



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 22-09
Date: May 12, 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.SC/B-22:225 Southmeadow Crescent, Stoney Creek (Ward 10) Agent T. John's Consulting – D. Morris Owner Mina cantone Applicant Magam Development Corp	5
2.2. 1:20 p.m.SC/A-22:10331 Waterford Crescent, Stoney Creek (Ward 10) Agent Cam Lang Owner P. & P. MacTaggart	21
2.3. 1:25 p.m.SC/A-22:109517 Fruitland Rd., Stoney Creek (Ward 10) Agent YEJ Studio – H. Robah Owner T. Papaviannia & C. Barnat	55

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- 2.5. 1:40 p.m.AN/A-22:102352 Devonshire Terrace, Ancaster (Ward 12) 83
Owner S. Popic
- 2.6. 1:45 p.m.AN/A-22:104393 Wilson St. E., Ancaster (Ward 12) 93
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Owner Family Practice (Dixie) Ltd.
- 2.7. 1:50 p.m.HM/A-22:10527 Millen Ave., Hamilton (Ward 8) 121
Agent IDM (2005) Consultants Inc. – P. Tewari
Owner A. Jafar
- 2.8. 1:55 p.m.AN/A-22:1065 Valridge Court, Ancaster (Ward 12) 129
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- 2.9. 2:00 p.m.AN/A-22:11231 Naomi Court, Ancaster (Ward 12) 139
Agent Stoney Brook – T. Brucculieri
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- 2.10. 2:05 p.m.HM/A-22:11535 Hamilton Ave., Hamilton (Ward 7) 149
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Owners D. Vopni & M. Puzzella
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- 3.2. 2:20 p.m.HM/B-22:2392 & 94 Steven St., Hamilton (Ward 3) 191
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- 3.3. 2:25 p.m.HM/A-22:99578 Catherine St. N., Hamilton (Ward 2) 205
Agent M. Sabelli
Owners J. & J. Schoenhardt

- 3.4. 2:40 p.m.HM/A-22:101800 Beach Blvd., Hamilton (Ward 5) 219
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- 3.5. 2:45 p.m.HM/B-22:2458 Parkside Dr., Hamilton (Waterdown) (Ward 13) 227
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- 3.6. 2:50 p.m.HM/A-22:108286 Victoria Ave. N., Hamilton (Ward 3) 245
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- 3.7. 2:55 p.m.HM/A-21:437237 Broadway Ave., Hamilton (Ward 1) 255
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- 3.8. 3:00 p.m.HM/A-22:11020 Tolton Ave., Hamilton (Ward 4) 325
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- 3.9. 3:05 p.m.HM/A-22:111102-104 Inchbury St., Hamilton (Ward 1) 337
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- 3.10. 3:10 p.m.HM/B-22:25235 Main St. W., Hamilton (Ward 1) 345
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Applicant Coletara Development- M. Krasic

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- 4.5. 3:45 p.m.FL/A-22:1171525 Conc 2, Flamborough (Ward 12) 401
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Agent G. P. Murphy
Owner M.J. Creighton

5. **CLOSED**

6. **ADJOURNMENT**



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-22:22

SUBJECT PROPERTY: 5 Southmeadow Crescent, Stoney Creek

You are receiving this notice because you are either:

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

APPLICANT(S): Agent T. John's Consulting – D. Morris
 Owner Mina cantone
 Applicant Magam Development Corp

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land for residential purposes (existing dwelling will be demolished)

Severed lands: Part 2
 16.46m[±] x 43.66m[±] and an area of 719.2m²±

Retained lands: Part 1
 16.46m[±] x 43.74m[±] and an area of 720.5m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 12th, 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.

SC/B-22: 22
PAGE 2

MORE INFORMATION

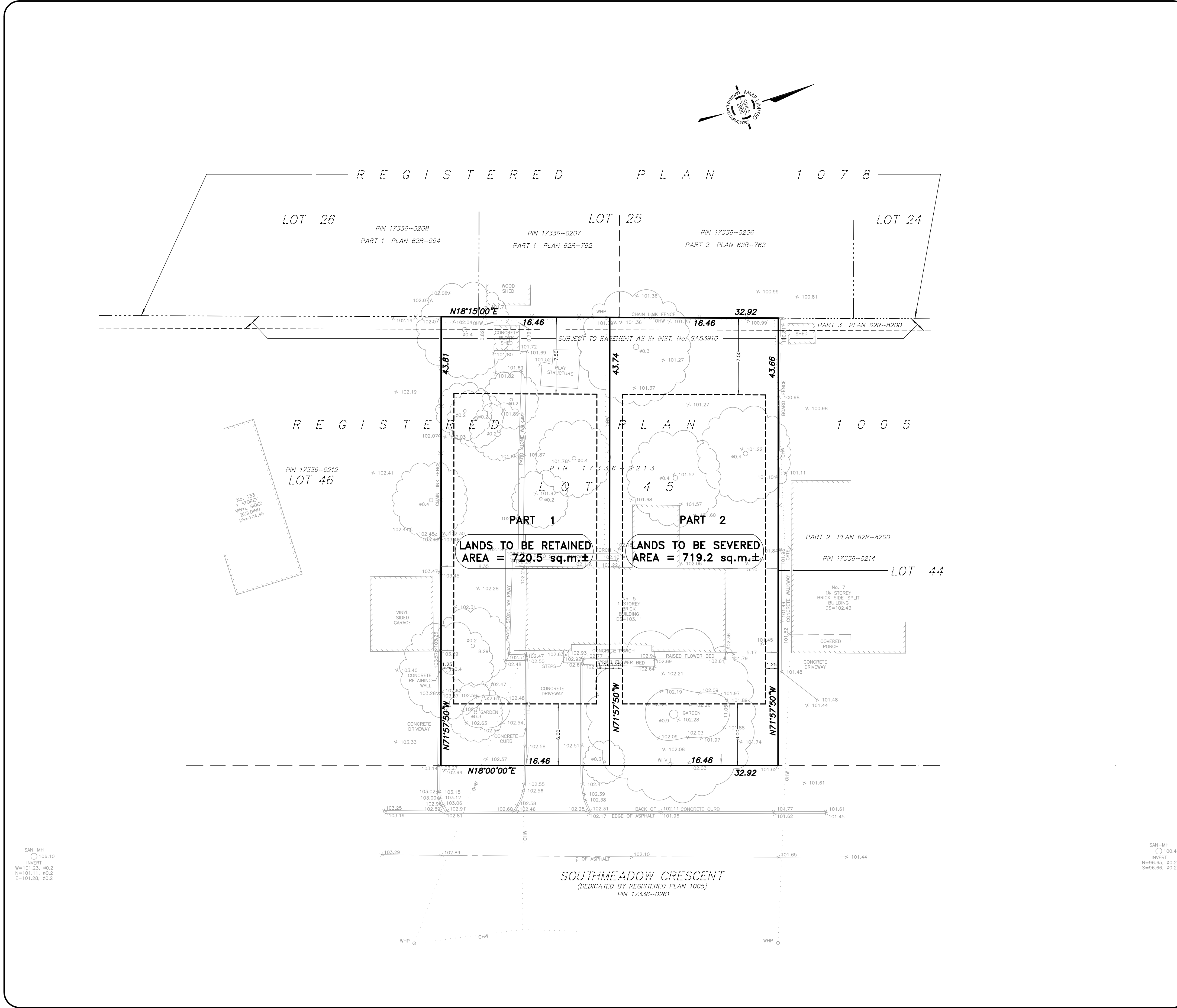
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 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.



5 SOUTHMEADOW CRESCENT PLAN SHOWING PROPOSED SEVERANCE

NOT TO SCALE

KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
LOT 45
REGISTERED PLAN 1005
 IN THE
CITY OF HAMILTON

SCALE 1 : 200

MacKAY, MacKAY & PETERS LIMITED-ONTARIO LAND SURVEYORS
 © 2022

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

BENCHMARK NOTE
 BENCHMARK No. 0772002011
 ELEVATION = 98.173 METRES (CGVD 1928:1978 ADJUSTMENT)
 LOCATED IN STONEY CREEK 9 METRES NORTH OF CENTRELINE OF ROYCE AVENUE, 7 METRES WEST OF CENTRELINE OF MILLEN ROAD, 8 METRES NORTHEAST OF MANHOLE & 16 METRES SOUTH OF HYDRO POLE.

LEGEND
 WHP DENOTES WOOD HYDRO POLE
 OHW DENOTES OVERHEAD WIRE
 DS DENOTES DOOR SILL
 WHV DENOTES WATER HYDRANT VALVE
 C DENOTES CENTRE LINE
 PIN DENOTES PROPERTY IDENTIFICATION NUMBER
 ○ DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

**CITY OF HAMILTON ZONING BY-LAW 3692-92 (STONEY CREEK)
 ZONING REGULATION - R2**

ZONE	REQUIRED	PROVIDED	
		PART 1 RETAINED	PART 2 SEVERED
LOT FRONTAGE	15 m.(min)	16.46 m	16.46 m
LOT AREA	460 sq.m.(min)	720.5 sq.m.	719.2 sq.m.
FRONT YARD	6 m.(min)		
REAR YARD	7.5 m.(min)		
SIDE YARD	1.25 m.(min)		
BUILDING AREA		288.2 sq.m. MAX	287.6 sq.m. MAX
BUILDING COVERAGE	40% (max)		
BUILDING HEIGHT	11 m.(max)	Max Elev 94.16	Max Elev 94.24

CAUTION
 - THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED
 - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
 - THIS SITE PLAN IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE
 BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

FEBRUARY 18, 2022
 DATE

ROY C. MAYO
 ONTARIO LAND SURVEYOR
 FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
1	FEBRUARY 18 2022	SEVERANCE SKETCH COMPLETED

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

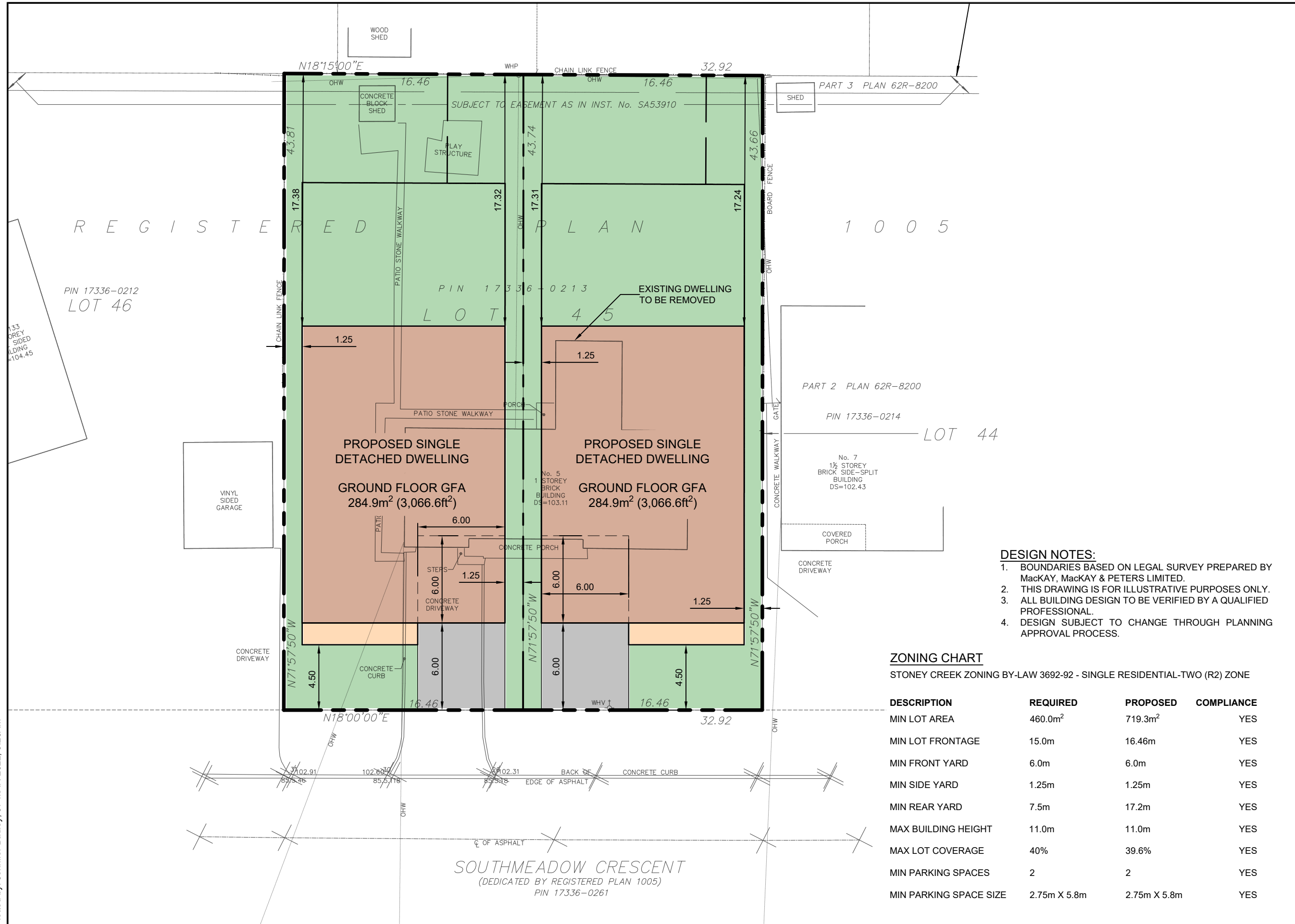
3380 South Service Road
 Unit 101
 Burlington, ON
 L7N 3J5
 (905) 639-1375
 halton@mmplimited.com
 mmplimited.com

E:\(62) Hamilton-Wentworth\Registered Plans\RP1005\LOT 45\21-381\21-381-SEV.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. NO.
A.S.	K.J.D.	21-381-SEV	1

SAN-MH
 ○ 106.10
 INVERT
 W=101.23, #0.2
 N=101.11, #0.2
 E=101.28, #0.2

SAN-MH
 ○ 100.46
 INVERT
 N=98.65, #0.2
 S=98.66, #0.2



LEGAL DESCRIPTION
 LOT 45
 REGISTERED PLAN 1005
 IN THE
 CITY OF HAMILTON



REVISIONS

REV.	DESCRIPTION	DATE	INIT.
A	ISSUED FOR SUBMISSION	07-03-2022	JB

DISCLAIMER
 THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.
 ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.
 THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

- DESIGN NOTES:**
- BOUNDARIES BASED ON LEGAL SURVEY PREPARED BY MacKAY, MacKAY & PETERS LIMITED.
 - THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
 - ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
 - DESIGN SUBJECT TO CHANGE THROUGH PLANNING APPROVAL PROCESS.

ZONING CHART
 STONEY CREEK ZONING BY-LAW 3692-92 - SINGLE RESIDENTIAL-TWO (R2) ZONE

DESCRIPTION	REQUIRED	PROPOSED	COMPLIANCE
MIN LOT AREA	460.0m ²	719.3m ²	YES
MIN LOT FRONTAGE	15.0m	16.46m	YES
MIN FRONT YARD	6.0m	6.0m	YES
MIN SIDE YARD	1.25m	1.25m	YES
MIN REAR YARD	7.5m	17.2m	YES
MAX BUILDING HEIGHT	11.0m	11.0m	YES
MAX LOT COVERAGE	40%	39.6%	YES
MIN PARKING SPACES	2	2	YES
MIN PARKING SPACE SIZE	2.75m X 5.8m	2.75m X 5.8m	YES

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
 5 SOUTHMEADOW CRES
 STONEY CREEK, ONTARIO

DRAWING TITLE
 CONCEPTUAL SITE PLAN

DRAWN BY JB	DESIGNED BY JB
PRINT DATE 07-MAR-2022	PROJECT NUMBER
REVISION A	DRAWING NUMBER CSP1-1
SCALE 1:250	

Plotted by: Jennifer Badley: 07-MAR-2022: 9:26AM

SURVEYOR'S REAL PROPERTY REPORT
 PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF
LOT 45
REGISTRE PLAN 1005
 IN THE
CITY OF HAMILTON
 SCALE 1 : 200

0 5 10 20 metres
 THE INTENDED PLOT SIZE OF THIS PLAN IS 930mm IN WIDTH BY 480mm IN HEIGHT
 WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)
 MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2022

KNOWN AS MUNICIPAL No. 5 SOUTHMEADOW CRESCENT

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
 BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - NOVEMBER 2, 2021
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 - SUBJECT TO EASEMENT AS IN INST. No. SA53910

ADDITIONAL REMARKS:
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

MacKAY, MacKAY & PETERS LIMITED grants MARK MAGA ("The Client"),
 their solicitor and other related parties permission to use "Original Copies" of the
 Surveyor's Real Property Report in transactions involving "The Client"

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

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-21940

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 IN ACCORDANCE WITH
 REGULATION 1028, SECTION 28(3)

LEGEND

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN BY MMP LIMITED DATED FEBRUARY 21, 1995 (95-022-18 (L))
- P2 DENOTES PLAN BY MMP LIMITED DATED NOVEMBER 19, 1986 (Y-20548)
- P3 DENOTES PLAN 62R-762
- P4 DENOTES PLAN 62R-3338
- P5 DENOTES PLAN 62R-8200
- P6 DENOTES REGISTERED PLAN 1005
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- C DENOTES CENTRELINE
- WHP DENOTES WOOD HYDRO POLE
- OHW DENOTES OVERHEAD WIRE
- DS DENOTES DOOR SILL
- CLF DENOTES CHAIN LINK FENCE
- BF DENOTES BOARD FENCE
- CRW DENOTES CONCRETE RETAINING WALL
- WHV DENOTES WATER HYDRANT VALVE
- DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY
 LINES UNLESS OTHERWISE NOTED
 A ROTATION OF 00°10'00" HAS BEEN APPLIED TO BEARINGS ON PLANS P3 & P4

BENCHMARK NOTE

BENCHMARK No. 07720020011
 ELEVATION = 98.173 METRES (CGVD28: 78 ADJUSTMENT)
 LOCATED IN STONEY CREEK 9 METRES NORTH OF CENTRELINE OF ROYCE AVENUE, 7
 METRES WEST OF CENTRELINE OF MILLEN ROAD, 8 METRES NORTHEAST OF MANHOLE
 & 16 METRES SOUTH OF HYDRO POLE

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF
 SOUTHMEADOW CRESCENT AS SHOWN ON REGISTERED PLAN 1005 HAVING A
 BEARING OF N18°00'00"E

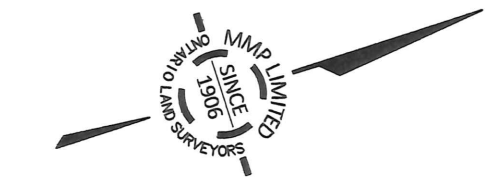
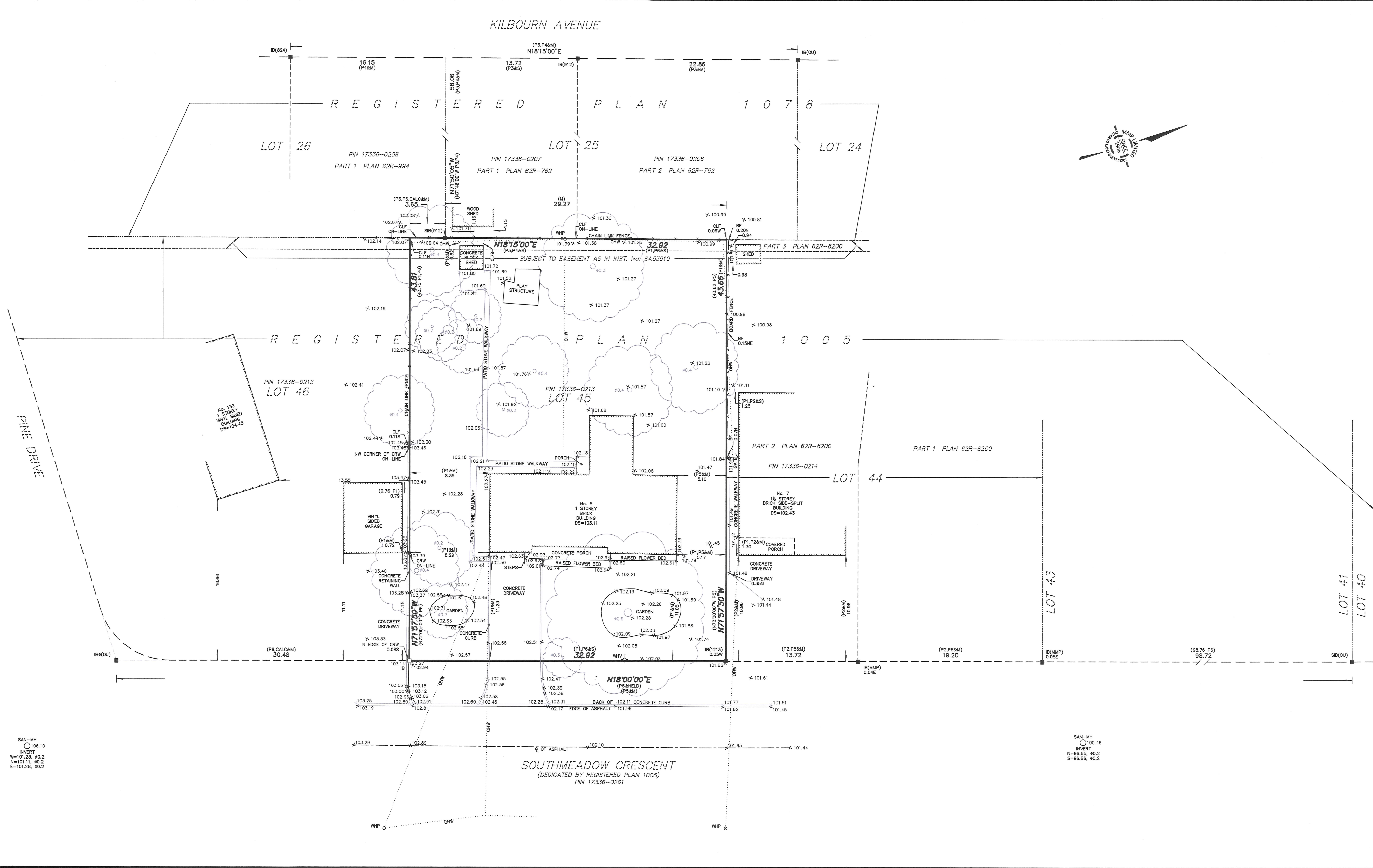
SURVEYOR'S CERTIFICATE

- 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 21st DAY OF JANUARY, 2022

JANUARY 24, 2022
 DATE

AISAR BHERI
 ONTARIO LAND SURVEYOR
 FOR MACKAY, MACKAY & PETERS LIMITED

<p>MacKAY, MacKAY & PETERS LIMITED LAND SURVEYORS & MAPPERS SINCE 1906</p>	3380 South Service Road Unit 101 Burlington, ON L7N 3S5 (905) 639-1375 halton@mmplimited.com mmplimited.com	DRAWN BY: G.S. PARTY CHIEF: N.C. CHECKED BY: AB PROJECT No.: 21-381
	E:\(62) Hamilton-Wentworth\Registered Plans\RP1005\LOT 45\21-381\21-381.dwg	



SAN-MH
 INVERT
 W=101.23, #0.2
 N=101.11, #0.2
 E=101.28, #0.2

SAN-MH
 INVERT
 N=98.65, #0.2
 S=98.66, #0.2

March 21, 2022

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: 5 Southmeadow Crescent, Stoney Creek
Application for Consent to Sever**

T. Johns Consulting Group (“T. Johns”) was retained by the applicant, Maga Developments Corporation, September 7, 2021. T. Johns respectfully submits the following Consent to Sever application on their behalf.

Site Description

5 Southmeadow Crescent (“subject lands”) is located in Stoney Creek, legally described as Lot 45, Registered Plan 1005 in the City of Hamilton. The subject lands are rectangular in shape with an area of 0.14 hectares (0.36 acres) and 32.92 metres (108.01 feet) of frontage along Southmeadow Crescent.

Planning Status

The subject lands are located within the “*Niagara Escarpment Plan Area*” of the Greenbelt Plan and are identified as “*Urban Area*” in the Niagara Escarpment Plan.

The Urban Hamilton Official Plan (“UHOP”) designates the subject lands “*Neighbourhoods*”. The Neighbourhoods designation permits single detached dwellings.

The *City of Stoney Creek Zoning By-law 3692-92* zones the subject lands Single Residential - Two (R2) Zone. The “R2” Zone permits a single detached dwelling on a lot with a minimum lot area of 460 square metres and a minimum lot frontage of 15 metres.

Proposed Development

This application for Consent to Sever is to create two (2) lots for a single detached dwelling. To facilitate the proposed development, the existing dwelling is to be demolished. As shown on the submitted Consent Sketch, PART 1 (lands to be retained) would have a lot area of 720.5 square metres and lot frontage of 16.46 metres and PART 2 (lands to be severed) would have a lot area of 719.2 square metres and a lot frontage of 16.46 metres. The proposed lots meet the requirements of the “R2” Zone of Stoney Creek Zoning By-law 3692-92.

T. Johns respectfully requests that this letter and enclosed documents be accepted and circulated to all relevant departments in support of the Consent to Sever application.

Please find the enclosed:

- Consent to Sever Application with signatures;
- Copy of a cheque in the amount of \$2,985.00 to satisfy the application fee, made payable to the City of Hamilton;
 - Cheque hand delivered to City Hall March 21, 2022.
- Survey Plan;
- Conceptual Site Plan; and
- Consent Sketch.

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.



Diana Morris, BA, MCIP, RPP
Senior Planner



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*		
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 Stoney Creek	Lot 45	Concession	Former Township
Registered Plan N°. 1005	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 5 Southmeadow Crescent			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:

INST. No. SA53910

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:

Maga Developments Corporation c/o Mark Maga

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION4.1 Description of land intended to be **Severed (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m ² or ha)
16.46 m	43.66 m	719.2 m ²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Single detached dwellingProposed: Single detached dwellingExisting structures to be removed: Yes

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)

4.2 Description of land intended to be Retained (remainder):

Frontage (m)	Depth (m)	Area (m ² or ha)
16.46 m	43.74 m	720.5 m ²

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Single detached dwelling

Proposed: Single detached dwelling

Existing structures to be removed: Yes

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity telephone school bussing garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The Urban Hamilton Official Plan designates the subject 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.

Single Residential - Two (R2) Zone in Stoney

- 5.2 What is the existing zoning of the subject land? Creek Zoning By-law No. 3692-92
If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____
- 5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

*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'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

The proposed development provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

The proposed development provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

The proposed development provides residential infill development within the delineated built-up area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)
- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No
 If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)
- g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

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

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

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?

The owner property was purchased August 30, 1996.

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.

18 Candlewood Court, Stoney Creek

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area

Designation

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

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

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

10.3 **Description of Lands**

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 **Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

12 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.

3/17/2022

Date

DocuSigned by:
Mina Cantone
 30FC51A25E774CE

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-22:103

APPLICANTS: Agent Cam Lang
 Owners P. & P. MacTaggart

SUBJECT PROPERTY: Municipal address **31 Waterford Crescent, Stoney Creek**

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

ZONING: "R5-1" (Residential - Five) district

PROPOSAL: To permit a 37 square metre second storey addition to the existing semi-detached dwelling, notwithstanding that:

1. A minimum southerly side yard of 0.93 metres, and a minimum northerly side yard of 1.20 metres shall be permitted, instead of the minimum required side yard of 1.25 metres.
2. An accessory building ("Cabana House") may be located a minimum of 0.17 metres from the southerly side lot line, instead of the requirement that an accessory building shall be located a minimum of 0.5 metres from a side lot line.
3. An accessory building ("Shed") may be located a minimum of 0.09 metres from the rear lot line, instead of the requirement that an accessory building shall be located a minimum of 0.5 metres from a rear lot line.

NOTES:

1. Please note that the height of the proposed building addition has not been indicated as per the definition of "Height – Building" provided in Stoney Creek Zoning By-law No. 3692-92. It is noted that the Zoning Chart provided as part of the submitted Planning Justification Report indicates a building height of less than 11 metres for the principle dwelling, which is the maximum building height permitted in the "R5-1" Zone. Additional variances may be required if compliance with Section 6.6.3(f) cannot be achieved.
2. Please note that specific details regarding parking on the lot have not been indicated on the Site Plan, and therefore parking has not been reviewed for zoning compliance. It is noted that the Zoning Chart provided as part of the submitted Planning Justification Report indicates two (2) parking spaces are to be provided, which as per Section 6.6.4, is the minimum number of spaces required for the proposed development, however, due to insufficient information being provided, a full review of the applicable parking regulations could not be completed. Additional variances may be required if compliance with Stoney Creek Zoning By-law No. 3692-92 cannot be achieved.

SC/A-22: 103

Page 2

3. Please note that projection of eaves/gutters for both the principle dwelling and the two (2) accessory buildings (i.e. "Cabana House" and "Shed") has not been indicated. Please note that as per Section 4.19(b) eaves or gutters, for other than an accessory building may project into any required yard a distance of not more than 0.5 metres. As per Section 4.19(c), eaves or gutters for accessory buildings may project into any required yard a distance of 0.25 metres. Additional variances may be required if compliance with Section 4.19(b) and (c) cannot be achieved.

4. Please note elevation drawings have not been provided for the two (2) accessory buildings (i.e. "Cabana House" and "Shed") to confirm the height of the buildings. As per Section 6.1.4(a), the maximum height for an accessory building is 4.5 metres. Additional variances may be required if compliance with Section 6.1.4(a) cannot be achieved.

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

DATE: Thursday, May 12th, 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: April 26th, 2022.

Jamila Sheffield,
 Secretary-Treasurer
 Committee of Adjustment

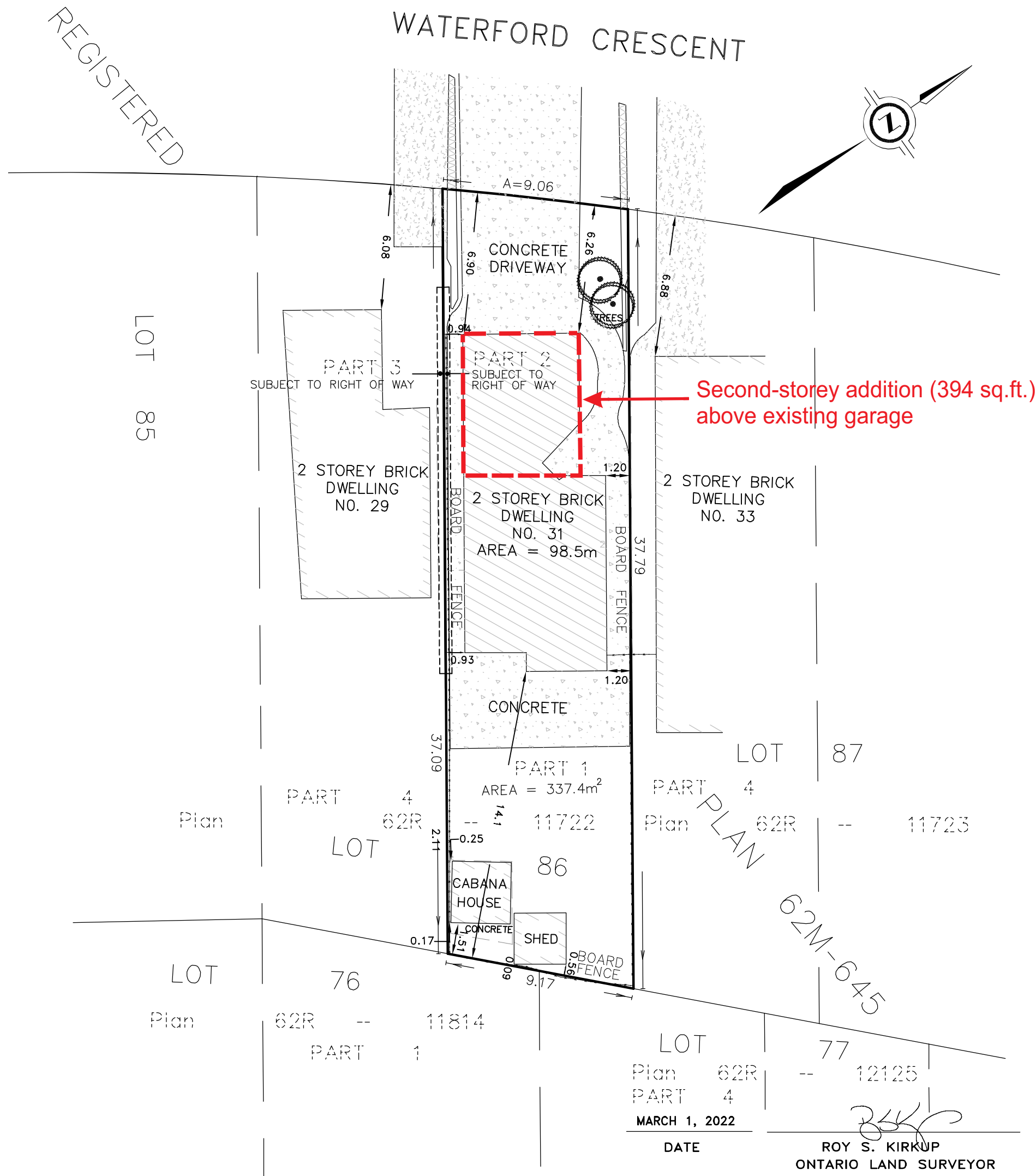
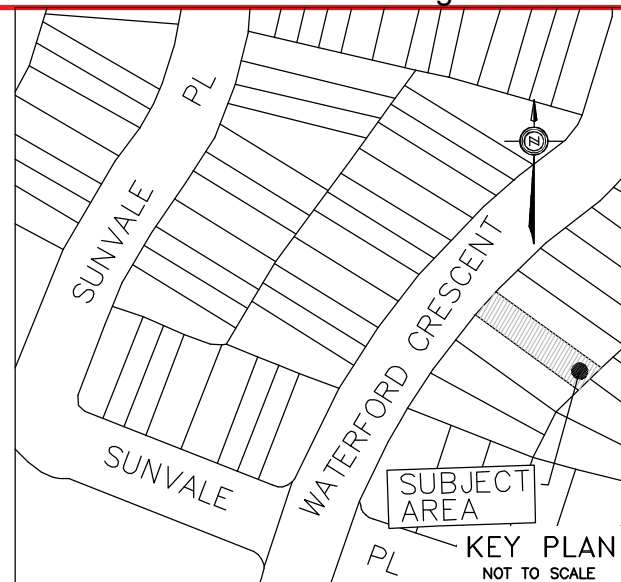
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SKETCH TO SHOW PART OF LOT 86, PLAN 62M-645 CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

SCALE 1 : 200



KIRKUP MASCOE URE SURVEYING
(A DIVISION OF J.D. BARNES LTD.)
ONTARIO LAND SURVEYORS



Second-storey addition (394 sq.ft.)
above existing garage

NOTE

THIS SKETCH IS INTENDED FOR USE OF THE COMMITTEE OF ADJUSTMENT ONLY. MEASUREMENTS MAY VARY UPON FIELD SURVEY.

METRIC NOTE

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

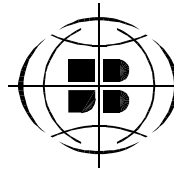
PART	DESCRIPTION	AREA(m ²)	%
PART 1	BUILDING AREA	= 98.5 m ²	29.2%
	ACCESSORY BUILDING AREA	= 14.8 m ²	4.4%
	DRIVEWAY & CONC. WALK	= 113.4 m ²	33.6%
	LANDSCAPE OPEN SPACE	= 110.7 m ²	32.8%
TOTAL		337.4m²	100%

MARCH 1, 2022

DATE

ROY S. KIRKUP
ONTARIO LAND SURVEYOR

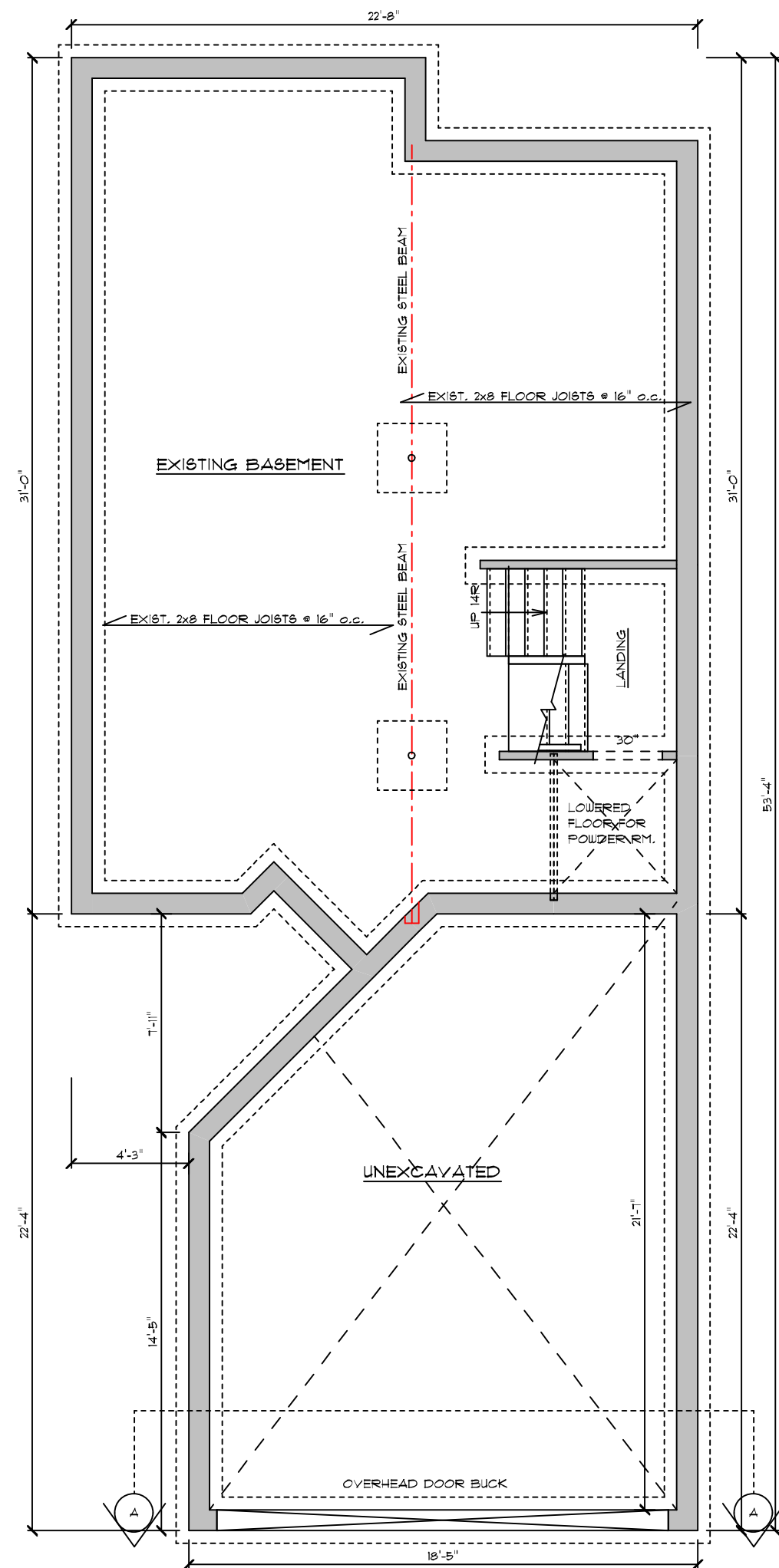
THIS PLAN IS NOT VALID UNLESS EMBOSSED WITH THE ORIGINAL SURVEYORS SEAL



Kirkup Mascoe Ure Surveying
A Division of J.D. Barnes Limited

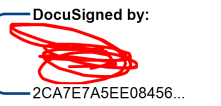
4318 PORTAGE ROAD UNIT 2, NIAGARA FALLS, ON L2E 6A4
T: (905) 641-1007 F: (905) 641-4424 www.jdbarnes.com

DRAWN BY: CN	CHECKED BY: RSK	REFERENCE NO.: 21-49-199-00
PLOTTED: MARCH 1, 2022		DATED: MARCH 1, 2022



FOUNDATION PLAN (EXISTING)

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code
Individual BCIN: 26172



- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE OBC 2012 (O.Reg. 332/12 AS AMENDED)
- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS

GENERAL NOTES:

PROJECT NAME

*MacTAGGART
RESIDENCE*

PROJECT TITLE

31 WATERFORD CRES.
STONE CREEK

**JONKMAN
DESIGN**

519-448-3214

REVISIONS

DATE MAY 20/21

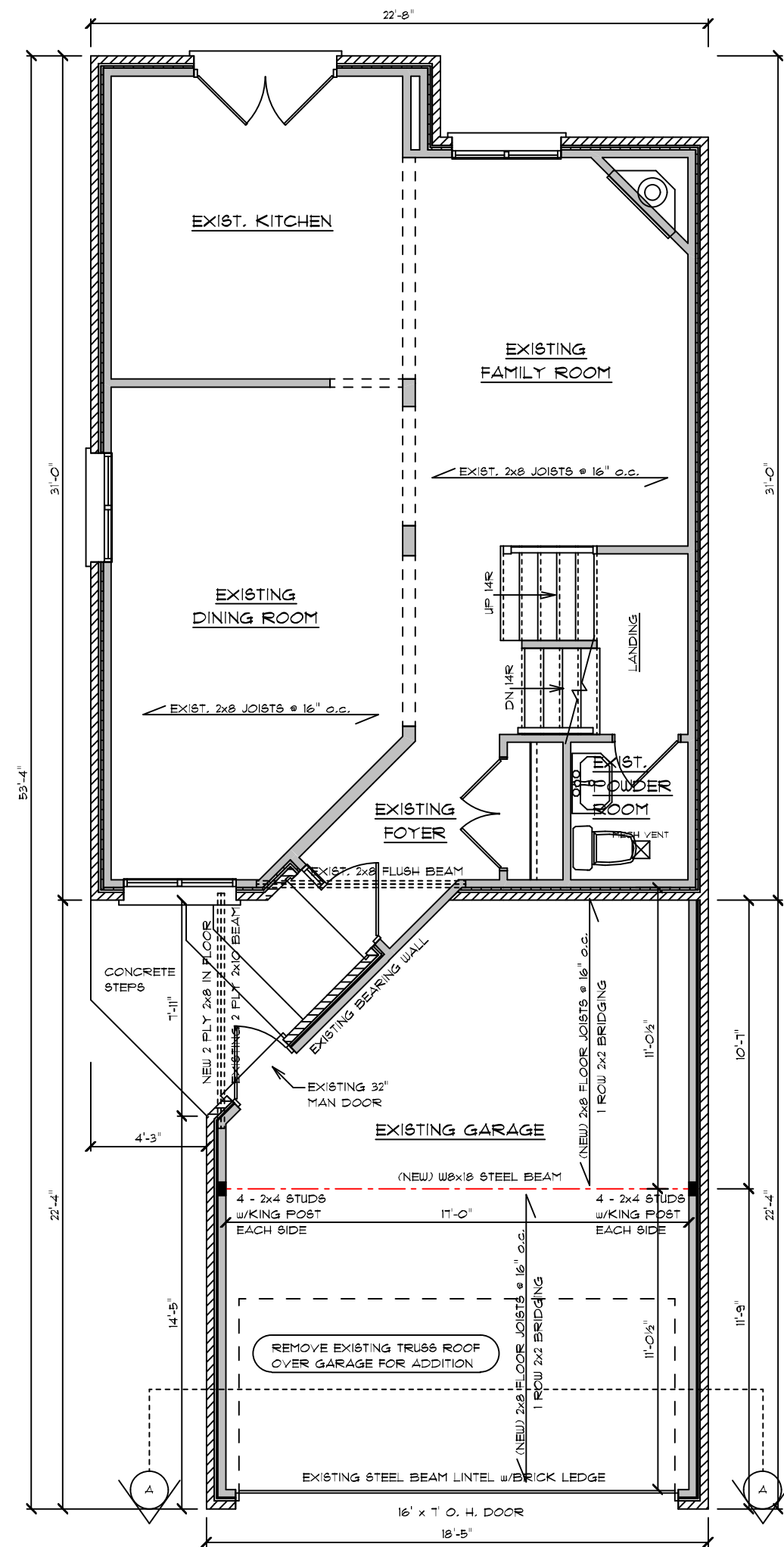
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DRAWN BY JIM J.

APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
4 OF 8



MAIN FLOOR PLAN (EXISTING)
678 SQ. FT.

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code Individual BCIN: **26172**



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*MacTAGGART
RESIDENCE*

PROJECT TITLE

31 WATERFORD CRES.
STONEY CREEK

**JONKMAN
DESIGN**

519-448-3214

REVISIONS

DATE MAY 20/21

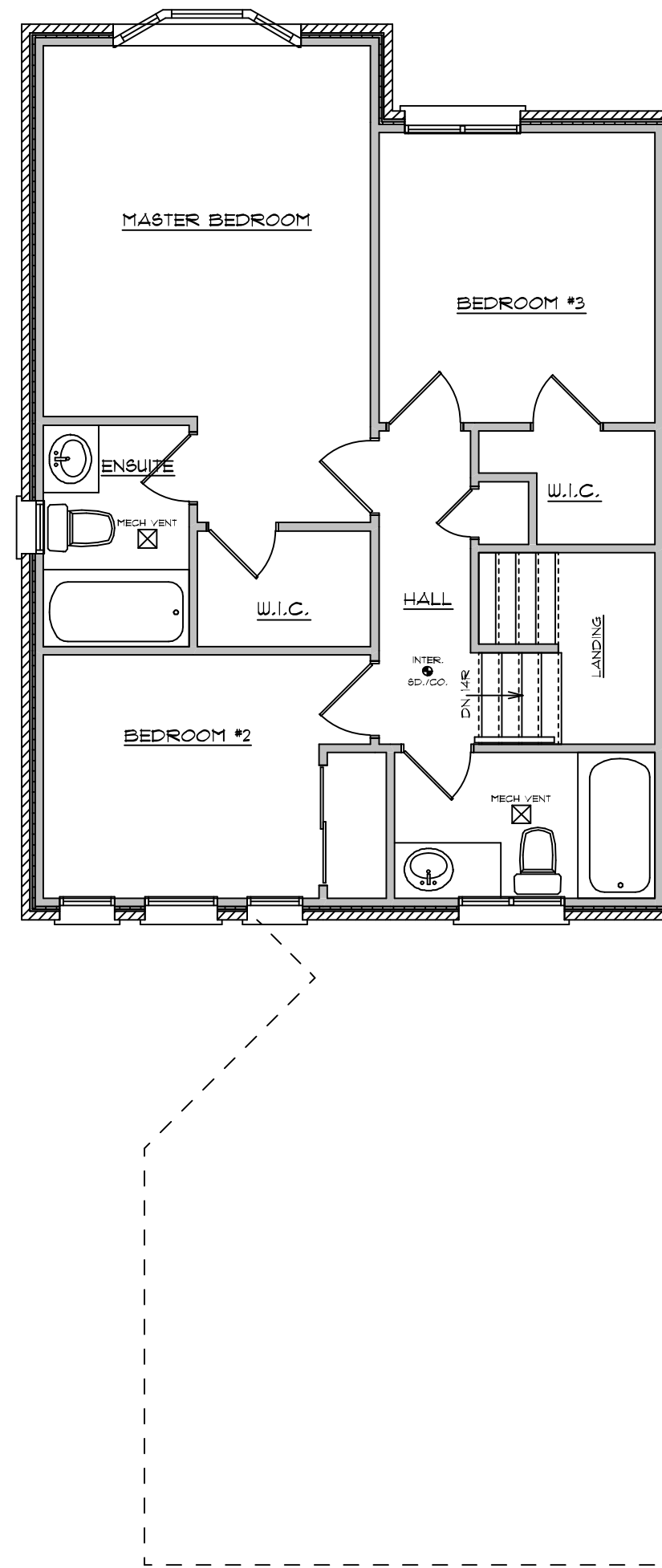
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DRAWN BY JIM J.

APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
5 OF 8



I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code
 Individual BCIN: 26172



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31 WATERFORD CRES.
 STONEY CREEK

**JONKMAN
 DESIGN**

519-448-3214

REVISIONS

DATE MAY 20/21

SCALE 3/16" = 1'-0"

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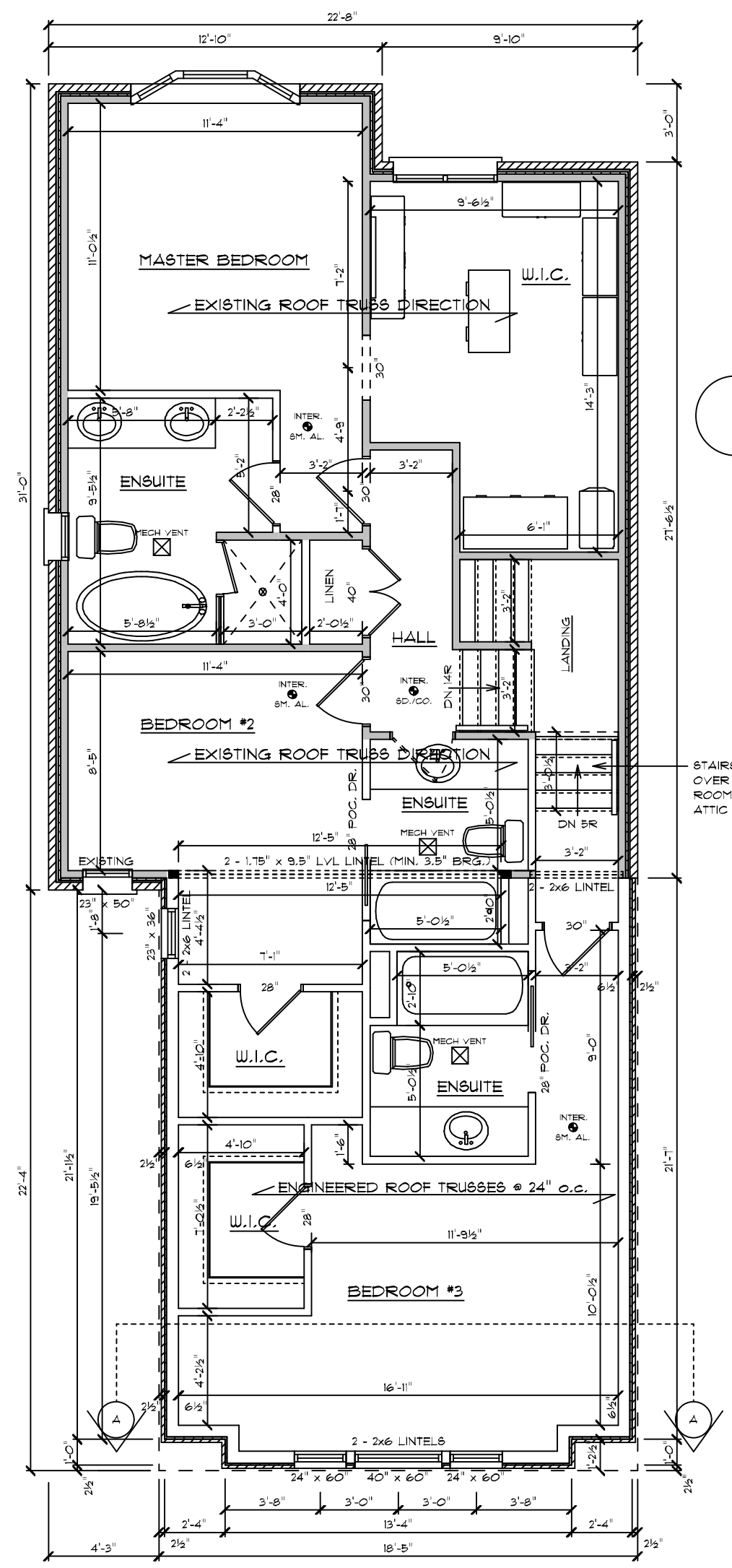
APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
6 OF 8

SECOND FLOOR PLAN (EXISTING)

673 SQ. FT.

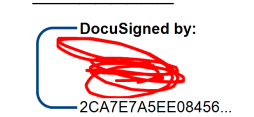


NOTE:
ALL EXISTING INTERIOR 2x4 STUD
WALLS ARE NON-LOAD BEARING
AND CAN BE REMOVED OR HAVE
OPENINGS ADDED

STAIRS TO BE INSTALLED
OVER TOP OF POWDER
ROOM CEILING CLOSED
ATTIC SPACE

NOTE:
ALL LINTEL SIZES AND FLOOR
JOIST SPANS TAKEN FROM THE
CANADIAN WOOD COUNCIL -
SPAN BOOK (2009 EDITION)

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code
Individual BCIN: 26172



- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
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- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS

GENERAL NOTES:

PROJECT NAME
MacTAGGART RESIDENCE

PROJECT TITLE
31 WATERFORD CRES.
STONE CREEK

JONKMAN DESIGN
519-448-3214

REVISIONS	
DATE	MAY 20/21
SCALE	3/16" = 1'-0"
DRAWN BY	JIM J.
APPROVED	
FILE NAME	MACT-2005-21

SECOND FLOOR PLAN (ADDITION)
ADDITION - 394 SQ. FT.

DRAWING NUMBER
1 OF 8

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code
 Individual BCIN: 26172



- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
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GENERAL NOTES:

PROJECT NAME

MacTAGGART RESIDENCE

PROJECT TITLE

31 WATERFORD CRES.
 STONEY CREEK

JONKMAN DESIGN

519-448-3214

REVISIONS

DATE MAY 20/21

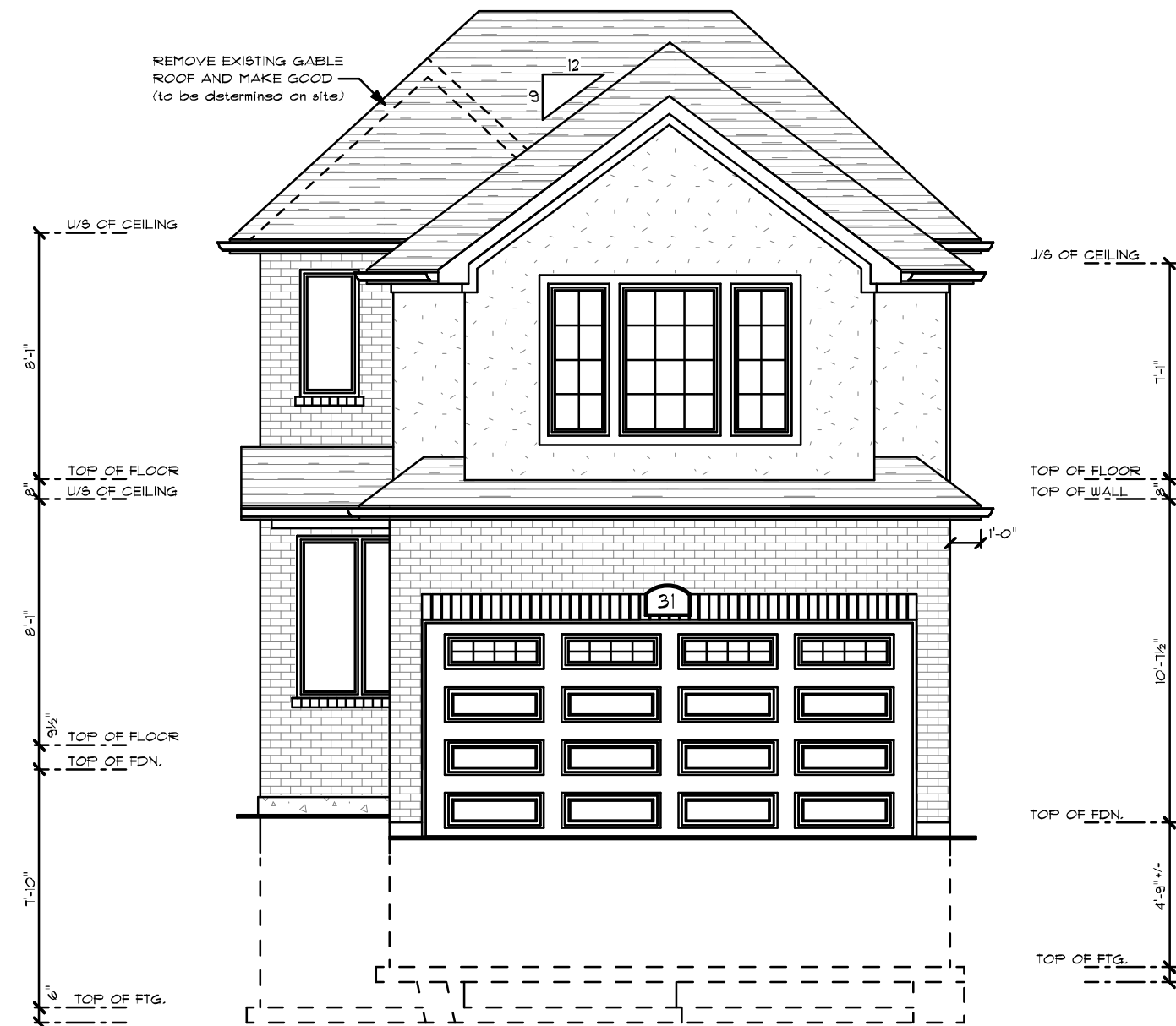
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APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
 1 OF 8



FRONT ELEVATION

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code Individual BCIN: 26172



- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE OBC 2012 (O.Reg. 332/12 AS AMENDED)
- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS

GENERAL NOTES:

PROJECT NAME

MacTAGGART RESIDENCE

PROJECT TITLE

31 WATERFORD CRES.
STONE CREEK

JONKMAN DESIGN

519-448-3214

REVISIONS

DATE MAY 20/21

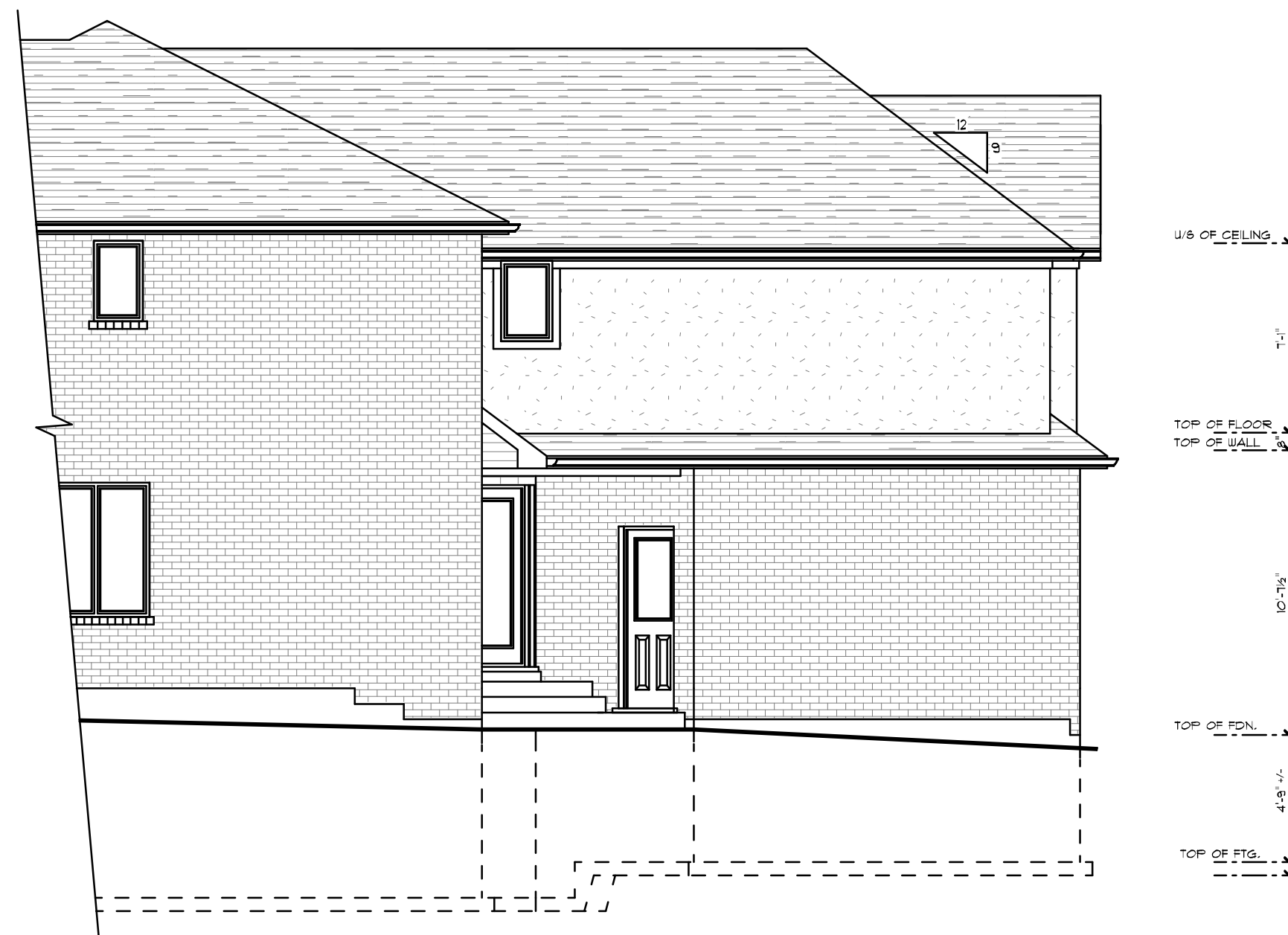
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APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
2 OF 8



LEFT SIDE ELEVATION

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code Individual BCIN: 26172

6/29/2021

DocuSigned by:
2C47E7A5EE08456...

- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE OBC 2012 (O.Reg. 332/12 AS AMENDED)
- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS

GENERAL NOTES:

PROJECT NAME

MacTAGGART RESIDENCE

PROJECT TITLE

31 WATERFORD CRES.
STONE CREEK

JONKMAN DESIGN

519-448-3214

REVISIONS

DATE MAY 20/21

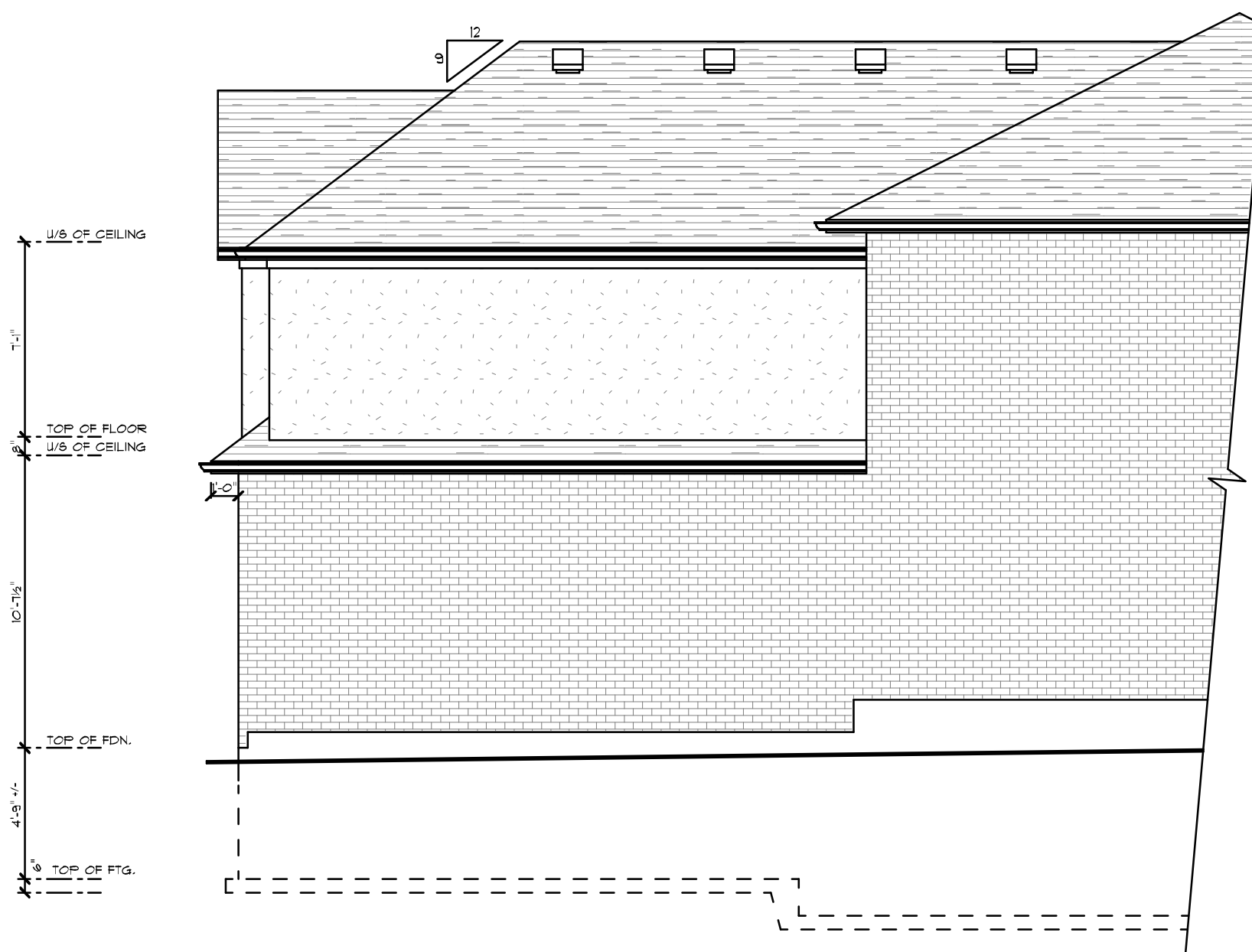
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APPROVED

FILE NAME MACT-2005-21

DRAWING NUMBER
3 OF 8



RIGHT SIDE ELEVATION

DISCLAIMER/COPYRIGHT

ALL DESIGNS AND ANY DRAWINGS ASSOCIATED WITH THEM ARE THE PROPERTY OF JONKMAN DESIGN (DESIGNER) AND ARE PROTECTED BY COPYRIGHT

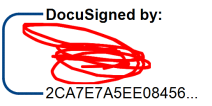
THE DRAWINGS AND DOCUMENTS ARE TO BE USED SOLELY FOR THE PROJECT TO WHICH SUCH PERMITS HAVE BEEN ISSUED. REPRODUCTION OF THESE DRAWINGS IN PART OR WHOLE FOR ANY OTHER PURPOSE THEN SAID PROJECT WITHOUT THE WRITTEN CONSENT OF JONKMAN DESIGN IS STRICTLY PROHIBITED

THE CONTRACTOR AND/OR SUB-CONTRACTOR MUST ENSURE THAT ALL WORK PERFORMED MUST BE IN ACCORDANCE WITH PART 9 OF THE ONTARIO BUILDING CODE AND ANY DISCREPANCIES MUST BE REPORTED TO THE DESIGNER BEFORE COMMENCING ANY WORK

GENERAL NOTES:

- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE ONTARIO BUILDING CODE (PART 9)
- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5. of Division C, of the Building Code Individual BCIN: **26172**



- 3) PLANS ARE TO BE REVIEWED BY THE LOCAL BUILDING DEPT. BEFORE PROCEEDING ANY WORK
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE OBC 2012 (O.Reg. 332/12 AS AMENDED)
- 1) OWNER AND/OR CONTRACTOR TO BE RESPONSIBLE FOR CHECKING AND CONFIRMING ALL MEASUREMENTS

GENERAL NOTES:

PROJECT NAME

MacTAGGART RESIDENCE

PROJECT TITLE

31 WATERFORD CRES.
STONE CREEK

JONKMAN DESIGN

519-448-3214

REVISIONS

DATE MAY 20/21

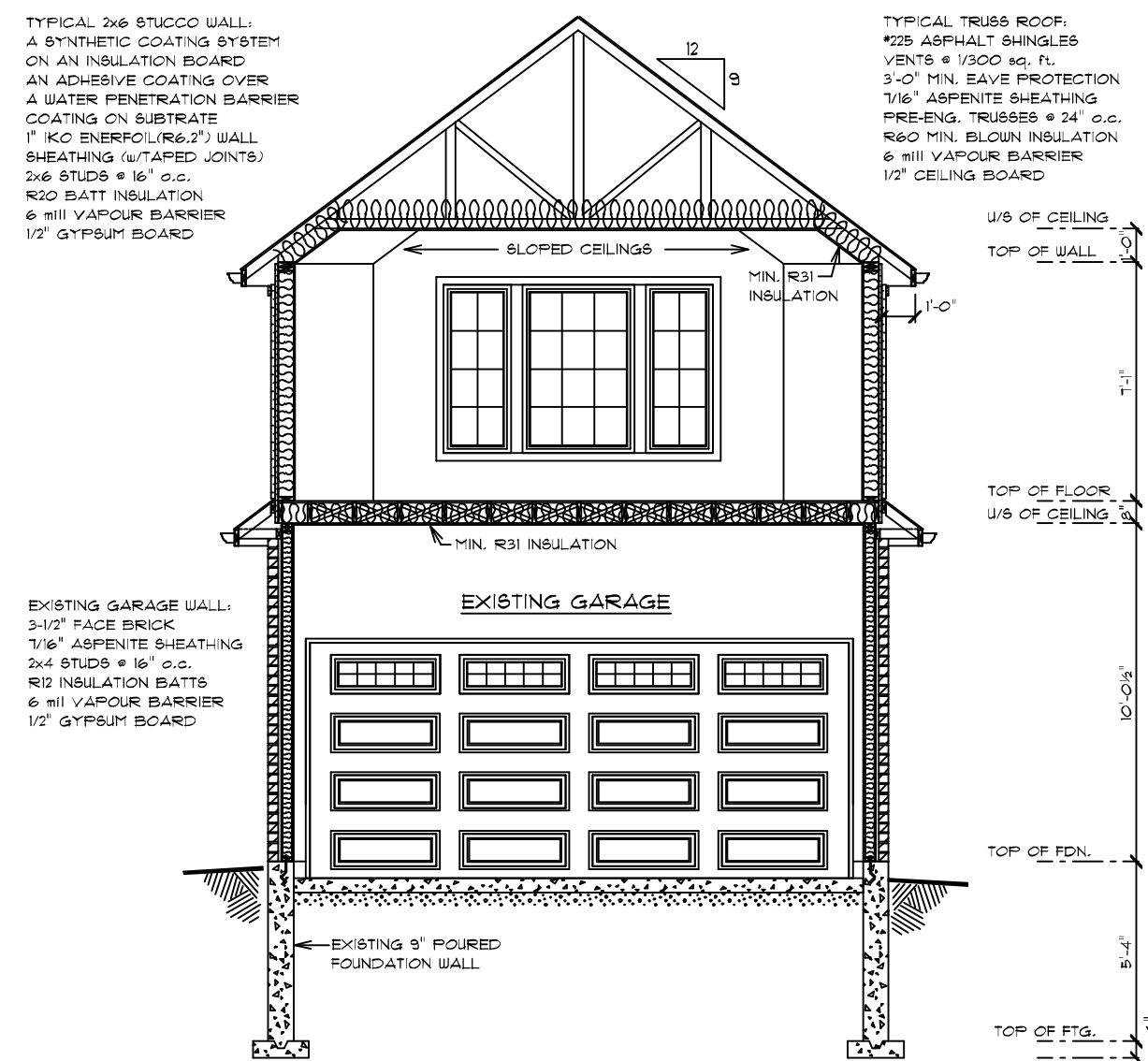
SCALE 3/16" = 1'-0"

DRAWN BY JIM J.

APPROVED

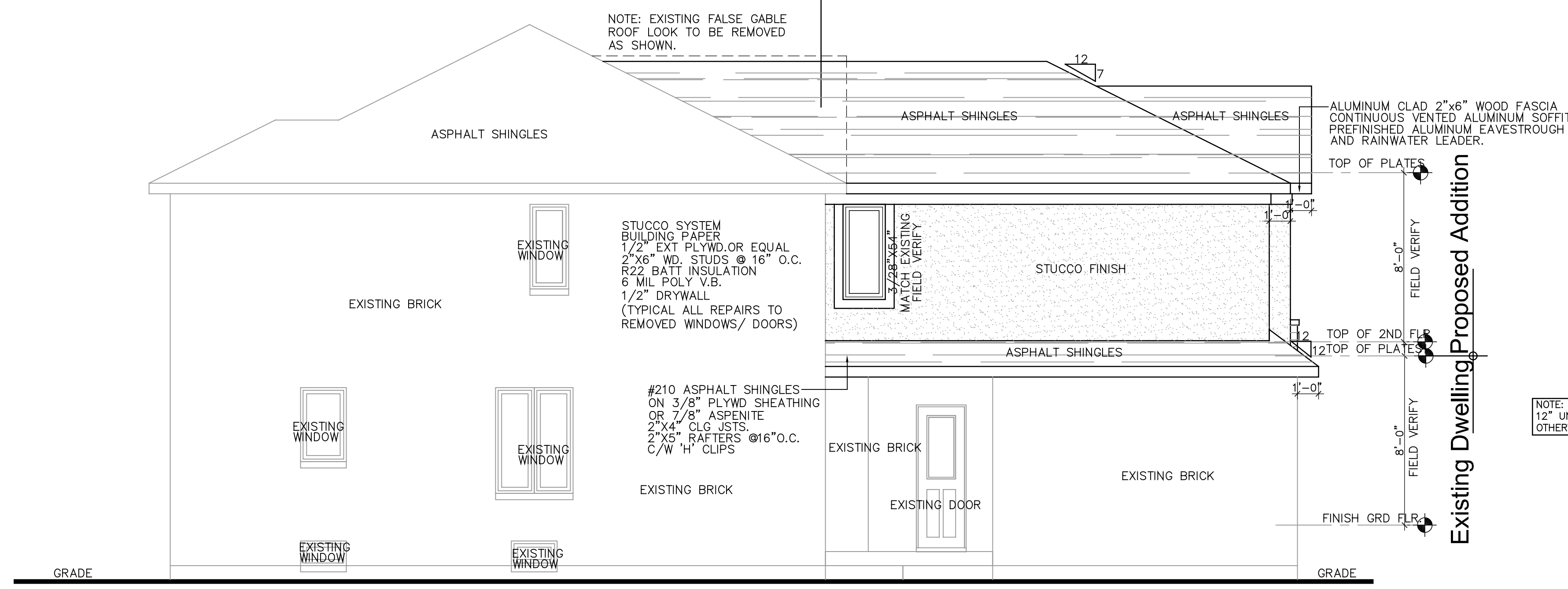
FILE NAME MACT-2005-21

DRAWING NUMBER
8 OF 8

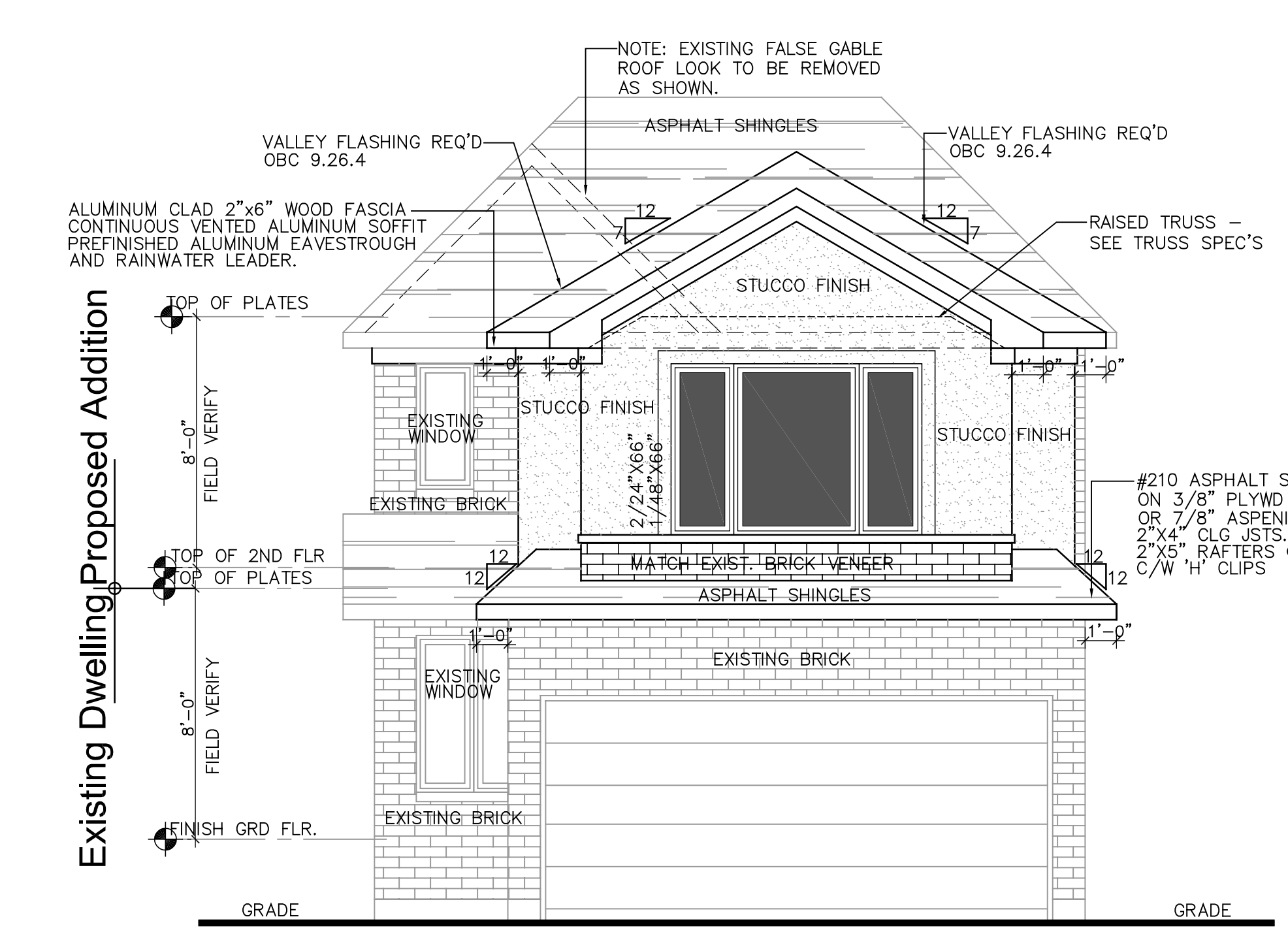


CROSS-SECTION DETAIL

Existing Dwelling Proposed Addition



LEFT SIDE ELEVATION

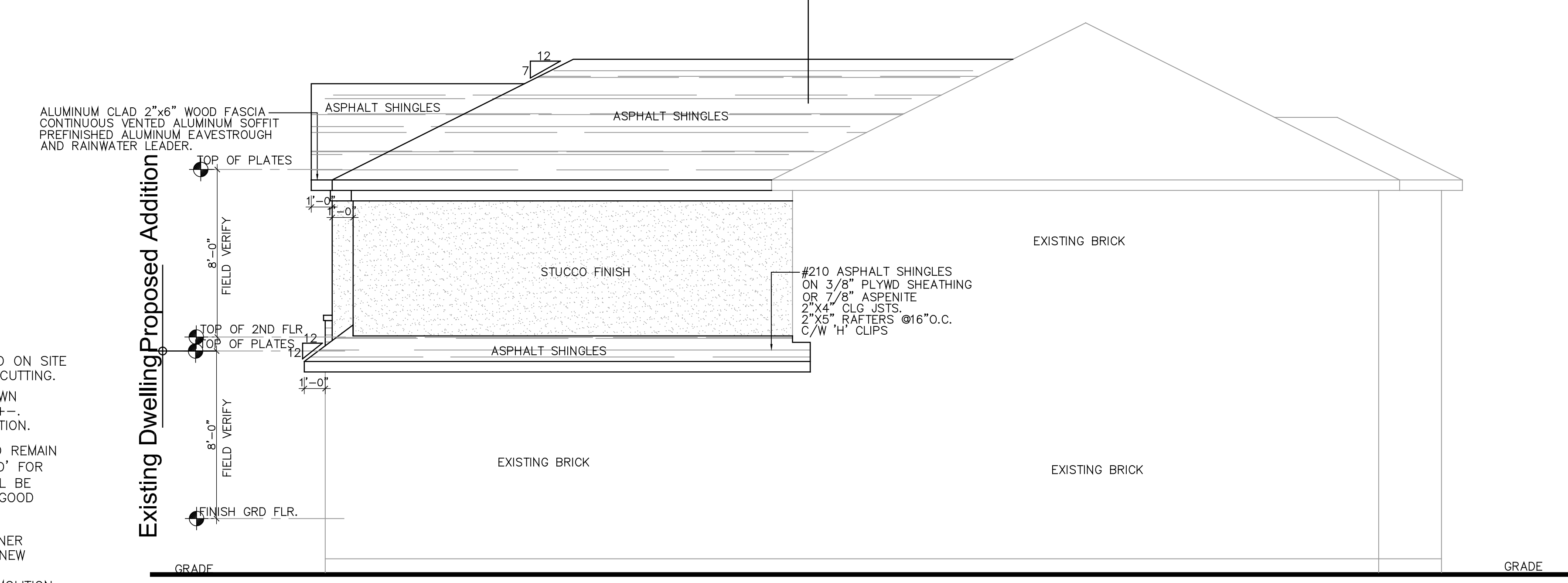


FRONT ELEVATION

IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED GRADING AND SERVICES ENGINEERED. PROPOSED GRADE LINE AS INDICATED ARE FOR REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS.

NOTE: ALL PROPOSED RAIN WATER LEADERS TO DISCHARGE ANY RAIN WATER ON PROPERTY OR EXISTING SWALES. NO WATER IS TO BE DRAINED ON TO ADJACENT PROPERTIES OR WALKWAYS OR DRIVEWAYS.

Proposed Addition Existing Dwelling



RIGHT SIDE ELEVATION

NOTE: ADJUST DIMENSIONS AS NEEDED ON SITE MEASURE ALL CUTS TWICE PRIOR TO CUTTING.
 NOTE: ALL INTERIOR DIMENSIONS SHOWN ARE FIELD MEASURED AND ARE ALL +/- VERIFY ON SITE PRIOR TO CONSTRUCTION.
 NOTE: EXISTING INTERIOR DRYWALL TO REMAIN ANY AREAS THAT ARE TO BE 'OPENED' FOR THE ADDITION OF BRG. POINTS SHALL BE REPAIRED TO ORIGINAL STATE. MAKE GOOD ALL NEW CONNECTIONS
 NOTE: CONTRACTOR / BUILDER / OWNER TO BE CAREFUL WHEN CUTTING OUT NEW WINDOWS/OPENINGS. ENSURE PROPER SUPPORTS ARE IN PLACE DURING DEMOLITION PHASE.

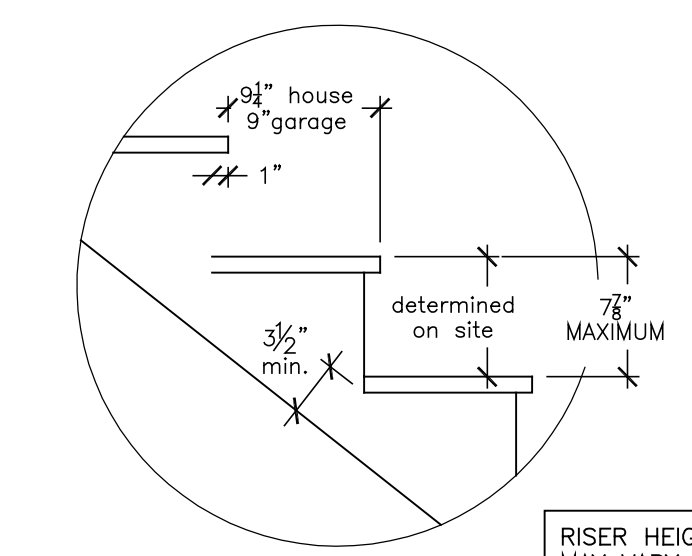
NOTE: ALL EXISTING ROOM SIZES, DIMENSIONS TO BE VERIFIED BY THE OWNER CONTRACTOR, BUILDER PRIOR TO AND DURING CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE OWNER, CONTRACTOR, BUILDER TO FIELD VERIFY ALL EXISTING DIMENSIONS BEFORE ORDERING ANY MATERIALS.

NOTE: CONTRACTOR, BUILDER, OWNER TO MAKE ALL NECESSARY PRECAUTIONS WHEN REMOVING EXISTING WALLS AND ADDING NEW BEAM SUPPORTS. MAKE SURE CEILINGS ON BOTH SIDES ARE SHORED UP PRIOR TO REMOVING ANY LOAD BEARING WALLS.

NOTE: EXISTING STAIR TO BE REMOVED AND REPLACED WITH NEW STAIR WAY. OWNER/CONTRACTOR/STAIR MANUFACTURER TO VERIFY ALL RUNS/RISERS PRIOR TO ASSEMBLY.

NOTE:

Note to Truss Manufacture.
 The Truss Manufacture will; (1) Design and specify all Girder Trusses and Beams that only carry roof loads. (2) Ensure that all Roof Beams and Girder Trusses have been designed around the Architectural structural design and therefore have full bearing to the footings in the basement. (3) Automatically upgrade and provide calculations for any Architecturally specified beams that will carry roof point loads. (4) Design and specify all Conventional Roof Framing over and between manufactured roof trusses systems needed to complete overall roof shape. (5) Provide the Local Municipality with Engineered documents for any of the above mentioned items if required.



Stair Detail (typical throughout)

RISER HEIGHTS FOR STEPS/STAIRS MAY VARY THROUGHOUT DEPENDING ON FLOOR THICKNESSES (TO BE DETERMINED BY CONTRACTOR)

WINDOW OPENINGS	
TOTAL WALLS: (4032.30 SQ.FT)	374.61 M2
TOTAL OPENINGS: (309.39 SQ.FT.)	28.7 M2
= 7.6%	

DO NOT SCALE DRAWINGS

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, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO 15084
 Name Signature BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC 31090
 Firm Name BCIN

UNIQUE DESIGNS INC.	DESCRIPTION	
	ISSUED FOR PERMIT	
	No.	
	DATE	04.17.22
	1	
	2	
3		
4		
5		
6		
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8		

UNIQUE DESIGNS

UNIQUE DESIGNS INC.

ELEVATIONS

2 STOREY

ADDITION /

RENOVATION

MACTAGGART

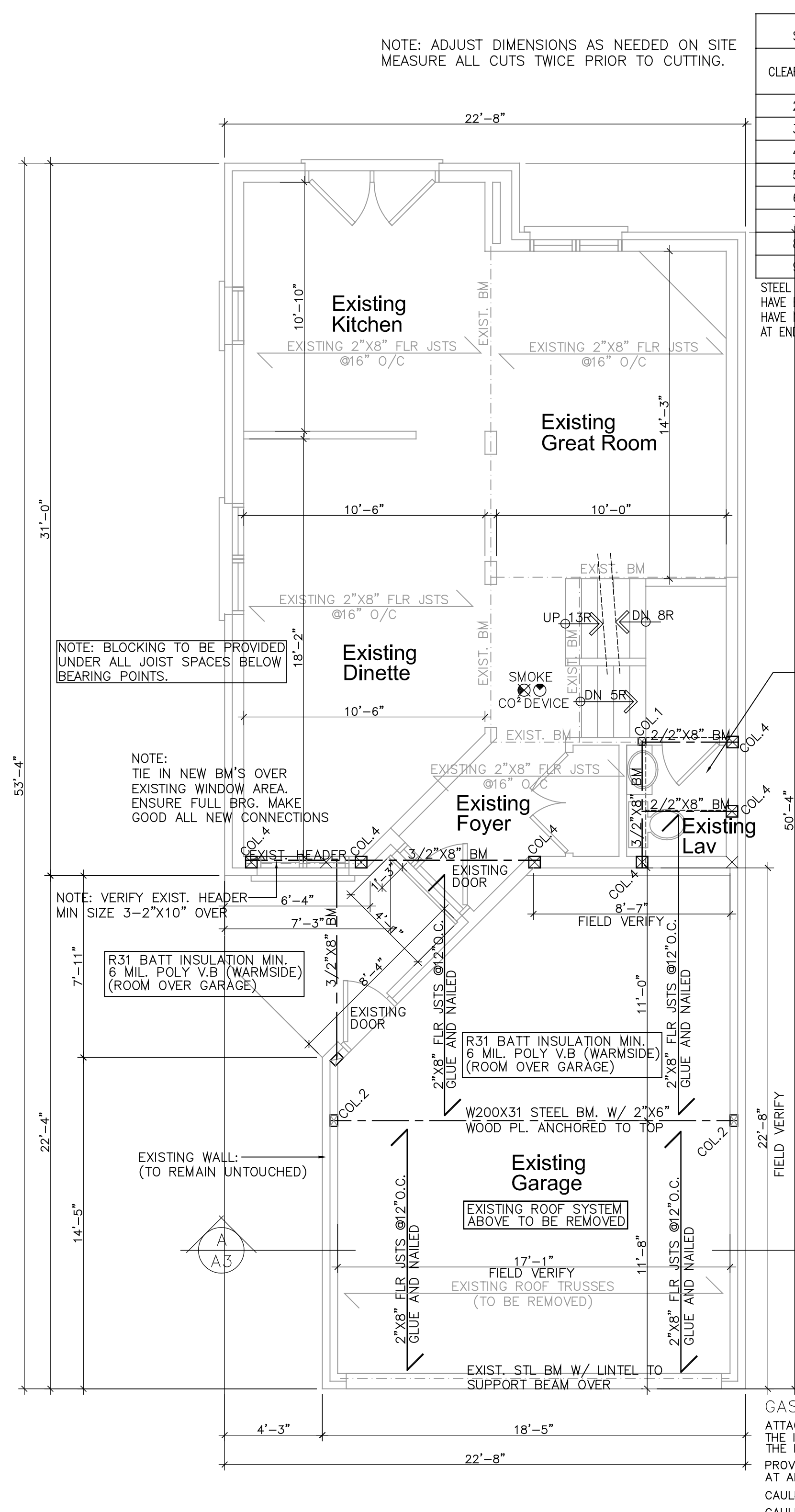
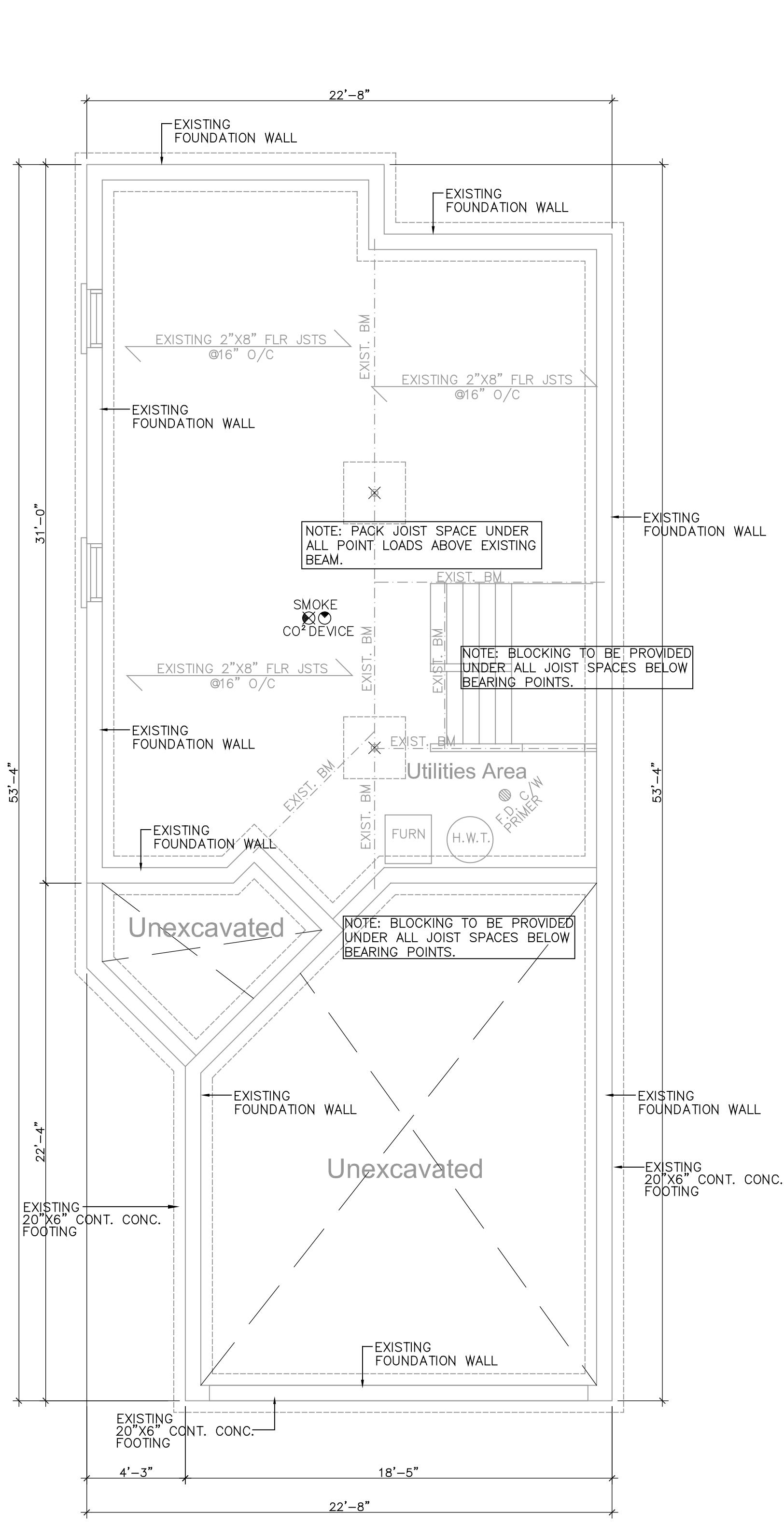
RESIDENCE

31 WATERFORD CRST.

STONE CREEK, ONT.

Drawn By	Scale
	1/4"=1'-0"
Date:	
04.15.22	
Job Number	
041022	

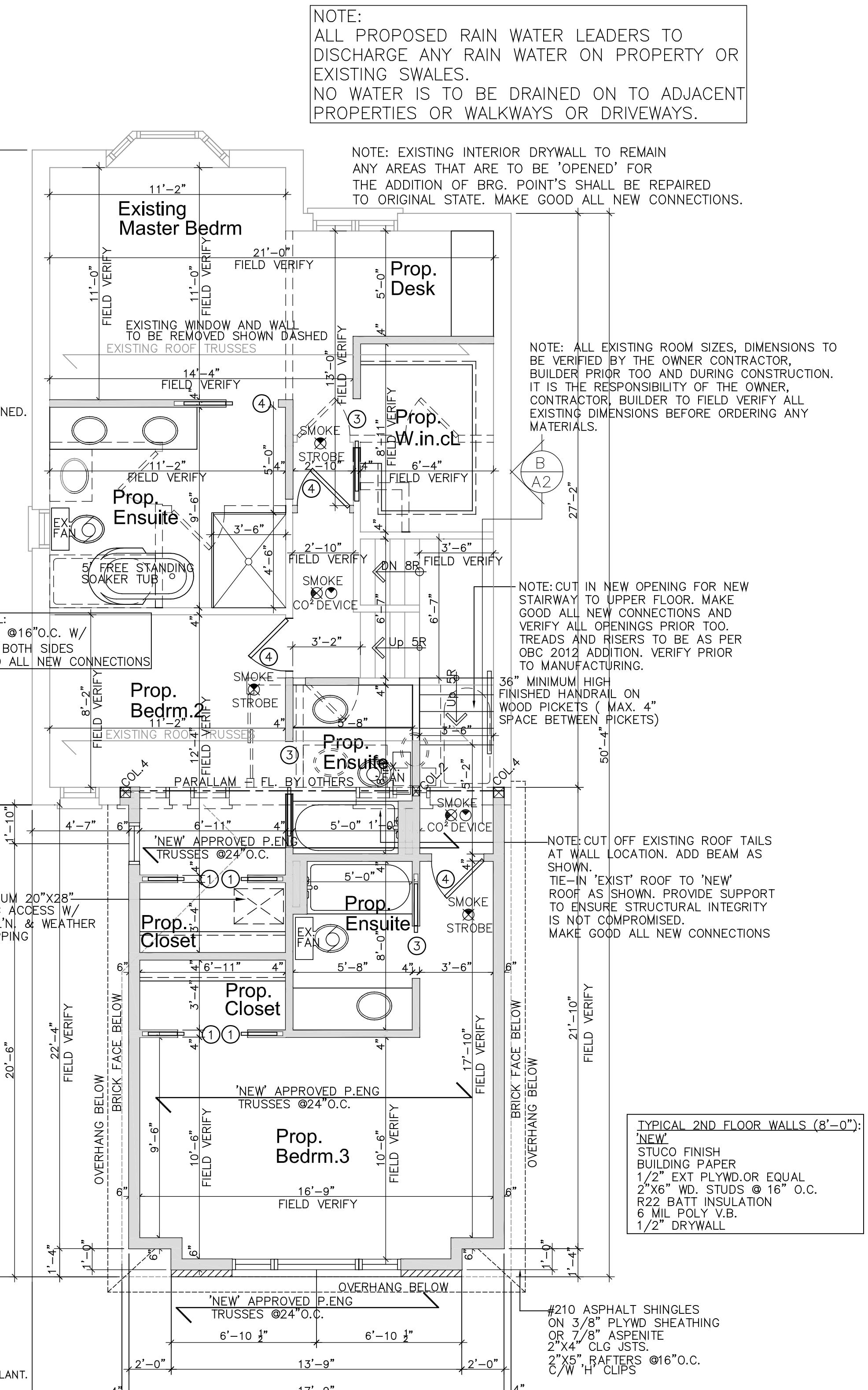
A1



STEEL LINTEL SCHEDULE

CLEAR SPAN	LINTEL SIZE	
	BRICK	STONE
2'-6"	L 3"x3"x1/4"	L 4"x3"x1/4"
3'-11"	L 3 1/2"x3 1/2"x1/4"	L 5"x3 1/2"x5/16"
4'-11"	L 3 1/2"x3 1/2"x5/16"	L 5"x3 1/2"x5/16"
5'-11"	L 4"x3 1/2"x5/16"	L 5"x5"x5/16"
6'-11"	L 5"x3 1/2"x5/16"	L 5"x5"x5/16"
7'-10"	L 5"x3 1/2"x5/16"	L 5"x5"x5/16"
8'-10"	L 5"x3 1/2"x3/8"	L 5"x5"x3/8"
9'-10"	L 6"x4"x3/8"	L 5"x5"x1/2"

STEEL LINTELS SHOWN IN ABOVE CHART SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 6" LENGTH OF BEARING AT END SUPPORTS.



EXISTING FOUNDATION PLAN

IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED GRADING AND SERVICES ENGINEERED

NOTE: CONTRACTOR / BUILDER / OWNER TO MAKE ALL NECESSARY PRECAUTIONS WHEN REMOVING EXISTING WALLS AND ADDING NEW BEAM SUPPORTS. MAKE SURE CEILINGS ON BOTH SIDES ARE SHORED UP PRIOR TO REMOVING ANY LOAD BEARING WALLS.

NOTE: ALL INTERIOR DIMENSIONS SHOWN ARE FIELD MEASURED AND ARE ALL +/- . VERIFY ON SITE PRIOR TO CONSTRUCTION.

NOTE: VERIFY ALL GRADE AND FLOOR HEIGHTS PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

NOTE: NEW CONCRETE FOOTINGS AND FOUNDATION WALL SOIL BEARING CAPACITY IS ASSUMED AT 75 Kpa OR GREATER.

FOR Laterally Supported / UNSUPPORTED FOUNDATION WALLS AT TOP - SEE TABLE 9.15.4.2.A. FOR MAX. HT. PERMITTED

EXISTING FIRST FLOOR PLAN

NOTE: PROVIDE SOLID BLOCK IN JOIST SPACE AND IN ALL BEARING WALLS AS NOTED ON PLAN. REPORT ANY DISCREPANCY TO DESIGNER.

NOTE: ALL COLUMNS AT ROOF MUST TRANSFER TO GROUND FLOOR IF NOT PICKED UP BY A WINDOW, DOOR OR POST ABOVE.

DOOR LEGEND	GENERAL NOTES:	FLOOR PLAN DIMENSIONS :
1 1'8" x 6'8"	SMOKE ALARMS :	ALL DIMENSIONS ON FLOOR PLANS
2 2'0" x 6'8"	NOTE ALL SMOKE ALARMS WITH-IN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED.	ARE FROM NOMINAL STUD FACE TO NOMINAL STUD FACE OR FACE OF EXTERIOR FINISH MATERIAL.
3 2'4" x 6'8"		
4 2'6" x 6'8"		
5 2'8" x 6'8"		
6 3'0" x 6'8"		
7 SLIDERS TO FIT		

COLUMN SCHEDULE

COL. 1=3-2x4
COL. 2=4-2x4
COL. 3=2-2x6
COL. 4=3-2x6
COL. 5=4-2x6

SMOKE ALARMS :
 NOTE ALL SMOKE ALARMS WITH-IN A SINGLE DWELLING UNIT SHALL BE INTERCONNECTED.

FLOOR PLAN DIMENSIONS :
 ALL DIMENSIONS ON FLOOR PLANS ARE FROM NOMINAL STUD FACE TO NOMINAL STUD FACE OR FACE OF EXTERIOR FINISH MATERIAL.

NOTE: OWNER TO VERIFY EXISTING MECH. AND ELECTRICAL PANEL MEETS OR EXCEEDS REQUIREMENTS OF THE O.B.C. AN INDEPENDANT QUALIFIED PERSON SHALL DETERMINE IF EXISTING MECH./ELECT. SERVICES MEETS THE REQUIRED INTENT OF THE USE TO BE PROVIDED.

NOTE: ALL DIMENSIONS TO BE FIELD VERIFIED AND ADJUSTED ON SITE TO SUIT CONDITIONS PRIOR TO INSTALLATION.

SECOND FLOOR PLAN

NOTE: ALL EXISTING HEADERS TO BE VERIFIED ON SITE. FOLLOW CHART TO ENSURE PROPER BEAM SIZE IS IN PLACE. ADJUST AS NEEDED ENSURE SITE INSPECTION IS CARRIED OUT.

NOTE: CONTRACTOR, BUILDER, OWNER TO MAKE ALL NECESSARY PRECAUTIONS WHEN REMOVING EXISTING WALLS AND ADDING NEW BEAM SUPPORTS. MAKE SURE CEILINGS ON BOTH SIDES ARE SHORED UP PRIOR TO REMOVING ANY LOAD BEARING WALLS.

USE ONLY WHERE 'L.V.'S ARE NOT SPECIFIED

WOOD LINTEL LEGEND

FOR LINTEL OPENINGS :
44" OR LESS USE 2/2"x8"
66" OR LESS USE 2/2"x10"
88" OR LESS USE 2/2"x12"
PROVIDE INSUL. BETWEEN HEADERS IF POSSIBLE

WINDOW OPENINGS

TOTAL WALLS: (4032.30 SQ.FT)	374.61 M2
TOTAL OPENINGS: (309.39 SQ.FT)	28.7 M2
	= 7.6%

WINDOW OPENINGS

MAURO FORTUNATO
 Name Signature
 15084 BCN

REGISTRATION INFORMATION
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 UNIQUE DESIGNS INC 31090 BCN

UNIQUE DESIGNS INC.

2 STOREY ADDITION / RENOVATION

FLOOR PLANS

MACTAGGART RESIDENCE

31 WATERFORD CRST. STONEY CREEK, ONT.

No.	DATE	DESCRIPTION
1.	04.17.22	ISSUED FOR PERMIT
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Drawn By Scale 1/4"=1'-0"

Date: 04.15.22

Job Number 041022

A2

SENIOR READERS' CHOICE 2018 THE HAMILTON REPORTER PLATINUM WINNER

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MAURO FORTUNATO 15084 BCN

REGISTRATION INFORMATION
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UNIQUE DESIGNS INC 31090 BCN

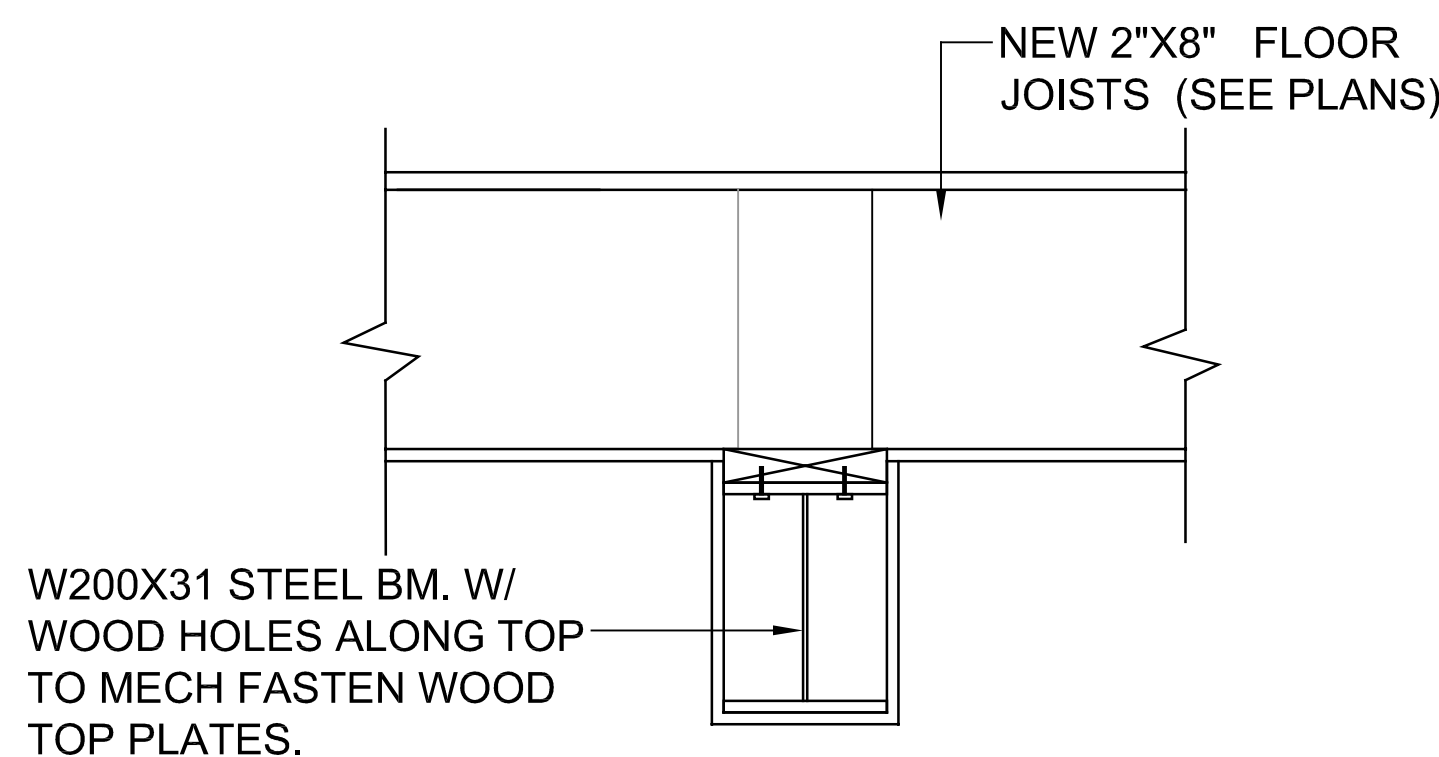
DO NOT SCALE DRAWINGS

CEILING JOISTS				SUBFLOORING			
JOIST SIZE	12" o.c.	16" o.c.	24" o.c.	FLOOR JOIST UP TO	WAFER BD.	PLYWOOD	LUMBER
2x4	10'-2"	9'-3"	8'-1"	16" O.C.	5/8"	5/8"	11/16"
2x6	16'-0"	14'-7"	12'-9"	20" O.C.	5/8"	5/8"	3/4"
2x8	21'-1"	19'-2"	16'-9"	24" O.C.	3/4"	3/4"	3/4"

ROOF SHEATHING		
ROOF FRAMING	ROOF SHEATHING UNSUPPORTED EDGES	ROOF SHEATHING TONGUE & GROOVE, 'H'-CLIPS OR OTHER EDGE SUPPORT
12" O.C.	3/8" PLYWOOD, WAFER BD. OR 11/16" LUMBER	5/16" PLYWOOD, 3/8" WAFER BD. OR 11/16" LUMBER
16" O.C.	3/8" PLYWOOD, 7/16" WAFER BD. OR 11/16" LUMBER	5/16" PLYWOOD, 3/8" WAFER BD. OR 11/16" LUMBER
24" O.C.	1/2" PLYWOOD OR 3/4" LUMBER	3/8" PLYWOOD, 7/16" WAFER BD. OR 3/4" LUMBER

ROOF JOISTS (WHERE CEILING IS INSTALLED)						
JOIST SIZE	MAXIMUM CLEAR SPAN					
	ROOF SNOW LOAD 21 PSF			ROOF SNOW LOAD 31 PSF		
	JOIST SPACING					
2X4	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.	24" O.C.
	8'-1"	7'-4"	6'-5"	7'-1"	6'-5"	5'-7"
	12'-9"	11'-6"	10'-1"	11'-1"	10'-1"	8'-9"
2X6	16'-9"	15'-2"	13'-3"	14'-7"	13'-3"	11'-7"

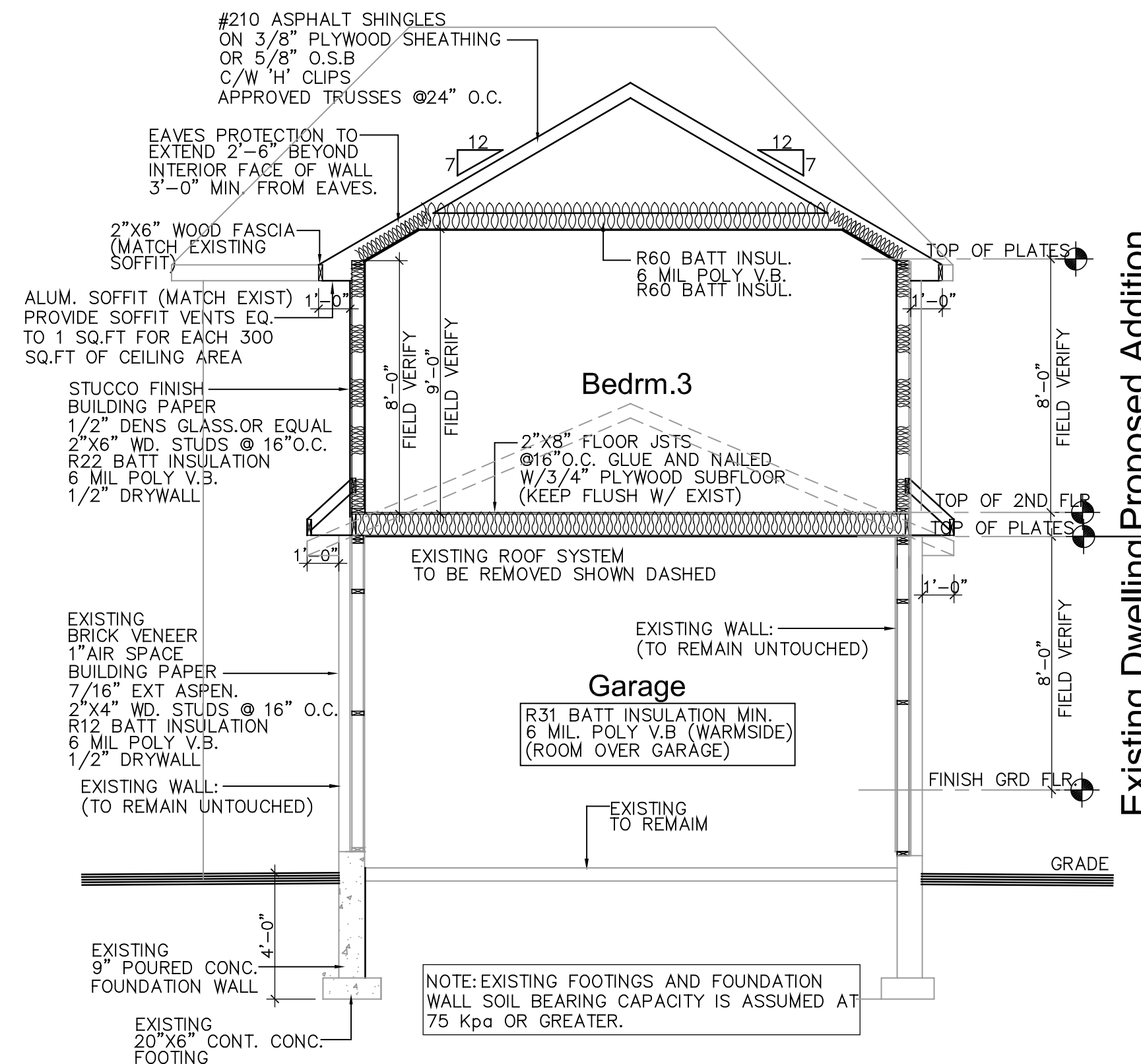
ROOF RAFTERS (WHERE NO CEILING IS INSTALLED)						
RAFTER SIZE	MAXIMUM CLEAR SPAN					
	ROOF SNOW LOAD 21 PSF			ROOF SNOW LOAD 31 PSF		
	RAFTER SPACING					
2X4	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.	24" O.C.
	10'-2"	9'-3"	8'-1"	8'-11"	8'-1"	7'-1"
	16'-0"	14'-7"	12'-9"	14'-0"	12'-9"	11'-1"
2X6	21'-1"	19'-2"	16'-9"	18'-5"	16'-9"	14'-5"



W200X31 STEEL BM. W/ WOOD HOLES ALONG TOP TO MECH FASTEN WOOD TOP PLATES.

NOTE STEEL BM : WOOD HOLES WHERE CALLED FOR PROVIDE 1/2" DIA. BOLTS AT 12" O.C. STAGGERED

SECTION AT STL BEAM



TYPICAL SECTION A A2

GENERAL SPECIFICATION

GENERAL NOTES

ALL CONSTRUCTION TO MEET OR EXCEED ONTARIO BUILDING CODE LATEST ADDITION (2012)

SITE VERIFY WHEN ADDING ON TO OR REMOVING FROM AN EXISTING BUILDING THAT ALL EXISTING OR NEW STRUCTURAL COMPONENTS ARE CAPABLE OF WITHSTANDING THE STRUCTURAL LOADS IMPOSED, AND REPORT ANY DISCREPANCIES AND/OR DEFICIENCIES TO THE DESIGNER.

ENSURE THAT ALL CONSTRUCTION, MATERIALS, METHODS OF INSTALLATION, AND BRACING COMPLY WITH REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION. MAKE GOOD ALL DISTURBED OR DAMAGED DURING CONSTRUCTION WHETHER SHOWN ON THE DRAWINGS OR NOT. REPORT ANY CONTEMPLATED DEVIATIONS FROM THE APPROVED DRAWINGS OR SPECIFICATIONS TO THE DESIGNER PRIOR TO MAKING ANY CHANGES. PROVIDE CUTTING, PATCHING AND REMEDIAL WORK IN ORDER TO ENSURE PARTS OF THE WORK COME TOGETHER PROPERLY. TEMPORARY BRACING TO BE USED WHEREVER NECESSARY TO WITHSTAND ALL LOADS DURING ERECTION AND SUBSEQUANT CONSTRUCTION.

CONCRETE FOOTINGS, FOUNDATION WALLS & SLABS

CONCRETE FOOTINGS TO REST ON UNDISTURBED SOIL CAPABLE OF SUSSTAINING A LOAD OF 2000 LBS. PER SQUARE FOOT MINIMUM 4'-0" BELOW GRADE. FOOTINGS TO CONFORM TO O.B.C. SECTION 9.15. STEPPED FOOTINGS MAX. 2'-0" HORIZONTAL AND VERTICAL STEP 2/3 HORIZONTAL STEP TO MAX. 5'-0". FOUNDATION WALLS TO BE MIN. 10" THICK UNLESS OTHERWISE NOTED. ALL FOUNDATION WALLS TO EXTEND MIN. 6" ABOVE GRADE. HABITABLE ROOMS ON CONCRETE SLABS TO BE DAMPROOFED WITH 6 MIL POLY VAPOUR BARRIER.

STEEL COLUMNS

STEEL COLUMN PLATES TO BE ANCHORED TO FOOTING WITH MIN. TWO 1/2" DIA. BOLTS MIN. 4" INTO FOOTING. STEEL COLUMN PLATES TO BE CONNECTED TO STEEL BEAMS WITH MIN. TWO 1/2" DIA. BOLTS, OR WELD PLATES TO BEAM FLANGES. STEEL COLUMNS TO BE MINIMUM 3 1/2" OUTSIDE DIAMETER AND 3/16" WALL THICKNESS. STEEL COLUMNS SHALL BE TREATED WITH AT LEAST ONE COAT RUST INHIBITIVE PAINT.

WOOD FRAMING

ALL FRAMING LUMBER TO O.B.C. STANDARDS. ALL FRAMING LUMBER INDICATED ON DRAWINGS TO BE S.P.F. No.2 UNLESS OTHERWISE SPECIFIED. BEAMS TO HAVE MIN. BEARING OF 3 1/2". LATERAL SUPPORT - WALLS SUPPORTING JOISTS, ANCHOR SILL PLATE WITH 1/2" DIA. ANCHOR BOLTS MAX. 7'-10" O.C. EMBEDDED 4" INTO MASONRY OR ANCHORED EVERY 4TH JOIST NOT RESTING ON A PLATE WITH 3/16"x 1 1/2" STEEL JOIST ANCHORS. LATERAL SUPPORT - WALLS PARALLEL TO JOISTS, BEND 3/16"x 1 1/2" STEEL STRAP 3" INTO MASONRY AND FIX TO 3 PARALLEL JOISTS OR FIX SILL PLATE TO 3 RIGIDLY CONNECTED FLOOR JOISTS AT 7'-10" MAX. ALL JOISTS TO HAVE BRIDGING OVER INTERIOR BEARING WALLS AND BEAMS. MIN. SILL PLATE 2"x6". SILL PLATES ANCHORS TO BE MIN. 1/2" DIA. BOLTS EMBEDDED 4" INTO FOUNDATION WALLS. SPACE FLOOR JOISTS AT 12" O.C. FOR CANTILEVERS. MIN. 1 1/2" END BEARING REQUIRED FOR FLOOR JOISTS, CEILING JOISTS, ROOF JOISTS AND RAFTERS. PROVIDE METAL JOIST HANGERS FOR SUPPORT OF JOISTS FRAMING INTO SIDES OF WOOD BEAMS, HEADER AND TRIMMER JOISTS WHEN REQUIRED.

PRE-MANUFACTURED WOOD FRAMING

- ALL FRAMING MATERIALS AND METHODS FOR PRE-MANUFACTURED WOOD CONSTRUCTION (WOOD "I" FLOOR JOISTS) ARE TO BE INSTALLED AS PER MANUFACTURERS DETAILS AND SPECIFICATIONS.
- PRE-MANUFACTURED WOOD SUPPLIER SHALL SUBMIT SHOP DRAWINGS SHOWING LOCATION, LOADING, ALLOWABLE AND ACTUAL DESIGN STRESSES, DEFLECTION LIMITATIONS, TEMPORARY AND PERMANENT BRACINGS, CONNECTION AND BEARING DETAILS AND SHALL BEAR THE SEAL OF A PROFESSIONAL ENGINEER LICENCED AND INSURED TO PRACTICE IN THE PROVINCE OF ONTARIO.
- SHOP DRWINGS ARE TO BE SUBMITTED TO THE DESIGNER FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

GLUE LAMINATED WOOD BEAMS

- ALL FRAMING MATERIALS AND METHODS FOR GLUE LAMINATED WOOD BEAMS TO BE INSTALLED AS PER MANUFACTURERS DETAILS AND SPECIFICATIONS.
- ALL BEAM TO BEAM, AND BEAM TO COLUMN CONNECTIONS SHALL BE MIN. 1/4" METAL PLATE CONNECTIONS C/W MIN. 2 - 5/8" DIA. THROUGH BOLTS AT EACH MEMBER BEING CONNECTED.
- ALL EXPOSED CONNECTIONS INCLUDING BOLTS MUST BE COATED TO RESIST CORROSION.
- SUBSTITUTION OF BEAMS FOR DIFFERENT SIZES OR MATERIALS MUST BE APPROVED BY THE DESIGNER PRIOR TO INSTALLATION. BEAM SUPPLIER SHALL SUBMIT SHOP DRAWINGS AND ENGINEERING CALCULATIONS FOR BEAMS SHOWN ON DRAWINGS OR FOR SUBSTITUTIONS BEING PROPOSED AND SHALL BEAR THE SEAL OF PROFESSIONAL ENGINEER LICENCED AND INSURED TO PRACTICE IN THE PROVINCE OF ONTARIO. SHOP DRAWING MUST BE SUBMITTED TO THE DESIGNER FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

MASONRY VENEER WALLS

- MIN. 3 5/8" THICKNESS UP TO 24'-0" MAX. HEIGHT.
- MASONRY TIES TO BE GALVENIZED, CORROSION RESISTANT CORRUGATED 22ga., 7/8" WIDE SPACED 16" O.C. HORIZONTALLY, AND 24" O.C. VERTICALLY NAILED TO STUDS THROUGH THE SHEATHING.

ROOF CONSTRUCTION

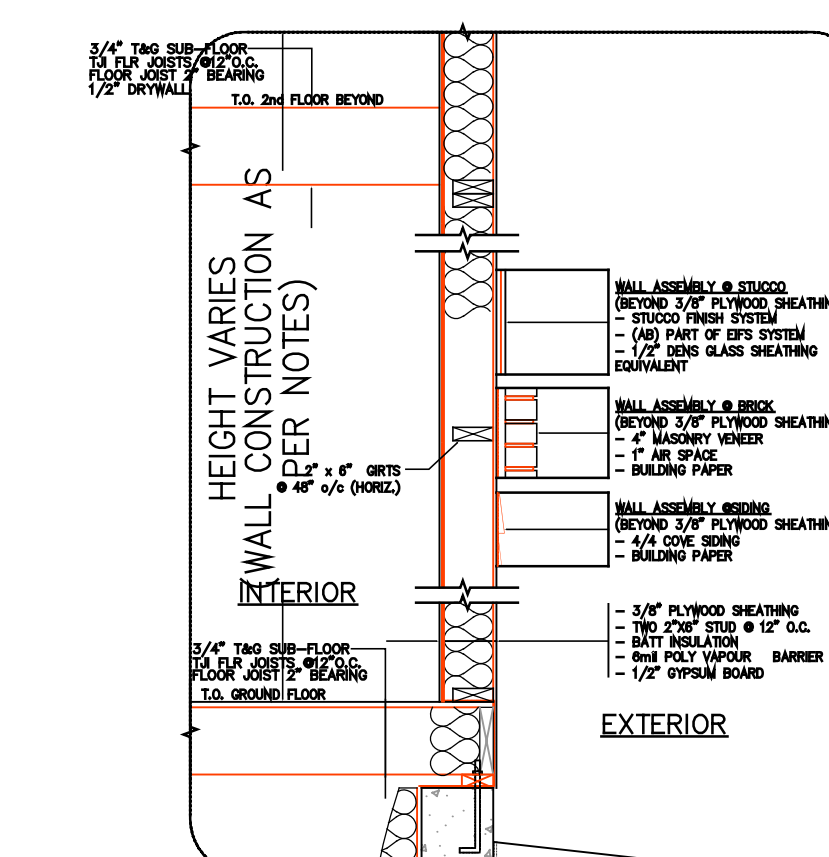
- ALL ROOF TRUSSES MUST BE DESIGNED AND FABRICATED IN ACCORDANCE WITH O.B.C./ N.B.C. PART 4.
- TRUSS SUPPLIER SHALL SUPPLY ALL NECESSARY PLANS INCLUDING PLACING DRAWING SHOWING LOCATION, LOADING, ALLOWABLE STRESSES, TEMPORARY AND PERMANENT BRACINGS AND SHALL BEAR THE SEAL OF PROFESSIONAL ENGINEER LICENCED AND INSURED TO PRACTICE IN THE PROVINCE OF ONTARIO. TRUSS DRAWINGS MUST BE SUBMITTED TO THE DESIGNER & THE CHIEF BUILDING OFFICIAL FOR APPROVAL AND TO VERIFY ALL BEAM AND LINTEL SIZES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- HIP AND VALLEY RAFTERS TO BE 2" DEEPER THAN COMMON RAFTERS.
- ROOF EDGE SUPPORTS TO BE MIN. 2"x2" BLOCKING.
- PROVIDE 1"x4" CONTINUOUS TRUSS BRIDGING AT 7'-0" O.C. MAXIMUM.
- PROVIDE 2"x4" WALL TIES ACROSS JOINTS OR BOTTOM TRUSS CORDS AT MIN. 4'-0" O.C. FOR ROOF SLOPES 4/12 OR GREATER.

FLASHING

- FLASHING IS REQUIRED UNDER ALL JOINTED SILLS AND OVERHEADS OF WINDOWS AND DOORS IN EXTERIOR WALLS IF DISTANCE BELOW EAVE IS MORE THAN 1/4 OF THE ROOF OVERHANG.
- CHIMNEY FLASHING IS REQUIRED AT INTERSECTION WITH ROOF. FLASH OVER A CHIMNEY SADDLE WHEN WIDTH OF CHIMNEY EXCEEDS 1'-6".
- FLASHING REQUIRED AT INTERSECTION OF ROOFS AND WALL, VALLEYS, AND OVER PARAPET WALLS.
- FLASHING BETWEEN ROOF SHINGLES AND WALL SIDING TO BE 20ga. GALV. METAL AND TO EXTEND 3" VERTICALLY & HORIZONTALLY.

HEATING

- HEATING DESIGN HAS BEEN LOCATED AS A SUGGESTED GUIDE ONLY. INSTALLATION AND DESIGN IS TO BE AS PER THE ONTARIO BUILDING CODE, PART 6. HEATING PLANS AND HEAT LOSS/HEAT GAIN CALCULATIONS ARE TO BE SUBMITTED TO THE LOCAL BUILDING OFFICIAL AND THE DESIGNER FOR REVIEW AND APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.



TYP. CLEAR STOREY FRAMING DETAIL

WINDOW OPENINGS	
TOTAL WALLS:	(4032.30 SQ.FT) 374.61 M2
TOTAL OPENINGS:	(309.39 SQ.FT.) 28.7 M2
	= 7.6%

DO NOT SCALE DRAWINGS

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UNIQUE DESIGNS INC 31090
Firm Name BCN

No.	DATE	DESCRIPTION
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2.		
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UNIQUE DESIGNS INC.
SECTION, DETAILS, NOTES

UNIQUE DESIGNS INC.
2 STOREY ADDITION / RENOVATION

MACTAGGART RESIDENCE
31 WATERFORD CRST. STONEY CREEK, ONT.

Drawn By Scale
1/4"=1'-0"

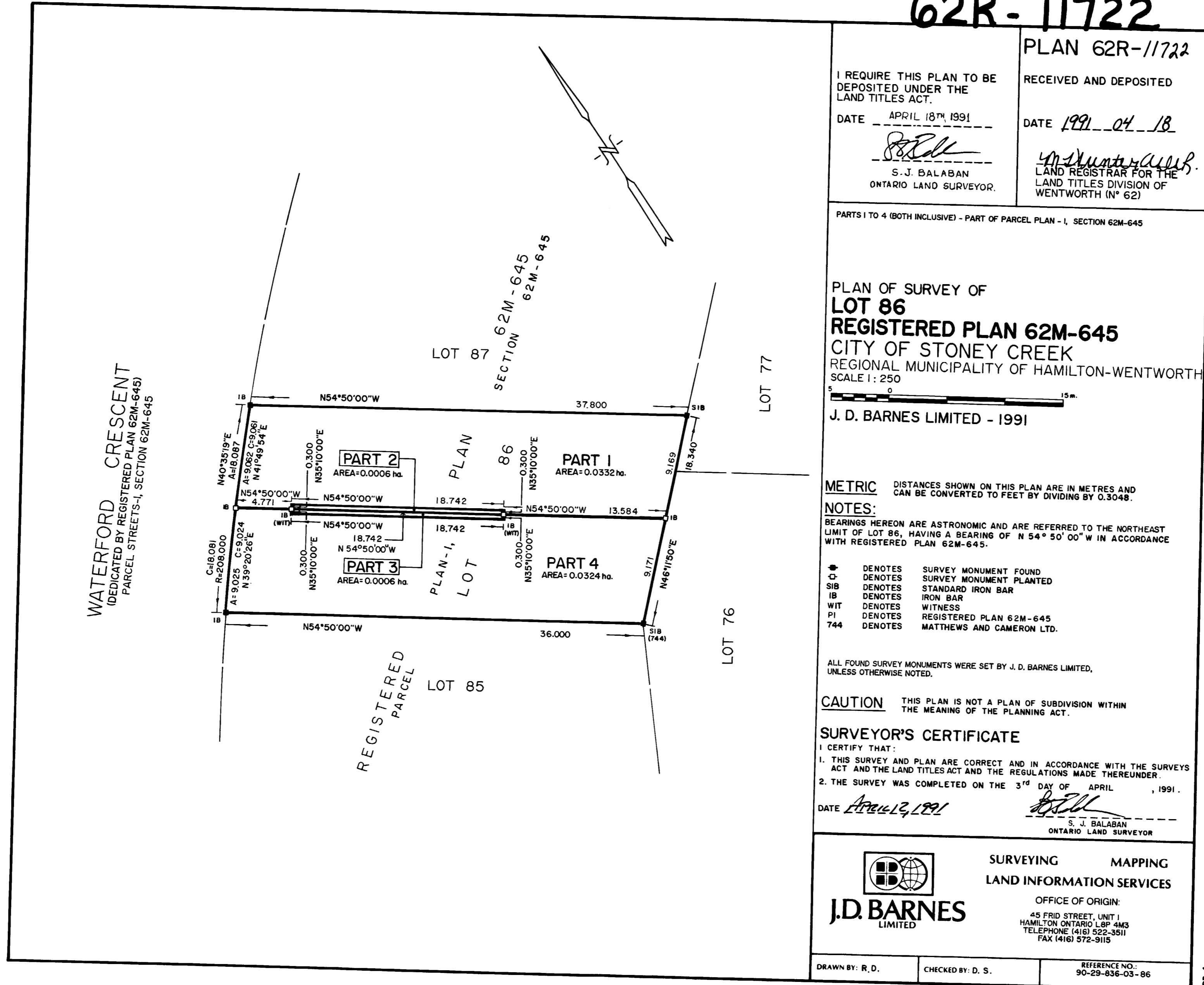
Date: 04.15.22

Job Number 041022

A3



62R-11722



WATERFORD CRESCENT
(INDICATED BY REGISTERED PLAN 62M-645)
PARCEL STREETS-1, SECTION 62M-645

REGISTERED
PARCEL

16X

PLAN 62R-11722
RECEIVED AND DEPOSITED
DATE 1991 04 18
S. J. BALABAN
ONTARIO LAND SURVEYOR.

PARTS 1 TO 4 (BOTH INCLUSIVE) - PART OF PARCEL PLAN - 1, SECTION 62M-645
PLAN OF SURVEY OF
LOT 86
REGISTERED PLAN 62M-645
CITY OF STONEY CREEK
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1:250

J. D. BARNES LIMITED - 1991
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
NOTES:
BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEAST LIMIT OF LOT 86, HAVING A BEARING OF N 54° 50' 00" W IN ACCORDANCE WITH REGISTERED PLAN 62M-645.
DENOTES SURVEY MONUMENT FOUND
DENOTES SURVEY MONUMENT PLANTED
SIB DENOTES STANDARD IRON BAR
IB DENOTES IRON BAR
WIT DENOTES WITNESS
P1 DENOTES REGISTERED PLAN 62M-645
744 DENOTES MATTHEWS AND CAMERON LTD.

ALL FOUND SURVEY MONUMENTS WERE SET BY J. D. BARNES LIMITED, UNLESS OTHERWISE NOTED.
CAUTION THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE 3rd DAY OF APRIL, 1991.
DATE April 12, 1991
S. J. BALABAN
ONTARIO LAND SURVEYOR

J.D. BARNES LIMITED
SURVEYING MAPPING
LAND INFORMATION SERVICES
OFFICE OF ORIGIN:
45 FRID STREET, UNIT 1
HAMILTON ONTARIO L8P 4M3
TELEPHONE (416) 522-3511
FAX (416) 572-9115

DRAWN BY: R. D. CHECKED BY: D. S. REFERENCE NO.: 90-29-836-05-86

JDB-4

March 16, 2022

Via Email

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

Attention: Jamila Sheffield, Secretary-Treasurer

**RE: 31 Waterford Crescent, City of Hamilton, Ontario
Application for Minor Variance**

On behalf of my clients, Paul and Patti-Lynne MacTaggart (registered owners), I am pleased to submit this application for minor variance relative to 31 Waterford Crescent, and the requisite information in support of this application:

- Minor Variance Application Form (1 copy)
- Site Plan Sketch (showing proposed addition)
- Floor Plans & Building Elevations, prepared by Jonkman Design
- Updated Plan of Survey – certified on March 1, 2022 by JD Barnes Ltd.
- Original Plan of Survey – dated August 20, 1991
- PIN 17347-0209(LT) and related deed and plan for the easement (62R11722)
- Application fee in the amount of \$3465 made payable to Treasurer, City of Hamilton (paid online)

A. Development Proposal:

The MacTaggarts wish to construct a 394 sq.ft. second-storey addition immediately above the existing attached garage of their dwelling unit. There will be no increase or expansion to the existing building footprint or height of the dwelling. The shed and cabana are existing structures in the rear yard.

B. Nature and extent of relief applied for:

In order to construct a second-storey addition above the existing garage (while maintaining the location of the existing shed and cabana in the rear yard), relief from Zoning By-law No.3692-92, Sections 6.6.3(a) and 6.1.4(a) is required.

In accordance with Section 45(1) of the Planning Act, this planning justification brief will demonstrate the following:

- The requested variances are minor
- The variances are desirable for the appropriate development of the lands
- The application conforms to the general intent and purpose of the Zoning By-law
- The application conforms to the general intent and purpose of the Official Plan

The requested minor variances are as follows:

	Zoning By-law No.3692-92 Section	Purpose
1.	Section 6.6.3(a)	To permit an interior side yard setback of 0.93m whereas a minimum of 1.25m is required (southern side yard)
2.	Section 6.6.3(a)	To permit an interior side yard setback of 1.20m whereas a minimum of 1.25m is required (northern side yard) Note: The original survey from 1991 identifies a 1.25m side yard (excerpt from survey attached).
3.	Section 6.1.4(a)	To allow a minimum side yard of 0.17m for an accessory building (cabana) whereas a minimum of 0.5m is required
4.	Section 6.1.4(a)	To allow a minimum side yard of 0.09m for an accessory building (shed) whereas a minimum of 0.5m is required
5.	Section 4.19.1(b)	To permit the eaves to be located a distance of 0.63m from the side property line. <u>Note:</u> The eaves will only project 0.3m from the edge of the applicant's dwelling into the required yard. Our interpretation of Section 4.19.1(b) is that so long as the eaves don't project more than 0.5m from the building (into a required yard), a variance would not be necessary. As such, we don't believe this variance is required but are including it in the application, as a precaution, on the advice of the City's Building Division. Please remove this requested variance if it is deemed unnecessary

A signed copy of the March 2022 survey is appended to the back of this report.

C. Background:

The dwelling was constructed in 1991 as part of the Bayview Estates subdivision (Registered Plan No. 62M-645), within the former City of Stoney Creek. The MacTaggarts are the original owners. Above ground, the house appears to be a detached dwelling however it is connected below ground, which is recognized by its special exemption zoning (R5-1):

Section 6.6.7 R5-1

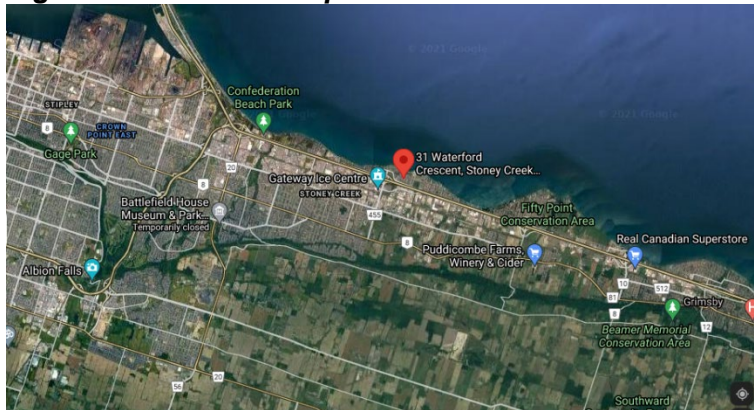
Notwithstanding the definition of a semi-detached dwelling unit of this By-law, on those lands zoned "R5-1" by this By-law, the units may be connected below ground only. Notwithstanding the provisions of paragraph (a) of Section 6.6.3 of the Residential "R5" Zone, on those lands zoned "R5-1" by this By-law, the minimum lot area shall be 600 square metres and the minimum lot area for any semi-detached lot which has been divided for the purpose of individual ownership shall be 300 square metres.

The residence is defined as a semi-detached dwelling on a divided lot.

D. Site Context:

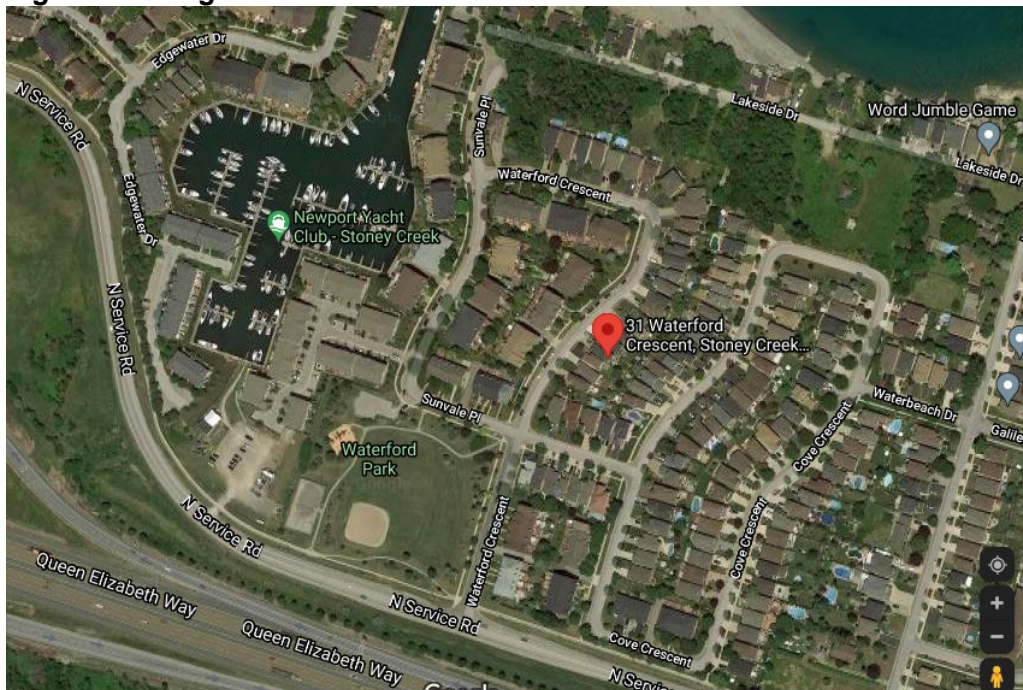
The subject property is located on Waterford Crescent, in the northeast quadrant of the Fruitland Road / Q.E.W. interchange, near the Newport Yacht Club and Lake Ontario.

Figure 1 – Location Map



The neighbourhood is characterized by a mix of residential housing types ranging from single detached homes in the Lakeside Drive area to semi-detached and street townhouses in the interior to block townhouses that border and envelop the Yacht Club. Nearby Waterford Park is well-appointed with playground equipment, a splash pad, a pavilion and a basketball court.

Figure 2 – Neighbourhood Aerial Photo



E. Existing Streetscape:

The semi-detached dwellings along the east side of Waterford Crescent are mainly two-storeys, while the street townhouses along the west side are two and a half (2 ½) storeys.



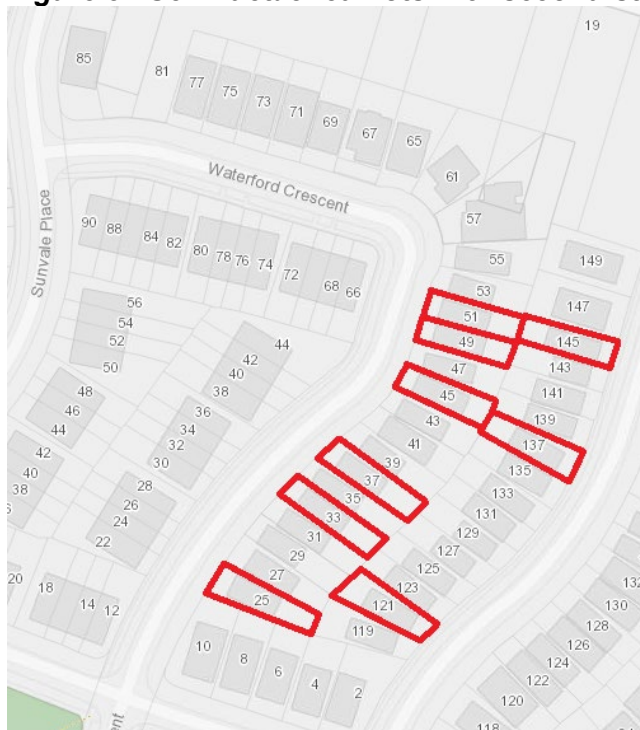
East side of Waterford (semis)
 (Subject Property – 31 Waterford)



West side of Waterford (street towns)
 (directly across from subject property)

Many of the semi-detached dwellings in the immediate neighbourhood have second-storey living space above the garages (see Figure 3). These living spaces were likely part of the original construction in 1991.

Figure 3 - Semi-detached Lots with second-storey living space above garages



25 Waterford Crescent



49 Waterford Crescent

As there is no front yard parking for the street townhouses along the opposite/west side of Waterford Crescent, the on-street parking tends to be well-utilized (see below photo on right).



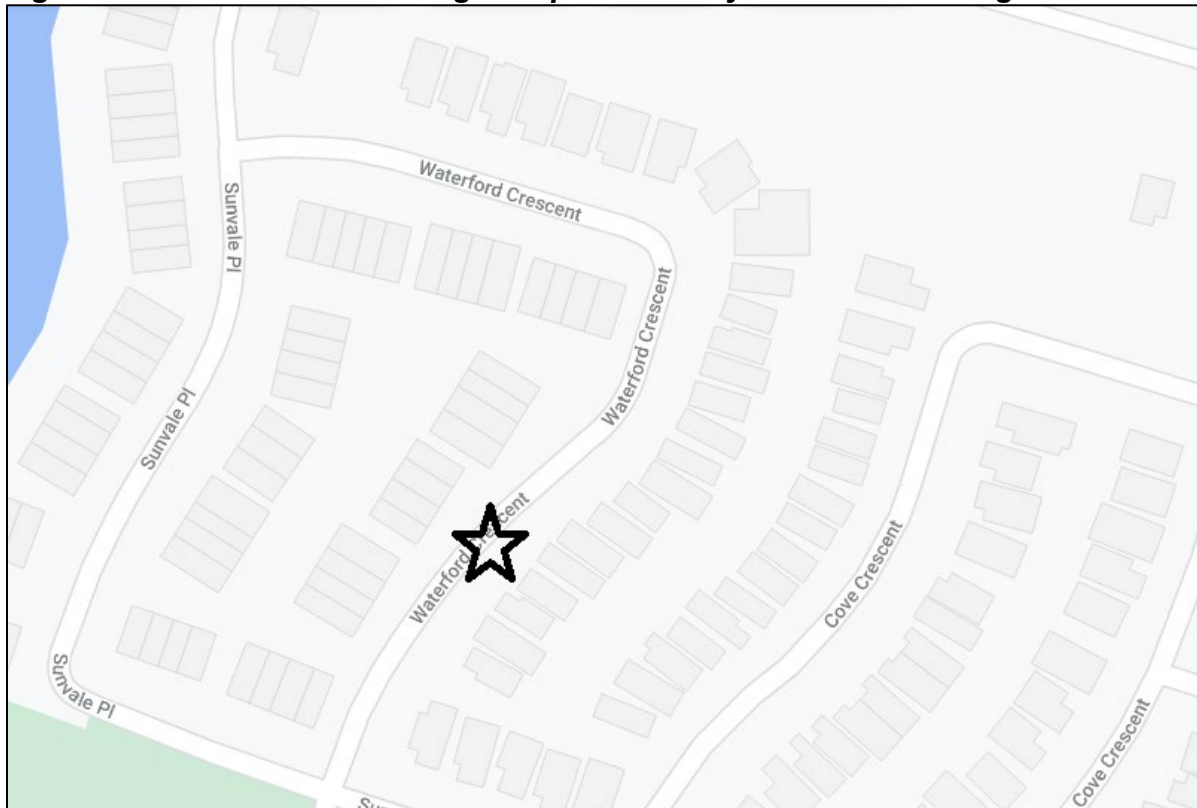
No front yard parking



On-street parking

The building footprints for the semi-detached dwellings along Waterford and Cove Crescents (which are zoned R5-1) are extremely close together, as depicted in Figure 4. From a desktop review, it appears that almost all of the semis in the R5-1 zone (connected below ground) do not meet the minimum 1.25m interior side yard requirement.

Figure 4 – Location of Building Footprints in Bayview Estates Neighbourhood



F. Site Description:

The existing dwelling at 31 Waterford is commonly described as a “snout house”. These types of houses tend to conceal the living space and dominate the street frontage. Access to the dwelling is tucked behind the garage, located within a recessed area along the northerly interior side yard.



Various photos of the subject property are shown below:

Planning Justification Report, Application for Minor Variance
31 Waterford Crescent, City of Hamilton, Ontario, March 15, 2022



Front Yard – adequate parking



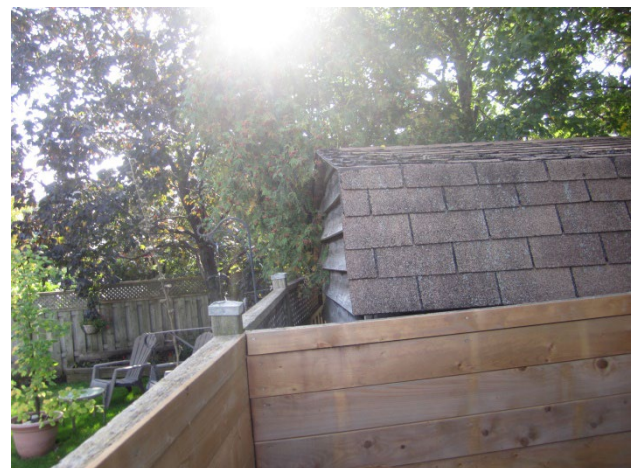
Rear Yard – showing cabana and shed
(variances required – located within 0.5m of property line)



Northerly Interior Side Yard (1.20m)
(variance required – less than 1.25m)



Southerly Interior Side Yard (0.93m)
(variance required – less than 1.25m)



Rear Yard sheds at the edges of property lines are common in this neighbourhood

G. Planning Policy Analysis:

Provincial Policy Statement, 2020

The subject property is located within an urban settlement area as defined and guided by the PPS. The proposed application is supported by Section 1.1.3.3...“Planning Authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated” and Section 1.1.3.4 – “Appropriate development standards should be promoted which facilitate ***intensification, redevelopment and compact form***, while avoiding or mitigating risks to public health and safety.”

This application is further supported by the Housing policies (Section 1.4) of the PPS and the requirement for municipalities to “provide for an appropriate range and mix of *housing options* and densities” as well as to “**permit and facilitate all types of residential intensification**” subject to certain policies.

Urban Hamilton Official Plan (UHOP)

The subject property is designated “Neighbourhoods” on Schedule E (Urban Structure) and Schedule E1 (Urban Land Use Designations) of the Official Plan. A second-storey addition above the existing garage is considered to be a form of residential intensification which “*shall be encouraged throughout the entire built-up area.*” (B 2.4.1.1).

The Neighbourhoods designation *permits and provides the opportunity for a full range of housing forms, types and tenure...*(E 2.6.4) and, “***changes compatible with the existing character or function of the neighbourhood shall be permitted***”. (E 2.6.7). Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification and E.3.0 – Neighbourhoods Designation.

B 2.4 – Residential Intensification

B 2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g), as follows;*
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;*

- c) the development's contribution to maintaining and achieving a range of dwelling types and tenures;*
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;*
- e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;*
- f) infrastructure and transportation capacity; and,*
- g) the ability of the development to comply with all applicable policies.*

2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;*
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;*
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;*
- d) the consideration of transitions in height and density to adjacent residential buildings;*
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;*
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;*
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;*
- h) the ability to complement the existing functions of the neighbourhood;*
- i) the conservation of cultural heritage resources; and,*
- j) infrastructure and transportation capacity and impacts.*

E.3.0 – Neighbourhoods Designation

The intent of the Neighbourhoods designation is to describe neighbourhood functions, identify appropriate scales of *development* and design requirements for various land uses, and allow for the continued evolution of neighbourhoods. One of the goals for the Neighbourhood designation (Policy 3.1.4) “*is to promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.*” Another key goal (3.1.5) is to “*promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.*”

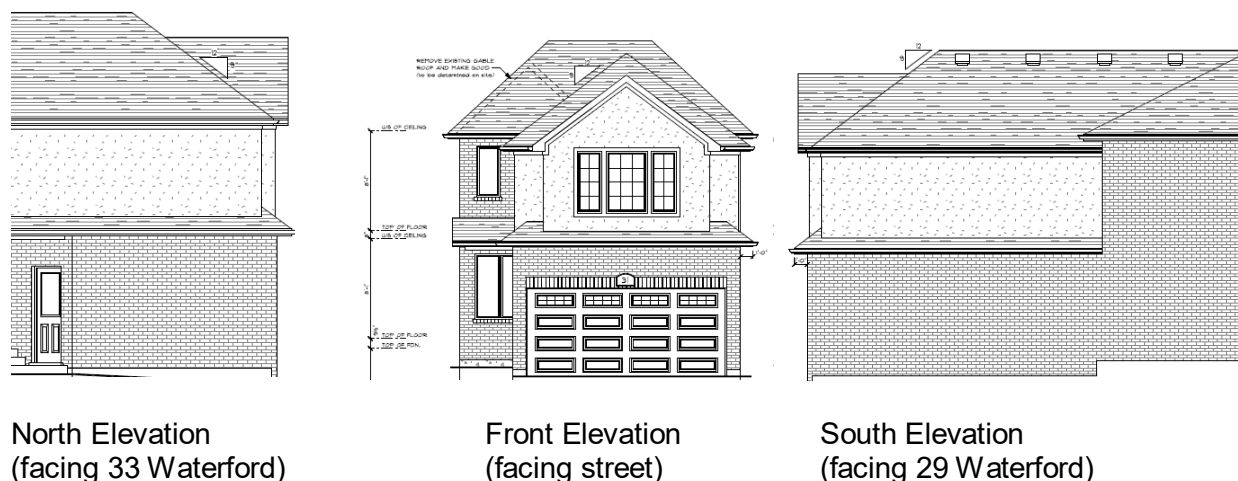
Uses permitted in low density residential areas (Policy 3.4.3) include single-detached, **semi-detached**, duplex, triplex, and street townhouse dwellings. In terms of the scale and design of residential intensification, the most relevant policy to this application is 3.2.7 (b), which states, “**garages, parking areas, and driveways along the public street shall not be dominant.**”

Analysis:

The key criteria to consider are the compatibility of the proposal with the surrounding neighbourhood, whether it will integrate with the existing scale, character and form, and the potential impacts on adjacent land uses with respect to shadowing, overlook, lighting, etc.

The existing zoning permits a building height of 11m (or 3 storeys). Many of the semi-detached dwellings in the immediate neighbourhood already have second-storey living space above the garage, including the adjacent residence at 33 Waterford. The proposed elevations for 31 Waterford show no windows or lights along the northern and southern walls which should ensure no impacts related to overlook, excessive brightness, and privacy for the adjacent residences at 29 and 33 Waterford.

Figure 5 – 31 Waterford Building Elevations



North Elevation
 (facing 33 Waterford)

Front Elevation
 (facing street)

South Elevation
 (facing 29 Waterford)

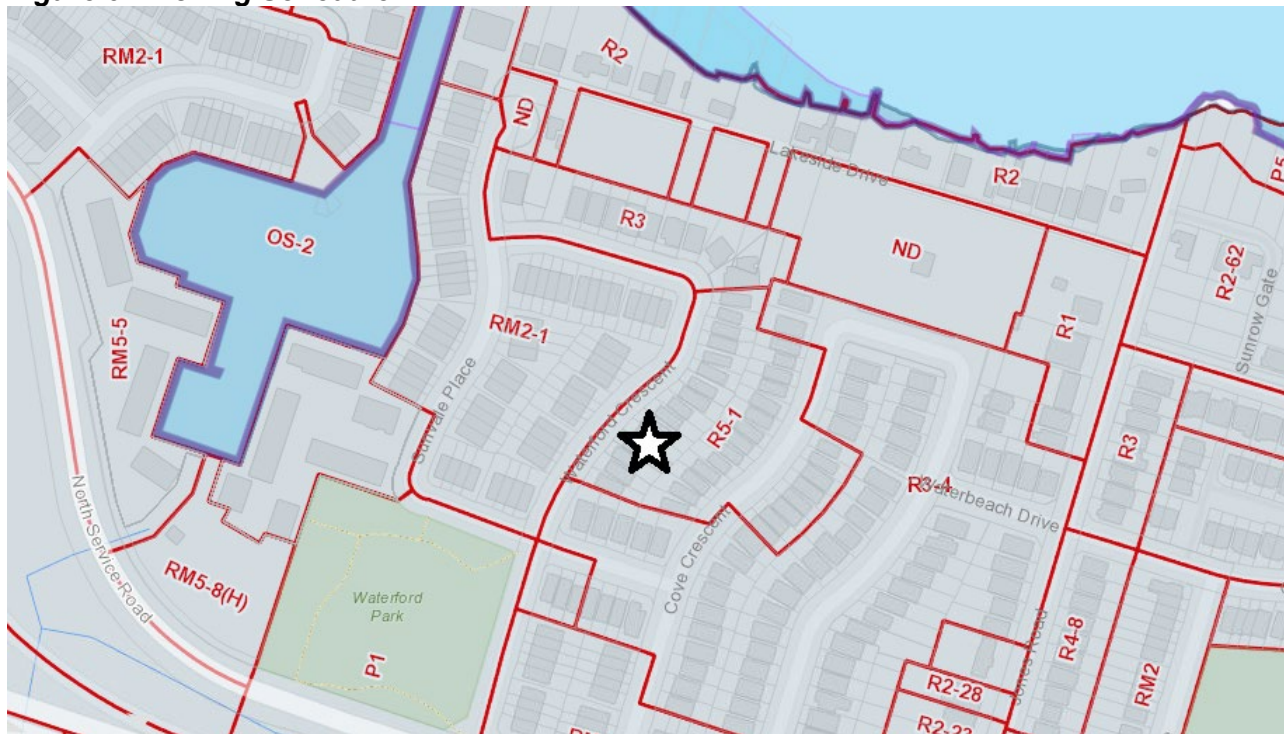
The proposed second-storey addition is desirable from the standpoint that it will enhance the streetscape aesthetic by diminishing the visual impact of the existing two-car garage while maintaining a scale and form that is already prevalent in the neighbourhood.

The application conforms to the general intent of the Official Plan.

H. Zoning:

The subject property is zoned Residential 5-1 (Bayview Estates Lands).

Figure 5 – Zoning Schedule



**R5-1 (Section 6.6.7 - Special Exemption) – permits semi-detached dwellings to be connected below ground only, with a minimum lot area of 300 sq.m. for any semi-detached lot that has been divided for individual ownership.*

R5-1 Zone		
Section 6.6.3	Required	Proposed
a) Minimum Lot Area 2. Divided Semi-detached lot	300 sq.m.	337.4 sq.m.
b) Minimum Lot Frontage 2. Divided Semi-detached lot	9m	9.06m
c) Minimum Front Yard	6m	6.26m
d) Minimum Side Yard	1.25m 1.25m	*0.93m (southerly side yard) *1.20m (northerly side yard)
e) Minimum Rear Yard	7.5m	14.1m
f) Maximum Building Height	11m	2-storey (>11m)
g) Maximum Lot Coverage	40%	33.6%
Section 6.6.4 Regulations for Parking	2 / dwelling unit	2 / dwelling unit
Section 6.6.5 Regulations for Accessory Buildings Refer to Section 6.1.4		
a) Yard Requirement	Shed - 0.5m Cabana – 0.5m	*0.09m *0.17m
b) Maximum Lot Coverage	10%	4.4%

***denotes variance required**

Analysis:

Semi-detached dwellings are a permitted use on divided lots. Uses, buildings or structures accessory to a permitted use are also permitted by Section 6.6.2(c). Accessory buildings (which would include a shed and a cabana), are permitted in the R5-1 zone.

Apart from the side yard variances required, the lot is capable of accommodating all 3 buildings. The maximum lot coverage is 40% and only 33.6% is being achieved. The maximum lot coverage for accessory buildings alone is 10% and only 4.4% is occupied by the cabana and shed. There is a significant rear yard setback (14.1m) for the dwelling unit and a large, rear yard amenity area.



The application conforms to the general intent of the Zoning By-law.

I. Are the requested variances minor?:

There should be no material impact as a result of the requested variances. In 1991, had the original dwelling been constructed 0.32m (or 1 ft.) to the north, the proposed second-storey addition would have proceeded directly to the building permit stage. This application is seeking what many of the existing dwellings in the neighbourhood already have (with similarly deficient side yards).

Accessory buildings are permitted to locate 0.5m from property lines. This is simply to ensure that structures aren't constructed in other lots as the 0.5m allowance provides no usable space between the structure and the lot line. While it is unfortunate that the cabana and shed were positioned too close to the rear property line, this is a common occurrence within the Bayview Estates neighbourhood as property owners seek the largest rear yard amenity space possible. Thus, accessory structures are pushed to the extremities of the yards.

The application is minor as it proposes to recognize an existing condition.

J. Are the variances desirable for the appropriate development or use of the land, building or structure?:

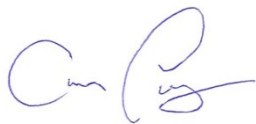
The variances are desirable as it will improve the aesthetics of the streetscape and neighbourhood.

K. Conclusion:

Having regard for the matters under Section 45(1) of the Planning Act, it is my opinion that the requested variances are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and desirable for the appropriate use of the land. The proposed variances represent good planning.

If you require further information, please do not hesitate to contact me.

Respectfully submitted,



Cam Lang, M.E.S.
Principal Planner / Urban Designer
CVL PlanningWorks Ltd.

c.c.: Paul and Patti-Lynne MacTaggart (Registered Owner)

Attachments provided separately (via email).

- Minor Variance Application Form
- 1991 Plan of Survey Excerpt
- March 2022 Plan of Survey
- Site Plan Sketch (showing proposed second-storey addition above garage)
- Floor Plans and Building Elevations
- PIN 17347-0209(LT) and related deed and plan for the easement
 - o 62R-11722
 - o LT305146



Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

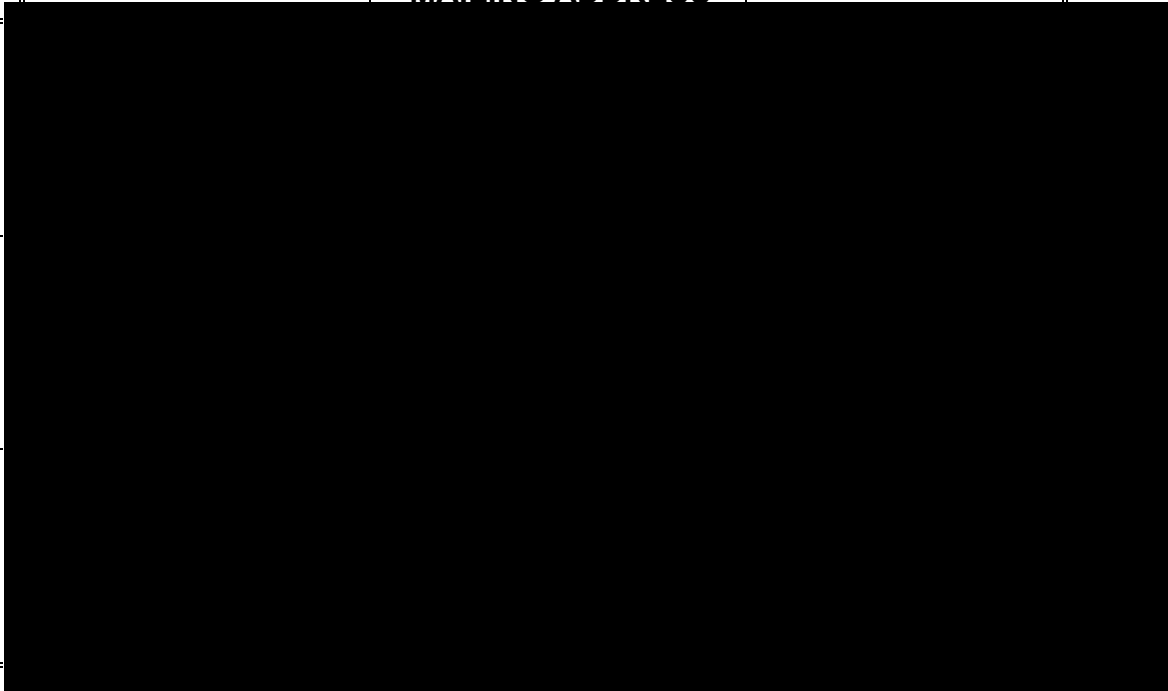
Application for Minor Variance or for Permission

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

1, 2

	MAILING ADDRESS	
--	------------------------	--

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



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

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

Reference Plan 62R11722
 Easement is for general maintenance & repairs on the structure (0.3m x 18.742m)
 Parts 1 & 2 (31 Waterford) have an easement over Part 3;
 Parts 3 & 4 (29 Waterford) have an easement over Part 2
 The semi-detached dwelling shares a foundation - it is connected below ground only

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 Planning Justification Report for details.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

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

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

_____ Date

PMT Patti-Lynne MacTaggart
Signature Property Owner(s)

_____ Patti-Lynne MacTaggart
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

Width of street _____

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

Existing: _

Proposed

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

Existing:

Proposed:

13. Date of acquisition of subject lands:

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.):

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

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

18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 No Yes
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*?
 No Yes
23. Additional Information (please include separate sheet if needed)
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-22:109

APPLICANTS: Agent YEJ Studio - H. Robah
 Owners T. Papaviannia & C. Barnat

SUBJECT PROPERTY: Municipal address **517 Fruitland Rd., Stoney Creek**

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

ZONING: "R2" (Single Residential) district

PROPOSAL: To permit the construction of a new second storey addition onto the existing single detached dwelling notwithstanding that:

1. A front yard setback of 5.3m shall be provided instead of the minimum required front yard setback of 6.0m.
2. A roofed-over unenclosed front porch may project a maximum of 2.2m into a required front yard setback instead of the maximum permitted projection of 1.5m.
3. A rear yard setback of 2.8m shall be provided instead of the minimum required rear yard setback of 7.5m

NOTES:

1. Please be advised that eaves and gutters associated with the principal dwelling are permitted to project a maximum distance of 0.5m into a minimum required yard. Furthermore, eaves and gutters associated with an accessory building are permitted to project a maximum distance of 0.25m into a required yard. Details respecting eave and gutters have not been provided in order to determine zoning compliance. As such, further variances may be required if compliance cannot be achieved.
2. Please be advised that each parking space is required to provide a width of 2.75m.
3. An accessory building is permitted to have a maximum height of 4.5m. Insufficient information has been provided in order to determine zoning compliance.

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

DATE: Thursday, May 12th, 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

SC/A-22: 109
Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

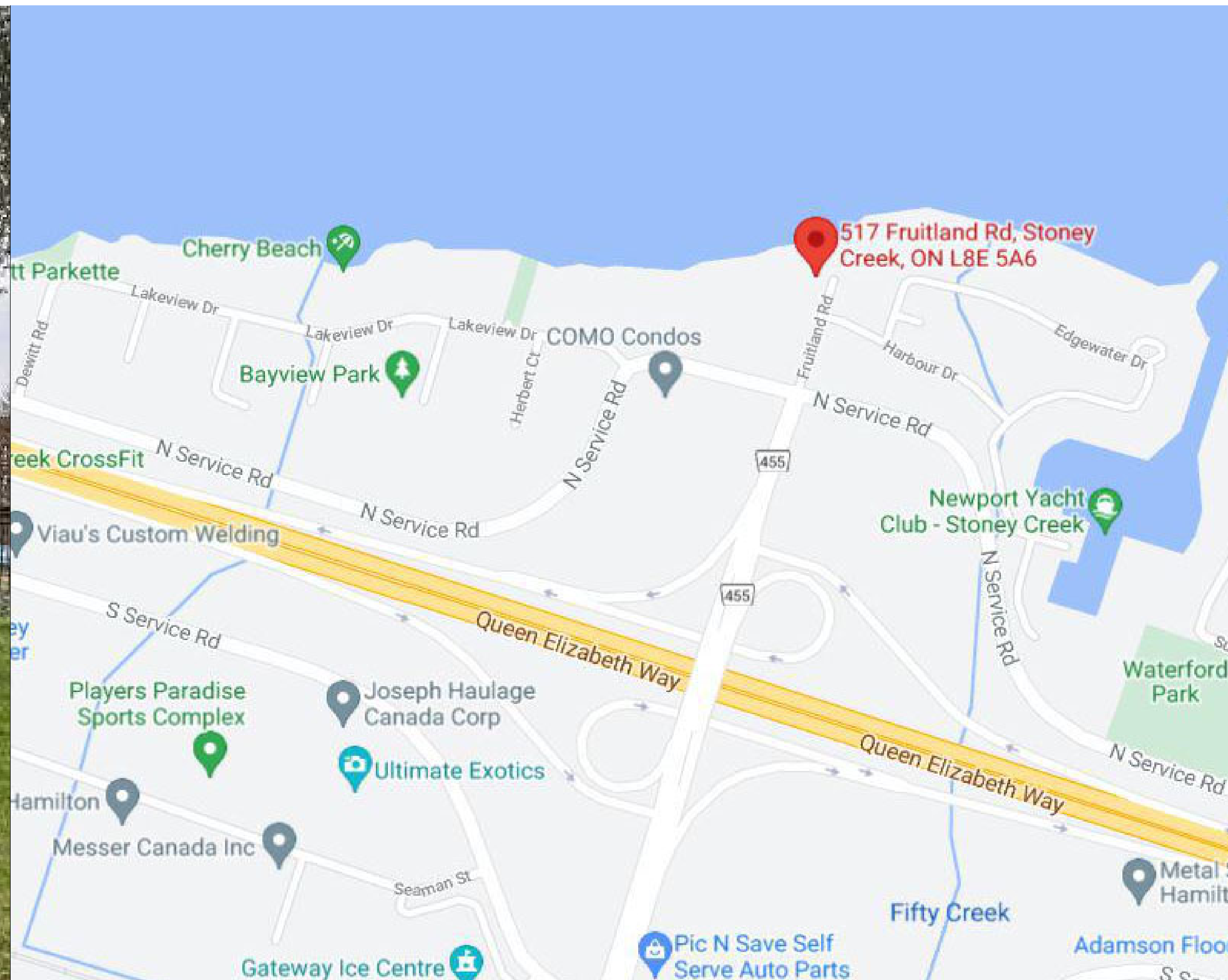
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 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.



INDEX	
Number	Sheet Name
A1.00	COVER PAGE
A1.01	SURVEY
A1.02	EXISTING FLOOR PLANS
A1.03	PROP. BASEMENT & MAIN FLOOR PLANS
A1.04	PROP. SECOND FLOOR & ROOF PLANS
A1.05	ELEVATIONS
A1.06	ELEVATIONS
A1.07	SECTIONS
A1.08	SECTIONS
A1.09	DETAILS
AN-01	GENERAL & CONSTRUCTION NOTES
S1.01	FOUNDATION PLAN
S1.02	MAIN FLOOR FRAMING PLAN
S1.03	SECOND FLOOR FRAMING PLAN
S1.04	ROOF FRAMING PLAN
SP1.01	SITE PLAN



ADDITION
517 FRUITLAND RD,
HAMILTON, ON L8E 5A6

REVISION:

No.	Description	Date
1	CLIENT REVIEW	Designer
2	REVISION	YY-MM-DD
3	ISSUED FOR PERMIT	YY-MM-DD

NOTES

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QUALIFICATION INFORMATION
 REQUIRED UNDER SECTION 2.2.5 OF THE BUILDING CODE

ALHASAN ROBAH 116777
 NAME SIGNATURE BCIN

ADDITION

TIM PAPAYIANNIS & CATHERINE BARNAT

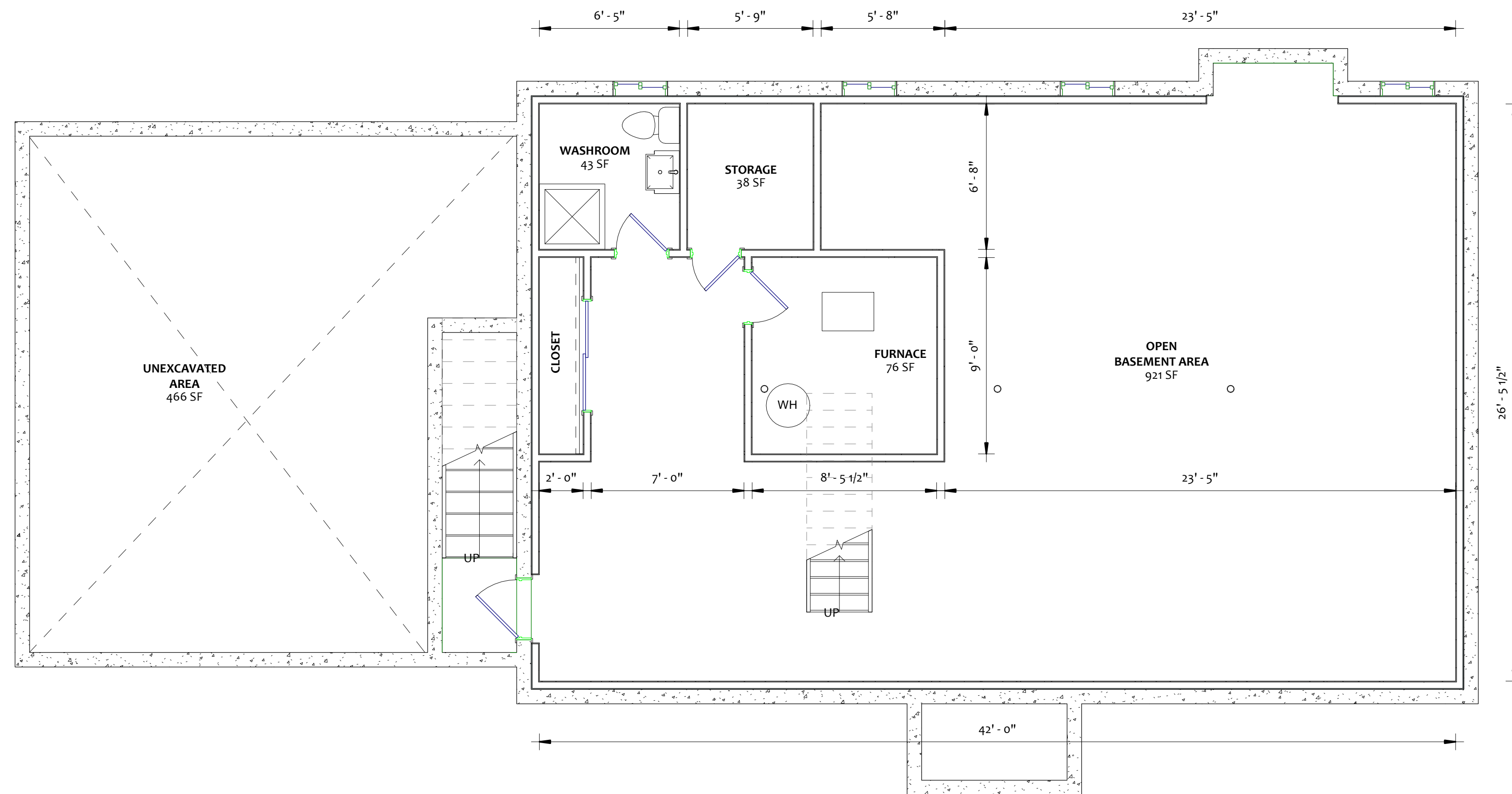
517 FRUITLAND RD, HAMILTON,
ON L8E 5A6

COVER PAGE

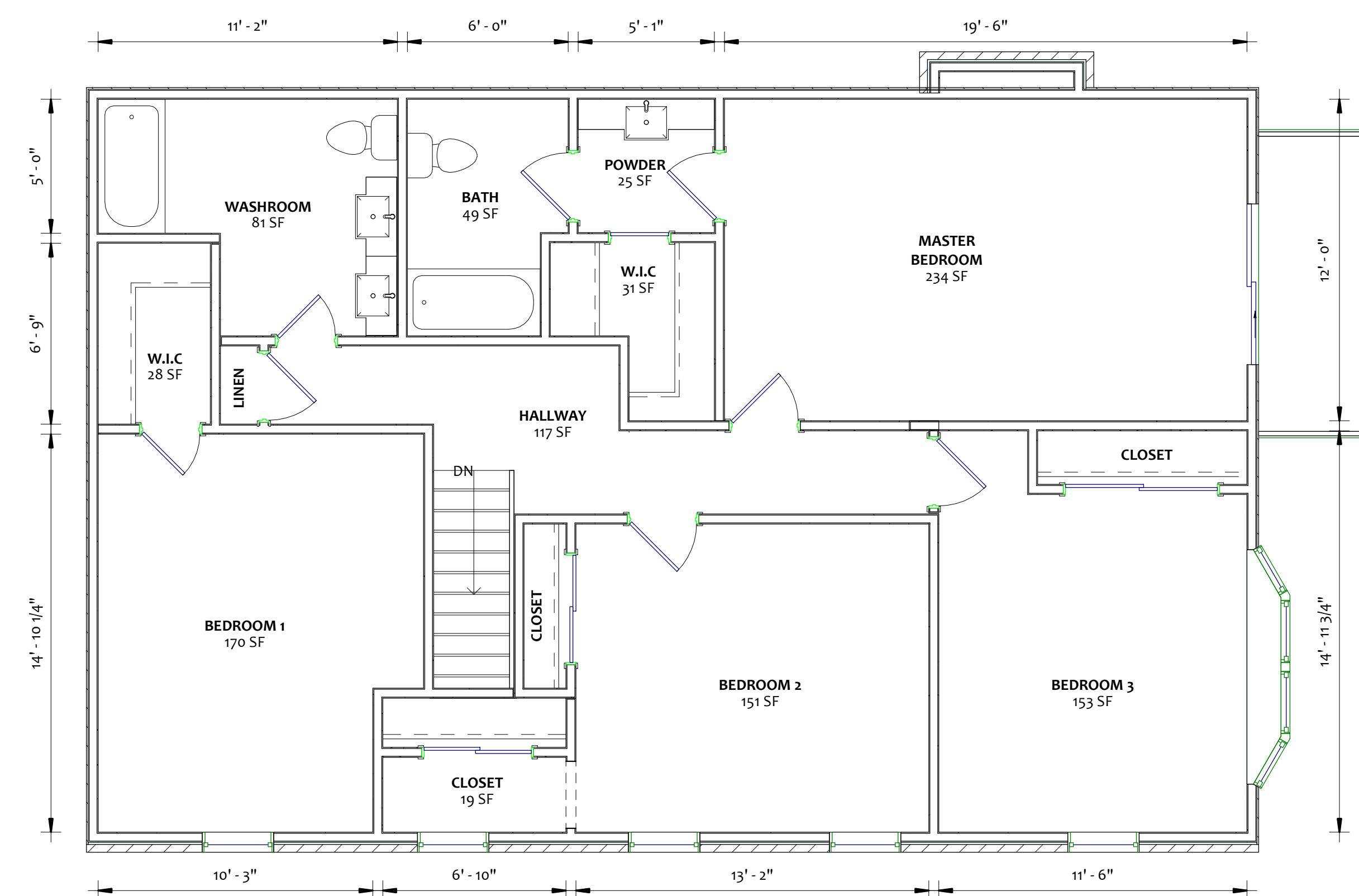
Project number 21RE100 - 249
 Date 2021.09.20

A1.00

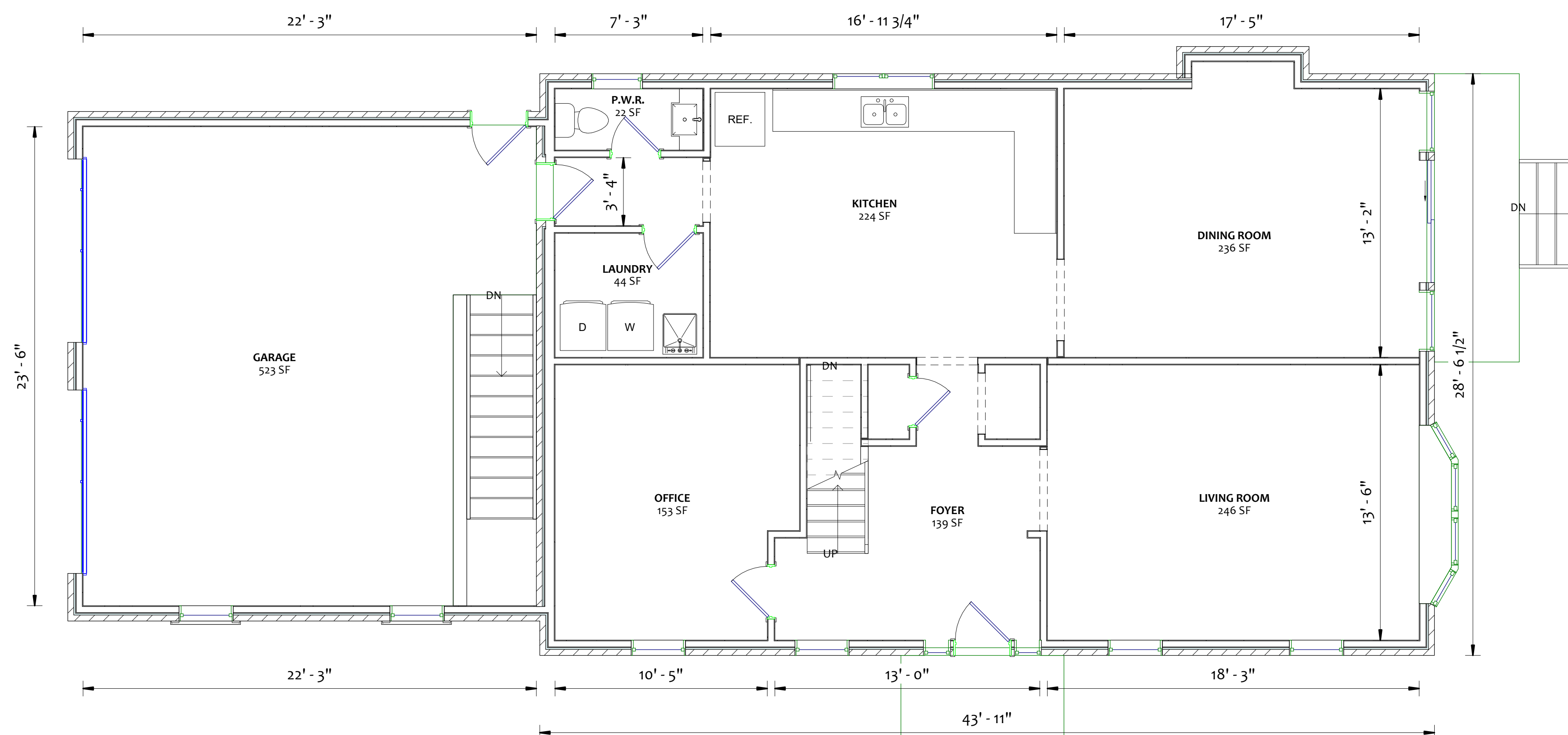
Drawn by D.T
 Scale



1 Ext. BASEMENT
A1.02 1/4" = 1'-0"



3 Ext. SECOND FLOOR
A1.02 1/4" = 1'-0"



2 Ext. MAIN FLOOR
A1.02 1/4" = 1'-0"



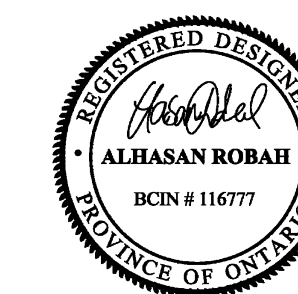
ADDITION
517 FRUITLAND RD,
HAMILTON, ON L8E 5A6

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ALHASAN ROBAH 116777
NAME: Alhasan Robah BCIN

EXISTING FLOOR PLANS

Project number 21RE100 - 249
Date 2021.09.20

A1.02

Drawn by D.T
Scale 1/4" = 1'-0"

DOOR SCHEDULE

Type	Ct.	Function	Room	Level	Width	Height	FR	Phase Created	Comments
D2	1	Interior		MAIN FLOOR	2' - 4"	6' - 8"		New Construction	
GD-1	1	Interior		GRADE	19' - 0"	7' - 0"		New Construction	
D4	1	Interior	CLOSET	MAIN FLOOR	4' - 0"	6' - 8"		New Construction	
D3	1	Interior	FURNACE	BASEMENT	2' - 8"	6' - 8"		New Construction	
D9	1	Exterior	GYM	BASEMENT	3' - 7 1/2"	7' - 6 1/2"		New Construction	
D2	1	Interior	P.W.D	MAIN FLOOR	2' - 4"	6' - 8"		New Construction	
D1	1	Interior	STORAGE ROOM	GRADE	2' - 6"	6' - 8"		New Construction	
D5	1	Exterior	THEATRE	MAIN FLOOR	5' - 0"	6' - 8"		New Construction	
Grand total: 8									

WINDOW SCHEDULE

Type	Ct.	Level	Width	Height	Sill Height	AREA	Phase Created	Comments
NW1	1	MAIN FLOOR	7' - 0"	4' - 0"	3' - 6"	28 SF	New Construction	
Grand total: 1								

WALL SCHEDULE

EXISTING WALLS

* REFER TO PREVIOUS BUILDING PERMIT

- W-eF** EXISTING FOUNDATION WALL
- W-eX** EXISTING EXTERIOR WALL
- W-eP** EXISTING STUD PARTITION WALL
- W-FS** EXISTING FIRE SEPARATION
- W-eD** EXISTING DEMISING WALL (COMMERCIAL)
EXISTING PARTY WALL (RESIDENTIAL)

EXTERIOR WALLS

- W-e3** EXTERIOR - STUCCO FINISH ON STUD WALL
 - 3 COATS OF STUCCO FINISH IN STUCCO LATCH
 - 1" R5 RIGID INSULATION
 - BUILDING PAPER LAYER
 - 1/2" PLYWOOD SHEATHING
 - 2"x6" @ 16" o.c. WOOD STUDS W/ MIN R24 BATT INSULATION
 - AIR/VAPOUR BARRIER
 - 1/2" GYPSUM WALL BOARD

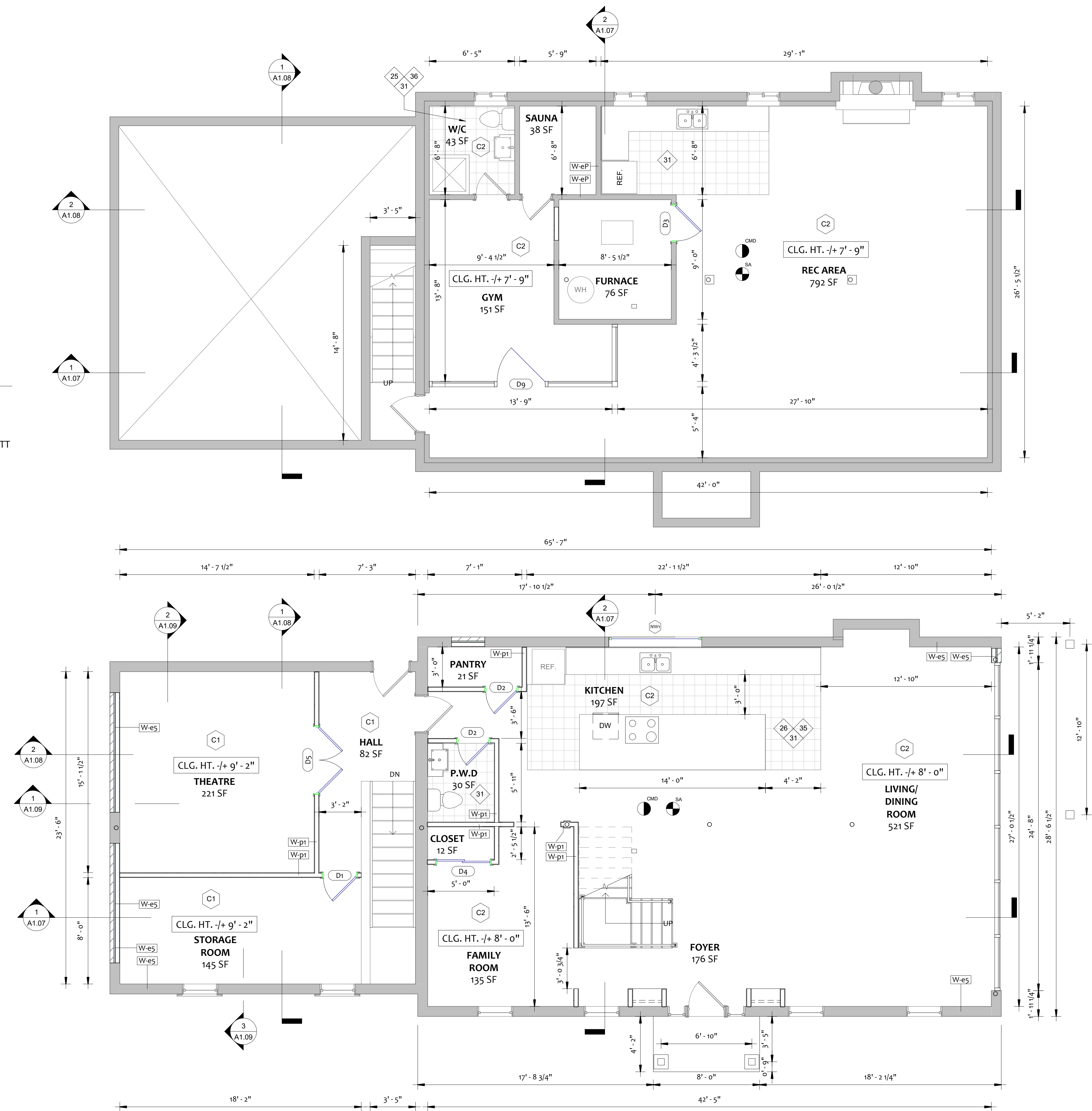
PARTITION WALLS

- W-p1** NEW INTERIOR - STUD PARTITION
 - 1/2" GYPSUM WALL BOARD
 - 2"x4" @ 16" o.c. WOOD STUDS
 - 1/2" GYPSUM WALL BOARD

- W-e5** EXTERIOR - BRICK FINISH ON STUD WALL
 - EX. 4" COMMON BRICK
 - EX. BUILDING PAPER LAYER
 - EX. 1/2" PLYWOOD SHEATHING
 - EX. 2"x4" @ 16" o.c. WOOD STUDS W/ NEW MIN R24 SPRAY FOAM INSULATION
 - EX. AIR/VAPOUR BARRIER
 - EX. 1/2" GYPSUM WALL BOARD

CEILING SCHEDULE

- C1** NEW FULL HT CLG - TYPICAL CEILING CONSTRUCTION
 - NEW FLOOR FINISH
 - NEW SUBFLOOR LAYER (REFER TO STRUCTURAL)
 - NEW FLOOR JOIST (REFER TO STRUCTURAL)
 - NEW 1 LAYER 1/2" GYPSUM BOARD
- C2** FULL HT CLG - EXISTING CEILING
 - EX. FLOOR FINISH
 - EX. SUBFLOOR
 - EX. FLOOR JOIST
 - NEW 1 LAYER 1/2" GYPSUM BOARD



2 Prop. MAIN FLOOR
A1.03 1/4" = 1'-0"



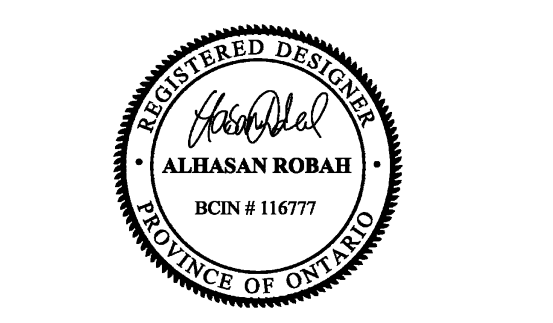
ADDITION
517 FRUITLAND RD,
HAMILTON, ON L8E 5A6

REVISION:

No.	Description	Date
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2	REVISION	YY-MM-DD
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QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGNER IS EXEMPT UNDER 2.2.5 OF THE BUILDING CODE

ALHASAN ROBAH 116777
NAME: Alhasan Robah BCIN

PROP. BASEMENT & MAIN FLOOR PLANS

Project number 21RE100 - 249
Date 2021.09.20

DOOR SCHEDULE SECOND FLOOR

Type	Ct.	Function	Room	Level	Width	Height	FR	Phase Created	Comments
D9	1	Interior		SECOND FLOOR	10' - 0"	7' - 0"		New Construction	
D1	1	Interior	BEDROOM 4	SECOND FLOOR	2' - 6"	6' - 8"		New Construction	
D1	1	Interior	BEDROOM 4	SECOND FLOOR	2' - 6"	6' - 8"		New Construction	
D6	1	Interior	CLOSET	SECOND FLOOR	5' - 8"	6' - 8"		New Construction	
D2	1	Interior	ENSUITE	SECOND FLOOR	2' - 4"	6' - 8"		New Construction	
D1	1	Interior	ENSUITE	SECOND FLOOR	2' - 6"	6' - 8"		New Construction	
D1	1	Interior	FAMILY ROOM	SECOND FLOOR	2' - 4"	6' - 8"		New Construction	
D6	1	Interior	FAMILY ROOM	SECOND FLOOR	5' - 8"	6' - 8"		New Construction	
D3	1	Interior	LAUNDRY	SECOND FLOOR	2' - 8"	6' - 8"		New Construction	
D7	1	Interior	MASTER BEDROOM	SECOND FLOOR	6' - 0"	7' - 0"		New Construction	
D8	1	Interior	MASTER BEDROOM	SECOND FLOOR	5' - 0"	6' - 8"		New Construction	
D5	1	Exterior	OFFICE	SECOND FLOOR	5' - 0"	6' - 8"		New Construction	
D2	1	Interior	W/C	SECOND FLOOR	2' - 4"	6' - 8"		New Construction	

Grand total: 13

WINDOW SCHEDULE SECOND FLOOR

Type	Ct.	Level	Width	Height	Sill Height	AREA	Phase Created	Comments
NW1	1	SECOND FLOOR	3' - 0"	6' - 0"	1' - 0"	18 SF	New Construction	
NW1	1	SECOND FLOOR	3' - 0"	6' - 0"	1' - 0"	18 SF	New Construction	
NW2	1	SECOND FLOOR	2' - 8"	6' - 0"	1' - 0"	16 SF	New Construction	
NW2	1	SECOND FLOOR	2' - 8"	6' - 0"	1' - 0"	16 SF	New Construction	
NW2	1	SECOND FLOOR	2' - 8"	6' - 0"	1' - 0"	16 SF	New Construction	
NW2	1	SECOND FLOOR	2' - 8"	6' - 0"	1' - 0"	16 SF	New Construction	
NW4	1	SECOND FLOOR	2' - 8"	2' - 8"	4' - 4"	7 SF	New Construction	

Grand total: 7

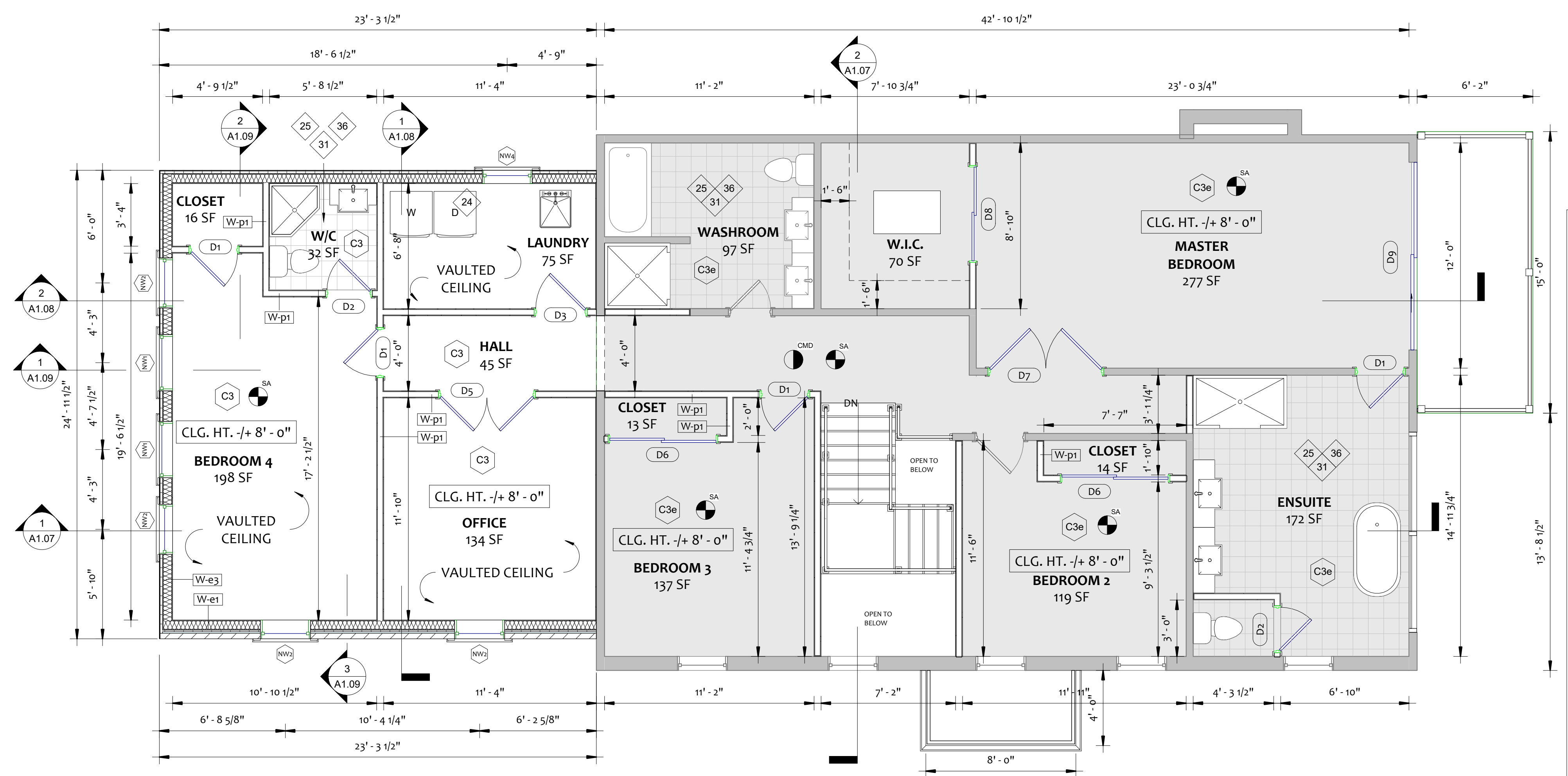
WALL SCHEDULE

- EXISTING WALLS**
- * REFER TO PREVIOUS BUILDING PERMIT
 - W-eF EXISTING FOUNDATION WALL
 - W-eX EXISTING EXTERIOR WALL
 - W-eP EXISTING STUD PARTITION WALL
 - W-FS EXISTING FIRE SEPARATION
 - W-eD EXISTING DEMISING WALL (COMMERCIAL)
EXISTING PARTY WALL (RESIDENTIAL)

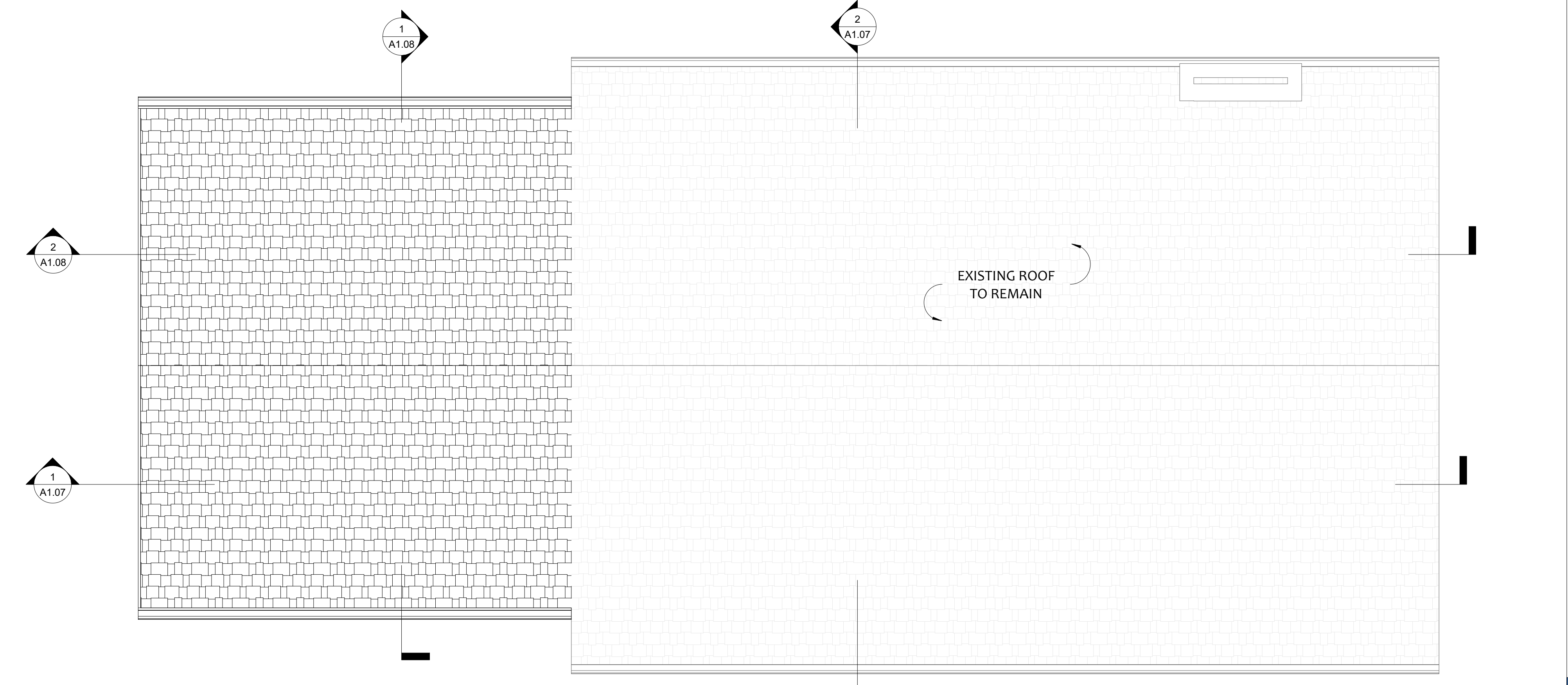
- PARTITION WALLS**
- W-p1 NEW INTERIOR - STUD PARTITION
 - 1/2" GYPSUM WALL BOARD
 - 2"x4" @ 16" o.c. WOOD STUDS
 - 1/2" GYPSUM WALL BOARD

CEILING SCHEDULE

- C3e SECOND FLOOR CEILING (ROOF)
 - EXT. ROOF TRUSSES (BY MANUFACTURER)
 - EXT. R60 BATT INSULATION
 - EXT. 1 LAYER 1/2" GYPSUM BOARD
- C3 SECOND FLOOR CEILING (ROOF)
 - NEW ROOF TRUSSES (BY MANUFACTURER)
 - NEW R60 BATT INSULATION
 - NEW 1 LAYER 1/2" GYPSUM BOARD



1 Prop. SECOND FLOOR
A1.04 1/4" = 1'-0"



2 PROP. ROOF PLAN
A1.04 1/4" = 1'-0"



ADDITION
517 FRUITLAND RD,
HAMILTON, ON L8E 5A6

REVISION:

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QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGNER IS EXEMPT UNDER 2.2.2.5 OF THE BUILDING CODE

ALHASAN ROBAH 116777
NAME: Alhasan Robah BCIN

PROP. SECOND FLOOR & ROOF PLANS

Project number 21RE100 - 249
Date 2021.09.20

A1.04

Drawn by H.R.
Scale As indicated



1 SOUTH ELEVATION
A1.05 1/4" = 1'-0"



2 EAST ELEVATION
A1.05 1/4" = 1'-0"



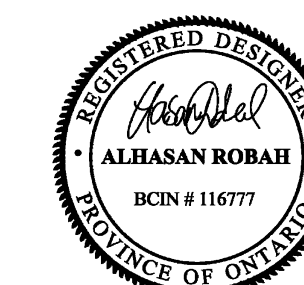
ADDITION
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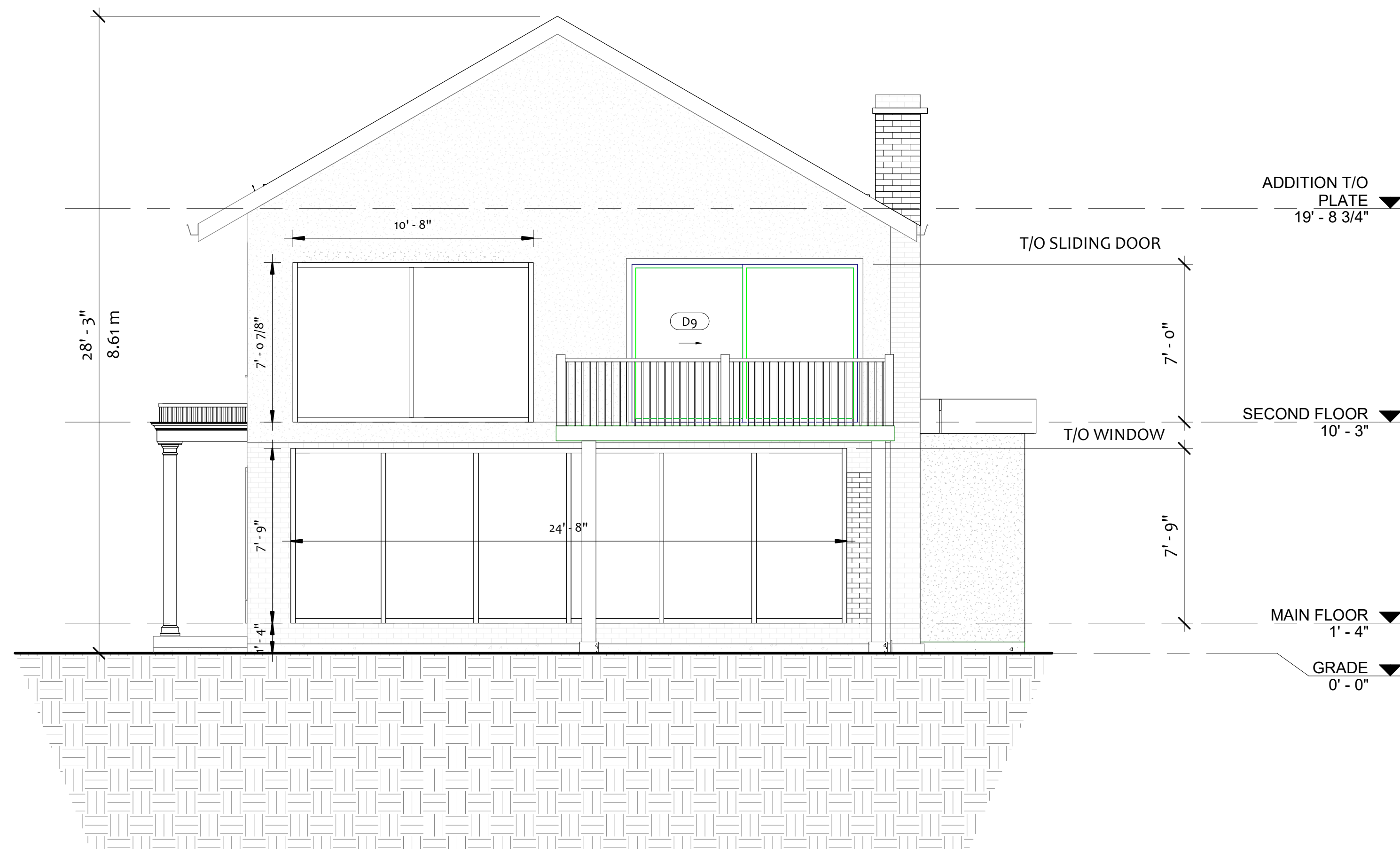
ALHASAN ROBAH
NAME: *Alhasan Robah* 116777
BCIN

ELEVATIONS

Project number 21RE100 - 249
Date 2021.09.20

A1.05

Drawn by H.R.
Scale 1/4" = 1'-0"



1 NORTH ELEVATION
A1.06 1/4" = 1'-0"



2 WEST ELEVATION
A1.06 1/4" = 1'-0"

LIMITING DISTANCE CALCULATIONS:
 SET BACK : 6'- 4" (1.93 m)
 WALL AREA : 1243.06 SQFT (115.5m²)
 WINDOW GLAZING AREA : 43.61 SQFT (4.05m²)
 GLAZING % = 3.5 %
 ALLOWED GLAZED AREA = 7% (87 SQFT)



ADDITION
 517 FRUITLAND RD,
 HAMILTON, ON L8E 5A6

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QUALIFICATION INFORMATION
 REQUIRED UNDER DESIGN IS EXEMPT UNDER 2.2.3 OF THE BUILDING CODE

ALHASAN ROBAH NAME: *Alhasan Robah* 116777 BCIN

ELEVATIONS

Project number 21RE100 - 249
 Date 2021.09.20



1 Section 1
A1.07 1/4" = 1'-0"



2 Section 2
A1.07 1/4" = 1'-0"



ADDITION
517 FRUITLAND RD,
HAMILTON, ON L8E 5A6

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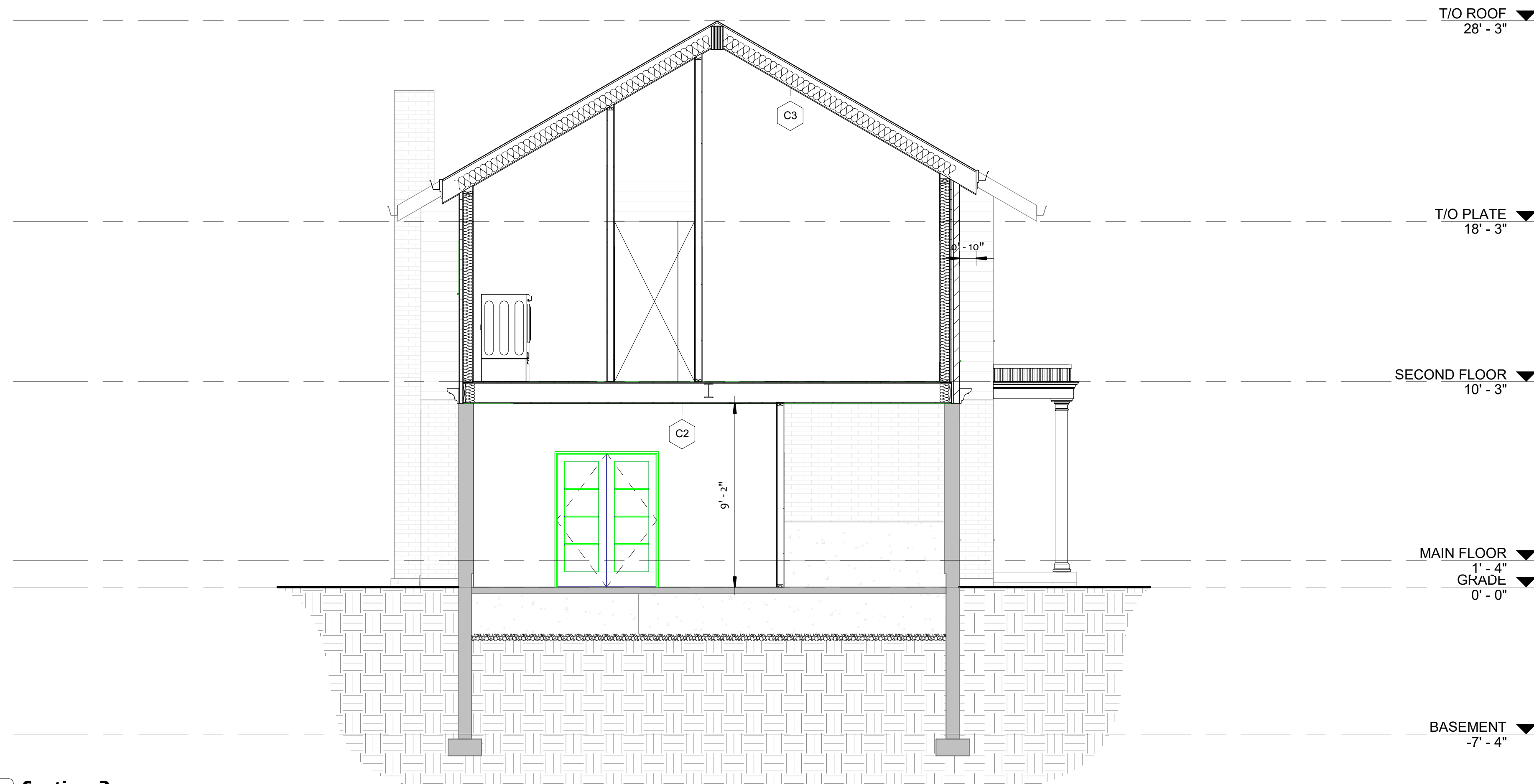
ALHASAN ROBAH 116777
NAME: Alhasan Robah BCIN

SECTIONS

Project number 21RE100 - 249
Date 2021.09.20

A1.07

Drawn by H.R.
Scale 1/4" = 1'-0"



1 Section 3
A1.08 1/4" = 1'-0"



2 Section 4
A1.08 1/4" = 1'-0"



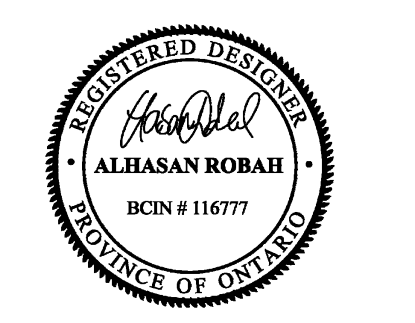
ADDITION
517 FRUITLAND RD,
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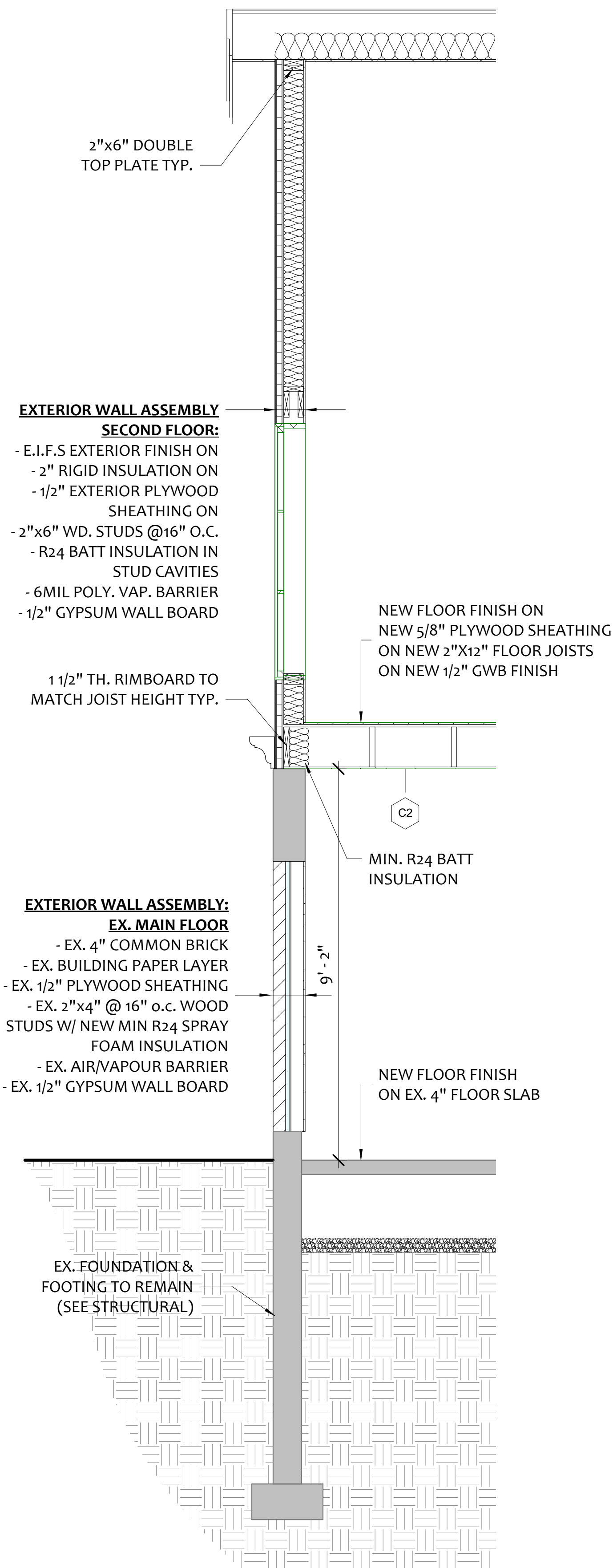
ALHASAN ROBAH 116777
NAME 116777 BCIN

SECTIONS

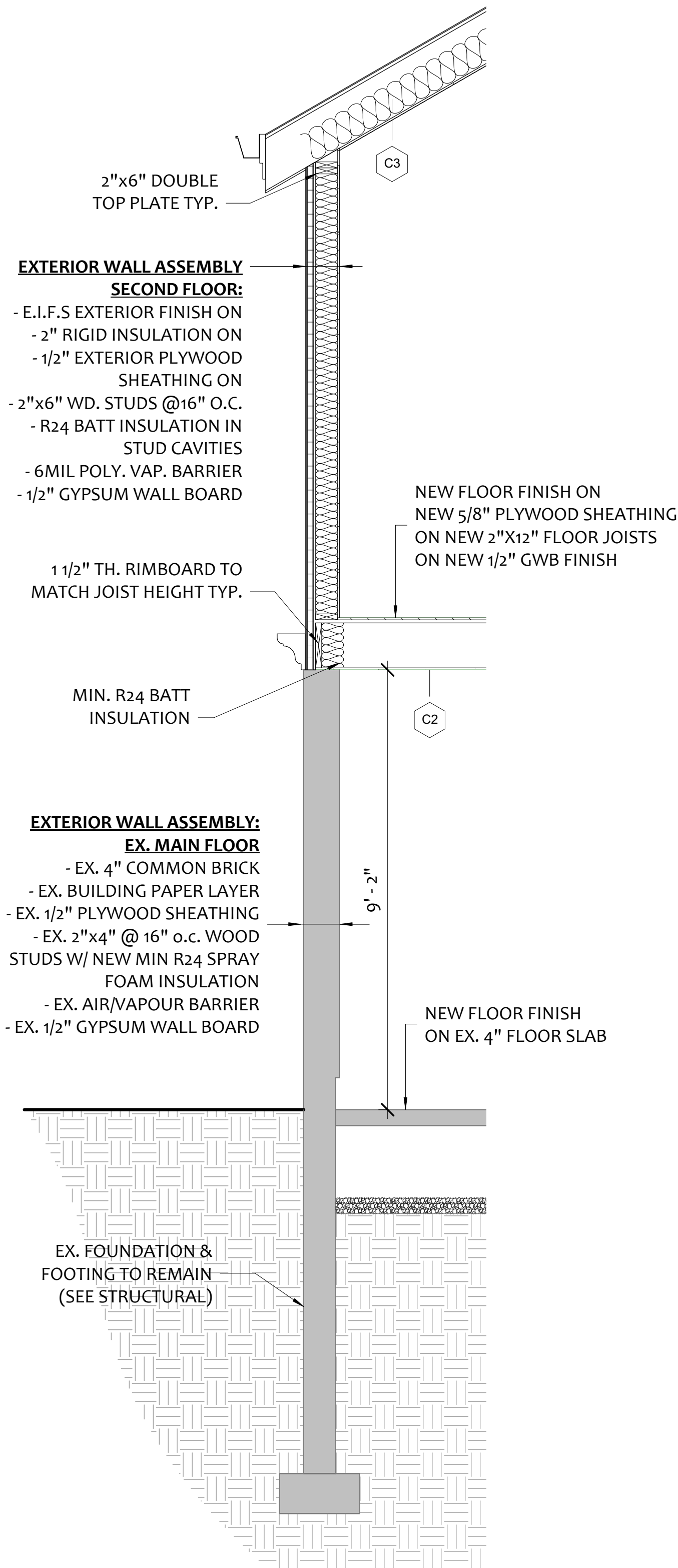
Project number 21RE100 - 249
Date 2021.09.20

A1.08

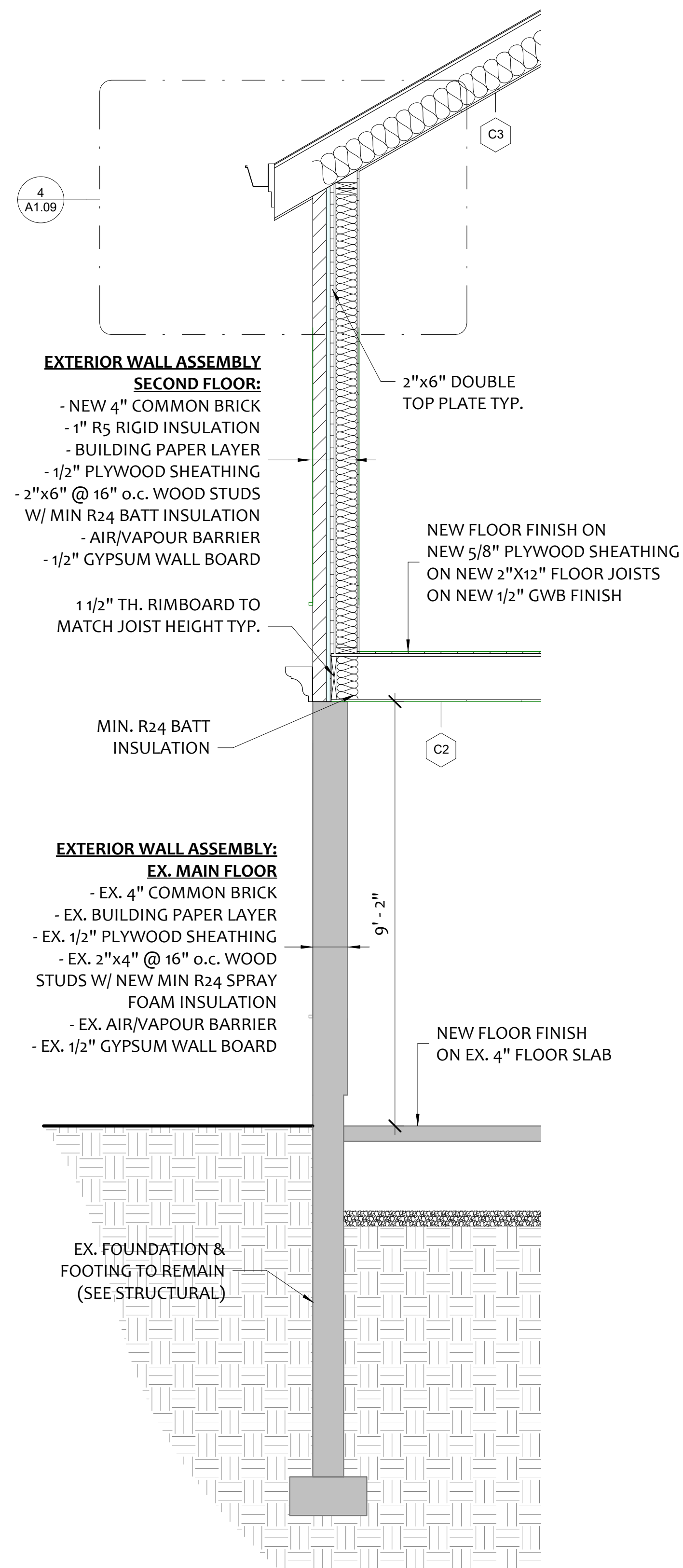
Drawn by H.R.
Scale 1/4" = 1'-0"



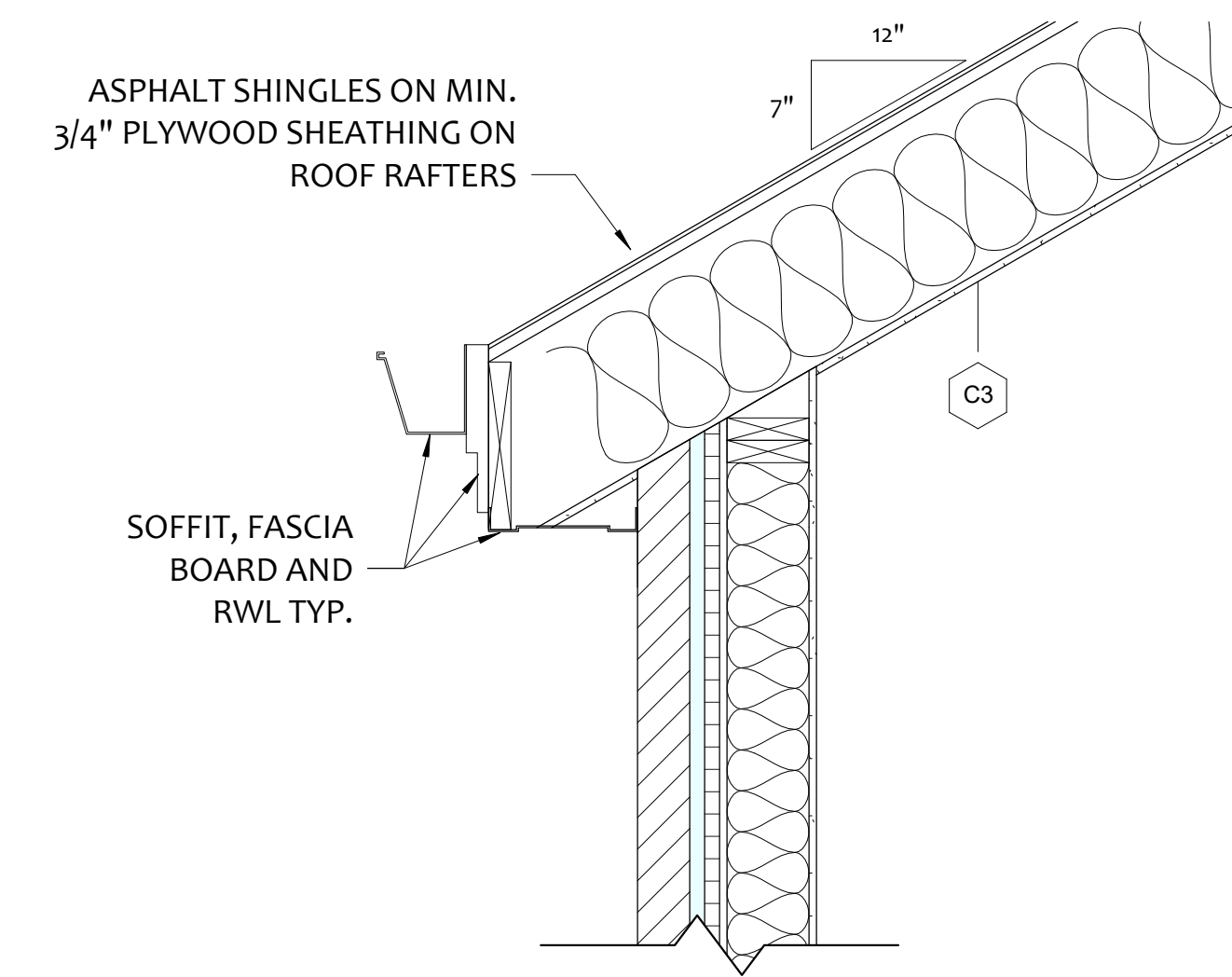
1 WALL SECTION 1
A1.09 1/2" = 1'-0"



2 WALL SECTION 2
A1.09 1/2" = 1'-0"



3 WALL SECTION 3
A1.09 1/2" = 1'-0"



4 ROOF DETAIL
A1.09 1" = 1'-0"

YEJ
STUDIO + CONSULTING
888 236 9958 | 416 483 5393 | 905 821 0728
INFO@YEJSTUDIO.COM
WWW.YEJSTUDIO.COM

ADDITION
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HAMILTON, ON L8E 5A6

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- ALL WORKS TO BE DONE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO PREVAILING ONTARIO BUILDING CODE.

REGISTERED DESIGNER
ALHASAN ROBAH
BCIN # 116777
PROVINCE OF ONTARIO

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

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGNER IS EXEMPT UNDER 2.2.5 OF THE BUILDING CODE

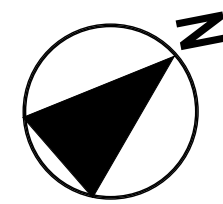
ALHASAN ROBAH
NAME: *Alhasan Robah* 116777
BCIN

DETAILS

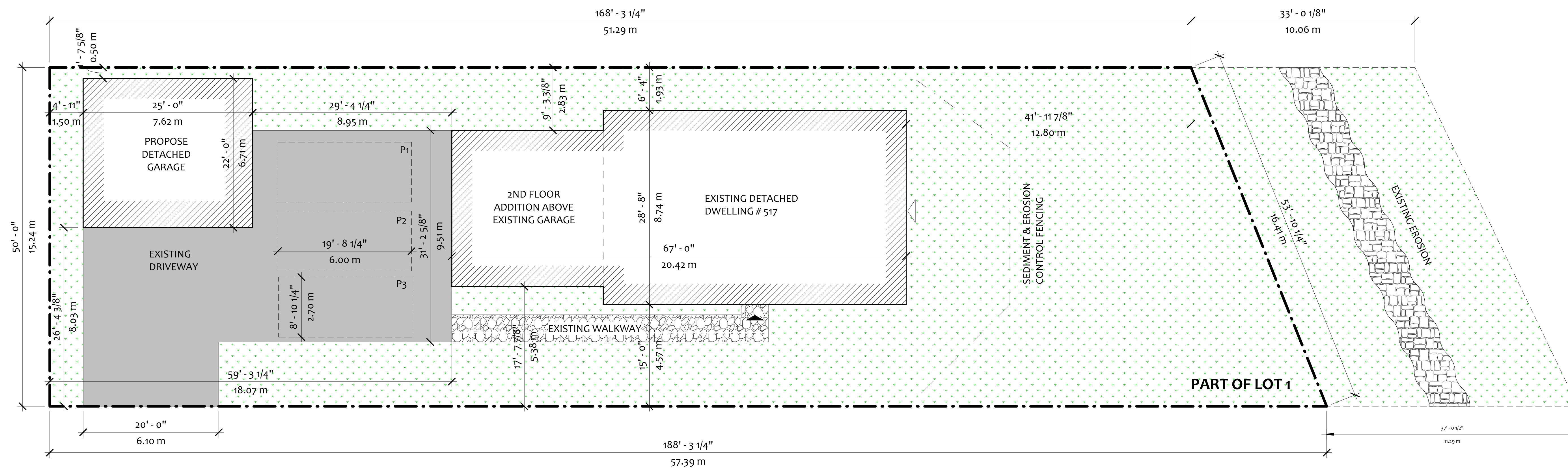
Project number: 21RE100 - 249
Date: 2021.09.20

A1.09

Drawn by: A.H.
Scale: As indicated



▶ MAIN ENTRANCE
 ▷ SECONDARY ENTRANCE



1 SITE PLAN
 SP1.01 1/8" = 1'-0"

FRUITLAND ROAD

ZONING INFORMATION	ZONING CATEGORY : R2						
	LOT AREA	MAX. LOT COVERAGE	MAX HEIGHT	REAR SETBACK	SIDE SETBACK	SIDE SETBACK	FRONT SETBACK
PERMITTED	EXT.	331.24 M ²	11 M	7.5 M	1.25 M		6 M
PROPOSED	EXT.	217.89 M ²	8.61 M	1.93 M	18.07 M	12.80 M	4.57 M

BUILDING AREA	EXISTING		ADDITION		TOTAL	
	SQFT	SQM	SQFT	SQM	SQFT	SQM
FIRST FLOOR	1153.7	107.2	522.9	48.6	1676.6	155.8
SECOND FLOOR	1172.8	109	524.1	48.7	1696.9	157.7
THIRD FLOOR	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL BUILDING AREA					3373.5	313.5

SITE PLAN ANALYSIS	
LOT AREA	828.1 M ²
BUILDING AREA	OVERALL SOFT LANDSCAPE AREA
166.8 M ²	450.37 M ²
GARAGE AREA	PAVED DRIVE WAY AREA
51.1 M ²	146.7 M ²

FLOOR AREA	AREA	
	SQFT	SQM
INTERIOR ALTERATION	2293.9	213.11
SECOND FLOOR ADDITION	581.25	54
NEW DETACHED GARAGE	550	51.1
TOTAL BUILDING AREA	3425.15	318.21



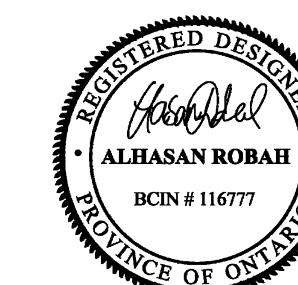
ADDITION
 517 FRUITLAND RD,
 HAMILTON, ON L8E 5A6

REVISION:

No.	Description	Date
1	CLIENT REVIEW	Designer
2	REVISION	YY-MM-DD
3	ISSUED FOR PERMIT	YY-MM-DD

NOTES

- THE DRAWINGS SHALL NOT BE SCALED.
 - THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUM AND LEVELS PRIOR TO COMMENCING THE WORK. FAILURE TO THAT THE CONTRACTOR WILL BE LIABLE TO RECTIFY WITHOUT EXTRA COST.
 - ALL ERRORS AND OMISSIONS TO BE REPORTED IMMEDIATELY TO THE DESIGNER. VARIATIONS AND MODIFICATIONS TO WORK SHOWN ON THIS DRAWING SHALL NOT BE CARRIED OUT WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
 - THIS DRAWING IS EXCLUSIVE PROPERTY OF THE ARCHITECT AND SHALL NOT BE REPRODUCED WITHOUT THE DESIGNER'S PERMISSION.
 - ALL WORKS TO BE DONE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO PREVAILING ONTARIO BUILDING CODE.



THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE BUILDING CODE TO BE A DESIGNER.
 QUALIFICATION INFORMATION
 REQUIRED UNDER DESIGNER EXEMPT UNDER 2.2.5 OF THE BUILDING CODE.
 ALHASAN ROBAH
 NAME: *Alhasan Robah* 116777 BCIN

SITE PLAN

Project number 21RE100 - 249
 Date 2021.09.20

SP1.01

Drawn by D.T
 Scale As indicated



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

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

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

	NAME	MAILING ADDRESS	
1, 2			
Registered Owners(s)			
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 second floor addition with front yard and rear yard setbacks of 5.38m and 2.83m whereas the bylaw requires 6m and 7.5m respectively

Second Dwelling Unit Reconstruction of Existing Dwelling

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

the existing dwelling does not comply with the required setbacks

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

Pt Lt 1, PI 673, Part 1, 62R6615

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?
based on site inspections and the age of the existing building

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

_____ 
Date Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	15.24 m
Depth	57.39 m
Area	828.1 m ²
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:_
TWO STOREY ETACHED DWELLING
GROUND FLOOR GFA = 107.2 m²
TOTAL GFA = 216.2 m²
20.42 m LONG x 8.74 m WIDE

Proposed
EXISTING TWO STOREY DETACHED DWELLING TO REMAIN
GROUND FLOOR GFA = 155.8 m²
TOTAL GFA = 313.5 m²
20.42 m LONG x 8.74 m WIDE

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

Existing:
FRONT YARD SETBACK = 4.57m
REAR YARD SETBACK = 1.93m
SIDE YARD SETBACK = 18.07m
SIDE YARD SETBACK = 12.80m

Proposed:
ALL EXISTING SETBACKS TO REMAIN

13. Date of acquisition of subject lands:
2020
-
14. Date of construction of all buildings and structures on subject lands:
UNKNOWN
-
15. Existing uses of the subject property (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 BUILT
-
18. Municipal services available: (check the appropriate space or spaces)
Water AVAILABLE Connected _____
Sanitary Sewer AVAILABLE Connected _____
Storm Sewers AVAILABLE
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:
R2, stoney-creek-zoning-by-law-3692-92
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)
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-22:113

APPLICANTS: Owners B. & B Patterson

SUBJECT PROPERTY: Municipal address **4 Montreal Circle, Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended 07-196

ZONING: "R4-18" (Single Residential) "R4" Zonedistrict

PROPOSAL: To permit the construction of an inground pool and equipment in a side yard notwithstanding that:

1. The accessory building shall be permitted to be located in the front yard whereas the by law requires accessory buildings shall not be located in a front yard.
2. The accessory building shall be permitted to have a setback from the front lot line of 1.02 metres whereas the by-law requires an 8 metre setback from a front lot line.
3. The inground pool shall be permitted to be located in the front yard whereas the by-law requires any pool shall not be located in a front yard.

NOTES:

- i. The proposed Accessory Dwelling has a front yard setback of 1.02m where a setback of 8m is required as per section 6.1.4 (a). As such, a variance has been added to address this.
- ii. The applicant has not provided sufficient information regarding yard encroachments such as eaves and gutters for the proposed accessory structure. Should such yard encroachments not meet the required provision of Section 4.19.1, further variances may be required.
- iii. Additional regulations are required as per the Fence By-Law No. 10-142 regarding location, and height for all fences, including fences around swimming pools.

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

DATE: Thursday, May 12th, 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

SC/A-22: 113

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

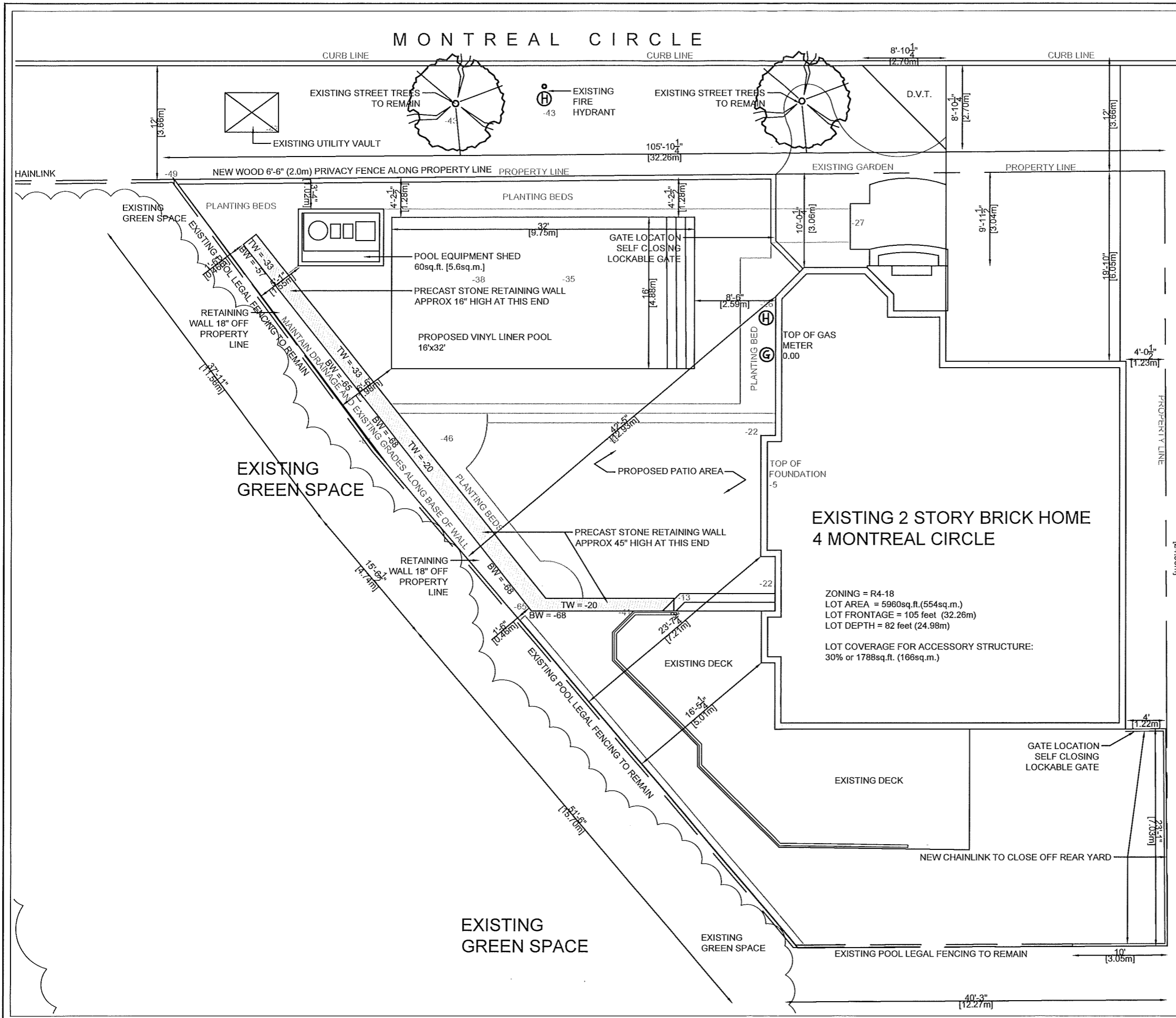
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 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

Notes:
 This design is representational. It is the responsibility of the installer, whether a hired contractor or the homeowner to ensure the following before work commences:

- All underground utilities are located.
- All permits and approvals required by local regulatory bodies are obtained.

Contractor to check and verify all dimensions and conditions. report any discrepancies to the designer prior to commencing work.

All proposed structures are to be built as per local building codes and construction specifications.

All garden beds are to be amended with triple mix or topsoil and finished with a two to three inch layer of shredded mulch.

Contractor shall maintain positive drainage in all landscape beds and all lawn areas.

Plant recommendations are subject to availability. Where recommended plants are unavailable, comparable choices may be substituted.

All planting to meet the horticultural standards of the Canadian Nursery Trades Association guide specification for nursery stock. all plant material to be no. 1 grade.

Trees shall be free of damage as the result of handling or transportation.

No.	Date	Revision/Issue	By

NIAGARA OUTDOOR landscaping

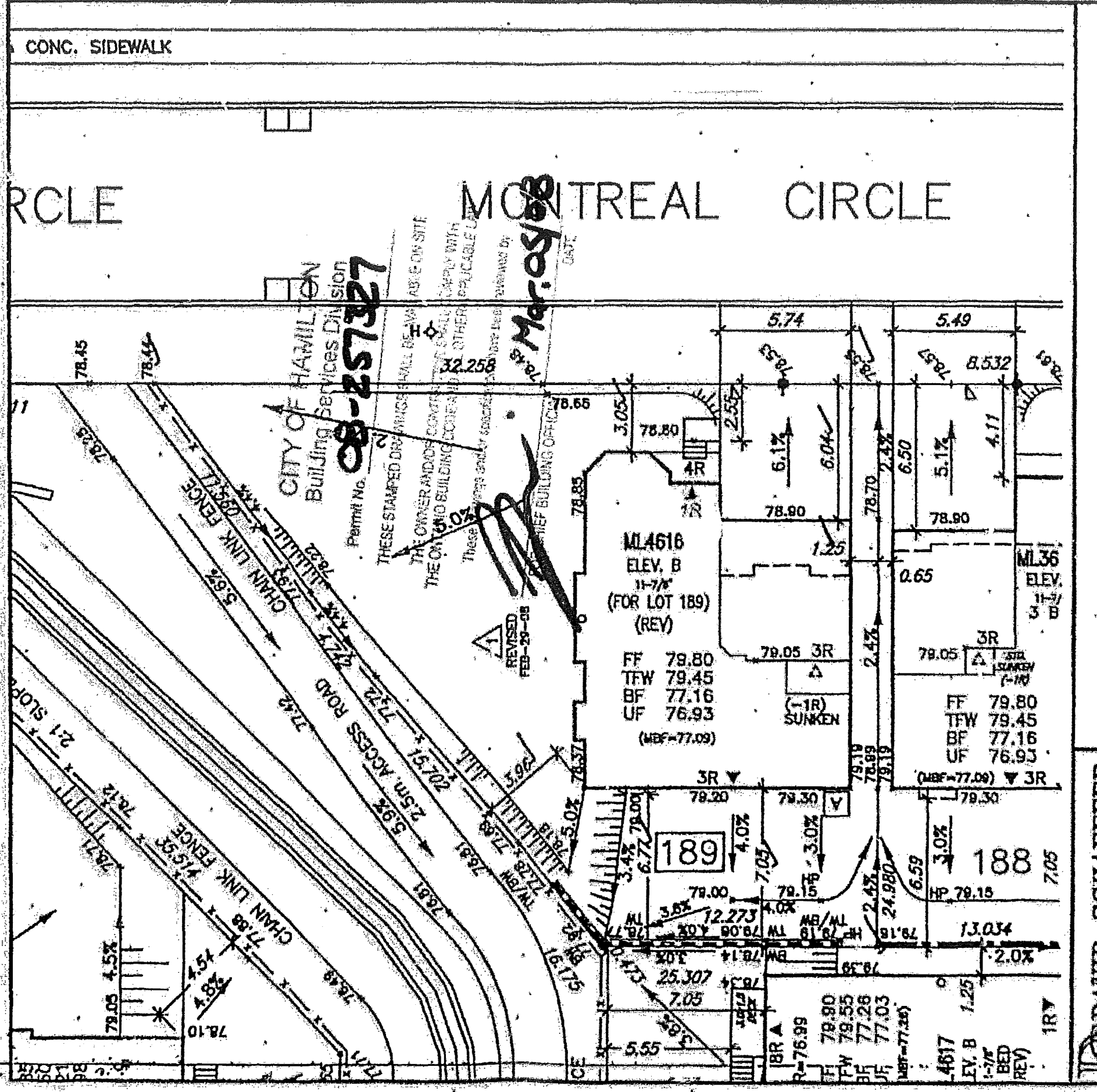
4900 Cherry Ave N.
 Beamsville On
 www.niagaraoutdoor.com
 BUS: (905) 562-8815
 FAX: (905) 562-7932
 EMAIL: info@niagaraoutdoor.com

4 MONTREAL CIRCLE
 STONEY CREEK, ON

PATTERSON RESIDENCE

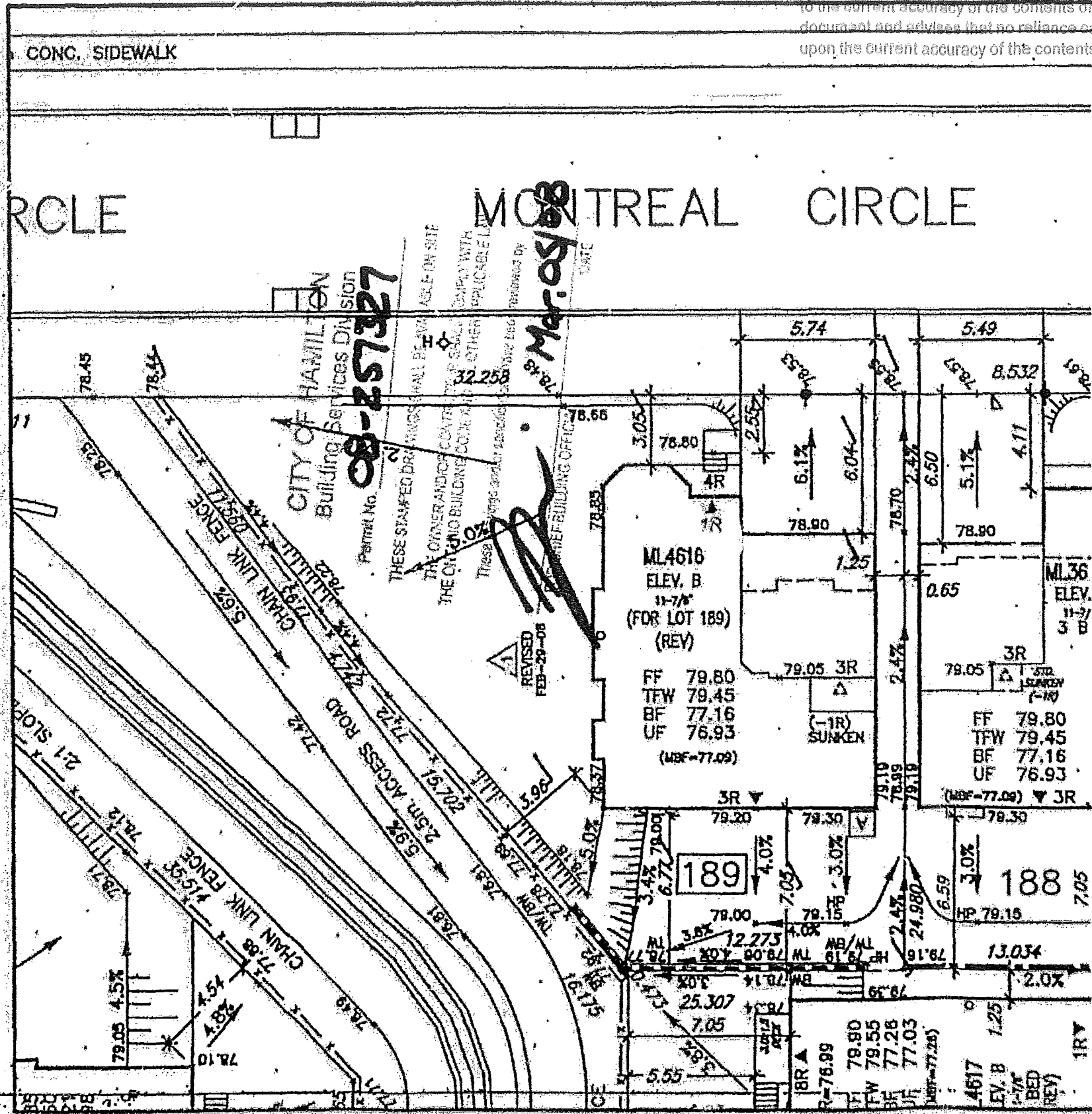
OVERALL SITE PLAN

Bar Scale	Direction
Project No. CE-087-21	
Date: 6/23/2021	
Scale: 3/32"=1'-0"	
Drawn By: CG	
Checked By: KL	



The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

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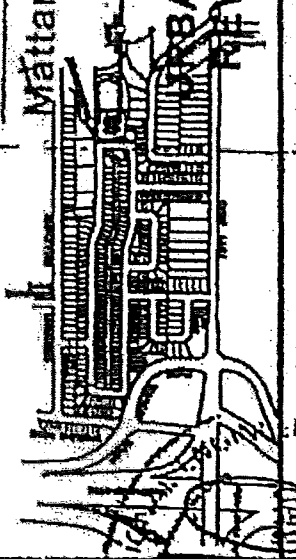
08-257327

Mcroy 08

DAVID SCHAEFFER ENGINEERING LTD.

LOT GRADING REVIEW
The reviewer of the lot grading design of the above-referenced lot is not responsible for the design of the building or other structures on the lot. The Engineer is for the sole purpose of verifying the general conformances of the design with that of the City of Hamilton. The grading design as prepared by the Engineer and all other design principles have been observed. The Engineer assumes no responsibility for the correct or incorrect nature of the design and/or construction of the building or other structures and/or any other work on the lot.

Proposed Plot No. 351-300608
Lot No. 189
Date: Feb 09/08



Province of Ontario
V.P.P.
Lic. No. 189

Mattamy on the Lake Corp. (B.B. #114-929M)
Site: Slab on Lot 189
Proposed Lot 189
Proposed Lot Area 550.2m²
Proposed Lot Coverage 131.15m²
Front Yard Area 103.90m²
REVIEW AND APPROVAL

Approved by: [Signature]
Date: Feb 20 2008 - 10:25 AM

REV	DATE	DESCRIPTION
1	Feb 20 2008 - 10:25 AM	PROPOSED LOT GRADING
2	Feb 20 2008 - 10:25 AM	PROPOSED LOT GRADING
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100	Feb 20 2008 - 10:25 AM	PROPOSED LOT GRADING

Client: MATTAMY HOMES

Project Name: MATTAMY ON THE LAKE STONEY CREEK, ONT. 62M-1096

Sheet Title: LOT No: 189

Scale: 1:250

Date: JUNE 2007

Drawn by: BILL YIP

Checked by: [Signature]

Project No.: 06012

File: 06012-SPI

BCIN: 27291

Project No.: 06012

File: 06012-SPI

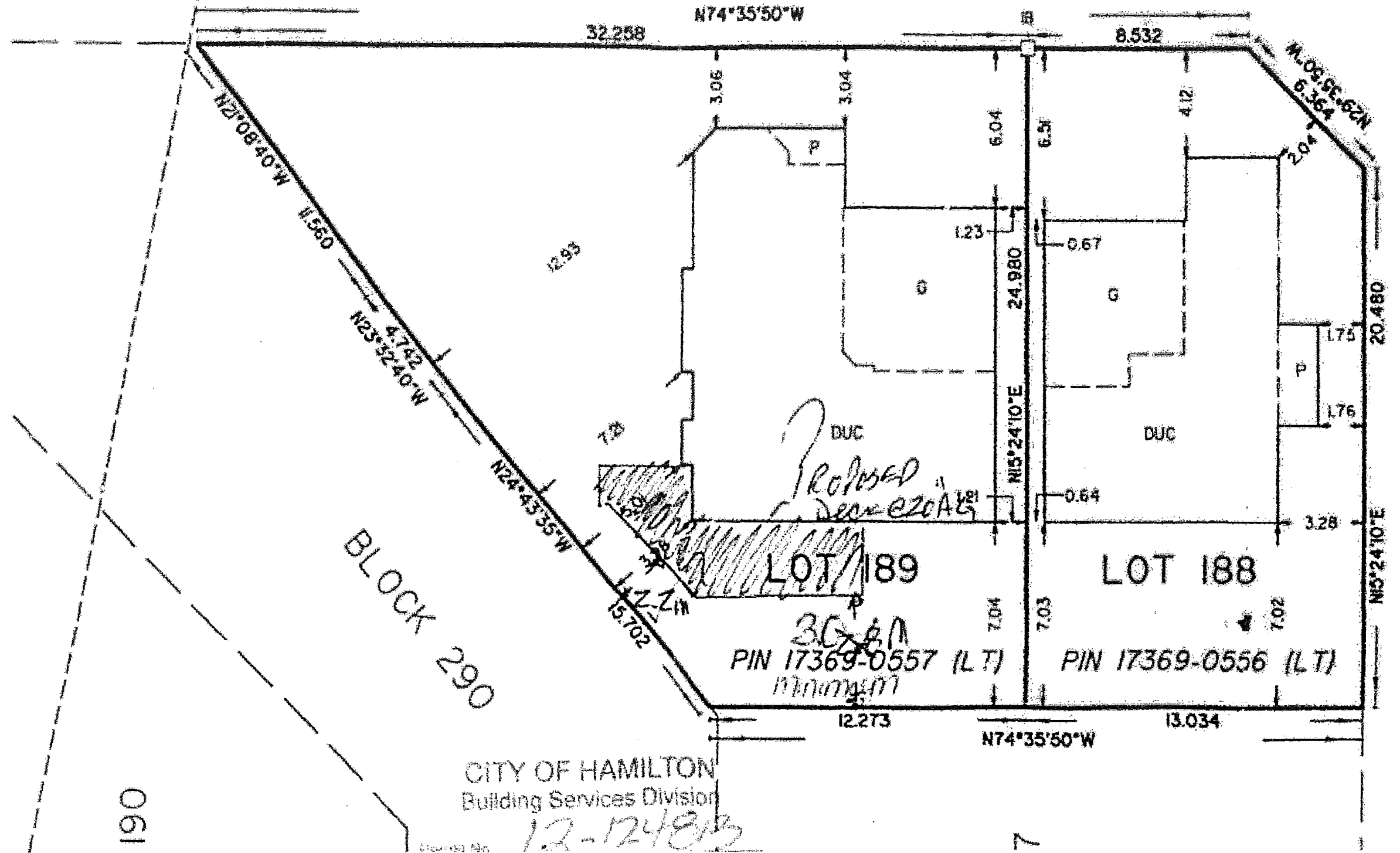
Drawing No.: 1 OF 1

Quadra Design Studios Inc.
2171 Avenue Road, Suite 302
Toronto, Ontario M8M 4B4
TEL: (416) 322-0334
FAX: (416) 322-7294
EMAIL: info@quadradesign.com

MONTREAL CIRCLE

(DEDICATED BY REGISTERED PLAN 62M-1096)

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.



CITY OF HAMILTON
Building Services Division

190

12-124815

7

MONTREAL CIRCLE
(DEDICATED BY REGISTERED PLAN 62M-1096)

MONUMENTATION USED TO RE-ESTABLISH THE BOUNDARIES OF THE LOTS SHOWN ARE REFERENCE POINTS 41, 14, & 40 WHICH ARE ON RECORD WITH J.D. BARNES LIMITED

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN SHOWING
LOTS 188 AND 189
REGISTERED PLAN 62M-1096
CITY OF HAMILTON

SCALE 1:250



J. D. BARNES LIMITED
© COPYRIGHT

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

PART 2 - SURVEY REPORT

- DESCRIPTION
LOTS 188 AND 189 - REGISTERED PLAN 62M-1096
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
NONE REGISTERED
- ADDITIONAL REMARKS
PLAN PREPARED FOR MATTAMY HOMES.

NOTES

BEARINGS ARE GRID BEARINGS AND REFERRED TO THE SOUTHERN LIMIT OF MONTREAL CIRCLE HAVING A BEARING OF N74°35'50"W AS SHOWN ON REGISTERED PLAN 62M-1096.

- DENOTES SURVEY MONUMENT SET
- IB DENOTES IRON BAR
- DUC DENOTES DWELLING UNDER CONSTRUCTION
- P DENOTES PORCH
- G DENOTES GARAGE

ALL BUILDING TIES ARE TAKEN TO CONCRETE FOUNDATION

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 21st DAY OF MAY, 2008.

DATE July 18, 2008

David A. Black
DAVID A. BLACK
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
1696293

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

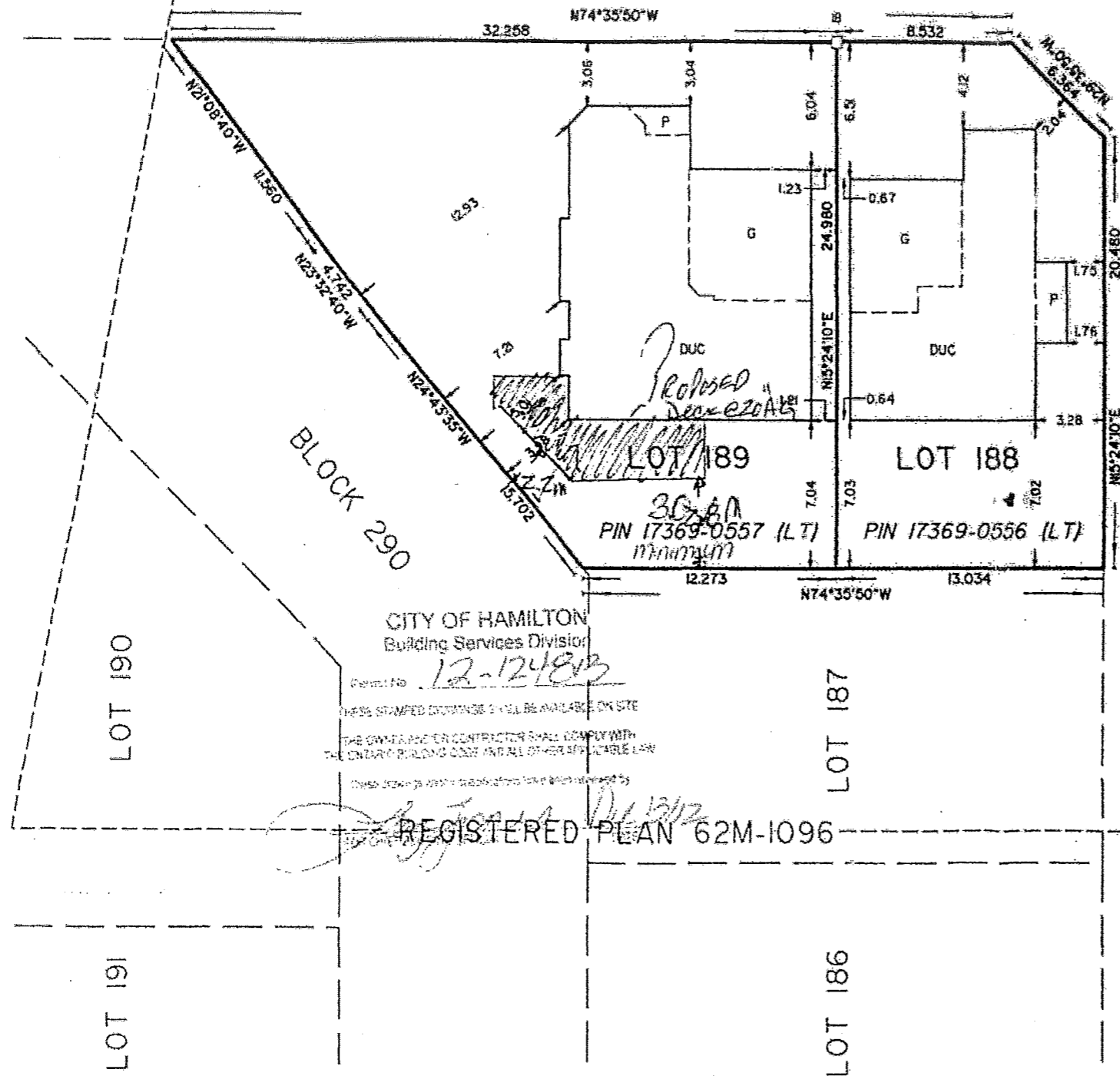
J.D. BARNES LIMITED

401 WHEELABRATOR WAY, SUITE A MILTON ON L9T 1C1 07-30-684-00-188
T: (905) 875-2955 F: (905) 875-2956 www.jdbarnes.com

LD	DRAWN
DB	CHECKED
	DATED
	FEB. 4, 2008
	SAC No.

MONTREAL CIRCLE
(DEDICATED BY REGISTERED PLAN 62M-1096)

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.



CITY OF HAMILTON
Building Services Division
Permit No. 12-124813
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE
THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW
CHECK DRAWING AND SPECIFICATIONS FOR INFORMATION ONLY

REGISTERED PLAN 62M-1096

LOT 190
LOT 191

LOT 187
LOT 186

PLOTTED 10 JUL 2008 g:\2007\73068400\srpr\srpm 694-188-189.dwg



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

Copy 1 of 2

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2

NAME	MAILING ADDRESS	
------	-----------------	--

Registered Owners(s)

Applicant(s)*

Agent or Solicitor

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

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

None

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

4. Nature and extent of relief applied for:

Pool installation in a side yard, including shed and fencing construction that will require minor setback relief, specifically with By-Law 3692-92:
 Sec 4.14.1, Sec 6.1.4
 See attached Appendix 1 "By-Law Variance Request Detail" for details.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The lot our house is built on is unique - the usable space for fitness/leisure activity is at the side. To efficiently and effectively use the side yard for our family's enjoyment we require just a little leeway with setbacks and privacy (fence height). Due to the recent pandemic, we expect our leisure time will be spent around our home for years to come.

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 189 of Registered plan 62M-1096
 4 Montreal Circle
 Stoney Creek, ON
 L8E 0E2 (See Site Plans - Appendix 5)

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?

We are the original owners of the property and know its history
 We reviewed the survey and registered plan from the original builder
 We contacted the conservation authority and inquired about any concerns or issues and were provided with their approval to move forward (see attached Appendix 2)

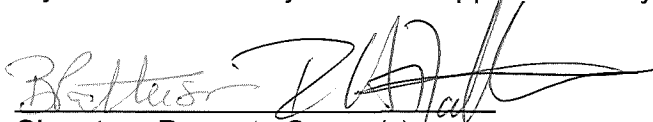
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

March 28th, 2022
Date


Signature Property Owner(s)

Brenda Patterson Robert Patterson
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>32.258 m</u>
Depth	<u>24.98 m</u>
Area	<u>556.2 sq m</u>
Width of street	<u>8.5m</u>

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

Existing: _

Residential Dwelling:
 ~ 130 sq m (1400 sq ft) ground floor, ~ 372 sq m (4000 sq ft) gross floor (incl. basement), 2 stories
 length - ~14.8m, width - ~ 11.9m, height - 2 stories plus roof peak - ~ 9.5m

Proposed

only proposed structure is a pool shed:
 ground floor and gross floor area: 5.6sq m, 1 story, length - ~1.83m, width ~ 3.05m

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

Existing:

Residential
 3.04m from front lot line
 1.23m from one side lot line and 3.96m from other side lot line (lot is irregular shape)
 7.04m from rear lot line

Proposed:

Pool shed:
 1.02m from front lot line
 1.55m from side lot line
 ~27m from rear lot line

13. Date of acquisition of subject lands:
 August 15, 2008

14. Date of construction of all buildings and structures on subject lands:
 Constructed through spring/summer of 2008, completed August 2008

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:
 13.5 years (entire existence of residence)

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

Water	<u>YES</u>	Connected	<u>2008</u>
Sanitary Sewer	<u>YES</u>	Connected	<u>2008</u>
Storm Sewers	<u>YES</u>		

19. Present Official Plan/Secondary Plan provisions applying to the land:
 Urban Hamilton/Sec Plan - B 7.3 (Stoney Creek - Lakeshore Urban Area)

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Zoning By Law 3692-92, Sec 4.14.1 and Sec 6.1.4 (Appendix 1 attached)

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:

N/A

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)

Appendices 2, 3 and 4
 1. Communication with HCA indicating they would have no objection to the variance
 2. Hamilton Licensing and By-Law services indicating approval of fence height on plan
 3. Photos of area yards showing our plan is consistent with other dwellings in our zone

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-22:102

APPLICANTS: Owner S. Popic

SUBJECT PROPERTY: Municipal address **352 Devonshire Terrace, Ancaster**

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

ZONING: R3 Residential "R3" Zone

PROPOSAL: To permit the construction a new "L-shaped" covered porch at the rear of an existing single-family dwelling notwithstanding that:

1. A minimum rear yard of 2.8m shall be permitted instead of the minimum required rear yard of 7.5m.

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

DATE: Thursday, May 12th, 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

AN/A-22: 102

Page 2

- Email Committee of Adjustment staff at cofa@hamilton.ca

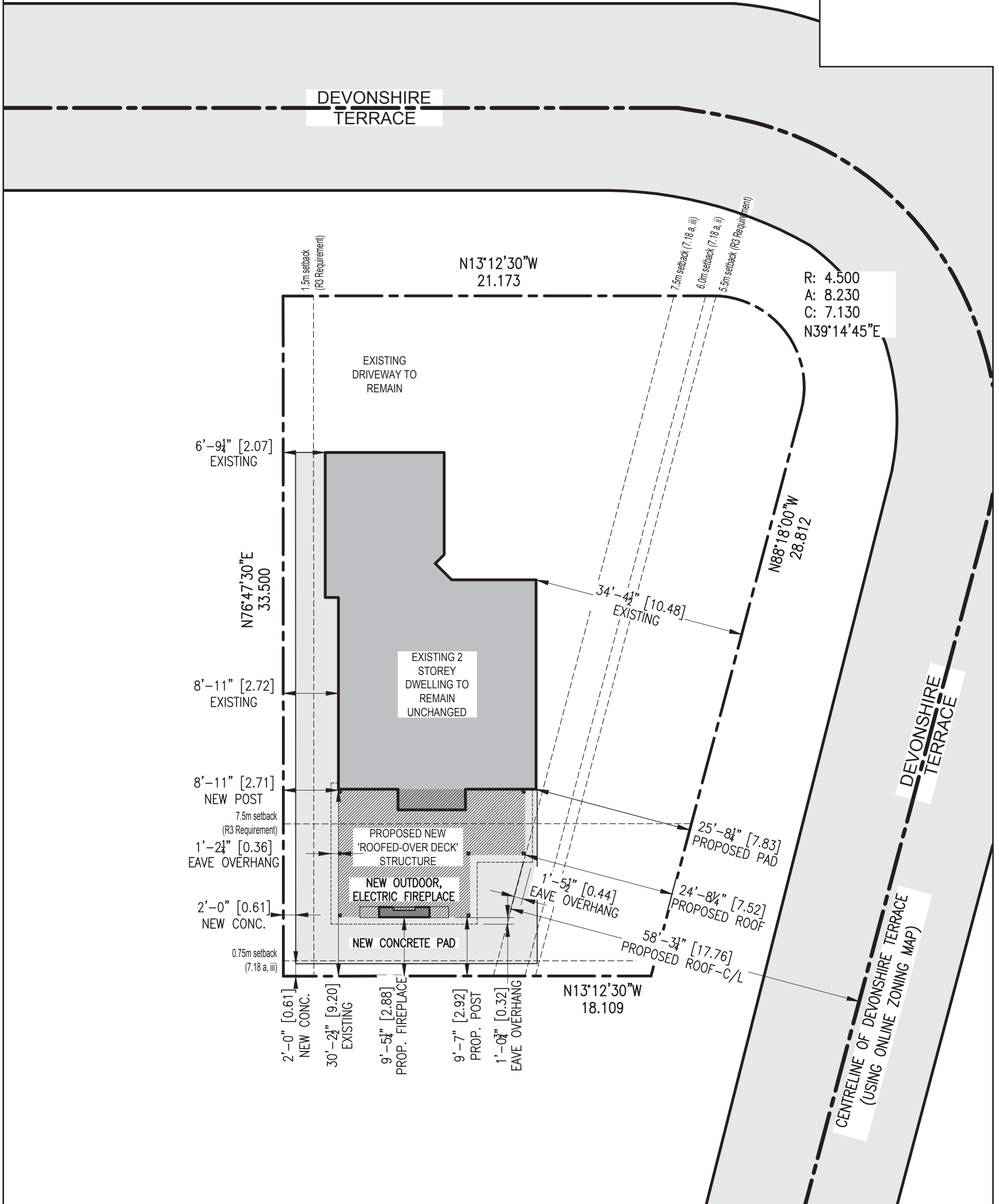
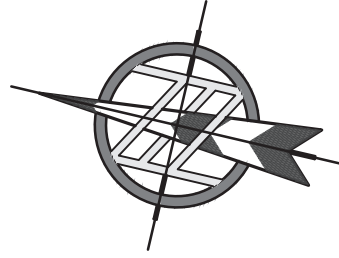
DATED: April 26th, 2022.

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 STATISTICS

LOT AREA: 748.23 sq.m.
 COVERAGE: (R3 maximum = 35%)
 EXISTING HOUSE: 141.03 sq.m.
 PROP. PORCH: 46.14 sq.m. (7.18, a, v = 90 sq.m. MAX.)
 TOTAL: 187.17 sq.m. = 25.02%



SCHEDULE 1: DESIGNER INFORMATION

I BRIAN MATTHEWS DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK AND AM QUALIFIED IN THE APPROPRIATE CATEGORY AS AN "OTHER DESIGNER" UNDER SUBSECTION 3.2.2.2. OF THE BUILDING CODE.

INDIVIDUAL BCIN: 41322
 FIRM BCIN: 44237

SIGNATURE;

**POPIC PORCH,
 SITE PLAN, PROPOSED**

ADDRESS: 352 DEVONSHIRE TERRACE, ANCASTER, ON

btM Drafting & Design
 20 PRINCESS STREET WEST, CAYUGA, ON, N0A 1E0
 of. 289.736.0021
 ce. 905.912.2337
 em. btmdrafting@gmail.com



DRAWN BY:
 B.T. MATTHEWS

ISSUED FOR:
 MINOR VARIANCE

DATE:
 MAR. 17, 2022

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

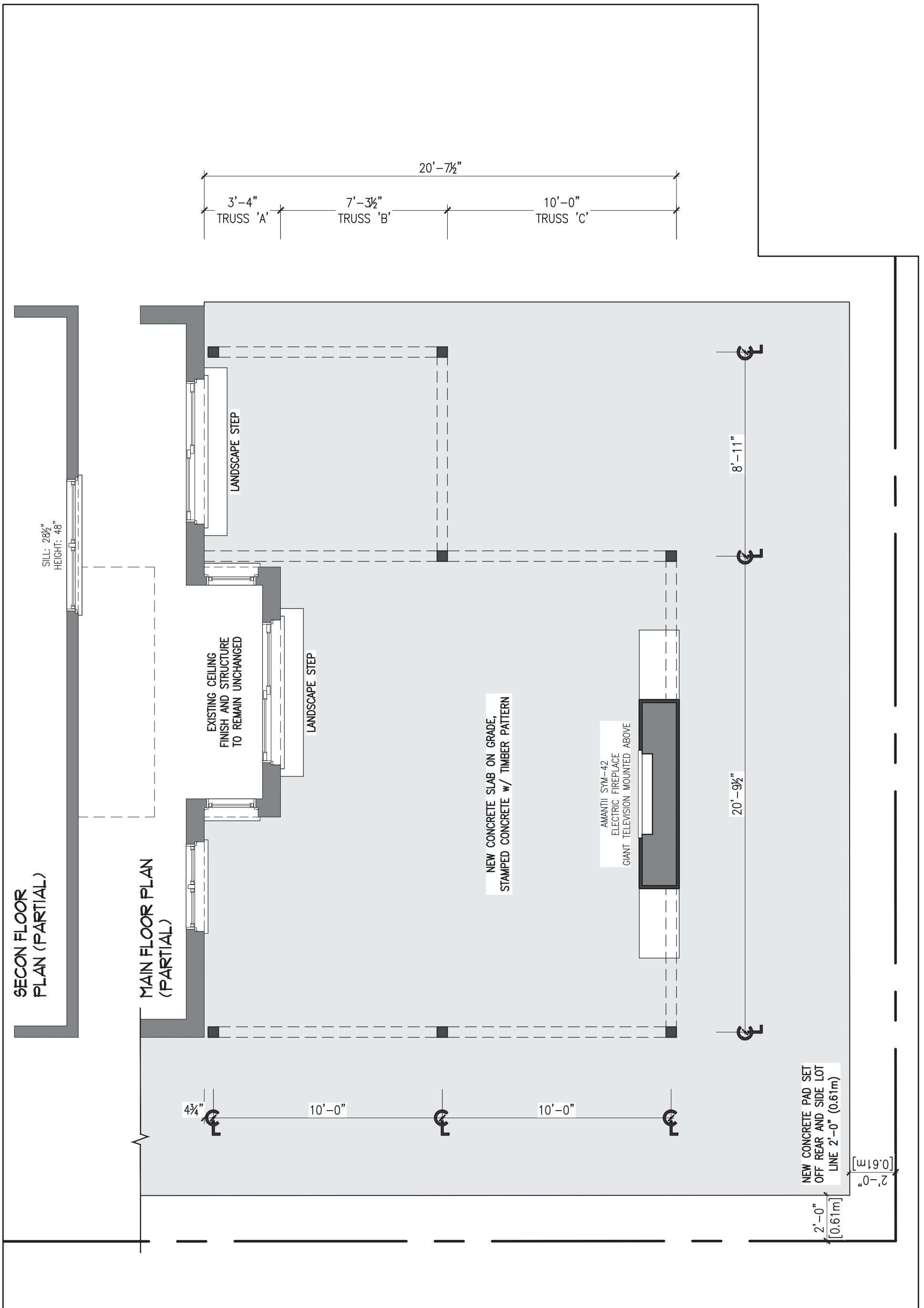
JOB No.

347-21

REVISION TO PAGE

SHEET / DETAIL No.

A2.1



SCHEDULE 1: DESIGNER INFORMATION

I BRIAN MATTHEWS DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK AND AM QUALIFIED IN THE APPROPRIATE CATEGORY AS AN "OTHER DESIGNER" UNDER SUBSECTION 3.2.2.2. OF THE BUILDING CODE.

INDIVIDUAL BCIN: 41322
 FIRM BCIN: 44237

SIGNATURE;

**POPIC PORCH,
 MAIN FLOOR PLAN, PROPOSED**

ADDRESS: 352 DEVONSHIRE TERRACE, ANCASTER, ON

btM Drafting & Design
 20 PRINCESS STREET WEST, CAYUGA, ON, N0A 1E0
 of. 289.736.0021
 ce. 905.912.2337
 em. btmdrafting@gmail.com



DRAWN BY:
B.T. MATTHEWS

ISSUED FOR:
MINOR VARIANCE

DATE:
MAR. 17, 2022

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

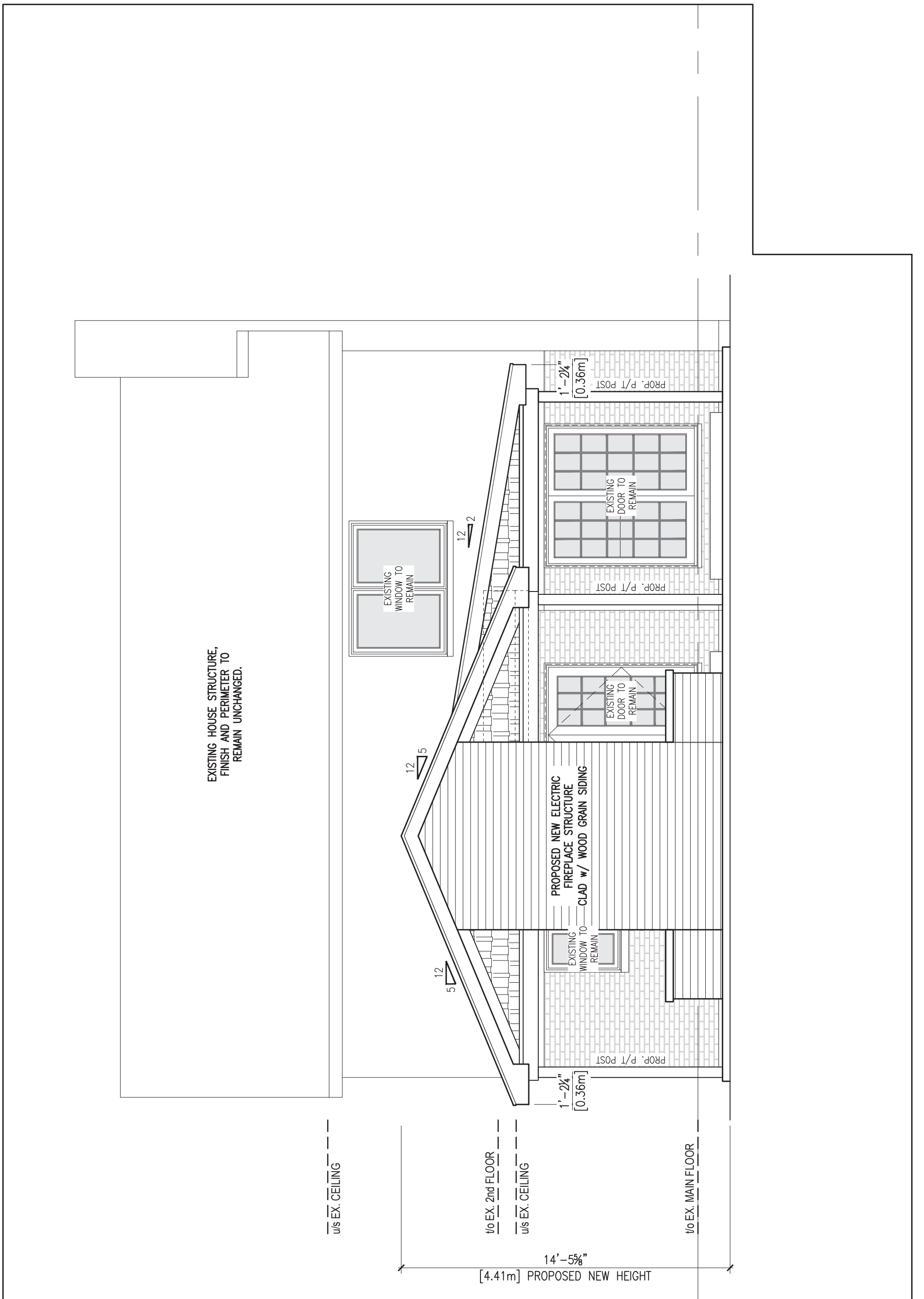
JOB No.

347-21

REVISION TO PAGE

SHEET / DETAIL No.

A3.1



SCHEDULE 1: DESIGNER INFORMATION

I BRIAN MATTHEWS DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK AND AM QUALIFIED IN THE APPROPRIATE CATEGORY AS AN "OTHER DESIGNER" UNDER SUBSECTION 3.2.2.2. OF THE BUILDING CODE.

INDIVIDUAL BCIN: 41322
 FIRM BCIN: 44237

SIGNATURE;

**POPIC PORCH,
 REAR ELEVATION, PROPOSED**

ADDRESS: 352 DEVONSHIRE TERRACE, ANCASTER, ON

btM Drafting & Design
 20 PRINCESS STREET WEST, CAYUGA, ON, N0A 1E0
 of. 289.736.0021
 ce. 905.912.2337
 em. btmdrafting@gmail.com



DRAWN BY:
B.T. MATTHEWS

ISSUED FOR:
MINOR VARIANCE

DATE:
MAR. 17, 2022

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

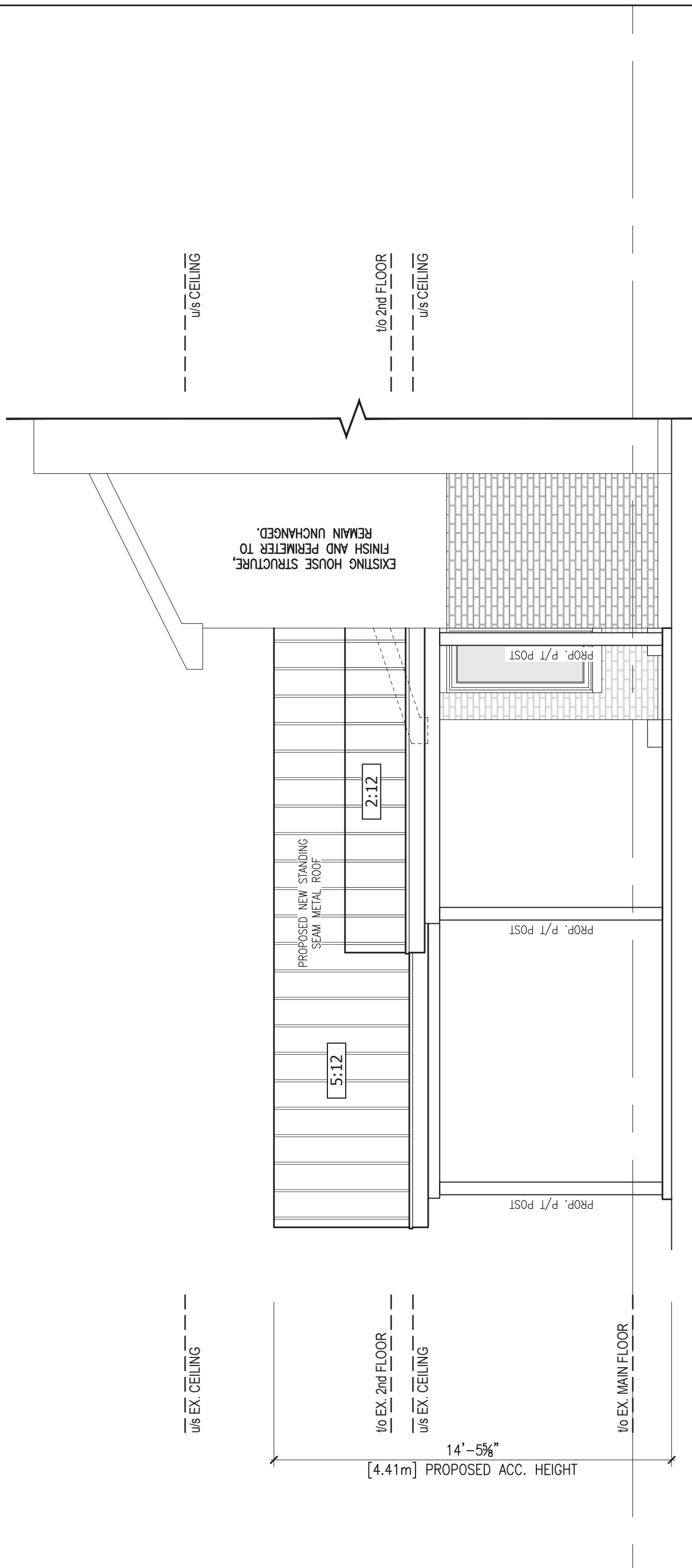
JOB No.

347-21

REVISION TO PAGE

SHEET / DETAIL No.

A4.1



SCHEDULE 1: DESIGNER INFORMATION

I BRIAN MATTHEWS DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK AND AM QUALIFIED IN THE APPROPRIATE CATEGORY AS AN "OTHER DESIGNER" UNDER SUBSECTION 3.2.2.2. OF THE BUILDING CODE.

INDIVIDUAL BCIN: 41322
 FIRM BCIN: 44237

SIGNATURE;

**POPIC PORCH,
 FLANKAGE YARD ELEVATION, PROPOSED**

ADDRESS: 352 DEVONSHIRE TERRACE, ANCASTER, ON

btM Drafting & Design
 20 PRINCESS STREET WEST, CAYUGA, ON, N0A 1E0
 of. 289.736.0021
 ce. 905.912.2337
 em. btmdrafting@gmail.com



DRAWN BY:
B.T. MATTHEWS
 ISSUED FOR:
MINOR VARIANCE
 DATE:
MAR. 17, 2022
 SCALE:
 $\frac{1}{4}'' = 1'-0''$

JOB No.
347-21
 REVISION TO PAGE

 SHEET / DETAIL No.
A4.2

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

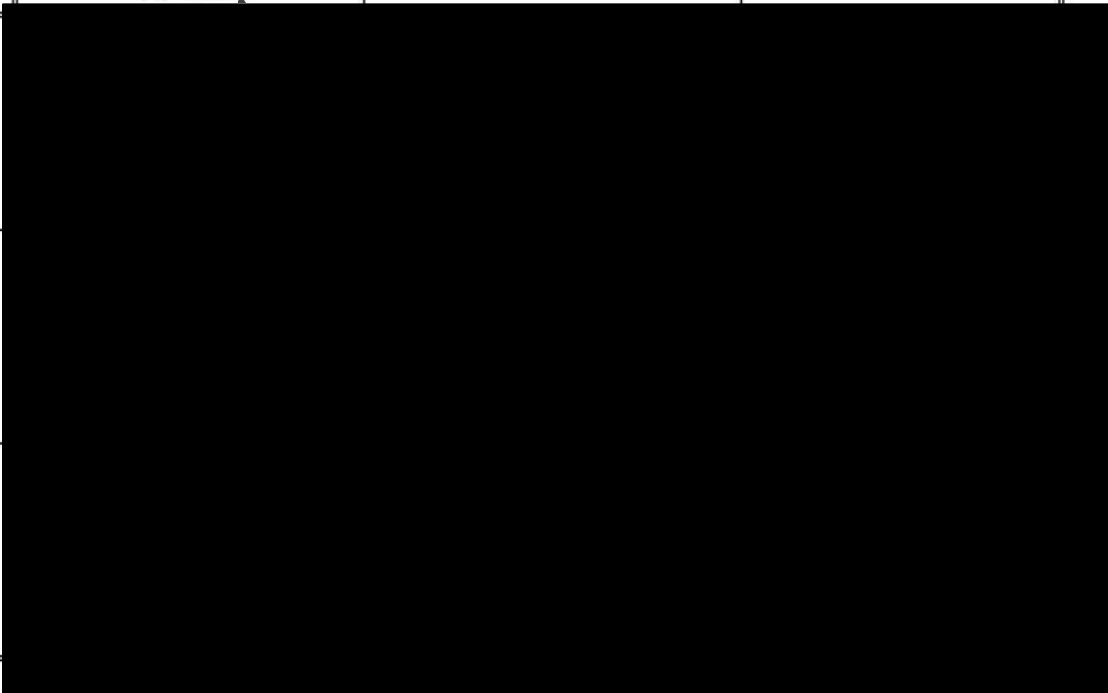
1, 2

NAME	MAILING ADDRESS	
------	-----------------	--

Registered Owners(s)

Applicant(s)*

Agent or Solicitor



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

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

NONE.

Empty rectangular box for listing 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 construct a "roofed-over deck" off the rear elevation of the existing single family dwelling.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The existing rear yard setback requirement is too close to the rear face of the existing home to construct a useable covered area out back.

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**):

352 Devonshire Terrace, Ancaster, Ontario

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?

Hamilton.ca, Zoning Map.

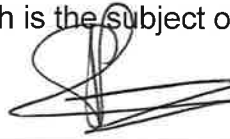
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

March 17, 2022
Date


Signature Property Owner(s)
Sanjin Popic
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>21.173m + 8.23m curved.</u>
Depth	<u>33.50</u>
Area	<u>748.23 sq.m.</u>
Width of street	<u>9.14m (approximately).</u>

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

Existing: Existing house footprint 141.03 sq.m. There are no accessory buildings or other structures on site.

Proposed New 'roofed over deck' 46.14 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: See sketch attached.

Proposed: See sketch attached.

13. Date of acquisition of subject lands:

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

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

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

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

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

Water _____ Connected _____

Sanitary Sewer _____ Connected _____

Storm Sewers _____

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

NONE.

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

Subject property is zoned R3 in the Ancaster Zoning By-law 87-57.

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)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-22:104

APPLICANTS: Agent GSP Group Inc. - B. Khes
 Owner Family Practice (Dixie) Ltd.

SUBJECT PROPERTY: Municipal address **393 Wilson St. E., Ancaster**

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

ZONING: "C5a,572" (Mixed Use Medium Density - Pedestrian Focus
 (C5a) Zone

PROPOSAL: To permit the construction of a mixed-use residential/commercial building consisting of twelve (12) dwelling units and one commercial unit in order to facilitate Site Plan File No. DA-18-015:

1. A maximum of twelve (12) dwelling units shall be permitted above the ground floor instead of the requirement that a maximum of six (6) dwelling units shall be permitted above the ground floor.
2. A maximum building setback from a street line of 4.7m shall be permitted instead of the maximum required building setback from a street line of 3.4m.
3. One (1.0) parking space per dwelling unit shall be permitted instead of the minimum required two (2.0) parking spaces per dwelling unit.

NOTE:

- i) As the proposed commercial use in the commercial unit has not been indicated, the required short-term bicycle parking spaces cannot be determined. If the required on-site short-term bicycle parking spaces cannot be provided, a further successful application for minor variance shall be required.

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

DATE: Thursday, May 12th, 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

AN/A-22: 104

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

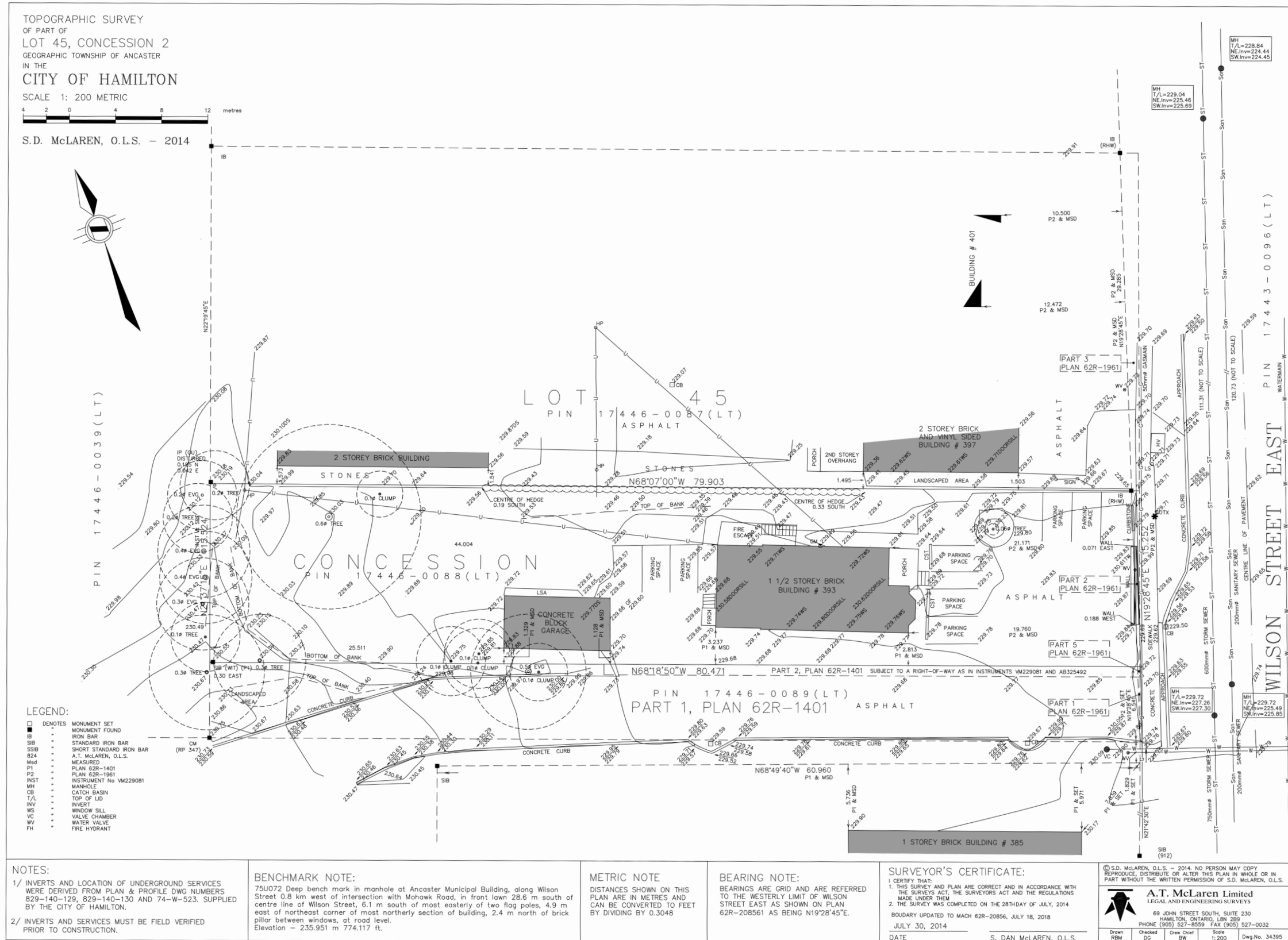
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 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.



mcCallumSather
Westinghouse HQ, 2nd Floor
286 Sanford Ave. N
Hamilton, ON L8L 6A1
905.526.6700
www.mccallumsather.com

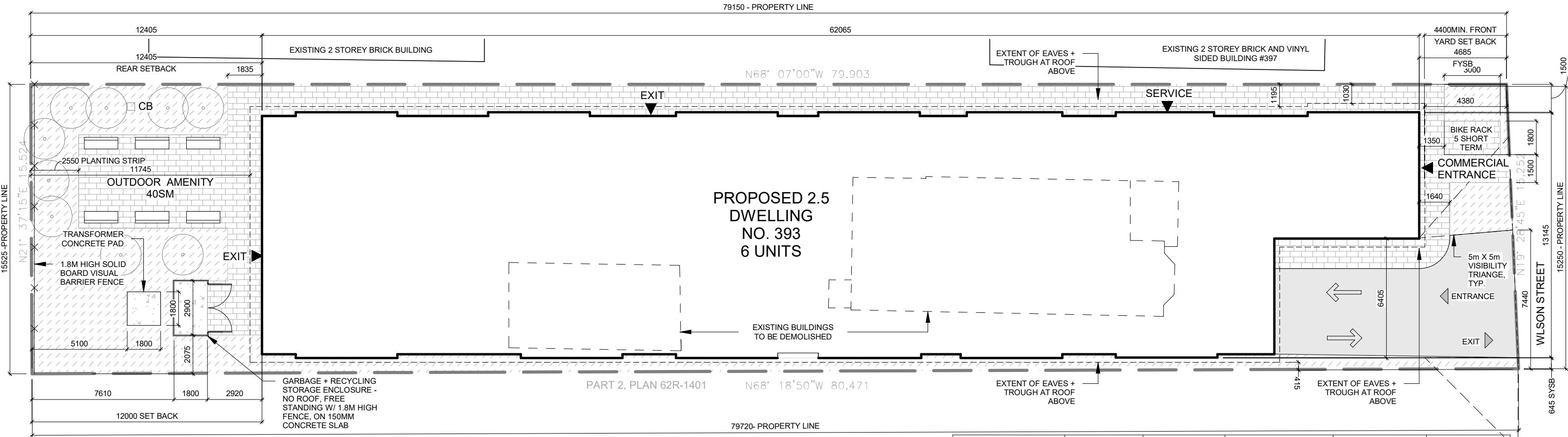


No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIANCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25
REVISION		

DRAWING TITLE
SURVEY

PROJECT NAME
393 WILSON ST
ANCASTER, ONTARIO

DRAWN BY: Author	CHECKED BY: Checker
SCALE NTS	DATE 18/02/22
PROJECT NO. 18053	REF
DRAWING NO.	A0



PART 1, PLAN 62R-1401

- SITE PLAN LEGEND**
- ASPHALT
 - CONCRETE
 - GRASS/ GARDEN
 - PAVING STONE?
 - VISIBILITY TRIANGE
 - CB EXISTING CATCH BASIN
 - SOLID WOOD BOARD VISUAL BARRIER FENCE

ZONING	LOT NO:		PLAN NO:		LOT AREA		LOT FRONTAGE		LOT DEPTH	
R_ZO_	LOT_		-		1222.54 m2		15250 mm		79150 mm	
DESCRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%	SETBACKS	EXISTING	PROPOSED	
LOT COVERAGE	168.4 SM	+588.9 SM	757.5 SM	62%	758 SM	62%	FRONT YARD	19760 mm	4685 mm	
GROSS FLOOR AREA	220 SM	+1981 SM	2201 SM	-	-	-	REAR YARD	25511 mm	12405 mm	
LANDSCAPED AREA	-	-	385.7 SM	31%	366.7 SM	30%	INTERIOR SIDE (NORTH)	- mm	1500 mm	
LANDSCAPED AREA - FRONT	-	-	30 SM	-	-	-	INTERIOR SIDE (SOUTH)	1128 mm	645 mm	
FRONT YARD DRIVEWAY	-	-	67.7 SM	-	-	-	EXTERIOR		_ mm	
ACCESS DRIVEWAY WIDTH	10,000 mm	-2560 mm	7440 mm	-	-	-				
NO. OF STORIES HEIGHT	1.5	+1	2.5	-	-	-				
WIDTH	7235 mm	+5910 mm	13145 mm	-	-	-				
DEPTH	18645 mm	+43418 mm	62063 mm	-	-	-				
PARKING	7	7 + 1BF	15	-	27	-				
BIKE PARKING	-	+ 6	6	-	min 6	-				
COMMERCIAL GFA	-	+ 37.5 SM	37.5SM	-	-	-				
AMENITY - EXTERIOR	-	+ 76 SM	76SM	-	-	-				
AMENITY - INTERIOR	-	0 SM	0SM	-	-	-				
AMENITY - TOTAL	-	+ 76 SM	76SM	-	-	-				

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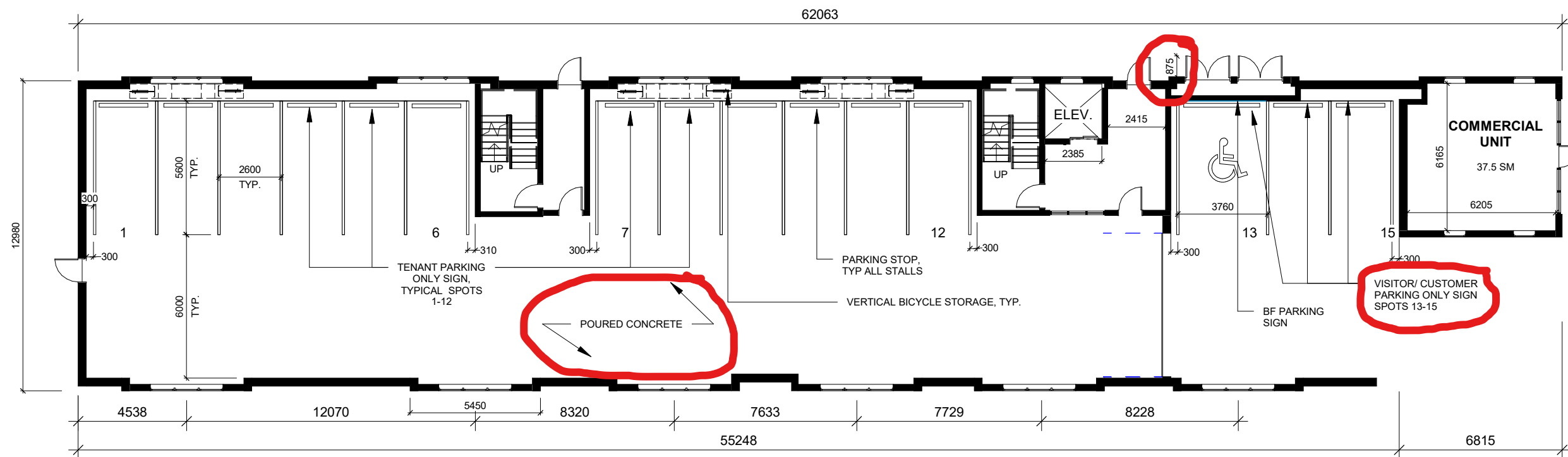
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1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

REVISION

DRAWING TITLE
SITE PLAN

PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

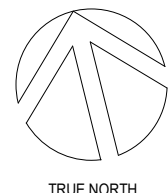
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PROJECT NO.	18053	REF	
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PARKING SIGNAGE



SIGNAGE TO BE WALL MOUNTED INTERNALLY TO PARKING STRUCTURE



No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIANCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

DRAWING TITLE
FLOOR PLANS-LEVEL 1

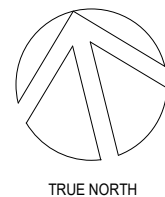
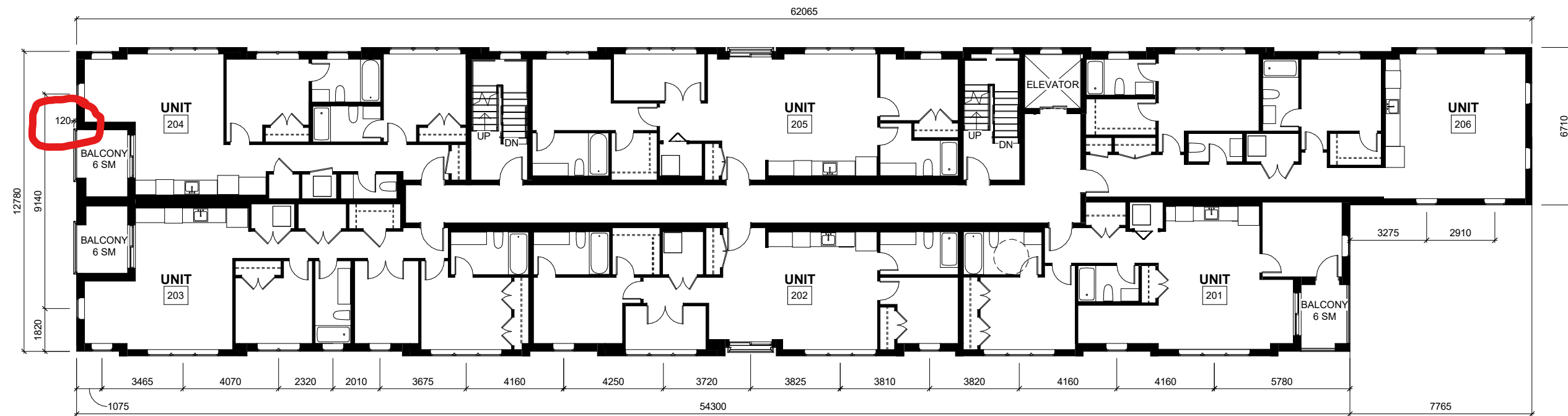
PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

DRAWN BY: AM
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SCALE: As indicated
 DATE: 18/02/22

PROJECT NO. **18053**
 REF

DRAWING NO. **A2**



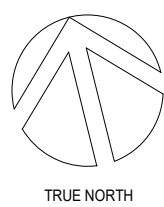
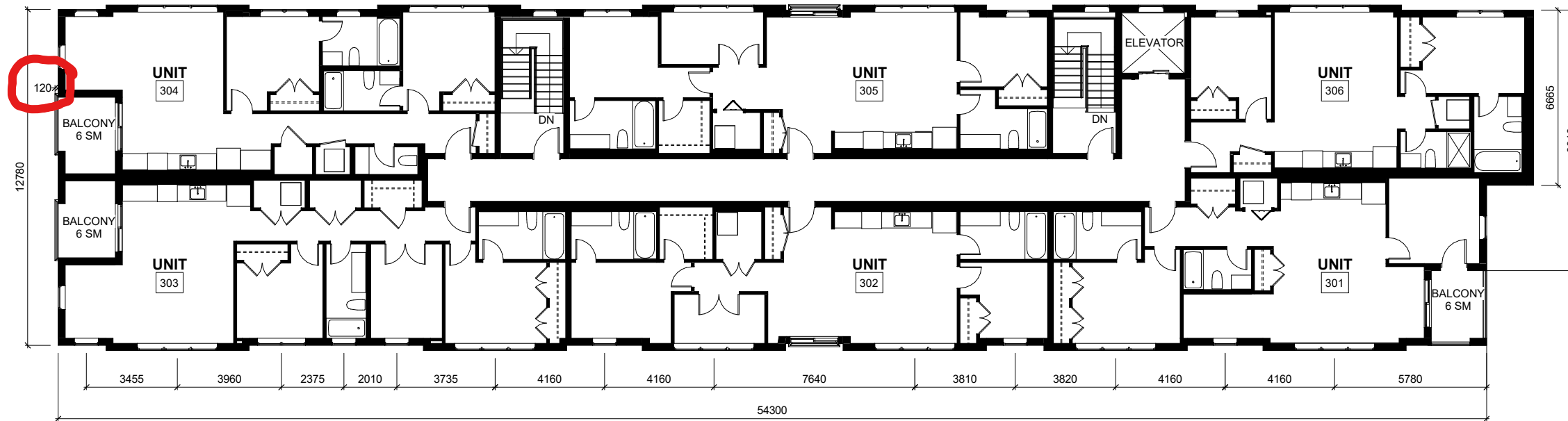
No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIENCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

REVISION

DRAWING TITLE
FLOOR PLANS - LEVEL 2

PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

DRAWN BY:	HD	CHECKED BY:	AM
SCALE	1:200	DATE	18/02/22
PROJECT NO.	18053	REF	
DRAWING NO.	A3		



No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIENCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

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DRAWING TITLE FLOOR PLANS - LEVEL 3
PROJECT NAME 393 WILSON ST ANCASTER, ONTARIO

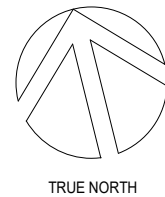
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SCALE 1 : 200	DATE 18/02/22
PROJECT NO. 18053	REF
DRAWING NO.	A4



MATERIAL LEGEND

- 1 HORIZONTAL SIDING
- 2 VERTICAL SIDING
- 3 STONE CLADDING
- 4 BLACK VERTICAL SLATS
- 5 BLACK SHINGLES
- 6 BLACK WINDOW FRAME

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No.	DESCRIPTION	DATE
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1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

REVISION

DRAWING TITLE
NORTH ELEVATION

PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

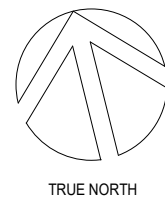
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SCALE	1:200	DATE	18/02/22
PROJECT NO.	18053	REF	
DRAWING NO.	A5		



MATERIAL LEGEND

- 1 HORIZONTAL SIDING
- 2 VERTICAL SIDING
- 3 STONE CLADDING
- 4 BLACK VERTICAL SLATS
- 5 BLACK SHINGLES
- 6 BLACK WINDOW FRAME

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No.	DESCRIPTION	DATE
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1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

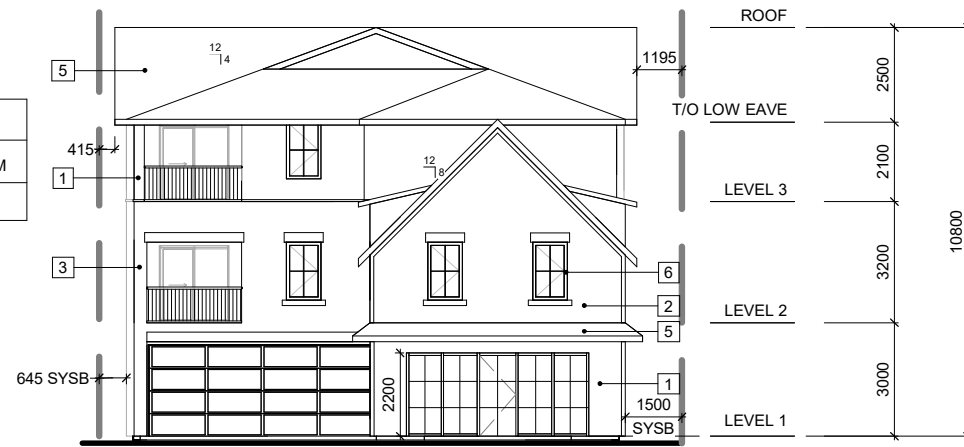
REVISION

DRAWING TITLE
SOUTH ELEVATION

PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

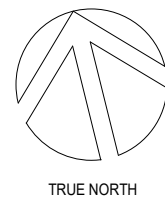
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PROJECT NO. 18053	REF
DRAWING NO.	A6

TOTAL GROUND FLOOR FACADE AREA - EAST ELEVATION	41.1 SM
TOTAL REQ'D GROUND FLOOR GLAZED AREA - EAST ELEVATION	60% - 24.66 SM
TOTAL PROVIDED GROUND FLOOR GLAZED AREA - EAST ELEVATION	25.1 SM



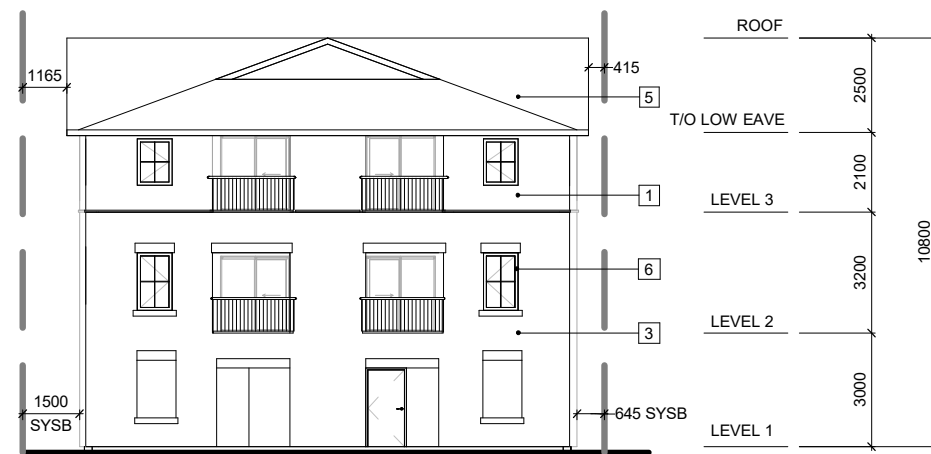
MATERIAL LEGEND

- 1 HORIZONTAL SIDING
- 2 VERTICAL SIDING
- 3 STONE CLADDING
- 4 BLACK VERTICAL SLATS
- 5 BLACK SHINGLES
- 6 BLACK WINDOW FRAME



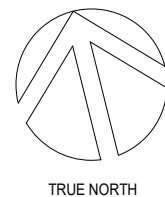
No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIENCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

DRAWING TITLE EAST ELEVATION	DRAWN BY:	HD	CHECKED BY:	AM
	SCALE	1:200	DATE	18/02/22
PROJECT NAME 393 WILSON ST ANCASTER, ONTARIO	PROJECT NO.	18053	REF	
	DRAWING NO.	A7		



MATERIAL LEGEND

- 1 HORIZONTAL SIDING
- 2 VERTICAL SIDING
- 3 STONE CLADDING
- 4 BLACK VERTICAL SLATS
- 5 BLACK SHINGLES
- 6 BLACK WINDOW FRAME



No.	DESCRIPTION	DATE
2	RE-ISSUED FOR MINOR VARIENCE APPLICATION	22/04/20
1	ISSUED FOR MINOR VARIANCE APPLICATION	22/02/25

REVISION

DRAWING TITLE
WEST ELEVATION

PROJECT NAME
393 WILSON ST
 ANCASTER, ONTARIO

DRAWN BY: HD	CHECKED BY: AM
SCALE 1:200	DATE 18/02/22
PROJECT NO. 18053	REF
DRAWING NO.	A8

1. INTRODUCTION

1.1 Purpose of Application

This Planning Information Brief has been prepared in support of an application for Minor Variance related to 393 Wilson Street East (the “Site”). The owner proposes to construct a 2.5-storey mixed use building consisting of 12 dwelling units and 37.5m² of commercial gross floor area on the lot. Variances are required to permit a reduced parking rate and increased maximum number of units than those permitted in the site-specific Medium Density – Mixed Use Pedestrian Focused C5a, Exception 572 Zone of Zoning By-law 05-200.

1.2 Site Overview

The Site is located in the Ancaster Village, generally north of Sulphur Springs Road and south of Rousseaux Street along the west side of Wilson Street East as illustrated in **Figure 1**.



Figure 1: Site Location (Source: City of Hamilton Interactive Mapping)

The Site has an area of ±1,222.54m², a depth of ±79.8m and a frontage of ±15.25m along Wilson Street East. The property currently contains a one and a half storey principle building with detached garage. The principle building and detached garage will both be demolished to facilitate the construction of the new mixed use building.

Lands adjacent to the Site include:

- North: Mixed Commercial, Residential and Auto-Oriented Commercial Uses (**Figure 2 – Images 3 & 6**)
- East: Wilson Street East, Vacant Lands and Commercial Uses (**Figure 2 – Images 4 & 5**)
- South: Medical Office Uses (**Figure 2 – Image 1**); and
- West: Institutional Convent Uses.



Figure 2: Site Context Map (Source: Google Earth Imagery, 2021)

2. Proposed Development

The Owner proposes to comprehensively redevelop the Site with a 2.5 storey, 12-unit mixed use infill development, as illustrated in **Figure 4**. The proposed development is an update to conditionally approved Site Plan Application DA-18-015, which previously contemplated 6 residential units, shown on **Figure 5**.

The proposed mixed use development for 12 residential dwelling units above a 37.5m² commercial space is supported by:

- 15 vehicular parking spaces (inclusive of 1 barrier free space);
- 6 long term bicycle parking spaces;
- 5 short term bicycle parking spaces;
- 76m² of amenity space (inclusive of a 40m² outdoor amenity space in the rear yard); and,
- an improved public realm interface with the streetscape along Wilson Street East.

In comparison to the conditionally approved Site Plan, the new design maintains the same number parking spaces as previously contemplated (15 spaces) and adds long term bicycle parking that was previously not contemplated. The additional 6 units result in no modifications to the massing and scale of the proposed mixed use building as illustrated in **Figure 3**, maintaining the same height and setbacks that were initially approved as part of the site specific zoning.

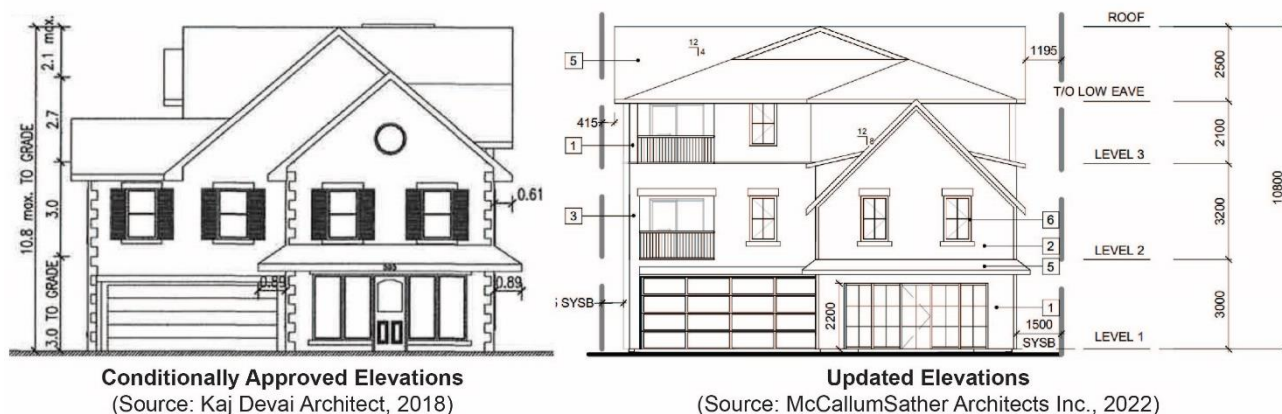


Figure 3: East Elevation – Wilson Street East Comparison

Planning Justification Brief

393 WILSON STREET EAST CITY OF HAMILTON

Application for Minor Variance

March 2022

Prepared for:

Family Practice Dixie Ltd.
414 Victoria Avenue North, Suite M1
Hamilton ON L8L 5G8

Prepared by:

GSP Group Inc.
162 Locke Street South, Suite 200
Hamilton ON L8P 4A9



Figure 4: Updated Site Plan
(Source: McCallumSather Architects Inc., 2022)

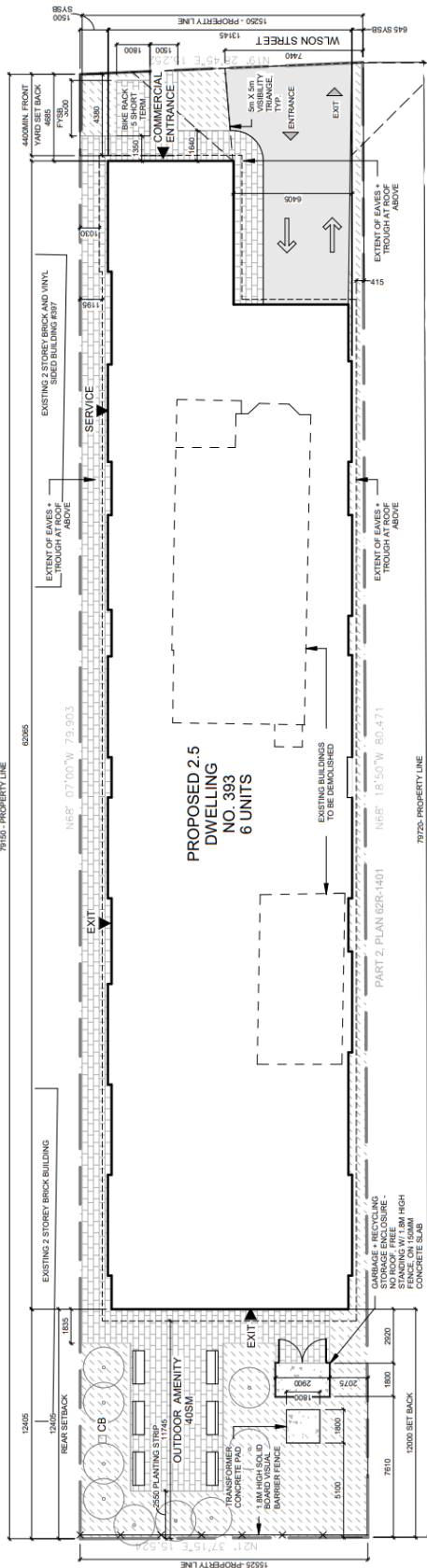
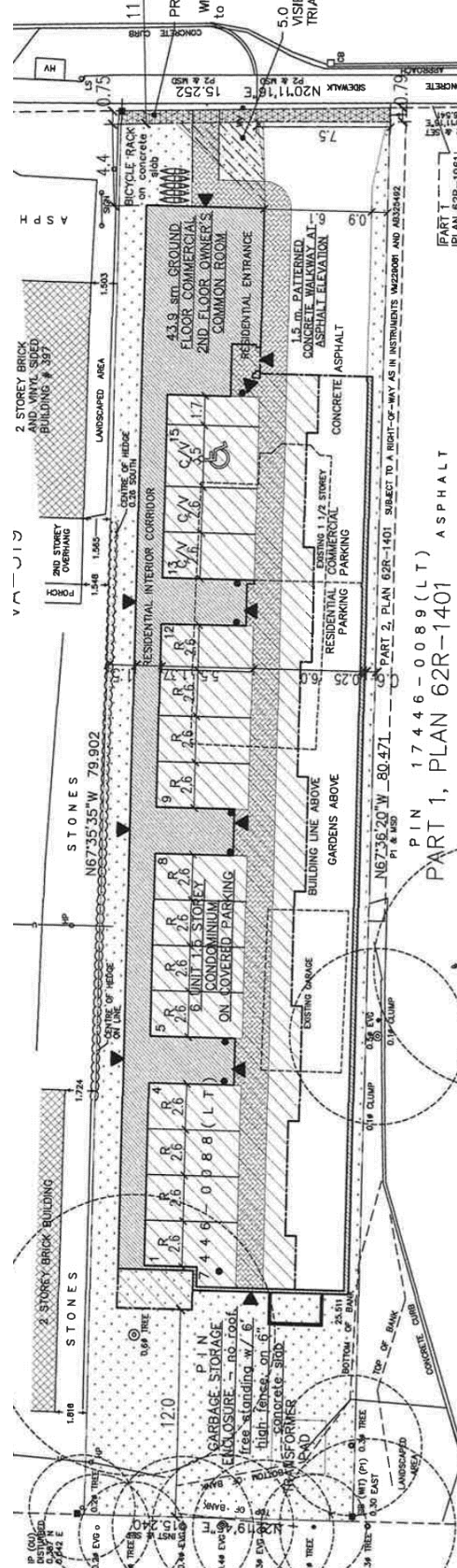


Figure 5: Conditionally Approved Site Plan
(Source: Kaj Devai Architect, 2018)



3. Requested Minor Variances

The Site is currently zoned Medium Density – Mixed Use Pedestrian Focused “C5a, 572” in Hamilton Zoning By-law 05-200, where mixed use developments with residential units are permitted. To permit the proposed mixed use development consisting of 12 residential dwelling units in combination with an at-grade commercial space, the following variances are required to the “C5a, 572” zoning regulations:

1. increase in the maximum number of dwelling units from 6 to 12 units; and,
2. reduction in the minimum number of parking spaces per dwelling unit from 2 spaces to 1 space

4. Four Tests of Minor Variance

Section 45(1) of the *Planning Act* states that Committee of Adjustment “*may authorize such Minor Variances from the provisions of the by-law, in respect of the land, building or structure or the use thereof*” and provided the following four tests are met:

1. Do the Minor Variances maintain the general intent and purpose of the Official Plan;
2. Do the Minor Variances maintain the general intent and purpose of the Zoning By-law;
3. Are the Minor Variances desirable and appropriate for the lands; and
4. Are the requested variances minor in nature.

The analysis that follows demonstrates how the requested variances satisfy the four tests of a Minor Variance.

4.1 ***Do the requested variances maintain the general intent and purpose of the Official Plan?***

The Urban Hamilton Official Plan (UHOP) identifies the Site as within the “Community Node” Urban Structure Element on *Schedule E – Urban Structure* and identifies the Site as “Mixed Use – Medium Density” on *Schedule E-1 – Urban Land Use Designations*. These designations permit a full range of community and commercial uses, as well as multiple dwellings. The UHOP identifies the Site being along a “Pedestrian Focus Street”, which is further delineated in the applicable Ancaster Wilson Street Secondary Plan.

The Ancaster Wilson Street Secondary Plan (AWSSP) identifies the Site as within the “Mixed Use – Medium Density Pedestrian Focus” on *Map B.2.8-1 Land Use Plan*. Per *Appendix A – Character Area and Heritage Features*, the Site is located within the Village Core character area. Mixed Use, Commercial, and Institutional development and

redevelopment is encouraged within the Village Core area, though the scale of development shall be consistent with the historic character of the area.

4.1.1 Variance 1: Increase in maximum dwelling units from 6 to 12 units

The Site is located within a “Community Node” pursuant to Schedule E Urban Structure of the UHOP. The objectives of the Ancaster Community Node Policies B.2.8.6.1 state, in part, that:

- a) *The Ancaster Community Node shall be a focus area for growth, development, and intensification within the Ancaster Wilson Street Secondary Plan.*
- b) *The Ancaster Community Node shall include a range of housing forms and tenures,*

These Policies are both achieved through the proposed increase in permitted maximum number of dwelling units by:

- a) Focusing an increased volume of intensification within the Ancaster Community Node on a Site directly along an existing transit route and Major Arterial road, and away from Sites within the surrounding low rise residential uses on the periphery of the Secondary Plan area or Sites adjacent to heritage, cultural or natural environment features and hazards;
- b) Providing additional residential dwelling units on the Site that presently do not exist, diversifying the housing stock within the broader Ancaster Community Node portion of the Secondary Plan.

Community nodes are primary intensification areas where 40% of the City’s residential intensification is targeted to occur per UHOP Volume 1 - Policy B.2.4.1.3 b). As such, intensifying the Site with the additional requested six (6) residential dwelling units meets the intent and purpose of these official plan intensification policies.

The UHOP provides specific criteria against which intensification proposals are to be evaluated against. These criterion deal with neighbourhood character, compatibility, infrastructure and transportation capacity and providing a range of dwelling types and tenures (UHOP Volume 1, Policy B.2.4.1.4). The proposed Minor Variance for the increase in permitted maximum number of dwelling units meets the intent and purpose of the criteria. The proposed building, accommodating 12 residential units, provides a context sensitive response to the city-wide intensification objectives by providing a similar building mass that generally matches the development that has been conditionally approved as part of Site Plan Application DA-18-015 for 6 units. Specifically, there is no change in the building

footprint as illustrated in Figure 4 and 5. Further, the proposed Minor Variance will allow for additional intensification to occur on this serviced and transit connected Site.

Based on the foregoing, the general intent and purpose of the Official Plan will continue to be maintained with the requested increase in number of permitted dwelling units from six (6) to twelve (12) dwelling units as proposed. In conjunction with the analysis above, the intent is generally met since it is proposed in an area slated for intensification, maintains a development scale and massing that is compatible with the existing neighbourhood character, can be supported by parking rates applicable to the C5a Zone and generally matches the development conditionally approved as part of Site Plan Application DA-18-015.

4.1.2 Variance 2: Reduction in parking ratio from 2 to 1 space per dwelling unit

One of the Objectives of the AWSSP (Policy 2.8.5) is to “*Support public transit service by locating commercial and additional residential uses along Wilson Street*”. Reducing the supply of parking per dwelling unit on the Site is a type of incentive measure to discourage automobile use by future residents as a primary mode of transportation and encourage a more even modal split between automobile, public transit, cycling and walking use as viable transportation alternatives.

As directed by AWSSP Policy B.2.8.14.1, the 2011 Ancaster Transportation Master Plan (ATMP), recommends and supports a reduction in required parking. Per the ATMP, excessive parking supply was generally discouraged and the intent was to have the parking reviewed through zoning updates. In 2017 the City amended the parking requirements associated with the new C5a zone to include less restrictive parking rates for mixed use developments. Moreover, the proposed reduction in required parking spaces per dwelling unit is also supported by the Transportation Policy Goals in Volume 1 the UHOP as Policy C.4.1, which including following :

4.1.2 *Recognize the relationship of transportation and land use planning in connecting communities, land uses and activities and the role of the integrated transportation network in creating complete communities and improving overall quality of life.*

4.1.4 *Plan urban areas so that travel by automobile is an option not a necessity.”*

The proposed reduction in the required minimum number of parking spaces per dwelling unit supports these transportation goals by:

4.1.2 *Allowing modal shifts to occur by not prescribing a parking rate to each individual unit that actively encourages and incentivizes automobile use at the detriment of the environment, public health, infrastructure impacts and contributes to potential*

public safety concerns, conflicting with goal of a complete community and improved quality of life.

- 4.1.4 *Removing a portion of the automobile requirement to incentivize alternative modes of transportation and incorporate a rate that is consistent with surrounding C5a zoned sites that have less onerous parking rates for dwelling units. This variance can enable pedestrian, active transportation, and public transit oriented intensification to occur without the limitation of automobile travel being the primary mode of transportation that the development is designed from, out of necessity.*

Based on the foregoing, the general intent and purpose of the Official Plan (Ancaster Wilson Street Secondary Plan) will continue to be maintained with the requested reduction in the parking ratio from two spaces per unit to one space per unit. The Site is located within an intensification area that is contemplated as a walkable, transit accessible community.

4.2 Do the requested variances maintain the general intent and purpose of the Zoning By-law?

Variances 1 and 2 are closely tied together in the zoning review.

4.2.1 Variance 1: Increase in maximum dwelling units from 6 to 12 units

Generally, the purpose and intent of limiting the number of dwelling units permitted on a lot is to ensure that a site can be supported by parking, servicing, and amenity space.

The provision of sufficient parking often limits the density of development. In this instance, the maximum number of dwelling units permitted on the lot through the site specific zoning was largely driven by the number of parking spaces that could be accommodated. Due to the size and narrow configuration of this Site, a maximum of 12 residential parking spaces could be accommodated on the Site. Based a required zoning parking ratio of 2 spaces per unit, a maximum of 6 units were permitted on the Site.

Wilson Street at this location has the servicing capacity to accommodate 6 additional units on site. In addition, based on the building design and configuration, sufficient amenity space can be provided to meet the C5a Zone requirements for 12 units. The footprint of the conditionally approved Site Plan can accommodate 12 units.

The only regulation that cannot be met is parking – which is the second requested variance. Therefore, provided Variance 2, relating to the site-specific parking ratio can be supported; the requested unit increase will meet the intent and purpose of the Zoning By-law.

4.2.2 Variance 2: Reduction in parking ratio from 2 to 1 space per dwelling unit

The purpose of a minimum number of parking spaces per dwelling unit is to ensure enough parking spaces are provided that off-set transportation impacts of the future residents of the

proposed development. Reducing the required minimum number of parking spaces per residential dwelling unit from 2 to 1 space per dwelling unit continues to allow the Site to be comprehensively redeveloped pursuant to the conditionally approved Site Plan, which contemplated 15 parking spaces. The parking is now modified as:

	Existing Parking Ratio	Proposed Parking Ratio	C5a Parking Ratio
Residential Rate	2 per unit (X 12 units)	1 per unit (X 12 Units)*	0.7 per unit (X 12 Units)
Total Required	24 spaces	12 spaces	8.4 Spaces

**represents requested variance*

When the Site was initially rezoned in 2017, it was subject to the dated Ancaster Zoning By-law's parking requirement of 2.66 parking spaces per unit. Through the rezoning process, the parking requirements were reduced to 2 spaces per unit. On this basis, 12 residential parking spaces were required for 6 units.

Following the rezoning of the site, the City's new C5a zoning and parking regulations of Zoning by-law 05-200 came into force and effect. These parking regulations, applicable to the majority of the lands along Wilson Street within the Community Node and zoned C5a, require less parking; specifically, 0.7 spaces per unit. Based on the 12 units proposed, this would equate to 8.4 required parking spaces. The applicant is requested a ratio of 1 parking space per unit which is still greater than the C5a zone's current parking requirements, and will allow for 12 units on the Site .

Therefore, the general intent and purpose of the Zoning By-law will continue to be maintained with the requested reduction in minimum required parking per dwelling unit from 2 spaces per dwelling unit to 1 space per dwelling.

4.3 Are the Minor Variances desirable and appropriate for the lands?

What is key in the review of this criterion is whether the Minor Variance is desirable from a planning and public interest perspective. The test of desirability includes consideration of many factors that can affect the broad public interest as it relates to the subject lands, accepted planning principles and existing pattern of development.

4.3.1 Variance 1: Increase in maximum dwelling units from 6 to 12 units

The variance to allow for an increase to the permitted maximum number of dwelling units from 6 units to 12 units is desirable on the basis that the requested variance can be accommodated wholly within the same building massing that that has been conditionally Site Plan approved by the City of Hamilton. In addition, the increase in dwelling units on the Site will allow future residents to live in a walkable community, support local businesses and services, as well as alleviate housing pressure on areas that are deficient of the hard and

soft infrastructure prevalent within the historic Downtown of Ancaster in the Village Core Community Node. Therefore, the increase in the permitted maximum number of dwelling units from 6 units to 12 units is considered desirable and appropriate.

4.3.2 Variance 2: Reduction in parking ratio from 2 to 1 space per dwelling unit

As noted, the purpose of a minimum number of parking spaces per dwelling unit is to ensure a sufficient number of parking spaces are provided that off-set transportation impacts of the future citizens residing in the proposed development.

The proposed parking rate is consistent with that which applies to lands adjacent to the Site on other C5a zoned properties in the Village Core portion of the Ancaster Community Node. This will effectively allow a development to proceed that does not incentivize excessive automobile use, and alternatively encourages active transportation and public transit usage, adds residents to the historic Ancaster Downtown that can support local businesses and provides less impact on municipal road infrastructure on a per unit impact basis.

Therefore, the requested reduction in minimum required parking per dwelling unit from 2 spaces per dwelling unit to 1 space per dwelling is considered desirable and appropriate for the lands.

4.4 Are the requested variances minor in nature?

In the determination of whether a variance is minor, consideration of more than solely the numerical difference between the requested standard and the zoning by-law requirement is necessary. Consideration of how the variance impacts the overall area, as well as the Site must be evaluated.

4.4.1 Variance 1: Increase in maximum dwelling units from 6 to 12 units

The increased maximum number of units can be accommodated without requiring any variances to the C5a standards of By-law 05-200, other than Variance 2 which relates uniquely to a site-specific parking rate that applies on a per unit basis. Specifically, this means that other than an administrative modification to the parking rate to acknowledge the direction of the City's UHOP and AWSSP, the increase to the number of units is largely internal to the building massing and does not result in a taller or bulkier building. As noted previously, the revised design for the proposed twelve (12) dwelling units maintains generally the same setbacks, height and massing that was been conditionally approved through Site Plan Application DA-18-015 and does not require any further variances.

Therefore, the requested increase in the permitted maximum number of dwelling units from 6 units to 12 units is considered minor in nature.

4.4.2 Variance 2: Reduction in parking ratio from 2 to 1 parking space per dwelling unit

As noted, the purpose of a minimum number of parking spaces per dwelling unit is to ensure a sufficient number of parking spaces are provided that off-set transportation impacts of the future residents of the proposed development.

The standard required parking for the C5a Zone, would require a total of 8 parking spaces on the Site. This rate is 66% less than the 24 parking spaces that would be required based on the Exception 572. Accordingly, the proposed parking rate still provides more parking spaces on the Site than the minimum required in the C5a zone. As noted in Staff Report PED17099, the intent was for the site-specific parking rate to be removed once the C5a zoning was in effect. Though the site-specific parking rate is not being removed from the by-law through this Minor Variance Application, the requested variance for 1 space per dwelling unit provides a balanced alternative that supports the policy noted in Section 4.1 of this Brief.

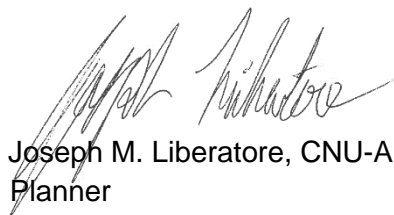
Therefore, the requested reduction in minimum required parking per dwelling unit from 2 spaces per dwelling unit to 1 space per dwelling is considered minor in nature.

5. RECOMMENDATIONS

The requested variances represent good land use planning as they satisfy the four tests of Section 45(1) of the *Planning Act*. Approval of the requested variances will continue to maintain the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law 05-200; are desirable and appropriate; and are considered minor in nature.

Respectfully submitted,

GSP Group Inc.



Joseph M. Liberatore, CNU-A, BURPI., Dip. GIS & PI.
Planner

P:\22033 - Family Practice Dixie Ltd. - 393 Wilson St. E. Ancaster\reports\PJR_March 11_2022 Submission Version.docx



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

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

4. Nature and extent of relief applied for:

Increase in six (6) dwelling units above the ground floor to a total of twelve (12) dwellings; whereas a maximum of six (6) dwelling units are required.

Reduction to one (1) parking space per dwelling unit; whereas a minimum of two (2) parking space per dwelling unit is required.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Refer to Planning Justification Brief.

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

PART LOT 45, CONCESSION 2 ANCASTER, PART 16, PLAN 62R20856
393 WILSON STREET EAST

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

8.11 What information did you use to determine the answers to 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.

Feb 15/22
Date


Signature Property Owner(s)

FAMILY PRACTICE DIXIE LTD.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>15.2m</u>
Depth	<u>80.1m</u>
Area	<u>1,239.3m²</u>
Width of street	<u>19.1m</u>

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

Existing:

2-storey, ±260m² Principle Dwelling
1-storey, ±55m² Accessory Structure

Proposed

2.5-storey, 10.8m tall, 2129m² of Total Gross Floor Area, 12 dwelling units, ±35m² of Commercial Gross Floor Area

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

Existing:

Principle Dwelling: 19.76m (FYS), 44m (RYS), 2.81m (SYS-South) and 4.88m (SYS-North)
Accessory Structure: 45m (FYS), 25.51m (RYS), 1.13m (SYS-South) and 9.2m (SYS-North)

Proposed:

Principle Building: 4.69m (FYS), 12.07m (RYS), 0.84m (SYS-South) and 1.5m (SYS-North)

13. Date of acquisition of subject lands:

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

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

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Commercial / Office to the north and south, Convent to the west

17. Length of time the existing uses of the subject property have continued:
±15 years

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

Water Connected
Sanitary Sewer Connected
Storm Sewers

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

Mixed Use - Medium Density (UHOP) & Mixed Use - Medium Density Pedestrian Focus
(Ancaster Wilson Street Secondary Plan)

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

Mixed Use Medium Density - Pedestrian Focus (C5a) Zone - Exception 572

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:

ZAR-15-042

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)

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

Refer to attached survey.



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-22:105

APPLICANTS: Agent IDM (2005) Consultants Inc. – P. Tewari
 Owner A. Jafar

SUBJECT PROPERTY: Municipal address **27 Millen Ave., Hamilton**

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

ZONING: "C" Urban Protected Residential district

PROPOSAL: To permit the conversion of the existing single-family dwelling to contain a secondary dwelling unit notwithstanding that;

1. A minimum of 2.9 m manoeuvring space aisle width shall be maintained for the rear detached garage instead of the minimum required manoeuvring space aisle width of 6.0m; and

2. No parking space shall be provided for the secondary dwelling unit instead of the minimum required one space per unit; and

3. A minimum driveway access width of 2.1 m shall be provided instead of the minimum required access driveway having a width of 2.8 m.

Notes:

These variances are necessary to facilitate building permit application No. 21-161847. This application will be heard by the Committee as shown below:

DATE: Thursday, May 12th, 2022
TIME: 1:50 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

HM/A-22: 105

Page 2

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

MORE INFORMATION

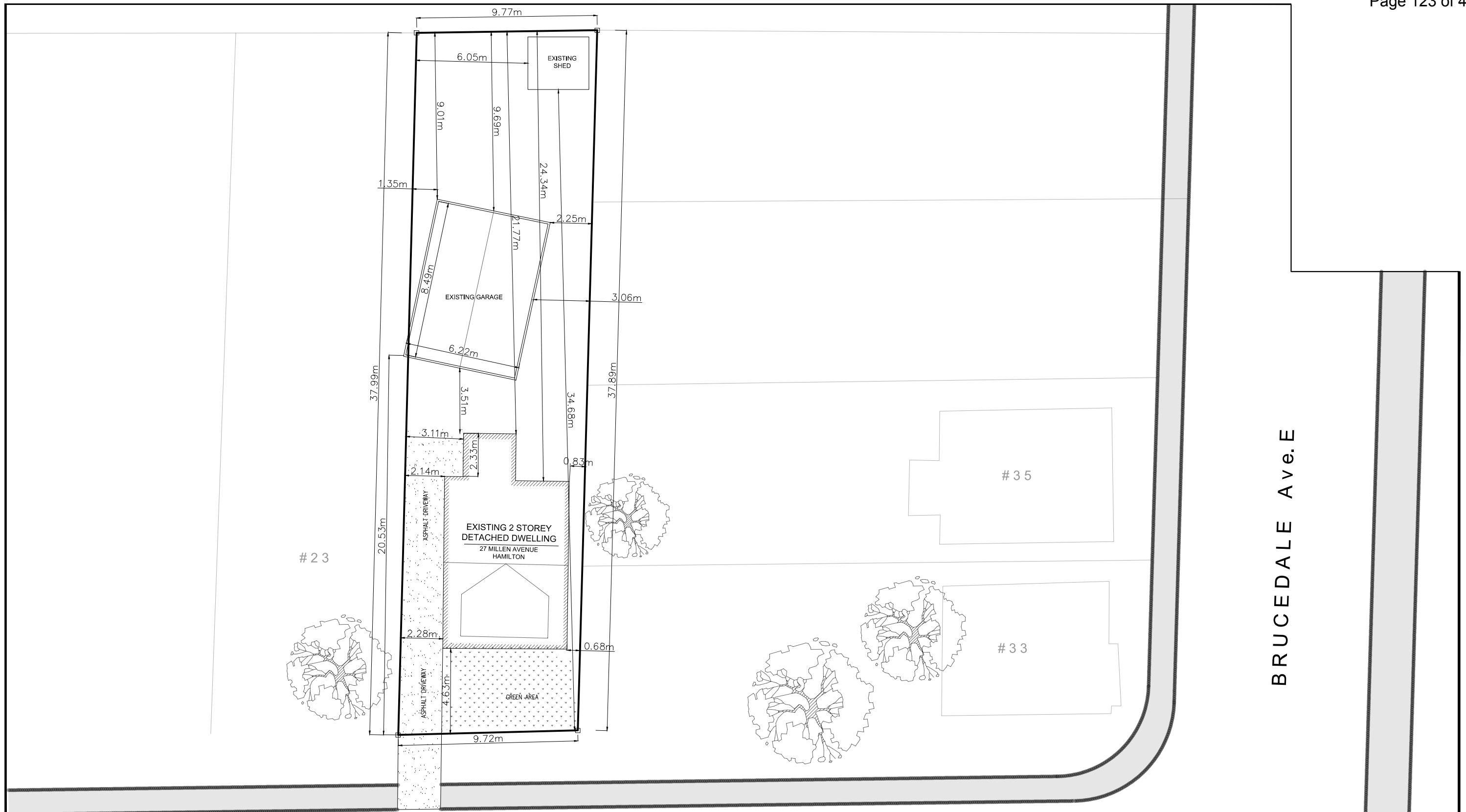
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 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.



MILLEN Ave.

BRUCEDALE Ave. E



NO.	REVISIONS	DATE	BY

OWNER: _____

MUNICIPALITY: **HAMILTON CITY**

PROJECT NAME: **27 MILLEN AVE**

DRAWN BY: H.Z
DATE: NOV 2021
DESIGNED BY: _____
CHECKED BY: P.T.
DATE OF ISSUE: NOV 04, 2021
DATE OF PLOT: NOV 04, 2021

IDM (2005) CONSULTANTS INC.
5325 HARVESTER RD. BURLINGTON
ONTARIO L7L 5K4
TEL. 905-928-2542

DRAWING TITLE: **SITE PLAN**

SCALE: **1 : 200**

PROJECT NO. _____ DRAWING NO. **A0.01**



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

27 Millen Ave, Hamilton, ON, L9A 2T5 - Fully purchased
--

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 relief for parking space for secondary dwelling unit in the basement and for future detached secondary dwelling in the rear of the property.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Currently this driveway under the city of Hamilton is considered as shared driveway and 27 Millen Ave. only owns 2.6m driveway width where zoning by-law requires a minimum 2.8m driveway width. Existing driveway can have 1 parking spot at the front and 2 parking spots in the back where existing garage.

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**):

27 Millen Ave. Hamilton Ontario L9A 2T5

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?

Local Knowledge

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

Jan. 31, 2022
Date

Ammar Jafar
Signature Property Owner(s)

Ammar Jafar
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 11m _____
Depth 9.72m _____
Area 37.99m _____
Width of street 369.3 sq.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 Single Family House, (3bedrooms Master-12m², Bedroom 1-10m², Bedroom 2-10m², Kitchen 9m², Liv./Din. Room 25m², Enclosed Porch 6.5m², Powder Room 3m², Building Height 5.5m) house is about 100m² above grade
1-Storey, Existing Two Car Garage to be demolished 50m²
1-Storey, One Accessory Structure to be demolished 52 m²

Proposed

Secondary Dwelling Unit within existing Single Family Dwelling. No changes to building Proposed basement is 80m²
Secondary Detached Dwelling Unit within existing Single Family Dwelling to be constructed in the future once garage and accessory structure to be demolished.
The proposal is this dwelling to have one secondary dwelling unit within existing

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

Existing:

House: 6m front yard, 26m rear yard, 1.2m and 2.7m side yards.
Garage: 23m front yard, 11m rear yard, 0.3m side yard as per C.O.A and 3m the other side yard.
Accessory Structure: 35m front yard, 0.6m rear yard 0.6m and 8m side yard.
House: 4.63m front yard, 21.77m rear yard, 0.83m and 2.28m side yards.
Garage: 20.53m front yard, 9.01m rear yard, 0.3m side yard as per C.O.A and 2.25m the other side yard.
Accessory structure: 34.68m front yard, 0.6m rear yard, 0.6m and 6.05m side yard.
Old Garage and Accessory Structure to be demolished.

House: 4.63m front yard, 21.77m rear yard, 0.83m and 2.28m side yards.
Future detached secondary dwelling unit: 20.53m front yard, 9.01m rear yard, 0.3m side yard as per C.O.A and 2.25m the other side yard.

13. Date of acquisition of subject lands:
2021
14. Date of construction of all buildings and structures on subject lands:
1960
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:
40 + years
18. Municipal services available: (check the appropriate space or spaces)
Water YES, Connected YES
Sanitary Sewer YES Connected YES
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Residential
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:
Application no.: A-97:254 / Submission No.: A-254/97
- 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)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-22:106

APPLICANTS: Owner A. Abbott

SUBJECT PROPERTY: Municipal address **5 Valridge Court, Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 02-001

ZONING: "R5-471" (Residential "R5") Zone

PROPOSAL: To permit the construction a 3.66m (12'0") x 9.60m (31'6") accessory building (cabana) at the rear of an existing single-family dwelling notwithstanding that:

1. A minimum rear yard of 0.7m shall be provided to the 75'3¼" (22.95m) rear lot line and a minimum rear yard of 1.8m shall be provided to the 35'8¾" (10.89m) rear lot line for the accessory building (cabana) instead of the requirement that accessory buildings in excess of 12m² ground floor area shall not be located in any minimum rear yard (being 7.0m).

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

DATE: Thursday, May 12th, 2022
TIME: 1:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

AN/A-22: 106

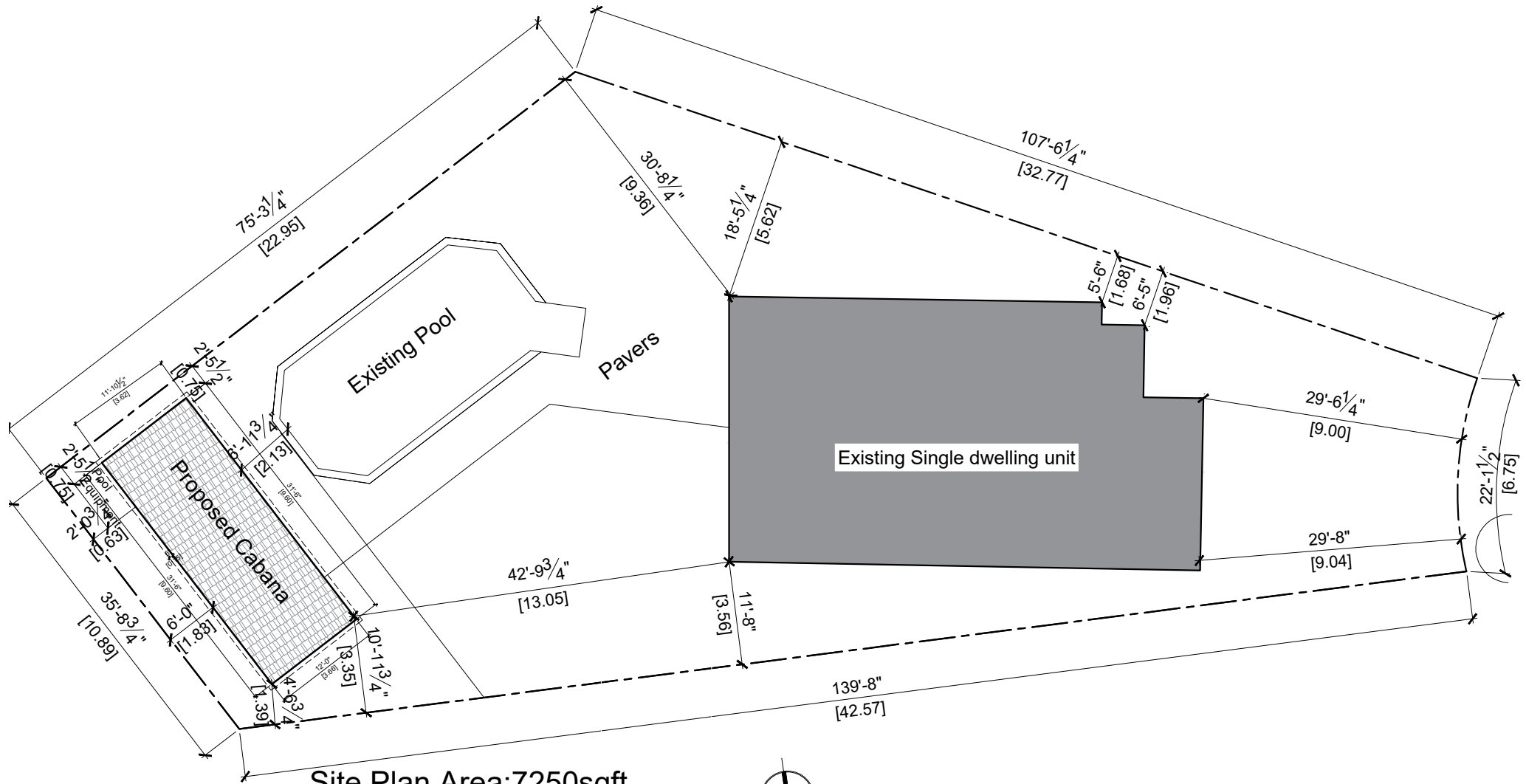
Page 2

- 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: April 26th, 2022.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

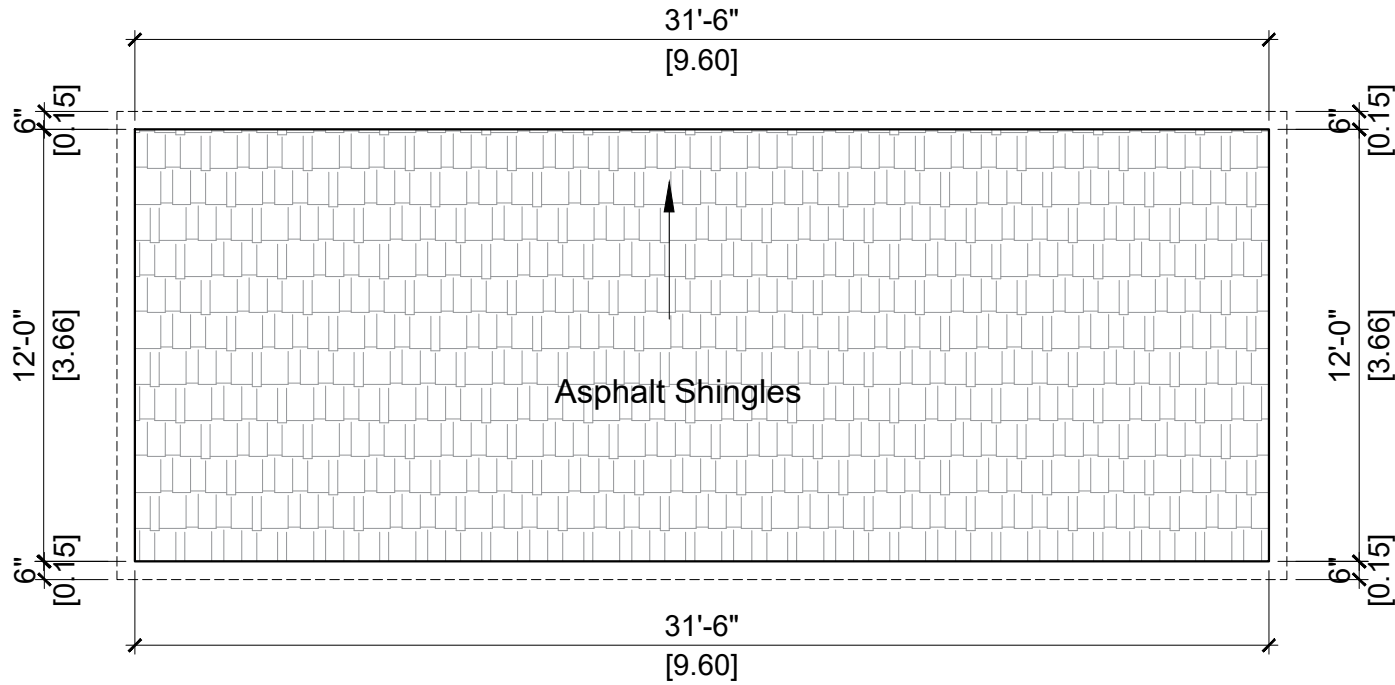
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



Site Plan Area: 7250sqft
 House Area: 1520sqft
 Cabana Area: 378sqft
 Backyard Area: 3860sqft

Site Plan
 Scale: 1/16" = 1'

The undersigned has reviewed and take responsibility for this design, and has the qualifications and meet 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
 Franceska Tishi _____ 112519
 Name Signature BCIN



Cabana Layout
 Scale: 3/16" = 1'

The undersigned has reviewed and take responsibility for this design, and has the qualifications and meet 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

Franceska Tishi		112519
Name	Signature	BCIN

SURVEYOR'S REAL PROPERTY REPORT, PART 1 OF 2
 PLAN OF SURVEY OF

LOTS 56 and 57
PLAN 62M-881

(FORMERLY IN THE TOWN OF ANCASTER)
CITY OF HAMILTON

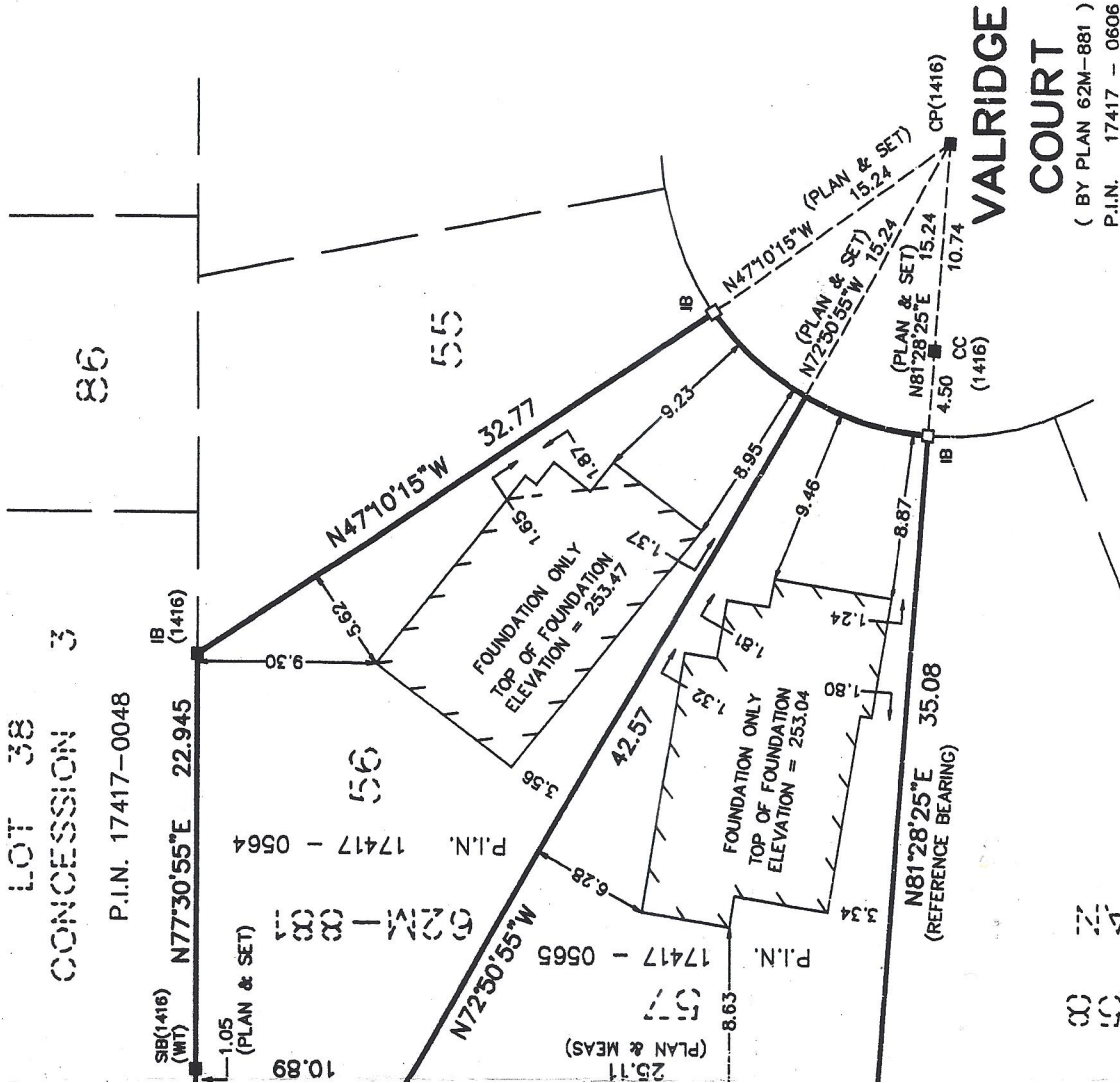
SCALE 1 : 400



WEST & RUUSKA LTD.
 © COPYRIGHT, 2002.

**ASSOCIATION OF ONTARIO
 LAND SURVEYORS**
 PLAN SUBMISSION FORM
1405501

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



NOTE

THIS PLAN IS NOT FOR REGISTRATION PURPOSES.
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO
 THE SOUTHERLY LIMIT OF LOT 57, SHOWN ON PLAN
 62M-881, AS N81°28'25"E.

□ DENOTES SURVEY MONUMENT SET
 ■ SURVEY MONUMENT FOUND
 IB IRON BAR
 SIB STANDARD IRON BAR
 1416 S.M. RUUSKA, O.L.S.
 PLAN PLAN 62M-881
 CC CUT CROSS
 CP CONCRETE PIN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
 SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 13th DAY OF MAY, 2002.

DATED: MAY 24, 2002.

Daniel Kreze
 DANIEL KREZE, ONTARIO LAND SURVEYOR



WEST & RUUSKA LTD. Ontario Land Surveyors
 17 NELSON STREET
 BRANTFORD, ONT., N3T 2M6
 PHONE: (519)752-8641

DRWN: TSK	CHKD: DK
CAD Disk: 833	Code: Disk:
FRACARSAN CORPORATION	
F990184	

THIS REPORT WAS PREPARED FOR CURRENT
 TRANSACTIONS INVOLVING FRACARSAN
 CORPORATION AND THE UNDERSIGNED
 ACCEPTS NO RESPONSIBILITY FOR USE BY
 OTHER PARTIES



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

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

4. Nature and extent of relief applied for:

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

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

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

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes No Unknown

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

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

22 March, 2022
Date


Signature Property Owner(s)

Andrea Abbott
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 6.75m
Depth 42.57
Area 673m2
Width of street _____

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

Existing: Single dwelling unit 2 stories, ground floor are is 142sqm

Proposed

Cabana
1 storey
35sqm
3.62mx9.6m
Height 2.00m

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

Existing:
From rear: 22.43
From side :0.75
From the other side :1.39m
From the front : 9.23m

Proposed:
From rear: 1.83
From side :5.62
From the other side :3.56m
From the front:38.08m

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-22:112

APPLICANTS: Agent Stoney Brook - T. Brucculieri
 Owners R. & J. Simeonidis

SUBJECT PROPERTY: Municipal address **31 Naomi Court, Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 02-268

ZONING: "R4-480" (Residential) district

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

1. A maximum lot coverage of 41.7% shall be permitted instead of the maximum 35.0% lot coverage permitted.
2. A minimum rear yard of 5.1m shall be permitted instead of the minimum 9.5m rear yard required.

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

DATE: Thursday, May 12th, 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:

AN/A-22: 112

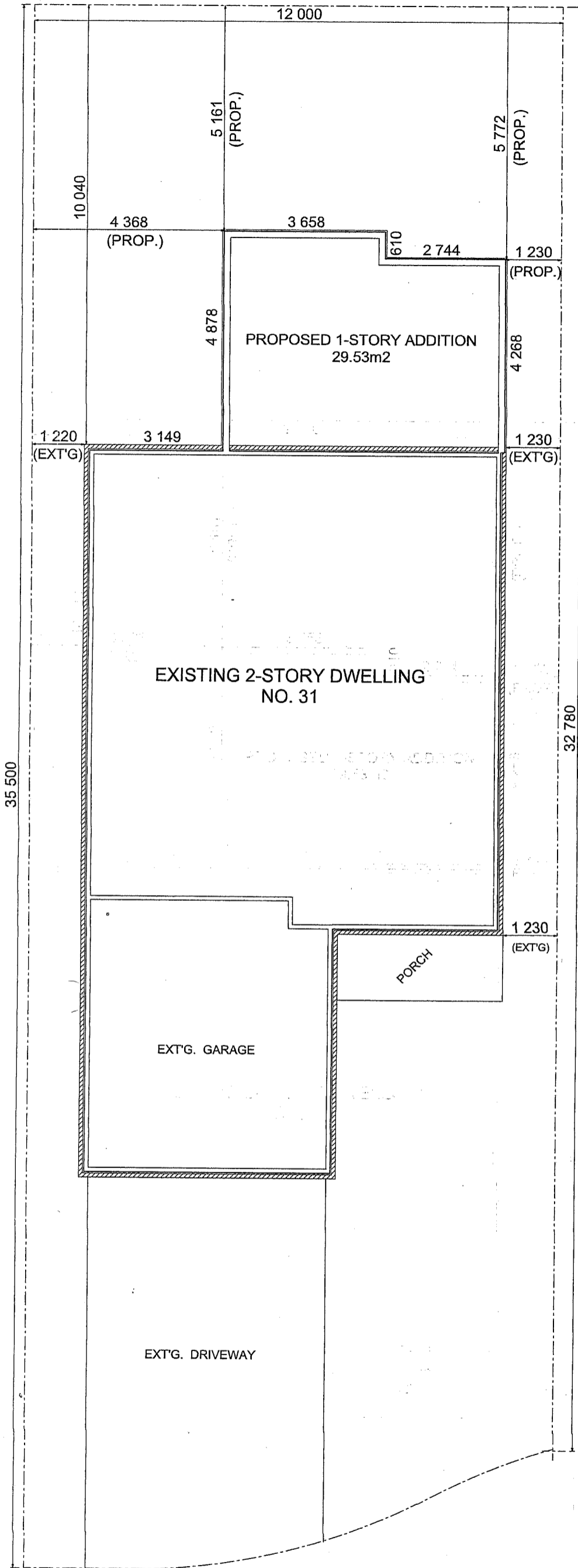
Page 2

- 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

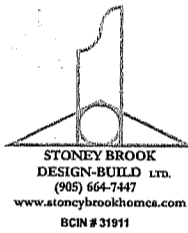
DATED: April 26th, 2022.

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.



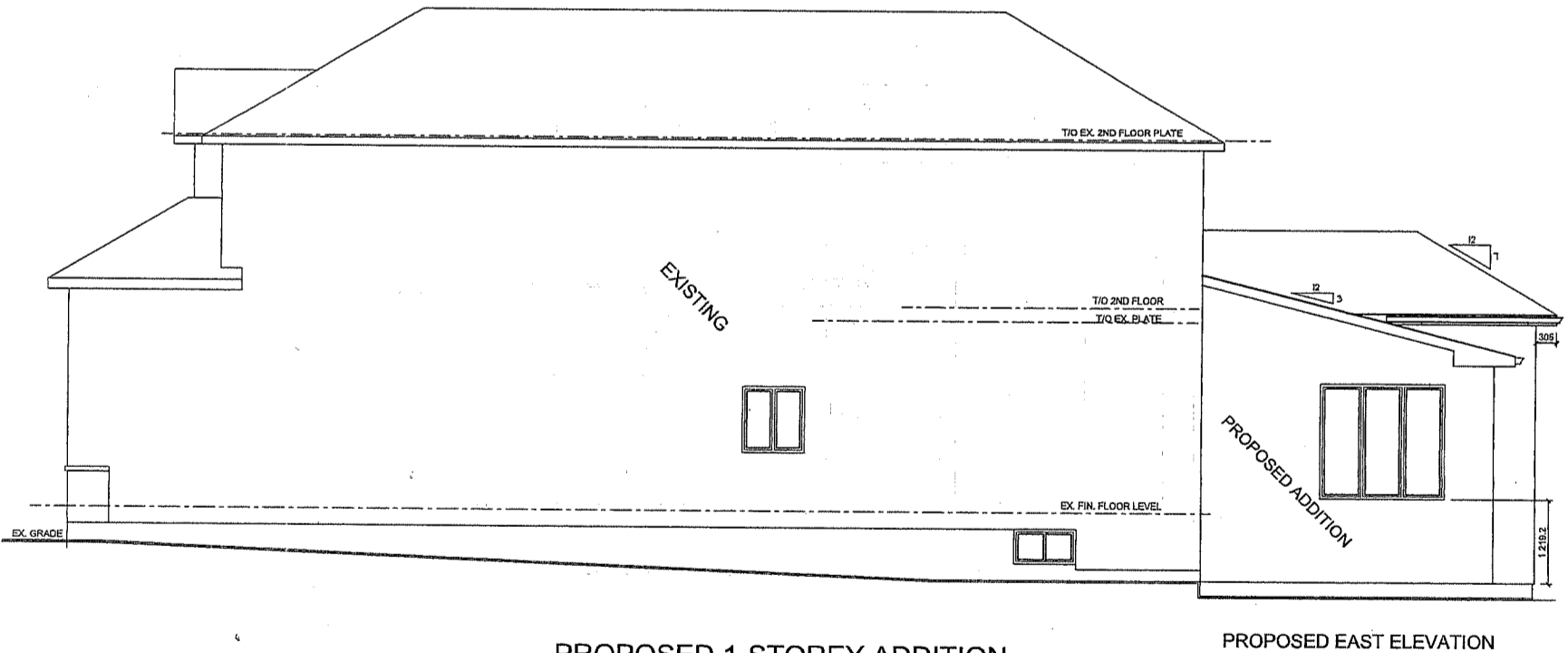
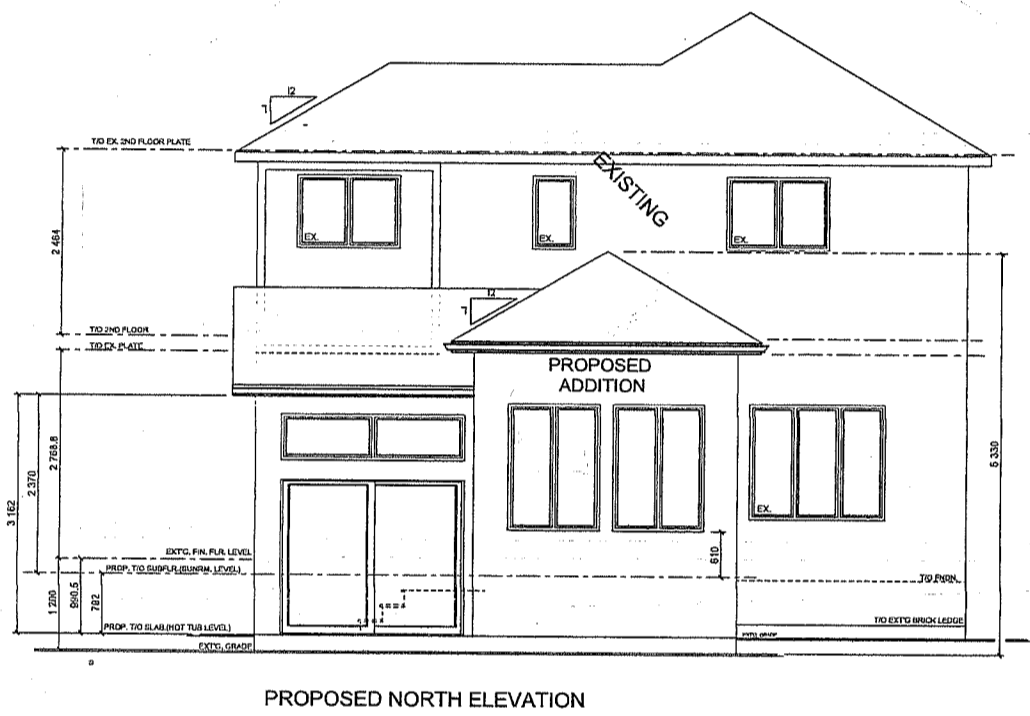
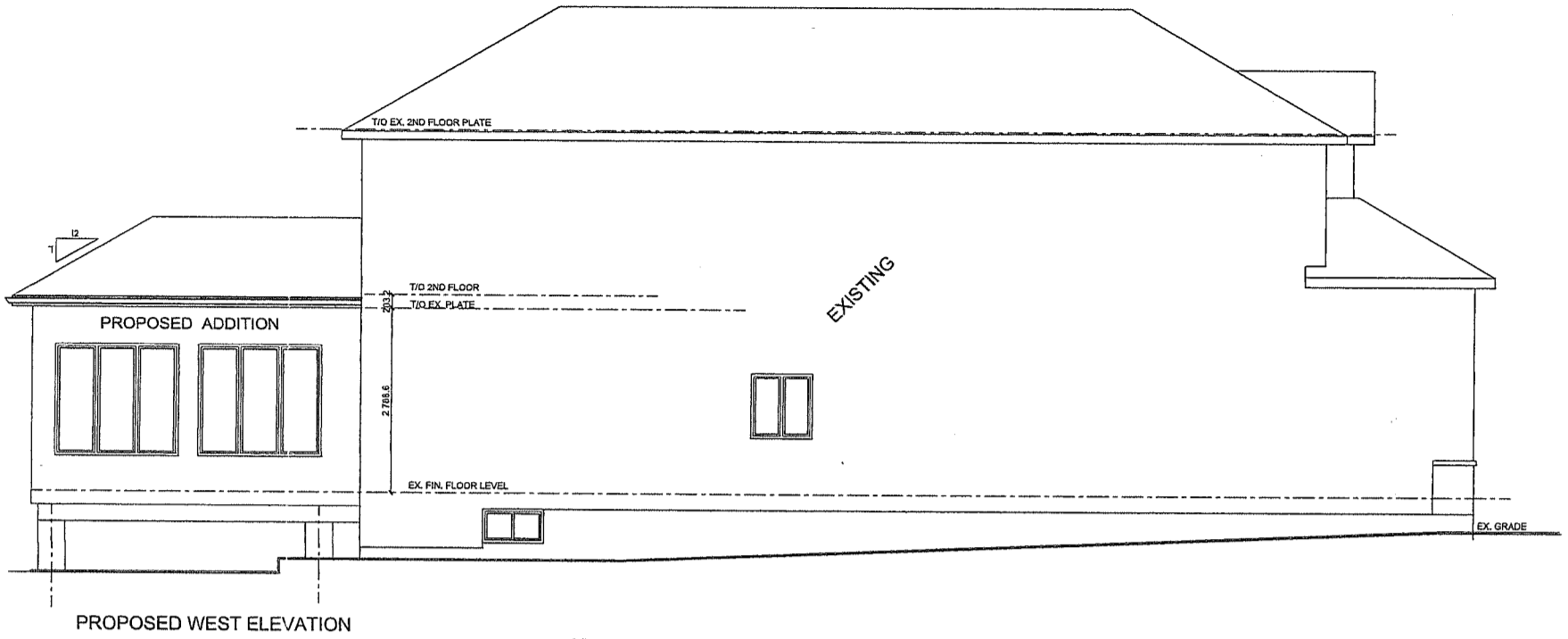
PROPOSED 1-STORY ADDITION
TO
31 NAOMI COURT, ANCASTER
MARCH 28/22
SCALE 1:100



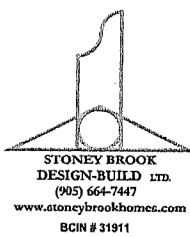
PROPOSED SITE PLAN

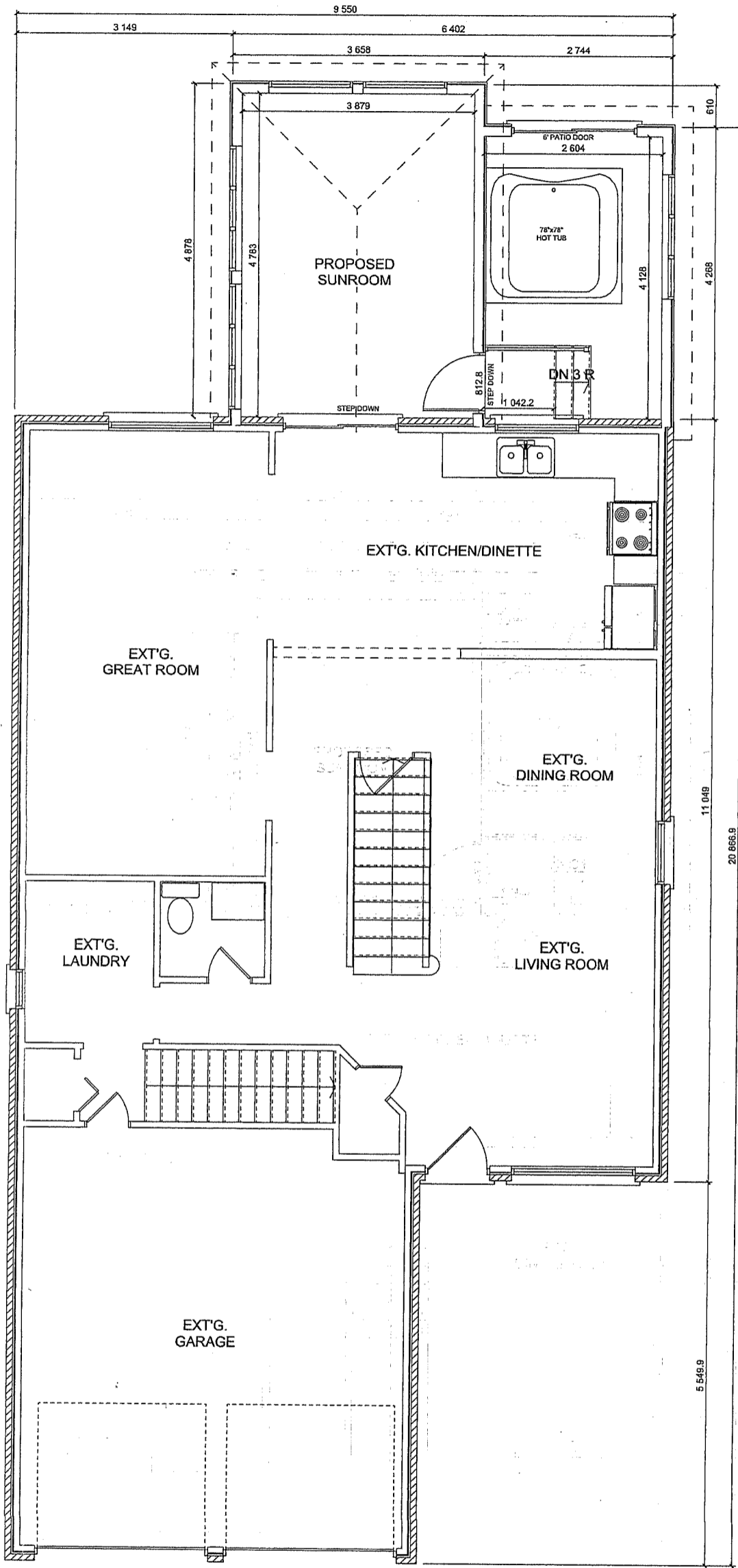
NAOMI COURT

ZONING	LOT NO.	PLAN NO.	LOT AREA	LOT FRONTAGE	LOT DEPTH				
R4 By-law 87-57	LOT 8	---	417.51m ²	12.00 m	32.78m (E), 35.50(W)				
DESCRIPTION	EXISTING	ADDITION	TOTAL PROPOSED	% COVERAGE ALLOWED	SETBACKS	EXISTING	ALLOWED	PROPOSED	VARIANCE REQ'D
LOT COVERAGE	144.50m ²	29.53m ²	174.03m ²	35.00 (146.14m ²)	FRONT YD.	7.60m	---	7.60m	NO
GROSS FLOOR AREA	234.18m ²	29.53m ²	263.71m ²	---	REAR YD.	10.04m	9.50m	5.16m	YES
NO. OF STORIES/ HEIGHT	2 (8.30m)	1 (5.33m)	2 (8.30m)	---	EAST SY.	1.23	1.25	1.23	NO
LOT COVERAGE	34.61%	7.07%	41.68%	VARIANCE REQ'D	WEST SY.	1.22	1.25	1.22	NO
WIDTH	9.55m	6.40m	9.55m	---					
DEPTH	16.71m	4.88m	21.59m	---					



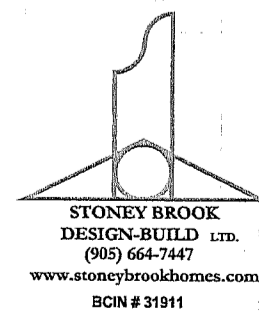
PROPOSED 1-STOREY ADDITION
TO
31 NAOMI COURT, ANCASTER
MARCH 28/22
SCALE: 1:100





GROUND FLOOR PLAN

PROPOSED 1-STOREY ADDITION
TO
31 NAOMI COURT, ANCASTER
MARCH 28/22
SCALE: 1:75





Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

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

4. Nature and extent of relief applied for:

Applying for relief from the required rear yard setback of 9.50m to allow a setback of 5.16m for the proposed rear addition. Also applying for relief from the maximum allowable lot coverage of 35% to allow a lot coverage of 41.68%

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing rear yard setback is 10.04m, which would only allow for an addition that is 0.54m deep. The existing lot coverage is 34.61% which would only allow an expansion of approximately 1.63m².

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):

31 Naomi Court (Lot 8), Ancaster

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?

Information obtained from the Homeowner and from known history of the 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.

March 30, 2022
Date


Signature Property Owner(s)

Raffaella Simeonidis
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage Approx. 12.00m
Depth 32.78m (east) & 35.50m (west)
Area 417.51m²
Width of street _____

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

Existing:
Ground Floor area = 144.50m², Gross Floor area = 234.18m², 2 storeys. House width = 9.55m, depth (length) = 16.71m, height = 8.30m
Lot coverage = 34.61% (144.50m²)

Proposed
Ground Floor Area = 174.03m², Gross Floor Area = 263.71m², 2 storeys (addition is 1 storey).
House width = 9.55m, depth (length) = 21.59m, height = 8.30m (addition's height is approximately 5.33m)
Lot coverage = 41.68% (174.03m²)

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 the attached Plans

Proposed:
Please refer to the attached Plans.

13. Date of acquisition of subject lands:
2004
-
14. Date of construction of all buildings and structures on subject lands:
2004
-
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:
Since construction.
-

18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------|-----------|------------|
| Water | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers | <u>Yes</u> | | |

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

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

R4 No.87-57 (Ancaster)

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)

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-22:115

APPLICANTS: Agent A.J. Clarke & Associates - S. Fraser
 Owners D. Vopni & M. Puzzella

SUBJECT PROPERTY: Municipal address **35 Hamilton Ave., Hamilton**

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

ZONING: "D" (Urban Protected Residential - 1 & 2 Family Dwellings) district

PROPOSAL: To permit the construction of a new two (2) storey, Two Family Dwelling notwithstanding that:

1. A minimum lot area of 485.0m² shall be provided instead of the minimum lot area of 540.0m² required for a Two Family Dwelling.
2. A minimum lot width of 12.6m shall be provided instead of the minimum lot width of 18.0m required for a Two Family Dwelling.
3. A minimum side yard width of 1.1m shall be provided instead of the minimum required side yard width of 1.2m.
4. The parking area shall be permitted to occupy 60% of the gross area of the front yard instead of the maximum 50.0% gross area of the front yard permitted for parking purposes.
5. The front yard landscaped area shall be a minimum of 40.0% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

NOTES:

- i. An eave/gutter may project a maximum of one half of a side yard or 1.0m whichever is the lesser amount. If the requested side yard variance is approved, an eave/gutter may project a maximum of 0.55m into the required side yard. Insufficient details were provided to confirm compliance; as such, additional variances may be required if compliance cannot be achieved.

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

DATE: Thursday, May 12th, 2022
TIME: 2:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-22: 115

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: April 26th, 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.

**SauzTeq
Engineering Inc.**
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

General Notes:
The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

**ENGINEER
SEAL:**

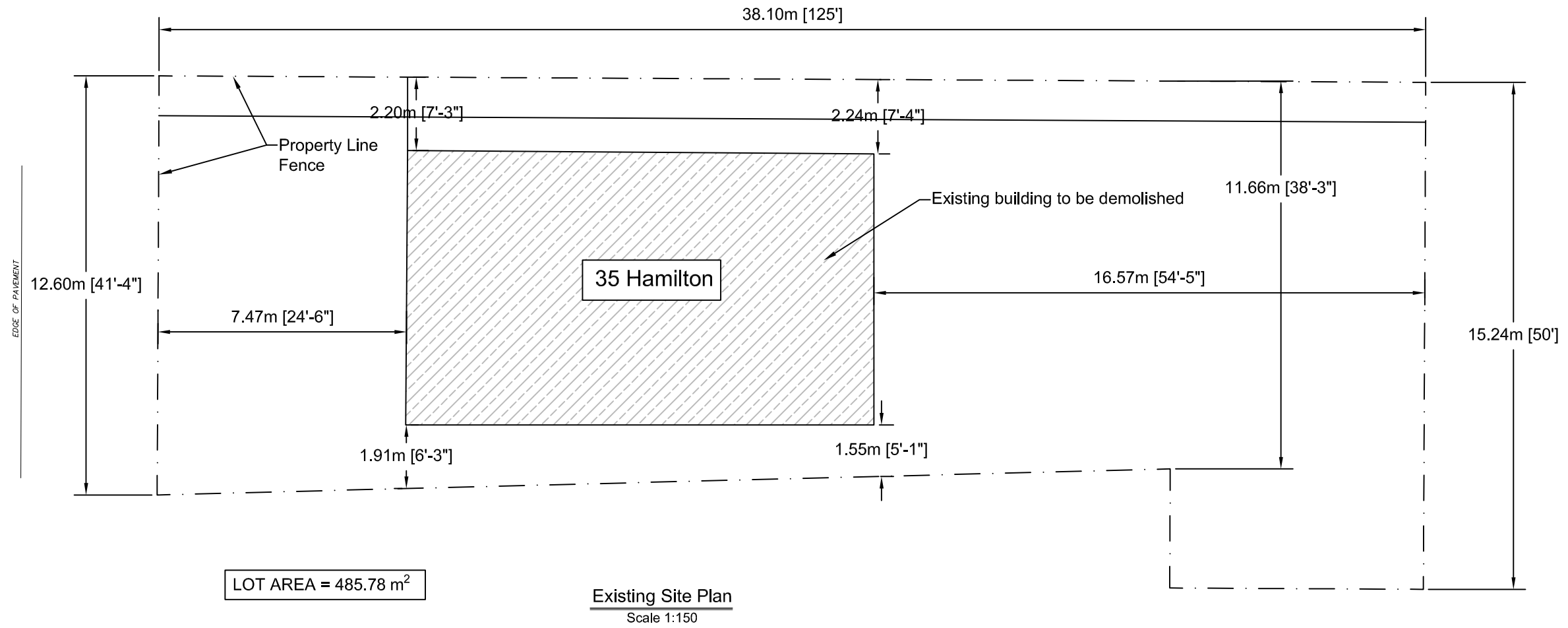
No.	Revision/Issue	Date

PROJECT:
35 Hamilton Avenue
Hamilton, Ontario

TITLE:
Existing Site Plan

SCALE:	DRAWING NO.
DESIGNED BY:	SP1.01
APPROVED BY:	

HAMILTON AVENUE



SauzTeq Engineering Inc.
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca

General Notes:
 The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

ENGINEER SEAL:

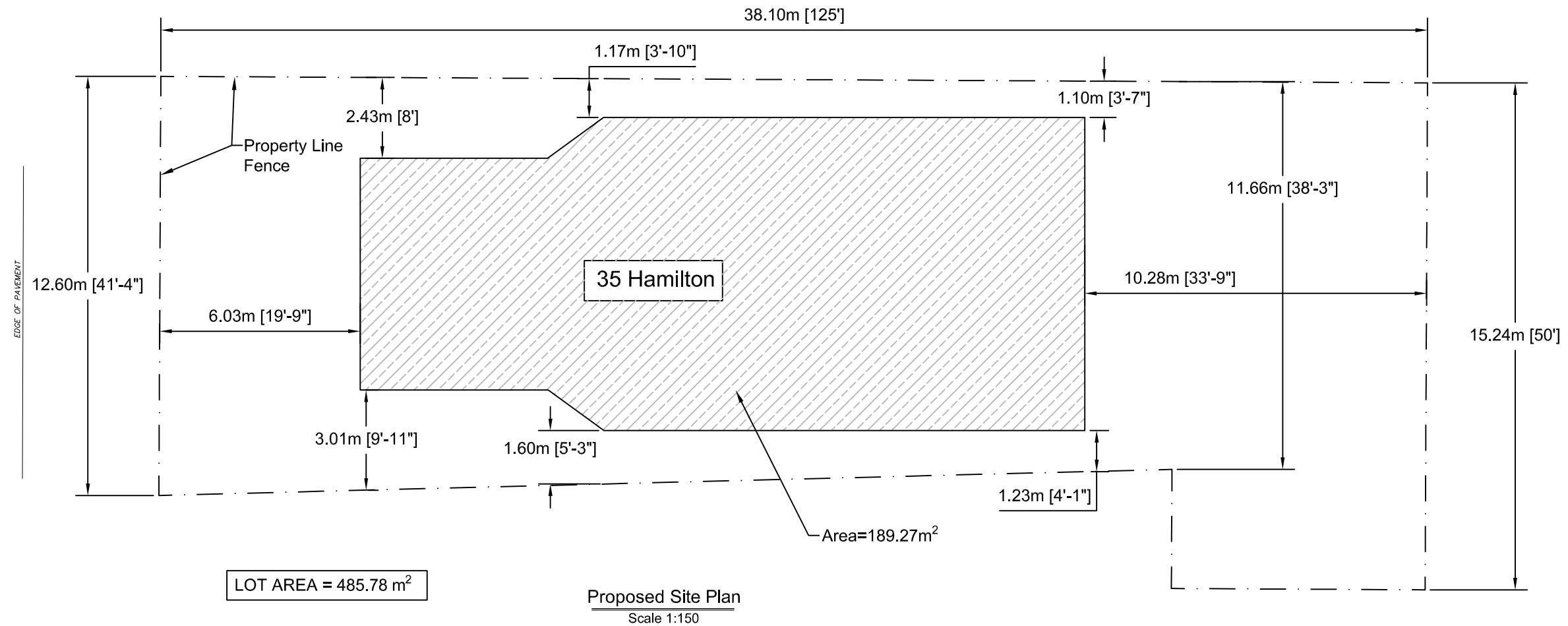
No.	Revision/Issue	Date

PROJECT:
 35 Hamilton Avenue
 Hamilton, Ontario

TITLE:
 Proposed Site Plan

SCALE:	DRAWING NO.
DESIGNED BY:	SP1.02
APPROVED BY:	

HAMILTON AVENUE



LOT AREA = 485.78 m²

Proposed Site Plan
 Scale 1:150

Area=189.27m²

**SauzTeq
Engineering Inc.**
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

General Notes:
The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

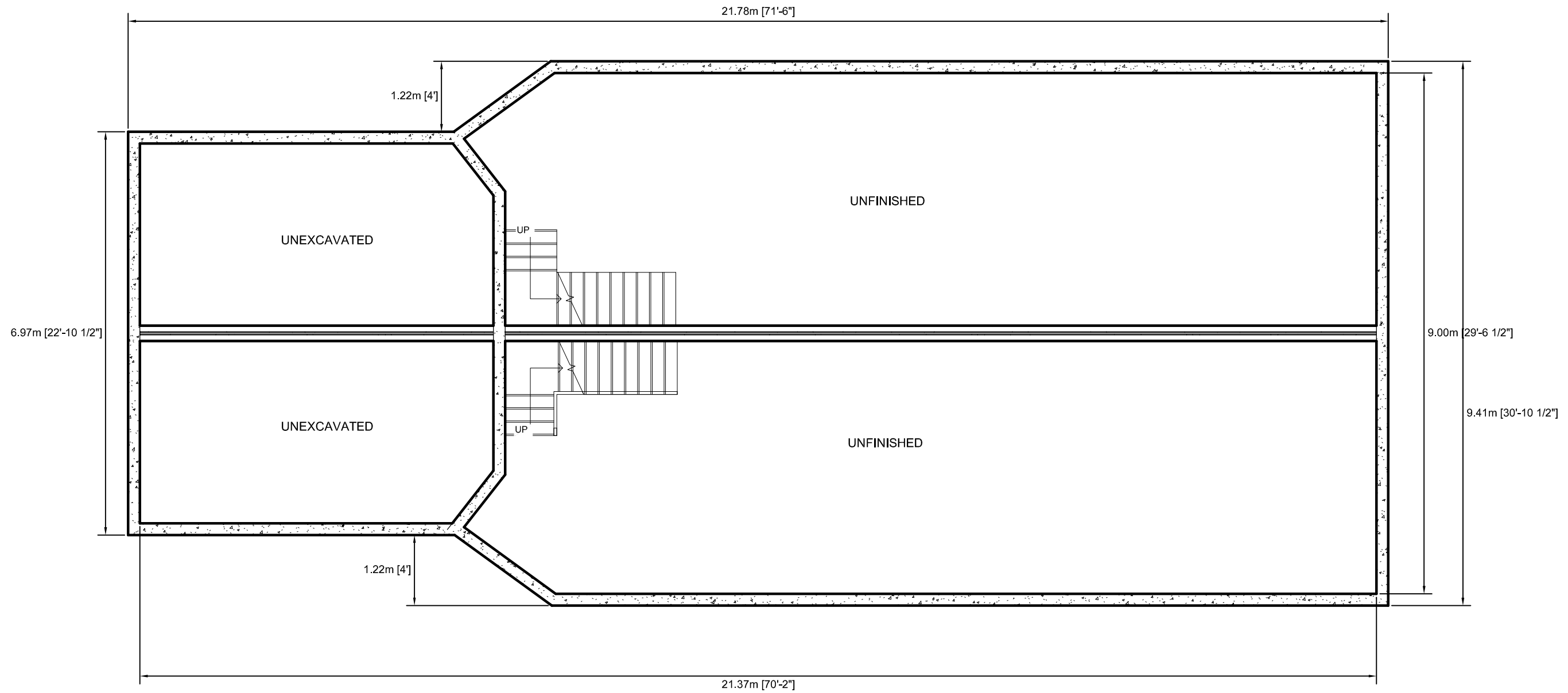
**ENGINEER
SEAL:**

No.	Revision/Issue	Date

PROJECT:
35 Hamilton Avenue
Hamilton, Ontario

TITLE:
Basement Plan

SCALE:	DRAWING NO.
DESIGNED BY:	S1.01
APPROVED BY:	



Basement Plan
Scale 1:75

SauzTeq Engineering Inc.
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca

General Notes:
 The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

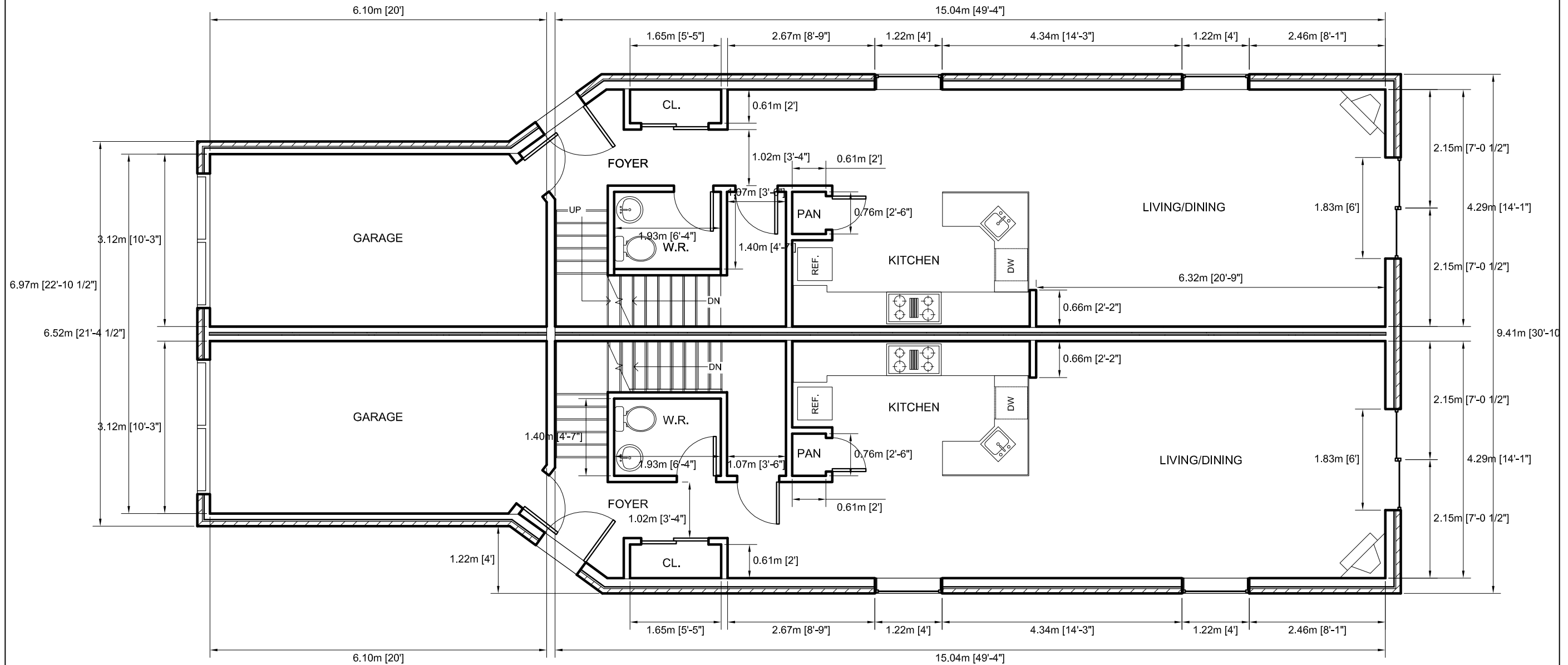
ENGINEER SEAL:

No.	Revision/Issue	Date

PROJECT:
 35 Hamilton Avenue
 Hamilton, Ontario

TITLE:
 First Floor Plan

SCALE:	DRAWING NO.
DESIGNED BY:	S1.02
APPROVED BY:	
BY:	



First Floor Plan

Scale 1:75

SauzTeq Engineering Inc.
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca

General Notes:
 The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

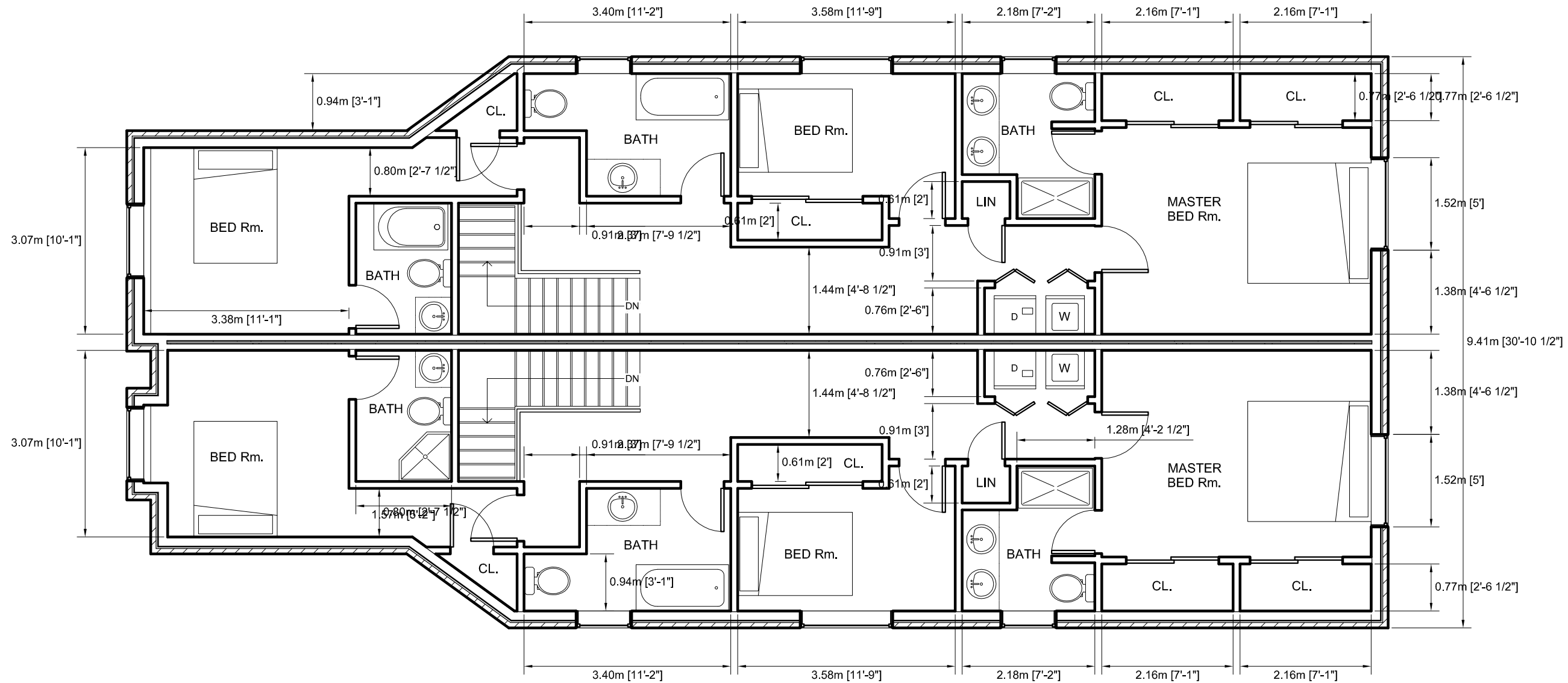
ENGINEER SEAL:

No.	Revision/Issue	Date

PROJECT:
 35 Hamilton Avenue
 Hamilton, Ontario

TITLE:
 Second Floor Plan

SCALE:	DRAWING NO.
DESIGNED BY:	S1.03
APPROVED BY:	



Second Floor Plan

Scale 1:75

**SauzTeq
Engineering Inc.**
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

General Notes:
The Contractor shall check and verify all existing conditions on site and shall also check and verify all dimensions on the drawings and report any inconsistencies to the Engineer before proceeding with the work.

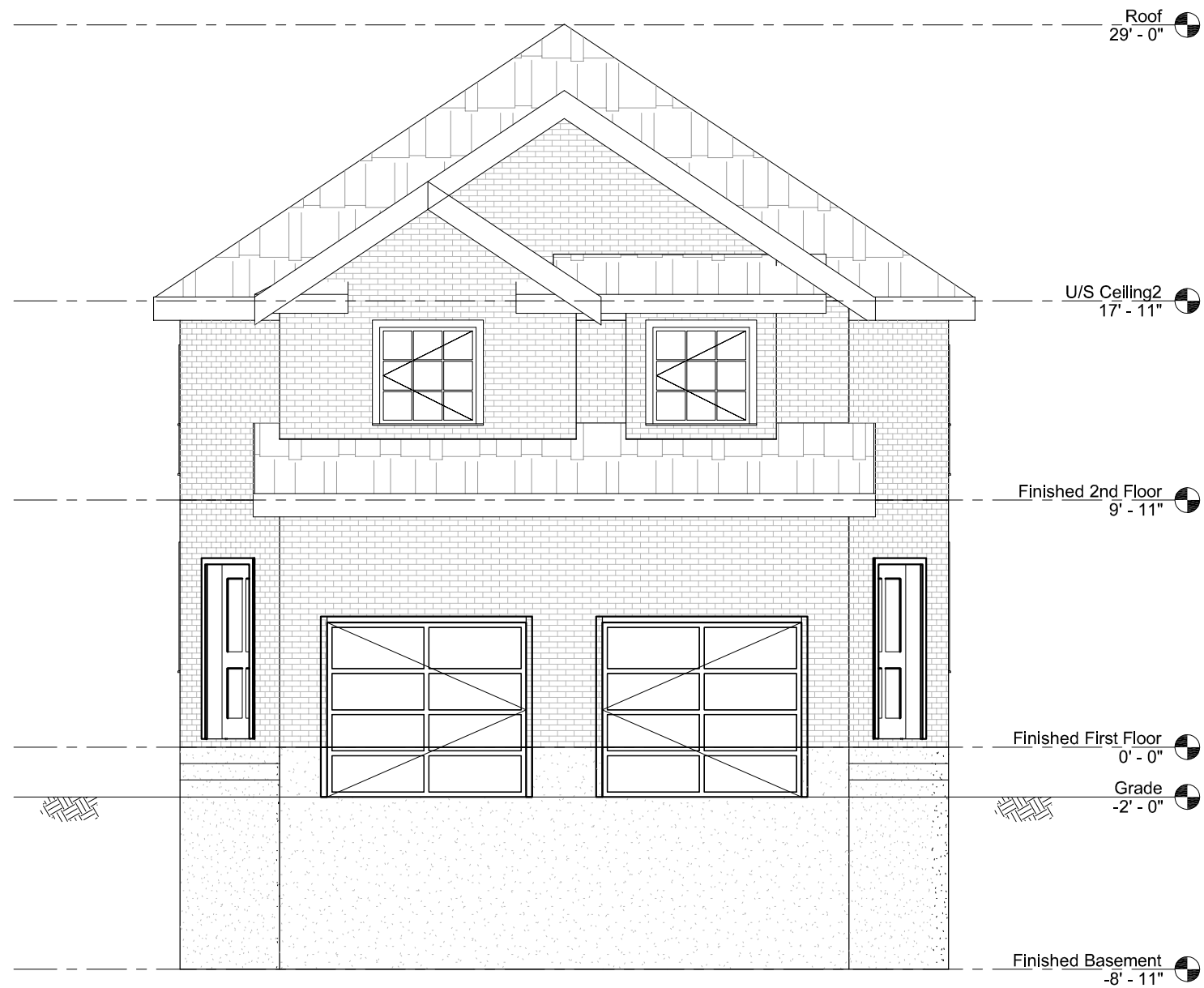
**ENGINEER
SEAL:**

No.	Revision/Issue	Date

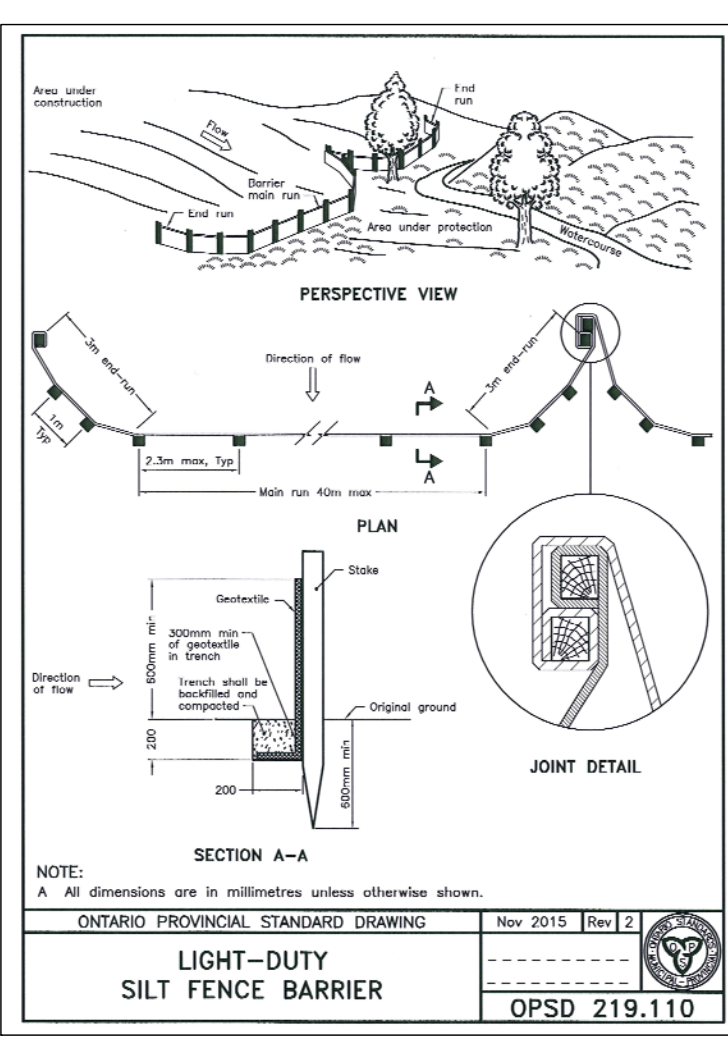
PROJECT:
35 Hamilton Avenue
Hamilton, Ontario

TITLE:
Front View

SCALE:	DRAWING NO.
DESIGNED BY:	S2.01
APPROVED BY:	

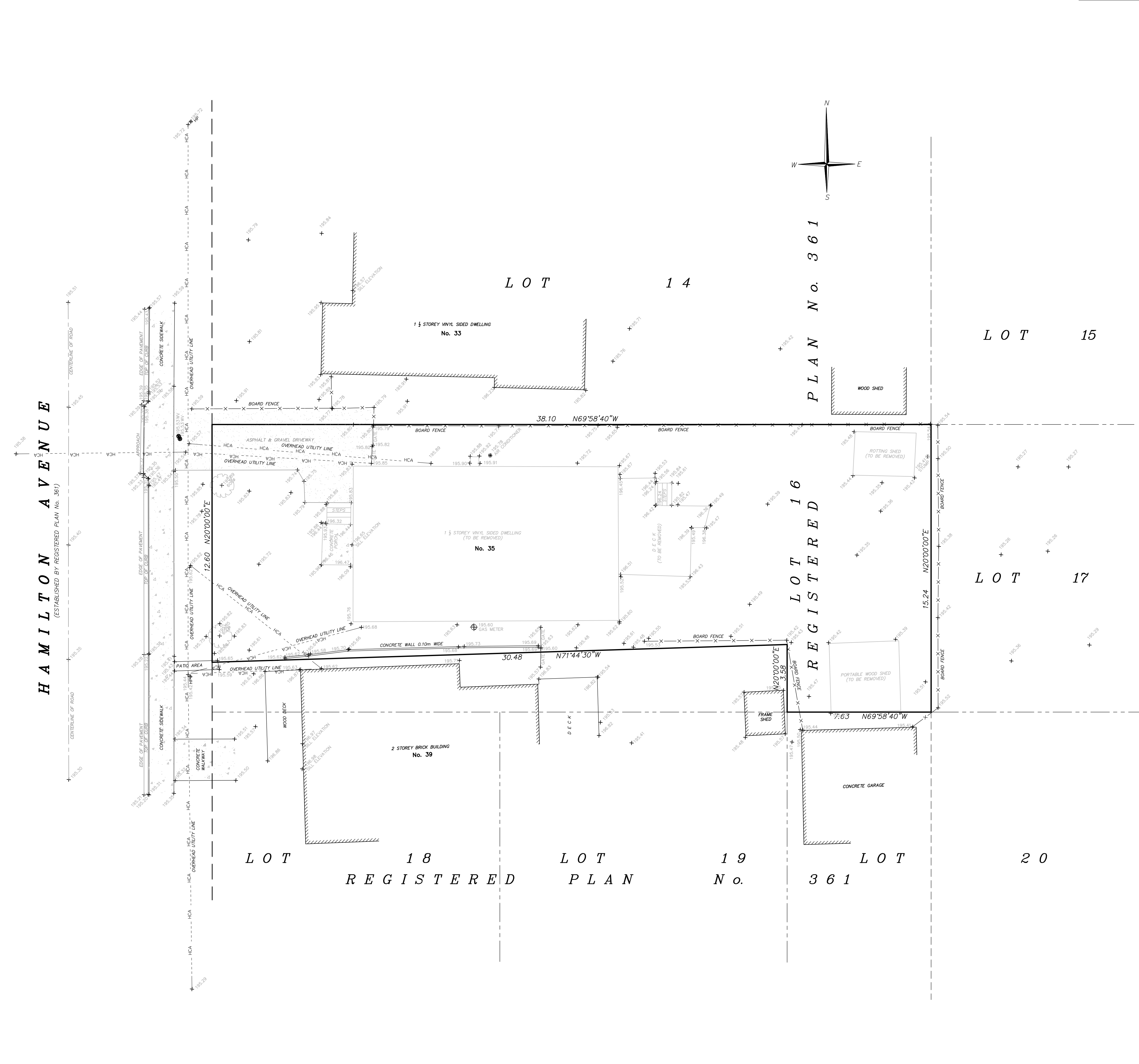
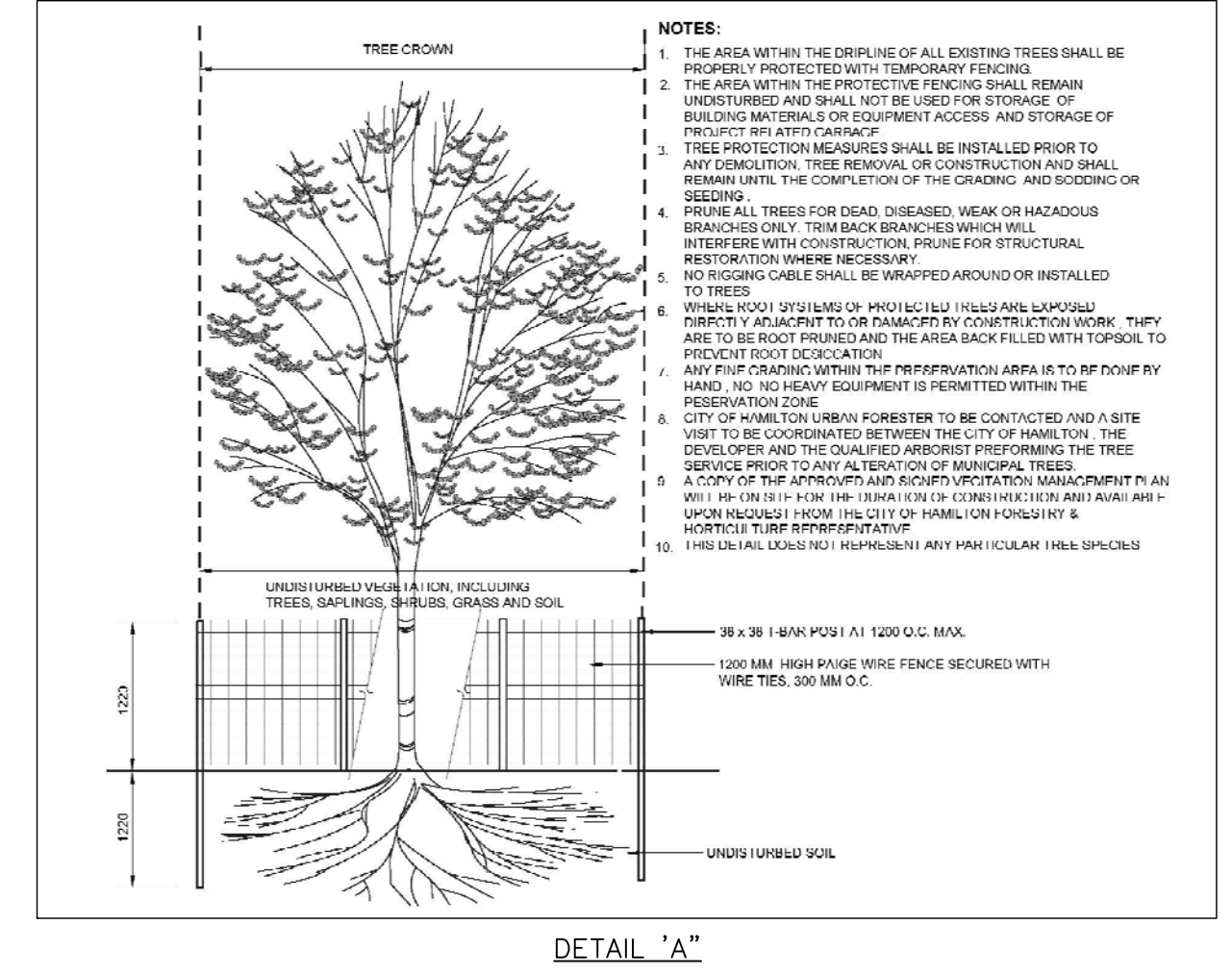
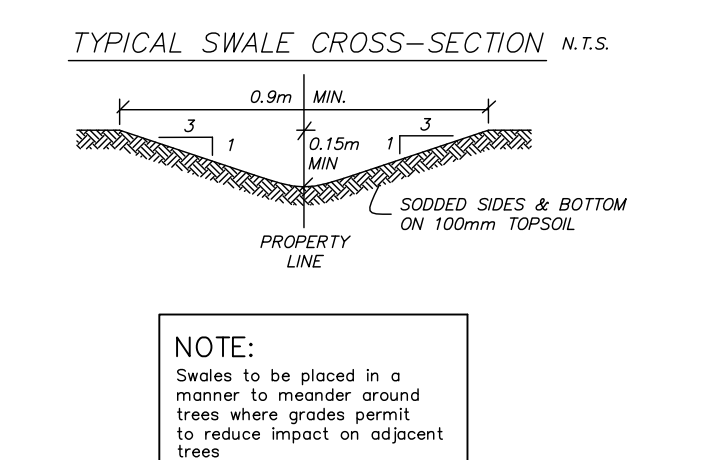
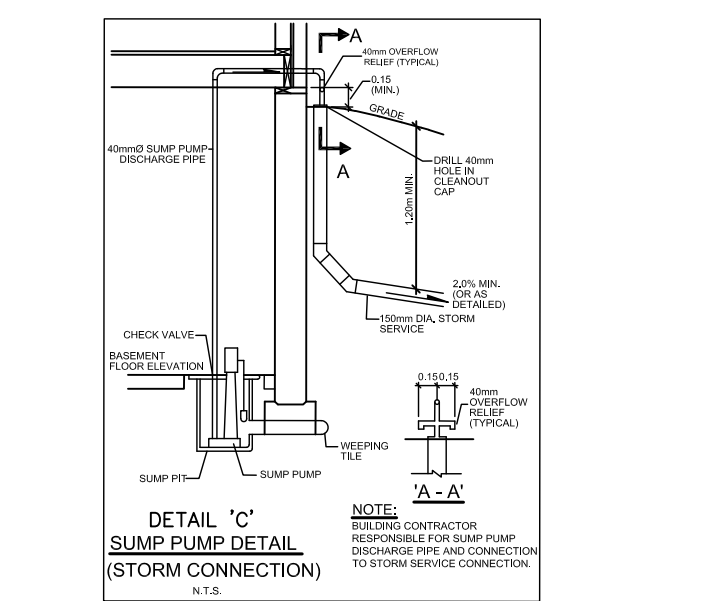


Front View
Scale 1:75



DETAIL "B"
SEDIMENT CONTROL FENCE INSTALLATION
EROSION AND SILTATION CONTROL

- Install all erosion and sediment control measures approved by the City of Hamilton, prior to development, and maintain such measures throughout the construction process, until all disturbed areas have been re-vegetated, and.
- Inspect and maintain all erosion and sediment control measures after each rainfall to the satisfaction of the City and maintain a diary for review upon request by the City.
- Provide suitable temporary mulch and seed cover within seven (7) days of the completion of a particular phase of construction for any disturbed area not scheduled for further construction within forty-five (45) days, and.
- Re-vegetate all disturbed areas with permanent cover immediately following completion of construction.
- Additional silt control locations may be required as determined by the City of Hamilton.



CLIENT NAME

KEY PLAN N.T.S.

SITE & GRADING PLAN
PART OF LOT 16
REGISTERED PLAN No. 361
 NOW IN THE
CITY OF HAMILTON
 SCALE 1:100
 0 1 2 3 4 5 metres
 G. G. ALDWORTH O.L.S.

BENCH MARK
 CITY OF HAMILTON
 MONUMENT No. 07720100045
 818 WITH BRASS CAP
 MONUMENT IS LOCATED AT THE NORTH SIDE OF JACKIE WASHINGTON ROTARY
 FRAME 33m WEST OF THE CENTERLINE OF WELLINGTON STREET NORTH, AND 22m
 NORTH OF THE CENTERLINE OF SIMCOE STREET EAST.
 ELEVATION= 79.925m

NOTE:
 The builder is to verify the location and grade of all sewer and water services prior to setting 1/4 footings elevation.

NOTE:
 The builder is to verify the location of all street hardware and utilities prior to construction. Driveways and/or driveway approaches shall be located such that hydro vaults and other street furniture are minimum 1.2 metres from the projections of the outside garage walls unless otherwise detailed on the lot grading plan.

SUMP PUMPS
 Sump pump with check valve to be installed in dwelling to pump the weeping tiles to the storm private drain. The sump outlet pipe shall extend a minimum of 150mm above the proposed grade at the dwelling (basement ceiling) prior to discharging to the storm private drain. See Detail "C".

RAINWATER LEADERS
 All rainwater leaders shall discharge onto splash pads and then to graded or landscaped areas a minimum of 0.6m from the building face.

MUNICIPAL No. 35 HAMILTON AVENUE
PROPOSED SINGLE FAMILY DWELLING
"D" DISTRICT ZONING

	REQUIRED	PROPOSED
MIN. LOT AREA	360.0m ²	m ²
MIN. LOT FRONTAGE	12.00m	m
MIN. FRONT YARD	6.00m	m
MIN. SIDE YARD	1.20m	m (SOUTH SIDE)
	2.70m (ACCESSORY BUILDING)	m (NORTH SIDE)
MIN. REAR YARD	7.50m	m
MAX BUILDING HEIGHT	14.00 METRES	PEAK ELEVATION ① TO ② MEAN AVG. m BUILDING HEIGHT=m

NOTE:
 (a) THE ELEVATIONS SHOWN ON THIS PLAN WERE OBTAINED BY ACTUAL FIELD SURVEY BY A. J. CLARKE & ASSOCIATES LTD. DATED SEPTEMBER 3, 2021
 (b) METRIC: DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
 (c) SUMP PUMP REQUIRED TO PUMP WEEPING TILE TO STORM PRIVATE DRAIN

LEGEND:
 000.00 EXISTING FINISHED GROUND ELEVATION
 000.00 PROPOSED FINISHED GROUND ELEVATION
 000.00 PROPOSED FINISHED GROUND ELEVATION AT DWELLING
 0000.00 PROPOSED SWALE INVERT ELEVATION
 DENOTES DOWNSLOPE
 DENOTES ENTRANCE DOOR LOCATION
 DENOTES GARAGE DOOR LOCATION
 DENOTES SHEET FLOW DIRECTION
 HYD DENOTES HYDRANT
 LS DENOTES LIGHT STANDARD
 UP DENOTES UTILITY POLE
 400# DENOTES 400mm DIA. TREE
 WY DENOTES WATER VALVE
 CB DENOTES CATCH BASIN
 DENOTES TEMPORARY TREE PROTECTION FENCE (SEE DETAIL "A")
 DENOTES SEDIMENT CONTROL FENCE (SEE DETAIL "B")
 DENOTES TREE TO BE REMOVED

NOTE:
 PRIOR TO THE START OF CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATION OF GASMAINS, TV CABLES, HYDRO AND TELEPHONE DUCTS, SANITARY, WATER AND STORM SERVICES AND DETERMINE IF A PROPOSED SANITARY PRIVATE DRAIN WITH A MINIMUM SLOPE OF 2% AND BY A FLOW OF GRAVITY CAN BE INSTALLED FROM THE PROPOSED DWELLING (WITH A DESIGN ELEVATION OF 185.10m FOR THE UNDERSIDE OF FOOTINGS) AND CONNECTED TO THE EXISTING SANITARY LATERAL AT STREET LINE.

OCTOBER 6, 2021
 DATE

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

PROJECT No 218236R

T-3320A

T-3320A



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

April 1, 2022

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

**Re: 35 Hamilton Avenue, Hamilton
Minor Variance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by David Vopni, Michael Puzzella, and Daniela Di Gennaro for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 35 Hamilton Avenue, in the City of Hamilton. The purpose of this analysis is in support of the Minor Variance Application for the subject lands. The proposed development is the construction of a semi-detached dwelling, which is a permitted use. Minor variances are required to facilitate the desired built form for the development.

The subject lands are located on Hamilton Avenue, between Concession Street and Mountain Park Avenue. The subject lands are currently occupied by one (1) single detached dwelling.

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

- One (1) digital copy of the required filled and signed Minor Variance Application Form;
- One (1) digital copy of the proposed site plan, floor plans and elevations;
- One (1) digital copy of the site and grading plan for the existing structure (T-3320A);
- One (1) cheque in the amount of \$3,465.00 representing the required application fee.

The surrounding area consists largely of residential uses, with various institutional uses, and various Commercial and mixed-use properties located along Concession Street. The residential uses are concentrated around the subject site, consisting mainly of single detached dwellings except for a semi-detached dwelling abutting the subject lands to the south. The medium-density, mixed use, Concession Street lies just south of the semi-detached dwelling. There are numerous places of worship in the surrounding neighbourhood and the Sacred Heart Elementary School is just to the north of the subject lands.

The immediate surrounding land uses include:

North	Single-Detached, Institutional
South	Semi-Detached Dwelling, Commercial Corridor
West	Single-Detached Dwellings,
East	Single-Detached Dwellings



A review of the applicable planning policies has been included below.

Planning Policy Overview

Urban Hamilton Official Plan (UHOP)

The Urban Hamilton Official Plan (UHOP) is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designations in the UHOP. The 'Neighbourhoods' designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

B.2.0 DEFINING OUR COMMUNITIES

2.1 Urban Boundary

2.1.1 The urban boundary defines the area where all urban development occurs. Lands within the urban boundary are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the urban boundary includes both the area within the built-up area and greenfield area. Lands within the urban boundary represent a 20-year supply of designated urban land and are intended to accommodate the majority of the City's projected growth.

2.4.1 General Residential Intensification Policies

2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

2.4.1.3(c) 40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.

2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- d) the consideration of transitions in height and density to adjacent residential buildings;
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- h) the ability to complement the existing functions of the neighbourhood;



- i) the conservation of cultural heritage resources; and,
- j) infrastructure and transportation capacity and impacts.

Additionally, the 'Neighbourhoods' designation contains specific policies in relation to 'Low Density Residential'. As such, 'Low Density Residential' uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. Further, the maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal is to construct one (1) semi-detached dwelling on the lot (2 total dwellings). This use conforms to the permitted uses under the UHOP. Additionally, the proposal will have an overall density of 41.17 units per hectare (2 total units, 0.048578 hectares), which conforms to the maximum permitted density under the UHOP.

Former City of Hamilton Zoning By-law No. 6593

The subject lands are zoned "D" District, (Urban Protected Residential - One and Two Family Dwellings, Etc.) in the former City of Hamilton Zoning By-law No. 6593. The "D" District zoning permits uses such as: single and two-family dwellings; foster homes; residential care facility or retirement home (of no more than 6 residents); school, college, or university; seminary; and cultural, recreational, or community centre. The zone regulations within Section 10 shall apply to the proposed development. A review of the applicable zone regulations will be included below:

Regulation	Requirement
Minimum Lot Frontage	Two-family dwelling: 18 metres
Minimum Lot Area	540 square metres
Minimum Front Yard Depth	6 metres
Minimum Side Yard	Building under 11 metres: 1.2 metres
Minimum Rear Yard	7.5 metres
Maximum Building Height	14 metres
Special Requirements for Front Yard Landscaping	Requirement
Front Yard Landscaping	Two family dwelling: not less than 50% of gross area of front yard shall be used for a landscaped area

Minor Variance

Variances are required to facilitate the proposed development and acknowledge existing conditions. The variances are as follows:

1. To permit a minimum lot frontage of 12.6 metres, whereas a minimum lot frontage of 18 metres is required.
2. To permit a minimum lot area of 485 square metres, whereas a minimum lot area of 540 square metres is required.
3. To permit a side yard width of 1.1 metres, whereas a minimum width of 1.2 metres is required.
4. To permit a front yard landscaping of 40%, whereas a minimum of 50% is required.



This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan?

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits semi-detached dwellings. The proposed dwellings will assist in the diversification of the available housing stock within the neighbourhood, while also capitalizing on an opportunity for the gentle intensification of the neighbourhood. This development purposes an overall density of 41.17 units per hectare, which is compliant with Section E of the Urban Hamilton Official Plan that permits a maximum residential density of 60 units per hectare.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. It is my professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the Former City of Hamilton Zoning By-law 6593?

The required variances to Former City of Hamilton Zoning By-law 6593 are intended to facilitate a desirable built form which is compatible with the existing neighbourhood and is a use permitted in the current zoning.

Lot Frontage

Proposed is a lot frontage of 12.6 metres.

A variance is required to the minimum lot frontage requirement for the proposed development (from 18 metres to 12.6 metres). The surrounding neighbourhood is characterized by dwellings which have reduced lot frontages and dwellings that face the street. Most single-detached dwellings have a frontage under 10 metres (whereas 12 metres is required) and the semi-detached building to the immediate south has a shared frontage of less than 10 metres (this semi-detached structured does consist of two lots with individual frontages of less than 6 metres). Further, despite the reduction, there remains room for a combination of plantings along the frontage and the variance recognizes an existing condition. Accordingly, the proposed reduction in the lot frontage requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

Lot Area

The proposed development will be on a lot with an area of 485 square metres.

A variance is required to the minimum lot area requirement for the proposed development of a semi-detached, two-family dwelling (from 540 square metres to 485 square metres). The surrounding



neighbourhood contains a range of lot areas, with many below the minimum area requirement. The purpose of this reduction is to permit one (1) semi-detached, or two-family dwelling structure and the variance recognizes an existing condition. Accordingly, the intent of the Zoning By-law is maintained.

Side Yard Width

Proposed is a development that will require a minimum side yard of 1.1 metres.

A variance is required to the minimum side yard requirement for the proposed development of a semi-detached, two-family dwelling (from 1.2 metres to 1.1 metres). The purpose of this bylaw is to prevent the development of buildings too close to one another, while allowing access between structures to address items such as repairs. Within the neighbouring parcels, several dwellings appear to be within this side yard. The proposed development will only need a reduction of 10 cm and will still enable appropriate access along the one side yard and into the rear yard. As such the overall intent of this bylaw will still be maintained.

Front Yard Landscaping

Proposed, the development will require the allocation of 40% of the total gross front yard area be used for landscaping.

A variance is required to the minimum requirement for front yard landscaping (from 50% of total gross front yard area to 40%). The purpose of this regulation is to prevent the overdevelopment of lots using hard, grey infrastructure that will not only lead to a less desirable streetscape but also help in stormwater management to absorb precipitation. The proposed development will require access to the dwellings' garage parking spaces. There are other properties within the neighbourhood which have similar front yard drives and parking; some of which appear to occupy more than the required 50%. Furthermore, the remaining front yard will still provide adequate space for plantings and other permeable landscaping features. The overall intent of this bylaw will still be maintained.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate desirable built form within an urban neighbourhood context. The proposed variances are consistent with the established character of the surrounding neighbourhood in terms of scale, density, and will help implement a use permitted within the zoning. The variances are therefore appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts resulting from the variances to the lot frontage, lot area, side yard width, or landscaping requirements as they are in keeping with the general built form and existing setbacks found within this neighbourhood. There are no perceived impacts on the neighbourhood resulting from the proposed development and accordingly, it is my professional planning opinion that the variances are minor in nature.



In accordance with the above criteria, variances to permit reduced lot frontage, lot area – which are existing conditions – side yard width and landscaping requirements will be required to facilitate the redevelopment of the lot as the existing building on the subject lands will be demolished for the redevelopment. The lot is generally in keeping with the lot sizes and frontages in the immediate vicinity of the neighbourhood and will provide a built form that fits into the existing streetscape. As a result, will maintain the character of the area. The variances represent good planning and should be approved.

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, B.A.(Hons), MCIP, RPP
Principal, Planner
A. J. Clarke and Associates Ltd.

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

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 cover letter.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Existing zoning bylaw does not permit two dwellings with given frontage and lot area of subject lands. Side yard reduction allows development despite irregular lot shape. Front yard coverage % to allow minimum driveway access to garage parking facilities.

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**):

35 Hamilton Avenue, Hamilton
Pt Lt 16, Pl 361 , As In Ns60757

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?

Online mapping. Property Owner 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.

March 28, 2022

 Date

DAVID VOPNI Digitally signed by DAVID VOPNI
 DN: C=US, E=DAVE@DDMAC.CA,
 CN=DAVID VOPNI
 Date: 2022.03.28 17:08:05-04'00'

 Signature Property Owner(s)

David Vopni, Michael Puzzella, Daniela Di Gennaro

 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.6 metres
Depth	38.10 metres
Area	485.78 square metres (irregular)
Width of street	_____

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

Existing: _____
 Single detached dwelling to be removed; 1.5 storeys.
 8.49 metres wide, 14.06 metres long. Ground Floor Area = 119.37 square metres
 Connected deck, rotting shed, and portable wood shed are to be removed.

Proposed
 See attached plans

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

Existing:
 Single-detached dwelling to be removed: 7.47m from front lot line, 2.2m front northern side lot line, 1.55 from southern side lot line, and 16.57m from rear lot line.
 Rear deck, rotting shed, and portable wood shed are to be removed.

Proposed:
 See attached plans.

13. Date of acquisition of subject lands:
2021/07/09

14. Date of construction of all buildings and structures on subject lands:
Anticipated for 2022

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, semi-detached dwelling

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" designation as per Schedule E-1, Urban Hamilton Official Plan

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"D" District Zoning as per Former City of Hamilton Zoning Bylaw 6593

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:
n/a

- 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 N/A 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)
Please see attached cover letter.

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-22:97

APPLICANTS: Agent R. & R. Design – R. Khanna
 Owner P. Sawhney

SUBJECT PROPERTY: Municipal address **17 Grosvenor Ave. S., Hamilton**

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

ZONING: “C” (Urban Protected Residential, etc.) district

PROPOSAL: To permit the conversion of the existing single family dwelling to contain a maximum of one Secondary Dwelling Unit, notwithstanding that:

1. No parking spaces shall be provided instead of the minimum required one (1) parking space.
2. The front yard landscaped area shall be a minimum of 1.3% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area

NOTE:

1. A building permit is required for the conversion of the existing single family dwelling into a two family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, May 12th, 2022
TIME: 2:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

HM/A-22: 97

Page 2

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

MORE INFORMATION

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

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

DATED: April 26th, 2022.

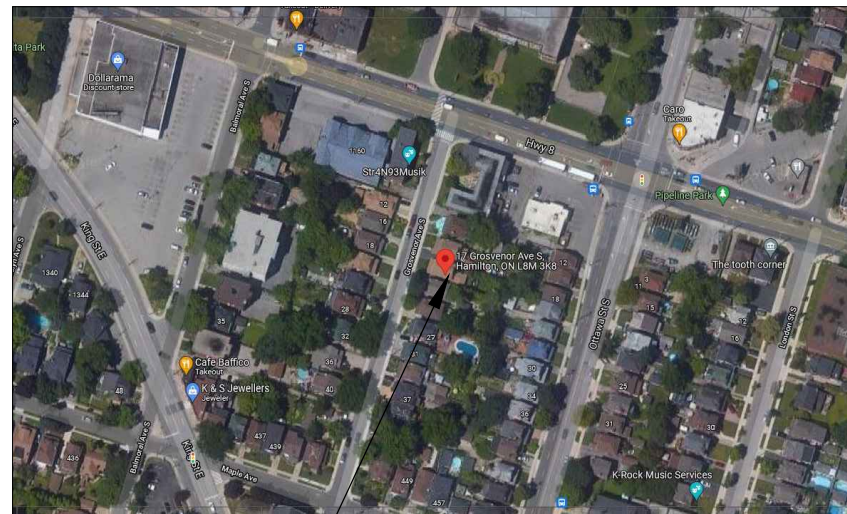
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

PERMIT FOR CONVERSION 17 GROSVENOR AVE. S., HAMILTON, ON L8M 3K8



EXISTING BUILDING IMAGE



AREA OF WORK



KEY MAP

SCOPE OF WORK:

1. CONVERSION OF EXISTING SINGLE FAMILY INTO TWO FAMILY DWELLING.
2. INTERIOR ALTERATIONS, RENOVATIONS, FIRE SEPARATION WORK AND OTHER RELATED WORKS.

SCOPE OF WORK

TITLE/SITE	REVISIONS				
ARCHITECTURAL					
A0.01 COVER PAGE					
SP1.01 EXISTING SITE PLAN					
SP1.02 PROPOSED SITE PLAN					
A0.02 GENERAL NOTES					
A0.03 SCHEDULE					
A1.01 EXISTING BASEMENT FLOOR PLAN					
A1.02 EXISTING FIRST FLOOR PLAN					
A1.03 EXISTING SECOND FLOOR PLAN					
A1.04 EXISTING ATTIC FLOOR PLAN					
A1.05 PROPOSED BASEMENT FLOOR PLAN					
A1.06 PROPOSED FIRST FLOOR PLAN					
A1.07 PROPOSED SECOND FLOOR PLAN					
A1.08 PROPOSED ATTIC FLOOR PLAN					
A2.01 SECTION					

SHEET INDEX

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.



Another project by
92 STAPLETON AVE
HAMILTON, ON L8H 3N6
Tel: 905.547-8668
RICHIE@R-DESIGNS.NET
WWW.R-DESIGNS.NET

REVISIONS

NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
△		
△		
△		

PROJECT #. RR55

DRAWN BY: DD
REVIEWED BY: R.K
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

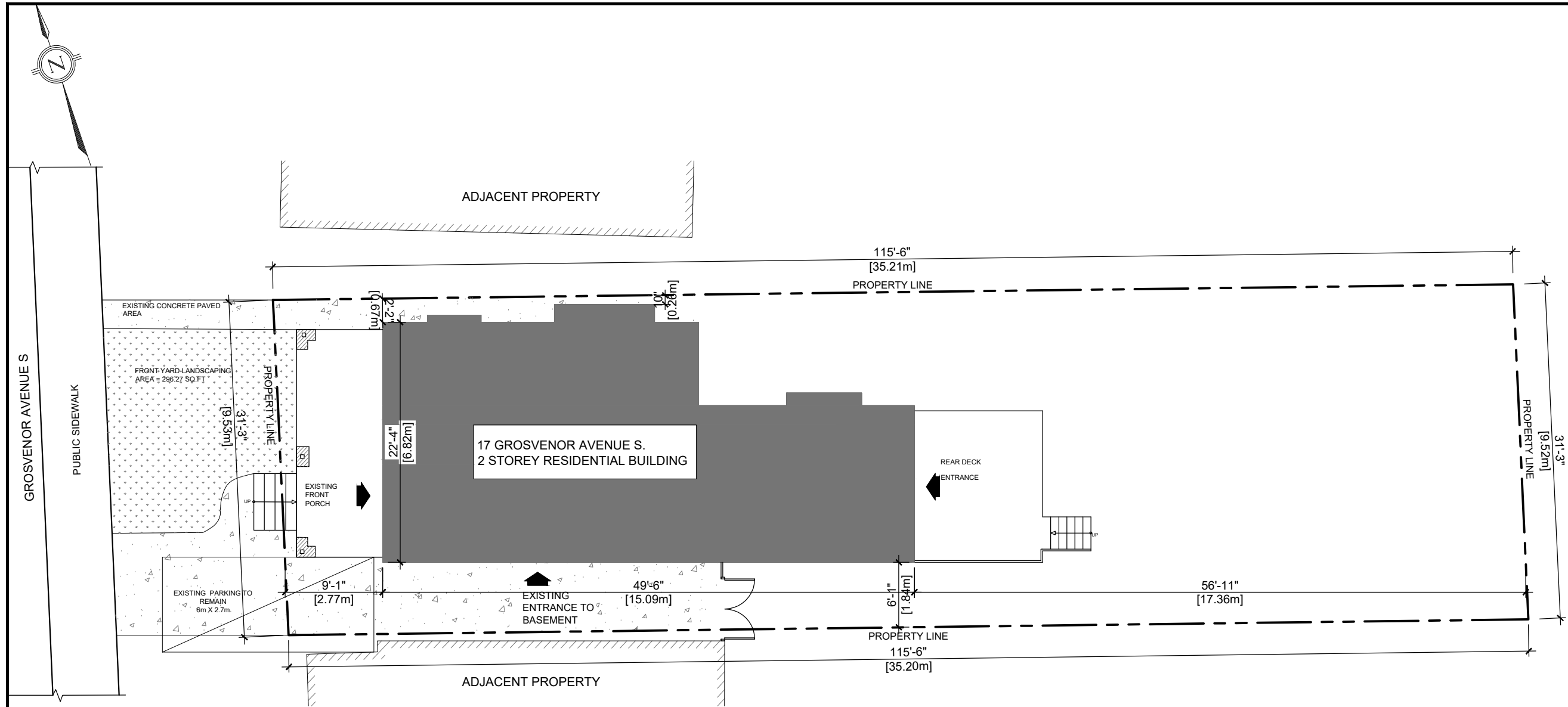
ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME

COVER PAGE

SHEET NO.

A0.01



1 EXISTING SITE PLAN
Scale: 3/32"=1'-0"

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.

Another project by



92 STAPLETON AVE
HAMILTON, ON L8H 3N6
Tel: 905.547-8668
RICHIE@R-DESIGNS.NET
WWW.R-DESIGNS.NET

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△		
△		

PROJECT #. RR55

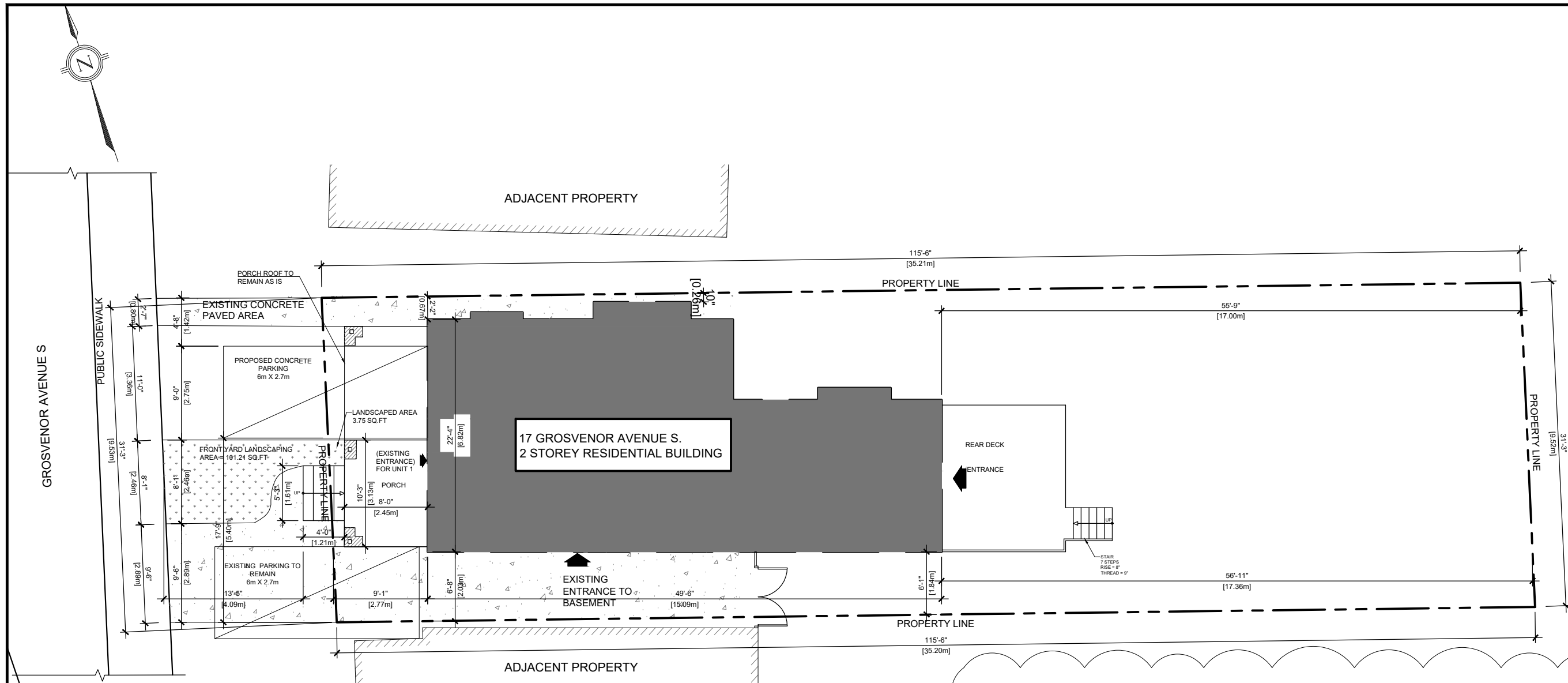
DRAWN BY: DD
REVIEWED BY: R.K
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
SITE PLAN

SHEET NO. **SP1.01**



1 PROPOSED SITE PLAN
Scale: 3/32"=1'-0"

SITE STATISTICS	
SITE LOT	0.08 ACRE (323.75 m ²) (EXISTING)
FRONTAGE	31'-3" (9.53 m) (EXISTING)
DEPTH	115'-6" (35.21 m) (EXISTING)
ZONING CODE	C
ZONING DESCRIPTION	URBAN PROTECTED RESIDENTIAL
PARENT BY-LAW	6593 FORMER HAMILTON
PARKING	1 EXISTING SPOT 1 PROPOSED

BUILDING SETBACKS	
FRONT	2.77 m (EXISTING)
REAR	17.36 m (EXISTING)
NORTH SIDE	0.26 m (EXISTING)
SOUTH SIDE	1.84 m (EXISTING)
BUILDING STATISTICS	
HEIGHT	EXISTING TO REMAIN
WIDTH	6.82 m (EXISTING)
DEPTH	15.09 m (EXISTING)
# OF STOREYS	2 + BASEMENT AND ATTIC

LOCATION	Sqm	AREA	Sqft	PERCENTAGE
BASEMENT (UNIT 1)	88.37	PAVED	47.59+1.7+2.85+64.5 = 116.64	-
FIRST FLOOR (UNIT 1)	89.87	PORCH	89.5	-
UNIT 1	178.24	DRIVE WAY	86.7	-
SECOND FLOOR (UNIT 2)	61.15	LANDSCAPE	3.76	±1.3
ATTIC FLOOR (UNIT 2)	29.84	HARD SCAPE	116.64+89.5+86.7= 292.84	±98.7
UNIT 2	90.99	TOTAL	±296.7	100
UNIT 1 + UNIT 2	(178.24+90.99) = 269.23			

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**ARCHITECT
ENGINEER**

R&R DESIGNS INC.

Another project by



92 STAPLETON AVE
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REVISIONS		
NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
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PROJECT #. RR55

DRAWN BY: DD
REVIEWED BY: R.K
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
SITE PLAN

SHEET NO. **SP1.02**

GENERAL NOTES:

1. CONTRACTOR TO VERIFY ALL DESIGN DRAWINGS AS THEY APPLY FOR EACH TRADE AS APPLICABLE TO THE PROJECT.
2. INSPECT INTERIOR AND EXTERIOR WALLS. REPLACE ANY DAMAGED SUBSTRATE WALLS ETC. INSPECT WINDOWS & WALLS BELOW WINDOWS FOR EVIDENCE OF MOISTURE DAMAGE & IMPROPERLY INSTALLED FLASHING. VERIFY WITH OWNER.
3. ALL BEAMS WITH POINT LOADS TO BE SIZED BY PROFESSIONAL ENGINEER.
4. PROVIDE ENGINEERED LINTELS FOR ALL OPENINGS SUPPORTING TRUSSES SPANNING MORE THAN 4 FEET.
5. ALL LEVEL BEAMS @ HEADERS TO BE PRE-ENGINEERED BY LVL SUPPLIER.
6. ANY PORTION OF CONCRETE WALL THAT IS Laterally UNSUPPORTED FOR 48" OR MORE IN LENGTH, MUST BE ENGINEERED.
7. ENERGY REQUIREMENTS AS PER SB-12 OF THE O.B.C.
8. MILLWORK SUB-CONTRACTOR OR GENERAL CONTRACTOR SHALL VERIFY ON SITE ALL DIMENSIONS THAT ARE NECESSARY FOR THE CONSTRUCTION & INSTALLATION OF FURNITURE, MILLWORK AND EQUIPMENT.
9. ALL SUB FLOORS SCREWED & GLUED TO FLOOR JOISTS.
10. ALL PERIMETER WALLS TO BE STRIPED FROM THE INSIDE, CLEANED, ALL MOLD TO BE REMOVED AND DAMAGED AREAS TO BE REPAIRED AND PREPARED TO RECEIVE NEW FINISH. (UNLESS NOTED OTHERWISE).
11. ALL SWITCHES AND OUTLETS TO BE INSTALLED AS

PER PART 9.34.2 OF THE O.B.C.

12. PLUMBING NOTE: PRESSURE BALANCED OR THERMOSTATICALLY CONTROLLED MIXING VALVES FOR SHOWER UNITS. PRESSURE BALANCED OR THERMOSTATICALLY CONTROLLED MIXING VALVES FOR ALL FAUCETS OR WATER HEATER SOURCE.
13. CONTRACTOR TO VERIFY ALL EXISTING GRADES AND ALL FINISHED GRADES ON SITE.
14. ALL DIMENSIONS ARE TO INTERIOR WALL FACE. ONLY NEW INTERIOR PARTITION DIMENSIONS SHOWN ON PROPOSED DRAWING. EXTERIOR WALL AND EXITING INTERIOR WALL DIMENSIONS SHALL BE VERIFIED ON SITE.
15. FOR INTERIOR FINISHES, VERIFY WITH OWNER.
16. IF THERE IS NO SPECIFIED, EXISTING ITEMS TO REMAIN, REPAIR IF IT IS REQUIRED.

FIRE PROTECTION:

1. INTERCONNECTED CARBON MONOXIDE DETECTOR SHALL BE INSTALLED IN THE BASEMENT IN A RETURN DUCT THAT WILL SHUT OFF THE FURNACE FAN IN THE EVENT OF A FIRE. CARBON MONOXIDE DETECTORS REQUIRED FOR ALL FUEL APPLIANCES (O.B.C. 9.33.4.2).
2. INSTALL SMOKE ALARMS IN EACH SLEEPING ROOM ON EVERY FLOOR AS PER 9.10.19.3.(1) (B).
3. SMOKE ALARMS SHALL BE WIRED SO THAT WHEN THE ALARM SOUNDS, ALL ALARMS SOUND. SMOKE ALARMS SHOULD CONFORM TO SECTION 9.10.19.6. (SILENCING).
4. ALL SMOKE ALARMS TO BE INTERCONNECTED AS PER 9.10.19.5. ALL SMOKE ALARMS TO HAVE VISUAL SIGNAL DEVICE IN ADDITION TO AN AUDIBLE SIGNAL DEVICE.

FIRE SEPARATION NOTES:

1. EXISTING FIRE SEPARATIONS TO BE MAINTAINED.
2. DAMAGED AREAS SHALL BE CORRECTED BY THE G.C. ANY PENETRATIONS SHALL BE SEALED TO ENSURE NO COMPROMISE OF FIRE RATINGS.
3. EVERY DOOR IN A FIRE SEPARATION SHALL HAVE A SELF-CLOSING DEVICE AS PER 9.10.12.10. (1).

WASHROOMS:

1. WATERPROOF WALLBOARD REQUIRED AS TILE BASE AROUND TUBS AND SHOWERS.
2. USE MOISTURE RESISTANT DRYWALL IN WET AREAS.

STAIRS:

1. ALL HANDRAILS AND GUARDS TO BE INSTALLED AS PER SB-1 OF THE O.B.C.

CONTRACTOR TO VERIFY ALL THE DIMENSIONS ON SITE. ANY DISCREPANCY TO BE INFORMED TO THE DESIGNER RIGHT AWAY.

ALL NEW FIXTURES APPLIANCES, FINISHES TO BE CONFIRMED WITH OWNER PRIOR TO ORDERING AND INSTALLATION

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3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

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ENGINEER

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PROJECT #.	RR55
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PROJECT NAME	CONVERSION TO TWO UNITS
ADDRESS:	17 GROSVENOR AVE S., HAMILTON ON L8M 3K8

SHEET NAME	
GENERAL NOTES	
SHEET NO.	A0.02

EXTERIOR WALL ASSEMBLY			
WALL TAG	PLAN LEGEND	WALL CONSTRUCTION	WALL ASSEMBLY DESCRIPTION
W1			EXISTING EXTERIOR WALL EXISTING FRR NOT LESS THAN 45MIN (SB-3, TABLE 1, W1b)
W2			NEW BRICK VENEER EXTERIOR WALL ASSEMBLY: - BRICK VENEER - 3/4" AIR SPACE - 1 " RIGID INSULATION - BLUE SKIN VP-160 - 1/2" EXTERIOR PLYWOOD - 2X6 WOOD STUD @16"O/C - BATT INSULATION IN CAVITIES MINIMUM R-22 - 6" MIL POLY VAPOUR BARRIER - 1/2" GWB - INTERIOR FINISH
W3			EXISTING SIDING EXTERIOR WALL ASSEMBLY: - VINYL SIDING - 3/4" AIR SPACE - 1 " RIGID INSULATION - BLUE SKIN VP-160 - 1/2" EXTERIOR PLYWOOD - 2X6 WOOD STUD @16"O/C - BATT INSULATION IN CAVITIES MINIMUM R-22 - 6" MIL POLY VAPOUR BARRIER - 1/2" GWB - INTERIOR FINISH

INTERIOR PARTITION WALLS			
WALL TAG	PLAN LEGEND	WALL CONSTRUCTION	WALL ASSEMBLY DESCRIPTION
P1			EXISTING INTERIOR PARTITION WALL - TO REMAIN - INTERIOR FINISH - 1/2" (12.7MM) REGULAR GWB - 2X4 WOOD STUD @ 16" O.C. - 1/2" (12.7MM) REGULAR GWB - INTERIOR FINISH PROVIDE FOR DWELLING UNIT INSIDE INTERIOR WALLS
P2			NEW INTERIOR FIRE SEPARATION WALL - INTERIOR FINISH - 5/8" (15.9MM) TYPE X GWB - NEW OR EXISTING 2"x4" STUD @ 16" O.C. W/ NEW BATT INSULATION - RESILIENT METAL CHANNELS - 2 LAYERS 5/8" (15.9MM) TYPE X GWB - INTERIOR FINISH PROVIDE FOR MECHANICAL ROOM. FRR NOT LESS THAN 1HR (SB-3, TABLE 1, W4a) SOUND TRANSMISSION (STC) 51
P3			NEW INTERIOR PARTITION WALL - INTERIOR FINISH - 1/2" (12.7MM) REGULAR GWB - 2X4 WOOD STUD @ 16" O.C. - 1/2" (12.7MM) REGULAR GWB - INTERIOR FINISH PROVIDE FOR DWELLING INTERIOR PARTITIONS.

FLOOR & ROOF ASSEMBLY		
FLOOR TAG	FLOOR CONSTRUCTION	FLOOR ASSEMBLY DESCRIPTION
FC1		EXISTING GROUND FLOOR ASSEMBLY - NEW FLOOR FINISH - EXISTING WOOD FLOOR ASSEMBLY TO REMAIN 1/2"(15.5MM) PLYWOOD SUBFLOOR WOOD JOIST @16" O.C. - NEW 1 LAYER 1/2" REGULAR GWB - NEW CEILING FINISH
FC2		FLOOR ASSEMBLY - FIRE RATED PROVIDE FOR BASEMENT MECHANICAL ROOM AND SECOND FLOOR - NEW FLOOR FINISH - EXISTING WOOD FLOOR ASSEMBLY TO REMAIN 1/2"(15.5MM) PLYWOOD SUBFLOOR WOOD JOIST @16" O.C. - NEW ABSORPTIVE MATERIAL IN CAVITY - RESILIENT METAL CHANNEL PERPENDICULAR TO JOIST @16" O/C - 2 LAYERS 5/8" (15.9MM) TYPE X GWB - CEILING FINISH FRR NOT LESS THAN 1HR (SB-3, TABLE 2, F9c) SOUND TRANSMISSION (STC) 52
ROOF TAG	ROOF CONSTRUCTION	ROOF ASSEMBLY DESCRIPTION
RC1		EXISTING ROOF ASSEMBLY - EXISTING ROOF FINISH TO REMAIN - EXISTING ROOF MEMBRANE TO REMAIN - EXISTING ROOF STRUCTURAL ASSEMBLY TO REMAIN - EXISTING ROOF CEILING JOIST W/ INSULATION TO REMAIN - EXISTING 1 LAYER 1/2" REGULAR GWB - NEW CEILING FINISH FRR NOT LESS THAN 45MIN (SB-3, TABLE 2, R1)

LEGEND:

- EXISTING WALL/ PARTITION TO REMAIN
- NEW EXTERIOR WALL
- NEW INTERIOR PARTITION
- NEW FIRE SEPARATION PARTITION (1 HR FRR, 50 STC)
- WALL TO BE DEMOLISHED
- NEW SMOKE ALARM INTERCONNECTED AND CO DETECTOR WITH VISUAL SIGNALING COMPONENT
- NEW EXHAUST FAN

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ENGINEER

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 Another project by

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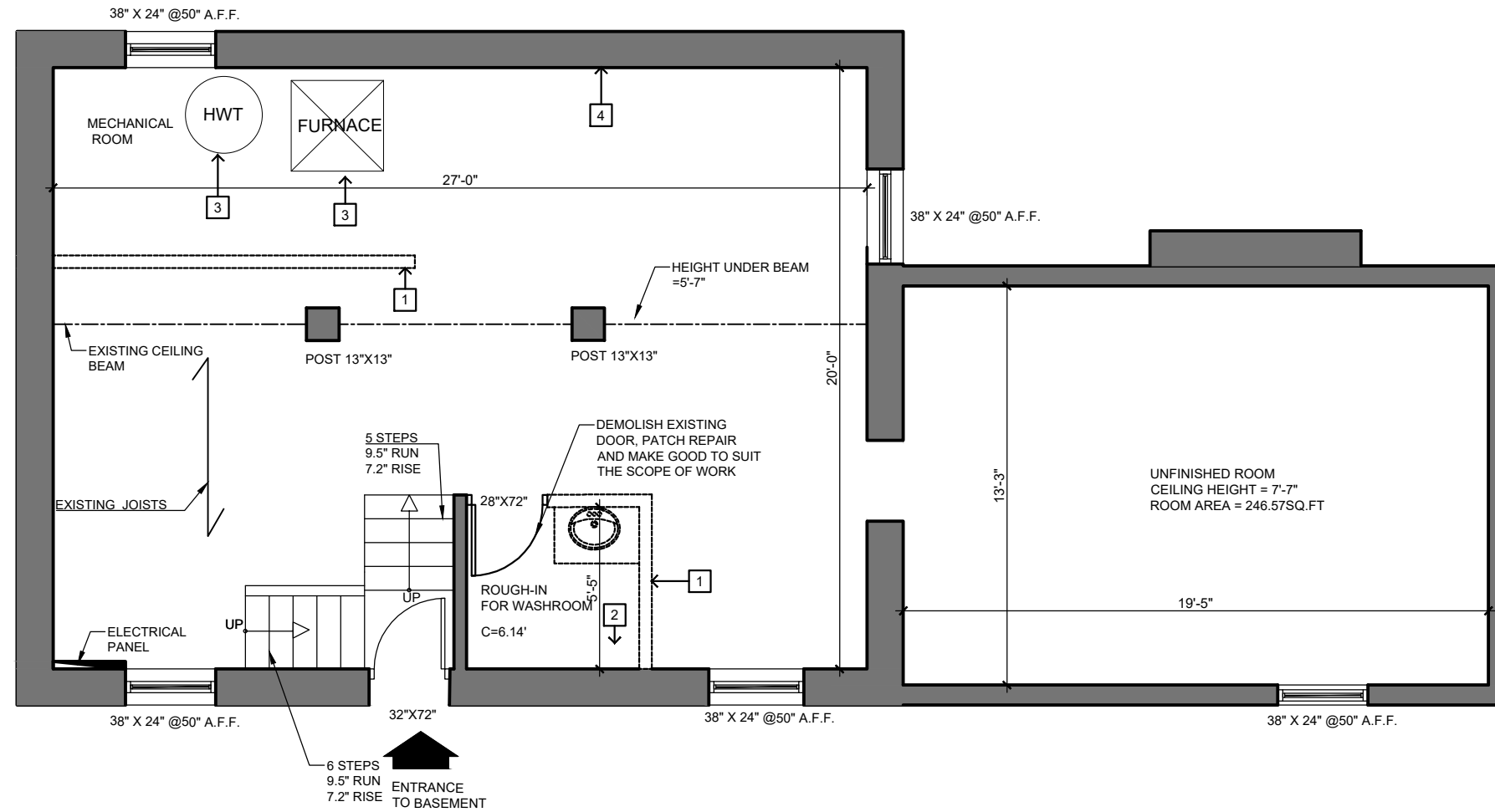
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PROJECT NAME
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ADDRESS:
 17 GROSVENOR AVE S.,
 HAMILTON ON L8M 3K8

SHEET NAME
 SCHEDULES

SHEET NO. **A0.03**



DEMO KEY NOTES:

1. DEMOLISH EXISTING INTERIOR WALL .
2. DEMOLISH EXISTING WASHROOM .
3. RELOCATE THE EXISTING FURNACE AND HWT.REFER PROPOSED BASEMENT FLOOR PLAN.
4. IF NOT MENTIONED EXISTING TO REMAIN AS IS.

PATCH REPAIR AND MAKE GOOD THE AREA AFFECTED BY SCOPE OF WORK. REFER TO PROPOSED FLOOR PLAN FOR SCOPE OF WORK

ALL NEW FIXTURES APPLIANCES, FINISHES TO BE CONFIRMED WITH OWNER PRIOR TO ORDERING AND INSTALLATION

1 EXISTING BASEMENT FLOOR PLAN
Scale: 3/16=1'-0"

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
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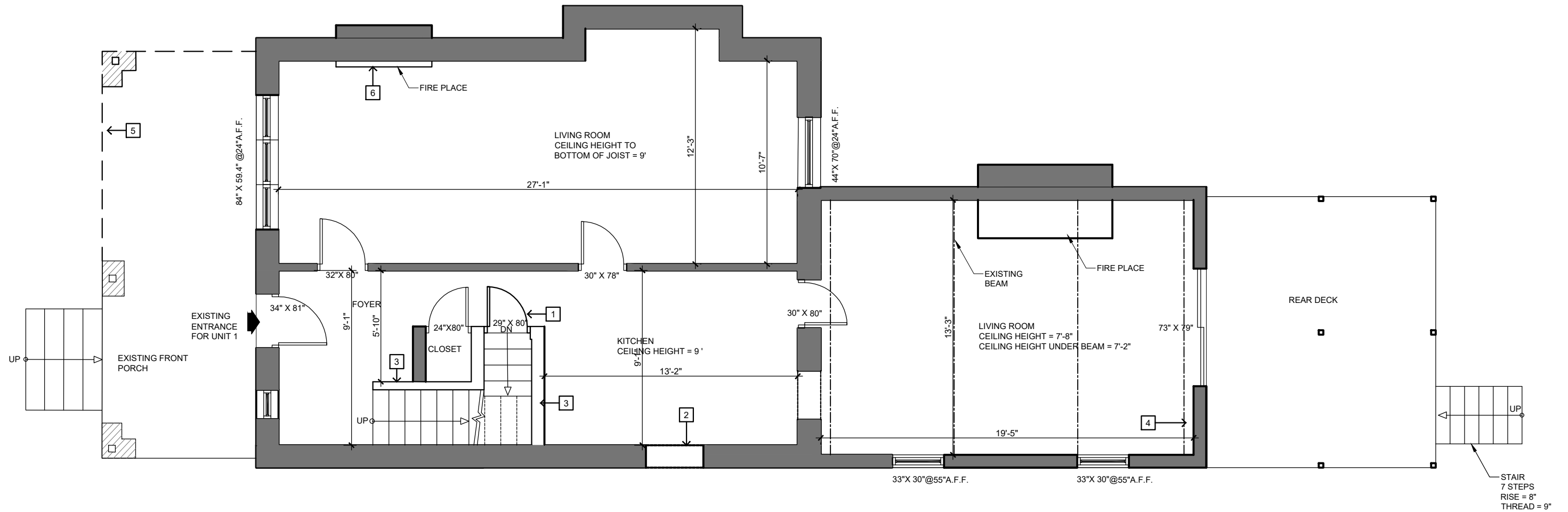
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ADDRESS:
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SHEET NAME
EXISTING BASEMENT FLOOR PLAN

SHEET NO. **A1.01**



1 EXISTING FIRST FLOOR PLAN
Scale: 3/16"=1'-0"

DEMO KEY NOTES:

1. DEMOLISH EXISTING INTERIOR DOOR.
2. CUT EXISTING WALL FOR NEW WINDOW.
3. EXISTING INTERIOR WALL: REMOVE EXISTING GYPSUM BOARD, STUDS TO REMAIN AS IS. PATCH AND REPAIR, PREPARE TO INSTALL NEW FIRE SEPARATION WALL. FOR WALL ASSEMBLY REFER TO WALL SCHEDULES, SEE SHEET A0.03.
4. IF NOT MENTIONED, EXISTING TO REMAIN AS IS.
5. DEMOLISH A PORTION OF EXISTING FRONT PORCH SHOWN IN DASHED LINE. ROOF AND POSTS TO REMAIN AS IS. CUT THE DECK TO MAKE ROOM FOR PARKING. REFER SITE PLAN FOR PROPOSED SCOPE OF WORK FOR THIS AREA.
6. DEMOLISH EXISTING FIREPLACE.

PATCH REPAIR AND MAKE GOOD THE AREA AFFECTED BY SCOPE OF WORK. REFER TO PROPOSED FLOOR PLAN FOR SCOPE OF WORK

ALL NEW FIXTURES APPLIANCES, FINISHES TO BE CONFIRMED WITH OWNER PRIOR TO ORDERING AND INSTALLATION

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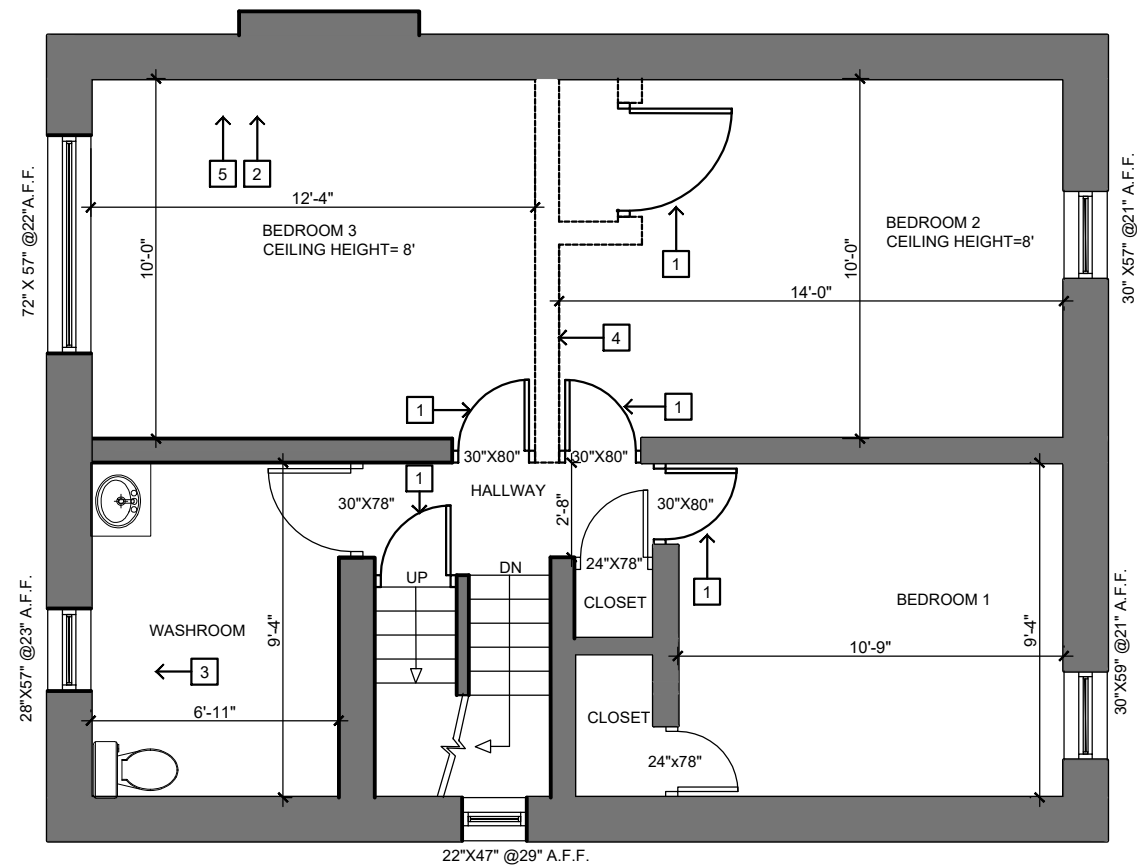
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SHEET NAME
EXISTING FIRST FLOOR PLAN

SHEET NO. **A1.02**



DEMO KEY NOTES:

1. DEMOLISH EXISTING DOORS.
2. PATCH AND REPAIR EXISTING EXTERIOR WALLS AS REQUIRED.
3. REMOVE EXISTING BATHROOM FIXTURES AND REPLACE WITH NEW
4. DEMOLISH EXISTING INTERIOR WALLS SHOWN IN DASHED.
5. IF NOT MENTIONED, EXISTING TO REMAIN AS IS.

PATCH REPAIR AND MAKE GOOD THE AREA AFFECTED BY SCOPE OF WORK. REFER TO PROPOSED FLOOR PLAN FOR SCOPE OF WORK

ALL NEW FIXTURES APPLIANCES, FINISHES TO BE CONFIRMED WITH OWNER PRIOR TO ORDERING AND INSTALLATION

1 EXISTING SECOND FLOOR PLAN

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

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SHEET NAME
EXISTING SECOND FLOOR PLAN

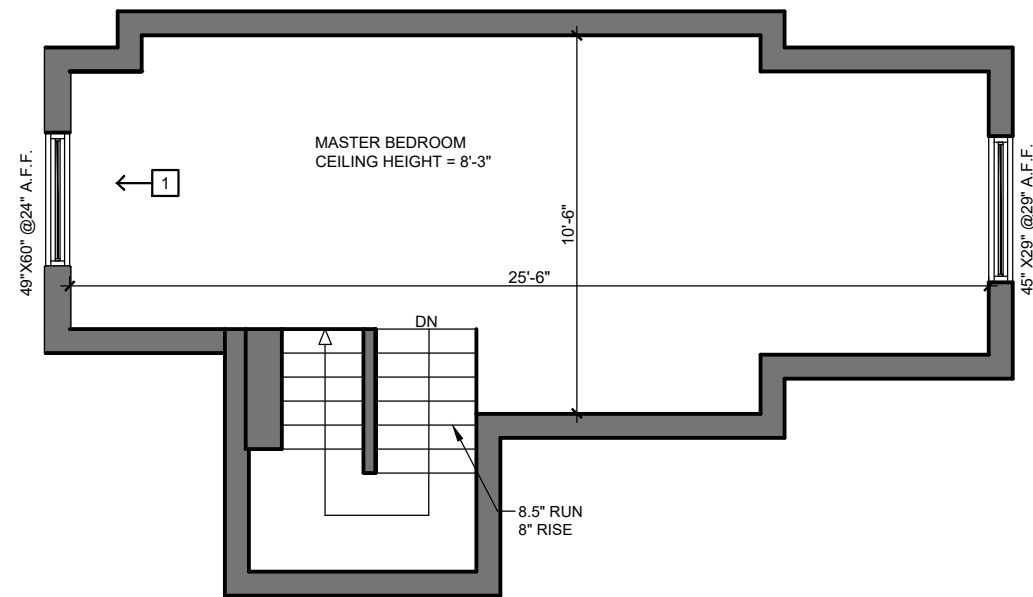
SHEET NO. **A1.03**

DEMO KEY NOTES:

1. IF NOT MENTIONED EXISTING TO REMAIN AS IS.

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ALL NEW FIXTURES APPLIANCES, FINISHES TO BE CONFIRMED WITH OWNER PRIOR TO ORDERING AND INSTALLATION



1 EXISTING ATTIC FLOOR PLAN

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

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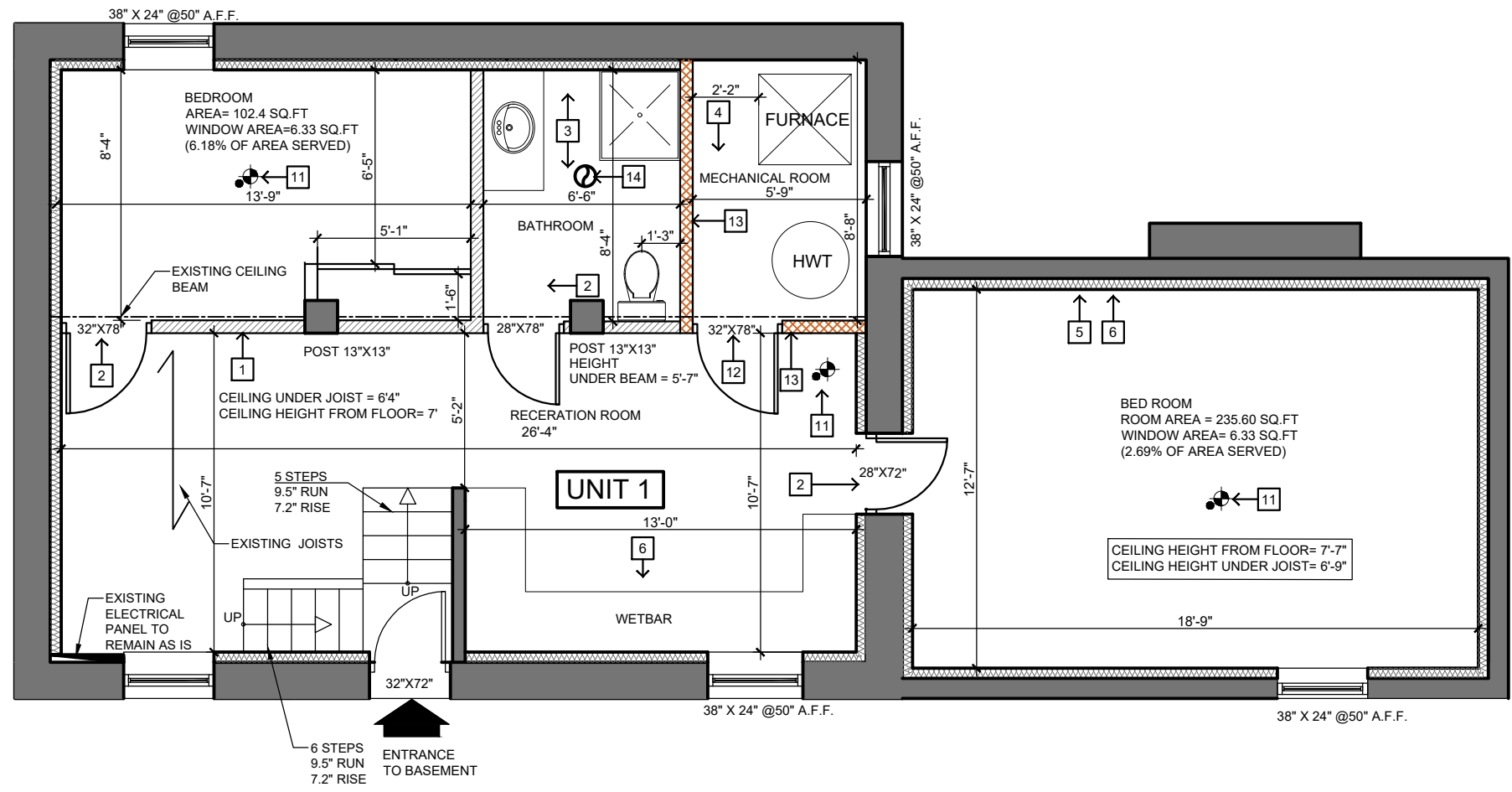
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SHEET NAME	
EXISTING ATTIC FLOOR PLAN	
SHEET NO.	A1.04



CONSTRUCTION KEY NOTES:

1. INSTALL NEW REGULAR INTERIOR WALL. INTERIOR WALL ASSEMBLY :
 -1/2" DRYWALL
 -2X4 STUDS
 -1/2" DRYWALL
2. INSTALL NEW DOORS .NOTE: DIMENSIONS DOES NOT INCLUDE DOOR FRAME.
3. INSTALL NEW FIXTURES AS SHOWN ON PLAN.
4. INSTALL NEW MECHANICAL ROOM
5. INSTALL INTERIOR INSULATED WALL FROM INTERIOR SIDE OF EXTERIOR WALL PERIMETER. WALL ASSEMBLY:
 - EXISTING CONCRETE FOUNDATION WALL
 -NEW 2X4 WOOD STUD @ 16" O/C
 -NEW BATT INSULATION MINIMUM R-20
 -NEW 6MIL VAPOUR BARRIER
 -NEW 1/2" REGULAR GYPSUM BOARD
 -NEW INTERIOR FINISH
10. INSTALL NEW WETBAR
11. INSTALL INTERCONNECTED CO/SMOKE DETECTORS .
12. INSTALL NEW FIRE RATED DOOR TO MECHANICAL ROOM.DOOR TO MEET 1 HR FRR.
13. INSTALL NEW FIRE SEPARATION WALL TO SEPARATE MECHANICAL ROOM. MAINTAIN WALL TO MEET 1 HOUR FIRE RESISTANCE RATING (FRR). WALL ASSEMBLY:
 - INTERIOR FINISH
 - 5/8" (15.9MM) TYPE X GWB
 - 2X4 WOOD STUD 16" O.C. W/ ABSORPTIVE MATERIAL
 - 5/8" (15.9MM) TYPE X GWB
 - INTERIOR FINISH
14. INSTALL NEW EXHAUST FAN IN BATHROOM IF MISSING.

1 PROPOSED BASEMENT FLOOR PLAN
 Scale: 3/16"=1'-0"

NOTE: BASEMENT AND FIRST FLOOR TO BE UNIT 1,
 SECOND FLOOR AND ATTIC TO BE UNIT 2

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
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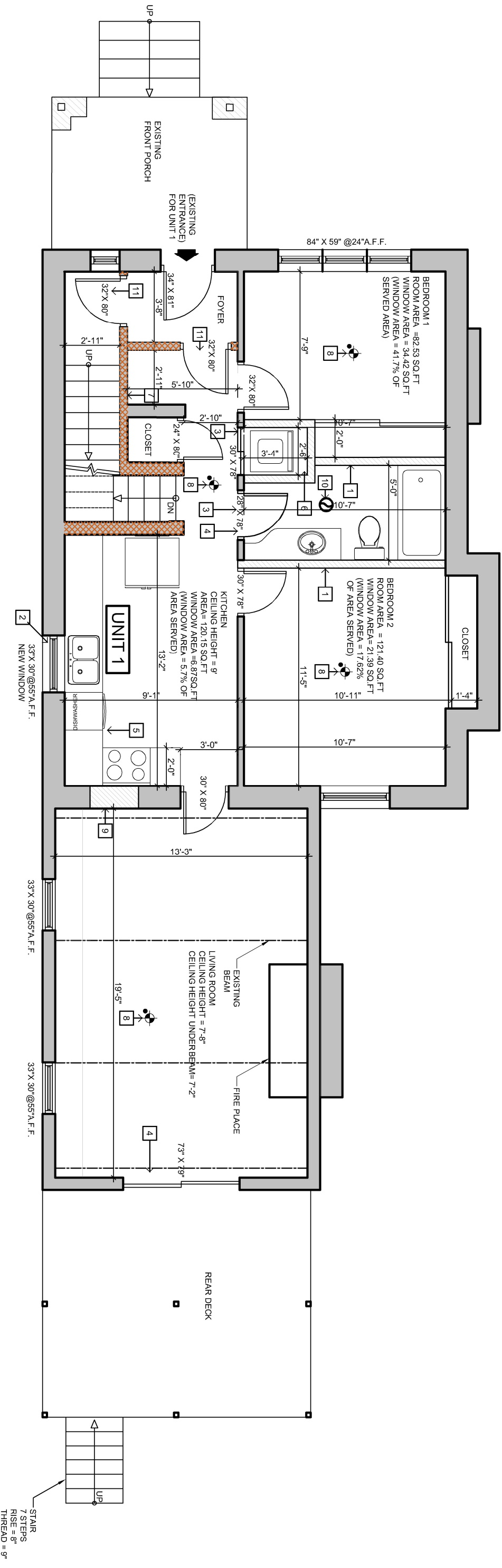
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PROJECT NAME
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ADDRESS:
 17 GROSVENOR AVE S.,
 HAMILTON ON L8M 3K8

SHEET NAME
 PROPOSED BASEMENT
 FLOOR PLAN

SHEET NO. **A1.05**



1 PROPOSED FIRST FLOOR PLAN
Scale: 3/16"=1'-0"

CONSTRUCTION KEY NOTES:

1. INSTALL NEW REGULAR INTERIOR WALL WALL ASSEMBLY:
-1/2" DRYWALL
-2X4 STUDS
-1/2" DRYWALL
2. INSTALL NEW EXTERIOR WINDOWS. NOTE: DIMENSIONS ON DRAWING NOT INCLUDE WINDOW FRAMES. DOUBLE CHECK WINDOW SIZES ON SITE BEFORE COMMENCING WORK.
3. INSTALL NEW INTERIOR DOORS. NOTE: DIMENSIONS ON DRAWING NOT INCLUDE DOOR FRAMES.
4. INSTALL NEW BATHROOM AND BATHROOM FIXTURES.
5. INSTALL NEW KITCHEN MILLWORK.
6. INSTALL NEW STACKABLE LAUNDRY.
7. INSTALL NEW FIRE SEPARATION WALL TO MEET 1 HOUR FIRE RESISTANCE RATING (FRR).
WALL ASSEMBLY:
- INTERIOR FINISH
- 5/8" (15.9MM) TYPE X GWB
- 2X4 WOOD STUD 16" O.C. W/ ABSORPTIVE MATERIAL
- 5/8" (15.9MM) TYPE X GWB
- INTERIOR FINISH
8. INSTALL NEW INTERCONNECTED COSMOKE DETECTOR.
9. CLOSE EXISTING OPENING IN THE INTERIOR WALL. MATCH WALL COMPOSITION WITH THE ADJACENT WALL..
10. INSTALL NEW EXHAUST FAN IF MISSING.
11. INSTALL NEW 45 MINS FRR INTERIOR DOORS. NOTE: DIMENSIONS ON DRAWING NOT INCLUDE DOOR FRAMES.

NOTE: BASEMENT AND FIRST FLOOR TO BE UNIT 1,
SECOND FLOOR AND ATTIC TO BE UNIT 2

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.
Another project by
RR designs
Architectural Services, Residential & Commercial

92 STAPLETON AVE
HAMILTON, ON L8H 3N6
Tel: 905.547.8668
RICHE@R-RDESIGNS.NET
WWW.R-RDESIGNS.NET

REVISIONS		
NO.	DESCRIPTION	DATE
Δ	CLIENT REVIEW	2021-11-25
Δ	ISSUED FOR PERMIT	2021-11-30
Δ	MINOR VARIANCE	2022-03-18

PROJECT #. RR55

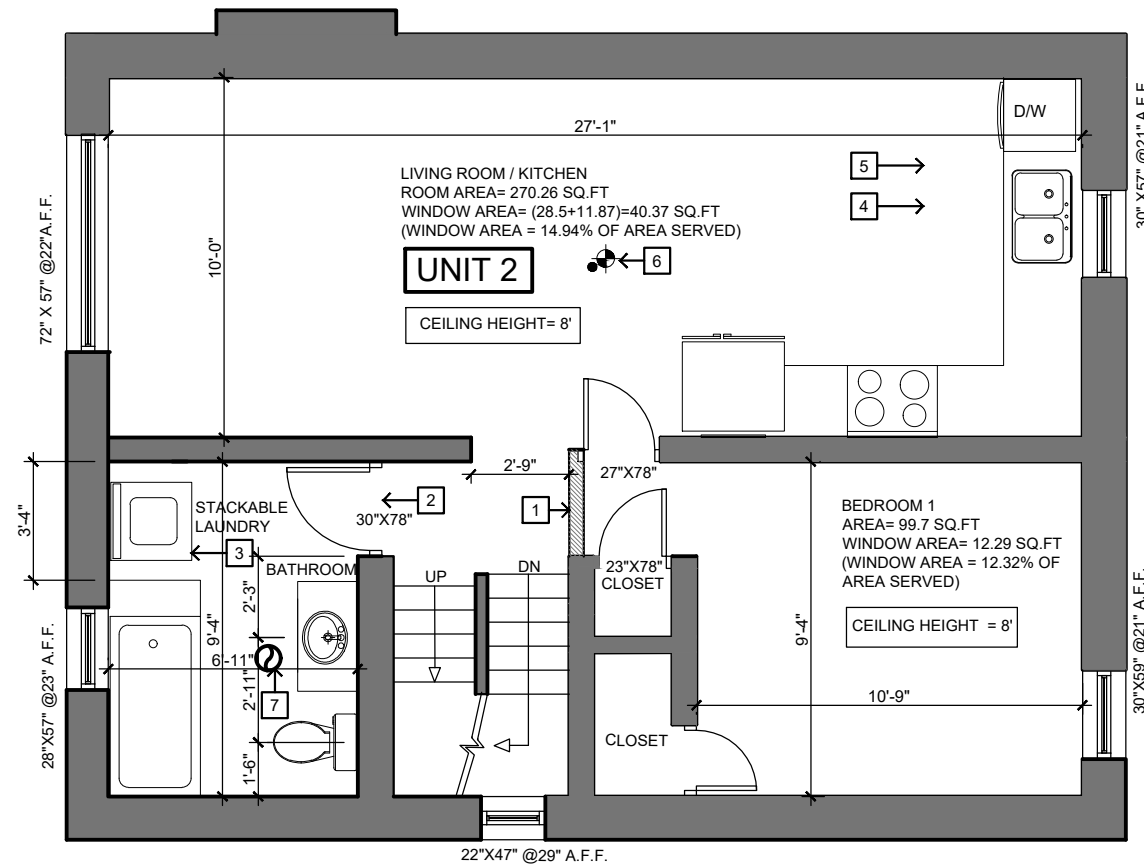
DRAWN BY: DD
REVIEWED BY: R.K
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVEENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
PROPOSED FIRST
FLOOR PLAN

SHEET NO. **A1.06**



CONSTRUCTION KEY NOTES:

1. INSTALL NEW REGULAR INTERIOR WALL. WALL ASSEMBLY:
 -1/2" DRYWALL
 -2X4 STUDS
 -1/2" DRYWALL.
2. INSTALL NEW INTERIOR DOORS. NOTE: DIMENSIONS ON DRAWING NOT INCLUDE DOOR FRAMES.
3. INSTALL NEW STACKABLE LAUNDRY. VENT DIRECTLY TO THE EXTERIOR.
4. INSTALL NEW KITCHEN MILLWORK.
5. IF NOT MENTIONED EXISTING TO REMAIN AS IS.
6. INSTALL INTERCONNECTED CO/SMOKE DETECTOR.
7. INSTALL NEW EXHAUST FAN IN BATHROOM IF MISSING.

1 PROPOSED SECOND FLOOR PLAN

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

NOTE: BASEMENT AND FIRST FLOOR TO BE UNIT 1,
 SECOND FLOOR AND ATTIC TO BE UNIT 2

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

**ARCHITECT
ENGINEER**

R&R DESIGNS INC.

Another project by



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 HAMILTON, ON L8H 3N6
 Tel: 905.547-8668
 RICHIE@R-DESIGNS.NET
 WWW.R-DESIGNS.NET

REVISIONS		
NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
△		
△		

PROJECT #. RR55

DRAWN BY: DD

REVIEWED BY: R.K

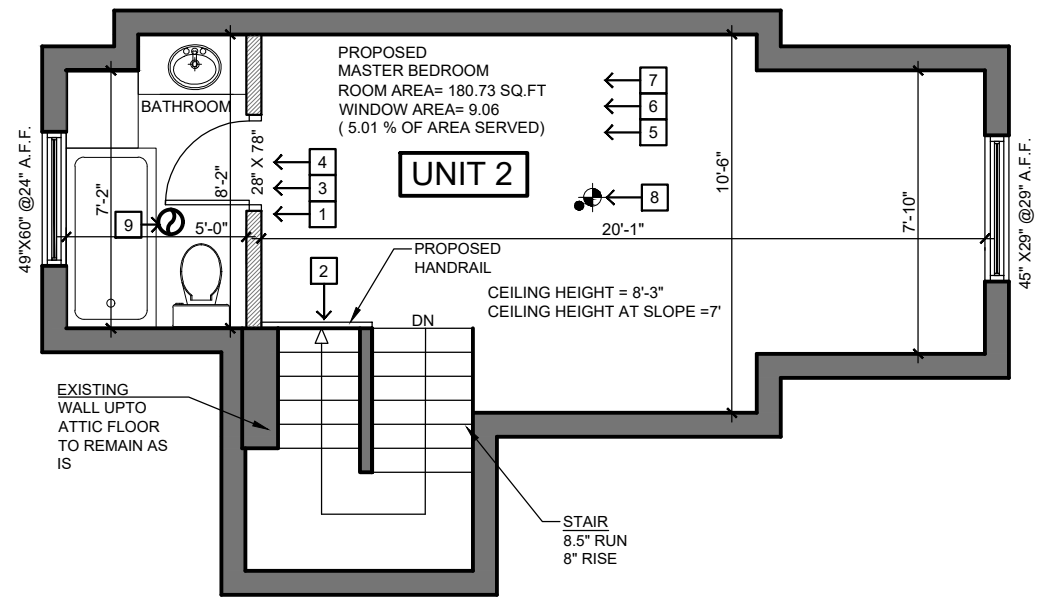
DATE: 2021-11-30

PROJECT NAME
 CONVERSION TO TWO UNITS

ADDRESS:
 17 GROSVENOR AVE S.,
 HAMILTON ON L8M 3K8

SHEET NAME
 PROPOSED SECOND FLOOR PLAN

SHEET NO. **A1.07**



CONSTRUCTION KEY NOTES:

1. INSTALL NEW REGULAR INTERIOR WALL. WALL ASSEMBLY:
 -1/2" DRYWALL
 -2X4 STUDS
 -1/2" DRYWALL
2. INSTALL NEW HANDRAILS AND GUARD RAILS. GUARDRAIL HEIGHT MINIMUM=42". HANDRAIL MINIMUM HEIGHT=36".
3. INSTALL NEW BATHROOM.
4. INSTALL NEW DOOR SIZE 28"X78"
5. INSTALL NEW FLOOR FINISHES ALL LEVEL THROUGHOUT.
6. INSTALL NEW TRIMS AND BASEBOARDS.
7. INSTALL NEW ELECTRICAL AND LIGHT FIXTURES.
8. INSTALL NEW INTERCONNECTED CO/SMOKE DETECTOR ALARM.
9. INSTALL NEW EXHAUST FAN IN BATHROOM IF MISSING.

1 PROPOSED ATTIC FLOOR PLAN

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

NOTE: BASEMENT AND FIRST FLOOR TO BE UNIT 1, SECOND FLOOR AND ATTIC TO BE UNIT 2

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.

Another project by



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HAMILTON, ON L8H 3N6
Tel: 905.547-8668
RICHIE@R-RDESIGNS.NET
WWW.R-RDESIGNS.NET

REVISIONS		
NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
△		
△		

PROJECT #. RR55

DRAWN BY: DD

REVIEWED BY: R.K

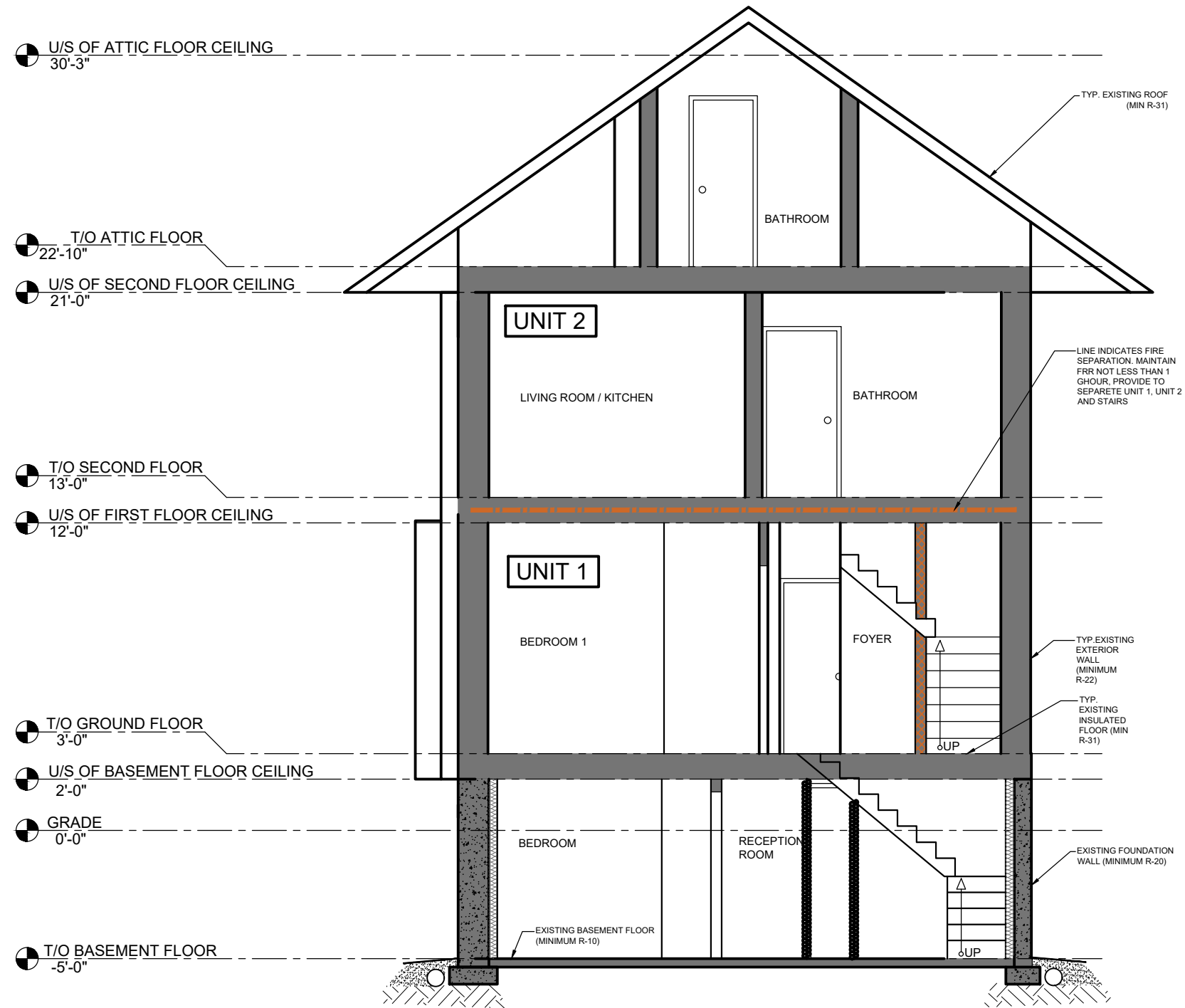
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
PROPOSED ATTIC
FLOOR PLAN

SHEET NO. **A1.08**



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

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.

Another project by



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HAMILTON, ON L8H 3N6
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RICHIE@R-RDESIGNS.NET
WWW.R-RDESIGNS.NET

REVISIONS		
NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
△		
△		

PROJECT #. RR55

DRAWN BY: DD

REVIEWED BY: R.K

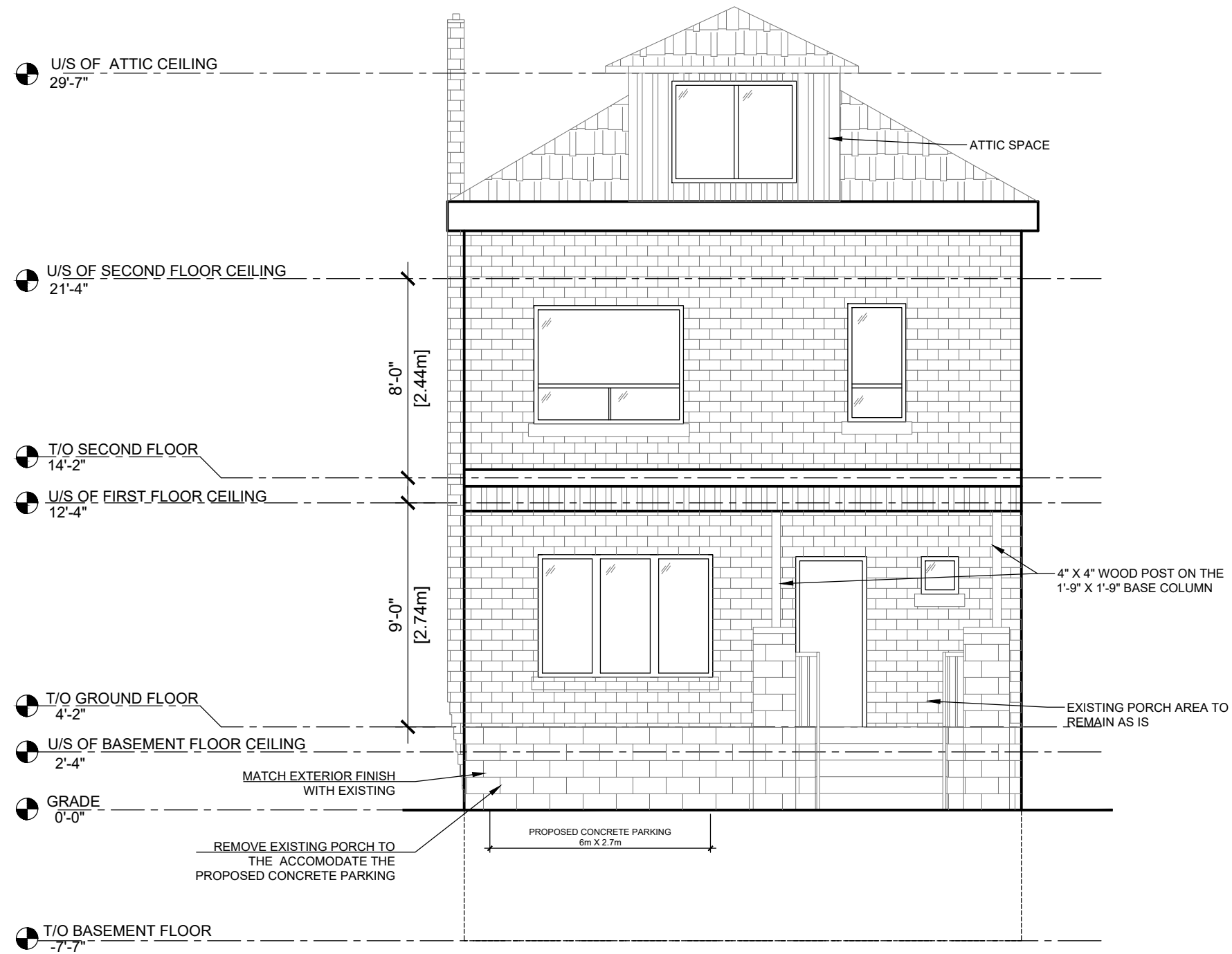
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
BUILDING SECTION

SHEET NO. **A2.01**



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

1. CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
2. DO NOT SCALE DRAWINGS.
3. THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED, ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

ARCHITECT
ENGINEER

R&R DESIGNS INC.

Another project by



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HAMILTON, ON L8H 3N6
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RICHIE@R-RDESIGNS.NET
WWW.R-RDESIGNS.NET

REVISIONS		
NO.	DESCRIPTION	DATE
△	CLIENT REVIEW	2021-11-25
△	ISSUED FOR PERMIT	2021-11-30
△	MINOR VARIANCE	2022-03-18
△		
△		

PROJECT #. RR55

DRAWN BY: DD
REVIEWED BY: R.K
DATE: 2021-11-30

PROJECT NAME
CONVERSION TO TWO UNITS

ADDRESS:
17 GROSVENOR AVE S.,
HAMILTON ON L8M 3K8

SHEET NAME
BUILDING ELEVATION

SHEET NO. **A 3.01**



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)			
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:

Tribeca capital corporation 261 Sheppard Avenue West, Toronto, ON, M2N 1N4

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:

Additional proposed concrete Parking space(6m x 2.7m) in the front yard which reduces the green space required in the front yard. *Boulevard parking was applied & Denial letter from Hamilton Municipal parking system is attached.*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Existing conditions- No room for the parking on site.

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

17 GROSVENOR AVENUE SOUTH, HAMILTON

PT LTS 49 & 50, PL 586 , AS IN AB386566 ; PT AL, PL 586 , AS CLOSED BY HA2016

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?

BASED ON DISCLOSURE OF PROPERTY USES BY THE SELLING AGENT

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

MARCH 10 2022
Date


Signature Property Owner(s)

PAULDEEP SAWHNEY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 9.53 m
Depth 35.21 m
Area 323.75 17 m²
Width of street _____

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

Existing: _____

House detail: basement floor area= 88.37m² , first floor area = 89.87m² second floor area: 61.15m², Attic floor area : 29.84m² Width= 6.82m Depth = 15.09m Height = ~9m

Proposed

No changes to overall area.

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

Existing: _____

House front setback: 2.77m , Rear setback: 17.36m , North side setback: 0.26m South side set back: 1.84m

Proposed:

No changes

- 13. Date of acquisition of subject lands:
DEC 4, 2021

- 14. Date of construction of all buildings and structures on subject lands:
APPROX. 1935

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

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

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

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

19. Present Official Plan/Secondary Plan provisions applying to the land:
6593 FORMER HAMILTON, ZONE "C" ,URBAN PROTECTED RESIDENTIAL

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
6593 Former Hamilton

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)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-22:23

SUBJECT PROPERTY: 92 & 94 Steven St., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent Urban Solutions – M. Johnston
 Owner C. Sheppard

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing an existing semi-detached dwelling and to retain a parcel of land containing an existing semi-detached dwelling for residential purposes as per the attached sketch.

Severed lands:

8.62m[±] x 25.603m[±] and an area of 209.35m²±

Retained lands:

8.81m[±] x 25.603m[±] and an area of 227.67m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 12th, 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.

HM/B-22: 23
PAGE 2

MORE INFORMATION

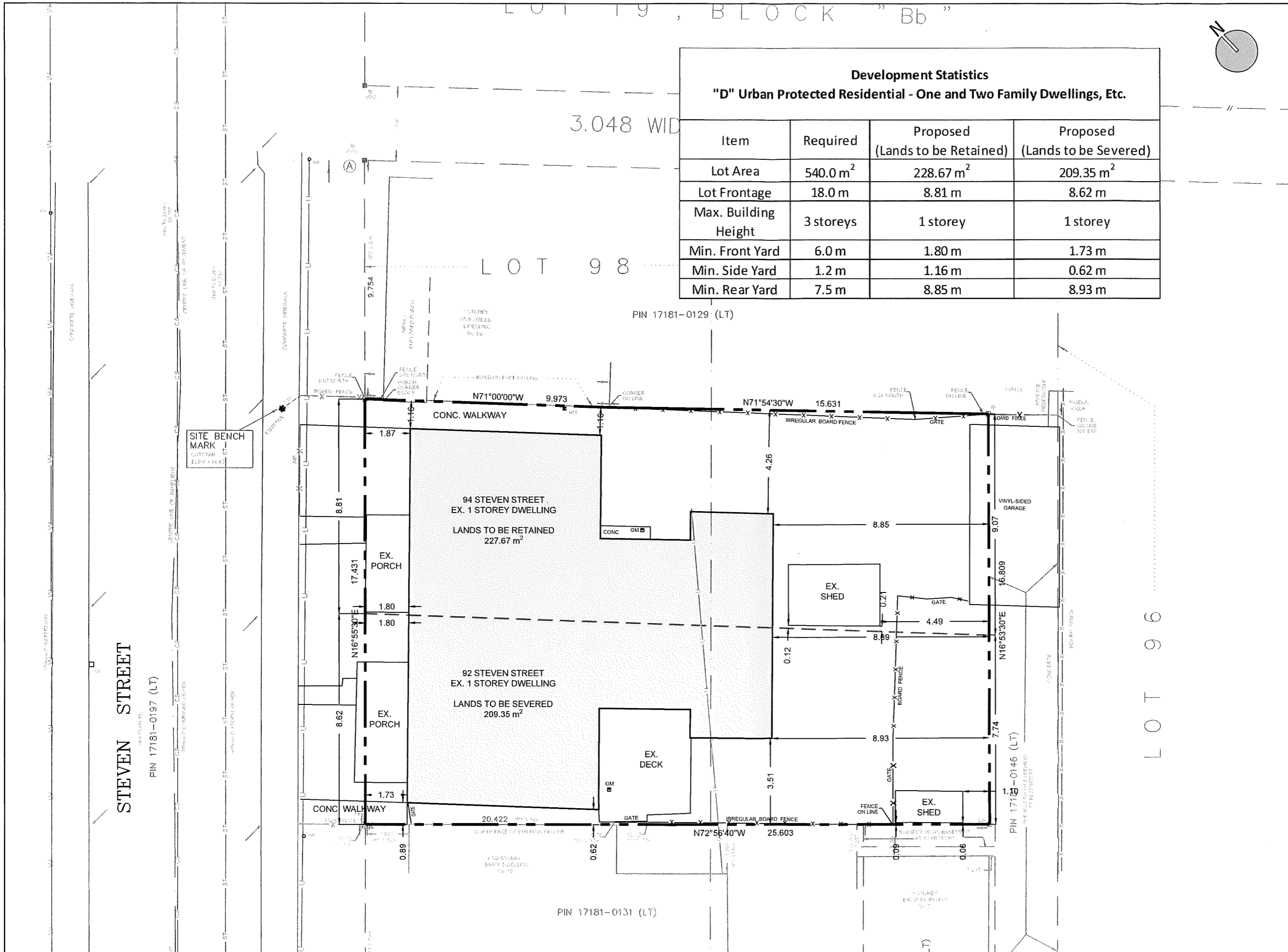
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 2022

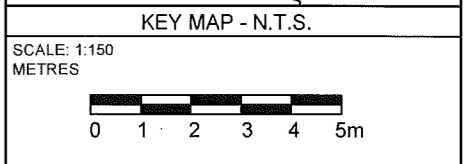
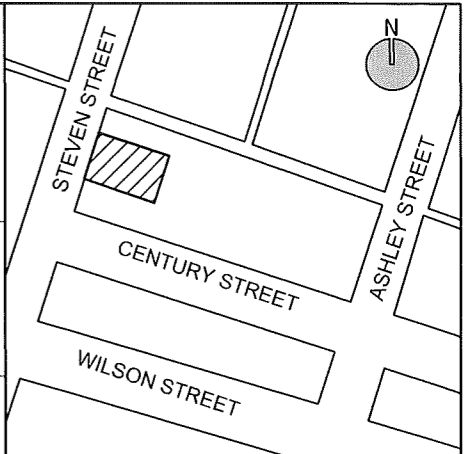
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



Development Statistics
"D" Urban Protected Residential - One and Two Family Dwellings, Etc.

Item	Required	Proposed (Lands to be Retained)	Proposed (Lands to be Severed)
Lot Area	540.0 m ²	228.67 m ²	209.35 m ²
Lot Frontage	18.0 m	8.81 m	8.62 m
Max. Building Height	3 storeys	1 storey	1 storey
Min. Front Yard	6.0 m	1.80 m	1.73 m
Min. Side Yard	1.2 m	1.16 m	0.62 m
Min. Rear Yard	7.5 m	8.85 m	8.93 m



- LEGEND:
- SUBJECT LANDS
 - PROPERTY BOUNDARIES
 - PROP. FUTURE SEVERANCE LINE

NOT FOR CONSTRUCTION
 ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
 DRAWN BY: L. DRENNAN DATE: MARCH 10, 2022



URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT

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

PROJECT:
92 & 94 STEVEN STREET
 CITY OF HAMILTON

CLIENT:
MR. COREY SHEPPARD

TITLE:
CONSENT TO SEVER SKETCH

U/S FILE NUMBER: 438-22 SHEET NUMBER: 1



March 15, 2022

438-22

Via Delivered & Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: Consent to Sever Application
92 & 94 Steven Street, City of Hamilton**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Mr. Cory Sheppard, the registered owner of the lands municipally known as 92 and 94 Steven Street, in the City of Hamilton. On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever application to the City of Hamilton.

The subject lands are designated as “Neighbourhoods” in the Urban Hamilton Official Plan and are currently zoned “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District in the former City of Hamilton Zoning By-law No. 6593.

The purpose of the Consent to Sever application is to sever the subject lands into two (2) separate parcels. The subject lands are currently occupied by two semi-detached one (1) storey brick dwellings and are proposed to remain. The lot area for lands to be retained is approximately 227.67 square metres and has a lot frontage of approximately 8.81 metres. The lands to be severed is proposed to have an approximate lot area of 209.35 square metres and 8.62 metres of frontage.

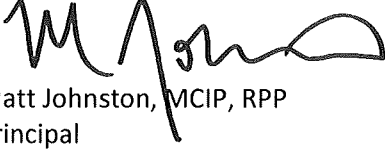
The Consent to Sever application is in keeping with Section 53(1) of the Planning Act, R.S.O, 1990, as amended, as a Plan of Subdivision is not necessary for the proper and orderly development of the subject lands. The subject lands have access to full municipal services and can be considered a reasonable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


In support of this request, please find enclosed:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the Severance Sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,985.00** made payable to the City of Hamilton.

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

Regards,
UrbanSolutions


Matt Johnston, MCIP, RPP
Principal

For: 
Laura Drennan, CPT
Planning Technician

cc: Mr. Cory Sheppard (via email)



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

	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 Hamilton	Lot 97 & 98	Concession	Former Township
Registered Plan N°. 43	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 92 & 94 Steven Street	Assessment Roll N°. 251803021405600		

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

Yes No

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

N/A

3 PURPOSE OF THE APPLICATION

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

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

- creation of a new lot
- 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:

N/A

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 (m ² or ha)
8.62 m	+/- 25.603	209.35 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: 1 storey brick residential dwelling

Proposed: Remain the same

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)

- 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 (m ² or ha)
8.81 m	+/- 25.603 m	227.67 sq. m

Certificate Request for Retained Lands: Yes* N/A

* 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 Vacant
 Other (specify) _____

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: 1 storey brick residential dwelling

Proposed: Remain the same

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
 municipal road, maintained all year

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity telephone school bussing garbage collection

5 CURRENT LAND USE

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

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

Urban Hamilton Official Plan designation (if applicable): Neighbourhoods

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

Please refer to enclosed cover letter.

5.2 What is the existing zoning of the subject land?
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? (Urban Protected Residential - One and Two Family Dwellings, Etc.) "D" District in the Former City of

Hamilton Zoning By-law No. 6593.

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

*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?

Consultation with owner.

6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. 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

Residential severances are permitted within the urban area.

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

Yes No (Provide explanation)

Proposed Severance application is consistent with PPS as meets Section 1.1.1.

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

Yes No (Provide explanation)

Settlement is permitted and growth is to be directed to Settlement Areas, as the lands are within the Settlement Area the application conforms to the Growth Plan.

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

Yes No

N/A

e) Are the subject lands subject to the Niagara Escarpment Plan?

Yes No N/A

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

Yes No N/A

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes No

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

Yes No (Provide Explanation)

N/A

g) Are the subject lands subject to the Greenbelt Plan?

Yes No

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

Yes No (Provide Explanation)

N/A

8 HISTORY OF THE SUBJECT LAND

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

Yes No Unknown

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

N/A

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

N/A

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

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

8.4 How long has the applicant owned the subject land?

Unknown.

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

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

Unknown.

9 OTHER APPLICATIONS

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

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

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area _____ Designation _____

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

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

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

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

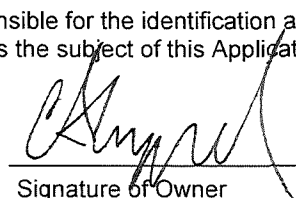
Please refer to enclosed cover letter.

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.

March 24, 2022

 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-22:99

APPLICANTS: Agent M. Sabelli
 Owners J. & J. Schoenhardt

SUBJECT PROPERTY: Municipal address **578 Catherine St. N., Hamilton**

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

ZONING: "D" (Urban Protected Residential - 1 & 2 Family Dwellings) district

PROPOSAL: To permit the construction of a new two (2) storey Single Family Dwelling notwithstanding that:

1. A front yard depth of 3.0m shall be provided instead of the minimum required front yard depth of 6.0m
2. No parking spaces shall be provided on-site instead of the minimum required two (2) parking spaces.

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

DATE: Thursday, May 12th, 2022
TIME: 2:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

HM/A-22: 99

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: April 26th, 2022.

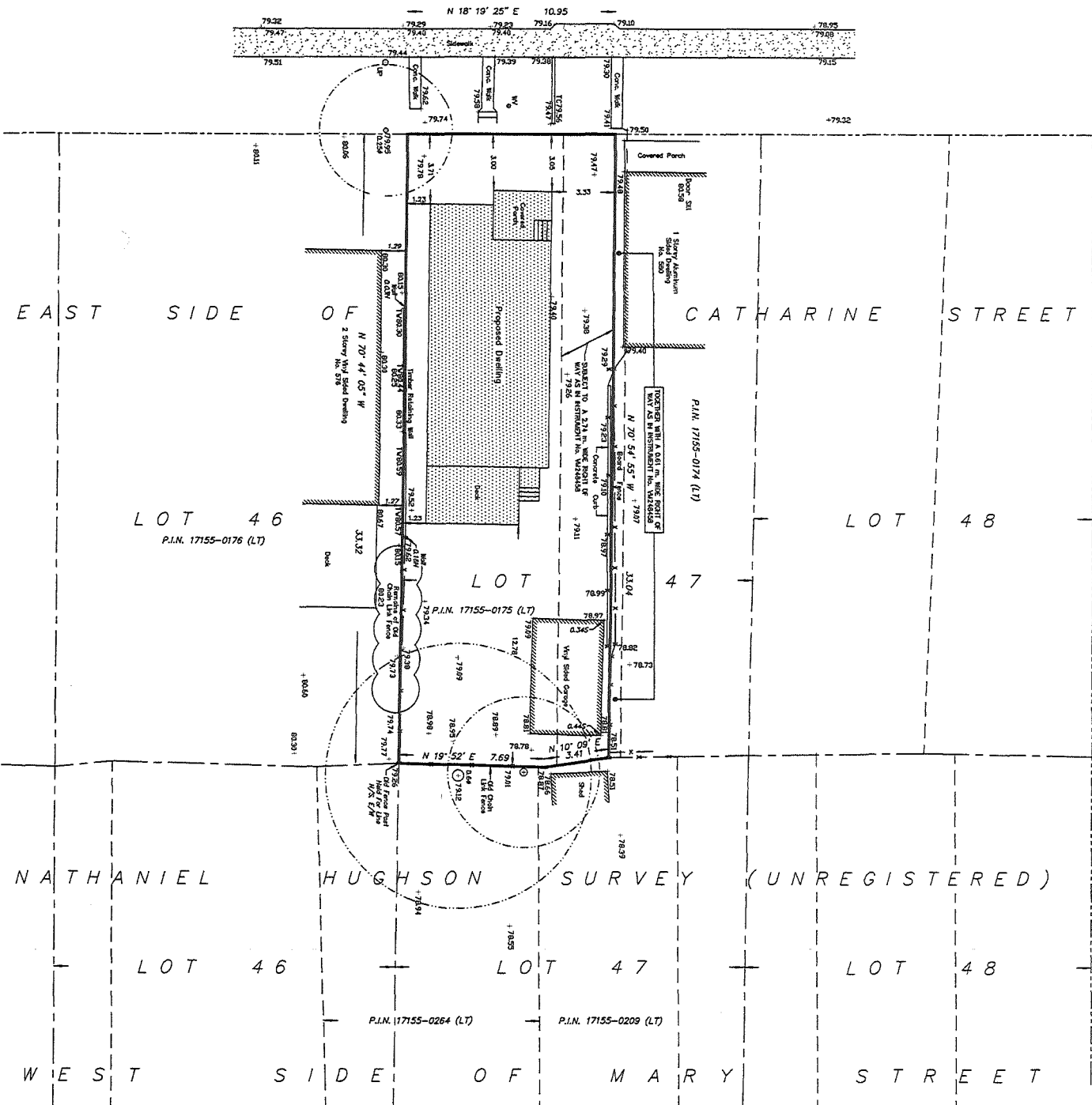
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

CATHARINE STREET NORTH

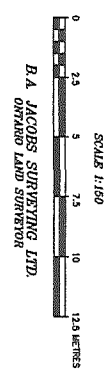
(BY NATHANIEL HUGHSON SURVEY--UNREGISTERED, P.I.N. 17155-0245 (LT))

-79.46 -79.38 -79.25 +79.27 -79.27



BROCK STREET
 (BY NATHANIEL HUGHSON SURVEY--UNREGISTERED, P.I.N. 17155-0237 (LT))

PLAN SHOWING PROPOSED DWELLING
 PART OF LOT 47
 NATHANIEL HUGHSON SURVEY
 (UNREGISTERED)
 CITY OF HAMILTON




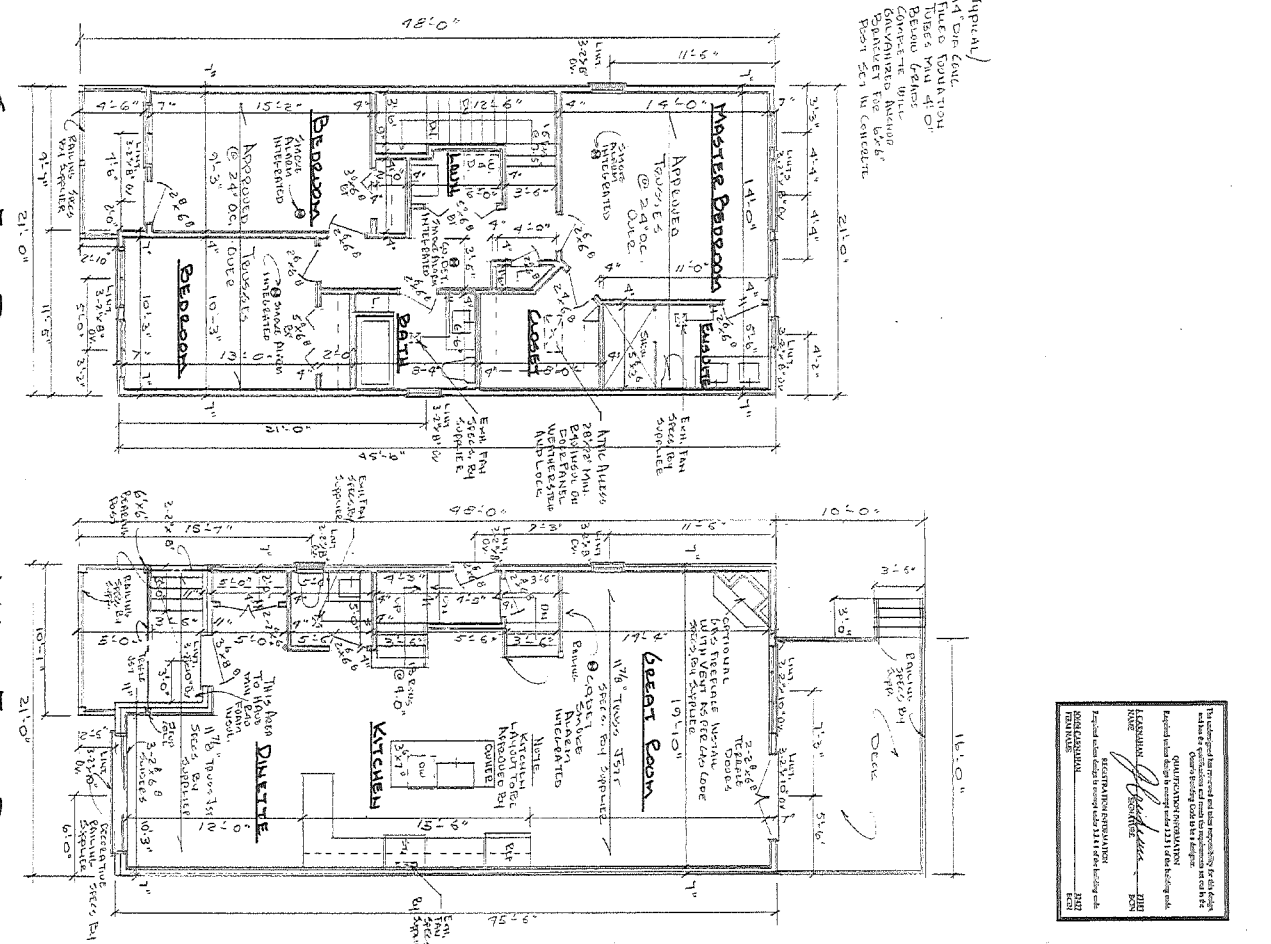
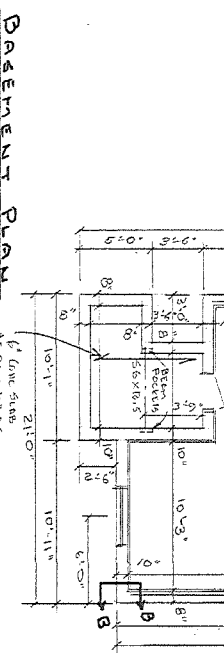
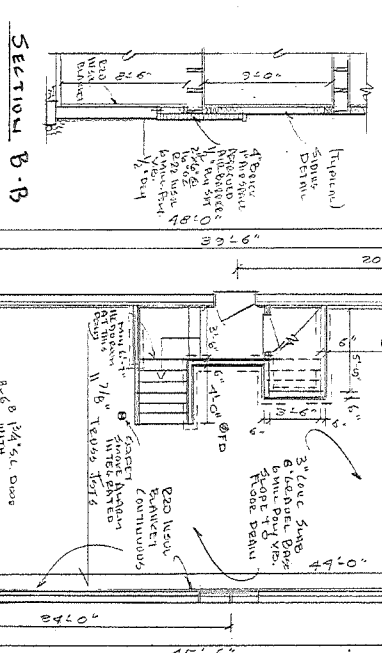
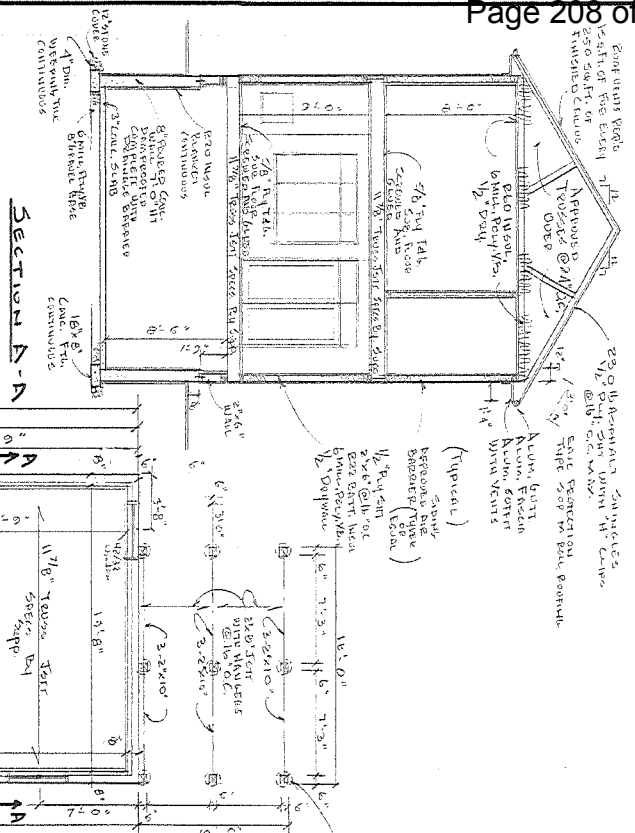
METRIC NOTE:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE:
 BEARINGS ARE ASPROBIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF BURLINGTON STREET AS SHOWN ON MUNICIPAL SURVEY PLAN NO. 690, COMPLETED OCTOBER 15, 1914, HAVING A BEARING OF N 73° 03' 18\"/>

ELEVATION NOTE:
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON BENCH MARK INCREASING AS NO. 3-03. LOCATION: HOUSE NO. 488 MARY STREET AT NORTHEAST CORNER OF MACCULLY STREET, NO. 178. ELEVATION = 84.501 m.

LEGEND:
 T.C. DENOTES TOP OF CURB
 T.W. DENOTES TOP OF WALL
 U.P. DENOTES UTILITY POLE
 U.P. DENOTES UTILITY POLE
 Ø 3\"/>

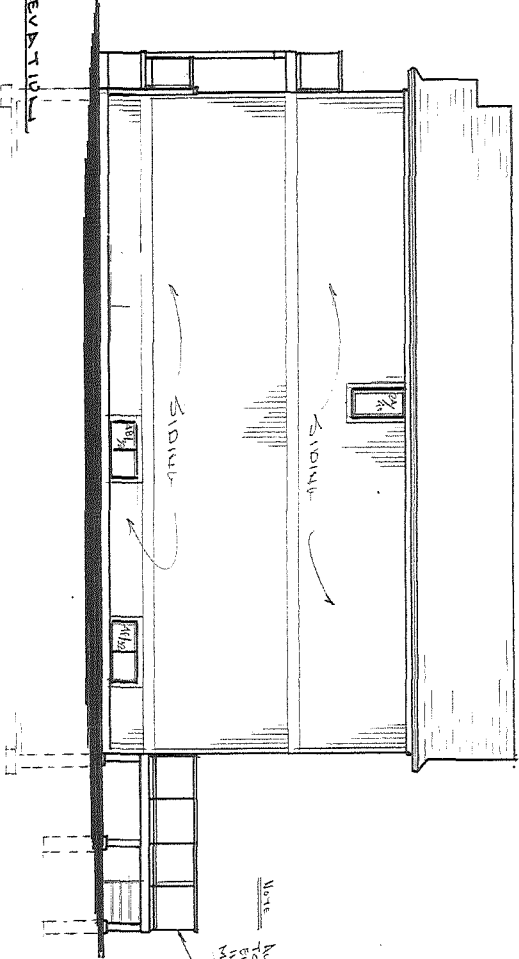
DATE _____
 B.A. JACOBS SURVEYING LTD.
 182 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L9H 1J9)
 PHONE 905-921-1855 bjacobs@rogers.com

 © COPYRIGHT REG. NO. 21816-P



Professional Engineer and Architect
 JOHN CASALIUM
 28 MICHAEL'S WAY
 HENNINGTON, ONTARIO
 L3R 9V7
 TEL: 905-777-3324
 FAX: 905-777-3324

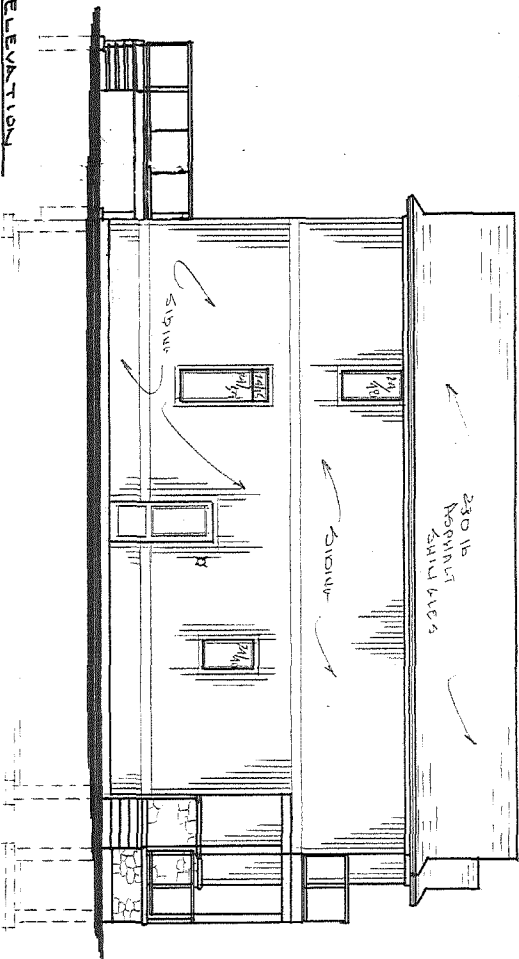
SCALE 1/4" = 1'-0"
DATE OCT 12/11
NO. 121-9
1850-60-11
578 CONVENT RD
MARKHAM ONT
REVISIONS
NO. 121-9
DATE OCT 12/11
1850-60-11
578 CONVENT RD
MARKHAM ONT
REVISIONS

RIGHT SIDE ELEVATION

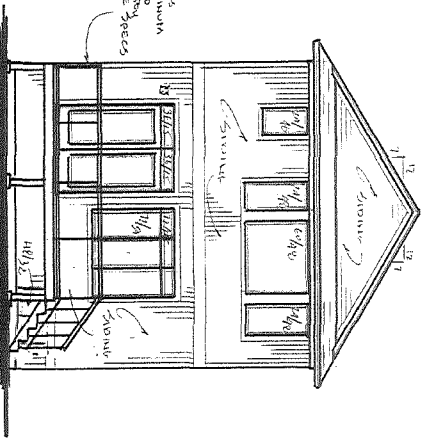


Note: Not Pictures To Be Mounted EVIDENCED BY PHOTOGRAPHY

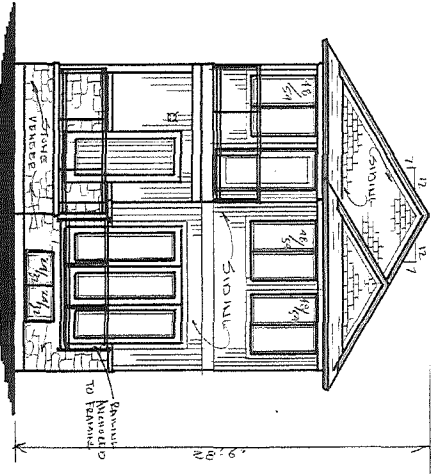
LEFT SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION



This document has not been and shall not be used as a contract for any construction project. It is the responsibility of the architect to ensure that the contract documents are complete and accurate. The architect shall not be responsible for any errors or omissions in this document. The architect shall not be responsible for any damage or injury to any person or property caused by the use of this document.

REGISTERED PROFESSIONAL ARCHITECT
 JOHN CARROLLAN
 28 Middlefield Way
 Haverhill, MA 01830
 978-375-3324

PROJECT 1421-9
DATE 04/10
SCALE 1/8" = 1'-0"

ARCHITECT
 JOHN CARROLLAN
 28 Middlefield Way
 Haverhill, MA 01830
 978-375-3324

PROPERTY
 1850 S. 9th St.
 578 Cantonment St.
 Haverhill, MA 01830

No.	Date	Description

THESE PLANS ARE PROTECTED BY COPYRIGHT LAW. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE ARCHITECT.



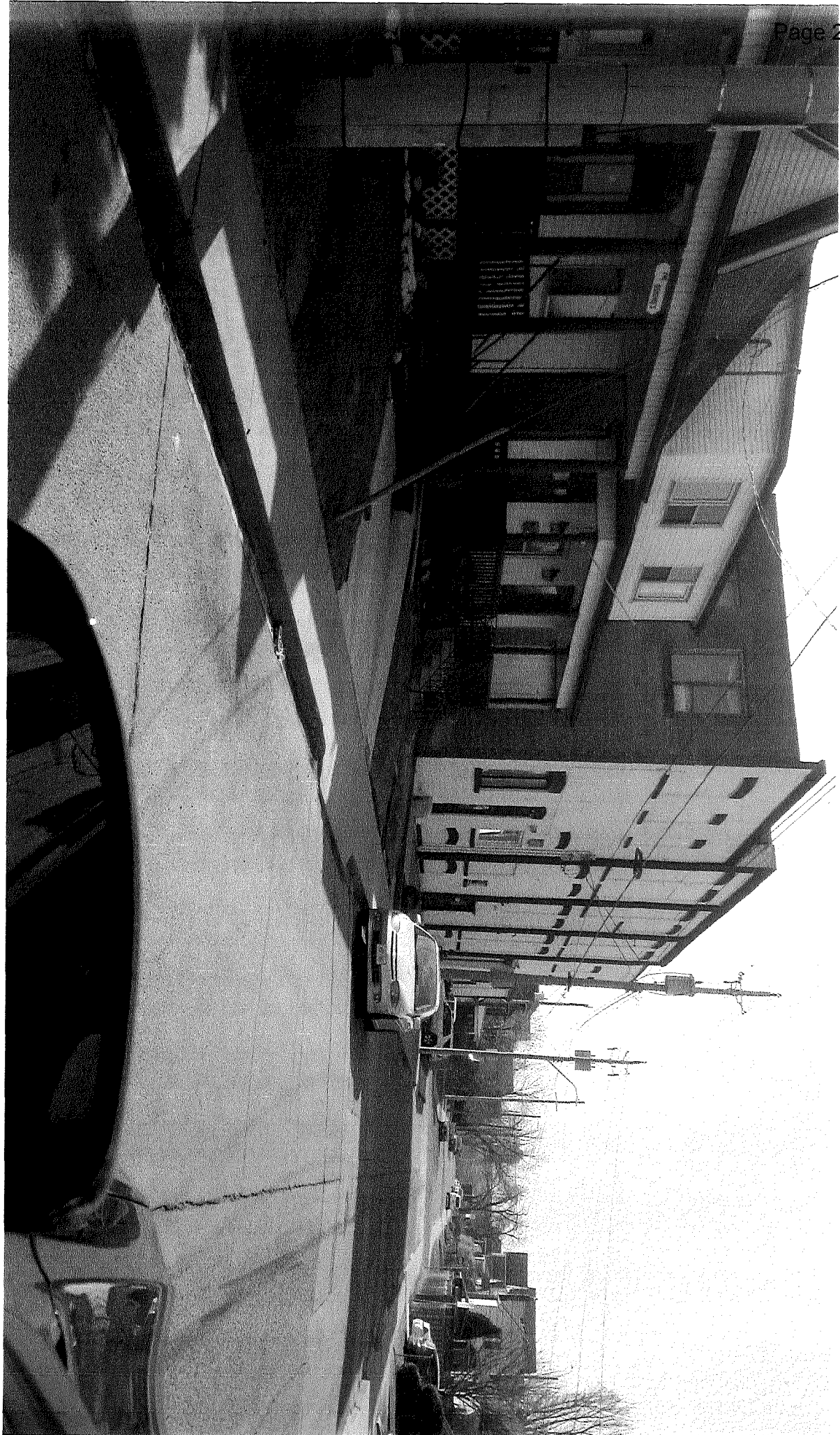
looking left



Looking left



looking right



looking right

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

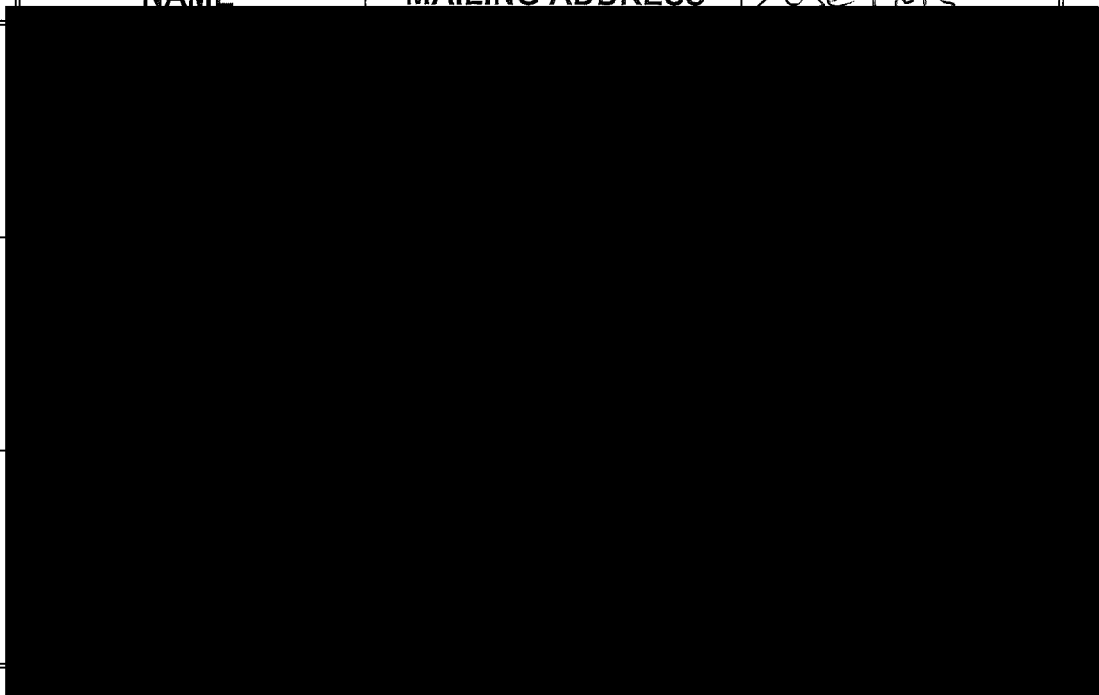
1, 2

NAME	MAILING ADDRESS	use this
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Registered Owners(s)

Applicant(s)*

Agent or Solicitor



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

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

None

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

4. Nature and extent of relief applied for:

FRONT YARD PROVIDED - 3.0M REQUIRED - 6.0M
LOT WIDTH PROVIDED - 10.95M REQUIRED - 12.0M

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

LOT IS EXISTING.
FRONT YARD SETBACK VARIANCE TO KEEP UNIFORM
FRONTAGE WITH EXISTING ADJACENT DWELLINGS

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**):

578 CATHERINE STREET NORTH
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 any other conditions, specify them here: _____

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

Yes No Unknown

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

PREVIOUS OWNER

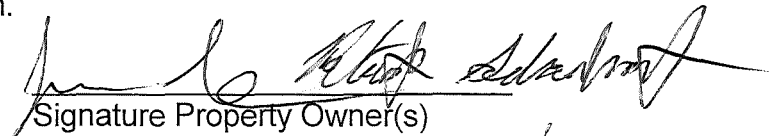
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

March 16/22
Date


Signature Property Owner(s)

James Schoenhardt / Jeffery Schoenhardt
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 10.95 m
Depth 33.04 m
Area 361.79 m
Width of street 20.12 m

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

Existing: _

1 STOREY BRICK DWELLING TO BE DEMOLISHED.

Proposed

TWO STOREY 172M² DWELLING.
MAIN FLOOR- 84.5M², SECOND FLOOR- 87.5M²
LENGTH- 14.63m, WIDTH- 6.4m HEIGHT- 8.69m

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

Existing:

TO BE DEMOLISHED.

13. Date of acquisition of subject lands:
July 9 2012

14. Date of construction of all buildings and structures on subject lands:
MORE THAN 50 YEARS

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

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

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

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

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

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

RESIDENTIAL

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

"D" DISTRICT (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)

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



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-22:101

APPLICANTS: Owners B. & H. Giannini

SUBJECT PROPERTY: Municipal address **800 Beach Blvd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 19-277 & 21-076

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

PROPOSAL: To permit the conversion of the existing Place of Worship into a Single-Family Dwelling containing a secondary dwelling unit notwithstanding that;

1. No parking space shall be provided for the secondary dwelling unit instead of the minimum required one parking space per unit; and
2. To permit two entrances to be provided within the front yard facing Beach Boulevard whereas the By-Law states that any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line or in the case of a corner lot, the street frontage where the principal entrance is not located on.

Notes:

For properties on a corner lot, parking may be permitted in the side yard that abuts the street line provided that:

(i) the area for parking shall not occupy more than 50% of the gross area of the side yard; and,

(ii) not less than 50% of the gross area of the side yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials.

Applicant shall ensure that the 50 % of the gross area of the side yard has been maintained for landscaping; otherwise, further variances may be required.

HM/A-22: 101
Page 2

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

DATE: Thursday, May 12th, 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

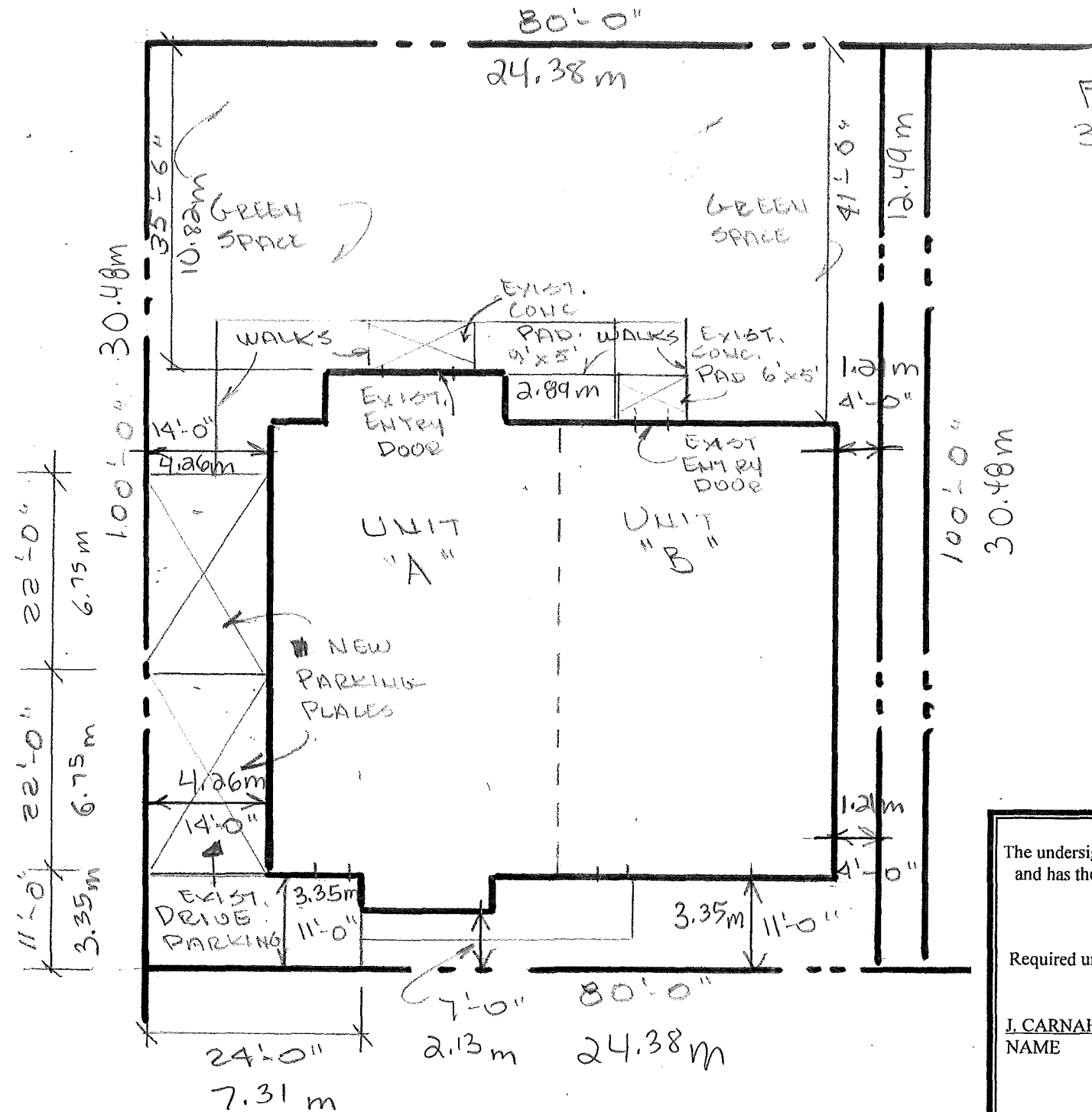
DATED: April 26th, 2022.

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.

800 BEACH BLVD

SCALE 1/16" = 1'



FRONT YARD 276.64 sq.m
 3010 SQ.FT.
 WALKS & CONC. PAD
 275 SQ.FT, 25.55 sq.m
 GREEN SPACE
 2735 SQ.FT, 90%
 254.09 sq.m

DUNRAVEN AVE.

No.	Date	Description
REVISIONS		

CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND CHECK ALL JOB CONDITIONS ON THE JOB BEFORE PROCEEDING WITH THE WORK.

**RENOVATIONS
 SITE PLAN**
 800 BEACH BLVD
 HAM. ONT

THESE PLANS ARE PROTECTED BY
 COPYRIGHT LAW.
 LAWFUL TO COPY OR REPRODUCE
 WITH OR WITHOUT MODIFICATIONS,
 ONLY BY INNOVATIVE DESIGN.

**Innovative
 design**

JOHN CARNAHAN
 28 Michelle's Way
 Hagersville, ON
 905-573-3224

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 3.2.5.1 of the building code.

J. CARNAHAN *John Carnahan* 27187
 NAME SIGNATURE BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.1 of the building code.

JOHN CARNAHAN 32427
 FIRM NAME BCIN

SCALE 1/16" = 1'
 DRAWN BY *J*
 CHECKED BY *J*
 DATE FEB 122
 DATE OF PRINT

A21-R1
 1-A



Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

Desjardin Bank - 637 Niagara Street, Unit 1, Welland ON L3C 1L9

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

4. Nature and extent of relief applied for:

Secondary Dwelling Application Variance: The building currently has 2 front doors. Due to the age and layout of the building, we would like to retain the original 2 front doors (1933). The building currently has 2 parking spots. We would like to retain the 2 spots.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The original building was built with 2 front doors, we would like to retain the original structure of the building (1933), and it is the least disruptive situation for the neighbours. Further, there is no other logical place to put the door. The building has 2 original parking spots at the property. There is also street parking.

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

Plan 632 Lot 15 to 16 Reg. 018 AC 80.00 FR 100.00 D

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other Before 1981, a place of worship

- 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

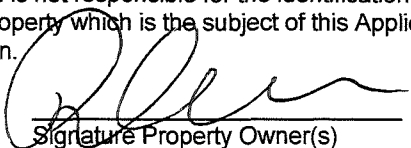
8.11 What information did you use to determine the answers to 8.1 to 8.10 above?
 No industrial or commercial use of the building or buildings nearby. Age of building. Real Estate listing

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.

February 22, 2021
 Date



Signature Property Owner(s)

Brian Giannini
 Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage Not affected - No Changes
 Depth Not affected - No Changes
 Area Not affected - No Changes
 Width of street Not affected - No Changes

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

Existing:
 Ground/ gross - 3010
 Number of stores - 1
 Width - 62 feet
 Length - 48 feet, Height - 10 feet

Proposed
 No changes

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

Existing:
 Distance for side - 4 feet, 1.21 m from neighbour
 Rear - 11 feet, 3.35 m
 Front - 41 feet, 12.49 m

Proposed:
 No changes

13. Date of acquisition of subject lands:
September 11, 2021
-
14. Date of construction of all buildings and structures on subject lands:
1933
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family since 1981, place of worship from 1933 until 1981
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
residential homes on 1 side, road in front and other side, home behind
-
17. Length of time the existing uses of the subject property have continued:
(1933 - 1981 - place of worship) (1981 - present - single family dwelling)
-
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:
Site plan, no changes requested.
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C/S - 1426
-
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)
Please see site plan, explanation and listing 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.



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-22:24

SUBJECT PROPERTY: 58 Parkside Dr., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S): Agent MHBC Planning – G. Tchisler
 Owner Flamborough Power Centre S. Malovic

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land for future employment development and to retain a parcel of land containing an existing warehouse with offices.

Severed lands:
 93.15m[±] x 150m[±] and an area of 1.616ha[±]

Retained lands:
 163.19m[±] x 241m[±] and an area of 4.718ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 12th, 2022
TIME: 2:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

HM/B-22: 24
PAGE 2

MORE INFORMATION

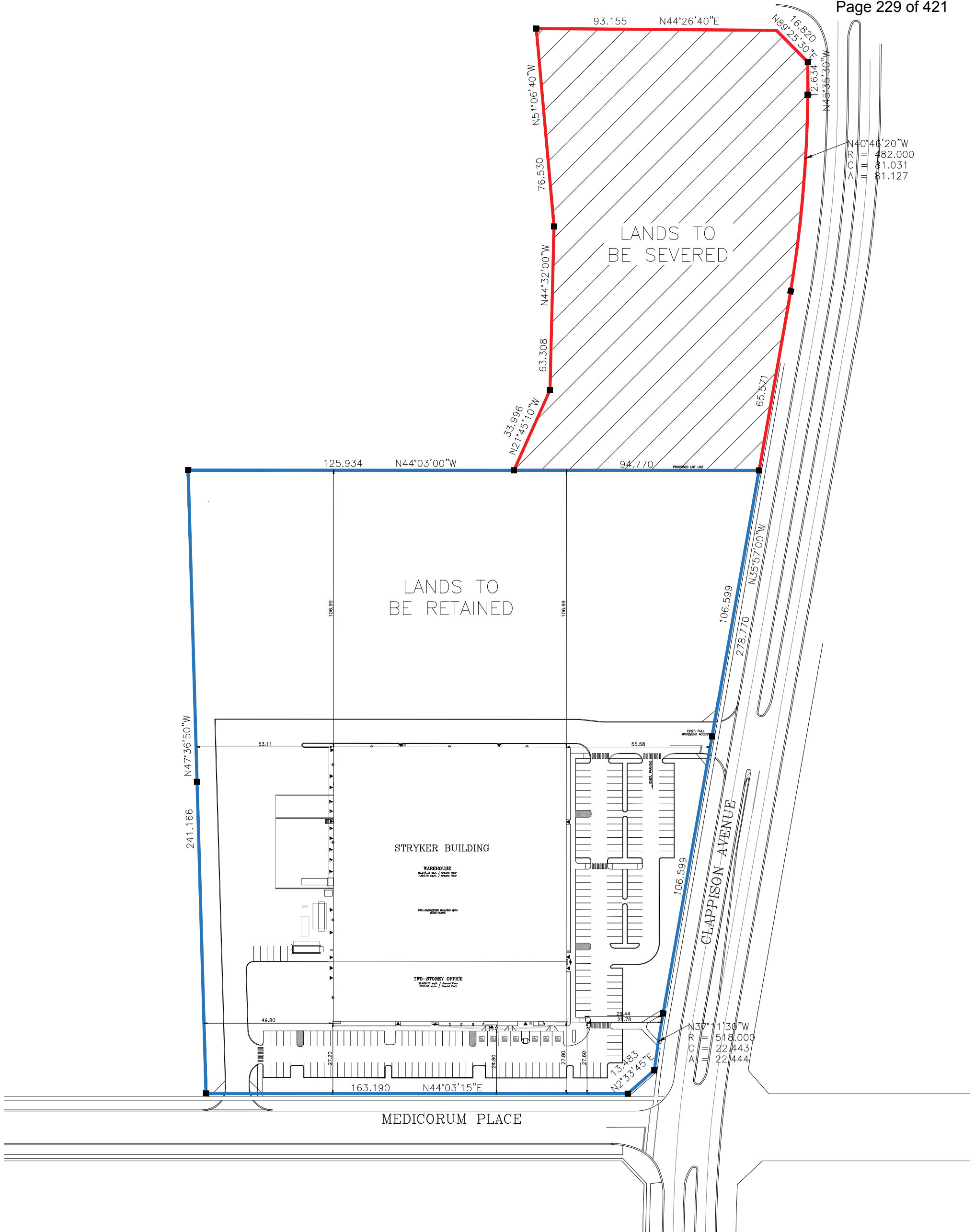
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 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

LEGEND

- Lands to be Severed
- Lands to be Retained

1.616 hectares
3.993 acres

4.718 hectares
11.659 acres

Date: February 17, 2022

Scale: 1:1400



58 Parkside Dr,
Hamilton, Ontario

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

204-442 BRANT STREET BURLINGTON, ON, L7R 2G4
P: 905 639 8686 F: 905 761 5589 | WWW.MHBCPLAN.COM

N:\171804 - 58 PARKSIDE DRIVE, WATERLOO\1 - MHBC DOCUMENTS\171804 SEVERANCE SKETCH\2022-02-16.DWG



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

March 21, 2022

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

Dear Ms. Sheffield:

**RE: Application for Severance
58 Parkside Drive, Waterdown
OUR FILE: 17190X**

On behalf of our client, Flamborough Power Centre Inc., we are pleased to submit an application for consent to sever a parcel of land to create a new lot. The lands subject to the proposed consent application consist of Block 4 in Plan 62M-1270, Part of Lot 12, Concession 3, in the geographic township of East Flamborough, known municipally as 58 Parkside Drive (the "Subject Lands").

The following letter sets out the purpose of the severance and provides a justification for the proposed severance through an assessment of the current Provincial and municipal policy framework. Please find attached the following materials in support of the consent application:

- 1) Consent Application form
- 2) Consent Application fee in the amount of \$2,985 (Fee to be provided under separate cover)
- 3) Severance sketch
- 4) Registered Plan 62M-1270

BACKGROUND

Existing Site

The Subject Lands are approximately 6.334 hectares in area and have 93.15 metres of frontage on Parkside Drive, 394.974 m of frontage on Clappison Avenue, and 163.19 m of frontage on Medicorum Place. The northern portion of the Subject Lands are currently vacant. The southern portion of the Subject Lands, located on the northwest corner of Medicorum Plan and Clappison Avenue, contains a warehouse building with offices for Stryker Medical). There is a surface drainage conveyance along the west lot line of the Subject Lands which conveys drainage from the Parkside Drive right-of-way to the stormwater management pond located south of Medicorum Place. This surface conveyance will be removed once Parkside Drive is urbanized, at which point these flows will be captured by the municipal storm system already installed within Clappison Avenue.

The Subject Lands are located within Draft Plan of Subdivision 25T-201507 which was approved in 2015 for the development of a business park. Registration of the subdivision is being phased with phase 1 being registered in 2021 as Plan 62M-1270. The Subject Lands are identified as Block 4 on Plan 62M-1270.

Surrounding Land Uses

The lands located to the north of the Subject Lands are located outside the Urban Boundary of the City of Hamilton and are zoned Rural (A2), consisting of single detached dwellings and agricultural uses directly across Parkside Drive.

The lands to the east of the Subject Lands are zoned Prestige Industrial (M3) and are currently vacant. These lands represent the future phase of Draft Plan of Subdivision 25T-201507.

The lands located to the south of the Subject Lands are currently vacant with an active Site Plan Control application for a 1 storey manufacturing building with a showroom and office.

The lands located to the west of the Subject Lands currently contain single detached dwellings and agricultural uses. There is an active subdivision application for the lands located at 566 Highway 6. The application is to create 10 blocks, of which 6 blocks will be for a future employment business park, 3 blocks for 0.3 m reserves along Highway 6 North, and 1 block for a 0.3 m reserve along Medicorum Place. The application also creates an internal road that will extend from Medicorum Place.

PROPOSED CONSENT

The proposal seeks to sever the northern portion of the Subject Lands for future office uses. The retained lands will have 163.19 metres of frontage along Medicorum Place. The severed lands will have 93.15 metres of frontage along Parkside Drive. The attached consent sketch describes the retained and severed lots.

	Retained Lot	Severed Lot
Lot Area	4.718 ha	1.616 ha
Lot Frontage	163.19 m	93.15 m
Proposed Use	Stryker Warehouse and Two-storey office building	Office

PLANNING ANALYSIS AND JUSTIFICATION

Planning Act

Section 51(24) of the *Planning Act* requires that regard be had for the following considerations when creating new lots:

- *“the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality;”*

The proposed consent will not impact the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the

municipality. Future uses on the severed lands will be planned and designed in accordance with the applicable legislation, including the Ontario Building Code.

- *“the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;”*

The proposed consent is consistent with the matters of provincial interest listed in Section 2 of the *Planning Act*, including the orderly development of safe and healthy communities.

- *“whether the proposed subdivision is premature or in the public interest;”*

The proposed consent is for the purposes of creating a new lot for a future office development. Lands are within an existing plan of subdivision and have access to existing municipal roads and services. Therefore the proposed consent is not premature and is in the public interest.

- *“whether the plan conforms to the official plan and adjacent plans of subdivision, if any;”*

The retained and severed lots conform to the respective UHOP policies, as discussed below.

- *“the suitability of the land for the purposes for which it is to be subdivided;”*

The retained and severed lots will be of an appropriate size and regular configuration. The retained lands have an existing building, and the severed lot will be used for a future office building to be approved through a Site Plan Control application. The Subject Lands have already been approved for employment uses through the existing Plan of Subdivision.

- *“if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;”*

Not applicable to this application.

- *“the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;”*

The Subject Lands have existing access to the surrounding road network via Parkside Drive and Clappison Avenue to which no changes are proposed.

- *“the dimensions and shapes of the proposed lots;”*

The proposed consent will divide the lands to create a more logical lot fabric. The resulting lots will be regular in shape and have ample frontage onto a public road.

- *“the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;”*

Not applicable to this application.

- *“conservation of natural resources and flood control;”*

There are no identified natural resources of flood control requirements for the Subject Lands.

- *“the adequacy of utilities and municipal services;”*

Utilities and municipal services have been approved and installed as part of the existing Plan of Subdivision.

- *“the adequacy of school sites;”*

Not applicable to this application.

- *“the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;”*

Lands dedications were provided through the existing Plan of Subdivision and none are proposed through this consent application.

- *“the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy; and ”*

Matters with respect to energy efficiency and conservation would be dealt with through the Site Plan Control and Building Permit process for any future development on site.

- *“the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).”*

The Subject Lands are subject to Site Plan Control for future development and such matters will be dealt with at the stage.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development with the goal of enhancing the quality of life for all Ontarians. The *Planning Act* requires that decisions affecting a planning matter “be consistent with” the policies of the PPS. The proposed consent is consistent with the PPS as it provides, among other things, lots that are of suitable size to support new employment uses, creates investment-ready land and optimizes the long term availability and use of land.

Growth Plan for the Greater Golden Horseshoe 2017

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for implementing the provincial government's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe. The *Planning Act* also requires that decisions affecting a planning matter "conform with" the Growth Plan. Similar to the analysis above, the proposal conforms with the Growth Plan as it serves to promote more efficient use of existing, vacant and underutilized employment lands and ensuring there is availability of suitably sized development parcels in appropriate location to accommodate a variety of employment uses.

Urban Hamilton Official Plan

The Subject Lands are designated "Business Park" in Urban Hamilton Official Plan ("UHOP") Volume 1.

The Business Park designation permits business and economic activities such as manufacturing, research and development, transportation terminals, building supply establishments, warehousing, offices, and communication establishments. (E5.4).

The UHOP contains policies that outline conditions which must be met when creating new lots. The following specific policies are provided for Employment Areas

"F.1.14.3.5 Consents for new lot creation for both the severed and retained lands for employment uses in the Employment designation shall be permitted provided the following conditions are met:

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

The retained and severed lots comply with the Business Park designations of the UHOP by facilitating the development of a future office use.

"b) The lots are in conformity with the Zoning By-law or a minor variance is approved;"

The retained portion of the Subject Lands are currently zoned General Business Park (M2) in Zoning By-law 05-200. The M2 zone permits a variety of industrial and employment uses, including manufacturing and warehouse uses.

The severed portion of the Subject Lands are currently zoned Prestige Business Park (M3) with Special Exception 437 in Zoning By-law 05-200. The site specific M3 zone permits a variety of employment uses, including manufacturing, office, and warehouse uses. Exception 437 permits a fitness club and a medical clinic.

As per the table below, the severed and retained lots conform with the lot frontage and area requirements of the in-effect zoning. Other aspects of zoning conformity for the proposed office use will be determined through detailed design at the Site Plan Approval stage.

	Required	Provided (Retained)	Provided (Severed)
Minimum Lot Frontage	4.5 m	163.19 m	93.15 m
Minimum Lot Area	4000 m ²	4.718 ha	1.616 ha

"c) The lots are fully serviced by municipal water and wastewater systems; and,"

The Subject Lands have access to existing municipal water and wastewater systems that were installed within Clappison Avenue through the existing Plan of Subdivision.

"d) The lots have frontage on a public road."

The retained parcel will retain 163.19 m of frontage on Medicorum Place and 235.63 m of frontage on Clappison Avenue. The severed parcel will have 93.15 m of frontage on Parkside Drive, and 159.33 m of frontage on Clappison Avenue.


As per the above analysis, the proposed consent application conforms with the consent policies of the UHOP.

CONCLUSION

Based on the above analysis, the proposed consent conforms with the current policy and regulatory framework. The proposed consent will maintain the existing uses on the retained lands, and enable future development of an office use on the severed lands, in accordance with the permissions of the Urban Hamilton Official Plan and Zoning By-law.

Please do not hesitate to contact us should you have any questions.

Yours truly,
MHBC



Gerry Tchisler, MPL, MCIP, RPP
Associate



Nicole Mastantuono
Planner



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

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

APPLICATION FOR 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*		
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 Waterdown	Lot 12	Concession 3	Former Township East Flamborough
Registered Plan N°. 62M-1270	Lot(s) 4	Reference Plan N°.	Part(s)
Municipal Address 58 Parkside Drive	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

a lease

an easement

a correction of title

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

creation of a new lot

Other: a charge

creation of a new non-farm parcel

a lease

(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation)

a correction of title

an easement

addition to a lot

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

--

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

--

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m ² or ha)
93.15 m	150 m (approx.)	1.616 ha

Existing Use of Property to be severed:

Residential

Industrial

Commercial

Agriculture (includes a farm dwelling)

Agricultural-Related

Vacant

Other (specify) _____

Proposed Use of Property to be severed:

Residential

Industrial

Commercial

Agriculture (includes a farm dwelling)

Agricultural-Related

Vacant

Other (specify) Future employment development

Building(s) or Structure(s):

Existing: n/a

Proposed: Future employment development

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

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)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m) 163.19 m	Depth (m) 241 m (approx.)	Area (m ² or ha) 4.718 ha
--------------------------	------------------------------	---

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
- Agriculture (includes a farm dwelling)
- Other (specify) Warehouse and offices
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Warehouse with offices

Proposed: _____

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)

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

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

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): n/a

Urban Hamilton Official Plan designation (if applicable): Business Park

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

The application conforms with the policies in the Urban Hamilton Official Plan. Section F.1.14.3.5 of the Official Plan has been reviewed, and the application complies with the policies within the Business Park designation and the City of Hamilton Zoning By-law 05-200.

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? General Business Park (M2) and Prestige Business Park (M3) with Special Exception 437

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	50 m (agricultural fields)
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	50 m (manufacturing/warehouse/office)
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

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

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
 Yes No
 See below.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 See attached justification letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 See attached justification letter.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)
- 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.

Plan of Subdivision 25T-201507, approved.

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

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

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

8.4 How long has the applicant owned the subject land?

Since 2003 / 2004

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 25T-201507 Status Approved

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

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

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

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

10.3 **Description of Lands**

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 **Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

- a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

- b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

- d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

- e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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


Various parcels throughout Hamilton including: Blocks 1, 3, 4 and 7 in Plan 62M-1270, 74 Parkside Drive and the unregistered portions of Draft Plan of Subdivision 25T-201507

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.

March 16, 2022

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-22:108

APPLICANTS: Agent Urban Solutions - M. Johnston
 Owner Victoria M.D. Inc. - H. Hakimi

SUBJECT PROPERTY: Municipal address **286 Victoria Ave. N., Hamilton**

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

ZONING: "C5a" (Mixed Use Medium Density - Pedestrian Focus) district

PROPOSAL: To permit the establishment of a medical clinic within the existing building, notwithstanding that:

1. A minimum of nine (9) parking spaces shall be permitted instead of the minimum thirty- three (33) parking spaces required.

Note: The applicant requested a variance to the landscaped strip requirement. However, please note that the requested variance is not required as this property does not abut a Residential zone or an Institutional zone.

Details of the actual gross floor area of the existing building were not provided from which to determine if the requested variance is correct. Therefore, further variances may be required.

No elevation plans were provided to confirm if the proposal includes alterations to the façade of the building. The applicant shall ensure compliance for all other zoning regulations pertaining to windows, doors etc., of ground floor façade as well as obtain the proper Heritage permit.

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

DATE: Thursday, May 12th, 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.

HM/A-22: 108

Page 2

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

MORE INFORMATION

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

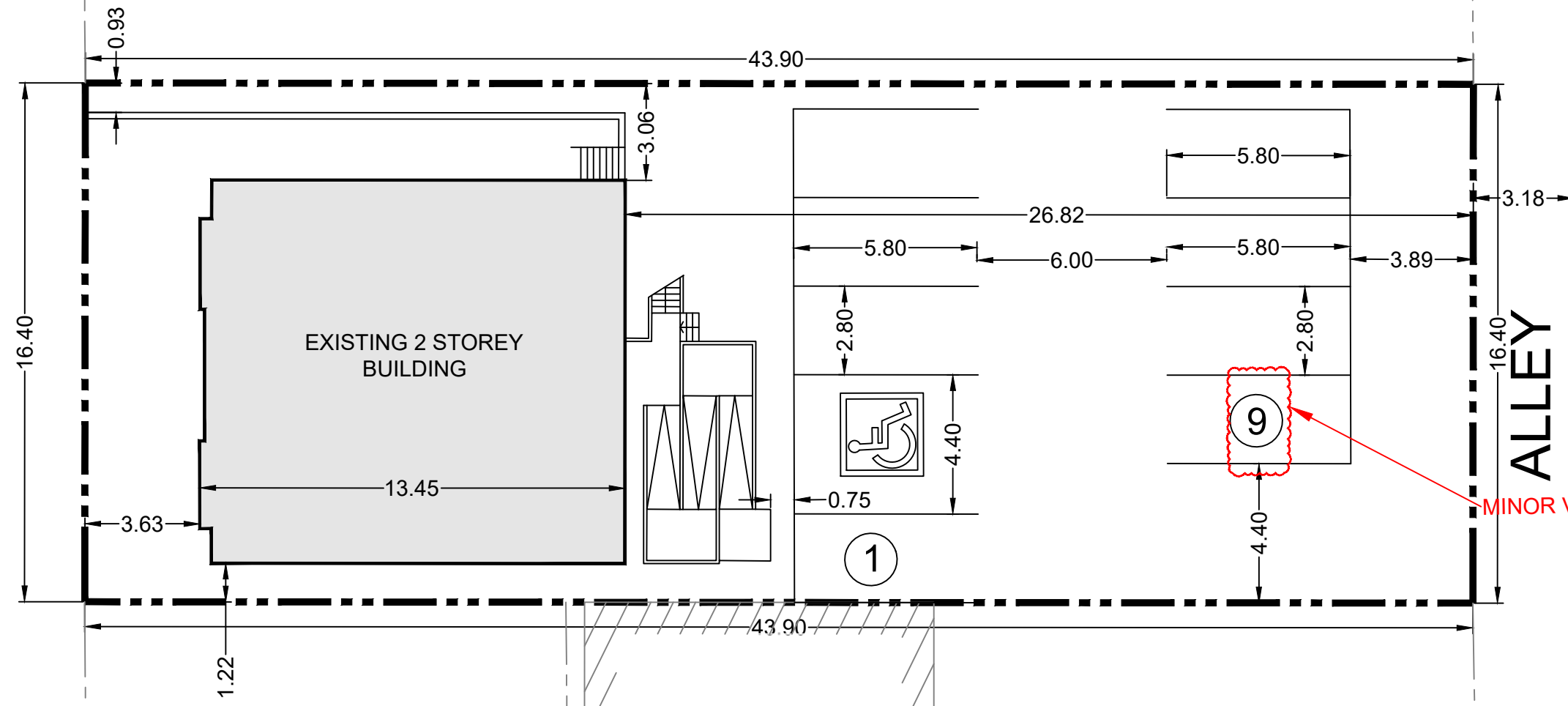
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: April 26th, 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.

VICTORIA AVE.



MINOR VARIANCE NO. 1

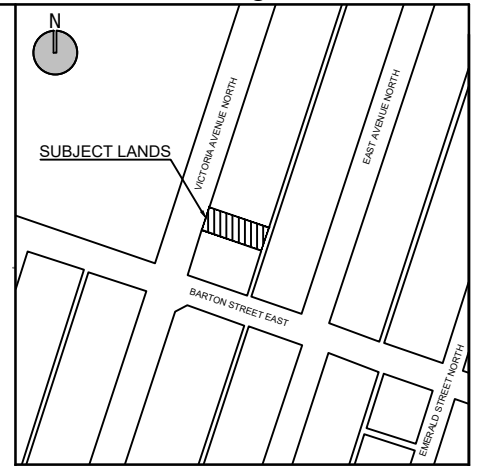
MINOR VARIANCE NO. 2

REQUESTED VARIANCES:
VARIANCE NO. 1: TO PERMIT 9 VEHICLE PARKING SPACES.
VARIANCE NO. 2: TO PERMIT NO PLANTING/LANDSCAPED STRIP.

DEVELOPMENT STATISTICS

Zone: (C5a) Mixed Use Medium Density - Pedestrian Focus

Item	Required	Proposed
Lot Frontage	N/A	16.4 m
Lot Area	N/A	719.96 m ²
Parking (Total)	(1 space per 16 sqm) 25 spaces	(1 space per 55 sqm) 9 spaces
Accessible	1	1
Parking Space Dimensions	2.8 m x 5.8 m	2.8 m x 5.8 m
Drive Aisle Width	3.0 m	4.40 m
Manoeuvring Aisle Width	6.0 m	6.0 m
Landscape Strip	1.5 m	0.00 m
Setbacks		
Front	3.0 m	3.63 m
Rear	7.5 m	26.82 m
Side	N/A	1.22 m
Side	N/A	3.06 m



KEY MAP - N.T.S.

SCALE: 1:175



LEGEND:

- SUBJECT LANDS
- ▨ EXISTING BUILDINGS

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
 DRAWN BY: L. DRENNAN DATE: MARCH 15, 2022



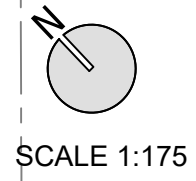
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
286 VICTORIA AVENUE NORTH
CITY OF HAMILTON

CLIENT:
ELITE DEVELOPMENTS

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 437-22 SHEET NUMBER: 1



SCALE 1:175



March 24, 2022

437-22

Via Email & Delivered

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 286 Victoria Avenue North, Hamilton
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Victoria M.D Holdings Inc, the registered owner of the lands municipally known as 286 Victoria Avenue North (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed the Minor Variance application.

In the heart of the downtown, the subject lands are located within the 'Mixed Use Medium Density' designation in the Urban Hamilton Official Plan (UHOP). In addition to the UHOP designation, the subject lands are zoned as 'Mixed Use Medium Density - Pedestrian Focus' (C5a) under the City of Hamilton Zoning By-law No. 05-200. The subject lands are also designated 'Heritage' under the *Ontario Heritage Act, R.S.O. 1990, c. O.18*.

The intent of the applicant is to utilize the building as a medical office. Building Permit No. 20 180878 000 00 C9 triggered the need for a parking variance as per the zoning comments. The purpose of this Minor Variance application is to capture the site-specific deficiencies to facilitate the proposed development. The required minor variances include;

- **Variance No. 1:** To notwithstanding Section 5.6 (c) and permit a parking ratio of 1 space per 55m² whereas 1 space per 16m² is required.
- **Variance No. 2:** To notwithstanding Section 10.5a.1.3 (i) and permit no landscaped strip whereas 1.5m is required.


Section 45(1) of the *Planning Act, R.S.O, 1990*, as amended, requires a Minor Variance to satisfy four tests. Variances 1 and 2 reflect the existing building conditions and are necessary to facilitate the adaptive reuse of the subject lands. As such, the reduction from 1 space per 16 m² GFA (33 spaces) to 1 space per 55m² (9 spaces) and the absence of a landscape strip both satisfy the four test of Section 45(1) of the Planning Act.

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

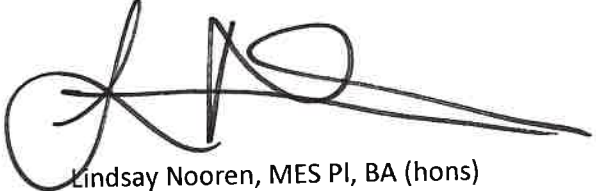
- One (1) copy of the Concept Plan prepared by UrbanSolutions;
- One (1) copy of the signed Minor Variance application form; and
- One (1) cheque for the application form for **\$3,465.00** payable to the City of Hamilton.

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

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Lindsay Nooren, MES Pl, BA (hons)
Planner

cc: Hamid Hakimi, Elite Developments (via email)
Councilor Nann, Ward 3, City of Hamilton (via email)



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

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

4. Nature and extent of relief applied for:

See Cover Letter

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

See Cover Letter

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

286 Victoria Avenue, North

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use Medical Office

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Consultation with owner.

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

MARCH 24, 2022
Date


Signature Property Owner(s)

HAMID HAWIMI
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 16.40m
Depth 43.90m
Area 719.96m²
Width of street _____

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

Existing:_____

See Cover Letter

Proposed

See Cover Letter

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:_____

N/A

13. Date of acquisition of subject lands:
unknown
14. Date of construction of all buildings and structures on subject lands:
1924
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
medical office
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
commercial/ office
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:
Mixed Use Medium Density
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Mixed Use Medium Density Pedestrian Focus (C5a)
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)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: HM/A-21:437

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

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

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

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

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

1. A maximum gross floor area of 358.0 m² shall be provided instead of the maximum permitted gross floor area of 233.05 m².

Notes:

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

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

DATE: Thursday, May 12th, 2022
TIME: 2:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-21: 437

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

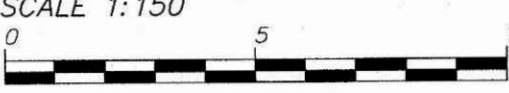
For more information on this matter, including access to drawings illustrating this request:

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

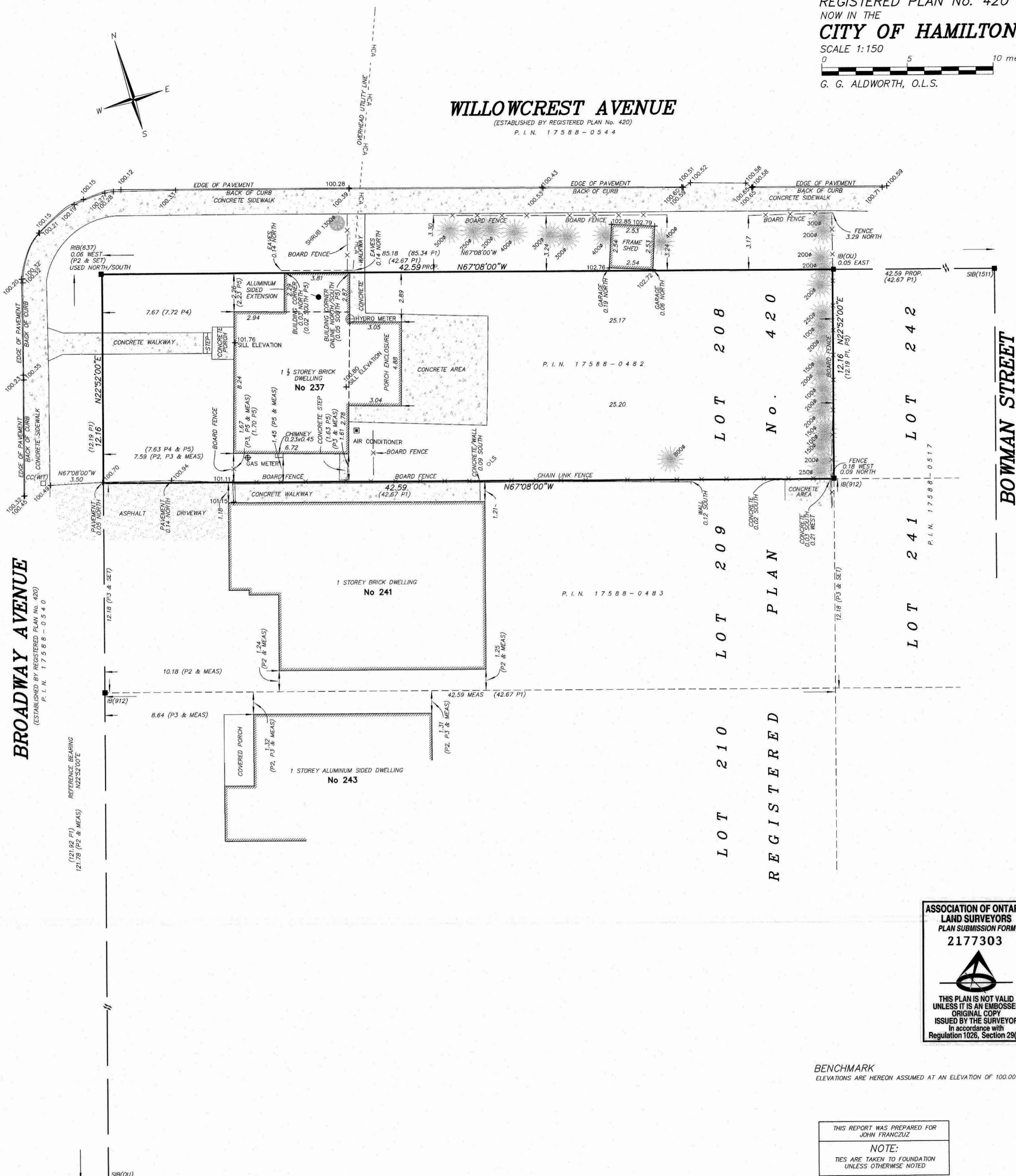
DATED: April 26th, 2022.

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
LOT 208
REGISTERED PLAN No. 420
NOW IN THE
CITY OF HAMILTON
SCALE 1:150

G. G. ALDWORTH, O.L.S.

WILLOWCREST AVENUE
 (ESTABLISHED BY REGISTERED PLAN No. 420)
 P. I. N. 1 7 5 8 8 - 0 5 4 4



BROADWAY AVENUE
 (ESTABLISHED BY REGISTERED PLAN No. 420)
 P. I. N. 1 7 5 8 8 - 0 5 4 0

BOWMAN STREET

LOT 208
LOT 209
LOT 210
LOT 241
LOT 242
REGISTRED PLAN No. 420

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2177303



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

BENCHMARK
 ELEVATIONS ARE HEREON ASSUMED AT AN ELEVATION OF 100.00

THIS REPORT WAS PREPARED FOR JOHN FRANCUZ

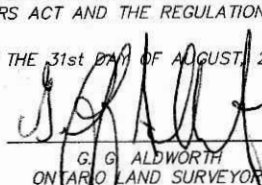
NOTE:
 TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED

NOTE:
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SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 31st DAY OF AUGUST, 2021

SEPTEMBER 9, 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

PROJECT No 218203R

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN R-4588

PART 2
 - PARCEL IS NOT SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY
 - THE FRAME GARAGE IS LOCATED COMPLETELY OUTSIDE THE PROPERTY
 - THE NORTH WALL OF THE SUBJECT DWELLING IS LOCATED A MAXIMUM OF 0.03m NORTH OF THE PROPERTY LINE
 - EAVES ON THE NORTH SIDE OF THE SUBJECT DWELLING ARE LOCATED A MAXIMUM OF 0.14m NORTH OF THE NORTHERLY PROPERTY LINE
 - THE ASPHALT DRIVEWAY ASSOCIATED WITH No. 241 BROADWAY IS PARTIALLY LOCATED ONTO THE SUBJECT LANDS BY A MAXIMUM OF 0.14m
 - PLEASE NOTE THE LOCATION OF FENCES AS SHOWN ON THE PLAN

BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF BROADWAY AVENUE AS SHOWN ON REGISTERED PLAN No. 420, HAVING A BEARING OF N22°52'00".

LEGEND:

- DENOTES FOUND BAR
- DENOTES PLANTED BAR
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- CC DENOTES CUT CROSS
- (OU) DENOTES ORIGIN UNKNOWN
- (637) DENOTES H. B. ASHENHURST, O.L.S.
- (912) DENOTES A. J. CLARKE & ASSOCIATES LTD.
- (1511) DENOTES GUIDO V. CONSOLI, O.L.S.
- (P1) DENOTES REGISTERED PLAN No. 420
- (P2) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. J. CLARKE & ASSOCIATES LTD. DATED JUNE 20, 1997 (INDEXED E-15204)
- (P3) DENOTES PLAN OF SURVEY BY MARIO IARUCCI, O.L.S. DATED OCTOBER 30, 1988 (INDEXED H-6336)
- (P4) DENOTES PLAN OF SURVEY BY H. B. ASHENHURST, O.L.S. ATTACHED TO ARCHITECTURAL PLANS RECEIVED FROM DA DESIGNS (PAGE No. D0.1)
- (P5) DENOTES PLAN OF SURVEY BY MacKAY & MacKAY LTD. DATED JULY 15, 1943 (INDEXED Y-4436)
- TW DENOTES TOP OF WALL
- LS DENOTES LIGHT STANDARD
- 300# DENOTES TREE DIAMETER
- (WT) DENOTES WITNESS

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

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Arborist Report and Tree Protection Plan

for

237 Broadway Avenue

Prepared for:

Dan Acimovic

Dan@dadesigninc.ca

Prepared by:

KENT NIELSEN

ISA CERTIFIED ON-0210A

FOREST TECHNICIAN, HORTICULTURAL JOURNEYMAN, TRAQ



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November 4, 2021



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Arborist Report for 237 Broadway Avenue

Introduction

At the request of Dan Acimovic, this report was written to satisfy tree by-law requirement No.15-125 for City of Hamilton. Owners propose new construction with enlarged entrance to parking pad at back. Property address is 237 Broadway Avenue. Property is a corner lot, located at corner of Broadway Avenue and Willowcrest Avenue. Entrance to parking pad is at Willowcrest Avenue.

Tree assessment was done from ground. Tools implemented during assessment included diameter tape, tape measure, probe and photographic equipment. Diameter at Breast Height (DBH) was determined at 1.3 metres above ground. Tree numbers correspond with numbers shown on site plan (T1 is Tree #1, etc.).

Discussion

On August 3, 2021, I assessed trees within site area. After reviewing drawings provided, I contacted Urban Forestry. Through conversation, I learned that in this area of Hamilton, private trees are not protected. Tree by-law for this address only protects city owned trees. There are 12 city owned trees within site area. Trees T1-T8 are Norway spruce (*Picea abies*). Trees T9-T12 are Eastern white cedar (*Thuja occidentalis*). It is not likely that these trees were planted by City of Hamilton. These species are not typically used as street trees.

Many years ago, a fence was erected on city property and enclosed the 12 city owned trees discussed here. Probably around that time a tree house type structure was erected between tree T7 and tree T8. Over the years, both trees grew and were damaged by attempting to engulf parts of structure. Both trees have structural defects at connection with structure. It might be feasible to retain tree #7.

Tree #8 has structural defects where it is attempting to engulf structure. Tree also has structural defect at co-dominant stems. Defect travels from base to included bark. This tree is in poor structural condition. Tree is also in conflict with proposed drive. Excavation for entrance to parking area would encroach the tree protection zone by 2.6m. It is a 54cm Norway spruce, with a tpz of 3.6m. Tree would suffer too much root loss for retainment. Tree in my professional opinion should be removed regardless of new construction.

Other trees to be removed which are by-law protected are T9, 31cm Eastern white cedar, T10, 21cm Eastern white cedar, T11 22cm Eastern white cedar and T12, 25cm Eastern white cedar. All of which are part of an old cedar hedge located near back property line.

*This report was written on November 4, 2021 for 237 Broadway Avenue
 by Kent Nielsen, ISA Certified ON-0210A, Forest Technician and Horticultural Journeyman, TRAQ*



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Trees to be removed which are not tree by-law protected are T13, T14, T15 and T27 (in poor structural condition).

Tree #1, 57cm Norway spruce has a wide spreading crown. Its scaffold branches extend 7 metres into yard. To be able to proceed with construction, some scaffold branches will need to be removed.

Permits

We request permit to injure:

- Tree #1, 57cm Norway spruce (*Picea abies*)

We request permit to remove:

- Tree #8, 54cm Norway spruce (*Picea abies*)
- Tree #9, 31cm Eastern white cedar (*Thuja occidentalis*)
- Tree #10, 21cm Eastern white cedar (*Thuja occidentalis*)
- Tree #11, 22cm Eastern white cedar (*Thuja occidentalis*)
- Tree #12, 25cm Eastern white cedar (*Thuja occidentalis*)

Tree Protection Plan

City of Hamilton Tree Protection Policy, Appendix F¹:

The following is according to the City of Hamilton's special provision SP-97.

General

Tree Protection shall be in accordance with OPSS 801 as amended by this special provision.

Construction

Where indicated on the tree removal and protection plan, all existing trees shall be protected from damage in accordance with the tree protection details given on the Contract drawings before the start of any works on this contract. Once tree protection is in place, the Contractor shall notify the City of Hamilton Forestry Section in order to arrange for inspection of all tree protection measures.

¹ <https://www.hamilton.ca/sites/default/files/media/browser/2015-04-22/right-of-way-manual-appendixf.pdf>



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The Contractor shall not trim any trees. Where trimming is necessary, the Contractor shall contact the City of Hamilton Forestry Section to arrange for tree trimming. Confine movement of heavy equipment and storage of same and materials to a predetermined area. Equipment shall not be placed or move over soil within the dripline of any tree. Do not store materials or place equipment over root systems. No rigging cables shall be wrapped around or on trees. Contractor shall be responsible for the installation of protective fencing or approved equal, installed in accordance with City of Hamilton Forestry Section requirements, unless directed otherwise. Where the installation of the tree protection fencing is not practical, tree protection shall be placed as close as possible to the leading edge of the crown and never close than 1.85m (6 ft) from the trunk without approval of the Manager of Forestry of his representative. This item shall include all costs to supply, install, maintain, relocate, and remove all required materials for tree protection, as necessary.

Methodologies

Prior to any demolition, T8-T11 and T12 will be removed.

Fencing and structure between T7 and T8 will be removed supervised by project arborist, Kent Nielsen. Wooden structure will be removed by hand carefully, so as to do as little damage as possible. Once structure has been removed, trees will be assessed for structural integrity.

Existing walkway within tpz for city trees will be removed by hand. If there are broken or damaged roots, they will be pruned using good arboricultural practice. Backfilling will be completed using horticultural quality soil.

Trees T1 and T7 will be protected by hoarding installed along edge of sidewalk then 3.6m from T1, then run along edge of proposed walk at 3.0m from T4, as shown on tree protection plan.

Replanting Plan

Due to the condition and species of trees to be removed, we request 4 trees to be replanted as adequate compensation for removals:

- 1, 60mm Ginkgo (*Ginkgo biloba*), at front.
- 2, 60mm Red oak (*Quercus rubra*), at back.
- 1, 60mm Hackberry (*Celtis occidentalis*), at back.



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Conclusions and Recommendations

In my professional opinion, trees to be preserved should not suffer from proposed construction if recommendations within this report are followed. Trees to be injured should recover from their injuries.

The replacement of 4 trees is adequate compensation for removal of T8 (in poor condition), T9, T10, T11 and T12 which do not contribute significantly to environment.

Urban Forestry should assess trees to be retained. Removal of dead and dying trees or tree stems should be removed.

A handwritten signature in black ink, appearing to read 'Kent Nielsen', with a long horizontal flourish extending to the right.

Kent Nielsen,
Consulting Arborist



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A brief explanation of each tree assessment category included in the inventory is outlined below:

Species – The common and botanical names are provided for each tree.

Diameter at Breast Height (DBH) – The diameter of each tree, in centimetres, at breast height (1.4M above grade). Where (est.) appears, diameter was estimated due to limited access.

Trunk Integrity (TI) – An assessment of the tree's trunk for any externally-visible defects or weaknesses. It is rated on an ascending scale of poor-fair-good.

Canopy Structure (CS) – An assessment of the tree's main scaffold branches and the canopy of the tree for defects or weaknesses visible from ground level. Binoculars were used as an assessment aid. It is also rated on an ascending scale of poor-fair-good.

Canopy Vitality (CV) – An assessment of the general health and vigour of the tree, derived partly through a comparison of deadwood and live growth relative to a 100% healthy tree. The size and colour of foliage are also considered in this category. This indicator is also rated on an ascending scale of poor-fair-good.

Tree Protection Zone (TPZ) – The tree protection zone, in metres The TPZ is based on tree diameter; the actual recommended or required TPZ size may vary (see Discussion – Tree Preservation).

Location (LOC) – The location of the tree relative to the subject site: on the subject site (S), on neighbouring property (N), on municipal property (M), or on property boundary (B).

Recommendation (REC) – The recommendation for each tree: Protect (P), Injure (I), Required removal for proposed construction (R1), Recommended removal due to tree condition, Maintenance (-M).

Comments – Comments pertaining to the tree may be provided, as needed. Not applicable (N/A).



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Tree Inventory for 237 Broadway Avenue

Tree #	Common Name	Botanical Name	DBH	CW	TI	CS	CV	TPZ	LOC	REC	Comments
1	Norway spruce	Picea abies	57cm	7m	F	F	F	3.6m	M	I	• Co-dominant dead stem
2	Norway spruce	Picea abies	25cm	7m	G	G	F	2.4m	M	P	• Narrow crown
3	Norway spruce	Picea abies	25cm	7m	G	G	F	2.4m	M	P	• Narrow crown
4	Norway spruce	Picea abies	46cm	8m	P	G	F	3.0m	M	P	• Structural defect and decay near base at location of co-dominant trunk loss
5	Norway spruce	Picea abies	33cm	8m	N/A	N/A	N/A	2.4m	M	P	• 90% dead, hazard with crack
6	Norway spruce	Picea abies	33cm	7m	G	G	F	2.4m	M	P	
7	Norway spruce	Picea abies	51cm	6m	P	G	F	3.6m	M	P	• Structural defect at engulfing tree house at 2 locations
8	Norway spruce	Picea abies	54cm	5m	P	G	F	3.6m	M	R	• Structural defect at co-dominant stems with included bark and seam
9	Eastern white cedar	Thuja occidentalis	31cm	3.5m	F	F	F	2.4m	M	R	
10	Eastern white cedar	Thuja occidentalis	21cm	3.5m	F	F	F	2.4m	M	R	

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11	Eastern white cedar	Thuja occidentalis	22cm	3.5m	F	F	F	2.4m	M	R	
12	Eastern white cedar	Thuja occidentalis	25cm	3m	G	F	G	2.4m	M	R	
13	Eastern white cedar	Thuja occidentalis	24cm	3m	P	F	F	N/A	S	R	• Tree #13-27 not protected by tree by-law
14	Eastern white cedar	Thuja occidentalis	30cm	3m	P	F	F	N/A	S	R	
15	Eastern white cedar	Thuja occidentalis	10cm	3m	F	F	P	N/A	S	R	• Partly dead
16	Eastern white cedar	Thuja occidentalis	22cm	4m	F	F	F	N/A	S	P	
17	Eastern white cedar	Thuja occidentalis	16cm	4m	P	F	F	N/A	S	P	• Co-dominant
18	Eastern white cedar	Thuja occidentalis	18cm	5m	P	F	F	N/A	S	P	• Co-dominant
19	Eastern white cedar	Thuja occidentalis	13cm	5m	P	P	P	N/A	S	P	• Mostly dead

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20	Eastern white cedar	Thuja occidentalis	23cm	5m	P	F	F	N/A	S	P	
21	Eastern white cedar	Thuja occidentalis	21cm	4m	P	F	F	N/A	S	P	• Co-dominant
22	Eastern white cedar	Thuja occidentalis	19cm	4m	P	F	F	N/A	S	P	
23	Eastern white cedar	Thuja occidentalis	13cm	3m	P	P	P	N/A	S	P	• Mostly dead
24	Eastern white cedar	Thuja occidentalis	16cm	3m	F	F	F	N/A	S	P	
25	Eastern white cedar	Thuja occidentalis	23cm	3m	P	F	F	N/A	S	P	• Co-dominant, leans
26	Eastern white cedar	Thuja occidentalis	26cm	3m	P	F	F	N/A	S	P	• Co-dominant
27	Norway spruce	Picea abies	70cm+62cm	12m	P	F	F	N/A	S	R	• Co-dominant trunks, structural defect travels from base, included bark

M: metres DBH: Diameter at Breast Height

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**All trees situated on City property are protected under provisions of City by-laws.
 In order to protect trees within or near a construction site you must consider the following:**

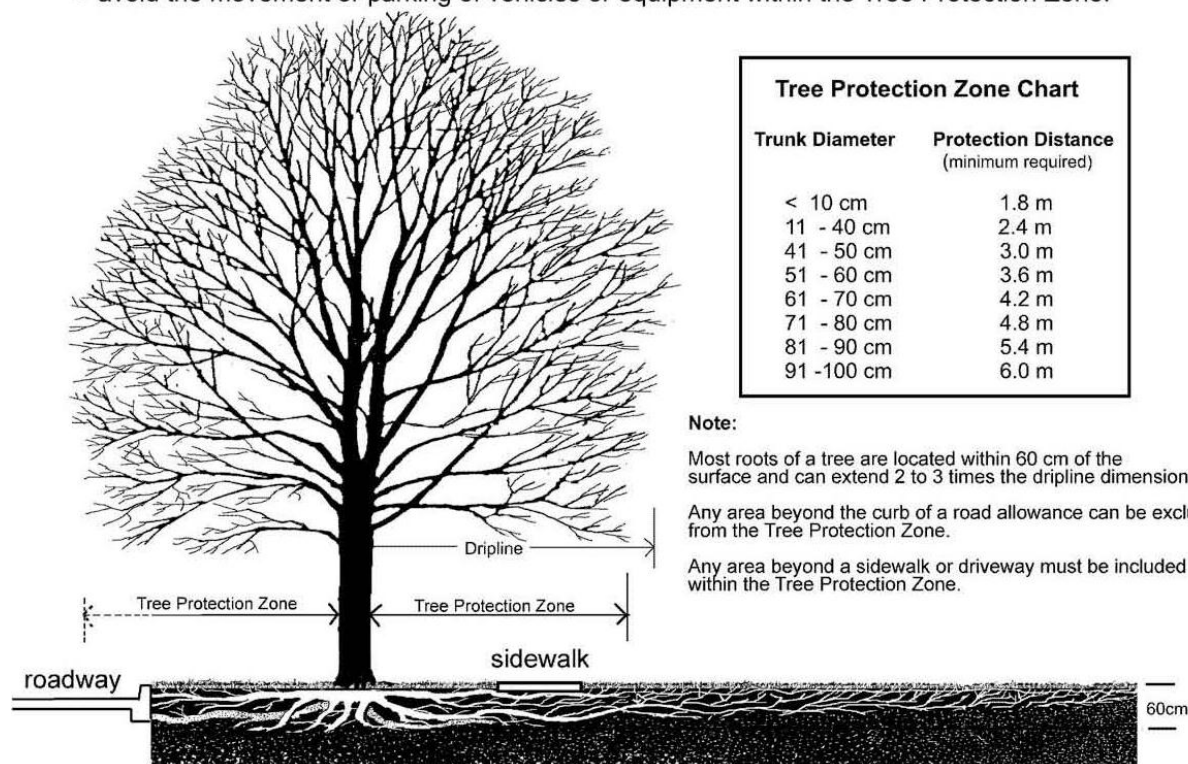
Use the chart below to determine the Tree Protection Zone.

Deliniate or fence off the Tree Protection Zone by means appropriate to the project.
 e.g. caution tape for short duration, snow fencing or plywood hoarding for longer.

Avoid excavating within or near the Tree Protection Zone.

Within the Tree Protection Zone of a tree please remember:

- avoid any alteration or disturbance to existing grade;
- do not change grade by adding fill, excavating or scraping;
- do not store construction materials, soil, waste material or dispose of liquid material;
- if no other options for storing of excavated material is available, place soil on a tarp and avoid the base of the tree as much as possible.
- avoid the movement or parking of vehicles or equipment within the Tree Protection Zone.



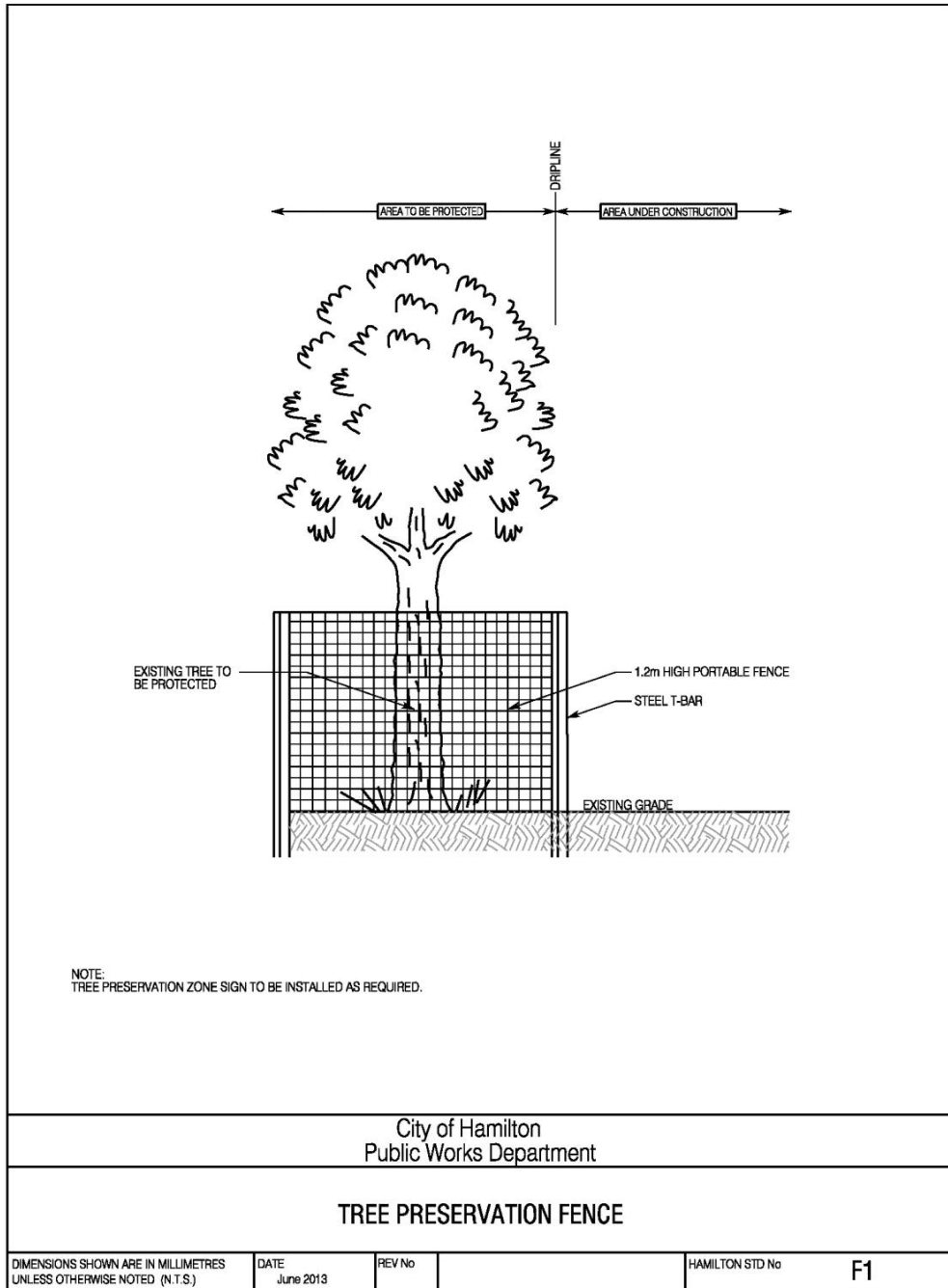
² Source: <https://www.hamilton.ca/sites/default/files/media/browser/2015-04-22/right-of-way-manual-appendixf.pdf>



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Tree Preservation Fencing



3

³ Source: <https://www.hamilton.ca/sites/default/files/media/browser/2015-04-22/right-of-way-manual-appendixf.pdf>

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Looking toward row of city owned Norway spruce, T1-T8



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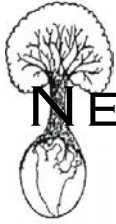
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T1 57cm Norway spruce with dead co-dominant stem



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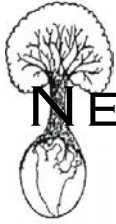
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T1 lower scaffold branches removed, same throughout row



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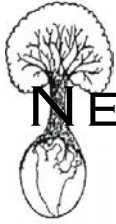
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T2 25cm Norway spruce, narrow crown



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T3 25cm Norway spruce, narrow crown



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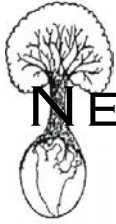
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T4 46cm Norway spruce, poor trunk integrity due to decay and structural defects



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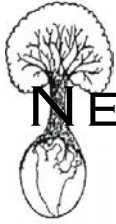
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T5 33cm Norway maple, mostly dead with crack



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T6 35cm Norway spruce narrow crown



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T7 51cm Norway spruce, structural defects where tree is attempting to engulf tree house



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T8 54cm Norway spruce structural defects where tree is attempting to engulf tree house



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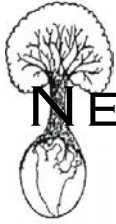
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T8 co-dominant stems with included bark, structural defect travels from base to included bark



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Looking toward T8 to T1



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Row of cedars at back of property



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T9 31cm Eastern white cedar in fair condition



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T10 21cm Eastern white cedar in fair condition



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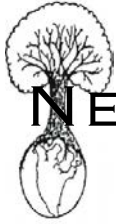
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T11 22cm Eastern white cedar suffers from crowding similar to other cedars in row



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T12 25cm Eastern white cedar, included bark at union



*This report was written on November 4, 2021 for 237 Broadway Avenue
by Kent Nielsen, ISA Certified ON-0210A, Forest Technician and Horticultural Journeyman, TRAQ*

March 23, 2022

City of Hamilton

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

Attention: Committee of Adjustment, City of Hamilton

To Whom it may concern:

**Re: 237 Broadway Ave, Hamilton, ON L8S 2H9
Letter of Authorization, Planning & Project Management
Committee of Adjustment Application: 237 Broadway Ave, Hamilton**

We authorize the firm of Batory Urban Planning and Project Management to act as our authorized representative with respect to the above-captioned matter.

Owner, 237 Broadway Ave.

Authentisign
Jesse Freeman

**Jessie Freeman
BFW Homes Ltd.**

I have the authority to bind the corporation.



PLANNING RATIONALE

March 2022

Subject Address:

237 Broadway Ave
Hamilton, ON

1.0 Background

1.1 Introduction

Batory Management has been retained by BFW Homes c/o Jessie Freeman (the “Owner”) as the planning consultant for the development at 237 Broadway Ave in the City of Hamilton, Ontario.

The following Planning Justification Report provides an overview of the proposed development on the subject lands. This report also provides justification of the minor variance application needed to facilitate the proposed development of the subject lands.

Located on the southeast corner of Broadway Avenue and Willowcrest Avenue, the subject property is a rectangular shaped corner lot, with one single detached home. The landowner seeks to partially demolish the existing structure to construct one two-storey detached dwelling with an associated Secondary Dwelling Suite.

1.2 Location and Site Context

237 Broadway Ave is located within the Ainslie Wood East neighbourhood within Ward 1, in west Hamilton. The subject property is a corner lot with 12.16 m of frontage on Broadway Ave, and 517.90 sq.m. (5,5574.63 sq.ft.). in lot area. The site is currently occupied by one single detached two-storey house.

The subject lands are bound by the following:

- To the north: Willowcrest Ave., and existing residential neighbourhood
- To the south: Existing residential neighbourhood.
- To the west: Broadway Ave., and existing residential neighbourhood.
- To the east: Existing residential neighbourhood.

The immediate neighbourhood within Ainslie Wood East is a mixed building typology residential neighbourhood that’s been organically developed and is currently changing with a variety of different built forms. Pre-war and post-war cottages from the 1910s and 1920s are scattered throughout the neighbourhood, along with newly built one and two-storey detached dwellings from the 1960s and 1970s. The immediate neighbourhood north of the site contains a mix of both main street service commercial and office uses along Main Street West as well as residential detached one and two storey dwellings, semi detached dwellings, townhouse units and multiple unit dwellings. McMaster University has influence on the surrounding neighbourhood, as the type and tenure of homes within the stable community contains a mix of student accommodations which support the university population.

It should be noted that the subject site is designated within the Ainslie Wood Westdale Cultural Heritage Landscape, as described in Official Plan Amendment 201 (By-Law 05-208) Schedule N-2, however the subject site is not registered in the Ontario Heritage Act and the Municipal Heritage Register.

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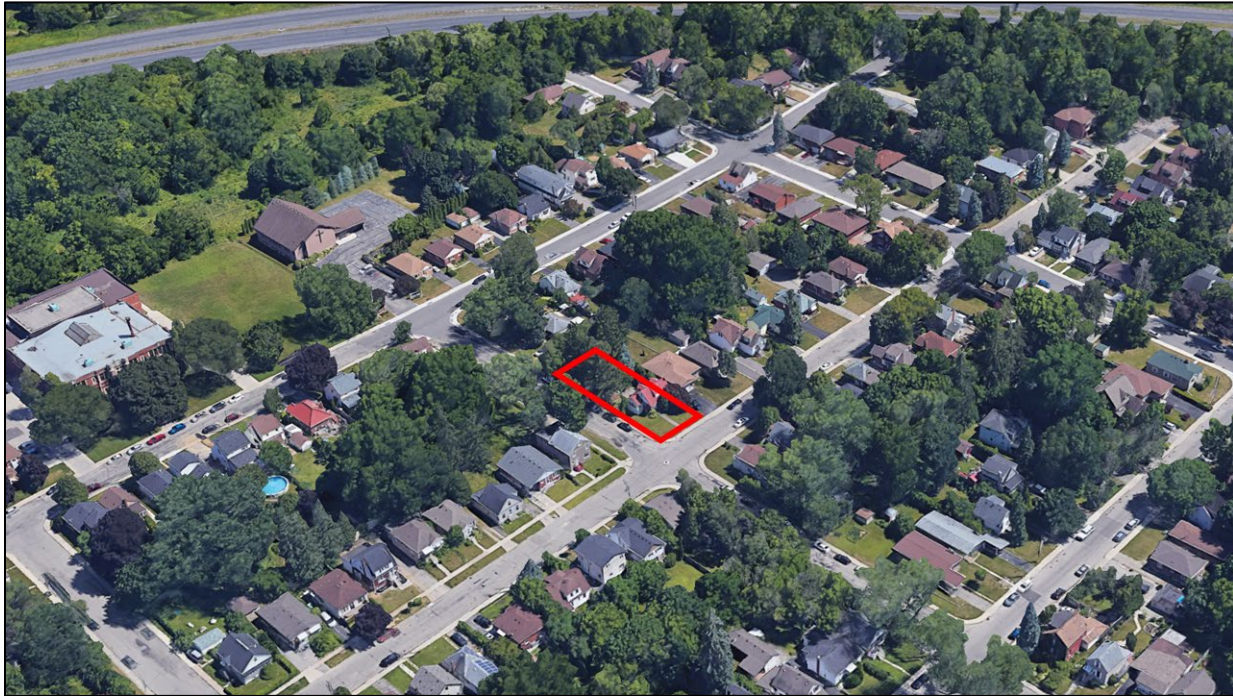


Figure 1 – Aerial Photo

Broadway Ave. travels two lanes of traffic in a north-south direction with permitted street parking on both sides. Broadway Ave. is a Local Road in Schedule C of the Urban Hamilton Official Plan Schedule C; Functional Road Classification.

While Broadway Ave. is not directly on a Hamilton Bus Route, Emerson Street, one block to the northwest of the subject site is serviced by both the University #51 and Delaware 5A/5C Route that is a dedicated line connecting eastbound and westbound Hamilton respectively through the Main Street West to McMaster University. The nearest transit stop is approximately 250 metres northwest of the subject site, at the corner of Emerson Street and Whitney Ave.

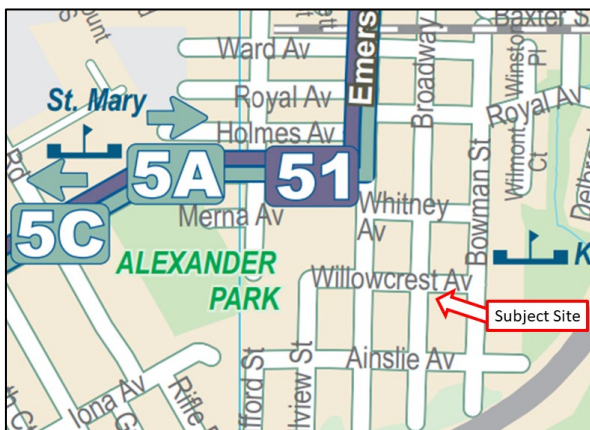


Figure 2 – Hamilton Street Railway System Map (2019);

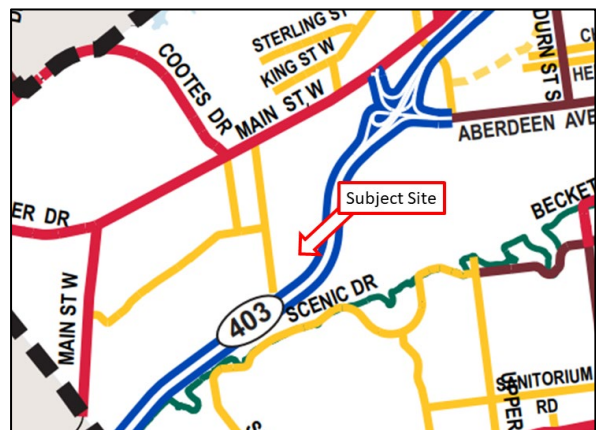


Figure 3 –OP Schedule C: Functional Road Classification

Subject Site:



Figure 4 – Subject Site

Neighbourhood Context:



Figure 5 – Surrounding Context Photos (built form immediately surrounding the site)

1.3 Surrounding Lot Fabric

Broadway Ave. and the surrounding neighbourhood context is predominantly 1-2 storey homes of varying design styles influenced from its time of construction. Mixed in with new built construction are pre- and post-war cottages, converted dwellings, dwelling renovations and additions, as well as non-residential retail services and offices, and public infrastructure.

Both Lots and Lot Frontages in the neighbourhood surrounding the subject site are irregular as a result from the subdivision of land from growth and change that has occurred since the original settlement. The subject area is characterized by an eclectic style of homes with evidence of renovations and redevelopment of homes within the neighbourhood over time. The immediate area around the property is a residential neighbourhood characterized with a general lot pattern with variations between interior and corner units. The eclectic nature of the homes includes ranging heights, lotting patterns, architectural styles, exterior building materials and colour palettes, and renovation additions to many of the original dwellings.

The built-form along Broadway Ave is made up of primarily residential dwellings that are accessed through the front yard with vehicle parking located predominantly in side-yard or on-street. It should be noted that the subject site itself does not currently have parking availability. The front face of the dwellings are organized close to the street, with street-facing front yard walkways. Front yards consist of landscape sod and driveway pavers of gravel, stone, and asphalt. The front façade of the existing surrounding neighbourhood is generally brick and vinyl siding, with a few instances of stucco, in various colours and styles which reflect the growth and change within the neighbourhood. Trees within the neighbourhood are sporadic in growth and size, with species that are generally mature deciduous trees. Dominant evergreen species are located directly on the north property line adjacent to Willowcrest Avenue, as well as in the rear yard along the east property line.

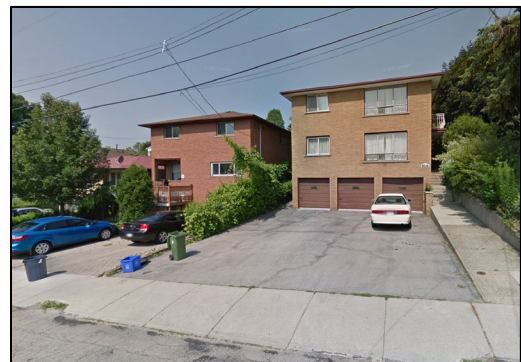


Figure 6 – Neighbourhood Context Photos (various built forms within 250m of the site)

2.0 Proposed Development Concept

The purpose of this application is to partially demolish the existing two-storey residential dwelling and to construct a two-storey residential dwelling with a two-storey secondary suite attached to the main structure. To facilitate the proposed construction, a variance to the maximum gross floor area will be required. The proposed development intends to utilize the portions of the existing foundation and exterior walls in the design, in an effort to minimize construction waste. The secondary suite will be slightly smaller than the primary dwelling; with 178.90 sq.m. for the secondary suite and 179.58 sq.m. for the primary dwelling totalling 358.48 sq.m. in gross floor area for both dwellings combined.

The proposed dwelling seeks to add an additional building length to accommodate the secondary suite of 6.53 meters which is aligned with the length of the existing dwelling to the south. Within the Secondary Suite a total of two bedrooms and three bathrooms will be provided.

The proposed dwelling has been designed with a peaked roof, with a total height of 9.0 metres, similar to the built form in the surrounding neighbourhood and coinciding with the Zoning By-law maximum height regulation. This includes the addition of a 2nd storey to the existing dwelling.

24 sq.m. of dedicated amenity area will be provided at a rate of 12 sq.m. per unit and will be located in the rear yard. One parking space for the new dwelling and one parking space for the secondary suite will be provided along the rear property line. The parking pad and rear-yard walkways will be constructed of permeable paver stones.

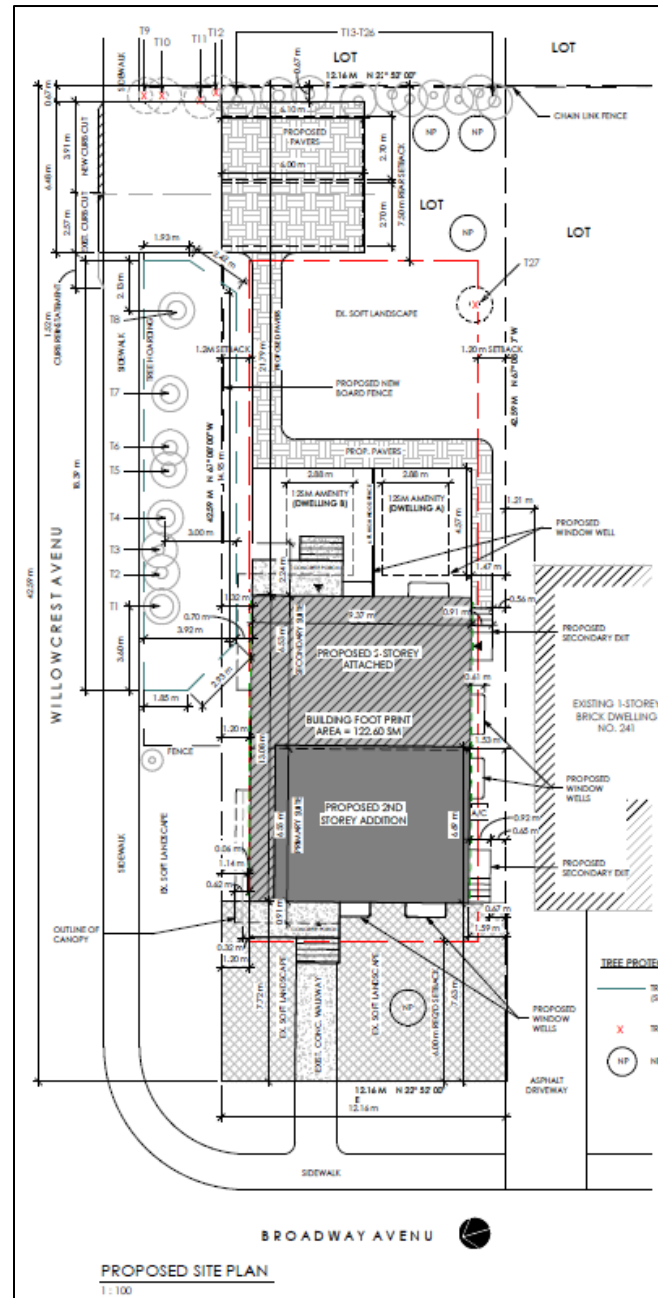


Figure 7 – Proposed Site Plan

The exterior finish of the proposed development will consist horizontal wood siding on the main level, and grey stucco on the second storey. Black trim, black mullioned windows, and wood trim details adds architectural interest and design features which assists in the character of the building.

The application includes an arborist report that was prepared to evaluate the existing mature trees within the subject site, and along the municipal boulevard. Although private trees are not protected by the Tree By-Law within this area, it should be noted that the proposed design of the site seeks to retain the existing trees along the property lines to provide screening and promote sustainable development practices. The Arborist report recommends the removal of 9 trees, of which 1 is in poor condition, and 4 do not contribute significantly to the environment. A total of 13 trees will be preserved as part of the proposed development, and 4 new trees will be planted as compensation for the tree removal.

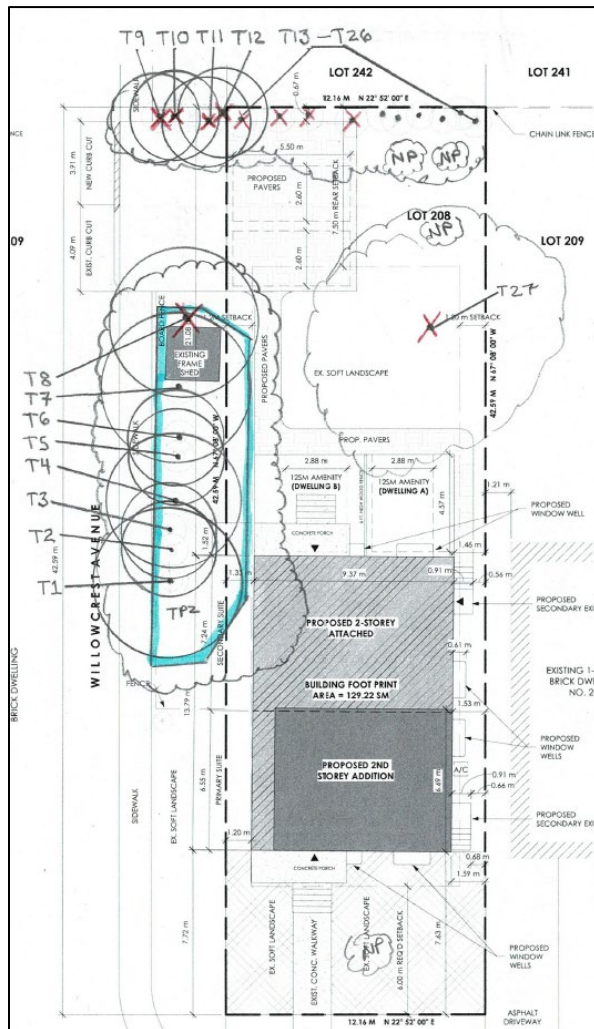


Figure 8 [left image] – Tree Preservation and Removals Plan, prepared by New World Arborist

Figure 9 [right images] – Proposed Elevations

3.0 Evaluation of the Proposed Minor Variance Application

All planning decisions made within the Province of Ontario must be consistent and conform to Ontario's planning-system hierarchy. As such, this section will review the proposed minor variance application as it relates to the relevant planning policies.

3.1 Provincial Policy Statement

The subject lands are located within Hamilton's settlement area. Section 1.1.3.1 of the PPS 2014 notes that "*Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted".

The minor variance application has regard to the criteria for land use patterns within settlement areas as outlined in section 1.1.3.2 of the PPS. Specifically, the minor variance application represents an efficient land use infill development opportunity. Additionally, the minor variance will be serviced by existing municipal infrastructure such as water and sanitary systems. Accessing the site can efficiently be done both actively as well as by motor vehicles; the subject site is accessed using a municipally serviced road and the subject lands are located within walking distance of main street amenities and the City's public transportation network. Additionally, the proposed minor variance application supports the City of Hamilton's population intensification targets. The minor variance of the subject lands will not jeopardize any natural heritage, agricultural, archaeological or cultural areas. Additionally, no human-made hazards are located within proximity to the subject lands.

3.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The proposed minor variances and associated secondary suite construction are supported by the following sections of A Place to Grow:

Section 1.2.1 of the Plan provides the guiding principles for how land is to be developed, resources to be managed and protected, and public dollars to be strategically invested according to the following principles:

- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

Section 2.1 of the Plan provides policies for where and how to grow. Specifically, Section 2.2.1.2 a) states:

the vast majority of growth will be directed to settlement areas that:

- i. have a delineated built boundary
- ii. have existing or planned municipal water and wastewater systems; and
- iii. can support the achievement of complete communities

Section 2.1.2 c):

Within settlement areas, growth will be focused in:

- i) delineated built-up areas;
- ii) strategic growth areas;
- iii) locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
- iv) areas with existing or planned public service facilities

Section 2.1:

- d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;
- e) development will be generally directed away from hazardous lands;

3.3 Niagara Escarpment Plan (2017)

The Niagara Escarpment Plan is effective June 1, 2017, through its office consolidation on April 5, 2021. The subject site currently is within the *Urban Area*.

The *Urban Area* are designations within the Niagara Escarpment Plan that urban growth has encroached within the Escarpment and are areas that have been identified by the Municipality for urban development which are regulated by municipal Official Plans and/or Secondary Plans.

Section 1.7.4 states that proposed uses and the creation of new lots may be permitted subject to conformity with development criteria, and changes to permitted uses, expansions, and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan.

Section 2.2.11. outlines the development criteria for Secondary Dwelling Units;

- a) a single secondary dwelling unit may be permitted on an existing lot of record
- c) the secondary dwelling unit shall be contained entirely within a single dwelling or in addition to a single dwelling

3.4 City of Hamilton Official Plan

The City of Hamilton Official Plan was adopted by Council on July 9, 2002 and is effective August 16, 2013, with the exception of certain policies and land use designations, none of which are applicable to the subject application.

The subject site is currently designated “Neighbourhoods” according to the Urban Hamilton Official Plan Schedule E-1: Urban Land Use Designations

Chapter B of the Hamilton Official Plan introduces Hamilton’s character based on its communities. Communities are described as having four attributes:

- Complete: Opportunities to live, work, learn, shop, and play are provided and are accessible.
- Healthy: Healthy and safe lifestyles are supported by quality built and natural environments.

- Diverse: Neighbourhoods are unique in character and enable a variety of lifestyle choices and housing opportunities for all. and;
- Vibrant: Interesting and creative streetscapes and human scale public places are created through quality design, pedestrian amenities, and attention to land use mix.

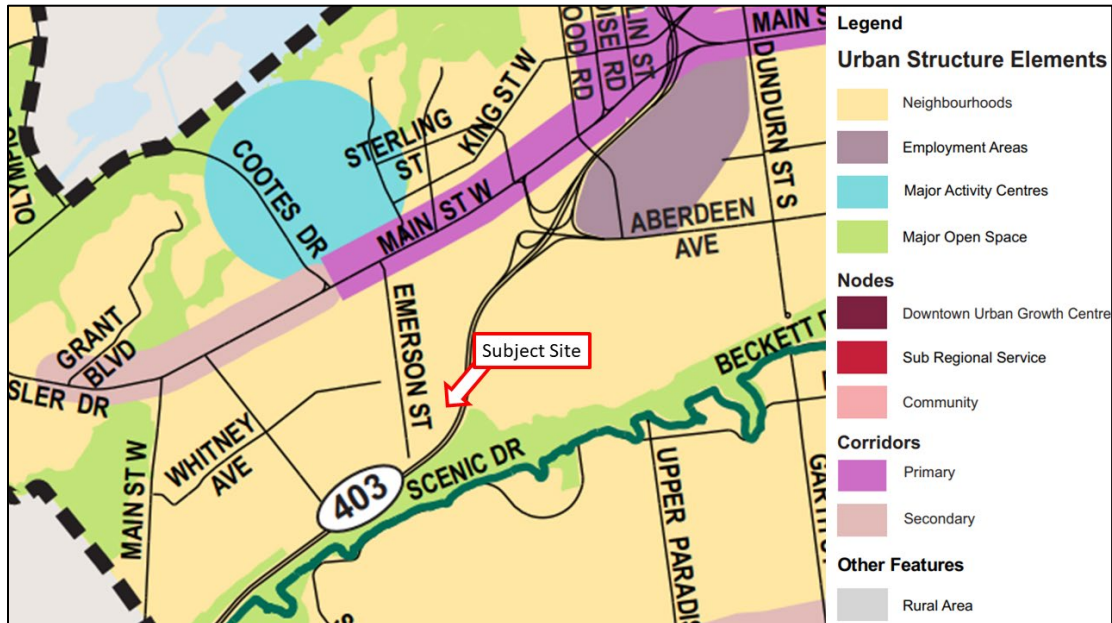


Figure 8 – City of Hamilton Official Plan: Urban Hamilton Schedule E-1 Urban Land Use Designations

Section 2.4 speaks specifically to Residential Intensification as a key component of Hamilton’s growth strategy to meet the growth and intensification targets as set by the Province. Residential Intensification contributes to creating and maintaining vibrant neighbourhoods, nodes and corridors and can provide a wider range of housing types to meet the housing needs of Hamilton’s current and future population.

The policies within Section 2.4.1. address Residential Intensification;

2.4.1.1.c) states that 40% of residential intensification is anticipated to occur within the Neighbourhoods designation

Policy 2.4.1.4 outlines that Residential Intensification shall be evaluated based on the following criteria;

2.4.1.4.b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form.

2.4.1.4.c) the developments contribution to maintaining and achieving a range of dwelling types and tenures

2.4.1.4.d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques.

2.4.1.4.f) infrastructure and transportation capacity

2.4.1.4.g) the ability of the development to comply with all applicable policies

Policy 2.4.2 speaks specifically to residential intensification within the Neighbourhoods designation;

- 2.4.2.2.b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects
- 2.4.2.2.c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings
- 2.4.2.2.d) the consideration of transitions in height and density to adjacent residential buildings
- 2.4.2.2.e) the relationship of the proposed lots(s) with the lot pattern and configuration within the neighbourhood
- 2.4.2.2.g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations
- 2.4.2.2.h) the ability to complement the existing functions of the neighbourhood

Chapter E addresses the Urban Designations of Hamilton's Neighbourhoods, in which is subject site is currently designated. They are described as diverse, ranging from old, historic area of the City, to newly developed subdivisions.

Chapter E Section 2.6 defines neighbourhoods as a key component of Hamilton's urban structure, representing the concept of complete community at the structural level. They are comprised of a mix of low, medium and high rise residential areas, with various types of roads, parks, open spaces, and commercial areas, institutions such as schools and places of worship. Neighbourhoods are regarded as stable, however it doesn't mean they're static and it's anticipated that physical change will occur over time.

Residential intensification within neighbourhoods is stated to be part of the evolution of neighbourhoods and can happen at a range of scales and densities provided the intensification is compatible with and respects the built form and character of the surrounding neighbourhood.

Section 3.1 speaks to the policy goals that apply to Neighbourhoods land use designation, they are;

- 3.1.1.: Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods
- 3.1.2. Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.
- 3.1.3. Plan and designate lands for a range of housing styles and densities, taking into account affordable housing needs.
- 3.1.4. Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- 3.1.5. Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.

Section 3.2 goes on to speak about the function of Neighbourhoods, and outlines the general policies attributed to them:

- 3.2.1. Area designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

Section 3.2.3 specifically states the uses permitted in Neighbourhoods:

- 3.2.3.a) residential dwellings, including second dwelling units and housing with supports;
- 3.2.3.b) open space and parks
- 3.2.3.c) local community facilities/services; and,
- 3.2.3.d) local commercial uses.

Section 3.4.3 states that the specific uses permitted within Neighbourhoods are single-detached, semi-detached, duplex, triplex, and street townhouse dwellings

Residential Uses are described in Section 3.3, and Low Density Residential developments are described within Section 3.4 of the Official Plan. Both of these policies outline the framework of new development within Neighbourhoods. Section 3.3.1 and 3.3.2 states that, lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas, and Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.

Section 3.4.6 states the Design criteria for development in areas dominated by low density residential uses:

- 3.4.6.c) A mix of lot width and sizes *compatible* with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features; shall be encouraged. Development shall be subject to the Zoning By-Law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.

3.5 Ainslie Wood Westdale Secondary Plan

Ainslie Wood Westdale Secondary Plan's intent is to create a balance stable community in which the residents are housed in high-quality neighbourhoods providing amenities suitable for various types of households. Tenants, including students and other are offered a wide range of suitable housing choices and services. Developments within the neighbourhood should be well-designed and sustainable, considers future generations and respects the natural environment.

Section 6.2.4. outlines the objectives of the Ainslie Wood Westdale Secondary Plan as;

- a) Provide a diversity of suitable housing choice for families, students, seniors and others.
- b) Maintain low density, single detached residential areas, in terms of both appearance and use.
- c) Ensure new infill housing and renovations are compatible with existing development.
- d) Encourage development forms which are compact, to help provide opportunities to relieve pressures for urban expansion, such as higher densities and mixed use along major roads.

Residential policies are described in 6.2.5.2. to provide the following objectives;

- a) Provide a wide variety of housing forms for many types of households, including households of various sizes and age groups. Encourage the maintenance of the appearance of low density housing, especially single detached homes, where possible.

- b) Encourage new infill housing and renovations to be compatible with surrounding residential development. Create opportunities for and direct higher densities, and mixed use
- e) Ensure the protection of areas identified on the basis of cultural heritage characteristics.



Figure 8 – Ainslie Wood Westdale Secondary Plan Land Use Plan Map B.6.2-1

Section 6.2.5.3 further describes the general residential policies as;

- a) A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types.
- b) Changes to the existing housing stock, such as new infill construction and renovations, shall be comparable to existing housing styles on the same block and street. New construction shall be encouraged to reflect similar housing styles, massing, height, setbacks, and other elements of style as the adjacent homes on the same block and street. The City shall discourage the building-out of rooflines to convert dormers into a full storey. The City shall limit overbuilding on properties, to maintain compatibility within the neighbourhood.
- c) Where there is no consistent style of homes on a street or block to determine the style for infill housing, such infill or renovations shall be encouraged to be compatible with the various housing styles on that street or block, reflecting one style or a suitable combination, rather than being of a height or style not found in the area.

Section 6.2.13 speaks to the Urban Design Policies of the Ainslie Wood Westdale community, with the following objectives:

- a) Built forms and landscaped areas, including residential neighbourhoods, commercial areas, arterial roads, and other areas shall be enhanced through high quality design initiatives.
- b) New development, including infill and additions to existing buildings, shall complement and enhance the existing character of the surrounding environment, through the use of appropriate building materials and attention to the scale, massing, colour, and special features of the existing built context.

The subject site is located within the Cultural Heritage Landscape along the Emerson Street corridor and as described in the Official Plan Appendix F – Cultural Heritage Resources. Section 6.2.14.1. speaks to the Cultural Heritage Policies of this area, where the objectives are to recognize the existing heritage and design features of the area, and take advantage of opportunities to further enhance these features;

The subject site is designated as *Low Density Residential 2* where the permitted uses include single detached, semi-detached, duplex, triplex, and street townhomes with a density of 20-40 units per hectare as described in Appendix B; Secondary Plan Residential Density Chart.

3.6 Former Hamilton By-Law 6593.

The in-force zoning by-law applying to the site is the Former Hamilton Zoning By-Law No. 6593, consolidated for April 2019, and as amended by By-Laws 80-274, 95-02, 95-33, 19-307. The former City of Hamilton Zoning By-Law is one of the Former Communities of Hamilton which is not subject to the Hamilton Zoning By-Law No. 05-200. The City of Hamilton is currently in the process of replacing the Zoning By-Laws of all of the former municipalities. At the present time of this application, the Former Hamilton By-Law 6593 is currently in effect.

237 Broadway Avenue, and the majority of the Ainslie Wood Community has been subject to numerous amending by-laws since the initial inception of the former Hamilton By-Law 6593. The following is a brief synopsis of the By-Laws pertaining to the subject site and the Secondary Suite conversion.

3.4.1 Former Hamilton By-Law 6593

The Former City of Hamilton Zoning By-law 6593 zones the subject site as *Urban Protected Residential “C” District* with Zoning Codes Zoning Code C/S-1335 (By-Law 95-02), C/S-1335a (95-33), C/S-720 (By-Law 80-274). This zoning permits single family dwellings, as well as additional uses such as:

- i. A single family dwelling, together with the accommodation of lodgers to the number of not more than three; (81-27)
- ii. (a) A foster home (10837/65) (81-27)
- iii. A residential care facility for the accommodation of not more than 6 residents; (81-27)
- iv. Retirement home for the accommodation of not more than six residents (01-143).

The “C” designation also allows for institutional uses, public uses, farming uses, and miscellaneous or incidental uses with condition, none of which apply to the subject lands.

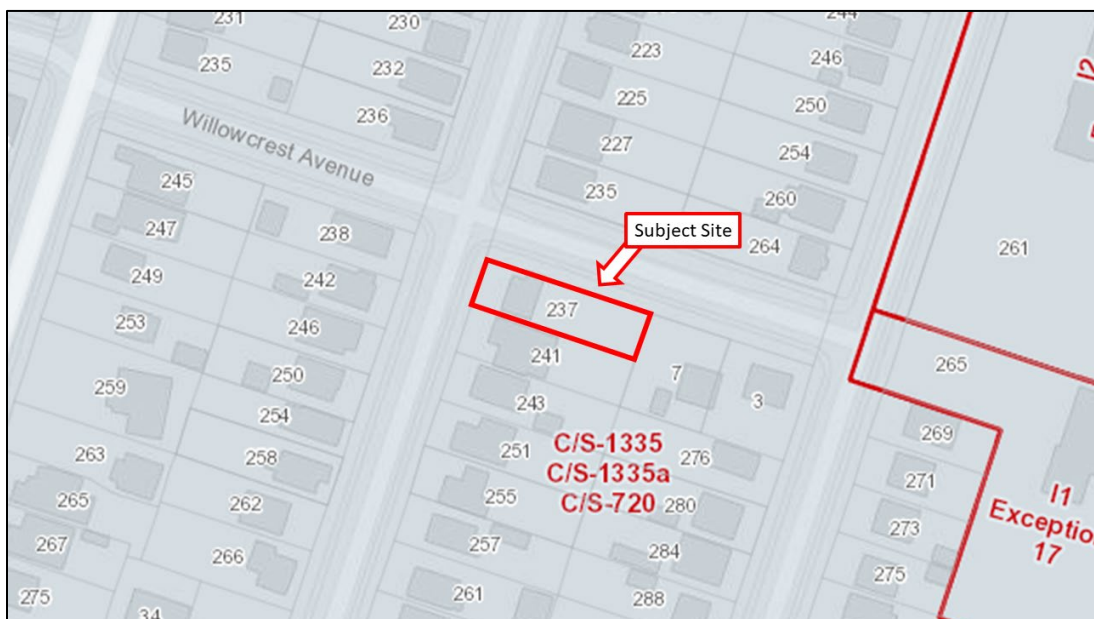


Figure 8 – Zoning Map

Within the “C” district, no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres (36.09 feet) in height.

The following yards shall be provided within the “C” district:

- i. A front yard depth of a least 6.0 metres (19.69 feet)
- ii. A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet)
- iii. A rear yard of a depth of at least 7.5 metres (24.61 feet)

Section 9 of By-Law 6593 speaks to the Residential Conversion Requirements for “C” Districts. As part of this section, any single family detached dwelling within “C” Urban Protected Residential zones are permitted to contain no more than two dwelling units, provided the following conditions are complied with:

- i. each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1m (6.9 ft.), but excluding the area of any porch, verandah or other such space which cannot lawfully be used as living quarters; (15-071)
- ii. The applicable zoning district regulations for a single family detached dwelling shall apply, except the minimum lot area shall be 270m²
- iii. Except as permitted in clause (iv), the external appearance and character of the dwelling shall be preserved;
- iv. There shall be no outside stairway other than an exterior exit;
- v. Parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:
 - 1) It may be located in a required front yard provided that the area for parking, manoeuvring and access driveway shall not occupy more than 50% of the gross area of the front yard; (93-063)

- 2) Not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials;
 - 3) Manoeuvring for the parking space may be permitted off-site; and, 19-2
 - 4) Where a side yard abuts a street line, not less than 50% of the gross area of the side yard be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials. (94-145)
- vi. For the purposes of clause 19(1)(v), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting various built form requirements referenced in the sub-section of this particular clause.
 - vii. For purposes of clause 19(1)(v)(4), the gross area of the side yard shall be calculated as the area between the side lot line and a principle dwelling and the area extending from the front yard to the rear yard but subtracting various built form requirements referenced in the subsection of this particular clause.

Sub-section (5) speaks to the specific clauses for Second Dwelling Units within “C” Districts, as part of (18-299) passed on September 26, 2018:

- i. Notwithstanding anything contained in this by-law, a second dwelling unit on the same lot as a single detached dwelling may be constructed provided all the following requirements are met:
 - a) For the purpose of this Subsection, laneway shall mean a public highway or road allowance having a width of less than 12.0 metres;
 - b) The lot shall contain a single-detached dwelling unit;
 - c) The lot shall abut a laneway;
 - d) Subsection (5) shall apply to lands zoned “C” (Urban Protected Residential, etc.) District and “D” (Urban Protected residential – One and Two Family Dwellings, etc.) District and identified in Section 22 as Schedule P;
 - f) A second dwelling unit may be constructed on the same lot as a single detached dwelling unit provided it meets all the following requirements:
 - 1) The maximum height shall be 6.0 metres;
 - 2) It shall be permitted in the required rear yard of the principal dwelling but shall be no closer than 7.5 metres to the principal dwelling;
 - 3) It shall not be permitted in a front yard;
 - 4) A minimum 1.2 metre setback from a side and rear lot line shall be provided and maintained;
 - 5) For any elevation not facing a laneway, windows and doors are permitted only on the ground floor or within a roof; and,
 - 6) It shall not exceed a gross floor area of 50 square metres, excluding any parking contained within the second dwelling unit.
- ii. Section 18 (A).(1)(a) shall not apply to secondary dwelling units permitted in clause (i)

Sub-Section 19 of By-Law 6593 refers to the residential conversion requirements for Urban Protected “C” Zones. This Section has been replaced in its entirety by By-Laws 80-274, 95-02, 95-033, 19-307 and most recently, By-Law 21-076 as part of the Residential Zones Project.

3.3.2 Zoning Codes C/S-1335 (By-Law 95-02), C/S-1335a (95-33):

By-Law 95-02 was passed by the Ontario Municipal Board on December 7, 1951, to introduce various amendments to Zoning By-Law 6593:

Sub-Section 1 “C” Urban Protected Residential refers to built form amendments:

- a) Notwithstanding Section 9.(2) of Zoning By-Law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height;
- b) No building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 0.45;
- c) Notwithstanding Section 2.(2)J.(viiiia) of Zoning By-Law 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement, but shall not include:
 - a. An attached garage;
 - b. A detached garage;
 - c. The floor area occupied by hearing, air conditioning and laundry equipment; and
 - d. A cellar.

Variances to Section 1(b) & 1(c) of By-Law 95-02 will be required to facilitate this application, as the total proposed GFA, excluding the area occupied by heating, air conditioning and laundry equipment, is 377.02 sq.m. while the by-law requires 233.05 sq.m.

3.7 Residential Zones Project: Zoning By-Law Amendment 21-076 and Amending By-law 21-167

On May 14, 2021, Council for the City of Hamilton approved By-Laws 21-071 to 21-077 to amend the city-wide By-Laws relating to Secondary Dwelling Units and their specific site requirements, as well as further amending By-Law 21-167. By-Law 21-076 applies to the amendment of Former Hamilton By-Law 6593.

Subsection 19(a) of the By-Law permits conversions located within legally established single detached dwelling in all Residential districts. The dwelling unit may be converted to contain not more than a total of three dwelling units on one lot, provided the following policies are complied with;

- v. A Secondary Dwelling Unit shall not be permitted in a cellar.
- vi. A Secondary Dwelling Unit shall have a maximum of two bedrooms.
- ix. A single detached dwelling containing one Secondary Dwelling Unit shall not be considered a duplex or triplex
- xii. Parking shall be provided in accordance with Section 18(A) of this by-law
- xiii. Notwithstanding Section 19.(1)(xii), for a lot containing a Secondary Dwelling Unit identified in Schedule “P” of Section 22, no additional parking space shall be required for any dwelling unit on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained;
 - 1) 1. Sections 19.(1)(xiii) 2., 3. and 4. shall apply.
 - 2) Parking shall be provided to all lots containing a Secondary Dwelling Unit and Secondary Dwelling Unit - Detached in accordance with Sections 18(14), 18A(7), 18A(7a), 18A(9), 18A(14a) to 18A(14g), 18A (23) and 18A(31).
 - 3) A maximum one driveway shall be permitted for each lot containing a Secondary Dwelling Unit and Secondary Dwelling Unit - Detached; and,

- 4) Notwithstanding Section 19.1(xiii)3., for a corner lot, a maximum of one driveway may be permitted from each street frontage.
- xv. Except as provided in Subsection 19.(1)(xvii)1., the exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.
- xvi. There shall be no outside stairway above the first floor other than an required exterior exit.
- xvii. Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, interior Side Lot Line or Rear Lot Line.
- xviii. Notwithstanding 19.(1) One additional entrance may be located on the front façade of the building for properties identified in Schedule "P" of Section 22.
- xix. A minimum landscaped area shall be provided and maintained in the rear yard for each Secondary Dwelling Unit – Detached on the lot, in accordance with the following provisions:
 - 1) A landscaped area of 8.0 square metres for each dwelling unit less than 50.0 square metres; and,
 - 2) An landscaped area of 12.0 square metres for each dwelling unit 50.0 square metres or more.

4.0 Evaluation of the Proposed Minor Variances

The application to the City of Hamilton Committee of Adjustment seeks approval of a minor variance to Section 1(b) & 1(c) of By-Law 95-02 to facilitate this application, as the total proposed GFA, excluding the area occupied by heating, air conditioning and laundry equipment, is 357.62 sq.m. while the by-law requires 233.05 sq.m. As such, the application is evaluated by examining the four tests of minor variance, as set out in the Planning Act:

- 1) Is it in keeping with the purpose and intent of the Official Plan?
- 2) Is it in keeping with the purpose and intent of the Zoning By-law?
- 3) Is the application minor in nature?
- 4) Is it an appropriate and desirable development for the area?

6.1 Proposed Variances

Table 1 - 237 Broadway Ave Proposed Variances			
Former Hamilton Zoning By-Law 6593: Urban Protected Residential "C"		Required	Provided
1	Amending By-Law 95-02		
1 (b)	<i>no building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplies by the floor area ratio of 0.45;</i>	233.05 sq.m.	357.62 sq.m.
1 (c)	<i>Notwithstanding Section 1.(2)J.(viii) of Zoning By-Law 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement, but shall not include:</i> <ul style="list-style-type: none"> <i>a) an attached garage;</i> <i>b) a detached garage;</i> <i>c) the floor area occupied by heating, air conditioning and laundry equipment; and</i> <i>d) a cellar.</i> 		

6.2 Intent of The Official Plan

The proposed development of a residential dwelling and secondary dwelling unit are a permitted land use under the Neighbourhoods land use designation. The proposed development respects the existing physical character of the neighbourhood, as outlined in the Neighbourhoods policies within the City of Hamilton Official Plan. The proposed built form is meeting the intent of Chapter E 3.2.1 in contributing to a complete community, and in providing adequate dwelling types and densities for local residents. The proposed development also is compatible with the Policies in Chapter B Section 2.4.2, and Chapter E, 3.3.1 with the size and configuration of lots within the immediate neighbourhood; it is consistent with the prevailing building type and prevailing lots; it is consistent with the neighbouring setbacks of buildings from the street and maintains the general patterns of rear and side yard setbacks and landscaped open space. Also, the proposed development maintains the policies in Chapter B 2.4.2 where adequate privacy, sunlight, and sky views for existing residents through appropriate design and maintaining adequate setback, separation distances, as well as height. As such, the proposed development meets the general intent of the Official Plan and provides a continuation of built form features that contribute to this specific neighbourhood.

The proposed development responds to the Ainslie Wood Westdale Secondary plan by providing a gentle low-density infill development which adds to the diversity of the housing choices within the neighbourhood, in both appearance and use. The inclusion of the Secondary suite provides opportunity for rental housing which expands the available housing types, or for families to age-in-place within the neighbourhood which responds to policies 6.2.4 and 6.2.5.2. The proposed built form is compatible with the existing neighbourhood with similar massing, height, setbacks, and coinciding with policies 6.2.5.3, and complements the existing character of the surrounding

environment, referenced in the Urban Design policies of section 6.2.13. The proposed development meets the general intent of the Ainslie Wood Westdale Secondary plan and provides a high-quality built form which is well designed.

6.2 Intent of the Zoning By-law

The intent of the maximum gross floor area provision within Hamilton Zoning By-law 6593 is to assist in regulating the scale and massing of structures on a property. The proposed increase in maximum floor area is not considered to contribute negatively to the scale and massing for the proposed dwelling. The proposed renovation of the existing dwelling with the addition of a second storey and secondary suite has been designed as to not disrupt the surrounding the neighbourhood fabric. The massing is consistent with the existing built forms and will not result in a building that is large and out of character for the neighbourhood.

When considering the total GFA, the density that can be seen from the public realm should be evaluated, including the ground floor and second storey. The total GFA that is seen from above-ground totals 235.92 sq.m. When compared to the maximum By-law requirement of 233.05 sq.m., which is made up from a calculation of the lot area multiplied by a floor area ratio of 0.45, the difference of 2.87 sq.m. is negligible from the streetscape. The By-Law however includes basements within the calculation of maximum gross floor area that adds the additional 121.70 sq.m. of GFA, totalling 357.62 sq.m.

It should be noted that all other provisions in the By-law, as well as the amending By-laws, have been met with respect to massing, built form, setbacks, height, lot coverage, and parking requirements. Maximum gross floor area is the only variance to the By-Law that's required to facilitate the proposed development on the site.

Zoning By-law Amendment 21-076 and amending By-law 21-167 were introduced with the intent to provide secondary dwelling suites to existing residential dwellings. The proposed development is in keeping with the By-law provisions and no variances are required to these By-laws.

As such, the proposed variance for Gross Floor Area is not considered to result in a building that dominates or is out of character with the streetscape and meets the intent of the Zoning By-Law.

6.3 Minor in Nature

To adequately evaluate whether a proposed By-law variance is minor, the resulting impact, if any, must be determined and considered. While a variance may represent a considerable mathematical deviation from the By-law, it may still be considered minor if the resulting impacts of the variance do not result in significant adverse impacts on the surroundings. These surroundings include neighbouring properties as well as the general 'streetscape' of the public realm.

The proposed maximum gross floor area exceeds the Zoning By-Law requirement, however the design of the dwelling mitigates the potential massing impacts. The siting of the proposed dwelling is appropriately aligned with the dwellings to the south, and the proposed dwelling is similar in

massing relative to some of the dwellings within the immediate neighbourhood. The architecture and proportions of the building have been carefully considered to appropriately reflect the scale and character of the streetscape. The proposed dwelling includes a roofline and building elements which break up the massing. Single level building elements have been included to break up the massing and provide a variation in built form. The second floor of the dwelling has been designed to be within the maximum height requirement, and the scale of the dwelling is in keeping with the setback requirements within the lot. Parking is kept wholly within the property line, and the minimum spaces are provided.

As such, the proposed variance is considered minor in nature.

6.4 Appropriate and Desirable Development for the Area

The proposed two storey dwelling and associated secondary suite will result in a compatible built form that is complementary to the neighbourhood, and the variance requested will not create negative impacts within the context of the immediate surrounding area.

The inclusion of the secondary suite is desirable to the Ainslie Wood Westdale Neighbourhood, as it provides opportunity for rental housing which expands the available housing types, or for families to age-in-place within the neighbourhood. It consists of a built form that provides gentle density to an existing established neighbourhood fabric.

When evaluating whether a proposed development is appropriate and desirable for the area, the immediate context should also be considered. The proposed depth of both the existing dwelling and the proposed secondary suite has been designed to not extend past the neighbouring residential dwelling. The side yard between the neighbouring residential dwelling and secondary suite is consistent with the existing structure, which allows for consistent continuity between the dwellings. Lastly, by keeping the height and roofline within the maximum by-law allowance, the second storey addition which results in a building that doesn't dominate or is out of character.

The intent of the design was to also preserve the existing mature trees along the exterior side yard and rear yard, to keep the natural character of this corner. As part of the proposal, 7 of the 8 coniferous trees along Willowcrest Ave. are intended to be preserved. This provides a natural screen to the proposed additional built form and keeps with the existing landscape character.

Finally, when viewing the proposed development from the street it should be noted that only the ground and 2nd storey levels are visible. As noted previously, the first and second level gross floor area total 235.92 sq.m., which is 2.87 sq.m. more than the By-law maximum gross floor area calculation of 233.05 sq.m. By limiting the above-grade massing, as well as preserving the existing trees along the Willowcrest Ave. frontage, this further assists with mitigating the potential impact on the streetscape experience, as well as visual impacts to the surrounding neighbourhood.

As such, the proposed development is appropriate and desirable for the area.

7.0 Planning Conclusion

As noted above, this report evaluated the proposed minor variance application as set out in the Planning Act.

The minor variance application has been reviewed as it relates to consistency of the *Provincial Policy Statement 2014, A Place to Grow: Growth Plan for the Greater Golden Horseshoe*, its consistency with the City of Hamilton Official Plan, and the in-force Town of Dundas Zoning By-law 3581-86. It is of our opinion the minor variance application adequately responds to these.

The proposed variances are in keeping with the purpose and intent of the Official Plan and Town of Dundas Zoning By-law 3581-86, considered minor in nature and an appropriate and desirable development for the area. On this basis, the proposed development satisfies the four tests required for a minor variance application under the Planning Act and represent good planning.

Respectfully submitted by,



Paul Demczak, MCIP, RPP
Principal, Batory Management

DETACHED RENOVATION WITH NEW SECONDARY SUITE ADDITION

237 BROADWAY AVENUE HAMILTON, ONT. L8S 2H9



PROPOSED FRONT



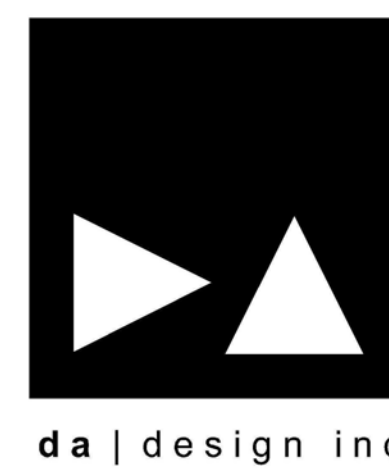
PROPOSED LEFT SIDE



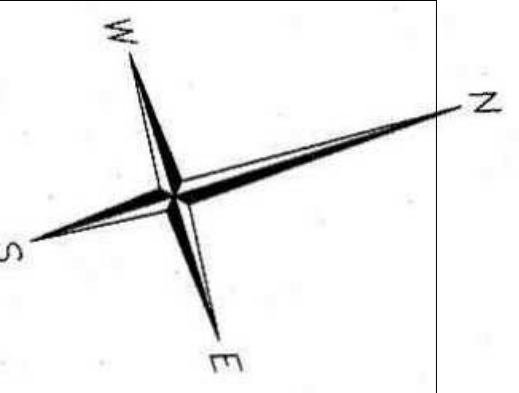
EXISTING FRONT



EXISTING REAR

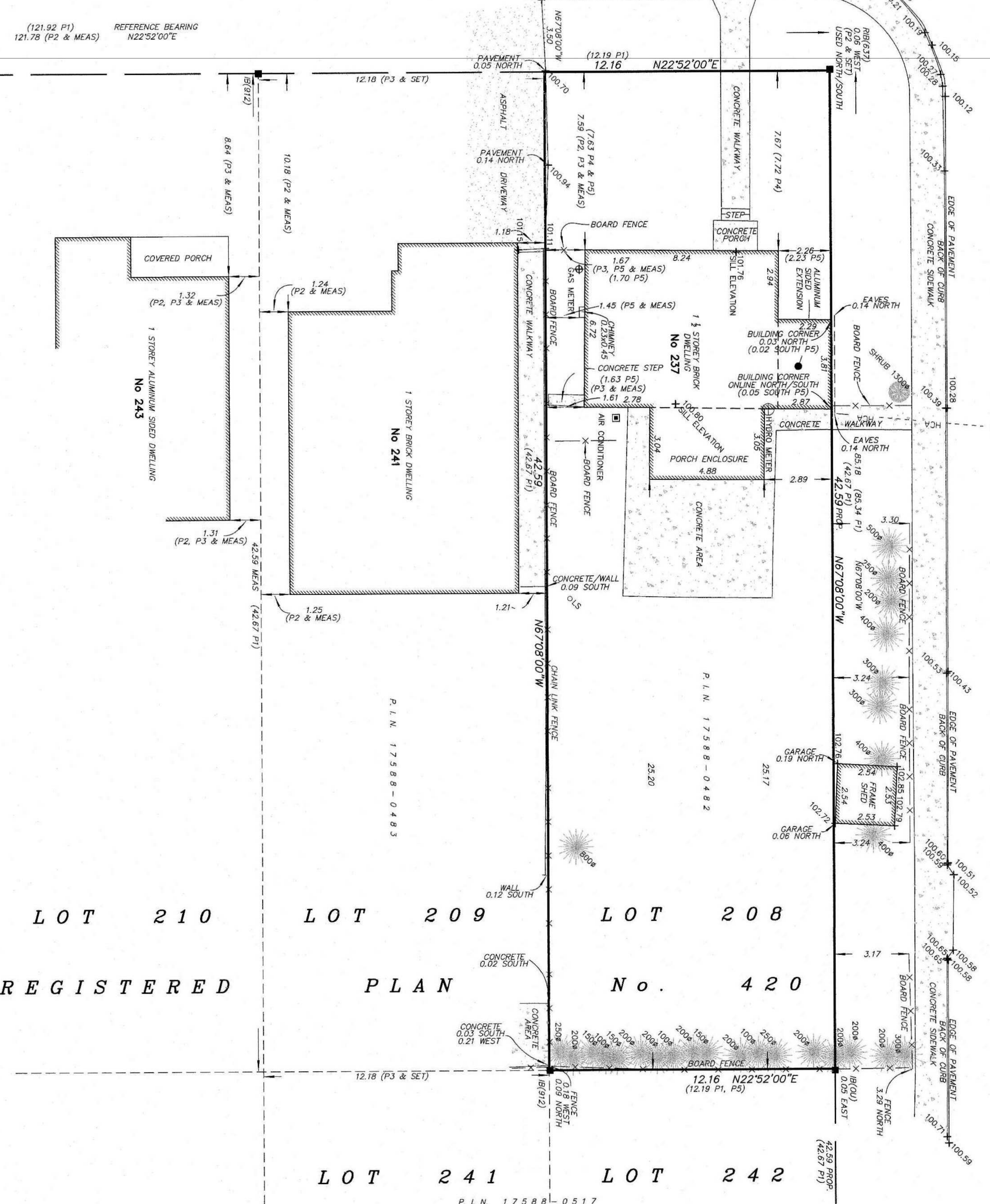


OWNER(S): JUSTIN & JOHN FRANCUZ
FEBRUARY 2022



WILLOWCREST AVENUE

(ESTABLISHED BY REGISTERED PLAN No. 420)
P. I. N. 17588-0544



LOT 210 LOT 209 LOT 208
REGISTERED PLAN No. 420
LOT 241 LOT 242

LOT 200
REGISTERED PLAN No. 4
NOW IN THE
CITY OF HAMILTON
G. G. ALDWORTH, O.L.S.

SCALE 1:150
0 5

EXISTING SURVEY FOR REFERENCE ONLY (NTS)



AINSLIE AVENUE

(ESTABLISHED BY REGISTERED PLAN No. 420)

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
EASTERLY LIMIT OF BROADWAY AVENUE AS SHOWN ON
REGISTERED PLAN No. 420, HAVING A BEARING OF N22°52'00\"/>

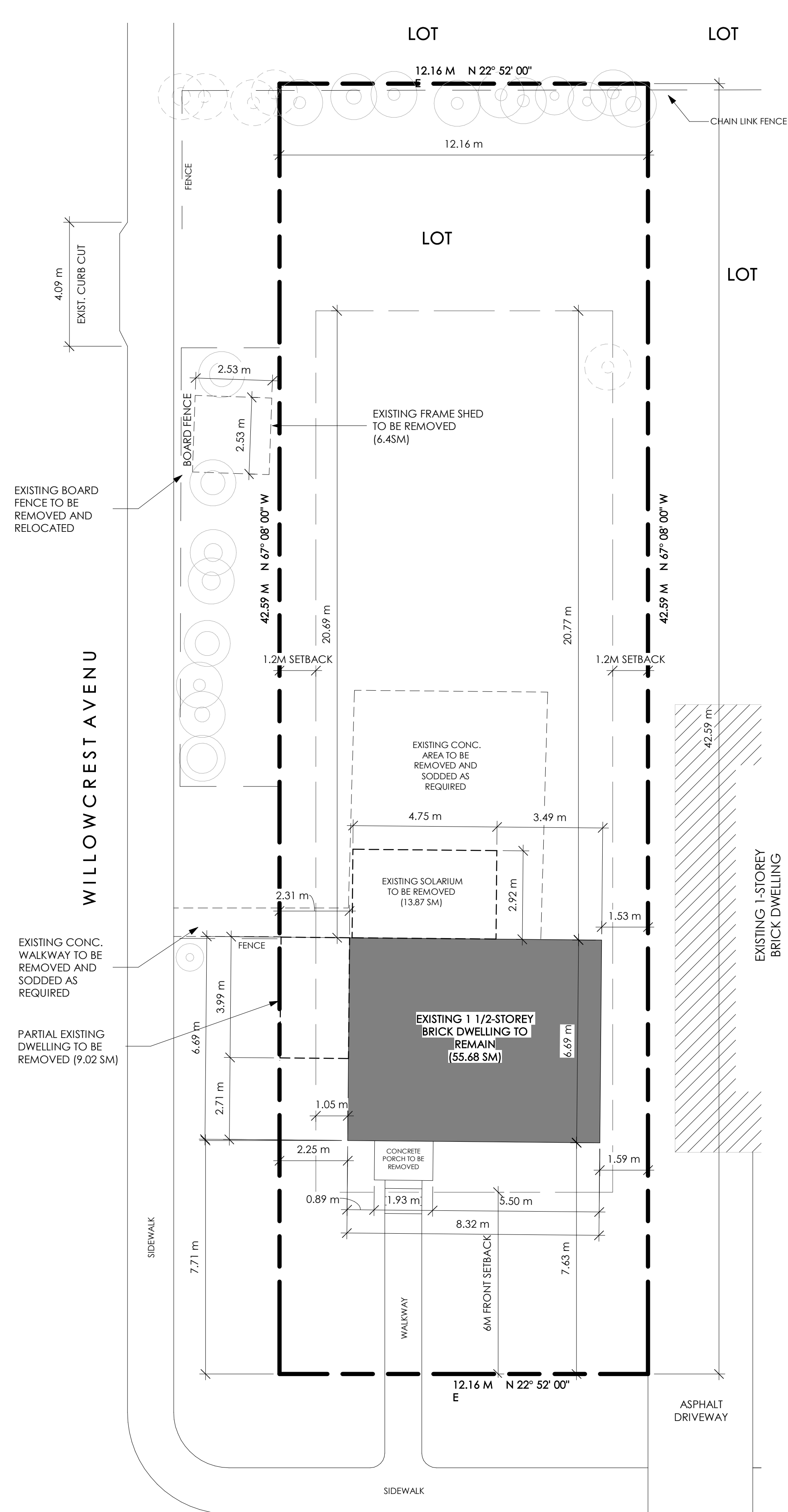
OR'S REAL PROPERTY REPORT
T 1 - PLAN R-4588
T 2
SHEETS NOT SUBJECT TO ANY EASEMENTS
RIGHTS-OF-WAY
FRAME GARAGE IS LOCATED
LETY OUTSIDE THE PROPERTY
ED A MAXIMUM OF 0.03m NORTH OF THE
ON THE NORTH SIDE OF THE SUBJECT
ING ARE LOCATED A MAXIMUM OF 0.14m
H OF THE NORTHERLY PROPERTY LINE
ASPHALT DRIVEWAY ASSOCIATED WITH NO.
SUBJECT LANDS BY A MAXIMUM OF 0.14m
SEE NOTE THE LOCATION OF FENCES

LEGEND:
■ DENOTES ROUND BAR
□ DENOTES FLAT BAR
○ DENOTES STANDARD IRON BAR
RIB DENOTES ROUND IRON BAR
CC DENOTES CUT CROSS
(OU) DENOTES ORIGIN UNKNOWN
(637) DENOTES H. B. ASHENHURST O.L.S.
(912) DENOTES A. J. CLARKE & ASSOCIATES LTD.
(151) DENOTES GUIDO FERRO O.L.S.
(151) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY
A. J. CLARKE & ASSOCIATES LTD. DATED JUNE 20, 1997 (INDEXED E-19204)
(P3) DENOTES PLAN OF SURVEY BY MARIO IAROCCHI O.L.S.
(P4) DENOTES PLAN OF SURVEY BY H. B. ASHENHURST O.L.S. ATTACHED TO ARCHITECTURAL PLANS RECEIVED
(P5) DENOTES PLAN OF SURVEY BY Mackay & Mackay LTD. DATED JULY 15, 1943

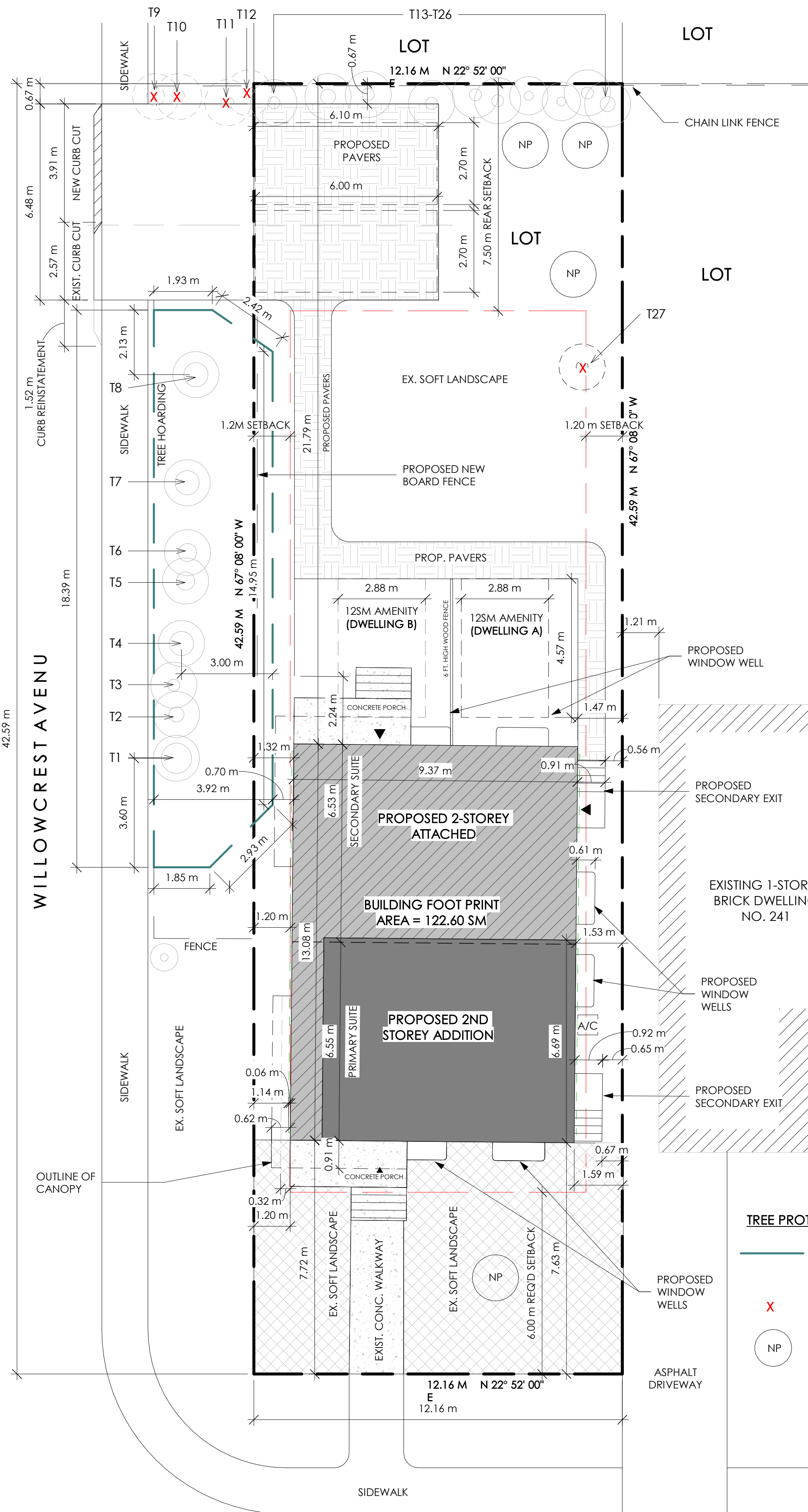
SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 31st day of SEPTEMBER 9, 2021
DATE
G. G. ALDWORTH
ON (48) LAND SURVEYORS



A. J. Clarke and Associates
SURVEYORS • PLANNERS • ENG



EXISTING SITE PLAN
1 : 100



PROPOSED SITE PLAN
1 : 100



PROJECT STATISTICS

ADDRESS: 237 BROADWAY AVE, HAMILTON, ONTARIO, L8S 2H9
 ZONING: C/S - 1335, C/S - 1335a, and C/S-720

	BY-LAW	EXISTING
MIN. LOT AREA:	360 SM	517.90 SM
MIN. LOT FRONTAGE:	12 M	12.16 M

GROSS FLOOR AREA

	PRIMARY SUITE	SECONDARY SUITE
BASEMENT FLOOR	61.40 SM	61.16 SM
GROUND FLOOR	61.40 SM	61.16 SM
SECOND FLOOR (STAIR OPENING NOT INCL.)	56.78 SM	56.58 SM
TOTAL GFA:	179.58 SM	178.90 SM
OVERALL GFA:	358.48 SM	
Max. GFA calculated per Section 1(b) & 1(c) of Amending By-Law 95-02		
BASEMENT FLOOR	61.40 SM	60.30 SM
GROUND FLOOR	61.40 SM	61.16 SM
SECOND FLOOR (STAIR OPENING NOT INCL.)	56.78 SM	56.58 SM
TOTAL GFA:	179.58 SM	178.04 SM
OVERALL GFA (MAX. 0.45 X 517.90 SM = 233.05 SM)	357.62 SM	

SETBACKS

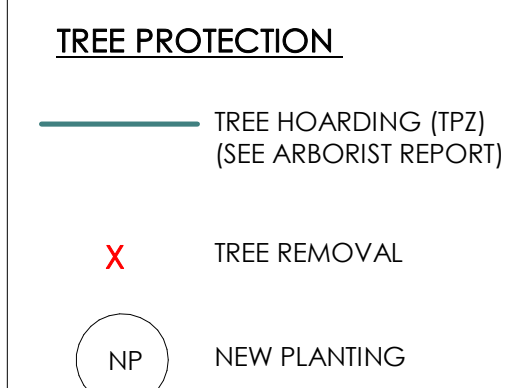
	BY-LAW	PROPOSED
FRONT - DWELLING	6 M	7.63 M
REAR	7.5 M	21.79 M
INTERIOR (FLANKAGE)	1.2 M	1.2 M
INTERIOR	1.2 M	1.46 M
MAX. HEIGHT	9.0 M	9.0 M

LOT COVERAGE

	AREA	PERCENTAGE
BUILDING FOOTPRINT	122.60 SM	23.67 %
PORCHES	11.76 SM	2.27 %
CONCRETE STEPS	3.87 SM	0.75 %
EXIST. CONC. WALKWAY	8.64 SM	1.67 %
PROPOSED PAVERS	74.10 SM	14.31 %
TOTAL LOT COVERAGE:	227.59 SM	42.67 %

LANDSCAPED SOFT AREA

	AREA	PERCENTAGE
FRONT YARD AREA:	96.54 SM	
FRONT PORCH	6.79 SM	
CONC. STEPS	5.52 SM	
CONC. WALKWAY	8.64 SM	
WINDOW WELLS	1.48 SM	
TOTAL SOFT LANDSCAPE AREA:	74.11 SM	76.77 %

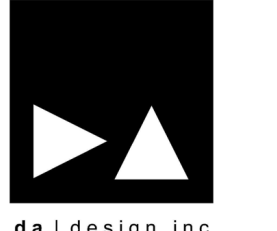


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DATE	NO.	DESCRIPTION
FEB/22	02	COA SUBMISSION
NOV/21	01	COA SUBMISSION

CONSULTANT:
da design inc.
 1185 Queensway Street East
 Suite 3A
 Mississauga, Ontario
 L4Y 0C4
 647 242 0164
 dan@dadesigninc.ca



CONSULTANT'S STAMP:

ENGINEER'S STAMP:

HYVAC CONSULTANT:

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

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

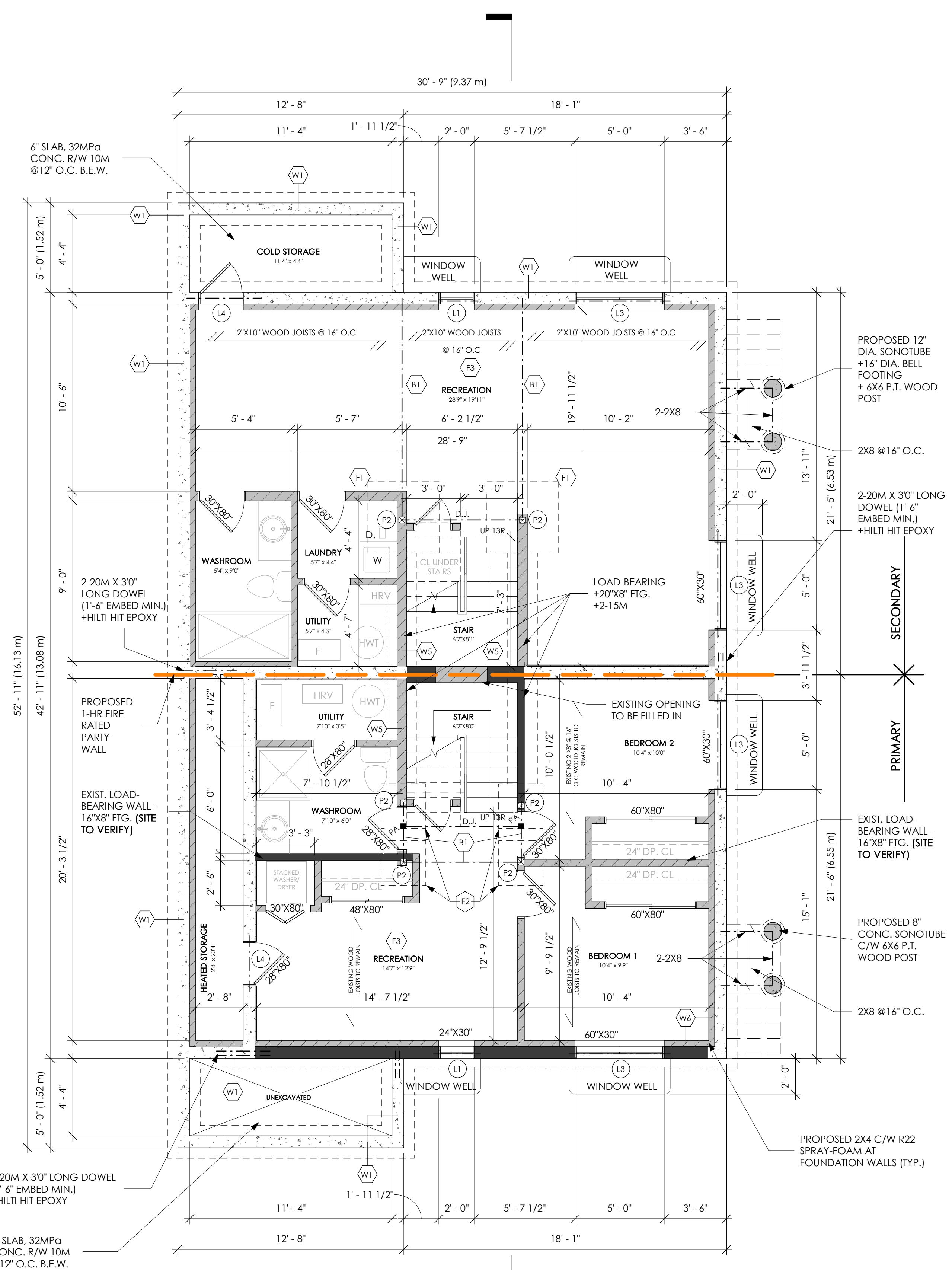
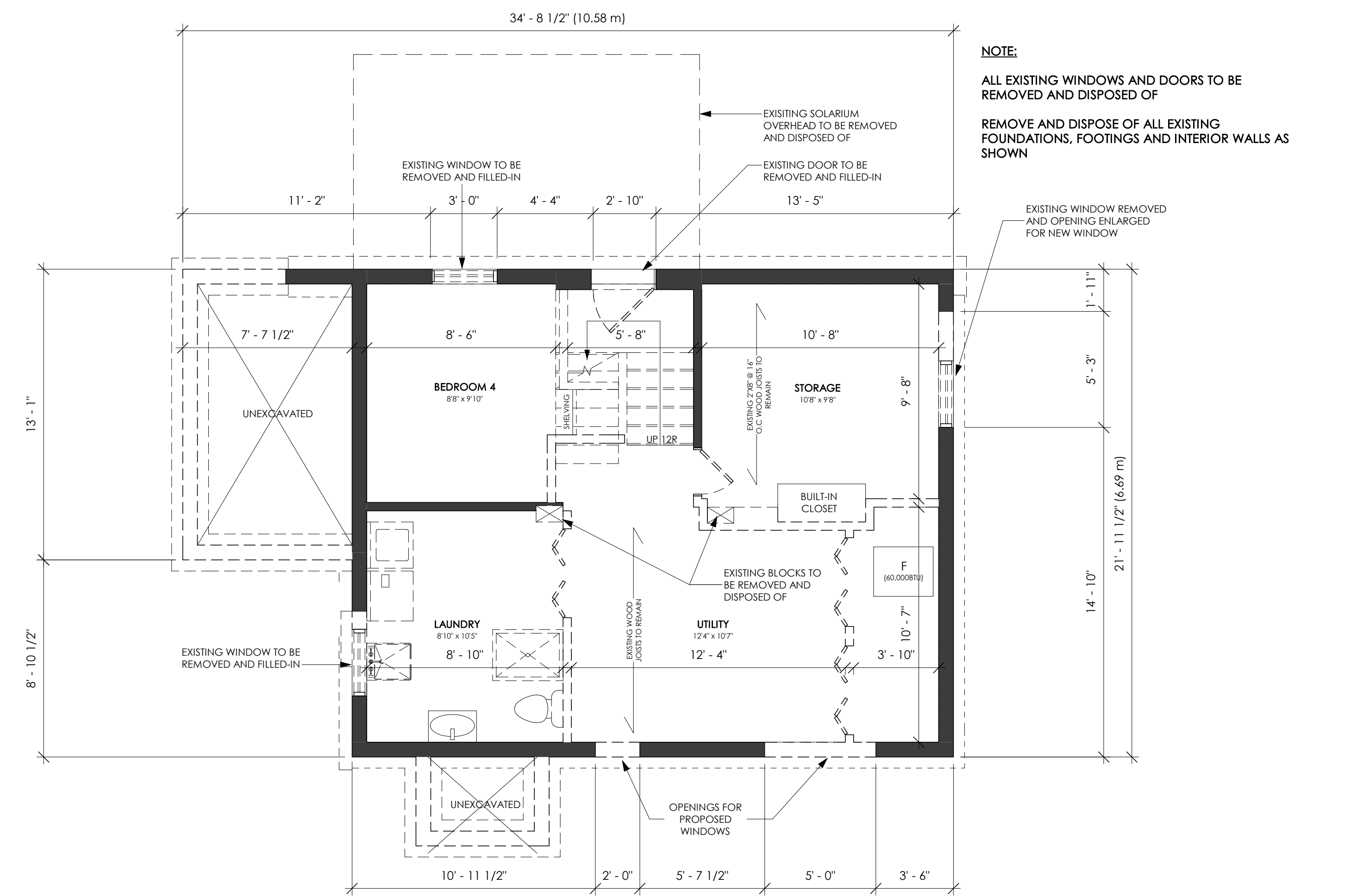
PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ONT. L8S 2H9

PROJECT NO.	SCALE
2021-04-21	1 : 100
DRAWN BY:	REVIEWED BY:
CB	DA
TITLE	DRAWING NO.

SITE PLAN

SP1.02

LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE		
<p>EXISTING WALLS TO REMAIN (G.C. TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<p>FLOOR ROOF</p> <p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2" - 1/2" Ø A/B X 12" LONG + 1/2" THK. CAP PLATE + HILTI HIT HY-200 ADHESIVE</p> <p>DL: 15 PSF DL: 21 PSF LL: 40 PSF SL: 21 PSF</p> <p>AS PER PART 9 OBC 2012</p>	<p>(P1) 3 - 2" X 6" SPF</p> <p>(P2) 4 - 2" X 6" SPF</p> <p>(P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF</p> <p>(L2) 3 - 2" X 10" SPF</p> <p>(L3) 3 - 2" X 12" SPF</p> <p>(L4) (2) - 1 1/2" X 3 1/2" X 1/4" BACK-TO-BACK</p> <p>(L5) RESERVED</p>	<p>CONCRETE PAD</p> <p>(F1) 48"X48"X16" R/W 4-15M B.E.W.</p> <p>(F2) 30"X30"X16" R/W 3-15M B.E.W.</p>	<p>BEAM SCHEDULE</p> <p>(B1) 2 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p> <p>(B2) 3 PLY - 1 3/4" X 14" (2.0E) MICROLAM LVL</p> <p>(B3) 3 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p>	<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.) - 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.) - 2" X 6" (38 X 140MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES</p> <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4") - 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - MIN R22 (RS 3.52) SPRAY-FOAM INSULATION - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7MM) GYPSUM BOARD ON INTERIOR SIDE</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.27.) - (2 ROWS) 2"X4" WOOD STUDS @ 16" O.C. ON SEPARATE 2"X4" PLATES SET 1" APART - 4" THK. BATT INSULATION ON ONE SIDE - 5/8" TYPE 'X' GYPSUM BOARD EACH SIDE (AS PER OBC SB-3 WALL TYPE 'W13c' - STC 54)</p>
<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.26.) - ASPHALT SHINGLES NO. 210 (10.25 KG/M²) - ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN. - PLYWOOD SHEATHING 3/8" (9.5MM) WITH "H" CLIPS. - APPROVED WOOD TRUSSES - PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT - R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE - W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES</p>	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.) - 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT LATERALLY SUPPORTED AT TOP - REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE - ON 20" X 12" FOOTING REINFORCED W/ 3-15M - 2 LAYERS OF BITUMEN-SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN. - DRAINAGE LAYER - 4" (100MM) DIA. WEIRING TILE 4" (150MM) CRUSHED STONE OVER AND AROUND WEIRING TILE.</p>	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.) - STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION. - MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6(2). - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPERITE @ BUILDING CORNERS FOR SHEAR) - W/ R22 MIN. BATT INSULATION. - W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p> <p>(W3) SIDING WALL CONSTRUCTION (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.) - SIDING AS PER ELEVATION - ON 1/2" VERTICAL STRAPPING (1/2" AIR SPACE) - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPERITE @ BUILDING CORNERS FOR SHEAR) - WITH R22 MIN. BATT INSULATION. - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7MM) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p>	<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.) - 4" (75MM) CONCRETE SLAB - 6 MIL. POLYETHYLENE VAPOUR BARRIER - 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED)</p> <p>(F2) CONCRETE PORCH SLAB - 6" THICK 32 MPa CLASS C2 CONCRETE SLAB - R/W 10M @ 12" O/C BOTTOM EACH WAY</p> <p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.14.) - MIN. 3/4" (19MM) T & G OSB (D-1 GRADE) AND/OR WATERBOARD (R1 GRADE) GULED & SCREWED - REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES. - FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO (O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.) - CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6. - 5/8" (15.9MM) TYPE 'X' GYPSUM BOARD</p>				

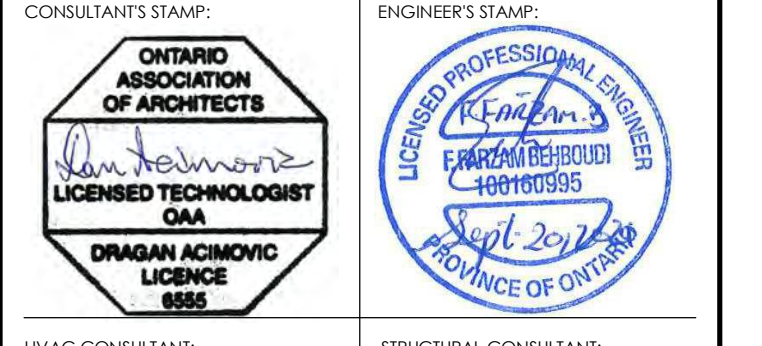


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DATE	NO.	DESCRIPTION
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NOV/21	01	COA SUBMISSION

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

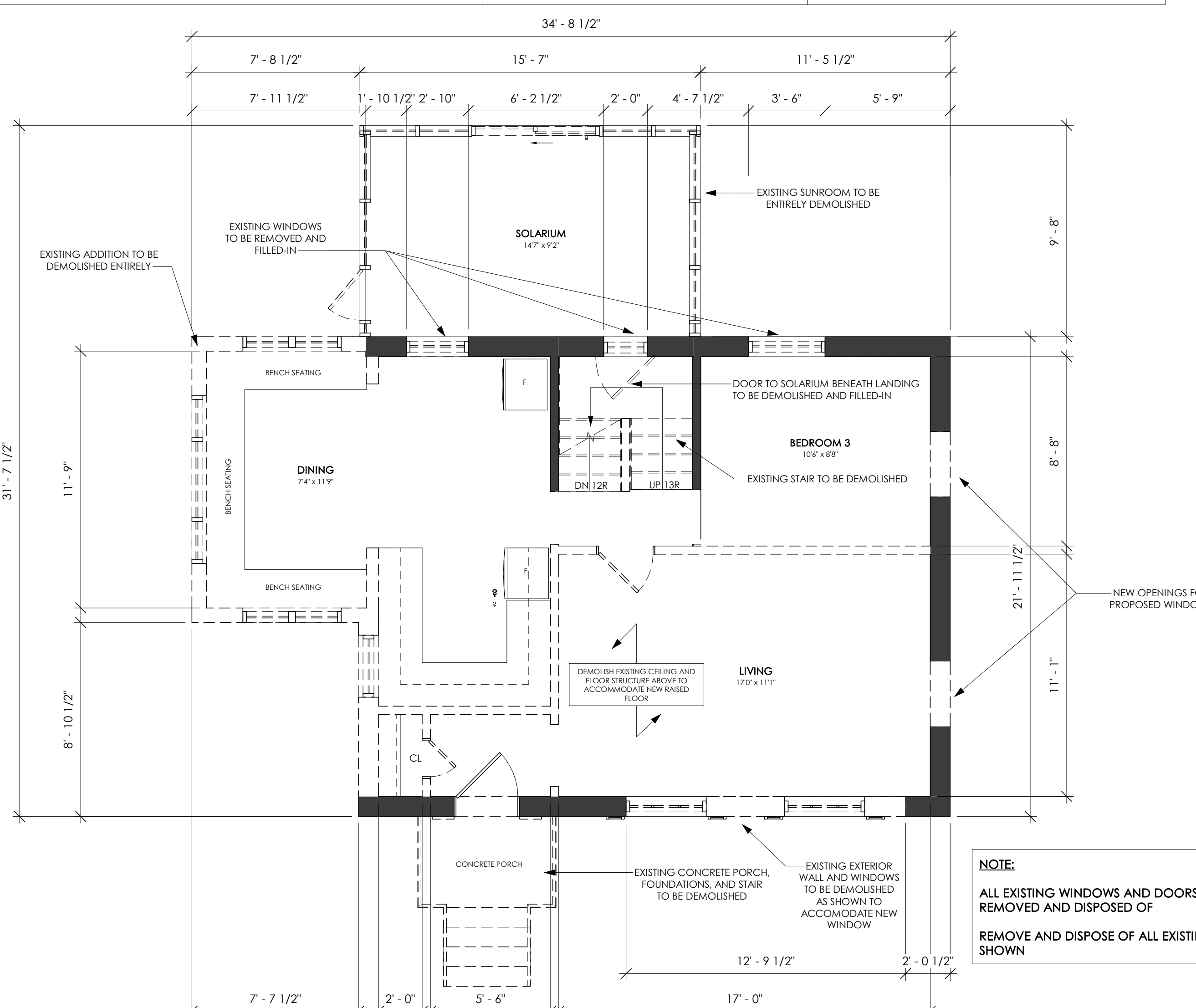
PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.
BASEMENT FLOOR	

A1.01

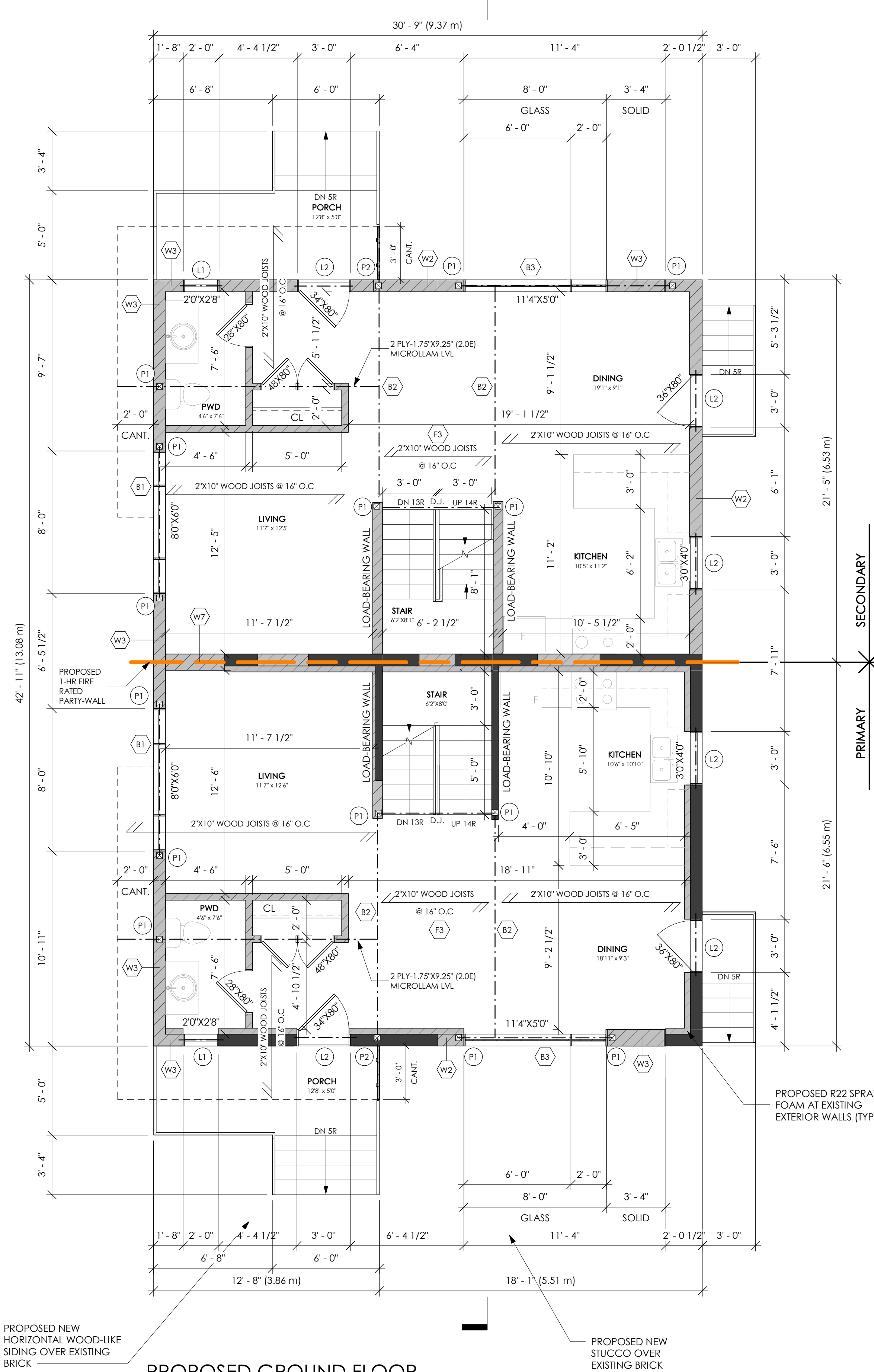
LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE								
<p>EXISTING WALLS TO REMAIN (GC TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<table border="1"> <tr> <th>FLOOR</th> <th>ROOF</th> </tr> <tr> <td>DL: 15 PSF</td> <td>DL: 21 PSF</td> </tr> <tr> <td>LL: 40 PSF</td> <td>SL: 21 PSF</td> </tr> <tr> <td></td> <td>AS PER PART 9 OBC 2012</td> </tr> </table>	FLOOR	ROOF	DL: 15 PSF	DL: 21 PSF	LL: 40 PSF	SL: 21 PSF		AS PER PART 9 OBC 2012	<p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2 - 1/2" Ø AIR X 1/2" LONG + 1/2" THK. CAP PLATE + HILTI HIT HY-200 ADHESIVE</p>	<p>(P1) 3 - 2" X 6" SPF</p> <p>(P2) 4 - 2" X 6" SPF</p> <p>(P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF</p> <p>(L2) 3 - 2" X 10" SPF</p> <p>(L3) 3 - 2" X 12" SPF</p> <p>(L4) (2) - 1-4" X 3 1/2" X 1/4" BACK-TO-BACK</p> <p>(L5) RESERVED</p>
FLOOR	ROOF												
DL: 15 PSF	DL: 21 PSF												
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<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.26.)</p> <p>- ASPHALT SHINGLES NO. 210 (10.25 KG/M²)</p> <p>- ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN.</p> <p>- PLYWOOD SHEATHING 3/8" (9.5MM) WITH 1" CLIPS.</p> <p>- APPROVED WOOD TRUSSES</p> <p>- PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT</p> <p>- R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE</p> <p>- W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER</p> <p>- 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH</p> <p>- ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES</p>	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.)</p> <p>- 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT LATERALLY SUPPORTED AT TOP</p> <p>- REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE</p> <p>- ON 20" X 12" FOOTING REINFORCED W/ 3-15M</p> <p>- 2 LAYERS OF BITUMEN SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN</p> <p>- DRAINAGE LAYER</p> <p>- 4" (100MM) DIA. WEeping TILE, 4" (150MM) CRUSHED STONE OVER AND AROUND WEeping TILE.</p>	<p>BEAM SCHEDULE</p> <p>(B1) 2 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p> <p>(B2) 3 PLY - 1 3/4" X 14" (2.0E) MICROLAM LVL</p> <p>(B3) 3 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p>	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION.</p> <p>- MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6.(2).</p> <p>- CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3)</p> <p>- 1/2" (12.7MM) EXT. TYPE SHEATHING</p> <p>- 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPERITE @ BUILDING CORNERS FOR SHEAR)</p> <p>- W/ R22 MIN. BATT INSULATION.</p> <p>- W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4)</p> <p>- 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH</p> <p>- ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p>	<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C.</p> <p>- DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE.</p> <p>- 1/2" (12.7M) GYPSUM BOARD ON BOTH SIDES</p> <p>***NOTE: ALL INTERIOR WALLS TO BE TYPE "W6" UNLESS OTHERWISE NOTED</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 6" (38 X 140MM) WOOD STUDS @ 16" (400MM) O.C.</p> <p>- DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE.</p> <p>- 1/2" (12.7M) GYPSUM BOARD ON BOTH SIDES</p> <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C.</p> <p>- DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE.</p> <p>- WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER ON THE WARM SIDE (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4)</p> <p>- 1/2" (12.7M) GYPSUM BOARD ON INTERIOR SIDE</p> <p>***NOTE: TYPICAL IN EXISTING EXTERIOR WALLS (BASEMENT & GROUND)</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- (2 ROWS) 2" X 4" WOOD STUDS @ 16" O.C. ON SEPARATE 2" X 4" PLATES SET 1" APART</p> <p>- 4" THK. BATT. INSULATION ON ONE SIDE.</p> <p>- 5/8" TYPE 'X' GYPSUM BOARD EACH SIDE</p> <p>(AS PER OBC SB-3 WALL TYPE W13c - STC 54)</p>									
<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 4" (75MM) CONCRETE SLAB</p> <p>- 6 MIL. POLYETHYLENE VAPOUR BARRIER</p> <p>- 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED)</p>	<p>(F2) CONCRETE PORCH SLAB (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 6" THICK 32 MPA CLASS C2 CONCRETE SLAB</p> <p>- R/W 10M @ 12" O/C BOTTOM EACH WAY</p>	<p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.14.)</p> <p>- MIN. 3/4" (19MM) 1 & G OSB (D-1 GRADE) AND/OR WATERBOARD (R1 GRAB) GULLED & SCREWED</p> <p>- REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES.</p> <p>- FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO (O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.)</p> <p>- CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6.</p> <p>- 5/8" (15.9MM) TYPE 'X' GYPSUM BOARD</p>											

W18 STAIR TALL WALL (2"X6")
(IN COMPLIANCE WITH O.B.C. SECTION 9.20.)

- 2 STOREY WALL 2-2"X6" LSL @ 12" O.C. W/ HORIZ. BLOCKING 48" O.C. VERT., MIN. 1/2" GYPSUM ON INT. FACE, MIN. 1" RIGID INSULATION ON EXTERIOR FACE



NOTE:
ALL EXISTING WINDOWS AND DOORS TO BE REMOVED AND DISPOSED OF
REMOVE AND DISPOSE OF ALL EXISTING WALLS AS SHOWN

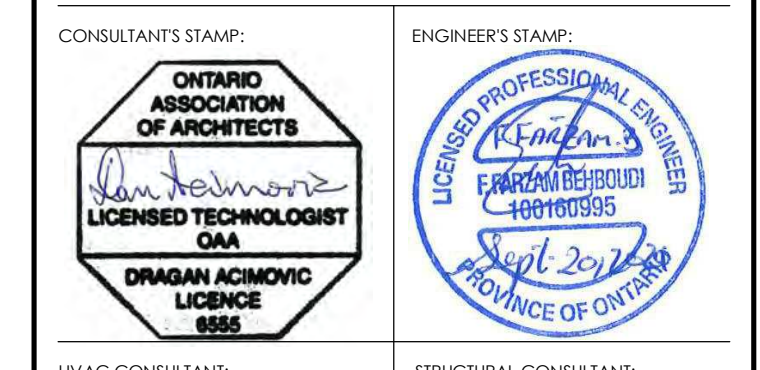


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DATE	NO.	DESCRIPTION
FEB/22	02	COA SUBMISSION
NOV/21	01	COA SUBMISSION

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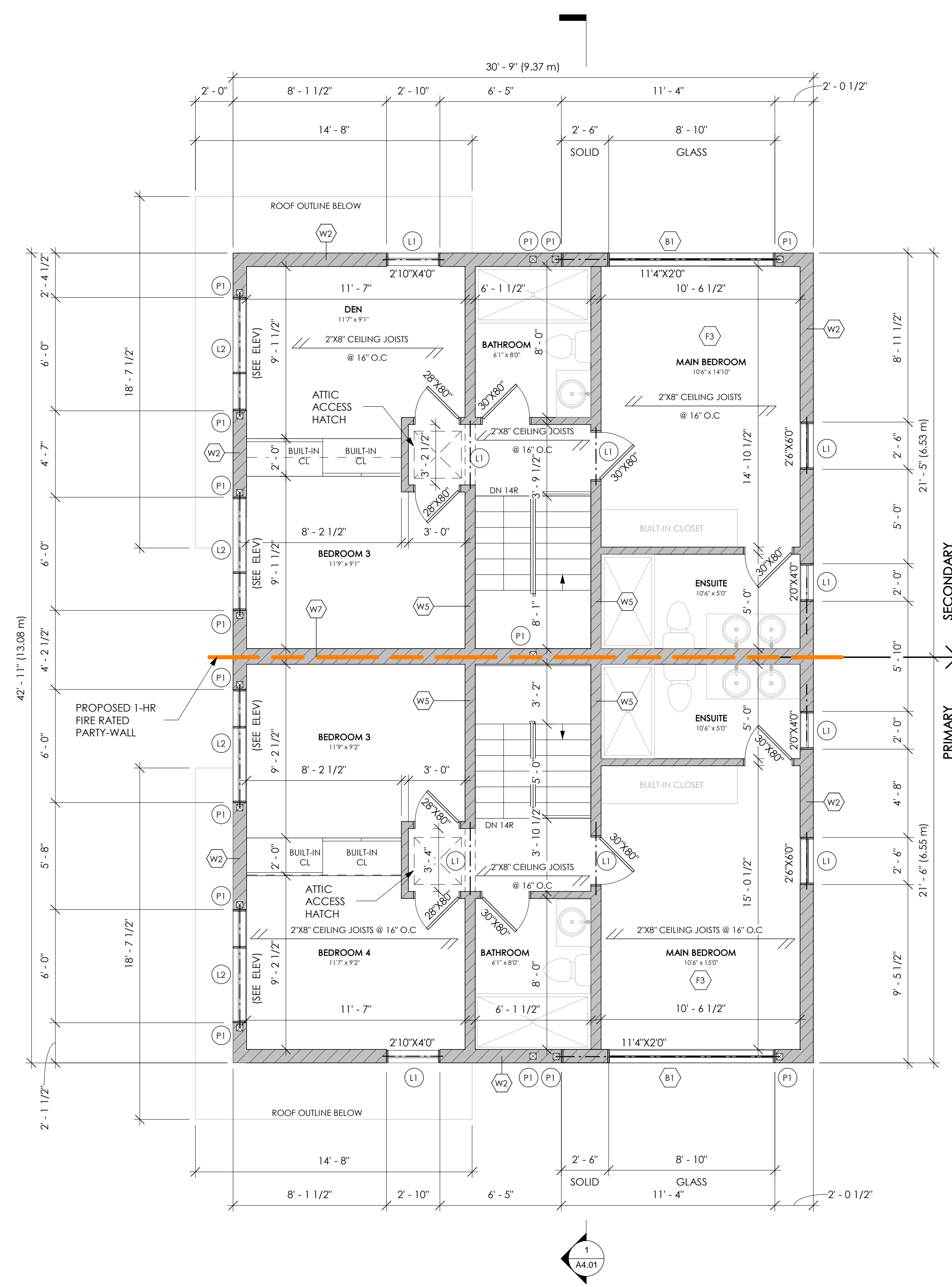
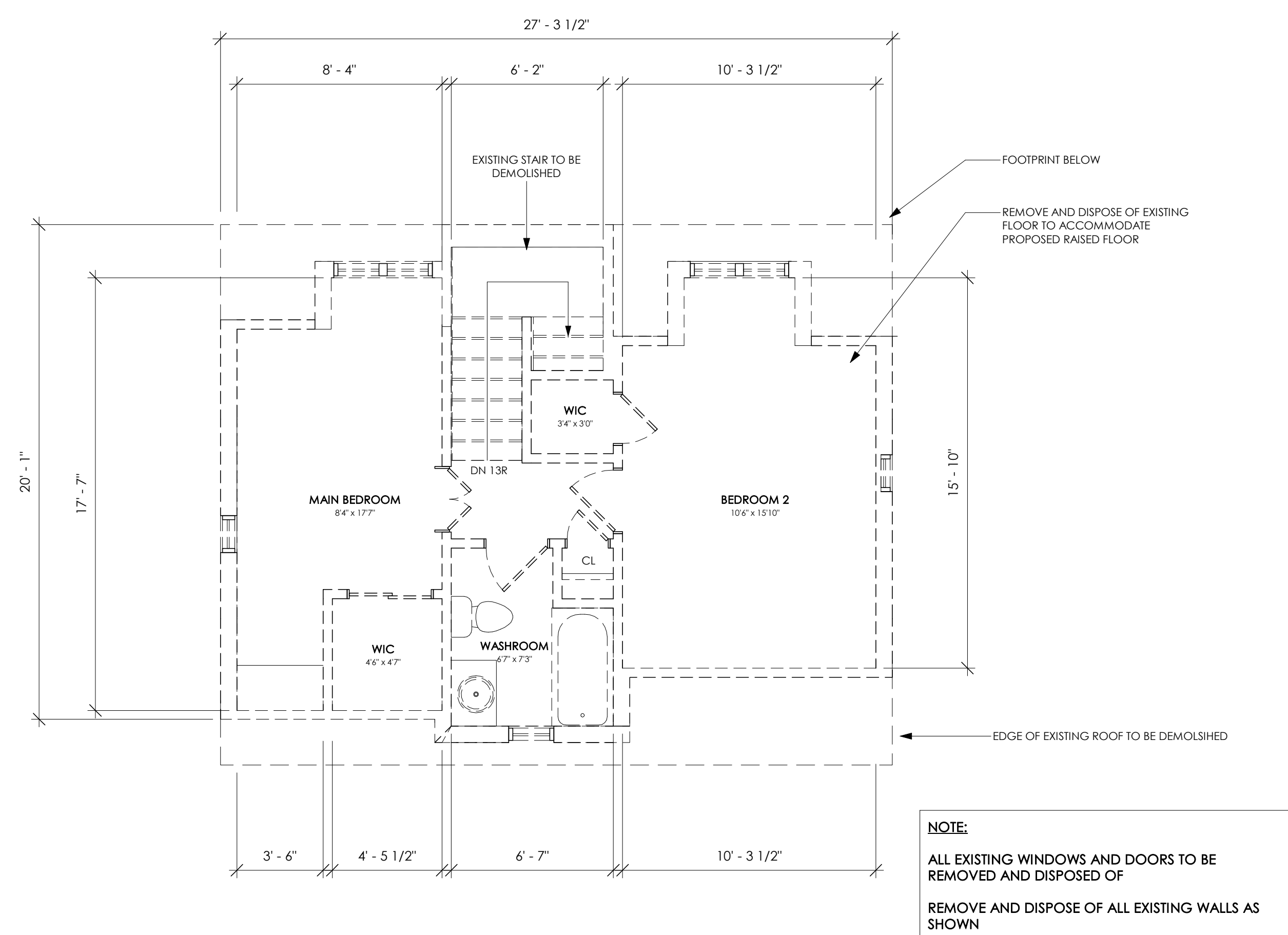
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
237 BROADWAY AVENUE
HAMILTON, ONT. L8S 2H9

PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.
GROUND FLOOR	

A1.02

LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE
<p>EXISTING WALLS TO REMAIN (GC TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<p>FLOOR ROOF</p> <p>DL: 15 PSF DL: 21 PSF LL: 40 PSF SL: 21 PSF</p>	<p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2 - 1/2" Ø A/B X 12" LONG + 1/2" THK. CAP PLATE + HILTI HIT-HY-200 ADHESIVE</p>	<p>(P1) 3 - 2" X 6" SPF (P2) 4 - 2" X 6" SPF (P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF (L2) 3 - 2" X 10" SPF (L3) 3 - 2" X 12" SPF (L4) (2) - 1 1/4" X 3 1/2" X 1/4" BACK-TO-BACK (L5) RESERVED</p>
<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.2.6.)</p> <ul style="list-style-type: none"> - ASPHALT SHINGLES NO. 210 (10.25 KG/M²) - ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN. - PLYWOOD SHEATHING 3/8" (9.5MM) WITH "Y" CLIPS. - APPROVED WOOD TRUSSES - PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT - R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE - W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES 	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.)</p> <ul style="list-style-type: none"> - 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT LATERALLY SUPPORTED AT TOP - REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE - ON 20" X 12" FOOTING REINFORCED W/ 3-15M - 2 LAYERS OF BITUMEN-SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN. - DRAINAGE LAYER - 4" (100MM) DIA. WEEPING TILE 4" (150MM) CRUSHED STONE OVER AND AROUND WEEPING TILE. 	<p>BEAM SCHEDULE</p> <p>(B1) 2 PLY - 1 3/4" X 11 7/8" (2.0E) MICROROLL LVL (B2) 3 PLY - 1 3/4" X 14" (2.0E) MICROROLL LVL (B3) 3 PLY - 1 3/4" X 11 7/8" (2.0E) MICROROLL LVL</p>	<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <ul style="list-style-type: none"> - 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES <p>**NOTE: ALL INTERIOR WALLS TO BE TYPE "W6" UNLESS OTHERWISE NOTED</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <ul style="list-style-type: none"> - 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <ul style="list-style-type: none"> - 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - MIN R22 (RSI 3.52) SPRAY-FOAM INSULATION - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER ON THE WARM SIDE (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7MM) GYPSUM BOARD ON INTERIOR SIDE <p>**NOTE: TYPICAL IN EXISTING EXTERIOR WALLS (BASEMENT & GROUND)</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <ul style="list-style-type: none"> - (2 ROWS) 2"X4" WOOD STUDS @ 16" O.C. ON SEPARATE 2"X4" PLATES SET 1" APART - 4" THK. BATT INSULATION ON ONE SIDE. - 5/8" TYPE "X" GYPSUM BOARD EACH SIDE <p>(AS PER OBC SB-3 WALL TYPE "W13c" - STC 54)</p>		
<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <ul style="list-style-type: none"> - 4" (75MM) CONCRETE SLAB - 6 MIL. POLYETHYLENE VAPOUR BARRIER - 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED) 	<p>(F2) CONCRETE PORCH SLAB (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <ul style="list-style-type: none"> - 4" THICK 32 MPa CLASS C2 CONCRETE SLAB - R/W 10M @ 12" O/C BOTTOM EACH WAY 	<p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.14.)</p> <ul style="list-style-type: none"> - MIN. 3/4" (19MM) T & G OSB (D-1 GRADE) AND/OR WAFFERBOARD (R1 GRADE) GLUED & SCREWED - REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES. - FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO (O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.) - CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6. - 5/8" (15.9MM) TYPE "X" GYPSUM BOARD 	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <ul style="list-style-type: none"> - STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION. - MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6.(2). - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - W/ R22 MIN. BATT INSULATION. - W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1) <p>(W3) SIDING WALL CONSTRUCTION (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <ul style="list-style-type: none"> - SIDING AS PER ELEVATION - ON 1/2" VERTICAL STRAPPING (1/2" AIR SPACE) - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - WITH R22 MIN. BATT INSULATION. - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7MM) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1) 		

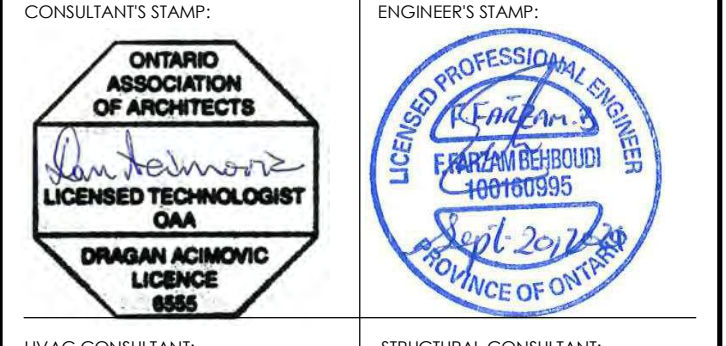


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 - THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE NATIONAL BUILDING CODE, THE ONTARIO BUILDING CODE, LOCAL ZONING REQUIREMENTS, AND ANY OTHER GOVERNING AUTHORITIES.
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DATE	NO.	DESCRIPTION
FEB/22	02	COA SUBMISSION
NOV/21	01	COA SUBMISSION

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

PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.
SECOND FLOOR	

A1.03

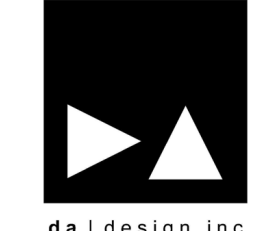
LEGEND	NOTES	DESIGN LOADS	STEEL COLUMN	WOOD COLUMN	LINTEL SCHEDULE
<p>EXISTING WALLS TO REMAIN (GC TO PROVIDE SHORING & TEMPORARY SUPPORT AS REQUIRED)</p> <p>NEW FOUNDATION WALLS</p> <p>NEW CONSTRUCTION (WALLS OR ROOF)</p> <p>NEW SMOKE, STROBE & CARBON DETECTOR</p> <p>WOOD COLUMN</p> <p>STEEL COLUMN</p> <p>POST ABOVE</p>	<p>1. ALL INTERIOR PARTITION WALL TO BE TYPE "W4" UNLESS OTHERWISE NOTED.</p> <p>2. WALL TYPE "W7" TYPICAL ON THE INTERIOR SIDE OF ALL EXTERIOR FOUNDATION WALLS.</p> <p>3. ALL INTERIOR CLOSET DOORS TO BE CENTERED UNLESS OTHERWISE NOTED.</p> <p>4. ALL INTERIOR DOORS TO BE 6" FROM ADJACENT WALL UNLESS OTHERWISE NOTED.</p>	<p>FLOOR</p> <p>DL: 15 PSF LL: 40 PSF</p> <p>ROOF</p> <p>DL: 21 PSF SL: 21 PSF AS PER PART 9 OBC 2012</p>	<p>HSS 4" X 4" X 1/4" + 6" X 6" X 1/2" BASE PLATE + 2 - 1/2" Ø A/B X 12" LONG + 1/2" THK. CAP PLATE + HILTI HIT HY-200 ADHESIVE</p>	<p>(P1) 3 - 2" X 6" SPF</p> <p>(P2) 4 - 2" X 6" SPF</p> <p>(P3) RESERVED</p>	<p>(L1) 3 - 2" X 8" SPF</p> <p>(L2) 3 - 2" X 10" SPF</p> <p>(L3) 3 - 2" X 12" SPF</p> <p>(L4) (2) - 1/4" X 3 1/2" X 1/4" BACK-TO-BACK</p> <p>(L5) RESERVED</p>
	<p>CONCRETE PAD</p> <p>(F1) 48"X48"X16" R/W 4-15M B.E.W.</p> <p>(F2) 30"X30"X16" R/W 3-15M B.E.W.</p>	<p>BEAM SCHEDULE</p> <p>(B1) 2 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p> <p>(B2) 3 PLY - 1 3/4" X 14" (2.0E) MICROLAM LVL</p> <p>(B3) 3 PLY - 1 3/4" X 11 7/8" (2.0E) MICROLAM LVL</p>		<p>INTERIOR WALLS</p> <p>(W4) INTERIOR STUD PARTITION (2"X4") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES</p> <p>**NOTE: ALL INTERIOR WALLS TO BE TYPE "W6" UNLESS OTHERWISE NOTED</p> <p>(W5) LOAD-BEARING PARTITION (2"X6") (IN COMPLIANCE WITH O.B.C. SECTION 9.23.10.)</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - 1/2" (12.7MM) GYPSUM BOARD ON BOTH SIDES</p> <p>(W6) INSULATED INTERIOR STUD PARTITION (2"X4")</p> <p>- 2" X 4" (38 X 89MM) WOOD STUDS @ 16" (400MM) O.C. - DOUBLE 2" X 4" (38 X 89MM) TOP PLATES AND SINGLE BOTTOM PLATE. - MIN R22 (RSI 3.52) SPRAY-FOAM INSULATION - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER ON THE WARM SIDE (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4). - 1/2" (12.7MM) GYPSUM BOARD ON INTERIOR SIDE</p> <p>**NOTE: TYPICAL IN EXISTING EXTERIOR WALLS (BASEMENT & GROUND)</p> <p>(W7) 1-HR FIRE RATED PARTY WALL CONST. (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- (2 ROWS) 2"X4" WOOD STUDS @ 16" O.C. ON SEPARATE 2"X4" PLATES SET 1" APART - 4" THK. BATT INSULATION ON ONE SIDE. - 5/8" TYPE 'X' GYPSUM BOARD EACH SIDE</p> <p>(AS PER OBC S8-3 WALL TYPE 'W13c' - STC 54)</p>	
<p>ROOFS</p> <p>(P1) SLOPED ROOF CONSTRUCTION (IN COMPLIANCE WITH O.B.C. SECTION 9.26.)</p> <p>- ASPHALT SHINGLES NO. 210 (10.25 KG/M²) - ICE AND WATER PROTECTION MEMBRANE @ 24" OF ROOF ENDS. REFER TO ROOF PLAN. - PLYWOOD SHEATHING 3/8" (9.5MM) WITH "H" CLIPS. - APPROVED WOOD TRUSSES - PREFIN. ALUM. EAVESTROUGH, FASCIA, R.W.L. & VENTED SOFFIT - R31 BATT INSULATION FOR ROOFS W/O ATTIC SPACE - W/ APPROVED CONT. 6 MIL. POLY. VAPOUR BARRIER - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES</p>	<p>FOUNDATION WALL & STRIP FOOTING</p> <p>(W1) 8" CONCRETE FOUNDATION WALL (IN COMPLIANCE WITH O.B.C. SECTION 9.15.4.)</p> <p>- 8" THICK CONCRETE (25 MPa) AT MAX OF 6'-11" BACKFILL HEIGHT LATERALLY SUPPORTED AT TOP - REINFORCED W/ 15M @ 12" O/C VERTICAL & HORIZONTAL INSIDE FACE - ON 20" X 12" FOOTING REINFORCED W/ 3-15M - 2 LAYERS OF BITUMEN-SATURATED MEMBRANE WITH EACH LAYER CEMENTED IN PLACE WITH BITUMEN & COATED OVER ALL WITH HEAVY COATING OF BITUMEN. - DRAINAGE LAYER - 4" (100MM) DIA. WEEPING TILE 4" (150MM) CRUSHED STONE OVER AND AROUND WEEPING TILE.</p>	<p>EXTERIOR WALLS</p> <p>(W2) STUCCO WALL CONST. (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- STUCCO CLADDING CONFORMING TO O.B.C. & PER MANUFACTURERS SPECIFICATION. - MIN. COAT OF STUCCO TO CONFORM TO SENTENCE 9.28.6(2). - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - W/ R22 MIN. BATT INSULATION. - W/ APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4) - 1/2" (12.7mm) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p> <p>(W3) SIDING WALL CONSTRUCTION (2" X 6") (IN COMPLIANCE WITH O.B.C. SECTION 9.27.)</p> <p>- SIDING AS PER ELEVATION - ON 1/2" VERTICAL STRAPPING (1/2" AIR SPACE) - CONTIN. AIR BARRIER (O.B.C. SUBSECTIONS 9.25.3) - 1/2" (12.7MM) EXT. TYPE SHEATHING - 2" X 4" (38 X 140MM) SPRUCE STUDS @ 16" (400MM) O.C. (ASPHENITE @ BUILDING CORNERS FOR SHEAR) - WITH R22 MIN. BATT INSULATION. - WITH APPROVED 6 MIL. POLYETHYLENE VAPOUR BARRIER (O.B.C. SUBSECTIONS 9.25.3 / 9.25.4). - 1/2" (12.7MM) GYPSUM WALL BOARD INT. FINISH - ATTACHMENT SHALL CONFORM TO O.B.C. SENTENCE 9.23.16.3(1)</p>			
<p>FLOORS</p> <p>(F1) BASEMENT (SLAB ON GRADE) (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.16.4.)</p> <p>- 4" (75MM) CONCRETE SLAB - 6 MIL. POLYETHYLENE VAPOUR BARRIER - 4" (100MM) OF COURSE GRANULAR MATERIAL (COMPACTED)</p> <p>(F2) CONCRETE PORCH SLAB - 6" THICK 32 MPa CLASS C2 CONCRETE SLAB - R/W 10M @ 12" O/C BOTTOM EACH WAY</p> <p>(F3) WOOD FLOOR ASSEMBLY (IN COMPLIANCE WITH O.B.C. SUBSECTION 9.23.14.)</p> <p>- MIN. 3/4" (19MM) T & G OSB (0-1 GRADE) AND/OR WAFERBOARD (R1 GRADE) GLED & SCREWED - REFER TO FLOOR PLANS FOR FLOOR JOIST SIZES. - FOR CERAMIC TILE FLOOR, JOISTS TO BE INSTALLED @ 12" (300MM) O.C. WITH PANEL - TYPE UNDERLAY SHALL CONFORM TO (O.B.C. ARTICLES 9.30.2.1., 9.30.2.3. & 9.30.2.4.) - CERAMIC TILES APPLIED TO MORTAR BED REFER TO O.B.C. SUBSECTION 9.30.6. - 5/8" (15.9MM) TYPE 'X' GYPSUM BOARD</p>					

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DATE	NO.	DESCRIPTION
FEB/22	02	COA SUBMISSION
NOV/21	01	COA SUBMISSION

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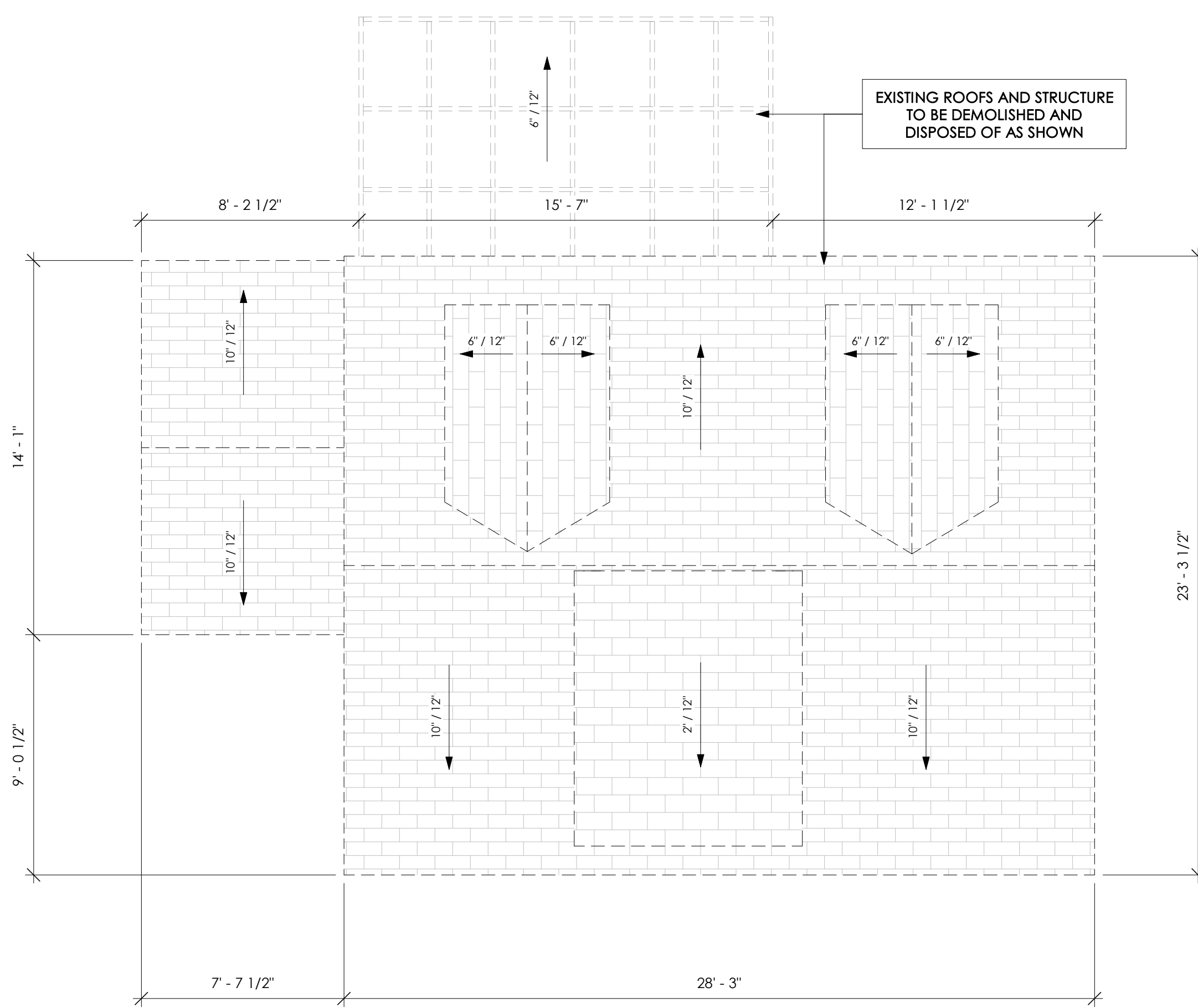
HVAC CONSULTANT:
DRAGAN ACIMOVIC
 LICENSE 6885

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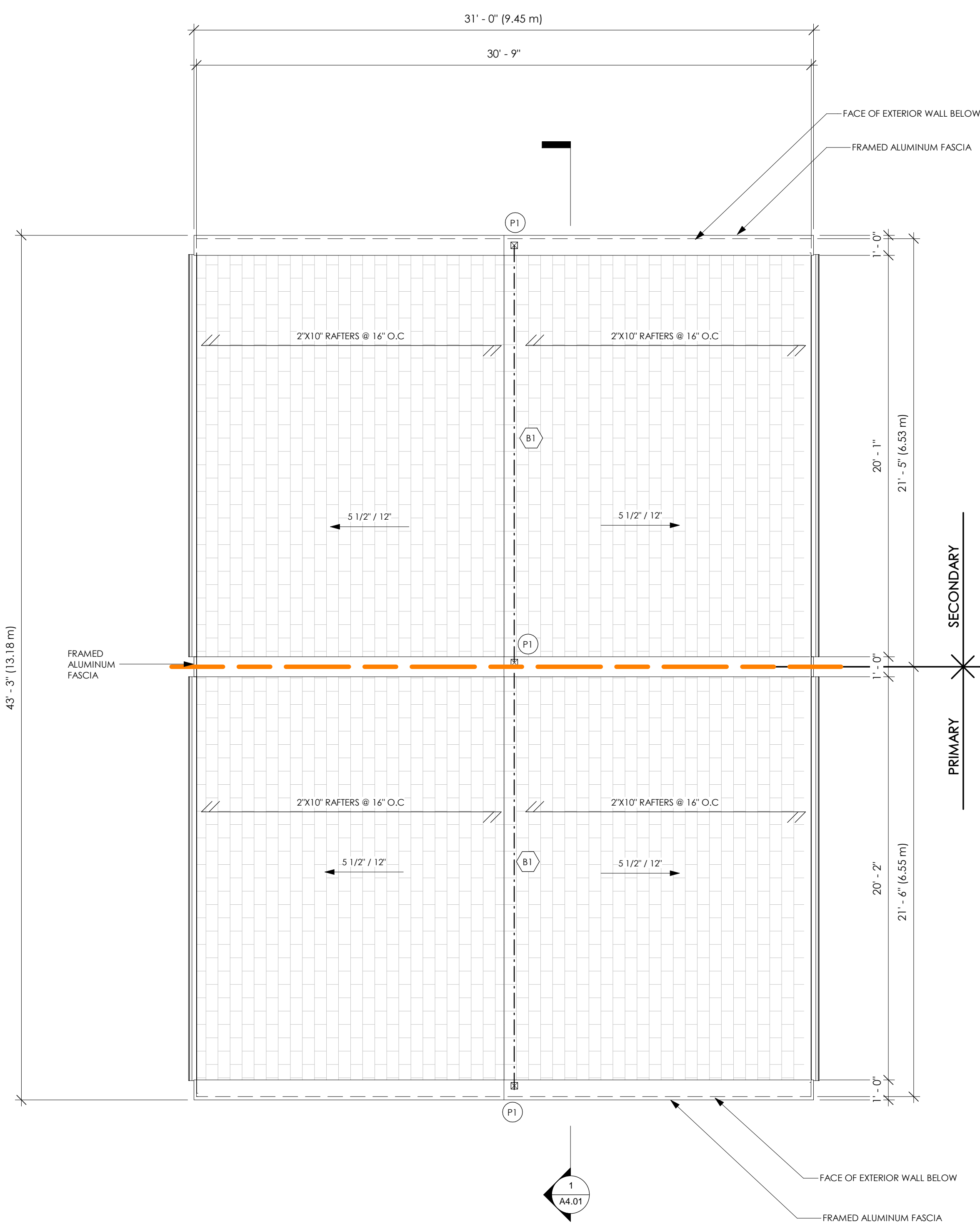
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ONT. L8S 2H9

PROJECT NO.	SCALE
2021-04-21	As indicated
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.
ROOF PLAN	

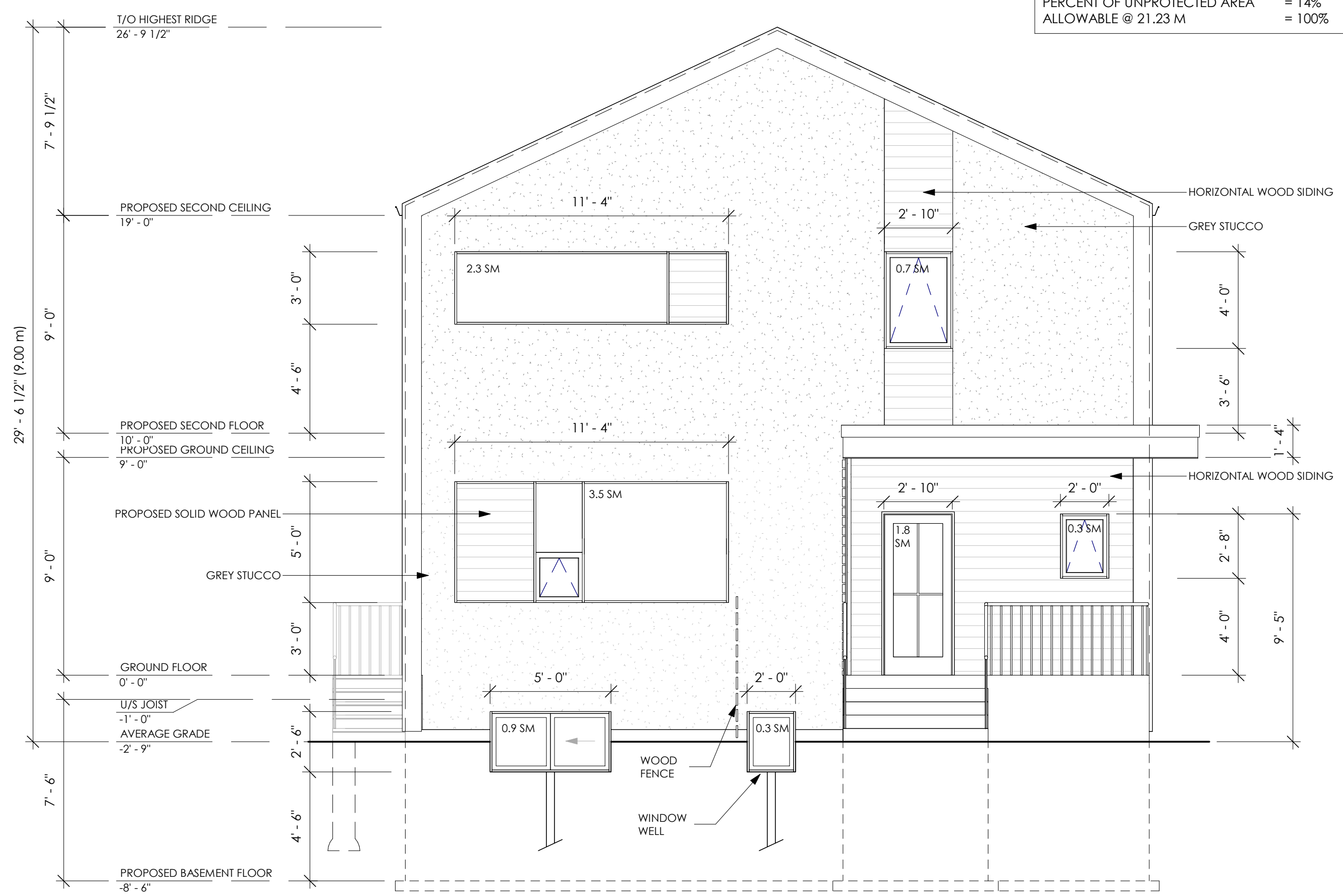
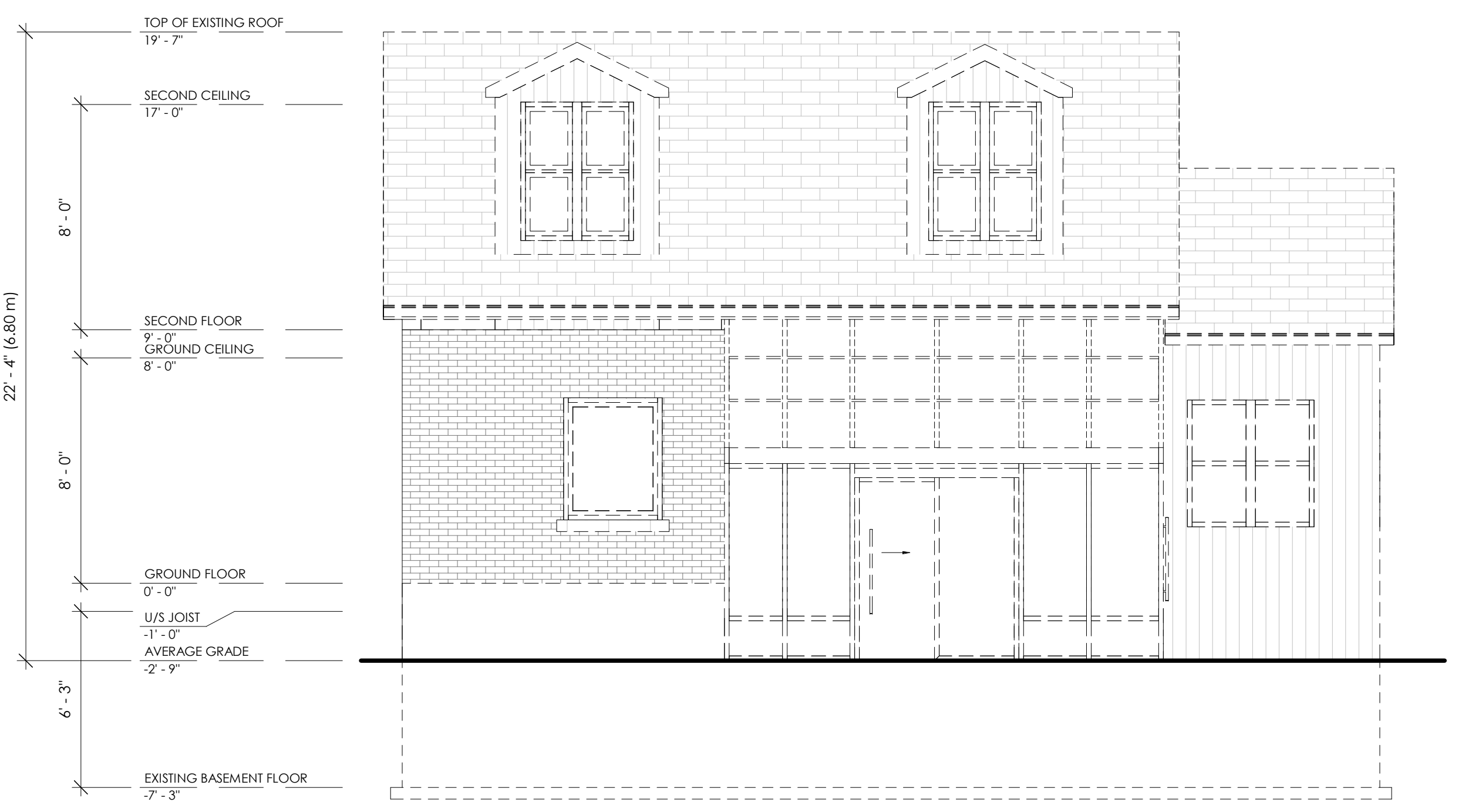
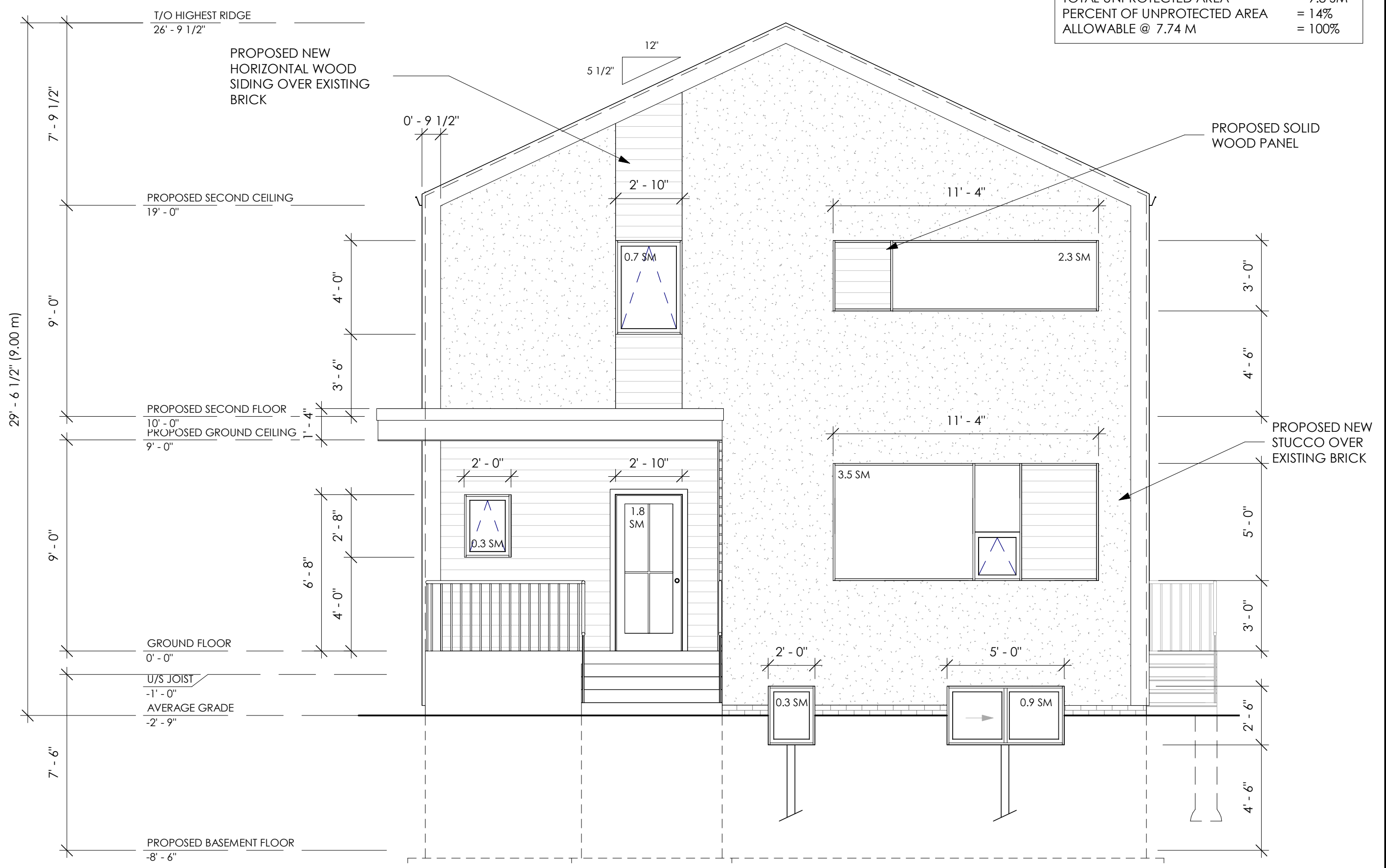
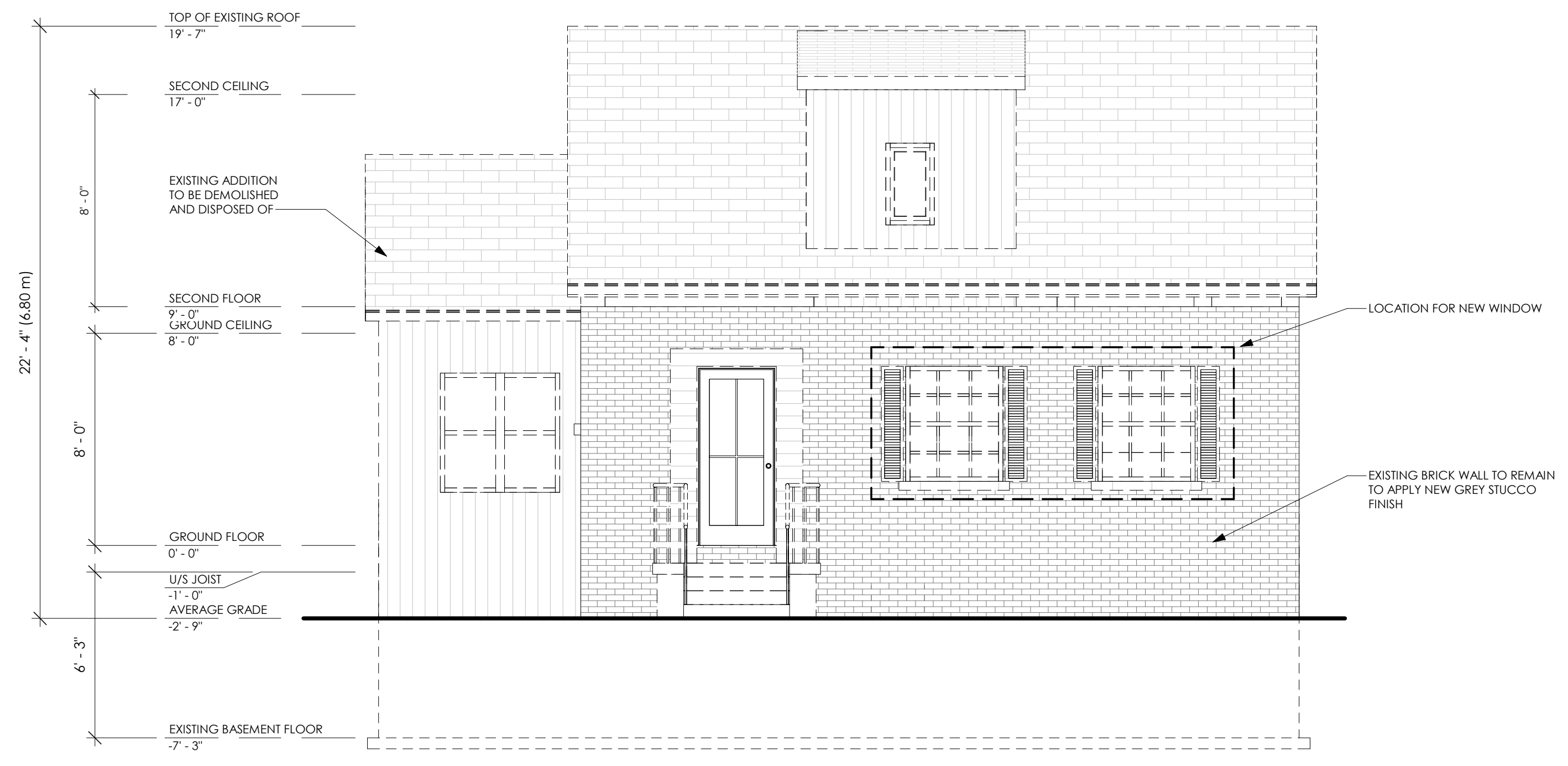


EXISTING ROOF PLAN
 1/4" = 1'-0"



PROPOSED ROOF PLAN
 1/4" = 1'-0"

A1.04

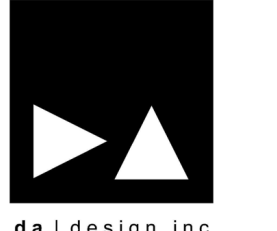


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DATE	NO.	DESCRIPTION
FEB/22	02	COA SUBMISSION
NOV/21	01	COA SUBMISSION

CONSULTANT:
da design inc.
1185 Queensway Street East
Suite 3A
Mississauga, Ontario
L4Y 0C4
647 242 0164
dan@dadesigninc.ca



CONSULTANT'S STAMP:
DRAGAN ACIMOVIC
LICENSED TECHNOLOGIST
OAA
408100395

ENGINEER'S STAMP:
FARAZ FARZAM
LICENSED PROFESSIONAL ENGINEER
147200395
PROVINCE OF ONTARIO

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

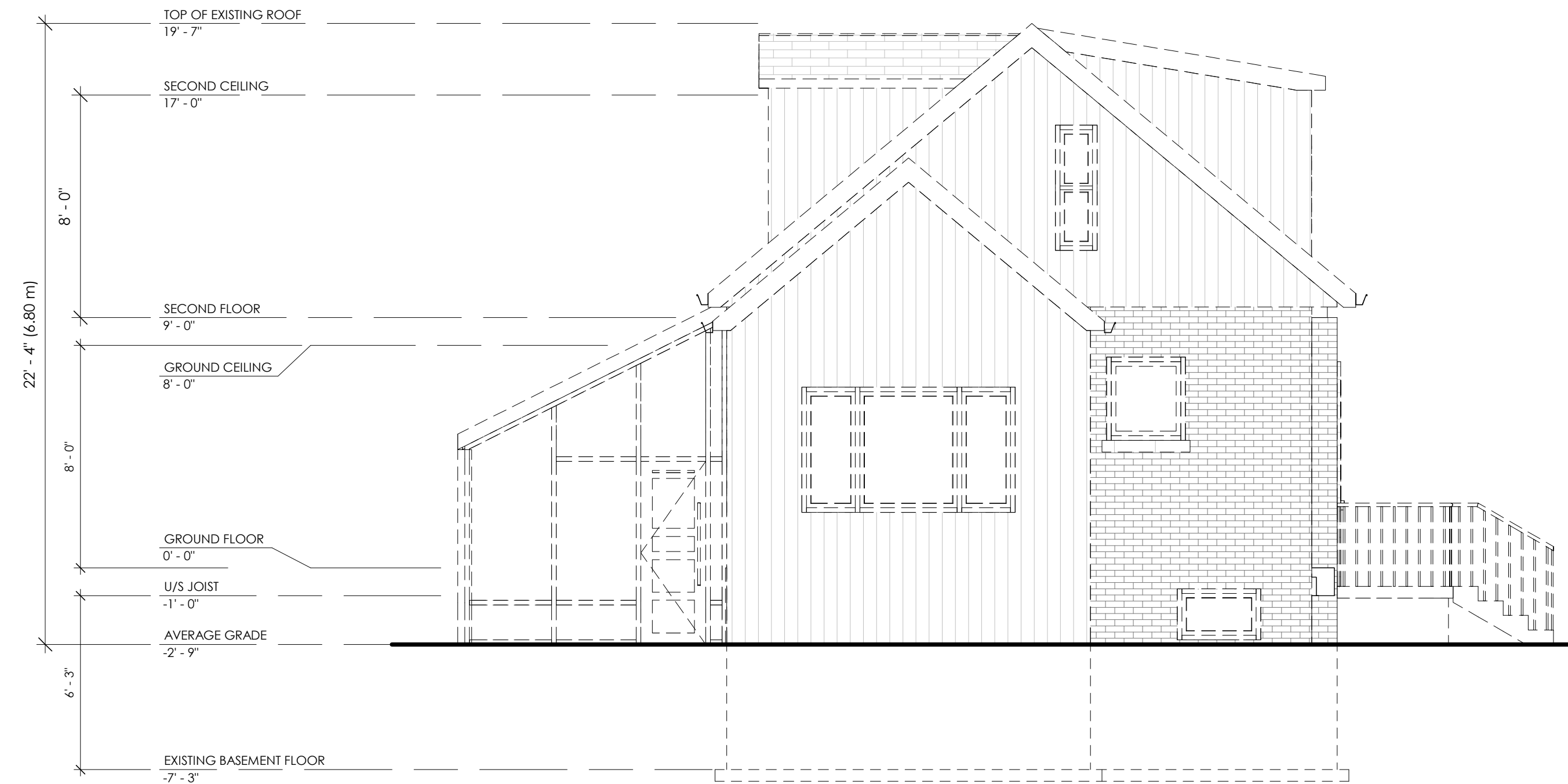
OWNER CONTACT INFORMATION:
JUSTIN FRANCUZ & JOHN FRANCUZ
E: jfrancuz@gmail.com & john.francuz@gmail.com

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

PROJECT NO.	SCALE
2021-04-21	1/4" = 1'-0"
DRAWN BY	REVIEWED BY
CB	DA
TITLE	DRAWING NO.

ELEVATIONS

A2.01



DEMOLISH AND DISPOSE OF ALL WALLS, WINDOWS, DOORS, AND ROOFS AS SHOWN

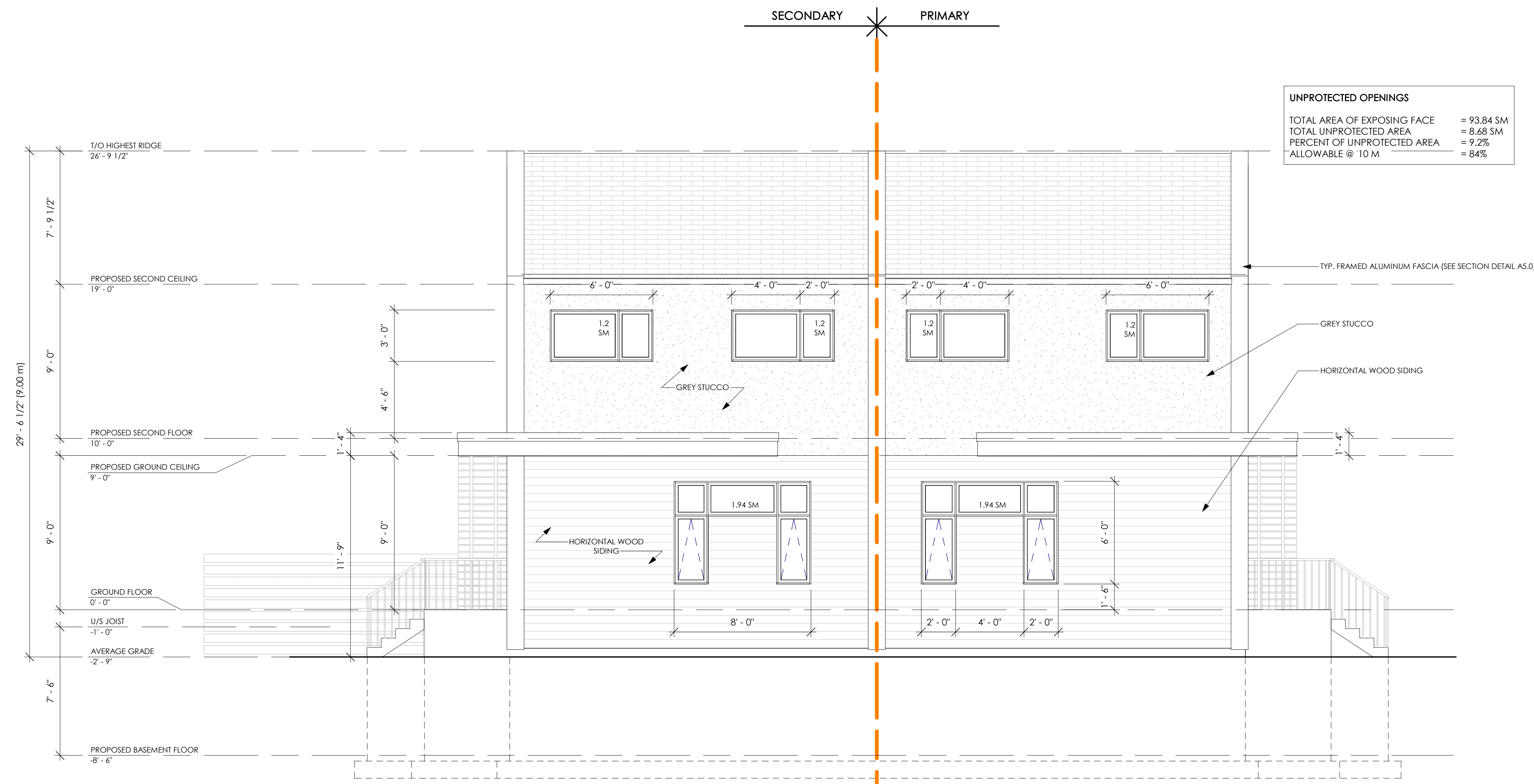
EXISTING LEFT ELEVATION

1/4" = 1'-0"

SECONDARY | PRIMARY

UNPROTECTED OPENINGS

TOTAL AREA OF EXPOSING FACE	= 93.84 SM
TOTAL UNPROTECTED AREA	= 8.68 SM
PERCENT OF UNPROTECTED AREA	= 9.2%
ALLOWABLE @ 10 M	= 84%



PROPOSED LEFT ELEVATION

1/4" = 1'-0"

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CONSULTANT'S STAMP: **DRAGAN ACIMOVIC LICENSED TECHNOLOGIST OMA**

ENGINEER'S STAMP: **FARAZ FARZAM LICENSED PROFESSIONAL ENGINEER 409100395**

HVAC CONSULTANT: **PIVOT ENGINEERING INC. FARAZ FARZAM**
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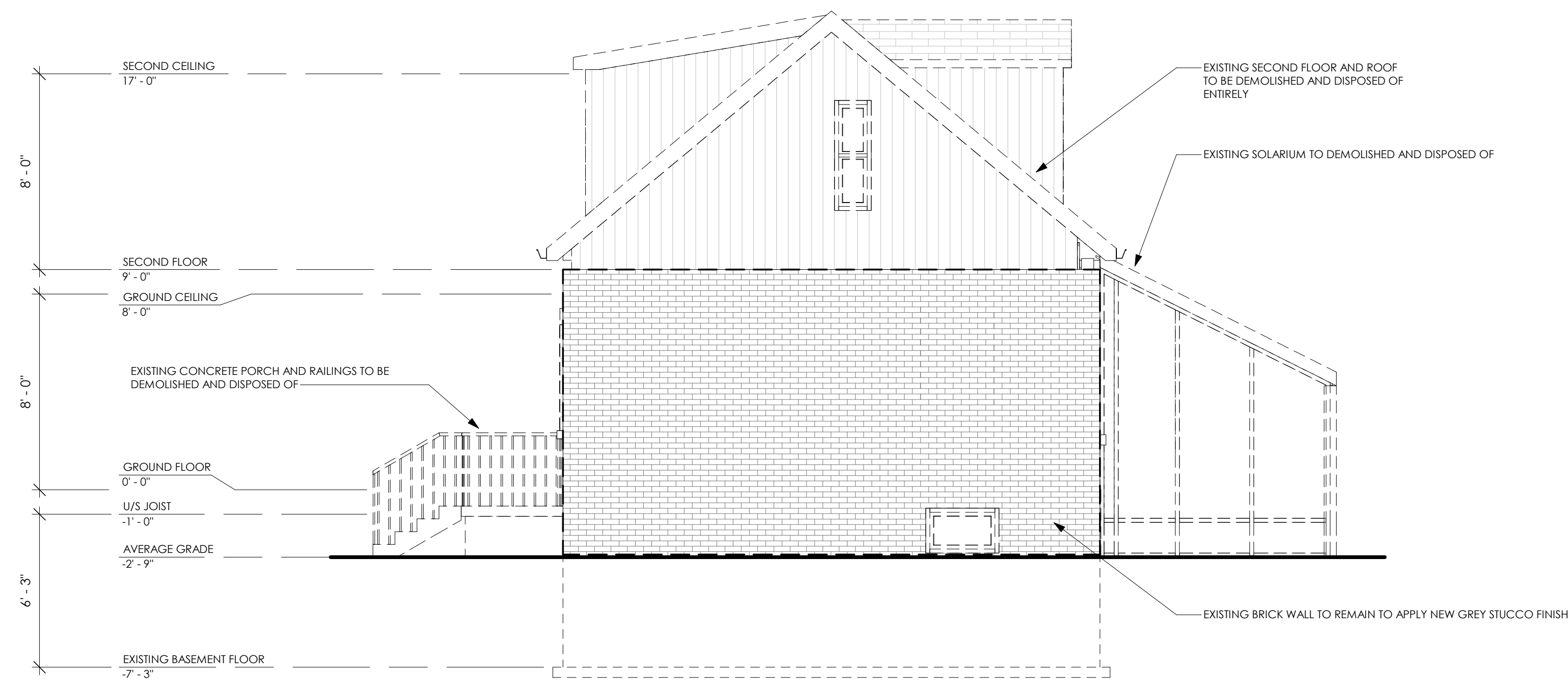
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ONT. L8S 2H9

PROJECT NO.	SCALE
2021-04-21	1/4" = 1'-0"
DRAWN BY	REVIEWED BY
CB/GC	DA

TITLE: **ELEVATIONS**

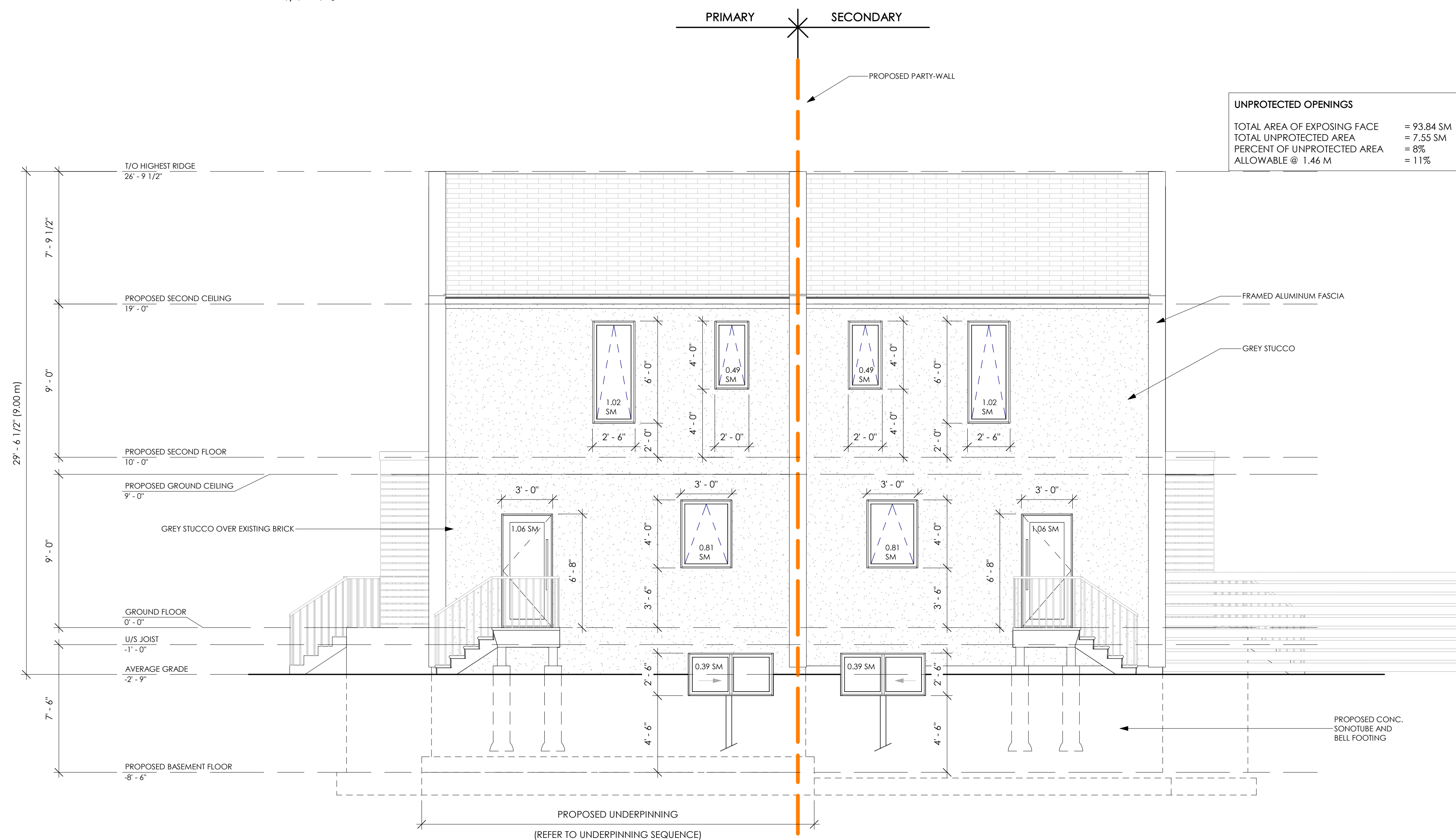
A2.02



DEMOLISH AND DISPOSE OF ALL WALLS, WINDOWS, DOORS, AND ROOFS AS SHOWN

EXISTING RIGHT ELEVATION

1/4" = 1'-0"



PROPOSED RIGHT ELEVATION

1/4" = 1'-0"

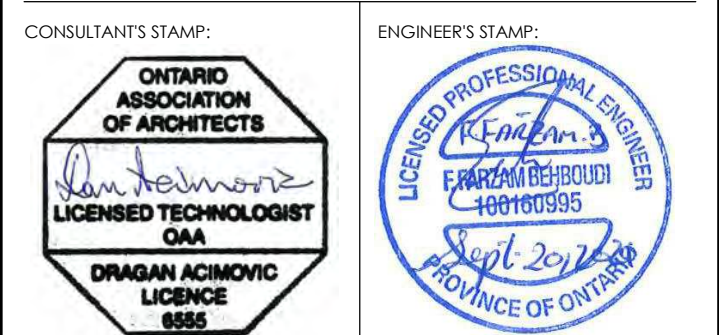
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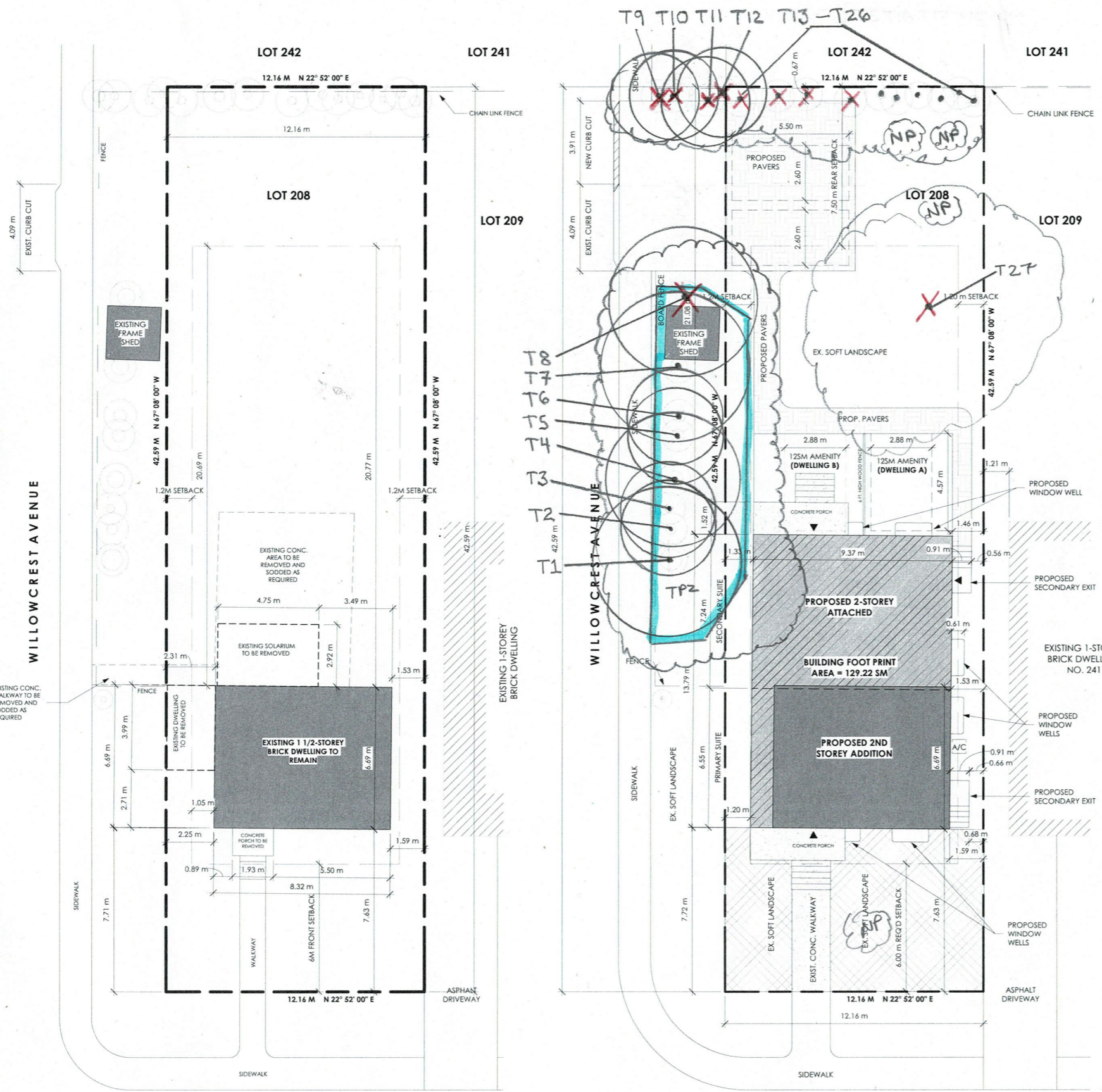
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REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ON. L8S 2H9

PROJECT NO.	SCALE
2021-04-21	1/4" = 1'-0"
DRAWN BY	REVIEWED BY
CB/GC	DA
TITLE	DRAWING NO.

ELEVATIONS

A2.03



PROJECT STATISTICS

ADDRESS: 237 BROADWAY AVE, HAMILTON, ONTARIO, L8S 2H9
 ZONING: C/S - 1335, C/S - 1335a, and C/S-720

	BY-LAW	EXISTING
MIN. LOT AREA:	360 SM	517.90 SM
MIN. LOT FRONTAGE:	12 M	12.16 M

GROSS FLOOR AREA

	PRIMARY SUITE	SECONDARY SUITE
BASEMENT FLOOR (NOT INCLUDED IN GFA)	62.72 SM	69.14 SM
GROUND FLOOR	61.40 SM	67.82 SM
SECOND FLOOR	56.67 SM	62.38 SM
TOTAL GFA:	118.07 SM	130.20 SM

SETBACKS

	BY-LAW	PROPOSED
FRONT - DWELLING	6 M	7.63 M
REAR	7.5 M	21.08 M
INTERIOR (FLANKAGE)	1.2 M	1.2 M
INTERIOR	1.2 M	1.46 M
MAX. HEIGHT	11 M	10.13 M

LOT COVERAGE

	AREA	PERCENTAGE
BUILDING FOOTPRINT	129.22 SM	24.95 %
PORCHES	13.58 SM	2.62 %
CONCRETE STEPS	5.03 SM	0.97 %
EXIST. CONC. WALKWAY	8.64 SM	1.67 %
PROPOSED PAVERS	74.10 SM	14.31 %
TOTAL LOT COVERAGE:	230.57 SM	44.52 %

LANDSCAPED SOFT AREA

	AREA	PERCENTAGE
FRONT YARD AREA:	96.54 SM	
FRONT PORCH	6.79 SM	
CONC. STEPS	5.52 SM	
CONC. WALKWAY	8.64 SM	
WINDOW WELLS	1.48 SM	
TOTAL SOFT LANDSCAPE AREA:	74.11 SM	76.77 %

TREE PROTECTION PLAN

→ TREE HOARDING (TP2) SEE ARBORIST REPORT

X REMOVAL

NP NEW PLANTING

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SEPT/21	01	PERMIT SUBMISSION
DATE	NO.	DESCRIPTION
DATE	ISSUED	

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 1470 Hurontario Street
 Lower Suite 203
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PROJECT:
REAR ADDITION FOR DUPLEX CONVERSION
 237 BROADWAY AVENUE
 HAMILTON, ONT.
 L8S 2H9

PROJECT NO.: 2021-04-21
 SCALE: 1:100
 DRAWN BY: CB
 REVIEWED BY: DA
 DRAWING NO.:

SITE PLAN

SP1.02

EXISTING SITE PLAN
 1:100

PROPOSED SITE PLAN
 1:100



Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2

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

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

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

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

4. Nature and extent of relief applied for:

To permit a maximum Gross Floor Area, of 357.62 sq.m. whereas Hamilton Zoning By-Law 6593 and Section 1(b) & 1(c) of amending By-Law 95-02 permit a maximum Gross Floor Area of 233.05 sq.m.

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The current development built form requires a gross floor area as defined in amending By-law 95-02 Section 1(b) & 1(c) of 357.62 sq.m. Please see the Planning Justification Rationale included with this application for additional details.

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

Part 1, Plan of Lot 208, Registered Plan 420 now in the City of Hamilton
237 Broadway Avenue, Hamilton, ON.

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

Yes No Unknown

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

Site observation.

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

March 23, 2022
Date

 Jesse Freeman
Signature Property Owner(s)

BFW Homes c/o Jessie Freeman
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 12.16 m.
Depth 42.59 m.
Area 517.90
Width of street approx. 8 m.

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

Existing: _

A two-storey detached dwelling, approximately 100 sq.m. in size. The dwelling is 10 m. x 9.44 m which includes a solarium in the rear yard, and an addition in the exterior side yard. The current dwelling currently has 3 bedrooms, 2 bathrooms, a kitchen, living room, and dining room.

Proposed

To partially demolish the existing two-storey residential dwelling and to construct a two-storey residential dwelling with a two-storey secondary suite attached to the main structure. The primary suite is proposed to be 179.58 sq.m. and the secondary suite 178.90 sq.m. for a total of 358.48 sq.m.

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

Existing:

Existing Dwelling Setbacks:

Front: 7.63 m., Rear: 28.27, Exterior SY: 0.00 m. Interior SY: 1.53m.

Proposed:

Proposed Dwelling Setbacks:

Front: 7.63 m., Rear: 21.79 m. Exterior SY: 1.2. Interior SY: 1.46 m.

13. Date of acquisition of subject lands:
 March 2022
-
14. Date of construction of all buildings and structures on subject lands:
 < 1940
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
 Single family detached dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
 Single family detached dwelling (south and east).
17. Length of time the existing uses of the subject property have continued:
 Since initial construction.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
 OP: Neighbourhoods. Ainslie Wood Westdale SP: Low Density Residential 2
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Hamilton Zoning By-Law 6593, Standards "C"/s-1335, s-1335a & S-720 Zoning
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
- If the answer is yes, describe briefly.
 Relief of the Total GFA was sought at the Committee of Adjustment meeting or
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-22:110

APPLICANTS: Owner L. Park

SUBJECT PROPERTY: Municipal address **20 Tolton Ave., Hamilton**

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

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

PROPOSAL: To permit the construction of a 1.93m (6'4") x 7.75m (25'5") roofed-over one storey front porch at the first storey onto an existing Single Family Dwelling notwithstanding that:

1. The roofed-over unenclosed one storey front porch at the first storey level, including eaves and gutters, shall be permitted to project 5.3m into the required 6.0m front yard shall be distant 0.7m from the front lot line instead of the requirement that a roofed over or screened but otherwise unenclosed one storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance of not more than 3.0m and every such projecting porch shall be distant at least 1.5m from the front lot line.
2. A southerly side yard of 0.7m shall be permitted instead of the minimum required side yard of 1.2m.
3. Eaves and gutters shall be permitted to project a maximum of 0.5m into the southerly side yard and may be as close as 0.2m from the southerly side lot line instead of the requirement that an eave or gutter may project into the required side yard (being 0.7m) not more than ½ of its required width (being 0.35m).

NOTE:

- i) The requested variance for the front yard porch setback (being 1.5m) as noted in the Minor Variance Application is incorrect as the Plans submitted show different porch setbacks. As such, the setbacks noted in Variance Nos: 1, 2 and 3 are based on the Plans submitted and the October 28, 1985 survey submitted.

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

DATE: Thursday, May 12th, 2022
TIME: 3:00 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

HM/A-22: 110

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

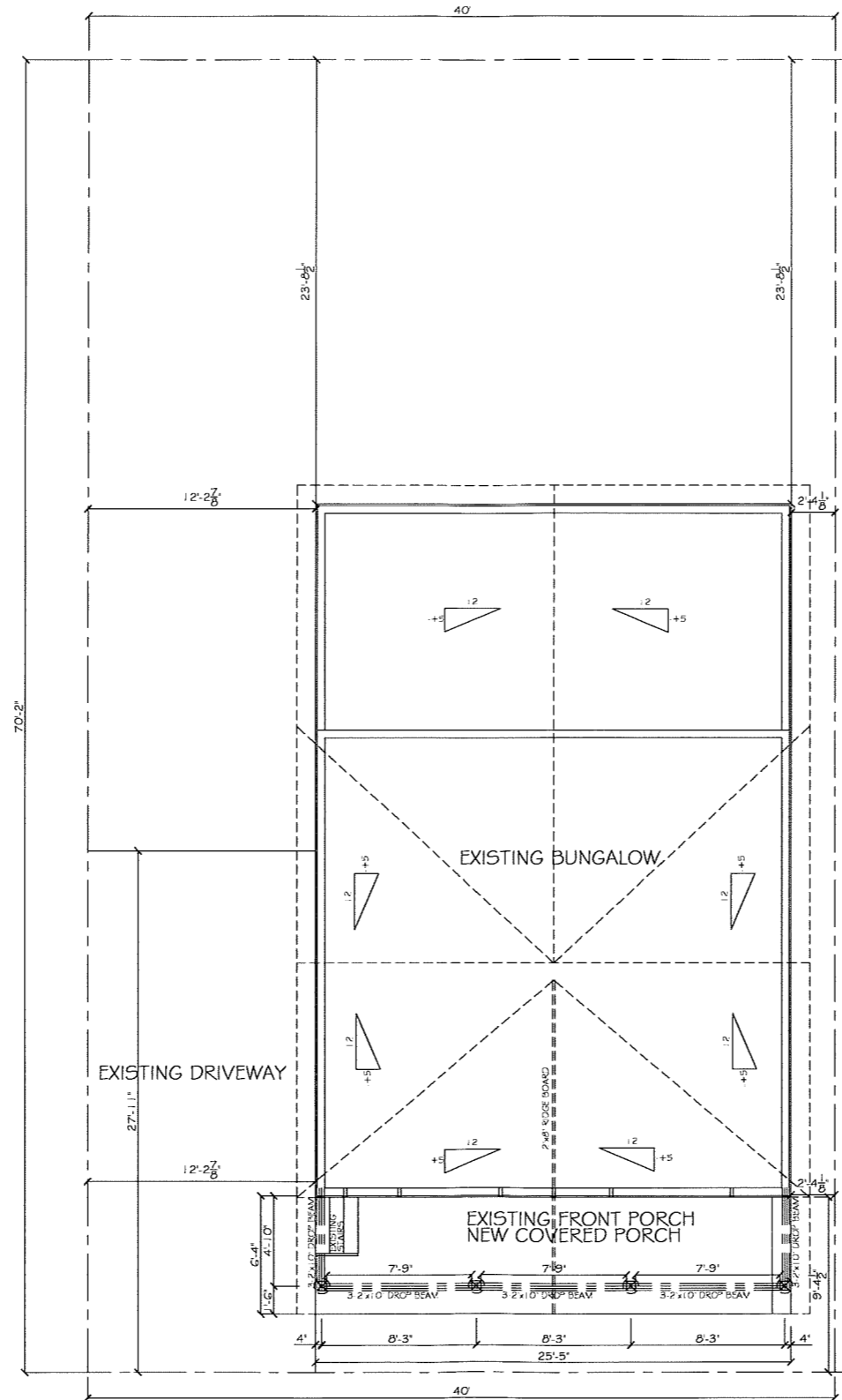
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 2022.

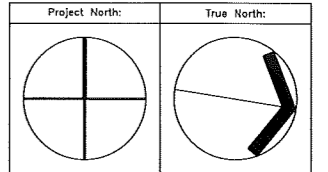
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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 1/4" = 1'-0"

NOTE:
ALL DIMENSIONS & INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED & VERIFIED ON SITE & ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION. EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.
ALL MATERIALS & CONDITIONS MUST COMPLY WITH THE LATEST OBC



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE 2.17.4 (2X) TO BE AN "OTHER DESIGNER"

QUALIFICATION INFORMATION:
RON CRICKMORE B.C.M. 41822

Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:

Note:
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.

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USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

CRICKMORE DESIGN
111 Valued Blvd, Toronto, Ontario, Canada M2H 4K1
Tel: 416-491-8211

Consultant

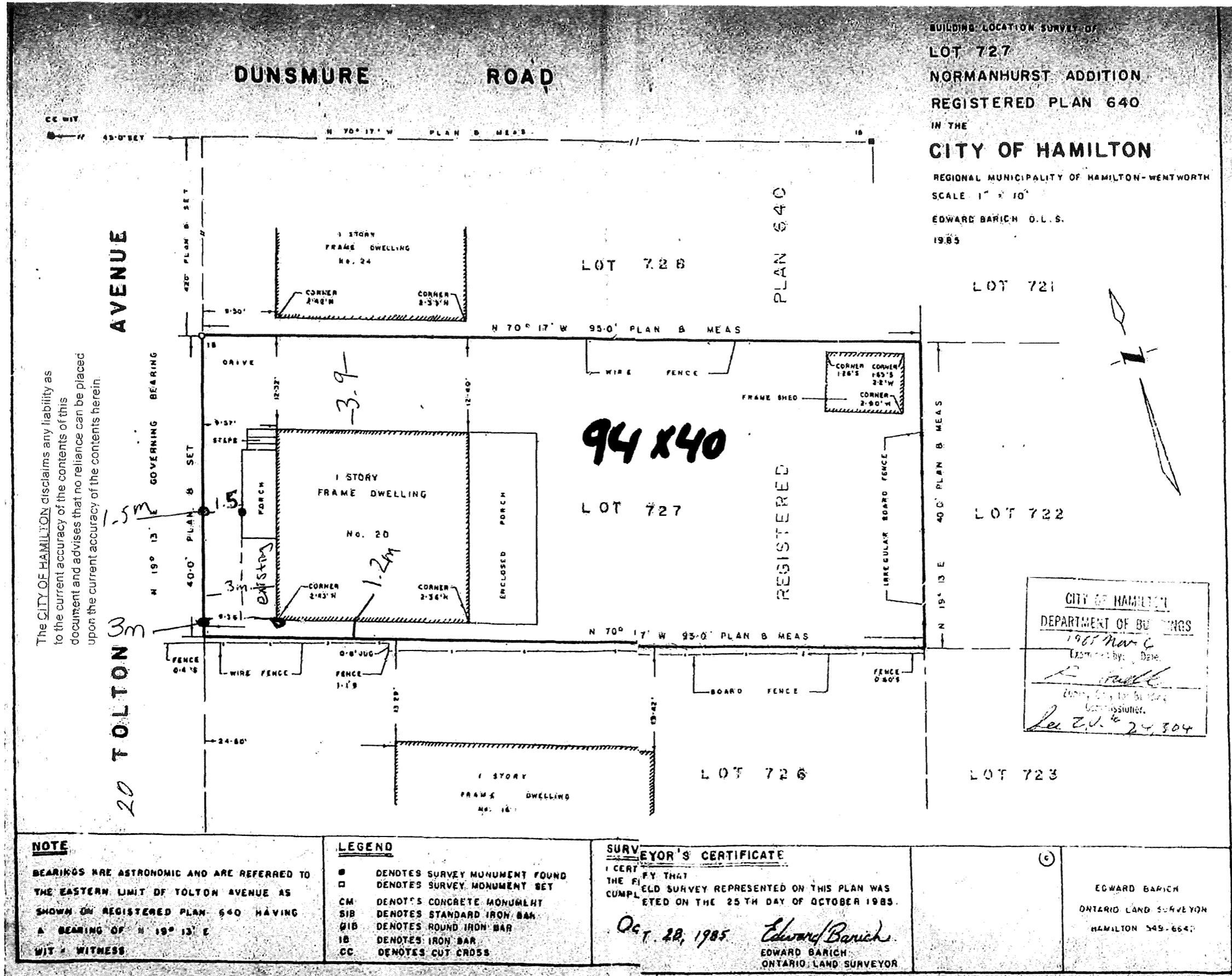
Project:
LOUIS PARK COVERED PORCH
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
COVERED PORCH PLAN SITE PLAN

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

Drawing No:
A6

Drawing Series:



BUILDING LOCATION SURVEY OF
 LOT 727
 NORMANHURST ADDITION
 REGISTERED PLAN 640
 IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1" = 10'
 EDWARD BARICH O.L.S.
 1985

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

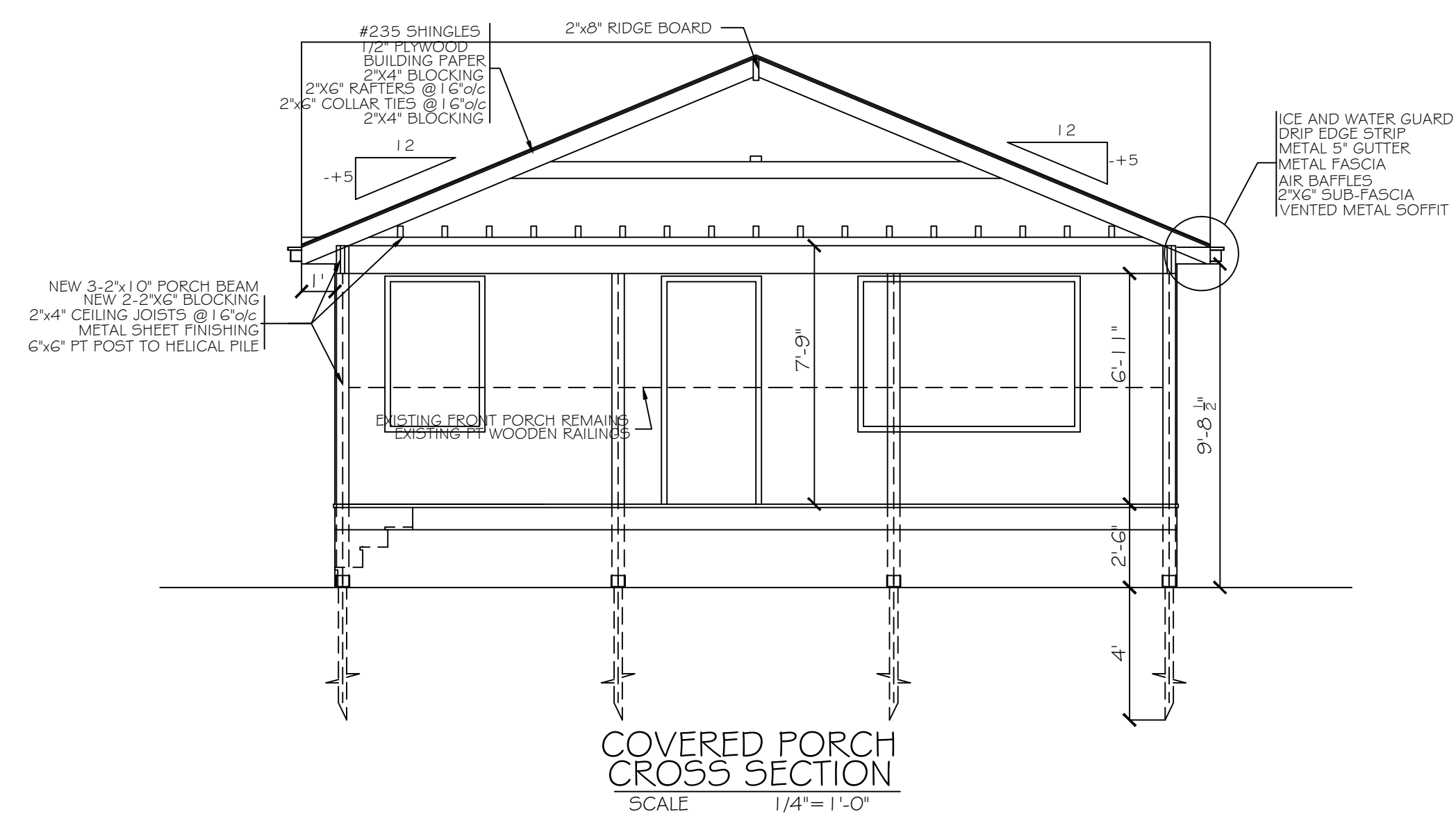
CITY OF HAMILTON
 DEPARTMENT OF BUILDINGS
 1987 Mar 6
 Examined by: Date
[Signature]
 Examined by: Date
 2004 24 304

NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERN LIMIT OF TOLTON AVENUE AS SHOWN ON REGISTERED PLAN 640 HAVING A BEARING OF N 19° 13' E
 WIT - WITNESS

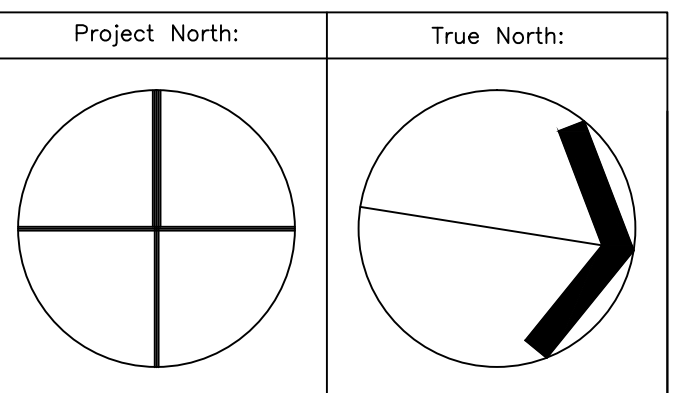
LEGEND
 ■ DENOTES SURVEY MONUMENT FOUND
 □ DENOTES SURVEY MONUMENT SET
 CM DENOTES CONCRETE MONUMENT
 SIB DENOTES STANDARD IRON BAR
 RIB DENOTES ROUND IRON BAR
 IB DENOTES IRON BAR
 CC DENOTES CUT CROSS

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 25TH DAY OF OCTOBER 1985.
 OCT. 28, 1985 *Edward Barich*
 EDWARD BARICH
 ONTARIO LAND SURVEYOR

EDWARD BARICH
 ONTARIO LAND SURVEYOR
 HAMILTON 549-6647



NOTE:
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 ALL MATERIALS & CONDITIONS MUST COMPLY WITH THE LATEST OBC



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE 2.17.4.1.(a) TO BE AN "OTHER DESIGNER"

QUALIFICATION INFORMATION:
 RON CRICKMORE RCIN 41922
Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:

Notes:
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CRICKMORE DESIGN
 111 Victoria Street, Ancaster, Ontario, Canada L9G 4P9
 Tel: 905.879.8533

Consultant

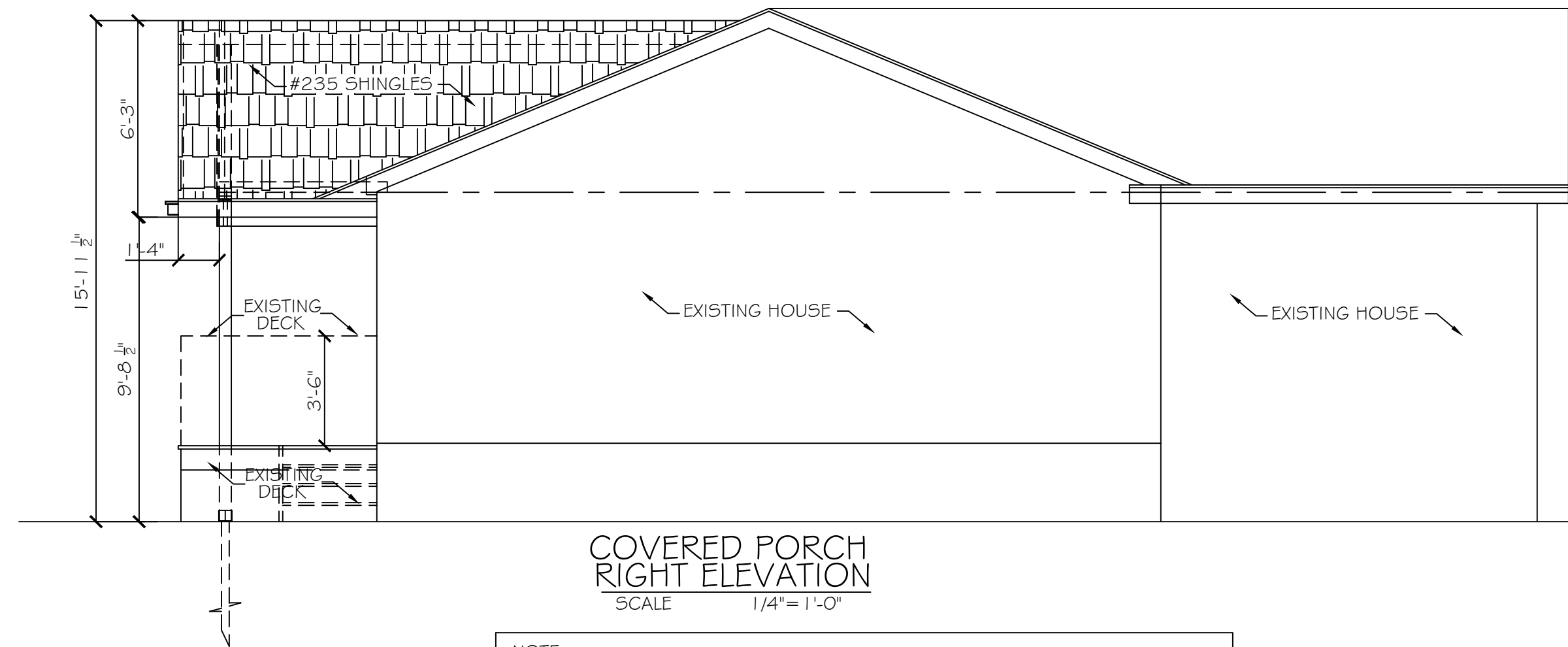
Project:
LOUIS PARK
COVERED PORCH
 20 TOLTON AVE
 HAMILTON ONTARIO

Sheet Title:
COVERED PORCH PLAN
CROSS SECTION

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

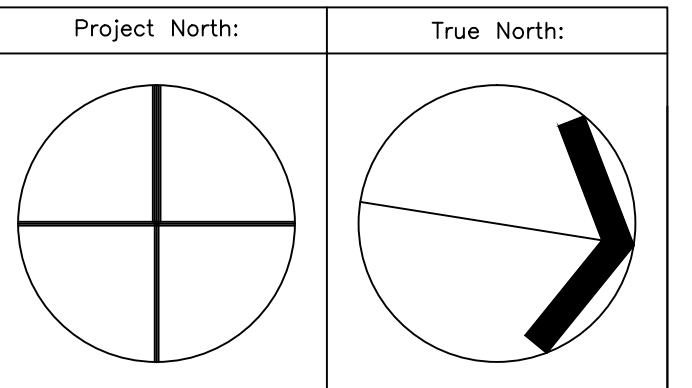
Drawing No:
A5

Drawing Series:



**COVERED PORCH
RIGHT ELEVATION**
SCALE 1/4" = 1'-0"

NOTE:
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QUALIFICATION INFORMATION:
RON CRICKMORE RCIN: 41922

Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:
Notes:
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11 Valwood Street, Ancaster, Ontario, Canada L9G 4M7
Tel: 905.879.8533

Consultant

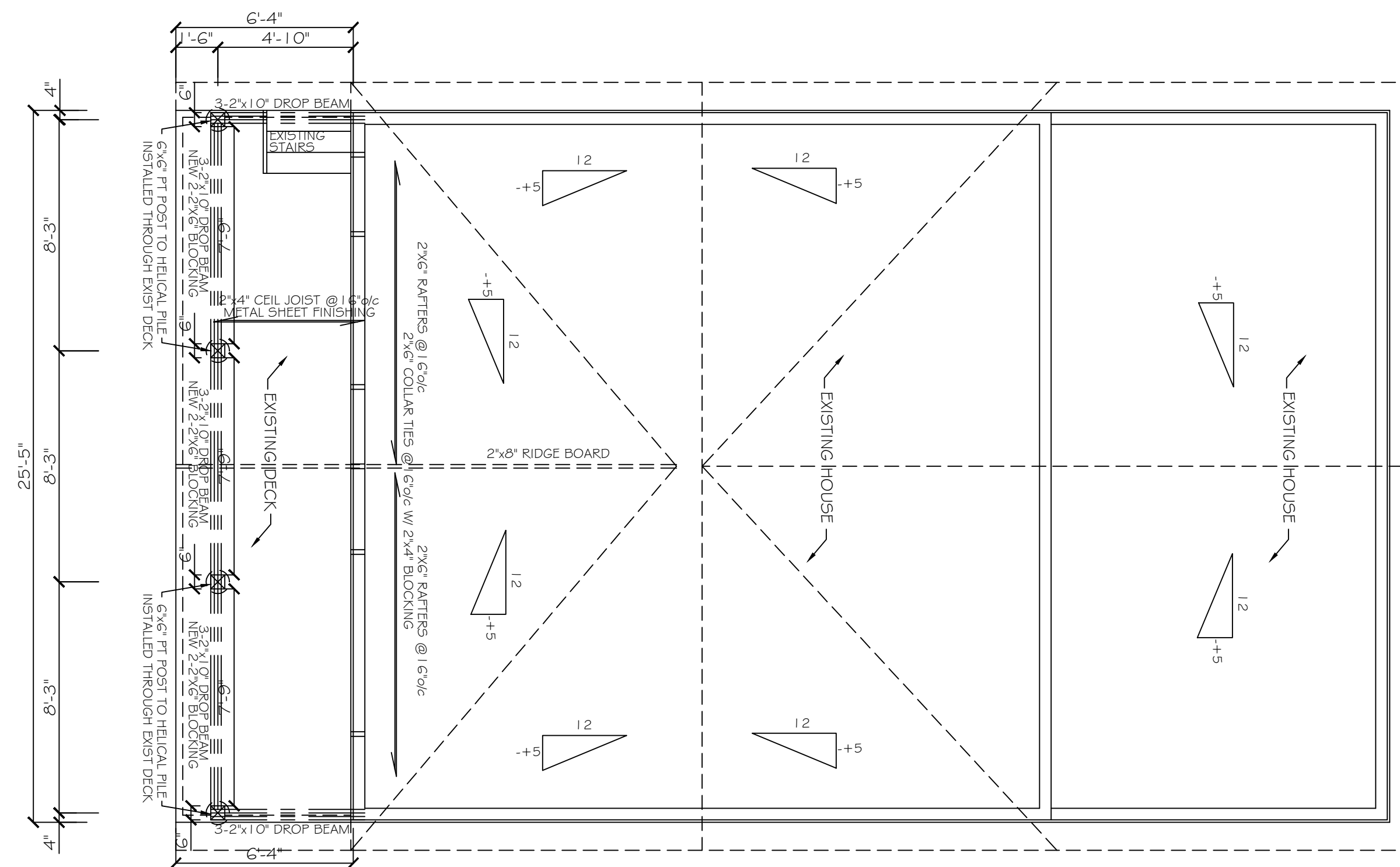
Project:
**LOUIS PARK
COVERED PORCH**
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
**COVERED PORCH PLAN
RIGHT SIDE ELEVATION**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

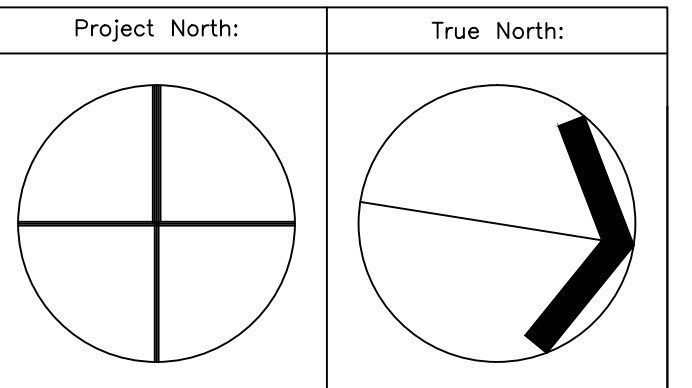
Drawing No:
A4

Drawing Series:



**COVERED PORCH
FOUNDATION / MAIN FLOOR PLAN**
SCALE 1/4" = 1'-0"

NOTE:
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QUALIFICATION INFORMATION:
RON CRICKMORE REG. #1922

Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:

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111 Victoria Street, Ancaster, Ontario, Canada L9G 4P9
Tel: 905.876.8533

Consultant

Project:
**LOUIS PARK
COVERED PORCH**
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
COVERED PORCH PLAN

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

Drawing No:

A1

Drawing Series:



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:

Need to replace my roof structurally. I want to do it in a way to cover my EXISTING porch.
For covered porch, in bylaw 6593 states that setback must be 3m. My existing porch i want to cover is only 1.5m setback.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

My existing porch is only 1.5M setback.
As stated above i want to cover the existing porch with a new roof, that is structurally needing replaced anyway. As seen in amended drawings V3, i will also be moving the stairs from front of porch to side at 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**):

20 Tolton Ave L8H 5N6 Hamilton Ontario Canada.
Lot #727 Normanhurst Addition Registered plan 640 .

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?

Residential neighborhood developed post war


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.

MAR, 16, 2022
Date


Signature Property Owner(s)

Lewis Park
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	40'	
Depth	94'	
Area	3760'sq	
Width of street	24'	

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 storey Frame dwelling, 39'x28'x15'11"h

Proposed

Replacing exiting roof (framing and all) and rebuild the peak to the front, covering the existing porch.

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

Existing:

Porch to property line is currently 4.93'
foundation to property line is 9.85'

Proposed:

Diamentions to property line will not change

13. Date of acquisition of subject lands:
 oct 2017

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

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

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

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 <u>yes</u>
Sanitary Sewer _____	Connected <u>yes</u>
Storm Sewers _____	

19. Present Official Plan/Secondary Plan provisions applying to the land:
 640

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 89-203

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)

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

cCOMMITTEE 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-22:111

APPLICANTS: Owners N. Finlay & S. Ramsay

SUBJECT PROPERTY: Municipal address **102-104 Inchbury St., Hamilton**

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

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

PROPOSAL: To facilitate Consent Application HM/B-21:124 to allow for the existing two family dwelling located at 102 and 104 Inchbury Street to be separated into two (2) parcels, notwithstanding that:

Severed Parcel, 102 Inchbury Street

1. No parking space shall be required instead of the required 1 parking space per Class A dwelling unit for a two family dwelling.

NOTES:

1. The property is identified as being in the City of Hamilton Heritage Inventory and was constructed circa. 1880. Accordingly, the front yard of the proposed severed and retained parcels is recognized as being legally established non-complying.
2. A Boulevard Parking Agreement is required for the use of the partial driveway parking space for the parcel to be severed.
3. The required parking space and manouevring space can be provided on site for the proposed parcel to be retained at 104 Inchbury Street.

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

DATE: Thursday, May 12th, 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

HM/A-22: 111

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

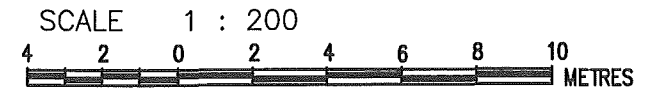
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: April 26th, 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 OF
102 & 104 INCHBURY STREET
 LOT 24 AND PART OF LOT 23
 REGISTERED PLAN 228
 IN THE
CITY OF HAMILTON



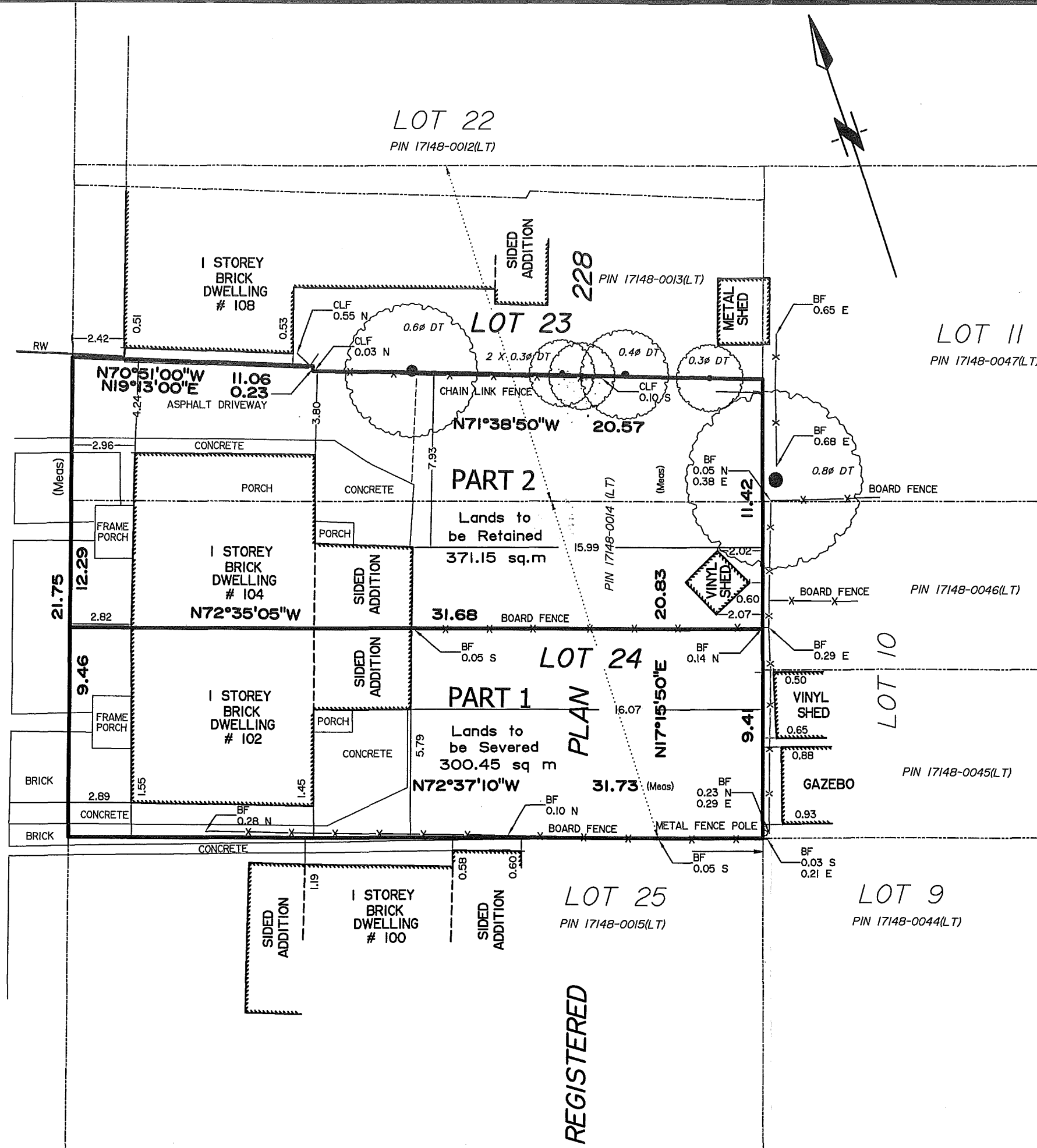
ASHENHURST NOUWENS & ASSOCIATES INC.
 COPYRIGHT 2021 ©

KEY PLAN
 Not to Scale

INCHBURY STREET
 (BY REGISTERED PLAN 228)
 PIN 17148-000(LT)

N17°34'10"E

(REFERENCE BEARING)



SITE STATISTICS	BYLAW	PROPOSED	
		PART 1	PART 2
LOT FRONTAGE	9.0 m	9.46 m	12.29 m
LOT AREA	300 m ²	300.45 m ²	371.15 m ²
FRONT YARD SETBACK	6.0 m	2.82 m *	2.82 m *
REAR YARD SETBACK	7.5 m	16.0 m	16.0 m
SIDE YARD SETBACK 1	1.2 m	1.45 m	3.80 m

* VARIANCES

LEGEND
 RW DENOTES RETAINING WALL
 CLF DENOTES CHAIN LINK FENCE
 BF DENOTES BOARD FENCE
 DT DENOTES DECIDUOUS TREE

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THE SURVEY WAS COMPLETED ON THE 11TH DAY OF NOVEMBER, 2021.

Dec 08, 21
 DATE

Amad Najm P. Eng
 On behalf HARRY KALANTZAKOS
 ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
 PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
 225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
 TELEPHONE: (905) 529-6316
 (905) 529-4314
 FAX: (905) 529-6651
 e-mail: anl@AshenhurstNouwens.ca

DRAWN BY M.S.	CALC'D BY M.S.	CHK'D BY H.K.	FILE No. 21--205 SKETCH
------------------	-------------------	------------------	----------------------------

REGISTERED



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

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PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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Application for Minor Variance or for Permission

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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:

Naomi Finlay, Scott Richard Ramsay

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:

Regarding Part 1 on the sketch we are requesting to allow the severed property to have no parking on the premises as required by Zoning By Law Section 5.
Any other variances that apply due to the severance of the existing parcels.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Regarding Part 1 parking, the front set-back does not allow for the appropriate space for parking as per zoning by-law section 5.

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 24 and part of lot 23
Registered plan 228
102 - 104 Inchbury St

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?
 Personal online research based on age of house and location.


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.

March 17th, 2022

 Date



 Signature Property Owner(s)
 Naomi Finlay and Scott Ramsay

 Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage 102 Inchbury: 9.46 m

 Depth 31.72 m

 Area 102 Inchbury: 300.45 sq m

 Width of street 7.42 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:
 Semi detached bungalow, ground floor area 74 sq m, gross floor area 93.5 sq m, 1 storey, width 7.95 m, length 12.58 m, height 3.06 m

 Proposed
 No change to existing property

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)
 Existing:
 2.89 m from front lot line to building, 16.05 m from rear lot line to building, 1.45 m from side lot line to building

 Proposed:
 No change to existing property

13. Date of acquisition of subject lands:
June 28th 2021
-
14. Date of construction of all buildings and structures on subject lands:
Prior to 1880
-
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:
Prior to 1880
-
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (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)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-22:25

SUBJECT PROPERTY: 235 Main St. W., Hamilton

You are receiving this notice because you are either:

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

APPLICANT(S):

Agent GSP – N. Frieday
 Owner 235 Main Holdings Inc. – P. Kemper
 Applicant Coletara Development- M. Krasic

PURPOSE OF APPLICATION:

To permit the establishment of an easement for access purposes in favour of property known as 255 Main Street West.

Easement:

0.85m[±] x 29.442m[±] and an area of 25m^{2±}

Retained lands:

40.97m[±] x 39.839m[±] and an area of 1,865.2 m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 12th, 2022

TIME: 3:10 p.m.

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

To be streamed at

www.hamilton.ca/committeeofadjustment

for viewing purposes only

PUBLIC INPUT

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

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

HM/B-22: 25
PAGE 2

MORE INFORMATION

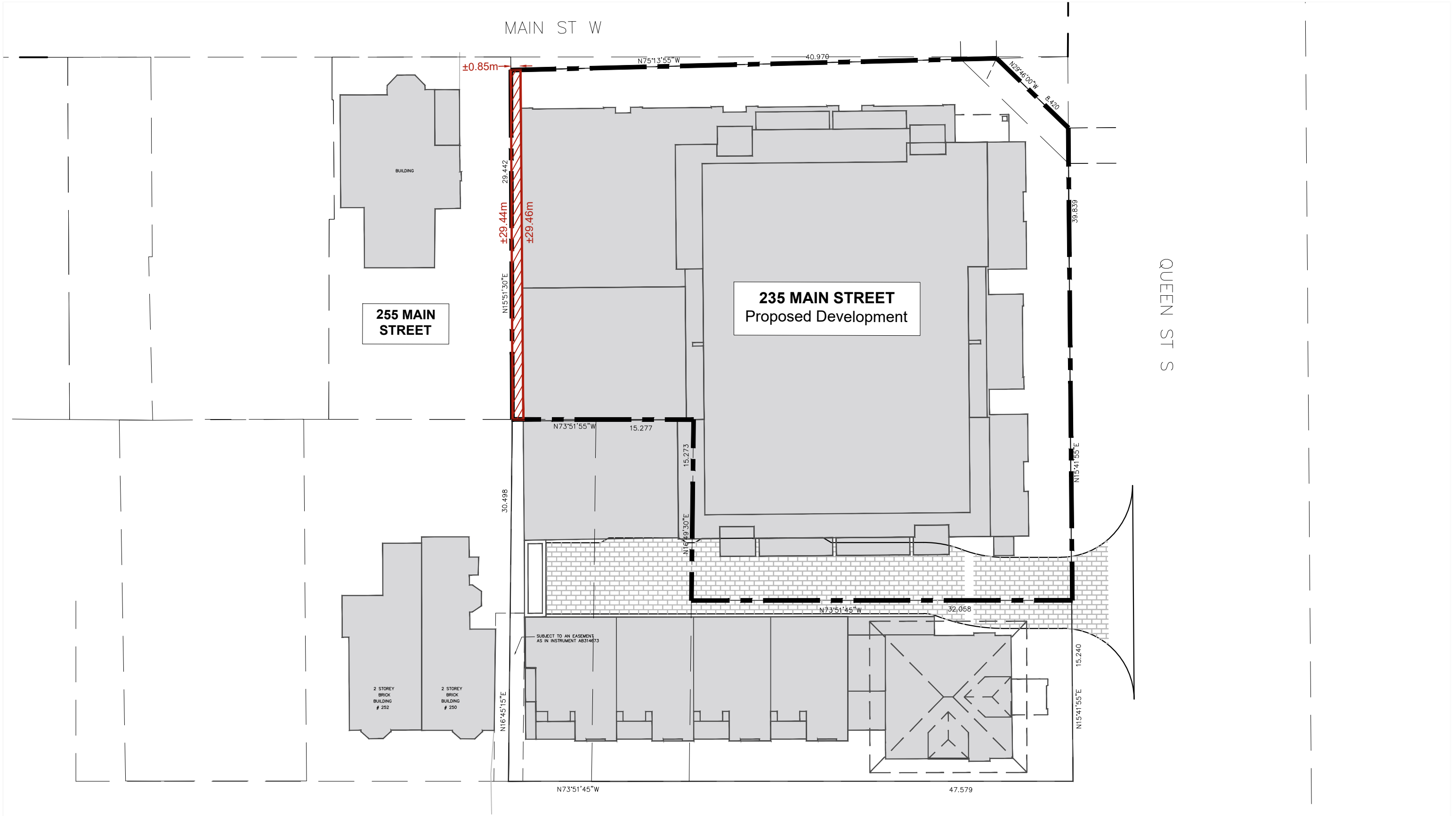
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 2022

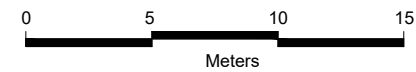
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



EASEMENT SKETCH
235 MAIN STREET WEST, HAMILTON

 ACCESS EASEMENT FOR EXCLUSIVE USE
 IN FAVOUR OF 255 MAIN STREET WEST



NOTE: This concept has been prepared for general feasibility purposes only. Building code requirements and technical / architectural design have not been addressed.
 Scale 1:300 | March 8, 2022 | Project No.: 19061 | Drawn By: MN

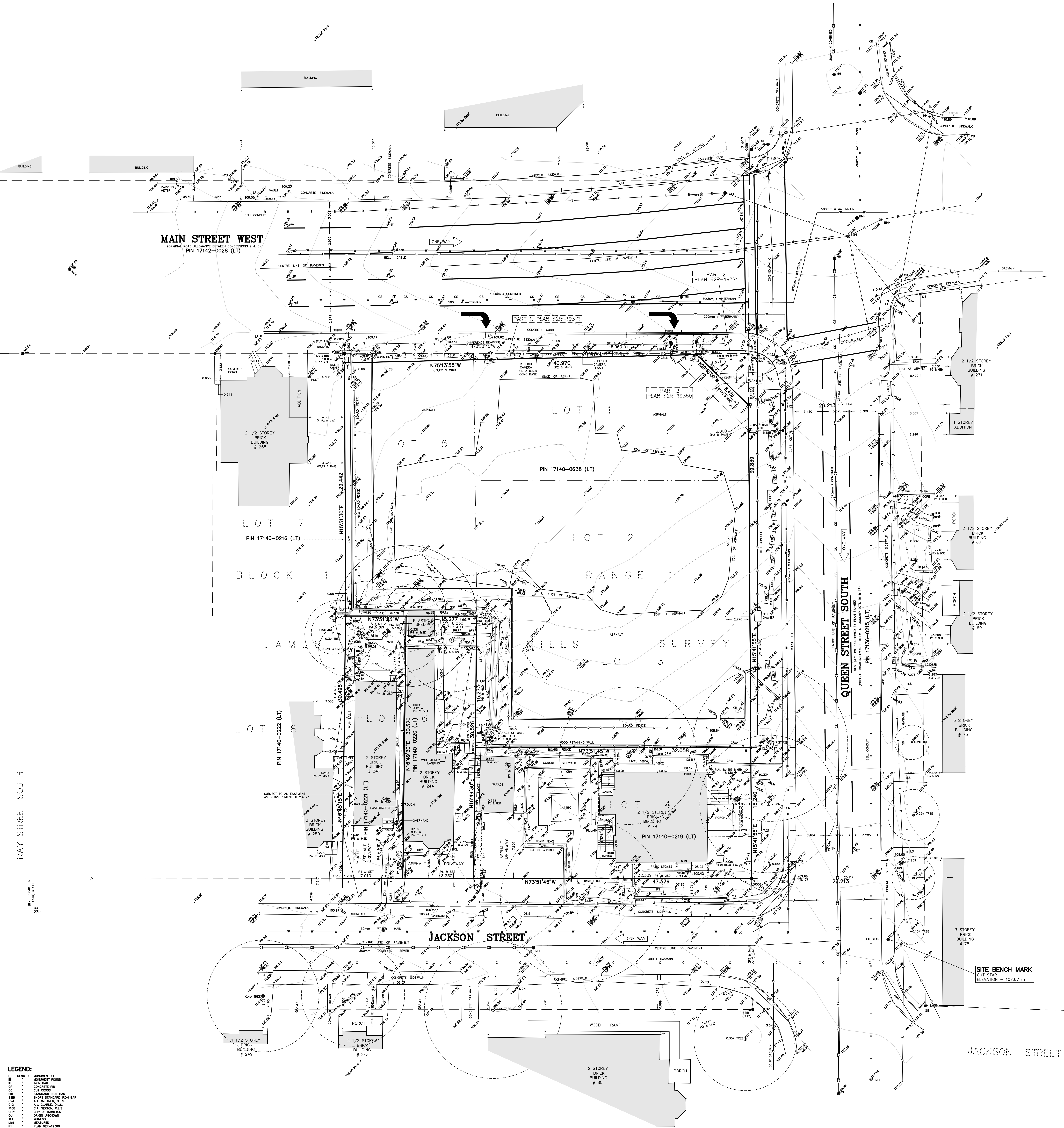
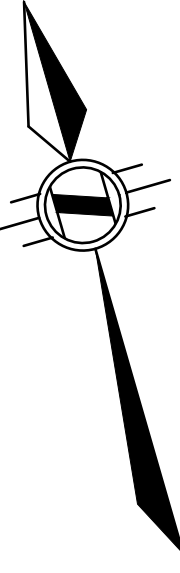


GSP
 group

TOPOGRAPHIC SURVEY
OF PART OF
LOTS 1 & 5
AND ALL OF
LOTS 2, 3, 4 & 6
BLOCK 1, RANGE 1
JAMES MILLS SURVEY
IN THE BLOCK BOUNDED BY
BETWEEN RAY ST, JACKSON ST, QUEEN ST & MAIN ST
IN THE
CITY OF HAMILTON

SCALE 1:150 METRIC

S.D. McLAREN, O.L.S. - 2019



- LEGEND:**
- CENTRES
 - MONUMENT SET
 - IRON BAR
 - CONCRETE PIN
 - SUI CROSS
 - STANDING IRON BAR
 - SUI CROSS
 - A.T. McLAREN, O.L.S.
 - A.L. CLARKE, O.L.S.
 - G.A. BOYTON, O.L.S.
 - CITY OF HAMILTON
 - IRON WIRE
 - WIRE
 - WIRE
 - PLAN 628-1930
 - PLAN 628-1931
 - PLAN 628-1932
 - PLAN BY S.D. McLAREN LIMITED, DATED SEPT. 2, 2016
 - PLAN BY S.D. McLAREN LIMITED, DATED AUG. 18, 2017
 - PLAN BY A.L. CLARKE, O.L.S., DATED MAY 1, 1987
 - TRAFFIC CHALK
 - LIGHT POLE
 - CONCRETE BLOCK
 - CONCRETE BLOCK
 - WOOD RETAINING WALL
 - WOOD RETAINING WALL
 - WOOD RETAINING WALL
 - MANSARD
 - BELL MANHOLE
 - CATIN BARN
 - COOR. MARK
 - DECIDUOUS TREES
 - DECIDUOUS TREE
 - DIAMETER

BENCHMARK:
MONUMENT 0011950649
CITY OF HAMILTON BENCH MARK
HOUSE NO. 34 QUEEN STREET SOUTH, AT
SOUTHWEST CORNER OF
INTERSECTION OF GEORGE STREET, PLATE
IN NORTH BRICK WALL AT
NORTHEAST CORNER.
ELEVATION: 112.302 metres COVD-1928:1978

NOTE:
UNDERGROUND SERVICE AND UTILITY LOCATIONS
WERE DERIVED FROM CITY OF HAMILTON DRAWING
No. 0-3, SEWERS (SHEET 1 OF 1) OCTOBER 16,
1923, DRAWING No. M.192 SEWERS AUGUST 1930,
DRAWING 02-H-48 (SHEET 8 OF 8) DATED
05/07/02 AND DRAWING 89-H-25 (SHEET 4 OF 8)
DATED MARCH 5, 1990.
UNDERGROUND SERVICE AND UTILITY LOCATIONS
MUST BE VERIFIED PRIOR TO CONSTRUCTION
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

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

BEARING NOTE:
BEARINGS ARE GIVEN AND ARE REFERRED
TO THE SOUTHERLY LIMIT OF MAIN STREET
WEST AS SHOWN ON PLAN 628-19371 AS
BEING N73°53'45"W

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT
1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT AND THE REGULATIONS
2. MADE UNDER THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.
LEGAL AND ENGINEERING SURVEYS
DATE: OCTOBER 3, 2019
S.D. McLAREN, O.L.S.

REVISIONS		
No.	DATE	DESCRIPTION
1	18. 03. 2020	REVISION - LINE METRS

69 JOHN STREET SOUTH, SUITE 230
Phone: (905) 709-0200 Fax: (905) 709-0202
E-Mail: info@atml.com Website: www.atml.com
A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
Scale: 1:150 Date: 03/08/19 Page No. 304/40



SHAPING GREAT COMMUNITIES

March 30, 2022

File No: 19062

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

Attn: Ms. Jamila Sheffield
Secretary-Treasurer

Re: Consent for an Easement - 235 Main Street West, Hamilton

Dear Ms. Sheffield:

On behalf of 235 Main Holdings Inc., the owner of 235 Main Street West, GSP Group is pleased to submit an application to establish an access easement in favour of the property to the west, known as 255 Main Street West.

In October 2020, City Council approved an Urban Hamilton Official Plan Amendment (UHOPA) application and Zoning By-law Amendment (ZBA) application to permit a 23-storey multiple dwelling building oriented toward Main Street West and Queen Street South, and a townhouse block oriented toward Jackson Street West. Four (4) properties are included in this redevelopment; 235 Main Street West, 244 and 246 Jackson Street West and 74 Queen Street South. To date, the four (4) separate properties have not merged.

The subject application is to establish an easement for exclusive use by 255 Main Street West as a driveway / vehicle and foot access. The proposed easement is located entirely on 235 Main Street West.

The proposed easement is referred to the Report PED20142 regarding the UHOPA and ZBA referenced above. The report states that the buildings will not be permitted to be built right to the west property line as there are existing easements or required easements to provide for existing or widened driveways for property owners to the west. Zoning modifications were incorporated into the ZBA to protect for the required easements.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

This letter, the completed application form, Consent Sketch and Topographic Survey were digitally sent to the Committee of Adjustment on March 30, 2022. The Topographic Survey was prepared by A. T. McLaren Limited, Legal and Engineering Surveys, dated February 20, 2022. A cheque in the amount of \$2,985.00 made out to the "City of Hamilton" will be delivered to the City tomorrow morning on March 31, 2022.

Should you have any questions or require any additional information, please do not hesitate to contact me at 289-778-1431 or via email at nfrieday@gspgroup.ca.

Yours truly

GSP Group Inc.

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

Nancy Frieday, MCIP, RPP
Senior Planner

cc: 235 Main Holdings Inc.



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*			
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 City of Hamilton Part of Lots 1 & 5 and all of	Lot Lots 2 and 3	Concession	Former Township
Registered Plan N°.	Lot(s) Block 1, Range 1	Reference Plan N°.	Part(s)
Municipal Address 235 Main St. W.	Assessment Roll N°. 251801009554570		

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):

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input checked="" type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
- Right-of-Way for Foot and Vehicle Access

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

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

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

255 Main St. W. (current owner Margaret Krol)

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) +/-0.85 metres	Depth (m) +/-29.442 metres	Area (m ² or ha) +/-25 sq. m.
--------------------------------	-------------------------------	---

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: None

Proposed: None

Existing structures to be removed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

- 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 (m ² or ha)
+/-40.97 m (Main St. W.)	+/-39.839 m (Queen St. S.)	+/-1,865.2 sq. m.

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 Vacant
 Other (specify) _____

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: None

Proposed: 23 storey, mixed use residential building

Existing structures to be removed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity telephone school bussing garbage collection

5 CURRENT LAND USE

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

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

Urban Hamilton Official Plan designation (if applicable): Mixed Use - Medium Density

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

235 Main Street West was rezoned in 2020. City Report PED20142 states that the proposed building will not be permitted to be built right to the property line given easements required/existing for properties to the west. Modifications to the Zoning By-law were approved in recognition of existing/proposed easements.

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? C5, 736

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	None
A land fill	<input type="checkbox"/>	None
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	None
A provincially significant wetland	<input type="checkbox"/>	None
A provincially significant wetland within 120 metres	<input type="checkbox"/>	None
A flood plain	<input type="checkbox"/>	None
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	Yes - commercial uses on Main St. W.
An active railway line	<input type="checkbox"/>	None
A municipal or federal airport	<input type="checkbox"/>	None

*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 Gas Station
- 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?
 Based on previous land uses there was some contamination. A Record of Site Condition has been obtained to permit the residential/mixed use redevelopment.
- 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
 Easements are permitted as per Policy Statements issued under the Planning Act.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 Easements are permitted as per the PPS.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 Easements are permitted as per A Place to Grow, Growth Plan for the Greater Golden Horseshoe.
- 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
 Only A Place to Grow and the application conforms thereto.
- 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? June 27, 2019

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 *DA-21-067 (Site Plan App.) Status In Process

10 RURAL APPLICATIONS

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

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

Settlement Area Designation

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

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

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

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

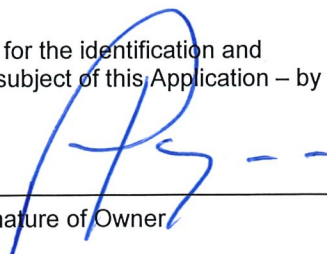
235 Main Holdings Inc. is co-owner of 74 Queen Street South, 244 Jackson Street West and 246 Jackson Street West
--

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.

March 23, 2022

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.: FL/A-22:98

APPLICANTS: Owners M. & A. Almeida

SUBJECT PROPERTY: Municipal address **229 Carlisle Rd., Flamborough**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of an accessory building (pavilion) in the rear yard of the existing single detached dwelling notwithstanding that;

1. A maximum building height of 4.9m shall be permitted instead of the maximum 4.5m building height permitted for accessory buildings.

Note: No elevation plans were provided from which to determine if the requested variance is correct. Therefore, further variances may be required.

Please note that rooftop amenity areas are prohibited.

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

DATE: Thursday, May 12th, 2022
TIME: 3:20 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

FL/A-22: 98

Page 2

MORE INFORMATION

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

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

DATED: April 26th, 2022.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

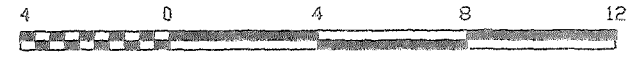
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

2M-716

PLAN OF
PART OF LOT 8
CONCESSION 9
FORMERLY THE GEOGRAPHIC TOWNSHIP OF EAST F
NOW IN THE

CITY OF HAMILTON

SCALE 1:200



GRAPHIC SCALE
CUNNINGHAM McCONNELL LIMITED
ONTARIO LAND SURVEYORS

METRIC NOTE

ALL DISTANCES SHOWN HEREON ARE IN METRES AND BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- " SURVEY MONUMENT SET
- SIB " STANDARD IRON BAR
- SSIB " SHORT STANDARD IRON BAR
- IB " IRON BAR
- IP " IRON PIPE
- NI " NO IDENTIFICATION
- 950 " CUNNINGHAM McCONNELL LIMITED
- PIN " PROPERTY IDENTIFIER NUMBER
- PIN " PROPERTY IDENTIFIER NUMBER
- NI " NO IDENTIFICATION
- 950 " CUNNINGHAM McCONNELL LIMITED
- PIN " PROPERTY IDENTIFIER NUMBER
- 717 " J.J. KISWAY O.L.S.
- 1254 " R.E. CLIPSHAM
- JDB " J.D. BARNES O.L.S.
- ⊙ " ROUND
- Y " YATES & YATES LIMITED O.L.S.
- FNDN " FOUNDATION
- P1 " PLAY BY YATES & YATES LIMITED O.L.S. DATE
- P2 " REGISTERED PLAN 62M-716
- P3 " PLAN 62R-9706
- P4 " PLAN 62R-14252
- P5 " PLAN 62R-10922
- C1 " CALCULATED FROM P1 & P2
- D1 " INST. NO. WE179248

BEARING NOTE

ALL BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWEST LIMIT OF CARLISLE ROAD HAVING A BEARING OF N 46°43'00"E IN ACCORDANCE WITH PLAN 62R-10922.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON JUNE 22, 2007.

DATE: JUNE 22, 2007

Thomas J. Packowski
THOMAS J. PACKOWSKI
ONTARIO LAND SURVEYOR

CLIENT NOTE

THIS REPORT WAS PREPARED FOR S. & T. SPITTLES AND THEIR SOLICITOR AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

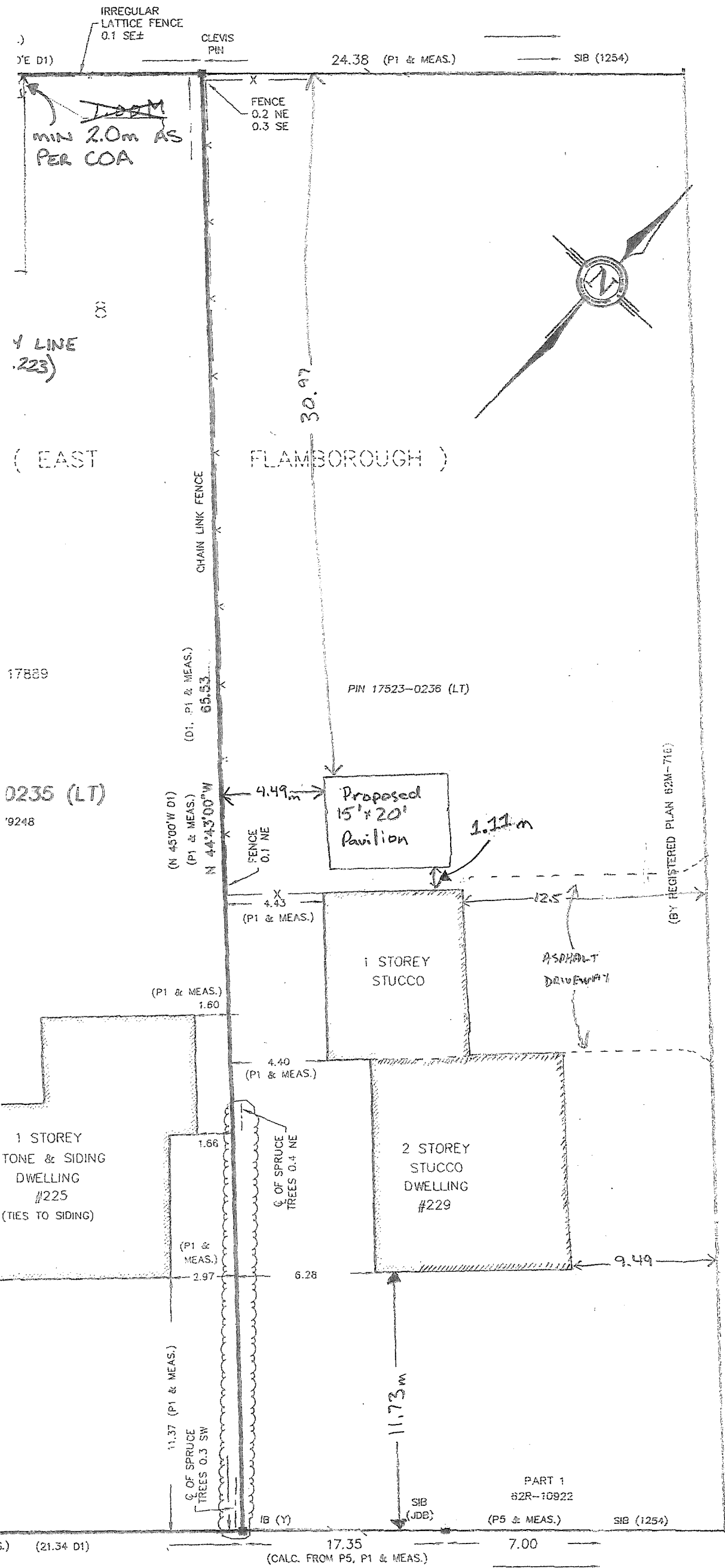
© COPYRIGHT

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN OR IN PART WITHOUT THE WRITTEN PERMISSION OF CUNNINGHAM McCONNELL

CUNNINGHAM McCONNELL LIMITED
ONTARIO LAND SURVEYORS

205 MAIN STREET MILTON, ONTARIO L9T 1N7
PHONE (905) 878-6672
FAX (905) 878-6672
EMAIL ADDRESS: fgcmil@globalserve.net
O.L.S. FILE # 08-3757

1200 SPEERS ROAD OAKVILLE, ONTARIO
PHONE (905) 878-6672
FAX (905) 878-6672
EMAIL ADDRESS: fgcmil@globalserve.net
CLIENT: N.



13°00'E REFERENCE BEARING
CONCESSIONS 8 & 9 (EAST FLAMBOROUGH) PIN 17523-0332 (LT)
CARLISLE ROAD REGIONAL ROAD NO. 36



Committee of Adjustment

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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

RBC Royal Bank 304 Dundas St. E. Waterdown, Ont.
--

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

4. Nature and extent of relief applied for:

New accessory structure (pavilion)

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

proposed is a building height of 4.9m, however a maximum of 4.5m is allowed in an S1 zone of the OS-200 bylaw

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**):

229 Carlisle Rd
CON 9 PT LOT 8 FE FLM
REG

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?

It's all residential around 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.

_____, 2022 _____
 Date Signature Property Owner(s)
 Mario Almeida
 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 80 feet
 Depth 215 feet
 Area 0.40 Acres
 Width of street _____

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

Existing: _____
 : 2 storey house, approx 1800 sqft, with attached garage approx 600 sqft. Uses up approx 1500 sqft of area on property. House/garage approx 56'x35'

Proposed
 Accessory structure (pavilion) 15'x20'

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

Existing:
 South side - 38' 6"
 North side - 120' 3"
 West side (rear) - 14'
 East side (front) - 31' 2"

Proposed:
 South side - 98' 5"
 North side - 101' 7"
 West side (rear) - 14' 9"
 East side (front) - 50' 3"

13. Date of acquisition of subject lands:
July 31, 2001

14. Date of construction of all buildings and structures on subject lands:
1956 approx.

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:
66 years approx (since house was built)

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

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
S1 zone bylaw 05-200

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)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: AN/A-22:100

APPLICANTS: Agent M. Fensham
 Owner A. Tyrosvoutis

SUBJECT PROPERTY: Municipal address **734 Jerseyville Rd. W., Ancaster**

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

ZONING: "P7" (Conservation/Hazard Land - Rural) district

PROPOSAL: To to permit the construction of a new Single Detached Dwelling notwithstanding that:

1. A maximum building height of 13.6m shall be provided instead of the maximum permitted building height of 10.5m
2. The maximum width of the driveway shall be 35.0m whereas the width of the driveway is not permitted to exceed the width of an attached garage.

NOTES:

- i. These variances are necessary to facilitate Site Plan Control Application MDA-21-150.
- ii. Variance #1 has been written as requested by the applicant. The applicant shall ensure that height has been measured in accordance with the definition of Building Height as provided within Hamilton Zoning By-law 05-200.

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

DATE: Thursday, May 12th, 2022
TIME: 3:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

AN/A-22: 100

Page 2

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

MORE INFORMATION

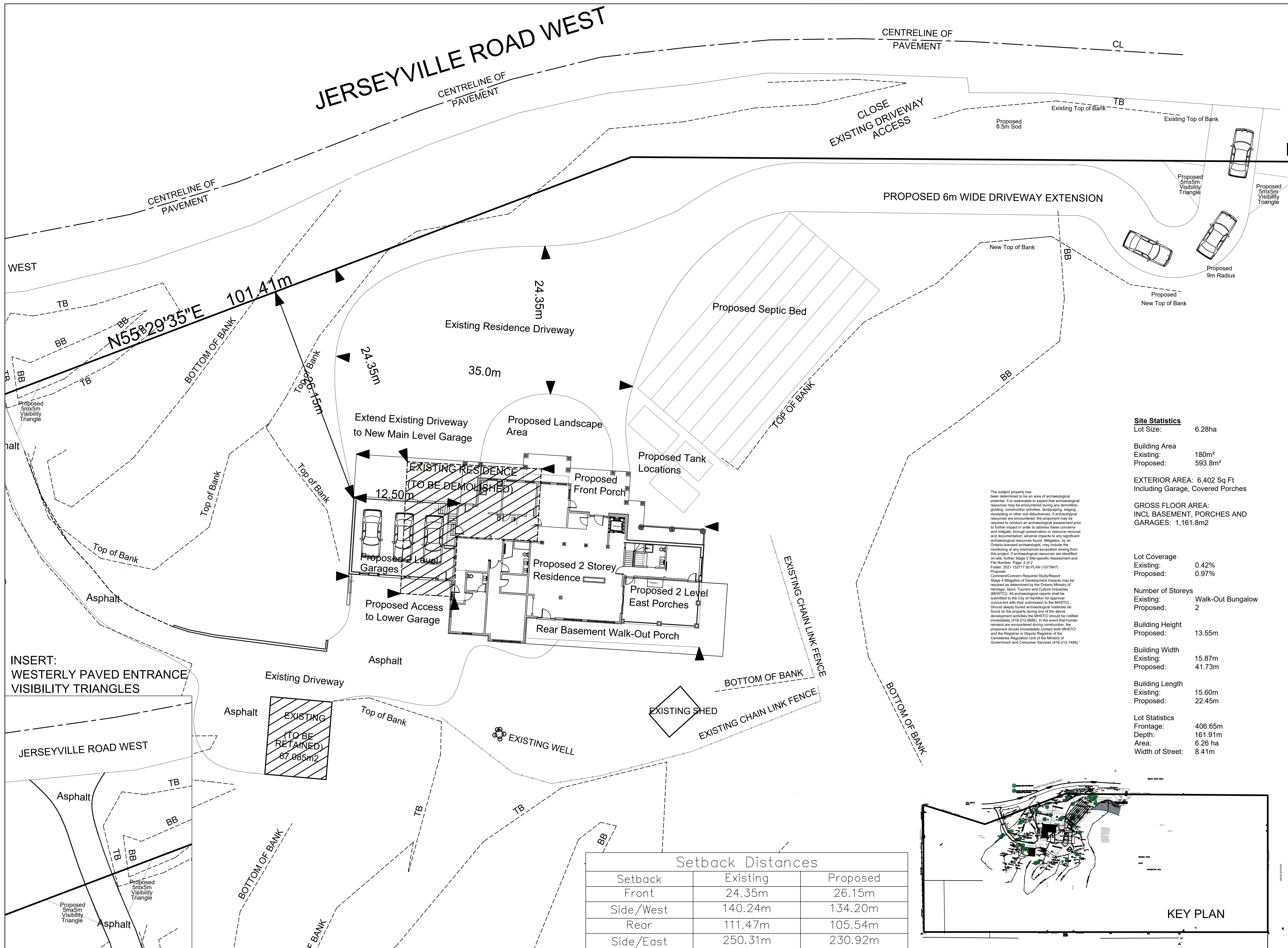
For more information on this matter, including access to drawings illustrating this request:

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

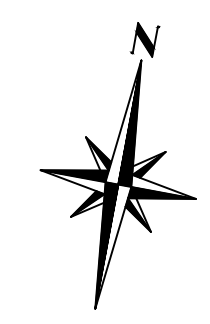
DATED: April 26th, 2022.

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.



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.



ISSUE for VARIANCE: Feb 22, 2022		
REMARKS	DATE	NO.
REVISIONS		

Site Statistics
 Lot Size: 6.28ha
 Building Area Existing: 180m²
 Proposed: 593.8m²
 EXTERIOR AREA: 6,402 Sq Ft
 Including Garage, Covered Porches

GROSS FLOOR AREA:
 INCL BASEMENT, PORCHES AND GARAGES: 1,161.8m²

Lot Coverage
 Existing: 0.42%
 Proposed: 0.97%

Number of Storeys
 Existing: Walk-Out Bungalow
 Proposed: 2

Building Height
 Existing: 13.55m
 Proposed: 13.55m

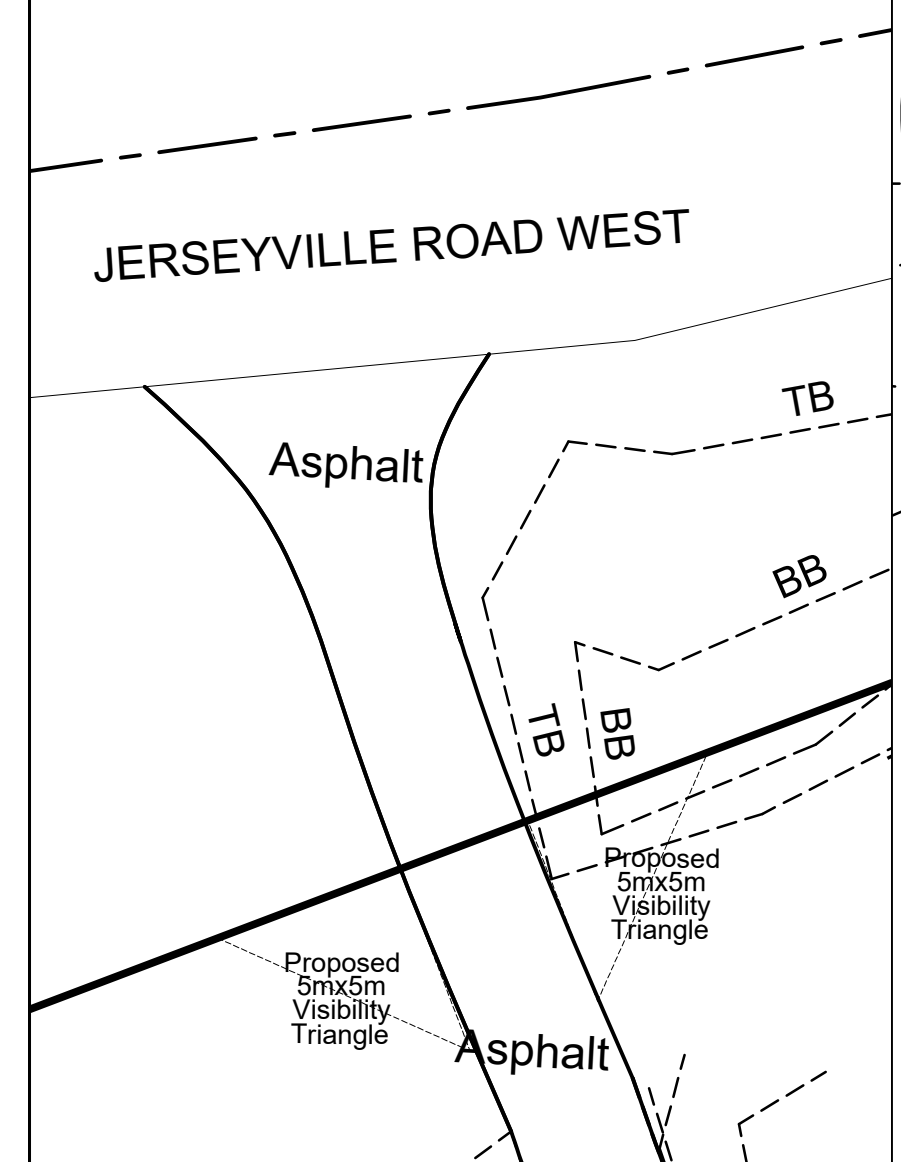
Building Width
 Existing: 15.87m
 Proposed: 41.73m

Building Length
 Existing: 15.60m
 Proposed: 22.45m

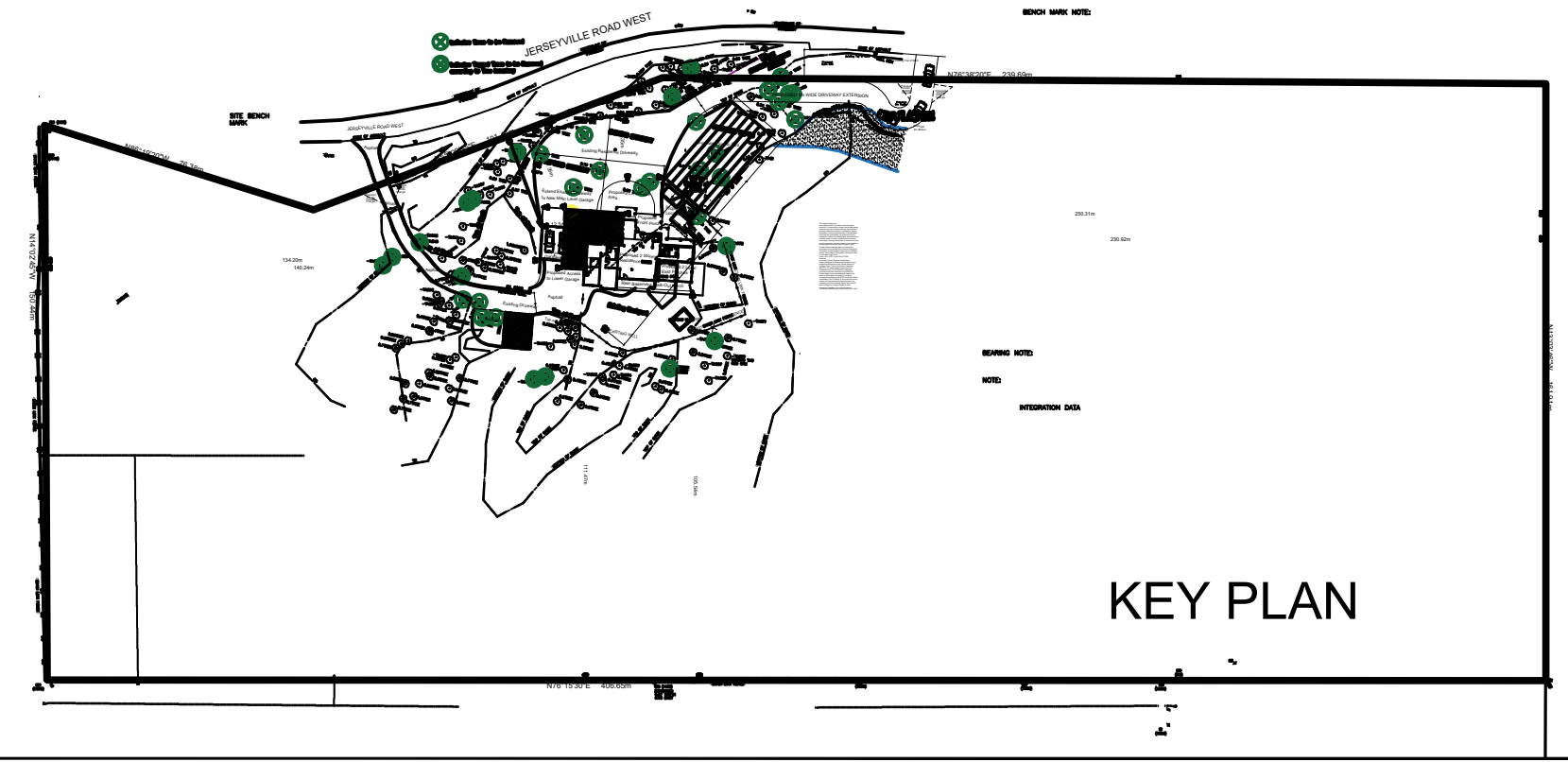
Lot Statistics
 Frontage: 406.65m
 Depth: 161.91m
 Area: 6.26 ha
 Width of Street: 8.41m

The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and File Number: Page 2 of 2. Folder: 2021 15271 00 PLAN (1077847) Proposed: Comment/Concern Required Study/Report Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MHSTCI. Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).

INSERT:
 WESTERLY PAVED ENTRANCE
 VISIBILITY TRIANGLES



Setback Distances		
Setback	Existing	Proposed
Front	24.35m	26.15m
Side/West	140.24m	134.20m
Rear	111.47m	105.54m
Side/East	250.31m	230.92m



thinkGiraffe
 ENVIRONMENTAL
 DESIGN
 16 Sulphur Springs Road,
 Ancaster, ON, L9G 1L8
 905 304 1496
 thinkgiraffe@bellnet.ca

PROJECT
 Proposed Dwelling
 734 Jerseyville Road West
 Ancaster
 Lot 36, Conc 3

SHEET TITLE
 MDA-21-150
 PROPOSED SITE PLAN

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1:200
DATE	NUMBER

SP-1



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: DN/A-22:107

APPLICANTS: Agent J. Mancini
 Owner V. Garrick

SUBJECT PROPERTY: Municipal address **208 Governor's Rd., Dundas**

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

ZONING: "R1" (Single-Detached Residential) Zone

PROPOSAL: To permit the construction of secondary dwelling unit – detached in the rear yard of a residential parcel of land containing an existing single-detached dwelling, notwithstanding that:

1. A maximum height of 8.10 metres shall be permitted, instead of the maximum permitted height of 6.0 metres.
2. The accessibility to the two (2) rear parking spaces may be obstructed by another vehicle whereas the By-law requires all parking spaces be designed and located such that all vehicles using such spaces can be parked and manoeuvred without moving any other vehicle.
3. The front yard landscaped area shall be a minimum of 41.0% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

NOTE:

1. Please note that as per Section 6.31.1(ii)(a), an eave or gutter of a Secondary Dwelling Unit – Detached, may encroach into any required yard to a maximum of 0.45 metres. Insufficient information has been submitted to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(a) is not possible.
2. The submitted Site Plan indicates a minimum rear yard of 3.3 metres and an interior westerly side yard greater than the required 1.2 metres for the proposed Secondary Dwelling Unit - Detached. However, a 1.2 metre area that is unobstructed and which does not contain structures, walkways, sidewalks, hard surfaced material and landscaping other than sod or ground cover, as required by Section 6.31.1(ii)(b) and (c) has not been indicated to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(b) and (c) is not possible.
3. Please note that as per Section 6.31.1(ii)(f) a minimum setback from a Swale, Ditch or Drainage Management System measured from the upper most interior edge of the swale's slope of 1.0 metres shall be provided and maintained. Insufficient information has been provided to determine zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(f) is not possible.
4. Please note that as per Section 6.31.1(ii)(l), an unobstructed path with a minimum 1.0 metre width and minimum 2.1 metres clearance from a Front Lot Line or a Flankage Lot Line to the entrance

DN/A-22: 107

Page 2

of the Secondary Dwelling Unit – Detached is required to be provided and maintained. Insufficient information has been provided to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(l) is not possible

5. Please note that as per Section 7.3.2(i), the required minimum width of an access driveway is 2.8 metres. The width of the narrowest portion of the driveway has not been indicated to confirm zoning compliance. Additional variances may be required if compliance with Section 7.3.2(i) is not possible.

6. Please note that as per Section 6.11.3, the front yard of residential buildings shall have a minimum of 50% landscaped area. The submitted Site Plan indicates that 41.57% of the front yard is to be landscaped area, however, this does not appear to be the area of the “Front yard” as defined in Dundas Zoning By-law No.3581-86. Therefore, the variance has been written as requested by the applicant.

7. A building permit is required for the construction of the secondary dwelling unit - detached. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, May 12th, 2022
TIME: 3:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

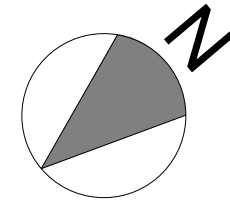
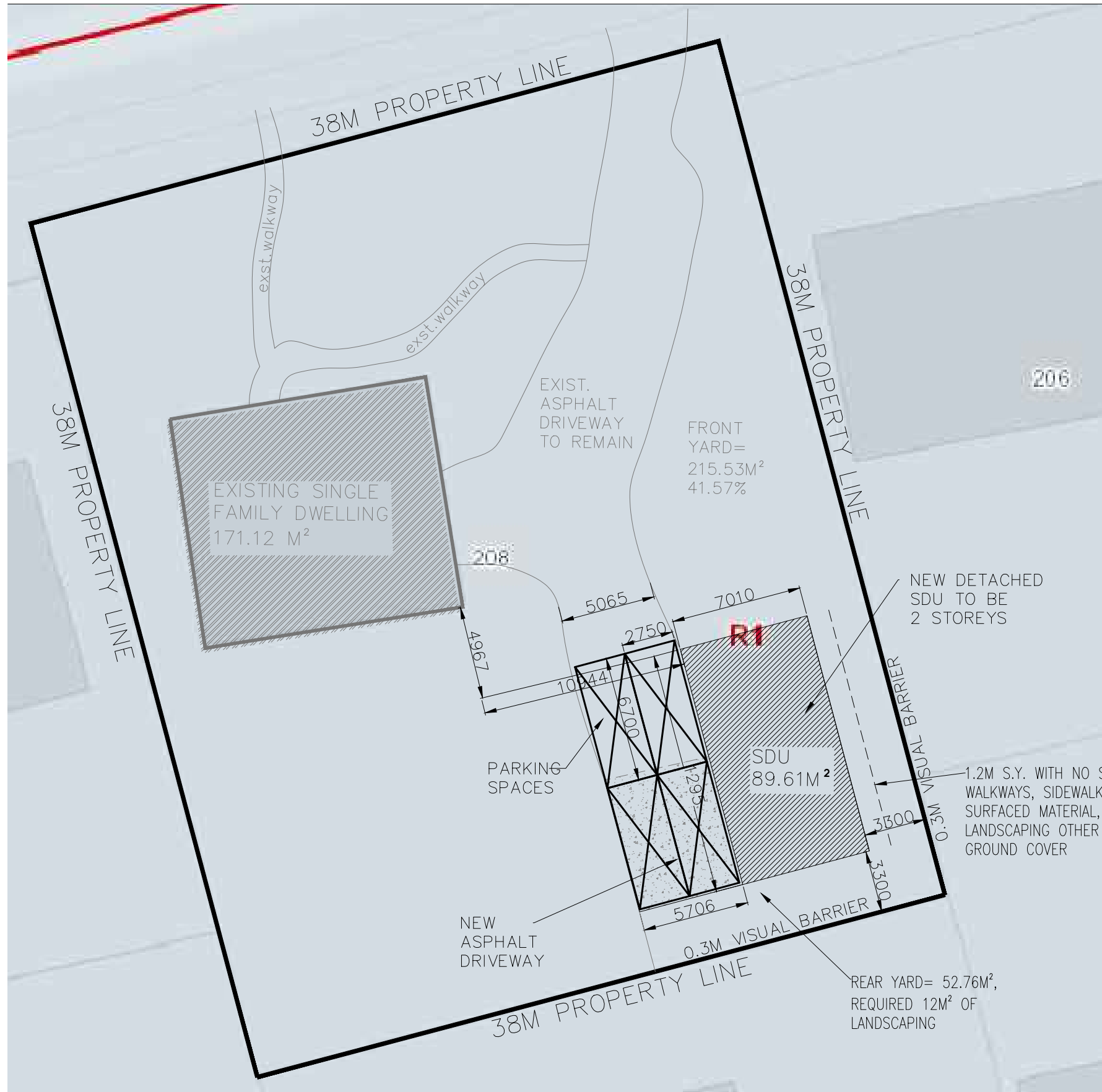
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 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.



NOTE:
ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE

ZONING CODE = R1

ZONING DESCRIPTION= "Single Detached Residential"(R1) in Former Town of Dundas Zoning By-law 3581-86

SITE AREA: 1800 M²

SETBACK FROM SIDE LOT LINE Minimum 1.2 metres (3.3m proposed-OK)

SETBACK FROM REAR LOT LINE Minimum 1.2 metres (3.3m proposed-OK)

LOT COVERAGE= 4.97% (89.61/1800)

GROSS FLOOR AREA= 67.31M²

HEIGHT
Maximum 6.0 metres

MANCO ARCHITECTURAL DESIGN
 Phone | 905-537-9578
 Email | julia@mancoarchitectural.com
 Website | www.mancoarchitectural.com

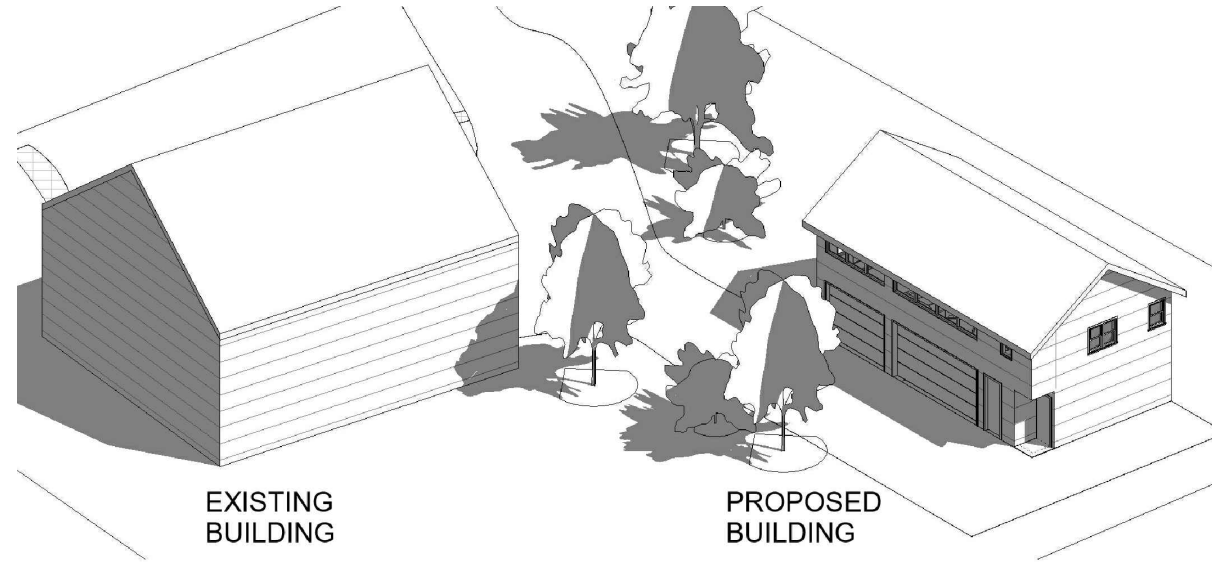
DRAWING SUBMISSIONS	
DATE	TYPE
22-04-19	PERMIT SET

**208 GOVERNORS RD.
HAMILTON, ON**

DRAWN BY: JM
 PLOT DATE: 2022-04-19

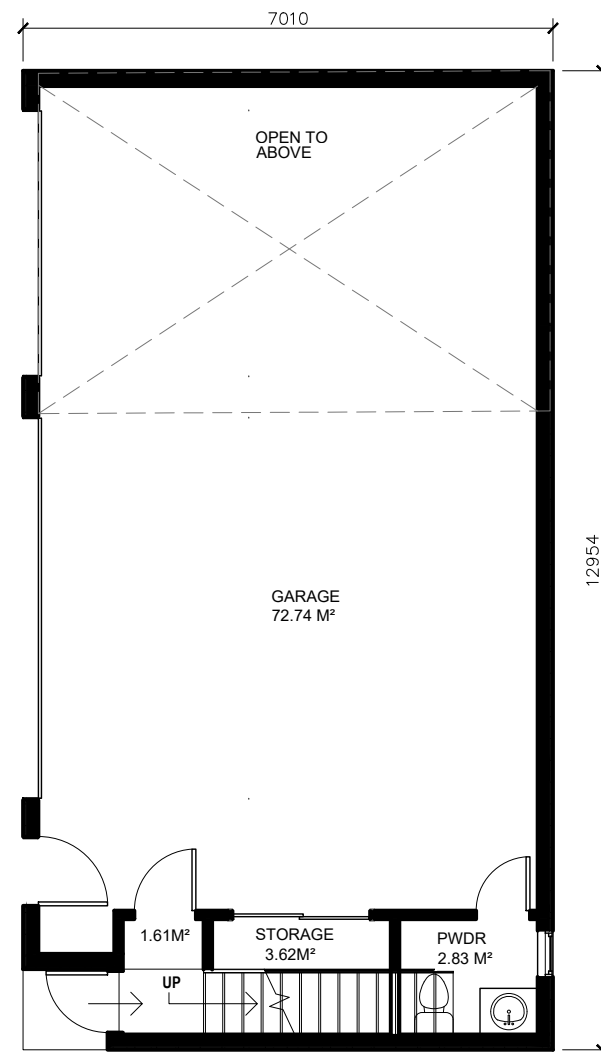
PAGE
SITE PLAN

SP1.01

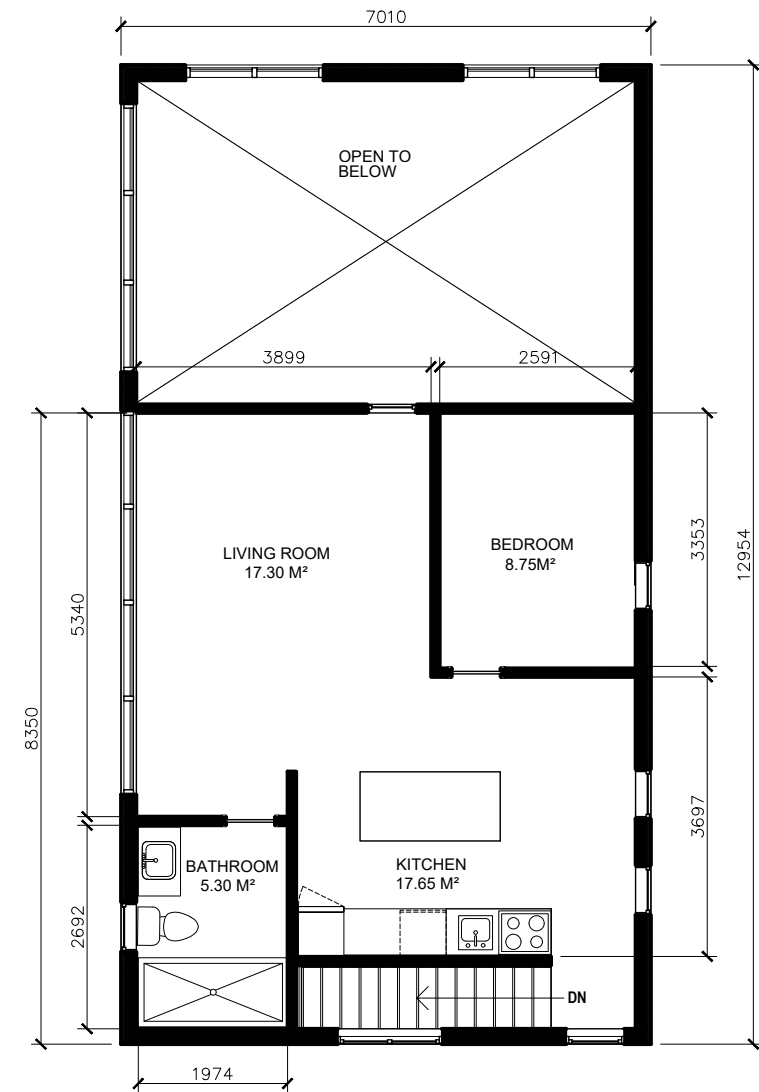


EXISTING BUILDING

PROPOSED BUILDING



MAIN FLOOR=89.61 M²
(8.06M² GFA)



2ND FLOOR= 89.61 M²
(59.25 M² GFA)

MANCO ARCHITECTURAL DESIGN
 Phone | 905-537-9578
 Email | julia@manco.design.com
 Website | www.manco.design.com

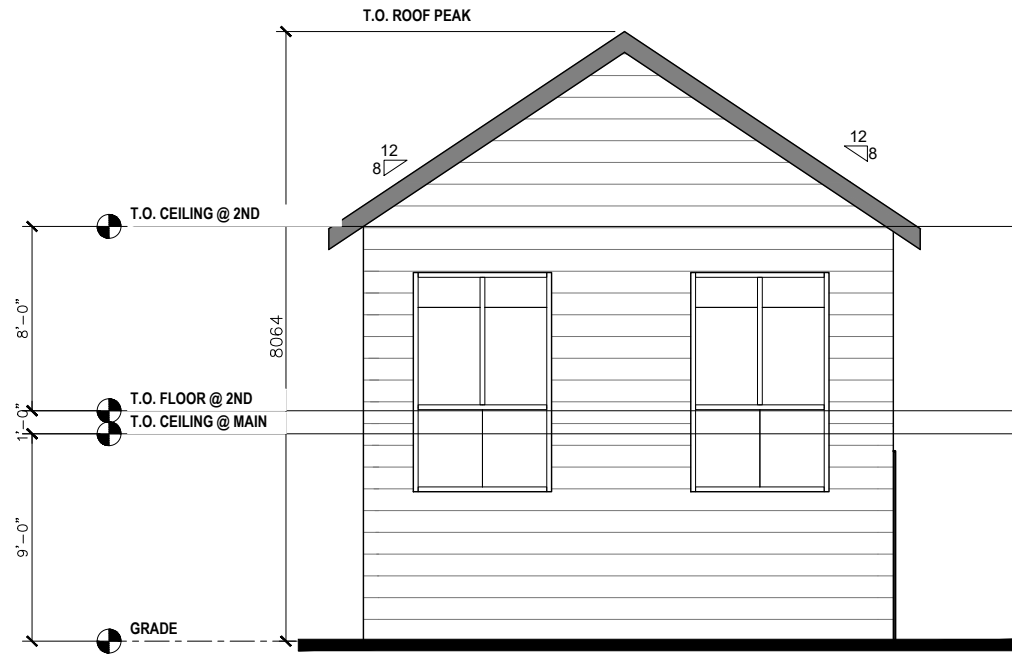
DRAWING SUBMISSIONS	
DATE	TYPE
22-04-19	PERMIT SET

**208 GOVERNORS RD.
HAMILTON, ON**

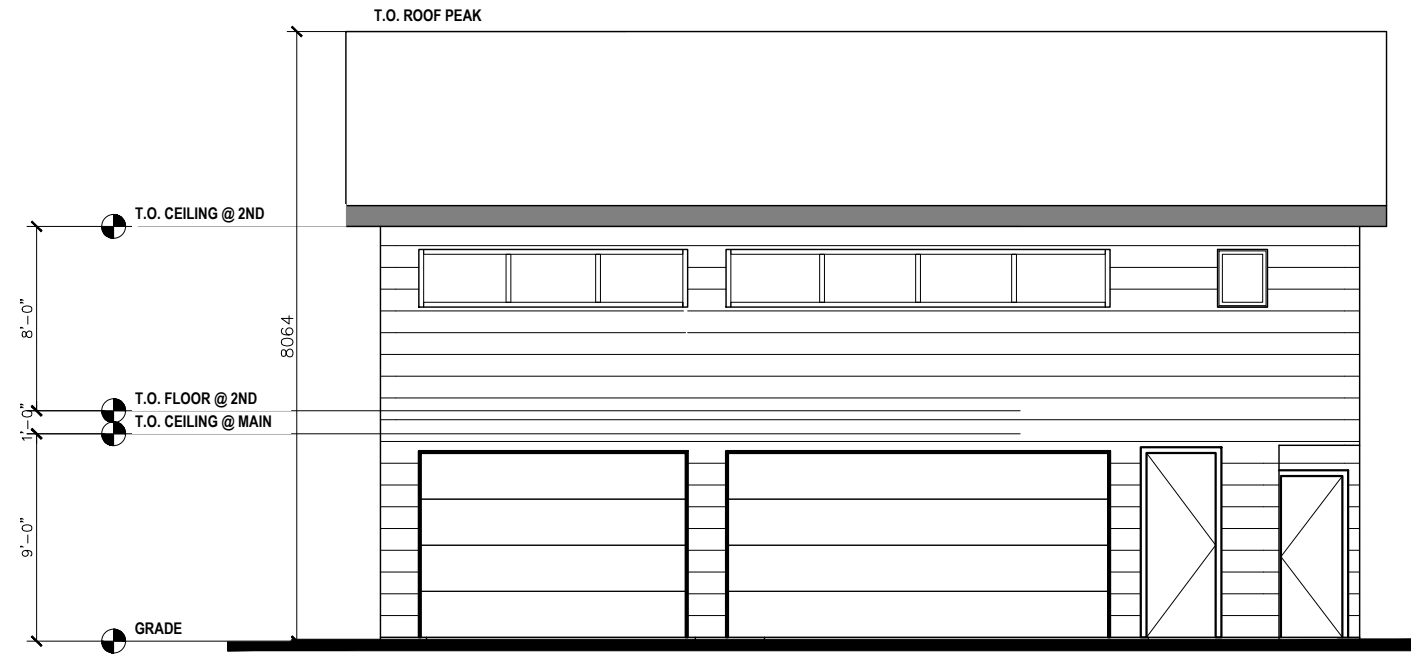
DRAWN BY: JM
 PLOT DATE: 2022-04-19

PAGE
ZONING PLANS

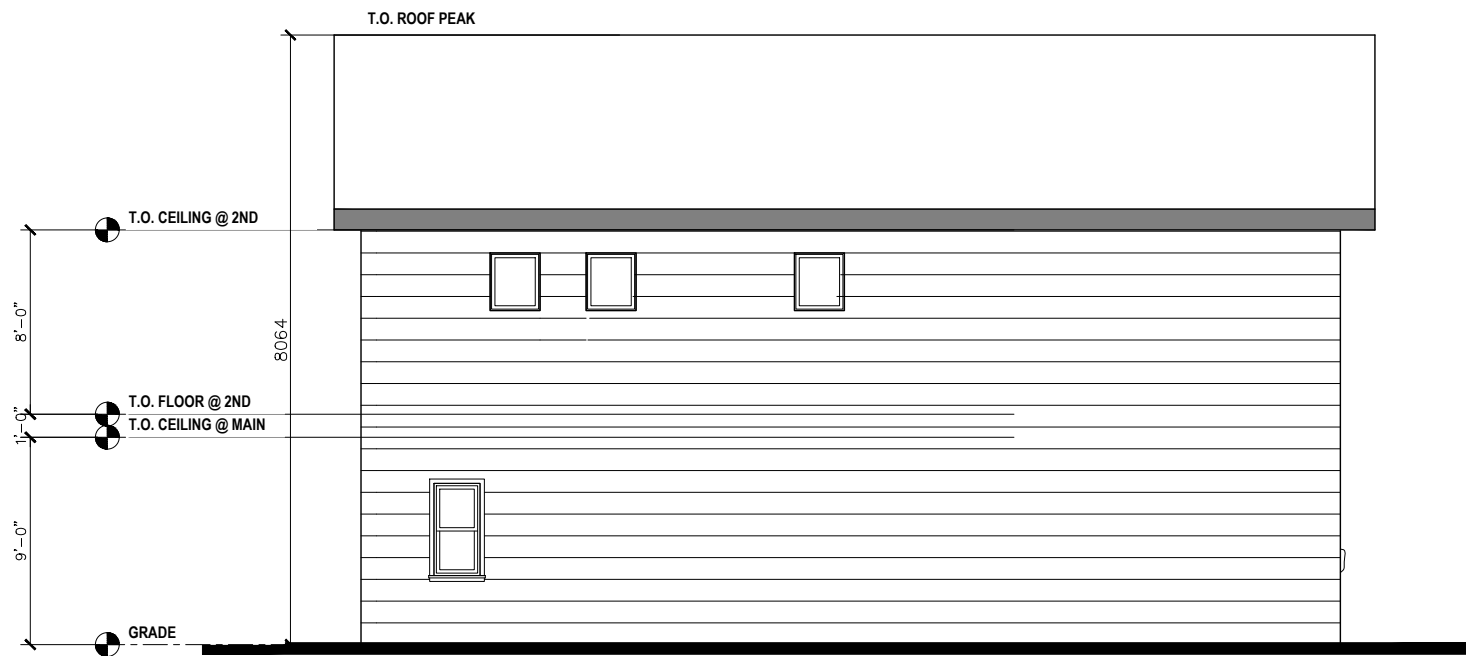
A1.01



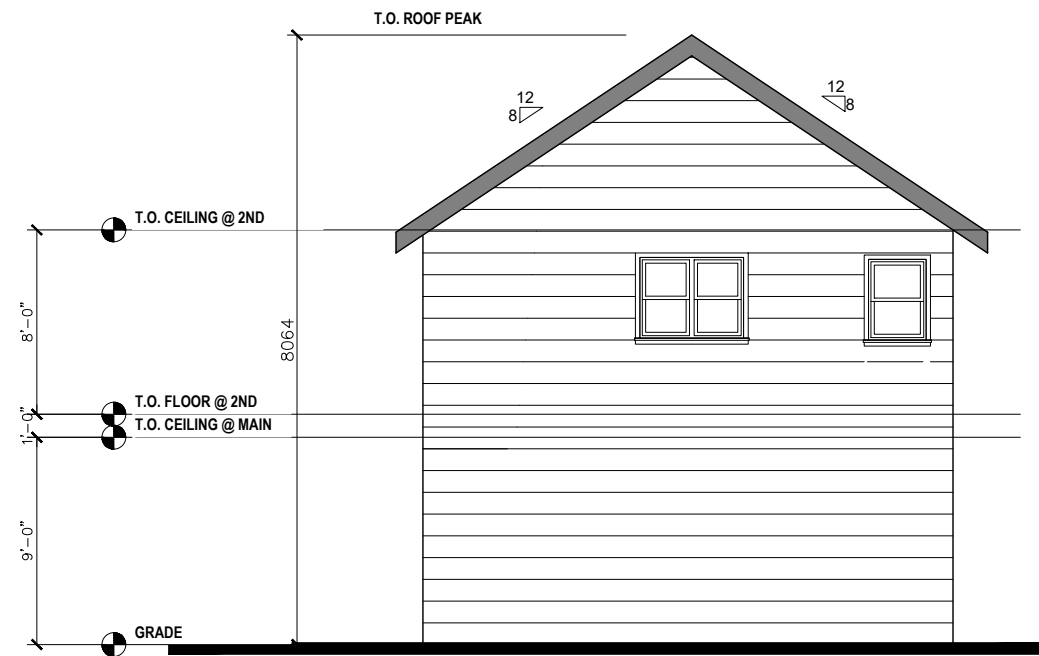
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

MANCO ARCHITECTURAL DESIGN
 Phone | 905-537-9578
 Email | julia@mancoarchitect.com
 Website | www.mancoarchitect.com

DRAWING SUBMISSIONS	
DATE	TYPE
22-04-19	PERMIT SET

**208 GOVERNORS RD.
 HAMILTON, ON**

DRAWN BY: JM
 PLOT DATE: 2022-04-19

PAGE
ELEVATIONS

A1.02

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2

	NAME	MAILING ADDRESS	
--	------	-----------------	--

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

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

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

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

4. Nature and extent of relief applied for:

Secondary Dwelling Unit

Reconstruction of Existing Dwelling

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

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

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes ____ No ____ Unknown ____

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

Yes _____ No _____ Unknown _____

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

PROPERTY RESEARCH, CLIENT ,

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

Is the previous use inventory attached? Yes _____ No _____

9. ACKNOWLEDGEMENT CLAUSE

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

_____ Date

_____ Signature Property Owner(s)

_____ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

Width of street _____

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

Existing: _

Proposed

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

Existing:

Proposed:

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY
17. Length of time the existing uses of the subject property have continued:
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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Dundas Zoning By-law 3581-86
21. Has the owner previously applied for relief in respect of the subject property?
- | | |
|-----|----|
| Yes | No |
|-----|----|
- If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
- | | |
|-----|----|
| Yes | No |
|-----|----|
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: FL/B-22:26

SUBJECT PROPERTY: 130 Coreslab Dr., Flamborough

You are receiving this notice because you are either:

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

APPLICANT(S): Agent Urban in Mind – T. Glover
 Owner Lehigh Hanson – E. Tucker

PURPOSE OF APPLICATION: For the establishment of an easement for access and maintenance purposes in favour of property known as 81 Hwy 5

Easement:
 12.00m[±] x 57.32m[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 12th, 2022
TIME: 3:40 p.m.
PLACE: Via video link or call in (see attached sheet for details)

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

PUBLIC INPUT

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

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

FL/B-22: 26
PAGE 2

MORE INFORMATION

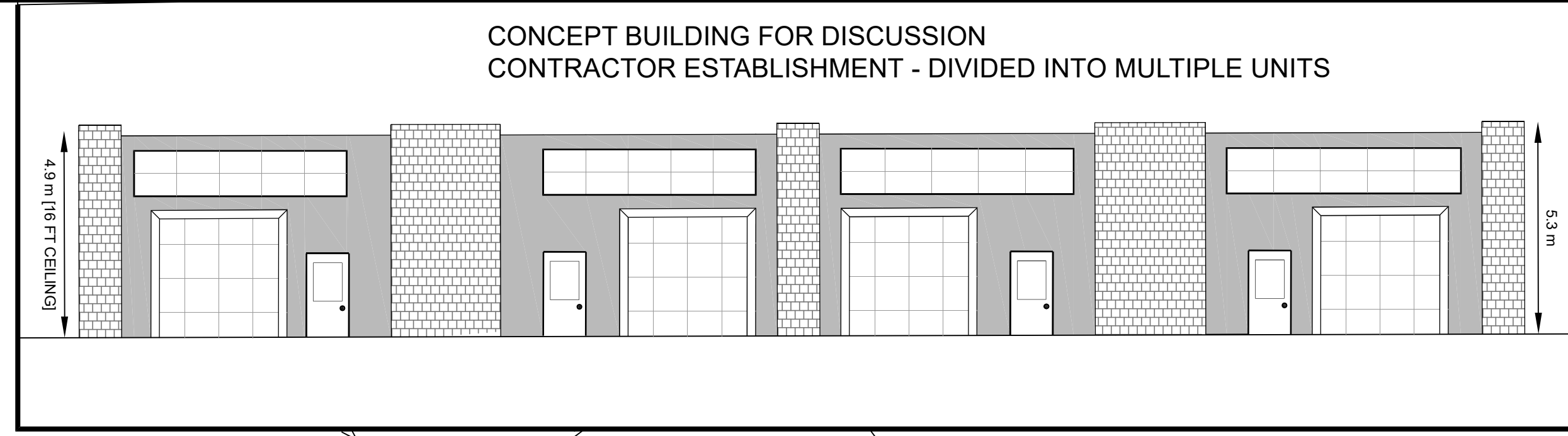
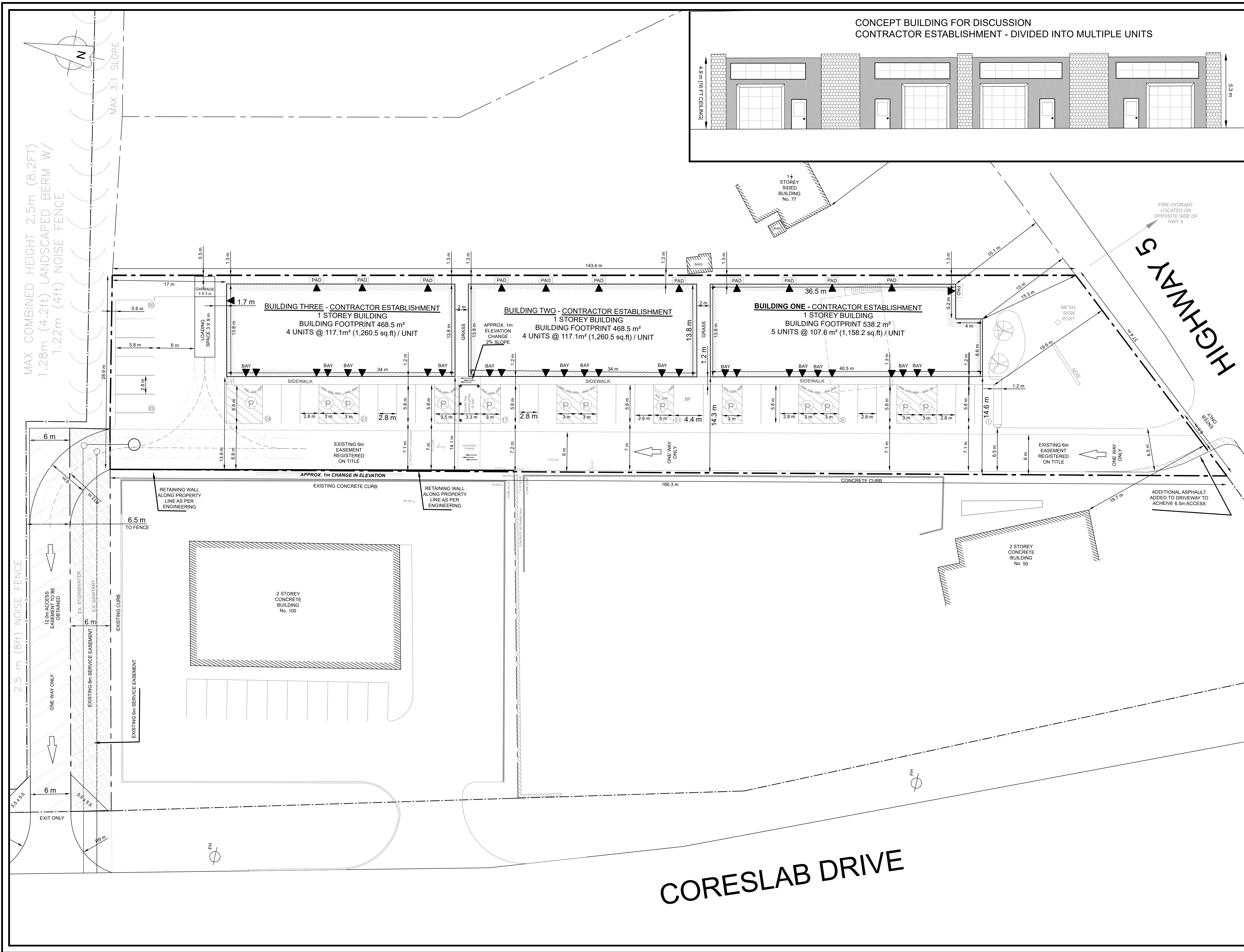
For more information on this matter, including access to drawings illustrating this request:

- 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: April 26th, 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.



CONCEPT SITE PLAN

81 HIGHWAY No.5 WEST
HAMILTON, ONTARIO

CURRENT ZONING: M3 ZB 05-200
PROPOSED ZONING: M3 - SPECIAL

81 HWY # 5: 4,546.9 m² (1.12 ac, 0.45 ha)

ZONING: M3	REQUIRED	PROVIDED
MIN. LOT AREA	4,000 m ²	4,546.9 m ²

YARD		
FRONT YARD		15.0 m
INTERIOR SIDE YARD (EAST)		1.3 m
INTERIOR SIDE YARD (WEST)		13.9 m
REAR YARD		17.0 m

YARD ABUTTING STREET	6.0 m min. 27.0 m max.	15.0 m
----------------------	---------------------------	--------

MIN. LANDSCAPE STRIP ABUTTING A STREET	6.0 m min.	6.0 m
--	------------	-------

BUILDING FOOTPRINTS		1,475.2 m ²
---------------------	--	------------------------

BUILDING COVERAGE		32.4%
-------------------	--	-------

BUILDING HEIGHT		± 5.3 m
-----------------	--	---------

LANDSCAPED O.S.		18.8% (852.2 m ²)
-----------------	--	-------------------------------

HARD SURFACE		48.8% (2,219.5 m ²)
--------------	--	---------------------------------

PARKING		
CONTRACTOR	13 SPACES	13 SPACES
OFFICE (SEE NOTE 1)	17 SPACES	17 SPACES
TOTAL	30 SPACES	30 SPACES

BARRIER FREE	1 SPACE	1 SPACE
--------------	---------	---------

LOADING SPACE		1 SPACE
---------------	--	---------

PARKING RATE FOR PROPOSED USE:
CONTRACTOR ESTABLISHMENT RATE OF 1 SPACE / 115 m²
OFFICE USE RATE 1 SPACE / 30 m²

"NO PARKING" SPACES IN FRONT OF BAY DOORS TO ENSURE ACCESSIBILITY. TO INCREASE TOTAL PARKING COUNT - ADDITIONAL PARKING CAN BE PROVIDED BY CONVERTING "NO PARKING" TO "RESERVED" PARKING SPACES.

REGULAR PARKING SPACES ARE 2.8 m X 5.8 m
BARRIER FREE PARKING SPACES ARE 4.4 m X 5.8 m
BUILDING ONE - 538.2 m² - 5 UNITS @ 107.6 m² / UNIT
BUILDING TWO - 468.5 m² - 4 UNITS @ 117.1 m² / UNIT
BUILDING THREE - 468.5 m² - 4 UNITS @ 117.1 m² / UNIT


TOTAL GFA (CONTRACTOR ESTABLISHMENT + OFFICE) = 538.2 + 468.5 + 468.2 + 510 = 1,985.2 m² (21,368.5 sq.ft) LEASABLE AREA.

NOTE 1: THE PROPOSED DESIGN ALLOWS FOR THE CREATION OF 510 m² (5,490 sq.ft) OF MEZZANINE OFFICE SPACE IF DESIRED TO BE DIVIDED BETWEEN MULTIPLE UNITS

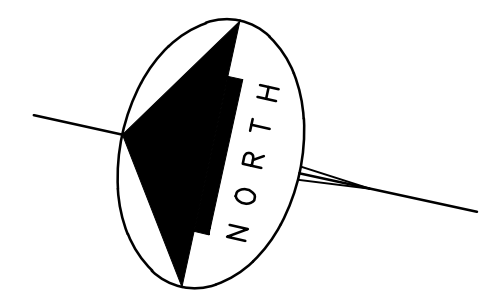
LEGEND
R - RESERVED - EMPLOYEE PARKING ONLY
BF - BARRIER FREE PARKING SPACE
FH - FIRE HYDRANT

REVISED FEB 7/22 ACCESS EASEMENT LOCATION AND DIRECTIONAL FLOW OF ON SITE TRAFFIC
REVISED MARCH 15/22 CHANGES TO BDLG TO MEET FIRE ROUTE AND REAR BDLG ACCESS.

NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY. BASE SURVEY INFORMATION TAKEN FROM ASHENHURST NOUWENS & ASSOCIATES INC. PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS - HAMILTON, ONTARIO FILE: 15191 TOPO AND BLS. OCTOBER 7, 2015

PROJECT FILE NO. 2020_22	 www.URBANINMIND.CA
SCALE: 1:250 WHEN PRINTED ON 24 X 36	
DATE: March 1, 2022	
DRAWN BY: S.C. REVIEWED BY: T.G.	

CORESLAB DRIVE

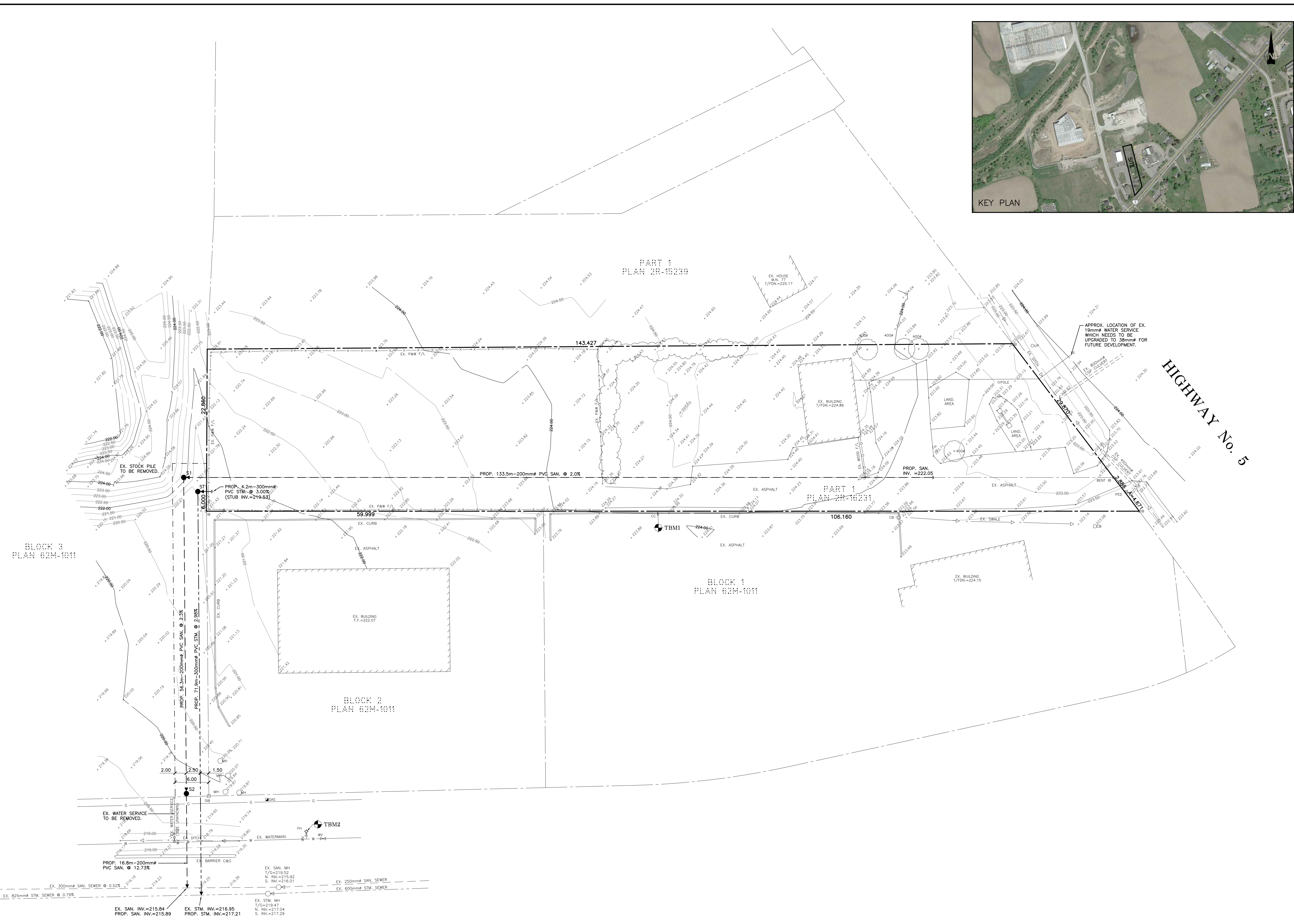


STORM SYSTEM

MH No.	DESCRIPTION	T/G	INVERTS
ST1	1.2m ϕ P/C CB/MH	220.90E	W 219.37 S 219.40

SANITARY SYSTEM

MH No.	DESCRIPTION	T/G	INVERTS
S1	1.2m ϕ P/C MH	221.88E	W 219.37 S 219.43
S2	1.2m ϕ P/C MH	219.68E	E 218.08 W 218.03



NOTES:

- ALL ELEVATIONS SHOWN ARE METRIC.
- BUILDER/OWNER TO VERIFY COMPLIANCE WITH ZONING BYLAWS (i.e. SIDEYARDS, SETBACKS, REARYARDS ETC.)

T.B.M. No. 1 ELEV. = 224.09m (GEO)
CUT CROSS IN TOP OF CURB ALONG THE WEST PROPERTY LINE OF SUBJECT PROPERTY AS SHOWN.

T.B.M. No. 2 ELEV. = 220.84m (GEO)
TOP NUT OF FIRE HYDRANT ON THE EAST SIDE OF CORESLAB DRIVE AS SHOWN.

NO.	REVISION	DATE (MM/DD/YY)	BY
1	EXIST. WATER SERVICE ADDED	09/12/16	I.A.C.

J.H. COHOON ENGINEERING LIMITED
CONSULTING ENGINEERS

440 HARDY ROAD - UNIT #1 - BRANTFORD - ONTARIO - N3T 5J8
TEL. (519) 753-2656 FAX. (519) 753-4263 www.cohoong.com

PROJECT:
PROPOSED SERVICING ESCARPMENT WOOLCOTT REALTY INC.
81 HIGHWAY No. 5 WEST
WATERDOWN, ONTARIO

CLIENT:
DREW WOOLCOTT

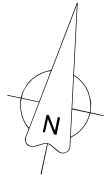
SITE DEVELOPMENT PLAN

DESIGN:	R.W.P.	SCALE:	1:300
DRAWN:	K.P.B.	JOB No:	11566
CHECKED:	R.W.P.	SHEET:	1 of 1
DATE:	MAY 30/16	DWG. No:	11566-1

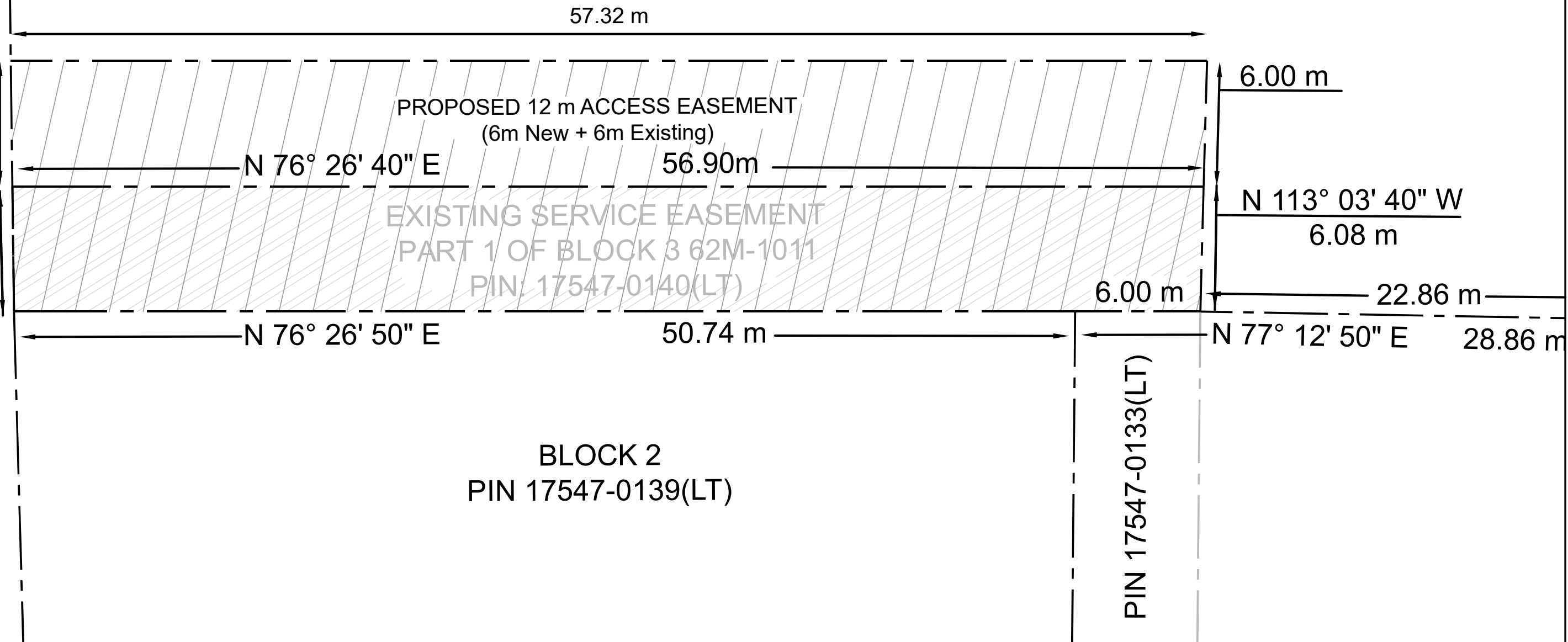
CORESLAB DRIVE



PROPOSED ACCESS Easement over 130 Coreslab Drive in Favour of 81 Hwy 5

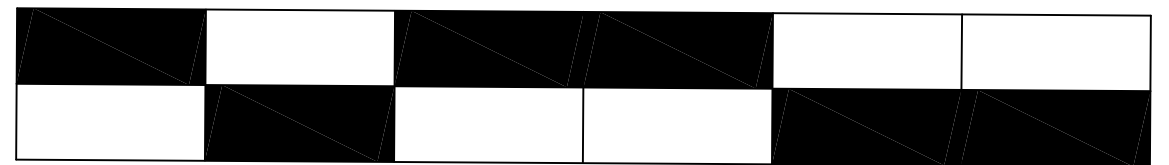


CORES LAB DRIVE
BY REGISTERED PLAN
62M-1011 PIN 17547-0153(LT)

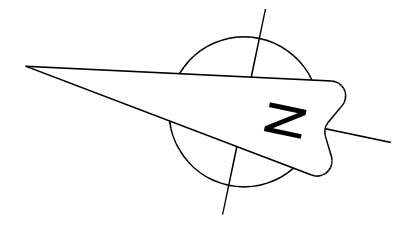


SCALE BAR

Scale: 1: 200



0 5 10 20 30 meters



CONCEPT SITE PLAN

130 CORESLAB DRIVE HAMILTON, ONTARIO

CURRENT ZONING: M2 (ZB 05-200)
 PROPOSED ZONING: M2 (ZB 05-200)
 M2- GENERAL BUSINESS PARK ZONE

130 CORESLAB DRIVE: 22,085 m² (5.46 ac, 2.21 ha)

COMMITTEE OF ADJUSTMENT FILE:
 FL/B-16/97 & FL/A-07:12 & FL/A-08:60

ZONING: M2	REQUIRED	PROVIDED
MIN. LOT AREA	4,000 m ²	22,085 m ²

YARD		
YARD ABUTTING STREET	3.0 m min.	13.49 m EXISTING
OUTDOOR STORAGE AND ASSEMBLY	85%	430 m ²
VISUAL BARRIER (4.19)	REQUIRED	PROVIDED
MIN. LANDSCAPE STRIP ABUTTING A STREET	6.0 m (3m PLANTING STRIP)	5.31 m EXISTING

BUILDING COVERAGE		
MAIN BUILDING EXISTING	460.0 m ²	
AGGREGATE BINS EXISTING	72.5 m ²	
2 SILO'S EXISTING	20.0 m ²	
PROPOSED BATCH PLANT	430.0 m ²	
TOTAL	982.5 m²	4.5 % COVERAGE

OFFICE AREA	75.5 m ²	2.5 SPACES
MANUFACTURING	982.5 m ²	4.9 SPACES
TOTAL REQUIRED		8 SPACES
PARKING PROVIDED		19 SPACES
BARRIER FREE	1 SPACES	1 SPACES

PARKING RATES
 OFFICE @ 1 / 30 m²
 MAUFACTURING 1 / 200 m²
DESIGN STANDARDS
 Parking Spaces 2.8 x 5.8 m
 Barrier Free Spaces 4.4 x 5.8 m
 For 1 - 49 = 1 Space
 Drive Isle: 90 ° = 6.0 m

Mineral Aggregate Operation: c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of Mineral Aggregate Resources, including concrete and asphalt recycling, and shall include a concrete batch plant, but shall not include an asphalt plant or the production of secondary related products.

NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

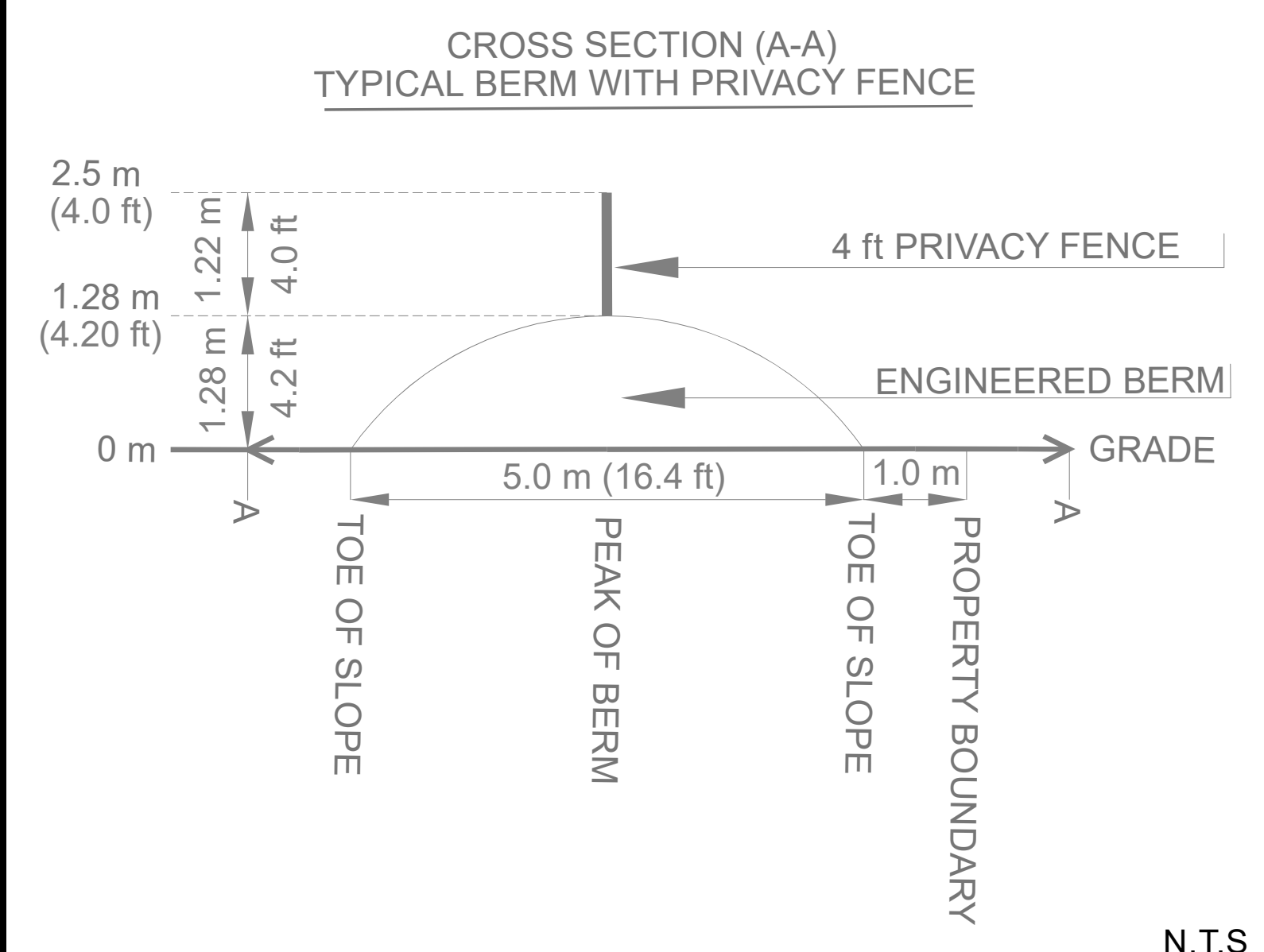
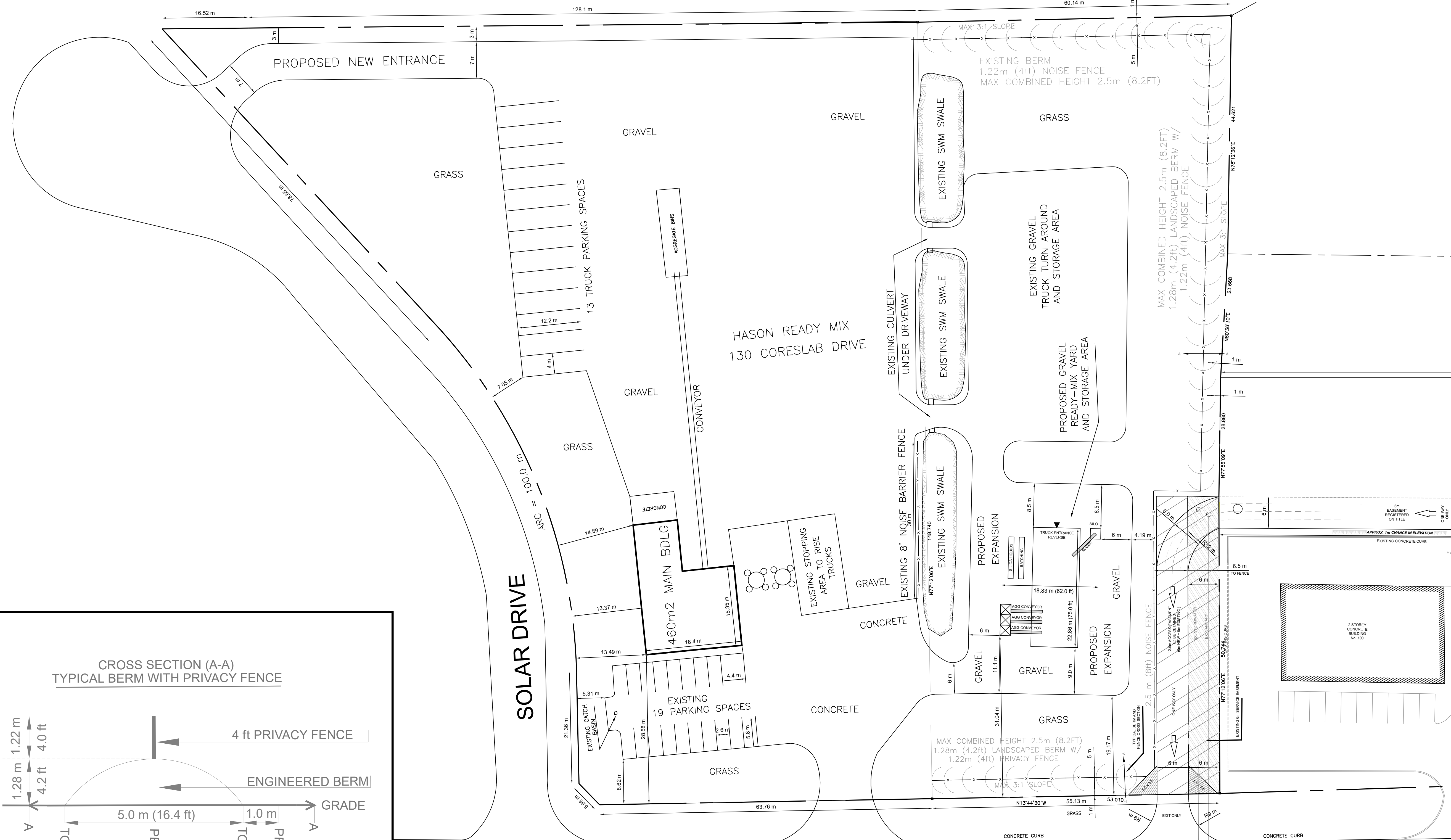
REVISION:
 FEBRUARY 7, 2022 - ROTATE PROPOSED READY MIX PLANT (SC)
 MARCH 1, 2022 - ACCESS EASEMENT MODIFICATION (SC)

PROJECT FILE NO.
 2021_59

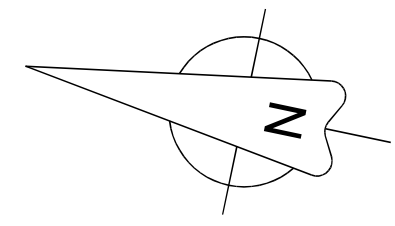
SCALE: 1:400
 WHEN PRINTED ON 24 X 36

DATE:
 NOVEMBER 8, 2021

DRAWN BY: S.C.
 REVIEWED BY: T.G.



N.T.S



CONCEPT SITE PLAN

130 CORESLAB DRIVE HAMILTON, ONTARIO

CURRENT ZONING: M2 (ZB 05-200)
 PROPOSED ZONING: M2 (ZB 05-200)
 M2- GENERAL BUSINESS PARK ZONE

130 CORESLAB DRIVE: 22,085 m² (5.46 ac, 2.21 ha)

COMMITTEE OF ADJUSTMENT FILE:
 FL/B-16/97 & FL/A-07:12 & FL/A-08:60

ZONING: M2	REQUIRED	PROVIDED
MIN. LOT AREA	4,000 m ²	22,085 m ²

YARD		
YARD ABUTTING STREET	3.0 m min.	13.49 m EXISTING
OUTDOOR STORAGE AND ASSEMBLY	85%	430 m ²
VISUAL BARRIER (4.19)	REQUIRED	PROVIDED
MIN. LANDSCAPE STRIP ABUTTING A STREET	6.0 m (3m PLANTING STRIP)	5.31 m EXISTING

BUILDING COVERAGE		
MAIN BUILDING EXISTING	460.0 m ²	
AGGREGATE BINS EXISTING	72.5 m ²	
2 SILO'S EXISTING	20.0 m ²	
PROPOSED BATCH PLANT	430.0 m ²	
TOTAL	982.5 m²	4.5 % COVERAGE

OFFICE AREA	75.5 m ²	2.5 SPACES
MANUFACTURING	982.5 m ²	4.9 SPACES
TOTAL REQUIRED		8 SPACES
PARKING PROVIDED		19 SPACES
BARRIER FREE	1 SPACES	1 SPACES

PARKING RATES
 OFFICE @ 1 / 30 m²
 MAUFACTURING 1 / 200 m²
DESIGN STANDARDS
 Parking Spaces 2.8 x 5.8 m
 Barrier Free Spaces 4.4 x 5.8 m
 For 1 - 49 = 1 Space
 Drive Isle: 90 ° = 6.0 m

Mineral Aggregate Operation: c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of Mineral Aggregate Resources, including concrete and asphalt recycling, and shall include a concrete batch plant, but shall not include an asphalt plant or the production of secondary related products.

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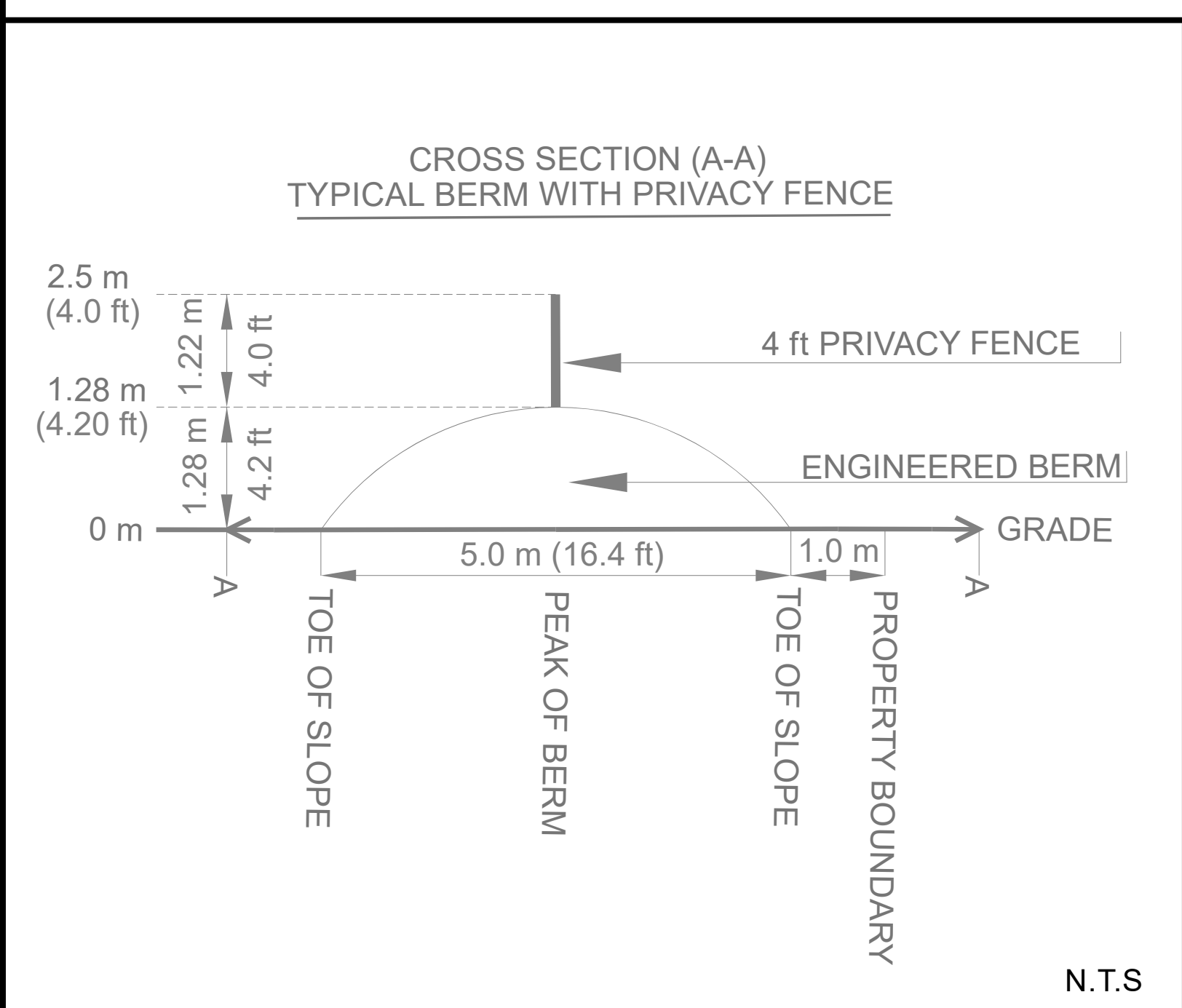
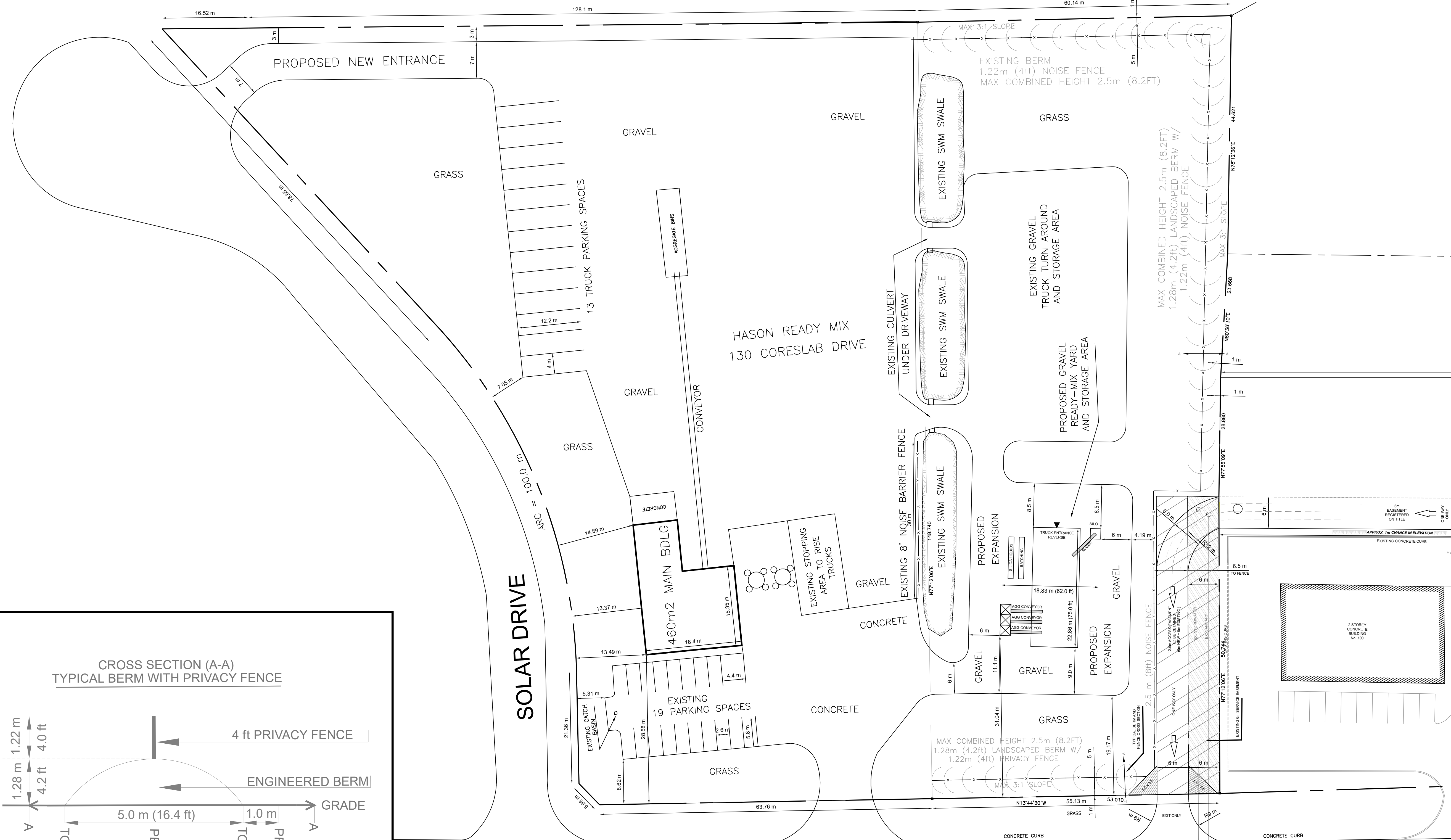
REVISION:
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PROJECT FILE NO.
 2021_59

SCALE: 1:400
 WHEN PRINTED ON 24 X 36

DATE:
 NOVEMBER 8, 2021

DRAWN BY: S.C.
 REVIEWED BY: T.G.



N.T.S



Professional Urban Planning, Land Development & CPTED Consultants

Date: March 24th, 2022

To: **City Planner (Committee of Adjustment – Consent)**
Planning Department,
City of Hamilton (Flamborough)

RE: **Justification for Access Easement over 130 Coreslab in favour of 81 Hwy 5.
(130 Coreslab Drive, Dundas)**

To whom it may concern,

Urban in Mind has been retained by the owners of 130 Coreslab Drive & 81 Hwy 5, to obtain a consent for the purpose of adjusting the terms of an **existing service easement** to additionally include an access easement over the subject property lands. The proposed easement will be over the lands municipally known as 130 Coreslab Drive, Dundas (Lehigh Hanson Material Ltd.) and providing site access to 81 Hwy 5, Dundas at the rear of the site, but will be increased from the current 6m in width, to a new 12m in width to better accommodate traffic movements, and City curbing requirements and visibility triangle concerns. The additional area will also facilitate improved landscaping to create a more pleasant streetscape experience.

130 Coreslab Drive, hereafter referred to as the **subject property**, is an industrial parcel of land with frontage along Coreslab Drive and Solar Drive (**Appendix ‘A’**). The subject property is located on the east side of Coreslab Drive, just north of Highway No. 5 West and is currently occupied by Lehigh Hanson Material Ltd., a ready-mix aggregate facility (**Appendix ‘B-1’**). Along the southern property boundary, there is an existing 6m service easement (**B-97-16**) (**Appendix ‘B-2’**) which allows for the connection of municipal services in favour of the property municipally known as 81 Hwy 5, Dundas. Services have already been physically installed within this easement.

According to the City of Hamilton Urban Official Plan (UHOP), the **subject property** is designated “**Employment Area**” – Schedule E – Urban Structure and within the Zoning By-Law 05-200, the subject lands are zoned **M2 (General Business Park)**. There is no change in use proposed through this consent application.

81 Hwy No. 5 West, hereafter described as the **neighbouring property**, is a rectangular parcel of land with frontage along Hwy 5 West (**Appendix ‘A’**). Currently on the subject property there is one existing building which is utilized as office space (**Appendix ‘C-1’**). The neighbouring property only has one point of site access along Highway 5. The proposed easement will allow the property to

create a one-way traffic circulation, which will reduce pressure/conflicts on the adjacent Hwy 5 & Coreslab intersection.

The neighbouring property is also designated “**Employment Area**” on Schedule E – Urban Structure of the UHOP and within the Zoning By-Law 05-200, the neighbouring lands are zoned **M3 (Prestige Business Park)**. There is no change in use proposed through this consent application, however plans are in place and a recent Formal Consultation has been held (by the time of this CofA Meeting) that will see 81 Hwy 5 redevelop to a more appropriate employment type use (i.e. tradesperson/contractor employment units).

It is the intention of the owner of the subject property to extend the terms of the existing 6m service easement to include site access for 81 Hwy 5 via Coreslab Drive over the lands municipally described as 130 Coreslab Drive but at a 12m width instead of the current 6m servicing easement width.

As development and activity increases in the area, so too does the volume of traffic that travels along Highway No. 5 West (which at this location is an MTO controlled roadway). With the existing driveway of the neighbouring property in close proximity to the signalized intersection of Coreslab Drive and Highway No 5 West (**Appendix C-2**), it is increasingly becoming a safety concern for workers entering and existing the site (81 Hwy 5). It is for this reason that an alternate exit, through the creation of an access easement over the existing service easement is being requested. Through the secondary site access point onto Coreslab Drive, employees/customers can safely utilize the signalized intersection to complete traffic movement over Highway 5 West.

Alternatively, if the requested easement is not permitted, it is highly likely that the 81 Hwy 5 site will never be able to achieve its full redevelopment/employment use potential.

Regards,




Terrance Wm. Glover, RPP, CPT,
Principal,
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

Appendix 'A'
Aerial View of 130 Coreslab Drive



Image Source: City of Hamilton Maps (2019 Air Photo)

LEGEND

-  Approx. Property Boundary 130 Coreslab Drive
"Subject Property"
-  Approx. Location of Existing Service Easement
-  Approx. Property Boundary 81 Hwy 5
"Neighbouring Property"

Appendix 'B'
Street View of 130 Coreslab Drive
"Subject Property"



Appendix B-1 - Google Street view of the Subject Property – 130 Coreslab Drive - Lehigh Hanson Material Ltd. (Google Street view: Captured 2014)



Appendix B-2 - Google Street view of existing service easement over 130 Coreslab Drive in favour of 81 Hwy 5. (Google Street view: Captured 2014)

Appendix 'C'

Street View of 81 Hwy 5 "Neighbouring Property"



Appendix C-1 – Google Street view of "Neighbouring Property" – 81 Hwy 5. (Google Street view: Captured early 2021)



Appendix C-2 – Google Street view of "Neighbouring Property" – 81 Hwy 5. (Google Street view: Captured early 2021)

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			
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
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address			Assessment Roll N°.

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

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

- Other: a charge
 a lease
 a correction of title

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

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 (m ² or ha)

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: _____

Proposed: _____

Existing structures to be removed: _____

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)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m)	Depth (m)	Area (m ² or ha)

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:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: _____

Proposed: _____

Existing structures to be removed: _____

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): _____

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

5.2 What is the existing zoning of the subject land?

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

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

*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?
- 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 (only previous use known is Hanson Ready Mix - 130 Coreslab Drive)

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
 Yes No
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)
- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No
 If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)
- g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

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

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

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

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

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

8.4 How long has the applicant owned the subject land?

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

9 OTHER APPLICATIONS

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

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

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

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

File number _____ Status _____

10 RURAL APPLICATIONS

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

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

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

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

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

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

- a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

- b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

- d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

- e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

12 ACKNOWLEDGEMENT CLAUSE

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

Date

Signature of Owner



Hamilton

COMMITTEE OF ADJUSTMENT

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

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.: FL/A-22:117

APPLICANTS: Agent M. Sabelli
 Owners W. Allison & E. Allison

SUBJECT PROPERTY: Municipal address **1525 Conc 2., Flamborough**

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

ZONING: "P6 and A1" (Conservation/Hazard Land - Rural (P6) Zone
 and Agricultural (A1) Zone

PROPOSAL: To permit the construction of a 12.19m (40') x 13.72m (45') detached garage/storage building together with a 1.83m (6') x 12.19m (40') porch which is accessory to an existing single detached dwelling on an Agricultural lot notwithstanding that:

1. A maximum accessory building height of 5.6m shall be permitted instead of the requirement that all accessory buildings shall have a maximum height of 4.5 metres for the portion of the lot within the "P6" zone.
2. A maximum aggregate gross floor area of 168m² shall be permitted for all accessory buildings instead of the requirement that the aggregate gross floor area of all accessory buildings shall not exceed 45m² for the portion of the lot within the "P6" zone.

NOTE:

i) The proposed 12.19m (40') x 13.72m (45') detached building together with a 1.83m (6') x 12.19m (40') porch straddles both the "A1" and "P6" zone lines. As such, the portion of the lot within the "P6" zone is required to comply with the accessory building regulations of Sections 4.8 and 4.8.1.1 and the portion of the lot within the "A1" zone is required to comply with the accessory building regulations of Sections 4.8 and 4.8.1.2. Be advised that the proposed accessory building complies with the accessory building regulations of the "A1" zone respecting the maximum permitted accessory building height of 6.0m and the maximum permitted aggregate gross floor area of 200m² for all accessory buildings.

ii) The Agent has confirmed that the existing barn is being used to store the owner's own horses. As such, this building is considered an agricultural use and not a building accessory to a single detached dwelling.

iii) The Agent has confirmed that the new storage building/garage will be used to store the owner's various vehicles and home lawn equipment. This building shall not be used for human habitation, a commercial or industrial use.

FL/A-22: 117
Page 2

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

DATE: Thursday, May 12th, 2022
TIME: 3:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

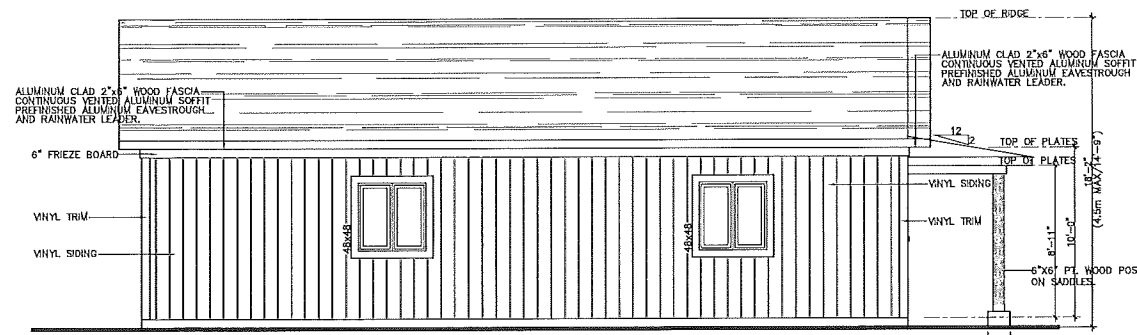
For more information on this matter, including access to drawings illustrating this request:

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

DATED: April 26th, 2022.

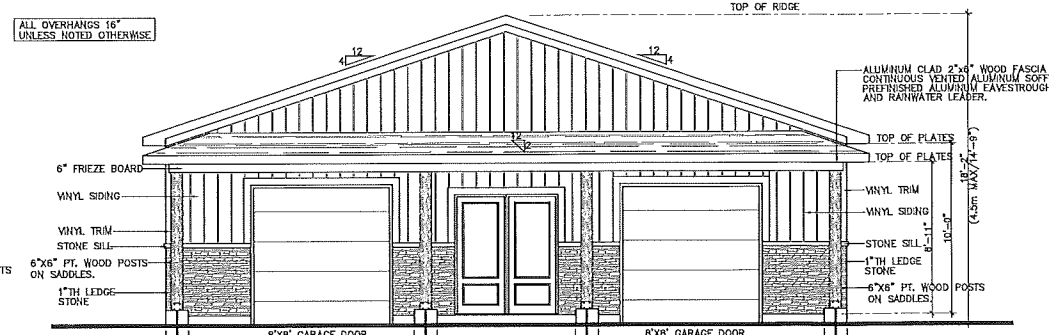
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



LEFT ELEVATION

NOTE: 6"x6" WOOD COL'S TO BE RESTING SADDLES IN 16" DIA CONC. PIER W/ 4-15M VERT. REINF. TO 4'-0" MIN BELOW GRADE. (TYPICAL)

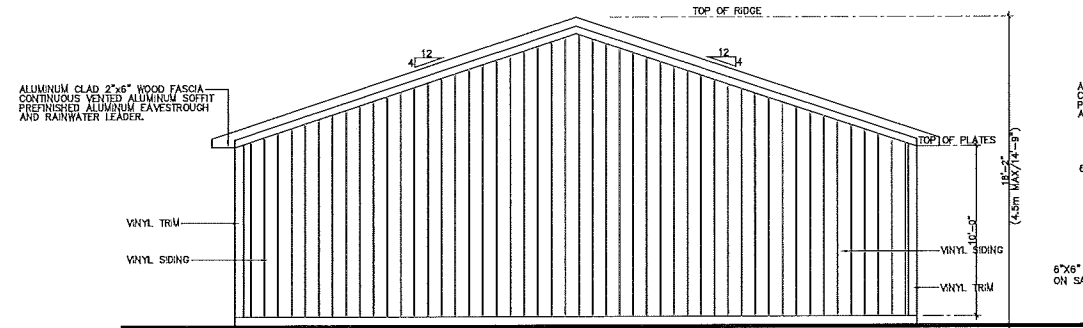


FRONT ELEVATION

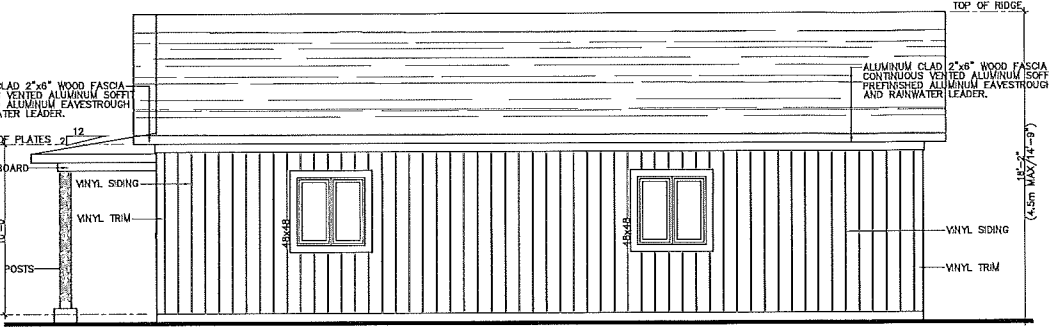
IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

NOTE: VERIFY ALL GRADE AND FLOOR HEIGHTS PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

NOTE: 6"x6" WOOD COL'S TO BE RESTING SADDLES IN 16" DIA CONC. PIER W/ 4-15M VERT. REINF. TO 4'-0" MIN BELOW GRADE. (TYPICAL)

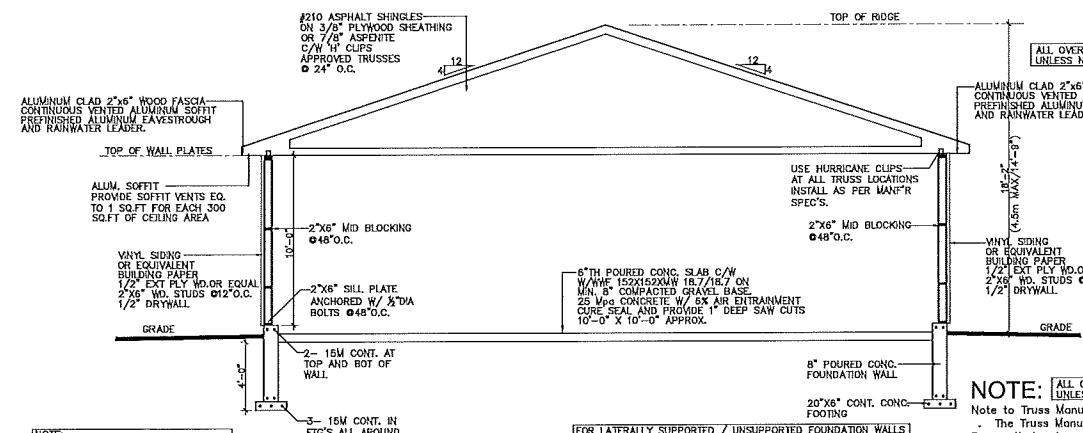


REAR ELEVATION



RIGHT SIDE ELEVATION

NOTE: 6"x6" WOOD COL'S TO BE RESTING SADDLES IN 16" DIA CONC. PIER W/ 4-15M VERT. REINF. TO 4'-0" MIN BELOW GRADE. (TYPICAL)



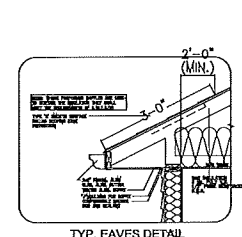
TYP. CROSS SECTION

NOTE: VERIFY ALL GRADE AND FLOOR HEIGHTS PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

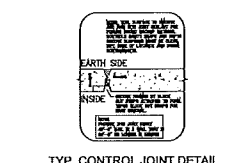
FOR LATERALLY SUPPORTED / UNSUPPORTED FOUNDATION WALLS AT TOP - SEE TABLE 9.15.4.2.A. FOR MAX. HT. PERMITTED

NOTE: NEW CONCRETE FOOTINGS AND FOUNDATION WALL SOIL BEARING CAPACITY IS ASSUMED AT 75 Kpa OR GREATER.

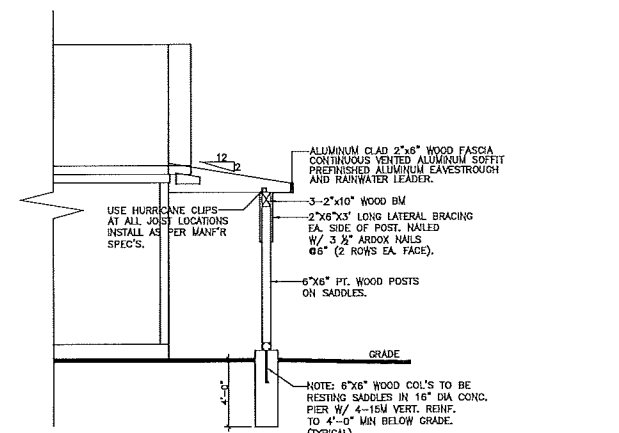
NOTE: ALL OVERHANGS 16" UNLESS NOTED OTHERWISE
 Note to Truss Manufacturer:
 - The Truss Manufacturer will: (1) Design and specify all Girder Trusses and Beams that only carry roof loads. (2) Ensure that all Roof Beams and Girder Trusses have been designed around the Architectural structural design and therefore have full bearing to the footings in the basement. (3) Automatically upgrade and provide calculations for any Architecturally specified beams that will carry roof point loads. (4) Design and specify all Conventional Roof Framing over and between manufactured roof trusses systems needed to complete overall roof shape. (5) Provide the Local Municipality with Engineered documents for any of the above mentioned items if required.



TYP. EAVES DETAIL



TYP. CONTROL JOINT DETAIL

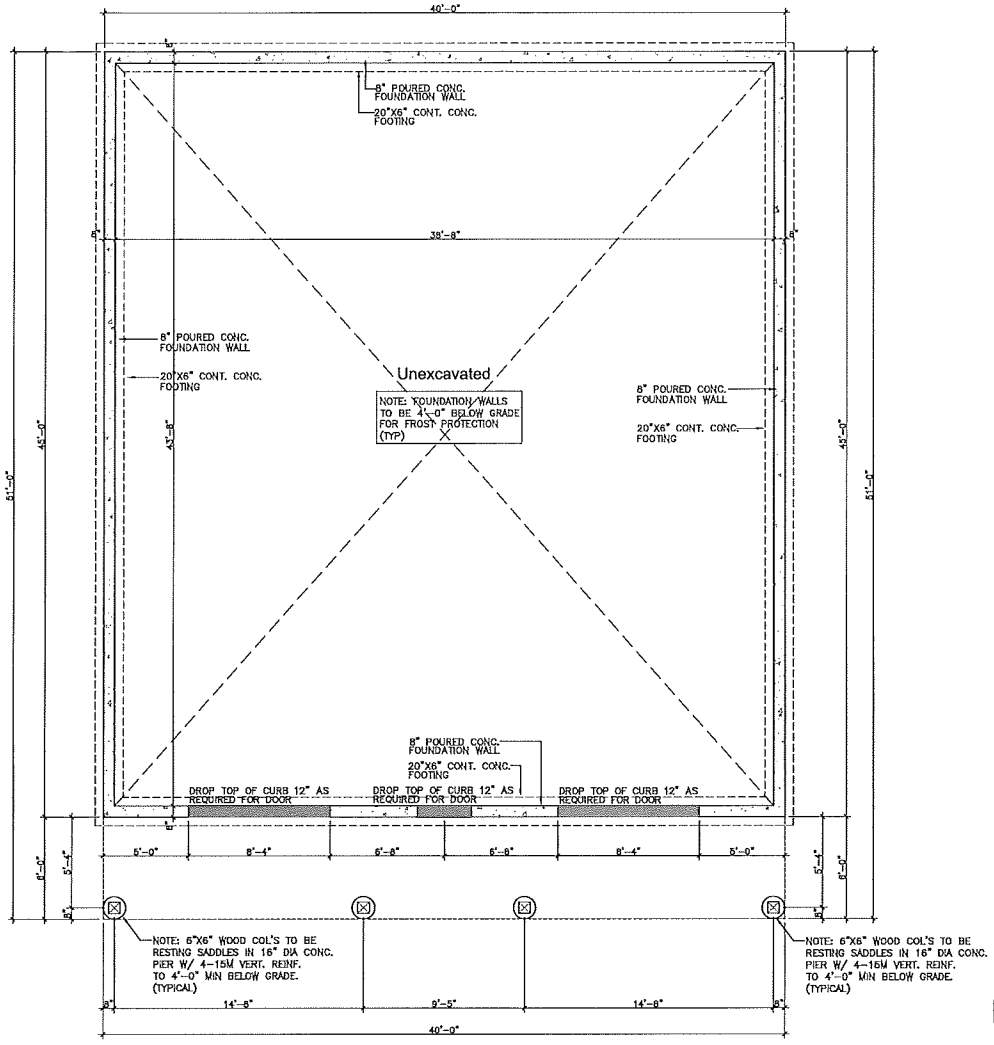


SECTION B-A2

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
 Registered under design by General Order, 2004, Article 3.2.4.1 of the Building Code
 MAURO FORTINATO
 Name Signature 16064
 REGISTRATION INFORMATION
 Registered under design in exempt under DMC, Article 3.2.4.1 of the Building Code
 ALLISON DESIGNS INC
 Firm Name 31290
 BOCN

UNIQUE DESIGNS INC.
 STORAGE BUILDING ELEVATIONS
ALLISON RESIDENCE
 1525 2ND CONCESSION FLAMBOROUGH, ONT.
 Drawn By Scale 1/4"=1'-0"
 Date: 01.18.22
 Job Number: A1
 011022

DO NOT SCALE DRAWINGS



FOUNDATION PLAN

NOTE: FOUNDATION WALLS TO BE 8" THICK FOURED CONCRETE UNLESS NOTED OTHERWISE. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED GRADING AND SERVICES ENGINEERED. FOUNDATION WALLS TO BE CONSTRUCTED TO A MIN 6" ABOVE APPROVED GRADES.

COLUMN SCHEDULE

COL. 1=3-2x4
COL. 2=4-2x4
COL. 3=2-2x6
COL. 4=3-2x6
COL. 5=4-2x6

NOTE: VERIFY ALL GRADE AND FLOOR HEIGHTS PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

FOR LATERALLY SUPPORTED / UNSUPPORTED FOUNDATION WALLS AT TOP - SEE TABLE 9.16.4.2.A. FOR MAX. HT. PERMITTED.

NOTE: NEW CONCRETE FOOTINGS AND FOUNDATION WALL SOIL BEARING CAPACITY IS ASSUMED AT 75 Kpa OR GREATER.

STEEL LINTEL SCHEDULE

CLEAR SPAN	BRICK	STONE
2'-6"	L 3"x3"x1/4"	L 4"x3"x1/4"
3'-11"	L 3 1/2"x3 1/2"x1/4"	L 5"x3 1/2"x5/16"
4'-11"	L 3 1/2"x3 1/2"x5/16"	L 5"x3 1/2"x5/16"
6'-11"	L 4"x3 1/2"x5/16"	L 5"x5/8"
6'-11"	L 5"x3 1/2"x5/16"	L 5"x5/8"
7'-10"	L 5"x3 1/2"x5/16"	L 5"x5/8"
8'-10"	L 5"x3 1/2"x5/8"	L 5"x5/8"
9'-10"	L 5"x4"x3/8"	L 5"x5/8"

STEEL LINTELS SHOWN ABOVE SHALL HAVE VENT AND LEAD BEARING AND SHALL HAVE NOT LESS THAN 6" LENGTH OF BEARING AT END SUPPORTS.

STRUCTURAL NOTES

- ALL MATERIALS AND METHODS OF CONSTRUCTION MUST COMPLY WITH THE LATEST ADDITION OF THE O.B.C. 2012.
- DO NOT SCALE DRAWINGS.
- SUBMIT STRUCTURAL STEEL SHOP DRAWINGS FOR REVIEW BY THE DESIGNER PRIOR TO FABRICATION. MAKE FIELD MEASUREMENTS NECESSARY FOR FABRICATION AND ERECTION.
- THE CONTRACTOR SHALL PROVIDE INSPECTION REPORTS PREPARED BY AN INSPECTION AND TESTING AGENCY ON THE STRUCTURAL STEEL ERECTION AND CONCRETE STRENGTH.
- ALL FOOTING SHALL BEAR ON UNDISTURBED SOIL CAPABLE OF SUSTAINING A LOAD OF 4 KSI.
- SPECIFIED CONCRETE STRENGTH IS 20 MPA. ALL CONCRETE EXPOSED TO FREEZE-THAW CYCLES IN A SATURATED CONDITION SHALL BE CLASSIFICATION C-1 TO CSA-A23.1-100.
- REINFORCING STEEL: CSA 400.19M GRADE 400R.
- STRUCTURAL STEEL: CSA C40.20M GRADE 350W CLASS H UNLESS NOTED OTHERWISE. SIZES ARE DETERMINED FROM SPAN OF TABLES OF THE BUILDING CODE - ONTARIO REG. 415/97.
- ALL WINDOWS ARE DOUBLE GLAZED OR THERMO-pane.
- ALL WINDOW HEADS TO BE 6"-10" (OR 7"-10") ABOVE FIN. FLOOR OR TO MATCH DOOR HEAD FRAMING HEIGHTS.
- ALL EXTERIOR DOORS, IF WOOD TO HAVE STORM DOORS OR TO BE OF METAL INSULATED TYPE.
- ALL WOOD TO BE SUPPORTED MIN 6" ABOVE FIN. GRADE UNLESS PRESSURE TREATED AGAINST TERMITES. REMOVE WOOD DEBRIS OR VEGETABLE MATTER FROM BACKILL.
- PROVIDE WEIR STIFFENERS WHERE TA JOISTS CONNECTED USING HANDERS.
- PROVIDE FIRE PROTECTION WHEN WELDING CLOSE TO COMBUSTIBLE MATERIALS.

ALL OVERHANGS 16" UNLESS NOTED OTHERWISE.

NOTE: VERIFY ALL GRADE AND FLOOR HEIGHTS PRIOR TO CONSTRUCTION. MAKE ANY ADJUSTMENTS REQUIRED TO NUMBER OF RISERS/ STEPS PRIOR TO COMMENCING CONSTRUCTION.

NOTES:

THESE NOTES COMPLY WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE (OBC, 2006) UNLESS SPECIFICALLY ALIENED BY MUNICIPALITY HAVING JURISDICTION. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO CONFORM WITH THESE SECTIONS WHERE APPLICABLE AND FAMILIARIZE HIMSELF SPECIFICALLY WITH PART 9 OF THE CODE.

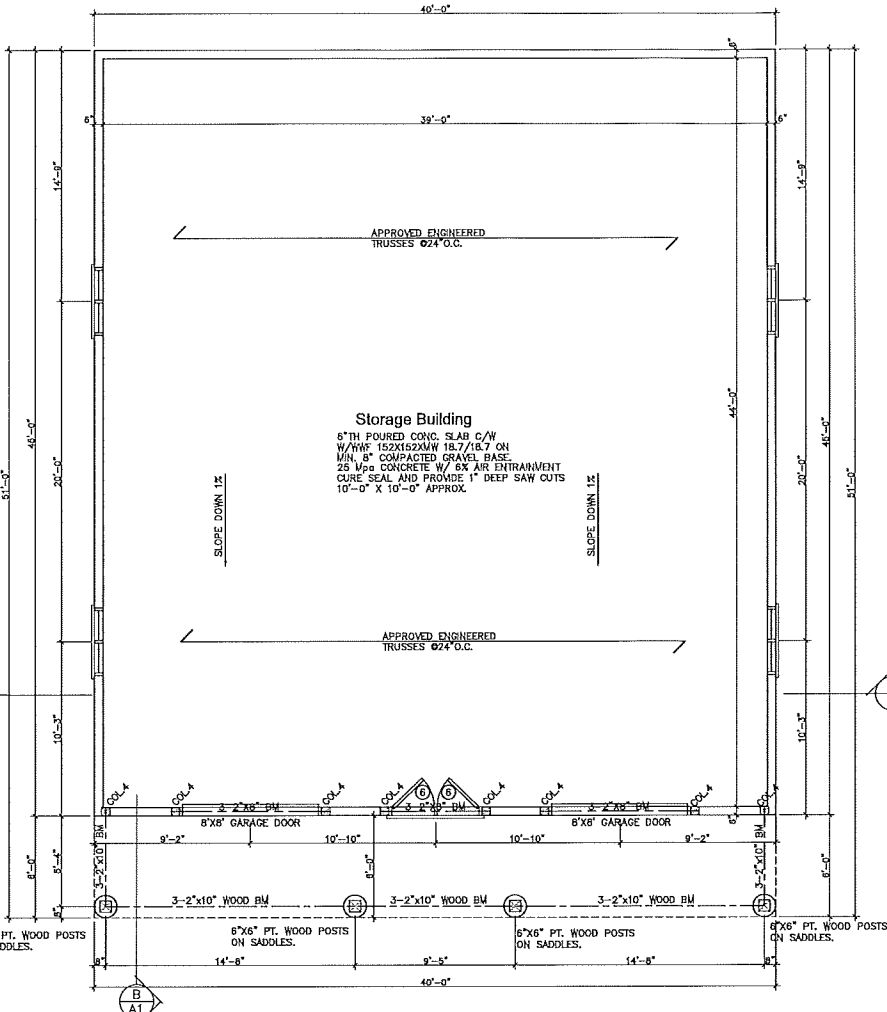
ALL WINDOWS LUMBER TO BE EASTERN SPRUCE NO.2 CONSTRUCTION GRADE, UNLESS OTHERWISE NOTED. SIZES ARE DETERMINED FROM SPAN OF TABLES OF THE BUILDING CODE - ONTARIO REG. 415/97.

ALL WINDOWS ARE DOUBLE GLAZED OR THERMO-pane.

ALL WINDOW HEADS TO BE 6"-10" (OR 7"-10") ABOVE FIN. FLOOR OR TO MATCH DOOR HEAD FRAMING HEIGHTS.

ALL EXTERIOR DOORS, IF WOOD TO HAVE STORM DOORS OR TO BE OF METAL INSULATED TYPE.

ALL WOOD TO BE SUPPORTED MIN 6" ABOVE FIN. GRADE UNLESS PRESSURE TREATED AGAINST TERMITES. REMOVE WOOD DEBRIS OR VEGETABLE MATTER FROM BACKILL.



FLOOR PLAN

1800 SQ FT

IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED GRADING AND SERVICES ENGINEERED. PROPOSED GRADE LINE AS INDICATED ARE FOR REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS.

COLUMN SCHEDULE

COL. 1=3-2x4
COL. 2=4-2x4
COL. 3=2-2x6
COL. 4=3-2x6
COL. 5=4-2x6

NOTE: VERIFY ALL ELECTRICAL LIGHTING FIXTURES, OUTLET PLUGS ETC. WITH OWNER PRIOR TO INSTALLATION.

USE ONLY WHERE 'L.M.'S ARE NOT SPECIFIED

WOOD LINTEL LEGEND

FOR WOOD OPENINGS:
44" OR LESS USE 2"x4"
66" OR LESS USE 2"x6"
88" OR LESS USE 2"x8"
PROVIDE INSUL. BETWEEN HEADERS IF POSSIBLE

DOOR LEGEND

1	1'6" x 6'6"
2	2'0" x 6'6"
3	2'4" x 6'6"
4	2'6" x 6'6"
5	2'8" x 6'6"
6	3'0" x 6'6"

GENERAL NOTES:

SMOKE ALARMS:	FLOOR PLAN DIMENSIONS:
NOTE ALL SMOKE ALARMS WITH-IN A SINGLE DWELLING UNIT ARE FROM NOMINAL STUD FACE TO NOMINAL STUD FACE OR FACE OF EXTERIOR FINISH MATERIAL.	ALL DIMENSIONS ON FLOOR PLANS BY DESIGNER IF REQUIRED

IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED GRADING AND SERVICES ENGINEERED. PROPOSED GRADE LINE AS INDICATED ARE FOR REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS OF ANY PARTICULAR LOT.

DO NOT SCALE DRAWINGS

UNIQUE DESIGNS INC.

FOUNDATION PLAN
FLOOR PLAN

STORAGE BUILDING

ALLISON RESIDENCE

1525 2ND CONCESSION FLAMBOROUGH, ONT.

Drawn By: *[Signature]* Scale: 1/4"=1'-0"

Date: 01.18.22

Job Number: 011022

A2

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

Required unless design is exempt under OBC, Article 3.2.4.1 of the Building Code.

MAURO FORNATANO
Name: *[Signature]* Registration Information: 15504 BSK

UNIQUE DESIGNS INC
Firm Name: Registration Information: 31090 BSK



Grand River
Conservation Authority
Date: Mar 03, 2022

1525 Concession 2 West,
Hamilton



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)**
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)**
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)**
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2022.
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>





Grand River
Conservation Authority
Date: Mar 03, 2022

1525 Concession 2 West,
Hamilton



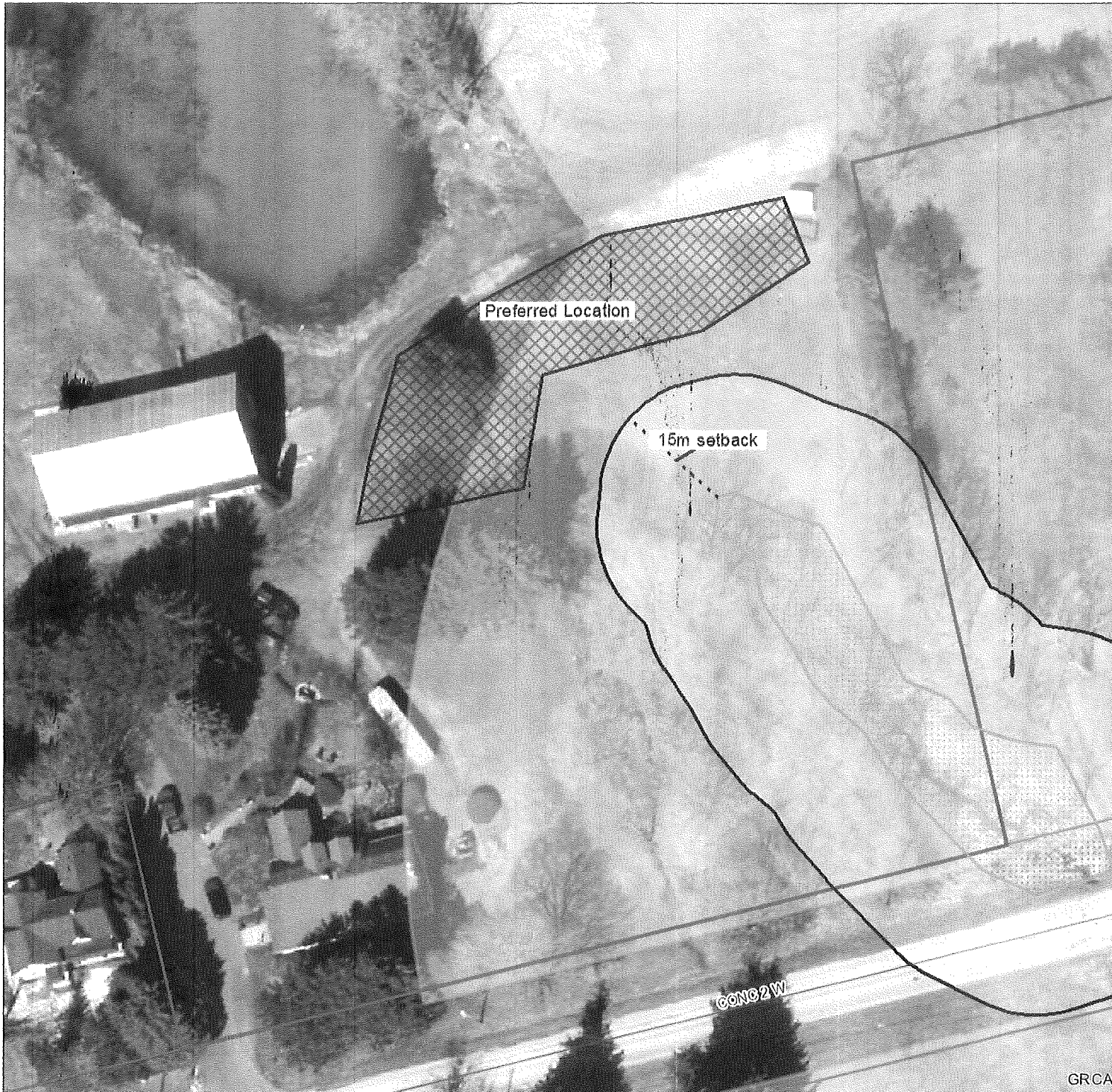
Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 4.25 8.5 17 25.5 Metres
NAD 1983 UTM Zone 17N Scale: 710



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)			
Applicant(s)*			
Agent or Solicitor			

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

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

NONE

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

4. Nature and extent of relief applied for:

PROPOSED HEIGHT OF ACCESSORY BUILDING - 5.54M,
 ALLOWED HEIGHT - 4.5M
 EXISTING 100 YEAR OLD BARN - 10.67M, ALLOWED HEIGHT - 4.5M

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

EXISTING BARN IS OVER 100 YEARS OLD,
 PROPOSED ACCESSORY BUILDING'S HEIGHT IS TO COMPLEMENT
 EXISTING BARN AND PROVIDE SUFFICIENT STORAGE.

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**):

1525 2ND CONCESSION
 FLAMBOROUGH

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?

PRESENT OWNER

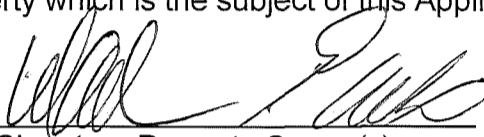
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

March 11 / 2022
Date


Signature Property Owner(s)

Wayne Allison Eileen Allison
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 106.38m
Depth 171.30m
Area 14.8 ACRES
Width of street 20.12m

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 1 1/2 STOREY FAMILY DWELLING -
APPROXIMATE 186m², WIDTH - 11M, DEPTH - 12M, HEIGHT - 10M
EXISTING BARN - 34m², WIDTH - 12M, DEPTH - 27.4M,
HEIGHT - 10.67M

Proposed

PROPOSED 1 STOREY STORAGE BUILDING, APPROXIMATE 280m²
WIDTH - 12M, DEPTH - 15.5M, HEIGHT - 5.54M

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

Existing:

HOUSE - FRONT YARD - 12M, SIDE YARD - 15M (LEFT), SIDE YARD - 24M (RIGHT)
REAR YARD - 18.2M
BARN - FRONT YARD - 55M, SIDE YARD - 53M (LEFT) SIDE YARD - 52M (RIGHT)
REAR YARD - 15.3M

Proposed:

STORAGE BUILDING - FRONT YARD - 54M, SIDE YARD - 57M (LEFT), SIDE YARD - 49M (RIGHT)
REAR YARD - 13.7M



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-22:118

APPLICANTS: Agent G. P. Murphy
 Owner M.J. Creighton

SUBJECT PROPERTY: Municipal address **881 & 905 Centre Rd., Flamborough**

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

ZONING: "A2" (Rural (A2) Zone)

PROPOSAL: To permit a lot to be conveyed (known municipally as 905 Centre Road) containing an existing single detached dwelling and detached garage and to permit a lot to be retained (known municipally as 881 Centre Road) containing an agriculture use including a nursery and existing single detached dwelling in order to facilitate Consent File No. FL/B-20:71 notwithstanding that:

Variance Required for the lot to be Conveyed (known municipally as 905 Centre Road)

1. A maximum building height of 6.1m shall be permitted for the existing accessory building (detached garage) instead of the maximum required accessory building height of 6.0m.

Variance Required for the lot to be Retained (known municipally as 881 Centre Road)

1. A minimum lot area of 16.5m shall be permitted instead of the minimum required lot area of 40.4 hectares for an agriculture use.

NOTE:

- i) The variances are necessary to facilitate Consent File No. FL/B-20:71.

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

DATE: Thursday, May 12th, 2022
TIME: 3:50 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

FL/A-22: 118

Page 2

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: April 26th, 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.

PIN 17512-0117 (LT)

PIN 17512-0118 (LT)

IB (24)

SIB (824)

N44°05'10"E

0.980 (P1 & Msd) 101.556

IB (824)

(P1 & Msd) 46.330 N44°05'10"E

PB (824) IB (824)

545.299 (P2)

20.816 N60°07'05"E

20.785

N46°53'00"W 45.720

35.379

CEDARS

LEAN-TO

121.920

259.05 SCB CL OF CEDARS 1.25± SE

8.879 (P1 & Msd)

8.931 (P1 & Msd)

5.182

N46°53'00"W 45.720

IB# (OU) (0.024 SE) (0.018 NE)

N46°53'00"W 45.720

LEAN-TO

258.90

GARAGE

264.97 Roof

2 STOREY BRICK & FRAME DWELLING

31.781 (P1 & Msd)

31.893 (31.967 P1)

266.68 Roof x

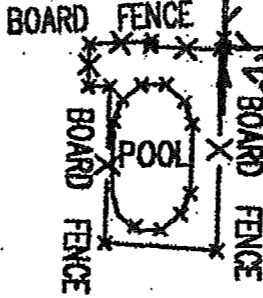
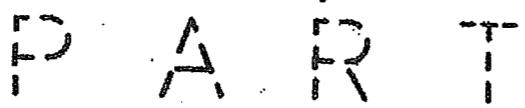
TANK

0.69 SW BED

SEPTIC BED

1.33 SW BED

Road Wide PART



258.79

29.316

29.255

121.920

N44°05'10"E

127.102

5.182

PB (824)

SIB (824)

N46°53'00"W

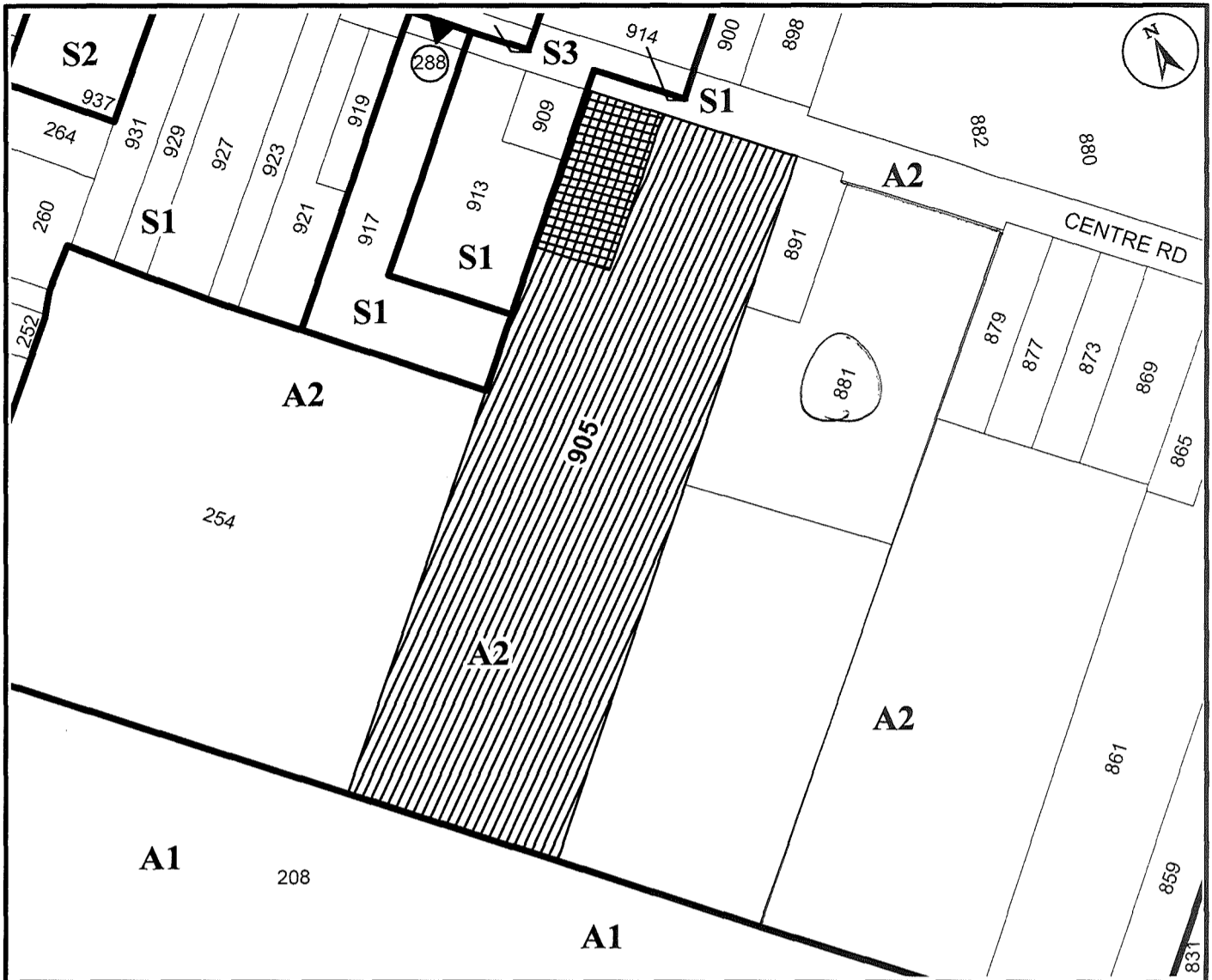
137.130 (P1 & Msd)

EXPROPRIATION PLAN

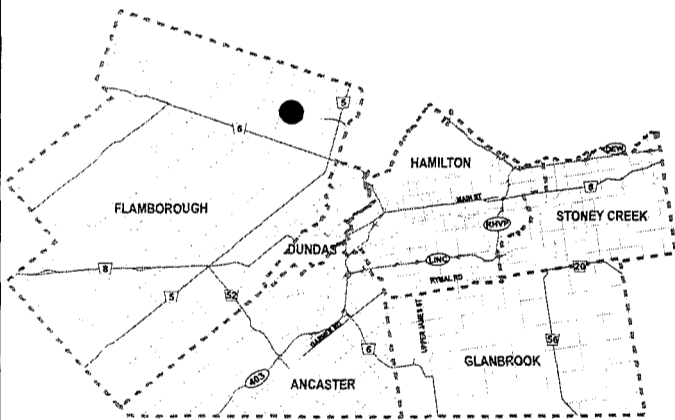
CENTRELINE ORIGINAL ROAD

(P1 & Set) 109.490

109.429 (P1 & Msd)



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property

905 Centre Road, Flamborough (Ward 15)

- Lands to be Retained
- Lands to be Severed

File Name/Number:
FL/B-20:71

Date:
November 11, 2020

Technician:
AL

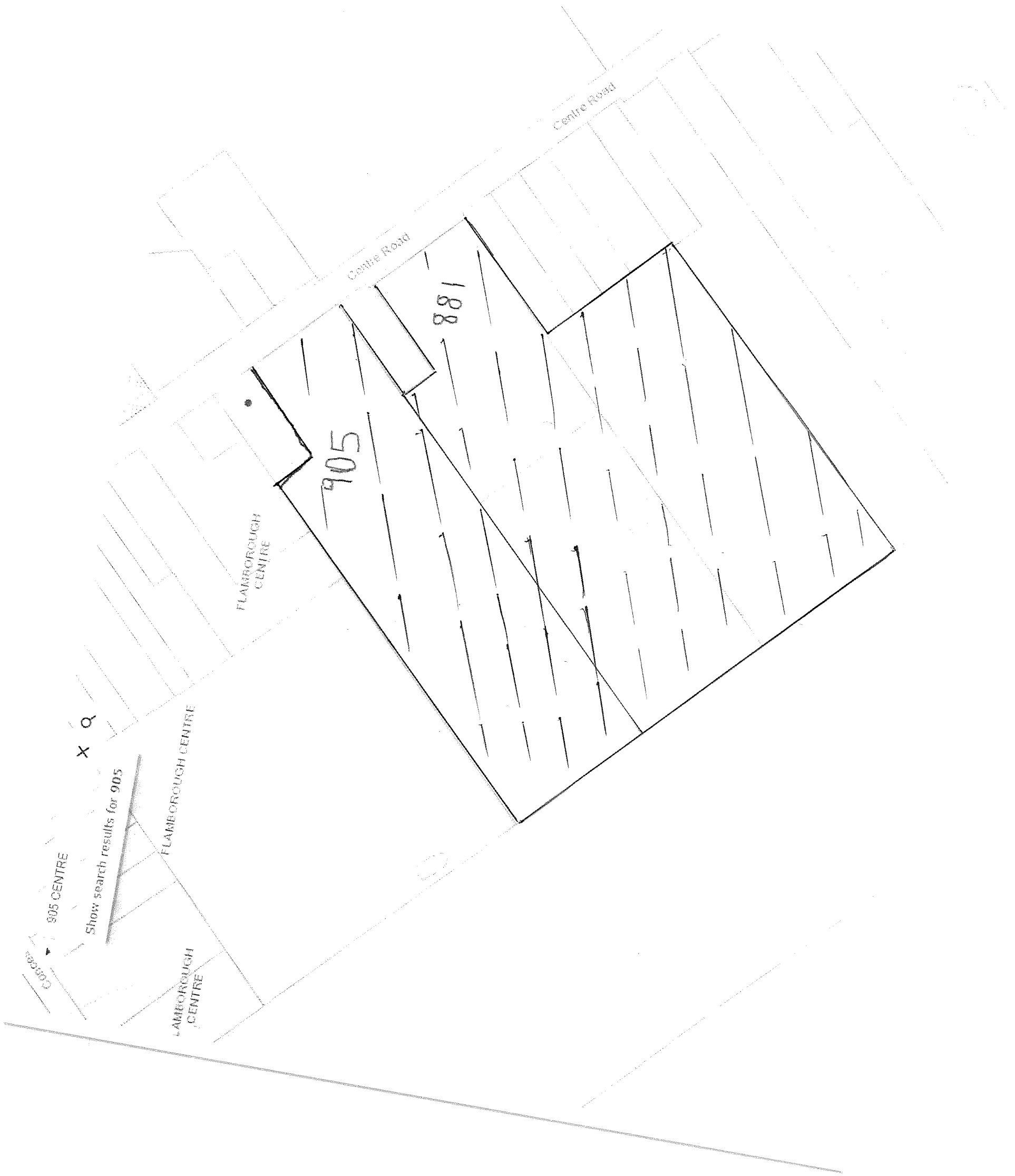
Map Not To Scale

Appendix "A"



Hamilton

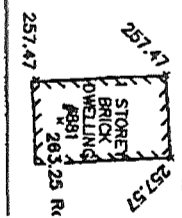
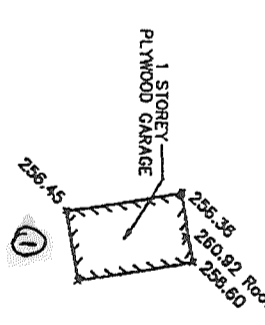
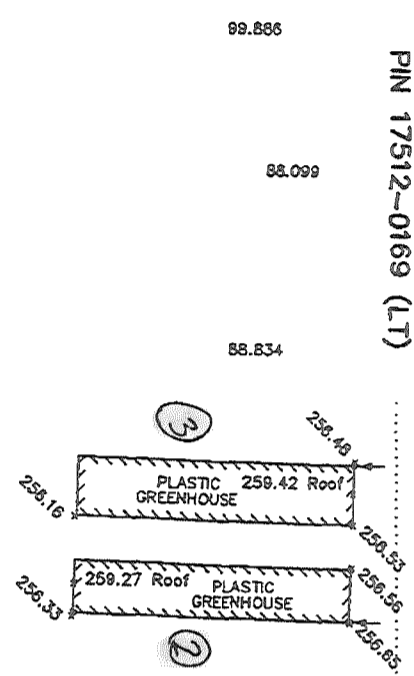
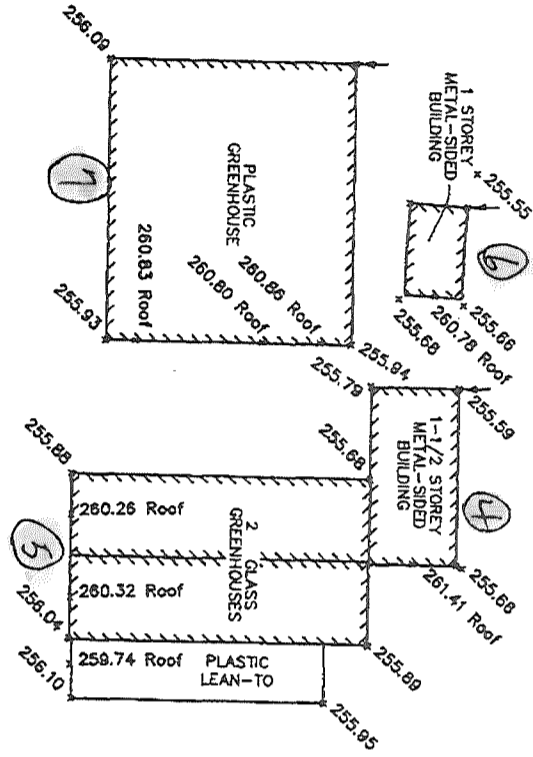
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



DWG BUILDINGS

PIN 17512-0169 (LT)

PART 1. PLAN 62R-17621



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





A.T. McLaren Limited

LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO L8N 2B9

March 28th, 2022

TEL: (905) 527-8559
FAX: (905) 527-0032

City of Hamilton
Planning Department, 5th Floor
71 Main Street East
Hamilton, Ontario
L8P 4Y5

RE: 36666 Sullivan Festeryga LLP –

881 and 905 Centre Road, being composed of All of Part 1, Plan 62R-21702, and Part of Lot 8, Concession 5, East Flamborough, as in Inst. CD130477, Save and Except Part 2 on Plan 62R-17621, and all of Part 1, Plan 62R-3166

I hereby certify that the lot areas for the above described parcels of land are as follows:

PINs	Total Hectares	Total Acres
17512-0116	5.899	14.577
17512-0169	2.512	6.208
17512-0168	3.346	8.266
17512-0110	4.744	11.723
Total	16.501	40.774

If you have any questions regarding the above, or if we may be of further assistance, do not hesitate to contact the undersigned.

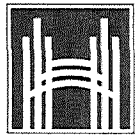
Yours truly,

S. D. McLaren, P.Eng., O.L.S.

SDM/kp

Y:\Area Certificates...\36666

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



Hamilton

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

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

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

<p>THE TORONTO - DOMINION BANK , P.O. BOX 1 , TD CENTRE 12TH FLOOR TORONTO ON MORRIS WRIGHT MORTGAGE COMPANY LTD. , 1 MARKLAND STREET MSK1A7 HAMILTON ON L8P 2J5</p>
--

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 LETTER OF KIM ROBERTS ATTACHED

i) HEIGHT OF DETACHED GARAGE DOES NOT CONFORM TO MAXIMUM HEIGHT OF 6M
 HEIGHT OF DETACHED GARAGE IS 6.06M THEREFORE .06M (2.4") DIFFERENCE.
 ii) MINIMUM LOT REQUIREMENT OF 40.4 HECTARES. CURRENT LOT SIZE IS

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

WOULD HAVE TO APPLY FOR A BUILDING PERMIT AND RECONSTRUCT GARAGE ROOF.
 CREIGHTON FARM PROPERTY IS CURRENTLY 19.67526 HECTARES ONLY.
 SEE MCLAREN SURVEY CAD SPECIFICATION ATTACHED. (DELIVERED PREVIOUSLY TO ZONING DEPARTMENT)

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

881 CENTRE ROAD, WATERDOWN, ON PIN 17512-0168 (LT)
 905 CENTRE ROAD, WATERDOWN, ON PIN 17512-0116 (LT) IS THE
 SUBJECT OF APPLICATION FL/B 20:71

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?

CLEIGHTON FAMILY HAS OWNED AND WORKED THE PROPERTY AS A FARM SINCE JULY 5, 1979. PREVIOUS OWNER ALSO A FARMER.

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.

MARCH 21, 2022
Date


Signature Property Owner(s)

MARVIN JAMES CREIGHTON
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>905 Centre Road</u>	<u>45.72 metres</u>	<u>881 Centre Road</u>	<u>332.09 m</u>
Depth		<u>121.920 metres</u>	<u>465.123</u>	
Area	<u>.55 hectares</u>	<u>5,574.18 metres</u>	<u>19.67526 hectares</u>	
Width of street	<u>STANDARD TWO WAY ROADWAY</u>			

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

Existing: SEE SCHEDULE ATTACHED CONCERNING BUILDINGS

SCHEDULE "A" ATTACHED

Proposed

NONE

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

Existing:

SEE ATTACHED DWG BUILDINGS
(SURVEY PLAN PREVIOUSLY DELIVERED TO ZONING DEPARTMENT)

Proposed:

NONE.

13. Date of acquisition of subject lands: JULY 5, 1979

14. Date of construction of all buildings and structures on subject lands: SEE SCHEDULE "A" ATTACHED

15. Existing uses of the subject property (single family, duplex, retail, factory etc.): SINGLE FAMILY FARM 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: PREVIOUS TO AND SINCE JULY 5, 1979

18. Municipal services available: (check the appropriate space or spaces)
 Water NO Connected _____
 Sanitary Sewer NO Connected _____
 Storm Sewers NO

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
PRESENT ZONING A2 HAMILTON

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 NOT APPLICABLE

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)
FL/B - 20:71

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.