to the easterly lot line.
5. Details with respect to front yard landscaping have not been provided, however, pursuant to aerial photos on GISNET it does not appear any landscaping can be provided within the front yard.

HM/A-21: 364
Page 2

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

DATE: Thursday, November 4th, 2021
TIME: 2:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

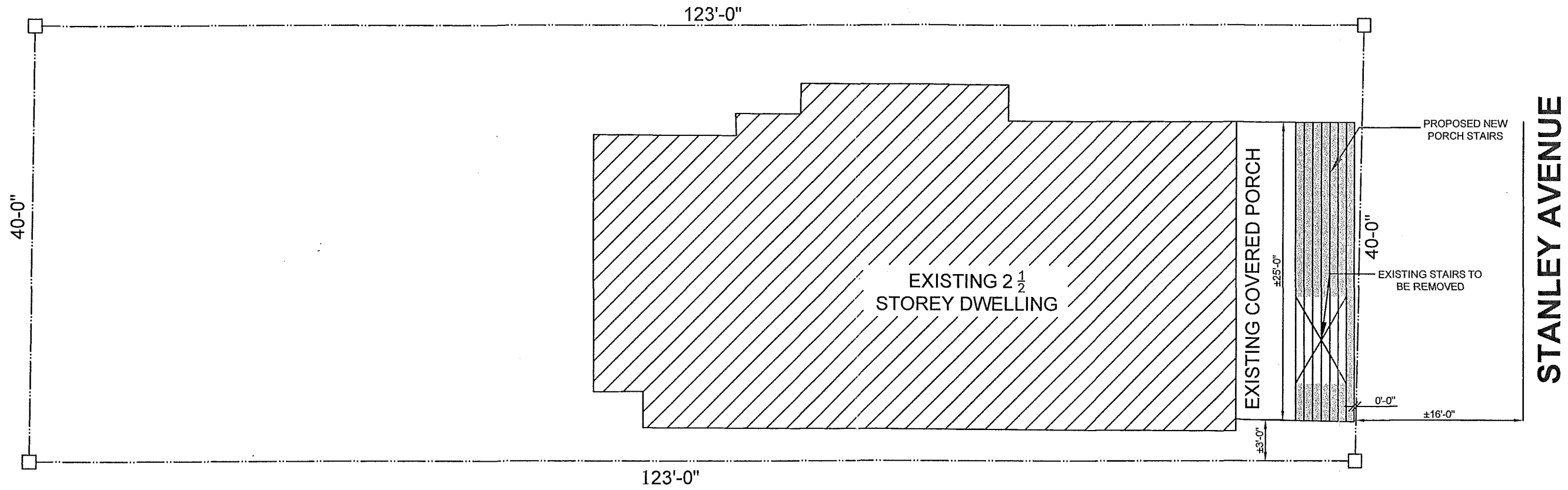
For more information on this matter, including access to drawings illustrating this request:

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

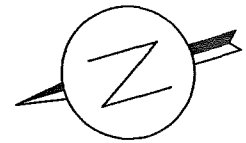
DATED: October 19th, 2021.


Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



SITE PLAN



3		 DeFILIPPIS DESIGN 687 BARTON STREET, SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2		
1		
REV.	DATE	
JOB NO.		KATHARINE HOLLANDS 78 STANLEY AVENUE HAMILTON, ONTARIO
CHKD. BY		
DRN. BY		
DATE: AUGUST, 2021		
SCALE: 1:125		SITE PLAN
DWG NO. A-1		



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

Note: Unless 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:

0.0 m FRONT YARD SETBACK TO
~~PROPOSED~~ PROPOSED NEW STAIRS
 0.90 m SETBACK ON WEST SIDE YARD
 TO PROPOSED NEW STAIRS.

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

LOCATION OF EXISTING DWELLING
 AND STAIRS IN RELATION TO LOT LINE

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):

78 STANLEY AVE., 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?

RESIDENTIAL USE ON PROPERTY IN EXCESS OF 70 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.

SEPT 17/2021
Date

K. Hollands
Signature Property Owner

Katherine Hollands
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>40'-0"</u>	<u>(12.2m)</u>
Depth	<u>123'-0"</u>	<u>(37.5m)</u>
Area	<u>4920 SQ FT</u>	<u>(457 SQ m)</u>
Width of street	<u>20m +</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 FAMILY 2 1/2 STOREY DWELLING

Proposed

SAME WITH NEW FRONT STEPS

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

Existing:

SEE SITE PLAN

Proposed:

13. Date of acquisition of subject lands:
May 2014
14. Date of construction of all buildings and structures on subject lands:
70 years plus
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:
70 years plus
18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected ✓
 Sanitary Sewer ✓ Connected ✓
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:
urban settlement
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - RESIDENTIAL
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. 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-21:352

APPLICANTS: Agent Urban in Mind c/o Terrance Glover
 Owner Oriyomi Holdings Inc.

SUBJECT PROPERTY: Municipal address **91 Wellington St. S., Hamilton**

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

ZONING: "E" (Multiple Dwellings Lodges, Clubs and etc.) district

PROPOSAL: To convert the existing two family dwelling into a three family dwelling under the policies of Section 19(2) of the Zoning By-law, notwithstanding:

1. Proposed "Dwelling Unit 3" will have a minimum floor area of 27.9 m², whereas a minimum floor area of 65.0 m² is required.
2. Exterior stairs shall be permitted to encroach the entire width of both the minimum required northerly side yard and the minimum required southerly side yard instead of the maximum permitted encroachment of one-third the width of the minimum required 2.70 metre side yard.
3. A balcony shall be permitted to encroach into the entire width of both the minimum required northerly side yard and the minimum required southerly side yard instead of the maximum permitted encroachment of one-third the width of the minimum required 2.70 metre side yard.
4. Two on site parking spaces will be provided, whereas a minimum of four (4) parking spaces are required for a three family dwelling.
5. No visitor parking shall be provided, whereas a minimum of one (1) or 0.33 visitor parking spaces per dwelling unit are required.
6. Manoeuvring space for the two (2) parking spaces shall be permitted to be provided partly on the public alley abutting the rear of the property instead of providing a manoeuvring space with a minimum width of 6.0 metres required to be abutting upon and accessory to each parking space required to be provided entirely on-site

Notes:

1. The front lot line is the westerly lot line.

HM/A-21: 352

Page 2

2. Pursuant to Building Division policy ZON-028, the construction of the proposed upper level decks and exterior stairs are not deemed to alter the external appearance of the dwelling. As such, the variance requested to alter the external appearance of the dwelling is not required.

3. Pursuant to Building Divisions policy ZON-021, the existing dwelling is deemed to be a three storey building, as such the minimum required side yards are 2.7 metres and the minimum required yard is 10.5 m pursuant to Section 18(2) of the Zoning By-law.

4. It is unclear if the new northerly wooden staircase encroaches into the required 10.5 m rear yard, a further variance will be required if the staircase encroaches more than 1.0 m into the required 10.5 m rear yard.

5. The applicant shall confirm that the GFA is calculated in accordance with the definition of Gross Floor Area (GFA) in Hamilton Zoning By-law 6593. The applicant shall ensure compliance with the Ontario Building Code requirement for ceiling height.

6. The depths of the encroachments of the proposed exterior stairs and upper level decks (balconies) into the required 2.7 metre side yards have not been identified. As such, the variance has been written to allow such features to encroach the entire width of the minimum required side yards.

7. The two (2) parking spaces within the existing accessory structure shall comply to the provisions of Section 18 A of Hamilton Zoning By-law 6593, or additional variance may be required should parking space not provide an unobstructed area measuring 2.7 metres in width by 6.0 metres in length.

8. Details have not been provided regarding the 1.98 metre driveway area between the garage and laneway. An additional variance will be required if the driveway is not concrete or asphalt or a combination of concrete and asphalt.

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

DATE: Thursday, November 4th, 2021
TIME: 2:50 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

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: 352
Page 2

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



DRAWINGS LIST

- A0.01 - COVER PAGE
- A0.02 - NOTES & SCHEDULES
- A1.01 - EXISTING FLOOR PLANS
- A1.02 - EXISTING FLOOR PLANS
- A1.01 - PROPOSED FLOOR PLANS
- A2.01 - ELEVATIONS
- A2.02 - ELEVATIONS
- A2.03 - ELEVATIONS
- A4.01 - SECTIONS
- SP.01 - SITE PLAN

- M1.01 - GROUND FLOOR PLAN
- M1.02 - ATTIC FLOOR PLAN

- S1.01 - ROOF FRAMING PLAN
- S1.02 - FLOOR FRAMING PLAN



ACCESSORY DWELLING UNITS @

91 WELLINGTON ST. S

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 exempt under Div. C Part 3, 3.2.5.1. of the Building Code.
 ALAM MAKR Name Signature 09099 BCIN

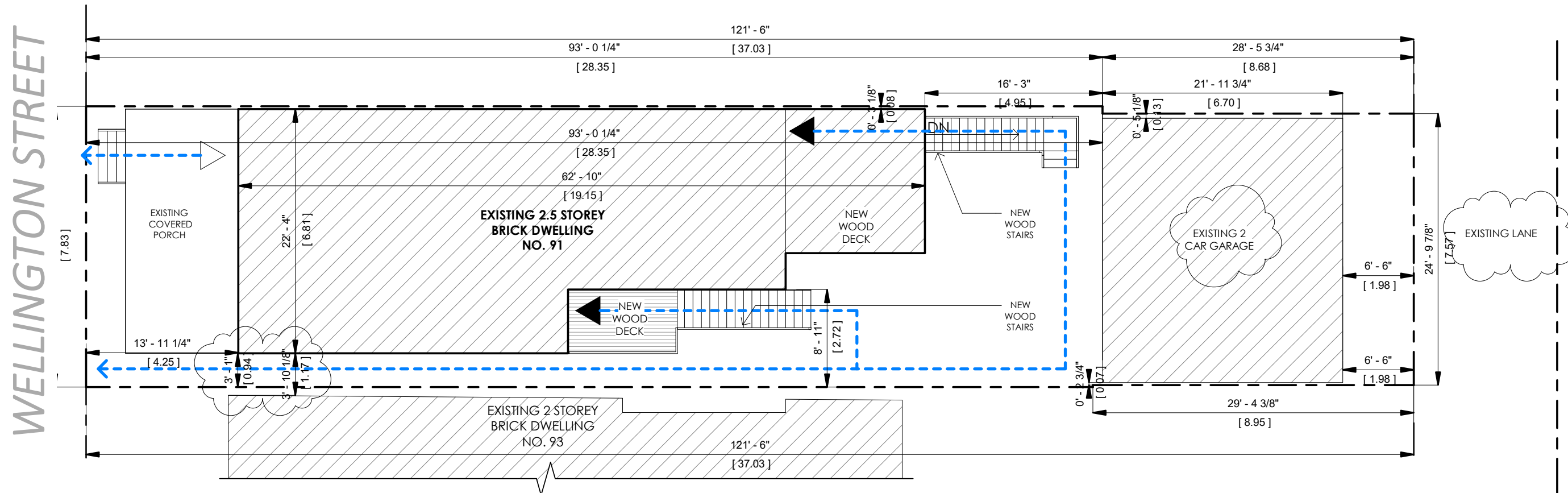
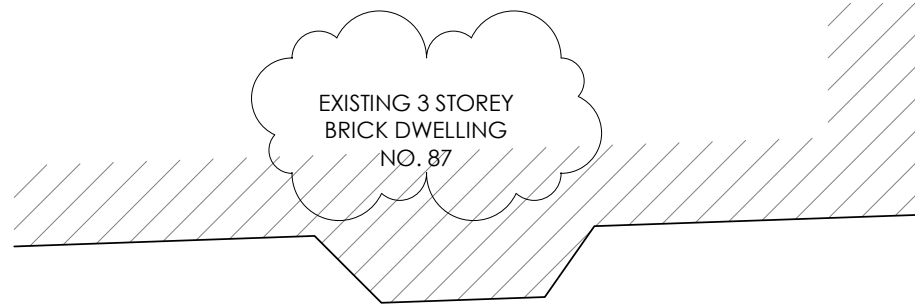
Registration Information
 Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.
 INTEQUA DESIGNS Firm Name 09099 BCIN

COVER PAGE

Project number	0099
Date	August 27, 2021
Drawn by	AM
Checked by	JA

A0.01
 Scale

SITE STATS	
LOT AREA	281.77 m ²
BUILDING FOOTPRINT	110.15 m ²
NEW DECK	5.82
TOTAL NEW COVERAGE	184.99 (65.65%)
UNIT 1 - GROUND FLOOR	110.15 m ²
UNIT 2 - SECOND + THIRD FLOOR	119.33 m ²
UNIT 3 - THIRD FLOOR	27.91 m ²
EX. TOTAL GFA	257.39 m ²
SETBACKS	
NORTH	0.80 m
EAST	13.64 m
SOUTH	0.94 m
WEST	4.25 m



1 SITE PLAN
1" = 10'-0"



ACCESSORY DWELLING UNITS @
91 WELLINGTON ST. S

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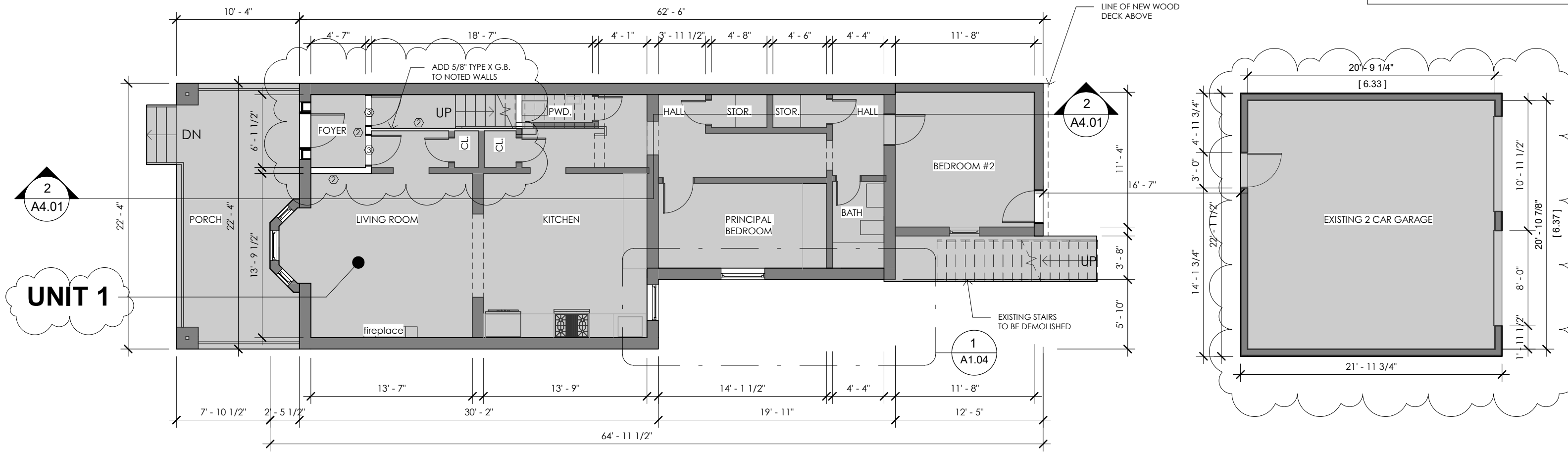
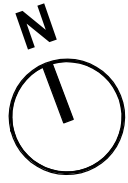
Qualification Information
Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKR
Name Signature BCIN

Registration Information
Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS
Firm Name BCIN

SITE PLAN		SP1.01
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	Scale 1" = 10'-0"



1 **GROUND FLOOR - EX**
 1/8" = 1'-0"
 EXISTING GFA = 1177 S.F.



ACCESSORY DWELLING UNITS @
 91 WELLINGTON ST. S

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.

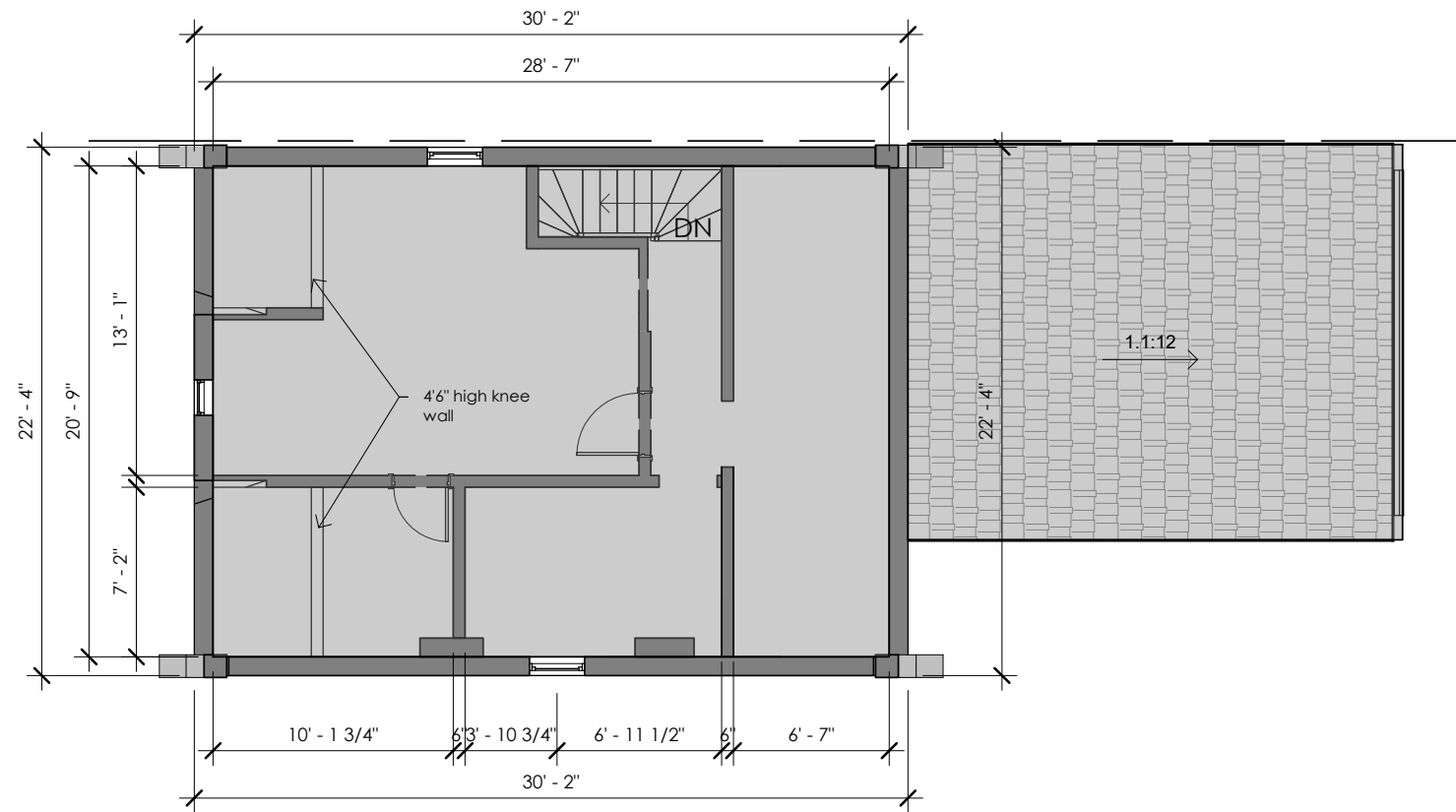
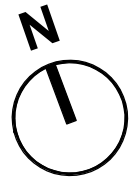
Qualification Information
 Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKR
 Name Signature BCIN

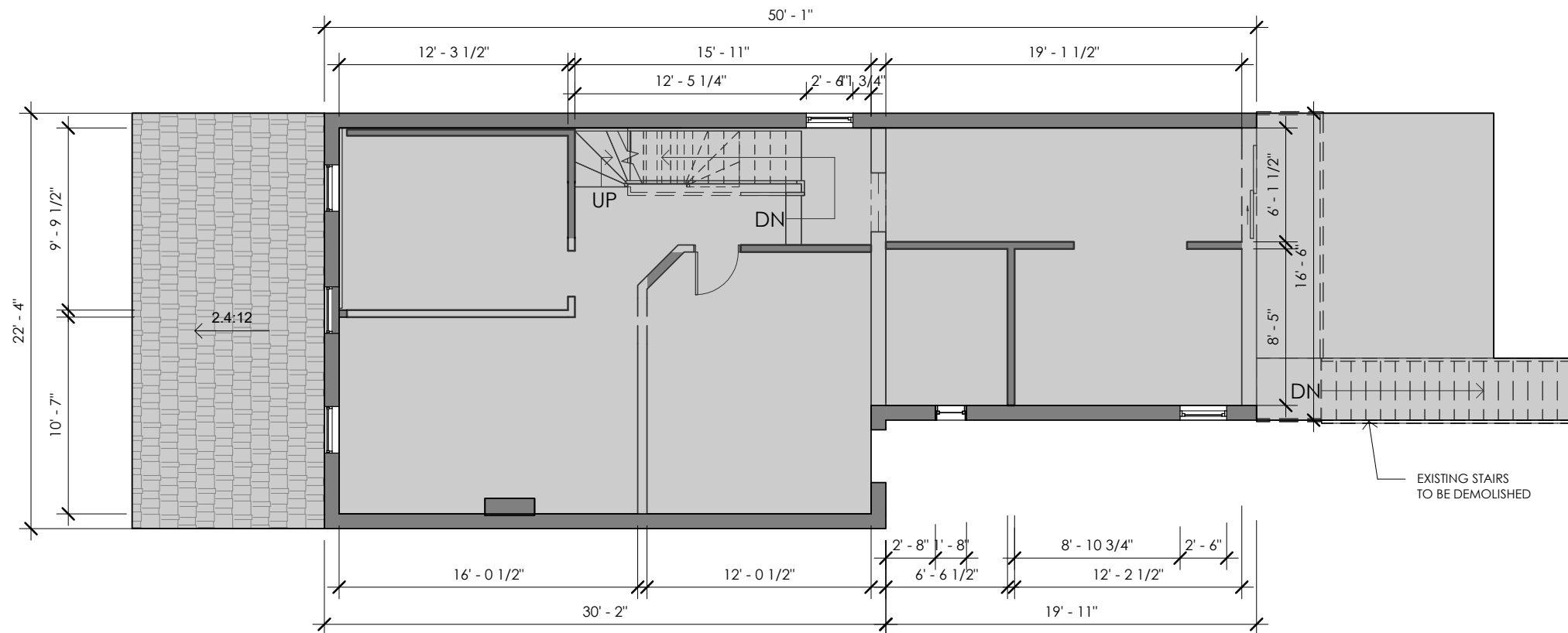
Registration Information
 Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS
 Firm Name BCIN

EXISTING FLOOR PLANS		A1.01
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	Scale 1/8" = 1'-0"



2 **THIRD FLOOR - EX**
 1/8" = 1'-0"
 EXISTING GFA = 673.7 S.F.



1 **SECOND FLOOR - EX**
 1/8" = 1'-0"
 EXISTING GFA = 1 002 S.F.



ACCESSORY DWELLING UNITS @
 91 WELLINGTON ST. S

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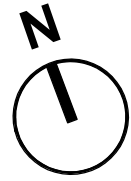
Qualification Information
 Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKUR Name Signature BCIN 09099

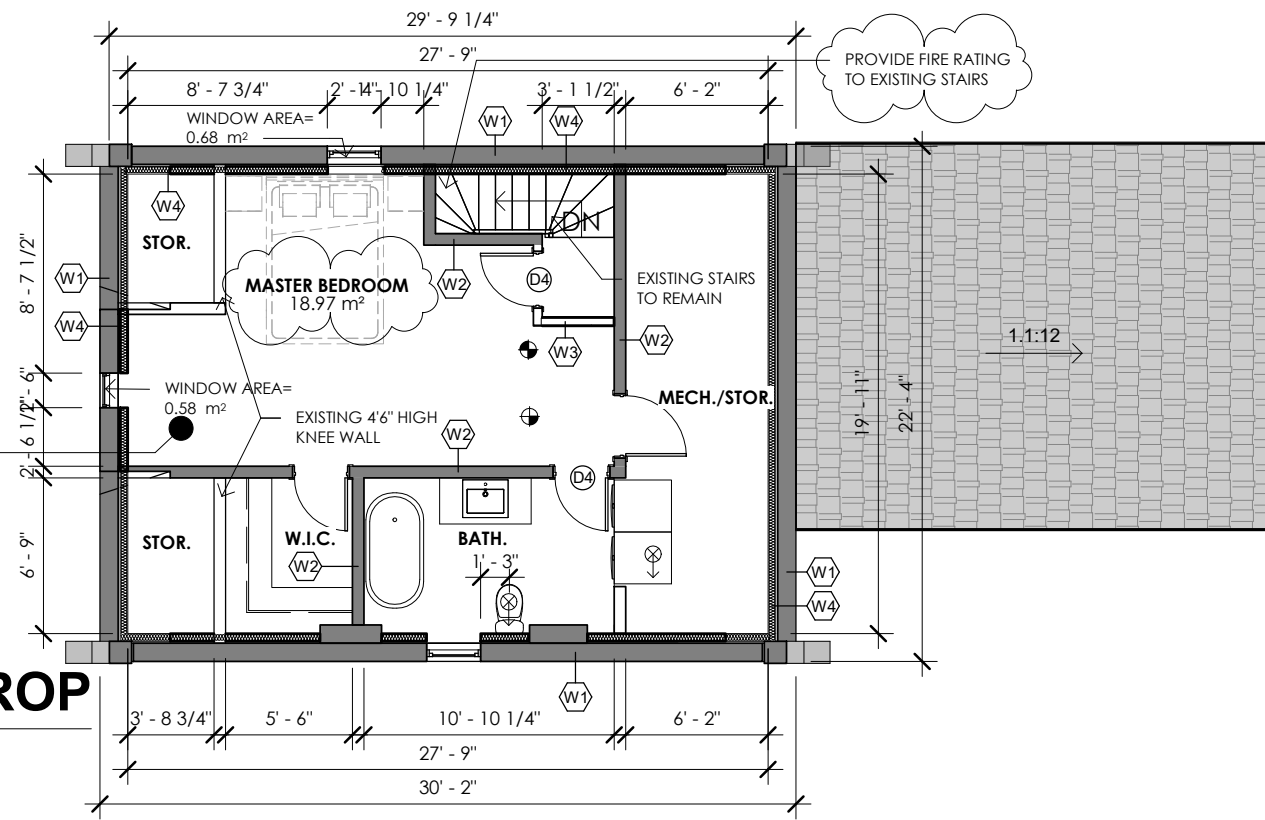
Registration Information
 Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS Firm Name BCIN 09099

EXISTING FLOOR PLANS		A1.02
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	Scale 1/8" = 1'-0"



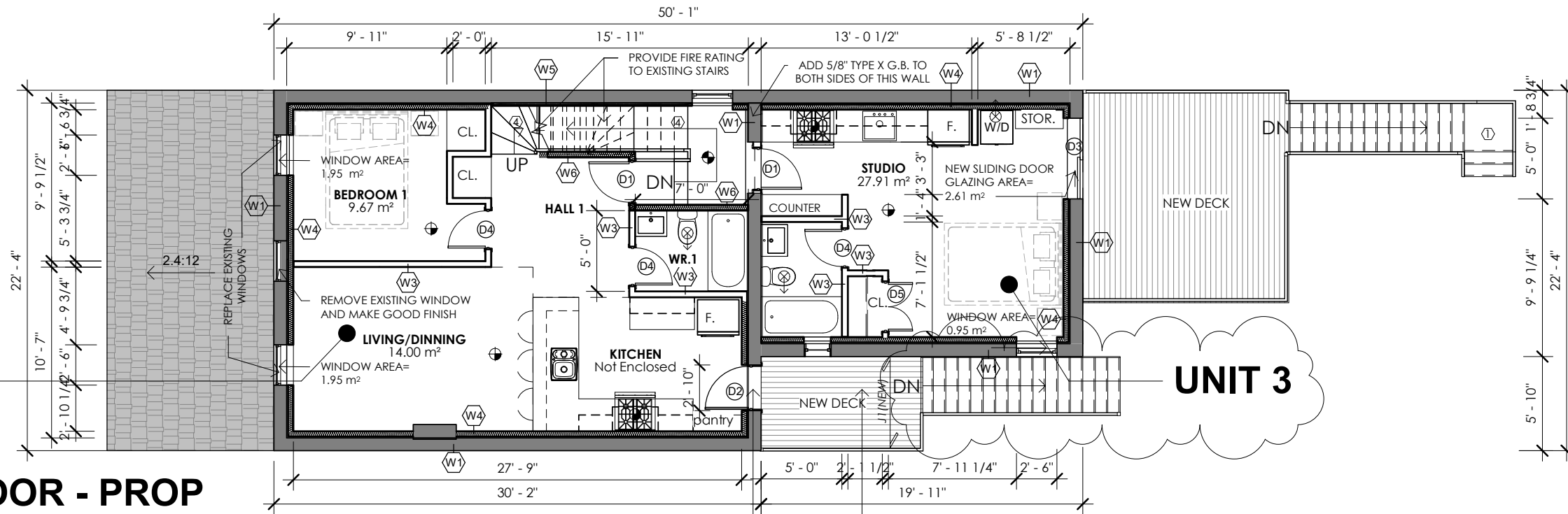
UNIT 2



2 THIRD FLOOR - PROP

1 : 100
 EXISTING GFA = 673.7 S.F.
 NEW GFA = 0 S.F.

UNIT 2



1 SECOND FLOOR - PROP

1 : 100
 EXISTING GFA = 1002 S.F.
 NEW GFA = 0 S.F.

UNIT 3



ACCESSORY DWELLING UNITS @
 91 WELLINGTON ST. S

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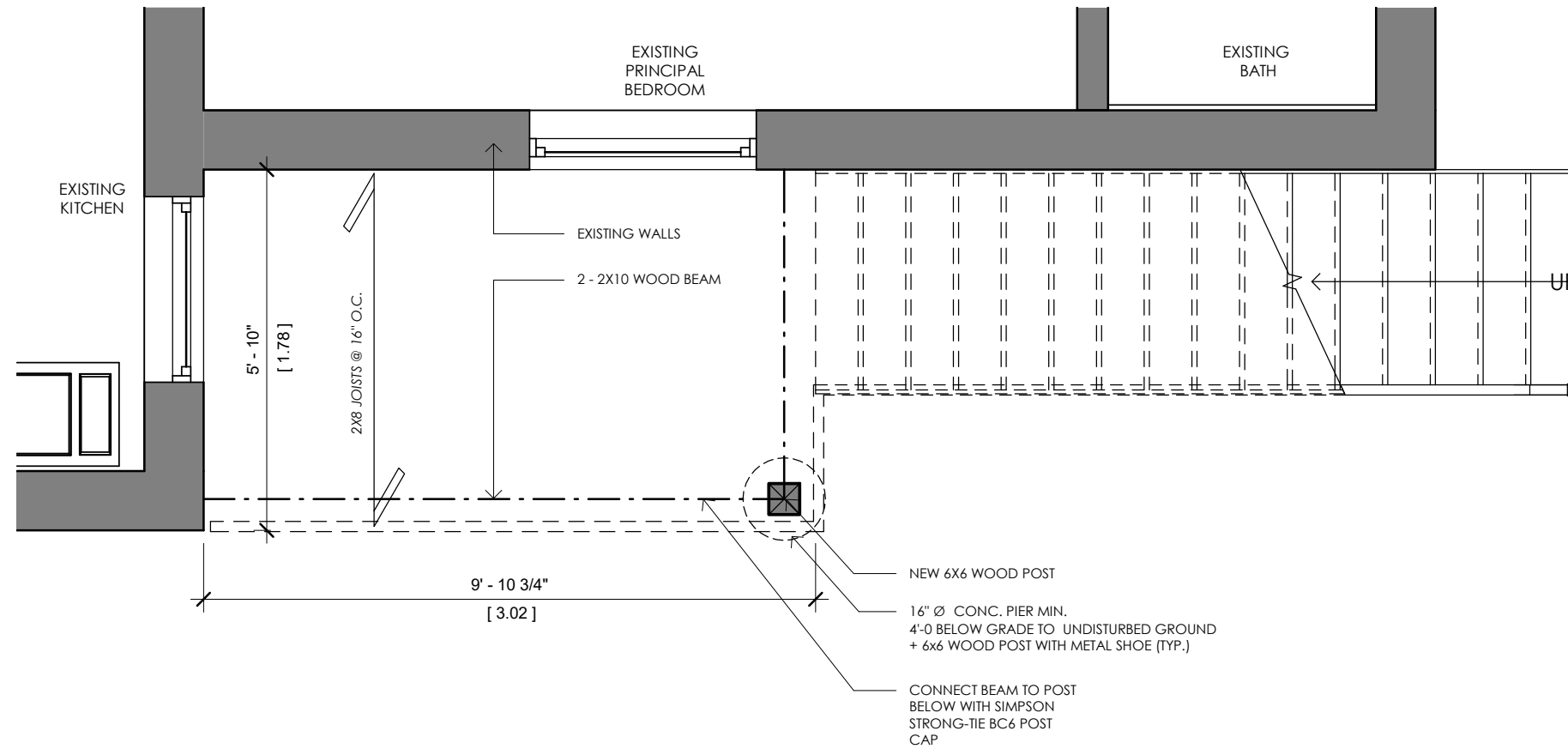
Qualification Information
 Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKER
 Name Signature BCIN

Registration Information
 Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS
 Firm Name BCIN

PROPOSED FLOOR PLANS		
Project number	0099	A1.03 Scale 1 : 100
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	



1 **NEW DECK PLAN**
3/8" = 1'-0"



ACCESSORY DWELLING UNITS @
91 WELLINGTON ST. S

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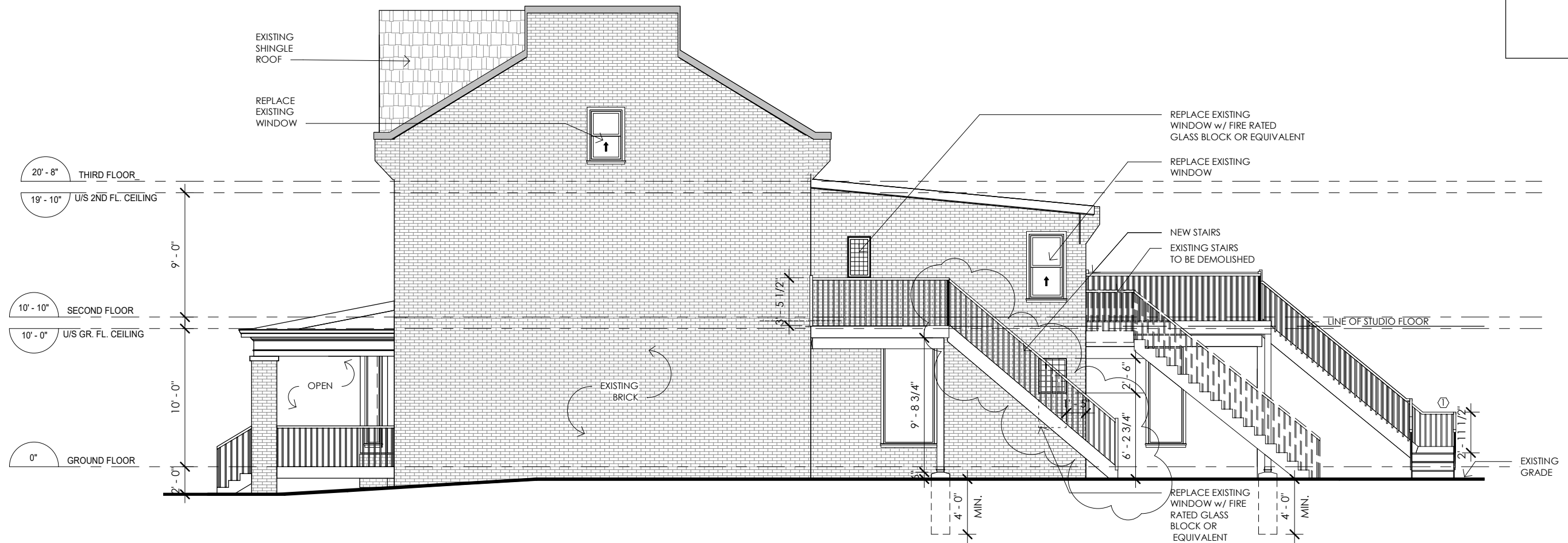
Qualification Information
Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKR
Name Signature BCIN

Registration Information
Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS
Firm Name BCIN

PROPOSED FLOOR PLANS		
Project number	0099	A1.04 Scale 3/8" = 1'-0"
Date	August 27, 2021	
Drawn by	Author	
Checked by	Checker	



1 SOUTH ELEVATION
1/8" = 1'-0"



ACCESSORY DWELLING UNITS @
91 WELLINGTON ST. S

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.

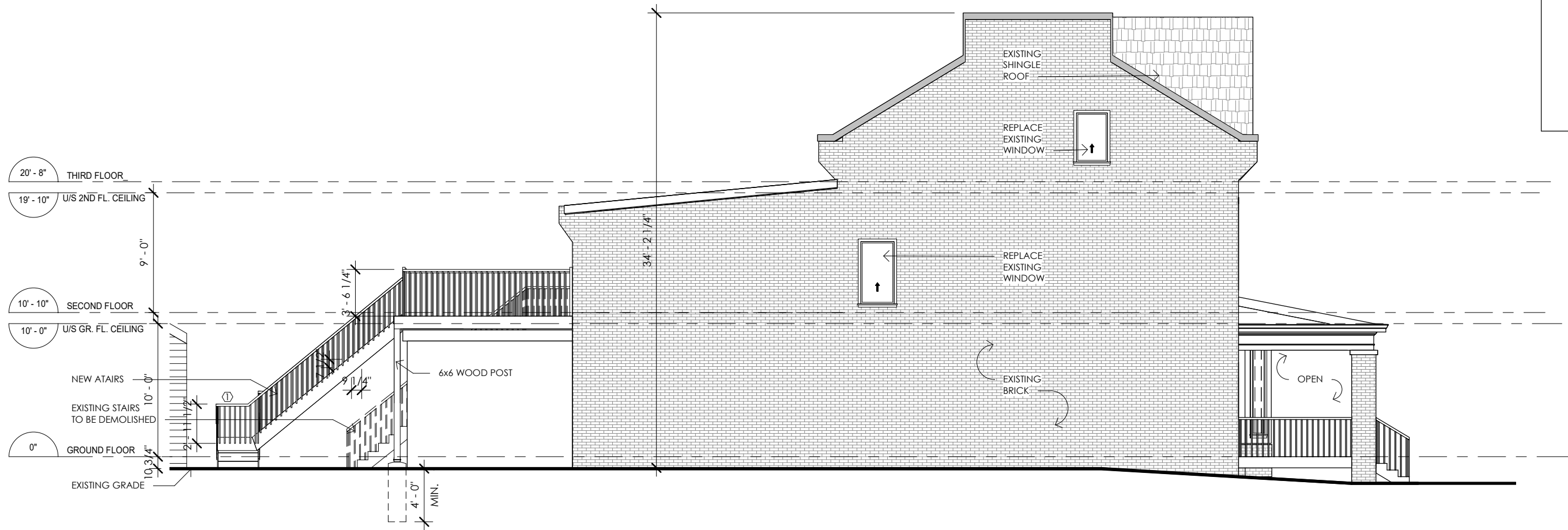
Qualification Information
Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKR Name
Signature
09099 BCIN

Registration Information
Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS Firm Name
09099 BCIN

ELEVATION		A2.03
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	Scale 1/8" = 1'-0"



1 NORTH ELEVATION
1 : 100



ACCESSORY DWELLING UNITS @
91 WELLINGTON ST. S

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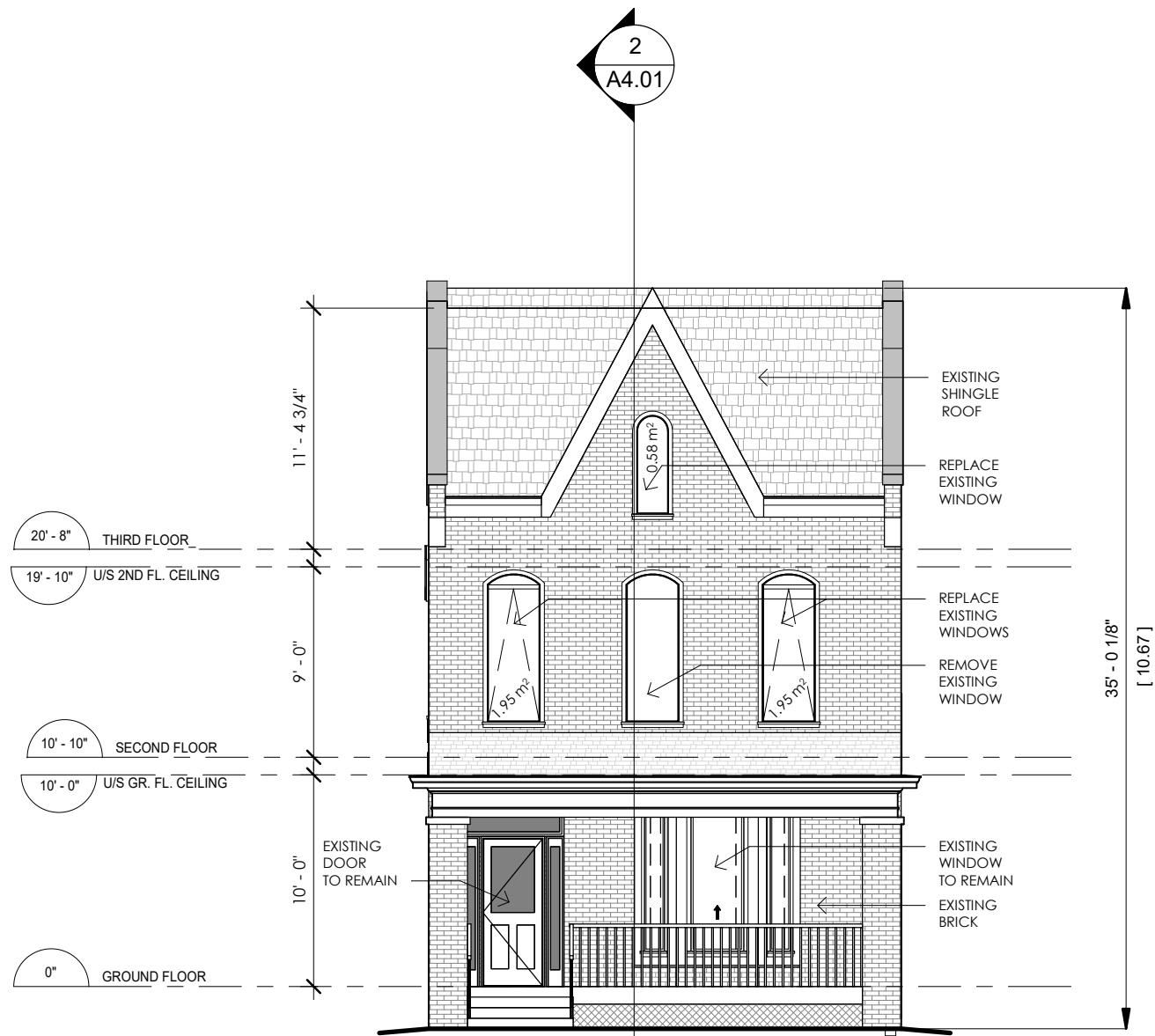
Qualification Information
Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKUR Name
Signature
09099 BCIN

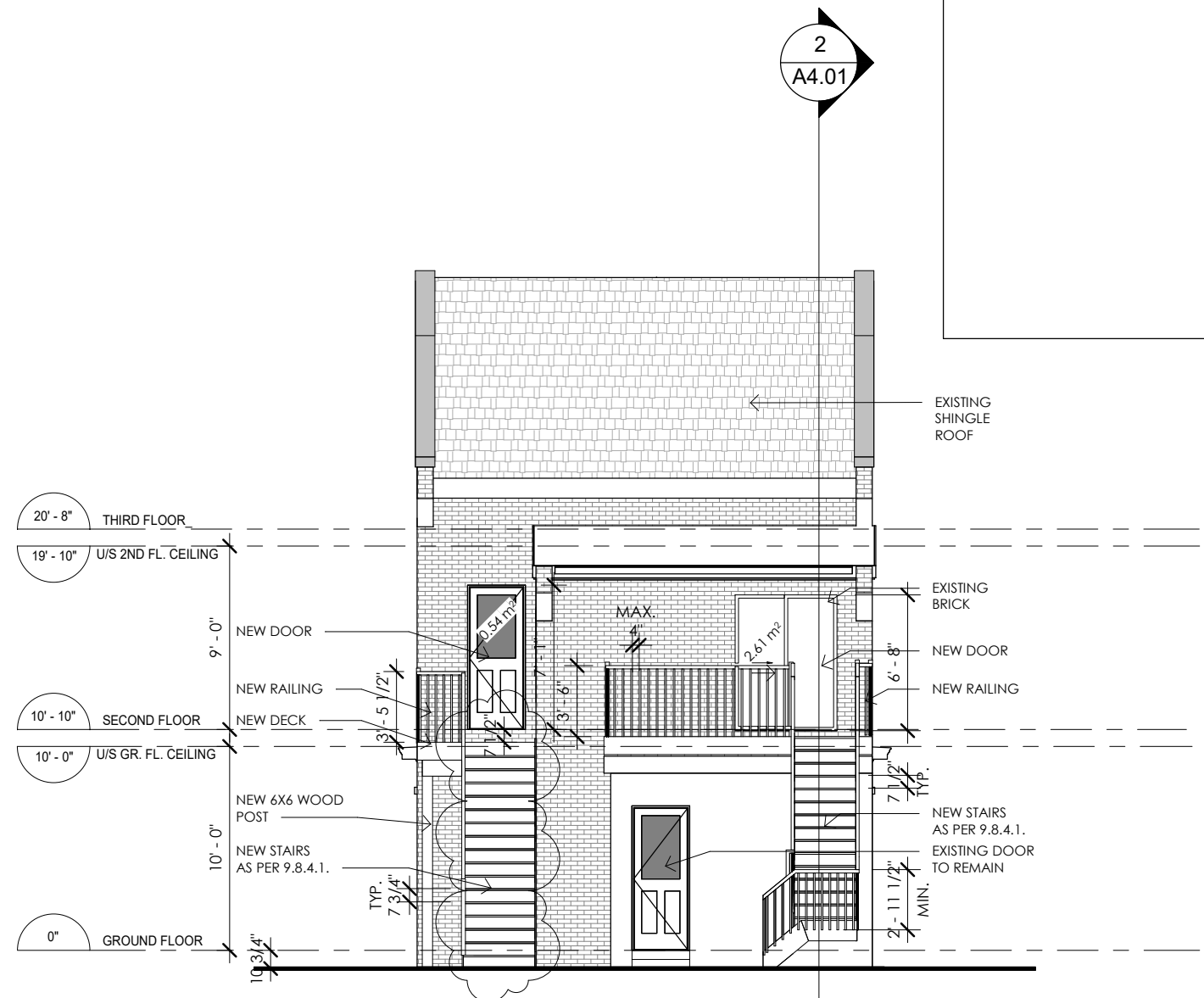
Registration Information
Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS Firm Name
09099 BCIN

ELEVATION		A2.02
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	Scale 1 : 100



1 WEST ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



ACCESSORY DWELLING UNITS @
91 WELLINGTON ST. S

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Qualification Information
Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.

ALAM MAKR Name
Signature
BCIN 09099

Registration Information
Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Code.

INTEQUA DESIGNS Firm Name
BCIN 09099

ELEVATIONS		A2.01
Project number	0099	
Date	August 27, 2021	
Drawn by	AM	
Checked by	JA	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	
Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:
 Maria Fara-on
 55 Lorraine Dr
 M2N 2E3
 North York

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 "List of Variances"

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

1. There is no room to make the studio better. However, the building code does allow studio with the proposed area.
2. The existing deck is old and in need in repair.

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):

350576CD Plan number
91 Wellington St South
Conversion of SFD to Triplex

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.

09/13/2021

Date



Signature Property Owner(s)

Maria Fara-on

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	7.83 m
Depth	37.03 m
Area	281.77 m ²
Width of street	14 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: _

Ground Floor Area: 110.15 m² --- Width: 6.81 m

Second Floor Area: 9.12 m² --- Length: 19.15 m

Third Floor Area : 62.59 m² Height: 10.67

Number of stories: 3



Proposed

No addition to ground floor area, gross floor area, number of stories, width, length, height, etc.

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

Existing:

Principle Building: Front = 4.25 m, Rear = 13.64 m, Side = 0.80 m, 0.94 m

Detached Garage: Front = 28.35 m, Rear = 1.98 m, Side = 0.13 m, 0.07m

Proposed:

(No Changes to setbacks)

13. Date of acquisition of subject lands:
08/25/2020
-
14. Date of construction of all buildings and structures on subject lands:
1940
-
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 - 81 years
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 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:
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.

Folder Name: 91 Wellington Ave South
Application Number: 2021 135126 000 00 R9

ITEM DESCRIPTION

Hamilton Zoning By-law 6593

1. Each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1m (6.9 ft.), but excluding the area of any porch, veranda or other such space which cannot lawfully be used as living quarters. The proposed studio floor area is 27.91 square metres.
[Pursuant to Section 19(2)(i)]

2. Except as permitted in clause (iii), the external appearance and character of the dwelling shall be preserved. The existing deck is old and in need in repair. Therefore a new deck is proposed.
[Pursuant to Section 19(2)(ii)]

3. 1.33 (4) parking spaces are required for a three-family dwelling. Only 2 parking spaces are available on site. However, ample parking is available on both side of the street 24/7, 365 days a year. In addition multiple public transit are available near by.
[Pursuant to Section 18A(1)(a) and Table 1(d)]

4. A total of 0.33 (1) visitor parking spaces shall be provided for a three-family dwelling. 0 parking spaces are available on the property. However, ample parking is available on both side of the street 24/7, 365 days a year. In addition multiple public transit are available near by.
[Pursuant to Section 18A(1)(b) and Table 2 (6)]



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-21:361

APPLICANTS: Agent Lisa Cockwell
 Owner Sean Balog

SUBJECT PROPERTY: Municipal address **10 Bayside Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 99-170 and 19-277

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

PROPOSAL: To permit the construction a second storey addition and a carport for the existing one storey single family dwelling, notwithstanding that;

1. A minimum front yard depth of 4.51m shall be permitted instead of the minimum 6.0m front yard depth required.
2. A minimum westerly side yard width of 1.2m shall be permitted instead of the minimum 1.7m side yard width required.
3. A minimum easterly side yard width of 0.0m shall be permitted to the proposed carport instead of the minimum 1.7m side yard width required.
4. A minimum parking space width of 2.0m shall be permitted for the parking space within the proposed carport.
5. A manoeuvring space having a minimum aisle width of 5.7m shall be permitted instead of the minimum 6.0m manoeuvring space aisle width required.
6. An access driveway having a minimum width of 2.5m shall be permitted instead of the minimum 2.8m access driveway width required.

Notes: The lands are subject to Site Plan Control.

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

DATE: Thursday, November 4th, 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

HM/A-21: 361

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



1 NORTH ELEVATION
 2 SCALE: $\frac{3}{16}'' = 1'-0''$



2 WEST ELEVATION
 2 SCALE: $\frac{3}{16}'' = 1'-0''$

CHARLES LINSEY & ASSOCIATES LIMITED
 37 Main Street South, Tel: (905) 548-7607
 PO Box 1479, Info@charleslinsey.com
 Waterdown, On L0R 2H0 www.charleslinsey.com

THIS DRAWING IS NOT TO BE USED AS PART OF A BUILDING PERMIT APPLICATION

THIS DRAWING IS FOR DISCUSSION PURPOSES ONLY

REV.	DESCRIPTION	DATE
A	FOR DISCUSSION	AUG 17/21
B	FOR DISCUSSION	AUG 26/21
C	FOR DISCUSSION	AUG 30/21
D	FOR DISCUSSION	SEP 23/21
F	FOR MINOR VARIANCE APPLICATION	SEP 29/21

client
 HOME OWNER

project
 10 BAYSIDE AVENUE
 HAMILTON, ONTARIO
 PROJECT No. 21-088

title
 NORTH & WEST ELEVATION

drawn	L.C.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	F	drawing number	2



1 SOUTH ELEVATION
3 SCALE: $\frac{3}{16}'' = 1'-0''$



2 EAST ELEVATION
3 SCALE: $\frac{3}{16}'' = 1'-0''$

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client
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project
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HAMILTON, ONTARIO**
PROJECT No. 21-088

title
SOUTH & EAST ELEVATIONS

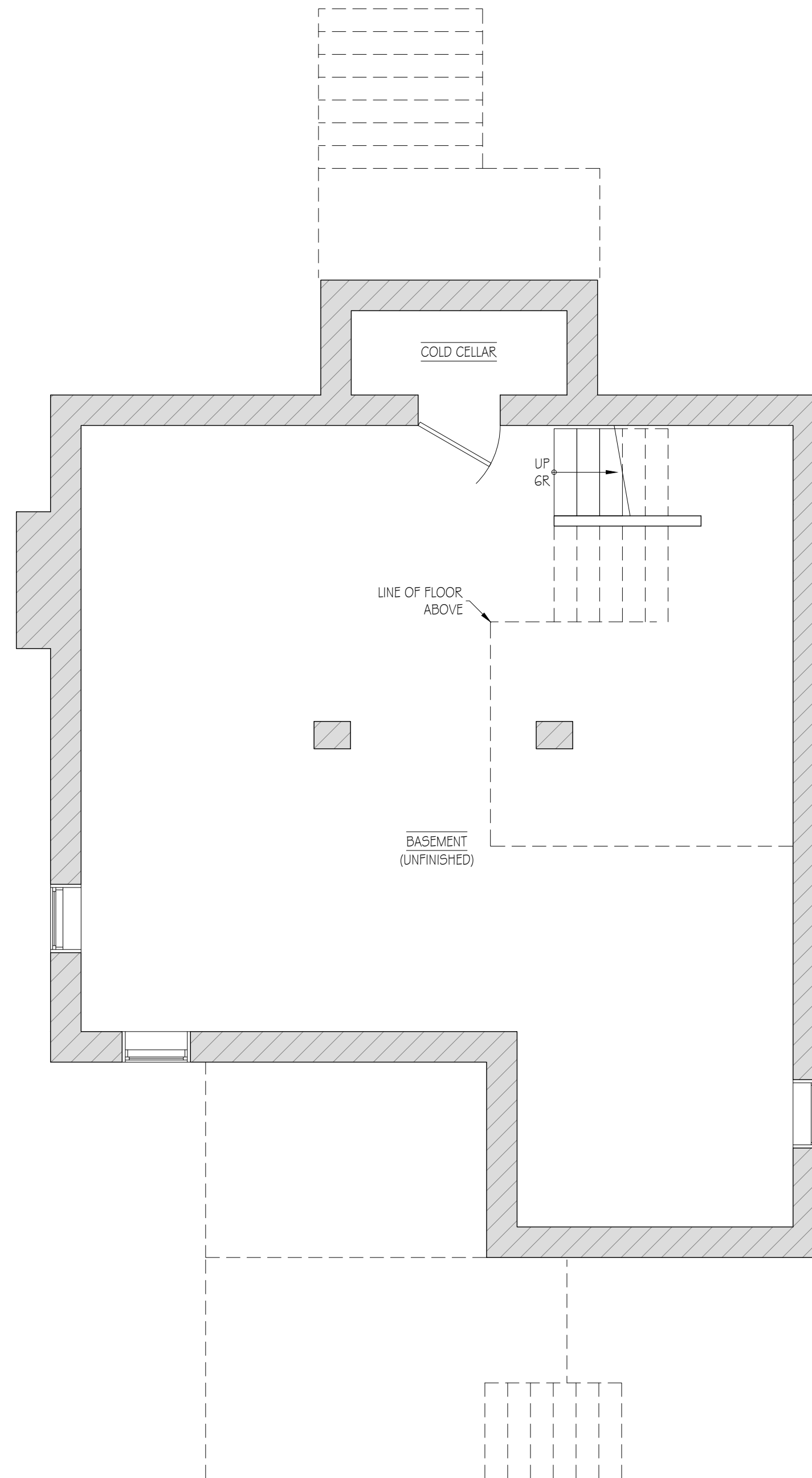
drawn	L.C.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	F	drawing number	3



TRUE



CONSTRUCTION



CHARLES LINSEY & ASSOCIATES LIMITED

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client
HOME OWNER

project
**10 BAYSIDE AVENUE
 HAMILTON, ONTARIO**
 PROJECT No. 21-088

title
BASEMENT FLOOR PLAN

drawn	L.C.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	F	drawing number	4

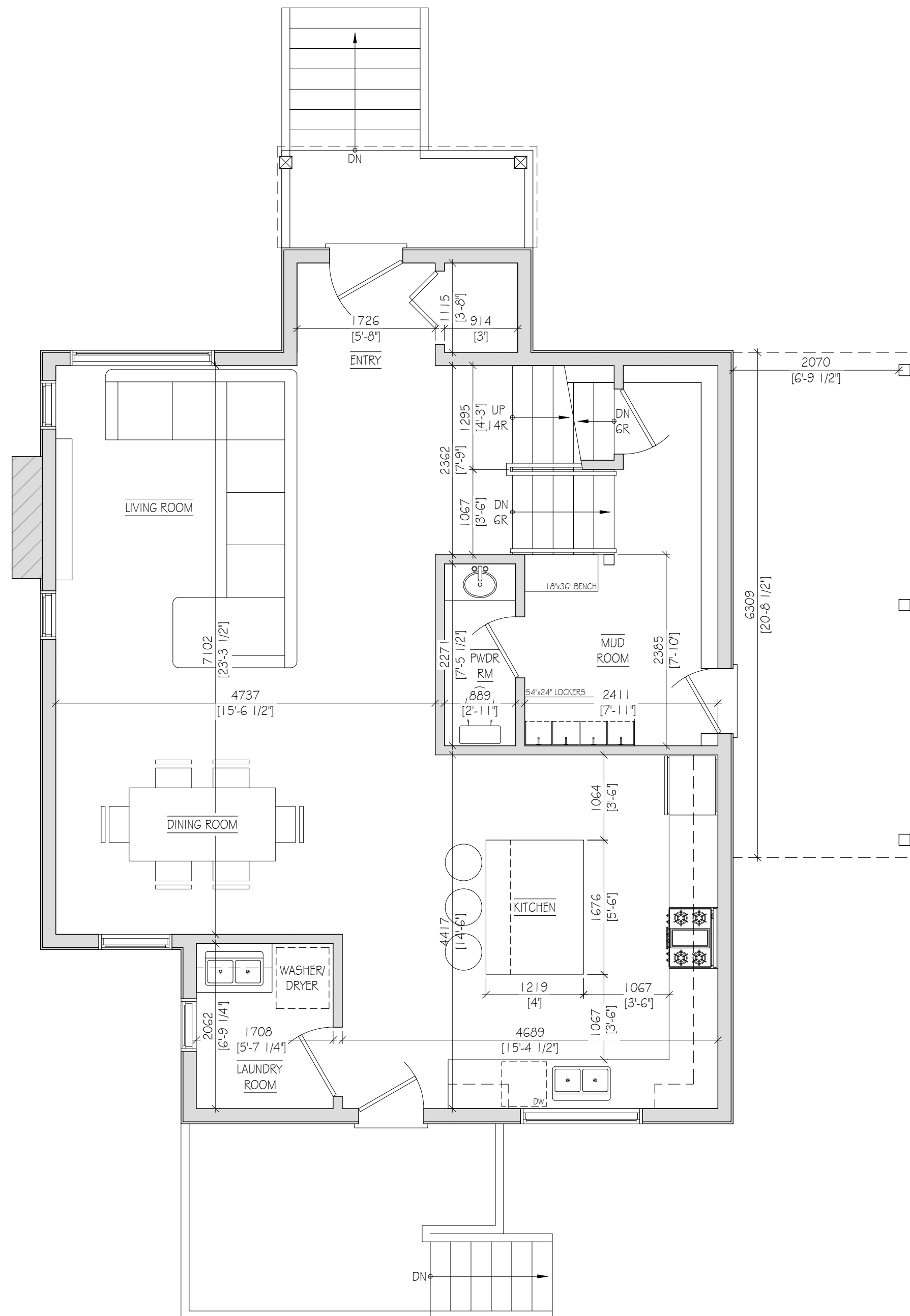
1 BASEMENT FLOOR PLAN
 4 SCALE: 1/4" = 1'-0"



TRUE



CONSTRUCTION



1 MAIN FLOOR PLAN
5 SCALE: 1/4" = 1'-0"



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client
HOME OWNER

project
**10 BAYSIDE AVENUE
HAMILTON, ONTARIO**
PROJECT No. 21-088

title
MAIN FLOOR PLAN

drawn	L.C.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	F	drawing number	5



TRUE



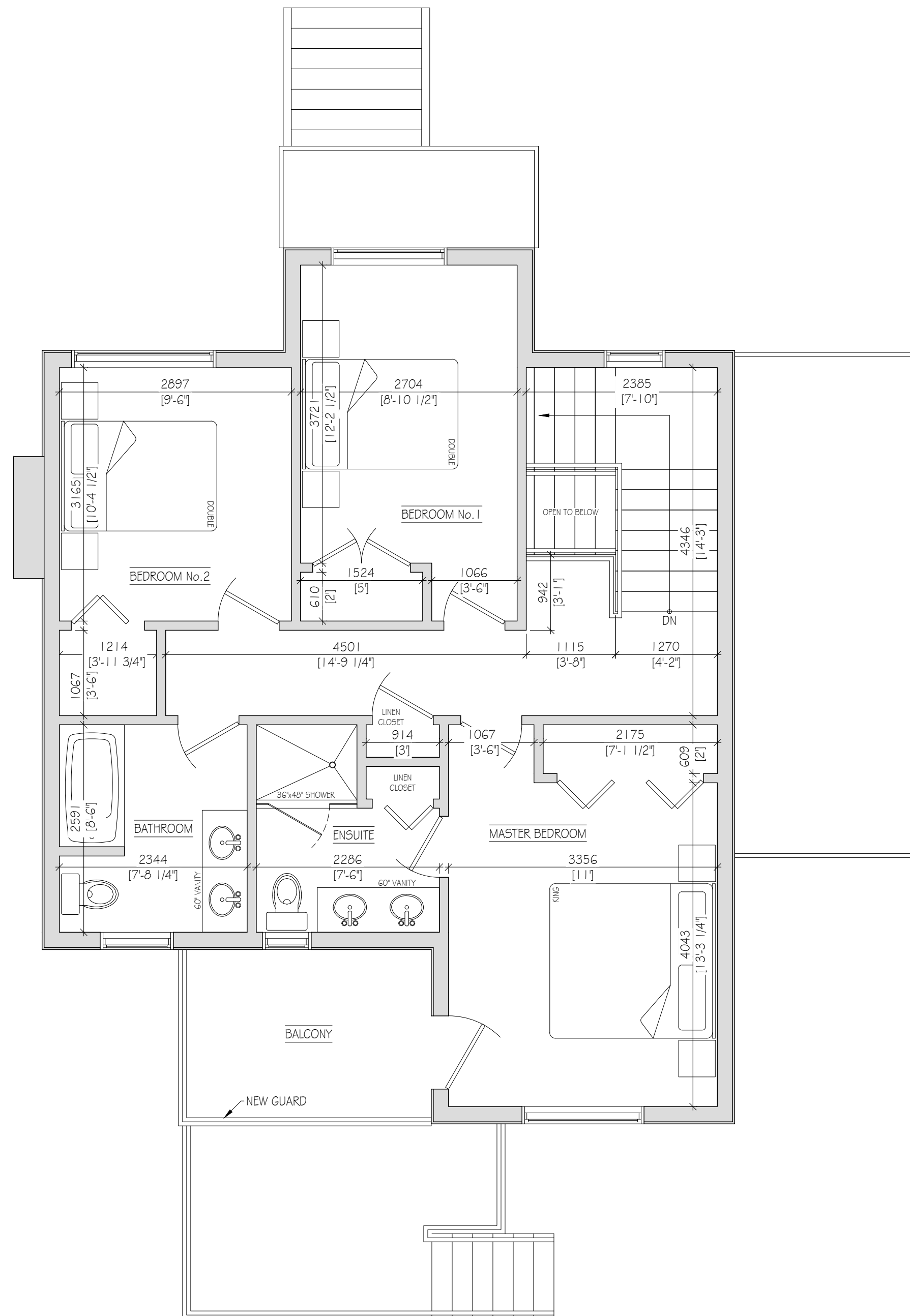
CONSTRUCTION



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1 SECOND FLOOR PLAN
 6 SCALE: 1/4" = 1'-0"

REV.	DESCRIPTION	DATE
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client
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project
 10 BAYSIDE AVENUE
 HAMILTON, ONTARIO
 PROJECT No. 21-088

title
 SECOND FLOOR PLAN

drawn	L.C.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	F	drawing number	6

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	ADDRESS
--	------	---------

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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:

Building beyond the front & East side yard setback lines and any other variances as determined by the zoning examiner.

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

The existing front portion of the house was built within the current front yard setback which interferes with constructing a full second storey directly over top of the existing first storey.

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**):

10 Bayside Avenue,
Hamilton, Ontario
L8H 7B4

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.

09/30/2021
Date


Signature Property Owner

Sean Balog
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>12.40m</u>
Depth	<u>28.44m</u>
Area	<u>352.49m</u>
Width of street	<u>6.71m</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: 83.71m2
Gross Floor Area: 83.71m2
Stories: 1
Width: 9.00m Length: 10.89m Height: 7.36m

Proposed
Ground Floor Area: 83.71m2
Gross Floor Area: 160.67m2
Stories: 2
Width: 11.34m Length: 12.16m Height: 8.68m

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: 4.51m
West Side Yard: 1.27m
East Side Yard: 2.51m
Rear Yard: 13.04m

Proposed:
Front Yard: 3.24m
West Side Yard: 1.27m
East Side Yard: 0.30m
Rear Yard: 13.04m

13. Date of acquisition of subject lands:
July 2021
-
14. Date of construction of all buildings and structures on subject lands:
Pre 1955
-
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:
Always
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
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.