



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 22-13
Date: July 14, 2022
Time: 1:00 p.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

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-22:604 Roadway, Stoney Creek (Ward 10) Agent Dentons Canada – A. Paterson Owner Canadian National Railway Company	5
2.2. 1:20 p.m.AN/A-22:18064 Lovers Lane, Ancaster (Ward 12) Agneta N. Miskovic Owner M. Kancko	21
2.3. 1:25 p.m.AN/A-22:181162 Falling Brook Dr., Ancaster (Ward 12) Agent J. Veloce Owners J. Reis & C. Cardadeiro	39
2.4. 1:30 p.m.GL/A-22:187102 Spalding Dr., Glanbrook (Ward 11) Owners R. & S. Craig	53
2.5. 1:35 p.m.AN/A-22:19559 Norma Crescent, Ancaster (Ward 12) Owners R. & C. Sutton	73

- 2.6. 1:40 p.m.HM/A-22:202750-790 Mohawk Rd. W., Hamilton (Ward 14) 85
 Agent Urban Solutions
 Owner Greti Development Co. Ltd. – Effort Trust
- 2.7. 1:45 p.m.AN/B-22:59382 Southcote Rd., Ancaster (Ward 12) 107
 Agent Urban Solutions – M. Johnston
 Owner 1376412 Ontario Ltd., Zeina Homes
- 2.8. 1:45 p.m.AN/A-22:191382 Southcote Rd., Ancaster (Ward 12) 123
 Agent Urban Solutions – M. Johnston
 Owner 1376412 Ontario Ltd., Zeina Homes

3. URBAN

- 3.1. 1:50 p.m.HM/B-22:5852 Chatham St., Hamilton (Ward 1) 135
 Agent Urban Solutions – M. Johnston
 Owner B. Swaffer & C. Brennan
- 3.2. 2:00 p.m.HM/B-21:66940-946 Beach Blvd., Hamilton (Ward 5) 151
 Agent Metropolitan Consulting
 Owner Z. & G. Shahzad
- 3.3. 2:05 p.m.HM/A-22:17983 Oak Ave., Hamilton (Ward 3) 165
 Owners F. & J. Vlasak
- 3.4. B R E A K
- 3.5. 2:20 p.m.HM/A-22:184577 Barton St. E., Hamilton (Ward 3) 179
 Agent Ken Bekendam
 Owner 13785840 Ontario Inc.
- 3.6. 2:25 p.m.HM/A-22:198115 Roxborough Ave., Hamilton (Ward 3) 203
 Owners G. Buda & S. Hernandez
- 3.7. 2:30 p.m.HM/A-22:2002 Rutherford Ave., Hamilton (Ward 3) 213
 Agent Perspective Views – M. Ribau
 Owner C. Zavarise

- | | | |
|-------|---|-----|
| 3.8. | 2:35 p.m.HM/A-22:1868 Lincoln St., Hamilton (Ward 3)

Agent R. Reid
Owner C. Matthews | 243 |
| 3.9. | 2:40 p.m.HM/A-22:178157 Robinson St., Hamilton (Ward 2)

Owners D. MacDonald & S. Cochrane | 255 |
| 3.10. | 2:45 p.m.HM/A-22:18552 Melbourne St., Hamilton (Ward 1)

Owner L. Bristol | 265 |
| 3.11. | 2:50 p.m.HM/B-22:57270 Longwood Rd. S., Hamilton (Ward 1)

Agent A.J. Clarke – F. Kloibhofer
Owner McMaster Innovation Park | 275 |
| 3.12. | 2:55 p.m.HM/A-22:190330 Dundurn St. S., Hamilton (Ward 1)

Agent SRM Architect Inc.
Owner 2178940 Ontario Inc. – Lev Development | 289 |
| 3.13. | 3:00 p.m.HM/A-22:19346 MacDonald Ave., Hamilton (Ward 1)

Agent Carrothers & Associates – D. Carrothers
Owner A. & K. Sedmihradsky | 301 |
| 3.14. | 3:05 p.m.HM/A-22:19472 Stanley Ave., Hamilton (Ward 1)

Agent Park Eight Inc.
Owner P. Shaker & S. Macdonald Shaker | 315 |
| 3.15. | 3:10 p.m.HM/A-22:196120 Flatt Ave., Hamilton (Ward 1)

Gent B. McFadgen
Owners K. Duvniak & C. Sharpe | 337 |
| 3.16. | 3:15 p.m.HM/A-22:75208 Locke St., Hamilton (Ward 1)

Agent T. DePasquale
Owner 1810985 Ont. Inc. – J. Stanicak | 355 |
| 3.17. | B R E A K | |

4. RURAL

- 4.1. 3:30 p.m.FL/A-22:18217 William St., Flamborough (Ward 15) 365
Agent L. Shaw
Owners P. & D. Nikita
- 4.2. 3:35 p.m.FL/A-22:18936 Clappison Ave., Flamborough (Ward 15) 379
Agent MHBC – G. Tchisler
Owners Flamborough Capital Corp. & Flamborough Financial Corp. Inc.
– S. Malovic
- 4.3. 3:40 p.m.FL/A-22:1991186 Hwy 6, Flamborough (Ward 15) 395
Agent Phil St-Cyr
Owner J. Awalia
- 4.4. 3:55 p.m.FL/B-22:6137 Hwy 52, Flamborough (Ward 12) 407
Agent Monteith Brown Planning Consultants
Owners B. & R. Myers
Purchaser 2789533 Ontario Inc. – P. Mariutti

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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/B-22:60	SUBJECT PROPERTY:	4 ROADWAY, STONEY CREEK
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APPLICANTS: **Owner Canadian National Railway Company**
Agent Dentons Canada – A. Paterson

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to adjacent property known as 333 Arvin Avenue.

	Frontage	Depth	Area
SEVERED LANDS:	45.7 m [±]	61.0 m [±]	0.28 ha [±]
RETAINED LANDS:	Irregular, Rail Corridor m [±]	Irregular, Rail Corridor m [±]	Irregular, Rail Corridor m ² / ha [±]

Associated Planning Act File(s): [Click or tap here to enter text.](#)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

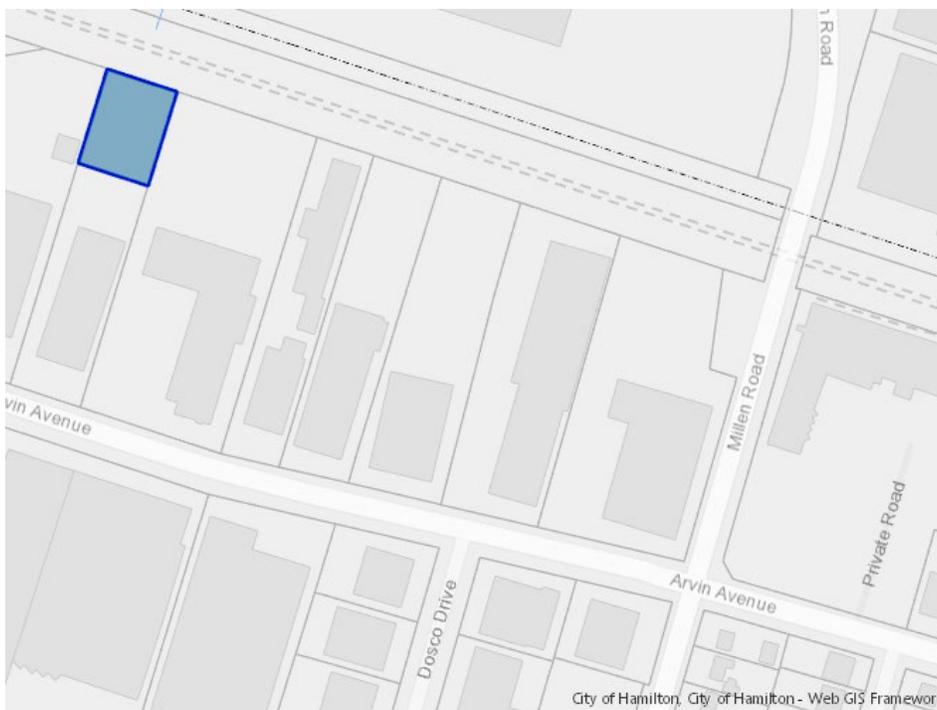
SC/B-22:60

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: June 28, 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, and may include posting electronic versions.

SC/B-22:60

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

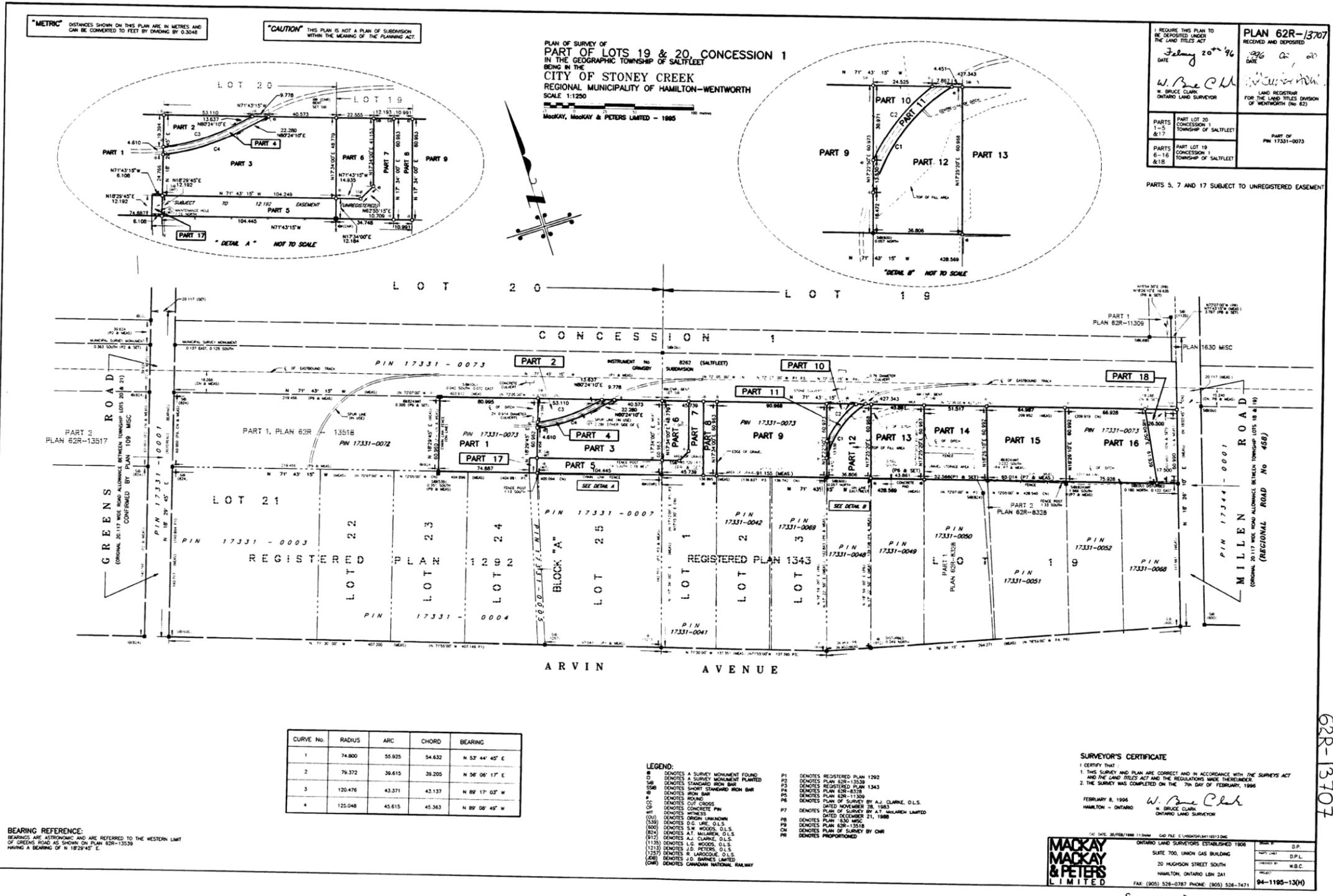
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



30x

62R-13707



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

	NAME	MAILING ADDRESS	
Purchaser*			Phone:
			E-mail:
Registered Owners(s)	Canadian National Railway Company		
Applicant(s)**	Dentons Canada LLP c/o Andrea Paterson, Land Use Planner (see Agent Authorization Attached)		
Agent or Solicitor	Dentons Canada LLP c/o Andrea Paterson, Land Use Planner		

***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 Part Lot 19	Concession 1	Former Township Saltfleet
Registered Plan N°. 62R-13707	Lot(s)	Reference Plan N°.	Part(s) 6, 7, 8
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:

Unknown

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 easementOther: a charge a lease a correction of titleb) **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 lotOther: 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:

Arvin Creek Properties Inc.

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

333 Arvin Avenue

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)
45.7 +/-	61.0 +/-	0.28

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) Unknown Industrial Agricultural-Related Commercial Vacant

Building(s) or Structure(s):

Existing: N/A - Rail Corridor

Proposed: Unknown

Existing structures to be removed: N/A - Rail Corridor

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)
Irregular, Rail Corridor	Irregular, Rail Corridor	Irregular, Rail Corridor

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) Rail Corridor
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: N/A - Rail Corridor

Proposed: N/A - Rail Corridor

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
- N/A Rail Corridor

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)

N/A - Rail Corridor

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) N/A Rail Corridor

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) Business Park

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

Please see attached cover letter.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? General Business Park (M2) Zone

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	X
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?
 Environmental Screening Process, dated November 1994 prepared by Jacques Whitford Environmental Ltd
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
 Yes No
 Please see attached cover letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 Please see attached cover letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 The application conforms to the policies of the Official Plan which are consistent with those found in the 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
 The application conforms with the Growth Plan for the Greater Golden Horseshoe.
- 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?

67 years

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

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

Other lands in the City used for CN's operations.

9 OTHER APPLICATIONS

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

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

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

Agricultural Rural Specialty Crop

Mineral Aggregate Resource Extraction Open Space Utilities

Rural Settlement Area (specify) _____

Settlement Area

Designation

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

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

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

10.3 **Description of Lands**

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
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Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

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

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

- a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

- b) Description of non-abutting farm

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

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

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

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.

April 29, 2022

Date



Signature of Owner


大成 DENTONS
Andrea Paterson
 Land Use Planner

 andrea.paterson@dentons.com
 D +1 416 863 4770

 Dentons Canada LLP
 77 King Street West, Suite 400
 Toronto-Dominion Centre
 Toronto, ON, Canada M5K 0A1

dentons.com

May 31, 2022

File No.: 238609-1255

**DELIVERED VIA EMAIL – jamila.sheffield@hamilton.ca
 AND OVERNIGHT COURIER**

 Committee of Adjustment
 City of Hamilton
 71 Main Street West, 5th Floor
 Hamilton, ON L8P 4Y5
 905-546-2424 ext. 4144

Attention: Ms. Jamila Sheffield

Dear Ms. Sheffield:

**Re: Canadian National Railway Company Application for Consent for Lot Addition
 - Part Lot 19, Conc 1 Saltfleet, Parts 6, 7, 62R-13707; S/T LT403435; Stoney Creek – 97 06
 10- I. Fiamelli City of Hamilton PIN 173310082 and Part Lot 19 Conc 1 Saltfleet, Part 8 ON
 62R-13707; Stoney Creek City of Hamilton PIN 173310083**

We are the solicitors for Canadian National Railway Company (“CN”), the registered owner of the above-noted lands which are subject to this applications.

The purpose of this letter and accompanying Consent Application is to seek the Committee’s Consent for the severance of approximately 0.28 hectares of land from the existing CN Rail corridor, located at the rear of 333 Arvin Avenue, midblock between Green Road and Millen Road, shown on the enclosed Severance Sketch as the “Subject Lands”. The Subject Lands are to be added to the adjacent lot (333 Arvin Avenue) as a lot addition. It has been determined by CN that the Subject Lands are surplus to its railway operation needs. CN will retain the remainder of its landholdings, shown as the “CN Retained Lands”, which will continue to be used for railway services and the railway corridor itself.

The City of Hamilton’s Urban Official Plan (“OP”) designates the Subject Lands as “Business Park” located in the Employment Areas within the Urban Boundary of Hamilton. One goal of the Employment Areas designations is to “maintain an adequate supply of zoned and serviced employment lands of varying parcel sizes in various locations to meet the City’s projected employment growth forecast and to promote economic development and competitiveness” (Policy 5.1.2). Undeveloped and underutilized lands designated Business Park are planned for major employment growth (Policy 5.4.2) and new development and redevelopment of existing sites shall incorporate quality building and landscaping designs in those areas adjacent to and visible from public roads, and by complementing the landscape qualities of adjacent sites (Policy 5.4.7 (a)). As the Subject Lands are not currently used by CN’s operation, the proposed consolidation of the Subject Lands with the purchaser’s property will allow for an

Fernanda Lopes & Associados ► Guevara & Gutierrez ► Paz Horowitz Abogados ► Sirote ► Adepetun Caxton-Martins Agbor & Segun ► Davis Brown ► East African Law Chambers ► Eric Silwamba, Jalasi and Linyama ► Durham Jones & Pinegar ► LEAD Advogados ► Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► For more information on the firms that have come together to form Dentons, go to dentons.com/legacyfirms

expansion of employment uses to a currently underutilized parcel of land, meeting the intent of the Official Plan to an equal or greater degree.

The Subject Lands are zoned General Business Park (M2) Zone per Zoning By-law 05-200, as amended. This zone permits a number of industrial and employment uses. The addition of the Subject Lands to the adjacent parcel, which has the same zoning, will increase the lot size to approximately 9,300 sq.m. providing for additional area to locate employment activities or to facilitate future redevelopment of the parcel.

The Subject Lands have the same OP designation and zoning as the lands to which they will be added. Based on the above, the proposed Consent for Lot Addition request is consistent with both the Official Plan and the Zoning By-law.

The Provincial Policy Statement (PPS) encourages opportunities for infill and intensification in built up areas where services exist to support future development. Severing the unused land from CN's operation and adding it to a normally-configured and serviced lot allows it to be fully utilized in the future. Section 1.1.1 of the PPS states that "healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns". The PPS also makes frequent reference to the value of intensification and infill. The consolidation of the surplus CN lands with the existing industrial parcel provides an opportunity to utilize and otherwise unused property, while providing an improved lot size and configuration to a serviced lot which conforms to the goals and intent of the OP designation. The proposed Consent would permit the property to be developed in-line with the Official Plan, Zoning By-law and neighbouring properties, and make better use of existing infrastructure.

Based on the above-noted information, it is our respectful submission that this application for Consent for Lot Addition supports the orderly development of the property, is consistent with the Official Plan and the Zoning By-law, and complies with all of those matters that one must have regard to, pursuant to Section 51(24) of the *Planning Act*, and that a plan of subdivision is not required in this instance.

In further support of this application, please find enclosed the following:

- (a) Completed Application for Consent;
- (b) Letter of Authorization;
- (c) Severance Sketch that identifies the Subject Lands and Retained Lands; and
- (d) Copy of cheque in payment of the required application fee of \$2,985.00 with original sent via overnight courier.



May 31, 2022
Page 3

Should you have any questions, or require any additional information, please feel free to contact me at andrea.paterson@dentons.com or 1.416.863.4770.

Yours truly,

Dentons Canada LLP

DocuSigned by:
Andrea Paterson
91A616951E3C406...

Andrea Paterson RPP
Land Use Planner

AP/kf

Enclosures



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:180	SUBJECT PROPERTY:	64 LOVERS LANE, ANCASTER
ZONE:	"ER" (Existing Residential)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended 18-105

APPLICANTS: Agent N. Miskovic
Owner M. Kancko

The following variances are requested:

1. A minimum front yard setback of 10.0 metres shall be permitted, instead of the requirement that the required front yard setback shall be within twenty (20) percent of the average front yard setback of the one nearest principle dwelling facing the same street (i.e. between 13.84 metres and 20.74 metres).
2. A minimum southerly side yard setback of 4.70 metres shall be permitted, instead of the minimum 6.0 metre side yard setback required for a flankage yard.
3. A minimum rear yard setback of 3.71 metres shall be permitted, instead of the minimum 16.0 metre rear yard setback required.

PURPOSE & EFFECT: To permit the construction of new two-storey single family dwelling including a deck and accessory structure(s) [in-ground pool, cabana and hot tub] in the rear yard

Notes:

1. Please note that the Site Plan statistics indicate a total proposed lot coverage of 38 percent, whereas a maximum lot coverage of 35 percent is permitted. It is noted that the area of all buildings is indicated as 438.97 square metres, which is 34.98 percent of the area of the lot (i.e. lot area indicated as 1254.84 square metres). Additional variances shall be required if compliance with Section 10.3.3 is not possible.
2. It is unclear from the Site Plan provided if a minimum of one metre within the norhtelry side yard is to be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced

AN/A-22:180

material, and landscaping other than sod. Additional variances shall be required if compliance with Section 10.3.5(1) is not possible.

3. Specific details regarding the projection of sills, cornices, bay windows etc. of the proposed single family dwelling were not indicated on the submitted site plan. Please note that should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(a), sills, cornices, bay windows etc. shall be permitted to project into the new minimum yard(s) a distance of not more than 0.60 metres. Additional variances may be required if compliance with Section 7.12(a) is not possible.
4. Specific details regarding the projection of eaves/gutters of the proposed single family dwelling were not indicated on the submitted site plan. Please note that should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(b), eaves and gutters shall be permitted to project into the new minimum side yard a distance of not more than 0.60 metres, or into the minimum front yard and rear yard a distance of not more than 1.5 metres. Additional variances may be required if compliance with Section 7.12(b) is not possible.
5. Please note that should the variance requested to permit a reduced minimum front yard setback be approved, the proposed front porch and steps will not project into the minimum front yard, and will therefore comply with Section 7.12(d).
6. Please note that as per Section 7.13(a), on any corner lot in any Zone, no obstruction, whether permanent or temporary, that blocks vision between a height of 75 centimetres and 2.4 metres above the centre line grade of the street, is permitted within a daylighting triangle of 10 metres. Additional variances may be required if compliance with Section 7.13(a) is not possible.
7. Please note that the percentage of the area of the at-grade parking area has not been indicated; therefore, compliance with Section 7.14(a)(x) could not be confirmed.
8. Please note that should the variance requested to permit a reduced minimum rear yard setback, the proposed accessory structure (in-ground pool) will not be located in a required rear yard, and will therefore comply with Section 7.18(a)(vi). However, the distance from the proposed in-ground pool, which is indicated as 8.58 square metres (i.e. 200 square feet), to the rear lot line has not been indicated. As per Section 7.18(a)(vi)(A), accessory buildings in excess of 12 square metres ground floor area shall not be less than 7.5 metres from the rear lot line for any lot located in an Existing Residential "ER" Zone. Additional variances may be required if compliance with Section 7.18(a)(vi)(A) is not possible.
9. Specific details regarding the proposed parking spaces on the lot have not been provided, however, it appears a minimum of two (2) parking spaces, as required by Section 7.14(b)(i)(A), can be accommodated in the proposed garage and driveway. Additional variances may be required if compliance with Section 7.14 is not possible.
10. Please note that elevation drawings were not provided to confirm the height of the proposed accessory structure(s). Please note that as per Section 7.18(a)(iv), the maximum height for an accessory building is 4.5 metres. Additional variances may be required if compliance with Section 7.18(a)(iv) is not possible.

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

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

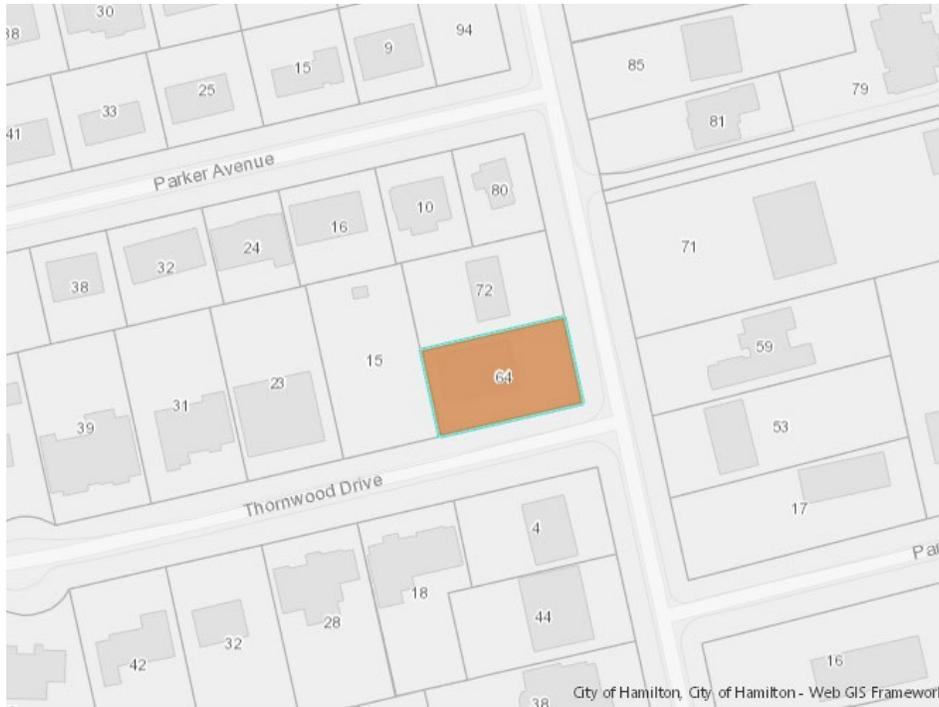
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

AN/A-22:180



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE DATA	
ZONED: ER (ANCASTER)	
LOT AREA	1,254.84 m ² (13,507 ft ²)
MAXIMUM LOT COVERAGE REGULATION ONE-STORY TWO-STORY LOTS WITH AN AREA LESS THAN OR EQUAL TO 1,650 SQUARE METRES MAXIMUM 35 PERCENT OF LOT AREA.	
EXISTING TOTAL COVERAGE (18.6%)	232.72 m ² (2,505 ft ²)
TOTAL ALLOWED COVERAGE (35%)	439.19 m ² (4,727 ft ²)
TOTAL PROPOSED COVERAGE (38%)	438.97 m ² (4,727 ft ²)
EXISTING FRONT YARD SETBACK	18.55m (60.9')
ALLOWABLE FRONT YARD SETBACK	13.76m (45.1')
PROPOSED FRONT YARD SETBACK	10.00m (32.8')
EXISTING REAR YARD SETBACK	4.79m (15.7')
ALLOWABLE REAR YARD SETBACK	16.00m (52.5')
PROPOSED REAR YARD SETBACK	3.71m (12.2')
EXISTING SIDE YARD SETBACK (INTERIOR)	3.86m (12.7')
ALLOWABLE SIDE YARD SETBACK (INTERIOR)	2.75m (9.0')
PROPOSED SIDE YARD SETBACK (INTERIOR)	2.75m (9.0')
EXISTING SIDE YARD SETBACK (FLANKAGE)	6.75m (22.2')
ALLOWABLE SIDE YARD SETBACK (FLANKAGE)	6.00m (19.7')
PROPOSED SIDE YARD SETBACK (FLANKAGE)	4.70m (15.4')
ALLOWABLE BUILDING HEIGHT	9.50m (31.2')
PROPOSED BUILDING HEIGHT	9.00m (29.5')

LOT 3
PIN 17428-0112 (LT)

REGISTERED

VARIANCE REQUIRED FOR PROPOSED REAR YARD SETBACK AT 1 STOREY BEDROOM PROPOSED S.B. = 3.7M WHERE 16M IS REQUIRED. EXISTING HOUSE IS AT 4.8M (NOTE: 1.8M SETBACK PREVIOUSLY APPROVED BY HAMILTON C of A.)

NO VARIANCE REQUIRED FOR THE SIDE YARD SB. 2.75M IS REQUIRED (NOTE: 1.90M SETBACK PREVIOUSLY APPROVED BY HAMILTON C of A.)

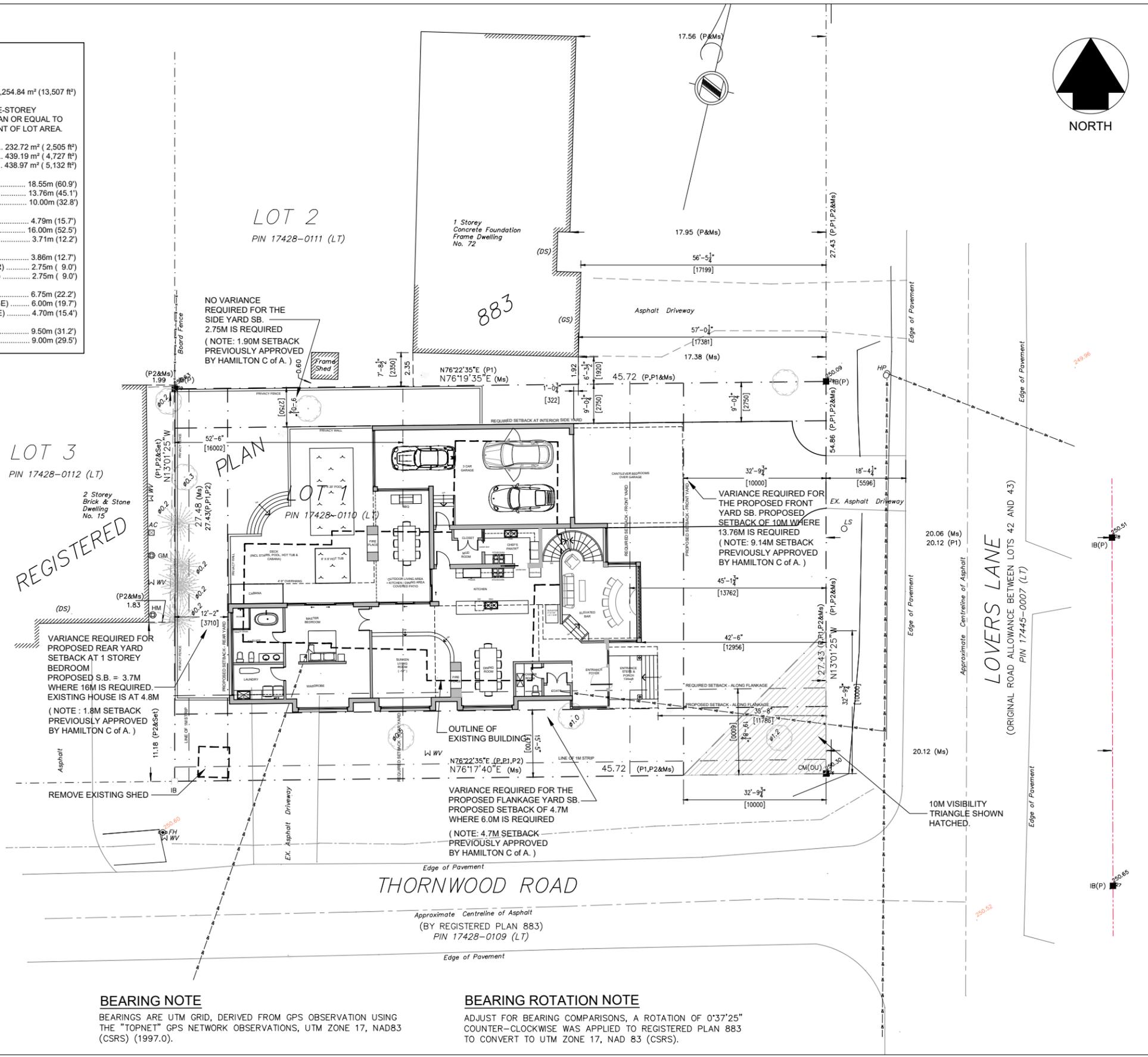
VARIANCE REQUIRED FOR THE PROPOSED FLANKAGE YARD SB. PROPOSED SETBACK OF 4.7M WHERE 6.0M IS REQUIRED (NOTE: 4.7M SETBACK PREVIOUSLY APPROVED BY HAMILTON C of A.)

VARIANCE REQUIRED FOR THE PROPOSED FRONT YARD SB. PROPOSED SETBACK OF 10M WHERE 13.76M IS REQUIRED (NOTE: 9.14M SETBACK PREVIOUSLY APPROVED BY HAMILTON C of A.)

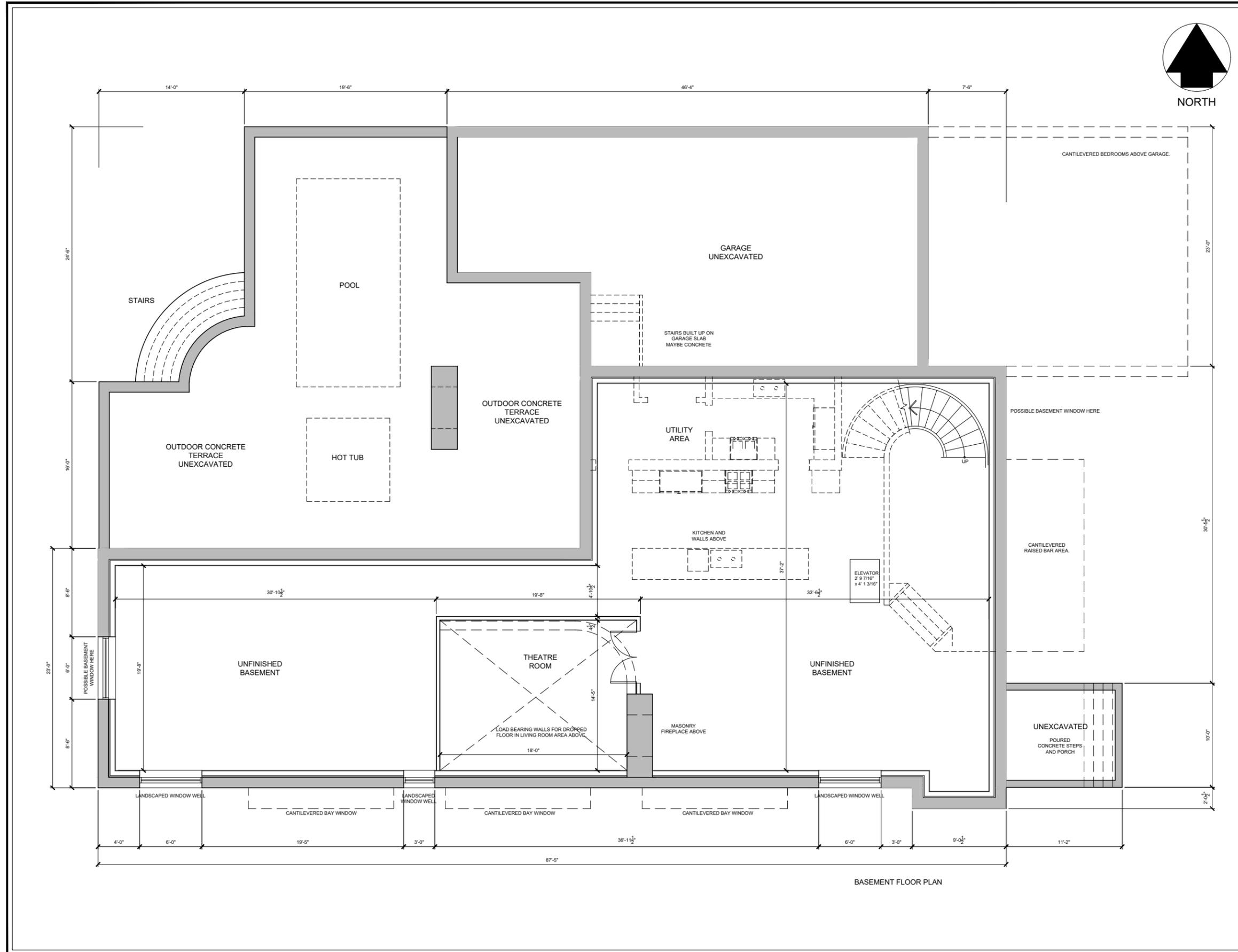
THIS SITE PLAN INFORMATION TAKEN FROM SURVEY BY.....
 YOUNG & YOUNG SURVEYING INC.
 A Subsidiary of Mauro Group Inc.
 2 HOLLAND DRIVE, UNIT 5,
 BOLTON, ONTARIO, L7E 1E1
 PHONE 905.951.6000, FAX
 905.857.4811
 www.youngsurveying.ca -
 info@youngsurveying.ca
 THE SURVEY WAS COMPLETED
 ON JUNE 5, 2021.
 BY GANESH SUNDAR, B.Eng.,
 ONTARIO LAND SURVEYOR
 SURVEYOR'S REAL PROPERTY
 REPORT PART ONE (1)
 SHOWING TOPOGRAPHIC
 FEATURES OF...
 LOT 1
 REGISTERED PLAN 883
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF
 HAMILTON-WENTWORTH

BEARING NOTE
 BEARINGS ARE UTM GRID, DERIVED FROM GPS OBSERVATION USING THE "TOPNET" GPS NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0).

BEARING ROTATION NOTE
 ADJUST FOR BEARING COMPARISONS, A ROTATION OF 0°37'25" COUNTER-CLOCKWISE WAS APPLIED TO REGISTERED PLAN 883 TO CONVERT TO UTM ZONE 17, NAD 83 (CSRS).



RESERVED		
1	ISSUED FOR C of A	MAY 19 - 2022
No.	REVISION	DATE
NOTE: THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION". ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.		
ARCHIMAGE DESIGN & drafting services inc.		
1281 Richmond Road, Burlington, Ontario 905 331 8453, info@archimage.ca, www.archimage.ca		
FOR COMMITTEE OF ADJUSTMENT		
PROJECT:		
KANCKO RESIDENCE		
64 LOVERS LANE ANCASTER, ONTARIO		
SHEET TITLE:		
PROPOSED SITE PLAN 3/32"=1'-0"		
SCALE:	DATE:	
AS NOTED	JUNE, 2021	
DRAWN BY:	SHEET NO.:	
AWG	SP1	
CHECKED BY:		
AWG		
FILE NO.:	01 of 06	
MK-21-06		



BASEMENT FLOOR PLAN

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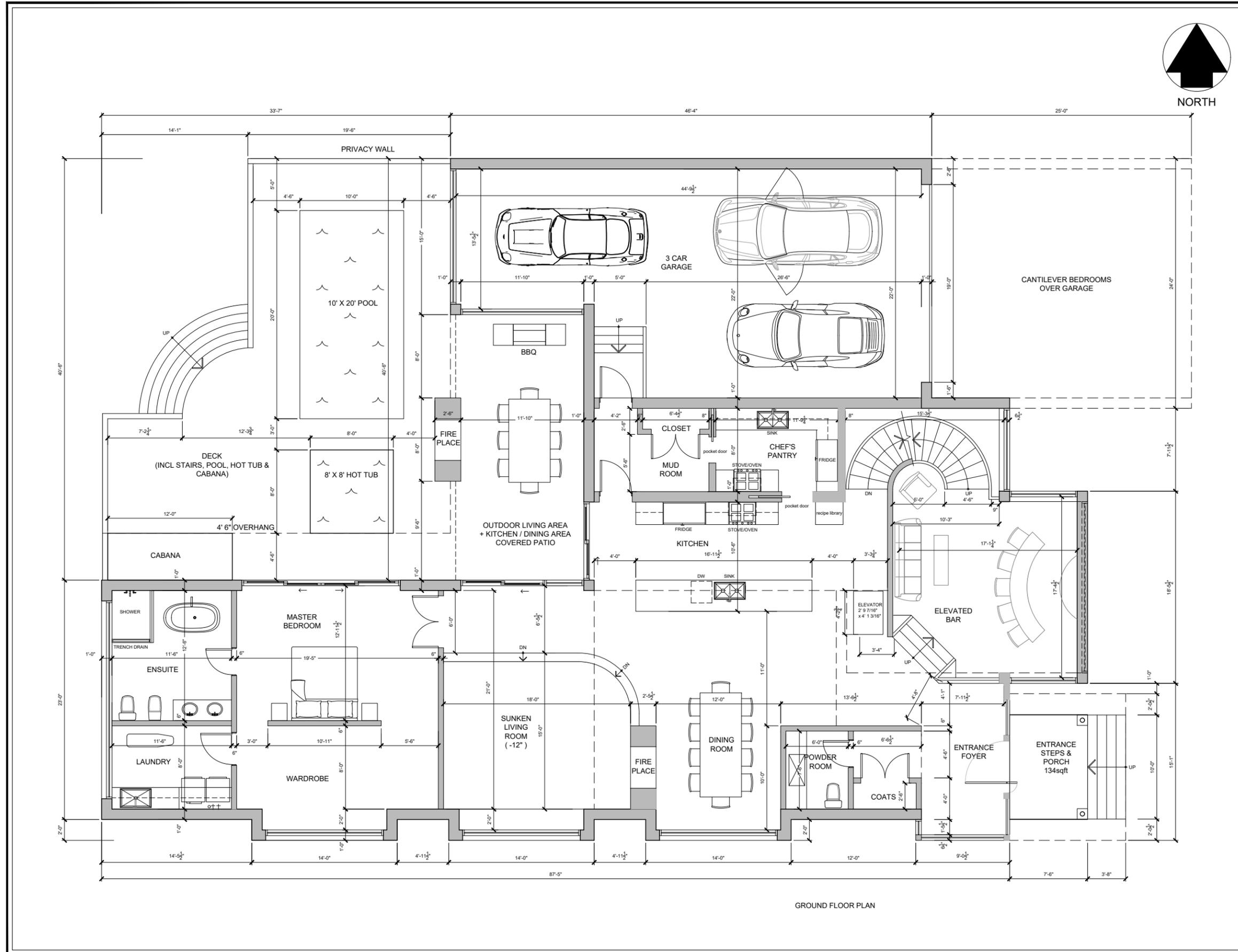
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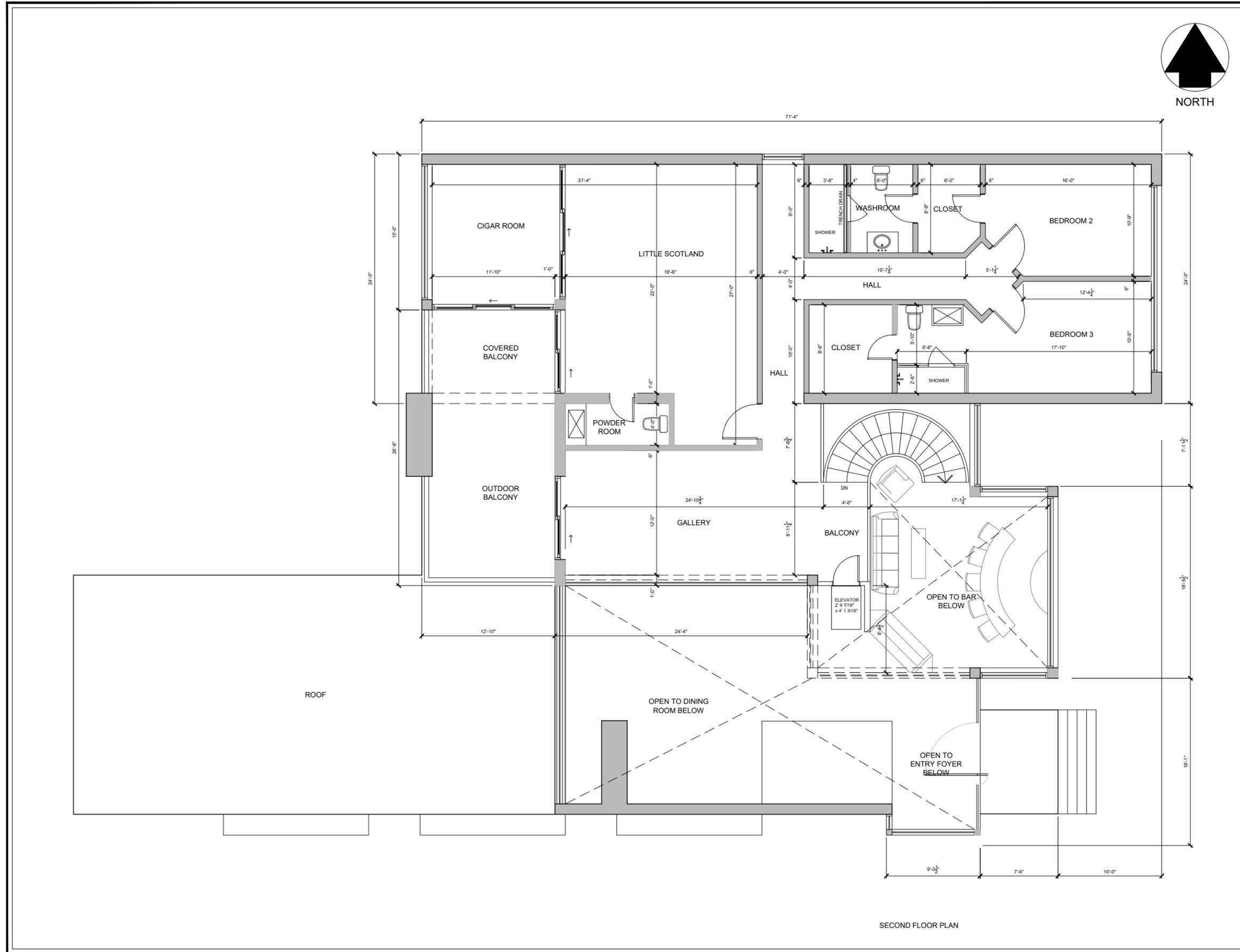
PROJECT:
KANCKO RESIDENCE
64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PROPOSED BASEMENT FLOOR
1/4"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A1.1
FILE NO. MK-21-06	02 of 06



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<p>ARCHIMAGE DESIGN & drafting services inc.</p> <p style="font-size: x-small;">1281 Richmond Road, Burlington, Ontario 905 331 8453, info@archimage.ca, www.archimage.ca</p>		
<p>FOR COMMITTEE OF ADJUSTMENT</p>		
PROJECT:		
<p>KANCKO RESIDENCE</p> <p>64 LOVERS LANE ANCASTER, ONTARIO</p>		
SHEET TITLE:		
<p>PROPOSED GROUND FLOOR 1/4"=1'=0"</p>		
SCALE:	DATE:	
AS NOTED	JUNE, 2021	
DRAWN BY:	SHEET NO.:	
AWG	A1.2	
CHECKED BY:	FILE NO.:	
AWG	MK-21-06	
		03 of 06



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1	ISSUED FOR C of A	MAY 19 - 2022
No.	REVISION	DATE

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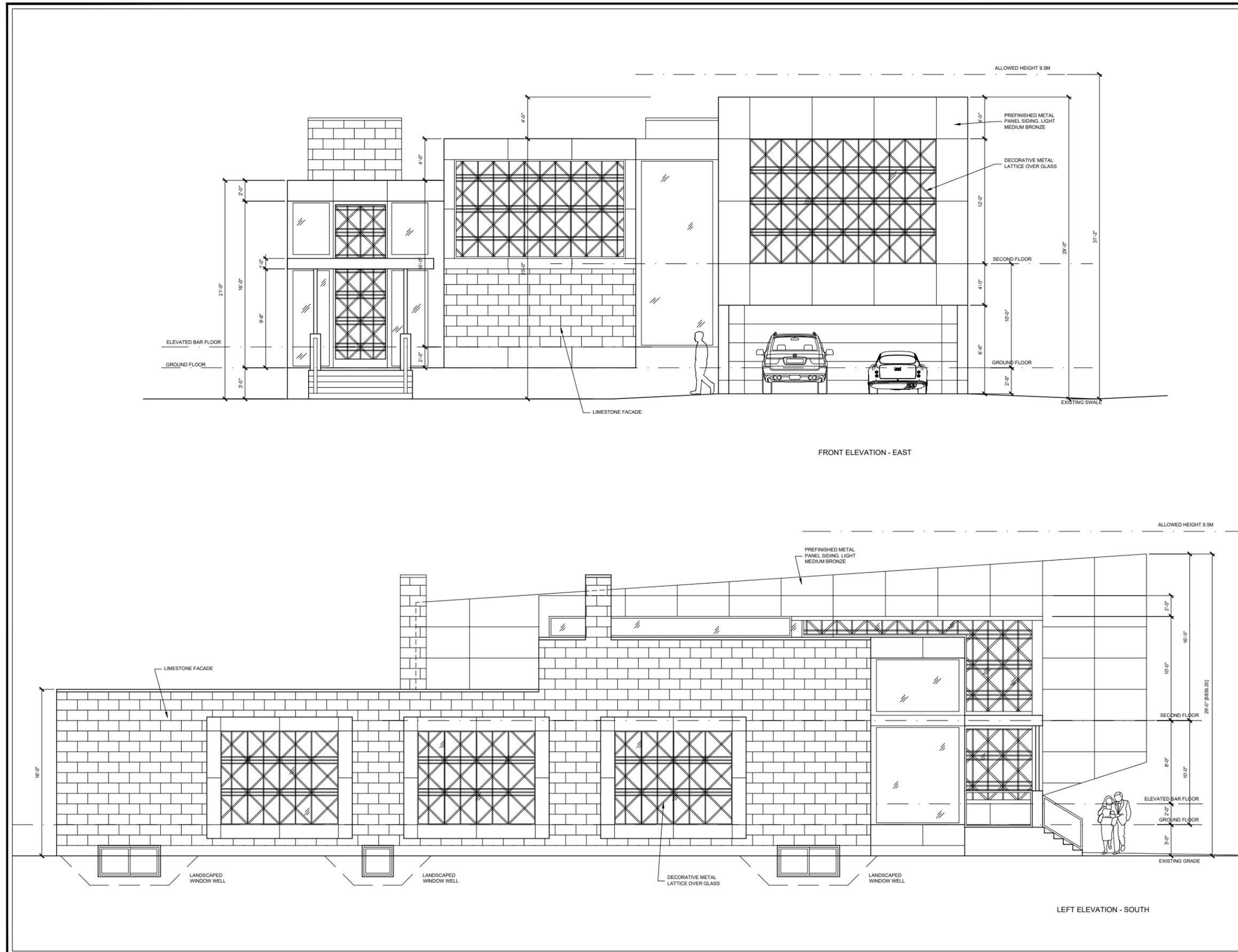
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FOR COMMITTEE OF ADJUSTMENT

PROJECT:
KANCKO RESIDENCE
64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PROPOSED SECOND FLOOR
1/4"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A1.3
FILE NO. MK-21-06	04 of 06



RESERVED

1	ISSUED FOR C of A	MAY 19-2022
No.	REVISION	DATE

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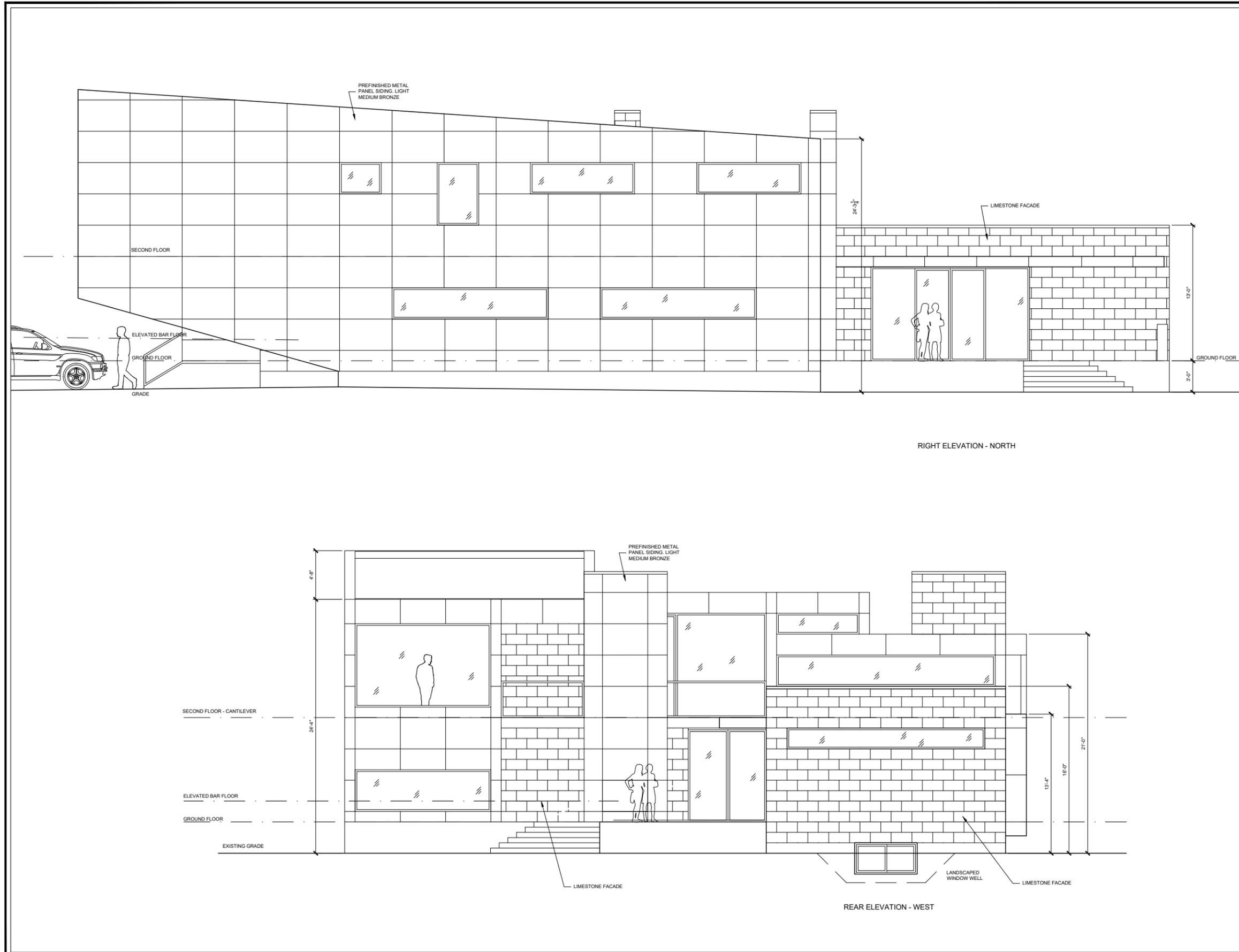
1281 Richmond Road, Burlington, Ontario
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FOR COMMITTEE OF ADJUSTMENT

PROJECT:
KANCKO RESIDENCE
64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PROPOSED SOUTH AND EAST ELEVATIONS
1/4"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A2.1
FILE NO. MK-21-06	05 of 06



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ARCHIMAGE DESIGN
 & drafting services inc.

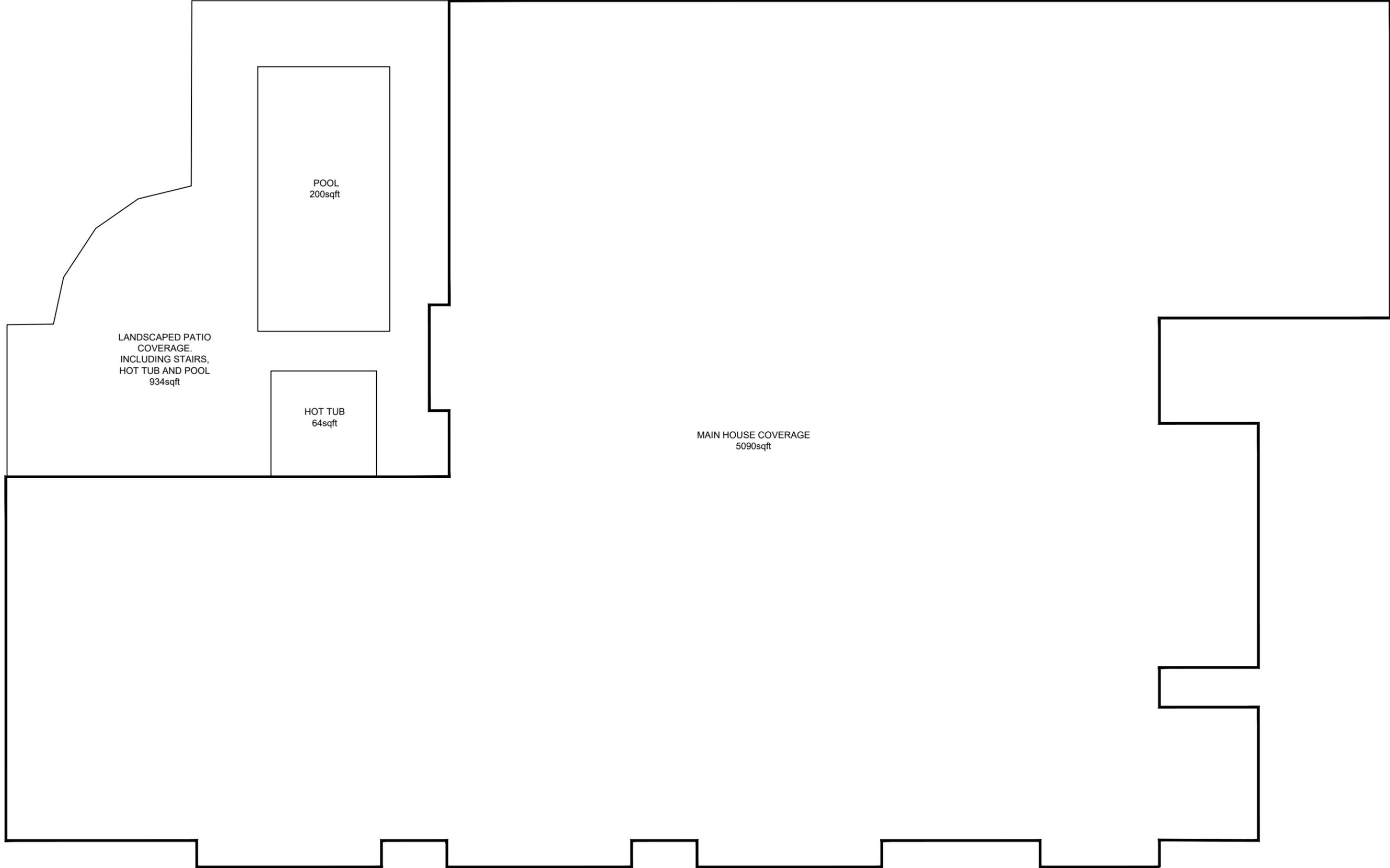
1281 Richmond Road, Burlington, Ontario
 905 331 8453, info@archimage.ca, www.archimage.ca

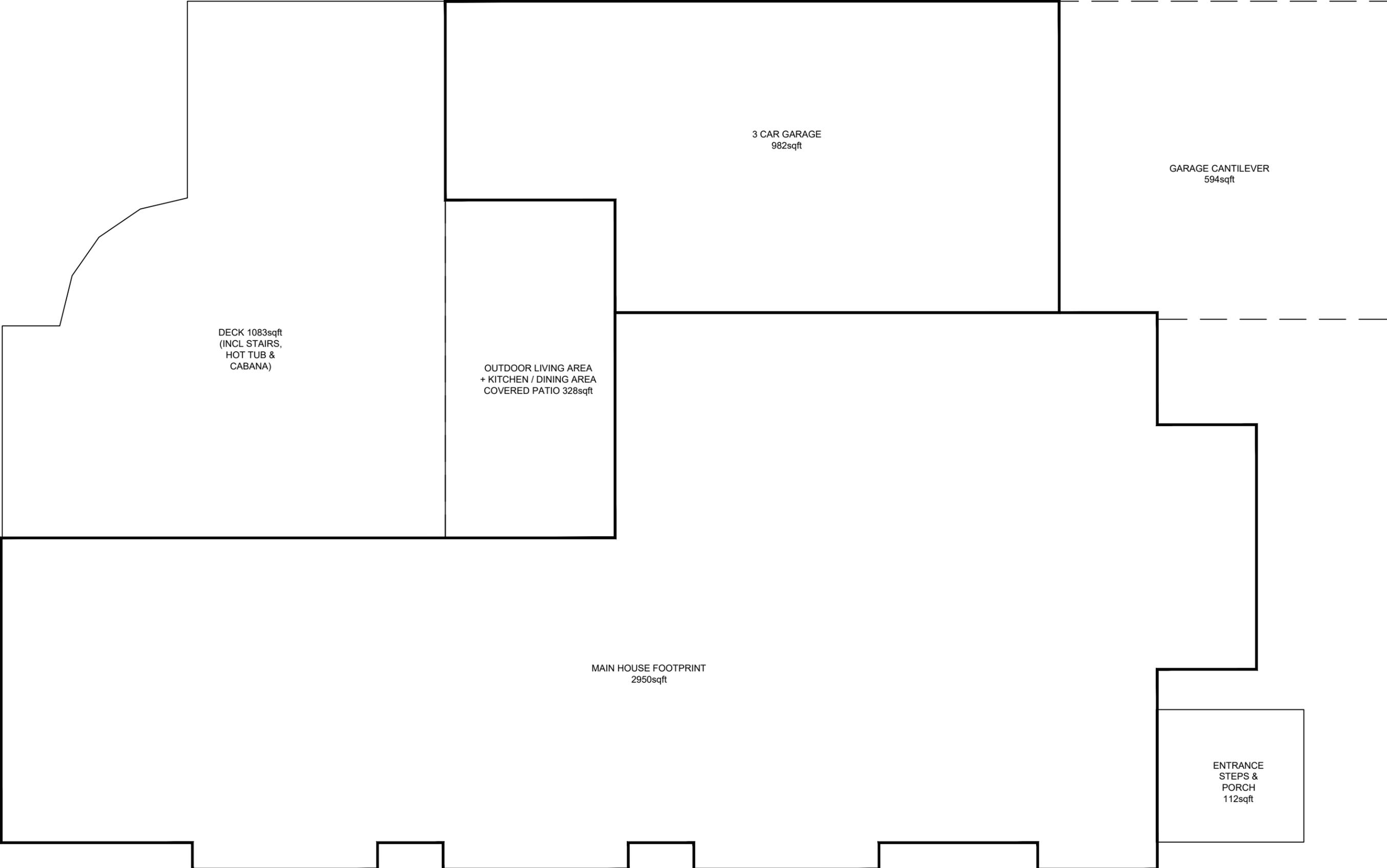
FOR COMMITTEE OF ADJUSTMENT

PROJECT:
KANCKO RESIDENCE
 64 LOVERS LANE
 ANCASTER, ONTARIO

SHEET TITLE:
PROPOSED NORTH AND WEST ELEVATIONS
 1/4"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A2.2
FILE NO. MK-21-06	06 of 06







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		
Registered Owners(s)	Mihajilo Kancko		
	NIK MISKOVIC		
Applicant(s)*	NIK MISKOVIC		
Agent or Solicitor		Phone:	
		E-mail:	

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

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

Mihajilo Kancko
 Sandra Lovicki
 256 Emick Drive
 Ancatser
 L9K 0EL

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:

setback requirements

Second Dwelling Unit Reconstruction of Existing Dwelling

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

To establish a more practical design of the house

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

64 Lovers Lane, Ancatser
Lot 1 Plan 883

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?

Relestate transaction with lawyers.
Title search

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

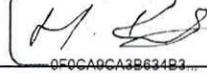
9. ACKNOWLEDGEMENT CLAUSE

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.

5/20/2022

Date

DocuSigned by:



0F0CA0CA3B634B3

Signature Property Owner(s)

Mihajilo Kancko

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

27.4 m 90'

Depth

45.6 m 150'

Area

1252.9 sq m 13,507 sq/ft

Width of street

20 m

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

Existing:

Single family 1 storey 2456 sq/ft
+ 132 sq/ft porch
+ 50 shed

Proposed

5,132 sq/ft . ground floor

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	18.5	60.9 ft	Height 9.5m
Rear yard		15.7	
Side yard		9.0 ft	

Proposed:

Front yard	32.8	Height 9m
Rear yard	12.2	
Side yard	9.0 ft	

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?

Title search completed by lawyers under rela estate transaction. Existing lot since early 1900s

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

_____ Date

_____ Signature Property Owner(s)

_____ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>27.4m</u>
Depth	<u>45.6m</u>
Area	<u>1252 m</u>
Width of street	<u>20m</u>

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

Existing: _____

single family dwelling 1 storey
2456 sq ft
132 sq ft (existing porch + 50 sq/ft exisitng shed

Proposed _____

5132 sq ft total building 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: _____

Front: 60.9 ft
Rear: 15.7 ft
Side Yard: 9.0 ft
Height: 9.5m

Proposed: _____

Front yard: 32.8 ft
Rear yard: 12.2 ft
Side yard: 9.0 ft
Height: 9m



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:181	SUBJECT PROPERTY:	162 FALLING BROOK DRIVE, ANCASTER
ZONE:	“ER” (Existing Residential)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended

APPLICANTS: Agent J. Veloce
Owners J. Reis & C. Cardadeiro

The following variances are requested:

1. A maximum height of 10.5m shall be permitted for a two storey dwelling instead of the maximum 9.5m height permitted.

PURPOSE & EFFECT: To permit the construction of a new single detached dwelling

Notes:

This variance is required in order to facilitate Site Plan application DAER-22-088.

The applicant shall ensure that the required rear yard setback has been calculated based on the lot depth measurement interpretation provided by this Division and is complied with; otherwise, further variances may be required.

The applicant shall ensure that the required 1.0m unobstructed area which shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod, shall be provided and maintained in the rear yard; otherwise, further variances shall be required.

Insufficient details were provided regarding parking located within the private garage from which to determine compliance. The applicant shall ensure that parking is in compliance with the minimum required sizes as well as provides adequate accessibility; otherwise, further variances shall be required. Please note that tandem parking is only permitted to one parking space under the Ancaster Zoning By-law 87-57.

AN/A-22:181

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

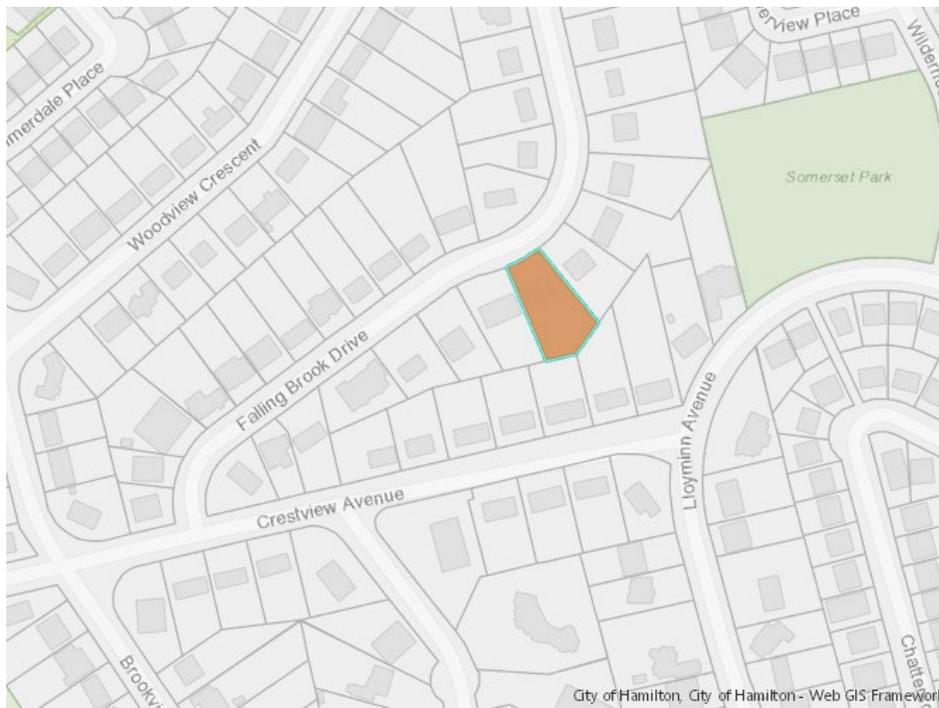
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

AN/A-22:181



 **Subject Lands**

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

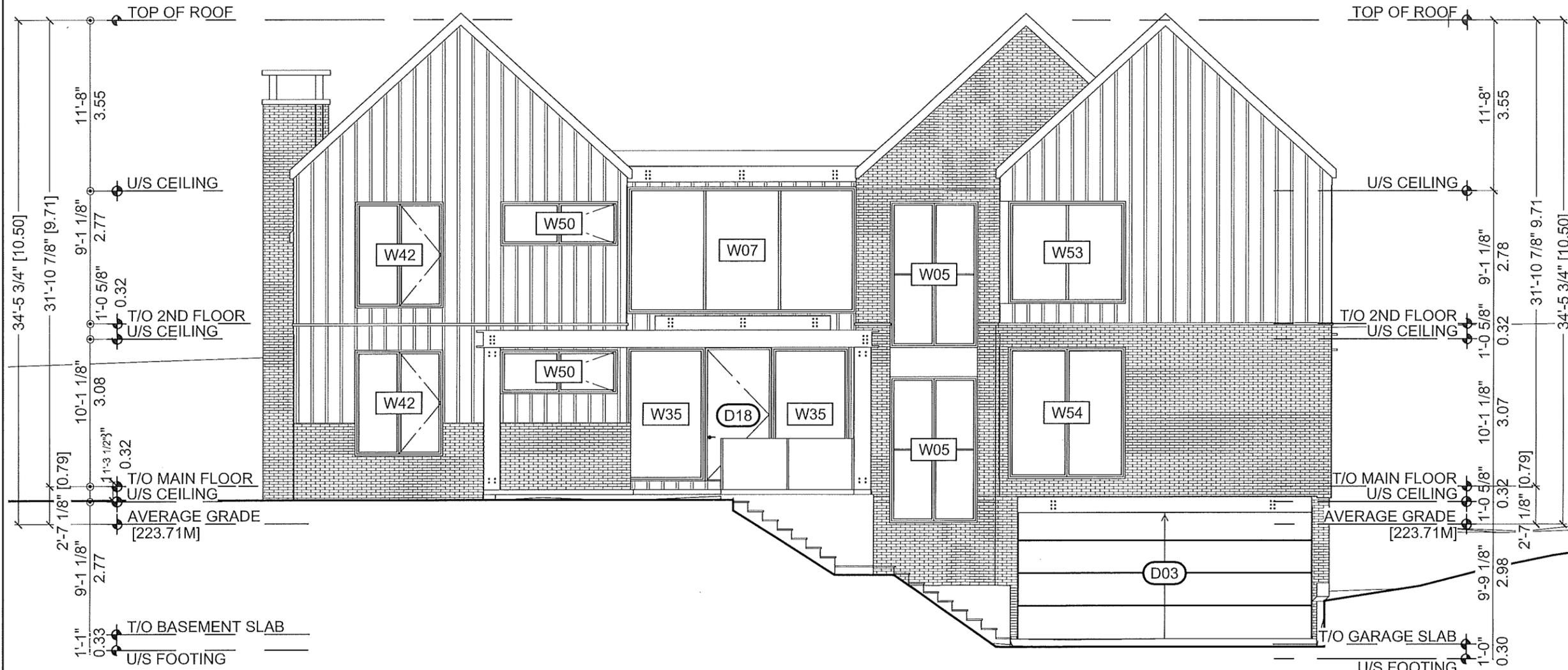
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



WINDOW SCHEDULE					
NUMBER	QTY	R/O	WIDTH	HEIGHT	DESCRIPTION
W01	1	131 13/16" X 109"	130 13/16"	108"	FIXED GLASS
W02	1	127" X 61"	126"	60"	DOUBLE CASEMENT
W03	1	127" X 109"	126"	108"	DOUBLE CASEMENT
W04	1	165" X 49"	164"	48"	TRIPLE CASEMENT-CHL
W05	2	73" X 121"	72"	120"	DOUBLE CASEMENT
W07	1	189" X 105"	188"	104"	FIXED GLASS
W09	1	25" X 37"	24"	36"	SINGLE CASEMENT-HR
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W32	1	49" X 85"	48"	84"	SINGLE CASEMENT-HL
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W43	1	73" X 85"	72"	84"	DOUBLE CASEMENT
W45	1	73" X 109"	72"	108"	DOUBLE CASEMENT-LHL/RHL
W46	1	75 5/16" X 37"	74 5/16"	36"	SINGLE CASEMENT-HL
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W53	1	97" X 85"	96"	84"	FIXED GLASS
W54	1	97" X 109"	96"	108"	DOUBLE CASEMENT

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	R/O	DESCRIPTION
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D02	1	166"	108"	170 1/2" X 111"	EXT. QUAD SLIDER-GLASS PANEL
D03	1	240"	108"	242 1/2" X 111"	GARAGE-1P - CLOSED
D04	1	28"	80"	28" X 80"	SHOWER-GLASS SLAB
D05	1	30"	80"	32 1/2" X 82 1/2"	HINGED-SC03 GLASS DOOR
D06	1	72"	96"	74 1/2" X 98 1/2"	SLIDER-SLAB
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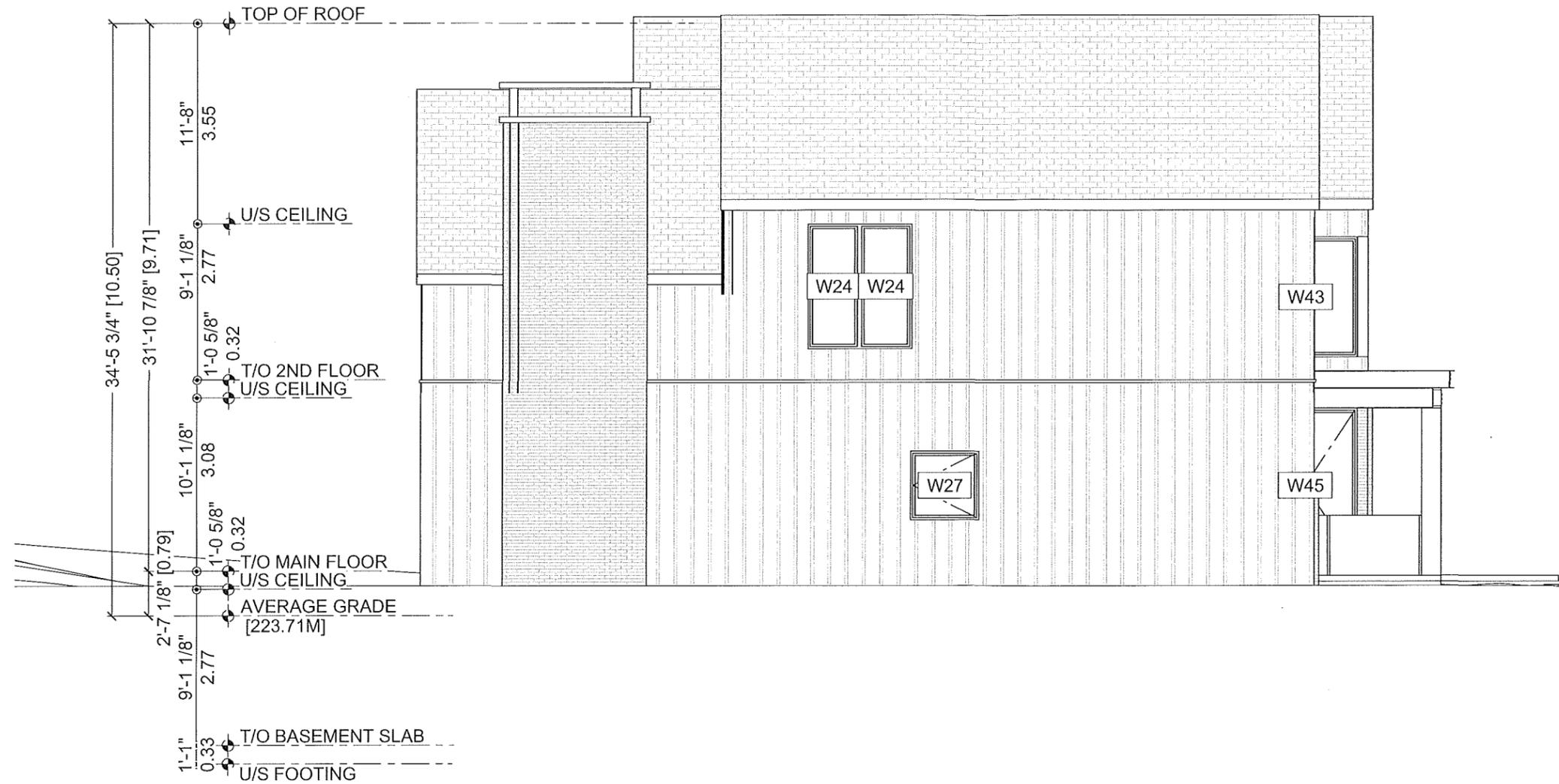
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W07	1	189" X 105"	188"	104"	FIXED GLASS
W09	1	25" X 37"	24"	35"	SINGLE CASEMENT-HR
W21	1	37" X 85"	35"	84"	SINGLE CASEMENT-HL
W24	2	37" X 88"	35"	87"	FIXED GLASS
W27	1	49" X 49"	48"	48"	SINGLE CASEMENT-HL
W29	2	49" X 61"	48"	60"	FIXED GLASS
W30	1	49" X 61"	48"	60"	SINGLE CASEMENT-HL
W32	1	49" X 85"	48"	84"	SINGLE CASEMENT-HL
W33	3	49" X 109"	48"	108"	SINGLE CASEMENT-HL
W35	2	65" X 111"	64"	110"	FIXED GLASS
W38	1	73" X 37"	72"	35"	TRIPLE CASEMENT-LHL
W39	1	73" X 61"	72"	60"	SINGLE CASEMENT-HL
W42	2	73" X 88"	72"	87"	DOUBLE CASEMENT-RHR
W43	1	73" X 85"	72"	84"	DOUBLE CASEMENT
W45	1	73" X 109"	72"	108"	DOUBLE CASEMENT-LHURHL
W46	1	75 5/16" X 37"	74 5/16"	35"	SINGLE CASEMENT-HL
W47	1	88" X 61"	87"	60"	FIXED GLASS
W48	1	88" X 109"	87"	108"	FIXED GLASS
W50	2	97" X 37"	96"	35"	DOUBLE CASEMENT-RHL
W51	1	97" X 85"	96"	84"	DOUBLE CASEMENT
W52	1	97" X 85"	96"	84"	DOUBLE CASEMENT-LHL
W53	1	97" X 85"	96"	84"	FIXED GLASS
W54	1	97" X 109"	96"	108"	DOUBLE CASEMENT

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	R/O	DESCRIPTION
D01	1	164"	108"	166 1/2" X 111"	EXT. 3+0-PANEL SLIDER-GLASS PANEL
D02	1	168"	108"	170 1/2" X 111"	EXT. QUAD SLIDER-GLASS PANEL
D03	1	240"	108"	242 1/2" X 111"	GARAGE-LP - CLOSED
D04	1	28"	80"	28" X 80"	SHOWER-GLASS SLAB
D05	1	30"	80"	32 1/2" X 82 1/2"	HINGED-303 GLASS DOOR
D06	1	72"	96"	74 1/2" X 98 1/2"	SLIDER-SLAB
D07	1	30"	108"	32 1/2" X 110 1/2"	HINGED-DOOR P04
D08	3	30"	80"	30" X 80"	SHOWER-GLASS SLAB
D09	11	30"	96"	32 1/2" X 98 1/2"	HINGED-DOOR P04
D10	1	30"	80"	32 1/2" X 82 1/2"	HINGED-DOOR P04
D13	1	32"	98"	34 1/2" X 98 1/2"	HINGED-DOOR P04
D14	1	36"	96"	74 1/2" X 98 1/2"	POCKET-DOOR P04
D15	2	36"	96"	38 1/2" X 98 1/2"	HINGED-DOOR P04
D16	1	36"	96"	38 1/2" X 99"	EXT. HINGED-SLAB
D17	1	48"	96"	50 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04
D18	1	50 5/8"	108"	54 5/8" X 112"	EXT. HINGED-SLAB
D20	1	72"	96"	74 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04



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)	Jason Reis Christina Cardadeiro	
Applicant(s)*	Jason Reis Christina Cardadeiro	
Agent or Solicitor	Joseph Veloce	

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

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

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

4. Nature and extent of relief applied for:

Proposed Height 10.5m

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Due to the existing slope, the garage is located at the basement level. The calculation of avg grade is skewed based on the lower of the garage, resulting in a higher overall "Total Height". The driveway cannot be raised due to eng. guidelines for the driveway slope.

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):

162 Fallingbrook Drive, Ancaster
L1 51, Pl 1076; Ancaster (Amended 08/04/00 by LR2) City of Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes No Unknown
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
Yes No Unknown
- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?
Yes No Unknown

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

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

Owner 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.

May 16, 2022
Date

Christina Cardadeiro
Signature Property Owner(s)

Jason Reis and Christina Cardadeiro
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>75.25'</u>
Depth	<u>206.08'</u>
Area	<u>.5ac</u>
Width of street	<u>~25'</u>

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

Existing:
 Approximately 1500sqft one storey dwelling with attached single car garage

Proposed:
 Approximately 4478sqft two storey dwelling with attached two car garage

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

Existing:
 Front: 16.89m
 Side: 3.52/8.93m

Proposed:
 Front: 16.32m
 Rear: 25.96
 Side: 2.54/3.48m

13. Date of acquisition of subject lands:
June 15, 2021
-
14. Date of construction of all buildings and structures on subject lands:
1980s
-
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 | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers | <u>No</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
B7-57 ER Zone
-
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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	GL/A-22:187	SUBJECT PROPERTY:	102 SPALDING DRIVE, GLANBROOK
ZONE:	“ER” (Existing Residential)	ZONING BY-LAW:	Zoning By-law 464, as Amended

APPLICANTS: **Owner R. & S. Craig**

The following variances are requested:

1. A minimum of 2.0 m rear yard setback shall be provided for the proposed accessory building in excess of 12 m² in gross floor area instead of the minimum required 10.7 m rear yard setback; and
2. A maximum gross floor area of 81.0 sq.m. shall be provided instead of the maximum permitted gross floor area for all accessory buildings on the lot of 40 sq.m. provided that the coverage of all buildings on the lot does not exceed the maximum lot coverage permitted in the relevant zone; and
3. A maximum height of 8.0 m shall be provided instead of the maximum permitted height of 4.5 m.

PURPOSE & EFFECT: To permit the construction of an 81.0 sq.m. 1 storey accessory building to be located in the rear of the existing single detached dwelling.

Notes:

- i. Variances have been written as requested by the applicant

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

GL/A-22:187

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

DATE:	Thursday, July 14, 2022
TIME:	1:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

GL/A-22:187



 **Subject Lands**

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

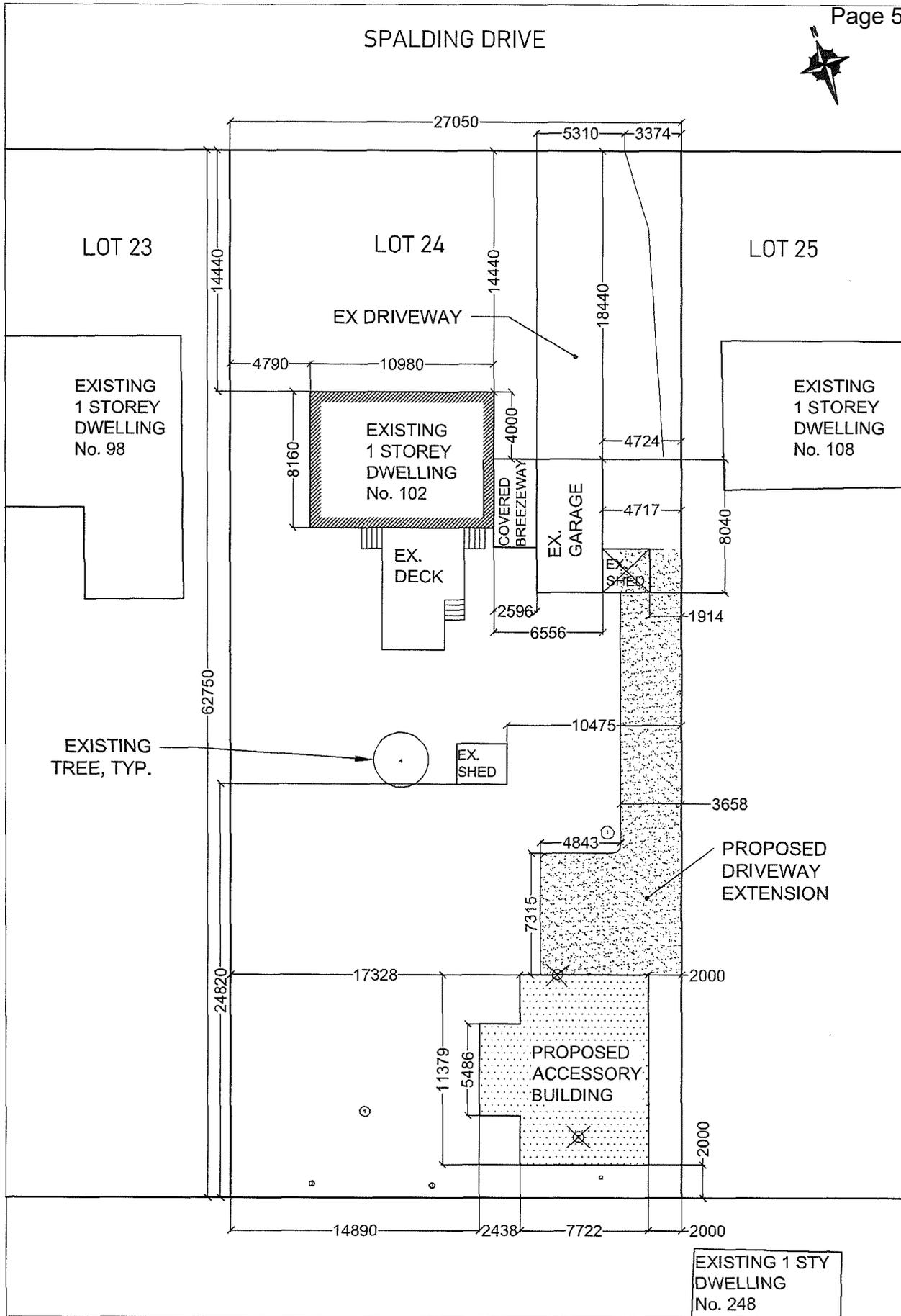
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SPALDING DRIVE



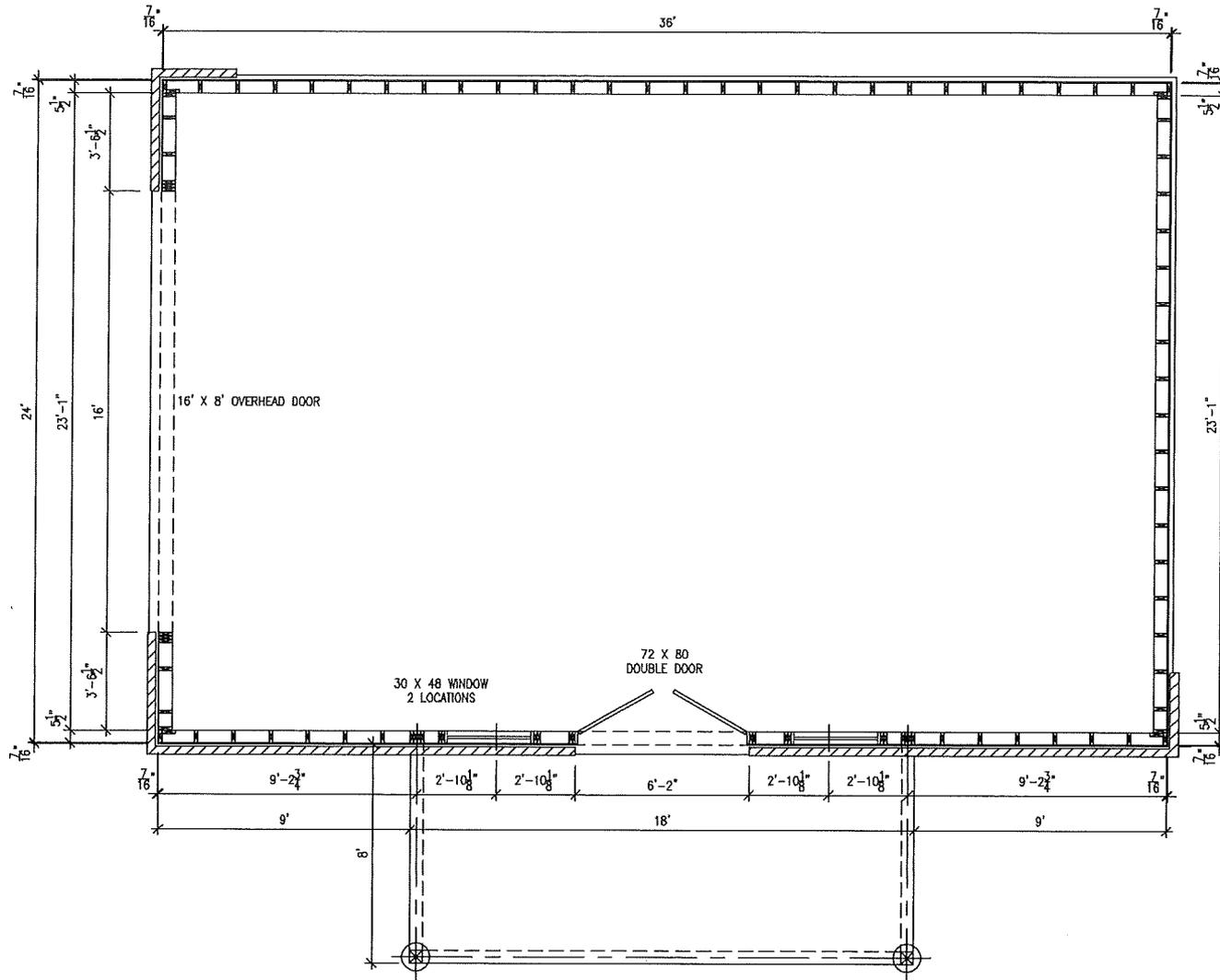
SITE PLAN
SCALE 1:500
SKETCH OF SURVEY
OF LOT 24,
ALDERCREST SURVEY,
REG'D PLAN 940,
TOWNSHIP OF GLANFORD

LOT No.	PLAN No.	LOT AREA	LOT FRONTAGE	LOT DEPTH
24	940	1697.39m ²	27.05m	62.75m

102 SPALDING DRIVE - PROPOSED ACCESSORY BUILDING

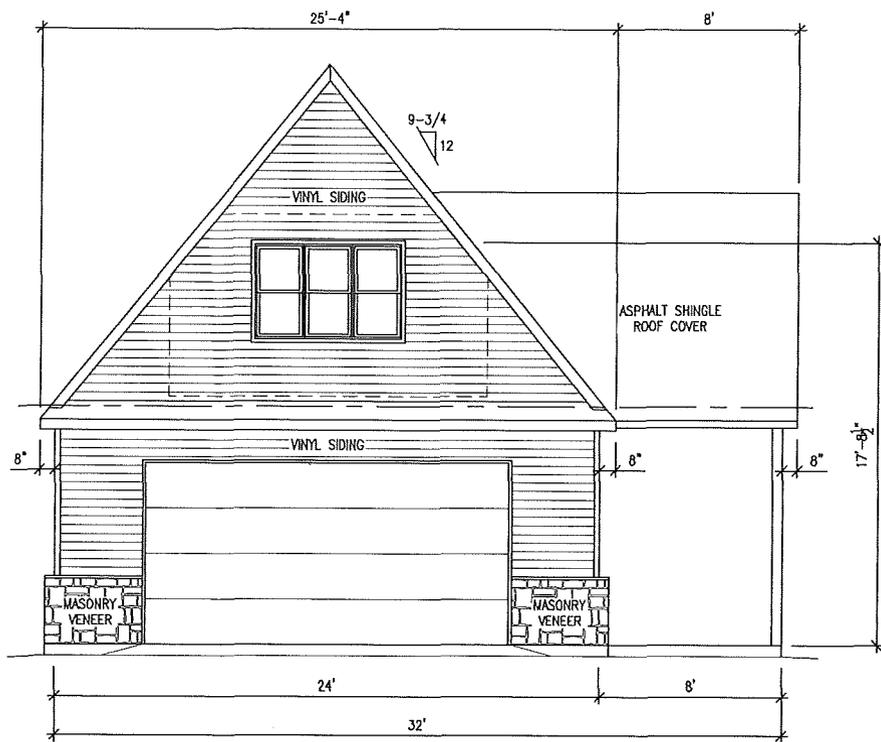
SITE PLAN		Notes: 1. All units in millimeter U.M.O.	DWG No. RC.01
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APR. 25, 2022 | APPL. FOR MINOR VARIANCE

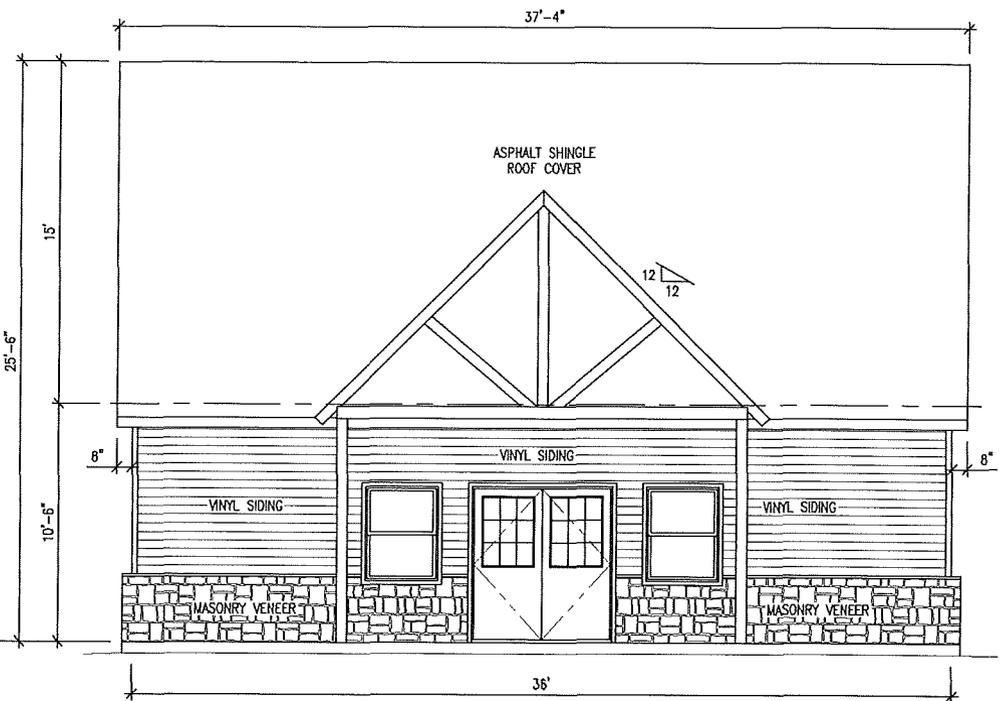


CONSTRUCTION

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
GROUND FLOOR WALL FRAMING PLAN
DATE 1 2020
2.0

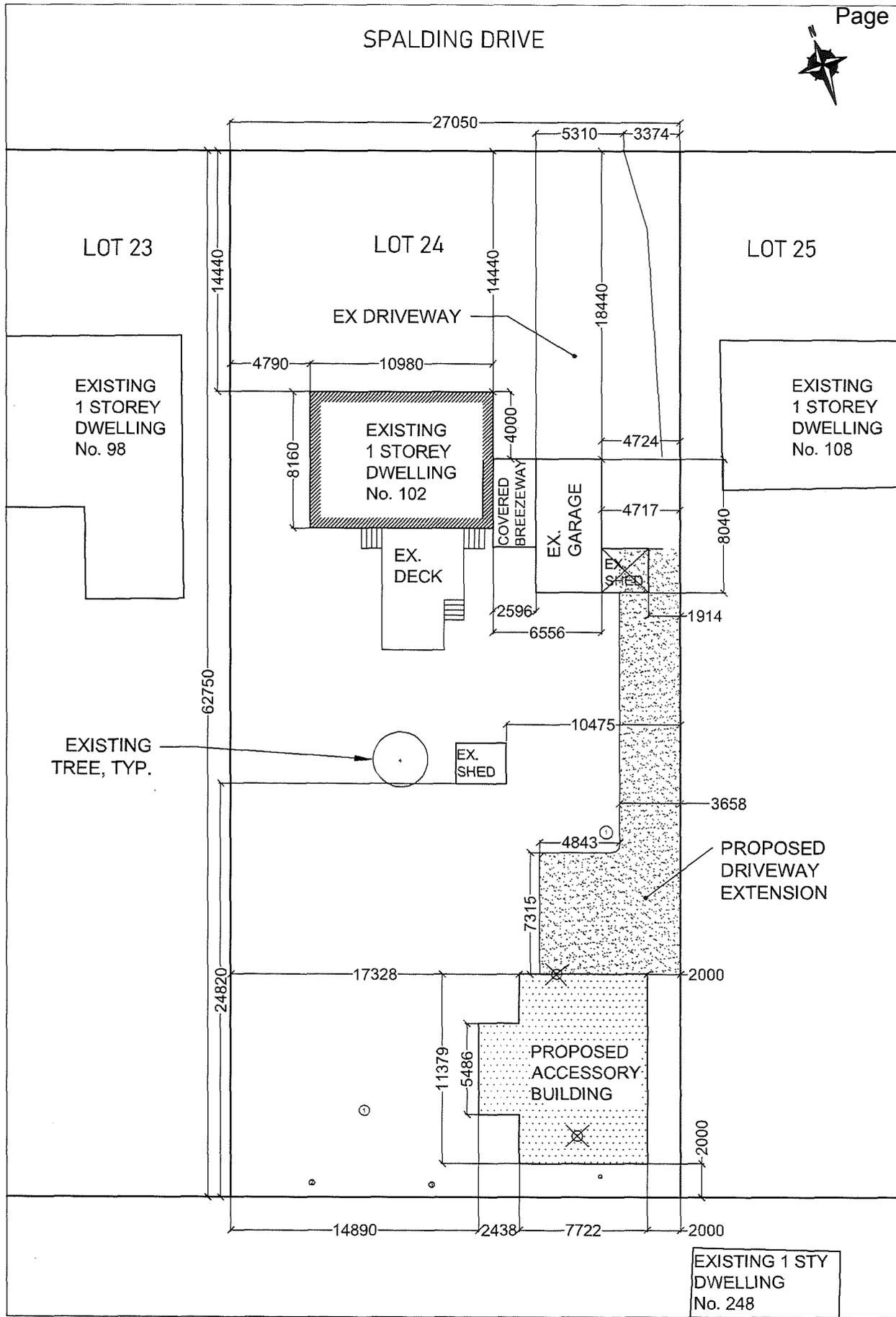


1 FRONT ELEVATION
SCALE: 3/16"=1'
4.0



2 RIGHT SIDE ELEVATION
SCALE: 3/16"=1'
4.0

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
ELEVATIONS
DATE 1 2020
4.0

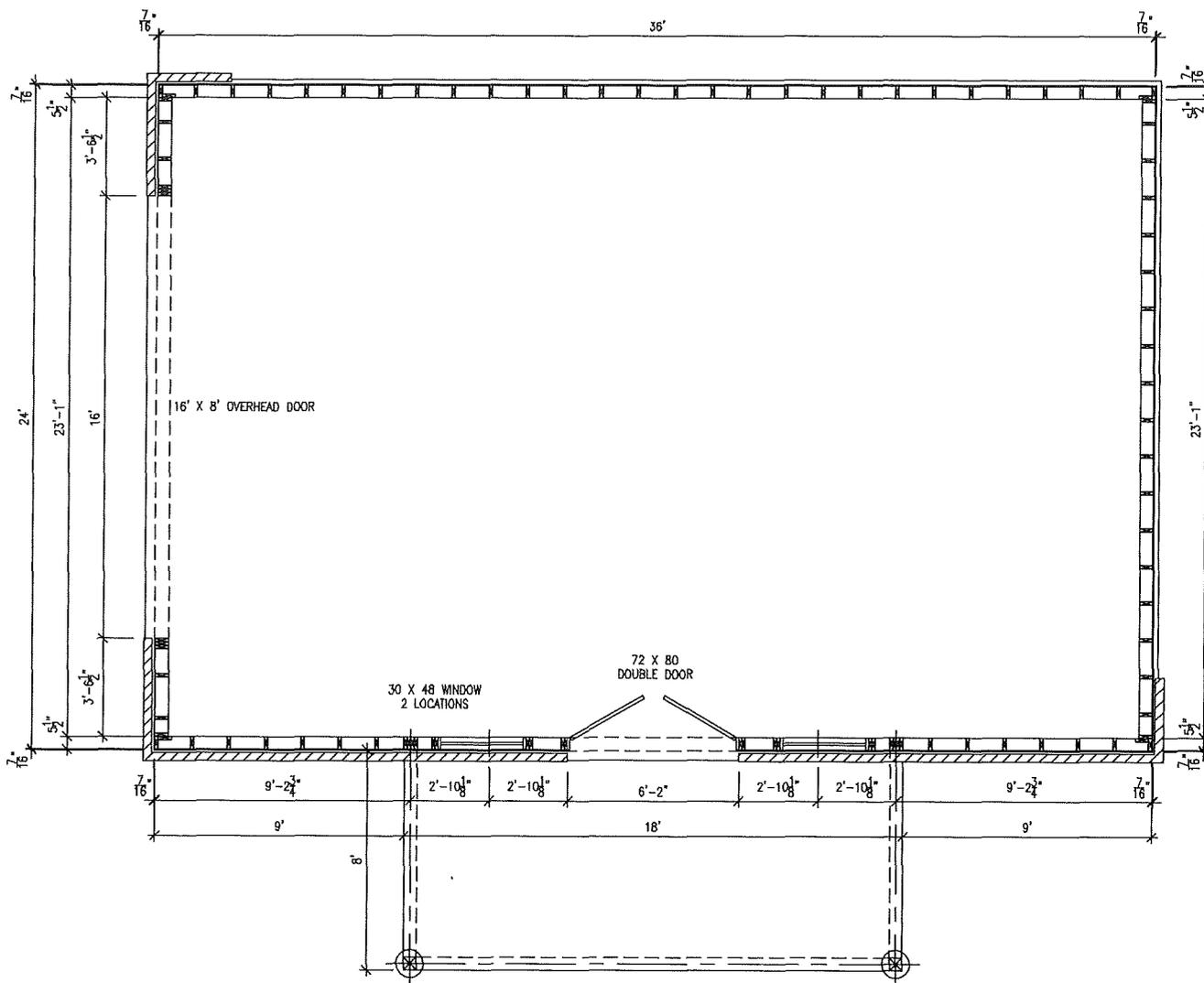


SITE PLAN
SCALE 1:500
SKETCH OF SURVEY
OF LOT 24,
ALDERCREST SURVEY,
REG'D PLAN 940,
TOWNSHIP OF GLANFORD

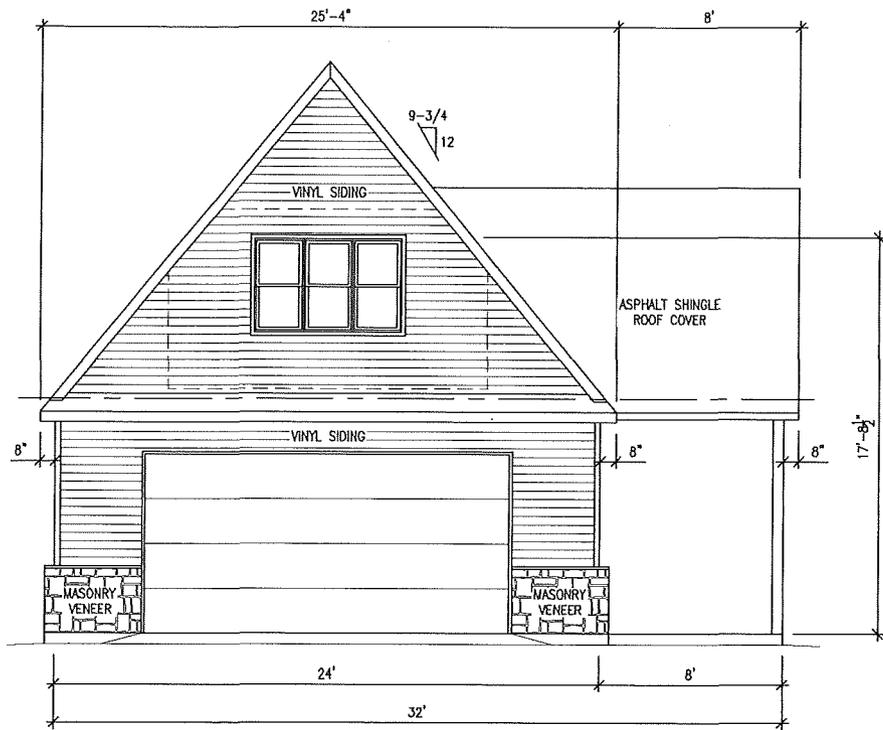
LOT No.	PLAN No.	LOT AREA	LOT FRONTAGE	LOT DEPTH
24	940	1697.39m ²	27.05m	62.75m

102 SPALDING DRIVE - PROPOSED ACCESSORY BUILDING

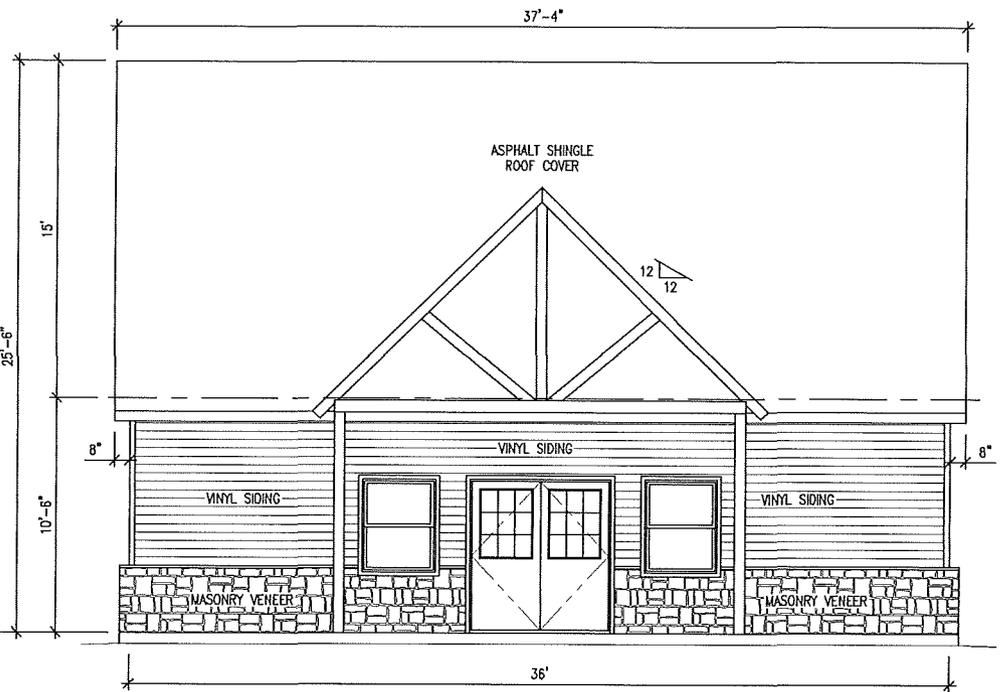
SITE PLAN	Notes:	DWG No.
	1. All units in millimetre U.N.C.	RC.01



ROBERT CRAIG
 24' x 36' ACCESSORY BUILDING
 GROUND FLOOR WALL FRAMING PLAN
 DATE 1 2020
 2.0

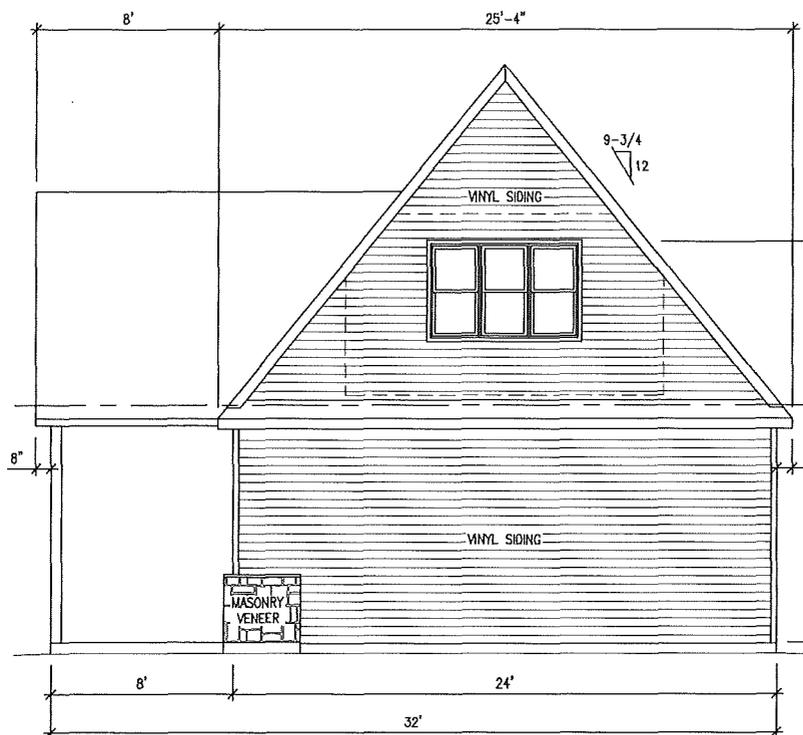


1 FRONT ELEVATION
SCALE: 3/16"=1'
4.0

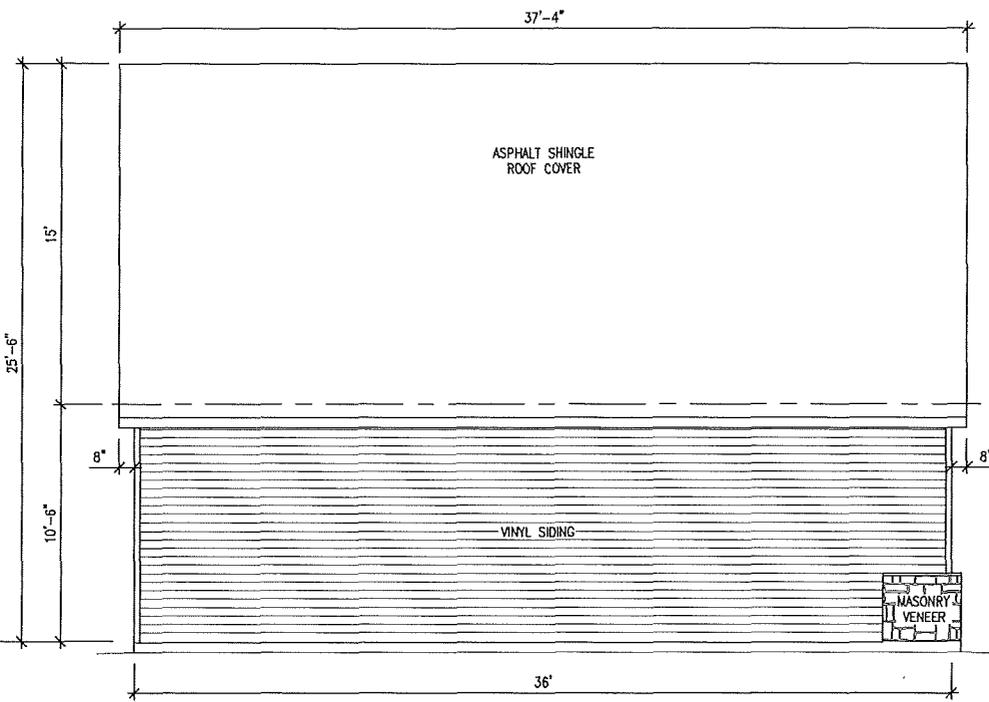


2 RIGHT SIDE ELEVATION
SCALE: 3/16"=1'
4.0

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
ELEVATIONS
DATE 1 2020
4.0



1 REAR ELEVATION
4.1 SCALE: 3/16"=1"



2 LEFT SIDE ELEVATION
4.1 SCALE: 3/16"=1"

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
ELEVATIONS
DATE 1 2020
4.1



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Robert D Craig Stefanie Craig	[REDACTED]
Applicant(s)*	Robert D Craig Stefanie Craig	
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:

James Robert Craig 1620 Upper Wentworth, Suite 2524 Hamilton, ON L9B 2W3

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:

I am seeking relief from section 7.13 (b)(iv) maximum gross floor area of 40 square meters (430 square feet) to 80 square meters (864 square feet) and 7.13 (b)(v) maximum height for accessory bulidings 4.5 meters (15 feet) to 7.92 meters (26 feet).

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The current provisions set out in the By-law do not meet my storage requirments.

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**):

102 Spalding Drive, Hamilton, ON, L9B 1H5

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?

My Grandfather was the original owner. He purchased the property in the 50's, removed all of the trees, graded the land and built the house that currently exist today.

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.

05/01/2022
Date



Signature Property Owner(s)

Robert D Craig/ Stefanie Craig
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>27.05m</u>
Depth	<u>62.75m</u>
Area	<u>1697.79 m²</u>
Width of street	<u>6.8m edge of asphalt to edge of asphalt</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:

House- Single family bungalow with aluminum siding exterior. 8.1m W, 11.15m L, 5.25m H (90.32m²)
 Breezeway- This joins the existing garage to the house.- 2.37m W, 5.25m L, 3.45m H (12.44m²)
 Garage- Attached single car garage with vinyl siding- 4m W, 7.92m L, 3.45m H

Proposed

Garage- Double car with storage loft. Stone skirt with board and batten vinyl siding exterior. 7.3m W, 11m L, 7.9m H. (80.3m² main floor garage) (47.3m² storage loft) (13.2m² side pavilion)

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- Single family bungalow with aluminum siding exterior. 14.4m Front N, 4.8m Side W, 11.3m Side E, 40.1m Rear S
 Breezeway- This joins the existing garage to the house.- 18.4m Front N, 15.8m Side W, 8.7m Side E, 39m Rear S
 Garage- Attached single car with vinyl siding.- 18.4m Front N, 18.4m Side W, 4.7m

Proposed:

Garage- Double car with storage loft. 49.4m Front N, 17.3m Side W, 2m Side E, 2m Rear S.

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- Single family bungalow with aluminum siding exterior. 8.1m W, 11.15m L, 5.25m H (90.32m²)

Breezeway- This joins the existing garage to the house. - 2.37m W, 5.25m L, 3.45m H (12.44m²)

Garage- Attached single car garage with vinyl siding- 4m W, 7.92m L, 3.45m H (31.68m²)

Deck- Pressure treated deck assembled on deck blocks- 4.96m W, 7.32m L (36.31m²)

Plastic Shed- 2.42m W, 3.05m L, 2.4m H (7.38m²)

Wooden Shed- 2.66m W, 2.81m L, 2.95m H (7.47m²)

Proposed:

Garage- Double car with storage loft. Stone skirt with board and batten vinyl siding exterior. 7.3m W, 11m L, 7.9m H. (80.3m² main floor garage) (47.3m² storage loft) (13.2m² side pavilion)

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- Single family bungalow with aluminum siding exterior. 14.4m Front N, 4.8m Side W, 11.3m Side E, 40.1m Rear S

Breezeway- This joins the existing garage to the house. - 18.4m Front N, 15.8m Side W, 8.7m Side E, 39m Rear S

Garage- Attached single car with vinyl siding. - 18.4m Front N, 18.4m Side W, 4.7m Side E, 36.3m Rear S

Deck- Pressure treated deck constructed on deck blocks. - 22.6m Front N, 9.1m Side W, 13m Side E, 32.8m Rear S

Plastic Shed- 35.5m Front N, 13.5m Side W, 10.5m Side E, 24.8m Rear S

Wooden Shed- 23.8m Front N, 22.3m Side W, 1.9m Side E, 36.3m Rear S

Proposed:

Garage- Double car with storage loft. 49.4m Front N, 17.3m Side W, 2m Side E, 2m Rear S.

13. Date of acquisition of subject lands:
March 31, 2014
14. Date of construction of all buildings and structures on subject lands:
House-1955, Plastic Shed-2010, Deck- 2015, Wooden Shed- 2019
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:
67 years
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected No
Storm Sewers No
19. Present Official Plan/Secondary Plan provisions applying to the land:
The lands are designated as "Neighbourhoods" where section E.2.6.7 of the Urban
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property? (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

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-22:195	SUBJECT PROPERTY:	59 NORMA CRESCENT, ANCASTER
ZONE:	"R3-333" (Residential 3 Zone)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended 89-32

APPLICANTS: Owners R. & C. Sutton

The following variances are requested:

1. A rear yard setback of 5.4 m shall be provided instead of the minimum required 7.5 m rear yard Setback.

PURPOSE & EFFECT: So as to permit the construction of an addition (covered porch) in the rear yard.

Notes:

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

AN/A-22:195

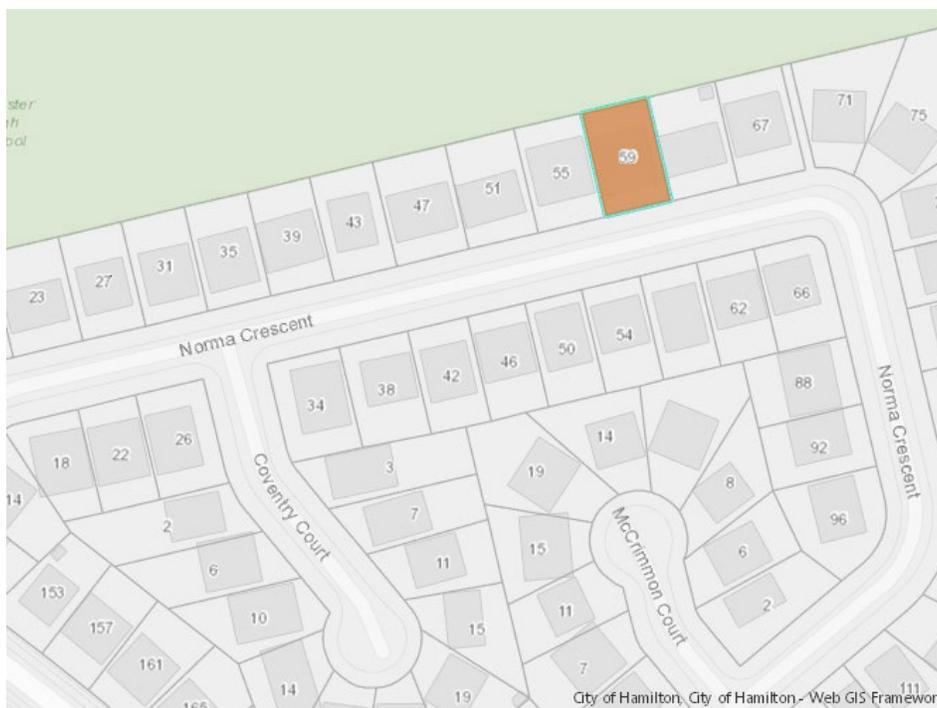
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

AN/A-22:195

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

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)	Robert Sutton, Cayley Sutton		
Applicant(s)*	Robert Sutton		
Agent or Solicitor			Phone:
			E-mail:

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

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

Scotia Mortgage Corporation 4011 New Street Burlington, ON, L7L1S8
--

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:

Covered Patio does not conform to rear yard zoning. A review was completed prior to this application. Folder # 21- 139593-00 ALR

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

The back yard is not large enough

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**):

59 Norma Crescent, Ancaster, ON

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?

Real estate Purchase

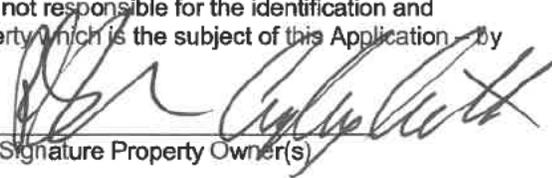
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

MAY 17/22
Date


Signature Property Owner(s)

Robert Sutton, Cayley Sutton
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>21.25 m</u>
Depth	<u>33 m</u>
Area	<u>701.25 m²</u>
Width of street	<u>unknown</u>

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

Existing:

Ground Floor area (Including Garage) - 192.86 m²
Gross floor area (Including garage) - 326.41
2 Storey

Proposed

Gross Floor Area - 28.43 m²
1 Story covered patio

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

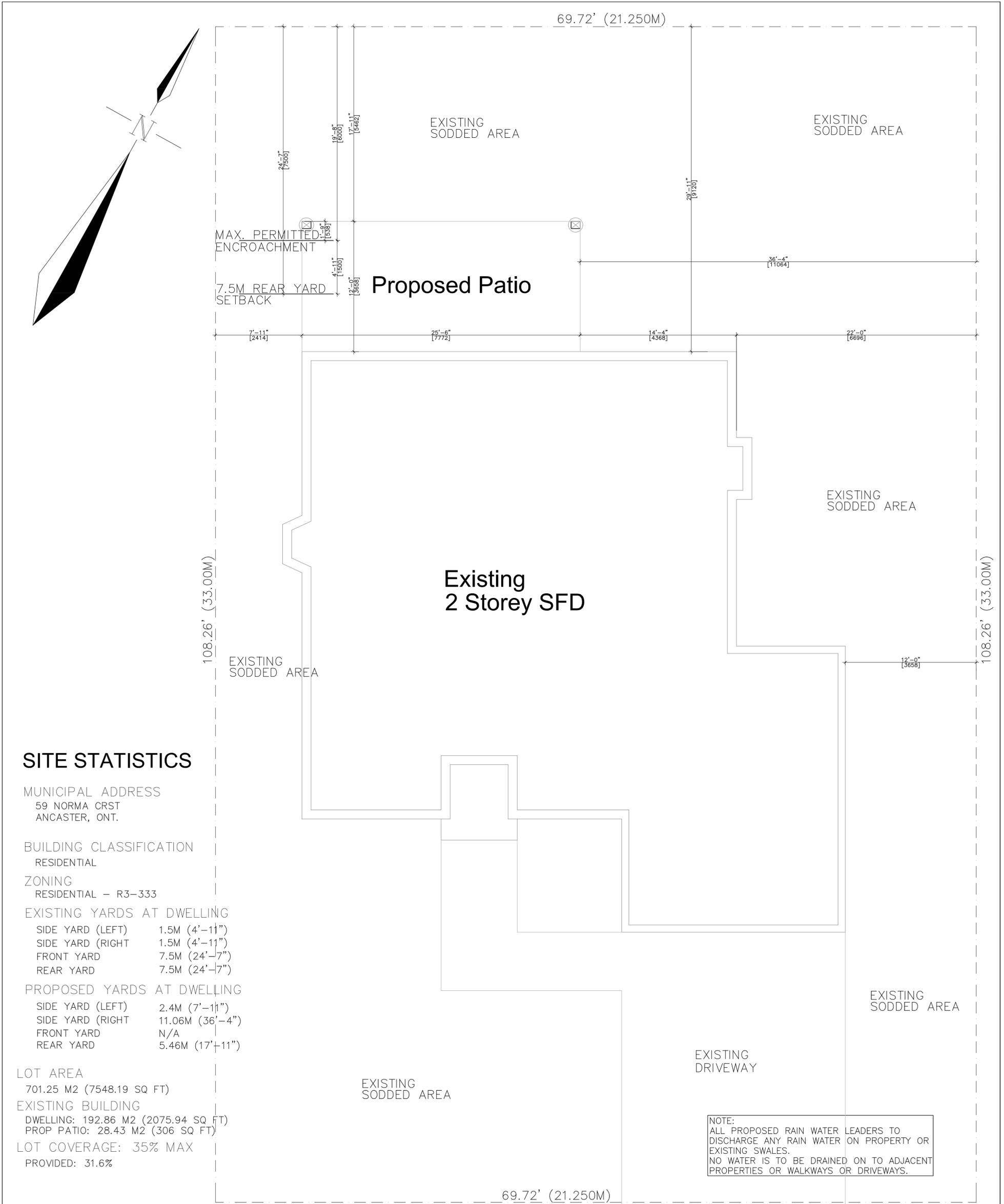
Existing:

Side yard (left) 1.5 m
Side yard (right) 3.67 m
Front yard 7.54 m
Rear Yard 9.12 m

Proposed:

Side yard (left) 2.4 m
Side yard (right) 11.06 m
Rear Yard 5.46 m

13. Date of acquisition of subject lands:
April 30, 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
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family, school
17. Length of time the existing uses of the subject property have continued:
since house was built
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected YES
Sanitary Sewer YES Connected YES
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
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)
By-Law Zoning review completed July 2021. File number 21-139593 ALR
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.



SITE STATISTICS

MUNICIPAL ADDRESS
59 NORMA CRST
ANCASTER, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
RESIDENTIAL - R3-333

EXISTING YARDS AT DWELLING
SIDE YARD (LEFT) 1.5M (4'-11")
SIDE YARD (RIGHT) 1.5M (4'-11")
FRONT YARD 7.5M (24'-7")
REAR YARD 7.5M (24'-7")

PROPOSED YARDS AT DWELLING
SIDE YARD (LEFT) 2.4M (7'-10")
SIDE YARD (RIGHT) 11.06M (36'-4")
FRONT YARD N/A
REAR YARD 5.46M (17'-11")

LOT AREA
701.25 M2 (7548.19 SQ FT)

EXISTING BUILDING
DWELLING: 192.86 M2 (2075.94 SQ FT)
PROP PATIO: 28.43 M2 (306 SQ FT)

LOT COVERAGE: 35% MAX
PROVIDED: 31.6%

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.

**NORMA CRST.
PLOT PLAN**

NOTE:
THIS PLOT PLAN IS NOT A SURVEY. UNIQUE DESIGNS INC. DOES NOT GUARANTEE THE ACCURACY OF THIS DOCUMENT NOR DOES UNIQUE DESIGN INC. CLAIM TO HAVE THE QUALIFICATIONS TO PRODUCE A DRAWING INTENDED FOR THE USE AS A SURVEY. THE DRAWING PRODUCED IS INTENDED TO BE USED ONLY AS A DIAGRAM TO COMPLEMENT THE PROVIDED ARCHITECTURAL DRAWINGS. SPECIFICALLY, FOR THE PURPOSES OF ORIENTATION, ZONING, LIMITING DISTANCES AND BUILDING HEIGHT AND THEIR RELATIONSHIP WITH THE INTENDED USE OF THE BUILDING. TRUE SITE SETBACKS MAY NEED TO BE PROVIDED BY A QUALIFIED LAND SURVEYOR.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario QUALIFICATION INFORMATION Required unless design is exempt under OAC, Article 12.5.1 of the Building Code

MAURO FORTULIATO
Signature
15094 BCON

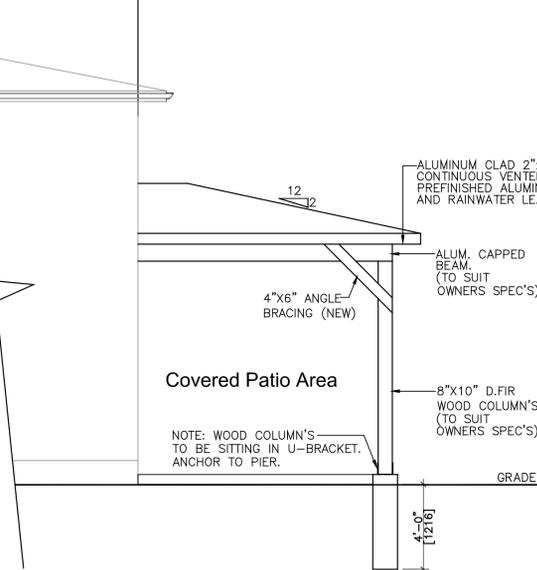
REGISTRATION INFORMATION
Job Number 03.23.22
Date 03.07.22

UNIQUE DESIGNS INC.
Firm Name
31090 BCON

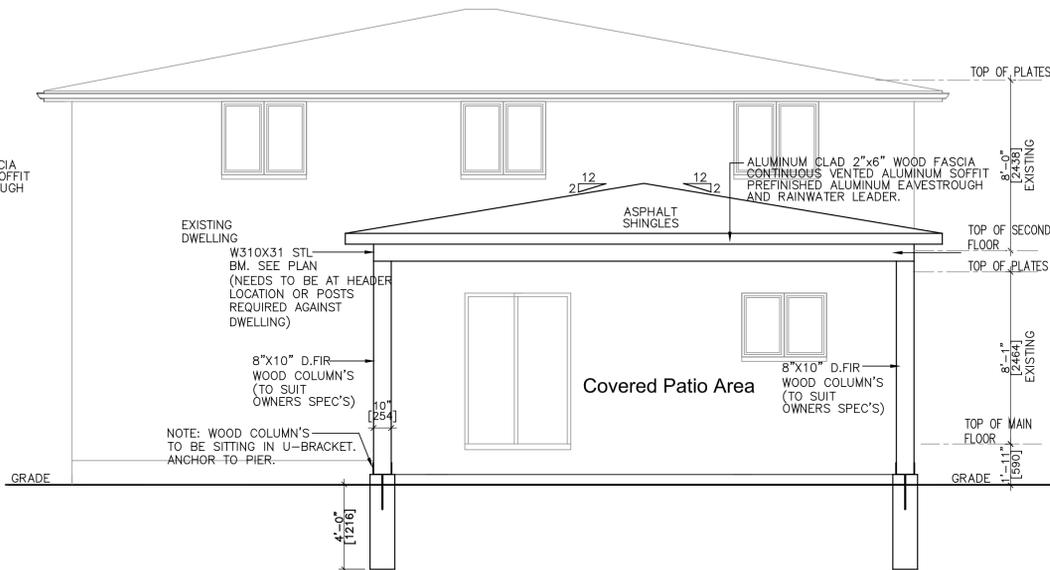


<p>SUTTON RESIDENCE</p> <p>59 NORMA CRST ANCASTER, ONT.</p>	<p>UNIQUE DESIGNS INC.</p> <p>REAR COVERED PATIO ADDITION</p> <p>FLOOR PLANS SECTIONS, DETAILS</p>	<p>No. DATE DESCRIPTION</p> <p>1. 03.23.22 ISSUED FOR PERMIT</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p> <p>7.</p> <p>8.</p>	<p>THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.</p> <p>THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.</p>
		<p>Drawn By</p> <p>Date: 03.23.22</p> <p>Job Number: 03.07.22</p> <p>Scale: 1/4"=1'-0"</p> <p>AO</p>	

Existing Dwelling Proposed Addition

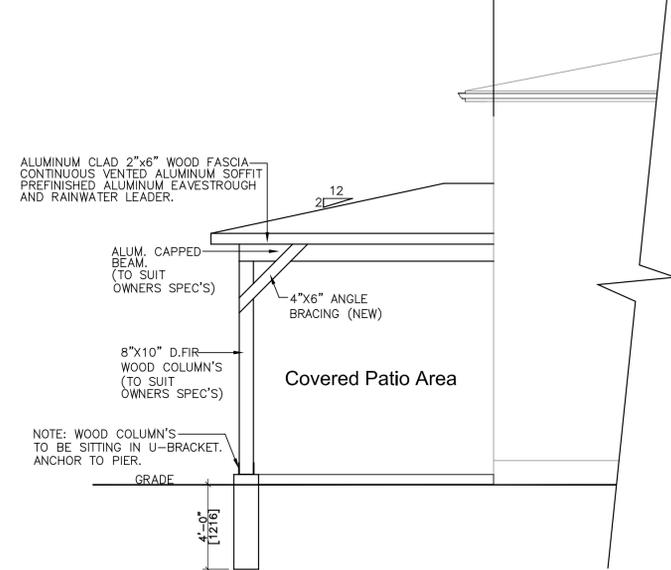


RIGHT ELEVATION



REAR ELEVATION

Proposed Addition Existing Dwelling



LEFT ELEVATION

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 there for 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.

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: CONTRACTOR / BUILDER / OWNER TO BE CAREFUL WHEN EXCAVATING AROUND EXISTING DWELLING. DO NOT UNDERMINE EXISTING FOOTINGS

NOTE: CONTRACTOR, BUILDER, OWNER TO MAKE ALL NECESSARY PRECAUTIONS WHEN REMOVING EXISTING BRICK AREAS AND ADDING NEW BEAM SUPPORTS.

NOTE: ALL EXISTING 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: 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. POINT'S SHALL BE REPAIRED TO ORIGINAL STATE. MAKE GOOD ALL NEW CONNECTIONS

NOTE: CONTRACTOR / BUILDER / OWNER TO BE CAREFUL WHEN EXCAVATING AROUND EXISTING DWELLING. DO NOT UNDERMINE EXISTING FOOTINGS

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.

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"x1 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 1" 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 DRAWINGS 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 GALVANIZED, 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.

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 1 1/16" LUMBER	5/16" PLYWOOD, 3/8" WAFER BD. OR 1 1/16" LUMBER
16" O.C.	3/8" PLYWOOD, 7/16" WAFER BD. OR 1 1/16" LUMBER	5/16" PLYWOOD, 3/8" WAFER BD. OR 1 1/16" LUMBER
24" O.C.	1/2" PLYWOOD OR 3/4" LUMBER	3/8" PLYWOOD, 7/16" WAFER BD. OR 3/4" LUMBER

ROOF RAFTERS

RAFTER SIZE	MAXIMUM CLEAR SPAN							
	ROOF SNOW LOAD 21 PSF				ROOF SNOW LOAD 31 PSF			
	RAFTER SPACING		RAFTER SPACING		RAFTER SPACING		RAFTER SPACING	
2x4	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.	24" O.C.		
2x6	10'-2"	9'-3"	8'-1"	8'-11"	8'-1"	7'-1"		
2x8	16'-0"	14'-7"	12'-9"	14'-0"	12'-9"	11'-1"		
2x8	21'-1"	19'-2"	16'-9"	18'-5"	16'-9"	14'-5"		

CEILING JOISTS

JOIST SIZE	JOIST SPACING		
	12" o.c.	16" o.c.	24" o.c.
2x4	10'-2"	9'-3"	8'-1"
2x6	16'-0"	14'-7"	12'-9"
2x8	21'-1"	19'-2"	16'-9"
2x10	26'-11"	24'-6"	21'-4"

SUBFLOORING

FLOOR JOIST UP TO	SUBFLOORING		
	WAFER BD.	PLYWOOD	LUMBER
16" O.C.	5/8"	5/8"	1 1/16"
20" O.C.	5/8"	5/8"	3/4"
24" O.C.	3/4"	3/4"	3/4"



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 BCN
 Name Signature
 REGISTRATION INFORMATION
 Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code
 UNIQUE DESIGNS INC 31090 BCN
 Firm Name

No.	DATE	DESCRIPTION
1.	03.23.22	ISSUED FOR PERMIT
2.		
3.		
4.		
5.		
6.		
7.		
8.		

UNIQUE DESIGNS INC.



SUTTON RESIDENCE

59 NORMA CRST ANCASTER, ONT.

Drawn By	Scale
Date:	1/4"=1'-0"
03.23.22	
Job Number	
03.07.22	

ELEVATIONS

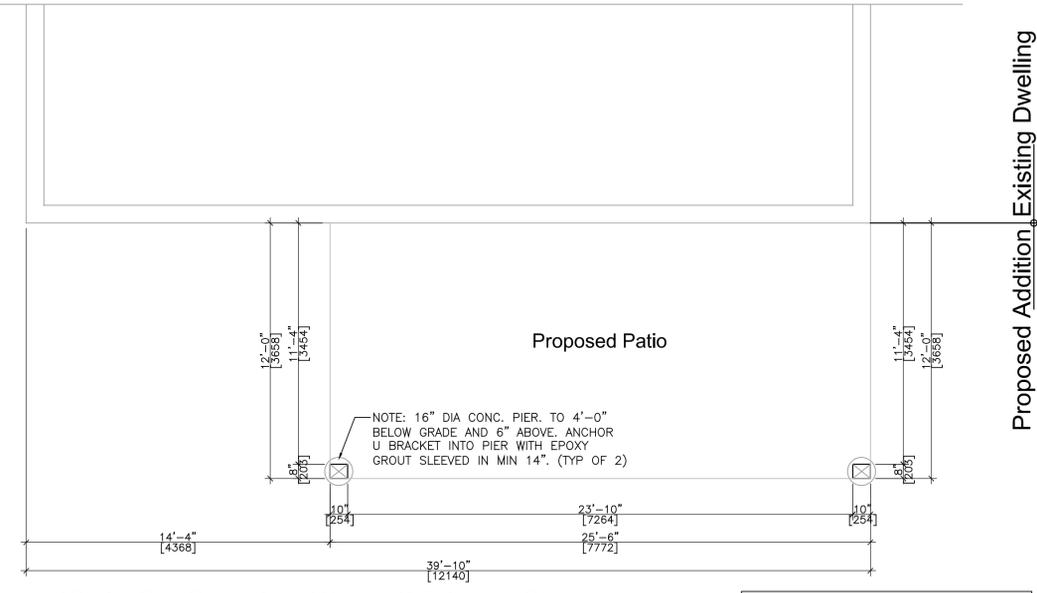
REAR COVERED PATIO ADDITION

REAR COVERED PATIO ADDITION

59 NORMA CRST ANCASTER, ONT.

A1

DO NOT SCALE DRAWINGS



EXISTING FOUNDATION / PIER LAYOUT

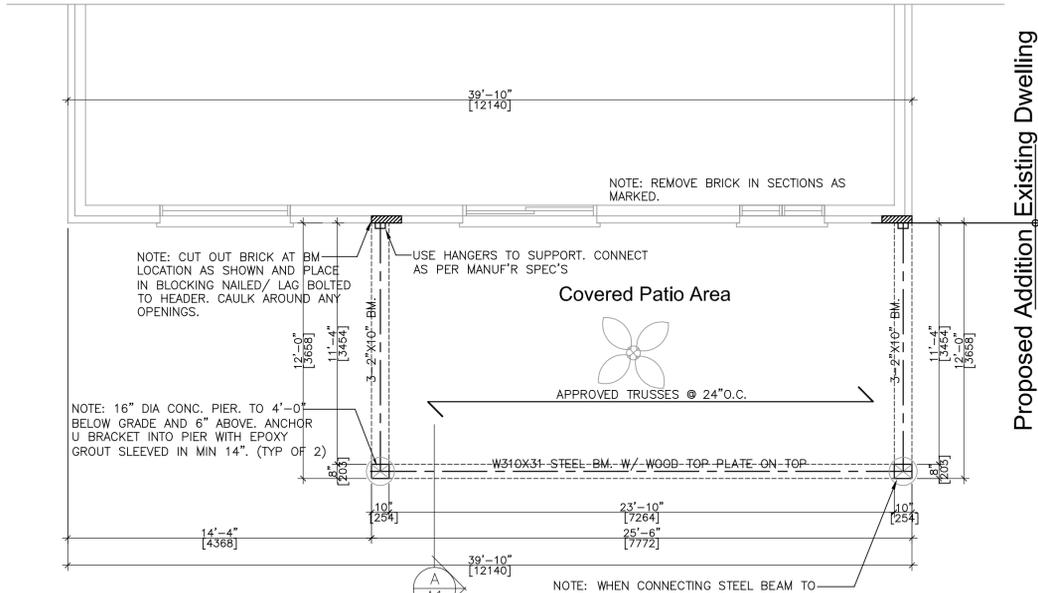
NOTE: END POSTS DESIGNED ARE TO GO FULLY UNDER BEAM ENDS.

EXTENT OF NEW TRUSSES TO MATCH EXISTING TRUSS PITCH - FIELD VERIFY ALL MATCHING ROOF PITCHES PRIOR TO ORDERING ANY NEW TRUSSES.

NOTE: BLOCKING TO BE PROVIDED UNDER ALL JOIST SPACES BELOW BEARING POINTS.

NOTE: ALL POST AND BM LOCATIONS ARE SITE MEASURED AND PROVIDED BY BUILDER. ANY DISCREPANCIES MUST BE CHANGED WITH APPROVAL FROM DESIGNER.

Proposed Addition Existing Dwelling



MAIN FLOOR PLAN

NOTE: CUT OUT BRICK AT BM LOCATION AS SHOWN AND PLACE IN BLOCKING NAILED / LAG BOLTED TO HEADER. CAULK AROUND ANY OPENINGS.

USE HANGERS TO SUPPORT. CONNECT AS PER MANUF'R SPEC'S

NOTE: 16" DIA CONC. PIER. TO 4'-0" BELOW GRADE AND 6" ABOVE. ANCHOR U BRACKET INTO PIER WITH EPOXY GROUT SLEEVED IN MIN 14". (TYP OF 2)

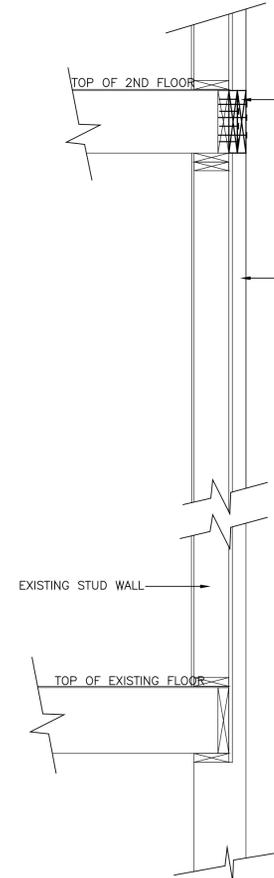
NOTE: WHEN CONNECTING STEEL BEAM TO "NEW" WOOD POST USE STANDARD AND SAFE CONSTRUCTION PRACTICE. ENSURE LATERAL STABILITY IS PROVIDED TO THE STEEL BEAM. (TYPICAL). ALSO, NEW POSTS SIT ON EXISTING FOUNDATION WALLS.

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 REQUIRED FRAMING TO BE VERIFIED PRIOR TO CONSTRUCTION. FRAMER TO MEET ALL REQUIREMENTS AS PER OWNERS REQUEST.

Proposed Addition Existing Dwelling



TYP. LEDGER BOARD CONNECTION

NOTE: PROVIDE SOLID BLOCKING IN BETWEEN STUDS. CUT OUT BRICK AT EXISTING FLOOR HEADER. SUPPORT LOCATIONS ONLY AND PLACE IN BLOCKING NAILED & LAG BOLTED TO HEADER. CAULK AROUND ANY OPENINGS.

EXISTING BRICK FACE

1/2" STEEL PLATE X 8" LONG (TO SUPPORT BRICK ABOVE)

NOTE: PROVIDE SOLID BLOCKING IN BETWEEN STUDS. CUT OUT BRICK AT EXISTING FLOOR HEADER. SUPPORT LOCATIONS ONLY AND PLACE IN BLOCKING NAILED & LAG BOLTED TO HEADER. CAULK AROUND ANY OPENINGS.

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

PROPOSED GRADE LINE AS INDICATED

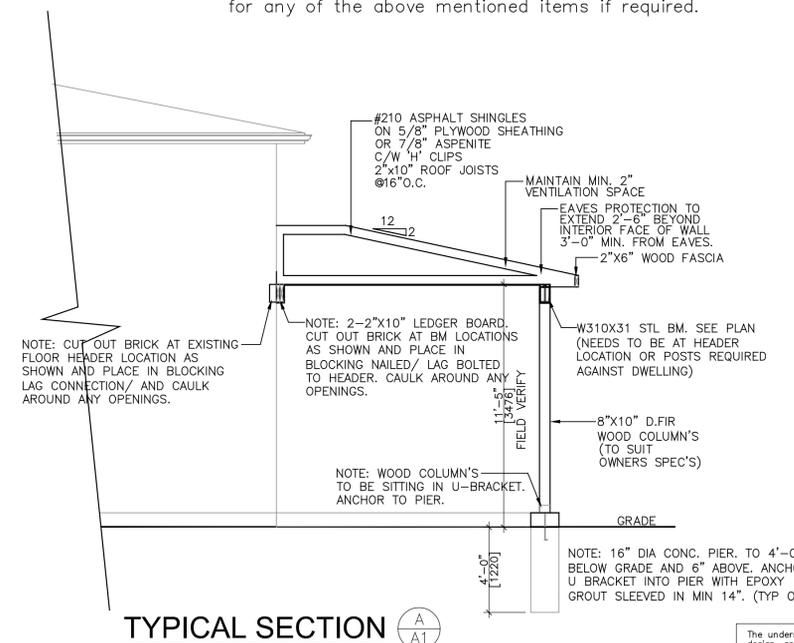
REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS OF ANY

NOTE: ADJUST DIMENSIONS AS NEEDED ON SITE MEASURE ALL CUTS TWICE PRIOR TO CUTTING.

NOTE: CONTRACTOR / BUILDER / OWNER TO BE CAREFUL WHEN EXCAVATING AROUND EXISTING DWELLING. DO NOT UNDERMINE EXISTING FOOTINGS

NOTE: CONTRACTOR, BUILDER, OWNER TO MAKE ALL NECESSARY PRECAUTIONS WHEN REMOVING EXISTING BRICK AREAS AND ADDING NEW BEAM SUPPORTS.

NOTE: ALL EXISTING 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.



TYPICAL SECTION

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 there for 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.



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
Name Signature 15084 BCN

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

UNIQUE DESIGNS INC
Firm Name 31090 BCN

<p>UNIQUE DESIGNS INC.</p> <p>59 NORMA CRST ANCASTER, ONT.</p>	<p>NO. DATE DESCRIPTION</p> <p>1. 03.23.22 ISSUED FOR PERMIT</p>	<p>THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOINT LOCATIONS. ANY DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.</p> <p>THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.</p>
	<p>FLOOR PLANS SECTIONS, DETAILS</p>	
	<p>REAR COVERED PATIO ADDITION</p>	
	<p>SUTTON RESIDENCE</p>	
	<p>Drawn By Scale</p> <p>1/4"=1'-0"</p>	
	<p>Date: 03.23.22</p>	
	<p>Job Number 03.07.22</p>	
	<p>A2</p>	

10/21/97 15:01

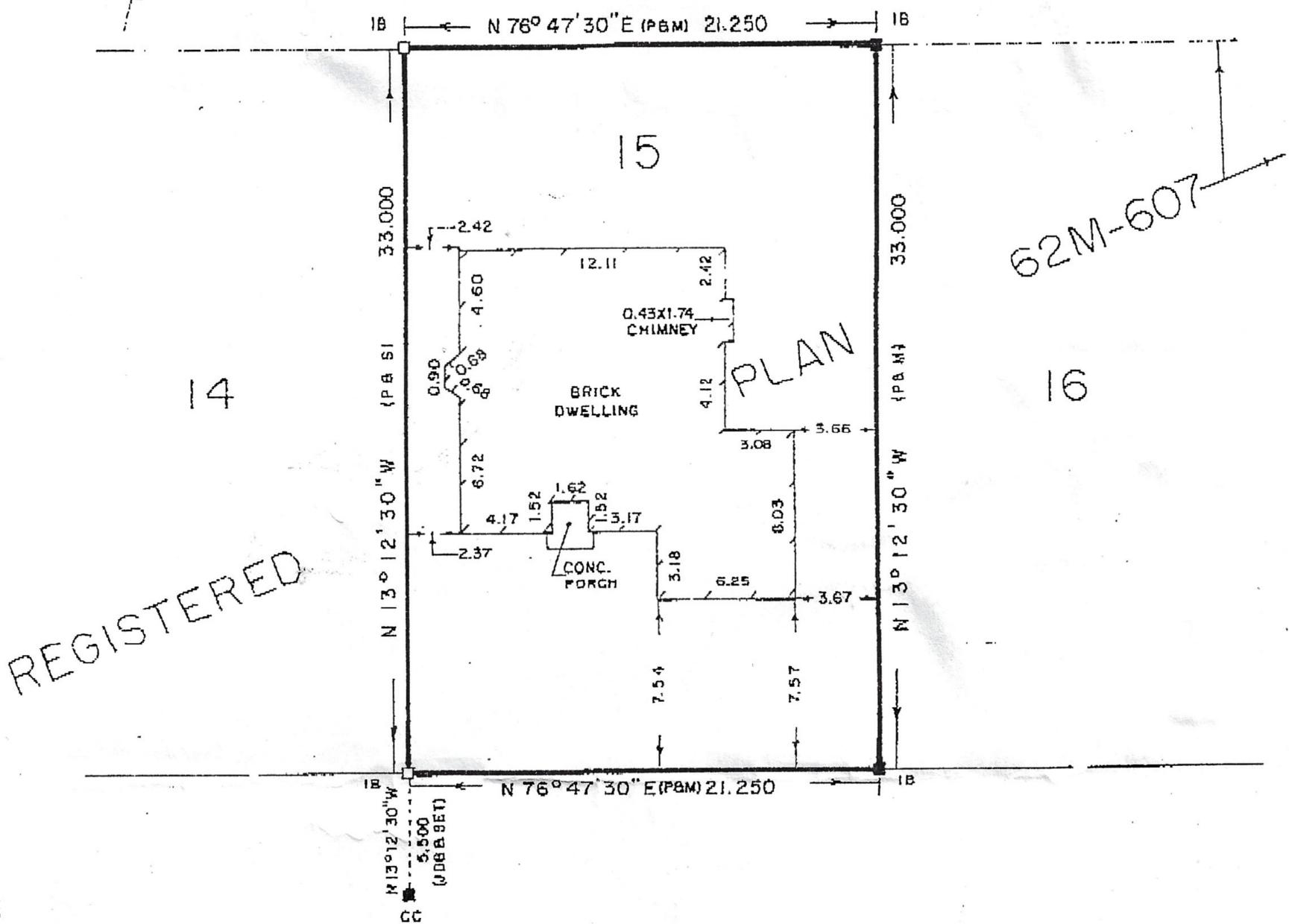
905 628 1727

AMALFI R E INC

004

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

LOT 39, CONCESSION 3
 TOWNSHIP OF ANCASTER



NORMA CRESCENT
 (DEDICATED BY REGISTERED PLAN 62M-607)

BUILDING LOCATION SURVEY OF
 LOT 15
 ANCASTER MEADOWS PHASE 4
 REGISTERED PLAN 62M-607
 TOWN OF ANCASTER
 REGIONAL MUNICIPALITY OF HAMILTON-
 SCALE 1:300 WENTWORTH



J. D. BARNES LIMITED - 1990
 SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED ON THIS PLAN
 WAS COMPLETED ON THE 25th DAY OF JULY, 1990.

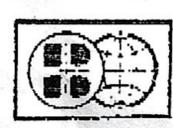
AUGUST 2, 1990
 DATE

M. J. Lawlor O.L.S.
 MICHAEL J. LAWLOR
 Ontario Land Surveyor

© COPYRIGHT 1990 - J. D. BARNES LIMITED

- NOTES:**
- BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF NORMA CRESCENT, HAVING A BEARING OF N76°47'30"E IN ACCORDANCE WITH REGISTERED PLAN 62M-607.
 - DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - P.C. DENOTES POINT OF CURVATURE
 - DUC DENOTES DWELLING UNDER CONSTRUCTION
 - P&S DENOTES REGISTERED PLAN 62M-607 AND SET
 - P&M DENOTES REGISTERED PLAN 62M-607 AND MEASURED
 - JDB DENOTES J. D. BARNES LIMITED
 - CC DENOTES CUT CROSS

ALL FOUND SURVEY MONUMENTS SET BY J. D. BARNES LIMITED, UNLESS NOTED OTHERWISE. RECORDS OF SIDNEY W. WOODS INC.



SURVEYING MAPPING
 45 FRID STREET, UNIT 1, HAMILTON ONTARIO L8P 4M3
 TELEPHONE (416) 522-3511 FAX (416) 572-9115
LAND INFORMATION SERVICES



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:202	SUBJECT PROPERTY:	750 MOHAWK ROAD W, HAMILTON
ZONE:	“E-2/S-110 and E/S-556” (Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law 6593, as Amended 69-213 & 78-6

APPLICANTS: Agent Urban Solutions
Owner Greti Development Co. Ltd. – Effort Trust

The following variances are requested:

1. The approved Site Plans shown on Schedules B2, B3, B4 and B5 annexed pursuant to Amending By-law No. 69-213 shall not regulate development for the lots known municipally as 750, 760 – 780 and 790 Mohawk Road West and only the zone regulations or those regulations varied pursuant to Minor Variance File No. HM/A-22:202 shall apply instead of the requirement that no building or structure or any part thereof shall be erected, altered, extended or enlarged nor shall any land be used except in accordance with the approved Site Plans hereto annexed as Schedules B2, B3, B4 and B5.
2. A minimum of 0.808 parking spaces per Class A dwelling unit shall be provided for the multiple dwellings on a temporary basis until repairs to the underground parking structure are completed instead of the minimum required 1.25 parking spaces per Class A dwelling unit for a multiple dwelling.
3. No visitor parking spaces per Class A dwelling unit shall be provided for the multiple dwellings on a temporary basis until repairs to the underground parking structure are completed instead of the minimum required 0.25 visitor parking spaces per dwelling unit for a multiple dwelling.
4. No planting strip shall be required between boundary of the temporary parking area containing 141 parking spaces and the residential district to the north instead of the requirement that a 1.5m planting strip shall be required between the between the boundary of the parking area and the residential district.

HM/A-22:202

5. No visual barrier shall be required along the portion of the northerly rear lot line for the area occupied by the temporary parking area containing 141 parking spaces instead of the requirement where a parking area containing 5 or more parking spaces adjoins a residential district there shall be provided and maintained a visual barrier along the boundary of the lot abutting the residential district not less than 1.2 metres in height and not greater than 2.0 metres in height.

PURPOSE & EFFECT: To permit a temporary parking area containing 141 parking spaces at the rear of the multiple dwellings, including three ground floor commercial units, known municipally as 760 – 780 Mohawk Rd W until repairs to the underground parking structure are completed in order facilitate Site Plan File No. SPA-22-044:

Notes:

- i. The variances are necessary to facilitate Site Plan File No. SPA-22-044.
- ii. Requested Variance # 4 in the June 7, 2022 email from Matt Johnston and Scott Beedie of Urban Solutions is not necessary as a parking area (regardless of being temporary in nature) is required for the permitted multiple dwelling and commercial uses.
- iii. If Variance # 2 is granted, a minimum of 528 parking spaces will be required for the 653 dwelling units. The Site Plan shows a total of 532 parking spaces composed of 528 parking spaces for the multiple dwellings and 4 parking spaces for the commercial units.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

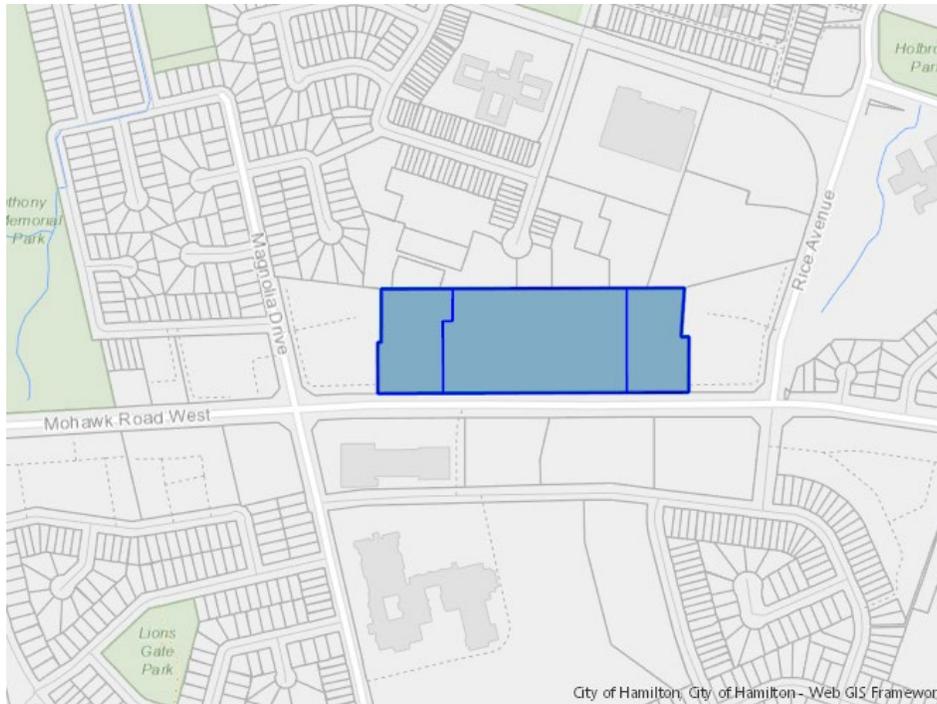
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

HM/A-22:202

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

- GENERAL NOTES**
1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR AND CHIEF PLANNER OF THE PLANNING DIVISION, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
 4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
 5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - SEWER PERMITS
 - APPROACH APPROVAL PERMITS
 - RELOCATION SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
 6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURBS AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, TRANSPORTATION, OPERATIONS AND ENVIRONMENT DEPARTMENT.
 7. METER BY METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.
 8. ALL SIGNS MUST COMPLY TO HAMILTON SIGN BY-LAW No. 10-197.

UNDERTAKING FILE NO. SPA-22-044
 RE: 750, 760, 770, 780 & 790 MOHAWK ROAD WEST, HAMILTON

I, (WE) _____, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION

a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM.

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

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

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

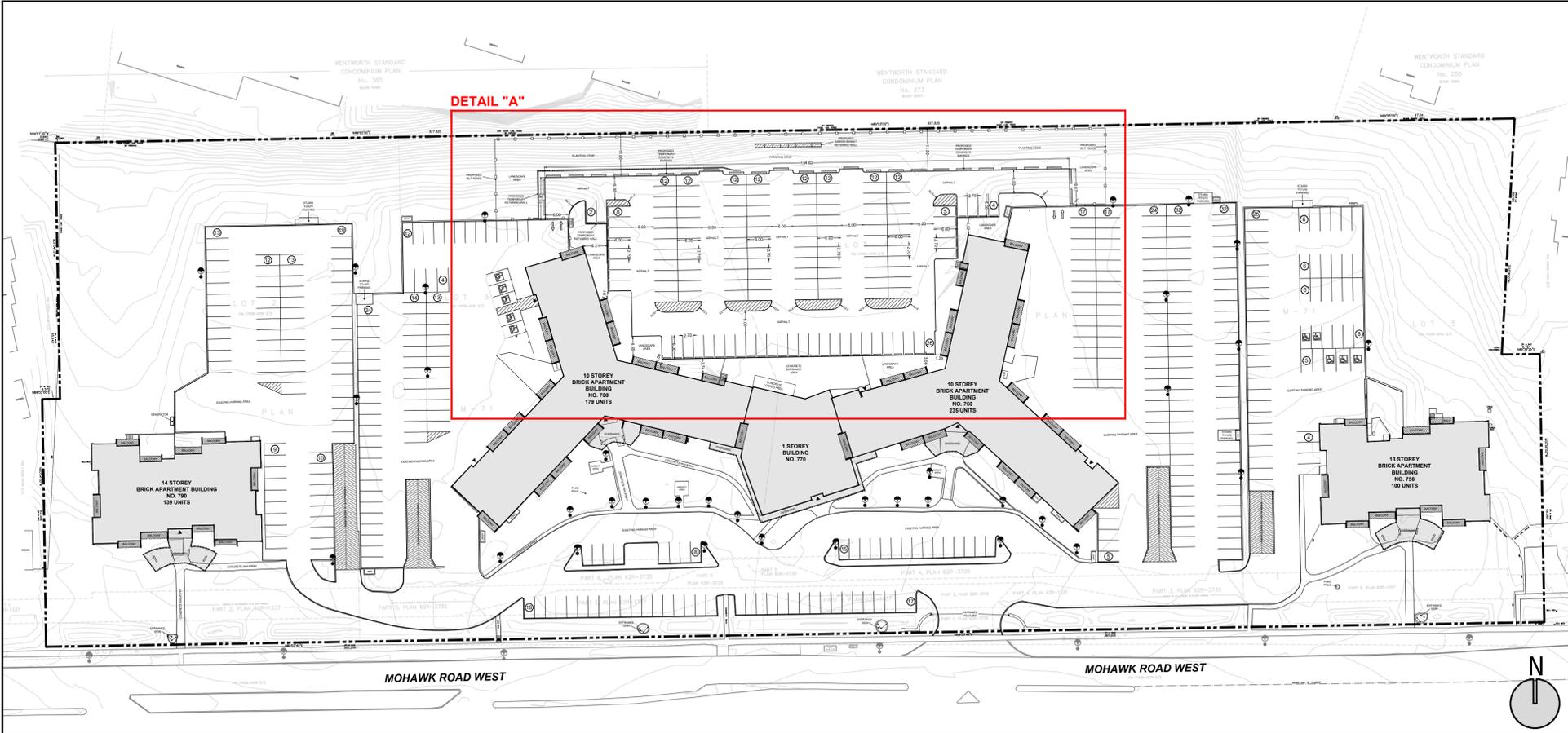
DATED THIS _____ DAY OF _____ 20____.

WITNESS (SIGNATURE) _____ OWNER (SIGNATURE) _____ (SEAL)

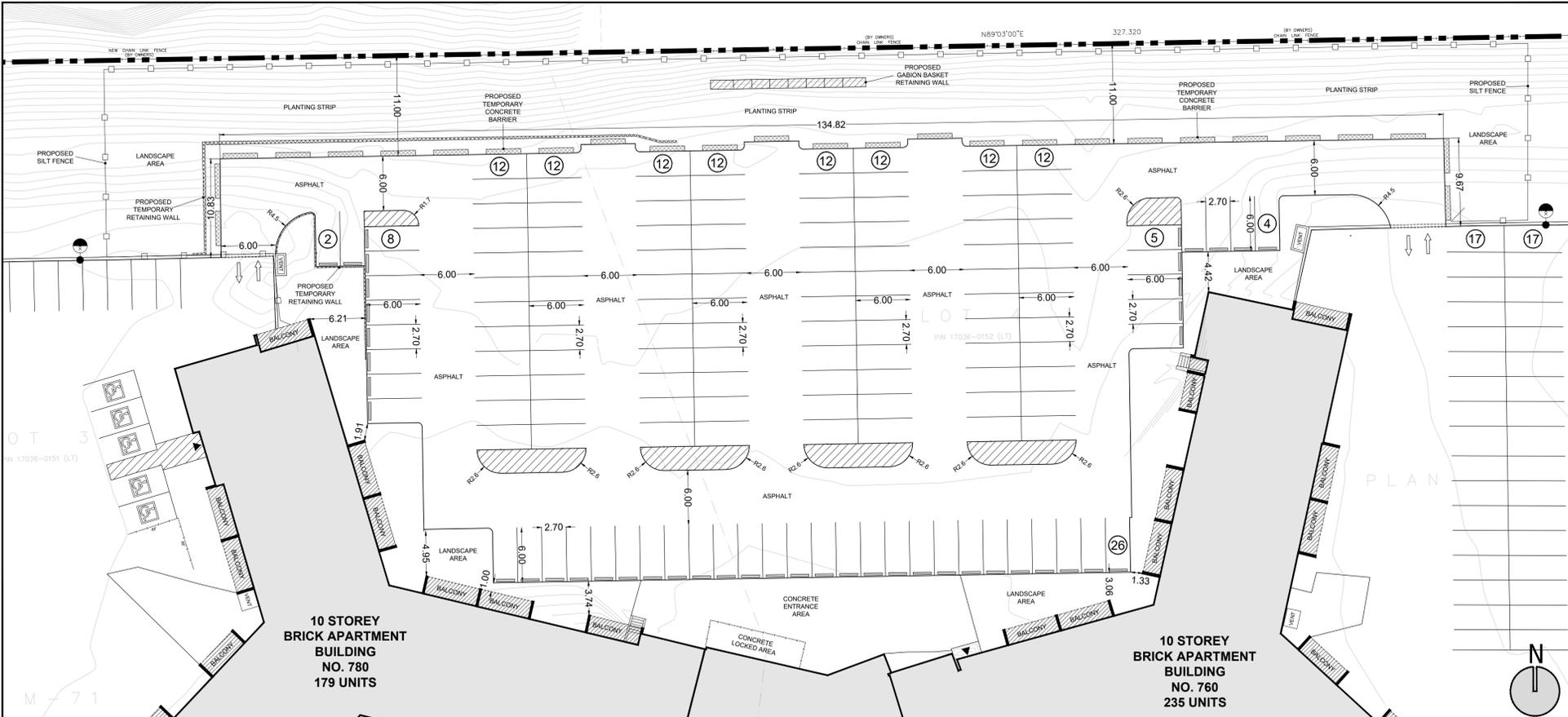
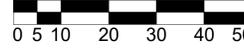
WITNESS (PRINT) _____ OWNER (PRINT) _____

ADDRESS OF WITNESS _____

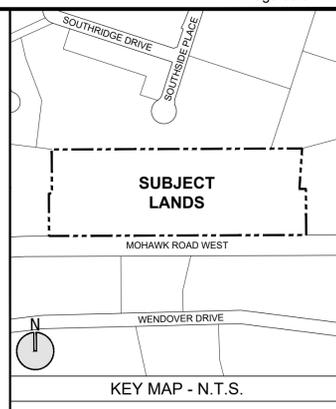
DEVELOPMENT STATISTICS		
Existing Zoning: Multiple Dwellings, Lodges, Clubs, Etc. (E/S-556)		
Item	Existing	Proposed
Units	No. 750 = 100 Units No. 760 = 235 Units No. 780 = 179 Units No. 790 = 139 Units TOTAL = 653 Units	No. 750 = 100 Units No. 760 = 235 Units No. 780 = 179 Units No. 790 = 139 Units TOTAL = 653 Units
Lot Area (min.)	4.89 ha	4.89 ha
Lot Frontage	385.21 m	385.21 m
Landscaped Area (min.)	46% (25% Required)	36% (25% Required)
Parking	No. 750 = 54 Surface / 57 UG No. 760 = 120 Surface / 146 UG No. 780 = 89 Surface / 109 UG No. 790 = 79 Surface / 84 UG TOTAL = 342 Surface / 396 UG	342 Existing Surface 141 Temporary Surface 483 TOTAL (0.74 spaces/unit)
Barrier-Free Parking	10 Spaces	10 Spaces



FULL SITE PLAN - SCALE 1:700



DETAIL "A" - SCALE 1:300



SUBJECT LANDS

SITE PLAN
SPA-22-044
 LEGAL DESCRIPTION:
 LOTS 2, 3, 4 & 5
 REGISTERED PLAN M-71
 IN THE CITY OF HAMILTON

- LEGEND:**
- SUBJECT LANDS
 - EXISTING BUILDINGS
 - BUILDING ENTRANCE
 - EXISTING FENCING
 - EXISTING LIGHT STANDARD
 - TEMPORARY RETAINING WALL
 - GABION BASKET RETAINING WALL
 - TEMPORARY CONCRETE BARRIER
 - SILT FENCE

DESIGN BY: S. ERICKSON	CHECKED BY: S. MCKAY
DRAWN BY: S. ERICKSON	DATE: JUNE 9, 2022

NO.	DATE	BY	DESCRIPTION
2	06/09/22	SE	ADDED DIMENSIONS AS PER CITY COMMENT
1	05/16/22	SE	ISSUED FOR SITE PLAN AMENDMENT

DRAWING ISSUE RECORD

NOT FOR CONSTRUCTION

STAMP

APPROVALS

PREPARED BY:

A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ON L8N 2B9
 905-527-8559 - atrmclaren.com

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT

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

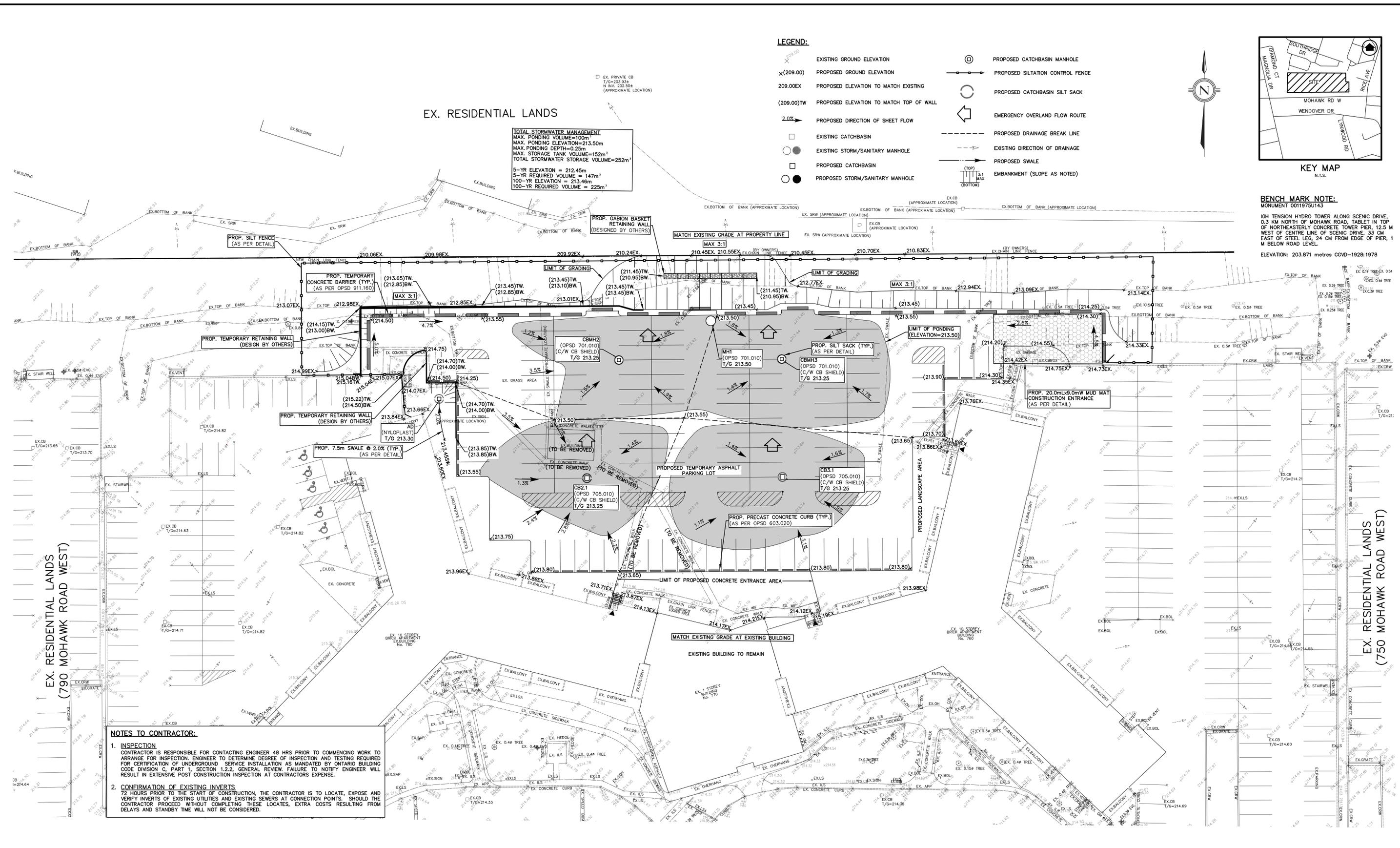
PROJECT: SPA-22-044
TEMPORARY PARKING LOT
 750, 760, 770, 780 & 790 MOHAWK ROAD WEST
 CITY OF HAMILTON

CLIENT: EFFORT TRUST

U/S FILE NUMBER: 425-21 SHEET NUMBER: 1

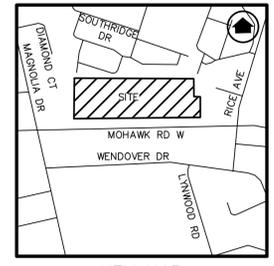
DWG No.: -C101

S:\22045\Working\Current\22045 - Grading & Servicing.dwg



TOTAL STORMWATER MANAGEMENT
 MAX. PONDING VOLUME=100m³
 MAX. PONDING ELEVATION=213.50m
 MAX. PONDING DEPTH=0.25m
 MAX. STORAGE TANK VOLUME=152m³
 TOTAL STORMWATER STORAGE VOLUME=252m³
 5-YR ELEVATION = 212.45m
 5-YR REQUIRED VOLUME = 147m³
 100-YR ELEVATION = 213.46m
 100-YR REQUIRED VOLUME = 225m³

- LEGEND:**
- ⊕ EXISTING GROUND ELEVATION
 - ×(209.00) PROPOSED GROUND ELEVATION
 - 209.00EX PROPOSED ELEVATION TO MATCH EXISTING
 - (209.00)TW PROPOSED ELEVATION TO MATCH TOP OF WALL
 - 2.0% PROPOSED DIRECTION OF SHEET FLOW
 - EXISTING CATCHBASIN
 - EXISTING STORM/SANITARY MANHOLE
 - PROPOSED CATCHBASIN
 - PROPOSED STORM/SANITARY MANHOLE
 - ⊕ PROPOSED CATCHBASIN MANHOLE
 - PROPOSED SILTATION CONTROL FENCE
 - PROPOSED CATCHBASIN SILT SACK
 - ← EMERGENCY OVERLAND FLOW ROUTE
 - - - PROPOSED DRAINAGE BREAK LINE
 - - - EXISTING DIRECTION OF DRAINAGE
 - PROPOSED SWALE
 - EMBANKMENT (SLOPE AS NOTED)



BENCH MARK NOTE:
 MONUMENT 00119750143
 IGH TENSION HYDRO TOWER ALONG SCENIC DRIVE, 0.3 KM NORTH OF MOHAWK ROAD, TABLET IN TOP OF NORTHEASTERLY CONCRETE TOWER PIER, 12.5 M WEST OF CENTRE LINE OF SCENIC DRIVE, 33 CM EAST OF STEEL LEG, 24 CM FROM EDGE OF PIER, 1 M BELOW ROAD LEVEL.
 ELEVATION: 203.871 metres CGVD-1928:1978

NOTES TO CONTRACTOR:

- INSPECTION**
 CONTRACTOR IS RESPONSIBLE FOR CONTACTING ENGINEER 48 HRS PRIOR TO COMMENCING WORK TO ARRANGE FOR INSPECTION. ENGINEER TO DETERMINE DEGREE OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF UNDERGROUND SERVICE INSTALLATION AS MANDATED BY ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 1.2.2, GENERAL REVIEW. FAILURE TO NOTIFY ENGINEER WILL RESULT IN EXTENSIVE POST CONSTRUCTION INSPECTION AT CONTRACTOR EXPENSE.
- CONFIRMATION OF EXISTING INVERTS**
 72 HOURS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR IS TO LOCATE, EXPOSE AND VERIFY INVERTS OF EXISTING UTILITIES AND EXISTING SEWERS AT CONNECTION POINTS. SHOULD THE CONTRACTOR PROCEED WITHOUT COMPLETING THESE LOCATES, EXTRA COSTS RESULTING FROM DELAYS AND STANDBY TIME WILL NOT BE CONSIDERED.

NOTES TO CONTRACTOR:

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NO.	DATE	BY	REVISIONS
DESIGN	AS	CHK'D	SN
DRAWN	AS	CHK'D	SN
			DATE
			May 24, 2022

APPROVALS

STAMP

LICENSED PROFESSIONAL ENGINEER
 S. J. NELSON
 100229748
 May 24/22
 PROVINCE OF ONTARIO

S. LLEWELLYN & ASSOCIATES LIMITED
 CONSULTING ENGINEERS
 Tel. (905) 631-6978
 Website: www.slo.on.ca
 email: info@slo.on.ca
 3228 South Service Road, Suite #105 East Wing, Burlington, Ont., L7N 3H8

CLIENT
 URBAN SOLUTIONS INC.
 242 MAIN STREET EAST, HAMILTON, ONTARIO
 C/O EFFORT TRUST

PROJECT NAME
 750-790 MOHAWK ROAD WEST
 HAMILTON, ONTARIO

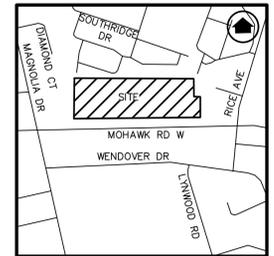
TITLE
 GRADING AND EROSION CONTROL
 PLAN

PROJECT No. 22045
DRAWING No. C101

SCALE
 1:300

DWG No.: -C102

S:\22045\Working\Current\22045 - Grading & Servicing.dwg



KEY MAP N.T.S.

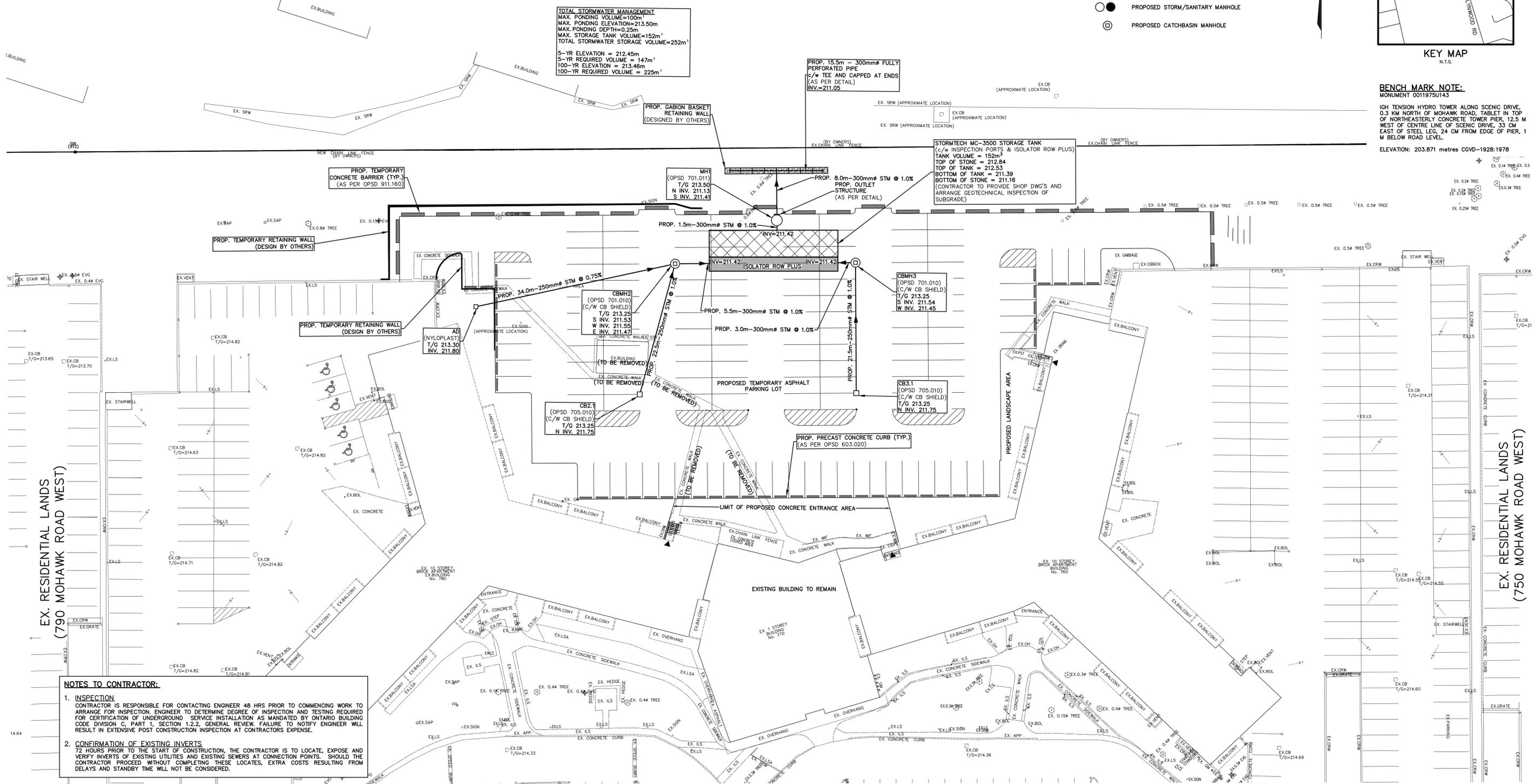
BENCH MARK NOTE:
 MONUMENT 001975U143
 HIGH TENSION HYDRO TOWER ALONG SCENIC DRIVE, 0.3 KM NORTH OF MOHAWK ROAD, TABLET IN TOP OF NORTHEASTERLY CONCRETE TOWER PIER, 12.5 M WEST OF CENTRE LINE OF SCENIC DRIVE, 33 CM EAST OF STEEL LEG, 24 CM FROM EDGE OF PIER, 1 M BELOW ROAD LEVEL.
 ELEVATION: 203.871 metres CGVD-1928:1978

LEGEND:

- EXISTING CATCHBASIN
- EXISTING STORM/SANITARY MANHOLE
- PROPOSED DOUBLE CATCHBASIN
- PROPOSED CATCHBASIN
- PROPOSED STORM/SANITARY MANHOLE
- ⊕ PROPOSED CATCHBASIN MANHOLE

EX. RESIDENTIAL LANDS

TOTAL STORMWATER MANAGEMENT
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NO.	DATE	BY	REVISIONS
DESIGN	AS	CHK'D	SN
DRAWN	AS	CHK'D	SN
			DATE
			May 24, 2022

APPROVALS

STAMP
 LICENSED PROFESSIONAL ENGINEER
 S. J. NELSON
 100229748
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 PROVINCE OF ONTARIO



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CLIENT
URBAN SOLUTIONS INC.
 242 MAIN STREET EAST, HAMILTON, ONTARIO
 C/O EFFORT TRUST
 PROJECT NAME
750-790 MOHAWK ROAD WEST
 HAMILTON, ONTARIO

TITLE
SITE SERVICING PLAN
 PROJECT No. 22045
 DRAWING No. C102
 SCALE 1:300

DWG No.: -C103

GENERAL NOTES

- THIS/THOSE PLAN(S) IS/ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED BY THE ENGINEER AND INDICATED ISSUED FOR CONSTRUCTION ON THE DRAWING.
- THIS/THOSE PLAN(S) IS/ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S. LLEWELLYN AND ASSOCIATES LIMITED.
- INFORMATION REGARDING ANY EXISTING SERVICES AND/OR UTILITIES SHOWN ON THE APPROVED SET OF DRAWINGS ARE FURNISHED AS THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL INTERPRET THIS INFORMATION AS HE SEES FIT WITH THE UNDERSTANDING THAT THE OWNER AND HIS AGENTS DISCLAIM ALL RESPONSIBILITY FOR ITS ACCURACY AND /OR SUFFICIENCY. THE CONTRACTOR SHALL ASSUME LIABILITY FOR ANY DAMAGE TO EXISTING WORKS.
- EXISTING TOPOGRAPHIC AND LEGAL INFORMATION TAKEN FROM PLANS PREPARED BY A.T. MCLAREN LIMITED LEGAL AND ENGINEERING SURVEYS, MARCH 30, 2022.
- THIS/THOSE PLAN(S) TO BE READ IN CONJUNCTION WITH THE STORM WATER MANAGEMENT (SWM) REPORT PREPARED BY S. LLEWELLYN AND ASSOCIATES LIMITED.
- THIS (THESE) PLAN(S) TO BE USED FOR SERVING AND GRADING ONLY, FOR BUILDING LOCATION REFER TO THE SITE PLAN PREPARED BY URBAN SOLUTIONS PLANNING AND LAND DEVELOPMENT.
- MUNICIPAL APPROVAL OF THESE DRAWINGS IS FOR MATERIAL AND COMPLIANCE WITH CITY OF HAMILTON AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION OF THE WORKS BY THE CITY OF HAMILTON STAFF DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS NOR RELIEVE THE CONTRACTOR OF CERTIFICATION OF ALL WORKS BY THE OWNER'S ENGINEER.
- ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED WRITTEN APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY OF HAMILTON AND THE ENGINEER.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - ROAD CUT PERMITS
 - SEWER PERMITS
 - APPROACH APPROVAL PERMITS
 - RELOCATION OF SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS
- PRIOR TO CONSTRUCTION THE CONTRACTOR MUST:
 - CHECK AND VERIFY ALL DIMENSIONS AND EXISTING ELEVATIONS WHICH INCLUDE BUT ARE NOT LIMITED TO THE BENCHMARK ELEVATIONS, EXISTING SERVICE CONNECTIONS, EXISTING INVERTS AND REPORT FINDING IN WRITING TO THE ENGINEER.
 - OBTAIN ALL UTILITY LOCATES AND REQUIRED PERMITS AND LICENSES.
 - VERIFY ALL FINISHED FLOOR ELEVATIONS AND BASEMENT FLOOR ELEVATIONS WHICH MY APPEAR ON THESE PLANS COMPLY WITH THE FINAL ARCHITECTURAL DRAWINGS.
 - CONFIRM ALL DRAWINGS USED FOR CONSTRUCTION ARE OF THE MOST RECENT REVISION.
 - NOTIFY THE ENGINEER OF THE PROPOSED CONSTRUCTION SCHEDULE FOR COORDINATION OF NECESSARY INSPECTIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ENGINEER 48 HOURS PRIOR TO THE COMMENCING SITE WORKS TO ARRANGE FOR INSPECTION. THE ENGINEER SHALL DETERMINE THE EXTENT OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF THE UNDERGROUND SERVICE INSTALLATION AS MANDATED BY THE ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 1.2.2. GENERAL REVIEW. FAILURE TO MAKE SUITABLE ARRANGEMENTS FOR INSPECTION WILL LEAD TO POST CONSTRUCTION TESTING AND INSPECTION AS DETERMINED BY THE ENGINEER, THE COSTS OF WHICH INCLUDING ANY DELAYS IN CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR. FULL PAYMENT FOR UN-INSPECTED WORKS MAY BE WITHHELD UNTIL THE COMPLETION OF THE POST CONSTRUCTION INSPECTION AND TESTING TO THE SATISFACTION OF THE ENGINEER.
- INSPECTION BY THE OWNER'S ENGINEER IS FOR CERTIFICATION AND GENERAL CONFORMANCE PURPOSES AND DOES NOT CERTIFY LINE AND GRADE OR IMPLY AN ASSURANCE OF QUALITY CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THE INSTALLATION OF THE WORKS TO PROPER LINE, GRADE AND QUALITY TO CURRENT INDUSTRY STANDARDS.
- ANY UTILITY RELOCATIONS AND RESTORATIONS DUE TO THE DEVELOPMENT TO BE UNDERTAKEN AT THE EXPENSE OF THE OWNER/DEVELOPER AND SHALL BE COORDINATED BY THE CONTRACTOR.
- ALL RESTORATIONS AND RECONSTRUCTIONS SHALL BE TO COMPLETED TO MATCH EXISTING CONDITIONS OR BETTER AND ARE TO BE PERFORMED TO THE SATISFACTION OF THE ENGINEER AND THE CITY OF HAMILTON.
- SERVICING CONTRACTOR TO MAINTAIN A "CONFINED TRENCH CONDITION" IN ALL SEWER AND WATERMAIN INSTALLATION TRENCHES.
- NO BLASTING WILL BE PERMITTED.

SEWERS

- SANITARY AND STORM SEWERS
 - CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
 - COVER AND BEDDING MATERIAL FOR CONCRETE PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.033, CLASS 'B' BEDDING.
 - COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
 - PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
 - ALL SEWERS TO BE VIDEO INSPECTED AS PER OPSS 409.
 - ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
 - MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM-OPEN, SANITARY-CLOSED).
 - CATCHBASIN FRAMES AND GRATES SHALL BE AS PER OPSD 400.100 IN PAVED AREA AND 400.120 IN LANDSCAPED AREAS.
 - STORM SEWERS 200mm to 600mm IN DIAMETER SHALL BE PVC PIPE, CSA B182.2, SDR-35.
 - ALL PVC STORM SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AFTER INSTALLATION AS PER OPSS 410. SANITARY SEWERS SHALL BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AND LEAKAGE (LOW AIR PRESSURE METHOD) AS PER OPSS 410.
 - CATCH BASIN CONNECTIONS TO BE 250mm DIAMETER PVC PIPE CSA B182.2, SDR-35 UNLESS OTHERWISE NOTED. SINGLE/DOUBLE STREET CATCH BASINS AS PER OPSD 705.010/705.020 RESPECTIVELY. STREET CATCH BASIN GRATES AS PER OPSD 400.020

GRADING NOTES

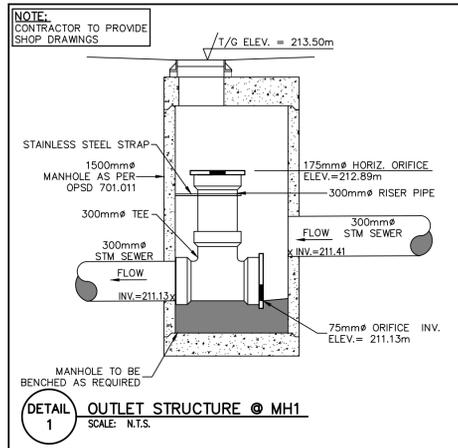
- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOOED SLOPES (MIN. 3% TO 1%) AND/OR RETAINING WALLS AS SPECIFIED.
- ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0M OR HIGHER SHALL BE DESIGNED BY A P.ENG.
- SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
- RETAINING WALLS 0.6m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN) ABOVE FINISHED GRADE.
- IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
- DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.
- ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING.

SILTATION AND EROSION CONTROL

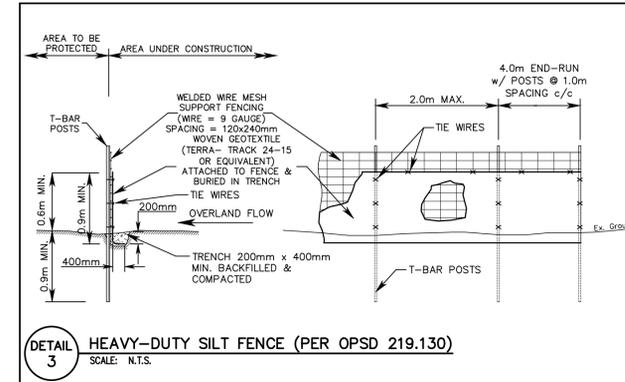
- SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED.
- ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON AND/OR THE HAMILTON CONSERVATION AUTHORITY.
- ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE ENGINEER, THE CITY OF HAMILTON AND/OR THE HAMILTON CONSERVATION AUTHORITY.
- ALL EROSION AND SEDIMENT CONTROL DEVICES MUST BE INSTALLED PRIOR TO DEVELOPMENT AND MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS, UNTIL ALL DISTURBED AREAS HAVE BEEN RE-ESTABLISHED.
- ALL EROSION AND SEDIMENT CONTROL DEVICES SHOULD BE INSPECTED MINIMUM WEEKLY, AFTER EVERY RAINFALL AND MAINTAINED AND CLEANED AS REQUIRED.
- THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH THE CLEANUP OPERATION AT THEIR EXPENSE. SHOULD THE OWNER FAIL TO MAINTAIN THE ROAD AS DIRECTED, THE CITY WILL HAVE THE CLEANING CARRIED OUT, AND DRAW ON THE SECURITY FOR COSTS AND/OR LAY CHARGES.

COMPACTION REQUIREMENTS

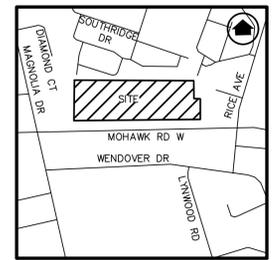
- UNLESS OTHERWISE NOTED OR DIRECTED BY THE GEOTECHNICAL CONSULTANT, THE FOLLOWING SHALL APPLY.
- ALL BEDDING AND BACKFILL MATERIAL, ROAD SUB-GRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS, ETC., SHALL BE COMPACTED TO MIN. 98% SPD. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
 - ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO 98% SPD.
 - FOR ALL SEWERS AND WATERMANS IN FILL SECTIONS, THE COMPACTION SHALL BE CERTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO LAYING OF PIPE.



DETAIL 1
OUTLET STRUCTURE @ MH1
SCALE: N.T.S.



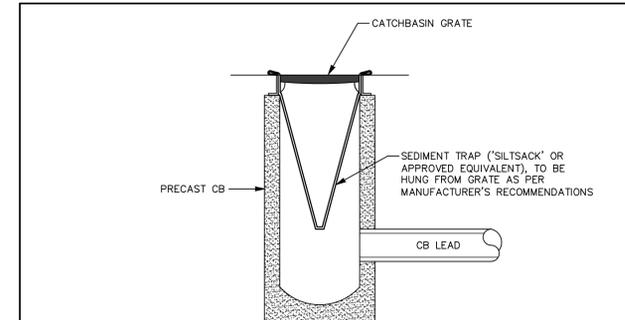
DETAIL 3
HEAVY-DUTY SILT FENCE (PER OPSD 219.130)
SCALE: N.T.S.



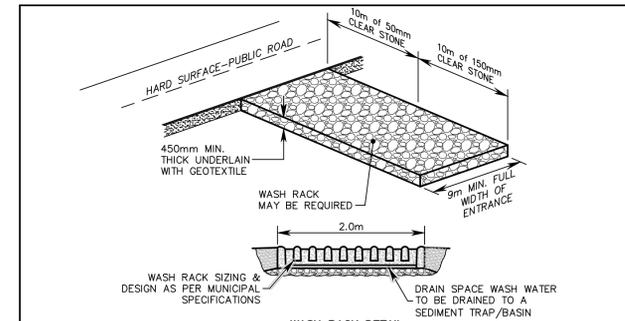
KEY MAP
N.T.S.

BENCHMARK NOTE:

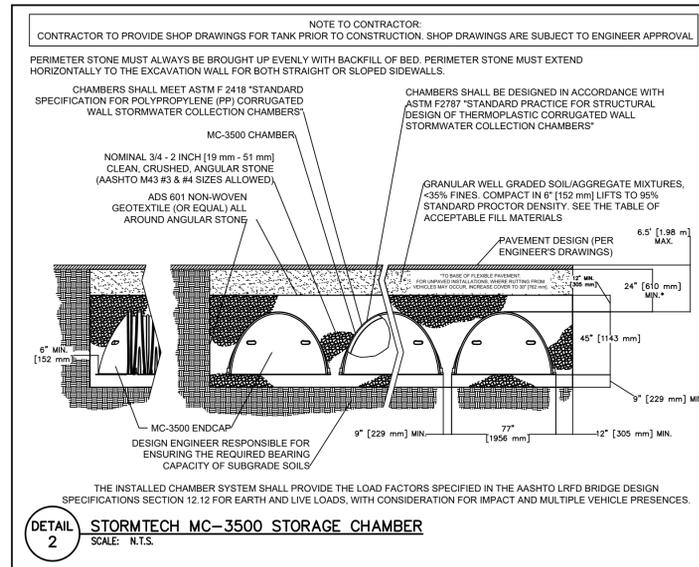
MONUMENT 0019750143
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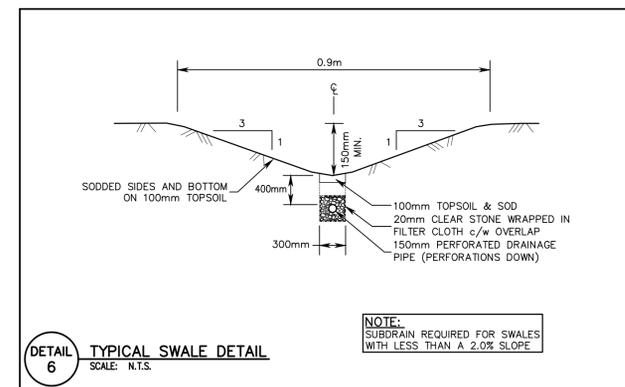
DETAIL 4
STREET CATCH BASIN SEDIMENT TRAP
SCALE: N.T.S.



DETAIL 5
MUD MAT CONSTRUCTION ENTRANCE
SCALE: N.T.S.



DETAIL 2
STORMTECH MC-3500 STORAGE CHAMBER
SCALE: N.T.S.



DETAIL 6
TYPICAL SWALE DETAIL
SCALE: N.T.S.

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DRAWN	AS	CHK'D	SN
			DATE
			May 24, 2022

APPROVALS

STAMP
LICENSED PROFESSIONAL ENGINEER
S. J. NELSON
100229748
May 24/22
PROVINCE OF ONTARIO



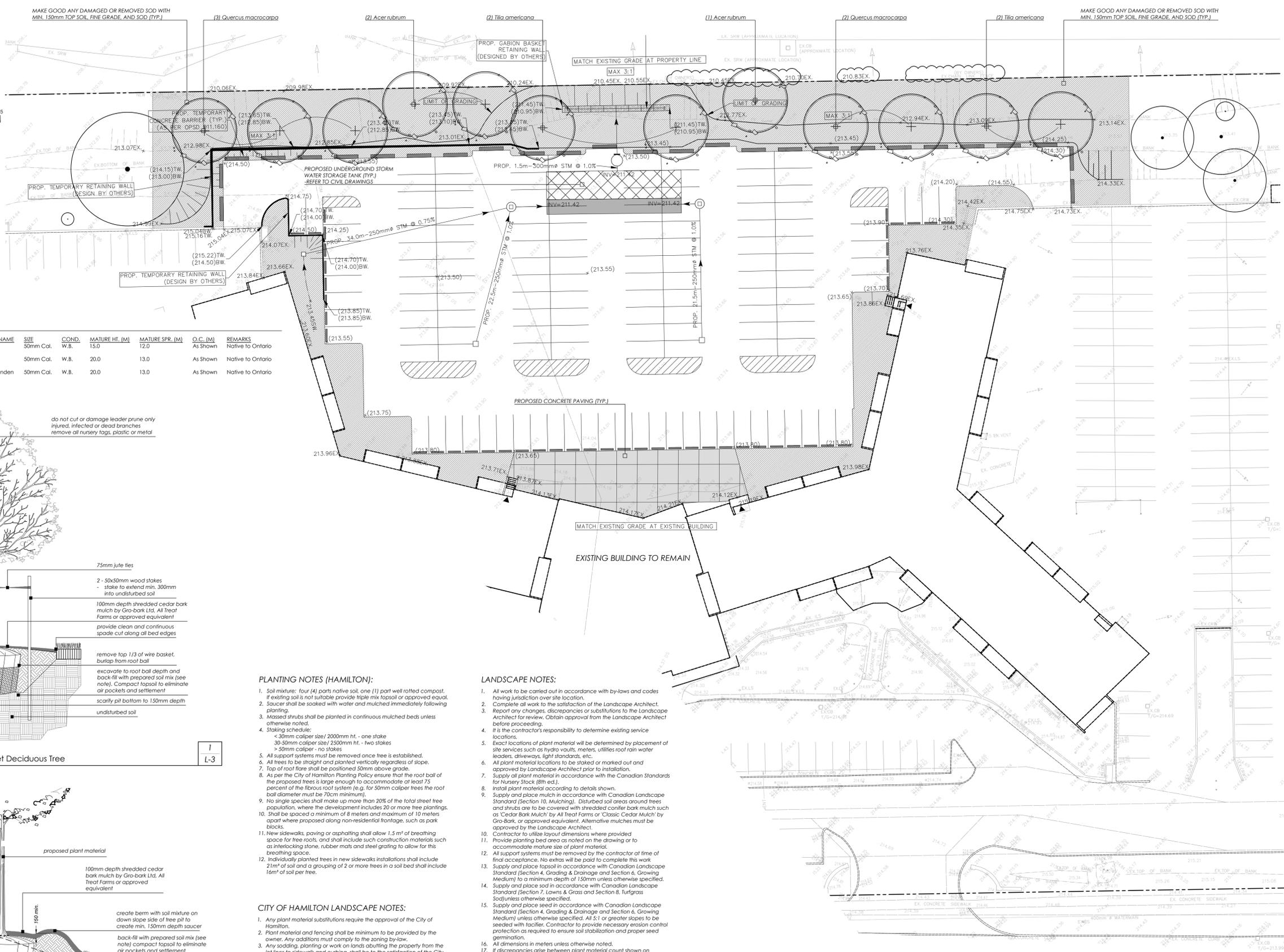
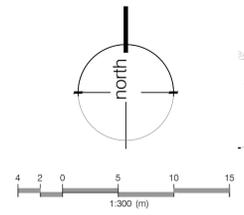
S. LLEWELLYN & ASSOCIATES LIMITED
CONSULTING ENGINEERS
Tel. (905) 631-6978
Website: www.sla.on.ca
email: info@sla.on.ca

3228 South Service Road, Suite #105 East Wing, Burlington, Ont., L7N 3H8

CLIENT
URBAN SOLUTIONS INC.
242 MAIN STREET EAST, HAMILTON, ONTARIO
C/O EFFORT TRUST
PROJECT NAME
750-790 MOHAWK ROAD WEST
HAMILTON, ONTARIO

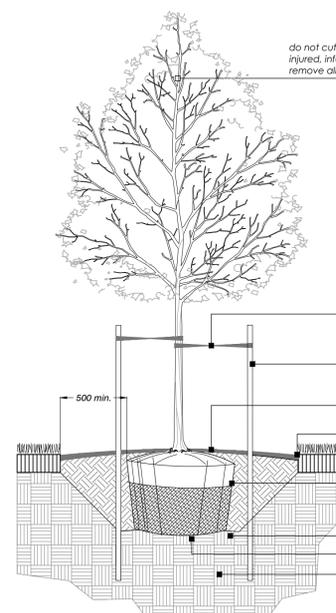
TITLE
GENERAL NOTES AND DETAILS
PROJECT No. 22045
DRAWING No. C103
SCALE 1:300

project #: 22-097



PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	COND.	MATURE HT. (M)	MATURE SPR. (M)	O.C. (M)	REMARKS
3	Acer rubrum	Red Maple	50mm Cal.	W.B.	15.0	12.0	As Shown	Native to Ontario
5	Quercus macrocarpa	Burr Oak	50mm Cal.	W.B.	20.0	13.0	As Shown	Native to Ontario
4	Tilia americana	American Linden	50mm Cal.	W.B.	20.0	13.0	As Shown	Native to Ontario

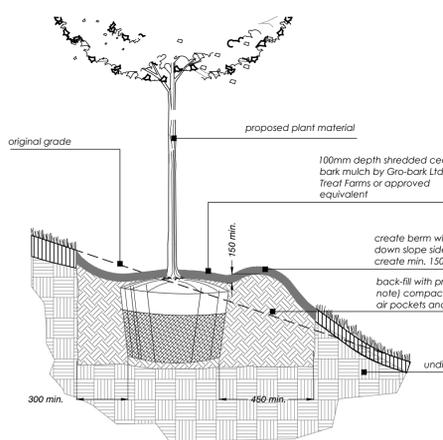


do not cut or damage leader/prune only injured, infected or dead branches
remove all nursery tags, plastic or metal

75mm jute ties
2 - 50x50mm wood stakes - stake to extend min. 300mm into undisturbed soil
100mm depth shredded cedar bark mulch by Gro-Bark Ltd. All Treat Farms or approved equivalent
provide clean and continuous spade cut along all bed edges
remove top 1/3 of wire basket, burlap from root ball
excavate to root ball depth and back-fill with prepared soil mix (see note). Compact topsoil to eliminate air pockets and settlement
scarify pit bottom to 150mm depth
undisturbed soil

Balled & Burlapped/ Wire Basket Deciduous Tree

1 L-3



100mm depth shredded cedar bark mulch by Gro-Bark Ltd. All Treat Farms or approved equivalent
create berm with soil mixture on down slope side of tree pit to create min. 150mm depth saucer
back-fill with prepared soil mix (see note) compact topsoil to eliminate air pockets and settlement
undisturbed soil

Slope Planting

2 L-3

PLANTING NOTES (HAMILTON):

- Soil mixture: four (4) parts native soil, one (1) part well rotted compost. If existing soil is not suitable provide triple mix topsoil or approved equal.
- Saucer shall be soaked with water and mulched immediately following planting.
- Massed shrubs shall be planted in continuous mulched beds unless otherwise noted.
- Staking schedule:
- < 30mm caliper size/ 2000mm ht. - one stake
- 30-50mm caliper size/ 2500mm ht. - two stakes
- 50mm caliper - no stakes
- All support systems must be removed once tree is established.
- All trees to be straight and planted vertically regardless of slope.
- Top of root flare shall be positioned 50mm above grade.
- As per the City of Hamilton Planning Policy ensure that the root ball of the proposed trees is large enough to accommodate at least 75 percent of the fibrous root system (e.g. for 50mm caliper trees the root ball diameter must be 70cm minimum).
- No single species shall make up more than 20% of the total street tree population, where the development includes 20 or more tree plantings.
- Shall be spaced a minimum of 8 meters and maximum of 10 meters apart where proposed along non-residential frontage, such as park blocks.
- New sidewalks, paving or asphalt shall allow 1.5 m² of breathing space for tree roots, and shall include such construction materials such as interlocking stone, rubber mats and steel grating to allow for this breathing space.
- Individually planted trees in new sidewalk installations shall include 21m² of soil and a grouping of 2 or more trees in a soil bed shall include 16m² of soil per tree.

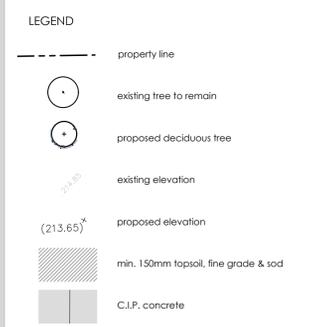
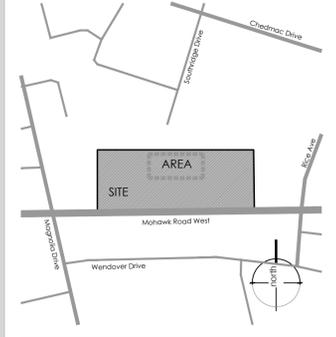
CITY OF HAMILTON LANDSCAPE NOTES:

- Any plant material substitutions require the approval of the City of Hamilton.
- Plant material and fencing shall be minimum to be provided by the owner. Any additions must comply to the zoning by-law.
- Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing shall be to the satisfaction of the City of Hamilton.
- All landscaping shall be installed prior to the end of the first growing season following the start of the development.
- Unless otherwise specified all landscaped areas are to be sodded.
- Unless otherwise specified all undeveloped areas shall be undisturbed and kept free and clear of debris and maintained.

LANDSCAPE NOTES:

- All work to be carried out in accordance with by-laws and codes having jurisdiction over site location.
- Complete all work to the satisfaction of the Landscape Architect.
- Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding.
- It is the contractor's responsibility to determine existing service locations.
- Exact locations of plant material will be determined by placement of site services such as hydro vaults, meters, utilities roof rain water leaders, driveways, light standards, etc.
- All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation.
- Supply all plant material in accordance with the Canadian Standards for Nursery Stock (8th ed.).
- Install plant material according to details shown.
- Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with shredded conifer bark mulch such as 'Cedar Bark Mulch' by All Treat Farms or 'Classic Cedar Mulch' by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect.
- Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with facier. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination.
- All dimensions in meters unless otherwise noted.
- If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct.
- Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified.
- Any site plan or grading and servicing shown is for information only. Refer to approved drawings.
- Not for construction unless stamped, signed and dated by Landscape Architect.
- Drawings not to be reproduced without written consent from Landscape Architect.
- Approval of landscape plan to be obtained from municipality.
- All plant material to be planted a minimum of 1.0m from any swales or ditches.
- For grading and servicing information refer to the consulting Engineer's drawings.
- For lighting information and power distribution refer to the electrical consultant's drawings.

KEY MAP - N.T.S.



NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company

MUNICIPALITY
City of Hamilton

PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

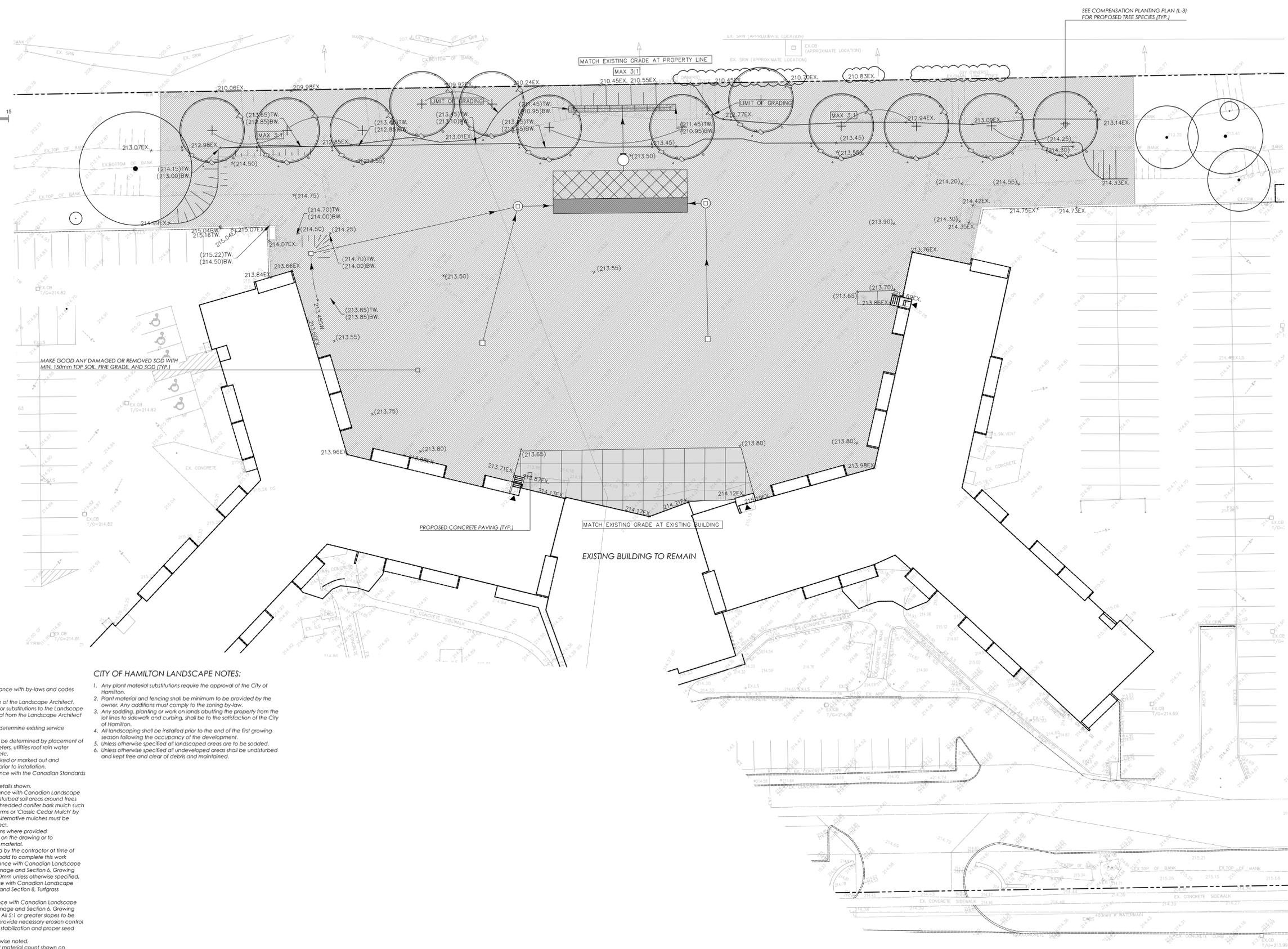
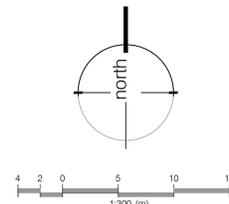
SHEET
Compensation Planting Plan

adesso design inc.
landscape architecture

218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca

L-3

project #: 22-097



SEE COMPENSATION PLANTING PLAN (L-3) FOR PROPOSED TREE SPECIES (TYP.)

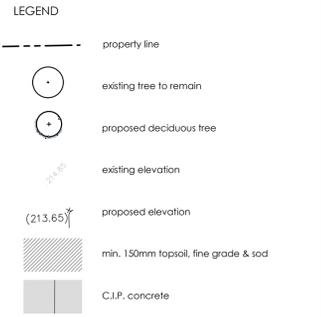
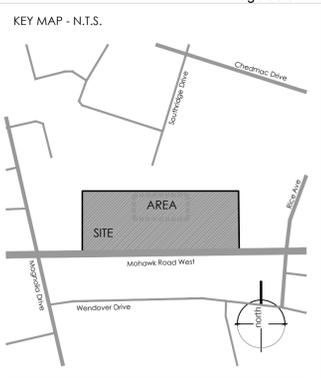
MATCH EXISTING GRADE AT PROPERTY LINE

MATCH EXISTING GRADE AT EXISTING BUILDING

EXISTING BUILDING TO REMAIN

PROPOSED CONCRETE PAVING (TYP.)

MAKE GOOD ANY DAMAGED OR REMOVED SOG WITH MIN. 150mm TOP SOIL, FINE GRADE, AND SOG (TYP.)



NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company
MUNICIPALITY
City of Hamilton

PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

SHEET
Landscape Plan
Final Condition
L-4

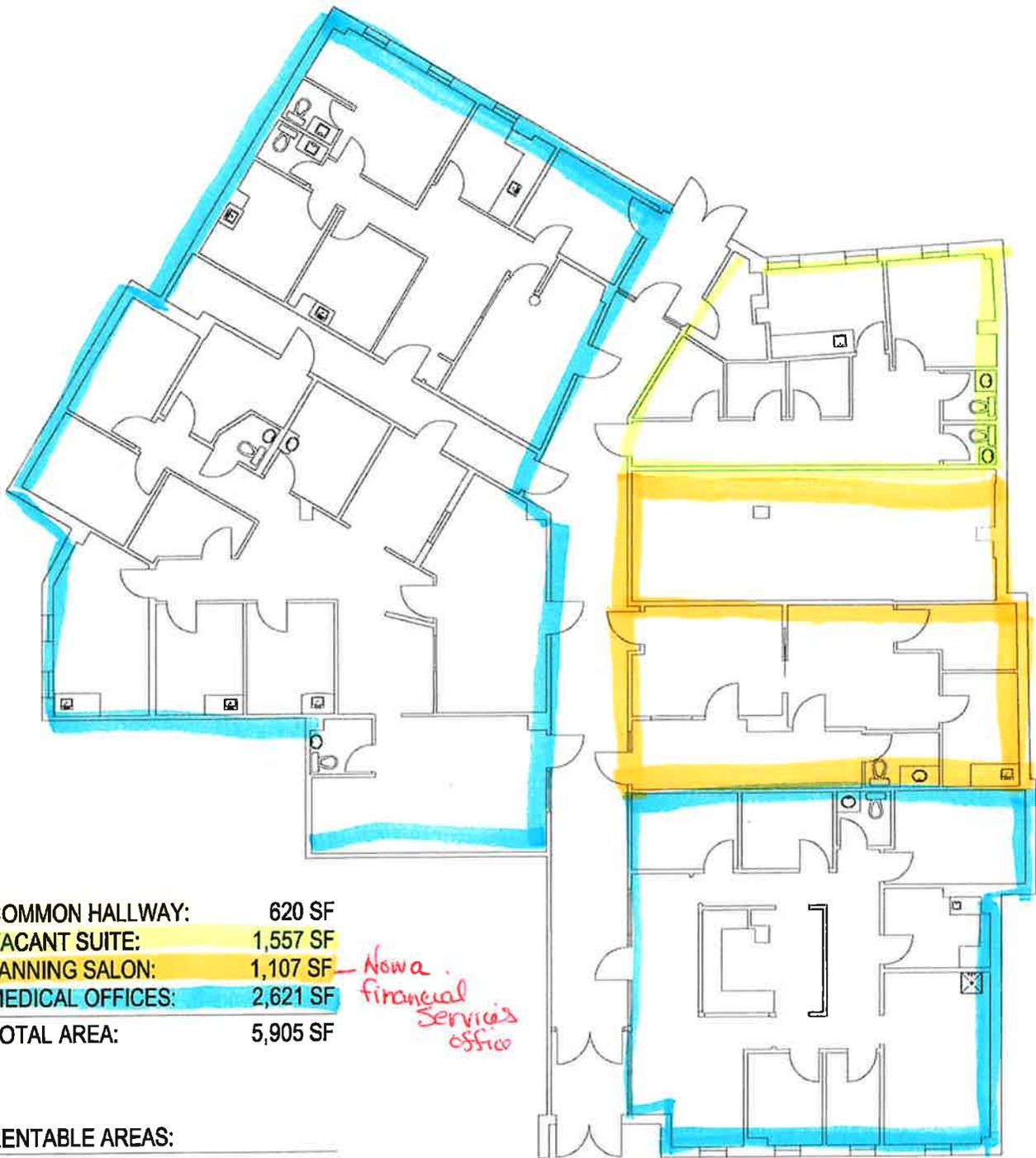
adesso design inc.
landscape architecture

218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
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- LANDSCAPE NOTES:**
- All work to be carried out in accordance with by-laws and codes having jurisdiction over site location.
 - Complete all work to the satisfaction of the Landscape Architect.
 - Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding.
 - It is the contractor's responsibility to determine existing service locations.
 - Exact locations of plant material will be determined by placement of site services such as hydrant vaults, meters, utilities roof rain water leaders, driveways, light standards, etc.
 - All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation.
 - Supply all plant material in accordance with the Canadian Standards for Nursery Stock (8th ed.).
 - Install plant material according to details shown.
 - Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with shredded conifer bark mulch such as 'Cedar Bark Mulch' by All Treat Farms or 'Classic Cedar Mulch' by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect.
 - Contractor to utilize layout dimensions where provided.
 - Provide planting bed area as noted on the drawing or to accommodate mature size of plant material.
 - All support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work.
 - Supply and place topsoil in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) to a minimum depth of 150mm unless otherwise specified.
 - Supply and place sod in accordance with Canadian Landscape Standard (Section 7, Lawns & Grass and Section 8, Turfgrass Sod) unless otherwise specified.
 - Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with turfgrass. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination.
 - All dimensions in meters unless otherwise noted.
 - If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct.
 - Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified.
 - Any site plan or grading and servicing shown is for information only. Refer to approved drawings.
 - Not for construction unless stamped, signed and dated by Landscape Architect.
 - Drawings not to be reproduced without written consent from Landscape Architect.
 - Approval of landscape plan to be obtained from municipality.
 - All plant material to be planted a minimum of 1.0m from any swales or ditches.
 - For grading and servicing information refer to the consulting Engineer's drawings.
 - For lighting information and power distribution refer to the electrical consultant's drawings.

- CITY OF HAMILTON LANDSCAPE NOTES:**
- Any plant material substitutions require the approval of the City of Hamilton.
 - Plant material and fencing shall be minimum to be provided by the owner. Any additions must comply to the zoning by-law.
 - Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing, shall be to the satisfaction of the City of Hamilton.
 - All landscaping shall be installed prior to the end of the first growing season following the occupancy of the development.
 - Unless otherwise specified all landscaped areas are to be sodded.
 - Unless otherwise specified all undeveloped areas shall be undisturbed and kept free and clear of debris and maintained.

Vertical text on the left margin containing project details and dates.



COMMON HALLWAY: 620 SF
VACANT SUITE: 1,557 SF
TANNING SALON: 1,107 SF
MEDICAL OFFICES: 2,621 SF
TOTAL AREA: 5,905 SF

Now a financial services office

RENTABLE AREAS:

VACANT SUITE: 1,740 SF
TANNING SALON: 1,237 SF
MEDICAL OFFICES: 2,928 SF

PREPARED BY:



LOCATION:

OFFICE & RETAIL AREA
770 MOHAWK ROAD WEST
HAMILTON, ONTARIO



PREPARED FOR:

EFFORT TRUST

DATE:

10 FEBRUARY 2010

FILE:

770MOHAWK.DWG

SCALE:

NTS



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)	Greti Development Co. Limited c/o Effort Trust		
Applicant(s)*	Greti Development Co. Limited c/o Effort Trust		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc.		

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

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

/

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

4. Nature and extent of relief applied for:

Please refer to cover letter.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to cover letter.

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

Lots 2, 3, 4 & 5, Registered Plan M-71, In the City of Hamilton
750, 760, 770, 780 & 790 Mohawk Road West, City of Hamilton

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?

Consulted with 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.

May 31, 2022
Date

for [Signature]
Signature Property Owner(s)

Gret. Development Co. Limited
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage Please refer to SPA-22-044
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: __

Please refer to SPA-22-044

Proposed

To construct a temporary parking lot between 780 and 760 Mohawk Rd W buildings to accommodate a temporary parking lot in response to emergency parking garage repairs required at 750, 760, 780 and 790 Mohawk Rd W.

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 SPA-22-044

Proposed:

Please refer to SPA-22-044

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
Unknown
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential - multi unit apartments
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential - townhouses
17. Length of time the existing uses of the subject property have continued:
Unknown
18. Municipal services available: (check the appropriate space or spaces)
Water Connected _____
Sanitary Sewer Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Multiple Dwellings (E-2 E-2/S-110), Multiple Dwellings, Lodges, Clubs, Etc.(E/S-556), Multiple Dwellings (E-2/S-110)
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:
A-15:189, A-15:188, A-78:21, A-75:168, A-75:169, A-74:162
- 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.



June 7, 2022

425-21

Via Email & Delivered

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**RE: 750-790 Mohawk Road West, Hamilton (SPA-22-044)
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant for Greti Development Co. Ltd. c/o Effort Trust and Mr. David Horwood, the registered owner of the lands municipally known as 750-790 Mohawk Road West, in the City of Hamilton.

A Site Plan application was previously submitted to the City in order to provide a temporary parking area at-grade for 141 vehicles. This temporary parking area was specifically required to facilitate the relocation of parking spaces for multiple dwellings at 750, 760, 780, and 790 Mohawk Road West until necessary repairs are completed for the underground parking structure. Securities posted by the landowner through the Site Plan process will ensure the lands to be converted to a temporary parking area will later be restored to their original condition once the required maintenance works are finished. The Site Plan application received conditional approval on February 28th, 2022 as part of SPA-22-044 subject to conditions, including the approval of the enclosed Minor Variance application. Accordingly, we are pleased to submit the enclosed Minor Variance application package, on behalf of the Owner, to satisfy this condition of approval.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and are within the Multiple Dwellings, Lodges, Clubs, Etc. "E/S-556" District, Modified in the Former City of Hamilton By-law No. 6593.

Purpose of the Application

A Minor Variance application is required to facilitate the proposed temporary parking area on the subject lands. Accordingly, this Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law No. 6593 with respect to the Multiple Dwellings, Lodges, Clubs, Etc. "E/S-556" District, Modified as follows:

- **Variance No. 1:** To permit a parking ratio of 0.74 spaces per Class A dwelling unit, whereas 1.25 spaces per Class A dwelling unit is required;

- **Variance No. 2:** To reduce the required visitor parking ratio from 0.25 spaces per Class A dwelling unit to 0.00 spaces per Class A dwelling unit;
- **Variance No. 3:** To eliminate the required 1.25m – 2.0m visual barrier between the temporary parking spaces and the residential district to the north.
- **Variance No. 4:** To permit a temporary parking area whereas the Zoning By-law states that only uses permitted in the “E” District and commercial uses permitted in the “G” District shall be permitted pursuant to Policy 1.1 and 2a) of site specific S-556.

Analysis

To assist in the evaluation of this application, please refer to the enclosed Committee of Adjustment Sketch. Justification for the proposed variances has been provided below in accordance with Section 45(1) of the *Planning Act*:

1. Are the proposed minor variances minor in nature?

The requested variances can be considered minor in nature as they are necessary to facilitate the conditionally approved Site Plan for the subject property. The proposed development of a temporary parking lot on the site is compatible with the abutting land uses and is consistent in massing with the surrounding properties. The requested variances represent modest relief from the existing zoning regulations to permit a parking lot which is in keeping with the established built context of the area and only proposed to be a temporary site condition while necessary repairs are completed to the existing parking structure. Further, all required variances do not generate adverse impacts and maintain the overall intent of the Provincial and local policy framework. Given that all other regulations of the Zoning By-law are achieved, the request is considered to be minor in nature.

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

The requested variances will facilitate the conditionally approved Site Plan, which will result in a temporary parking area necessary to accommodate residents in existing multiple dwellings located on the subject lands. The proposed built form is in keeping with the character of the surrounding area, and represents a use of land that is temporary in nature and permitted in the Urban Hamilton Official Plan and Zoning By-law 6593. The proposed variance requests a reduction in required resident parking spaces on site, visitor parking spaces on site and removes the requirement for a visual barrier between a parking space and a residential property. Repairs need to occur on the existing underground parking structure serving the current residents on site, a temporary parking area on the property has received conditional Site Plan approval to accommodate those residents which need to relocate their vehicles during repairs. Further, variances to the required resident and visitor parking ratios will be necessary to allow for temporary parking of 141 vehicles belonging to the 750, 760, 780, and 790 Mohawk Road West properties.

Accordingly, in recognition of the vehicles relocated by the parking structure repairs, the parking ratio on the subject lands will lack conformity to the Zoning regulations temporarily and variances are required. Additionally, while it is an existing condition on site, the lack of a visual barrier along the northern property boundary must be recognized as a zoning non-conformity on the site. As such, a variance has been requested to remove the requirement for a visual barrier between the parking area and residential properties to the north. Given the existing chain link fence and 11.0 metre planting buffer between the temporary parking area, the requested variance can be considered desirable and appropriate. Therefore, as a result of the circumstantial and temporary need for the requested variances outlined above, the application can be deemed desirable and appropriate for the severance of the lands.

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

The subject lands are designated as Neighbourhoods in the Urban Hamilton Official Plan which permits multiple dwellings as a permitted use of the subject lands. The proposed construction of a temporary parking area is necessary to perform repairs to the underground parking structure of the existing multiple dwellings. Accordingly, the requested Minor Variances aid in maintaining the viability of a permitted use in the Neighbourhoods designation and are in keeping with the general purpose and intent of the Urban Hamilton Official Plan.

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

The subject properties are located in the “Multiple Dwellings, Lodges, Clubs, Etc. “E/S-556” District, Modified in Former City of Hamilton Zoning By-law No. 6593.

The variances requested are to accommodate the temporary parking of neighbouring dwellings while the existing parking structure on site is repaired and to remove the requirement for a 1.5 m – 2.0 m visual barrier between parking spaces and the residential properties to the north. The intent of the zoning provisions are to ensure adequate parking is provided on site for both residents and visitors and to provide for buffer between parking areas and residential properties. The requested variances will meet this intent as it will allow for an on-site parking allocation which meets both the required residential and visitor parking ratios once repairs to the existing parking structure are complete. Further, the existing condition of the site did not provide for a visual barrier. Instead, an 11.0 metre planting buffer and existing chain link fence are proposed to ensure the intent of the By-law with regard to adequate privacy and separation of parking areas and residential properties is achieved.

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

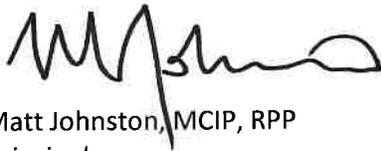
As such, the proposed variance satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this application, please find enclosed the following:

- One (1) copy of the conditionally approved Site Plan (SPA-22-044);
- One (1) copy of the Landscape Drawing Set completed by Adesso Design;
- One (1) copy of the Grading & Servicing Plans completed by S. Llewellyn & Associates;
- One (1) copy of the completed Minor Variance application form; and,
- One (1) cheque in the amount of **\$3,465.00** made payable to the City of Hamilton.

We trust that the enclosed is sufficient, however, please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Scott Beedie, BURPI
Planner

cc: Mr. David Horwood (via email)
Councillor Terry Whitehead, Ward 14, City of Hamilton (cover letter only)



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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/B-22:59	SUBJECT PROPERTY:	382 SOUTHCOTE ROAD, ANCASTER
-------------------------	-------------------	--------------------------	---------------------------------

APPLICANTS: **Owner 1376412 Ontario Ltd., Zeina Homes**
 Agent Urban Solutions – M. Johnston

PURPOSE & EFFECT: To permit the conveyance of a parcel of land and to retain two (2) parcels of land for residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	12.2 m [±]	37.96 m [±]	466.98 m ² [±]
RETAINED LANDS:	12.2 m [±]	37.88 m [±]	459.25 m ² [±]
RETAINED LANDS:	15.28 m [±]	38.04 m [±]	559.58 m ² [±]

Associated Planning Act File(s): This file is heard in conjunction with Application Number: AN/A-22:191.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

AN/B-22:59

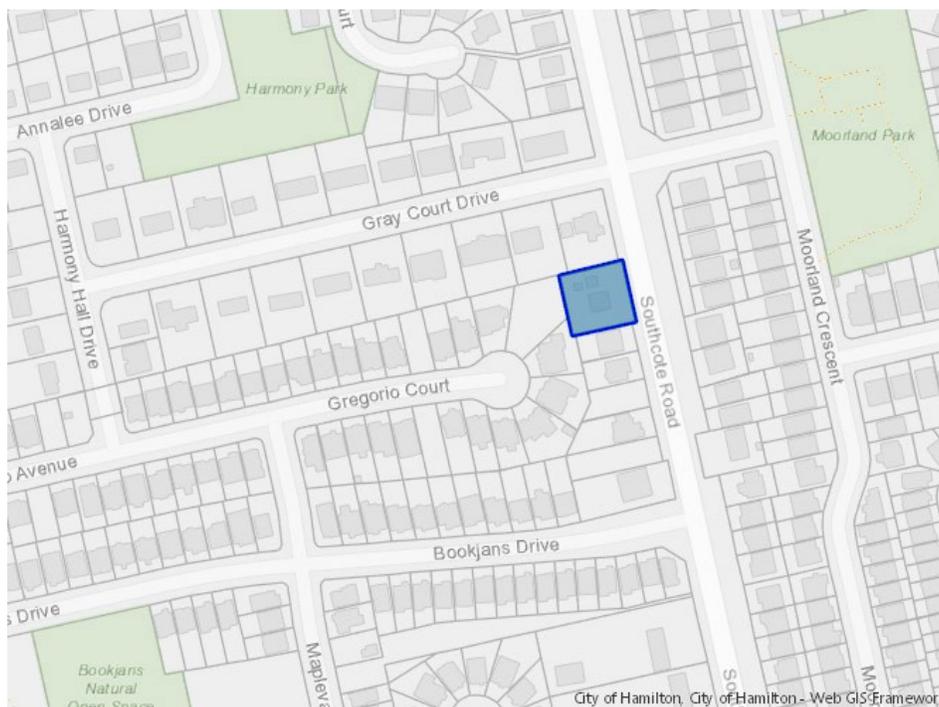
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



DATED: June 28, 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, and may include posting electronic versions..

AN/B-22:59

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

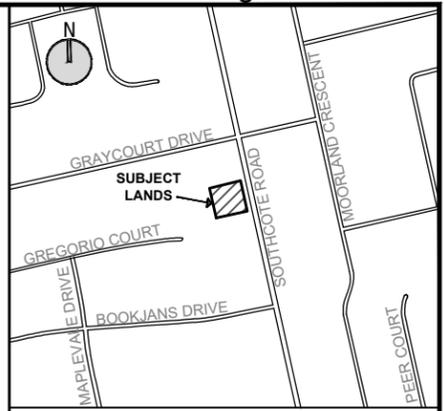
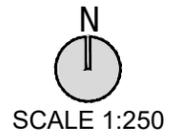
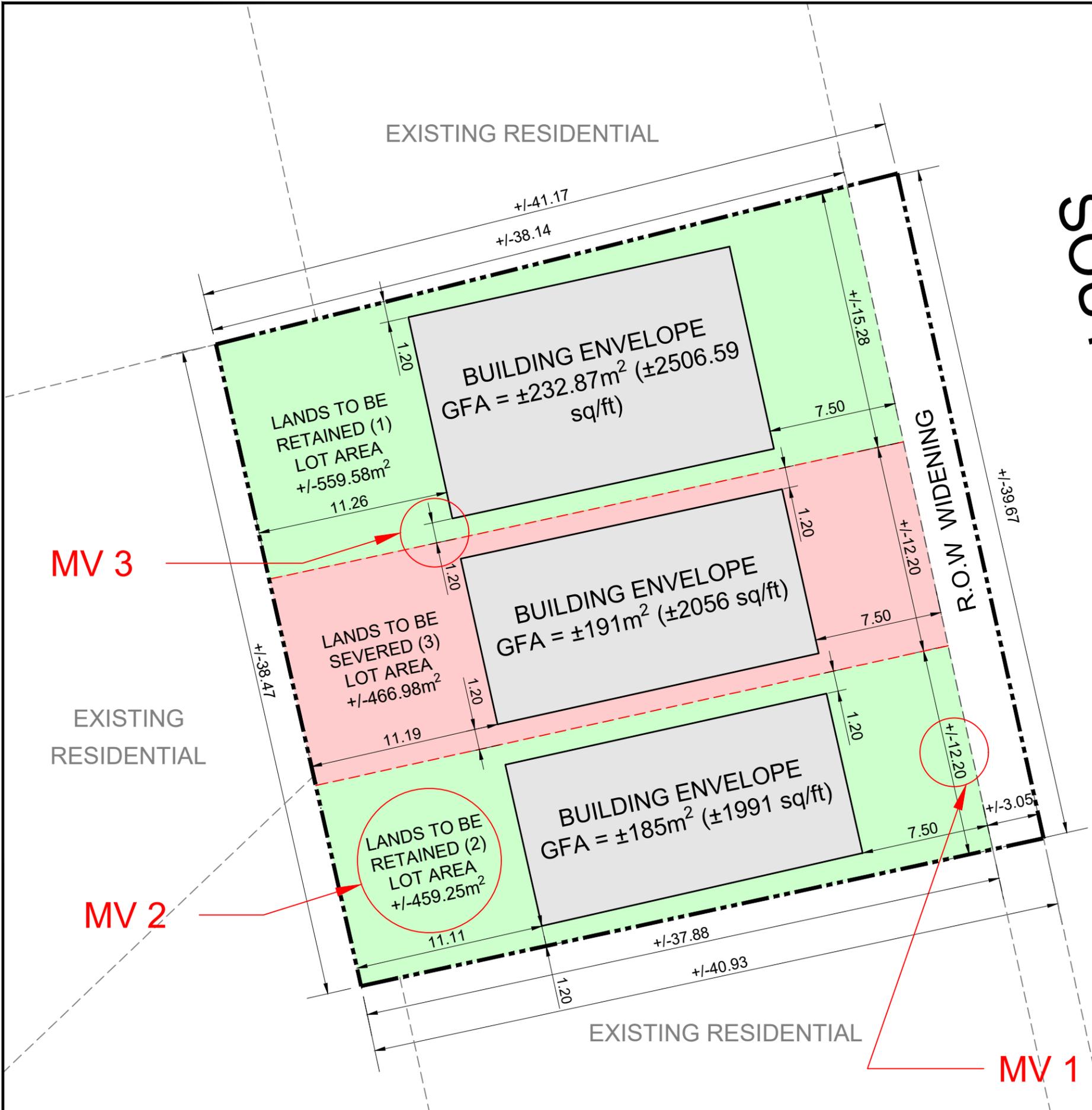
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

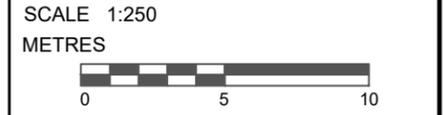
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



KEY MAP - N.T.S.



- LEGEND**
- SUBJECT LANDS
 - LANDS TO BE SEVERED
 - LANDS TO BE RETAINED
 - PROPOSED 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: J. STANLEY CHECKED BY: S. ERICKSON
DRAWN BY: J. STANLEY DATE: MAY 13, 2022

DEVELOPMENT STATISTIC CHART		
AGRICULTURAL "A" ZONE		
ITEMS	REQUIRED	PROPOSED
Min. Lot Frontage	30.00m	12.20m* (MV1)
Min. Lot Area	1850.00m ²	459.25m ² * (MV2)
Max. Lot Coverage	Up to 4 Hectares: 400.00m ²	235m ²
Min. Front Yard	For Dwellings: 7.50m	7.50m
Min. Side Yard	For Dwellings: 3.00m	1.20m* (MV3)
Min. Rear Yard	For Dwellings: 9.00m	11.11m
Min. Floor Area for Dwellings	100.00m ²	185.00m ²
Max. Height	10.50m	6.00m
Parking	2 Spaces	2 Spaces

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
ZEINA HOMES
382 SOUTHCOTE ROAD
CITY OF HAMILTON

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER: 445-22 SHEET NUMBER: 1

MV 3

MV 2

MV 1



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone:
			E-mail:
Registered Owners(s)	1376412 Ontario Limited c/o Zeina Homes		
Applicant(s)**	Same as Owner		
Agent or Solicitor	Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnston		

***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	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 382 Southcote Road			Assessment Roll N°.

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

Yes No

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

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)
12.2m	37.96 m	466.98m ²

Existing Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) _____

Industrial

Agricultural-Related

Commercial

Vacant

Proposed Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) _____

Industrial

Agricultural-Related

Commercial

Vacant

Building(s) or Structure(s):

Existing: Single-detached

Proposed: Single-detached

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)

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

Frontage (m)	Depth (m)	Area (m ² or ha)
+/- 12.2m and +/-15.28m	+/-37.88 and +/- 38.04m	+/-459.25m ² and +/-559.58m 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

Proposed: Single - detached

Existing structures to be removed: _____

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) Please refer to Cover Letter

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

See Cover Letter

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? Agriculture "A-216" zone in the Town of Ancaster zoning By-Law No. 87-57

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.
 Is the previous use inventory attached?
 Yes No

N/A

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
 Yes No
 See Cover Letter
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 See Cover Letter
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 See Cover Letter
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No
 N/A
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)
 N/A
- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No
 If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)
 N/A
- g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

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

Yes No (Provide Explanation)

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.

N/A

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

File number _____ Status Concurrent Minor Variance Application

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 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.

May 24th 2022
 Date


 Signature of Owner



May 30, 2022

445-22

Via Delivered & Email

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 382 Southcote Road, Hamilton ON
Minor Variance and Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained to act as the authorized planning consultant for Zeina Homes, for the lands municipally known as 382 Southcote Road, Ancaster (Subject Lands). Please accept the enclosed Application for Consent to Sever and Minor Variance of the subject lands on their behalf.

The Subject Lands are currently vacant and located on the west side of Southcote Road, south of Gray Court Drive in the City of Hamilton. The lands are designated *Neighbourhoods* on Schedule E-1 – Urban Land Use Designation in the Urban Hamilton Official Plan. The lands are currently *Zoned Agriculture (A-216)* in the Ancaster Zoning By-law No. 87-57. The Subject Lands are designated *Low Density Residential 1a* in the Garner Neighbourhood Secondary Plan, Land Use Plan Map B.2.3-1.

Purpose of this Application

The purpose of the Consent to Sever application is to sever an existing 1485.91m² parcel with a lot frontage of 39.67m into three (3) separate parcels. The lands to be retained are proposed to have a lot area of 559.58m² (1) and 459.25m² (2) and frontages of 15.28m (1) and 12.20m (2) respectively. In addition, the lands to be severed will have a lot area of 466.98m² (3) with frontage of 12.20m (3). The proposed severance is illustrated on the enclosed Committee of Adjustment Sketch.

The application represents good land use planning and satisfies 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 purpose of the Minor Variance application is to address the nonconformities caused by severances. To facilitate the severance, the following variances are required for the lands to be retained:

1. To permit a minimum frontage of 12.20 metres, whereas 30.00 metres is required.

2. To permit a minimum lot area of 459.25 metres squared, whereas 1850.00 metres squared is required.
3. To permit a side yard of 1.20 metres whereas 3.00 metres is required.

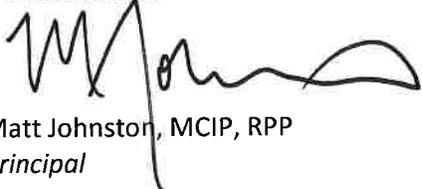
Section 45(1) of *The Planning Act*, R.S.O, 1990, as amended, requires any Minor Variance application to satisfy four tests. The proposed severance allows the property to accommodate three new residential dwellings, representing appropriate infill for the site and supporting the 'Neighbourhoods' land use designation attributed to the site. As such, the proposed variances satisfy the four-tests contained within Section 45(1) of *The Planning Act* as they conform to the Urban Hamilton Official Plan, and the Former Ancaster Zoning by-law are minor in nature and represent good land use planning.

In support of this application, please find enclosed the following:

- One (1) completed and signed Consent to Sever application form;
- One (1) completed and signed Minor Variance application form;
- One (1) Severance Sketch with the respective minor Variances identified, prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,985.00**, made payable to the City of Hamilton; and
- One (1) cheque in the amount of **\$3,465.00**, made payable to the City of Hamilton.

We trust the enclosed in in order, however, please feel free to contact the undersigned with any questions.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



James Stanley, BA (Hons)
Planning Technician

cc: Ali Alaichi, Zeina Homes
Cllr. Ferguson



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:191	SUBJECT PROPERTY:	382 SOUTHCOTE ROAD, ANCASTER
ZONE:	"A-216" (Agricultural)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended

APPLICANTS: Agent Urban Solutions – M. Johnston
Owners 1376412 Ontario Ltd., - Zeina Homes

The following variances are requested:

1. A minimum lot area of 459.0m² shall be permitted for each lot instead of the minimum 1850.0m² lot area required.
2. A minimum lot frontage of 12.0m shall be permitted for each lot instead of the minimum 30.0m lot frontage required.
3. A minimum side yard of 1.2m shall be permitted for each lot instead of the minimum 3.0m side yard required.

PURPOSE & EFFECT: To permit the creation of three (3) lots for single detached dwelling purposes as per Consent Application AN/B-22:59.

Notes:

These variances are necessary to facilitate Consent Application AN/B-22:59.

The applicant shall ensure compliance with all other aspect of the zoning By-law (i.e. lot coverage, maximum height, parking, etc.); otherwise, further variances shall be required.

AN/A-22:191

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

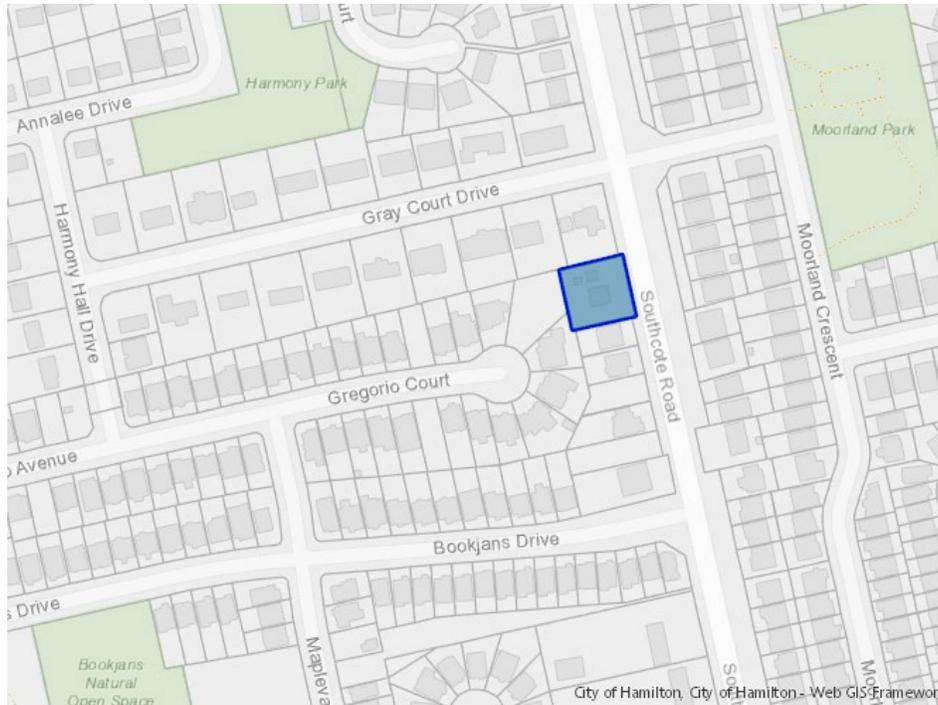
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

AN/A-22:191



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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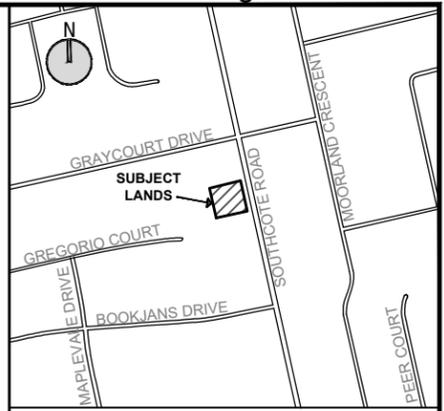
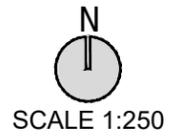
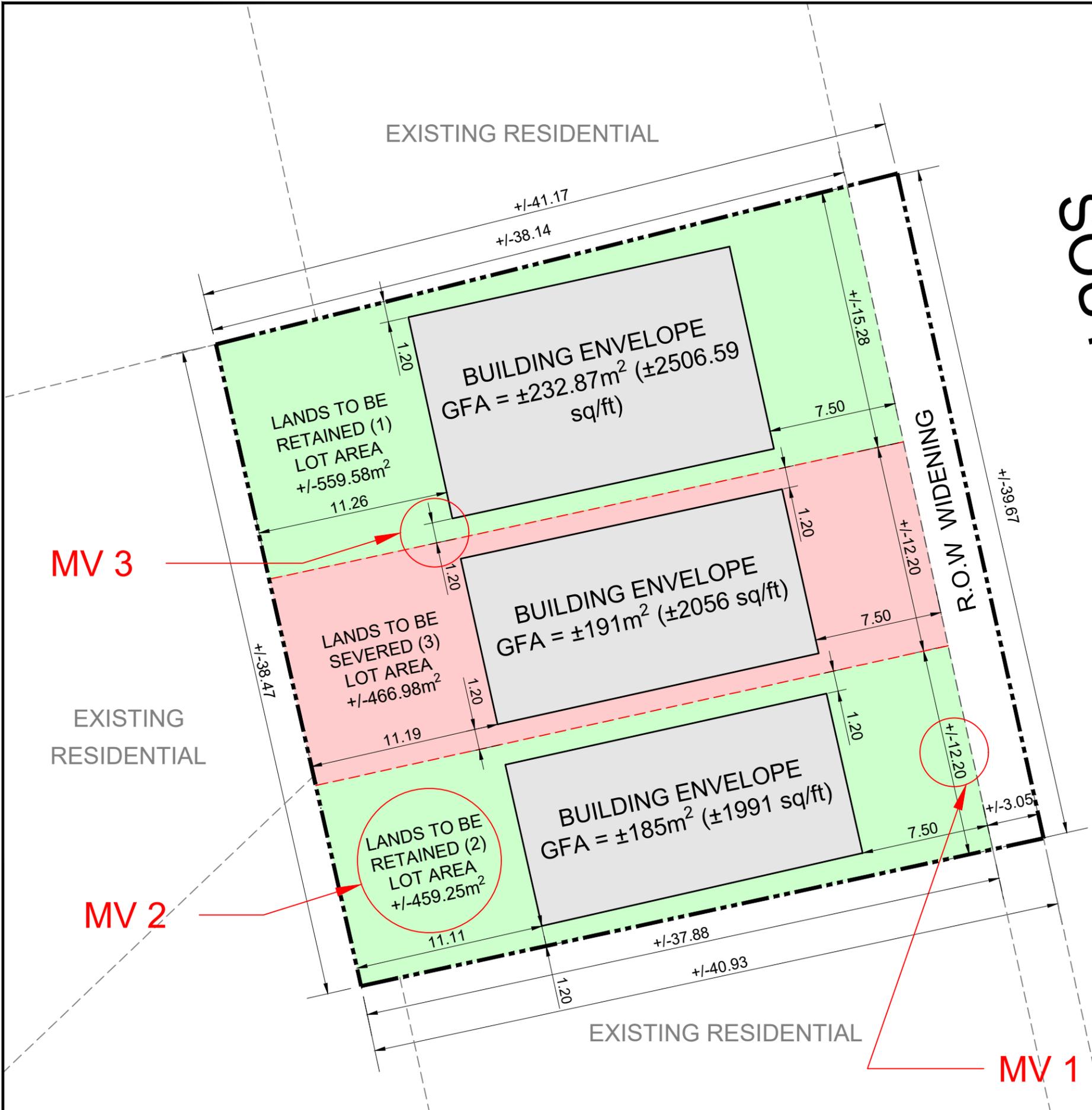
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2. In person Oral Submissions

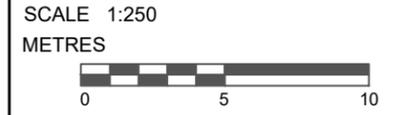
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KEY MAP - N.T.S.



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: J. STANLEY CHECKED BY: S. ERICKSON
DRAWN BY: J. STANLEY DATE: MAY 13, 2022

DEVELOPMENT STATISTIC CHART		
AGRICULTURAL "A" ZONE		
ITEMS	REQUIRED	PROPOSED
Min. Lot Frontage	30.00m	12.20m* (MV1)
Min. Lot Area	1850.00m ²	459.25m ² * (MV2)
Max. Lot Coverage	Up to 4 Hectares: 400.00m ²	235m ²
Min. Front Yard	For Dwellings: 7.50m	7.50m
Min. Side Yard	For Dwellings: 3.00m	1.20m* (MV3)
Min. Rear Yard	For Dwellings: 9.00m	11.11m
Min. Floor Area for Dwellings	100.00m ²	185.00m ²
Max. Height	10.50m	6.00m
Parking	2 Spaces	2 Spaces

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
ZEINA HOMES
382 SOUTHCOTE ROAD
CITY OF HAMILTON

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER: 445-22 SHEET NUMBER: 1



May 30, 2022

445-22

Via Delivered & Email

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 382 Southcote Road, Hamilton ON
Minor Variance and Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained to act as the authorized planning consultant for Zeina Homes, for the lands municipally known as 382 Southcote Road, Ancaster (Subject Lands). Please accept the enclosed Application for Consent to Sever and Minor Variance of the subject lands on their behalf.

The Subject Lands are currently vacant and located on the west side of Southcote Road, south of Gray Court Drive in the City of Hamilton. The lands are designated *Neighbourhoods* on Schedule E-1 – Urban Land Use Designation in the Urban Hamilton Official Plan. The lands are currently *Zoned Agriculture (A-216)* in the Ancaster Zoning By-law No. 87-57. The Subject Lands are designated *Low Density Residential 1a* in the Garner Neighbourhood Secondary Plan, Land Use Plan Map B.2.3-1.

Purpose of this Application

The purpose of the Consent to Sever application is to sever an existing 1485.91m² parcel with a lot frontage of 39.67m into three (3) separate parcels. The lands to be retained are proposed to have a lot area of 559.58m² (1) and 459.25m² (2) and frontages of 15.28m (1) and 12.20m (2) respectively. In addition, the lands to be severed will have a lot area of 466.98m² (3) with frontage of 12.20m (3). The proposed severance is illustrated on the enclosed Committee of Adjustment Sketch.

The application represents good land use planning and satisfies 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 purpose of the Minor Variance application is to address the nonconformities caused by severances. To facilitate the severance, the following variances are required for the lands to be retained:

1. To permit a minimum frontage of 12.20 metres, whereas 30.00 metres is required.

2. To permit a minimum lot area of 459.25 metres squared, whereas 1850.00 metres squared is required.
3. To permit a side yard of 1.20 metres whereas 3.00 metres is required.

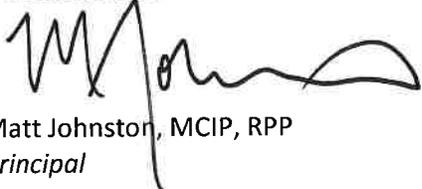
Section 45(1) of *The Planning Act*, R.S.O, 1990, as amended, requires any Minor Variance application to satisfy four tests. The proposed severance allows the property to accommodate three new residential dwellings, representing appropriate infill for the site and supporting the 'Neighbourhoods' land use designation attributed to the site. As such, the proposed variances satisfy the four-tests contained within Section 45(1) of *The Planning Act* as they conform to the Urban Hamilton Official Plan, and the Former Ancaster Zoning by-law are minor in nature and represent good land use planning.

In support of this application, please find enclosed the following:

- One (1) completed and signed Consent to Sever application form;
- One (1) completed and signed Minor Variance application form;
- One (1) Severance Sketch with the respective minor Variances identified, prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,985.00**, made payable to the City of Hamilton; and
- One (1) cheque in the amount of **\$3,465.00**, made payable to the City of Hamilton.

We trust the enclosed in in order, however, please feel free to contact the undersigned with any questions.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



James Stanley, BA (Hons)
Planning Technician

cc: Ali Alaichi, Zeina Homes
Cllr. Ferguson



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)	1376412 Ontario Limited c/o Zeina Homes	
Applicant(s)*	Same as Owner	
Agent or Solicitor	Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnston	

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

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

N/A

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

4. Nature and extent of relief applied for:

Please refer to Cover Letter

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to Cover Letter

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

382 Southcote Road, Ancaster

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?
 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.

May 30 2022 Date *Ali Al-Ricchi* Signature Property Owner(s)
Ali Al-Ricchi Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage +/- 39.69 m
 Depth +/- 37.88 m
 Area +/- 1606.39 m²
 Width of street +/- 20 m

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

Existing:
 One storey single detached dwelling and movable shipping container

Proposed:
 Please refer to 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:

Proposed:
 Please refer to Sevrenace Sketch

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
Unknown
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential
17. Length of time the existing uses of the subject property have continued:
Unknown
18. Municipal services available: (check the appropriate space or spaces)
Water Connected
Sanitary Sewer Connected
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
The Subject Lands are Designated "Neighbourhoods" in the Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
The subject lands are currently located in the Agriculture "A" Zone in the Town of Ancaster By-law No. 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:
Concurrent Minor Variance application
- 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 refer to enclosed Cover Letter
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Consent/Land Severance

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/B-22:58	SUBJECT PROPERTY:	52 CHATHAM STREET , HAMILTON
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APPLICANTS: **Owner B. Swaffer & C. Brennan**
 Agent Urban Solutions – M. Johnston

PURPOSE & EFFECT: To permit the conveyance of a parcel of land containing a semi-detached dwelling (under construction) and to retain a parcel of land containing a semi-detached dwelling (under construction) for residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	7.35 m [±]	35.303 m [±]	338.04 m ² ±
RETAINED LANDS:	7.60 m [±]	46.17 m [±]	350.92 m ² ±

Associated Planning Act File(s): [Click or tap here to enter text.](#)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	1:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

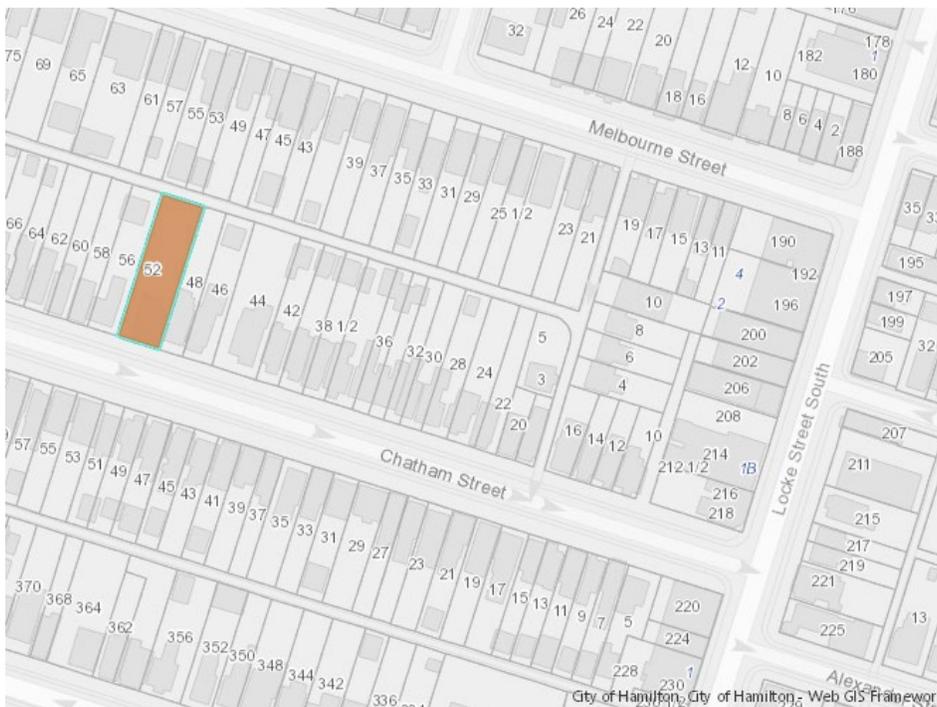
HM/B-22:58

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**Subject Lands**

DATED: June 28, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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HM/B-22:58

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

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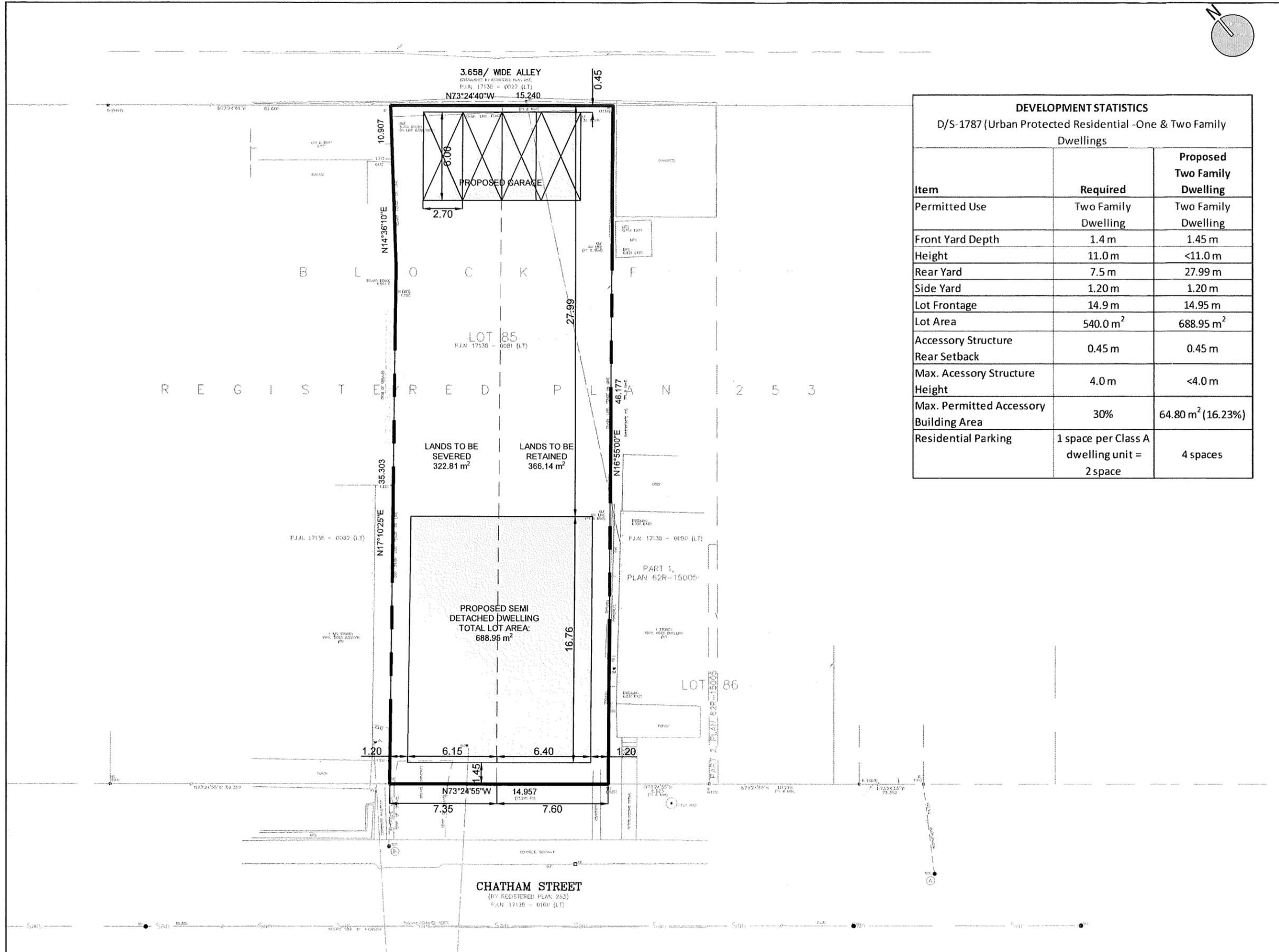
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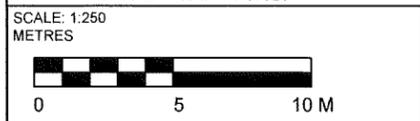
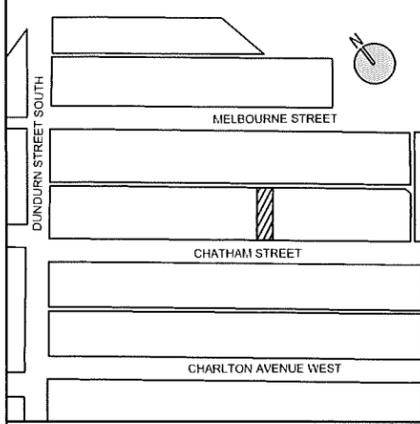
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DEVELOPMENT STATISTICS		
D/S-1787 (Urban Protected Residential -One & Two Family Dwellings)		
Item	Required	Proposed Two Family Dwelling
Permitted Use	Two Family Dwelling	Two Family Dwelling
Front Yard Depth	1.4 m	1.45 m
Height	11.0 m	<11.0 m
Rear Yard	7.5 m	27.99 m
Side Yard	1.20 m	1.20 m
Lot Frontage	14.9 m	14.95 m
Lot Area	540.0 m ²	688.95 m ²
Accessory Structure	0.45 m	0.45 m
Rear Setback		
Max. Accessory Structure Height	4.0 m	<4.0 m
Max. Permitted Accessory Building Area	30%	64.80 m ² (16.23%)
Residential Parking	1 space per Class A dwelling unit = 2 space	4 spaces



- LEGEND:**
- SUBJECT LANDS
 - PROPERTY BOUNDARIES
 - x- EX. FENCE
 - - - PROP. 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: MAY 26, 2022

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT

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

PROJECT:
 52 CHATHAM STREET
 CITY OF HAMILTON

CLIENT:
 CARL BRENNAN & BRENDA SWAFFER

TITLE:
 CONSENT TO SEVER SKETCH

U/S FILE NUMBER: 386-21	SHEET NUMBER: 1
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PLAN OF SURVEY
OF
LOT 85
BLOCK "F"
REGISTERED PLAN 253
IN THE
CITY OF HAMILTON

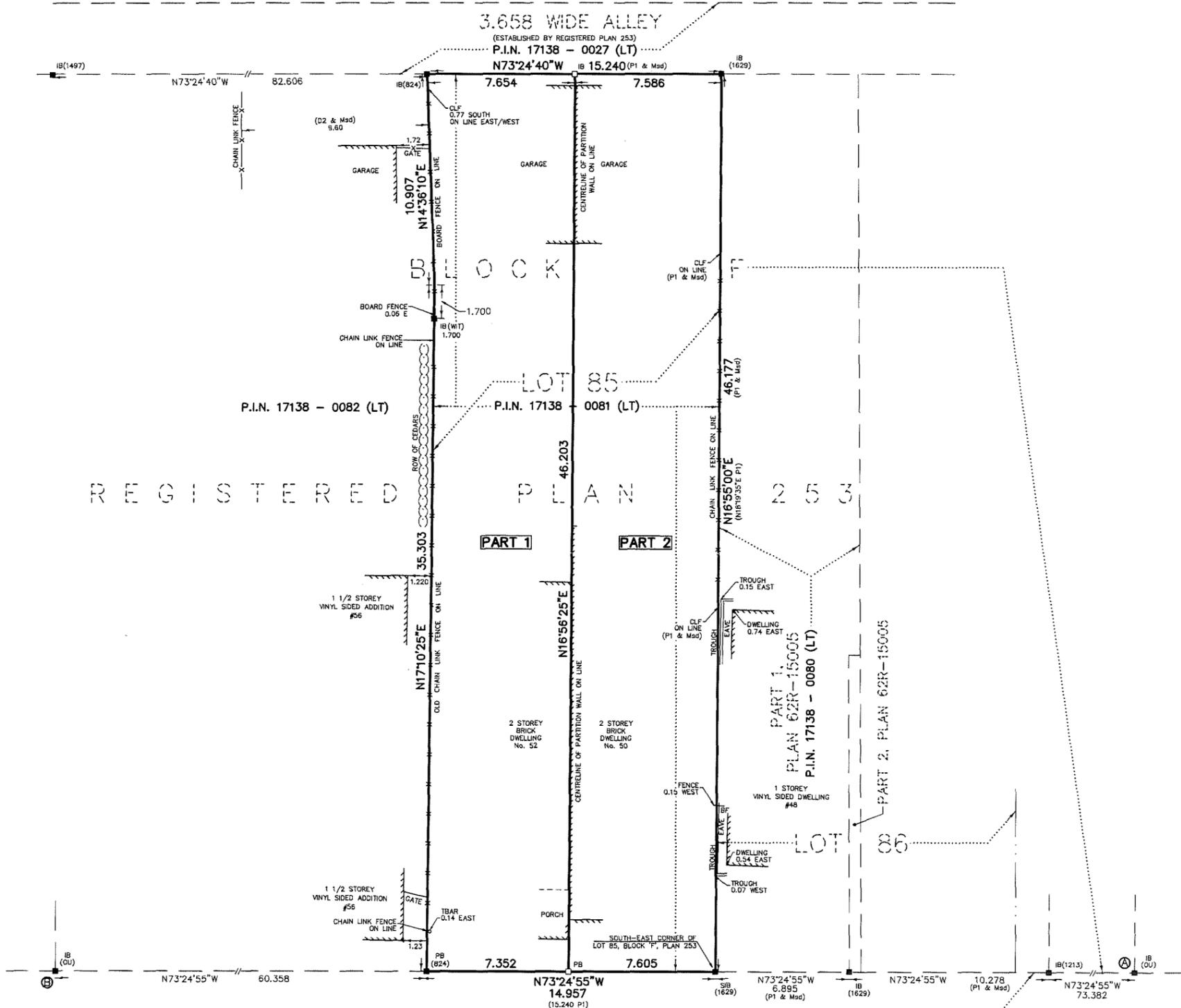
SCALE 1:150 METRIC
3 1.5 0 3 6 9 metres

R.A. McLAREN, O.L.S. - 2022



SCHEDULE			
PART	LOT	PLAN	P.I.N.
1	ALL OF LOT 85	BLOCK "F" PLAN 253	ALL OF 17138-0081(LT)
2			

PLAN 62 R- _____
RECEIVED AND DEPOSITED
Date _____
LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No.62)
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
Date _____
R.A. McLAREN, O.L.S.



CHATHAM STREET
(BY REGISTERED PLAN 253)
P.I.N. 17138 - 0169 (LT)

METRIC NOTE:

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

BEARING NOTE:

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

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99968977047

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP @	4789686.755	590312.638
ORP @	4789734.064	590153.713

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

LEGEND:

□	DENOTES	MONUMENT SET
■		MONUMENT FOUND
Mad		MEASURED
IB		IRON BAR
SIB		STANDARD IRON BAR
SSIB		SHORT STANDARD IRON BAR
SCR		SCRIBE
824		A.T. McLAREN, O.L.S.
1629		B.A. JACOBS, O.L.S.
1213		J.D. PETERS, O.L.S.
P1		REGISTERED PLAN 253
P2		PLAN 62R-15005
BF		BOARD FENCE
CLF		CHAIN LINK FENCE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____
DRAFT
DATE _____ R.A. McLAREN, O.L.S.



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

Drawn JM	Checked DG	Drew Chief JS	Scale 1:150	Dwg.No. 36274-R
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Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

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

APPLICATION FOR 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*	N/A		Phone:
			E-mail:
Registered Owners(s)	BRENDA SWAFFER and CARL BRENNAN		
Applicant(s)**	Same as owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc.		

*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 85 Block "F"	Concession	Former Township
Registered Plan N°. 253	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 52 Chatham Street			Assessment Roll N°.

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

Yes No

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

N/A

3 PURPOSE OF THE APPLICATION

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

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

- creation of a new lot
- 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)
7.35 m	+/- 35.303 m	338.04 m ²

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Existing semi detached dwelling currently being constructed

Proposed: One semi detached dwelling

Existing structures to be removed: _____

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)
7.60 m	46.17 m	350.92 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
- 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: Existing semi detached dwelling currently being constructed _____

Proposed: One semi detached dwelling _____

Existing structures to be removed: _____

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): 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? "D" (Urban Protected Residential, One and Two Family Dwellings, Etc.) 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 N/A
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown

- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
 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.
 Is the previous use inventory attached? N/A
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
 Yes No
 Please refer to enclosed cover letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)
 Please refer to enclosed cover letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)
 Please refer to enclosed cover letter.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No N/A
 (Provide Explanation)
 N/A
- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No
 If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)
 N/A
- g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

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

Yes No (Provide Explanation)

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.

N/A

8.4 How long has the applicant owned the subject land?

Unknwon

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.

N/A

9 OTHER APPLICATIONS

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

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

N/A

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

File number HM/A-21:75 Status Approved - Final & Binding

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

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

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

~~Existing Land Use: _____ Proposed Land Use: _____~~

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m² or ha):
--------------------------	--

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

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

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

~~Front yard set back: _____~~

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

~~Existing Land Use: _____ Proposed Land Use: _____~~

11 OTHER INFORMATION

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

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.

April 25, 2022
 Date

[Signature]
 Signature of Owner

[Signature]



May 27, 2022

386-21

Via Email & Delivered

Ms. Jamila Sheffield

Secretary Treasurer

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

Dear Ms. Sheffield,

**Re: 52 Chatham Street, Hamilton
Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Ms. Brenda Swaffer and Mr. Carl Brennan, for the lands municipally known as 52 Chatham Street, in the City of Hamilton. Please accept the enclosed Application for Consent to Sever to facilitate the severance of the subject property on their behalf.

The subject property is located on the northern side of Chatham Street and is currently under construction to develop a semi-detached dwelling on the site. The property is a +/- 688.95 m² parcel with lot frontage of +/- 14.95 m, that is to be split into two parcels as approved by the Committee of Adjustment on April 1, 2021 via HM/A-21:76. The parcel is designated as "Neighbourhoods" in the Urban Hamilton Official Plan and is zoned Urban Protected Residential "D" Zone of the Former City of Hamilton Zoning By-law 6593.

Purpose of the Application

The purpose of the Consent Application is to sever the 52 Chatham Street property and semi-detached dwelling under construction on site into two separate parcels. There is one (1) lot to be retained as labeled on the corresponding Sketch of Land Division for this application. The retained lot is proposed to have a lot area of +/- 350.92 m² and a frontage of +/- 7.60 m. The severed lot will have a lot area of +/- 338.04 m² with +/- 7.35 m of frontage. The proposed severance is illustrated on the enclosed Sketch of Land Division and both lots conform to Former City of Hamilton Zoning By-law 6593 as a previous Minor Variance application was approved for the subject lands to facilitate the proposed built form (HM/A-21:76).

To assist in the evaluation of the application, please refer to the enclosed Sketch of Land Division.

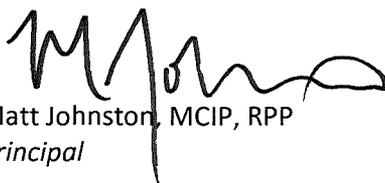
Based on the above analysis, UrbanSolutions believes that the application represents good land use planning and satisfies Section 53(1) of the *Planning Act*, R.S.O., 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands.

In support of this application, please find enclosed the following:

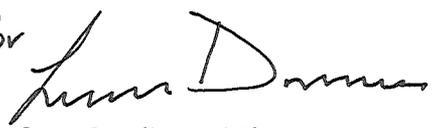
- One (1) copy of the completed Consent to Sever Application form;
- One (1) copy of the draft Reference Plan prepared by A.T. McLaren;
- One (1) copy of the Consent to Sever Sketch, prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **\$2,985.00** made payable to the City of Hamilton for the Consent to Sever Application fee.

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 
Scott Beedie, BURPI
Planner

cc: Ms. Brenda Swaffer
Mr. Carl Brennan
Councillor M. Wilson, Ward 1, City of Hamilton (via Email)



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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/B-21:66	SUBJECT PROPERTY:	940 BEACH BOULEVARD, HAMILTON
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APPLICANTS: **Owner Z. & G. Shahzad**
 Agent Metropolitan Consulting

PURPOSE & EFFECT: To permit the conveyance of a parcel of land and to retain a parcel of land of residential purposes. The existing dwelling and garage will be demolished.

	Frontage	Depth	Area
SEVERED LANDS:	12 m [±]	49 m [±]	588 m ² ±
RETAINED LANDS:	12.5 m [±]	50 m [±]	625 m ² ±
RETAINED LANDS:	12.5 m [±]	48 m [±]	600 m ² ±

Associated Planning Act File(s): [Click or tap here to enter text.](#)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

HM/B-21:66

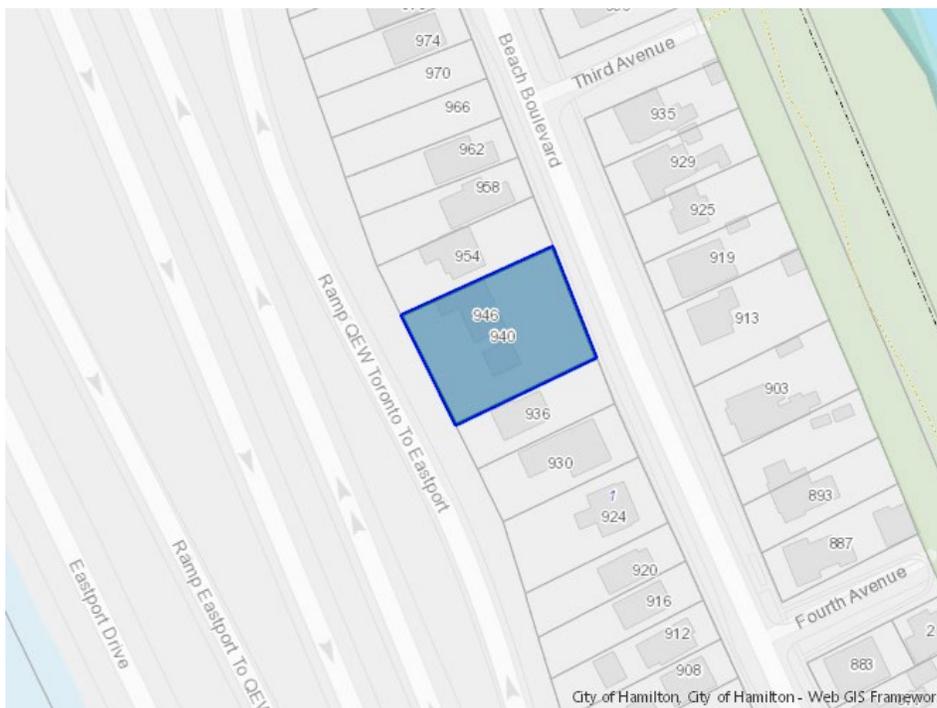
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



DATED: June 28, 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, and may include posting electronic versions.

HM/B-21:66

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



Hamilton

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca
APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT
Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS
Registered Owners(s)	Shahzad Zia & Ghazia Shahzad	
Applicant(s)*	Shahzad Zia	
Agent or Solicitor	Peter De Iulio Metropolitan Consulting Inc.	

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

1.3 All correspondence should be sent to Owner Applicant Agent/Solicitor**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 940/946 Beach Boulevard			Assessment Roll N°.

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

 Yes No

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

3 PURPOSE OF THE APPLICATION

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

a) Urban Area Transfer (do not complete Section 10): creation of a new lotOther: a charge

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

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

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

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

Unknown

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m) 12m	Depth (m) 49m	Area (m ² or ha) 588sq.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: Single detached dwelling and detached garage

Proposed: Single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m) 12.5m & 12.5m	Depth (m) 50m & 48m	Area (m ² or ha) 625sq.m. & 600sq.m.
-------------------------------	------------------------	--

Existing Use of Property to be retained:

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

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Single detached dwelling and detached garage

Proposed: Single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Single detached dwellings are proposed in an area consisting of both existing and recently constructed single detached dwellings on similar size lots.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? C/S-1436

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

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

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

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

7 PROVINCIAL POLICY

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

Minor intensification is proposed within an Urban Area on full municipal services.

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

Minor intensification is proposed within an Urban Area on full municipal services.

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

Minor intensification is proposed within an Urban Area on full municipal services.

- 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

Minor intensification is proposed within an Urban Area on full municipal services.

- 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?

June 2021

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

9 OTHER APPLICATIONS

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

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

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area Designation

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

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

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

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

f) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

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

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

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

13 ACKNOWLEDGEMENT CLAUSE

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

JUNE 29, 2021
Date


Signature of Owner



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:179	SUBJECT PROPERTY:	83 OAK AVENUE, HAMILTON
ZONE:	"D" (Urban Protected Residential – One and Two Family Dwellings etc.)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: Owners F. & J. Vlasak

The following variances are requested:

1. A minimum front yard depth of 0.7 metres shall be provided instead of the minimum required 6.0 metres.
2. A minimum side yard width of 0.3 metres shall be permitted instead of the minimum required 1.2 metres.

PURPOSE & EFFECT: So as to permit the construction of a front yard addition by way of enclosing the existing front porch.

Notes:

1. By enclosing the existing porch, the enclosure becomes considered part of the principal building and therefore subject to the principal building regulations of the current 'D' district.
2. Please be advised that there are no provisions in the zoning by-law to permit the projection of an exterior stairway into a required front yard, Therefore, the exterior stairway in the front yard is subject to the principal building setback regulations and the front yard depth being measured from the front lot line to the nearest part of the exterior staircase. Variance #1 has been written accordingly.

HM/A-22:179

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:05 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:179



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

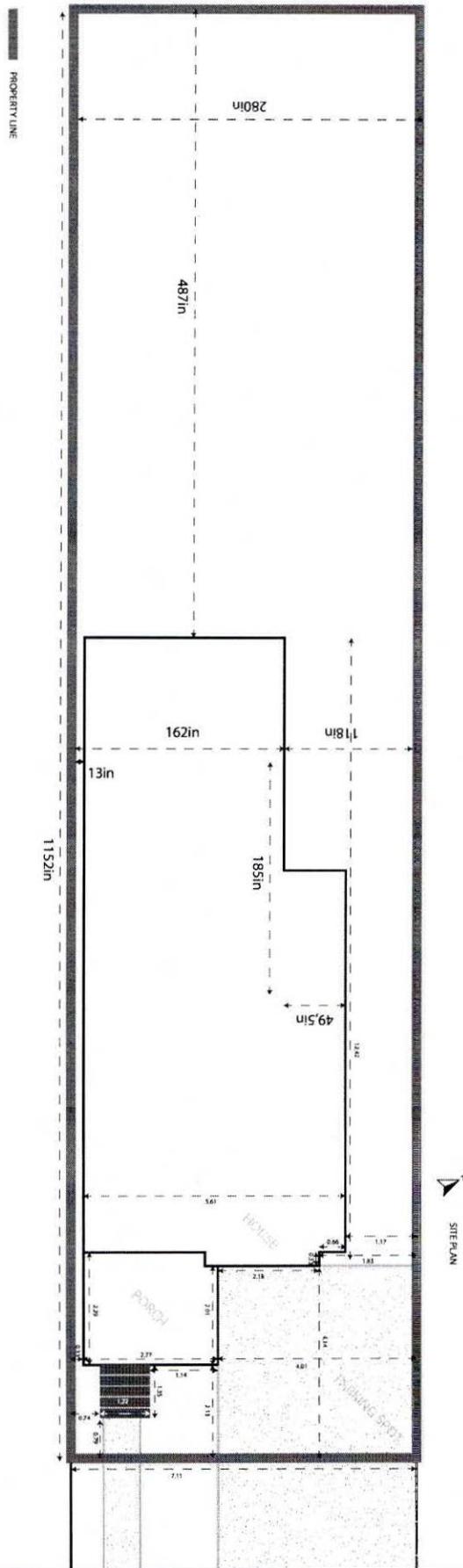
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE PLAN

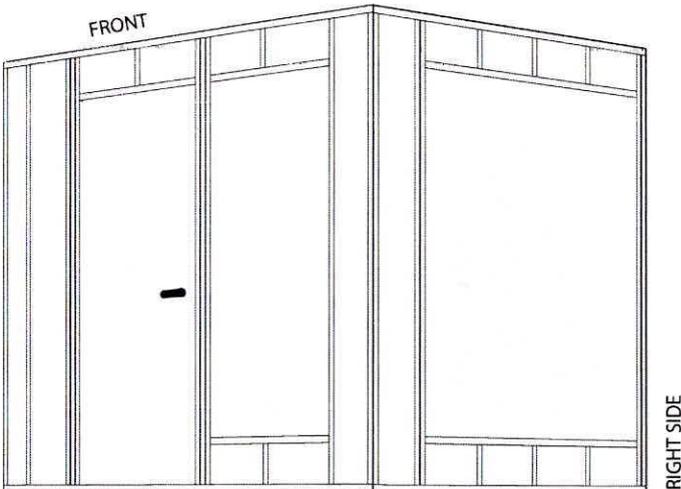
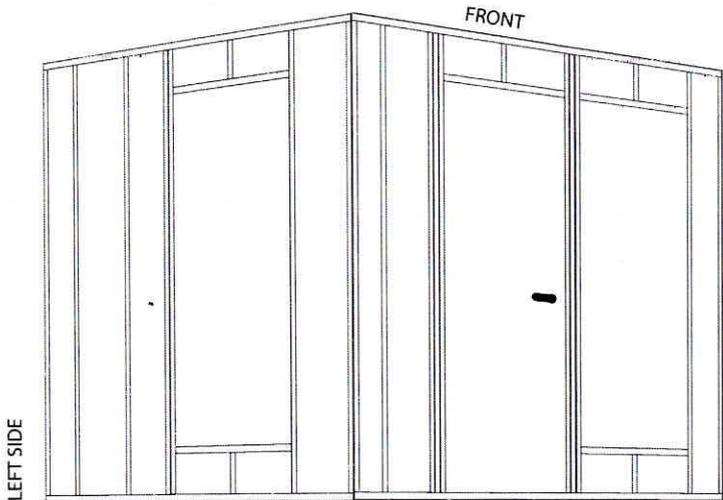


CONCRETE SIDEWALK

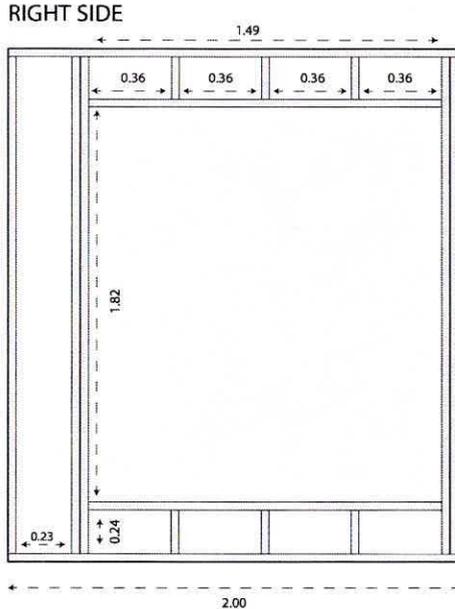
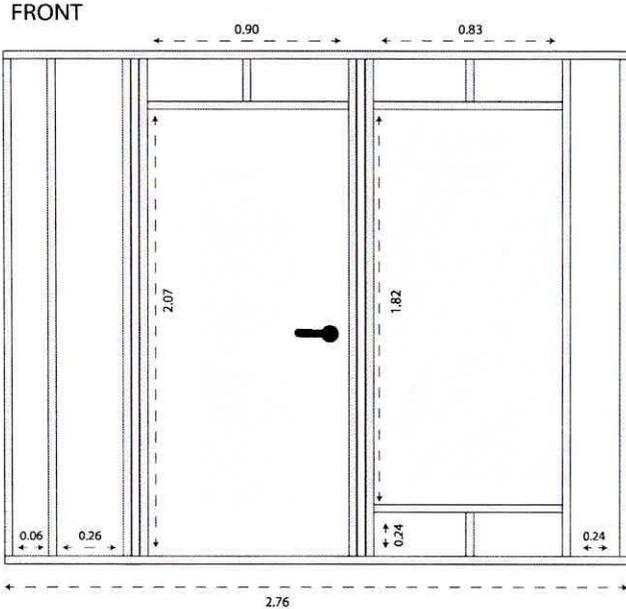
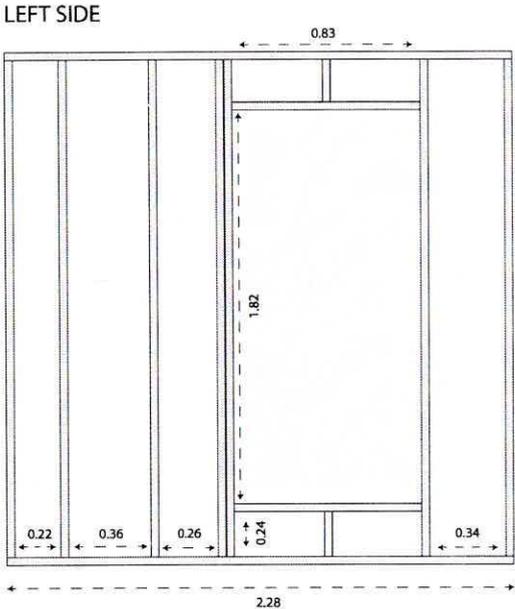
OAK AVE

NORTH VIEW

WEST VIEW



UNFOLDED



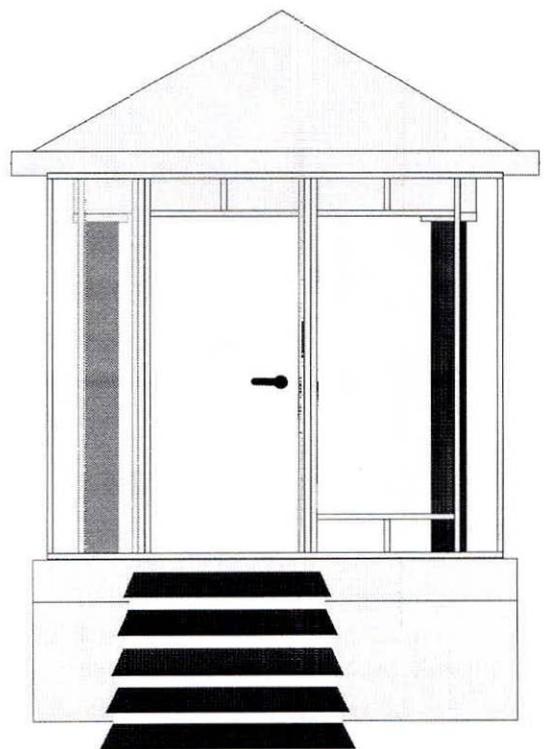
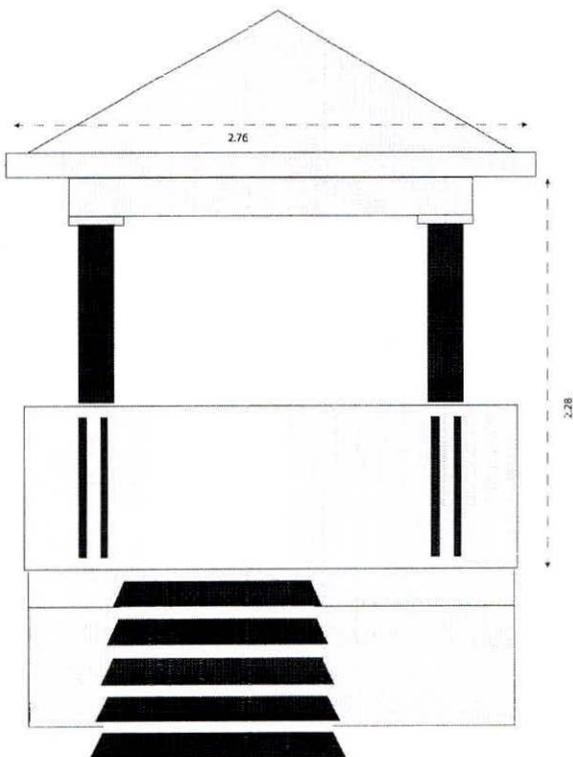
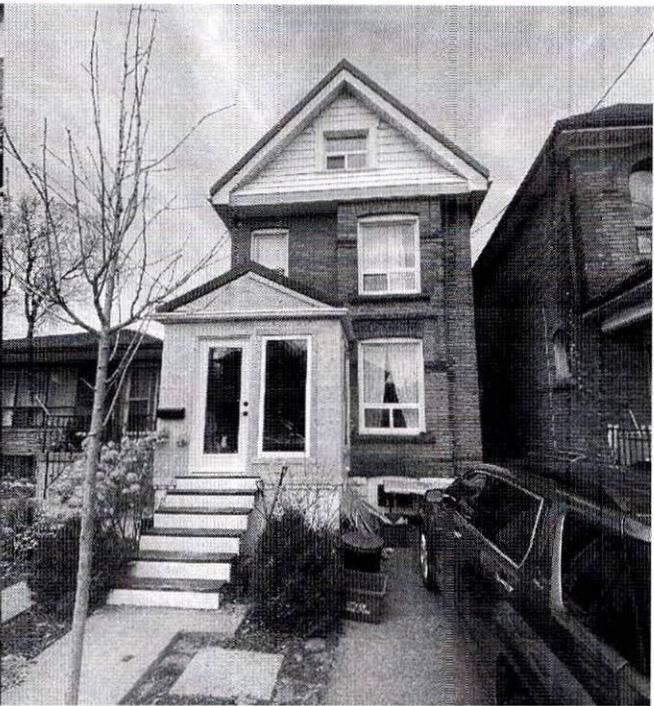
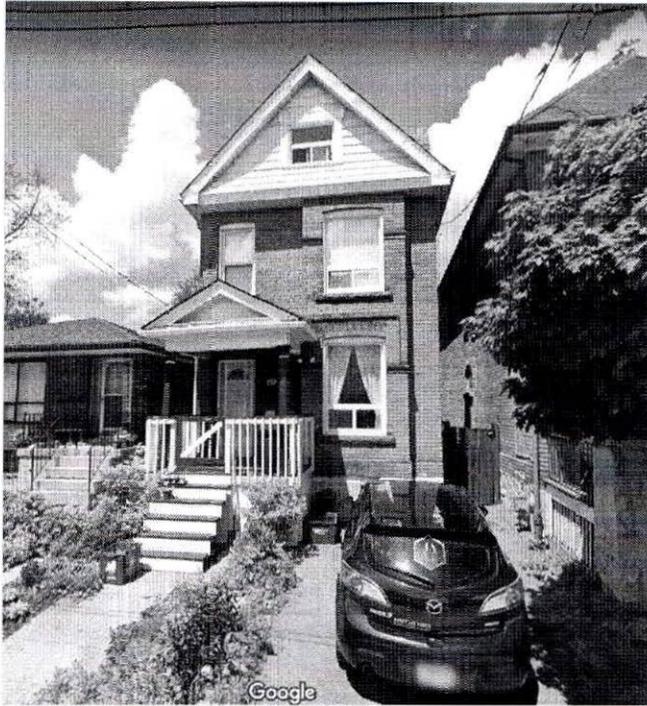
Window

0.1 x 0.05 Studs

BEFORE

AFTER

Finished with a board and batten siding style and a darker colour





SITE PLAN

PROPERTY LINE



CONCRETE SIDEWALK

OAK AVE

Tracy Geddes

Neighbour

I just wanted to shoot you a quick email that you can feel free to share with whomever is reviewing your request for a permit, and say that as your neighbour from across the street (86 Oak Ave), I have no issues with it.

In fact, I think it's a great idea, especially in light of the MANY instances we've experienced on our street, of mail and package theft. Plus, your new front porch looks really great!

Pena (our other neighbour at 90 Oak Ave) and Emma (my direct neighbour at 88 Oak) and I were talking about how smart you were to enclose your front porch, and how great it looks, with the big windows.



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)	Felix Vlasak Jessica Vlasak		
Applicant(s)*	Felix Vlasak		
Agent or Solicitor			Phone:
			E-mail:

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

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

Jessica and Felix Vlasak Mortgagee: First National LP 16 York st, Suite 1900, Toronto, Ontario, M5J 0E6
--

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 is our understanding that the house has always been a residential dwelling.

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 20th, 2022
Date


Signature Property Owner(s)

FELIX ULASAK
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>7.1m</u>
Depth	<u>29.2m</u>
Area	<u>207.32m²</u>
Width of street	<u>18m</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: _

PORCH: Length: 2.29m Width: 2.77m Ground floor area: 6.34m ² Gross floor area: 6.34m ²	HOUSE: Length: 17.12m Width: 5.61m Ground floor area: 96m ² Gross floor area: 288m ² (2 ½ stories)
--	--

Proposed

Length: 2.29m Width: 2.77m Ground floor area: 6.34m ² Gross floor area: 6.34m ²	Length: 19.41m Width: 5.61m Ground floor area: 102.34m ² Gross floor area: 294.34m ²
---	--

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

Existing:

PORCH: Distance from North lot line: 4.01m Distance from South lot line: 0.33m Distance from East lot line: 2.13m (front)	HOUSE: Distance from North lot line: 1.17m Distance from South lot line: 0.33m Distance from East lot line: 4.14m (front)
---	---

Proposed:

PORCH ENCLOSED:
Distance from North lot line: 4.01
Distance from South lot line: 0.33m
Distance from front lot line: 2.13m

13. Date of acquisition of subject lands:
June 15, 2015
-
14. Date of construction of all buildings and structures on subject lands:
1912
-
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 front porch
-
17. Length of time the existing uses of the subject property have continued:
It is our understanding that the house has always been a residential dwelling.
-
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhood
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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 Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

PART 25 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, FELIX VLASAK of the City of Hamilton
in the Province of Ontario solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the
at the City of Hamilton)
in the Province)
of Ontario)

[Signature]
Applicant

this 20th day of May A.D. 2022)

[Signature]
A Commissioner, etc. **KATRINA JAMILA SHEFFIELD,**
a Commissioner, etc., Province of
Ontario, for the City of Hamilton.
Expires July 30, 2022.

PART 26 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) Jessica Vlasak am the registered Owner(s) of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Felix Vlasak of City of Hamilton

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE May 20, 2022 SIGNED [Signature]

PART 27 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.
Consent of Owner to the Disclosure of Application Information and Supporting Documentation
Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, **FELIX VLASAK**, the Owner(s), hereby agree and acknowledge
(Print name of Owner(s))
that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

May 20th, 2022 Date [Signature] Signature of Owner(s)



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:184	SUBJECT PROPERTY:	577 BARTON STREET E
ZONE:	"C5,T6,T8" (Mixed Use Medium Density (C5) Zone)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended

APPLICANTS: Agent Ken Bekendam
Owner 13785840 Ontario Inc.

The following variances are requested:

1. The finished floor elevation of six (6) dwelling units on the ground floor shall be permitted to be located at grade (0.0m) instead of the requirement that the finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade.
2. A minimum amenity area of 4.0 square metres shall be provided for each dwelling unit instead of the minimum required amenity area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area and the minimum required amenity area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.

PURPOSE & EFFECT: To alter the existing ground floor commercial units into six (6) dwelling units so that the entire building will be used for a Multiple Dwelling containing a total of eighteen (18) dwelling units:

Notes:

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

HM/A-22:184

DATE:	Thursday, July 14, 2022
TIME:	2:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

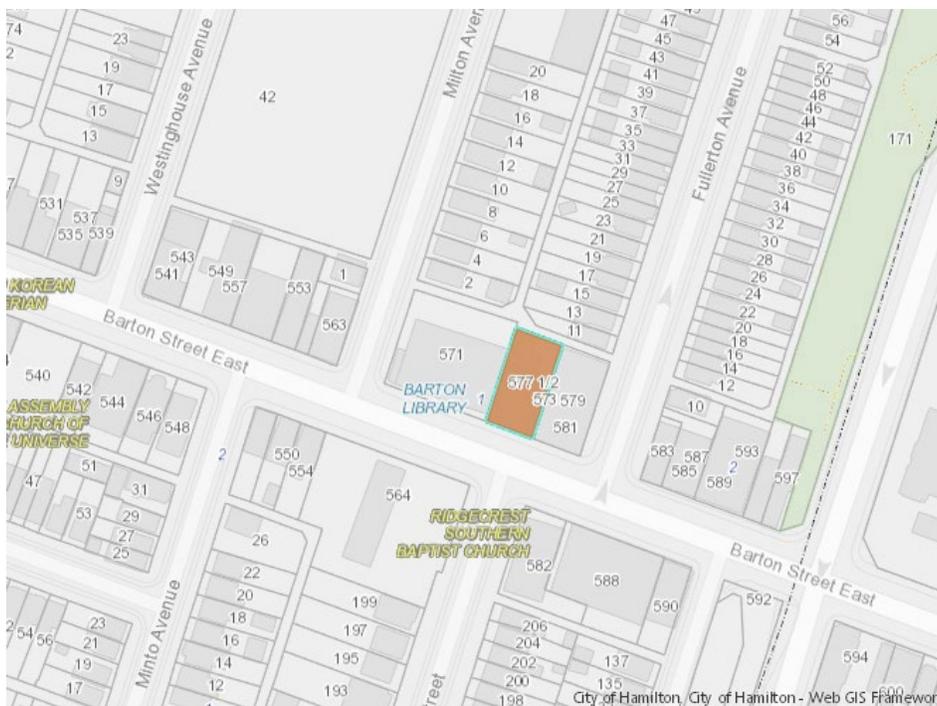
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

HM/A-22:184

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

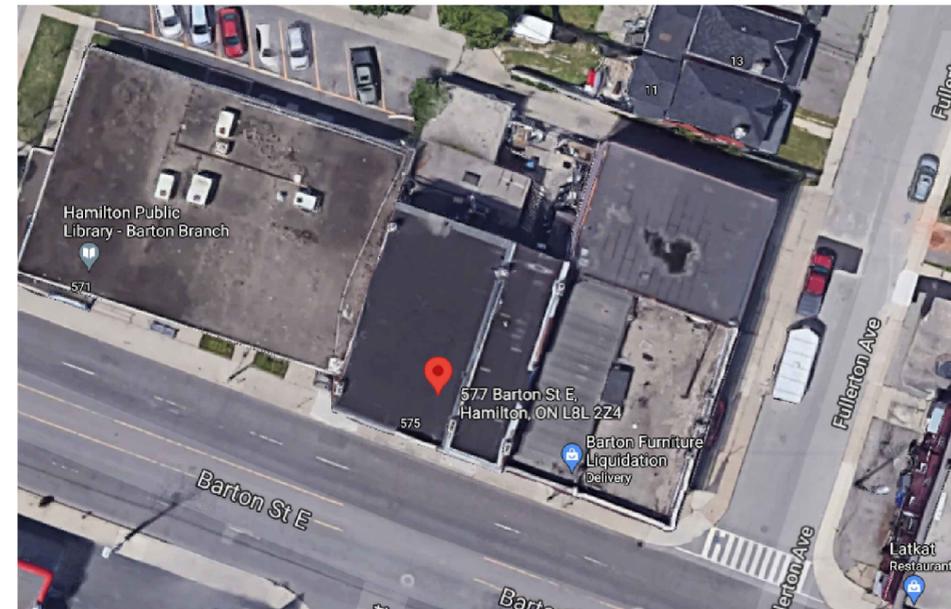
MULTI-UNIT CONVERSION

577 BARTON STREET EAST - HAMILTON, ON.

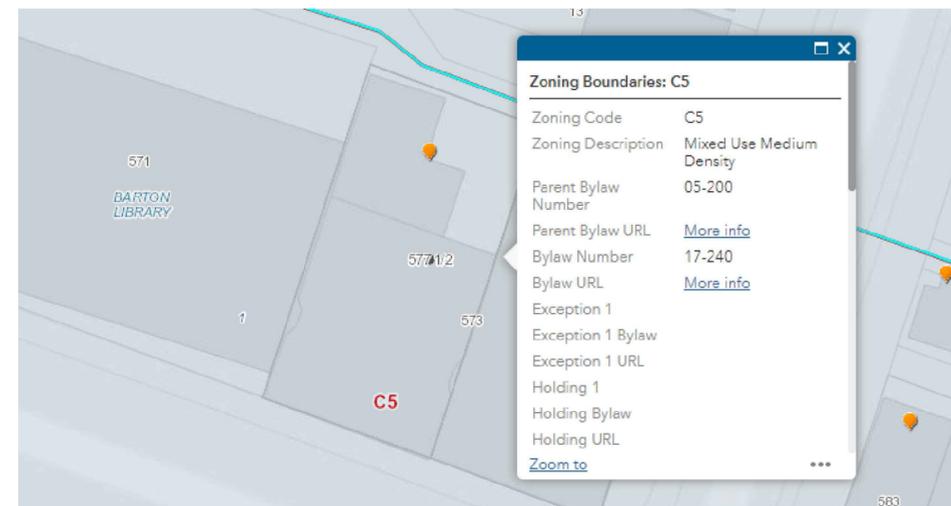
**APPROVED PERMIT NO. 21 153727 00 R3
FOR SECOND AND THIRD FLOOR DWELLING UNITS**



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP



legal second suites.com

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LEAD ENGINEER
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cell: 416.807.1572

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NORTH POSITION:

ADDRESS:	577 BARTON STREET EAST - HAMILTON, ON.	SCALE:	-
SUBJECT:	TITLE PAGE	SHEET#:	A 0.01
PROJECT:	MULTI-UNIT CONVERSION	DATE:	MAY 2022

SITE INFORMATION & STATISTICS

ADDRESS	577 BARTON STREET EAST - HAMILTON - ON.
ZONING TYPE	C5
LOT AREA	5043 SQ FT (468.5 SQ M)
LOT FRONTAGE	50'-2 3/4" (15.3m)

SITE PLAN:

BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

GENERAL NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

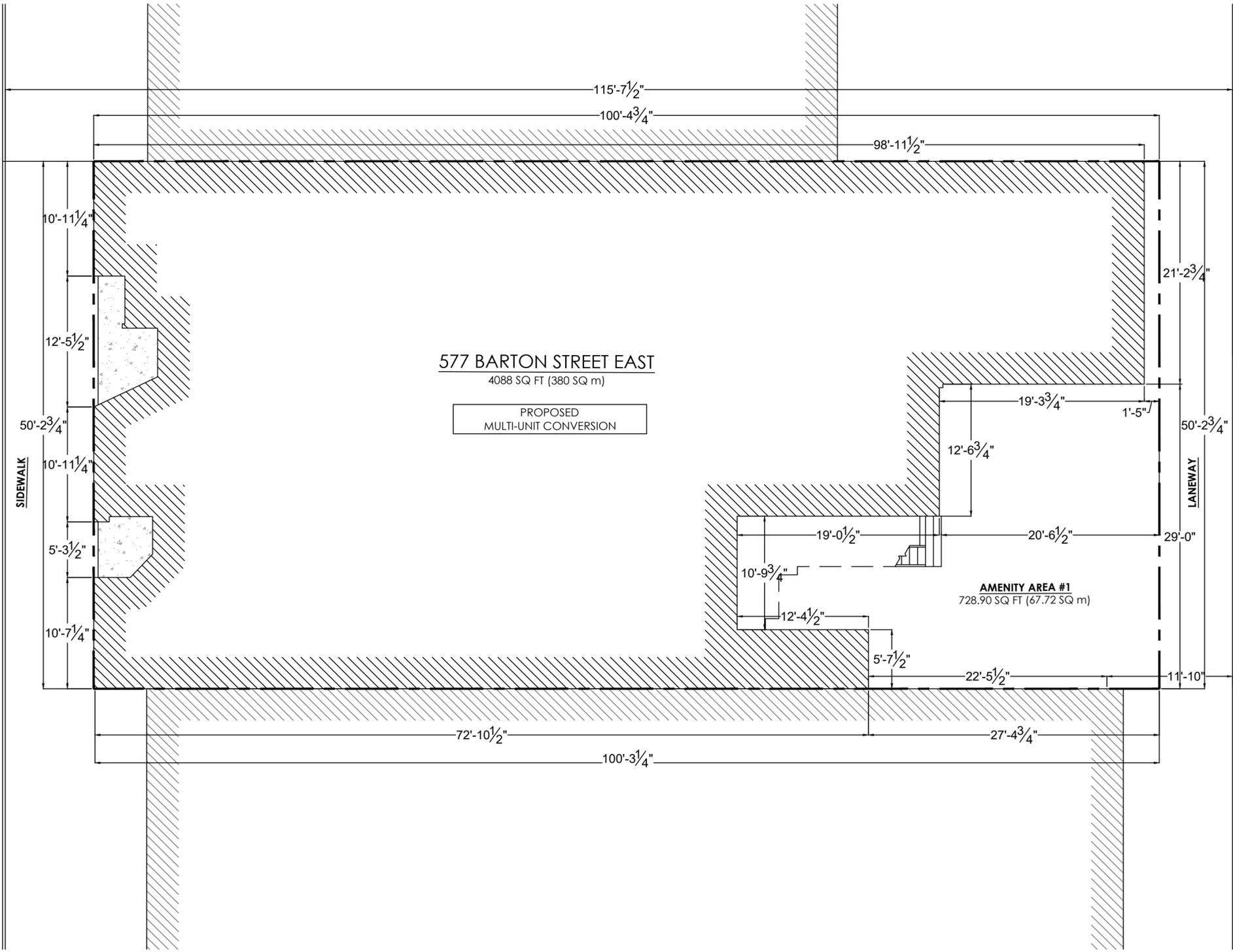
EXISTING STRUCTURE NOTE:

OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

BUILDING CODE COMPLIANCE NOTE:

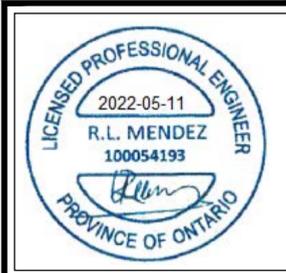
THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

BARTON STREET EAST

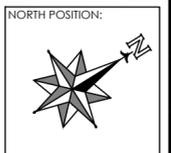


AMENITY AREAS:

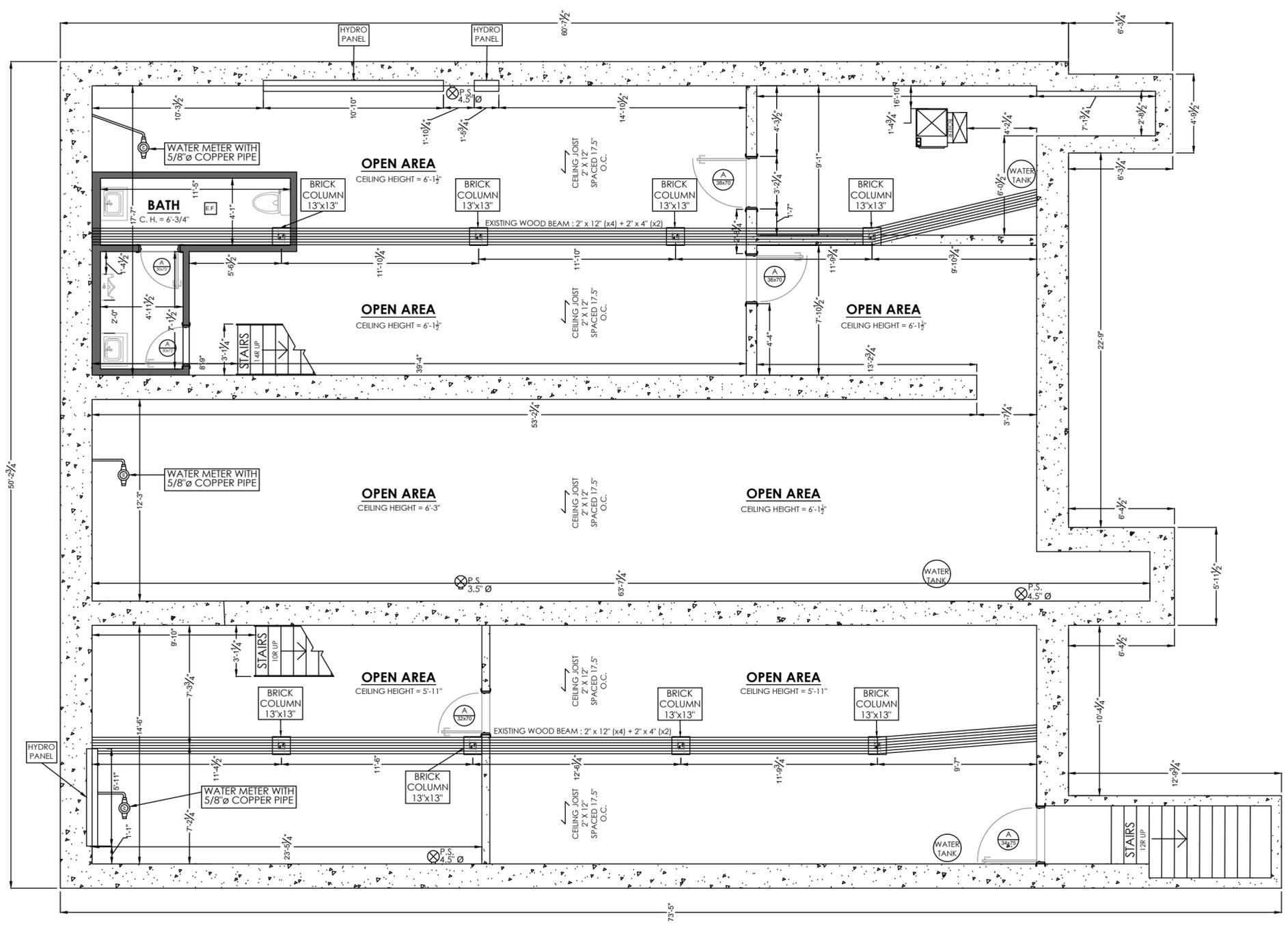
AMENITY AREA #1	728.90 SQ FT (67.72 SQ m)
AMENITY AREAS#2	119.74 SQ FT (11.12 SQ m)
TOTAL AMENITY AREAS	848.64 SQ FT (78.84 SQ m)
84 SQ m REQUIRED	



<p>legal second suites.com</p>	<p>LEAD DESIGNER & CONSULTANT</p> <p>Ken Bekendam B.A. BUSCOM, L.T. kenbekendam@gmail.com office: 855.546.4467 cell: 905.961.0647</p>	<p>LEAD ENGINEER</p> <p>Robert Mendez P. Eng 100054193 robertmendez@yahoo.com cell: 416.807.1572</p>
	<p>Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc.</p>	



ADDRESS:	577 BARTON STREET EAST - HAMILTON, ON.	SCALE:	1/8" = 1'
SUBJECT:	SITE PLAN	SHEET#:	SP 1.01
PROJECT:	MULTI-UNIT CONVERSION	DATE:	MAY 2022



PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	S.M.A. SMOKE ALARM
[Symbol]	C.M.A. CARBON MONOXIDE ALARM
[Symbol]	C.H. = 8'-10" CEILING HEIGHT
[Symbol]	P.S. PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	WINDOWS
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



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NORTH POSITION:

LEGAL SECOND SUITES architectural and engineering service is owned by and operated in affiliation with King Homes Inc. **KING**

ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

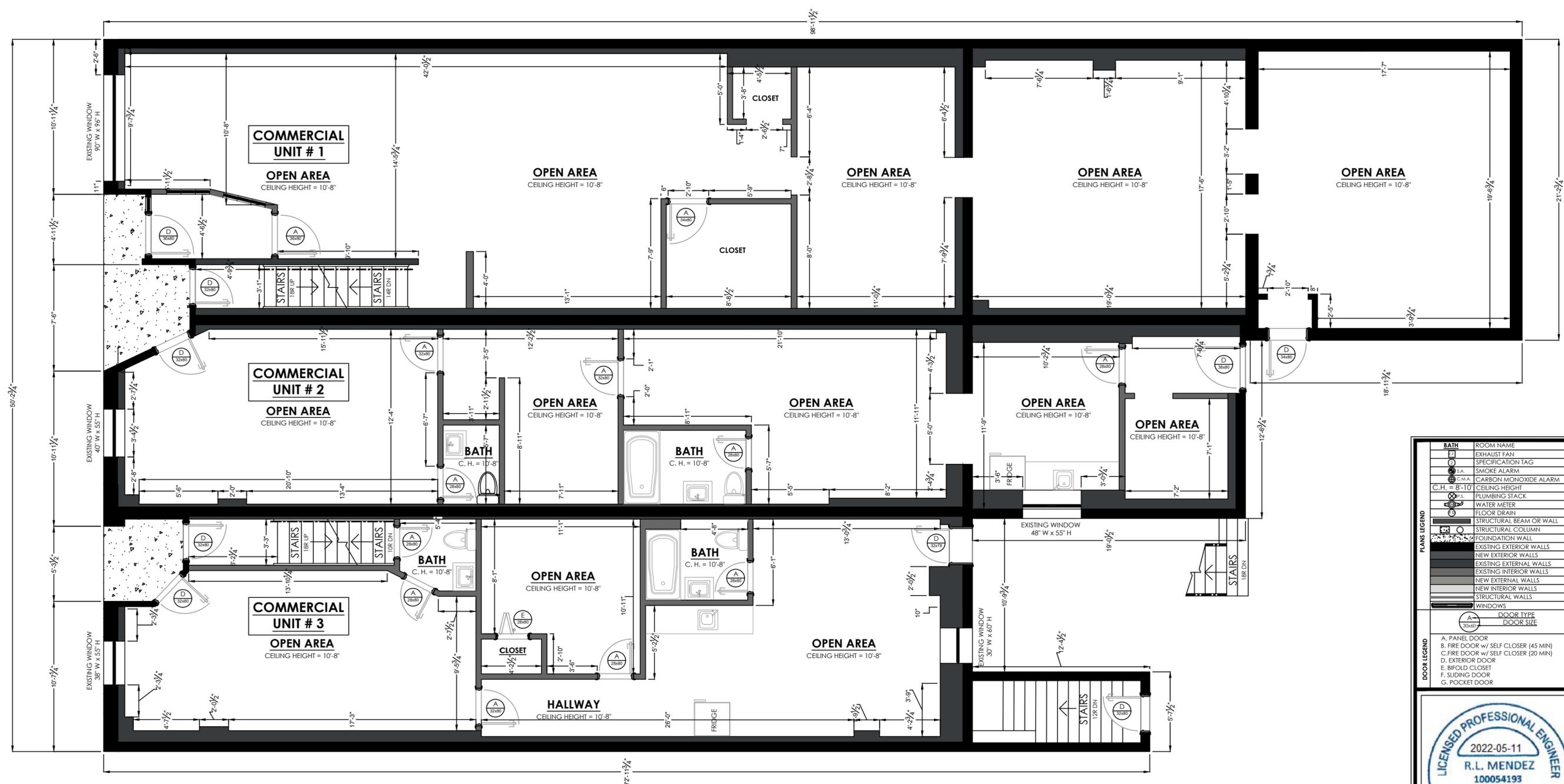
SUBJECT: **EXISTING BASEMENT**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **3/16" = 1'**

SHEET #: **A 1.01**

DATE: **MAY 2022**



PLANS LEGEND	
	BATH ROOM NAME
	EXHAUST FAN
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	CEILING HEIGHT
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL BEAM OR WALL
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW EXTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	WINDOWS
	DOOR TYPE
	DOOR SIZE

DOOR LEGEND	
	A. PANEL DOOR
	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
	D. EXTERIOR DOOR
	E. BIFOLD CLOSET
	F. SLIDING DOOR
	G. POCKET DOOR



<p>LEAD DESIGNER & CONSULTANT Ken Bekendam B.A. BUSCOM, L.T. kenbekendam@gmail.com office: 855.546.4467 cell: 905.961.0647</p>	<p>LEAD ENGINEER Robert Mendez P. Eng 100054193 robertmendez@yahoo.com cell: 416.807.1572</p>
--	---

NORTH POSITION:

ADDRESS: 577 BARTON STREET EAST - HAMILTON, ON.
SUBJECT: EXISTING GROUND FLOOR
PROJECT: MULTI-UNIT CONVERSION
SCALE: 3/16" = 1'
SHEET #: A 1.02
DATE: MAY 2022



PLANS LEGEND	
	BATH
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	CEILING HEIGHT
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL BEAM OR WALL
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	WINDOWS
	DOOR TYPE
	DOOR SIZE

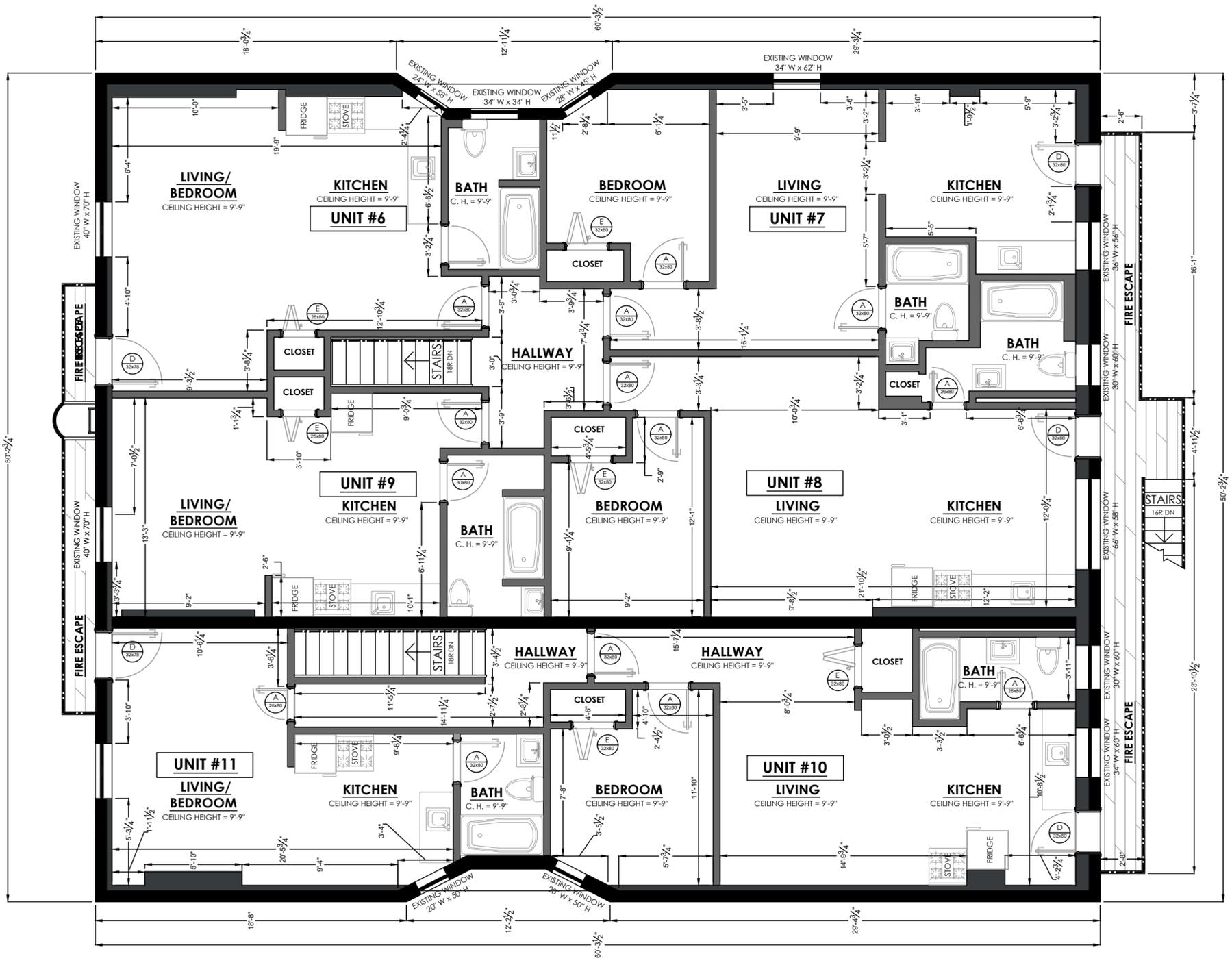
DOOR LEGEND	
	A. PANEL DOOR
	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
	D. EXTERIOR DOOR
	E. BIFOLD CLOSET
	F. SLIDING DOOR
	G. POCKET DOOR

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LEAD ENGINEER
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NORTH POSITION:

ADDRESS: 577 BARTON STREET EAST - HAMILTON, ON.	SCALE: 3/16" = 1'
SUBJECT: EXISTING SECOND FLOOR	SHEET#: A 1.03
PROJECT: MULTI-UNIT CONVERSION	DATE: MAY 2022



PLANS LEGEND	
	BATH ROOM NAME
	EXHAUST FAN
	SPECIFICATION TAG
	SMOKE ALARM
	CARBON MONOXIDE ALARM
	CEILING HEIGHT
	PLUMBING STACK
	WATER METER
	FLOOR DRAIN
	STRUCTURAL BEAM OR WALL
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	WINDOWS
	DOOR TYPE
	DOOR SIZE

DOOR LEGEND	
	A. PANEL DOOR
	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
	D. EXTERIOR DOOR
	E. BIFOLD CLOSET
	F. SLIDING DOOR
	G. POCKET DOOR



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ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

SUBJECT: **EXISTING THIRD FLOOR**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **3/16" = 1'**

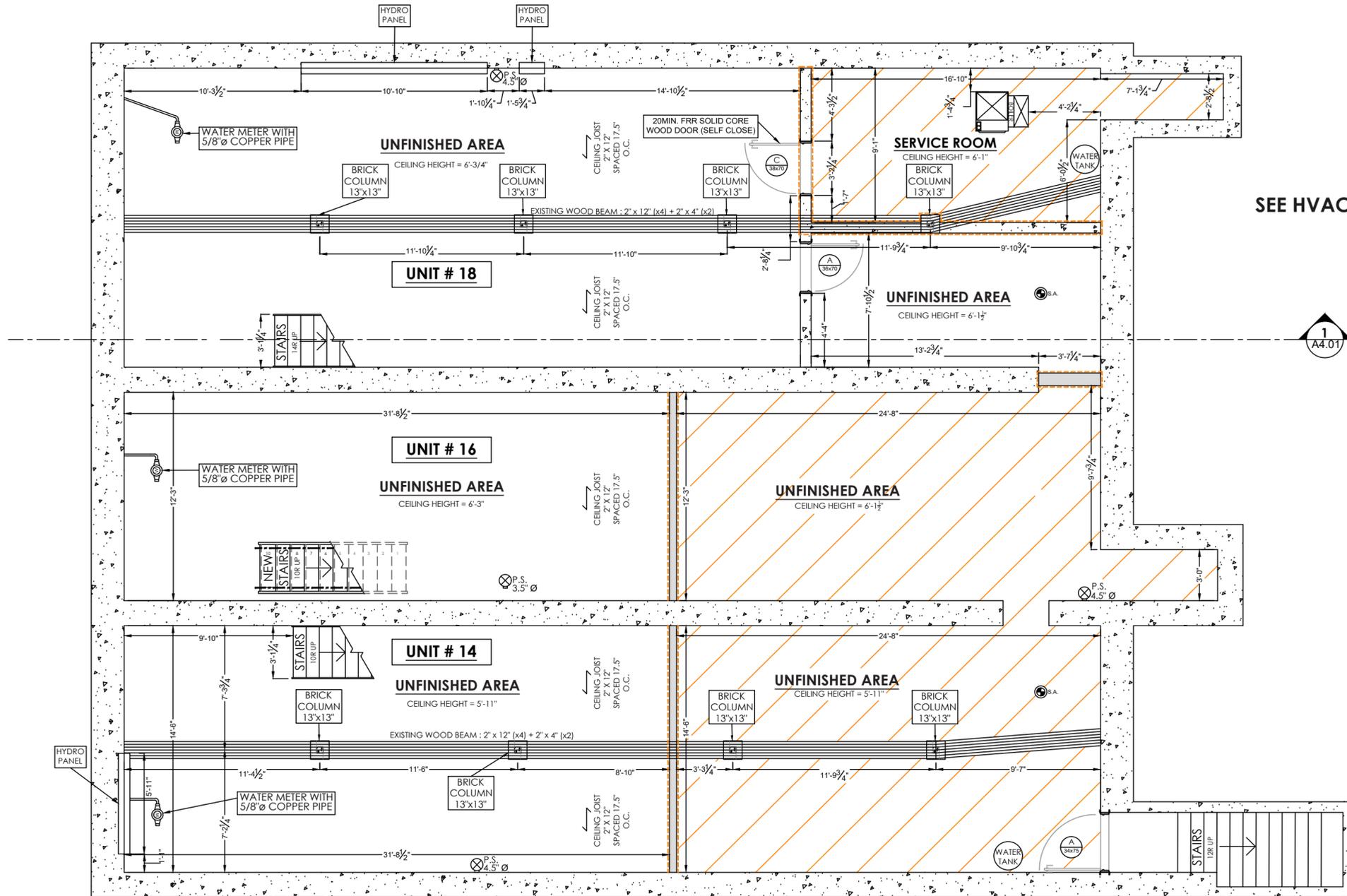
SHEET#: **A 1.04**

DATE: **MAY 2022**

THIS BUILDING IS UNDER 600SQM AND NOT MORE THAN 3 STORYS AS DEFINED IN PART ONE 1.1.2.4 AND IS SUBJECT TO ALL SECTIONS OF PART 9 AND PART 11 COMPLIANCE ALTERNATIVES

PLEASE NOTE: EXISTING HORIZONTAL AND VERTICAL FIRE ASSEMBLIES TO REMAIN FROM EXISTING COMMERCIAL OCCUPANCY. THESE ASSEMBLY DETAILS ONLY PERTAIN TO NEW PORTIONS AS REQUIRED TO MAINTAIN A CONTINUOUS FIRE SEPARATION BETWEEN RESIDENTIAL SUITES

SEPARATION OF SERVICE ROOM - COMMERCIAL
 - SERVICE ROOM TO CONFORM WITH O.B.C. PART 9, 10, 10.3 AND 9.10.10.4 (c) and PART 11 DE 13.4. 45 MIN FRR IS ACCEPTABLE FOR VERTICAL AND HORIZONTAL PARTITIONS. REFER TO S83 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.
VERTICAL PARTITION (WALLS) - W4A (1HR FRR, STC51)
 - NEW 2 x 4 STUD WALL SPACED 16" O.C.
 - 3.5" THICK ABSORPTIVE MATERIAL
 - RESILIENT METAL CHANNELS SPACED 24" O.C.
 - 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE
NEW HORIZONTAL PARTITION (CEILING) - F4c (45 MIN FRR, STC35)
 - EX. WOOD JOISTS @ 16" O.C.
 - 4" THICK ABSORPTIVE MATERIAL IN CAVITY
 - 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE



SEE HVAC AND PLUMBING DESIGN FOR DETAILS

PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	S.A.
[Symbol]	C.M.A.
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	C.H. = 8'-10"
[Symbol]	CEILING HEIGHT
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	WINDOWS
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



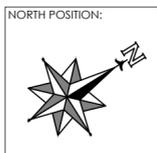
NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

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KING HOMES INC.



ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

SUBJECT: **PROPOSED BASEMENT**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **3/16" = 1'**

SHEET#: **A 1.05**

DATE: **APR 2022**

SEPARATION OF RESIDENTIAL SUITES
 SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF **30 MINS** AS PER O.B.C. 9.10.9.14 (1), PART 11 C152 (a) AND PART 9.11.2.1(1) - STC 50, REFER TO SB3 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

VERTICAL PARTITION (WALLS) - W4A (1HR FRR, STC51)

- NEW 2 x 4 STUD WALL SPACED 16" O.C.
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 16" O.C.
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

NEW HORIZONTAL PARTITION (CEILING) - F8D (30MIN FRR, STC50)

- EX. WOOD JOIST @ 16" O.C.
- 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M)
- RESILIENT METAL CHANNELS SPACED @ 24" O.C.
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

SEPARATION OF EXIT CORRIDOR
 SEPARATION OF EXIT CORRIDOR TO HAVE A FIRE RESISTANCE RATING OF **30 MIN.** AS PER PART 9.10.9.15 (1) AND PART 11 C152

VERTICAL PARTITION (WALLS) W4A (1HR FRR STC51)

- NEW 2 X 4 STUD WALL SPACED 16" O.C.
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACES 24" O.C.
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

HORIZONTAL PARTITION (CEILING) - F8D (30 MIN. FRR, STC50)

- EX. WOOD JOIST @ 16" O.C.
- 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAB W/ MIN. 90mm & SURFACE AREA MASS OF 2.8 KG/SQ. M)
- RESILIENT METAL CHANNELS SPACED @ 16" O.C.
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

FOR PIPE AND WIRE PENETRATIONS:

- USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB+)

FOR HVAC DUCTING:

- SEE HVAC DESIGN, EXISTING BOILER SYSTEM

FOR SERVICE ITEMS IN FIRE SEPERATION (VALVES, METERS, ELECTRICAL BOXES, ETC):

- USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

UNDERSIDE OF FOYER AND STAIRS

SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF **30 MINS.** AS PER O.B.C.9.10.9.14 (1), PART 11 C152 (a) AND PART 9.11.2.1(1) - STC 50, REFER TO SB3 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

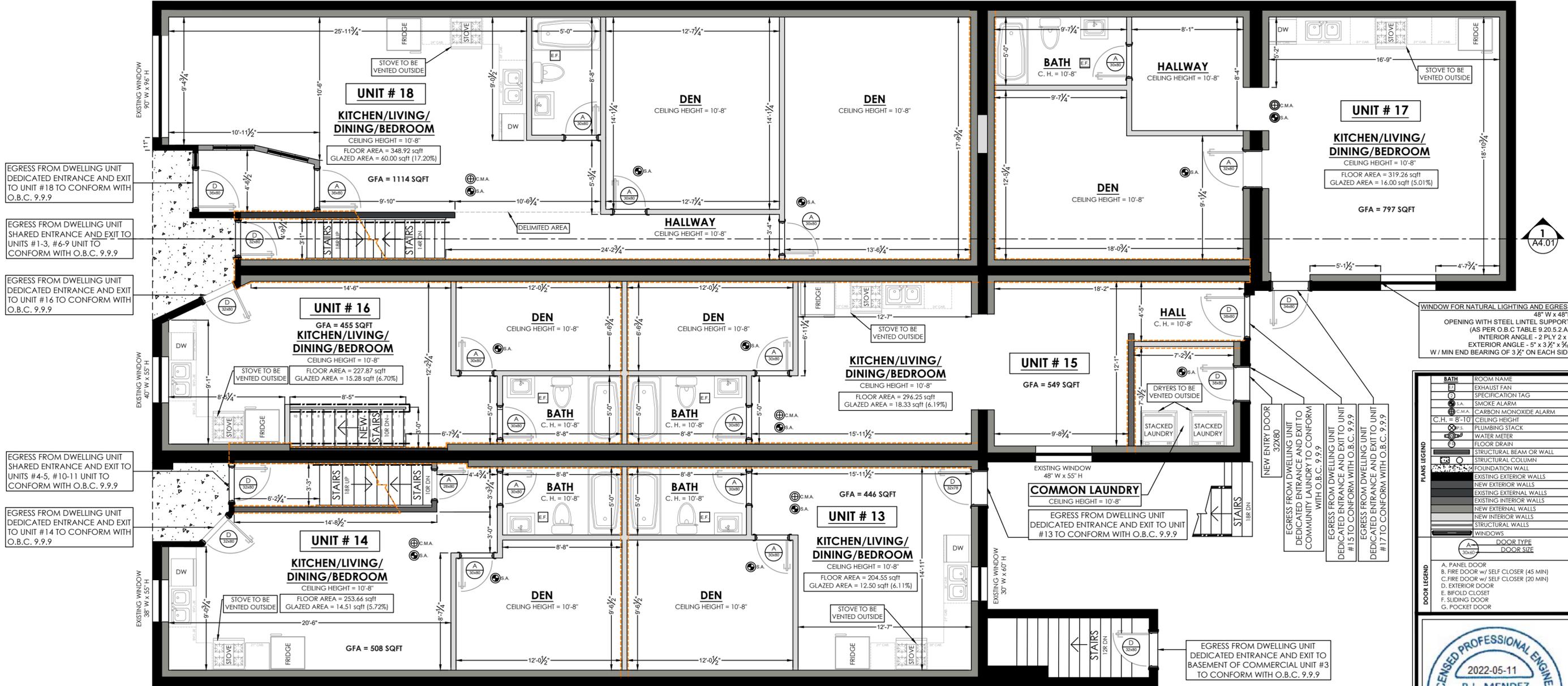
HORIZONTAL PARTITION (CEILING) - F8D (30 MIN. FRR, STC50)

- EX. WOOD JOIST @ 16" O.C.
- 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAB W/ MIN. 90mm & SURFACE AREA MASS OF 2.8 KG/SQ. M)
- RESILIENT METAL CHANNELS SPACED @ 16" O.C.
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

SEE HVAC AND PLUMBING DESIGN FOR DETAILS

THIS BUILDING IS UNDER 600SQM AND NOT MORE THAN 3 STORYS AS DEFINED IN PART ONE 1.1.2.4 AND IS SUBJECT TO ALL SECTIONS OF PART 9 AND PART 11 COMPLIANCE ALTERNATIVES

PLEASE NOTE: EXISTING HORIZONTAL AND VERTICAL FIRE ASSEMBLIES TO BE REMOVED AND REPLACED WITH NEW F8D CEILING AND W4A WALL ASSEMBLIES AS PER SB-3



EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT #18 TO CONFORM WITH O.B.C. 9.9.9

EGRESS FROM DWELLING UNIT SHARED ENTRANCE AND EXIT TO UNITS #1-3, #6-9 UNIT TO CONFORM WITH O.B.C. 9.9.9

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT #16 TO CONFORM WITH O.B.C. 9.9.9

EGRESS FROM DWELLING UNIT SHARED ENTRANCE AND EXIT TO UNITS #4-5, #10-11 UNIT TO CONFORM WITH O.B.C. 9.9.9

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT #14 TO CONFORM WITH O.B.C. 9.9.9

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO BASEMENT OF COMMERCIAL UNIT #3 TO CONFORM WITH O.B.C. 9.9.9

WINDOW FOR NATURAL LIGHTING AND EGRESS: 48" W x 48" H
 OPENING WITH STEEL LINTEL SUPPORT: (AS PER O.B.C TABLE 9.20.5.2.A.)
 INTERIOR ANGLE - 2 PLY 2 x 8
 EXTERIOR ANGLE - 5" x 3 1/2" x 3/4"
 W / MIN END BEARING OF 3 1/2" ON EACH SIDE

PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	CEILING HEIGHT
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	WINDOWS
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIDE

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

LEGAL SECOND SUITES

LEAD DESIGNER & CONSULTANT
 Ken Bekendam B.A. BUSCOM, L.T.
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 office: 855.546.4467 cell: 905.961.0647

LEAD ENGINEER
 Robert Mendez P. Eng 100054193
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 cell: 416.807.1572

LEGAL SECOND SUITES architectural and engineering service is owned by and operated in affiliation with King Homes Inc.



ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

SUBJECT: **PROPOSED GROUND FLOOR**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **3/16" = 1'**

SHEET#: **A 1.06**

DATE: **MAY 2022**



SEPARATION BETWEEN RESIDENTIAL SUITES:
 SEPARATION BETWEEN RESIDENTIAL SUITES TO HAVE A FIRE SEPARATION RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 (1), PART 11 C.152 (c) AND PART 9.11.2.1(1) - STC 50. REFER TO S83 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

VERTICAL PARTITION (WALLS) W4A (1HR FRR STCS1)
 - NEW 2 X 4 STUD WALL SPACED 16" O.C.
 - 3.5" THICK ABSORPTIVE MATERIAL
 - RESILIENT METAL CHANNELS SPACED 24" O.C.
 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

EXISTING SHARED PARTITIONS:
 - EX. 1/2" REGULAR GYPSUM BOARD TO REMAIN AS IS
 - ADDITIONAL LAYER OF 5/8" TYPE X TO BE APPLIED OVER EXISTING EX. LATH AND PLASTER TO REMAIN AS IS
 - MEETS A 30 MIN. FRR AS PER S8-2 TABLE 2.3.4 A-C

NEW HORIZONTAL PARTITION (CEILING) - FBD (30 MIN. FRR, STCS50)
 - EX. WOOD JOIST @ 16" O.C.
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN. 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ.M)
 RESILIENT METAL CHANNELS SPACED @ 16" O.C.
 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

SEPARATION OF EXIT CORRIDOR
 SEPARATION OF EXIT CORRIDOR TO HAVE A FIRE RESISTANCE RATING OF 30 MIN. AS PER PART 9.10.9.15 (1) AND PART 11 C.152

VERTICAL PARTITION (WALLS) W4A (1HR FRR STCS1)
 - NEW 2 X 4 STUD WALL SPACED 16" O.C.
 - 3.5" THICK ABSORPTIVE MATERIAL
 - RESILIENT METAL CHANNELS SPACED 24" O.C.
 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

HORIZONTAL PARTITION (CEILING) - FBD (30 MIN. FRR, STCS50)
 - EX. WOOD JOIST @ 16" O.C.
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN. 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ.M)
 RESILIENT METAL CHANNELS SPACED @ 16" O.C.
 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

FOR PIPE AND WIRE PENETRATIONS:
 - USE FIRE RATED FOAM TESTED IN ACCORDANCE WITH CAN/ULC-S115 (EG. HILTI FIRE FOAM CP 620 OR 3M FIRE BARRIER SEALANT CP 25WB+)

FOR HVAC DUCTING:
 - SEE HVAC DESIGN, EXISTING BOILER SYSTEM

FOR SERVICE ITEMS IN FIRE SEPERATION (VALVES, METERS, ELECTRICAL BOXES, ETC.):
 USE ULC RATED FIRE-RATED ACCESS PANELS (MIN. 45 MINS.)

UNDERSIDE OF FOYER AND STAIRS
 SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF 30 MINS. AS PER O.B.C. 9.10.9.14 (1), PART 11 C.152 (c) AND PART 9.11.2.2.1(1) - STC 50. REFER TO S83 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

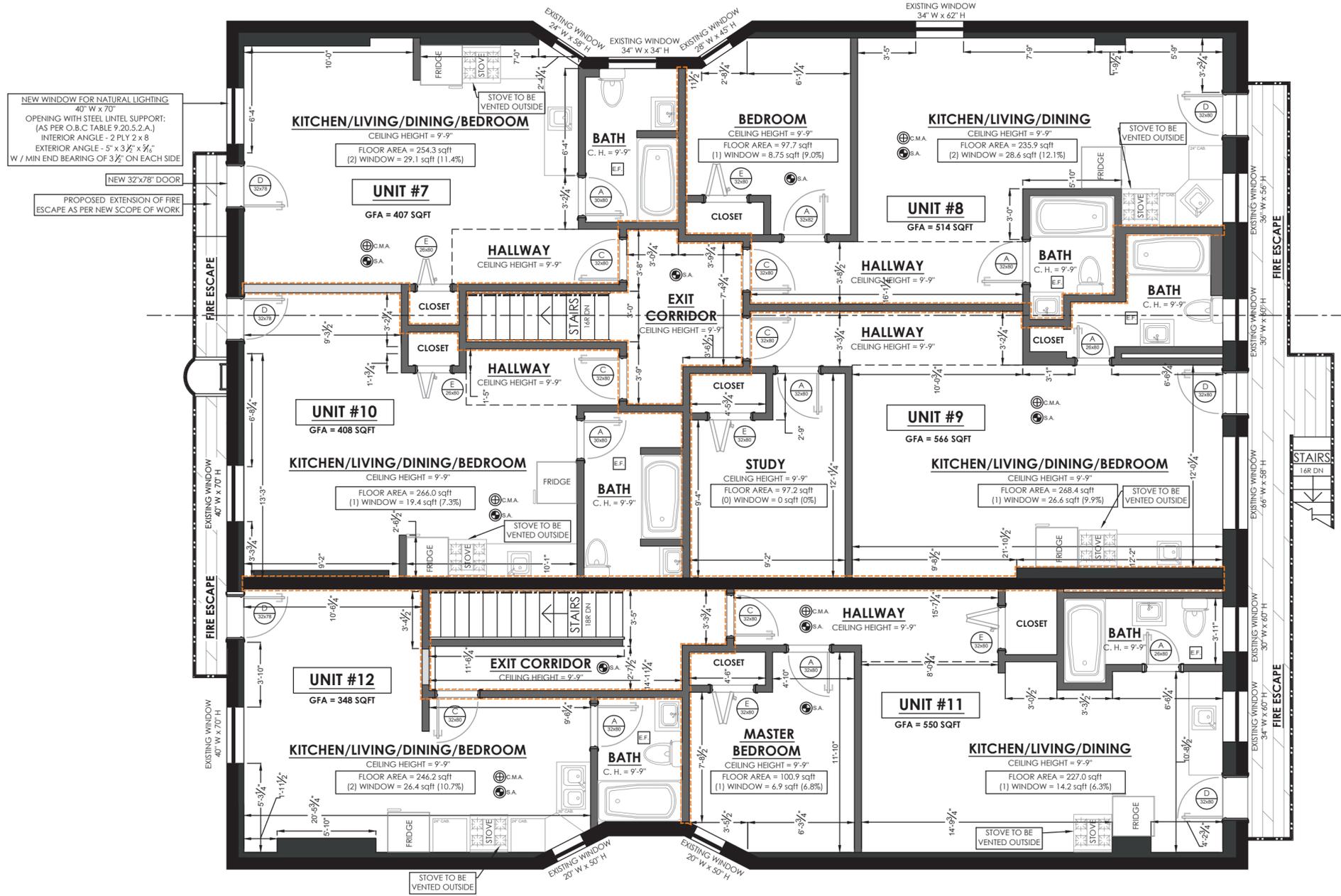
HORIZONTAL PARTITION (CEILING) - FBD (30 MIN. FRR, STCS50)
 - EX. WOOD JOIST @ 16" O.C.
 - 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN. 90mm & SURFACE AREA MASS OF 2.8 KG/SQ.M)
 - RESILIENT METAL CHANNELS SPACED @ 16" O.C.
 - 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

SEPARATION OF COMMERCIAL SUITES:
 SEPARATION BETWEEN COMMERCIAL SUITES IS EXEMPT AS PER O.B.C. 9.10.13 (1).

SEE HVAC AND PLUMBING DESIGN FOR DETAILS

THIS BUILDING IS UNDER 600SQM AND NOT MORE THAN 3 STORYS AS DEFINED IN PART ONE 1.1.2.4 AND IS SUBJECT TO ALL SECTIONS OF PART 9 AND PART 11 COMPLIANCE ALTERNATIVES

PLEASE NOTE: EXISTING HORIZONTAL AND VERTICAL FIRE ASSEMBLIES TO REMAIN FROM EXISTING GROUP D & GROUP C OCCUPANCY. THESE ASSEMBLY DETAILS ONLY PERTAIN TO NEW PORTIONS AS REQUIRED TO MAINTAIN A CONTINUOUS FIRE SEPERATION BETWEEN RESIDENTIAL SUITES



EXISTING FRONT AND REAR FIRE SHUTTERS INSTALLED UNDER PERMIT #12-125099

PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	S.M.A.
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	C.H. = 8'-10"
[Symbol]	CEILING HEIGHT
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	WINDOWS
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



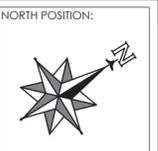
NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

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ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

SUBJECT: **PROPOSED THIRD FLOOR**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **3/16" = 1'**

SHEET #: **A 1.08**

DATE: **MAY 2022**



EX WINDOWS TO BE REPLACED WITH DOORS (PER ARCH PLANS)

SUPPLY & INSTALL 20 MINUTE WARNOCK HERSEY LISTED FIREOXX SHUTTER FOR WINDOW OPENING

NEW WINDOWS FOR NATURAL LIGHTING
40" W x 70"
OPENING WITH STEEL LINTEL SUPPORT:
(AS PER O.B.C TABLE 9.20.5.2.A.)
INTERIOR ANGLE - 2 PLY 2 x 8
EXTERIOR ANGLE - 5" x 3 1/2" x 3/4"
W / MIN END BEARING OF 3 1/2" ON EACH SIDE

PROP EXTENSION OF FIRE ESCAPES W/ MID POST HSS 1.5x1.5x0.125" SEE SECTION 1 FOR TYP DETAILS
CUT RAILING IN THIS LOCATION
CLEAR WELD EX RAILING TO NEW RAILING POST

CONNECT PROP C6 CHANNEL TO EXISTING SUPPORT STEEL BRACE BELOW TO REMAIN FIELD WELD 3/8" FILLET AT MATING SURFACES

EX WINDOWS TO BE REPLACED WITH DOORS (PER ARCH PLANS)

SUPPLY & INSTALL 20 MINUTE WARNOCK HERSEY LISTED FIREOXX SHUTTER FOR WINDOW OPENING

NEW WINDOWS FOR NATURAL LIGHTING
40" W x 70"
OPENING WITH STEEL LINTEL SUPPORT:
(AS PER O.B.C TABLE 9.20.5.2.A.)
INTERIOR ANGLE - 2 PLY 2 x 8
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PROP EXTENSION OF FIRE ESCAPES W/ MID POST HSS 1.5x1.5x0.125" SEE SECTION 1 FOR TYP DETAILS
CUT RAILING IN THIS LOCATION
CLEAR WELD EX RAILING TO NEW RAILING POST

CONNECT PROP C6 CHANNEL TO EXISTING SUPPORT STEEL BRACE BELOW TO REMAIN FIELD WELD 3/8" FILLET AT MATING SURFACES

12" ROOF LEVEL 34' - 4"

9'-9"

12" THIRD FLOOR LEVEL 23' - 7"

9'-9"

42'-3"

1'-8" EX FIRE ESCAPE LADDER FROM 2ND FLOOR TO GRADE

SECOND FLOOR LEVEL 12' - 10"

11'-2"

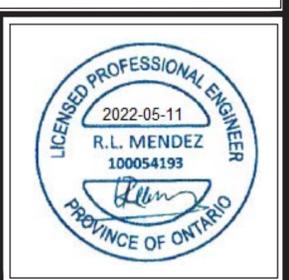
1'-8" MAIN FLOOR LEVEL 0' - 0"

GRADE LEVEL

6'-5"

BASEMENT -6' - 5"

EXISTING FRONT AND REAR FIRE SHUTTERS INSTALLED UNDER PERMIT #12-125099



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cell: 416.807.1572

NORTH POSITION:

Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc.

ADDRESS: **577 BARTON STREET EAST - HAMILTON, ON.**

SUBJECT: **NORTH ELEVATION**

PROJECT: **MULTI-UNIT CONVERSION**

SCALE: **1/4" = 1'**

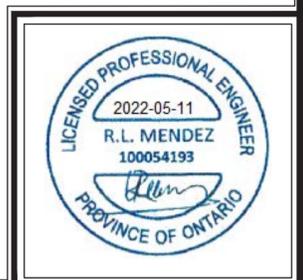
DATE: **MAY 2022**

SHEET#: **A 2.01**

NO CHANGES TO EXISTING SOUTH ELEVATION



EXISTING FRONT AND REAR FIRE SHUTTERS INSTALLED UNDER PERMIT #12-125099



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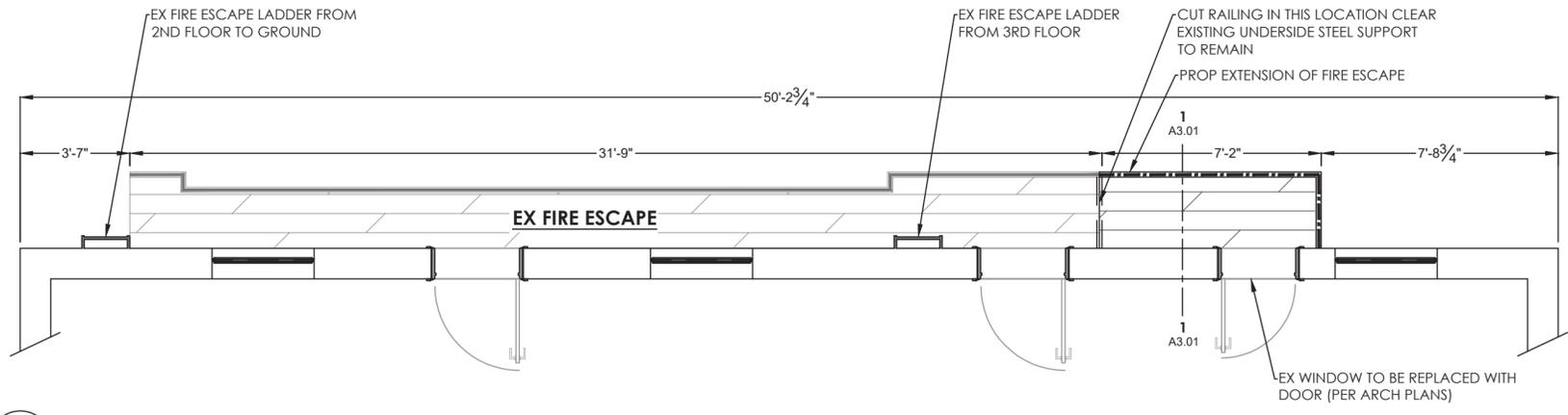
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NORTH POSITION:

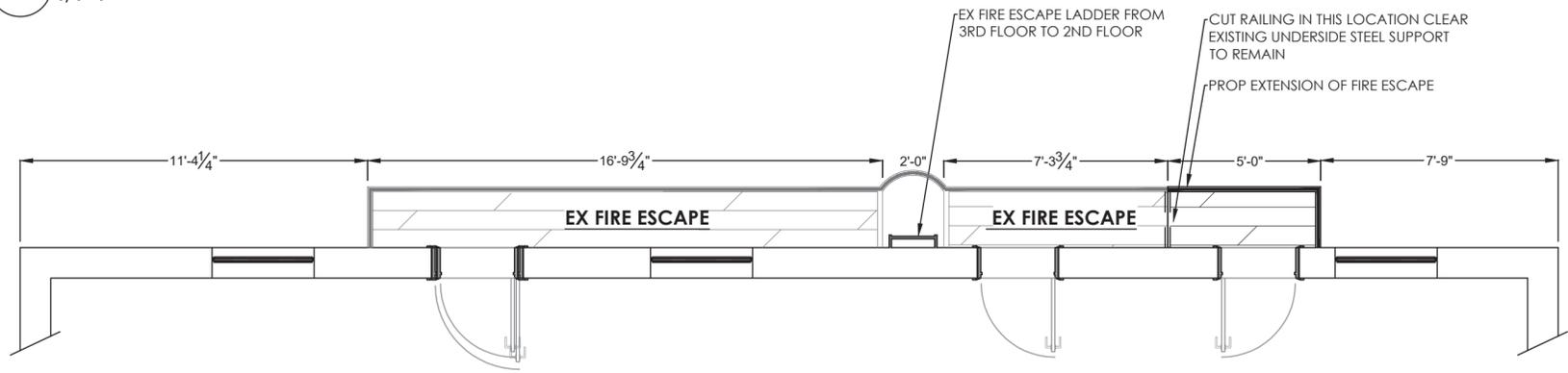
ADDRESS:	577 BARTON STREET EAST - HAMILTON, ON.
SUBJECT:	SOUTH ELEVATION
PROJECT:	MULTI-UNIT CONVERSION
DATE:	MAY 2022

SCALE: **1/4" = 1'**

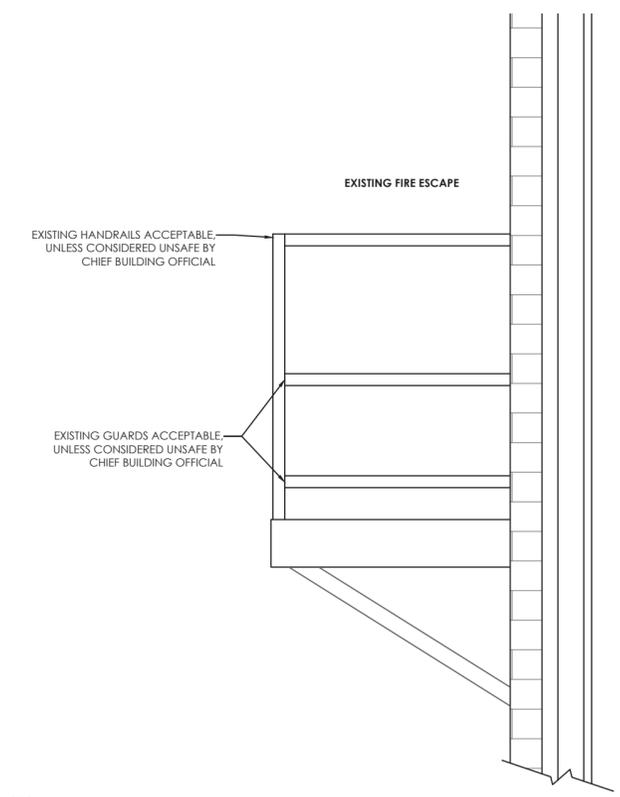
SHEET#: **A 2.02**



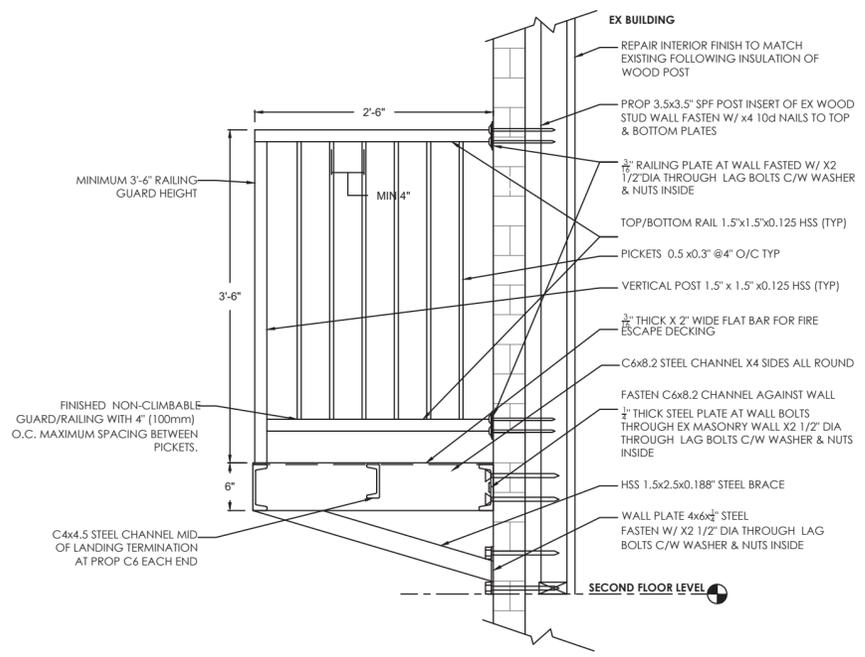
01 PROPOSED 2ND FLOOR FIRE ESCAPE
1/4"=1'



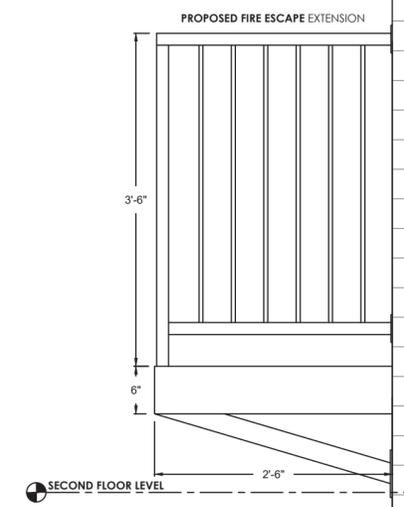
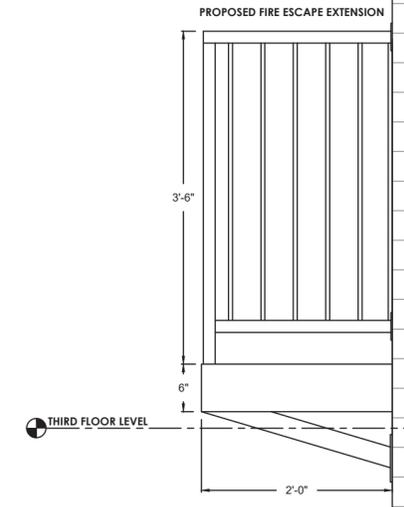
02 PROPOSED 3RD FLOOR FIRE ESCAPE
1/4"=1'



03 EXISTING FRONT FIRE ESCAPE
3/4"=1'



04 PROPOSED FRONT FIRE ESCAPE EXTENSION (SECTION 1)
3/4"=1'



05 PROPOSED FRONT FIRE ESCAPE EXTENSION SIDE VIEW
3/4"=1'

STAIR PLANS LEGEND

	4x4 POST ON SONOTUBE
	6x6 POST ON SONOTUBE
	4x4 GUARD POST
	JOISTS OR RIM
	PLY
	STRINGERS
	DROPPED FRAMING



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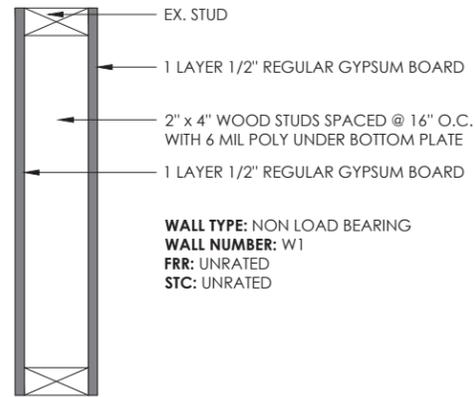
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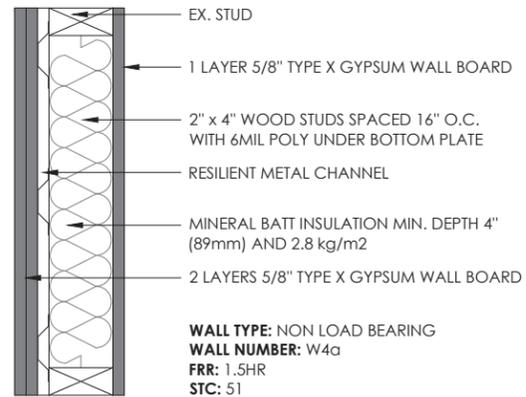
KING

NORTH POSITION:

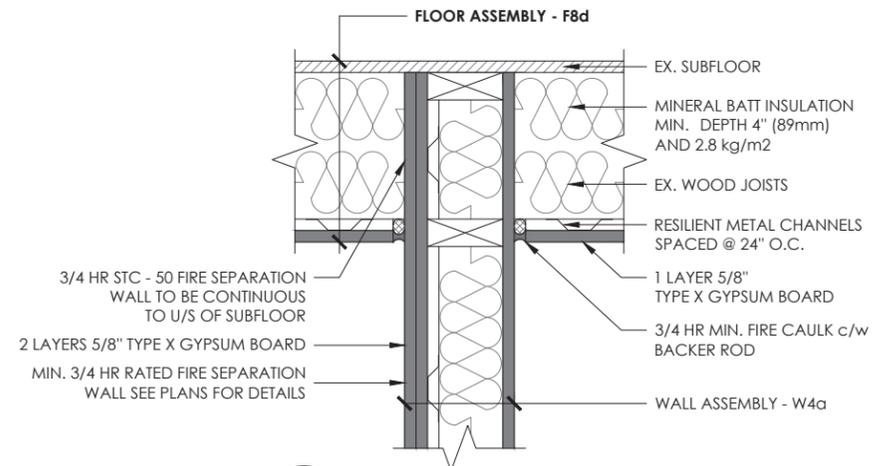
ADDRESS:	577 BARTON STREET EAST - HAMILTON, ON.
SUBJECT:	FIRE ESCAPE DETAILS
PROJECT:	MULTI-UNIT CONVERSION
SCALE:	AS NOTED
DATE:	MAY 2022
SHEET #:	A 3.01



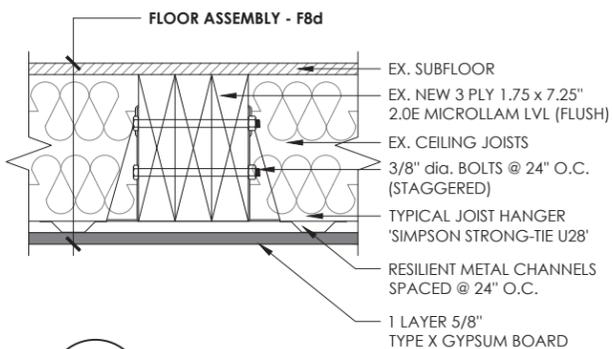
01 NEW: INTERIOR PARTITION WALL
WITH GWB BOTH SIDES



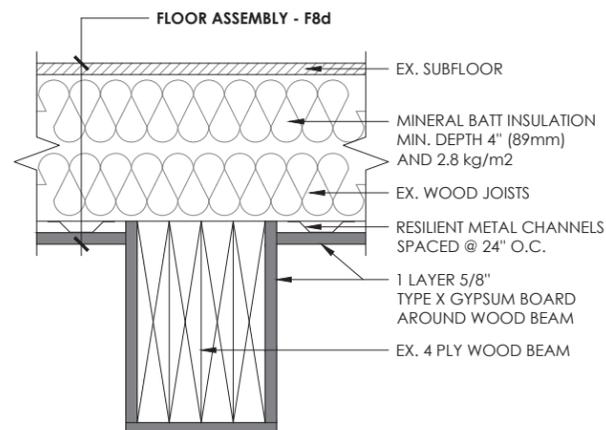
02 NEW: INTERIOR PARTITION WALL
WITH 1 HR FIRE SEPARATION



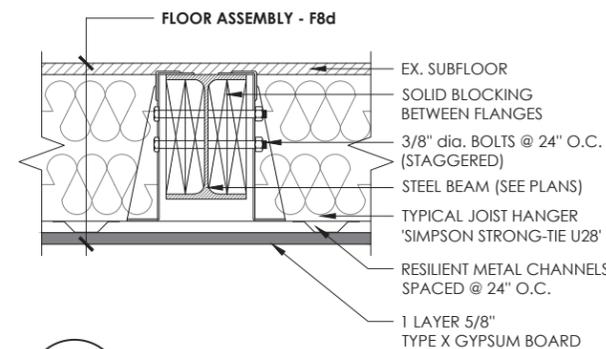
03 VERTICAL FIRE SEPARATION
AT CEILING DETAIL



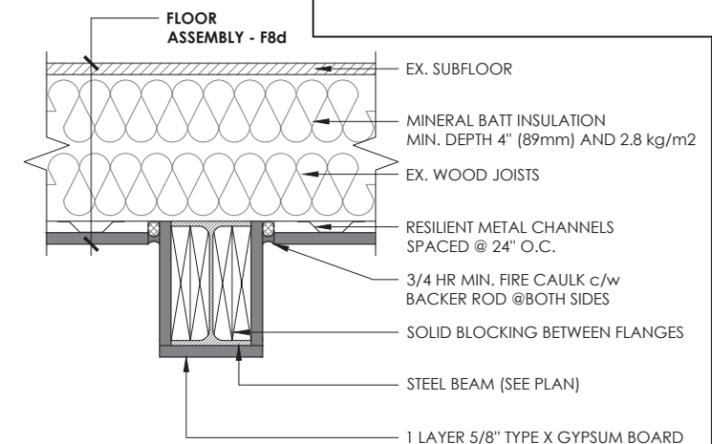
04 LVL BEAM DETAIL
FLUSH



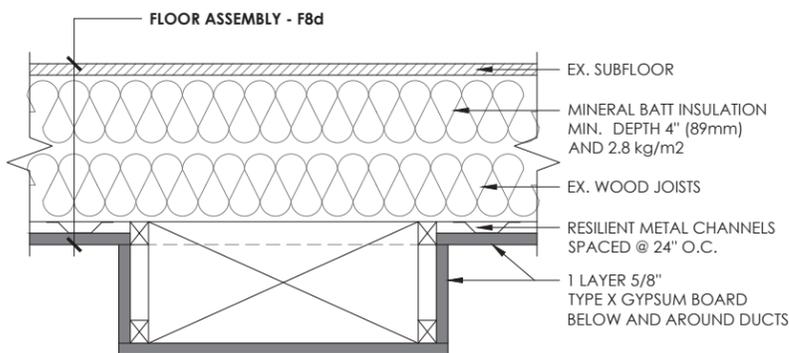
05 WOOD BEAM FIRE RATED
DROPPED



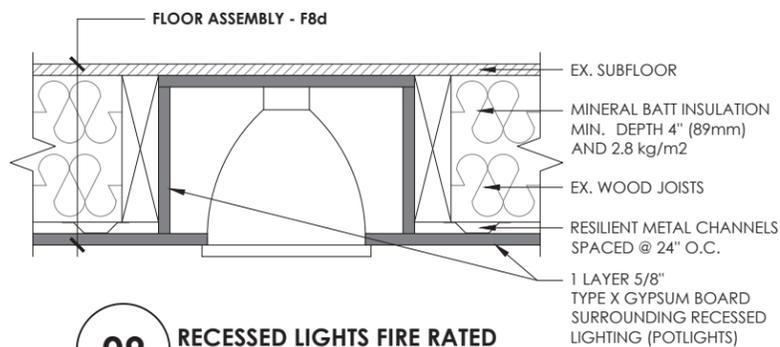
06 STEEL BEAM FIRE RATED
FLUSH



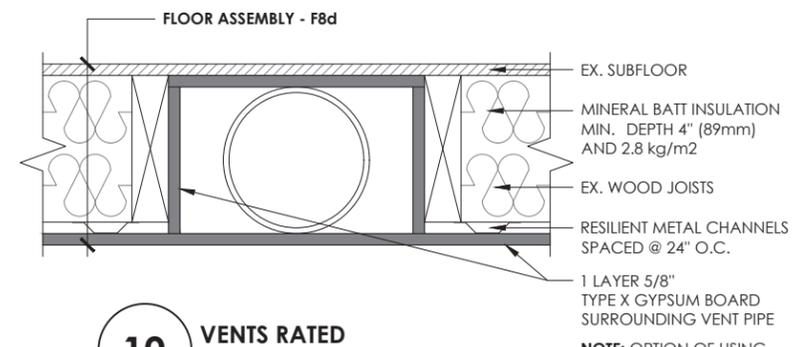
07 STEEL BEAM FIRE RATED
DROPPED



08 DUCTS FIRE RATED



09 RECESSED LIGHTS FIRE RATED



10 VENTS RATED
BATH FANS, CLOTHES DRYERS & KITCHEN EXHAUSTS



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NORTH POSITION:

ADDRESS:

577 BARTON ST E

SUBJECT:

FIRE SEPARATION DETAILS 1 OF 2

PROJECT:

MULTI-UNIT CONVERSION

DATE:

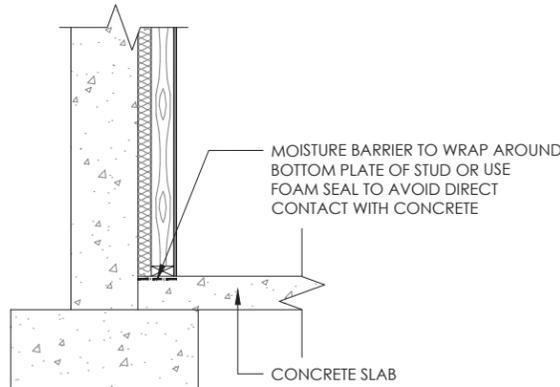
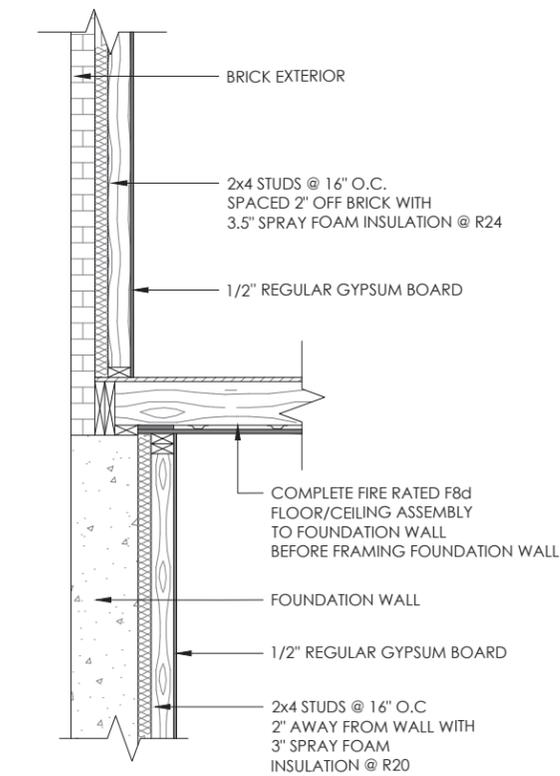
MAY 2022

SCALE:

-

SHEET#:

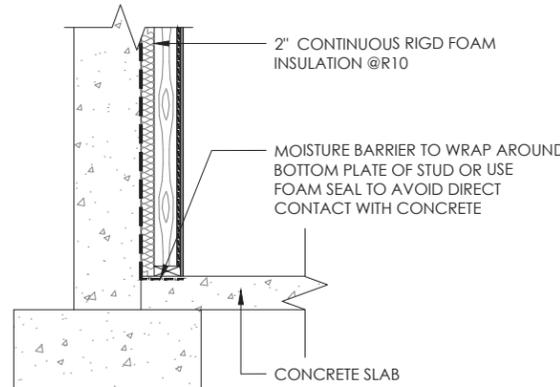
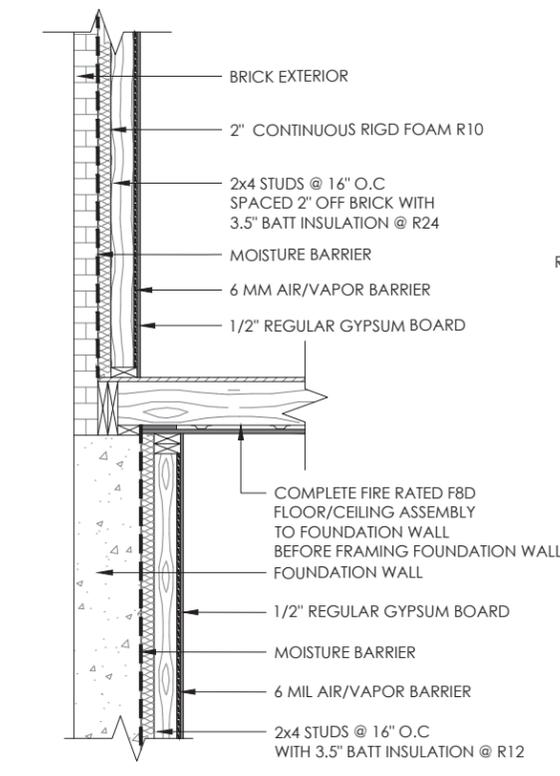
A 4.01



NOTE: FOUNDATION WALL, SLAB AND FOOTING FOR REFERENCE ONLY - EXACT SIZE NOT DETERMINED

EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY

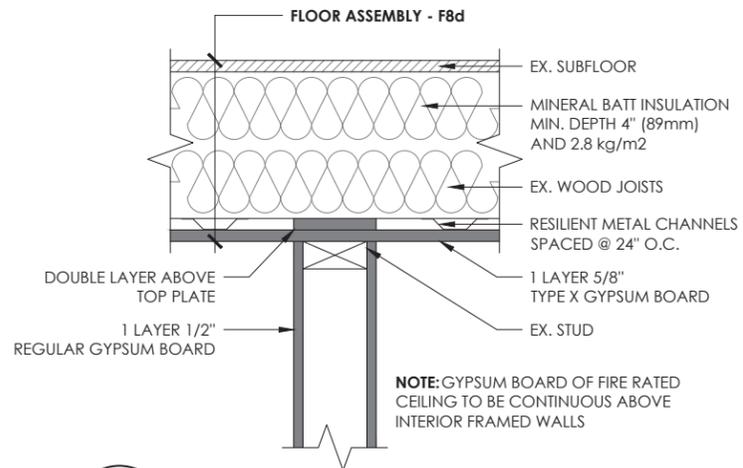
11 EXTERIOR WALL
SPRAY FOAM



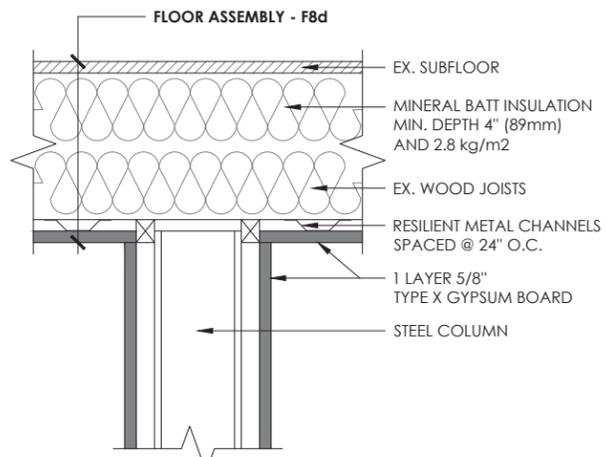
NOTE: FOUNDATION WALL, SLAB AND FOOTING FOR REFERENCE ONLY - EXACT SIZE NOT DETERMINED

EXTERIOR FOUNDATION WALL DETAIL FOR NEW PORTIONS ONLY

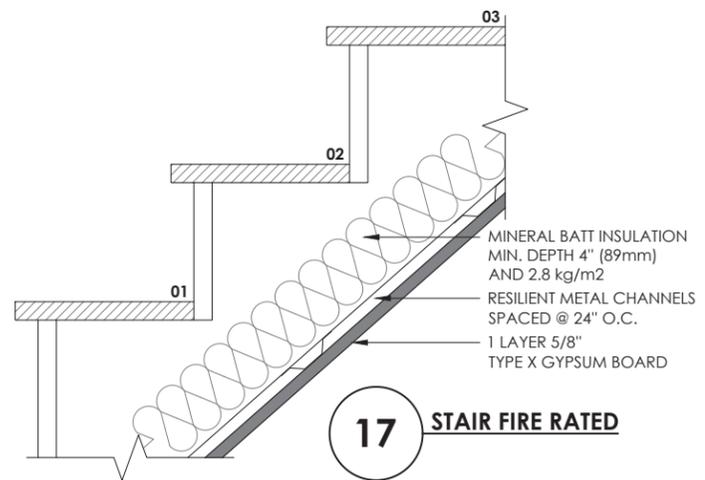
12 EXTERIOR WALL
BATT INSULATION



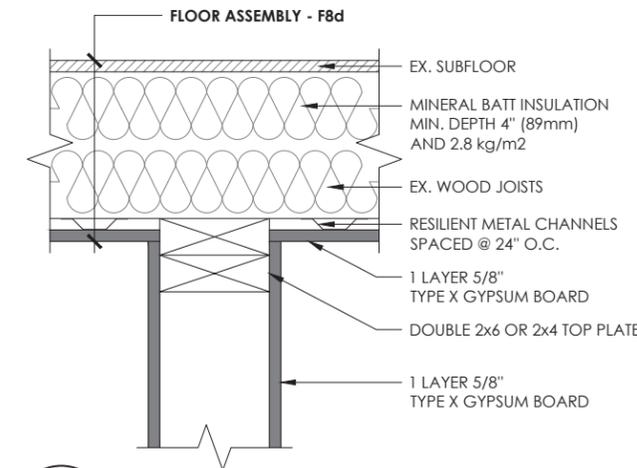
13 INTERIOR WALL - NON LOAD BEARING
FIRE SEPARATION



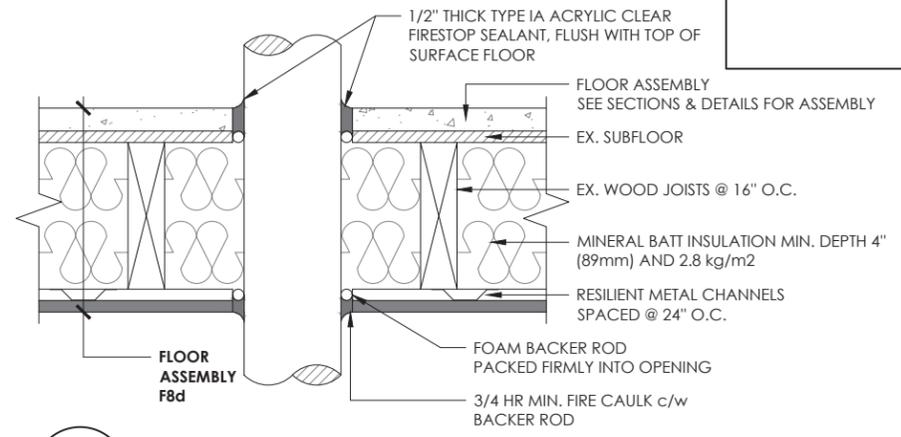
15 STRUCTURAL COLUMNS
FIRE SEPARATION



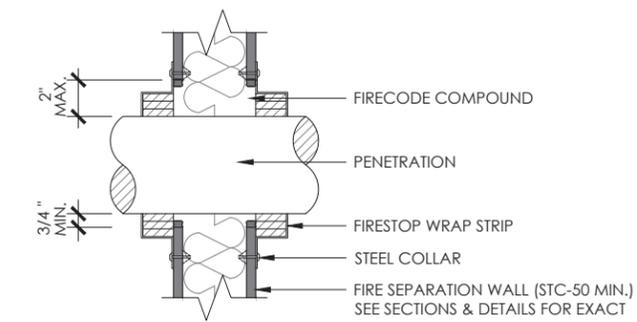
17 STAIR FIRE RATED



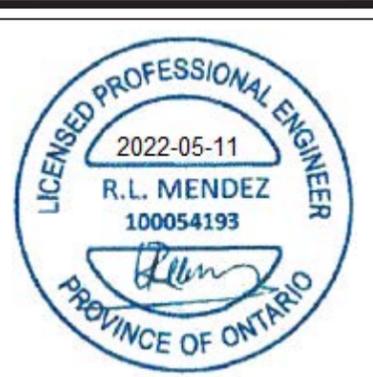
14 LOAD BEARING FIRE RATED
WALL AT CEILING DETAIL



16 FIRESTOP DETAIL FLOOR PENETRATION
SEE HILTI DETAILS



18 FIRESTOP DETAIL WALL PENETRATION
SEE HILTI DETAILS



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NORTH POSITION:

ADDRESS: **577 BARTON ST E**

SUBJECT: **FIRE SEPARATION DETAILS 2 OF 2**

PROJECT: **MULTI-UNIT CONVERSION**

DATE: **MAY 2022**

SCALE: -

SHEET#: **A 4.02**



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)	13785840 Ontario Inc	[REDACTED]
Applicant(s)*	Ken Bekendam	
Agent or Solicitor	Ken Bekendam	

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 floor elevation of 0m above grade whereas the bylaw requires 0.9m above grade for a residential unit.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

Existing floor elevation is at street level

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**):

577 Barton St E

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?

Existing uses

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 16th 2022

Date

Signature Property Owner(s)

[Handwritten Signature]

Print Name of Owner(s)

James O'Reilly

10. Dimensions of lands affected:

Frontage 50'
Depth 100'
Area 5000sqft
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 Site Plan

Proposed

See Site Plan

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

Existing:

See Site Plan

Proposed:

See Site Plan

13. Date of acquisition of subject lands:
2022
-
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.):
Mixed use Commercial and Residential
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Mixed Use Commercial and Residential
-
17. Length of time the existing uses of the subject property have continued:
unknown
-
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
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

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-22:198	SUBJECT PROPERTY:	115 ROXBOROUGH AVENUE, HAMILTON
ZONE:	"C5a" (Mixed Use Medium Density – Pedestrian Focus)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended 17-240

APPLICANTS: Owners G. Buda & S. Hernandez

The following variances are requested:

1. A minimum northerly rear yard setback of 0.5 m shall be provided instead of the minimum required rear yard setback of 1.2 m from the rear lot line; and
2. A minimum easterly side yard setback of 0.4 m shall be provided instead of the minimum required 1.2 m from the side lot line; and
3. A minimum vehicular entrance setback of 1.9 m shall be provided instead of the requirement in the By-law which states that where a vehicular entrance to an accessory building faces a street line, the vehicular entrance shall be setback a minimum of 6.0 m from the street line; and
4. To permit a roof top amenity area whereas the By-Law states that rooftop amenity areas shall be prohibited on all accessory structures; and
5. A maximum lot coverage of 15.64 % shall be provided instead of the maximum permitted 7.5 % total lot coverage.

PURPOSE & EFFECT: To facilitate the construction of a new 22.8 m² accessory structure (detached) to an existing single detached dwelling

HM/A-22:198

Notes:

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:198



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



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)	Giovanni Emilio Buda Sylvia Naomi Hernandez		
Applicant(s)*	Giovanni Emilio Buda		
Agent or Solicitor			Phone:
			E-mail:

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

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

Private mortgage - Maria Marcela Maciel

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:

Setbacks on the back and side of existing garage to be reconstructed.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

The lot is small and complying with the setback on the side will reduce the exterior area in a significant percentage

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**):

115 Roxborough ave, Hamilton
lot 315, Registered plan 404

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 acquired the property in november 2021 we do not have any additional

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)

Giovanni Emilio Buda Sylvia Hernandez
 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 15.95 m
 Depth 9.14 m
 Area 145.78 m²
 Width of street 15.240 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: _

Old frame/vinyl siding garage
 area: 23.37m² Front: 3.8m Length: 6.15m
 height: 2.70m

Proposed

New garage steel structure/vinyl siding
 area: 22.8m² front: 3.8m Length: 6.00m
 height: 3.4m + 1.10m railing

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

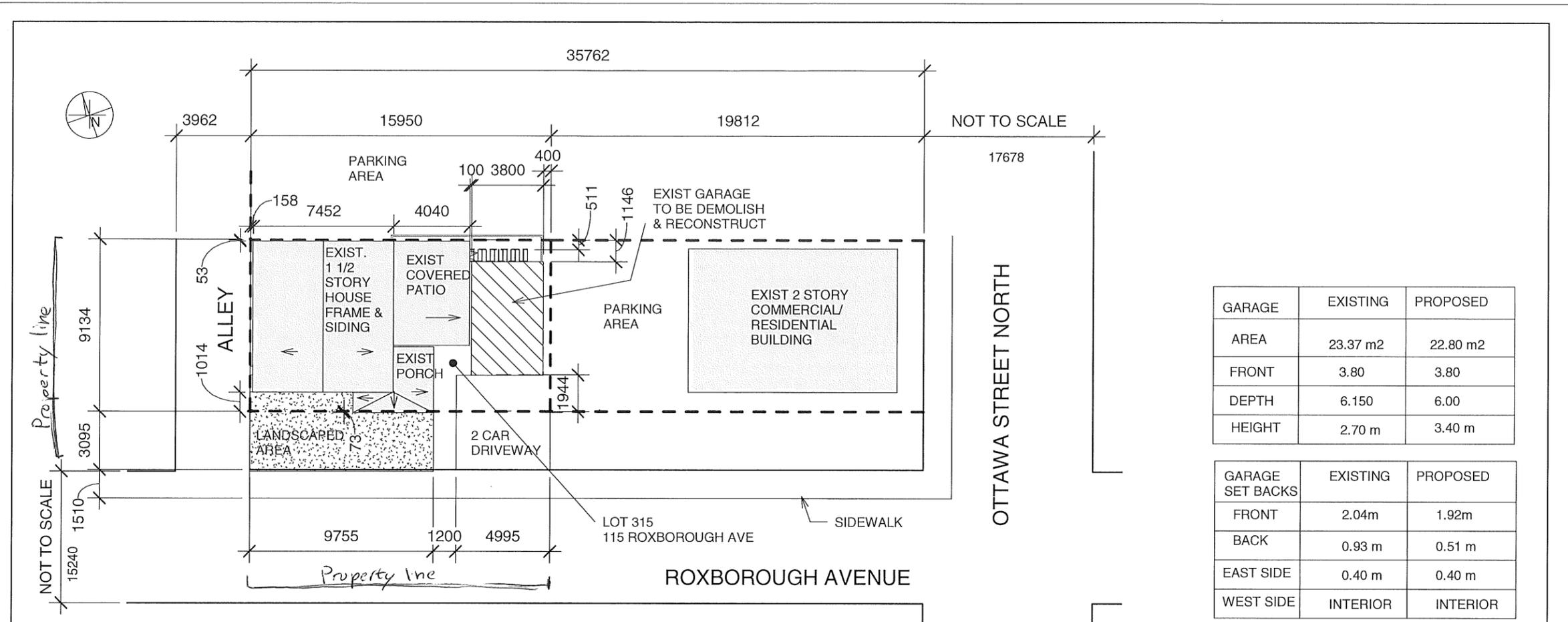
Existing:

Front: 2.04m
 Back: 0.93m
 East side: 0.40m west side: interior lot

Proposed:

Front: 1.92m
 Back: 0.51m
 East side: 0.40m west side: interior lot

13. Date of acquisition of subject lands:
November 25 2021
14. Date of construction of all buildings and structures on subject lands:
Unknown previous to 1986 (last survey) 1924
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Commercial / Residential Mixed use.
17. Length of time the existing uses of the subject property have continued:
Unknown but as far as 1986
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>✓</u> | Connected | <u>✓</u> |
| Sanitary Sewer | <u>✓</u> | Connected | <u>✓</u> |
| Storm Sewers | <u>✓</u> | | |
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:
05-200 bylaw 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.



GARAGE	EXISTING	PROPOSED
AREA	23.37 m2	22.80 m2
FRONT	3.80	3.80
DEPTH	6.150	6.00
HEIGHT	2.70 m	3.40 m

GARAGE SET BACKS	EXISTING	PROPOSED
FRONT	2.04m	1.92m
BACK	0.93 m	0.51 m
EAST SIDE	0.40 m	0.40 m
WEST SIDE	INTERIOR	INTERIOR

1 SITE PLAN
1 : 200

REFERENCE DRAWINGS
BUILDING LOCATION SURVEY
OF PART OF
LOT 315
REGISTERED PLAN No. 404
BY A.T.McLAREN/1986

ALL DIMENSIONS AN ELEVATIONS
ARE IN MILIMETERS

ZONING	LOT No.	PLAN No.	LOT AREA	LOT FRONTAGE	LOT DEPTH
C5A	315	404	145.78 m2	15.95 m2	9.14m

EXIST. HOUSE AREA	60.1 m2
EXIST. PORCH AREA	9.8 m2
EXIST. COVERED PATIO	22.3 m2

No.	Description	Date

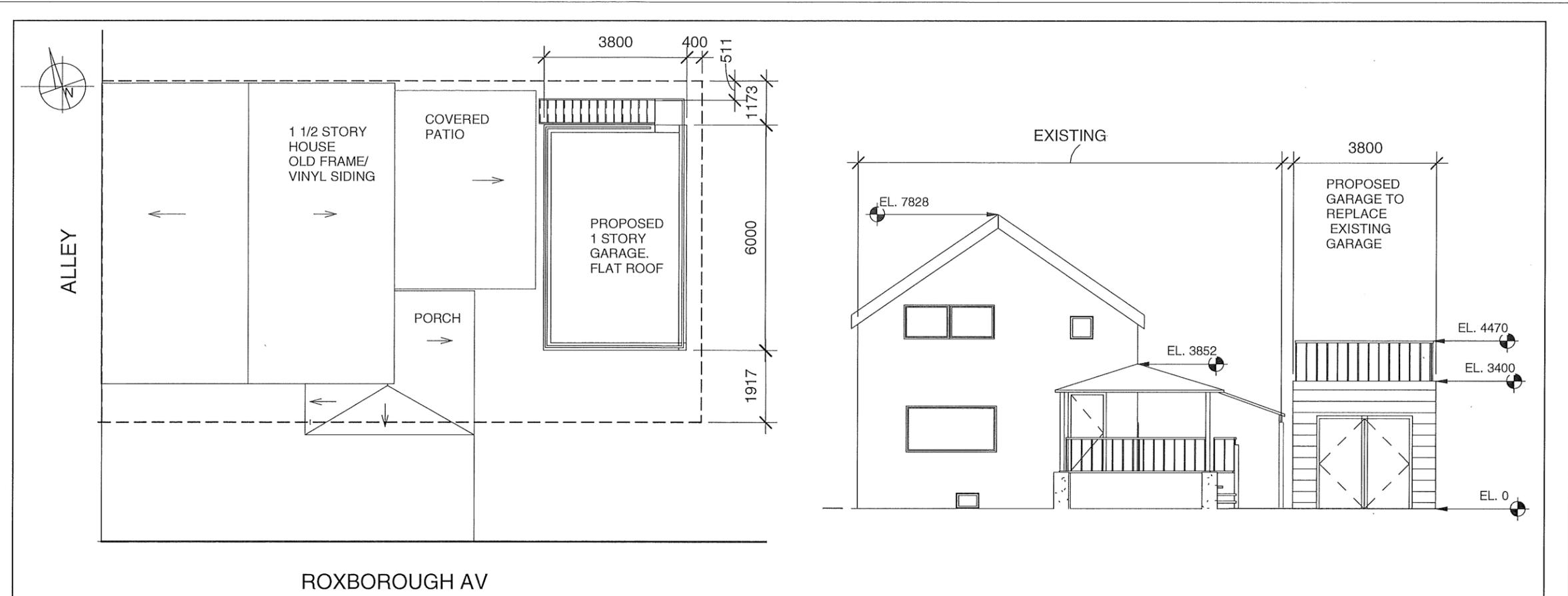
BUDA/HERNANDEZ
DETACHED GARAGE
RECONSTRUCTION

115 ROXBOROUGH AVE. HAMILTON. ON.

SITE PLAN

Project number	22002	SP1.01	
Date	2022-05-18		
Drawn by	M.MACIEL		
Checked by	L.HERNANDEZ	Scale	1 : 200

6/1/2022 3:48:15 PM



2 ROOF PLAN
1 : 100

1 FRONT ELEVATION
1 : 100

ALL DIMENSIONS AN ELEVATIONS ARE IN MILIMETERS

No.	Description	Date

BUDA/HERNANDEZ
DETACHED GARAGE
RECONSTRUCTION

115 ROXBOROUGH AVE. HAMILTON. ON.

ROOF PLAN & ELEVATION	
Project number	22002
Date	2022-05-18
Drawn by	M.MACIEL
Checked by	L.HERNANDEZ
Scale	1 : 100
SP1.02	

6/1/2022 3:48:23 PM



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:200	SUBJECT PROPERTY:	2 RUTHERFORD AVENUE, HAMILTON
ZONE:	"C" (Urban Protected Residential, etc.)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: Agent Perspective Views – M. Ribau
Owner C. Zavarise

The following variances are requested:

1. To permit the expansion of a legally established non-conforming five (5) unit multiple dwelling by construction of a dormer addition on the 2nd floor notwithstanding that a multiple dwelling is not permitted.
2. A minimum front yard depth of 3.5m shall be permitted instead of the minimum required front yard depth of 6.0m.
3. The existing rear fire escape shall be permitted to project a maximum of 5.9m into the minimum required 7.5m rear yard and shall be at least 1.6m from the rear lot line instead of the requirement that an open fire escape or open stairway may project into a required rear yard not more than 1.0m.

PURPOSE & EFFECT: To permit the expansion of a legally established non-conforming five (5) unit multiple dwelling by construction of a dormer addition on the 2nd floor for Unit 202:

Notes:

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

HM/A-22:200

DATE:	Thursday, July 14, 2022
TIME:	2:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:200



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

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Comments are available two days prior to the Hearing and are available on our website:

www.hamilton.ca/committeefadjustment

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Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

GENERAL NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS IN FIELD PRIOR CONSTRUCTION. NOTIFY ARCHITECT OF ANY DISCREPANCIES ON DRAWINGS.
2. VISIT THE SITE TO VERIFY EXISTING CONDITIONS. EXISTING CONCEALED CONDITIONS AND CONNECTIONS ARE BASED UPON INFORMATION TAKEN FROM LIMITED FIELD INVESTIGATIONS. CONTRACTOR SHALL MAKE REQUIRED ADJUSTMENTS TO SYSTEM COMPONENTS AS NECESSITATED BY ACTUAL FIELD CONDITIONS. REPORT ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL FIELD CONDITIONS TO THE ARCHITECT BEFORE CONSTRUCTION BEGINS.
3. CONTRACTOR SHALL KEEP THE JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF THE OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL CONSTRUCTION DEBRIS FROM PROJECT SITE AND SHALL PROVIDE DUMPSTERS ETC. AS REQUIRED. REMOVE ALL DEBRIS ON A DAILY BASIS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BUILDINGS AND OTHER INSTALLATIONS THAT ARE TO REMAIN INTACT WHILE PERFORMING THE SPECIFIED WORK.
5. UNLESS INDICATED OTHERWISE, ALL MATERIAL FURNISHED AND INCORPORATED INTO THE WORK SHALL BE NEW, UNUSED AND OF QUALITY STANDARD TO THE INDUSTRY FOR FIRST CLASS WORK OF SIMILAR NATURE AND CHARACTER. INSTALL ALL MATERIALS TO THE MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARD OF THE TRADES INVOLVED.
6. UNLESS OTHERWISE INDICATED ALL INTERIOR FINISHES SHALL BE AS DIRECTED BY THE OWNER.

DEMOLITION NOTES:

1. REMOVE ALL EXISTING CONSTRUCTIONS AND FINISHES NECESSARY FOR THE COMPLETION OF THE WORK AS DEPICTED ON THE DRAWINGS. INCLUDING BUT NOT LIMITED TO, ITEMS SHOWN ON THE PLANS WITH DASHED LINES. NECESSARY DISCONNECTS AND ALTERATIONS TO EXISTING MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INCLUDED. PATCH AS REQUIRED ALL CONSTRUCTIONS TO REMAIN IN ACCORDANCE WITH THE CONTRACT DRAWINGS. WHERE CONTRACTOR IS DESIGNATED TO MAKE REMOVALS, DISPOSITION OF MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR. VERIFY WITH OWNER, THE DISPOSITION AND REMOVAL OF ANY COMPONENTS OF SALVAGEABLE VALUE.
2. ALL REMOVALS AND SALVAGE, UNLESS SPECIFICALLY NOTED OR REQUESTED BY THE OWNER SHALL BECOME THE PROPERTY OF THE CONTRACTOR.
3. REMOVE ONLY NONLOAD BEARING CONSTRUCTION AND PARTITIONS. CONTRACTOR TO VERIFY, PRIOR TO REMOVAL, THAT NO STRUCTURAL COMPONENTS, I.E. BEARING WALLS, BEAMS, HEADERS, ETC.. SUPPORTING FLOOR, ROOF OR CEILING JOISTS ARE DESIGNATED FOR REMOVAL. CONTACT THE ARCHITECT PRIOR TO REMOVAL OF ANY CONSTRUCTION IN QUESTION OR DEVIATING FROM THE DESIGN INTENT. CONTRACTOR'S NONCONTACT OF ARCHITECT PRIOR TO REMOVAL OF ANY WORK INDICATES HIS COMPLETE UNDERSTANDING THAT NO LOAD BEARING OR STRUCTURAL WORK IS BEING ALTERED UNDER THIS CONTRACT. UNLESS OTHERWISE SPECIFIED.
4. ALL STRUCTURAL SYSTEMS SHALL BE MAINTAINED AND SHALL BE OF SUFFICIENT STRENGTH TO SUPPORT THE DESIGN LOADS.
5. PATCH ALL FINISHES TO MATCH EXISTING, INCLUDING BUT NOT LIMITED TO, GYPSUM BOARD, PLASTER, ACOUSTIC SYSTEMS, WOOD TRIM, COVERS, BASE, PANELS, RAILS AND WAINSCOT. VERIFY MATCH OF NEW FINISH MATERIALS TO EXISTING IN COLOR, TEXTURE, THICKNESS, CUT, ETC... TO SATISFACTION OF OWNER PRIOR TO INSTALLATIONS. PROVIDE OTHER MATERIALS TO MATCH EXISTING WHEN REQUIRED. TO BE APPROVED BY OWNER.
6. PATCH EXISTING WALLS GYPSUM DRYWALL OR PLASTER TO MATCH EXISTING OF SUFFICIENT THICKNESS TO MAINTAIN UNIFORM WALL THICKNESS. ALL EXPOSED PORTIONS OF WALL SHALL BE FINISHED WITH NECESSARY COATS OF PLASTER, SANDED AND LEFT IN A PAINT READY CONDITION.
7. WHERE APPLICABLE LEVEL ALL EXISTING FLOORS AS REQUIRED TO RECEIVE NEW FLOOR FINISHES. INSTALL REQUIRED TRANSITION PIECES BETWEEN VARIOUS FLOOR FINISHES SUITABLE FOR CONDITIONS AND ACCEPTABLE TO THE OWNER. MATCH EXISTING WHEREVER POSSIBLE.

MECHANICAL & ELECTRICAL NOTES:

1. SEE MECHANICAL DRAWINGS (IF APPLICABLE) FOR ADDITIONAL INFORMATION.
2. ANY EXISTING ELECTRICAL WHERE A WALL IS TO BE REMOVED NEEDS TO BE REMOVED OR RELOCATED AS PER PROPOSED DESIGN. REFER TO ELECTRICAL PERMIT FOR FURTHER DETAIL. PERMIT TO BE OBTAINED BY LICENSED ELECTRICIAN.
3. ELECTRICIAN TO DETERMINE IF EXISTING ELECTRICAL PANEL AND SERVICE IS ADEQUATE FOR PROPOSED DESIGN FOR ALL EQUIPMENT, FIXTURES AND APPLIANCES.

MECHANICAL NOTE:

EXISTING MECHANICAL SYSTEM TO REMAIN. THE INTEGRITY OF THE EXISTING HVAC SYSTEM SHALL NOT BE COMPROMISED BY THE REMOVAL OF EXISTING PARTITIONS. FREE AREA OF RETURN AIR INLETS SHALL BE MAINTAINED. ALL BASEMENT SUPPLY REGISTERS TO BE INSTALLED 16" F.F.F. UNLESS OTHERWISE LABELED. ALL BASEMENT SUPPLY VENTS ARE 5" DIAMETER UNLESS OTHERWISE SPECIFIED.

PROVIDE CLOSED 10"x3.25" DUCT IN ALL 2"x4" STUD WALLS.

 (A/R) MECHANICAL AIR RETURN REGISTER

 (A/S) MECHANICAL AIR SUPPLY REGISTER

PLUMBING NOTE:

IF THE CONNECTION AT EXTERIOR WALL IS NOT LOW ENOUGH TO ACCOMMODATE THE NEW SANITARY LINES UNDER SLAB, USE SEWAGE PUMP TO CONNECT TO A HIGHER WASTE STACK. REDIRECT EXISTING PLUMBING STACK BELOW FLOOR FRAMING AND ALONG EXTERIOR WALLS CONNECTING TO THE EXISTING SANITARY CONNECTION.

SUMP PUMP NOTE:

THE DISCHARGE PIPE FROM EVERY PUMPED STORM SEWAGE SUMP SHALL BE EQUIPPED WITH A UNION, A CHECK VALVE, AND A SHUT-OFF VALVE (IF APPLICABLE) INSTALLED IN THAT SEQUENCE AND PUMPED TO ABOVE GRADE LEVEL OR IN THE DIRECTION OF DISCHARGE.

SANITARY PUMP NOTE:

ONLY PIPING THAT IS TOO LOW TO DRAIN INTO A BUILDING SEWER BY GRAVITY SHALL BE DRAINED TO A SUMP OR RECEIVING TANK. SUMP OR TANK THAT RECEIVES SANITARY SEWAGE SHALL BE WATER AIR-TIGHT AND VENTED.

LUMBER:

1. ALL LUMBER SHALL BE SPRUCE NO.2 GRADE, UNLESS NOTED OTHERWISE.
2. STUDS SHALL BE STUD GRADE SPRUCE, UNLESS NOTED OTHERWISE.
3. LUMBER EXPOSED TO THE EXTERIOR TO BE SPRUCE No. 2 GRADE PRESSURE TREATED OR CEDAR, UNLESS NOTED OTHERWISE.
4. ALL LAMINATED VENEER LUMBER (L.V.L.) BEAMS, GIRDER TRUSSES, AND METAL HANGER CONNECTIONS SUPPORTING ROOF FRAMING TO BE DESIGNED & CERTIFIED BY TRUSS MANUFACTURER.
5. LVL BEAMS SHALL BE 2.0E WS MICRO-LAM LVL (Fb=2800psi.MIN.) OR EQUIVALENT. NAIL EACH PLY OF LVL WITH 89mm (3 1/2") LONG COMMON WIRE NAILS @ 300mm (12") O.C. STAGGERED IN 2 ROWS FOR 184,240 & 300mm (7 1/4", 9 1/2", 11 7/8") DEPTHS AND STAGGERED IN 3 ROWS FOR GREATER DEPTHS AND FOR 4PLY MEMBERS ADD 13mm (1/2") DIA. GALV. BOLTS BOLTED AT MID-DEPTH OF BEAM @ 915mm (3'-0") O.C.
6. PROVIDE TOP MOUNT BEAM HANGERS TYPE "SCL" MANUFACTURED BY MGA CONNECTOR LTD. Tel. (905) 642-3175 OR EQUAL FOR ALL LVL BEAM TO BEAM CONNECTIONS UNLESS NOTED OTHERWISE.
7. JOIST HANGERS: PROVIDE METAL HANGERS FOR ALL JOISTS AND BUILT-UP WOOD MEMBERS INTERSECTING FLUSH BUILT-UP WOOD MEMBERS.
8. WOOD FRAMING NOT TREATED WITH A WOOD PRESERVATIVE, IN CONTACT WITH CONCRETE, SHALL BE SEPARATED FROM THE CONC. BY AT LEAST 2 mil. POLYETHYLENE FILM, No.50 (45lbs.) ROLL ROOFING OR OTHER DAMP PROOFING MATERIAL, EXCEPT WHERE THE WOOD MEMBER IS AT LEAST 150mm (6") CHEMICAL THAT IS TOXIC TO TERMITES.

STEEL:

1. STRUCTURAL STEEL SHALL CONFORM TO CAN/CSA-G40-21 GRADE 300W. HOLLOW STRUCTURAL SECTIONS SHALL CONFORM TO CAN/CSA-G40-21 GRADE 350W CLASS "H".
2. REINFORCING STEEL SHALL CONFORM TO CSA-G30-18M GRADE 400R.
3. WELDING SHALL BE UNDERTAKEN ONLY BY A COMPANY APPROVED BY THE CANADIAN WELDING BUREAU TO THE REQUIREMENTS OF C.S.A. STANDARD W.47.1.
4. TEMPORARY BRACING TO BE USED WHEREVER NECESSARY TO WITHSTAND ALL LOADS DURING ERECTION AND SUBSEQUENT CONSTRUCTION.
5. ALL STRUCTURAL STEEL BUILDINGS TO CONFORM TO CAN/CSA-S16-09.

FIRE PROTECTION (9.10.22.):

1. A VERTICAL CLEARANCE OF NOT LESS THAN 750mm FROM COOKTOP SHALL BE PROVIDED UNLESS IT IS PROTECTED BY A NON-COMBUSTIBLE HOOD OR FINISH.
2. COMBUSTIBLE FINISHES LOCATED WITHIN 450mm HORIZONTALLY, SHALL BE PROTECTED BY A MINIMUM 9.5mm GYPSUM BOARD OR SPLASH BOARD/BACK PLATE.



PERSPECTIVE VIEWS

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These Drawings are not to be scaled

All drawings, the design, and the details thereon remain the property of the architect and are not to be altered, re-used or reproduced without the designer's express written consent. The contractor, must field verify all dimensions and must confirm & correlate all details within the fill drawing package being responsible for same throughout construction, reporting any discrepancies to the designer prior to commencing the relevant work. All drawings, details & specifications represented in the drawings are to be used for construction only when issued by the designer and noted accordingly in the "issue/revisions" box hereon.

TINA LISTER

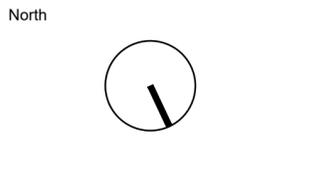
2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV	22/04/13

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.		
Qualification Information		
Required unless design is exempt under Div. C - 3.2.5 of the Building Code		
Adriano Passariello	115278	
----- Name -----	----- Signature -----	----- BCIN -----

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU



Drawing Title

NOTES

Scale 1/4" = 1'-0"

Sheet No.

A00.1

DRAWINGS COMPLY WITH OBC AS OF JAN 01, 2022

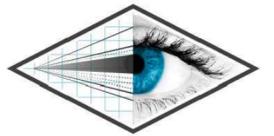
- 1 FOUNDATION WALL / FOOTINGS DRAINAGE
100mm (4") DIA. WEEPING TILE 150mm (6") CRUSHED STONE OVER AND AROUND WEEPING TILES.
- 2 BASEMENT SLAB
MIN. 75mm (3") CONCRETE BASE SLAB ON R5 RIGID INSUL. 100mm (4") COARSE GRANULAR FILL. REINFORCED W/ 6x6-W2.9xW2.9 MESH PLACED NEAR MID-DEPTH OF SLAB. CONC. STRENGTH 32 MPa(4640 PSI) WITH 5-8% AIR ENTRAINMENT ON COMPACTED SUB-GRADE.
- 3 COLD CELLAR PORCH SLAB
FOR MAX. 2500mm (8'-3") PORCH DEPTH, 130mm (5") 32MPa (4640 PSI) CONC. SLAB WITH 5-8% AIR ENTRAINMENT. REINF. WITH 10M BARS @ 200mm (8") O.C. EACH WAY IN BOTTOM THIRD OF SLAB, 610x610 (24"x24") DOWELS @ 600mm (24") O.C., ANCHORED IN PERIMETER FDTN. WALLS. SLOPE SLAB MIN. 1.0% FROM DOOR & WALLS. SLOPE SLAB MIN. 1.0% FROM DOOR. PROVIDE (L7) LINTELS OVER CELLAR DOOR.
- 4 STEP FOOTINGS
MIN. HORIZ. STEP = 600mm (23 5/8"). MAX. VERT. STEP = 600mm (23 5/8") FOR FIRM SOILS.
- 5 DIRECT VENT FURNACE TERMINAL
MIN. 900mm (36") FROM A GAS REGULATOR. MIN. 300mm (12") ABOVE FIN. GRADE, FROM ALL OPENINGS, EXHAUST & INTAKE VENTS. HRV INTAKE TO BE A MIN. OF 1830mm (6'-0") FROM ALL EXHAUST TERMINALS. REFER TO GAS UTILIZATION CODE.
- 6 SILL PLATE ANCHORING
13mm (1/2") DIA. ANCHOR BOLTS 200mm (8") LONG, EMBEDDED MIN. 100mm (4") INTO CONC. @ 2400mm (7'-10") O.C., CAULKING OR 25 (1") MIN MINERAL WOOL BETWEEN PLATE AND TOP OF WALL.
- 7 SUBFLOOR JOIST STRAPPING AND BRIDGING
16mm (5/8") T & G GLUED & SCREWED SUB FLOOR ON WOOD 6mm (1/4") PANEL TYPE UNDERLAY UNDER RESILIENT & PARQUET FLOORING. ALL JOISTS TO BE BRIDGED WITH 38x38 (2"x2") CROSS BRACING OR SOLID BLOCKING @ 2100mm (6'-11") O.C. MAX. ALL JOISTS TO BE STRAPPED WITH 19x64 (1"x3") @ 2100mm (6'-11") O.C. UNLESS A PANEL TYPE CEILING FINISH IS APPLIED.
- 8 TWO STOREY VOLUME SPACES
FOR A MAXIMUM 5490mm (18'-0") HEIGHT, PROVIDE 2-38X140 (2-2"x6") SPR.#2 CONTIN. STUDS @ 300MM (12") O.C. FOR BRICK AND 400MM (16") O.C. FOR SIDING C/W 9.6 (3/8") THICK EXT. PLYWOOD SHEATHING. PROVIDE SOLID WOOD BLOCKING BETWEEN WOOD STUDS @ 1220mm (4'-0") O.C. VERTICALLY.

FOR HORIZ. DISTANCES NOT EXCEEDING 2900mm (9'-6"), PROVIDE 38X140 (2"x6") STUDS @ 400 (16") O.C. WITH CONTINUOUS 2-38X140 (2-2"x6") TOP PLATE + 1-38X140 (1-2"x6") BOTTOM PLATE & MINIMUM OF 3-38X184 (3-2"x8") CONT. HEADER AT GRND. CEILING LEVEL TOE-NAILED & GLUED AT TOP, BOTTOM PLATES AND HEADERS.
- 9 STUD WALL REINFORCEMENT (O.B.C. 9.5.2.3.)
PROVIDE WOOD BLOCKING REINFORCEMENT TO STUD WALLS FOR GRAB BAR INSTALLATION IN THE BATHROOM, 840-920mm (33"-36") A.F.F. BEHIND TOILET. 850mm (33") A.F.F. ON THE WALL OPPOSITE THE ENTRANCE TO THE BATHTUB OR SHOWER.
- 10 GARAGE GAS PROOFING (O.B.C. 9.10.9.16.)
13mm (1/2") GYPSUM BD. ON WALL AND CEILING BETWEEN HOUSE AND GARAGE, R22 IN WALLS, R35 IN CEILING. TAPE AND SEAL & STRUCTURALLY SUPPORT ALL JOINTS, IN ORDER TO BE GAS TIGHT.
- 11 GARAGE DOOR GAS PROOFING
DOOR AND FRAME GASPROOFED. DOOR EQUIPPED WITH SELF CLOSING DEVICE AND WEATHERSTRIPPING.

- 12 GARAGE STEPS
PRECAST CONCRETE STEP OR WD. STEP WHERE NOT EXPOSED TO WEATHER. MAX. RISE 200mm (7-7/8"); MINIMUM TREAD 250mm (9-1/2").
- 13 EXPOSED FLOOR TO EXTERIOR
PROVIDE R31 INSULATION, APPROVED VAPOR BARRIER AND CONTINUOUS AIR BARRIER, FINISHED SOFFIT.
- 14 RAILINGS AND GUARDS
FINISHED RAILING ON PICKETS SPACED NOT MORE THAN 100mm (4") BETWEEN PICKETS. GUARDS -OBC. 9.8.8. INTERIOR GUARDS: 900mm (2'-11") MIN. EXTERIOR GUARDS: 1070mm (3'-6") MIN.
- 15 STAIR HANDRAILS
REQ'D ON ONE SIDE OF STAIR UP TO 3'-6" WIDE, 2 IF WIDER. HANDRAILS TO COMPLY TO 9.8.7. OBC
- 16 ALL STAIRS / EXTERIOR STAIRS
REQ'D ON ONE SIDE OF STAIR UP TO 3'-6" WIDE, 2 IF WIDER.

MAX RISE	= 200 (7-7/8")	FOR CURVED STAIRS	
MIN. RUN	= 210 (8-1/4")	MIN. AVG. RUN	= 150 (6")
MIN. TREAD	= 235 (9-1/4")	MIN. RUN	= 200 (8")
MAX NOSING	= 25 (1")		
MIN. HEADROOM	= 1950 (6'-5")		
RAIL @ LANDING	= 900 (2'-11")		
RAIL @ STAIR	= 800 (2'-8")		
MIN. STAIR WIDTH	= 860 (2'-10")		
- 17 DIRECT VENT GAS FIREPLACE
VENT TO BE A MINIMUM 300mm (12") FROM ANY OPENING AND ABOVE FIN. GRADE. REFER TO GAS UTILIZATION CODE.
- 18 MECHANICAL EXHAUST FAN
VENTED TO EXTERIOR, TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR.
- 19 ATTIC OR CRAWL SPACE ACCESS HATCH (O.B.C. 9.19.2.1.)
500x700 (22"x28") WITH WEATHERSTRIPPING. R50 RIGID MIN AREA 3.4 sqft INSULATION BACKING. (R12 FOR CRAWL SPACE)
- 20 ATTIC VENTILATION (O.B.C. 9.19.1.)
ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES.
- 21 CONVENTIONAL ROOF FRAMING
38x140 (2"x6") RAFTERS @ 400mm (16"O.C.), 38x184 (2"x8") RIDGE BOARD. 38x89 (2"x4") COLLAR TIES AT MIDSPANS. CEILING JOISTS TO BE 38x89 (2"x4") @ 400mm (16") O.C. FOR MAX. 2830mm (9'-3") SPAN & 38x140 (2"x6") @ 400 (16") O.C. FOR MAX. 4450mm (14'-7") SPAN. RAFTERS FOR BUILT-UP ROOF TO BE 38x89 (2"x4") @ 600mm (24") O.C. UNLESS OTHERWISE NOTED.
- 22 ROOF CONSTRUCTION (TYP. TRUSS ROOF)
NO.210 (10.25kg/m2) ASPHALT SHINGLES, 10mm (3/8") PLYWOOD SHEATHING WITH "H" CLIPS. ENG. TRUSS AS PER MANUF. PLANS. APPROVED EAVES PROTECTION TO EXTEND 900mm (3'-0") FROM EDGE OF ROOF AND MIN. 300mm (12") BEYOND INNER FACE OF EXTERIOR WALL. PREFIN. ALUM. EAVESTROUGH, FASCIA, RWL & VENTED SOFFIT. ATTIC VENTILATION 1:300 OF INSULATED R50 CEILING AREA WITH 50% AT EAVES.

- 23 ROOF WITHOUT ATTIC CONSTRUCTION
NO.210 (10.25kg/m2) ASPHALT SHINGLES, 10mm (3/8") PLYWOOD SHEATHING WITH "H" CLIPS. 2x10 ROOF JOISTS @ 400mm (16") O.C. WITH R50 BATT INSL. PROVIDE RURLINS TO MAINTAIN 2 1/2" VENT SPACE FROM U/S OF ROOF DECK TO TOP OF INSL. 6 MIL POLY. V/B AND 1/2" G.W.B. CEILING FINISH. APPROVED EAVES PROTECTION TO EXTEND 900mm (3'-0") FROM EDGE OF ROOF AND MIN. 300mm (12") BEYOND INNER FACE OF EXTERIOR WALL, PREFIN. ALUM. EAVESTROUGH, FASCIA, RWL & VENTED SOFFIT. ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES.
- 24 EAVES CONSTRUCTION
ALUM. 'OGEE' STYLE EAVESTROUGH C/W ALUM. CORRUGATED RECTANGULAR DOWN SPOUTS SPACED 20'-0" MIN.-50'-0" MAX. EAVESTROUGH ON 2x6 ALUM. FASCIA BOARD W/ VENTED ALUM. SOFFIT AND INSULATION BAFFLE TO PROVIDE CLEAR VENTILATION FLOW OVER INSULATION SOFFIT.
- 25 FLAT ROOF INSULATION (NON-VENTED)
R50 ROOF 2lb CLOSED CELL SPRAY FOAM INSULATION IN ROOF JOIST CAVITY, 13mm (1/2") INT. DRYWALL FINISH OR APPROVED EQUAL.
- 26 BASEMENT CEILING (1HR FIRE RATED FLOOR ASSEMBLY) (O.B.C. 9.10.9.14(3))
5/8" TYPE 'X' DRYWALL SCREWED TO EXISTING FLOOR JOISTS, ROXUL INSULATION BETWEEN JOIST CAVITY. STC RATING OF 50.
- 27 EGRESS WINDOW OR DOORS FOR BEDROOMS (9.9.10.1.)
SHOULD BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS AND PROVIDES AN INDIVIDUAL UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 0.35sqm WITH NO DIMENSION LESS THAN 380mm
- 28 WINDOW AS MEANS OF EGRESS (O.B.C. 9.9.2.3.)
CASEMENT WINDOWS NOT LESS THAN 1060mm HIGH, 560mm WIDE, WITH A SILL HEIGHT NOT MORE THAN 900mm ABOVE THE INSIDE FLOOR, ARE PERMITTED TO BE CONSIDERED PART OF A REQUIRED MEANS OF EGRESS TO PROVIDE ACCESS TO FIRE ESCAPES, WHEN FIRE ESCAPES ARE PERMITTED.
- 29 MINIMUM CEILING HEIGHT (O.B.C. TABLE 11.5.1.1.C) (C102B)
MINIMUM ROOM HEIGHT SHALL NOT BE LESS THAN 1950mm OVER THE REQUIRED FLOOR AREA AND IN ANY LOCATION THAT WOULD NORMALLY BE USED AS MEANS OF EGRESS, OR MINIMUM ROOM HEIGHT SHALL NOT BE LESS THAN 2030mm OVER AT LEAST 50% OF THE REQUIRED FLOOR AREA, PROVIDED THAT ANY PART OF THE FLOOR HAVING CLEAR HEIGHT OF LESS THAN 1400mm SHALL NOT BE CONSIDERED IN COMPUTING THE REQUIRED FLOOR AREA.
- 30 STEEL COLUMN (SEE O.B.C. 9.17.3.4.)
90mm (3-1/2") DIA. SINGLE TUBE NON-ADJUSTABLE STEEL COLUMN. CONFORMING TO CAN/CSG-7.2M, AND W/ 150x150x9.5 (6"x6"x3/8") STEEL PLATE TOP & BOTTOM.
- 31 LAUNDRY (OBC 9.31.4.2.)
PROVIDE HOOK UP FOR A MOBILE LAUNDRY LOCATED CONVENIENTLY ACCESSIBLE TO THE DWELLING UNIT OCCUPANTS.
- 32 DRAIN WATER HEAT RECOVERY (OBC SB-12, 3.1.1.12.)
PROVIDE A DRAIN WATER HEAT RECOVERY UNIT TO RECEIVE DRAIN WATER FROM ALL NEW SHOWERS FROM THE DWELLING UNIT, TO BE INSTALLED AS PER MANUFACTURER'S SPECS, CONTRACTOR TO PROVIDE THE MANUFACTURER'S SPECS TO THE BUILDING INSPECTOR.
- SMOKE ALARM & CARBON MONOXIDE DETECTOR (O.B.C. 9.10.19.1.(2))
PROVIDE 1 PER FLOOR, NEAR THE STAIRS CONNECTING LEVELS, AND IN ALL BEDROOMS. ALARMS TO BE CONNECTED TO AN ELECTRICAL CIRCUIT AND INTERCONNECTED TO ACTIVATE ALL ALARMS IF ONE SOUNDS.



PERSPECTIVE VIEWS

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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

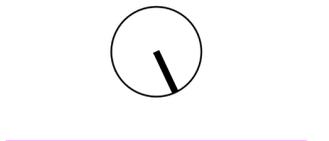
Revisions	
Issued for MV	22/04/13

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Adriano Passariello	115278	BCIN
Name	Signature	BCIN

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU



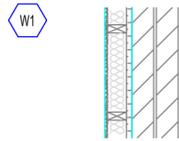
Drawing Title

NOTES

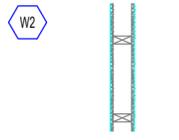
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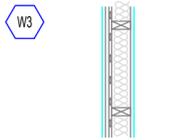
WALL SCHEDULE



W1
ADDITIONAL LAYER
 13mm (1/2") INTERIOR DRYWALL, 38x86 (2"x4") STUDS @ 400mm (16") O.C. SINGLE BOTTOM PLATE, DOUBLE TOP PLATE, R24 BATT INSULATION BETWEEN VOIDS, 26mm (1") RIDGED INSULATION, AND APPROVED VAPOR BARRIER. EXISTING WALL DOUBLE MASONRY BEYOND.

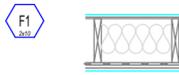


W2
INTERIOR STUD PARTITIONS
 BEARING PARTITIONS 38x89 (2"x4") @ 400mm (16") O.C. FOR 2 STOREYS AND 300mm (12") O.C. FOR 3 STOREYS. NON-BEARING PARTITIONS 38x89 (2"x4") @ 600mm (24") O.C., PROVIDE 38x89 (2"x4") BOTTOM PLATE AND 2/38x89 (2-2"x4") TOP PLATE. 13mm (1/2") INTERIOR DRYWALL BOTH SIDES OF STUD, PROVIDE 38x140 (2"x6") @ 406mm (16") O.C. STUDS/PLATES WHERE NOTED.

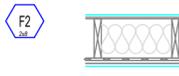


W3
SB-3 (WALL No. W4a) 1 HR FIRE RATED / STC: 51
 2"x4" WOOD STUDS @16" O/C.
 4" ABSORPTIVE MATERIAL.
 RESILIENT METAL CHANNELS ON ONE SIDE @16" OR 24" O/C.
 2 LAYERS OF 5/8" TYPE-X GYPSUM BOARD ON RESILIENT CHANNEL SIDE.
 1 LAYER OF 5/8" TYPE-X GYPSUM BOARD ON OTHER SIDE.

FLOOR SCHEDULE



F1
SB-3 (FLOOR No. F9g) 1 HR FIRE RATED / STC: 50
 5/8" NOMINAL PLYWOOD SUBFLOOR
 2"x10" WOOD JOIST @16" O/C.
 MIN 3" ABSORPTIVE MATERIAL IN CAVITY
 1 LAYER OF RESILIENT CHANNEL 406mm O/C.
 2 LAYER OF 5/8" TYPE 'X' GYPSUM BOARD ON UNDERSIDE.



F2
SB-3 (FLOOR No. F9g) 1 HR FIRE RATED / STC: 50
 5/8" NOMINAL PLYWOOD SUBFLOOR
 2"x8" WOOD JOIST @16" O/C.
 MIN 3" ABSORPTIVE MATERIAL IN CAVITY
 1 LAYER OF RESILIENT CHANNEL 406mm O/C.
 2 LAYER OF 5/8" TYPE 'X' GYPSUM BOARD ON UNDERSIDE.

DOOR SCHEDULE				
NO.	SIZE	HINGE		REMARK
BASEMENT FLOOR DOORS				
D01	80" x 28"	L		EXT. INTERIOR
D02	80" x 26"	L		EXT. INTERIOR
D03	80" x 30"	R		EXT. INTERIOR
D04	80" x 32"	L		EXT. INTERIOR
D31	80" x 32"	R		EXT. EXTERIOR
D32	80" x 30"	L		EXT. EXTERIOR
MAIN FLOOR DOORS				
D05	96" x 38"	L		EXT. EXTERIOR
MAIN FLOOR UNIT 101 DOORS				
D06	80" x 32"	L		NEW FRONT ENTERANCE, FIRE RATED
D07	80" x 48"	SLIDING		NEW CLOSET DOOR
D08	80" x 24"	L		NEW BATHROOM DOOR
D09	80" x 32"	R		NEW BED ROOM DOOR
D10	80" x 32"	L		EXT. EXTERIOR
MAIN FLOOR UNIT 102 DOORS				
D11	80" x 32"	R		NEW FRONT ENTERANCE, FIRE RATED
D12	80" x 53"	SLIDING		NEW CLOSET DOOR
D13	80" x 24"	L		NEW BATHROOM DOOR
D14	80" x 32"	R		NEW BED ROOM DOOR
SECOND FLOOR UNIT 201 DOORS				
D15	80" x 32"	L		NEW FRONT ENTERANCE, FIRE RATED
D16	80" x 48"	SLIDING		NEFW CLOSET DOOR
D17	80" x 24"	L		NEW BATHROOM DOOR
D18	80" x 32"	R		NEW BED ROOM DOOR
D19	80" x 48"	SLIDING		NEW CLOSET DOOR
SECOND FLOOR UNIT 202 DOORS				
D20	80" x 32"	R		NEW FRONT ENTERANCE, FIRE RATED
D21	80" x 24"	L		NEW BATHROOM DOOR
D22	80" x 32"	R		NEW BED ROOM DOOR
D23	80" x 30"	R		NEW DOOR TO CLOSET
ATTIC FLOOR UNIT 301 DOORS				
D25	80" x 30"	R		NEW FRONT ENTERANCE, FIRE RATED
D26	80" x 30"	L		NEW DOOR TO CLOSET
D27	80" x 30"	R		NEW DOOR TO LAUNDRY
D28	80" x 30"	R		NEW BED ROOM DOOR
D29	80" x 30"	R		NEW BATHROOM DOOR

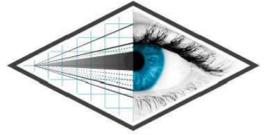
ALL EXISTING WINDOWS TO REMAIN. PLAN PROVIDED FOR REFERENCE ONLY

NOTE: CONTRACTOR TO CONFIRM WITH OWNER ANY EXISTING DOORS TO BE REPLACED WITH NEW, CONTRACTOR TO PROVIDE SAMPLE DOOR STYLES AND HARDWARE TO BE APPROVED BY OWNER PRIOR TO PLACING ANY ORDERS.

WINDOW SCHEDULE				
NO.	SIZE	SILL HEIGHT	FIXED/OPERABLE	REMARKS
BASEMENT WINDOWS				
W01	1'-9.5" x 3'-0"	4'-6"	SLIDER	EXISTING
W02	1'-9.5" x 3'-0"	4'-6"	SLIDER	EXISTING
W03	1'-9.5" x 6'-1"	4'-6"	SLIDER	EXISTING
W04	1'-9.5" x 2'-8"	4'-6"	SLIDER	EXISTING
W05	1'-9.5" x 2'-8"	4'-6"	SLIDER	EXISTING
MAIN FLOOR COMMON AREA WINDOWS				
W06	2'-5" x 1'-5"	4'-9"	FIXED	EXISTING
W07	2'-5" x 1'-5"	4'-9"	FIXED	EXISTING
MAIN FLOOR UNIT 101 WINDOWS				
W08	5'-6" x 1'-5"	2'-3"	OPERABLE	EXISTING
W09	1'-8" x 1'-5"	6'-3"	OPERABLE	EXISTING
W10	1'-8" x 1'-5"	6'-3"	OPERABLE	EXISTING
W11	4'-5" x 1'-5"	4'-5"	OPERABLE	EXISTING
W12	5'-4" x 1'-5"	2'-3"	OPERABLE	EXISTING
W13	3'-1" x 1'-5"	3'-11"	OPERABLE	EXISTING
MAIN FLOOR UNIT 102 WINDOWS				
W14	5'-6" x 1'-5"	2'-3"	OPERABLE	EXISTING
W15	4'-11" x 3'-2"	2'-3"	OPERABLE	EXISTING
W16	4'-11" x 3'-2"	2'-3"	OPERABLE	EXISTING
W17	4'-9" x 1'-5"	2'-3"	OPERABLE	EXISTING EGRESS
SECOND FLOOR COMMON AREA WINDOWS				
W18	4'-9" x 7'-9"	2'-3"	OPERABLE	EXISTING
SECOND FLOOR UNIT 201 WINDOWS				
W19	4'-11" x 4'-2"	2'-3"	OPERABLE	EXISTING
W20	4'-10" x 2'-3"	2'-3"	OPERABLE	EXISTING
W21	4'-10" x 4'-10"	2'-3"	OPERABLE	EXISTING
W22	4'-10" x 2'-3"	2'-3"	OPERABLE	EXISTING EGRESS
W23	1'-10" x 2'-0"	4'-1"	OPERABLE	EXISTING
W24	4'-9" x 2'-2"	2'-3"	OPERABLE	EXISTING
SECOND FLOOR UNIT 202 WINDOWS				
W25	4'-11" x 4'-2"	2'-3"	OPERABLE	EXISTING
W26	2'-9" x 8'-3"	3'-5"	OPERABLE	EXISTING
W27	4'-9" x 2'-2"	2'-3"	OPERABLE	EXISTING
W34	4'-10" x 2'-3"	2'-3"	OPERABLE	EXISTING EGRESS
ATTIC FLOOR COMMON AREA WINDOWS				
W28	2'-2" x 1'-5"	2'-10"	FIXED	EXISTING
ATTIC FLOOR UNIT 301 WINDOWS				
W29	1'-9" x 1'-5"	2'-9"	OPERABLE	EXISTING
W30	1'-9" x 1'-5"	2'-9"	OPERABLE	EXISTING
W31	3'-6" x 1'-5"	1'-10"	OPERABLE	EXISTING
W32	3'-1" x 1'-5"	4'-5"	OPERABLE	EXISTING
W33	2'-6" x 3'-4"	-	FIXED	NEW SKYLIGHT
W35	4'-10" x 2'-3"	2'-3"	OPERABLE	EXISTING EGRESS

ALL EXISTING WINDOWS TO REMAIN. PLAN PROVIDED FOR REFERENCE ONLY

NOTE: CONTRACTOR TO CONFIRM WITH OWNER ANY EXISTING WINDOWS TO BE REPLACED WITH NEW, CONTRACTOR TO PROVIDE SAMPLE WINDOW STYLES AND COLOR TO BE APPROVED BY OWNER PRIOR TO PLACING ANY ORDERS.



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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV 22/04/13

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 Qualification Information
 Required unless design is exempt under Div. C-3.2.5 of the Building Code
 Adriano Passariello 115278
 Name Signature BCIN

Project No. PV21-017

Issue Date 15-12-2021

Drawn By JOSEPH FALZONE

Checked By MATTHEW RIBAU

North



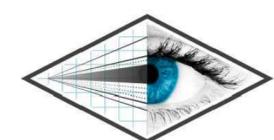
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SCHEDULES

Scale 1/4" = 1'-0"

Sheet No.

A00.3



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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

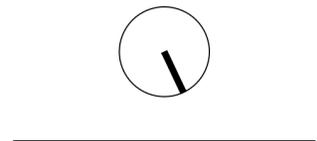
Issued for MV	22/04/13
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Adriano Passariello	115278
Name	Signature

Project No.	PV21-017
Issue Date	15-12-2021
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Checked By	MATTHEW RIBAU



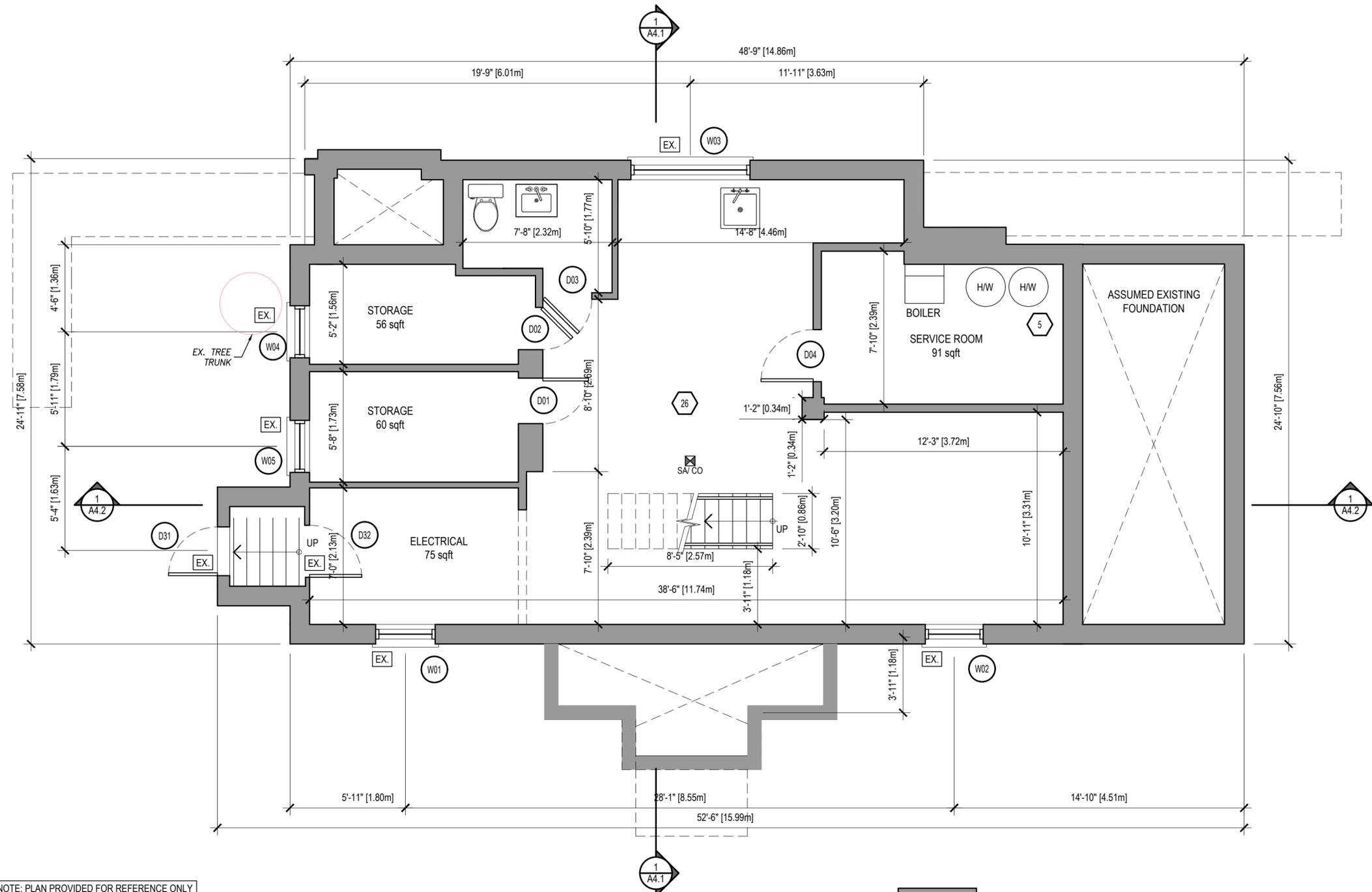
Drawing Title

EXISTING BASEMENT

Scale 1/4" = 1'-0"

Sheet No.

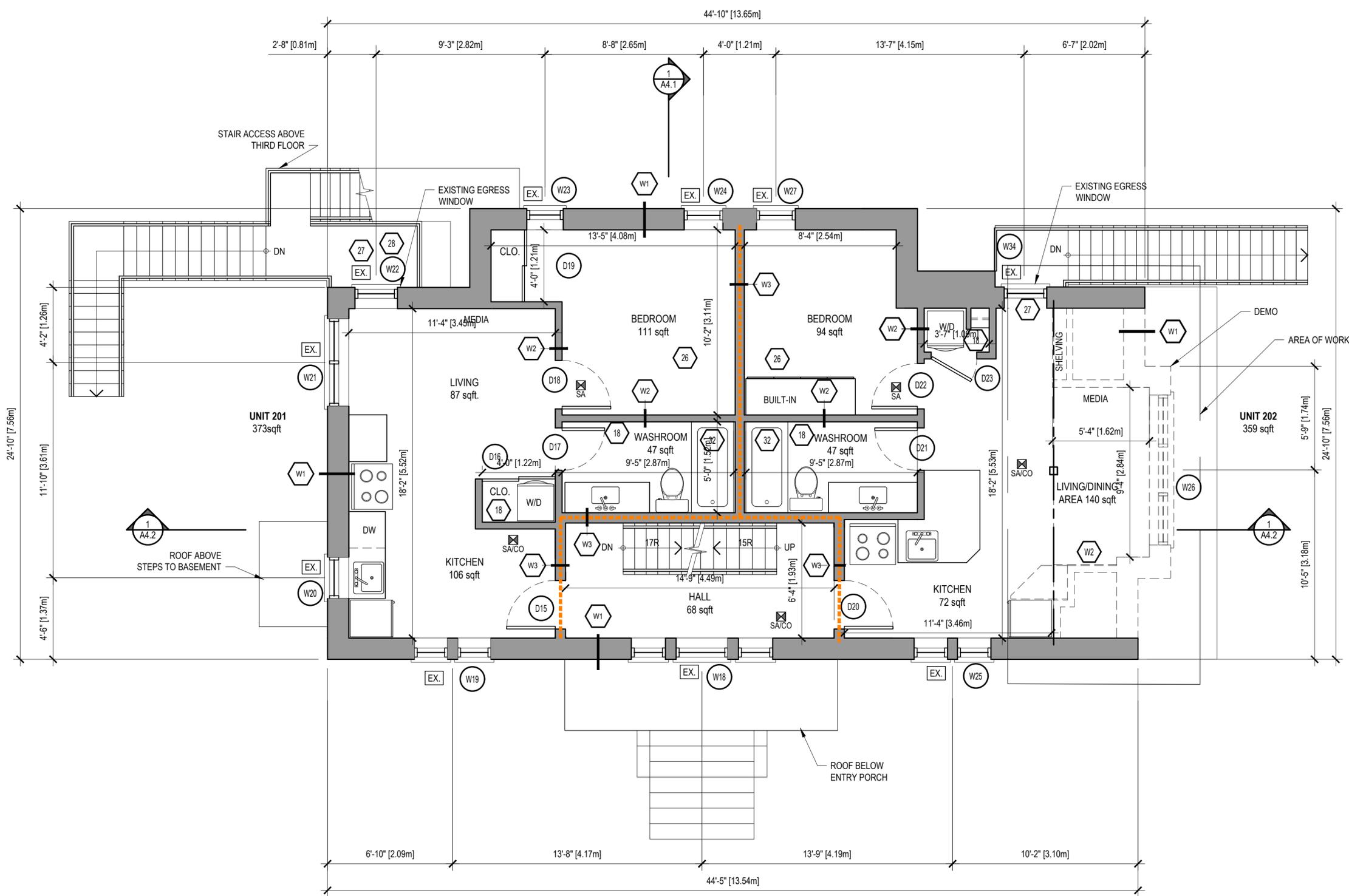
A01.1



NOTE: PLAN PROVIDED FOR REFERENCE ONLY

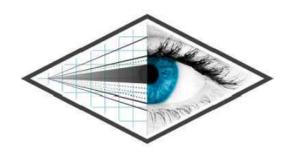
PROPOSED BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

- DENOTES EXISTING TO REMAIN
- 1 HR FIRE SEPARATION
- DENOTES DEMOLITION



1
A02.3
PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
 - - - - - 1 HR FIRE SEPARATION



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TINA LISTER

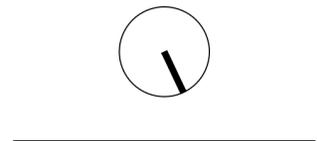
2 RUTHERFORD AVENUE, HAMILTON

Revisions

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 Name Signature BCIN

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
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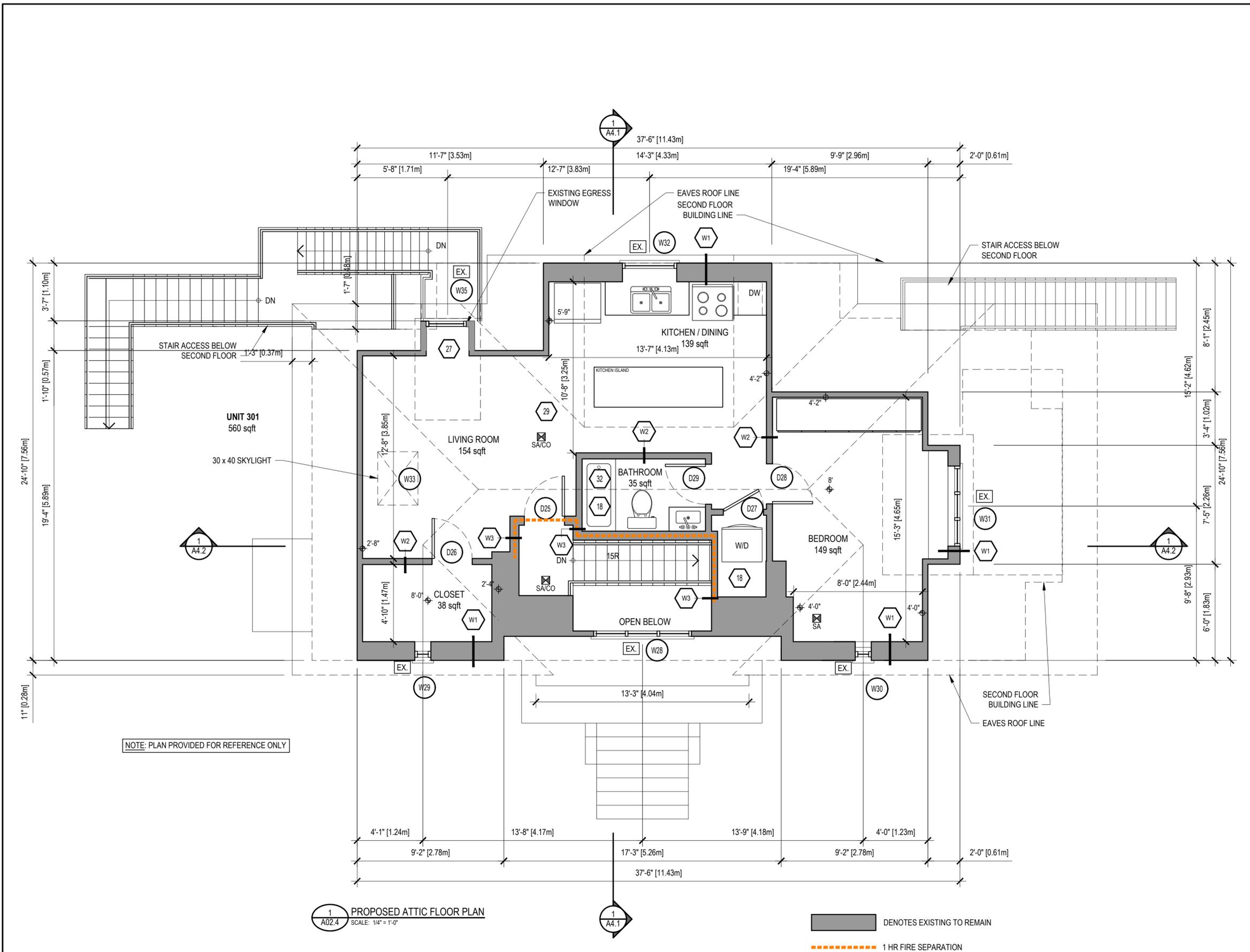


Drawing Title
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 Scale 1/4" = 1'-0"

Sheet No.

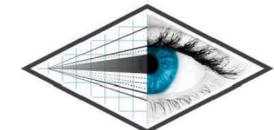
A01.3

2022-01-18 10:34:47 AM



1
A02.4
PROPOSED ATTIC FLOOR PLAN
SCALE: 1/4" = 1'-0"

- DENOTES EXISTING TO REMAIN
- 1 HR FIRE SEPARATION
- DENOTES DEMOLITION



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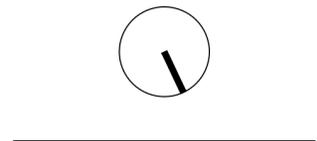
Issued for MV	22/04/13
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Checked By	MATTHEW RIBAU

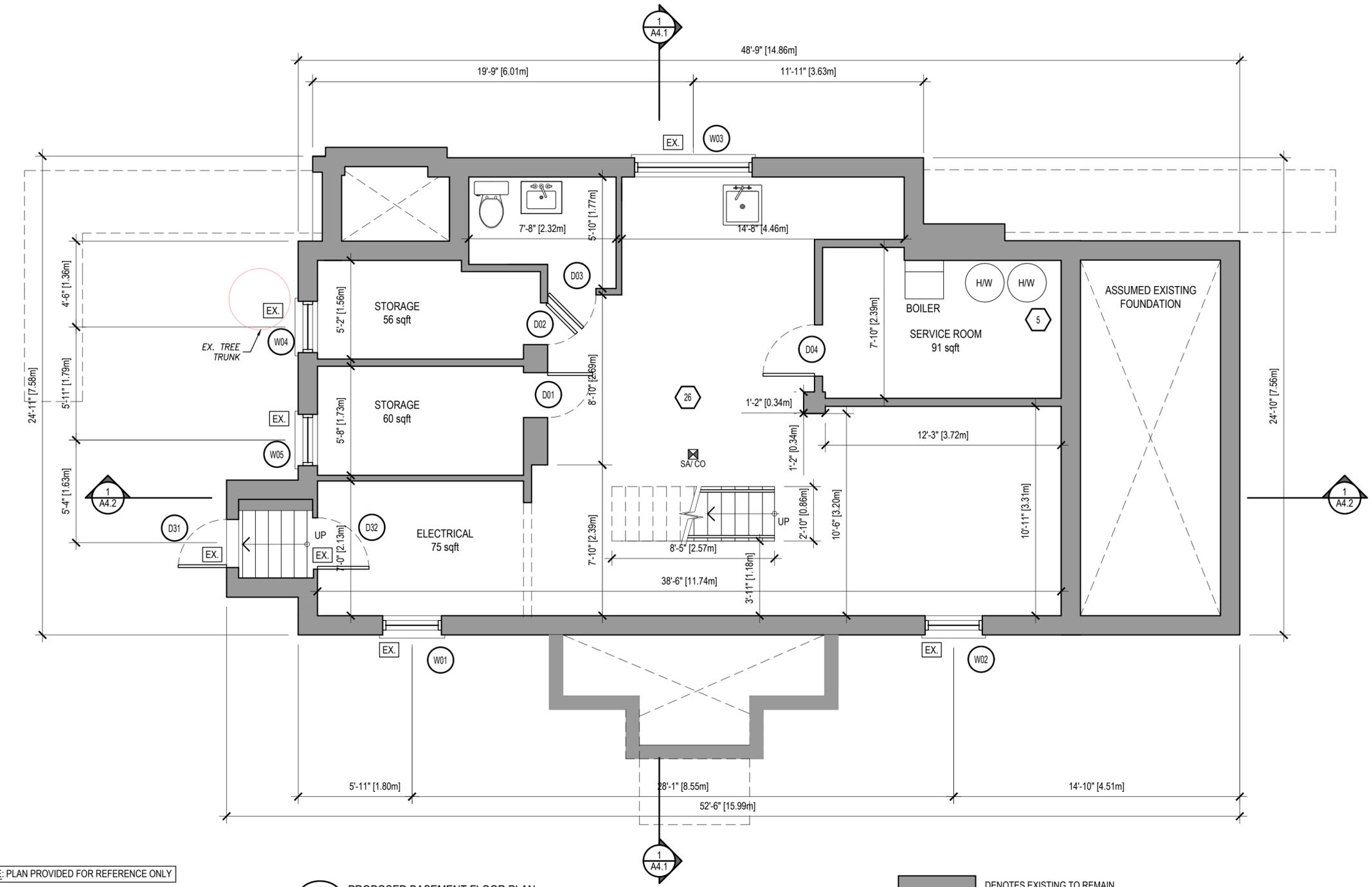


Drawing Title

EXISTING ATTIC

Scale 1/4" = 1'-0"
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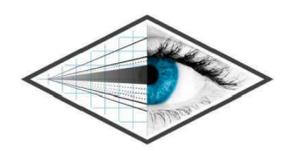
A01.4



NOTE: PLAN PROVIDED FOR REFERENCE ONLY

1 A02.1 PROPOSED BASEMENT FLOOR PLAN SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
- - - - - 1 HR FIRE SEPARATION



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Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU



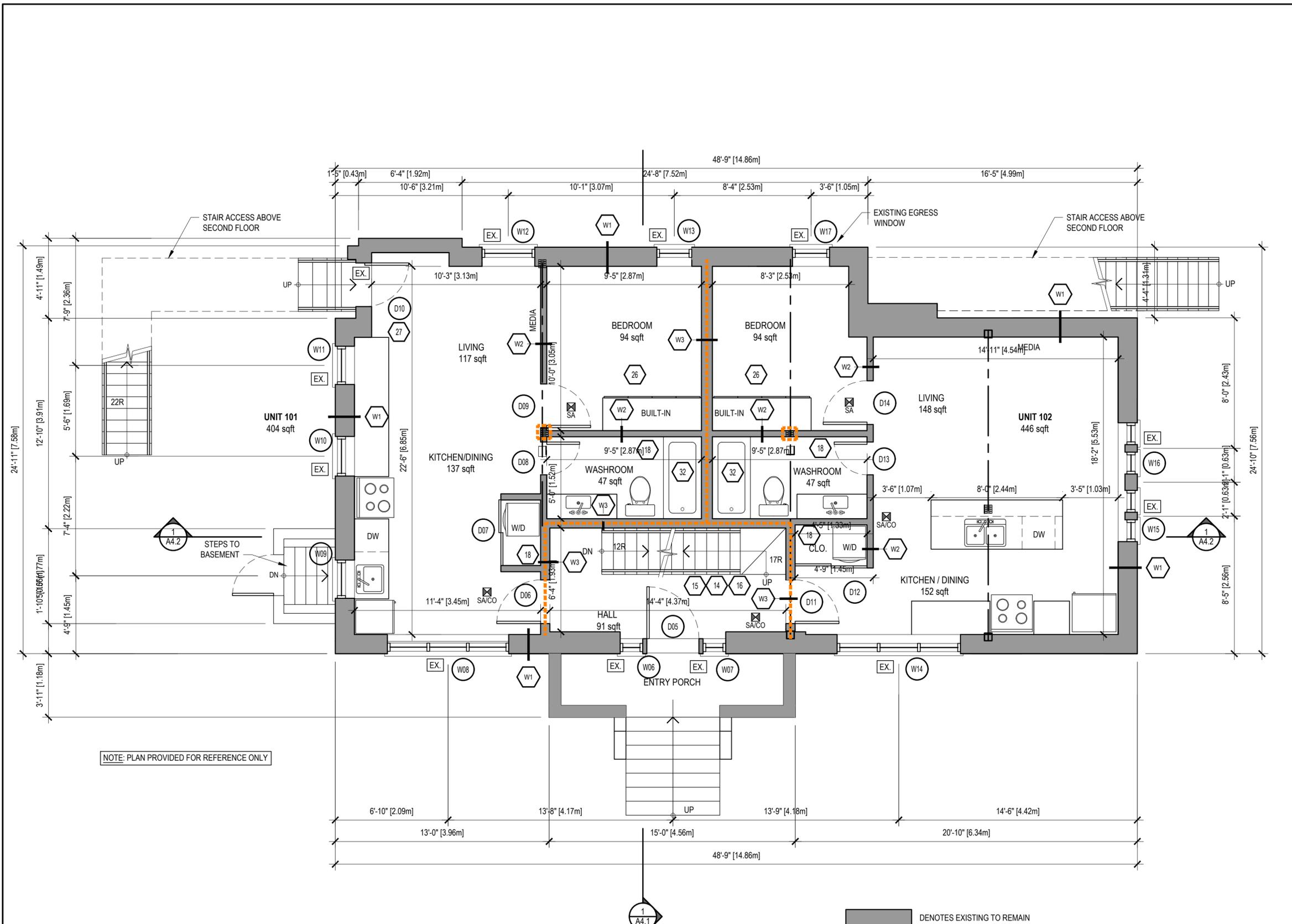
Drawing Title

PROPOSED BASEMENT

Scale 1/4" = 1'-0"

Sheet No.

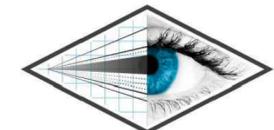
A02.1



NOTE: PLAN PROVIDED FOR REFERENCE ONLY

1 A02.2 PROPOSED GROUND FLOOR PLAN SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
- - - 1 HR FIRE SEPARATION



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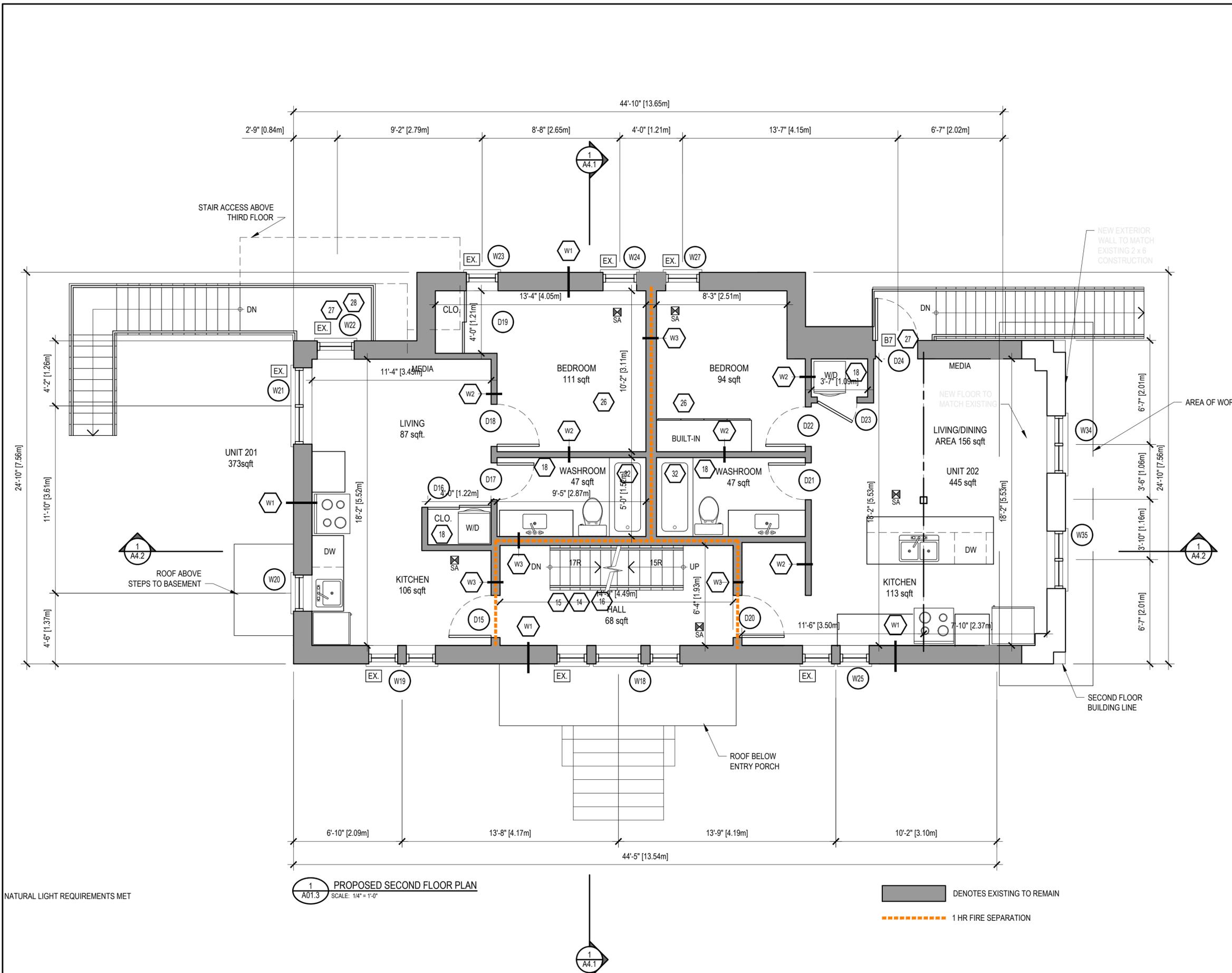
Project No. PV21-017
Issue Date 15-12-2021
Drawn By JOSEPH FALZONE
Checked By MATTHEW RIBAU
North



PROPOSED GROUND FLOOR

Scale 1/4" = 1'-0"
Sheet No.

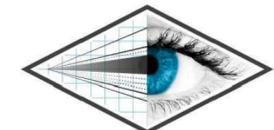
A02.2



1
A01.3
PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
- - - 1 HR FIRE SEPARATION

NATURAL LIGHT REQUIREMENTS MET



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Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU

North



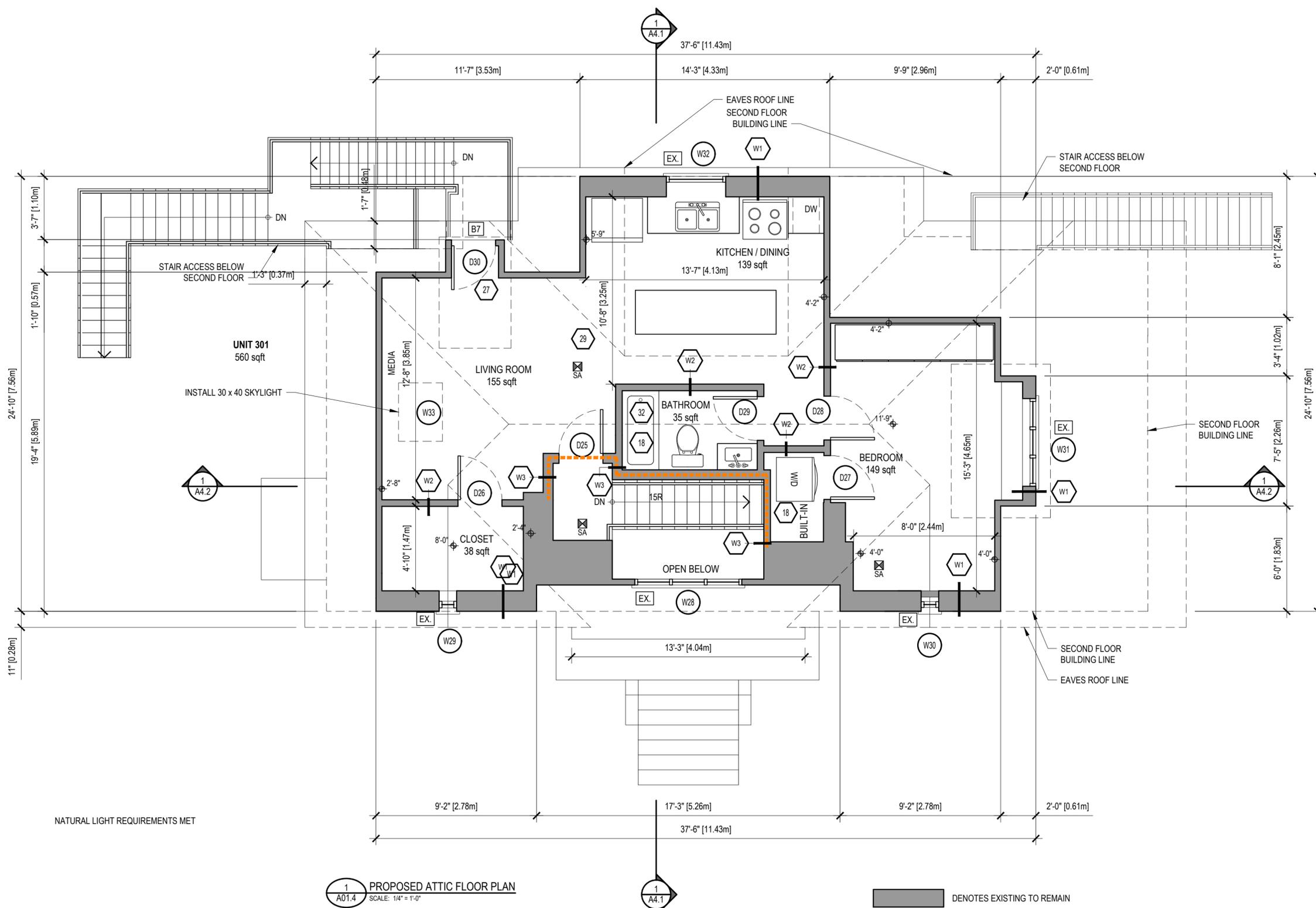
Drawing Title

PROPOSED SECOND FLOOR

Scale 1/4" = 1'-0"

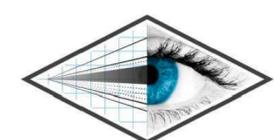
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A02.3



1
A01.4
PROPOSED ATTIC FLOOR PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
 - - - - - 1 HR FIRE SEPARATION



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Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU
North	

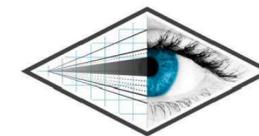
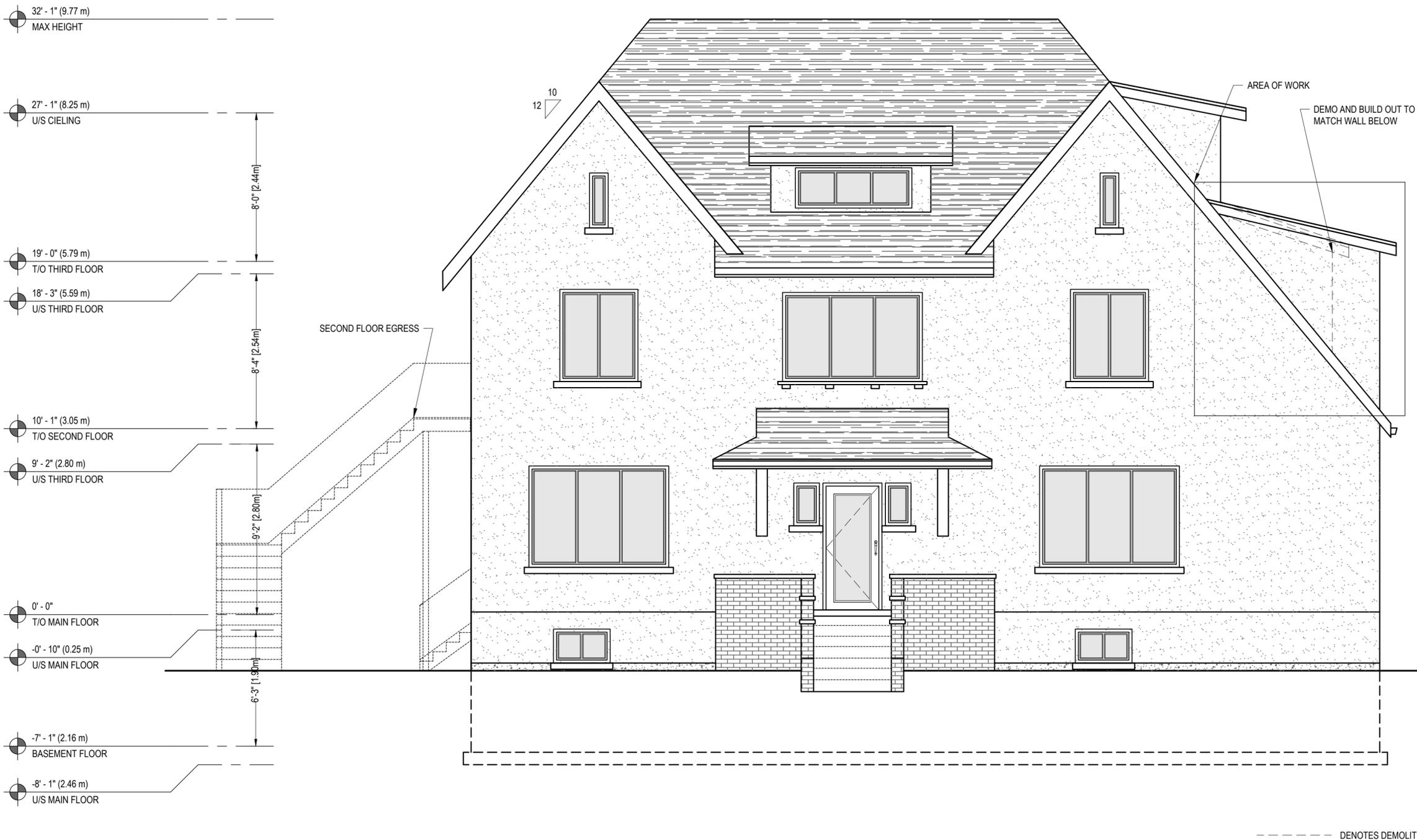
Drawing Title

PROPOSED ATTIC

Scale 1/4" = 1'-0"

Sheet No.

A02.4



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North



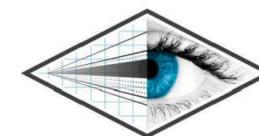
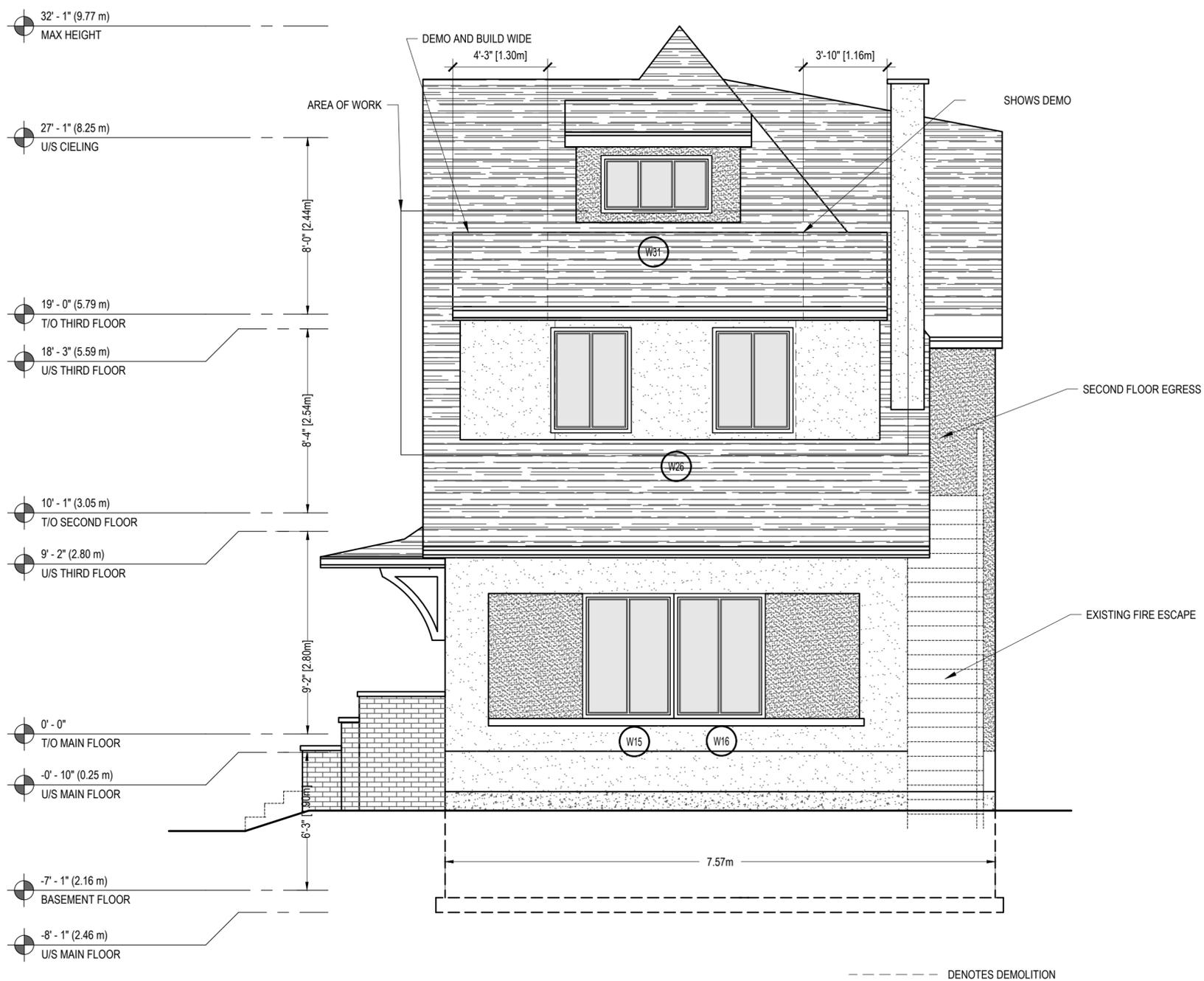
Drawing Title

FRONT SOUTH ELEVATION

Scale 1/4" = 1'-0"

Sheet No.

A03.1



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Issue Date 15-12-2021

Drawn By JOSEPH FALZONE

Checked By MATTHEW RIBAU

North



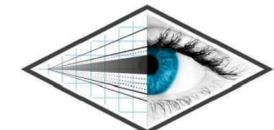
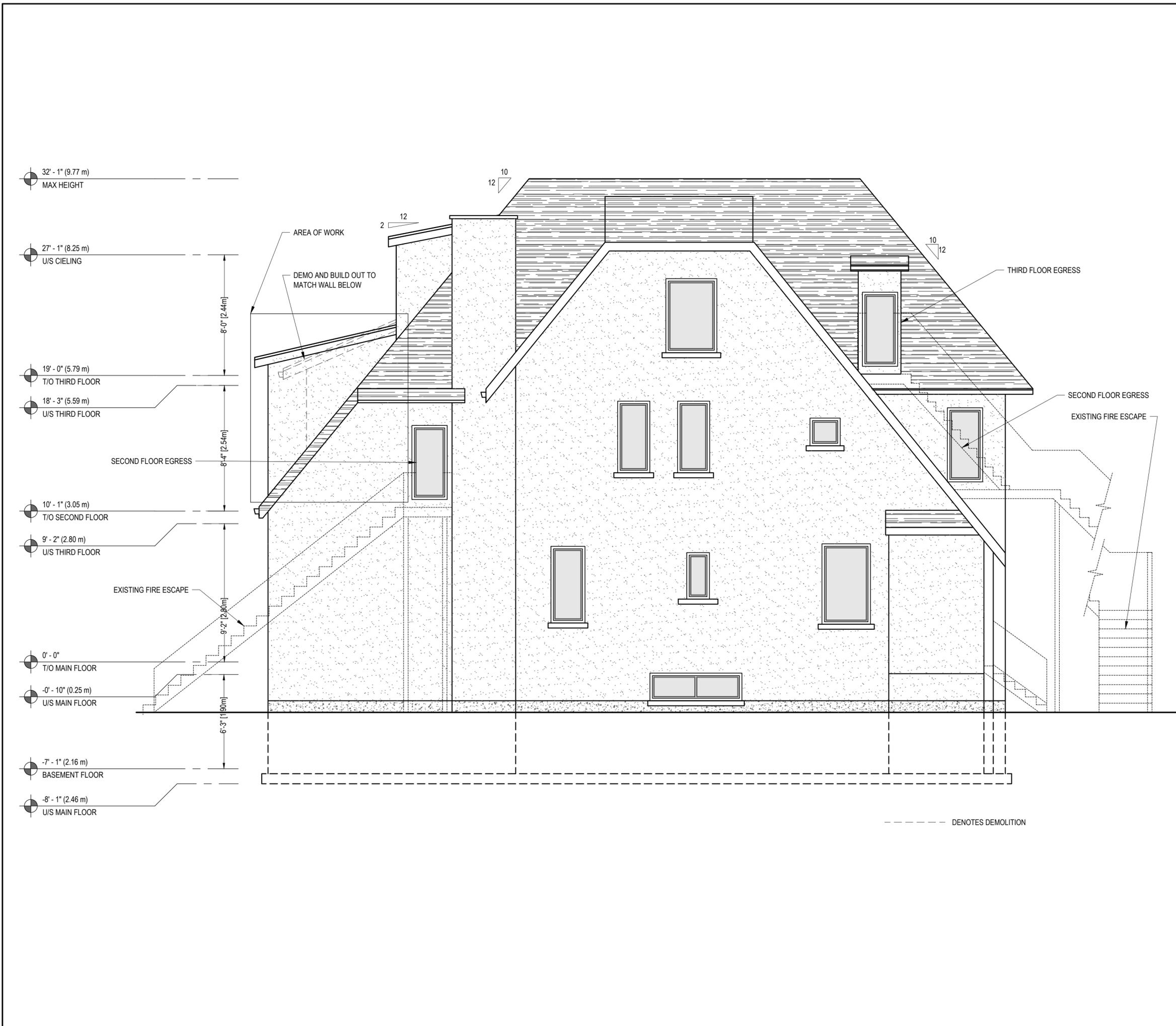
Drawing Title

RIGHT WEST ELEVATION

Scale 1/4" = 1'-0"

Sheet No.

A03.2



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Name	Signature BCIN

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU

North



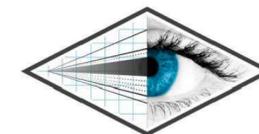
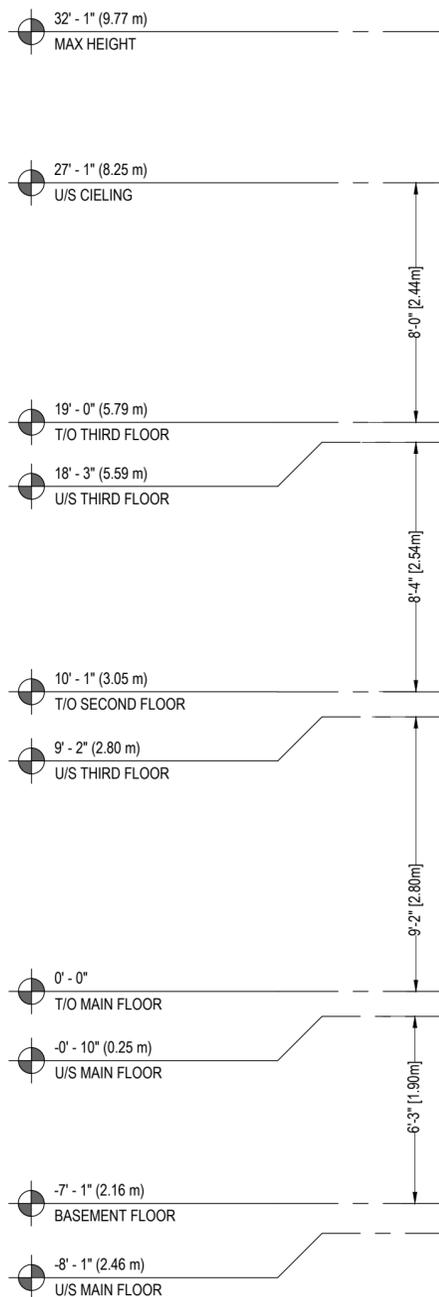
Drawing Title

**REAR
NORTH
ELEVATION**

Scale 1/4" = 1'-0"

Sheet No.

A03.3



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Issue Date 15-12-2021

Drawn By JOSEPH FALZONE

Checked By MATTHEW RIBAU

North



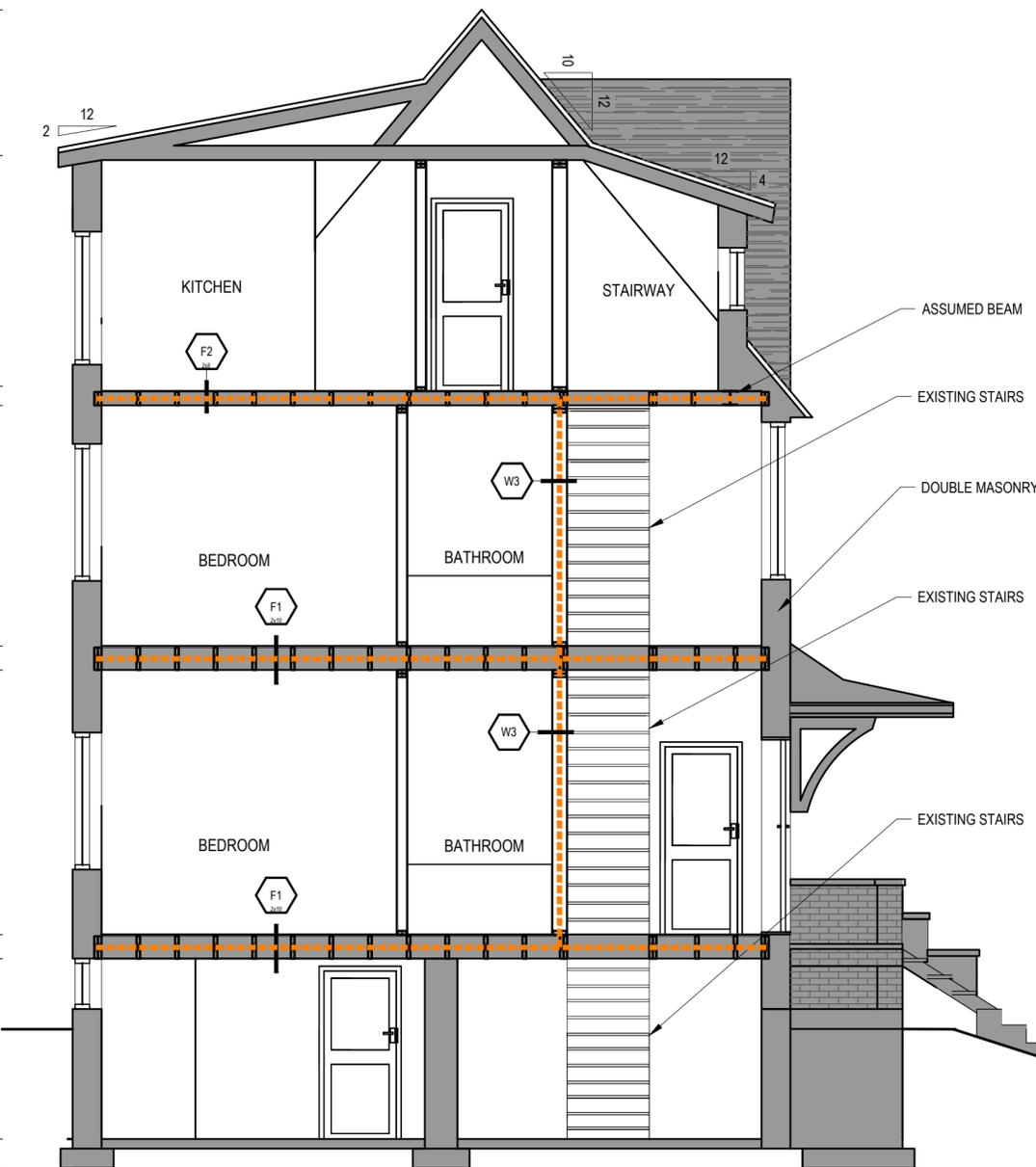
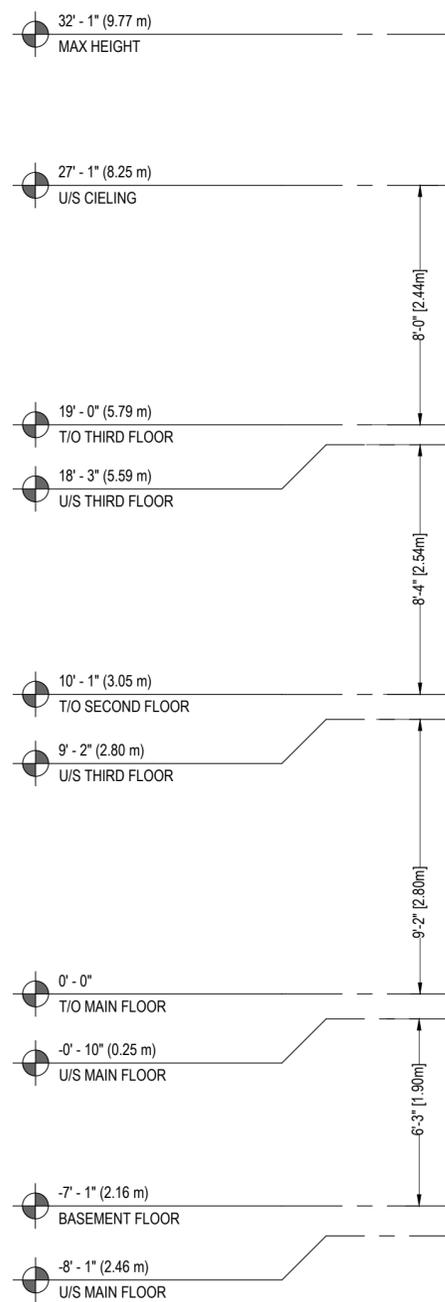
Drawing Title

**LEFT
EAST
ELEVATION**

Scale 1/4" = 1'-0"

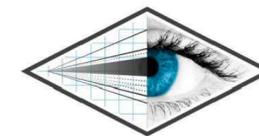
Sheet No.

A03.4



1 SECTION 1
A04.1 SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN
 - - - 1 HR FIRE SEPARATION



PERSPECTIVE VIEWS

Perspective Views Inc.
 126 Catharine Street N Hamilton, ON L8R 1J4
 T 289.389.4502
 www.perspectiveviews.com

These Drawings are not to be scaled

All drawings, the design, and the details thereon remain the property of the architect and are not to be altered, re-used or reproduced without the designer's express written consent. The contractor, must field verify all dimensions and must confirm & correlate all details within the full drawing package being responsible for same throughout construction, reporting any discrepancies to the designer prior to commencing the relevant work. All drawings, details & specifications represented in the drawings are to be used for construction only when issued by the designer and noted accordingly in the "issue/revisions" box hereon.

TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV 22/04/13

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information
 Required unless design is exempt under Div. C - 3.2.5 of the Building Code

Adriano Passariello 115278
 Name Signature BCIN

Project No. PV21-017

Issue Date 15-12-2021

Drawn By JOSEPH FALZONE

Checked By MATTHEW RIBAU

North



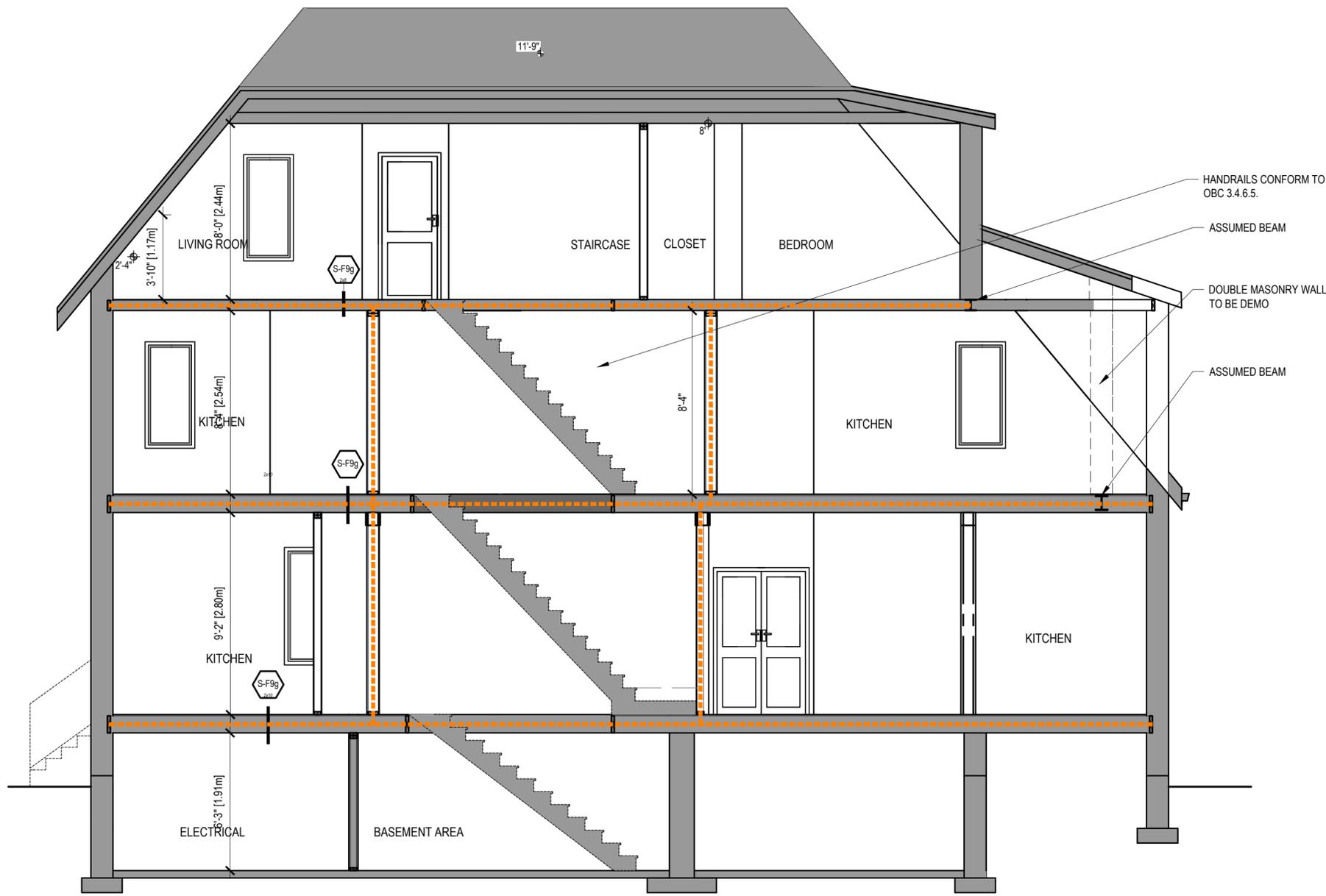
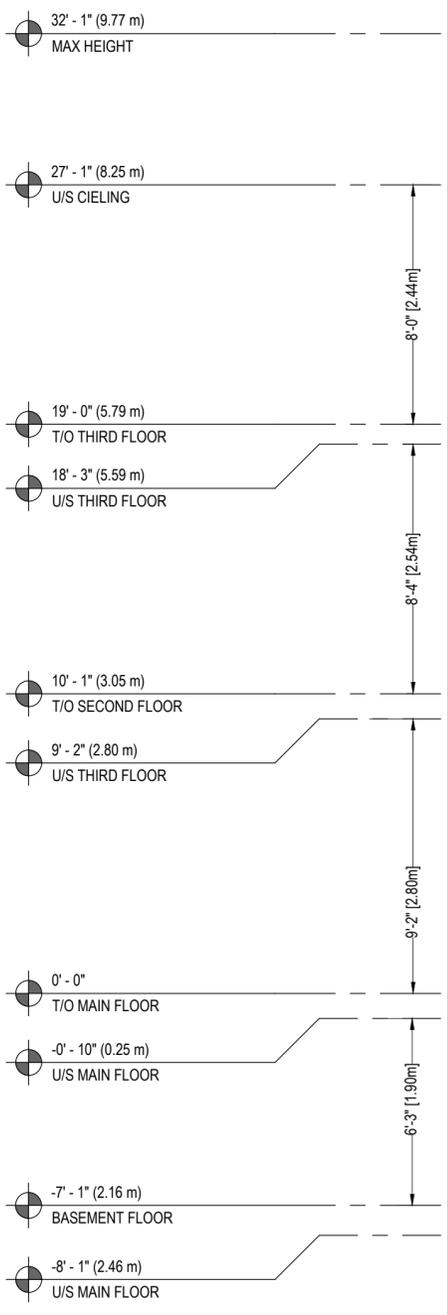
Drawing Title

SECTION 1

Scale 1/4" = 1'-0"

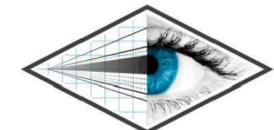
Sheet No.

A04.1



1 PROPOSED BASEMENT FLOOR PLAN FOR MINOR VARIANCE
A03.2 SCALE: 1/4" = 1'-0"

- DENOTES EXISTING TO REMAIN
- 1 HR FIRE SEPARATION
- DENOTES DEMOLITION



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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

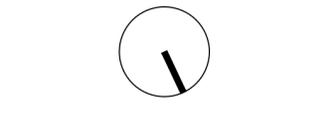
Issued for MV	22/04/13

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Qualification Information
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Adriano Passariello	115278
Name	BCIN
Signature	

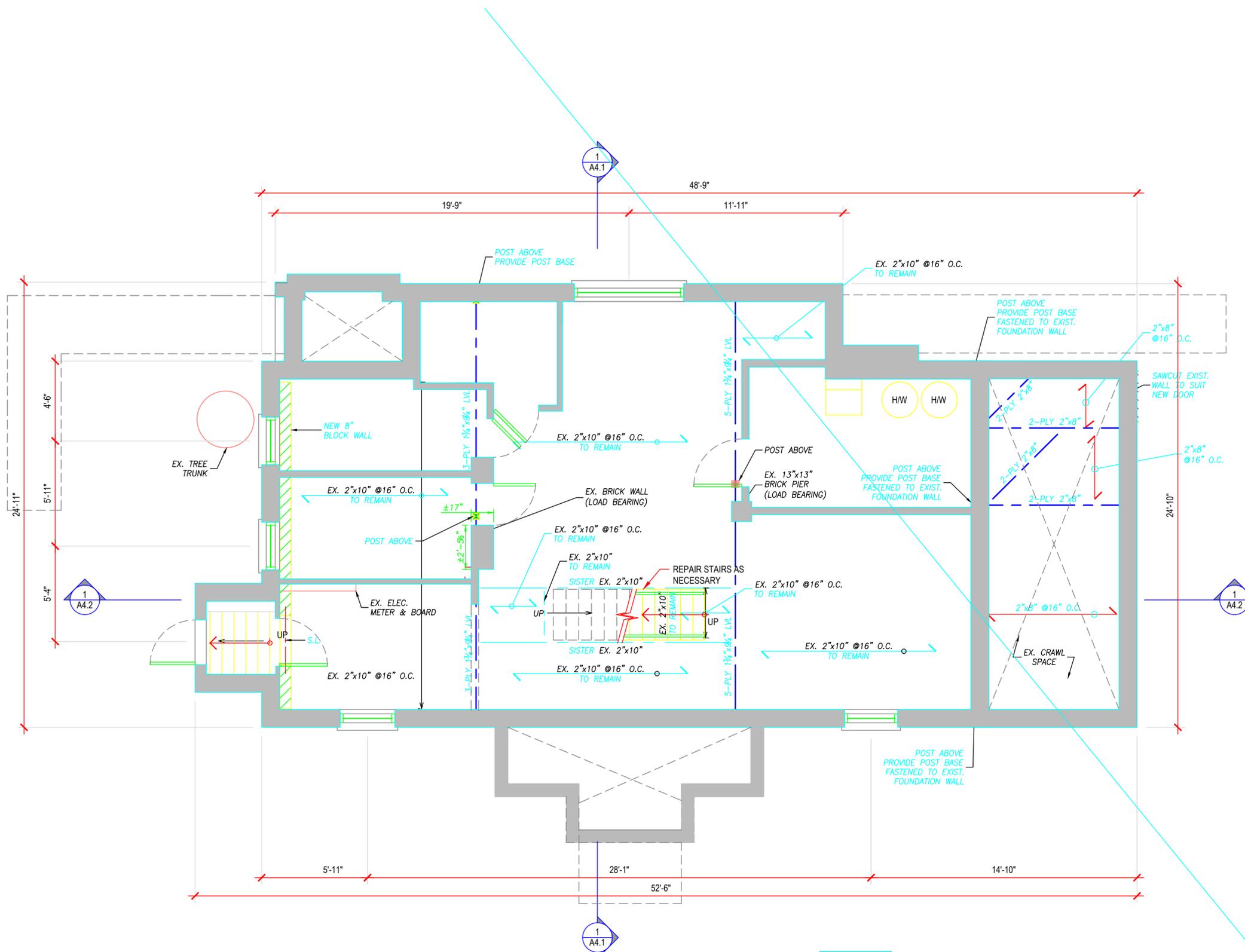
Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU



Drawing Title
SECTION 2

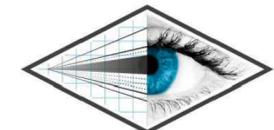
Scale 1/4" = 1'-0"
 Sheet No.

A04.2



1
S1.1 GROUND FLOOR STRUCTURAL PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN



PERSPECTIVE VIEWS

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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV	22/04/13

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Qualification Information
Required unless design is exempt under Div. C - 3.2.5 of the Building Code

Adriano Passariello	115278
Name	BCIN
	Signature

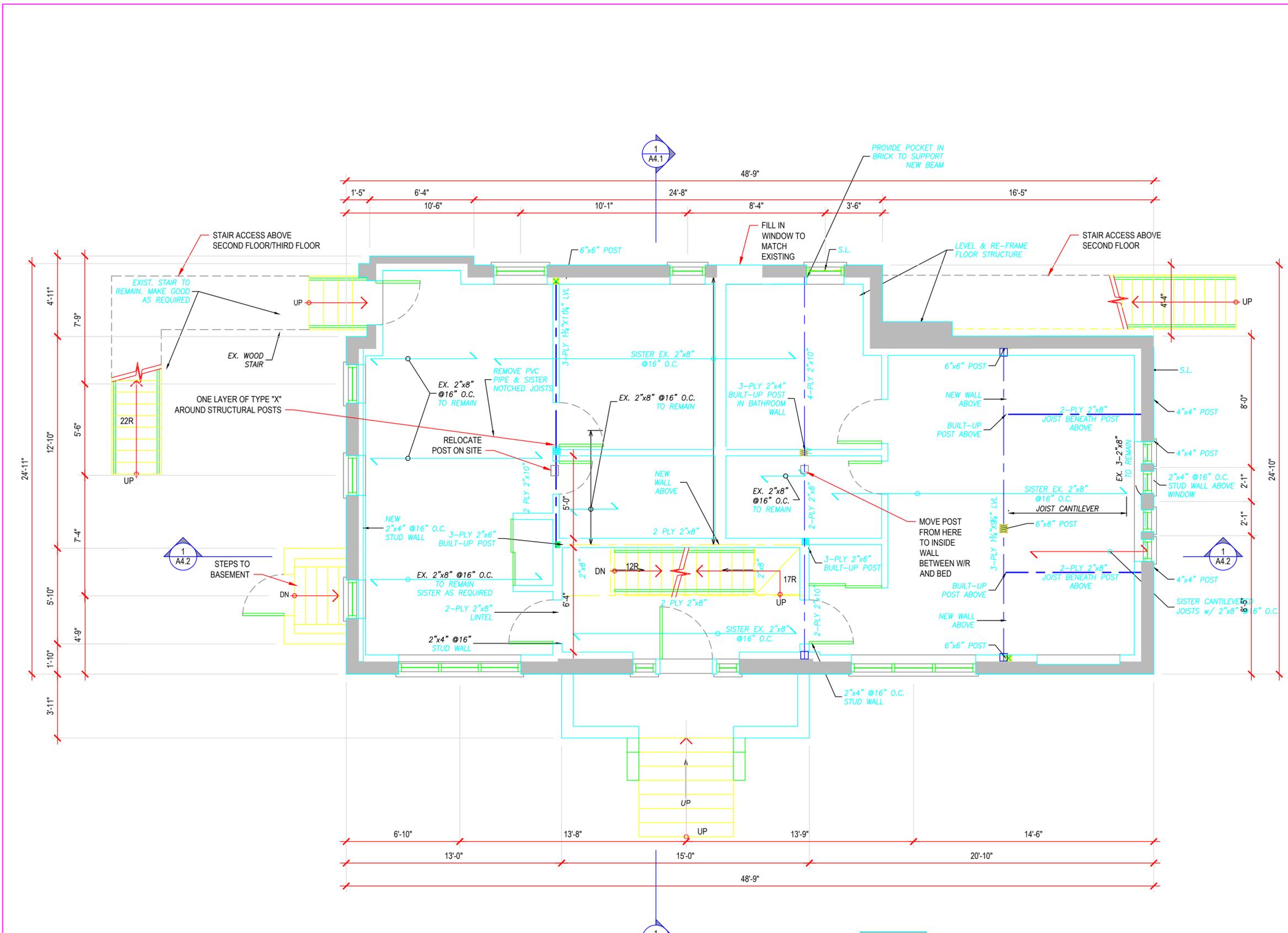
Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU
North	



Drawing Title
GROUND FLOOR STRUCTURAL PLAN

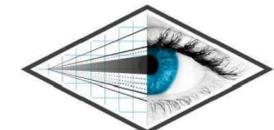
Scale 1/4" = 1'-0"
Sheet No.

S1.1



1
S1.2 SECOND FLOOR STRUCTURAL PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN



PERSPECTIVE VIEWS
 Perspective Views Inc.
 126 Catharine Street N Hamilton, ON L8R 1J4
 1 289.389.4502
 www.perspectiveviews.com

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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV	22/04/13

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Qualification Information
 Required unless design is exempt under Div. C - 3.2.5 of the Building Code

Adriano Passariello	115278
Name	Signature
	BCIN

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU
North	

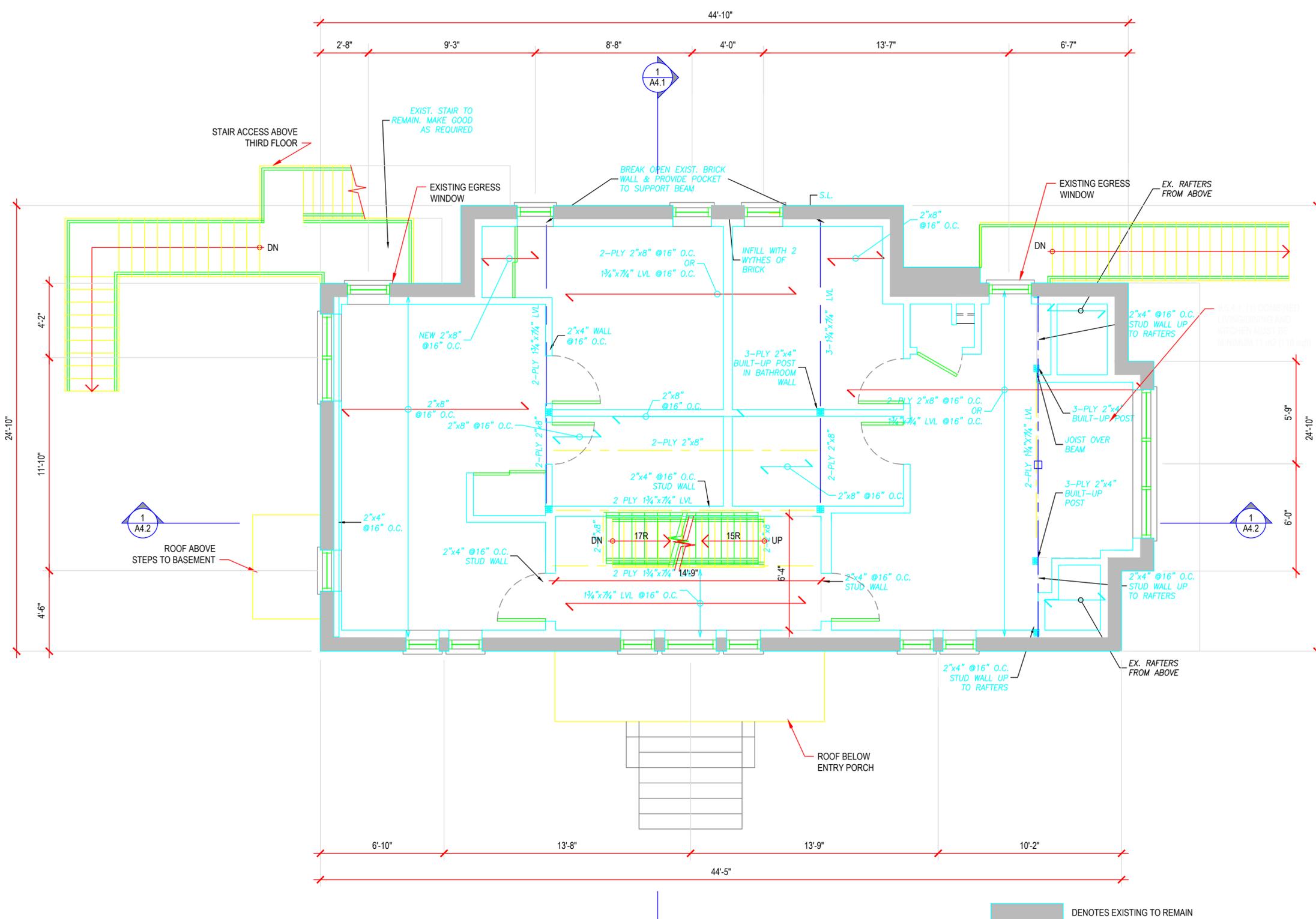


Drawing Title
SECOND FLOOR STRUCTURAL PLAN

Scale 1/4" = 1'-0"

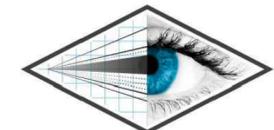
Sheet No.

S1.2



1
S1.3
THIRD FLOOR STRUCTURAL PLAN
SCALE: 1/4" = 1'-0"

■ DENOTES EXISTING TO REMAIN



PERSPECTIVE VIEWS

Perspective Views Inc.
126 Catharine Street N Hamilton, ON L8R 1J4
1 289.389.4502
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TINA LISTER

2 RUTHERFORD AVENUE, HAMILTON

Revisions

Issued for MV	22/04/13
---------------	----------

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information
Required unless design is exempt under Div. C - 3.2.5 of the Building Code

Adriano Passariello	115278
Name	Signature

Project No.	PV21-017
Issue Date	15-12-2021
Drawn By	JOSEPH FALZONE
Checked By	MATTHEW RIBAU



Drawing Title

THIRD FLOOR STRUCTURAL PLAN

Scale 1/4" = 1'-0"

Sheet No.

S1.3



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:

CHRIS ZAVARISE

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:

We are extending the dormer in the second floor further out to match the existing wall below, and we are building it wider. This is to create appropriate space for the unit with the dormer. (Unit 202)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The renovation is within the building footprint, but the building footprint is outside the 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**):

Address: 2 Rutherford Ave, Hamilton, ON L8M 1Y4 Roll Number: 03024200010
Bylaw Number: 76-229 Parent Bylaw Number: 6593 Former Hamilton Ward: 3
Zoning Description: Urban Protected Residential, Etc.

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?

The building and neighborhood is residential and has been for a very long time. The surrounded land is residential.

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.

April 26 2022
Date

Digitaly signed by Chris Zavarise
DN: cn=Chris Zavarise
Email=czavarise@gmail.com
Reason: I am the author of the document
Location: your signing device
Date: 2022.04.26 15:18:41 -04:00
SIGNED Chris Zavarise
Signature Property Owner(s)

Chris Zavarise
Print Name of Owner(s)

10. Dimensions of lands affected:Frontage

Depth 7.82m

Area 10.51m

Width of street 270.35m2

10m

11. Particulars of all buildings and structures on or proposed for the subject lands:

(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.) Existing: _

Main Floor: 105m2 Second Floor: 96m2 Attic: 68m2 Gross: 270m2 Footprint: 105m2 Stories: 2.5 Width: 7.6m Length: 14.6m Height: 9.77m

Proposed

Main Floor: 105m2 Second Floor: 102m2 Attic: 68m2 Gross: 276m2 Footprint: 105m2 Stories: 2.5 Width: 7.6m Length: 14.6m Height: 9.77m

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: 2.31m(house) -0.11m(porch)
Rear: 0.48m
Left: 4.93m
Right: 4.78m

Proposed:

Front: 2.31m(house) -0.11m(porch,existing)
Rear: 0.48m
Left: 4.93m
Right: 4.78m

13. Date of acquisition of subject lands:
August 2018
14. Date of construction of all buildings and structures on subject lands:
TBD
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Multi Family Dwelling (5 units)(maintaining 5 units)
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family, Multi Family Dwellings
17. Length of time the existing uses of the subject property have continued:

18. Municipal services available: (check the appropriate space or spaces)
Water Yes _____ Connected Yes _____
Sanitary Sewer Yes _____ Connected Yes _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

Bylaw Number: 76-229 Parent Bylaw Number: 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 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)

Latest Building Permit Submission: 2021 166351 000 00 R9
The proposed change in this Minor Variance does not extend the building footprint.
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

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-22:186	SUBJECT PROPERTY:	8 LINCOLN STREET, HAMILTON
ZONE:	"C5" (Mixed Use Medium Density)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended

APPLICANTS: Agent R. Reid
Owner C. Matthews

The following variances are requested:

1. The porch shall be permitted to project a maximum of 1.6 metres into the required front yard instead of the maximum permitted projection of 1.5 metres.
2. The porch shall be permitted to project a maximum of 6.3 metres into the required north side yard instead of the maximum permitted projection of 1.5 metres.

PURPOSE & EFFECT: So as to permit the construction of a new unenclosed front porch;

Notes:

The current zone requires a minimum interior side yard setback of 7.5m. As such, variance #2 would permit the porch to be setback a minimum of 1.2 metres from the side lot line.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

HM/A-22:186

DATE:	Thursday, July 14, 2022
TIME:	2:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

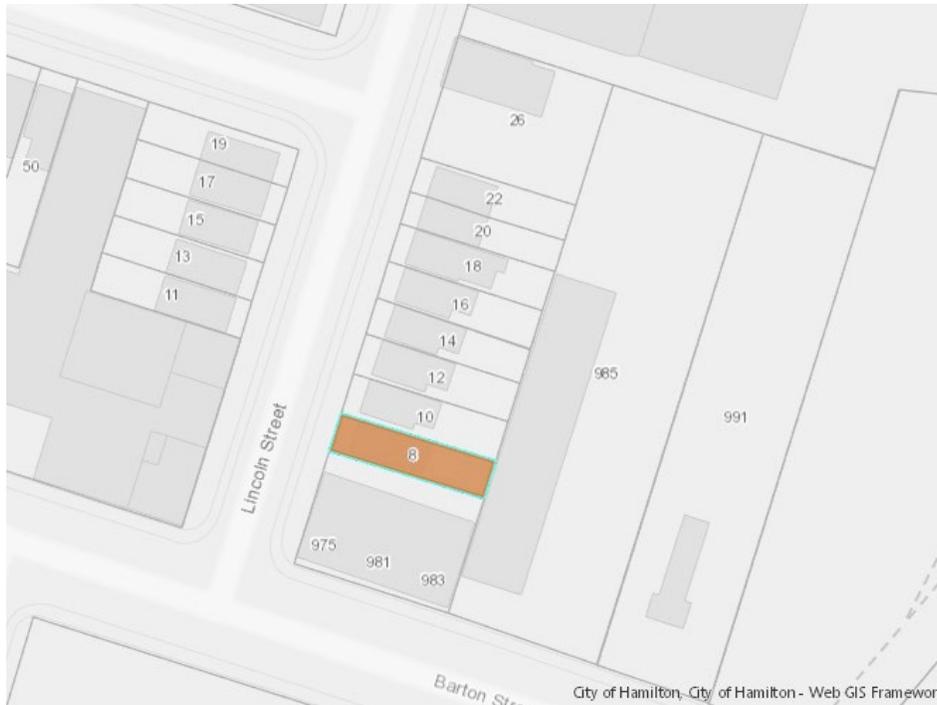
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:186

**Subject Lands**

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

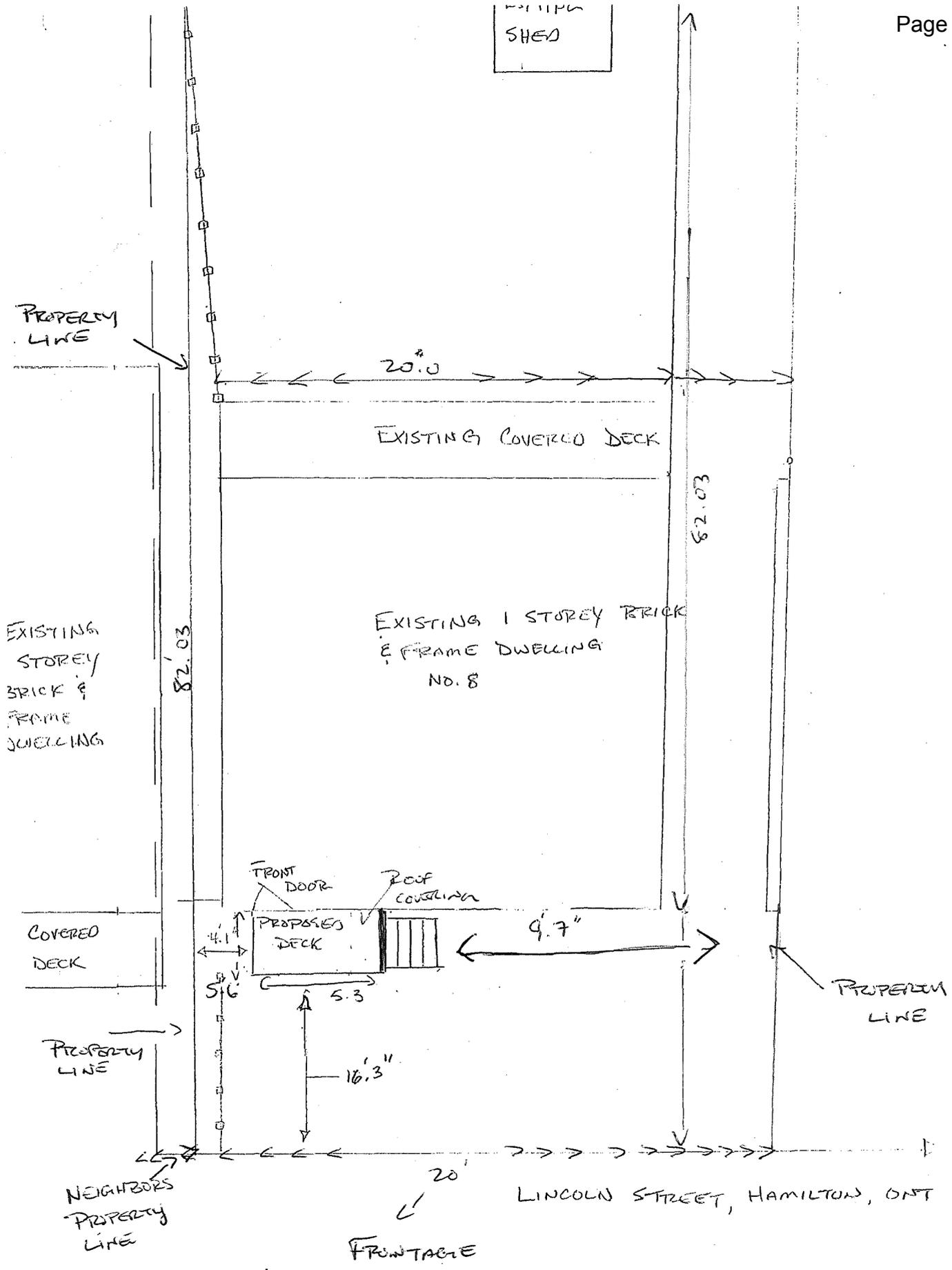
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

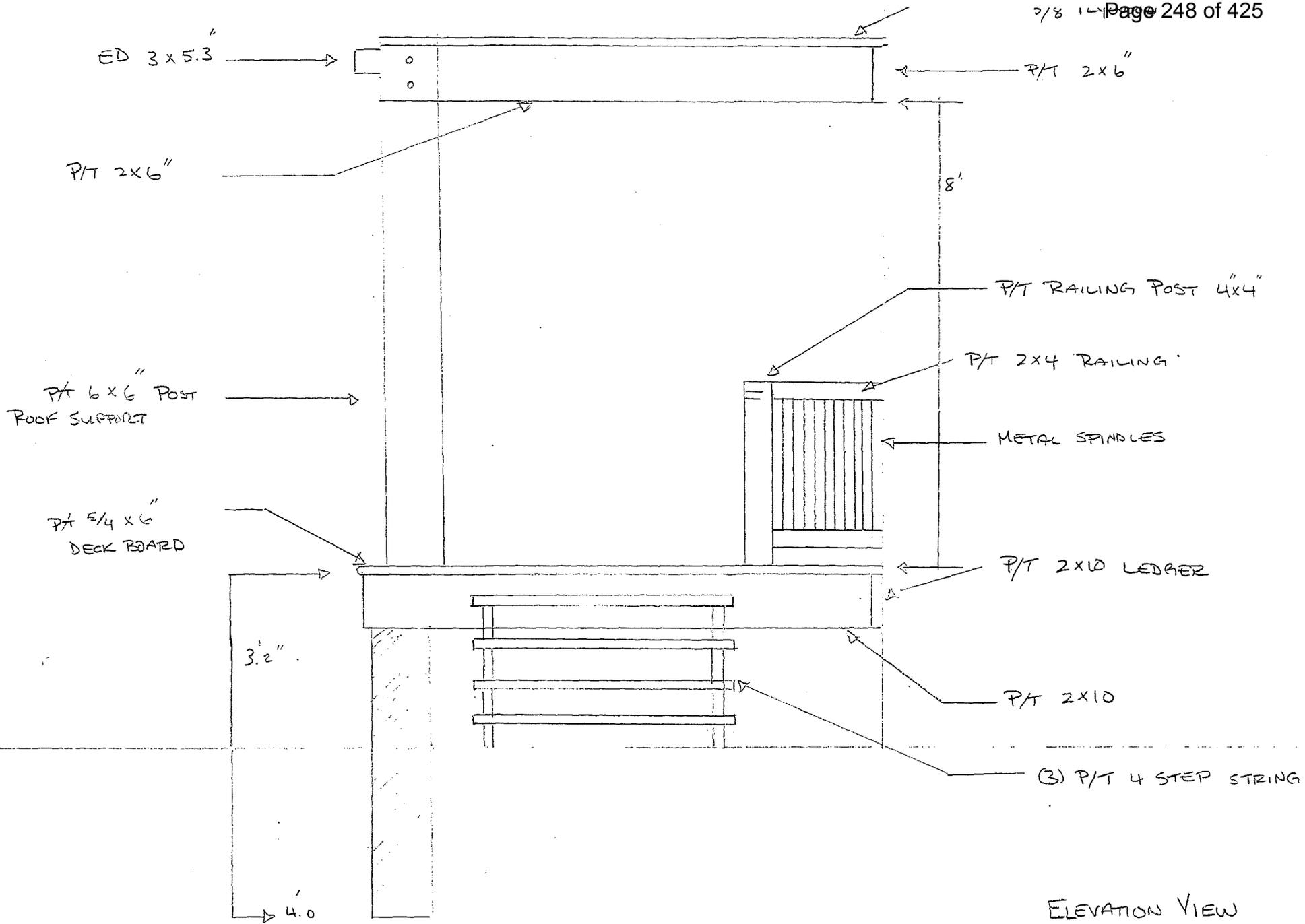
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

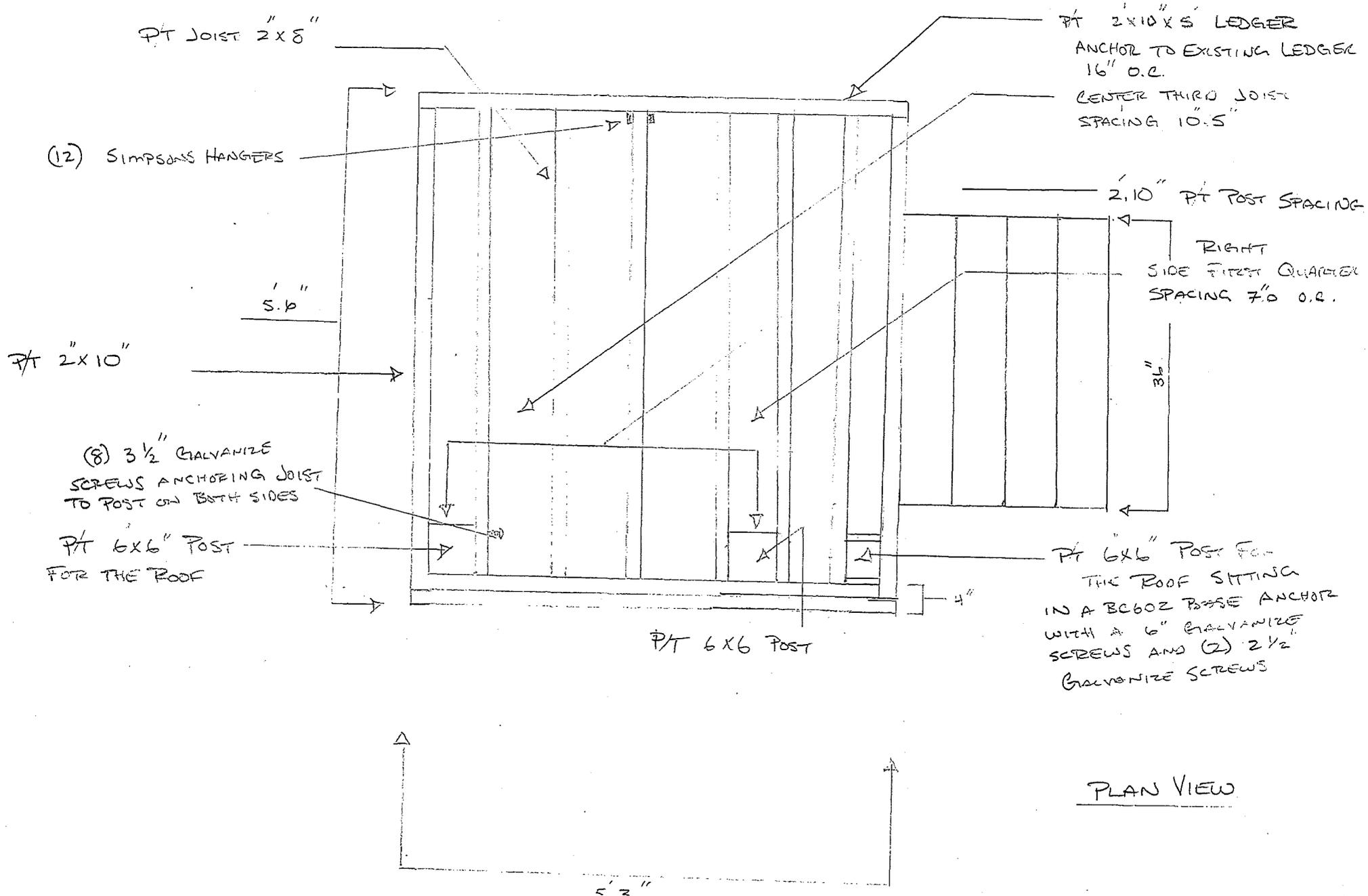
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



RODMEN MATHEWS



8 LINCOLN STREET, HAMILTON, ONT



SIMPSON S.T. DIT 14 GAUGE
MAX GALVANIZED DECK
1ST TIE

TOTAL OF 4 JOIST 10" O.C
8

SIMPSON S.T. LUS 2MAX
GALVANIZED FACE MOUNT
JOIST HANGER 2x6

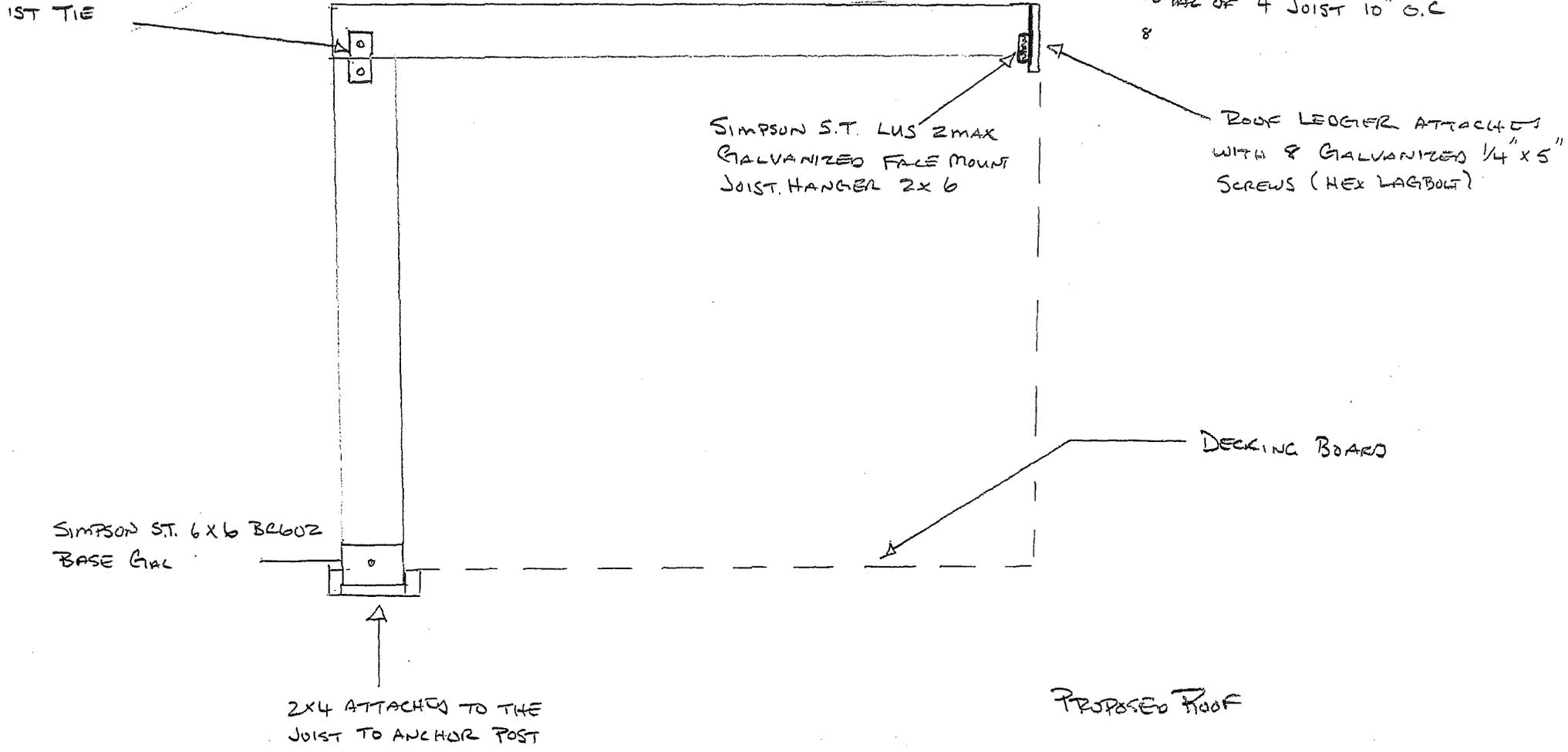
ROOF LEDGER ATTACHED
WITH 8 GALVANIZED 1/4" X 5"
SCREWS (HEX LAGBOLT)

SIMPSON ST. 6x6 BR602
BASE GAL

DECKING BOARD

2x4 ATTACHED TO THE
JOIST TO ANCHOR POST

PROPOSED ROOF



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)	Carmen Mattheis	[REDACTED]	
Applicant(s)*	PORCY REED		
Agent or Solicitor			Phone:
			E-mail:

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

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

FIRST ONTARIO

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:

REBUILDING OLD PORCH AND ROOF COVERING.
BECAUSE THE OLD ONE WAS FALLING APART.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

THE BY LAW IS FOR COMMERCIAL ZONING NOT RESIDENTIAL ZONING.

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**):

8 LINCOLN ST. HAMILTON ONT. L8L 7L5

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?

THE INFORMATION USED TO DETERMINE THE ANSWERS FROM 8.1 - 8.10 WAS MY KNOWLEDGE OF ONLY LIVING AT THE RESIDENCE FOR 12 YEARS.

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

MAY 25 2022
Date


Signature Property Owner(s)

Carmen Matthews
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 20 FEET
Depth 82.03 FEET
Area 1640.6 LOT SIZE
Width of street N/A

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

Existing:

~~STORIES 2 1/2~~ FRONT PORCH WIDTH 5.6" LENGTH 5.3" HEIGHT 3.2"
ROOF COVERING WIDTH 5.7 LENGTH 5.3" HEIGHT 8'

Proposed

FRONT PORCH, WIDTH 5.6" LENGTH 5.3" HEIGHT 3.2"
ROOF COVERING, WIDTH 5.7" LENGTH 5.3" HEIGHT 8'

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 IS 4.1" TO THE SOUTHSIDE PROPERTY LINE
THE PORCH ENDS AT 9.7" TO THE NORTHSIDE PROPERTY LINE
ROOF COVERING COVERS AT THE 4.1" SOUTHSIDE OF PORCH TO THE 9.7" NORTHSIDE BEGINNING

Proposed:

PORCH IS WILL BE 4.1" TO THE SOUTHSIDE PROPERTY LINE. THE PORCH ENDS AT 9.7" FROM THE SOUTHSIDE PROPERTY LINE
ROOF COVERING COVERS AT THE 4.1" SOUTHSIDE OF THE PORCH TO WHERE THE PORCH ENDS AT THE 9.7" NORTHSIDE PROPERTY LINE.

13. Date of acquisition of subject lands:
JUNE 2009
14. Date of construction of all buildings and structures on subject lands:
1922
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY ON SOUTHSIDE, MULTI FAMILY ON NORTHSIDE
17. Length of time the existing uses of the subject property have continued:
N/A
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:
FRONT ENTRANCE OF THE HOME.
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

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-22:178	SUBJECT PROPERTY:	157 ROBINSON STREET, HAMILTON
ZONE:	"DE-3" (Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: Owners D. MacDonald & S. Cochrane

The following variances are requested:

1. A minimum westerly side yard width of 0.3m shall be permitted instead of the minimum 0.9m side yard width required.
2. An eave or gutter shall be permitted within the entire westerly side yard and therefore, may be located as close as 0.0m from the westerly side lot line whereas the zoning by-law states that an eave or gutter may encroach into a required side yard not more than one half of its width, or 1.0m whichever is the lesser.

PURPOSE & EFFECT: To permit the construction of a rear addition to the existing dwelling in order to establish a single family dwelling

Notes:

1. The height dimension shown on the submitted elevation plans is not shown from grade as defined. The applicant shall ensure that the maximum permitted 11.0m height is not exceeded; otherwise, further variances shall be required.
2. The applicant shall ensure that the maximum permitted floor area of 291.37m² shall not be exceeded; otherwise, further variances shall be required.
3. The applicant shall ensure that the minimum required landscaped area of 80.9m² shall be maintained on the lot; otherwise, further variances shall be required.

HM/A-22:178

4. No floor plans were provided from which to confirm the total number of habitable rooms to determine required parking for this property; as such, additional variances may be required. Please note as the existing dwelling was constructed prior to 1950, if the total number of habitable rooms is less than eight (8), no parking is required, and the existing conditions can continue to be maintained. Otherwise, a single family dwelling requires a minimum of 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking spaces for each additional habitable room.
5. The applicant shall ensure that a minimum of 50.0% of the gross area of the front yard shall be used and maintained for landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials; otherwise, further variances shall be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:178



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

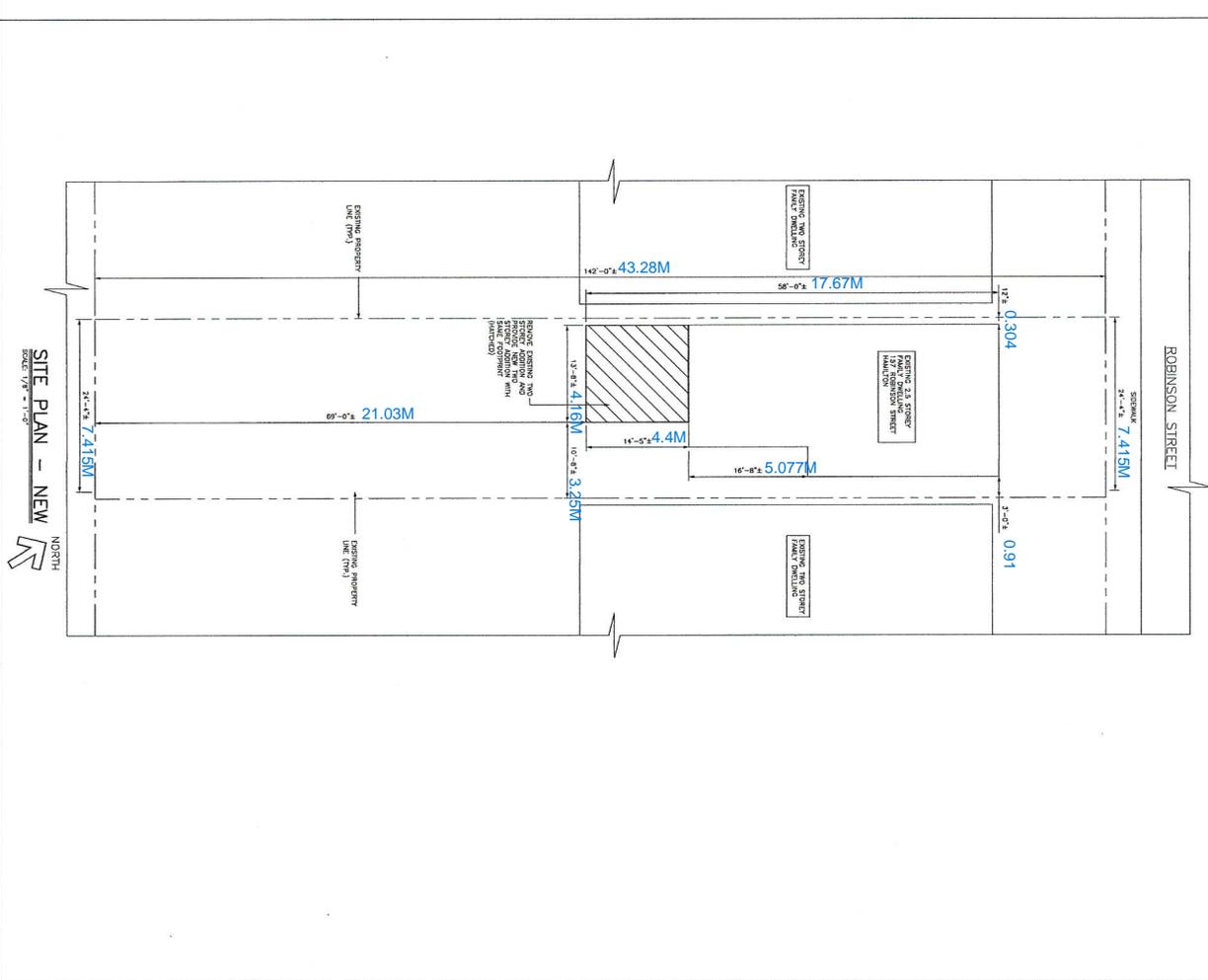
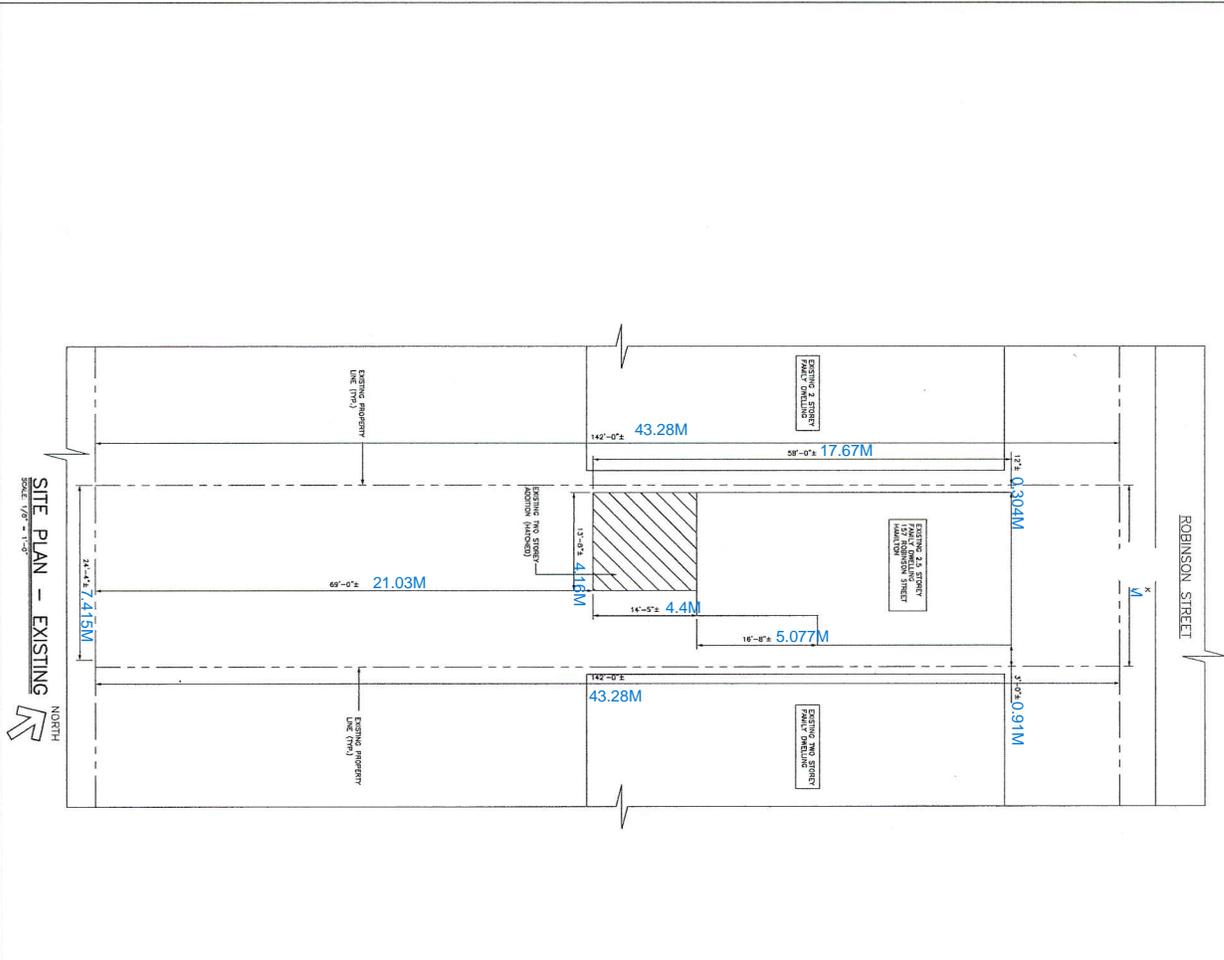
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

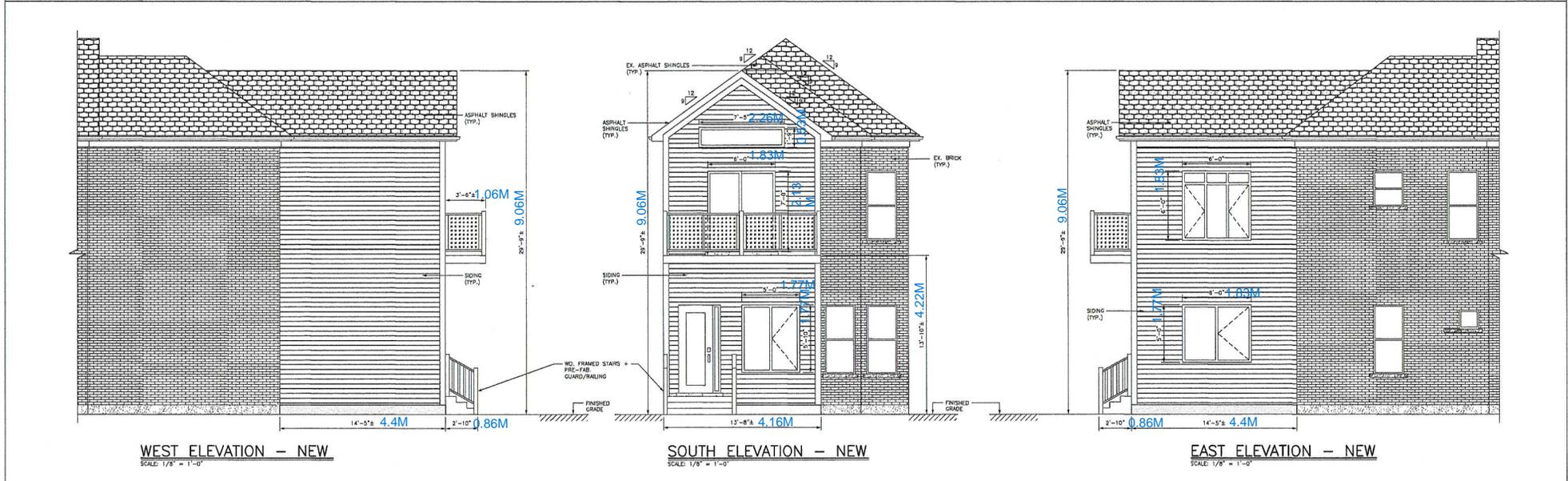
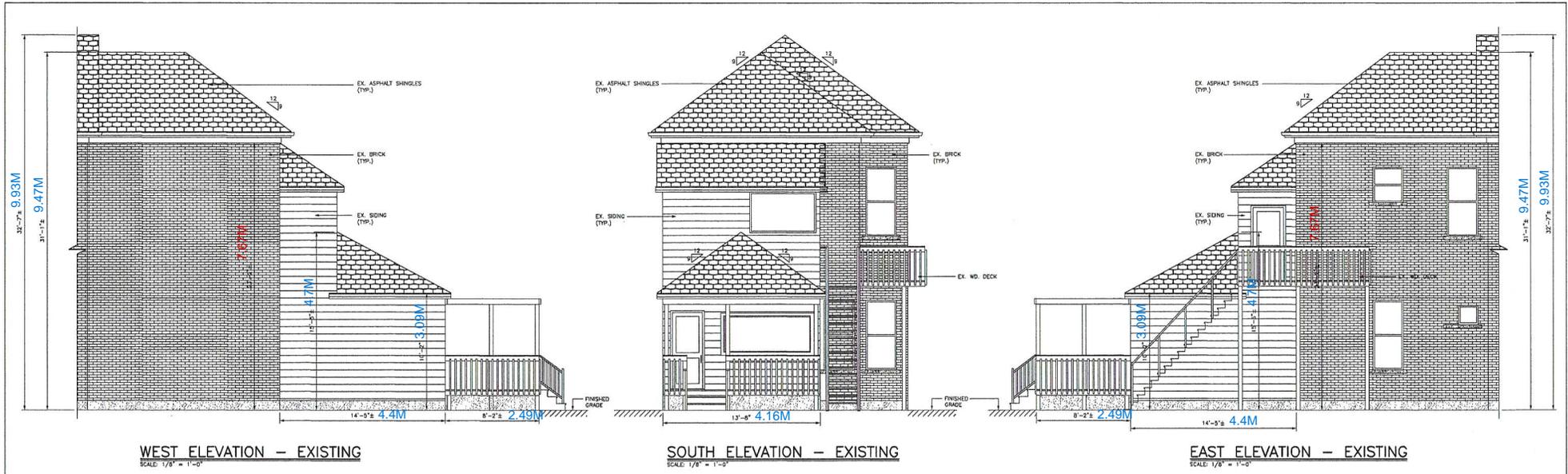
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

REVISIONS		
No.	Description	Date
0	ISSUED FOR ZONING COMPLIANCE REVIEW FEBRUARY 23, 2022	

<p>PRELIMINARY ONLY DO NOT USE FOR CONSTRUCTION</p>		<p>CND ENGINEERING LIMITED 11111 HAMILTON, ON L8N 1A9 WWW.CNDINC.CA</p>	<p>Project Title 157 ROBINSON ST., HAMILTON ADDITIONAL EXISTING AND NEW SITE PLANS</p>	<p>Order # PAS Date FEB., 2022</p>	<p>Scale AS NOTED</p>
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REVISIONS No. Description/Date 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Project Title: 157 ROBINSON ST., HAMILTON PROPOSED TWO STOREY ADDITION	Drawn: PAS Date: FEB., 2022	Scale: AS NOTED Project Number: 21113
	Drawing Title: EXISTING AND NEW ELEVATIONS	Checked: DL Date: FEB., 2022	Drawing Number: AS-2

PRELIMINARY ONLY
DO NOT USE FOR CONSTRUCTION

CND ENGINEERING LIMITED
115 KING STREET EAST, 3RD FLOOR
HAMILTON, ON L8N 1A9
THE FOUNDATION TO A SUCCESSFUL PROJECT STARTS HERE.
WWW.CNDENG.CA





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

Phone: (905) 546-2424 ext. 4221
 Email:

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)	Donald Stuart MacDonald Samantha Cochrane	[REDACTED]	
Applicant(s)*	Same as Owners		Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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

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

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:

Rebuild Existing 2 storey addition in disrepair using same footprint

Second Dwelling Unit Reconstruction of Existing Dwelling

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

With a change to the overall volume, we must comply with current side property setback lines which will not allow us to use the same footprint as the existing addition

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**):

157 Robinson Street Hamilton ON, L8P 1Z6
Single family dwelling currently established as a duplex

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?

Neighbourhood History

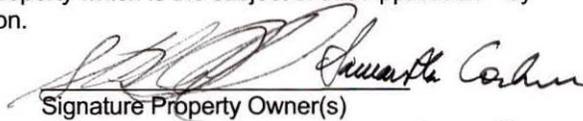
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

04/17/22
Date


Signature Property Owner(s)

Donald Stuart MacDonald Samantha Cochvane
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 26 feet
Depth 142 feet
Area 3692 sq/ft
Width of street _____

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

Existing:
2 storey addition at rear yard
14.5 ft length by 13.8ft width 25ft height
Total sq ft of 275

Proposed
2 storey addition at rear yard using same footprint
14.5 ft length by 13.8ft width by 29.9ft height
total sq ft of 400

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

Existing:
Side Lot Lines: 1 foot from West property line and 11 feet from East property line
Rear Lot Lines: 69 feet from South property line
Front Lot Lines: 44 feet from North Property line

Proposed:
Side Lot Lines: 1 foot from West property line and 11 feet from East property line
Rear Lot Lines: 69 feet from South property line
Front Lot Lines: 44 feet from North Property line

13. Date of acquisition of subject lands:
September 2020
-
14. Date of construction of all buildings and structures on subject lands:
N/A
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
-
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:
1900
-
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:
Urban Hamilton Official Plan - Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning By-law 05-200 - Downtown Mixed Use "DE-3" Zone
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

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-22:185	SUBJECT PROPERTY:	52 MELBOURNE STREET, HAMILTON
ZONE:	"D" (Urban Protected Residential – One and Two Family Dwellings and etc.)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: **Owner L. Bristol**

The following variances are requested:

1. A front yard setback of 4.47m from Hill Street to an above ground pool shall be provided instead of the minimum required 6.0m front yard setback 2. An easterly side yard setback of 0.0m shall be provided to the deck instead of the minimum required 1.2m rear yard setback

PURPOSE & EFFECT: So as to permit an above ground swimming pool in the rear yard of an existing single family dwelling.

Notes:

- i. Where a deck extends out from the dwelling type, is continuous (including tiers) and is attached to or adjacent to an above-ground swimming pool, the setback for the entirety of the deck and above-ground swimming pool shall be taken from the outside edge of the deck. The required setback shall be the more restrictive between: the required setback for a deck and the required setback for an above-ground swimming pool. The provisions of Subsection 18 (3)(e) shall apply to the deck attached to the proposed above ground swimming pool.
- ii. The deck in the front yard adjacent to Hill Street encroaches into the required side yard by 1.2 metres where an encroachment of 1.2 metres into the required side yard is permitted as per the above interpretation regarding pool decks and section 18(4)(ib)(B.). As such, a variance has been provided to address this.

HM/A-22:185

- iii. A survey has not been submitted indicating actual lot boundaries. As such, setbacks to the deck and proposed above ground pool could not be determined. Variances have been provided based on the submitted plans however should the property boundaries be other than the ones submitted for variance, additional variances may be required.
- iv. Insufficient information has not been provided regarding the total Front Yard Landscaping within the Front Yard adjacent to Hill Street. Should the total Front Yard be less than the required 50% gross area for landscaping as per Subsection 18 (14)(i) and (ii), additional variances may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
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PUBLIC INPUT

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

HM/A-22:185



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

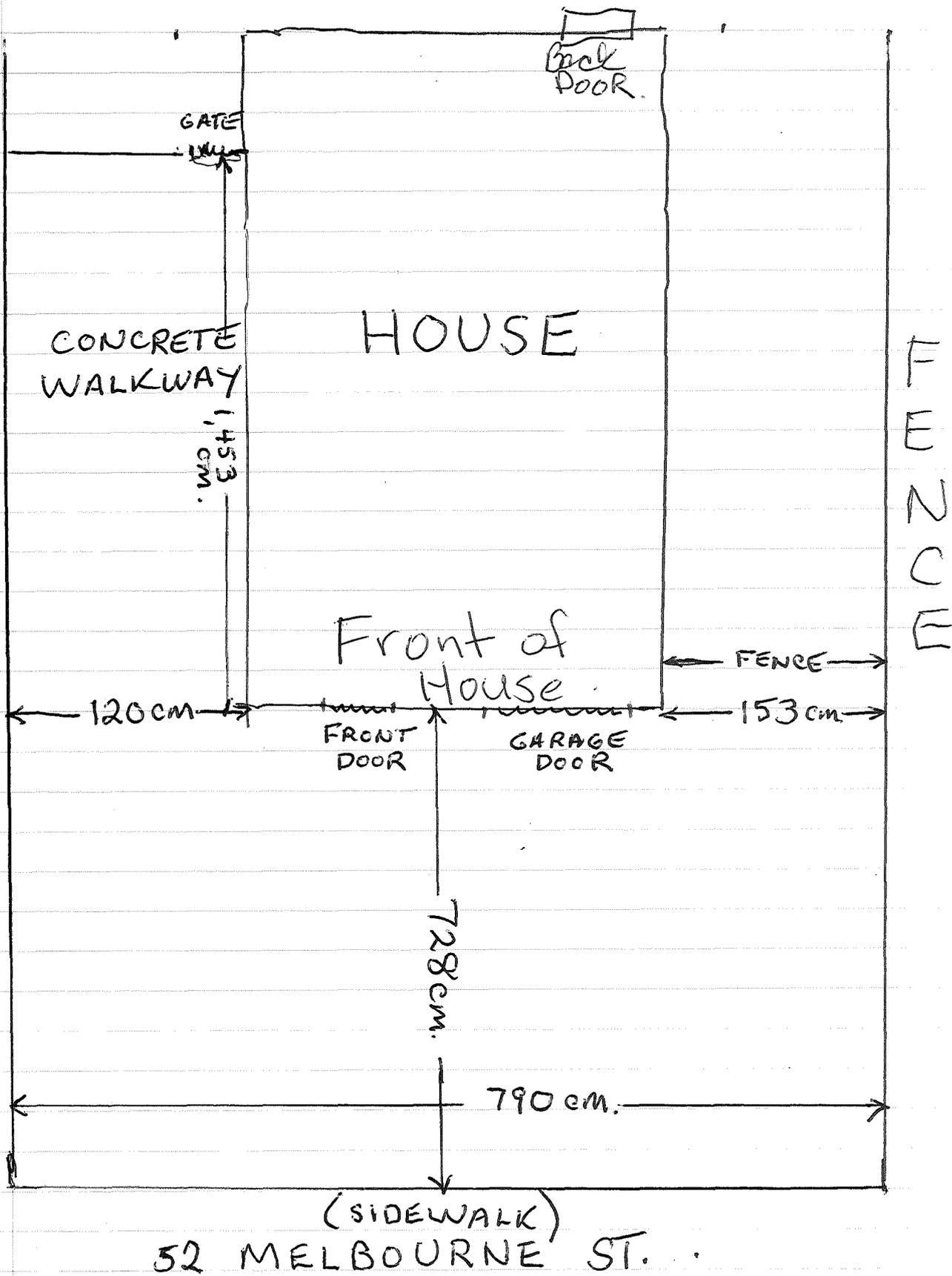
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

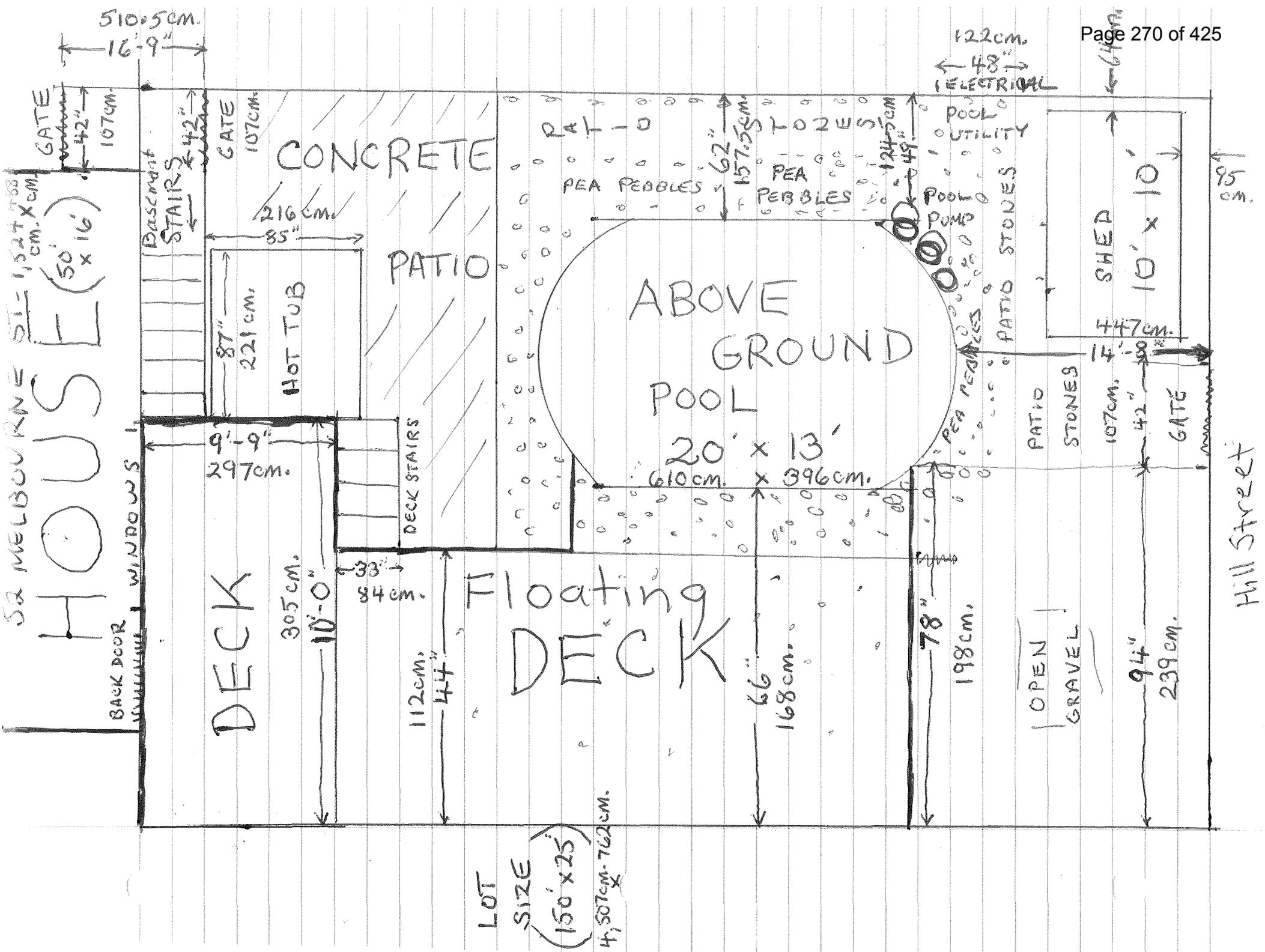
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.







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)	Laura Bristol		
Applicant(s)*	S A A		
Agent or Solicitor			Phone:
			E-mail:

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

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

<p>Royal Bank of Canada</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:

Above ground pool 13x20 feet reduction in rear yard set back.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

through lot existing location of existing building and deck

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

52 Melbourn Street Hamilton, On.

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?

Person ~~at~~ 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.

May 19, 2022
Date

Laura Bristol
Signature Property Owner(s)

Laura Bristol
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 25' 7.5 m
Depth 150' 42.9 m
Area 1 319.52 m
Width of street 20 m

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

Existing:

see drawing

Proposed

see drawing

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

Existing:

see drawing

Proposed:

13. Date of acquisition of subject lands:
2009
14. Date of construction of all buildings and structures on subject lands:
2008
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.):
2008
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:
Schedule E/E1819 Neighbourhoods (19)

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning D Urban protected residential one+two family dwelling.

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:
NA

- 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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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/B-22:57	SUBJECT PROPERTY:	270 LONGWOOD ROAD S, HAMILTON
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APPLICANTS: **Owner McMaster Innovation Park**
Agent A.J. Clarke – F. Kloibhofer

PURPOSE & EFFECT: To obtain consent to lease Parts 1,2 and 3 for a period in excess of 21 years. To permit the creation of an easement over a portion of land (Part 4) for access and maintenance purposes.

Remainder, Easement, Lease	Frontage	Depth	Area
LEASE LANDS:	12.07 m [±]	221 m [±]	1.702 ha [±]
EASEMENT LANDS:	12.07 m [±]	221 m [±]	1.702 ha [±]
REMAINDER LANDS:	378 m [±]	156 m [±]	4.17 ha [±]

Associated Planning Act File(s): This file has been the subject of a prior application for approval of a subdivision. HM/B-19:121 (Approved)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

HM/B-22:57

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



DATED: June 28, 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, and may include posting electronic versions..

HM/B-22:57

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

PLAN OF SURVEY OF PART OF LOT 8 REGISTRAR'S COMPILED PLAN No. 1479 CITY OF HAMILTON

SCALE 1:500
0 10 20 metres
NICHOLAS P. MUTH O.L.S.

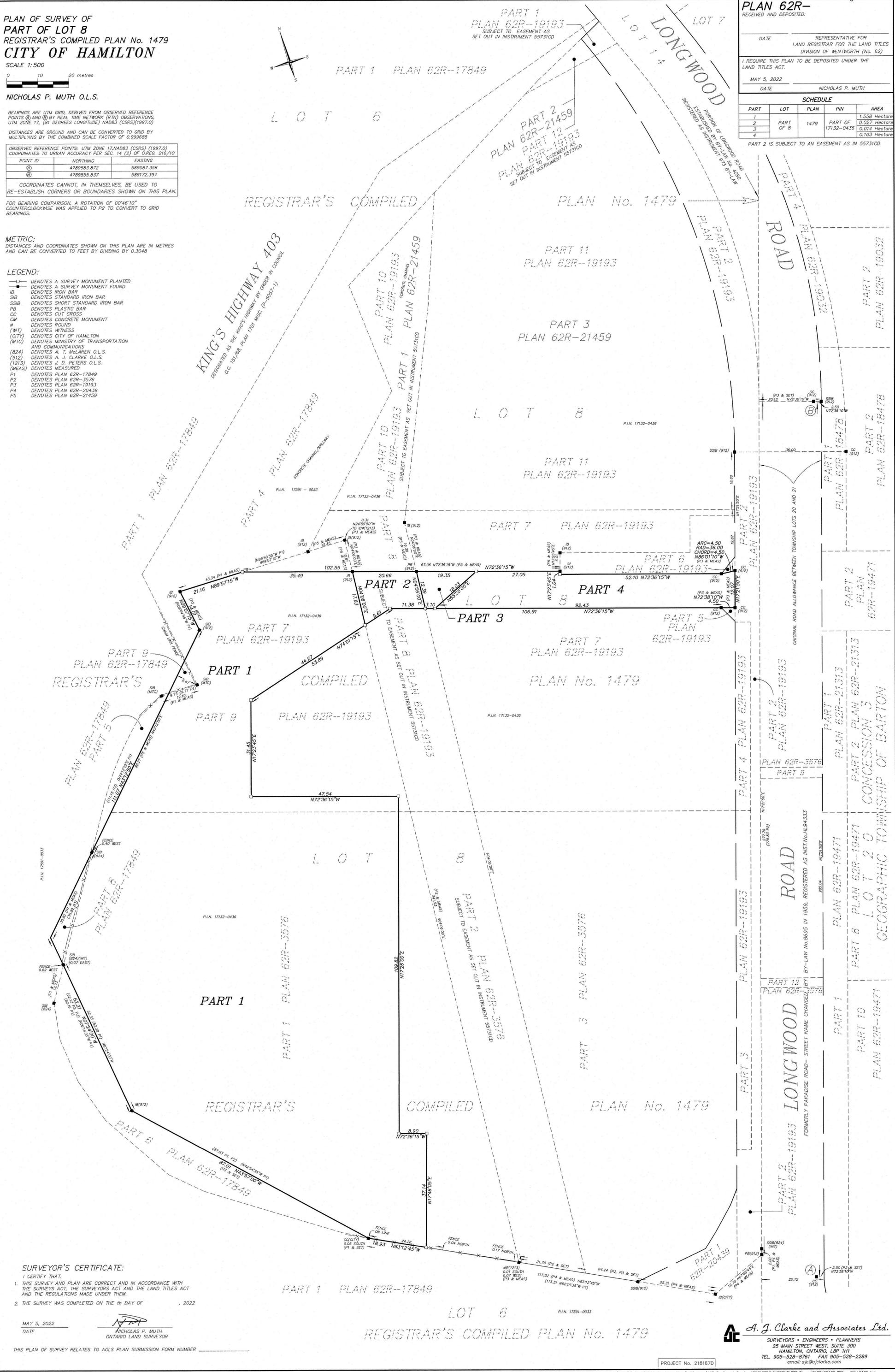
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B) BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, (81 DEGREES LONGITUDE) NAD83 (CSRS)(1997.0)
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999688

Table with 2 columns: POINT ID, COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10. Rows include points (A) and (B) with their respective Northing and Easting values.

FOR BEARING COMPARISON, A ROTATION OF 00°46'10" COUNTERCLOCKWISE WAS APPLIED TO P2 TO CONVERT TO GRID BEARINGS.
METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

- LEGEND: DENOTES A SURVEY MONUMENT PLANTED, DENOTES A SURVEY MONUMENT FOUND, DENOTES IRON BAR, DENOTES STANDARD IRON BAR, DENOTES SHORT STANDARD IRON BAR, DENOTES PLASTIC BAR, DENOTES CUT CROSS, DENOTES CONCRETE MONUMENT, DENOTES ROUND, (WT) DENOTES WITNESS, (CITY) DENOTES CITY OF HAMILTON, (MTC) DENOTES MINISTRY OF TRANSPORTATION AND COMMUNICATIONS, (B24) DENOTES A. T. McLAREN O.L.S., (912) DENOTES A. J. CLARKE O.L.S., (1213) DENOTES J. D. PETERS O.L.S., (MEAS) DENOTES MEASURED, P1 DENOTES PLAN 62R-17849, P2 DENOTES PLAN 62R-3576, P3 DENOTES PLAN 62R-19193, P4 DENOTES PLAN 62R-20439, P5 DENOTES PLAN 62R-21459

PLAN 62R- RECEIVED AND DEPOSITED: DATE REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62) I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. MAY 5, 2022 DATE NICHOLAS P. MUTH SCHEDULE Table with 5 columns: PART, LOT, PLAN, PIN, AREA. Rows 1-4 showing details for PART 2.



SURVEYOR'S CERTIFICATE: I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON THE 5th DAY OF MAY, 2022. DATE NICHOLAS P. MUTH O.L.S. ONTARIO LAND SURVEYOR

A. J. Clarke and Associates Ltd. SURVEYORS • ENGINEERS • PLANNERS 25 MAIN STREET WEST, SUITE 300 HAMILTON, ONTARIO, L8P 1H1 TEL. 905-528-8781 FAX 905-528-2289 email: ajc@ajclarke.com



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

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

APPLICATION FOR 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*			Phone:
			E-mail:
Registered Owners(s)	McMaster Innovation Park		
Applicant(s)**	same as above		
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer		

*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	Lot 8	Concession	Former Township
Registered Plan N°. 1479	Lot(s) 8	Reference Plan N°.	Part(s) 1,2,3,4
Municipal Address 270 Longwood Road South			Assessment Roll N°.

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

Yes No

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

Easement Over Pts 3 & 4 62r3576 As In Cd55731, Except The T/w Therein City Of Ham

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)
+/-12.07 m	+/- 221 m	+/- 1.702 ha

Existing Use of Property to be severed:

- Residential Industrial Commercial
 Agriculture (includes a farm dwelling) Agricultural-Related Vacant
 Other (specify) parking area and affiliated access

Proposed Use of Property to be severed:

- Residential Industrial Commercial
 Agriculture (includes a farm dwelling) Agricultural-Related Vacant
 Other (specify) industrial bio-medical facility (File # DA-22-052)

Building(s) or Structure(s):

Existing: n/a

Proposed: 2-storey industrial facility and associated structures affiliated with DA-22-052

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) +- 378m	Depth (m) +- 156	Area (m ² or ha) +- 4.17 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) Industrial (MARC building), surface parking
- Industrial
 Agricultural-Related
- Commercial
 Vacant

Proposed Use of Property to be retained:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) (MARC building), surface parking - no change
- Industrial
 Agricultural-Related
- Commercial
 Vacant

Building(s) or Structure(s):

Existing: MARC Building

Proposed: no change

Existing structures to be removed: none

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 (Schedule E-1),
Employment Area - Research District (Map B.6.4-1)

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

Purpose is to obtain consent to lease Parts 1, 2, and 3 noted on the draft reference plan for a period in excess of 21 years as required under Section 50(3) of the Planning Act. Consent is also required to incorporate Part 4 as shown on the attached draft reference plan as a servient easement for access purposes in favour of Parts 1, 2, and 3. This will allow for better use of under developed employment lands in a lot already serviced municipally.

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? Research and Development "M1-7" Zone (Zoning By-law 05-200)

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
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 checked="" type="checkbox"/>	Various commercial/ industrial uses located across street to the east
An active railway line	<input checked="" type="checkbox"/>	+230 m to the south
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?

Phase I & II ESA has been completed for the subject lands. Discussions with property owner.

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

7 PROVINCIAL POLICY

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

Yes No

Section 2 of the Planning Act outlines matters of provincial interest. Of relevance to the proposed application are subsections (h)(i)(k)(l)(p)(r). Additional well-placed industrial development will promote healthy communities, employment opportunity,

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

The PPS promotes development which efficiently utilizes available land resources and supports the financial well-being of the province and municipalities. Leasing these lands for development promotes this.

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

The application is to lease additional lands currently under developed and an easement of access to such lands, ensuring possible access for future development behind the existing MARC building. By providing guaranteed access,

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

Yes No

n/a

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

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)

n/a

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

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

n/a

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

If 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 the concurrently submitted covering letter for a full description of the proposed leasing consent.

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.

May 19, 2022

 Date

Frances Grabowska

 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

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-22:190	SUBJECT PROPERTY:	330 DUNDURN STREET S, HAMILTON
ZONE:	"I3" (Major Institutional)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended 07-101

APPLICANTS: Agent SRM Architect Inc.
Owner 2178940 Ontario Inc. – Lev Development

The following variances are requested:

1. A maximum building height of 21.0 metres shall be permitted instead of the maximum permitted building height of 18.0 metres.
2. A minimum northerly side yard of 7.2 metres shall be required for any portion of the building below 21.0 metres, instead of the requirement that any building height above 18.0 metres may be equivalently increased as the yard increases beyond the minimum 6.0 metre side yard requirement and the minimum 6.0 metre rear yard requirement when abutting a Residential Zone.
3. A minimum northerly side yard of 10.40 metres shall be required for the portion of the building above 21.0 metres, instead of the requirement that any building height above 18.0 metres may be equivalently increased as the yard increases beyond the minimum 6.0 metre side yard requirement and the minimum 6.0 metre rear yard requirement when abutting a Residential Zone.
4. A minimum northerly side yard of 14.0 metres shall be provided for the portion of the building above 24.20 metres, instead of the requirement that any building height above 18.0 metres may be equivalently increased as the yard increases beyond the minimum 6.0 metre side yard requirement when abutting a Residential Zone.
5. A minimum southerly side yard of 5.5 metres and a minimum rear yard of 5.5 metres shall be permitted, instead of the minimum required side yard and minimum required rear of 6.0 metres where abutting a Residential Zone.

HM/A-22:190

6. No increase in the minimum southerly side yard and the minimum rear yard shall be required for the portion of the building above 18.0 metres instead of the requirement that any building height above 18.0 metres may be equivalently increased as the yard increases beyond the minimum 6.0 metre side yard requirement when abutting a Residential Zone
7. A minimum of seventy-five (75) parking spaces shall be provided for the Multiple Dwelling, instead the minimum eighty-five (85) parking spaces required.
8. A minimum of twenty-two (22) parking spaces shall be provided for the Retirement Home, instead the minimum thirty-eight (38) parking spaces required.

PURPOSE & EFFECT: To facilitate the construction of an eight (8) storey multiple dwelling consisting of 109 dwelling units

Notes:

1. The proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. The requested variances are required to facilitate Site Plan Application No. DA-21-133, which received condition approval on March 16, 2022. Please note that a full zoning compliance review has not been completed as part of the submitted minor variance application; as such, the variances have been written as requested by applicant.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	2:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

HM/A-22:190

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE DATA		
DATA	REQUIRED	PROVIDED
ZONING	MAJOR INSTITUTIONAL (I3)	
NET LOT AREA	7,555m ²	
SETBACKS		
FRONT YARD (DUNDURN ST.)	-	N/A
NORTH SIDE YARD	9.2m	7.2m
REAR SIDE YARD	9.2m	5.5m
SOUTH SIDE YARD	9.2m	5.5m

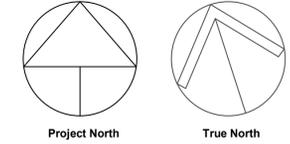
BUILDING DATA		
DATA	REQUIRED	PROVIDED
TOTAL DENSITY		109 UNITS
		87 (80%) - 1 BED/ 1 BED+DEN
		22 (20%) - 2 BED/ 2 BED+DEN
BUILDING AREA		1,390m ² (14,960 SF)
GROSS CONSTRUCTION AREA		14,084m ² (151,595 SF)
GROSS FLOOR AREA		8,492 m ² (91,407 SF)
GFA (CITY OF HAMILTON)		8,313 m ² (89,480 SF)
NET SALABLE AREA		6,615 m ² (71,203 SF)
NUMBER OF STOREYS		8
BUILDING HEIGHT (NOT INCL. PH.)	28m MAX.	28m
AMENITY AREA		2,175 SF - INDOOR 3,878 SF - OUTDOOR 6,053 SF - TOTAL

GROSS FLOOR AREA BREAKDOWN		
DATA	REQUIRED	PROVIDED
LEVEL 1		1,102 m ² (11,862 SF)
LEVEL 2		994 m ² (10,700 SF)
LEVEL 3		1,246 m ² (13,412 SF)
LEVEL 4		1,246 m ² (13,412 SF)
LEVEL 5		921 m ² (9,913 SF)
LEVEL 6		969 m ² (10,430 SF)
LEVEL 7		867 m ² (9,332 SF)
LEVEL 8		807 m ² (8,688 SF)
MECH. PH.		340 m ² (3,660 SF)
GFA TOTAL (INCL. SERVICES)		8,492 m ² (91,407 SF)

SITE COVERAGE DATA		
DATA	REQUIRED	PROVIDED
PROPOSED BUILDING COVERAGE		1,102m ² (15%)
EXISTING BUILDING COVERAGE		1,860m ² (25%)
ASPHALT AREA		1,842m ² (24%)
LANDSCAPING AREA		2,751m ² (36%)
TOTAL		7,555m ² (100%)

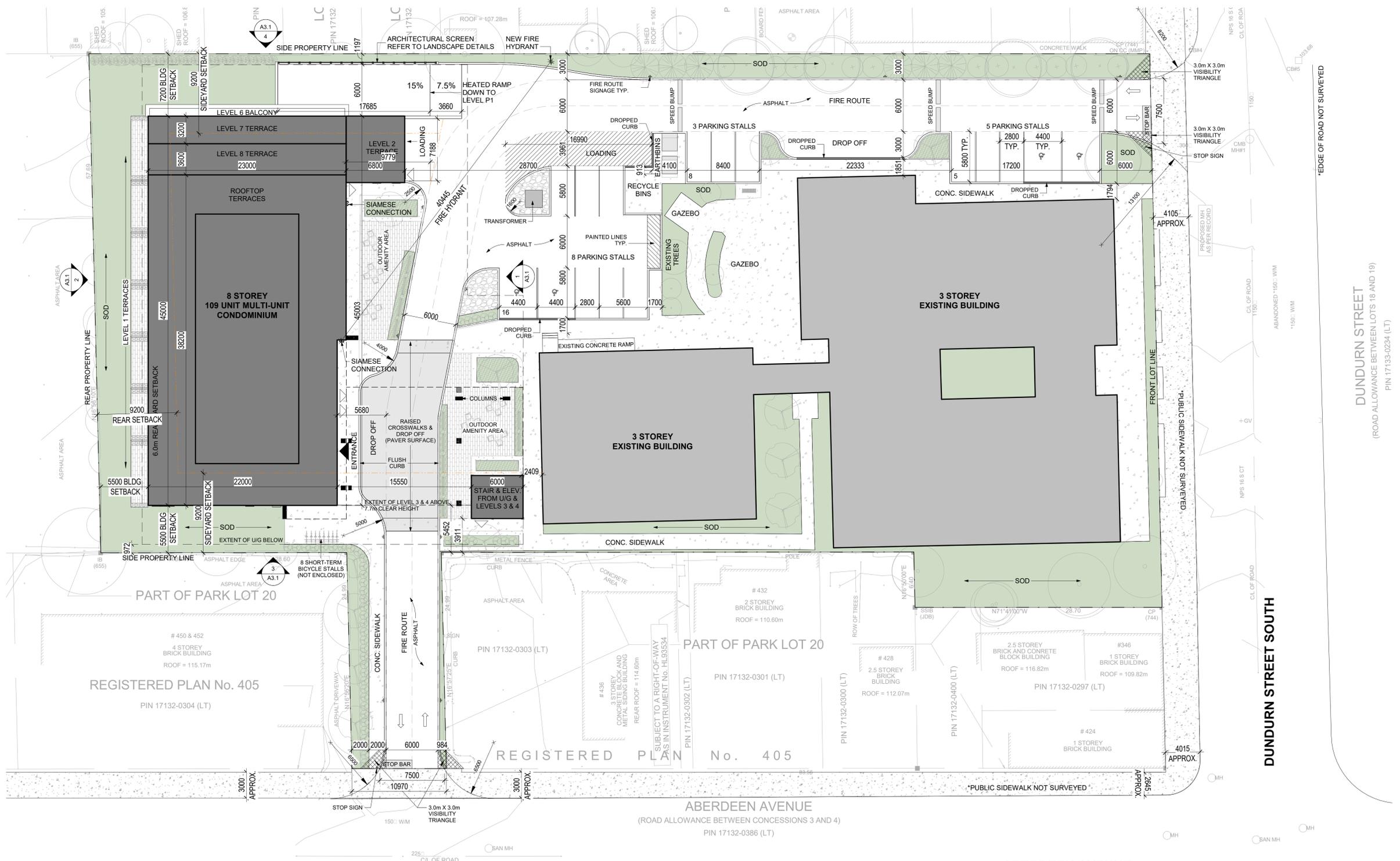
VEHICLE PARKING DATA		
DATA	REQUIRED	PROVIDED
RESIDENTIAL PARKING (s. 5.6(c)(i))	EXISTING RETIREMENT: 115 UNITS, 1/3 PEOPLE = 38 STALLS PROPOSED CONDO: 0.3 X UNIT = 50m ² = 0.3 X 34 = 10.2 1.0 X UNIT = 50m ² = 1.0 X 76 = 76 TOTAL = 123	RETIREMENT: 38 CONDO & VISITOR: 59 TOTAL: 97 STALLS
BARRIER FREE PARKING (INCL.)	RETIREMENT = 1 CONDO = 4% = 3.4 TOTAL = 4	4 STALLS (INCL.)
TOTAL PARKING		97 STALLS

BICYCLE & TDM MEASURES DATA		
DATA	REQUIRED	PROVIDED
BICYCLE PARKING		SHORT TERM: (NOT ENCLOSED - OUTDOORS) 8 STALLS LONG TERM: (ENCLOSED - INDOORS LEVELS P1 & P2) 55 STALLS (0.5/UNIT)
ADDITIONAL TDM MEASURES		BIKE SHARE MEMBERSHIP FOR NEW RESIDENTS TO BE OFFERED DURING FIRST YEAR OF OCCUPANCY. TRANSIT INCENTIVES INCLUDING ON-SITE TRANSIT INFO AND PRESTO CARDS. VEHICLE PARKING TO BE UNBUNDLED FROM RESIDENTIAL UNITS.



- GENERAL NOTES**
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.
 - ALL WORK SHALL COMPLY WITH THE 2012 ONTARIO BUILDING CODE AND AMENDMENTS.
 - CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
 - ALL CONTRACTORS AND SUB-CONTRACTORS SHALL HAVE A SET OF APPROVED CONSTRUCTION DOCUMENTS ON SITE AT ALL TIMES.
 - ALL DOCUMENTS REMAIN THE PROPERTY OF THE ARCHITECT. UNAUTHORIZED USE, MODIFICATION, AND/OR REPRODUCTION OF THESE DOCUMENTS IS PROHIBITED WITHOUT WRITTEN PERMISSION. THE CONTRACT DOCUMENTS WERE PREPARED BY THE CONSULTANT FOR THE ACCOUNT OF THE OWNER.
 - THE MATERIAL CONTAINED HEREIN REFLECTS THE CONSULTANT'S BEST JUDGEMENT IN LIGHT OF THE INFORMATION AVAILABLE TO HIM AT THE TIME OF PREPARATION. ANY USE WHICH A THIRD PARTY MAKES OF THE CONTRACT DOCUMENTS, OR ANY RELIANCE ON OR DECISIONS TO BE MADE BASED ON THEM ARE THE RESPONSIBILITY OF SUCH THIRD PARTIES.
 - THE CONSULTANT ACCEPTS NO RESPONSIBILITY FOR DAMAGES, IF ANY, SUFFERED BY ANY THIRD PARTY AS A RESULT OF DECISIONS MADE OR ACTIONS BASED ON THE CONTRACT DOCUMENTS.

No.	Date	Revision
7	2022-05-20	ISSUED FOR MINOR VARIANCE
6	2021-11-22	ISSUED FOR SPA 2ND SUBMISSION
5	2021-11-04	ISSUED FOR NEIGHBOURHOOD MEETING
4	2021-07-22	ISSUED FOR SPA 1ST SUBMISSION
3	2021-07-05	ISSUED FOR CLIENT REVIEW
2	2021-06-10	ISSUED FOR COORDINATION
1	2021-04-27	ISSUED FOR CITY REVIEW



srm ARCHITECTS INC.

Project No: 21046
 Project Date: 2021-03-05
 Drawn by: MES
 Checked by: EJ
 Plot Date / Time: 2022-05-20 10:39:59 AM

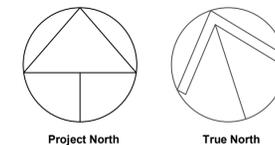
ABERDEEN CONDOS
330 DUNDURN ST. S.
HAMILTON

SITE PLAN

Ontario Association of Architects
 EDWARD THOMAS
 LICENCE 5572

Drawing Scale: As indicated
 Status: ISSUED FOR MINOR VARIANCE
 Drawing No.: 1:225
A1.1 - r7

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GENERAL NOTES

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1	2021-04-27	ISSUED FOR CITY REVIEW



1 LEVEL P2
1: 125

srm
ARCHITECTS INC.

Project No: 21046
Project Date: 2021-03-05
Drawn by: DMX
Checked by: MES
Plot Date / Time: 2022-05-20 10:39:59 AM

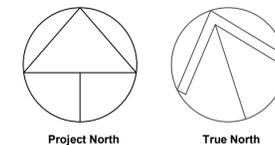
**ABERDEEN CONDOS
330 DUNDURN ST. S.
HAMILTON**

LEVEL P2 FLOOR PLAN

Ontario Association of Architects
Edward Thomas
Licence 5572

Drawing Scale: 1: 125
Status: ISSUED FOR MINOR VARIANCE
Drawing No.: Revision No.:
A2.1 - r6

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GENERAL NOTES

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1	2021-04-27	ISSUED FOR CITY REVIEW



ADJACENT BUILDING

1 LEVEL P1
1:125

Project No: 21046
 Project Date: 2021-03-05
 Drawn by: DMX
 Checked by: MES
 Plot Date / Time: 2022-05-20 10:40:00 AM

**ABERDEEN CONDOS
330 DUNDURN ST. S.
HAMILTON**

LEVEL P1 FLOOR PLAN

Ontario Association of Architects
 Edward Thomas
 Licence 5572

Drawing No. 1:125
 Status: ISSUED FOR MINOR VARIANCE
 Revision No. A2.2 - r6

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ARCHITECTS INC.

BUILDING CONFIDENCE

Attention: City of Hamilton - Committee of Adjustment**City hall, 71 Main St. W.,****Hamilton, ON L8P4Y5****Date: May 12, 2022****Regarding: 21046 – 330 Dundurn St. S, Hamilton****Application for a Minor Variance – Additional Sheet**

To Whom may concern,

The intent of this letter is to apply and receive final approval of a Minor Variance application for the following variances to City of Hamilton Zoning By-law No. 05-200 from the Committee of Adjustment.

Prescribed room on existing application form was insufficient to answer the following questions.

Nature and extent of relief applied for:
<p>a.) Requesting relief to permit a southerly side yard setback of 5.5m whereas a 9.2m setback is required</p> <p>b.) Requesting relief to permit a rear yard setback of 5.5 whereas a 9.2 m of a street line is required.</p> <p>c.) Requesting relief to permit a northerly side yard setback of 7.2 m whereas the By-law requires a setback of 9.2</p> <p>d.) Requesting relief to permit a minimum required parking of 75 parking spaces whereas the by-law requires 85 parking spaces</p> <p>e.) Requesting relief to permit a minimum of 22 parking spaces whereas the minimum required parking is 38 spaces.</p>
Why it is not possible to comply with the provisions of the By-law?
<ul style="list-style-type: none"> Existing 3 (three) storey 113-unit retirement home located on East end of the lot facing Dundurn St, S. is to remain in conjunction with proposed 8 (eight) storey 109-unit condominium located on the West end abutting Aberdeen Ave. Yard setback relief is insurance of site functionality and circulation for all required emergent and non-emergent vehicular access. Proposed development consolidates all parking requirements. Providing a centralized underground parking lot with 16 surface level spots.

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	
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:

BANK OF MONTREAL Ryan Bulmer 100 King Street West, Suite 18th Floor Toronto, Ontario M5X 1A1

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:

Nature and extent of relief being applied for REF. Attached Additional Sheet

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Nature and extent of relief being applied for REF. Attached Additional Sheet

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**):

330 Dundurn Street South

Property Number: 251801009152590

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?

Phase 1 ESA Prepared by Lantek Limited Dated January 2021

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 18 2022

 Date



 Signature Property Owner(s)

Yaniv Geler

 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	64.0 m	_____
Depth	123.39 m	_____
Area	7,555.66m 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: _____
 Existing retirement residence (Aberdeen Retirement Residence), a surface parking area, and a storm water management area.

Proposed
 Removal of existing surface parking stalls and storm water management area on the west side of the property and construct an 8 (eight) storey apartment building with 2 (two) levels of underground parking. 70 parking spaces 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:
 3 (three) storey, 1,860m² 113 suite retirement complex.
 Approx 53m from rear lot line, 4.5m from front lot line,
 Approx 12.4 m from north lot line, 0.5m from south lot line.

Proposed:
 8 (eight) storey, 1,102m² 109 suite multi-unit Condominium
 Approx 5.5 rear set back, 82.6m from front lot line,
 Approx 7.2m from north lot line, and 5.5m for south.

13. Date of acquisition of subject lands:
December 2008
-
14. Date of construction of all buildings and structures on subject lands:
1999 and 2015 addition. New build TBD
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Retirement Home
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Urban Residential, Commercial
-
17. Length of time the existing uses of the subject property have continued:
23 YEARS
-
18. Municipal services available: (check the appropriate space or spaces)
Water Connected Connected _____
Sanitary Sewer Connected Connected _____
Storm Sewers Connected
19. Present Official Plan/Secondary Plan provisions applying to the land:
Block A&B Registered Plan 1295 and part Park Lot 20 Registered plan NO.405
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Major institutional (I3)
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

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-22:193	SUBJECT PROPERTY:	46 MACDONALD AVENUE, HAMILTON
ZONE:	"D" (Urban Protected Residential – One and Two Family Dwellings)	ZONING BY-LAW:	Zoning By-law 6593, as Amended 75-331

APPLICANTS: Agent Carrothers & Associates – D. Carrothers
Owner A. & K. Sedmihradsky

The following variances are requested:

1. A minimum of 0.41 m front yard depth shall be provided to the stairs associated with the roofed over unenclosed front porch instead of the minimum required 1.5 m from the front lot line; and
2. A minimum southerly side yard width of 1.1 m shall be provided to the roofed over unenclosed rear porch instead of the minimum required 1.2 m side yard width; and
3. A minimum northerly side yard width of 0.7 m shall be provided for the 1 storey rear addition instead of the minimum required side yard width of 1.2 m.

PURPOSE & EFFECT: To permit the construction of a new 1 storey rear addition, a new rear deck, a roofed over unenclosed front porch and a new detached shed located at rear of the existing single-family dwelling

Notes:

- i. Please note that there is no encroachment into the side yard for a roofed over unenclosed porch; therefore, variance # 2 has been written to the minimum side yard depth required for the principal building

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

HM/A-22:193

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

DATE:	Thursday, July 14, 2022
TIME:	3:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
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- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:193



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

PRIVATE RESIDENCE

REAR ADDITION & INTERIOR RENOVATIONS

46 MACDONALD AVE, HAMILTON, ON L8P 4N7

ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:



EXISTING REAR ELEVATION: (FOR REF. ONLY)

BUILDING STATISTICS:

BASEMENT PLAN	= 1567 sq.ft 145.6 m2)
MAIN FLOOR PLAN	= 1567 sq.ft 145.6 m2)
TOTAL GFA	= 3134 sq.ft (291.2 m2)
FRONT PORCH	= 73 sq.ft. (6.8 m2)
REAR DECK	= 251 sq.ft. (23.3 m2)
NEW SHED	=91 sq.ft. (8.5 m2)



EXISTING FRONT ELEVATION: (FOR REF. ONLY)

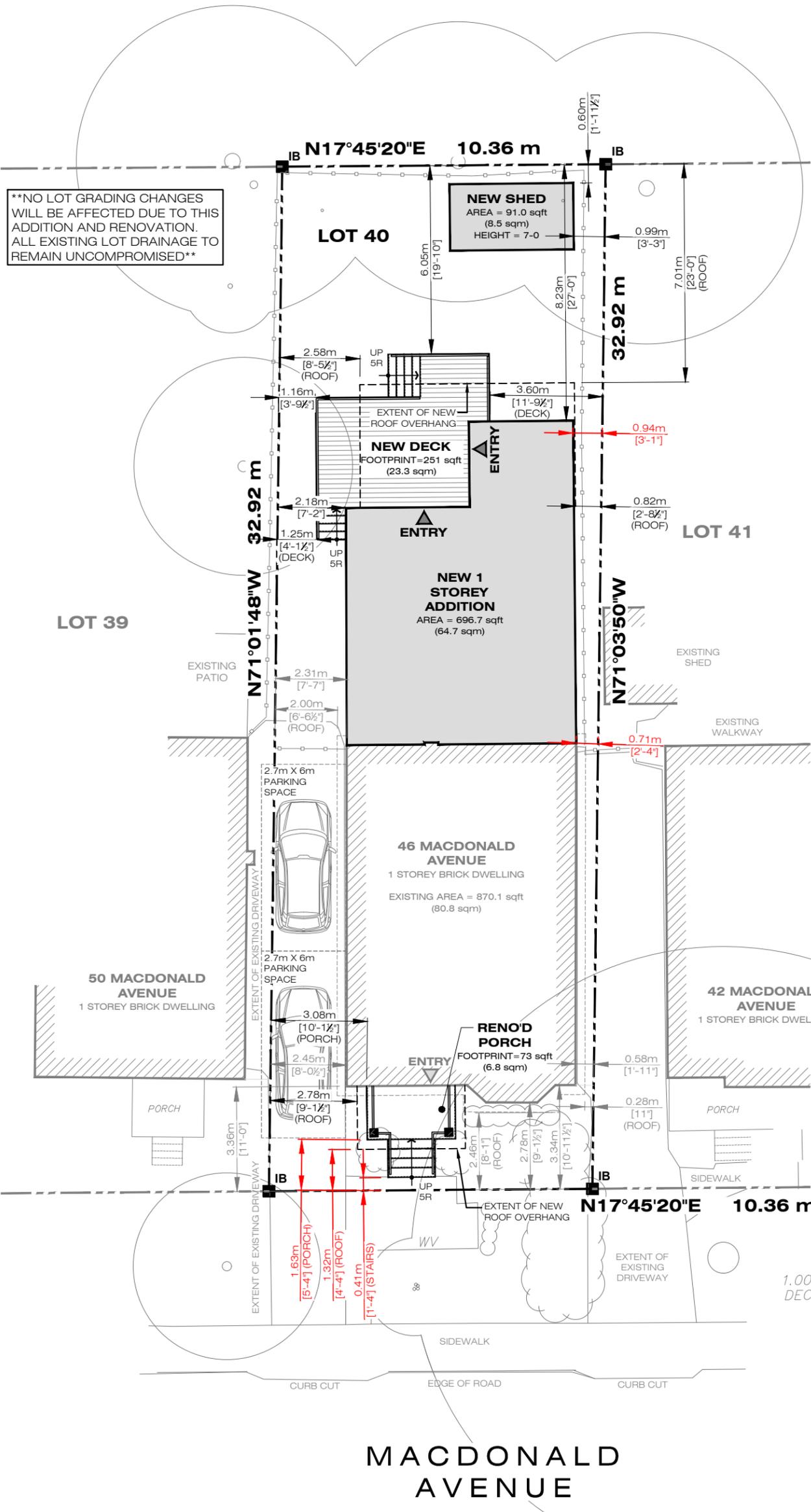
<h3>ISSUED FOR COMMITTEE OF ADJUSTMENT</h3>	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 46 MACDONALD AVE, HAMILTON, ON L8P 4N7	Drawn By: Checked By: Scale: N.T.S. Date: JUN 2022 Project No: 2021-86															
	Sheet Title: COVER PAGE	<table border="1"> <tr> <td>4</td> <td>JUN 01/22</td> <td>ISSUED FOR C of A</td> </tr> <tr> <td>3</td> <td>MAY 19/22</td> <td>ISSUED FOR DC REVIEW</td> </tr> <tr> <td>2</td> <td>MAY 18/22</td> <td>ISSUED FOR DC REVIEW</td> </tr> <tr> <td>1</td> <td>APR 26/22</td> <td>ISSUED FOR REVIEW</td> </tr> <tr> <td>No.</td> <td>Date:</td> <td>Issue/Revision</td> </tr> </table>	4	JUN 01/22	ISSUED FOR C of A	3	MAY 19/22	ISSUED FOR DC REVIEW	2	MAY 18/22	ISSUED FOR DC REVIEW	1	APR 26/22	ISSUED FOR REVIEW	No.	Date:	Issue/Revision
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1	APR 26/22	ISSUED FOR REVIEW															
No.	Date:	Issue/Revision															

TO BE USED IN CONJUNCTION WITH PLAN OF SURVEY PREPARED BY J.H. GELBLOOM SURVEYING LIMITED, DATED NOVEMBER 09, 2021.

PLAN
SHOWING PARTS OF
LOTS 40, PLAN 620
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON



****NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED****



ZONING AND PROPERTY STATISTICS

DESCRIPTION:	LOT 40, PLAN 620 IN THE REGIONAL MUNICIPALITY OF HAMILTON		
ADDRESS:	46 MACDONALD AVENUE, HAMILTON, ON.		
	REQUIRED:	PROPOSED:	
ZONING DESIGNATION:	D	D	(EXISTING)
LOT AREA:	360.0 m2	341.1 m2	(EXISTING)
FRONTAGE:	12.0 m	10.36 m	(EXISTING)
FRONT YARD TO HOUSE:	6.0 m	2.78 m	(EXISTING)
FRONT YARD TO PORCH:	3.0 m	**1.63 m	(PROPOSED)
FRONT YARD TO PORCH ROOF:	3.0 m	**1.32 m	(PROPOSED)
FRONT YARD TO PORCH STEPS:	3.0 m	**0.41 m	(PROPOSED)
REAR YARD TO ADDITION:	7.5 m	8.23 m	(PROPOSED)
REAR YARD TO ADDITION ROOF:	6.0 m	7.01 m	(PROPOSED)
REAR YARD TO DECK:	6.0 m	6.05 m	(PROPOSED)
REAR YARD TO SHED:	0.5 m	0.6 m	(PROPOSED)
RIGHT YARD TO HOUSE:	1.2 m	0.58 m	(EXISTING)
RIGHT YARD TO HOUSE ROOF:	0.6 m	0.28 m	(EXISTING)
RIGHT YARD TO ADDITION:	1.2 m	**0.71 m	(PROPOSED)
RIGHT YARD TO ADDITION ROOF:	0.6 m	0.82 m	(PROPOSED)
RIGHT YARD TO DECK:	0.7 m	3.60 m	(PROPOSED)
RIGHT YARD TO SHED:	0.5 m	0.99 m	(PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	2.31 m	(EXISTING)
LEFT YARD TO HOUSE ROOF:	0.85 m	2.0 m	(EXISTING)
LEFT YARD TO PORCH:	1.2 m	3.08 m	(PROPOSED)
LEFT YARD TO PORCH ROOF:	1.2 m	2.78 m	(PROPOSED)
LEFT YARD TO ADDITION:	1.2 m	2.18 m	(PROPOSED)
LEFT YARD TO ADDITION ROOF:	0.6 m	2.58 m	(PROPOSED)
LEFT YARD TO DECK:	0.7 m	1.16 m	(PROPOSED)
MAX ACCESSORY COVERAGE:	30%	10.9%	(PROPOSED)
BUILDING HEIGHT:	14.0 m	5.51 m	(EXISTING)
ADDITION HEIGHT:	14.0 m	4.72 m	(PROPOSED)
HABITABLE ROOMS:		8	(PROPOSED)
PARKING SPACES:	2	**0	(EXISTING)
** VARIANCE REQUIRED			

ISSUED FOR COMMITTEE OF ADJUSTMENT

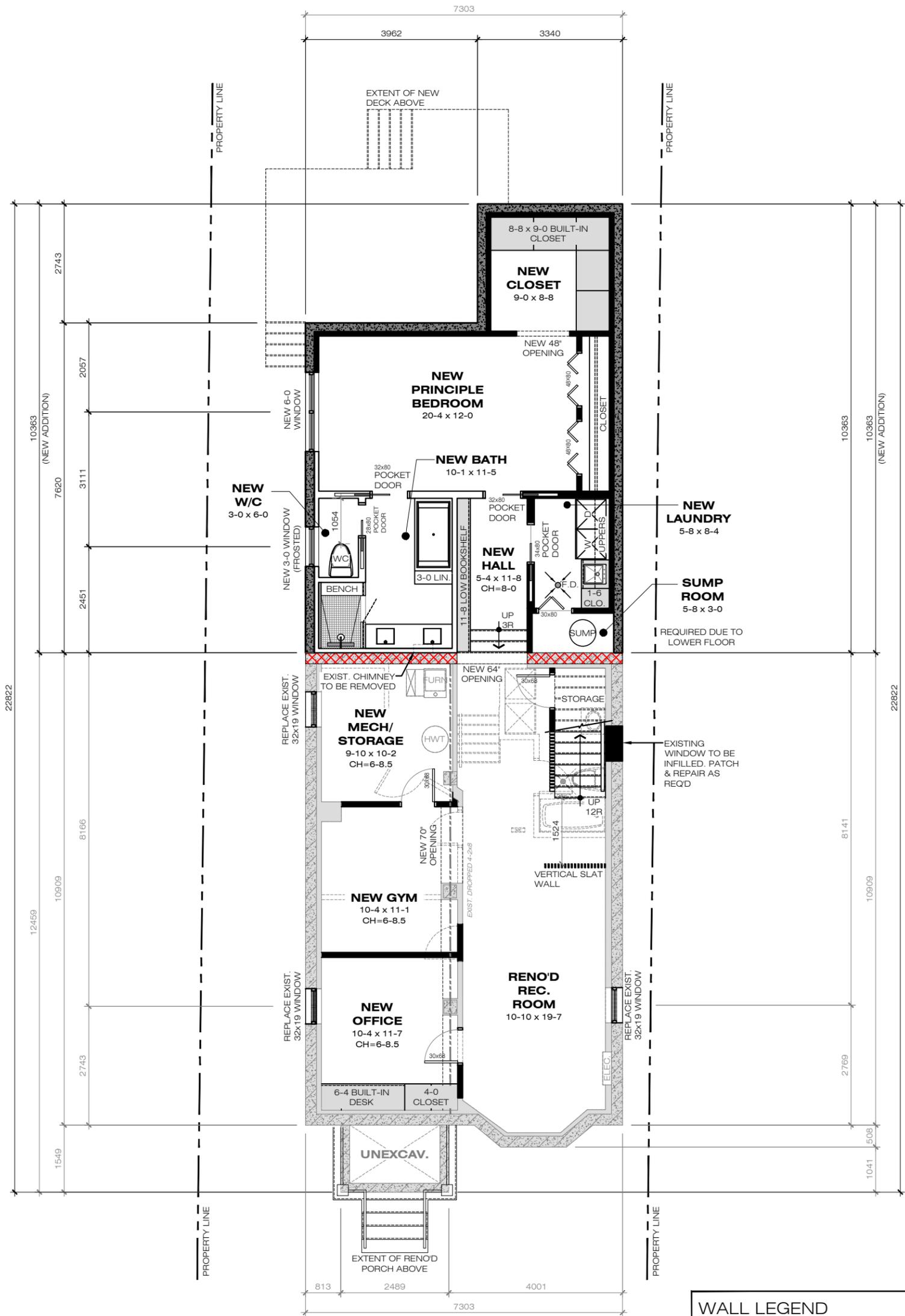
Project Name:
PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS
46 MACDONALD AVE,
HAMILTON, ON L8P 4N7

Sheet Title:
SITE PLAN & ZONING STATS.

No.	Date:	Issue/Revision
4	JUN 01/22	ISSUED FOR C of A
3	MAY 19/22	ISSUED FOR DC REVIEW
2	MAY 18/22	ISSUED FOR DC REVIEW
1	APR 26/22	ISSUED FOR REVIEW

Drawn By:
Checked By:
Scale: 1:150
Date: JUN 2022
Project No: 2021-86

SP



FOUNDATION/ BASEMENT PLAN

EXISTING AREA = 870 sqft (80.8 sqm)
 ADDITION AREA = 697 sqft (64.7sqm)
TOTAL FLOOR AREA = 1567 sqft (145.6 sqm)
 CEILING HEIGHT = 6'-8.5" UNO.
 ADDITION CEILING HEIGHT = 8'-0" UNO.
HABITABLE ROOMS = 4

WALL LEGEND	
	EXISTING FOUNDATION WALLS TO REMAIN
	EXISTING FOUNDATION WALLS TO BE UNDERPINNED
	NEW FOUNDATION WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS

ISSUED FOR COMMITTEE OF ADJUSTMENT

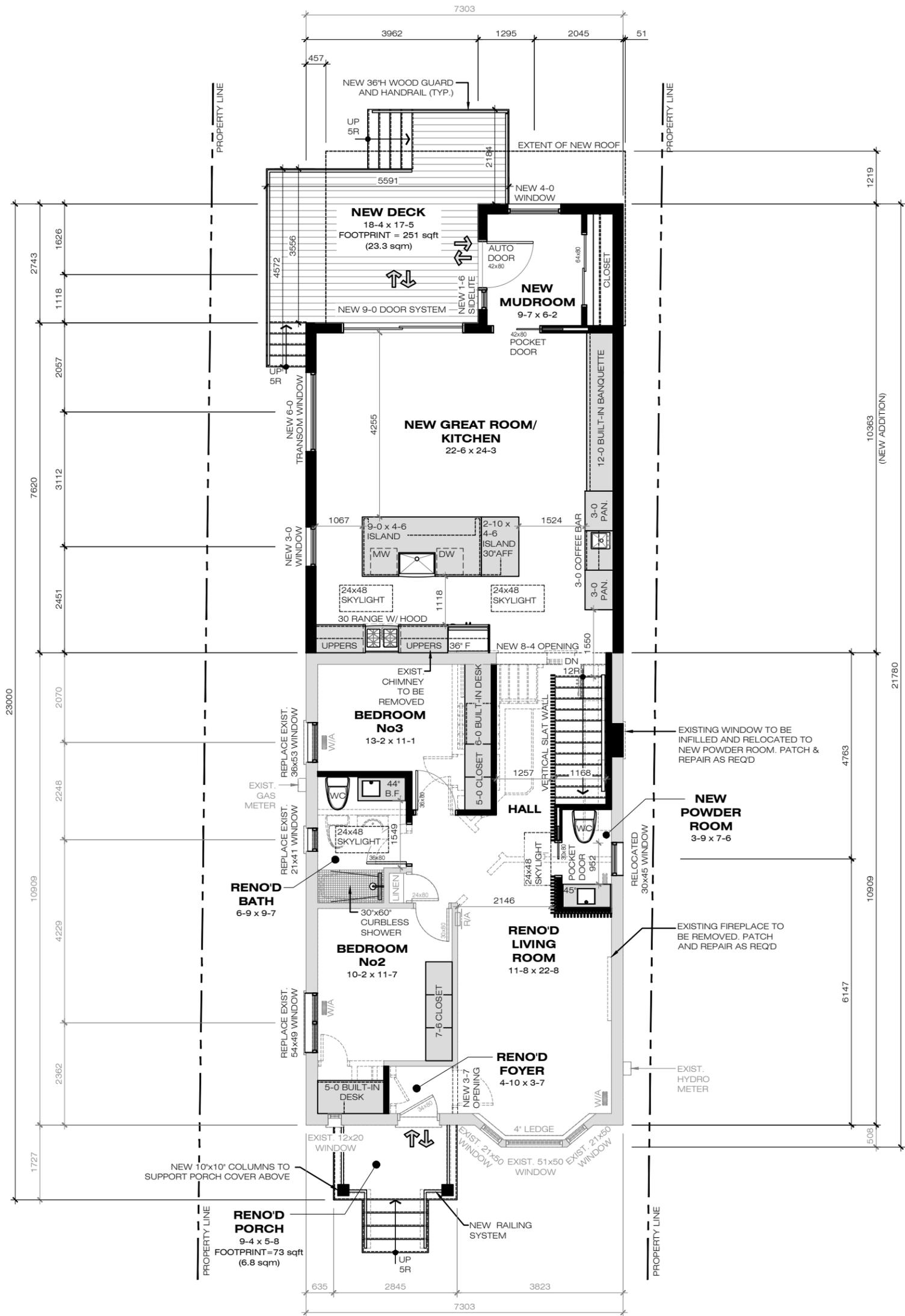
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
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 46 MACDONALD AVE,
 HAMILTON, ON L8P 4N7

Sheet Title:
FOUNDATION/ BASEMENT PLAN

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3	MAY 19/22	ISSUED FOR DC REVIEW
2	MAY 18/22	ISSUED FOR DC REVIEW
1	APR 26/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:100
Date:	JUN 2022
Project No.:	2021-86

A2



MAIN FLOOR PLAN
 EXISTING AREA = 870 sqft (80.8 sqm)
 ADDITION AREA = 697 sqft (64.7sqm)
TOTAL FLOOR AREA = 1567 sqft (145.6 sqm)
 CEILING HEIGHT = 8'-0" UNO.
 ADDITION CEILING HEIGHT = 10'-0" UNO.
HABITABLE ROOMS = 4

WALL LEGEND	
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT

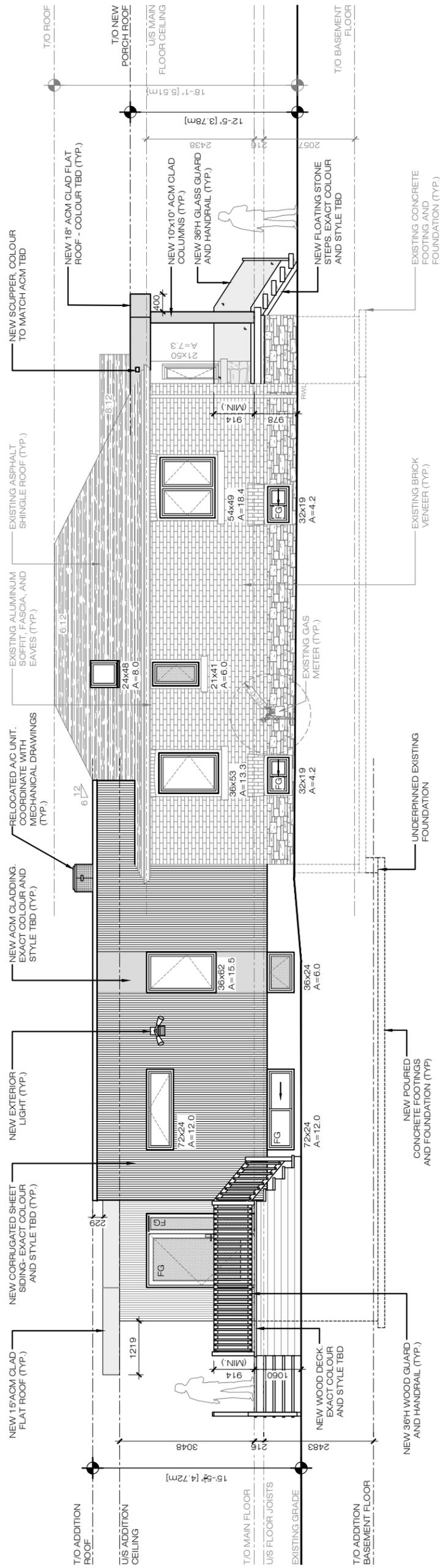
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 46 MACDONALD AVE,
 HAMILTON, ON L8P 4N7

Sheet Title:
MAIN FLOOR PLAN

No.	Date:	Issue/Revision
4	JUN 01/22	ISSUED FOR C of A
3	MAY 19/22	ISSUED FOR DC REVIEW
2	MAY 18/22	ISSUED FOR DC REVIEW
1	APR 26/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:100
Date:	JUN 2022
Project No.	2021-86

A3



LEFT SIDE ELEVATION

**** MATERIALS SUBJECT TO CHANGE. MATERIALS HAVE NOT BEEN FINALIZED AT TIME OF COMMITTEE OF ADJUSTMENT SUBMISSION (TYP.) ****

**** NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED ****

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
**PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS**
 46 MACDONALD AVE,
 HAMILTON, ON L8P 4N7

Sheet Title:
LEFT SIDE ELEVATION

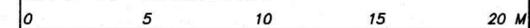
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3	MAY 19/22	ISSUED FOR DC REVIEW
2	MAY 18/22	ISSUED FOR DC REVIEW
1	APR 26/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:100
Date:	JUN 2022
Project No.	2021-86

A4

SURVEYOR'S REAL PROPERTY REPORT - PART 1

PLAN OF SURVEY AND TOPOGRAPHY OF
LOT 40
REGISTERED PLAN 620
CITY OF HAMILTON



SCALE 1 : 200

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor

2021

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 The reproduction, alteration, or use of this REPORT in whole or in part, without the written permission of J. H. Gelbloom Surveying Limited is Strictly Prohibited.

SURVEYOR'S REAL PROPERTY REPORT - PART 2

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
 None

NOTABLES

- Note the Location of the Fences around the Subject Property.
 - Note the location of the Driveways along both the Sides of the Subject Property.

LEGEND

- Survey Monument Found
- Survey Monument Set
- SIB Standard Iron Bar
- IB Iron Bar
- (OU) Origin Unknown
- PI Registered Plan 620
- P2 Plan of Survey by A. T. McLaren Ltd., O.L.S. dated October 13, 1982
- P3 Plan of Survey by Consoli & Jacobs Surveying Ltd., O.L.S. dated January 17, 1994
- P4 Plan of Survey by A.J. Clarke & Associates Surveying O.L.S. dated April 24, 1975
- P5 Plan of Survey by A. T. McLaren Ltd., O.L.S. dated September 28, 1976
- FF Finished Floor
- GS Gas Service
- BF Board Fence
- UP Utility Pole
- DEC. Deciduous
- CON. Coniferous
- CLF Chain Link Fence
- MH Maintenance Hole
- WV Water Valve
- N Denotes North
- S Denotes South
- E Denotes East
- W Denotes West

BENCHMARK

Elevations are Referred to the City of Hamilton Benchmark No. 0011965U026, having an Elevation of 93.358 m.

NOTE

This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
 All building ties are from the foundation and are perpendicular to property lines, unless otherwise noted.

This REPORT was prepared for Andrew and Kerri Sedmihradsky and the undersigned accepts no responsibility for use by other parties.

NOTE

Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE

Bearings are Astronomic, and are Referred to the Northwesterly limit of Macdonald Avenue as shown on Reg'd Plan 620, having a Bearing of N 17° 45' 12" 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 8th day of November, 2021.

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-18792

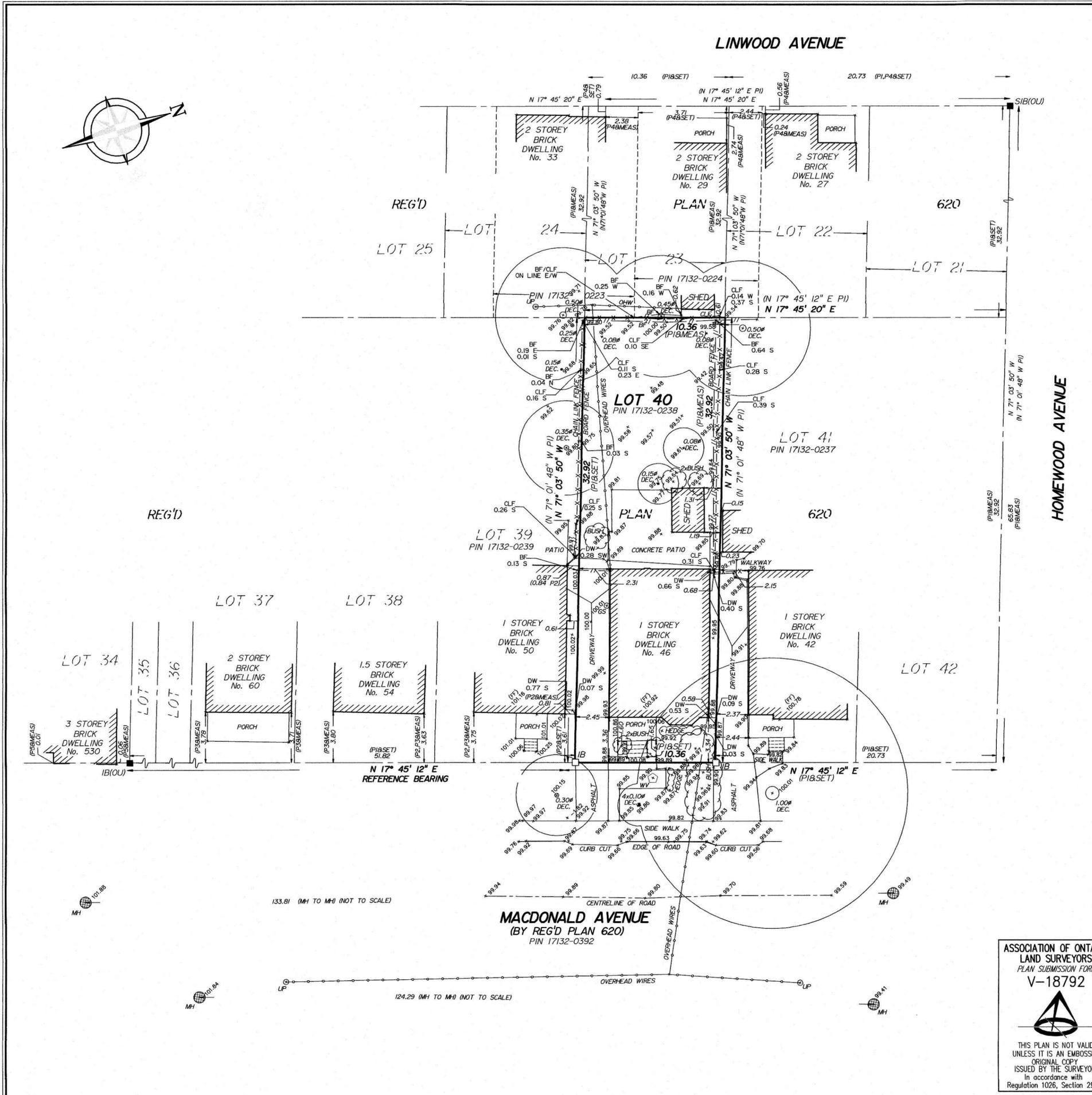
THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR.
 In accordance with
 Regulation 1026, Section 29(3).

Nov. 9, 2021
 Date

Andrew Musil, O.L.S.

Party Chief:	Drawn By:	Checked By:	Project:
D.L.	M.S.	A.M.	21-288

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor
 476 Morden Road, Unit 102, Oakville, Ont, L6K 3W4
 office@jhgsurveying.ca
 Phone:(905) 338-8210 Fax:(905) 338-9446





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)	Andrew and Kerri Sedmihradsky Email: kerrisedmihradsky@gmail.com	
Applicant(s)*	David Carrothers of Carrothers and Associates dcarrothers@carrothersandassociates.com	
Agent or Solicitor		Phone:
		E-mail:

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

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

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

4. Nature and extent of relief applied for:

Proposed 0.41m front yard to porch where 3.0m is permitted;
Proposed 0.71m right yard to addition where 1.2m is permitted
Proposed 0 parking space where 2 are required

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Variances are required to facilitate the building addition required for this growing family, including future barrier free needs for the homeowners son. The new addition maintains the existing house width, which triggers the requirement for a side yard setback variance

The porch is an existing condition, which the majority of homes have on the street. However we would like to add columns and a new roof (to shelter them in the rain) which would trigger the need for a variance.

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 40, Registered Plan 620
46 MacDonald Ave, Hamilton, ON. L8P 4N7

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?

Homeowner

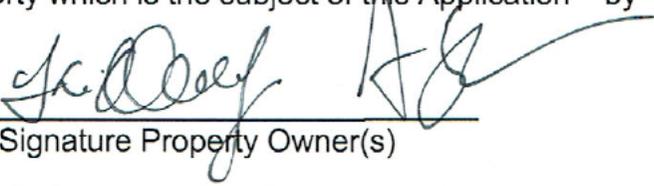
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

16 May 2022
Date


Signature Property Owner(s)
Andrew and Kerri Sedmihradsky
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>10.36 m</u>
Depth	<u>32.92 m</u>
Area	<u>341.1 m²</u>
Width of street	<u>N/A</u>

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

Existing: _

SFD
Ground floor and GFA 80.8 sqm; 1 storey; 7.3m width; 11.4m length; height 5.51m

Proposed

Addition: Ground & GFA 64.7 sqm; 1 storey; 7.3m width; 10.4m length; height 4.72m
Front porch: Area 6.8 sqm, width 2.9m; 1.7m length; 3.78m height
Rear deck: Area 23.3 sqm, 1.06 m height
Shed: Area 8.5 sqm, 2.13m height

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

Existing:

SFD
3.34m front yard; 0.58m right yard, 2.31m left yard

Proposed:

Addition: 8.23 m rear yard; 0.71m right yard, 2.18m left yard
Front porch: 0.41m front yard; 2.78 m left yard
Rear deck: 6.05 rear yard; 3.60m right yard; 1.16m left yard
Shed: 0.60m rear yard; 0.99 m right yard

13. Date of acquisition of subject lands:
n/a
-
14. Date of construction of all buildings and structures on subject lands:
n/a
-
15. Existing uses of the subject property (single family, 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:
n/a
-
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D
-
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

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-22:194	SUBJECT PROPERTY:	72 STANLEY AVENUE, HAMILTON
ZONE:	"D" (Urban Protected Residential – One and Two Family Dwellings etc.)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: Agent Park Eight Inc.
Owner P. Shaker & S. Macdonald Shaker

The following variances are requested:

1. A minimum easterly side yard width of 0.2m shall be permitted instead of the minimum required side yard width of 0.9m.
2. Eaves and gutters shall be permitted to project 0.2m into easterly side yard and shall be as close as 0.0m to the easterly side lot line instead of the requirement that an eave or gutter may project into the required side yard not more than one half its required width (being 0.1m).
3. No parking spaces shall be required instead of the minimum required three (3) parking spaces.

PURPOSE & EFFECT: So as to permit the construction of a 3rd storey dormer addition onto the existing Single Family Dwelling.

Notes:

- i) Pursuant to Variance # 3, the single family dwelling will contain a total of nine (9) habitable rooms once the dormer addition is constructed which requires a 3 parking spaces.
- ii) Eaves and gutters for the proposed dormer addition shall not project beyond the easterly side lot line. Be advised that if the eave on the dormer projects beyond the side lot line, the regulations of Section 6(3b) of Hamilton Zoning By-law No. 6593 would be applicable which states:

HM/A-22:194

“Notwithstanding subsection 3a, no eaves, gutters or footings for a single family dwelling may encroach onto the abutting lot in the same district except in accordance with,

- (a) an encroachment agreement between the owners of the abutting land; and*
- (b) a maintenance easement entered into between the parties,*

properly registered on the title of each of the abutting lots.”

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	3:05 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:194



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

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① 3D FRONT

**PARK
EIGHT**
ENG // ARCH

ADDITION

72 STANLEY AVE, HAMILTON

Project No. 22005

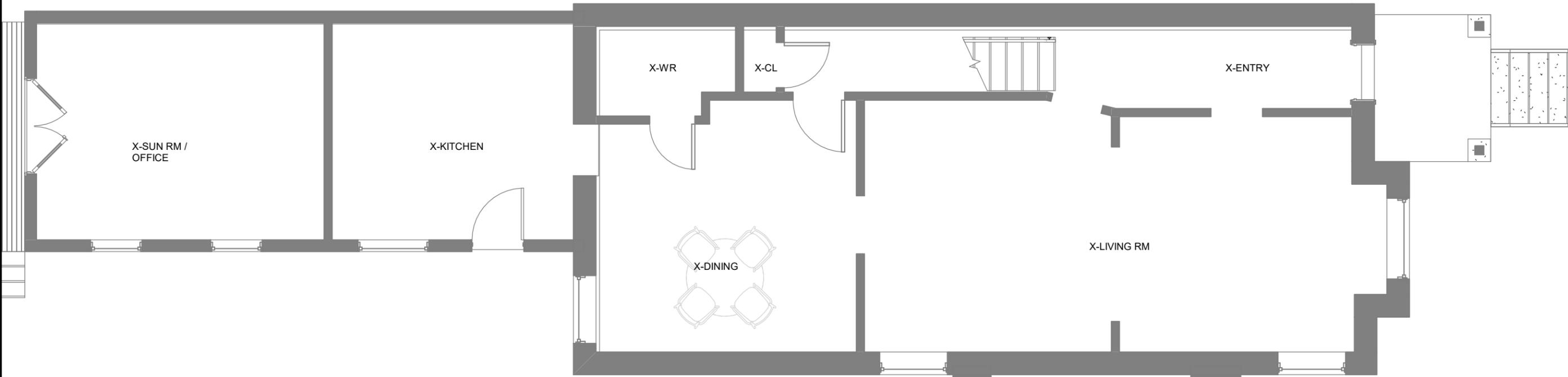
Revisions

Scale

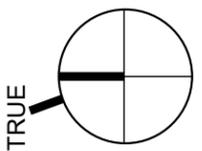
Perspective Views

00.0

Sheet No. ©2021



① LVL1 EXISTING
3/16" = 1'-0"



PARK EIGHT
ENG // ARCH

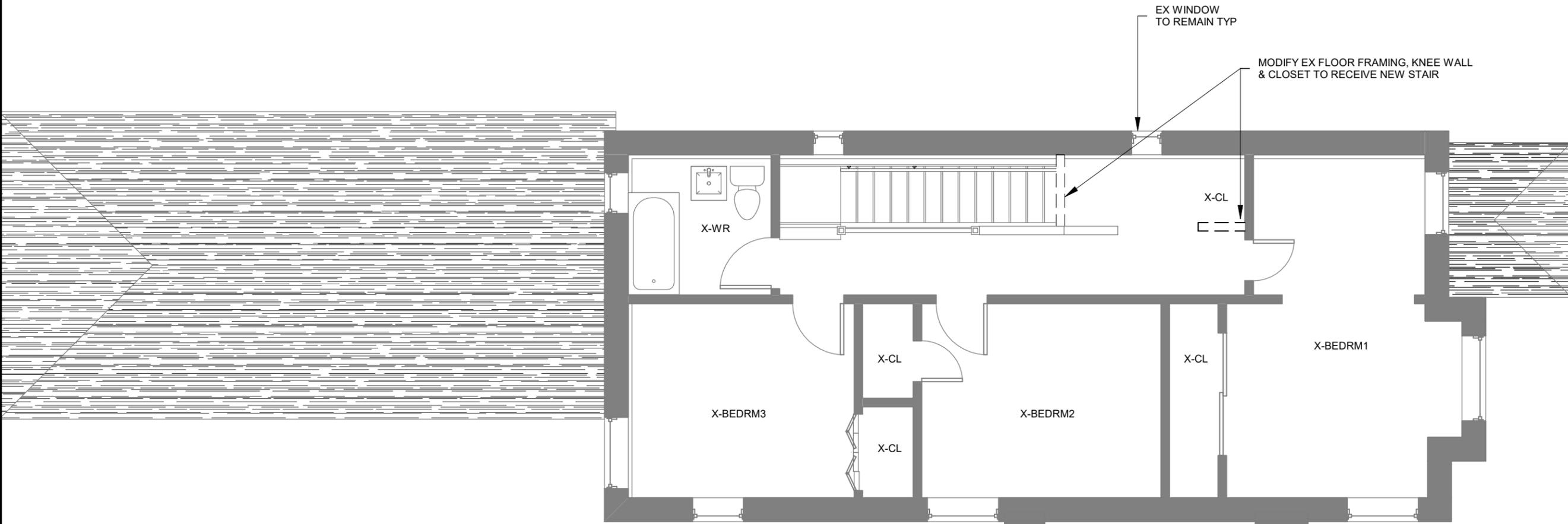
ADDITION
72 STANLEY AVE, HAMILTON

Project No. 22005
Revisions
Scale 3/16" = 1'-0"

FLOOR PLANS

A1.02

Sheet No. ©2021



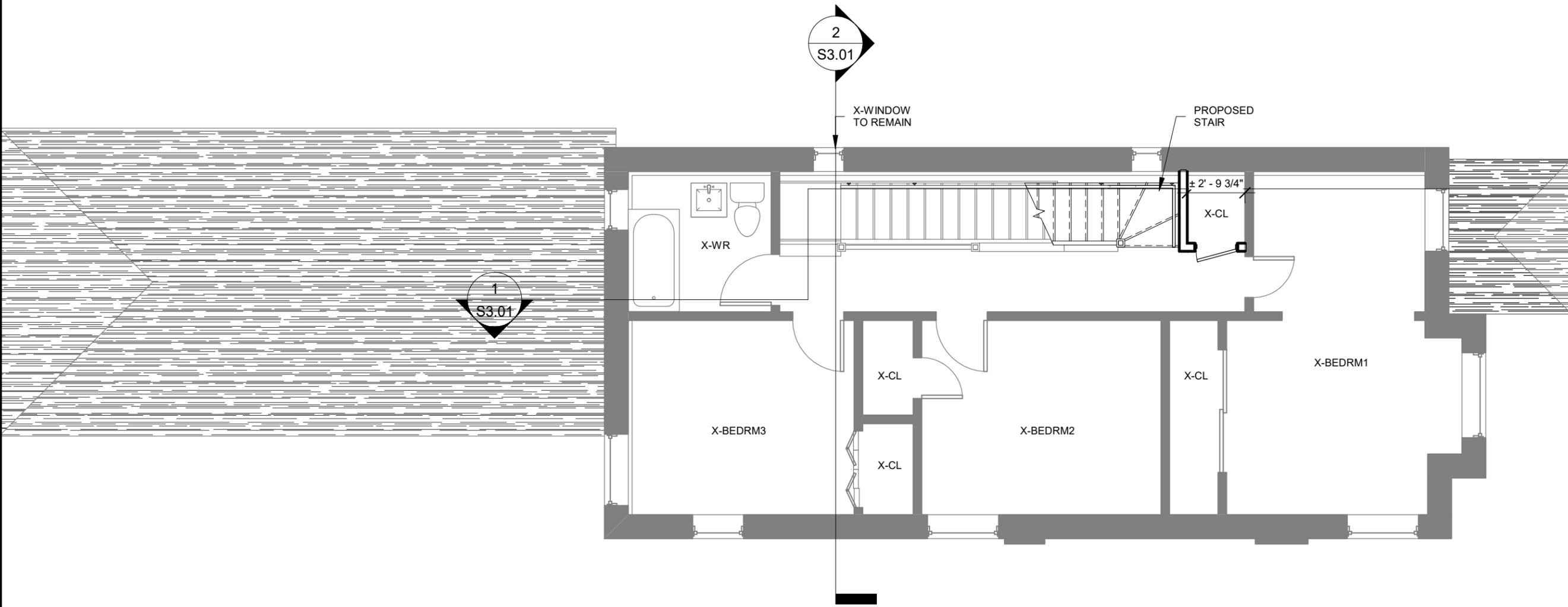
ADDITION
72 STANLEY AVE, HAMILTON

Project No. 22005
Revisions
Scale 3/16" = 1'-0"

FLOOR PLAN

A1.04

① LVL2 DEMO
3/16" = 1'-0"



**PARK
EIGHT**
ENG // ARCH

ADDITION
72 STANLEY AVE, HAMILTON

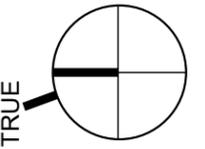
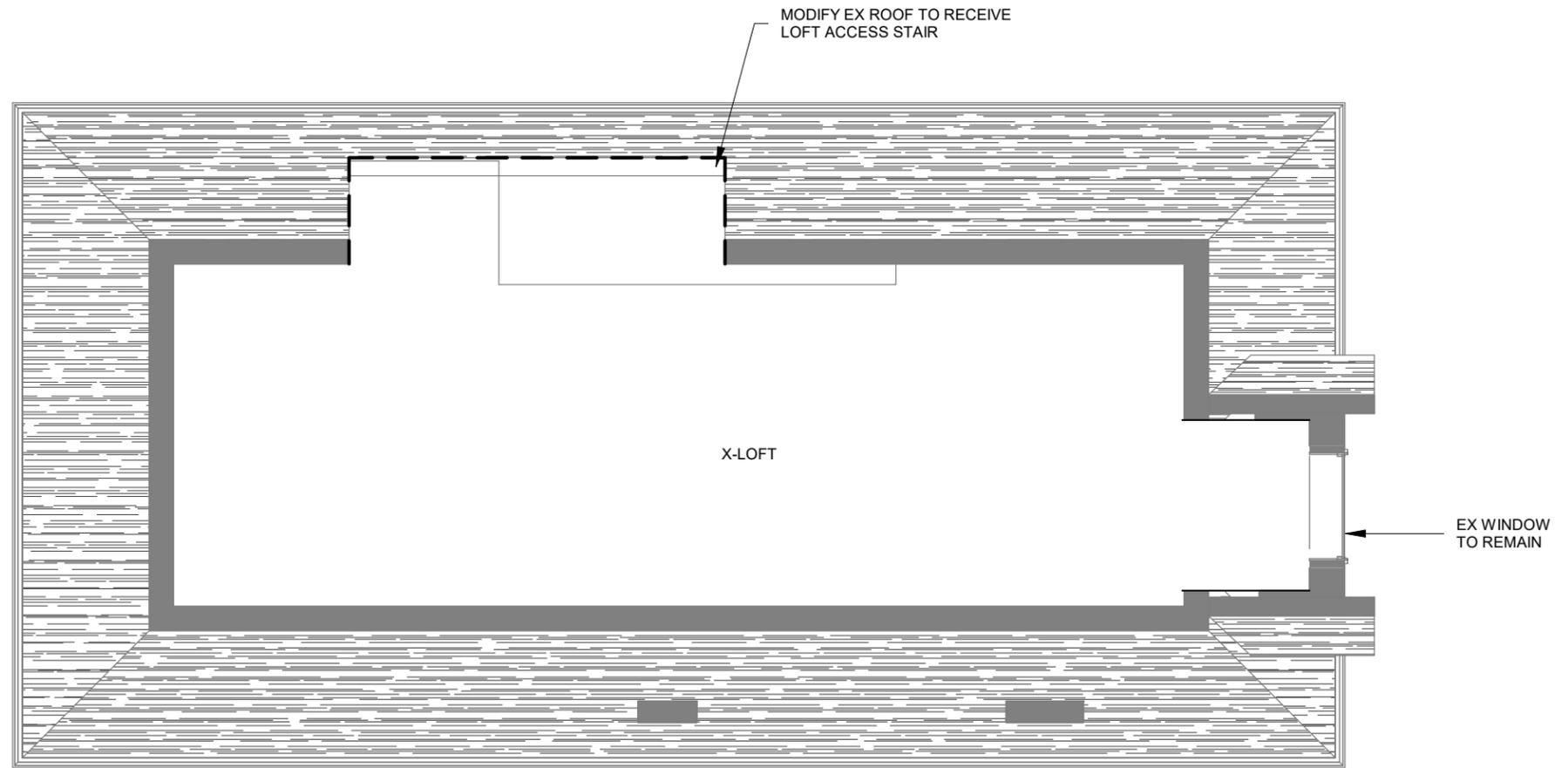
Project No. 22005
Revisions
Scale 3/16" = 1'-0"

FLOOR PLAN

A1.05

Sheet No. ©2021

① LVL2 PROP.
3/16" = 1'-0"



ADDITION
72 STANLEY AVE, HAMILTON

Project No. 22005

Revisions

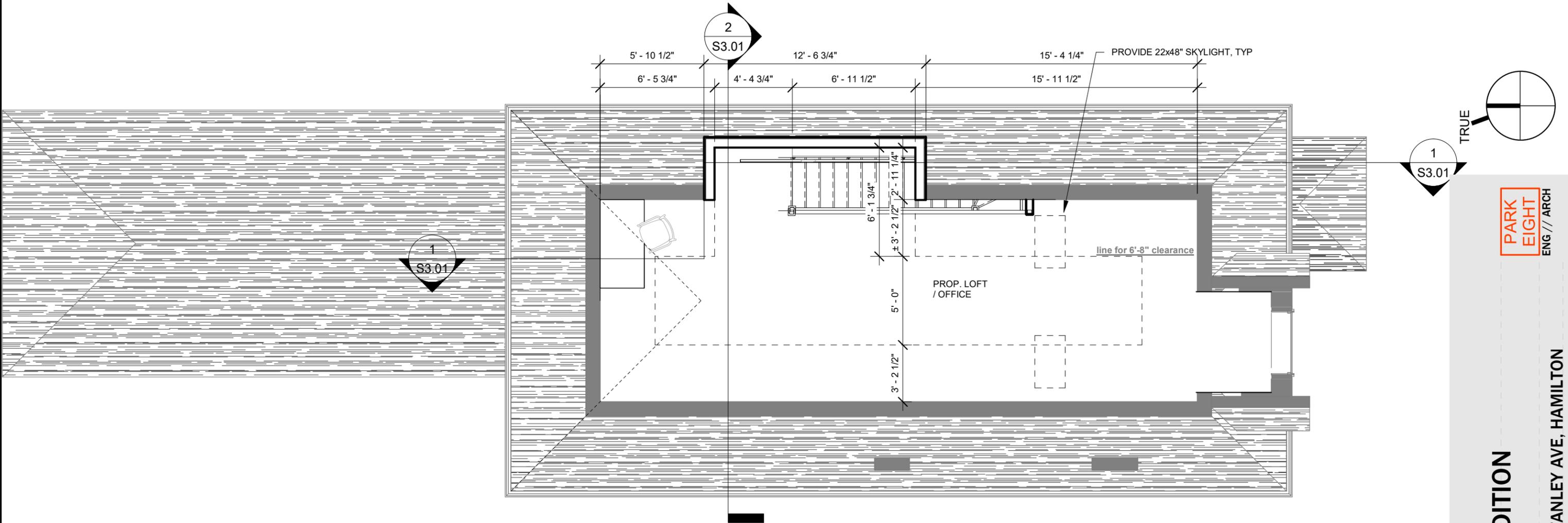
Scale 3/16" = 1'-0"

FLOOR PLANS

A1.06

Sheet No. ©2021

① LVL3 DEMO
3/16" = 1'-0"



**PARK
EIGHT**
ENG // ARCH

ADDITION
72 STANLEY AVE, HAMILTON

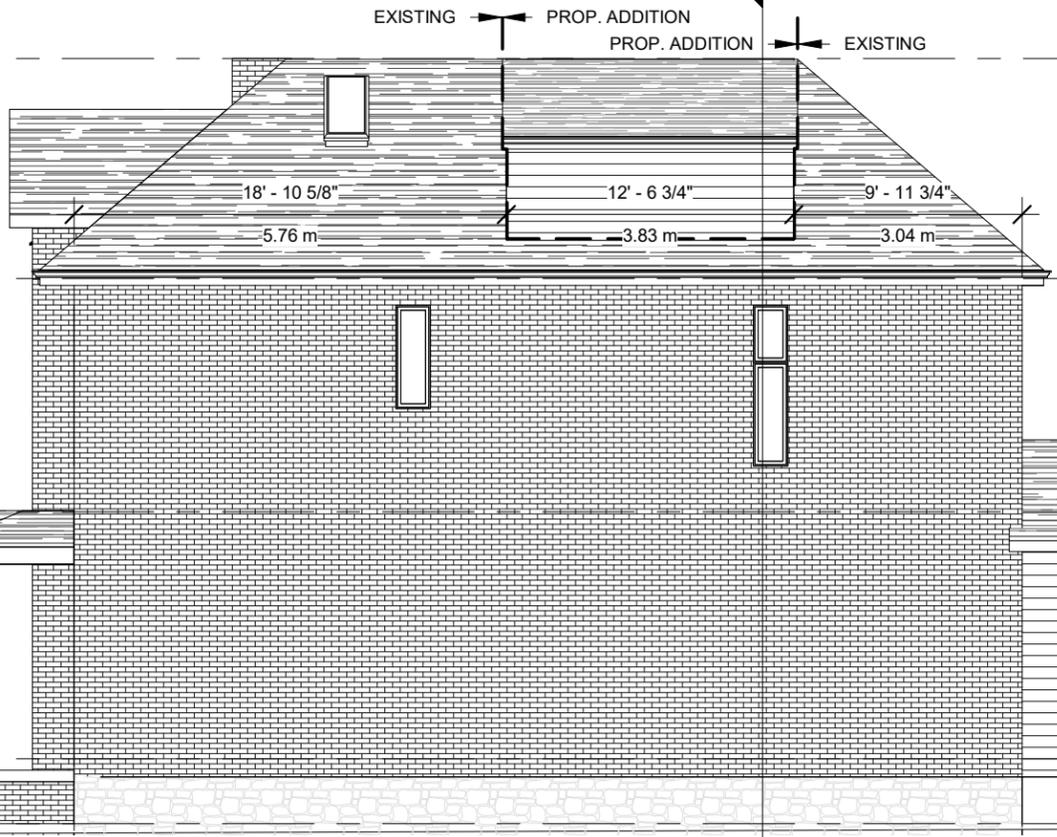
Project No. 22005
Revisions
Scale 3/16" = 1'-0"

FLOOR PLANS

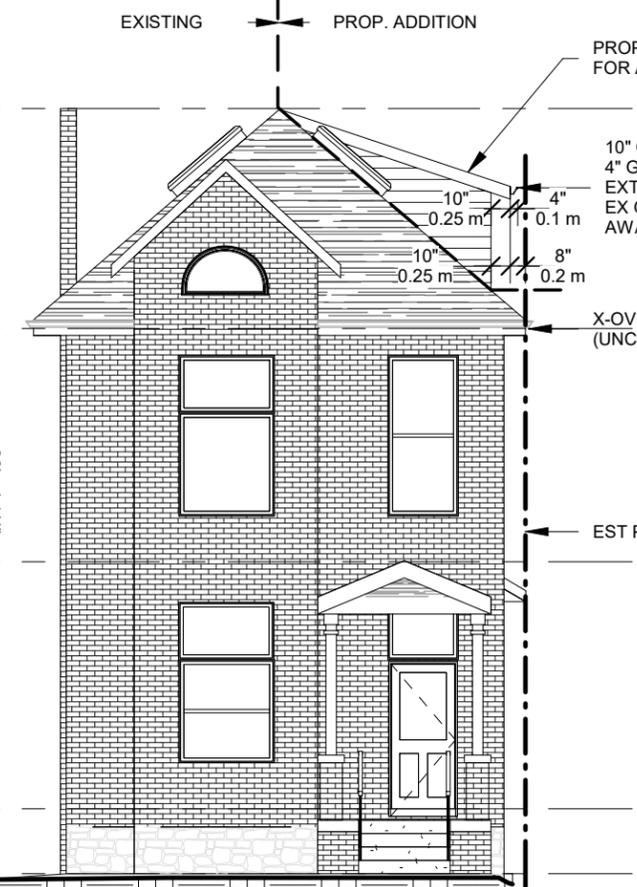
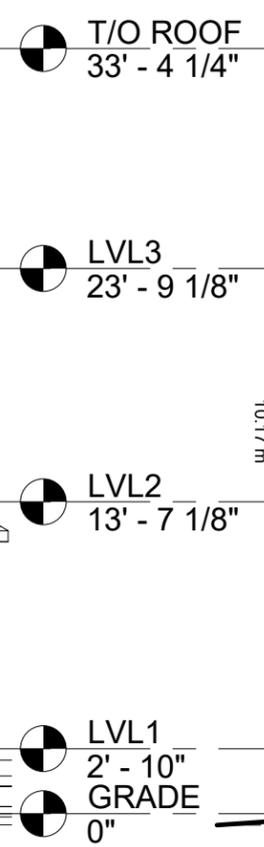
A1.07

Sheet No. ©2021

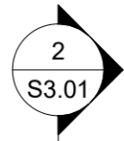
① LVL3 PROP.
3/16" = 1'-0"



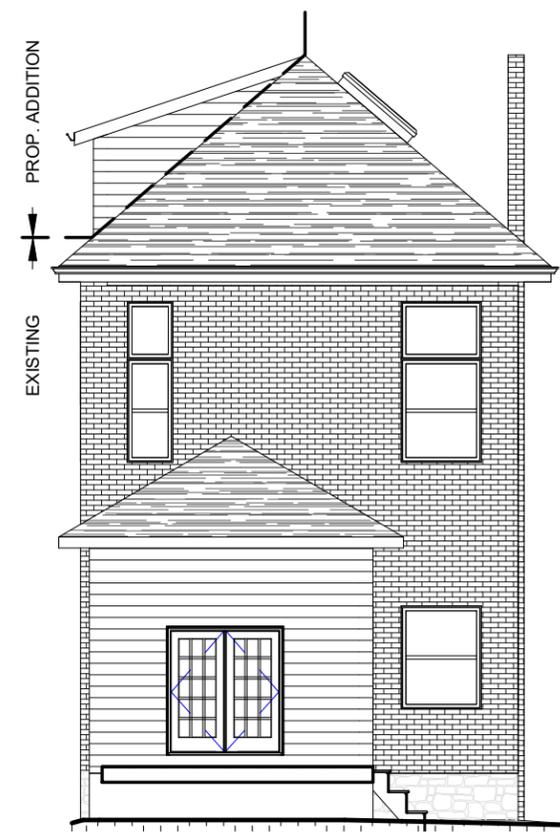
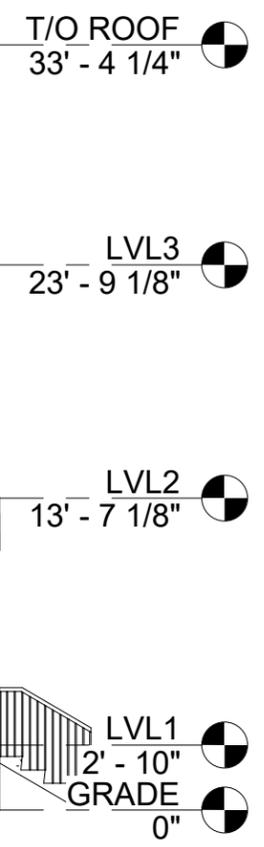
3 EXTR ELEV SIDE
1/8" = 1'-0"



4 EXTR FRONT
1/8" = 1'-0"



2 EXTR ELEV SIDE (DRIVE)
1/8" = 1'-0"



1 EXTR ELEV REAR
1/8" = 1'-0"



ADDITION

72 STANLEY AVE, HAMILTON

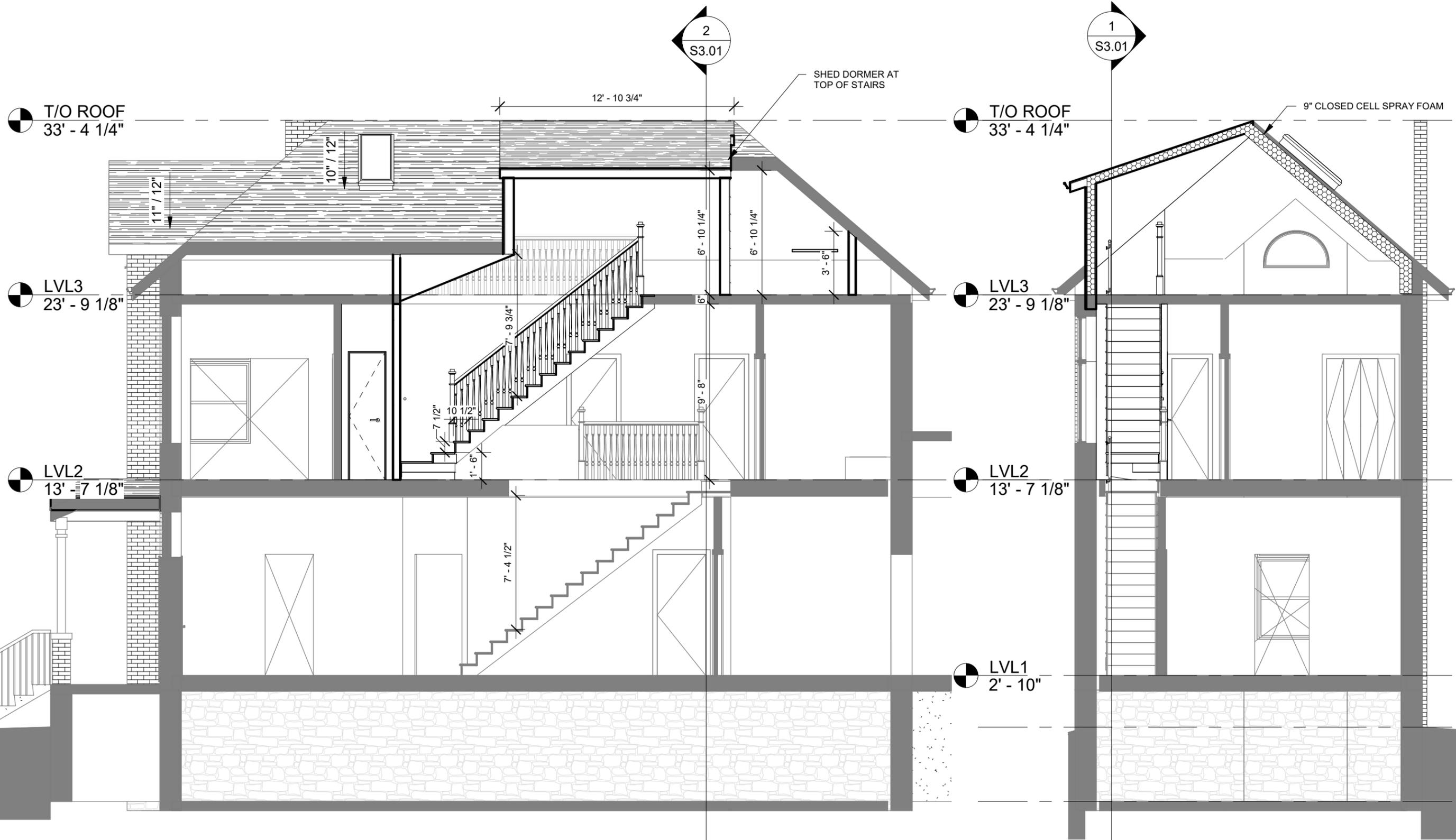
Project No. 22005
Revisions

Scale 1/8" = 1'-0"

ELEVATIONS

A2.01

Sheet No. ©2021



① NS STAIR SECTION
3/16" = 1'-0"

② EW STAIR SECTION
3/16" = 1'-0"

PARK EIGHT
ENG // ARCH

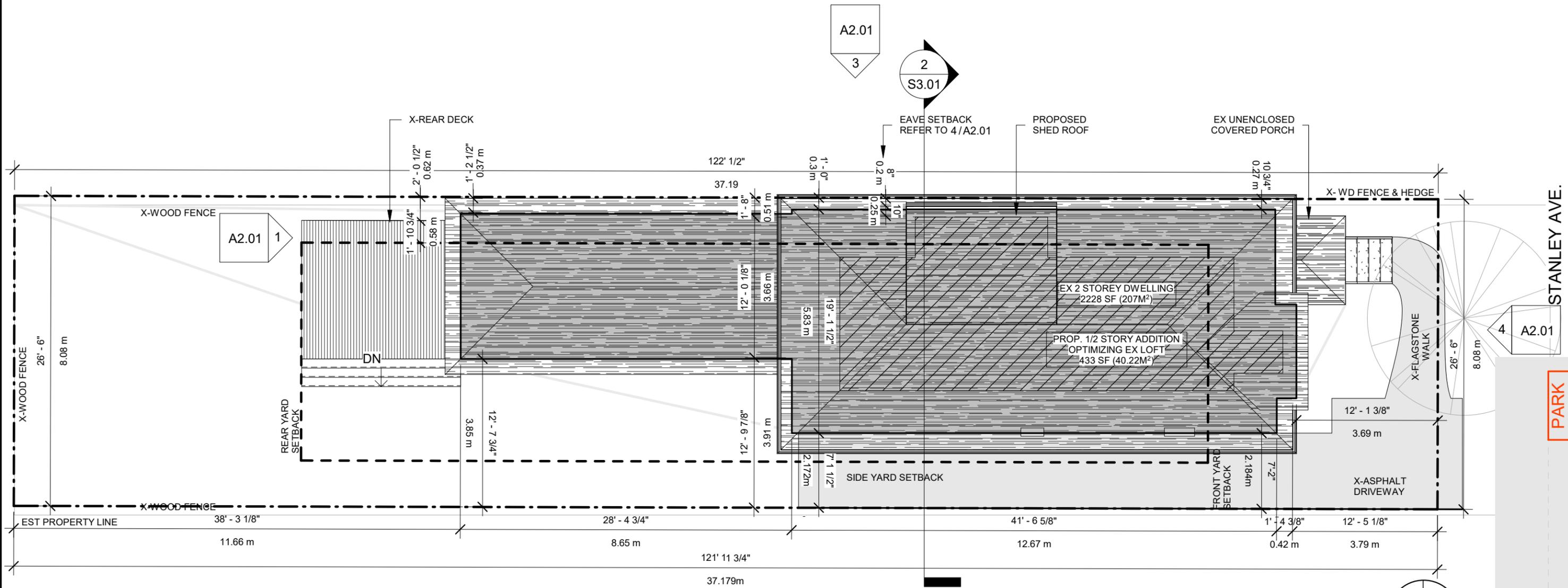
ADDITION
72 STANLEY AVE, HAMILTON

Project No. 22005
Revisions
Scale 3/16" = 1'-0"

SECTION & DETAILS

S3.01

Sheet No. ©2021



STANLEY AVE.

PARK EIGHT
ENG // ARCH

ADDITION
72 STANLEY AVE, HAMILTON

Project No. 22005
Revisions

Scale 1 : 100

SITE PLAN

SP1.01

Sheet No. ©2021



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		
Registered Owners(s)	Sonja Macdonald Shaker Paul Shaker		
Applicant(s)*	parkeight inc Pete V		
Agent or Solicitor	same as applicant		Phone: E-mail:

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

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

No mortgages or other encumbrances on the property
--

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

4. Nature and extent of relief applied for:

Relief from side yard setback to permit shed dormer for code appropriate stair access to existing loft.	Variances
No change to side yard encroachment distance	SIDE YARD setback Requirement: 1.2m Existing: .305m Proposed: .305m

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Dwelling setbacks are existing non-conforming

Ex legal non conforming occupancy. Refer to attached applicable law review review 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**):

72 Stanley Ave Hamilton, ON L8P 2L3
Registered plan no 108 Lot 5

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?

Existing residential for ±120 years

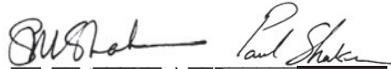
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 13, 2022
Date



Signature Property Owner(s)

Sonja Macdonald Shaker & Paul Shaker
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	8.08m
Depth	37.19m
Area	300.5m ²
Width of street	8.3m

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: _

LVL1 floor Area: 1164sf [108m ²]	Width: 18' 5-7/8" [5.64m]
LVL2 floor Area: 827sf [76.8m ²]	Length: 71' 7-3/8" [21.83m]
Gross Floor Area: 1991sf [185m ²]	Height: 33' 4-1/4" [10.17m]
Number of Stories: 2	

Proposed

LVL1 floor Area: 1164sf [108m ²]	Width: 18' 5-7/8" [5.64m] unchanged
LVL2 floor Area: 827sf [76.8m ²]	Length: 71' 7-3/8" [21.83m] unchanged
LVL3 floor Area: 440sf [40.8m ²]	Height: 33' 4-1/4" [10.17m] unchanged
Gross Floor Area: 2431sf [225.8m ²]	
Number of Stories: 2 1/2	

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

Existing:

Front yard:	12' 1-3/4" [3.7m]
Side yard:	1'-0" [.3m]
Side yard (drive):	7' 2" [2.18m]
Rear yard:	38' 2-3/4" [11.65m]

Proposed:

Front yard:	12' 1-3/4" [3.7m]	unchanged
Side yard:	1'-0" [.3m]	unchanged
Side yard (drive):	7' 2" [2.18m]	unchanged
Rear yard:	38' 2-3/4" [11.65m]	unchanged

13. Date of acquisition of subject lands:
June 30th, 2015
-
14. Date of construction of all buildings and structures on subject lands:
1896 (approx 120 years old)
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential
-
17. Length of time the existing uses of the subject property have continued:
±120 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:
n/a
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
n/a
21. Has the owner previously applied for relief in respect of the subject property? (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)
Providing code compliant access stair to existing 1/2 storey loft, adds value to a dwelling and reflects responsible homeownership.
Proposal is appropriate for the neighborhood
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.

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the _____ day of _____ 20 ____.

BETWEEN

(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated _____.

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED

Owner: c/s
Title:
I have authority to bind the corporation

Assignee: c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:196	SUBJECT PROPERTY:	120 FLATT AVENUE, HAMILTON
ZONE:	"C" (Urban Protected Residential, etc.)	ZONING BY-LAW:	Zoning By-law 6593, as Amended 21-137

APPLICANTS: Agent B. McFadgen
Owners K. Duvniak & C. Sharpe

The following variances are requested:

1. A minimum rear yard of 5.80 metres shall be permitted, instead of the minimum required rear yard of 7.5 metres.

PURPOSE & EFFECT: So as to permit the development of a one-storey addition in the rear yard and the conversion of the existing single detached dwelling to contain a Secondary Dwelling Unit.

Notes:

1. It is noted in the Cover Letter submitted in support of the minor variance application, and prepared by Katie Duvnjak, that the proposed addition is not intended to function as a Secondary Dwelling Unit. Please note that as per amending By-law No. 21-137, a Secondary Dwelling Unit is defined as follows:

"A separate and self-contained Dwelling Unit that is accessory to and located within the principle dwelling".

As the proposed building addition is to be a separate and self-contained Dwelling Unit, as defined by Hamilton Zoning By-law No. 6593, that is accessory to the principle dwelling and forms part of the principle dwelling, the proposed development has been reviewed as a Secondary Dwelling Unit and the regulations contained in amending By-law No. 21-137. Note that the proposed building addition has also been reviewed for compliance with the "C" District regulations i.e. height, area requirements, etc.

HM/A-22:196

2. Please note that the submitted elevation drawings included as part of this application, indicate a building height of 3.70 metres for the proposed addition. However, the height indicated does not appear to indicate “Building Height” and “Grade” as established by Hamilton Zoning By-law No. 36920-92; therefore, the height of the proposed building cannot be confirmed to establish zoning compliance.
3. Please note that the specific projection of the proposed eaves/gutters was not indicated on the materials included as part of this application. Additional variances may be required if compliance with Section 18(3)(vi)(b) is not possible.
4. Construction of the proposed addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	3:10 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

HM/A-22:196



 Subject Lands

DATED: June 28, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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Hamilton

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City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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2. In person Oral Submissions

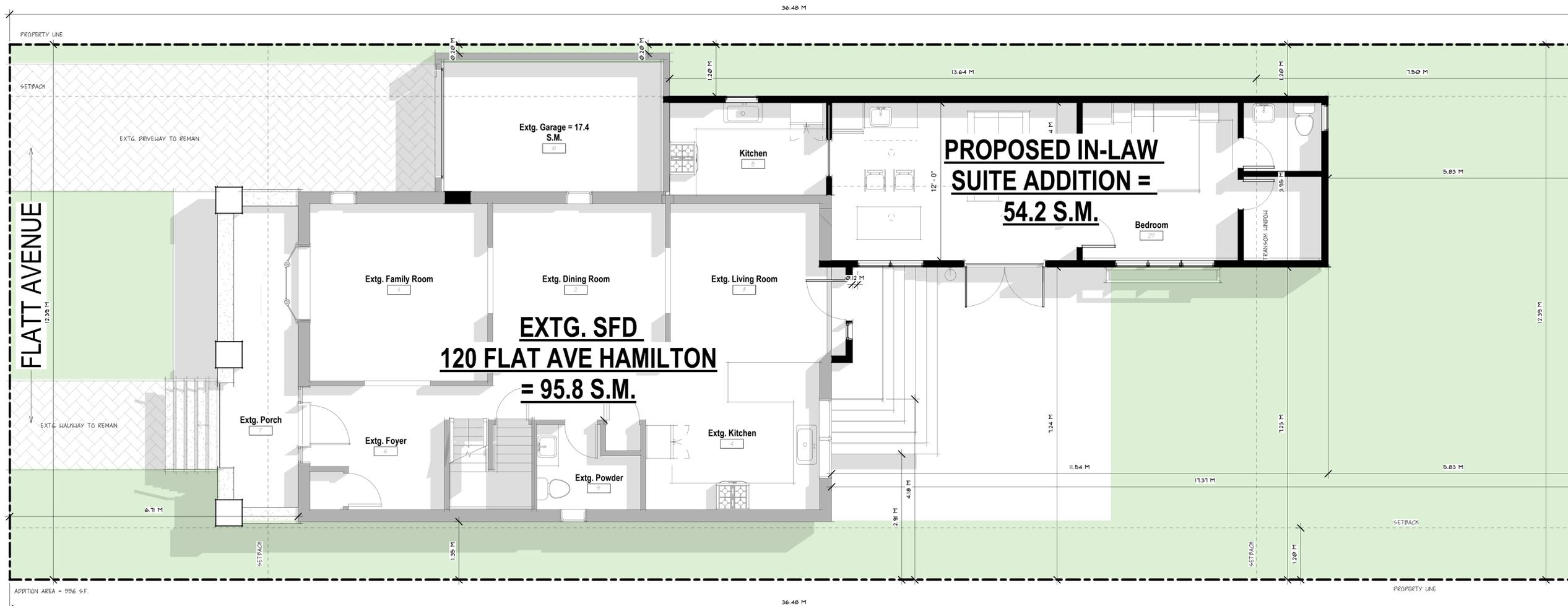
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DUVNAJK RESIDENCE IN-LAW SUITE ADDITION

Lot Coverage Stats.			Zoning Requirements		
	SQUARE METERS	%		MINIMUM	PROPOSED
TOTAL LOT AREA	451.00		LOT FRONTAGE	12M	12.39M
ADDITION & EXTG. HOME	150.00	33.26%	FRONT YARD SETBACK	6M	6.71M
GARAGE	17.40	3.86%	REAR YARD SETBACK	7.5M	5.83M
			SIDE YARD SETBACKS	1.2M	1.2M
			BUILDING HEIGHT	11M	3.7M (ADDITION)
TOTAL BUILDING COVERAGE	167.40	37.12%	ZONE	ZONE C (FORMER CITY OF HAMILTON)	
MAXIMUM LOT COVERAGE	NA	NA	MINOR VARIANCE	REAR YARD SETBACK	



1 Site Plan Proposed
1/4" = 1'-0"

SHEET LIST:

1. A001 - COVER PAGE & SITE PLAN
2. A002 - ASSEMBLIES & DETAILS
3. A101 - MAIN FLOOR & FOUND. PLAN
4. A102 - ROOF PLAN & SECTIONS
5. A201 - ELEVATIONS

SCOPE OF WORK:

CONSTRUCTION OF NEW INLAW SUITE ADDITION ON EXTG. PROPERTY. NEW ADDITION TO BE 556 SQUARE FEET (GROSS FLOOR AREA) AND ONE STOREY ONLY



Ministry of Municipal Affairs and Housing
 Qualification Information
 The Undersigned has reviewed and takes responsibility for this design and has the Qualifications and meets the Requirements set out in the Ontario Building Code to be a Designer.
 Require Unless Design in Exempt Under 2.17.5.1. & 2.17.4.1. of the O.B.C.
 Name: Benjamin McFadden
 BCIN: 102786
 BM Architectural Design: 108614

BM ARCHITECTURAL DESIGN
 58 Hackney Ridge, Brantford, Ontario
 benjamin@bmarchitecturaldesign.com
 519.721.4866

PROJECT
 Home Addition
Duvnajak Residence

120 Flatt Ave Hamilton, ON

DRAWING NAME: **Cover Page**
 DRAWING NO.: **A001**

WALL ASSEMBLIES

W1 TYPICAL SIDING WALL
PRE-FINISHED SIDING (REFER TO ALL ELEVATIONS FOR SIDING TYPE/STYLE) TYVEK BUILDING WRAP 1/2" PLYWOOD SHEATHING 2X4 WOOD STUDS @ 16" O.C. WITH (R24) SPRAY FOAM INSUL. 1/2" GYPSUM WALL BOARD

W2 TYPICAL INTERIOR WALL
1/2" GYPSUM WALL BOARD 2X4 WOOD STUDS @ 16" O.C. 1/2" GYPSUM WALL BOARD
(PROVIDE SOUND BATT INSUL. IN ALL BATHROOM WALLS THAT ARE ADJACENT TO OTHER LIVING SPACES)

W3 TYPICAL GARAGE INTERIOR WALL
5/8" TYPE X GYPSUM WALL BOARD (SEE DETAIL) 1/4" (R2) COMFORTBOARD 80 BY ROCKWOOL 2X4 WOOD STUDS @ 16" O.C. 1/2" GYPSUM WALL BOARD 5/8" TYPE X GYPSUM WALL BOARD

W4 TYPICAL 8" FOUNDATION WALL
PARGE EXPOSED FOUNDATION DIMPLE DRIP DRAINAGE LAYER 8" 28 MPa FOUNDED CONCRETE FOUNDATION WALL OVER 20'x8' FOOTING (MIN. 4'-0" BELOW GRADE)

FLOOR ASSEMBLIES

F1 INTERIOR FILL
TYPICAL BASEMENT CONC FLOOR FLOOR FINISH 4" FOUNDED CONCRETE FLOOR SLAB 10ML VAPOUR MATT (TAPE SEAMS) 4" (MIN) 5/4" CLEAR CRUSHED STONE COMPACTED BASE
(OPTIONAL - PROVIDE 2" OF (R10) RGP FOAM INSULATION UNDER SLAB)

ROOF ASSEMBLIES

R1 TYPICAL ASPHALT SHINGLE ROOF
30 YEAR ASPHALT SHINGLES FELT UNDERLAYMENT FULLY ADHERED WATERPROOF MEMBRANE 1/2" EXT. GRAPE PLYWOOD SHEATHING ENGINEERED ROOF TRUSSES (BY OTHERS) 1/4" (R60) PLOUGH-IN INSULATION 6 ML SUPER POLY V.P. 1/2" GYPSUM WALL BOARD
(SPRAY FOAM VAULTED AREA TO ACCOMPLISH R30 INSULATING VALUE)

1 Construction Assemblies
NTS

GENERAL NOTES

- THE ONTARIO BUILDING CODE, LATEST EDITION, SHALL BE THE BASIS FOR ALL DESIGN AND CONSTRUCTION FOR THIS PROJECT.
- THE CONTRACTOR SHALL FIELD VERIFY ALL RELEVANT CONDITIONS AND DIMENSIONS PRIOR TO COMMENCEMENT OF DEMOLITION AND NOTIFY THE ARCHITECTURAL DESIGNER & SUPPORTING CONSULTANTS OF ANY DISCREPANCIES WITH THE DRAWINGS PRIOR TO COMMENCEMENT OF WORK.
- DEMOLITION WORK SHALL BE EXECUTED IN A CAREFUL AND CAREFUL MANNER. ALL DEMOLISHED MATERIALS UNLESS OTHERWISE NOTED SHALL BECOME THE PROPERTY OF THE CONTRACTOR FOR DISPOSAL OFF-SITE AT HIS EXPENSE IN A LEGAL MANNER.
- THE WORK INVOLVED HEREIN SHALL BE THE ENTIRE RESPONSIBILITY OF THE CONTRACTOR WHO SHALL ENSURE THAT SUCH WORK IS PROPERLY CARRIED OUT BY HIS FORCE OR HIS SUBCONTRACTORS. THE CONTRACTOR SHALL CONFIRM FOR HIMSELF THAT ALL ITEMS ARE COVERED.
- REFER TO CONSULTANT'S DRAWINGS FOR EXTENT OF MECHANICAL WORK. COORDINATE BETWEEN ALL DISCIPLINES.
- OWNERS SHALL REMOVE PRESERVED ITEMS (E.G. PLAQUES, PICTURES) OFF WALLS & FURNITURE PRIOR TO COMMENCEMENT OF CONTRACT WORK. THIS CONTRACTOR TO COORDINATE W/ OWNER FOR EXTENT OF WORK.
- THE FLOOR PLAN AS SHOWN IS A SCHEMATIC REPRESENTATION OF THE BUILDING AND IS FOR REFERENCE ONLY. A COMPLETE AND THOROUGH ON-SITE INSPECTION IS TO BE CARRIED OUT PRIOR TO SUBMITTING TENDERS.
- REMOVE & SALVAGE ALL COPPER GUTTERS, DOWNPIPES, & FLASHING.

GENERAL NOTES

- DIMENSIONS FOR INTERIOR PARTITION WALLS ARE FROM FINISHED FACE TO CENTRE OF STUD.
- DIMENSIONS FOR EXTERIOR WALLS TO EXTERIOR FACE OF WOOD STUD OR FINISHED FACE WALL.
- ALL DIMENSIONS TO AN EXISTING WALL ARE TO FINISHED FACE. CONTRACTOR TO SITE VERIFY EXISTING CONDITIONS AND REPORT DISCREPANCIES.
- DISPOSE OF REMOVED ITEMS IN A LAWFUL MANNER IN ACCORDANCE WITH MUNICIPAL STANDARDS.
- CARE SHALL BE TAKEN TO MINIMIZE DAMAGE TO ADJUTING PROPERTIES.
- PROVIDE APPROVED FASTENING DEVICES INCLUDING JOIST HANGERS.
- MAIN BATHROOM TO HAVE STUD FLOORING FOR FUTURE INSTALLATION OF GRAP BARS.
- VENT ALL FANS TO EXTERIOR INCLUDING FANS FOR DRYER.
- PROVIDE 1/2" GEMENT BOARD IN-STEAD OF GYPSUM BOARD IN ALL SHOWERS & TUBS.

OPENINGS & HEADERS

- MOUNT ALL WINDOWS TO ALIGN WITH EXTERIOR DOORS UNLESS NOTED OTHERWISE ON DRAWINGS.
- HEADERS TO BE 2-2X10 WITH 1 JACK-POST + 1 RING STUD UNLESS NOTED OTHERWISE.
- PROVIDE 3/4" X 3/4" X 1/4" STEEL BRON ANGLE TYP. FOR ALL OPENINGS IN MASSCONRY UP TO MAX SPAN OF 8'-0" OR UNLESS ANNOTATED OTHERWISE.

GLARD RAILS & RAILINGS

- ALL INTERIOR STAIR RAILINGS TO BE 36" H AS PER OBC 2012.
- PROVIDE 36" CONSTRUCTION GLARD AT ANY POOR 24" ABOVE GRADE OR FLOOR OPENING DURING THE COURSE OF CONSTRUCTION.
- ALL STAIRS & RAILS TO COMPLY WITH OBC 98.7.

ROOF & ATTIC SPACE

- PROVIDE DURAFLD 90 ROOF VENTS TO 1:90 RATIO AS PER OBC 2012.
- PROVIDE PRE-PAINTED METAL VALLEYS AND EAVES STARTER.
- PROVIDE STEP FLASHING AS REQUIRED.
- PROVIDE KITCHEN & BATH EXHAUSTS AS REQUIRED.
- PROVIDE (1) BASE ROW ULTA BASE SHEET.
- ENSURE MIN. 2-1/2" AIR SPACE IS MAINTAINED BETWEEN INSULATION & UNDERSIDE OF SHEATHING IN-TALL PER PERMITS AS REQUIRED.
- NO FIRE STOP REQUIRED IN ATTICS LESS THAN 8.290 SF. AND NO DIMENSIONS GREATER THAN 69'-7" AS PER DRAWINGS.

HEATING, VENTILATION & A/C

- REFER TO HEAT LOSS DESIGN & ASSESSMENTS AND ENERGY EFFICIENCY DESIGN SUMMARY.
- VENT DRYER & ALL EXHAUST FANS TO EXTERIOR.
- TYPE OF HEATING SYSTEM FORCED AIR + AIR CONDITIONING.

SMOKE & CO. DETECTORS

- SMOKE DETECTORS ARE TO BE PROVIDED AS PER OBC 910.9.3.
- CARBON MONOXIDE DETECTORS ARE TO BE PROVIDED AS PER OBC 933.4.2.

FOUNDATION NOTES

- CONTRACTOR TO SITE VERIFY ANY STEP FOOTINGS IN THE EXISTING FOUNDATION WALL ADJACENT AT THE ADDITION & REPORT FINDINGS TO ARCHITECTURAL DESIGNER FOR REVIEW OF UNDERPINNING NECESSARY.
- PROVIDE 4" PERFORATED WEEPING TILE WITH CLOTH COVER CONNECTED TO SEALED SUMP PIT C/W PUMP. PROVIDE MIN. 6" COVERAGE OF CLEAR STONE.

SITE PLAN NOTES

- REFER TO TOPOGRAPHICAL SURVEY FOR ALL SITE STATISTICS & GRADING.

2 General Notes
NTS

DIMPLE DRAINAGE MEMBRANE/PROTECTION BOARD 1/4" TERMINATION EDGE & WATERPROOFING MEMBRANE

MIN. FOOTING REINFORCING TYP. 20'x8' W/ CONT. 2-4M HORIZ. BAR 1/4" COVE PARING. MIN. FOOTING DEPTH 4'-0" BELOW GRADE

4" DIA CORRUGATED PLASTIC WEEPING TILE W/ FILTER SCREEN SET AT BOTTOM OF FOOTING

12" DEEP LAYER OF CRUSHED STONE SURROUND (MIN) SLOPE WEEPING TO SUMP PIT & PUMP OR TO DRAIN

2" THICK RIDGE INSULATION (OPTIONAL)

Typical Found. Wall at Footing Detail
1" = 1'-0"

BUILT-UP STUD CONNECTIONS

FASTENING OPTION	MINIMUM FASTENING
2-98XB9 [2-2X4] 2-98-402 [2-2X6] 2-98XB4 [2-2X8]	(2) STAGGERED ROWS @ 98XB2 @ 0.19'X9.29' NALS @ 20"(12") O.C. NAL FROM ONE SIDE
3-98XB9 [3-2X4]	(2) STAGGERED ROWS @ 98XB2 @ 0.19'X9.29' NALS @ 29"(10") O.C. NAL FROM ONE SIDE
3-98XB4 [3-2X6]	(2) STAGGERED ROWS @ 98XB2 @ 0.19'X9.29' NALS @ 48"(7") O.C. NAL FROM ONE SIDE
4-98XB9 [4-2X4]	NAL EACH PLY TO THE OTHER W/ (2) ROWS @ 98XB2 @ 0.19'X9.29' NALS @ 48"(7") O.C. WHEN CONNECTING EACH PLY. OFFSET NAL ROWS BY 3"(2") FROM THE PLY BELOW.
4-98XB4 [4-2X6]	NAL EACH PLY TO THE OTHER W/ (2) ROWS @ 98XB2 @ 0.19'X9.29' NALS @ 48"(7") O.C. WHEN CONNECTING EACH PLY. OFFSET NAL ROWS BY 3"(2") FROM THE PLY BELOW.
	OR (2) ROWS @ 18"(12") THRU BOLTS @ 29"(10") O.C.

Built-up Studs & Posts
NTS

MINIMUM FASTENING FOR SIDE-LOADED BEAMS

FASTENING OPTION	2-PLY BEAMS	3-PLY BEAMS	4-PLY BEAMS
(2) ROWS @ 0.19'X9.29' NALS	9" O.C.	4" O.C. (BOTH SIDES)	N/A
(3) ROWS @ 0.19'X9.29' NALS	9" O.C.	7" O.C. (BOTH SIDES)	N/A
(2) ROWS @ 1/2" THRU BOLTS	16" O.C.	12" O.C.	11" O.C.
(2) ROWS 3-1/2" LONG 5/8" SCREWS BY SIMPSON	18" O.C.	14" O.C. (BOTH SIDES)	N/A
(2) ROWS 6" LONG 5/8" SCREWS BY SIMPSON	N/A	N/A	14" O.C. (BOTH SIDES)

MINIMUM FASTENING FOR TOP-LOADED BEAMS

FASTENING OPTION	2-PLY BEAMS	3-PLY BEAMS	4-PLY BEAMS
(2) ROWS @ 0.19'X9.29' NALS	10" O.C.	9" O.C. (BOTH SIDES)	N/A
(3) ROWS @ 0.19'X9.29' NALS	12" O.C.	10" O.C. (BOTH SIDES)	N/A
(2) ROWS @ 1/2" THRU BOLTS	24" O.C.	24" O.C.	22" O.C.
(2) ROWS 3-1/2" LONG 5/8" SCREWS BY SIMPSON	24" O.C.	24" O.C. (BOTH SIDES)	N/A
(2) ROWS 6" LONG 5/8" SCREWS BY SIMPSON	N/A	N/A	24" O.C. (BOTH SIDES)

BUILT-UP BEAM DETAIL NOTES

- THIS DETAIL IS FOR BUILT-UP BEAMS OF NOMINAL 2X SAWN LUMBER OR 1 1/2" THICK STRUCTURAL COMPOSITE LUMBER MEMBERS.
- PETAL DEPTS. THREE ROWS OF FASTENERS WHERE TWO ROWS ARE PERMITTED, OMIT THE CENTRE ROW.
- FOR SIDE-LOADED BEAMS (E.G. FLUSH BEAMS), REFER TO THE TABLE FOR MAXIMUM FASTENER SPACING.
- FOR NAILED BUILT-UP BEAMS, MINIMUM 3 ROWS OF NALS ARE REQUIRED FOR BEAMS GREATER THAN 12" DEEP.
- FOR TOP-LOADED BEAMS, LOAD MUST BE APPLIED OVER THE FULL WIDTH OF THE BEAM. OTHERWISE, FASTENING REQUIREMENTS FOR SIDE-LOADED BEAMS SHALL APPLY.

Built-up Beams
NTS

Ministry of Municipal Affairs and Housing

Qualification Information
The Undersigned has reviewed and takes responsibility for this design and has the Qualifications and meets the Requirements set out in the Ontario Building Code to be a Designer.
Require Unless Design in Exempt Under 2.17.5.1. & 2.17.4.1. of the O.B.C.

Name: Benjamin McRadgen BCIN 102786
BM Architectural Design 108614

BM ARCHITECTURAL DESIGN

58 Hackney Ridge, Brantford, Ontario
benjamin@bmarchitecturaldesign.com
519.721.4866

PROJECT
Home Addition
Duvnjak Residence

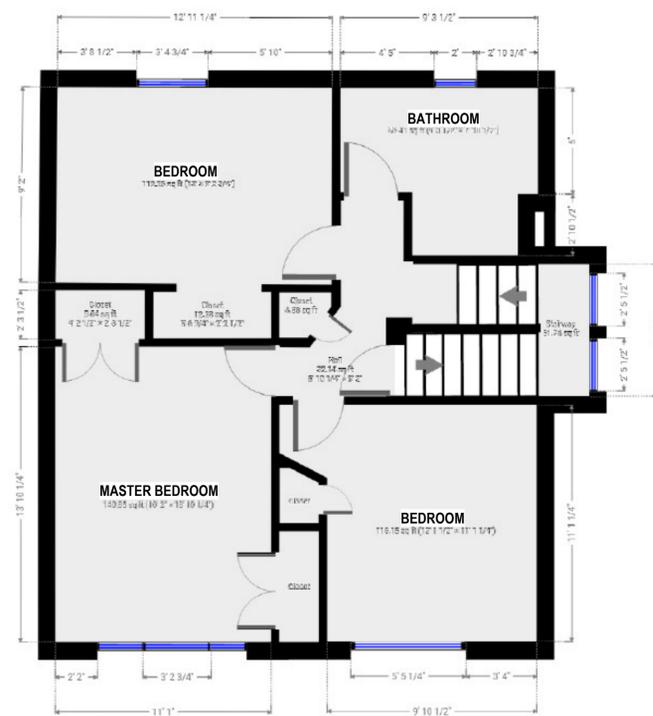
120 Flatt Ave Hamilton, ON

DRAWING NAME
Assemblies & Notes

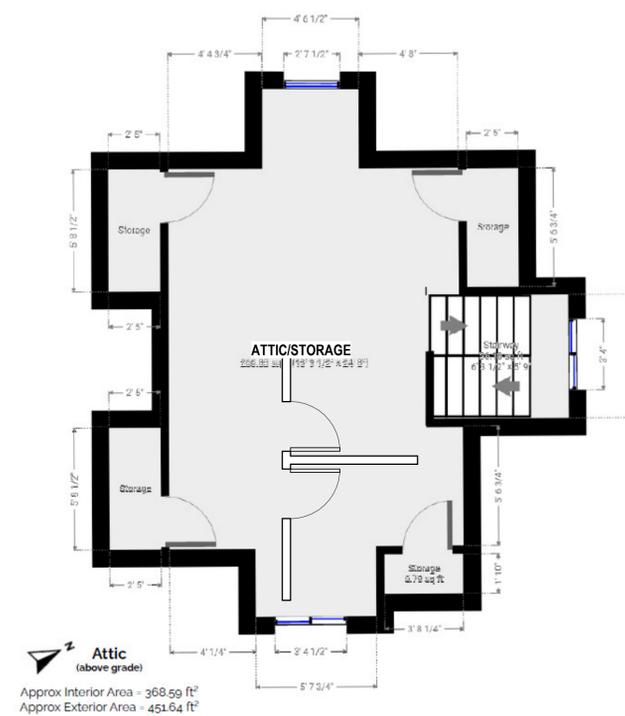
DRAWING NO.
A002



EXTG. BASEMENT PLAN



EXTG. SECOND FLOOR PLAN



EXTG. ATTIC PLAN



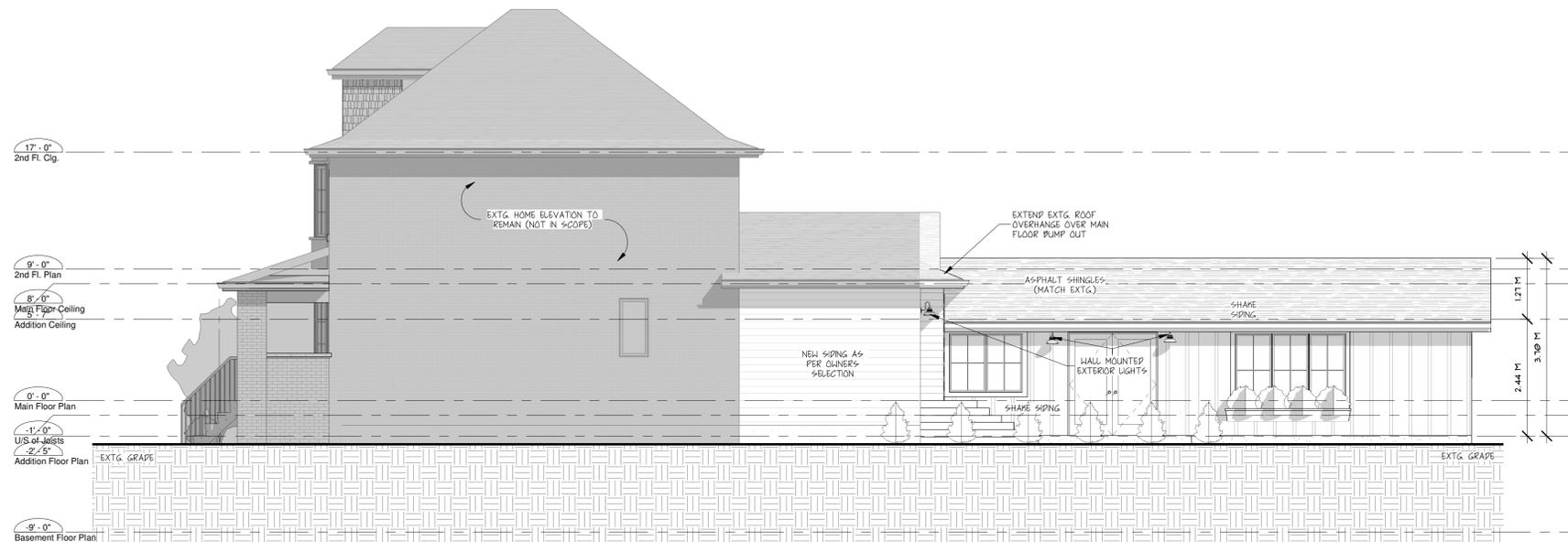
58 Hackney Ridge, Brantford, Ontario
 benjamin@bmarchitecturaldesign.com
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PROJECT
 Home Addition
Duvnjak Residence

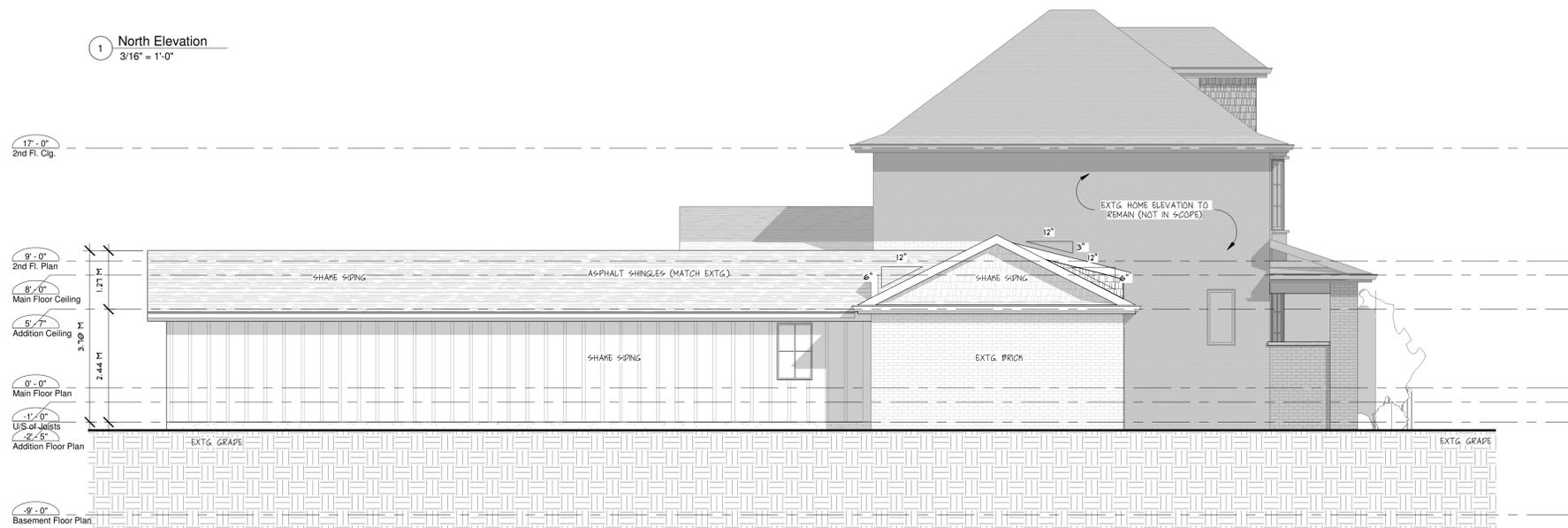
120 Flatt Ave Hamilton, ON

DRAWING NAME
Existing Plans

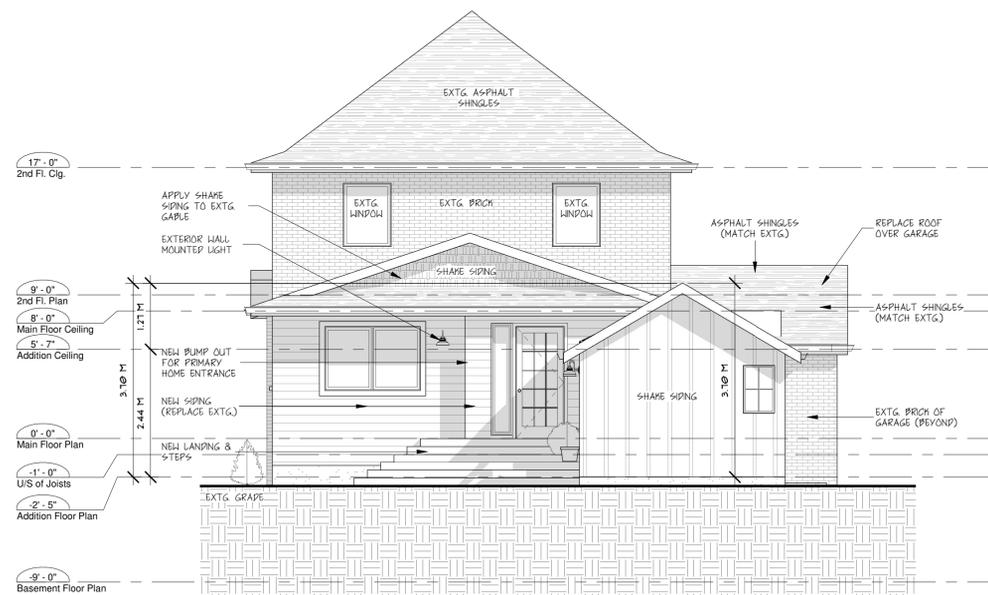
DRAWING NO.
A102



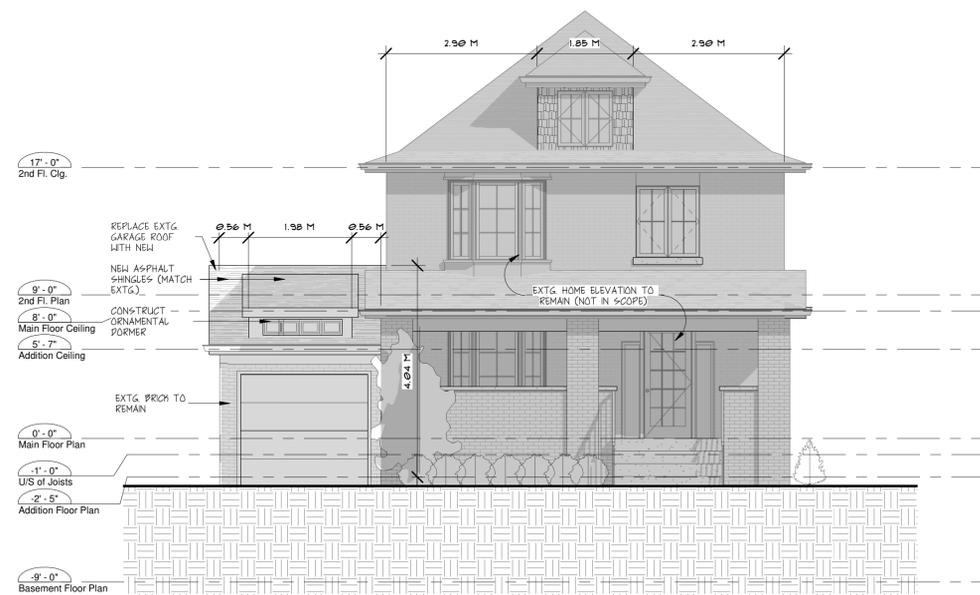
1 North Elevation
3/16" = 1'-0"



2 South Elevation
3/16" = 1'-0"



3 West Elevation
3/16" = 1'-0"



4 East Elevation
3/16" = 1'-0"

Ministry of Municipal Affairs and Housing
Qualification Information
 The Undersigned has reviewed and takes responsibility for this design and has the Qualifications and meets the Requirements set out in the Ontario Building Code to be a Designer.
 Require Unless Design in Exempt Under 2.17.5.1. & 2.17.4.1. of the O.B.C.
 Name: Benjamin McFadden, BCIN 102786, BM Architectural Design 108614

BM ARCHITECTURAL DESIGN
 58 Hackney Ridge, Brantford, Ontario
 benjamin@bmarchitecturaldesign.com
 519.721.4866

PROJECT
 Home Addition
Duvnjak Residence

120 Flatt Ave Hamilton, ON

DRAWING NAME: Elevations
 DRAWING NO.: A201

To the Committee of Adjustments,

My name is Katie Duvnjak, and my husband and I own 120 Flatt Avenue, the property for which we have applied for a minor variance.

My senior parents moved in with us last year and the addition we've designed is an in-law/granny space that we are building for their use so they can age at home with us.

I understand there may be questions regarding why we have applied as an addition instead of an SDU. This is a one floor extension attached to our home, and this was by design as it is intended for our family use only. We have no desire to rent out the space, it will be passed on to our children to live in after my parents.

The design choices were made with this in mind. Otherwise, we would not attach the addition to our house and share a common outdoor patio space, for obvious privacy reasons, and would not build it as one floor, taking up more space in our yard (hence the minor variance application).

At the request of the City Planning department, we have incorporated a fire wall between the two structures to err on the side of caution.

We are happy to answer any questions the committee has and thank you for your consideration.

Katie Duvnjak

████████████████████

██████████



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)	Kathleen Duvnjak Chad Sharpe	
Applicant(s)*	Kathleen Duvnjak Chad Sharpe	
Agent or Solicitor	Benjamin McFadgen BM Design Studio Inc.	

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

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

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

4. Nature and extent of relief applied for:

Relief from required rear setback from 7.5 meters to 5.83 meters

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Additional footage would need to be added to the side of the structure (instead of rear) which would significantly reduce the useable space in the yard.

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

120 Flatt Avenue

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?

Property history from former owners.

- 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.

5/20/2022

Date

K. Duvnjak
Signature Property Owner(s)

Kathleen Duvnjak, Chad Sharpe
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.39 m
Depth	36.48 m
Area	451 sm
Width of street	7.4 m

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

Existing: _

Existing single family home of two-storeys and of wood and brick construction that is 164 square meters in gross floor area. Existing small brick attached garage of 17 s.m.

Proposed

Proposed main floor addition to include in-law suite for aging parents to live. The addition to be one storey close to grade and of 54.2 square meters and total height of 3.7 meters.

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

Existing:

Existing home is 6.71 meters from front property line (east of house), 1.36 meters from north interior side yard and 0.2 meters on south interior side yard (garage wall to property line), and 17.37 meters to rear property line (west of house).

Proposed:

Proposed addition is 1.2 meters from south side yard property line, 7.11 meters from north side yard property line & 5.83 meters from rear property line (west of property).

13. Date of acquisition of subject lands:
August 19th, 2021
14. Date of construction of all buildings and structures on subject lands:
1928
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:
Originally built as SFD
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:
NA
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
No
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.

Schedule "A"
Description of Lands

THE AGREEMENT

ARTICLE

Section 1.1

OF THE FIRST PART

Section 1.2

OF THE SECOND PART

Section 1.3

OF THE THIRD PART

WHEREAS the City and the Province, through the City Council and the Provincial Government, have entered into a Cost Acknowledgement Agreement...

AND WHEREAS the Province has indicated that it will assume all of the Province's duties, liabilities and responsibilities set out in the Cost Acknowledgement Agreement...

AND WHEREAS the City and the Province, upon entering into the Agreement, have agreed to share the costs of the Province's duties, liabilities and responsibilities set out in the Agreement...

NOW THEN, THE CITY AND PROVINCE HEREBY AGREE THAT in consideration of the Province's agreement to assume the Province's duties, liabilities and responsibilities set out in the Agreement...

1. The City and Province will agree to certain provisions and terms of the Agreement...
2. The Province hereby agrees to the City's terms and conditions of the Agreement...
3. The City and Province agree to the Province's terms and conditions of the Agreement...
4. All payments, conditions, provisions and signatures in the Cost Acknowledgement Agreement...

In witness whereof the Parties have hereunto set their respective hands and seals this 1st day of January 2022.

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 24th day of May 2022.

BETWEEN

Kathleen Durnjak
(hereinafter called the "Owner")

OF THE FIRST PART

-and-

(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated May 22, 2022

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

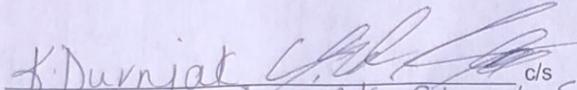
AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledgement Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED


Owner: Kathleen Durnjak, Chad Sharpe c/s
Title:
I have authority to bind the corporation

Assignee: _____ c/s
Title:
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:75	SUBJECT PROPERTY:	208 LOCKE STREET S, HAMILTON
ZONE:	"C5a" (Mixed Use Medium Density Pedestrian Focus)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended

APPLICANTS: Agent T. DePasquale
Owner 1810985 Ont. Inc. J. Stanicak

The following variances are requested:

1. An Outdoor Commercial Patio shall be permitted in the northerly side yard whereas the by-law only permits an outdoor commercial patio to be located in the front yard when a property abuts a residential zone in the rear yard.

PURPOSE & EFFECT: So as to establish a new 115 seat Outdoor Commercial Patio in the side yard of the existing Restaurant.

Notes:

1. These variances are necessary to facilitate Site Plan Control Application MDA-21-152.
2. The subject lands abut a residential 'D' district to the west.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

HM/A-22:75

DATE:	Thursday, July 14, 2022
TIME:	3:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



Subject Lands

HM/A-22:75

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

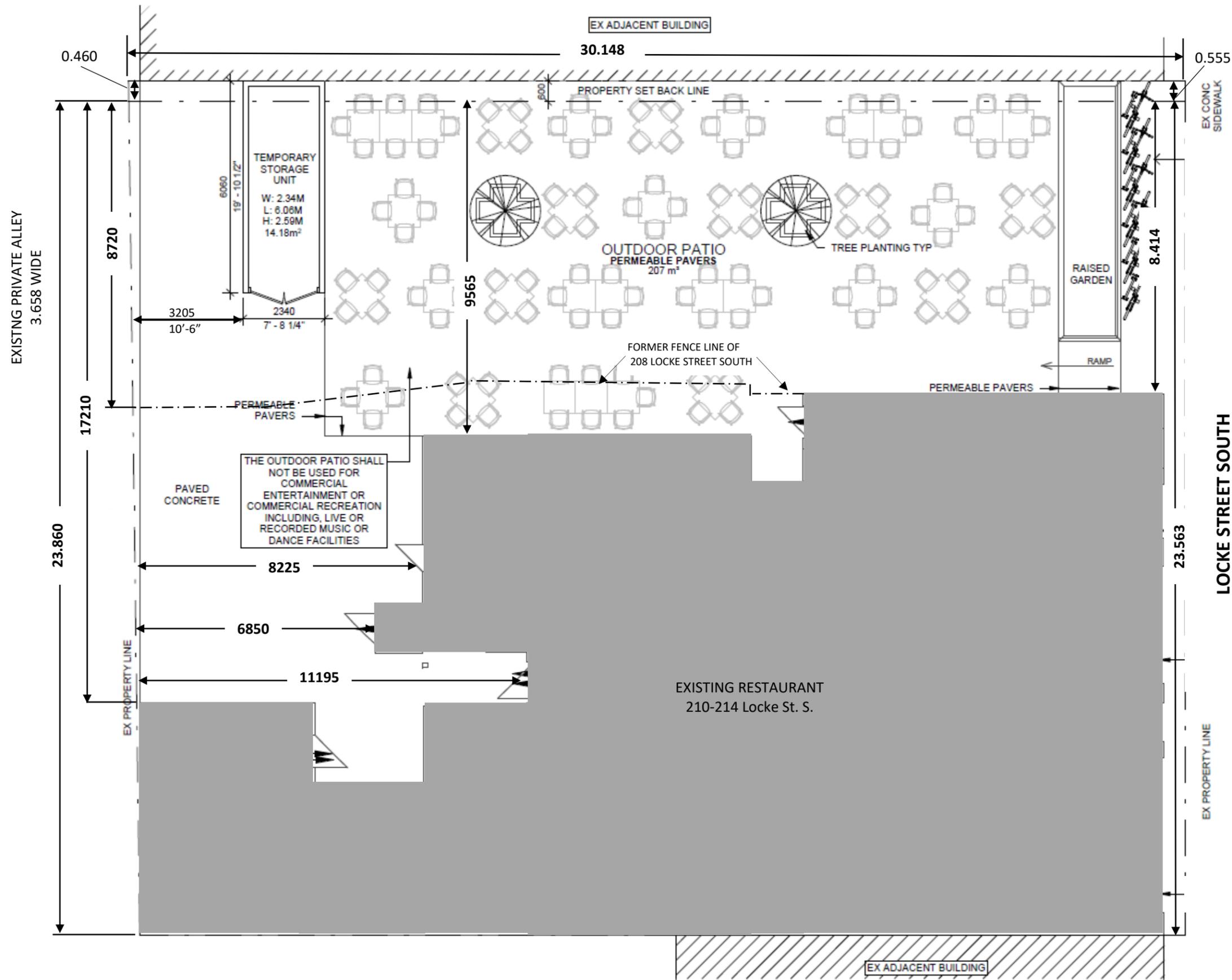
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



The existing Zoning By-law 05-200 Section 4.20(b)(ii) where only the rear lot line abuts a Residential Zone, Downtown D5 or Downtown D6 Zone or the lot is separated from the Residential Zones, Downtown D5 or Downtown D6 Zone by a laneway, an outdoor patio shall be permitted in the front yard.

The patio, constructed during Covid, covers the entire property formerly known as 208 Locke Street South (prior to being amalgamated with 210-214). The patio, which includes bicycle parking and a raised garden, commences abutting the sidewalk of Locke Street South and ends at the alley in the rear.

City of Hamilton Development and Planning requests' the Applicant to seek a Minor Variance to allow the proposed outdoor patio to abut a Residential Zone.

File: mda-21-152
Folder: 2021 153102 00 PLAN (1078959)



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)	1810985 Ontario Inc. Josip Frank Stanicak		
Applicant(s)*	Tony De Pasquale		
Agent or Solicitor	Tony De Pasquale	[as above]	Phone:
			E-mail:

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

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

Talka Credit Union Limited
 830 Main Street East,
 Hamilton, Ontario L8M 1L6

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

4. Nature and extent of relief applied for:

The existing Zoning By-law 05-200 Section 4.20(b) (ii) where only the rear lot line abuts a Residential Zone, Downtown D5 or Downtown D6 Zone or the lot is separated from the Residential Zones, Downtown D5 or Downtown D6 Zone by a laneway, an outdoor patio shall be permitted in the front yard. Comments received from City of Hamilton Building and Zoning stated opinion is "N/A as the patio is not located in the front yard".

The temporary patio covers the entire property formerly know as 208 Locke Street South (prior to be amalgamated with 210-214). The patio commences abutting Locke Street South and ends at the alley in the rear.

Seeking a Minor Variance to allow the proposed permanent patio to abut a Residential Zone

- Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Temporary patio was constructed at great expense to the Owner during Covid relief measures. The patio has operated over a year without negative incident. The residential homes that abut the alley at the rear are also owned by the Owner of the subject property. The alley has been deeded to 10 Chatham Street which is also owned by the Owner of the subject property.

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 18, Concession 3 Township of Barton in the City of Hamilton

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use: restaurant and patio _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

13. Date of acquisition of subject lands:
1991
14. Date of construction of all buildings and structures on subject lands:
Circa 1912
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):

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

Northerly: two level medical offices
Southerly: retail store with commercial offices one second level
Easterly: Locke Street South
Westerly: alley right-away (*deeded to 10 Chatham -Ownership same as applicant*)
17. Length of time the existing uses of the subject property have continued:

30 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> <i>combined</i> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:

H zoning – Community Shopping & Commercial
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

Parent By-law 6593
Mixed Use Commercial – Pedestrian Focus “C5a” Zone
21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.

Application ‘Cash-in-Lieu Parking Exemption File No.: 1-60/00.10
Application for reduced set back from west lot line for proposed new addition
(proposed addition was abandoned)
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

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-22:182	SUBJECT PROPERTY:	17 WILLIAM STREET , FLAMBOROUGH
ZONE:	"S1" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 15-173

APPLICANTS: Owners P. & D. Nikita
Agent L. Shaw

The following variances are requested:

1. A minimum side yard setback of 1.5 m shall be provided on the easterly side lot line (abutting 15 William Street) whereas the By-Law requires a minimum of 3.0 m side yard setback.

PURPOSE & EFFECT: To permit the construction of a 2nd storey addition to the existing single detached dwelling notwithstanding that;

Notes:

Eaves or gutters may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser. No details have been provided; therefore, further variances may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	3:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton

FL/A-22:182

To be streamed (viewing only) at
www.hamilton.ca/committeeofadjustment

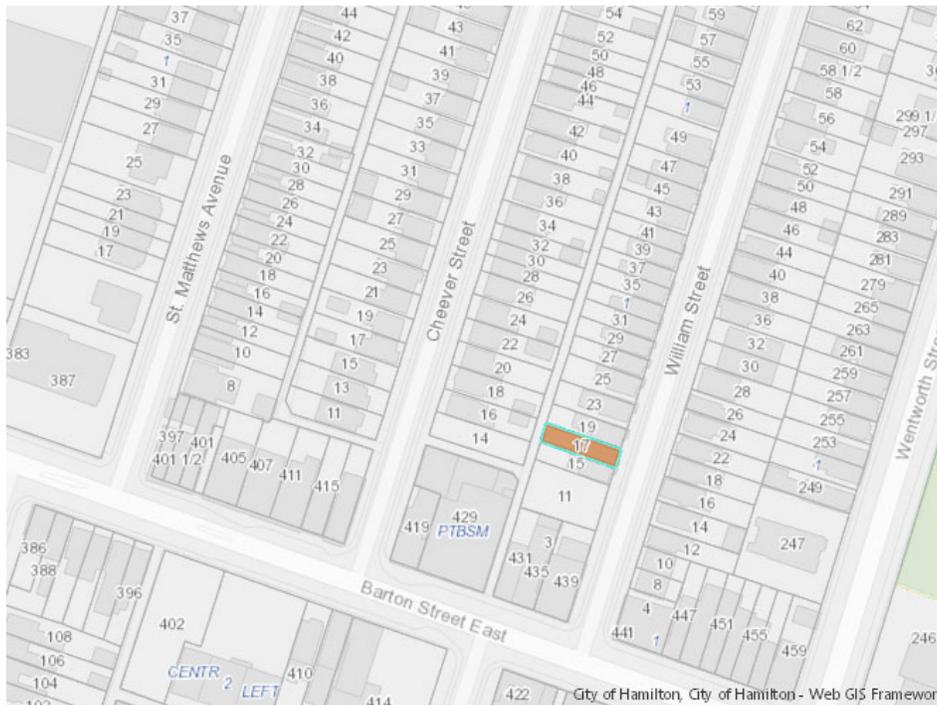
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Subject Lands

FL/A-22:182

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

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City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

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A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

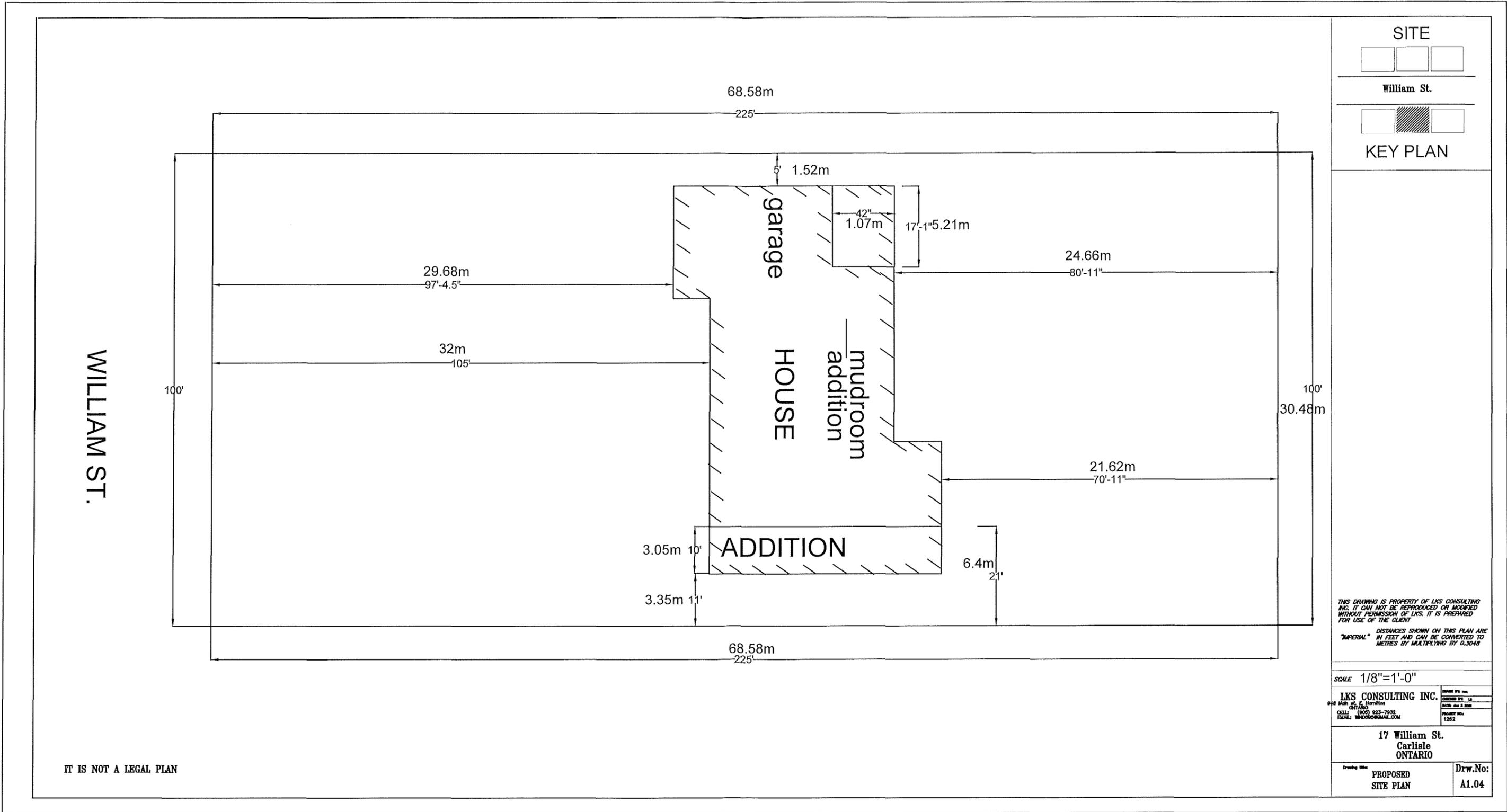
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FL/A-22:182

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IT IS NOT A LEGAL PLAN

SITE

William St.

KEY PLAN

THIS DRAWING IS PROPERTY OF LKS CONSULTING INC. IT CAN NOT BE REPRODUCED OR MODIFIED WITHOUT PERMISSION OF LKS. IT IS PREPARED FOR USE OF THE CLIENT.

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

SCALE 1/8"=1'-0"

LKS CONSULTING INC.
 648 Main St. E. Hamilton
 ONTARIO
 TEL: (905) 823-7832
 EMAIL: INFO@LKS.COM

PROJECT NO: 1282

17 William St.
 Carlisle
 ONTARIO

Drawing Title: **PROPOSED SITE PLAN** Draw.No: **A1.04**



REAR ELEVATION



LKS CONSULTING INC.

17 WILLIAMS ST.

CARLISLE

REVISION NO:	DATE: 13/12/2021	SCALE: 1/8" = 1'
DRAWING NO:	FRONT ELEVATION OPTION 4	



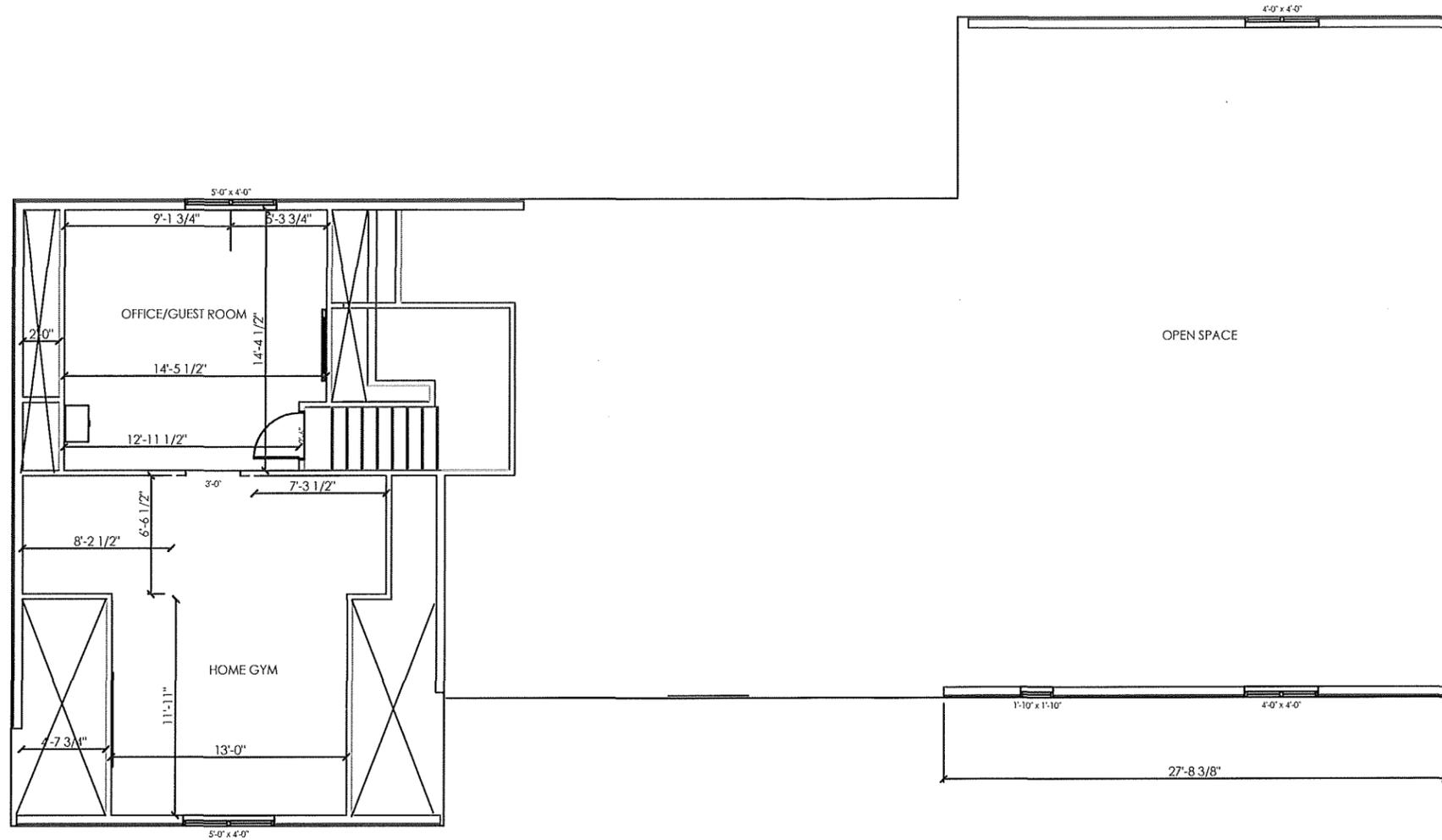
FRONT ELEVATION



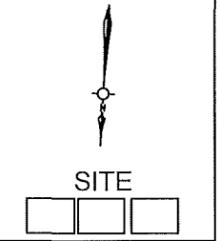
REVISION NO:	DATE:	SCALE:	DRAWING NO:
	13/12/2021	1/8" = 1'	A1.04
DRAWING:		FRONT ELEVATION	

17 WILLIAMS ST.
CARLISLE, ONT.

LKS CONSULTING INC.
PUSLINCH, ONTARIO



ATTIC



17 WILLIAM ST, CARLISLE, ON



KEY PLAN

- NOTES:**
1. CONTRACTOR TO LOCATE ALL INTERNAL SERVICES PRIOR TO CONSTRUCTION.
 2. CONTRACTOR NOT TO SCALE OFF THIS DRAWING.
 3. ANY DISCREPANCY IN DIMENSIONS TO BE REPORTED TO ENGINEER.
 4. EXISTING CEILING TO REMAIN AS UNDER EXISTING CONDITION.

PROPOSED WORK:
CONSTRUCT ADDITION WITH PLUMBING. EXISTING PLUMBING TO REMAIN.



Distances shown on this plan are in Imperial (feet) and can be converted to metric (metres) by multiplying by 0.3048

REV 3 NOV 13-21	BY LS
REV 2 NOV 8-21	BY LS
REV 1 OCT 23-21	BY LS

LES CONSULTING INC.
17 WILLIAMS ST.
CARLISLE, ONTARIO

17 WILLIAMS ST.
CARLISLE, ONTARIO

Attic
LAYOUT

Draw.No:
A01.3



Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	PATRIEK NIKITA DAWN NIKITA	
Applicant(s)*	Patrick Nikita Dawn Nikita	
Agent or Solicitor	Lucy Shaw	

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

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

Scotiabank Waterdown
 76 Dundas St E, Waterdown, ON, L0R2H2

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:

second story over garage

- Second Dwelling Unit
- Reconstruction of Existing Dwelling

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

not meeting 3 m setback requirement

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 William St. Carlisle, Ont.

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?

neighbours

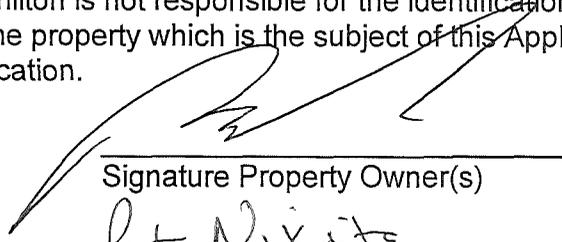
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No N/A.

9. ACKNOWLEDGEMENT CLAUSE

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

May 19, 2022
Date


Signature Property Owner(s)
Pat Nikita
Print Name of Owner(s)


Dawn Nikita

10. Dimensions of lands affected:

Frontage 30m
Depth 68.58 m
Area 2,057.4 m²
Width of street 10 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:

SFR
A_{FL} = 226.05 m² # of stories = 1 H = 9
A_{GFA} = 226.05 m² W₁ = 11.37 m L = 24.29 m
W₂ = 10.72 m

Proposed

A_{FL} = 306.56 m² # of stories = 2 H = 9.08
A_{GFA} = 306.56 m² W₁ = 11.37 m L = 24.34 m
W₂ = 10.72 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: HOUSE

L_{FRONT} = 97' 4.5" = 29.68 m L_{side RIGHT} = 21' = 6.4 m
R_{ear} = 70' 11" = 21.62 m
L_{side (LEFT)} = 7' = 2.13 m

Proposed:

L_{FRONT} = 97' 4.5" = 29.68 m L_{side RIGHT} = 21' = 6.4 m
L_{REAR} = 70' 11" = 21.62 m
L_{side (left)} = 7' = 2.13 m
* NOT MEETING SETBACK ON SECOND STOREY OVER GARAGE



Hamilton

COMMITTEE OF ADJUSTMENT

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Telephone (905) 546-2424, ext. 4221, 3935

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-22:189	SUBJECT PROPERTY:	36 CLAPPISON AVENUE, FLAMBOROUGH
ZONE:	“C6 and 326” (District Commercial)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended 17-240

APPLICANTS: Agent MHBC – G. Tchisler
Owners Flamborough Capital Corp. & Flamborough Financial Corp. Inc. – S. Malovic

The following variances are requested:

1. To permit parking, stacking lanes and aisles to be located between a building façade and the front lot line, whereas the by-law does not permit parking, stacking lanes, or aisles to be located between a building façade and the front lot line and flankage lot line.

PURPOSE & EFFECT: So as to permit a parking lot within the front yard of a Commercial Shopping Centre.

Notes:

- i. The applicant has not provided sufficient information regarding the minimum required Landscape Area and Landscaped Parking Island of 10 m². Should a Landscaped Area and Landscaped Parking Island not meet the required minimum area of 10m², that area will not be considered part of the calculation for landscaped area and further variances may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

FL/A-22:189

DATE:	Thursday, July 14, 2022
TIME:	3:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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 **Subject Lands**

City of Hamilton, City of Hamilton - Web GIS Framework

FL/A-22:189

DATED: June 28, 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, and may include posting electronic versions.



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Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

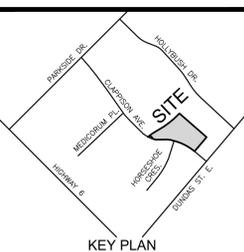
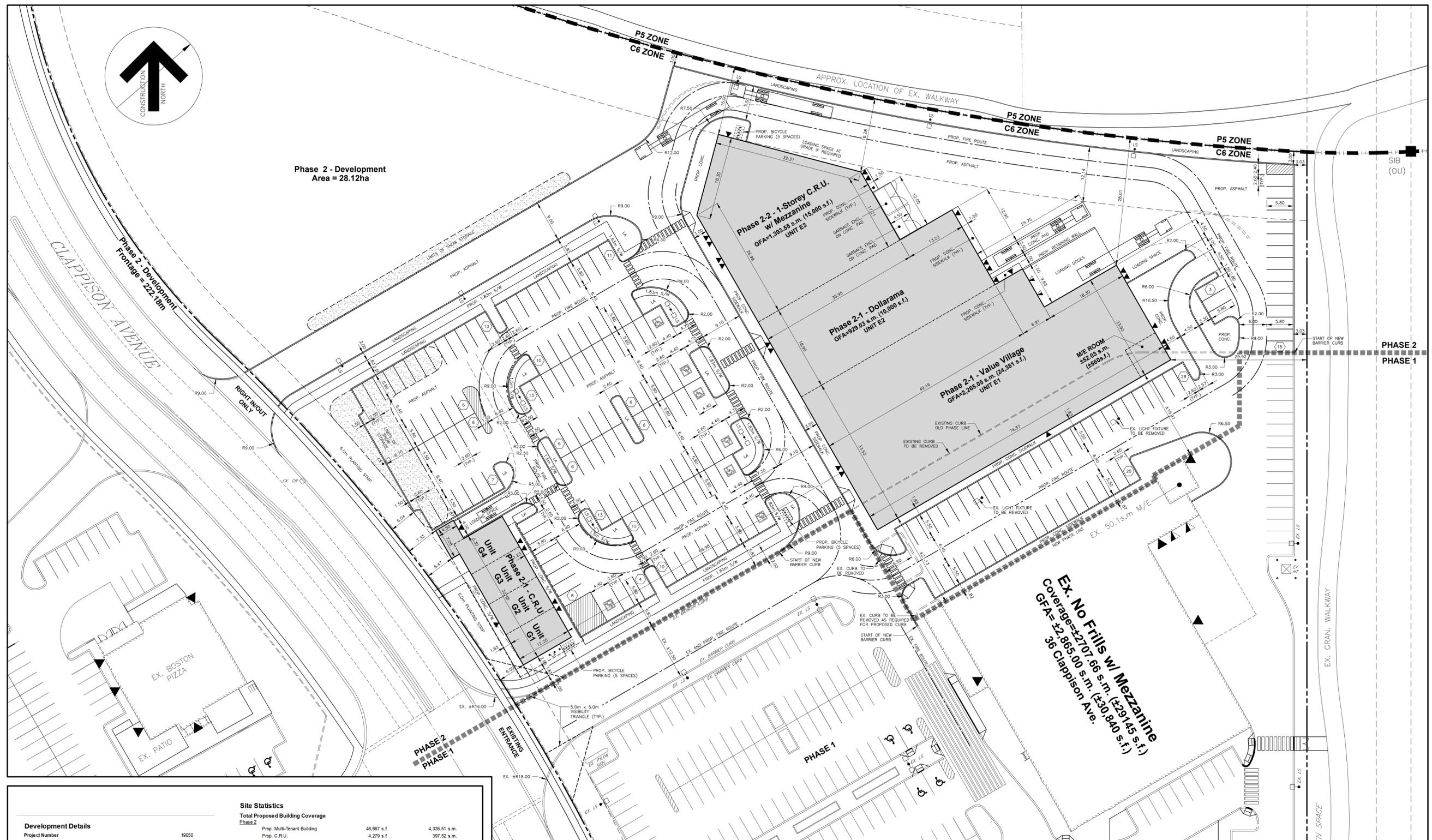
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



Contractor must verify all dimensions on the Project Site and report any discrepancies before proceeding with the Work.
 This drawing is a part of the Contract Documents and is to be read in conjunction with all other Contract Documents.
 © COPYRIGHT - LANHACK Consultants Inc. All rights reserved.

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Revision Record

No.	Description	Date (m/d/y)
D	RE-ISSUED FOR SITE PLAN SUBMISSION	10/28/21
C	RE-ISSUED FOR SITE PLAN SUBMISSION	10/19/21
B	ISSUED AS PER CLIENTS COMMENTS	09/24/21
A	ISSUED FOR SITE PLAN SUBMISSION	06/30/21

Issue Record

No.	Description	Date (m/d/y)



Flamborough Power Center Commercial Development

HAMILTON, ON

Date: JUNE 2021
 Drawn By: GRW
 Chkd By: SMP
 Scale: 1 : 400

Phase 2 - Detailed Site Plan

Project No.: 19050 Drawing No.: AS1-2 Rev.: D
 Plot Date: 04/28/22
 19050_001 - Site Plan.dwg

Development Details		Site Statistics	
Project Number	19050	Total Proposed Building Coverage	
Zone	C6 Distict Commercial - Exception: 326	Phase 2	
Proposed Use	Retail/Restaurant	Prop. Multi-Tenant Building	46,867 s.f.
		Prop. C.R.U.	4,279 s.f.
		Total Gross Floor Area	
		Phase 1	
Minimum Lot Frontage	Required: 30.0 m, Provided: 386.71 m	Ex. No Fills w/ Mezzanine	30,839 s.f.
Minimum Lot Area	1,500 s.m., 54,983.83 s.m.	Ex. Retail	11,643 s.f.
Max. Lot Coverage	30.0%, 17.83%	Ex. Retail	10,523 s.f.
Yard Abutting a Street Line	3.0 m, 6.00 m	Ex. Blg. F	2,563 s.f.
Min. Interior Side Yard	3.0 m, n/a	Phase 2	
Min. Interior Side Yard Abutting Open Space or C2 Zone	15.0 m, 15.00 m	Prop. Multi-Tenant Building	4,587.63 s.m.
Min. Rear Yard	6.0 m, n/a	Prop. C.R.U.	4,279 s.f.
Max. Height	15.0, 9.90 m	Parking Requirements (Zoning By-Law 2020)	
Min. Planting Strip Abutting a Street	6.0, 6.00 m	Phase 1 - 5 spaces / 100m.	
Max. Gross Floor Area for all uses excluding Motel, Hotel, Community Center and Public Uses Blocks 1 and 2 Combined	71,000.0 s.m., 42,835.48 s.m.	Ex. No Fills w/ Mezzanine	143.25 Spaces
		Ex. Retail	54.08 Spaces
		Ex. Retail	48.88 Spaces
		Ex. Blg. F	11.91 Spaces
		Phase 2 - 5 spaces / 100m.	
		Prop. Multi-Tenant Building	229.38 Spaces
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		Phase 1 - Total Parking Spaces (inc. Barrier Free)	
		258.12 Spaces	
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		Total Parking Spaces for Both Phases	
		507.37 Spaces	
		Total Barrier Free Parking Spaces for Both Phases	
		14.15 Spaces	
		Phase 2 - Bicycle Parking (5 spaces per Building)	
		10 Spaces	
		Total Barrier Free Parking Spaces	
		Phase 1 (2 spaces + 2% of Total Required Parking)	
		7.16 Spaces	
		Phase 2 (2 spaces + 2% of Total Required Parking)	
		6.99 Spaces	
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		Phase 2 - Bicycle Parking (5 spaces per Building)	
		10 Spaces	
Landscaped Area	11,538.82 s.m.		
Percentage of Lot Area	20.99 %		

1 DETAILED SITE PLAN

AS1-1

SITE PLAN NOTES:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAY DIMENSIONS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN SIX MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - COMMITTEE OF ADJUSTMENT
 - SEWER AND WATER PERMIT
 - RELOCATION OF SERVICES
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- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS THE FOLLOWING NOTE TO BE PROVIDED: 5.0 METER X 5.0 METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY PROPOSED OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.
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BEFORE STARTING WORK

- THE CONTRACTOR SHALL NOTIFY THE CITY OF HAMILTON AND LANHACK CONSULTANTS INC. AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.
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UNDERTAKING

I, (WE) _____ THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION, _____

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(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED OCTOBER 28, 2021, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

DATED THIS _____ DAY OF _____ 20____

WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____ (SEAL)

WITNESS (PRINT) _____ OWNER (PRINT) _____

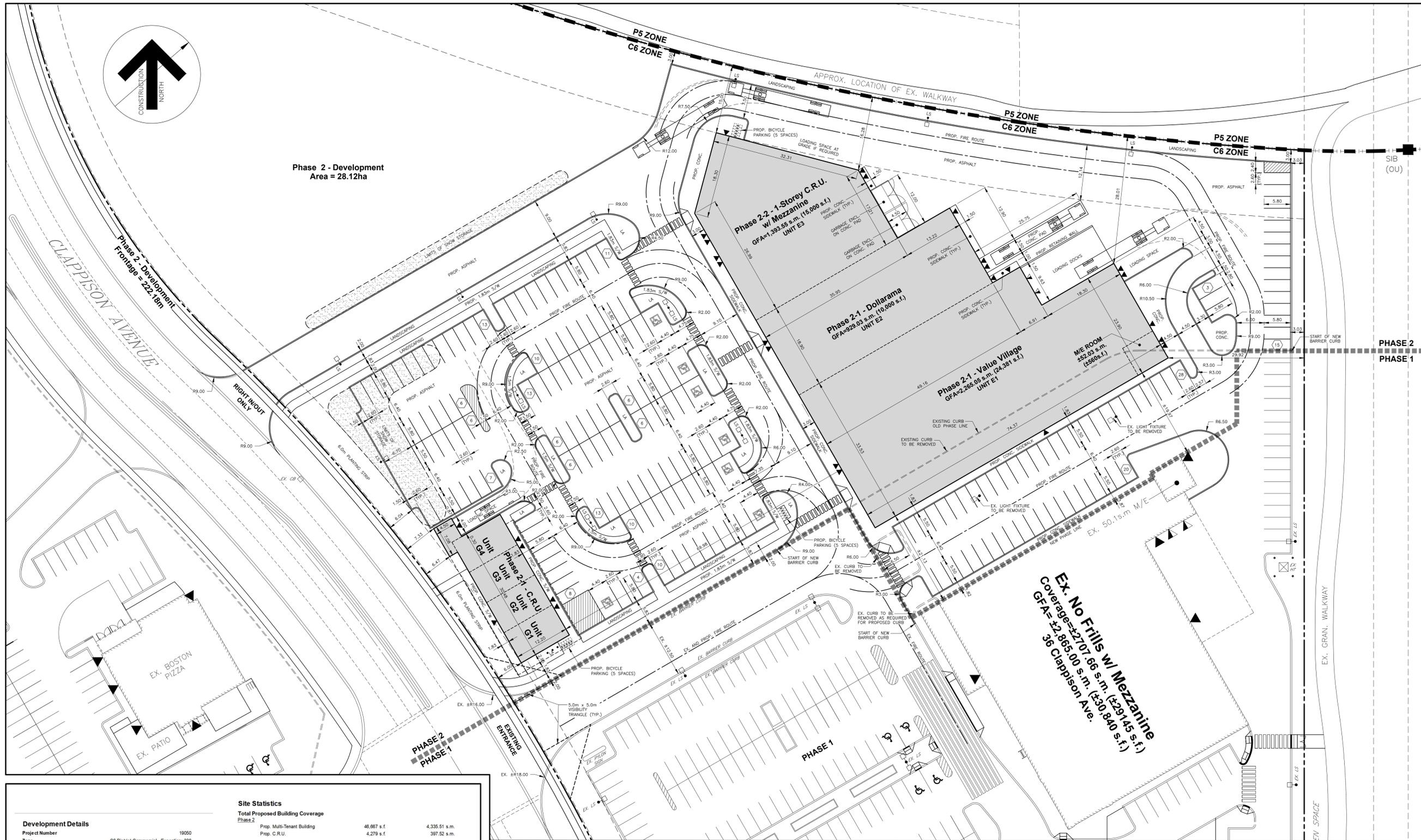
ADDRESS OF WITNESS _____

RE: DA-22-027 FILE NO.

LEGEND

▲	ENTRANCE - SINGLE OR DOUBLE DOOR (SEE BUILDING ELEVATIONS)
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#	# OF PARKING SPACES
□	BARRIER FREE PARKING SPACE
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---	ZONING DIVISION LINE
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UNDERTAKING RE: DA-22-027 FILE NO.

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DATED THIS _____ DAY OF _____ 20____

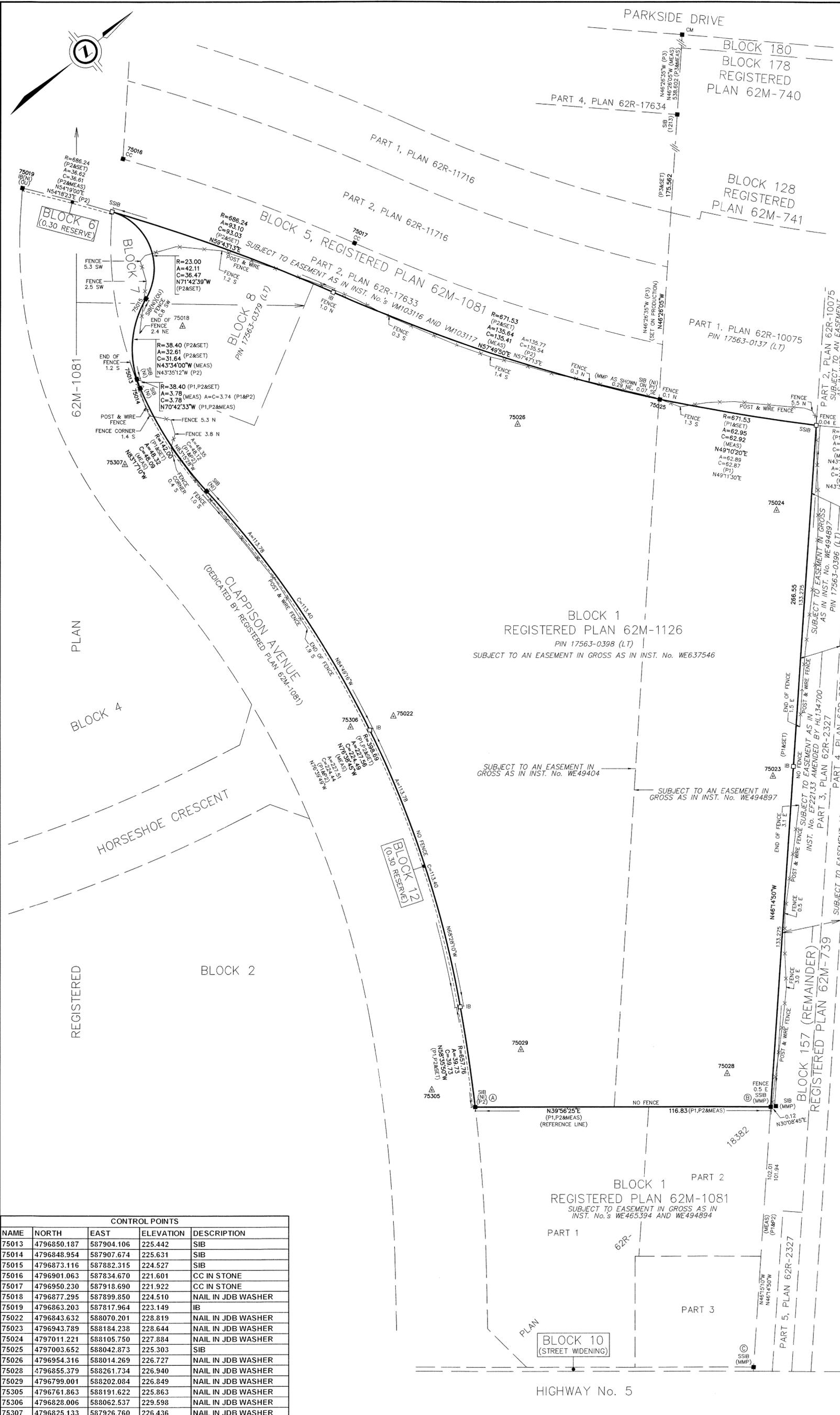
WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____ (SEAL)

WITNESS (PRINT) _____ OWNER (PRINT) _____

ADDRESS OF WITNESS _____

LEGEND

▲	ENTRANCE - SINGLE OR DOUBLE DOOR (SEE BUILDING ELEVATIONS)
▲	OVERHEAD DOOR ENTRANCE
#	# OF PARKING SPACES
□	BARRIER FREE PARKING SPACE
○	LIGHT STANDARD
---	ZONING DIVISION LINE
CB	CATCHBASIN
LA	LANDSCAPING
CONC.	CONCRETE
EX.	EXISTING
FH	FIRE HYDRANT
HT	HYDRO TRANSFORMER
LS	LIGHT STANDARD
PROP.	PROPOSED
S/W	SIDEWALK
TYP.	TYPICAL



PLAN OF SURVEY OF
BLOCK 1
REGISTERED PLAN 62M-1126 AND
BLOCK 8
REGISTERED PLAN 62M-1081
 CITY OF HAMILTON
 SCALE 1 : 750
 J.D. BARNES LIMITED
 © COPYRIGHT

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

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A, B AND C, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999664.
 FOR BEARING COMPARISONS, A ROTATION OF 0°46'00" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLANS 62M-1126 AND 62M-1081.

INTEGRATION DATA

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

POINT ID	EASTING	NORTHING
ORP (A)	588 207.66	4 796 770.81
ORP (B)	588 282.66	4 796 860.38
ORP (C)	588 356.33	4 796 789.86

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

AREA = 54,363 sq.m. (13.4 ac.)

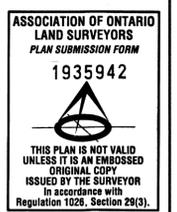
LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
CC	DENOTES	CONCRETE MONUMENT
CM	DENOTES	CILT CROSS
WI	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
1370	DENOTES	KRUMHOLTZ SURVEYORS LIMITED
MMP	DENOTES	MACKAY, MACKAY & PETERS LIMITED
NI	DENOTES	NOT IDENTIFIABLE
OU	DENOTES	ORIGIN UNKNOWN
P1	DENOTES	REGISTERED PLAN 62M-1126
P2	DENOTES	REGISTERED PLAN 62M-1081
P3	DENOTES	REGISTERED PLAN 62M-741

ALL SET SSB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

ELEVATION NOTE
 ELEVATIONS SHOWN ON THIS PLAN ARE DERIVED FROM THE CITY OF HAMILTON BENCHMARKS:
 No. 07720020054
 ELEVATION=226.966m
 AND
 No. 07720020057
 ELEVATION=234.008m

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT THE LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AND DESCRIPTIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.



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 APRIL 24th, 2015.

APRIL 24th, 2015
 DATE
 R.S. QUERUBIN
 ONTARIO LAND SURVEYOR

J.D. BARNES SURVEYING
 MAPPING
 G.I.S.
 LAND INFORMATION SPECIALISTS
 401 WHEELABRATOR WAY, SUITE A, MILTON, ON L7T 3C1
 T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY: AP CHECKED BY: REFERENCE NO.: 14-300-05-A
 FILE: G:\14-30-700\05\43070005a.dgn DATED: APRIL 24th, 2015 PLOTTED: 4/25/2015

CONTROL POINTS

NAME	NORTH	EAST	ELEVATION	DESCRIPTION
75013	4796850.187	587904.106	225.442	SIB
75014	4796848.954	587907.674	225.631	SIB
75015	4796873.116	587882.315	224.527	SIB
75016	4796901.063	587834.670	221.601	CC IN STONE
75017	4796950.230	587918.690	221.922	CC IN STONE
75018	4796877.295	587899.850	224.510	NAIL IN JDB WASHER
75019	4796863.203	587817.964	223.149	IB
75022	4796843.632	588070.201	228.819	NAIL IN JDB WASHER
75023	4796943.789	588184.238	228.644	NAIL IN JDB WASHER
75024	4797011.221	588105.750	227.884	NAIL IN JDB WASHER
75025	4797003.652	588042.873	225.303	SIB
75026	4796954.316	588014.269	226.727	NAIL IN JDB WASHER
75028	4796855.379	588261.734	226.940	NAIL IN JDB WASHER
75029	4796799.001	588202.084	226.849	NAIL IN JDB WASHER
75305	4796761.863	588191.622	225.863	NAIL IN JDB WASHER
75306	4796828.006	588062.537	229.598	NAIL IN JDB WASHER
75307	4796825.133	587926.760	226.436	NAIL IN JDB WASHER

**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)	Flamborough Capital Corporation; Flamborough Financial Corporation Inc. c/o Steve Malovic	
Applicant(s)*	Flamborough Capital Corporation; Flamborough Financial Corporation Inc. c/o Steve Malovic	
Agent or Solicitor	MHBC Planning c/o Gerry Tchisler	

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:

Toronto Dominion Bank Financial Group
Commercial Mortgage Group
TD Tower, 66 Wellington Street West
39th Floor
Toronto, Ontario
M5K 1A2

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

4. Nature and extent of relief applied for:

To permit parking, stacking lanes and aisles to be located between a building façade and the front lot line, whereas the by-law does not permit parking, stacking lanes, or aisles to be located between a building façade and the front lot line and flankage lot line.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Refer to attached justification 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**):

36 Clappison Avenue, 62M-1126 and 62M-1081, Lot 12, Concession 3, Block 1 and Block 8

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other _____

8.1 If Industrial or Commercial, specify use phased shopping centre

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?

Owners knowledge of history of Subject Lands.

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

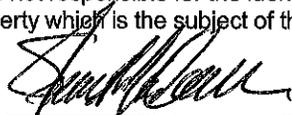
Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

MAY 10, 2022

Date



Signature Property Owner(s)

Steve Malovic

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>386.71 m</u>
Depth	<u>185.6 m</u>
Area	<u>54,983.83 sq. m.</u>
Width of street	<u>35.61 m</u>

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

Existing:

The western portion of 36 Clappison Avenue is currently vacant. The eastern portion of 36 Clappison Avenue has an existing 1 storey No Frills grocery store with a mezzanine, two multi-unit commercial buildings and a restaurant. This building has a gross floor area of 2,865.00 square metres. See enclosed site plan.

Proposed

Two multi-unit buildings. Building E is a 1 storey, 4,335.51 square metre gross floor area commercial building on the eastern portion of 36 Clappison Avenue. Building G is a 1 storey, 371.86 square metre gross floor area commercial building on the western portion of 36 Clappison Avenue. See enclosed site plan.

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

Existing:

See enclosed site plan.

Proposed:

See enclosed site plan.

13. Date of acquisition of subject lands:
2003/2004
14. Date of construction of all buildings and structures on subject lands:
2016/2017
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Western portion of site is vacant. Eastern portion has a grocery store, two comme
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Commercial - phased shopping centre
17. Length of time the existing uses of the subject property have continued:
Since construction was completed
18. Municipal services available: (check the appropriate space or spaces)
Water Yes _____ Connected _____
Sanitary Sewer Yes _____ Connected _____
Storm Sewers Yes _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Business Park
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

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)
This application is associated with a Site Plan Application (SPA-22-027).
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.



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

May 25, 2022

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

Dear Ms. Sheffield:

RE: APPLICATION FOR MINOR VARIANCE
12, 16, 20, 28, 36, and 44 CLAPPISON AVENUE, WATERDOWN
62M-1126 and 62M-1081, Lot 12, Concession 3, Block 1 and Block 8
(Assessment Roll Number: 251830339040506)
OUR FILE: 17190H

On behalf of our client, Flamborough Capital Corporation (the "Owner"), we are pleased to submit this application for Minor Variance with respect to a proposed commercial development on the lands municipally addressed as 12, 16, 20, 28, 36 and 44 Clappison Avenue in the City of Hamilton (hereinafter the "Subject Lands"). This letter provides an overview of the proposal as well as a justification and rationale in support for the requested variance.

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

1. Completed application form;
2. Plan of Survey;
3. Overall Site Plan;
4. Detailed Site Plan;

PROPOSAL DESCRIPTION

The Subject Lands consists of one parcel of land located on the east side of Clappison Avenue at 36 Clappison Avenue, between Dundas Street East and Parkside Drive, in the City of Hamilton. The site is also addressed as 12, 16, 20, 28, 36 and 44 Clappison Avenue. The site is legally known as 62M-1126 and 62M-1081, Lot 12, Concession 3, Block 1 and Block 8 (Assessment Roll Number: 251830339040506). The Subject Lands cover an area of approximately 5.498 hectares and have a frontage of approximately

386.71 metres along Clappison Avenue. A portion of the lands consisting of approximately 2.8 hectares are currently vacant.

The Owner is proposing to construct the Phase 2 portion of the existing Flamborough Power Centre shopping centre on the portion of the Subject Lands that are currently vacant. This Minor Variance application will facilitate the continued multiphase development of the shopping centre including the construction of two multi-unit commercial buildings. Building E is 1 storey, 4,335.51 square metre GFA building on the eastern portion of the Subject Lands. Building G is a smaller 1 storey, 397.52 square metre GFA building on the western portion of the Subject Lands. A total of 201 parking spaces are proposed. The site will be accessed by 2 full-moves driveway accesses located on Clappison Avenue. Loading spaces are proposed at the rear of Building E and at the side of Building G. The parking area north of the existing No Frills will be reconfigured with no loss of parking spaces. The existing commercial building will not be changed. The Subject lands are the second phase in a multi phase development of a master planned shopping centre. The proposed development has been conditionally approved through Site Plan Control application SPA-22-027, which is an amendment to the original Site Plan Control application under City file number DA-15-013. As part of the conditional approval, staff requested that a variance be applied for to permit parking, stacking lanes, and aisles between the façade of a building and the front lot line. Note that, approximately 0.9 hectares of the Subject Lands will remain as a future development area and will represent the last phase of the build-out of this shopping centre. This Minor Variance application will also be applicable to this area.

REQUESTED VARIANCE

In order to facilitate the proposed development, the following variance is required:

1. To permit parking, stacking lanes and aisles to be located between a building façade and the front lot line, whereas the by-law does not permit parking, stacking lanes, or aisles to be located between a building façade and the front lot line and flankage lot line.

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act* identifies the four tests which must be satisfied in order for the Committee to approve this application. The proposed variance meets the four tests, as demonstrated in the analysis below.

1. THE VARIANCE MAINTAINS THE GENERAL INTENT AND PURPOSE OF THE OFFICIAL PLAN

The Subject Lands are located within the urban area of the City of Hamilton and is designated as District Commercial in the Urban Hamilton Official Plan (UHOP). This designation is intended to provide retail and service commercial uses to the immediate neighbourhood. The UHOP requires that District Commercial areas be designed to be easily accessible by a range of transportation modes, including automobile and active transportation (Policy 4.7.10). The UHOP also requires that smaller commercial buildings be located up to the street with principal entrances facing the street (Policies 4.7.11 and 4.7.12). Additionally Policy 4.7.13 states that no parking, driveways, lanes, stacking lanes or aisles should be permitted between buildings and the public sidewalks except for single use stores greater than 5,000 square metres (Policy 4.7.16). Note that Policy 4.7.13 allows for flexibility in the application of the policy especially, but not exclusively, for larger commercial uses. The intent of the UHOP with respect to the

location of parking areas and commercial buildings is to create a comfortable pedestrian environment while ensuring convenient access to shopping areas by a range of transportation modes. The proposed variance maintains the intent of the UHOP through the provision of a generous 6 metre wide landscaping strip along the front lot line as a buffer between the public realm and the parking lot, consistent with the landscape qualities and appearance of adjacent sites and the preceding phases of the shopping centre. A smaller retail building (Building G) is also proposed at the front lot line, adjacent to Clappison Avenue, with an entrance facing the street which provides enclosure to the street and further contributes to the pedestrian environment.

Based on the above analysis, the proposed variance maintains the general intent and purpose of the Urban Hamilton Official Plan.

2. THE VARIANCE MAINTAINS THE GENERAL INTENT AND PURPOSE OF THE ZONING BY-LAW

Within Zoning By-law 05-200, the Subject Lands are zoned C6 District Commercial with Exception: 326. This designation permits the proposed commercial shopping centre. The intent of the by-law with respect to not permitting parking and stacking lanes between building facades and front lot lines in new developments is to maintain a pedestrian oriented streetscape. The proposed variance maintains the intent of the by-law by providing a generous 6.0 metre wide planting strip along Clappison Avenue that will act as a buffer between the parking area and the pedestrian realm. Additionally, a smaller commercial building is proposed up to the front lot line and will further enhance the pedestrian environment.

Based on the above analysis, the proposed variance maintains the general intent and purpose of the Zoning By-law.

3. THE VARIANCE IS DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OR USE OF THE LAND

The requested variance is desirable and appropriate for the Subject Lands as the location of parking and stacking lanes provides a consistent appearance with previous phases of the shopping centre, building on the established character of Clappison Avenue. Appropriate landscaping buffers will be provided between the streetscape and the parking. Furthermore, underground servicing connections for this section of the development were approved and constructed during the initial phases of this shopping centre. As a result, there are existing servicing connections located central to the parking area which further limits where buildings can be placed on this property, requiring the majority of the built form to be located at the rear of the site, similar to the existing buildings.

Based on the above, the proposed variance is desirable for the appropriate development or use of the land.

4. THE VARIANCE IS MINOR IN NATURE

The proposed variance to permit parking and stacking lanes to be located between Building E and the front lot line is minor in nature as it will not result in any adverse impact to the Subject Lands or the surrounding area. The proposed development is part of the next phase of a master planned shopping centre and the layout of the parking and building areas is consistent with the previous approved site plan application for the earlier phases and the established built form pattern along Clappison Avenue.

Based on the above, the proposed variance is minor in nature.

SUMMARY

Based on the assessment above, we are of the opinion that the proposed variance meets the four tests identified in Section 45(1) of the *Planning Act* and should be approved. The proposal will result in a well-designed commercial development that will support the commercial needs of the surrounding community.

If you have any questions please do not hesitate to contact us.

Yours truly,
MHBC



Gerry Tchisler, M.Pl., MCIP, RPP
Associate



Nicole Mastantuono, BES
Planner



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:199	SUBJECT PROPERTY:	1186 HWY 6, FLAMBOROUGH
ZONE:	"A2" (Rural)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 15-173

APPLICANTS: Owner J. Awalia
Agent Phil St-Cyr

The following variances are requested:

1. A minimum lot area of 5.25 Ha shall be maintained instead of the minimum required of 40.4 hectares;
and
2. A minimum side yard setback of 9.9 m shall be maintained instead of the minimum required 15.0 m.

PURPOSE & EFFECT: To permit the existing Agricultural Farm Operation notwithstanding that;

Notes:

- i. Please be advised that a warehouse is a use not permitted in the Rural "A2" zone.
- ii. Please note that the existing lot area is deemed to conform as per vacuum clause subsection 4.12 d) of By-Law 05-200; however, variance # 1 has been written as requested by the applicant.
- iii. Please be advised that a portion of this property is under Conservation Management. Please contact Conservation Halton prior to any development.
- iv. The lands are located adjacent to an Environmentally Sensitive Area (ESA) and may be subject to Site Plan Control.
- v. Order to Comply No. 20-174673 00 EN issued November 03, 2020 (construction has commenced without the required permit being issued by the Chief Official)
- vi. Order to Comply No. 20-174673 00 issued November 03, 2020 (a change of use at the above

FL/A-22:199

address has commenced without the required permit being issued by the Chief Official)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	3:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

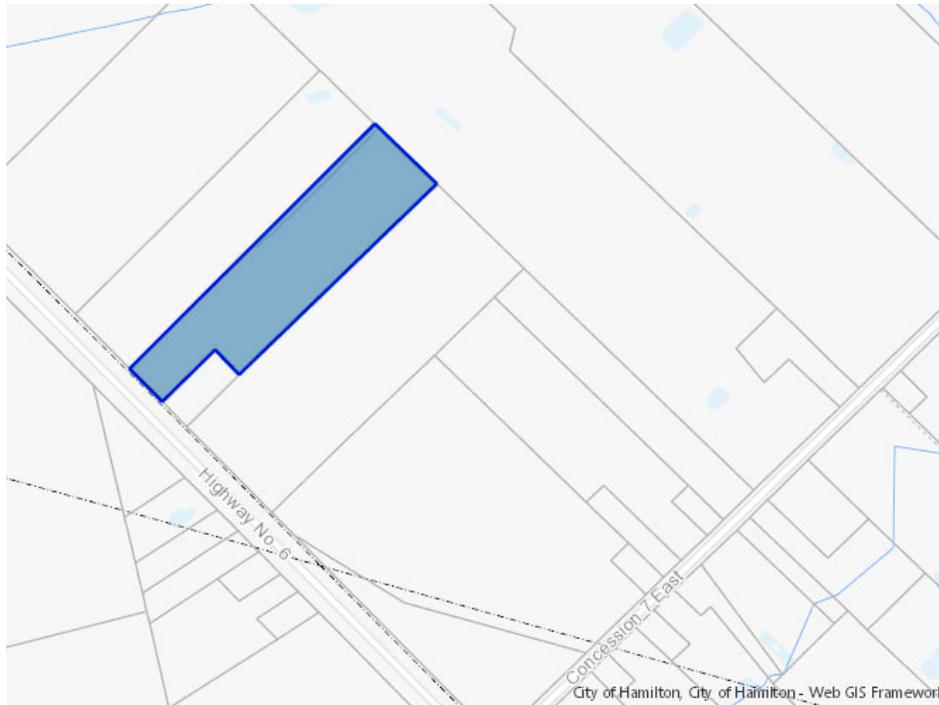
- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.

FL/A-22:199



 Subject Lands

DATED: June 28, 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, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

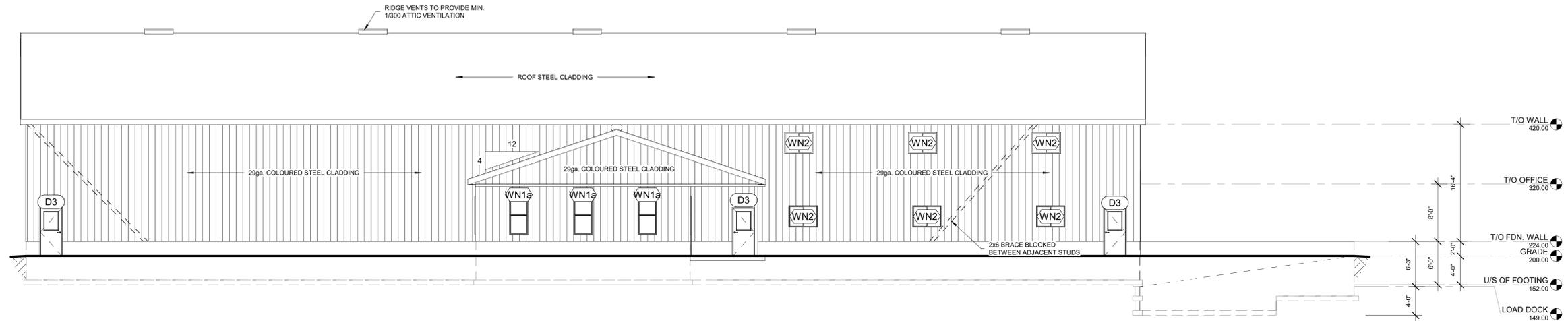
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

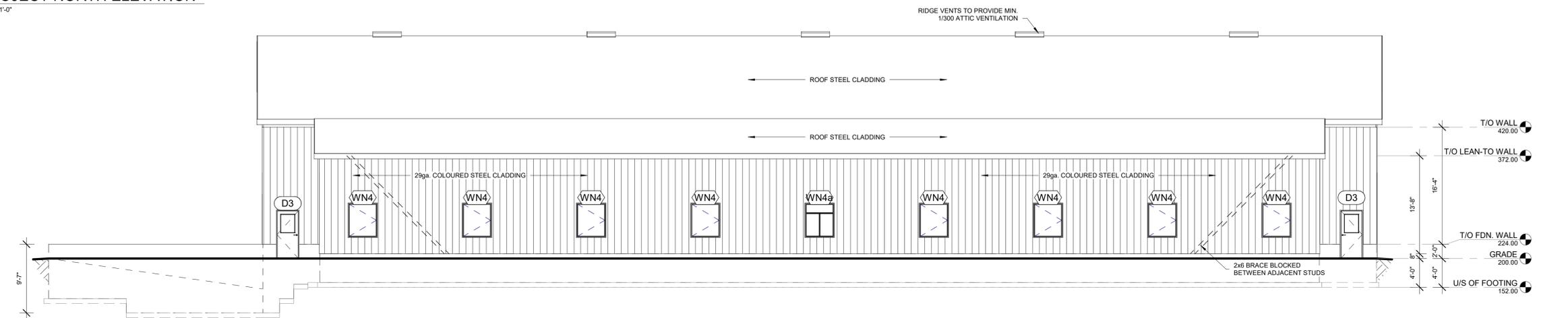
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

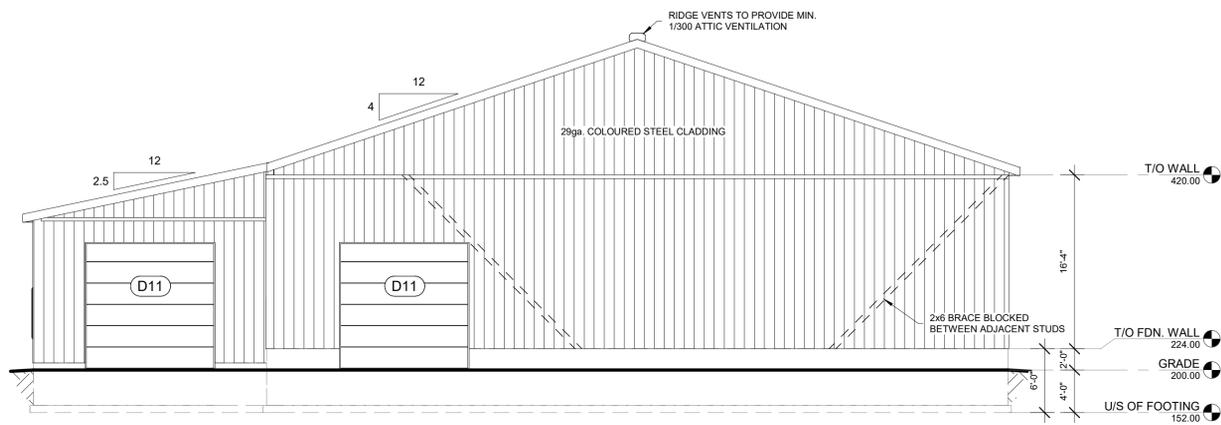
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



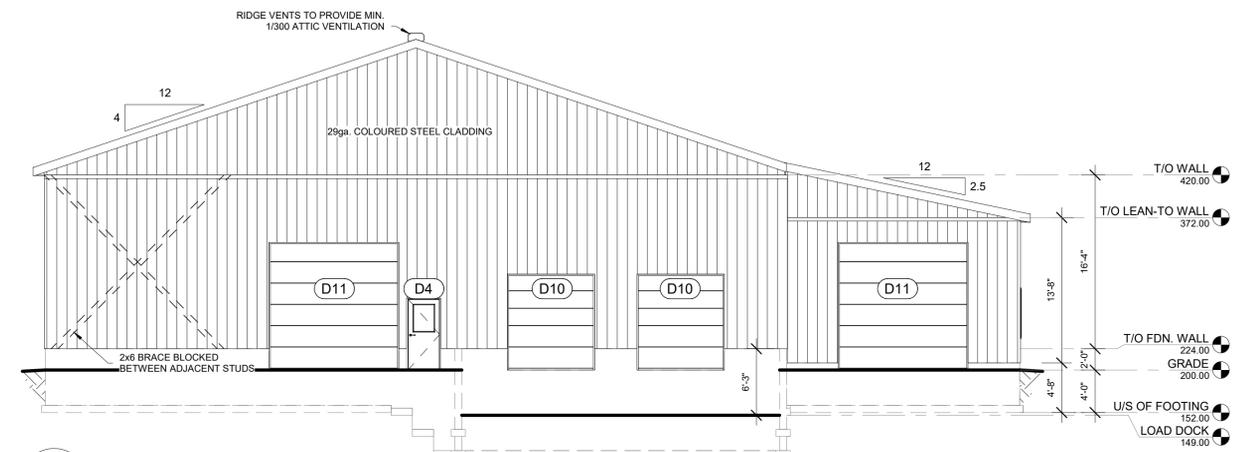
1 PROJECT NORTH ELEVATION
S-7 1/8" = 1'-0"



2 PROJECT SOUTH ELEVATION
S-7 1/8" = 1'-0"



3 PROJECT EAST ELEVATION
S-7 1/8" = 1'-0"



4 PROJECT WEST ELEVATION
S-7 1/8" = 1'-0"

DESIGNLOGIX ENGINEERING INC.
AGRICULTURE - COMMERCIAL - RESIDENTIAL
P: 905-512-2377
E: office@dxengineering.com
DO NOT SCALE DRAWINGS
ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED BY THE CONTRACTOR AND ANY DISCREPANCIES REPORTED TO THE ENGINEER



ABBREVIATIONS

Ø	AT	O.H.	OVERHEAD
Øw	COMPLETE WITH	PF	PAD FOOTING
Ø	DIAMETER	P.T.	PRESSURE TREATED
FDN	FOUNDATION	T.D.	TRAVEL DISTANCE
E.W.	EACH WAY	T&G	TONGUE & GROOVE
EX.	EXISTING	T/O	TOP OF
HORIZ.	HORIZONTAL	TYP.	TYPICAL
LVL	LAMINATED VENEER LUMBER	US	UNDERSIDE
MAX.	MAXIMUM	VERT.	VERTICAL
MIN.	MINIMUM	W/	WITH
OBC	ONTARIO BUILDING CODE	WWM	WELDED WIRE MESH
Øc	CENTRE TO CENTRE		

LEGEND

W	WALL TAG
WN	WINDOW TAG
D	DOOR TAG
0.0'	ELEVATION MARKER - PLAN
200'	ELEVATION MARKER - SECTION
---	TRAVEL DISTANCE

PROJECT STATUS:

NO:	DATE:	STATUS:
1	NOV. 25, 2020	FOR APPROVAL
2	DEC. 9, 2020	AS BUILT
3	DEC. 8, 2021	FOR PERMIT

CONTRACTOR NAME & ADDRESS:

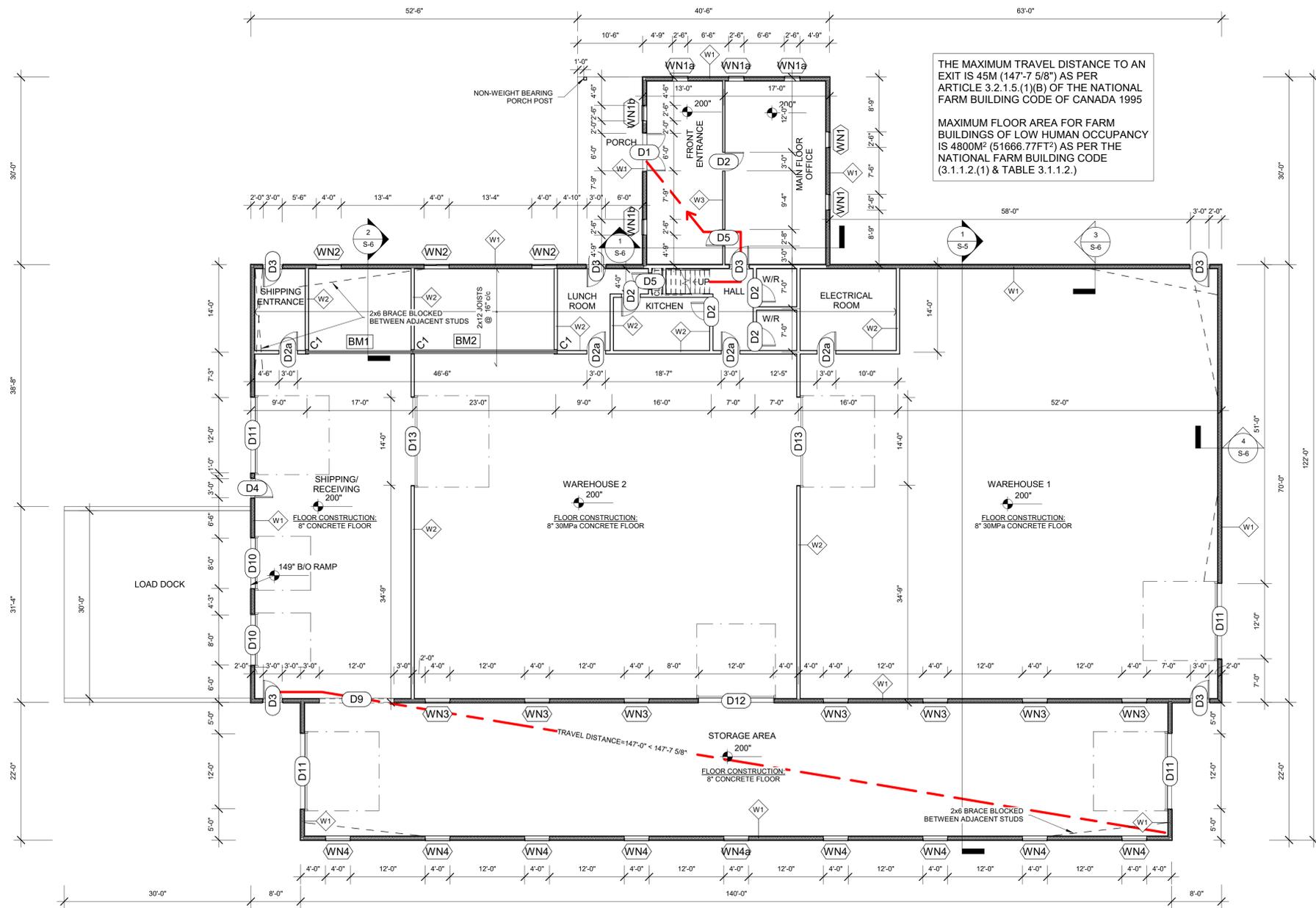
PROJECT NORTH: TRUE NORTH:

Project #: DLX20-459
Drawn by: R.S.
Checked by: N.H.

PROJECT NAME & ADDRESS:
SPRINGTIME FARMS AG SHED
1186 HWY 6 N.
HAMILTON, ON.

DRAWING TITLE:
ELEVATIONS

Date: NOV. 24, 2020
Scale: 1/8" = 1'-0"
Sheet No: **S-7**



THE MAXIMUM TRAVEL DISTANCE TO AN EXIT IS 45M (147'-7 5/8") AS PER ARTICLE 3.2.1.5.(1)(B) OF THE NATIONAL FARM BUILDING CODE OF CANADA 1995

MAXIMUM FLOOR AREA FOR FARM BUILDINGS OF LOW HUMAN OCCUPANCY IS 4800M² (51666.77FT²) AS PER THE NATIONAL FARM BUILDING CODE (3.1.1.2.(1) & TABLE 3.1.1.2.)

WALL SCHEDULE	
EXTERIOR WALLS:	
W1	STEEL ON 2x6; 29ga. COLOURED STEEL CLADDING 1x4 EXT. WALL STRAPPING 2x6 S-P-F NO. 1/2 STUDS @ 16" c/c 1 ROW OF BLOCKING R24 BATTS INSULATION 1/2" PLYWOOD SHEATHING
INTERIOR WALLS:	
W2	PLYWOOD ON 2x6; 1/2" PLYWOOD SHEATHING 2x6 S-P-F NO. 1/2 STUDS @ 16" c/c 1/2" PLYWOOD SHEATHING
W3	PLYWOOD ON 2x4; 1/2" PLYWOOD SHEATHING 2x4 S-P-F NO. 1/2 STUDS @ 16" c/c 1/2" PLYWOOD SHEATHING

WINDOW SCHEDULE						
NO.	DESCRIPTION	WIDTH	HEIGHT	HEADER	POST	QTY
WN1	FIXED WINDOW w/ TRANSOM	2' - 6"	5' - 4"	3PLY 2x10	2PLY JACK 1PLY KING	2
WN1a	FIXED WINDOW w/ TRANSOM	2' - 6"	5' - 4"	3PLY 2x6	1PLY JACK 1PLY KING	3
WN1b	FIXED WINDOW w/ TRANSOM	2' - 6"	5' - 4"	3PLY 2x12	2PLY JACK 1PLY KING	2
WN2	Single Slide Window	4' - 0"	3' - 0"	2PLY 2x12	2PLY JACK 1PLY KING	6
WN2a	Single Slide Window	4' - 0"	3' - 0"	2PLY 2x6	1PLY JACK 1PLY KING	7
WN3	DOUBLE w/ TRANSOM	4' - 0"	4' - 8"	3PLY 1 3/4"x7 1/4" 2.0E LVL	2PLY JACK 1PLY KING	7
WN4	SINGLE SLIDER WINDOW	4' - 0"	4' - 8"	2PLY 2x10	1PLY JACK 1PLY KING	8
WN4a	DOUBLE w/ TRANSOM	4' - 0"	4' - 8"	2PLY 2x10	1PLY JACK 1PLY KING	1

DOOR SCHEDULE						
NO.	DESCRIPTION	WIDTH	HEIGHT	HEADER	POST	QTY
D1	DOUBLE OFFICE DOOR	6' - 0"	6' - 8"	2PLY 2x12	1PLY JACK 2PLY KING	1
D2	INT. MAN DOOR	3' - 0"	6' - 8"	1PLY 2x6	1PLY JACK 1PLY KING	5
D2a	INTERIOR L.B. UTILITY MAN DOOR	3' - 0"	6' - 8"	3PLY 2x10	1PLY JACK 1PLY KING	4
D3	UTILITY MAN DOOR (L.B.)	3' - 0"	6' - 8"	3PLY 2x12	1PLY JACK 2PLY KING	6
D4	UTILITY MAN DOOR	3' - 0"	6' - 8"	2PLY 2x6	1PLY JACK 1PLY KING	1
D5	INT. MAN DOOR	2' - 8"	6' - 8"	2PLY 2x6	1PLY JACK 2PLY KING	2
D6	INT. MAN DOOR (SECOND FLOOR)	3' - 0"	6' - 8"	2PLY 2x6	1PLY JACK 2PLY KING	6
D7	CLOSET DOOR	5' - 4"	6' - 8"	2PLY 2x6	1PLY JACK 1PLY KING	1
D8	CLOSET DOOR 2	5' - 0"	6' - 8"	2PLY 2x6	1PLY JACK 2PLY KING	1
D9	WALL OPENING	12' - 0"	12' - 0"	W12x19	4PLY JACK 2PLY KING	1
D10	INSULATED OVERHEAD DOOR	8' - 0"	9' - 0"	3PLY 2x8	1PLY JACK 2PLY KING	2
D11	INSULATED OVERHEAD DOOR	12' - 0"	12' - 0"	3PLY 2x10	1PLY JACK 2PLY KING	4
D12	INSULATED OVERHEAD DOOR (L.B.)	12' - 0"	12' - 0"	W12x19	4PLY JACK 2PLY KING	1
D13	INSULATED OVERHEAD DOOR	14' - 0"	12' - 0"	2PLY 2x10	1PLY JACK 1PLY KING	2

1 GROUND FLOOR PLAN
S-2 1" = 10'-0"

BEAM & COLUMN SCHEDULE		
NO.	SIZE	POST
BM1	3PLY 1 3/4"x11 1/4" 2.0E LVL	C1
BM2	1 3/4"x16" 2.0E LVL	C1

COLUMN SCHEDULE		
NO.	SIZE	QUANTITY
C1	6x6 JACK 2PLY KING	3

MAXIMUM TRAVEL DISTANCE IS CONFIRMED TO BE IN ACCORDANCE WITH THE NATIONAL FARM BUILDING CODE AT A MAX. DISTANCE OF 110'-0" SHOWN ON FLOOR PLAN AS

FLOOR AREA FOR BUILDING OF LOW OCCUPANCY CALCULATED TO BE APPROXIMATELY 14,900M² WHICH IS WITHIN THE LIMITS OF THE NATIONAL FARM BUILDING CODE

MAXIMUM OCCUPANCY FOR BUILDING OF LOW OCCUPANCY IS 1 PERSON FOR EVERY 40M² (430.56ft²) THEREFORE THIS BUILDING MAY NOT EXCEED 34 PEOPLE AT A TIME

DESIGNLOGIX ENGINEERING INC.
AGRICULTURE - COMMERCIAL - RESIDENTIAL
P: 905-512-2377
E: office@dxengineering.com

DO NOT SCALE DRAWINGS

ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED BY THE CONTRACTOR AND ANY DISCREPANCIES REPORTED TO THE ENGINEER

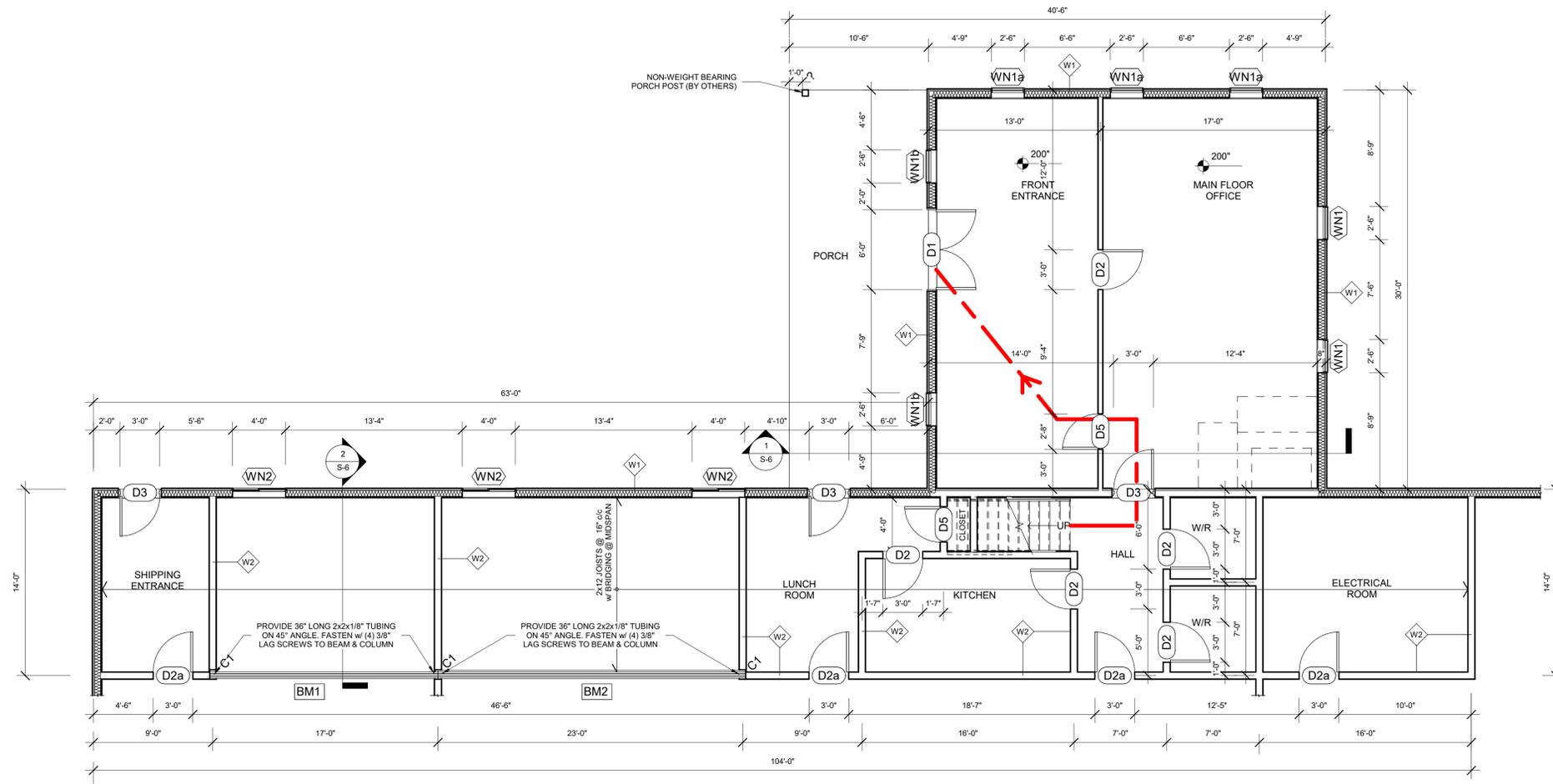


ABBREVIATIONS	
@	AT
aw	COMPLETE WITH
DN	DIAMETER
FDN	FOUNDATION
E.W.	EACH WAY
EX.	EXISTING
HORIZ.	HORIZONTAL
LVL	LAMINATED VENEER LUMBER
MAX.	MAXIMUM
MIN.	MINIMUM
OBC	ONTARIO BUILDING CODE
cc	CENTRE TO CENTRE
OH	OVERHEAD
PF	PAD FOOTING
P.T.	PRESSURE TREATED
T.D.	TRAVEL DISTANCE
T&G	TONGUE & GROOVE
T/O	TOP OF
TYP.	TYPICAL
US	UNDERSIDE
VERT.	VERTICAL
W	WITH
WWM	WELDED WIRE MESH

LEGEND	
W	WALL TAG
WN	WINDOW TAG
D	DOOR TAG
0.0'	ELEVATION MARKER - PLAN
200'	ELEVATION MARKER - SECTION
(Red dashed line)	TRAVEL DISTANCE

PROJECT STATUS:		
NO.	DATE:	STATUS:
1	NOV. 25, 2020	FOR APPROVAL
2	DEC. 9, 2020	AS BUILT
3	DEC. 8, 2021	FOR PERMIT

CONTRACTOR NAME & ADDRESS:		PROJECT NAME & ADDRESS:		Date
		SPRINGTIME FARMS AG SHED 1186 HWY 6 N. HAMILTON, ON.		NOV. 24, 2020
PROJECT NORTH:		TRUE NORTH:		Scale
				As indicated
PROJECT #:		DRAWING TITLE:		Sheet No.
DLX20-459		GROUND FLOOR PLAN		S-2
Drawn by: R.S.				
Checked by: N.H.				

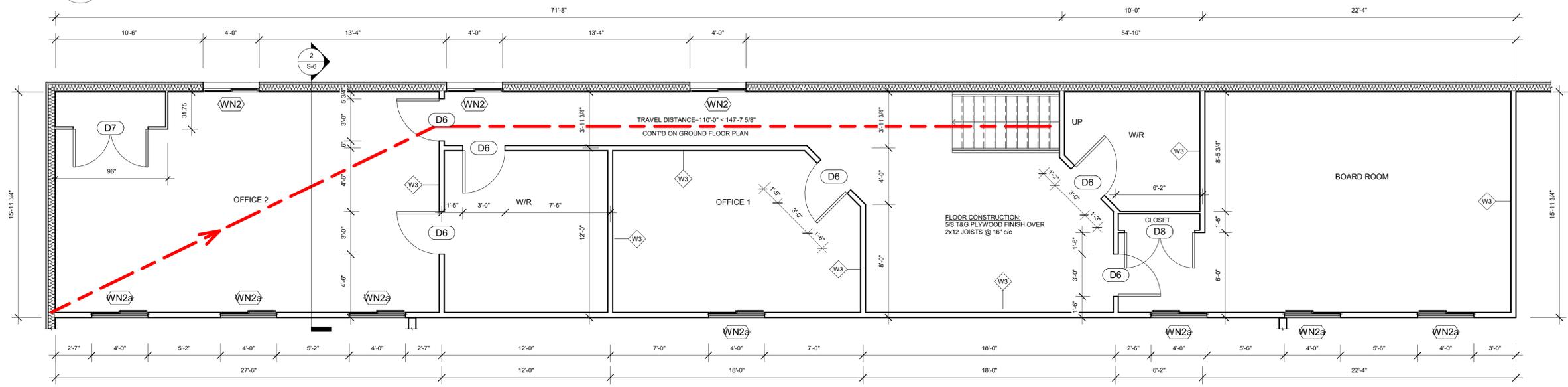


MAXIMUM TRAVEL DISTANCE IS CONFIRMED TO BE IN ACCORDANCE WITH THE NATIONAL FARM BUILDING CODE AT A MAX. DISTANCE OF 110'-0" SHOWN ON FLOOR PLAN AS ---

FLOOR AREA FOR BUILDING OF LOW OCCUPANCY CALCULATED TO BE APPROXIMATELY 14,900m² WHICH IS WITHIN THE LIMITS OF THE NATIONAL FARM BUILDING CODE

MAXIMUM OCCUPANCY FOR BUILDING OF LOW OCCUPANCY IS 1 PERSON FOR EVERY 40m² (430.56ft²) THEREFORE THIS BUILDING MAY NOT EXCEED 34 PEOPLE AT A TIME

2 GROUND FLOOR DETAIL
S-3 3/16" = 1'-0"



1 SECOND FLOOR
S-3 1/4" = 1'-0"

DESIGNLOGIX ENGINEERING INC.
AGRICULTURE - COMMERCIAL - RESIDENTIAL
P: 905-512-2377
E: office@dxengineering.com

DO NOT SCALE DRAWINGS

ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED BY THE CONTRACTOR AND ANY DISCREPANCIES REPORTED TO THE ENGINEER



ABBREVIATIONS

@	AT	O.H.	OVERHEAD
CP	COMPLETE WITH	PF	PAD FOOTING
D	DIAMETER	P.T.	PRESSURE TREATED
FDN	FOUNDATION	T.D.	TRAVEL DISTANCE
E.W.	EACH WAY	T&G	TONGUE & GROOVE
EX.	EXISTING	T/O	TOP OF
HORIZ.	HORIZONTAL	TYP.	TYPICAL
LVL.	LAMINATED VENEER LUMBER	US	UNDERSIDE
MAX.	MAXIMUM	VERT.	VERTICAL
MIN.	MINIMUM	W	WITH
OBC	ONTARIO BUILDING CODE	WWM	WELDED WIRE MESH
CC	CENTRE TO CENTRE		

LEGEND

W	WALL TAG
WN	WINDOW TAG
D	DOOR TAG
0.0'	ELEVATION MARKER - PLAN
200'	ELEVATION MARKER - SECTION
---	TRAVEL DISTANCE

PROJECT STATUS:

NO:	DATE:	STATUS:
1	NOV. 25, 2020	FOR APPROVAL
2	DEC. 9, 2020	AS BUILT
3	DEC. 8, 2021	FOR PERMIT

CONTRACTOR NAME & ADDRESS:

PROJECT NORTH: TRUE NORTH:

Project #: DLX20-459
Drawn by: R.S.
Checked by: N.H.

PROJECT NAME & ADDRESS:

SPRINGTIME FARMS AG SHED
1186 HWY 6 N.
HAMILTON, ON.

DRAWING TITLE:

GROUND FLOOR DETAIL/
SECOND FLOOR

Date: NOV. 24, 2020
Scale: As indicated
Sheet No: **S-3**



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)	Jarry Awalia	
Applicant(s)*	Phil St-Cyr	
Agent or Solicitor	Same as applicant	

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:
- Lot area of 5.25 ha whereas 40.4 ha is required.
Side yard of 9.83 m whereas 15 m is required.
- Second Dwelling Unit Reconstruction of Existing Dwelling
5. Why it is not possible to comply with the provisions of the By-law?
- The lot area is existing and a Building Permit was issued for the agricultural building. The lean-to addition was constructed without a permit.
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 13 Concession 7 Geographic Township of East 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?

Property owner provided the information. Also Phase I and Phase II ESAs have been done.

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 23, 2022

Date

Signature Property Owner(s)

Jarry Awalia

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	57.53 m
Depth	427.49 m
Area	5.25 ha
Width of street	unknown

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

Existing:

1546.5 square metres. Single storey with a small portion as a second storey. 31.6 m long by 28 m wide at its maximum. 5.58 m high from grade to top of wall.

Proposed

No changes are proposed to the existing building.

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

Existing:

Front yard setback 194.6 m
Side yard setbacks 9.83 m and 67 m
Rear yard setback 98.5 m

Proposed:

No changes are proposed.

13. Date of acquisition of subject lands:
June 2007
-
14. Date of construction of all buildings and structures on subject lands:
2016
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Agricultural
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
agricultural and residential
-
17. Length of time the existing uses of the subject property have continued:
since acquisition
-
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:
Rural
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
A2
-
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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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/B-22:61	SUBJECT PROPERTY:	37 HWY 52, FLAMBOROUGH
-------------------------	-------------------	--------------------------	-------------------------------

APPLICANTS: Owners B. & R. Myers Purchaser 2789533 Ontario Inc. – P. Mariutti
Agent Monteith Brown Planning Consultants

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

	Frontage	Depth	Area
SEVERED LANDS:	41 m [±]	402.1 m [±]	12.75 ha [±]
RETAINED LANDS:	74.2 m [±]	142.3 m [±]	1.21 ha [±]

Associated Planning Act File(s): [Click or tap here to enter text.](#)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 14, 2022
TIME:	3:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

FL/B-22:61

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

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, calling in, or by attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



DATED: June 28, 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, and may include posting electronic versions..

FL/B-22:61

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

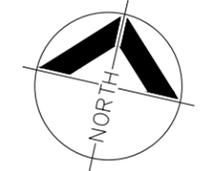
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



LEGEND

- - - LIMITS OF SUBJECT LANDS
- PROPOSED LIMITS OF RETAINED LOT
- S1 ZONE EXISTING ZONE & BOUNDARY

REGULATION	S1 ZONE	RETAINED	SEVER
Lot Area (min.)	1 Ha (exemption 52)	1.2 Ha	12.7 Ha
Lot Width (min.)	30.0 m	74m	18m
Front Yard Setback (min.)	7.5 m	21m	
Side Yard Setback (min.)	3 m	18m	
Rear Yard Setback (min.)	7.5 m	20m	
Height (max.)	10.5 m	2 storey	
Accessory Buildings	Sec. 4.8.1.1	RETAINED	SEVER
Accessory Building Coverage (max.)	45m ² or 7.5% lot coverage, which ever is less	694m ² or 6% coverage	n/a
Rear lot line setback (min.)	1.2m	20m	n/a
Side lot line setback (min.)	1.2m	24m	n/a

**PROPOSED SEVERANCE SKETCH
37 HAMILTON REGIONAL RD 52
COPETOWN
MYERS APPLE FARM**

NOT A LEGAL SURVEY - LIMITS ARE APPROXIMATE

DRAWN BY: BS	CHECKED BY: HS	PROJECT No. : 22-1400
DESIGNED BY: BS	APPROVED BY:	DRAWING No. 1
SCALE: 1:2,000 <small>1/17 SHEET</small> 	DATE: May 12, 2022	



Hamilton

Committee of AdjustmentCity Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only

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

1 APPLICANT INFORMATION

	NAME	
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	Lot Pt Lot 30	Concession 1 Beverly	Former Township Flamborough
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 37 Highway No. 52, Flamborough ON	Assessment Roll N°. 30114038200		

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 type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |

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

- | | |
|---|--|
| <input checked="" 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:

2789533 Ontario Inc.

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)
41m (18m +23m)	approximately 402.1m	12.75 Ha

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: None

Proposed: None

Existing structures to be removed: None

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 type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input checked="" 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)
74.2m	142.3m	1.21 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 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 single-detached dwelling and 1 barn functioning as an apple orchard store

Proposed: 1 single-detached dwelling and 1 barn functioning as an apple orchard store

Existing structures to be removed: none.

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity telephone school bussing garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): Settlement Residential

Urban Hamilton Official Plan designation (if applicable): n/a

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

The application conforms with the Rural Hamilton Official Plan. Please see the enclosed covering letter for more details.

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? 'Settlement Residential' ('S1') zone Exception 52 and 'Conservation/Hazard Land' ('P6')

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input checked="" type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input 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 checked="" type="checkbox"/>	Copetown Feed Mill (123m)
An active railway line	<input checked="" type="checkbox"/>	Abutting subject lands (0m)
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?

Discussions with current property owner; information from previously-filed and approved consent application
- 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 consent is consistent with the Provincial Policy Statement (2020) as discussed in the enclosed covering letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

The proposed consent is consistent with the Provincial Policy Statement (2020) as discussed in the enclosed covering letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

The proposed consent conforms to the Growth Plan, as discussed in the enclosed covering letter.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

The proposed consent conforms with the policies of the Growth Plan and the Greenbelt Plan, as noted above and discussed in the enclosed covering letter.
- e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
 (Provide Explanation)

n/a
- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No
 If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

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

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

The proposed consent conforms to the policies of the Greenbelt Plan, as noted in the enclosed covering letter.

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.

Consent Application FL/B-18:39 was approved, but lapsed.

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

The application is a re-submission of FL/B-18:39, with no changes.

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?

applicant is in purchase and sale agreement with the current owner

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 checked="" type="checkbox"/> Rural Settlement Area (specify)	<u>Copetown</u>	<u>Settlement Residential</u>
	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.

not applicable

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) 41m (18m + 23m)	Area (m ² or ha): (from in Section 4.1) 12.75 Ha
---	--

Existing Land Use: Agriculture Proposed Land Use: Future residential

b) Lands to be Retained:

Frontage (m): (from Section 4.2) 74.2m	Area (m ² or ha): (from Section 4.2) 1.21 Ha
---	--

Existing Land Use: farm dwelling and Proposed Land Use: Residential

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

The proposed severance will serve to help facilitate the purchase of the severed lands by the applicant and allow for their eventual development subject to further Geotechnical, environmental study, and subsequent planning approvals.

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.

May 19/22
Date

[Signature]
Signature of Owner



June 7, 2022

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

Attention: Committee of Adjustment Members

Our File #: 22-1400

Submitted Electronically to cofa@hamilton.ca

Reference: 2789533 Ontario Inc. (c/o Paul Mariutti)
Application for Consent to Sever Lands
37 Highway No. 52, Copetown
City of Hamilton

Monteith Brown Planning Consultants (“MBPC”), on behalf of our client 2789533 Ontario Inc. (c/o Paul Mariutti), is pleased to submit an application for a Consent to sever a portion of 37 Highway No. 52 (“the subject lands”) in the settlement area of Copetown. Our client has entered into an agreement of purchase and sale with the current owners of the property (Barbara and Robert Myers), with the intention that the undeveloped portion of the property will be conveyed to our client for future residential development purposes, and the retained portion will remain under the Myers’ ownership. This letter is intended to provide a description of the proposed consent, discuss the previous consent application filed by MBPC on behalf of Sifton Properties and approved by the Committee of Adjustment in 2018, and demonstrate the proposed consent’s conformity with Provincial, Regional, and local planning frameworks. **The application fee will be submitted directly to the City by our client under separate cover.**

Description of Subject Lands

The subject lands are located in Copetown, a rural settlement area in west Hamilton. The property is bound by Flamborough Hills Golf Club to the north and west, Highway 52 to the east, and Governors Road to the south. The property has a total approximate area of 13.96 Ha (34.5 acres), with the majority of the subject lands being used as an apple orchard. The property’s frontage on Highway No. 52 is broken up by seven existing low-density residential properties, leaving a total of 115.2m of frontage (18m at the northeast corner of the property and 97.2m in the middle of the eastern property boundary). The subject lands are currently the location of Myers Apple Farm, a U-Pick apply orchard and store where apples and other fruits, vegetables, and preserves are sold. The majority of the subject lands are cultivated as field crops and apple orchards. A wooded area is located along the northern boundary of the subject lands, and a small pond is located near the southern boundary. A single-detached dwelling is also located on the east side of the subject lands, adjacent to Highway 52.

Land Use Context

The property is located at the north-western corner of the Copetown community, in close proximity to existing single-detached dwellings along both sides of Highway 52 to the east; the Flamborough Hills Golf Club clubhouse and parking lot to the north; the CN rail tracks and single-detached dwellings to the south; and the golf course to the west. Development within Copetown primarily extends along Governor's Road and Highway 52, with the Copetown Community Centre and Lion's Park located an approximately 10-minute walk (750m) southeast from the subject lands. The Harmony Resorts Ancaster Springs Campground is located approximately 375m south of the subject lands along Highway 52, to the south of the single-detached dwellings fronting onto Governor's Road.

Proposed Consent

The purpose of this application is to sever and convey the undeveloped portion of the property (approximately 12.75 Ha, with a total of 41 metres of frontage on Highway No. 52) to 2789533 Ontario Inc. to facilitate future residential development on the subject lands. (The merits of the residential development proposal will be presented and evaluated in a separate planning application following the perfection of the consent.) The existing buildings and structures on the property will be included within the retained parcel, which has an area of approximately 1.21 Ha and approximately 74.2m of broken frontage on Highway No. 52. The enclosed consent sketch illustrates the boundaries of the lands proposed to be severed and conveyed, as well as the proposed setbacks to the new lot lines.

Previous Planning Application

In March 2018, MBPC submitted a Consent application for the subject lands to the City of Hamilton Committee of Adjustment on behalf of Sifton Properties, which was assigned the file number FL/B-18:39. The application was filed in 2018 is the **same** as the application being filed today, with the same proposed lot boundaries and intention to develop the severed lands for residential development in the future. A public meeting was held on June 7, 2018 for the previous application, and **the consent was approved by the Committee of Adjustment** with conditions. That consent approval lapsed for reasons related to the previous proposal by Sifton properties. The new purchaser of the lands has subsequently retained MBPC to re-submit this application to enable the re-development of the subject lands for residential purposes.

In the planning report prepared for the previous Consent application, Staff provided the following comments in the context of the Rural Hamilton Official Plan ('RHOP'), with emphasis added:

*"The purpose of the severance is to assemble the lands in order to accommodate a possible future subdivision or consent application to further subdivide the lands. Therefore, since there is no immediate development of the lands for a single detached dwelling as a result of this severance **staff do not have any concerns regarding the lot size of this property or its compatibility with the surrounding neighbourhood as those aspects should be evaluated upon the submission of a further Planning Act application.**"*

"In the future, should the lands only be utilized for a single detached dwelling staff anticipate that the lot size is appropriate to sustainably service one single detached dwelling and the lot fronts onto an existing road."

*"Staff have concerns regarding the existing barn on the proposed lands to be retained. Since the farm operation will cease the barn will no longer be used for Agriculture and therefore will become accessory to the single detached dwelling. These concerns are **not pertinent** for this application and will be addressed through a future subsequent Minor Variance Application."*

Staff confirmed that the existing and proposed lot meet the minimum lot frontage and size requirements listed in the City of Hamilton Zoning By-law No. 05-200 for the 'Settlement Residential' ('S1') and 'Conservation/Hazard' ('P6') zones.

Staff recommended that the Consent application be **approved**, with the note that the existing barn on the retained lands would be subject to a minor variance application to clear any conditions of provisional consent. This matter can be addressed following the approval of the new Consent application. As noted above, the Committee of Adjustment agreed with this recommendation and the consent was approved with conditions in June 2018, but lapsed prior to the conditions being fulfilled.

Provincial Policy Statement (2020)

The Provincial Policy Statement 2020 ('PPS') provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act "*shall be consistent with*" policy statements issued under the Act.

The proposed consent is consistent with PPS policies supporting healthy, liveable, and safe communities and long-term economic prosperity (Policies 1.1.1, 1.7.1). The proposed severance of the undeveloped portion of the subject lands will facilitate future residential development within an established settlement area, providing economic development opportunities and additional housing options for the community (Policies 1.1.1 a, b); 1.1.3.1; 1.1.3.2, 1.7.1 a, b)). (The merits of the proposed residential development will be evaluated in detail through a **future** planning application.)

The natural hazard features on the subject lands are not proposed to be fragmented as part of the proposed consent, consistent with PPS policies that direct development away from hazardous lands and sites (Policies 3.1.1, 3.1.2).

Finally, it is important to note that the subject lands are **not** located within the Agricultural Area, and therefore the PPS policies regarding lot creation in prime agricultural areas do **not** apply to the proposed consent (Policy 2.3.4.1).

In light of the above, the proposed consent is consistent with the policies of the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow provides a framework for growth and development within the Greater Golden Horseshoe ('GGH'), supporting the achievement of complete communities that are designed to support healthy and active living so that the GGH "*will continue to be a great place to live, work and play*" (s.s. 1.2, 2.1). A Place to Grow recognizes that "*strong, healthy and prosperous rural communities are also vital to the economic success of the GGH and contribute to our quality of life. This Plan recognizes and promotes the important role of rural towns and villages as a focus of economic, cultural and social activities that support surrounding rural and agricultural areas across the GGH.*" (s.s. 2.1). The policy directions of Place to Grow will be implemented through Ontario's land-use planning system, particularly the Official Plans of upper-tier and single-tier municipalities (such as the City of Hamilton) (s.s. 5.1).

'Schedule 2 – A Place to Grow Concept' provides a **high-level** view of the regional growth framework and identifies Copetown as being located within the 'Greenbelt Area'. While A Place to Grow policies limit growth in settlement areas that are in the Greenbelt Area, it is important to note that the built boundary, greenfield areas, and settlement area boundaries shown in Schedule 2 are **conceptual**, with actual settlement area boundaries delineated in applicable official plans (s.s. 2.2.1.2, 5.2.7). As the subject lands are located within the settlement area of Copetown, the proposed consent conforms to the policies of A Place to Grow, which support strong, healthy, and prosperous rural communities.

The Greenbelt Plan (2017)

The Greenbelt Plan “*identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions*” within the GGH (s.s. 1). ‘Schedule 1: Greenbelt Area’ identifies that the subject lands, along with the entire community of Copetown, are located within the ‘Protected Countryside’, which is comprised of agricultural and natural systems and a series of settlement areas (s.s. 1.1). Copetown is identified on as a ‘Hamlet’ on ‘Appendix II: Schematic Showing Settlements within Greenbelt Area’. The policies for settlement areas in the ‘Protected Countryside’ support the achievement of complete communities “*that are healthier, safer, more equitable and more resilient to the impacts of climate change*” (s.s. 1.1). As the subject lands are located within a Settlement Area, they are subject to the policies of the Growth Plan and the RHOP, and are not subject to the vast majority of Greenbelt Plan policies (s.s. 1.4.3.2, 3.4.4.1). Limited growth is permitted in Hamlets through infill and intensification, subject to the provision of appropriate services (s.s. 3.4.4.1).

In light of the above, the proposed consent conforms to the policies of the Greenbelt Plan, as it will facilitate the future development of the subject lands through infill.

Rural Hamilton Official Plan

The subject lands are designated as ‘Hamlet (Rural Settlement Area)’ on ‘Schedule A - Provincial Plans’ of the Rural Hamilton Official Plan, and ‘Map 2 – Copetown Rural Settlement Area Plan’ identifies the site as ‘Settlement Residential’ with ‘Natural Open Space (Hazard Lands)’ along the northern boundary of the site.

Development is not permitted within ‘Natural Open Space (Hazard Lands)’ without written approval of the Conservation Authority (s.s. A1.7.2). The hazard lands will form part of the lands to be severed through the proposed consent, and are not proposed to be fragmented or developed.

Consents to sever a dwelling within a designated Rural Settlement Area are permitted in accordance with Policy F1.14.2.1 c) of the RHOP:

c) All proposed severances that create a new lot shall:

i) comply with the policies of this Plan including a rural settlement area plan where one exists;

The Copetown Rural Settlement Area Plan permits the creation of new residential lots in the ‘Settlement Residential’ designation with a general minimum size of 1 Ha by way of consent, which both the severed and retained lots conform to (s.s. F1.14.2.1 c) i); s.s. A2.2.6.2, A2.2.6.3, A2.2.6.4).

ii) be compatible with and not hinder surrounding agricultural operations;

The subject lands are located within a settlement area and the proposed severance is not anticipated to hinder surrounding agricultural operations (s.s. F1.14.2.1 c) ii)).

iii) conform to the Zoning By-law;

Both the severed and retained lands conform to the minimum lot area requirements of the existing zoning. Minor variance applications will be required to address the lot coverage for the existing accessory building on the retained lands and frontage requirements on the conveyed lands, which can be addressed as a condition of consent (s.s. F1.14.2.1 c) iii)). Conformity with the Zoning By-law is addressed in further detail below.

iv) only be permitted when both severed and retained lots have frontage on a public road; and,

Both the severed and retained lands have frontage on Highway No. 52 (s.s. F1.14.2.1 c) iv)).

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MONTEITH BROWN PLANNING CONSULTANTS

v) meet the requirements of Section C.5.1, Private Water and Wastewater Services.

It is anticipated that the servicing strategy for the retained lands will be confirmed through the clearance of conditions, and the servicing strategy for the severed lands will be dealt with through a future *Planning Act* application to permit residential development (s.s. F1.14.2.1 c) v)).

In summary, the proposed consent conforms to the policies of the Rural Hamilton Official Plan.

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

The City of Hamilton Interactive Zoning Mapping identifies that the subject lands are zoned 'Settlement Residential Exception 52 (S1-52)' and 'Conservation/Hazard Land (P6)' under Zoning By-law No. 05-200 ('ZBL'). The 'S1' zone permits agriculture, residential care facilities, and single-detached dwellings, and the '52' Exception establishes a minimum lot area of 1.0 Ha (s.s. 12.3.1; Schedule 'C', 52).

It is anticipated that a minor variance will be required to bring the accessory building on the retained lands into conformity with the Zoning By-law (as the barn, formerly used for agricultural purposes, has a floor area greater than 45 m²) (s.s. 4.8.1.1).

A minor variance will also be required for the severed lands to address the minimum lot frontage requirements. The Zoning By-law requires a minimum lot width of 30m, defined as "*the horizontal distance between the side lot lines of a lot measured at the required front yard*". For an interior lot with multiple lot lines abutting a street, the front lot line is defined as the shorter of the lot lines. Although the lands to be severed have a total of 41m of frontage on Highway 52, the frontage is broken into 18m and 23m sections, so the lot width would be 18m.

Similar to the previous approval, it is our opinion that these two concerns can be addressed through a future minor variance application and are not pertinent to this application.

The 'P6' zone along the northern boundary of the site permits agriculture, conservation, flood and erosion control facilities, passive recreation, and single-detached dwellings (s.s. 7.6.1). The lands zoned 'P6' will be included with the severed lands and are not proposed to be developed or fragmented as part of this application.

Both the existing and proposed lot meet the minimum lot size requirements for an 'S1-52' zone and have adequate frontage onto a public street, and therefore the proposed consent is consistent with the general intent and purpose of the City of Hamilton ZBL.

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Conclusion

In summary, the proposed severance is consistent with the policies of the PPS, A Place to Grow, the Greenbelt Plan, the Rural Hamilton Official Plan, and the City of Hamilton Zoning By-law No. 05-200, and represents good land use planning.

In support of this submission, please find enclosed the following for your review and consideration:

- One (1) copy of a Consent Application Form;
- One (1) copy of an Authorization of Agent form;
- One (1) copy of an Agreement of Purchase and Sale; and
- One (1) copy of a Consent Sketch (MBPC, 2022).

The Consent application fee in the amount of \$3,390.00 will be submitted directly to the City by our client. We trust that the enclosed information is satisfactory to address the City's application requirements and we look forward to working with City staff towards timely approvals. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

MONTEITH BROWN PLANNING CONSULTANTS



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/enc

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