



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 22-02
Date: February 3, 2022
Time: 1:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall (RM)

All electronic meetings can be viewed at:

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

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

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

	Pages
1. PREVIOUSLY TABLED	
2. SUBURBAN	
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2.2. 1:20 p.m.AN/A-21:434586 Tradewind Dr., Ancaster (Ward 12) Agent Lanca Contracting Ltd. P. Bisanti Owner 1978771 Ontario Inc. S. Modi	19
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- 2.4. 1:30 p.m.AN/A-21:439163 Falling Brook Dr., Ancaster (Ward 12) 35
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- 2.5. 1:35 p.m.AN/A-12:44052 Jerseyville Rd. E., Ancaster (Ward 12) 43
Agent Scott Wood
Owner Gazmend Berisha
- 2.6. 1:40 p.m.GL/A-21:44173 Aeropark Boulevard, Glanbrook (Ward 11) 59
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- 2.7. 1:45 p.m.SC/A-21:442244 Federal St., Stoney Creek (Ward 10) 71
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Owner Miranda Muraca
- 2.8. 1:50 p.m.HM/A-21:446982 West 5th St., Hamilton (Ward 8) 85
Owner Rob Lalli
- 2.9. 1:55 p.m.SC/A-21:44710 Community Ave., Stoney Creek (Ward 10) 93
Agent Urban Solutions M. Johnston
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- 2.10. 2:00 p.m.SC/B-21:11961 Upper Mount Albion Rd., Stoney Creek (Ward 9) 105
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Owner 2324780 Ontario Inc.
- 2.11. 2:00 p.m.SC/A-21:44861 Upper Mount Albion Rd., Stoney Creek (Ward 9) 121
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- 2.12. 2:05 p.m.HM/B-21:123541 Stone Church Rd. W., Hamilton (Ward 14) 129
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Owner 1371981 Ontario Inc.

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Owner 1371981 Ontario Inc. | 141 |
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Owner Joze Fabjan | 149 |
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Owner M. Meade & S. Ferri | 161 |
| 3.2. | 2:20 p.m.HM/A-21:437237 Broadway Ave., Hamilton (Ward 1)

Agent Batory Planning & Development C. Langley
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 Corp. A. Roberts
- 4.5. 3:10 p.m.FL/A-21:44559 Brian Boulevard, Flamborough (Ward 15) 313
 Agent T. Johns Consulting Group c/o K. Gillis
 Owner Northern Cardinal Developments Ltd. c/o Agro Development
 Corp. A. Roberts

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.: HM/A-21:433

APPLICANTS: Agent Urban Solutions c/o M. Johnston
 Owner Luina Local 837 c/o R. Persi

SUBJECT PROPERTY: Municipal address **536 Upper Paradise Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 01-197

ZONING: "DE/S-1449" (Low Density Multiple Dwellings) district

PROPOSAL: To permit a proposed 160 m² General Office or Medical Office (to be located in the northeast corner) within the existing building known as Regina Gardens Long Term Care Residence (located on Block 3 & 4 of By-Law 01-097) notwithstanding that;

1. The proposed use of a stand-alone general office or medical office shall be permitted notwithstanding that the uses are not permitted in the current zoning designation; and
2. A minimum of zero parking spaces shall be permitted instead of the minimum required 9 parking spaces for a medical clinic.

Notes; Variances have been written as requested by the applicant. Please note that a General Office less than 450 .0 m² in GFA does not require parking

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

DATE: Thursday, February 3rd, 2022
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.

HM/A-21: 433

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MORE INFORMATION

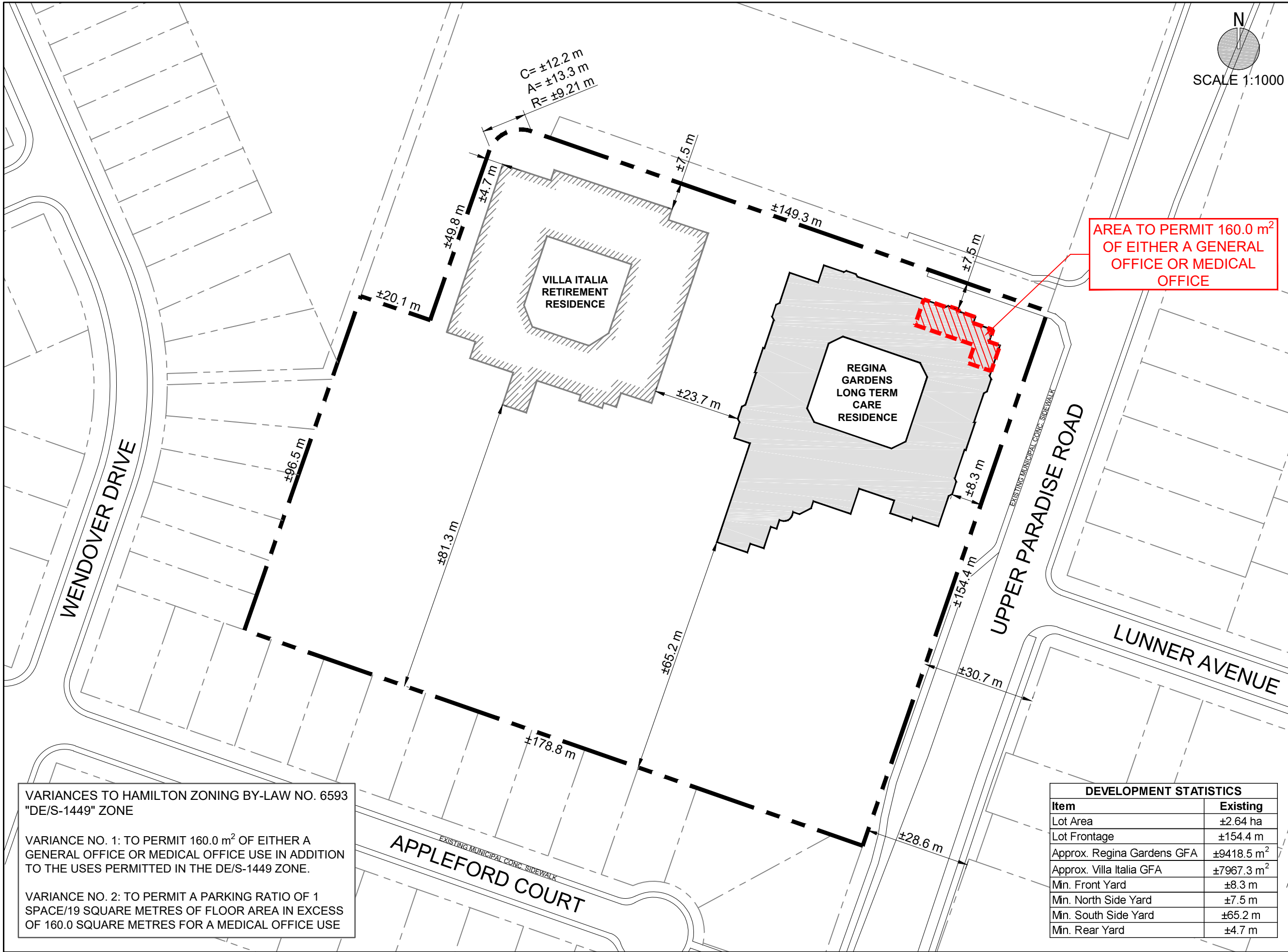
For more information on this matter, including access to drawings illustrating this request:

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

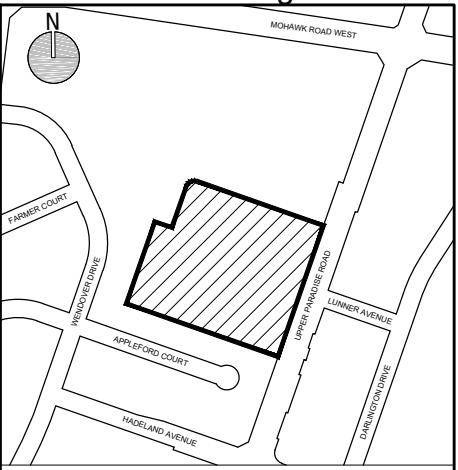
DATED: January 18th, 2021.

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.



N
 SCALE 1:1000



KEY MAP - N.T.S.

SCALE: 1:1000 METRES
 0 5 10 20 30

- LEGEND:
- SUBJECT LANDS
 - - - PROPERTY BOUNDARIES
 - ▒ SUBJECT BUILDING
 - ▨ EXISTING BUILDING
 - ▧ INTERIOR AREA SUBJECT TO MINOR VARIANCE

NOT FOR CONSTRUCTION
 ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: S. ERICKSON CHECKED BY: M. JOHNSTON
 DRAWN BY: S. ERICKSON DATE: NOVEMBER 30, 2021



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

PROJECT:
536 UPPER PARADISE ROAD
 CITY OF HAMILTON

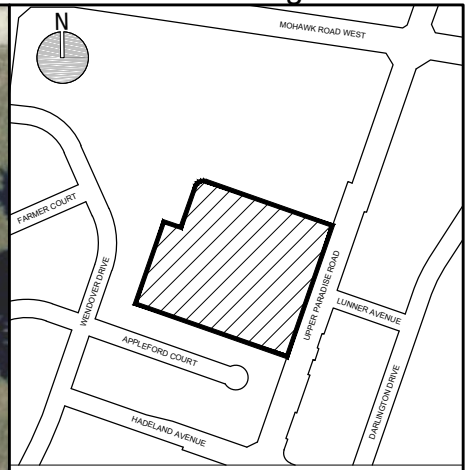
CLIENT:
LIUNA LOCAL 837 NURSING HOME II LIMITED PARTNERSHIP

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 421-21 SHEET NUMBER: 1

VARIANCES TO HAMILTON ZONING BY-LAW NO. 6593 "DE/S-1449" ZONE
 VARIANCE NO. 1: TO PERMIT 160.0 m² OF EITHER A GENERAL OFFICE OR MEDICAL OFFICE USE IN ADDITION TO THE USES PERMITTED IN THE DE/S-1449 ZONE.
 VARIANCE NO. 2: TO PERMIT A PARKING RATIO OF 1 SPACE/19 SQUARE METRES OF FLOOR AREA IN EXCESS OF 160.0 SQUARE METRES FOR A MEDICAL OFFICE USE

DEVELOPMENT STATISTICS	
Item	Existing
Lot Area	±2.64 ha
Lot Frontage	±154.4 m
Approx. Regina Gardens GFA	±9418.5 m ²
Approx. Villa Italia GFA	±7967.3 m ²
Min. Front Yard	±8.3 m
Min. North Side Yard	±7.5 m
Min. South Side Yard	±65.2 m
Min. Rear Yard	±4.7 m



KEY MAP - N.T.S.
 SCALE: 1:1000 METRES
 0 5 10 20 30

- LEGEND:
- SUBJECT LANDS
 - PROPERTY BOUNDARIES
 - SUBJECT BUILDING
 - EXISTING BUILDING
 - INTERIOR AREA SUBJECT TO MINOR VARIANCE

NOT FOR CONSTRUCTION
 ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
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DESIGN BY: S. ERICKSON CHECKED BY: M. JOHNSTON
 DRAWN BY: S. ERICKSON DATE: NOVEMBER 30, 2021

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT

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

PROJECT:
536 UPPER PARADISE ROAD
 CITY OF HAMILTON

CLIENT:
LIUNA LOCAL 837 NURSING HOME II LIMITED PARTNERSHIP

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 421-21 SHEET NUMBER: 1

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Min. Rear Yard	±4.7 m



December 2, 2021

421-21

Via Email and Delivered

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 536 Upper Paradise Road, Hamilton
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions), has been retained to act as the authorized planning consultant for LiUNA Local 837 Nursing Home II Limited Partnership, registered owner of the lands known municipally as 536 Upper Paradise Road, in the City of Hamilton. On behalf of the owners, has prepared the enclosed Minor Variance application for the City of Hamilton.

The subject lands share the property with the Villa Italia Retirement Residence and the Regina Gardens Long Term Care Residence, which opened its doors in 2004. The Regina Gardens Long Term Care Residence is specifically the subject of the Minor Variance application. The building is home to 128 residents requiring 24-hour nursing care. The initial structure contained a 150.0 m² daycare in the northeast wing of the building, which was later used by Affiliated Services for Children and Youth as a professional office for children's mental health from 2013 onwards as indicated on the enclosed Floor Plans. During the COVID-19 pandemic, Affiliated Services for Children and Youth could no longer afford to use the space as their office. Now the Regina Gardens Long Term Care Residence is seeking to expand the permitted uses applicable to the subject lands to accommodate a different office use. This will help to utilize the existing office space which is currently vacant and mitigate the financial implications of losing the Affiliated Services for Children and Youth as a tenant.

The subject lands are designated as "Neighbourhoods" in the Urban Hamilton Official Plan. Additionally, the property is located in the Low Density Multiple Dwellings, Etc. "DE/S-1449" District in the City of Hamilton Zoning By-law No. 6593. A site specific Zoning by-law No. 01-097 also applies to the lands which was passed on May 29, 2001 to facilitate the proposed built form on site and to allow for a professional office for children's mental health as a permitted use. The site specific Zoning By-law accommodated the previous tenants of the space subject to this application.

The Minor Variance application is required to permit a proposed office use within the existing building on the subject lands. This Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law No. 6593 with respect to the Low Density Multiple Dwellings “DE/S-1449” District as follows:

- **Variance No. 1:** To permit 160.0 m² of either a General Office or Medical Office use in addition to the uses permitted in the DE/S-1449 Zone.
- **Variance No. 2:** To permit a parking ratio of 1 space/19 square metres of floor area in excess of 160.0 square metres for a Medical Office use.

To assist in the evaluation of this application, please refer to the enclosed Committee of Adjustment Sketch.

In accordance with Section 45(2)(a)(ii) of the *Planning Act*, the Committee may permit the use of a building for a purpose that, in the opinion of the Committee, is similar to the purpose for which it was used on the day the applicable by-law was passed. The first proposed variance regarding permitted uses should accordingly be evaluated against Section 45(2)(a)(ii) of the *Planning Act*. The proposed variance would permit uses which are similar in nature to the professional office for children’s mental health that was approved to be permitted on the subject lands through Zoning By-law No. 01-197. Further, the Medical Office use specifically aligns with the health-focused function of the existing Regina Gardens Long Term Care facility and would be a compatible and appropriate accessory use.

Justification for the second proposed variance has been provided below in accordance with Section 45(1) of the *Planning Act*:

1. Is the proposed minor variance in keeping with the general purpose and intent of the Urban Hamilton Official Plan?

The subject lands are designated as “Neighbourhoods” in the Urban Hamilton Official Plan which permits the proposed use of the lands. Chapter E, Section 3.1.2 indicates that one of the policy goals of the Neighbourhoods designation is to develop neighbourhoods as complete communities where people can live, work, shop, learn and play. As outlined in Chapter E, Section 3.2.3(d) of the Official Plan, local commercial uses are permitted within lands designated as Neighbourhoods. Further, Chapter E, Section 3.2.15 of the UHOP encourages the adaptive reuse of the existing building stock for appropriate land uses. The intent of these policies is to encourage and accommodate compatible forms of land uses, including commercial uses, within existing building stock which is exemplified in the subject application. The Minor Variance related to the required parking ratio for a Medical Office use aids in facilitating the adaptive reuse of an unused portion of the Regina Gardens facility. As such, the variance being requested is in keeping with the purpose and intent of the Urban Hamilton Official Plan.

2. Is the proposed minor variance in keeping with the general purpose and intent of the Zoning By-law?

The subject property is located in the Low Density Multiple Dwellings “DE/S-1449” District, in Zoning By-law No. 6593.

The variance requested is to permit a minimum parking ratio of 1 space per 19 square metres of floor area in excess of 160.0 square metres for a Medical Office use within the existing building located on the subject lands. The intent of Section 18A, Table 1 of Zoning By-law No. 6593, as it relates to this application, is to ensure General Office uses provide parking spaces for the floor area in excess of 450.0 square metres and to provide parking spaces at a rate of 1 per 19 square metres of Medical Office floor area. As the site presently contains a surface parking lot to accommodate the residents and employees of Regina Gardens, there is some parking available should the proposed use(s) require. Additionally, due to the modest size of the proposed office use, it is not anticipated to generate a parking demand that the existing surface parking on site could not accommodate. The proposal requests a parking ratio is similar to that which is attributed to a General Office use and conforms to all other zoning provisions and therefore the overall intent of the Zoning By-law is maintained.

3. Is the proposed minor variance minor in nature?

The proposed variance is minor in nature as the existing built form on site is not proposed to be altered and the requested Medical Office parking ratio is similar to that which is applicable to a General Office use. However, rather than requiring parking spaces for floor area beyond 450.0 m² like the General Office use, the variance we are requesting would require parking at the applicable rate for any floor area beyond 160.0 m² to ensure a level of control for the proposed Medical Office use. This variance will permit the existing condition of built form which is not proposed to be altered. Further, the space allocated to the proposed office uses is 150.0 m² and will not result in a large increase in parking demand on site. Given that all other regulations of the By-law remain and the existing built form is not set to change, the request is consistent with the Zoning By-law and is considered to be minor in nature.

4. Is the proposed minor variance desirable for the appropriate development or use of the land, building or structure?

The requested variance will provide greater flexibility to the registered owner in order to lease the underutilized space within their existing building. As the proposed office uses are similar in nature to the permitted professional office for children’s mental health use, the built form and land use will be in keeping with the character of the surrounding area and represents a use of land that is maintains the intent of the Urban Hamilton Official Plan and Zoning By-law 6593. Additionally, the variance to the parking ratio applicable to the Medical Office use is desirable as the modest size of the office space is not anticipated to generate a parking demand that cannot be accommodated by the existing parking facilities on site. Therefore, the application is desirable and appropriate for the subject lands.


As such, the proposed variances satisfy the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Regina Gardens Long Term Care Facility 1st Floor Plan;
- One (1) copy of the Aerial Minor Variance Sketch completed by UrbanSolutions;
- One (1) copy of the Minor Variance Sketch completed by UrbanSolutions; and,
- One (1) cheque in the amount of **\$3,320.00** made payable to the City of Hamilton.

We look forward to working with City staff in the review of this application. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Scott Beedie, BURPI
Planner

cc: LiUNA Local 837 Nursing Home II Limited Partnership
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc.
Councillor Terry Whitehead, Ward 14, City of 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:

Please refer to cover letter.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to 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**):

536 Upper Paradise Road, Hamilton, ON, L9C 5E3

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
 Agricultural Vacant Other

Other Residential: Long Term Care Residence // Commercial: Professional office for children's mental health

- 8.1 If Industrial or Commercial, specify use Refer to above
- 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?

Consultation with 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.

Nov 26/21
Date


Signature Property Owner(s)

Riccardo Persi
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>+/- 152.60 metres</u>
Depth	<u>+/- 177.10 metres</u>
Area	<u>+/- 25,846.30 square metres</u>
Width of street	<u>+/- 28.40 metres</u>

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

Existing: _

2-storeys, +/- 3,746.3 square metres, +/- 61.2 metres in width
+/- 79.7 metres in length (at longest point), +/- 54.7 metres in length (at shortest point)

Proposed N/A

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

Existing: +/- 7.5 metres from front lot line, +/- 65.8 metres from southern side lot line
+/- 86.6 metres from rear lot line, +/- 8.3 metres from northern side lot line

Proposed: N/A

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
2003
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Long Term Care Residence
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Long Term Care Residence (Villa Italia)
Children's Residence (Affiliated Services for Children and Youth)
17. Length of time the existing uses of the subject property have continued:
17 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods designation in Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Low Density Multiple Dwellings "DE/S-1449" in City of Hamilton Zoning By-law No. 6593
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
- HMA-04:296 - To permit two signs on the property whereas only one is permitted. - APPROVED January 12, 2005
- HMA-05:107 - To permit a day nursery to be located on the subject lands, which fall within the minimum separation distance of 180 metres of another day nursery. - APPROVED May 18, 2005
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
Please refer to cover letter.
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-21:434

APPLICANTS: Agent Lanca Contracting Ltd. c/o P. Bisanti
 Owner 1978771 Ontario Inc. c/o S. Modi

SUBJECT PROPERTY: Municipal address **586 Tradewind Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 10-128 and 18-219

ZONING: "M3, 678 and M3 and 377 and 678" (Prestige Business Park) district

PROPOSAL: To permit the development of the lands through the construction of two (2) multi-tenanted industrial buildings as per Site Plan application DA-18-156, notwithstanding that;

1. A landscaped area having a minimum width of 3.2m shall be permitted to be provided and maintained abutting a street, except for points of ingress and egress instead of the minimum 6.0m wide landscaped area required abutting a street.

Notes: The Zoning By-law also requires a minimum 3.0m wide planting strip between parking spaces and aisles or driveways and a street which may be located within the required landscaped area, except for points of ingress and egress. Please note that the required planting strips or landscaped areas have not been clearly labelled or indicated on the submitted Site Plan from which to determine compliance; therefore, further variances may be required.

The zoning By-law permits a maximum combined gross floor area of 25% of the principle use or 500.0m² whichever is the lesser for accessory retail, showroom area and tasting room. Insufficient details were provided from which to determine compliance; therefore, further variances may be required.

The lands are subject to Site Plan Control application DA-18-156.

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

DATE: Thursday, February 3rd, 2022
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

AN/A-21: 434

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

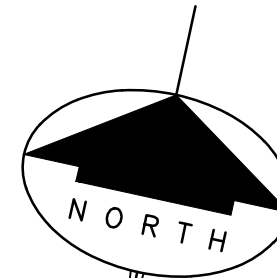
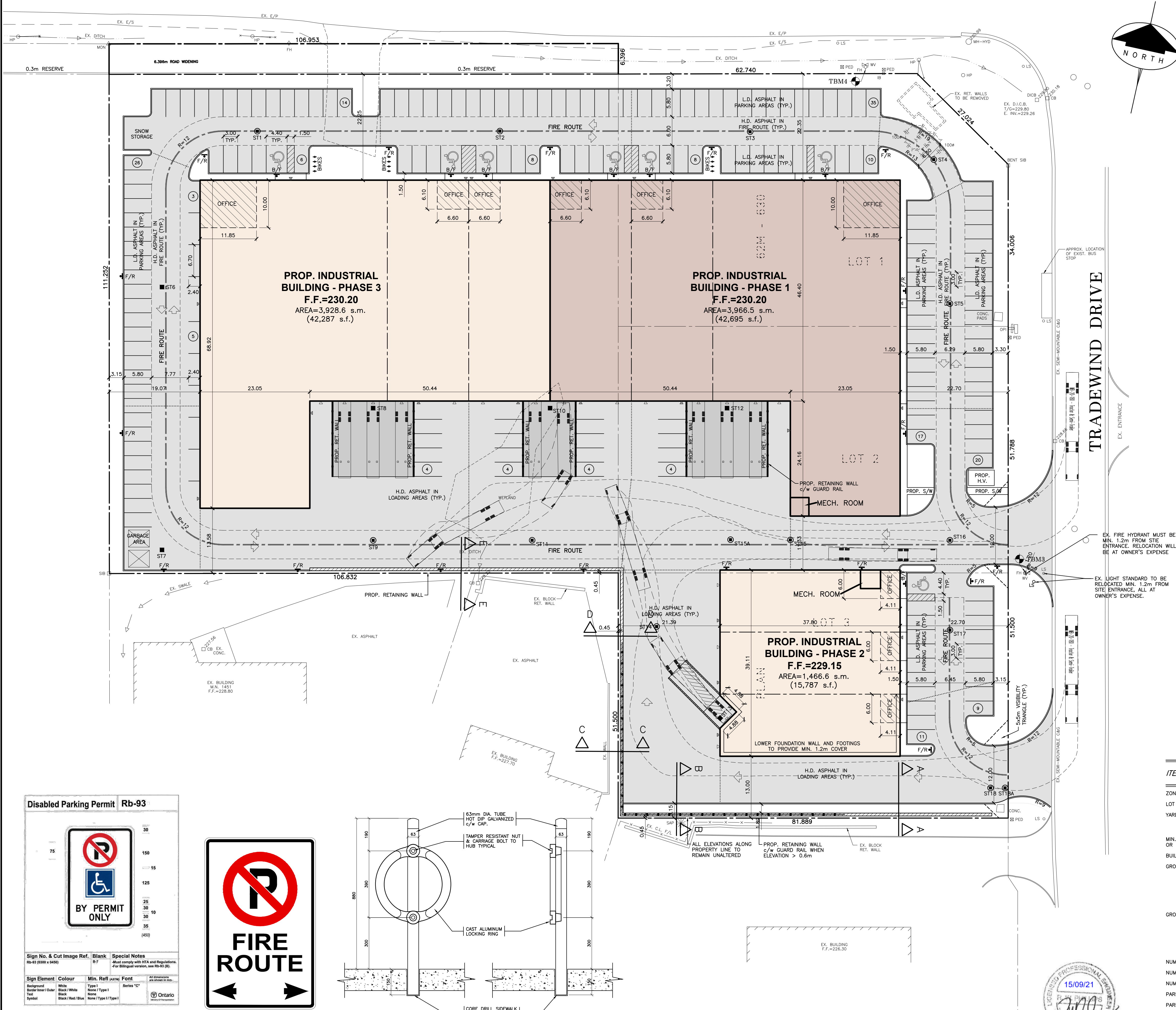
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 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.

WILSON STREET



SPECIAL CONDITION #1 (PRIOR TO THE APPLICATION OF ANY BUILDING PERMIT)
 THAT PRIOR TO THE APPLICATION OF A BUILDING PERMIT, THE OWNER/APPLICANT PROVIDE EVIDENCE IN THE FORM OF E-MAIL CORRESPONDENCE OR WRITTEN LETTER FROM THE MANAGER OF DEVELOPMENT PLANNING, HERITAGE & DESIGN.

SPECIAL CONDITION #2 (PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT)
 THAT PRIOR TO ANY ON-SITE WORKS, THE OWNER/APPLICANT PROVIDE EVIDENCE IN THE FORM OF E-MAIL CORRESPONDENCE OR WRITTEN LETTER FROM THE MANAGER OF DEVELOPMENT PLANNING, HERITAGE AND DESIGN, THAT THE PROPOSED DEVELOPMENT WOULD NOT IMPACT HABITAT FOR SPECIES AT RISK (SAR).

STANDARD CONDITION 2 (b)-TREE MANAGEMENT
 TO PREPARE AND IMPLEMENT A TREE PRESERVATION/ENHANCEMENT PLAN AS PART OF THE REQUIRED LANDSCAPE PLAN HEREINAFTER DESCRIBED IN SECTION 3(c), SHOWING THE LOCATION OF DRIP LINES, EDGES AND EXISTING PLANTINGS, THE LOCATION OF ALL EXISTING TREES AND THE METHODS TO BE EMPLOYED IN RETAINING TREES REQUIRED TO BE PROTECTED, TO OBTAIN APPROVAL THEREOF FROM THE CITY'S MANAGER OF DEVELOPMENT PLANNING, HERITAGE AND DESIGN AND TO IMPLEMENT ALL APPROVED TREE SAVING MEASURES. THE IMPLEMENTATION OF THE PLAN SHALL INCLUDE A VERIFICATION OF TREE PROTECTION LETTER, PREPARED BY A QUALIFIED PROFESSIONAL AND APPROVED TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER.

STANDARD CONDITION 3 (e)
 TO PREPARE A LANDSCAPE PLAN SHOWING PLANTING AND SURFACE DETAILS FOR ALL AREAS NOT COVERED BY BUILDINGS, STRUCTURES, LOADING AREAS OR PARKING AREAS, AND TO OBTAIN APPROVAL THEREOF FROM THE CITY'S MANAGER OF DEVELOPMENT PLANNING, HERITAGE AND DESIGN.

UNDERTAKING
 RE: 1492 WILSON STREET WEST & 586 TRADEWIND DRIVE, HAMILTON (DA-18-156)
 I, (WE) _____, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION: _____

(A) TO COMPLY WITH ALL THE CONTENTS OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(c) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTERS OF APPROVAL DATED _____;

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(c) OF THE SAID ACT, SHOWN ON THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,

(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED _____, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

(E) THAT THE OWNER ACKNOWLEDGE "THE SUBJECT PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. IT IS REASONABLE TO EXPECT THAT ARCHAEOLOGICAL RESOURCES MAY BE ENCOUNTERED DURING ANY DEMOLITION, GRADING, CONSTRUCTION ACTIVITIES, LANDSCAPING, STAGING, STOCKING OR OTHER DISTURBANCES AND THE PROPOSED DEVELOPMENT. ADVISED TO CONDUCT AN ARCHAEOLOGICAL ASSESSMENT PRIOR TO SUCH IMPACTS IN ORDER TO ADDRESS THESE CONCERNS AND MITIGATE THROUGH PRESERVATION OR RESOURCES REMOVAL AND DOCUMENTATION, ADVERSE IMPACTS TO ANY SIGNIFICANT ARCHAEOLOGICAL RESOURCES FOUND. MITIGATION, BY AN ONTARIO-LICENSED ARCHAEOLOGIST, MAY INCLUDE THE MONITORING OF ANY MECHANICAL EXCAVATION ARISING FROM THIS PROJECT. IF ARCHAEOLOGICAL RESOURCES ARE IDENTIFIED ON SITE, FURTHER STAGE 3 SITE SPECIFIC ASSESSMENT AND STAGE 4 MITIGATION OF DEVELOPMENT IMPACTS MAY BE REQUIRED AS DETERMINED BY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT. ALL ARCHAEOLOGICAL REPORTS SHALL BE SUBMITTED TO THE CITY OF HAMILTON FOR APPROVAL CONCURRENT WITH THEIR SUBMISSION TO THE MINISTRY OF TOURISM, CULTURE AND SPORT."

SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY DURING ANY OF THE ABOVE DEVELOPMENT ACTIVITIES THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416-314-7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416-326-8392).

(F) THAT THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER (1475) OR FULL ADDRESS (1475 SANDHILL DRIVE) ON A SIGN NEAR THE FRONT EASTERN ENTRANCE IN A MANNER THAT IS VISIBLE FROM THE STREET.

(G) THE OWNER SHALL COMPLETE TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING OF THE CITY OF HAMILTON AND CANADA POST:

(a) INCLUDE ON ALL OFFERS OF PURCHASE AND SALE A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASER:

i) THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAIL BOX.

ii) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASER OF THE EXACT CENTRALIZED MAIL BOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.

(b) THE OWNER FURTHER AGREES TO:

i) WORK WITH CANADA POST TO DETERMINE AND PROVIDE TEMPORARY SUITABLE CENTRALIZED MAIL BOX LOCATION WHICH MAY BE UTILIZED BY CANADA POST UNTIL THE CURB, BOULEVARDS AND SIDEWALK ARE IN PLACE IN THE REMAINDER OF THE SUBDIVISION.

ii) INSTALL A CONCRETE PAD IN ACCORDANCE WITH THE REQUIREMENTS OF AND IN LOCATIONS TO BE APPROVED BY CANADA POST TO FACILITATE THE PLACEMENT OF COMMUNITY MAIL BOXES.

iii) IDENTIFY THE PADS ABOVE ON THE ENGINEERING SERVICES DRAWINGS SAID PADS ARE TO BE POURED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITH EACH PHASE OF THE PLAN OF SUBDIVISION.

iv) DETERMINE THE LOCATION OF ALL CENTRALIZED MAIL DELIVERY FACILITIES IN COOPERATION WITH CANADA POST AND TO INDICATE THE LOCATION OF THE CENTRALIZED MAIL DELIVERY FACILITIES ON APPROPRIATE MAPS, INFORMATION BOARDS AND PLANS MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICE(S) SHOWING SPECIFIC CENTRALIZED MAIL FACILITY.

(c) CANADA POST MULTI-UNIT POLICY, WHICH REQUIRES THAT THE OWNER/DEVELOPER PROVIDE CENTRALIZED MAIL DELIVERY (UNIT POLICY) ASSEMBLY IF THEIR OWN EXPENSE (LESS THAN 100 UNITS WILL REQUIRE A FRONT LOADING LOCK BOX ASSEMBLY & MORE THAN 100 UNITS WILL REQUIRE A DEEPER FRONT LOADING LOCK BOX WHICH WILL REQUIRE A MAIL ROOM WHICH WILL BE IN AFFECT FOR BUILDINGS AND COMPLEXES WITH A COMMON LOBBY, COMMON INDOOR OR SHELTERED SPACE.

EX. FIRE HYDRANT MUST BE MIN. 1.2m FROM SITE ENTRANCE. RELOCATION WILL BE AT OWNER'S EXPENSE.

EX. LIGHT STANDARD TO BE RELOCATED MIN. 1.2m FROM SITE ENTRANCE. ALL AT OWNER'S EXPENSE.

LEGEND:

	EXISTING ELEVATIONS
	PROPOSED ELEVATIONS
	PROPOSED SWALE ELEVATIONS
	PROPOSED SWALE
	GENERAL DRAINAGE
	DENOTES MANHOOD
	DENOTES OVERHEAD DOOR
	BARRIER FREE PARKING SIGN
	FIRE ROUTE/NO PARKING SIGN
	PAINTED HANDICAPPED SYMBOL TO MEET MUNICIPAL REQUIREMENTS
	SITE UTILITY LINE
	FIRE ROUTE
	PARKING COUNT BUBBLE

SITE STATISTICS

ITEM	PROPOSAL	ZONING BYLAW REQUIREMENTS
ZONING CATEGORY	M3	M3
LOT AREA (sq. m.)	24,507	4,000 MIN.
YARD ABUTTING A STREET (m)	22.25 (WILSON ST.) 22.70 (TRADEWIND DR.)	6.0 MIN. & 25.0 MAX.
MIN. YARD ABUTTING A RESIDENTIAL OR INSTITUTIONAL ZONE	N/A	N/A
BUILDING HEIGHT (m)	8.84	11.00 MAX.
GROUND FLOOR AREA (sq.m.)	- PHASE 1 OFFICE 199.0 - PHASE 1 PLANT 3,767.5 - PHASE 2 OFFICE 74.0 - PHASE 2 PLANT 1,392.6 - PHASE 3 OFFICE 199.0 - PHASE 3 PLANT 3,729.6 - PHASE 3 PLANT 9,361.7	N/A
GROSS FLOOR AREA (sq. m.)	- PHASE 1 OFFICE 199.0 - PHASE 1 PLANT 3,767.5 - PHASE 2 OFFICE 74.0 - PHASE 2 PLANT 1,392.6 - PHASE 3 OFFICE 199.0 - PHASE 3 PLANT 3,729.6 - PHASE 3 PLANT 9,361.7	N/A
NUMBER OF PARKING SPACES	188	188 *
NUMBER OF BARRIER FREE PARKING SPACES	7	7
NUMBER OF LOADING SPACES	9	N/A
PARKING STALL DIMENSIONS (m)	3.00 x 5.80	3.00 x 5.80
PARKING STALL DIMENSIONS-PARALLEL (m)	2.40 x 6.70	2.40 x 6.70
BARRIER FREE PARKING STALL DIMENSIONS (m)	4.40 x 5.80	4.40 x 5.80

* CALCULATION IS BASED ON PLANNED BUSINESS CENTRE = 1 PARKING SPACE FOR EVERY 50 sq.m. OF GROSS FLOOR AREA.
 ** CALCULATION BASED ON 1 + 3% REQUIRED SPACES

T.B.M. No. 3 ELEV. = 229.09m (GEO)
 TOP NUT OF FIRE HYDRANT ON THE WEST SIDE OF TRADEWIND DRIVE AS SHOWN.

T.B.M. No. 4 ELEV. = 231.70m (GEO)
 TOP NUT OF FIRE HYDRANT ON THE SOUTH SIDE OF HWY. No. 2 AS SHOWN.

NO.	REVISION	DATE (MM/DD/YY)	BY
4	TRANSFORMER RELOCATION	09/15/21	S.J.S.
3	ROAD WIDENING	08/10/21	S.J.S.
2	AS PER CITY COMMENTS	06/10/21	S.J.S.
1	AS PER CITY COMMENTS	05/18/21	K.P.B.

J.H. COHOON ENGINEERING LIMITED
 CONSULTING ENGINEERS

440 HARDY ROAD, UNIT #1, BRANTFORD - ONTARIO, N3T 5L8
 TEL. (519) 753-2656 FAX. (519) 753-4263 www.cohooneg.com

PROJECT: **PROPOSED INDUSTRIAL DEVELOPMENT**
 1492 WILSON STREET WEST & 586 TRADEWIND DRIVE
 CITY OF HAMILTON

CLIENT: **LANCA CONTRACTING**

SITE PLAN (DA-18-156)

DESIGN: R.W.P.	SCALE: 1:400
DRAWN: K.P.B.	JOB No: 12921
CHECKED: R.W.P.	DWG. No: 12921-1
SHEET: 1 of 5	
DATE: JAN. 25/21	

Disabled Parking Permit Rb-93

Sign No. & Cut Image Ref. Blank Special Notes
 Rb-93 (9509 & 9409) 87 Must comply with HTA and Regulations. For Biological version, see Rb-93 (9).

Sign Element	Colour	Min. Ref. (mm)	Font	All dimensions in millimetres unless otherwise specified.
Background	White	None	Type 1	Series "C"
Border/Inner Color	Black	None	Type 1	None
Text	Black	None	Type 11/Type 1	Ontario

FIRE ROUTE SIGN DETAIL

N.T.S.

BICYCLE RACK DETAIL

N.T.S.

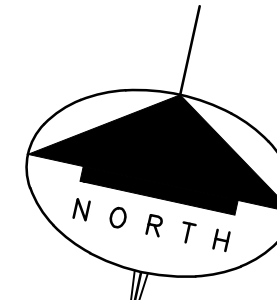
BARRIER FREE PARKING SIGN DETAIL

N.T.S.



WILSON STREET

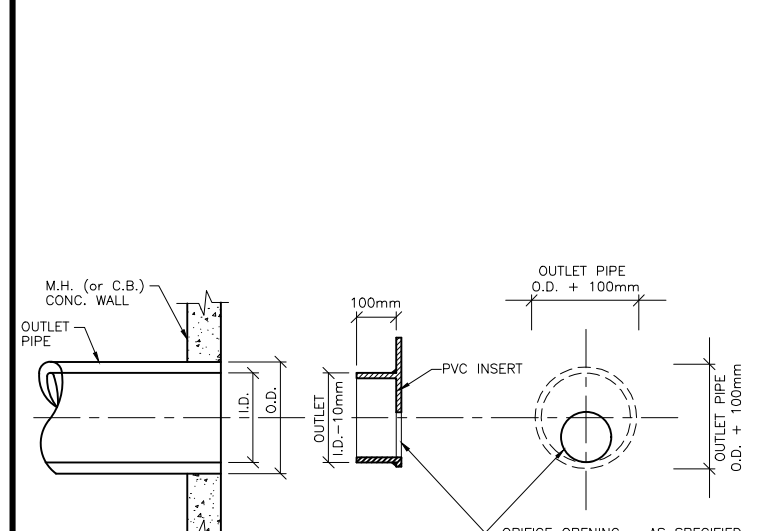
NOTE: APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.



STORM SYSTEM			
MH No.	DESCRIPTION	T/G	INVERTS
ST1	1.5m ² P/C CB/MH	229.80	E 227.63
ST2	1.5m ² P/C CB/MH	229.60	W 227.42 E 227.40 S 227.50
ST3	1.5m ² P/C CB/MH	229.60	W 227.20 E 227.18 S 227.28
ST4	1.5m ² P/C CB/MH	229.70	W 227.08 S 227.00
ST5	1.5m ² P/C CB/MH C/W ORIFICE #1	229.60	N 228.88 S 228.86
ST6	1.2m ² P/C CB/MH	229.60	S 227.63
ST7	0.6x0.6x1.52m P/C CB	229.40	N 227.41 E 227.39
ST8	0.6x0.6x1.52m P/C CB	228.95	S 227.58
ST9	1.2m ² P/C CB/MH	229.00	W 226.79 E 226.77 N 226.87
ST10	0.6x0.6x1.52m P/C CB	228.95	S 227.58
ST11	1.2m ² P/C CB/MH	228.70	W 226.55 E 226.53
ST12	0.6x0.6x1.52m P/C CB	228.95	S 227.58
ST13	0.6x0.6x1.52m P/C CB	227.90	NW 226.53
ST14	1.2m ² P/C CB/MH	228.30	SE 226.43 NE 226.41
ST15	1.2m ² P/C CB/MH C/W ORIFICE #2	228.90	W 225.62 E 225.60 S 225.68
ST16	1.2m ² P/C CB/MH	228.20	W 225.41 S 225.35 N 225.49
ST17	1.2m ² P/C CB/MH	228.40	N 225.06 S 225.04
ST18	1.2m ² P/C CB/MH C/W ORIFICE #3	227.00	N 224.53 E 224.40
ST15A	1.2m ² P/C CB/MH	228.70	W 225.69 E 225.67
ST18A	JELLYFISH FILTER JFTD-11-3	227.10	W 224.23 E 224.21

LEGEND:

- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATERMAIN
- EXISTING LIGHT STANDARD
- EXISTING BELL PEDESTAL
- EXISTING TEMPORARY BENCHMARK
- EXISTING POST
- EXISTING HYDRO POLE
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT



FLOW CONTROL DEVICE ORIFICE PLATE w/ SNOUT
N.T.S.

SANITARY SYSTEM

MH No.	DESCRIPTION	T/G	INVERTS
S1	1.2m ² P/C MH	228.97	W 224.74 SW 224.24 E 224.14

C.B. ORIFICE PLATE SIZING

ORIFICE PLATE CONFIGURATION NUMBER	DIAMETER OF ORIFICE PLATE OPENING
1	100mm
2	125mm
3	150mm

WATERMAIN SUMMARY - JOINT RESTRAINTS

LOCATION / DESCRIPTION	LENGTH TO BE RESTRAINED (L _r)
300x300x150mm PVC - TEE	L _r = MAIN LINE - 1.5m L _r = BRANCH LINE - 3.0m

T.B.M. No. 3 ELEV. = 229.09m (GEO)
TOP NUT OF FIRE HYDRANT ON THE WEST SIDE OF TRADEWIND DRIVE AS SHOWN.

T.B.M. No. 4 ELEV. = 231.70m (GEO)
TOP NUT OF FIRE HYDRANT ON THE SOUTH SIDE OF HWY. No. 2 AS SHOWN.

NO.	REVISION	DATE (MM/DD/YY)	BY
4	TRANSFORMER RELOCATION	09/15/21	S.J.S.
3	ROAD WIDENING	08/10/21	S.J.S.
2	AS PER CITY COMMENTS	06/08/21	S.J.S.
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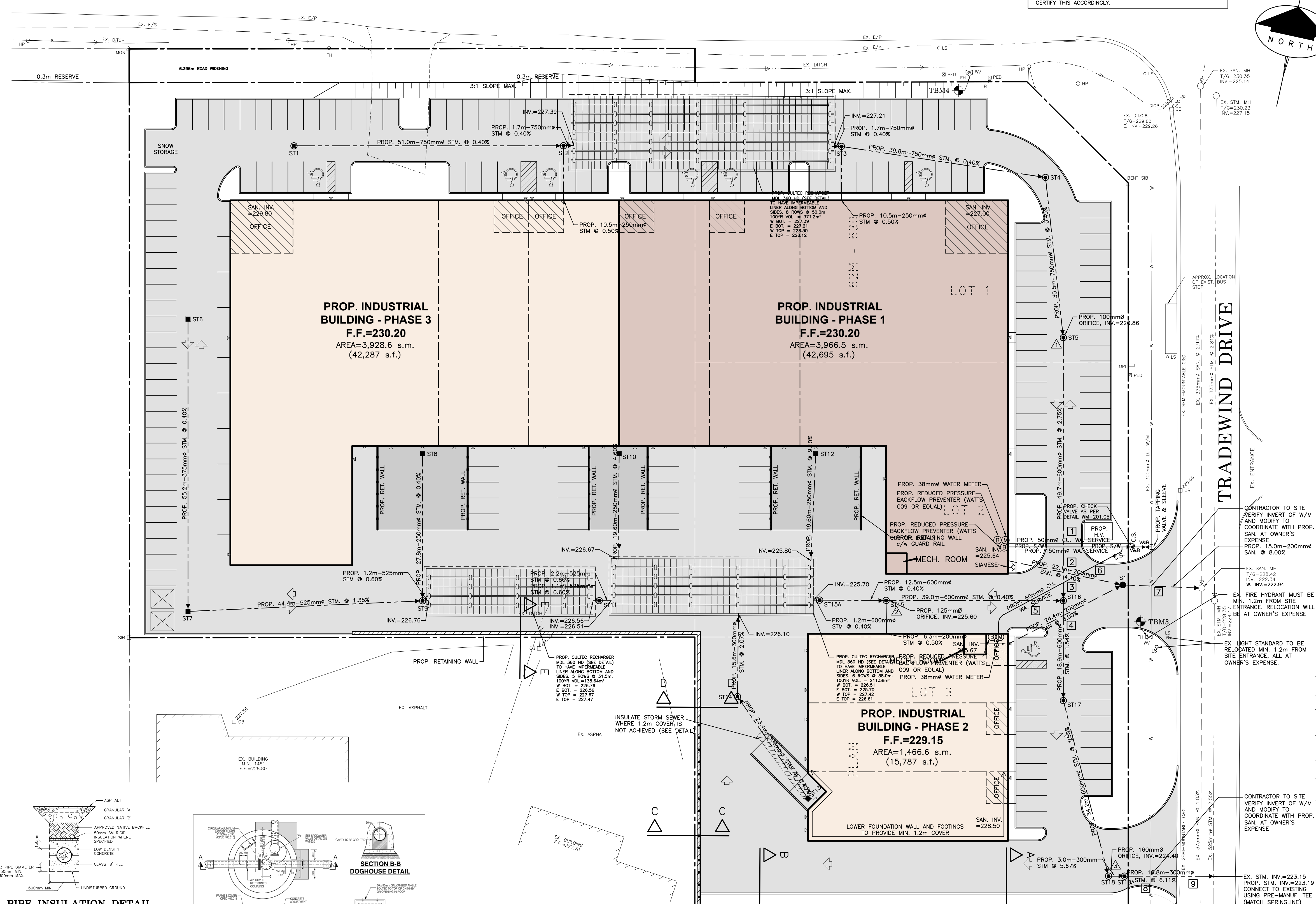
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PROPOSED INDUSTRIAL DEVELOPMENT
1492 WILSON STREET WEST & 586 TRADEWIND DRIVE
CITY OF HAMILTON

CLIENT: LANCA CONTRACTING

SERVICING PLAN (DA-18-156)

DESIGN:	R.W.P.	SCALE:	1:400
DRAWN:	K.P.B.	JOB No.:	12921
CHECKED:	R.W.P.	DWG. No.:	12921-3
SHEET:	3 of 5	DATE:	JAN. 25/21



SERVICING NOTES:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE SENIOR DIRECTOR, GROWTH MANAGEMENT, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- ALL SERVICES TO BE INSTALLED AS PER CITY OF HAMILTON CONSTRUCTION AND MATERIALS STANDARDS AND SPECIFICATIONS MANUAL (LATEST EDITION) AND THE MINISTRY OF ENVIRONMENT GUIDELINES (LATEST EDITION).
- MINIMUM HORIZONTAL SEPARATION BETWEEN WATER SERVICES AND SEWER DRAINS AND/OR MUNICIPAL SEWER MAINS SHALL BE 2.0m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE A WATER SERVICE PASSES OVER A SEWER DRAIN AND/OR MUNICIPAL SEWER MAINS MUST BE A MINIMUM OF 0.15m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES PASSING UNDER SEWER DRAINS AND/OR MUNICIPAL SEWER MAINS MUST HAVE A SEPARATION OF 0.50m BETWEEN THE INVERT OF THE SEWER DRAIN AND/OR MUNICIPAL SEWER MAIN AND THE CROWN OF WATERMAIN.
- PROPOSED STORM SEWER SHALL BE PVC SDR35 (RIBBED OR PROFILE PIPE) MAY NOT BE USED FOR PRIVATE DRAIN OR CATCH BASIN INSTALLATIONS.
- ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE SENIOR DIRECTOR, GROWTH MANAGEMENT, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- CATCHBASINS SHALL BE AS PER OPSD 705.010 AND MUST BE MODIFIED WITH A GOSS TRAP AS PER SEW-304. ALL PRIVATE PROPERTY CATCHBASINS ARE TO INCLUDE A SLUMP. PROVIDE SILT SACK IN CATCHBASINS DURING CONSTRUCTION AND UNTIL GROUND COVER IS ESTABLISHED.
- SEWERS TO BE INSTALLED WITH A MIN. COVER OF 2.20m AT THE PROPERTY LINE BELOW FLOOR GRADE OR AT SUCH HIGHER ELEVATION ONLY AS MAY BE NECESSITATED BY THE ELEVATION OF THE MAIN SEWER. ON PRIVATE PROPERTY THE MINIMUM COVER IS TO BE NO LESS THAN 1.2m.
- PROPOSED SANITARY SEWER SHALL BE PVC SDR28 FOR 150mm AND SDR35 FOR OTHER SIZES.
- PROPOSED SANITARY SEWER MANHOLE TO BE IN ACCORDANCE WITH O.P.S.D. 701.010 (NO Sumps).
- SEWER BEDDING AND COVER TO BE AS PER O.P.S.D. 802.010 WITH GRANULAR 'A' FOR BOTH BEDDING AND COVER.
- ALL MANHOLES TO CONFORM TO OPSD 701.01 & 701.03.
- MINIMUM SIZE OR STORM AND SANITARY DRAINS LOCATED WITHIN THE ROAD ALLOWANCE TO BE 150mm IN THE ORIGINAL CITY OF HAMILTON AND 125mm IN THE OTHER AREA MUNICIPALITIES NOW COMPRISING THE NEW CITY.
- RESTORATION OF ROAD OVER UTILITY CUTS IN HAMILTON TO BE AS PER STANDARD DRAWINGS RD-100.01 AND RD-100.02, WITH GRANULAR 'A' BEDDING.
- MAINTENANCE HOLES ARE REQUIRED AT ALL CHANGES IN PIPE SIZE, CHANGES IN PIPE DIRECTION, ENDS OF PIPE RUNS AND AS CLEANOUTS.
- ANCHOR OR THRUST BLOCKS ARE TO BE INSTALLED AT ALL WATER SERVICE ELBOWS, TEES, PLUGS ETC. FOR 300mm DIAMETER WATER SERVICES AND SMALLER. ANCHOR BLOCKS ARE TO BE AS PER WM-204.01.
- WATERMAIN BEDDING AND COVER MATERIAL TO BE INSTALLED AS PER WM-203.01 (CONCRETE AND PVC WATERMANS AND SERVICES) AND WM-203.02 (DUCTILE IRON WATERMANS AND SERVICES) WITH GRANULAR 'A' FOR BEDDING AND COVER. BEDDING AND COVER FOR SMALL DIAMETER SERVICES (i.e. 50mm and UNDER) TO BE AS PER WM-200.01 WITH GRANULAR 'D' FOR BOTH BEDDING AND COVER. WATER SERVICES TO BE INSTALLED WITH A MINIMUM COVER OF 1.6m.
- ALL BACKFLOW PREVENTION DEVICES MUST BE SELECTED, INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF HAMILTON'S BACKFLOW PREVENTION BY-LAW # 10-103, INCLUDING THE MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION ETC., AND THE GUIDELINES SET OUT IN THE MOST RECENT VERSION OF THE 'AWWA CANADIAN CROSS CONNECTION CONTROL MANUAL AND THE CSA 694-10/07/04, 10.1-07 STANDARDS'. IN SELECTING A BACKFLOW DEVICE FOR A PROPERTY, CONSIDERATION MUST BE GIVEN TO FUTURE POSSIBLE USES OF THE SITE WHICH COULD RESULT IN A HIGHER RISK TO THE MUNICIPAL DRINKING WATER SYSTEM, THIS MAKING THE DEVICE INITIALLY CHOSEN INADEQUATE FOR THE NEW PURPOSE AND REQUIRING FUTURE CHANGE OUT AT THE OWNER'S EXPENSE.
- PROVIDE A WATER BACKFLOW PREVENTOR FOR FIRE SERVICES, REQUIRED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE, SHALL BE LOCATED AT THE SERVICE POINT OF ENTRY TO EACH BUILDING.
- IF A SERVICE IS TO BE RE-USED THE APPLICANT/OWNER MUST ASSURE THEMSELVES THAT THE EXISTING SERVICE IS ADEQUATE TO MEET THEIR PROPOSED USES AND ARE IN GOOD WORKING CONDITION.
- INTERNAL WATER METER INSTALLATIONS TO BE AS PER WM-210 AND THE METER IS TO BE INSTALLED AT FLOOR LEVEL.
- ALL EXISTING UNUSED WATER SERVICES TO THE SITE MUST BE ABANDONED. SERVICES GREATER THAN 50mm MUST BE COMPLETELY REMOVED FROM THE ROAD ALLOWANCE WITH AN APPROPRIATE REPAIR TO THE MUNICIPAL MAIN.
- CURB STOPS (VALVES) LESS THAN 300mm TO BE INSTALLED WITH A BOX AS PER WM-202.
- SHUTDOWN OF A CITY WATERMAIN WILL BE AT THE DISCRETION OF THE CITY AND IS SUBJECT TO THE FOLLOWING REQUIREMENTS, WHICH SHOULD BE NOTED ON THE PLAN.
"WATERMAIN SHUTDOWN"
(a) MAXIMUM 4 HOUR SHUTDOWN OF EXISTING MAIN AT A TIME CONVENIENT TO THE CITY OF HAMILTON AND ABUTTING USERS.
(b) CONTRACTOR TO GIVE 48 HOUR PRIOR NOTIFICATION USING THE "CITY OF HAMILTON NOTICE OF SHUTDOWN" AT ALL AFFECTED AREAS.
(c) IN THE EVENT OF A SCHEDULED SHUTDOWN IS CANCELLED BY THE CITY OF HAMILTON, THE CONTRACTOR SHALL HAVE NO CLAIMS AGAINST THE CITY.
- ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE SENIOR DIRECTOR OF DEVELOPMENT ENGINEERING.
- ALL EXISTING UNUSED WATER SERVICES MUST BE REMOVED FROM THE ROAD ALLOWANCE WITH APPROPRIATE REPAIR TO THE AND MUNICIPAL WATERMAIN AS PER CITY OF HAMILTON STANDARD REQUIREMENTS.
- PVC WATER SERVICE/MAIN MATERIAL, CATHODIC PROTECTION, TRACER WIRE ETC. MUST BE AS PER FORM 400.

SEWER CROSSINGS

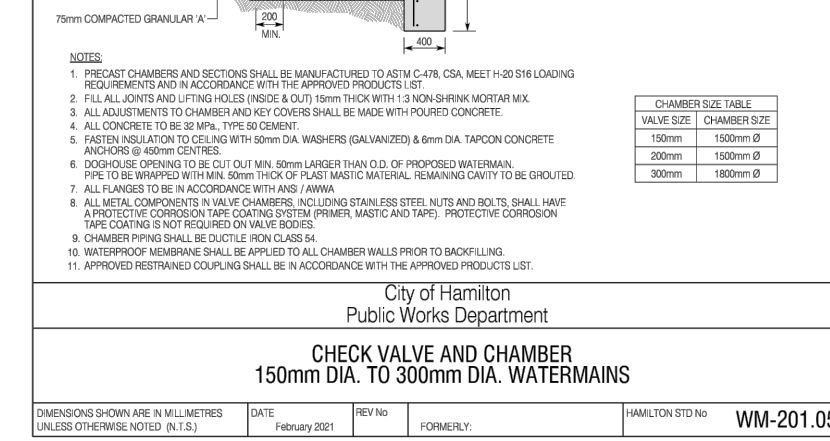
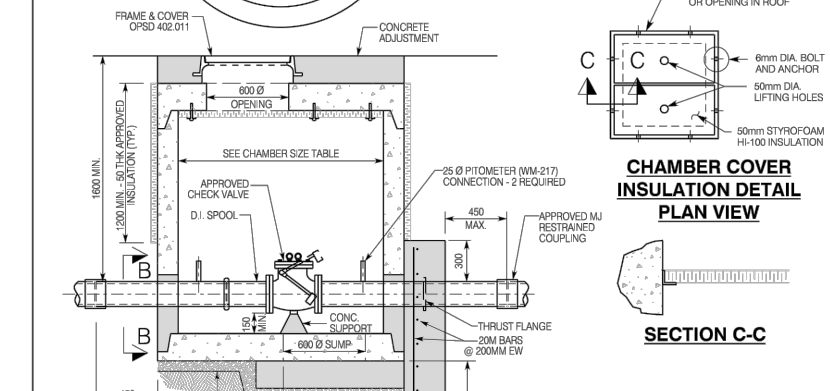
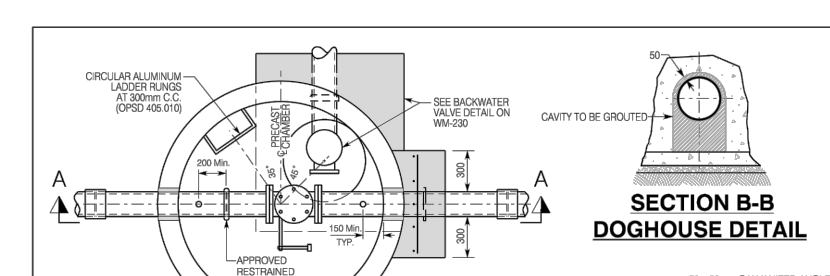
LOCATION	STM. INV.	STM. OBY.	W/M INV.	W/M OBY.
1	225.76	226.06	224.96	225.11
3	225.57	225.87	224.87	224.92
5	225.44	225.74	224.74	224.79
8	223.94	224.24	UNKNOWN	UNKNOWN

SEWER CROSSINGS

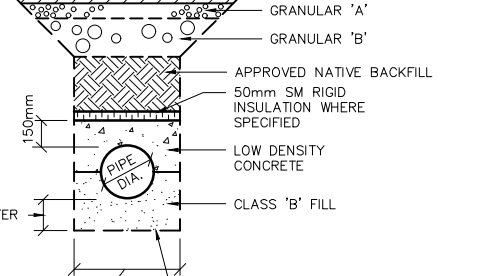
LOCATION	STM. INV.	STM. OBY.	SAN. INV.	SAN. OBY.
2	225.68	225.98	225.20	225.40
4	225.30	225.60	224.96	225.16
9	223.34	223.64	221.34	221.72

SEWER CROSSINGS

LOCATION	SAN. INV.	SAN. OBY.	W/M INV.	W/M OBY.
6	225.09	225.29	224.87	224.92
7	223.66	223.86	UNKNOWN	UNKNOWN



City of Hamilton
Public Works Department
CHECK VALVE AND CHAMBER
150mm DIA. TO 300mm DIA. WATERMANS
WM-201.05



TYP. PIPE INSULATION DETAIL
N.T.S.





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:
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:

Relief for zoning requirements on size of landscaping buffers.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The site has an irregular property line that would not yield an economical footprint for an industrial facility as currently zoned and designated.

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**):

62R-1976 Instrument No 283476 AB/482027CD Part 1
62M-630 Lots 1, 2, and 3

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?

Geotechnical, Archaeological, and Environmental reporting conducted by third parties

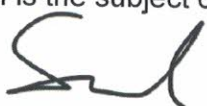
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

2021-11-11
Date


Signature Property Owner(s)
Sanjay Modi
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>137.294m</u>
Depth	<u>Irregular</u>
Area	<u>24,507 square meters</u>
Width of street	<u>unknown</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

9,361.7 square meter ground floor single storey. Multiple buildings, see attached.

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:

22.70m setback from Tradewind, 22.35m setback from Wilson, 11.58m setback from rear property line (at narrowest point, site is irregular)

13. Date of acquisition of subject lands:
2018
-
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.):
industrial
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:
"Industrial Land"
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
M3 - Prestige Business Park - Exceptions 377, 678
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

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 dormer additions to the front and rear second floors, this use is now being recognized for the purpose of this application as a legal non-conforming two storey single detached dwelling.

2. The application has been revised for the October 2021 submission and new drawings have been provided based on a new proposed expansion for the legal non-conforming single detached dwelling. Accordingly, based on the information, it has been determined that the existing single detached dwelling comprises a gross floor area of 176.1 square metres on 2 floors. However, previously the gross floor area of this dwelling without the additions was incorrectly identified in the Notice 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 submitted May 22, 2019 to address the former minor variance to expand the legal non-conforming single detached dwelling and 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.

SC/A-19: 184
Page 2

5. The M3 Zone identifies dwelling unit as a prohibited use, even as an accessory use. However, a legally established non-conforming single detached dwelling would be permitted to remain on a property in the M3 Zone.

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

DATE: Thursday, February 3rd, 2022
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: January 18th, 2022.

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

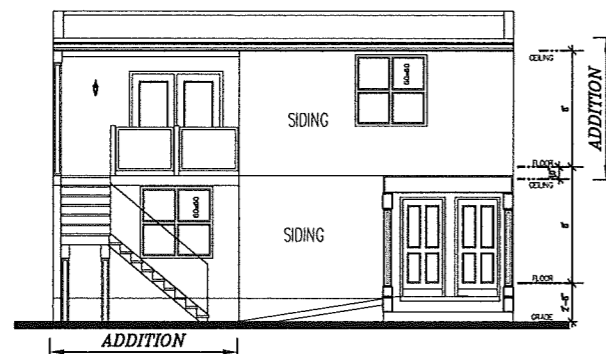
	Proposed
1st FLOOR	147 sq.f. - 13.7 sq.m.
2nd FLOOR	351 sq.f. - 32.6 sq.m.
TOTAL	498 sq.f. - 46.3 sq.m.

EXTERIOR STAIRS

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

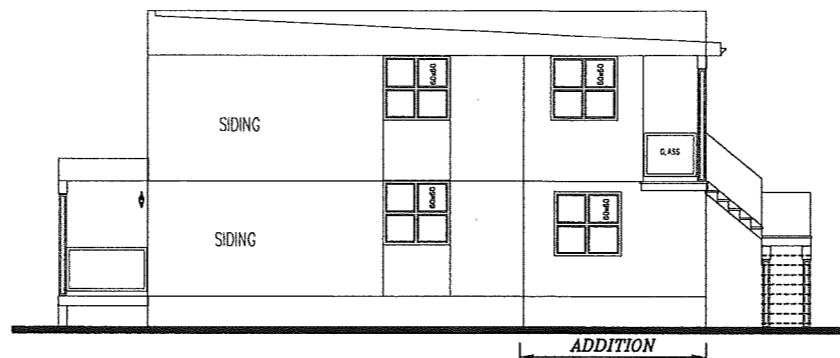
GUARD HEIGHT:

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

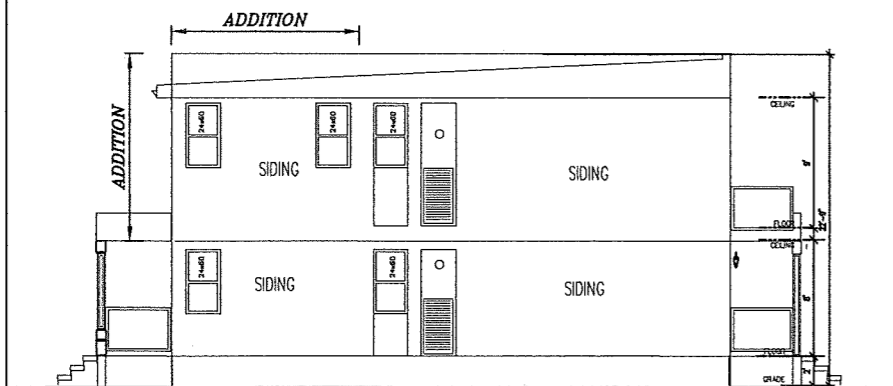


REAR ELEVATION

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



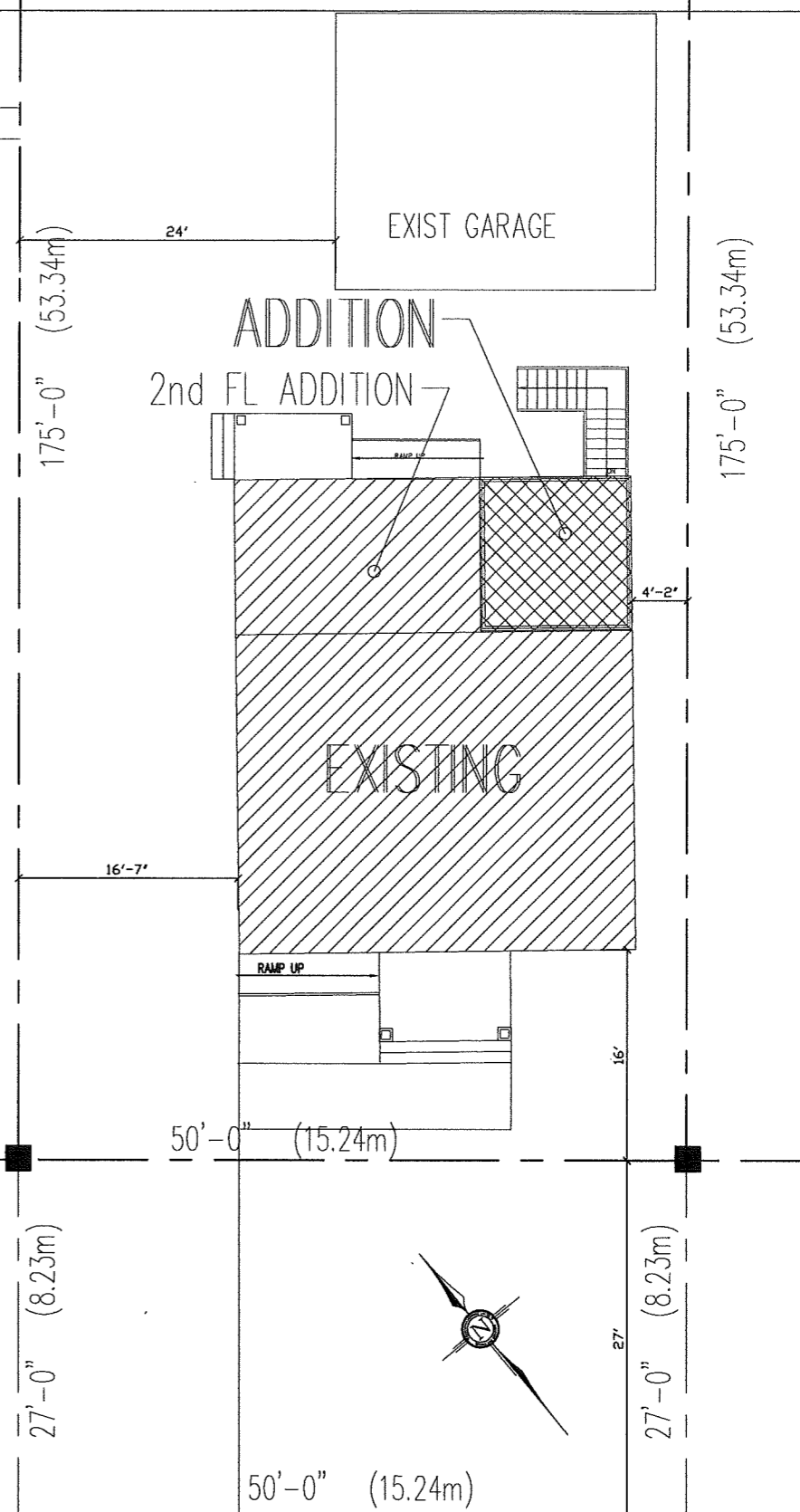
SIDE ELEVATION



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



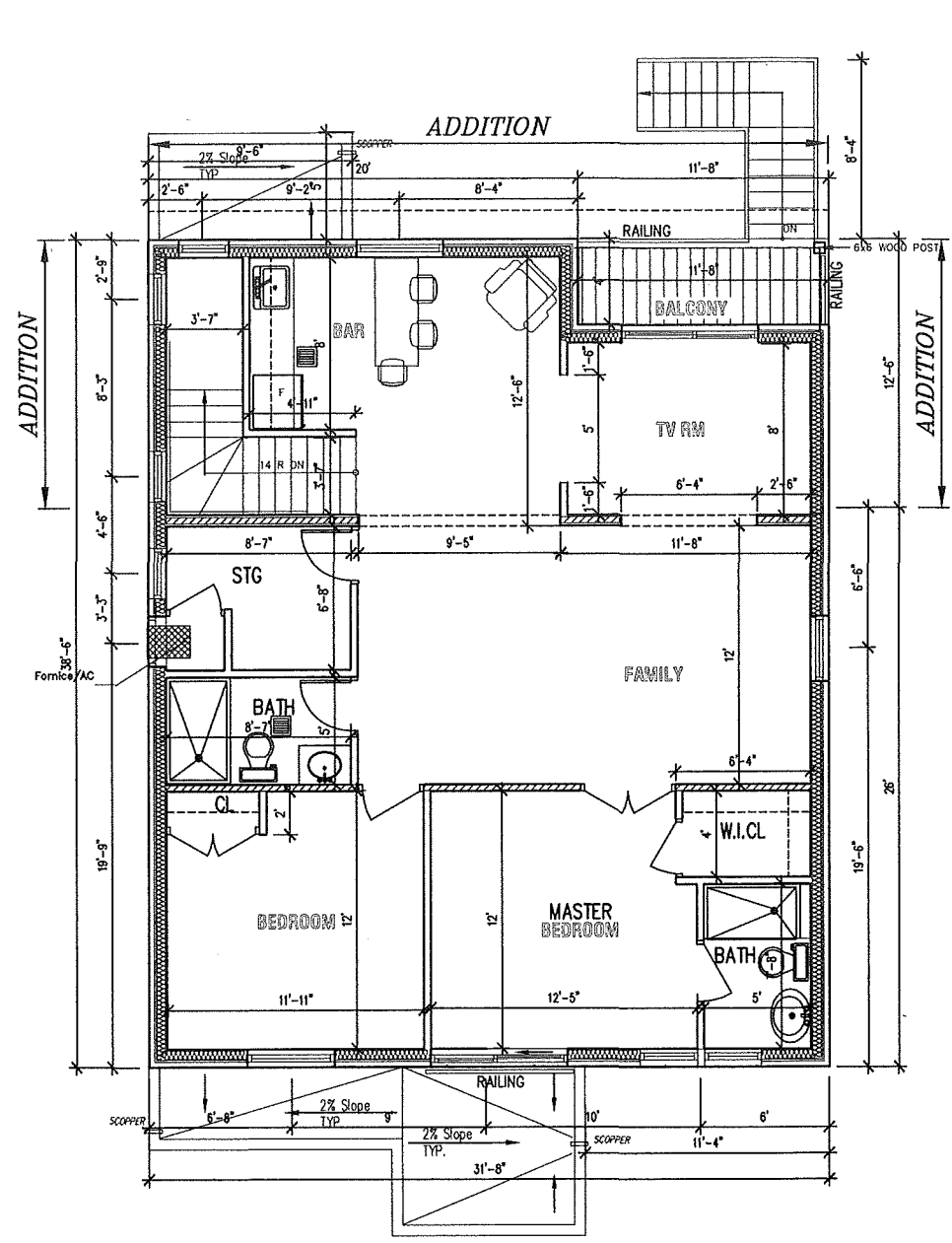
NO	DATE	DESCRIPTIONS
3.		
2.	Sept. 25, 2021	Bldg Permit Application comments Review Letter - September 3, 2021
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021
REVISIONS		

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

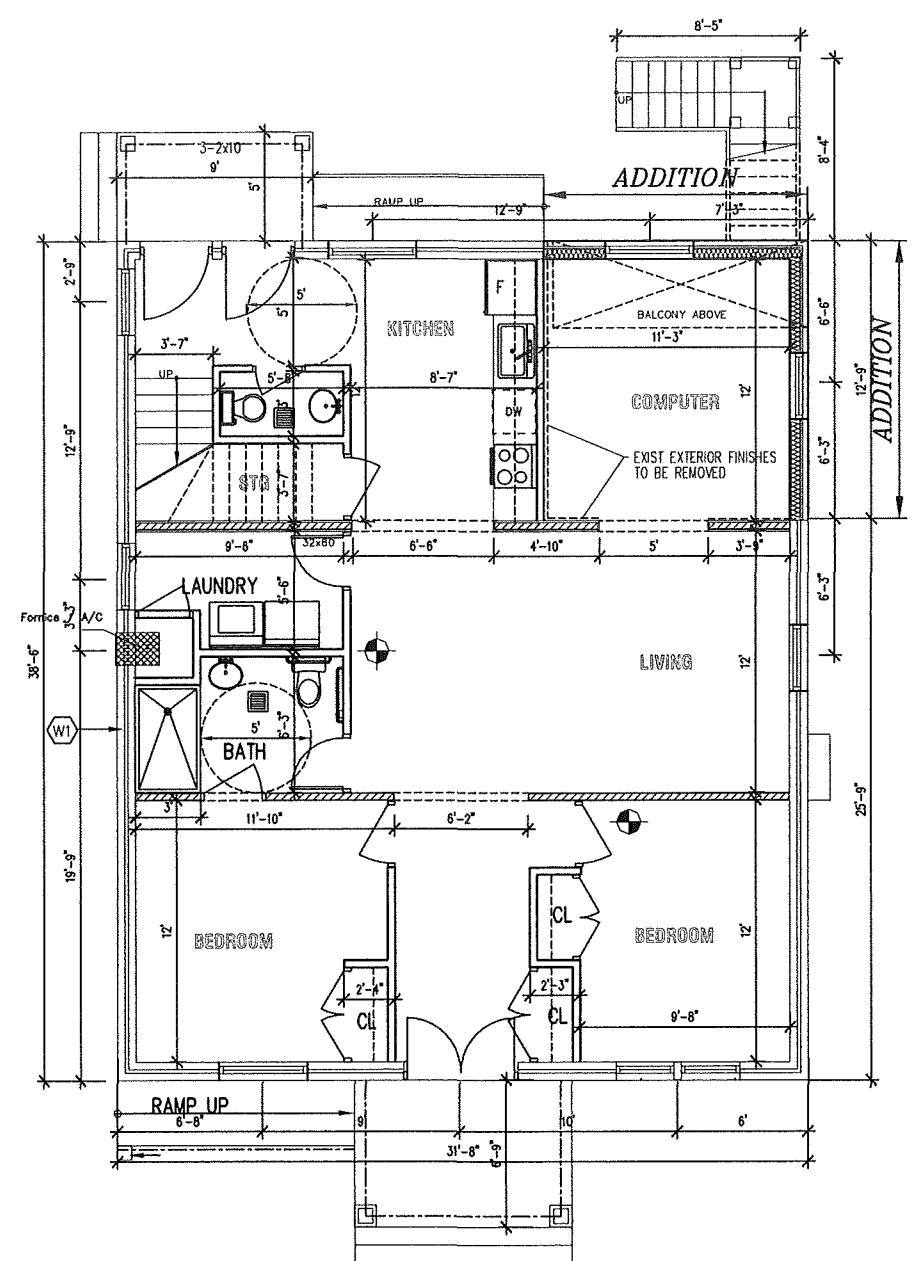
DATE: May, 2021
DESIGN: G.S.
DRAFTING: G.S.
ISSUED:
ACAD: SAM
SCALE: 1/8"=1'-0"

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.



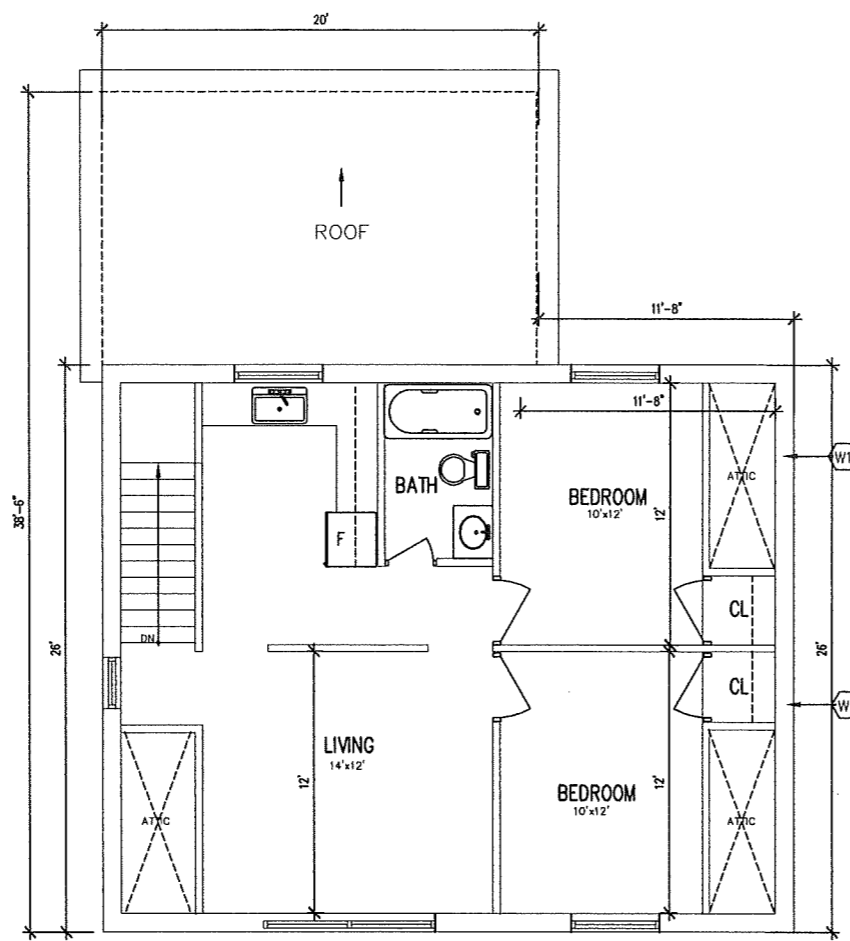
NO	DATE	DESCRIPTIONS
1.	July 05 2021	Bldg Permit Application comments Review Letter – June 24, 2021
2.		
3.		

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"

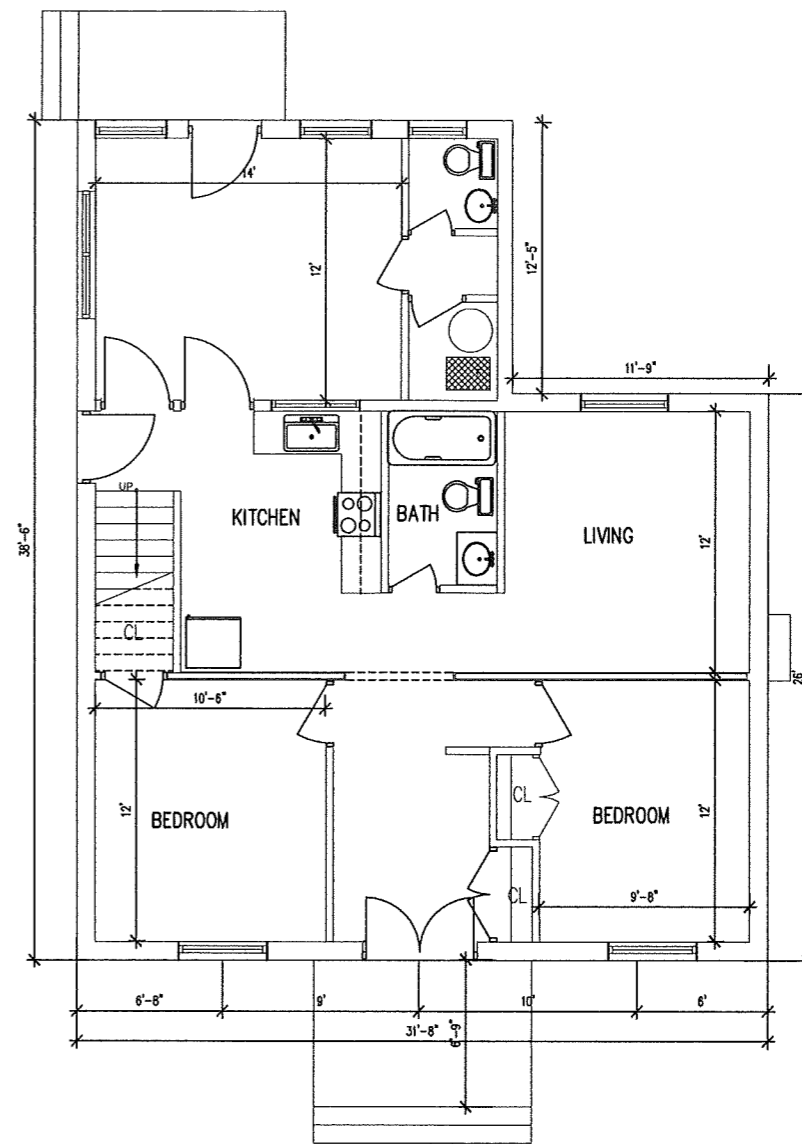
DRAWING:
-
FLOOR PLAN
-

DRAWING No.
A-02



2nd FLOOR

823 sq.f. - 76.5 sq.m.



1st FLOOR

1072 sq.f. - 99.6 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 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 *[Signature]* 22222
 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 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-21:439

APPLICANTS: Owner Monica Bradshaw

SUBJECT PROPERTY: Municipal address **163 Falling Brook Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 87-87, as Amended by By-law No. 18-105

ZONING: ERdistrict (Existing Residential)

PROPOSAL: To permit the expansion of an existing 216 square metre single detached dwelling to allow for a 195.2 square metre addition on two floors which include an attached garage and additional living space and to allow for changes to the front entrance including the front porch and stairs and to permit a 11.5 square metre rear deck, notwithstanding that:

1. The easterly side yard shall be 1.6 instead of the required 2.0 metres for an interior side yard for a lot with less than 23 metres of lot frontage.

NOTES:

1. The requested variance is written as requested by the applicant.
2. The eaves projection into the minimum easterly side yard will conform providing the requested variance is approved.
3. Parking spaces have not been identified on the submitted plans but it appears that a driveway parking space and enclosed (garage) parking space can be easily provided based on the available space to meet the required parking.

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

DATE: Thursday, February 3rd, 2022
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

AN/A-21: 439

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: January 18th, 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.

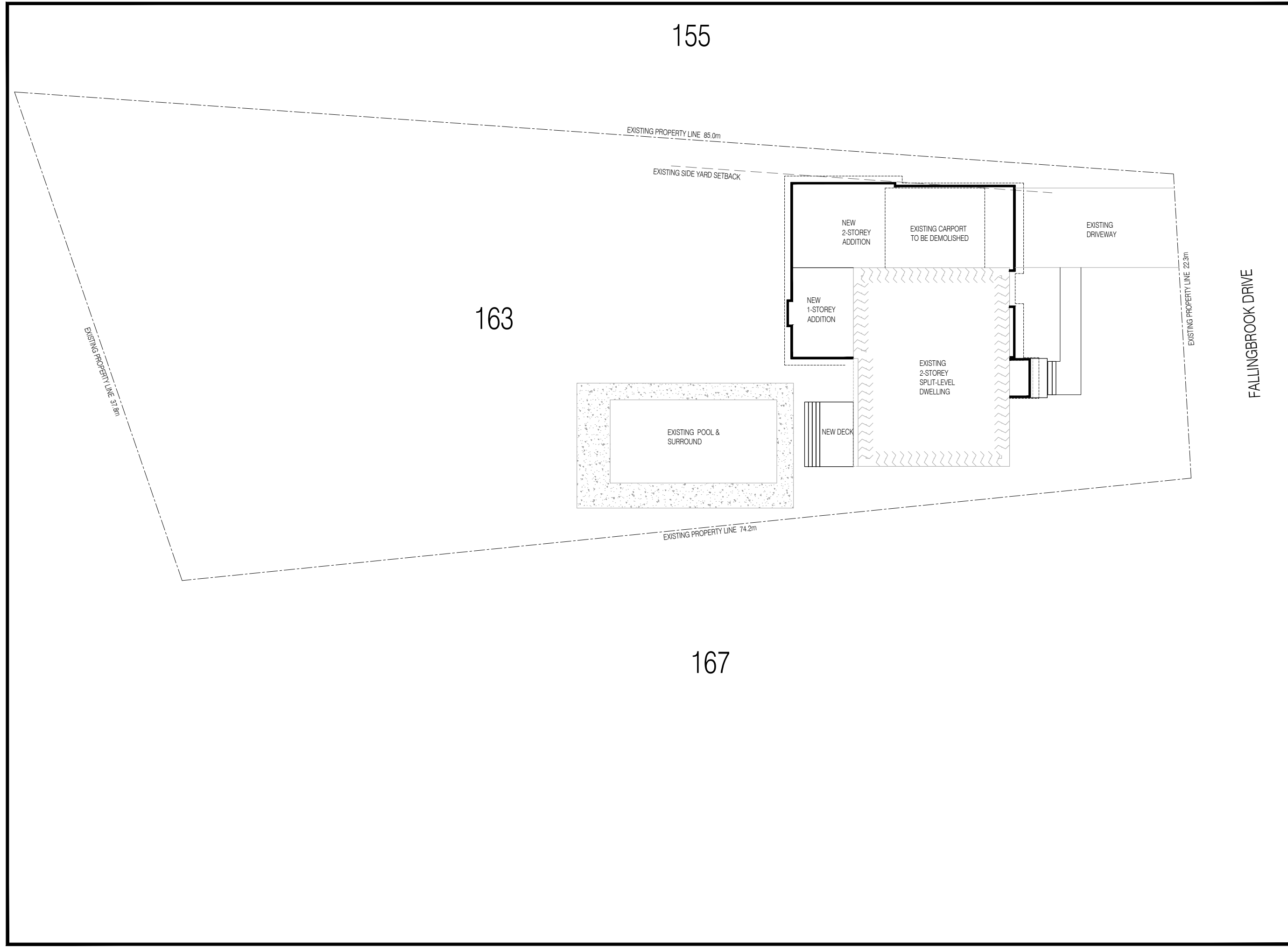
Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

These drawings are the property of "Blair Haines Design" and cannot be duplicated in anyway, without consent from "Blair Haines Design".

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.

REGISTRATION & QUALIFICATION INFORMATION
 Required unless design is exempt under Part 2.17.5.1 and/or Part 2.17.4.1 of the Ontario Building Code.

BLAIR HAINES
 Name: **46942** Signature: **36156**
 Firm BCIN: Individual BCIN:



FALLINGBROOK DRIVE

No.	Date:	Description:
3	2021-11-29	ISSUED FOR MINOR VARIANCE
2	2021-11-24	RE-ISSUED FOR PRE-CONSULT
1	2021-11-19	ISSUED FOR PRE-CONSULT

REVISIONS

BLAIR HAINES
 DESIGN

519.732.5055 blairhainesdesign@gmail.com
 16 Augustus Street, Scollard, On, N0E 1R0

Project:
NEW ADDITION
 163 FALLINGBROOK DRIVE
 ANCASTER, ONTARIO

Sheet Title: **SITE PLAN FULL**

Drawn By: BH Sheet No.: **A1.0**
 Date: NOV 2021
 Scale: N.T.S.

Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

These drawings are the property of "Blair Haines Design" and cannot be duplicated in any way, without consent from "Blair Haines Design".

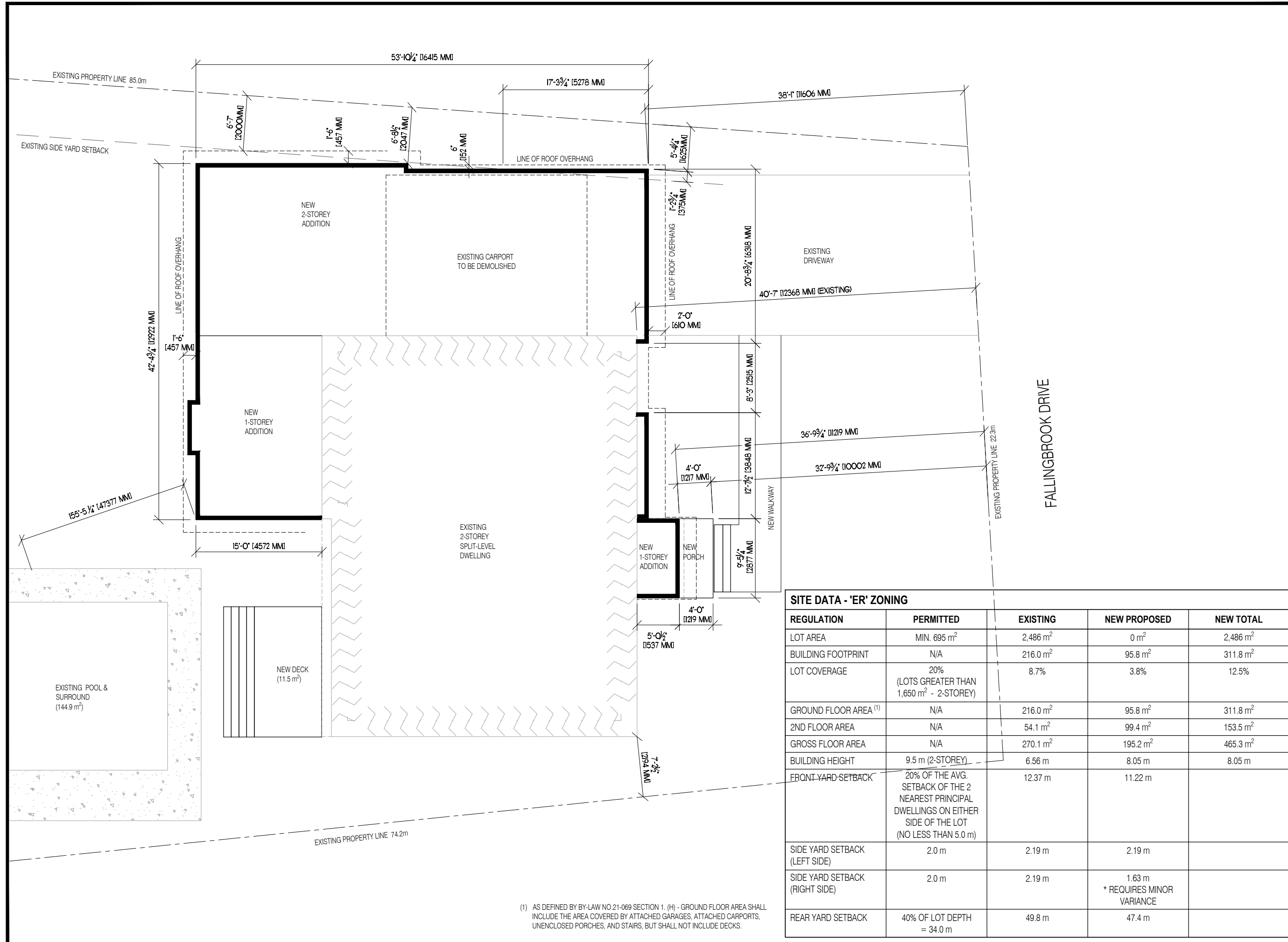
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REGISTRATION & QUALIFICATION INFORMATION

Required unless design is exempt under Part 2.17.5.1 and/or Part 2.17.4.1 of the Ontario Building Code.

BLAIR HAINES

Name: 46942
Signature: 36156
Firm BCIN: Individual BCIN



SITE DATA - 'ER' ZONING				
REGULATION	PERMITTED	EXISTING	NEW PROPOSED	NEW TOTAL
LOT AREA	MIN. 695 m ²	2,486 m ²	0 m ²	2,486 m ²
BUILDING FOOTPRINT	N/A	216.0 m ²	95.8 m ²	311.8 m ²
LOT COVERAGE	20% (LOTS GREATER THAN 1,650 m ² - 2-STOREY)	8.7%	3.8%	12.5%
GROUND FLOOR AREA ⁽¹⁾	N/A	216.0 m ²	95.8 m ²	311.8 m ²
2ND FLOOR AREA	N/A	54.1 m ²	99.4 m ²	153.5 m ²
GROSS FLOOR AREA	N/A	270.1 m ²	195.2 m ²	465.3 m ²
BUILDING HEIGHT	9.5 m (2-STOREY)	6.56 m	8.05 m	8.05 m
FRONT YARD SETBACK	20% OF THE AVG. SETBACK OF THE 2 NEAREST PRINCIPAL DWELLINGS ON EITHER SIDE OF THE LOT (NO LESS THAN 5.0 m)	12.37 m	11.22 m	
SIDE YARD SETBACK (LEFT SIDE)	2.0 m	2.19 m	2.19 m	
SIDE YARD SETBACK (RIGHT SIDE)	2.0 m	2.19 m	1.63 m * REQUIRES MINOR VARIANCE	
REAR YARD SETBACK	40% OF LOT DEPTH = 34.0 m	49.8 m	47.4 m	

(1) AS DEFINED BY BY-LAW NO 21-069 SECTION 1. (H) - GROUND FLOOR AREA SHALL INCLUDE THE AREA COVERED BY ATTACHED GARAGES, ATTACHED CARPORTS, UNENCLOSED PORCHES, AND STAIRS, BUT SHALL NOT INCLUDE DECKS.

No.	Date:	Description:
3	2021-11-29	ISSUED FOR MINOR VARIANCE
2	2021-11-24	RE-ISSUED FOR PRE-CONSULT
1	2021-11-19	ISSUED FOR PRE-CONSULT

REVISIONS

BLAIR HAINES DESIGN
519.732.5055 blairhainesdesign@gmail.com
16 Augustus Street, Scolland, On, N0E 1R0

Project:
NEW ADDITION
163 FALLINGBROOK DRIVE
ANCASTER, ONTARIO

Sheet Title: **SITE PLAN PARTIAL**
Drawn By: BH
Date: NOV 2021
Scale: 3/32" = 1'-0"

Sheet No.: **A1.1**



Hamilton

Page 39 of 319
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:
Royal Bank of Canada - 100 King St West, Hamilton, ON L8P 1A2

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 relief of the Minimum Side Yard requirement of 2.0m. Our new addition will encroach on the Side yard setback by 0.375m, for a Proposed Side Yard of 1.625m

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

As the new addition contains a Garage on the Ground Floor, the small encroachment is required to ensure there is adequate room for 2 cars to park side by side within the garage. The concern is that without the small encroachment it will be extremely tight within the garage, and would prevent it from being efficiently utilized.

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**):

163 Fallingbrook Drive, 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?

Information that was provided from previous owner, realtor and lawyer.

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.

Dec. 6 2021
Date


Signature Property Owner(s)

Monica Bradshaw
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>22.3 m</u>
Depth	<u>85.0 m</u>
Area	<u>2,486 m2</u>
Width of street	<u>6.0</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 Dwelling: Ground floor area = 216.0m2, Gross floor area = 270.1m2, 2-stories, Width = 20.37m, Length = 11.43m, Height = 6.55m
Existing Pool and Patio: 144.9m2

Proposed

New Addition: Ground floor area = 95.8m2, Gross floor area = 195.2m2, 2-stories, Width = 6.05m, Length = 16.42m, Height = 8.05m

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 = 12.36m, Right Side = 2.0m, Left Side = 2.19m, Rear = 49.81m

Proposed:

Front = 10.0m, Right Side = 1.625m, Left Side = 2.19m, Rear = 47.37m

13. Date of acquisition of subject lands:
 June 23, 2021
-
14. Date of construction of all buildings and structures on subject lands:
 1964
-
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:
 Since Construction
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Zoned as Existing Residential (ER)
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-21:440

APPLICANTS: Agent Scott Wood
 Owner Gazmend Berisha

SUBJECT PROPERTY: Municipal address **52 Jerseyville Rd. E., Ancaster**

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

ZONING: "ER" (Existing Residential) district

PROPOSAL: To permit the construction of a new accessory structure in the rear yard of the existing Single Detached Dwelling notwithstanding that:

1. A side yard setback of 0.9m shall be provided instead of the minimum required 1.5m side yard setback for an accessory structure.
2. A maximum total lot coverage of 39% shall be provided instead of the maximum permitted lot coverage of 35%.
3. Eaves and gutters associated with the proposed structure may project a maximum of 46 centimetres into the minimum required side yard instead of the maximum permitted 30 centimetre projection.

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

DATE: Thursday, February 3rd, 2022
TIME: 1:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

AN/A-21: 440
Page 2

MORE INFORMATION

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

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

DATED: January 18th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

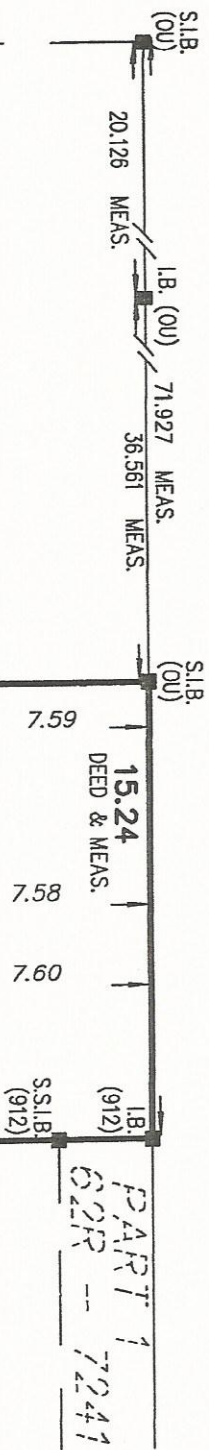
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



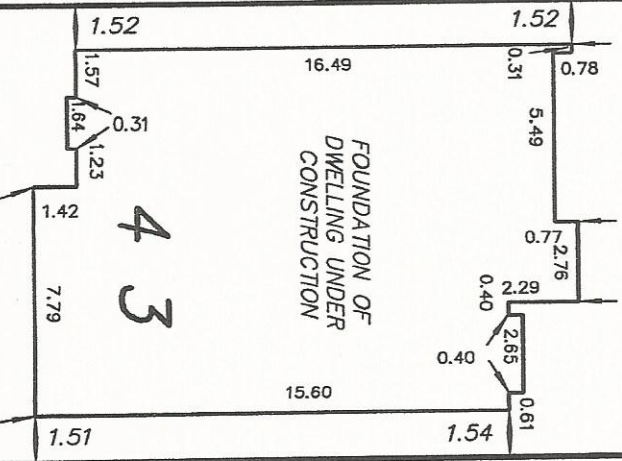
JERSEYVILLE ROAD EAST

(ROAD ALLOWANCE BETWEEN CONCESSION 2 & 3)
P.I.N. 17445-0152(LT)

REFERENCE BEARING N 76°49'40"E PLAN & MEAS.



P.I.N. 17435-0008(LT)
N 13°10'20"W MEAS. 40.90 DEED & SET
N13°37'00" DEED

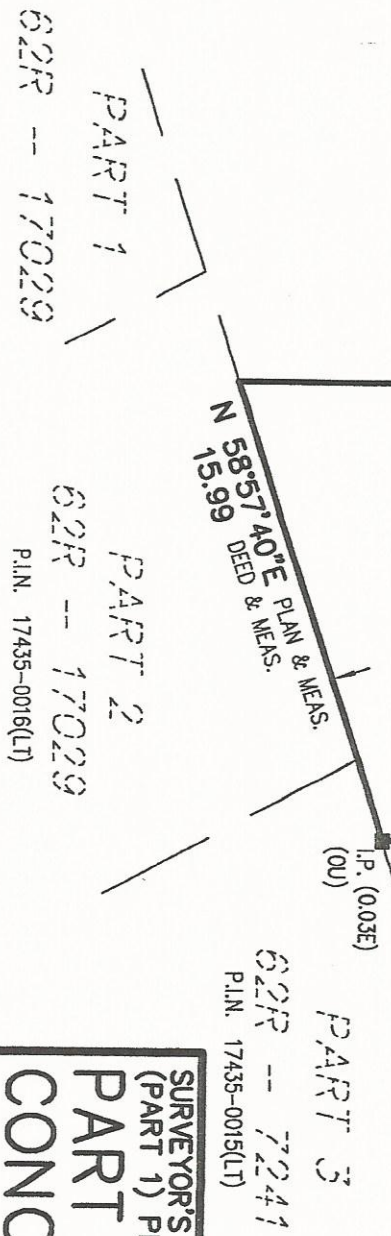


N 13°10'20"W 35.99 PLAN & MEAS.

LOT 43
CONCESSION 3

P.A.R.T. 2
62R -- 7241
P.I.N. 17435-0010(LT)

3



SURVEYOR'S REAL PROPERTY REPORT

PART 1 THIS PLAN MUST BE READ IN CONJUNCTION WITH THE SURVEY REPORT DATED

ASSOCIATION OF ONTARIO LAND SURVEYORS

PLAN SUBMISSION FORM
1669253



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

LEGEND

- S.I.B. - STANDARD IRON BAR
- I.B. - IRON BAR
- C.C. - CUT CROSS
- W.T. - WITNESS
- U.O. - UNKNOWN ORIGIN
- - FOUND
- - PLANTED

PLAN-REG'D PLAN 62R-7241

THIS REPORT WAS PREPARED FOR: AARON D'ANGELO

THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES
© THIS PLAN IS PROTECTED BY COPYRIGHT

BEARING NOTE:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF JERSEYVILLE ROAD EAST, WHICH HAS A BEARING OF N76°49'40"E, AS SHOWN ON REG'D PLAN 62R-7241.

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

ASHENHURST NOUWENS LIMITED

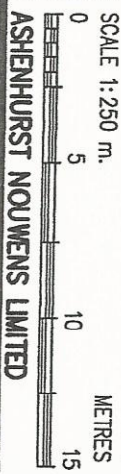
Professional Engineers & Ontario Land Surveyors

315 YORK BOULEVARD, SUITE 201, HAMILTON, ONTARIO L8R 3K5
(905) 529-6316 (905) 529-4314 1-800-824-6224
FAX: (905) 529-6651 e-mail: anl@ashenhurstnouwens.com

SURVEYOR'S REAL PROPERTY REPORT (PART 1) PLAN OF

PART OF LOT 43 CONCESSION 3

IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER NOW IN THE CITY OF HAMILTON



SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

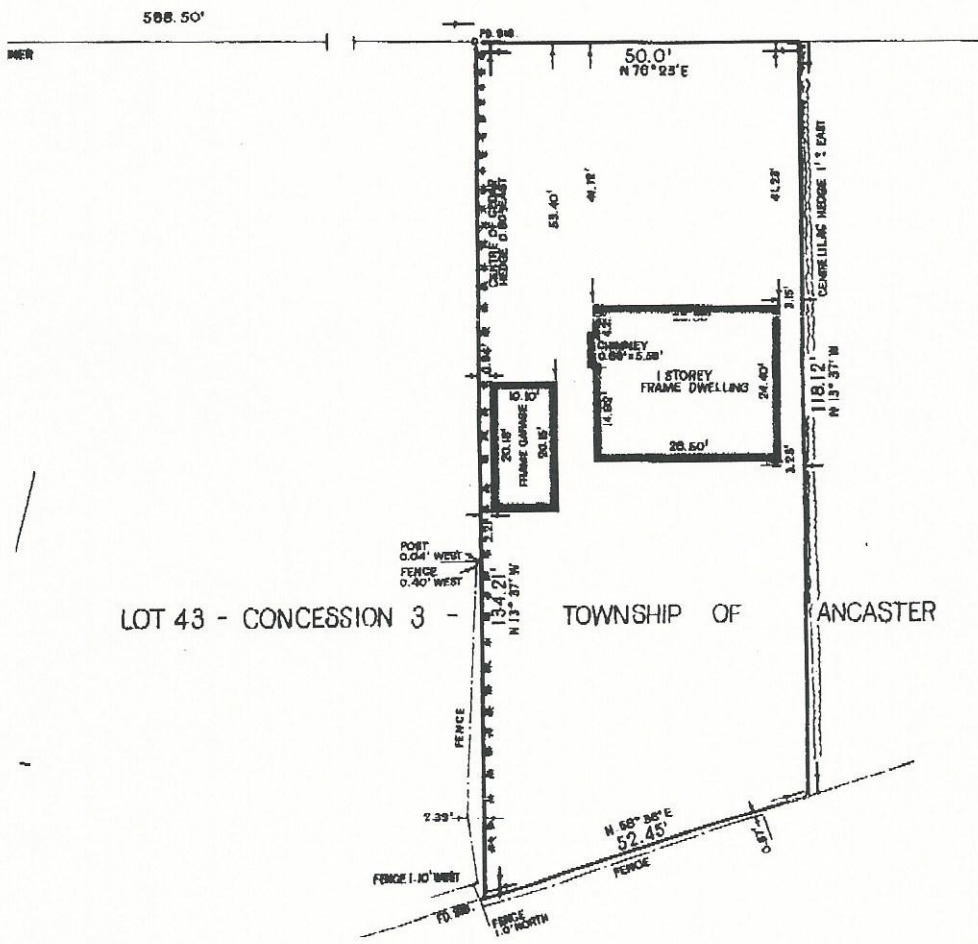
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 4th. DAY OF OCTOBER, 2007.

DATE Oct 19/07 *[Signature]*
P.R.P. NOUWENS P.E.N.G.
Ontario Land Surveyor

DRAWN BY R.P.	CALC'D BY	CHK'D BY J.P.N.
DATE DWG. OCT. 18, 2007	FILE No. 27067_BLS	

PLAN
 SHOWING
PART OF LOT 43- CONCESSION 3
 IN THE
TOWNSHIP OF ANCASTER
 SCALE 1" = 20'

JERSEYVILLE ROAD ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3



MackAY & MacKAY & PETERS
 ONTARIO LAND SURVEYORS
 HAMILTON ON, CANADA
J. D. Peters
 ONTARIO LAND SURVEYOR

E REGISTRY OFFICE.

JUNE 11 1978.



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:

ACCESSORY STRUCTURE EXTENDS INTO MIN. SIDE YARD SET BACKS FROM 1.5m TO 0.9m AND EXCEEDS MAX. LOT COVERAGE FROM 35% TO 38%

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

DOESN'T WORK WITH THE DESIGN OF THE STRUCTURE AND LAYOUT OF THE REAR YARD

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):

52 JERSEYVILLE ROAD E, ANCASTER, ONTARIO, L9G 1K1

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?

EXISTING SUBDIVISION, FENCES AND GRADES FROM DEVELOPER.

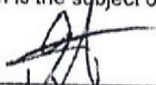
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

X 30.NOV.2021
Date

X 
Signature Property Owner(s)

X GABRIEL BERISHA.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 15.24m
Depth 40.9m
Area 585.7m²
Width of street 7.0m

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:

(SFD) GROUND FLOOR AREA: 201.9m², (SFD) NUMBER OF STORIES: 2
(SFD) WIDTH: 12.2m, (SFD) LENGTH: 17.9m, (SFD) HEIGHT: 10.4m

Proposed

(AS) GROUND FLOOR AREA: 24.2m², (AS) NUMBER OF STORIES: 1
(AS) WIDTH: 3.9m, (AS) LENGTH: 6.1m, (AS) HEIGHT: 3.15m

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

Existing:

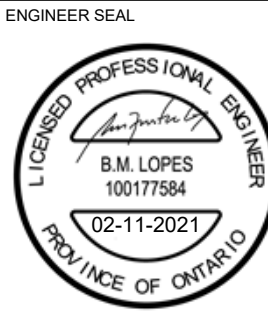
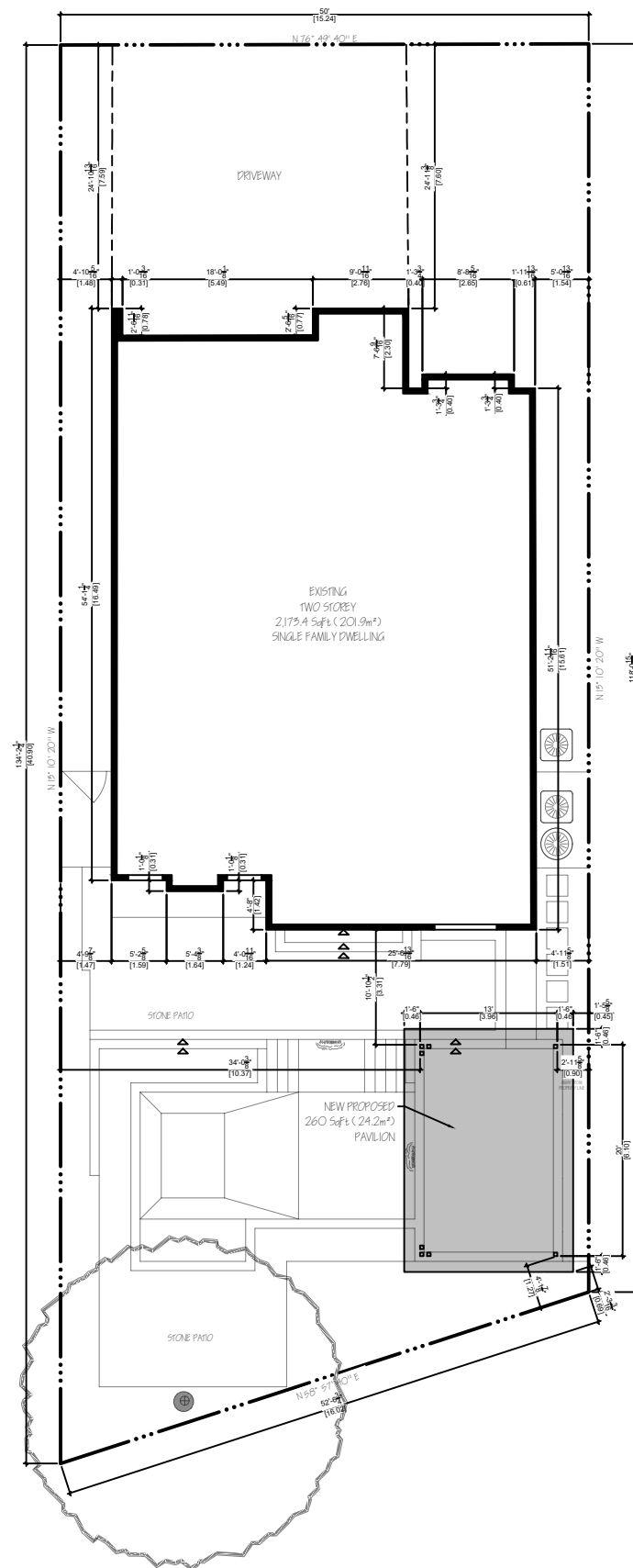
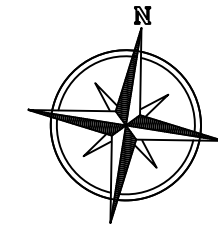
(SFD) FRONT: 7.6m
SIDE: 1.59m / 1.48m
REAR: 12.5m

Proposed:

(AS) FRONT: 28.4m
SIDE: 0.9m / 10.37m
REAR: 1.27m

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 (single family, duplex, retail, factory etc.):
RESIDENTIAL (SFD)
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
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 | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
3		
4		
5		



GENESIS
— WOODWORKS



GENESIS
— METALWORKS

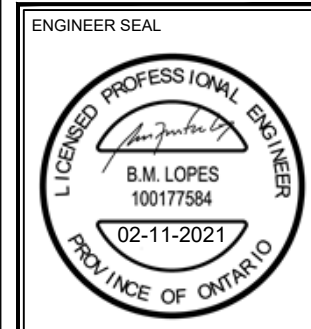
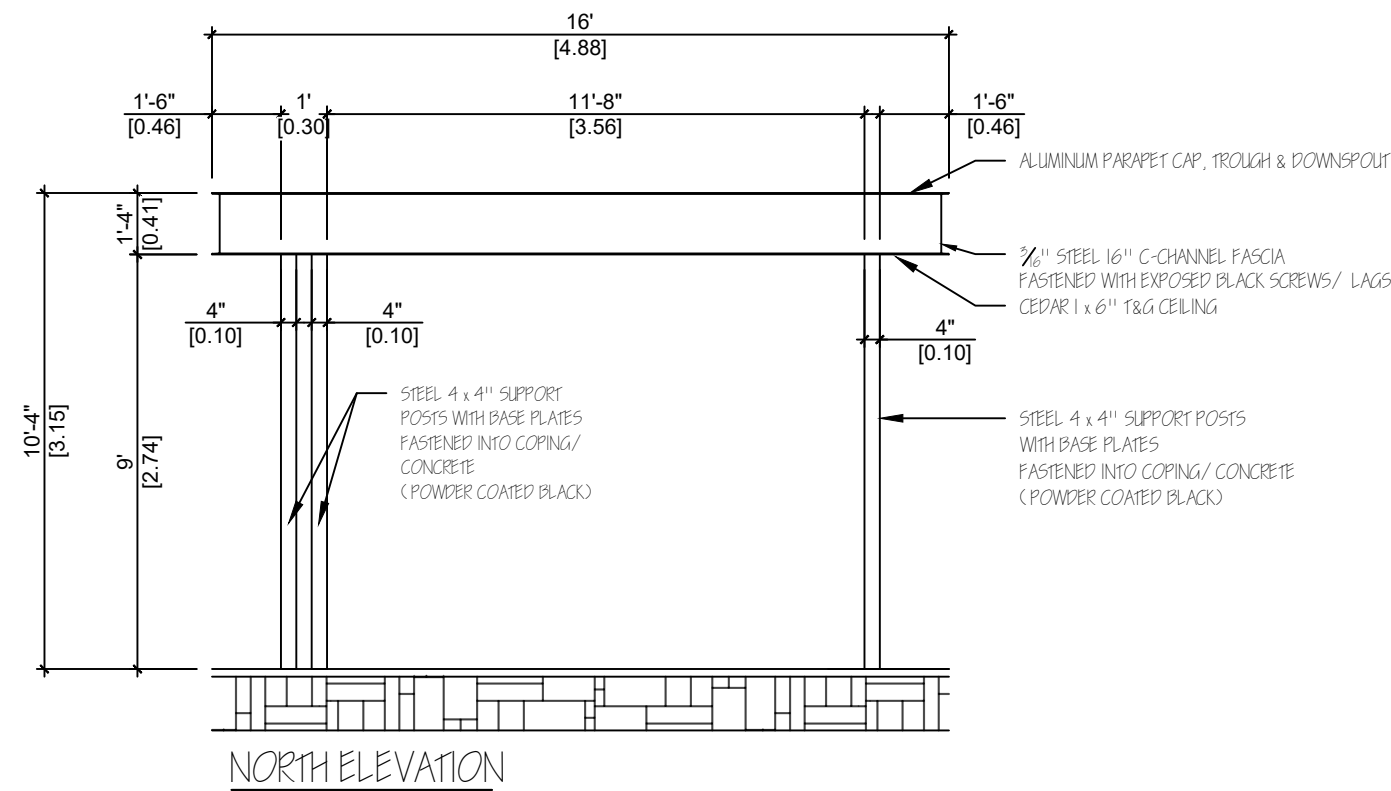
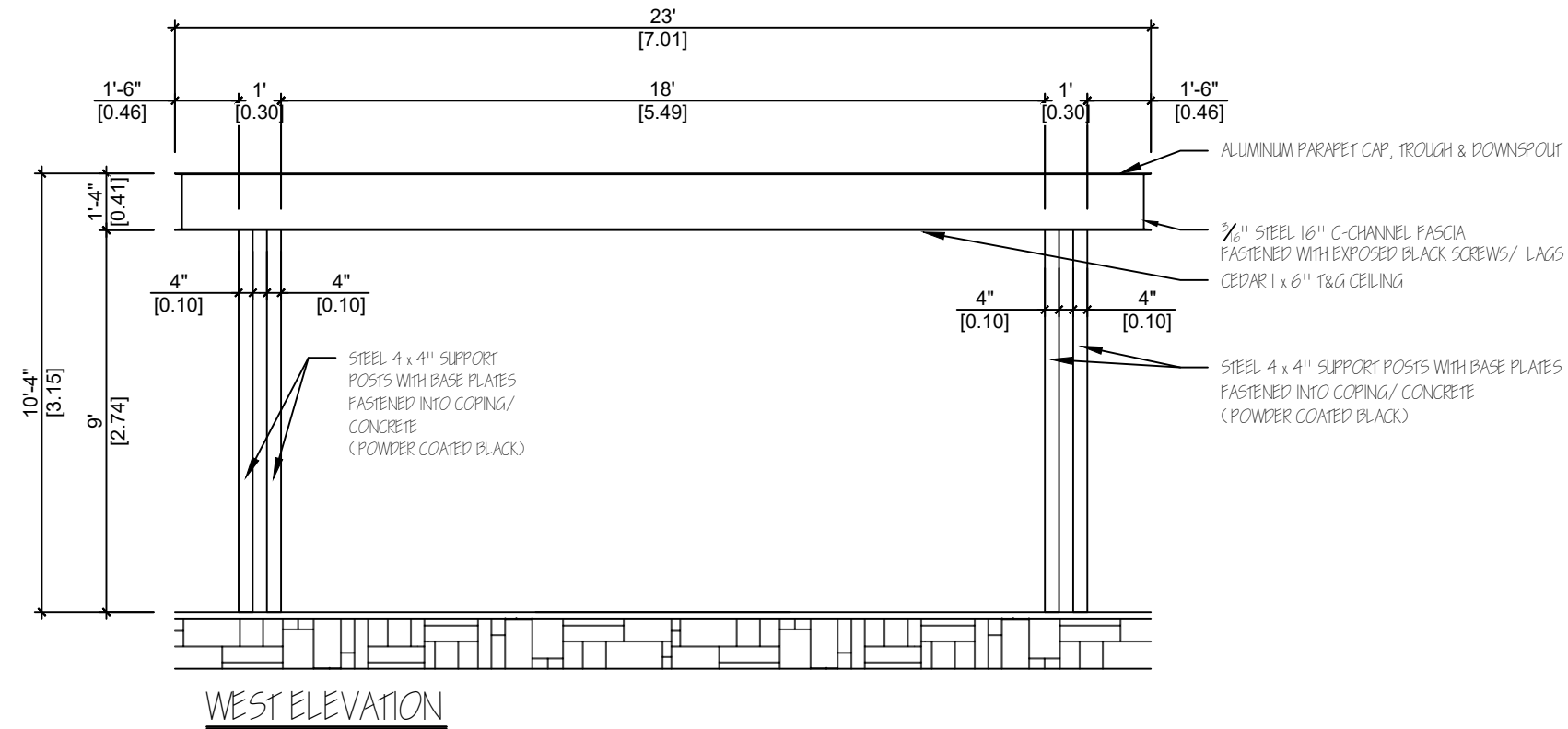
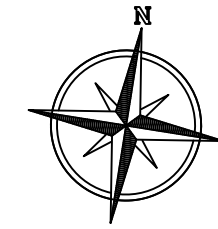
FOR BUILDING PERMIT

ZONE "ER" EXISTING RESIDENTIAL	
LOT AREA:	585.7m ² (6,304.42 Sqft)
LOT FRONTAGE:	7.6m
MAXIMUM HEIGHT:	10.9m
MAX. LOT COV. 35%:	34.47%
MAX G.F.A. 65%:	201.9m ² (2,173.4 Sqft)
MIN FRONT SETBACK:	4.5m
MIN SIDE SETBACK:	1.5m
MIN REAR SETBACK:	7.5m
MAX ROOF HEIGHT:	10.9m
PROPOSED ACCESSORY STRUCTURE	
PROPOSED LOT COV. (GARAGE & PORCHES INCL'D):	226.1m ² (38.6%)
G.F.A.:	24.2m ² (260 Sqft)
PROPOSED ROOF HEIGHT:	3.15m
SIDE SETBACK:	0.9m

PROJECT:
BERISHA RESIDENCE
52 JERSEYVILLE ROAD E
ANCASTER, ON

DRAWING:
SITE PLAN PROPOSED

SCALE: 1/8"=1'-0"	PROJECT NO. BR2021
DATE: OCT 18-21	
DRAWN BY: S. WOOD	SHEET NO. SP1.01
CHECKED BY: B. LODDER	



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
3		
4		
5		



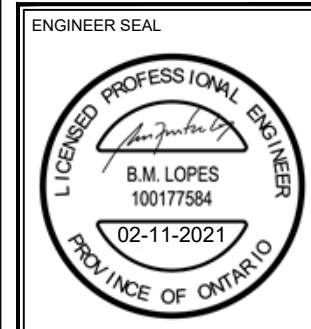
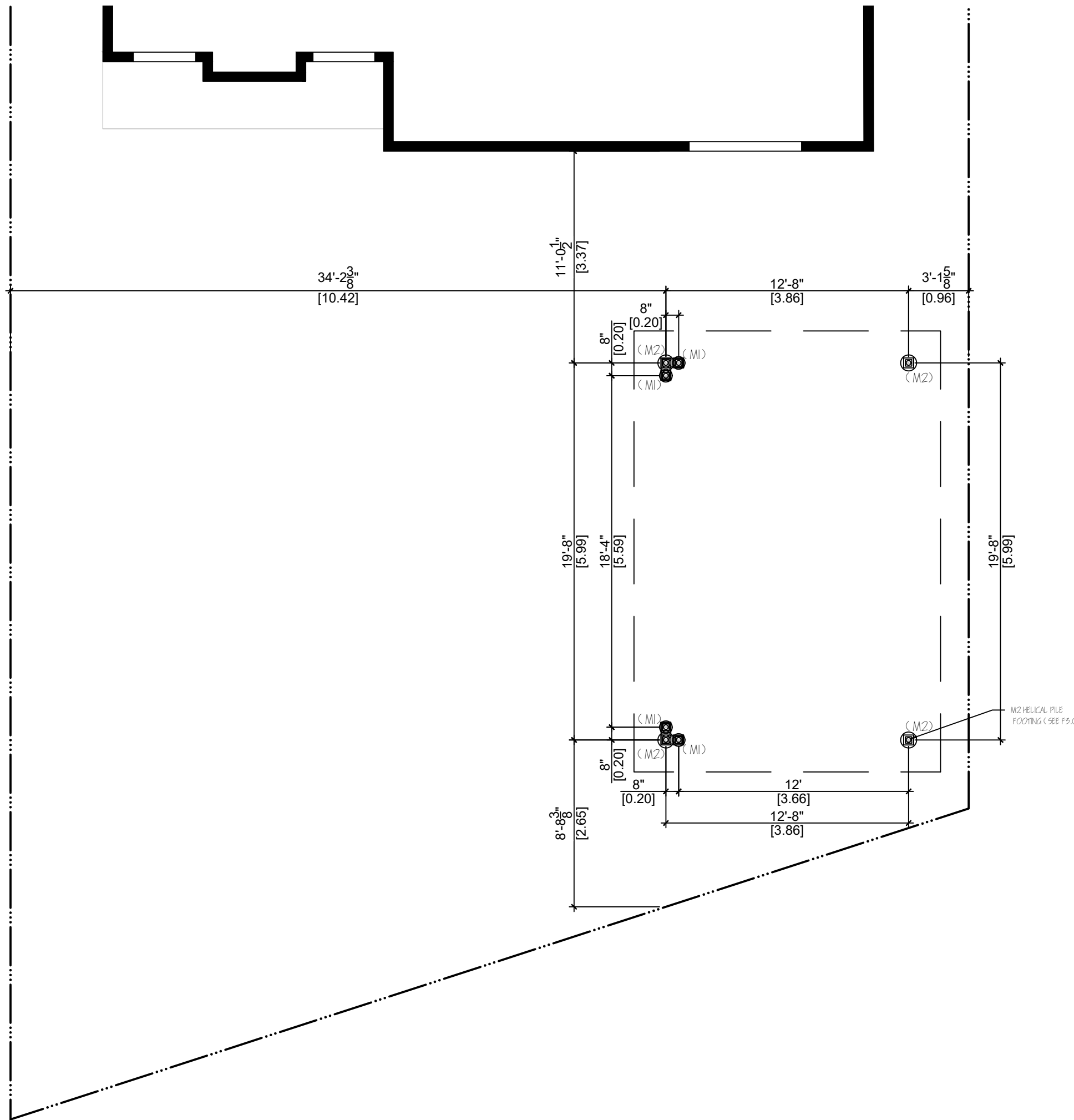
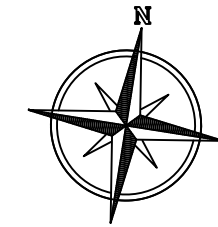
FOR BUILDING PERMIT

PROJECT:
BERISHA RESIDENCE
 52 JERSEYVILLE ROAD E
 ANCASTER, ON

DRAWING:
 ELEVATIONS

SCALE: 1/2"=1'-0"	PROJECT NO. BR2021
DATE: OCT 18-21	
DRAWN BY: S. WOOD	SHEET NO. A1.01
CHECKED BY: B. LODDER	

2 of 6



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
3		
4		
5		



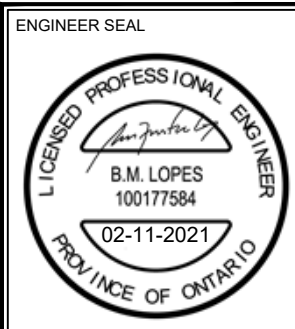
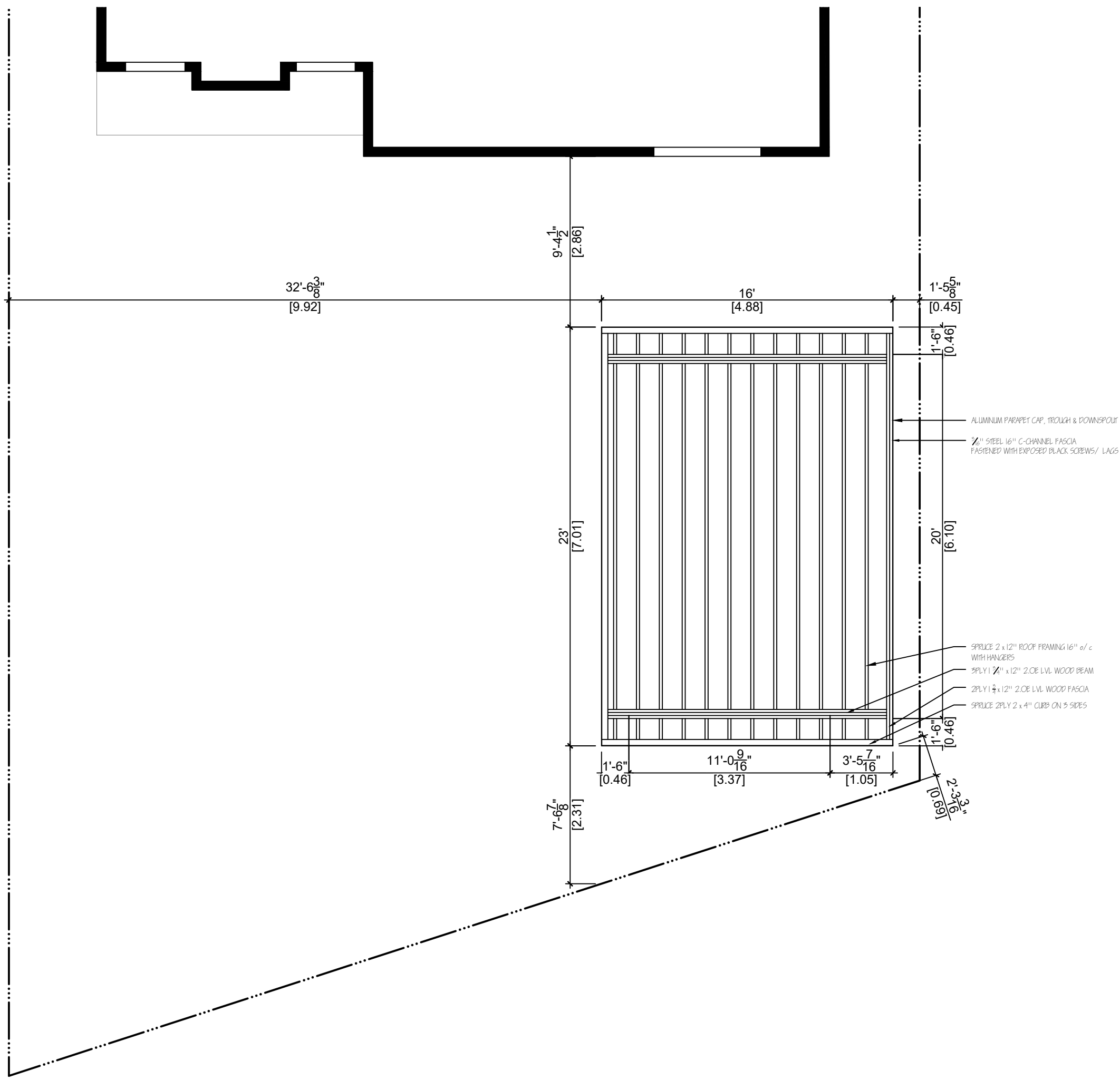
FOR BUILDING PERMIT

PROJECT:
BERISHA RESIDENCE
 52 JERSEYVILLE ROAD E
 ANCASTER, ON

DRAWING:
 FOOTING LAYOUT

SCALE: 3/8"=1'-0"	PROJECT NO. BR2021
DATE: OCT 18-21	
DRAWN BY: S. WOOD	SHEET NO. F1.01
CHECKED BY: B. LODDER	

3 of 6



REVISIONS		
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
3		
4		
5		

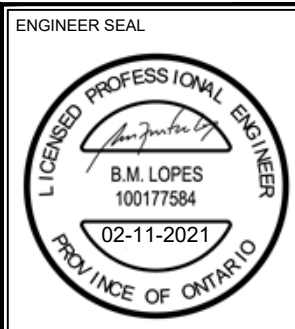
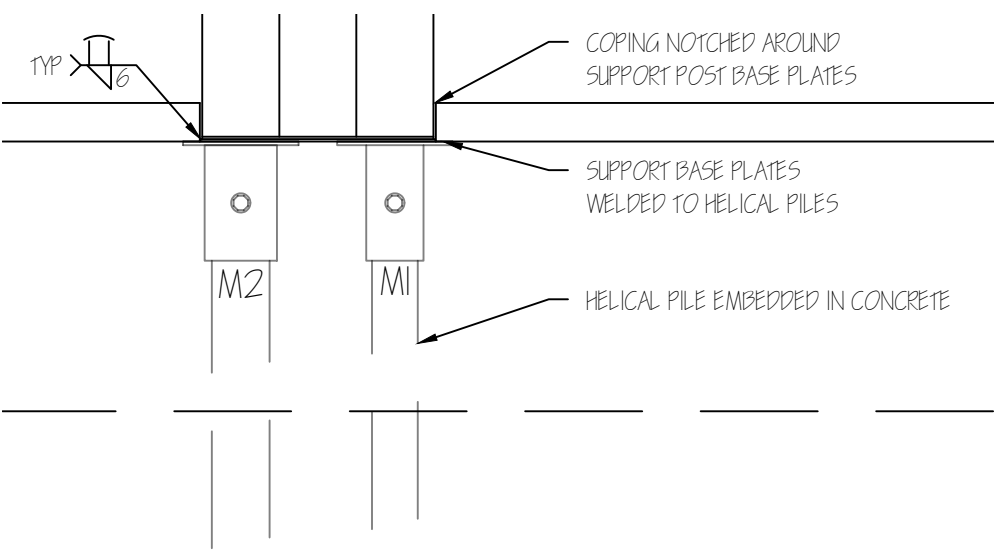
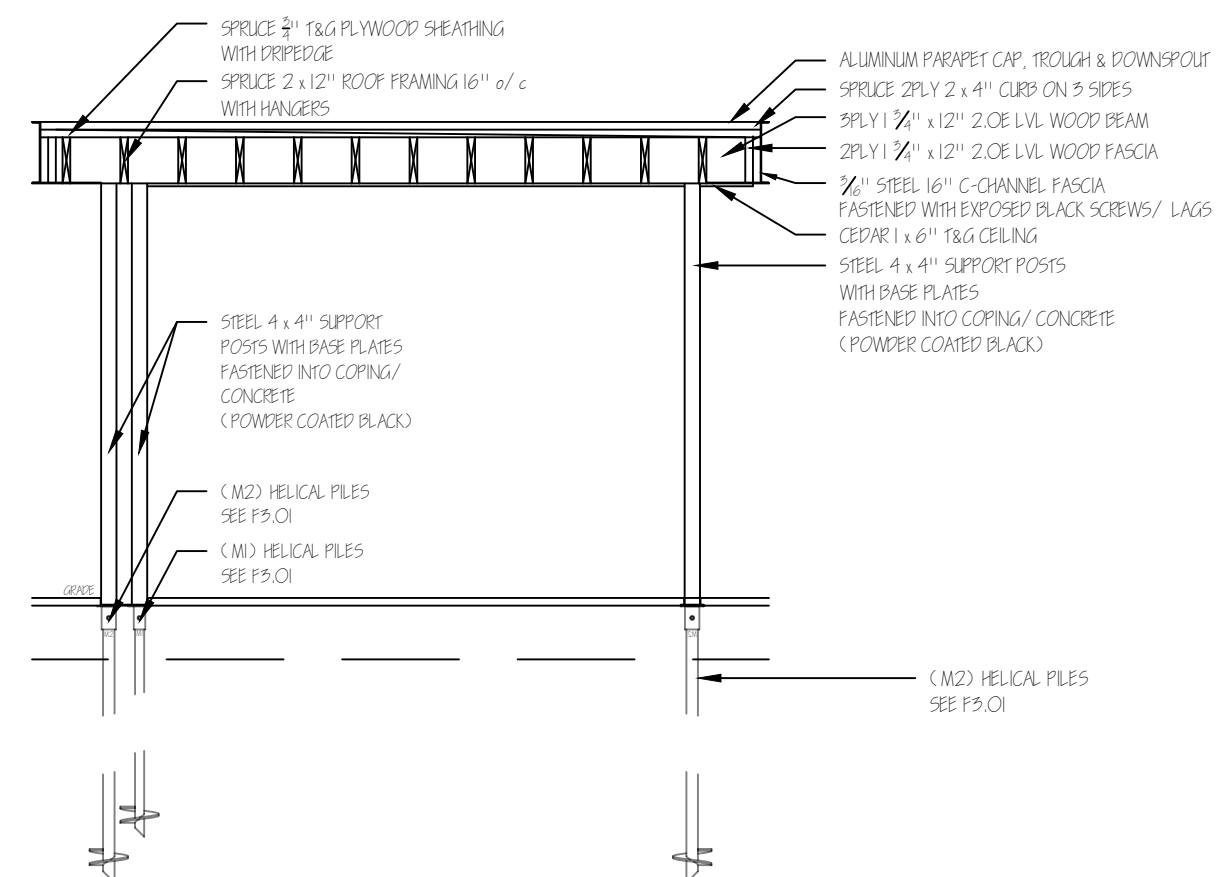
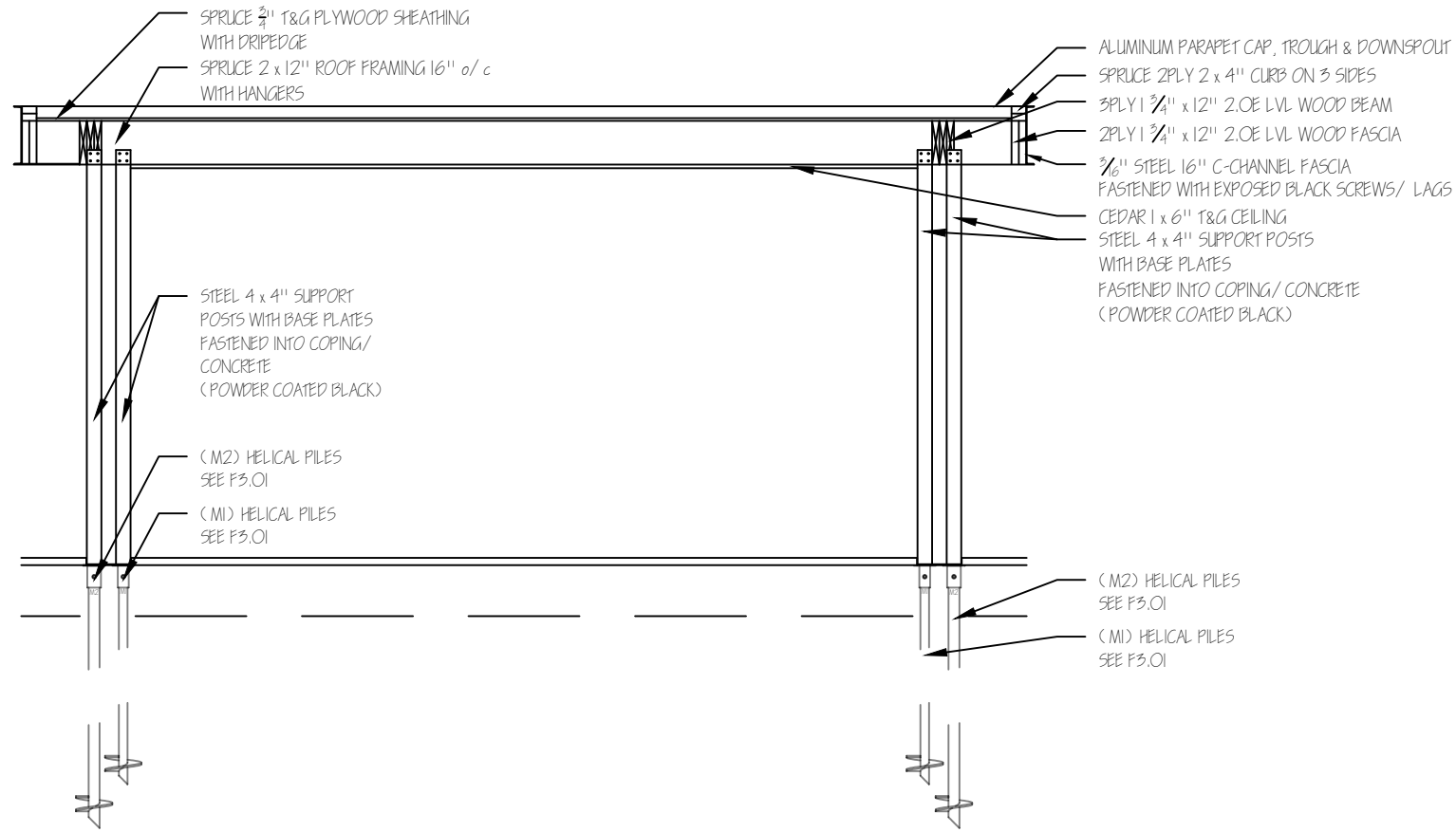
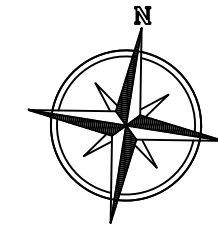


FOR BUILDING PERMIT

PROJECT:
BERISHA RESIDENCE
 52 JERSEYVILLE ROAD E
 ANCASTER, ON

DRAWING:
ROOF FRAMING

SCALE: 3/8"=1'-0"	PROJECT NO. BR2021
DATE: OCT 18-21	
DRAWN BY: S. WOOD	SHEET NO. F1.02
CHECKED BY: B. LODDER	
4 of 6	



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
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4		
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FOR BUILDING PERMIT

PROJECT:
BERISHA RESIDENCE
 52 JERSEYVILLE ROAD E
 ANCASTER, ON

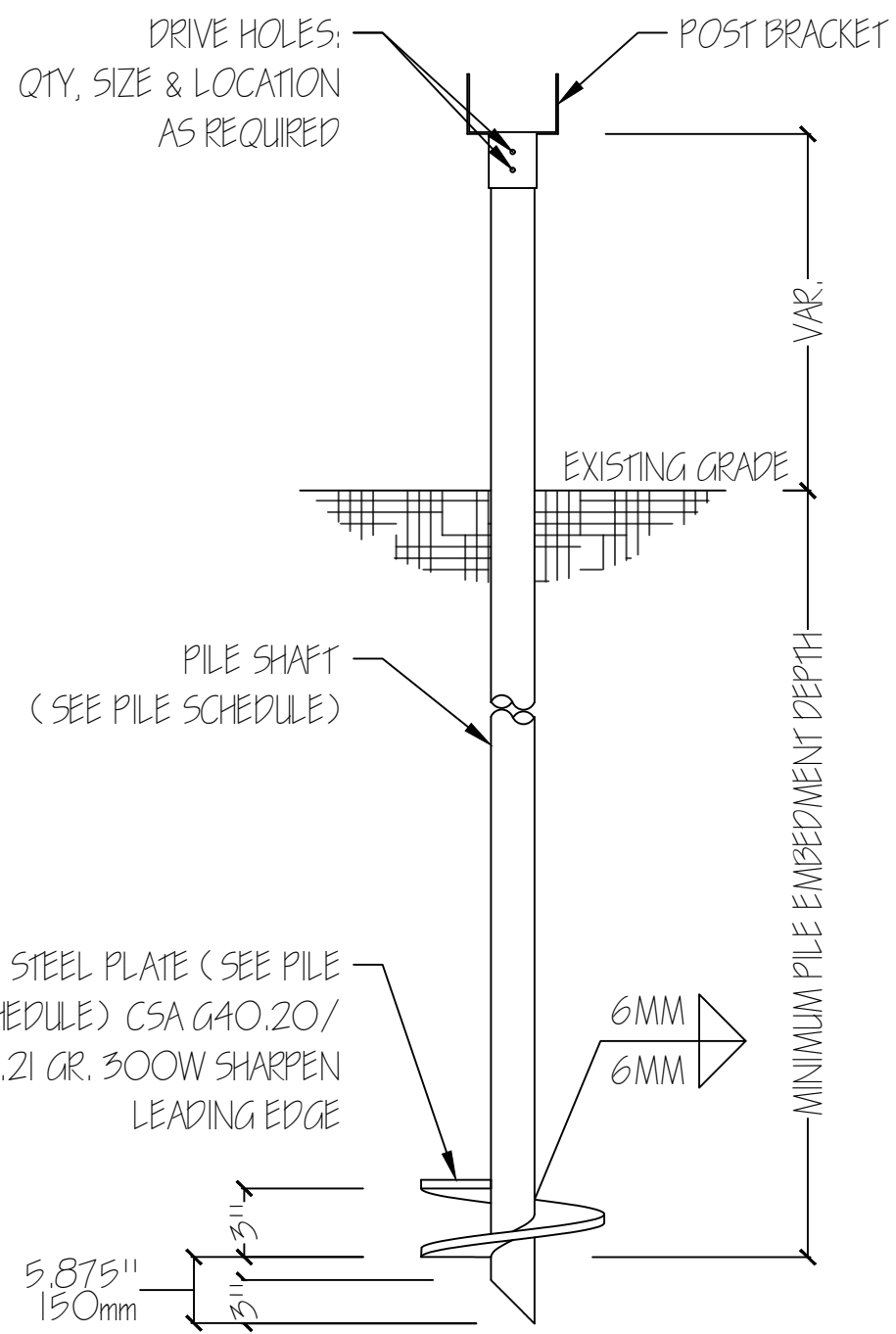
DRAWING:
PAVILION FRAMING

SCALE: 1/2"=1'-0"	PROJECT NO. BR2021
DATE: OCT 18-21	
DRAWN BY: S. WOOD	SHEET NO. F1.03
CHECKED BY: B. LODDER	

5 of 6

NOTES:

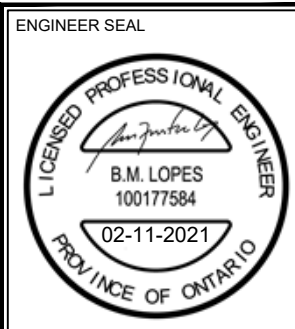
1. GENERAL:
 - 1.1 THE DESIGN, FABRICATION AND INSTALLATION OF PILES SHALL BE GOVERNED BY THE FOLLOWING CODES, STANDARD AND REGULATIONS:
 - 1.1.1 CSA G40.21 STRUCTURAL QUALITY STEEL.
 - 1.1.2 2012 ONTARIO BUILDING CODE.
 - 1.1.3 CSA W48-18 FILLER METALS AND ALLIED MATERIAL FOR METAL ARC WELDING.
 - 1.1.4 CSA W47.1 CERTIFICATION OF COMPANIES FOR FUSION WELDING OF STEEL STRUCTURES.
 - 1.1.5 ASTM A252 WELDED AND SEAMLESS STEEL PIPE PILES.
 - 1.1.6 ASTM A53 WELDED AND SEAMLESS STEEL PIPE.
 - 1.1.7 PROVINCIAL HEALTH AND SAFETY REGULATIONS.
 - 1.2 PILE SHAFT DIAMETER, WALL THICKNESS AND HELIX PLATE THICKNESS SHALL NOT BE LESS THAN MINIMUM SPECIFIED IN PILE SCHEDULE.
2. MATERIALS:
 - 2.1 STEEL PIPE PILE MATERIALS SHALL CONFORM TO ASTM A500, GRADE B OR ASTM A252 (GRADE 3) MINIMUM.
 - 2.2 HELICES SHALL CONFORM TO CSA-G40.21, GRADE 300W.
 - 2.3 HELICES SHALL BE WELDED TO THE PIPE SECTION USING A CONTINUOUS FILLET WELD ON BOTH SIDES OF THE HELIX-PIPE CONNECTION. HELICES SHALL HAVE MINIMUM THICKNESS AS SPECIFIED.
 - 2.4 SACRIFICIAL STEEL THICKNESS HAS BEEN PROVIDED TO ACCOUNT FOR CORROSION, AS PER ONTARIO BUILDING CODE SECTION 4.2.3.10.
 - 2.5 ALL WELDS SHALL BE MIN. 6MM FILLET WELDS, UNLESS NOTED OTHERWISE.
 - 2.6 WELD TENSILE STRENGTH = 480MPA.
 - 2.7 WELDING ELECTRODES SHALL CONFORM TO CSA W48.1.
3. DESIGN:
 - 3.1 PILES DESIGN LOAD IS BASED ON THE EXISTING STRUCTURAL DRAWING.
 - 3.2 ANY CHANGES TO THE PILE LAYOUT SHALL BE REVIEWED BY CONSULTANT ENGINEER FOR APPROVAL.
 - 3.3 DUE TO NO GEOTECHNICAL INFO AVAILABLE, SOIL PROPERTY IS ASSUMED BASED ON ADJACENT PROJECT, OWNER AND CONTRACTOR'S DESCRIPTION, ANY UNFORESEEABLE GEOTECHNICAL CHANGES WILL BE THE RESPONSIBILITY OF OWNER.
4. CONSTRUCTION:
 - 4.1 PILES SHALL BE INSTALLED OPEN ENDED; AND ENDS SHALL BE CUT AS 45 DEGREES.
 - 4.2 PILES SHALL BE INSTALLED CONTINUOUSLY WITHOUT INTERRUPTION TO THE MINIMUM EMBEDMENT DEPTH AND MINIMUM INSTALLATION TORQUE INDICATED ON THE PILE SCHEDULE.
 - 4.3 PILE INSTALLATION RECORDS SHALL BE DOCUMENTED BY A QUALIFIED PILING INSPECTOR REPRESENTING THE GEOTECHNICAL ENGINEER.
 - 4.4 FABRICATION SHALL BE CARRIED OUT IN ACCORDANCE WITH STANDARD PRACTICES AND APPLICABLE CODES.
 - 4.5 PILE EMBEDMENT DEPTHS INDICATED IN THE PILE SCHEDULE ARE HELIX DEPTH FROM THE EXISTING GRADE. STICKUP AND TIP PROJECTION LENGTHS SHALL BE ADDED TO THE PILE LENGTH AS REQUIRED.
 - 4.6 INSTALL PILES VERTICALLY AND ENSURE THE RATE OF ADVANCEMENT INTO THE SOIL PER REVOLUTION IS EQUAL TO THE HELIX PITCH.
5. TOLERANCES:
 - 5.1 PILE SHALL BE INSTALLED TO THE FOLLOWING TOLERANCES:
 - 5.1.1 TOP OF PILE WITHIN 75MM OUT OF ALIGNMENT.
 - 5.1.2 NOT MORE THAN 2% INCLINATION FROM VERTICAL.
 - 5.2 ANY GAP AROUND INSTALLED PILE MUST BE BACKFILLED WITH CRUSHED STONES OR APPROVED EQUIVALENT.
 - 5.3 WHERE PILES DEVIATE FROM ABOVE TOLERANCE AND DESIGN REQUIREMENTS, THE CONDITION OF THE FOUNDATION SHALL BE ASSESSED BY THE ENGINEER AND WHERE REQUIRED, CORRECTIONS SHALL BE MADE.
6. ACCEPTANCE:
 - 6.1 BOTH MINIMUM TOP HELIX EMBEDMENT DEPTH AND MINIMUM INSTALLATION TORQUE MUST BE ACHIEVED FOR PILE ACCEPTANCE.



FOR INFORMATION ONLY



HELICAL PILE SCHEDULE (FOR PRELIMINARY GUIDE ONLY) ¹									
PILE TYPE	QUANTITY	FACTURED ULTIMATE AXIAL CAPACITY KN (KIP) ²		AXIAL STRUCTURAL CAPACITY KN (KIP) ⁴	SHAFT SIZE MM (INCH)	HELIX SIZE MM (INCH)	TOP HELIX MIN. EMBEDMENT	NO. OF HELIX	MAX. TORQUE KN-M (FT-LBS)
		COMPRESSION	TENSION ³						
M1	4	50 (11)	35 (8)	220 (49)	60.3 x 4.76 (2 3/8 x 3/16)	203 x 9.53 (8 x 3/8)	SEE NOTE 5	1	5 (3,700)
M2	4	85 (19)	60 (13)	280 (63)	76.2 x 4.76 (3 x 3/16)	254 x 9.53 (10 x 3/8)	SEE NOTE 5	1	8.3 (6,200)



REVISIONS		
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10.25.2021
2		
3		
4		
5		



FOR BUILDING PERMIT

PROJECT:		BERISHA RESIDENCE	
52 JERSEYVILLE ROAD E ANCASTER, ON			
DRAWING: HELICAL PILE SPECIFICATIONS			
SCALE: N.T.S.	PROJECT NO. BR2021		
DATE: OCT 18-21	DRAWN BY: S. WOOD	SHEET NO. F3.01	
CHECKED BY: B. LODDER		6 of 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.: GL/A-21:441

APPLICANTS: Agent T. Johns Consulting Group c/o K. Gillis
 Owner OBB Properties Inc. c/o F. Morison

SUBJECT PROPERTY: Municipal address **73 Aeropark Blvd., Glanbrook**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 16-165

ZONING: "M11" (Airport Prestige Business (M11) Zone

PROPOSAL: To permit the construction of an office building in order to facilitate Site Plan File No. DA-21-114 notwithstanding that:

1. No maximum yard setback shall be required abutting the Aeropark Boulevard street line instead of the requirement that a maximum yard abutting a street shall be 27.0m.
2. An existing hydro transformer shall be permitted within the required 6.0m landscaped area abutting the Aeropark Boulevard street line instead of the requirement that a transformer is not permitted within a required landscaped area.
3. The existing hydro transformer located within the required front yard shall be permitted to be setback a minimum of 1.5m from the Aeropark Boulevard street line, shall be permitted to be 0.0m from the northerly side lot line and shall not be required to be screened from the Aeropark Boulevard street line by an enclosure or landscaping instead of the requirement that mechanical and unitary equipment within a required front yard shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping.

NOTE:

- i) The variances have been written as requested by the applicant. The lands are subject to DA-21-114. Further variances will be required if compliance with all other zone regulations cannot be complied with.

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

DATE: Thursday, February 3rd, 2022
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

GL/A-21: 441
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

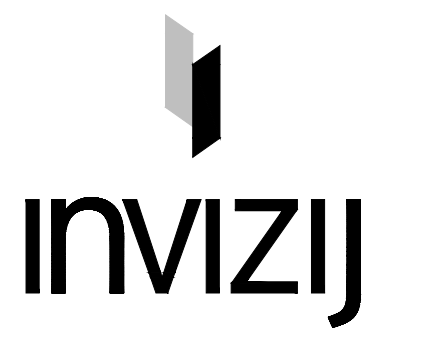
For more information on this matter, including access to drawings illustrating this request:

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

DATED: January 18th, 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.



INVIZIJ ARCHITECTS INC
185 YOUNG STREET, HAMILTON, ON L8N 1V9
T: 905 525 9000 | F: 905 523 7600 | invizija.com



73 AEROPARK BOULEVARD, HAMILTON
AIRPORT PRESTIGE BUSINESS (M11) ZONE OF ZONING BY-LAW NO. 05-200

PROVISION	REQUIRED	PROPOSED	CONFORMITY
PERMITTED USES	OFFICE	OFFICE	YES
MINIMUM LOT AREA	4,000.0m ²	TOTAL = 11,809.71m ² PHASE 1 = 5,796.03m ²	YES
YARD ABUTTING A STREET	MIN 6.0m MAX 27.0m	MIN 6.2m MAX 64.0m	YES
MAX BUILDING HEIGHT	ALL DEVELOPMENT IN THE CITY OF HAMILTON SHALL COMPLY WITH THE HAMILTON AIRPORT ZONING (HEIGHT) REGULATIONS ESTABLISHED BY TRANSPORT CANADA, WHICH ARE REGISTERED AT THE LOCAL LAND TITLES OFFICE AND WHICH MAY BE AMENDED FROM TIME TO TIME.	8.2m	YES
MAX GFA FOR OFFICE USE WITHIN AN INDIVIDUAL BUILDING	3,000m ²	1,196.0m ²	YES
MIN LANDSCAPED AREA	1,771.5m ² (15% TOTAL LOT AREA) 869.4m ² (15% PHASE 1 AREA)	2,005.0m ² (17.0% TOTAL) 2,005.0m ² (34.6% PHASE 1)	YES
	6.0m WIDE LANDSCAPED AREA ABUTTING A STREET	6.0m	YES

GENERAL PROVISIONS

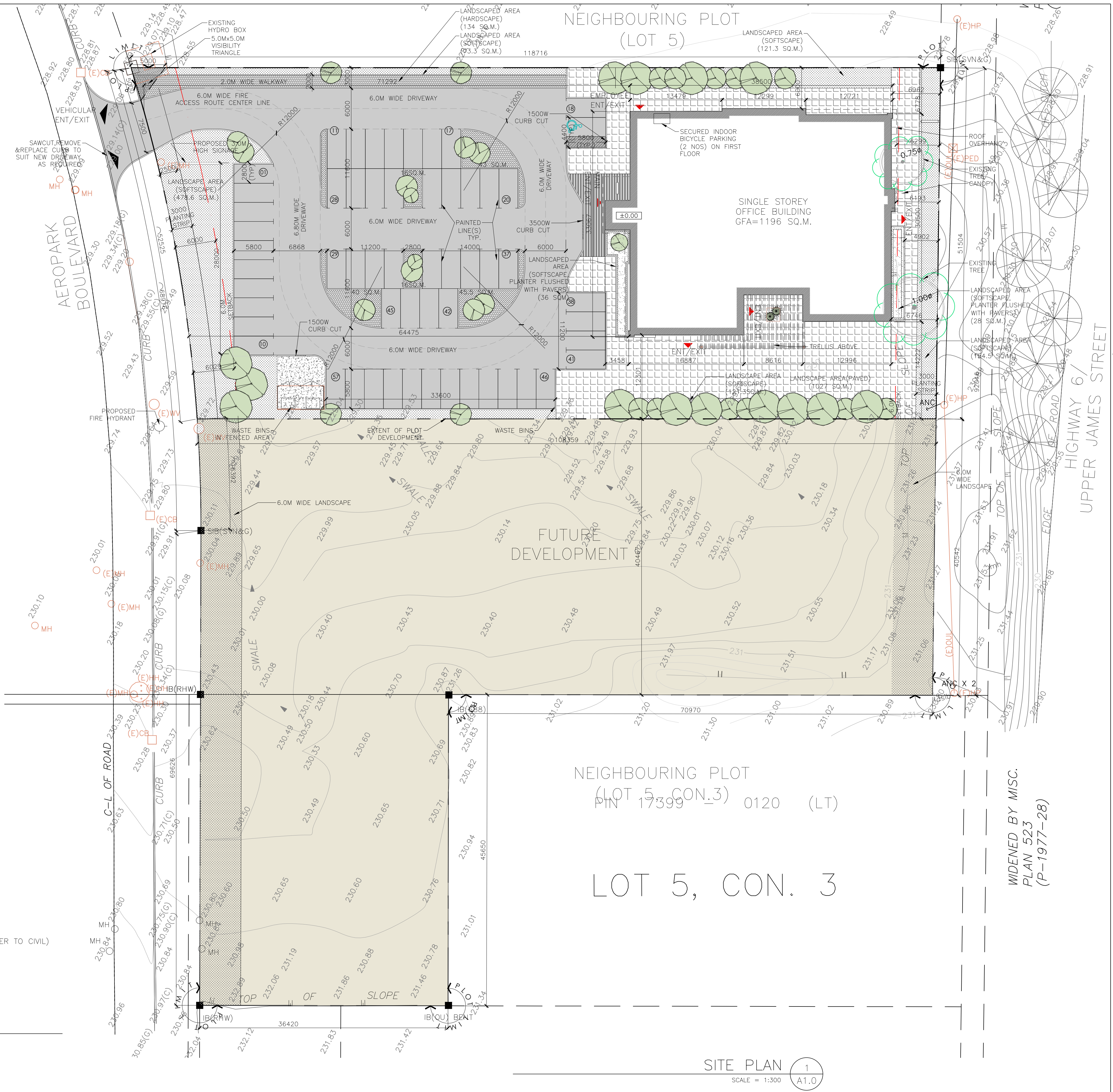
MAX ENCROACHMENT OF WINDOWSILLS, EAVES ETC. INTO A REQUIRED YARD	0.6m	0.0m	YES
MAX ENCROACHMENT OF A PORCH, DECK OR CANOPY INTO A REQUIRED YARD	1.5m	0.0m	YES
MIN SETBACK OF MECHANICAL EQUIPMENT	3.0m FROM STREET LINE 0.6m FROM SIDE LOT LINE	0.0m 0.0m	NO (EXISTING)

PARKING AND LOADING REQUIREMENTS

REGULATION	REQUIRED	PROPOSED	CONFORMITY
MIN PARKING AISLE WIDTH	6.0m	6.0m	YES
MIN PARKING SPACES	39 SPACES (1 PER 30m ² OF GFA)	57	YES
MIN PARKING SPACE DIMENSION	2.8m WIDE 5.8m LONG	5.8m WIDE 5.8m LONG	YES
MIN BARRIER FREE PARKING SPACES	1 SPACE	1 SPACE	YES
MIN PARKING SPACE DIMENSION FOR BARRIER FREE	4.4m WIDE 5.8m LONG	4.4m WIDE 5.8m LONG	YES
MIN LONG-TERM BICYCLE PARKING	2 SPACES	2 SPACES	YES

SITE PLAN LEGEND

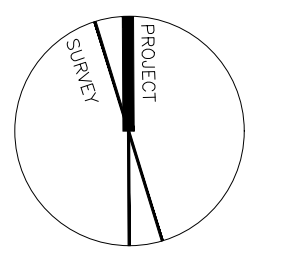
(E)	EXISTING	CBHM	CATCH BASIN MANHOLE (REFER TO CIVIL)
○ FH	FIRE HYDRANT	○ "STOP" SIGN	"STOP" SIGN
▶	BUILDING ENTRANCE/EXIT	○ BL	BOLLARD
○ HP	HYDRO POLE	000.00	ELEVATION DATUM
⊠ CB	CATCH BASIN (REFER TO CIVIL)	ASPHALT PAVING	ASPHALT PAVING
○ MH	SANITARY MANHOLE (REFER TO CIVIL)	SOD (REFER TO LANDSCAPE)	SOD (REFER TO LANDSCAPE)
○ MH	STORM MANHOLE (REFER TO CIVIL)	NOT USED	NOT USED
		SIDEWALK	SIDEWALK



SITE PLAN
SCALE = 1:300

WORK IN PROGRESS

REV.	DESCRIPTION	DATE
06	ISSUED FOR MINOR VARIANCE	2021/11/15
05	ISSUED FOR SPA	2021/09/15
04	ISSUED FOR CLIENT REVIEW	2021/08/25
03	ISSUED FOR COORDINATION	2021/08/13
02	ISSUED FOR COORDINATION	2021/07/14
01	ISSUED FOR SPA	2021/06/23



DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE. ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS CONTRADICTED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	OFFICE BUILDING FOR MORISON INSURANCE
PROJECT ADDRESS:	73 AEROPARK BLVD, HAMILTON, ONTARIO
PROJECT NO.:	19-033
DRAWING TITLE:	SITE PLAN
PLOT DATE:	15-Nov-21
DRWN.:	NN
CHKD.:	EC
DATE:	JANUARY, 2020
SCALE:	1:300
DRAWING NO.:	A1.0



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:

Business Development Bank of Canada
1900-25 Main Street West
Hamilton, ON L8P 1H1

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 require no maximum yard abutting the Aeropark Boulevard street line, whereas a maximum of 27 metres is required. To permit the existing hydro box location, whereas a hydro box is not permitted within the required 6.0 metre landscape area, 3.0 metre planting strip, 3.0 metres from the street line, 0.6 metres from a side lot line, and is required to be screened from the street.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

See the Minor Variance Rationale.

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

Lot 4
Plan 62M-1229
City of 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

13. Date of acquisition of subject lands:
January 17th, 2019
-
14. Date of construction of all buildings and structures on subject lands:
N/A, Vacant
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Vacant, former agricultural lands and golf course.
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Vacant, former agricultural lands to the north, west and east, single detached dwellings to the south, and commercial to the east
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 | <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:
"Airport Prestige Business" designation in both the Urban Hamilton Official Plan and the Airport Employment Growth District Secondary Plan.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Airport Prestige Business (M11) Zone in the City of Hamilton Zoning By-law No. 05-200
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
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
Proposed development is subject to Site Plan Control (DA-21-114). This is a phased development and will be followed by an application for Part Lot Control to permit the creation of two (2) separate parcels.
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.



December 13th, 2021

Via Email

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

Dear Ms. Sheffield,

**RE: 73 Aeropark Boulevard, Hamilton
Committee of Adjustment - Minor Variance Application**

T. Johns Consulting Group (“T. Johns”) was retained by Schilthuis Construction Inc., on behalf of OBB Properties Inc., the landowners of 73 Aeropark Boulevard, Hamilton (“subject lands”) to submit the following Minor Variance application on their behalf.

Site Description

73 Aeropark Boulevard is located in North Glanford, legally described as Lot 4, 62M-1229 in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, now the City of Hamilton. The lands are bound by Aeropark Boulevard (local road) to the west and Upper James Street (major arterial) to the east. The subject lands are irregular in shape with an area of 1.18 hectares (2.9 acres). The subject lands have an approximate frontage of 138.5 metres along Aeropark Boulevard and 92.06 metres along Upper James Street.

Planning Status

The *Urban Hamilton Official Plan Volume 1* designates the subject lands “Airport Employment Growth District” which permits office uses. The *Urban Hamilton Official Plan, Volume 2, Airport Employment Growth District Secondary Plan* designates the subject lands “Airport Prestige Business”. Office uses are permitted.

The City of Hamilton Zoning By-law No. 05-200 zones the subject lands “M11” (Airport Prestige Business) Zone. The “M11” Zone permits office buildings.

Proposed Variances

The proposed development is on the northern portion of the property, being an area of approximately 0.58ha (1.4 acres). A one (1) storey office building proposed with a gross floor area of 1,196.0 m², that will be supported by fifty-seven (57) parking spaces and one (1) barrier free parking space. To facilitate the proposed development, two (2) Minor Variances are being sought from the City of Hamilton Zoning By-law No. 05-200 Airport Prestige Business (M11) Zone. The first required variance is to permit no maximum yard abutting the Aeropark Boulevard street line, whereas a maximum setback of 27 metres abutting a street line is required. The second required



variance is to permit the existing hydro box as existing, whereas a hydro box is not permitted within the required 6.0 metre landscape area, 3.0 metre planting strip, 3.0 metres from the street line, 0.6 metres from a side lot line, and is required to be screened from the street.

Refer to the Site Plan and Appendix A: Planning Rationale dated December 13th, 2021 for more details.

T. Johns respectfully requests the circulation of this letter along with the enclosed documents in support of Minor Variance.

Please find the enclosed:

- Minor Variance application with signatures;
- Copy of the cheque in the amount of \$3,320.00 to satisfy the application fee;
- Appendix A: Planning Rationale;
- Site Plan;
- Phase I & Phase II Environmental Site Assessment reports; and,
- Risk Evaluation report.

Due to the current COVID-19 pandemic situation, the application and all required documents have been submitted electronically, save and except the cheque that was submitted to the City of Hamilton December 13, 2021.

Please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207 with any questions.

Respectfully submitted,

T. Johns Consulting Group Ltd.

A handwritten signature in black ink that reads "Katelyn Gillis". The signature is written in a cursive, flowing style.

Katelyn Gillis, BA
Intermediate Planner



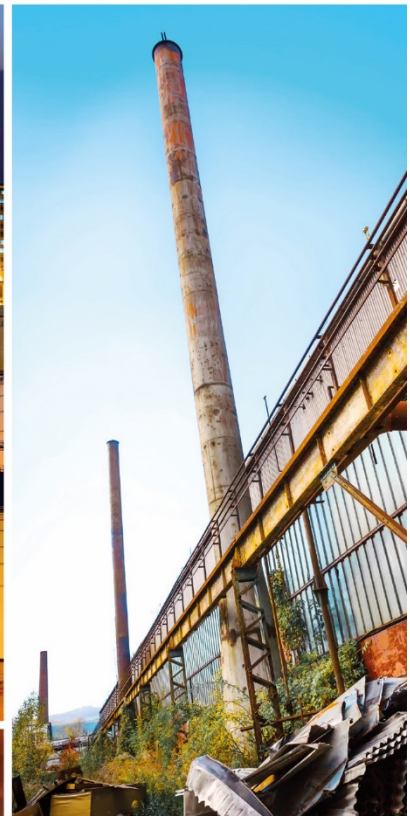
Complete report available upon request



Phase I Environmental Site Assessment

Hamilton Airport Lands Limited Partnership and
GreyCan 8 Properties Limited Partnership,
Upper James Street and Dickenson Road West
Hamilton, Ontario

Panattoni Development Company





Complete report available upon request

October 25, 2018

Reference No. 11188118

Ms. Rebecca Orig
Risk Manager
Panattoni Development Company, Inc.
7887 E. Belleview Avenue, Suite 475
Denver, Colorado
80111

Dear Ms. Orig:

**Re: Phase II Environmental Site Assessment
Hamilton Airport Lands Limited Partnership and GreyCan 8 Properties Limited Partnership
Upper James Street and Dickenson Road West
Hamilton, Ontario (Site or Property)**

1. Introduction

GHD was retained by Panattoni Development Company (Panattoni) to complete a Phase II Environmental Site Assessment (ESA) of the above-referenced Site. The Property is currently owned by 1463851 Ontario Inc. and Orlick Industries Ltd. It is GHD's understanding that the Phase II ESA is being completed as part of due diligence to support the potential purchase of the Property.

The Site is approximately 33.2 hectares (82.1 acres) in size and is comprised of eight land parcels (Parcels 1 through 8). The Site is currently vacant with no buildings or structures. The northern portion of the Site had been utilized for rural residential and agricultural purposes since as early as 1934 until the early 1990s; and the southern portion of the Site consisted of agricultural fields and/or vacant land since as early as 1934 until the early 1960s when it was developed as a golf course. The golf course was reportedly operated on the southern portion of the Site between the early 1960s until mid to late 1980s. The Site is located in an area of Hamilton that has been developed for mixed agricultural, residential and industrial/commercial purposes since the early 1960s.

A Site Location Map and a Site Plan are provided on Figure 1 and Figure 2, respectively. Compass directions (north, east, south, and west) described in this report are referenced to "Project North", which is oriented parallel to Upper James Street. Site access is provided from Aeropark Boulevard and Wetenhall Court. The properties that comprise the Site are not currently serviced by any access roads but there are some rough graded roads on some areas of the Site. At the time of the Phase I Site inspection, GHD observed several stockpiles and mounds across the Site. Site personnel indicated that the stockpiles and mounds consisted of surficial material/top soil sourced on Site that was excavated for the purposes of grading in anticipation of future development of the Site. In general, the exterior surfaces of the Site consist of grass, shrubs and trees.



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-21:442

APPLICANTS: Agent A.J. Clarke & Associates c/o F. Kloibhofer
 Owner Miranda Muraca

SUBJECT PROPERTY: Municipal address **244 Federal St., Stoney Creek**

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

ZONING: "R6" (Residential "R6" Zone)

PROPOSAL: To permit a lot to be conveyed (Part 1) and to permit a lot to be retained (Part 2) with each lot to contain a single detached dwelling in order to facilitate Consent File No. SC/B-21:21 notwithstanding that:

1. A minimum lot frontage of 9.1m shall be provided for an interior lot instead of the minimum required minimum lot frontage of 10.0m for an interior lot.
2. A minimum side yard of 0.9m shall be permitted instead of the minimum required side yard of 1.25m.
3. Eaves or gutters, for other than an accessory building, shall be permitted to project into any required yard a distance of not more than 0.6m instead of the requirement that eaves or gutters, for other than an accessory building, may project into any required yard a distance of not more than 0.5m
4. A maximum lot coverage of 47% shall be permitted instead of the maximum required lot coverage of 40%.

NOTE:

- i) The variances are necessary to facilitate Consent File No. SC/B-21:21.

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

DATE: Thursday, February 3rd, 2022
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

SC/A-21: 442
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: January 18th, 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.

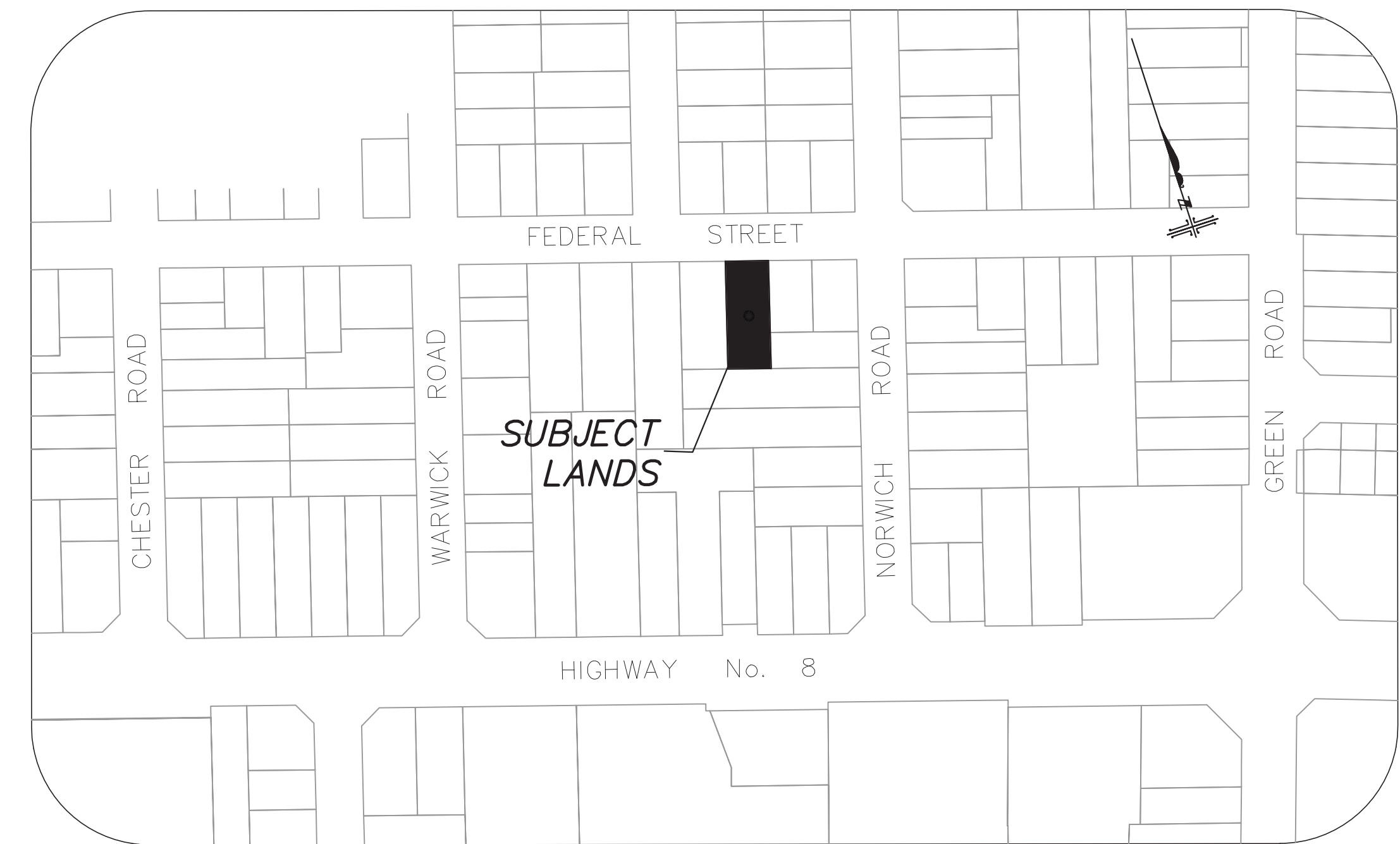
CITY OF HAMILTON (STONEY CREEK)

244 FEDERAL STREET, STONEY CREEK SEVERANCE (SC/B-21:24)

CONSENT AGREEMENT SUBMISSION: NOVEMBER 23, 2021
APPLICATION No. SC/B-21:24
PROJECT No. 208185


LIST OF DRAWINGS

1. SERVICING PLAN
2. GRADING & ESC PLAN
3. STORM DRAINAGE AREA PLAN



N.T.S.

PETER MURACA

 *A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS
 25 MAIN STREET WEST, SUITE 300
 HAMILTON, ONTARIO L8P 1H1
 Tel: 905 528-8761 Fax: 905 528-2289
 email: ajc@ajclarke.com

244 FEDERAL STREET, STONEY CREEK, HAMILTON

WATER SERVICES NOTE
All backflow prevention devices must be selected, installed and maintained in accordance with the City of Hamilton's backflow prevention by-law # 10-103, including the manufacturer's specifications for installation etc., and guidelines set out in the most recent versions of 'AWWA Canadian Cross Connection Control Manual' CSA B64.10/07/B64.10.1-07 standards'. In selecting a backflow device for a property, consideration must be given to future possible uses of the site which could result in a higher risk to municipal drinking water system, thus making the device initially chosen inadequate for new purpose and requiring future change out at the owner's expense.

GENERAL SERVICES NOTE
Minimum horizontal separation between water services/main and sewer drains and municipal sewer main shall be 2.5m measured from the closest pipe edge to closest pipe edge. Vertical separation where water service/main passes over a sewer drain or municipal sewer main must be a minimum of 0.25m unless greater separation is required to provide for proper bedding and structural support. Water services/main passing under sewer drains or municipal mains must have a separation of 0.5m between the invert of the sewer main/drain and the crown of the water service/main. All water services to be installed with a minimum cover of 1.6m to the pipe obvert. Sewer drains to be installed with a minimum cover of 2.20m at the property line below the final road grade or at such higher elevation only as may be necessitated by the level of the main sewer. On private property the minimum cover for sewer drains is to be no less than 1.2m.

All services to be installed as per City of Hamilton construction and material specifications manual (latest edition) and Ministry of the Environment Conservation and Parks Guidelines (latest edition).

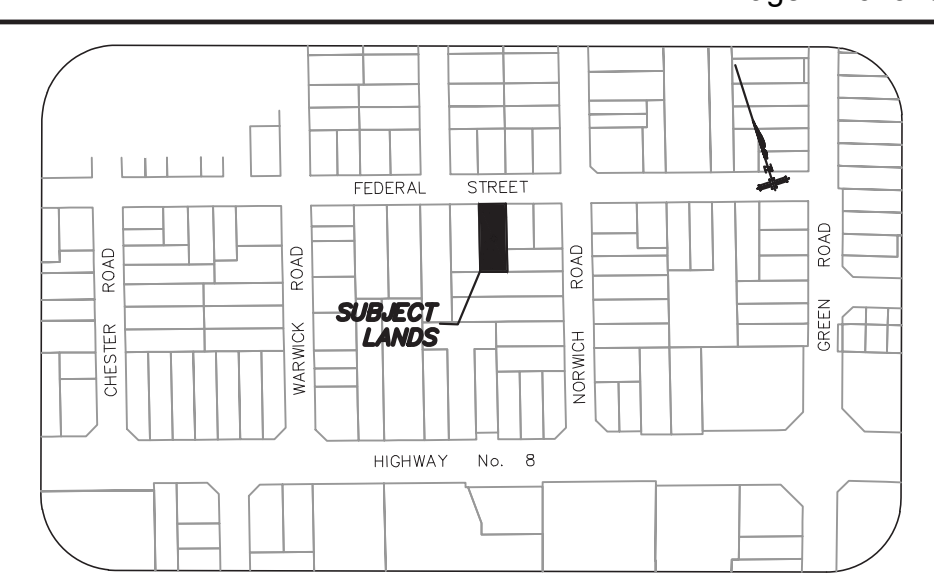
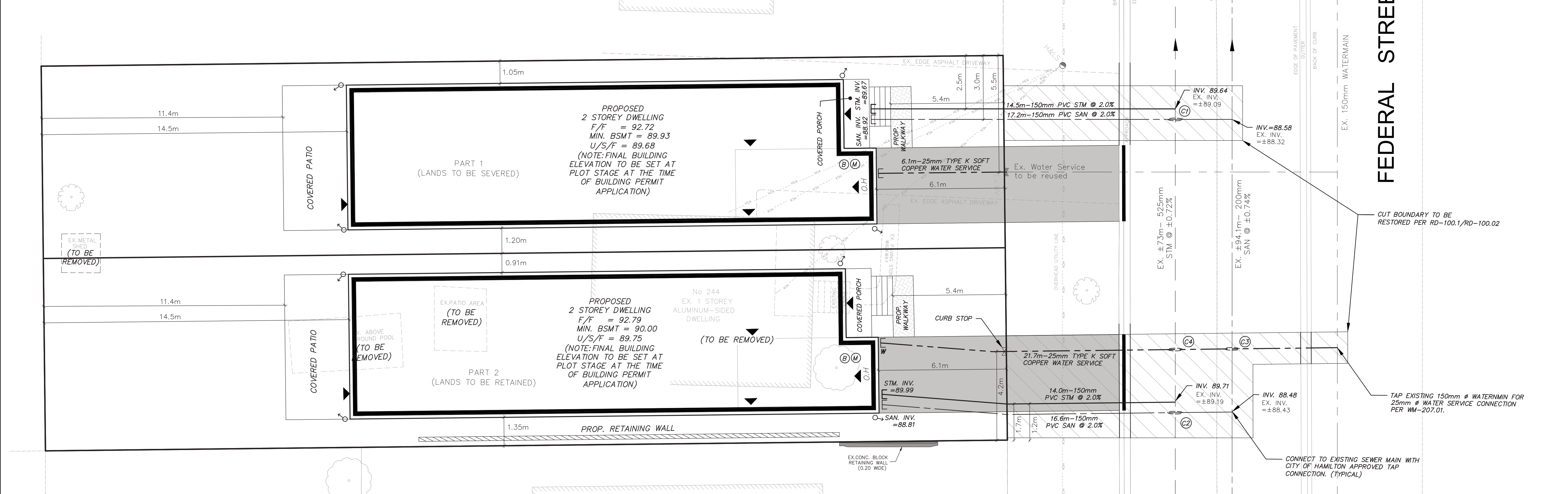
EXISTING SERVICES NOTE
The reuse of existing water services on private property is at the owner's sole risk and responsibility. Water services within the municipal road allowance or within municipal easements may be reused if in good working condition, meet by-law requirements and are of adequate capacity to meet the requirements of the site. Contact Planning and Economic Development Department, Growth Management Division, Development Engineering Construction section at (905)546-2424 x7860 to arrange for an inspection.

All existing unused sewer drains, servicing a property being redeveloped in whole or in part must be removed from municipal property i.e. road allowance, etc. with an appropriate repair to the municipal sewer main to which they connect, and either removed from private property or abandoned in accordance with City minimum requirements i.e. plugging at either end with a minimum 300mm concrete.

EXISTING SERVICING NOTE
Existing water service shall be inspected and confirmed to be in good condition for re-use. Otherwise, a new water service shall be provided.

EXISTING SERVICES NOTE
If the applicant/owner intends to reuse an existing water service it must be in good working condition, of acceptable material (re-use of lead services is not permitted) and adequately sized to handle the requirements of the site. If the existing service to be reused has a nominal size of 12 mm or 16 mm, which is less than the standard 20mm By-law requirement, and a service flow exceeding 0.3 l/s, then the applicant/owner may connect to it or reuse it, subject to them entering into a 'Special Private Water Service Agreement' with the City and registering this Agreement on title.

All existing unused sewer drains, servicing a property being redeveloped in whole or in part must be removed from municipal property i.e. road allowance, etc. with an appropriate repair to the municipal sewer main to which they connect, and either removed from private property or abandoned in accordance with City minimum requirements i.e. plugging at either end with a minimum 300mm concrete.



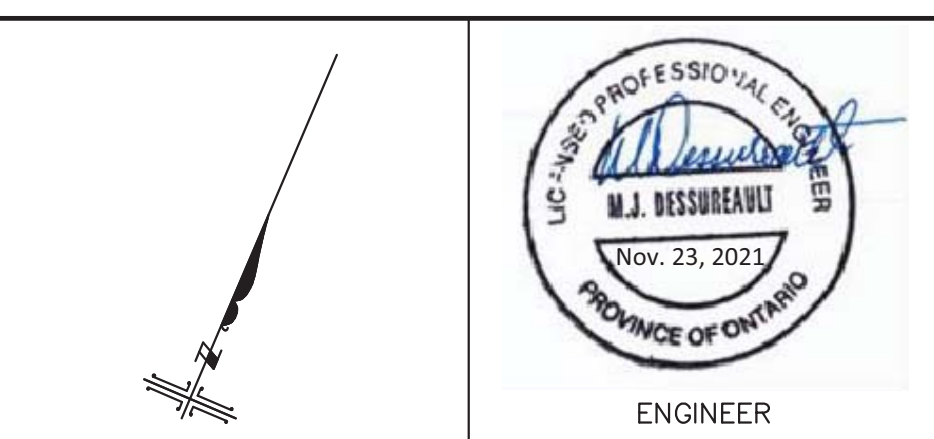
KEY PLAN N.T.S.

SITE BENCH MARK
City of Hamilton
Monument No: 07720100036
Elevation: 86.893m CGVD:78
Description: RB with brass cap
Monument is located at the East side of Mahony Park, 90m North of the centerline of Barton Street East, 15m North of the Centerline of Goggin Avenue and 16m West of the Centerline of Adeline Avenue

No.	Revision	By	Date
2.	REISSUED FOR CONSENT AGREEMENT		M.D. NOV 23, 2021
1.	CONSENT AGREEMENT SUBMISSION		M.D. OCT 18, 2021

GENERAL NOTES

- TENDERERS SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
- ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
- CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMANS, PRIVATE SEWER DRAINS AND WATER SERVICES, GASMAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS, ETC., AT START OF CONSTRUCTION.



PROJECT OWNER:
PETER MURACA

NOT ISSUED FOR CONSTRUCTION

MUNICIPALITY:
CITY OF HAMILTON (STONEY CREEK)

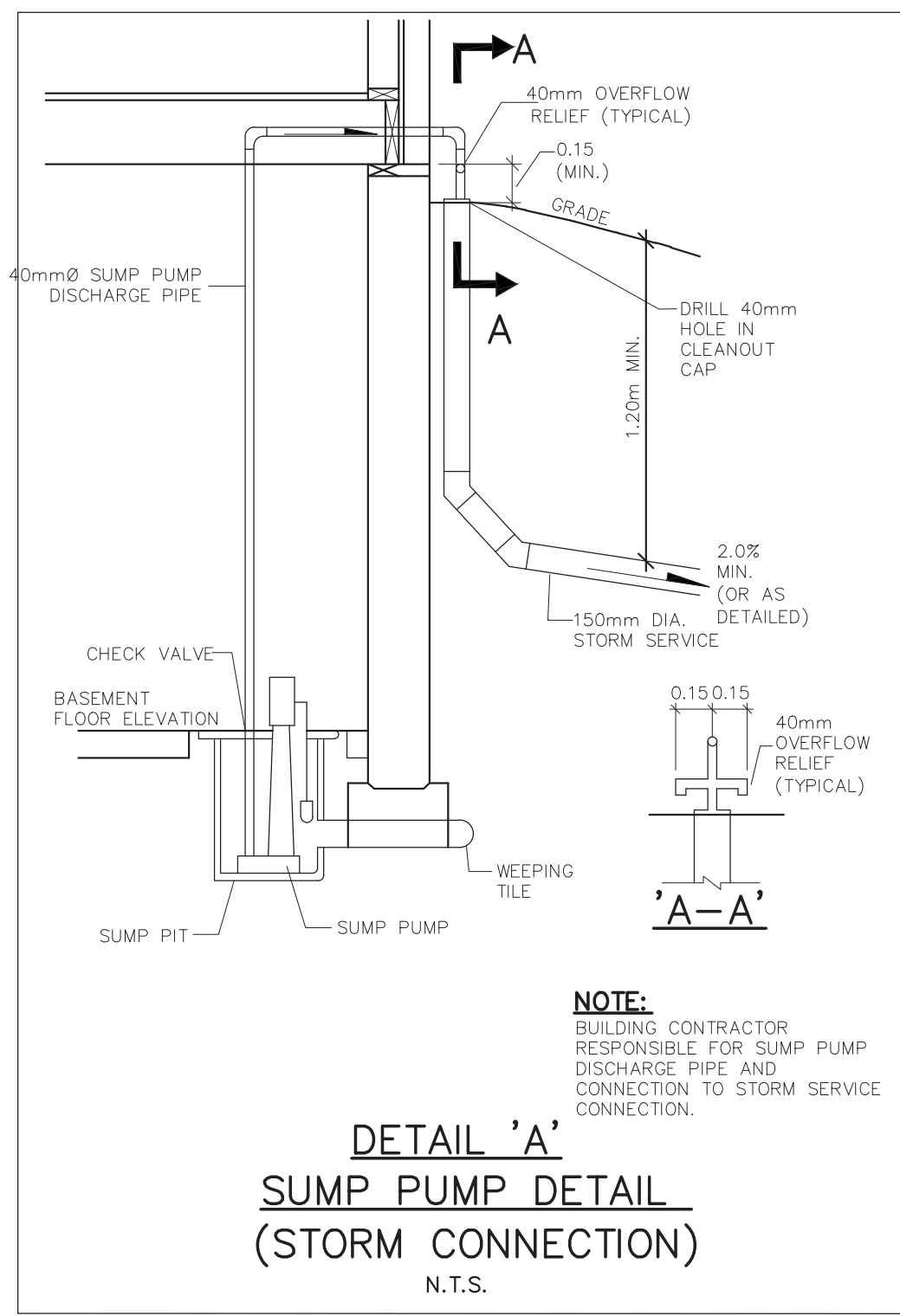
PROJECT NAME:
244 FEDERAL STREET, STONEY CREEK SEVERANCE (SC/B-21:24)

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

TITLE:
SERVICING PLAN

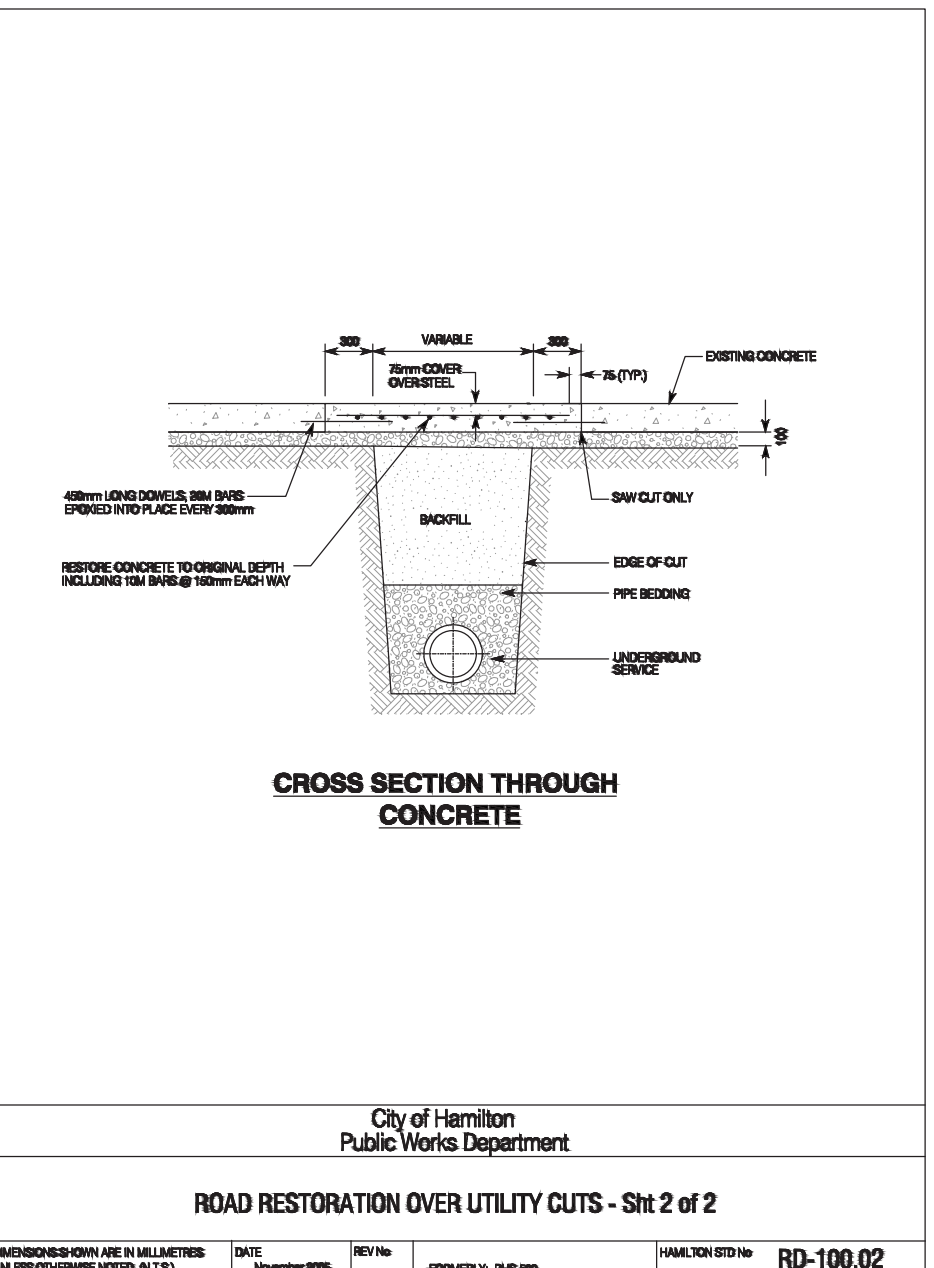
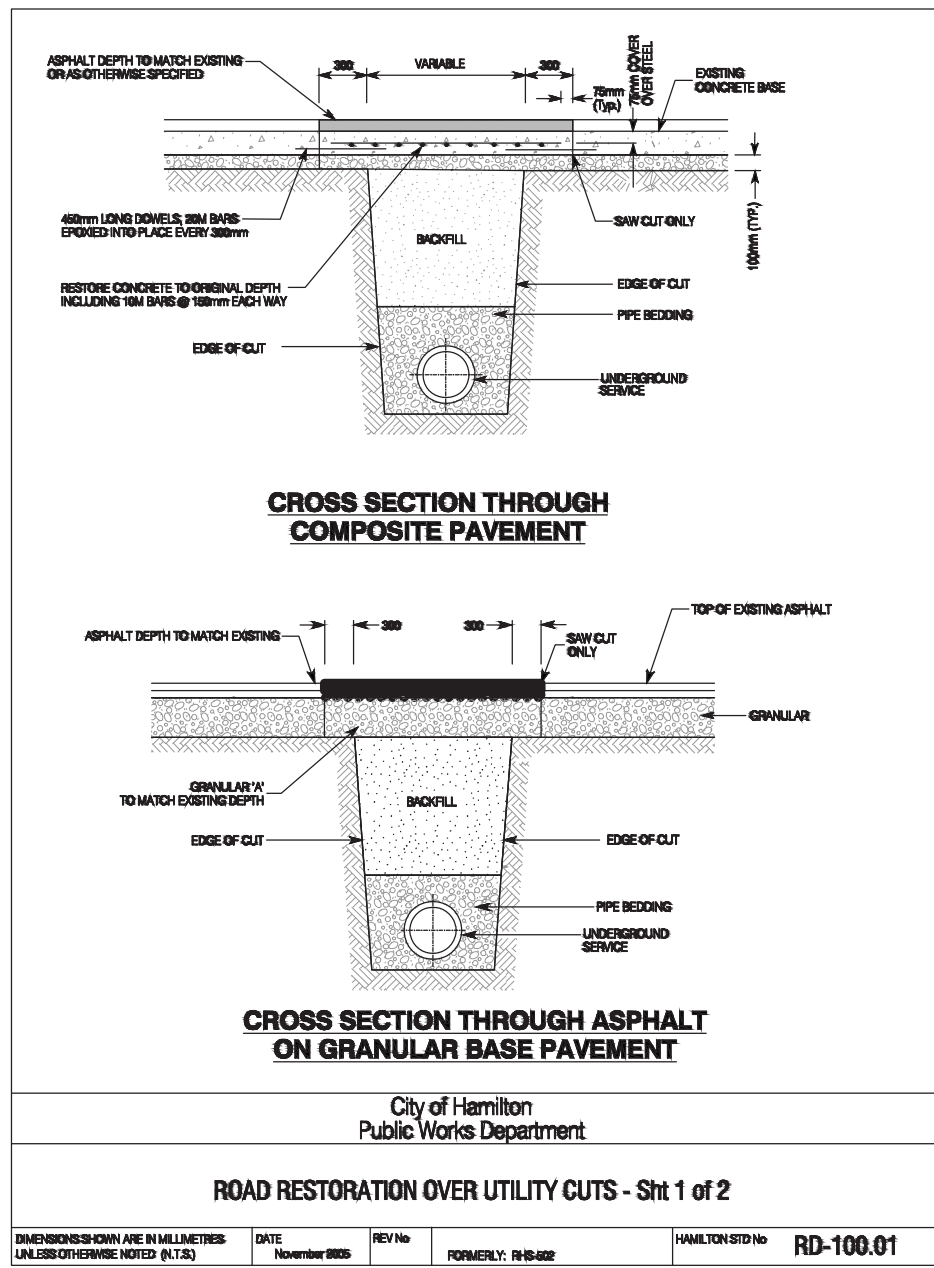
SCALE: 1:100	DATE: JUNE 2021
DESIGN: A.C./M.D.	DRAWN: S.S./M.M
DWG: 208185	SHT: 1

- STANDARD NOTES**
- A. PRIVATE DRAINS**
- Private drains to be 150mm dia. PVC pipe, CSA B182.1 M-1983, SDR 28 as per Form 500. Storm pipe shall be white in colour. Sanitary shall be any colour other than white. Wood marking at end of sanitary private drains shall be painted red.
 - Cover and bedding material for private drains shall be Granular 'A' installed as per OPSD 802.010 and per SEW-302.
 - Minimum fall for private drains to be 2.0%.
 - Minimum horizontal distance between storm and sanitary laterals shall be 0.45m.
 - Sanitary and storm private drains shall be installed to 1.0m inside the property line and capped for future extension.
- B. WATERMANS AND WATER SERVICES**
- 1. WATER SERVICES**
- 'W' denotes water service connection (25mm dia. Type 'K' soft copper) as per WM-207.01.
 - Piping arrangements are to be as per WM-207.01 for 25mm services.
 - Curb stops are to be installed on all water services at the property line where noted.
 - Granular bedding as per WM-200.01 to be Granular 'D' as per Form 600.
 - Water services to be installed with a minimum cover of 1.6m or as detailed.
 - All Backflow Prevention Devices must be selected, installed and maintained in accordance with the City of Hamilton's Backflow Prevention By-law # 10-103, including the manufacturer's specifications for installation etc., and guidelines set out in the most recent versions of the 'AWWA Canadian Cross Connection Control Manual' and the 'CSA B64.10 / 07 / B64.10.1-07 Standards'. In selecting a backflow device for a property, consideration must be given to future possible uses of the site which could result in a higher risk to the municipal drinking water system, thus making the device initially chosen inadequate for the new purpose and requiring future change out at the Owner's expense.
 - All existing water meter on systems to be abandoned must be removed and salvaged by the City of Hamilton, the servicing contractor should contact the water and wastewater section, public works department at 905-546-4426 to arrange for the work.
- C. ROAD WORKS**
- Road restorations shall be as per City of Hamilton Standards RD-100.01 & RD-100.02 & City of Hamilton Road Cut permit.
 - Driveway aprons shall as per City of Hamilton standard driveway RD-106.
- D. COMPACTION REQUIREMENTS**
- All bedding and backfill material, road sub-grades and generally all material used for lot grading and fill sections, etc., shall be compacted to min. 100% SPD (unless otherwise recommended by the geotechnical engineer). All material shall be placed in layers not exceeding 300mm lifts.
 - All granular road base materials shall be compacted to 100% SPD.



SERVICING CROSSING SCHEDULE

CROSSING No.	BOTTOM OF PIPE	TOP OF PIPE	DIFFERENCE	W/M LOWERING REQUIRED
C1	89.00 (EX. STM)	88.79 (SAN. LAT.)	0.21m	N/A
C2	89.11 (EX. STM)	88.87 (SAN. LAT.)	0.24m	N/A
C3	89.64 (WM)	88.61 (EX. SAN.)	1.03m	NO
C4	89.08 (EX. STM)	88.58 (WM)	0.50m	YES



- LEGEND**
- PROPOSED ROOF LEADER PLUG (PROPOSED / EXISTING)
 - ⊕ EXISTING WATER VALVE
 - ⊕ EXISTING WATER VALVE AND BOX/CURB STOP
 - ⊕ EXISTING CURB & GUTTER
 - EXISTING FENCE
 - EXISTING DECIDUOUS TREE WITH TREE TRUNK # IN MILLIMETRES
 - PROPOSED WATER SERVICE LATERAL
 - EXISTING STORM MANHOLE
 - EXISTING SANITARY MANHOLE
 - PROPOSED FIRST FLOOR ELEVATION
 - PROPOSED BASEMENT FLOOR ELEVATION
 - EXISTING HYDRO POLE & LIGHT STANDARD
 - PROPOSED SANITARY LATERAL PIPE
 - PROPOSED STORM LATERAL PIPE
 - EXISTING WATERMAIN
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - ⊕ PROPOSED 25mm WATER METER
 - ⊕ PROPOSED 25mm BACKFLOW PREVENTER

City of Hamilton Public Works Department
ROAD RESTORATION OVER UTILITY CUTS - Sht 1 of 2
RD-100.01

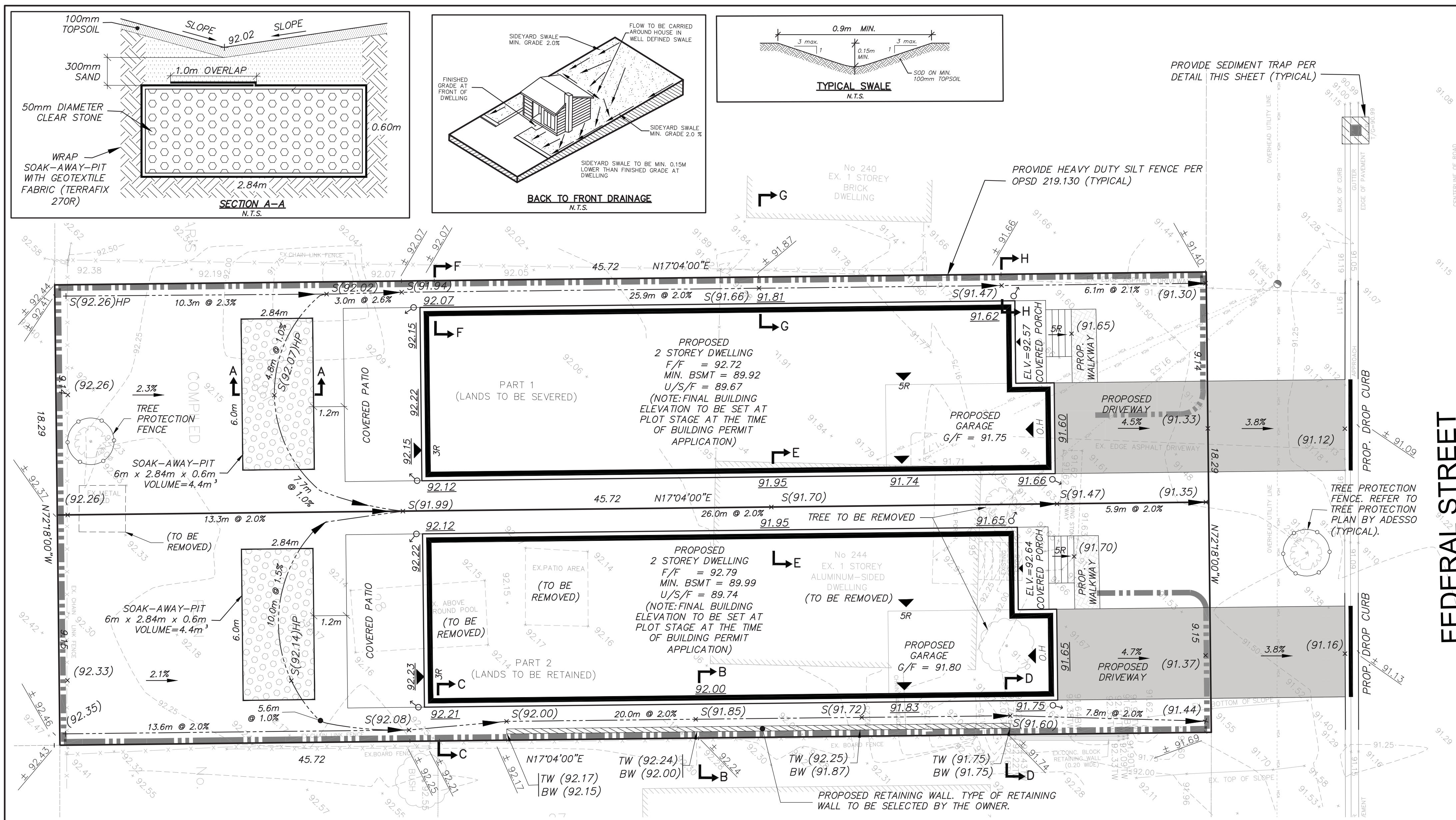
City of Hamilton Public Works Department
ROAD RESTORATION OVER UTILITY CUTS - Sht 2 of 2
RD-100.02

244 FEDERAL STREET, STONEY CREEK, HAMILTON

GENERAL NOTE
Approval of this drawing is for material acceptability and compliance with municipal and provincial specifications and standards only. Approval and inspection by the City of the works does not certify the line and grade of the works and it is the owner's responsibility to have their Engineer certify this accordingly.

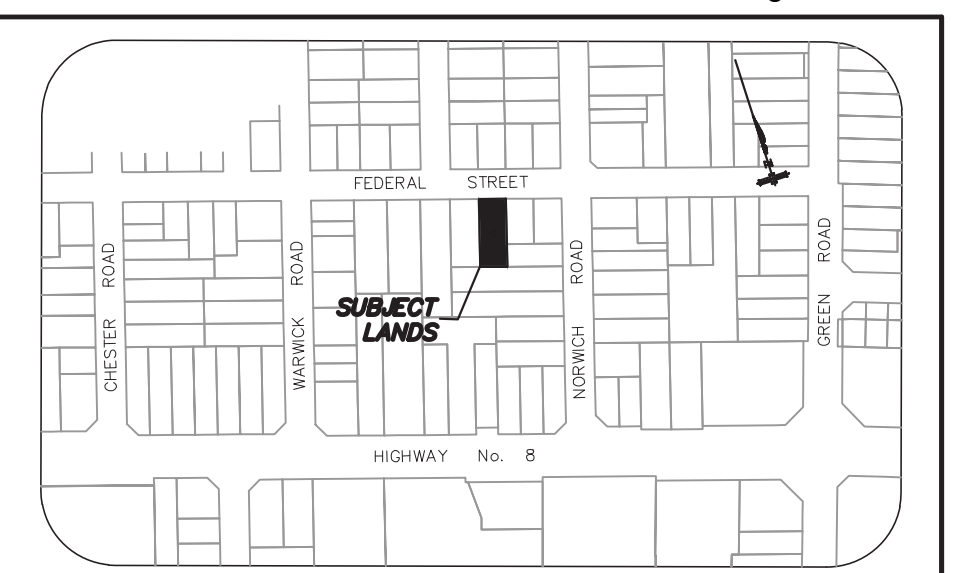
All services to be installed as per City of Hamilton construction and material specifications manual (latest edition) and Ministry of the Environment Conservation and Parks Guidelines (latest edition).

244 FEDERAL STREET, STONEY CREEK, HAMILTON



LEGEND

- F / F PROPOSED FIRST FLOOR ELEVATION
- BSMT PROPOSED BASEMENT FLOOR ELEVATION
- U/S/F PROPOSED UNDERSIDE OF FOOTING ELEVATION
- ±0.00 EXISTING GRADE ADJACENT
- ±0.00 ORIGINAL GROUND ELEVATION
- (000.00) PROPOSED GROUND ELEVATION
- 000.00 PROPOSED MIN. FINISHED GRADE AT DWELLING
- DIRECTION OF SURFACE DRAINAGE SWALE
- SWALE INVERT ELEVATION
- EXISTING CURB & GUTTER
- EXISTING FENCE
- EXISTING DECIDUOUS TREE WITH TREE TRUNK Ø IN MILLIMETRES
- PROP. ROOF LEADER
- PROP. BUILDING ENVELOPE
- SEDIMENT CONTROL FENCE (NON WOVEN-TERRAFIX 270R) (DETAIL 'A')
- STREET CATCH BASIN SEDIMENT TRAP (DETAIL 'B')



KEY PLAN N.T.S.

SITE BENCH MARK
City of Hamilton
Monument No: 07720100036
Elevation: 86.893m CGVD:78
Description: RIB with brass cap
Monument is located at the East side of Mahony Park, 90m North of the centerline of Barton Street East, 15m North of the Centerline of Goggin Avenue and 16m West of the Centerline of Adeline Avenue

REVISIONS			
No.	Revision	By	Date
2.	REISSUED FOR CONSENT AGREEMENT	M.D.	NOV 23, 2021
1.	CONSENT AGREEMENT SUBMISSION	M.D.	OCT 18, 2021

GENERAL NOTES			
1.	TENDERS SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.		
2.	ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.		
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ENGINEER
M.J. DESBOUREAU
L.P. 4850 PROFESSIONAL ENGINEER
NOV. 23, 2021
PROVINCE OF ONTARIO

PROJECT OWNER:
PETER MURACA

NOT ISSUED FOR CONSTRUCTION

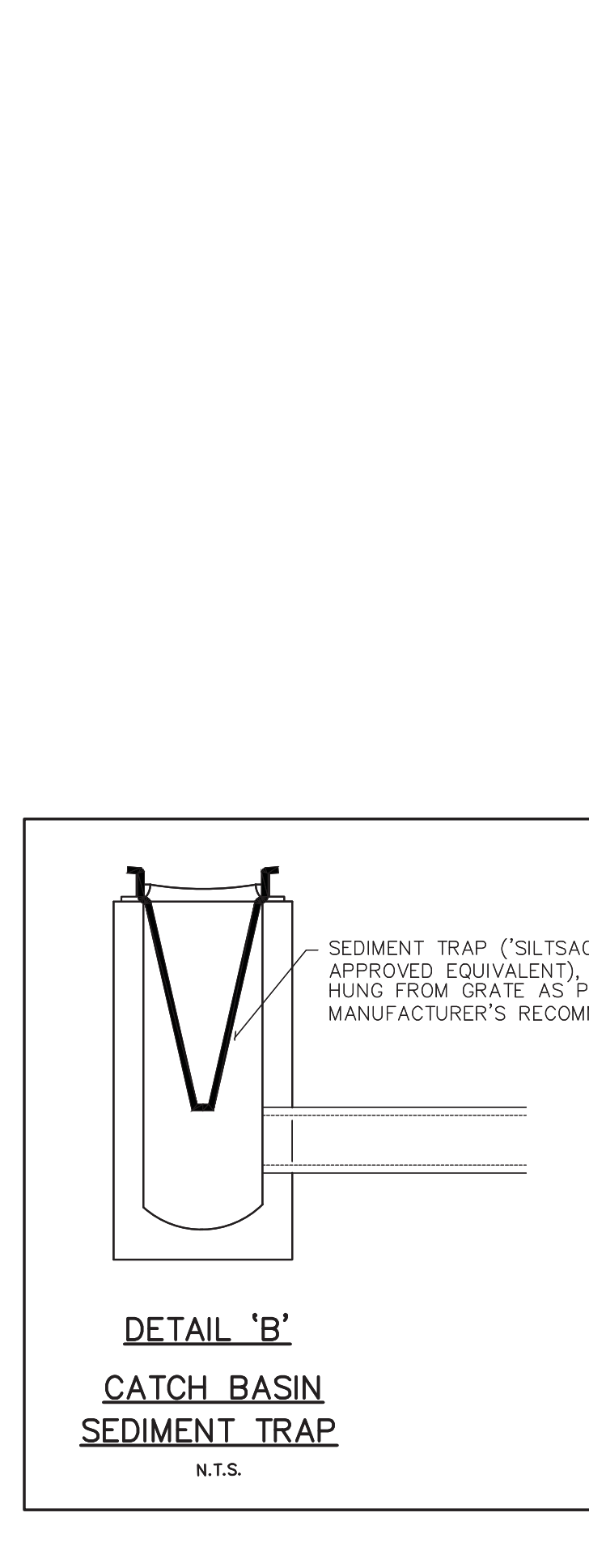
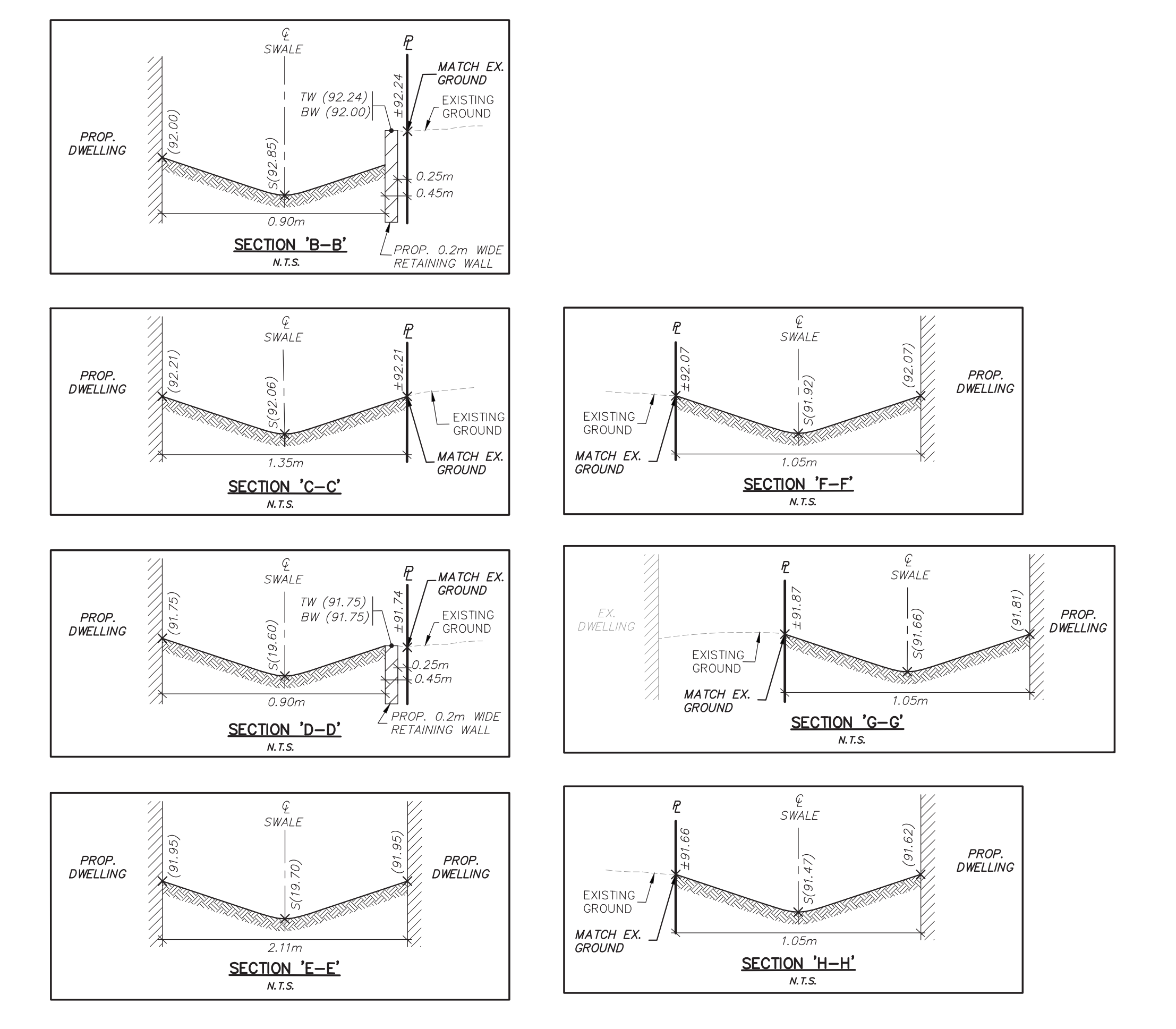
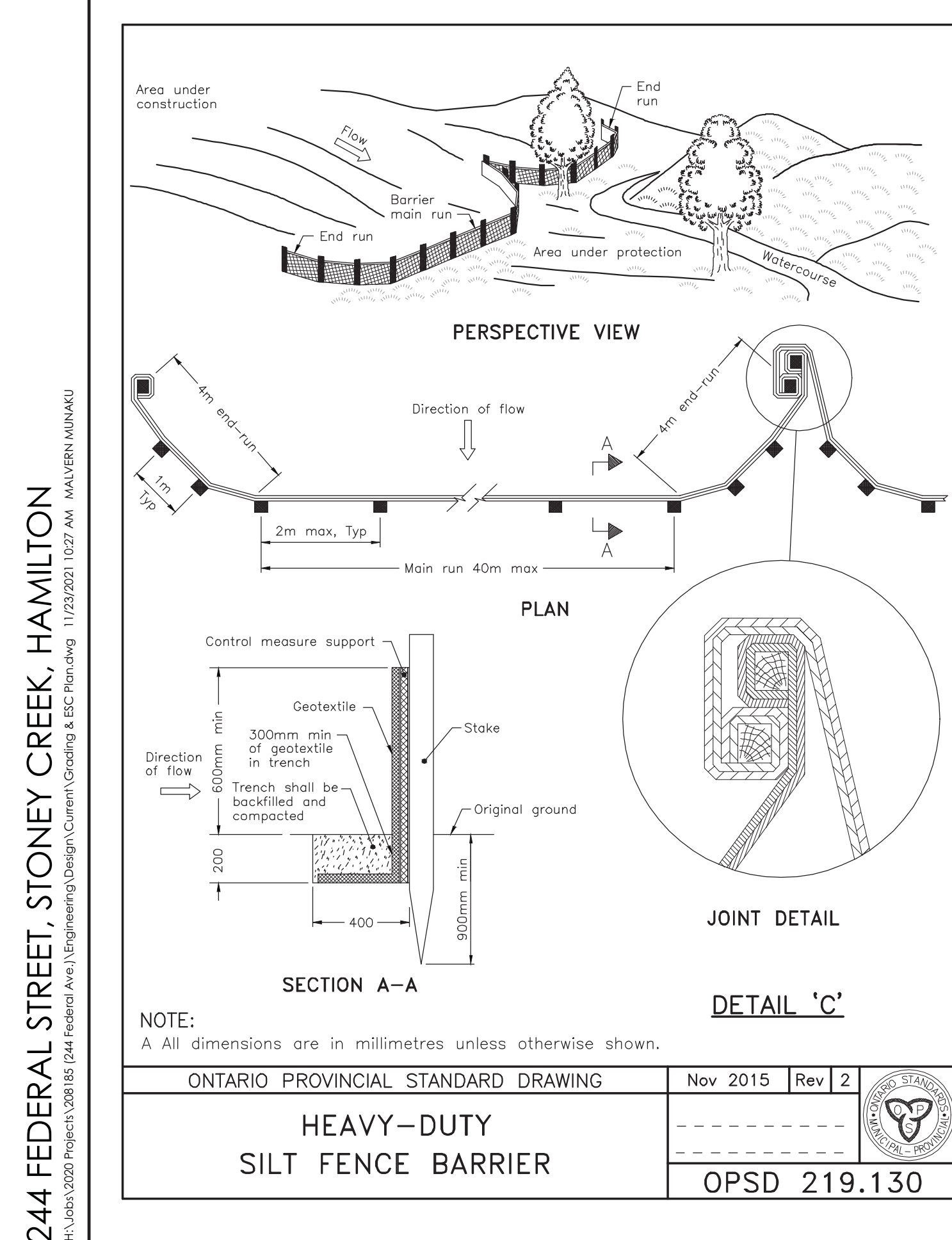
MUNICIPALITY:
CITY OF HAMILTON (STONEY CREEK)

PROJECT NAME:
244 FEDERAL STREET, STONEY CREEK SEVERANCE (SC/B-21:24)

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SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO L8P 1H1
Tel: 905 528-8761 Fax: 905 528-2289
email: ajc@ajclarke.com

TITLE:
GRADING AND ESC PLAN

SCALE: 1:100	DATE: JUNE 2021
DESIGN: A.C./M.D.	DRAWN: S.S./M.M.
DWG: 208185	SHT: 2

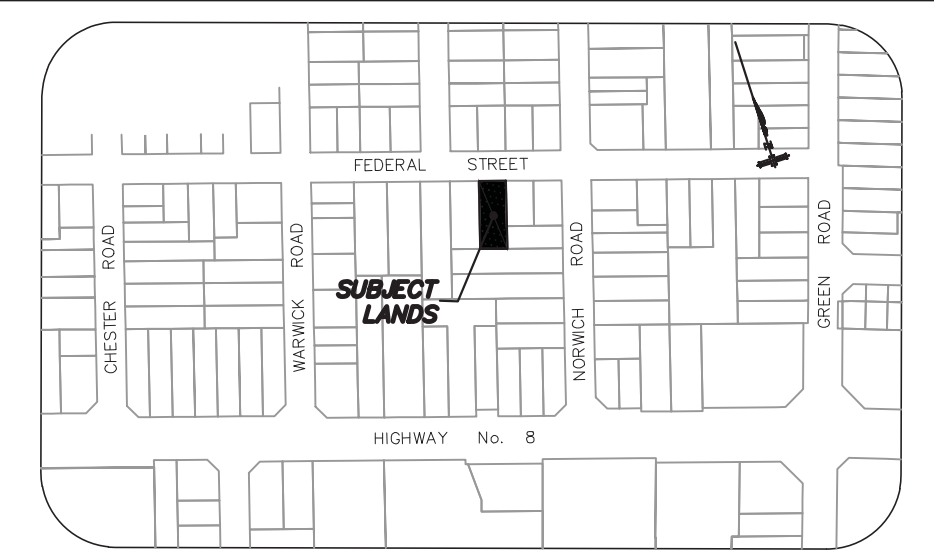
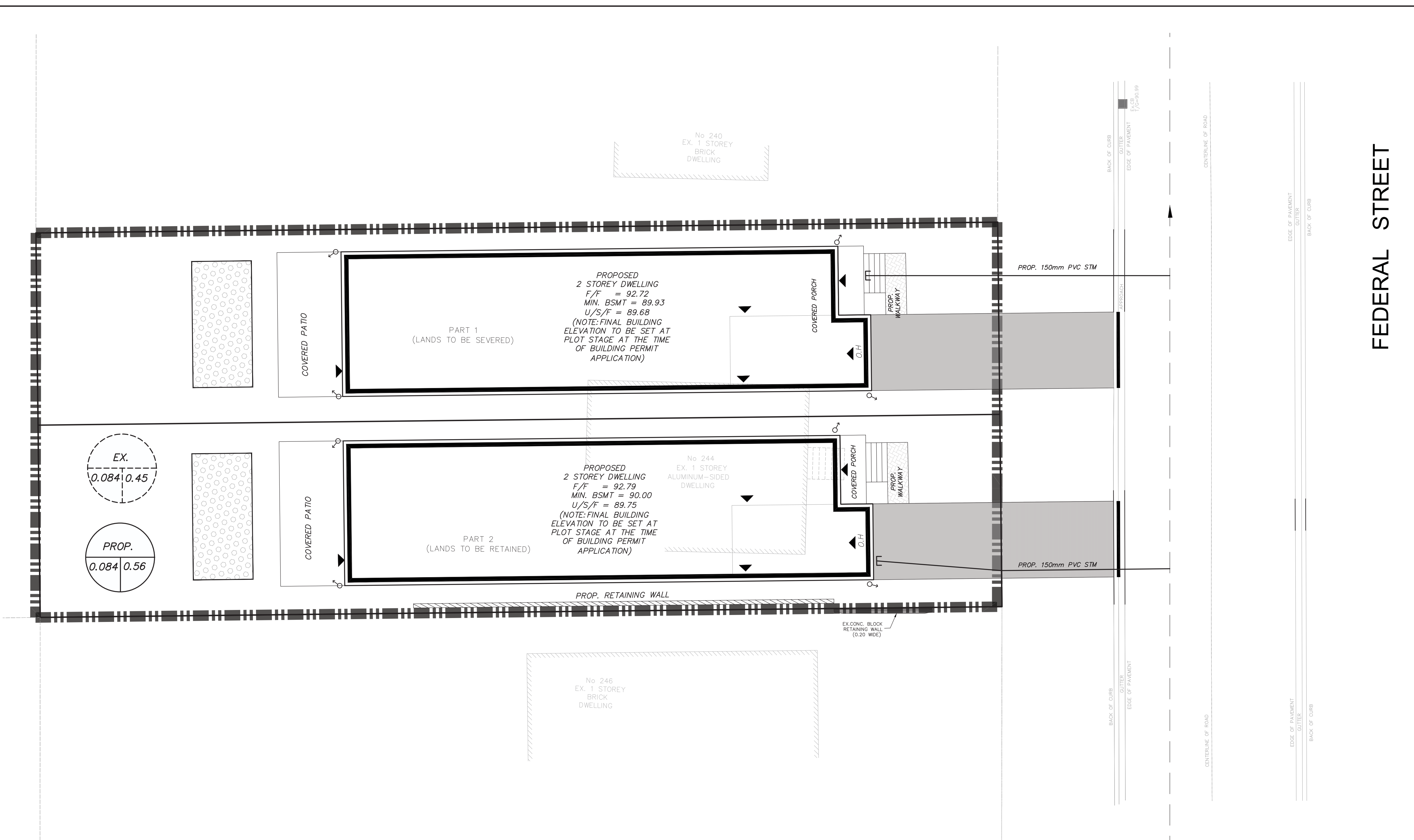


ONTARIO PROVINCIAL STANDARD DRAWING
Nov 2015 Rev 2
HEAVY-DUTY SILT FENCE BARRIER
OPSD 219.130

244 FEDERAL STREET, STONEY CREEK, HAMILTON

244 FEDERAL STREET, STONEY CREEK, HAMILTON

244 FEDERAL STREET, STONEY CREEK, HAMILTON
 H:\Jobs\2020 Projects\208185 (244 Federal Street)\Current\Site\Scoping & DAP Plans.dwg 11/23/2021 10:25 AM MALVERN MUNAKU



SITE BENCH MARK
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ENGINEER

PROJECT OWNER:
PETER MURACA

NOT ISSUED FOR CONSTRUCTION

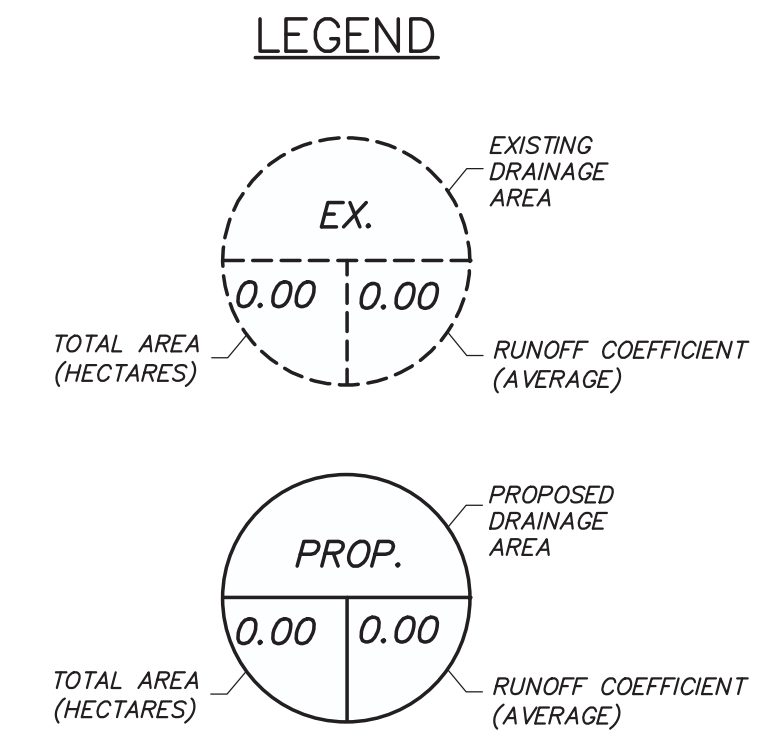
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CITY OF HAMILTON (STONEY CREEK)

PROJECT NAME:
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 25 MAIN STREET WEST, SUITE 300
 HAMILTON, ONTARIO L8P 1H1
 Tel: 905 528-8761 Fax: 905 528-2289
 email: ajc@ajclarke.com

TITLE:
STORM DRAINAGE AREA PLAN

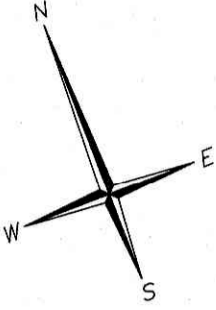
SCALE: 1:100	DATE: JUNE 2021
DESIGN: A.C./ M.D.	DRAWN: S.S./ M.M.
DWG: 208185	SHT: 3



SKETCH SHOWING EXISTING CONDITIONS OVER
244 FEDERAL STREET
IN THE
CITY OF HAMILTON

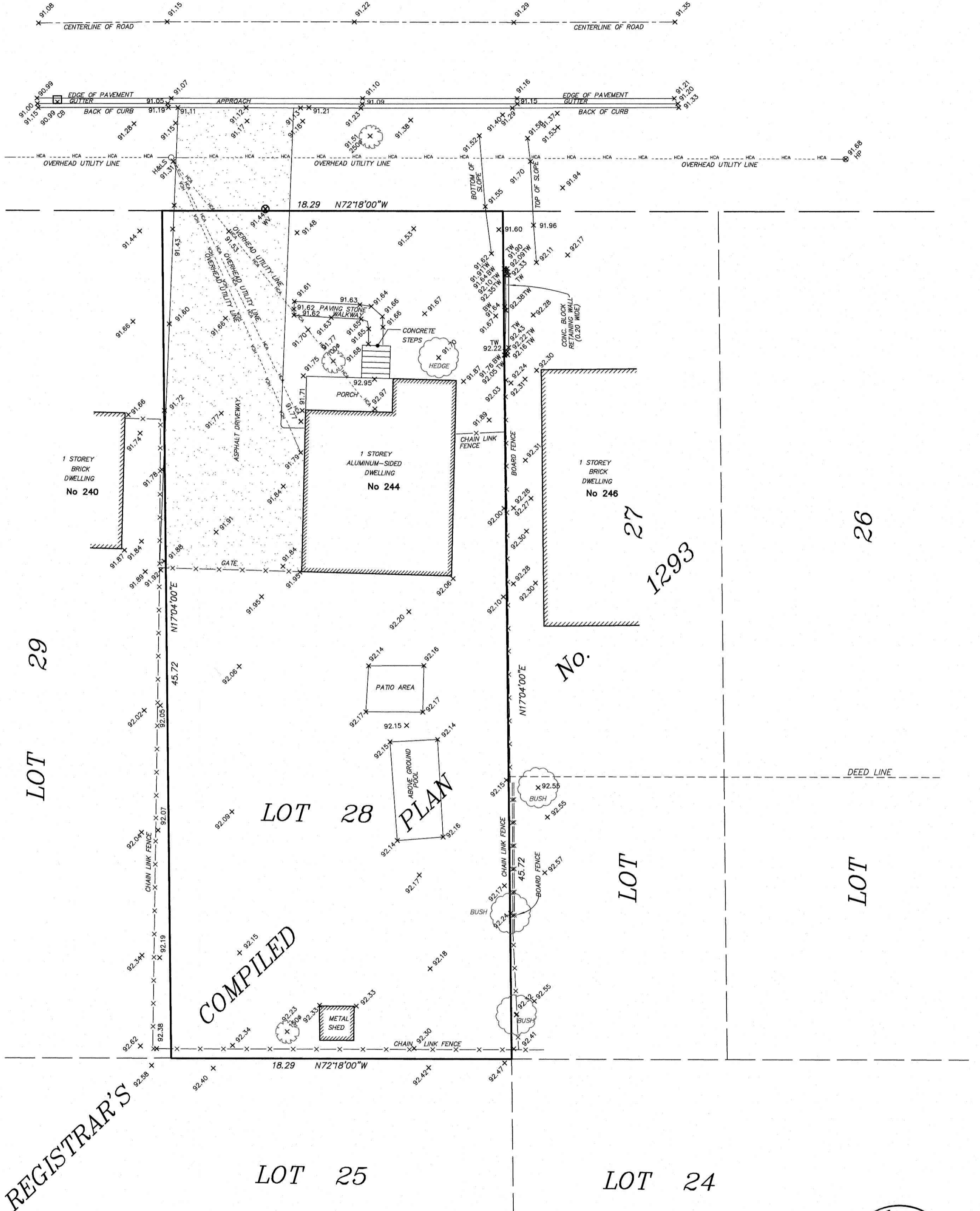
SCALE 1:150
0 5 10 metres

NOTE
THE ABOVE NOTED LANDS ARE LOT 28, REGISTRAR'S COMPILED PLAN No. 1293



FEDERAL STREET

(ESTABLISHED BY BY-LAW No. 2261 SALTFLUET AS REGISTERED INST. No. 287425 H.L.)



LEGEND:
TW DENOTES TOP OF WALL
BW DENOTES BOTTOM OF WALL
CB DENOTES CATCH BASIN
200φ DENOTES TREE DIAMETER
WV DENOTES WATER VALVE
H&LS DENOTES HYDRO & LIGHT STANDARD
HP DENOTES HYDRO POLE

BENCH MARK
CITY OF HAMILTON
MONUMENT No: 07720100036

RIB WITH BRASS CAP
MONUMENT IS LOCATED AT THE EAST SIDE OF MAHONY PARK, 90m NORTH OF
THE CENTERLINE OF BARTON STREET EAST, 15m NORTH OF THE CENTERLINE
OF GOGGIN AVENUE AND 16m WEST OF THE CENTERLINE OF ADELIN AVENUE.
ELEVATION= 86.893m CGVD28-78

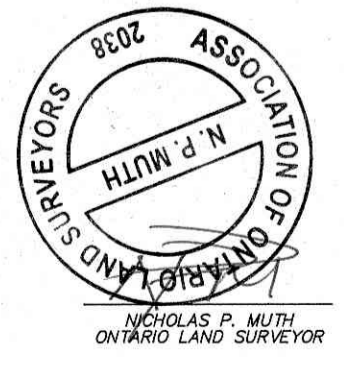
BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
SOUTHERLY LIMIT OF FEDERAL STREET AS SHOWN ON
REGISTERED PLAN No. 724 AS N72°18'00"W

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

NOTE
THE INFORMATION SHOWN ON THIS SKETCH IS BASED ON A FIELD SURVEY
COMPLETED ON THE 27th DAY OF MAY 2021

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

JUNE 17, 2021
DATE



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

PROJECT No 208185R

R-4444B

R-4444B



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

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

December 2, 2021

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

Re: Minor Variance Application
244 Federal Street

On behalf of our client, Miranda Muraca, we are pleased to provide you with the enclosed submission in support of an application for minor variance for the subject lands. Please find the following enclosed materials:

1. One (1) cheque in the amount of \$3,320.00 made payable to the City of Hamilton, in payment of the requisite application fee;
2. One (1) digital copy of the signed and completed application form;
3. One (1) digital copy of Reference Plan 62R-21749, prepared by A.J. Clarke & Associates Ltd., dated August 25, 2021;
4. One (1) digital copy of Plan of Survey R-4444B, prepared by A.J. Clarke & Associates Ltd., dated June 17, 2021;
5. One (1) digital copy of the Engineering Drawing Package, prepared by A.J. Clarke & Associates Ltd., dated November 23, 2021;
6. One (1) digital copy of the Preliminary Floor Plans & Elevations, prepared by Constant Shape Design Studio;

The proposed minor variance application is required as a condition of consent approval for severance application SC/B-21:24. The subject lands are zoned Residential (R6) Zone under former City of Stoney Creek Zoning By-law 3692-92. The following table summarizes the required variances which are anticipated to facilitate the conditionally approved severance:

Section	Provision (R6 Zone)	Requirement	Proposed	Compliance?
6.7.2	Permitted Uses	Single Detached	Single Detached	Yes
6.7.3 (A.1)	Minimum Lot Area	310 m ²	418.02 m ²	Yes
6.7.3 (A.2)	Minimum Lot Frontage	10 m	9.10 m	No
6.7.3 (A.3)	Minimum Front Yard	6 m	6.10 m	Yes
6.7.3 (A.4.i)	Minimum Side Yard	1.25 m, except an attached garage may be not less than 1 m from a side lot line	0.9 m, except an attached garage may be not less than 1 m from a side lot line	No
6.7.3 (A.5)	Minimum Rear Yard	7.5 m	14.50 m	Yes
6.7.3 (A.6)	Maximum Height	11 m	8.28 metres	Yes



6.7.3 (A.7)	Maximum Lot Coverage	40%	41% (171.40 m ²)	No
6.7.4	Parking	2 spaces per dwelling unit, of which only one may be provided in the required front yard. Tandem parking is permitted.	2 spaces, one of which is located in front yard	Yes

Based on the foregoing table, a total of three (3) variances are anticipated to provide relief from the regulations of the R6 Zone under Zoning By-law 3692-92. The proposed variances are as follows:

1. A minimum lot frontage of 9.10 metres shall be required, whereas a minimum lot frontage of 10 metres is required.
2. A minimum side yard setback of 0.9 metres shall be required, whereas a minimum of 1.25 metres is required. No variance to the garage-side setback is proposed.
3. A maximum lot coverage of 41% (171.40 m²) shall be required, whereas a maximum lot coverage of 40% is required.

Regarding the proposed variance to the side yard setback (#2), the reduction is required in order to accommodate technical design matters which arose through the detailed engineering design of for the future homes. Along the eastern lot line, a small retaining wall is required for grading purposes. The retaining wall requires additional separation to be provided the property line to meet City engineering standards. Accordingly, the opposite side yard is proposed to be reduced to 0.91 metres – however, it should be noted that sufficient side yard setbacks continue to be provided along all sides to meet City engineering standards, and to allow sufficient space for access and maintenance between dwellings.

Based on the foregoing, it is our opinion that the requested variances are all minor in nature and consistent with the character of the streetscape. The requested variances maintain the general intent of the Zoning By-law and will implement the conditionally approved severance as originally intended.

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

Franz Kloibhofer, B.E.S (Hons), MCIP, RPP
A. J. Clarke and Associates Ltd.

Encl.

Copy: Miranda Muraca



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:

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:

Reduction of minimum required lot frontage from 10m to 9.1m.

Reduction of minimum require side yard setback from 1.25m to 0.9m.

Increase of maximum lot coverage from 40% to 41%.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to enclosed covering 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**):

244 Federal Street, Stoney Creek (Hamilton)

Lot 28, Plan No. 1293

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?

Owner knowledge and historical context.

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.

Dec. 7, 2021
Date

Miranda Muraca
Signature Property Owner(s)

Miranda Muraca
Print Name of Owner(s)

10. Dimensions of lands affected: Parts 1 & 2 as per Reference Plan 62R-21749.

Frontage	<u>18.29 m</u>
Depth	<u>45.75 m</u>
Area	<u>836.30 sq m</u>
Width of street	<u>+20 m</u>

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

Existing: _

Please refer to enclosed Topographic Survey R-4444B.

Proposed

Please refer to enclosed Engineering Drawing Package, Floor Plans, and Elevations.

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

Existing:

Please refer to enclosed Topographic Survey.

Proposed:

Please refer to enclosed Engineering Drawing Package, Floor Plans, and Elevations.

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 Dwelling

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:

Neighbourhoods (Schedule E-1)

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

Residential 6 (R6) Zone - Zoning By-law 3692-92

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

Yes

No

If the answer is yes, describe briefly.

N/A

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

Yes

No

23. Additional Information

Existing conditional approval of severance application SC/B-21:24

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-21:446

APPLICANTS: Owner Rob Lalli

SUBJECT PROPERTY: Municipal address **982 West 5th St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 10-503

ZONING: "B" (Suburban Agriculture and Residential, etc.) district

PROPOSAL: To allow for a future addition to the existing single family dwelling, notwithstanding that:

1. A minimum northerly side yard width of 1.2 metres shall be provided instead of the minimum required side yard width of 3.0 metres.

NOTE:

1. Please note this application is subsequent to Severance Application No. HM/B-11:03, and Minor Variance Application No. HM/A-99:261.
2. Please note that specific details (i.e. elevation drawing, site plan, floor plans etc.) regarding any proposed development on the subject lot have not been indicated to confirm zoning compliance. As such, the variance has been written as requested by the applicant.
3. Subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, February 3rd, 2022
TIME: 1:50 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

HM/A-21: 446

Page 2

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

MORE INFORMATION

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

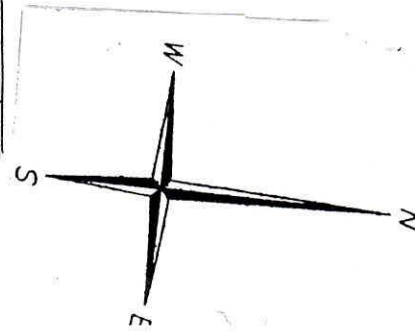
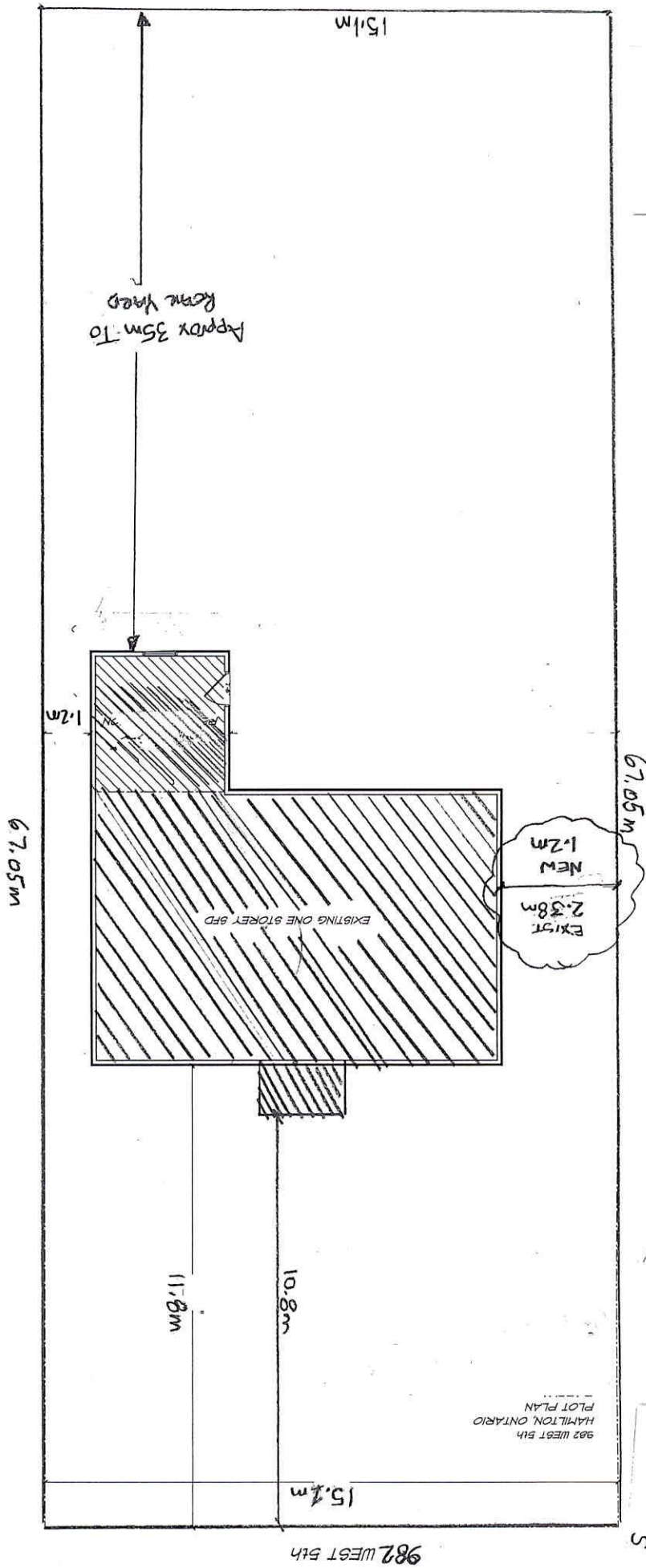
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 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.

NOT TO SCALE





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)	[REDACTED]	
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:

Applying for the relief of northerly side yard setback of 1.2m instead of the required 3.0m as set by the zone. Please see below in Question #5 for rationale.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

This should be considered a housekeeping amendment as the notice and decision of 1999 CofA 99:261 only stated the southerly side yard setback relief of 1.2 m instead of the required 3.0m. It is clear on the application that I submitted that I was requesting both the northerly and southerly side yard relief of 1.2m.

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 16, Concession 7
982 West 5th Street

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?

Previous Committee of Adjustment application.

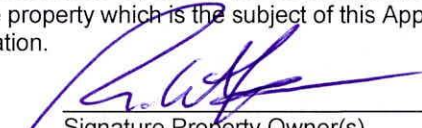
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Dec 7, 2021
Date


Signature Property Owner(s)
Rozon Lalli
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>15.250m</u>
Depth	<u>67.056m</u>
Area	<u>1005m2</u>
Width of street	<u>unknown (3lanes)</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: _

Approximately 100 m2 one storey single family dwelling. (see attached sketch).

Proposed

Approximately 100 m2 one storey single family dwelling. (see attached sketch).
No changes to the existing dwelling at this time.

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

Existing:

No changes to the 100m2 one storey dwelling.

Proposed:

Same as above.

13. Date of acquisition of subject lands:
2006
-
14. Date of construction of all buildings and structures on subject lands:
1950's +/-
-
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:
Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
B Zone - 99:261
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
1999 application (99:261). Reduced side yard and lot width as result of an *application for severance.*
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-21:447

APPLICANTS: Agent Urban Solutions M. Johnston
 Owner 2790097 Ontario Inc. D. Tome

SUBJECT PROPERTY: Municipal address **10 Community Ave, Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law No. 18-266

ZONING: M2district (General Business Park)

PROPOSAL: To permit the development of a two storey multi-tenant industrial building which is a planned business centre comprising approximately 1,147.6 square metres of gross floor area, notwithstanding that:

1. A minimum 3.0 metre wide landscaped area shall be permitted for a yard abutting a street in which parking spaces or a driving aisle are provided instead of the minimum required 6.0m wide landscape area.
2. A parking area consisting of 14 parking spaces shall be permitted instead of the minimum required 22 parking spaces

NOTES:

1. The variances are written as requested by the applicant.
2. The variances are being requested to address zoning issues that were identified for the review of Site Plan Application DA-21-149. The site plan was submitted to the City of Hamilton on September 29, 2021 and remains under review.
3. With respect to Variance #2, the proposed use is considered to be a planned business centre within an industrial zone and is subject to the requirement of 1 parking space per 50 square metres of gross floor area. Zoning By-law 05-200 defines a Planned Business Centre as:

Planned Business Centre shall mean a group of business establishments within an Industrial Zone which is planned, developed, managed and operated as a unit with shared on-site parking, and containing four or more separated spaces for lease or occupancy, but shall not be considered as a Shopping Centre

4. The proposed floor area includes a mezzanine comprising 326.8 square metres of gross floor area.
5. The intended use for the propose planned business centre is for the development of four (4) separate contracting establishments.

SC/A-21: 447
Page 2

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

DATE: Thursday, February 3rd, 2022
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: January 18th, 2022.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

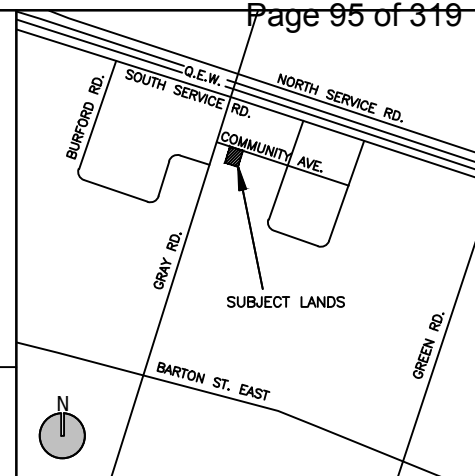
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

COMMUNITY AVENUE

VARIANCES TO ZONING BY-LAW NO. 05-200
GENERAL BUSINESS PARK (M2) ZONE

VARIANCE #1: A 3.0m BUFFER AREA WITH RAIN GARDENS SHALL BE PROVIDED WHEREAS A 6.0m LANDSCAPE AREA INCLUDING A 3.0 m PLANTING STRIP IS REQUIRED WHERE A PARKING SPACE, AISLE OR DRIVEWAY IS LOCATED IN A YARD ABUTTING A STREET.

VARIANCE #2: 14 PARKING SPACES SHALL BE PROVIDED WHEREAS 22 PARKING SPACES ARE REQUIRED WITHIN A PLANNED BUSINESS CENTRE IN AN INDUSTRIAL ZONE.



SCALE: 1:1,500

- LEGEND:
- SUBJECT LANDS
 - PROPOSED BUILDINGS
 - EXISTING BUILDINGS

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: A. BARNETT CHECKED BY: M. JOHNSTON
DRAWN BY: A. BARNETT DATE: NOVEMBER 26, 2021

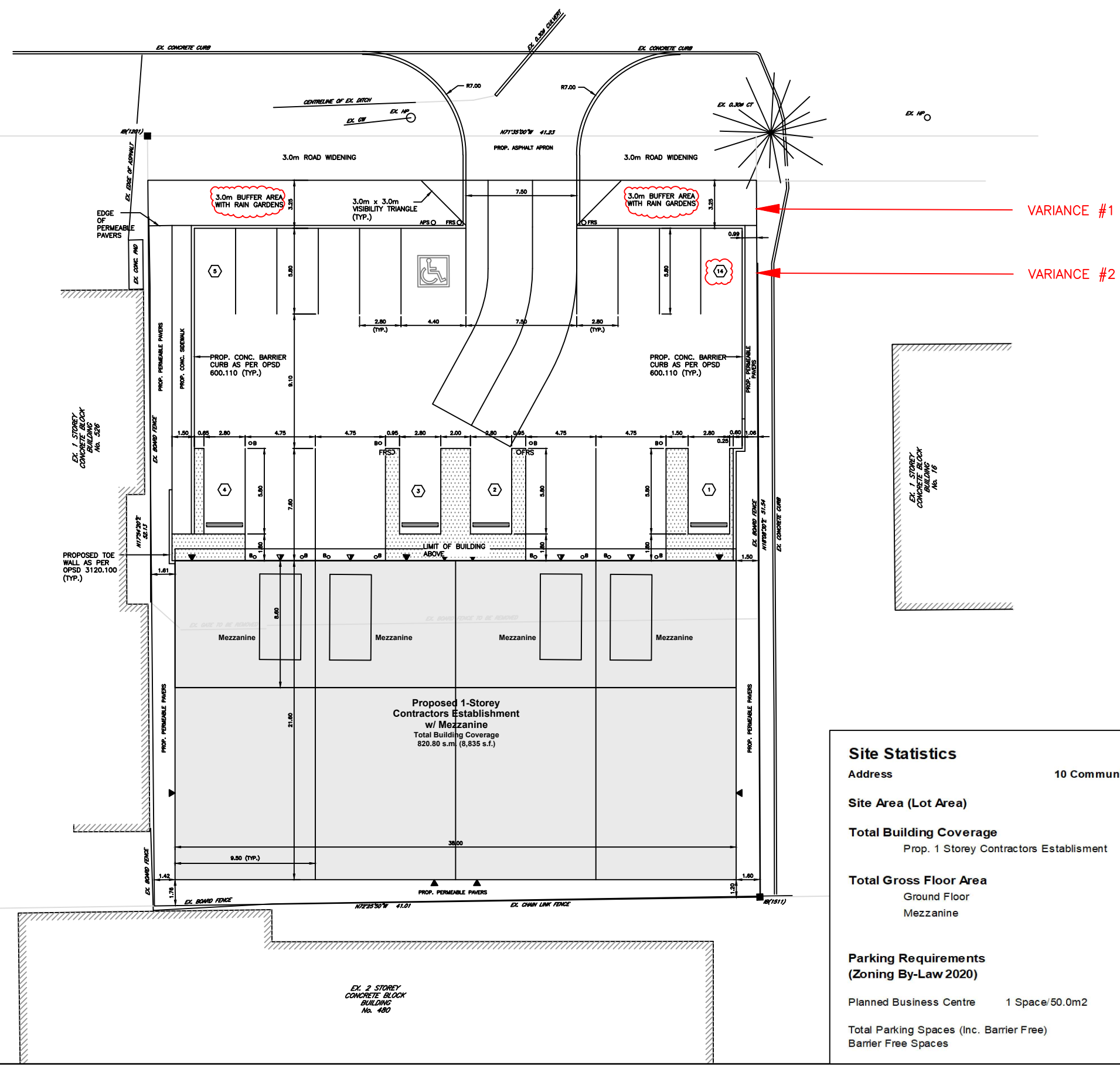
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
10 Community Avenue
CITY OF HAMILTON

CLIENT:
Tome Roofing Ltd.

TITLE:
COMMITTEE OF
ADJUSTMENT SKETCH

US FILE NUMBER: 404-21 SHEET NUMBER: 1



Site Statistics			
Address		10 Community Avenue	
Site Area (Lot Area)	21,608 s.f.	2,007.45 s.m.	
Total Building Coverage			
Prop. 1 Storey Contractors Establishment	8,835 s.f.	820.80 s.m.	
Total Gross Floor Area			
Ground Floor	8,835 s.f.	820.80 s.m.	
Mezzanine	3,518 s.f.	326.80 s.m.	
	12,353 s.f.	1,147.60 s.m.	
Parking Requirements (Zoning By-Law 2020)			
Planned Business Centre	1 Space/50.0m2	Area: 1,147.60 s.m.	Required: 22.00 Spaces Provided: 14.0 Spaces
Total Parking Spaces (Inc. Barrier Free)			22.00 Spaces 14.0 Spaces
Barrier Free Spaces			1.00 Spaces 1.0 Spaces

EX. 2 STOREY CONCRETE BLOCK BUILDING No. 480

EX. 1 STOREY CONCRETE BLOCK BUILDING No. 536

EX. 1 STOREY CONCRETE BLOCK BUILDING No. 16



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:

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:
- a) That a Landscape Area with Planting Strip not be required, whereas a 6.0m Landscape Area is required including a 3.0m Planting Strip where a parking space, aisle or driveway is located in a Yard abutting a Street.
- b) To permit 14 parking spaces including 1 barrier free space, whereas 22 parking spaces including 1 barrier free space is required within a Planned Business Centre within an Industrial Zone.
- Secondary Dwelling Unit Reconstruction of Existing Dwelling N/A
5. Why it is not possible to comply with the provisions of the By-law?
Please refer to 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**):
Lot 103, Registered Plan 647A, City of Hamilton.
Municipal address: 10 Community Avenue.
7. PREVIOUS USE OF PROPERTY
- Residential Industrial Commercial
Agricultural Vacant Other
Other N/A
- 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?

Consultation with 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.

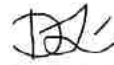
~~Is the previous use inventory attached?~~ Yes No

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.

12/8/21

Date



Signature Property Owner(s)

2790097 Ontario Inc. c/o Danny Tome

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	41.23 metres
Depth	51.54 metres
Area	0.2 ha
Width of street	Currently 20m (road widening of +/- 3m required)

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: _

Vacant lands with no standing structures.

Proposed

Four 1-storey Contractors Establishments with mezzanine, and 14 parking stalls.
This is in keeping with DA-21-149.

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

Existing:

N/A

Proposed:

Please refer to cover letter.



December 15, 2021

404-21

Via Email and Delivered

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 10 Community Avenue, Stoney Creek
Minor Variance Application
(DA-21-149)**

UrbanSolutions Planning & Land Development Consultants (UrbanSolutions) has been retained to act as the authorized planning consultant for 2790097 Ontario Ltd., owner, of the lands known municipally as 10 Community Avenue in the City of Hamilton. We are pleased to submit this Minor Variance application on their behalf.

The subject lands are designated "Employment Areas" on Schedule "E"- Urban Structure, and "Business Park" on Schedule "E-1" Urban Land Use Designations in the Urban Hamilton Official Plan. In addition to the land use designation, the subject lands are located in the General Business Park "M2" Zone in City of Hamilton Zoning By-law 05-200.

Site Plan Control application DA-21-149 was deemed complete on November 19, 2021. The lands are proposed to be developed with one 2-storey industrial building with a total of four (4) units. Total gross floor area proposed is 1,147.60 sq m (12,353 sq ft) along with 14 parking spaces, including 1 barrier free.

As noted in Special Condition No. 2, this Minor Variance application is required to facilitate the proposed industrial development and will bring the Site Plan into conformity with the site-specific zoning applicable to the subject lands.

This Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law No. 05-200 with respect to the Business Park "M2" Zone as follows:

- *“That a Landscape Area with Planting Strip not be required, whereas a 6.0 m Landscape Area is required including a 3.0 m Planting Strip where a parking space, aisle or driveway is located in a Yard abutting a Street”.*
- *“To permit 14 parking spaces including 1 barrier free space, whereas 22 parking spaces including 1 barrier free space is required within a Planned Business Centre within an Industrial Zone”.*

To assist in the evaluation of this application, please refer to the enclosed Committee of Adjustment Sketch. Justification for the proposed variances has been provided below in accordance with Section 45 of the *Planning Act*:

1. Is the proposed minor variance in keeping with the general purpose and intent of the Urban Hamilton Official Plan?

As identified on Schedule E – Urban Structures, the subject property is designated Employment Areas, and on Schedule E-1 – Urban Land Use Designations, the subject property is designated Business Park in the Urban Hamilton Official Plan. As outlined in Section E.2.7 of the UHOP, Employment Areas are the primary employment generators in the City and shall be retained (E.2.7.4). Furthermore, Section E.5.4.3 notes that the current use is permitted within lands designated Employment Area – Business Park, and Section E.5.4.7 directs that new development of existing sites shall contribute to a quality image in those areas adjacent to public roads.

The intent of these policies is to encourage and accommodate compatible forms of development which is exemplified in the subject application. The requested variances will facilitate Site Plan approval, which represents a permitted use, and the proposed industrial development is in keeping with the existing and planned land uses in the surrounding area. Therefore, the requested variances meet the general purpose and intent of the Official Plan.

2. Is the proposed minor variance in keeping with the general purpose and intent of the Zoning By-law?

The subject lands are located in the General Business Park “M2” Zone in City of Hamilton Zoning By-law 05-200.

The zoning provision regarding Landscape Area is intended to ensure there is a sufficient buffer between the property line and parking spaces. The City of Hamilton has requested a road widening along Community Avenue thereby reducing the proposed front yard from 6.0 metres to 3.0 metres. The Site Plan currently proposes a 3.0 metre buffer between the revised property line and proposed parking spaces. In order to reduce irrigation and encourage ground water recharging on site, Rain Gardens and Infiltration Galleries are proposed within this 3.0 metre buffer area. As this space is still proposed to be landscaped, the effect of adequate buffering between the property line and parking spaces is still achieved. This proposed landscaping is secured through the concurrent Site Plan process and will ensure a 3.0 metre buffer between the property line and proposed parking.

The zoning provision regarding required parking applies to a **Planned Business Centre**, which means a group of business establishments within an Industrial Zone which is planned, developed, managed and operated as a unit with shared on-site parking, and containing four or more separated spaces for lease or occupancy. The proposed industrial development is considered a **Contractor's Establishment** within a Planned Business Centre, which means the use of land, building, structure or part thereof, by a contractor, for the storage and maintenance of equipment used by the contractor. The required number of parking spaces for a Contractor's Establishment with the gross floor area proposed is 9, whereas the parking layout illustrates 14 spaces. For the proposed Contractor's Establishment use the proposed parking space count is considered to be in excess of what will actually be required.

The proposal conforms to all other zoning provisions and therefore the overall intent of the Zoning By-law is maintained.

3. Is the proposed minor variance minor in nature?

The proposed variances are minor in nature and necessary to facilitate Site Plan approval. The intent of this application is to request reductions to two zoning provisions, and will allow a permitted use. Given that all other regulations of the By-law remain, the request is consistent with the Zoning By-law and is considered to be minor in nature.

4. Is the proposed minor variance desirable for the appropriate development or use of the land, building or structure?

The requested variances will facilitate Site Plan approval, which will result in a form of development that is in keeping with the character of the surrounding area, and represents a use of land that is permitted in the Urban Hamilton Official Plan and Zoning By-law 05-200. Therefore, the application is desirable and appropriate for the development of the lands.

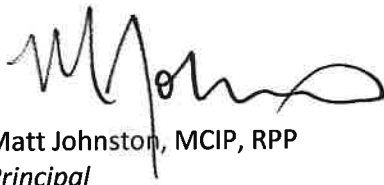
As such, the proposed variances satisfy the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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

- Two (2) copies of the completed Minor Variance application form;
- Two (2) copies of the Minor Variance Sketch completed by UrbanSolutions; and
- One (1) cheque in the amount of \$3,320.00 made payable to the City of Hamilton.

We look forward to working with City staff in the review of this application. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Ava Barnett, BA (Hons), CPT
Planning Technician

cc: 2790097 Ontario Ltd. c/o Danny Tome, Owner
Cllr Pearson, Ward 10



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-21:119

SUBJECT PROPERTY: 61 Upper Mount Albion Rd., Stoney Creek

You are receiving this notice because you are either:

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

APPLICANT(S): Agent MHBC Planning c/o D. Aston
 Owner 2324780 Ontario Inc.

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

Severed lands:
 15.305m[±] x 63.48m[±] and an area of 966.1m^{2±}

Retained lands:
 15.175m[±] x 63.329m[±] and an area of 962.9m^{2±}

**This application will be heard in conjunction with
 Minor Variance Application SC/A-21:448**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 3rd , 2022
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.

SC/B-21: 119
PAGE 2

MORE INFORMATION

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

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

DATED: January 18th, 2022

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.

NOTES:

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE APPROVED LOT GRADING PLAN.
2. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 62M-1250 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.
3. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
4. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE LOT GRADING PLAN FOR REGISTERED PLAN 62M-1250 AND ARE PROPOSED.

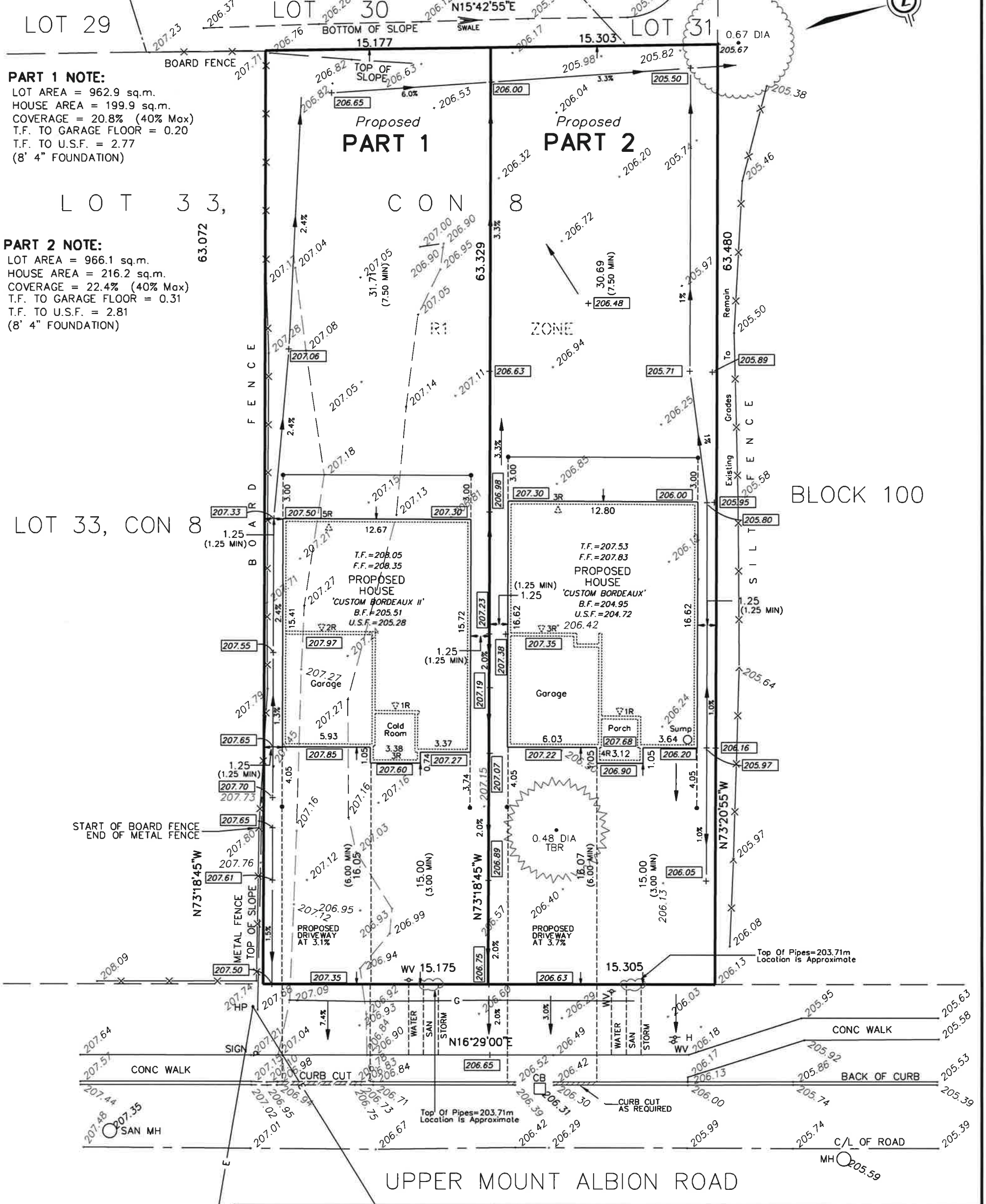
300.00 DENOTES PROPOSED GRADE BY BSR&D
 300.00 DENOTES EXISTING ELEVATION
 DENOTES DIRECTION OF DRAINAGE
 DENOTES IRON PIN TO BE SET ON SITE
 DENOTES TOP OF FOUNDATION
 T.F. DENOTES UNDERSIDE OF FOOTINGS
 U.S.F. DENOTES BASEMENT FLOOR
 B.F. DENOTES FINISHED FLOOR
 F.F. DENOTES TO BE REMOVED
 TBR DENOTES HYDRO POLE
 HP DENOTES FIRE HYDRANT
 H DENOTES WATER VALVE
 WV DENOTES OVERHEAD ELECTRICAL WIRE
 E DENOTES GAS PIPELINE
 G DENOTES SANITARY MANHOLE
 SAN MH

CB DENOTES CATCHBASIN
 MH DENOTES MANHOLE

PLAN
PREPARED FOR BUILDING PERMIT APPLICATION
 SCALE 1 : 250

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
 CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

CITY OF HAMILTON REGISTERED PLAN 62M-1250



PART 1 NOTE:
 LOT AREA = 962.9 sq.m.
 HOUSE AREA = 199.9 sq.m.
 COVERAGE = 20.8% (40% Max)
 T.F. TO GARAGE FLOOR = 0.20
 T.F. TO U.S.F. = 2.77
 (8' 4" FOUNDATION)

PART 2 NOTE:
 LOT AREA = 966.1 sq.m.
 HOUSE AREA = 216.2 sq.m.
 COVERAGE = 22.4% (40% Max)
 T.F. TO GARAGE FLOOR = 0.31
 T.F. TO U.S.F. = 2.81
 (8' 4" FOUNDATION)

LOT 33, CON 8

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1.	OCT 1/21	RA	Move Houses To 15m From Streetline
2.	OCT 7/21	RA	General Revisions

THIS PLAN WAS PREPARED FOR LOSANI HOMES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

Kerry F. Hillis
 KERRY F. HILLIS
 ONTARIO LAND SURVEYOR

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BSR&D ONTARIO LAND SURVEYORS SURVEYING
 URBAN & RURAL PLANNERS MAPPING
 A wholly owned subsidiary of J.D. Barnes Ltd. G.I.S.

RPA	DRAWN
CY	CHECKED
DATED: OCT 7, 2021	
Ref. No. 17-14-593-09 BPA 2	

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
 T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

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



Hamilton

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS
Registered Owners(s)	[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 33	Concession 8	Former Township Saltfleet
Registered Plan N°.	Lot(s)	Reference Plan N°. 62R-18987	Part(s) 3
Municipal Address 61 Upper Mount Albion Road, City of Hamilton			Assessment Roll N°. 251800385091400

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:

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)
15.305	± 63.48	± 966.1

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: Existing dwelling (to be demolished)

Proposed: Residential

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be Retained:

Frontage (m)	Depth (m)	Area (m ² or ha)
15.175	± 63.329	±962.9

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:

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

Building(s) or Structure(s):

Existing: Residential dwelling (to be demolished)

Proposed: To be determined

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- | | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input type="checkbox"/> school bussing | <input checked="" type="checkbox"/> garbage collection |
|---|---|---|--|

5 CURRENT LAND USE

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

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

Urban Hamilton Official Plan designation (if applicable): Neighbourhoods

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

Please refer to attached application covering letter.

5.2 What is the existing zoning of the subject land? R1 - Single Residential One

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

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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

7 PROVINCIAL POLICY

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

Please refer to attached application covering letter.

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

Please refer to attached application covering letter.

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

Please refer to attached application covering letter.

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

Yes No

Please refer to attached application covering letter.

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

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

Yes No

(Provide Explanation)

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

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

Yes No (Provide Explanation)

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

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

Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes No Unknown

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

SC/B-18:132 (approved)

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

Yes - No change to original application.

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

<4 years

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

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

Losani Homes owns various land throughout the City.

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 Application submitted concurrently

Status Ongoing

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.

Please refer to attached application covering letter.

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

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

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

13 ACKNOWLEDGEMENT CLAUSE

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

2021-12-07
Date


Signature of Owner



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

December 16, 2021

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

**RE: Consent and Minor Variance Application – 61 Upper Mount Albion Road, Stoney Creek
OUR FILE 14196BJ**

On behalf of our client, 2324780 Ontario Inc., we are pleased to submit applications to the Committee of Adjustment for a Consent and Minor Variance for the property located at 61 Upper Mount Albion Road, Stoney Creek, herein referred to as the “subject lands”. The subject lands are legally described as Part of Lot 33, Concession 8, Geographic Township of Saltfleet, in the City of Hamilton.

The subject lands currently contain an existing single detached dwelling and accessory garage. A demolition permit was recently issued (Permit No. 21 138350 00 DP) for the removal of the existing dwelling and accessory garage. The purpose of the applications is to facilitate the creation of one new lot, and the development of two single detached dwellings.

Consent Application

The proposal is to sever the subject lands into two lots and develop two single-detached residential dwellings, one on the retained parcel (Part 1) and one on the severed parcel (Part 2). The proposed severed and retained lots will maintain frontage onto a public road (Upper Mountain Albion Road), and have full municipal water and wastewater system connections.

The Urban Hamilton Official Plan (UHOP) provides policies for lot creation. Section 1.14.3.1 states that for new residential lots within the Neighbourhoods designation, the following conditions must be met:

- a) The lots comply with the policies of this Plan, including secondary plans;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.

The subject lands are designated 'Neighbourhoods' in the Urban Hamilton Official Plan (UHOP) and are identified as 'Low Density Residential 1' in the Trinity West Secondary Plan. The Neighbourhoods designation intends to provide for a range of ground-related housing options, including single-detached dwellings. The Trinity West Secondary Plan designates the lands as Low Density Residential 1 and permits only single-detached dwellings. The proposed consent will facilitate the severance and creation of a new residential parcel, which is a permitted use in the Neighbourhoods and Low Density Residential 1 designation. The severed and retained residential lots will provide for the development of two single-detached dwellings and contribute to intensification in the built up area of the City.

The proposed retained and severed parcel generally comply with the provisions of the zoning by-law. A minor variance application is required to permit the proposed lot frontage. The retained parcel (Part 1) is proposed to have a lot area of 962.9 square metres and 15.175 metres of frontage on Upper Mount Albion Road. The severed parcel (Part 2) is proposed to have an area of 966.1 square metres and 15.305 metres of frontage on Upper Mount Albion Road. The requested reduction in lot frontage for the retained lot (Part 1) and the severed lot (Part 2) is compatible with the general character and scale of other residential lots in the surrounding area. Various residential lot frontages on Upper Mount Albion Road range from 14.5 meters to 30 metres. The lots are proposed to be fully serviced by existing municipal water and sanitary services.

The proposed consent application satisfies the lot creation requirements in Section 1.14.3.1 of the UHOP.

The lands were subject to a previous severance application (SC/B-18:132), which was approved in December, 2018. The conditions of the severance were not satisfied within one year of the decision and the severance lapsed. The previous Staff Report with conditions is attached for reference.

Minor Variance Application

The requested variance is required to permit a reduction in the minimum required lot frontage to facilitate the proposed severance application. The requested minor variance is required to permit the lot frontage as follows:

- To permit a reduction in lot frontage for the retained lot (Part 1) to 15.175 metres, whereas a minimum frontage of 18 metres is required in the Single Residential One "R1" Zone.
- To permit a reduction in lot frontage for the severed lot (Part 2) to 15.305 metres, whereas a minimum frontage of 18 metres is required in the Single Residential One "R1" Zone.

Section 45(1) of the Planning Act identifies the tests for a minor variance. The following is an analysis of the tests.

Meets the purpose and intent of the Official Plan

The subject lands are designated 'Neighbourhoods' in the Urban Hamilton Official Plan (UHOP) and are identified as 'Low Density Residential 1' in the Trinity West Secondary Plan. The Neighbourhoods designation intends to provide for a range of ground-related housing options, including single-detached dwellings. The Trinity West Secondary Plan designates the lands as Low Density Residential 1 and permits only single-detached dwellings.

The proposed application will facilitate the severance and creation of a new residential parcel, which is a permitted use in the Neighbourhoods and Low Density Residential 1 designation. The severed and

retained residential lots will provide for the development of single-detached dwellings and contribute to intensification in the built up area of the City. The proposed application maintains the intent of the UHOP and Trinity West Secondary Plan.

Meets the purpose and intent of the Zoning By-law

The subject lands are zoned Single Residential One "R1" in the City of Stoney Creek Zoning By-law 3692-92 (as amended). The R1 zone permits single-detached dwellings and requires a minimum frontage of 18 metres for interior lots.

The proposed reduction in lot frontage from 18 metres to ± 15 metres will facilitate the severance of the subject lands and allow for the development of two single detached dwellings. Sufficient frontage is maintained on Upper Mount Albion Road for both the severed and retained lots and adequate separation distance will be maintained between the proposed lots and adjacent residential uses. The proposed severed and retained lots conform to all other zoning requirements of the Single Residential One "R1" Zone.

In summary, the proposed frontage for the severed and retained lots maintain the intent of the by-law, provide sufficient access along Upper Mount Albion Road, maintain separation distance between adjacent lots, and conform to all other zoning provisions for the R1 zone. Therefore, the general intent of the zoning by-law is maintained.

Desirable for the appropriate development of the land

The lands are designated and zoned for residential use. The proposed variances are desirable to permit the severance of a parcel of land and create an additional parcel of land for residential purposes and allow for minor intensification within the built boundary in an area with sufficient infrastructure and services.

Minor in Nature

The lands are zoned to permit single-detached dwellings and there is no change to the permitted uses. The requested reduction in lot frontage to 15.175 metres for the retained lot (Part 1) and 15.305 metres for the severed lot (Part 2) is compatible with the general character and scale of other residential lots in the surrounding area. Various residential lot frontages on Upper Mount Albion Road range from 14.5 meters to 30 metres. The proposed frontage maintains adequate area on a public road and provides a sufficient area to accommodate future residential uses. Sufficient separation distances between the interior side yards of adjacent lots is provided and adequate buffer space between lots is maintained. The requested frontage is considered to be compatible with the surrounding area. The variances are therefore minor in nature.

In addition to this letter and in support of our applications, please find enclosed the following:


- Completed and signed Consent Application Form;
- Completed and signed Minor Variance Application Form;
- Severance & Minor Variance Sketch, prepared by J.D. Barnes, dated October 7, 2021;
- 1 cheque in the amount of \$3,320.00 for the Minor Variance Application fee (to be delivered under separate cover);
- 1 cheque in the amount of \$2,860.00 for the Consent Application fee (to be delivered under separate cover), and;

- A copy of the previously prepared Staff Report for the conditionally approved severance, dated December 6, 2018.

We kindly ask that this application be considered at the next available Committee of Adjustment meeting. If you have any questions regarding the application, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', followed by a long horizontal line extending to the right.

Dave Aston, MSc, MCIP, RPP
Vice President / Partner

A handwritten signature in blue ink, appearing to read 'Liam Murphy'.

Liam Murphy, BES
Planner

cc. Marib Pirzada, Myles Smith



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-21:448

APPLICANTS: Agent MHBC Planning c/o D. Aston
 Owner 2324780 Ontario Inc.

SUBJECT PROPERTY: Municipal address **61 Upper Mount Albion Rd., Stoney Creek**

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

ZONING: "R1" (Single Residential) district

PROPOSAL: To permit the creation of two (2) residential lots (Part 1 and Part 2) as per Consent Application SC/B-21:119, for single detached dwelling purposes, notwithstanding that;

1. A minimum lot frontage of 15.1m shall be permitted for Part 1 and a minimum lot frontage of 15.3m shall be permitted for Part 2 instead of the minimum 18.0m lot frontage required.

Notes: This application is to be heard in conjunction with Consent Application SC/B-21:119.

No elevation plans were provided from which to determine compliance; therefore, further variances may be required.

The zoning By-law requires a minimum parking space size of 3.0m x 6.0m for one parking space within a private residential garage. Insufficient details were provided from which to determine compliance; therefore, further variance may be required.

The shall ensure that any proposed encroachment i.e. eaves, porches etc., shall conform to the requirements of Section 4.19.1 of the Stoney Creek Zoning By-law 3692-92.

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

DATE: Thursday, February 3rd, 2022
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

SC/A-21: 448
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: January 18th, 2022.

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.

NOTES:

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE APPROVED LOT GRADING PLAN.
2. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 62M-1250 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.
3. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
4. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE LOT GRADING PLAN FOR REGISTERED PLAN 62M-1250 AND ARE PROPOSED.

- 300.00 DENOTES PROPOSED GRADE BY BSR&D
- 300.00 DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES IRON PIN TO BE SET ON SITE
- T.F. DENOTES TOP OF FOUNDATION
- U.S.F. DENOTES UNDERSIDE OF FOOTINGS
- B.F. DENOTES BASEMENT FLOOR
- F.F. DENOTES FINISHED FLOOR
- TBR DENOTES TO BE REMOVED
- HP DENOTES HYDRO POLE
- H DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- E DENOTES OVERHEAD ELECTRICAL WIRE
- G DENOTES GAS PIPELINE
- SAN MH DENOTES SANITARY MANHOLE
- CB DENOTES CATCHBASIN
- MH DENOTES MANHOLE

PLAN

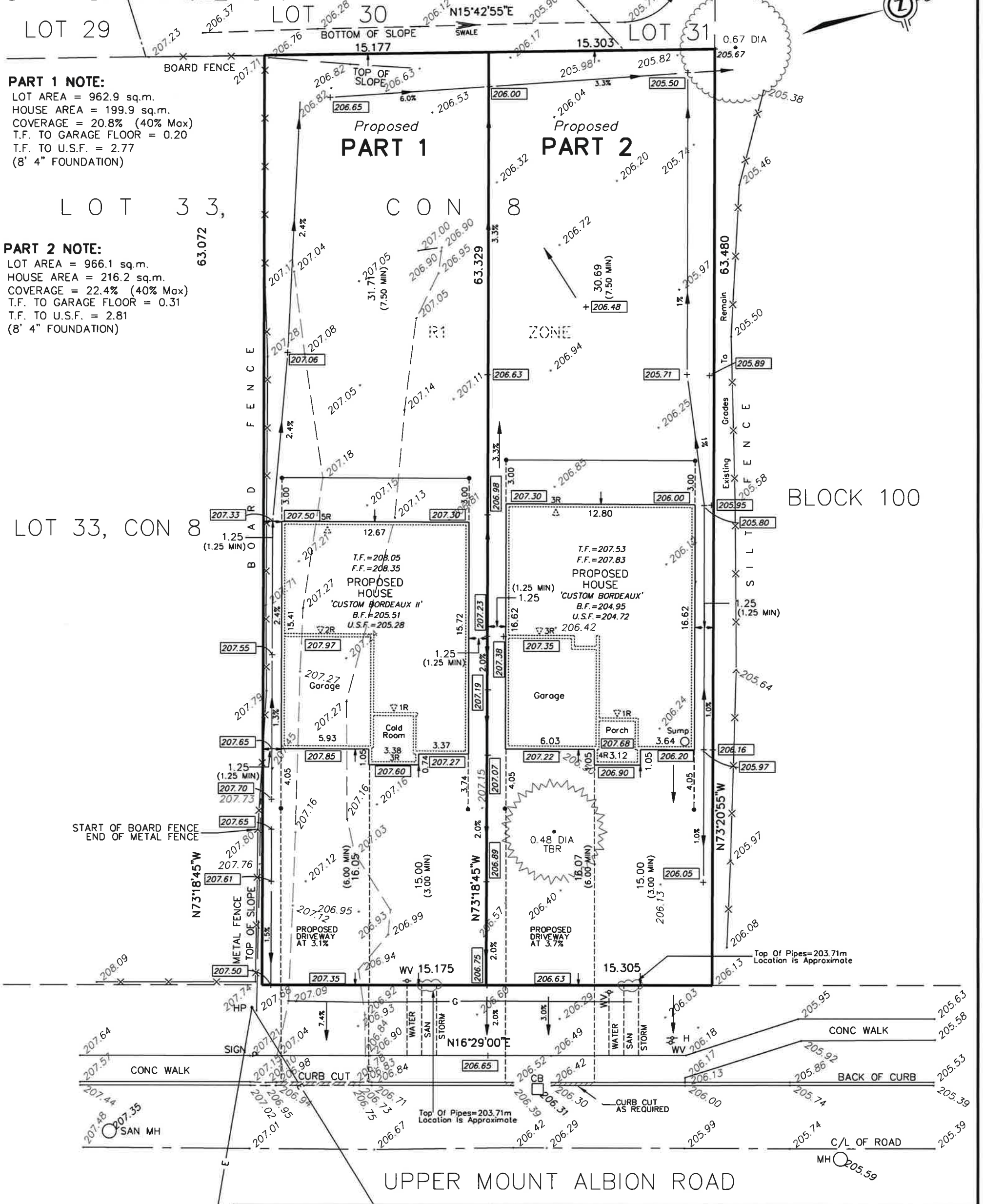
PREPARED FOR BUILDING PERMIT APPLICATION
SCALE 1 : 250



METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

CITY OF HAMILTON

REGISTERED PLAN 62M-1250



PART 1 NOTE:
LOT AREA = 962.9 sq.m.
HOUSE AREA = 199.9 sq.m.
COVERAGE = 20.8% (40% Max)
T.F. TO GARAGE FLOOR = 0.20
T.F. TO U.S.F. = 2.77
(8' 4" FOUNDATION)

PART 2 NOTE:
LOT AREA = 966.1 sq.m.
HOUSE AREA = 216.2 sq.m.
COVERAGE = 22.4% (40% Max)
T.F. TO GARAGE FLOOR = 0.31
T.F. TO U.S.F. = 2.81
(8' 4" FOUNDATION)

LOT 33, CON 8

BLOCK 100

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1.	OCT 1/21	RA	Move Houses To 15m From Streetline
2.	OCT 7/21	RA	General Revisions

THIS PLAN WAS PREPARED FOR LOSANI HOMES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

[Signature]
KERRY F. HILLIS
ONTARIO LAND SURVEYOR

© COPYRIGHT 2021: REPRODUCTION, DISTRIBUTION OR ALTERATION OF THIS PLAN, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED IS STRICTLY PROHIBITED.

BSR&D ONTARIO LAND SURVEYORS SURVEYING
URBAN & RURAL PLANNERS MAPPING
A wholly owned subsidiary of J.D. Barnes Ltd. G.I.S.

RPA	DRAWN
CY	CHECKED
DATED: OCT 7, 2021	
Ref. No. 17-14-593-09 BPA 2	

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
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:

Relief is requested from the frontage requirement of 18 metres for an interior lot in the Single Residential "R1" Zone to accommodate lots with a frontage of ± 15.305 metres (severed) and ± 15.175 (retained).

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

An application to sever the subject lands is being submitted concurrently with this application. The proposed severance results in lots with a frontage of ± 15.305 metres (severed) and ± 15.175 (retained), whereas the 'Single Residential "R1" Zone' requires a minimum frontage of 18 metres for an interior.

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**):

The subject lands are legally described as Part of Lot 33 Concession 8 Geographic Township of Saltfleet, City of Hamilton. The lands are municipally known as 61 Upper Mount Albion Road, Stoney Creek.

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?

Information from 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.

2021-12-07
Date

M. B. B.
Signature Property Owner(s)

2324780 Ontario Inc.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage ±30.48 metres
 Depth ±63.329 m to ±63.480 metres
 Area ±1,929 sq. m (962.9 sq. m retained / 966.1 m severed)
 Width of street 20.117 metres

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

Existing:_
N/A

Proposed
Future residential.

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:
Future residential.

13. Date of acquisition of subject lands:
<4 years
-
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.):
Single Family / Vacant
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family / Vacant
17. Length of time the existing uses of the subject property have continued:
<5 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|--------------------------|
| Water | <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:
Neighbourhoods - Urban Hamilton Official Plan
Low Density Residential 1 - Trinity West Land Use Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Single Residential "R1" Zone - Stoney Creek Zoning By-law 3692-92
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
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
Please refer to attached application covering letter.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:123

SUBJECT PROPERTY: 541 Stone Church Rd. W., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent Lanhack c/o S. Pongracz
 Owner 2324780 Ontario Inc.

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

Severed lands:
 11.6m[±] x 29.8m[±] and an area of 348m^{2±}

Retained lands:
 11.6m[±] x 29.8m[±] and an area of 335m^{2±}

**This application will be heard in conjunction with
 Minor Variance Application HM/A-21:452**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 3rd , 2022
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

HM/B-21: 123
PAGE 2

MORE INFORMATION

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

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

DATED: January 18th, 2022

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.



These drawings are the property of the Engineer and shall remain his/her property. The Engineer shall not be held responsible for any errors or omissions in these drawings. The drawings shall be used only for the project and shall not be reproduced or used for any other project without the written consent of the Engineer. LHMWCK Consultants Inc. 1150 Lakeshore Blvd. W. Unit 1000 Mississauga, ON L5M 1A5 Tel: (905) 876-1104 Fax: (905) 876-1104

Issue Record	
No.	Description
1	PRELIMINARY
2	REVISED
3	REVISED
4	REVISED
5	REVISED
6	REVISED
7	REVISED
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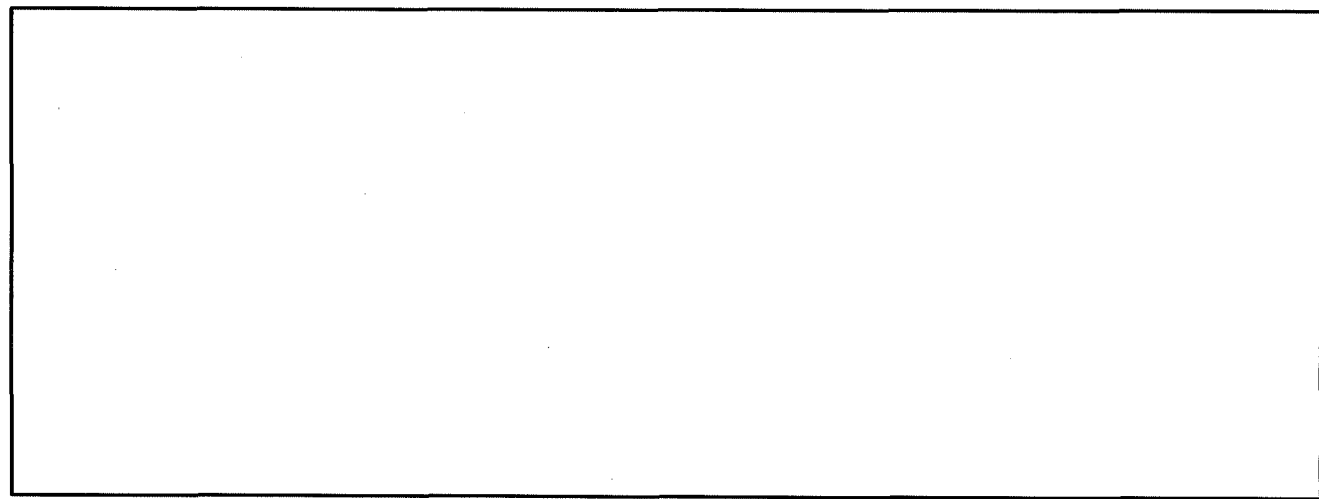
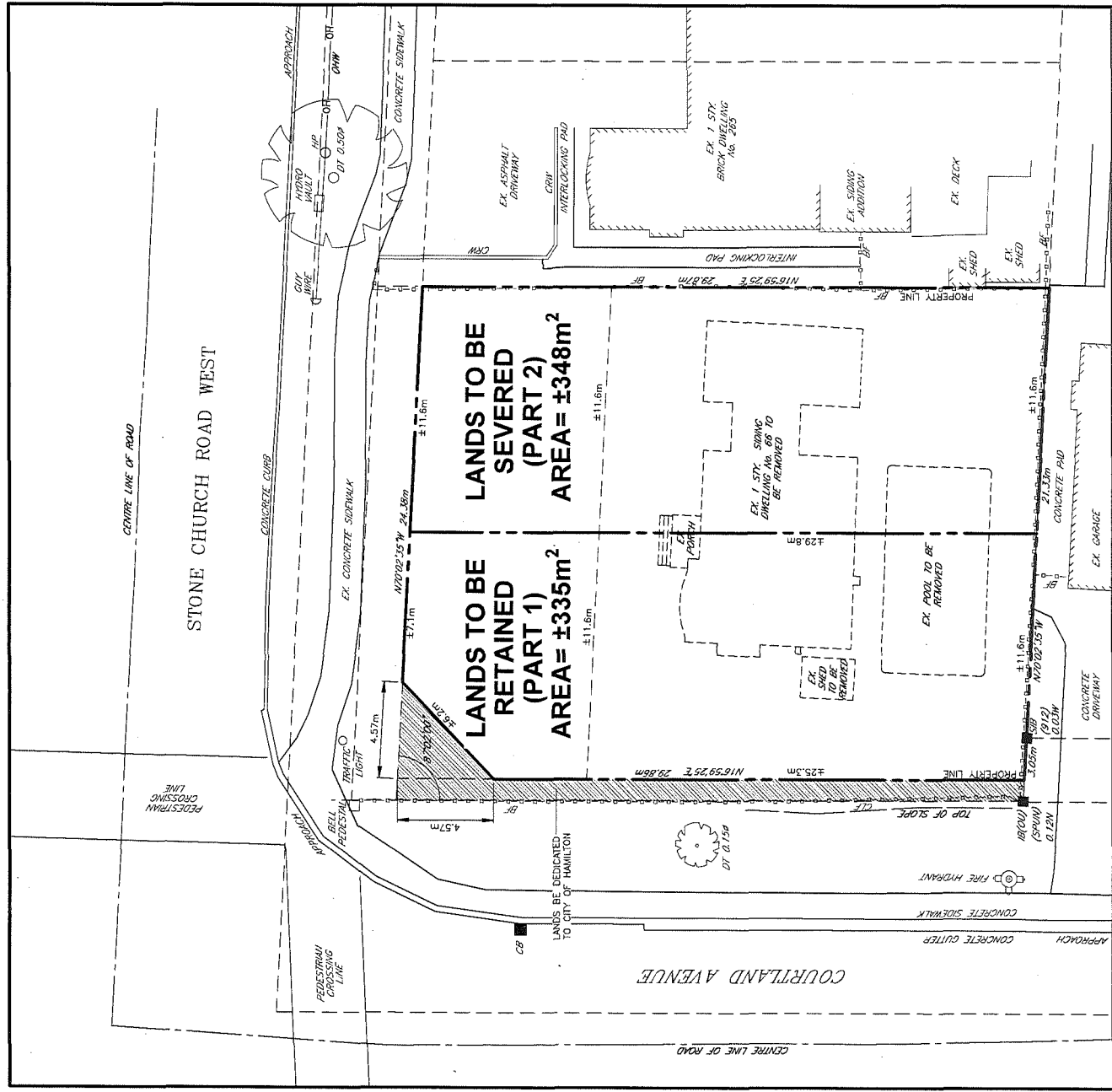
LHMWCK CONSULTANTS INC.
1150 Lakeshore Blvd. W. Unit 1000
Mississauga, ON L5M 1A5
Tel: (905) 876-1104
Fax: (905) 876-1104

541 Stonechurch Road West

HAMILTON, ON
DATE: DECEMBER 2021
DRAWN BY: GRY
CHECKED BY: SHP
SCALE: 1 : 200

Sewerage Sketch

Project No: 210448
Drawing No: SSK-11
Scale: 1 : 200





Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2

	NAME	ADDRESS
Registered Owners(s)	[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	Concession	Former Township
Registered Plan N°. 921	Lot(s)	Reference Plan N°.	Part(s) Part of Lot 18
Municipal Address 541 Stone Church Rd W, Hamilton, ON L9B 1A5			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 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:

Subhash Bhalla 1371981 Ontario Inc.

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)
+/-11.6m	+/-29.8m	+/-348m ²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: single family dwelling with attached garage, shed and pool (all to be demoished/ removed offsite)

Proposed: Two single family dwellings

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)
+/-11.6m	+/-29.8m	+/-335m 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: Single family dwelling (to be demolished)

Proposed: Two single family dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Urban protected residential, one / two family dwellings

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

The lands are to remain Urban Protected Residential

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? D/S 198 & D/S-1788 Urban Protected Residential (By-law 6593)

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	
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?
Neighbour consultation and review of Historic on line data
- 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

Single family residential use will be maintained.

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

Single family residential use will be maintained.

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

Single family residential use will be maintained.

- 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.

The consent application HM-B-17-108 was approved and lapsed during Covid. Owner thought the application was not going lapse during Covid.

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

The proposed buildings will be single family detached vs. single family attached

- 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?

3 plus Years

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

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

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

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

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

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

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

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

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

13 ACKNOWLEDGEMENT CLAUSE

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

Nov. 22/2021
Date

Sibby Blin - President
Signature of Owner
I have the authority to bind the Corporation



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-21:452

APPLICANTS: Agent Lanhack c/o S. Pongracz
 Owner 1371981 Ontario Inc.

SUBJECT PROPERTY: Municipal address **541 Stone Church Rd. W., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 71-111

ZONING: "D/S-198" (Urban Protected Residential – One and Two Family Dwellings) district

PROPOSAL: To permit the creation of two lots through land severance application HM/B-21: 123 notwithstanding that;

LANDS TO BE RETAINED (PART 1):

1. A minimum lot width of ± 11.6 m shall be provided instead of the minimum required 12.0 m; and
2. A minimum lot area of ± 335.0 m² shall be provided instead of the minimum required lot area of 360.0 m²; and

LANDS TO BE SEVERED (PART 2):

3. A minimum lot width of ± 11.6 m shall be provided instead of the minimum required 12.0 m; and
4. A minimum lot area of ± 348.0 m² shall be provided instead of the minimum required lot area of 360.0 m²; and

Notes: Variances have been written as requested by the applicant. These variances are necessary to facilitate Land Severance Application HM/B-21: 123

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

DATE: Thursday, February 3rd, 2022
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-21: 452

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

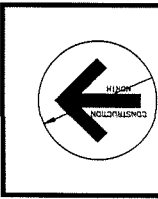
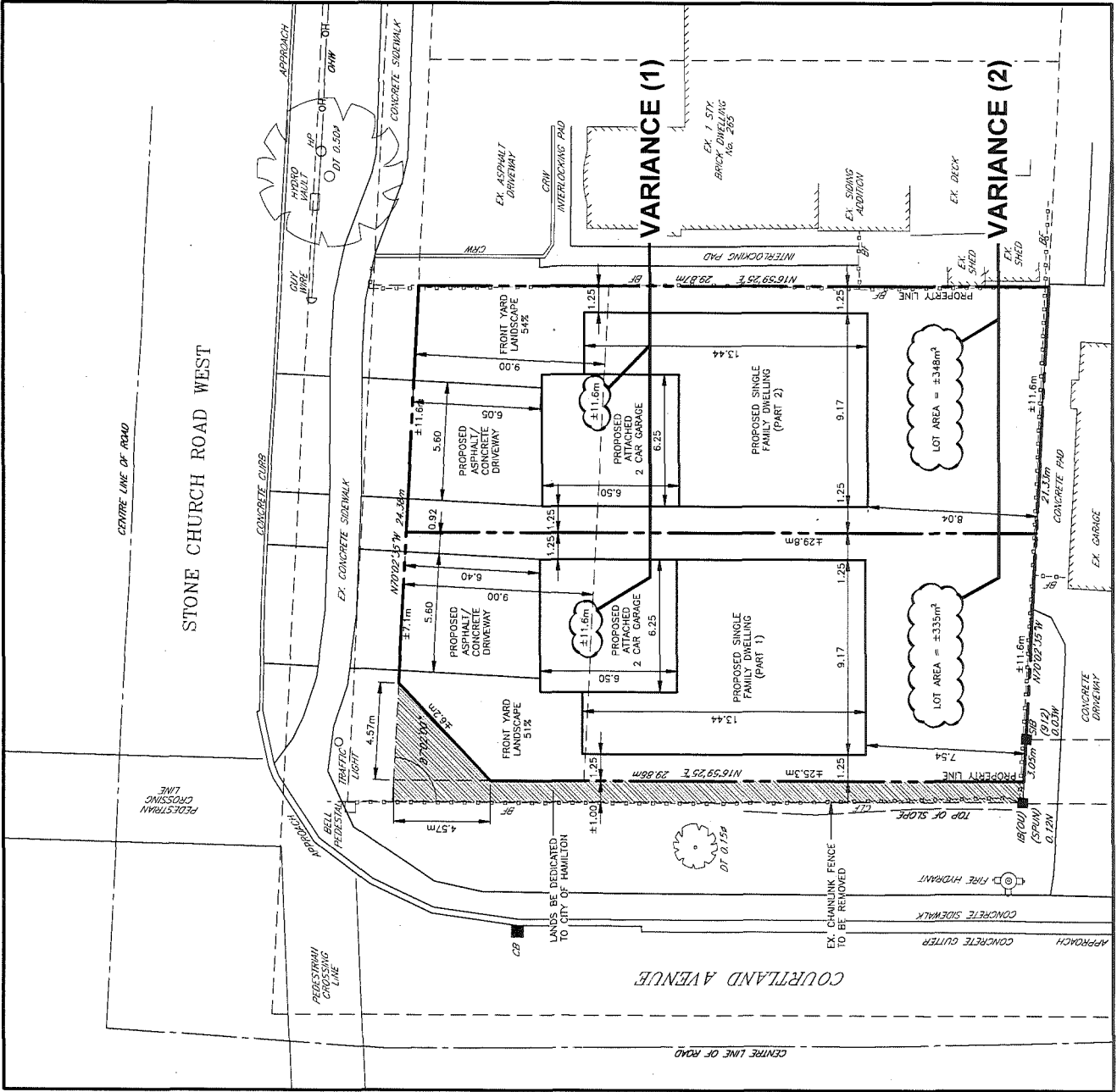
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 2022.

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.

VARIANCE (1)	TO PERMIT A MIN. LOT WIDTH OF $\pm 11.6m$ WHEREAS A MIN. OF $12.0m$ IS REQUIRED
VARIANCE (2)	TO PERMIT A MIN. LOT AREA OF $\pm 335m^2$ WHEREAS A MIN. OF $360m^2$ IS REQUIRED



Professional seal of architect or engineer is required for all drawings. The Project Engineer and Project Architect are responsible for the accuracy of the drawings. The Project Engineer is responsible for the accuracy of the drawings. The Project Architect is responsible for the accuracy of the drawings. The Project Engineer and Project Architect are responsible for the accuracy of the drawings. The Project Engineer is responsible for the accuracy of the drawings. The Project Architect is responsible for the accuracy of the drawings.

Issue Record	No.	Description	Date
A	1	ISSUED FOR REVIEW	14/10/21

Project No.	21044B
Project Name	541 Stonechurch Road West
Project Address	541 Stonechurch Road West
Project City	Hamilton, ON
Project Date	December 2021
Project Status	DRY
Project Scale	1:200

LANEY CONSULTANTS INC.
 CONSULTING ENGINEERS
 1000 SHEPPARD AVENUE EAST
 SUITE 100
 SCARBOROUGH, ONTARIO
 M1B 4Y1
 TEL: (416) 291-1111

541 Stonechurch Road West
 HAMILTON, ON
 DECEMBER 2021
 Project No. 21044B
 Project Name 541 Stonechurch Road West
 Project Address 541 Stonechurch Road West
 Project City Hamilton, ON
 Project Date December 2021
 Project Status DRY
 Project Scale 1:200

Minor Variance Sketch



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 _____	

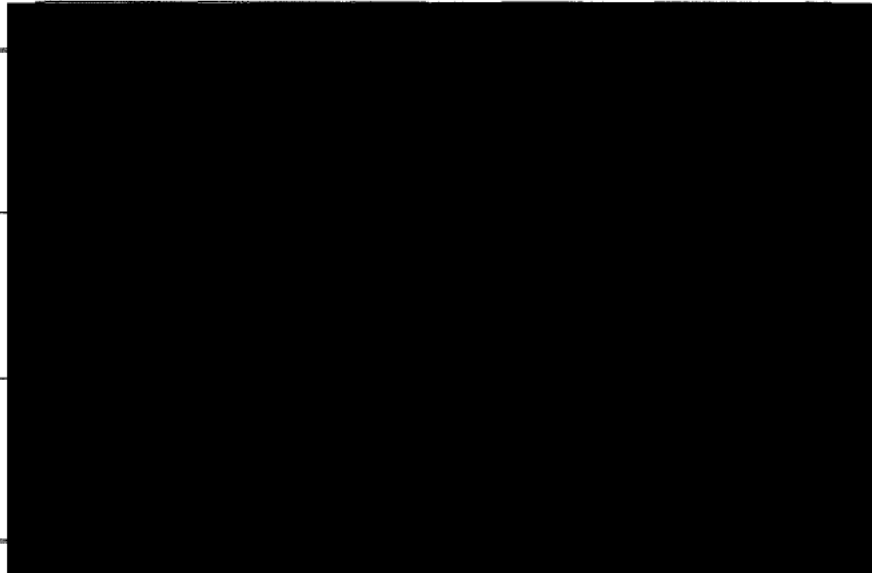
The Planning Act

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:
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:

Variance #1, To permit a min lot width of 11.6m+/- whereas a min. of 12.0m is required.
Variance #2, To permit a min lot area of 335m2+/- whereas a min. of 360m2 is required.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The existing lot width and area is slightly less than required to create two detached single family lots.

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**):

541 Stone Church Road West.
Part of Lot 18
Registered Plan no. 921

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?

Neighbour consultation and review of Historic on line 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.

Nov 23/2021
Date

Subhash Bhalia
Signature Property Owner(s)

Subhash Bhalia
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>+/-24.38m before road widening</u>
Depth	<u>+/-29.8m</u>
Area	<u>+/- 727m2 before road widening</u>
Width of street	<u>+/-30m on Stonechurch Rd. W. and +/-23m on Courtland Ave</u>

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

Existing: _

See attached

Proposed

See attached

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

Existing:

See attached

Proposed:

See attached

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.):
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:
18. Municipal services available: (check the appropriate space or spaces)
 Water Connected
 Sanitary Sewer Connected
 Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban protected residential, one and two family dwellings
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D/S 198 & D/S-1788 Urban Protected Residential (By-law 6593)
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
 Owner applied for a severance for a semi-detached building which has
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
 Owner has made arrangements with Forestry to remove the existing street tree:
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-21:120

SUBJECT PROPERTY: 1130 Ridge Road, 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): Agent Barich Grenkie c/o J. Hribijan
 Owner Joze Fabjan

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

Severed lands:
 94.40m[±] x 392.76m[±] and an area of 7.12ha[±]

Retained lands:
 93.08m[±] x 138.46m[±] and an area of 1.30ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 3rd , 2022
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.

SC/B-21: 120
PAGE 2

MORE INFORMATION

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

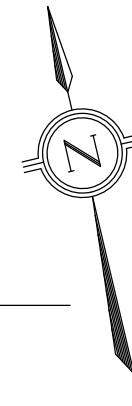
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 2022

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.

RIDGE ROAD
 (ROAD ALLOWANCE BETWEEN CONCESSIONS 3 AND 4)
 P.I.N. 17365-0263 (LT)



ADDRESS: 1130 RIDGE ROAD, STONEY CREEK

PART 1
 PLAN 62R-5487
 P.I.N. 17373-0091 (LT)

L O T

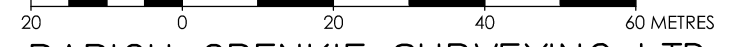
PART 2
 LANDS TO BE SEVERED
 71189.04 m²
 (17.59 acres)

PART 1
 LANDS TO BE RETAINED
 13004.78 m²
 (3.21 acres)

PART 13
 PLAN 62R-5271
 P.I.N. 17373-0089 (LT)

P.I.N. 17373-0090 (LT)

SCALE & NOTES
 Scale 1:1000



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

METRIC

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

CAUTION

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

NOTES

1. THE SOURCE OF THE DIMENSIONS AND INFORMATION SHOWN ARE TAKEN FROM B.A. JACOBS SURVEYING LTD. DATED MARCH 19, 2013 AND WATERCOURSE MAPPING FROM THE NIAGARA PENINSULA CONSERVATION AUTHORITY.

C O N C E S S I O N

Centerline of Watercourse
 as per NPCA Mapping

PROPOSED PLANTING AREA

EXISTING POND

WOODED AREA

TORONTO

HAMILTON

AND

BUFFALO

RAILWAY

P. I. N. 17373-0175 (LT)

Re3471672
 A=94.614
 C=84.612

PART 2
 PLAN 62R-8340
 P.I.N. 17373-0090 (LT)

Barich Grenkie
Surveying Ltd.

297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON
 L8G 1E5 (905) 662-6767

A DIVISION OF GEOMAPLE

DWN BY: JMH

CHK BY: MD

JOB No.

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



Hamilton

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS
Registered Owners(s)	[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 Part of Lot 7	Concession Concession 4	Former Township Township of Saltfleet
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 1130 Ridge Road			Assessment Roll N°. 00341032600

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

creation of a new lot

Other: a charge

- addition to a lot
- an easement

- a lease
- a correction of title

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

- creation of a new lot
- creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation)
- addition to a lot

- Other: a charge
 a lease
 a correction of title
 an easement

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m) 94.40m	Depth (m) 392.76m	Area (m ² or ha) 71189.04m ² (7.12 ha)
------------------------	----------------------	---

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: N/A

Proposed: N/A

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m) 93.08m	Depth (m) 138.46m	Area (m ² or ha) 13004.78m ² (1.30ha)
------------------------	----------------------	--

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 Storey Dwelling & Detached Garage

Proposed: N/A

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): Specialty Crop

Urban Hamilton Official Plan designation (if applicable) _____

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

The lands to be severed still conforms to the min lot area of 16 acres and will be used for agricultural purposes.

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? Agricultural (A1) Zone and a Conservation/Hazard Land Rural (P6) 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"/>	+/- 21m at rear of lands
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?
 Client has given the 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)
- 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)
- The property falls under specialty crop. The property to be severed will meet the min. requirements and will still be used for agricultural uses.

8 HISTORY OF THE SUBJECT LAND

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

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

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

N/A

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

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

b) Lands to be Retained:

Frontage (m): (from Section 4.2) 93.08m	Area (m ² or ha): (from Section 4.2) 13004.78m ²
--	---

Existing Land Use: Agricultural with Res. dwelling Proposed Land Use: 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):
---------------	------------------------------

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.

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-21:436

APPLICANTS: Agent Len Angelici Design
 Owners M. Meade & S. Ferri

SUBJECT PROPERTY: Municipal address **183 Iona Ave., Hamilton**

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

ZONING: "C/S-1335 & C/S-1335a" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new second storey addition and a roofed-over unenclosed porch in the rear yard of the existing single family dwelling notwithstanding that:

1. A maximum floor area ratio of 0.64 shall be permitted instead of the maximum 0.45 floor area ratio permitted.

NOTES:

i. A variance was also been requested in order to permit the construction of a new roofed-over porch in the rear yard. However pursuant to Subsection 18(3)(vi)(d), a roofed-over unenclosed porch is permitted to project into a minimum required rear yard setback (7.5m) to a maximum of 3.0m. Therefore, a roofed-over unenclosed porch shall provide a rear yard setback of at least 4.5m. As such, the location of the proposed porch conforms and a variance is not required.

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

DATE: Thursday, February 3rd, 2022
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.

HM/A-21: 436
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

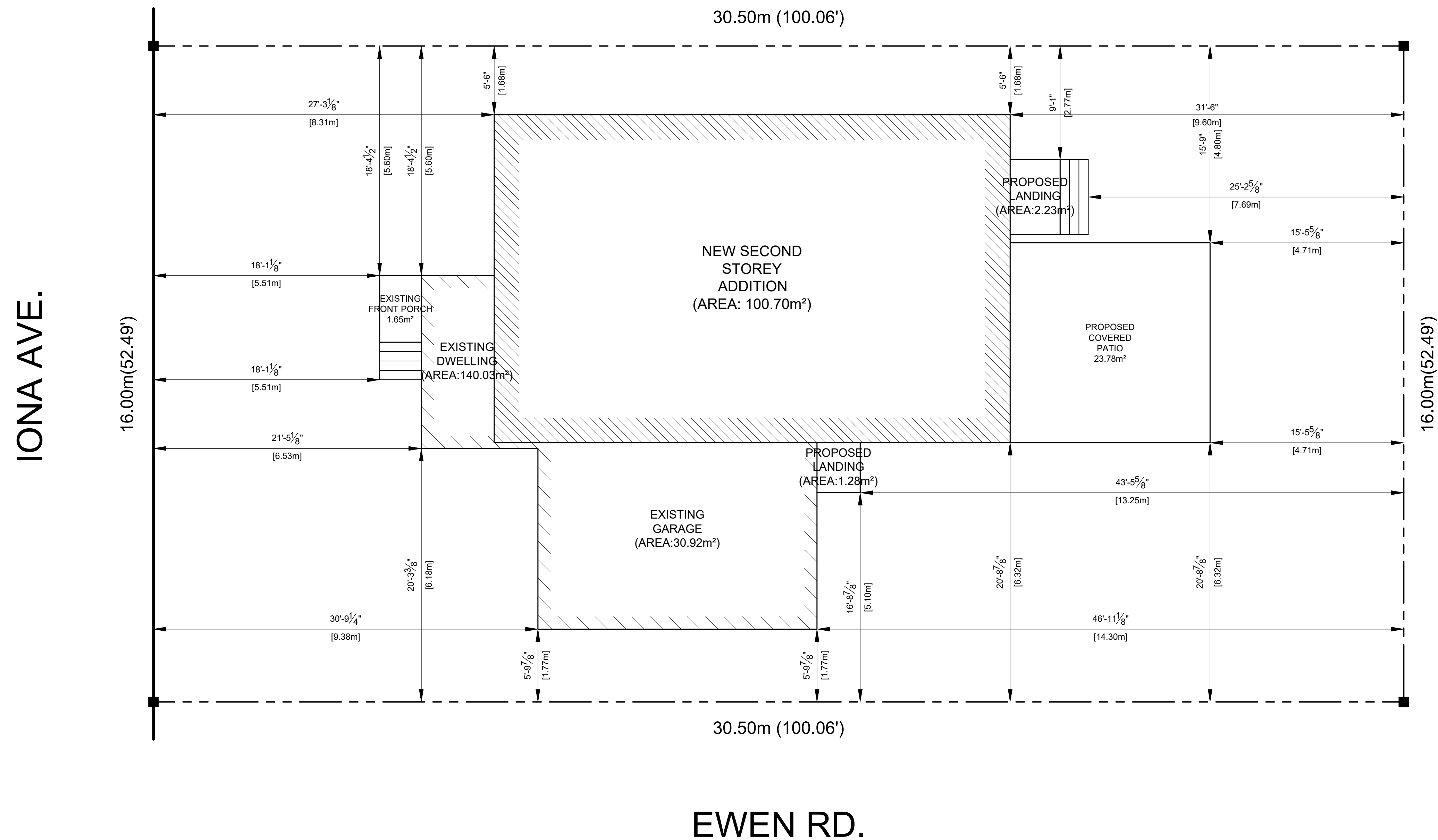
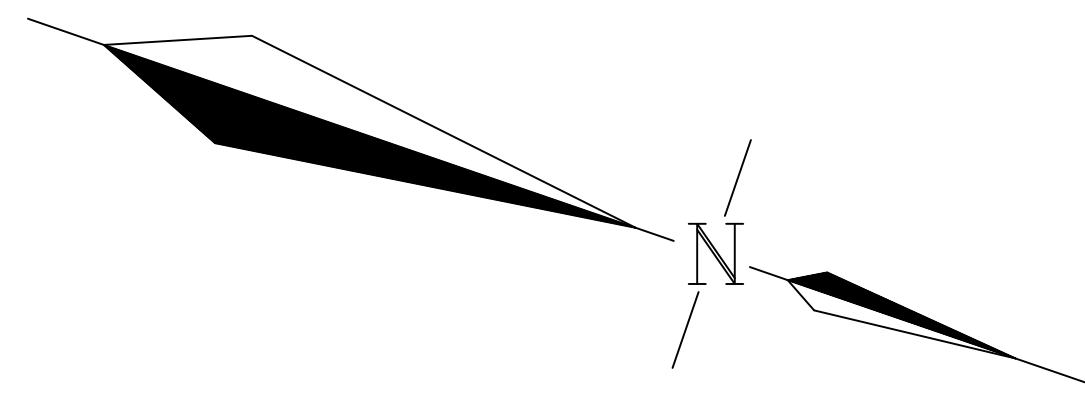
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- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 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 DATA	
ZONE:	C
LOT AREA:	487.94m ²
EXISTING DWELLING FOOTPRINT:	140.03m ²
EXISTING GARAGE:	30.92m ²
EXISTING FRONT PORCH:	1.65m ²
PROPOSED ADDITION:	100.70m ²
PROPOSED COVERED PATIO:	23.78m ²
TOTAL:	164.74m ²
LOT COVERAGE:	33.76%
BUILDING HEIGHT	
No. of STOREYS:	2
SETBACKS (ADDITION)	
FRONT:	8.31m
REAR:	9.60m
LEFT SIDE:	1.68m
RIGHT SIDE:	6.32m
SETBACKS (PATIO)	
REAR:	4.71m
LEFT SIDE:	4.80m
RIGHT SIDE:	6.32m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	12/06/2021

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL	

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

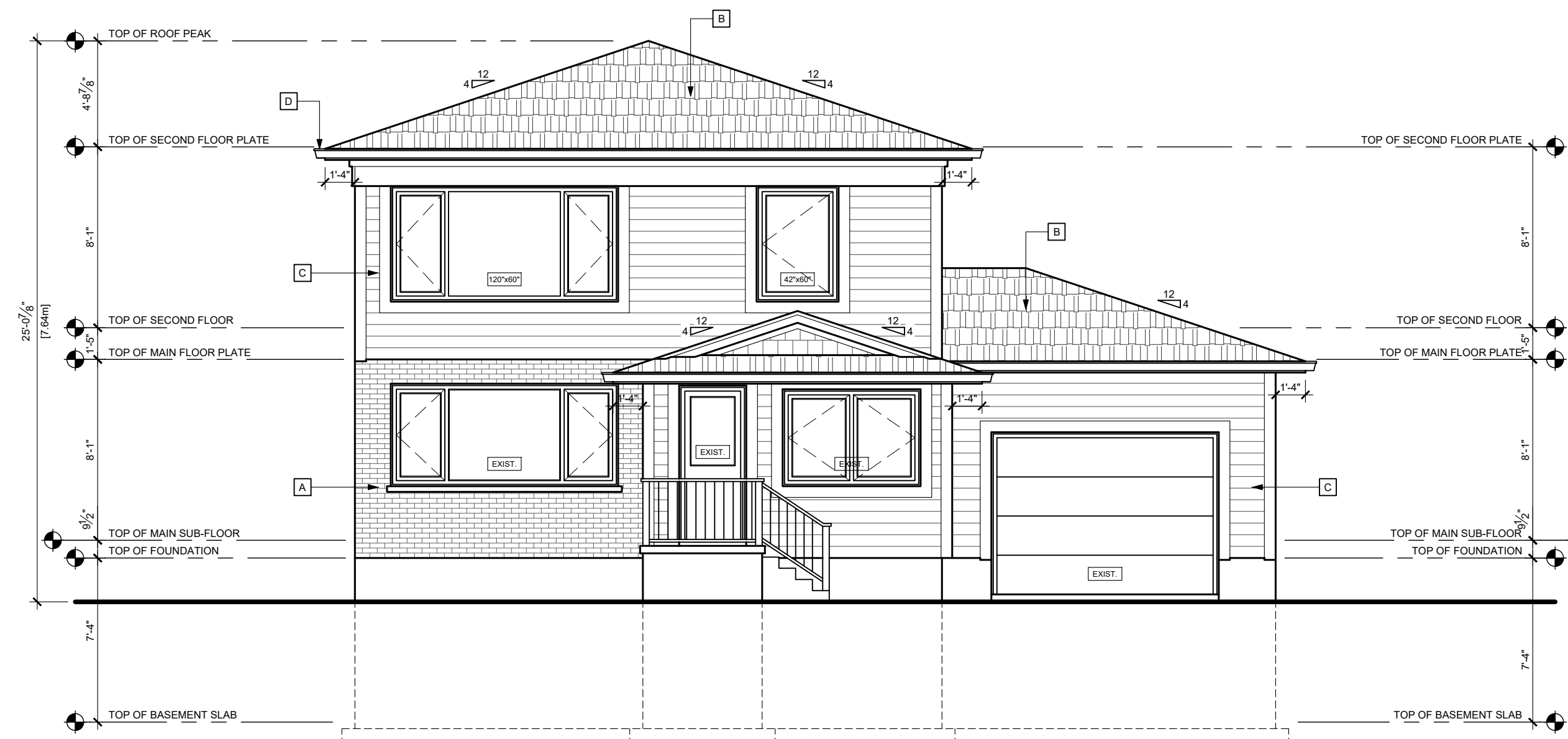
QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCIN
12/06/2021	
DATE	SIGNATURE

Len Angelici Design

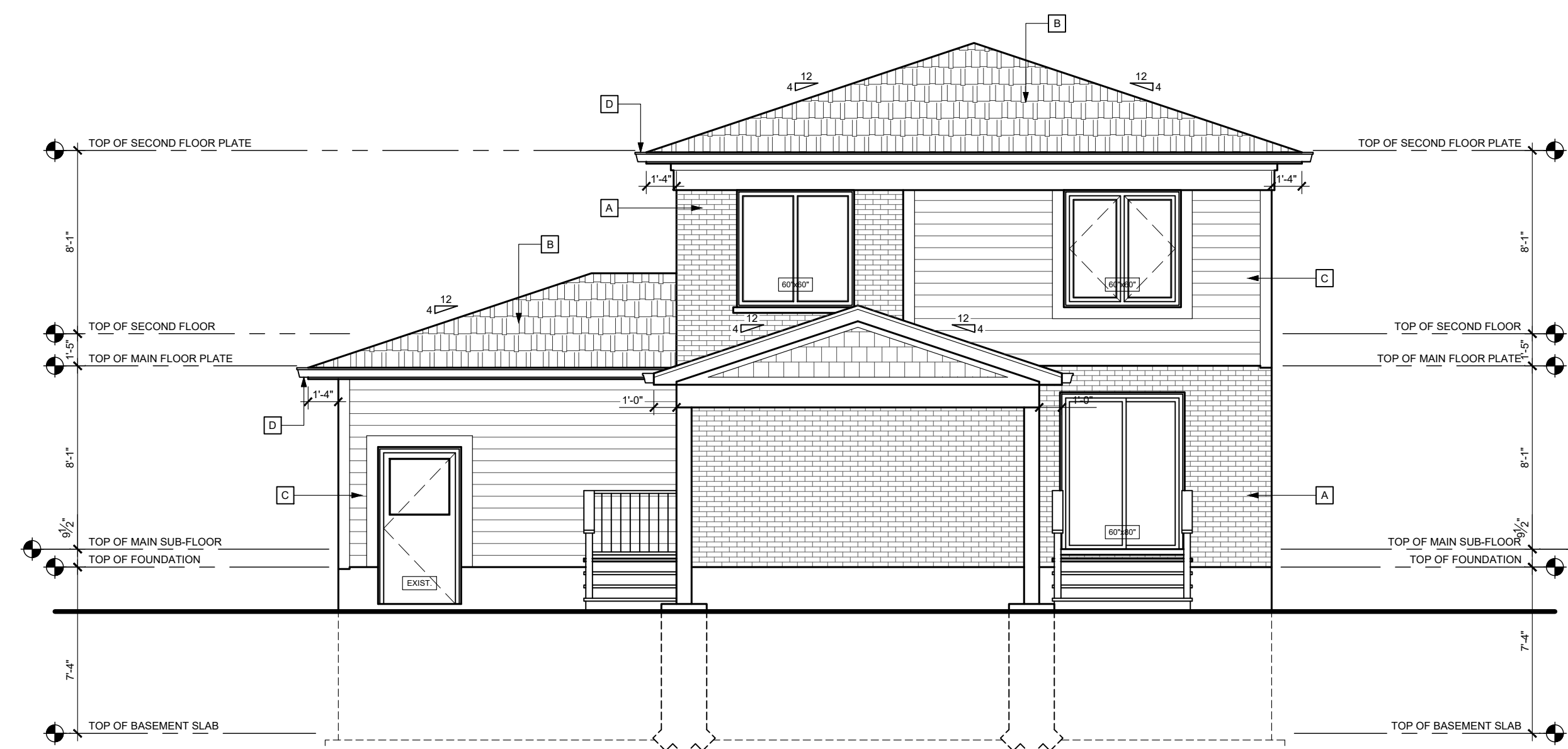
270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT
PROPOSED RESIDENCE 183 IONA AVE, HAMILTON, ON.

SHEET TITLE	
SITE PLAN	
DRAWN BY	SP1
L. ANGELICI	
DATE	
12/06/2021	
SCALE	
3/8"=1'-0"	
PROJECT No.	
2021-001	



PROPOSED FRONT ELEVATION
SCALE 3/16" = 1'-0"



PROPOSED REAR ELEVATION
SCALE 3/16" = 1'-0"

EXTERIOR FINISH INDEX

- [A] BRICK VENEER
- [B] ASPHALT SHINGLES
- [C] PRE-FIN. VINYL SIDING
- [D] 5" PRE-FIN. ALUM. EAVETROUGH ON 6" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	12/06/2021

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
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8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION

LEONARD ANGELICI 42391
NAME BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162
NAME BCIN

12/06/2021
DATE SIGNATURE

Len Angelici Design

270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

PROPOSED RESIDENCE
183 IONA AVE,
HAMILTON, ON.

SHEET TITLE

PROPOSED FRONT &
REAR ELEVATIONS

DRAWN BY

L. ANGELICI

DATE

12/06/2021

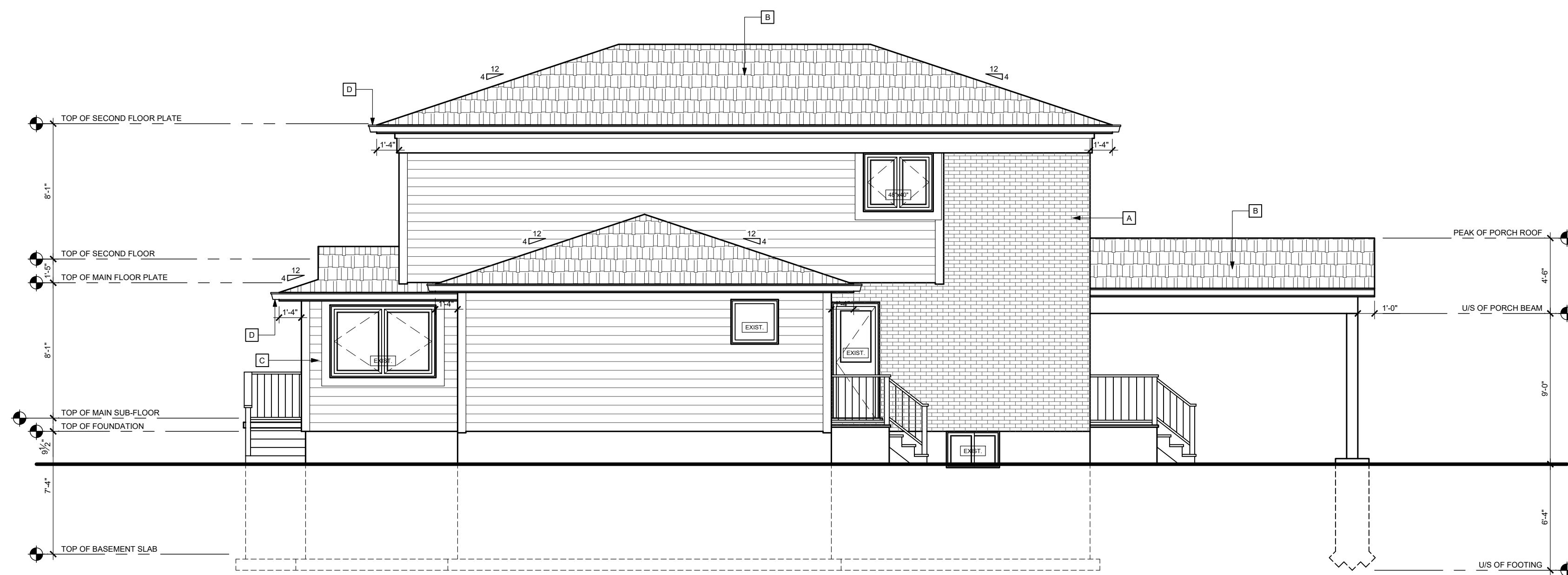
SCALE

3/16"=1'-0"

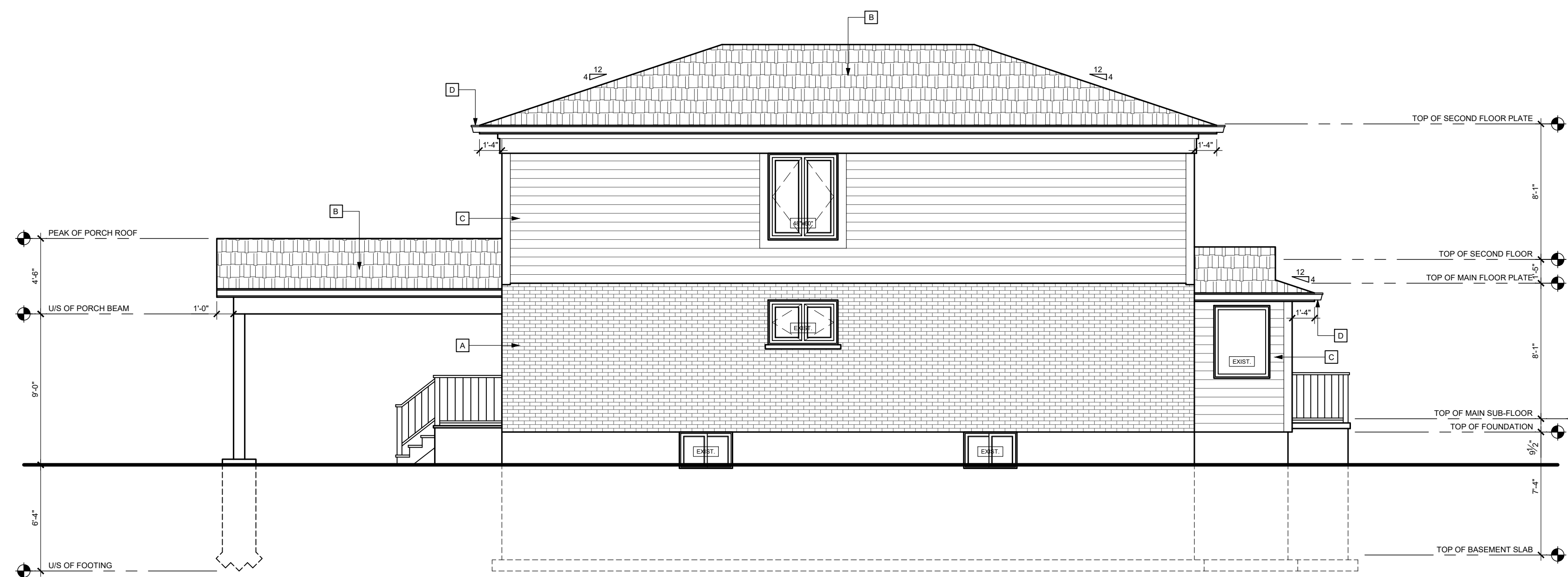
PROJECT No.

2021-001

A3



PROPOSED RIGHT ELEVATION
SCALE 3/16" = 1'-0"



PROPOSED LEFT ELEVATION
SCALE 3/16" = 1'-0"

EXTERIOR FINISH INDEX

- [A] BRICK VENEER
- [B] ASPHALT SHINGLES
- [C] PRE-FIN. VINYL SIDING
- [D] 5" PRE-FIN. ALUM. EAVETROUGH ON 6" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	12/06/2021

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCIN
12/06/2021	
DATE	SIGNATURE

Len Angelici Design

270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT
PROPOSED RESIDENCE
**183 IONA AVE,
HAMILTON, ON.**

SHEET TITLE
**PROPOSED RIGHT &
LEFT ELEVATIONS**

DRAWN BY	L. ANGELICI
DATE	12/06/2021
SCALE	3/16"=1'-0"
PROJECT No.	2021-001

A4



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:

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 RELIEF OF REAR YARD SETBACK OF 7.5m TO 4.71m TO FACILITATE A COVERED PATIO AREA

PROPOSED RELIEF FROM SITE SPECIFIC BY-LAW S-1335/S1225a OF FLOOR AREA RATIO OF 45% TO 62.11%

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

SIZE OF BACKYARD DOES NOT ALLOW FOR A DECENT SIZED COVERED PATIO AREA

SIZE OF LOT DOES NOT ALLOW FOR A SECOND STOREY ADDITION TO COMPLY WITH REQUIRED FLOOR AREA RATIO OF 45%

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**):

183 IONA AVE
HAMILTON, ON
L8S 2M1

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?

AREA HAS BEEN RESIDENTIAL SINCE CONSTRUCTION OF SUBJECT PROPERTY

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

Nov 26 2021
Date

X Sarah Ferni Mark Meade
Signature Property Owner

X [Signature]
Print Name of Owner

10. Dimensions of lands affected:

Frontage 16.00m
Depth 30.50m
Area 487.94m²
Width of street _____

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

Existing:
GROUND FLOOR AREA: 108.36m²
STORIES: 1
WIDTH: 12.55m
LENGTH: 15.38m

Proposed
GROSS FLOOR AREA: 303.05m²
STORIES: 2

PATIO WIDTH: 4.88m
PATIO LENGTH: 4.88m
PATIO AREA: 23.78m²

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: 1.68m
RIGHT SIDE: 1.77m
FRONT: 6.53m
REAR: 9.60m

Proposed:
PATIO:
LEFT SIDE: 4.80m
RIGHT SIDE: 6.32m
REAR: 4.71m

13. Date of acquisition of subject lands:
N/A
-
14. Date of construction of all buildings and structures on subject lands:
N/A
-
15. Existing uses of the subject property:
SINGLE FAMILY DWELLING
16. Existing uses of abutting properties:
SINGLE FAMILY DWELLINGS
17. Length of time the existing uses of the subject property have continued:
SUBJECT PROPERTY HAS BEEN RESIDENTIAL SINCE CONSTRUCTION
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|---|-----------|---|
| Water | ✓ | Connected | ✓ |
| Sanitary Sewer | ✓ | Connected | ✓ |
| Storm Sewers | ✓ | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C C/S-1335 C/S-1335a Urban Protected Residential, Etc.
6593 Former Hamilton
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-21:437

APPLICANTS: Agent Batory Planning & Development c/o C. Langley
 Owners J. & J. Franczuz

SUBJECT PROPERTY: Municipal address **237 Broadway Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 95-02, 95-33 & 80-274

ZONING: "C/S-1335 and S-1335a & S-720" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a 2nd full storey addition above the existing single-family dwelling and a proposed 2 storey addition to the rear and exterior side yard of the existing Single-family dwelling and to convert the proposed 2 storey addition into a secondary dwelling unit notwithstanding that;

1. A maximum height of 10.2 m shall be provided instead of the maximum permitted of 9.0 m as required per amending By-Law 95-02; and
2. A maximum Gross Floor Area of 379.0 m² shall be provided on site instead of the maximum permitted gross floor area of 233.05 m² permitted per amending By-Law 95-02; and
3. A minimum parking space size of 2.6 m in width x 5.5 m in length shall be provided instead of the minimum parking space size required of 2.7 m x 6.0 m; and

Notes: An eave or gutter may project into a required side yard not more than one-half of its width, or 1.0 metres, whichever is lesser. No details have been provided; therefore, further variances may be required.

An Encroachment Agreement with the Public Works Department may be required for existing frame shed and board fence shown to encroach on the Road Allowance (Willowcrest Avenue). For further information, please contact encroachment@hamilton.ca

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

DATE: Thursday, February 3rd, 2022
TIME: 2:20 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-21: 437
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: January 18th, 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.

DETACHED RENOVATION WITH NEW SECONDARY SUITE ADDITION

237 BROADWAY AVENUE HAMILTON, ONT. L8S 2H9



PROPOSED FRONT



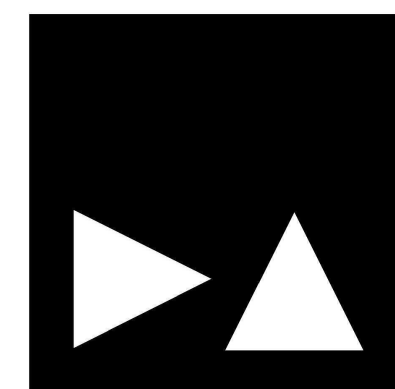
PROPOSED LEFT SIDE



EXISTING FRONT



EXISTING REAR

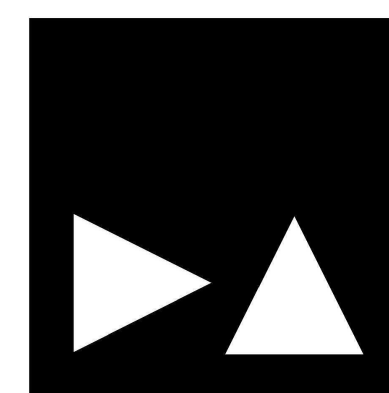


da | design inc

OWNER(S): JUSTIN & JOHN FRANCUZ
DECEMBER 2021

DETACHED RENOVATION WITH NEW SECONDARY SUITE ADDITION

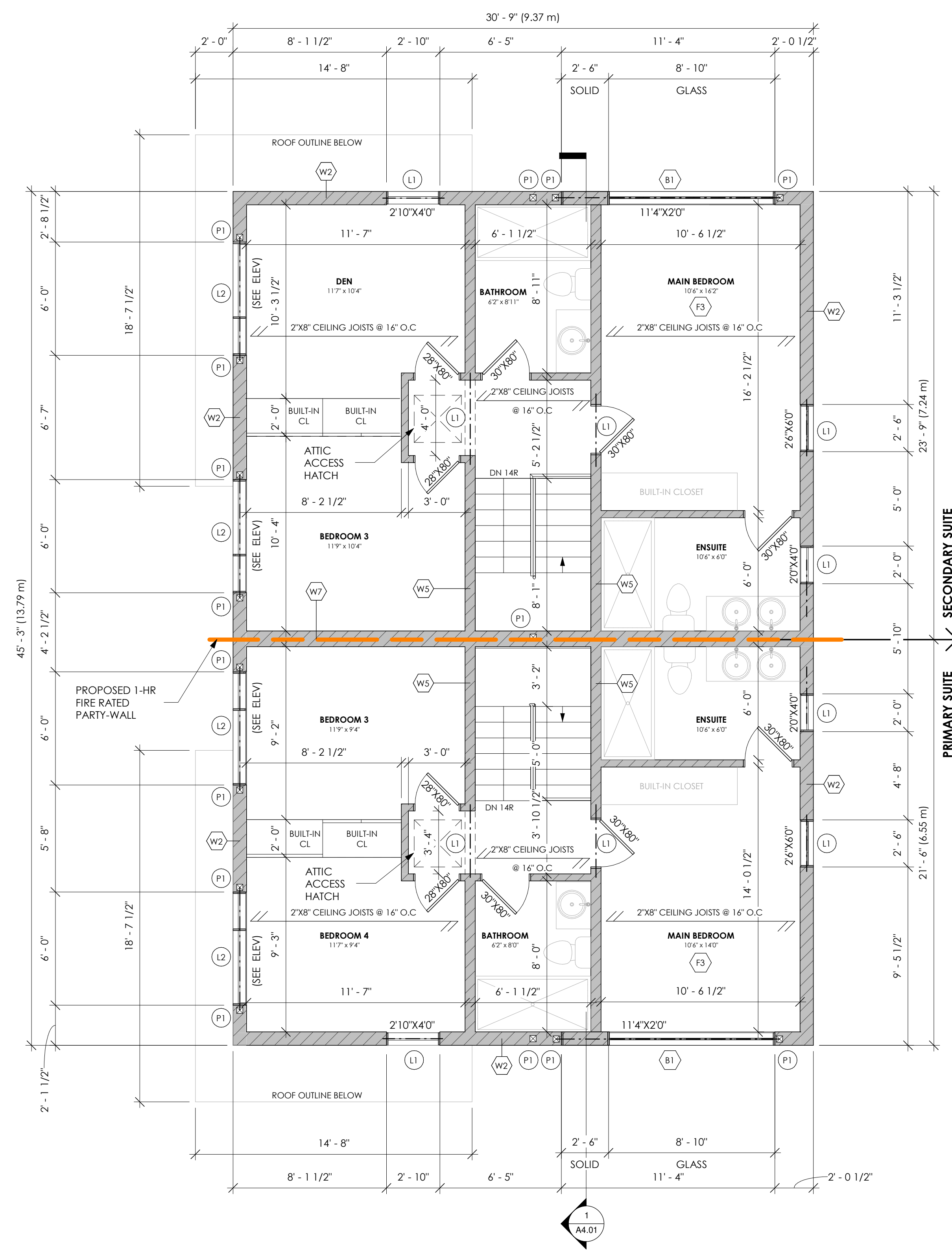
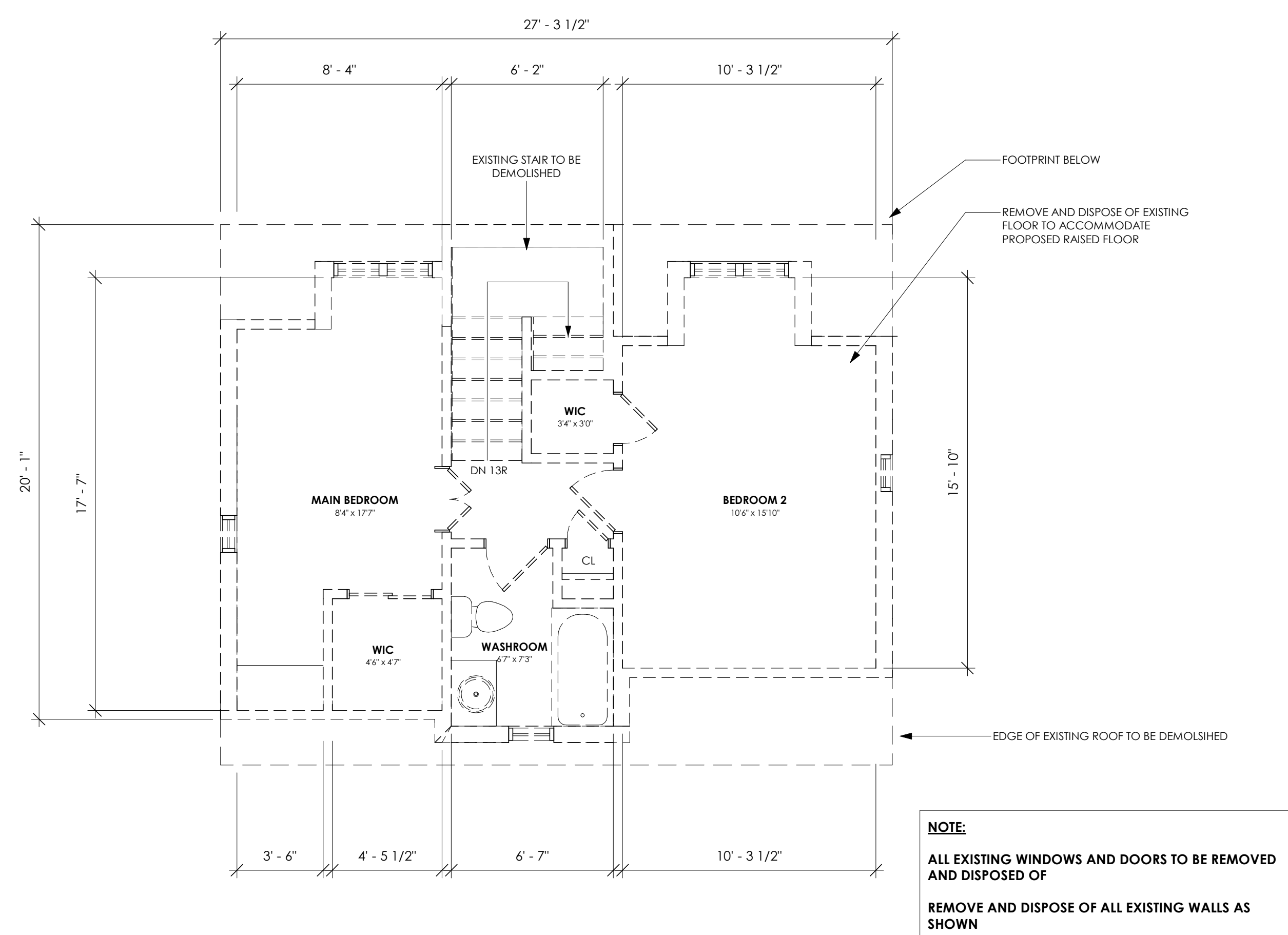
237 BROADWAY AVENUE HAMILTON, ONT. L8S 2H9



da | design inc

OWNER(S): JUSTIN & JOHN FRANCUZ
DECEMBER 2021

LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE
<p>EXISTING WALLS TO REMAIN (GC TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<p>FLOOR ROOF</p> <p>DL: 15 PSF DL: 21 PSF LL: 40 PSF SL: 21 PSF</p> <p>AS PER PART 9 OBC 2012</p>	<p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2" - 1/2" Ø A/B X 12" LONG + 1/2" THK. CAP PLATE + MILTI HIT HY-200 ADHESIVE</p>	<p>(P1) 3 - 2" X 6" SPF (P2) 4 - 2" X 6" SPF (P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF (L2) 3 - 2" X 10" SPF (L3) 3 - 2" X 12" SPF (L4) (2) - 1 1/4" X 3 1/2" X 1/4" BACK-TO-BACK (L5) RESERVED</p>
<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.2.6.)</p> <p>- ASPHALT SHINGLES NO. 210 (10.25 KG/M²) - ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN. - PLYWOOD SHEATHING 3/8" (9.5MM) WITH "Y" CLIPS. - APPROVED WOOD TRUSSES - PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT - R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE - W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES</p>	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.)</p> <p>- 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT Laterally SUPPORTED AT TOP - REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE - ON 20" X 12" FOOTING REINFORCED W/ 3-15M - 2 LAYERS OF BITUMEN-SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN. - DRAINAGE LAYER - 4" (100MM) DIA. WEEPING TILE, 4" (150MM) CRUSHED STONE OVER AND AROUND WEEPING TILE.</p>	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.2.7.)</p> <p>- STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION. - MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6(2). - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7mm) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - W/ R22 MIN. BATT INSULATION. - W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p>	<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES **NOTE: ALL INTERIOR WALLS TO BE TYPE "W6" UNLESS OTHERWISE NOTED</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES</p> <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - MIN R22 (RSI 3.52) SPRAY-FOAM INSULATION - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER ON THE WARM SIDE (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7MM) GYPSUM BOARD ON INTERIOR SIDE **NOTE: TYPICAL IN EXISTING EXTERIOR WALLS (BASEMENT & GROUND)</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.2.7.)</p> <p>- 5/8" TYPE 'X' GYPSUM BOARD - 2X4 WOOD STUDS @ 24" O.C. - R12 BATT INSULATION - 1" AIR SPACE W/ DOUBLE LAYER OF 1/2" GYP TO RESTRAIN INSULATION FROM FALLING OUT (REFER TO DETAIL)</p>		
<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 4" (75MM) CONCRETE SLAB - 6 MIL. POLYETHYLENE VAPOUR BARRIER - 2" (50MM) RIGID INSULATION TO MIN R10 (RSI 1.76) - 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED) - PROVIDED BOND BREAKING MATERIAL BETWEEN SLAB AND FOOTING. - WHERE SLAB IS REQUIRED TO BE WATERPROOFED, IT SHALL CONFORM TO O.B.C. ARTICLE 9.13.3.6. - SOIL GAS CONTROL, THE SLAB CONSTRUCTION SHALL CONFORM TO O.B.C. ARTICLE 9.13.4.2.</p>	<p>(F2) CONCRETE PORCH SLAB (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 4" THICK 32 MPA CLASS C2 CONCRETE SLAB - R/W 10M @ 12" O/C BOTTOM EACH WAY</p>	<p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.1.4.)</p> <p>- MIN. 3/4" (19MM) T & G OSB (0-1 GRADE) AND/OR WAFERBOARD (R1 GRADE) GULED & SCREWED - REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES. - FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.) - CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6. - 5/8" (15.9MM) TYPE 'X' GYPSUM BOARD</p>			



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- NOTES:**
- THESE DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE CONSULTANT AND ARE TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ORIGINALLY PURCHASED AND BY THE ORIGINAL PURCHASER. THEY MAY NOT BE COPIED IN ANY WAY, SHAPE OR FORM, IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE CONSULTANT.
 - ALL DIMENSIONS MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 - THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE NATIONAL BUILDING CODE, THE ONTARIO BUILDING CODE, LOCAL ZONING REQUIREMENTS, AND ANY OTHER GOVERNING AUTHORITIES.
 - DRAWINGS NOT TO BE SCALED.
 - DIMENSIONS AND SPECIFICATIONS OF ROOF TRUSSES ARE TO BE DESIGNED BY A PROFESSIONAL ENGINEER OR OTHER APPROVED AUTHORITY.
 - CONSULTANT DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS OF THESE DOCUMENTS, UNLESS ADVISED IN WRITING OF SUCH DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - DOOR SIZES SHOWN ON DRAWINGS DENOTE DOOR LEAF DIMENSIONS (FRAMES EXCLUDED) WHILE WINDOW SIZES DENOTE EXTERIOR FRAME DIMENSIONS UNLESS OTHERWISE NOTED.

NOV/21	01	COA SUBMISSION
DATE	NO.	DESCRIPTION
DATE	ISSUED	

CONSULTANT:
da design inc.
1470 Hurontario Street
Lower Suite
Mississauga, Ontario
L5G 3H4
647 242 0164
dan@dadesigninc.ca

CONSULTANT'S STAMP:
ONTARIO ASSOCIATION OF ARCHITECTS
DRAGAN ACHIMOVIC
LICENSED TECHNOLOGIST
OAA
LICENCE 8885

ENGINEER'S STAMP:
ONTARIO PROFESSIONAL ENGINEERS
FARAZ FARZAM
LICENSED PROFESSIONAL ENGINEER
409160395
PROVINCE OF ONTARIO

STRUCTURAL CONSULTANT:
PIVOT ENGINEERING INC.
FARAZ FARZAM
201 MILLWAY AVE. - UNIT 10
CONCORD, ON
L4K 5K8
TEL: 416-858-3648
EMAIL: FARAZ@PIVOTENGINEERING.CA

OWNER CONTACT INFORMATION:
JUSTIN FRANCUZ & JOHN FRANCUZ
E: jdfrancuz@gmail.com & john.francuz@gmail.com

PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
237 BROADWAY
AVENUE
HAMILTON, ONT.
L8S 2H9

PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.
SECOND FLOOR	

A1.03

LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE
<p>EXISTING WALLS TO REMAIN (GC TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<p>FLOOR</p> <p>DL: 15 PSF LL: 40 PSF</p> <p>ROOF</p> <p>DL: 21 PSF SL: 21 PSF OBC 2012</p>	<p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2 - 1/2" Ø A/B X 12" LONG + 1/2" THK. CAP PLATE + MILTI HIT HY-200 ADHESIVE</p>	<p>(P1) 3 - 2" X 6" SPF</p> <p>(P2) 4 - 2" X 6" SPF</p> <p>(P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF</p> <p>(L2) 3 - 2" X 10" SPF</p> <p>(L3) 3 - 2" X 12" SPF</p> <p>(L4) (2) - 1/4" X 3 1/2" X 1/4" BACK-TO-BACK</p> <p>(L5) RESERVED</p>
	<p>CONCRETE PAD</p> <p>(F1) 48"X48"X16" R/W 4-15M B.E.W.</p> <p>(F2) 30"X30"X16" R/W 3-15M B.E.W.</p>	<p>BEAM SCHEDULE</p> <p>(B1) 2 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p> <p>(B2) 3 PLY - 1 3/4" X 14" (2.0E) MICROLAM LVL</p> <p>(B3) 3 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p>		<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p>	
<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.26.)</p> <p>- ASPHALT SHINGLES NO. 210 (10.25 KG/M²) - ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN. - PLYWOOD SHEATHING 3/8" (9.5MM) WITH "H" CLIPS. - APPROVED WOOD TRUSSES - PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT - R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE - W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES</p>	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.)</p> <p>- 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT LATERALLY SUPPORTED AT TOP - REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE - ON 20" X 12" FOOTING REINFORCED W/ 3-15M - 2 LAYERS OF BITUMEN-SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN. - DRAINAGE LAYER - 4" (100MM) DIA. WEEPING TILE, 4" (150MM) CRUSHED STONE OVER AND AROUND WEEPING TILE.</p>	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION. - MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6(2). - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7mm) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - W/ R22 MIN. BATT INSULATION. - W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p> <p>(W3) SIDING WALL CONSTRUCTION (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- SIDING AS PER ELEVATION - ON 1/2" VERTICAL STRAPPING (1/2" AIR SPACE) - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7mm) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - WITH R22 MIN. BATT INSULATION. - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p>			
<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 4" (75MM) CONCRETE SLAB - 6 MIL. POLYETHYLENE VAPOUR BARRIER - 2" (50MM) RIGID INSULATION TO MIN R10 (RSI 1.76) - 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED) - PROVIDED BOND BREAKING MATERIAL BETWEEN SLAB AND FOOTING. - WHERE SLAB IS REQUIRED TO BE WATERPROOFED, IT SHALL CONFORM TO O.B.C. ARTICLE 9.13.3.6. - SOIL GAS CONTROL, THE SLAB CONSTRUCTION SHALL CONFORM TO O.B.C. ARTICLE 9.13.4.2.</p> <p>(F2) CONCRETE PORCH SLAB - 6" THICK 32 MPa CLASS C2 CONCRETE SLAB - R/W 10M @ 12" O/C BOTTOM EACH WAY</p> <p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.14.)</p> <p>- MIN. 3/4" (19MM) T & G OSB (0-1 GRADE) AND/OR WAFFERBOARD (R1 GRADE) GLUED & SCREWED - REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES. - FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.) - CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6. - 5/8" (15.9MM) TYPE 'X' GYPSUM BOARD</p>					

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DATE	NO.	DESCRIPTION
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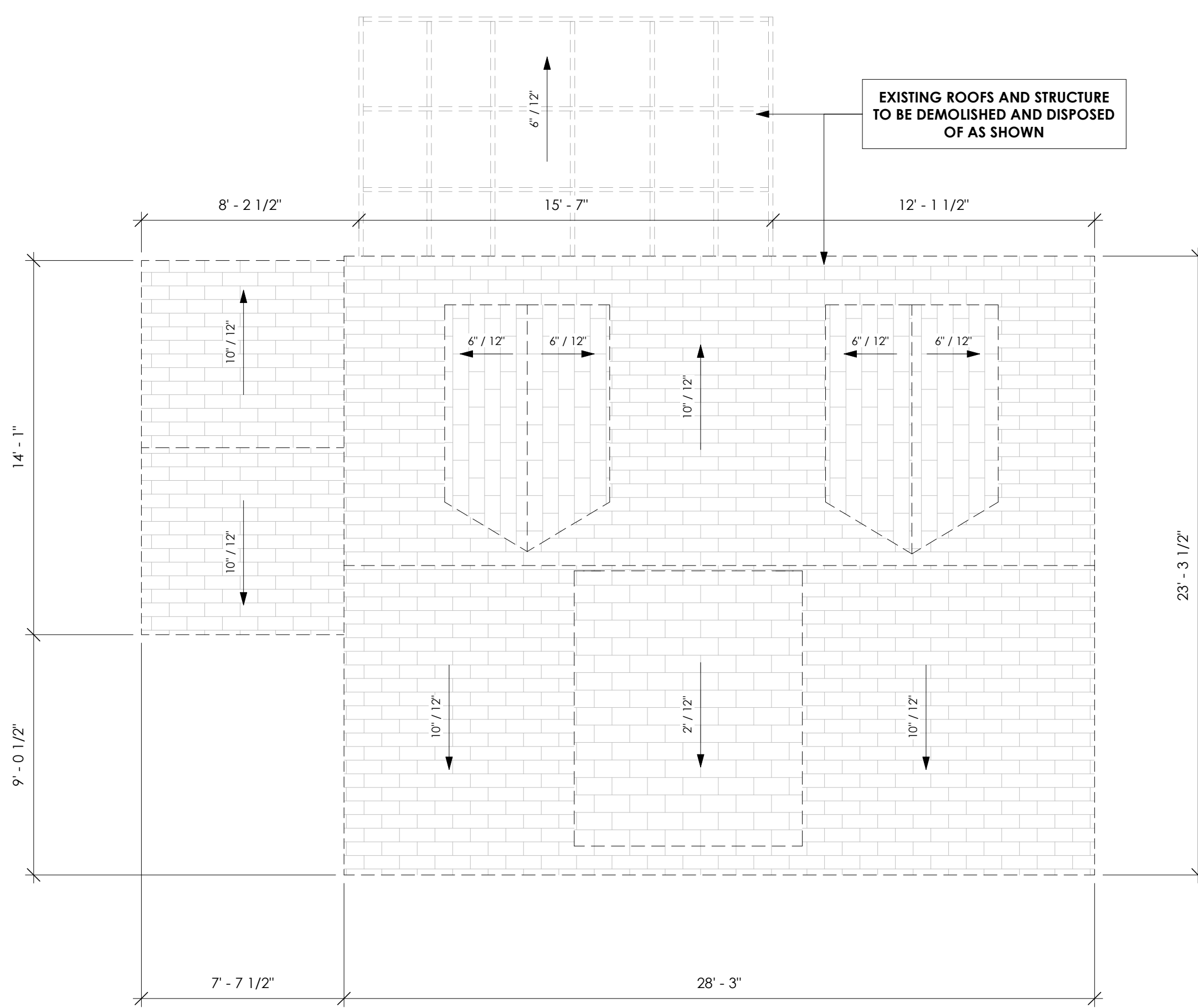
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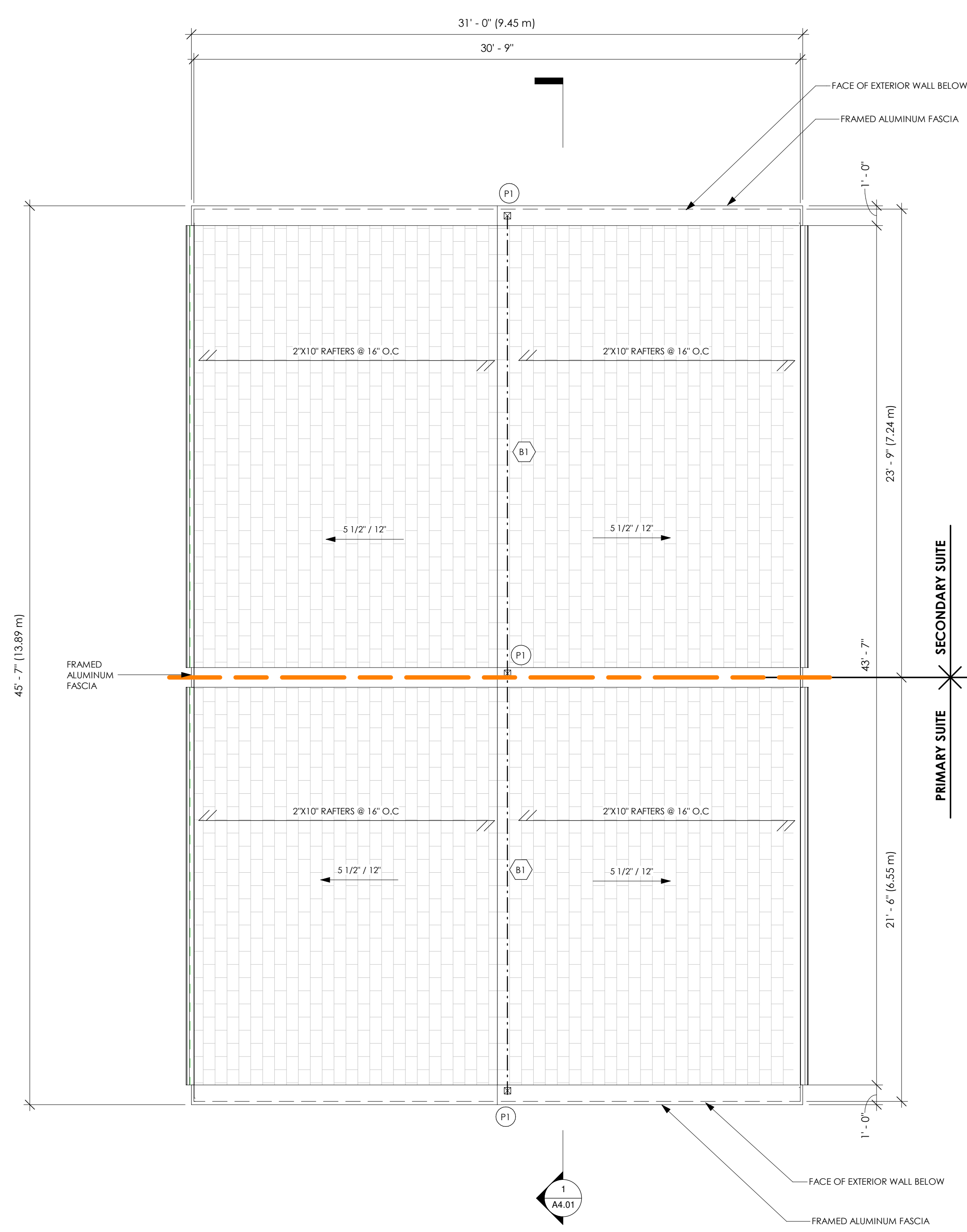
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
237 BROADWAY
AVENUE
HAMILTON, ONT.
L8S 2H9

PROJECT NO. 2021-04-21	SCALE As indicated
DRAWN BY CB/GC	REVIEWED BY DA
TITLE ROOF PLAN	DRAWING NO.

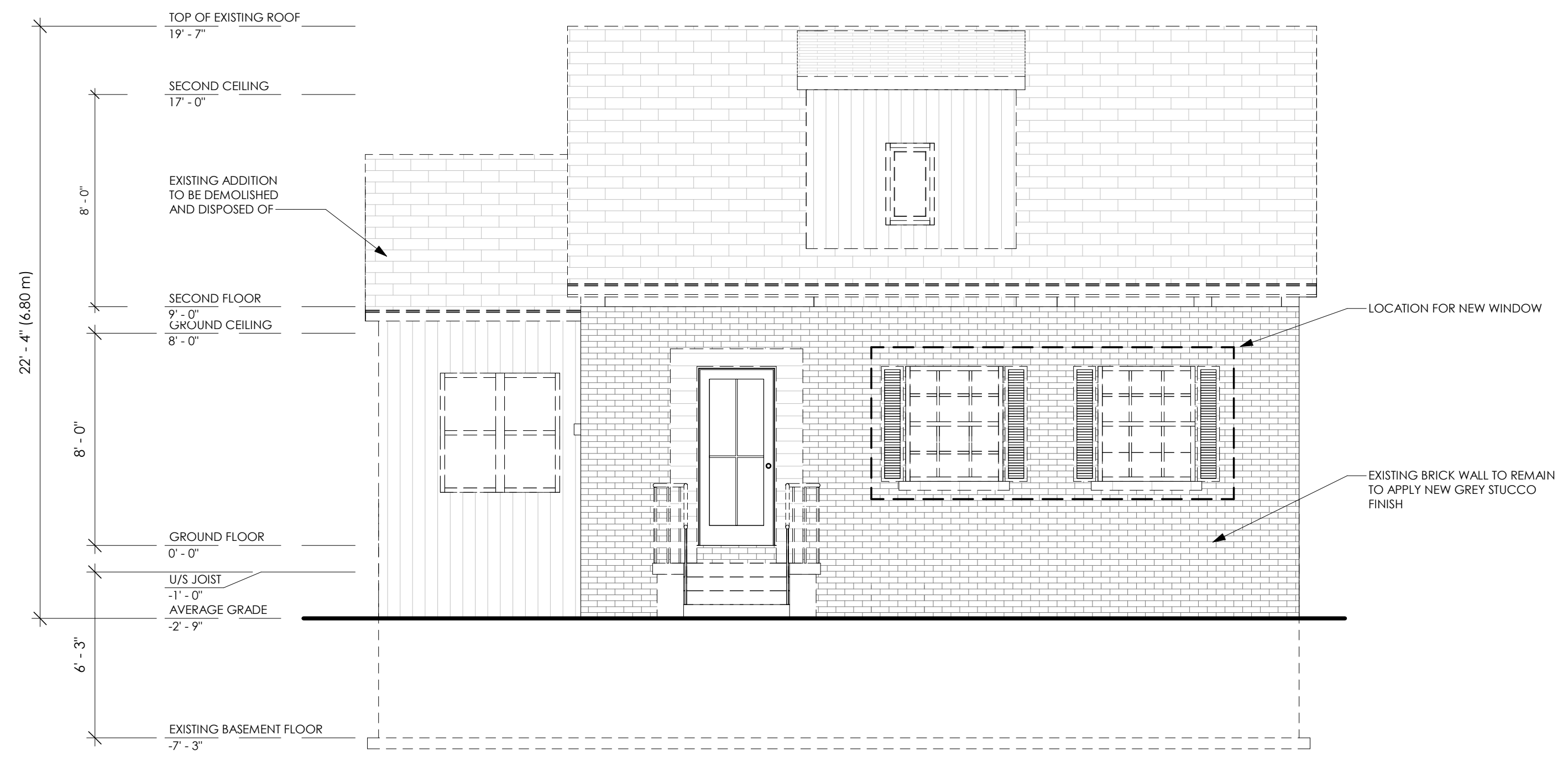


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1/4" = 1'-0"

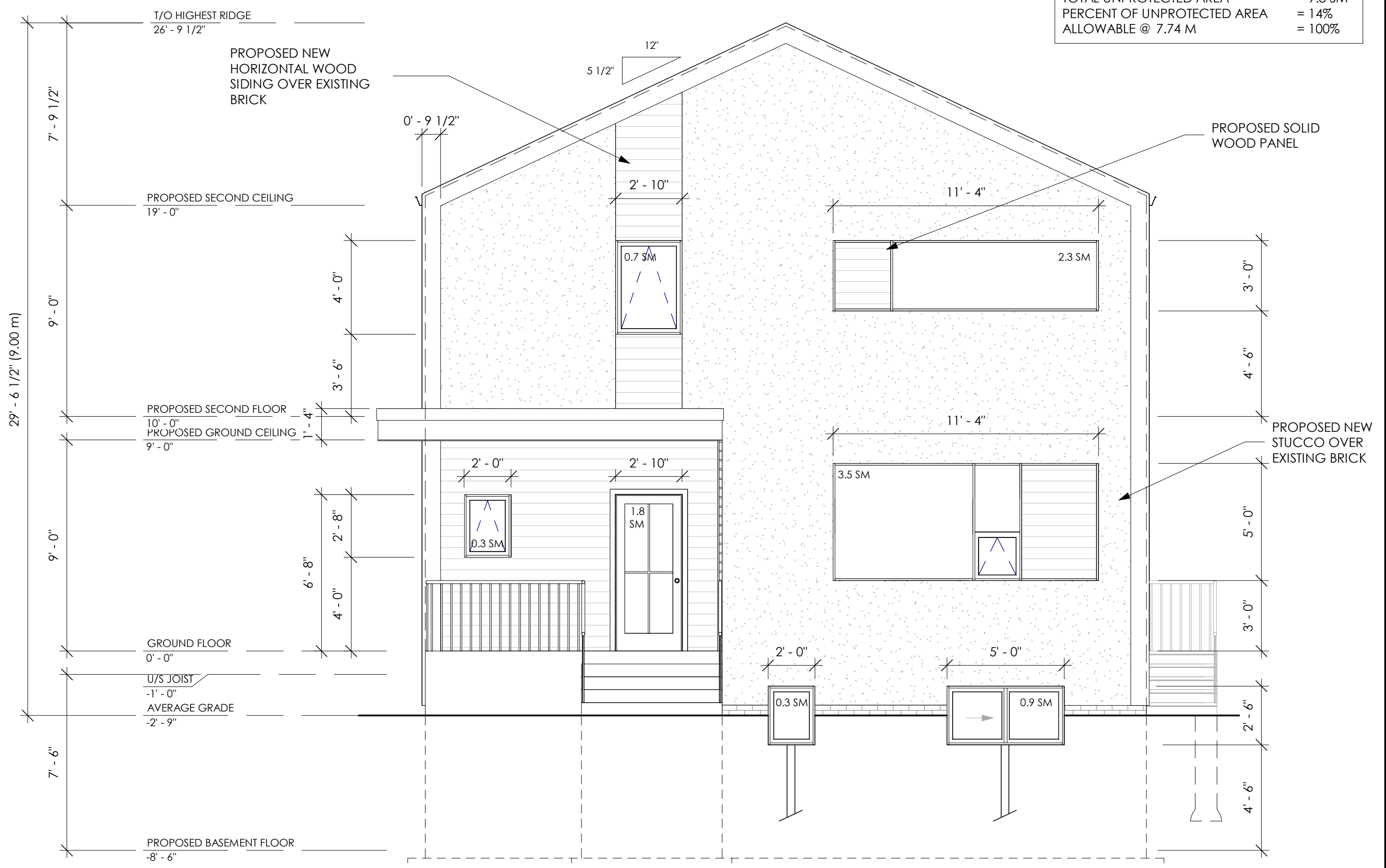


PROPOSED ROOF PLAN
1/4" = 1'-0"

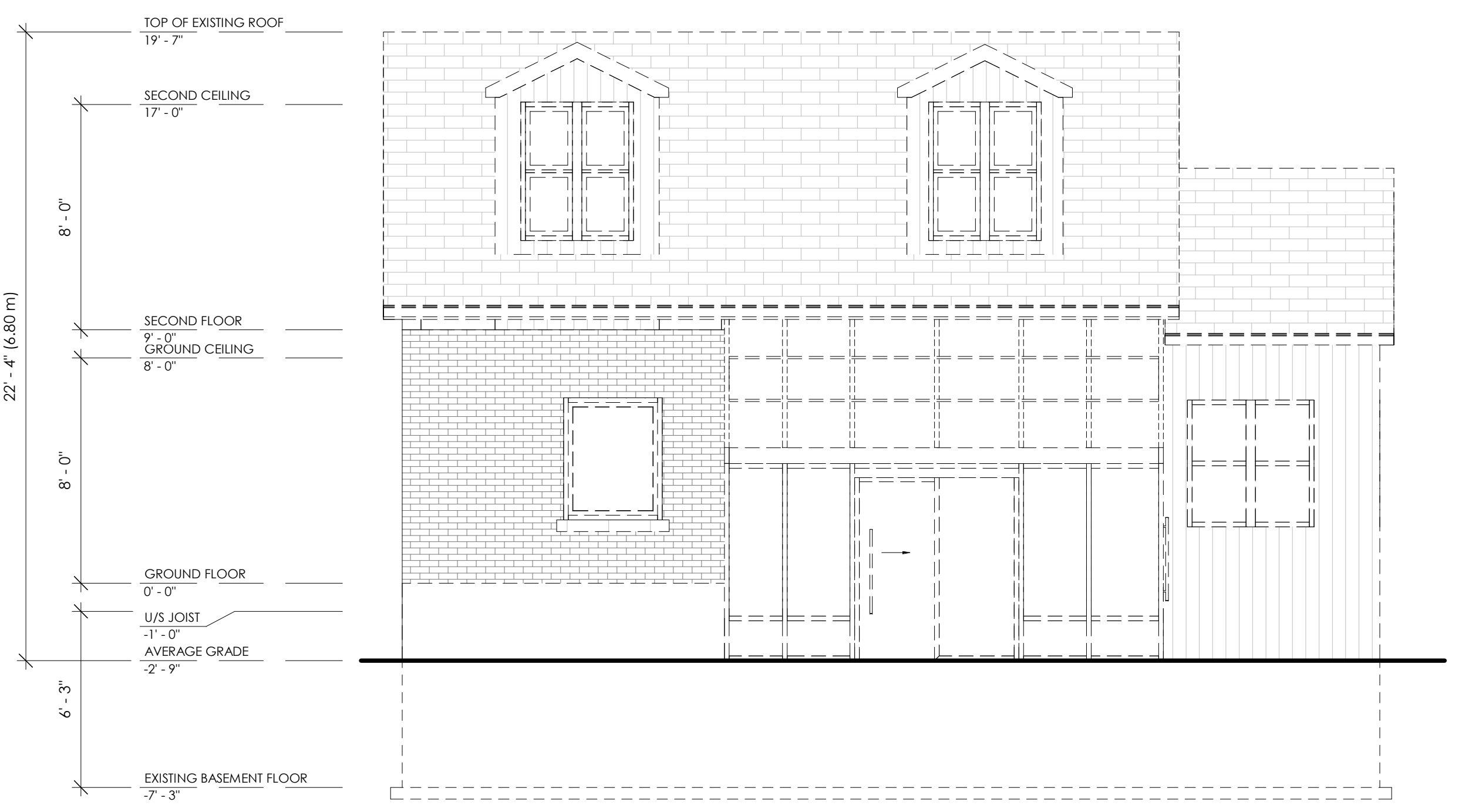
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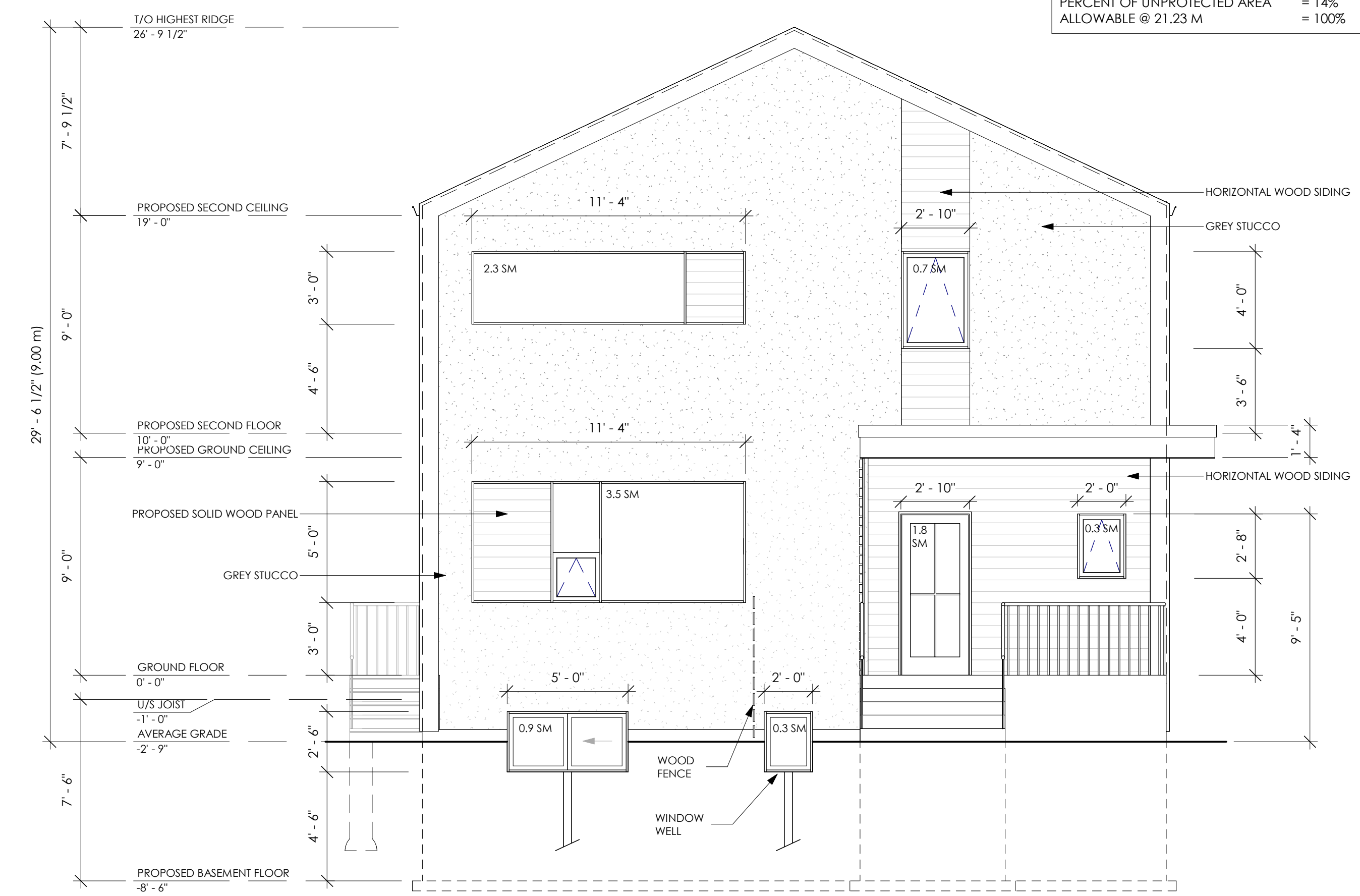
EXISTING FRONT ELEVATION
1/4" = 1'-0"



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



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



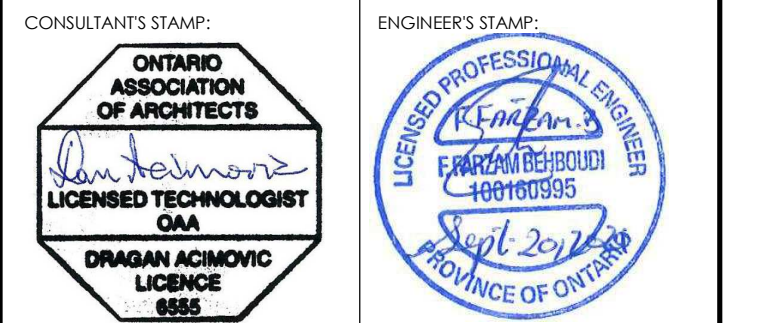
PROPOSED REAR ELEVATION
1/4" = 1'-0"

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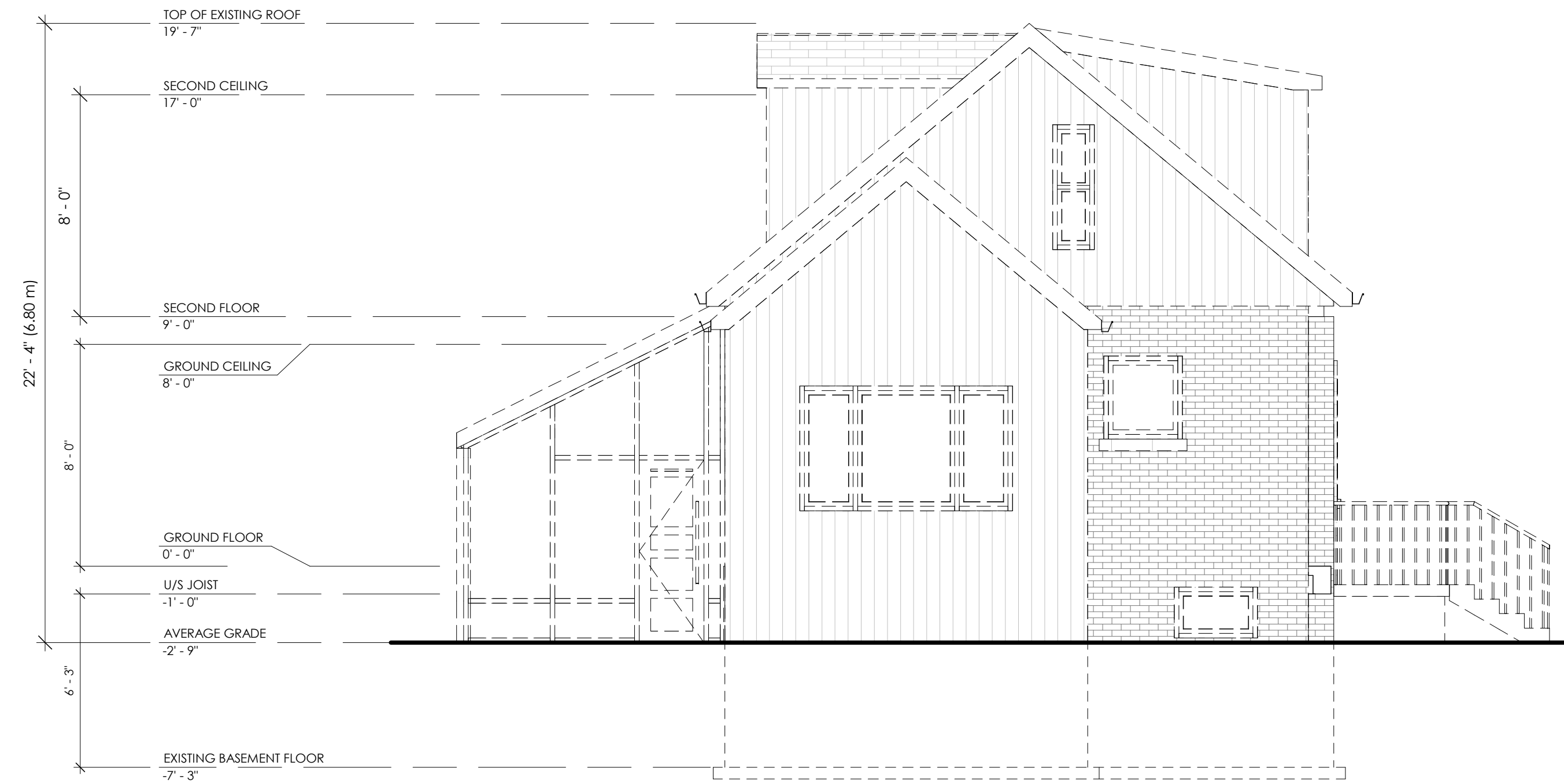
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
237 BROADWAY
AVENUE
HAMILTON, ONT.
L8S 2H9

PROJECT NO.	SCALE
2021-04-21	1/4" = 1'-0"
DRAWN BY	REVIEWED BY
CB	DA
TITLE	DRAWING NO.

ELEVATIONS

A2.01

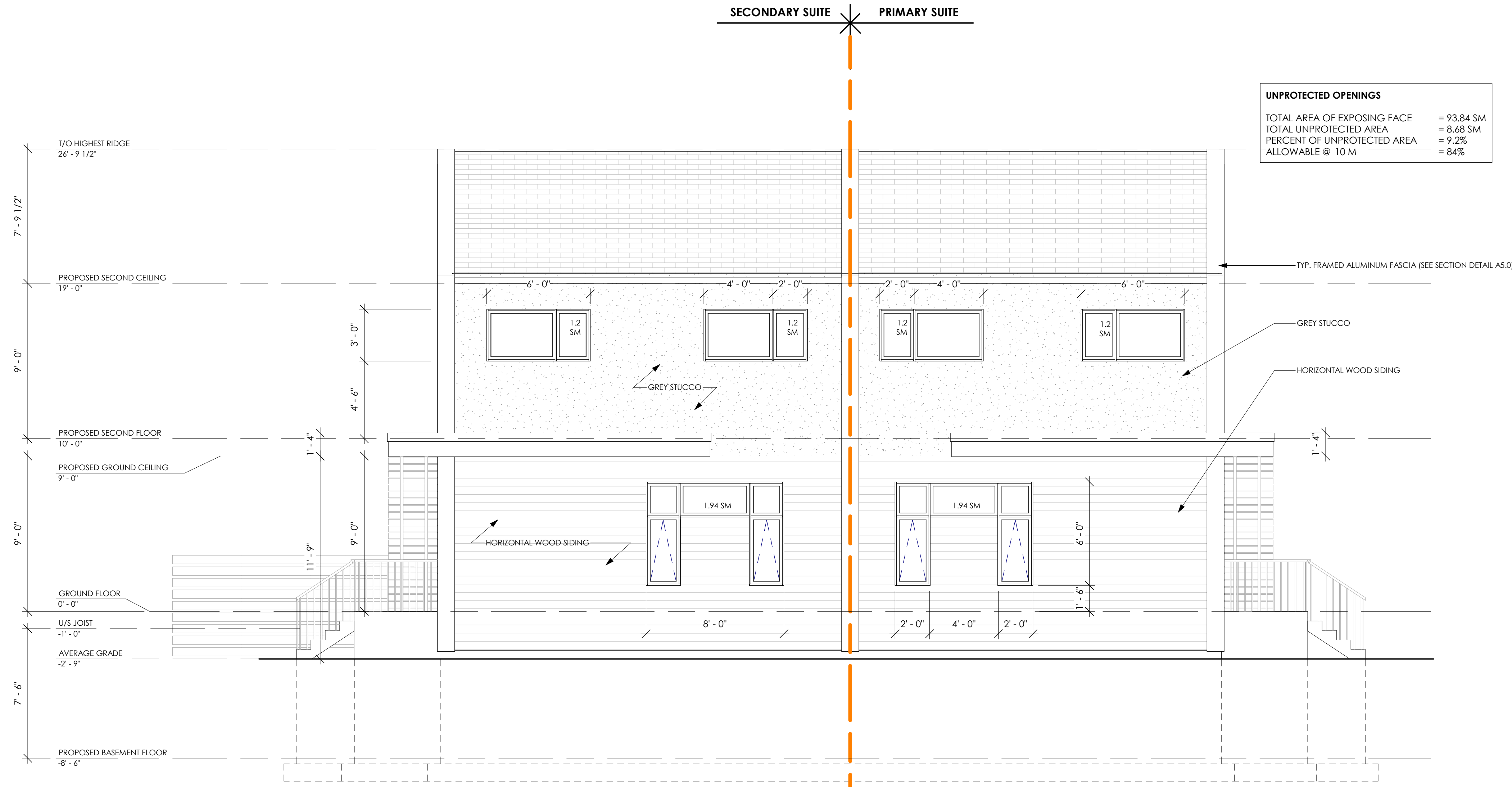


DEMOLISH AND DISPOSE OF ALL WALLS, WINDOWS, DOORS, AND ROOFS AS SHOWN

EXISTING LEFT ELEVATION

1/4" = 1'-0"

SECONDARY SUITE | PRIMARY SUITE



PROPOSED LEFT ELEVATION

1/4" = 1'-0"

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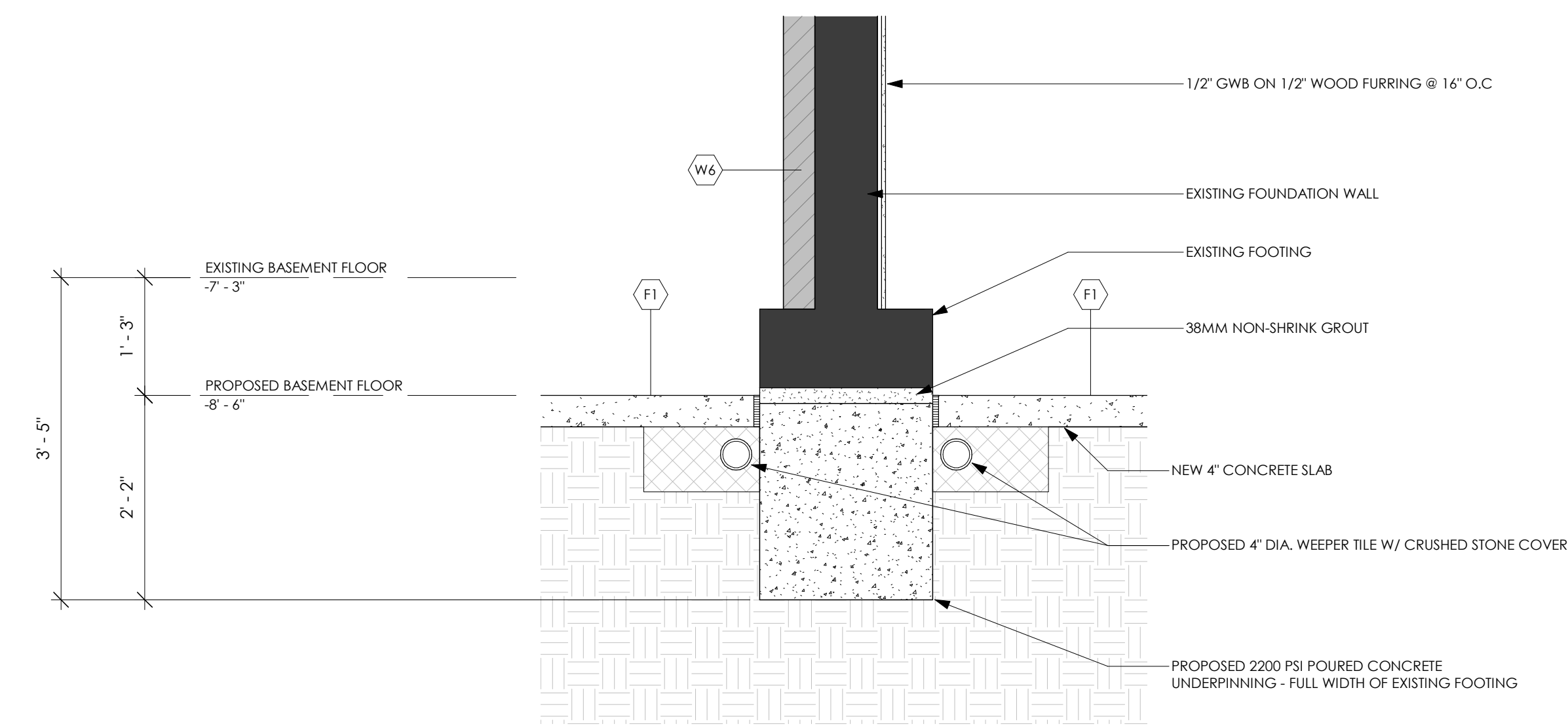
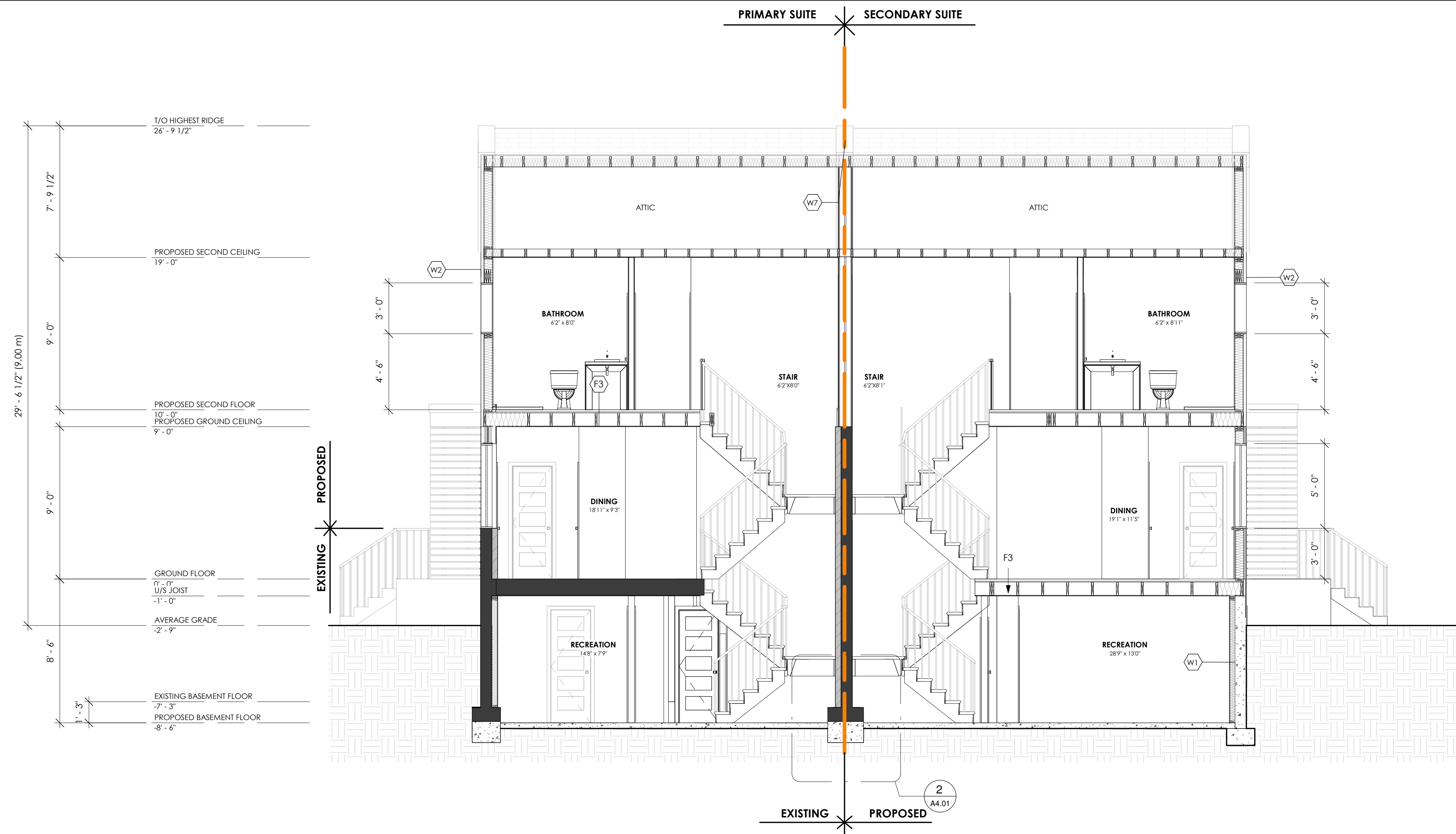
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PROJECT NO. 2021-04-21
SCALE 1/4" = 1'-0"
DRAWN BY CB/GC
REVIEWED BY DA

TITLE ELEVATIONS

A2.02



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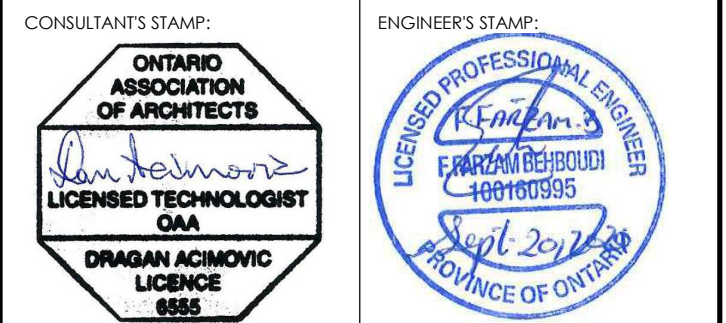
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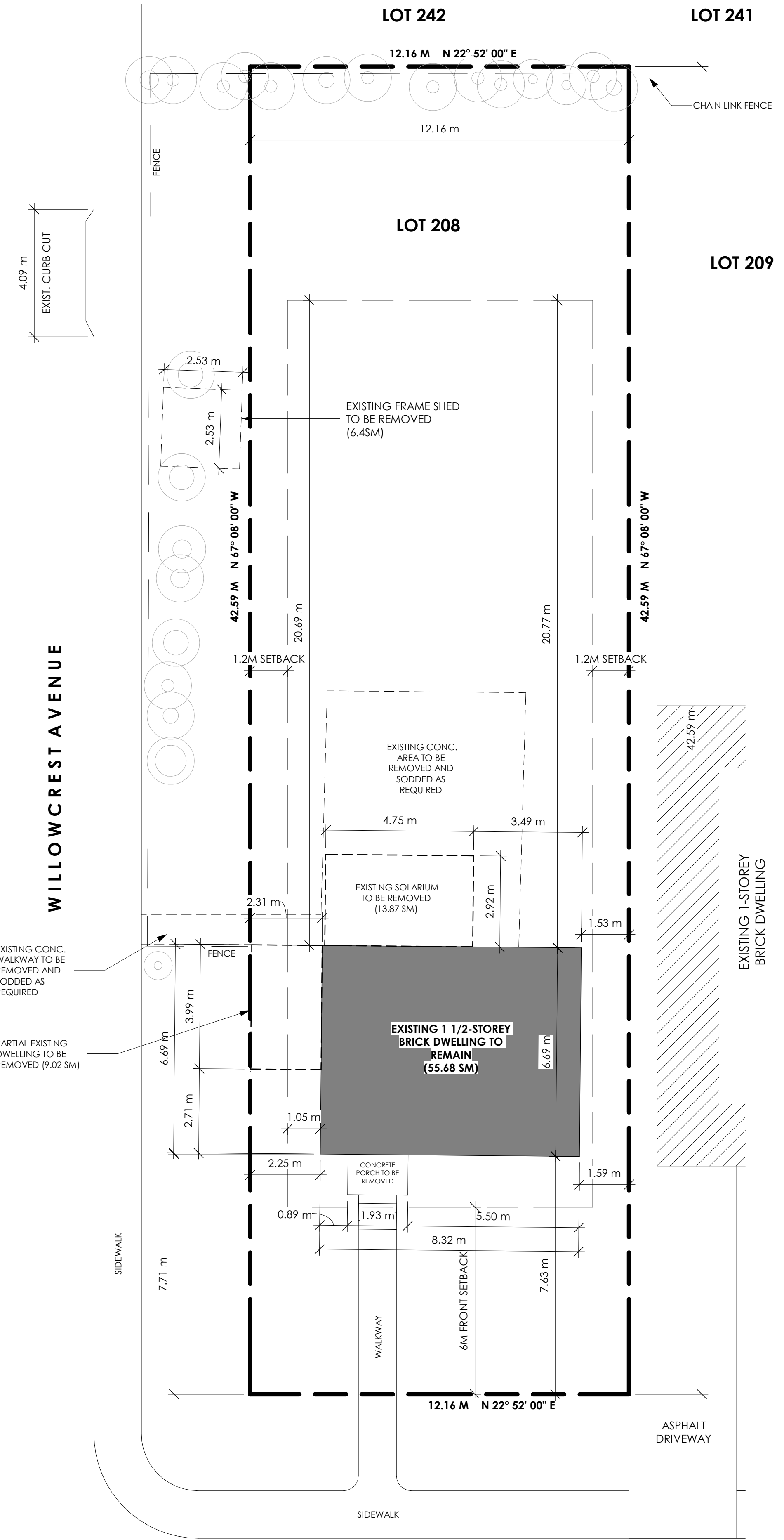
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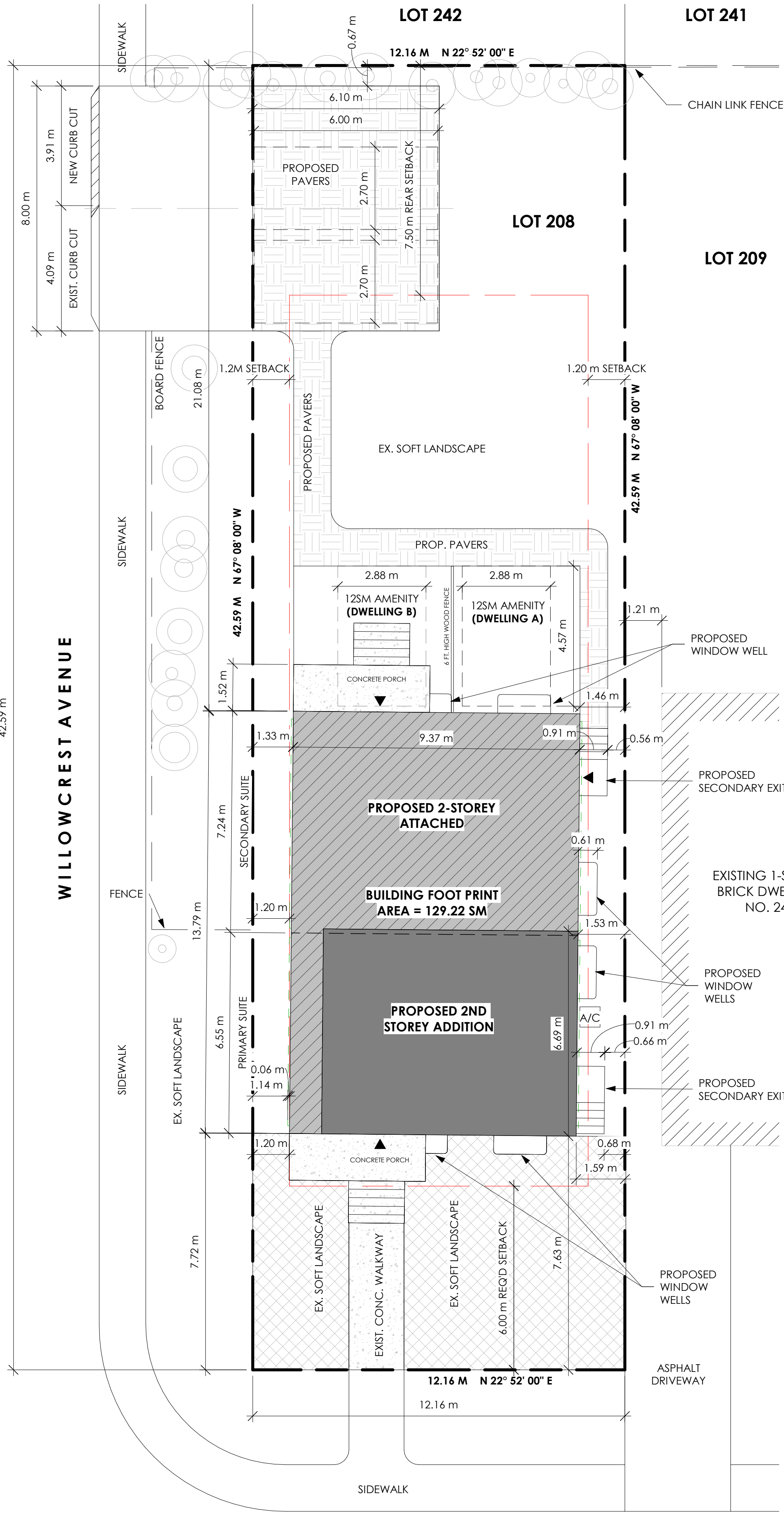
PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.

SECTIONS

A4.01



EXISTING SITE PLAN
1 : 100



PROPOSED SITE PLAN
1 : 100



PROJECT STATISTICS

ADDRESS: 237 BROADWAY AVE, HAMILTON, ONTARIO, L8S 2H9
 ZONING: C/S - 1335, C/S - 1335a, and C/S-720

	BY-LAW	EXISTING
MIN. LOT AREA:	360 SM	517.90 SM
MIN. LOT FRONTAGE:	12 M	12.16 M

GROSS FLOOR AREA

	PRIMARY SUITE	SECONDARY SUITE
BASEMENT FLOOR	61.40 SM	67.82 SM
GROUND FLOOR	61.40 SM	63.25 SM
SECOND FLOOR (STAIR OPENING NOT INCL.)	56.77 SM	63.25 SM
TOTAL GFA:	179.57 SM	198.89 SM
OVERALL GFA:		378.46 SM

Max. GFA calculated per Section 1(b) & 1(c) of Amending By-Law 95-02

BASEMENT FLOOR	60.61 SM	67.17 SM
GROUND FLOOR	61.40 SM	67.82 SM
SECOND FLOOR (STAIR OPENING NOT INCL.)	56.77 SM	63.25 SM
TOTAL GFA:	178.78 SM	198.24 SM
OVERALL GFA:		377.02 SM

SETBACKS

	BY-LAW	PROPOSED
FRONT - DWELLING	6 M	7.63 M
REAR	7.5 M	21.08 M
INTERIOR (FLANKAGE)	1.2 M	1.2 M
INTERIOR	1.2 M	1.46 M
MAX. HEIGHT	11 M	10.13 M

LOT COVERAGE

	AREA	PERCENTAGE
BUILDING FOOTPRINT	129.22 SM	24.95 %
PORCHES	13.58 SM	2.62 %
CONCRETE STEPS	5.03 SM	0.97 %
EXIST. CONC. WALKWAY	8.64 SM	1.67 %
PROPOSED PAVERS	74.10 SM	14.31 %
TOTAL LOT COVERAGE:	230.57 SM	44.52 %

LANDSCAPED SOFT AREA

	AREA	PERCENTAGE
FRONT YARD AREA:	96.54 SM	
FRONT PORCH	6.79 SM	
CONC. STEPS	5.52 SM	
CONC. WALKWAY	8.64 SM	
WINDOW WELLS	1.48 SM	
TOTAL SOFT LANDSCAPE AREA:	74.11 SM	76.77 %

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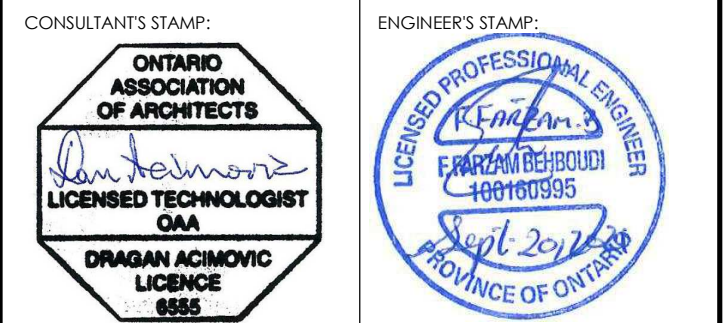
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 - ALL DIMENSIONS MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 - THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE NATIONAL BUILDING CODE, THE ONTARIO BUILDING CODE, LOCAL ZONING REQUIREMENTS, AND ANY OTHER GOVERNING AUTHORITIES.
 - DRAWINGS NOT TO BE SCALED.
 - DIMENSIONS AND SPECIFICATIONS OF ROOF TRUSSES ARE TO BE DESIGNED BY A PROFESSIONAL ENGINEER OR OTHER APPROVED AUTHORITY.
 - CONSULTANT DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS OF THESE DOCUMENTS, UNLESS ADVISED IN WRITING OF SUCH DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - DOOR SIZES SHOWN ON DRAWINGS DENOTE DOOR LEAF DIMENSIONS (FRAMES EXCLUDED) WHILE WINDOW SIZES DENOTE EXTERIOR FRAME DIMENSIONS UNLESS OTHERWISE NOTED.

NOV/21 01 COA SUBMISSION

DATE NO. DESCRIPTION

DATE ISSUED

CONSULTANT:
da design inc.
 1470 Hurontario Street
 Lower Suite
 Mississauga, Ontario
 L5G 3H4
 647 242 0164
 dam@dadesigninc.ca



STRUCTURAL CONSULTANT:
PIVOT ENGINEERING INC.
FARAZ FARZAM
 201 MILLWAY AVE. - UNIT 10
 CONCORD, ON
 L4K 5K8
 TEL: 416-858-3648
 EMAIL: FARAZ@PIVOTENGINEERING.CA

OWNER CONTACT INFORMATION:
JUSTIN FRANCIUZ & JOHN FRANCIUZ
 E: jdfarciuz@gmail.com & john.farciuz@gmail.com

PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ONT.
 L8S 2H9

PROJECT NO. 2021-04-21
 SCALE 1 : 100
 DRAWN BY CB
 REVIEWED BY DA
 TITLE SITE PLAN

SP1.02

Complete reports available upon request

Arborist Report and Tree Protection Plan

for

237 Broadway Avenue

Prepared for:

Dan Acimovic

Dan@dadesigninc.ca

Prepared by:

KENT NIELSEN

ISA CERTIFIED ON-0210A

FOREST TECHNICIAN, HORTICULTURAL JOURNEYMAN, TRAQ



NEW WORLD ARBORIST

P.O. Box 119

Acton, ON L7J 2M2

newworldarborist@gmail.com

416-540-5753

November 4, 2021



PLANNING RATIONALE

November 2021

Subject Address:

237 Broadway Ave
Hamilton, ON



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

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 permit a maximum Gross Floor Area, of 377.02 sq.m. whereas Hamilton Zoning By-Law 6593 and Section 1(b) & 1(c) of amending By-Law 95-02 permit a maximum Gross Floor Area of 233.05 sq.m.

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The current development built form requires a gross floor area as defined in amending By-law 95-02 Section 1(b) & 1(c) of 377.02 sq.m. Please see the Planning Justification Rationale included with this application for additional 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 1, Plan of Lot 208, Registered Plan 420 now in the City of Hamilton
237 Broadway Avenue, Hamilton, 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?


Site observation.

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.

December 1, 2021 <hr/> Date	 <hr/> Signature Property Owner(s)	 <hr/> Justin Franczuz, John Franczuz Print Name of Owner(s)
--------------------------------	--	---

10. Dimensions of lands affected:

Frontage	12.16 m.
Depth	42.59 m.
Area	517.90
Width of street	approx. 8 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:
 A two-storey detached dwelling, approximately 100 sq.m. in size. The dwelling is 10 m. x 9.44 m which includes a solarium in the rear yard, and an addition in the exterior side yard. The current dwelling currently has 3 bedrooms, 2 bathrooms, a kitchen, living room, and dining room.

Proposed
 To partially demolish the existing two-storey residential dwelling and to construct a two-storey residential dwelling with a two-storey secondary suite attached to the main structure. The primary suite is proposed to be 179.57 sq.m. and the secondary suite 198.89 sq.m. for a total of 378.46 sq.m.

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

Existing:
 Existing Dwelling Setbacks:
 Front: 7.63 m., Rear: 28.27, Exterior SY: 0.00 m. Interior SY: 1.53m.

Proposed:
 Proposed Dwelling Setbacks:
 Front: 7.63 m., Rear: 21.08 m. Exterior SY: 1.2. Interior SY: 1.46 m.

13. Date of acquisition of subject lands:
March 30, 2021
-
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 detached dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family detached dwelling (south and east).
17. Length of time the existing uses of the subject property have continued:
Since initial construction.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
OP: Neighbourhoods. Ainslie Wood Westdale SP: Low Density Residential 2
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Hamilton Zoning By-Law 6593, Standards "C"/s-1335, s-1335a & S-720 Zoning
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-21:438
- APPLICANTS:** Agent Jordan Station Design Co. Inc. L. Curtis
 Owner Bins.ca Inc. J. Cristiano
- SUBJECT PROPERTY:** Municipal address **34 Crooks St., Hamilton**
- ZONING BY-LAW:** Zoning By-law 6593, as Amended
- ZONING:** D district (Urban Protected Residential - One and Two Family Dwellings, etc.)
- PROPOSAL:** To permit the construction of a new two (2) family dwelling notwithstanding that:
1. A minimum lot width of 15.6m and a minimum lot area of 379m² shall be provided instead of a minimum lot width of 18.0m and a minimum lot area of 540.0m² for a two family dwelling.
 2. A minimum front yard depth of 1.7m shall be provided instead of the minimum required front yard depth of 6.0m.
 3. Eaves and gutters shall be permitted to project into the required front yard provided that no such projection shall be closer to the Crooks Street street line than 1.4m instead of the requirement that eaves and gutters shall be permitted to project into the required front yard provided that no such projection shall be closer to a street line than 1.5m.
 4. A minimum rear yard depth of 6.5m shall be provided instead of the minimum required rear yard depth of 7.5m.
 5. No onsite manoeuvring shall be provided for the two (2) parking spaces located on the driveway instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.
 6. The two (2) parking spaces in the driveway shall be permitted to obstruct the parking space in the attached garage and the manoeuvring space for the parking space in the attached garage instead of the requirement that sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking space and that all manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

HM/A-21: 438
Page 2

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

DATE: Thursday, February 3rd, 2022
TIME: 2:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

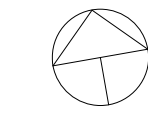
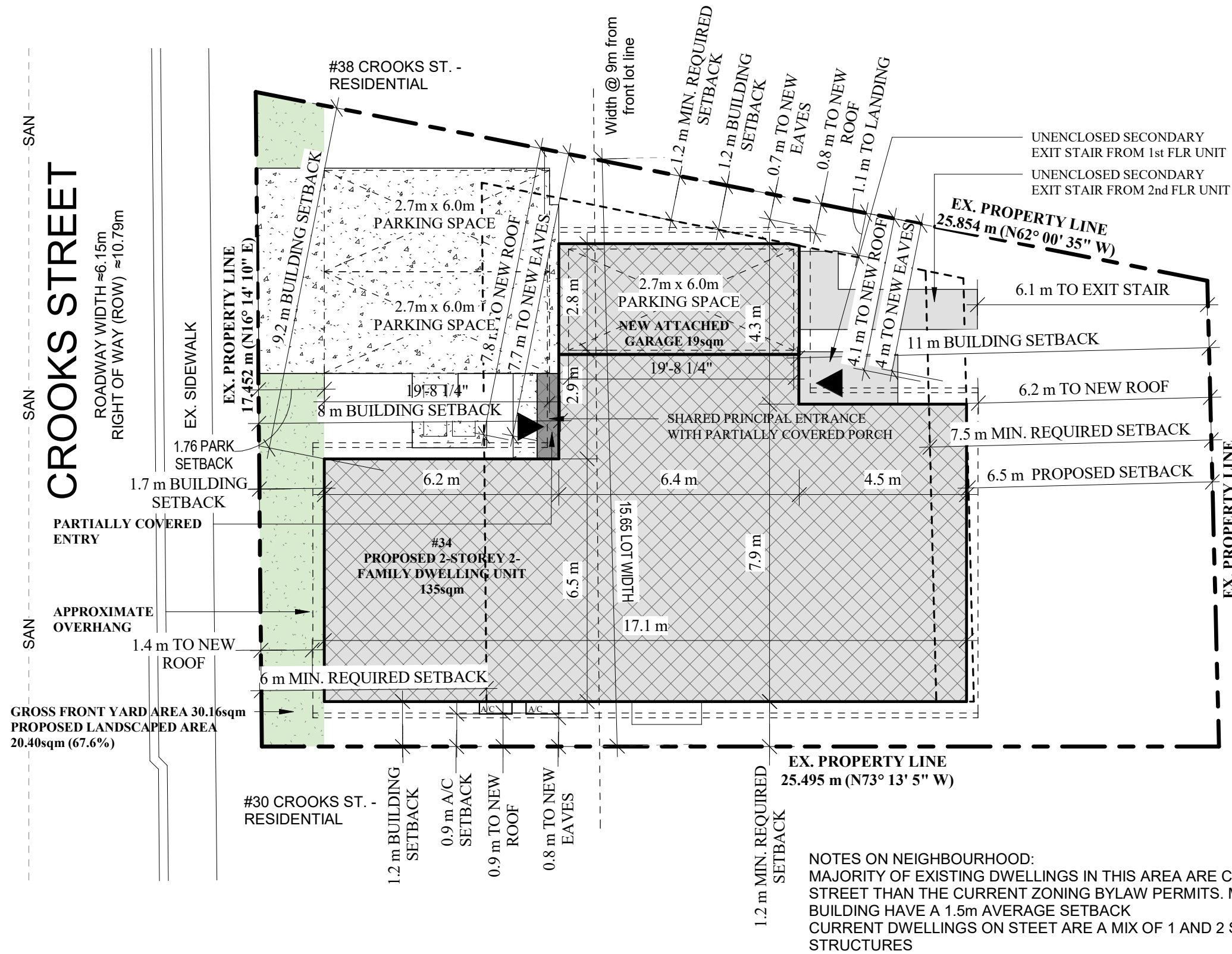
For more information on this matter, including access to drawings illustrating this request:

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

DATED: January 18th, 2022.

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 AND BUILDING STATISTICS		
Zoning	D/S-1787	
	Required	Existing / Proposed
Lot Area	(for 2 fam dwell) 540sq.m	*379.136 sq. m
Lot Frontage	(for 2 fam dwell) 18.0m	*15.65 m
Lot Coverage (incl. Cover Areas)	n/a	153.9 sq.m (40.6%)
Total Insulated Floor Areas	n/a	n/a
Primary Building Footprint	n/a	n/a
Front Yard Setback	6.0m	*EX./PROP 1.7 m
Rear Yard Setback	7.5m	*PROPOSED 6.5m
Int. Side Yard Setback	1.2m (for 11m hgt)	1.2m
Ext. Side Yard Setback	n/a	n/a
Building Height	14.0m (11m for SB)	9.8 m
Landscaped Open Space	n/a	56.6%

* IN THE CHART ABOVE DENOTES VARIANCE REQUEST PER SECTION 4 OF THE APPLICATION FOR MINOR VARIANCE.

50% OF FRONT YARD TO BE MAINTAINED AS LANDSCAPING.
 FRONT YARD AREA 30.16sqm
 FRONT YARD LANDSCAPE AREA 20.40sqm
 PERCENTAGE OF LANDSCAPE **67.60%**

COMPARING BUILDING ENVELOPE FOOTPRINT VS. PROPOSED FOOTPRINT THIS PROPOSAL WOULD CONSTRUCT LESS AREA THAN PERMITTED BY CURRENT ZONING LAW

DENSITY
 NUMBER OF UNITS / AREA (HA)
 =2/0.03798
 = **52.66**
 <60 TO BE CONSIDERED LOW DENSITY
 PARKING - 1 SPACE/CLASS A UNIT REQUIRED
 - 2 SPACES PROVIDED PLUS

NOTES ON NEIGHBOURHOOD:
 MAJORITY OF EXISTING DWELLINGS IN THIS AREA ARE CLOSER TO THE STREET THAN THE CURRENT ZONING BYLAW PERMITS. MOST BUILDING HAVE A 1.5m AVERAGE SETBACK
 CURRENT DWELLINGS ON STEET ARE A MIX OF 1 AND 2 STOREY STRUCTURES

1 SITE PLAN
 1" = 10'-0"



info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPEX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:51:35 AM



① FRONT ELEVATION
3/16" = 1'-0"

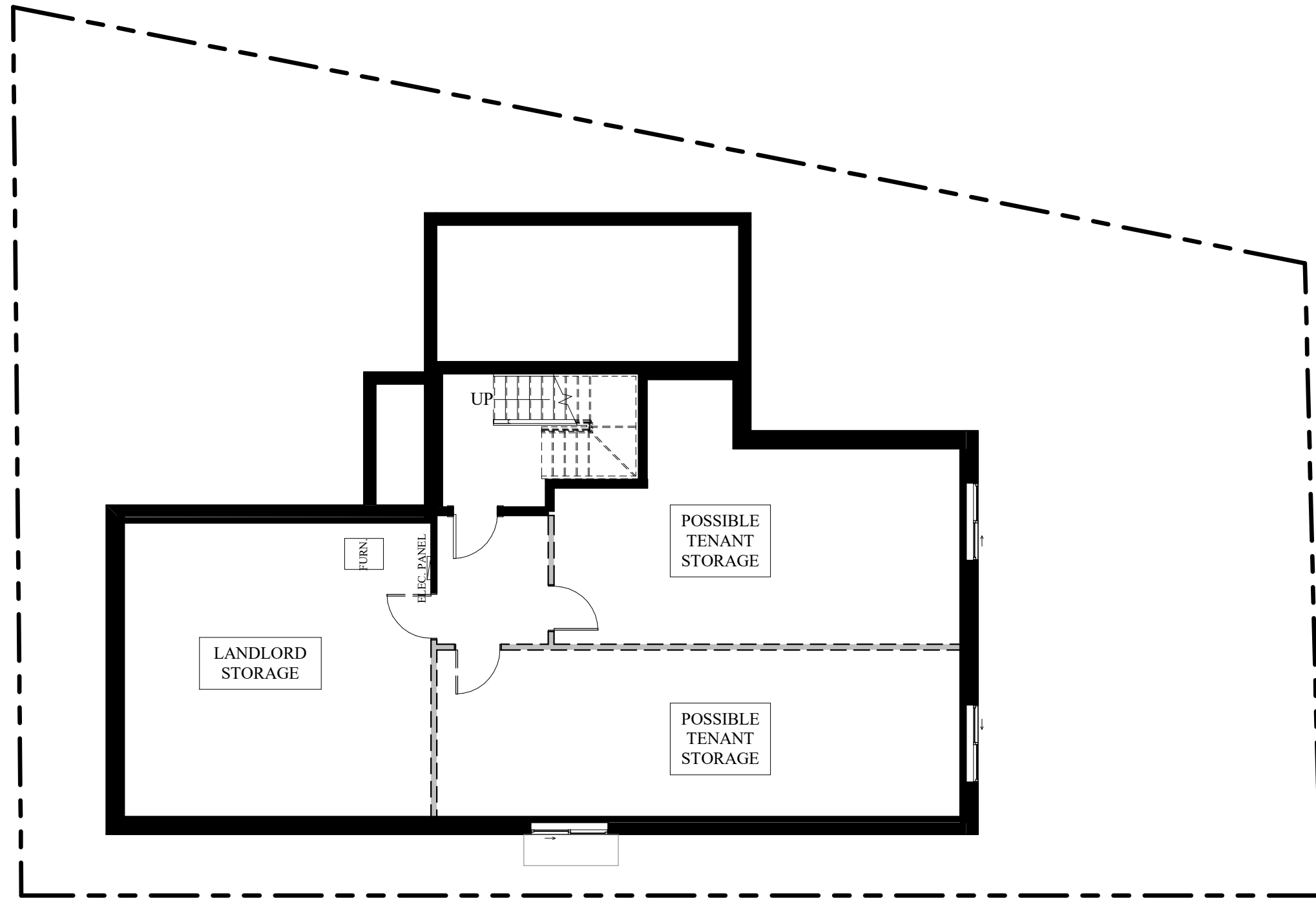


info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLEX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:51:48 AM



① T/O BASEMENT
1/8" = 1'-0"

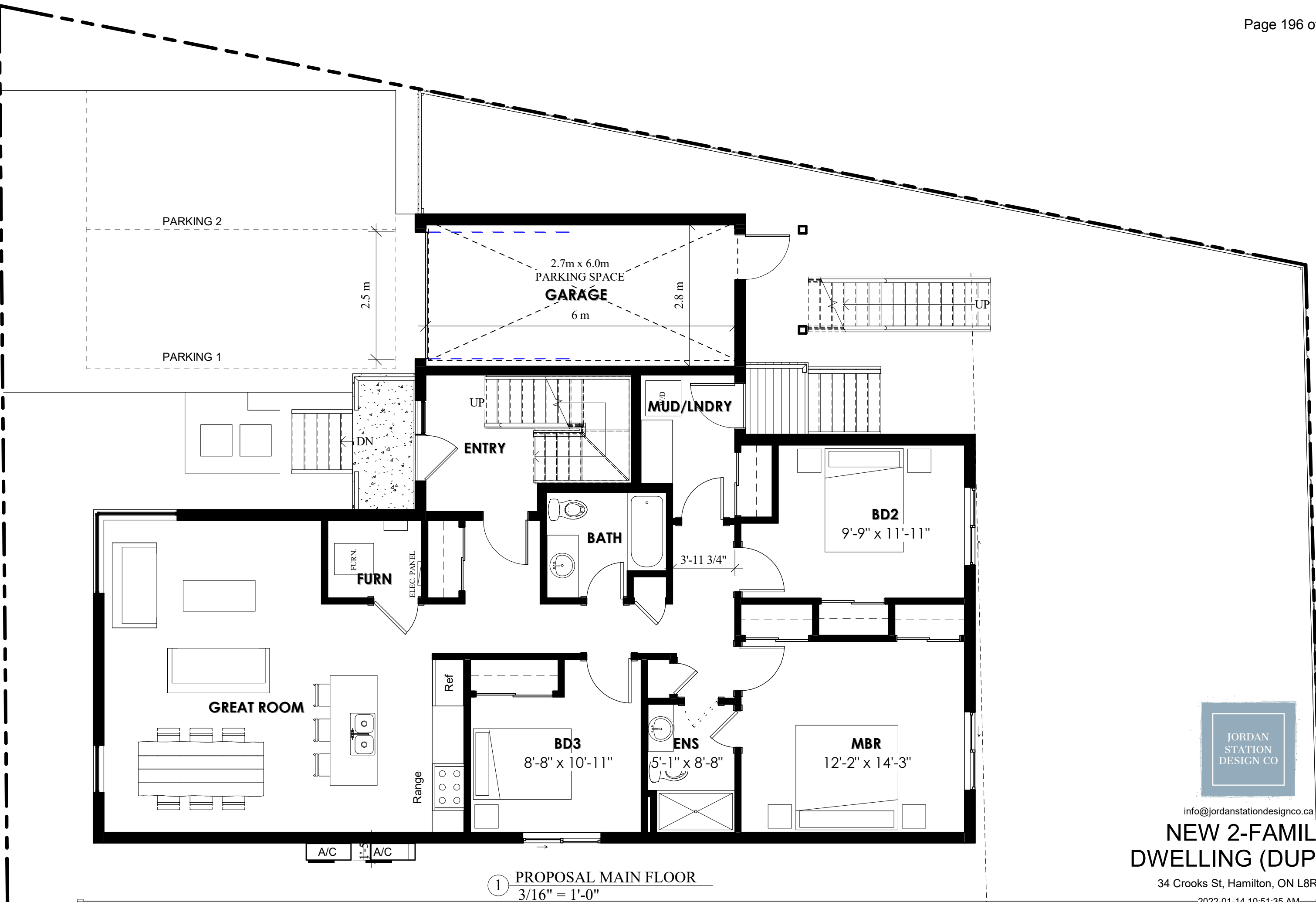


info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLICATE)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:52:19 AM



① PROPOSAL MAIN FLOOR
 3/16" = 1'-0"

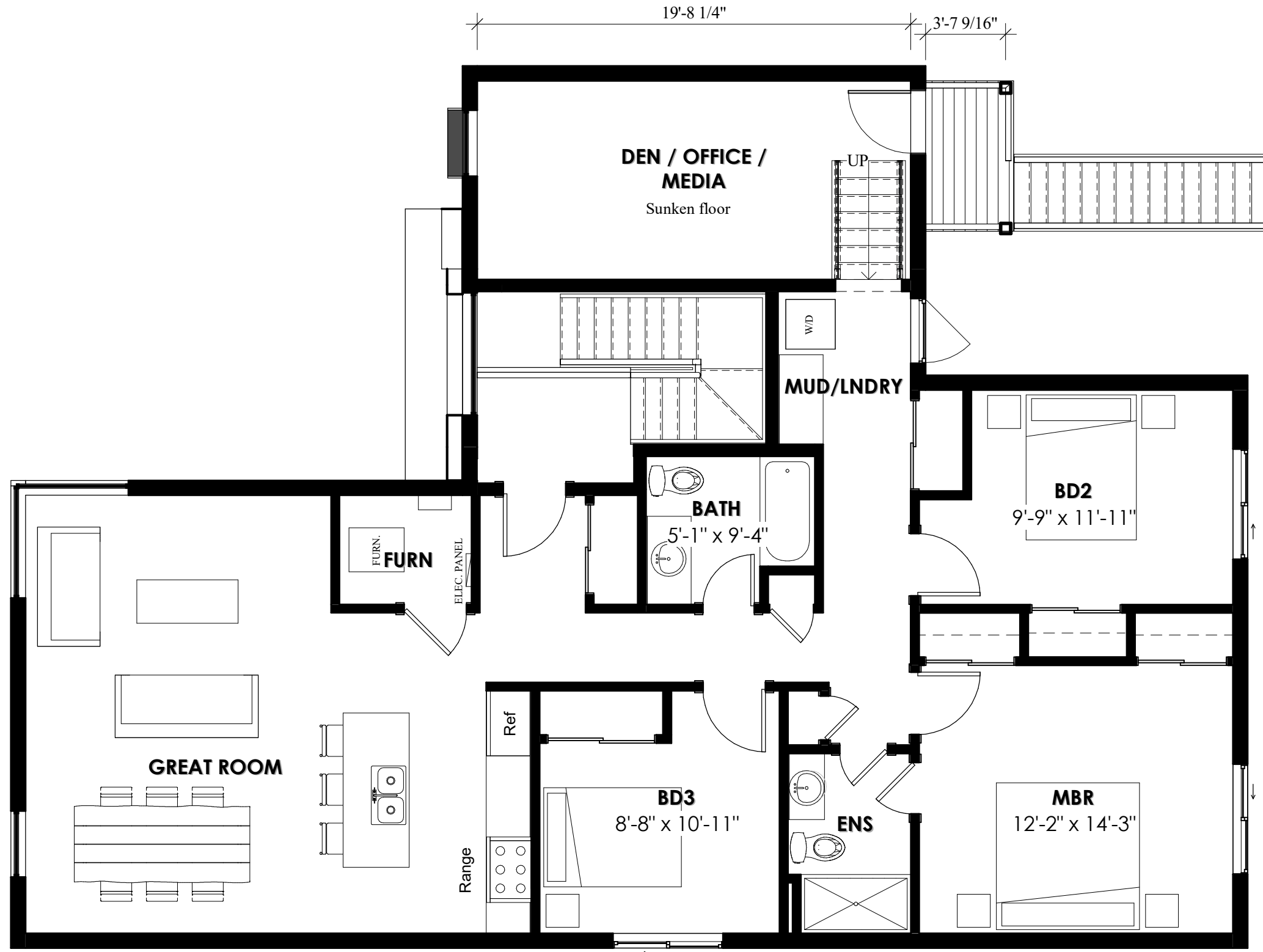


info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLIX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:51:35 AM



① 2ND FLOOR
3/16" = 1'-0"



info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLICATE)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:51:35 AM



① REAR ELEVATION
3/16" = 1'-0"

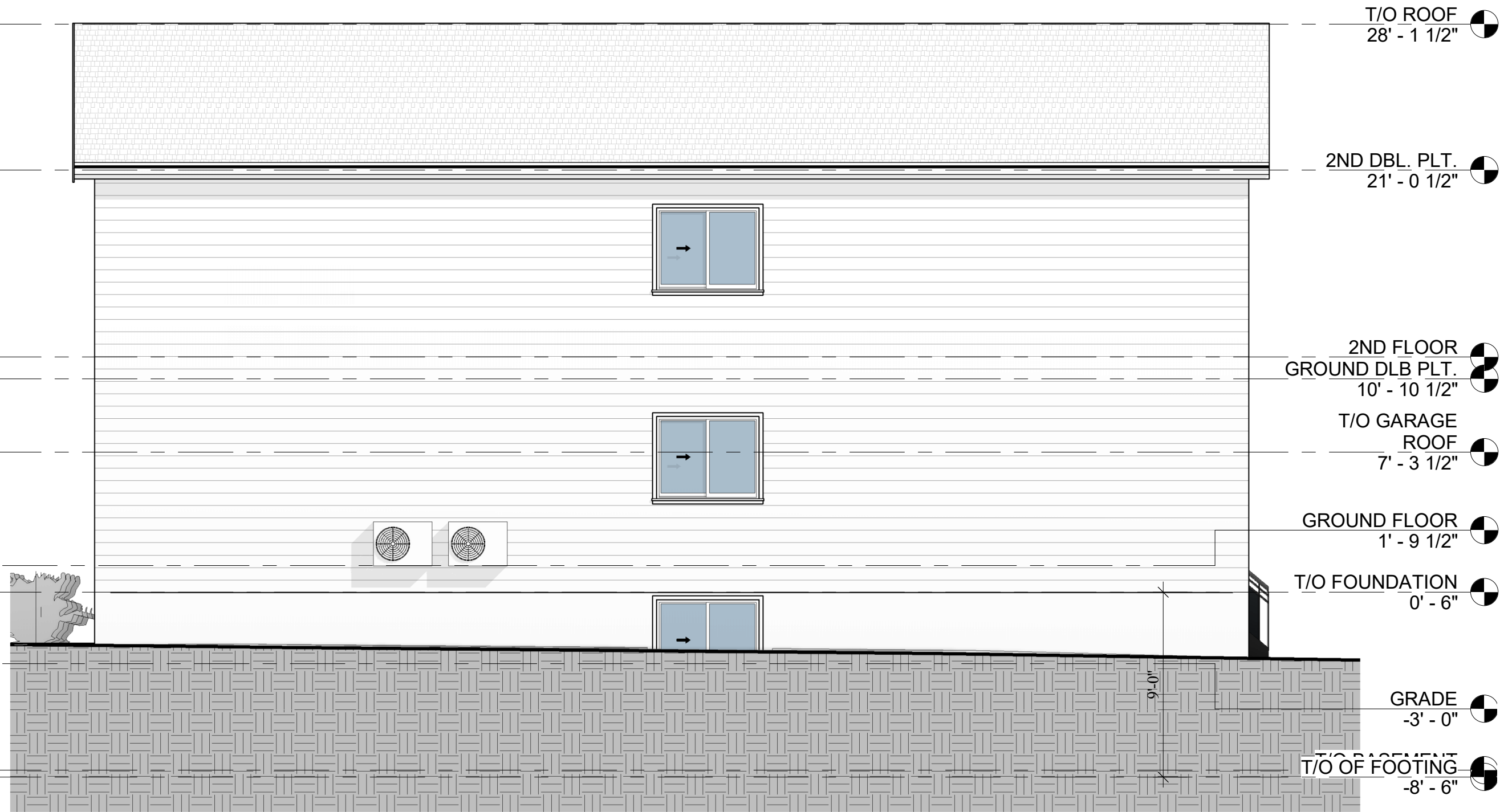


info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLEX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:51:57 AM



① RIGHT ELEVATION
3/16" = 1'-0"



info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLEX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:52:08 AM



① LEFT ELEVATION
3/16" = 1'-0"



info@jordanstationdesignco.ca

NEW 2-FAMILY DWELLING (DUPLIX)

34 Crooks St, Hamilton, ON L8R 2Z6

2022-01-14 10:52:19 AM

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



Hamilton

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
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:

Relief of front yard setback from 6m to 1.7m to dwelling face / Relief of rear yard setback from 7.5m to 6.5m to dwelling face / Relief of required Lot Area for 2 family dwelling from 540sqm to 379sqm / Relief of Lot Frontage for 2 Family Dwelling from 18m to 15.65m

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The current parcel is too restricted in size and shape to accommodate a reasonable size 2-family dwelling unit. Further to this, the current zoning provisions do not complement the existing, established neighbourhood.

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 Lots 27 & 28, Registered Plan 284, Pin 17148-0116 (LT), 34 Crooks St.

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?

Unknown. This is a new property to the owner and is unaware of historical uses.

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.

22NOV2021
Date

jason cristiano
Signature Property Owner(s)

Bins.ca Inc. c/o Jason Cristiano
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>15.65m</u>
Depth	<u>25.495m</u>
Area	<u>379.1sqm</u>
Width of street	<u>≈10.79m property line to property line. Roadway ≈6.15m</u>

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

Existing:
SINGLE STOREY, SINGLE FAMILY DWELLING, 75sqm GROUND & GROSS FLOOR AREA. 8.2m X 6.2m MAIN BUILDING WITH ATTACHED COVERED PORCH. REAR 6.2m X 3.8m ADDITION TO MAIN BUILDING.

Proposed
TWO STOREY, 2 FAMILY DWELLING, 135sqm DWELLING BUILDING AREA WITH ATTACHED 19sqm GARAGE. GROSS FLOOR AREA 289sqm OVER 2 STOREYS (EXCLUDING GARAGE). OVERALL SHAPE IS IRREGULAR, SEE SITE PLAN SUBMITTED FOR DIMESIONS. 9.8m IN BUILDING 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:
HOUSE LOCATED FRONT YARD: 1.726m/1.742m - REAR YARD: 11.022m/11.104m - SOUTH SIDEYARD: 2.473m / 3.836m - NORTH SIDEYARD: 6.294m/5.105m - COVERED PORCH: 0.15m SETBACK TO FRONT YARD.

Proposed:
NEW HOUSE LOCATED FRONT YARD: 1.7m & 8m TO GARAGE FACE - REAR YARD 6.5m IRR. & 11m TO REAR OF GARAGE - SOUTH SIDEYARD 1.2m - NORTH SIDEYARD. 1.2m IRR. TO GARAGE FACE & 4.1m TO REAR CORNER & 9.2m TO FRONT CORNER.

13. Date of acquisition of subject lands:
February 26,2021
-
14. Date of construction of all buildings and structures on subject lands:
Unknown
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY AND DUPLEX
17. Length of time the existing uses of the subject property have continued:
SINCE ORIGINAL SUBDIVISION OF LANDS TO THE OWNER'S KNOWLEDGE
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"/> | COMBINED | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Minor Urban Centre
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
URBAN PROTECTED RESIDENTIAL - D/S-1787
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

Variances discussed with Elyse Meneray, MCIP, RPP, Planner II & Joe Buordolone, Planning Technician I – Urban Team
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:117

SUBJECT PROPERTY: 106 Eastbourne Ave., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S):

Agent W.E. Oughtred & Associations Inc.
 Owner Mark-Anthony Sanchez

PURPOSE OF APPLICATION:

To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

Severed lands:

12.19m[±] x 24.38m[±] and an area of 297.0m^{2±}

Retained lands:

12.19m[±] x 24.38m[±] and an area of 297.0m^{2±}

**This application will be heard in conjunction with
 Minor Variance Applications HM/A-21:443 & HM/A-
 21:444**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 3rd , 2022

TIME: 2:40 p.m.

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

To be streamed at

www.hamilton.ca/committeeofadjustment

for viewing purposes only

PUBLIC INPUT

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

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

HM/B-21: 117
PAGE 2

MORE INFORMATION

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

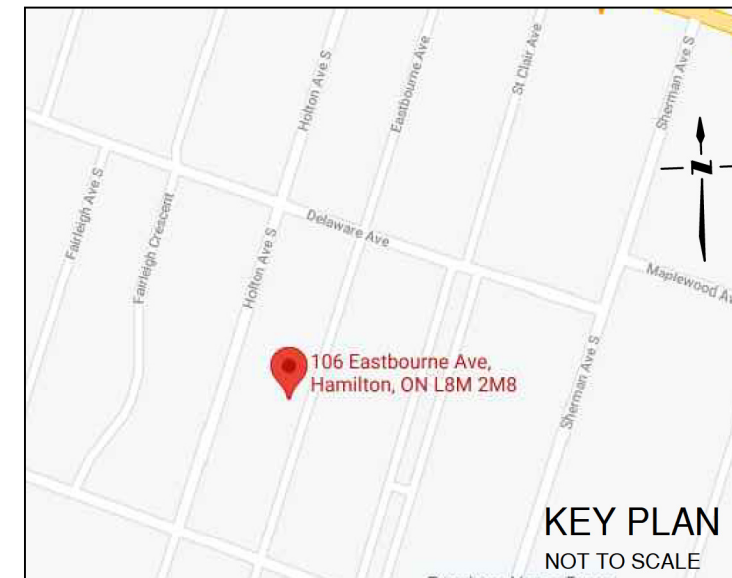
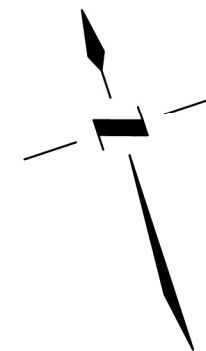
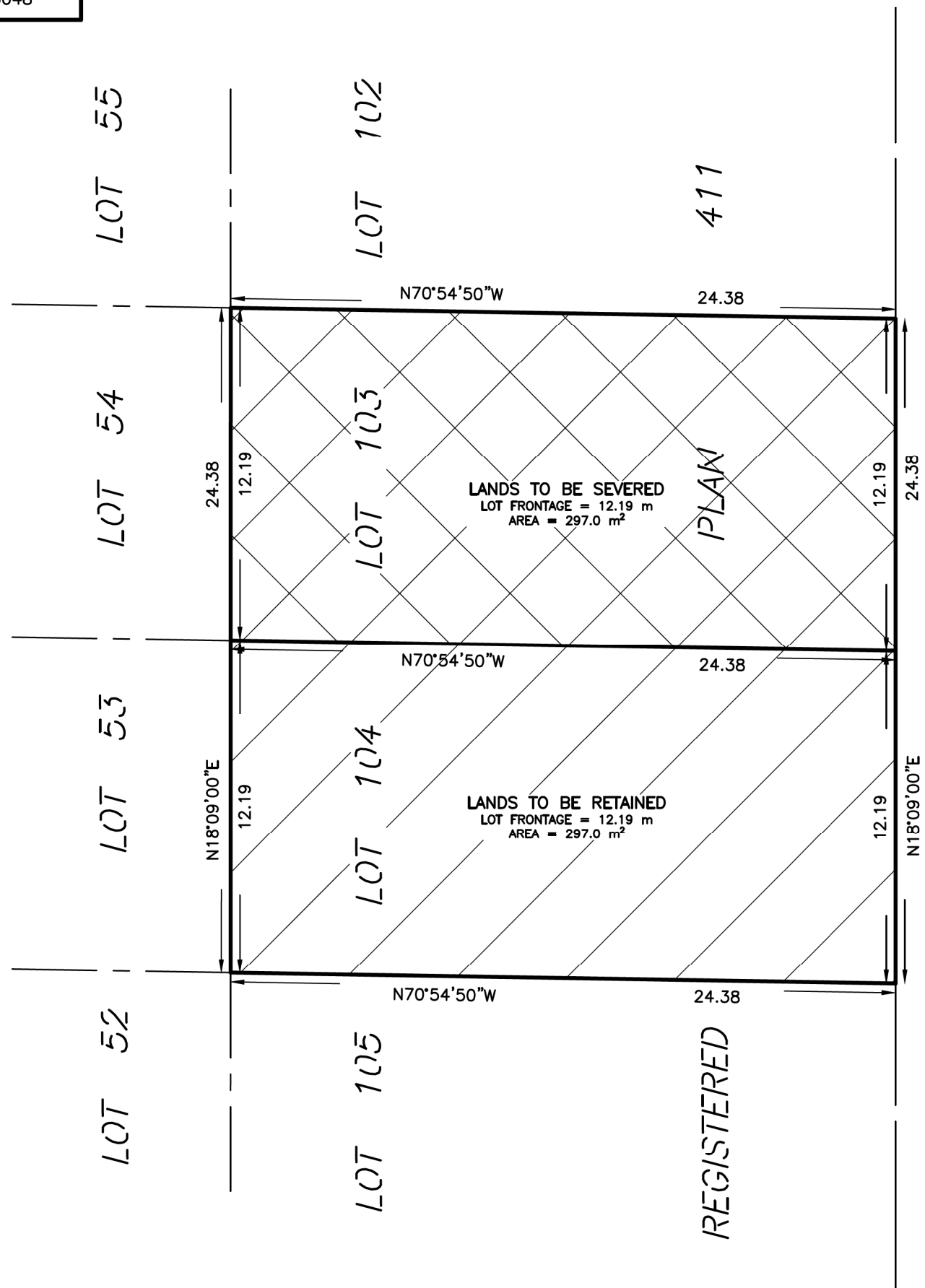
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 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.

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



SKETCH OF PROPOSED SEVERANCE OF
106 EASTBOURNE AVENUE
LOTS 103 AND 104
REGISTERED PLAN 411
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1 : 200



DATE JUNE 2, 2021

FILE No. 8924-SK

TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

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

METRIC
 DISTANCES SHOWN ON THIS PLAN ARE
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SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY WITH TOPOGRAPHY OF
LOTS 103 AND 104
REGISTERED PLAN 411
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

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REPORT SUMMARY

PROPERTY DESCRIPTION: No. 106 EASTBOURNE AVENUE, BEING LOTS 103 AND 104, REGISTERED PLAN 411, CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH, PIN 17205-0376.

THESE ARE NO EASEMENTS REGISTERED ON TITLE.

COMMENTS: NOTE LOCATION OF FENCES AND EAVES OF BRICK GARAGE.

ELEVATION NOTE

ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM-1928, (1978 RE-ADJUSTMENT) AND WERE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0011965U664, HAVING A PUBLISHED ELEVATION OF 92.468 metres.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF EASTBOURNE AVENUE AS SHOWN ON REGISTERED PLAN 411, HAVING A BEARING OF N18°09'00"E.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
CC	DENOTES	CUT CROSS
IB	DENOTES	IRON BAR
RIB	DENOTES	ROUND IRON BAR
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
MCT	DENOTES	CURB CUT
MH	DENOTES	MANHOLE
CB	DENOTES	CATCH BASIN
CUP	DENOTES	CONCRETE UTILITY POLE
WUP	DENOTES	WOOD UTILITY POLE
WV	DENOTES	WATER VALVE
P1	DENOTES	REGISTERED PLAN 411
P2	DENOTES	MACKAY & MACKAY, O.L.S., SEPTEMBER 24, 1930

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

TREE CANOPIES ARE DRAWN TO SCALE.

PREPARED FOR:

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

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON MAY 11, 2021

MAY 12, 2021
 DATE

Borys Kubicki
 BORYS KUBICKI
 ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-11846

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

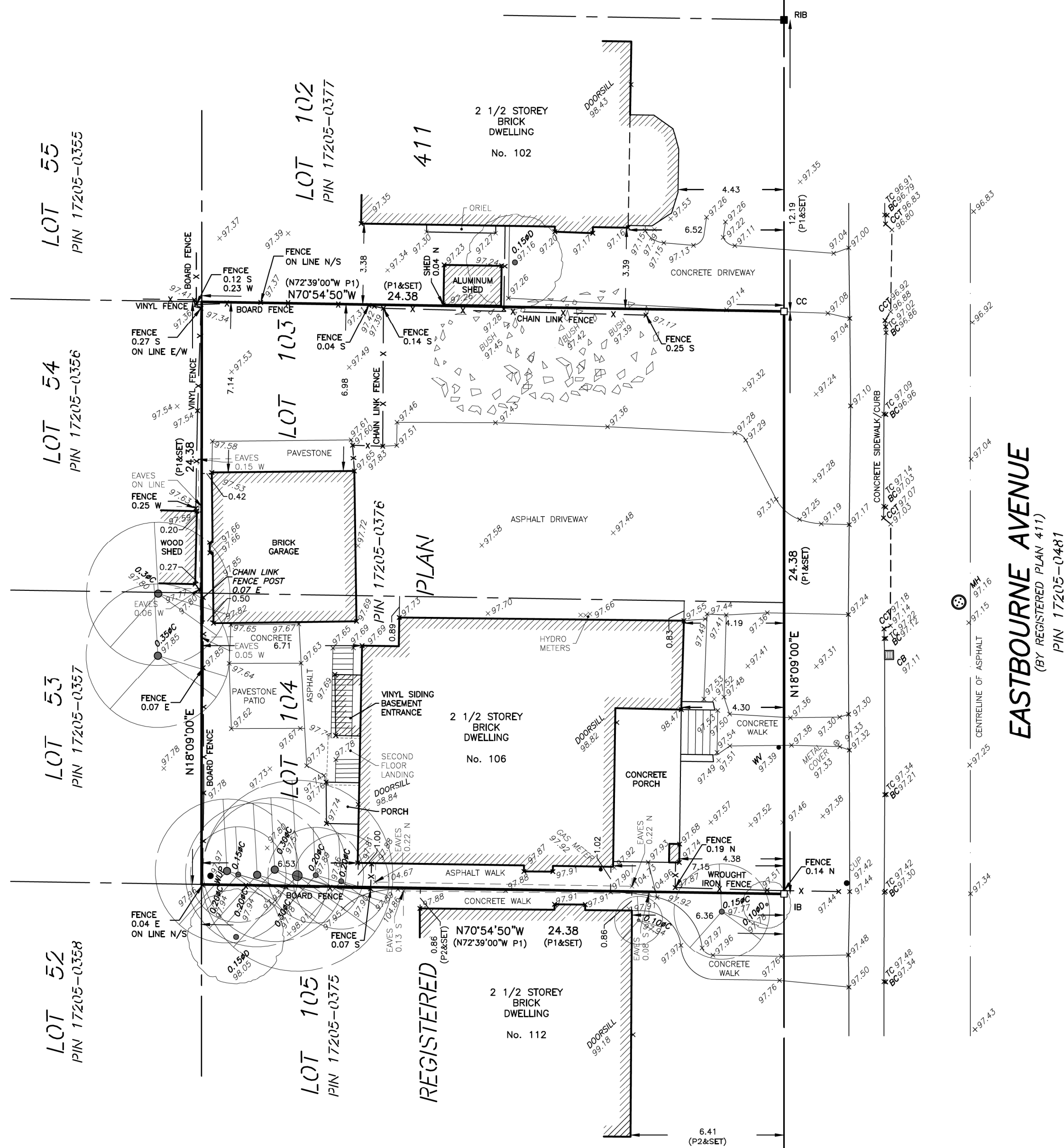
TARASICK McMILLAN KUBICKI LIMITED

ONTARIO LAND SURVEYORS

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

DRAWN BY: JMH

FILE No. 8924-SRPR-T





Hamilton

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca
APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT
Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	
Registered Owners(s)	[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-Wentworth	Lot 103 & 104	Concession	Former Township
Registered Plan N°. 411	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 106 Eastbourne Ave			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 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:

Unknown

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

N/A

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
12.19m	24.38m	297.0m 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: Detached Brick Garage

Proposed: Single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m ² or ha)
12.19	24.38	297.0

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Single Detached Dwelling 2 1/2 storeys with detached back garage

Proposed: no changes dwelling, garage to be demolished

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): Neighbourhood

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

Retaining the existing dwelling and building a new home on the severed lot will promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution. Building a home on the severed portion of the lot will fill a gap in the street and create a new lot that is in keeping with the streets current lot pattern.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? C Urban Protected Residential

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	N/A
A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A

A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	400m to St Peters Hospital
An active railway line	<input checked="" type="checkbox"/>	150m to rail line
A municipal or federal airport	<input type="checkbox"/>	N/A

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

- 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

106 Eastbourne is currently made up of two existing lots of record (lots 103 & 104) severing the lots to build a new dwelling will provide modest intensification though additional housing in a central Hamilton appropriate for the neighbourhood.

- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 106 Eastbourne is currently made up of two existing lots of record (lots 103 & 104) severing the lots to build a new dwelling will provide modest intensification though additional housing in an central Hamilton appropriate for the neighbourhood.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 106 Eastbourne is currently made up of two existing lots of record (lots 103 & 104) severing the lots to build a new dwelling will provide modest intensification though additional housing in an central Hamilton appropriate for the neighbourhood.
- 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)

This property is within the Niagara Development Area but is outside of the Development Control area and is not designated as being within a specified area.

- 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)

The property is within the greenbelt as part of the NEC however it is two lots of record and the proposal would be in keeping with the surrounding neighbourhood

8 HISTORY OF THE SUBJECT LAND

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

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

N/A

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

N/A

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

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

the transferee and the land use.

N/A

8.4 How long has the applicant owned the subject land?

Since January 2021

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.

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.

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

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

10.3 **Description of Lands**

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

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

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

13 ACKNOWLEDGEMENT CLAUSE

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

23 November 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.: HM/A-21:443

APPLICANTS: Agent W.E. Oughtred & Associations Inc.
 Owner Mark Anthony Sanchez

SUBJECT PROPERTY: Municipal address **106 Eastbourne Ave., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the creation of two lots through land severance application HM/B-21: 117 notwithstanding that;

LANDS TO BE RETAINED (LOT 104):

1. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and
2. A minimum front yard depth of 4.1 m shall be maintained instead of the minimum required front yard of 6.0 m; and
3. A minimum south side yard width of 1.0 m shall be maintained instead of the minimum required side yard width of 1.2 m; and
4. A minimum north side yard width of 0.8 m shall be maintained instead of the minimum required side yard width of 1.2 m; and
5. A minimum rear yard depth of 6.5 m shall be maintained instead of the minimum required rear yard depth of 7.5 m; and
6. No parking spaces shall be maintained instead of the minimum required 2 parking spaces

LANDS TO BE SEVERED (LOT 103):

7. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and

Notes: Variances have been written as requested by the applicant. Existing garage straddling newly created lot line to be demolished. These variances are necessary to facilitate Land Severance Application HM/B-21:117

HM/A-21: 443
Page 2

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

DATE: Thursday, February 3rd, 2022
TIME: 2:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

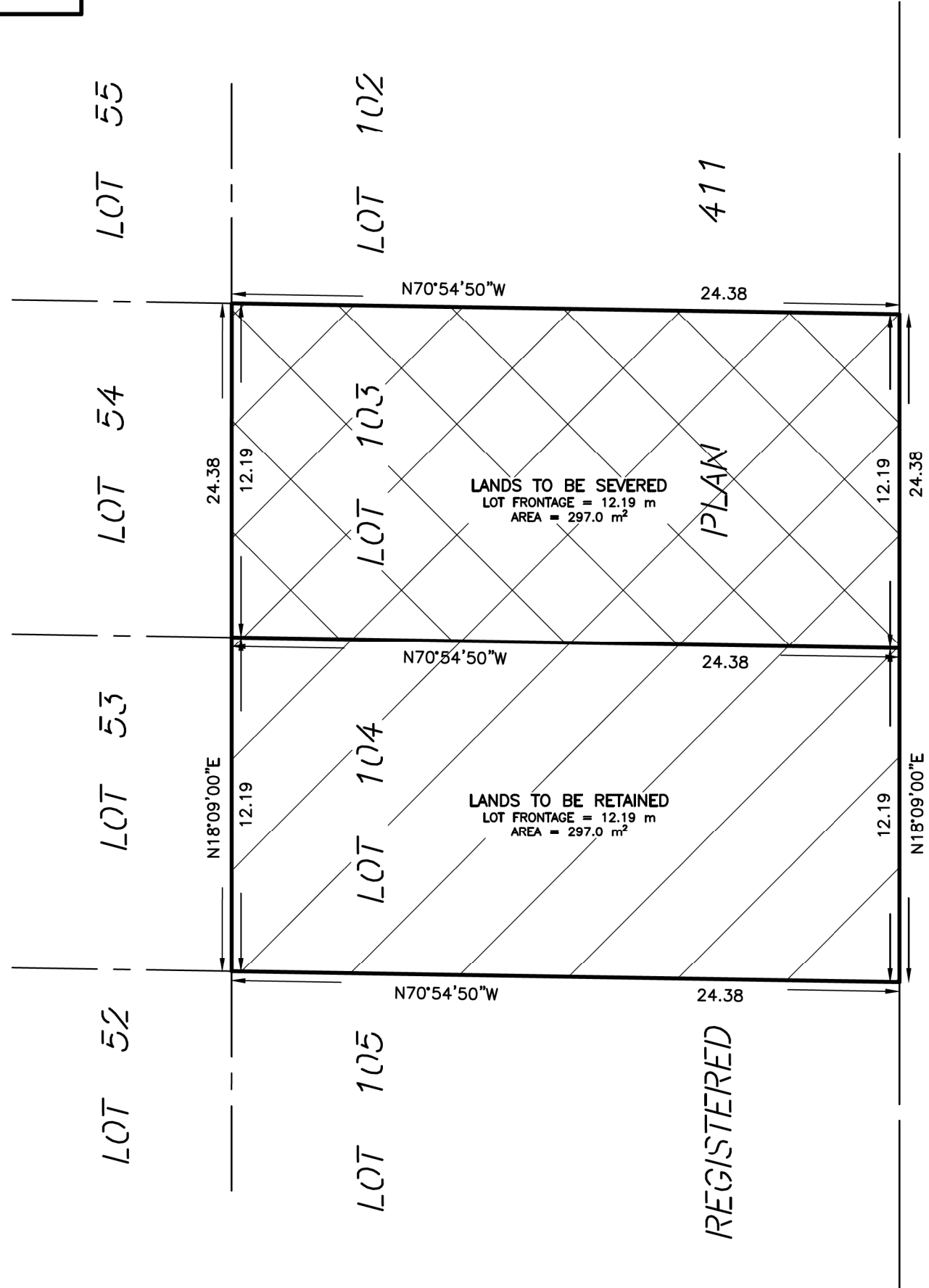
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 2021.

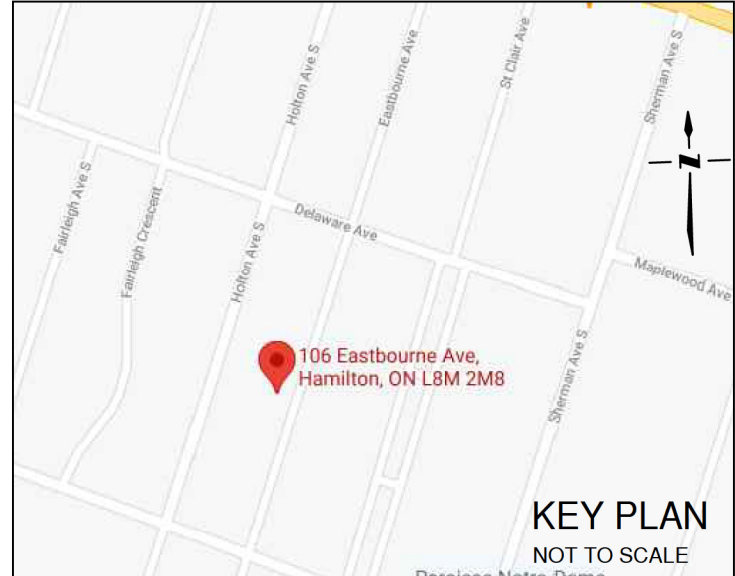
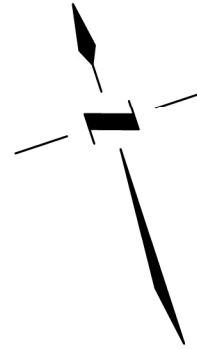
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

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



EASTBOURNE AVENUE
 (BY REGISTERED PLAN 411)



SKETCH OF PROPOSED SEVERANCE OF
106 EASTBOURNE AVENUE
LOTS 103 AND 104
REGISTERED PLAN 411
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1 : 200

DATE JUNE 2, 2021

FILE No. 8924-SK

TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

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



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
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:
 Mark- Anthony Sanchez

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.

- An existing rear yard depth of 6.53m whereas a rear yard depth of 7.5m is required.
 Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The dwelling is legally existing before the date of the by-law. A consent application is being submitted, relief from the bylaw is requested for the existing front side and rear yard encroachments as well as a deficient side yard setback and lot area variance triggered by the severance application.

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**):

106 Eastbourne Ave - Retained Lot
 Lots 103 & 104 Registered Plan 411 city of Hamilton Regional municipality of Hamilton-Wentworth

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?

Property history from the owner and surrounding neighbourhood

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

MS

Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.19m
Depth	24.38m
Area	297.0m ²
Width of street	approx 7m

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 1/2 storey brick dwelling, ground floor area of approximately 130m² (10m x 13m) , total GFA of approx 325m².

Portion of 1 storey two car detached brick garage (6m x 6m)

Proposed

Garage to be demolished, existing dwelling to remain.

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

Existing:

Front: 4.19m Rear: 6.53m South Side: 1.0m North Side: 0.83m

Proposed:

No Change

North side: 0.83m

13. Date of acquisition of subject lands:
January 2021
-
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 Detached
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
All Single Family Detached
17. Length of time the existing uses of the subject property have continued:
since construction
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhood
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - Urban Protected Residential
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
N/A
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



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-21:444

APPLICANTS: Agent W.E. Oughtred & Associations Inc.
 Owner Mark-Anthony Sanchez

SUBJECT PROPERTY: Municipal address **106 Eastbourne Ave., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the creation of two lots through land severance application HM/B-21: 117 notwithstanding that;

LANDS TO BE SEVERED (LOT 103):

1. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and

LANDS TO BE RETAINED (LOT 104):

2. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and

3. A minimum front yard depth of 4.1 m shall be maintained instead of the minimum required front yard of 6.0 m; and

4. A minimum south side yard width of 1.0 m shall be maintained instead of the minimum required side yard width of 1.2 m; and

5. A minimum north side yard width of 0.8 m shall be maintained instead of the minimum required side yard width of 1.2 m; and

6. A minimum rear yard depth of 6.5 m shall be maintained instead of the minimum required rear yard depth of 7.5 m; and

7. No parking spaces shall be maintained instead of the minimum required 2 parking spaces.

Notes: Variances have been written as requested by the applicant.

Existing garage straddling newly created lot line to be demolished

HM/A-21: 444
Page 2

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

DATE: Thursday, February 3rd, 2022
TIME: 2:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

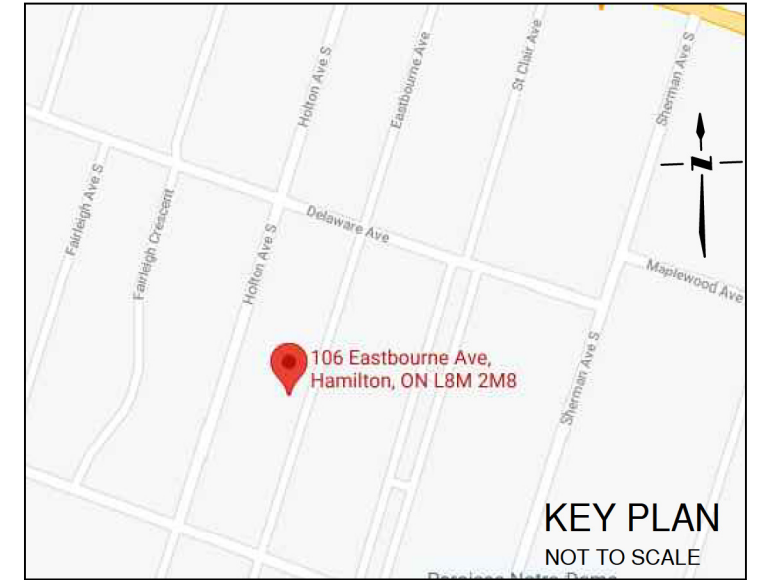
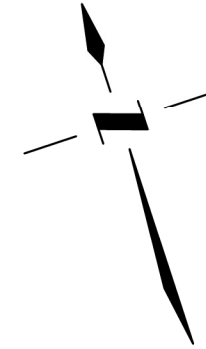
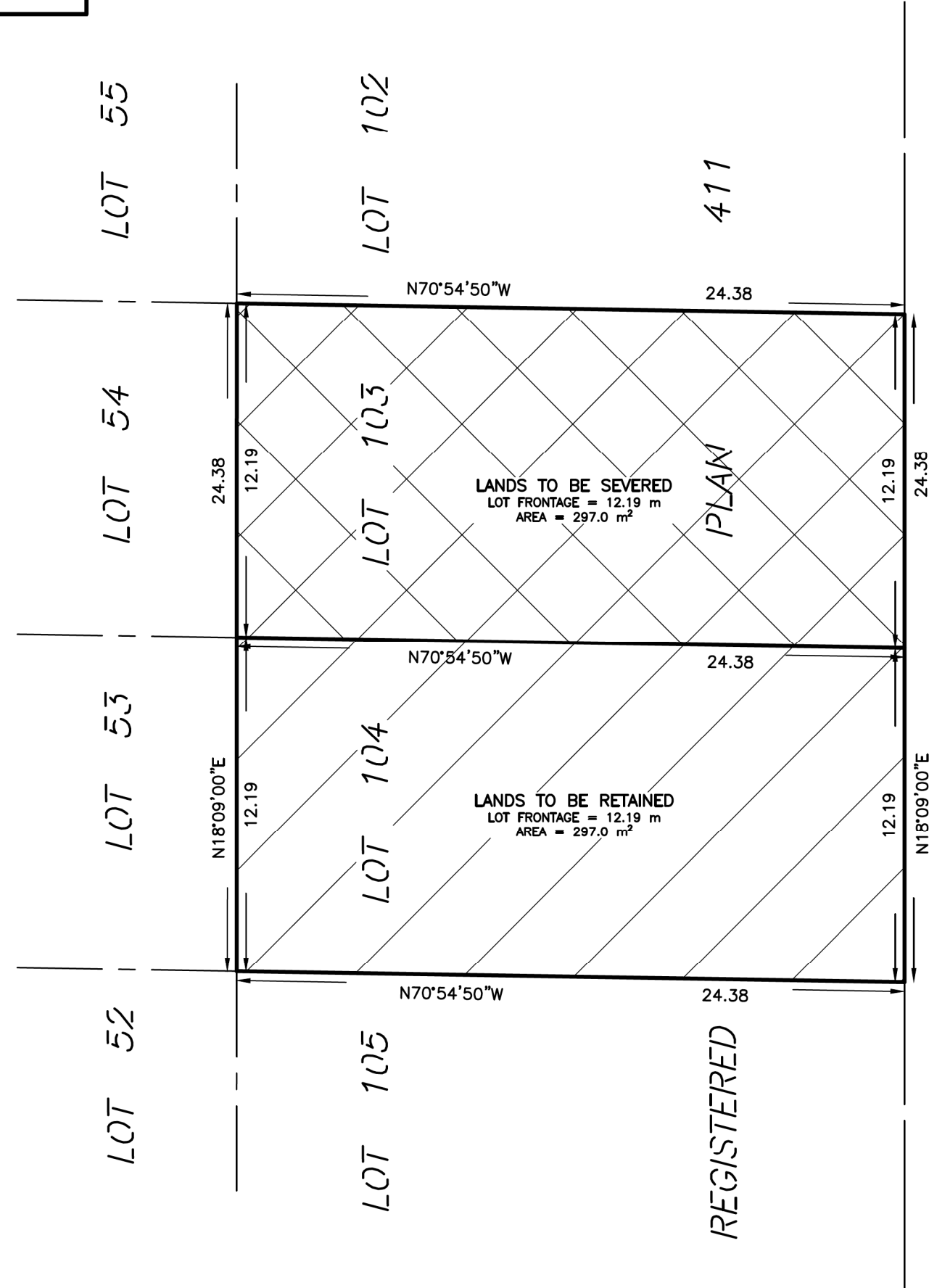
DATED: January 18th, 2021.

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.

METRIC

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



SKETCH OF PROPOSED SEVERANCE OF
106 EASTBOURNE AVENUE
LOTS 103 AND 104
REGISTERED PLAN 411
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1 : 200



DATE JUNE 2, 2021

FILE No. 8924-SK

TARASICK McMILLAN KUBICKI LIMITED

ONTARIO LAND SURVEYORS

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



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
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:
 Mark- Anthony Sanchez

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

4. Nature and extent of relief applied for:

A lot area of 297.0m² is proposed whereas a minimum lot area of 360.0m² is required in a C zone

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The severed lot is slightly smaller in area than what the by-law requires, however this is an existing lot of record and is kin keeping with the lot sizes on the street and in the immediate neighbourhood.

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**):

106 Eastbourne Ave - Severed Lot
Lots 103 & 104 Registered Plan 411 city of Hamilton Regional municipality of Hamilton-Wentworth

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?
Property history from the owner and surrounding neighbourhood

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	12.19m
Depth	24.38m
Area	297.0m ²
Width of street	approx 7m

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:___

Portion of a 1 storey two car detached brick garage (6m x 6m)

Proposed

Garage to be demolished

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

Existing:

Garage Stebacks

Front Yard: 17.5m

South Side Yard: 11m

North Side Yard: 6.98m

Proposed:

Garage to be demolished

13. Date of acquisition of subject lands:
January 2021
-
14. Date of construction of all buildings and structures on subject lands:
Unknown
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Detached on retained side, driveway and garage on severed portion
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
All Single Family Detached
17. Length of time the existing uses of the subject property have continued:
since construction
18. Municipal services available: (check the appropriate space or spaces)
- | | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|---------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> | } Retained lot only |
| 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:
Neighbourhood
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - Urban Protected Residential
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
N/A
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



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-21:449

APPLICANTS: Agent Property Pathway
 Owner Alicia Morey

SUBJECT PROPERTY: Municipal address **275 Huxley Ave. S., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 21-076

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

PROPOSAL: To permit the creation of a secondary dwelling unit in the existing single family dwelling on a residential parcel of land, notwithstanding that:

1. A minimum parking space size of 2.4 metres wide and 6.0 metres long shall be provided instead of the minimum required parking space size of 2.7 metres wide and 6.0 metres long.

NOTE:

1. Subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, February 3rd, 2022
TIME: 2:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

HM/A-21: 449
Page 2

MORE INFORMATION

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

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

DATED: January 18th, 2022.

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.

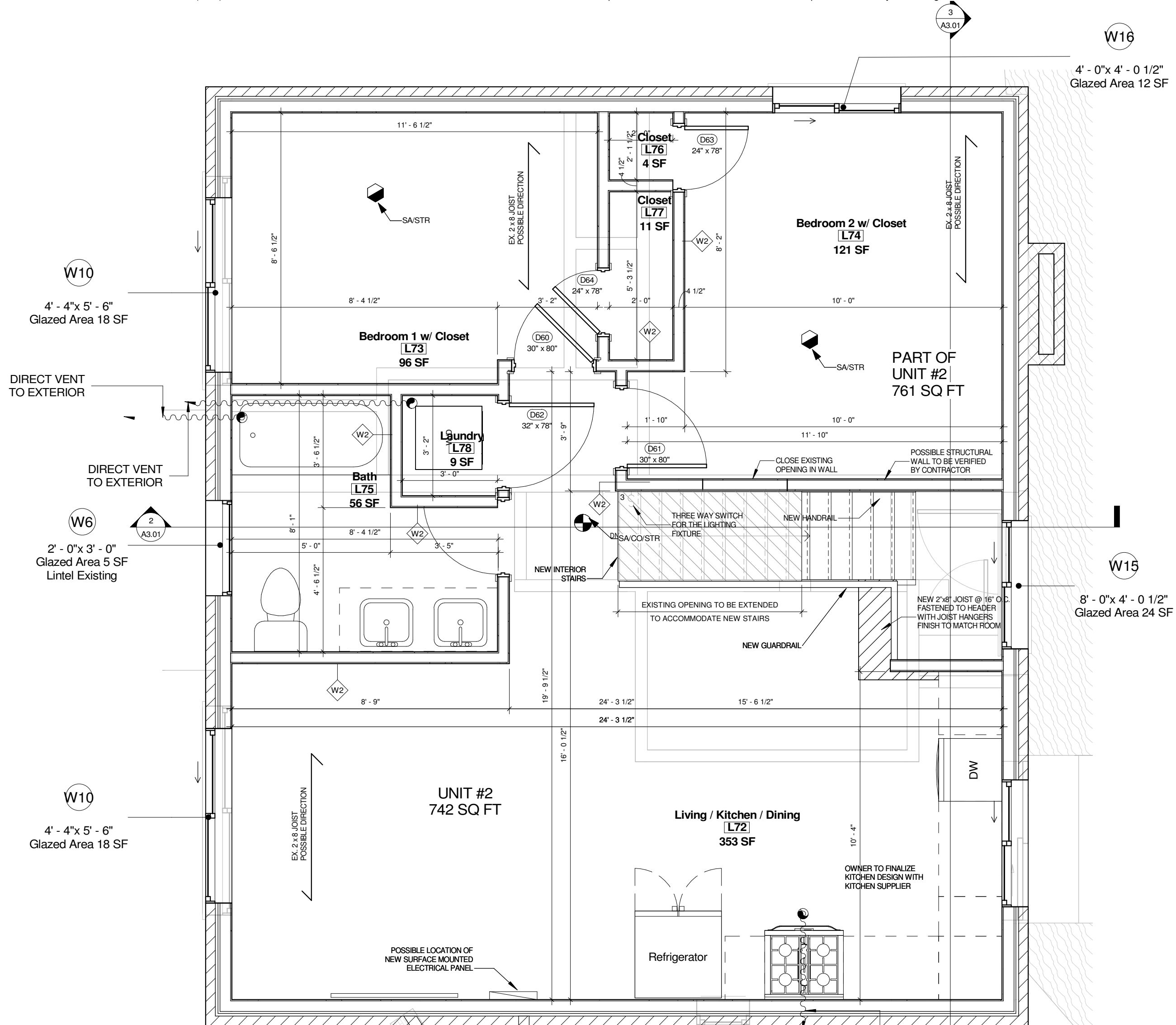
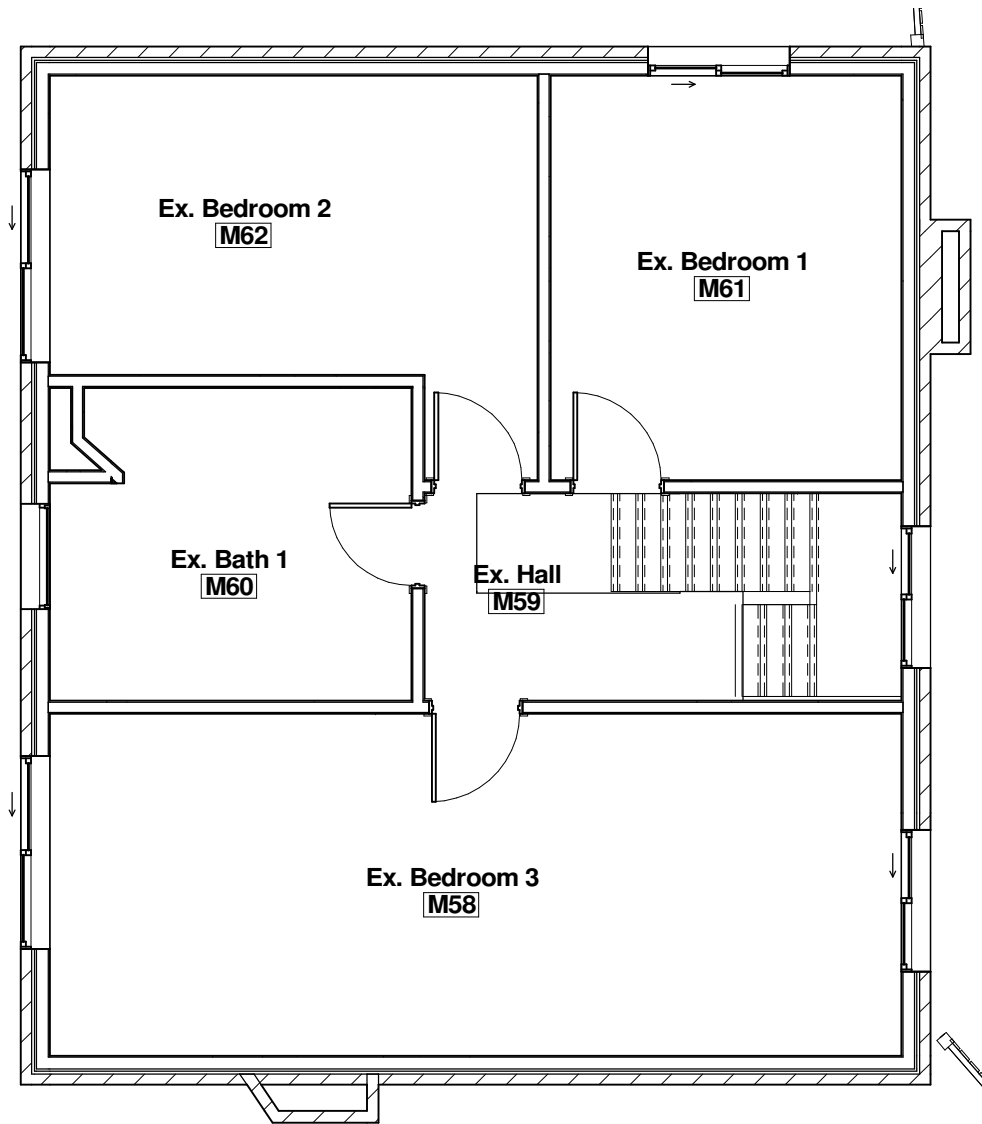
- This single family dwelling is greater than 5 years old, alternative designs that comply with Part 11 of the Ontario Building Code will apply.
- Rooms Required (9.31.4.)
 - Each suite shall be equipped with a kitchen sink, a wash basin, a bathtub or a shower and a toilet. Each suite shall be equipped with laundry facilities, or have ready access to a common space for laundry facilities.
- Window Natural Light Requirement (C107):
 - Proposed Living rooms, and Dining rooms may be reduced the a minimum window glazed area from 10% of the floor area served to 5%, and from 5% of the floor area served to 2.5% for bedrooms where the windows are not needed as a means of egress and where they are not required for ventilation. The well must provide 550mm (1ft-10in) clearance when the window is fully open.
- Egress Window Requirement (C136), 9.9.10.1.(1), 9.9.10.1.(5)
 - if the exit door is not at the same level as the bedroom, one window for egress must openable from the inside without tools, provides an individual, unobstructed open portion having a minimum area of 0.35 m²
 - (3.8 ft²) with no dimension less than 380mm (15") and does not require additional support to keep it open, Only openable portion of slider can be used for these dimensions, removable panels are not accepted.
 - Window well to be mimum 21 5/8"
- Unit Entry Door (9.6.8.8.)
 - Main entry doors to each suite shall be provided with a door viewer, door window or sidelight.
- Stairs Landing and Guardrailing (C109)
 - Replacement or extension of an existing stair system shall be exempt from the standards, provided that they have a minimum width between wall faces of 700mm (2ft-4in), and a minimum clear height over tread nosing or landing of 1800mm (5ft 11in).
- Exit Doors (C118)
 - Existing exit and access to exit shall have a clear height of not less than 1950mm (6ft-5in).

- Horizontal Fire Separation (C147)
 - 30 minute fire separation acceptable between units, however horizontal fire separations are permitted to be further reduced to 15 minute fire resistance rating, where interconnected hardwired smoke alarms are installed in every suite and in common area. This floor assembly is a SB 3 - F8d
- Vertical Fire Separation of Residential Suite (C152)
 - 30 minute fire separation acceptable between common area and common egress, however vertical fire separations are permitted to be further reduced to 15 minute fire resistance rating, where interconnected hardwired smoke alarms are installed in every suite and in common area.
 - Horizontal fire separation terminate at 30 min vertical fire separation and all penetrations through the vertical fire separations to be fire caulked.
 - These wall assemblies are SB 3 - W4a for wall separating the furnace room and common areas from the dwelling unit and W1c partition within the dwelling unit
 - 1 layer of 5/8" type "X" GWB to extend to the underside of the subfloor in furnace room and fire caulk joint.
- Fire Rated Door (C153)
 - Solid core wood doors, 45 mm thickness, are permitted to be used to achieve a 20 minute fire protection provided it is labeled as conforming. Unrated wood door frame is acceptable where it is used to achieve a 20 minute fire protection rating and is a minimum 38mm (1.5in) thick.
- Path of Egress (C102)
 - Minimum 1950 mm (6'-5") over the required floor area or minimum room height not less than 2030 mm (6'-8") over at least 50% of the required floor area
- Smoke Alarm (9.10.19) (C167)
 - Must be hardwired in bedroom within each unit,
 - Must be hardwired common egress, common area and furnace room.
 - Carbon Monoxide (9.33.4.)
 - Must be hardwired in hallways leading to bedroom within each unit.
 - Smoke Detector (C195)
 - Existing heating or air-conditioning system may be altered to serve more than one suite provided smoke alarms are installed in each suite and provided a smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detectors.
- Firestopping (9.10.16.2.)
 - Fire stops shall be provided between every concealed horizontal space including all direct exterior vents that penetrate joist cavity.
 - All existing and new penetrations in fire separations to be fire caulked.

Provide adequate access to water meter for maintenance

Water shut off 7.6.1.6
Separate water supply shut offs are required in both dwelling units

Cooktop 9.10.22.2.(1), 9.10.22.3.(3)
Cooktop clearance from cabinet to be 17 3/4" min. and protected vertically with a rangehood be 29 1/2" min. from cabinet.



1 U01 Level - Existing
3/16" = 1'-0"

2 U01 Level - Proposal Option 1
3/8" = 1'-0"

Symbols
1/4" = 1'-0"

- BULKHEAD
- SMOKE ALARM
- C.O. DETECTOR

1. The Contractor shall check the drawings and verify all dimensions of the work and shall report promptly all discrepancies, errors and omissions to the Designer at least one week before ordering or installing construction materials or making any material changes to the work involving such discrepancies, errors or omissions. Should the Contractor fail to observe these conditions, the additional expense for remedial work shall not become the responsibility of the Designer under any circumstance.
2. Read all drawings in conjunction with the General Notes and Specifications.
3. Drawings are not to be scaled.

PROPERTY PATHWAYS
OUR PATH, YOUR WAY

Designer: Ronald De Coteau
Phone: 647-870-1701
Email: assistant@propertypathways.com
Website: propertypathways.com

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

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1. of the building code

RONALD DE COTEAU 38419

NAME SIGNATURE BCIN

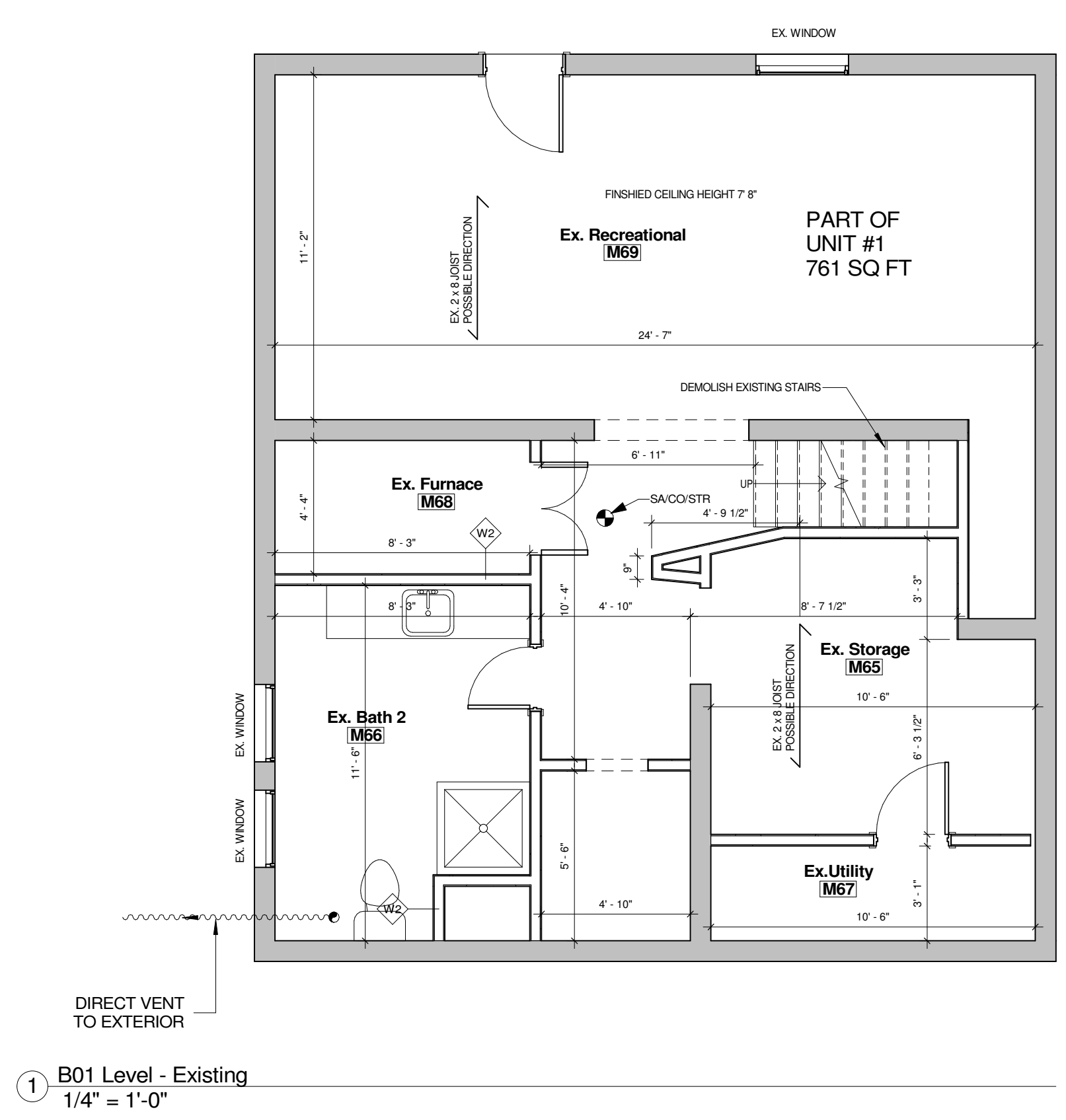
No.	Description	Date

Checked By: **Checker**
Project Number: 20210512
Date: 2021-06-15
Drawn by: **Author**
Scale: As indicated

Secondary Suite
Proposed Layout
275 Huxley Ave. South, Hamilton

Checked By: **Checker**
Project Number: 20210512
Date: 2021-06-15
Drawn by: **Author**
Scale: As indicated

A1.02



- The Contractor shall check the drawings and verify all dimensions of the work and shall report promptly all discrepancies, errors and omissions to the Designer at least one week before ordering or installing construction materials or making any material changes to the work involving such discrepancies, errors or omissions. Should the Contractor fail to observe these conditions, the additional expense for remedial work shall not become the responsibility of the Designer under any circumstance.
- Read all drawings in conjunction with the General Notes and Specifications.
- Drawings are not to be scaled.

PROPERTY PATHWAYS
OUR PATH, YOUR WAY

Designer: Ronald De Coteau
Phone: 647-870-1701
Email: assistant@propertypathways.com
Website: propertypathways.com

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

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

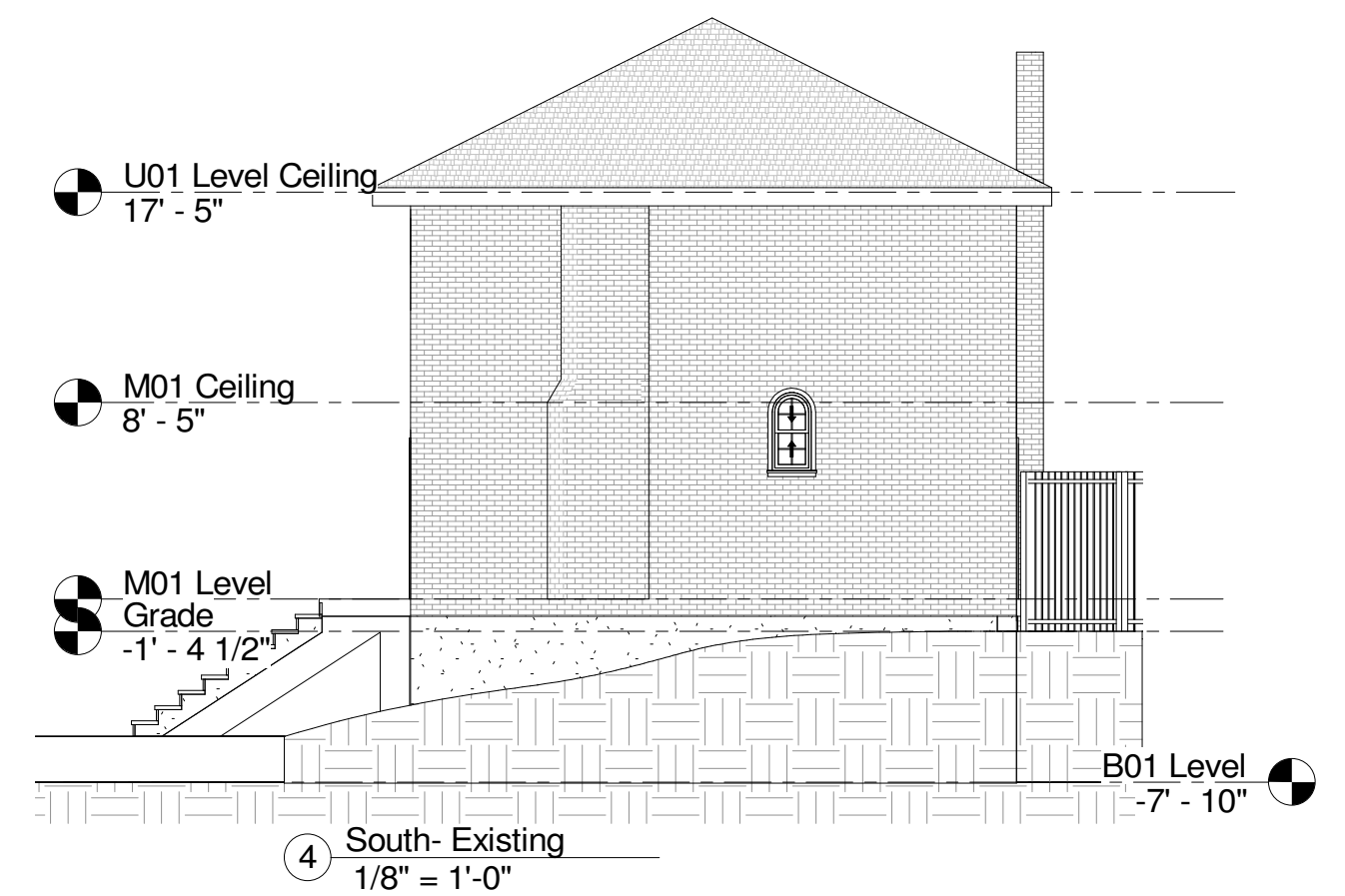
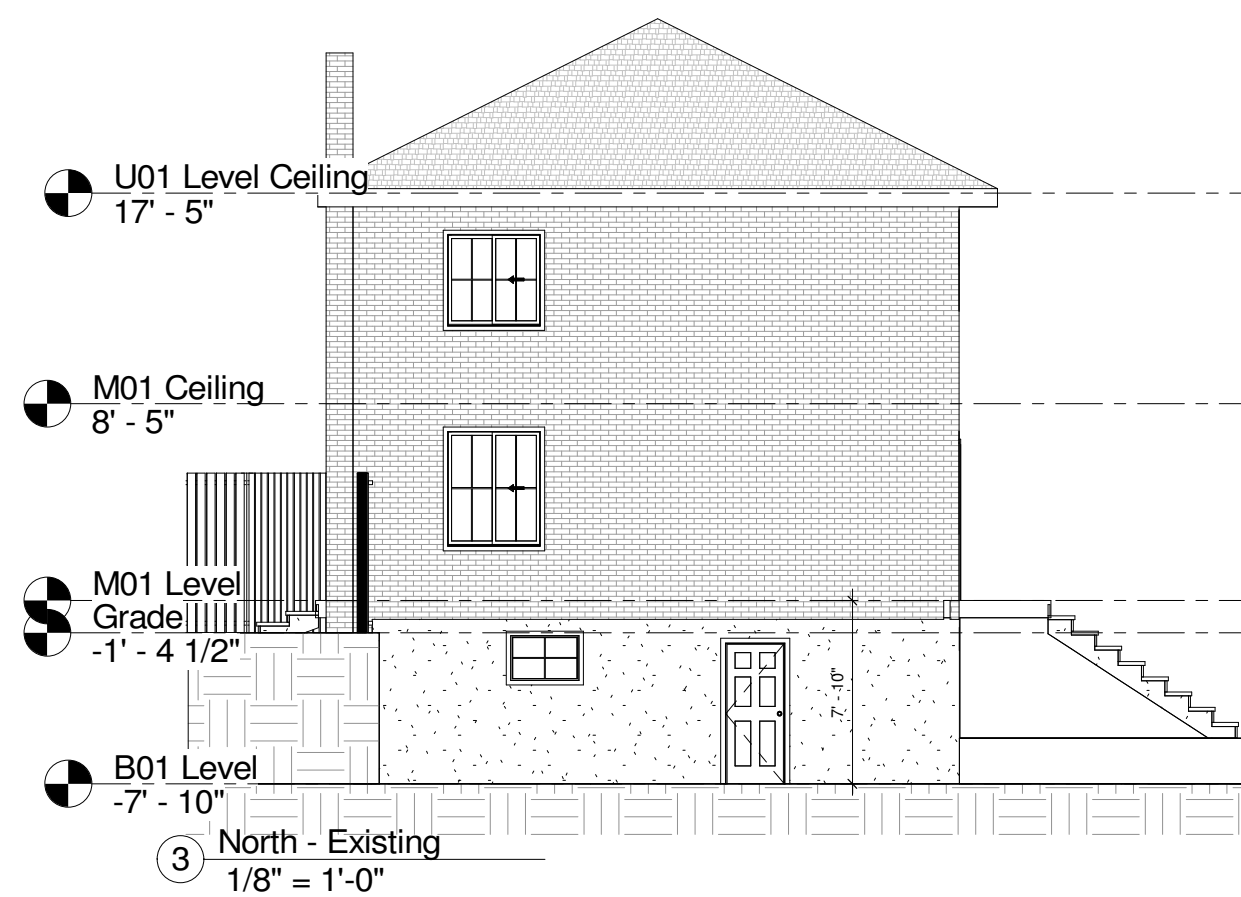
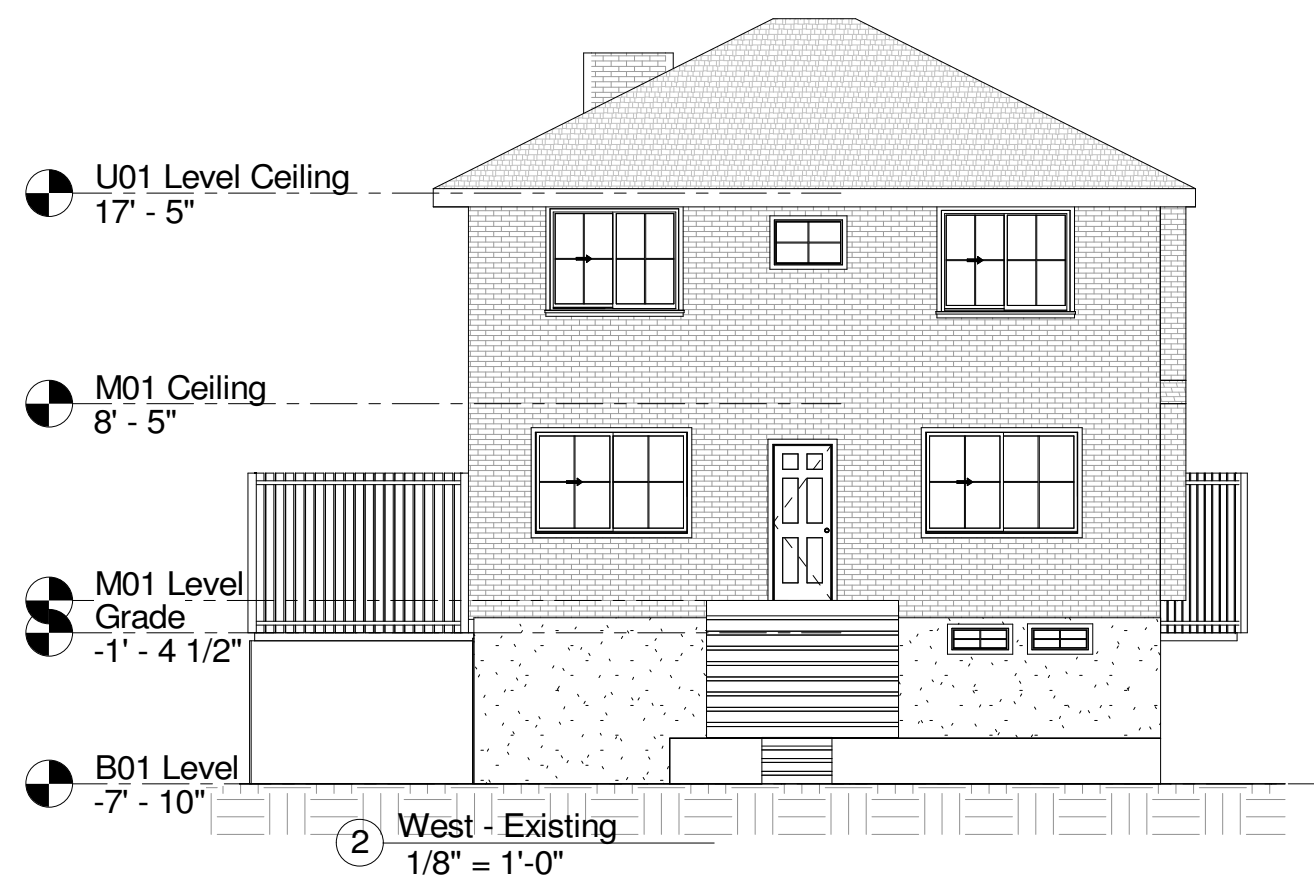
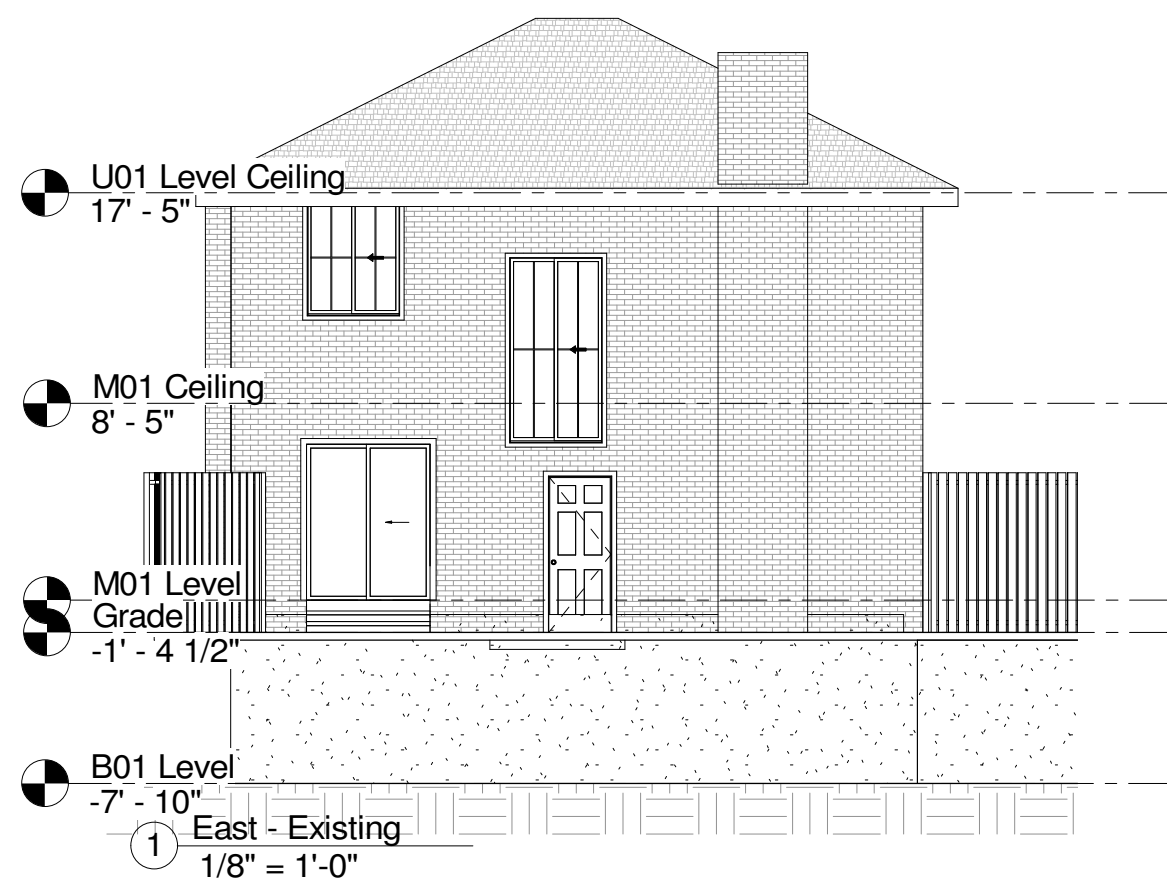
RONALD DE COTEAU 38419

NAME SIGNATURE BCIN

No.	Description	Date

Secondary Suite
Proposed Layout
275 Huxley Ave. South, Hamilton

Checked By	Checker
Project Number	20210512
Date	2021-06-15
Drawn by	Author
Scale	1/4" = 1'-0"
	A1.03



1. The Contractor shall check the drawings and verify all dimensions of the work and shall report promptly all discrepancies, errors and omissions to the Designer at least one week before ordering or installing construction materials or making any material changes to the work involving such discrepancies, errors or omissions. Should the Contractor fail to observe these conditions, the additional expense for remedial work shall not become the responsibility of the Designer under any circumstance.
2. Read all drawings in conjunction with the General Notes and Specifications.
3. Drawings are not to be scaled.

PROPERTY PATHWAYS
OUR PATH, YOUR WAY

Designer: Ronald De Coteau
Phone: 647-870-1701
Email: assistant@propertypathwayz.com
Website: propertypathwayz.com

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

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1. of the building code

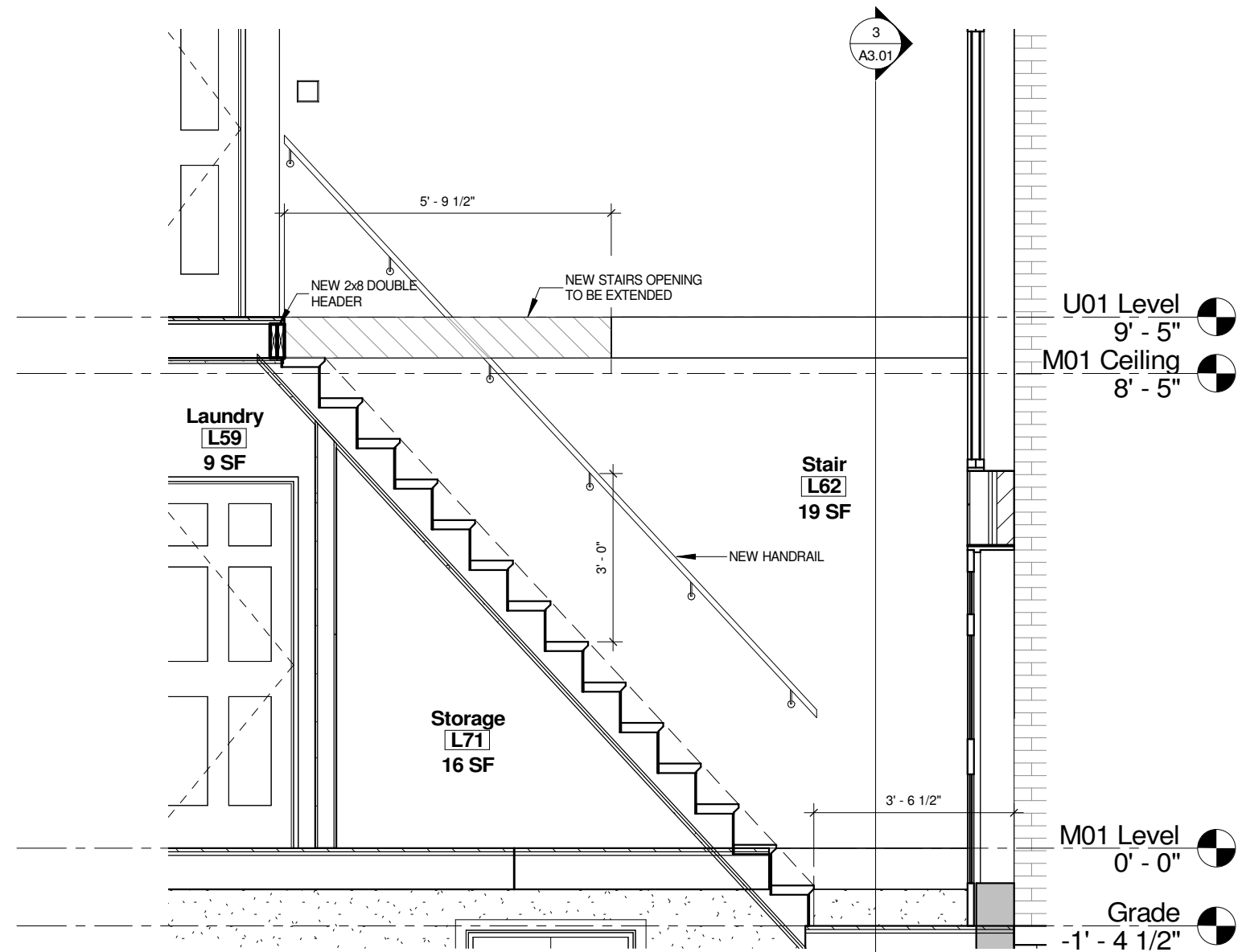
RONALD DE COTEAU 38419

NAME SIGNATURE BCIN

No.	Description	Date

Secondary Suite
Proposed Layout
275 Huxley Ave. South, Hamilton

Checked By	Checker
Project Number	20210512
Date	2021-06-15
Drawn by	Author
Scale	As indicated
	A2.01



1 Section 2 - Callout 1
3/8" = 1'-0"

STAIRS

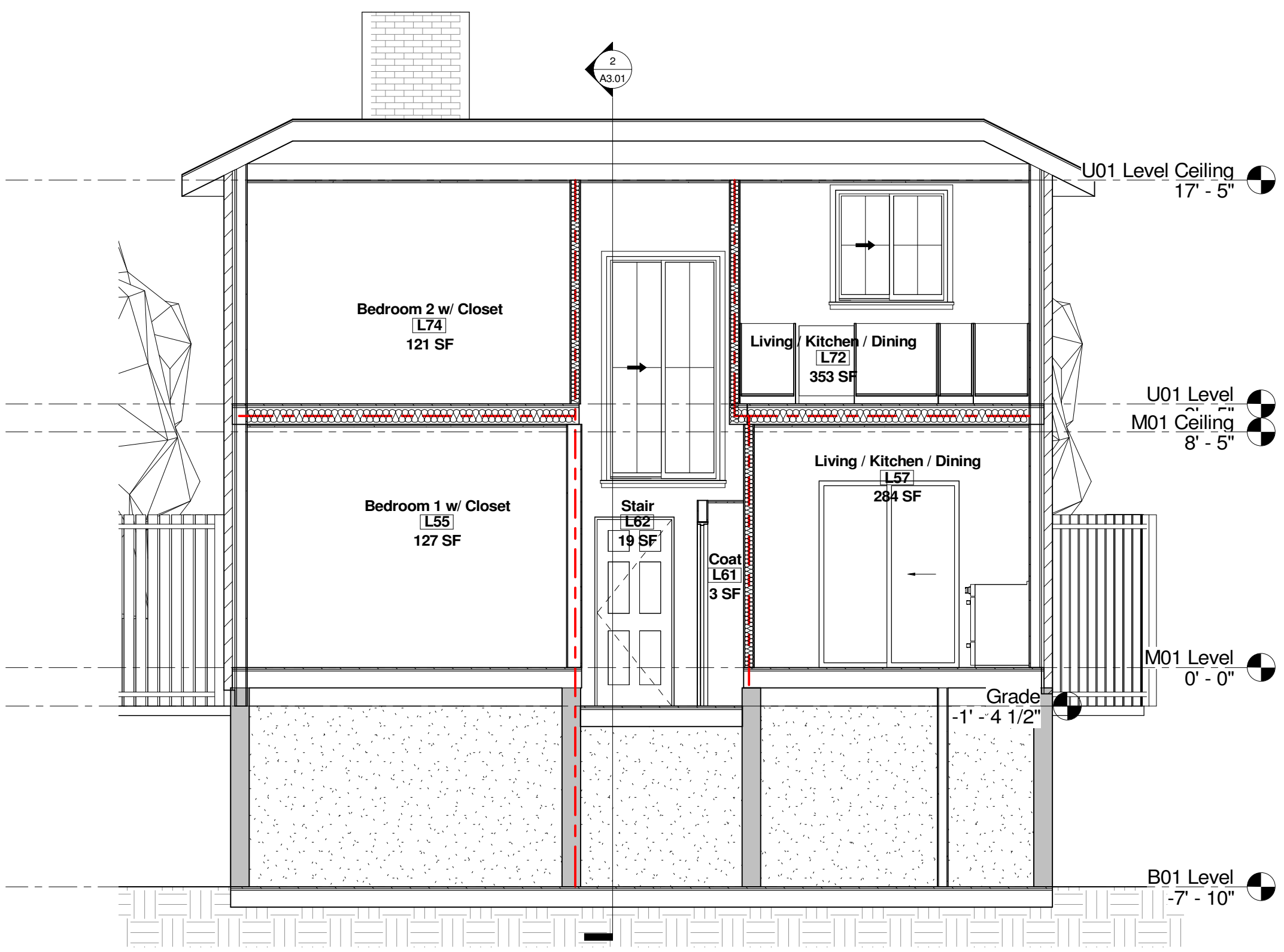
- MAXIMUM RISE - 7 7/8" MINIMUM - 4 15/16"
- MAXIMUM RUN - 14" MINIMUM - 10 1/16"
- MINIMUM HEAD ROOM - 6' 4 3/4"
- MINIMUM WIDTH - 2' 9 7/8"
- A LANDING IS REQUIRED AT THE TOP OF ANY STAIR LEADING TO THE PRINCIPAL ENTRANCE TO A DWELLING AND OTHER EXTERIOR ENTRANCES WITH MORE THAN 5 RISERS

HANDRAILS AND GUARDS

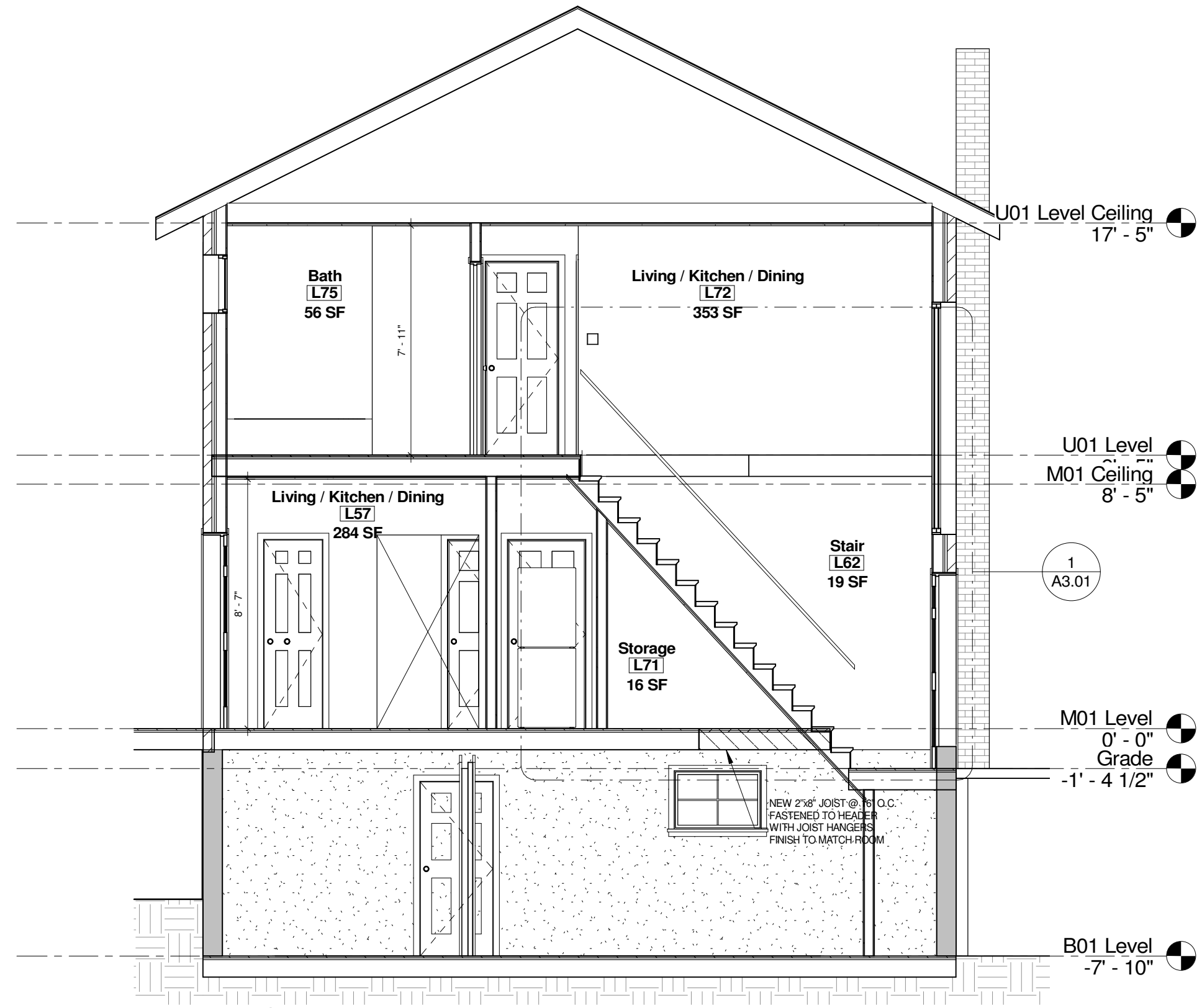
- A HANDRAIL IS REQUIRED FOR INTERIOR STAIRS CONTAINING MORE THAN 2 RISERS AND EXTERIOR STAIRS CONTAINING MORE THAN 3 RISERS GUARDS ARE REQUIRED AROUND EVERY ACCESSIBLE
- SURFACE WHICH IS MORE THAN 600MM ABOVE THE ADJACENT LEVEL AND WHERE THE ADJACENT SURFACE HAS A SLOPE MORE THAN 3' 11 1/4"
- INTERIOR AND EXTERIOR GUARDS MIN. 900MM HIGH EXTERIOR GUARDS SHALL BE 3' 3 3/4" HIGH WHERE HEIGHT ABOVE ADJACENT SURFACE EXCEEDS 5' 10 7/8" GUARDS SHALL HAVE OPENINGS SMALLER THAN 100MM
- AND NO MEMBER BETWEEN 5 1/2" AND 2' 11 7/16" THAT WILL FACILITATE CLIMBING

FLOORS

- JOISTS TO HAVE MINIMUM 2" OF END BEARING
- JOISTS SHALL BEAR ON A SILL PLATE FIXED TO FOUNDATION WITH 1/2" ANCHOR BOLTS @ 8' O.C.
- HEADER JOISTS BETWEEN 4'-0" AND 7'-6" IN LENGTH SHALL BE DOUBLED. HEADER JOISTS EXCEEDING 7'-6" SHALL BE SIZED BY CALCULATIONS
- TRIMMER JOISTS SHALL BE DOUBLED WHEN SUPPORTED HEADER IS BETWEEN 4'-0" AND 6'-6". TRIMMER JOISTS SHALL BE SIZED BY CALCULATIONS WHEN SUPPORTED HEADER EXCEEDS 6'-6"
- 2 X 2 CROSS BRIDGING REQUIRED NOT MORE THAN 6' 10" FROM EACH SUPPORT AND FROM OTHER ROWS OF BRIDGING
- JOISTS SHALL BE SUPPORTED ON JOIST HANGERS AT ALL FLUSH BEAMS, TRIMMERS, AND HEADERS.
- NON-LOADBEARING PARTITIONS SHALL BE SUPPORTED ON A JOIST OR ON BLOCKING BETWEEN JOISTS.
- JOIST LOCATED UNDER PARALLEL NON LOADBEARING PARTITION SHALL BE DOUBLED



3 Section 3
1/4" = 1'-0"



2 Section 2
1/4" = 1'-0"

1. The Contractor shall check the drawings and verify all dimensions of the work and shall report promptly all discrepancies, errors and omissions to the Designer at least one week before ordering or installing construction materials or making any material changes to the work involving such discrepancies, errors or omissions. Should the Contractor fail to observe these conditions, the additional expense for remedial work shall not become the responsibility of the Designer under any circumstance.

2. Read all drawings in conjunction with the General Notes and Specifications.

3. Drawings are not to be scaled.

PROPERTY PATHWAYS
OUR PATH, YOUR WAY

Designer: Ronald De Coteau
Phone: 647-870-1701
Email: assistant@propertypathways.com
Website: propertypathways.com

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

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1. of the building code

RONALD DE COTEAU 38419

NAME SIGNATURE BCIN

No.	Description	Date

Secondary Suite
Proposed Layout
275 Huxley Ave. South, Hamilton

Checked By	Checker
Project Number	20210512
Date	2021-06-15
Drawn by	Author
Scale	As indicated
A3.01	



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.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
 Alicia Morey
 356 twindle place
 Oakville Ont
 L6L4v8

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:

Based on the year the house was built, only one parking space is required for a two-unit dwelling.
1. Our request is to reduce parking space for secondary unit to 2.4m in width along the north property line.

5. Why it is not possible to comply with the provisions of the By-law?
It is a built environment where neighbouring properties exist.

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**):

275 Huxley Ave s
Hamilton Ont
L8k 2r5

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?
Previous use of the subject property aided in determining the above answers.

- 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.

11/4/2021
Date


Signature Property Owner

Alicia Morey
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12.42 m
Depth 31.0 m
Area 370.0 sq. m
Width of street 8.48m

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 - 766 sq. f
Gross Floor Area - 1532sq. f.
Number of Storeys - 2
Width of Building - 29' 7"
Length of Building - 25' 11"
Height of Building - 26' 3"

Proposed

Ground Floor Area - 766 sq. f
Gross Floor Area - 1532sq. f.
Number of Storeys - 2
Width of Building - 29' 7"
Length of Building - 25' 11"
Height of Building - 26' 3"

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 (north setback) - 2.4m
Right (South setback) - 0.6m
Front (West setback) - 4.7m
Rear (East setback) - 16.1m

Proposed:

Left (north setback) - 2.4m
Right (South setback) - 0.6m
Front (West setback) - 4.7m
Rear (East setback) - 16.1m

13. Date of acquisition of subject lands:
08/4/2021
14. Date of construction of all buildings and structures on subject lands:
1950
15. Existing uses of the subject property:
Two-family dwelling
16. Existing uses of abutting properties:
Residential and Commercial
17. Length of time the existing uses of the subject property have continued:
Since date built
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
N/A
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
N/A
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



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-21:450

APPLICANTS: Agent David Carrothers & Associates
 Owner F. Brown & K. Fairweather

SUBJECT PROPERTY: Municipal address **142 Barclay St, Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law No.96-109

ZONING: C/S-1361 district (Urban Protected Residential with Special Exceptions)

PROPOSAL: To construct a 229.1 square metre full two storey rear addition for a two storey single family dwelling having 138.4 square metres of gross floor area and a new 7.8 square metre rear deck, notwithstanding that:

1. The floor area ratio for a single family dwelling shall be 1.15 instead of the maximum floor area ratio of 0.45 for property that is zoned C/S-1361 District.
2. The minimum easterly side yard shall be 1.1 metres instead of the minimum required 1.2 metre side yard for a single family dwelling not over 2.5 storeys in height.
3. The minimum westerly side yard shall be 1.0 metre instead of the minimum required 1.2 metre side yard for a single family dwelling not over 2.5 storeys in height.
4. The minimum rear yard shall be 4.6 metres instead of the minimum required 7.5 metres rear yard for a single family dwelling in the C District.
5. No (0) parking space shall be provided for the expanded single family dwelling instead of the minimum required two parking spaces for a single family dwelling having not more than eight (8) habitable rooms.

NOTES:

1. The C/S-1361 Zoning that was created under By-law 96-109 (passed June 25, 1996) provides special zoning provisions for the Westdale South Neighbourhood to address floor area ratio, ceiling height with respect to gross floor area, the height above grade for an attached garage and the maximum height of a single family dwelling.

HM/A-21: 450

Page 2

2. The variances were written as requested by the applicant. An additional variance was requested for the rear deck but is not required because the deck would maintain the required separation from the side and rear lot lines.

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

DATE: Thursday, February 3rd, 2022
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:

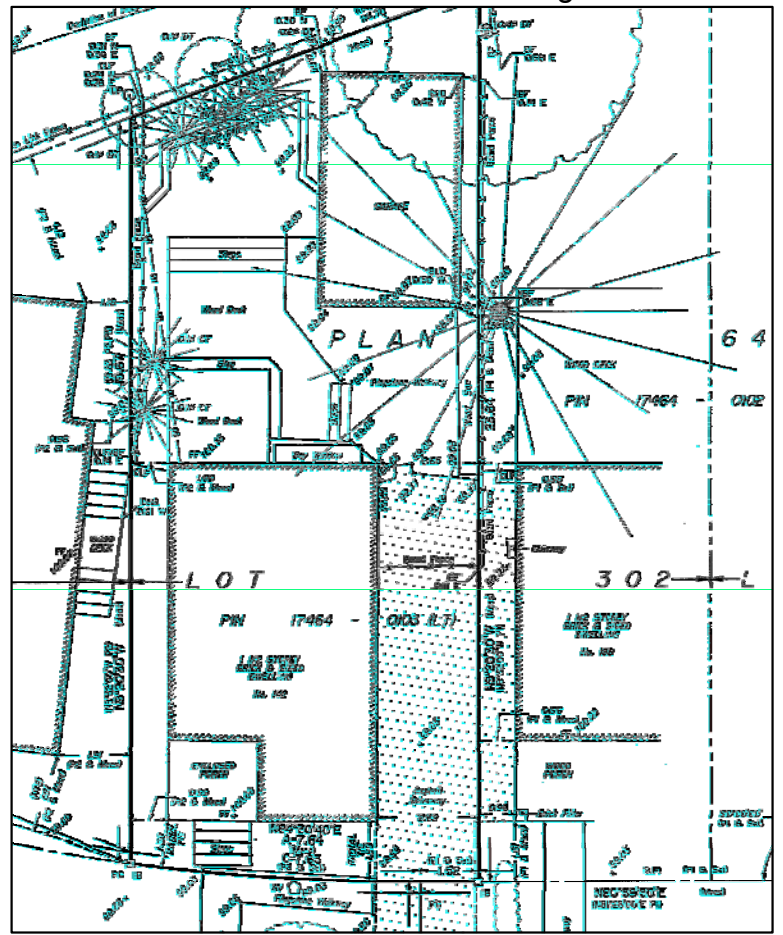
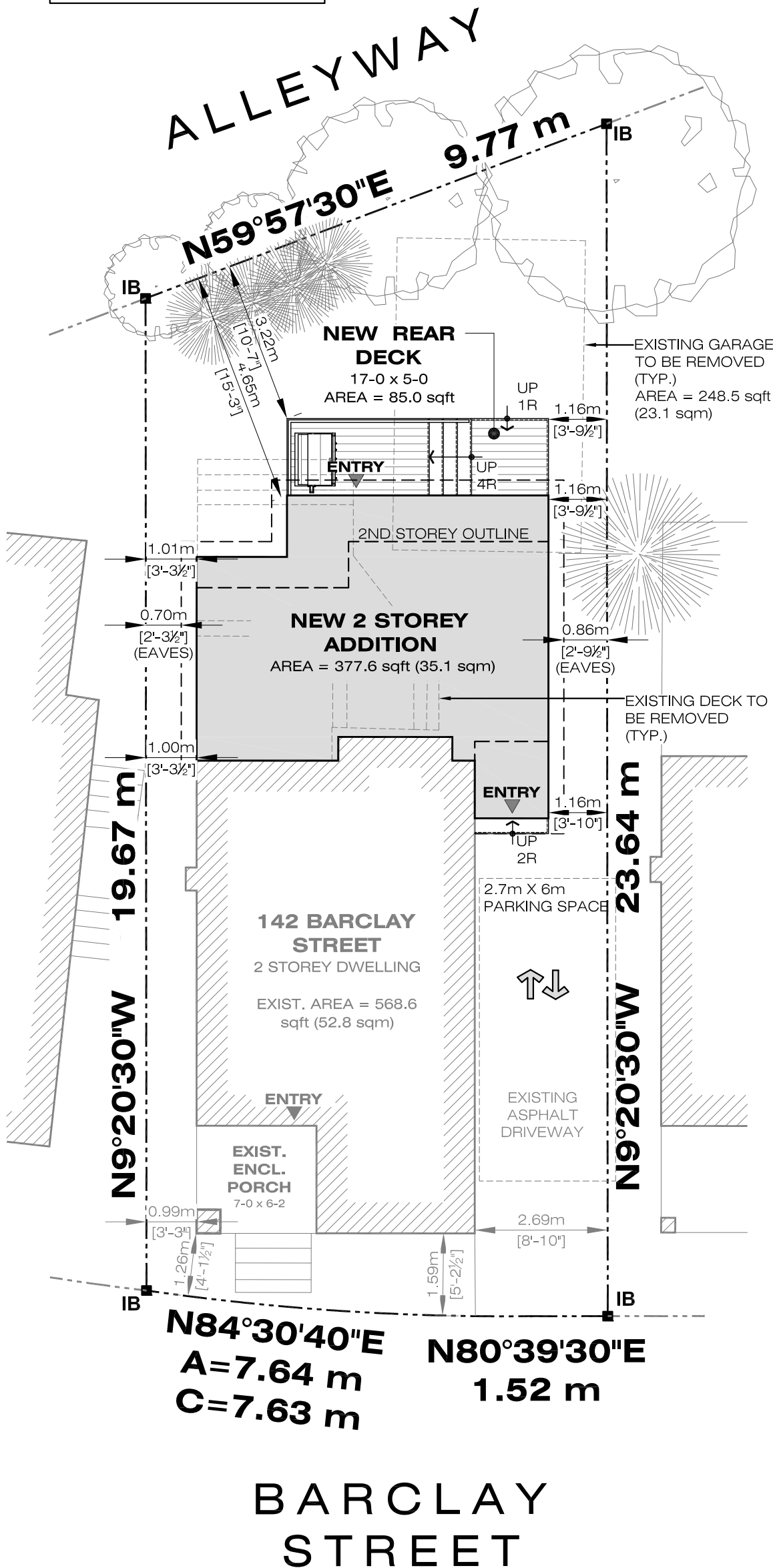
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 2022.

Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

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

****NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED****



TO BE USED IN CONJUNCTION WITH TOPOGRAPHIC PLAN PREPARED BY BARICH GRENKIE SURVEYING LTD. DATED SEPTEMBER 14, 2020



PLAN
SHOWING PART OF
LOT 302
REGISTERED PLAN 646
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON

ZONING AND PROPERTY STATISTICS			
DESCRIPTION:	PART OF LOT 302, REGISTERED PLAN 646 IN THE REGIONAL MUNICIPALITY OF HAMILTON		
ADDRESS:	142 BARCLAY STREET, HAMILTON, ON.		
	REQUIRED:	PROPOSED:	
ZONING DESIGNATION:	C/S-1788. S-1361	C/S-1788. S-1361 (EXISTING)	
LOT AREA:	360.0 m ²	199.0 m ² (EXISTING)	
LOT WIDTH:	12.0 m	9.14 m (EXISTING)	
GROSS FLOOR AREA:	45% MAX	66.3% (EXISTING)	**115.1% (PROPOSED)
COVERAGE:	N/A	44.2% (PROPOSED)	
FRONT YARD TO HOUSE:	6.0 m	1.26 m (EXISTING)	
REAR YARD TO ADDITION:	7.5 m	**4.65 m (PROPOSED)	
REAR YARD TO DECK:	7.5 m	**3.22 m (PROPOSED)	
RIGHT YARD TO HOUSE:	1.2 m	2.69 m (EXISTING)	
RIGHT YARD TO ADDITION:	1.2 m	**1.16 m (PROPOSED)	
RIGHT YARD TO DECK:	0.5 m	1.16 m (PROPOSED)	
LEFT YARD TO HOUSE:	1.2 m	0.99 m (EXISTING)	
LEFT YARD TO ADDITION:	1.2 m	**1.0 m (PROPOSED)	
BUILDING HEIGHT:	9.0 m	±7.38 m (EXISTING)	
BUILDING HEIGHT:	2 STOREYS	2 STOREYS (EXISTING)	
PARKING SPACES:	2	**0 (PROPOSED)	
** VARIANCE REQUIRED			

GFA CALCULATIONS:	
EXISTING BASEMENT:	501.5 sqft (46.6 sqm)
EXISTING MAIN FLOOR:	514.0 sqft (47.8 sqm)
EXISTING SECOND FLOOR:	473.8 sqft (44.0 sqm)
NEW BASEMENT:	380.8 sqft (35.4 sqm)
NEW ADDITION MAIN FLOOR:	377.6 sqft (35.1 sqm)
NEW SECOND FLOOR:	288.0 sqft (26.8 sqm)
MECHANICAL NOT INCLUDED:	70.0 sqft (6.5 sqm)
TOTAL GFA AREA:	2465.7 sqft (229.1 sqm)

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
REAR ADDITION & INTERIOR RENOVATIONS
142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
SITE PLAN & ZONING STATS.

No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Drawn By:
Checked By:
Scale: 1:100
Date: DEC 2021
Project No. 2020-101

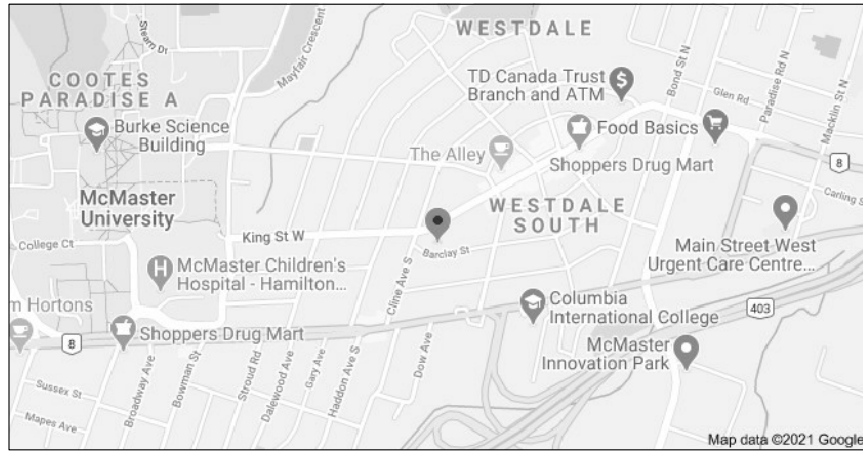
SP

PRIVATE RESIDENCE

REAR ADDITION & INTERIOR RENOVATIONS

142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5

ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:



EXISTING REAR ELEVATION: (FOR REF. ONLY)

BUILDING STATISTICS:	
BASEMENT PLAN	= 882.3 sq.ft (82.0 m2)
MAIN FLOOR PLAN	= 891.6 sq.ft (82.9 m2)
2ND FLOOR PLAN	= 761.8 sq.ft (70.8 m2)
TOTAL GFA	= 2465.7 sq.ft (229.1 m2)
FRONT PORCH	= 54.5 sq.ft. (5.1 m2)
REAR DECK	= 85.0 sq.ft. (7.9 m2)



REAR ELEVATION RENDERING: (FOR REF. ONLY)

ISSUED FOR COMMITTEE OF ADJUSTMENT

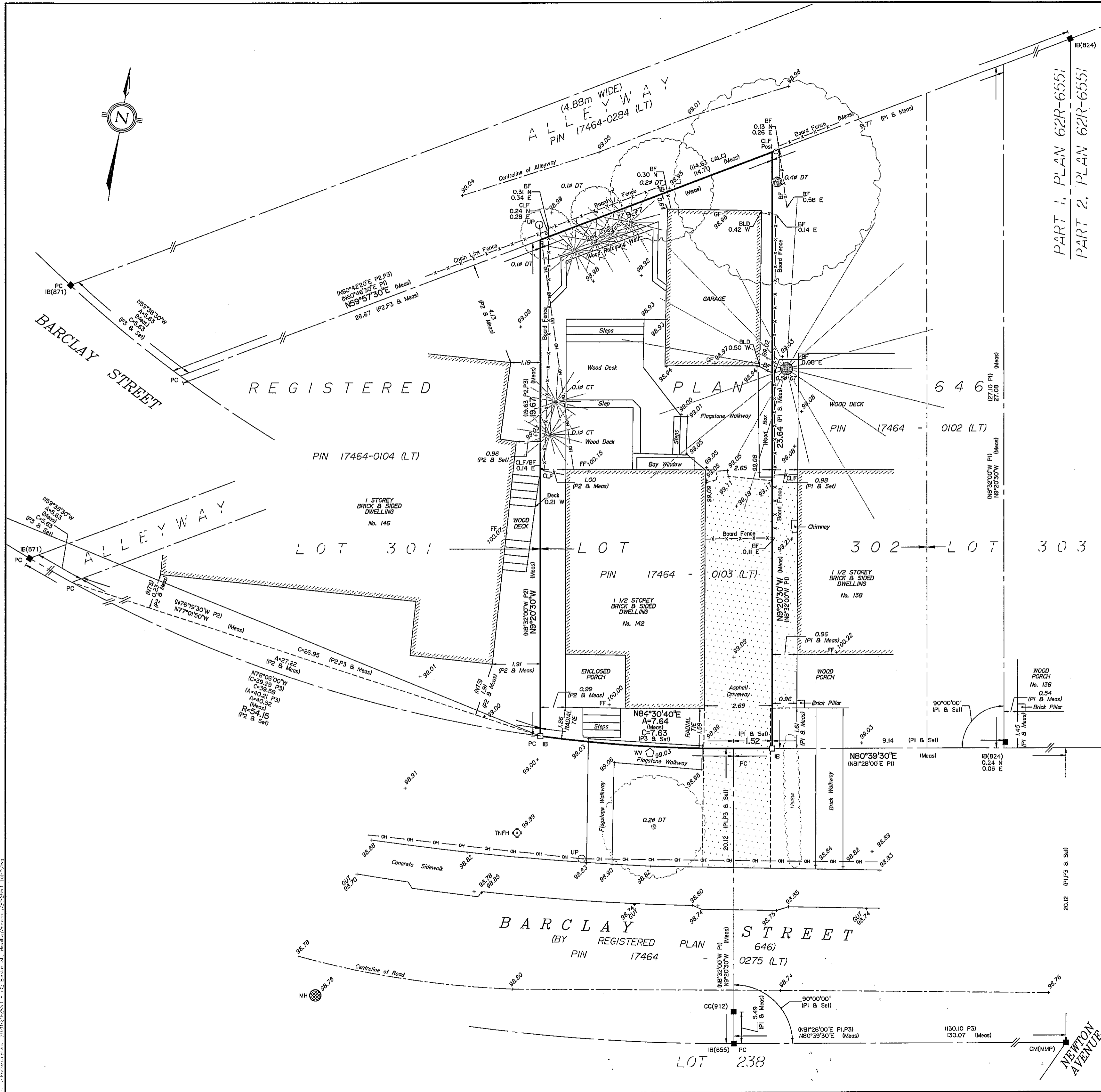
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
COVER PAGE AND ZONING

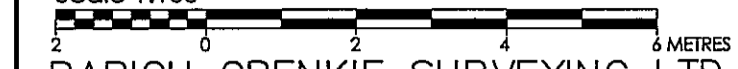
No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	N.T.S.
Date:	DEC 2021
Project No.:	2020-101

A1



TOPOGRAPHIC PLAN OF
PART OF LOT 302
REGISTERED PLAN 646
 IN THE
CITY OF HAMILTON

SCALE & NOTES
 Scale 1:100

BARICH GRENKIE SURVEYING LTD.
 A DIVISION OF GEOMAPLE
 © COPYRIGHT 2020

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

ELEVATION NOTE
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0011965U022 HAVING AN ELEVATION OF 98.156 m.

BEARING NOTE
 BEARINGS ARE UTM GRID, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° 00' WEST LONGITUDE) NAD83 (CSRS) (2010.0).

HORIZONTAL DATUM NOTE
 PROJECTION: UNIVERSAL TRANSVERSE MERCATOR (UTM, ZONE 17, CM 81°00'W)


DATUM: NAD83 (CSRS)(2010.0)

GRID SCALE CONVERSION
 DISTANCES ON THIS PLAN MAY BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999681.

NOTE
 BEARING COMPARISONS SHOWN ARE WITH ASTRONOMIC BEARINGS ON UNDERLYING PLANS.


LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CC	DENOTES	CUT CROSS
OU	DENOTES	ORIGIN UNKNOWN
824	DENOTES	A.T. McLAREN, O.L.S.
912	DENOTES	A.J. CLARKE, O.L.S.
655	DENOTES	J.T. PETERS, O.L.S.
MMP	DENOTES	MACKAY, MACKAY & PETERS, O.L.S.
871	DENOTES	D.A. HARRINGTON, O.L.S.
P1	DENOTES	PLAN BY A. T. McLAREN LTD. DATED NOVEMBER 22, 1991
P2	DENOTES	PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED JULY 20, 1976
P3	DENOTES	REGISTERED PLAN 646
P4	DENOTES	PLAN 62R-6551
CALC	DENOTES	CALCULATION DERIVED FROM P3 & P4
NTS	DENOTES	NOT TO SCALE
WIT	DENOTES	WITNESS
MH	DENOTES	MANHOLE
GUT	DENOTES	GUTTER ELEVATION
BC	DENOTES	BOTTOM OF CURB ELEVATION
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
UP	DENOTES	UTILITY POLE
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
TNFH	DENOTES	TOP NUT OF FIRE HYDRANT
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
PC	DENOTES	POINT OF CURVE
WV	DENOTES	WATER VALVE
Ø	DENOTES	DIAMETER

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
2131750

 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1926, Section 29(3)

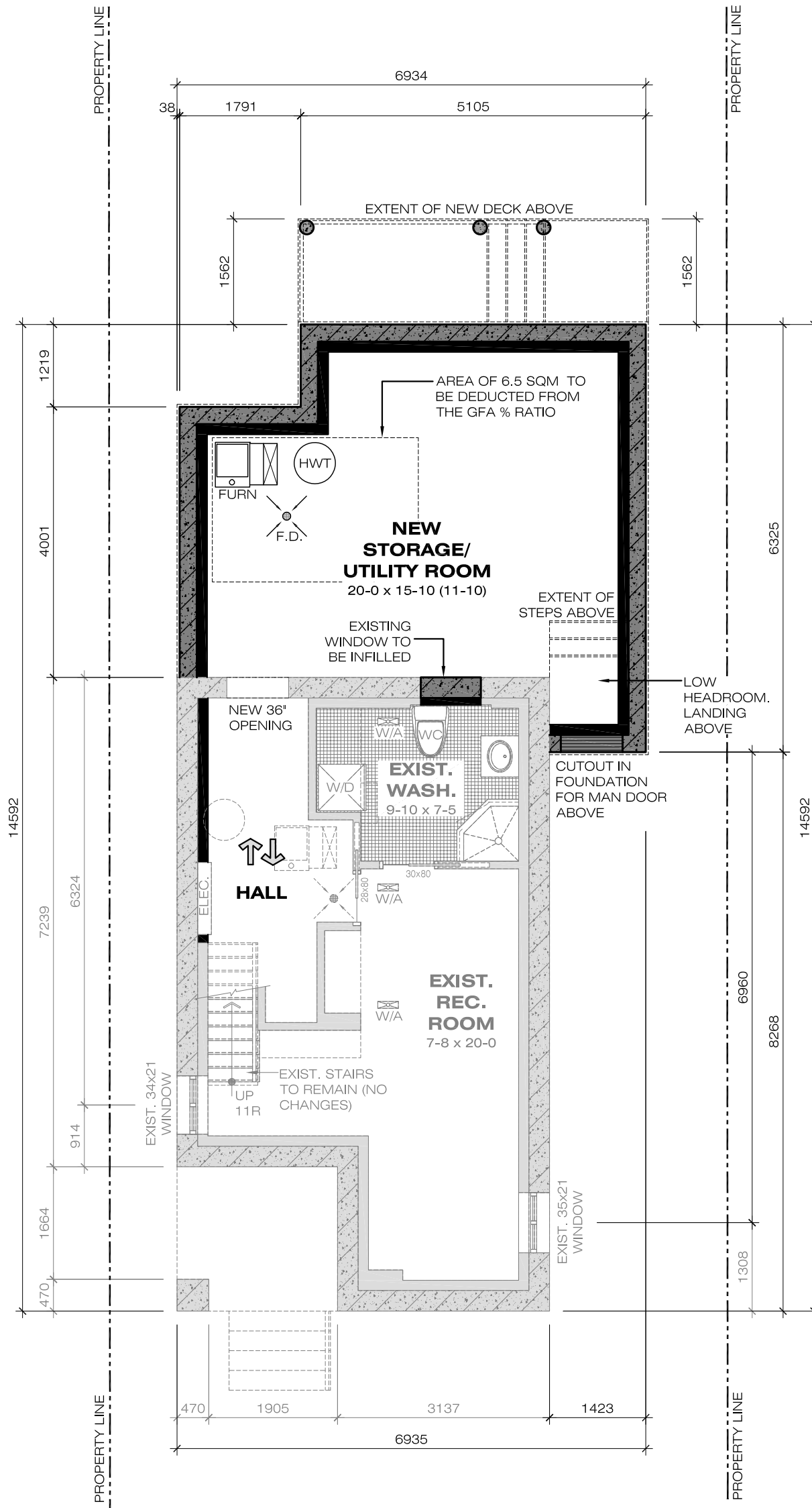
THIS PLAN WAS PREPARED FOR KAREN FAIRWEATHER AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON AUGUST 21, 2020.

SEPTEMBER 14, 2020

 MATTHEW DI COSMO
 ONTARIO LAND SURVEYOR

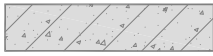
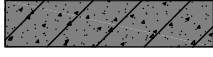


Barich Grenkie
 Surveying Ltd.
 297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON
 L8G 1E5 (405) 662-6767
 A DIVISION OF GEOMAPLE

DWN BY: EWA
CHK BY: MD
JOB No. 20-2694



FOUNDATION/ BASEMENT PLAN
 EXISTING FLOOR AREA = 501.5 sqft (46.6 sqm)
ADDITION FLOOR AREA = 380.8 sqft (35.4 sqm)
 CEILING HEIGHT = 6'-6" U.N.O.
 HABITABLE ROOMS = 1

WALL LEGEND

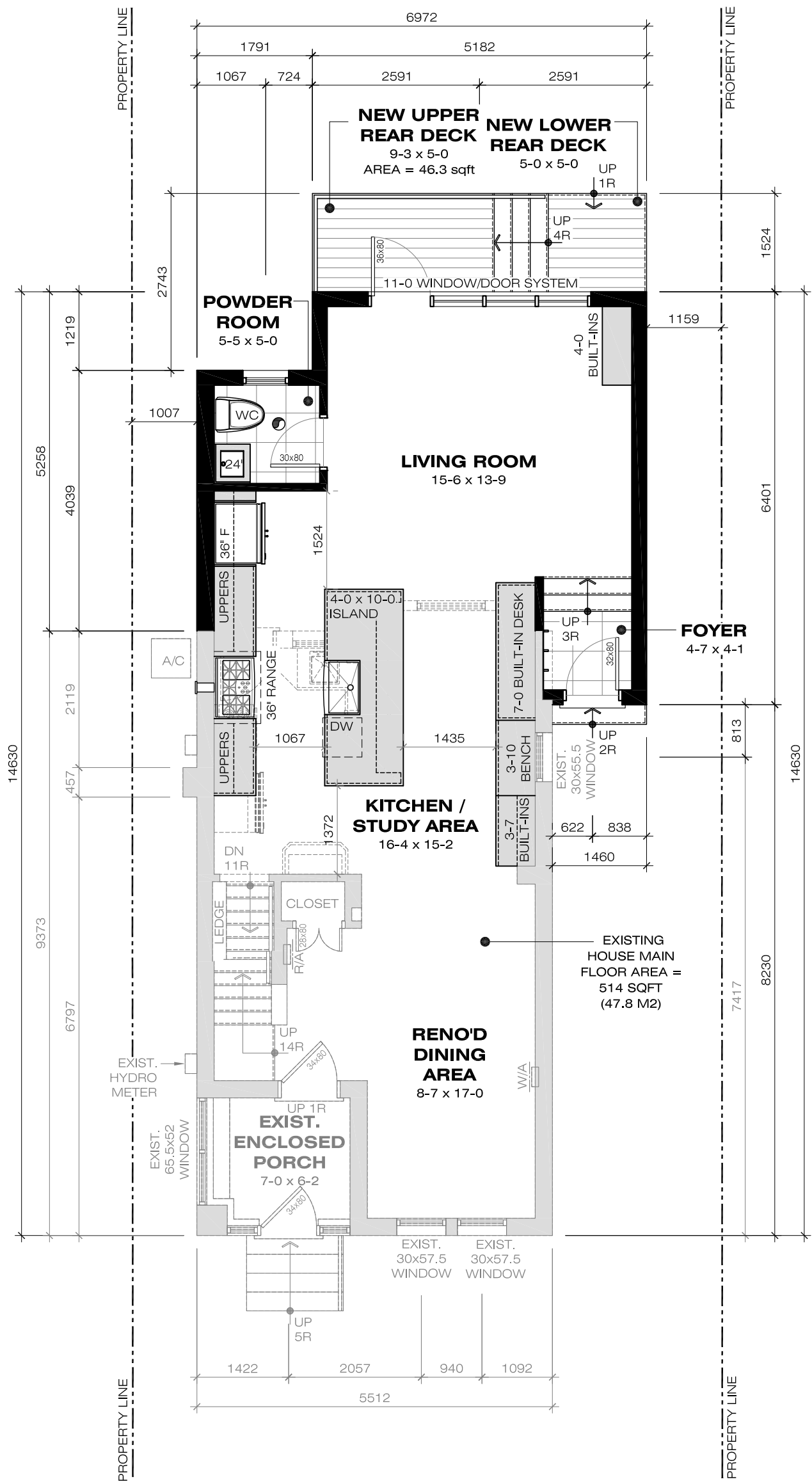
-  EXISTING FOUNDATION WALLS TO REMAIN
-  NEW FOUNDATION WALLS
-  EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
-  NEW INTERIOR / EXTERIOR WALLS

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
BASEMENT FLOOR PLAN

Checked By:		Scale: 1:75	
Date: DEC 2021		Project No. 2020-101	
<div style="font-size: 48px; text-align: center; margin-top: 20px;">A2</div>		2 DEC 16/21 ISSUED FOR COFA 1 DEC 01/21 ISSUED FOR REVIEW	
		No.	Date:



MAIN FLOOR PLAN
 EXISTING FLOOR AREA = 514.0 sqft (47.8 sqm)
ADDITION AREA = 377.6 sqft (35.1 sqm)
 CEILING HEIGHT = 7'-11"
HABITABLE ROOMS = 3

WALL LEGEND

- EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
- NEW INTERIOR / EXTERIOR WALLS
- EXISTING INTERIOR / EXTERIOR WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT

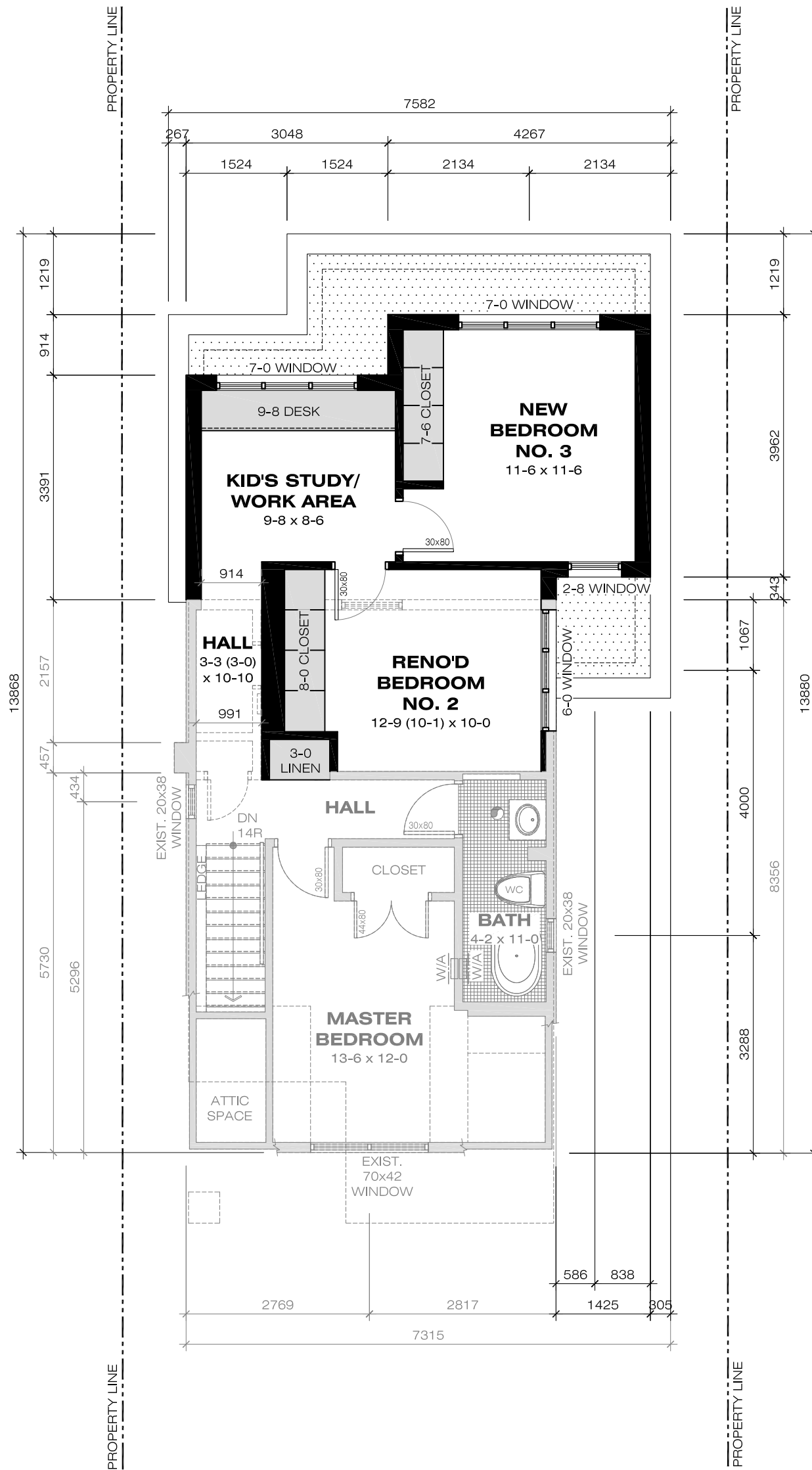
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
MAIN FLOOR PLAN

No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.:	2020-101

A3



SECOND FLOOR PLAN





EXISTING FLOOR AREA = 473.8 sqft (47.7 sqm)

ADDITION AREA = 288.0 sqft (26.8 sqm)

CEILING HEIGHT = 7'-8" U.N.O.

HABITABLE ROOMS = 4

WALL LEGEND

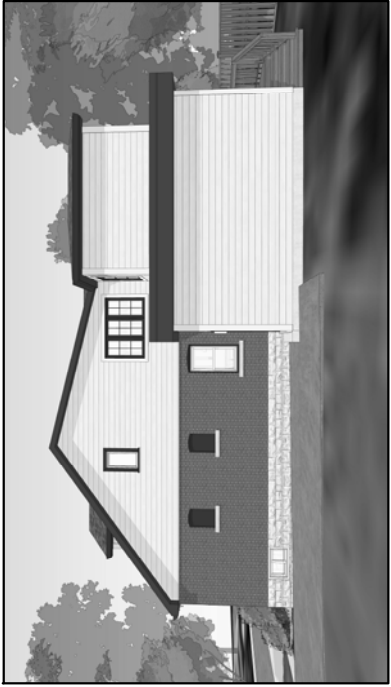
-  EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
-  NEW INTERIOR / EXTERIOR WALLS
-  EXISTING INTERIOR / EXTERIOR WALLS TO BE REMOVED
-  NEW LOW SLOPED ROOF BELOW

ISSUED FOR COMMITTEE OF ADJUSTMENT

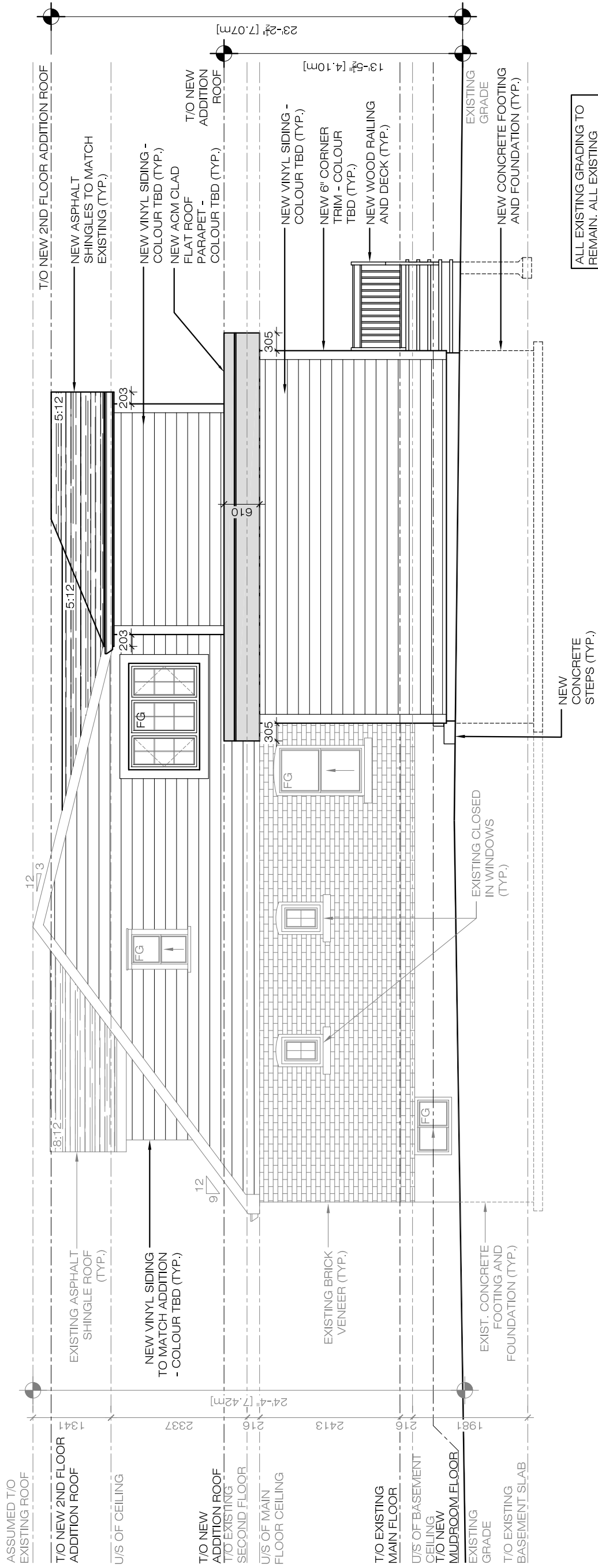
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
SECOND FLOOR PLAN

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.:	2020-101
A4	
No.	Date: Issue/Revision
2	DEC 16/21 ISSUED FOR COFA
1	DEC 01/21 ISSUED FOR REVIEW



RIGHT SIDE RENDERING: (FOR REF. ONLY)



ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

RIGHT SIDE ELEVATION

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
RIGHT SIDE ELEVATION

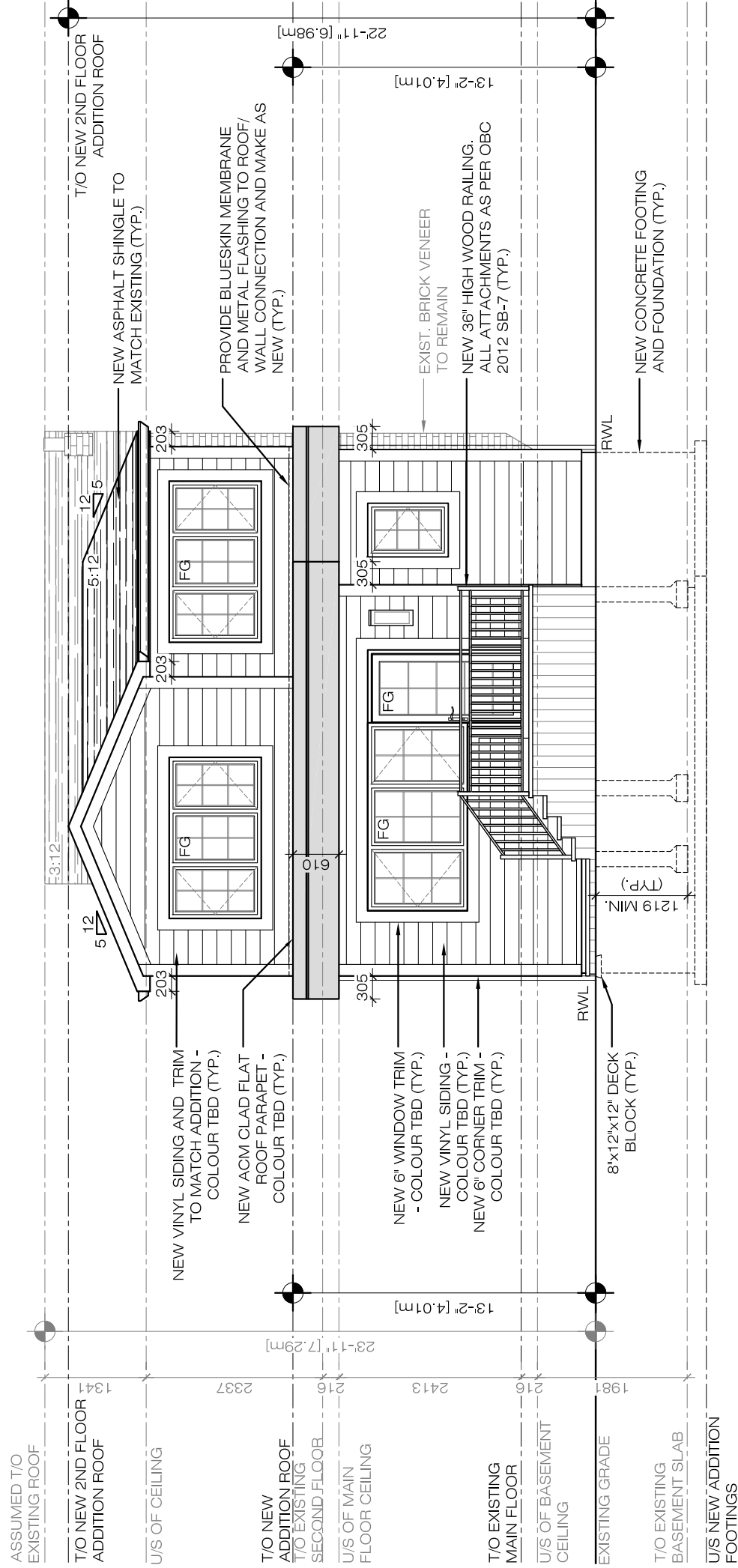
No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.	2020-101

A5



REAR RENDERING: (FOR REF. ONLY)



ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

REAR ELEVATION

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
REAR ELEVATION

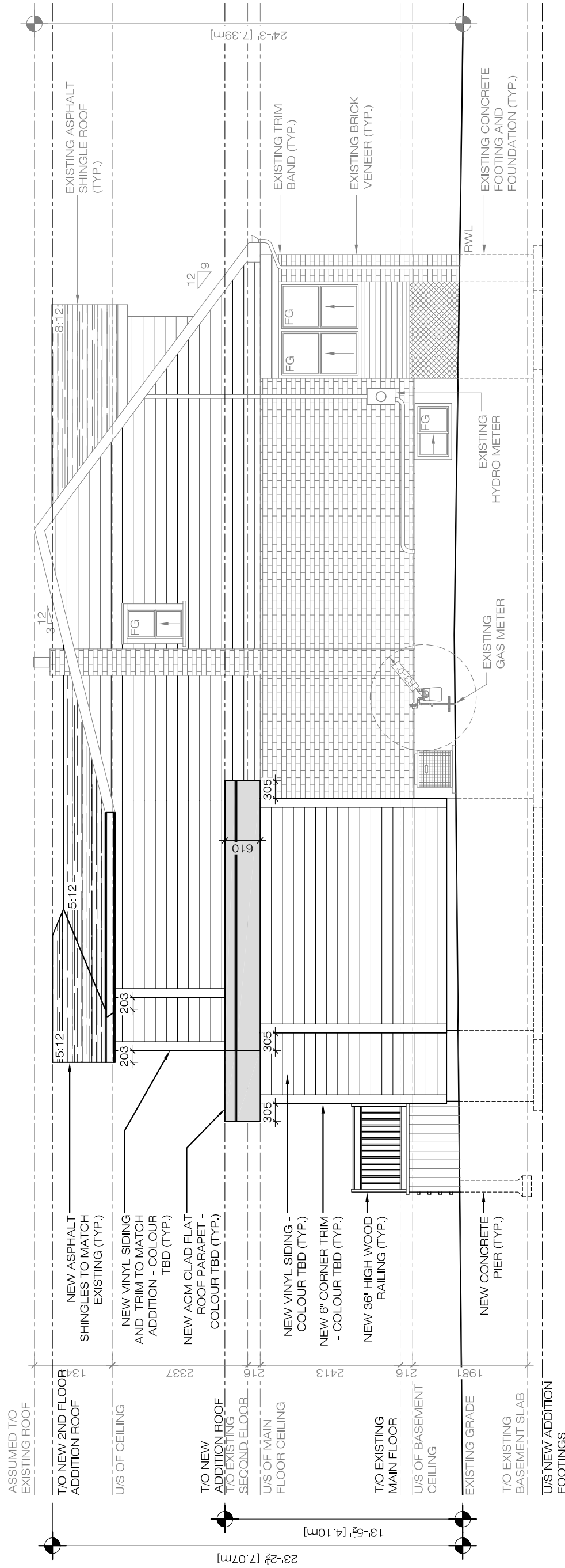
No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.	2020-101

A6



LEFT SIDE RENDERING: (FOR REF. ONLY)



LEFT SIDE ELEVATION

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 142 BARCLAY STREET,
 HAMILTON, ONTARIO. L8S 1P5

Sheet Title:
LEFT SIDE ELVATION

No.	Date:	Issue/Revision
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.	2020-101

A7



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:

Proposed 115.1% GFA where max. 45% is permitted. Proposed 4.65m rear yard to house where 7.5m is allowed. Proposed 3.22m rear yard to deck where 7.5m is allowed. Proposed 1.16m right yard to house where 1.2m is allowed. Proposed 1.0m left yard to house where 1.2m is allowed. Proposed 0 parking spaces where min. 2 are required.

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

This design is required to accommodate a growing single family dwelling. The addition will allow them to stay in Westdale, as their roots are in the community. The design will allow them to have the required space to raise their family here, as the existing house size exceeds max GFA ratio. Any addition size will trigger a variance. With the design requirements for the addition we are not able to meet the required setbacks. ❑

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 302, Registered Plan 646
142 Barclay Street, Hamilton, ON. L8S 1P5

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?

Homeowner

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.

Dec 7, 2021

Date

 & Kari Fairweather

Signature Property Owner

Fraser Brown & Kari Fairweather

Print Name of Owner

10. Dimensions of lands affected.

Frontage	9.14 m
Depth	21.85 m
Area	199.0 m ²
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:

Existing SFD: Ground floor area 47.8 m², Gross floor area 134.6 m², 2 Storeys, Width 5.51m, Length 9.37m, Height 7.38 m

Existing Detached Garage: Ground and Gross floor area 23.1 m², 1 Storey, Width 3.73m, Length 6.19m

Proposed

Rear yard addition: Ground floor area 35.1m², Second floor area: 47.7m², 2 Storey, Width 6.97m, Length 6.40m, Height 7.07m

Rear yard deck: Total area 7.9m², Width 5.18m, Length 1.52m

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 SFD: Front yard 1.26m, Right yard 2.69m, Left yard 0.99m

Existing Detached Garage: Right yard 0.42m, Rear yard 0.64m

Proposed:

Rear yard addition: Right yard 1.16m, Left yard 1.00m, Rear yard 4.65m

Rear yard deck: Right yard 1.16m, Rear yard 3.22m

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:
Residential
16. Existing uses of abutting properties:
Residential
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C/S-1788, S-1361
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-21:432

APPLICANTS: Owner Albert Hordyk

SUBJECT PROPERTY: Municipal address **1205 Centre Rd., Flamborough**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a new two (2) storey addition in the side yard of the existing Single Detached Dwelling notwithstanding that:

1. A rear yard setback of 7.5m shall be provided instead of the minimum required rear yard setback of 10.0m.

NOTES:

- i. Please be advised that a maximum building height of 10.5m is permitted. Elevation plans have not been provided in order to confirm zoning compliance. Further variances may be required if zoning compliance cannot be achieved.
- ii. Eaves and gutters associated with the proposed addition are permitted to project into a required yard not more than 0.6m. Details have not been provided to determine zoning compliance.

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

DATE: Thursday, February 3rd, 2022
TIME: 2:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

FL/A-21: 432

Page 2

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

MORE INFORMATION

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

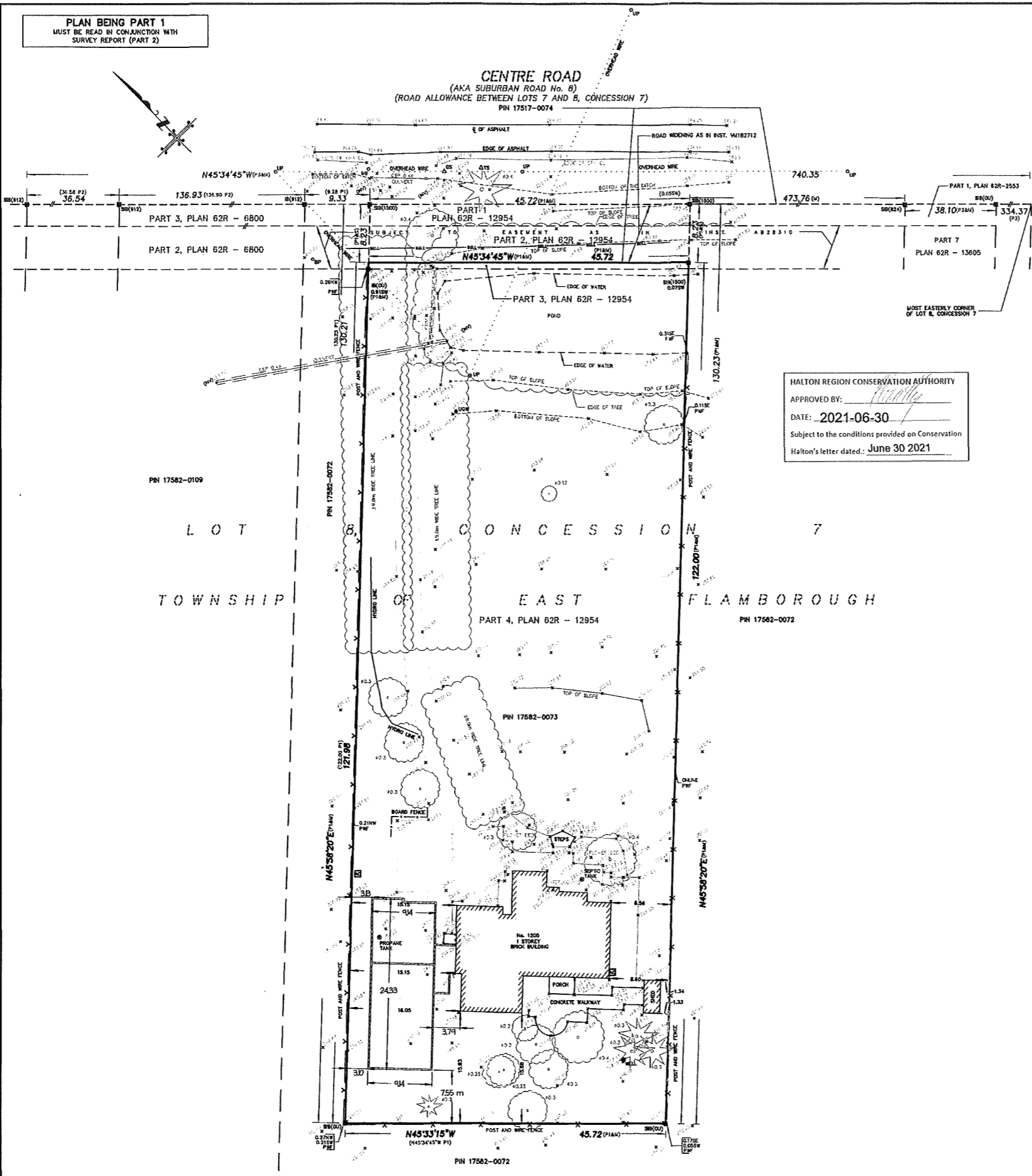
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 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.

RECEIVED
CONSERVATION
HALTON
JUN 22 2021



SURVEYOR'S REAL PROPERTY REPORT
PLAN OF OF SURVEY SHOWING TOPOGRAPHY OF
PART OF LOT 8
CONCESSION 7
 IN THE
 GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH
CITY OF HAMILTON
 SCALE 1 : 300
 MockAY, MockAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2021

KNOWN AS MUNICIPAL No. 1205 CENTRE ROAD
REPORT SUMMARY (PART 2) (to be read in conjunction with Part 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
 BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - MARCH 24, 2021
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 SUBJECT TO EASEMENT AS IN INST. No. A338310
ADDITIONAL REMARKS:
 REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES AND UTILITIES.
Note
 MockAY, MockAY & PETERS LIMITED grants BARRY HORVYK ("The Client(s)"), their solicitor and other
 related parties permission to use "Original Copies" of the Surveyor's Real Property Report in
 transactions involving "The Client(s)".

HALTON REGION CONSERVATION AUTHORITY
 APPROVED BY: *[Signature]*
 DATE: 2021-06-30
 Subject to the conditions provided on Conservation
 Halton's letter dated: June 30 2021

"METRIC" DISTANCES SHOWN HEREON ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
Benchmark Note
 CITY OF HAMILTON BENCHMARK No. C011878/102
 ELEVATION = 258.107 METRES CVD 1928.1878 ADJUSTMENT
 HAMILTON-NORTHWEST FLAMBOROUGH CENTRE SENIOR SCHOOL, ALONG CENTRE ROAD, 4.3 KM NORTHWEST OF
 INTERSECTION WITH HIGHWAY NO. 8, 0.3 KM SOUTHEAST OF EAST FLAMBOROUGH CONCESSION 16, TABLE IN
 NORTHWEST CORNER FOUNDATION 1.41 M FROM WEST CORNER BESIDE DOOR, 9 CM BELOW BENCHMARK.
Legend
 ■ DENOTES A SURVEY MONUMENT FOUND
 □ DENOTES A SURVEY MONUMENT PLANNED
 SR DENOTES STANDARD IRON BAR
 RB DENOTES ROSS BAR
 # DENOTES ROD
 WT DENOTES WITNESS MONUMENT
 PH DENOTES PROPERTY IDENTIFICATION NUMBER
 CL DENOTES CENTRE LINE
 P1 DENOTES PLAN 62R - 12954
 P2 DENOTES PLAN 62R - 6800
 P3 DENOTES PLAN 62R - 13605
 UP DENOTES UTILITY POLE
 WB DENOTES WALK WAY
 TS DENOTES TRAFFIC SIGN
 MB DENOTES MAIL BOX
 PWF DENOTES POST AND WIRE FENCE
 AC DENOTES AIR CONDITIONER
 BP DENOTES BELL PEDestal
 UWB DENOTES UTILITY GUY WIRE
 SBW DENOTES STONE retaining WALL
 ○ DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
 * DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
 BUILDING TIES ARE TO THE FOUNDATION UNLESS OTHERWISE NOTED.

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 2146399

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

Bearing Reference
 BEARINGS ARE ASTROLOGICAL AND ARE REFERRED TO THE SOUTH WESTERLY LIMIT OF CENTRE ROAD AS SHOWN ON
 PLAN 62R-12954, HAVING A BEARING OF N45°34'45"W

Surveyor's Certificate
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT,
 THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 14th DAY OF APRIL, 2021

MAY 17, 2021
 DATE
 AISAR BHERI
 ONTARIO LAND SURVEYOR
 FOR MOCKAY, MOCKAY & PETERS LIMITED

CAD FILE: E:\1823_Hamilton-Waterloo\017017 FLAMBOROUGH EAST\001-001\21-099.dwg
 3380 South Service Road
 Unit 101
 Burlington, ON
 L7R 4K5
 (905) 639-1375
 ham@mmplimited.com
 mmplimited.ca
 mmplotters.ca
 SINCE 1906
 DRAW BY: E.S./S.S.
 PART 0261: C.H.
 CHECKED BY: A.P.
 PROJECT NO: 21-099



Hamilton

Planning and Economic Development Department
Planning Division

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

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

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

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

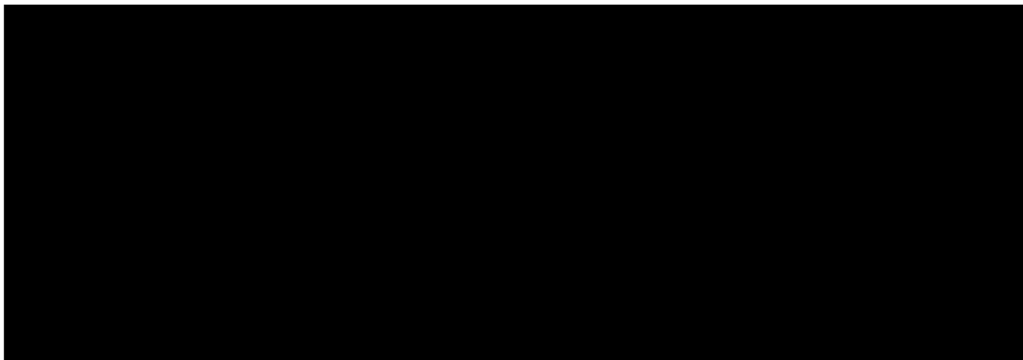
**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

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

- 1.
- 2.
- 3.
- 4.



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

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

NONE

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

ADDITION SETBACK 7.5m FROM BACK
PROPERTY LINE, INSTEAD OF 10m AS PER
AI ZONING.

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

IF SETBACK IS 10M WE WOULD HAVE
TO REMOVE A MATURE NATIVE RED MAPLE.
AT 7.5M WE CAN SAVE THE MAPLE
AT THE FRONT OF THE ADDITION

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

1205 CENTRE RD
PART OF LOT 9, CONVESSION 7
PLAN 62R 12954

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

HAS BEEN PRIVATE RESIDENCE SINCE 1994

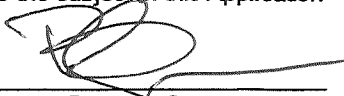
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

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

NOV. 5, 2021
Date


Signature Property Owner
ALBERT (BARRY) HORDYK
Print Name of Owner

10. Dimensions of lands affected:

Frontage 45.72 meters
Depth 122.00 meters
Area 5577.84 m²
Width of street 13 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: _____

Proposed: 2 CAR GARAGE WITH HOME OFFICE ABOVE;
INDOOR POOL BEHIND GARAGE
TOTAL AREA: 24.33m x 9.14m = 222.38 m² 234.24
ROOF HEIGHT: 7.85m BREEZEWAY 11.86m²

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

Existing: SIDE: 8.56m + 15.15m
BACK: 15.68m
FRONT: 87m

Proposed: SIDE: 3.10m
BACK: 7.5m
FRONT: 92m

13. Date of acquisition of subject lands:
OCTOBER 30, 2020
14. Date of construction of all buildings and structures on subject lands:
OCTOBER 1994
15. Existing uses of the subject property: RESIDENTIAL
-
16. Existing uses of abutting properties: ORCHARD / AGRICULTURAL
+ RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
27 YEARS
18. Municipal services available: (check the appropriate space or spaces) NONE
 Water _____ Connected _____
 Sanitary Sewer _____ Connected _____
 Storm Sewers _____
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:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-21:435

APPLICANTS: Agent JB Drafting J. Bognar
 Owners Alison & Tyler Boehme

SUBJECT PROPERTY: Municipal address **29 Oak Ave., Flamborough**

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

ZONING: "S1" (Settlement Residential (S1) Zone)

PROPOSAL: To permit construction of a 5.18m (17'0") x 9.144m (30'0") detached building (proposed garage) accessory to the existing single detached dwelling notwithstanding that:

1. A maximum accessory building height of 6.4m shall be provided for the proposed accessory building (proposed garage) instead of the maximum required accessory building height of 4.5m.
2. A maximum aggregate gross floor area of 100m² shall be provided for all accessory buildings instead of the requirement that the aggregate gross floor area of all accessory buildings shall not exceed 45m².
3. Eaves and gutters for the proposed accessory building (proposed garage) shall be permitted to encroach into any required yard to a maximum of 0.6m instead of the requirement that an eave or gutter of any accessory building may encroach into any required yard to a maximum of 0.45 metres.

NOTE:

- i) The Agent has confirmed that the workshop on the 2nd floor is a personal workshop intended for a single family residential hobby use only and not for commercial or industrial uses.

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

DATE: Thursday, February 3rd, 2022
TIME: 3:00 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

FL/A-21: 435
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

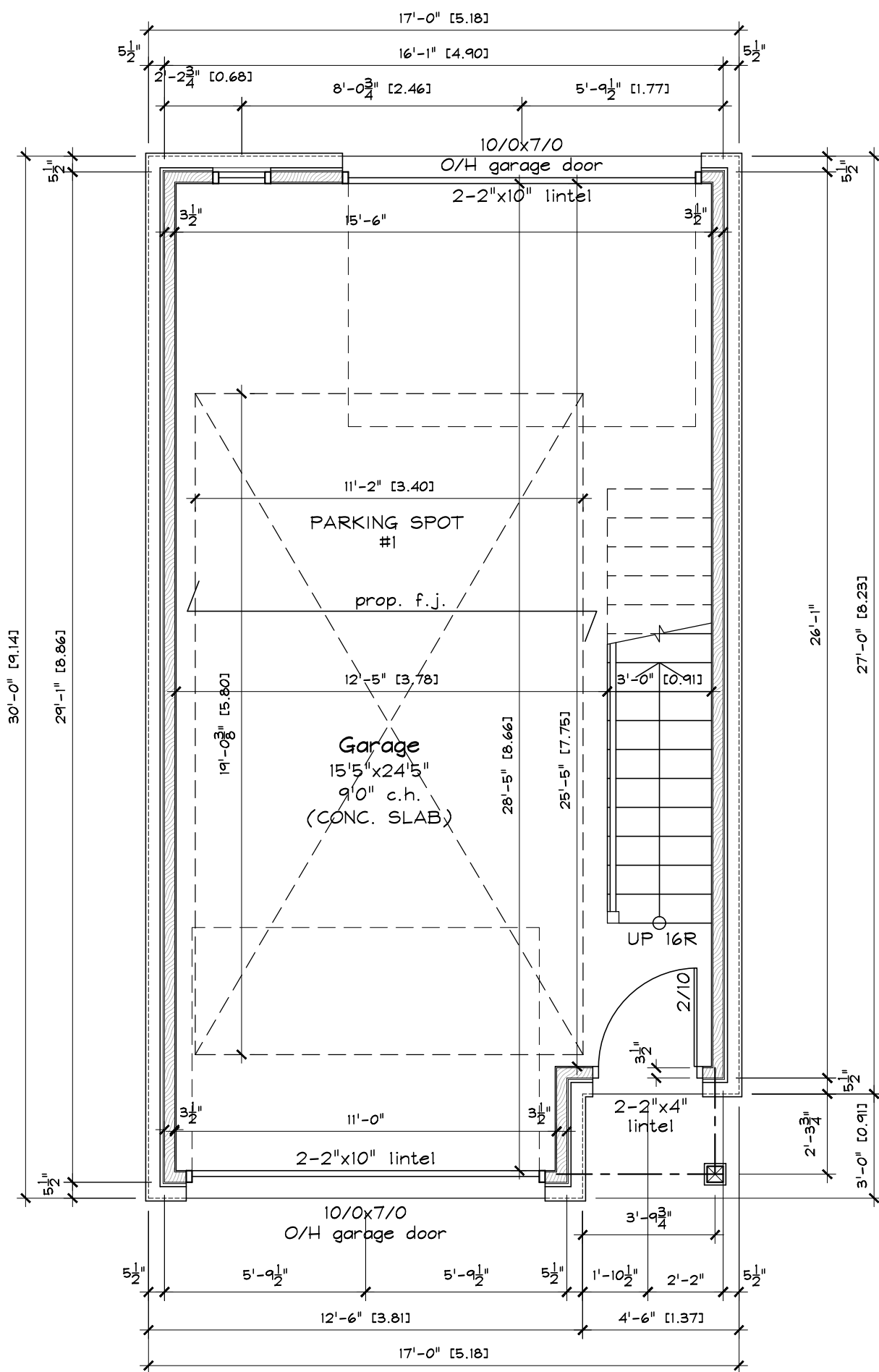
For more information on this matter, including access to drawings illustrating this request:

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

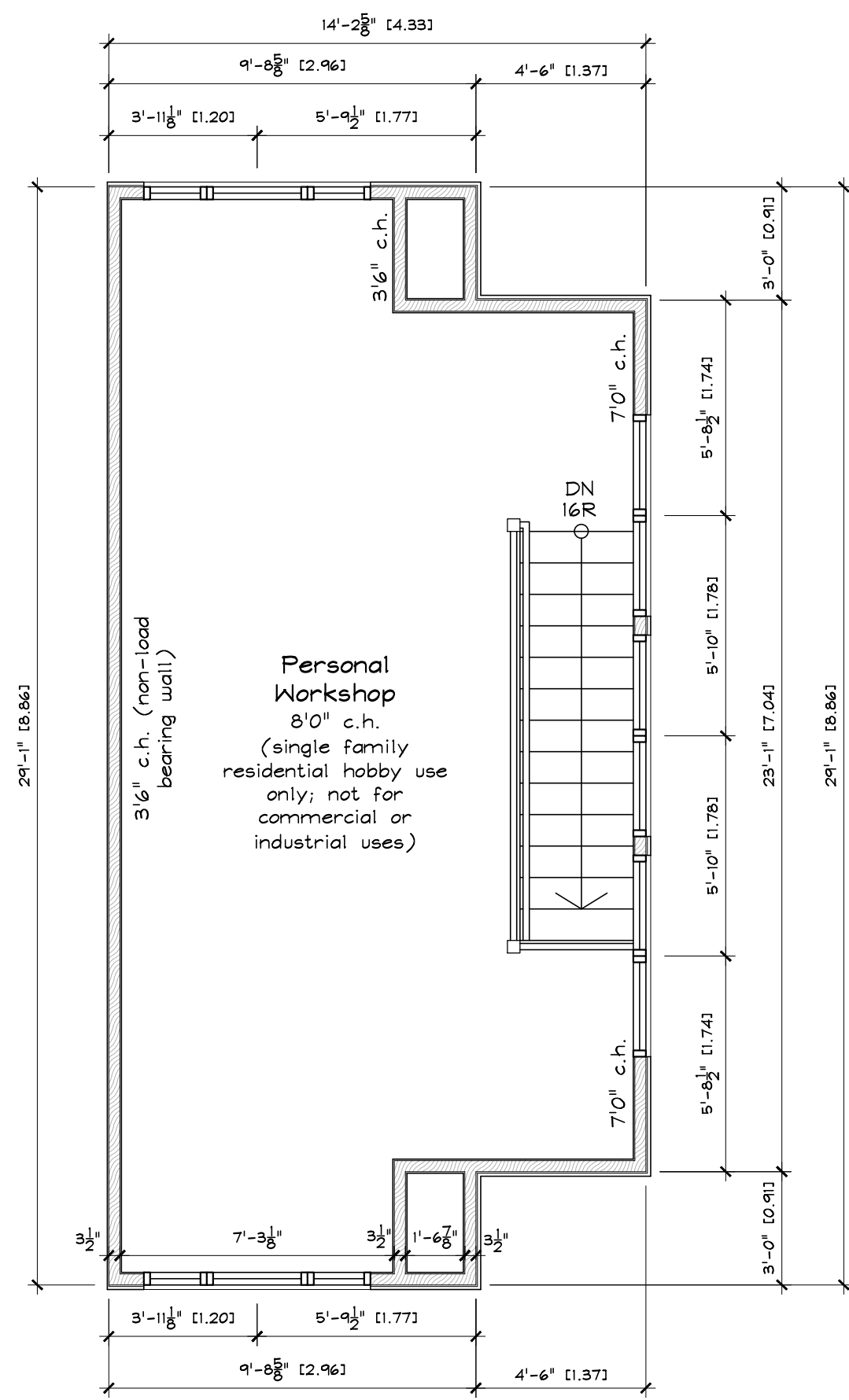
DATED: January 18th, 2021.

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.



Floor Area: 496.50 sq. ft. (46.13 sq. m.)



Floor Area: 375.22 sq. ft. (34.86 sq. m.)

THE BOEHME RESIDENCE
29 OAK AVENUE
GREENSVILLE, ON
L9H 4Z1

drafting + design

- 193 East 43rd Street
- Hamilton, ON L8T 3C3
- jdraftinganddesign@live.ca
- 905.517.6027

PRELIMINARY
01.11.22 signature required
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
09-19-21	ISSUED FOR REVIEW
10-29-21	ISSUED FOR REVIEW
11-01-21	ISSUED FOR C.O.F.A.
01-11-22	RE-ISSUED FOR C.O.F.A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

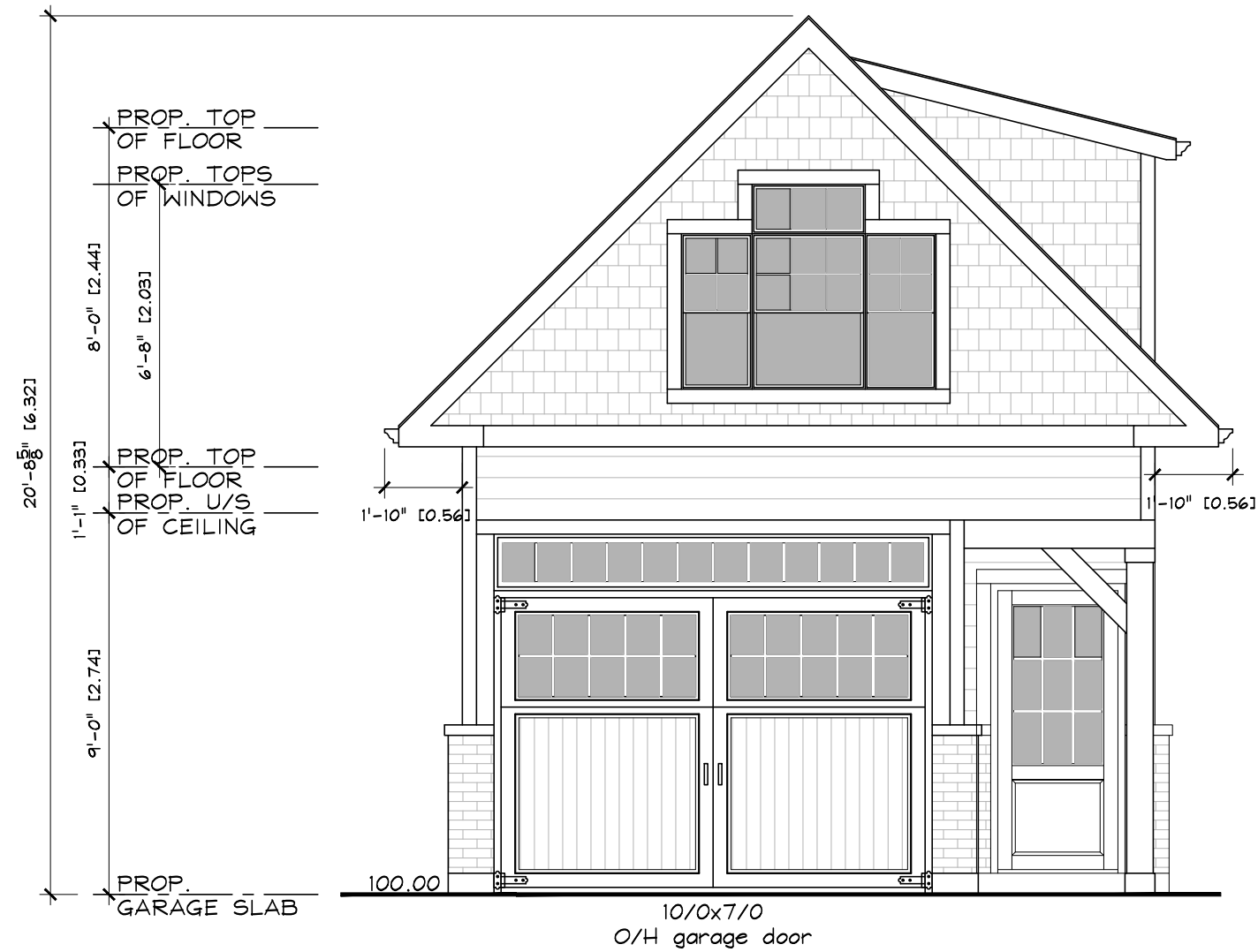
FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

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ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

FLOOR PLANS
1/4" = 1'-0"

SHEET **A2** OF 8



THE BOEHME RESIDENCE
 29 OAK AVENUE
 GREENSVILLE, ON
 L9H 4Z1

drafting + design

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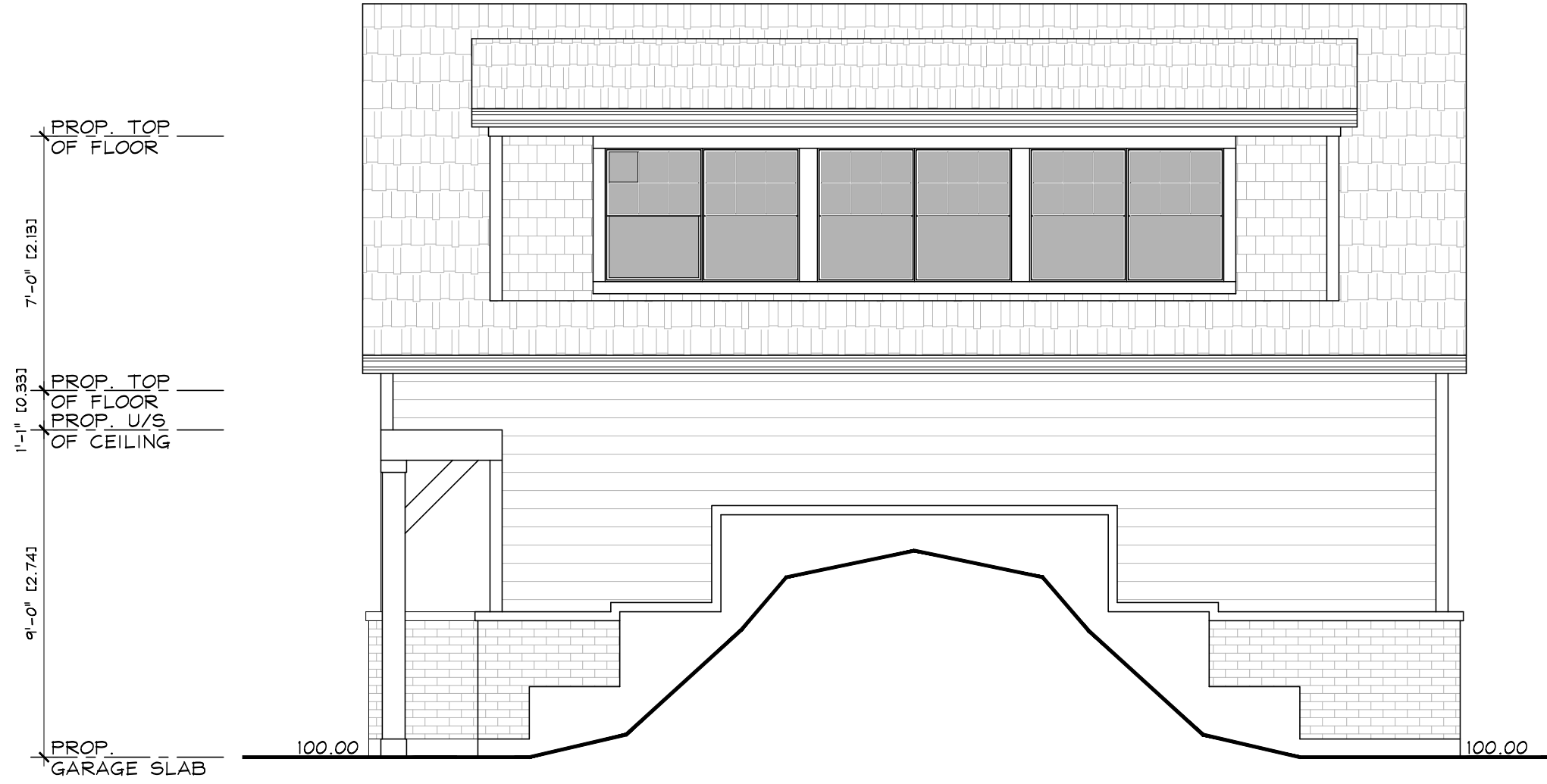
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FRONT ELEVATION
 1/4" = 1'-0"

SHEET **A3** OF 8



THE BOEHME RESIDENCE
 29 OAK AVENUE
 GREENSVILLE, ON
 L9H 4Z1

drafting + design

193 East 43rd Street
 Hamilton, ON L8T 3C3
 jbdraftinganddesign@live.ca
 905.517.6027

PRELIMINARY
 01.11.22 signature required
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 firm bcin 103416 individual bcin 33001

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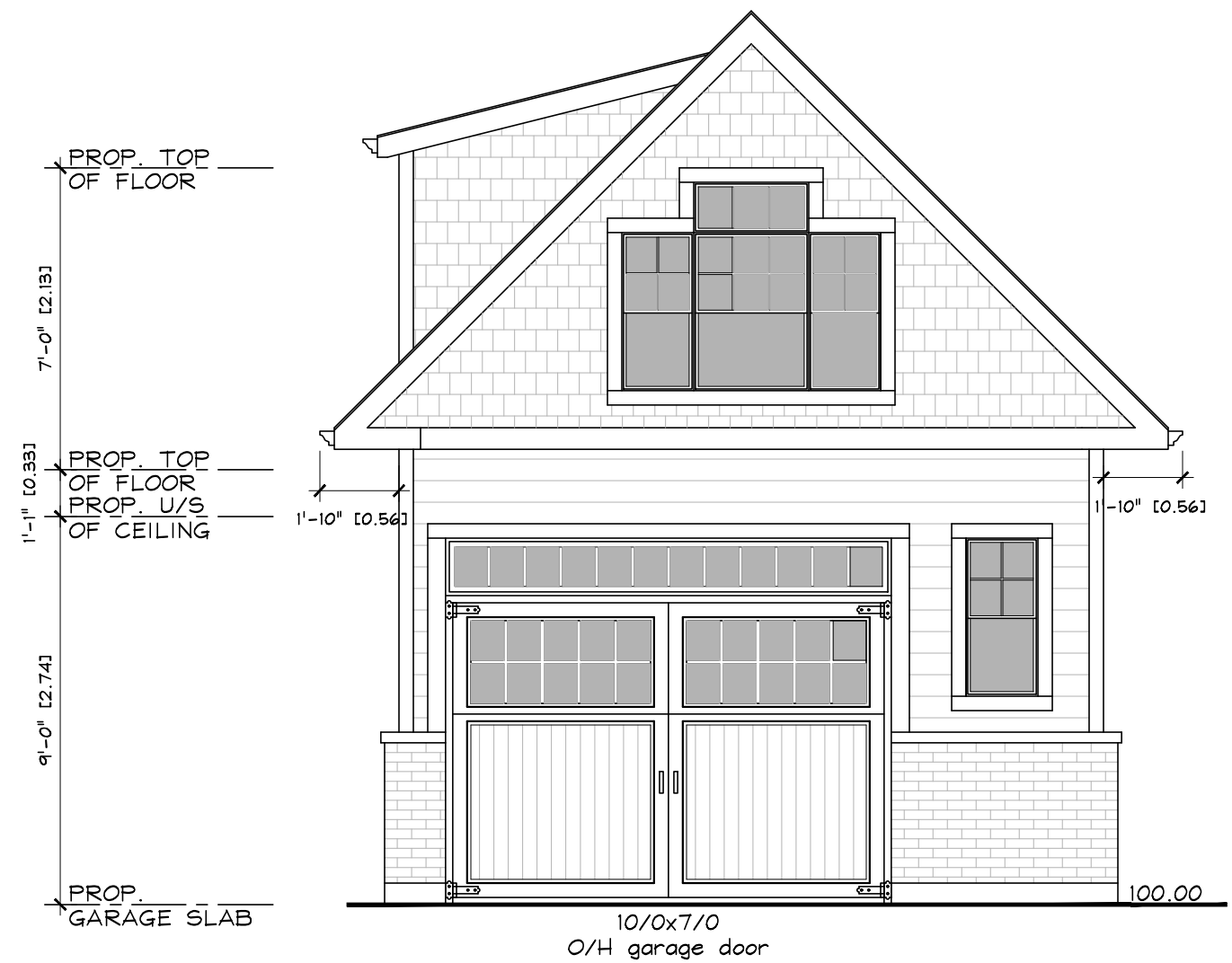
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RIGHT SIDE ELEVATION
 1/4" = 1'-0"

SHEET **A4** OF 8



**THE BOEHME
RESIDENCE**
29 OAK AVENUE
GREENSVILLE, ON
L9H 4Z1

**drafting
+ design**

193 East 43rd Street
Hamilton, ON L8T 3C3
jbdraftinganddesign@live.ca
905.517.6027

PRELIMINARY
01.11.22 signature required
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firm bcin 103416 individual bcin 33001

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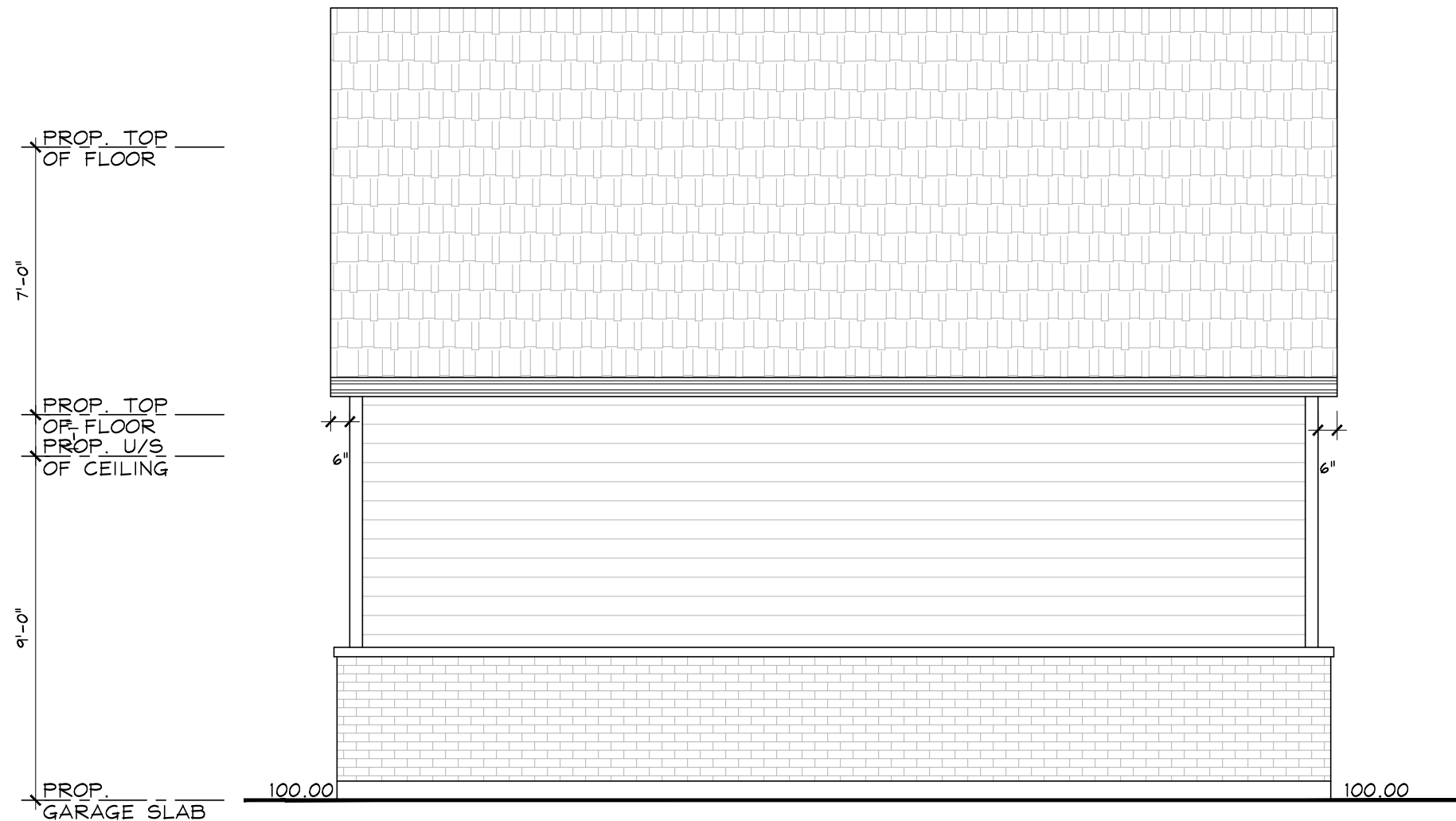
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**REAR
ELEVATION**
1/4" = 1'-0"

SHEET **A5** OF 8



**THE BOEHME
RESIDENCE**
29 OAK AVENUE
GREENSVILLE, ON
L9H 4Z1

**drafting
+ design**

- 193 East 43rd Street
- Hamilton, ON L8T 3C3
- jbdraftinganddesign@live.ca
- 905.517.6027

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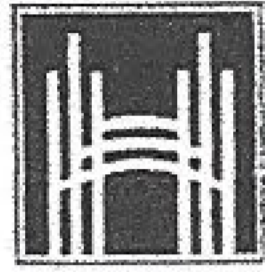
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LEFT SIDE
ELEVATION
1/4" = 1'-0"

SHEET **A6** OF 8



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. *Please include Alison Boehme (email above) on all communication*

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

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

4. Nature and extent of relief applied for:
 *Variance for height of 5.96 m. instead of req'd 4.5m.
 *Variance for overhang encroachment of 0.56 m. instead of max. 0.45 m.
 *Variance for Gross Floor Area of 99.57 sq. m. (of all floors of all accessory buildings on lot) instead of req'd 45 sq. m.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

See attached

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**):

29 Oak Avenue, Dundas 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?

known history of area

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

Nov. 12/2021
Date

A. Bohmer + T. Bohmer
Signature Property Owner(s)

Alison + Tyler Boehmer
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>36.58 m.</u>
Depth	<u>60.96 m.</u>
Area	<u>2227.49 sq. m.</u>
Width of street	<u>20.0 m.</u>

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

Existing: _

Existing dwelling: 2 stories, 12.93 m. x 11.21 m., 107.20 sq. m. ground floor area

Proposed

Proposed 2 story detached garage, 46.13 sq. m. ground floor area, 80.99 sq. m. gross floor area, 5.96 m. 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:

Existing dwelling: 7.74 m. front, 8.51 m. right side

Proposed:

Proposed Garage: 9.73 m. front, 1.22 m. left side, 41.80 m. rear

13. Date of acquisition of subject lands: August, 2018
14. Date of construction of all buildings and structures on subject lands:
House - 1956 Shed - 2017
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:
Always
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:
Rural Settlement Area
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone S1
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-21:329

APPLICANTS: Agent Gordon Griffths
 Owner Paul & Kerry Johnson

SUBJECT PROPERTY: Municipal address **1314 Concession Rd. 6 W., Flamborough**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of a new 90m² accessory building in the rear yard of the existing Single Detached Dwelling notwithstanding that:

1. A total gross floor area of 100.0m² shall be provided for all accessory buildings instead of the maximum permitted aggregate gross floor area of 45.0m².

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

DATE: Thursday, February 3rd, 2022
TIME: 3:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

- Visit www.hamilton.ca/committeeofadjustment

FL/A-21: 329

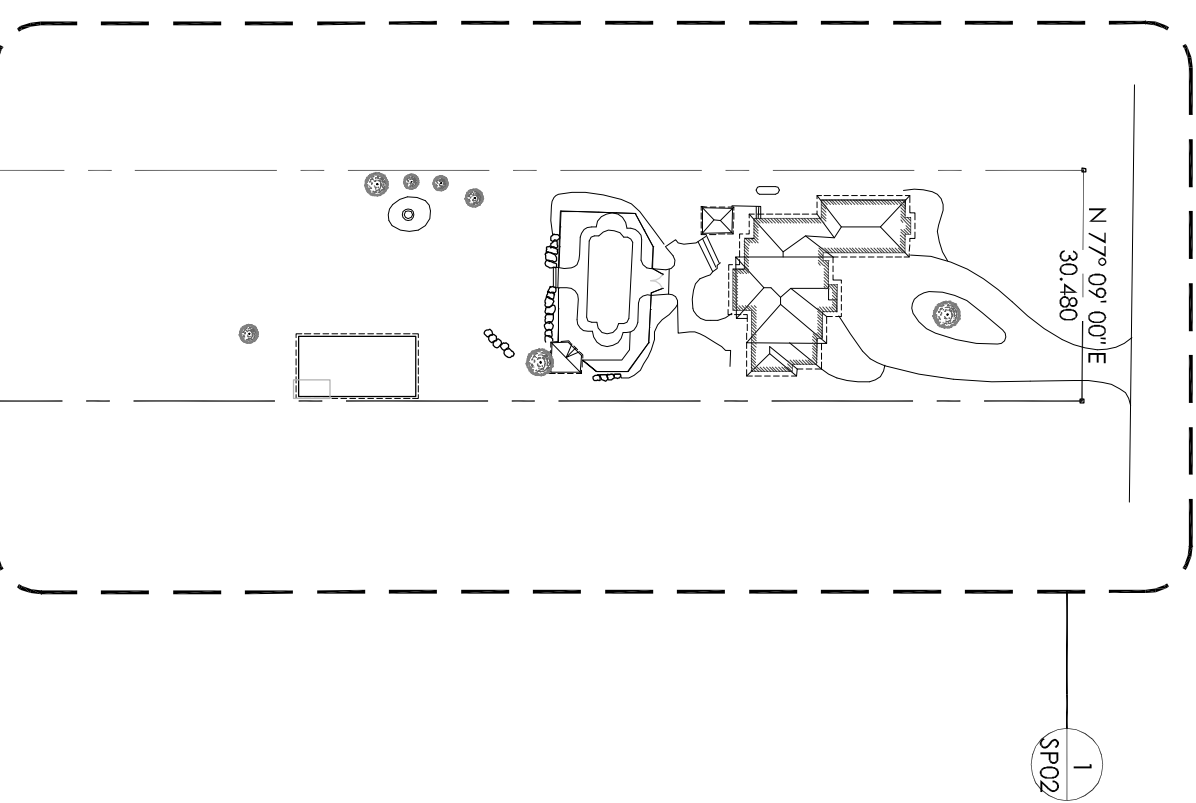
Page 2

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

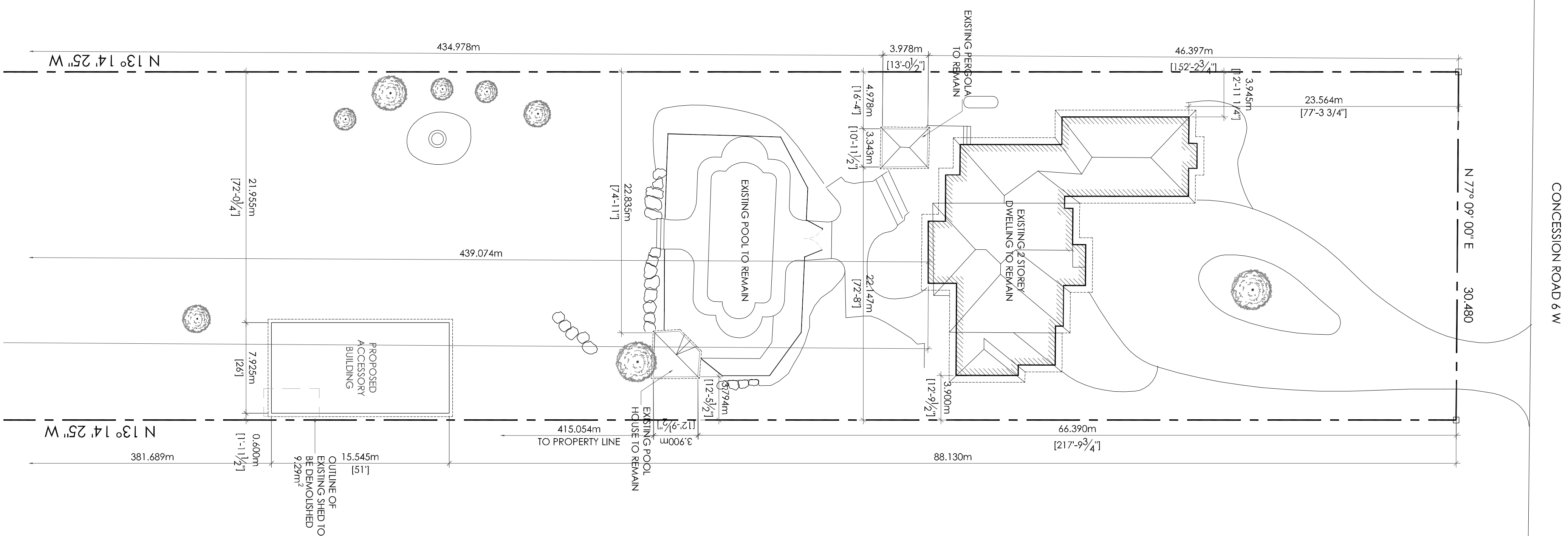
DATED: January 18th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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1 SURVEY SKETCH
SCALE: 1:1000



2 SITE PLAN DETAIL
SCALE: 1:250

PROPERTY STATISTICS:		ZONING STATISTICS:	
LEGAL DESCRIPTION:	LOT 10 CITY OF HAMILTON	EXISTING ZONING:	S1
MUNICIPAL ADDRESS:	1314 CONCESSION ROAD 6 WEST HAMILTON, ONTARIO L9R 1V0	PERMITTED ZONING:	-
REGISTERED OWNERS:	PAUL & KERRY JOHNSON	EXISTING SITE AREA:	1.47ha
BUILDING CODE ANALYSIS:		PROPOSED SITE AREA:	1.47ha
FLOOR AREA:	287.43 m ² (3,094 ft ²) First Floor 130.18 m ² (1,401 ft ²) Second Floor TOTAL: 417.61 m ² (4,495 ft ²)	EXISTING BUILDING AREA:	287.43 m ² (3,094 ft ²)
NUMBER OF STORES:	2 STOREY	PROPOSED BUILDING AREA:	287.43 m ² (3,094 ft ²)
MAJOR OCCUPANCY:	GROUP C	LOT COVERAGE:	1.94%
FACING STREETS:	1 STREET	LOT FRONTAGE:	30.48m
O.B.C. SECTION:	PART 9 Housing and Small Buildings	FRONT YARD:	22.8m
CONSTRUCTION TYPE:	COMBUSTIBLE	SIDE YARD:	3.9m
		REAR YARD:	439m
		ACCESSORY BUILDING: (4.8.1.1) (BYLAW 05-200)	7.5m
		SIDE YARD:	1.2m
		REAR YARD:	1.2m
		FLOOR AREA: (Aeq. Breakdown)	14.04
		Pool House	14.04m ²
		Proposed Accessory Building	45.0 m ²
		HEIGHT:	4.5m
			3.89m

* REQUIRES MINOR VARIANCE



3 AERIAL PHOTO
SCALE: N/S

client name - city - province - postal code
street - city - province - postal code
Do not scale drawings. Use only drawings marked
with a red 'X'. Dimensions and dimensions on site refer to
existing conditions and dimensions on site refer to
proposed conditions. Verify all dimensions and design
requirements with the design team.

Issued for: 08.23.2021
1 minor variance

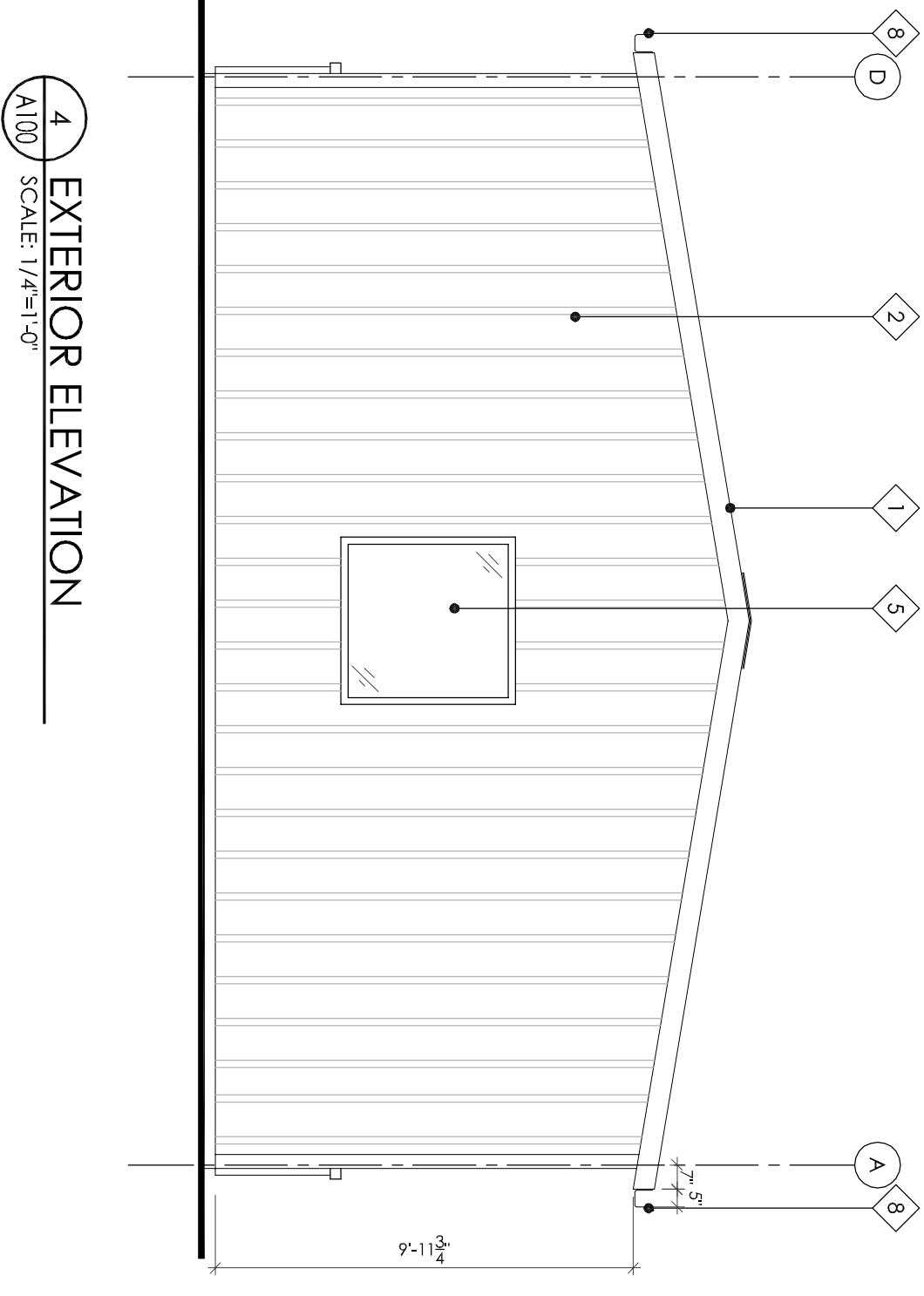
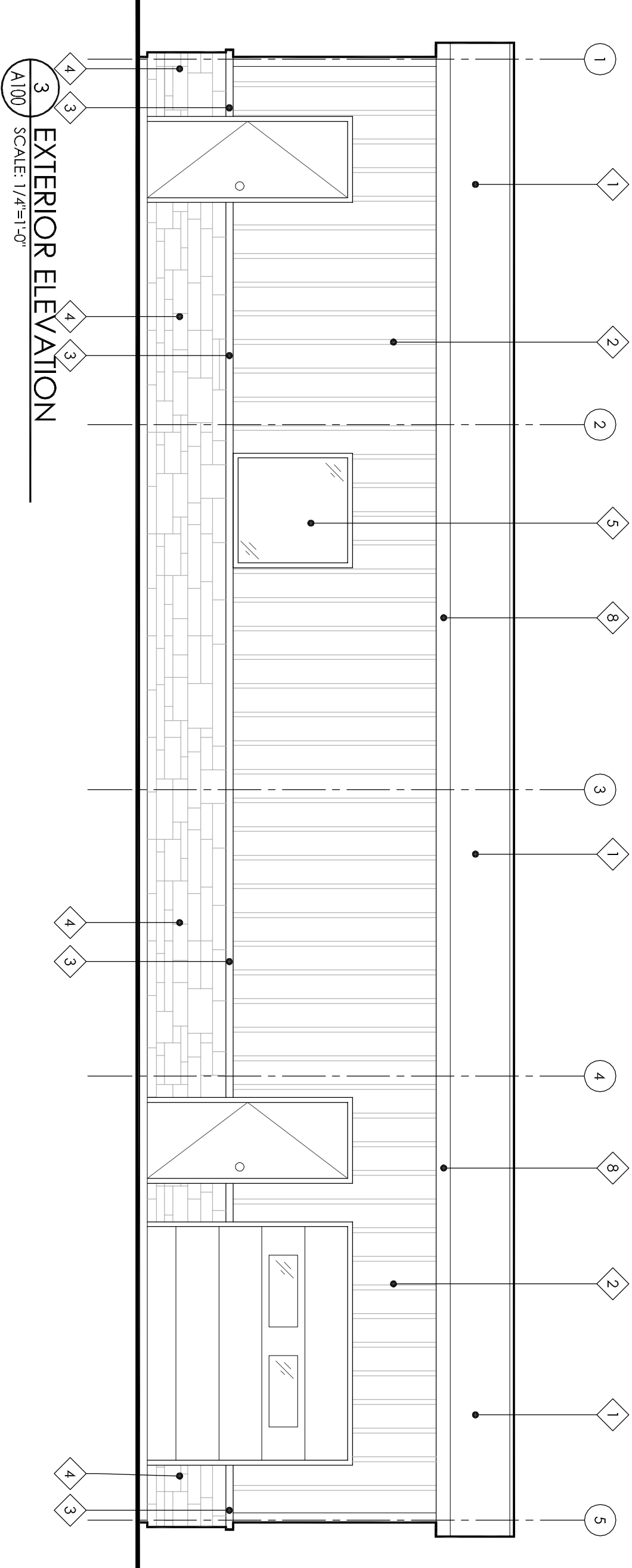
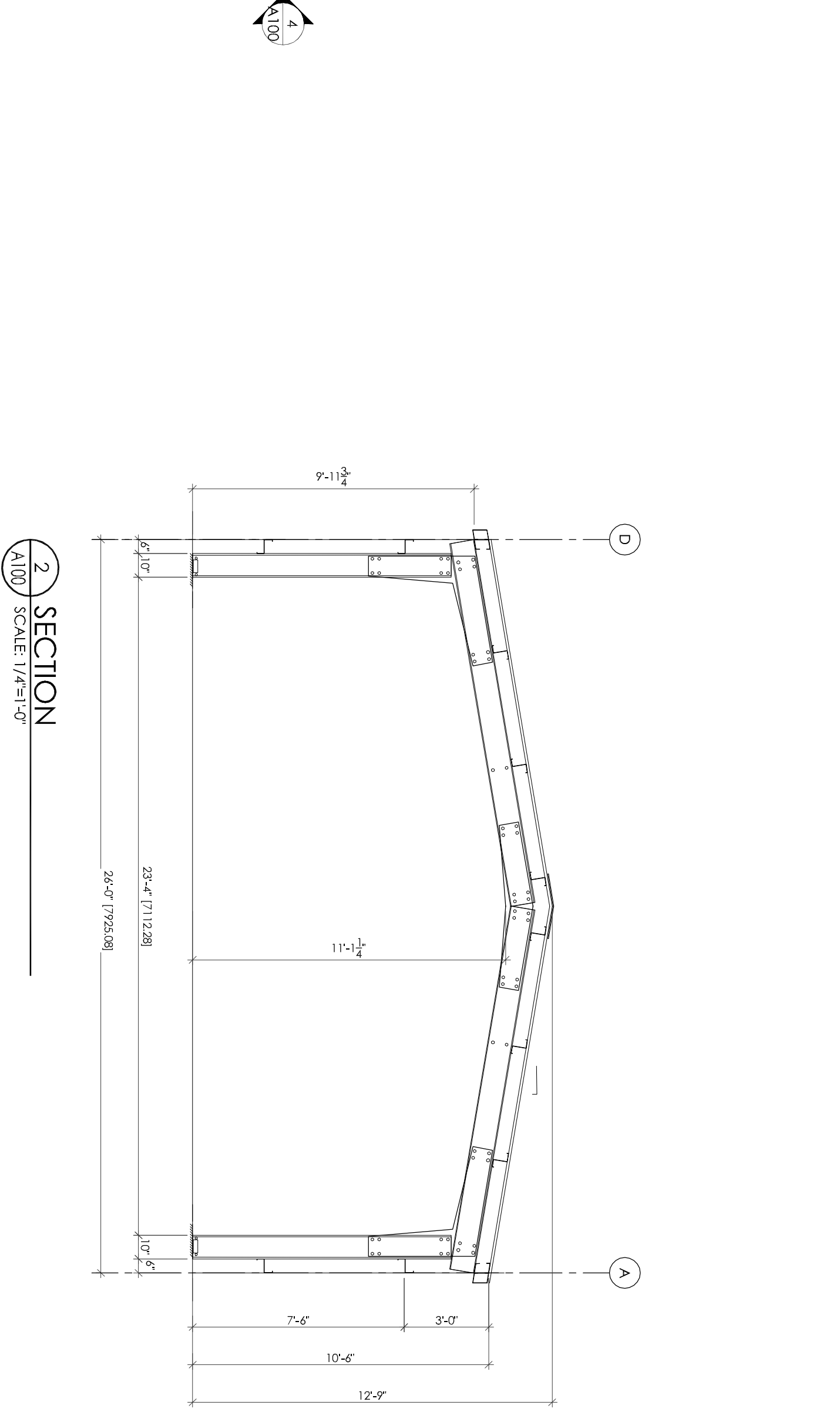
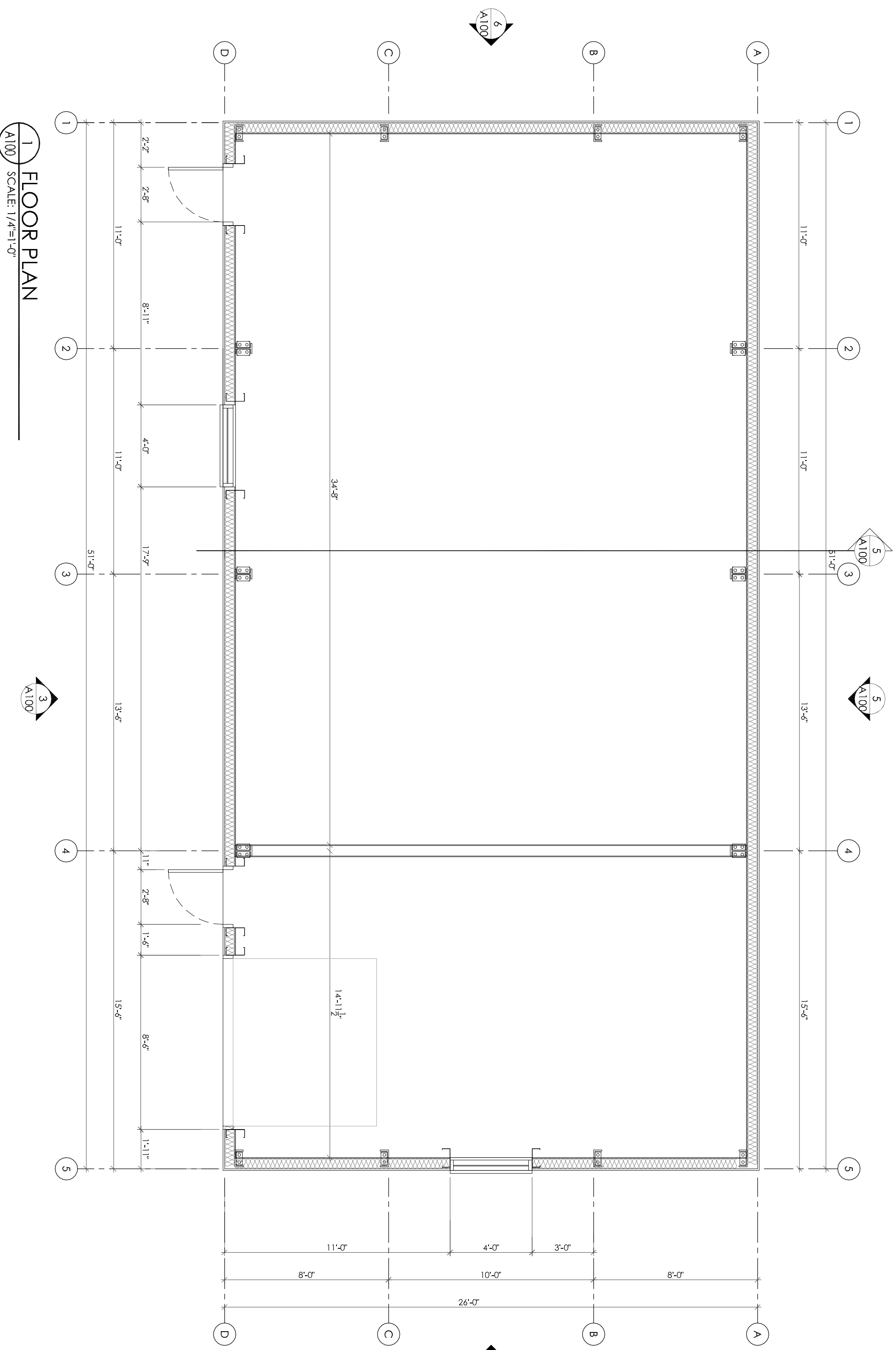
revised
project: d m y

JOHNSON
RESIDENCE

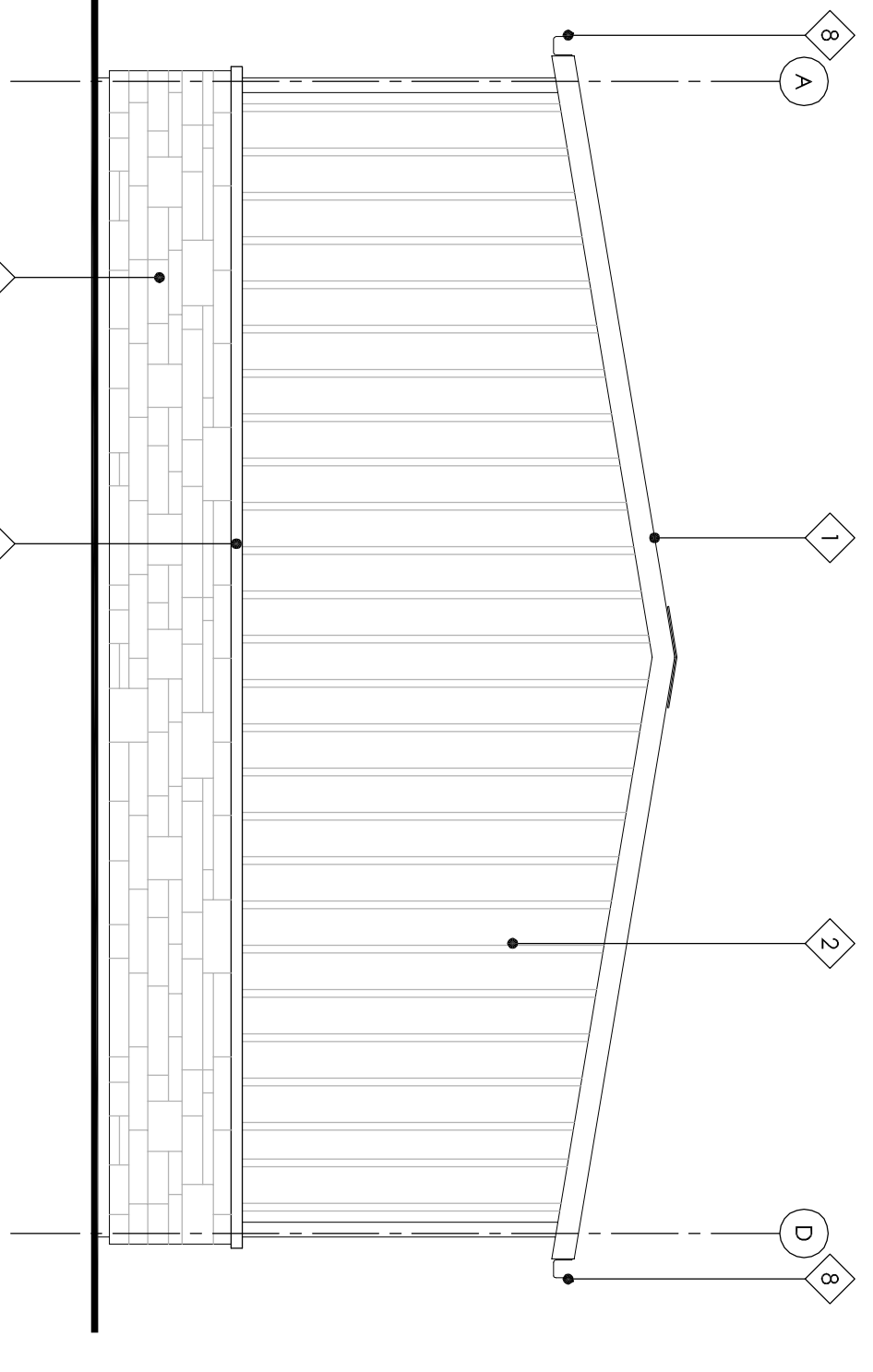
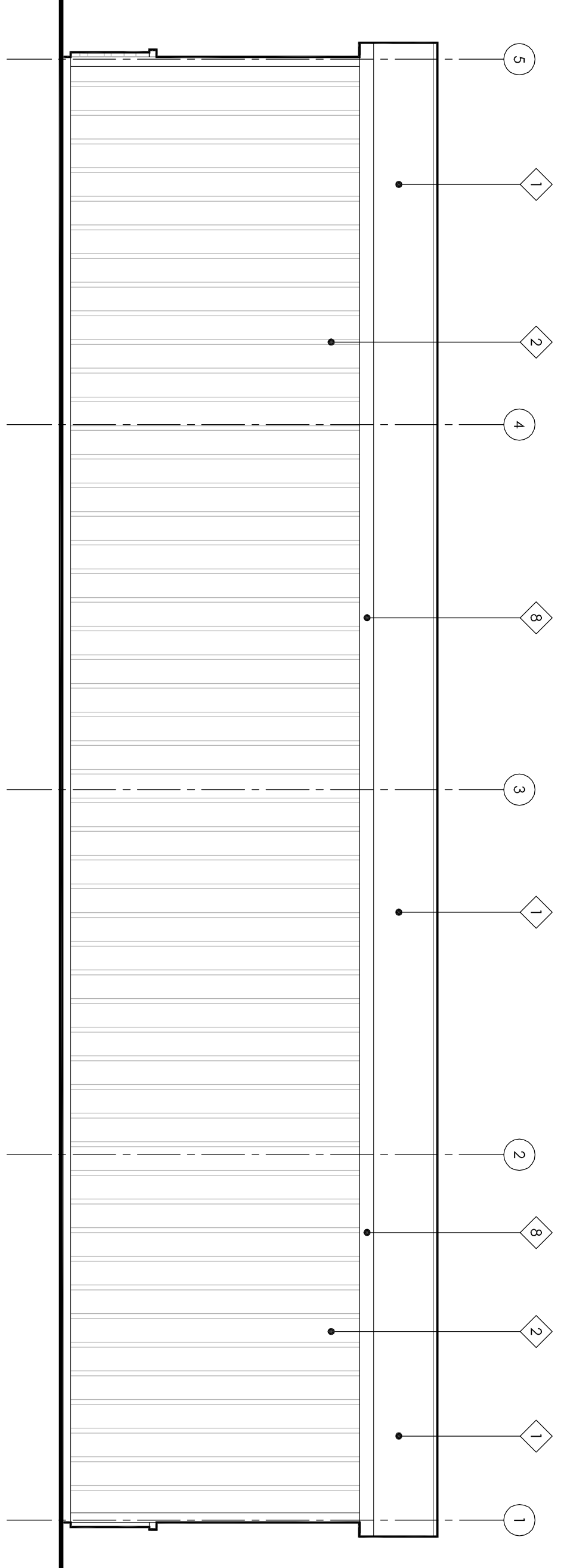
address
1314 concession road 6 west
hamilton, ontario L9R 1V0
issued for permit / tender / const.

drawing title
site plan

date drawn 16.10.2020
drawn by WJP
checked by G9
file name GG+A_24x26
project no. 21032
scale as noted



- EXTERIOR ELEVATION NOTES**
- 1 2x GAUGE PURLIN BEARING 198 ROOF PANELS. COLOUR: TBD.
 - 2 SILICONE POLYESTER COATED RIBBED WALL PANELS. COLOUR: TBD.
 - 3 WATER TABLE STONE CAP COLOUR: TBD.
 - 4 FAUX STONE EXTERIOR VENER (3'-0" HIGH). COLOUR: TBD.
 - 5 NEW ANODIZED ALUMINIUM WINDOW & FRAMES.
 - 6 NEW 2'-0" x 7'-0" METAL DOOR & HOLLOW METAL DOOR FRAME. COLOUR: TBD.
 - 7 NEW 7'-0" x 8'-0" INSULATED ROLL-UP OVERHEAD DOOR & FRAME. COLOUR: TBD.
 - 8 PREFINISHED METAL CAP FLASHING. COLOUR: TBD.

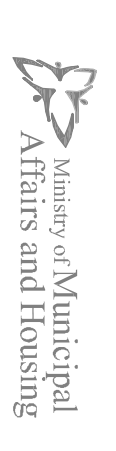


designer



G GRIFTHS + ASSOCIATES LTD.
development • design • management

1691 Dundas Street East, Suite C-1
Hamilton, Ontario L8R 1V0
Tel: 905.553.0755
www.gg+a.com



QUALIFICATION INFORMATION
REGISTERED PROFESSIONAL ENGINEER
DIVISION 'C' SECTION 3.2 OF THE O.A.C.

Paul Griffin
Paul Griffin
B.O.M.
B.O.M.

THE PROFESSIONAL ENGINEER AND ARCHITECT HAS REVIEWED THIS DRAWING AND HEREBY CERTIFIES THAT IT COMPLIES WITH THE BUILDING CODE TO BE A DESIGNER.

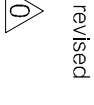
REGISTRATION INFORMATION
REQUIRED UNDER THE PROFESSIONAL ENGINEERS AND ARCHITECTS ACT, R.S.O. 1990, CHAPTER 1927
G. Griffiths & Associates Ltd. 115901
FCM 1/06/2020

client

sheet - dwp - province - postal code

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1 minor variance 08.23.2021



revised
project d m y

JOHNSON
RESIDENCE

address
1314 concession road 6 west
hamilton, ontario L8R 1V0

issued for permit / tender / const.

drawing title
floor plan,
section &
elevations

date drawn 16.10.2020
drawn by whp
checked by gg
file name GG+A_24x36
project no. 21032
scale as noted

drawing no.
A100



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.

	NAME	MAILING ADDRESS	
1, 2 Registered Owners(s)	Paul and Kerry Johnson		
Applicant(s)*	Paul and Kerry Johnson		
Agent or Solicitor	Gordon Griffiths		

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:

ROYAL BANK
 10 York Mills Road, 3rd Floor
 Toronto, Ontario
 M2P 0A2

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:

New Accessory Building (S1 - Settlement Zone) (bylaw 05-200):

4.8.1.(a) Max. Total Accessory Building footprint- 45 sq.m - request 137.24 sq.m.

4.8.1 (d)(ii) Side Yard Setback - 1.2 m min. - request 0.600m.

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

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

In order to maintain maximum site lines and visibility of the entire lot from the dwelling, the proposed building is requested to be positioned as close to the property line as the existing smaller accessory building which is to be demolished. The proposed accessory building is being constructed for general storage with a separate area for storage of lawn and garden equipment. In order for the proposed building to serve it's designed use, it needs to be larger than the permitted 45m²

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**):

1314 Concession 6 West, Hamilton, Ontario, L8B 1N1
PLAN 62M -1120 - Lot 10

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?

Request to Develop the site was submitted to the City of Hamilton and approved in 2009/2010. It is assumed the original developer submitted required information to the City of Hamilton and was subsequently approved. The approved Residential use has not changed since approved.

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.

August 23, 2021

Date


Signature Property Owner(s)

Paul Johnson / Kerry Johnson

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>30.480 m</u>
Depth	<u>335.364 m</u>
Area	<u>10,221.89 m²</u>
Width of street	<u>33.53 m</u>

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

Existing:

	<u>Floor Area</u>	<u>Storeys</u>	
Main Dwelling (to remain)		2	
Ground Floor	287.43 m ²		
Second Floor	116.61 m ²		
Pergolla (to remain)	13.13 m ²	1	
Pool House (to remain)	14.04 m ²	1	
Storage Shed (to be demolished)	9.29 m ²	1	1

Proposed:

	<u>Floor Area</u>	<u>Storeys</u>	<u>Height</u>
New Accessory Building	123.2 m ²	1	3.886 m

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

Existing:

	<u>Front Yard</u>	<u>Side Yard (East)</u>	<u>Side Yard (West)</u>	<u>Height</u>
Main Dwelling (to remain)	22.835	3.896	3.850	2 Storey
Pergolla (to remain)	46.397	22.147	4.978	1 Storey
Pool House (to remain)	66.390	3.794	22.835	1 Storey
Storage Shed (to be demolished)	99.509	0.600	27.73	1 Storey

Proposed:

	<u>Front Yard</u>	<u>Side Yard (East)</u>	<u>Side Yard (West)</u>	<u>Height</u>
New Accessory Building	88.130	0.600	22.835	3.886

- 13. Date of acquisition of subject lands:
Building and lands purchased by current owners on 2014/08/29

- 14. Date of construction of all buildings and structures on subject lands:
Construction of the existing 2 storey dwelling took place between 2009 and 2010, by previous owners.

- 15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential - Single Family Dwelling

- 16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential use to the east and west of the property.
A1 - Agricultural zone to the south of the property (30.48 m of Frontage)

- 17. Length of time the existing uses of the subject property have continued:
Property was developed for residential used 2009/2010.
Property has been used for continual residential occupancy from inception.

- 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:

- 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: FL/B-21:118

SUBJECT PROPERTY: 59 Brian Boulevard, Flamborough

You are receiving this notice because you are either:

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

APPLICANT(S): Agent T. John Consulting Group c/o K. Gillis
 Owner Northern Cardinal Developments Ltd. c/o
 Agro Developments Corp. c/o A. Roberts

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

Severed lands:
 15.07m[±] x 30.48m[±] and an area of 459.3m^{2±}

Retained lands:
 15.33m[±] x 30.48m[±] and an area of 468.4m^{2±}

**This application will be heard in conjunction with
 Minor Variance Application FL/A-21:445**

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 3rd , 2022
TIME: 3:10 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

FL/B-21: 118
PAGE 2

MORE INFORMATION

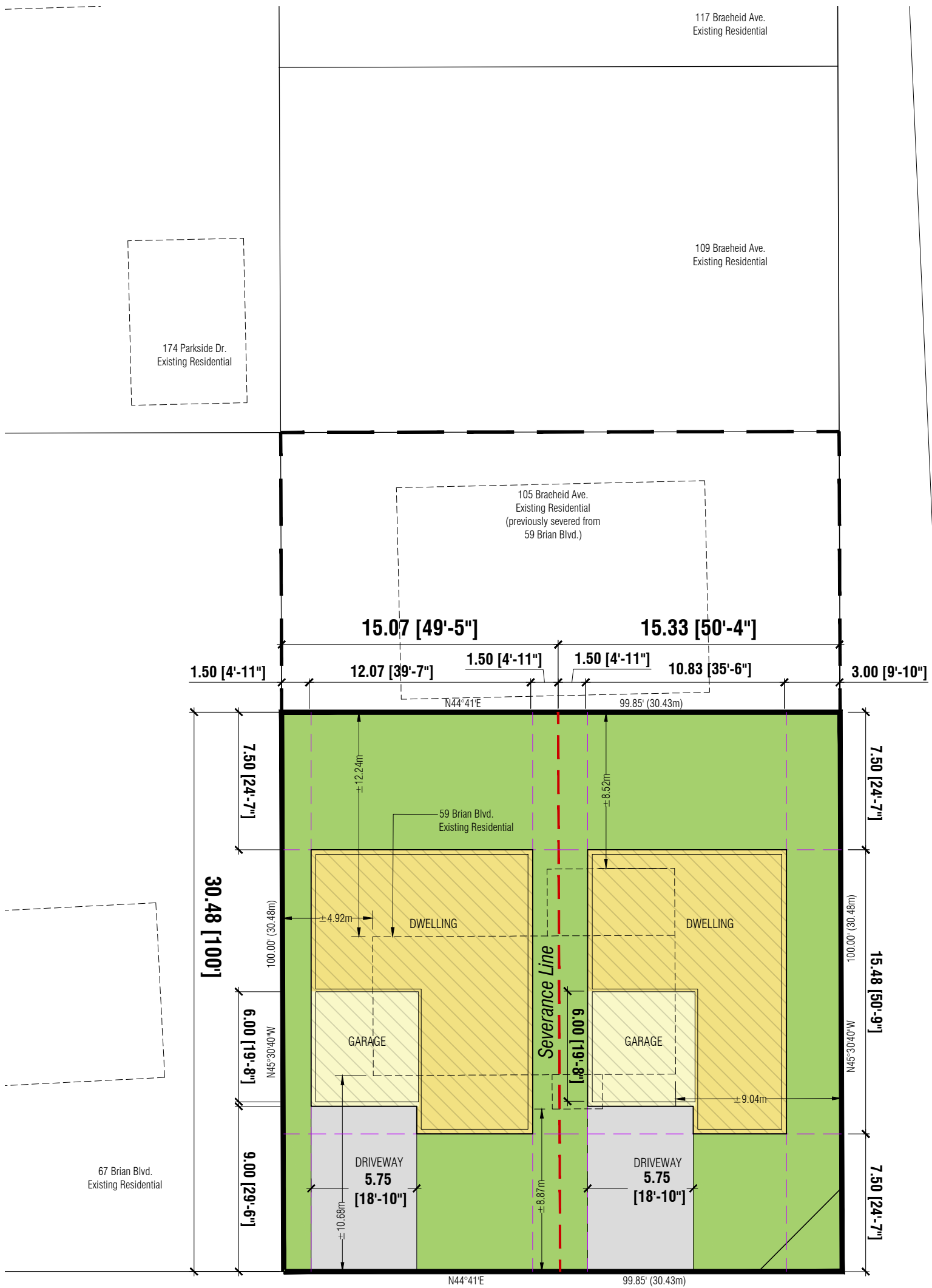
For more information on this matter, including access to drawings illustrating this request:

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

DATED: January 18th, 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.



BRAEHEID AVENUE
(20.0m Public Right-of-Way)

LOT AREA	459.3 m ²	LOT AREA	468.4 m ²
FOOTPRINT	178.2 sq.ft.	FOOTPRINT	159.0 sq.ft.
COVERAGE	38.8% (MAX 40%)	COVERAGE	34.0% (MAX 40%)

BRIAN BOULEVARD
(20.0m Public Right-of-Way)

GFA (2 STOREY WITH 2 CAR GARAGE)

	m ²	sq.ft.
GROUND FLOOR	141.66	1524.8
SECOND FLOOR	178.22	1918.3
TOTAL GFA	319.87	3443.1

GFA (2 STOREY WITH 2 CAR GARAGE)

	m ²	sq.ft.
GROUND FLOOR	122.46	1318.2
SECOND FLOOR	159.02	1711.7
TOTAL GFA	281.48	3029.9

DRAFT

- All Units In Metric Unless Otherwise Noted.
- Base on Survey Prepared by L.G. Woods Surveying Inc. dated April 21, 2001.
- Schedule / Plan Information Is Conceptual And Requires Verification by Appropriate Agency.
- Edge of Pavement/Edge of Curb Location is Approximate.





December 14th, 2021

Via Email

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

ATTENTION: Jamila Sheffield, Secretary-Treasurer

**RE: 59 Brian Boulevard, Waterdown
Consent to Sever and Minor Variance Applications**

Dear Ms. Sheffield,

T. Johns Consulting Group Ltd. (“T. Johns Consulting”) was retained by Argo Development Corporation on behalf of Northern Cardinal Developments, the landowner of 59 Brian Boulevard, Waterdown (“**subject lands**”). T. Johns Consulting respectfully submits the enclosed Consent to Sever and Minor Variance applications.

Site Description

The subject lands are located in Waterdown on the north side of Brian Boulevard (**Refer to Figure 1 - Site Location**). The subject lands are a corner lot and are rectangular in shape with an approximate site area of 1,022.7 m² and 30.44 metres of frontage on Brian Boulevard and a depth of 31.91 metres. The site is an existing residential lot of record and occupied by one (1) detached dwelling (**Refer to the submitted Survey Plan**).

Planning Status

The *Urban Hamilton Official Plan, Volume 1* designates the subject lands “Neighbourhoods” (Schedule E-1). The subject lands make up part of the City’s “Neighbourhoods” urban structure and are within proximity to a “Community Node” (Schedule E). The subject lands are within the boundaries of Volume 2, Chapter B-4, West Waterdown Secondary Plan which designates the subject lands “Low Density Residential 2e” (Map B.4.1-1). Single detached dwellings up to a maximum density of 26 units per net residential hectare are permitted.

The former Town of Flamborough Zoning By-law No, 90-145-Z zones the subject lands “R1-25” Urban Residential (Single Detached) Zone, Modified. Single family dwellings are a permitted use.

Proposed Development

The landowner proposes to demolish the existing dwelling on the subject lands to facilitate the creation of one (1) new lot for a total of two (2) lots suitable for detached dwellings. The owner/applicant of the application will construct new two-storey single detached dwellings. A Preliminary Servicing Sketch prepared by MTE Consultants Inc. has been provided to demonstrate that the proposed lots are serviceable.

Implementation

A Minor Variance and Consent to Sever applications are required to facilitate the proposed redevelopment of the subject lands.

Consent to Sever

In summary, the Consent to Sever proposes the following:

- Sever Part 1 being $\pm 459.3\text{m}^2$ with $\pm 15.07\text{m}$ frontage (Interior Lot)
- Retain Part 2 being $\pm 468\text{m}^2$ with $\pm 15.33\text{m}$ frontage (Corner Lot)

Please refer to the submitted Concept Plan for further details.

Minor Variance

- Refer to Appendix A: Planning Rationale for further detail.

T. Johns respectfully requests for the circulation of this letter along with the following enclosed documents in support of the related Consent to Sever and Minor Variance applications.

Please find the enclosed electronic documents:

- One (1) Consent to Sever application complete with signatures;
- One (1) Minor Variance application complete with signatures;
- One (1) Planning Rationale Report (Appendix "A");
- One (1) cheque in the total amount of \$6,180.00 to satisfy the Consent to Sever (\$2,860.00) and Minor Variance (\$3,320.00) application fees;
 - Note the cheque delivered to City Hall December 14th, 2021.
- One (1) Survey Plan;
- One (1) Servicing Strategy Sketch;
- One (1) Concept Plan.

Please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207 with any questions.

Respectfully submitted,

T. Johns Consulting Group Ltd.



Katelyn Gillis, BA
Intermediate Planner



Terri Johns, MCIP, RPP
President

Cc: Argo Developments c/o Mr. K. Singh

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2

Registered Owners(s)	
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 Waterdown	Lot 25	Concession	Former Township Town of Flamborough
Registered Plan N°. 1084 (Backdale Addition)	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 59 Brian Boulevard, Hamilton			Assessment Roll N°. 30339020600

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:

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m) ± 15.07 m	Depth (m) ± 30.48 m	Area (m ² or ha) ± 459.3 m ²
---------------------------	------------------------	---

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: One storey residential dwelling

Proposed: Two, two-storey dwellings on two new lots

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) ± 15.33m	Depth (m) ± 30.48 m	Area (m ² or ha) ± 468.4 sq. m
--------------------------	------------------------	--

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: One storey residential dwelling

Proposed: Two new, two-storey dwellings on two new lots

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The lands will remain residential and will stay in line with the Neighbourhood policies of the UHOP. The proposed consent and development of two new dwellings provides gentle intensification while maintains the form and function of the surrounding neighbourhood.

5.2 What is the existing zoning of the subject land? "R1-25" Urban Residential (Single Detached) Zone in Flamborough ZBL No. 90-145-Z
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

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

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

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

Provides residential infill development within the delineated built-up area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

- 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.

Application file unknown; By-law No. 2000-115-Z Approved.

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

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

August 23rd, 2021

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 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.

2021/11/30

 Date

Amy Roberts

 Signature of Owner

REV. 03.11.2025
FILE: P:\P\00004\01\00004-100-11.dwg last saved by: SWS, plotted: 11/27/2021 10:55:53 PM on paper size: CUSTOM, L: 914.0000, W: 610.0000 (MM) (UNITS:CAD)

PLAN OF SURVEY AND TOPOGRAPHY
OF PART OF
LOT 25
REGISTERED PLAN NO. 1084
CITY OF HAMILTON
SCALE 1:150
MTE OLS LTD.
ONTARIO LAND SURVEYORS

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

LEGEND

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- IB# DENOTES ROUND IRON BAR
- CC DENOTES CUT CROSS
- CM DENOTES CONCRETE MONUMENT
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- NTS DENOTES NOT TO SCALE
- WIT DENOTES WITNESS
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- P.I.N. DENOTES PROPERTY IDENTIFICATION NUMBER
- (LT) DENOTES LAND TITLES
- MTE DENOTES MTE OLS LTD.
- P1 DENOTES REGISTERED PLAN NO. 1029
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- ▷ DENOTES FENCE GATE
- ⊕ DENOTES CONIFEROUS TREE
- ⊙ DENOTES DECIDUOUS TREE
- ⊕ DENOTES EXISTING ELEVATION

BENCH MARK:

CITY OF HAMILTON BENCHMARK No. 07720020057
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO A BRASS RIB WITH CAP AT THE ROYAL CANADIAN LEGION No. 551, 79 HAMILTON STREET NORTH WATERDOWN.

ELEVATION = 234.008

⊕ SITE BENCHMARKS IS SHOWN ON THE FACE OF THIS PLAN.

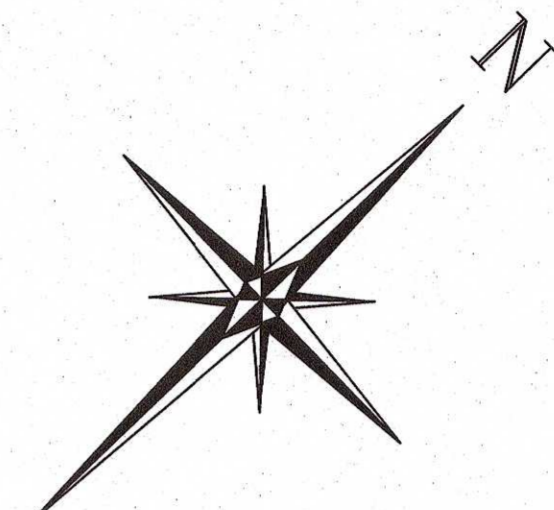
NOTES:

BEARINGS ARE UTM GRID, DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS v6) EPOCH 2010.00.
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- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 27TH DAY OF OCTOBER, 2021.



LOT 12
P.I.N. 17561-0212(LT)

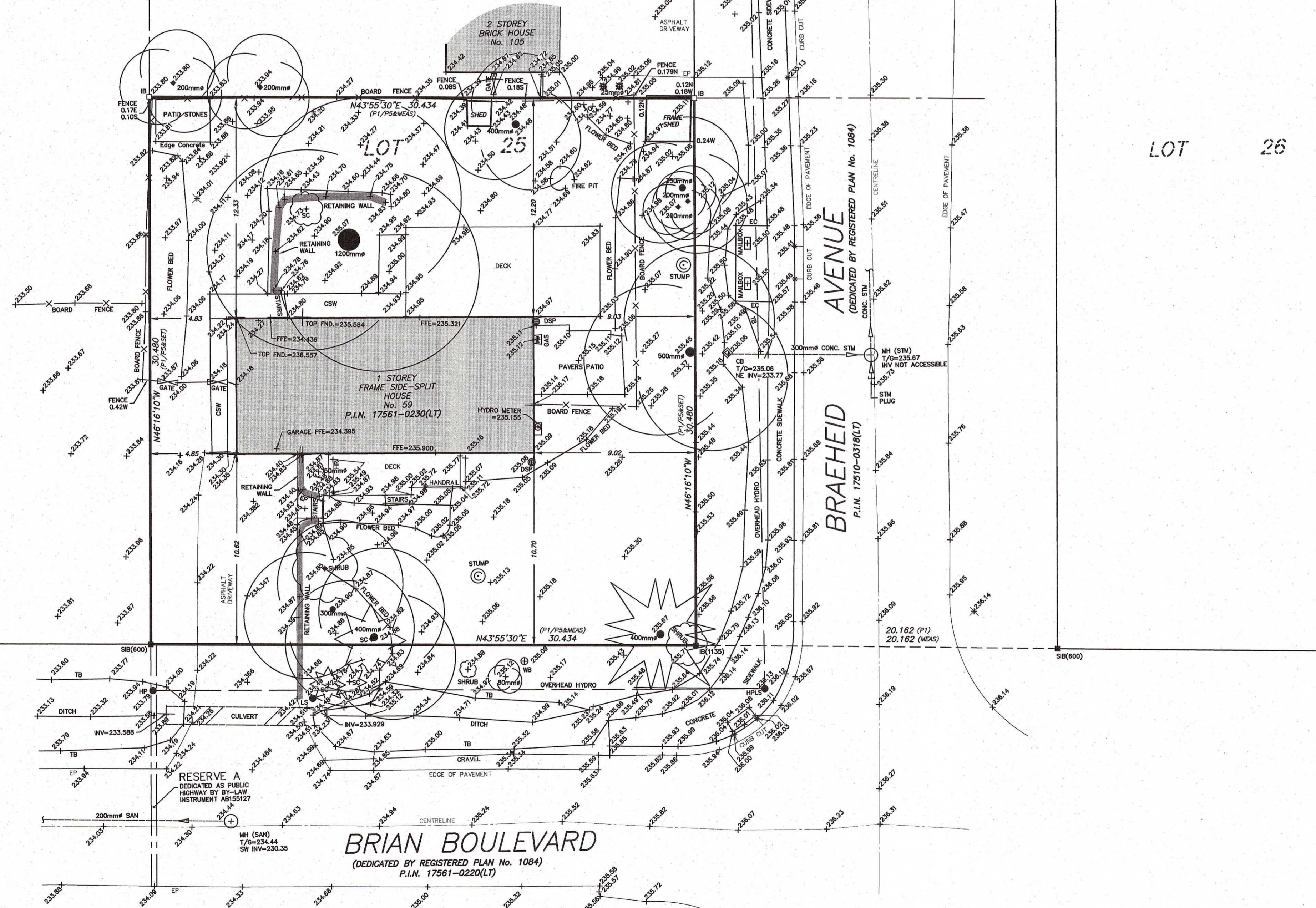
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PART 1, PLAN 62R-19932

REGISTERED PLAN NO. 1029

REGISTERED PLAN NO. 1084
PART 1, PLAN 62R-15836
P.I.N. 17561-0229(LT)

REGISTERED PLAN NO. 1163
LOT 36
P.I.N.17561-0215(LT)

LOT 26



BRIAR BOULEVARD
(DEDICATED BY REGISTERED PLAN No. 1163)
P.I.N. 17561-0220(LT)

BRIAR BOULEVARD
(DEDICATED BY REGISTERED PLAN No. 1084)
P.I.N. 17561-0220(LT)

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2147476

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UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3)

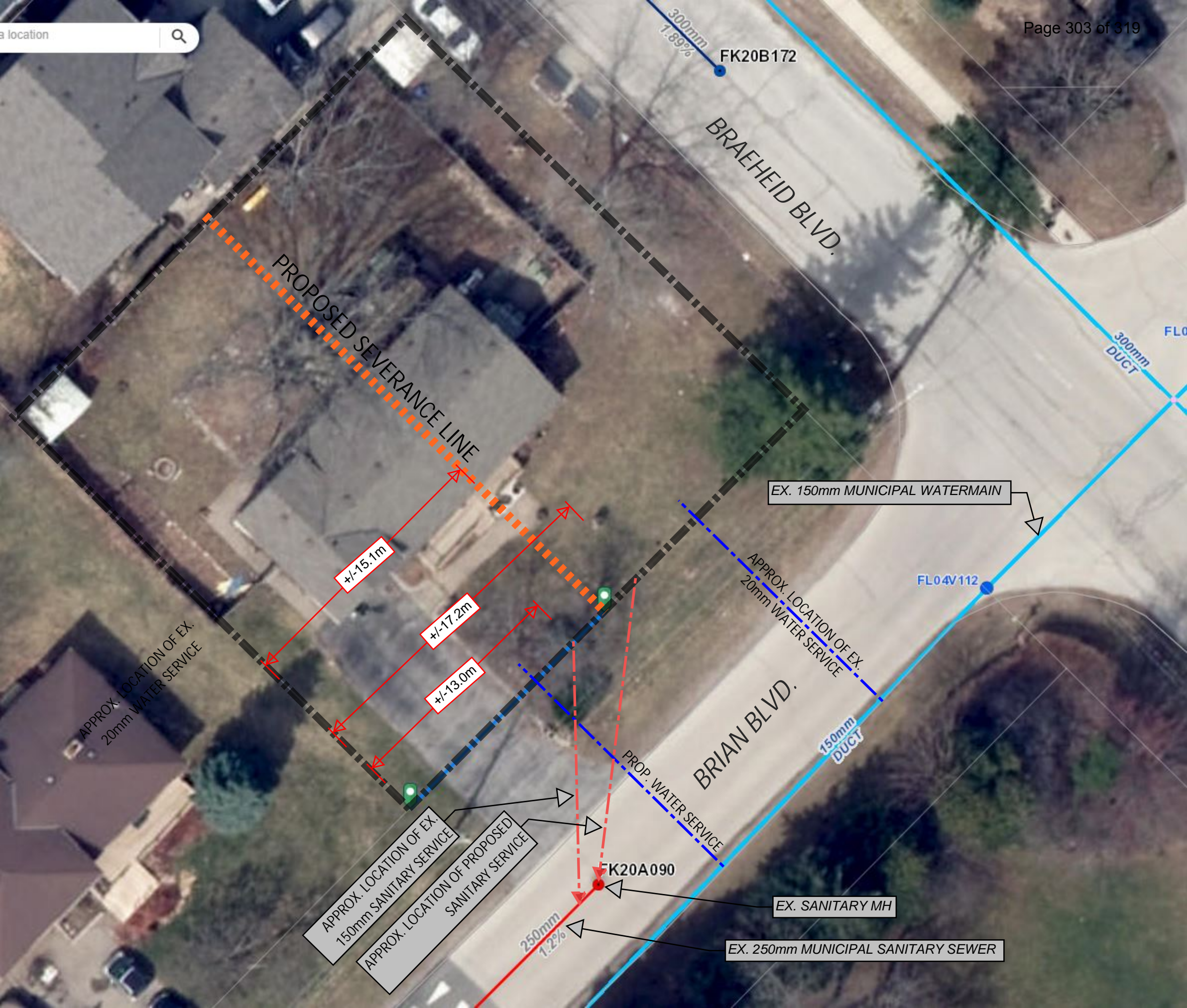
November 3, 2021
DATE

Patrick Woolley
PATRICK WOOLLEY
ONTARIO LAND SURVEYOR

MTE ONTARIO LAND SURVEYORS LTD.
1015 SUTTON DRIVE, UNIT A
BURLINGTON, ONTARIO, L7L 6S8
TEL: (905) 639-2552

Drawn: S. DU Checked: P. WOOLLEY Project Number: 50094-101

Search location



BRAEHEID BLVD.

BRIAN BLVD.

PROPOSED SEVERANCE LINE

APPROX. LOCATION OF EX. 20mm WATER SERVICE

EX. 150mm MUNICIPAL WATERMAIN

APPROX. LOCATION OF EX. 20mm WATER SERVICE

APPROX. LOCATION OF EX. 150mm SANITARY SERVICE

APPROX. LOCATION OF PROPOSED SANITARY SERVICE

EX. SANITARY MH

EX. 250mm MUNICIPAL SANITARY SEWER

+/-15.1m

+/-17.2m

+/-13.0m

FK20A090

FK20B172

FL04V112

250mm 1.2%

300mm 1.89%

300mm DUCT

150mm DUCT

THE REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH
DEPARTMENT OF ENGINEERING

ELMBOROUGH
Page 304 of 319

Private Drain Inspector's Report

F2000635

Construction Section

Street and Number 59 BRIAN BLVD.

Sketch

Between OFF BRAHEID

Side of Street NORTH Lot Number

Permit Number RSD 05930

Owner BERT TOLDI

Site 150mm Sand Length 11.3m

Contractor OWNER

Minimum Grade -1/8" - 1'

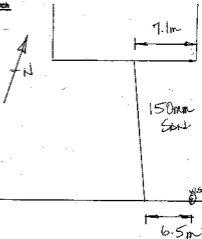
Back Traps PVC SDR-28

Depth and Nature of Ground CLAY

Date APRIL 7 19 95

Sewer Inspector J. W. L.

Remarks



Hamilton DEC. 1, 1990

Contractor BOND CONSTRUCTION

Street BRIAN BLVD. (FLAMBOROUGH)

From FENTON DR. To BRAEHEID BLVD.

Size of Main 150 mm Ø D.I. (CL-52)

Type of Joint RUBBER GASKET

Cement Lined YES

Date Work Commenced: Main OCT. 12, 1990
Services NOV. 7, 1990

Date Work Completed: Main NOV. 19, 1990
Services NOV. 13, 1990

Date of Final Hydrostatic Test NOV. 6, 1990

Date of Surplus Material Delivered to Yard N/A

Length of Hydrant Connections STANDARD

Guarantee Period Expires _____

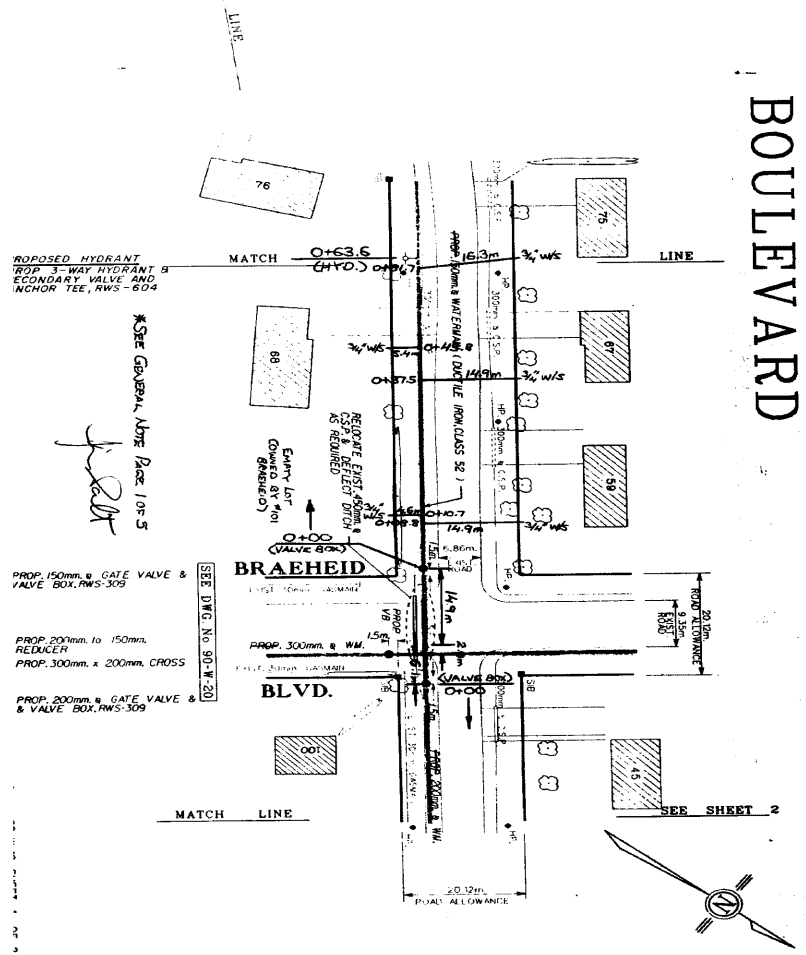
Remarks: _____

Entered in Route Book

Date _____ By _____

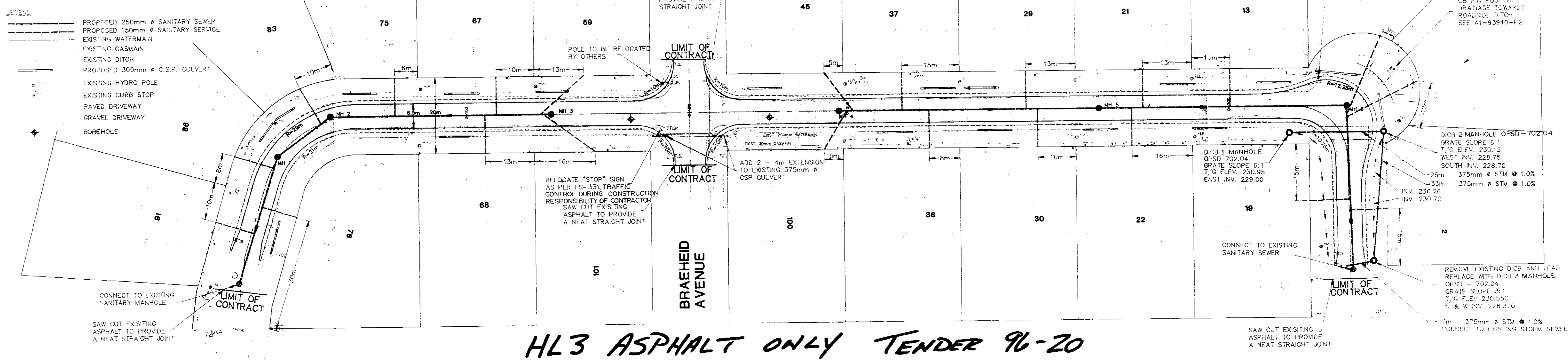
Plotted on Original Plan By _____

Date _____

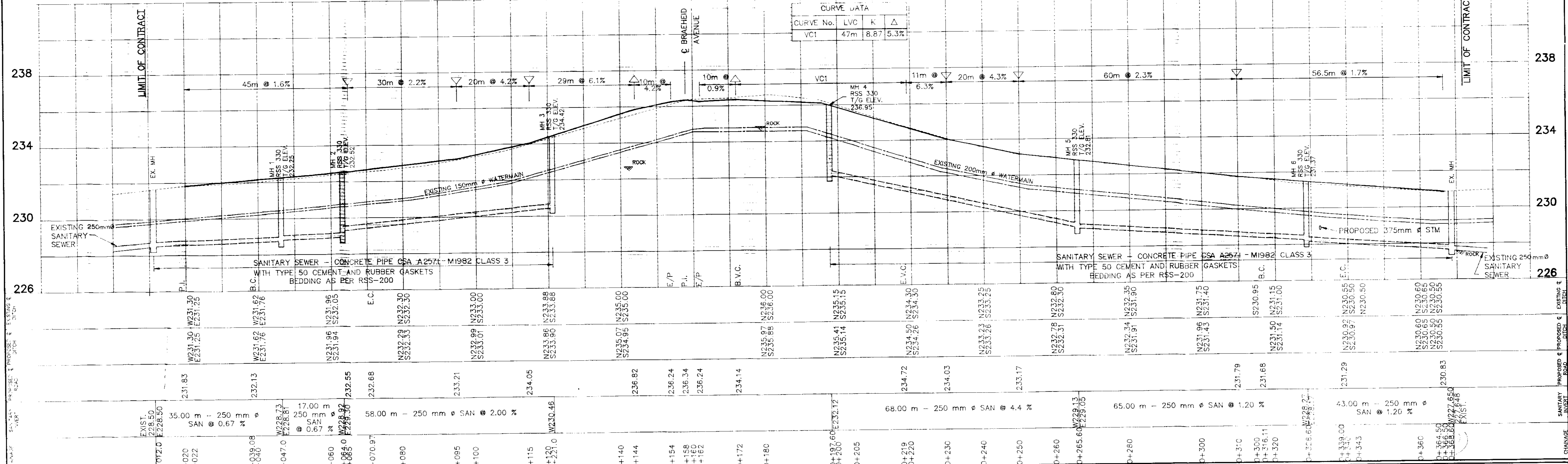


1. SANITARY CONNECTORS - 150mm ϕ - CONCRETE 45M ϕ 4.5. WITH TYPE 50 CEMENT AND RUBBER GASKET JOINTS. SEE PER 201 FOR INSTALLATION DETAILS. MINIMUM COVER AT STREETLINE 2.2m RELATIVE TO CENTER LINE ROAD ELEVATION.
2. SANITARY SERVICE INVERT AND LOCATION AT PROPERTY LINE TO BE VERIFIED BY ENGINEER IF PROPOSED LOCATION VARIES FROM LOCATION ON PLAN.
3. SANITARY CONNECTIONS TO BE MINIMUM 15m OFFSET FROM EXISTING WATER SERVICE.
4. INSTALL 150mm ϕ SANITARY SERVICE TO PROPERTY LINE.
5. DRIVEWAY APPROACH SHALL BE 50mm H.3 ASPHALT 150mm GRANULAR "A".

BRIAN BOULEVARD

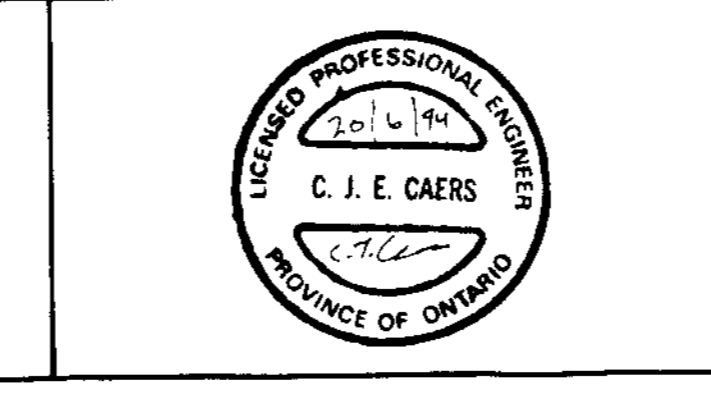


HL3 ASPHALT ONLY TENDER 96-20



1. FOR DETAIL SOILS INFORMATION REFER TO GEOTECHNICAL REPORT PREPARED BY SOIL-MAT ENG. AND CONSULTANTS.
2. THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
3. 6M - 20mm HEXAGON STAINLESS STEEL BOLT LOCATED ON NORTH EAST GUIDRILL WALL ON BRIDGE STRUCTURE ON LONGYEAR DR. BOLT LOCATED ON WEST SIDE OF CONG. WALL APPROX. 150mm ABOVE SIDEWALK. ELEV. 230.000 m

No.	Revision	Date	Initial
1	ISSUED FOR CONSTRUCTION	JUNE 1994	R.M.
0	ISSUED FOR ENGINEERING REVIEW	MARCH, '94	F.F.



Town of Flamborough
BRIAN BOULEVARD
 ROAD RECONSTRUCTION

PLAN AND PROFILE

PROCTOR & REDFERN LIMITED
 Consulting Engineers & Planners
 Hamilton

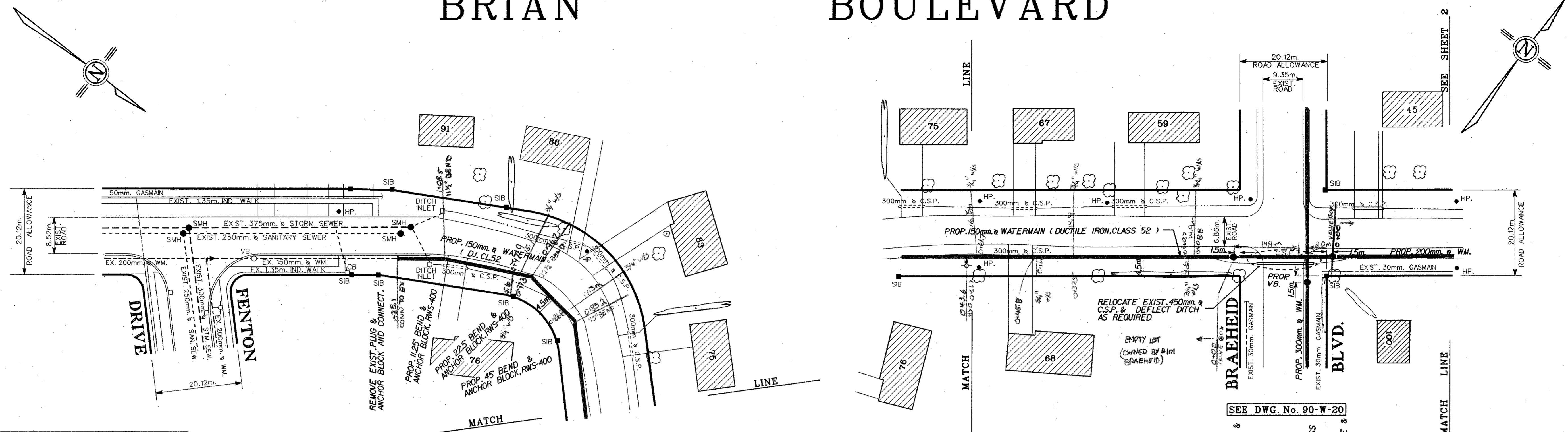
Scale: HORIZ. 1:500, VERT. 1:100

Drawn by: C.J.C.
 Ckd. by: F.A.F.
 Date: Feb, 1994

Project No. A1-93940-P1

BRIAN BLVD.

BRIAN BOULEVARD

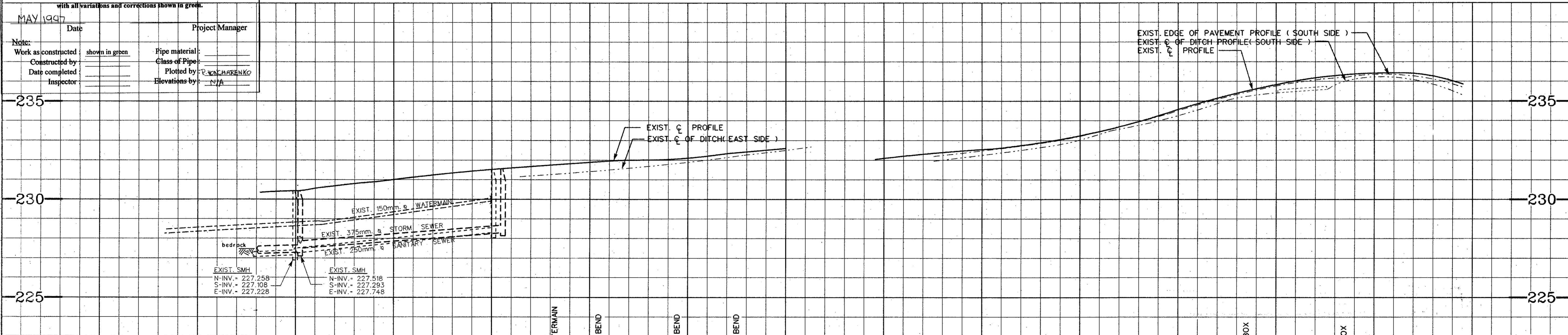


NOTE: WATERMAIN TO BE TESTED PRIOR TO CONNECTION TO EXISTING WATERMANS USING TEMPORARY CAPS OR PLUGS. PIPE CLOSURES WHERE REQUIRED TO BE SUPPLIED BY CONTRACTOR. CONTRACTOR TO SUPPLY & INSTALL ALL ADAPTOR PIECES IF REQUIRED IN-ORDER TO CONNECT TO EXISTING WATERMANS.

SEE DWG. No. 90-W-20

DRAWING No. 90-W-19, SHEET 1 OF 2

CERTIFICATE OF COMPLETION		
This certifies that the work shown on this drawing has been completed as indicated with all variations and corrections shown in green.		
Date	Project Manager	
MAY 1997	P. VONCHARENKO	
Note:	Pipe material:	
Work as constructed shown in green	Class of Pipe:	
Constructed by:	Plotted by:	
Date completed:	Elevations by:	
Inspector:	N/A	



STATION	EXISTING C OF ROAD PROFILE ELEVATIONS	WATERMAIN CHAINAGE	EXISTING C OF ROAD PROFILE ELEVATIONS
0+00	230.338	0+00	235.865
0+11	230.566	0+11	236.438
0+32	230.876	0+32	236.288
0+47	231.199	0+47	236.098
	231.510		
	231.734		
	231.942		
	232.011		
	232.320		
	232.578		
	232.979		
	233.575		
	234.428		
	235.296		
	236.098		
	236.288		
	236.438		

CHECKED BY: <i>[Signature]</i> DRAWN BY: J. PIDSADNY	SCALES: HORIZONTAL: 1:500 VERTICAL: 1:100	APPROVED: <i>[Signature]</i> DIRECTOR: <i>[Signature]</i> COMMISSIONER OF ENGINEERING: <i>[Signature]</i>	THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH DEPARTMENT OF ENGINEERING		BRIAN BOULEVARD PROP. 150mm. & 200mm. & WATERMAIN FROM : 40m. NORTH OF FENTON DR. TO : 170m. EAST OF BRAHEID BLVD.
			DATE : JULY 27, 1990	PROJECT No. 802-98	DRAWING No. 90-W-19

Measurement [Close]

📏 [Measure] [Clear]

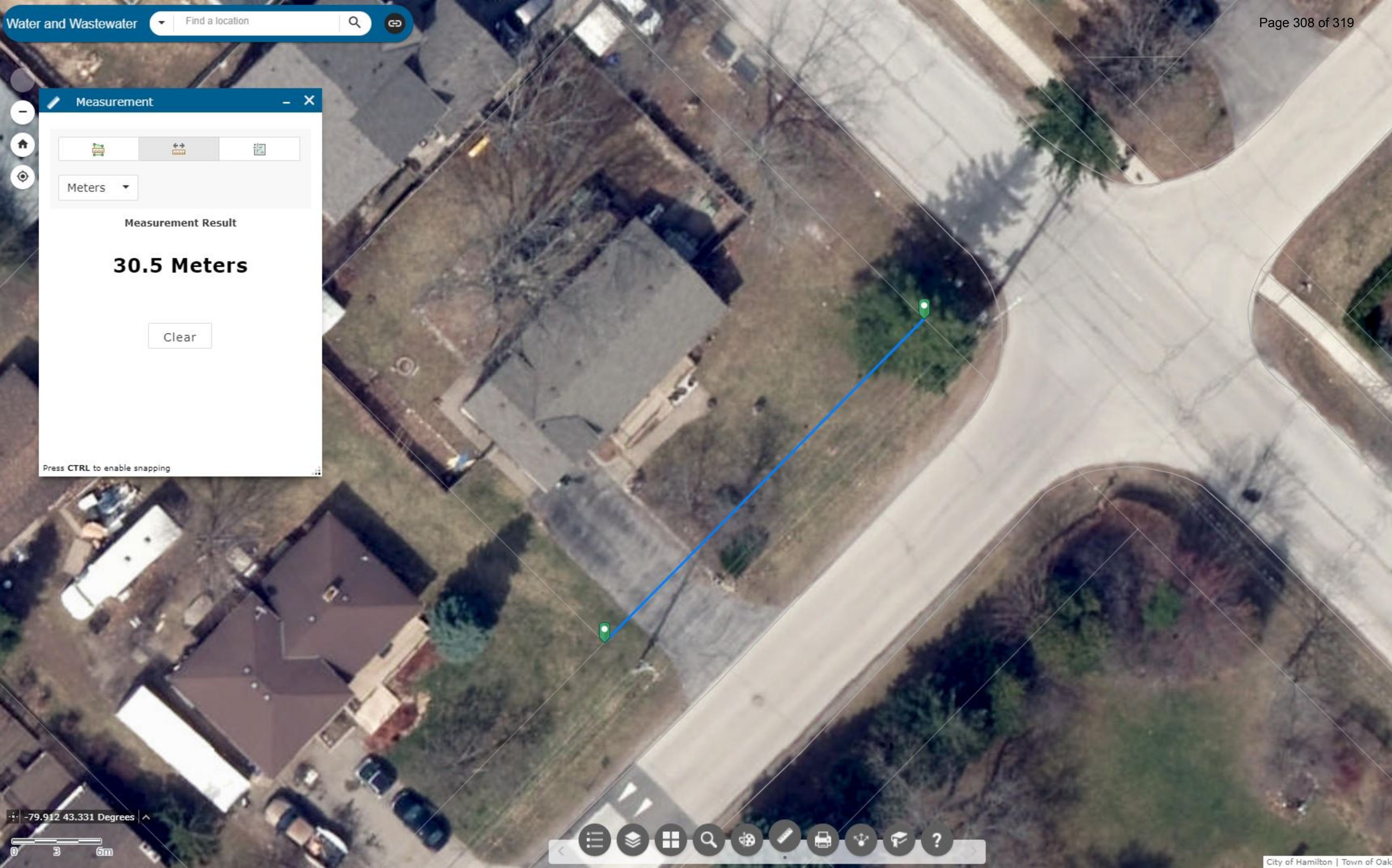
Meters ▾

Measurement Result

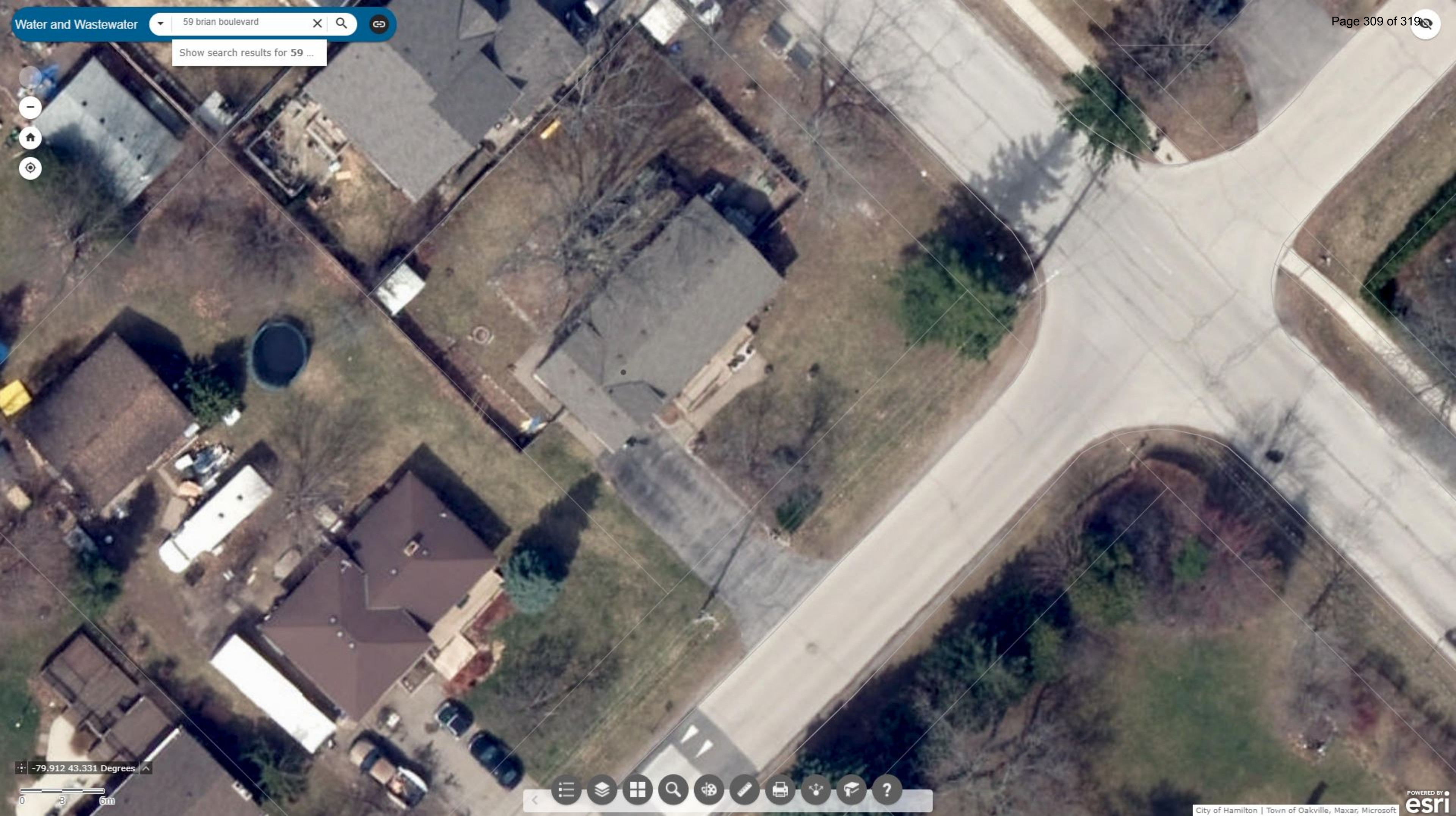
30.5 Meters

Clear

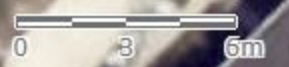
Press CTRL to enable snapping



Show search results for 59 ...



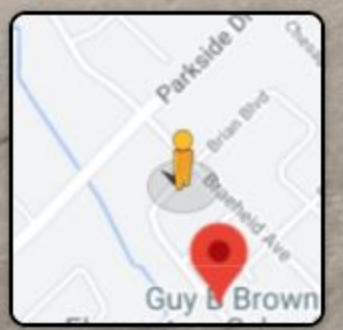
-79.912 43.331 Degrees



59 Brian Blvd
 Hamilton, Ontario

Google

Street View - May 2015

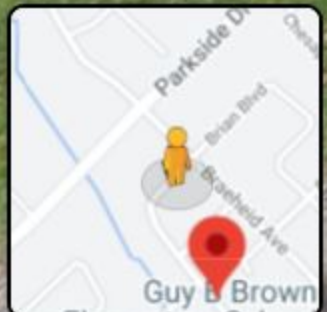


Google

68 Brian Blvd
Hamilton, Ontario

Google

Street View - May 2015



Google



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-21:445

APPLICANTS: Agent T. Johns Consulting Group c/o K. Gillis
 Owner Northern Cardinal Developments Ltd. c/o Agro
 Development Corp. Att: A. Roberts

SUBJECT PROPERTY: Municipal address **59 Brian Blvd., Flamborough**

ZONING BY-LAW: Zoning By-law 90-145z, as Amended 00-115z

ZONING: "R1-25" (Urban Residential (Single Detached) Zone

PROPOSAL: To permit the severance of lands in order to create a total of two (2) lots (Part 1 and Part 2) as per Consent Application FL/B-21:118, for single detached dwelling purposes; notwithstanding that;

1. A minimum lot area of 459.0m² shall be permitted for Part 1 instead of the minimum 460.0m² lot area required.
2. A maximum height of 9.5m shall be permitted for both Part 1 & Part 2 instead of the maximum 8.2m height permitted.
3. A maximum lot coverage of 39% shall be permitted for Part 1 and maximum lot coverage of 35% shall be permitted for Part 2 instead of the maximum 30.0% lot coverage permitted.
4. A minimum exterior side yard of 3.0m shall be permitted for Part 2 instead of the minimum 5.0m exterior side yard required.

Notes: This application is to be heard in conjunction with Consent Application FL/B-21:118.

The applicant requested a variance to permit 6.0m to the hypotenuse of the daylight triangle. However, per previous interpretations, the hypotenuse of the daylight triangle is considered part of the exterior side lot line. Therefore, a variance is not required as the minimum exterior side yard to the hypotenuse will be met based on the 6.0m setback proposed.

No elevation plans were provided from which to confirm that the requested height variance is accurate; therefore, further variances may be required.

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

.../2

FL/A-21:445

Page 2

The zoning By-law requires a minimum parking space size of 2.6m x 5.8m. No details were provided from which to determine compliance; therefore, further variance may be required.

The applicant shall ensure that any proposed encroachments i.e. eaves gutters, unenclosed porches etc., shall conform to Section 5.30 of the Flamborough Zoning By-law; otherwise, further variances shall be required.

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

DATE: Thursday, February 3rd, 2022
TIME: 3:10 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: January 18th, 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.

REV. 03.11.2025
FILE: P:\P\00004\01\00004-100-11.dwg last saved by SWS, plotted: 11/27/2021 10:55:53 PM on paper size CUSTOM 1: 9140000 MM (UNITS:MM)

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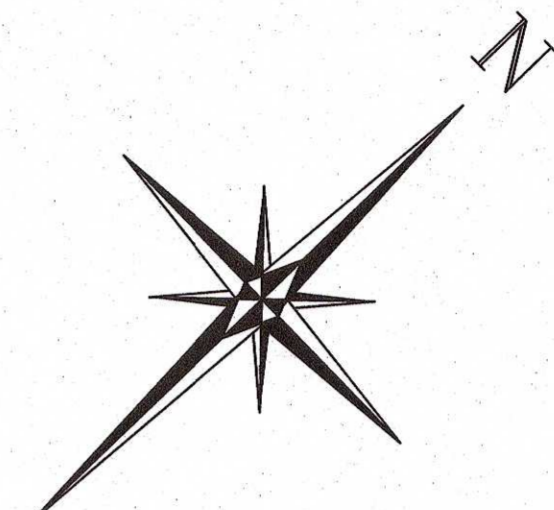
November 3, 2021
DATE
Patrick Woolley
PATRICK WOOLLEY
ONTARIO LAND SURVEYOR

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PLAN SUBMISSION FORM
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1015 SUTTON DRIVE, UNIT A
BURLINGTON, ONTARIO, L7L 6S8
TEL: (905) 639-2552

Drawn: S. DU Checked: P. WOOLLEY Project Number: 50094-101



LOT 12
P.I.N. 17561-0212(LT)

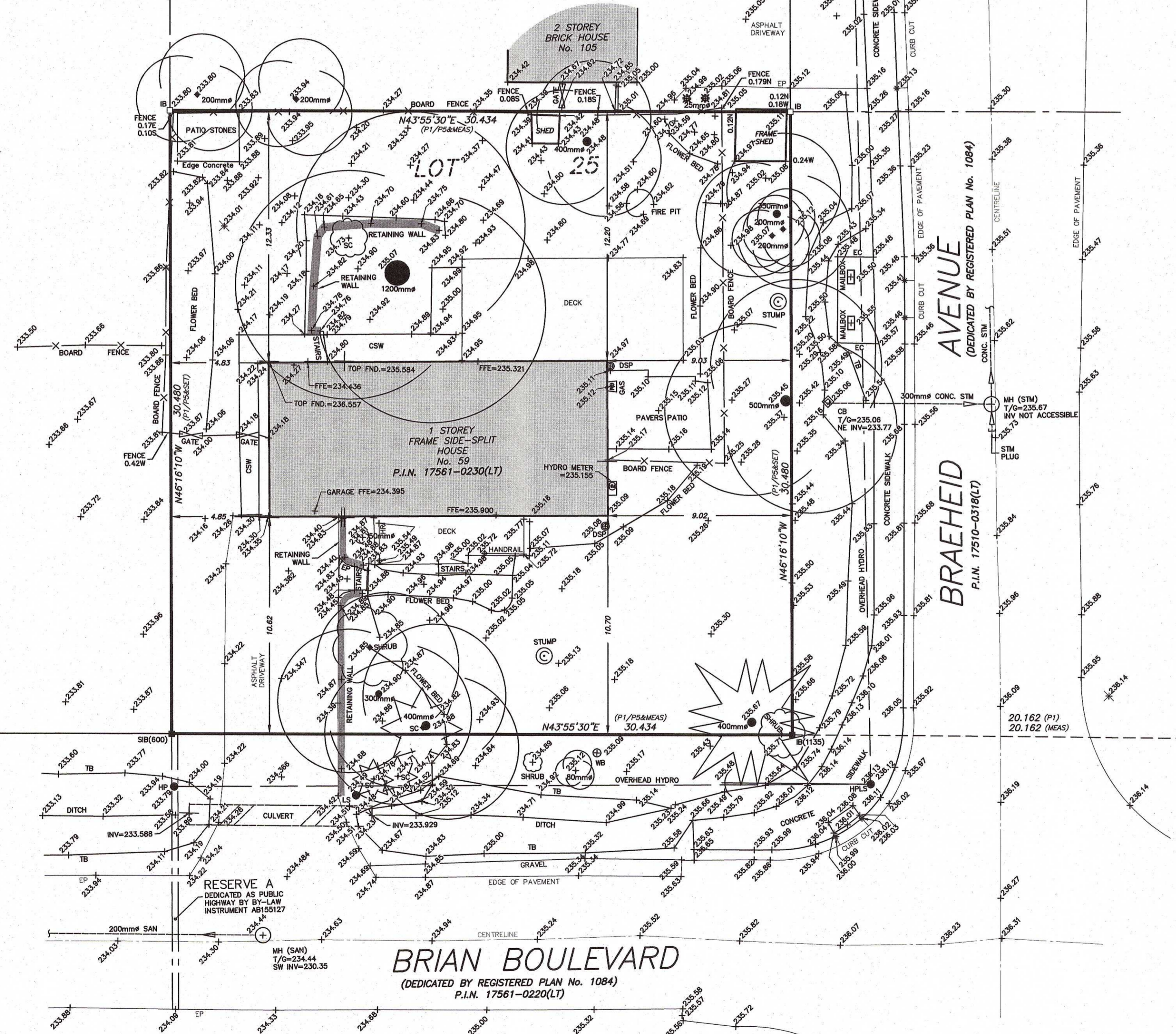
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PART 1, PLAN 62R-15836
P.I.N. 17561-0229(LT)

REGISTERED PLAN NO. 1163
LOT 36
P.I.N.17561-0215(LT)

LOT 26



BRIAN BOULEVARD
(DEDICATED BY REGISTERED PLAN No. 1163)
P.I.N. 17561-0220(LT)

BRIAN BOULEVARD
(DEDICATED BY REGISTERED PLAN No. 1084)
P.I.N. 17561-0220(LT)

⊕ FH=233.055



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:

The Bank of Nova Scotia
5075 Yonge Street, 2nd Floor
Toronto, ON M2N 6C6

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:
- Corner Lot Coverage: 35%
 - Interior Lot Coverage: 39%
 - Corner Min. Lot Front Yard Setback of 7.5m except 6.0m to the hypoteneuse of a required Daylight Triangle Lot
 - Interior Lot Min. Lot Area of 459sq.m.
 - Maximum Height of 9.5m
 - Min. Exterior Side Yard of 3.0m

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

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

Please see Appendix "A": Planning Rationale

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

Lot 25 of Registered Plan No. 1084 (Blackdale Addition), formerly in the Town of Flamborough now in the City of Hamilton, municipally known as 59 Brian Boulevard, Waterdown

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial Agricultural Vacant Other

Other _____

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

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

Yes No Unknown

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

Owner's 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.

2021/11/30
Date

Amy Roberts
Signature Property Owner(s)
Northern Cardinal Developments Ltd. c/o
Amy Roberts, Argo Development Corp.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	Submitted with Consent application; See Appendix "A": Planning Rationale for details.
Depth	
Area	
Width of street	

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

Existing:
 Stories: 1
 Width: ± 17.41 m
 Length: ± 11.82 m
 Ground Floor Area: ± 167.41 m²

Proposed

See Appendix "A": Planning Rationale and Concept Plan attached.

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

Existing:
 Rear: + 8.95 m
 Front: + 11.2 m
 Side (interior): + 5.19 m
 Side (exterior): + 7.85 m

Proposed:

See Appendix "A": Planning Rationale and Concept Plan attached.

13. Date of acquisition of subject lands:
August 23rd, 2021
-
14. Date of construction of all buildings and structures on subject lands:
Approx. 1960s
-
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:
Since construction
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"R1-25" Urban Residential (Single Detached) Zone in Flamborough ZBL No. 90-145-Z
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
This application is to be submitted concurrently with an application for consent to divide the property into two individual lots for the creation of two new single family detached dwellings.
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.