City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 22-05

Date: March 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

2.1. 1:15 p.m.HM/B-21:126-132974-980 Upper Paradise Road & 0 Woodvalley Court, Hamilton (Ward 14) — 5

Agent T. Johns Consulting Group Ltd. (K. Gillis)
Owner Winzen Ancaster Residential Homes Ltd. & Owner Charles Meakins

2.2. 1:20 p.m.HM/A-22:16132 Stone Church Rd. E., Hamilton (Ward 14) — 103

Agent A.J. Clarke & Associates
(S. Fraser)
Owner M. Kulchyckyj

2.3. 1:25 p.m.HM/A-22:17250 East 16th St., Hamilton (Ward 8) 113

Owners P. Lira & K. Moreira

2.4. 1:30 p.m.SC/A-22:1964 Eringate Court, Stoney Creek (Ward 9) 125

Agent Shivang Tarika
Owner Vivek Sharma

2.5. 1:35 p.m.AN/B-22:0810 Farr Court, Ancaster (Ward 12) 135

Owner T. Valeri Construction Ltd.
(A. Lindsay)

2.6. 1:40 p.m.SC/A-22:2222 Ben Tirran Crescent, Stoney Creek (Ward 10) 147

Agent 7946899 Canada Inc. c/o Land Art (Debi McKellar)
Owner Pietro Antonio Trombetta

2.7. 1:45 p.m.GL/A-22:259205 Airport Rd., Glanbrook (Ward 11) 159

Owners T. & M. Beijes

2.8. 1:50 p.m.HM/A-22:2669 Ranchdale Dr., Hamilton (Ward 7) 167

Agent Team Shane Renovations
(L. Sayegh)
Owner Mistry Schuler

2.9. 1:55 p.m.HM/B-21:79727 Rymal Rd. E., Hamilton (Ward 6) 183

Agent GSP Group – J. Liberatore
Owner M. Khera

2.10. 2:00 p.m.HM/A-22:32298 East 26th St., Hamilton (Ward 7) 201

Agent Manco Design – J. Mancini
Owners K. & J. Holliday

3. URBAN

3.1. 2:05 p.m.HM/A-22:18545 Beach Boulevard, Hamilton (Ward 5) 207

Agent Noory Engineering Inc.
Owners D. Knight & J. Antrobles

3.2. 2:15 p.m.HM/A-22:0127, 33, 39, 41 & 43 Herkimer St., Hamilton (Ward 2) 221

Agent Urban Solutions (M. Johnston)
Owner Knightsbridge & Chancery Properties (D. Horwood)

3.3. 2:20 p.m.HM/A-22:2474 Province St. S., Hamilton (Ward 4) 229

Agent Kevin Webster Design Inc.
Owner K. & A. Strong

3.4. 2:35 p.m.HM/B-22:0958 St. Matthews Ave., Hamilton (Ward 3) 239

Agent 2840146 Ontario Inc.
(J. Greene)
Owner Simranjeet Mann

3.5. 2:35 p.m.HM/A-22:2758 St. Matthews Ave., Hamilton (Ward 3) 257

Agent 2840146 Ontario Inc.
(J. Greene)
Owner Simranjeet Mann

3.6. 2:40 p.m.HM/A-22:28185 Park St. N., Hamilton (Ward 2) 271

Agent Kevin Webster Design Inc.
Owner Maria Barbosa

3.7. 2:45 p.m.HM/A-22:2922 Blythe St., Hamilton (Ward 3) 283

Agent Christine Brown
Owner Christopher O'Neill

3.8. 2:50 p.m.HM/A-22:3028 Roanoke Rd., Hamilton (Ward 1) 295

Owner Leah Vanderhout

3.9. 3:00 p.m.HM/A-21:365760 Rennie St., Hamilton (Ward 4) 307

Agent John Stirling
Owner Andrew Ranelli

4. RURAL

4.1. 3:05 p.m.FL/A-22:212092 Hwy 6, Flamborough (Ward 15) 315

Owner Zachary Lacroix

4.2. 3:10 p.m.FL/A-22:2346 Attridge Crescent, Flamborough (Ward 15) 335

Agent Cloud Top Design Inc.
(Xudong Tang)
Owners S. MacCormack &
M. McQueen

4.3. 3:15 p.m.FL/A-21:37128 Oak Ave., Flamborough (Ward 13) 355

Owner Matej Hrotka

5. CLOSED

6. ADJOURNMENT

T. JOHNS CONSULTING GROUP URBAN PLANNING | DESIGN | PROJECT MANAGEMENT

December 15th, 2021
Via Email

ATTN: Jamila Sheffield, Secretary-Treasurer

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

RE: 974 & 980 Upper Paradise Road, Block 131 Registered Plan 1085, Hamilton Applications for Consent to Server

Dear Ms. Sheffield,

T. Johns Consulting Group Ltd. has been retained by Winzen Ancaster Residential Homes Ltd. to submit seven (7) applications for Consent to Sever for above-mentioned lands ("subject lands"). The subject lands were subject to amending Zoning By-law No. 21-088 to facilitate land assembly which was approved May 26, 2021 and was deemed final and binding as of June 22nd, 2021.

The proposed severances are required to complete the original intended development of the "Paradise Green" neighbourhood through land assembly by severing parts of 974 and 980 Upper Paradise Road and Block 131 of Registered Plan 1085 to be merged with various parts and Blocks 131-134 of Registered Plan 62M-1058 for four (4) new single detached lots fronting onto Woodvalley Court. Additionally, the existing dwelling at 974 Upper Paradise Road is to be demolished to facilitate the creation of one (1) new detached lot fronting onto Upper Paradise Road. The existing dwelling on 980 Upper Paradise Road will remain (refer to Concept Plan).

The rezoning application (ZAC-19-021) reviewed the servicing, stormwater management, grading and tree protection aspects of the development. The amending By-law No. 21-088 applies a Holding Provision to the subject lands until such time upgrades to the Twenty Road Pumping Station are completed for servicing capacity. However, one dwelling fronting Upper Paradise Road is permitted to be constructed prior to servicing capacity updates, namely part of 974 Upper Paradise Road, which is not subject to the Holding Provision.

The seven (7) requested Consents are as follows (refer to Draft R-Plans):

974 Upper Paradise Road:

- Consent 1 (refer to Consent 1 Sketch):
  - Sever Part 1; and,
  - Retain Parts 2 & 3.

- Consent 2 (refer to Consent 2 Sketch):
  - Sever Part 3; and,
  - Retain Part 2.

- Consent 3 (refer to Consent 3 Sketch):
  - Sever Parts 5 & 6;
  - Retain Parts 2 & 10; and,
  - Merge Part 2 with Part 1;
  - Merge Part 10 with Part 9.

- Consent 4 (refer to Consent 4 Sketch):
  - Sever Part 6;
  - Retain Part 5; and,
  - Merge Part 5 with Part 4; and,
  - Merge Part 6 with Part 7.

980 Upper Paradise Road:

- Consent 1A (refer to Consent 1A Sketch):
  - Sever Parts 8 & 11; and,
  - Retain Part 12.

- Consent 2A (refer to Consent 2A Sketch):
  - Sever Part 11;
  - Retain Part 8;
  - Merge Part 8 with Parts 6 & 7; and
  - Merge Part 11 with Parts 9 & 10.

Block 131 of Plan 62M-1085:

- Consent 1B (refer to Consent 1B Sketch):
  - Sever Part 3;
  - Retain Part 1; and,
  - Merge Part 3 with Parts 4 & 5.

310 Limeridge Road West
Hamilton, ON L9C 2V2
www.tjohnsconsulting.com

T. JOHNS CONSULTING GROUP URBAN PLANNING | DESIGN | PROJECT MANAGEMENT

Please find the electronically enclosed documents:

- Four (4) Consent to Sever Applications complete with signatures for 974 Upper Paradise Road;
- Two (2) Consent to Sever Applications complete with signatures for 980 Upper Paradise Road;
- One (1) Consent to Sever Application complete with signatures for Block 131 of Registered Plan 62M-1085.
- One (1) Copy of a Cheque for $17,160.00 made payable to the City of Hamilton to satisfy the application fee for six (6) applications ($2,860 x 6 Applications);
- One (1) Copy of a Cheque for $2,860.00 made payable to the City of Hamilton to satisfy the application fee for (1) application;
    - Note all cheques were delivered to City Hall on December 9, 2021.
- Amending By-law No. 21-088;
- One (1) Survey Plan;
- One (1) Concept Plan;
- Seven (7) Consent Sketches; and,
- Two (2) Draft R-Plans.

We trust this package is complete. Should you have any questions, please do not hesitate to contact Katelyn Gillis at (905) 574-1993 ext. 207.

Respectfully submitted,
T. Johns Consulting Group Ltd.

Katelyn Gillis, BA
Intermediate Planner

Terri Johns, MCIP, RPP
President

310 Limeridge Road West
Hamilton, ON L9C 2V2
www.tjohnsconsulting.com

NOTE:

1. DIMENSIONS SHOWN TO 3 DECIMAL PLACES ARE BASED ON LEGAL SURVEY INFORMATION.
2. ALL REMAINING DIMENSIONS, MARKED BY A ± SYMBOL, ARE BASED ON APPROXIMATIONS WHICH WILL NEED TO BE VERIFIED BY AN O.L.S.
3. ZONING INFORMATION BASED ON THE BASE DISTRICT 'C' REQUIREMENTS FROM ZONING BY-LAW 6593.

LEGAL DESCRIPTION

N

REVISIONS

REV.	DESCRIPTION	DATE	INIT.
C	REISSUE	7-JAN-2020	JB
B	REVIEW	30-NOV-2018	JW
A	REVIEW	20-NOV-2018	JW

DISCLAIMER

THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.

ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.

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T. JOHNS CONSULTING GROUP
URBAN PLANNING | DESIGN | PROJECT MANAGEMENT

310 LIMERIDGE ROAD WEST, SUITE 6
HAMILTON ONTARIO, L9C 2V2
P 905-574-1993
F 905-527-9559

PROJECT TITLE

980 UPPER PARADISE ROAD

HAMILTON, ONTARIO

DRAWING TITLE

CONCEPTUAL SITE PLAN

DRAWN BY: JW	DESIGNED BY: JW
PRINT DATE: 07-JAN-2020	PROJECT NUMBER: 5802
REVISION: B	DRAWING NUMBER: CSP1-1
SCALE: 1:400	

Plotted by: Jennifer Badley; 07-JAN-2020; 4:18PM

File Location: C:\Dropbox (T. Johns Consulting)\TJCG SERVER\Projects\5802 - 980 Upper Paradise Road, Hamilton (Woodvalley Court)\Drawings\Planning\980 Upper Paradise Site Plan_Updated.dwg

PLAN OF SURVEY
OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2021

SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1	PART OF LOT 21	CONCESSION 8	ALL OF PIN 17565–0768 (LT)
2			
3			
4			

PLAN 62 R– _____

RECEIVED AND DEPOSITED

Date _____

_____

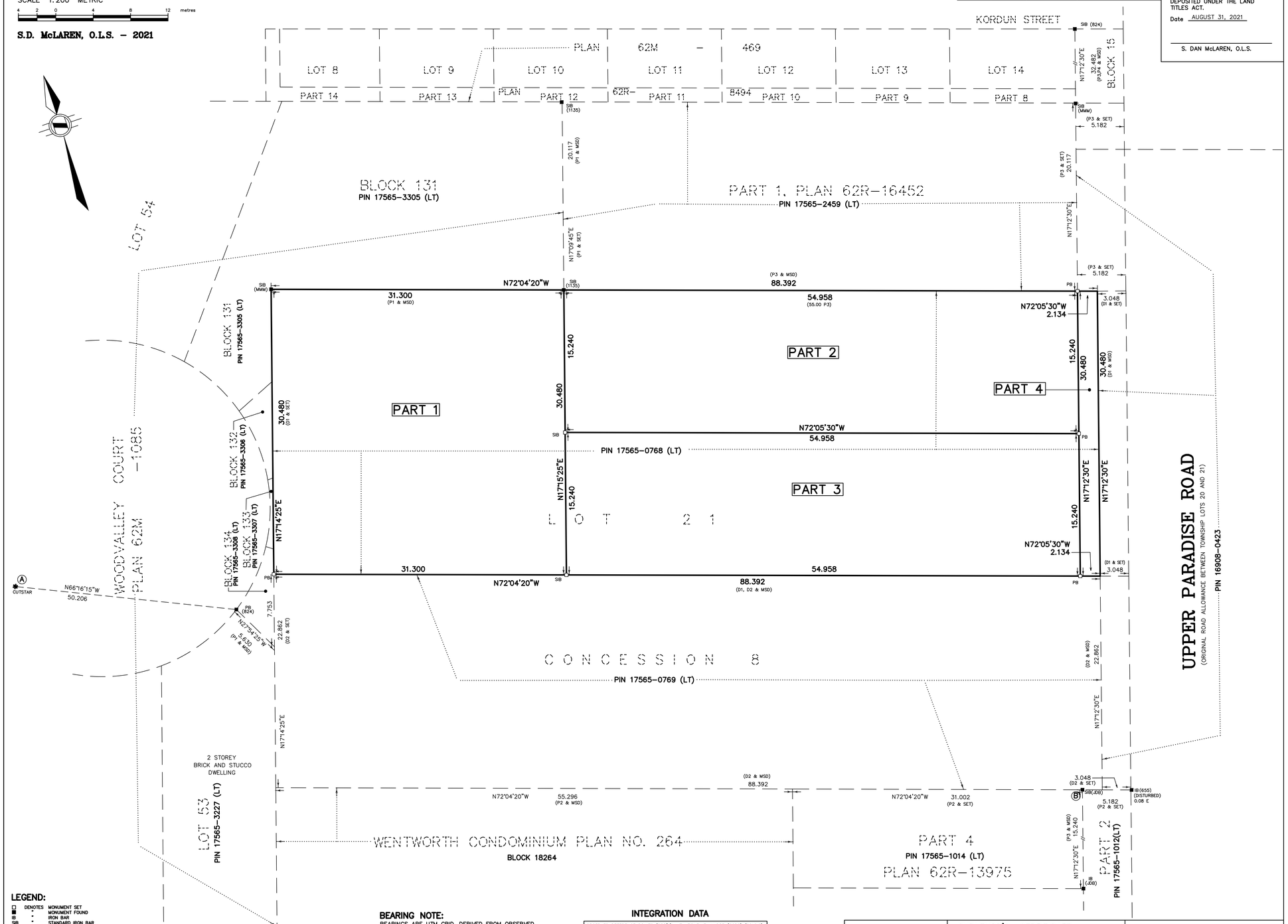
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

Date AUGUST 31, 2021

_____

S. DAN McLAREN, O.L.S.



LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
B24	"	A.T. McLAREN, O.L.S.
Med	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. MCLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD278850

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884

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

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

SURVEYOR'S CERTIFICATE
I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE

S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	DC	DW	1:200	Dwg.No. 35788–R1

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2021

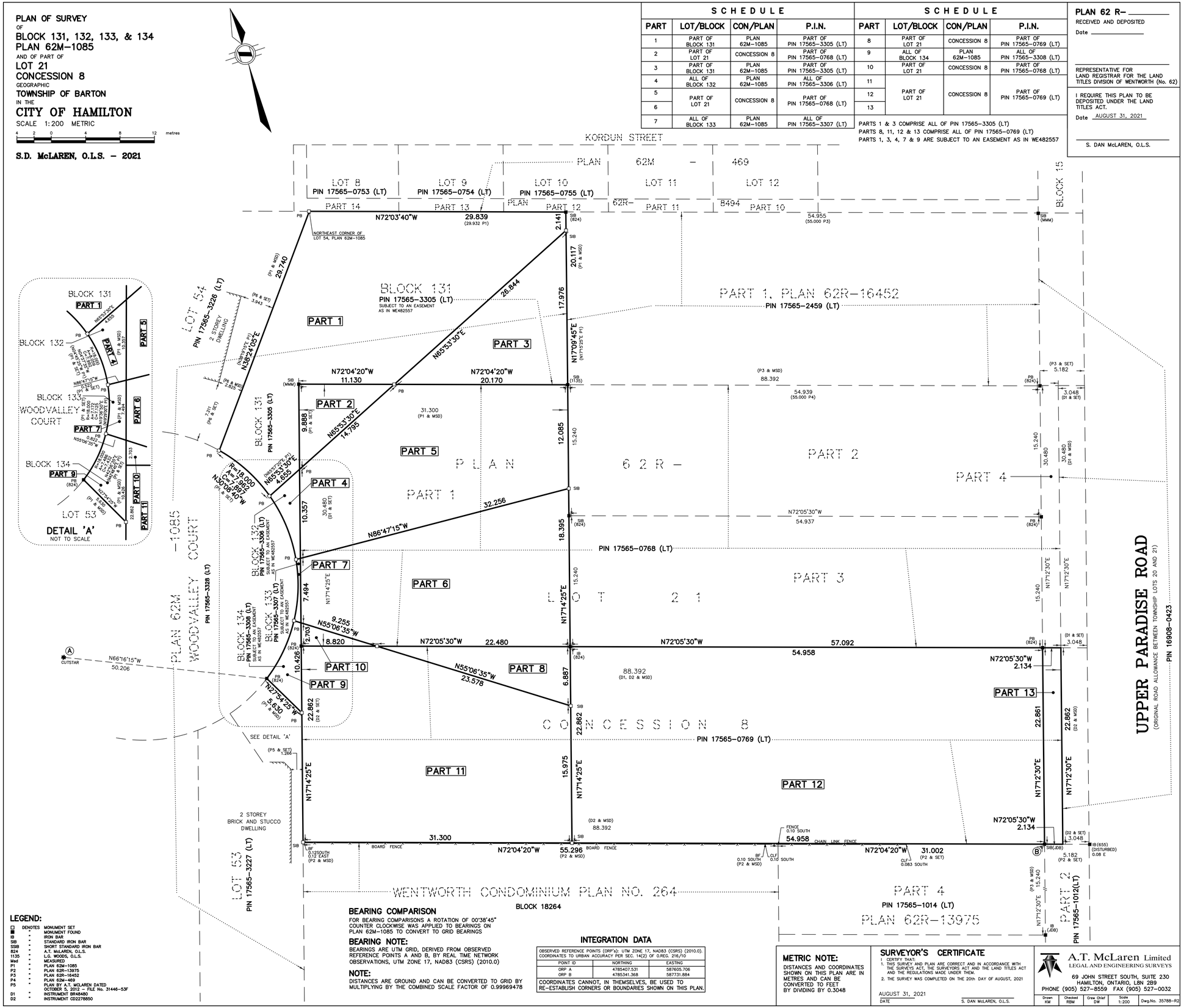
SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R– _____
RECEIVED AND DEPOSITED
Date _____
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021
S. DAN McLAREN, O.L.S.



LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
1135	"	L.G. WOODS, O.L.S.
Mad	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD2278850

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M–1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

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ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884

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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.
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE

S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

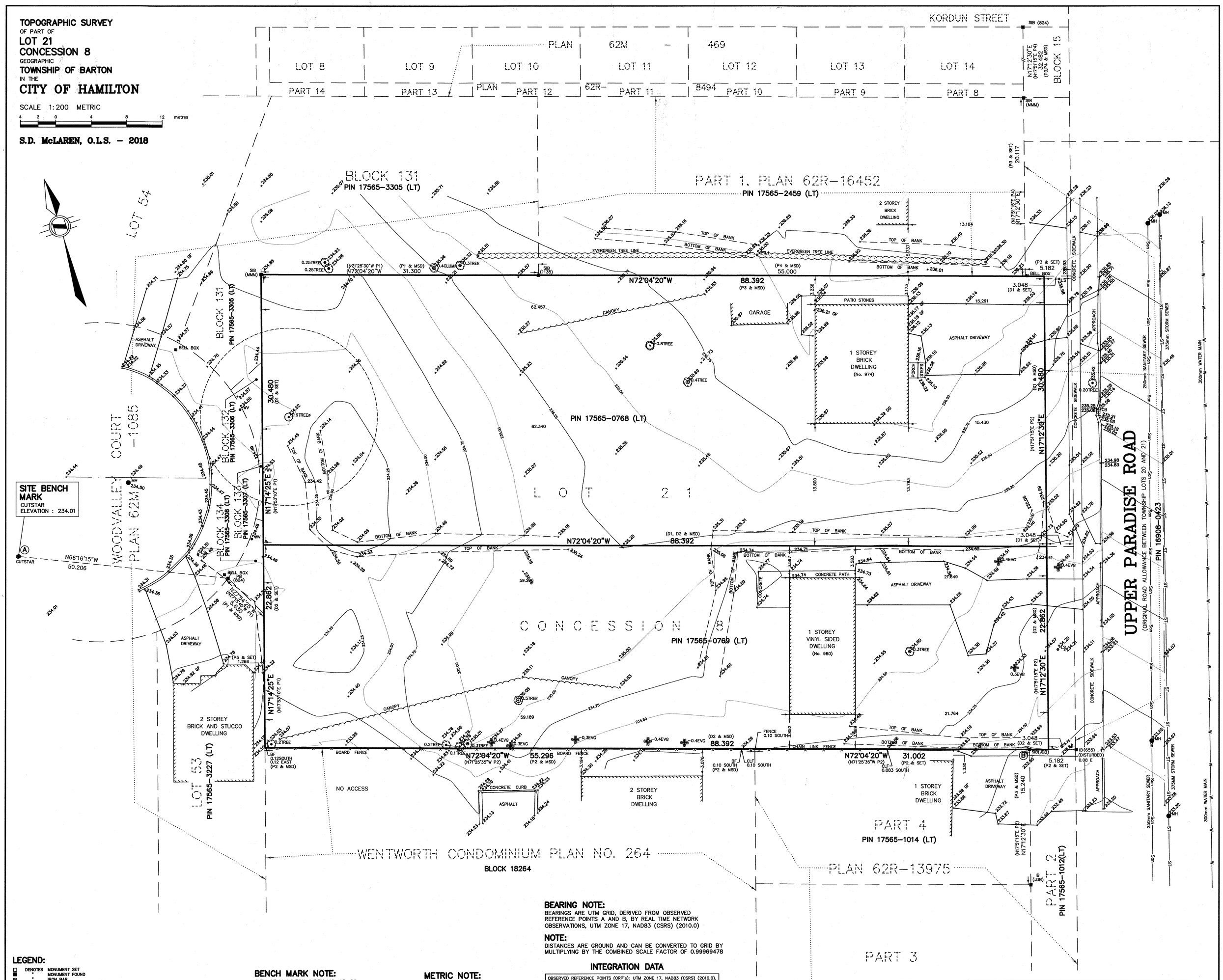
Drawn	Checked	Crew Chief	Scale	
KM	RBM	DW	1:200	Dwg.No. 35788–R2

TOPOGRAPHIC SURVEY
OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2018



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P5	"	PLAN BY A.T. MCLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR49480
D2	"	INSTRUMENT CD2278850

BENCH MARK NOTE:
CITY OF HAMILTON INDEX NO. 18–09
ELEVATION: 233.839
DESCRIPTION: IRON PIPE WITH BRASS CAP 19.5M NORTH OF CENTRELINE OF STONE ROAD, 7.92M SOUTH OF AN OPPOSITE SOUTH WALL OF HOUSE NO.901, 1.16M SOUTH WEST OF POWER POLE, 0.3M ABOVE ROAD LEVEL.
NO. 65–U–048

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

BEARING NOTE:
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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 19th DAY OF SEPTEMBER, 2018

OCTOBER 5, 2018
DATE

S. DAN McLAREN, O.L.S.

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A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	MWJ	1:200	35788

City Hall, 71 Main Street West
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

City Clerk's Office
Phone: 905.546-2424 ext 4605 Fax: 905.546-2095
Email: Lisa.Kelsey@hamilton.ca

Hamilton

June 22, 2021

Winzen Ancaster Residential Homes Ltd.
30 Algie Avenue
Toronto ON M8Z 5J8

T. Johns Consulting Group Ltd.
c/o Katelyn Gillis
310 Limeridge Road West, Suite 6
Hamilton, ON L9C 2V2

Re: Passage of Zoning By-law 21-088
974 and 980 Upper Paradise Road and Blocks 131-134 of Registered Plan 62M-1085, Hamilton

Please find enclosed a copy of the Statutory Declaration and By-law for the above-mentioned property. The By-law is now final and binding.

Yours truly,

Lisa Kelsey
Legislative Coordinator
Planning Committee

Attachments

Copies to:
Steve Robichaud
Joanne Hickey Evans
Zeltite Race
Nada Belair
Christine Newbold
David Janaszek
MPAC

ZAC-19-021

DOMINION OF CANADA Province of Ontario	)))))	**IN THE MATTER OF By-law No. 21-088** **AND IN THE MATTER OF Sections 34(22) of the *Planning Act*, R.S.O. 1990, c. P.13.** **974 and 980 Upper Paradise Road and Blocks 131-134 of Registered Plan 62M-1085, Hamilton**

TO WIT:

I, Lisa Kelsey, Legislative Coordinator, City Clerk's Office, of the City of Hamilton, **DO SOLEMNLY DECLARE:**

1. That Notice of a Public Meeting for the purpose of informing the public in respect of the proposed Zoning By-law Amendment was given on the 22nd day of April, 2021 as prescribed by law.

2. That By-law Number 21-088 was passed on the 26th day of May, 2021.

3. That Notice of Passing of the Zoning By-law 21-088 was given in accordance with Section 34(18) of the *Planning Act* on the 1st day of June, 2021.

4. That no Notice of Appeal was filed under Section 34(19) of the *Planning Act* on or before the 21st day of June, 2021, being twenty days from the day of the notice given of the passing of the said By-law.

5. That Section 24(2) of the *Planning Act* does not apply in that the Council did not adopt an amendment to the Official Plan and said By-law conforms to the Official Plan.

6. That, in accordance with Section 34(21) of the *Planning Act*, I verily believe that the By-law is deemed to come into force on the day it was passed.

AND I MAKE THIS solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act.*

DECLARED before me at the City of Hamilton)
this 22nd day of June, 2021.)

A Commissioner, etc.

Janet R. Pilon
Deputy Clerk
A Commissioner, for the City of Hamilton

ZAC-19-021

Authority: Item 4, Planning Committee
Report 21-008 (PED21086)
CM: May 26, 2021
Ward: 14
Bill No. 088

CITY OF HAMILTON

BY-LAW NO. 21-088

To Amend Zoning By-law No. 6593, Respecting Lands Located at 974 and 980 Upper Paradise Road and Blocks 131, 132, 133 and 134 of Registered Plan 62M-1068

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 21-008 of the Planning Committee, at its meeting held on the 26th day of May 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W37c of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended,

    (a) by changing the zoning from "C/S-1534" (Urban Protected Residential Etc.) District, Modified and "C/S-1788" (Urban Protected Residential Etc.) District, Modified to "C/S-1534-H" (Urban Protected Residential, Etc.) District, Modified, Holding, for the lands comprised of Block 1.

the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.

2. That Sheet No. W37d of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended,

   (a) by changing the zoning from "AA" (Agricultural) District to "C/S-1534a-H" (Urban Protected Residential, Etc.) District, Modified, Holding, for the lands comprised of Block 2;

   (b) by changing the zoning from the "AA" (Agricultural) District to "C-H" (Urban Protected Residential, Etc.) District, Holding, for the lands to the lands comprised of Block 3; and,

   (c) by changing the zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, Etc.) District, for the lands comprised of Block 4.

   the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.

3. "S-1534a"

   a) Section 3 of By-law No. 05-280 shall apply to the lands shown as Block 2 on Schedule 'A' of this By-law.

4. That the 'H' symbol applicable to the lands referred to in Sections 1 and 2 of this By-law, shall be removed upon:

   i) the completion of the required upgrades to the City's sanitary infrastructure (Twenty Road Pumping Station) to the satisfaction of the Senior Director of Growth Management.

5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, etc.) District provisions, subject to the special requirements referred to and applicable to the lands described in Sections 1, 2 and 3.

6. By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1534a.

7. Sheet Nos. W37c and W37d of the District Maps is amended by marking the lands referred to in Section 1(a) of this By-law as S-1534 and Section 2(a) of this By-law as S-1534a.

8. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 26th day of May, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-19-21

Key Map

to By-law No. 21- 088

Subject Property

974 and 980 Upper Paradise Road & Blocks 131, 132, 133 & 134 of Registered Plan 62M-1085

Block 1: Change in Zoning from "C/S-1534" and "C/S-1788" (Urban Protected Residential Etc.) District, Modified to the "C/S-1534 - H" (Urban Protected Residential Etc.) District, Modified, Holding.

Block 2: Change in Zoning from the "AA" (Agricultural) District to the "C/S-1534a - H" (Urban Protected Residential Etc.) District, Modified, Holding.

Block 3: Change in Zoning from the "AA" (Agricultural) District to the "C-H" (Urban Protected Residential Etc.) District, Holding.

Block 4: Change in Zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential Etc.) District.

Scale: N.T.S	File Name/Number: ZAC-19-021	Hamilton
Date: May 27, 2021	Planner/Technician: EB/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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-21:126

SUBJECT PROPERTY: 974 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Winzen Ancaster Residential Homes Ltd.
Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for lot consolidation for residential development and to retain a parcel of land for residential development. Existing dwelling to be removed to facilitate severance. See also HM/B-21:127 to HM/B-21:132.

Severed lands (Part 1):
30m± x 31m± and an area of 954m^2 ±

Retained lands (Part 2 & 3):
30m± x 54m± and an area of 1675m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

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: February 15th, 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.

PLAN OF SURVEY
OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHI POF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. – 2021

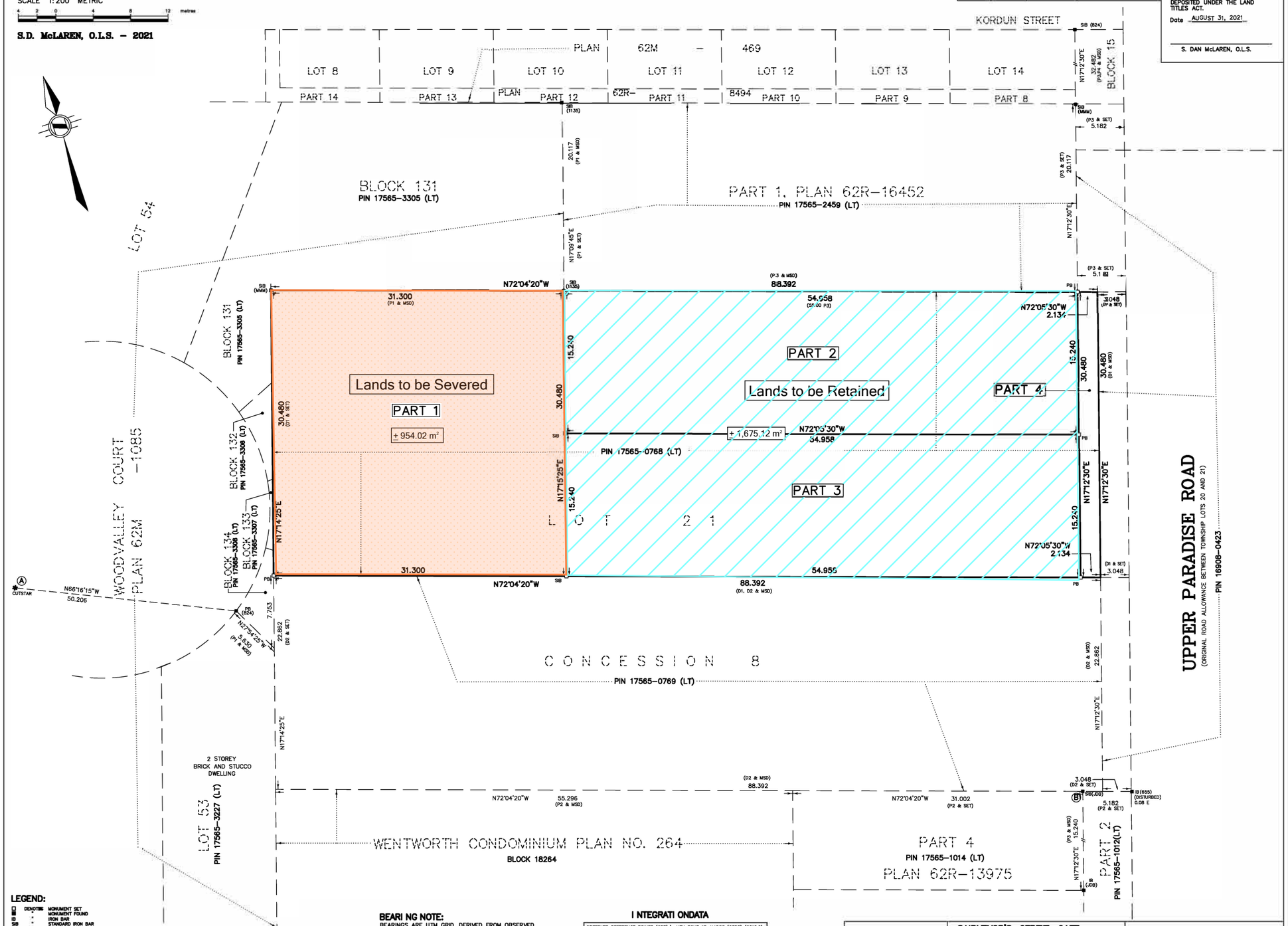
SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1	PART OF LOT 21	CONCESSION 8	ALL OF PIN 17565-0768 (LT)
2			
3			
4			

PLAN 62 R-_____
RECEIVED AND DEPOSITED
Date _____

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 1 SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
B24	"	A.T. McLAREN, O.L.S.
Med	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR46480
D2	"	INSTRUMENT CD278850

BEARI NG NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

I NTEGRATI ONDATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884

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

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

SURVEYOR'S CERTIFI CATE
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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE
S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	DC	DW	1:200	Dwg.No. 35788–R1

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

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

Hamilton

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 974 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION
3.1 Type and purpose of proposed transaction: (check appropriate box)

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

☒ creation of a new lot Other: ☐ a charge

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

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

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

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

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

3.3 If a lot addition, identify the lands to which the parcel will be added:
Part 1 to be subject to further consents for merging.

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m² or ha)
± 30.480 m	± 31.30 m	± 954.02 sq.m

Existing Use of Property to be severed:

☐ Residential
☐ Agriculture (includes a farm dwelling)
☐ Other (specify)
☐ Industrial
☐ Agricultural-Related
☐ Commercial
☒ Vacant Rear of 974 Upper Paradise Road

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: Vacant

Proposed: Single detached dwellings with frontage onto Woodvalley Court

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**: Parts 2 & 3

Frontage (m)	Depth (m)	Area (m² or ha)
±30.48 m	± 54.98 m	± 1,675.12 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: Single detached dwelling

Proposed: Existing dwelling on 974 to be demolished to make way for two single detached dwellings on two new lots facilitated by consent application #2 of this package

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 UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? **Part 1:** "C/S-1534a - H " (Urban Protected Residential, Etc.) District, Modified, Holding
Part 2: "C" (Urban Protected Residential, Etc.) District
Part 3: "C-H" (Urban Protected Residential, Etc.) District, Holding

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 110 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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 and future 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.

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 Note that there are six (6) concurrent consent applications between 980 and 974 Upper Paradise Rd, Hamilton.

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?
2018

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

Blocks 131, 132, 133, 134 of 62M-1085

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 ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

974 and 980 Upper Paradise Rd and Blocks 131-134 of Plan 62M-1085 were subject to ZAC-19-021 for the purposes of land assembly to complete the "Paradise Green" subdivision by finishing detached development at the end of the existing Woodvalley Court cul-de-sac. Services have been installed within Blocks 131-134 Plan 62M-1085. A Holding Provision has been applied to the subject lands until such time upgrades to the Twenty Rd Pumping Station are completed.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

Oct 15/21

Date

Signature of Owner

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-21:127

SUBJECT PROPERTY: 974 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Winzen Ancaster Residential Homes Ltd. Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential development and to retain a parcel of land for residential development. Existing dwelling to be removed to facilitate severance. See also HM/B-21:126 and HM/B-21:128 to HM/B-21:132.

Severed lands (Part 3):
15m± x 54m± and an area of 837m^2 ±

Retained lands (Part 2):
15m± x 54m± and an area of 837m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

…/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: February 15th, 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.

PLAN OF SURVEY
OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. – 2021

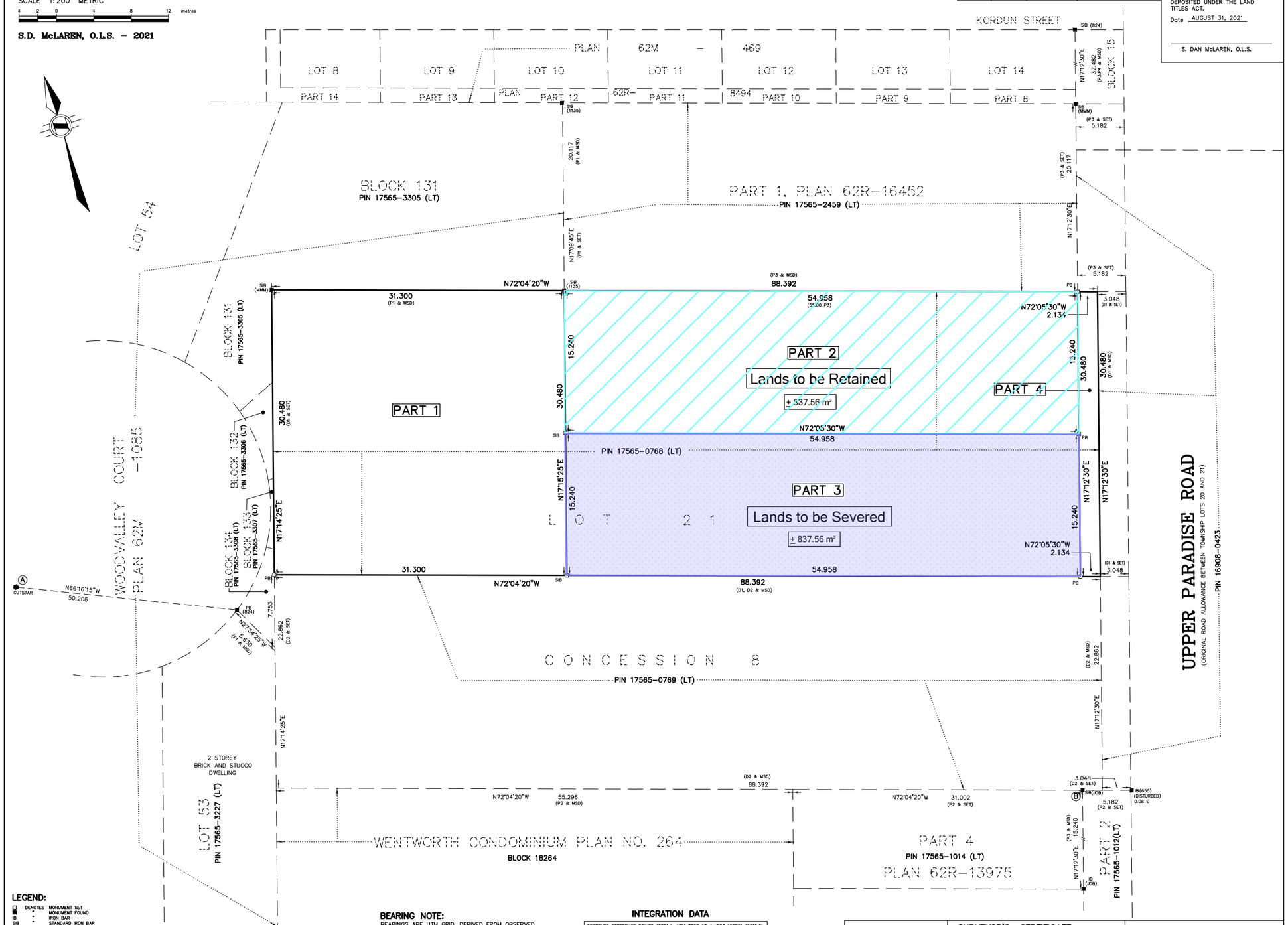
SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1	PART OF LOT 21	CONCESSION 8	ALL OF PIN 17565–0768 (LT)
2			
3			
4			

PLAN 62 R–
RECEIVED AND DEPOSITED
Date

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 2 SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
B24	"	A.T. McLAREN, O.L.S.
Med	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD278850

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884

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

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

SURVEYOR'S CERTIFICATE
I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE
S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	DC	DW	1:200	Dwg.No. 35788–R1

974 Upper Paradise Road - Consent Application #2

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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 974 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION
3.1 Type and purpose of proposed transaction: (check appropriate box)

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

☒ creation of a new lot Other: ☐ a charge

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

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

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

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

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 3

Frontage (m)	Depth (m)	Area (m² or ha)
± 15.24 m	± **54.98** m	± **837.56** sq.m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Mostly vacant, portion of existing dwelling on Part 2 (974 Upper Paradise)

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**: Part 2

Frontage (m)	Depth (m)	Area (m² or ha)
± 15.24 m	± **54.98** m	± **837.56** 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: Single detached dwelling

Proposed: Existing dwelling on 974 to be demolished for a new single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

_____

Type of sewage disposal proposed: (check appropriate box)

☒ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify)

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

☒ electricity ☒ telephone ☒ school bussing ☒ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? **Part 2:** "C" (Urban Protected Residential, Etc.) District **Part 3:** "C-H" (Urban Protected Residential, Etc.) District, Holding

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 110 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development withing the settlement area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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.

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 There are 6 concurrent Consent to Sever applications between 974 and 980 Upper Paradise Rd.

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?
2018

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

Blocks 131, 132, 133 and 134 of Plan 62M-1085.

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 ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

974 and 980 Upper Paradise Rd and Blocks 131-134 of Plan 62M-1085 were subject to ZAC-19-021 for the purposes of land assembly to complete the "Paradise Green" subdivision by finishing detached development at the end of the existing Woodvalley Court cul-de-sac. Services have been installed within Blocks 131-134 Plan 62M-1085. A Holding Provision has been applied to the subject lands until such time upgrades to the Twenty Rd Pumping Station are completed.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

Oct 15/21

Date

Signature of Owner

Hamilton

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:128

SUBJECT PROPERTY: 974 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Winzen Ancaster Residential Homes Ltd.
Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and to retain two parcels of land to be merged with abutting lands. See also HM/B-21:126, HM-B-21:127 and HM/B-21:129 to HM/B-21:132.

Severed lands (Parts 5 & 6):
17m± x 32m± and an area of 889m^2 ±

Retained lands (Part 2):
area of 55m^2 ±

Retained lands (Part 10):
area of 12m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

…/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: February 15th, 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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON
SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. – 2021

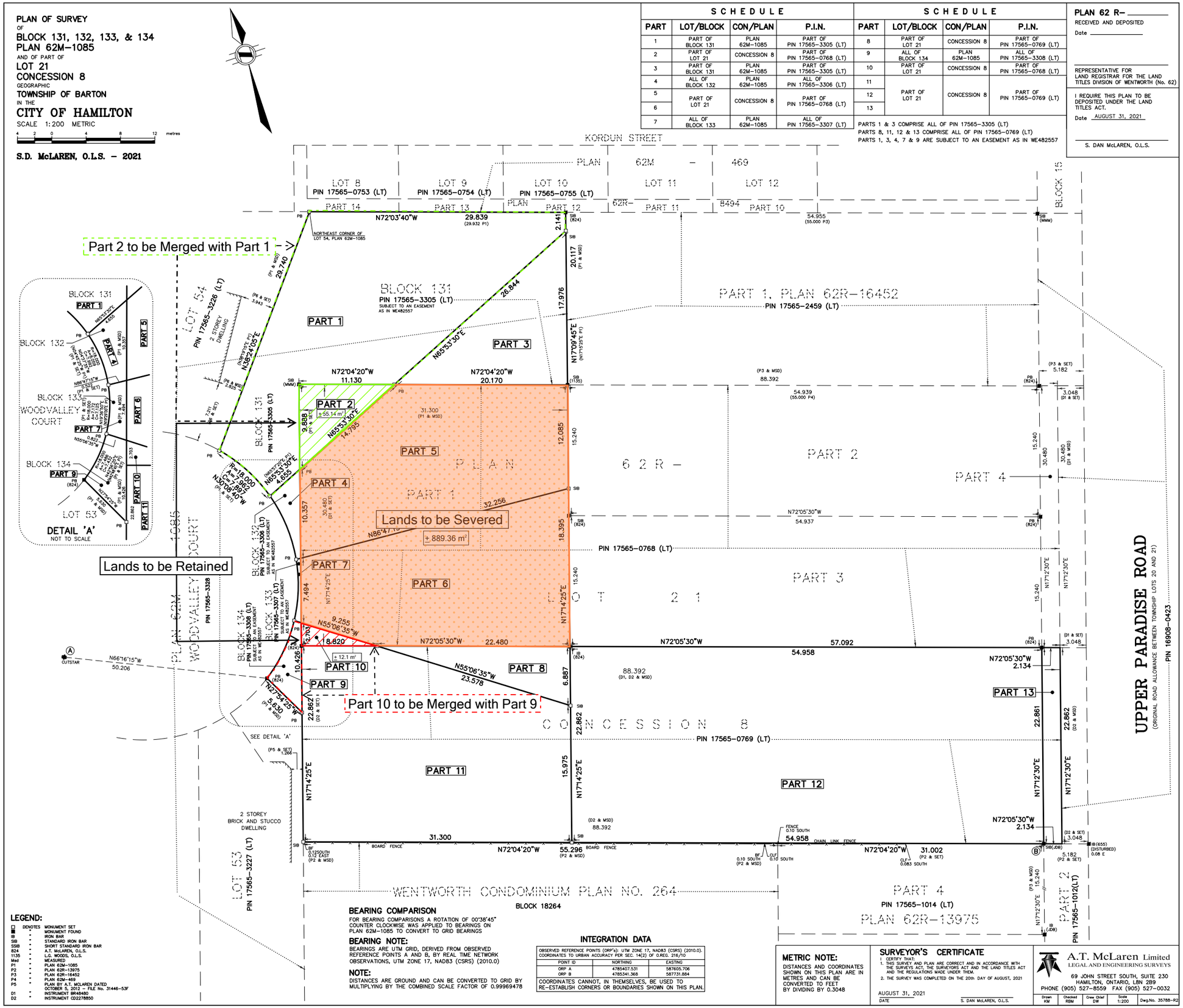
SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R–
RECEIVED AND DEPOSITED
Date
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021
S. DAN McLAREN, O.L.S.



CONSENT 3 SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□ DENOTES	MONUMENT SET	
■ "	MONUMENT FOUND	
IB "	IRON BAR	
SIB "	STANDARD IRON BAR	
SSIB "	SHORT STANDARD IRON BAR	
824 "	A.T. McLAREN, O.L.S.	
1135 "	L.G. WOODS, O.L.S.	
Med "	MEASURED	
P1 "	PLAN 62M–1085	
P2 "	PLAN 62R–13975	
P3 "	PLAN 62R–16452	
P4 "	PLAN 62M–469	
P5 "	PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F	
D1 "	INSTRUMENT BR48480	
D2 "	INSTRUMENT CD227850	

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M–1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE

I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE
S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	DW	1:200	35788–R2

974 Upper Paradise Road - Consent Application #3

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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 974 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION

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

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

☒ creation of a new lot Other: ☐ a charge

- [x] 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:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

3.3 If a lot addition, identify the lands to which the parcel will be added:
Part 2 will be merged with Part 1 (Block 131, Plan 62M-1085)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 2 & 10

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	Part 2: ± 14.8 m Part 10: ± 9.25 m	Part 2: ± 55.14 sq. m Part 10: ± 12.1 sq. m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling

Type of access: (check appropriate box)

- [ ] provincial highway
- [ ] municipal road, seasonally maintained
- [x] municipal road, maintained all year (once assembled)
- [ ] right of way
- [ ] other public road

Type of water supply proposed: (check appropriate box)

- [x] 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)

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

4.2 Description of land intended to be **Retained**: Part 5 & 6

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 32.25 m	± 889.36 sq. m

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting Woodvalley Court

Type of access: (check appropriate box)

- [ ] provincial highway
- [ ] right of way
- [ ] municipal road, seasonally maintained
- [ ] other public road
- [x] municipal road, maintained all year (once assembled)

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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 UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? "C/S-1534a-H" (Urban Protected Residential, Etc.) District, Modified, Holding

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 110 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?

Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development withing the settlement area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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.

_____

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?
2018

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

Blocks 131, 132, 133, 134 of Plan 62M-1085.

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 ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

974 and 980 Upper Paradise Rd and Blocks 131-134 of Plan 62M-1085 were subject to ZAC-19-021 for the purposes of land assembly to complete the "Paradise Green" subdivision by finishing detached development at the end of the existing Woodvalley Court cul-de-sac. Services have been installed within Blocks 131-134 Plan 62M-1085. A Holding Provision has been applied to the subject lands until such time that the pumping station on Twenty Road have been completed.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

04/15/21

Date

Signature of Owner

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-21:129

SUBJECT PROPERTY: 974 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Winzen Ancaster Residential Homes Ltd.
Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be merged with abutting land and to retain a parcel of land to be merged with abutting land. See also HM/B-21:126 to HM/B-21:128 and HM/B-21:130 to HM/B-21:132.

Severed lands (Part 6):
$7m^{\pm}$ x $32m^{\pm}$ and an area of $438m^{2\pm}$

Retained lands (Part 5):
$10m^{\pm}$ x $32m^{\pm}$ and an area of $453m^{2\pm}$

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

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: February 15th, 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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON
SCALE 1:200 METRIC
4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2021

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

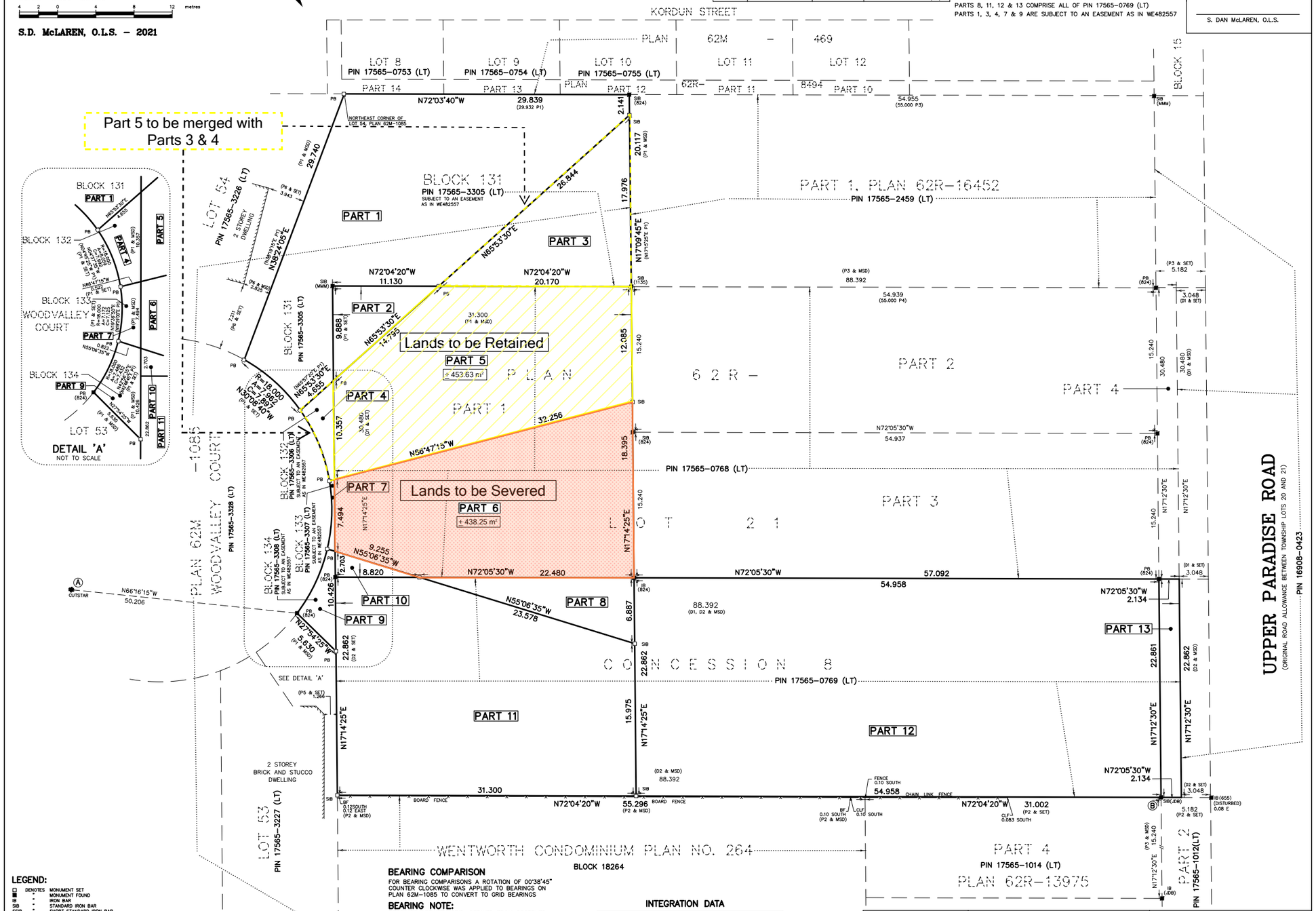
PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R–
RECEIVED AND DEPOSITED
Date

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 4 SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
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SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
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2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE
S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
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Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

Hamilton

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 974 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION

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

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

☒ creation of a new lot Other: ☐ a charge

- [x] 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:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

3.3 If a lot addition, identify the lands to which the parcel will be added:
Part 5 to be merged with Part 3 (Part of Block 131, 62M-1085) & Part 4 (Block 132, Plan 62M-1085); Part 6 to be merged with Part 8 and Part 7 (Block 133, Plan 62M-1085)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 6

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 32.25 m	± 438.25 sq. m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling

Type of access: (check appropriate box)

- [ ] provincial highway
- [ ] municipal road, seasonally maintained
- [x] municipal road, maintained all year (once assembled)
- [ ] right of way
- [ ] other public road

Type of water supply proposed: (check appropriate box)

- [x] 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)

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

4.2 Description of land intended to be **Retained**: Part 5

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 32.25 m	± 453.63 sq. m

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting onto Woodvalley Court

Type of access: (check appropriate box)

- [ ] provincial highway
- [ ] municipal road, seasonally maintained
- [x] municipal road, maintained all year (once assembled)
- [ ] right of way
- [ ] other public road

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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 UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? "C/S-1534a-H" (Urban Protected Residential, Etc.) District, Modified, Holding

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 110 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development withing the settlement area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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.

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?
2018

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

Blocks 131, 132, 133, 134 of Plan 62M-1085

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 ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

974 and 980 Upper Paradise Rd and Blocks 131-134 of Plan 62M-1085 were subject to ZAC-19-021 for the purposes of land assembly to complete the "Paradise Green" subdivision by finishing detached development at the end of the existing Woodvalley Court cul-de-sac. Services have been installed within Blocks 131-134 Plan 62M-1085. Holding Provision has been applied to the subject lands until such time the Twenty Rd pumping station upgrades are completed.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

Oct 15/21

Date

Signature of Owner

Hamilton

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:130

SUBJECT PROPERTY: 980 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Charles Meakins
Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for lot consolidation for residential development and to retain a parcel of land with an existing dwelling (to remain). See also HM/B-21:126 to HM/B-21:129, HM/B-21:131 and HM/B-21:132.

Severed lands (Parts 8 & 11):
22m± x 313m± and an area of 715m^2 ±

Retained lands (Part 12):
22m± x 54m± and an area of 1256m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

…/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: February 15th, 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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2021

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

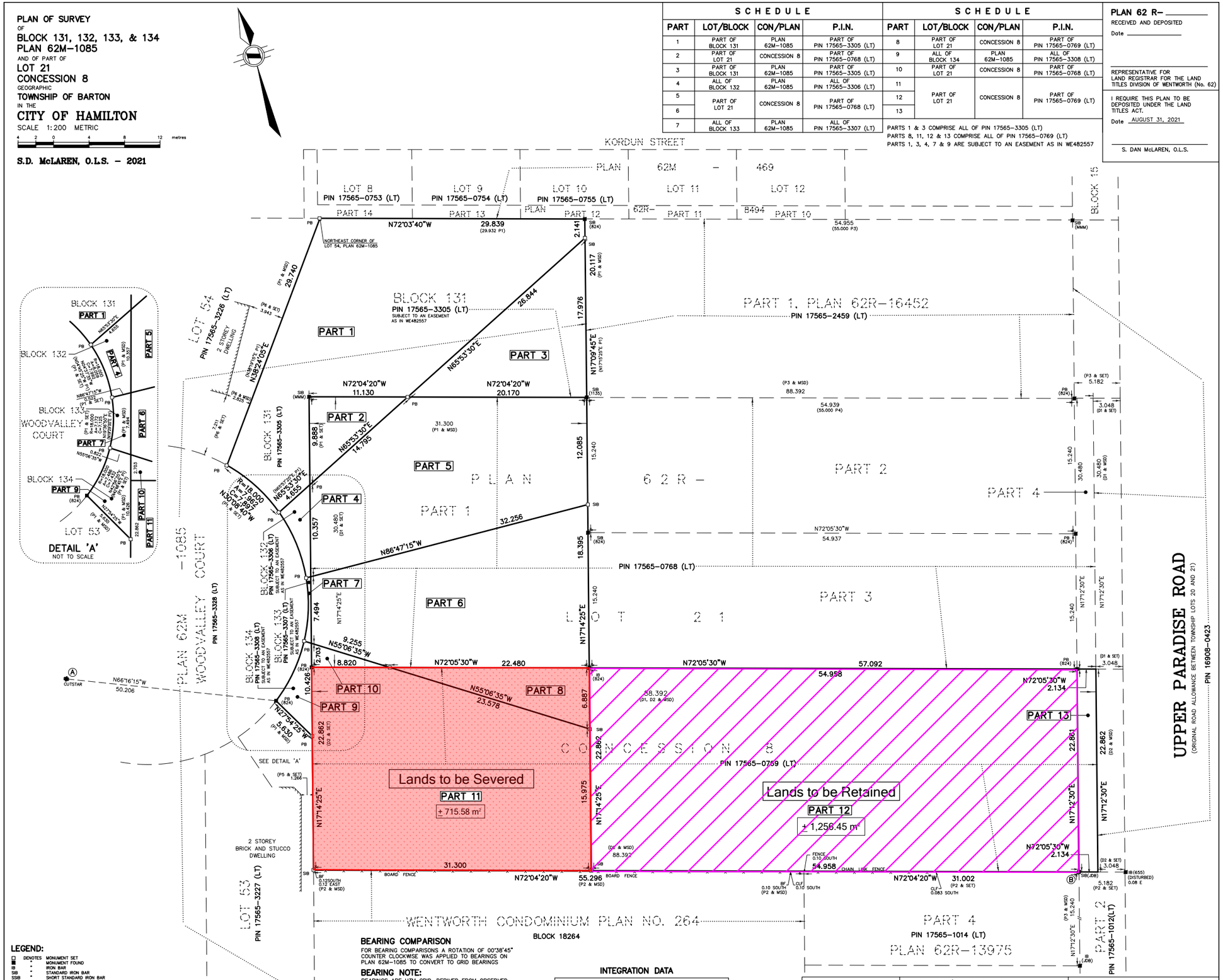
PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R–
RECEIVED AND DEPOSITED
Date

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 1A SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
1135	"	L.G. WOODS, O.L.S.
Med	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. MCLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD2278850

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M–1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE

I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE

S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	RBM	DW	1:200	Dwg.No. 35788–R2

980 Upper Paradise Road - Consent Application #1

Hamilton

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

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

APPLICATION FOR 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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 980 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION

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

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

☒ creation of a new lot Other: ☐ a charge

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

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

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

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

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 8 & 11

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 31.3 m	± 715.58 sq. m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting Woodvalley Court

Type of access: (check appropriate box)

☐ provincial highway
☐ municipal road, seasonally maintained
☒ municipal road, maintained all year (once assembled)
☐ right of way
☐ other public road

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

☒ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify)

4.2 Description of land intended to be **Retained**: Part 12

Frontage (m)	Depth (m)	Area (m² or ha)
± 22.861 m	± 54.958 m	± 1,256.45 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:

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

Building(s) or Structure(s):

Existing: Dwelling at 980 Upper Paradise Road

Proposed: Existing to remain

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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 UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? **Part 8 & 11**: "C/S-1534-H" (Urban Protected Residential, Etc.) District, Modified, Holding **Part 12**: "C" (Urban Protected Residential, Etc.) District

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

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

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

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 130 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☒ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development withing the settlement area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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.

_____

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

_____

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

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

9 OTHER APPLICATIONS

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

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

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

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

File number ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

This application for consent is 1 of 6 concurrent applications to facilitate land assembly.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

on behalf of Charles Williams Mackie

OCT 15 / 21

Date

Signature of Owner

Hamilton

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:131

SUBJECT PROPERTY: 980 Upper Paradise Rd., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Charles Meakins
Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be merged with abutting lands and to retain a parcel of land to be merged with abutting lands. See also HM/B-21:126 to HM/B-21:130 and HM/B-21:132.

Severed lands Part 11):
22m± x 31m± and an area of 638m^2 ±

Retained lands (Part 8):
area of 77m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

…/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: February 15th, 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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. – 2021

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

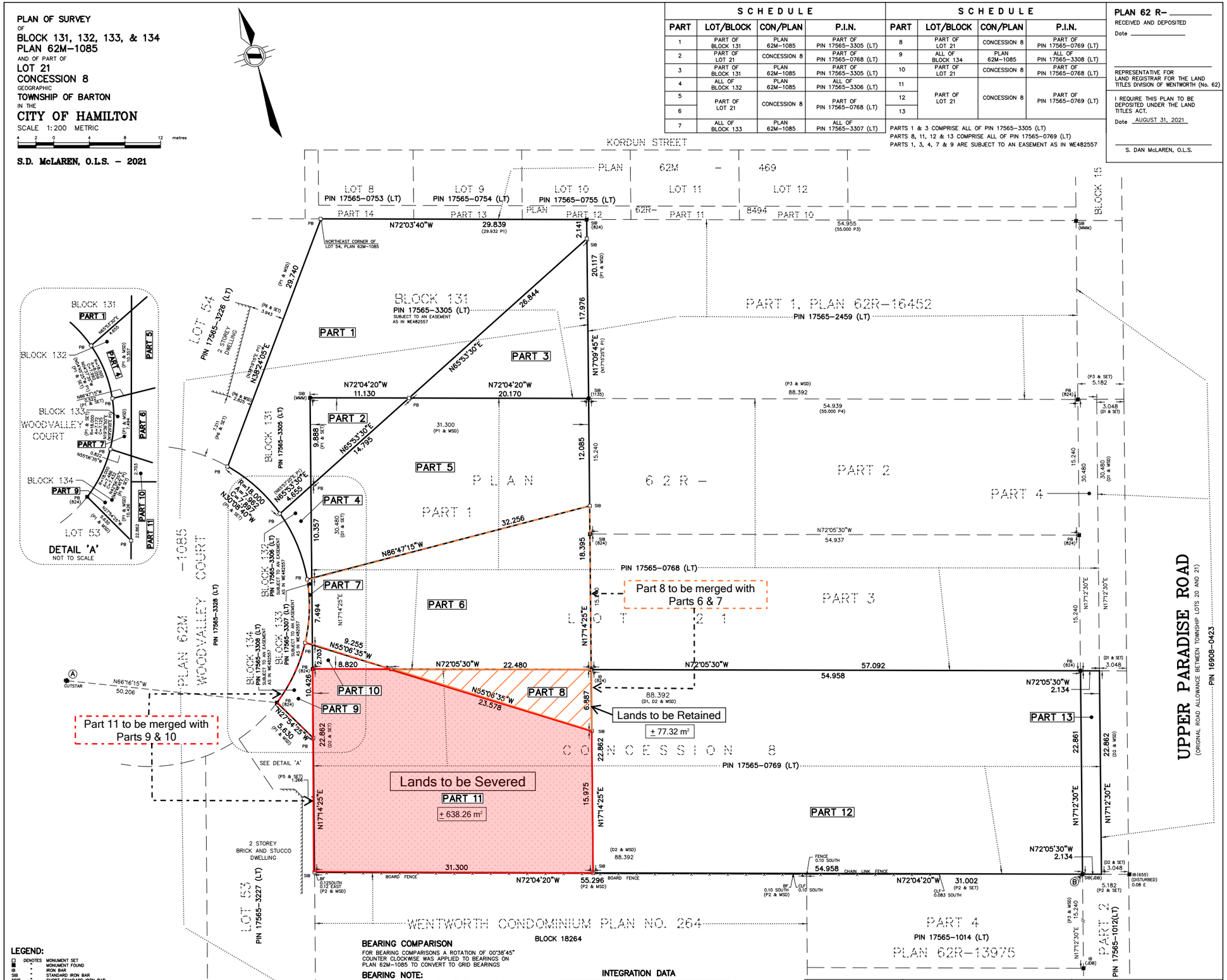
PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R–
RECEIVED AND DEPOSITED
Date

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 2A SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
1135	"	L.G. WOODS, O.L.S.
Med	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD2278850

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M–1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884

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

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE

I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE

S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	RBM	DW	1:200	Dwg.No. 35788–R2

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	Lot	Concession	Former Township
City of Hamilton	Part of Lot 21	8	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 980 Upper Paradise Road			Assessment Roll N°.

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

3 PURPOSE OF THE APPLICATION
3.1 Type and purpose of proposed transaction: (check appropriate box)

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

☒ creation of a new lot Other: ☐ a charge

- [x] 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:
Winzen Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

3.3 If a lot addition, identify the lands to which the parcel will be added:
Part 8 to be merged with Part 6 & Part 7 (Block 133 of Plan 62M-1085); Part 11 to be merged with Part 10 and Part 9 (Block 134 of Plan 62M-1085)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 11

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 31.3 m	± 638.26 sq. m

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting Woodvalley Court

Type of access: (check appropriate box)

- [ ] provincial highway
- [ ] municipal road, seasonally maintained
- [x] municipal road, maintained all year (once assembled)
- [ ] right of way
- [ ] other public road

Type of water supply proposed: (check appropriate box)

- [x] 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)

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

4.2 Description of land intended to be **Retained**: Part 8

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	± 23.58 m	± 77.32 sq. m

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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 UHOP designates the lands "Neighbourhoods" which permits the full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? "C/S-1534a-H" (Urban Protected Residential, Etc.) District, Modified, Holding

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	± 130 m south of community commercial use
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☒ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development withing the settlement area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 and future 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.

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

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?

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

9 OTHER APPLICATIONS

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

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

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

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

File number ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

This application for consent is 1 of 6 concurrent applications to facilitate land assembly.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

On Behalf of Charles Williams Meakins

OCT 15/21
Date

Signature of Owner

Hamilton

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:132

SUBJECT PROPERTY: 0 Woodvalley Crt., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owner Winzen Ancaster Residential Homes Ltd. Agent T. Johns Consulting Group Ltd. c/o K. Gillis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be merged with abutting lands and to retain a parcel of land to be merged with abutting land. See also HM/B-21:126 to HM/B-21:131.

Severed lands (Part 3):
area of 181m$^{2\pm}$

Retained lands (Part 1):
7m$^{\pm}$ x 29m$^{\pm}$ and an area of 584m$^{2\pm}$

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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

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PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: February 15th, 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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M–1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON
SCALE 1:200 METRIC
4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2021

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
3	PART OF BLOCK 131	PLAN 62M–1085	PART OF PIN 17565–3305 (LT)
4	ALL OF BLOCK 132	PLAN 62M–1085	ALL OF PIN 17565–3306 (LT)
5	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
6			
7	ALL OF BLOCK 133	PLAN 62M–1085	ALL OF PIN 17565–3307 (LT)

SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.
8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
9	ALL OF BLOCK 134	PLAN 62M–1085	ALL OF PIN 17565–3308 (LT)
10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0768 (LT)
11	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565–0769 (LT)
12			
13			

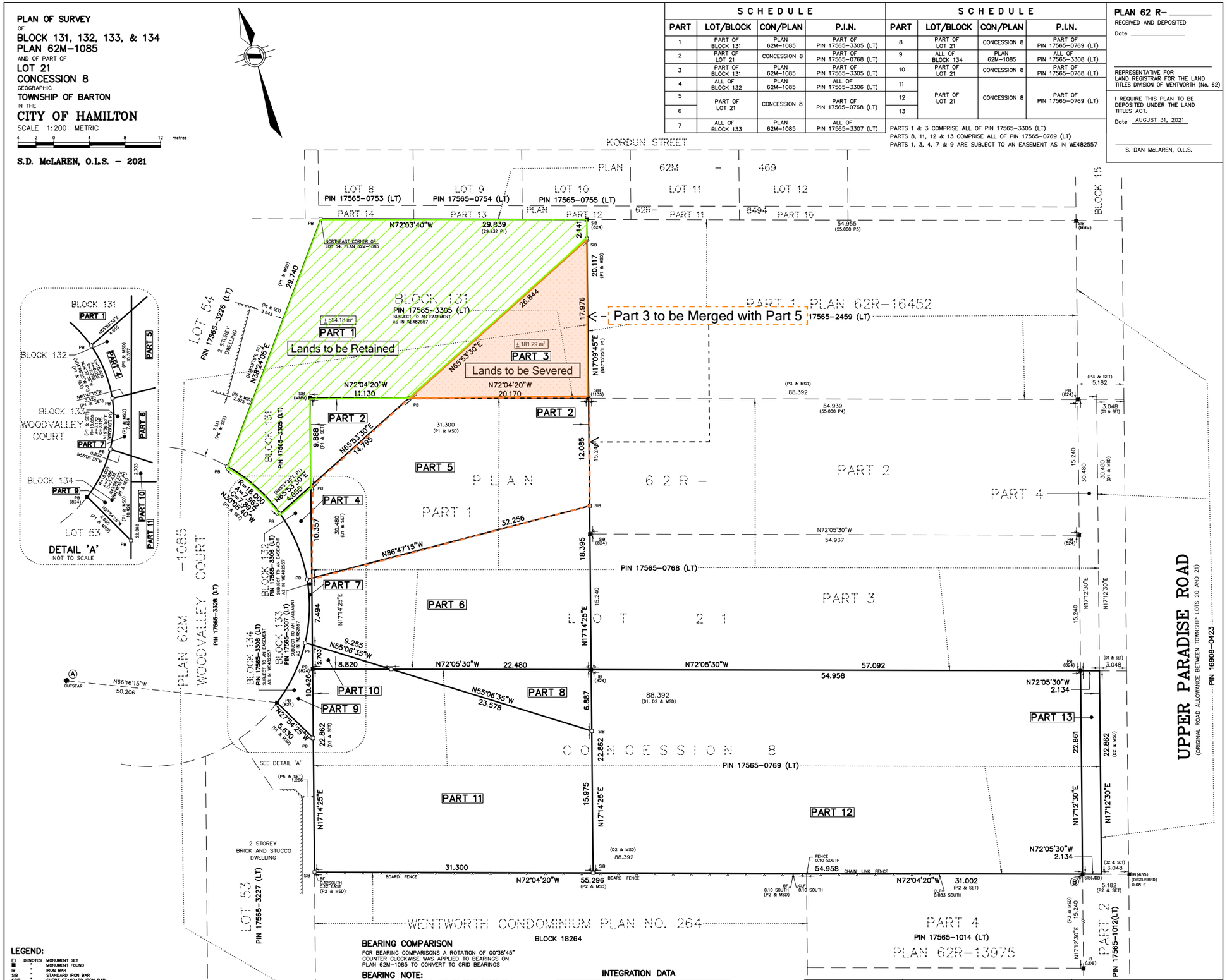
PARTS 1 & 3 COMPRISE ALL OF PIN 17565–3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565–0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R–
RECEIVED AND DEPOSITED
Date

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.



CONSENT 3 SKETCH

PREPARED BY T. JOHNS CONSULTING WITH USE OF DRAFT R-PLAN DATED AUGUST 31 2021 PREPAED BY A.T. MCLAREN LTD.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
1135	"	L.G. WOODS, O.L.S.
Msd	"	MEASURED
P1	"	PLAN 62M–1085
P2	"	PLAN 62R–13975
P3	"	PLAN 62R–16452
P4	"	PLAN 62M–469
P5	"	PLAN BY A.T. MCLAREN DATED OCTOBER 5, 2012 – FILE No. 31446–53F
D1	"	INSTRUMENT BR48480
D2	"	INSTRUMENT CD2278850

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M–1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785341.368	587731.884
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE

I 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 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE
S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	
KM	RBM	DW	1:200	Dwg.No. 35788–R2

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

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

Hamilton

APPLICATION FOR CONSENT TO SEVER LAND

UNDER SECTION 53 OF THE *PLANNING ACT*

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	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 City of Hamilton	Lot	Concession	Former Township
Registered Plan N°. 62M-1085	Lot(s)	Reference Plan N°.	Part(s) 131
Municipal Address Unaddressed			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:

WE482551

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

- [x] 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:
Winzens Ancaster Residential Homes Ltd. c/o Raymond Zenkovich

3.3 If a lot addition, identify the lands to which the parcel will be added:
Part 3 to be merged with Part 5

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**: Part 3

Frontage (m)	Depth (m)	Area (m² or ha)
0.0 m	26.844 m	± 181.29 m²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting on Woodvalley Court

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

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

4.2 Description of land intended to be **Retained**: Part 1

Frontage (m)	Depth (m)	Area (m² or ha)
± 7.962 m	± 29.74 m	± 584.18 m²

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Vacant

Proposed: Single detached dwelling fronting on Woodvalley Court

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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 UHOP designates the lands "Neighbourhoods" which permits a full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? C/S-153a-H District, Modified

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	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

■ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☐ Other (specify)

6.1 If Industrial or Commercial, specify use _____

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

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

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ■ No ☐ Unknown

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

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ■ No ☐ Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ■ No ☐ Unknown

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

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ■ No ☐ Unknown

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ■ No ☐ Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner's Knowledge

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

7 PROVINCIAL POLICY

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

■ Yes ☐ No

Provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing and future municipal infrastructure.

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

Provides residential infill development within the settlement are of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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 of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing and future 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.

62M-1085

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?
2005

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.

974 Upper Paradise Road, Hamilton

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 ZAC-19-021 Status Final & Binding

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

974 and 980 Upper Paradise Rd and Blocks 131-134 of Plan 62M-1085 were subject to ZAC-19-021 for the purposes of land assembly to complete the "Paradise Green" subdivision by finishing detached development at the end of the existing Woodvalley Court cul-de-sac. Services have been installed within Blocks 131-134 Plan 62M-1085. A Holding Provision has been applied to the subject lands until such time that the pumping station on Twenty Road have been completed.

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

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

13 ACKNOWLEDGEMENT CLAUSE

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

04/15/21
Date

Signature of Owner

Hamilton

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: **HM/A-22:16**

APPLICANTS: Agent A.J. Clarke & Associates (S. Fraser)
Owner M. Kulchyckyj

SUBJECT PROPERTY: Municipal address **132 Stone Church Rd. E., Hamilton**

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

ZONING: "B" (Suburban Agriculture and Residential) district

PROPOSAL: To create three (3) lots in accordance with land severance applications HM/B-21:56 and HM/B-21:78 and to permit the construction of two (2) new Single Family Dwellings on the lands being severed (Part 2 & 3) notwithstanding that:

Severed Lands (Part 2 & Part 3):

1. A minimum lot width of 12.0m shall be provided instead of the minimum required lot width of 20.0m;

2. A minimum lot area of 408.0m² shall be provided instead of the minimum required lot area of 1,100.0m²;

3. A minimum front yard depth of 6.0m shall be provided instead of the minimum required front yard depth of 12.0m;

4. A minimum side yard width of 1.2m shall be provided instead of the minimum required side yard width of 3.0m; and

5. A minimum rear yard depth of 7.5m shall be provided instead of the minimum required rear yard depth of 9.0m.

NOTES:

i. Each variance is intended to apply to both severed lots (Part 2 and 3).

ii. Variance #1 & 2 are necessary to facilitate land severance application(s) HM/B-21:56 and HM/B-21:78.

iii. Each severed lot is intended for the construction of a new single family dwelling with frontage along Cielo Court. The retains lands (Part 1) contains an existing single family dwelling with frontage along Stone Church Road which is intended to remain.

…/2

iv. The retained lands (Part 1) complies with the applicable zoning regulations of the current 'B' district.

v. The current zoning designation permits a maximum building height of 2.5 storeys and 11.0m. The applicant shall ensure each new dwelling conforms.

vi. Parking for each dwelling shall be provided in accordance with Section 18A of Hamilton Zoning By-law 6593. Insufficient information has been provided at this time to determine zoning compliance.

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

DATE:	**Thursday, March 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**

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: February 15th, 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.

PLAN 62R–

RECEIVED AND DEPOSITED:

DATE — REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

OCTOBER 18, 2021

DATE — G. G. ALDWORTH

SCHEDULE

PART	LOT	CON.	ALL OF PIN	AREA
1	PART OF LOT 13	8	16913–0053	48.75m²
2				77.52m²
3				1266.44m²
4				408.25m²
5				408.25m²
PART	**BLOCK**	**PLAN**	**PART OF PIN**	**AREA**
6	106	62M–1209	16913–0819	7.31m²

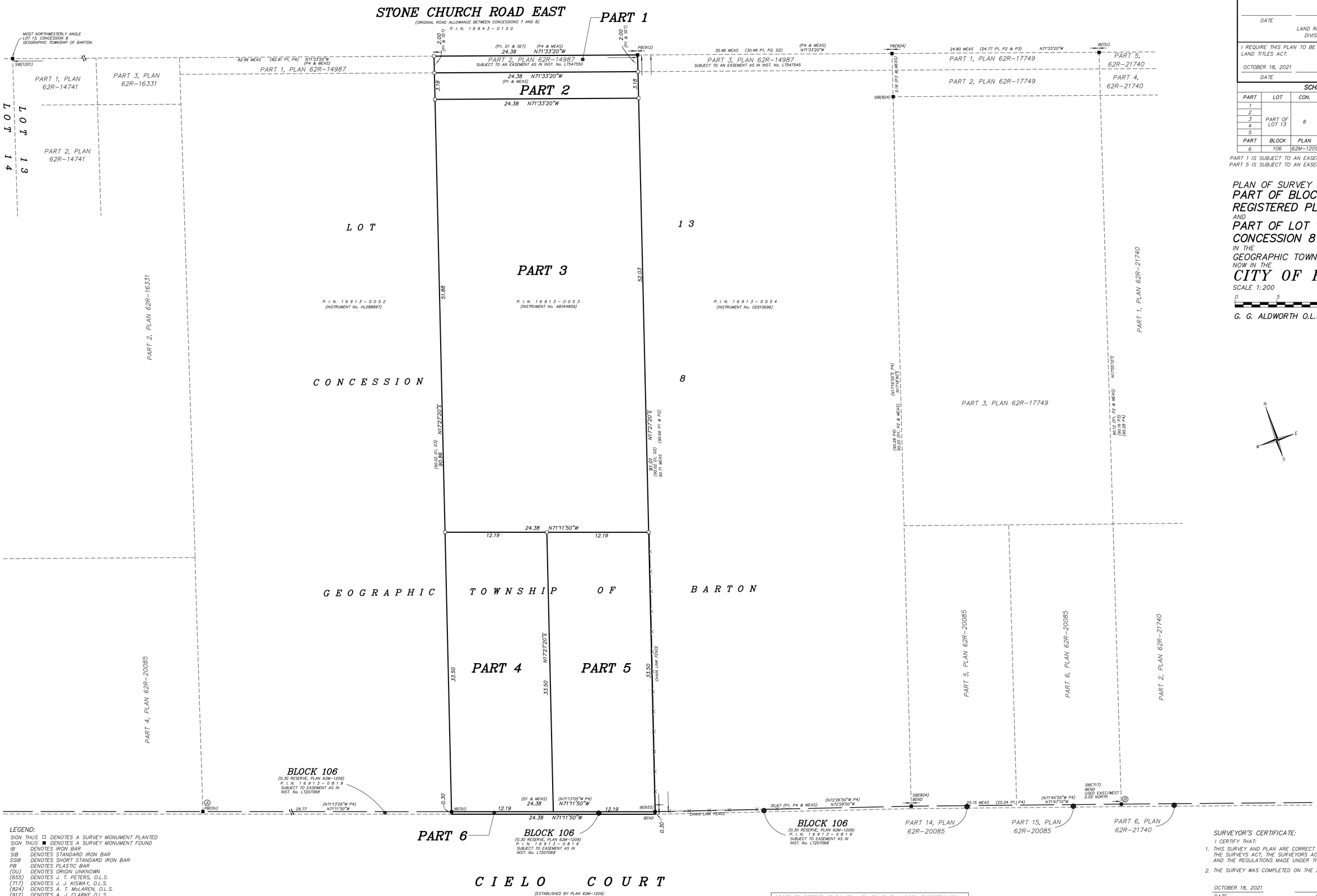
PART 1 IS SUBJECT TO AN EASEMENT AS IN INST. No. LT547550
PART 5 IS SUBJECT TO AN EASEMENT AS IN INST. No. LT207068

PLAN OF SURVEY OF
PART OF BLOCK 106
REGISTERED PLAN No. 1209
AND
PART OF LOT 13
CONCESSION 8
IN THE
GEOGRAPHIC TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON

SCALE 1:200

0 5 10 metres

G. G. ALDWORTH O.L.S.



LEGEND:

SIGN THUS □	DENOTES A SURVEY MONUMENT PLANTED
SIGN THUS ■	DENOTES A SURVEY MONUMENT FOUND
IB	DENOTES IRON BAR
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
PB	DENOTES PLASTIC BAR
(OU)	DENOTES ORIGIN UNKNOWN
(655)	DENOTES J. T. PETERS, O.L.S.
(717)	DENOTES J. J. KISWAY, O.L.S.
(824)	DENOTES A. T. McLAREN, O.L.S.
(912)	DENOTES A. J. CLARKE O.L.S.
(1201)	DENOTES R. A. CLARKE, O.L.S.
(MMM)	DENOTES MARSHALL, MACKLIN, MONUAGHAN, O.L.S.
(MMP)	DENOTES MacKAY, MacKAY & PETERS, O.L.S.
(WIT)	DENOTES WITNESS
P1	DENOTES PLAN 62R–14987
P2	DENOTES PLAN 62R–17749
P3	DENOTES PLAN 62R–21740
P4	DENOTES PLAN 62R–20085
D1	DENOTES INSTRUMENT No. AB164859
D2	DENOTES INSTRUMENT No. CD510696
D3	DENOTES INSTRUMENT No. HC288897

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

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS Ⓐ AND Ⓑ BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996726

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 (CSRS)(2010)
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
Ⓐ	4784609.473	590638.224
Ⓑ	4784574.922	590742.594

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

FOR BEARING COMPARISON A ROTATION OF 00°40'20" COUNTERCLOCKWISE WAS APPLIED TO PLAN 62R–14987 AND 62R–17749 TO CONVERT TO GRID BEARINGS

SURVEYOR'S CERTIFICATE:

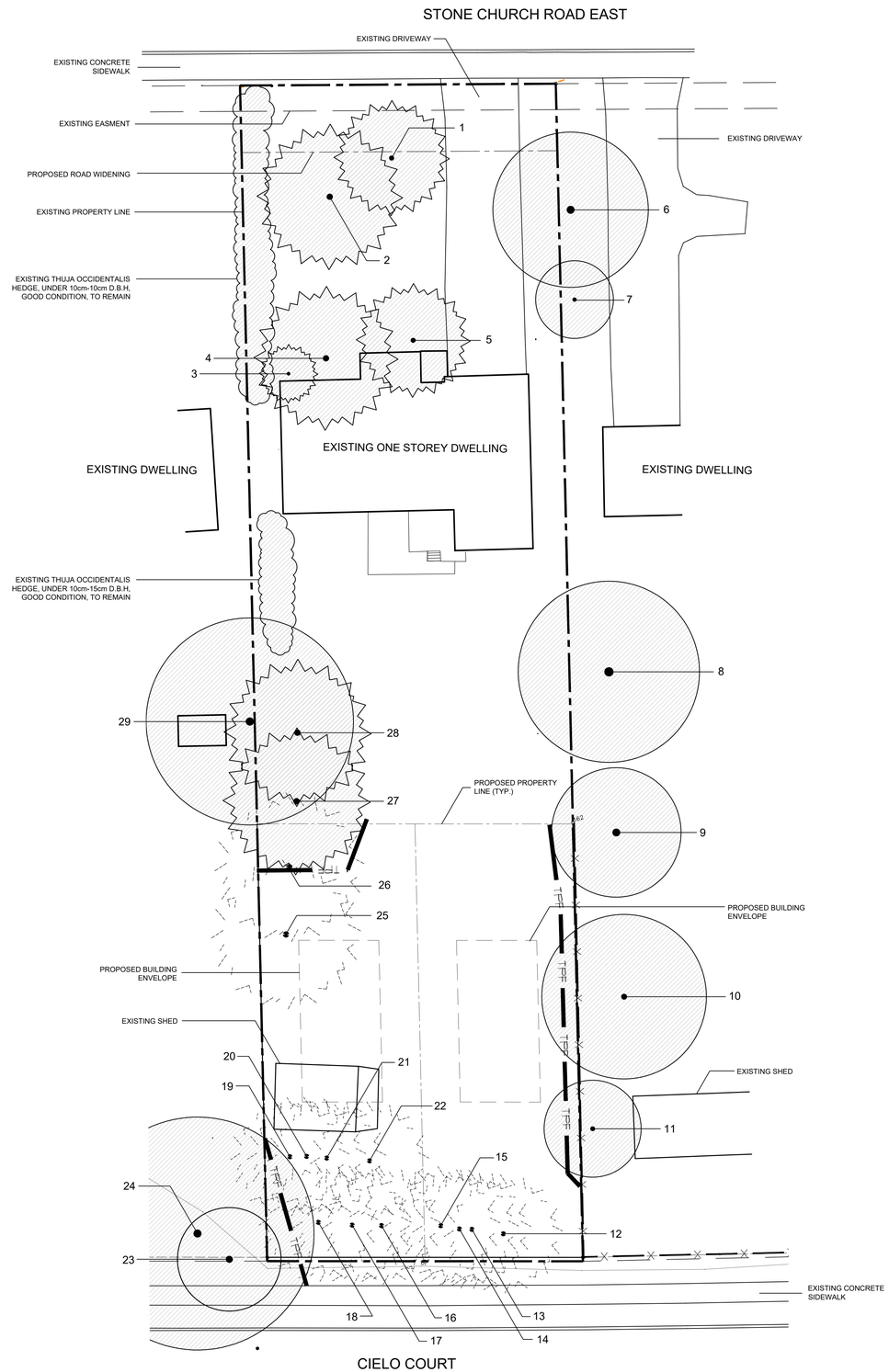
I CERTIFY THAT:

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 25th DAY OF SEPTEMBER, 2021

OCTOBER 18, 2021
DATE

G. G. ALDWORTH
ONTARIO LAND SURVEYOR

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



NOTES:

SITE VISIT DATE: NOVEMBER 26, 2021

TREE INVENTORY COMPLETED BY ISA CERTIFIED ARBORIST CATHERINE HODGINS #ON-2258A

TREE LOCATIONS AND DRIPLINES BASED ON EXISTING CONDITIONS PLAN PROVIDED BY A.J. CLARKE AND ASSOCIATES LTD. AND HILL DESIGN STUDIO FIELD SURVEY ON NOVEMBER 26, 2021.

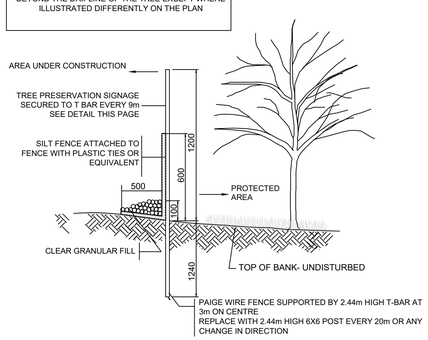
ID #	Tree Species (Latin)	Tree Species (Common)	D.B.H (cm)	Condition	Status	Ownership	Additional Notes
1	Picea pungens	Blue Spruce	50	Good	To be preserved	Subject Site	
2	Picea pungens	Blue Spruce	50	Good	To be preserved	Subject Site	
3	Tsuga canadensis	Hemlock	23	Good	To be preserved	Subject Site	
4	Pinus mugo	Mugo Pine	10/10/15/16/22	Good	To be preserved	Subject Site	Several limbs growing horizontally
5	Taxus baccata	English Yew	10-Dec	Good	To be preserved	Subject Site	
6	Catalpa speciosa	Catalpa	+50	Good	To be preserved	On Adjacent Property	
7	Paulownia tomentosa	Emperess Tree	20/8/8/10	Good	To be preserved	On Adjacent Property	
8	Acer saccharinum	Silver Maple	+50	Good	To be preserved	On Adjacent Property	
9	Acer saccharinum	Silver Maple	25	Good	To be preserved	On Adjacent Property	
10	Acer saccharinum	Silver Maple	+50	Good	To be preserved	On Adjacent Property	
11	Quercus macrocarpa	Bur Oak	25	Good	To be preserved	On Adjacent Property	
12	Picea glauca	White Spruce	30	Good	To be removed (in proposed driveway/building envelope)	Subject Site	
13	Picea glauca	White Spruce	10	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
14	Picea glauca	White Spruce	12	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
15	Picea glauca	White Spruce	26	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
16	Picea glauca	White Spruce	24	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
17	Picea glauca	White Spruce	24	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
18	Picea glauca	White Spruce	20	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
19	Picea glauca	White Spruce	18	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
20	Picea glauca	White Spruce	12/16	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
21	Picea glauca	White Spruce	22	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
22	Picea glauca	White Spruce	26	Fair	To be removed (in proposed driveway/building envelope)	Subject Site	Supressed
23	Acer negundo	Manitoba Maple	12/12/15	Fair	To be preserved	In 0.3m Reserve	Leaning towards Cielo Court
24	Quercus macrocarpa	Bur Oak	+50	Good	To be preserved	On Adjacent Property	
25	Picea pungens	Blue Spruce	40	Good	To be removed (construction within rootzone)	Subject Site	
26	Picea pungens	Blue Spruce	40	Good	To be removed (construction within rootzone)	Subject Site	
27	Picea pungens	Blue Spruce	40	Good	To be preserved	Subject Site	
28	Picea pungens	Blue Spruce	30	Fair	To be preserved	Subject Site	
29	Prunus serotina	Black Cherry	+50	Fair	To be preserved	On Adjacent Property	

LEGEND

1, 20	EXISTING TREES TO REMAIN
24	EXISTING TREES TO BE REMOVED
TPF	PROPOSED TREE PROTECTION FENCING

THE OWNER IS TO BE AWARE OF THE MIGRATORY BIRDS CONVENTION ACT, 1994 THAT PROTECTS BIRDS AND THEIR NESTS. THE MIGRATORY BIRDS CONVENTION ACT IS IMPLEMENTED BY ENVIRONMENT CANADA. IT IS ADVISED THAT VEGETATION REMOVAL BE AVOIDED BETWEEN THE PERIOD OF MARCH 31 AND AUGUST 31.

TREE PROTECTION FENCING SHALL BE LOCATED 1m BEYOND THE DRIPLINE OF THE TREE EXCEPT WHERE ILLUSTRATED DIFFERENTLY ON THE PLAN



1 TREE PROTECTION FENCING

NTS

TREE PROTECTION NOTES

1. PRIOR TO THE COMMENCEMENT OF ANY GRADING ACTIVITIES ON SITE, A VERIFICATION OF TREE PROTECTION LETTER IS TO BE COMPLETED BY THE TREE MANAGEMENT PROFESSIONAL (CERTIFIED ARBORIST, REGISTERED PROFESSIONAL FORESTER OR LANDSCAPE ARCHITECT) CONFIRMING ALL TREE PROTECTION MEASURES HAVE BEEN INSTALLED AS PER THE APPROVED TREE MANAGEMENT PLAN. THIS LETTER IS TO BE PROVIDED TO THE DIRECTOR OF PLANNING AT THE CITY OF HAMILTON AND NATURAL HERITAGE PLANNING STAFF PRIOR TO THE START OF GRADING ACTIVITIES.

2. AS PART OF ANY TREE REMOVAL OPERATION ALL STEMS, LIMBS AND STUMPS SHOULD BE REMOVED FROM THE SITE.

3. UPON COMPLETION OF ANY TREE REMOVAL OPERATIONS, TREE PROTECTION FENCING SHOULD BE INSTALLED AS ILLUSTRATED ON THIS PAGE. THIS PROTECTION FENCING SHOULD BE MAINTAINED UNTIL ALL EXCAVATION AND B1UILDING CONSTRUCTION WORK IS COMPLETED.

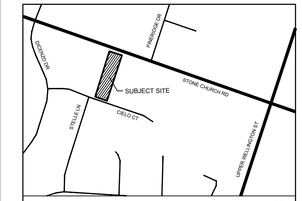
4. ANY ROOTS DISTURBED DURING CONSTRUCTION SHOULD BE CUT CLEANLY AND BURIED IMMEDIATELY.

5. NO HEAVY EQUIPMENT OR STOCKING OF MATERIAL SHALL OCCUR WITHIN THE DRIPLINES OF ANY TREES THAT ARE TO BE PRESERVED.

6. TREE PROTECTION MEASURES TO BE INSPECTED BY LANDSCAPE ARCHITECT AND CITY FORESTRY STAFF PRIOR TO START OF CONSTRUCTION.

7. IF CONSTRUCTION OR ANY WORK OCCURS WITHIN THE TREE PRESERVATION ZONE, INSIDE THE LIMITS OF THE TREE PROTECTION FENCE, IT IS NECESSARY TO ONLY USE HAND TOOLS. NO MACHINERY WILL BE PERMITTED IN THIS ZONE.

8. ANY EXISTING VEGETATION THAT IS IMPACTED DURING SITE DEVELOPMENT WILL BE REINSTATED TO THE SATISFACTION OF THE CITY.



KEY MAP N.T.S.

GENERAL NOTES

1. ALL WORKMANSHIP WILL BE TO THE STANDARDS OF LANDSCAPE ONTARIO.
2. CONTRACTOR TO LOCATE ALL UNDERGROUND UTILITIES.
3. EXISTING CONDITIONS PLAN PROVIDED BY AJ CLARKE & ASSOCIATES LTD.
4. THIS PLAN PREPARED IN THE ABSENCE OF DETAILED ENGINEERING.

REVISIONS

no.	date	description	by
1.	Jan.3.22	Issued for XXX	CMH

PRELIMINARY
For Discussion Purposes Only

PROPOSED LOT SEVERANCE
132 Stone Church Road
City of Hamilton

Tree Management Plan

Hill Design Studio INC
226-686-0700 www.hilldesign.ca

PROJECT NO.: 2021-79	DRAWN BY: CMH
SCALE: 1:200	DESIGNED BY: CMH
SHEET: L1	APPROVED BY: AWH
	PLOT DATE: JAN. 3, 2022

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

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

January 12, 2022

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

Re: 132 Stone Church Road East
Minor Variance Application Submission

Dear Ms. Sheffield:

A. J. Clarke and Associates Ltd. has been retained for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 132 Stone Church Road East.

The subject site is located on the southern portion of Stone Church Road East, in the City of Hamilton. A few variances are required to facilitate the desired built form for the development conditionally approved through severance Files: HM/B-21: 56 & 78.

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

1) One (1) copy of the required filled and signed Minor Variance Application Form;
2) One (1) cheque in the amount of $3,465 representing the Minor Variance required fee;
3) One (1) digital copy of the Draft Reference Plan;
4) One (1) digital copy of the Tree Protection Plan.

Application fees will be paid via cheque, made out to the City of Hamilton. The Minor Variance Application requires a cheque for $3,465. The cheque shall be concurrently submitted along with the application.

The subject lands are designated "Neighbourhoods" on Schedule E-1 in the Urban Hamilton Official Plan. The Neighbourhoods designation permits a range of residential uses.

The land municipally known as 132 Stone Church Road East is zoned "B – Suburban Agriculture and Residential, Etc." in City of Hamilton Zoning By-law No. 6593. This zone permits various residential uses, various institutional uses, various public uses, various commercial uses, various farming uses, and various miscellaneous and incidental uses.

A few variances are required to facilitate the proposed residential development and more importantly to satisfy conditions associated with the severances under Files: HM/B-21: 56 & 78. The variances required to Parts 4 and 5 on the attached draft reference plan are as follows:

1. To permit a minimum front yard setback of 6.0 metres; whereas 12.0 metres is required.
2. To permit a minimum side yard setback of 1.2 metres; whereas 3.0 metres is required.
3. To permit a minimum rear yard setback of 7.5 metres; whereas 9.0 metres is required.

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

Sincerely,

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

Encl.

Cc: Paul Tompkins
132 Stone Church Road East
Hamilton, ON
L9B 1A9
(416)-500-5202
Via email: paul@tompkinshome.com

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)	[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:

Please see Cover Letter.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The variances are required to clear conditions of approval relating to the corresponding severance applications under Files: HM/B-21:56 & 78.

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**):

132 Stone Church Road East, Hamilton (Barton)
Part Block 106
Registered Plan No.: 1209
Part Lot 13, Concession 8

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?

Online Mapping, information from Owner and previous approvals.

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.

January 5, 2022
Date

X Margaret Kulchyckyj
Signature Property Owner(s)

Margaret Kulchyckyj
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	+- 24.38 metres
Depth	+- 52.03 metres
Area	+- 1,268.49 square metres
Width of street	20 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:_

One (1) single detached dwelling with associated paved parking for part 3 on attached draft reference plan.

Proposed

No change to current dwelling on part 3, parts 4 & 5 to have future single-detached dwellings pending approval of corresponding severance applications.

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

Existing:

Front lot line = +/-19.7m, +/-54.7m rear (to be +/-21.2m after severances along Cielo Court), +/-3m side yards. No change to front and/or side yards.

Proposed:

Please see Cover Letter.

13. Date of acquisition of subject lands:
Unknown.

14. Date of construction of all buildings and structures on subject lands:
2022

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

Single family.

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

Single family.

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

Unknown.

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

Water	☑	Connected	☑
Sanitary Sewer	☑	Connected	☑
Storm Sewers	☑		

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

"Neighbourhoods" - Schedule E-1 UHOP.

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

"B - Suburban Agriculture And Residential, Etc." Zone (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.

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

Please see 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.

HMCOMMITTEE 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-22:17**

APPLICANTS: Owners P. Lira & K. Moreira

SUBJECT PROPERTY: Municipal address **250 East 16th St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 83-66

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

PROPOSAL: To permit a second-storey addition to the existing single family dwelling located on a residential parcel of land, notwithstanding that:

1. A minimum front yard of 4.5 metres shall be permitted, instead of the minimum 6.0 metre front yard required.

NOTE:
1. A building permit is required for the construction of the proposed building addition.

2. From the elevation drawings provided, it is unclear if the building height of 8.28 metres (27', 2") has been indicated as per the definitions of "Height" and "Grade" as provided by Hamilton Zoning By-law No. 6593. It is also noted that the submitted application form indicates a proposed building height of 8.40 metres. Please note that Section 9(2) establishes that in a "C" District, no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres in height.

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

DATE: **Thursday, March 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.

…/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: February 15th, 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.

GENERAL NOTES

1. UNDER NO CIRCUMSTANCES ARE THESE DRAWINGS TO BE SCALED.
2. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE (OBC) INCLUDING ALL THE LATEST STANDARDS REFERENCED WITHIN.
3. ALL DRAWINGS ARE THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT.
4. CONTRACTOR/STEEL FABRICATOR IS REQUIRED TO FIELD MEASURE THE STRUCTURE PRIOR TO FABRICATION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER.
5. CONTRACTOR TO CHECK AND VERIFY ALL STRUCTURAL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.
6. PROVIDE ADEQUATE TEMPORARY SHORING AS REQUIRED DURING DEMOLITION OF STRUCTURAL WALLS AND COMPONENTS. ANY AND ALL RESULTING DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
7. PROVIDE LINTELS OVER ALL OPENINGS, INCLUDING THOSE FROM MECHANICAL AND ELECTRICAL.
8. CARBON MONOXIDE DETECTORS ARE REQUIRED ADJACENT TO EACH SLEEPING AREA, AS PER O.B.C. 9.33.4.
9. SMOKE ALARMS SHALL BE LOCATED AS PER O.B.C. 9.10.19.2. SMOKE ALARMS SHALL BE WIRED SO THAT WHEN THE ALARM SOUNDS, ALL ALARMS SOUND AS PER O.B.C. 9.10.19.4.
10. WHERE DOWNSPOUTS ARE PROVIDED AND NOT CONNECTED TO A SEWER, DOWNSPOUT EXTENSIONS SHALL BE PROVIDED TO CARRY RAINWATER AWAY FROM THE BUILDING IN A MANNER THAT WILL PREVENT SOIL EROSION AS PER O.B.C. 9.26.18.2.
11. THE UNOBSTRUCTED ATTIC VENT AREA SHALL BE NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA. O.B.C. 9.26.5.1.

REQUIRED SUBMITTALS

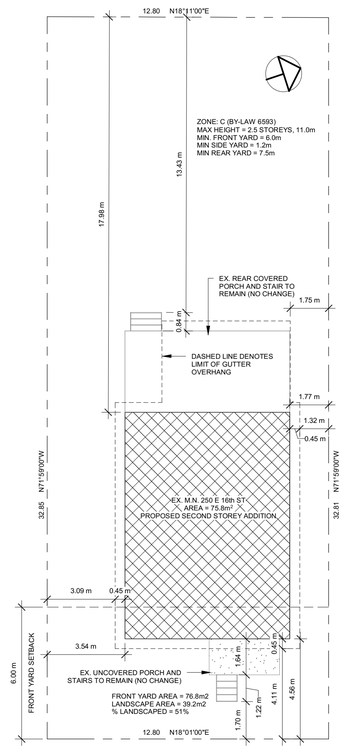
1. THE FOLLOWING SHALL BE SUBMITTED TO THE CONSULTANT FOR REVIEW PRIOR TO FABRICATION:
   A. PRE-ENGINEERED ROOF TRUSSES
2. THE ABOVE REQUIRED SHOP DRAWINGS SUBMITTED SHALL BEAR THE STAMP OF LICENSED PROFESSIONAL ENGINEER OF ONTARIO

DESIGN LOADS

1.	GROUND SNOW (Ss) / RAIN (Sr):	1.3 / 0.4 kPa
2.	MAXIMUM ROOF SNOW (S):	1.44 kPa
3.	ROOF DEAD (D):	1.0 kPa
4.	WIND (q50):	0.46 kPa
5.	FLOOR LIVE (L):	1.9 kPa
6.	FLOOR DEAD (D):	1.0 kPa

LUMBER NOTES

1. ALL SAWN LUMBER TO BE S.P.F. No. 2 GRADE or BETTER AND CONFORM TO CSA-O141.
2. ALL ENGINEERED BUILT UP BEAMS ARE TO BE LVL'S (GRADE 2.0x10^6 PSI). REPLACEMENT WITH A HIGHER GRADE IS NOT ALWAYS A SUITABLE EQUIVALENT. CONTACT ENGINEER FOR EQUIVALENT.
3. ALL LUMBER EXPOSED TO THE EXTERIOR IS TO BE PRESSURE TREATED U.O.N.
4. CONNECT 2"X6" WOOD PLATE TO TOP OF ALL STEEL BEAMS AS PER THE TYPICAL DETAILS.
5. TRUSS DESIGN TO BE IN ACCORDANCE WITH PART 4 OF THE O.B.C. PROVIDE HOLD DOWN CLIPS AT ALL TRUSSES, WHICH ARE TO BE DESIGNED BY THE ROOF TRUSS ENGINEERS.
6. ROOF SHEATHING TO BE 12 mm (1/2") PLYWOOD (MINIMUM) T&G , NAILED W/ 10D NAILS AT 6" C/C ALONG EDGES.
7. FLOOR SHEATHING TO BE 19 mm (3/4") ORIENTED STRAND BOARD (OSB) (MINIMUM) T&G, GLUED AND SCREWED.
8. WALL SHEATHING TO BE 11 mm (7/16") ORIENTED STRAND BOARD (OSB) (MINIMUM), NAILED W/ 10D NAILS AT 6" C/C ALONG EDGES.
9. PROVIDE SOLID BLOCKING BETWEEN JOISTS BELOW ALL BEARING WALLS WHICH ARE PERPENDICULAR TO THE JOISTS.
10. PROVIDE APPROVED BLOCKING OR BRIDGING AT 2000 mm (7'-0") O/C MAX. FOR FLOOR JOISTS.
11. TYPICAL BEARING WALL IS 2"X6" @ 16" O/C MIN. U.O.N.
12. ALL LUMBER BEAMS ARE TO BE SUPPORTED ON LUMBER POSTS (U.N.O) WITH EQUAL NUMBER OF LAMINATIONS.
13. ALL BUILT-UP POSTS ARE TO BE CONSTRUCTED CONTINUOUSLY TO THE FOUNDATION WITH SOLID TRANSFER BLOCKING AT EACH FLOOR.
14. WOOD IS NOT TO BEAR DIRECTLY ON CONCRETE/MASONRY, PROVIDE PRESSURE TREATED, POLY, OR SILL GASKET BETWEEN CONCRETE/MASONRY AND WOOD SILL PLATE.
15. ALL JOISTS SHOULD HAVE A MINIMUM OF 40 mm (1 1/2") OF BEARING U.O.N. BY MANUFACTURER.
16. ALL LUMBER BEAMS SHOULD HAVE A MINIMUM OF 75 mm (3") BEARING.
17. BUILT UP POSTS SHALL BE NAILED TOGETHER @ 150 mm (6") O/C STAGGERED U.O.N.
18. PROVIDE TIMBER BUILT-UP LINTELS OVER DOOR AND WINDOW OPENINGS IF NOT INDICATED ON DRAWING:
    OPENING < 8'-0" - (2-PLY) 2"X8"



1 Site Plan
3/32" = 1'-0"

SURVEY INFORMATION TAKEN FROM SRPR PREPARED BY MMP LAND SURVEYORS DATED DECEMBER 7, 2021

2 3D View 1

No.	REVISION	DATE (MM/DD/YY)	BY
3.	ADDITIONAL DETAILS ADDED TO SITE PLAN	02/01/22	M.J.W.
2.	CLOSET DOOR REVISION	12/24/21	M.J.W.
1.	ISSUED FOR PERMIT	12/24/21	M.J.W.

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.cohooneng.com

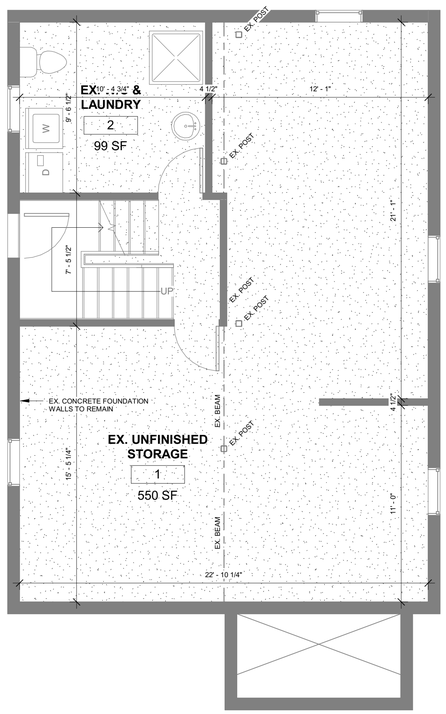
PROJECT:
PROPOSED SECOND STOREY ADDITION
250 EAST 16TH STREET
HAMILTON

CLIENT:
PEDRO LIRA

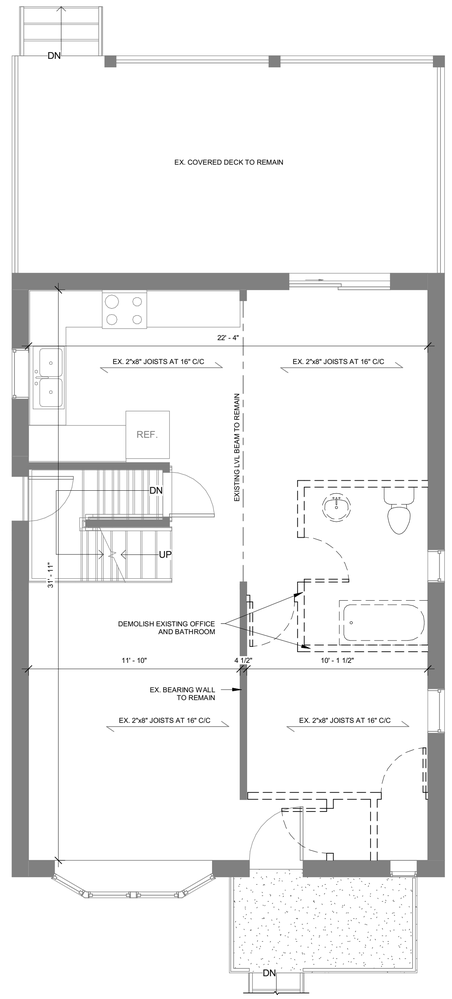
PROJECT NOTES

DESIGN:	M.J.W.	SCALE:	AS SHOWN
DRAWN:	M.J.W.	JOB No:	14768
CHECKED:	M.J.W.		
SHEET:	1 of 6	DWG. No:	A0.1
DATE:	12/24/21		

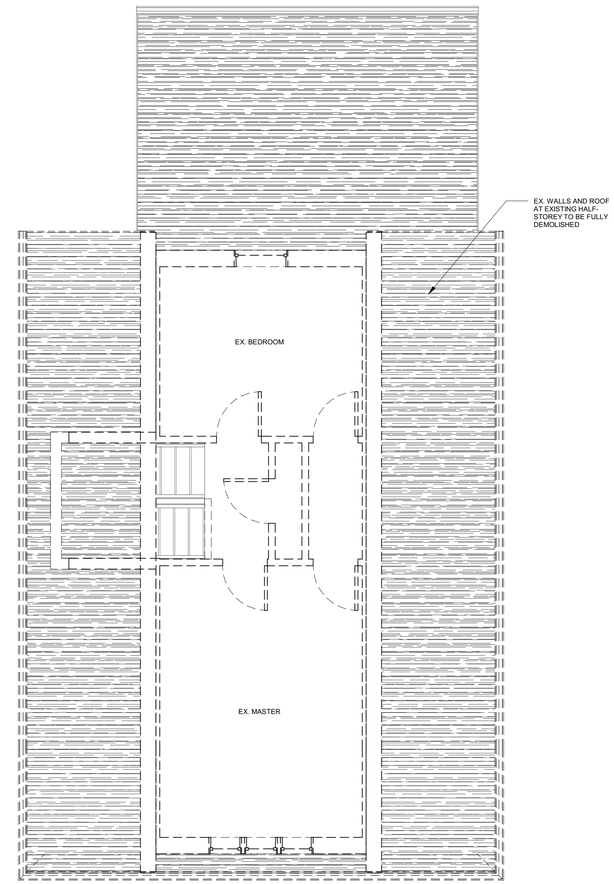
LICENSED PROFESSIONAL ENGINEER
2022-02-01
M. J. WHYTE
100502618
PROVINCE OF ONTARIO



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



2 First Floor Demo
1/4" = 1'-0"



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

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EXISTING AND DEMOLITION PLANS

DESIGN:	M.J.W.	SCALE:	AS SHOWN
DRAWN:	M.J.W.	JOB No:	14768
CHECKED:	M.J.W.		
SHEET:	2 of 6	DWG. No:	A1.1
DATE:	12/24/21		

LICENSED PROFESSIONAL ENGINEER
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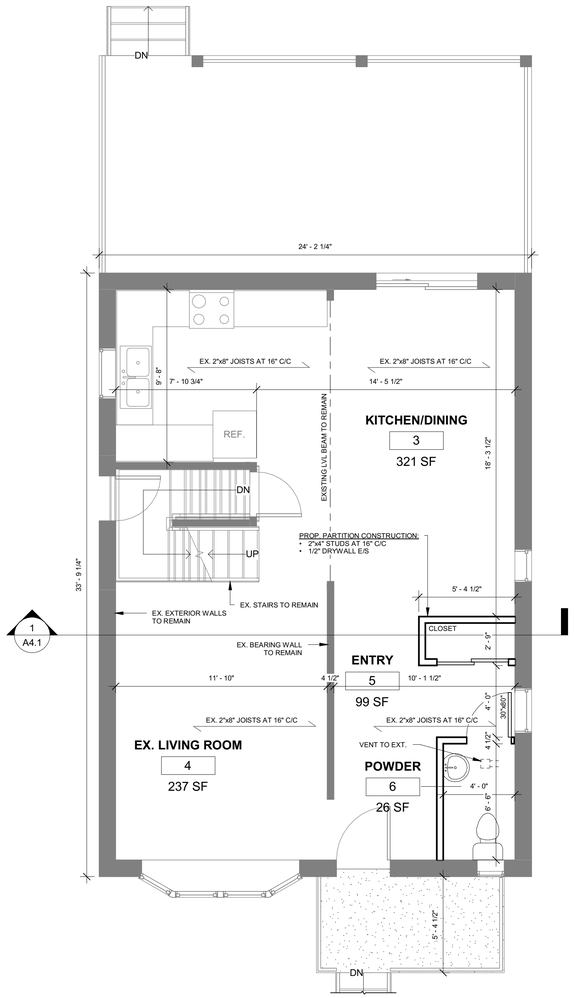
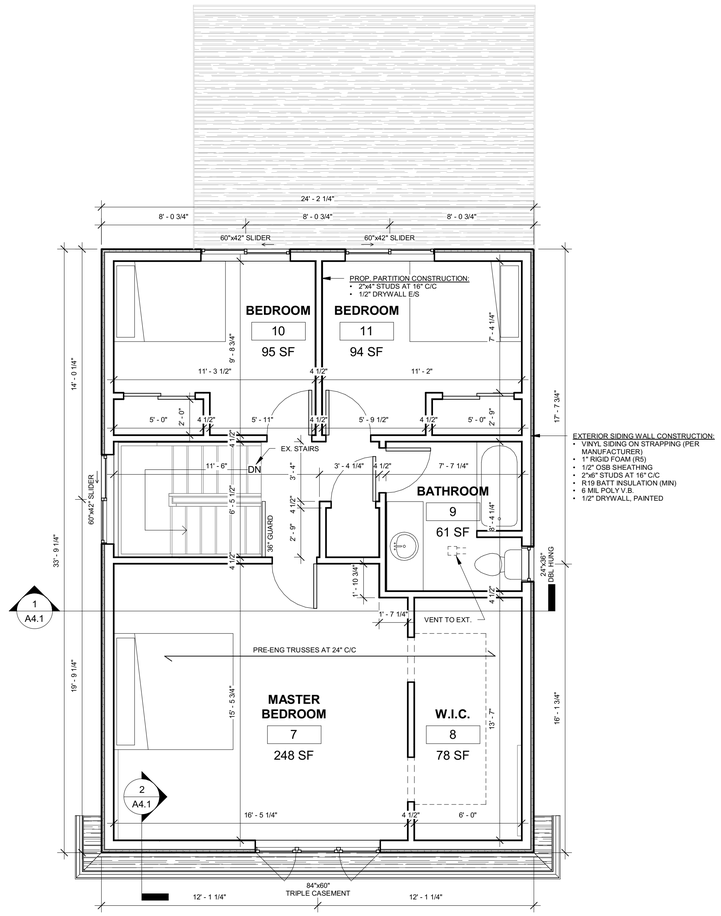


1 First Floor

1/4" = 1'-0"



EXTERIOR SIDING WALL CONSTRUCTION:
- VINYL SIDING ON STRAPPING (PER MANUFACTURER)
- 1" RIGID FOAM (R5)
- 1/2" OSB SHEATHING
- 2"x6" STUDS AT 16" C/C
- R19 BATT INSULATION (MIN)
- 6 MIL POLY V.B.
- 1/2" DRYWALL, PAINTED

2 Second Floor

1/4" = 1'-0"

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PROJECT:

PROPOSED SECOND STOREY ADDITION

250 EAST 16TH STREET
HAMILTON

CLIENT:

PEDRO LIRA

PROPOSED PLANS

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CHECKED:	M.J.W.		
SHEET:	3 of 6	DWG. No:	A1.2
DATE:	12/24/21		

LICENSED PROFESSIONAL ENGINEER
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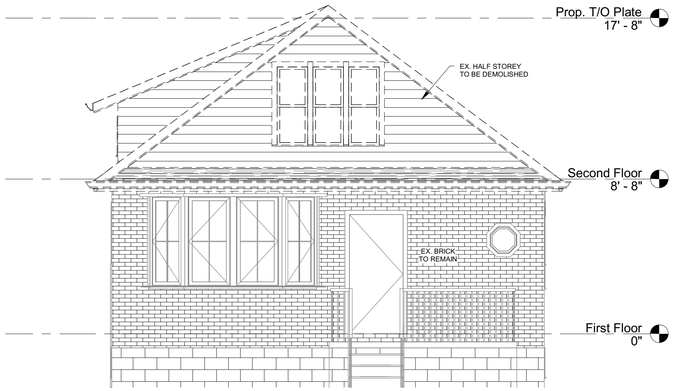
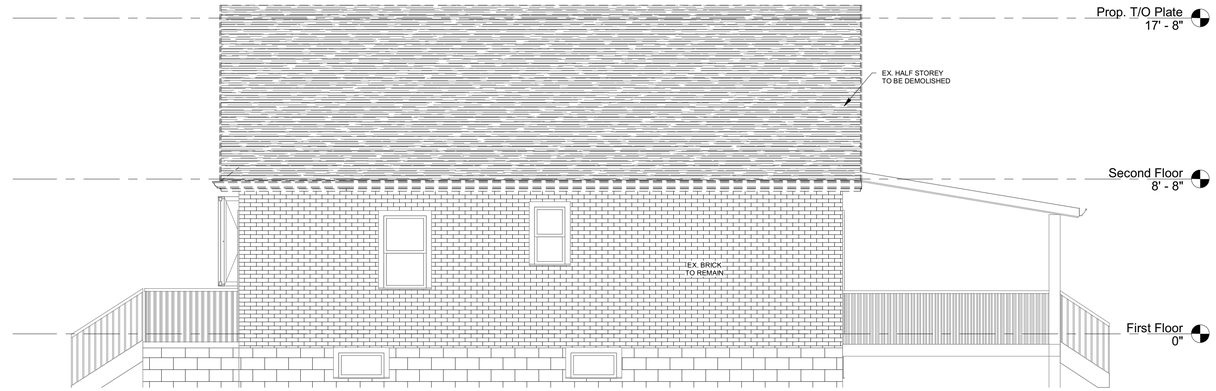
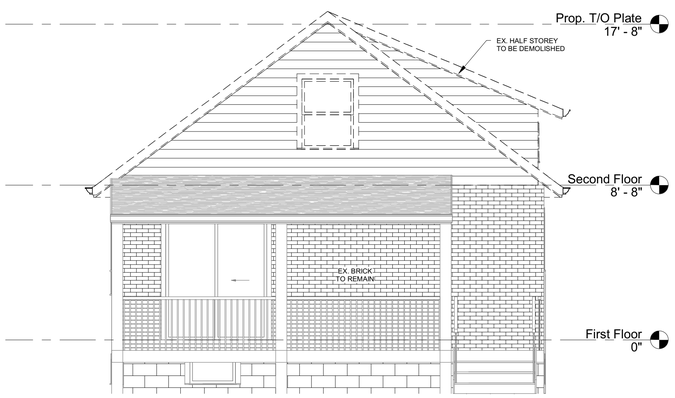


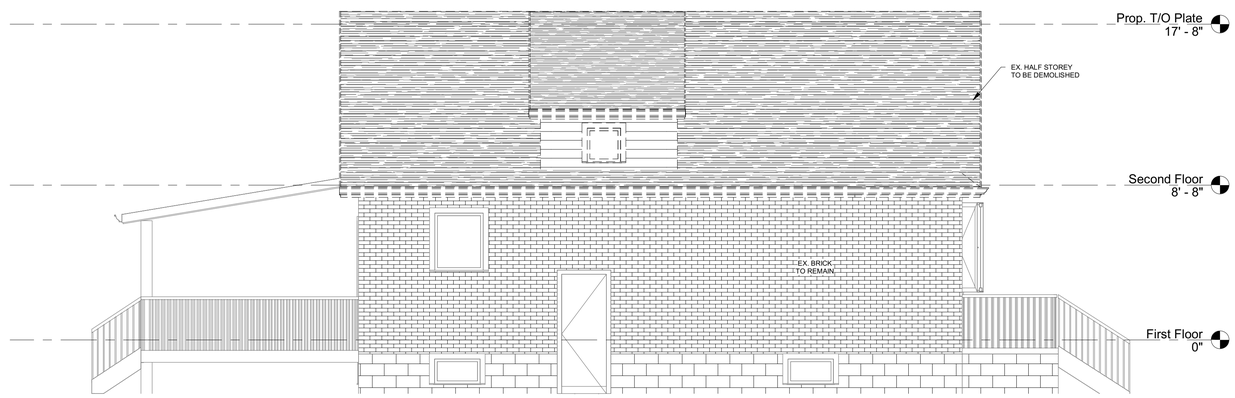
1 East (Existing)
1/4" = 1'-0"



2 North (Existing)
1/4" = 1'-0"



3 West (Existing)
1/4" = 1'-0"



4 South (Existing)
1/4" = 1'-0"

LICENSED PROFESSIONAL ENGINEER
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PROJECT:
PROPOSED SECOND STOREY ADDITION
250 EAST 16TH STREET
HAMILTON

CLIENT:
PEDRO LIRA

EXISTING ELEVATIONS

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SHEET:	4 of 6	DWG. No:	A2.1
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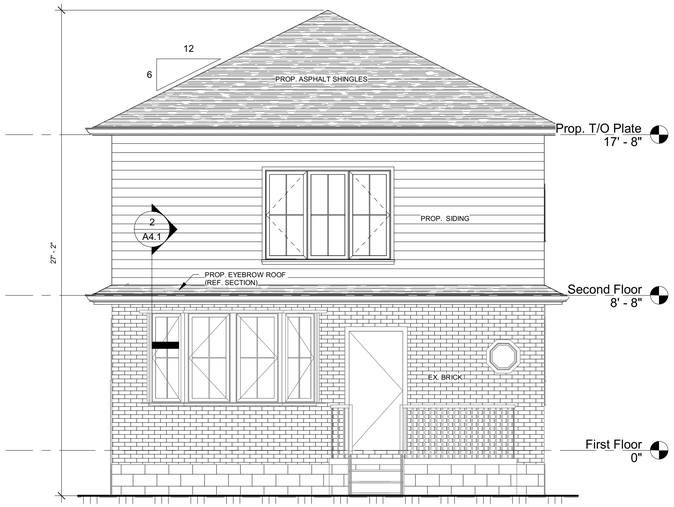
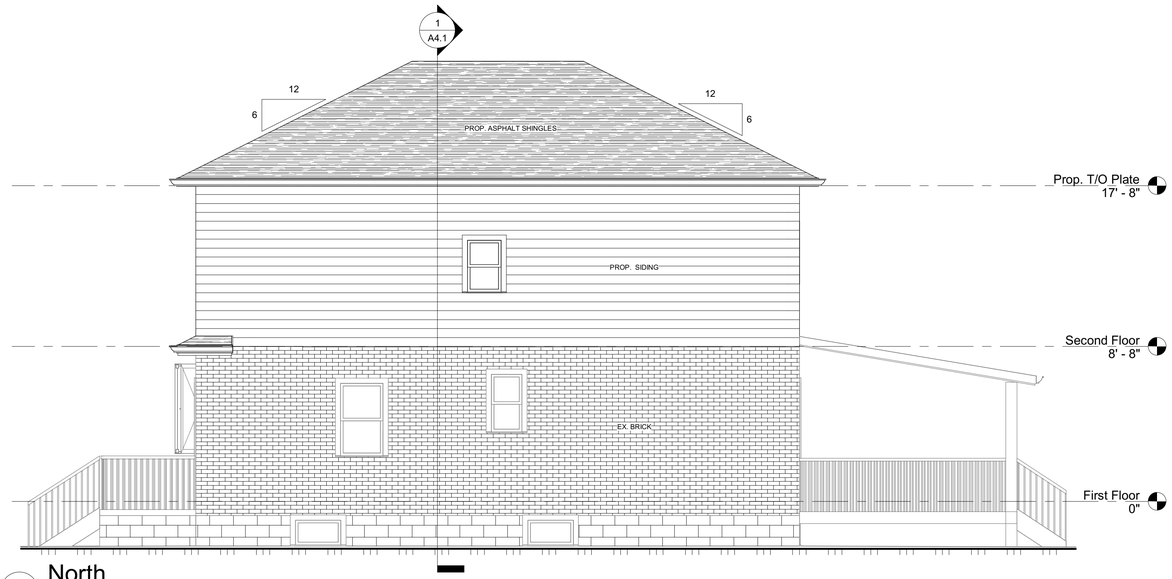
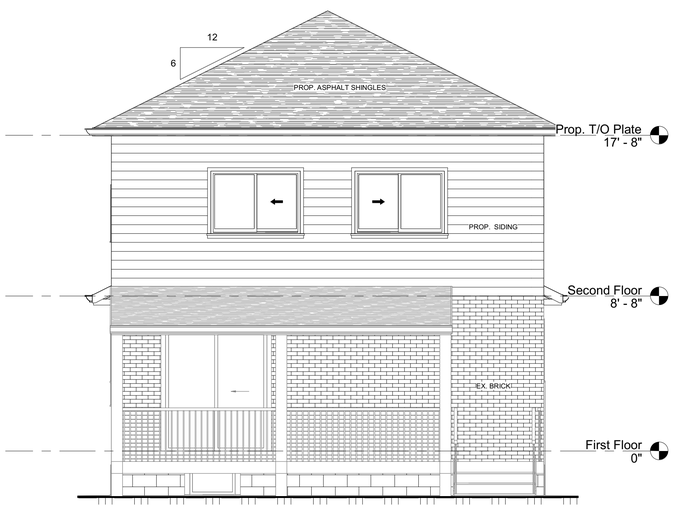


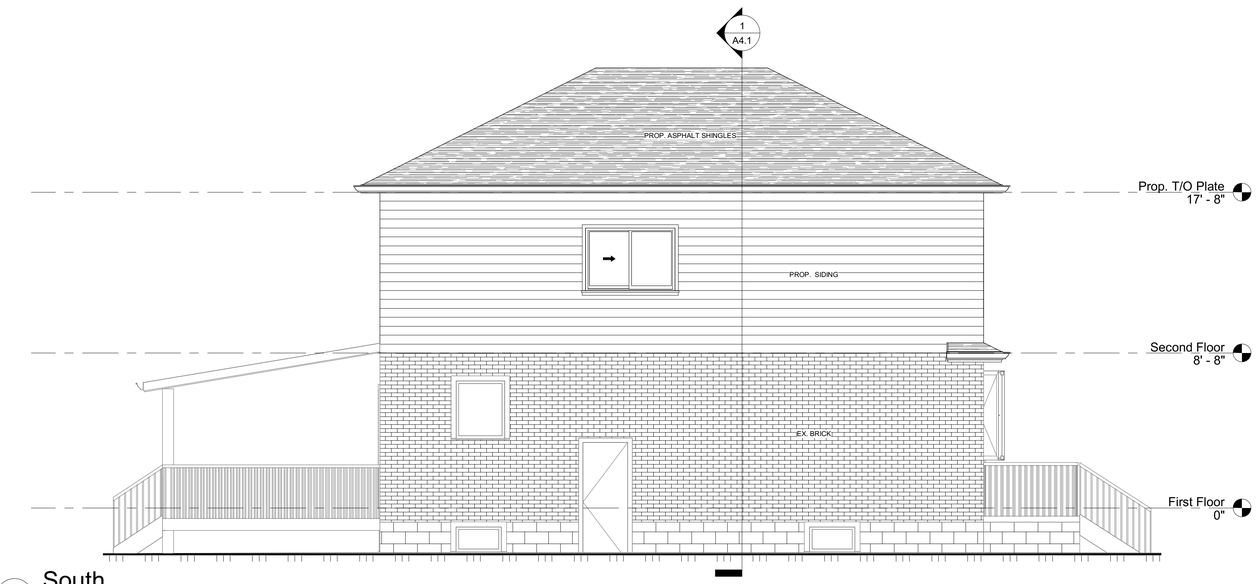
1 East
1/4" = 1'-0"



2 North
1/4" = 1'-0"



3 West
1/4" = 1'-0"



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

LICENSED PROFESSIONAL ENGINEER
2022-02-01
M. J. WHYTE
100502618
PROVINCE OF ONTARIO

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PROJECT:
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CLIENT:
PEDRO LIRA

PROPOSED ELEVATIONS

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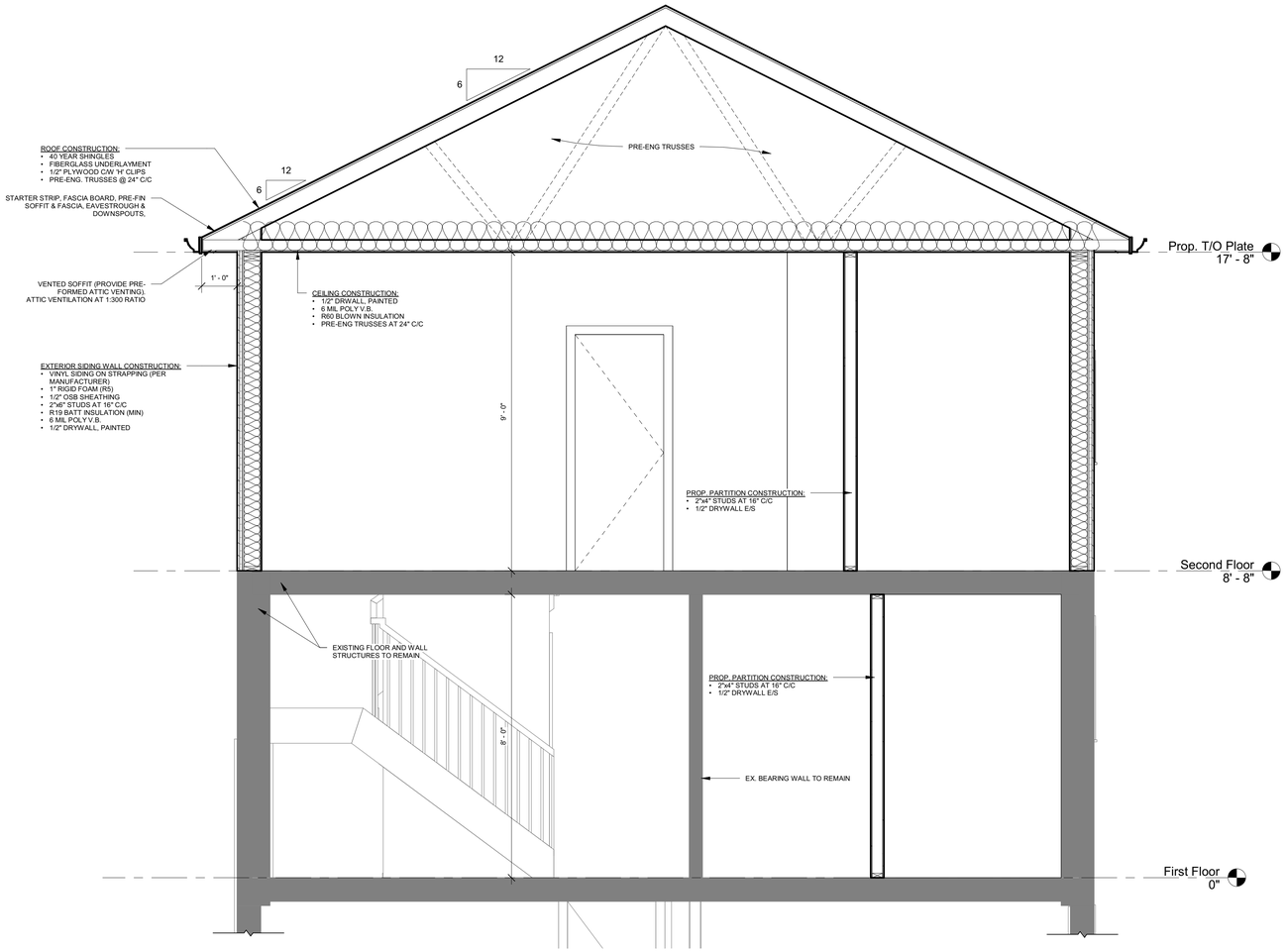
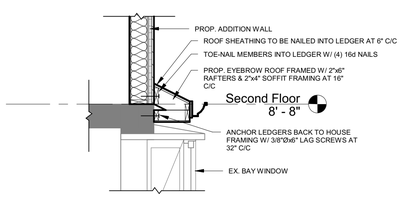


1 Building Section
1/2" = 1'-0"



2 Eyebrow Section
1/2" = 1'-0"

LICENSED PROFESSIONAL ENGINEER
2022-02-01
M. J. WHYTE
100502618
PROVINCE OF ONTARIO

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TEL. (519) 753-2656 FAX. (519) 753-4263 www.cohooneng.com

PROJECT:
PROPOSED SECOND STOREY ADDITION
250 EAST 16TH STREET
HAMILTON

CLIENT:
PEDRO LIRA

SECTIONS

DESIGN:	M.J.W.	SCALE:	AS SHOWN
DRAWN:	M.J.W.	JOB No:	14768
CHECKED:	M.J.W.		
SHEET:	6 of 6	DWG. No:	A4.1
DATE:	12/24/21		

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)	[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:

RBC Royal Bank
361 Cornwall Road - Unit 107
Oakville, ON
L6J 7Z5

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:

Reduce minimum front yard setback from 6.0m to 4.5m to permit second storey addition, to line up with existing front face of home (existing front yard setback = 4.5m)

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The existing front yard setback of the current 1.5 storey dwelling is within the required 6.0m setback, stepping the addition back to match the required setback will introduce structural and water leak risks that are not agreeable with our proposed concept.

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 3, Registered Plan 762
M.N. 250 East 16th 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?

Personal 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.

January 6, 2022
Date

Signature Property Owner(s)

Pedro Lira, Karen Moreira
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.80 m
Depth	32.85 m
Area	420.2 m^2
Width of street	20 m

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

Existing:

Ground floor area = 75.8 m^2, Gross floor area = 117.9 m^2, 1.5 storeys, width = 7.4 m, length = 10.3 m, height = 6.6 m

Proposed

Ground floor area = 75.8 m^2, Gross floor area = 151.6 m^2, 2 storeys, width = 7.4 m, length = 10.3 m, height = 8.4 m

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

Existing:

Front yard = 4.56 m, side yard = 3.54 m and 1.77 m, rear yard = 17.98 m

Proposed:

Front yard = 4.56 m, side yard = 3.54 m and 1.77 m, rear yard = 17.98 m

13. Date of acquisition of subject lands:
March 16, 2020

14. Date of construction of all buildings and structures on subject lands:
1950

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

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

17. Length of time the existing uses of the subject property have continued:
1950

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:
Neighbourhood, within the urban boundary

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoned C, By-law 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.: **SC/A-22:19**

APPLICANTS: Agent Shivang Tarika
Owner Vivek Sharma

SUBJECT PROPERTY: Municipal address **64 Eringate Court, Stoney Creek**

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

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

PROPOSAL: To permit the establishment of a secondary dwelling Unit (with 1 new window and 2 windows to be enlarged) within the existing single detached dwelling notwithstanding that;

1. A minimum of 44 % front yard landscaped area shall be provided instead of the requirement in the By-Law which states that not less than 50% of the gross area of the front and flankage yards shall be used for a landscaped area.

Note: Variance has been written as requested by the applicant

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

DATE: **Thursday, March 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

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:

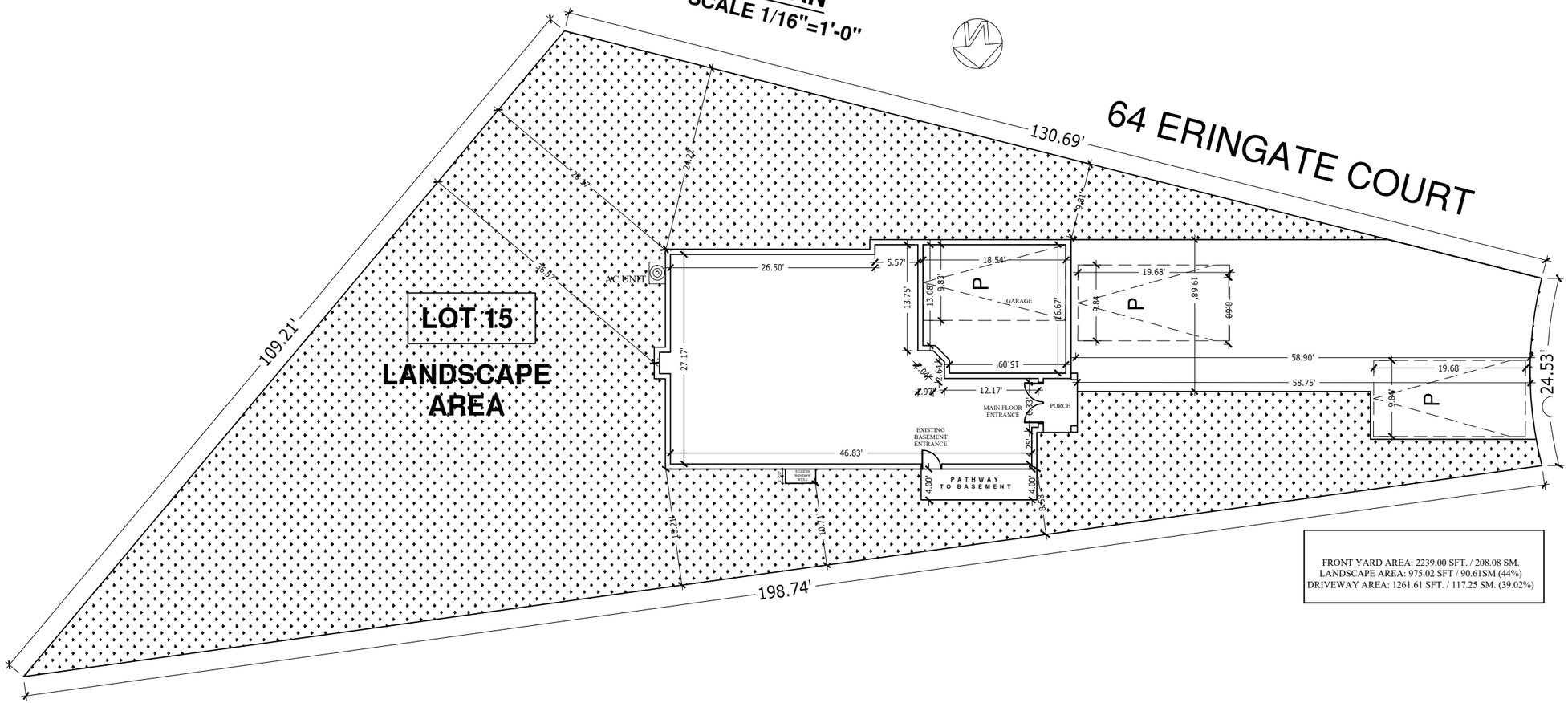
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 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
SCALE 1/16"=1'-0"



FRONT YARD AREA: 2239.00 SFT. / 208.08 SM.
LANDSCAPE AREA: 975.02 SFT / 90.61SM.(44%)
DRIVEWAY AREA: 1261.61 SFT. / 117.25 SM. (39.02%)

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART UNDER THE RULES AND BY-LAWS OF THE CORPORATION IS STRICTLY FORBIDEN.
ANY REPRODUCTIONS MUST BE AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT SECONDARY UNIT

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 DIV. C-3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA		106440
NAME	SIGNATURE	BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : HAMILTON

64 ERINGATE COURT

EXISTING DWELLING

PROJECT	SHEET
AUG 2021	A1
SCALE 1/8"=1'-0"	

E-186648

SITE & GRADING PLAN
LOT 15 – ERINGATE COURT
REGISTERED PLAN 62M-1254
CITY OF HAMILTON
SCALE 1:200
A. J. CLARKE O.L.S.

Caution:

TYPICAL SWALE CROSS-SECTION

SWALE 4"TH SUBDRAIN SECTION

ERINGATE COURT
(ESTABLISHED BY PLAN 62M-1254)

LOT 16

LOTS/15

RYMAL ROAD EAST

LOT 14

LOT 15

REGISTERED PLAN 62M-1254

BLOCK 29

BLOCK 28

RYMAL ROAD EAST
(ORIGINAL ROAD ALLOWANCE BETWEEN GEOGRAPHIC TOWNSHIPS OF BINBROOK & SALTFLEET)
(FORMERLY THE KING'S HIGHWAY No. 53)
(TRANSFERRED TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH BY OIC 644/67, INST. No. W 338552)
PLAN 736 MISC. (P-3400-1)

ROOFWATER LEADERS

NOTE:

NOTE:

DETAIL "A"
SUMP PUMP DETAIL
(STORM CONNECTION)

PART 8, PLAN 62R-17720
LOT 28 CONCESSION 8
GEOGRAPHIC TOWNSHIP OF SALTFLEET

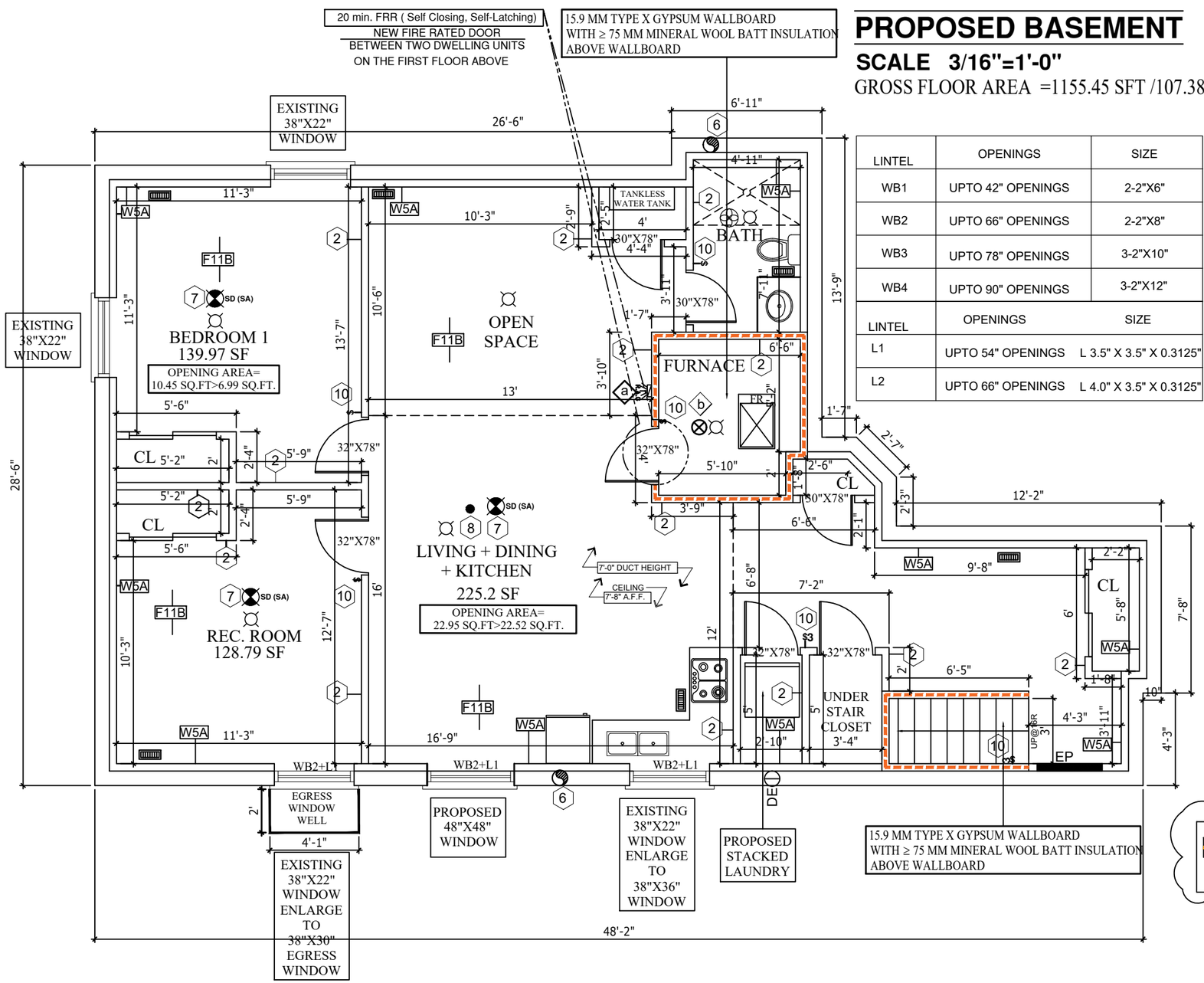
A.J. CLARKE
912
ASSOCIATION OF ONTARIO LAND SURVEYORS

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2259
email: ajc@ajclarke.com

PROJECT No 190180

E-18664B

Scanned with CamScanner



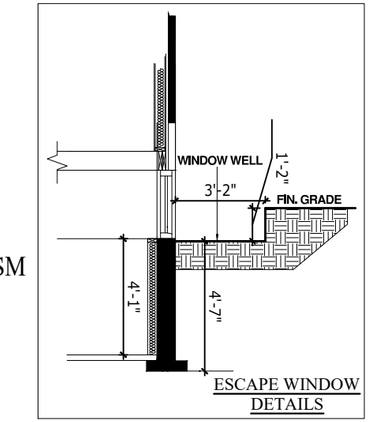
PROPOSED BASEMENT

SCALE 3/16"=1'-0"

GROSS FLOOR AREA =1155.45 SFT /107.38 SM

LINTEL	OPENINGS	SIZE
WB1	UPTO 42" OPENINGS	2-2"X6"
WB2	UPTO 66" OPENINGS	2-2"X8"
WB3	UPTO 78" OPENINGS	3-2"X10"
WB4	UPTO 90" OPENINGS	3-2"X12"

LINTEL	OPENINGS	SIZE
L1	UPTO 54" OPENINGS	L 3.5" X 3.5" X 0.3125"
L2	UPTO 66" OPENINGS	L 4.0" X 3.5" X 0.3125"

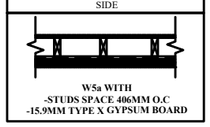


ESCAPE WINDOW DETAILS

WALL NOTES (SB-3)

SB-3 VOLUME 2 (OBC 2012)

W5 (O.B.C. / SB-3)
-38 MM X 89 MM WOOD STUDS SPACED 406 MM OR 610 MM O.C.
-89 MM THICK ABSORPTIVE MATERIAL
-RESILIENT METAL CHANNELS ON ONE SIDE SPACED 406 MM OR 610 MM O.C
-1 LAYERS OF GYPSUM BOARD ON RESILIENT METAL CHANNEL SIDE
-2 LAYER OF GYPSUM BOARD ON OTHER SIDE

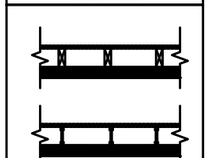


W5a WITH
-STUDS SPACE 406MM O.C
-15.9MM TYPE X GYPSUM BOARD

CEILING NOTES (SB-3)

SB-3 VOLUME 2 (OBC 2012)

WOOD FLOOR JOISTS(11)
F11(12)
-ONE SUB FLOOR LAYER OF 11 MM SANDED PLYWOOD,OR OSB OR WAFERBOARD
-ONE SUBFLOOR LAYER OF 15.5 MM PLYWOOD,OSB OR WAFERBOARD,OR 17 MM TONGUE AND GROOVE LUMBER
-ON WOOD JOIST OR WOOD I-JOIST SPACED NOT MORE THAN 610 MM O.C.
-WITH OR WITHOUT ABSORPTIVE MATERIAL IN CAVITY
-RESILIENT METAL CHANNELS SPACED 406 MM OR 610 MM O.C.
-2 LAYERS OF GYPSUM BOARD ON CEILING SIDE



F11b
F11 WITH
-NO ABSORPTIVE MATERIAL IN CAVITY
-RESILIENT METAL CHANNELS SPACED 610 MM O.C.
-15.9 MM TYPE X GYPSUM BOARD

PROVIDE 45 MIN FIRE SEPERATION
5/8" TYPE X GYPSUM BOARD
2" X 4" WOOS STUD AT 16" O.C
3 1/2" ROXULL SAFE "N" SOUND INSULATION
5/8" TYPE X GYPSUM BOARD

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART UNDER THE RULES AND BY-LAWS OF THE CORPORATION IS STRICTLY FORBIDEN.
ANY REPRODUCTIONS MUST BE AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT SECONDARY UNIT

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 DIV. C-3.2.5.1 OF THE BUILDING CODE

SHIVANG TARIKA		106440
NAME	SIGNATURE	BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

BASEMENT PLAN

CITY : HAMILTON

64 ERINGATE COURT

EXISTING DWELLING

PROJECT	SHEET
AUG 2021	A2
SCALE 3/16"=1'-0"	

Hamilton

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

Phone: (905) 546-2424 ext. 4221
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APPLICATION FOR 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:

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

4. Nature and extent of relief applied for:

Front Yard landscape Requirement
Required- 50%
Proposed -44%

☑ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

We want to build a legal secondary dwelling unit for rental purpose which will help us in managing mortgage for our property. The property requires 50% of landscape in to comply zoning regulations of the area. As per site condition and parking layout design we are getting 44% soft landscape area. We would like to ask for minor variance for the site condition.

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**):

64 Eringate Court, Hamilton, ON L8J 0L7

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?

Official Plan, By-law 2003-51

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.

2022/01/05
Date

Vivek Sharma
Signature Property Owner(s)

Vivek Sharma
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	24.53'
Depth	130.69'
Area	8794.33 sqft
Width of street	26ft

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:_

Gross floor area= 3726 sqft
Number of stories=2
width=28'6"
length=48'2"

Proposed

Gross floor area= 3726 sqft
Number of stories=2
width=28'6"
length=48'2"

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 setback=8.58'
Front setback=58'9"
Rear setback=36.57'

Proposed:

Side setback=8.58'
Front setback=58'9"
Rear setback=36.57'

13. Date of acquisition of subject lands:
2020

14. Date of construction of all buildings and structures on subject lands:
2021

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

Single family

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

Single Family

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

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 Hamilton official Plan

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

City of Stoney Creek Zoning By-iaw No. 3692-92

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

Yes ☐ No ☑

If the answer is yes, describe briefly.

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.

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-22:08

SUBJECT PROPERTY: 10 Farr Court, Ancaster

You are receiving this notice because you are either:

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

APPLICANT(S): Owner T. Valeri Construction Ltd.
(A. Lindsay)

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be added to property known municipally as 10 Farr Court as shown on the attached sketch.

Severed lands:
151.5m± x 16.5m± and an area of 2,491m^2 ±

Retained lands:
151.5m± x 94.3m± and an area of 14,326m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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.

…/2

MORE INFORMATION

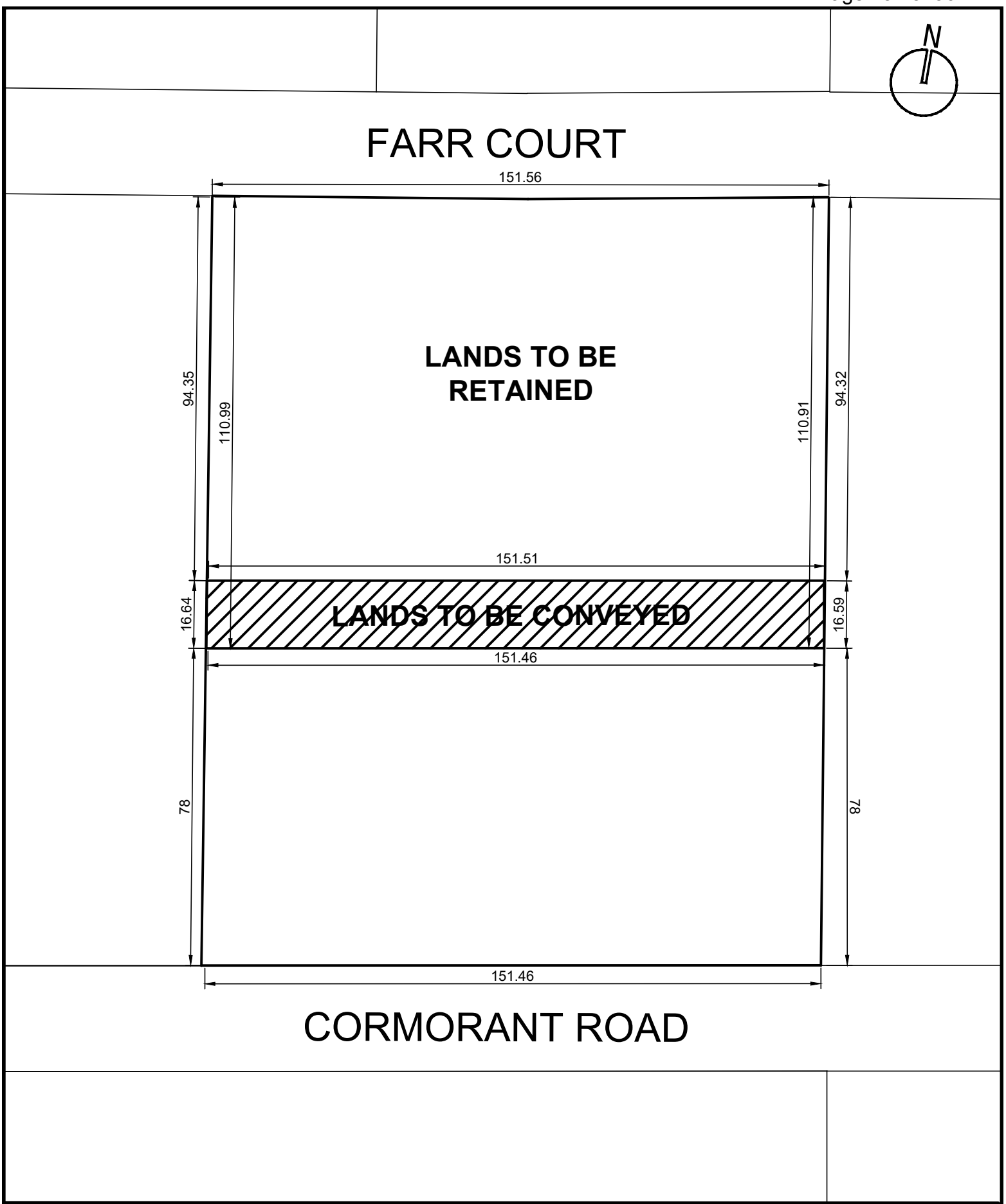
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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.



CONSENT TO SEVER SKETCH
10 FARR COURT

0 1 2
SCALE 1:1

Prepared By: Valery Homes
Date: January 10, 2022

PLAN OF SUBDIVISION
OF PART OF
LOT 32
CONCESSION 4
GEOGRAPHIC
TOWNSHIP OF ANCASTER
IN THE
CITY OF HAMILTON

SCALE 1: 1000 METRIC

20 10 0 20 40 60 metres

S.D. McLAREN, O.L.S. – 2021

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999646269

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4781769.962	578510.200
ORP B	4782365.213	578771.384

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

APPROVAL CERTIFICATE

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, c.P. 13, AS AMENDED, BY THE GENERAL MANAGER OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT OF THE CITY OF HAMILTON UNDER THE AUTHORITY OF BY-LAW 07-323.

THIS 8th DAY OF December, 2021

for: General Manager, Planning and Economic Development — CITY OF HAMILTON

PLAN 62M– 1279

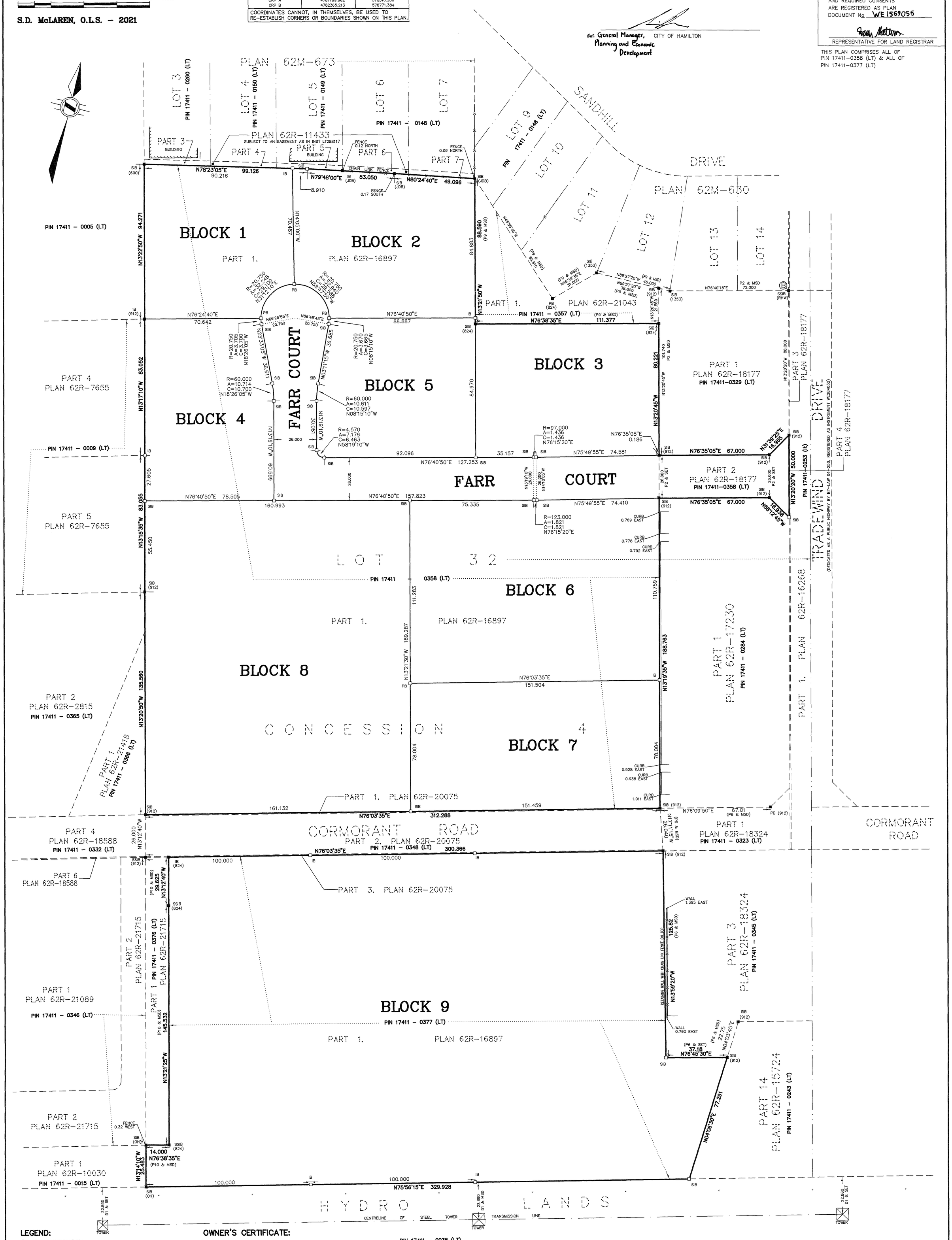
I CERTIFY THAT THIS PLAN 62M– 1279 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WENTWORTH (62) AT 11:08 O'CLOCK ON THE 16 DAY OF December 20 21 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER(S)

PIN 17411–0358 (LT)
PIN 17411–0377 (LT)

AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. WE 1569055

REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES ALL OF PIN 17411–0358 (LT) & ALL OF PIN 17411–0377 (LT)



LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
Msd	"	MEASURED
PB	"	PLASTIC BAR
600	"	S.W. WOODS, O.L.S.
CITY	"	CITY OF HAMILTON
P1	"	PLAN 62R–16897
P2	"	PLAN 62R–18177
P3	"	PLAN 62R–17230
P4	"	PLAN BY A.J. CLARKE, O.L.S., DATED AUG. 8, 2008
P5	"	PLAN 62R–20075
P6	"	PLAN 62R–18324
P7	"	PLAN 62R–15724
P8	"	PLAN 62R–10030
P9	"	PLAN 62R–21043
P10	"	PLAN 62R–21715
D1	"	INSTRUMENT AB134289

OWNER'S CERTIFICATE:

THIS IS TO CERTIFY THAT:

1. BLOCKS 1 TO 9, INCLUSIVE, AND FARR COURT HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS;
2. THE STREET IS HEREBY DEDICATED TO CITY OF HAMILTON AS A PUBLIC HIGHWAY.

OWNER: T. VALERI CONSTRUCTION LIMITED

Dec 1. 21
DATE

AUTHORIZED SIGNING OFFICER
I HAVE THE AUTHORITY TO BIND THE CORPORATION

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

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 26th DAY OF AUGUST, 2021

Nov 29, 2021
DATE — S. DAN McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	JS	1:1000	35805–M

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

	NAME	MAILING ADDRESS	
Purchaser*	[redacted]		
Registered Owners(s)			
Applicant(s)**			
Agent or Solicitor			

***Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)**

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

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

2 LOCATION OF SUBJECT LAND

Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Hamilton	Part of Lot 32	4	Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
		62M-1279	
Municipal Address 10 Farr Court			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:

Easement in favour of the City for sewer maintenance/access.

3 PURPOSE OF THE APPLICATION

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

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

☐ creation of a new lot
☒ addition to a lot
☐ an easement

Other: ☐ a charge
☐ a lease
☐ a correction of title

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

1525 Cormorant Rd

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.)**:

Frontage (m)	Depth (m)	Area (m² or ha)
151.5	16.5	2,491sm

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

Existing structures to be removed: 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)

- [x] 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 (remainder)**:

Frontage (m)	Depth (m)	Area (m² or ha)
151.5	94.3	14,326sm

Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. **(O. Reg. 786/21)**

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: N/A

Proposed: N/A

Existing structures to be removed: N/A

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [ ] school bussing
- [x] 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) Business Park

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

The proposed minor lot line adjustment implements the policies of S.E.5.4 applicable to Business Park designated lands and of F.1.14.3.6 as there is no fragmentation of a core area and the adjustment does not conflict with intent of the policies of the Official Plan.

5.2 What is the existing zoning of the subject land?
If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? M2 (Business Park), Exception 611

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. N/A

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*	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	
A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	
An active railway line	☐	
A municipal or federal airport	☐	

*Complete MDS Data Sheet if applicable

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?

Phase 1 & 2 Environmental Site Assessment

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. N/A
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

The application has regard for the Policy Statements issued under subsection 3 of the Planning Act.

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

The application is consistent with the PPS as the lot line adjustment is informed by market-demand for employment uses.

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

The proposed application conforms to the Growth Plan as it maintains an adequate supply of land for employment uses and implements the intent of the policies contained in subsection 2.2.5 for Employment uses.

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

Growth Plan - as above.

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.

25T-200512 Approved/Registered

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

N/A

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

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

8.4 How long has the applicant owned the subject land?

Since 2003

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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

12 ACKNOWLEDGEMENT CLAUSE

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

January 17, 2022
Date

A. Lindsay
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.: **SC/A-22:22**

APPLICANTS: Agent 7946899 Canada Inc. c/o Land Art (Debi McKellar)

SUBJECT PROPERTY: Municipal address **22 Ben Tirran Crescent, Stoney Creek**

ZONING BY-LAW: Zoning By-law 36-9292, as Amended

ZONING: "R2-9" (Single Residential) district

PROPOSAL: To permit the construction of a front porch to the existing single detached dwelling, notwithstanding that;

1. The porch shall be permitted to encroach a maximum of distance of 2.9m into the required front yard and therefore may be located as close as 3.1m from the front lot line instead of the maximum 1.5m projection permitted into a required front yard.

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

DATE: **Thursday, March 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

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

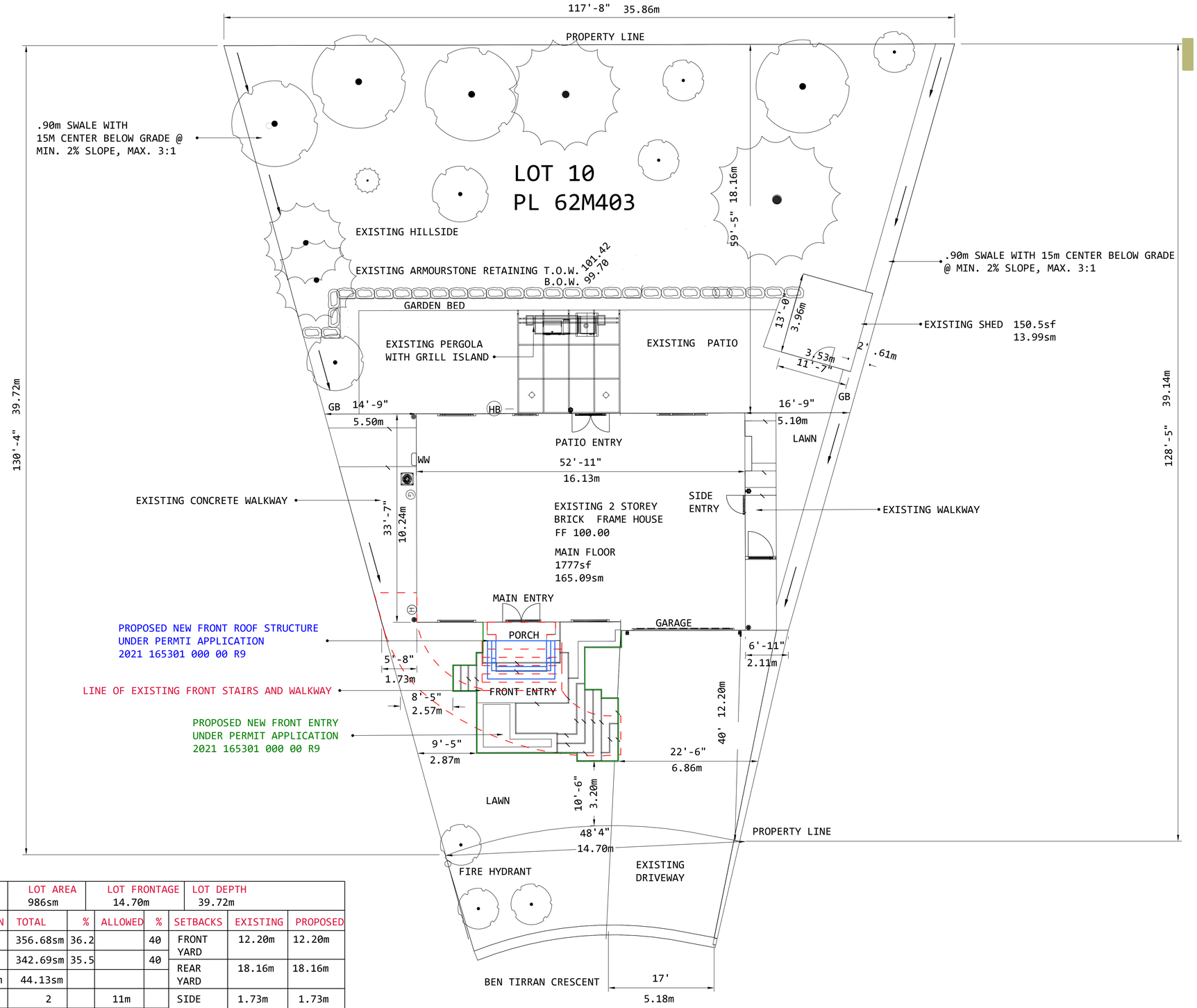
…/2

- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 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.



ZONING	LOT NO:	PLAN NO:	LOT AREA	LOT FRONTAGE	LOT DEPTH
R2	10	62M403	986sm	14.70m	39.72m

DESRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%
LOT COVERAGE	356.68sm	0	356.68sm	36.2		40
GROSS FLOOR AREA	342.69sm	0	342.69sm	35.5		40
FRONT ENTRY AREA	41.80sm	2.33sm	44.13sm			
NO. OF STORIES	2	0	2		11m	
WIDTH - HOUSE	16.13m	0	16.13m			
DEPTH - HOUSE	10.24m	0	10.24m			
WIDTH - ENTRY	3.91m	2.97m	6.88m			
DEPTH - ENTRY	5.97m	.43m	6.40m			

SETBACKS	EXISTING	PROPOSED
FRONT YARD	12.20m	12.20m
REAR YARD	18.16m	18.16m
SIDE EAST	1.73m	1.73m
SIDE WEST	2.11m	2.11m
FRONT ENTRY	3.66m	3.20m

LANDART

TROMBETTA RESIDENCE

22 BEN TIRRAN CRESCENT
FULL PROPERTY PROJECT

SITE PLAN

DESIGNED BY: DM
REVIEWED BY: RW

N

PAGE SIZE: 24 x 36
SCALE: 1/8" - 1'-0"

JANUARY 20, 2022

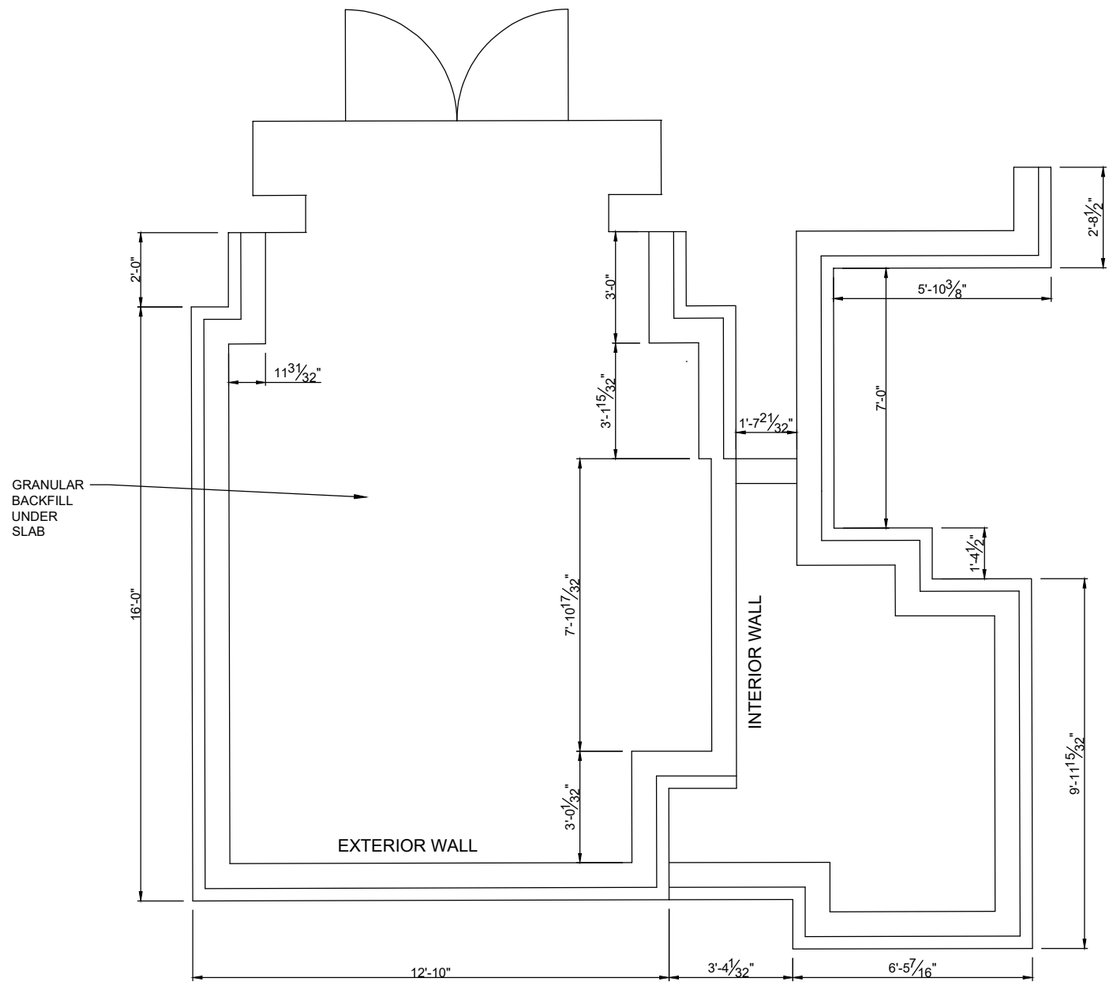
REVISIONS

1.
2.
3.

© LANDART 2022 ALL RIGHTS RESERVED

-10 EXISTING ELEVATIONS
-10 PROPOSED ELEVATIONS
AIR CONDITIONER
DOWNSPOUT
G GAS
HB HOSE BIB
H HYDRO
LS LIGHT STANDARD
WW WINDOW WELL
BW BASEMENT WINDOW
EXISTING TREE TO REMAIN
EXISTING TREE TO BE REMOVED

GENERAL NOTES
1. STONE VENEER LEDGE TO BE STEPPED TO MATCH FINAL GRADE.
2. DIMENSIONS TO BE CONFIRMED ONSITE AND WITH LANDSCAPE PLAN DRAWING



LICENSED PROFESSIONAL ENGINEER
T. M. LINDE
10099542
12/15/21
PROVINCE OF ONTARIO

REV:	DESCRIPTION:	BY:	DATE:

STATUS:

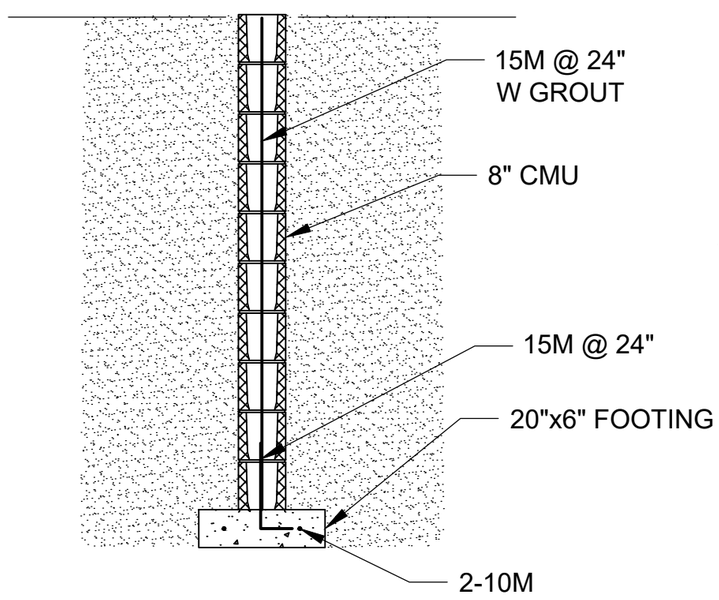
CLIENT: LANDART

DESIGNER: TREVOR LINDE
PEO #: 100199542

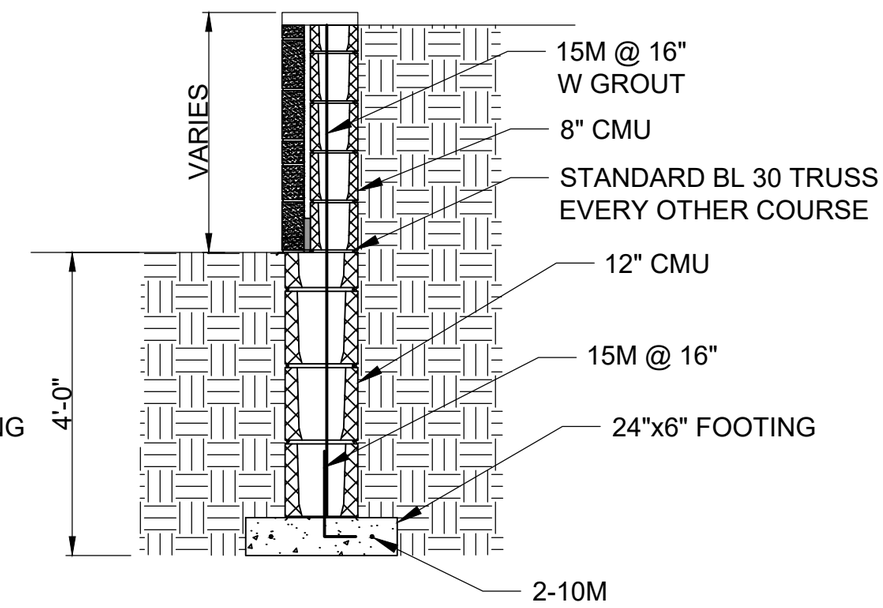
SITE: TROMBETTA RESIDENCE
22 BEN TIRRAN CRESCENT

TITLE: ENTRANCE LAYOUT

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1/2" = 1'	12/15/21	TL	
PROJECT NO:	DRAWING NO:		REVISION:
	1		



INTERIOR WALL



EXTERIOR WALL

REV:	DESCRIPTION:	BY:	DATE:

STATUS:

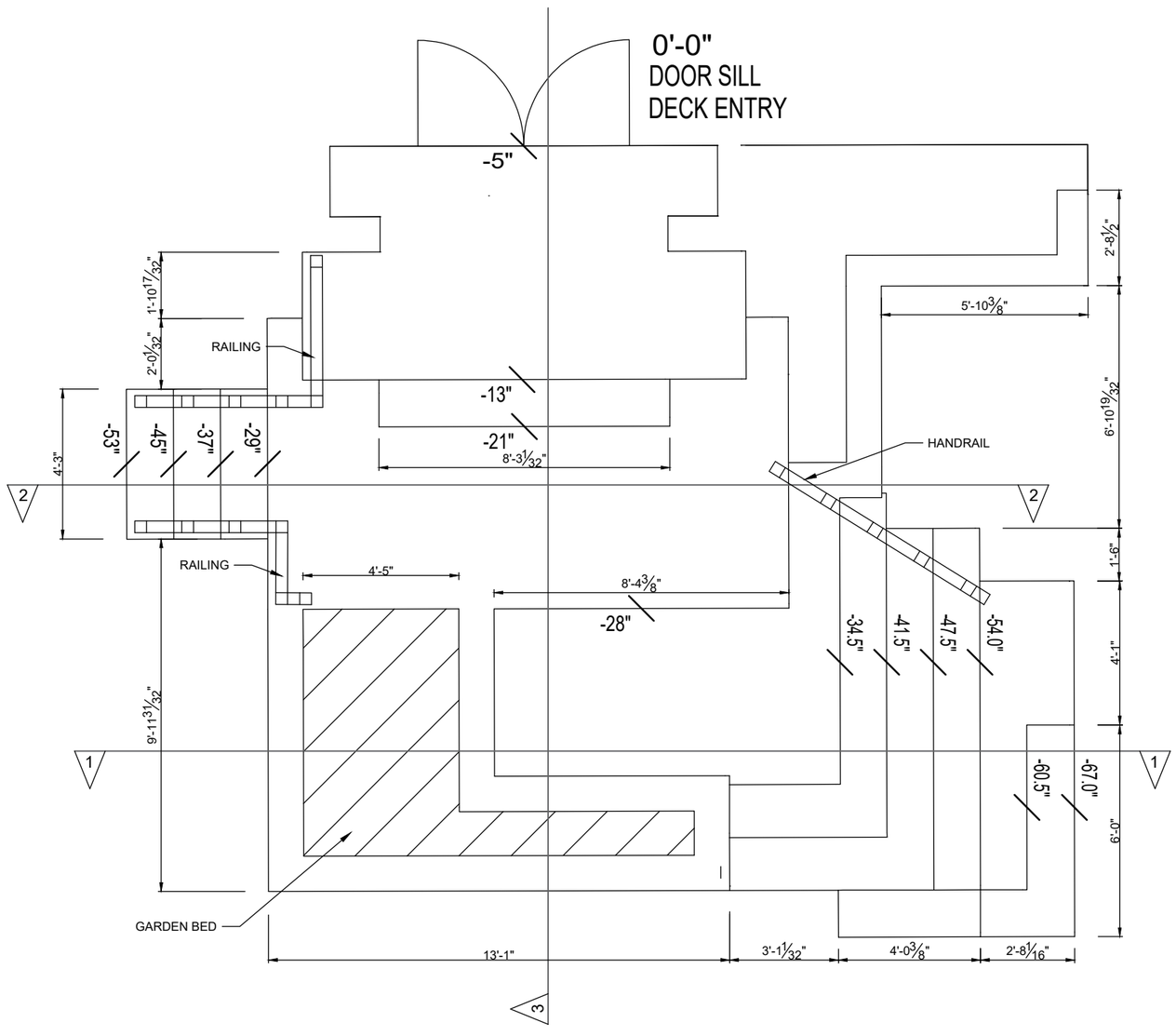
CLIENT: LANDART

DESIGNER: TREVOR LINDE
PEO #: 100199542

SITE: TROMBETTA RESIDENCE
22 BEN TIRRAN CRESCENT

TITLE: ENTRANCE DETAILS

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1/2" = 1'	12/15/21	TL	
PROJECT NO:	DRAWING NO:		REVISION:
	2		



LICENSED PROFESSIONAL ENGINEER
T. M. LINDE
10099542
01/10/22
PROVINCE OF ONTARIO

REV:	DESCRIPTION:	BY:	DATE:

STATUS:

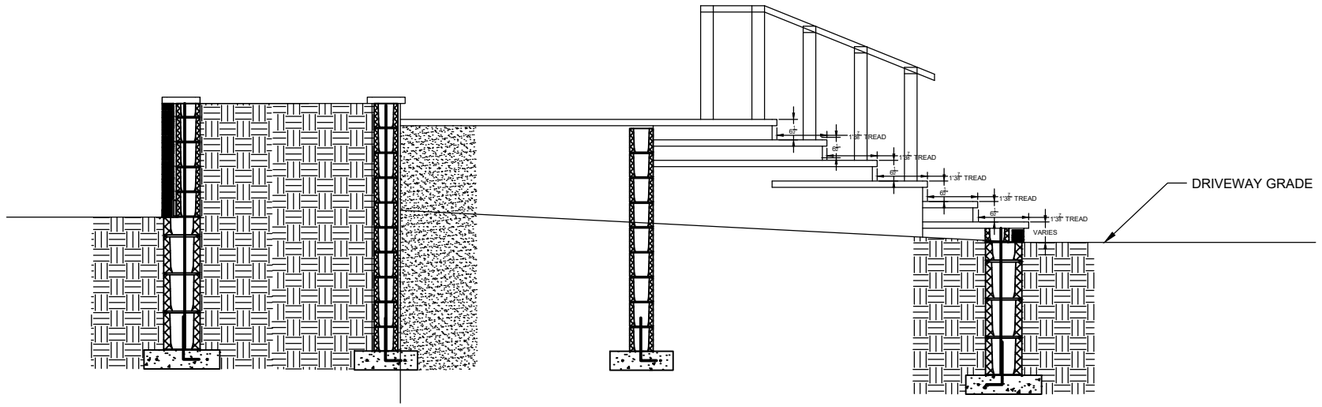
CLIENT: LANDART

DESIGNER: TREVOR LINDE
PEO #: 100199542

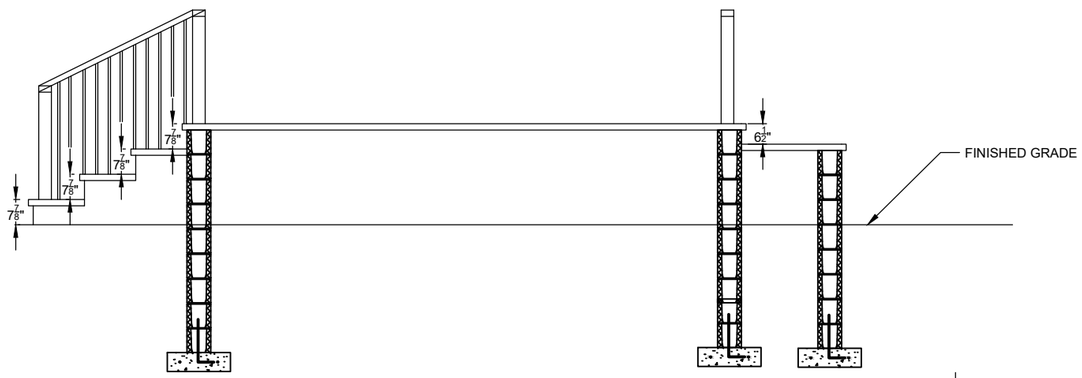
SITE: TROMBETTA RESIDENCE
22 BEN TIRRAN CRESCENT

TITLE: STEPS LAYOUT

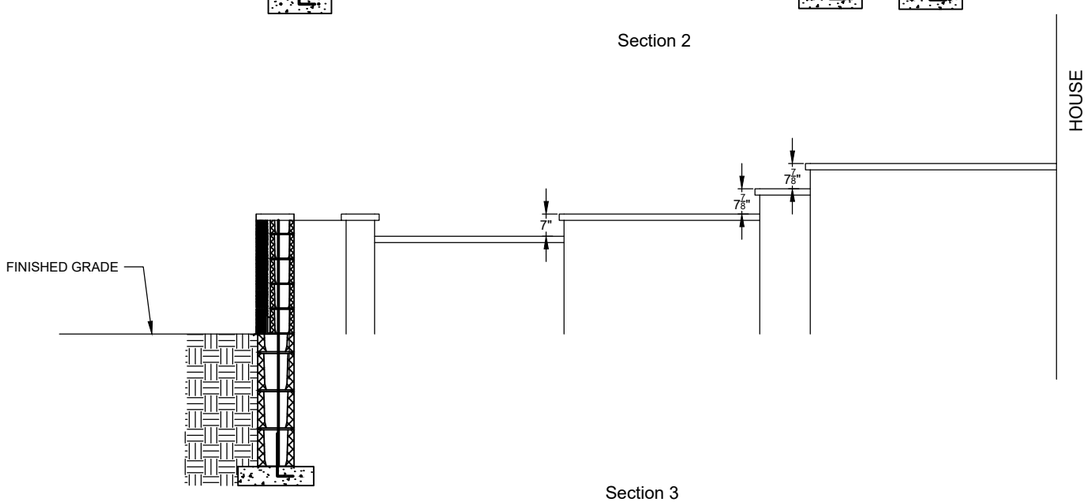
SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1/2" = 1'	01/10/22	TL	
PROJECT NO:	DRAWING NO:		REVISION:
	3		



Section 1



Section 2



Section 3

REV:	DESCRIPTION:	BY:	DATE:

STATUS:

CLIENT: LANDART

DESIGNER: TREVOR LINDE
PEO #: 100199542

SITE: TROMBETTA RESIDENCE
22 BEN TIRRAN CRESCENT

TITLE: ENTRANCE ELEVATIONS

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1/2" = 1'	01/10/22	TL	
PROJECT NO:	DRAWING NO: 4		REVISION:

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)	[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:

Canadian Imperial Bank of Commerce
399 Greenhill Ave
Hamilton, ON L8K 6N5

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

4. Nature and extent of relief applied for:

   To allow the minimum setback from the front lot line to be reduced from 4.5m to 3.1m

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

   The Design requirements for an appropriate tread, riser and landing ratio require this protrusion from the front of the residence due to the overall elevation change from the front door to the driveway.

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

   22 Ben Tirran Crescent, Stoney Creek ON L8G 4V9

   PCL 10-1, SEC 62M403; LT 10, PL 62M403

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?

Homeowner property ownership records and Historical data on the land and property

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

Is the previous use inventory attached? Yes ☐ No ☑

9. ACKNOWLEDGEMENT CLAUSE

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

01.18.2022
Date

Signature Property Owner(s)

Pietro Trombetta
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	14.63m
Depth	40m
Area	986 sq. m.
Width of street	14m

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

Existing:_

Dwelling Unit: 2 Stories. Ground Floor Area: 168sq. m Gross Floor Area????
W: 16.15m L: 10.67m H: 9.1m
Shed: 4m x 3.5m 14sq.m.

Proposed

Front Porch Roof: 2.9m x 1m - 2.9 sq.m. H: 2.9M

Front Porch : 5.9m x 7.3m x 4.6m

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

Existing:

Dwelling Unit: Front: 9.44m Side: 1.6m Side 2.1m Rear: 18m
Shed: Front: 23.4m Side: 23m Side 0.6m Rear: 11.25m

Proposed:

Front Porch Roof: Front: 12.75m Side: 4.87m Side: 11.27m Rear: 29.26m

Front Porch Front: 3.2m Side: 2.87m Side: 6.8m

13. Date of acquisition of subject lands:
N/A

14. Date of construction of all buildings and structures on subject lands:
1986

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

Single Family

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

Single Family

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

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

Water	☑	Connected	☑
Sanitary Sewer	☑	Connected	☑
Storm Sewers	☐		

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

Low Density Residential

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

R2-9

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.

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-22:25**

APPLICANTS: T. & M. Beijes, Owners

SUBJECT PROPERTY: Municipal address **9205 Airport Rd., Glanbrook**

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

ZONING: "C6,E580" (District Commercial) district

PROPOSAL: To permit the construction of a 57 square metre accessory building on a residential parcel of land containing an existing single detached dwelling notwithstanding that:

1. An aggregate gross floor area of 57 square metres shall be permitted for all buildings accessory to a single detached dwelling, instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed an aggregate gross floor area of 45 square metres.

NOTE:

1. Detailed elevation drawings have not been provided to confirm the height of the proposed accessory building, which is indicated a 3.89 metres in the submitted application. Please note that Section 4.8(g) establishes a maximum height of 4.5 metres for all accessory buildings. Additional variances may be required if compliance with Section 4.8(g) is not possible.

2. The projection of the eaves/gutters of the proposed accessory building have not been indicated on the site plan to confirm zoning compliance. Additional variances may be required if compliance with Section 4.8(h) is not possible.

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

4. It is noted that the submitted application indicates that proposed accessory building is to be used as a “workshop”. Please note that specific details regarding parking on the lot were not provided as part of this application to confirm zoning compliance. Additional variances may be required if compliance with Section 5 of Hamilton Zoning By-law No. 05-200 is not possible.

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

…/2

DATE:	**Thursday, March 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**

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

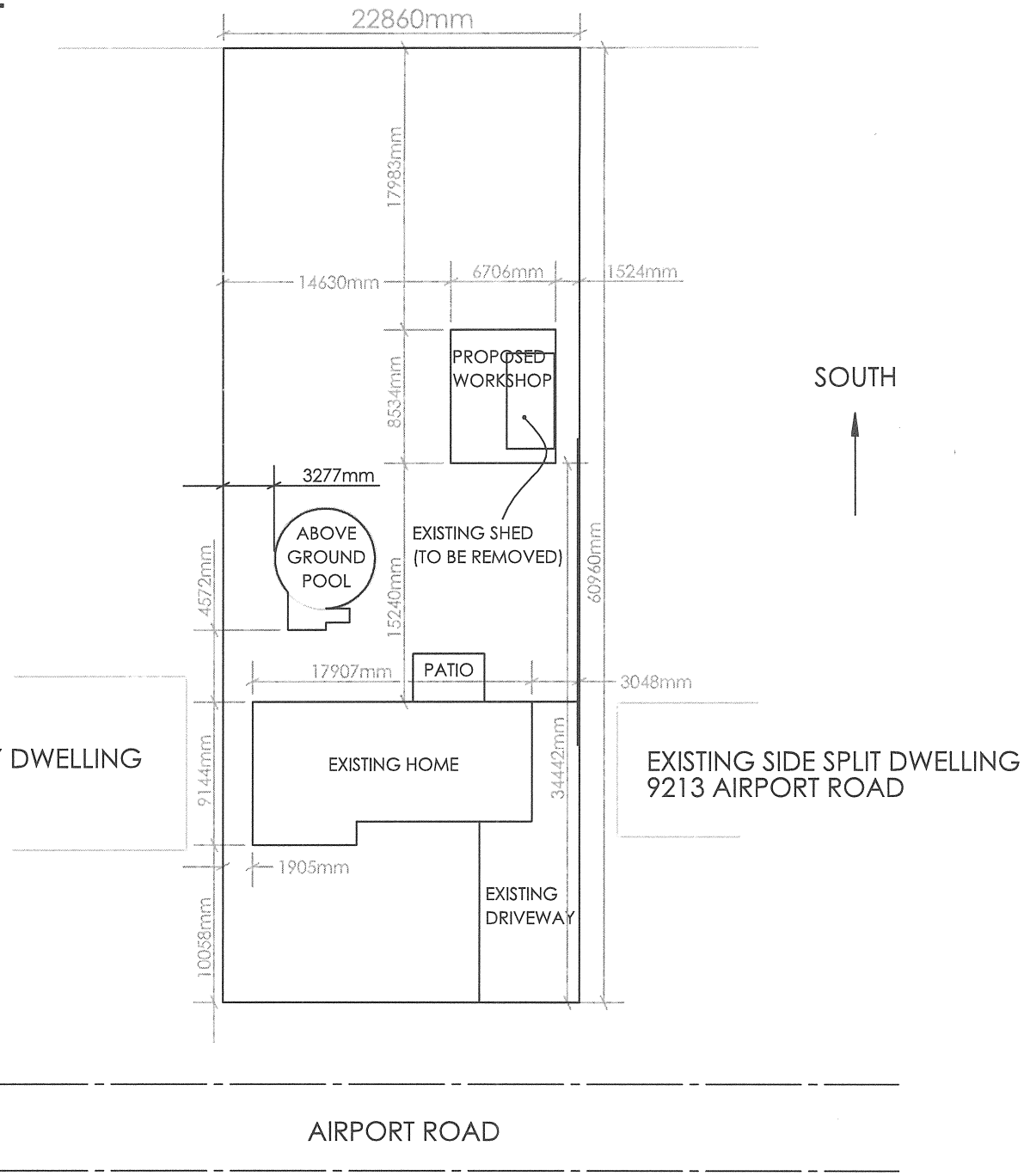
DATED: February 15th, 2022.

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.

LOT PLAN FOR 9205 AIRPORT ROAD WEST

LOT COVERAGE		
LOT	1394 SQ METERS	
HOUSE		147 SQ METERS
POOL		37 SQ METERS
PATIO		14 SQ METERS
EXISTING SHED (TO BE REMOVED)		19 SQ METERS
PROPOSED WORKSHOP		
COVERAGE	57 SQ METERS	
WIDTH	6.7 METERS	
DEPTH	8.5 METERS	
SETBACK (EAST)	1524 MM	
SETBACK (WEST)	14630 MM	
SETBACK (NORTH)	17983 MM	
SETBACK (SOUTH)	34442 MM	



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)	[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:
Manulife Financial, 500 King Street North, Waterloo, ON - holds mortgage for property

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 obtain a permit to build an accessory structure in the rear yard of 9205 Airport Road in Mount Hope

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

   The dimensions of the accessory structure to be built exceed the dimensions of the By-Law. The structure was originally designed to be within spec of city by-laws, but these by-laws changed during the design phase.

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**):

   9205 Airport Road, Mount Hope, 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?

Location of property, conversation with neighbours and purchase agreement.

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.

January 11, 2022
Date

Signature Property Owner(s)

Theo Beijes, Melanie Beijes
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	22.86 meters
Depth	60.96 meters
Area	1393.55 square meters
Width of street	9.25 meters - 2 lanes

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

Existing:_
House - 4 level side split, ground floor area - 120 sq m; gross floor area - 255 sq m length - 18m; width - 9m; height - 3m
Swimming pool - 37 sq m. round in shape, 1 m high; 6.5m diameter
Storage shed - one storey, 19 sq m., 3m wide x 6m deep x 3m high
Patio - on ground patio stones - 14 sq m. 3m wide x 4.5 deep
Proposed

Accessory structure - Workshop
Gross floor area - 57 square meters
Single storey
Width - 6.706 meters, Length - 8.534 meters, Height - 3.89 meters

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 split house - distance to side - 1,9m; distance to rear - 41m; distance to front - 10m. Swimming pool - distance to side - 3m; distance to rear - 29m; distance to front - 23m. Storage shed - distance to side - 1.5m; distance to rear - 20m; distance to front - 35m

Proposed:
To be located in rear yard of 9205 Airport Road
Distance from: west side - 14.63 meters, east side - 1.52 meters, rear line - 17.98 meters, front line - 34.44 meters

13. Date of acquisition of subject lands:
September, 2019

14. Date of construction of all buildings and structures on subject lands:
House - unknown, Patio - unknown, Pool - July 2020

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 dwellings

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

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

Water	☑	Connected	☑
Sanitary Sewer	☑	Connected	☑
Storm Sewers	☑		

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

District Commercial

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

Zoned "C6 Exception 580" District Commercial Special Exception 580 in Zoning By-law 05-200

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

Yes ☐ No ☑

If the answer is yes, describe briefly.

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

Yes ○ No ◉

23. 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-22:26**

APPLICANTS: Agent Team Shane Renovations (L. Sayegh)
Owner Misty Schuler

SUBJECT PROPERTY: Municipal address **69 Ranchdale Dr., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To construct a one storey garage addition to the existing single-family dwelling notwithstanding that;

1. A minimum of 0.6 m setback including the roof projection shall be provided instead of the minimum required 1.2 m side yard width; and

2. Eaves and gutters shall be permitted to encroach the entire width of the easterly and westerly side lot lines instead of the maximum permitted encroachment of one half of the required side yard.

Note:

Variances have been written as requested by the applicant.

Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.

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

DATE: **Thursday, March 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.

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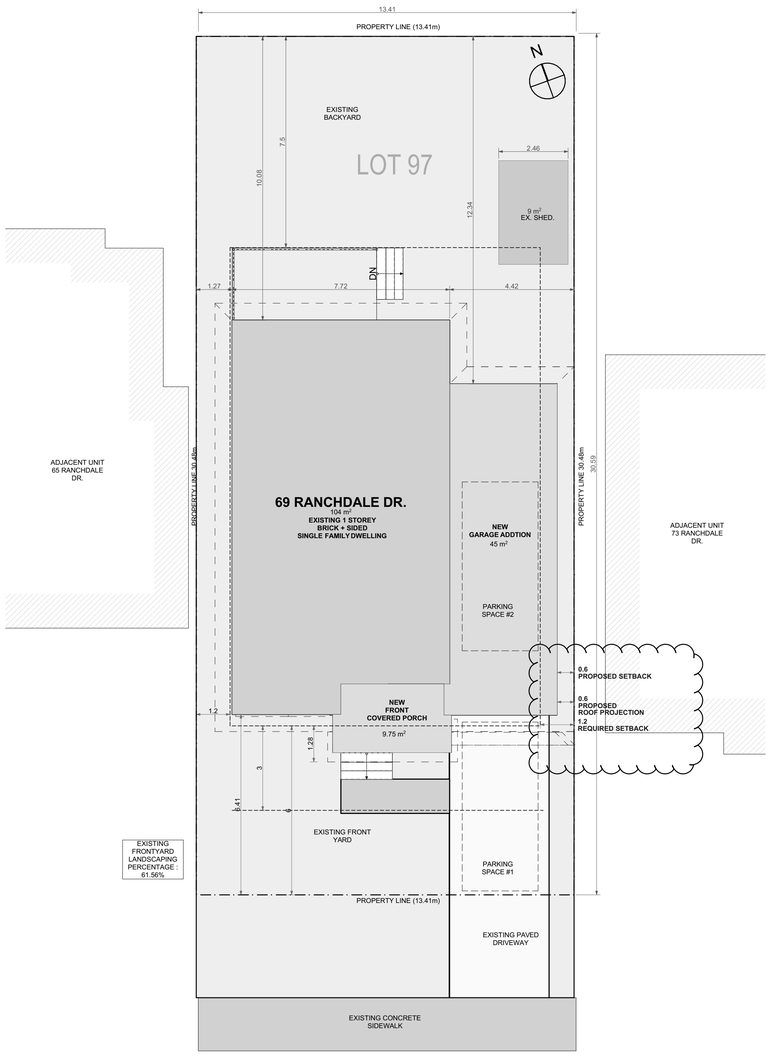
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

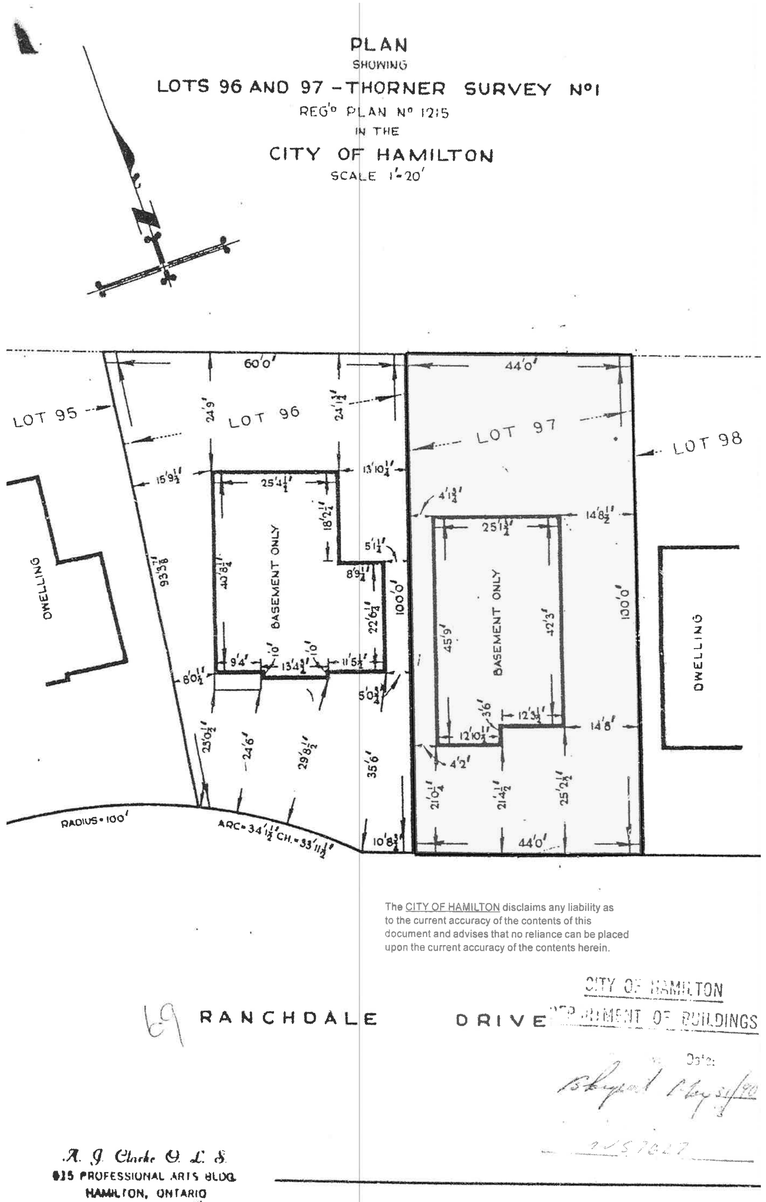
DATED: February 15th, 2022.

_____
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.



1 **SITE PLAN**
SCALE: 1:100



2 **SURVEY DONE BY OTHERS**
SCALE: 1:166.67

SITE INFORMATION

Zoning Information taken on: ***2021.11.15***
Edited by: ***J.S***

ADDRESS: 69 RANCHDALE DRIVE
POSTAL CODE: L8V 2L9

MUNICIPALITY: HAMILTON
BYLAW #: 6593 FORMER HAMILTON
ZONE: C

MINOR VARIANCE #: N/A

ZONING INFORMATION	Required / Allowable:	Existing:	Proposed:	Variance
LOT AREA (m2):	360	408.7	n/a	
LOT WIDTH (m):	12	13.41	n/a	
LOT DEPTH (m):	N/A	30.48	n/a	
LOT FRONTAGE:	N/A	13.41	n/a	
LOT COVERAGE (%)[1]:	N/A	25.5%	-%	
Gross floor area calculations *Basement area:*		*104*	*104*	
Main floor area:		*104*	*104*	
Second floor area:		n/a	n/a	
Attic floor area:		n/a	n/a	
GROSS FLOOR AREA[4]:		208	208	
FLOOR AREA RATIO[2]:	N/A	0.5089:1	0.5089:1	
Calculation = Gross Floor Area / Lot Area:		*208 / 408.7*	*208 / 408.7*	
GROUND FLOOR AREA:	n/a	104	158.75	
BUILDING HEIGHT (m):	11	5.70	6.4	
STORIES	2.5	1	1	
PARKING SPACES[3,5]:		2	2	
Habitable Rooms:		5	5	
LANDSCAPE AREA	50%	61.56%	61.56%	
STREET WIDTH				
SETBACKS				
FRONT(m):	6	6.41	6.41	
REAR(m):	7.5	10.08	12.34	
RIGHT (EAST) SIDE(m):	1.2	4.42	**0.60**	**YES**
LEFT (WEST) SIDE(m):	1.2	1.27	AS EX.	
ENCROACHMENTS				
ROOF PROJECTION(m):	0.60	N/A	**0.60**	**YES**
FRONT COVERED PORCH(m):	3.0	N/A	1.28	
UNCOVERED PORCH(m):	0.60	N/A	N/A	
DECK(m):	0.60	N/A	N/A	
CORNICE, OVERHANG, BALC.	0.60	N/A	N/A	
ACCESSORY BUILDINGS				
SIZE(m²):	N/A	9	AS EX.	
HEIGHT(m):	N/A	2.4	AS EX.	

OTHER RETRICTIONS	Required?	Site Specific
VARIANCE (Refer to above)	YES	
CONSERVATION AUTHORITY[6]	N/A	
NIAGARA ESCARPEMENT CONTROL	N/A	
MTO	N/A	
SITE PLAN CONTROL / EXEMPTION	N/A	
ZONING CLEARANCE CERTIFICATE	N/A	
GRADING + DRAINAGE CERTIFICATE	N/A	
GRADING + DRAINAGE PLAN	N/A	
TREE PROTECTION	N/A	
EASEMENT	N/A	
SURVEY REQ'D?	N/A	
SITE ENGINEERING	N/A	
ENVIRONMETAL SITE ASSESSMENT	N/A	
GREENBELT PROTECTED COUNTRYSIDE	N/A	
HERITAGE	N/A	
FEDERAL AIRPORT AUTHORITY	N/A	
PARKWAY BELT	N/A	
SEPTIC	N/A	
ENCROACHMENT AGREEMENT	N/A	

REFERENCES
[1] Proposed lot coverage calculations = Ground floor area / Lot Area
[2] Floor Area Ratio Calculation:Total Gross Floor Area / Lot Area
[3] Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
Burlington: 2.7m x 6.0m
[4] Area of all floors excluding the following:
1. 100sf for laundry if possible
2. 70sf for mechanical if possible
3. Attic spaces
4. Any area that is uninhabitable
[5] Parking Spaces Required is based on the amount of habitable rooms in Hamilton. (2) parking spaces are required for the first (8) habitable rooms. Every extra room requires an additional (0.5) parking space (rounding up always)
[6] Conservation Authorities: Hamilton, Halton

CONTRACTOR

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
3	ISSUED FOR VARIANCE APP.	2022.01.21

DRAWING:

SITE PLAN

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

DATE: 2022-01-21

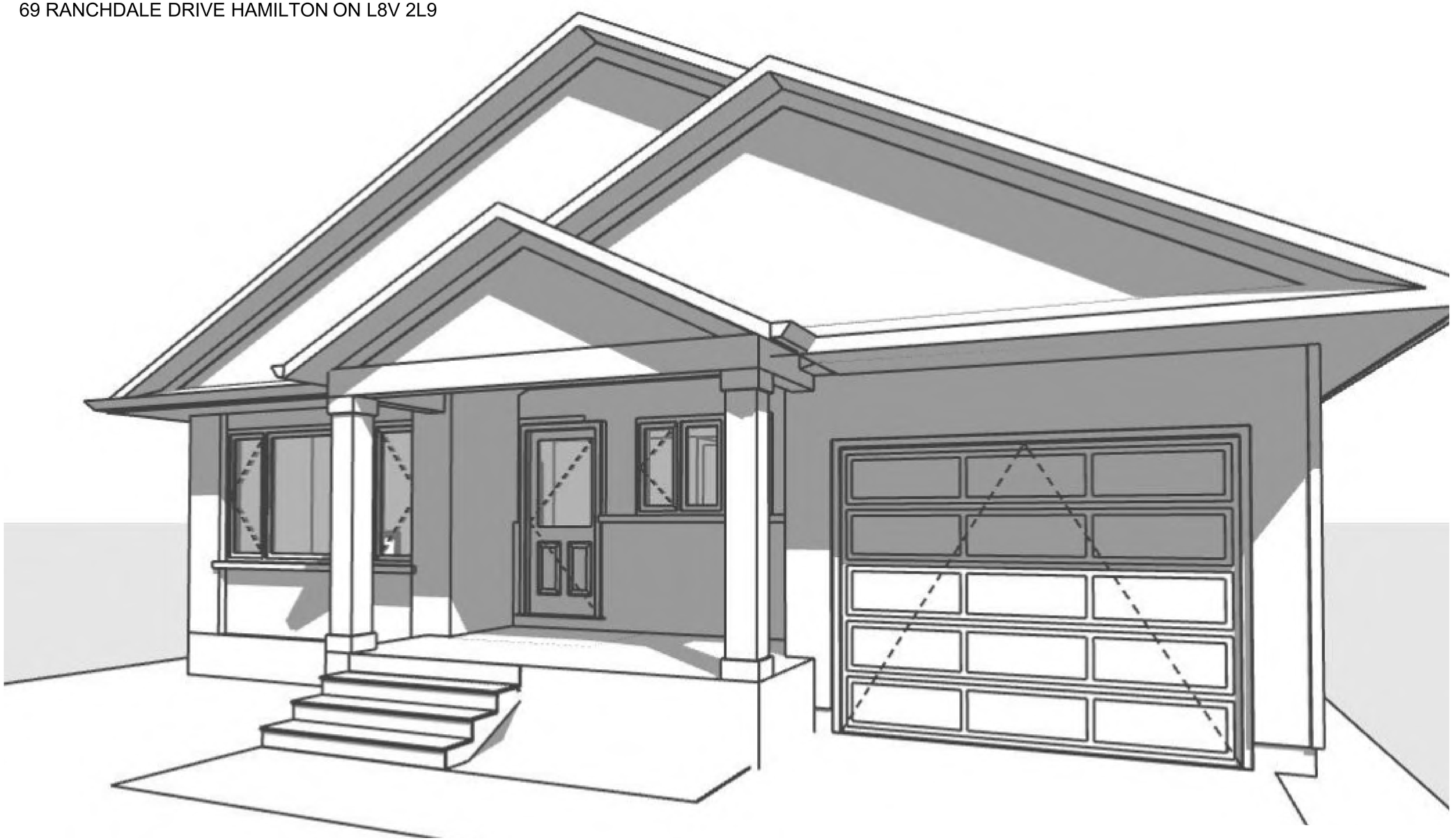
SCALE: AS NOTED

DRAWING NO: SP0.01

PROJECT NO: ---

Printed: 2022-01-21 @ 3:21 PM

RENOVATION TO:
HARTLEN-SCHULER
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9



Coversheet View
SCALE: 1/4" = 1'-0"

CONTRACTOR

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
3	ISSUED FOR VARIANCE APP.	2022.01.21

DRAWING:

TITLE SHEET / GENERAL INFO

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

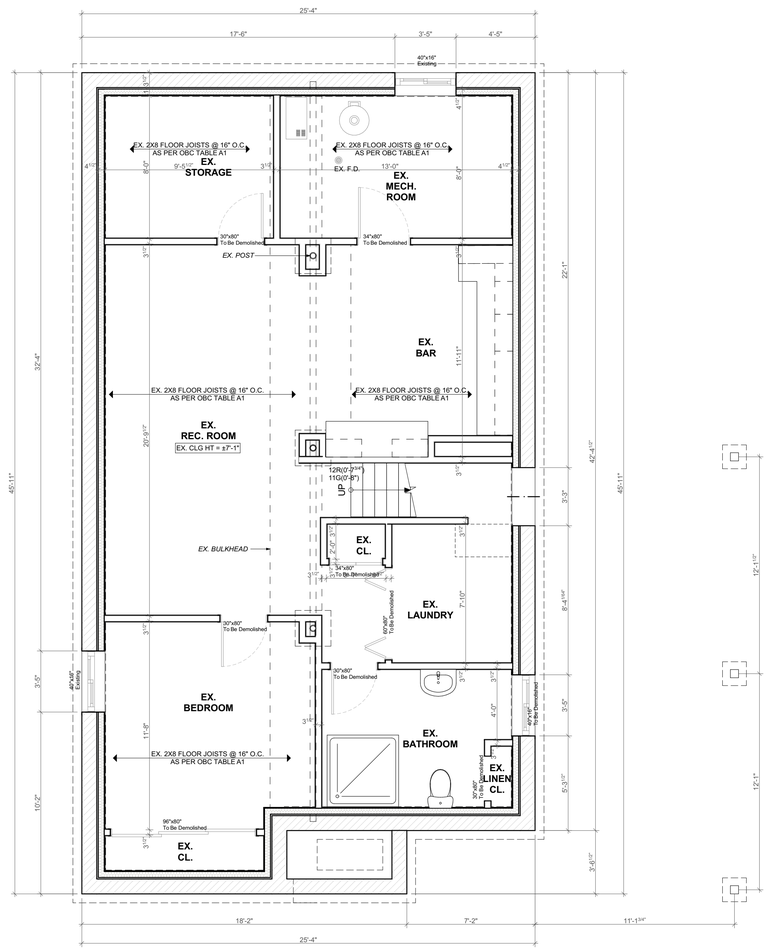
DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A0.01

PROJECT NO: ---

Printed: 2022-01-21 @ 3:21 PM



1 **EXISTING BASEMENT PLAN**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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1	ISSUED FOR DESIGN 1	2021.11.26
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DRAWING:

EXISTING BASEMENT PLAN

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A1.01

PROJECT NO: ---

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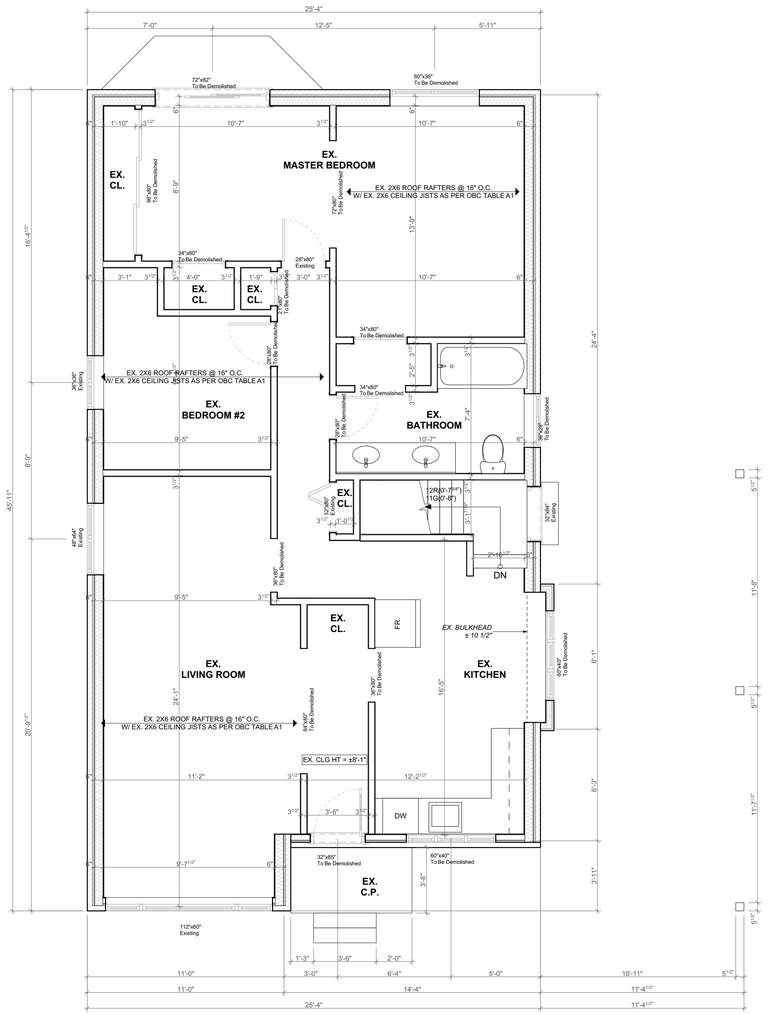

1 **EXISTING MAIN FLOOR PLAN**

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

CONTRACTOR

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
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DRAWING:

EXISTING MAIN FLOOR PLAN

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A1.02

PROJECT NO: ---

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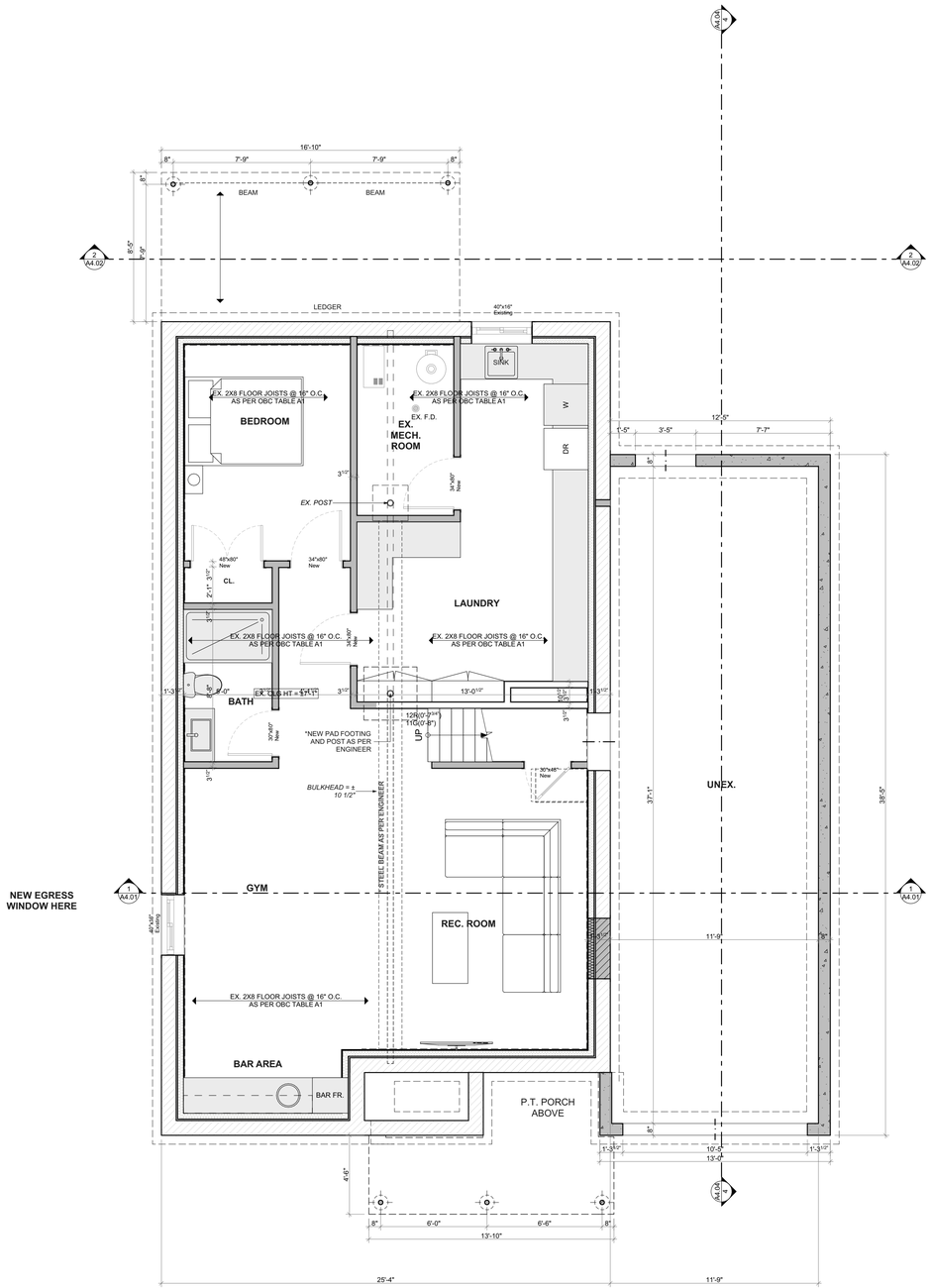

2 PROPOSED BASEMENT PLAN

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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DRAWING:

PROPOSED BASEMENT PLAN

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A1.03

PROJECT NO: ---

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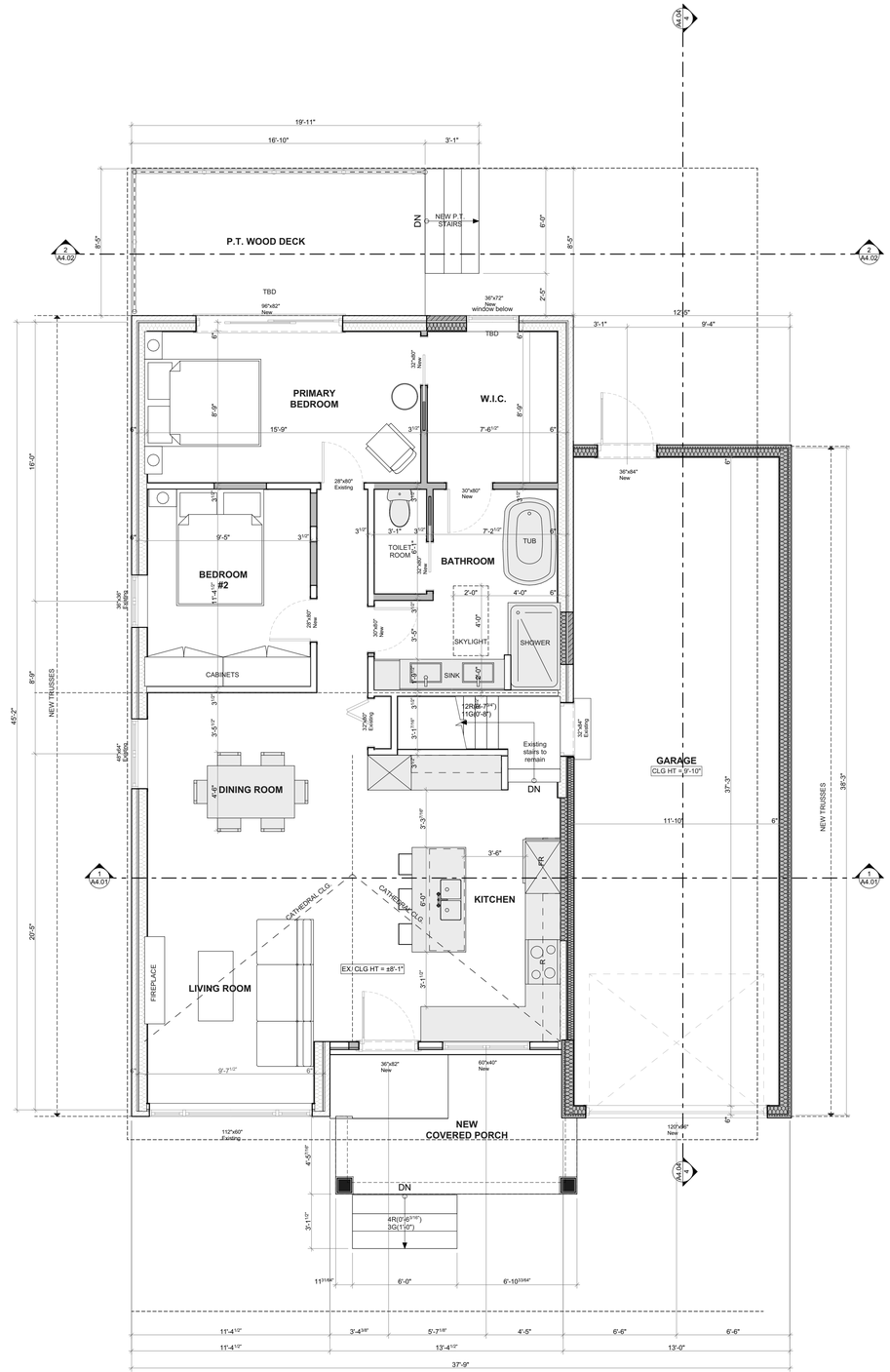

2 PROPOSED MAIN FLOOR PLAN

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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DRAWING:

PROPOSED MAIN FLOOR PLAN

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A1.04

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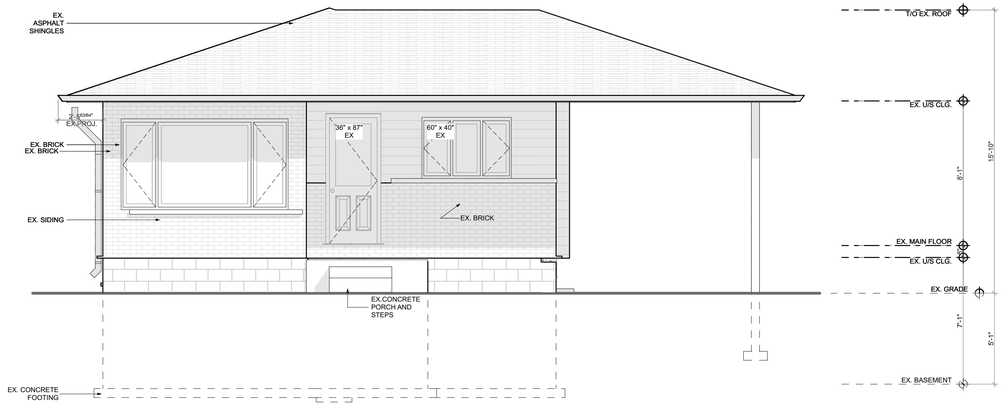

1 **EXISTING FRONT ELEVATION**
SCALE: 1/4" = 1'-0"

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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DRAWING:

EXISTING FRONT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A2.01

PROJECT NO: ---

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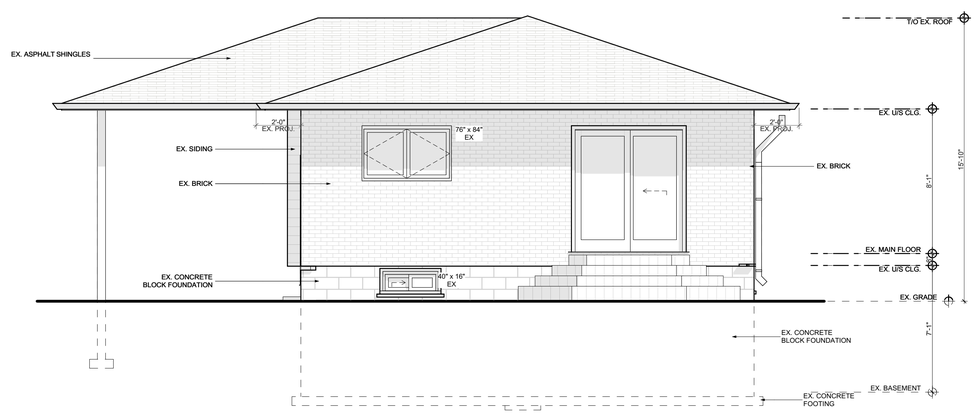

1 **EXISTING REAR ELEVATION**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

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EXISTING REAR ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE:
AS NOTED

DRAWING NO:
A2.02

PROJECT NO:

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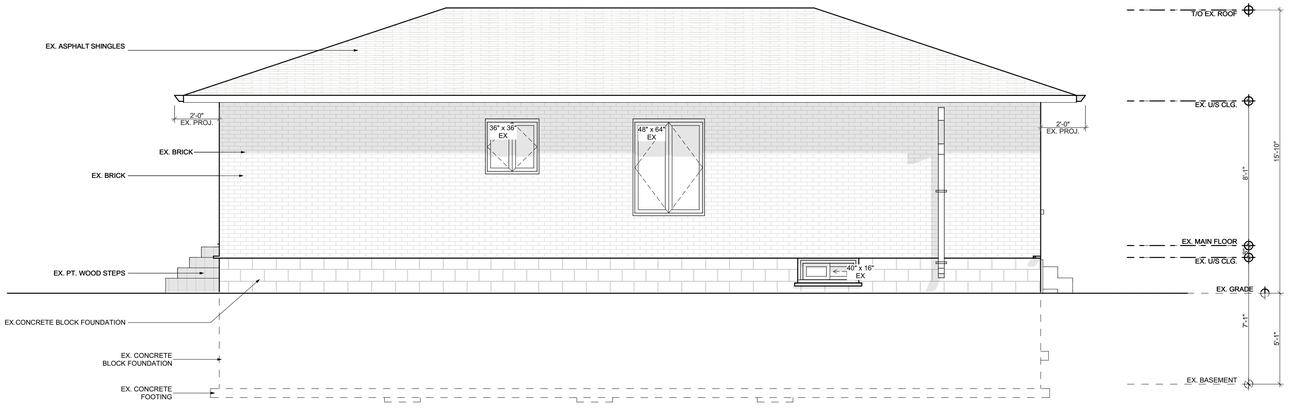

1 **EXISTING LEFT ELEVATION**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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DRAWING:

EXISTING LEFT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE:
AS NOTED

DRAWING NO:
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PROJECT NO:

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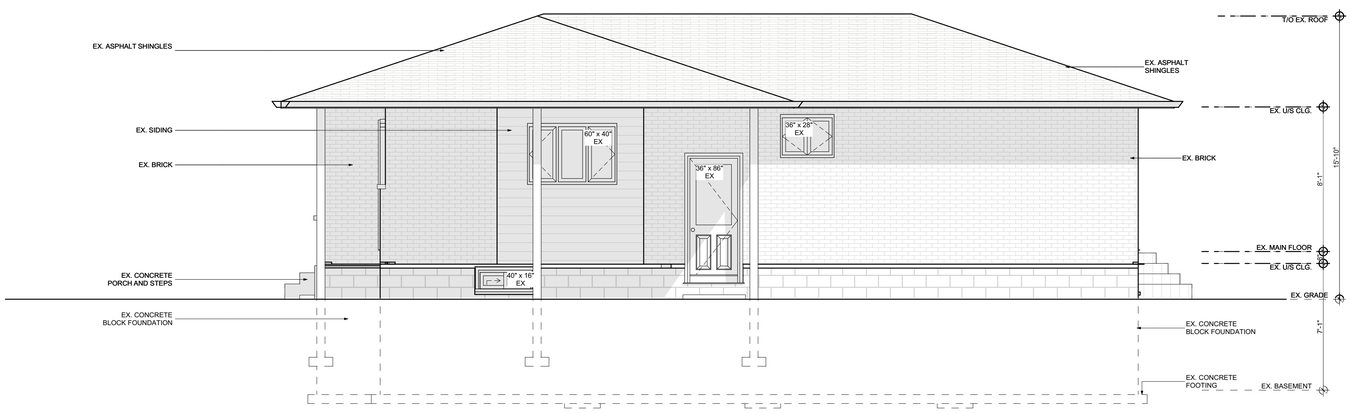

1 **EXISTING RIGHT ELEVATION**
SCALE: 1/4" = 1'-0"

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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1	ISSUED FOR DESIGN 1	2021.11.26
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DRAWING:

EXISTING RIGHT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A2.04

PROJECT NO: ---

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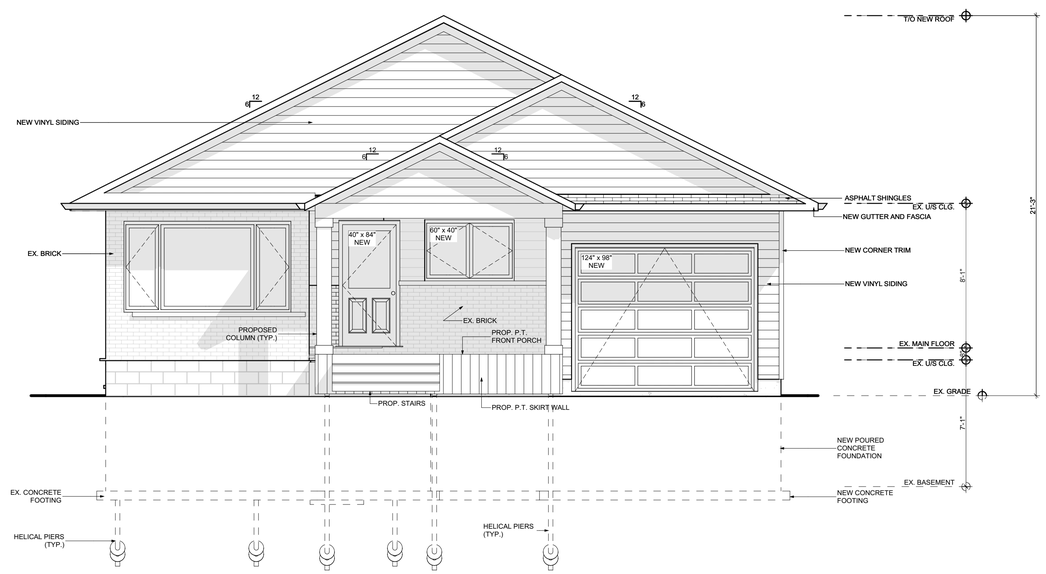

1 **PROPOSED FRONT ELEVATION**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

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DRAWING:

PROPOSED FRONT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE:
AS NOTED

DRAWING NO:
A2.05

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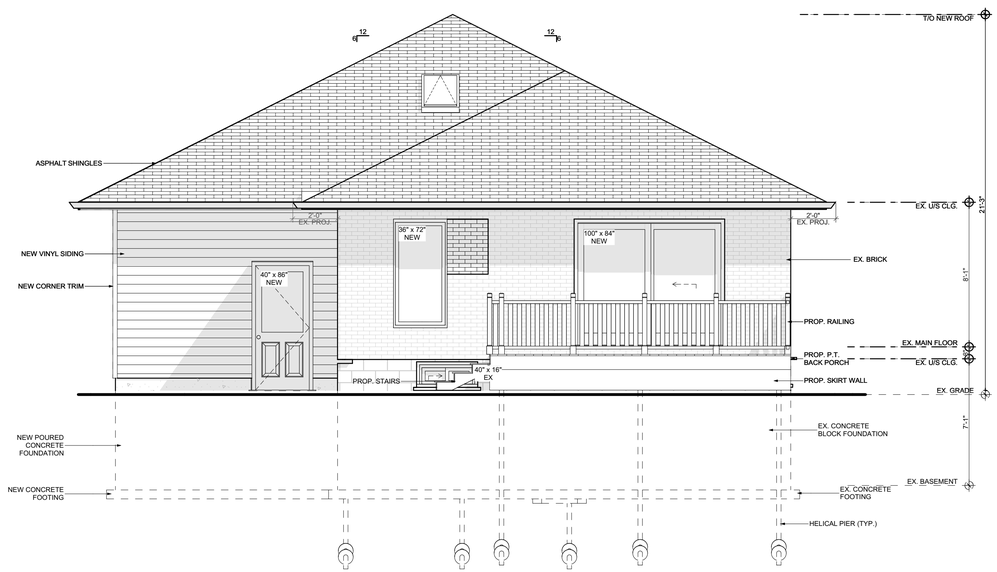

1 **PROPOSED REAR ELEVATION**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
3	ISSUED FOR VARIANCE APP.	2022.01.21

DRAWING:

PROPOSED REAR ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE:
AS NOTED

DRAWING NO:
A2.06

PROJECT NO:

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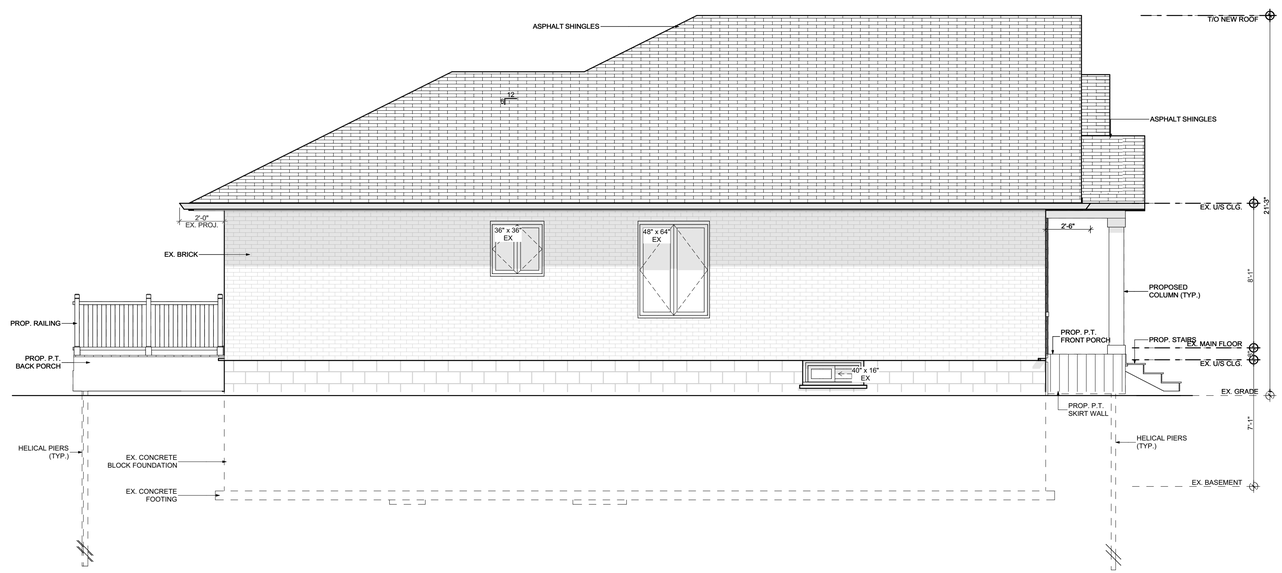

1 **PROPOSED LEFT ELEVATION**

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

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
3	ISSUED FOR VARIANCE APP.	2022.01.21

DRAWING:

PROPOSED LEFT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:

69 RANCHDALE DRIVE HAMILTON ON
L8V 2L9

DATE: 2022-01-21

SCALE:
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DRAWING NO:
A2.07

PROJECT NO:

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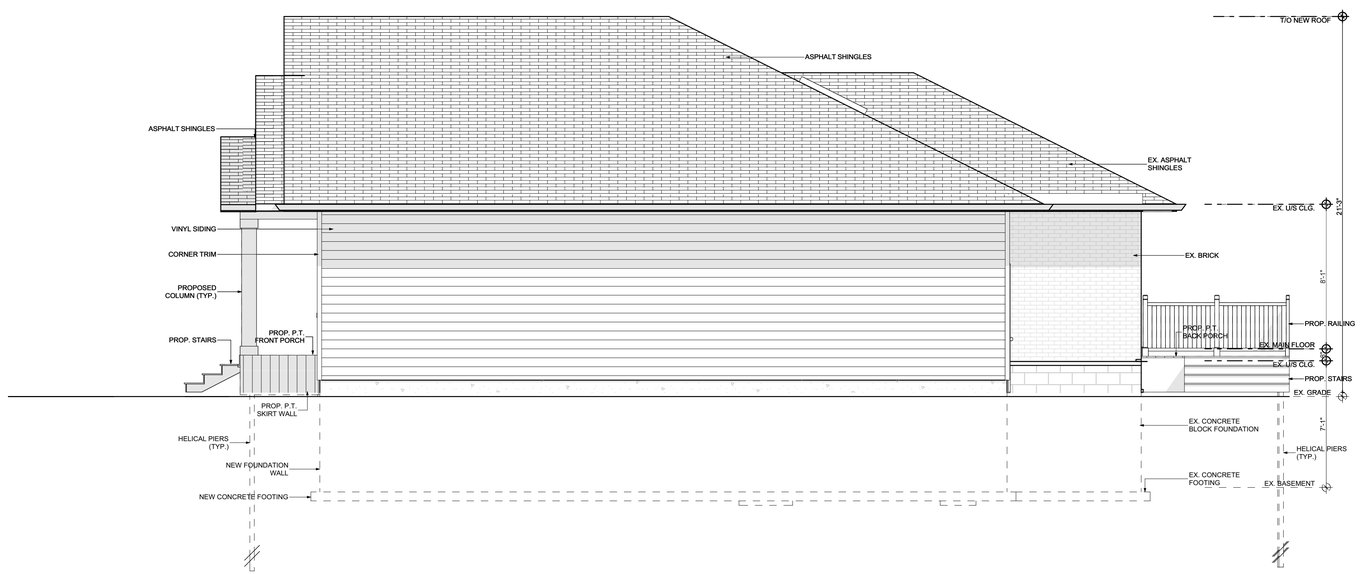


1 **PROPOSED RIGHT ELEVATION**
SCALE: 1/4" = 1'-0"

CONTRACTOR

Shane Renovations

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NOT FOR CONSTRUCTION

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1	2021.11.26
2	ISSUED FOR DESIGN 2	2021.12.14
3	ISSUED FOR VARIANCE APP.	2022.01.21

DRAWING:

PROPOSED RIGHT ELEVATION

PROJECT NAME:

HARTLEN-SCHULER

PROJECT ADDRESS:
69 RANCHDALE DRIVE HAMILTON ON L8V 2L9

DATE: 2022-01-21

SCALE: AS NOTED

DRAWING NO: A2.08

PROJECT NO: ---

Printed: 2022-01-21 @ 3:21 PM

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-21:79

SUBJECT PROPERTY: 727 Rymal Rd. E., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Owners M. Khera & P. Saini
Agnet GSP c/o Joseph Liberatore

PURPOSE OF APPLICATION: To permit the creation of three (3) lots to allow for the future construction of single detached residential dwelling uses.

Severed lands: Severed Lot 1
14.12m± x 27.45m± and an area of 365.63m^2 ±

Retained lands: Retained Lot 2
27.34m± x 49.82m± and an area of 1,363.14m^2 ±

Retained lands: Retained Lot 1
12.57m± x 27.45m± and an area of 368.24m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 3rd, 2021**
TIME: **1:55 p.m.**
PLACE: **Via video link or call in (see attached sheet for details)**

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

PUBLIC INPUT

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

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

MORE INFORMATION

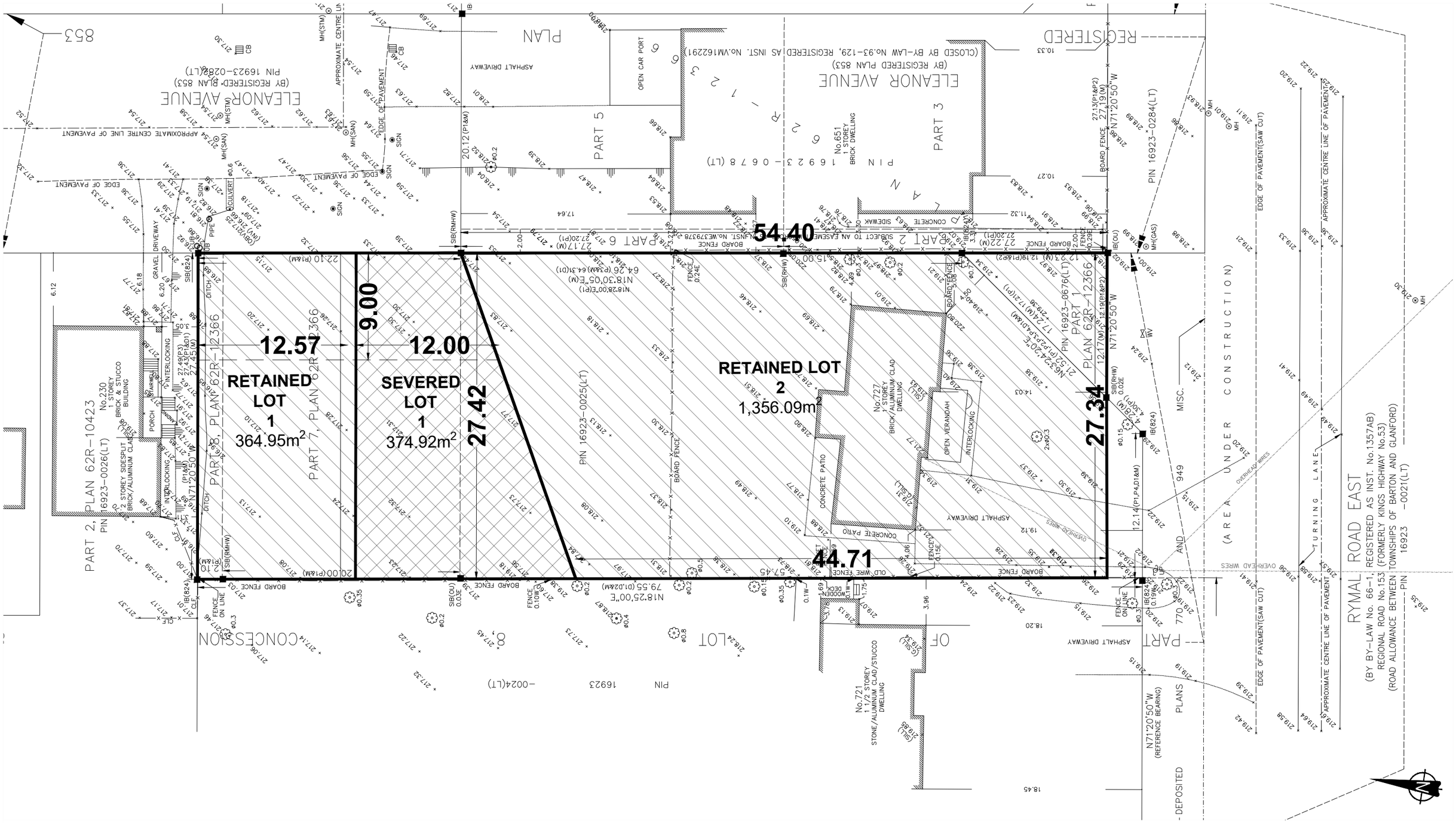
For more information on this matter, including access to drawings illustrating this request:

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

DATED: February 15th, 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.



CONSENT SKETCH

727 RYMAL ROAD EAST, HAMILTON

LANDS TO BE SEVERED

LANDS TO BE RETAINED

0 2 4 6 10 20

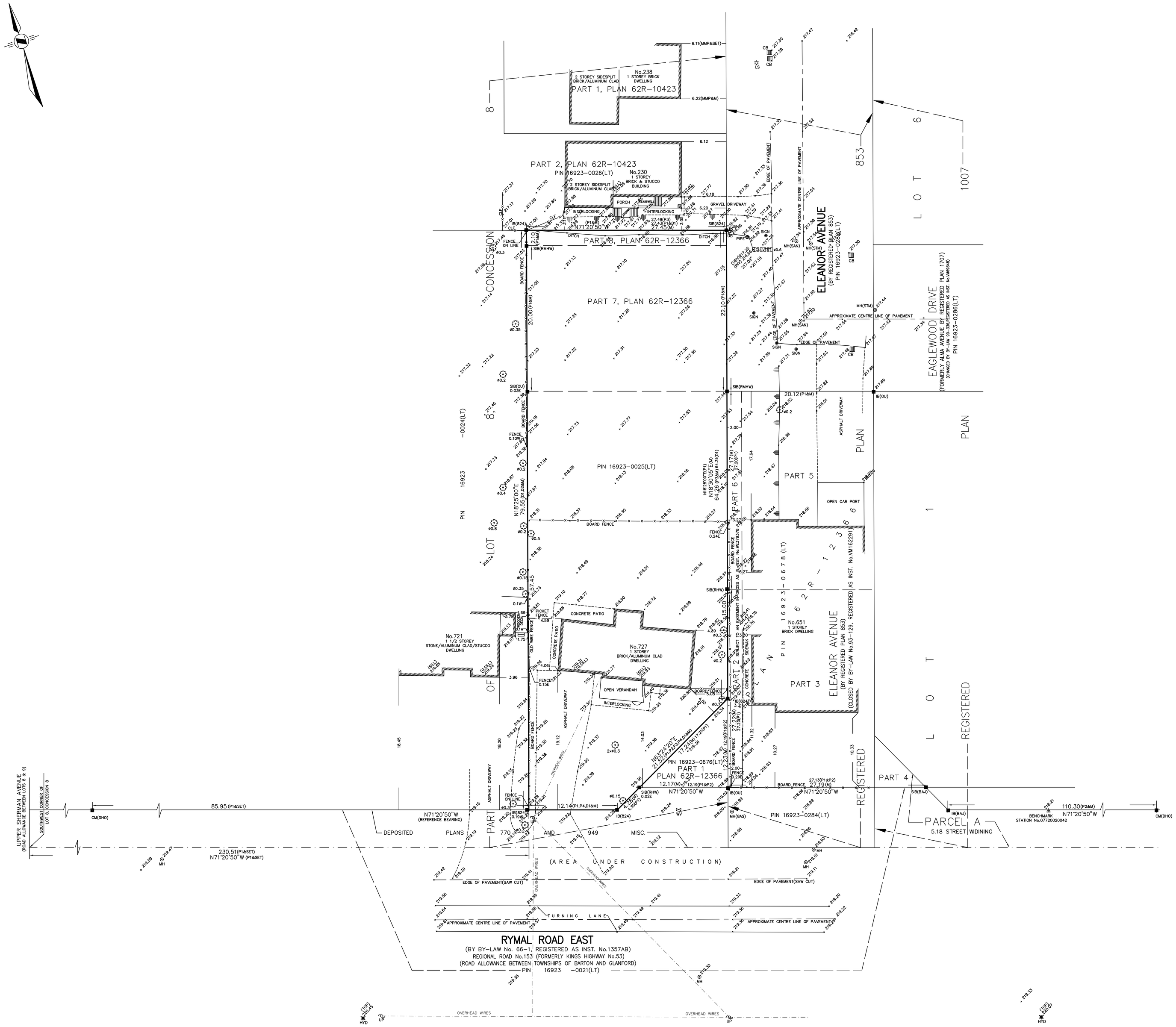
Meters

NOTE: This sketch has been prepared based on a Survey Plan prepared by Vladimir Dosen Surveying dated October 13, 2020. All measurements in METRIC, unless otherwise noted.

Scale 1:300 | October 18, 2021 | Project No.: 21161 | Drawn By: JML

GSP group

P:\21161-Manpreet Khera-727 Rymal Road East, Hamilton\drawings\Consent Sketch - Revised.dwg



SURVEYOR'S REAL PROPERTY REPORT

PART 1) PLAN OF SURVEY AND TOPOGRAPHIC DETAIL OF

PART OF LOT 8, CONCESSION 8

(GEOGRAPHIC TOWNSHIP OF BARTON)

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

SCALE 1:250

2.5m 0 2.5 12.5metres

VLADIMIR DOSEN SURVEYING, O.L.S.

© NO PERSON MAY COPY,REPRODUCE,DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VLADIMIR DOSEN, O.L.S.

METRIC

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

NOTES AND LEGEND

□	DENOTES SURVEY MONUMENT PLANTED
■	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON PIPE
CM	DENOTES CONCRETE MONUMENT
SSIB	DENOTES SHORT STANDARD IRON BAR
IP	DENOTES IRON PIPE
PK	DENOTES PK NAIL
M	DENOTES MEASURED
WIT	DENOTES WITNESS
C	DENOTES CALCULATED
PIPE	DENOTES PVE PIPE ø0.1
CB	DENOTES CATCH BASIN
HYD	DENOTES FIRE HYDRANT
MH	DENOTES MANHOLE
MH(SAN)	DENOTES MANHOLE(SANITORY)
MH(STM)	DENOTES MANHOLE(STORM)
MH(GAS)	DENOTES MANHOLE(GAS)
SIGN	DENOTES SIGN POLE
UB	DENOTES UTILITY BOX
UP	DENOTES UTILITY POLE
LS	DENOTES LAMP STANDARD
WV	DENOTES WATER VALVE
P1	DENOTES PLAN 62R-12366
P2	DENOTES PLAN 62R-18956
P3	DENOTES PLAN 62R-10423
P4	DENOTES EXP. PLAN 770 MISC.(P-1944-23)
D1	DENOTES INST. No.CD376653
D2	DENOTES INST. No.AB1309
OU	DENOTES ORIGIN UNKNOWN
CLF	DENOTES CHAIN LINK FENCE
RMHW	DENOTES REGIONAL MUNICIPALTY OF HAMILTON-WENTWORTH
824	DENOTES A. T. McLAREN, O.L.S.
MMP	DENOTES MACKY, MACKY AND PETERS LTD., O.L.S.
BAJ	DENOTES B. A. JACOBS SURVEYING LTD., O.L.S.
220.00	DENOTES SPOT ELEVATION
N/S/E/W	DENOTES NORTH/SOUTH/EAST/WEST
ø	DENOTES DIAMETER
	DENOTES TREE

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2140212

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 NOTE:

BEARINGS ARE ASTRONOMIC AND ARE DERIVED FROM THE NORTH LIMIT OF RYMAL ROAD EAST AS SHOWN ON PLAN 62R-12366 HAVING A BEARING OF N71°20'50"W

BENCHMARK:

ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM COSINE BENCHMARK STATION No.07720020042 HAVING AN ELEVATION OF 218.213 METRES.

THIS REPORT WAS PREPARED FOR MANPREET KHERA, HARKAMAL SAINI AND PARVINDER SAINI AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

PART 2) **SURVEY REPORT**

DESCRIPTION OF LAND: PIN 16923-0025(LT)
PART OF LOT 8, CONCESSION 8

REGISTERED EASEMENTS AND/OR RIGHT OF WAYS:
NO EASEMENTS OR RIGHT OF WAYS ARE REGISTERED

BOUNDARY FEATURES:
LOCATION OF FENCES ARE AS SHOWN
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

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 26th DAY OF SEPTEMBER, 2020

DATE: OCTOBER 13, 2020

VLADIMIR DOSEN, B.Sc.
ONTARIO LAND SURVEYOR

VLADIMIR DOSEN SURVEYING

ONTARIO LAND SURVEYORS
555 DAVISVILLE AVENUE
TORONTO, ONTARIO M4S 1J2
PHONE (416) 466-0440 EMAIL: vladdosen@rogers.com

JOB No: 20454	FIELD BY: NADA
FILE No. 20-134	DRAWN BY: NATHAN
CAD FILE: 727 RYMAL ROAD	CHECKED BY: NADA

Authentisign ID: 4E344DCA-F61E-491A-8C32-76D3DD754AF6

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)	Manpreet Khera, Harkamal Saini and Parvinder Saini	[redacted]	
Applicant(s)*	GSP Group Inc. c/o Joseph M. Liberatore	[redacted]	
Agent or Solicitor		[redacted]	

* Owner's auth[redacted]

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

2 LOCATION OF SUBJECT LAND
Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
City of Hamilton	PT of LT 8	Concession 8	Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 727 Rymal Road East			Assessment Roll N°. 251807074108180

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

3 PURPOSE OF THE APPLICATION
3.1 Type and purpose of proposed transaction: (check appropriate box)

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

☒ creation of a new lot Other: ☐ a charge

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

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

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

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

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

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m² or ha)
±27.34m	±79.55m	±2,097.28m²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):
Existing: 1 storey single detached dwelling

Proposed: 2 storey 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 (m² or ha)
±27.34m ±12.57m	±49.82m ±27.45m	±1,363.14m² ±368.24m²

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:

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

Building(s) or Structure(s):

Existing: Single Detached Dwelling

Proposed: Single Detached Dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] 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.

Refer to Planning Justification Brief.

5.2 What is the existing zoning of the subject land? "C" District (Urban Protected Residential)
If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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

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

A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	Located ±100m west of the Subject Site
An active railway line	☐	
A municipal or federal airport	☐	

6 PREVIOUS USE OF PROPERTY

☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture ☐ Vacant ☒ Other (specify) Historic Road Allowance for Eleanor Avenue

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, Historical Aerial Imagery

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No Refer to Planning Justification Brief.

b) Is this application consistent with the Provincial Policy Statement (PPS)?
☒ Yes ☐ No (Provide explanation)
Refer to Planning Justification Brief.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
☒ Yes ☐ No (Provide explanation)
Refer to Planning Justification Brief.

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
☐ Yes ☒ No

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

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
☐ Yes ☐ No
(Provide Explanation)

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

If yes, is the proposal in conformity with the Parkway Belt West Plan?
☐ Yes ☐ No (Provide Explanation)

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

If yes, does this application conform with the Greenbelt Plan?
☐ Yes ☐ No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

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

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

_____

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

_____

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

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

the transferee and the land use.

8.4 How long has the applicant owned the subject land?
1 year

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

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS N/A

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 (m² 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 (m² 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 (m² 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 (m² 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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

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

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

(b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

(c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;

(d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

(e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,

i) are located on the subject land an on land that is adjacent to it, and
ii) in the applicant's opinion, may affect the application;

(f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private 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.

08/20/2021 08/19/2021 08/19/2021

Date

Authentisign 8/20/2021 10:06:19 AM EDT Authentisign 8/19/2021 4:30:28 PM EDT Authentisign 8/19/2021 4:19:17 PM EDT

Signature of Owner

14. AFFIDAVIT OR SWORN DECLARATION

[redacted]

collected during the processing of the application.

08/19/2021	08/19/2021	08/20/2021	Authentisign 8/20/2021 10:06:20 AM EDT	Authentisign 8/19/2021 4:30:29 PM EDT	Authentisign 8/19/2021 4:19:23 PM EDT
Date			Signature of Owner		

16 CONSENT OF THE OWNER

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

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

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

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

08/19/2021	08/19/2021	08/20/2021	Authentisign	Authentisign	Authentisign
Date			8/20/2021 1:18:06:21 AM EDT	8/19/2021 4:30:30 PM EDT	8/19/2021 4:19:27 PM EDT

Signature of Owner

17 COLLECTION OF INFORMATION

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

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

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this _____day of August, 2021.

BETWEEN:

Manpreet Khera, Harkamal Saini and Parvinder Saini
Applicant's name(s)

hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

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

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

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

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

1. In this Agreement:

   (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated _____with respect to the lands described in Schedule "A" hereto.

   (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.

6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.

7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.

8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.

9 In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.

10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.

11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.

12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.

13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.

14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,

15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,

16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

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

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

DATED at **Brampton** this **19** day of **August**, 20 **21**.

Authentisign
8/19/2021 4:19:29 PM EDT

WITNESS

Per: Manpreet Khera
I have authority to bind the corporation.

Authentisign
8/20/2021 10:08:22 AM EDT

Authentisign
8/19/2021 4:30:31 PM EDT

WITNESS

Per: Harkamal Saini and Parvinder Saini
I have authority to bind the corporation

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

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

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-22:32**

APPLICANTS: Agent Manco Design – J. Mancini
Owners K. & J. Holliday

SUBJECT PROPERTY: Municipal address **298 East 26th St., Hamilton**

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

ZONING: Cdistrict Urban Protected Residential Etc.

PROPOSAL: To permit the replacement and construction of a new two storey single family dwelling, not with standing that:

1. The minimum front yard depth shall be 4.6 metres instead of the minimum required 6.0 metre front yard depth.

2. The minimum parking space depth for a driveway parking space shall be 5.9 metres instead of the minimum required 6.0 metres parking space depth;

3. An accessory building shall be permitted to remain on the property following the demolition of the existing dwelling which is not required for construction purposes instead of the requirement for an accessory building to not be permitted on a property unless there is a principal dwelling.

NOTES:

1. The variances are written as requested by the applicant. Additional variances are identified through the review of this application.

2. The applicant is intending to accommodate one parking space within the attached garage and to reduce the driveway width. This will allow the front yard landscaped area to increase to over 50% in accordance with the Zoning By-law and allow for tandem parking with one manouevring space on site. At this time, update drawings are not available. Revised drawings are to be provided by the applicant to reflect these changes.

3. The proposed porch projection will conform providing the variance for the reduced front yard is approved.

4. The existing in-ground swimming pool is to remain on the property following the demolition but is not subject to a variance.

…/2

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

DATE:	**Thursday, March 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.

MORE INFORMATION

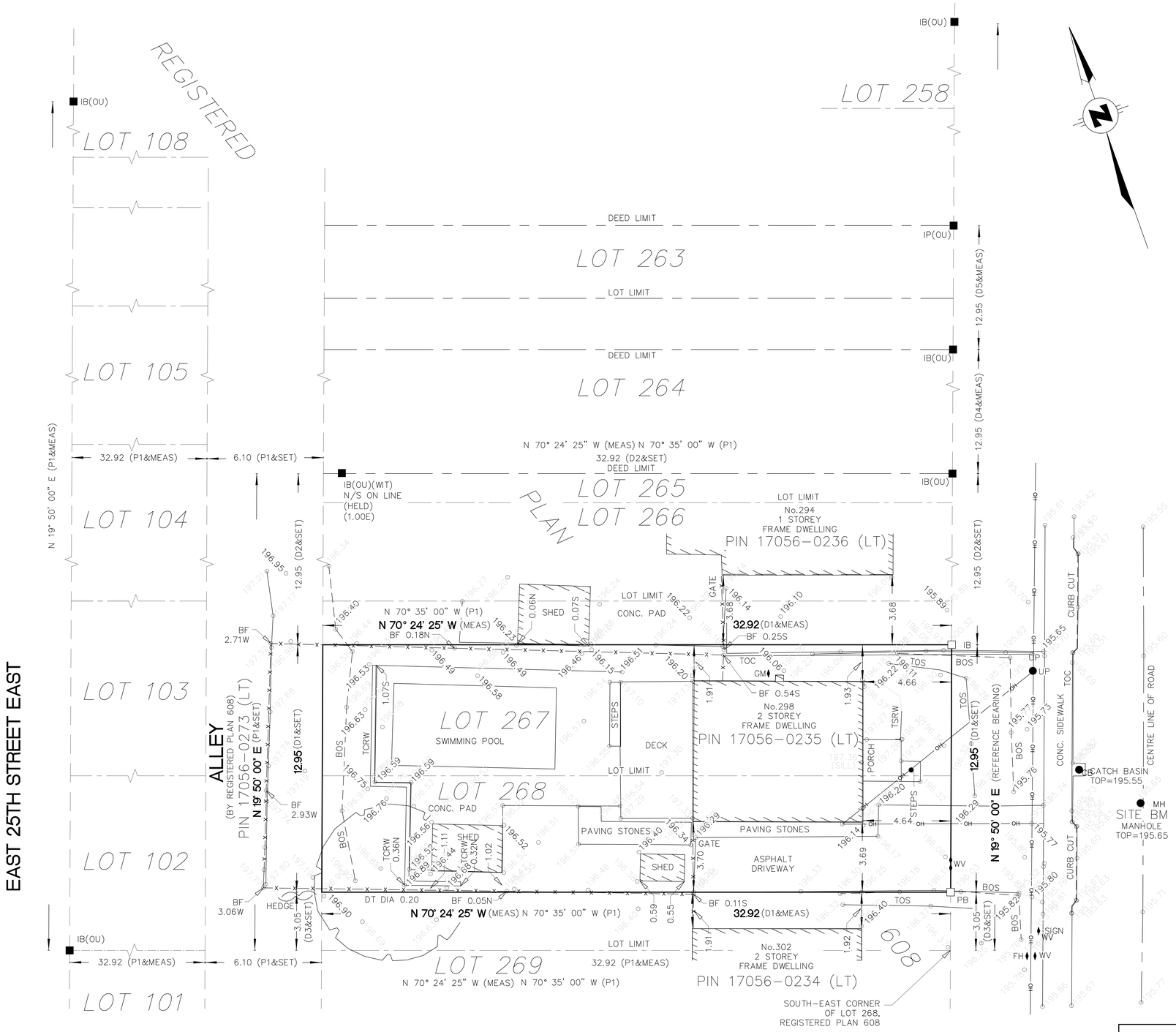
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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.



SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY SHOWING TOPOGRAPHY OF
PART OF LOTS 267 AND 268
REGISTERED PLAN 608
CITY OF HAMILTON

SCALE 1:200

0 1 2 3 4 5 10 15 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 485mm IN WIDTH BY 337mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

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

NOTES

1) BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE WESTERLY LIMIT OF EAST 26TH STREET HAVING A BEARING OF N19°50'00"E AS SHOWN ON REGISTERED PLAN 608

2) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

LEGEND

■	DENOTES FOUND MONUMENT
□	DENOTES PLANTED MONUMENT
IB	DENOTES IRON BAR
PB	DENOTES PLASTIC BAR
IP	DENOTES IRON PIPE
OU	DENOTES ORIGIN UNKNOWN
CALC	DENOTES CALCULATED
MEAS	DENOTES MEASURED
WIT	DENOTES WITNESS
P1	DENOTES REGISTERED PLAN 608
D1	DENOTES DEED AS IN INST. VM11076
D2	DENOTES DEED AS IN INST. AB238741
D3	DENOTES DEED AS IN INST. CD311277
D4	DENOTES DEED AS IN INST. NS169365
D5	DENOTES DEED AS IN INST. VM159494
BM	DENOTES BENCHMARK
BF	DENOTES BOARD FENCE
CONC.	DENOTES CONCRETE
DT	DENOTES DECIDUOUS TREE
DIA	DENOTES DIAMETER TREE
FH	DENOTES FIRE HYDRANT
GM	DENOTES GAS METER
TCRW	DENOTES TOP OF CONCRETE RETAINING WALL
TSRW	DENOTES TOP OF STONES CONCRETE RETAINING WALL
TOC	DENOTES TOP OF CURB
WV	DENOTES WATER VALVE

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 6TH DAY OF DECEMBER, 2021

JANUARY 13, 2022
DATE

ATHITHTHAN KANAGANAYAGAM
ONTARIO LAND SURVEYOR

" This plan was signed with this scanned signature as a result of the emergency order related to the COVID-19 pandemic. "

PART 2: SURVEY REPORT

1) PART OF LOTS 267 AND 268, REGISTERED PLAN 608
2) THE PROPERTY IS NOT SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS
3) FENCES AND OVERHEAD WIRES AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN

BENCHMARK NOTE

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM CGVD 28:78 AND ARE DERIVED FROM THE MINISTRY OF NATURAL RESOURCES BENCHMARK No.07720100049 HAVING A PUBLISHED ELEVATION OF 85.227 METRES.

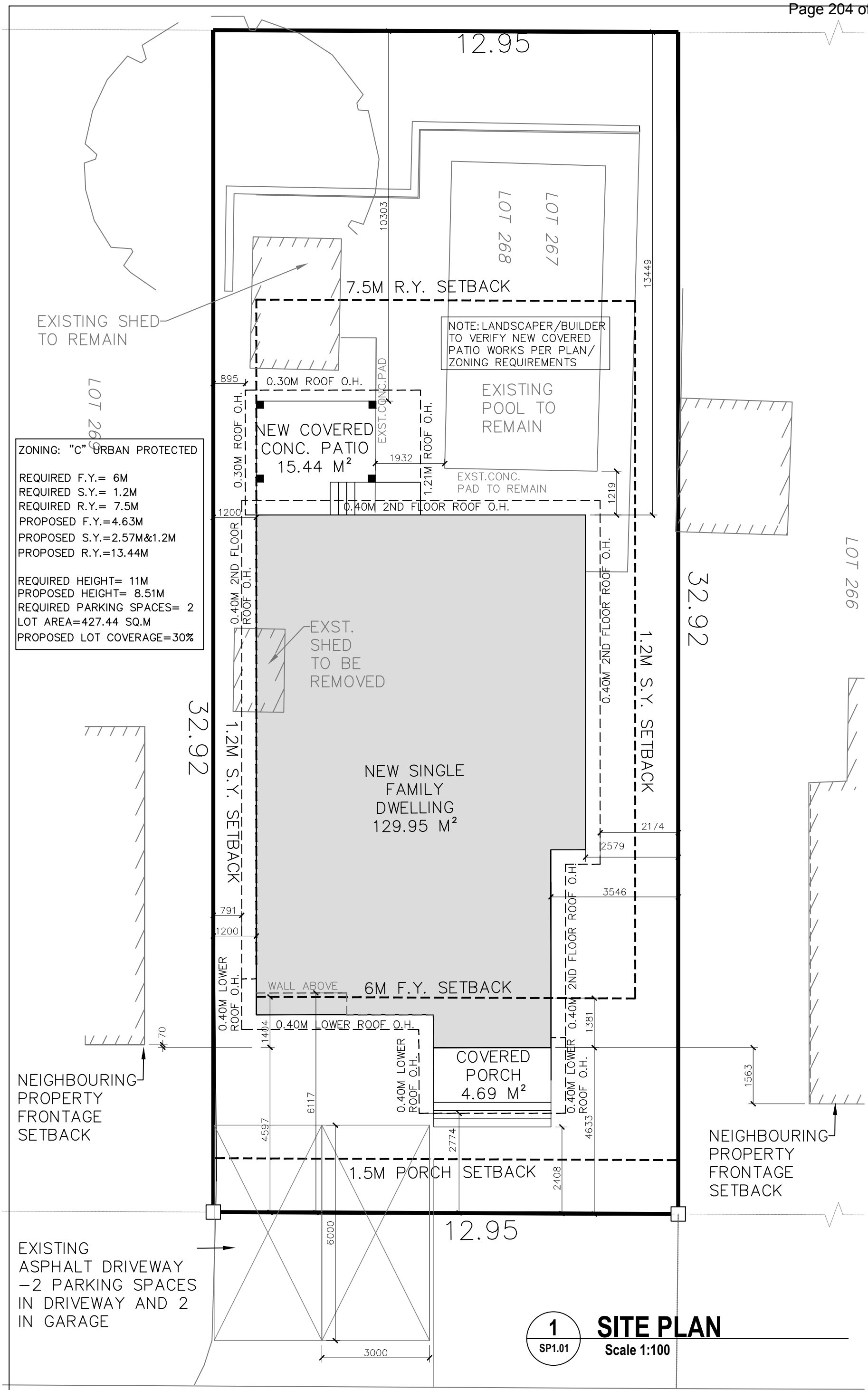
PREPARED FOR:

15 Great Plains Street
Brampton, Ontario
L6R-1Z5
Phone: (647) 914-3361
www.akmsurvey.com
Email: info@akmsurvey.com

AKM
AK&M SURVEYING LTD.

DATE: January 19, 2022	CHECKED BY: AK	DRAWN BY: GS	PROJECT No.: 2021-123

FILE LOCATION: C:\Users\manco\Dropbox\ARCHITECTURAL DRAWINGS\CURRENT PROJECTS\298 EAST 26TH CUSTOM\CAD\2021-123-SRPR-draft.dwg

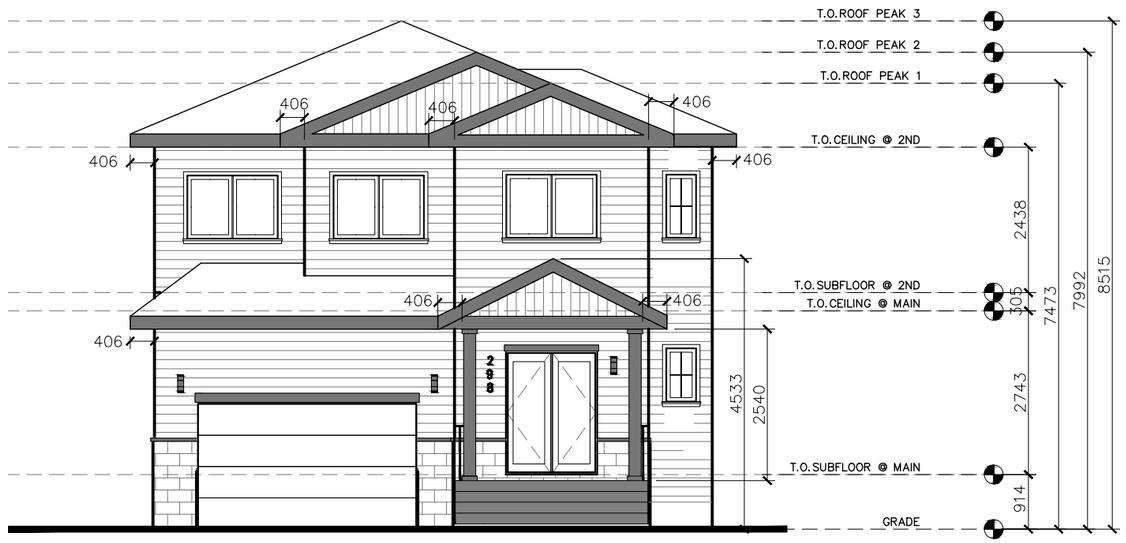


EAST 26TH STREET EAST

(LYING SOUTH OF QUEENSDALE AVENUE EAST)

(BY REGISTERED PLAN 608)

SP1.01



1 A2.01 FRONT ELEVATION

Scale 1:100

2 A1.01 SIDE ELEVATION

Scale 1:100

Ontario
Ministry of Municipal Affairs & Housing

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

Signature *Julia Mancini*

Julia Mancini, Manco Design
BCIN 113168

MANCO
ARCHITECTURAL DESIGN
Phone | 905-537-9578
Email | julia@mancodesign.com
Website | www.mancodesign.com
MANCO Architectural Design

DRAWING SUBMISSIONS	
DATE	TYPE
22-01-19	MINOR VARIANCE

298 EAST 26TH STREET
HAMILTON, ONTARIO

DRAWN BY:	JM
PLOT DATE:	2022-01-19

PAGE
ELEVATIONS

A2.01

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-22:18**

APPLICANTS: Agent Noory Engineering Inc.
Owners D. Knight & J. Antrobles

SUBJECT PROPERTY: Municipal address **545 Beach Boulevard, Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 99-169

ZONING: C/S-1435 Site-Specific Urban Protected Residential and Etc. district

PROPOSAL: To permit a one storey rear addition comprising 17.1 square metres in gross floor area for an existing single family dwelling, notwithstanding that:

1. The minimum rear yard shall be 4.4 metres instead of the minimum required 7.5m rear yard;
2. A building may be located a distance of 4.4 metres from the rear lot line instead of the minimum required distance of 4.5 metres from the rear lot line for the C/S-1435 District.
3. One parking space shall be permitted instead of two parking spaces for a single family dwelling with up to eight (8) habitable rooms.
4. No manouevering space shall be required instead of the minimum 6.0 metre wide manouevering space.

NOTES:
1. Variance #1 for the reduced rear yard was written as requested by the applicant. Additional variances were identified through the review of this application.
2. Variance #2 is included because the C/S-1435 District zoning provides for a distance requirement for buildings from the rear lot line, but the provision does not clarify the type of building or that it is a reduction for the rear yard depth.
3. Variances #3 and #4 to address parking and manoeuvring requirements were identified as being required due to the development of a new privacy fence along the Dexter Avenue side likely between 2010 and 2012. This fence has the effect of restricting the provision of parking to one space without manouevring.

4. Additional parking spaces, if required, would be subject to a Boulevard Parking Agreement to allow the parking to be located partially on City lands.

…/2

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

DATE:	**Thursday, March 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.

…/2

HM/A-22: 18
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: February 15th, 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.

SCOPE OF WORK

EXISTING SITE

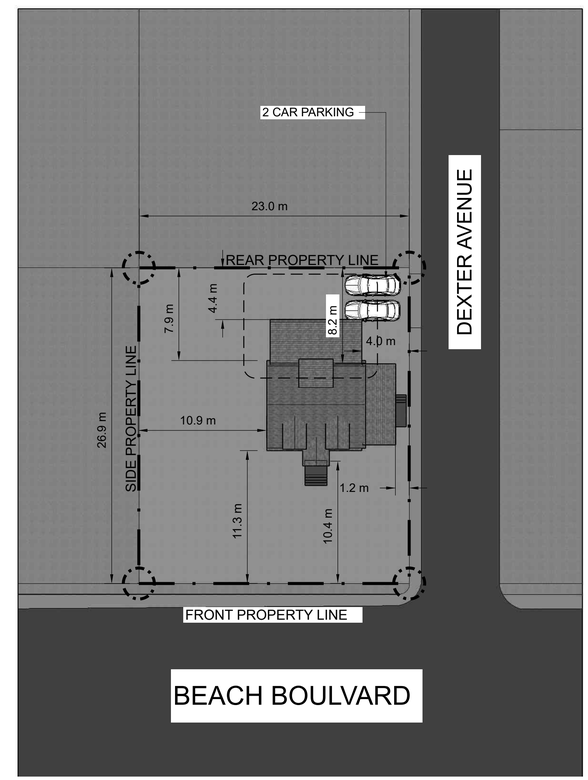
CIVIC ADDRESS
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

C/S-1435 ZONING
SMALL LOT SINGLE FAMILY DWELLING

BY-LAW NUMBER 99-169

SCOPE OF WORK

1. **ADDITION OF WASHROOM**
2. **ADDITION OF COVERED PORCH**



Owner to confirm dimensions per survey plan

SITE PLAN

Scale 1" = 20'-0"

LICENSED PROFESSIONAL ENGINEER
M. I. NOORY
100216397
PROVINCE OF ONTARIO
2022-01-12

NOORY ENGINEERING INC.

NOORY ENGINEERING INC.
1300 Cornwall Road,
Oakville, ON L6J 7W5
Canada

CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

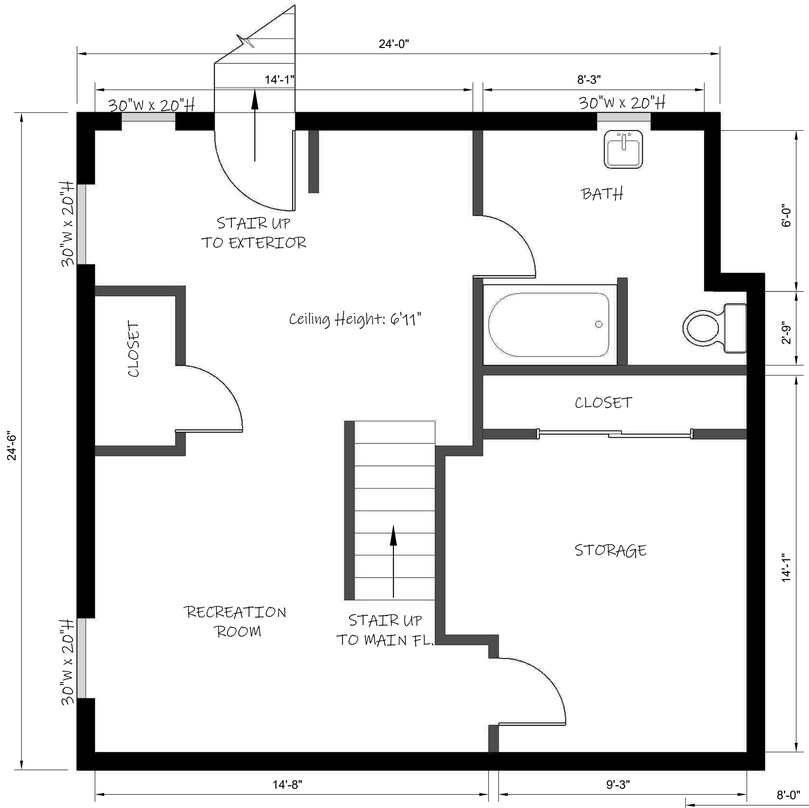
PROJECT NO.
907

ISSUE
09.28.2021

DRAWN BY
MYG

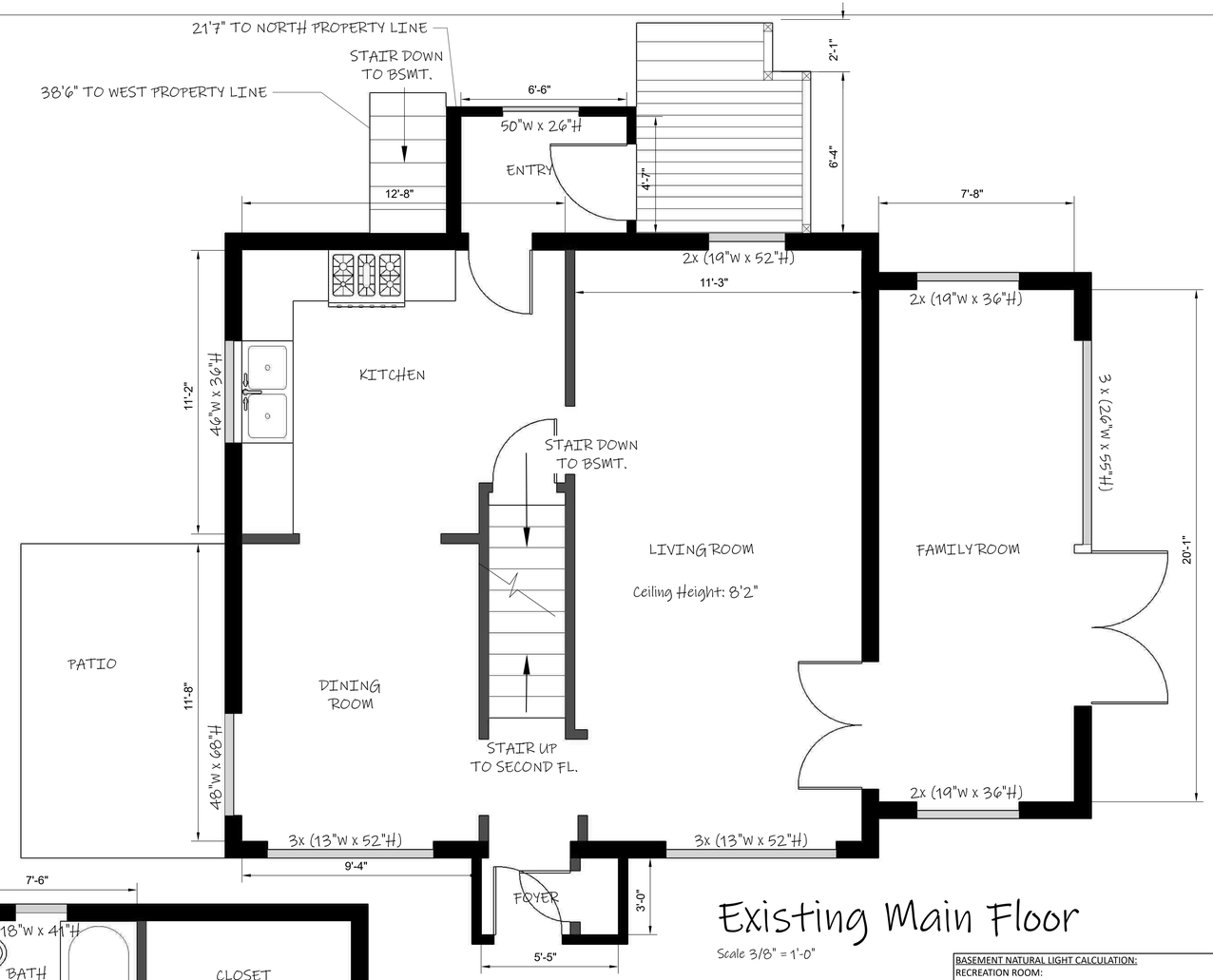
Site Plan

A.01



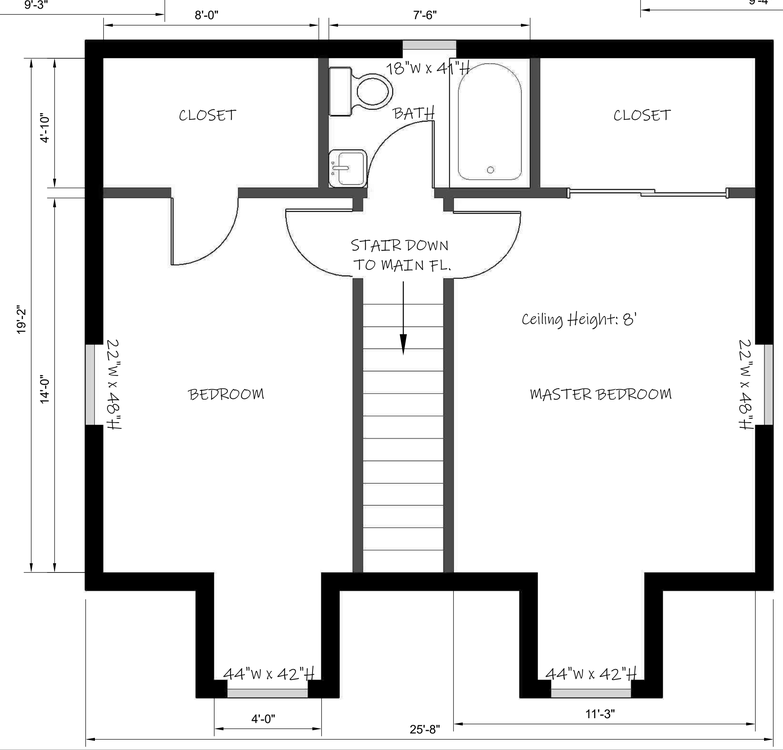
Existing Basement

Scale 3/8" = 1'-0"



Existing Main Floor

Scale 3/8" = 1'-0"



Existing Second Floor

Scale 3/8" = 1'-0"

BASEMENT NATURAL LIGHT CALCULATION:

RECREATION ROOM:

FLOOR AREA	= 269sqft
WINDOW AREA	= 12.5sqft
RATIO	= 5%

BATH:

FLOOR AREA	= 72sqft
WINDOW AREA	= 4.2sqft
RATIO	= 5.8%

MAIN FL. NATURAL LIGHT CALUCALTION:

LIVING ROOM:

FLOOR AREA	= 260sqft
WINDOW AREA	= 27.8sqft
RATIO	= 10.7%

FAMILY ROOM:

FLOOR AREA	= 168.7sqft
WINDOW AREA	= 48.8sqft
RATIO	= 29%

DINING ROOM

FLOOR AREA	= 108.9sqft
WINDOW AREA	= 36.8sqft
RATIO	= 33.7%

KITCHEN:

FLOOR AREA	= 141qft
WINDOW AREA	= 11.5sqft
RATIO	= 8.2%

ENTRY:

FLOOR AREA	= 29.25qft
WINDOW AREA	= 9sqft
RATIO	= 30.9%

STORAGE: ARTIFICIAL LIGHT

SECOND FL. NATURAL LIGHT CALCULATION:

BEDROOM(TYP.):

FLOOR AREA	= 157.5sqft
WINDOW AREA	= 20.2sqft
RATIO	= 12.8%

BATH:

FLOOR AREA	= 36.3sqft
WINDOW AREA	= 5.5sqft
RATIO	= 15%

LICENSED PROFESSIONAL ENGINEER
M. I. NOORY
PROVINCE OF ONTARIO
2022-01-12

NOORY ENGINEERING INC.

NOORY ENGINEERING INC.
1300 Cornwall Road,
Oakville, ON L6J 7W5
Canada

CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

PROJECT NO.
907

ISSUE
09.28.2021

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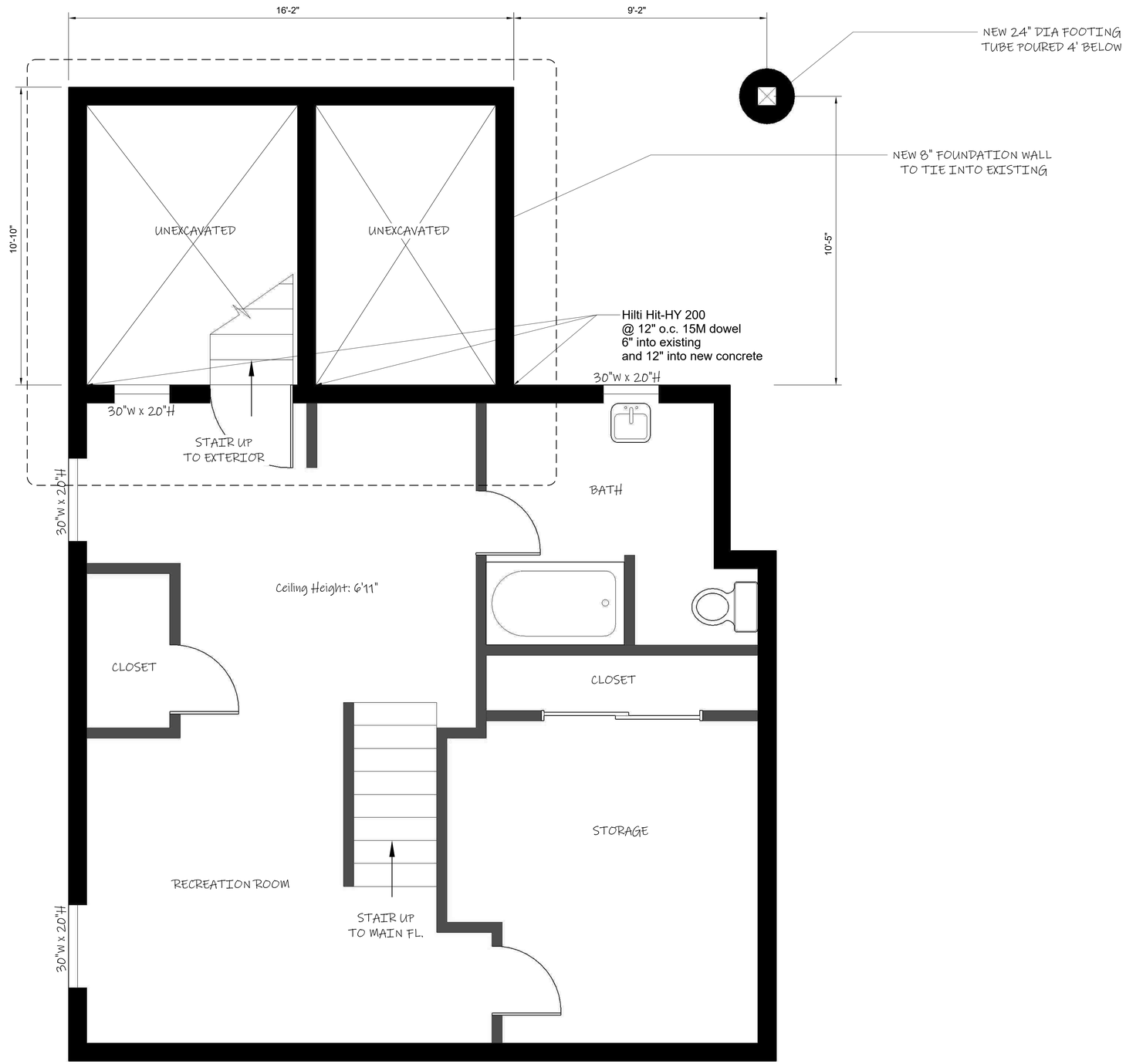
MYG

Existing Layout

A.02



Proposed Basement Plan

Scale 1/2" = 1'-0"

NOORY ENGINEERING INC.

NOORY ENGINEERING INC.
1300 Cornwall Road,
Oakville, ON L6J 7W5
Canada

CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

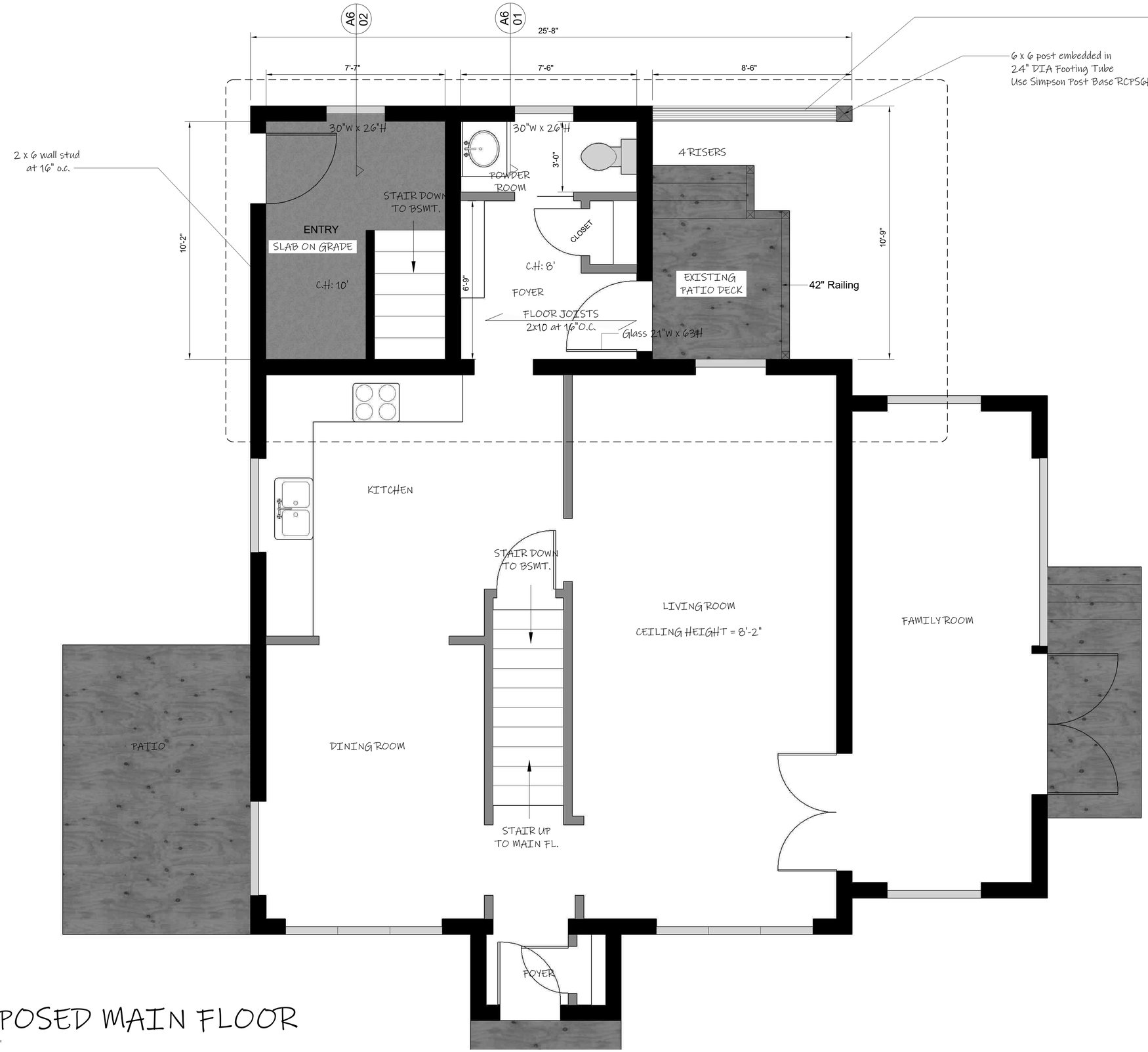
PROJECT NO.
907

ISSUE
09.28.2021

DRAWN BY
MYG

Proposed Basement Plan

A.03



PROPOSED MAIN FLOOR

Scale 1/2" = 1'-0"

PROPOSED MAIN FL. NATURAL LIGHT CALUCALTION:

PROPOSED ENTRY:	
FLOOR AREA	= 76.25sqft
WINDOW AREA	= 5.42sqft
RATIO	= 7.1%
PROPOSED FOYER:	
FLOOR AREA	= 50.6sqft
WINDOW AREA	= 9.19sqft
RATIO	= 18%
PROPOSED POWDER ROOM:	
FLOOR AREA	= 22.5sqft
WINDOW AREA	= 5.42sqft
RATIO	= 24%

CEILING W/ATTIC SPACE - R60 CEILING W/O ATTIC SPACE - R31 EXPOSED FLOORS - R31 WALLS ABOVE GRADE - R22 BASEMENT WALLS - R20ci	ENERGY EFFICEINCY COMPLIANCE STANDARD SB-12 3.1.1. TABLE 3.1.2.A.(IP) pkg. "A1"

GENERAL NOTES:

1. ALL WORKS TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE AND ALL CODE REFERENCES REFER TO OBC 2012 DIVISION 'B'

2. CONTRACTOR TO CHECK ALL DIMENSIONS, SPECIFICATIONS, ETC. ON SITE AND SHALL BE RESPONSIBLE FOR REPORTING ANY DISCREPENCY TO THE ENGINEER AND/OR DESIGNER.

3. STRUCTURAL ENGINEER TO BE NOTIFIED PRIOR TO POURING OF CONCRETE AND PRIOR TO INSTALLING DRYWALL - ENGINEER WILL NOT CERTIFY WALLS/FOOTING/SLABS UNLESS PRIOR INSPECTION IS CONDUCTIED - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER AND MAKE ALL ARRANGEMENTS.

4. ALL WOOD FRAMED WINDOW OPENINGS THAT EXCEED 48" WIDE ARE TO HAVE 2/2X6" PLATES @ BOTTOM OF OPENING(TYP.)

5. ALL SHOP DRAWINGS TO BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO CONTRUCTION

6. TYPICAL WALL STUD CONSTRUCTION
- TYPICAL EXTERIOR WALLS TO BE 2X6 SPF #2 @16" o.c.(UP TO 13' HIGH)
- ALL 14' & 16' HIGH EXTERIOR WALLS TO BE 2/2x6 SPF #2 @ 12"o.c.
- TYPICAL INTERIOR WALLS TO BE 2x6 SPF#2 @ 16"o.c.(UP TO 13' HIGH)
- ALL 14' & 16' HIGH INTERIOR WALLS TO BE 2/2x6 SPF #2 @12"o.c.
- ALL 10' HIGH INTERIOR BASEMENT WALLS TO BE 2x6 SPF #2 @16" o.c.

7. INSTALL WOOD BLOCKING AT WALL STUDS EVERY 4'

8. 3/4" SUBFLOOR SHEATING TO BE SCREWED AND GLUED TO ALL TJI JOISTS ON ALL FLOORS

9. ALL ELECTRICAL PANELS AND COMPONENTS TO COMPLY WITH OBC. 9.24. & SPECIFIC REQUIREMENTS OF THE LOCAL UTILITY SUPPLIER

10. ALL WOOD POSTS TO BE P2 (2 PLY-2x6) UNLESS NOTED OTHERWISE.

11. AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED ON OR NEAR THE CIELING ON EACH FLOOR AND BASEMENT LEVELS AS PER OBC 9.10.19 AND ALSO IN EACH SLEEPING ROOM WITH A VISUAL SIGNALLING COMPONENT AS PER OBC 9.10.19.1 (2)(3)(4). SMOKE ALARMS AND CO. ALARMS SHALL BE INTERCONNECTED. A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EVERY SLEEPING AREA FOR DWELLINGS WITH FUEL BURNING APPLIANCES, OR AN ATTACHED GARAGE.

12. TYPICAL MECHANICAL VENTILATION
A PRINCIPLE DWELLING EXHAUST FAN SHALL BE INSTALLED AND CONTROLLED BY A CENTRALLY LOCATED SWITCH IDENTIFIED AS SUCH. EVERY BATHROOM, POWEDER ROOM AND LAUNDRY ROOM SHALL BE EQUIPPED WITH A MECHANICAL EXHAUSET FAN AND VENT.

13. TYPICAL DOOR HEIGHTS
IF CEILING IS 10'-0" GREATER THAN INTERIOR DOORS TO BE 8'-0" TALL
IF CEILING HEIGHT IS 9'-0" - 10'-0" THAN INTERIOR DOORS TO BE 7'6" TALL
IF CEILING HEIGHT IS LESS THAN 9'-0" THAN INTERIOR DOORS TO BE 6'8" TALL

14. TYPICAL RAILING AND GUARD HEIGHTS
AN INTERIOR HANDRAIL AND GUARD SHALL BE @36" A.F.F. PER OBC 9.8 & SB7
AN EXTERIOR HANDRAIL AND GUARD SHALL BE @36" (IF LESS THAN A MAX OF 6'-0" DROP PER OBC 9.8 AND SB7
AN EXTERIOR HANDRAIL AND GUARDRAIL SHALL BE @42" (IF GREATER THAN 6'-0" DROP) A.F.F. PER OBC 9.8 AND SB7

15. FLOOR DRAINS TO BE LOCATED IN EVERY MECHANICAL ROOM, LOWER TERRACE, WINDOW WELL AND LAUNDRY ROOM.

LICENSED PROFESSIONAL ENGINEER
ALI I. NOORY
100216398
PROVINCE OF ONTARIO
2022-01-12

NOORY ENGINEERING INC.

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1300 Cornwall Road,
Oakville, ON L6J 7W5
Canada

CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

PROJECT NO.
907

ISSUE
09.28.2021

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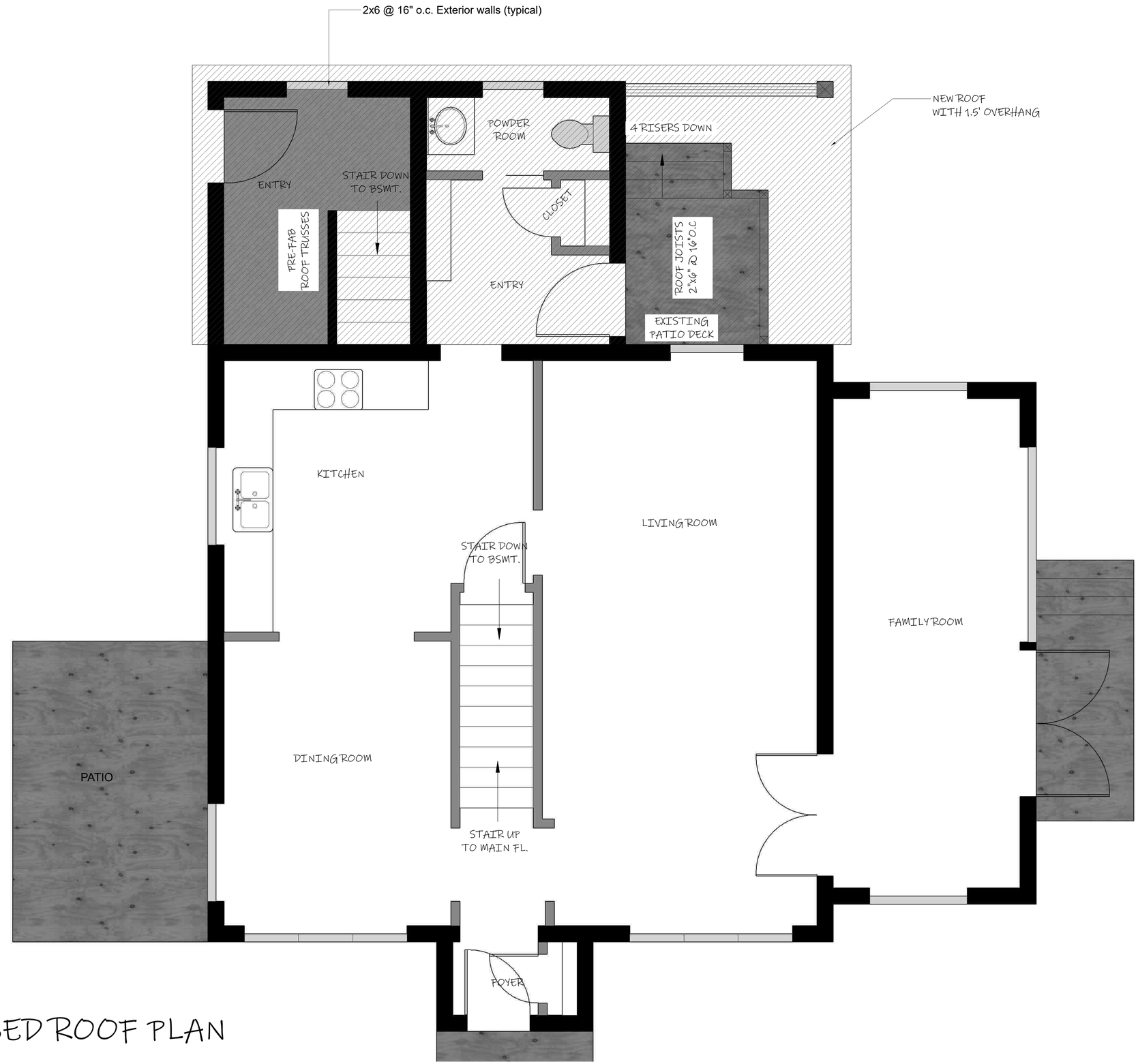
MYG

Proposed
Main Floor

A.04



PROPOSED ROOF PLAN

Scale 1/2" = 1'-0"

PROPOSED MAIN FL. NATURAL LIGHT CALUCALTION:

PROPOSED ENTRY:	
FLOOR AREA	= 76.25sqft
WINDOW AREA	= 5.42sqft
RATIO	= 7.1%
PROPOSED FOYER:	
FLOOR AREA	= 50.6sqft
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LICENSED PROFESSIONAL ENGINEER
ALI T. NOORY
100216398
PROVINCE OF ONTARIO

2022-01-12

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CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

PROJECT NO.
907

ISSUE
09.28.2021

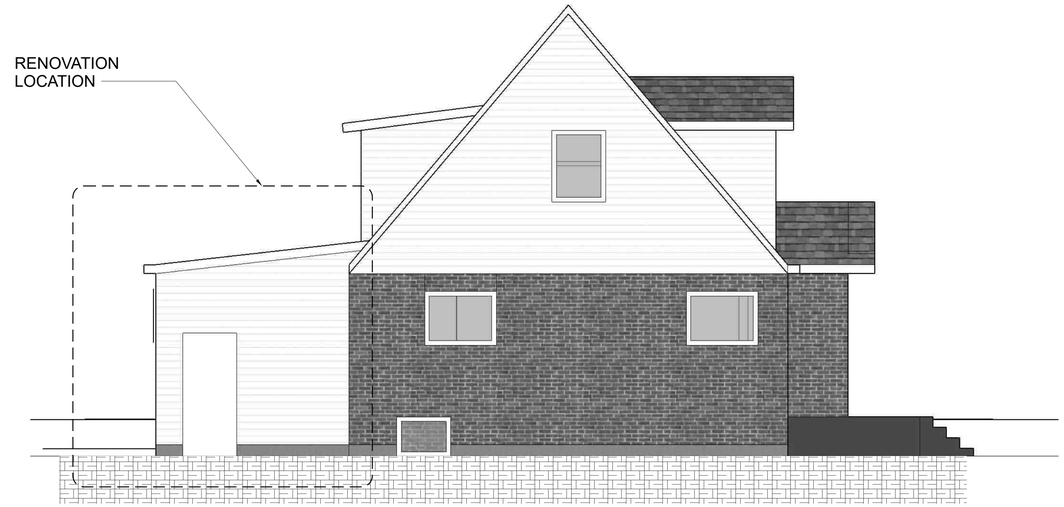
DRAWN BY
MYG

Proposed
Roof Plan

A.05

Front - Beach Boulvd.

Scale 1/4" = 1'-0"



Left

Scale 1/4" = 1'-0"

Rear

Scale 1/4" = 1'-0"

Right - Dexter Ave.

Scale 1/4" = 1'-0"

PROPOSED ELEVATIONS

LICENSED PROFESSIONAL ENGINEER
M. I. NOORY
10192938
PROVINCE OF ONTARIO
2022-01-12

NOORY ENGINEERING INC.

NOORY ENGINEERING INC.
1300 Cornwall Road,
Oakville, ON L6J 7W5
Canada

CLIENT
DESMOND KNIGHT

PROJECT
545 BEACH BOULVARD,
HAMILTON, ON L8H 6X5

PROJECT NO.
907

ISSUE
09.28.2021

DRAWN BY
MYG

Proposed Elevations

A.06

WOOD FRAME CONSTRUCTION
- ALL LUMBER SHALL BE SPRUCE-PINE-FIR 1& 2, AND SHALL BE IDENTIFIED BY A GRADE STAMP

- MAXIMUM MOIS TURE CONTENT 19% AT TIME OF INS TALLATION WOOD FRAME MEMBERS WHICH ARE SUDDORTED ON CONCRETE IN DIRECT CONTACT WITH SOIL SHALL BE SEPARATED FROM THE CONCRETE WITH 6 MIL POLYETHYLENE OR TYPE 'S' ROLL ROOFING.

- DESIGN LIVE LOAD = 40 PSF

- PROVIDE SOLID END-GRAIN BLOCKING THROUGH THE JOIST PLANE AT ALL POSTS BEARING ON BEAMS AND WALLS BELOW.

- USE JOIST HANGERS AT ALL IN-PLANE TIMBER TO TIMBER CONNECTIONS. [1500 LB. MIN. OR AS NOTED].

- SUB-FLOOR: 3/4," D.FIR T&G PLYWOOD, GLUED AND SCREWED

WALLS
- EXTERIOR WALLS SHALL CONSIST OF:
CLADDING
SHEATHING PAPER LAPPED 4" AT JOINTS
LUMBER, PLYWOOD, OSB, GYPSUM SHEATHING
2X6 STUDS @ 16" o.c.
R-22 INSULATION (SB-12 'A1' PACKAGE)
2X6 BOTTOM PLATE AND DOUBLE 2X6 TOP PLATE
2X4 STUDS @ 16" o.c. CAN BE UTILIZED PROVIDED THE COMBINED R VALUE OF THE BATT INSULATION AND RIGID INSULATION ACHIEVES R-22

- INTERIOR LOAD BEARING WALLS SHALL CONSIST OF:
2X4 STUDS @ 16" 0.C.
2X4 BOTTOM PLATE AND DOUBLE 2X4 TOPPLATE
2X4 MINI-GIRTS IT NOT SHEATHED
1/2" GYPSUM BOARD SHEATHING

FLOORS
- JOISTS TO HAVE A MINIMUM 1 1/2" OF END BEARING

- JOISTS SHALL BEAR ON A SILL PLATE FIXED TO FOUNDATION WITH 1/2" ANCHOR BOLTS @ 7' 10" o.c.

- HEADER JOISTS BETWEEN 3'-11" AND 10'-6" IN LENGTH SHALL BE DOUBLE. HEADER JOISTS EXCEEDING 10'-6" SHALL BE SIZED BY CALCULATIONS

- TRIMMER JOISTS SHALL BE DOUBLE WHEN SUPPORTED HEADER IS BETWEEN 2'-7" AND 6'-7".

- TRIMMER JOISTS SHALL BE SIZED BY CALCULENLO1RS WIIELR SUPPOR ER HEADER EXCEEDS

- 2X2 CROSS BRIDGING REQUIRED NOT MORE THAN 6'-11" FROM EACH SUPPORT AND FROM OTHER ROWS OF BRIDGING

- JOISTS SHALL BE SUPPORTED ON JOISTS HANGERS AT ALL FLUSH BEAMS, TRIMMERS, AND HEADERS

- NON-LOADBEARING PARTITIONS SHALL BE SUPPORTED ON A JOIST OR ON BLOCKING BETWEEN JOISTS

- SUBFLOORING TO BE 3/4" THICK T&G (GLUED AND SCREWED)

GARAGE GASPROOFING
- THE WALLS AND CEILING OF AN ATTACHED GARAGE SHALL BE CONSTRUCTED AND SEALED SO AS TO PROVIDE AN EFFECTIVE BARRIER TO EXHAUST FUMES

- ALL PLUMBING AND OTHER PENETRATIONS THROUGH THE WALLS AND CEILING SHALL BE CAULKED

- DOORS BETWEEN THE DWELLING AND ATTACHED GARAGE SHALL NOT OPEN INTO A BEDROOM AND SHALL BE TIGHTFITTED, WEATHERSTRIPPED AND HAVE A SELF-CLOSER

ALARMS AND DETECTORS
- AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT LEVELS

- AND IN EACH SLEEPING ROOM

- SMOKE ALARMS AND CO ALARMS SHALL BE INTERCONNECTED SO THAT IF ONE ACTIVATES, THEY ACTIVATE SIMULTANEOUSLY

- A CARBON MONOXIDE ALARM SHALL BE INSTALLED AD JACENT TO EVERY SLEEPING AREA FOR DWELLINGS WITH FUEL BURNING FIREPLACE OR STOVE, OR AN ATTACHED GARAGE

ROOFING
- FASTENERS FOR ROOFING SHALL BE CORROSION RESIS TANCE. ROOFING NAILS SHALL PENETRATE THROUGH OR AT LEAST 1/2' INTO ROOF SHEATHING

- EVERY ASPHALT SHINGLE SHALL BE FASTENED WITH AT LEAST 4 NAILS FOR 3'-3 1/2" WIDE SHINGLE (OR 6-3/8" STAPLES)

- EAVE PROTECTION SHALL EXTEND 2'-11" UP THE ROOF SLOPE FROM EDGE, AND AT LEAST 11-3/4" FROM THE INSIDE FACE OF THE EXTERIOR WALL, AND SHALL CONSIST OF TYPE M OR TYPE S ROLL ROOFING LAID WITH MINIMUM 4" HEAD AND END LAPS CEMENTED TOGETHER, OR GLASS FIBRE OR POLYESTER FIBRE COATED BASE SHEETS, OR SELF-SEALING COMPOSITE MEMBRANES CONSIS TING OF MODIFIED BITUMINOUS COATED MATERIAL OR NO. 15 SATURATED FELT LAPPED AND CEMMENTED. EAVE PROTECTION IS NOT REQUIRED FOR UNHEATED BUILDINGS, FOR ROOFS EXCEEDING A SLOPE OF 1 IN 1.5, OR WHERE A LOW SLOPE ASPHALT SHINGLE APPLICATION IS PROVIDED

- OPEN VALLEYS SHALL BE FLASHED WITH 2 LAYERS OF ROLL ROOFING, OR 1LAYER OF SHEET METAL MIN. 23-5/8" WIDE

- FLASHING SHALL BE PROVIDED AT THE INTERSECTION OF SHINGLE ROOFS WITH EXTERIOR WALLS AND CHIMNEYS

- SHEET METAL FLASHING SHALL CONSIST OF NOT LESS THAN 1/16" SHEET LEAD, 0.013" GALVANIZED STEEL, 0.018" ZINC, OR 0.019" ALUMINUM

COLUMNS BEAMS & LINTELS
- STEEL BEAMS AND COLUMNS SHALL BE SHOP PRIMED

- MINIMUM 3 1/2" END BEARING FOR WOOD AND STEEL BEAMS, WITH 7 7/8" SOLID MASONRY BENEATH THE BEAM

- STEEL COLUMNSLOHOE MNIMOMRODLOIDE DIAMETER OF 27/8" AND MINIMUM WALL THICKNESS OF 3/16"

- WOOD COLUMNS FOR CARPORTS AND GARAGES SHALL BE MINIMUM 31/2" X 3 1/2"; IN ALL OTHER CASES EITHER 5 1/2" X5 1/2" OR 7 1/4" ROUND. UNLESS CALCULATIONS BASED ON ACTUAL LOADS SHOW LESSER SIZES ARE ADEQUATE. ALL COLUMNS SHALL BE NOT LESS THAN THE WIDTH OF THE SUPPORTED MEMBER

- MASONRY COLUMNS SHALL BE A MINIMUM OF 11 3/8" X 11 3/8" OR9 1/2"X 15"

- PROVIDE SOLID BLOCKING THE FULL WIDTH OF THE SUPPORTED MEMBER UNDER ALL CONCENTRATED LOADS

INSULATION & WEATHERPROOFING

CEILING WITH ATTIC	R-6O
ROOF WITHOUT ATTIC	R-31
EXTERIOR WALL	R-22
FOUNDATION WALL	R-R10CI+R12 BATT
EXPOSED FLOOR	R-31
SLABS ON GRADE	R-10 (UNHEATED)
	R- 10 (HEATED)
SUPPLY DUCTS IN UNHEATED	SPACE R-12

- INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 6 MIL POLY IS SUFFICIENT FOR FIBREGLASS TYPE INSULATIONS

- DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE OR SEALANT

- CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND WINDOWS BETWEEN THE FRAME AND THE EXTERIOR CLADDING

- WEATHERSTRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR

- EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR

PLUMBING
- EVERY DWELLING REQUIRES A KITCHEN SINK, LAVATORY, WATER CLOSET, BATHTUB OR SHOWER STALL AND THE INSTALLATION OR AVAILABILITY OF LAUNDRY FACILITIES

- A FLOOR DRAIN SHALL BE INSTALLED IN THE BASEMENT , AND CONNECTED TO THE SANITARY SEWER WHERE GRAVITY DRAINAGE IS POSSIBLE. IN OTHER CASES, IT SHALL BE CONNECTED TO A STORM DRAINAGE SYSTEM, DITCH OR DRY WELL

ELECTRICAL
- AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE

- A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, BATHROOM, VES TIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECEPTACLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOM AND LIVING ROOMS

- STAIRS SHALL BE LIGHTED, AND EXCEPT WHERE SERVING AN UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS BASEMENTS REQUIRE A LIGHT FOR EACH 323 SQ.F., CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS

MECHANICAL VENTILATION
- A MECHANICAL VENTILATION SYSTEM IS REQUIRED WITH A TOTAL CAPACITY AT LEAST EQUAL TO THE SUM OF:
  10 CFM EACH FOR BASEMENT AND MASTER
  5 CFM FOR EACH OTHER ROOM

- A PRINCIPAL DWELLING EXHAUST FAN SHALL BE INSTALLED AND CONTROLLED BY A CENTRALLY LOCATED SWITCH IDENTIFIED AS SUCH

- SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL CAPACITY OF A KITCHEN, BATHROOM AND OTHER EXHAUSTS, LESS THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED CAPACITY

- A HEAT RECOVERY VENTILATOR MUST BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AND HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLIANCES ARE INSTALLED

- SUPPLY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONT AMINATION FROM EXHAUST OUTLETS

GENERAL STRUCTURAL NOTES:

1. CONSTRUCTION TO MEET PART 9 OF OBC 2012. ALL FOOTING, FOUNDATION AND DRAINAGE WORK SHALL CONFIRM TO OBC 9.14 & 15. CONSTRUCTION BY ALL TRADES TO MEET OR EXCEED NATIONAL BUILDING CODE, PLUMBING CODE AND ELECTRICAL CODE.

2. REINFORCED CONCRETE MATERIALS, METHODS OF CONSTRUCTION AND WORKMANSHIP TO CSA A23.1-.14, "CONCRETE MATERIALS AND METODS OF CONSTRUCTION" UNLESS NOTED OTHERWISE. CONCRETE DESIGN IN ACCORDANCE WITH CSA A23.03-.14, DESIGN OF CONCRETE STRUCTURES, AND NBCC 2010.

3. REINFORCING TO BE DEFORMED REBAR CONFORMING TO CSA STANDARD G30.18, GRADE 400. REBAR LAP SPLICES TO BE CLASS 'B'

4. CONCRETE CLEAR COVER:
   -TYPICAL (U.N.O.) = 2"   -CAST AGAINST IN-SITU SOIL = 3"

5. CONCRETE STRENGTH AT 28 DAYS (MINIMUM):
- SLAB: 35MPa   - FOOTINGS, FOUNDATION WALLS: 25MPa

6. EXCAVATION TO BE APPROVED BY A QUALIFIED GEOTECHNICAL ENGINEER PRIOR TO FORMWORK CONSTRUCTION. DO NOT BUILD ON DISTURBED SOIL. BACKFILL ONLY AFTER FIRST FLOOR FRAMING CONNECTED TO WALLS.

7. FOUNDATION DESIGN AND FOOTING SIZES BASED ON ASSUMED ALLOWABLE SOIL BEARING PRESSURE OF 3000 PSF (150 kPa)

8. SEAL PERIMETER OF SLAB TO INNER WALLS, ALL PENETRATIONS OF SLAB BY PIPES OR OTHER OBJECTS, AND WATER DRAINS WITH FLEXIBLE SEALANT.

9. FLOOR JOISTS, SPACINGS, HANGERS, BRIDGING/STRUTTING DESIGN BY OTHERS. LVL BEAMS, COLUMNS, CONNECTIONS, TRUSSES TO BE DESIGNED BY THEIR SUPPLIER(s). FLOOR JOIST SUPPORTS/BEARING TO BE AS SHOWN ON DRAWING.

ALL WOOD CONSTRUCTION SHALL CONFORM TO CAN/CSA O86.1-14. ALL STUDS, SHEATHING, TRUSS IS SPF SPECIES. FRAMING / BLOCKING GRADE: SPF NO. 2 OR BETTER. ENSURE MATERIALS ARE SEASONED TO A MAXIMUM MOISTURE CONTENT OF 19%.

10. LVL TO BE OF MINIMUM GRADE: 2600f-1.9E AND EQUAL TO MICROLLAM LVL BY TRUS-JOIST MACMILLAN.

11. OSB STRONG AXIS AT RIGHT ANGLES TO JOISTS. END JOINTS PARALLEL TO JOISTS MUST BE STAGGERED. TONGUE & GROOVE EDGE JOINTS - CASE 1.

12. BRACE ALL BEAMS AND LINTELS ON BOTH SIDES WITH OSB FLOORING OR PERPENDICAULAR JOIST FRAMING TIED TO BEAM.

13. REFER TO TABLE 9.23.3.4 & 9.23.23.5 & OBC 2012 FOR NAILING.

14. NO OPENING PERMITTED IN LOAD BEARING WALLS UNLESS APPROVED BY ENGINEER PRIOR TO CONSTRUCTION.

15. REFER TO ARCHITECTURAL DRAWINGS FOR WINDOW/DOOR OPENING SIZES AND PARTITION LOCATIONS.

16. CONFIRM ALL DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ALL DISCREPENCIES TO ENGINEER. ITS CONTRACTOR RESPONSIBILITY TO ENSURE ALL SPECIFIED PRODUCTS SHOWN ON DRAWINGS MUST MEET MANUFACTURERS REQUIRED INSTALLATION.

17. NON-LOAD BEARING WALLS / PARTITION WALLS PARALLEL TO JOISTS SHALL BE SUPPORTED BY JOISTS BENEATH THE WALL OR ON BLOCKING BETWEEN JOISTS.

18. ALL WALL FRAMING EXTERIOR AND INTERIOR LOAD BEARING WALLS TO BE 2x6 AT 16" ON CENTER.

19. FLOOR LOADS ARE CALCULATED @ 36 PSF DEAD LOAD AND 40 PSF LIVE LOAD (MIN.). FLOOR SYSTEM COMPONENTS SELF WEIGHT SHALL BE ADDED SEPARATELY. DEFLECTION IS LIMITED TO L/480 FOR QUALITY CONTROL.
   - RIM BOARD SHALL BE STRUCTURAL SOLID BLOCKING FOR NAILING PURPOSES.

20. COLUMNS MUST HAVE BLOCKING MATCHING MAX. WIDTH/DEPTH OF COLUMN/WALL BETWEEN FLOOR JOISTS. DOUBLE JOISTS UNDER PARTITION WALLS (SEE ARCH. DWGS FOR LOCATIONS)

21. OSB SHEATHING GRADE AND THICKNESS:
   - FLOORS: CSA O325 CONSTRUCTION SHEATHING 1F24, 19mm (3/4") THICK
   - EXTERIOR WALLS: CSA O325 CONSTRUCTION SHEATHING 1R24/2F16, 11.1mm (7/16") THICK (U.N.O.).

22. FLOOR (19mm OSB) SHEATHING NAILING (U.N.O.)
   - 63.5mm (2 1/2") LONG MIN., 3.66mm DIA MIN., CWN NAILS @ 150mm (6") c/c ALONG PANEL EDGES AND @ 300mm (12") c/c ALONG INTERIOR SUPPORTS.
   - FRAMING AT ADJOINING PANEL EDGES ARE 64mm (2 1/2") WIDE MIN.

23. WALL SHEATHING NAILING (U.N.O)
   - 63.5mm (2 1/2") CWN NAILS @ 150mm (6") c/c ALONG PANEL EDGES AND @ 300mm (12") c/c ALONG PANEL INTERIOR SUPPORTS. ALL UNSUPPORTED PANEL EDGES SHALL BE SUPPORTED BY BLOCKING AND NAILED AS SPECIFIED ABOVE.

LICENSED PROFESSIONAL ENGINEER
M. I. NOORY
100218397
PROVINCE OF ONTARIO
2022-01-12

NOORY ENGINEERING INC.

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1300 Cornwall Road,
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MYG

Structural Notes & Details

A.07

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

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

Hamilton

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:

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:

Required rear setback is 7.5m, available is only 4.4m.

☐ Secondary Dwelling Unit ☑ Reconstruction of Existing Dwelling

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

With the addition of the powder room and roof to the existing entry way, we will need to encroach into the rear yard, leaving us with 4.4m to the rear property line.

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

545 Beach Boulvard, Hamilton, ON L8H 6X5, C/S-1435 ZONING, SINGLE LOT FAMILY SINGLE DWELLING, BY-LAW NUMBER 99-169

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?

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 JAN 2022
Date

Signature Property Owner(s)

DESMOND KNIGHT & JENNIFER ANTROBUS
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

Width of street _____

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

Existing:_

Proposed

Basement Area: 627sqft, ceiling height: 6'11"
GF Area: 783sqft, ceiling height: 8'2", addition of powder room(7'6"x3') at rear of the house along with a covered porch (10'9"x23'8")
Second FL. Area: 500sqft, ceiling height: 8'
# of stories: 2 stories with a finished basement.

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

Existing:

Proposed:

13. Date of acquisition of subject lands:
Sep 23, 2020

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 Dwelling

17. Length of time the existing uses of the subject property have continued:
Since purchase, it has been used as a single family dwelling.

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:

C/S-1435 Zoning

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

By-law number 99-169

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-22:01**

APPLICANTS: Agent Urban Solutions (M. Johnston)
Owner Knightsbridge & Chancery Properties (D. Horwood)

SUBJECT PROPERTY: Municipal address **27, 33, 39, 41 & 43 Herkimer St., Hamilton**

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

ZONING: "C" and "E" (Urban Protected Residential, etc. and Multiple Dwellings, Lodges, Clubs, etc.) district

PROPOSAL: To to recognize the existing conditions on a lot containing four (4) Multiple Dwellings having a total of forty-seven (47) dwelling units in order to facilitate Condominium Conversion File No. CDM-CONV-10-01 notwithstanding that:

1. Vehicle parking for the multiple dwellings shall be permitted within the “C” district portion of the lot notwithstanding that multiple dwellings including their associated parking are not permitted within a “C” district.

2. The regulations of Section 18(8) shall not apply to the existing group of four (4) multiple dwellings located on lot instead of the requirement that notwithstanding subsection 3 of Section 4 of this By-Law, a group of Multiple Dwellings, may be erected, altered, extended or enlarged on any lot or tract of land in a district in which such a use is permitted by this By-Law and that for multiple dwellings, the entire lot or tract of land shall be shown on a plan under By-Law No. 79-275 which shall indicate which street line is to be considered the front lot line in the case of a corner lot and which shall the location of all buildings and that the yards as required by the district provisions are provided around all boundaries of the lot or tract of land and that each building is distant from every other building by at least by at least ½ of the height of the taller of the two buildings provided that the same encroachments into the distance separating buildings shall be permitted as are permitted into a required side yard and provided further that the same provisions with regard to parking spaces, manoeuvring spaces and access driveways shall be observed in the distance separating buildings as if that distance was a rear yard.

3. A minimum westerly side yard width of 3.2m shall be permitted instead of the minimum required westerly side yard width of 3.5m as granted by Variance No. 3 of Minor Variance File No. HM/A-14:122.

4. A minimum southerly side yard width of 4.0m shall be permitted instead of the requirement that for every other building or structure, along each side lot line a side yard of a width of at least one one-hundred and twentieth part of the product obtained by

…/2

multiplying the height of the building by its length, less 1.5 metres where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres, and need not have a width of more than 9.0 metres, but plus 3.0 metres where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less than 4.5 metres and need not have a width of more than 13.5 metres.

5. A minimum rear yard depth of 12.3m shall be permitted instead of the requirement that for every other building or structure, a rear yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, less 1.5 metres where no balcony, sunroom or any window of a habitable room overlooks the rear yard, but no such rear yard shall have a depth of less than 3.0 metres and need not have a depth of more than 13.5 metres; plus 3.0 metres where any balcony, sunroom or any window of a habitable room does overlook such rear yard, but no such rear yard need have a depth of more than 13.5 metres.

6. A minimum aisle width maneuvering aisle of 5.0m shall be permitted instead of the minimum required aisle width of 5.4m as granted by Variance No. 6 of Minor Variance File No. HM/A-14:122.

7. A minimum parking space size of 2.4m wide x 5.0m long shall be permitted for the parking space within the “C” district portion of the lot instead of the minimum required parking space size of 2.7m wide x 6.0m long.

8. No visual barrier shall be provided along the boundary of the lot abutting a residential district instead of the requirement that where the boundary of every surface parking area on a lot containing five or more parking spaces adjoins a residential district, a visual barrier shall be provided along the boundary of the lot abutting a residential district not less than 1.2 metres in height and not greater than 2.0m metres in height.

9. The boundary of a surface parking area within the “C” district portion of the lot shall be located 0.0m from the adjoining residential district instead of the requirement that the boundary of every surface parking area on a lot containing five or more parking spaces shall be not less than 1.5 metres from the adjoining residential district boundary.

10. No planting strip or landscaped area shall be provided between the boundary of the surface parking area and the adjoining residential district within the “C” district portion of the lot instead of the requirement that a 1.5m planting strip shall be provided between the boundary of every surface parking area on a lot containing five or more parking spaces and the adjoining residential district.

11. No bumper or wheel barriers shall be required instead of the requirement that for every parking area for a use where there are more than five parking spaces shall have bumpers or wheel barriers to prevent physical encroachment beyond the parking area except at the entrance to and exit from the parking area.

12. The access driveway shall be 0.0m from the boundary of the lot abutting a residential “C” district that does not multiple dwellings instead of the requirement that where a multiple dwelling is adjacent to a residential district that does not permit such uses, every access driveway to the multiple dwelling shall be located not less than 3.0 metres from the common boundary between the district in which the multiple dwelling is located and the district that does not permit such uses.

NOTE:

i) The variances are necessary to facilitate Condominium Conversion File No. 25CDM-CONV-10-01.

ii) The lands were subject of previous Minor Variance File No. HM/A-14:122.

iii) Pursuant to Variance No. 1 above, an irregular parcel which was added to the lands from 52 Markland Street (subject of Consent File No. HM/B-18:129) is partially located within a "C" district which does not permit a multiple dwelling or a parking space for the multiple dwelling. As such, some of the variances are required to address this lot addition. Further, the lot line determinations were altered as follows:

Front Lot Line:	91.873m lot line along Herkimer Street
Rear Lot Line:	1.748m southerly lot line
Side Lot Lines:	All other lot lines

iv) Pursuant to Variance No. 2 above, as height details have not been provided for each of the existing 4 multiple dwellings, the required setbacks between each multiple dwelling could not be determined.

v) Pursuant to Variance Nos. 4 and 5 above, a width, length and height details have not been provided for each of the existing 4 multiple dwellings, the required southerly side yard width and required rear yard depth could not be determined.

vi) Variance No. 7 above mirrors the parking space size which was previously approved under Variance No. 7 of Minor Variance File No. HM/A-14:122 for the original boundaries of the lot.

vii) Variance Nos. 9 and 10 above for the portion of the lot within the "C" district mirrors those variances which were previously approved under Variance Nos. 9 and 10 of Minor Variance File No. HM/A-14:122 for the original boundaries of the lot.

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

DATE:	**Thursday, March 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.

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

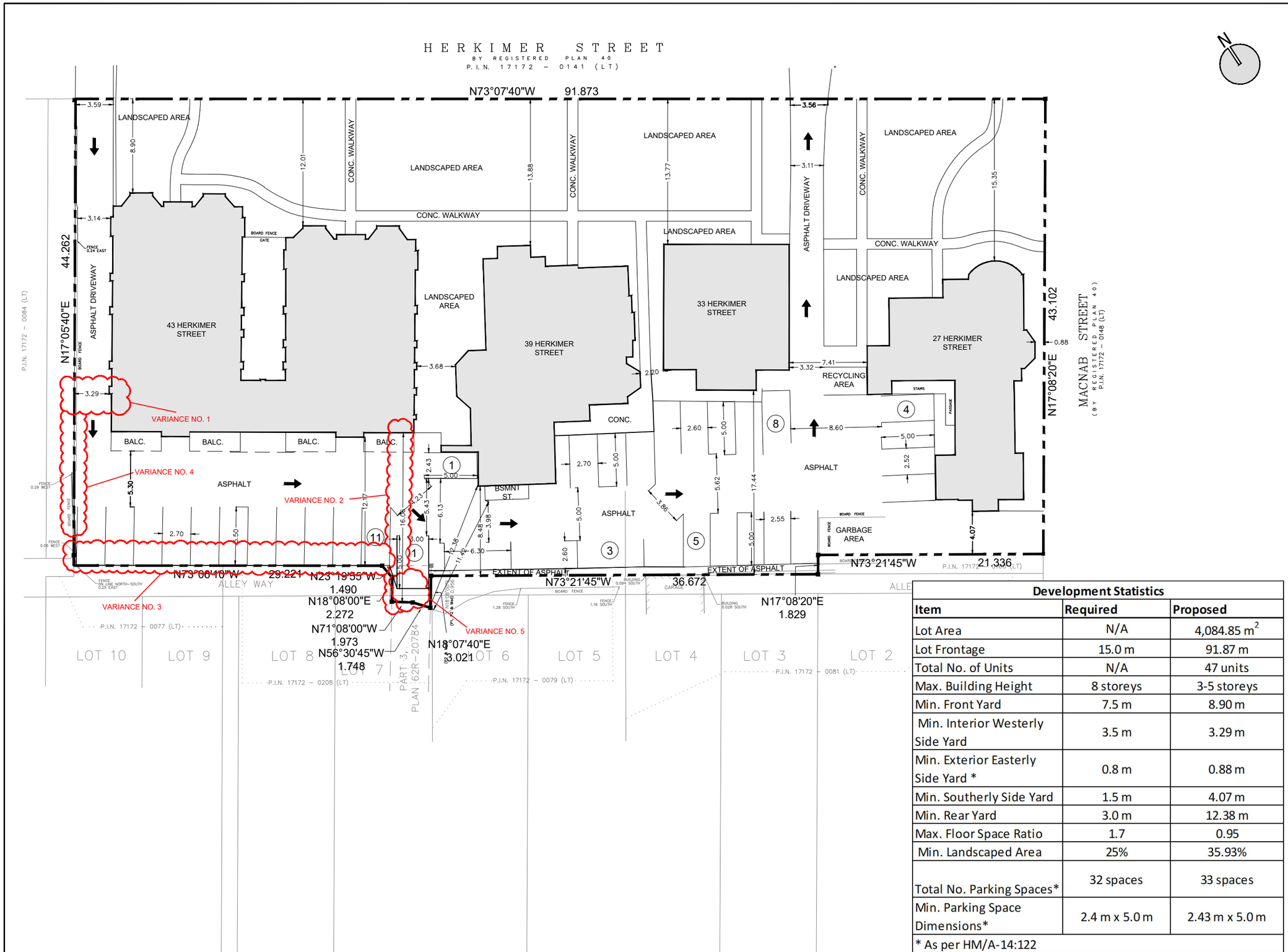
For more information on this matter, including access to drawings illustrating this request:

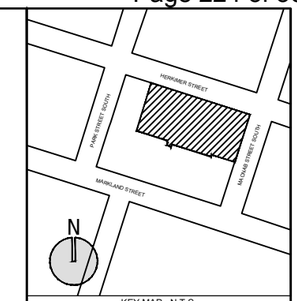
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 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.





KEY MAP - N.T.S.

SITE PLAN

SCALE 1:350
METRES
0 5 10m

LEGEND:
- SUBJECT LANDS
- SURROUNDING BUILDINGS
- EXISTING BUILDINGS ON SUBJECT LANDS

Development Statistics

Item	Required	Proposed
Lot Area	N/A	4,084.85 m^2
Lot Frontage	15.0 m	91.87 m
Total No. of Units	N/A	47 units
Max. Building Height	8 storeys	3-5 storeys
Min. Front Yard	7.5 m	8.90 m
Min. Interior Westerly Side Yard	3.5 m	3.29 m
Min. Exterior Easterly Side Yard *	0.8 m	0.88 m
Min. Southerly Side Yard	1.5 m	4.07 m
Min. Rear Yard	3.0 m	12.38 m
Max. Floor Space Ratio	1.7	0.95
Min. Landscaped Area	25%	35.93%
Total No. Parking Spaces*	32 spaces	33 spaces
Min. Parking Space Dimensions*	2.4 m x 5.0 m	2.43 m x 5.0 m

* As per HM/A-14:122

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: JANUARY 26, 2022

NO.	DATE	BY	DESCRIPTION
1	FEB 9 / 22	LD	AS PER CITY COMMENTS

DRAWING ISSUE RECORD

NOT FOR CONSTRUCTION

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 Studebaker Place, Unit 1
Hamilton, Ontario L8L 0C8
905-546-1087 - UrbanSolutions.info

PROJECT:
SITE PLAN
27-43 Herkimer Street
City of Hamilton

CLIENT:
Effort Trust

U/S FILE NUMBER: 045-14
SHEET NUMBER: 1

Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	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:

To permit a minimum side yard of 3.25 metres.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Subject lands contains existing multiple dwellings. Application is to refect current site conditions to facilitate Plan of Condominium Conversion Application No. 25CDM-CONV-10-01. Please see attached cover letter for additional information.

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 15 and all of Lots 16 to 24 inclusive and part of Alley Registered Plan 40 in the City of Hamilton. 27, 33, 49, 41 and 43 Herkimer Street.

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?

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. N/A

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 17 2021
Date

Signature Property Owner(s)

Knightsbridge Properties & Chancery Properties
c/o David Horwood Type text here
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	+/- 91.873 metres
Depth	+/- 44.262 metres
Area	+/- 4,102.56 metres
Width of street	+/- 20.10 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:_

Please refer to enclosed Survey prepared by A.T. McLaren.

Proposed

Buildings are existing, no new buildings proposed.

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

Existing:

Please refer to enclosed Survey prepared by A.T. McLaren.

Proposed:

Buildings are existing, no new buildings proposed.

13. Date of acquisition of subject lands:

Unknown

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

Unknown

15. Existing uses of the subject property (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:

Unknown

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

Water	☐	Connected	☑
Sanitary Sewer	☐	Connected	☑
Storm Sewers	☑		

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

Neighbourhoods designation in Schedule E-1 Urban Hamilton Official Plan.

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

Multiple Dwellings, Lodges, Clubs, Etc. (E) Zone in the Former 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.

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 enclosed 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.

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-22:24**

APPLICANTS: Agent Kevin Webster Design Inc.
Owner K. & A. Strong

SUBJECT PROPERTY: Municipal address **74 Province St. S., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new one (1) storey addition in the rear yard of the existing Single Family Dwelling and for the construction of a new rear yard deck and the relocation of an existing accessory building on-site notwithstanding that:

1. A northerly side yard width of 0.6m shall be provided instead of the minimum 1.2m required side yard width.

2. Eaves and gutters shall be permitted to project a maximum of 0.45m into the required northerly side yard and may be as close as 0.15m from the northerly side lot line instead of the maximum 0.3m projection permitted.

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

DATE: **Thursday, March 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

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

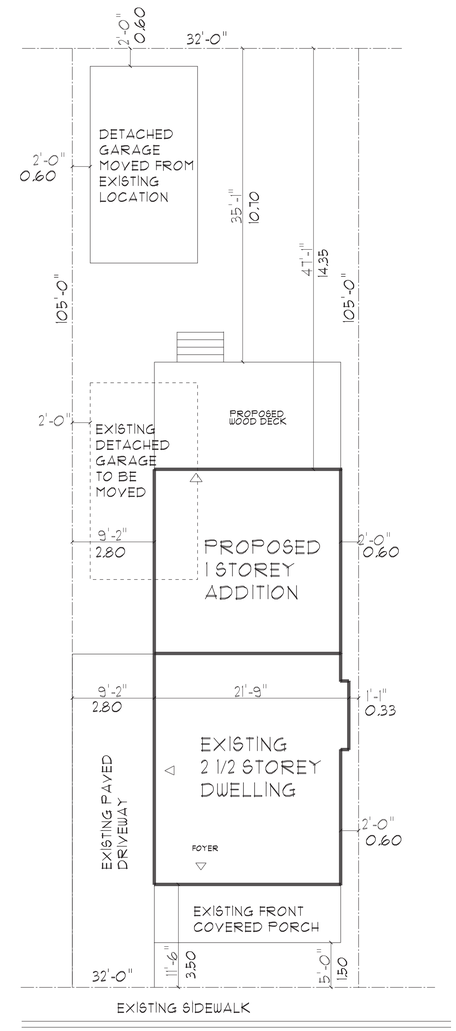
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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.



PROVINCE ST SOUTH

SITE PLAN

SCALE: 1:50

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR C OF A	01/25/22	KW

REVISIONS

Kevin Webster Designs Inc.

RESIDENTIAL & COMMERCIAL
DESIGN, DRAFTING & CONSULTING

68 North Valley Dr., Welland, Ontario L3C 7L6
(905)639-2009

PROJECT NO.: 202202

DATE: JAN. 2022

BUILDER:

PROJECT NAME:

STRONG RESIDENCE
74 PROVINCE ST SOUTH
HAMILTON, ONT.

MODEL:

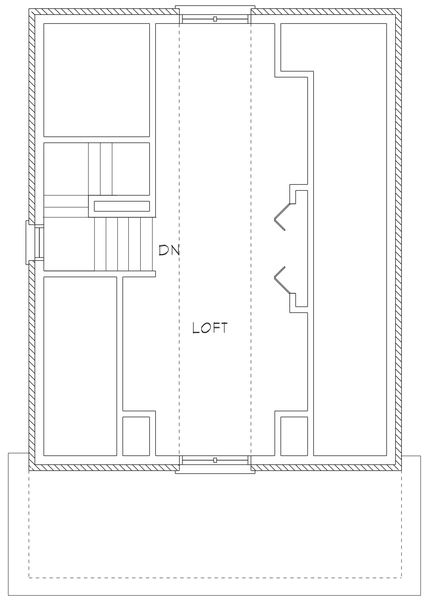
DRAWING: **SITE PLAN**

DRAWN BY: K.W.

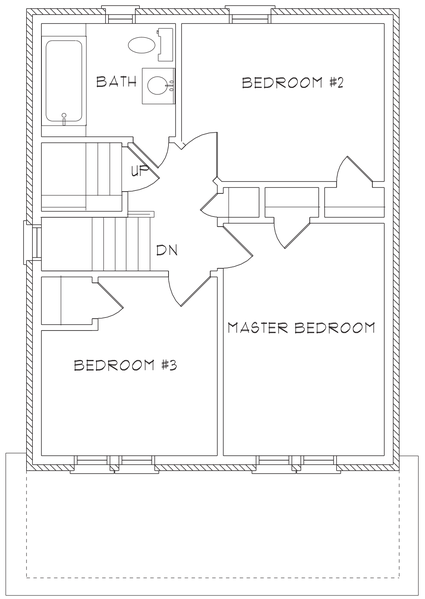
CHECKED BY: K.W.

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

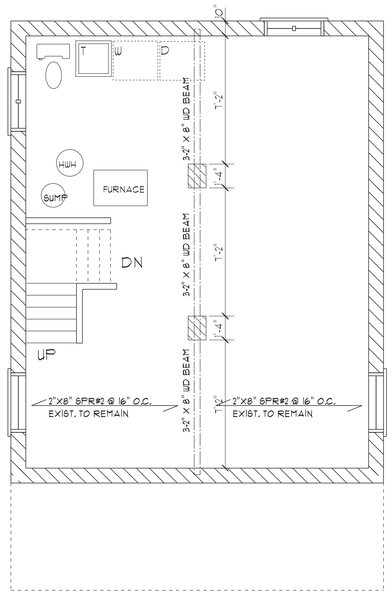
PAGE: A4



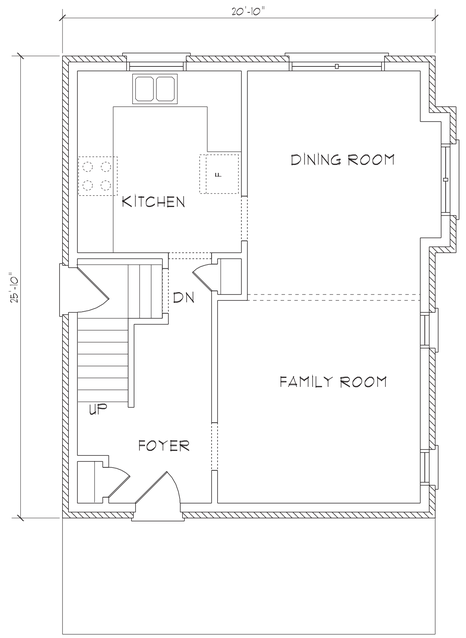
EXISTING LOFT FLOOR PLAN



EXISTING SECOND FLOOR PLAN



EXISTING BASEMENT FLOOR PLAN



EXISTING GROUND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR C OF A	01/25/22	KW

REVISIONS

Kevin Webster Designs Inc.
RESIDENTIAL & COMMERCIAL
DESIGN, DRAFTING & CONSULTING

68 North Valley Dr., Welland, Ontario L3C 7L6
(905)639-2009

PROJECT NO.: 202202
DATE: JAN. 2022

BUILDER:

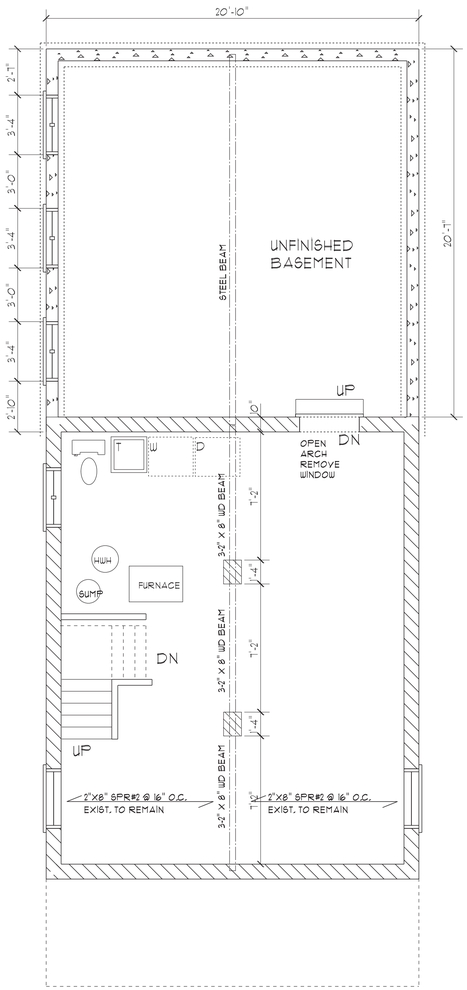
PROJECT NAME:
STRONG RESIDENCE
74 PROVINCE ST SOUTH
HAMILTON, ONT.

MODEL:

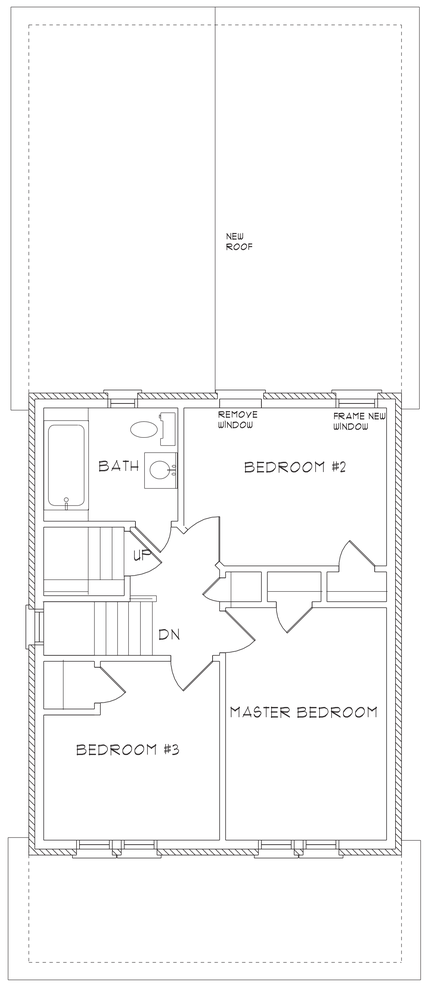
DRAWING:
EXISTING PLANS

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

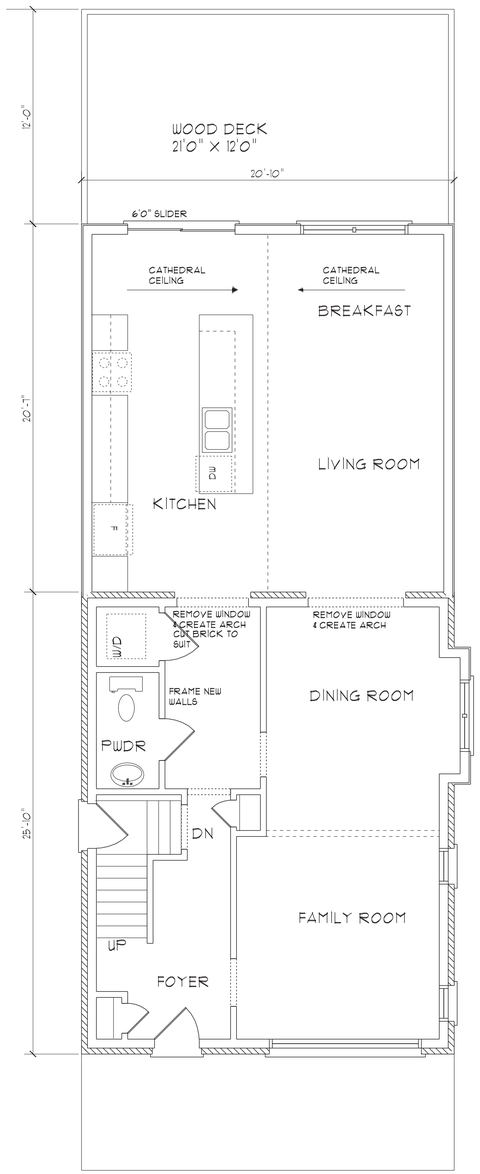
SCALE: 1'-4" = 1'-0"
PAGE: A1



PROPOSED BASEMENT FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR C OF A	01/25/22	KW

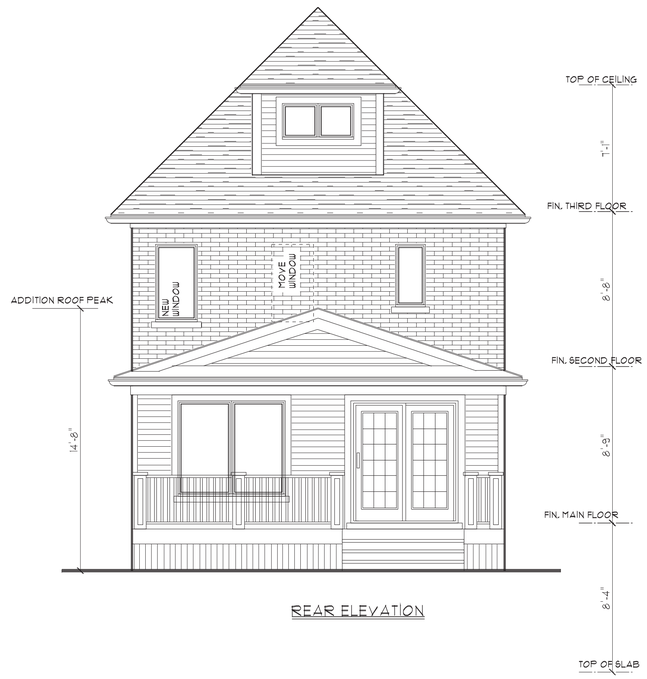
REVISIONS

Kevin Webster Designs Inc.
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING
68 North Valley Dr., Welland, Ontario L3C 7L6
(905)639-2009

PROJECT NO.: 202202
DATE: JAN. 2022
BUILDER:
PROJECT NAME: STRONG RESIDENCE
74 PROVINCE ST SOUTH
HAMILTON, ONT.
MODEL:
DRAWING: **PROPOSED PLANS**
DRAWN BY: K.W.
CHECKED BY: K.W.
SCALE: 1'-4" = 1'-0"
PAGE: A2

RIGHT ELEVATION

LEFT ELEVATION



REAR ELEVATION

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR C OF A	01/25/22	KW

REVISIONS

Kevin Webster Designs Inc.

RESIDENTIAL & COMMERCIAL
DESIGN, DRAFTING & CONSULTING

68 North Valley Dr., Welland, Ontario L3C 7L6
(905)639-2009

PROJECT NO.	DATE:
202202	JAN. 2022

BUILDER:

PROJECT NAME:

STRONG RESIDENCE
74 PROVINCE ST SOUTH
HAMILTON, ONT.

MODEL:

DRAWING:

PROPOSED ELEVATIONS

DRAWN BY:	CHECKED BY:
K.W.	K.W.
SCALE: 1'-4" = 1'-0"	PAGE: A3

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)	[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:

(1) REQUIRE RIGHT SIDE SETBACK TO BE 0.60 m INSTEAD OF THE REQUIRED 1.2 m FOR NEW ADDITION

(2) REQUIRE 0.60 m FOR SIDE & REAR SETBACK FOR DETACHED GARAGE.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

EXISTING DWELLING IS LOCATED TOO CLOSE TO EXISTING PROPERTY LINE.

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

74 PROVINCE ST. SOUTH, HAMILTON, ONT.

7. PREVIOUS USE OF PROPERTY

Residential ☑ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ○ No ☑ Unknown ○

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

Yes ( ) No (✓) Unknown ( )

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

COMMON KNOWLEDGE

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

Is the previous use inventory attached? Yes ☐ No ☐

9. ACKNOWLEDGEMENT CLAUSE

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

JAN. 25 /22
Date

Karen Strong
Signature Property Owner(s)

Aaron Strong/Karen Strong
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	32'
Depth	105'
Area	3360 SQ.FT.
Width of street	60'

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: 2½ STOREY, GROUND FLOOR AREA: 548 S.F.
SECOND FLOOR AREA: 538 S.F.
THIRD FLOOR AREA: 250 S.F.
GROSS FLOOR AREA: 1336 S.F.
21'-0" WIDE, 26'-0" DEEP, 31'-6" HEIGHT
EXIST. DETACHED GARAGE: 12'×22' × 12' HIGH

Proposed 2½ STOREY, GROUND FLOOR AREA: 974.0 S.F.
SECOND " " 538.0 S.F.
THIRD " " 250.0 S.F.
GROSS " " 1762.0 S.F.
21'-0" WIDE, 46'-5" DEEP, 31'-6" HEIGHT
EXIST. GARAGE 12'×22' × 12' HIGH

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

Existing: FRONT: 1.5m RIGHT SIDE 0.60m LEFT SIDE: 2.80m
REAR: 20.77 m
DETACHED GARAGE FRONT: 15.24m RIGHT SIDE: 5.5m
LEFT SIDE: 0.30 m REAR: 10.0m

Proposed: FRONT = 1.5m RIGHT SIDE: 0.60m LEFT SIDE: 2.8 m
REAR = 14.35
DETACHED GARAGE TO BE MOVED.
FRONT.: 21.0 m RIGHT: 14.50 LEFT: 0.60 REAR: 0.60

13. Date of acquisition of subject lands:
2010

14. Date of construction of all buildings and structures on subject lands:
1950 +/-

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

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

17. Length of time the existing uses of the subject property have continued:
SINCE BUILT 1950+/-

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:
SINGLE FAMILY

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

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-22:09

SUBJECT PROPERTY: 58 St. Matthews 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 2840146 Ontario Inc.
(J. Greene)
Owner Simranjeet Mann

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

Severed lands:
6.12m± x 28.2m± and an area of 176.28m^2 ±

Retained lands:
6.07m± x 28.1m± and an area of 174.13m^2 ±

The Committee of Adjustment will hear this application on:

DATE: **Thursday, March 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

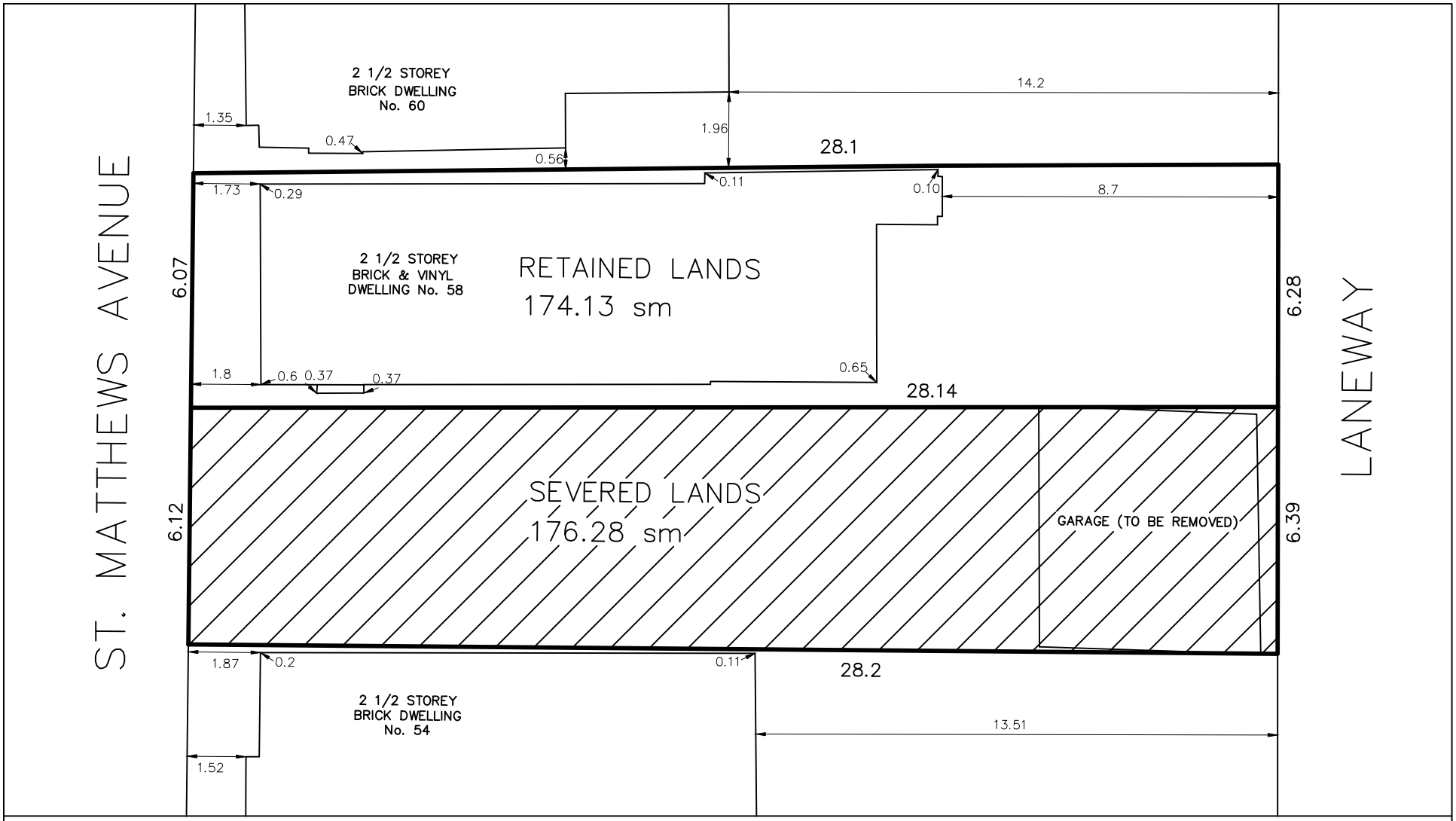
For more information on this matter, including access to drawings illustrating this request:

- 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

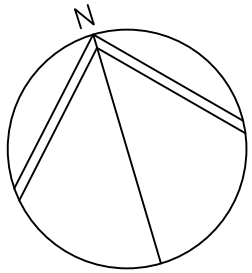
DATED: February 15th, 2022

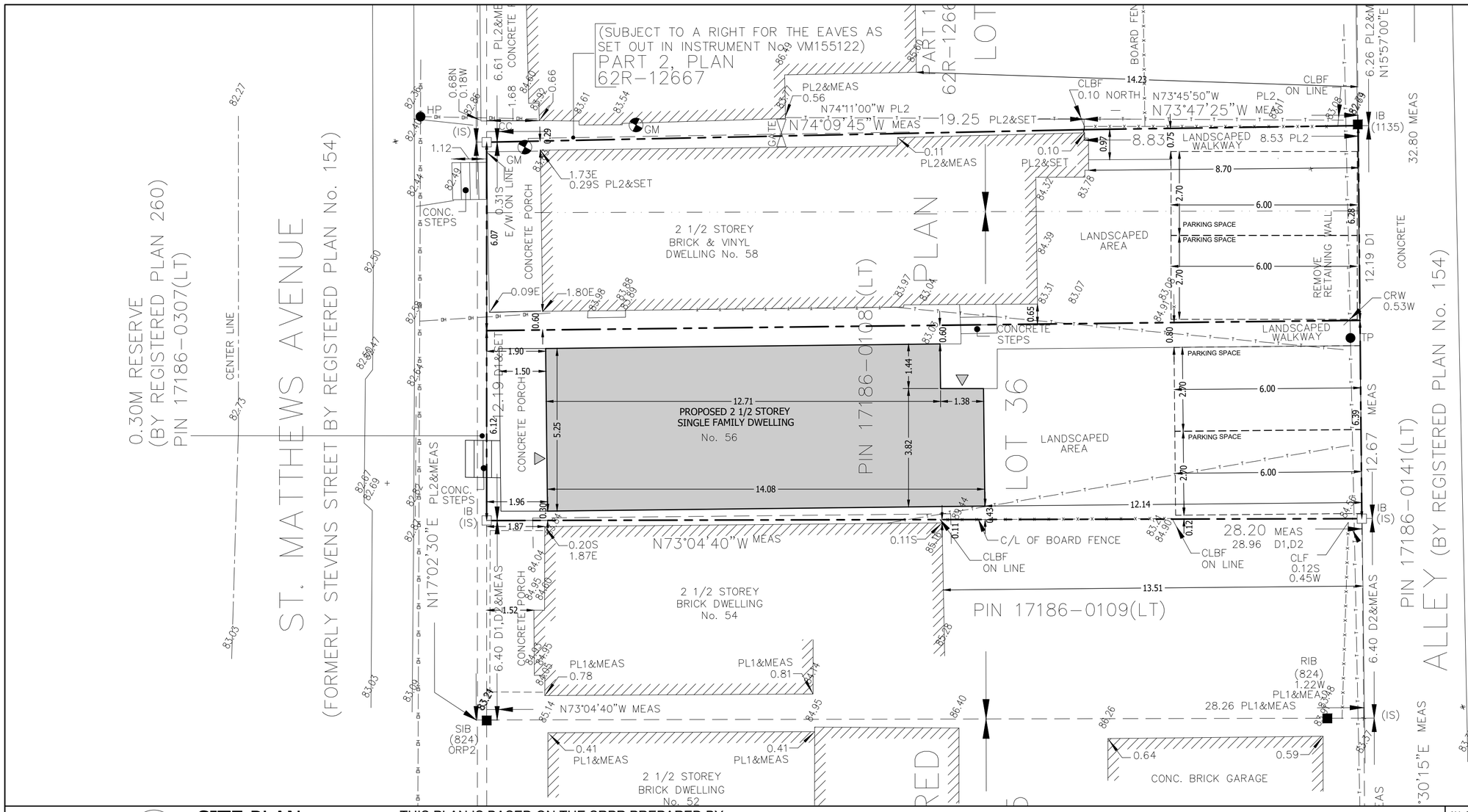
_____
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



SEVERANCE SKETCH
58 ST. MATTHEWS AVE
DECEMBER 2021





1 SITE PLAN

Scale: 1:100

THIS PLAN IS BASED ON THE SRPR PREPARED BY KAD LANKA SURVEYING INC. ONTARIO LAND SURVEYORS SIGNED BY **VINEETHA RATHNAYAKE** AND DATED ON JULY 30, 2021

2 SITE STATISTICS

City of Hamilton Zoning By-law 6593

TO CREATE NEW LOT AT #56

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	PROPOSED
LOT AREA	360.0 m2	176.28 m2
LOT WIDTH	12.0 m	6.12 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.90 m
NORTH SIDE YARD	1.2 m	0.60 m
SOUTH SIDE YARD	1.2 m	0.30 m
REAR YARD	7.5 m	12.13 m
AREA OF FRONT YARD AREA OF FRONT YARD SOFTSCAPING	50%	11.83 m2 8.39 m2 (29.08% SOFTSCAPING)
MAX. HEIGHT	11.0 OR14.0 m	11.0 m 2 1/2 STORIES, ALLOWS 1.2m SETBACK FROM SIDE PROPERTY LINE
BUILDING HEIGHT TO BE CALCULATED TO DETERMINE A MINIMUM SIDE YARD REQUIREMENT, SHALL MEAN THE VERTICAL DISTANCE BETWEEN THE LOWEST FINISHED GRADE ELEVATION ALONG THE LOT LINE RELATED TO SUCH REQUIRED YARD AT THAT POINT CLOSEST TO THE BUILDING AND THE HORIZONTAL EXTENSION OF THE UPPERMOST POINT OF THE BUILDING.		
REQUIRED PARKING	2 SPACES	2 SPACES
BUILDING COVERAGE	78.86 m2 / 44.74% OF LOT - PORCH NOT INCLUDED	
LANDSCAPED AREA:	56.31 m2 / 31.94% OF LOT	
TOTAL FLOOR AREA:	78.86 m2 x 2.5 STOREYS = 197.15m2	

TO CREATE NEW LOT AT #58, WITH EXISTING SINGLE FAMILY DWELLING

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	EXISTING
LOT AREA	360 m2	174.13 m2
LOT WIDTH	12 m	6.07 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.73 m EXISTING TO REMAIN
NORTH SIDE YARD	1.2 m	0.10 m, EXISTING TO REMAIN
SOUTH SIDE YARD	1.2 m	0.60 m
REAR YARD	7.5 m	8.70 m,EXISTING TO REMAIN
REQUIRED PARKING	2 SPACES	2 SPACES

PROPERTY TO THE SOUTH - #54 AS COMPARISON

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	EXISTING
LOT AREA	360 m2	181.18 m2
LOT WIDTH	12 m	6.40 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.52 m
NORTH SIDE YARD	1.2 m	0.11 m
SOUTH SIDE YARD	1.2 m	0.73 m
REAR YARD	7.5 m	13.51 m

ALL CONSULTANTS AND CONTRACTORS SHALL CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO FIRST STEP DESIGN.

THIS DRAWING IS COPYRIGHTED INSTRUMENT OF SERVICE AND IT REMAINS THE PROPERTY OF FIRST STEP DESIGN. USE AND REPRODUCTION OF THIS DRAWING IS ALLOWED ONLY WITH THE WRITTEN CONSENT OF FIRST STEP DESIGN.

THE DRAWING IS NOT ISSUED FOR BUILDING PERMIT UNLESS IT IS STAMPED AND SIGNED AND THE DATED REVISION FIELD STATES: ISSUED FOR BUILDING PERMIT.

DO NOT SCALE DRAWING.

LEGEND:

= EXIT FROM DWELLING

92.67 = EXISTING GRADE

NORTH:

First Step Design LIMITED
416-779-9370
www.firststepdesign.ca

PROJECT ADDRESS:

NEW LOT SOUTH OF
58 ST. MATTHEWS AVE.
HAMILTON, ON

NO.	DATE	DESCRIPTION
7		
6		
5		
4	2021 - 12 - 20	ISSUED FOR REVIEW
3	2021 - 11 - 25	ISSUED FOR REVIEW
2	2021 - 11 - 22	ISSUED FOR REVIEW
1	2021 - 11 - 04	ISSUED FOR REVIEW

REVISIONS

DRAWING TITLE: SITE PLAN

PROJECT NUMBER: 2151

DRAWN BY: CM

DATE: NOVEMBER 2021

SCALE: 1:100

DRAWING NUMBER: A-1.0

2840146 Ontario Inc.
33 Fenton Way
Brampton, ON L6P 0P4

January 25, 2022

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

Attn: Jamila Sheffield, Secretary Treasurer

Re: APPLICATIONS FOR CONSENT TO SEVER AND MINOR VARIANCE
58 ST. MATTHEWS AVE, HAMILTON
2840146 ONTARIO INC.

On behalf of the property owners, we are pleased to submit applications for consent to sever and minor variance for the existing double lot at 58 St. Matthews Avenue.

Description of the Subject Site

The subject site is located on the east side of St. Matthews Avenue, located in the Landsdale neighbourhood. The subject site is a double lot that is 350.41 square metres in area and has frontages of 12.19 metres along St. Matthews Avenue and 12.67 metres along the rear laneway. The property currently contains a 2.5 storey single-detached dwelling and a driveway that runs along the south side of the dwelling. The driveway leads to a stand-alone garage at the rear of the property. The laneway that runs along the east side of the subject site provides access to parking pads located at the rear of other properties fronting St. Matthews Ave and Cheever Street.

Description of the Proposal

The proposed severance splits the existing double lot into two distinct parcels while retaining the existing dwelling at 58 St. Matthews. A new single-detached dwelling in line with the size and character of the area is proposed on the severed lands (to be addressed as 56 St. Matthews).

A minor variance application is submitted along with the severance. The minor variance application addresses the applicable “D” zoning standards, which do not reflect the lot fabric and built form characteristics that are prevalent in this area. For example, most dwellings along St. Matthews have a front yard setback of 2.0m or less; however, the “D” zoning category requires 6.0m. Also, most of the lots in the area have frontages of approximately 6.0m, whereas the Zoning By-law requires 12.0m. As a result, the requested variances are generally the same for both the retained and severed lands. No changes are proposed to the existing dwelling on

the retained lands; the requested variances will correct grandfathered standards as it relates to the existing dwelling and the variances will maintain the character of the area with respect to the proposed new dwelling.

Similar to the other lots that flank the laneway, parking for the existing dwelling and the new development would be provided at the rear of the property off of the laneway. Each lot would contain a parking pad that could accommodate up to two vehicles. The existing garage will be demolished. This new configuration will allow for improved landscaping around the parking pads in the rear yards. It is noted rear yards for both lots are generously sized and well above the By-law requirement and remain consistent with those of adjacent properties.

Planning Justification

The proposed severance results in lot frontages and lot areas for both the severed and retained lands that are consistent and compatible with other properties on St. Matthews Avenue and in the immediate area.

The proposed dwelling will provide a seamless integration into the existing neighbourhood as the proposed built form and setbacks are consistent and compatible with adjacent and surrounding properties. The property is a double lot where adequate side yard setbacks between both the proposed and existing dwellings can be obtained.

As mentioned previously, the current in-force Zoning By-law is not reflective of the standards in the area. The proposed dwelling will fit simply follow setbacks already prevalent in the immediate vicinity.

The following is the justification for each variance:

Variance	By-Law 6593 Standard	Requested Variance Retained	Requested Variance Severed	Justification
Front Yard Setback	6.0m	1.7m	1.9m	Proposed setbacks are consistent with setbacks in the area and even exceed existing setbacks at neighbours at 60 St. Matthews (1.35m) and at 54 St. Matthews (1.52m)
Side Yard Setback (north)	1.2m	0.1m	0.6m	The existing house on the retained lands is an existing grandfathered condition. The proposed dwelling will be located 1.2m from the existing dwelling and this is in line with and exceeds many setbacks in the area

Side Yard Setback (south)	1.2m	0.6m	0.3m	The proposed south setback for the proposed dwelling is consistent with adjacent side yard setbacks and is consistent with those in the immediate area
Lot Width	12.0m	6.07m	6.12m	The lot width is consistent and compatible with those on the street and in the immediate area. There is a mix of housing types existing on the street and in the area (including smaller lot singles and semis). There are numerous examples of 6.0m lots and smaller in the immediate area. The proposed severance results in lots that are consistent with the neighbourhood fabric.
Lot Area	360sm	174sm	176sm	The lot areas are in line with others in the area as all lot depths are generally the same.
Porch Projection	1.5m	0m	0m	This is an existing condition for most homes along St. Matthews (porches built to street line). The variance on the retained lands is an existing condition and the severed land dwelling shows a porch projection generally in line with the street and actually projects less than the immediate neighbours. The intent is to match the character of the area.
Front Yard Landscaping	50%	0%	0%	This variance is due to the porch projection above. The front yards on the street are generally covered by porches and therefore don't meet this provision. Most front yard landscaping is in the boulevard. Given the large rear yard setbacks provided, there is ample opportunity for new landscaping in the rear yards of each property, which will be an improvement over the existing hardscape conditions.

The following outlines how the minor variances meet the four tests of the Planning Act.

1) Does it maintain the general intent of the Official Plan?

The proposal conforms to the Official Plan. The proposed severance constitutes infill development that is permitted in Neighbourhoods. The proposed dwelling is compatible with the existing character of the area. All aspects of the proposal (lot size, house type, house size, setbacks) are in line with the existing properties in the area. It also meets the housing policies of the Official Plan and will provide additional rental housing to the area. In addition, the

proposed severance meets the lot creation conditions in 1.14.3.1 of the Urban Hamilton Official Plan.

2) Does it maintain the general intent of the Zoning By-law?

As previously mentioned, certain standards from By-law 6593 apply to the site and the surrounding area, however they are outdated and not in line with the character and built form of the neighbourhood. It is anticipated the zoning for this site and the broader area will be updated during the implementation of the new comprehensive By-law to better reflect the existing conditions within area. Despite the "D" zone standards, the intent of the By-law is maintained as the proposal will be consistent with the existing lots and built form character of the area.

3) Is it desirable for the appropriate development or use of the land?

This proposal is sensitive infill that makes use of an underutilized property while providing new rental housing. The proposed dwelling respects and meets the character of the area and has similar zoning standards as all surrounding properties. Most surrounding properties in this area would also not meet the By-law for these standards. Also, the dwelling will be designed to minimize any privacy concerns. It maintains the setbacks in the area and the unit at 54 St. Matthews only has one small non-primary window on its north elevation so there will be no privacy impacts. As for the existing dwelling at 58 St. Matthews, there are two bedroom windows on the south elevation. The new dwelling will be designed with a blank wall condition adjacent to these windows. The intent is for the current owners to maintain ownership of both dwellings as rentals.

4) Is it minor in nature?

Given the site and surrounding context, a new dwelling on this double lot fits the character of the area and is compatible. The requested variances are minor due to the fact that most other properties in the area would also need the same variances if they were preparing development applications.

The severance is also subject to the criteria of Section 51(24) of the Planning Act. The proposal meets this criteria as it is an infill property which makes efficient use of existing services in an urban area. The lot size and configuration is suitable for the proposed severance.

Based on the above, the proposed severance meets the criteria of the Planning Act and the resulting minor variances meet the four tests.

2840146 Ontario Inc.
33 Fenton Way
Brampton, ON L6P 0P4

Project Benefits

Benefits of the proposal include:

- Provision of new infill housing on an underutilized double lot
- Allows for retention of the existing dwelling at 58 St. Matthews
- Both houses (existing and proposed) provide much needed rental housing stock
- There is an opportunity for new landscaping in the rear yards of each property, which will be an improvement over the existing hardscape conditions.
- The removal of the existing driveway (where the new dwelling is proposed) will result in the removal of a curb cut and can provide an additional on-street parking space on St. Matthews Avenue.
- The relocation of the driveway and parking spaces to the rear of the property will improve the streetscape and safety of the sidewalk and will allow for new landscaping along the street.

Submission Materials

Please find enclosed the following in support of the application:

- List of requested variances
- Signed Application Forms
- Site Plan, prepared by First Step Design, dated December 20, 2021;
- Severance Sketch, dated December 2021
- Plan of Survey

We look forward to working with the City on this proposal to provide much needed new infill rental housing.

Yours truly,

Jeff Greene
Gemini Developments

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

	NAME	MAILING ADDRESS	
Purchaser*	[redacted]		
Registered Owners(s)			
Applicant(s)**			
Agent or Solicitor			

***Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)**
** Owner's authorisation required if the applicant is not the owner or purchaser.

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

2 LOCATION OF SUBJECT LAND

Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
Hamilton	Pt of 36 and 37	N/A	Hamilton
Registered Plan N°.	**Lot(s)**	**Reference Plan N°.**	**Part(s)**
154	N/A	N/A	N/A
Municipal Address			**Assessment Roll N°.**
58 St. Matthews Ave			2518030217570300000

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

3 PURPOSE OF THE APPLICATION

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

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

☒ creation of a new lot
☐ addition to a lot
☐ an easement

Other: ☐ a charge
☐ a lease
☐ a correction of title

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

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

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

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

unknown

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.)**:

Frontage (m)	Depth (m)	Area (m² or ha)
6.12	28.2	176.28 m2

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: garage (to be demolished)

Proposed: residential detached dwelling

Existing structures to be removed: detached garage

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

- [x] 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 (remainder)**:

Frontage (m)	Depth (m)	Area (m² or ha)
6.07	28.1	174.13 m2

Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. **(O. Reg. 786/21)**

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: residential detached dwelling

Proposed: residential detached dwelling to remain

Existing structures to be removed: none

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- [x] 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)

- [x] 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)

- [x] electricity
- [x] telephone
- [x] school bussing
- [x] garbage collection

5 CURRENT LAND USE

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

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

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposed severance constitutes infill development that is permitted in Neighbourhoods. The proposed dwelling is in compatible with the existing character of the area. All aspects of the proposal (lot size, house type, house size, setbacks) are in line with the existing properties in the area. It also meets the housing policies of the Official Plan and will provide additional rental housing to the area.

5.2 What is the existing zoning of the subject land?
If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "D" - URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS

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*	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	
A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	
An active railway line	☐	
A municipal or federal airport	☐	

*Complete MDS Data Sheet if applicable

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 knowledge

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

7 PROVINCIAL POLICY

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

■ Yes ☐ No

Proposed severance makes more efficient use of an underutilized property to provide additional housing units in a serviced and built up area

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

Proposed severance makes more efficient use of an underutilized property to provide additional housing units in a serviced and built up area

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

Proposed severance makes more efficient use of an underutilized property to provide additional housing units in a serviced and built up area

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
☐ Yes ■ No

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

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
☐ Yes ☐ No
(Provide Explanation)

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

If yes, is the proposal in conformity with the Parkway Belt West Plan?
☐ Yes ☐ No (Provide Explanation)

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

If yes, does this application conform with the Greenbelt Plan?
☐ Yes ☐ No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

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

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

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

N/A

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

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

8.4 How long has the applicant owned the subject land?

August 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 Minor Variance Status to be submitted concurrently

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 (m² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

_____

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

see cover letter

12 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.

Jan 25/22
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-22:27**

APPLICANTS: Agent 2840146 Ontario Inc. (J. Greene)
Owner Simranjeet Mann

SUBJECT PROPERTY: Municipal address **58 St. Matthews Ave., Hamilton**

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

ZONING: "D" (Urban Protected Residential - 1 & 2 Family Dwellings, etc.) district

PROPOSAL: To permit the severance of the lands as per Consent Application HM/B-22:09 in order to create two (2) residential lots as well as to permit the existing single family dwelling on the retained lot and to recognize its current location, notwithstanding that;

Retained Lot (58 St. Matthews Avenue)

1. A minimum front yard depth of 1.7m shall be permitted instead of the minimum 6.0m front yard depth required.

2. A minimum southerly side yard width of 0.6m shall be permitted to the main dwelling and 0.3m to the bump-out instead of the minimum 1.2m side yard width required.

3. A minimum northerly side yard width of 0.0m shall be permitted instead of the minimum 1.2m side yard width required.

4. A minimum lot width of 6.0m shall be permitted instead of the minimum 12.0m lot width required.

5. A minimum lot area of 174.0m² shall be permitted instead of the minimum 360.0m² lot area required.

6. A minimum of 0.0% of the gross area of the front yard shall be permitted to be maintained as landscaped area instead of the minimum 50.0% landscaped area required.

7. An eave or gutter shall be permitted to be located entirely within the southerly side yard and therefore may be located as close as 0.0m to the southerly side lot line whereas the zoning By-law permits an eave or gutter to encroach a maximum of one-half of its width, or 1.0 metre, whichever is the lesser.

8. A roofed-over unenclosed porch including the stairs shall be permitted to be located as close as 0.0m from the front lot line instead of the minimum 1.5m setback required.

…./2

9. An uncovered porch shall be permitted to be located as close as 0.0m to the southerly side lot line instead of the minimum 0.5m setback required.

Severed lot (56 St. Matthews):

10. A minimum front yard depth of 1.9m shall be permitted instead of the minimum 6.0m front yard depth required.

11. A minimum northerly side yard width of 0.6m shall be permitted instead of the minimum 1.2m side yard width required.

12. A minimum southerly side yard width of 0.3m shall be permitted instead of the minimum 1.2m side yard width required.

13. A minimum lot width of 6.1m shall be permitted instead of the minimum 12.0m lot width required.

14. A minimum lot area of 176.0m² shall be permitted instead of the minimum 360.0m² lot area required.

15. A minimum of 0.0% of the gross area of the front yard shall be permitted to be maintained as landscaped area instead of the minimum 50.0% landscaped area required.

16. An eave or gutter shall be permitted to be located entirely within a side yard and therefore may be located as close as 0.0m to a side lot line whereas the zoning By-law permits an eave or gutter to encroach a maximum of one-half of its width, or 1.0 metre, whichever is the lesser.

17. A roofed-over unenclosed porch including the stairs shall be permitted to be located as close as 0.0m from the front lot line instead of the minimum 1.5m setback required.

Note: No elevation plans were provided to confirm the heights of both the existing dwelling and the proposed dwelling. Therefore, further variances may be required.

The applicant shall ensure that the variance requested to the southerly side yard of the retained lot is correct; otherwise, further variances shall be required.

The applicant shall ensure that an eave or gutter maintains a setback of 1.5m from the front lot line; otherwise, further variances shall be required.

The zoning By-law requires a minimum of two (2) parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room. Please note that no floor plans were provided to confirm the total number of habitable rooms for the proposed dwelling on the severed lot in order to determine the minimum number of required parking spaces. Therefore, further variances may be required.

Based on the City's GIS mapping, it appears that the alley way providing the access to the rear parking spaces is publicly assumed. Please note that if the alley is not publicly assumed additional variances shall be required.

An Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the concrete steps is encroaching onto and the subject lot.

An Encroachment Agreement with the Public Works Department may be required for the portion of the front porch steps shown to encroach on the Road Allowance.

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

DATE:	**Thursday, March 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: February 15th, 2022.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

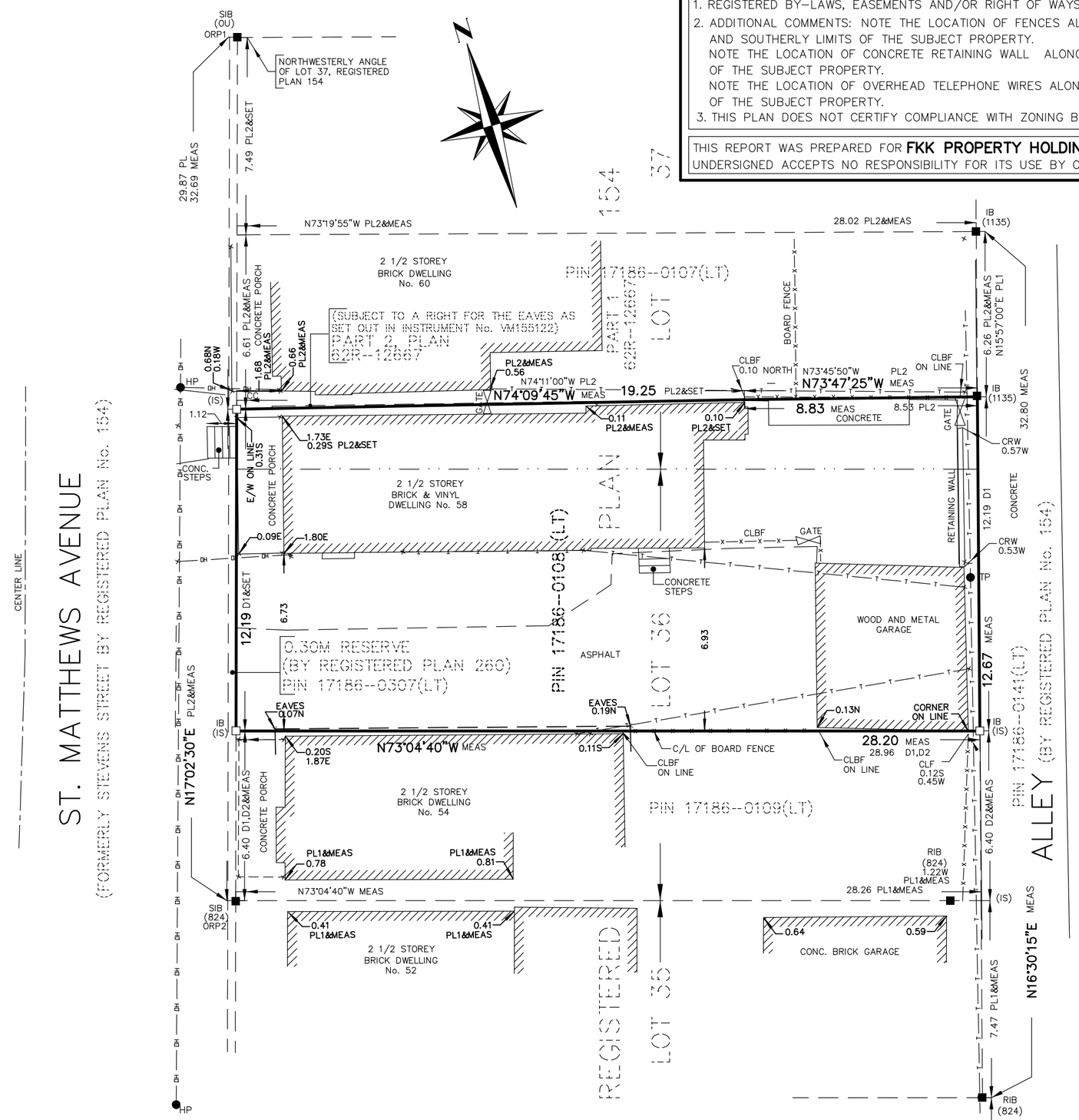
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

MUNICIPAL NO. 58, ST. MATTHEWS AVENUE, HAMILTON

PART 2 (SURVEY REPORT)

1. REGISTERED BY-LAWS, EASEMENTS AND/OR RIGHT OF WAYS: NONE
2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF FENCES ALONG THE NORTHERLY, AND SOUTHERLY LIMITS OF THE SUBJECT PROPERTY.
   NOTE THE LOCATION OF CONCRETE RETAINING WALL ALONG THE EASTERLY LIMIT OF THE SUBJECT PROPERTY.
   NOTE THE LOCATION OF OVERHEAD TELEPHONE WIRES ALONG THE EASTERLY LIMIT OF THE SUBJECT PROPERTY.
3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS REPORT WAS PREPARED FOR **FKK PROPERTY HOLDINGS INC** AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.



SURVEYOR'S REAL PROPERTY REPORT
PART 1 – PLAN OF SURVEY OF PARTS OF LOTS 36 AND 37 REGISTERED PLAN 154
CITY OF HAMILTON

SCALE 1:150

3m 2 1 0 3 6 9 12 15 METRES

KAD LANKA SURVEYING INC. O.L.S. ©

METRIC

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

LEGEND

□	DENOTES MONUMENT SET
■	DENOTES MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
RIB	DENOTES ROUND IRON BAR
CC	DENOTES CUT CROSS
PL	DENOTES REGISTERED PLAN 154
PL1	DENOTES PLAN OF SURVEY BY A. T. MCLAREN O.L.S., DATED JANUARY 26th, 1979.
PL2	DENOTES PLAN 62R–12667
D1	DENOTES INSTRUMENT No. AB118672
D2	DENOTES INSTRUMENT No. VM2940
(ORP)	DENOTES OBSERVED REFERENCE POINT
(824)	DENOTES A.T. McLAREN O.L.S.
(1135)	DENOTES L.G. WOODS O.L.S
(OU)	DENOTES ORIGIN UNKNOWN
(IS)	DENOTES CORNER SET BY INTERSECTION METHOD
CRW	DENOTES CONCRETE RETAINING WALL
CLF	DENOTES CHAIN LINK FENCE
CLBF	DENOTES CENTRELINE OF BOARD FENCE
HP	DENOTES HYDRO POLE
TP	DENOTES TELEPHONE POLE
—OH—	DENOTES OVERHEAD WIRE
—T—	DENOTES TELEPHONE WIRE
—x—	DENOTES FENCE

ALL BUILDING TIES ARE TO THE FACE OF THE WALL UNLESS NOTED OTHERWISE.

BEARING NOTE

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (ORP's) 1 AND 2 BY LEICA SMARTNET (RTK) OBSERVATIONS UTM ZONE 17 NORTH, NAD83 (CSRS)

FOR BEARING COMPARISONS, A ROTATION BEARING OF 00°25'10" COUNTER–CLOCKWISE APPLIED FOR BEARINGS ON PL TO CONVERT TO UTM GRID BEARINGS.

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 30th DAY OF JULY, 2021

03, AUGUST, 2021
DATE

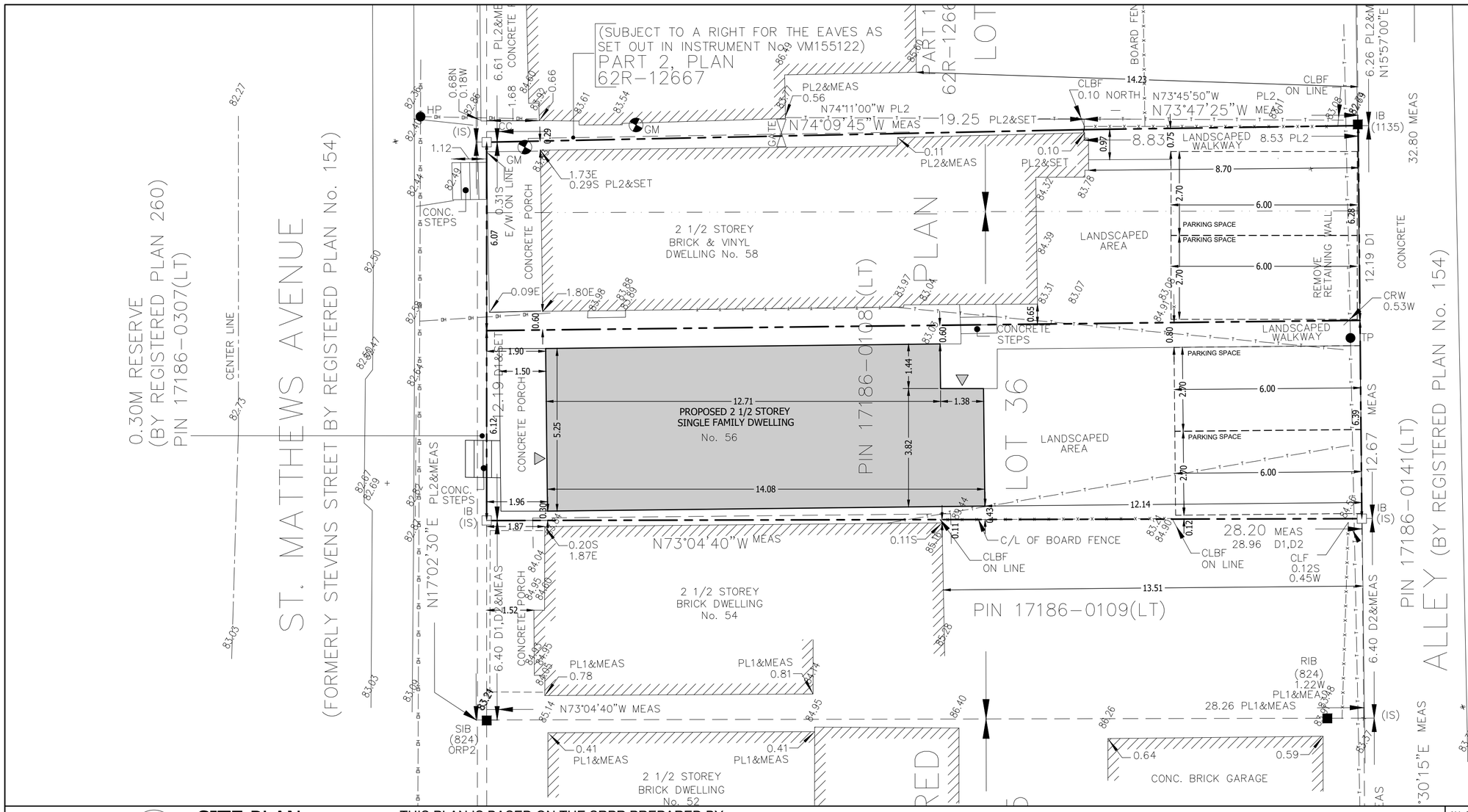
VINEETHA RATHNAYAKE
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2168108

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

KAD LANKA SURVEYING INC.
34, EZRA CRESCENT
BRAMPTON, ON, L7A 5A6
PHONE: 905–493–4523
Email: info@kadlankasurveying.ca

DRAWN BY:	CHECKED BY:	CAD NUMBER:	JOB NUMBER:
V.R.	V.R.	2021–087–SRPR	2021–087



1 SITE PLAN

Scale: 1:100

THIS PLAN IS BASED ON THE SRPR PREPARED BY KAD LANKA SURVEYING INC. ONTARIO LAND SURVEYORS SIGNED BY **VINEETHA RATHNAYAKE** AND DATED ON JULY 30, 2021

2 SITE STATISTICS

City of Hamilton Zoning By-law 6593

TO CREATE NEW LOT AT #56

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	PROPOSED
LOT AREA	360.0 m2	176.28 m2
LOT WIDTH	12.0 m	6.12 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.90 m
NORTH SIDE YARD	1.2 m	0.60 m
SOUTH SIDE YARD	1.2 m	0.30 m
REAR YARD	7.5 m	12.13 m
AREA OF FRONT YARD AREA OF FRONT YARD SOFTSCAPING	50%	11.83 m2 8.39 m2 (29.08% SOFTSCAPING)
MAX. HEIGHT	11.0 OR14.0 m	11.0 m 2 1/2 STORIES, ALLOWS 1.2m SETBACK FROM SIDE PROPERTY LINE
BUILDING HEIGHT TO BE CALCULATED TO DETERMINE A MINIMUM SIDE YARD REQUIREMENT, SHALL MEAN THE VERTICAL DISTANCE BETWEEN THE LOWEST FINISHED GRADE ELEVATION ALONG THE LOT LINE RELATED TO SUCH REQUIRED YARD AT THAT POINT CLOSEST TO THE BUILDING AND THE HORIZONTAL EXTENSION OF THE UPPERMOST POINT OF THE BUILDING.		
REQUIRED PARKING	2 SPACES	2 SPACES
BUILDING COVERAGE	78.86 m2 / 44.74% OF LOT - PORCH NOT INCLUDED	
LANDSCAPED AREA:	56.31 m2 / 31.94% OF LOT	
TOTAL FLOOR AREA:	78.86 m2 x 2.5 STOREYS = 197.15m2	

TO CREATE NEW LOT AT #58, WITH EXISTING SINGLE FAMILY DWELLING

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	EXISTING
LOT AREA	360 m2	174.13 m2
LOT WIDTH	12 m	6.07 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.73 m EXISTING TO REMAIN
NORTH SIDE YARD	1.2 m	0.10 m, EXISTING TO REMAIN
SOUTH SIDE YARD	1.2 m	0.60 m
REAR YARD	7.5 m	8.70 m,EXISTING TO REMAIN
REQUIRED PARKING	2 SPACES	2 SPACES

PROPERTY TO THE SOUTH - #54 AS COMPARISON

"D" URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS		
	PERMITTED	EXISTING
LOT AREA	360 m2	181.18 m2
LOT WIDTH	12 m	6.40 m
SETBACKS		
FRONT (WEST) YARD	6.0 m	1.52 m
NORTH SIDE YARD	1.2 m	0.11 m
SOUTH SIDE YARD	1.2 m	0.73 m
REAR YARD	7.5 m	13.51 m

ALL CONSULTANTS AND CONTRACTORS SHALL CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO FIRST STEP DESIGN.

THIS DRAWING IS COPYRIGHTED INSTRUMENT OF SERVICE AND IT REMAINS THE PROPERTY OF FIRST STEP DESIGN. USE AND REPRODUCTION OF THIS DRAWING IS ALLOWED ONLY WITH THE WRITTEN CONSENT OF FIRST STEP DESIGN.

THE DRAWING IS NOT ISSUED FOR BUILDING PERMIT UNLESS IT IS STAMPED AND SIGNED AND THE DATED REVISION FIELD STATES: ISSUED FOR BUILDING PERMIT.

DO NOT SCALE DRAWING.

LEGEND:

= EXIT FROM DWELLING

92.67 = EXISTING GRADE

NO.	DATE	DESCRIPTION
7		
6		
5		
4	2021 - 12 - 20	ISSUED FOR REVIEW
3	2021 - 11 - 25	ISSUED FOR REVIEW
2	2021 - 11 - 22	ISSUED FOR REVIEW
1	2021 - 11 - 04	ISSUED FOR REVIEW

REVISIONS

NORTH:

First Step Design LIMITED
416-779-9370
www.firststepdesign.ca

PROJECT ADDRESS:

NEW LOT SOUTH OF
58 ST. MATTHEWS AVE.
HAMILTON, ON

DRAWING TITLE:

SITE PLAN

PROJECT NUMBER: 2151

DRAWN BY: CM

DATE: NOVEMBER 2021

SCALE: 1:100

DRAWING NUMBER:

A-1.0

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	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:

see attached

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

By-law provisions in this zone (D) do not match the existing character, lot sizes and built form of the area.

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 36 and 37, Registered Plan 154

58 St. Matthews Ave, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ■ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ■ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

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

owner 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.

Jan 25/22
Date

Signature Property Owner(s)

Jeff Greene
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.19 m
Depth	28.2 m
Area	350.41
Width of street	17 m

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

Existing:

see attached site plan

Proposed

see attached site plan

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

Existing:

see attached site plan

Proposed:

see attached site plan

13. Date of acquisition of subject lands:
August 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.):
duplex

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

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 yes Connected yes

Sanitary Sewer yes Connected yes

Storm Sewers yes

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

Neighbourhoods

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

"D" - URBAN PROTECTED RESIDENTIAL

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)

☐ Yes ☒ No

If yes, please provide the file number:

21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

☐ Yes ☐ No

21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

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 include separate sheet if needed)

consent application submitted concurrently

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

2840146 Ontario Inc.
33 Fenton Way
Brampton, ON L6P 0P4

January 25, 2022

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

Attn: Jamila Sheffield, Secretary Treasurer

Re: APPLICATIONS FOR CONSENT TO SEVER AND MINOR VARIANCE
58 ST. MATTHEWS AVE, HAMILTON
2840146 ONTARIO INC.

On behalf of the property owners, we are pleased to submit applications for consent to sever and minor variance for the existing double lot at 58 St. Matthews Avenue.

Description of the Subject Site

The subject site is located on the east side of St. Matthews Avenue, located in the Landsdale neighbourhood. The subject site is a double lot that is 350.41 square metres in area and has frontages of 12.19 metres along St. Matthews Avenue and 12.67 metres along the rear laneway. The property currently contains a 2.5 storey single-detached dwelling and a driveway that runs along the south side of the dwelling. The driveway leads to a stand-alone garage at the rear of the property. The laneway that runs along the east side of the subject site provides access to parking pads located at the rear of other properties fronting St. Matthews Ave and Cheever Street.

Description of the Proposal

The proposed severance splits the existing double lot into two distinct parcels while retaining the existing dwelling at 58 St. Matthews. A new single-detached dwelling in line with the size and character of the area is proposed on the severed lands (to be addressed as 56 St. Matthews).

A minor variance application is submitted along with the severance. The minor variance application addresses the applicable “D” zoning standards, which do not reflect the lot fabric and built form characteristics that are prevalent in this area. For example, most dwellings along St. Matthews have a front yard setback of 2.0m or less; however, the “D” zoning category requires 6.0m. Also, most of the lots in the area have frontages of approximately 6.0m, whereas the Zoning By-law requires 12.0m. As a result, the requested variances are generally the same for both the retained and severed lands. No changes are proposed to the existing dwelling on

the retained lands; the requested variances will correct grandfathered standards as it relates to the existing dwelling and the variances will maintain the character of the area with respect to the proposed new dwelling.

Similar to the other lots that flank the laneway, parking for the existing dwelling and the new development would be provided at the rear of the property off of the laneway. Each lot would contain a parking pad that could accommodate up to two vehicles. The existing garage will be demolished. This new configuration will allow for improved landscaping around the parking pads in the rear yards. It is noted rear yards for both lots are generously sized and well above the By-law requirement and remain consistent with those of adjacent properties.

Planning Justification

The proposed severance results in lot frontages and lot areas for both the severed and retained lands that are consistent and compatible with other properties on St. Matthews Avenue and in the immediate area.

The proposed dwelling will provide a seamless integration into the existing neighbourhood as the proposed built form and setbacks are consistent and compatible with adjacent and surrounding properties. The property is a double lot where adequate side yard setbacks between both the proposed and existing dwellings can be obtained.

As mentioned previously, the current in-force Zoning By-law is not reflective of the standards in the area. The proposed dwelling will fit simply follow setbacks already prevalent in the immediate vicinity.

The following is the justification for each variance:

Variance	By-Law 6593 Standard	Requested Variance Retained	Requested Variance Severed	Justification
Front Yard Setback	6.0m	1.7m	1.9m	Proposed setbacks are consistent with setbacks in the area and even exceed existing setbacks at neighbours at 60 St. Matthews (1.35m) and at 54 St. Matthews (1.52m)
Side Yard Setback (north)	1.2m	0.1m	0.6m	The existing house on the retained lands is an existing grandfathered condition. The proposed dwelling will be located 1.2m from the existing dwelling and this is in line with and exceeds many setbacks in the area

Side Yard Setback (south)	1.2m	0.6m	0.3m	The proposed south setback for the proposed dwelling is consistent with adjacent side yard setbacks and is consistent with those in the immediate area
Lot Width	12.0m	6.07m	6.12m	The lot width is consistent and compatible with those on the street and in the immediate area. There is a mix of housing types existing on the street and in the area (including smaller lot singles and semis). There are numerous examples of 6.0m lots and smaller in the immediate area. The proposed severance results in lots that are consistent with the neighbourhood fabric.
Lot Area	360sm	174sm	176sm	The lot areas are in line with others in the area as all lot depths are generally the same.
Porch Projection	1.5m	0m	0m	This is an existing condition for most homes along St. Matthews (porches built to street line). The variance on the retained lands is an existing condition and the severed land dwelling shows a porch projection generally in line with the street and actually projects less than the immediate neighbours. The intent is to match the character of the area.
Front Yard Landscaping	50%	0%	0%	This variance is due to the porch projection above. The front yards on the street are generally covered by porches and therefore don't meet this provision. Most front yard landscaping is in the boulevard. Given the large rear yard setbacks provided, there is ample opportunity for new landscaping in the rear yards of each property, which will be an improvement over the existing hardscape conditions.

The following outlines how the minor variances meet the four tests of the Planning Act.

1) Does it maintain the general intent of the Official Plan?

The proposal conforms to the Official Plan. The proposed severance constitutes infill development that is permitted in Neighbourhoods. The proposed dwelling is compatible with the existing character of the area. All aspects of the proposal (lot size, house type, house size, setbacks) are in line with the existing properties in the area. It also meets the housing policies of the Official Plan and will provide additional rental housing to the area. In addition, the

proposed severance meets the lot creation conditions in 1.14.3.1 of the Urban Hamilton Official Plan.

2) Does it maintain the general intent of the Zoning By-law?

As previously mentioned, certain standards from By-law 6593 apply to the site and the surrounding area, however they are outdated and not in line with the character and built form of the neighbourhood. It is anticipated the zoning for this site and the broader area will be updated during the implementation of the new comprehensive By-law to better reflect the existing conditions within area. Despite the "D" zone standards, the intent of the By-law is maintained as the proposal will be consistent with the existing lots and built form character of the area.

3) Is it desirable for the appropriate development or use of the land?

This proposal is sensitive infill that makes use of an underutilized property while providing new rental housing. The proposed dwelling respects and meets the character of the area and has similar zoning standards as all surrounding properties. Most surrounding properties in this area would also not meet the By-law for these standards. Also, the dwelling will be designed to minimize any privacy concerns. It maintains the setbacks in the area and the unit at 54 St. Matthews only has one small non-primary window on its north elevation so there will be no privacy impacts. As for the existing dwelling at 58 St. Matthews, there are two bedroom windows on the south elevation. The new dwelling will be designed with a blank wall condition adjacent to these windows. The intent is for the current owners to maintain ownership of both dwellings as rentals.

4) Is it minor in nature?

Given the site and surrounding context, a new dwelling on this double lot fits the character of the area and is compatible. The requested variances are minor due to the fact that most other properties in the area would also need the same variances if they were preparing development applications.

The severance is also subject to the criteria of Section 51(24) of the Planning Act. The proposal meets this criteria as it is an infill property which makes efficient use of existing services in an urban area. The lot size and configuration is suitable for the proposed severance.

Based on the above, the proposed severance meets the criteria of the Planning Act and the resulting minor variances meet the four tests.

2840146 Ontario Inc.
33 Fenton Way
Brampton, ON L6P 0P4

Project Benefits

Benefits of the proposal include:

- Provision of new infill housing on an underutilized double lot
- Allows for retention of the existing dwelling at 58 St. Matthews
- Both houses (existing and proposed) provide much needed rental housing stock
- There is an opportunity for new landscaping in the rear yards of each property, which will be an improvement over the existing hardscape conditions.
- The removal of the existing driveway (where the new dwelling is proposed) will result in the removal of a curb cut and can provide an additional on-street parking space on St. Matthews Avenue.
- The relocation of the driveway and parking spaces to the rear of the property will improve the streetscape and safety of the sidewalk and will allow for new landscaping along the street.

Submission Materials

Please find enclosed the following in support of the application:

- List of requested variances
- Signed Application Forms
- Site Plan, prepared by First Step Design, dated December 20, 2021;
- Severance Sketch, dated December 2021
- Plan of Survey

We look forward to working with the City on this proposal to provide much needed new infill rental housing.

Yours truly,

Jeff Greene
Gemini Developments

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-22:28**

APPLICANTS: Agent Kevin Webster Design Inc.
Owner Maria Barbosa

SUBJECT PROPERTY: Municipal address **185 Park St. N., Hamilton**

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

ZONING: "D" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new two (2) storey single family dwelling notwithstanding that:

1. A front yard depth of 2.0m shall be provided instead of the minimum required 6.0m front yard depth.

2. A side yard width of 0.6m shall be provided instead of the minimum required 1.2m side yard width.

3. Eaves and gutters shall be permitted to project a maximum of 0.5m into the required side yard and may be as close as 0.1m from the side lot line instead of the maximum 0.3m projection permitted.

4. A rear yard depth of 3.0m shall be provided instead of the minimum required 7.5m rear yard depth.

5. One (1) parking space shall be provided instead of the minimum required two (2) parking spaces.

6. A minimum 2.0m of on-site manoeuvring shall be provided for the required parking space instead of the requirement that a minimum 6.0m manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.

7. A parking space size of 2.7m x 4.0m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.

8. A minimum of 39% of the gross area of the front yard shall be provided as landscaped area instead of the minimum 50% gross area of the front yard required as landscaped area

9. The parking area shall be permitted to occupy 61% of the gross area of the front yard instead of the maximum 50.0% gross area of the front yard permitted for parking purposes.

…/2

NOTES:

i. The Hamilton Zoning By-law 6593 requires parking for a Single Family Dwelling to be provided at a rate of two (2) parking spaces for the first eight (8) habitable rooms, plus an additional 0.5 parking spaces for each habitable room in excess of eight (8). Based on the floor plans provided, less than eight (8) habitable rooms are intended. As such, A minimum of two (2) parking spaces are required to be provided.

ii. The one (1) proposed parking space on-site is intended within the attached garage.

iii. The variance for a reduced side yard width (variance #2 & #3) is intended to apply to both the Northerly and Southerly side yards.

iv. The Hamilton Zoning By-law 6593 permits eaves and gutters to project into a side yard not more than one-half of its required width.

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

DATE:	**Thursday, March 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:

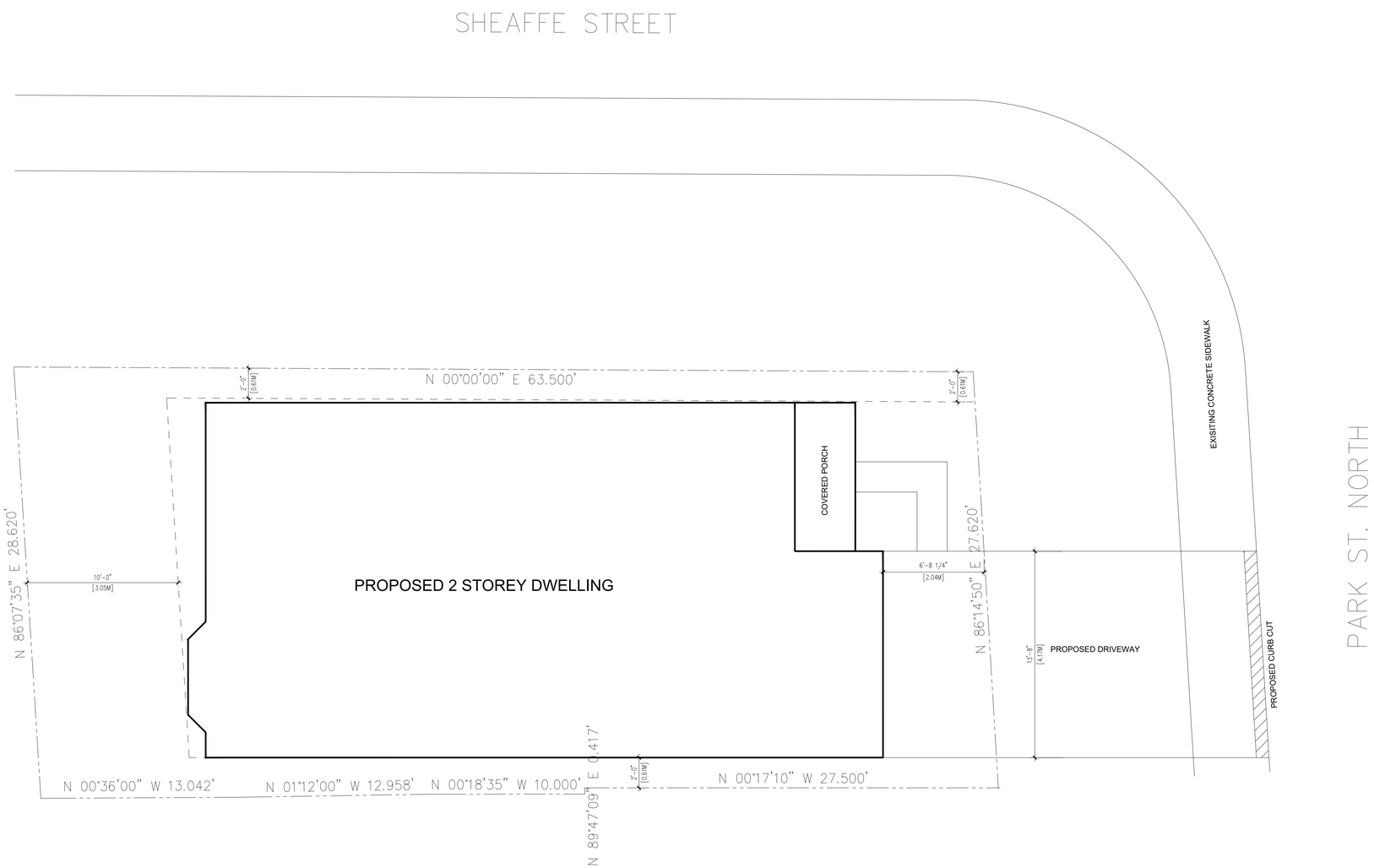
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 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.

ZONING	D		
LOT AREA	1776 S.F. / 164.99 S.M.		
	EXISTING	PROPOSED	REQUIRED
GROSS FLOOR AREA	N/A	1777.8 S.F.	
BUILDING LENGTH	N/A	46'-2" / 12.95 M	
RIGHT SIDE SETBACK	N/A	2'-0" / 0.60 M	4'-0" / 1.2 M
LEFT SIDE SETBACK	N/A	2'-0" / 0.60 M	4'-0" / 1.2 M
FRONT SETBACK	N/A	6'-8" / 2.03 M	19'-8" / 6.0 M
REAR SETBACK	N/A	10'-0" / 3.05 M	24'-8" / 7.5 M
BUILDING HEIGHT	N/A	?	14.0 M MAX.
BUILDING COVERAGE	N/A	1045 S.F. @ 58.84%	



NO.	DESCRIPTION	DATE	BY
0	REVISIONS		

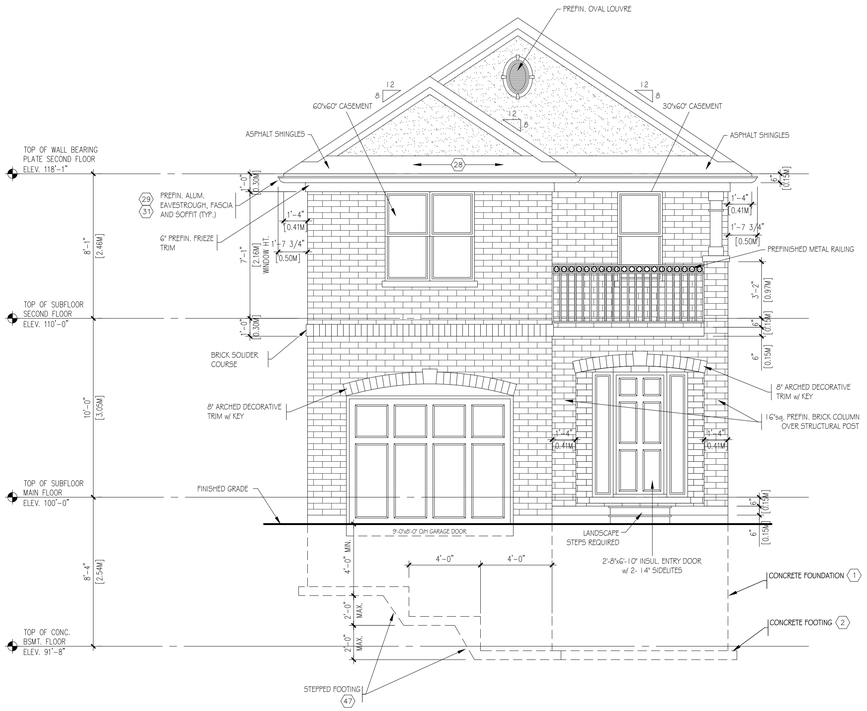
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

KEVIN WEBSTER	SIGNATURE	22560
NAME	REGISTRATION	BCIN
	REQUIRED FIELDS OF PRACTICE: 1.3.4.1.	
	REQUIRED FIELDS OF PRACTICE: 1.3.4.2.	
	REQUIRED FIELDS OF PRACTICE: 1.3.5.1.	
KEVIN WEBSTER DESIGNS INC.	FIRM NAME	34740
FIRM NAME		BCIN

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER DESIGNS INC.

CHECKED BY: KW
DRAWN BY: JM
DRAWING: SITE SURVEY
PROJECT NAME: BARBOSA
PROJECT NO: 00
DATE: DEC/2021
PAGE NO: S5

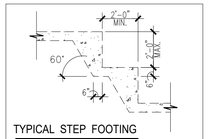


1 FRONT ELEVATION

COMPLIANCE PACKAGE A1

IN ACCORDANCE WITH SB-12 TABLE 3.1.1.2.A OF THE 2012 ONTARIO BUILDING CODE

ELEVATION	TOTAL AREA OF EXPOSED BUILDING FACE	PROPOSED TOTAL WINDOW/DOOR OPENING (EXCLUDING FRONT ENTRY)
FRONT	456.9 SQ.FT.	37.5 SQ.FT.
RIGHT	836.0 SQ.FT.	60.4 SQ.FT.
REAR	456.9 SQ.FT.	141.5 SQ.FT.
LEFT	871.6 SQ.FT.	0.0 SQ.FT.
TOTAL:	2621.4 SQ.FT.	239.4 SQ.FT.
TOTAL % OF WINDOW/DOOR OPENINGS:		9.1 %



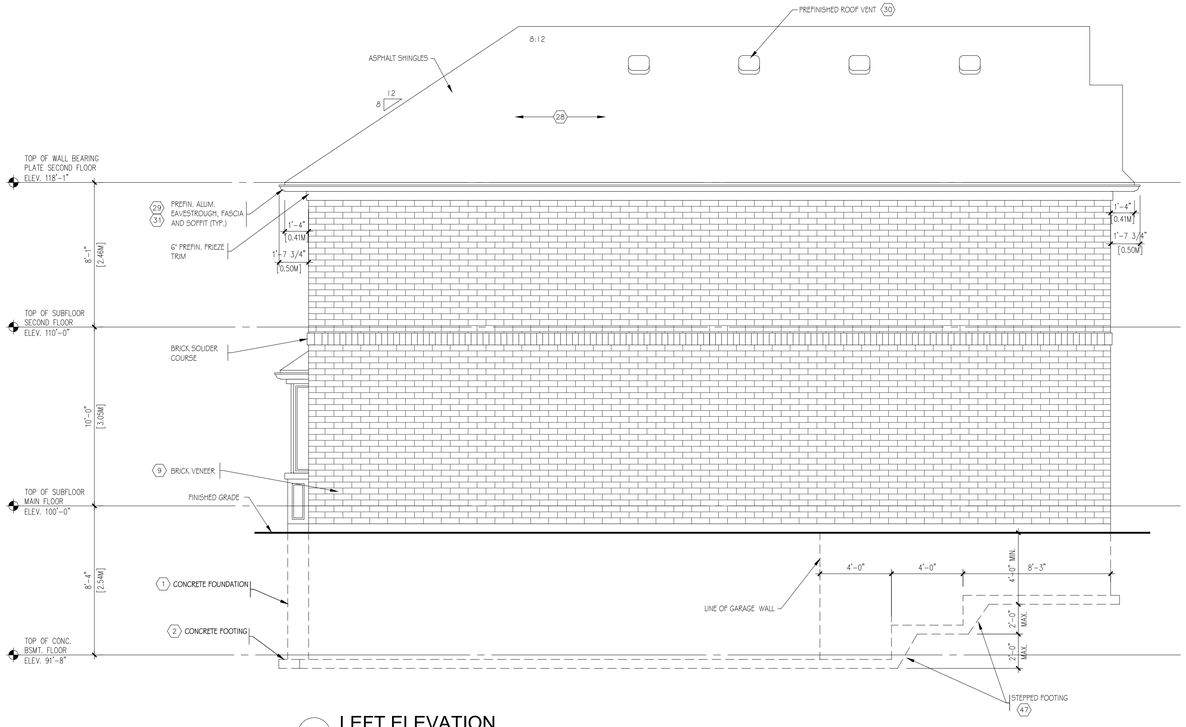
TYPICAL STEP FOOTING

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

TOTAL AREA OF EXPOSED BUILDING FACE . . . . . .= 871.6 sq.ft.

ALLOWABLE GLASS AREA BASED ON 4'-0" SETBACK (7%) . . . . . .= 57.2 sq.ft.

MAX. PROPOSED GLASS AREA . . .= 0.0 sq.ft.



2 LEFT ELEVATION

FLAT ENTRY ROOF/ TERRACE NOTES:

- SLOPE ROOF TO SIDE SCUPPER DRAIN. INSTALL SINGLE PLY NON-SLIP PLYWOOD MEMBRANE ON 5/8" T&G PLYWD ON SLOPED 2"x8" FLOOR JOISTS. WRAP MEMBRANE UP & OVER PARAPET WALL UNDER PRE-FINISHED METAL CAP FLASHING. INSTALL MEMBRANE UNDER SIDING 12" MIN., FASTEN AND SEAL TO SHEATHING.

WALK-OUT & PART WALK-OUT LOTS:

- FOR WALK-OUT AND PART WALK-OUT LOTS, STEP CONCRETE FOUNDATION AS REQ'D FOR PROPOSED GRADES ENSURING A MAX. LATERALLY UNSUPPORTED WALL DIMENSION OF 3'-11".

PATIO & TERRACE DOORS:

- WHERE A PATIO OR TERRACE DOOR THRESHOLD EXCEEDS 23 7/8" ABOVE FINISHED GRADE, PROVIDE AN SB-7 GUARD OR BLOCKING TO PREVENT THE DOOR FROM OPENING MORE THAN 4".

PORCH/BALCONY/DECK GUARDS:

- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KOOL-RAY RAILINGS)

WINDOW SIZES:

- WINDOW SIZES SHOWN ARE APPROXIMATE, REFER TO MANUFACTURERS SPECIFICATIONS FOR EXACT ROUGH OPENING MEASUREMENTS.

REVISIONS: NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/ 2/	JM

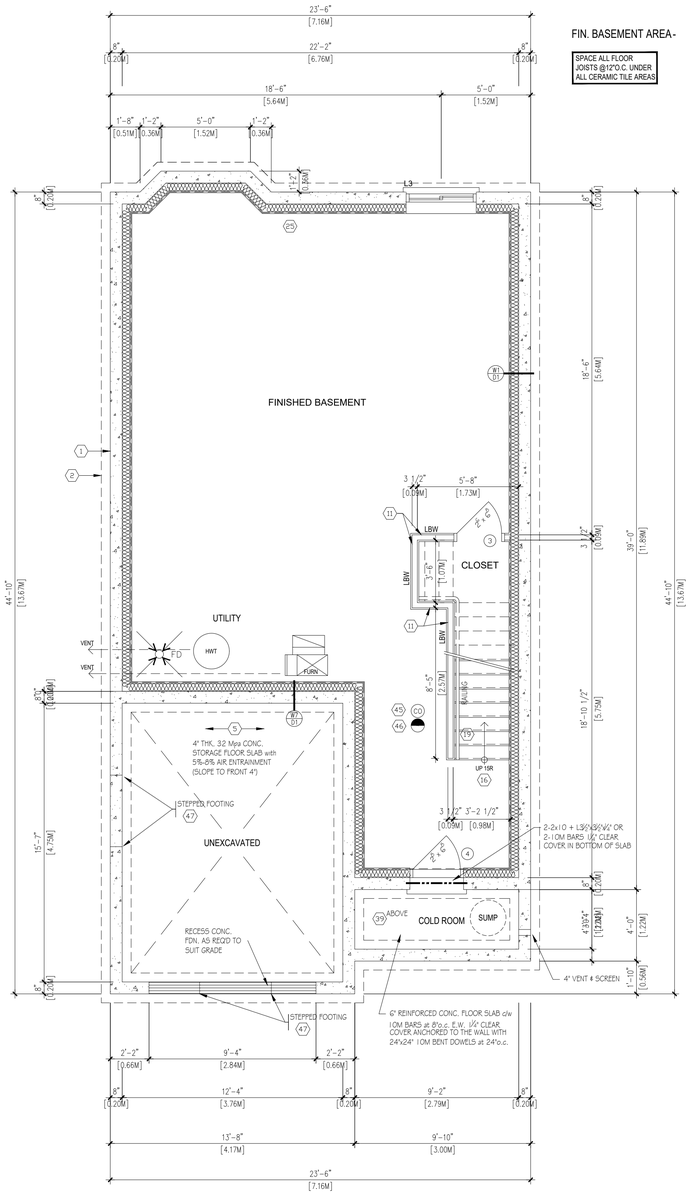
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME	SIGNATURE	REGISTRATION NUMBER	REGISTRATION PROVISION
KEVIN WEBSTER		22460	BCIN
FIRM NAME			BCIN
KEVIN WEBSTER DESIGNS INC.		34740	

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER DESIGNS INC.

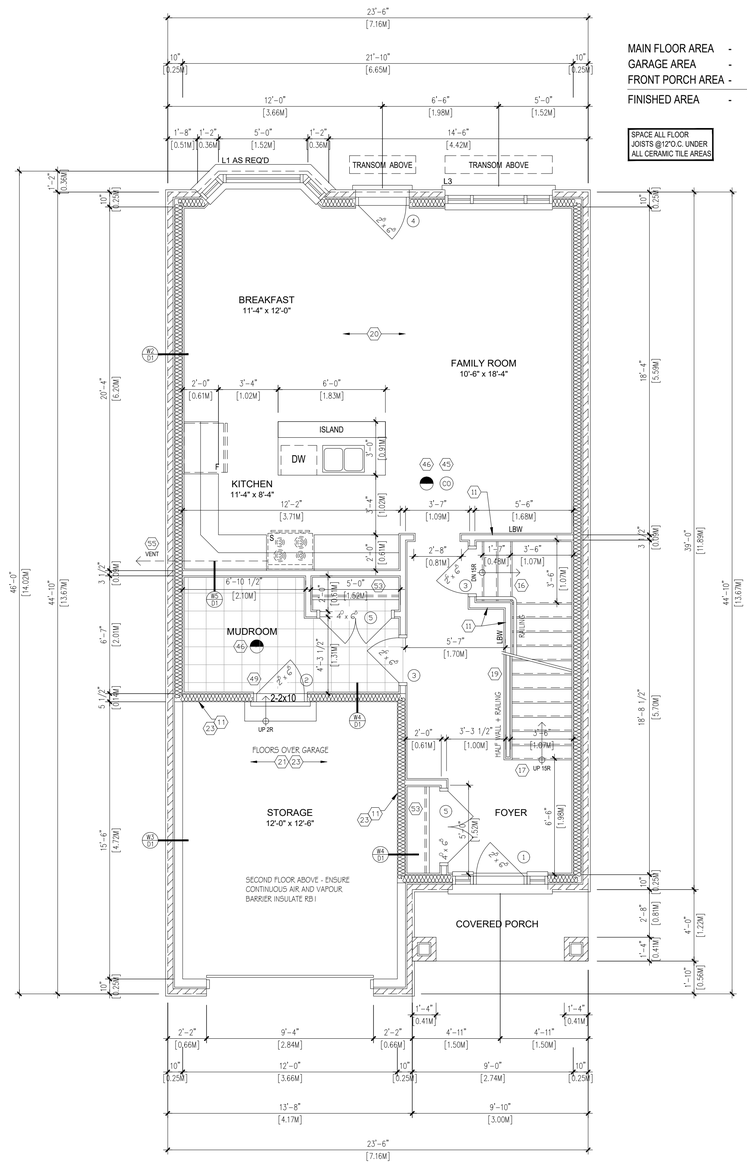
DESIGNED BY:	KW
DRAWN BY:	JM
DRAWING:	ELEVATIONS
PROJECT NAME:	BARBOSA
PROJECT NO:	00
DATE:	DEC/ 2021
PAGE NO:	1 OF 5



FIN. BASEMENT AREA - 788.3 sq.ft.

SPACE ALL FLOOR JOISTS @12"O.C. UNDER ALL CERAMIC TILE AREAS

3 BASEMENT PLAN



MAIN FLOOR AREA - 784.0 sq.ft.
GARAGE AREA - 219.4 sq.ft.
FRONT PORCH AREA - 39.3 sq.ft.
FINISHED AREA - 1042.7 sq.ft.

SPACE ALL FLOOR JOISTS @12"O.C. UNDER ALL CERAMIC TILE AREAS

4 MAIN FLOOR PLAN

M-E LEGEND

- SMOKE DETECTOR
- C.O. DETECTOR
- CEILING MOUNTED EXHAUST FAN (ALL BATHROOMS AND WATER CLOSET ROOMS TO BE MECHANICALLY VENTED) NOTE: VENTILATION TO BE DETERMINED IN CONFORMITY TO O.B.C. (9.32) BY MECHANICAL CONTRACTOR.

MECHANICAL VENTILATION REQUIREMENTS:

- COMPLY WITH THE REQUIREMENTS OF OBC DIV. B 9.32.3, SIZE PER DIV. B PART 6 OR DIV. B 9.32.3.5.
- PROVIDE MANUAL SWITCH FOR PRINCIPAL EXHAUST FAN AND LABEL IT "VENTILATION FAN".
- PROVIDE SUPPLEMENTAL EXHAUST FOR KITCHEN, BATHROOM & WATER CLOSETS AND EXHAUST TO EXTERIOR.
- EXHAUST FANS AS PER OBC 9.32.3.5.
- EXHAUST FANS VENTED TO EXTERIOR TO PROVIDE AT LEAST 1 AIR CHANGE PER HOUR.

FRAMING NOTES:

- ALL INTERIOR STUD WALLS TO BE 2"x4" U.N.O.
- PROVIDE DOUBLE JOIST FRAMING UNDER ALL PARALLEL WALLS ABOVE.
- PROVIDE WOOD BLOCKING REINFORCEMENT TO STUD WALLS FOR 2 FUTURE GRAB BARS IN MAIN BATHROOM TUB/SHOWER.

  1) VERTICAL - LOCATED ON SIDE WALL, 40" LONG, LOWER END AT 24"-25 ½" A.F.F., 2"-3" FROM ADJACENT CLEAR SPACE.

  2) L-SHAPED - LOCATED ON WALL OPPOSITE THE BATHTUB OR SHOWER. 40" LONG HORZ. COMPONENT, 29 ½"- 34 ½" AFF. 29 ½" LONG VERT. COMPONENT, 15 ¾"-19 ¾" FROM SIDE WALL. AS PER O.B.C. DIV. B 9.5.2.3.
- ALL EXTERIOR MASONRY VENEER WALLS TO BE 10" THICK & ALL EXTERIOR SIDING WALLS TO BE 5-1/2" THICK U.N.O.
- PROVIDE BUILT-UP WOOD STUD POST EQUAL TO STUD DEPTH x WIDTH OF BEAM AT BOTH ENDS OF STEEL OR WOOD BEAMS U.N.O.
- DARKENED WALLS ARE LOADBEARING.
- SB: SOLID BEARING POST ASPER OBC 9.17.4.1

GARAGE NOTES:

- PROVIDE R-31 NON-COMBUSTIBLE INSULATION IN FLOOR JOIST CAVITY C/W 6 MIL. POLY V.B. (WARM SIDE) AND 1/2" GYPSUM WALL BOARD TAPED AND SANDED.
- PROVIDE TIGHT FITTING GARAGE MAN DOOR C/W SILL, WEATHER-STRIPPING & SELF-CLOSING DEVICE AS PER O.B.C. 9.10.13.21.
- GARAGE WALLS ADJACENT TO INTERIOR SPACE SHALL BE GASPROOFED & COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING UNIT.

ROOF FRAMING NOTES:

- PROVIDE BUILT-UP WOOD STUD POST EQUAL TO WIDTH OF BEAM / GIRDER UNDER ALL BEAMS GIRDER TRUSSES.
- ROOF AND CEILING FRAMING TO BE AS PER 2012 OBC PART 9.23.13. ALL ROOF RAFTERS TO BE 2" x 6" AT 16" O.C. UNLESS NOTED OTHERWISE. PROVIDE 2"x 4" MIN. COLLAR TIES, WHERE REQUIRED, TO ENSURE RAFTER SPAN DOES NOT EXCEED 12'-9" HORIZONTALLY. COLLAR TIES MORE THAN 7'-10" LONG TO BE LATERALLY SUPPORTED NEAR THEIR CENTRES BY 1" x 4" MIN. CONTINUOUS MEMBERS PERPENDICULAR TO THE COLLAR TIES. FOR AN UNSUPPORTED RIDGE, RAFTERS ARE TO BE TIED TO CEILING JOISTS AT BASE AND NAILED IN ACCORDANCE W/ TABLE 9.23.13.8 TO PREVENT OUTWARD MOVEMENT. WHEN CEILING JOISTS ARE PERPENDICULAR TO RAFTERS, PROVIDE 2x6 RAFTER TIES (OR OUTRIGGERS) EVERY 3'-11" (MAX.) NAILED TO RAFTERS AS PER TABLE 9.23.13.8.
- OVERFRAMED RAFTERS TO BE SUPPORTED ON LOWER RAFTERS BY 2x4 PROPS @ 24" E.W. OR DOUBLE LOWER RAFTERS WHERE THEY SUPPORT OVERFRAMED RAFTERS.
- CEILING BEAMS DESIGNED ASSUMING NO LOADING FROM UPPER ROOF U.N.O. IF NOTED, CONTACT ENGINEER.
- PROVIDE ROOF TIES AS REQUIRED.
- DARKENED WALLS REPRESENT LOAD BEARING WALLS.
- ALL ROOF OVERHANGS TO BE 1'-0" (1'-6" FOR MODERN ELEV. "E") U.N.O.

TRUSS MANUFACTURER NOTE:

- TRUSS MANUF. TO VERIFY ALL STEEL BEAMS AND LINTEL SIZES SUPPORTING ROOF LOADS.
- TRUSS MANUF. TO PROVIDE ROOF TRUSS DRAWINGS FOR REVIEW PRIOR TO TRUSS MANUFACTURING.

SPECIFICATIONS NOTE:

- REFER TO PAGES AT END OF PACKAGE FOR STANDARD FOUNDATION & FRAMING NOTES, O.B.C. REQUIREMENTS AND TYP. CONSTRUCTION ASSEMBLIES.

ROOF VENTILATION:

- VENT ROOF SPACE TO EXTERIOR BY VENTED AREA NOT LESS THAN 1/300 OF INSULATED CEILING AREA.

FLAT ENTRY ROOF/ TERRACE NOTES:

- SLOPE ROOF TO SIDE SCUPPER DRAIN. INSTALL SINGLE PLY NON-SLIP PLYWOOD MEMBRANE ON 5/8" T&G PLYWD ON SLOPED 2"x8" FLOOR JOISTS. WRAP MEMBRANE UP & OVER PARAPET WALL UNDER PRE-FINISHED METAL CAP FLASHING. INSTALL MEMBRANE UNDER SIDING 12" MIN., FASTEN AND SEAL TO SHEATHING.

PATIO & TERRACE DOORS:

- WHERE A PATIO OR TERRACE DOOR THRESHOLD EXCEEDS 23 ⅝" ABOVE FINISHED GRADE, PROVIDE AN SB-7 GUARD OR BLOCKING TO PREVENT THE DOOR FROM OPG MORE THAN 4".

PORCH/BALCONY/DECK GUARDS:

- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KOOL-RAY RAILINGS)

WINDOW SIZES:

- WINDOW SIZES SHOWN ARE APPROXIMATE, REFER TO MANUFACTURERS SPECIFICATIONS FOR EXACT ROUGH OPENING MEASUREMENTS.

REVISIONS: NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM

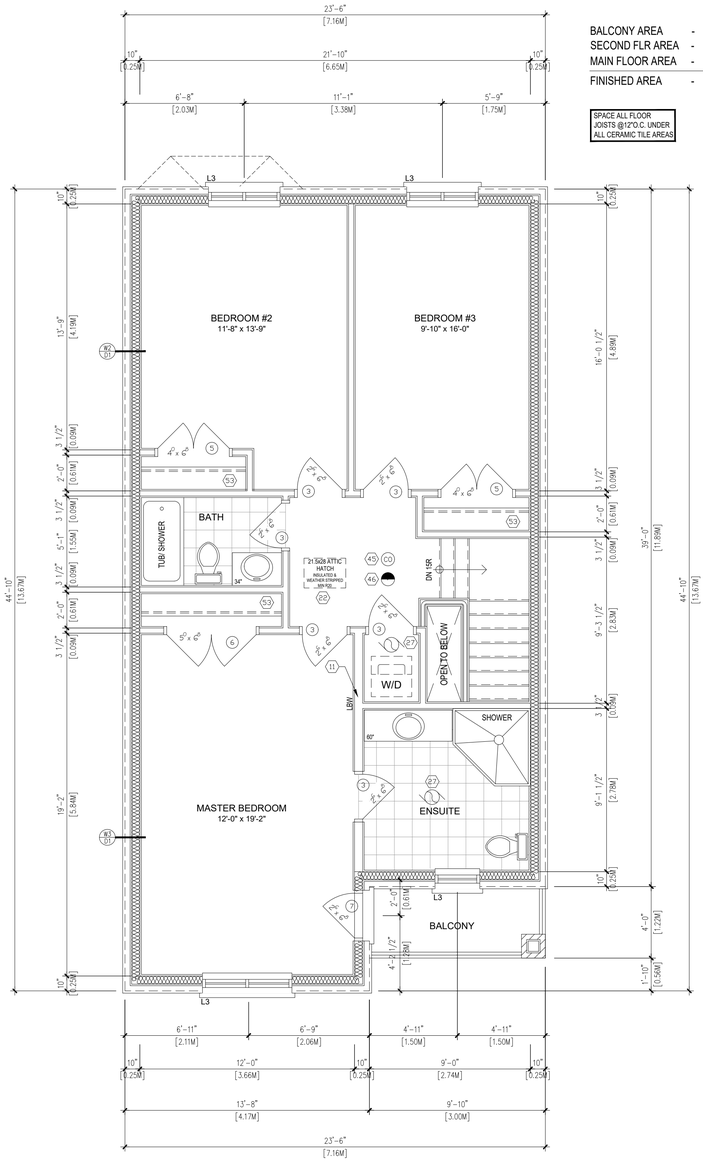
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME	SIGNATURE	RELEVANT OBC PROVISIONS	REGISTRATION INFORMATION
KEVIN WEBSTER		3.2.4.1. PART 3 OF DIV. C	22460 BCIN
KEVIN WEBSTER DESIGNS INC.		3.2.5.1. PART 3 OF DIV. C	34742 BCIN

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER DESIGNS INC.

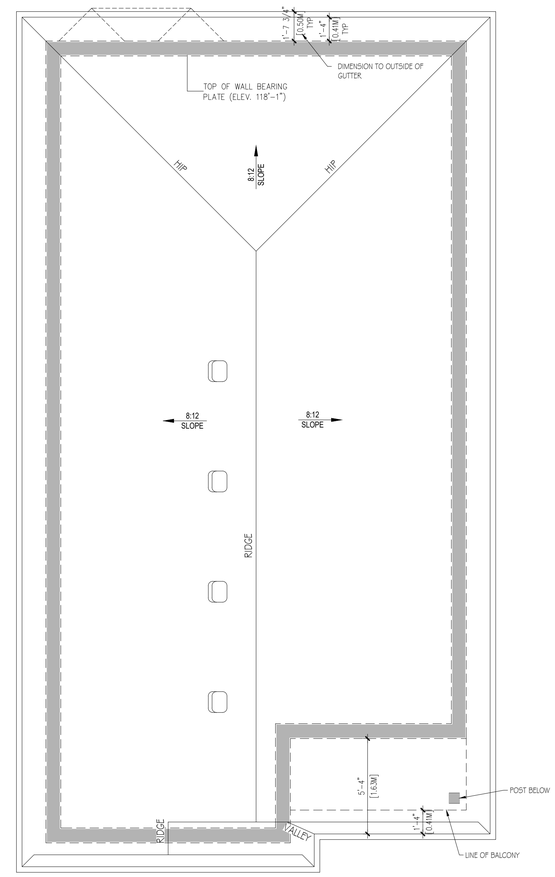
CHECKED BY: KW
DRAWN BY: JM
DRAWING: FLOOR PLANS
PROJECT NAME: BARBOSA
PROJECT NO: 00
DATE: DEC / 2021
PAGE NO: 2 OF 5



BALCONY AREA	-	39.3 sq.ft.
SECOND FLR AREA	-	996.2 sq.ft.
MAIN FLOOR AREA	-	1042.7 sq.ft.
FINISHED AREA	-	2078.2 sq.ft.

SPACE ALL FLOOR JOISTS @12"O.C. UNDER ALL CERAMIC TILE AREAS

5 SECOND FLOOR PLAN



6 ROOF PLAN

TRUSS MANUFACTURER NOTE:
TRUSS MANUFACTURER TO VERIFY ALL STEEL BEAMS AND LINTEL SIZES SUPPORTING ROOF LOADS.

TRUSS MANUFACTURER TO PROVIDE ROOF TRUSS DRAWINGS FOR REVIEW PRIOR TO TRUSS MANUFACTURING.

M-E LEGEND

- SMOKE DETECTOR
- C.O. DETECTOR
- CEILING MOUNTED EXHAUST FAN (ALL BATHROOMS AND WATER CLOSET ROOMS TO BE MECHANICALLY VENTED) NOTE: VENTILATION TO BE DETERMINED IN CONFORMITY TO O.B.C. (9.32) BY MECHANICAL CONTRACTOR.

MECHANICAL VENTILATION REQUIREMENTS:

- COMPLY WITH THE REQUIREMENTS OF OBC DIV. B 9.32.3, SIZE PER DIV. B PART 6 OR DIV. B 9.32.3.5.
- PROVIDE MANUAL SWITCH FOR PRINCIPAL EXHAUST FAN AND LABEL IT "VENTILATION FAN".
- PROVIDE SUPPLEMENTAL EXHAUST FOR KITCHEN, BATHROOM & WATER CLOSETS AND EXHAUST TO EXTERIOR.
- EXHAUST FANS AS PER OBC 9.32.3.5.
- EXHAUST FANS VENTED TO EXTERIOR TO PROVIDE AT LEAST 1 AIR CHANGE PER HOUR.

FRAMING NOTES:

- ALL INTERIOR STUD WALLS TO BE 2"x4" U.N.O.
- PROVIDE DOUBLE JOIST FRAMING UNDER ALL PARALLEL WALLS ABOVE.
- PROVIDE WOOD BLOCKING REINFORCEMENT TO STUD WALLS FOR 2 FUTURE GRAB BARS IN MAIN BATHROOM TUB/SHOWER.
  1) VERTICAL - LOCATED ON SIDE WALL. 40" LONG, LOWER END AT 24"-25 ½" A.F.F., 2"-3" FROM ADJACENT CLEAR SPACE.
  2) L-SHAPED - LOCATED ON WALL OPPOSITE THE BATHTUB OR SHOWER. 40" LONG HORZ. COMPONENT, 29 ½"- 34 ½" AFF. 29 ½" LONG VERT. COMPONENT, 15 ¾"-19 ½" FROM SIDE WALL. AS PER O.B.C. DIV. B 9.5.2.3.
- ALL EXTERIOR MASONRY VENEER WALLS TO BE 10" THICK & ALL EXTERIOR SIDING WALLS TO BE 5-1/2" THICK U.N.O.
- PROVIDE BUILT-UP WOOD STUD POST EQUAL TO STUD DEPTH x WIDTH OF BEAM AT BOTH ENDS OF STEEL OR WOOD BEAMS U.N.O.
- DARKENED WALLS ARE LOADBEARING.
- SB: SOLID BEARING POST ASPER OBC 9.17.4.1

GARAGE NOTES:

- PROVIDE R-31 NON-COMBUSTIBLE INSULATION IN FLOOR JOIST CAVITY C/W 6 MIL. POLY V.B. (WARM SIDE) AND 1/2" GYPSUM WALL BOARD TAPED AND SANDED.
- PROVIDE TIGHT FITTING GARAGE MAN DOOR C/W SILL, WEATHER-STRIPPING & SELF-CLOSING DEVICE AS PER O.B.C. 9.10.13.21.
- GARAGE WALLS ADJACENT TO INTERIOR SPACE SHALL BE GASPROOFED & COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING UNIT.

ROOF FRAMING NOTES:

- PROVIDE BUILT-UP WOOD STUD POST EQUAL TO WIDTH OF BEAM / GIRDER UNDER ALL BEAMS GIRDER TRUSSES.
- ROOF AND CEILING FRAMING TO BE AS PER 2012 OBC PART 9.23.13. ALL ROOF RAFTERS TO BE 2" x 6" AT 16" O.C. UNLESS NOTED OTHERWISE PROVIDE 2" x 4" MIN. COLLAR TIES. WHERE REQUIRED, TO ENSURE RAFTER SPAN DOES NOT EXCEED 12'-9" HORIZONTALLY. COLLAR TIES MORE THAN 7'-10" LONG TO BE LATERALLY SUPPORTED NEAR THEIR CENTRES BY 1" x 4" MIN. CONTINUOUS MEMBERS PERPENDICULAR TO THE COLLAR TIES. FOR AN UNSUPPORTED RIDGE, RAFTERS ARE TO BE TIED TO CEILING JOISTS AT BASE AND NAILED IN ACCORDANCE W/ TABLE 9.23.13.8 TO PREVENT OUTWARD MOVEMENT. WHEN CEILING JOISTS ARE PERPENDICULAR TO RAFTERS, PROVIDE 2x6 RAFTER TIES (OR OUTRIGGERS) EVERY 3'-11" (MAX.) NAILED TO RAFTERS AS PER TABLE 9.23.13.8.
- OVERFRAMED RAFTERS TO BE SUPPORTED ON LOWER RAFTERS BY 2x4 PROPS @ 24" E.W. OR DOUBLE LOWER RAFTERS WHERE THEY SUPPORT OVERFRAMED RAFTERS.
- CEILING BEAMS DESIGNED ASSUMING NO LOADING FROM UPPER ROOF U.N.O. IF NOTED, CONTACT ENGINEER.
- PROVIDE ROOF TIES AS REQUIRED.
- DARKENED WALLS REPRESENT LOAD BEARING WALLS.
- ALL ROOF OVERHANGS TO BE 1'-0" (1'-6" FOR MODERN ELEV. "E") U.N.O.

TRUSS MANUFACTURER NOTE:

- TRUSS MANUF. TO VERIFY ALL STEEL BEAMS AND LINTEL SIZES SUPPORTING ROOF LOADS.
- TRUSS MANUF. TO PROVIDE ROOF TRUSS DRAWINGS FOR REVIEW PRIOR TO TRUSS MANUFACTURING.

SPECIFICATIONS NOTE:

- REFER TO PAGES AT END OF PACKAGE FOR STANDARD FOUNDATION & FRAMING NOTES, O.B.C. REQUIREMENTS AND TYP. CONSTRUCTION ASSEMBLIES.

ROOF VENTILATION:

- VENT ROOF SPACE TO EXTERIOR BY VENTED AREA NOT LESS THAN 1/300 OF INSULATED CEILING AREA.

FLAT ENTRY ROOF/ TERRACE NOTES:

- SLOPE ROOF TO SIDE SCUPPER DRAIN. INSTALL SINGLE PLY NON-SLIP PLYWOOD MEMBRANE ON 5/8" T&G PLYWD ON SLOPED 2"x8" FLOOR JOISTS. WRAP MEMBRANE UP & OVER PARAPET WALL UNDER PRE-FINISHED METAL CAP FLASHING. INSTALL MEMBRANE UNDER SIDING 12" MIN., FASTEN AND SEAL TO SHEATHING.

PATIO & TERRACE DOORS:

- WHERE A PATIO OR TERRACE DOOR THRESHOLD EXCEEDS 23 ⅝" ABOVE FINISHED GRADE, PROVIDE AN SB-7 GUARD OR BLOCKING TO PREVENT THE DOOR FROM OPG MORE THAN 4".

PORCH/BALCONY/DECK GUARDS:

- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KOOL-RAY RAILINGS)

WINDOW SIZES:

- WINDOW SIZES SHOWN ARE APPROXIMATE, REFER TO MANUFACTURERS SPECIFICATIONS FOR EXACT ROUGH OPENING MEASUREMENTS.

REVISIONS: NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM

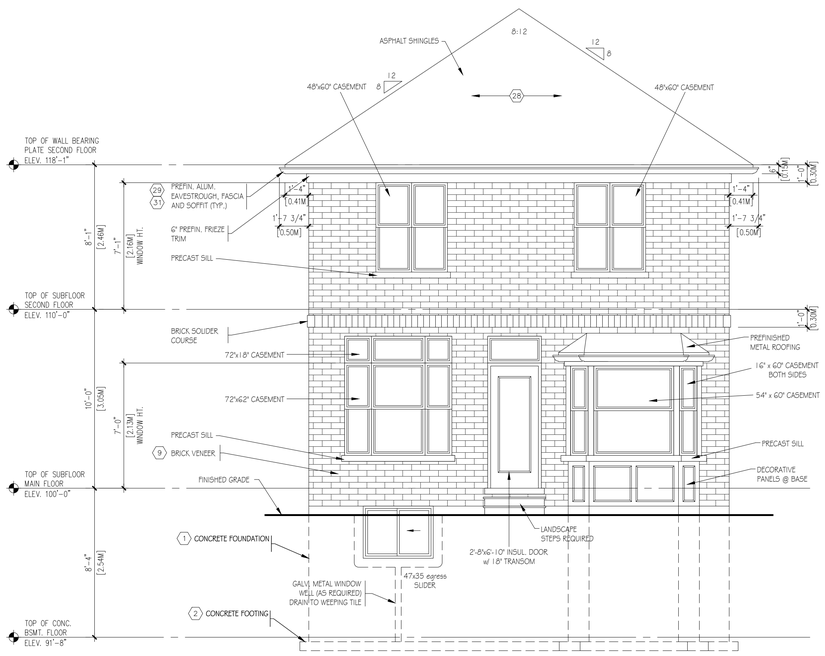
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME	SIGNATURE	REGISTRATION NUMBER
KEVIN WEBSTER		22460 BCIN
KEVIN WEBSTER DESIGNS INC.		34740 BCIN

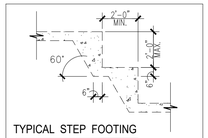
68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

CHECKED BY: KW
DRAWN BY: JM
DRAWING: FLOOR PLANS
PROJECT NAME: BARBOSA
PROJECT NO: 00
DATE: DEC / 2021
PAGE NO: 3 OF 5



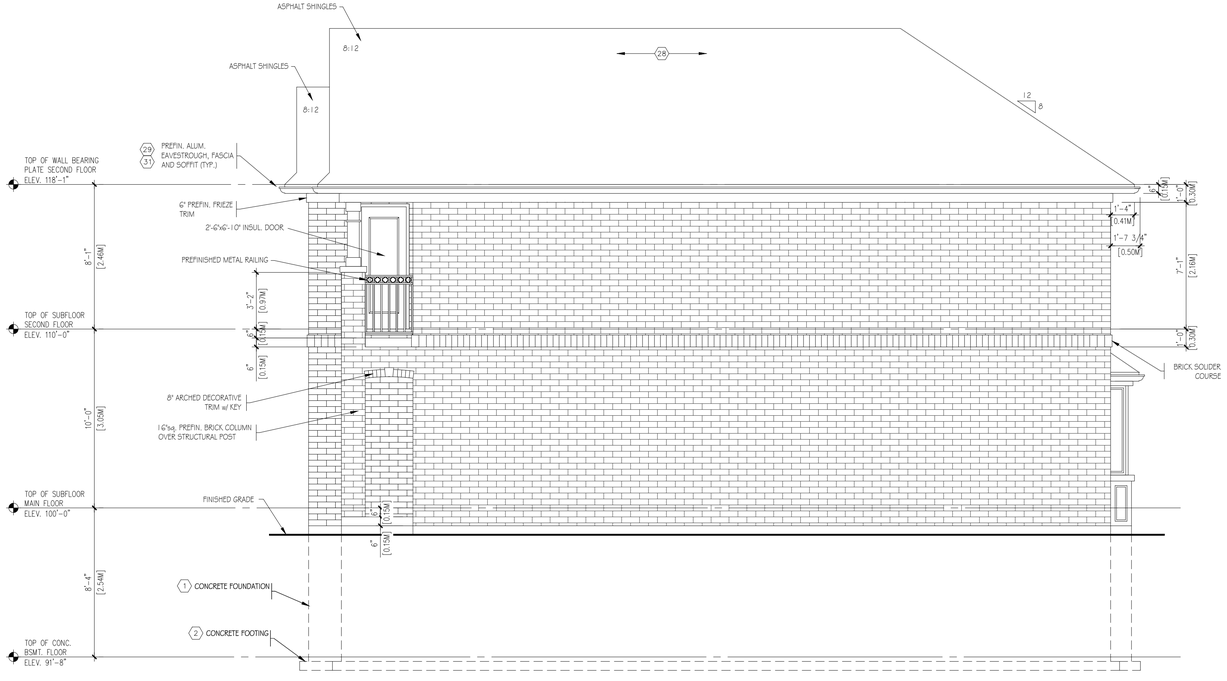
7 REAR ELEVATION



TYPICAL STEP FOOTING

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

TOTAL AREA OF EXPOSED BUILDING FACE	=	836.0 sq.ft.
ALLOWABLE GLASS AREA BASED ON 4'-0" SETBACK (7%)	=	60.4 sq.ft.
MAX. PROPOSED GLASS AREA . . .	=	19.8 sq.ft.



8 RIGHT ELEVATION

FLAT ENTRY ROOF/ TERRACE NOTES:

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WALK-OUT & PART WALK-OUT LOTS:

- FOR WALK-OUT AND PART WALK-OUT LOTS, STEP CONCRETE FOUNDATION AS REQ'D FOR PROPOSED GRADES ENSURING A MAX. LATERALLY UNSUPPORTED WALL DIMENSION OF 3'-11".

PATIO & TERRACE DOORS:

- WHERE A PATIO OR TERRACE DOOR THRESHOLD EXCEEDS 23 ⅞" ABOVE FINISHED GRADE, PROVIDE AN SB-7 GUARD OR BLOCKING TO PREVENT THE DOOR FROM OPENING MORE THAN 4".

PORCH/BALCONY/DECK GUARDS:

- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KOOL-RAY RAILINGS)

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1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM

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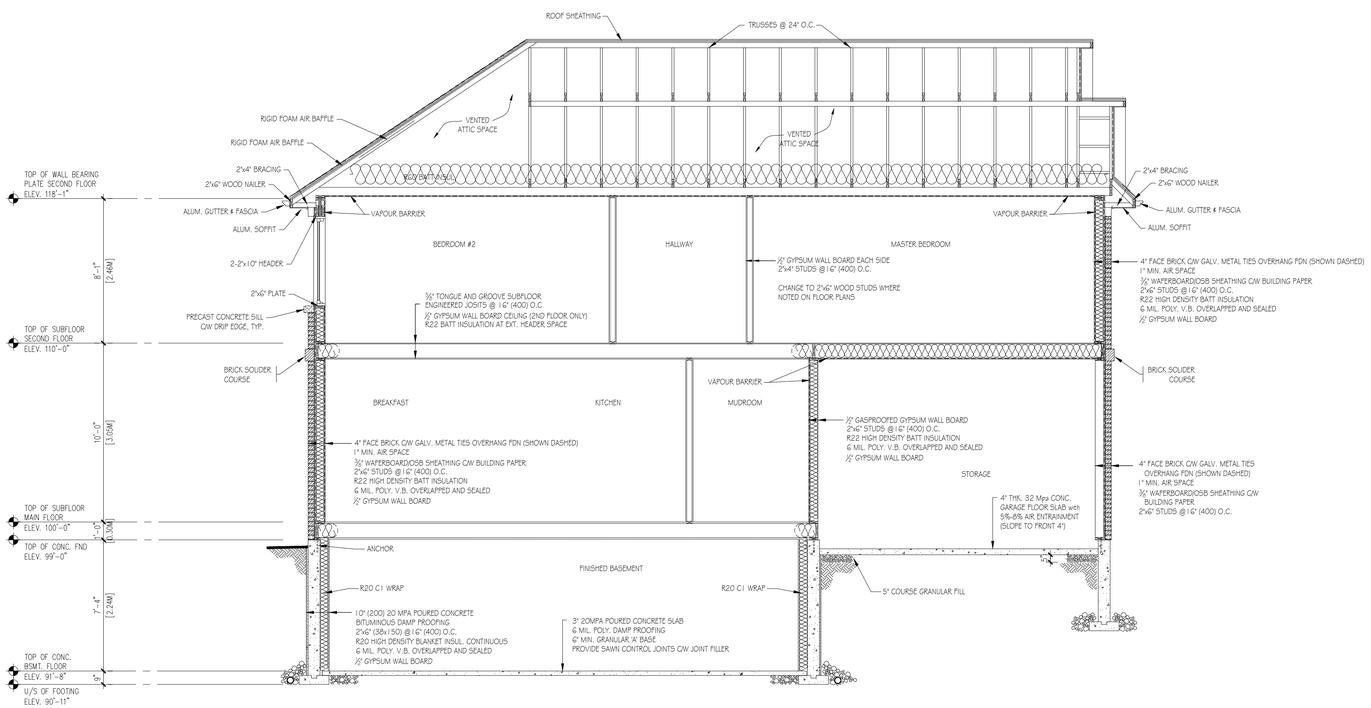
KEVIN WEBSTER NAME	SIGNATURE	22460 BCIN
KEVIN WEBSTER DESIGNS INC. FIRM NAME		34740 BCIN

RESPONSIBLE DESIGNER FOR: BUILDING, STRUCTURAL, HVAC, PLUMBING, FIRE PROTECTION, FIRE ALARM & DETECTION SYSTEMS, LEVEL 1 & 2 PLANS REVIEW, LEVEL 1 & 2 SITE PLAN REVIEW, LEVEL 1 & 2 SITE SERVICING REVIEW, LEVEL 1 & 2 SITE GRADING REVIEW, LEVEL 1 & 2 SITE SERVICING & GRADING REVIEW, LEVEL 3 & 4 BUILDING REVIEW

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

PROJECT NO:	00
DATE:	DEC/2021
PAGE NO:	4 OF 5
DRAWN BY:	JM
DRAWING:	ELEVATIONS
PROJECT NAME:	BARBOSA
CHECKED BY:	KW



REVISIONS:			
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM

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

KEVIN WEBSTER	REGISTRATION NUMBER	22480
NAME	SIGNATURE	REGISTRATION NUMBER
KEVIN WEBSTER DESIGNS INC.	FIRM NAME	34740 REGISTRATION NUMBER

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER DESIGNS INC.

PROJECT NO. 00	DRAWN BY: JM	CHECKED BY: KW	
DATE: DEC/2021	DRAWING: BUILDING SECTION		
PAGE NO: 5 OF 5	PROJECT NAME: BARBOSA		

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)	[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:

1. REQUIRE 6.0 m FRONT SETBACK - PROPOSED 2.04m
2. REQUIRE 1.2m SIDE SETBACK - PROPOSED 0.60m EACH SIDE
3. REQUIRE 7.5m REAR SETBACK - PROPOSED 3.05m

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

THE PROPERTY IS VERY SMALL TO FIT AN ADEQUATE SIZED DWELLING. THE PROPERTY TO THE SOUTH HAS MINIMAL SET BACKS.

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 1, BLOCK 25 - 185 PARK ST. NORTH
REGISTERED PLAN 127
IN THE 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 ○

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

Yes ( ) No (✓) Unknown ( )

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

COMMON KNOWLEDGE

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

Is the previous use inventory attached? Yes ☐ No ☐

9. ACKNOWLEDGEMENT CLAUSE

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

NOV. 5/21
Date

X Maria Barbosa
Signature Property Owner(s)

MARIO BARBOSA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	8.419 m
Depth	19.355 m
Area	164.99 SQ.m
Width of street	20 m

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

Existing:

EXISTING PROPERTY IS A VACANT LOT

Proposed

2 STOREY DWELLING.
784 SQ.FT GROUND FLOOR
219.4 SQ.FT GARAGE AREA
996.2 SQ.FT SECOND FLOOR

GROSS AREA: 2078.2 S.F.
HEIGHT: 9.2 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: N/A

Proposed:

FRONT 2.04 m
LEFT 0.60 m
RIGHT 0.60 m
REAR 3.05 m

13. Date of acquisition of subject lands:
FEB. 2021

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

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

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:
SINLE EVER.

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

Water	☑	Connected	☐	NO
Sanitary Sewer	☑	Connected	☐	NO
Storm Sewers	☐			

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

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

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

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

23. Additional Information

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

Hamilton

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: **HM/A-22:29**

APPLICANTS: Agent Christine Brown
Owner Christopher O'Neill

SUBJECT PROPERTY: Municipal address **22 Blythe St., Hamilton**

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

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

PROPOSAL: To permit the construction of a second storey balcony to the existing single-family dwelling notwithstanding that;

1. To permit the proposed balcony to encroach a maximum of 4.4 m into the 6.0 m required front yard depth instead of the maximum permitted 1.0 m; and

2. To permit the proposed balcony to encroach a maximum of 0.92 m into the required 1.2 m side yard instead of the maximum permitted 0.4 m.

Note:

Variances were written as requested by the applicant.

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

DATE: **Thursday, March 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.

…/2

MORE INFORMATION

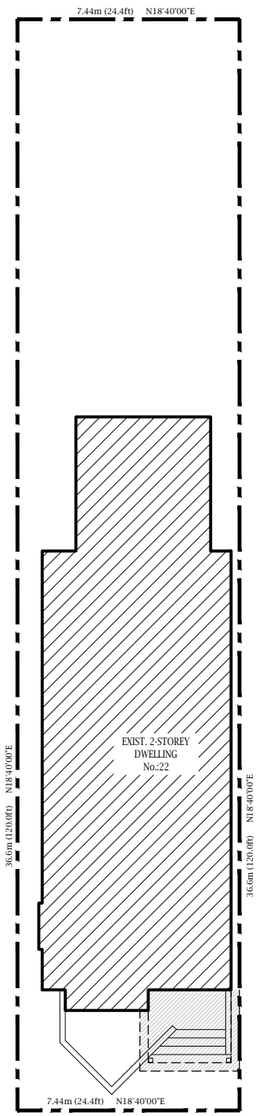
For more information on this matter, including access to drawings illustrating this request:

- 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

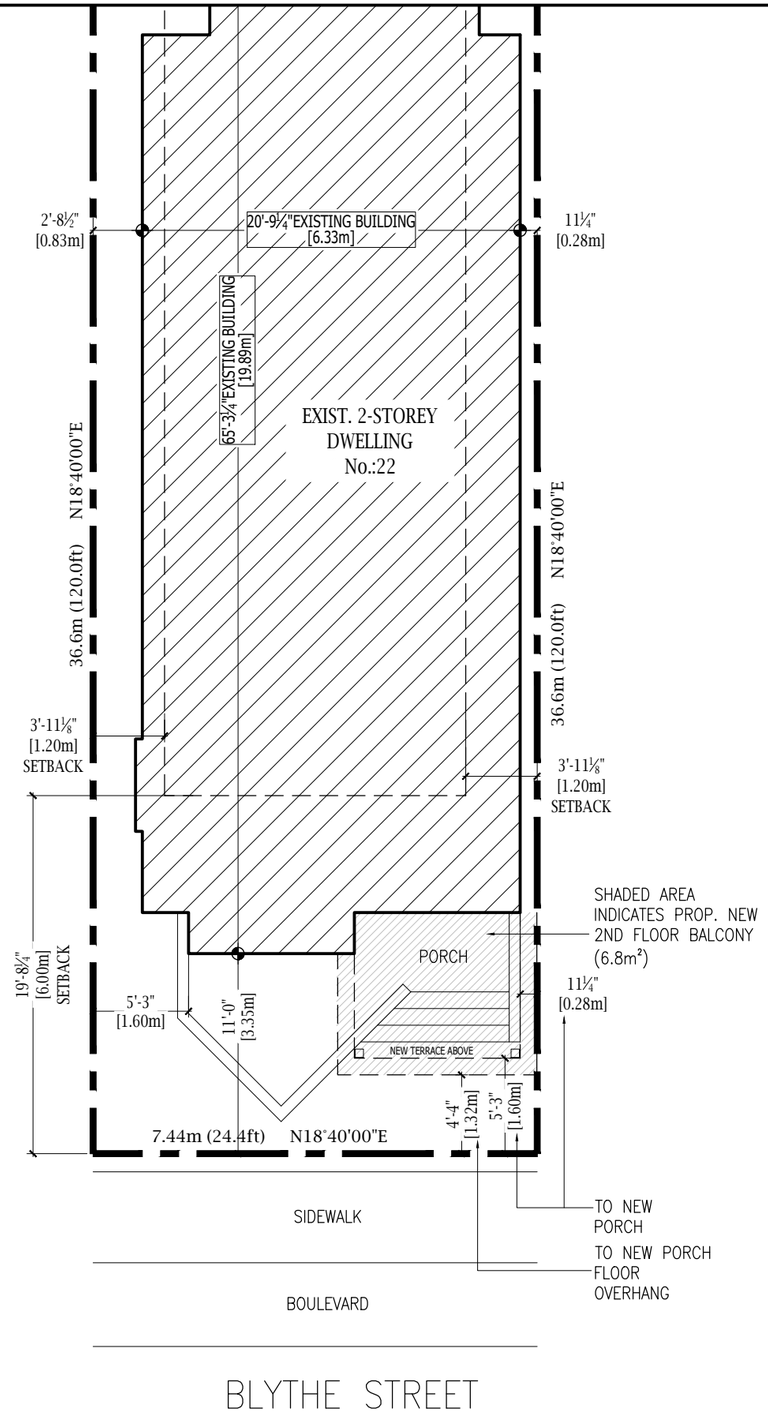
DATED: February 15th, 2022.

_____
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

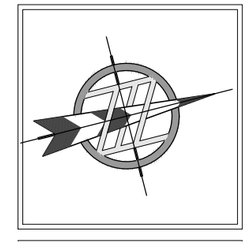
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



1 SP1.01 SITE PLAN - OVERVIEW
1:200



1 SP1.01 SITE PLAN - OVERVIEW
1:100



SITE PLAN LEGEND:	
	PROPERTY LINE
	BUILDING ENVELOPE
	EXISTING TO BE REMOVED
	PROPOSED SOLID HOARDING
	PROPOSED FRAMED HOARDING
WAT	NEW WATER LINE
SAN	NEW SANITARY LINE
GAS	NEW NATURAL GAS LINE
HYD	NEW BURIED HYDRO VAULT
SP1	NEW SUMP LINE TO GRADE
	CONSTRUCTION ACCESS
95.95	EXISTING GRADE
100.00	PROPOSED FINISHED GRADE
	MAIN ENTRY, FRONT DOOR
	SECONDARY ENTRANCE
	EXISTING BUILDING TO REMAIN
	PROPOSED NEW CONSTRUCTION
	PROPOSED NEW DRIVEWAY
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
RWL	RAIN WATER LEADERS

Drawings must NOT be scaled. 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.

REF.	DATE:	DESCRIPTION:
3	01.12.22	ISSUED FOR COA
2	12.06.21	ISSUED FOR DESIGNS
1	11.29.21	ISSUED FOR ASBUILTS

MY HOUSE DESIGNS
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

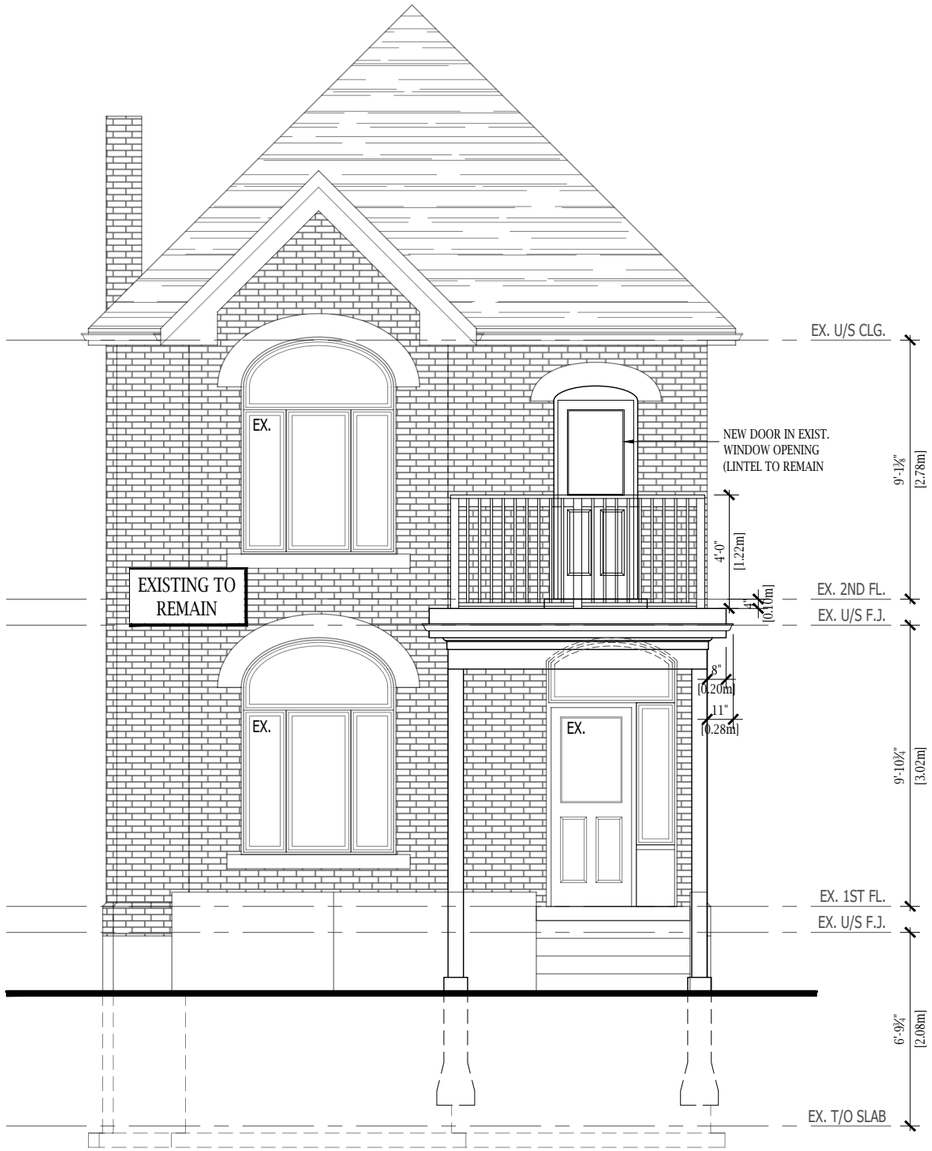
	BCIN
CHRISTINE BROWN	37240
MY HOUSE DESIGNS	113120

CLIENT:
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET
CITY: HAMILTON, ONTARIO, L8N 2W4

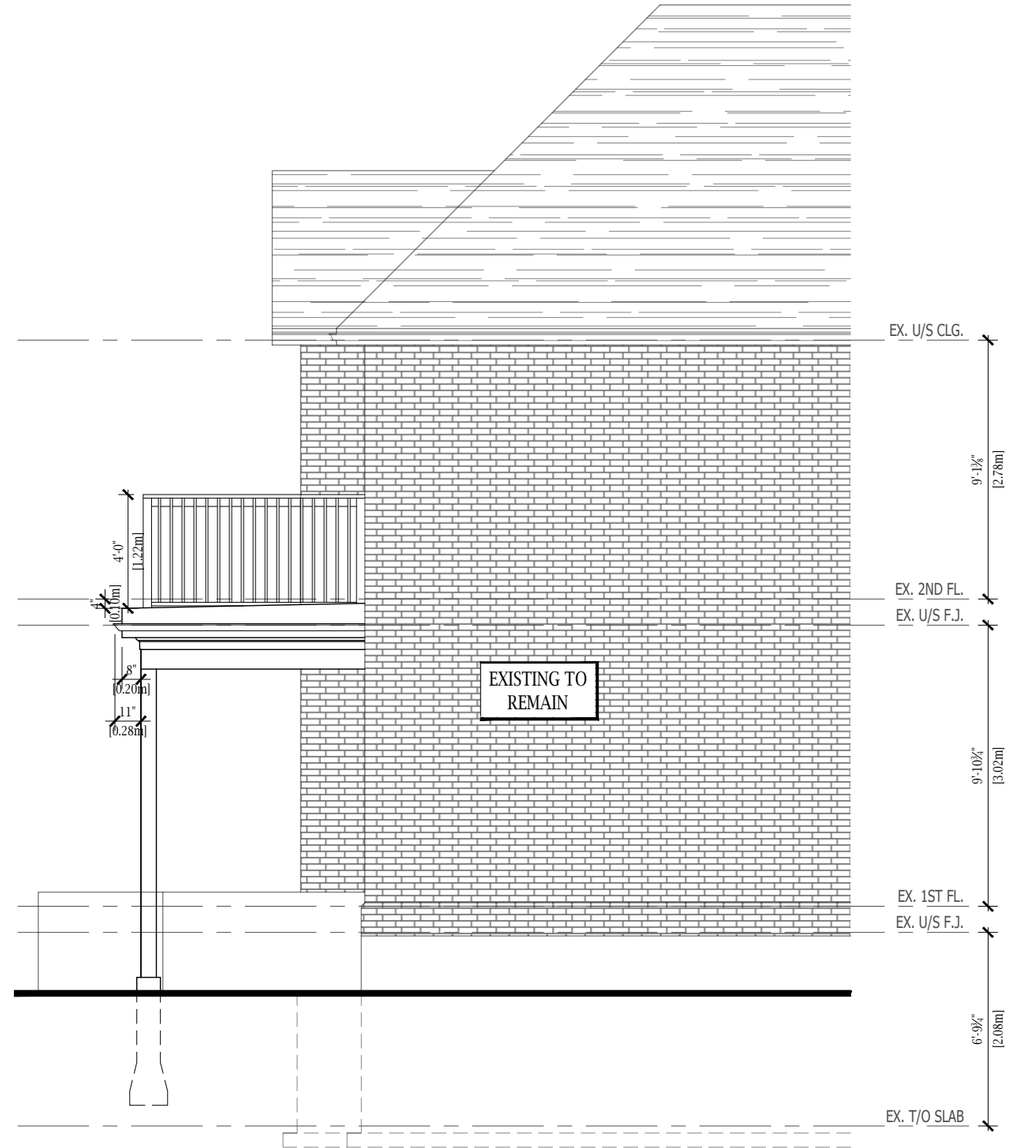
DRAWING TITLE:
SITE PLAN & SITE STATS

DRAWN: CB
DATE: Jan. 12, 22
SCALE: AS NOTED
JOB NO.: 21-059
SHEET: SP1.01



1 / A2.01 FRONT ELEVATION

3/16" = 1'-0"



1 / A2.01 PART SIDE ELEV.

3/16" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

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REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

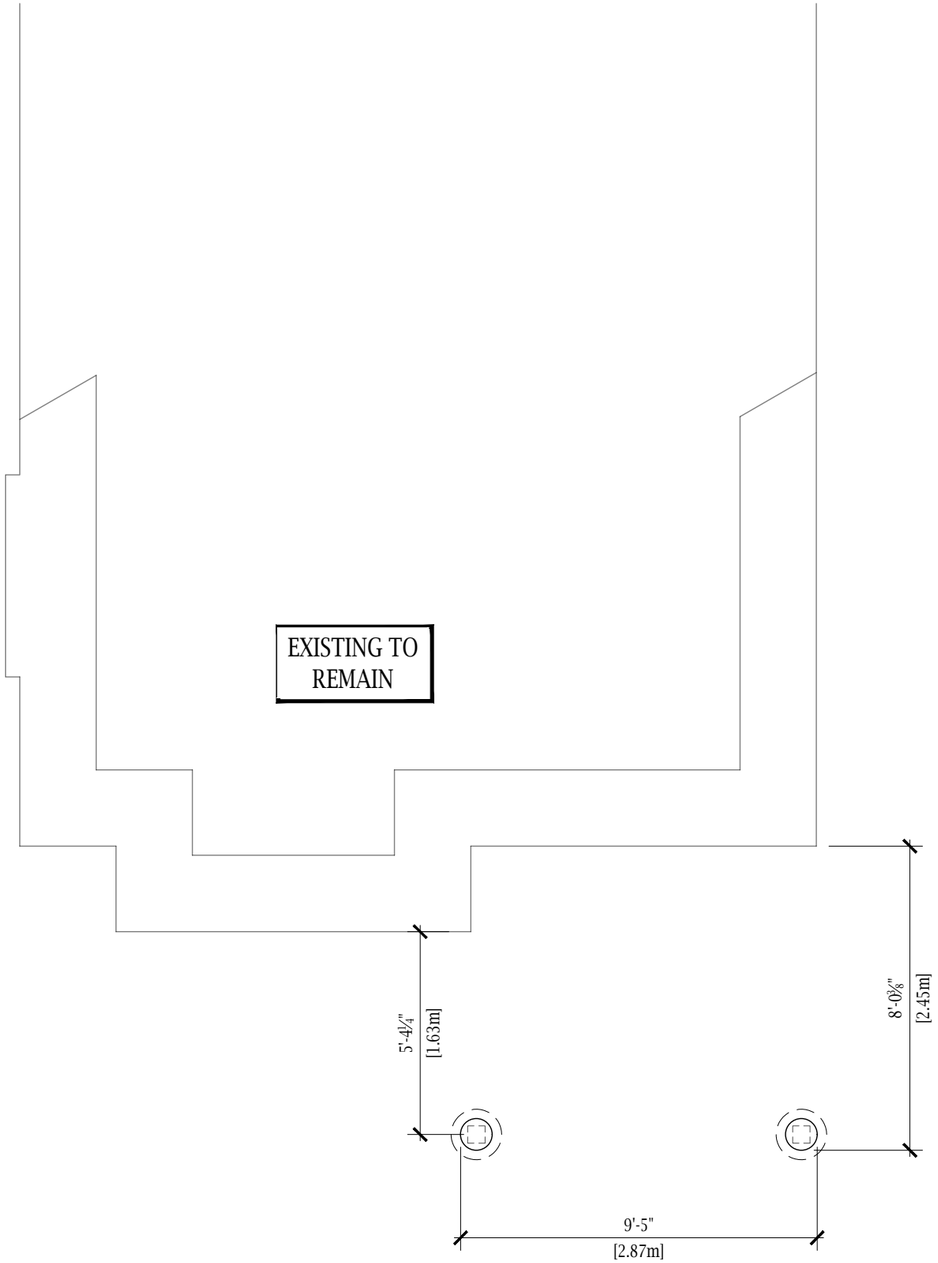
	BCIN
CHRISTINE BROWN	37240
MY HOUSE DESIGNS	113120

CLIENT:
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET
CITY: HAMILTON, ONTARIO, L8N 2W4

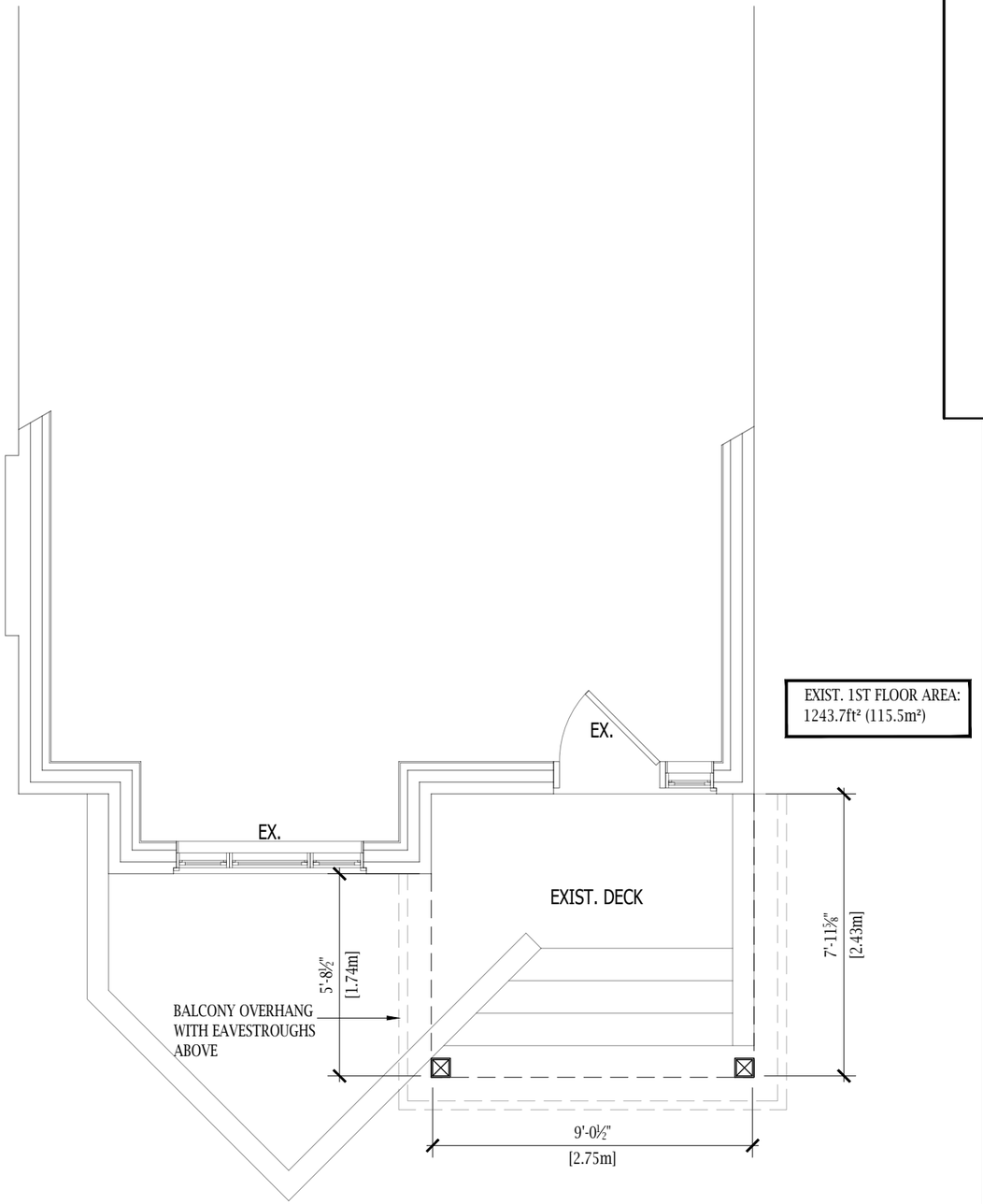
DRAWING TITLE:
FRONT & PART SIDE ELEVATIONS

DRAWN: CB
DATE: Jan. 12, 22
SCALE: AS NOTED
JOB NO.: 21-059
SHEET: A2.01



1 / A1.01 FOUNDATION PLAN

1/4" = 1'-0"



2 / A1.01 1ST FLOOR PLAN

1/4" = 1'-0"

Ministry of Municipal Affairs and Housing

QUALIFICATION INFORMATION

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

REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

	BCIN
CHRISTINE BROWN	37240
MY HOUSE DESIGNS	113120

Drawings must NOT be scaled. 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.

TRUE NORTH

PROJECT NORTH

REF.	DATE:	DESCRIPTION:
3	01.12.22	ISSUED FOR COA
2	12.06.21	ISSUED FOR DESIGNS
1	11.29.21	ISSUED FOR ASBUILTS

MY HOUSE DESIGNS

RESIDENTIAL DESIGN AND DRAFTING SERVICES

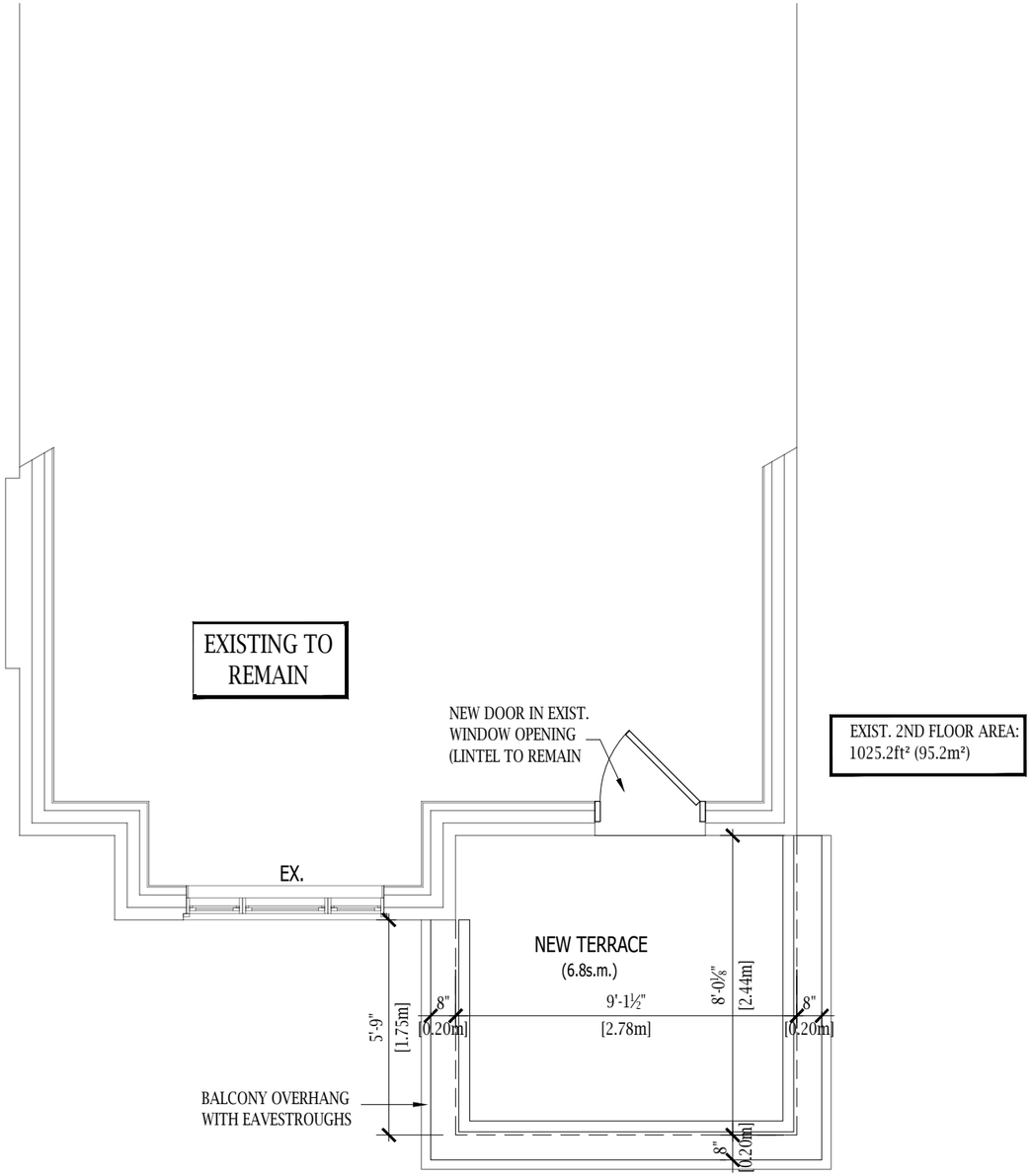
CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

CLIENT:
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET
CITY: HAMILTON, ONTARIO, L8N 2W4

DRAWING TITLE:
BSMNT. & 1ST FLOOR

DRAWN: CB
DATE: Jan. 12, 22
SCALE: AS NOTED
JOB NO.: 21-059
SHEET: A1.01



1 / A1.02 2ND FLOOR PLAN

1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

TRUE NORTH

PROJECT NORTH

REF.	DATE:	DESCRIPTION:
3	01.12.22	ISSUED FOR COA
2	12.06.21	ISSUED FOR DESIGNS
1	11.29.21	ISSUED FOR ASBUILTS

MY HOUSE DESIGNS
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

Ministry of Municipal Affairs and Housing

QUALIFICATION INFORMATION

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REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

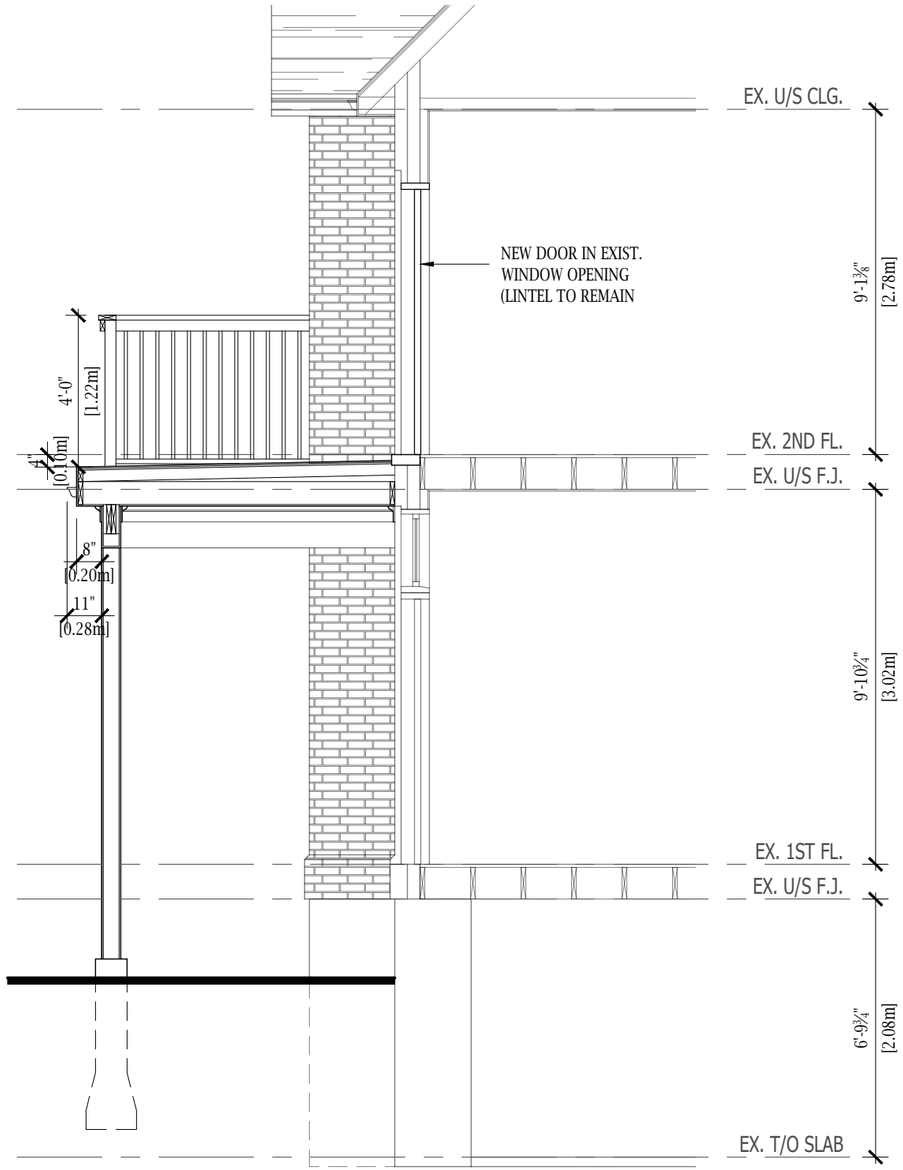
	BCIN
CHRISTINE BROWN	37240
MY HOUSE DESIGNS	113120

CLIENT:
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET
CITY: HAMILTON, ONTARIO, L8N 2W4

DRAWING TITLE:
2ND FLOOR PLAN

DRAWN: CB
DATE: Jan. 12, 22
SCALE: AS NOTED
JOB NO.: 21-059
SHEET: A1.02



1 / A4.01 CROSS-SECTION

1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

REF.	DATE:	DESCRIPTION:
3	01.12.22	ISSUED FOR COA
2	12.06.21	ISSUED FOR DESIGNS
1	11.29.21	ISSUED FOR ASBUILTS

MY HOUSE DESIGNS
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

CLIENT:
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET
CITY: HAMILTON, ONTARIO, L8N 2W4

DRAWING TITLE:
CROSS-SECTION

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

	BCIN
CHRISTINE BROWN	37240
MY HOUSE DESIGNS	113120

DRAWN: CB	SCALE:
DATE: Jan. 12, 22	AS NOTED
JOB NO.: 21-059	SHEET: A4.01

Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2

	NAME	MAILING ADDRESS	
Registered Owners(s)	[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:

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

4. Nature and extent of relief applied for:

   to allow a front yard setback of 1.6m for a front yard 2nd storey balcony

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

   The existing house has a front yard setback of only 3.35m and is legal non-conforming. There are a lot of 2nd storey balconies in the neighbourhood so it would be similar to neighbouring properties.

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

   22 Blythe 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?

This is a very old residential neighbourhood and the answers to the questions are probably "no" but we cannot confirm

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.

Jan. 21. 2022
Date

Signature Property Owner(s)

Christopher O'Neill
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	7.44m
Depth	36.6m
Area	272.2s.m.
Width of street	6.5m

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

Existing:_

ground floor area: 115.5s.m.
gross floor area: 210.7s.m.
stories: 2
width: 6.33m, length: 19.89m

Proposed

ground floor area: no change
gross floor area: no change
stories: no change
width: no change, length: no change

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

Existing:

front yard: 3.35m
rear yard: 13.33m
left side yard: 0.83m
right side yard: 0.28m

Proposed:

front yard (to balcony): 1.6m
front yard (to house): no change
rear yard: no change
left side yard: no change, right side yard (to balcony): 0.28m

13. Date of acquisition of subject lands:
Jan 2021

14. Date of construction of all buildings and structures on subject lands:
1885

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:
137 years (approximately)

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:

ZONE 'D' former hamilton 6593

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

Yes ☐ No ☑

If the answer is yes, describe briefly.

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

Yes ○ No ◉

23. Additional Information

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

Hamilton

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: **HM/A-22:30**

APPLICANTS: Owner Leah Vanderhout

SUBJECT PROPERTY: Municipal address **28 Roanoke Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 96-125

ZONING: C/S-1364 Urban Protected Residential district

PROPOSAL: To construct a 6.71m x 7.06m "L-shaped" two (2) storey rear addition, to construct a rear roofed-over unenclosed porch with stairs at the first storey and to construct a westerly uncovered porch with stairs at the first storey onto an existing single family dwelling notwithstanding that:

1. A maximum floor area ratio factor of 0.70 shall be permitted instead of the requirement that no building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situated, multiplied by the floor area ratio factor of 0.45.

2. A minimum parking space width of 2.6m shall be provided instead of the minimum required parking space width of 2.7m.

3. A minimum access driveway width of 2.6m shall be provided instead of the minimum required access driveway width of 2.8m.

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

DATE: **Thursday, March 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.

…/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

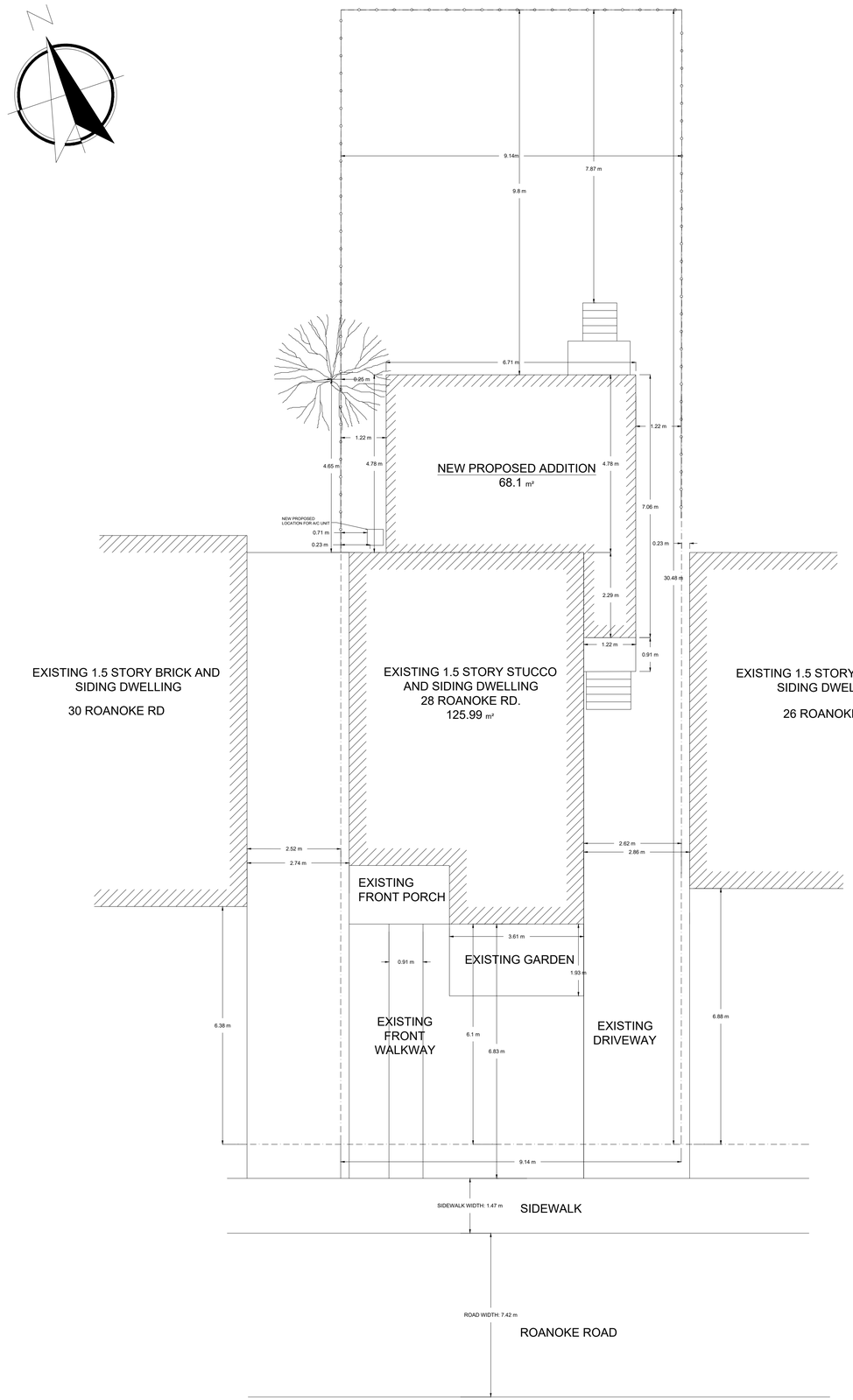
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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.



LOT 910 & 911
WESTDALE SURVEY IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE $\frac{3}{16}$" = 1'-0"

LEGEND:

EXISTING PROPERTY LINE

EXISTING FENCE

RELEVANT SITE DEVELOPMENT DETAILS:

MAJOR OCCUPANCY: C (RESIDENTIAL OCCUPANCY)
TABLE 3.1.2.1 OF 2012 OBC AND IN ACCORDANCE WITH DEFINITIONS
FOR "RESIDENTIAL OCCUPANCY" PER ARTICLE 1.4.1.2 DIVISION A OF 2012 OBC

BUILDING CLASSIFICATION: ARTICLE 3.2.2.47 GROUP C, UP TO 3 STORIES

EXISTING GROSS FLOOR AREA:	125.99 m² (TOTAL AREA - 6.5 m² FOR FURNACE AREA)
PROPOSED GROSS FLOOR AREA:	68.1 m²
TOTAL GROSS FLOOR AREA:	194.09 m²
BUILDING HEIGHT - ACTUAL:	6.66 m
ZONING - MAX:	11 m
FRONT YARD - ACTUAL:	6.1 m
ZONING - MIN:	6 m
SIDE YARD - ACTUAL:	1.22 m
ZONING - MIN:	0.92 m
REAR YARD - ACTUAL:	7.87 m
ZONING - MIN:	7.5 m
NUMBER OF STREETS / ACCESS ROUTES: 1	
EXISTING FIRE HYDRANT:	<90m
SPRINKLER SYSTEM:	NONE
STANDPIPE SYSTEM:	NONE
FRONT YARD AREA:	62.43 m²
FRONT YARD LANDSCAPED AREA:	39.75 m²
PERCENTAGE OF LANDSCAPED FRONT YARD:	64%

COMPLIANCE DESIGN

AS PER 2012 ONTARIO BUILDING CODE -
MMAH SUPPLEMENTARY STANDARD SB-12:
ENERGY EFFICIENCY FOR HOUSING:
TABLE 3.1.1.11. (IP) - ZONE 1 - COMPLIANCE PACKAGE FOR SPACE
HEATING EQUIPMENT WITH AFUE >92%

COMPLIANCE PACKAGE ZONE 1:

WINDOWS:	U-VALUE 0.28
CEILING WITH ATTIC SPACE:	R-60
CEILING WITHOUT ATTIC:	R-31
WALLS ABOVE GRADE:	R-19 + R5 CI
WINDOWS AND DOORS	MAX. U VALUE 0.28
SKYLIGHTS	MAX. U VALUE 2.6
EXPOSED FLOOR:	R-31

REV	DATE	REVISED BY		ISSUED BY
1	FEB. 6, 22	LV		
2	FEB 8, 22	LV		

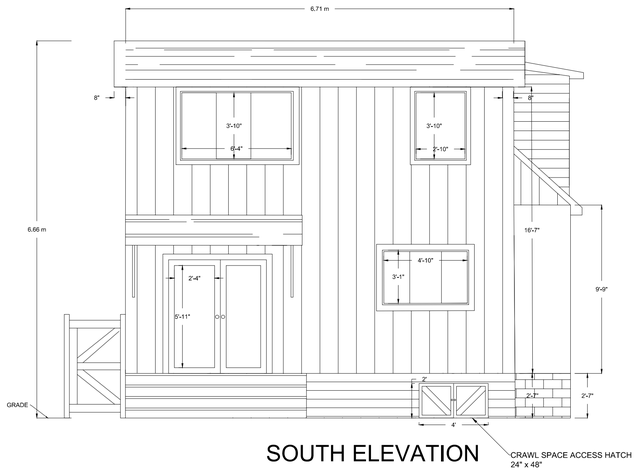
DRAWN BY	DATE	SCALE
LEAH VANDERHOUT	2021-09-25	$\frac{3}{16}$" = 1'-0"
CHECKED BY	REVIEWD BY	PROJECT NO.

PROJECT TITLE: VANDERHOUT/HORNE ADDITION

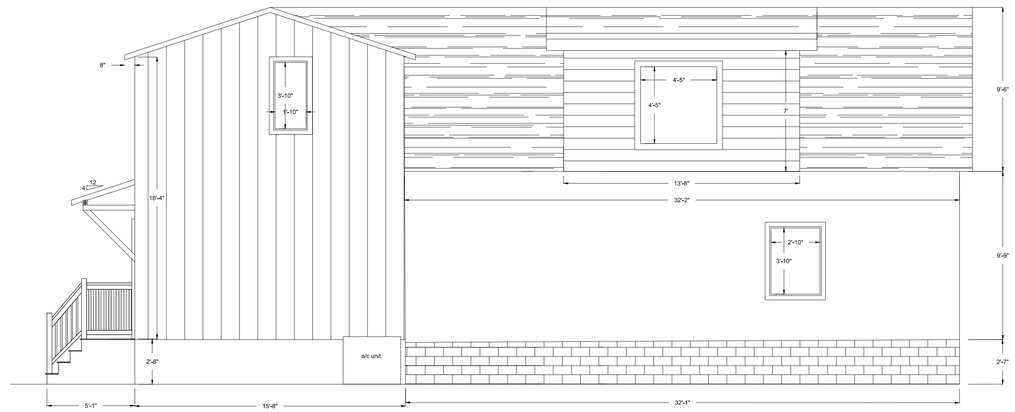
DRAWING TITLE: SITE PLAN

CLIENT: SITE PLAN

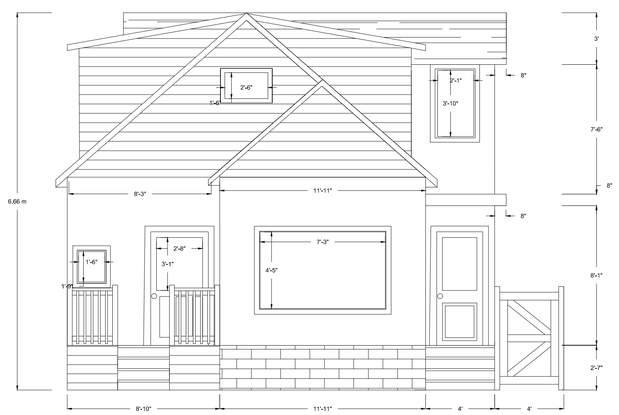
DRAWING NO.: A-1



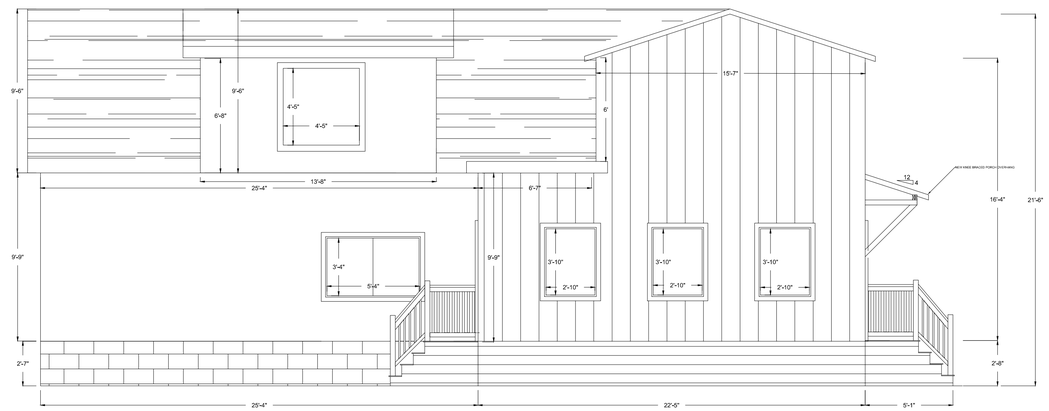
SOUTH ELEVATION



WEST ELEVATION



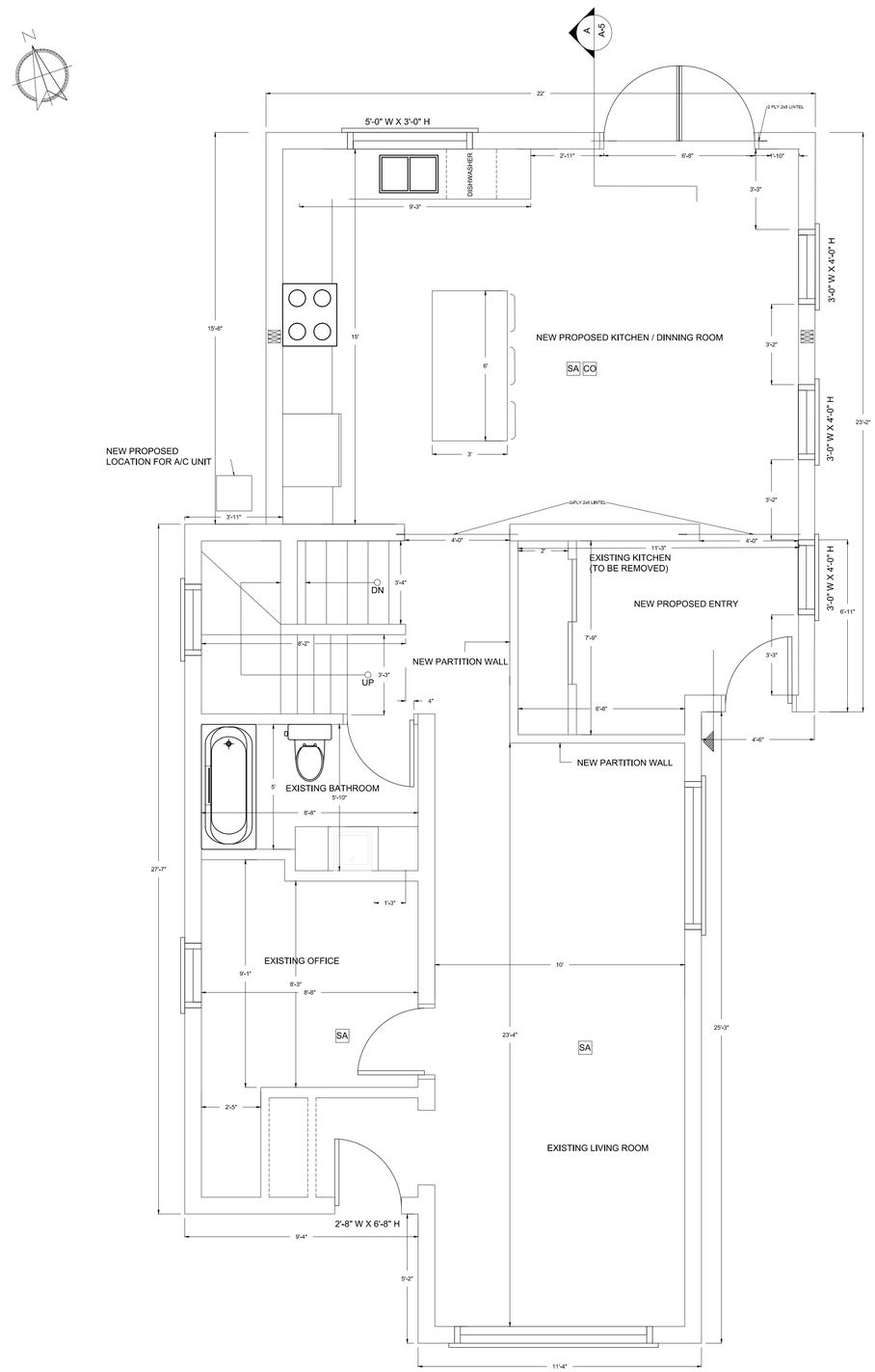
NORTH ELEVATION



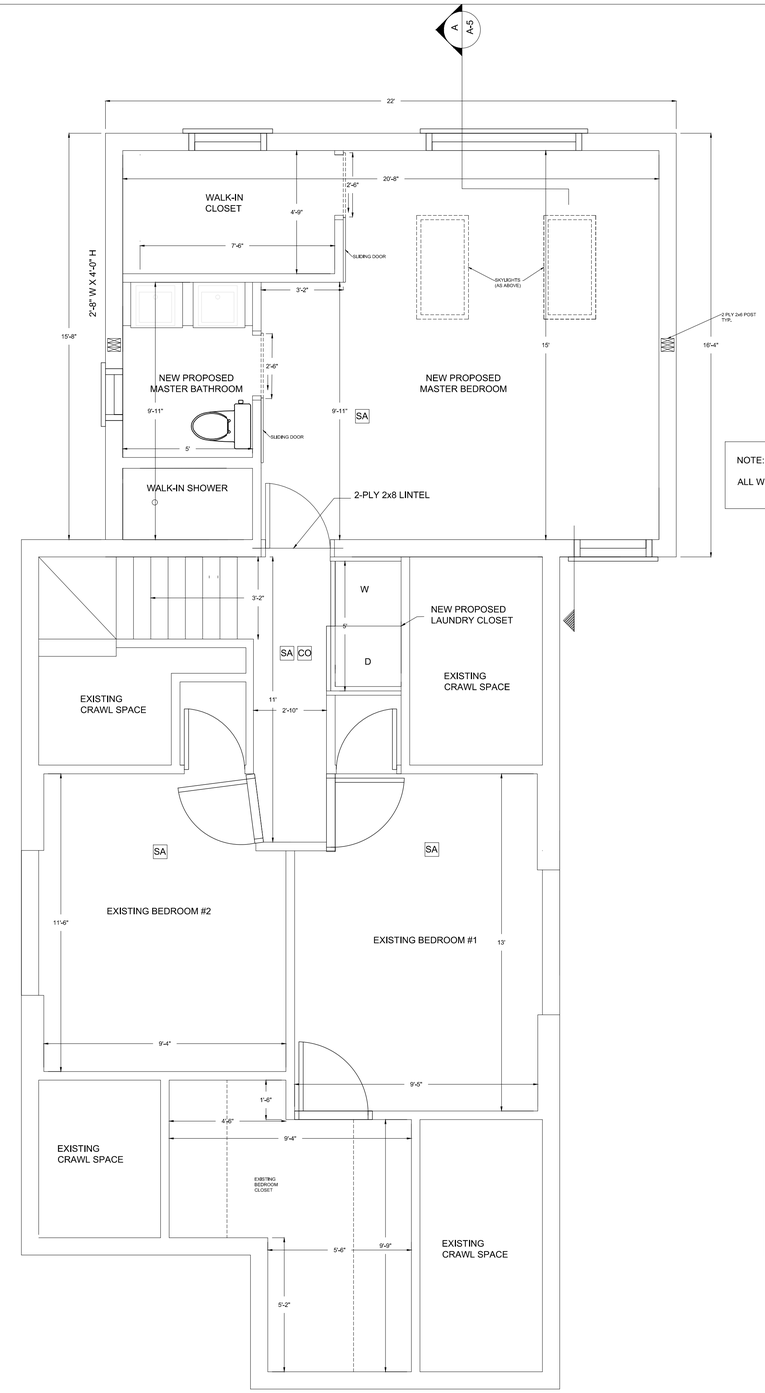
EAST ELEVATION

REV	DATE	REVISED BY		ISSUED BY
1	FEB. 6, 22	LV		
2	FEB 8, 22	LV		

PROJECT TITLE: VANDERHOUT/HORNE ADDITION			
DRAWING TITLE: ELEVATIONS			
DRAWN BY: LV	DATE: 2021-09-25	SCALE: $\frac{1}{4}$" = 1'-0"	CLIENT
CHECKED BY	REVIEWD BY	PROJECT NO.	DRAWING NO.: A-4



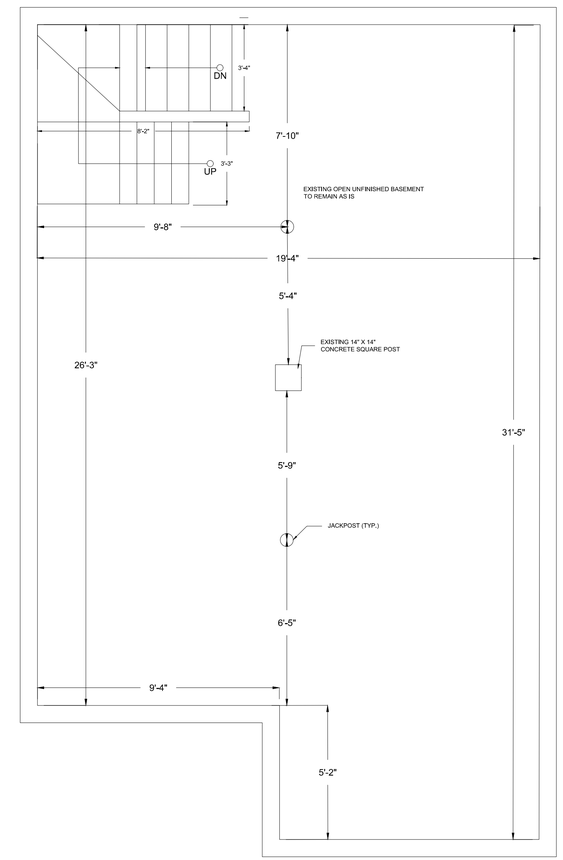
GROUND FLOOR PLAN



SECOND FLOOR PLAN

NOTE:

ALL WINDOW LINTEL SIZES TO BE 2 PLY 2x6



BASEMENT PLAN

REV	DATE	REVISED BY		ISSUED BY
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2	FEB 8, 22	LV		

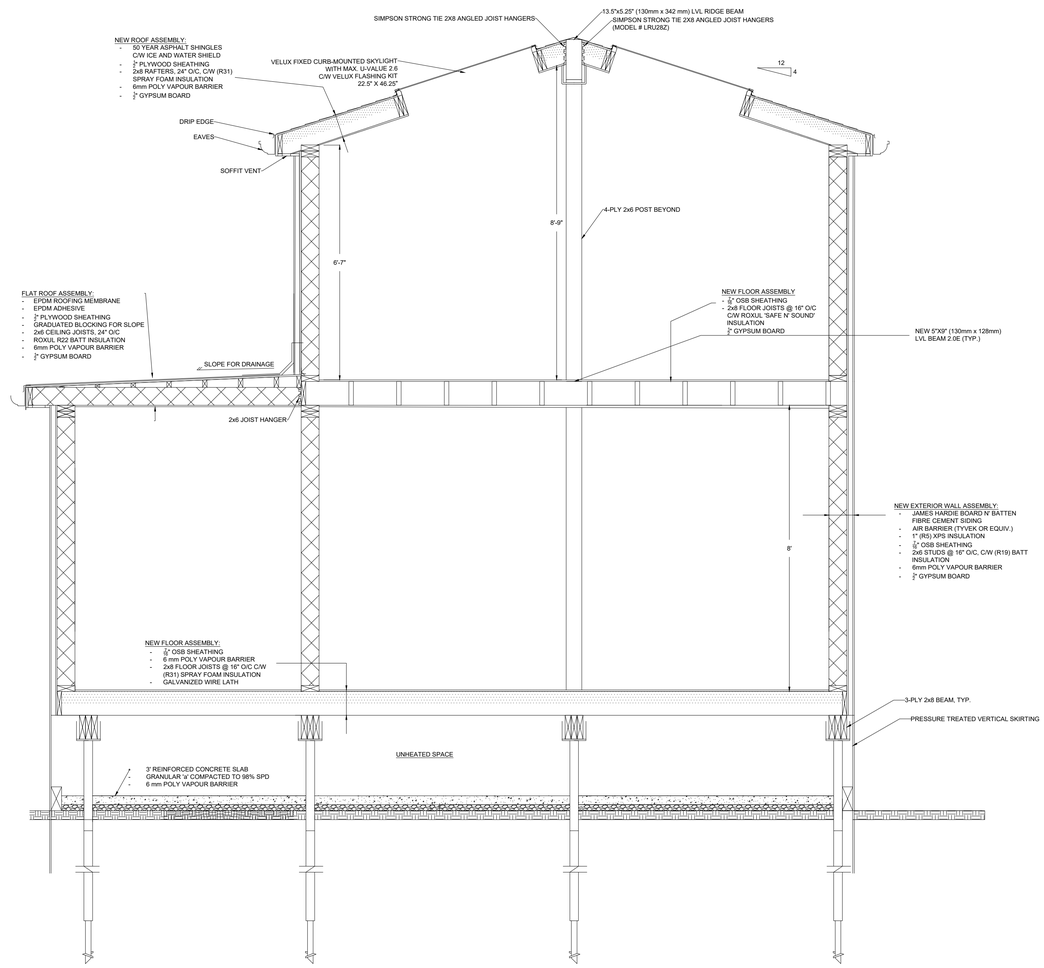
DRAWN BY	DATE	SCALE
LV	2019-09-25	$\frac{3}{8}$" = 1'-0"
CHECKED BY	REVIEWD BY	PROJECT NO.

PROJECT TITLE: VANDERHOUT/HORNE ADDITION

DRAWING TITLE: GROUND AND SECOND FLOOR PLAN

CLIENT

DRAWING NO. A-2



SECTION 'A'

NOTE:

THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AND NOTIFY THE DESIGNER OF ANY CONTEMPLATED DEVIATIONS FROM THESE DRAWINGS TO SUIT SITE CONDITIONS PRIOR TO COMMENCING WORK.

NOTE:

ALL WINDOWS AND DOOR GLAZING TO BE MAX. U-VALUE 0.28

LEGEND:

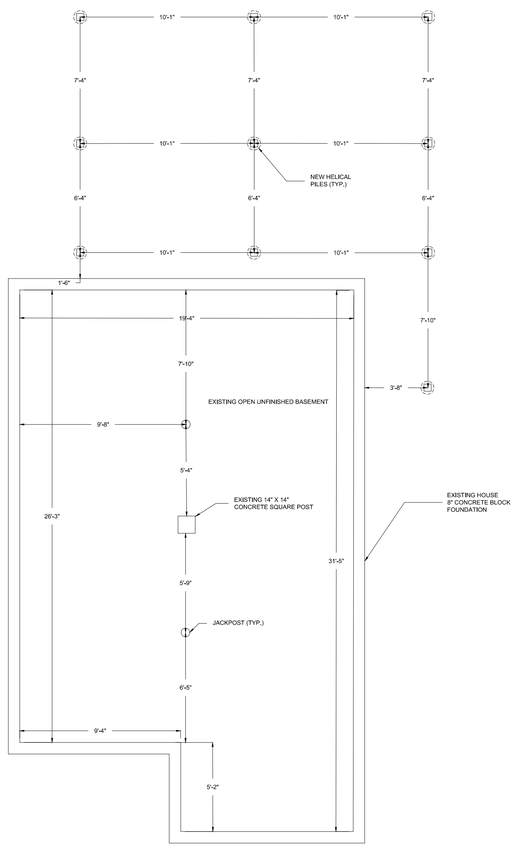
"P.T. DENOTES PRESSURE TREATED LUMBER

"T&G" DENOTES TONGUE AND GROOVE

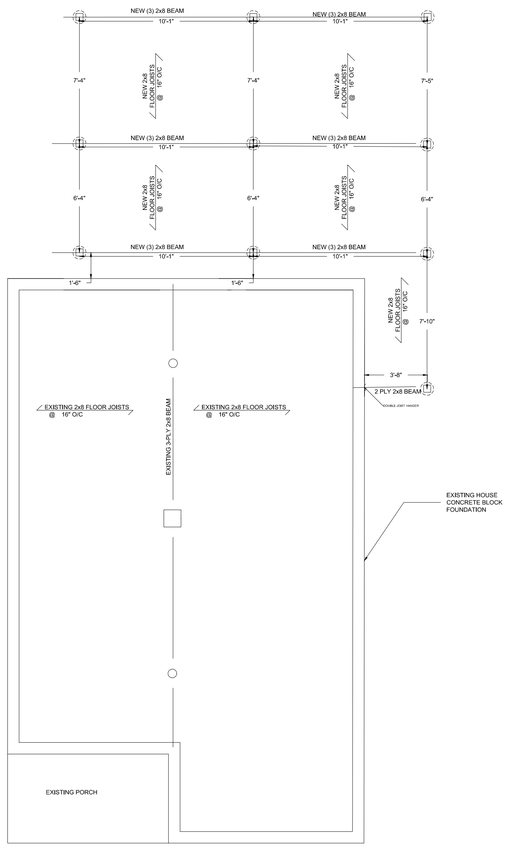
(TYP.) DENOTES TYPICAL

REV	DESCRIPTION	REVISED BY	DATE	ISSUED BY

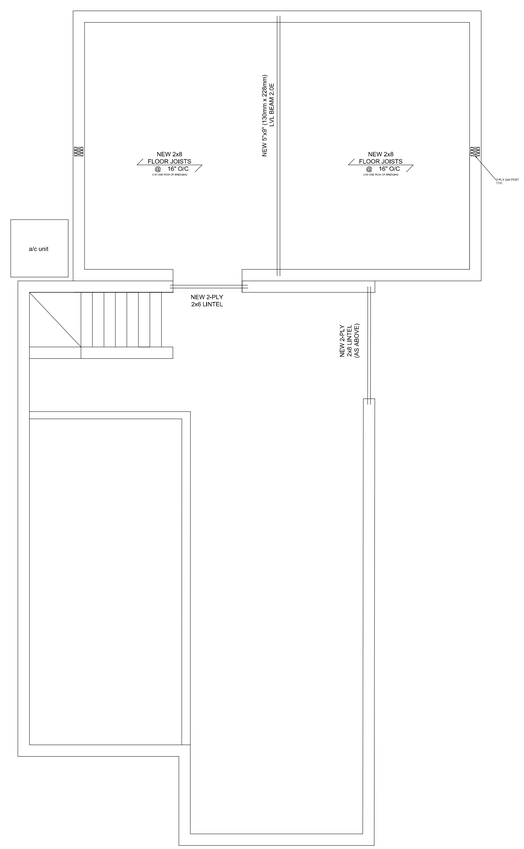
			PROJECT TITLE: VANDERHOUT/HORNE ADDITION
			DRAWING TITLE: WALL SECTIONS
DRAWN BY: LH	DATE: 2019-09-25	SCALE: $\frac{1}{2}$" = 1'-0"	CLIENT:
CHECKED BY:	REVIEWD BY:	PROJECT NO.:	DRAWING NO.: A-5



FOUNDATION PLAN



GROUND FLOOR FRAMING PLAN



SECOND FLOOR FRAMING PLAN

REV	DATE	REVISED BY		ISSUED BY
1	FEB. 6, 22	LV		
2	FEB 8, 22	LV		

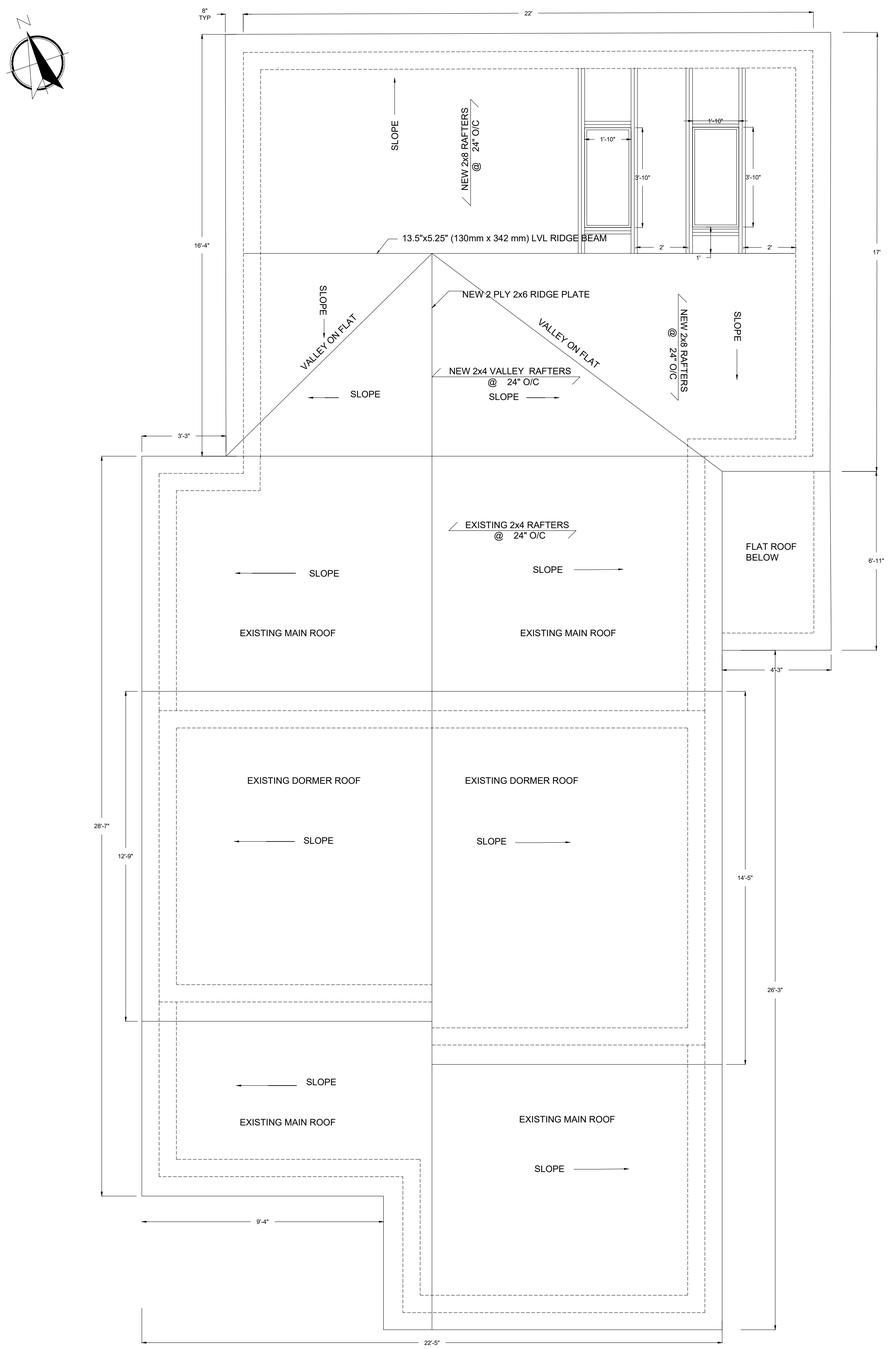
DRAWN BY	DATE	SCALE
LH	2021-09-25	$\frac{1}{4}$" = 1'-0"
CHECKED BY	REVIEWD BY	PROJECT NO.

PROJECT TITLE: VANDERHOUT/HORNE ADDITION

DRAWING TITLE: FOUNDATION, GROUND AND SECOND FLOOR FRAMING PLAN

CLIENT:

DRAWING NO.: A-1



ROOF PLAN, C/W ROOF FRAMING

$\frac{1}{8}$" = 1'-0"

REV	DATE	REVISED BY		ISSUED BY
1	FEB. 6, 22	LV		
2	FEB 8, 22	LV		

DRAWN BY	DATE	SCALE
LV	2019-09-25	1/8" = 1'-0"

CHECKED BY	REVIEWD BY	PROJECT NO.

PROJECT TITLE: VANDERHOUT/HORNE ADDITION

DRAWING TITLE: ROOF PLAN

CLIENT:

DRAWING NO.: A-3

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)	[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:

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

4. Nature and extent of relief applied for:

Requesting to build an addition that would expand the floor area of my house to 1548.6 sq. ft., where the maximum allowable amount is 1,350 sq. ft.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The zoning for my property is C/S-1364, which only permits a 1350 sq. ft. dwelling. Because of our growing family, we wish to add a bedroom and kitchen / family room to our house.

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

28 Roanoke Road,
Hamilton, ON
L8S 3P7

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?

In the time I've owned my property, there has never been any of the above. Furthermore, if when I purchased my home, if any of the above had applied, it would have beendisclosed.

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.

October 31, 2021
Date

LVnt
Signature Property Owner(s)

Leah Vanderhout
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	30'
Depth	100'
Area	3,000 sq. ft.
Width of street	24'-4"

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

Existing:

Main House ground floor: 559.2 sq. ft
Main house second floor (usable space): 342.5 sq. ft.
Main House basement - unfinished crawl space
Gross square footage: 901.7

Proposed

New Addition main floor: 336.8 sq. ft
New Addition second floor: 310.1 sq. ft.
Gross square footage: 646.9

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

Existing:

none

Proposed:

none

13. Date of acquisition of subject lands:
2015

14. Date of construction of all buildings and structures on subject lands:
1939

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	☑	Connected	☑
Sanitary Sewer	☑	Connected	☑
Storm Sewers	☑		

19. Present Official Plan/Secondary Plan provisions applying to the land:
The Official Plan designation is "Neighbourhoods". The property is located in the Ainslie Wood Westdale
Secondary Plan and is designated "Low Density Residential 2".

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

1,350 sq. ft.

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-21:365**

APPLICANTS: Agent John Stirling
Owner Andrew Ranelli

SUBJECT PROPERTY: Municipal address **760 Rennie St, Hamilton**

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

ZONING: M6 Light Industrial zone

PROPOSAL: To permit construction of a warehouse in order to facilitate Site Plan File No. DA-20-093 notwithstanding that:

1. One (1) parking space for each 57.0m^2 of gross floor area which accommodates the office component of the warehouse use shall be provided instead of the requirement that one (1) parking space for each 30.0m^2 of gross floor area which accommodates the office component of the warehouse use.

2. No barrier free parking space shall be provided instead of the minimum required 1 barrier free parking space.

3. No planting strip shall be required between the Rennie Street street line and the parking spaces and aisle giving direct access to abutting parking spaces instead of the requirement that a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and the parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street.

   NOTE:

   i) The variances are necessary to facilitate Site Plan File No. DA-20-093.

   ii) Pursuant to Variance No. 1, a minimum of two (2) parking spaces shall be required instead of the minimum required three (3) parking spaces. Section 5.6 h) of Hamilton Zoning By-law No. 05-200 states:

   "Where the application of the parking standards in Section c) above results in a numeric fraction, fractions shall be rounded down to the nearest whole number."

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

DATE:	**Thursday, March 3rd, 2021**
TIME:	**3:00 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)** **To be streamed at** **www.hamilton.ca/committeeofadjustment** **for viewing purposes only**

PUBLIC INPUT

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

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

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: February 15th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

SITE PLAN DETAILS

1. NET LOT AREA 1,992 SQ.M
2. BUILDING COVERAGE 45.93%
3. GROSS FLOOR AREA OF BUILDING 960.084 SQ.M
4. BUILDING HEIGHT 12.2 M
5. NUMBER OF UNITS – 1
6. No of offices – 1 – 116.5 sq. m
7. NUMBER OF WASHROOMS – 1
8. NUMBER OF PARKING SPACES – 2 – OBC 3.1.17.1.(1).(f).(2)
9. NUMBER OF LOADING SPACES OUTSIDE ~~1~~ INSIDE 1
10. LANDSCAPE AREA 740 SQ. M

SITE PLAN NOTES

1. ALL WORK INVOLVED IN THE CONTRUCTION, RELOCATION REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRENTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENCE OF THE OWNER.
3. MAIN DRIVEWAY DIMENTIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRTIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQIUREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS BUT NOT LIMITED TO THE FOLLOWING:
   - BUILDING PERMIT
   - ACCESS PERMITS
   - APPROACH APPROVAL PERMITS
   - COMMITTEE OF ADJUSTMENT
   - SEWER AND WATER PERMITS
   - RELOCATION OF SERVICES
   - ENCROACHMENT AGREEMENT (IF REQUIRED)
6. ABANDONED ACCESS MUST BE REMOVED AND THE CURB AND BOULIVARD RESTORED WITH SOD AT THE OWNER'S EXPENCE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "3 METRE BY 3 METRE VISIBILITY TRIANGLES IN IN WHICH THE MAXIMUN HEIGHT OF ANY OBJECTS OR MATURE VEGITATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."
8. PROPOSED FENCING SHALL CONFORM TO THE CITIE'S FENCE BY-LAW NO. 10-142
9. PROPOSED SIGNAGE SHALL CONFORM TO THE CITIE'S SIGN AND OTHER DIVCES BY-LAW NO. 10-197
10. THIS PROPERTY IS INELIGIBLE FOR MUNICIPLE WASTE COLLECTION, AS MUNICIPAL FORCES DO NOT SERVICE INDUSTRIAL DEVELOPMENTS. A PRIVAT WASTE HAULER MUST BE ARRANGED FOR THE REMOVAL OF ALL WAST MATERIALS.
11. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS. MUST PROVIDE HOUSE SHIELDS WHERE NEEDED, TO COMPLETELY ELIMINATE GLARE TO ADJACENT PROPERTIES.
12. UNION GAS – UNION GAS HAS SERVISE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES, ANY SERVIS RELOCATION WOULD BE AT THE EXPENCE OF THE OWNER.

ELECTRA UTILITIES

1) RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES, SHALL BE AT THE OWNERS EXPENCE.
2) DO NOT EXCAVATE WITHIN 2M OF HYDRO POLE OR ANCHORS.
3) EXCAVATION WITHIN 1M OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY ALECTRA UTILITIES REPRESENTATIVE AND IS PRESENT PROVIDING DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNERS EXPENCE.
4) ALECTRA UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLAN IS REQUIRED, ALL COSTS ASSOCIATED WITH THIS WORK WILL BE AT THE OWNERS EXPENCE.

UNDERTAKING FILE No. DA-20-093

I, (We) _____, the owner(s) of the land, hereby undertake and agree without reservation,

(a) to comply with all the content of this plan and drawing and not to vary therefrom;

(b) to perform the facilities, works or matters mentioned in Section 41(7)(a) of The Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and,

(d) in the event that the Owner does not comply with the plan dated _____ _____, 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) Caution: Notwithstanding current surface conditions, the property has been determined to be of an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-314-7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS 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 physically affix the municipal number (760) or full address (760 Rennie Street) to the building or a sign in accordance with the City's sign By-law, in a manner that is visible from the street.

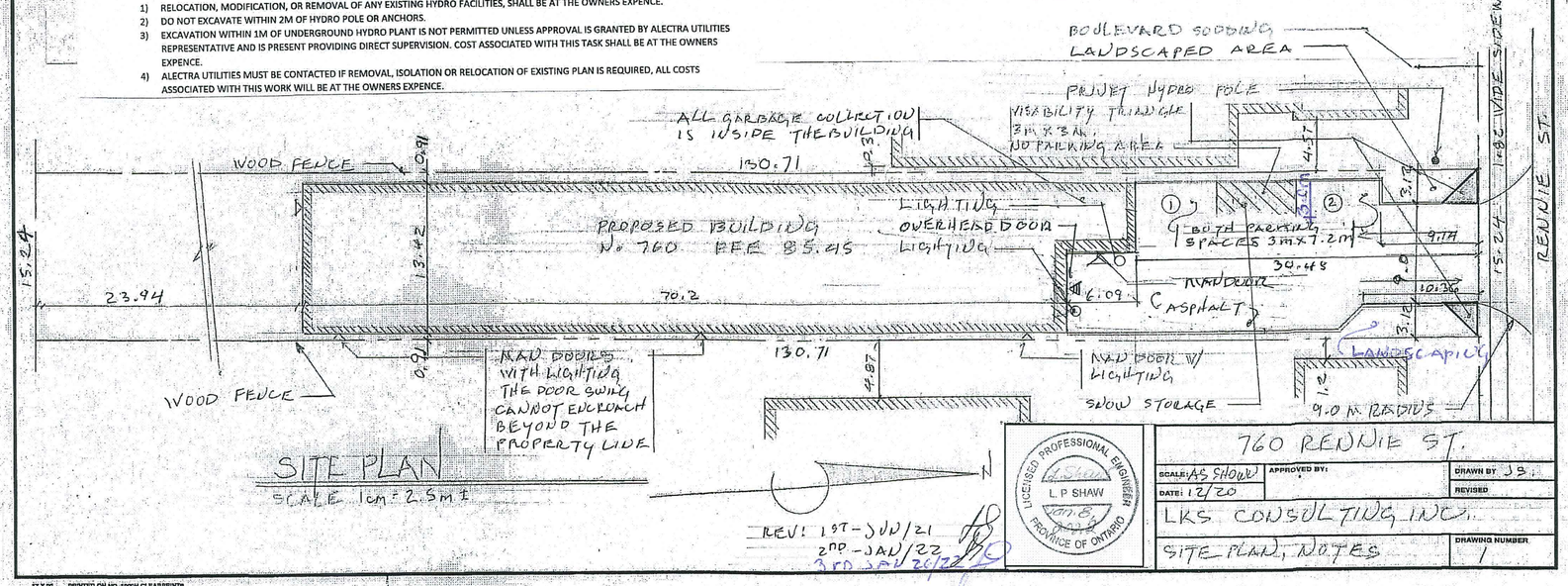
(g) That the Owner agrees to have a spotter on the street to monitor traffic and pedestrians for all loading vehicles that are backing into or backing out of the subject property.

Dated this _____ day of _____20_____

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

_____ _____
Witness (print) Owner (print)

_____
Address of Witness



SITE PLAN
SCALE 1cm = 2.5m ±

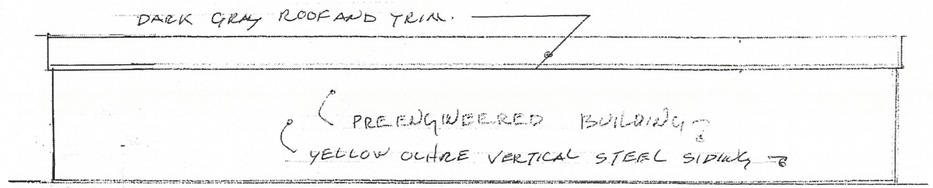
REV: 1ST - JUN/21
2ND - JAN/22
3RD - JAN 20/22

LICENSED PROFESSIONAL ENGINEER L. P SHAW PROVINCE OF ONTARIO

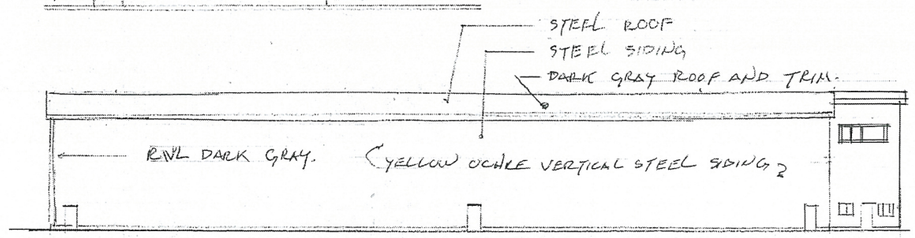
760 RENNIE ST.

SCALE: AS SHOWN	APPROVED BY:	DRAWN BY: J.B.
DATE: 12/20		REVISED
LKS CONSULTING INC.		
SITE PLAN, NOTES		DRAWING NUMBER 1

17 X 22 PRINTED ON NO. 1000H CLEARPRINT®

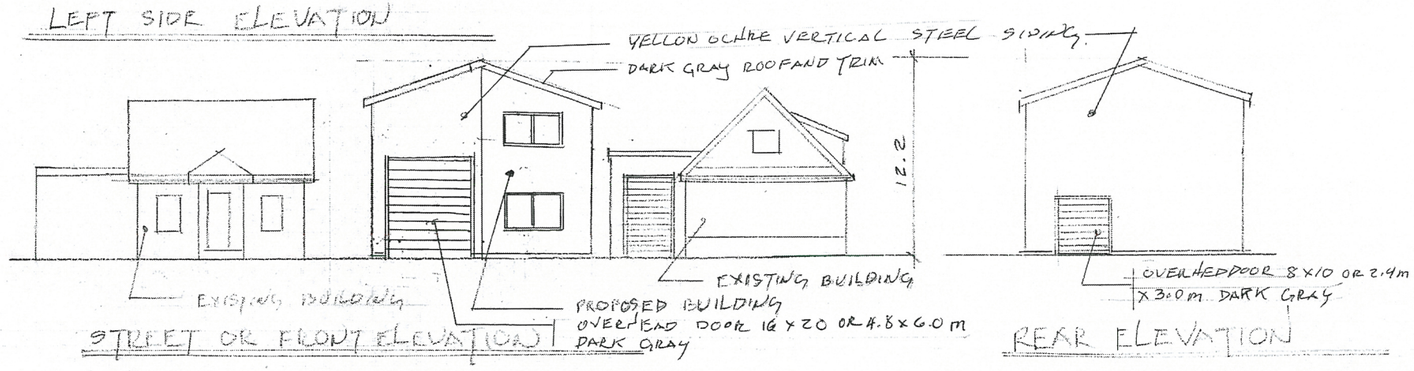


RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

NOTES:
1. BUILDING COLOUR YELLOW OCHRE
2. BUILDING IS PREENGINEERED
3. ROOF RUNOFF FROM MAIN ROOF IS TO THE REAR OF THE SITE. OFFICE ROOF DRAINS TO SIDE GRASS AREA.



STREET OR FRONT ELEVATION

REAR ELEVATION

NOTE: BECAUSE OF THE SIZE OF THE LOADS AND BECAUSE THE USE OF A CRANE TO LOAD AND UNLOAD THE DOOR HEIGHT NEEDS TO BE 20' HIGH OR 6m

REV: 1ST JUN/21
2ND JAN/22.

LICENSED PROFESSIONAL ENGINEER
L P SHAW
PROVINCE OF ONTARIO

760 RENNIE ST		
SCALE: AS SHOWN	APPROVED BY:	DRAWN BY: S.R.
DATE: 12/20		REVISED
LKS CONSULTANTS INC		
ELEVATIONS.		DRAWING NUMBER 4

17 X 22 PRINTED ON NO. 1000H CLEARPRINTs

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)	[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:

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:
HANDY CAP PARKING SPOT.
OVERHEAD DOOR FACING THE STREET.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
THE WIDTH OF THE PROPERTY IS SUCH THAT.
TO HAVE A BUILDING ON IT THAT IS USEFULL
TO THE OWNER THE ONLY PLACE FOR THE DOOR IS THE FRONT OF THE BUILDING

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):
260

7. PREVIOUS USE OF PROPERTY

Residential ☑ Industrial ☑ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

Other _____

8.1 If Industrial or Commercial, specify use WAREHOUSE

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?

ARCHIVES HAMILTON PUBLIC LIBRARY ON LINE CITY DIRECTORIES.

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

Is the previous use inventory attached? Yes [✓] No [ ]

9. ACKNOWLEDGEMENT CLAUSE

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

SEPT/ 9/21
Date

Signature Property Owner(s)

ANDREW RANELLI
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	15.24
Depth	137.16
Area	2090.31
Width of street	10

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 - EMPTY LOT.

Proposed 1 STORY MAIN WAREHOUSE BUILDING
GFA - 942.08 m^2
FRONT SECTION GFA 42 m^2 2 STYS APPROX 7 x 6 x 6 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: NO BUILDINGS

Proposed:
WEST SIDE LOT. - 0.91 REAR YARD 30.48
EAST SIDE LOT - 0.91
FRONT YARD - 30.48

13. Date of acquisition of subject lands:
2015.

14. Date of construction of all buildings and structures on subject lands:
THERE ARE NO BUILDING ON THE SUBJECT LAND.

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
NO USE BUT THERE WAS A SINGLE FAMILY HOUSE ON THE LAND.

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

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

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

Water	☑	Connected	☑
Sanitary Sewer	☑	Connected	☑
Storm Sewers	☐		

19. Present Official Plan/Secondary Plan provisions applying to the land:
M6.

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.

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-22:21**

APPLICANTS: Owner Zachary Lacroix

SUBJECT PROPERTY: Municipal address **2092 Hwy 6, Flamborough**

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

ZONING: "P7, P8" (Conservation/Hazard Land) district

PROPOSAL: To permit the construction of a 223 square metre accessory building on a residential parcel of land containing an existing single detached dwelling notwithstanding that:

1. A new building or structure shall be permitted, instead of the requirement that new buildings or structures associated with an existing single detached dwelling shall not be permitted in the “P7” Zone.

2. An accessory building shall be permitted within a front yard, instead of the requirement that an accessory building shall not be permitted within a front or flankage yard.

3. A maximum height of 8.6 metres shall be permitted for an accessory building, instead of the requirement that all accessory buildings shall have a maximum height of 4.5 metres.

4. An aggregate maximum gross floor area of 253 square metres shall be permitted for all buildings accessory to a single detached dwelling, instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed an aggregate gross floor area of 45 square metres.

NOTE:

1. Detailed elevation drawings have not been provided to confirm the height of the proposed accessory building, and therefore Variance No. 3 has been written as requested by the applicant.

2. The lands are currently subject to both the “P7” Zone and “P8” Zone under Hamilton Zoning By-law No. 3581-86. Note that where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of the applicable zone. It appears that the proposed development is to be wholly located within the “P7” Zone and has been reviewed as such, however, a detailed site plan indicating the boundaries of each zone has not been provided to confirm. Further, please note that Section 4.23(d) of Hamilton Zoning By-law No. 05-200 requires that all buildings or

…/2

structure located on a property shall be setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary. Further variances may be required if compliance with Section 4.23(d) cannot be achieved.

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

4. It is noted that the submitted application indicates that proposed accessory building is to accommodate a trailer and recreational vehicles. Please note that specific details regarding parking on the lot were not provided as part of this application to confirm zoning compliance. Additional variances may be required if compliance with Section 5 of Hamilton Zoning By-law No. 05-200 is not possible.

5. This property is located within the Source Water Protection Area. As such, written authorization from Source Protection Planning in the Hamilton Water Division is required prior to the application for any building permit. Please contact (905) 546-2424 extension 4018 for further information

6. The lands are located within or adjacent to an Environmentally Sensitive Area (ESA) (Freelton Esker – Wetland Complex) and are subject to Site Plan Control.

7. Due to the proximity of this property to the right-of-way limits of Highway No. 6 a development permit from the Ontario Ministry of Transportation may be necessary. Additionally, the Ministry of Transportation may also have development regulations which may affect the subject lands.

8. Please be advised that a portion of this property is subject to Conservation Management. Please contact Conservation Halton prior to any development.

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

DATE:	**Thursday, March 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:

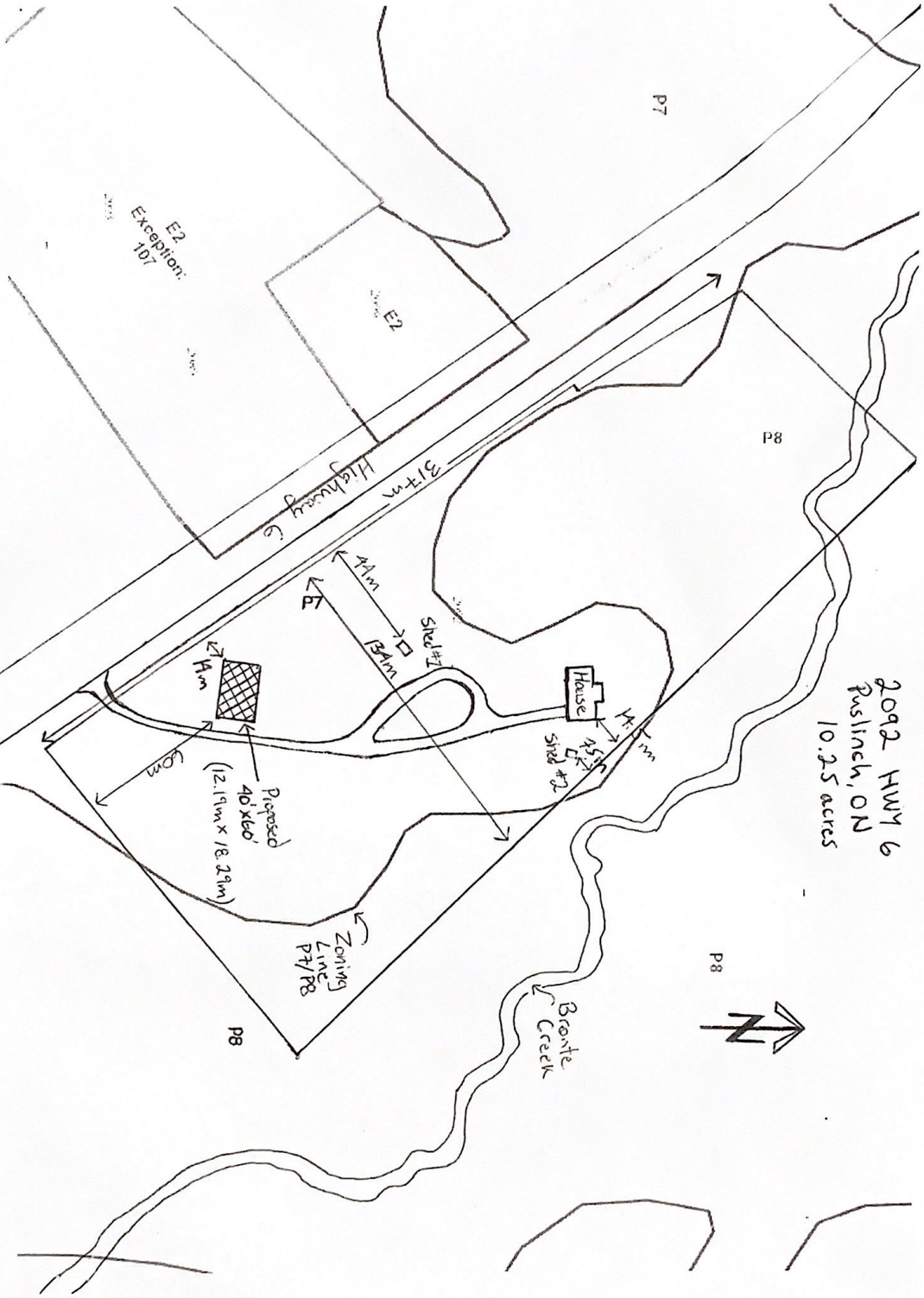
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 2022.

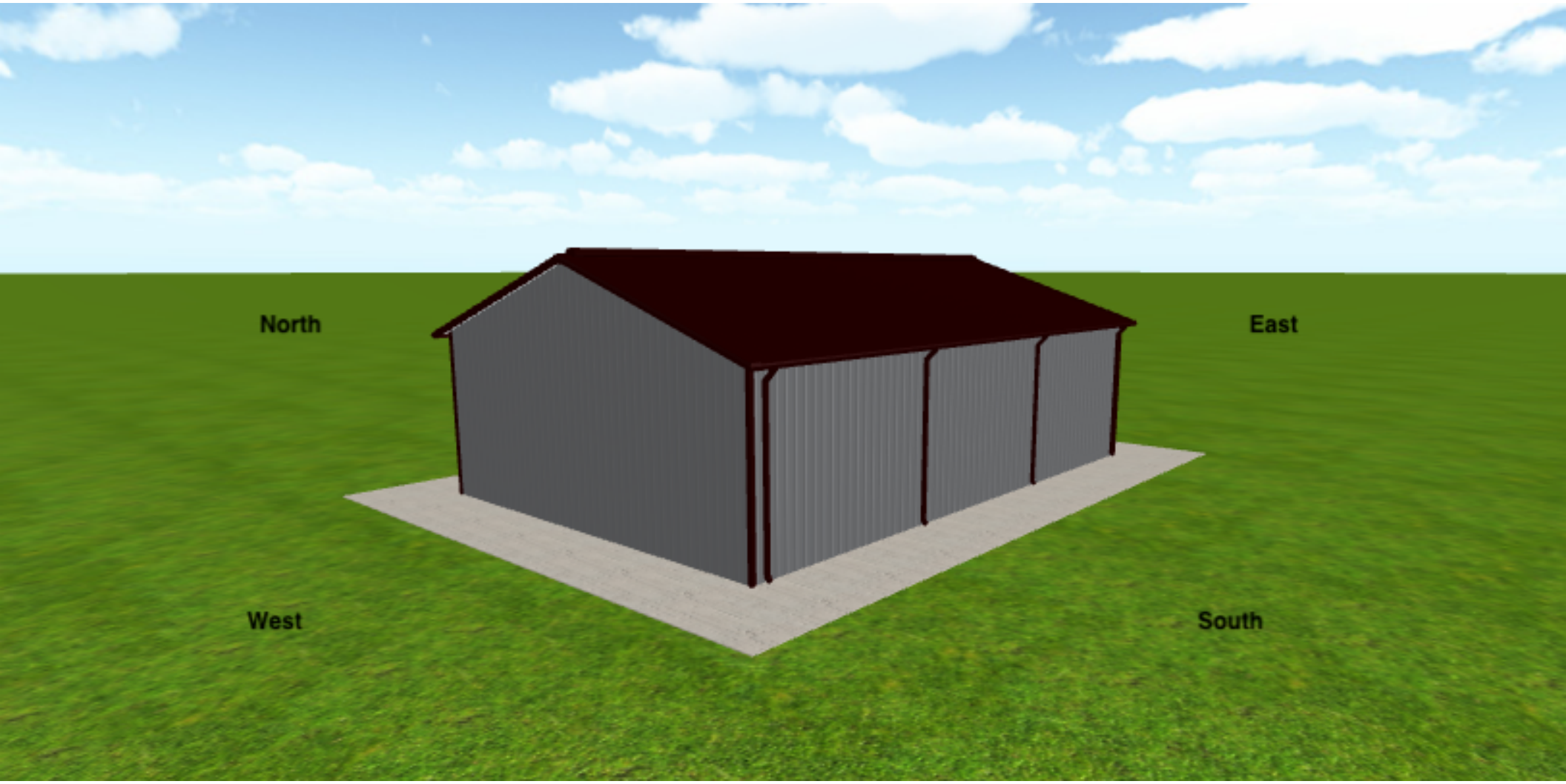
_____
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

Schedule "A"
Description of Lands



2092 HWY 6 Puslinch, ON - Proposed Accessory Building
DIMENSIONS
SOUTH
WEST
EAST
NORTH
16' (4.88m)
23' (7.01m)
40' (12.19m)
60' (18.29m)


North
East
West
South

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)	[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:

Minor variance in order to erect an accessory building on the manicured portion of our property. Additional minor variances for height, gross floor area and to erect in our "Front Yard".

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

- Portion of property incorrectly zoned P7
- Desired building size larger than zoning guidelines
- Our rural property does not fit traditional definition of "Front 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**):

2092 HWY 6, Puslinch, Ontario, N0B 2J0
CON 10 PT LOT 4 FW FLM
Roll Number: 25 18 303 970 27200 0000 301 - Single-family detached (not on water)

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 8.1 to 8.10 above?

Purchase and Sale Information

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.

January 24th, 2022
Date

Signature Property Owner(s)

Zachary Lacroix
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	317 m
Depth	134 m
Area	41480 sq m (10.25 Acres)
Width of street	27 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:

Main Dwelling: 2 Stories. Main floor: 125.5 sq m Second Story: 144.6 sq m
Basement: 106.7 sq m
Shed #1: 18.6 sq m
Shed #2: 11.1 sq m

Proposed

Single Story Accessory Building:
Width 12.19m x Length 18.29m x Height to peak 8.55m
Gross Floor Area of 222.96 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:

Main Dwelling: 14.5 m from rear lot line
Shed #1: 44 m from front lot line
Shed #2: 7.5 m from rear lot line

Proposed:

14m from front lot line, 60m from southern lot line

13. Date of acquisition of subject lands:
June 23rd, 2016

14. Date of construction of all buildings and structures on subject lands:
Main Dwelling 1973, Shed #1 & #2 Unknown

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

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

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

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

Water N/A Connected _____

Sanitary Sewer N/A Connected _____

Storm Sewers N/A

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

Rural

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

P7/P8

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)

☐ Yes ■ No

If yes, please provide the file number:

21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

☐ Yes ☐ No

21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

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 include separate sheet if needed)

Location of proposed accessory building approved by Conservation Halton and Exemption to Site Plan Control has been received. (Both Attached)

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.

Attached

Proposed location of Accessory Building outlined on Satellite View
P8
P8
E2
E2
Exception
107

Conservation Halton

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

Letter of Permission in accordance with Ontario Regulation 162/06

December 7, 2021

Zachary Lacroix
2092 Highway 6
Puslinch, ON, N0B 2J0

BY EMAIL (zacharylacroix@gmail.com)

Zachary Lacroix:

Re: Construction of an accessory building between 30 metres and 120 metres of a Provincially Significant Wetland
2092 Highway 6
Puslinch Township (City of Hamilton)
Conservation Halton File: A/21/H/56

The works involve the construction of an accessory building located between 30 and 120 metres of the Beverly Swamp Wetland Complex, a Provincially Significant Wetland (PSW).

Ontario Regulation 162/06

Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property is traversed by a tributary of Bronte Creek and contains portions of the Beverly Swamp Wetland Complex, a PSW. CH regulates a distance of 15 metres from the limit of flooding and erosions hazards associated with Bronte Creek and 120 metres from the limit of the PSW for this particular site. Permission is required from CH prior to undertaking any development within CH's regulated area and must meet CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06* (https://conservationhalton.ca/policies-and-guidelines).

Based on a review of our Approximate Regulation Limit (ARL) staff can confirm that all approved works will be not be within 15 metres of the flooding and erosion hazards associated with the watercourse, and not within 30 metres of the PSW. As such, the application meets Policy 2.39.4 within CH's *Policies and Guidelines for the administration of Ontario Regulation 162/06, Last Amended November 26, 2020*. Staff advise that more specific delineation of riverine hazards or the wetland feature may be required when future development is proposed.

This Letter of Permission represents Conservation Halton's consent to undertake the works as shown on the attached drawings, stamped approved December 7, 2021 subject to the following site-specific conditions:

a. **That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes.**

b. **That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of CH.**

c. **That effective sediment and erosion control measures be installed prior to starting work, maintained during construction and fully removed once all disturbed areas have been stabilized. That site conditions be monitored and that the sediment and erosion control measures be modified if site conditions warrant it.**

d. **That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to Ontario Regulation 162/06.**

Please be sure that you read and understand the condition listed above. Please also note that contravention of a Letter of Permission, or the terms and conditions of a Letter of Permission, is considered an offence under Section 28(16) of the *Conservation Authorities Act*. It is your responsibility to ensure that any person working under the authority of this Permit is familiar, and complies with, the terms and conditions.
This Letter of Permission or a copy thereof as well as all approved drawings must be available at the site. Any changes to the approved design or installation methods must be reviewed and approved by Conservation Halton staff prior to their implementation. This letter of permission is valid for two years from the date of issue.

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

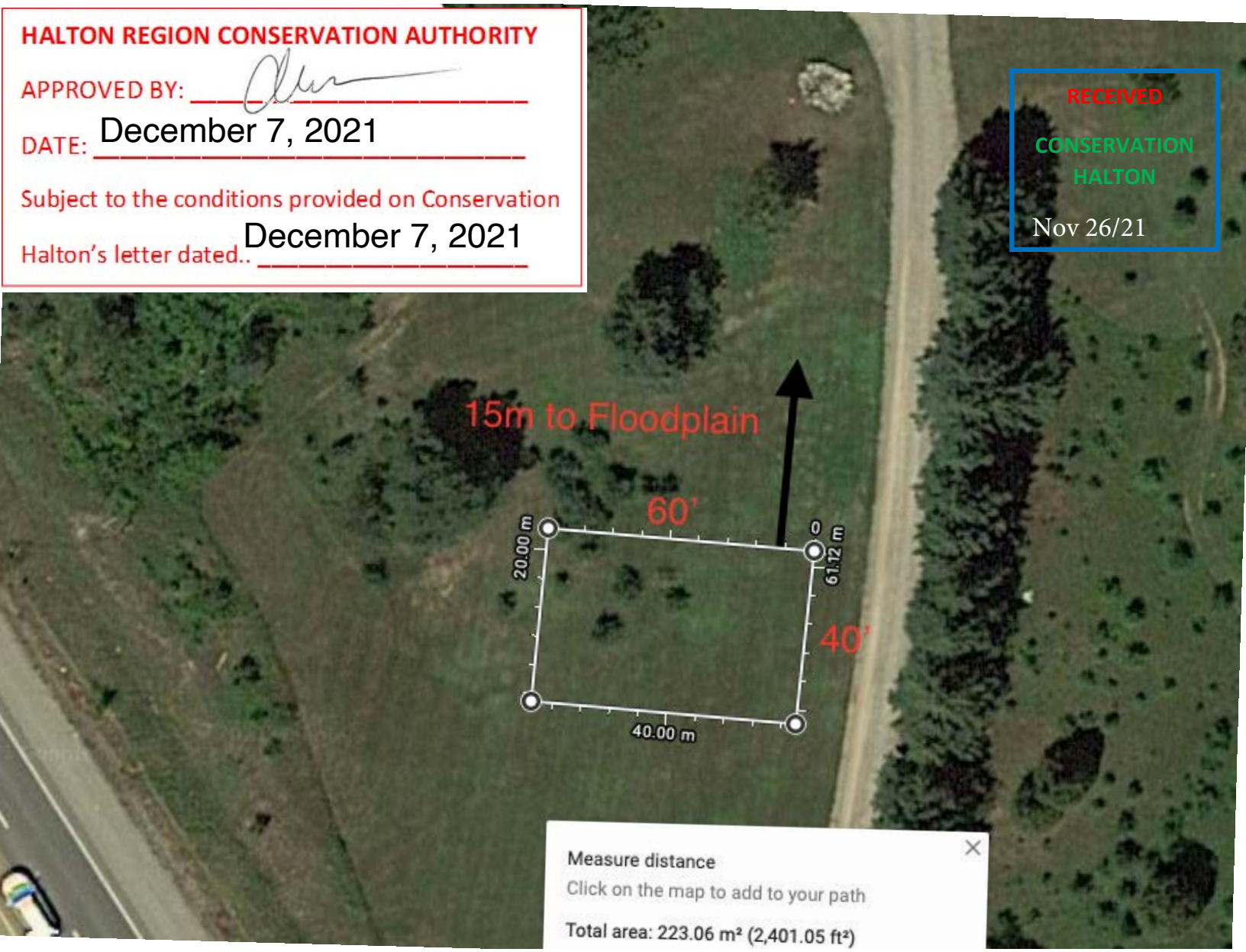
We trust the above is of assistance in this matter. Should you require further information, please contact Charles Priddle, Manager, Regulations Program, at extension 2276.
Sincerely,

Kellie McCormack

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

Encl. 1

Cc: Building Department – City of Hamilton (By Email: building@hamilton.ca)


HALTON REGION CONSERVATION AUTHORITY
APPROVED BY:
DATE: December 7, 2021
Subject to the conditions provided on Conservation
Halton's letter dated.. December 7, 2021
RECEIVED
CONSERVATION
HALTON
Nov 26/21
15m to Floodplain
60'
40'
20.00 m
61.12 m
40.00 m
Measure distance
Click on the map to add to your path
Total area: 223.06 m² (2,401.05 ft²)

Map showing Conservation Halton's Approximate Regulation Mapping. Blue is flood hazard and green are wetlands. More specific delineation of features may be required for future applications - CP Dec 7/21
RECEIVED
CONSERVATION HALTON
Nov 26/21
2092
Measurement
Meters
Measurement Result
15 Meters
Clear
HALTON REGION CONSERVATION AUTHORITY
APPROVED BY:
DATE: December 7, 2021
Subject to the conditions provided on Conservation
Halton's letter dated.: December 7, 2021

Hamilton

DRINKING WATER SOURCE PROTECTION
ACT FOR CLEAN WATER

Date: December 21, 2021

Restricted Land Use Notice
No Prohibition or Risk Management Plan Requirement

Issued under the *Clean Water Act*, Section 59 (2) (a)

Letter Number: HAM-FWB-21-018	
Description and Date of Application / Supporting Documents: 12/20/2021 – Restricted Land Use Submission Form	
Applicant Name: Zachary Lacroix	
Telephone: (416) 892-1518	**Email address:** zacharylacroix@me.com
Property Address: 2092 Highway 6	**Town:** Puslinch
Province: Ontario	**Postal Code:** N0B 2J0
Source Protection Plan: Halton-Hamilton	**Drinking Water System:** Freelton
WHPA: B	**Vulnerability Score:** 8

This Notice is being issued under subsection 59 2(a) of the *Clean Water Act, 2006* and was prepared in response to an Application (as described above under Description / Supporting Documents) received for the property that is identified above. At the above noted property, one or more of the potential land use activities have been designated as restricted land uses under Section 59 of the *Clean Water Act* and, the application is either for a provision of the *Planning Act* prescribed under Section 62, Ontario Regulation 287/07 of the *Clean Water Act* or for a building permit under the *Ontario Building Code.*

The Application was reviewed in accordance with the *Clean Water Act* and the *Halton-Hamilton Source Protection Plan* which came into effect December 31, 2015 (Amended January 30, 2019). Based on the information submitted as part of the Application, Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the *Clean Water Act* **do not** apply, at this time, to the activities outlined in the Application for the above referenced property.

Hamilton

DRINKING WATER SOURCE PROTECTION
ACT FOR CLEAN WATER

Rationale: *The applicable policies relate to Waste Disposal Sites, Sewage Treatment and Handling & Storage of dense non-aqueous phase liquids (DNAPLs). For this Application, based on the information submitted, none of these activities will be occurring. Please note that the future engagement of these activities will require review as they are considered a significant drinking water threat at this property*

- This Notice is only effective as it relates to the above referenced Application
- Any change to the information submitted under the Application nullifies this Notice, unless otherwise permitted by the Risk Management Official
- This Notice is not valid for any subsequent approvals under the *Planning Act* or building permits under the *Ontario Building Code* for the property. Further Section 59 notices will be required for subsequent applications at the property and a risk management plan may be required
- Pursuant to Section 53 (3), Ontario Regulation 287/07 under the *Clean Water Act*, this notice, once issued, is a public document. All information submitted for development of this notice is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- This Notice has been issued under the Authority of the Risk Management Official appointed for the City of Hamilton under by-law 13170. This Notice has been issued in accordance with the *Clean Water Act*, 2006, Section 59, Ontario Regulation 287/07 and the Halton-Hamilton Source Protection Plan, approved August 5, 2015 and effective on December 31, 2015 (Amended January 30, 2019).

If you require further information, please contact the Risk Management Office:
Phone: (905) 546-2424 x 6099
Email: Sourcewater@hamilton.ca

Carmen Vega

Carmen Vega
Risk Management Official
Hamilton Water
City of Hamilton

Hamilton

Planning and Economic
Development Department

Memorandum

To: George Wong
Acting Manager, Building Engineering and Zoning

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

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

Date: **December 9, 2021**

Subject: **Exemption from Site Plan Control By-law No. 15-176 for 2092 Highway 6, Flamborough for Development within or adjacent to Core Areas**

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

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

Core Areas include:

Provincially Significant Wetland and Environmentally Significant Area.

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

☐ Proposed development is located within the footprint of an existing structure.

☒ Proposed development is located within a disturbed area (i.e. manicured).

☐ Proposed development is located at least 30 metres away from the Core Areas.

☒ Correspondence has been provided by the relevant Conservation Authority (attached).

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

Notes:

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

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

Hamilton

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: **FL/A-22:23**

APPLICANTS: Agent Cloud Top Design Inc.
(Xudong Tang)
Owners S. MacCormack &
M. McQueen

SUBJECT PROPERTY: Municipal address **46 Attridge Crescent, Flamborough**

ZONING BY-LAW: Zoning By-law 90-145-Z, as Amended 10-181(OMB)

ZONING: R1-38 Urban Residential (Single Detached)district

PROPOSAL: To permit modifications to an existing accessory structure for a single detached dwelling, notwithstanding that:

1. The lot coverage for all accessory structures for a single detached dwelling shall be 8% instead of the maximum 5%.

NOTES:

1. The variance is written by the applicant.

2. The proposed modification is to reduce the lot coverage for an existing lower level deck in the rear yard from 12% to 8% to facilitate a building permit for an on-ground pool. Decks are considered to be an accessory structure.

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

DATE: **Thursday, March 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.

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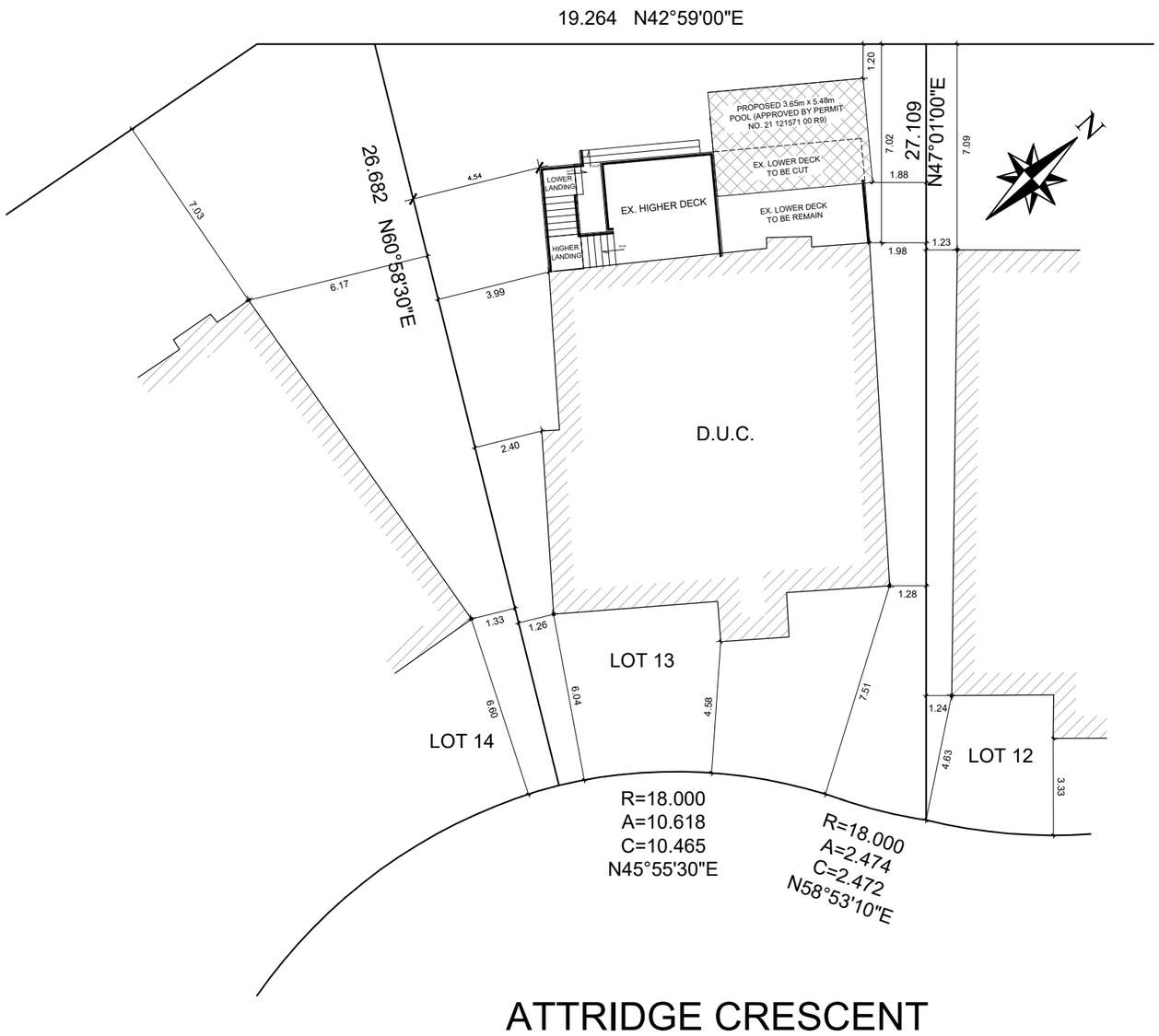
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 15th, 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
1/16"=1'

SCOPE OF WORK

1. EX, DECK STRUCTURE DESIGN TO BE VERIFIED
2. PART OF EX. LOWER DECK TO BE CUT

LOT COVERAGE CALCS

1. LOT AREA: 4715 SQ.FT. (438 SQ.M)
2. EXISTING ACCESSORY STRUCTURES: 531 SQ.FT. (49 SQ.M)
3. EXISTING ACCESSORY STRUCTURES LOT COVERAGE = 11.26%
4. PROPOSED ACCESSORY STRUCTURES: 376 SQ.FT. (35 SQ.M)
5. PROPOSED ACCESSORY STRUCTURES LOT COVERAGE = 7.97%

INDEX OF DRAWINGS

1. SITE PLAN
2. EXISTING LOWER DECK FRAME PLAN
3. EXISTING HIGHER DECK FRAME PLAN
4. EXISTING DECK FLOOR PLAN
5. EXISTING REAR ELEVATION
6. EXISTING SECTION A–A
7. PROPOSED LOWER DECK FRAME PLAN
8. PROPOSED HIGHER DECK FRAME PLAN
9. PROPOSED DECK FLOOR PLAN
10. PROPOSED REAR ELEVATION
11. PROPOSED SECTION B–B

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

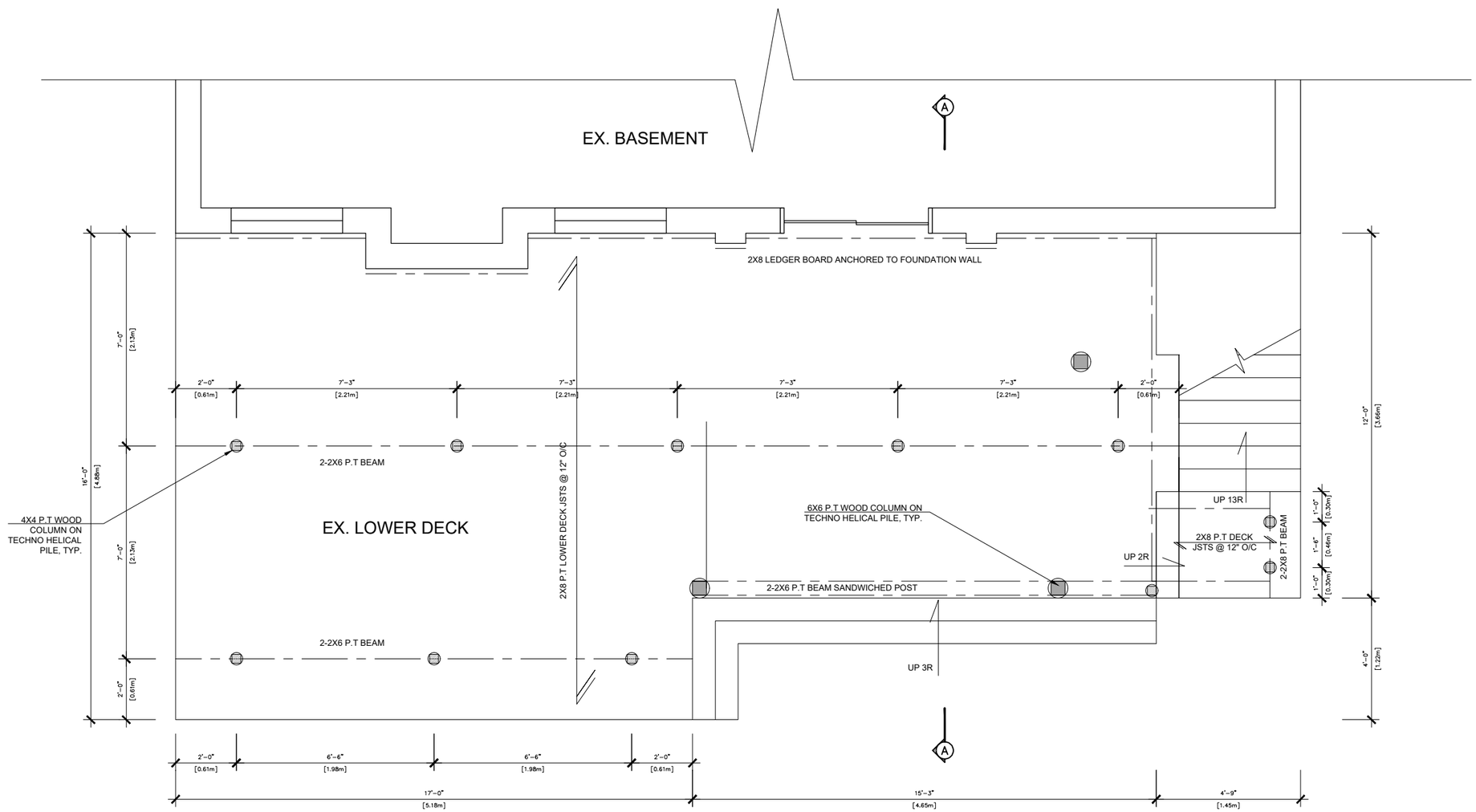
Drawn by XDT
Dwg. No. A-01
Project No. 210830
Rev.

Title SITE PLAN
Scale : AS SHOWN
Date SEP 18 2021

CloudTop Design

T:647-685-0958
www.cloudtop.ca
design@cloudtop.ca

Project
46 ATTRIDGE CRES, HAMILTON, ON



EXISTING LOWER DECK FRAME PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

No:	Date:	Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-02

Project No. 210830

Rev.

Title
EXISTING LOWER DECK FRAME PLAN

Scale : AS SHOWN

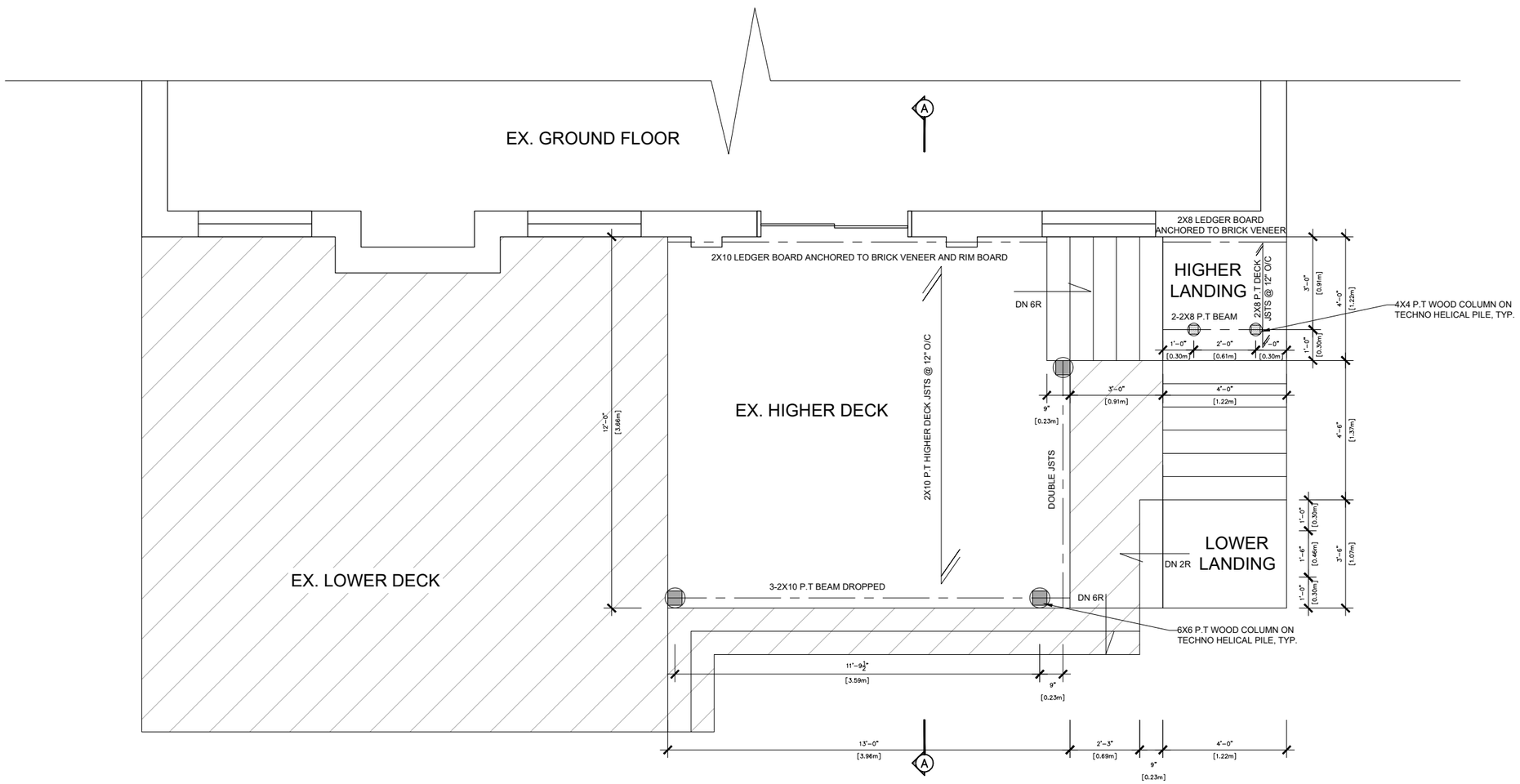
Date SEP 18 2021

CloudTop Design

T:647-685-0958

www.cloudtop.ca
design@cloudtop.ca

Project
46 ATTRIDGE CRES, HAMILTON, ON



EXISTING HIGHER DECK FRAME PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

No:	Date:	Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-03

Project No. 210830

Rev.

Title
EXISTING HIGHER DECK FRAME PLAN

Scale : AS SHOWN

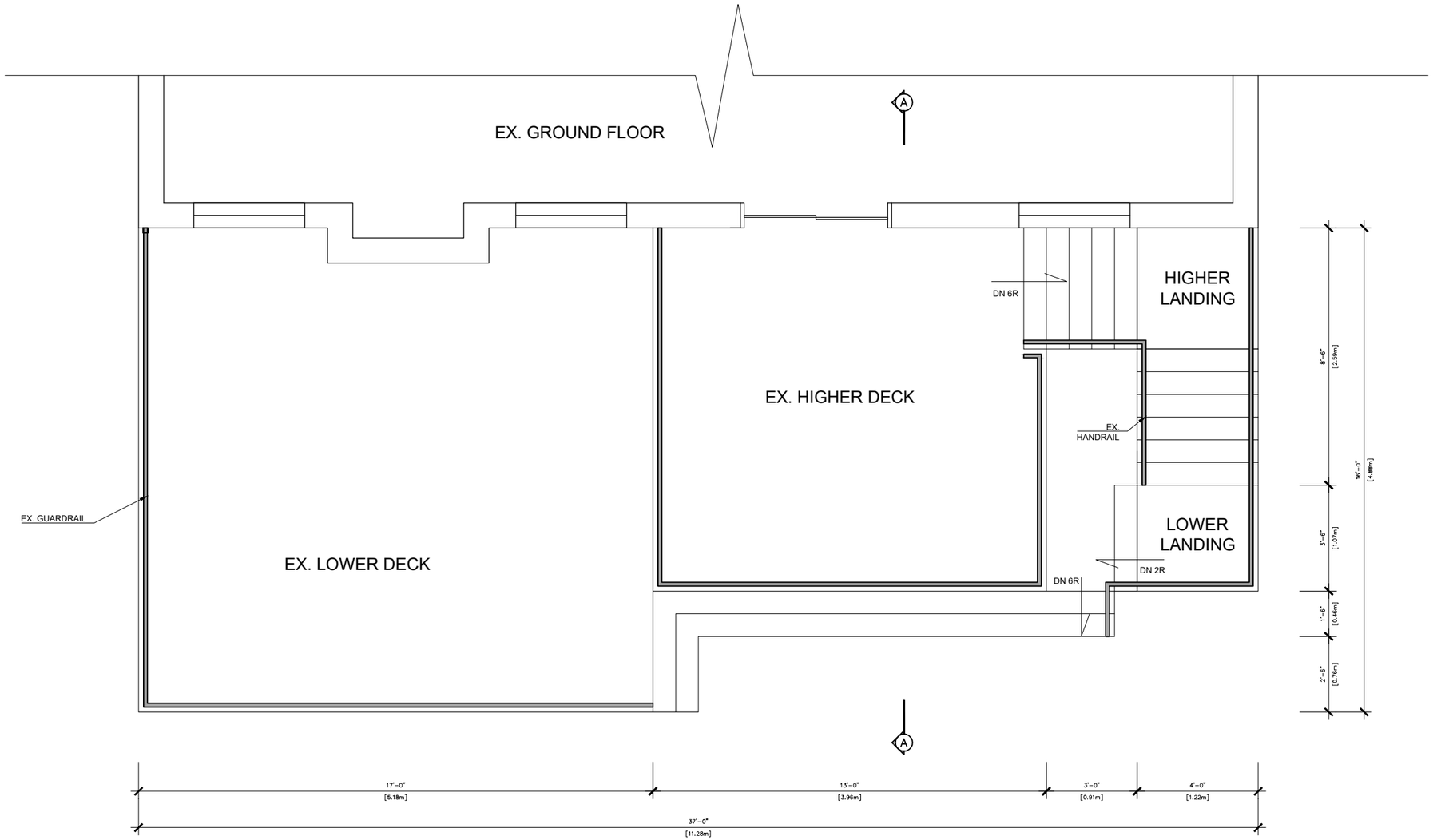
Date SEP 18 2021

CloudTop Design

T:647-685-0958

www.cloudtop.ca
design@cloudtop.ca

Project
46 ATTRIDGE CRES,
HAMILTON, ON



EXISTING DECK FLOOR PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-04

Project No. 210830

Rev.

Title EXISTING DECK FLOOR PLAN

Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

T:647-685-0958

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Project
46 ATTRIDGE CRES,
HAMILTON, ON

EXISTING REAR ELEVATION

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

No:	Date:	Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-05

Project No. 210830

Rev.

Title EXISTING REAR ELEVATION

Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

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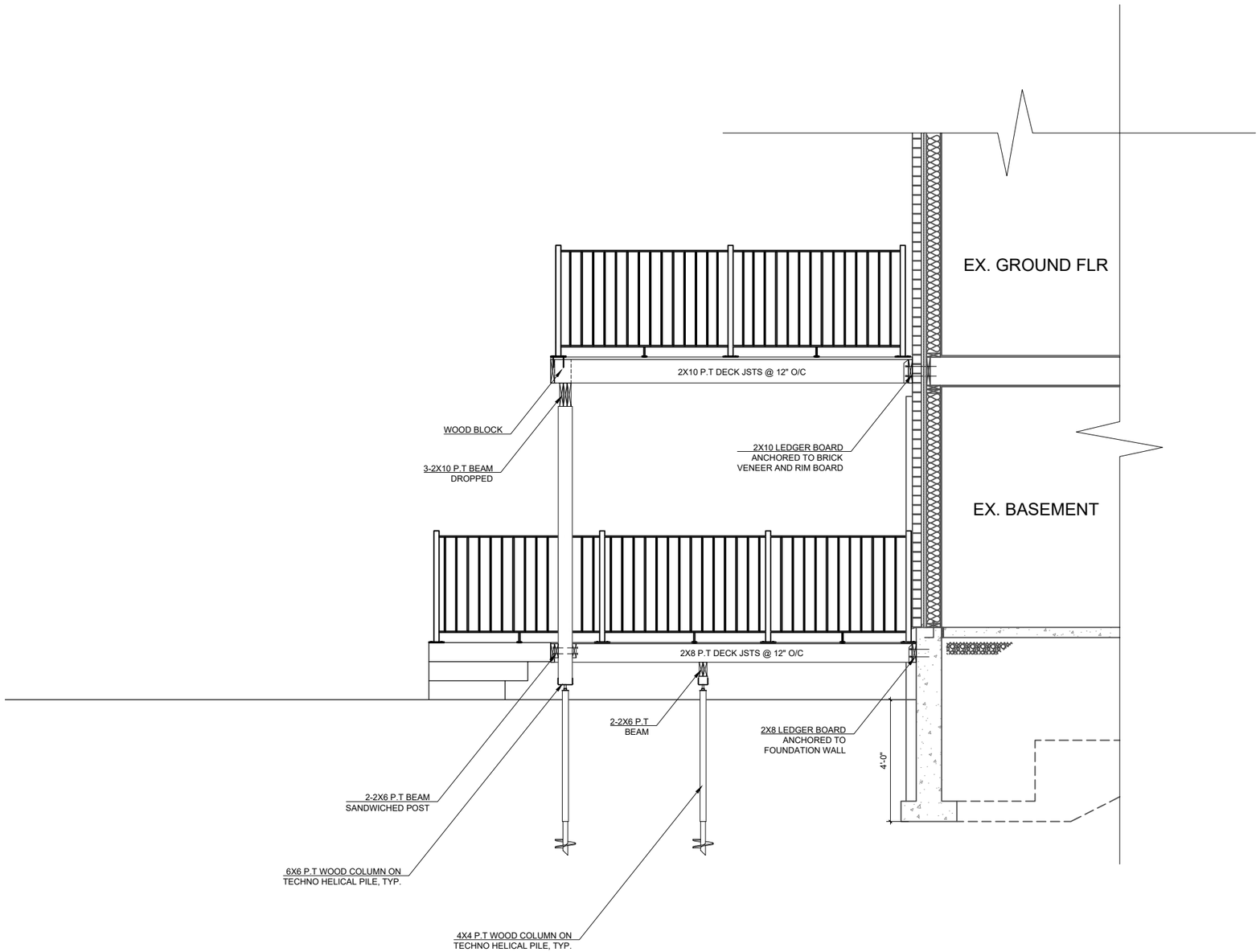
Project
46 ATTRIDGE CRES,
HAMILTON, ON



EXISTING SECTION A–A

1/4"=1'

No:	Date:	Revision:	By:
01	08/06/2021	FOR PERMIT	

No: Date: Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-06
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-06

Project No. 210830

Rev.

Title
EXISTING SECTION
A–A

Scale : AS SHOWN

Date SEP 06 2021

CloudTop Design

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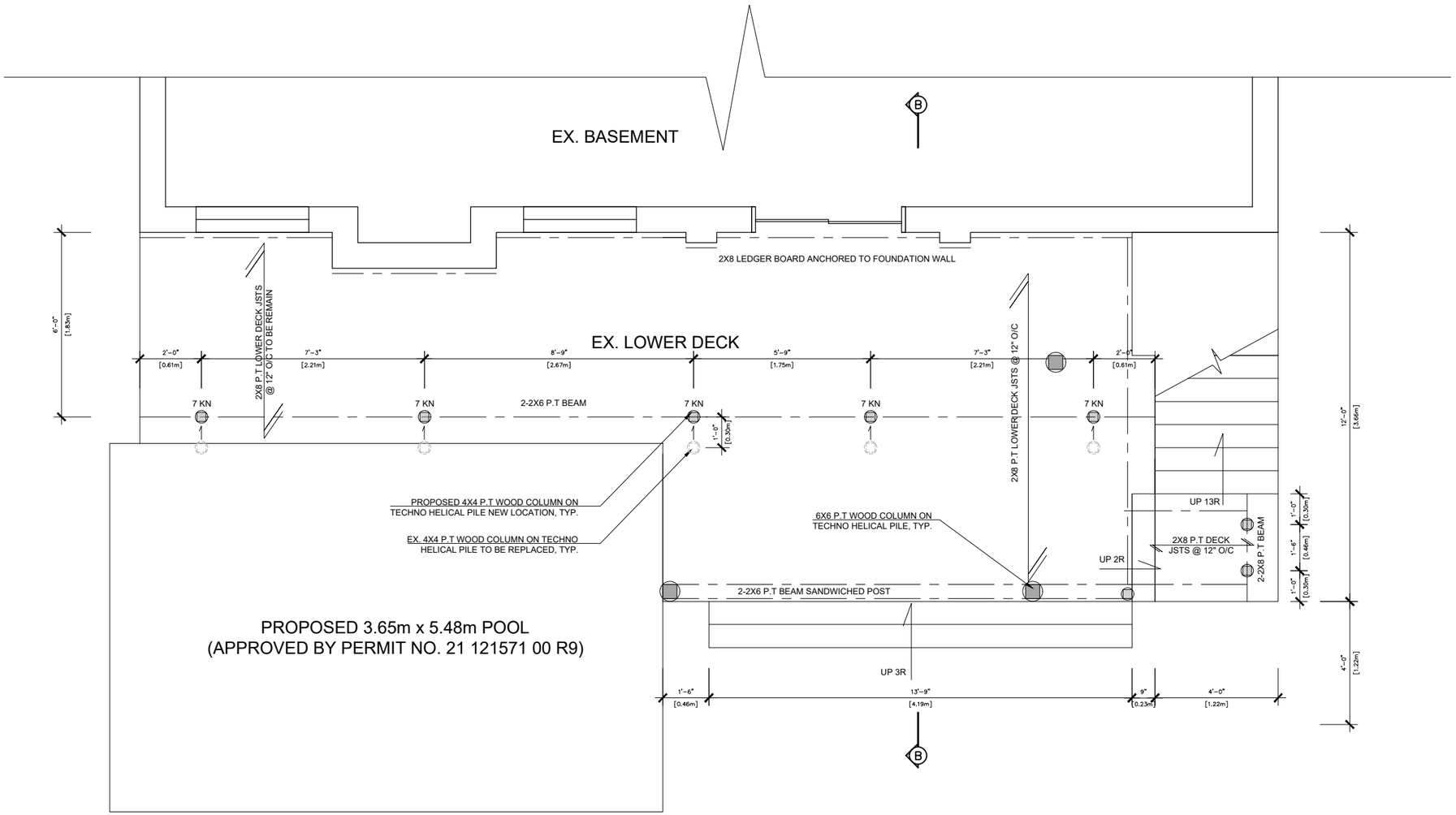
design@cloudtop.ca

Project
46
ATTRIDGE
CRES,
HAMILTON, ON



PROPOSED LOWER DECK FRAME PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by	XDT
Dwg. No.	A-07
Project No.	210830
Rev.	

Title: PROPOSED LOWER DECK FRAME PLAN

Scale: AS SHOWN

Date: SEP 18 2021

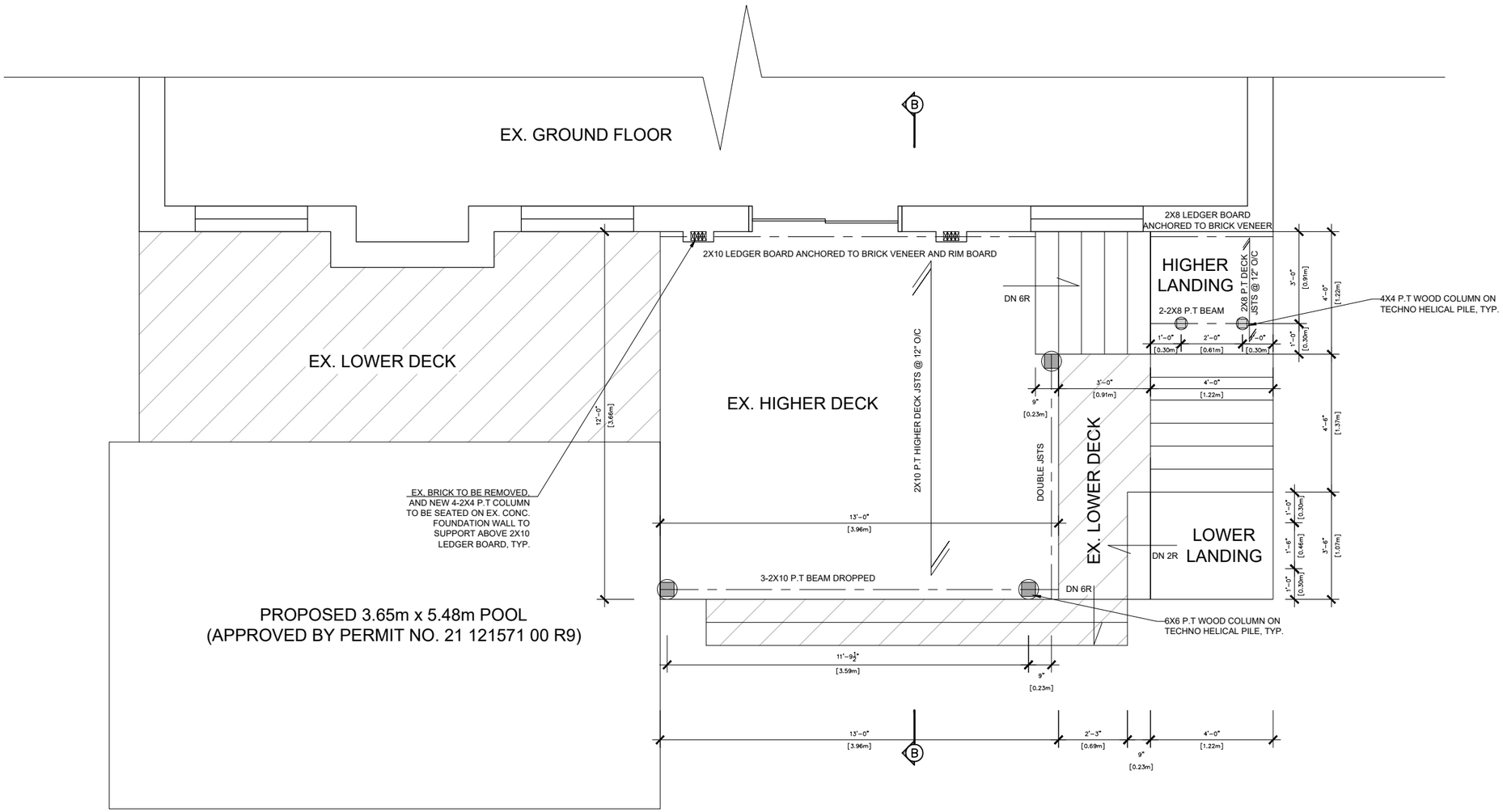
CloudTop Design

[redacted]

T:647-685-0958

www.cloudtop.ca
design@cloudtop.ca

Project: 46 ATTRIDGE CRES, HAMILTON, ON



PROPOSED HIGHER DECK FRAME PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

No:	Date:	Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by	XDT
Dwg. No.	A-08
Project No.	210830
Rev.	

Title PROPOSED HIGHER DECK FRAME PLAN

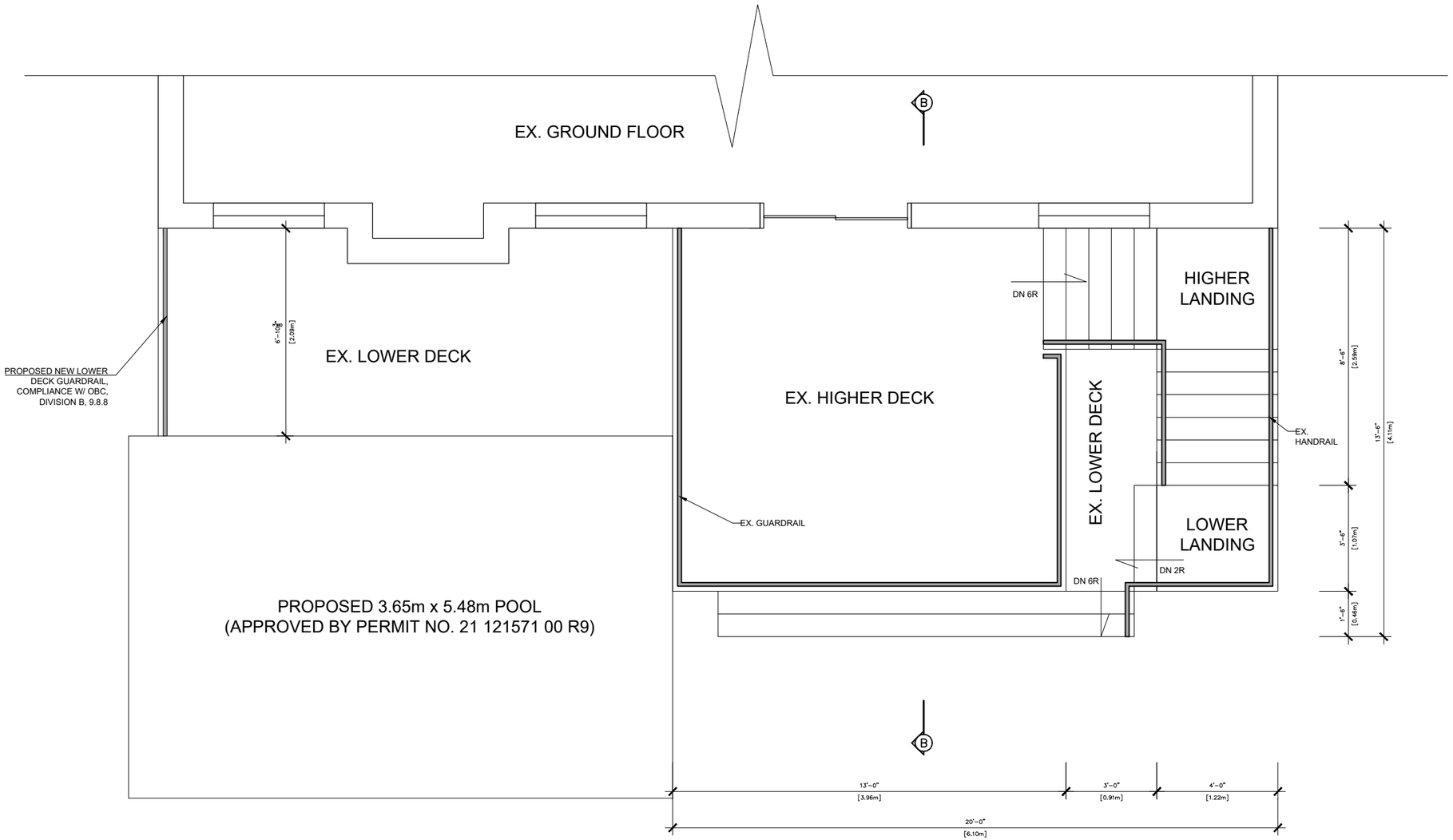
Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

www.cloudtop.ca T:647-685-0958
design@cloudtop.ca

Project
46 ATTRIDGE CRES,
HAMILTON, ON



PROPOSED DECK FLOOR PLAN

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-09

Project No. 210830

Rev.

Title PROPOSED DECK FLOOR PLAN

Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

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design@cloudtop.ca

T:647-685-0958

Project
46 ATTRIDGE CRES,
HAMILTON, ON

PROPOSED REAR ELEVATION

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

No: Date: Issue:

LICENSED PROFESSIONAL ENGINEER
Y. CHEN
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT

Dwg. No. A-10

Project No. 210830

Rev.

Title PROPOSED REAR ELEVATION

Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

T:647-685-0958

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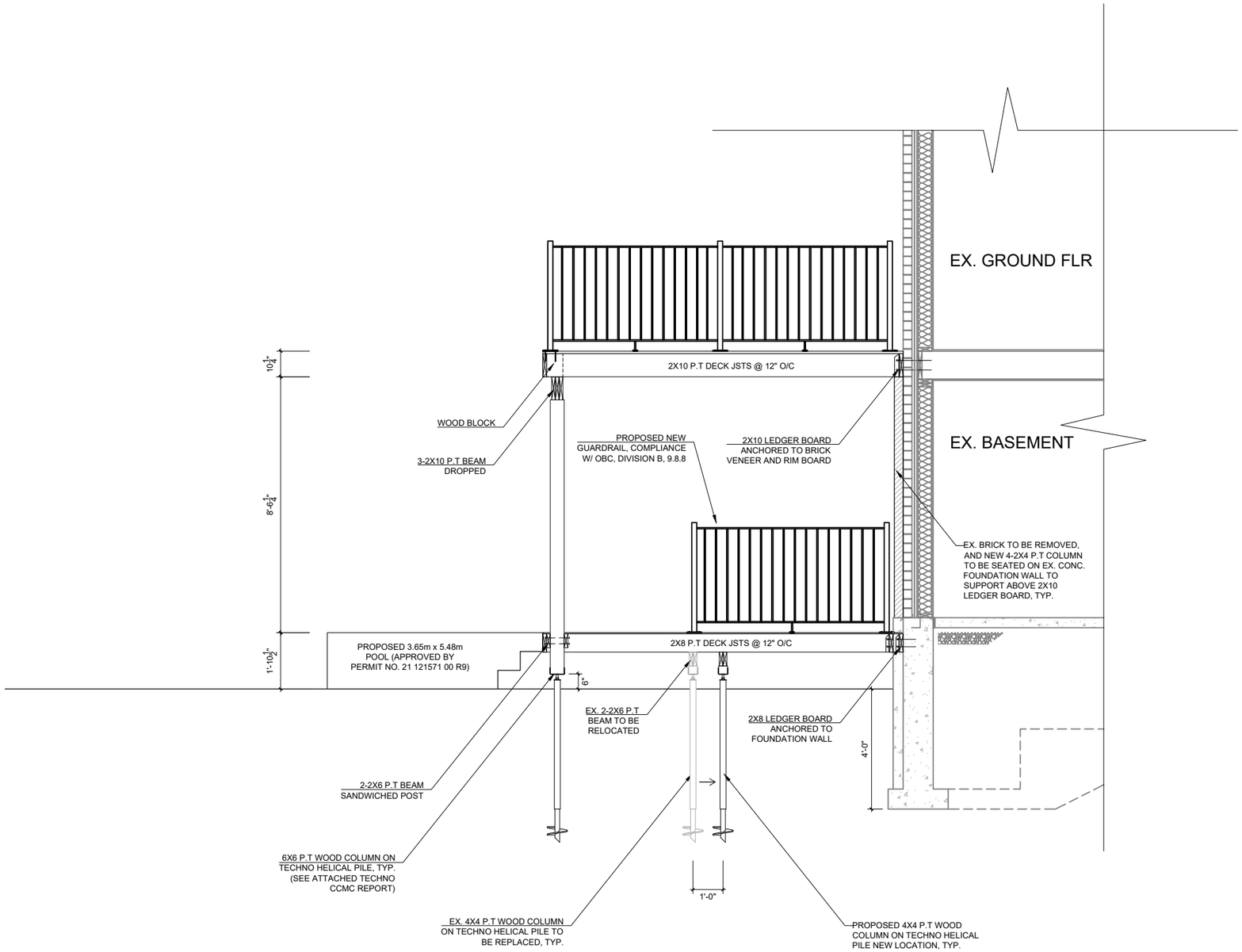
design@cloudtop.ca

Project
46 ATTRIDGE CRES,
HAMILTON, ON



PROPOSED SECTION B–B

1/4"=1'

No:	Date:	Revision:	By:
01	09/18/2021	FOR PERMIT	

LICENSED PROFESSIONAL ENGINEER
Y. CHI NG
90449993
2021-09-18
PROVINCE OF ONTARIO

Drawn by XDT
Dwg. No. A-11
Project No. 210830
Rev.

Title
PROPOSED SECTION B–B

Scale : AS SHOWN

Date SEP 18 2021

CloudTop Design

[redacted]

T:647-685-0958

www.cloudtop.ca
design@cloudtop.ca

Project
46 ATTRIDGE CRES, HAMILTON, ON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West – 3rd Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

Hamilton

August 16, 2021

SEAN MACCORMACK

46 ATTRIDGE CRES.
HAMILTON, ON L8B 0T9

RE: 46 ATTRIDGE CRES. 13 FLAMBOROUGH
Building Permit Application Number 21-143081-00 R9
Building Permit Application Review Letter

The following item(s) are required to be addressed prior to further review of the above-noted building permit application:

Item	Zoning	Reference
Z1.	The maximum required lot coverage of all accessory structures in is 5%. The proposed deck covers 8% of the lot. Provide a revised site plan or a successful application to the Committee of Adjustment is required. Committee of Adjustment 905-546-2424 ext. 4221	By law 90-145-Z

Item	Ontario Building Code **Unless otherwise noted all Ontario Building Code (OBC) references are Division B; [A] - Division A; [C] - Division C.**	Reference
C1.	Confirm the material of the proposed guards. Engineered specifications from the manufacturer or a Part 4 (P.Eng.) design for the proposed railing system.may be required if using a material other than wood (glass, aluminium etc.)	
C2.	Confirm the attachment of the proposed deck at the house. Note: No attachment is permitted to or through brick veneer.	

C3.	Provide elevations showing the height of the proposed lower deck as well as the upper deck.	
C4.	Indicate the joist size on the upper deck.	
C5.	Provide manufacturer specifications or a Part 4 (P.Eng.) design for the proposed helical piles along with a CCMC report.	

Note: Responding information will only be reviewed if provided in a single comprehensive submission complete with an itemized covering letter. Incomplete submissions will be subject to additional fees.

All documents shall be signed by the applicable required design professional(s). When revised drawings are submitted provide two (2) copies sealed and signed by the design professional(s).

Please be advised that should revised drawings be received that do not address the above-noted issues, there may be additional plan review fees owing in the amount of $166.00 per hour of review time.

If you require further information, please contact Yasmine Manzombi at (905) 546-2424 ext. 6861.

_____
Yasmine Manzombi
Plan Examiner / Permit Application Specialist
For Director, Building Division

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:

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 a maximum of 8% accessory buildings coverage instead of 5%

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing 2 storey deck with 12% lot coverage deck to be cut down to 8% (cut th e lower part)lot coverage,

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**):

46 ATTRIDGE CRES, HAMILTON, L8B 0T9
PIN 17501-194 (LT)

7. PREVIOUS USE OF PROPERTY

Residential ☑ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ○ No ◉ Unknown ○

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

Yes ( ) No (●) Unknown ( )

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

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

Is the previous use inventory attached? Yes ☐ No ☑

9. ACKNOWLEDGEMENT CLAUSE

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

2021-10-17
Date

Sean MacCormack Margaret McQueen
Signature Property Owner(s)

MACCORMACK SEAN & MCQUEEN MARGARET
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	19.264 m
Depth	27.109 m
Area	438 m2
Width of street	9 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:_
2 STOREY DWELLING (NO CHANGE), REAR YARD DECK WITH 12% LOT COVERAGE

Proposed
2 STOREY DWELLING (NO CHANGE), REAR YARD DECK WITH 8% LOT COVERAGE

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

Existing:
DWELLING: 4.58 M FRONT YARD SETBACK, 1.26 M SIDE YARD SETBACK, 7.02 M REAR YARD SETBACK (NO CHANGE)

DECK: 1.98 M SIDE YARD SETBACK (NO CHANGE), 3.30 M REAR YARD SETBACK

Proposed:
DWELLING: NO CHANGE
DECK: 1.98 M SIDE YARD SETBACK (NO CHANGE), 3.76 M REAR YARD SETBACK

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:

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

By law 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

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-21:371**

APPLICANTS: Owner Matej Hrotka

SUBJECT PROPERTY: Municipal address **28 Oak Ave., Flamborough**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of an accessory building (detached garage) that will comprise 37.5 square metres of gross floor area for an existing single detached dwelling to be expanded, notwithstanding that:

1. The accessory building shall be located within the front yard and 10.7 metres from the front lot line, whereas, the zoning by-law does not permit accessory buildings to be located within the front yard or flankage yard.

2. The accessory building shall have a maximum height of 4.9 metres instead of the maximum height of 4.5 metres.

NOTES:

1. The variance was written as requested by the applicant and an additional variance was included to address the maximum building height.

2. The existing 0.2 hectare lot area is recognized as legally established non-complying within the S1 Zone of Zoning By-law 05-200.

3. The drawings did not identify the required parking for the existing dwelling. The owner shall ensure that the parking space shall not be located within the required 7.5 metre front yard and that the parking space meets the minimum required dimensions of 2.8m x 5.8m or additional variances shall be required.

4. The applicant is intending to construct single storey and one-and-a-half storey additions to the existing single detached dwelling comprising 110m^2 of gross floor area and a 12.8m^2 covered porch along the westerly side of the property. As there are no zoning compliance issues for these additions, variances are not required.

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

DATE: **Thursday, March 3rd, 2022**
TIME: **3:15 p.m.**
PLACE: **Via video link or call in (see attached sheet for details)**
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

…/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

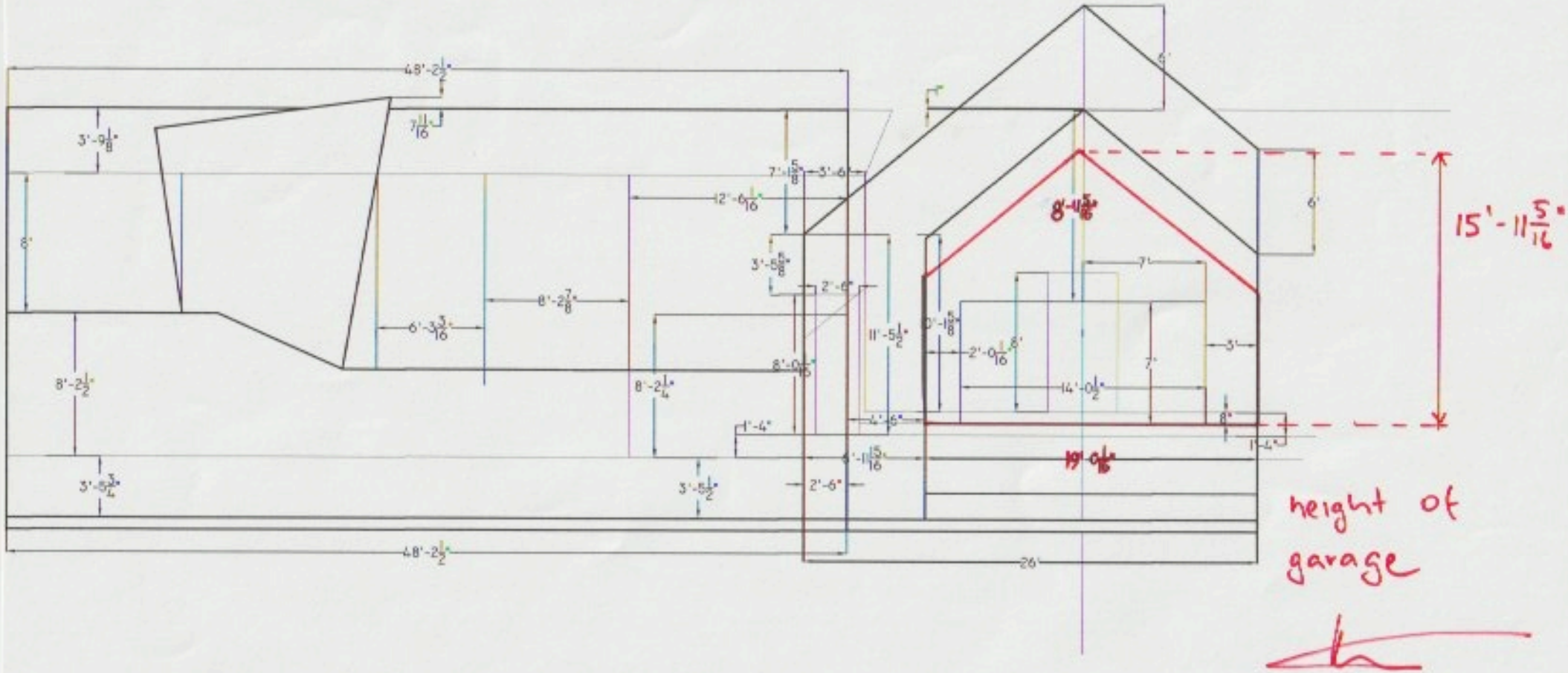
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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 COMMENTS	
3	
2	
1	
REF. DATE	DESCRIPTION

CLIENT
MR. MATTHEW

HROTKA

28 OAK AVENUE, DUNDAS ONT.
LOT 17 GRAND VISTA GARDENS REGISTERED NO. 773
TOWNSHIP OF WEST FLAMBORO
MCKAY AND MCKAY SURVEY PLAN Y-9786
JUNE 28, 1956

SCALE
0 5 10 IMPERIAL
0 1 2 3 METRES
UNLESS OTHERWISE NOTED

DRAWING NO.
1.

NORTH ELEVATION
EXISTING-PROPOSED

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

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

Hamilton

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:

RBC Royal Bank
70 King St. W, Dundas, ON, L9H 1T8

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 garage in front yard

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

It doesnot comply with zoning bylaw because zoning does not allow for an accessory building in front of the main residence

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**):

28 OAK AVENUE, DUNDAS, ON, L9H 4Y9
LOT 17 GRAND VISTA GARDENS
REGISTERED NO. 773 TOWNSHIP OF WEST FLAMBORO

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 (X) Unknown ( )

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

I purchased the house from original owner/builder from 1956

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 [X]

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.

Oct. 05/2021
Date

Signature Property Owner(s)

MATEJ HROTKA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	100'-3 1/2" (30.6m)
Depth	215'-7 1/2" (65.7m)
Area	21,520 sq.ft.
Width of street	22'-0"

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:

multi-level 1335 sq.ft.
25'-8" x 48'-3"

Proposed

one and half storey 1280sqft.
detouched garage . 402 sq.ft.

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 20'-4" rear 70'-10 1/2"
31'-1 3/8" front 114'-0"

Proposed: garage:

side 70'-8 7/8" rear 146'-1 3/8"
10'-1 3/8" front 35'-0"

Proposed : house

side: 63' - 4 3/4"
10' - 4"

rear: 71' - 1 5/8"
front: 53' - 6 5/8"

13. Date of acquisition of subject lands:
Aug 17 | 2017

14. Date of construction of all buildings and structures on subject lands:
June 28 / 1956

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

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

17. Length of time the existing uses of the subject property have continued:
1956

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

Water	☐	Connected	☐
Sanitary Sewer	☐	Connected	☐
Storm Sewers	☐		

N/A

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

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

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.