



**City of Hamilton**  
**COMMITTEE OF ADJUSTMENT**  
**AGENDA**

**Meeting #:** 22-15  
**Date:** August 11, 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

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	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
<b>2. SUBURBAN</b>	
2.1. 1:15 p.m.SC/B-22:6779 Deerhurst Road, Stoney Creek (Ward 10) Agent – DeFilippis Design Owner – Mia & Dino Gabriele	5
2.2. 1:15 p.m.SC/A-22:22579 Deerhurst Road, Stoney Creek (Ward 10) Agent – DeFilippis Design Owner – Mia & Dino Gabriele	19
2.3. 1:20 p.m.AN/A-22:230535 Gray Court Road, Ancaster (Ward 12) Owner – Charles & Maria Bou Khers	29
2.4. 1:25 p.m.AN/A-22:23260 Academy Street, Ancaster (Ward 12) Agent – Benjamin McFadden Owner – Sean & Nicole Todd	39
2.5. 1:30 p.m.AN/A-22:240887 Bishop Place, Ancaster (Ward 12) Owner – Michele & Mark Welch	51

- 2.6. 1:35 p.m.AN/A-22:241120 Portia Drive, Ancaster (Ward 12) 63  
Agent – Urban Solutions : M. Johnston  
Owner – HTL Ancaster Inc. : R. Wells
- 2.7. 1:40 p.m.HM/A-22:228 195 East 8th Street, Hamilton (Ward 8) 75
- 2.8. 1:50 p.m.HM/A-22:236267 East 44th Street, Hamilton (Ward 6) 87  
Agent – Len Angelici  
Owner – Aaron & Joanna Beckley
- 2.9. 1:55 p.m.HM/A-22:115 35 Hamilton Avenue, Hamilton (Ward 7) 99  
Agent – A.J. Clarke : Steve Fraser  
Owner – D. Vopni, M. Puzella, D. DiGennaro
- 2.10. 2:00 p.m.HM/A-22:237302 East 16th Street, Hamilton (Ward 7) 117  
Agent – Andrew Sieders  
Owner – S. Brydges & L. Wright
- 3. URBAN**
- 3.1. 2:05 p.m.SC/A-22:23135 Upper Lake Avenue, Stoney Creek (Ward 5) 139  
Agent – Sean Lachepele  
Owner – William & Sharon Houston
- 3.2. 2:15 p.m.HM/A-22:20832 Cedar Avenue, Hamilton (Ward 3) 163  
Agent – Marina Fensham  
Owner – Natalie Lazier
- 3.3. 2:20 p.m.HM/A-22:224277 Balmoral Avenue North, Hamilton (Ward 3) 177  
Agent – Gordon Pappin  
Owner – Julie Mota-Teixeira
- 3.4. B R E A K
- 3.5. 2:40 p.m.HM/A-22:233221 Hess Street South, Hamilton (Ward 2) 187  
Owner – Lucie Gingras

- 3.6. 2:45 p.m.HM/A-22:1539 Southview Place, Hamilton (Ward 1) 197  
 Agent – Vivek Gupta  
 Owner – S. Mohan & S. Mohan
- 3.7. 2:50 p.m.HM/B-22:70330 Dundurn Street South, Hamilton (Ward 1) 213  
 Agent – IBI : Carmen Jandu  
 Owner – 2178949 Ontario Inc.
- 3.8. 2:50 p.m.HM/A-22:190330 Dundurn St. S., Hamilton (Ward 1) 235  
 Agent SRM Architect Inc.  
 Owner 2178940 Ontario Inc. – Lev Development

#### 4. RURAL

- 4.1. 2:55 p.m.AN/B-21:94 \*Change Conditions2943 Jerseyville Rd. W.,  
 Ancaster (Ward 12) 247  
 Agent – Gowling LLP  
 Owner – 2296544 Ontario Inc.
- 4.2. 3:00 p.m.AN/A-22:226183 Sunnyridge Road, Ancaster (Ward 12) 273  
 Agent – Len Angelici  
 Owner – L & M Godoy
- 4.3. 3:05 p.m.AN/B-22:68560 Carluke Road West, Ancaster (Ward 12) 283  
 Agent – B. Beamer & M. Inksetter  
 Owner – David & Jody Bruulsema
- 4.4. 3:10 p.m.FL/A-22:227877 Millgrove Sideroad, Flamborough (Ward 15) 297  
 Agent – Matthew Fratarcangeli  
 Owner – David Josiah John Shelley
- 4.5. 3:15 p.m.FL/A-22:22211 Mountain View Road, Flamborough (Ward 13) 317  
 Agent – Details Matter : S. Wilson  
 Owner – Chris Klimm
- 4.6. 3:20 p.m.FL/A-22:2293 Haines Avenue, Flamborough (Ward 13) 333  
 Owner – Ryan Clewlow & Leanna Ardron

- 4.7. 3:25 p.m.FL/A-22:234843 Safari Road, Flamborough (Ward 13) 345  
Owner – David Wilson & Tanya Pinnegar
- 4.8. 3:30 p.m.DN/A-22:2351 Rogers Road, Dundas (Ward 13) 373  
Agent – Daniel Cheatley  
Owner – Dwayne Douglas MacDonald
- 4.9. 3:35 p.m.DN/A-22:23824 Peel Street North, Dundas (Ward 13) 385  
Agent – Gabe Faraone  
Owner – Jack & Iwona Deska
- 4.10. 3:40 p.m.SC/B-22:69132 Slinger Avenue, Stoney Creek (Ward 9) 413  
Agent – Bousfields : David Falletta  
Owner – Anthony Longo

5. **CLOSED**

6. **ADJOURNMENT**



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/B-22:67</b>	<b>SUBJECT PROPERTY:</b>	79 DEERHURST ROAD, STONE CREEK
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**APPLICANTS:** Owner - Mia Gabriele & Dino Gabriele  
Agent - DeFilippis Design

**PURPOSE & EFFECT:** To convey a vacant parcel of land for residential purposes and to retain a parcel of land containing the existing dwelling (to remain).

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	16.0 m <sup>±</sup>	24.2 m <sup>±</sup>	390 m <sup>2</sup> ±
<b>RETAINED LANDS:</b>	22.1 m <sup>±</sup>	24.2 m <sup>±</sup>	462 m <sup>2</sup> ±

Associated Planning Act File(s): SC/A-22:225

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

SC/B-22:67

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 2022

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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-22:67**

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](mailto: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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

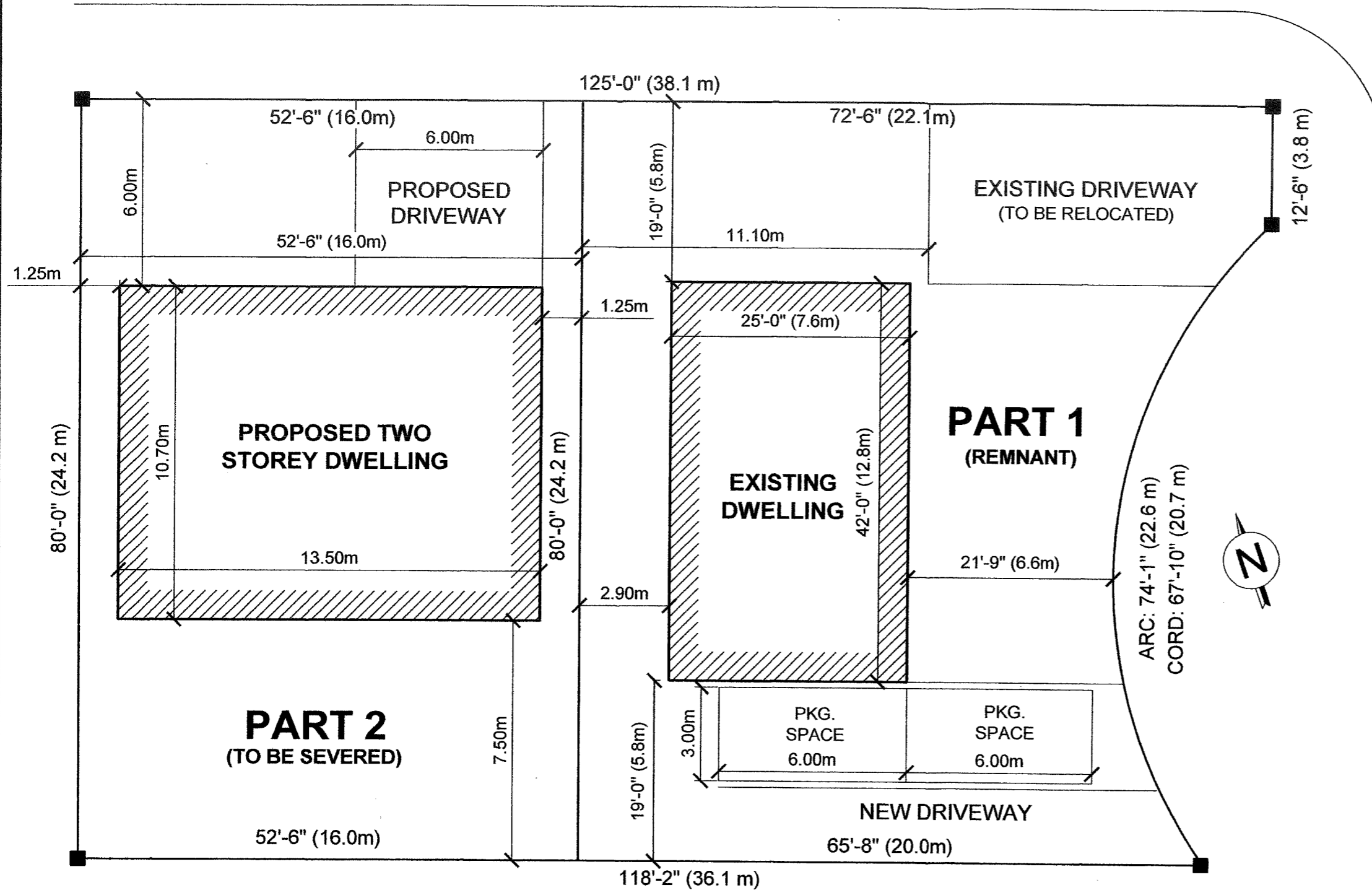
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



These drawings are the property of DeFILIPPIS DESIGN and are not to be copied, reproduced or used without the express written consent of the designer.

# HEMLOCK AVENUE



## SITE STATISTICS

### PART 1


LOT AREA	462 sq.m
LOT COVERAGE (EXIST. 25%)	40% max.
FRONT YARD AREA	127.59 sq.m
FRONT YARD LANDSCAPING	50% min.
HEIGHT (ONE STOREY EXISTING)	7.0m max.

### PART 2

LOT AREA	390 sq.m
LOT COVERAGE	40% max.
HEIGHT (DWELLING TWO STOREY)	11.0m max.

NOTES:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

3		 <b>DeFILIPPIS DESIGN</b> 687 BARTON ST. E., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2		
1	JUNE, 2022	
REV.		
JOB NO.		PROPOSED IN-LAW SUITE FOR:
CHKD. BY		<b>DINO GABRIELE</b>
DRN. BY		79 DEERHURST ROAD
DATE: MARCH, 2022		STONEY CREEK, ON
SCALE:		<b>SEVERANCE</b>
DWG NO. SP-1		



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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*	N/A	N/A	Phone: E-mail:
Registered Owners(s)	MIRIAM DINO GABRIELE		
Applicant(s)**		SA	
Agent or Solicitor	DEFILIAPIS DESIGN		

\*Purchaser must provide a copy of the port that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)

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

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

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
SALTFLAT			
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address	79 DEERHURST AVE, SALTFLAT		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:

[Empty box for describing easement or covenant]

**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:

*PENDING*

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

[Empty box for identifying lands to be added]

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be Severed (lease, easement, charge etc.):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
<i>16.0 m ±</i>	<i>24.2 m ±</i>	<i>390 sq m ±</i>

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: *VACANT*

Proposed: *Two Grand Circle Family Dwell*

Existing structures to be removed: *N/A*

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

- Type of sewage disposal proposed: (check appropriate box)
- publicly owned and operated sanitary sewage system
  - privately owned and operated individual septic system
  - other means (specify)

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
22.1m ±	24.2m ± (1000)	462 sq m ±

Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

Existing Use of Property to be retained:

- Residential
- 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 FAMILY DWLG (ONE STORY)

Proposed: SINGLE FAMILY DWLG TO REMAIN

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):

Urban Hamilton Official Plan designation (if applicable): URBAN SETTLEMENT

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

MAINTAIN USE WITHIN AN EXISTING ESTABLISHED RESIDENTIAL NEIGHBOURHOOD

5.2 What is the existing zoning of the subject land? RZ-RESIDENTIAL  
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? \_\_\_\_\_

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<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 NA
- 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?

HAS BEEN PART OF RESIDENTIAL SUBDIVISION IN EXCESS OF 50 YEARS

6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached?  
 Yes  No

7 PROVINCIAL POLICY

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

Yes  No

INFILL WITHIN EXISTING URBAN BOUNDARY, UTILIZING EXISTING INFRASTRUCTURE

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

SAME AS TO

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

DENSITY INCREASE WITHIN EXISTING URBAN SETTLEMENT AREA

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes  No

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

If yes, is the proposal in conformity with the Niagara Escarpment Plan?  
 Yes  No (Provide Explanation) 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

[Empty box for explanation]

**8 HISTORY OF THE SUBJECT LAND**

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

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

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

N/A

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

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

8.4 How long has the applicant owned the subject land?

JUNE 1 / 2022

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

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

UNKNOWN

**9 OTHER APPLICATIONS**

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

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

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

Yes  No  Unknown

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

File number \_\_\_\_\_ Status \_\_\_\_\_

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

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

N/A

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
  - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation
- (Complete Section 10.4)  
(Complete Section 10.5)

**10.3 Description of Lands**

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
Existing Land Use: _____	Proposed Land Use: _____

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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.

June 20/2022  
 Date

Dimo Galich  
 Signature of Owner

Mano Cabreto





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/A-22:225</b>	<b>SUBJECT PROPERTY:</b>	79 DEERHURST ROAD, STONEY CREEK
<b>ZONE:</b>	R2 (Single Residential - Two)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Agent – DeFilippis Design  
Owner – Mia & Dino Gabriele

The following variances are requested:

**Part 1 (Lands to be Retained):**

1. A minimum lot area of 462 square metres shall be provided for the portion of the lands to be retained, instead of the minimum required lot area of 505 square metres for a corner lot.
2. A minimum front yard of 5.8 metres shall be permitted, instead of the required minimum front yard of 6.0 metres.
3. A minimum rear yard of 5.8 metres shall be permitted, instead of the required minimum rear yard of 7.5 metres.

**Part 2 (Lands to be Conveyed):**

4. A minimum lot area of 390 square metres shall be provided for the portion of the lands to be conveyed, instead of the minimum required lot area of 460 square metres for an interior lot.

**PURPOSE & EFFECT:** To facilitate the creation of two (2) lots in conjunction with Consent to Sever Application No. SC/B-22:67 and the construction of a new single family dwelling on the portion of the lands to be conveyed (Part 2),

**Notes:**

1. This application is to be heard in conjunction with Consent to Sever Application No. SC/B-22:67.

**SC/A-22:225**

2. Please note that as a result of the Application for Consent/Land Severance, the lot line adjacent to Hemlock Avenue and measuring 22.1 metres is considered the Front Lot Line for the portion of the lands to be retained (Part 1). Therefore, for the portion lands to be retained (Part 1) variances are required to the minimum front yard (Variance No. 2) and the minimum rear yard (Variance No. 3) based on the location of the existing single detached dwelling in relation to the existing lot lines.
3. Please note that from the materials provided, it is unclear if an attached garage or attached carport is being provided on the portion of the lands to be conveyed (Part 2). As per Section 6.3.3(d)(2), on an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres. Additional variances may be required if compliance with Section 6.3.3(d)(2) cannot be achieved.
4. Please note that detailed elevation drawings were not provided for development on the portion of the lands to be conveyed (Part 2). As per Section 6.3.3(f), the maximum building height is 11.0 metres. Additional variances may be required if compliance with Section 6.3.3(f) cannot be achieved.
5. Specific details regarding lot coverage were not provided for the portion of the lands to be conveyed (Part 2). As per Section 6.3.3(g) the maximum lot coverage is 40 percent. Additional variances may be required if compliance with Section 6.3.3(g) cannot be achieved.
6. Specific details regarding parking were not provided for the portion of the lands to be conveyed (Part 2). As per Section 6.3.4, a minimum of two (2) parking spaces are required per dwelling, of which only one may be provided in the required front yard. Tandem parking is permitted. Additional variances may be required if compliance with Section 6.3.4 and all other parking regulations contained within Stoney Creek Zoning By-law No. 3692-92 cannot be achieved.
7. Please note that the projection of eaves/troughs and other permitted yard encroachments have not been indicated for the portion of the lands to be retained (Part 1) and the portion of the lands to be conveyed (Part 2). Additional variances may be required if compliance with Section 4.19.1 cannot be achieved.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**SC/A-22:225**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](http://www.hamilton.ca/committeeofadjustment)

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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](mailto: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

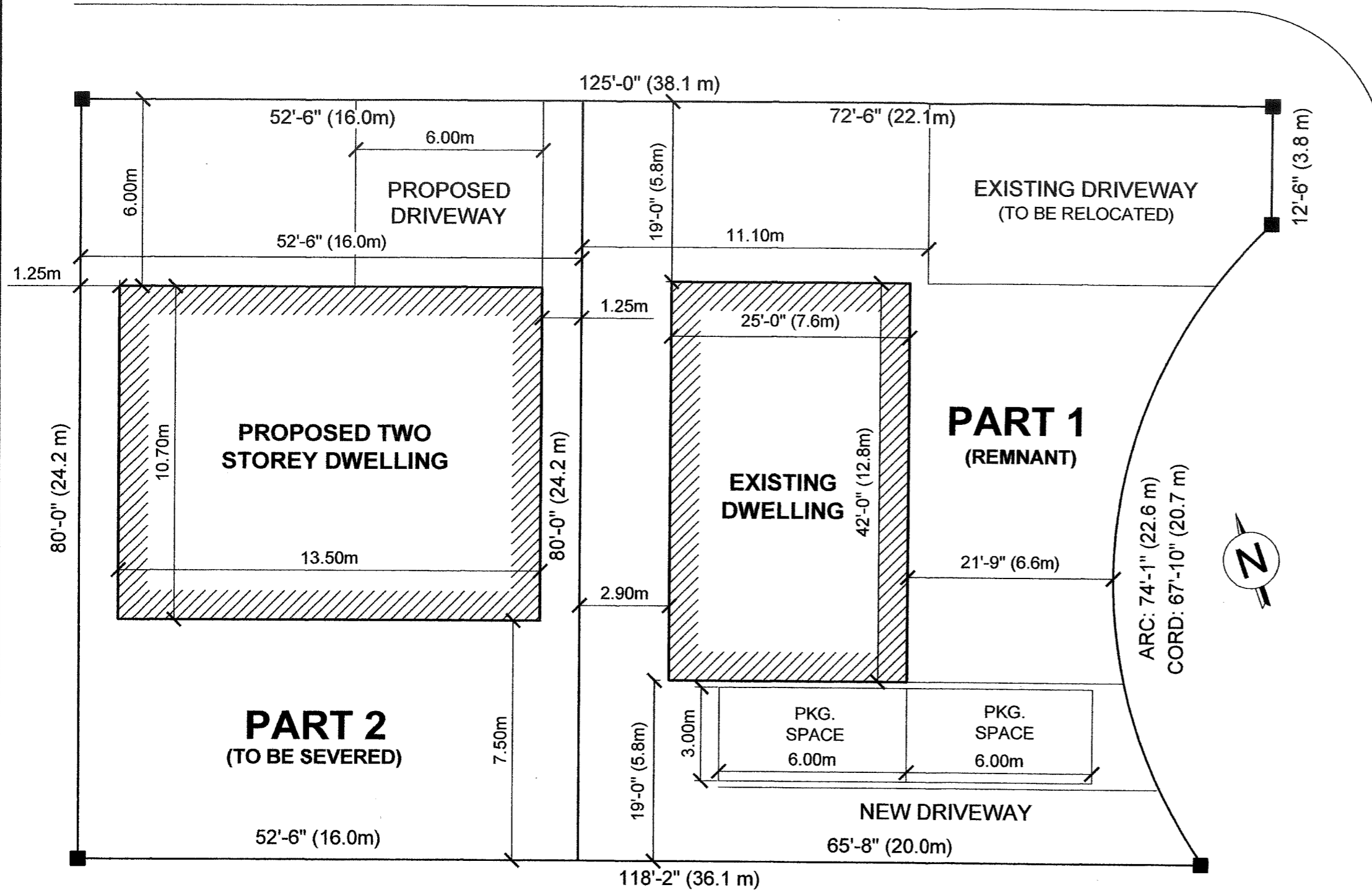
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto: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.

These drawings are the property of DeFILIPPIS DESIGN and are not to be copied, reproduced or used without the express written consent of the designer.

# HEMLOCK AVENUE



## SITE STATISTICS

### PART 1


LOT AREA	462 sq.m
LOT COVERAGE (EXIST. 25%)	40% max.
FRONT YARD AREA	127.59 sq.m
FRONT YARD LANDSCAPING	50% min.
HEIGHT (ONE STOREY EXISTING)	7.0m max.

### PART 2

LOT AREA	390 sq.m
LOT COVERAGE	40% max.
HEIGHT (DWELLING TWO STOREY)	11.0m max.

NOTES:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

3		 <b>DeFILIPPIS DESIGN</b> 687 BARTON ST. E., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2		
1	JUNE, 2022	
REV.		PROPOSED IN-LAW SUITE FOR:
JOB NO.		<b>DINO GABRIELE</b>
CHKD. BY		79 DEERHURST ROAD
DRN. BY		STONEY CREEK, ON
DATE: MARCH, 2022		<b>SEVERANCE</b>
SCALE:		
DWG NO. SP-1		



Hamilton

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

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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)	MAAC DI NO GABRIELE	[REDACTED]
Applicant(s)*	Same	[REDACTED]
Agent or Solicitor	DeFILIPPIS DESIGN	[REDACTED]

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

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

N/A
-----



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

4. Nature and extent of relief applied for:

*See Attached sheet*

- Second Dwelling Unit       Reconstruction of Existing Dwelling

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

*MAINTAIN EXISTING SITUATION, CREATION OF A NEW LOT, RE-ORGANIZATION OF LOT*

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):

*79 DEERWAST Ave, Inverclyde County*

*PART 1 of 2*

7. PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial   
 Agricultural       Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use *NA*

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

## **VARIANCES REQUESTED FOR 79 DEERHURST, STONEY CREEK**

### **PART 1**

Rear yard of 5.8m instead of 7.5m.

Front Yard of 5.8m instead of 6.0m

Lot area of 462 sq.m. instead of 505 sq.m.

### **PART 2**

Lot area of 390 sq m. instead of 460 sq. m.

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?

PART OF EXISTING RESIDENTIAL PLAN OF SUBDIVISION IN EXCESS OF 50 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.

JUNE 20/2022  
Date

Dino Gabriele / Mia Gabriele  
Signature Property Owner(s)

DINO GABRIELE / MIA GABRIELE  
Print Name of Owner(s)

10. Dimensions of lands affected:

	<u>PART 1</u>	<u>PART 2</u>
Frontage	<u>22.0m</u>	<u>16.0m</u>
Depth	<u>24.2m</u>	<u>24.2m</u>
Area	<u>462 sqm</u>	<u>390 sqm</u>
Width of street	<u>20m</u>	<u>20.0m</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.)

	<u>PART 1</u>	<u>PART 2</u>
Existing:	<u>ONE STOREY DWLG</u>	<u>VACANT</u>
Proposed:	<u>EXISTING ONE STOREY DWLG TO REMAIN</u>	<u>TWO STOREY SINGLE FAMILY DWELLING</u>

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

Existing:	<u>SEE SITE PLAN</u>
Proposed:	<u>SEE SITE PLAN</u>

- 13. Date of acquisition of subject lands:  
JUNE 1 / 2022
- 14. Date of construction of all buildings and structures on subject lands:  
FALL 2022
- 15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
50 years plus
- 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:  
50 years plus
- 18. Municipal services available: (check the appropriate space or spaces)  
 Water   ✓   Connected   ✓    
 Sanitary Sewer   ✓   Connected   ✓    
 Storm Sewers   ✓

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

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 RESIDENTIAL 3692-92

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No

If yes, please provide the file number:

21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No N/A

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 CONCURRENT

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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:230</b>	<b>SUBJECT PROPERTY:</b>	535 GRAY COURT DRIVE, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:** Owner – Charles & Maria Bou Khers

The following variances are requested:

1. An inground pool shall be permitted to be located in the front yard as close as 3.9m from the front lot line whereas the zoning by-law permits a totally inground pool in the minimum street side yard and the minimum rear yard, which is the rear yard.

**PURPOSE & EFFECT:** To facilitate the construction of an inground pool for the existing single detached dwelling.

**Notes:**

The Ancaster zoning By-law 87-57 requires a minimum of one metre within the side yard to be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod. The applicant shall ensure that compliance with this requirement can be achieved; otherwise, further variances may be required.

Details of any proposed pool pumps or equipment were not provided from which to determine compliance. Therefore, the applicant shall ensure that any swimming pool pumps etc., shall conform to the requirements of Section 9.3 “Mechanical Equipment” of the Ancaster zoning Bylaw 87-57. If swimming pool pumps etc., are intended to be enclosed within a building, the applicant shall ensure compliance with Section 7.18 “Accessory Buildings” of the Ancaster Zoning By-law 87-57.

**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.**

**AN/A-22:230**

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

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
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**PUBLIC INPUT**

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AN/A-22:230



DATED: July 26, 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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Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

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6 FT wood existing Fence

Existing Fence

10 Feet to fence

10 Feet to fence

10 Feet to fence

Fence

Fence

Fence

2 FT from Property line

Pool equipment

Fence

Property line

2 FT

Concrete pad

10 ft to patio

INGROUND Pool  
20'x40'  
5-8ft Deep.

GATE Double Door

GRASS

GRASS

GRASS

GRASS

GRASS

GRASS

GRASS

GRASS

GRASS

Walkway

WALKWAY

existing House

3 level Side split

CANOPY

existing shed



100 sq ft

Double CRANGE

Driveway

gate 8 FT

Property line

Existing Fence

CITY OF HAMILTON  
 BUILDING DIVISION  
 Planning & Development Department

FEB 24 2020

REC BY \_\_\_\_\_ DATE \_\_\_\_\_  
 PIN 17414-0423(LT)

REF'D TO \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF HAMILTON  
 Building Division

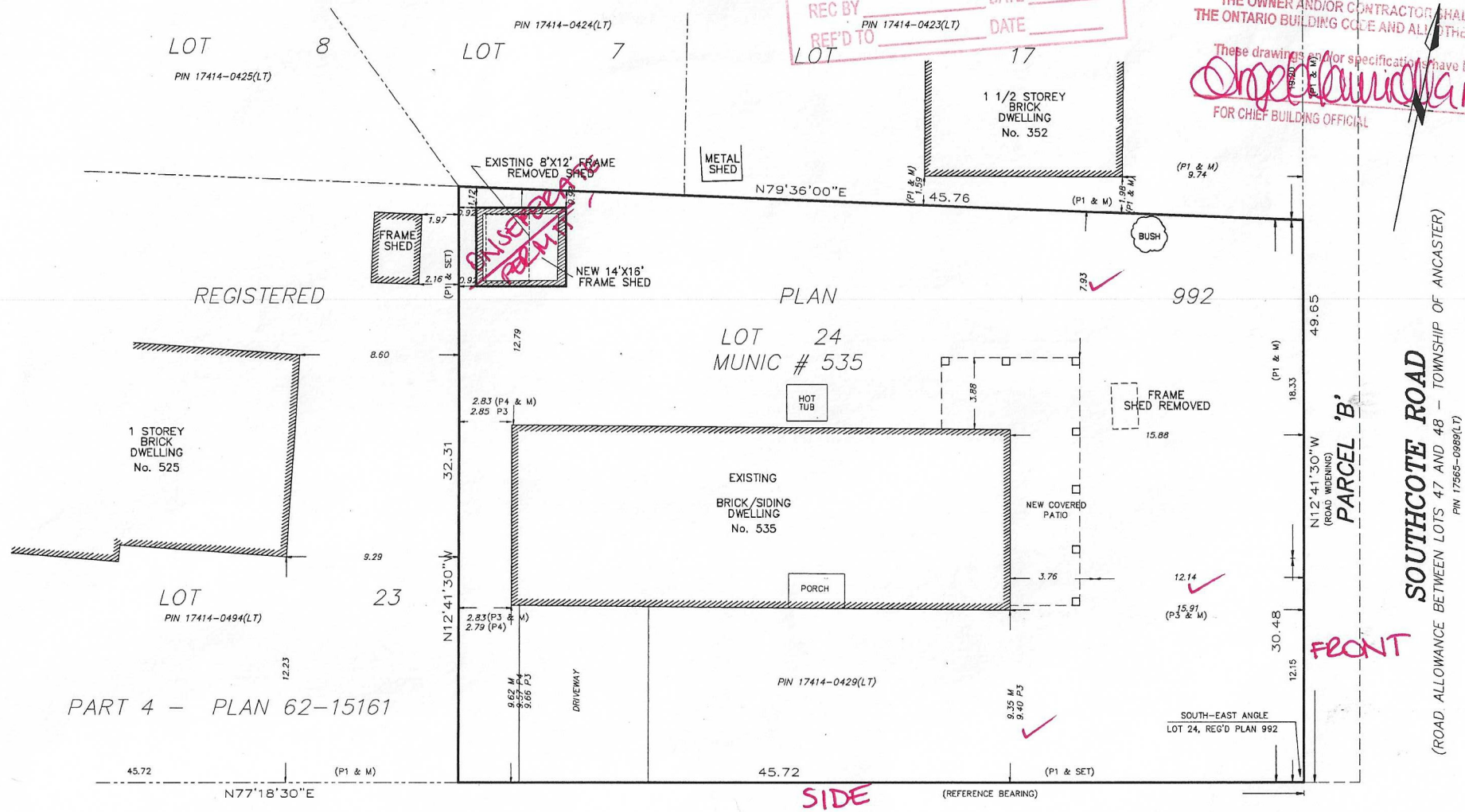
Permit No. 20-153554

THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE

THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH  
 THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW

These drawings and/or specifications have been reviewed by  
*Cheryl Kinnear*  
 FOR CHIEF BUILDING OFFICIAL DATE \_\_\_\_\_

REGISTERED PLAN M-203



SOUTHCOTE ROAD  
 (ROAD ALLOWANCE BETWEEN LOTS 47 AND 48 - TOWNSHIP OF ANCASTER)  
 PIN 17565-0889(LT)

GRAY COURT DRIVE  
 (BY REGISTERED PLAN 992)  
 PIN 17414-0439(LT)

R.G.CAD  
 SERVICE INC.  
 228 GREEN RD. STONEY CREEK  
 PHONE (905) 664-8061



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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

### APPLICATION FOR A MINOR VARIANCE

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>	Charles Bou Khers Maria Bou Khers	[REDACTED ADDRESS]
<b>Applicant(s)*</b>	Charles Bou Khers Maria Bou Khers	
<b>Agent or Solicitor</b>		
		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:

Charles Bou Khers Maria Bou Khers 535 Gray Court Drive Ancaster, ON L9G2R9
---

**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 applying for a minor variance to allow our pool to be in our fenced side yard. Based on the current city planning it is showing that this area is our front yard but in reality it is the side yard. Our address is on Gray court Drive not Southcote.

- Second Dwelling Unit       Reconstruction of Existing Dwelling

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

In reality that is the side yard of the home and not the front.  
The front of the home is facing Gray court Drive(our actual address)  
and our side yard is facing Southcote.

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**):

535 Gray Court Drive Ancaster Ontario L9G 2R9

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?

This address is located in the city of Ancaster and is zoned single family 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.

06/01/2022  
Date

  
Signature Property Owner(s)

Charles Boukhers Maria Boukhers  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	150.00 <sup>ft</sup>	or 45.72 m
Depth	106.00 <sup>ft</sup>	or 32.3088 m
Area	15,900 sq ft	or 4846.32 sq m
Width of street	150.00 <sup>ft</sup>	or 45.72 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:

3 level side split family home, 3000 sq ft

Proposed

N/A

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

Existing:

see drawing attached..

Proposed:

N/A

13. Date of acquisition of subject lands:  
October 29,2021
- 
14. Date of construction of all buildings and structures on subject lands:  
N/A
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family residential
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family residential
- 
17. Length of time the existing uses of the subject property have continued:  
N/A
- 
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:  
lot 24 munic#535
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
front yard needs to be changed to side yard.
- 
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)  
not too our knowledge.
- 
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:232</b>	<b>SUBJECT PROPERTY:</b>	60 ACADEMY STREET, ANCASTER
<b>ZONE:</b>	"ER" (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:** Owner – Sean & Nicole Todd  
Agent – Benjamin McFadden

The following variances are requested:

1. A side yard setback of 1.2m shall be provided instead of the minimum required side yard setback of 2.0m.

**PURPOSE & EFFECT:** To permit the construction of a new two-storey addition to the existing Single Detached Dwelling:

**Notes:**

- i. Please be advised that the proposed development is subject to Site Plan Control. As such, a comprehensive zoning review has not been conducted at this time and the variance has been written as requested by the applicant.
- ii. The Ancaster Zoning By-law 87-57 requires properties within an 'ER' zone to provide a minimum 1.0m wide unobstructed sod area along the side lot lines.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

AN/A-22:232

	<b>details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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.

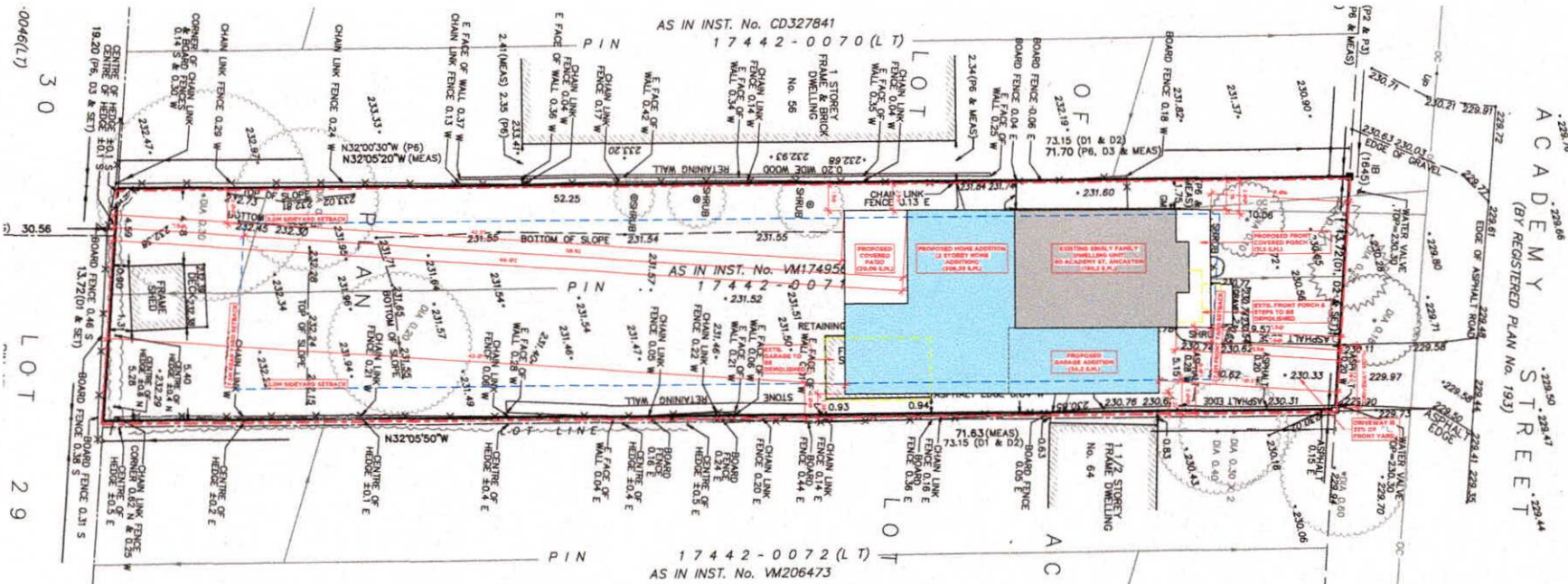
# TODD RESIDENCE HOME ADDITION

## SHEET LIST:

1. A001 - SITE PLAN
2. A101 - BASEMENT & MAIN FLOOR
3. A102 - 2ND FLOOR & ROOF PLAN
4. A201 - ELEVATIONS

## SCOPE OF WORK:

CONSTRUCTION OF NEW HOME ADDITION ON EXTG. PROPERTY NEW ADDITION TO BE 206.35 SQUARE METERS (GROSS FLOOR AREA) AND TWO STOREYS



Site Plan 11-19-22

Lot Coverage Stats.		
	SQUARE METERS	%
TOTAL LOT AREA (MIN REQ. 695 S.M.)	988.34	
ADDITION & EXTG. HOME	185.97	18.82%
GARAGE (INCLUDED IN ABOVE)		
TOTAL BUILDING COVERAGE	185.97	18.82%
MAXIMUM LOT COVERAGE	345.92	35.00%

Zoning Requirements		
	MINIMUM	PROPOSED
LOT FRONTAGE	18M	13.72 (EXTG.)
FRONT YARD SETBACK	7.5M	7.6M
REAR YARD SETBACK	7.5M	43.07M
SIDE YARD SETBACKS	2M	1.75 (EXTG.) & 1.22 (PROP.)
BUILDING HEIGHT	9.5M	8.4M (EXTG.)
ZONE	ZONE ER (EXISTING RESIDENTIAL)	
MINOR VARIANCE	SIDE YARD SETBACK	





ACADEMY STREET  
(BY REGISTERED PLAN NO. 193)

---

QUALIFICATION DECLARATION  
I, BENJAMIN HODGKINSON, REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN WORK. ON BEHALF OF A PROFESSIONAL ARCHITECT REGISTERED IN THE PROVINCE OF ONTARIO UNDER THE BUILDING CODE ACT, I AM QUALIFIED AND THE WORK IS BEING DONE IN THE APPROPRIATE CLASSIFICATION/ZONE.

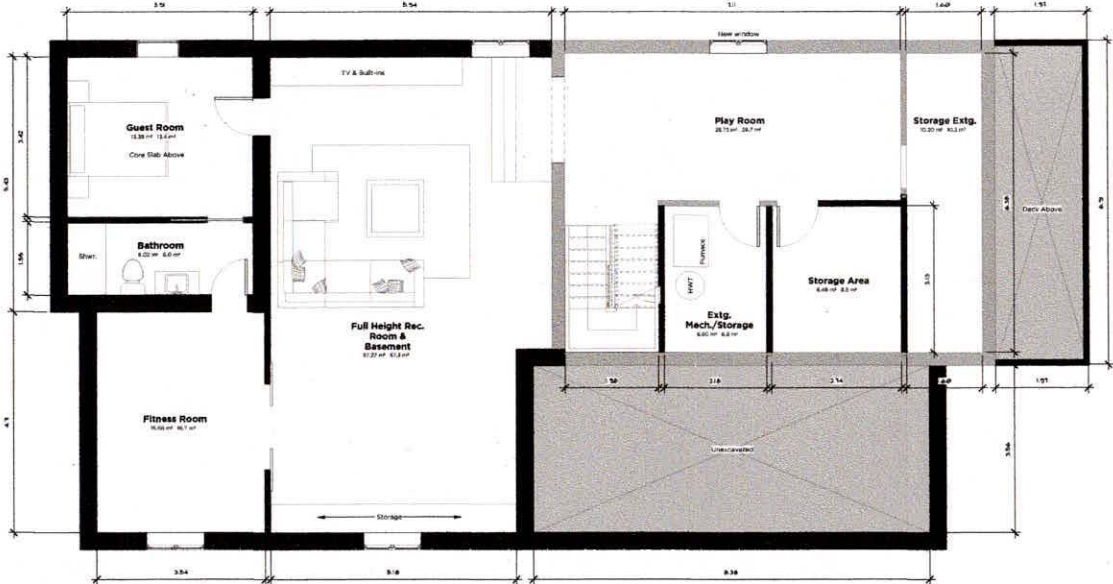
DATE: 11-19-22  
 BENJAMIN HODGKINSON: B.S.N.  
 B.H. DESIGN STUDIO INC.: B.S.N.

**BH ARCHITECTURAL DESIGN**  
 58 Hackney Ridge, Bradford, Ontario  
 benjamin@bharchitecturaldesign.com  
 518.721.4886

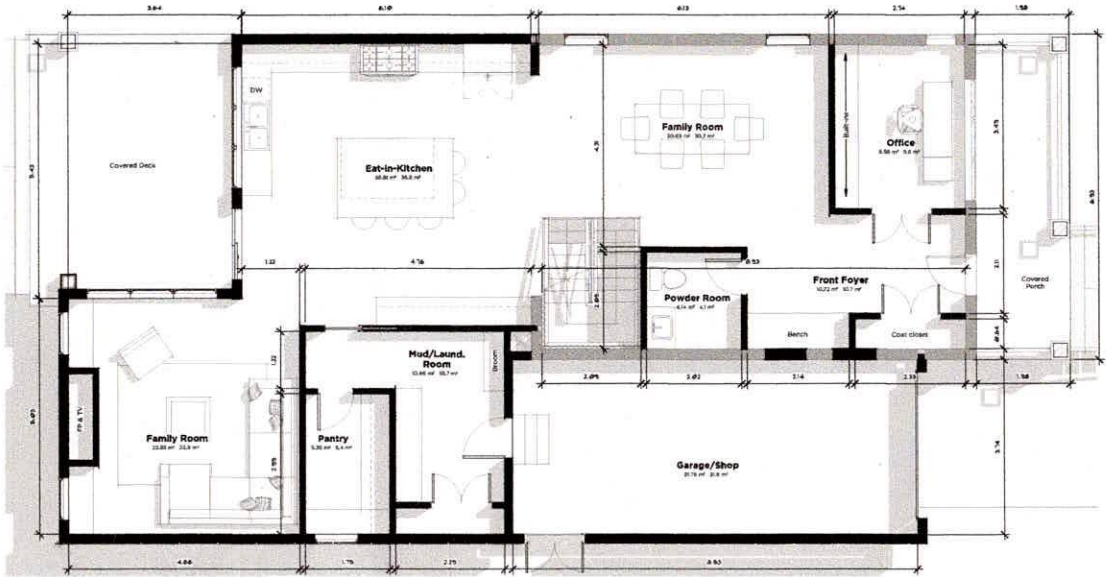
PROJECT:  
 Home Address:  
**Todd Residence**

90 Academy Rd  
 Ancaster, ON

DRAWING NAME: Cover Page  
 DRAWING NO.: A001



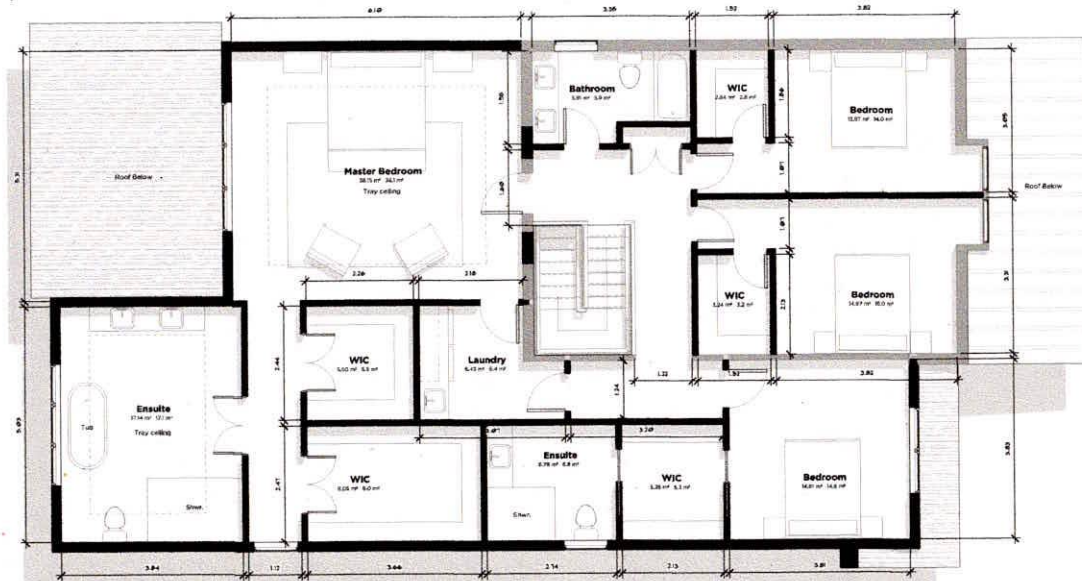
1 Basement Floor Plan  
1/4" = 1'-0"



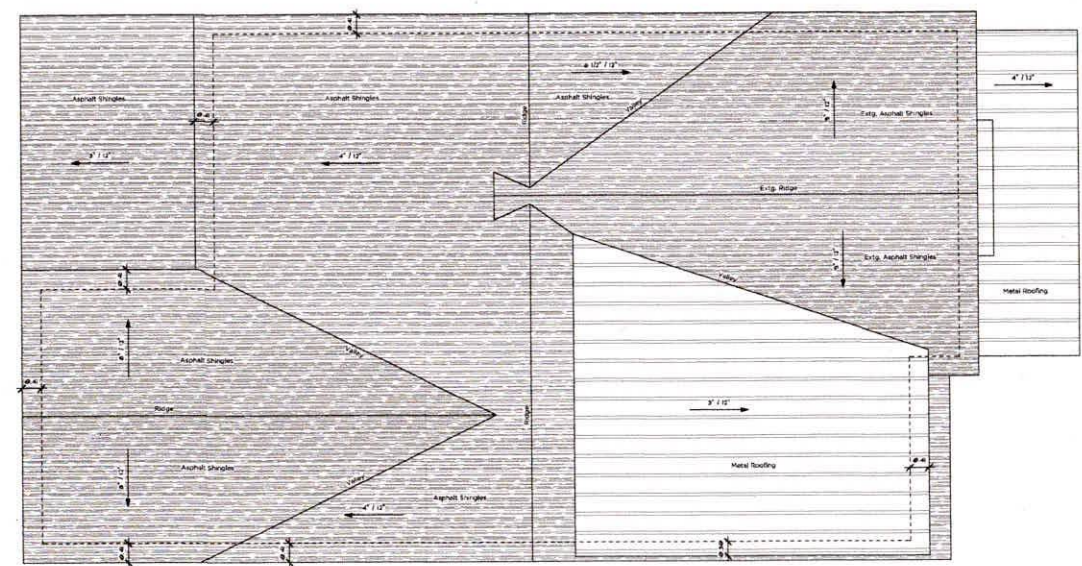
2 Main Floor Plan  
1/4" = 1'-0"

**BN ARCHITECTURAL DESIGN**  
 55 Hackney Ridge, Bradford, Ontario  
 benjamin@bnarchitecturaldesign.com  
 519.721.4886

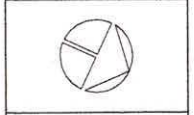
PROJECT:  
 Home Addition  
**Todd Residence**  
 90 Academy Rd Ancestor, ON  
 DRAWING NAME: **Basement & Main Floor Plan**  
 DRAWING NO.: **A101**



1 Second Floor Plan  
1/4" = 1'-0"



2 Roof Plan  
1/4" = 1'-0"



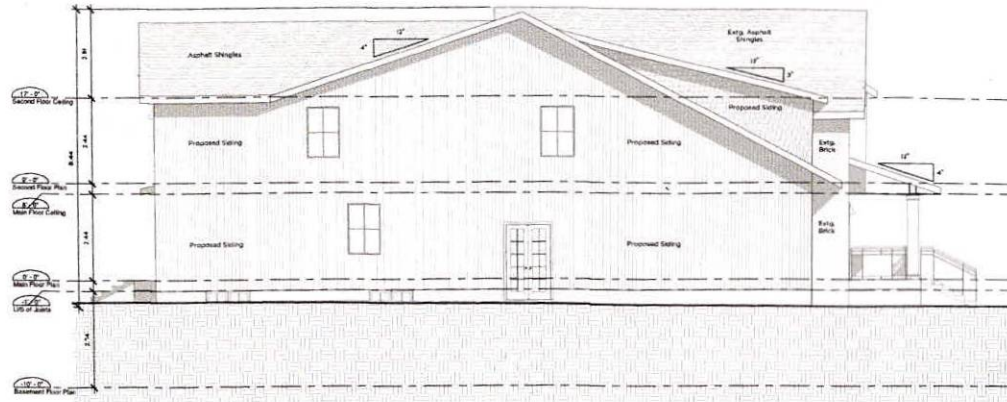
**BH ARCHITECTURAL DESIGN**  
 58 Hackney Ridge, Bradford, Ontario  
 benjamin@bharchitecturaldesign.com  
 519.721.4866

PROJECT  
**Home Addition**  
**Todd Residence**

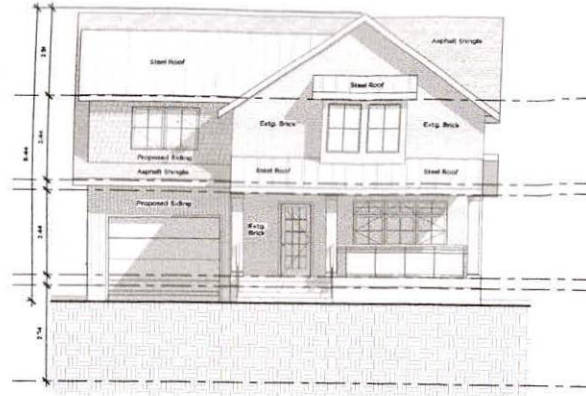
90 Academy Rd Ancaster, ON

DRAWING NAME  
**Second Floor Plan & Roof Plan**

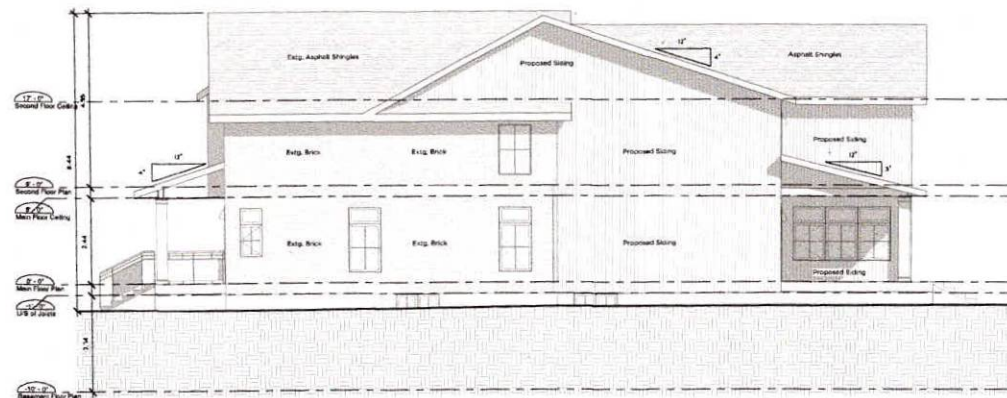
DRAWING NO.  
**A102**



1 Proposed South Elevation  
3/16" = 1'-0"



2 Proposed East Elevation  
3/16" = 1'-0"



3 Proposed North Elevation  
3/16" = 1'-0"



4 Proposed West Elevation  
3/16" = 1'-0"

**BH ARCHITECTURAL DESIGN**  
 55 Hackney Ridge, Bradford, Ontario  
 benjamin@bharchitecturaldesign.com  
 519.721.4856

PROJECT  
 Home Addition  
**Todd Residence**

90 Academy Rd Ancaster, ON

DRAWING NAME: Elevations  
 DRAWING NO. A201



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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
<b>Registered Owners(s)</b>	Sean Todd Nicole Todd	
<b>Applicant(s)*</b>	Sean Todd Nicole Todd	
<b>Agent or Solicitor</b>	Benjamin McFadden	

**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:

Sean Todd  
 Nicole Todd  
 60 Academy Street, Ancaster, ON L9G 2Y1

**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:

Sideyard setback:  
Required = 2 m  
Proposed = 1.22 m

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Garage addition & home addition would be too small to use if complied with the new ER zoning requirements

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**):

60 Academy St, 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 records

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.

June 30/22.  
Date

[Signature]  
Signature Property Owner(s)  
Sean Todd. N. Todd  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>13.72 m</u>
Depth	<u>72 m</u>
Area	<u>988 s.m.</u>
Width of street	<u>8 m</u>

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

Existing:

Existing Home: 130.2 m, 6.9 m x 9.4 m, 2 storeys, 8.8 m height  
Existing Detached Garage: 22 s.m., 3.5m x 6m, 3.4 m height

Proposed

Home Addition: 206.4 s.m., 2 storeys, under existing building height  
Garage Addition: 34.2 s.m., under existing building height  
Rear & Front Porches: 32 s.m. (combined)

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:  
Side yards = 1.75m & 5.1 m  
Front yard = 10 m  
Rear yard = 52 m

Proposed:

Proposed Addition:  
Side yards = 1.22 m & 1.59 m (1.59 is following inline with existing home)  
Front yard = 10.37 m  
Rear yard = 43.07 m



13. Date of acquisition of subject lands:  
Sept 21, 2012
- 
14. Date of construction of all buildings and structures on subject lands:  
approximately 1946
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Dwelling Unit
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Dwelling Units
- 
17. Length of time the existing uses of the subject property have continued:  
NA
- 
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:  
NA
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
NA
- 
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:240</b>	<b>SUBJECT PROPERTY:</b>	887 BISHOP PLACE, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended 18-105

**APPLICANTS:** Owner – Michele & Mark Welch

The following variances are requested:

1. An accessory building in excess of 12 square metres ground floor area shall not be less than 0.85 metres from the rear lot line for any lot located in an Existing Residential “ER” Zone instead of the required 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.
2. An eave or gutter may extend 33 centimetres into a required minimum setback area instead of the requirement that no eave or gutter shall extend more than 30 centimetres into a required minimum setback area.

**PURPOSE & EFFECT:** So as to permit the construction of an accessory building (Pavilion) 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

AN/A-22:240

	<b>details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

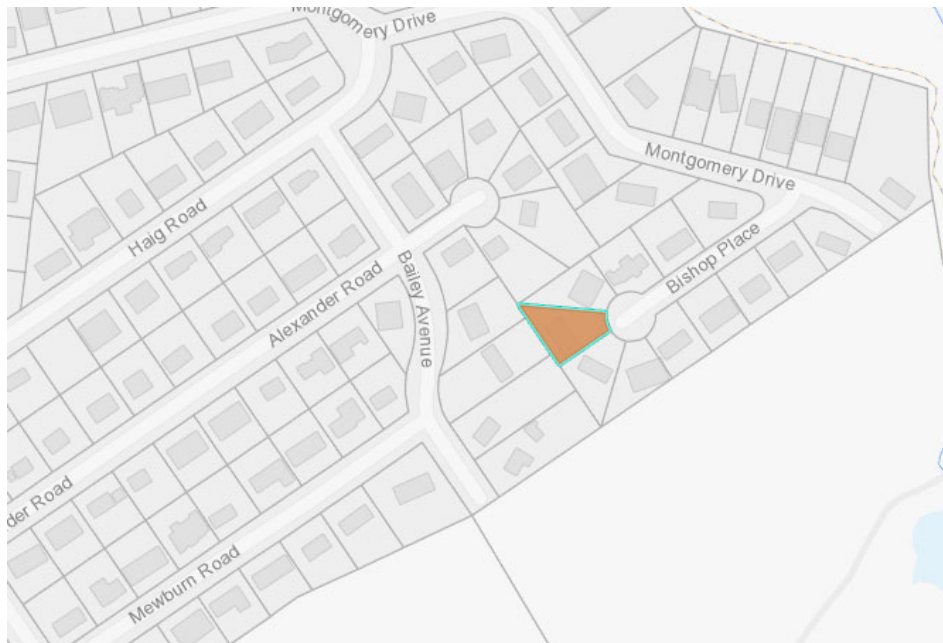
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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# PLAN

OF

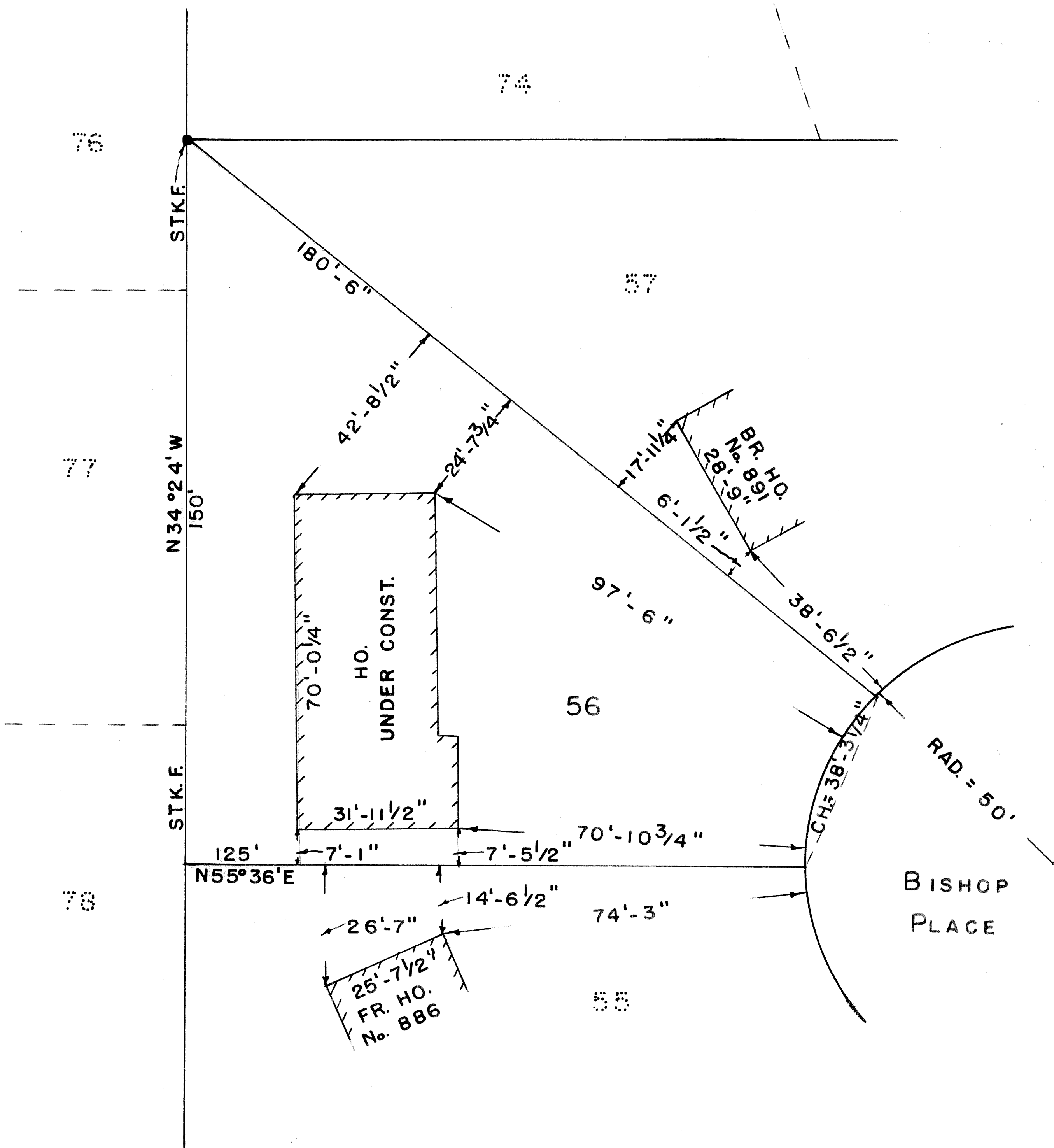
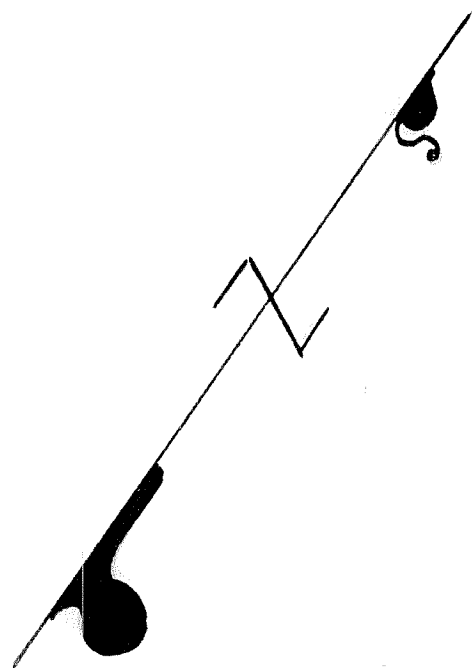
LOT 56

ANCASTER HEIGHTS SURVEY REG. PLAN No. 769

IN THE

## TOWNSHIP OF ANCASTER

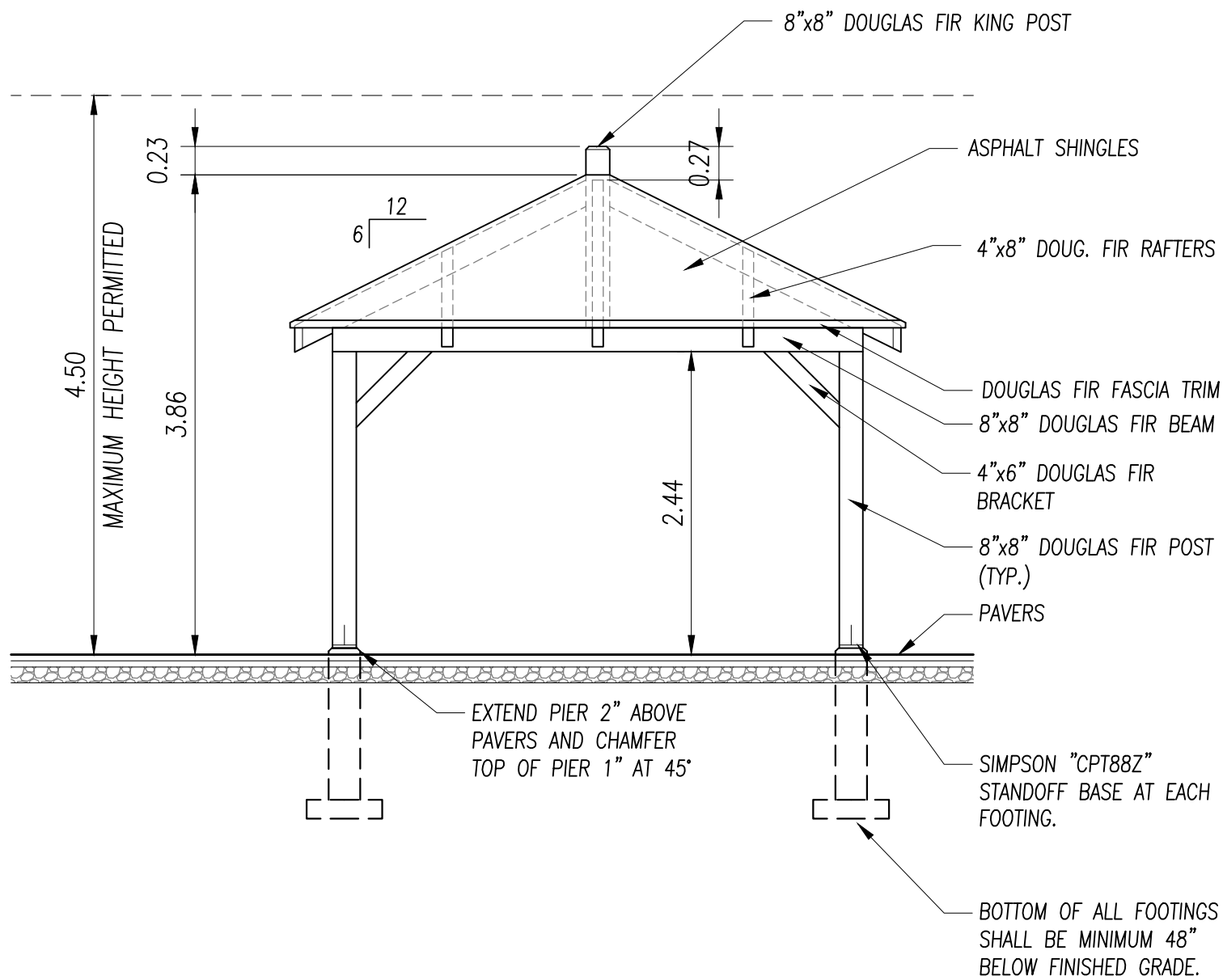
SCALE 1 IN. = 30 FT.



*Joe J. Kisway*  
 ONTARIO LAND SURVEYOR

HAMILTON, ONTARIO

MAY 31, 1957



PROPOSED ELEVATION (SAME ALL SIDES)

SCALE: 1:48

**Project Name**

**Pavilion**

**887 Bishop Pl.  
Ancaster, ON**

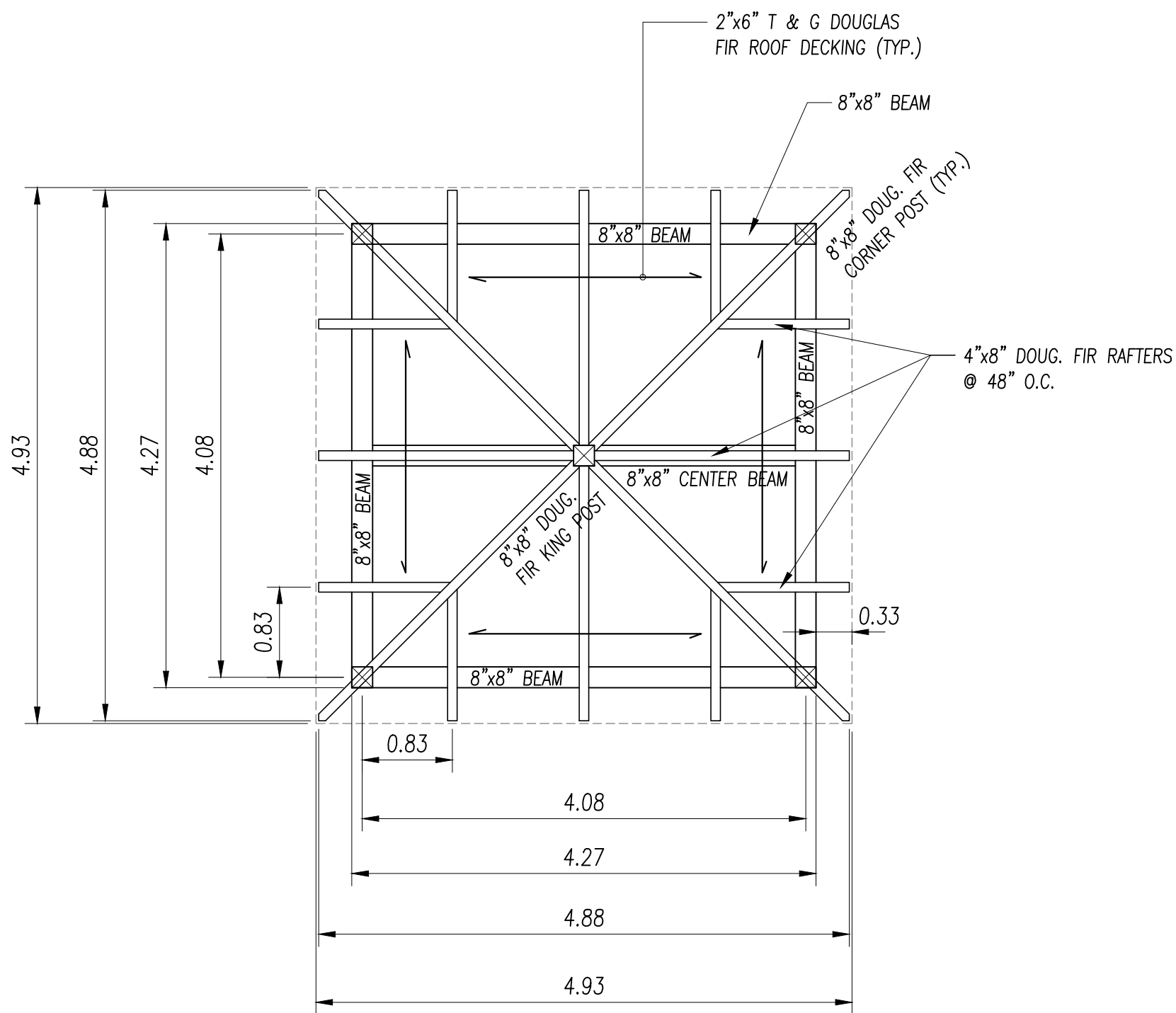
DATE: JUL. 7, 2022

SCALE: AS NOTED

DRAWN: R.O.

REVIEWED: R.O.

**A2.01**



PROPOSED ROOF FRAMING PLAN

SCALE: 1:48

**Project Name**

**Pavilion**

**887 Bishop Pl.  
Ancaster, ON**

DATE: JUL. 7, 2022

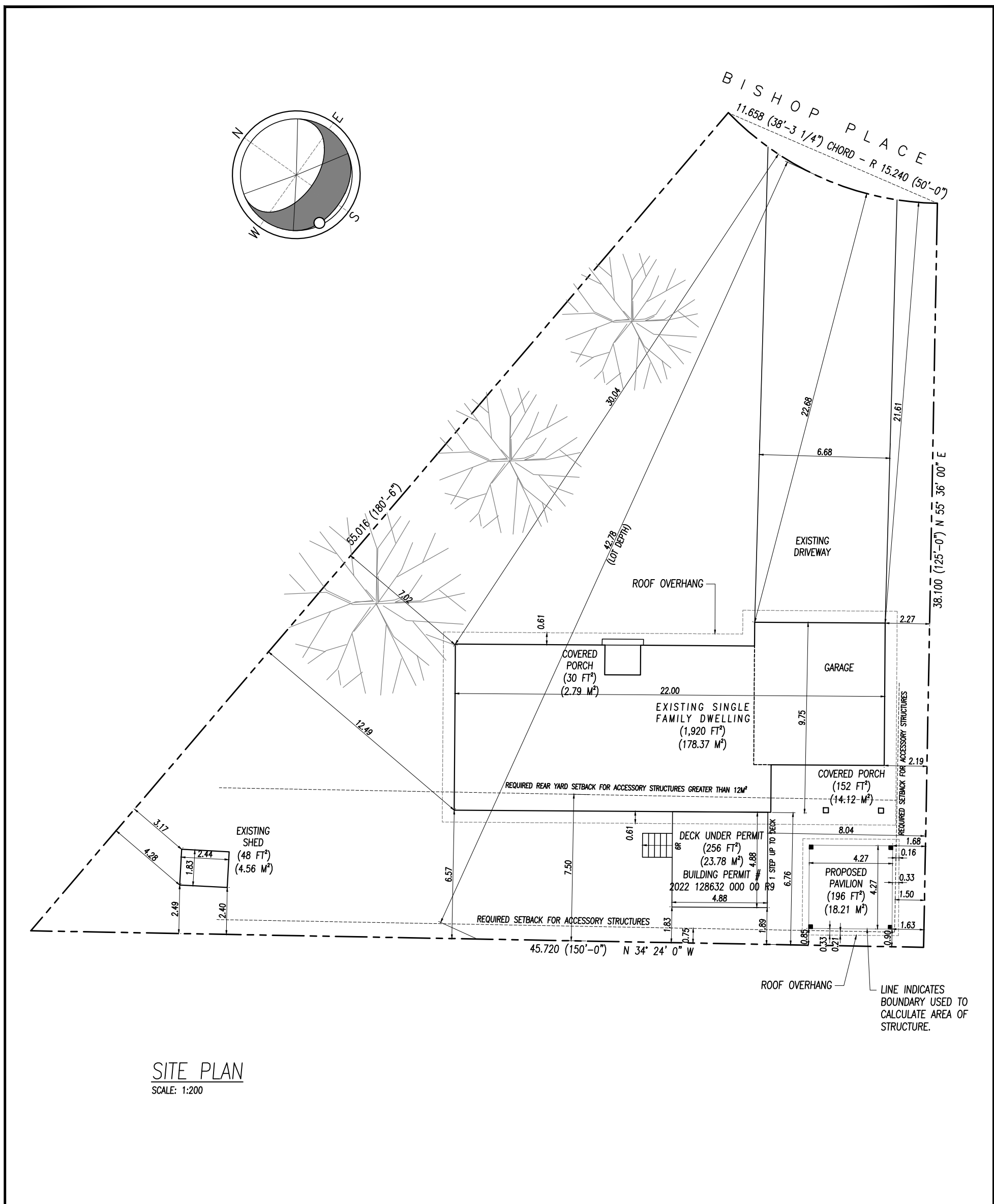
SCALE: AS NOTED

DRAWN: R.O.

REVIEWED: R.O.

**A1.01**





**SITE PLAN**  
SCALE: 1:200

<b>Project Name</b>	
<b>Pavilion</b>	
<b>887 Bishop Pl.</b> <b>Ancaster, ON</b>	
DATE:	JUL. 7, 2022
SCALE:	AS NOTED
DRAWN:	R.O.
REVIEWED:	R.O.
<b>SP.01</b>	

MUNICIPAL ADDRESS:  
887 BISHOP PL, ANCASTER

ZONING DESIGNATION: ER  
LOT AREA: 1,169 M<sup>2</sup> (12,582 F<sup>2</sup>)

LOT COVERAGE  
EXISTING DWELLING: 1,920 FT<sup>2</sup> / 178.37 M<sup>2</sup>  
EXISTING SHED: 48 FT<sup>2</sup> / 4.56 M<sup>2</sup>  
EXISTING COVERED PORCHES: 182 FT<sup>2</sup> / 16.91 M<sup>2</sup>  
PROPOSED PAVILION: 196 FT<sup>2</sup> / 18.21 M<sup>2</sup>

PROPOSED LOT COVERAGE:  
FOR ALL EXISTING AND PROPOSED STRUCTURES): 2,346 FT<sup>2</sup> / 217.95 M<sup>2</sup> (18.65%)  
MAXIMUM ALLOWABLE LOT COVERAGE: 35%

PROPOSED BUILDING HEIGHT: 3.81M (12'-6")



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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	
<b>Registered Owners(s)</b>	Michele Welch, Mark Welch		
<b>Applicant(s)*</b>	Michele Welch		
<b>Agent or Solicitor</b>	Please send all communications to Applicant above.		<b>Phone:</b> <b>E-mail:</b>

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

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

N/A
-----

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

4. Nature and extent of relief applied for:

See separate sheet.

- Second Dwelling Unit       Reconstruction of Existing Dwelling

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

The existing backyard does not offer enough space to comply with the required setbacks. The proposed location for the structure is the most ideal location for the purpose of the structure. There are no other suitable locations on the site for the intended use.

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**):

Existing Residential, Registered Plan #769, Lot #56, 887 Bishop Place, Hamilton, L9G3E6

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?

This area 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.

July 12, 2022  
Date

*M. Welch, Mark Welch*  
Signature Property Owner(s)

Michele Welch, Mark Welch  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 11.963 m  
Depth 42.773 m  
Area 1,169 sq. m.  
Width of street \_\_\_\_\_

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

Existing:\_\_\_\_\_

Existing Single Family Dwelling, One Storey, 22M x 9.75M: Ground Floor  
Area-132.5M<sup>2</sup>, Floor Area-178.37 M<sup>2</sup>  
Existing Covered Porches at Main Floor Level: 16.91 M<sup>2</sup>  
Existing Shed, 1.83M x 2.44M: 4.56 M<sup>2</sup>

→ DECK UNDER PERMIT  
#2022 128632 000 00 R9,  
4.88M x 4.88M: 23.78M<sup>2</sup>

Proposed

Proposed One Storey Pavilion, 4.27M x 4.27M: 196 FT<sup>2</sup> / 18.21 M<sup>2</sup>

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

Existing:\_\_\_\_\_

Single Family Dwelling: 2.19m south side, 7.02m north side, 21.61 front, 6.57m rear.  
Shed: 35.64m south side, 3.17m north side, 45.42m front, 2.4m rear  
Deck Under Permit# 2022 128632 000 00 R9: 8.04m south side, 21.05m north side, 32.03m front, 1.83m rear.

Proposed:\_\_\_\_\_

Pavilion: 1.63m south side, 27.49m north side, 32.96m front, 0.85m rear

13. Date of acquisition of subject lands:  
Feb. 24, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
Late 1950s.
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family residential
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family residential
- 
17. Length of time the existing uses of the subject property have continued:  
Since late 1950s.
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers not sure
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Existing Residential
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Parent By-law 87-57, File CI-18A, Existing 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.

MV\_887 BISHOP PL\_Application

Item #4

The purpose of this application pertains to the following zoning by-law articles:

7.18 (a),(vi)

(vi) Accessory buildings in excess of 12 square metres ground floor area shall not be located in any minimum rear yard.

The proposed accessory building is 18.21m<sup>2</sup> and is proposed to be located in the rear yard with a 0.75m setback from the rear lot line and an allowable encroachment of 0.30m for eaves and gutters.

7.18 (a),(vi),(A)

Notwithstanding Subsection 7.18 (a) (vi), 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. (18-221)

The proposed accessory building is 18.21m<sup>2</sup> and is proposed to be located in the rear yard with a 0.75m setback from the rear lot line and an allowable encroachment of 0.30m for eaves and gutters.



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:241</b>	<b>SUBJECT PROPERTY:</b>	120 PORTIA DRIVE, ANCASTER
<b>ZONE:</b>	"C7 & E341" (Arterial Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 17-240

**APPLICANTS:** Owner – HTL Ancaster Inc.: R. Wells  
Agent – Urban Solutions: M. Johnston

The following variances are requested:

1. To permit the use of a Motor Vehicle Service Station as a permitted use.

**PURPOSE & EFFECT:** To permit the use of a Motor Vehicle Service Station, notwithstanding that the use of Motor Vehicle Service Station is not permitted within the current zoning designation.

**Notes:**

1. Variances have been written exactly as requested by the applicant. This property is subject to Site Plan Control; to date, no formal site plan application has been submitted and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

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

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
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AN/A-22:241

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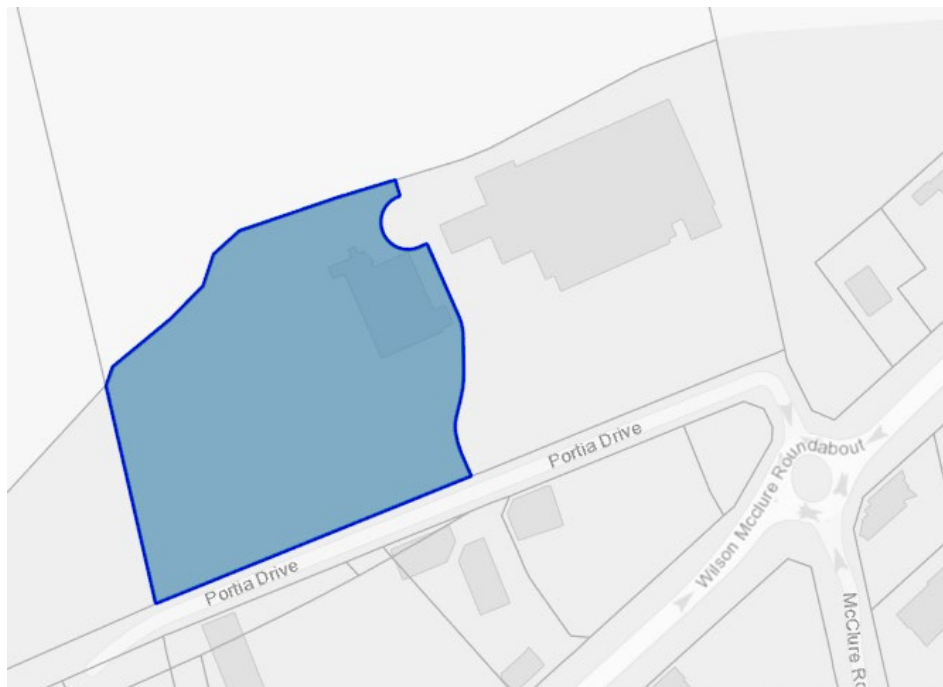
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 **Subject Lands**

DATED: July 26, 2022

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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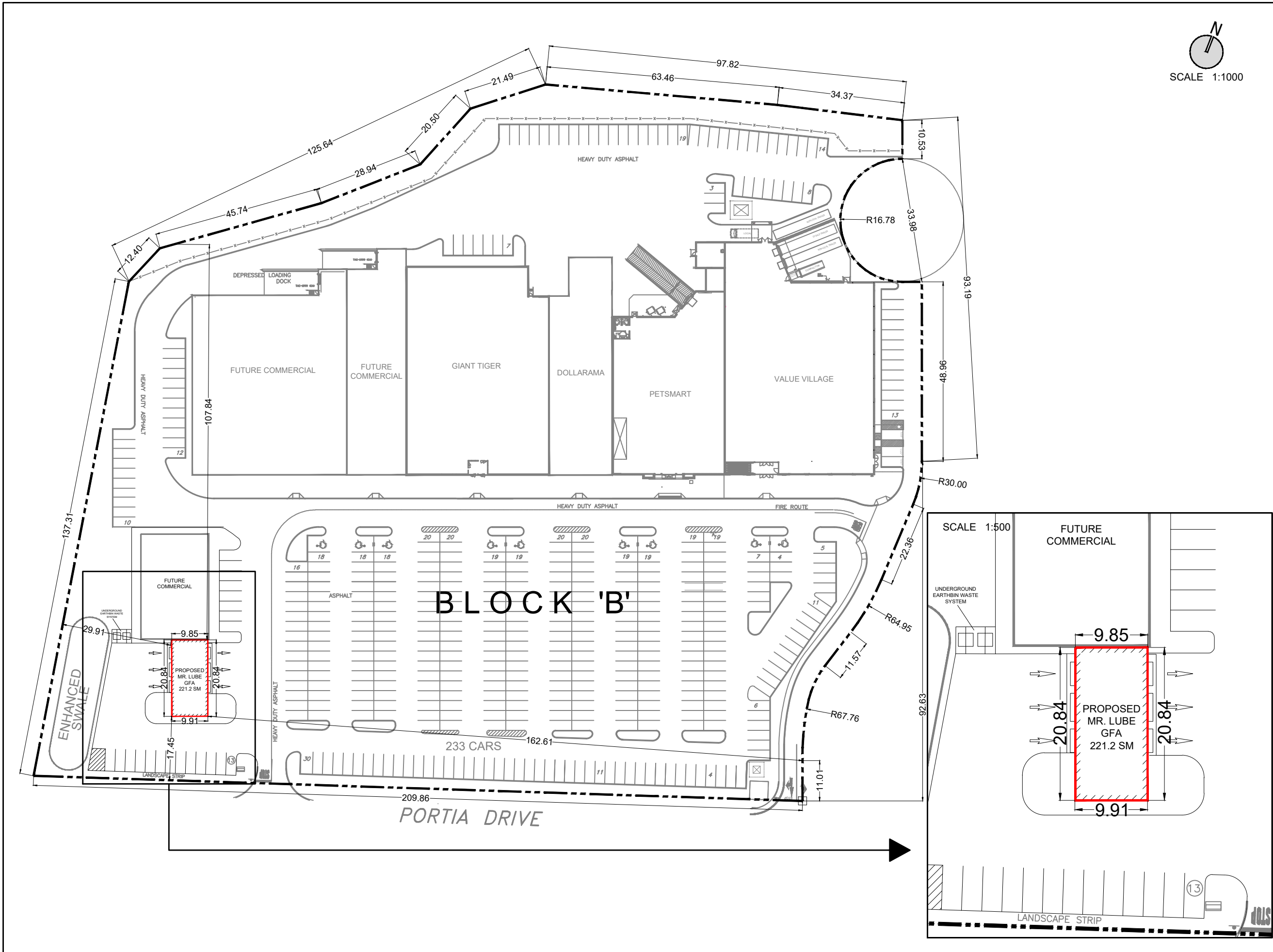
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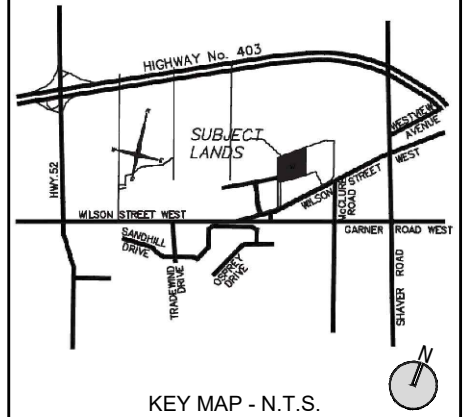
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SCALE 1:1000



SCALE 1:1000  
METRES  
0 10 30 50

- LEGEND**
- SUBJECT LANDS
  - PROPOSED MR. LUBE
  - PLANNED COMMERCIAL

**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.

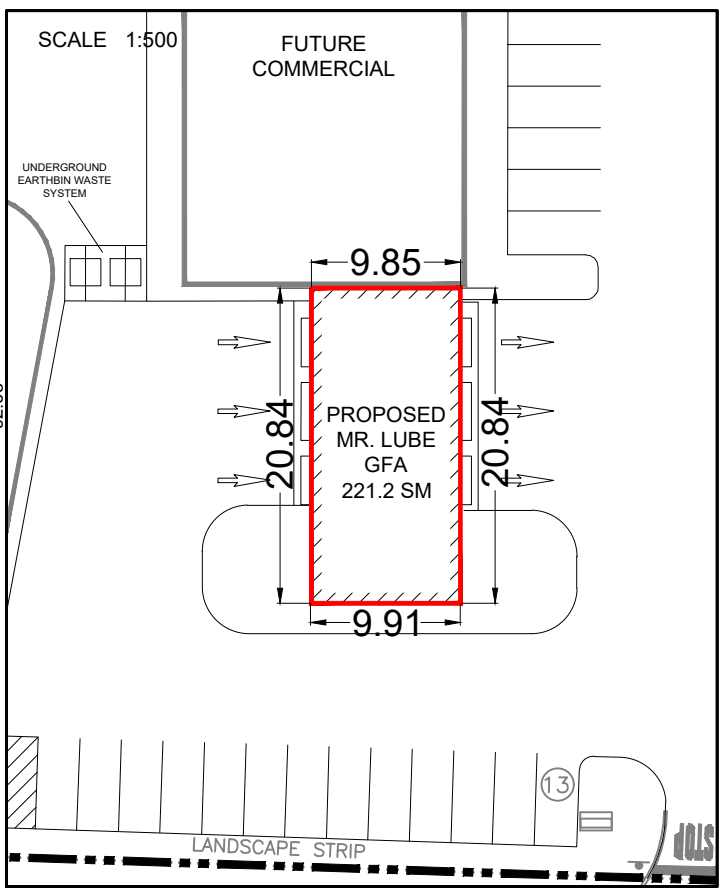
DESIGN BY: J. STANLEY      CHECKED BY: M. JOHNSTON  
DRAWN BY: J. STANLEY      DATE: JULY 12, 2022

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

**PROJECT:**  
HTL ANCASTER INC.  
120 PORTIA DRIVE  
CITY OF HAMILTON

**TITLE:**  
**MINOR VARIANCE**

U/S FILE NUMBER: 455-22      SHEET NUMBER: 1



SCALE 1:500



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>	HTL Ancaster Inc. c/o Rob Wells	
<b>Applicant(s)*</b>	Same as above	
<b>Agent or Solicitor</b>	UrbanSolutions Planning & 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:

Sun Life Assurance Company of Canada 1 York Street, Suite 1200, Toronto, ON, M5J 0B6
--

**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**):

Part of Block 1, Registered Plan 62M-1216  
120 Portia Drive, 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  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.

July 6, 2022  
Date

  
Signature Property Owner(s)  
Fred Waks, President & CEO  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage +/-209.9 metres  
Depth Varies  
Area +/- 33,400.0 square metres  
Width of street +/- 20.0 metres

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

Existing: \_

Refer to enclosed Survey Plan

Proposed

Refer to 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:

Refer to enclosed Survey Plan

Proposed:

Refer to enclosed Site Plan

13. Date of acquisition of subject lands:  
2014
14. Date of construction of all buildings and structures on subject lands:  
2014 and ongoing
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Commercial buildings and vacant land
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Commercial and vacant
17. Length of time the existing uses of the subject property have continued:  
2014 - Present
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:  
Designated as 'Arterial Commercial' in Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Arterial Commercial (C7, 341) Zone in City of Hamilton Zoning By-law 05-200
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:  
ZAC-15-037 | AN/A-20:27
- 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 cover letter for 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.



July 12, 2022

455-22

**Via Email and Delivered**

Ms. Jamila Sheffield  
Secretary-Treasurer, Committee of Adjustment

City of Hamilton,  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

**RE: 120 Portia Drive, Hamilton  
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions), has been retained to act as the authorized planning consultant for HTL Ancaster Inc., the registered owner of the lands known municipally as 120 Portia Drive, in the City of Hamilton. On behalf of the owners, UrbanSolutions is pleased to submit the enclosed Minor Variance application for the City of Hamilton.

The subject lands are designated as "Arterial Commercial" on Schedule E-1 of the Urban Hamilton Official Plan (UHOP). Further, the subject lands are located in a site specific Arterial Commercial (C7, 341) Zone in the City of Hamilton Zoning By-law 05-200.

A Minor Variance application is required to permit a Motor Vehicle Service Station use on the subject property. A Motor Vehicle Service Station is permitted within an Arterial Commercial (C7) Zone, however a Zoning By-law Amendment for the subject property was approved in May 2014 (By-law No. 14-112) which placed the property into a site specific Arterial Commercial (C7, 341) Zone. As a result of regulation wording within this site specific (C7, 341) Zone, Motor Vehicle Service Stations were removed as a permitted use. The applicant intends on leasing a future structure proposed for the property as a Motor Vehicle Service use. As such, a Minor Variance is required to re-establish a Motor Vehicle Service Station as a permitted use within the existing (C7, 341) Zone.

This Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law 05-200 with respect to the site specific Arterial Commercial (C7, 341) Zone as follows:

- *To add a Motor Vehicle Service Station as a permitted use, in addition to the uses currently permitted in the (C7, 341) Zone.*

To assist in the evaluation of this application, please refer to the enclosed Minor Variance Sketch.

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

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

The subject lands are designated as “Arterial Commercial” in the UHOP, which permits “automotive-related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations”. Further, Volume 1, Section E.4.8 indicates that the Arterial Commercial designation is intended to provide for a range of uses catering to the traveling or drive-by consumer. Additionally, Section E.4.0 of the Official Plan encourages service commercial uses which are said to contribute to the health and vitality of the City. Accordingly, the proposed Motor Vehicle Service Use implements the objectives of the “Arterial Commercial” designation of the UHOP. As such, the proposed variance is in keeping with the purpose and intent of the Urban Hamilton Official Plan.

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

The subject property is located in the site-specific Arterial Commercial (C7, 341) Zone, in Zoning By-law No. 05-200. The purpose of the requested variance is to permit a Motor Vehicle Service Station that caters to the travelling public on the subject lands, in addition to those currently permitted within the (C7, 341) Zone. As previously noted, the proposed use is similar in nature to those currently permitted within the (C7, 341) Zone and represents a permitted use within the property’s former (C7) Zone. Furthermore, the proposed development conforms to all other applicable zoning provisions of the (C7, 341) Zone and therefore, the overall intent of the Zoning By-law is maintained.

**3. Is the proposed minor variance minor in nature?**

The proposed variance is minor in nature as it will solely function to restore a Motor Vehicle Service Station as a permitted use within the (C7, 341) Zone, which as previously noted, is an existing permitted use within the Arterial Commercial (C7) Zone on the subject lands prior to the passing of By-law No. 14-112. Further, the requested variance will permit a land use which is in keeping with the commercial uses in the surrounding area. Given that all other applicable regulations of the By-law will be adhered to, the request is consistent with the Zoning By-law and is considered to be minor in nature.

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

The requested variance will facilitate an appropriate and compatible form of development within the City’s Urban Boundary which represents a use of land that is permitted by the UHOP and the Arterial Commercial (C7) Zone of Zoning By-law 05-200. Additionally, the proposed Motor Vehicle Service Station use is similar in nature to those permitted within the existing (C7, 341) Zone, specifically, a Motor Vehicle Gas Bar and Motor Vehicle Dealership. Accordingly, both the built form and land use will be in keeping with the character of the surrounding area and represent a use of the land that maintains the intent of



the Urban Hamilton Official Plan and Zoning By-law 05-200. Based on the above, the requested variance can be considered to facilitate desirable and appropriate development.

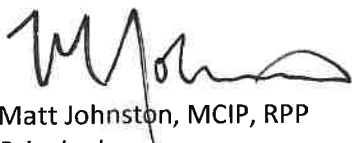
As such, the proposed variance satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Minor Variance Sketch completed by UrbanSolutions; and,
- One (1) cheque in the amount of **\$3,465.00** made payable to the City of Hamilton.

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

Kind Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, BURPI  
*Planner*

cc: HTL Ancaster Inc.  
Councillor Ferguson, Ward 12, City of Hamilton





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:228</b>	<b>SUBJECT PROPERTY:</b>	195 EAST 8TH STREET, HAMILTON
<b>ZONE:</b>	C (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – Jonathan Gardner & David Blanchard  
Agent – Len Angelici

The following variances are requested:

1. A minimum front yard depth of 5.7 m shall be provided instead of the minimum required 6.0 m front yard depth; and
2. A minimum side yard width of 0.5 m shall be provided on the northerly side lot line instead of the minimum required 1.2 m side yard width; and
3. A minimum front yard landscaped area of 45.7 % shall be provided whereas the By-Law states that no less than 50 % of the gross floor area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials;

**PURPOSE & EFFECT:** To permit a full second storey addition along with a proposed roofed over unenclosed front porch to the existing single-family dwelling

**Notes:**

- i. The proposed addition does not exceed 8 habitable rooms; therefore, no variance is triggered for parking.

**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-22:228

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

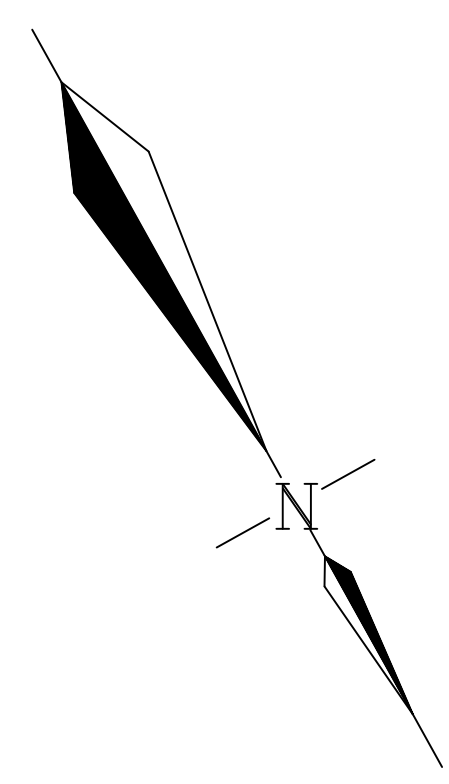
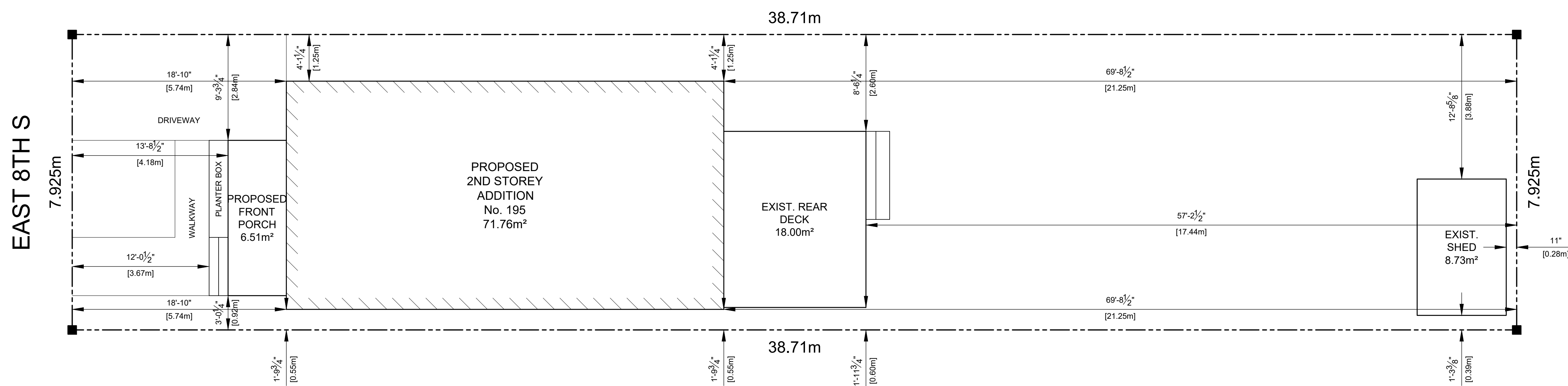
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 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 (2<sup>nd</sup> 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](mailto: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	
ZONE:	C
LOT AREA:	306.77m <sup>2</sup>
EXISTING DWELLING FOOTPRINT:	56.20m <sup>2</sup>
EXISTING REAR DECK:	18.00m <sup>2</sup>
EXISTING SHED:	8.73m <sup>2</sup>
PROPOSED FRONT PORCH:	6.51m <sup>2</sup>
PROPOSED SECOND STOREY ADDITION:	71.76m <sup>2</sup>
TOTAL:	80.49m <sup>2</sup>
COVERAGE:	26.24%
BUILDING HEIGHT	
No. of STOREYS:	2
ADDITION SETBACKS	
FRONT:	5.74m
REAR:	21.25m
RIGHT SIDE:	0.55m
LEFT SIDE:	1.25m

LANDSCAPING	
FRONT YARD AREA:	45.48m <sup>2</sup>
FRONT PORCH/ FRONT STEPS:	7.30m <sup>2</sup>
EXISTING WALKWAY:	8.11m <sup>2</sup>
TOTAL FRONT YARD GROSS AREA:	30.07m <sup>2</sup>
EXISTING PLANTERS:	1.32m <sup>2</sup>
EXISTING DRIVEWAY:	16.30m <sup>2</sup>
LANDSCAPED AREA:	13.77m <sup>2</sup> (45.79%)

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/28/2022

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED, ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
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- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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

QUALIFICATION INFORMATION

LEONARD ANGELICI 42391  
NAME BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 124457  
NAME BCIN

06/28/2022  
DATE SIGNATURE

**Len Angelici Design**

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

PROJECT

PROPOSED RESIDENCE  
195 EAST 8TH ST,  
HAMILTON, ON

SHEET TITLE

SITE PLAN

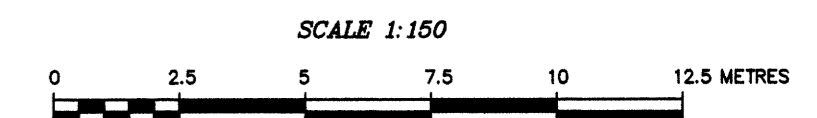
DRAWN BY	L. ANGELICI
DATE	06/28/2022
SCALE	3/8"=1'-0"
PROJECT No.	22052

SP1

SURVEYOR'S REAL PROPERTY REPORT - PART 1  
PLAN OF

PART OF LOT 111  
REGISTERED PLAN 495

CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.  
ONTARIO LAND SURVEYOR

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

**BEARING NOTE:**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF EAST 8th STREET AS SHOWN ON REGISTERED PLAN 495, HAVING A BEARING OF N 18° 45' E.

**LEGEND:**  
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT PLANTED  
SB DENOTES STANDARD IRON BAR  
IB DENOTES IRON BAR  
CP DENOTES CONCRETE PIN  
OU DENOTES ORIGIN UNKNOWN  
P1 DENOTES REGISTERED PLAN 495  
P2 DENOTES PLAN BY G.E. GIDDY O.L.S. (MARCH 18, 1994)  
N1 DENOTES CITY OF HAMILTON FIELD NOTES (OCT. 26, 1952)  
N2 DENOTES CITY OF HAMILTON FIELD NOTES (MAY 13, 1968)  
(824) DENOTES A.T. McLAREN O.L.S.

SURVEYOR'S REAL PROPERTY REPORT  
PART 2 - REPORT SUMMARY

**DESCRIPTION OF LAND**  
BEING PART OF LOT 111, REGISTERED PLAN 495, KNOWN AS MUNICIPAL No. 195 EAST 8th STREET, CITY OF HAMILTON

**REGISTERED EASEMENTS AND/OR RIGHTS OF WAY**  
NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE.

**BOUNDARY FEATURES**  
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.

**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS**  
NOT CERTIFIED BY THIS REPORT

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2186164



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
IN ACCORDANCE WITH  
REGULATION 1028, SECTION 24(3).

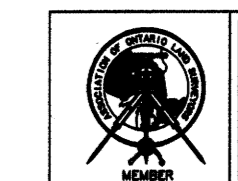
THIS REPORT WAS PREPARED FOR DAVID BLANCHARD

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 FEBRUARY 18, 2022

FEBRUARY 18, 2022  
DATE

BRYAN JACOBS  
ONTARIO LAND SURVEYOR

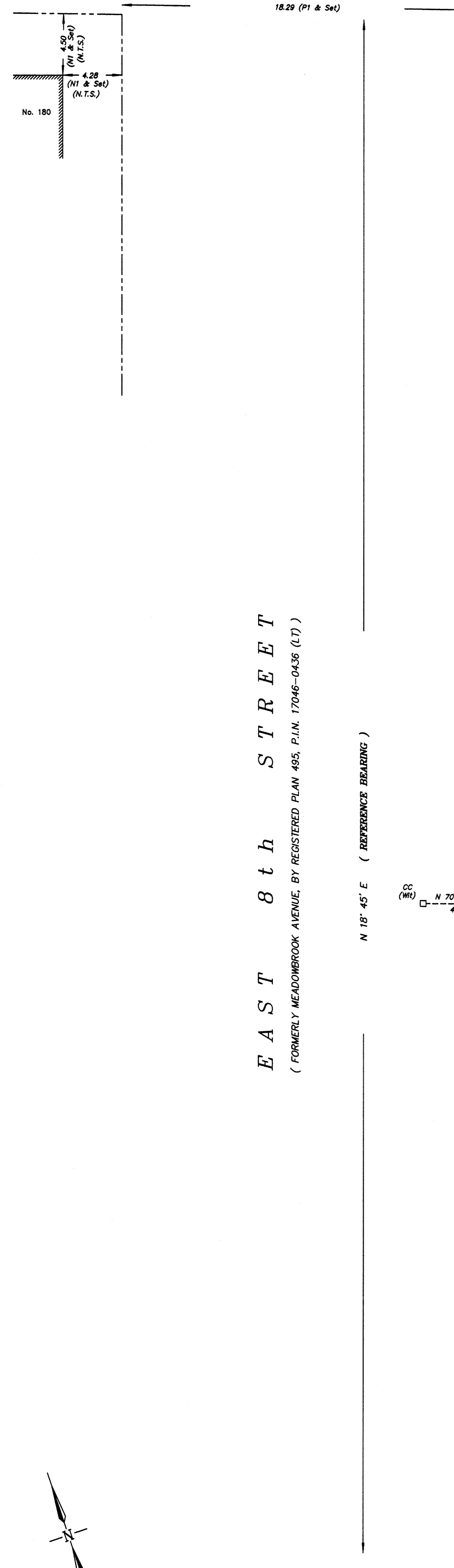
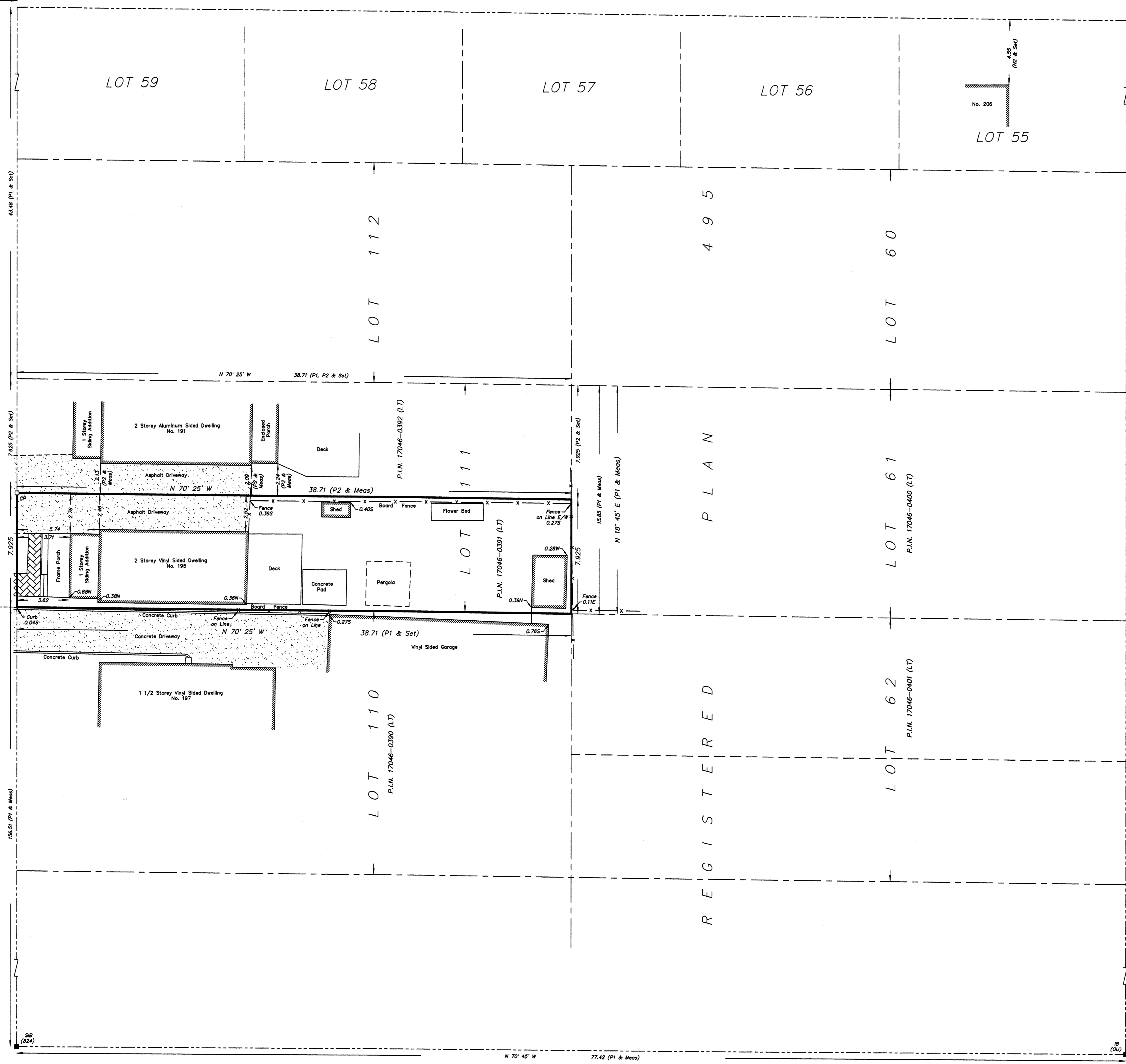


B.A. JACOBS SURVEYING LTD.  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1L3)  
PHONE 905-521-1535 ba.jacobs@rogers.com

QUEENSDALE AVENUE EAST

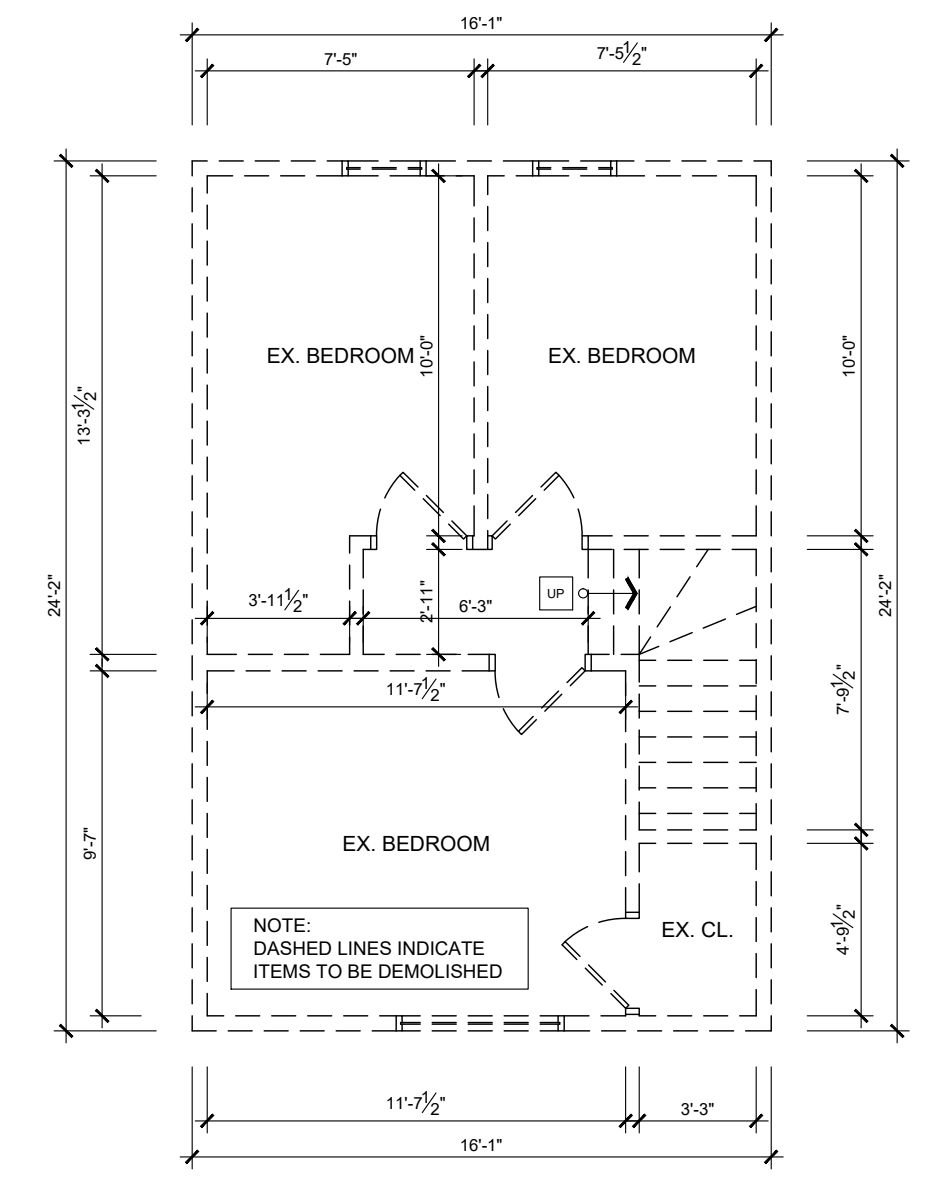
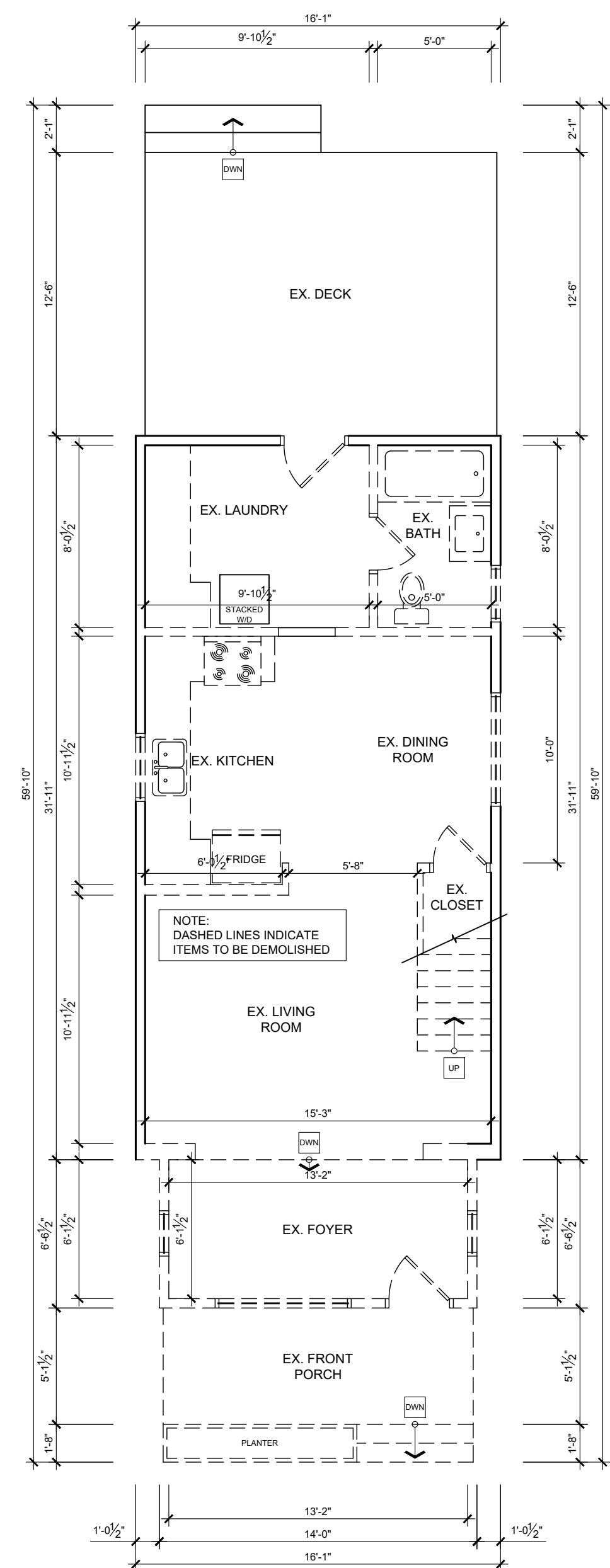
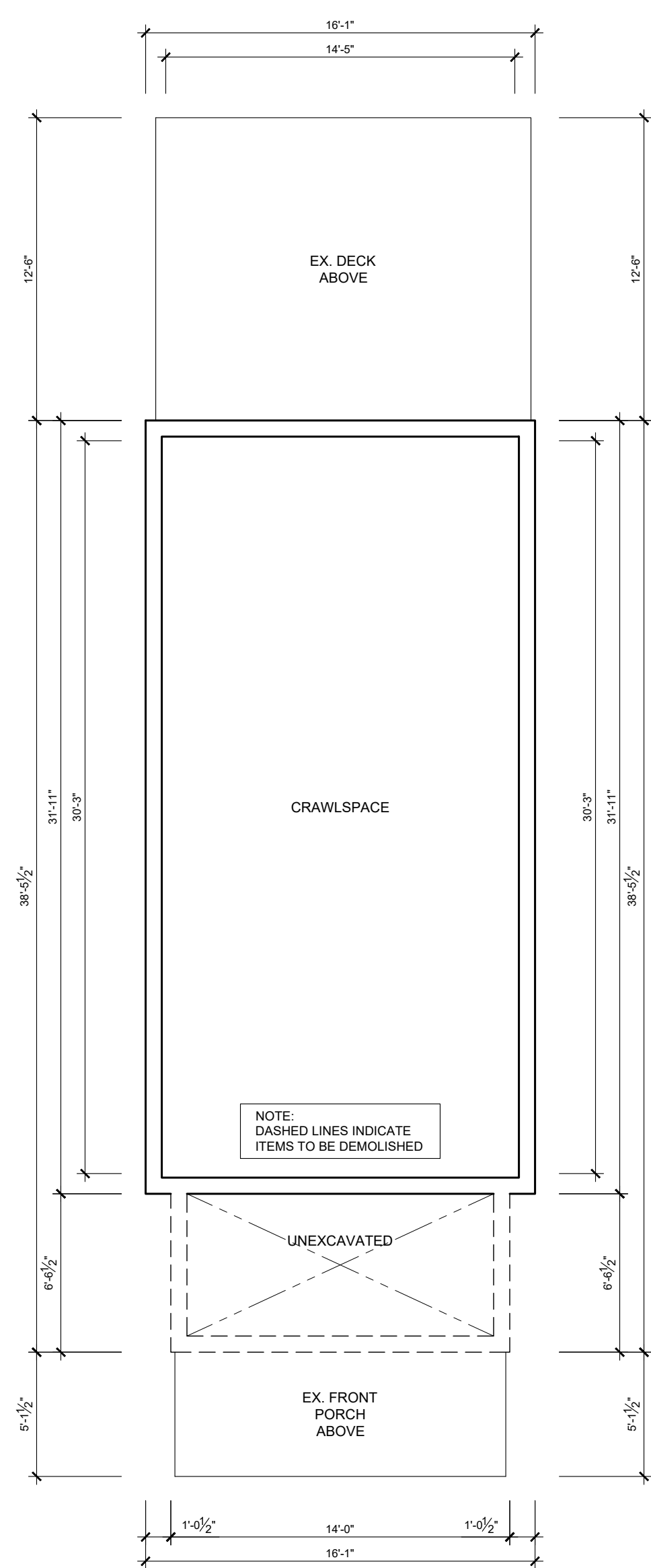
EAST 8th STREET  
(FORMERLY MEADOWBROOK AVENUE, BY REGISTERED PLAN 495, P.I.N. 17046-0438 (LT))

BRUCEDALE AVENUE EAST



EAST 8th STREET

REGISTERED PLAN



PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/28/2022

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
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SEAL

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QUALIFICATION INFORMATION  
LEONARD ANGELICI 42391  
NAME BCIN

REGISTRATION INFORMATION  
LEN ANGELICI DESIGN 124457  
NAME BCIN

06/28/2022  
DATE SIGNATURE

**Len Angelici Design**

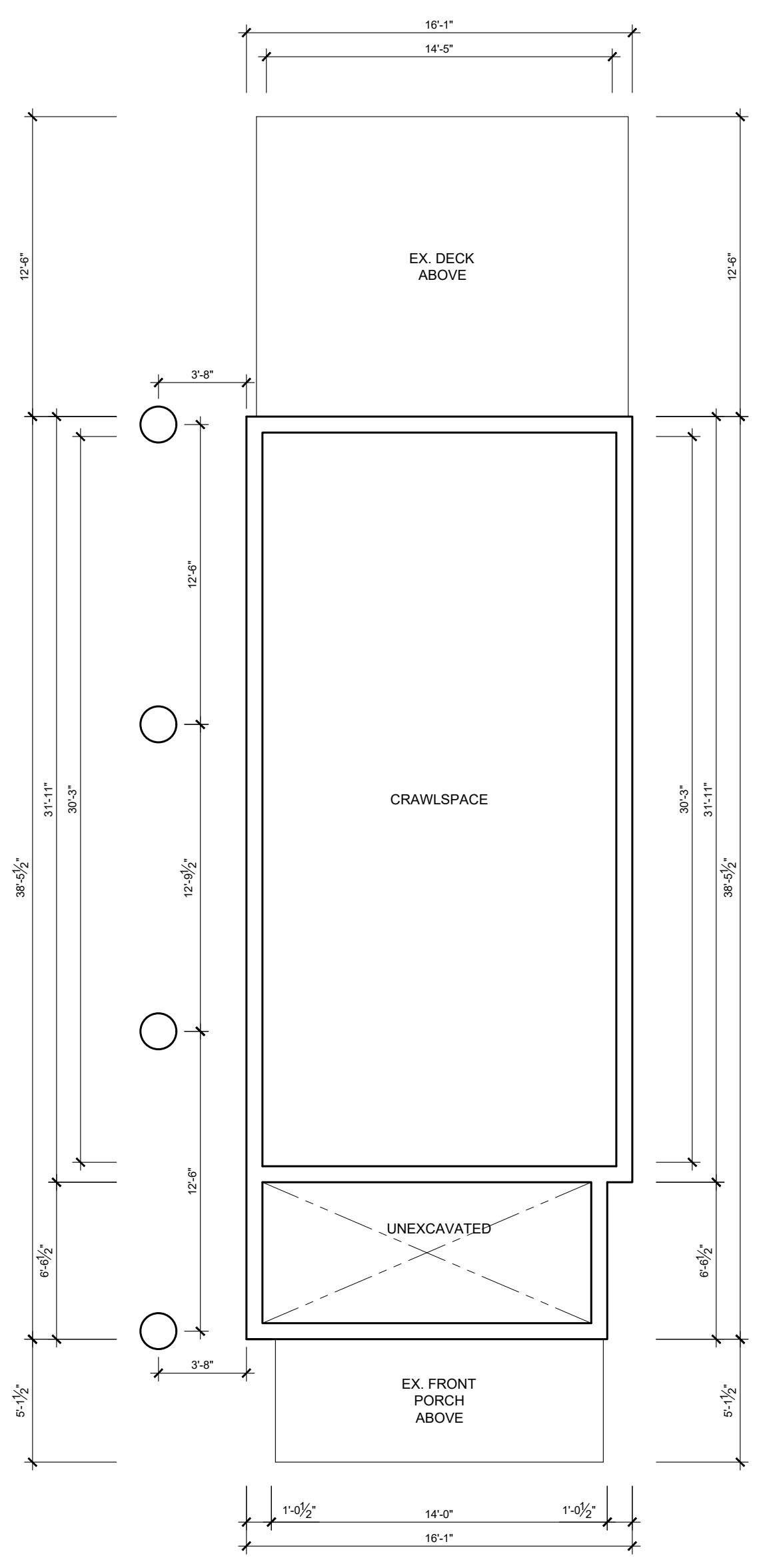
270 SHERMAN AVE N, UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT  
PROPOSED RESIDENCE  
195 EAST 8TH ST,  
HAMILTON, ON

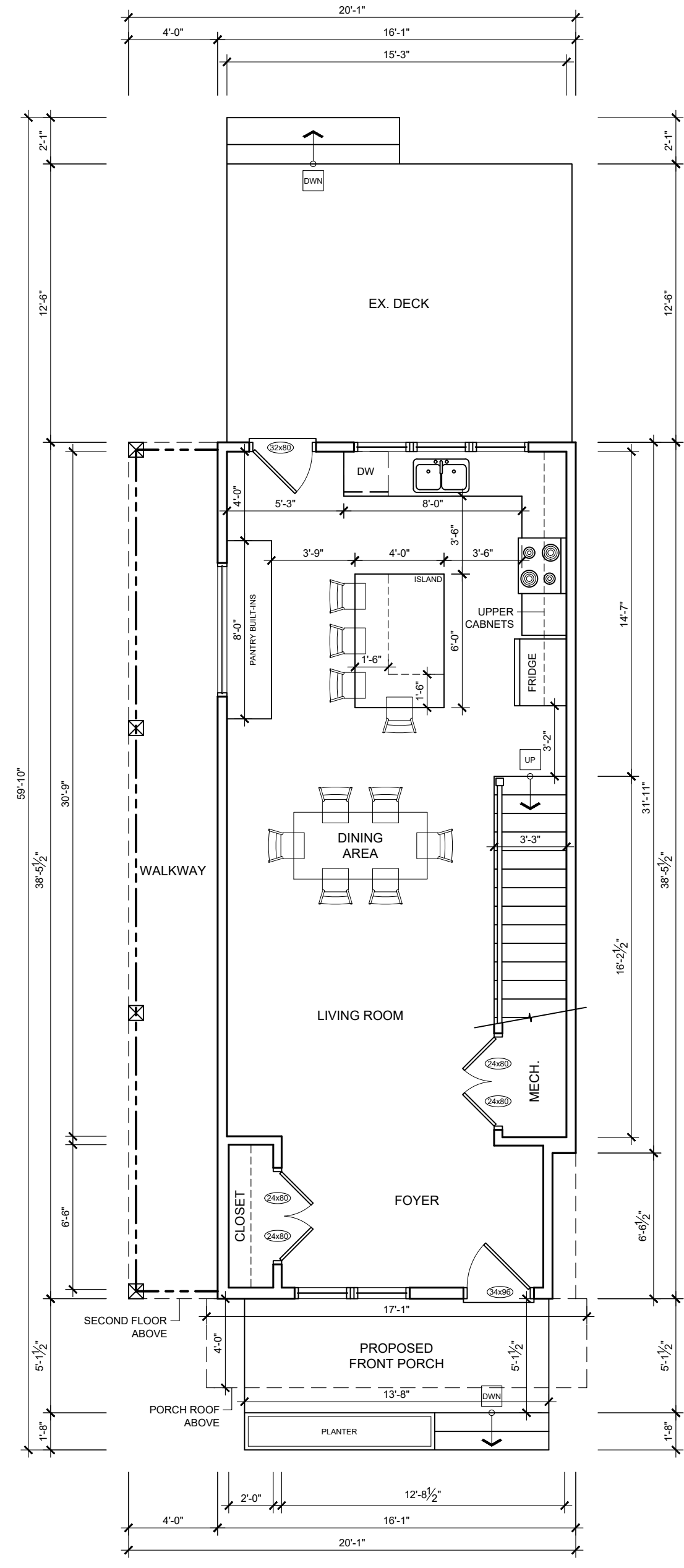
SHEET TITLE  
EXISTING FLOOR PLANS

DRAWN BY L. ANGELICI	A1
DATE 06/28/2022	
SCALE 3/16"=1'-0"	
PROJECT No. 22052	

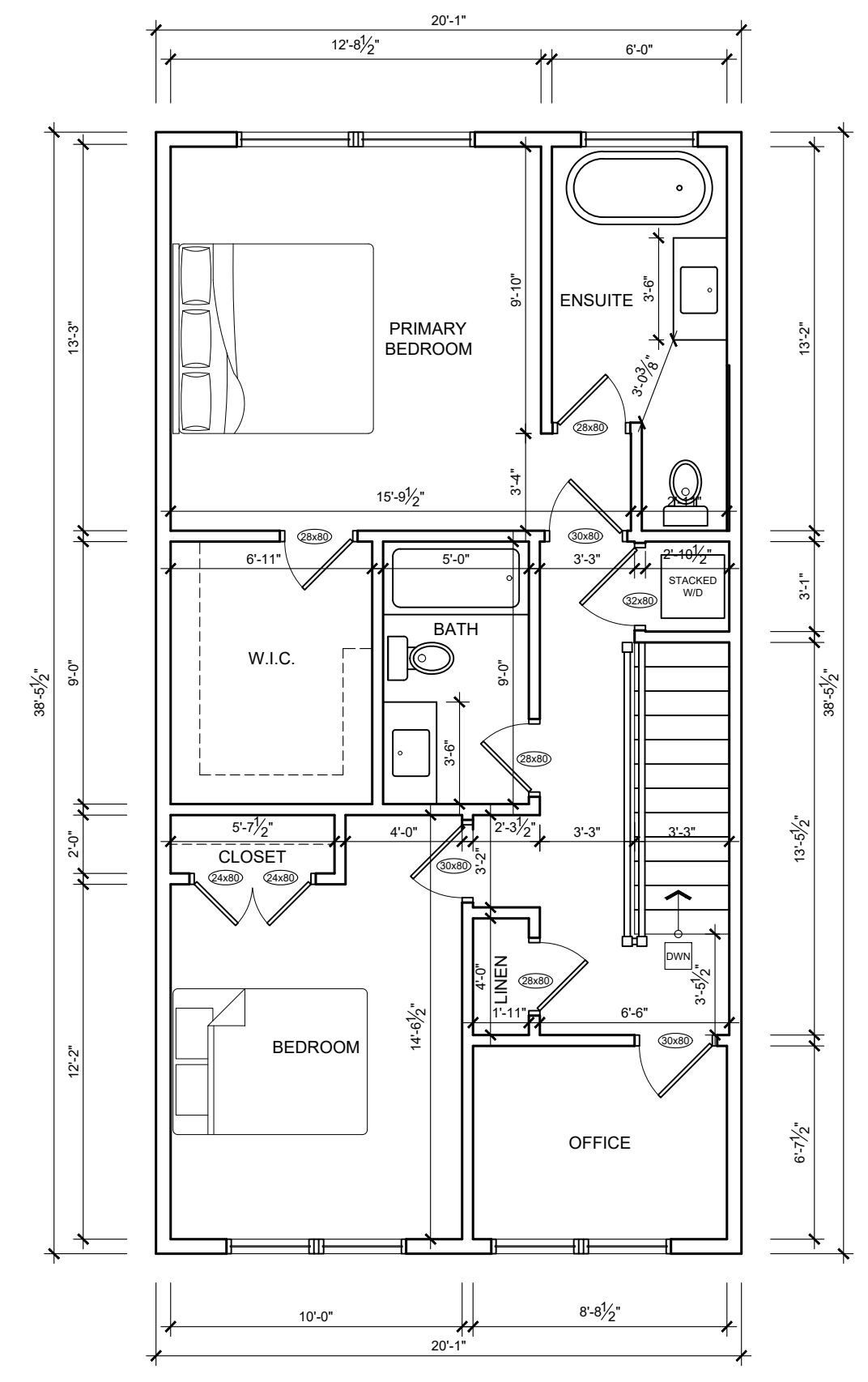




PROPOSED FOUNDATION PLAN  
SCALE 3/16" = 1' - 0"



PROPOSED MAIN FLOOR PLAN  
SCALE 3/16" = 1' - 0"



PROPOSED SECOND FLOOR PLAN  
SCALE 3/16" = 1' - 0"

PROJECT NORTH	TRUE NORTH
---------------	------------

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/28/2022

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SEAL

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QUALIFICATION INFORMATION  
 LEONARD ANGELICI 42391  
 NAME BGIN

REGISTRATION INFORMATION  
 LEN ANGELICI DESIGN 124457  
 NAME BGIN

06/28/2022  
 DATE SIGNATURE

**Len Angelici Design**

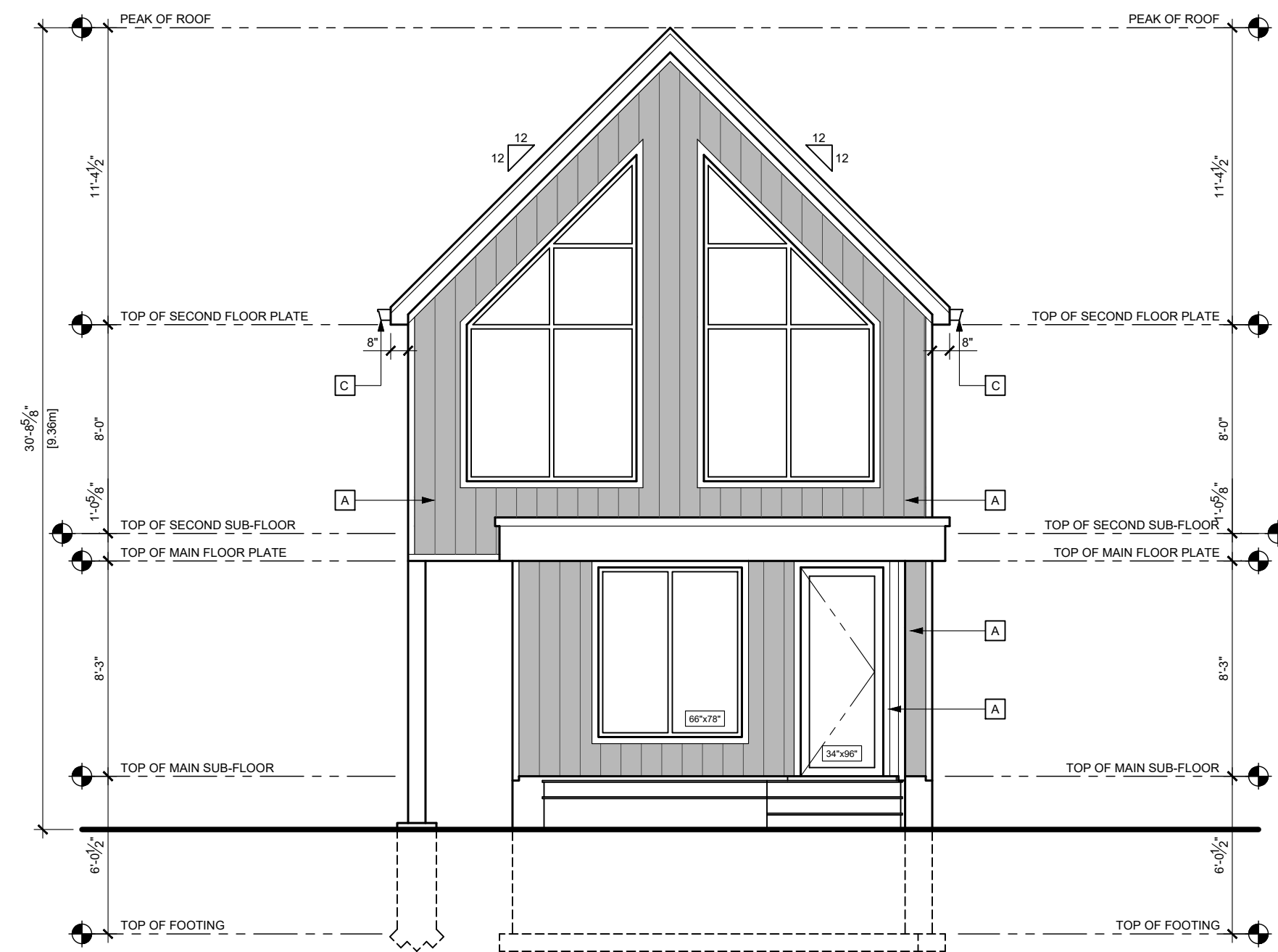
270 SHERMAN AVE N, UNIT MILL-125  
 HAMILTON, ON L8L 6N4  
 (905) 393-8868  
 info@lenangelicidesign.ca

PROJECT  
 PROPOSED RESIDENCE  
 195 EAST 8TH ST,  
 HAMILTON, ON

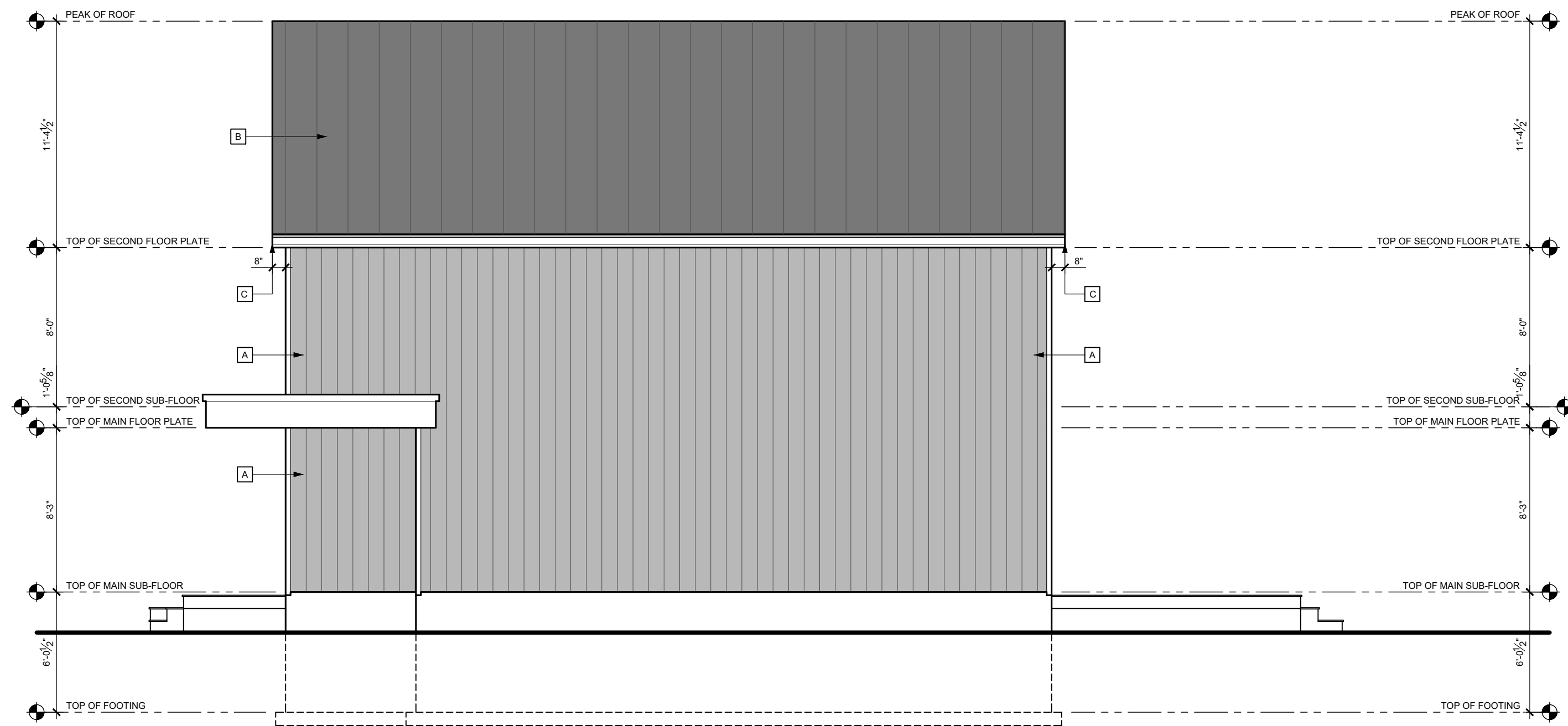
SHEET TITLE  
 PROPOSED FLOOR  
 PLANS

DRAWN BY  
 L. ANGELICI  
 DATE  
 06/28/2022  
 SCALE  
 3/16"=1'-0"  
 PROJECT No.  
 22052

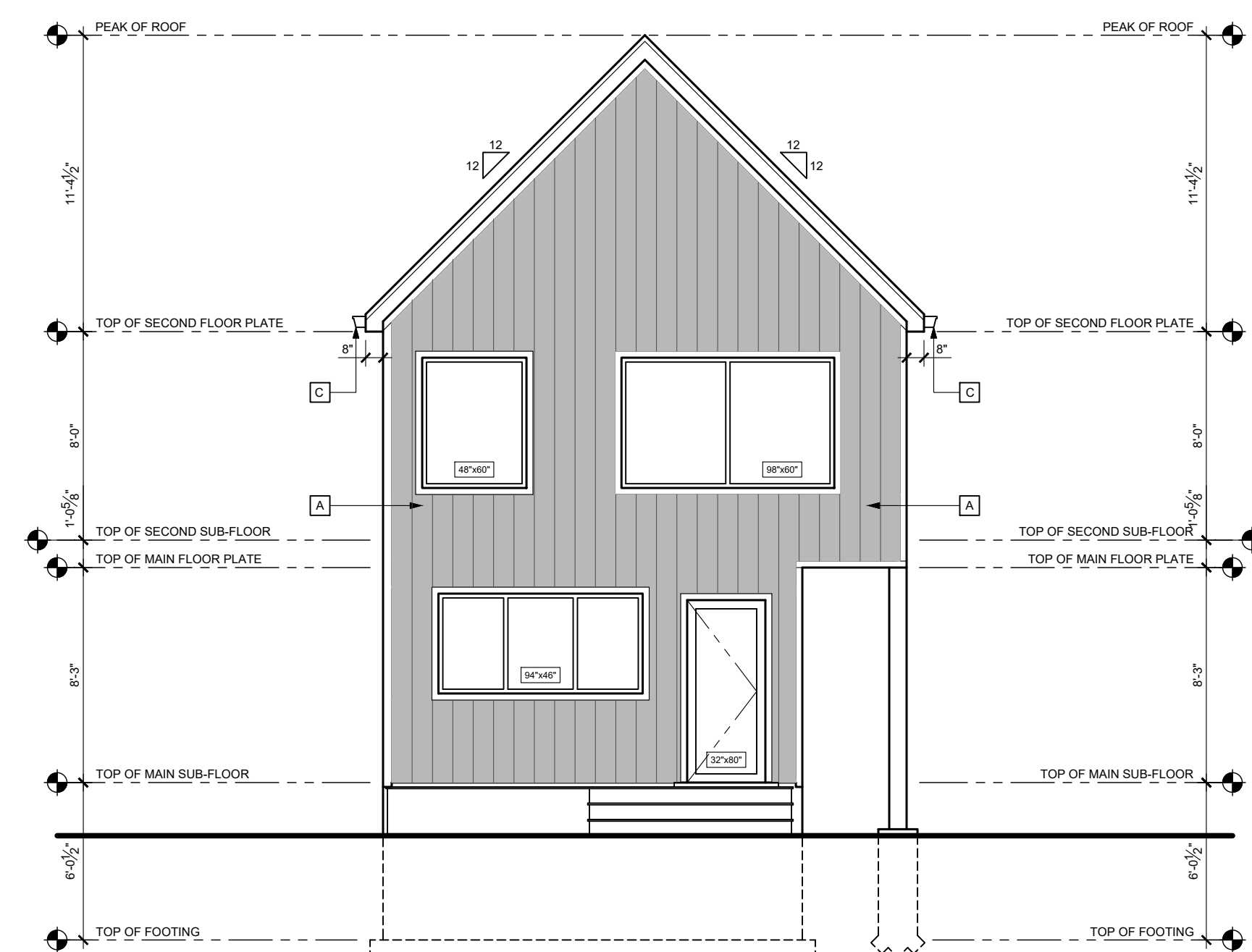
A2



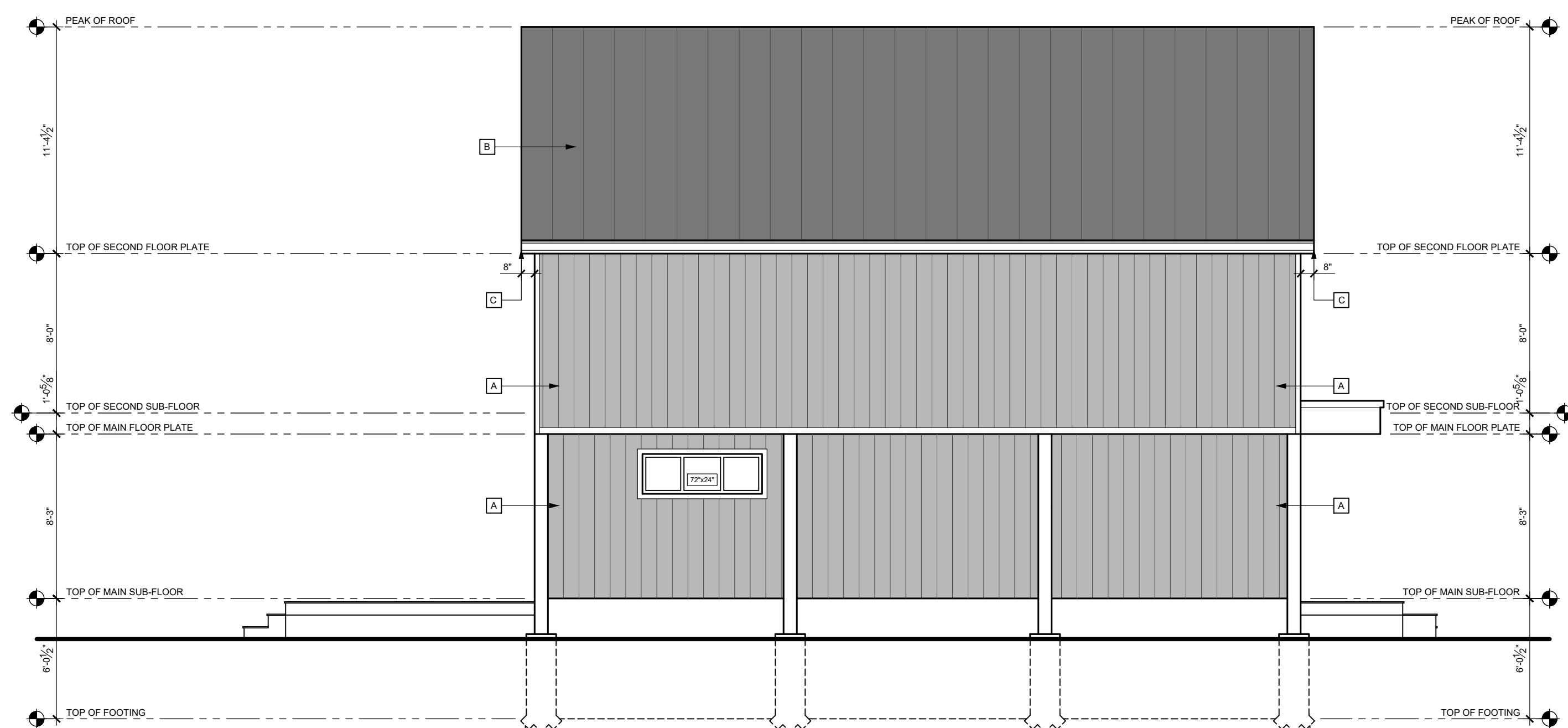
**FRONT ELEVATION**  
SCALE 3/16" = 1' - 0"



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



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



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

**EXTERIOR FINISH INDEX**

- [A] VINYL SIDING
- [B] STANDING SEAM METAL ROOF
- [C] 5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
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**QUALIFICATION INFORMATION**

LEONARD ANGELICI 42391  
NAME BCIN

**REGISTRATION INFORMATION**

LEN ANGELICI DESIGN 124457  
NAME BCIN

06/28/2022  
DATE SIGNATURE

**Len Angelici Design**

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

**PROJECT**

PROPOSED RESIDENCE  
195 EAST 8TH ST,  
HAMILTON, ON

**SHEET TITLE**

PROPOSED ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	06/28/2022
SCALE	3/16"=1'-0"
PROJECT No.	22052

**A3**



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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		
<b>Registered Owners(s)</b>	JONATHAN GARDNER DAVID BLANCHARD		
<b>Applicant(s)*</b>	LEN ANGELICI		
<b>Agent or Solicitor</b>			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:

RELIEF FROM REQUIRED SIDE YARD SETBACK OF 1.2m TO 0.55m  
RELIEF FROM REQUIRED FRONT YARD LANDSCAPED AREA OF 50% TO 45.79%

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

WALL OF EXISTING DWELLING IS 0.55m FROM THE PROPERTY LINE  
EXISTING FRONT YARD CONDITIONS ONLY RESULT IN 45.79% LANDSCAPED AREA

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

195 EAST 8TH ST                      REGISTERED PLAN 495 - P.I.N. 17046-0391 (LT)  
HAMILTON, ON                      LOT 111  
L9A 3L7

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?

AREA HAS BEEN RESIDENTIAL SINCE CONSTRUCTION OF SUBJECT PROPERTY

8.12 If previous use of property is industrial or commercial or if YES to any of 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.

June 20, 2022  
Date

X [Signature]  
Signature Property Owner(s)

[Signature]

Jonathan Gardner David Blanchard  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 7.925m  
Depth 38.71m  
Area 306.77m<sup>2</sup>  
Width of street \_\_\_\_\_

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

Existing:

GROUND FLOOR AREA: 56.19m <sup>2</sup>	WIDTH: 4.90m
GROSS FLOOR AREA: 92.3m <sup>2</sup>	LENGTH: 11.72m
2 STOREYS	

Proposed:

GROUND FLOOR AREA: 56.83m <sup>2</sup>	WIDTH: 6.12m
GROSS FLOOR AREA: 128.59m <sup>2</sup>	LENGTH: 11.72m
2 STOREYS	

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

Existing:

DWELLING:	
FRONT: 5.74m	RIGHT SIDE: 0.55m
REAR: 21.25m	LEFT SIDE: 2.47m

Proposed:

DWELLING:	
FRONT: 5.74m	RIGHT SIDE: 0.55m
REAR: 21.25	LEFT SIDE: 1.25m

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:  
SINCE CONSTRUCTION
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water  Connected   
Sanitary Sewer  Connected   
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
ZONE C: URBAN PROTECTED RESIDENTIAL, ETC. 6593 FORMER HAMILTON
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:236</b>	<b>SUBJECT PROPERTY:</b>	267 EAST 44TH STREET, HAMILTON
<b>ZONE:</b>	C (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:**      Owner – Aaron & Joanna Beckley  
                                 Agent – Len Angelici

The following variances are requested:

1. To permit the roof-over-unenclosed front porch to encroach *a maximum of 3.33 m* into the required front yard and be as close as 2.67 m from the front lot line instead of the requirement in the By-Law which states that a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 m, and every such projecting porch shall be distant at least 1.5 m from the front lot line; and
2. A minimum southerly side yard width of 0.9 m shall be provided for the roofed over unenclosed porch instead of the minimum required side yard width of 1.2 m.

**PURPOSE & EFFECT:**      To permit the construction of a roofed-over unenclosed front porch to an existing single-family dwelling

**Notes:**

- i. Please note that there is no side yard encroachment; therefore, a variance for the required side yard width for the principal building has been included.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:50 p.m.</b>

HM/A-22:236

<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

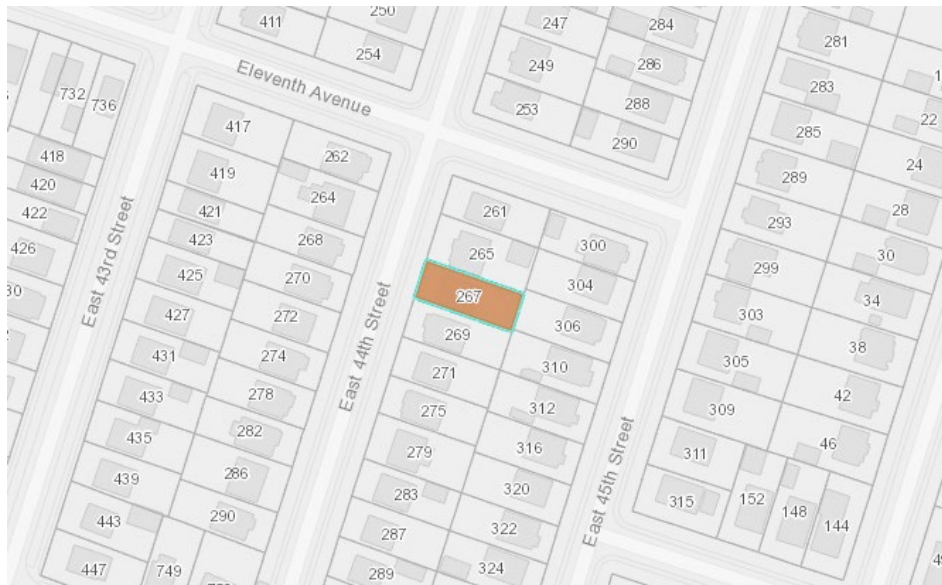
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



DATED: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

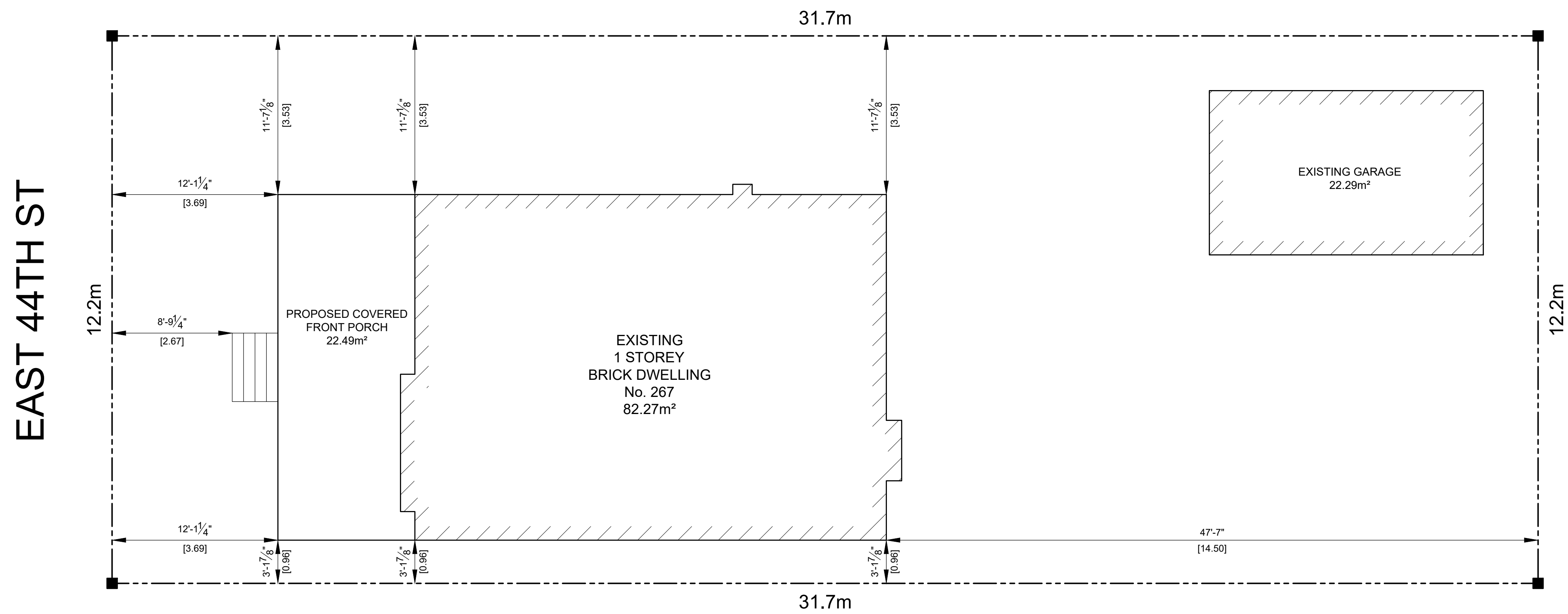
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 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 (2<sup>nd</sup> 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](mailto: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	
ZONE:	C
LOT AREA:	386.85m <sup>2</sup>
EXISTING DWELLING FOOTPRINT:	82.27m <sup>2</sup>
PROPOSED COVERED FRONT PORCH:	22.49m <sup>2</sup>
<b>BUILDING HEIGHT</b>	
No. of STOREYS:	1
<b>SETBACKS</b>	
FRONT:	3.69m
REAR:	14.5m
RIGHT SIDE:	0.96m
LEFT SIDE:	3.53m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/27/2022

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QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
06/27/2022	
DATE	SIGNATURE

**Len Angelici Design**

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

PROJECT

PROPOSED RESIDENCE  
**267 EAST 44th ST**  
HAMILTON, ON.

SHEET TITLE

**SITE PLAN**

DRAWN BY	L. ANGELICI
DATE	06/27/2022
SCALE	3/8"=1'-0"
PROJECT No.	22026

**SP1**

PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR VARIANCE	06/27/2022
No.	REVISION	DATE

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 LEONARD ANGELICI 42391  
 NAME BCIN

REGISTRATION INFORMATION  
 LEN ANGELICI DESIGN 124457  
 NAME BCIN

06/27/2022  
 DATE SIGNATURE

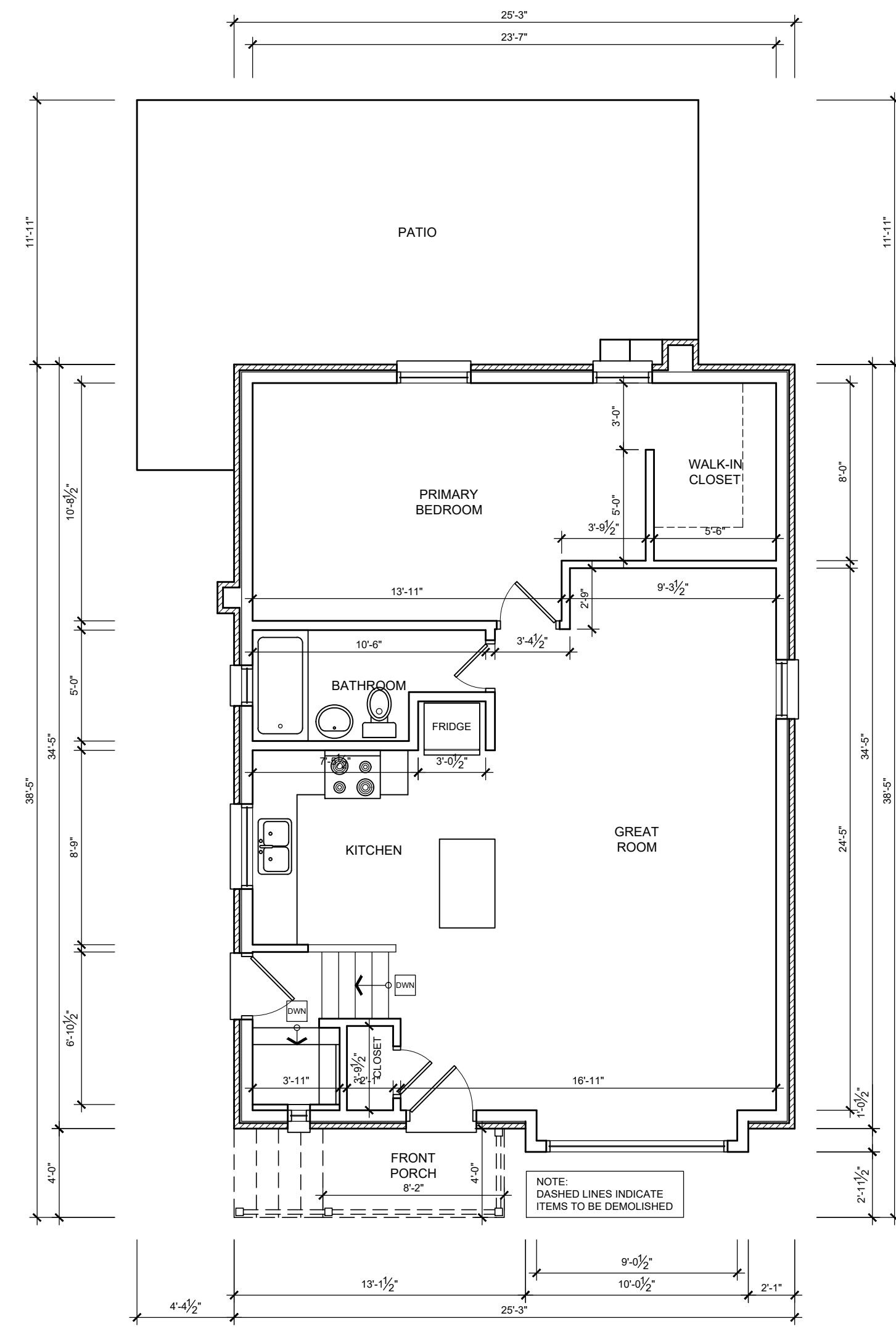
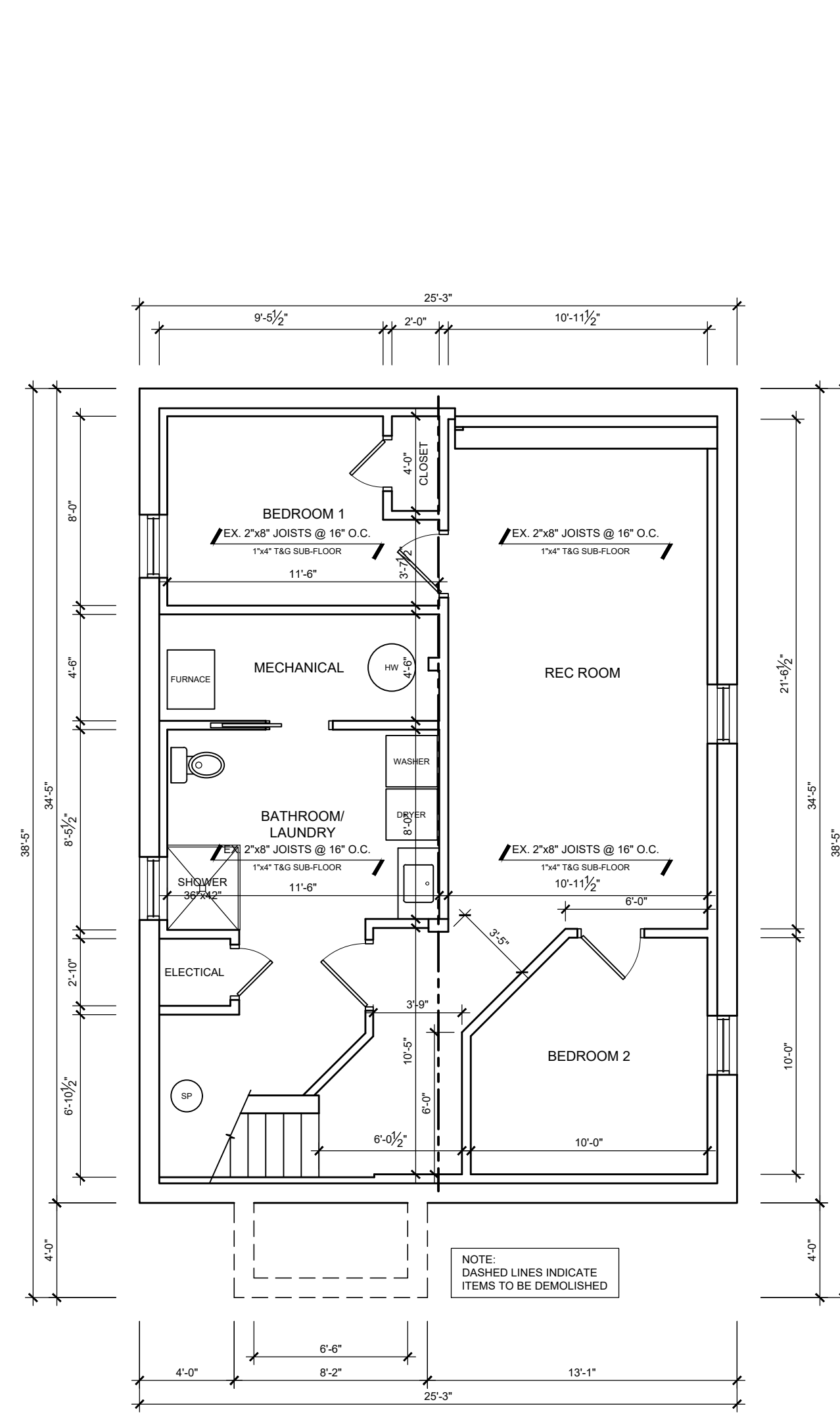
**Len Angelici Design**

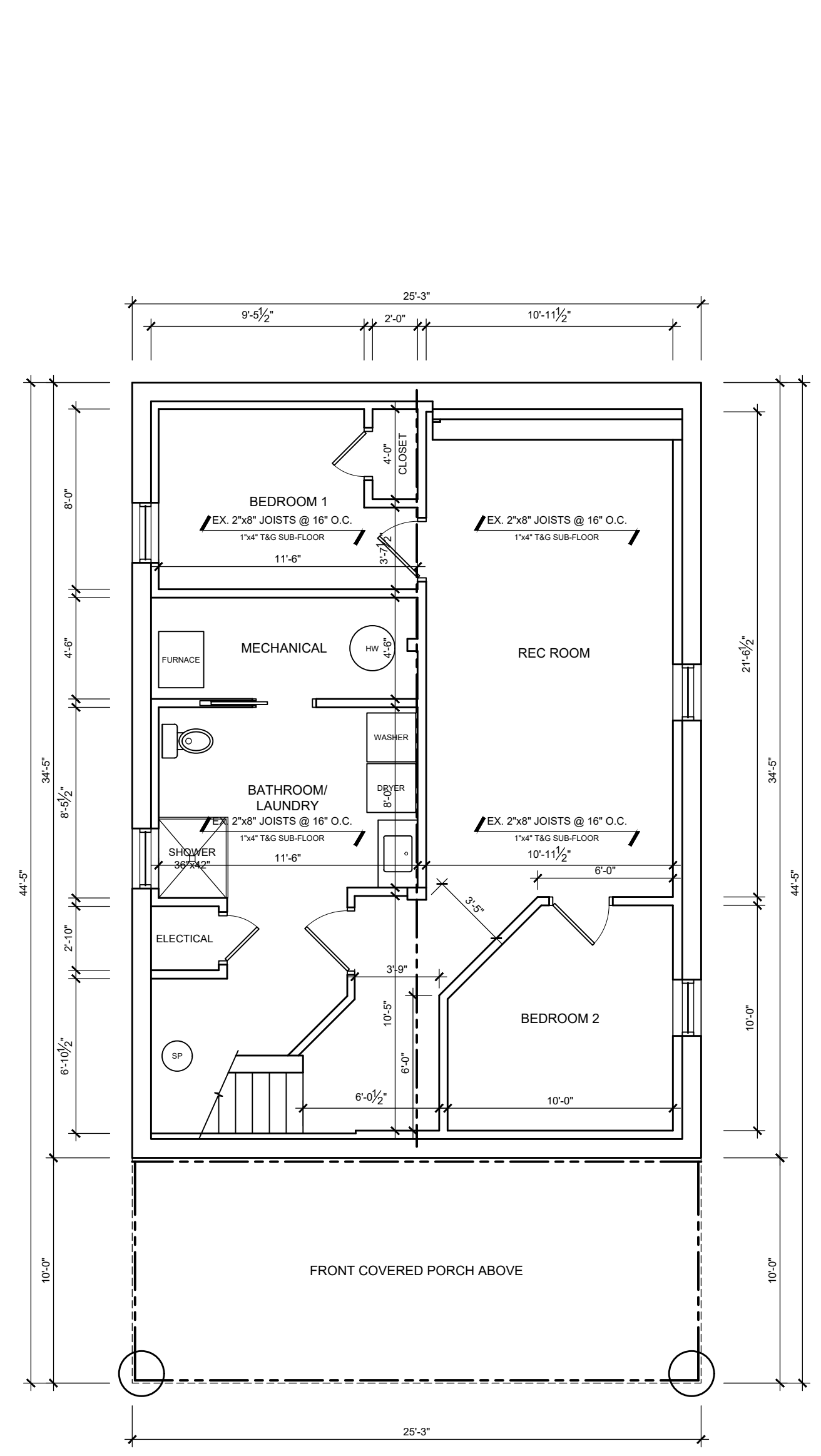
270 SHERMAN AVE N. UNIT MILL-125  
 HAMILTON, ON L8L 6N4  
 (905) 393-8868  
 info@lenangelicidesign.ca

PROJECT  
 PROPOSED RESIDENCE  
 267 EAST 44th ST  
 HAMILTON, ON.

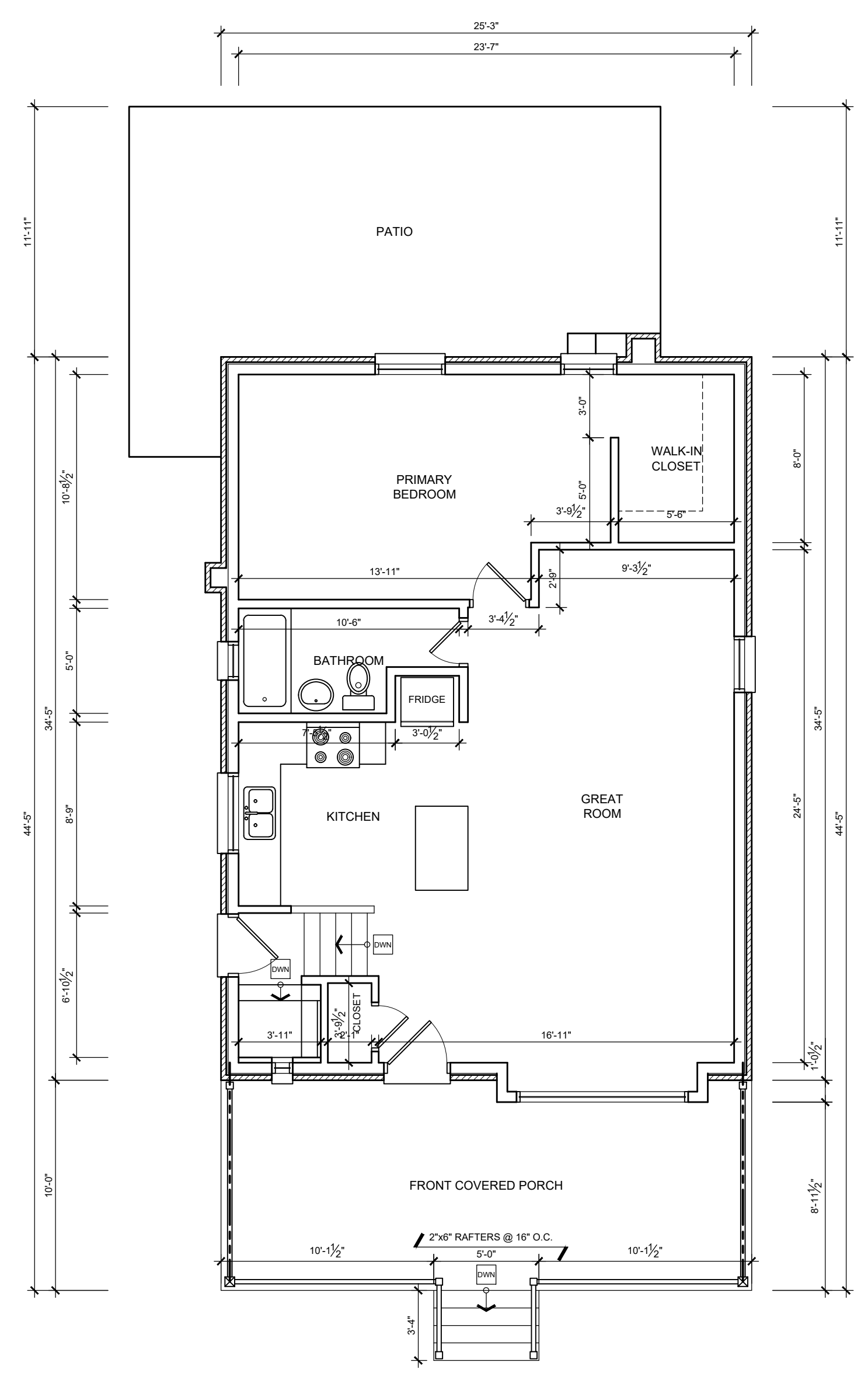
SHEET TITLE  
 EXISTING FLOOR PLANS

DRAWN BY	A1
L. ANGELICI	
DATE	
06/27/2022	
SCALE	
3/16"=1'-0"	PROJECT No.
22026	





**PROPOSED BASEMENT PLAN**  
SCALE 3/16" = 1' - 0"



**PROPOSED MAIN FLOOR PLAN**  
SCALE 3/16" = 1' - 0"

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/27/2022

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

SEAL

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

**QUALIFICATION INFORMATION**

LEONARD ANGELICI 42391  
NAME BCIN

**REGISTRATION INFORMATION**

LEN ANGELICI DESIGN 124457  
NAME BCIN

06/27/2022  
DATE SIGNATURE

**Len Angelici Design**

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

**PROJECT**

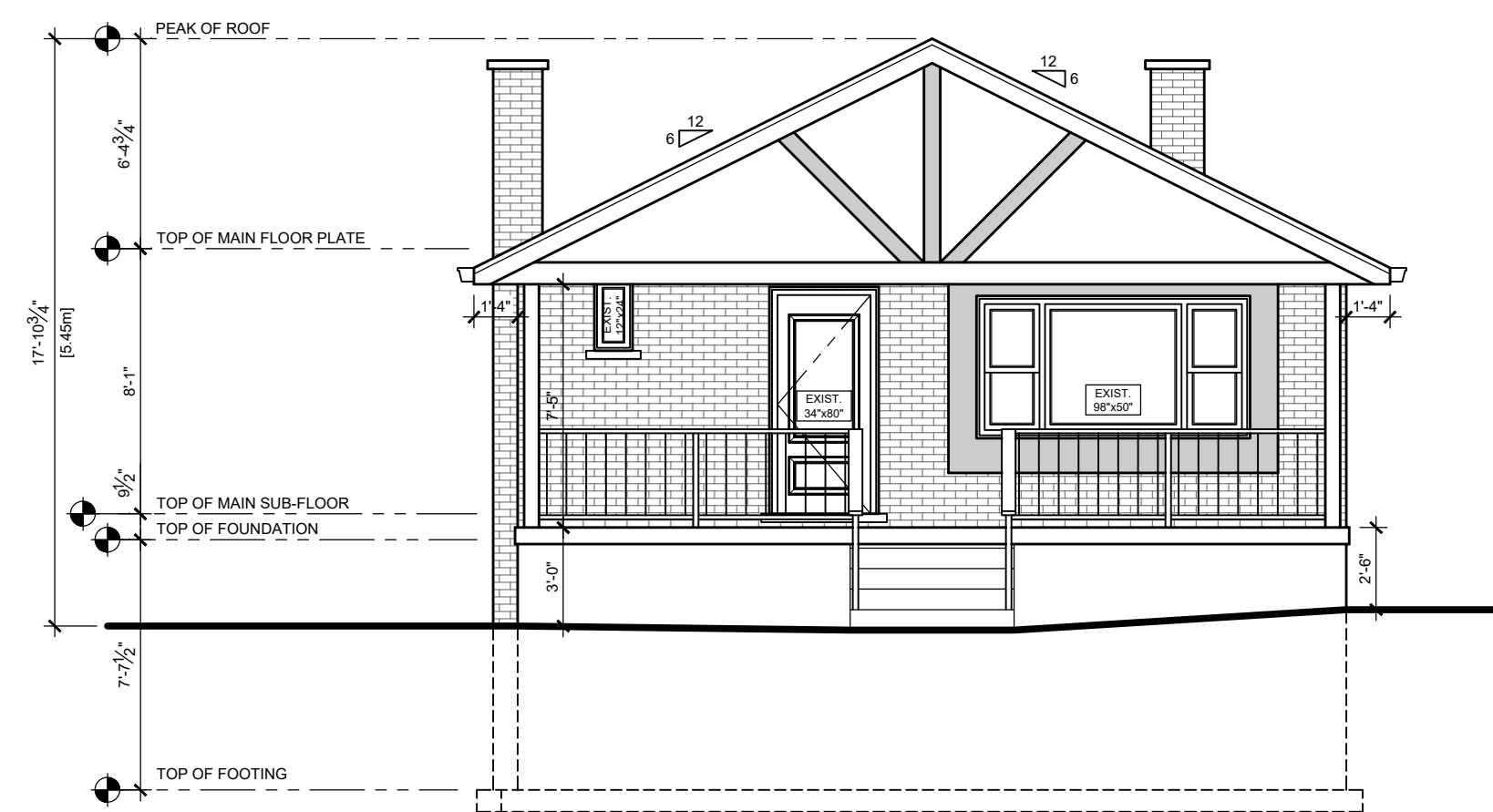
PROPOSED RESIDENCE  
267 EAST 44th ST  
HAMILTON, ON.

**SHEET TITLE**

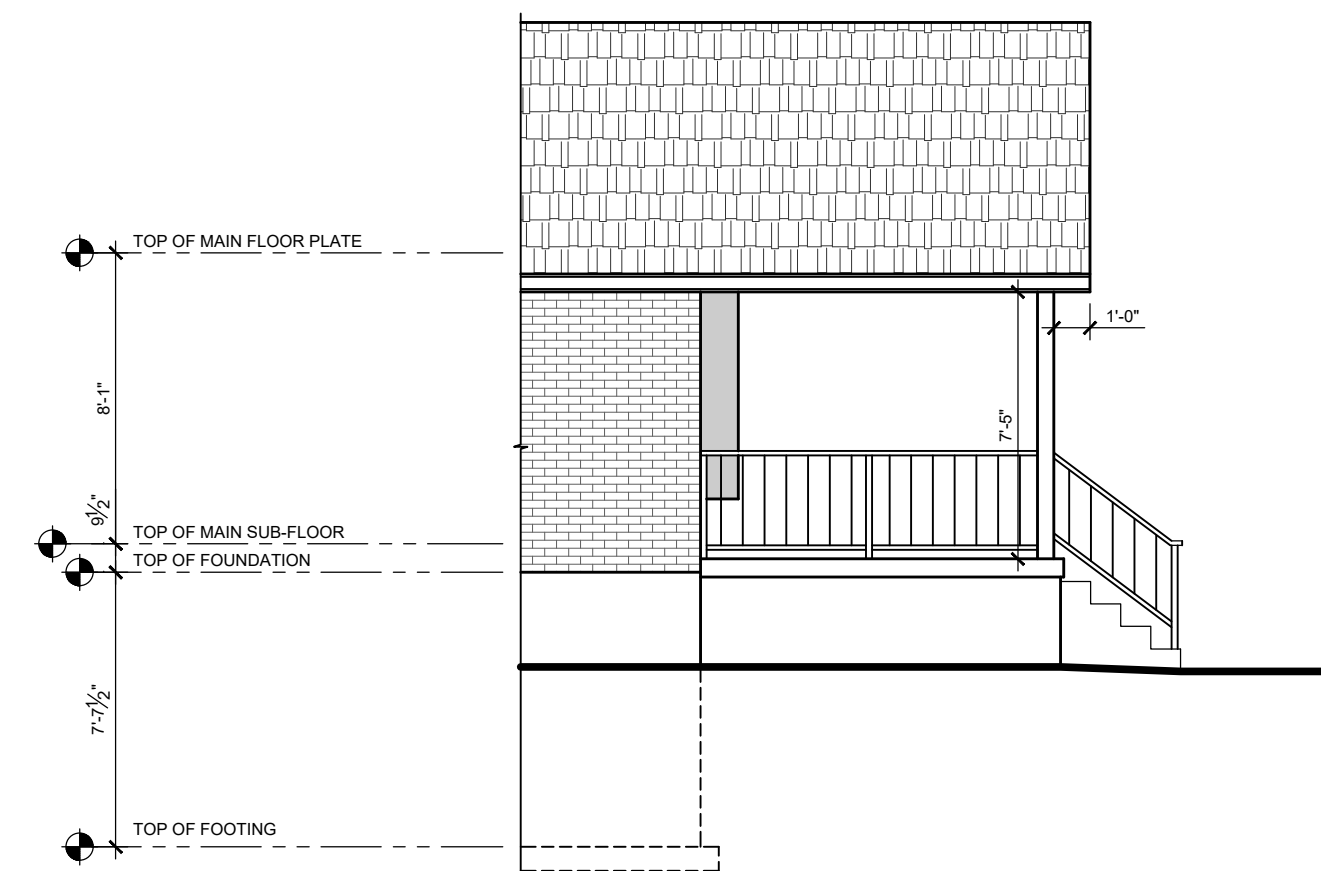
PROPOSED FLOOR PLANS

DRAWN BY	L. ANGELICI
DATE	06/27/2022
SCALE	3/16"=1'-0"
PROJECT No.	22026

**A2**



**FRONT ELEVATION**  
SCALE  $\frac{3}{16}'' = 1' - 0''$



**LEFT SIDE ELEVATION**  
SCALE  $\frac{3}{16}'' = 1' - 0''$

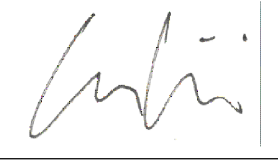
PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/27/2022

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SEAL

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

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
06/27/2022	
DATE	SIGNATURE

**Len Angelici Design**

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

PROJECT  
PROPOSED RESIDENCE  
**267 EAST 44th ST**  
HAMILTON, ON.

SHEET TITLE  
**PROPOSED ELEVATIONS**

DRAWN BY	L. ANGELICI
DATE	06/27/2022
SCALE	$\frac{3}{16}'' = 1' - 0''$
PROJECT No.	22026

**A3**



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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					
<b>Registered Owners(s)</b>	AARON & JOANNA BECKLEY					
<b>Applicant(s)*</b>	LEN ANGELICI					
<b>Agent or Solicitor</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%;"><b>Phone:</b></td> </tr> <tr> <td></td> <td><b>E-mail:</b></td> </tr> </table>		<b>Phone:</b>		<b>E-mail:</b>
	<b>Phone:</b>					
	<b>E-mail:</b>					

**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 FRONT YARD SETBACK AND SIDE YARD SETBACK REQUIREMENTS

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

PROXIMITY OF EXISTING DWELLING TO THE FRONT AND SIDE YARD PROPERTY LINE DOES NOT ALLOW FOR A NEW COVERED PORCH

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**):

267 EAST 44TH ST  
HAMILTON ON  
L8T 3H9

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?

AREA HAS BEEN RESIDENTIAL SINCE CONSTRUCTION OF SUBJECT PROPERTY

8.12 If previous use of property is industrial or commercial or if YES to any of 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.

JUNE 27, 2022  
Date

X *Barry Beckley* Signature Property Owner(s)  
Aaron Beckley + Joanna Beckley Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 12.2m  
Depth 31.7m  
Area 386.85m<sup>2</sup>  
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:  
DWELLING: 81.29m<sup>2</sup>  
FRONT PORCH: 3.04m<sup>2</sup>  
GROSS FLOOR AREA: 157.08m<sup>2</sup>

Proposed:  
FRONT PORCH: 23.46m<sup>2</sup>

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

Existing:  
FRONT: 6.42m  
REAR: 14.5m  
LEFT SIDE: 3.53m  
RIGHT SIDE: 0.96m

Proposed:  
FRONT: 3.69m



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
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE FAMILY
- 
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTION
- 
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:  
PARENT BY-LAW: 6593 FORMER HAMILTON
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
ZONE C: 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.





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:115</b>	<b>SUBJECT PROPERTY:</b>	35 HAMILTON AVENUE, HAMILTON
<b>ZONE:</b>	D (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – D. Vopni, M. Puzzella, D. Di Gennaro  
Agent – A.J. Clarke : Steve Fraser

The following variances are requested:

1. A minimum lot area of 485.0m<sup>2</sup> shall be provided instead of the minimum lot area of 540.0m<sup>2</sup> required for a Two Family Dwelling.
2. A minimum lot width of 12.6m shall be provided instead of the minimum lot width of 18.0m required for a Two Family Dwelling.
3. The parking area shall be permitted to occupy 56% of the gross area of the front yard instead of the maximum 50.0% gross area of the front yard permitted for parking purposes.
4. The front yard landscaped area shall be a minimum of 44.0% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.
5. Two (2) parking spaces shall be provided in the front yard whereas the by-law prohibits required parking spaces from being in the front yard.
6. No on-site manoeuvring shall be provided for the parking spaces located within the front yard instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

**PURPOSE & EFFECT:** To permit the construction of a new two (2) storey, Two Family Dwelling.

**Notes:**

**HM/A-22:115**

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

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.

HM/A-22:115



 Subject Lands

DATED: July 26, 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.

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

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

**ENGINEER SEAL:**

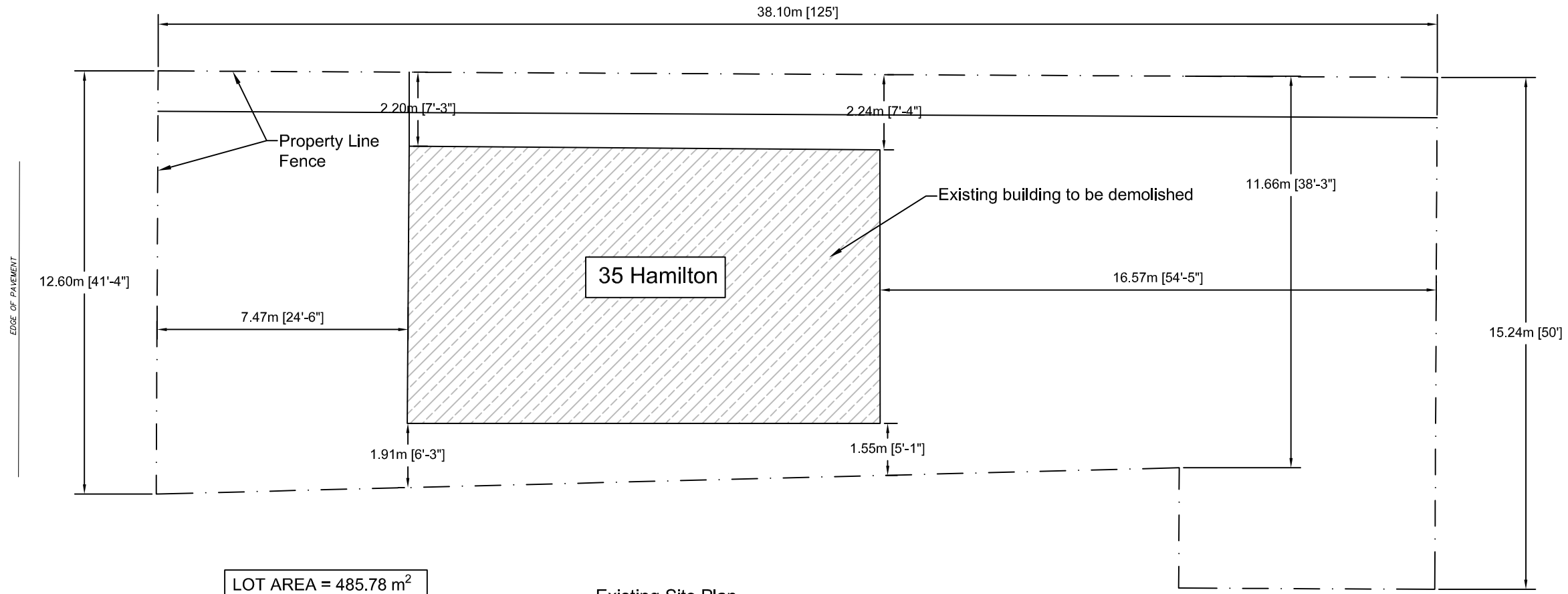
No.	Revision/Issue	Date

**PROJECT:**  
 35 Hamilton Avenue  
 Hamilton, Ontario

**TITLE:**  
 Existing Site Plan

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

HAMILTON AVENUE



LOT AREA = 485.78 m<sup>2</sup>

Existing Site Plan  
 Scale 1:150

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

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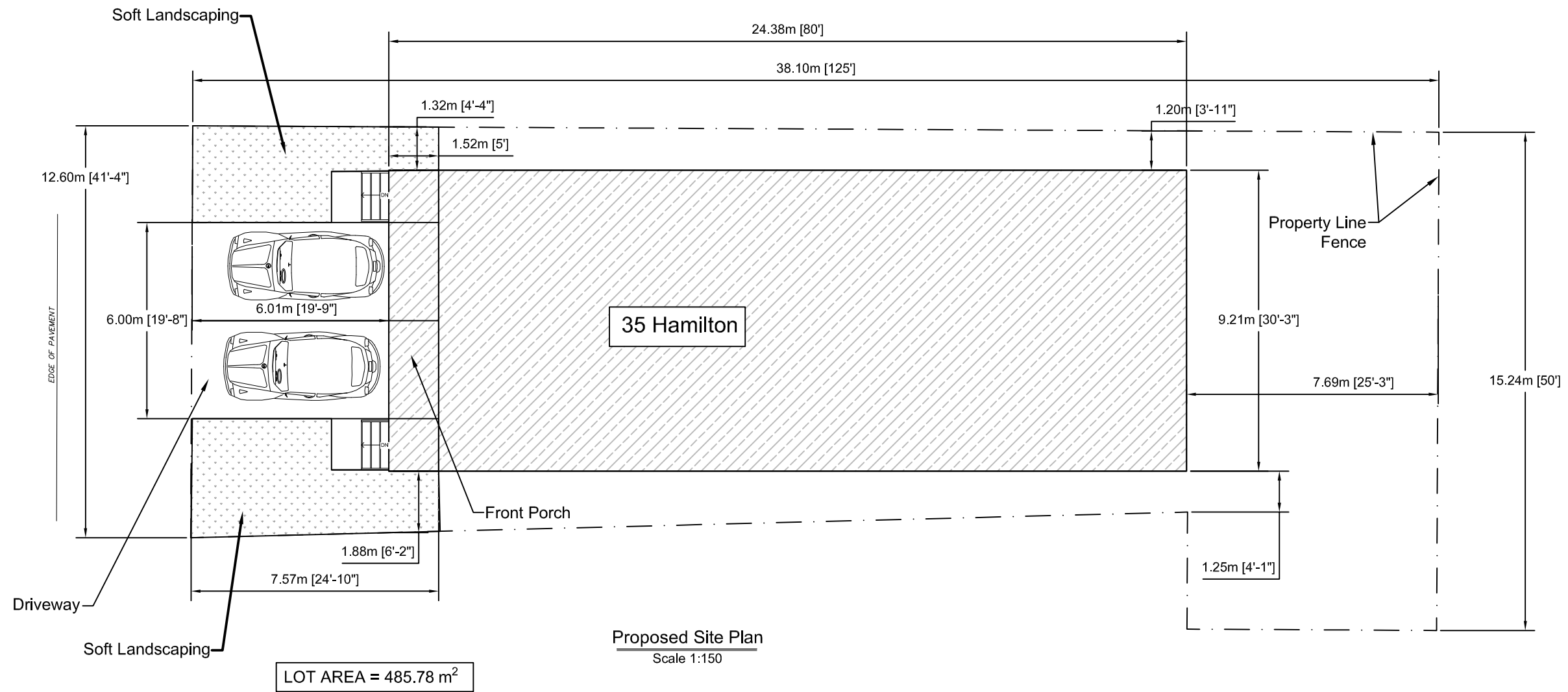
No.	Revision/Issue	Date

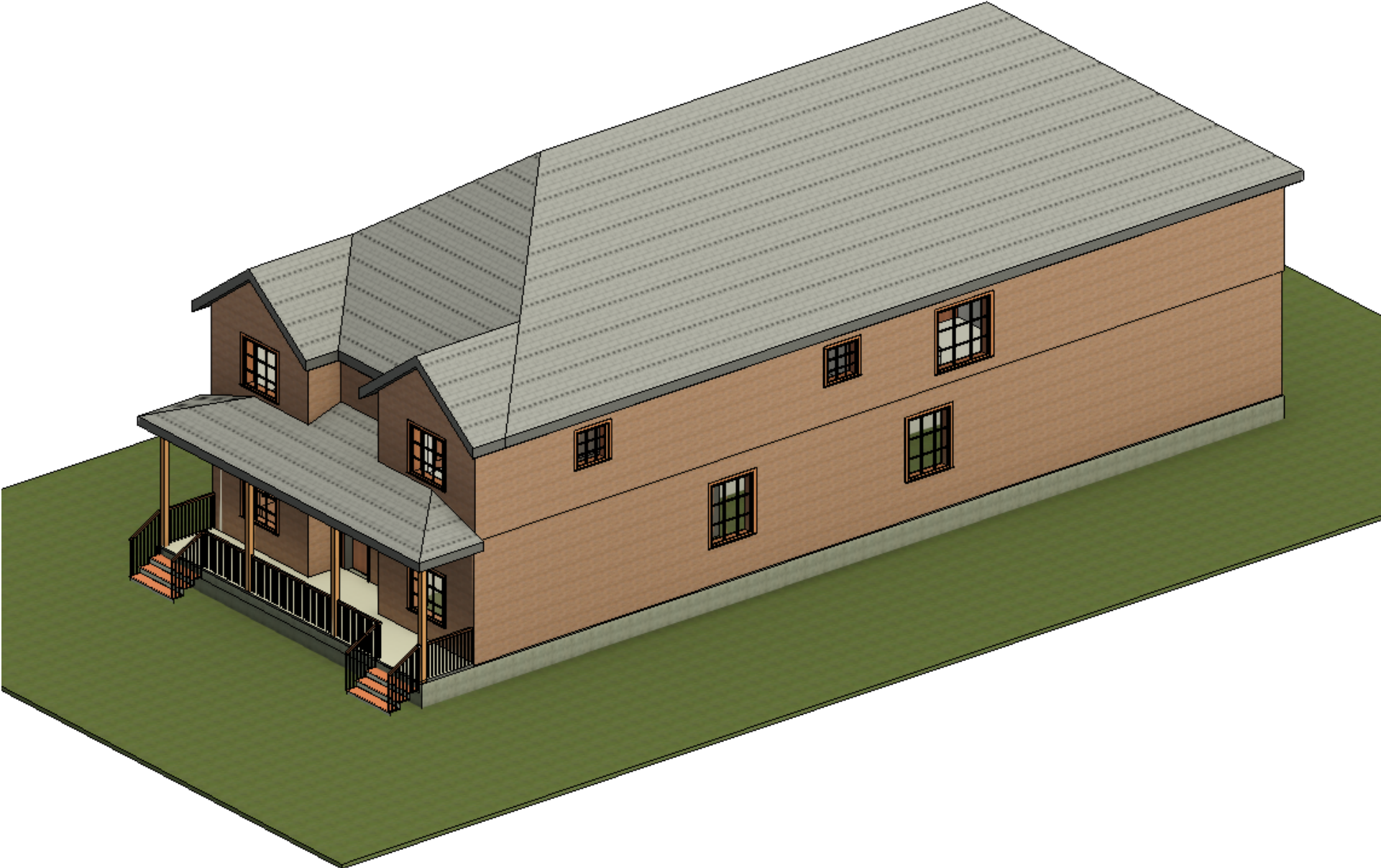
**PROJECT:**  
 35 Hamilton Avenue  
 Hamilton, Ontario

**TITLE:**  
 Proposed Site Plan

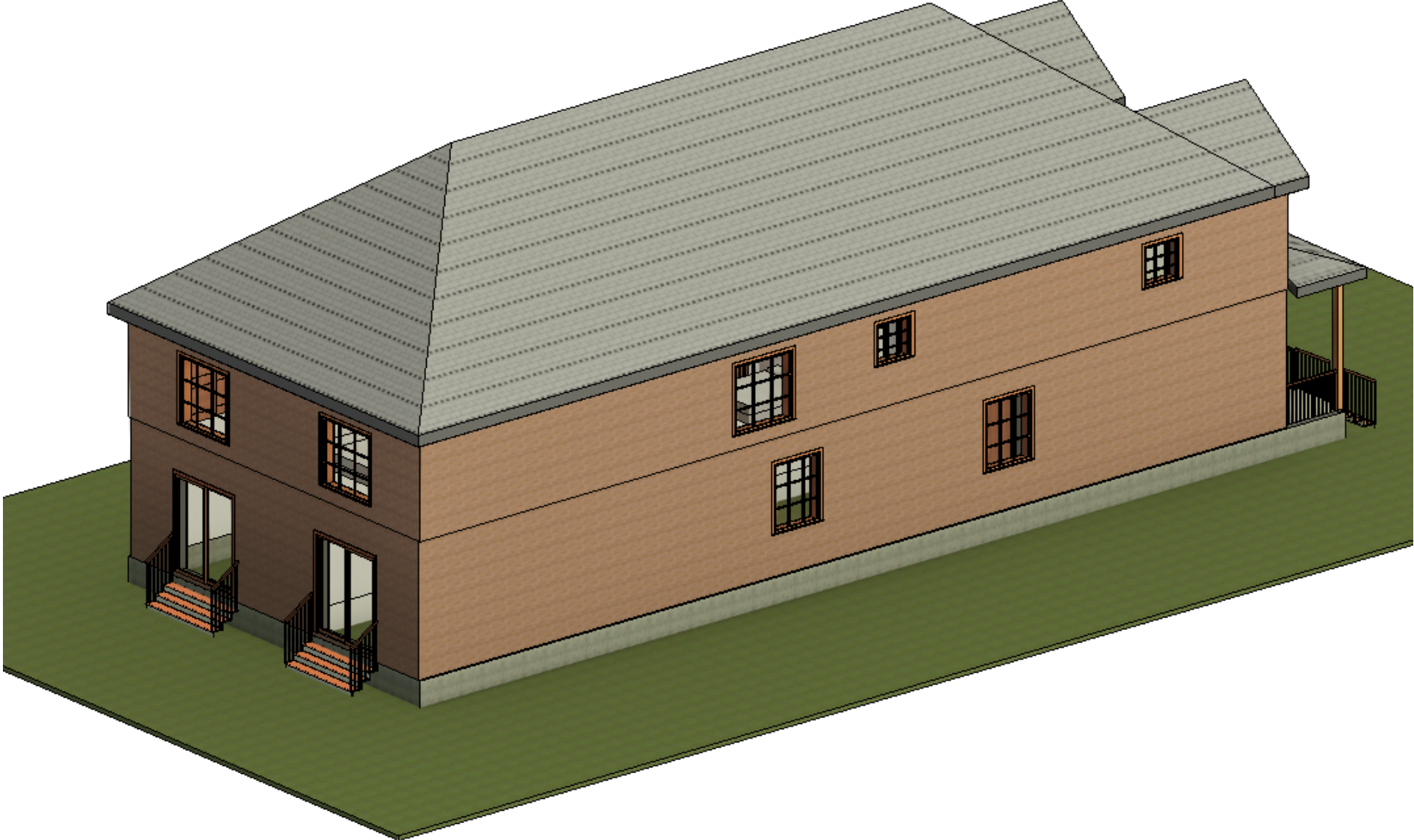
SCALE:	DRAWING NO.
DESIGNED BY:	SP1.02
APPROVED BY:	

HAMILTON AVENUE









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

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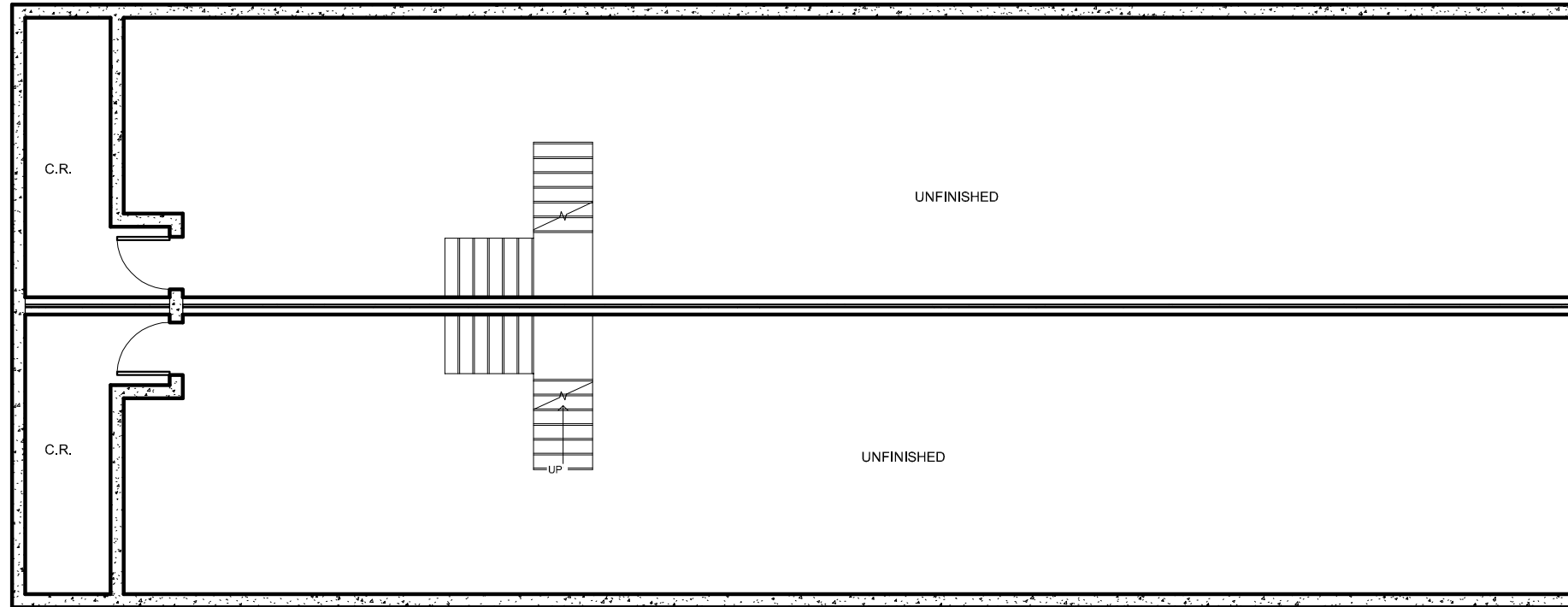
**ENGINEER SEAL:**

No.	Revision/Issue	Date

**PROJECT:**  
35 Hamilton Avenue  
Hamilton, Ontario

**TITLE:**  
Basement Plan

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.01</b>
APPROVED BY:	
BY:	



**Basement Plan**

Scale 1:100

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

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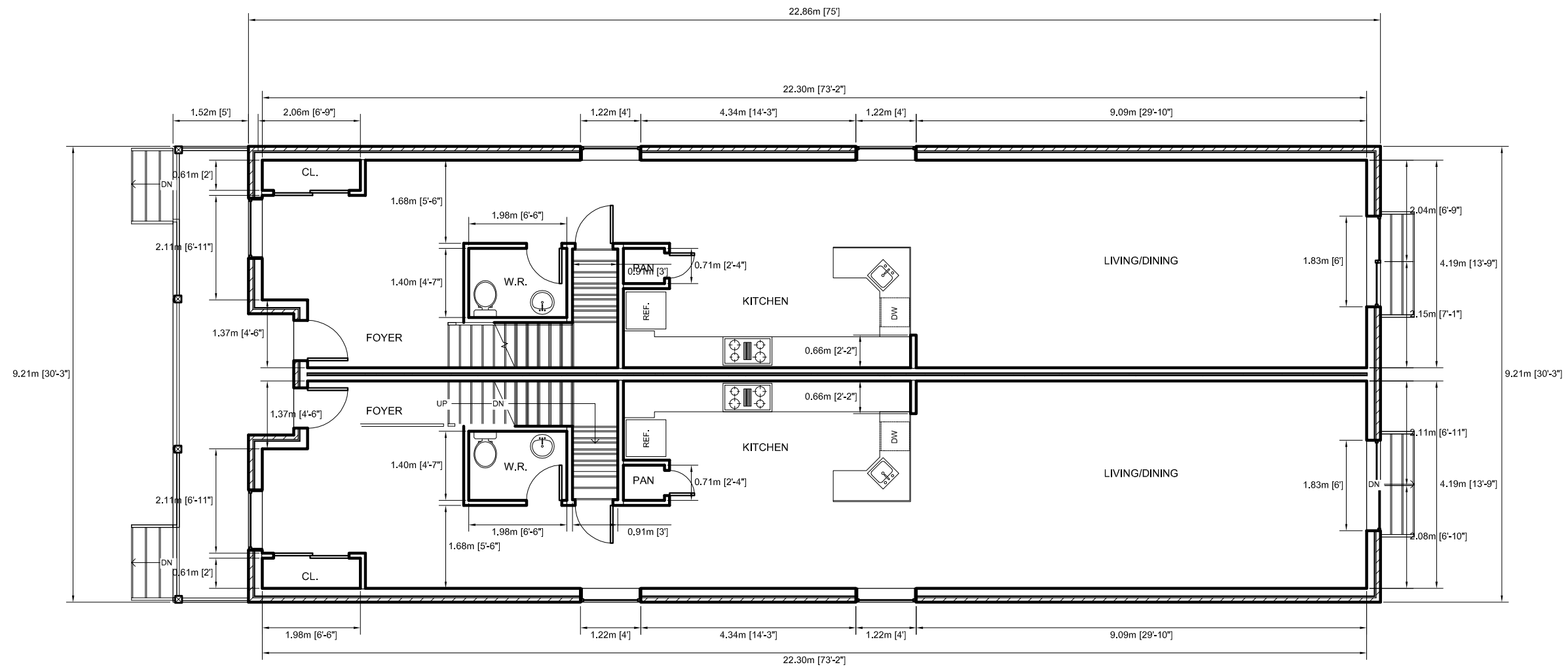
**ENGINEER  
SEAL:**

No.	Revision/Issue	Date

**PROJECT:**  
35 Hamilton Avenue  
Hamilton, Ontario

**TITLE:**  
First Floor Plan

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.02</b>
APPROVED BY:	
BY:	



**First Floor Plan**  
Scale 1:100



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

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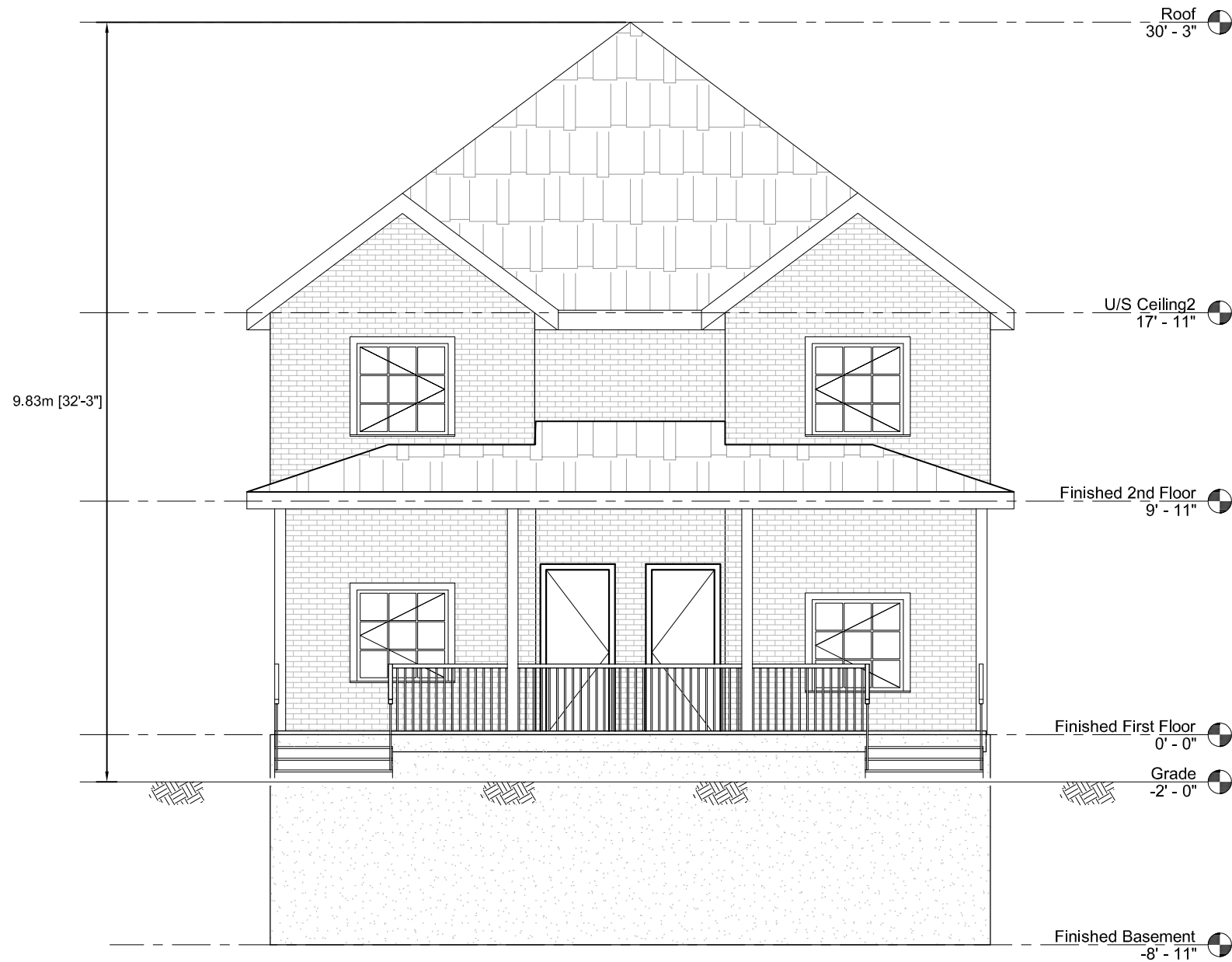
**ENGINEER  
SEAL:**

No.	Revision/Issue	Date

**PROJECT:**  
35 Hamilton Avenue  
Hamilton, Ontario

**TITLE:**  
Front View

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S2.01</b>
APPROVED BY:	



**Front View**  
Scale 1:75



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

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

June 30, 2022

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

**Re: 35 Hamilton Avenue, Hamilton (HM/A-22:115)**  
**Minor Variance Application – Revised Submission**

---

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by David Vopni, Michael Puzzella, and Daniela Di Gennaro for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 35 Hamilton Avenue, in the City of Hamilton.

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

- One (1) digital copy of the proposed site plan, floor plans and elevations;
- One (1) cash payment delivered to City Hall in the amount of \$200.00 representing the required recirculation fee.

On May 12, 2022, the City Staff provided comments regarding the Minor Variance Application previously submitted. After hearing city comments regarding the Minor Variance Application for 35 Hamilton Avenue (HM/A-22:115), our client has revised their proposed plans. As a summary, the subject lands are currently occupied by one (1), one-storey, single-detached dwelling. This dwelling will be demolished in favour of a semi-detached, two-family dwelling – which is a permitted use.

We no longer propose an enclosed, projecting, garage for the semi-detached, 2-dwelling structure, which was most of the cause for the refusal of the required associated variances. Instead, we propose a new building plan that includes a double-wide driveway that will occupy just less than 50% of the front yard with a small path leading from the driveway to the front stairs. This will provide the one parking space per dwelling unit required by the zoning by-law, but within the required front yard.

We will now seek relief from Zoning Bylaw 18-A(14a):

*(14a) Except for single family dwellings, two family dwellings and three family dwellings erected prior to the 14th day of December 1971, no part of a required parking space for a single family dwelling, two family dwelling or three family dwelling in a residential district shall be located in a required front yard and not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials. (92-281) (93-063) (94-145)*



We will also require relief for the proposed front yard landscaping required in (14a) – from 50% to 44% landscaping to accommodate a small path from the top of the driveway to the front steps, and the front steps themselves. The purpose of this analysis is in support of the Minor Variance Application for the subject lands. The proposed development is the construction of a semi-detached dwelling, which is a permitted use. Minor variances are required to facilitate the desired built form for the development.

We will still seek relief from other minor variances aside from the above:

1. To permit a minimum lot frontage of 12.6 metres, whereas a minimum lot frontage of 18 metres is required.
2. To permit a minimum lot area of 485 square metres, whereas a minimum lot area of 540 square metres is required.

The surrounding area consists largely of residential uses, with various institutional uses, and various Commercial and mixed-use properties located along Concession Street. The residential uses are concentrated around the subject site, consisting mainly of single detached dwellings except for a semi-detached dwelling abutting the subject lands to the south. The medium-density, mixed use, Concession Street lies just south of the semi-detached dwelling. There are numerous places of worship in the surrounding neighbourhood and the Sacred Heart Elementary School is just to the north of the subject lands.

The immediate surrounding land uses include:

<b>North</b>	Single-Detached, Institutional
<b>South</b>	Semi-Detached Dwelling, Commercial Corridor
<b>West</b>	Single-Detached Dwellings,
<b>East</b>	Single-Detached Dwellings

A review of the applicable planning policies has been included below.

## **Planning Policy Overview**

### **Urban Hamilton Official Plan (UHOP)**

The Urban Hamilton Official Plan (UHOP) is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designations in the UHOP. The 'Neighbourhoods' designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.



## **B.2.0 DEFINING OUR COMMUNITIES**

### 2.1 Urban Boundary

2.1.1 The urban boundary defines the area where all urban development occurs. Lands within the urban boundary are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the urban boundary includes both the area within the built-up area and greenfield area. Lands within the urban boundary represent a 20-year supply of designated urban land and are intended to accommodate the majority of the City's projected growth.

### 2.4.1 General Residential Intensification Policies

2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

2.4.1.3(c) 40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.

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

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

Additionally, the 'Neighbourhoods' designation contains specific policies in relation to 'Low Density Residential'. As such, 'Low Density Residential' uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. Further, the maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal is to construct one (1) semi-detached dwelling on the lot (2 total dwellings). This use conforms to the permitted uses under the UHOP. Additionally, the proposal will have an overall density of 41.17 units per hectare (2 total units, 0.048578 hectares), which conforms to the maximum permitted density under the UHOP.

### **Former City of Hamilton Zoning By-law No. 6593**

The subject lands are zoned "D" District, (Urban Protected Residential - One and Two Family Dwellings, Etc.) in the former City of Hamilton Zoning By-law No. 6593. The "D" District zoning permits uses such as:





single and two-family dwellings; foster homes; residential care facility or retirement home (of no more than 6 residents); school, college, or university; seminary; and cultural, recreational, or community centre. The zone regulations within Section 10 shall apply to the proposed development. A review of the applicable zone regulations will be included below:

Regulation	Requirement
Minimum Lot Frontage	Two-family dwelling: 18 metres
Minimum Lot Area	540 square metres
Minimum Front Yard Depth	6 metres
Minimum Side Yard	Building under 11 metres: 1.2 metres
Minimum Rear Yard	7.5 metres
Maximum Building Height	14 metres
Special Requirements for Front Yard Landscaping	Requirement
Front Yard Landscaping	Two family dwelling: not less than 50% of gross area of front yard shall be used for a landscaped area

### Minor Variance

Variances are required to facilitate the proposed development and acknowledge existing conditions. The variances are as follows:

1. To permit a minimum lot frontage of 12.6 metres, whereas a minimum lot frontage of 18 metres is required.
2. To permit a minimum lot area of 485 square metres, whereas a minimum lot area of 540 square metres is required.
3. To permit a front yard landscaping of 44%, whereas a minimum of 50% is required.
4. To permit vehicular parking within the required front yard.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

#### 1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan?

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated "Neighbourhoods", which permits semi-detached dwellings. The proposed dwellings will assist in the diversification of the available housing stock within the neighbourhood, while also capitalizing on an opportunity for the gentle intensification of the neighbourhood. This development purposes an overall density of 41.17 units per hectare, which is compliant with Section E of the Urban Hamilton Official Plan that permits a maximum residential density of 60 units per hectare.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban



Hamilton Official Plan. It is of our professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

### **3. Do the proposed variances maintain the intent and purpose of the Former City of Hamilton Zoning By-law 6593?**

The required variances to Former City of Hamilton Zoning By-law 6593 are intended to facilitate a desirable built form which is compatible with the existing neighbourhood and is a use permitted in the current zoning.

#### **Lot Frontage**

Proposed is a lot frontage of 12.6 metres.

A variance is required to the minimum lot frontage requirement for the proposed development (from 18 metres to 12.6 metres). The surrounding neighbourhood is characterized by dwellings which have reduced lot frontages and dwellings that face the street. Most single-detached dwellings have a frontage under 10 metres (whereas 12 metres is required) and the semi-detached building to the immediate south has a shared frontage of less than 10 metres (this semi-detached structure does consist of two lots with individual frontages of less than 6 metres). Further, despite the reduction, there remains room for a combination of plantings along the frontage and the variance recognizes an existing condition. Accordingly, the proposed reduction in the lot frontage requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

#### **Lot Area**

The proposed development will be on a lot with an area of 485 square metres.

A variance is required to the minimum lot area requirement for the proposed development of a semi-detached, two-family dwelling (from 540 square metres to 485 square metres). The surrounding neighbourhood contains a range of lot areas, with many below the minimum area requirement. The purpose of this reduction is to permit one (1) semi-detached, or two-family dwelling structure and the variance recognizes an existing condition. Accordingly, the intent of the Zoning By-law is maintained.

**NOTE: It should be noted that the variance requests for lot frontage and lot area deal with existing, as-is, lot conditions that cannot be altered. We are of the opinion that the proposed development is creative, effective use of lands that allows the city to gently intensify the neighbourhood with no adverse effects and will create a density of 41 UPH whereas the Urban Hamilton Official Plan allows for a UPH of 60 in low density residential neighbourhoods. These zoning requirements are from an older by-law that is currently being rewritten to follow the newer Official Plan more effectively; this proposal is more in line with the Official Plan than the current in-effect by-laws of the "D" District allow.**

#### **Parking in Required Front Yard**

As shown in the proposed site plan, the development will provide a double-wide driveway that will allow for the required one parking space per dwelling unit. This, however, will require relief from by-law Zoning Bylaw 18-A(14a) which does not permit parking in the required front yard. The intent of



this by-law is to create a more attractive streetscape while providing sufficient space soft landscaping elements and reducing the effects of hardscaping.

The proposed development is in keeping with the existing streetscape as several neighbouring residential lots utilize front yard parking. We do acknowledge that some of these may have existed prior to December 14, 1971, but the proposed driveway maintains the current, existing streetscape as several neighbouring lots contain driveway parking within the required front yard. Furthermore, the width of the proposed driveway parking will allow for the parking of two vehicles; whereas the width required to parallel park a single vehicle on-street would be greater. By allowing for the proposed parking on site, less on-street parking will be demanded which will in turn allow for more accessible neighbourhood guest parking.

The proposed driveway, front yard parking creates the required parking facilities while still allowing for ample soft landscaping to occur with enough space to permit the planting of new trees to enhance the streetscape. We are of the opinion that the intent of the zoning by-law is maintained as the development will still create an attractive streetscape.

#### **Front Yard Landscaping**

Proposed, the development will require the allocation of 44% of the total gross front yard area be used for landscaping.

A variance is required to the minimum requirement for front yard landscaping (from 50% of total gross front yard area to 44%). The purpose of this regulation is to prevent the overdevelopment of lots using hard, grey infrastructure that will not only lead to a less desirable streetscape but also help in stormwater management to absorb precipitation. As previously mentioned, there are several neighbouring properties which have similar front yard drives and parking; some of which appear to occupy more than the required 50%. The required relief is to allow for a small portion of the front yard to be used for front-entrance stairways and a small path leading from the driveway to the stairs. Furthermore, the remaining front yard will still provide adequate space for plantings, including new trees, and other permeable landscaping features. We are of the opinion that the requested variance is minimal and maintains the intent of the zoning by-law.

### **3. Are the proposed variances appropriate for the development of the subject lands?**

As noted above, the variances are intended to facilitate desirable built form within an urban neighbourhood context. The proposed variances are consistent with the established character of the surrounding neighbourhood in terms of scale, density, and will help implement a use permitted within the zoning. The variances are therefore appropriate for the development of the subject lands.

### **4. Are the proposed variances minor in nature?**

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts resulting from the variances to the lot frontage, lot area, front yard parking, or landscaping requirements as they are in keeping with the general built form and existing setbacks found within this neighbourhood. There are no perceived impacts on the neighbourhood resulting from the



proposed development and accordingly, it is my professional planning opinion that the variances are minor in nature.

In accordance with the above criteria, variances to permit reduced lot frontage, lot area – which are existing conditions – front yard parking and landscaping requirements will be required to facilitate the redevelopment of the lot as the existing building on the subject lands will be demolished for the redevelopment. The lot is generally in keeping with the lot sizes and frontages in the immediate vicinity of the neighbourhood and will provide a built form that fits into the existing streetscape. As a result, it will maintain the character of the area. The variances represent good planning and should be approved.

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

Sincerely,

Stephen Fraser, B.A.(Hons), MCIP, RPP  
Principal, Planner  
**A. J. Clarke and Associates Ltd.**



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:237</b>	<b>SUBJECT PROPERTY:</b>	302 EAST 16TH STREET, HAMILTON
<b>ZONE:</b>	C (Urban Protected Residential, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – S. Brydges & L. Wright  
Agent – Andrew Sieders

The following variances are requested:

1. A front yard depth of 2.9 metres shall be permitted instead of the required front yard depth of at least 6.0 metres.

**PURPOSE & EFFECT:** To permit an expansion of the existing Single Family Dwelling in the front yard and cold storage in the basement

**Notes:**

- i. Should the variance be approved to permit a reduced front yard, the porch as proposed shall comply with Section 18(3)(vi)(d) of Hamilton Zoning By-Law 6593.
- ii. Should the variance be approved to permit a reduced front yard, the eaves/gutter as proposed shall comply with Section 18(3)(vi)(b) of Hamilton Zoning By-Law 6593.
- iii. Insufficient information has been provided regarding the eaves/ gutter projection of the proposed front yard expansion. Should the eaves/ gutter project 0.465 m into the required side yard, 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:

HM/A-22:237

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



DATED: July 26, 2022

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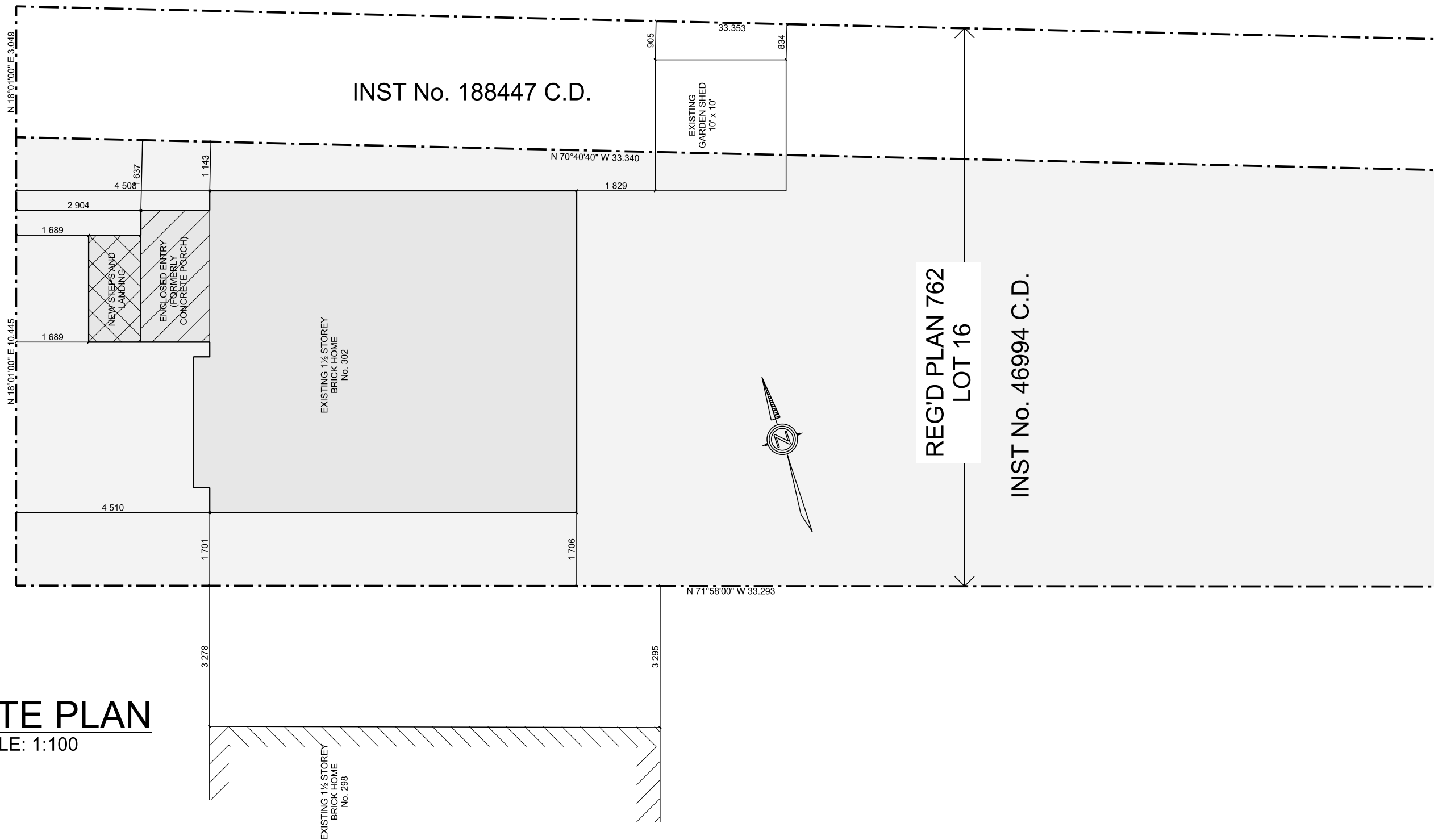
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.

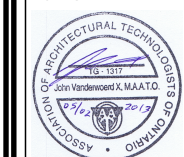
EAST 16th STREET

FENNEL AVENUE EAST

**SITE PLAN**  
SCALE: 1:100



NOTES:



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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 Division C-3.2.5.1 of the 2012 O.B.C.

*John Vanderwoerd*  
John Vanderwoerd BCIN 21611

**REGISTRATION INFORMATION**  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 38975



John Vanderwoerd, M.A.A.T.O.  
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www.home-design-bcin.ca  
519-848-2128

DRAWN BY:

JOHN VANDERWOERD,  
M.A.A.T.O. BCIN: 21611

CONTRACTOR

Purecraft Renovations

STARTING DATE:

Jun 4, 2021

LAST REVISION DATE:

Jun 15, 2022

CUSTOMER:

Sarah Brydges  
302 EAST 16th St.  
Hamilton, ON

PROJECT:

Porch Renovation

DRAWING TITLE:

SITE PLAN

DRAWING #:

21-162

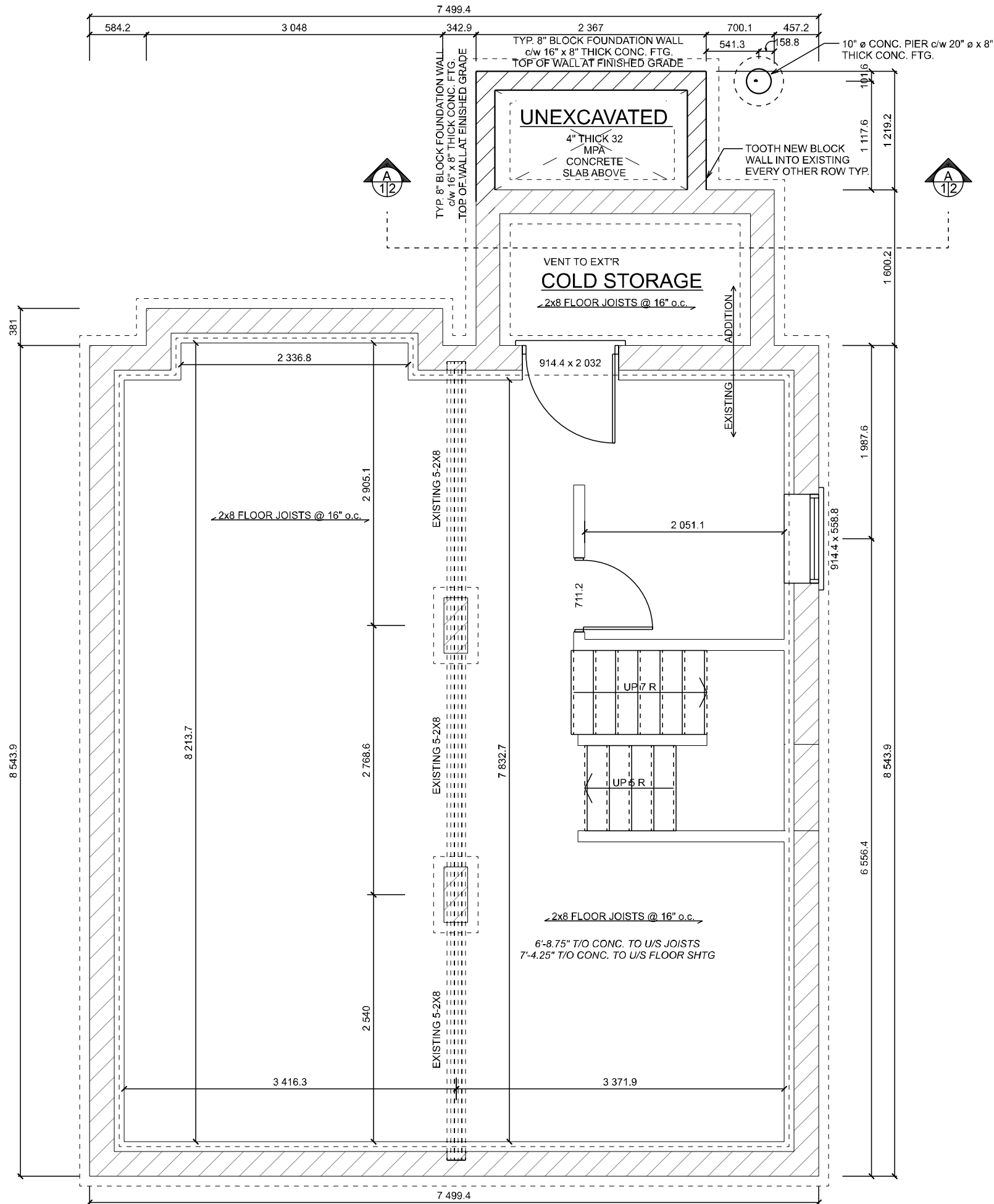
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**DRAWN BY:**  
 JOHN VANDERWOERD,  
 M.A.A.T.O. BCIN: 21611

**STARTING DATE:**  
 Jun 4, 2021

**LAST REVISION DATE:**  
 Jun 23, 2022

**CUSTOMER:**  
 Sarah Brydges  
 302 EAST 16th St.  
 Hamilton, ON

**PROJECT:**  
 Porch Renovation

**DRAWING TITLE:**  
 Proposed Basement

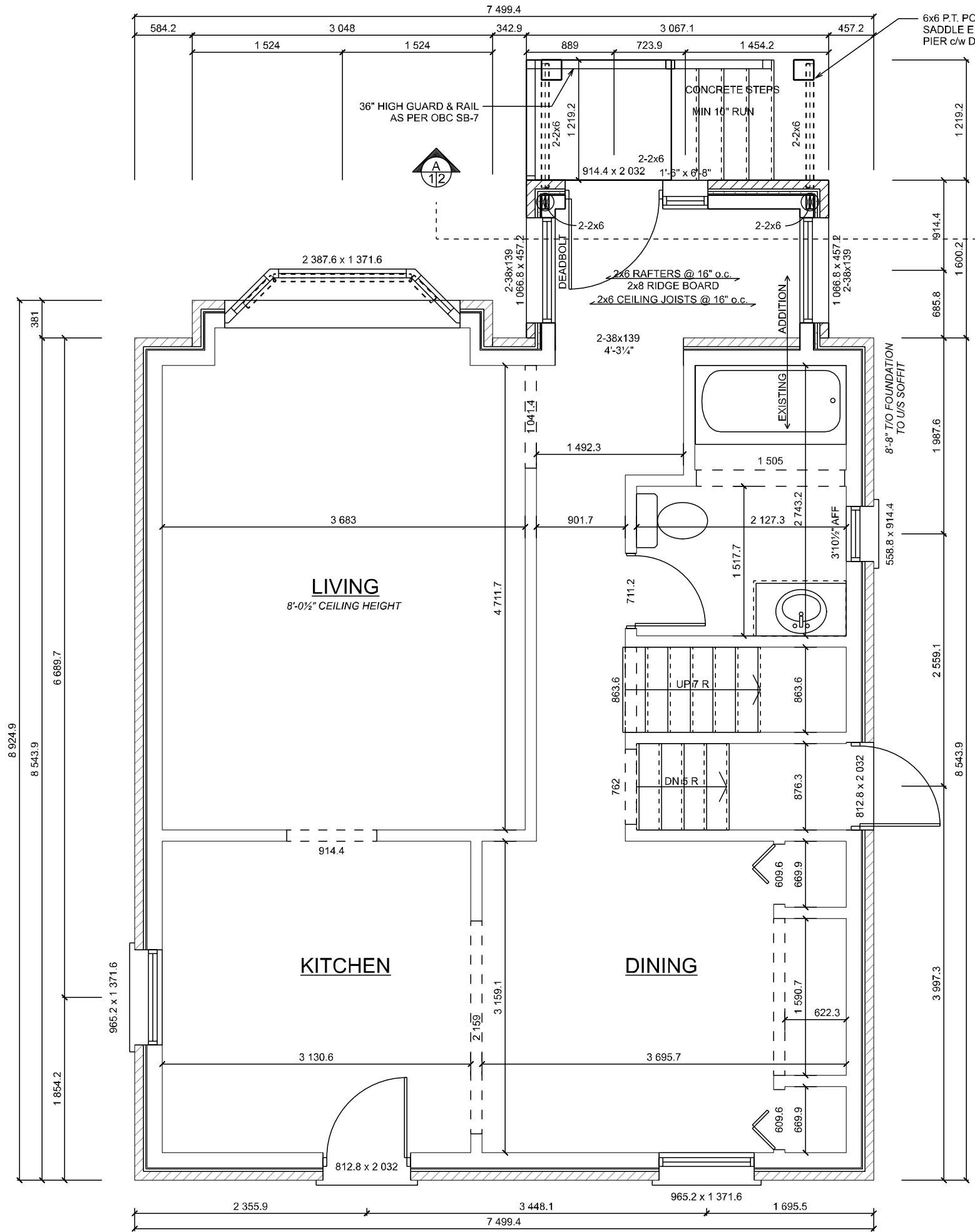
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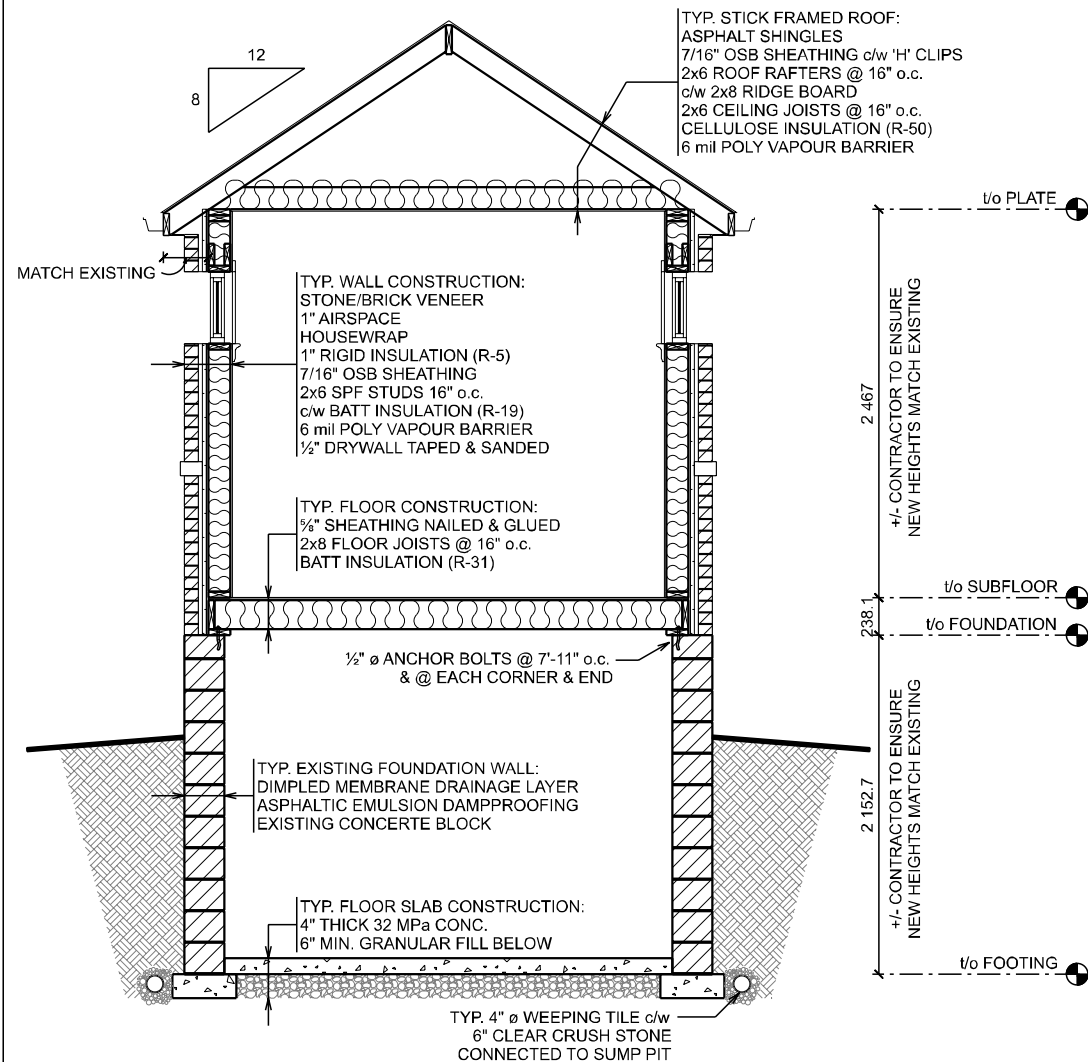
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SB-12 Compliance Package - Additions				
Table 3.1.1.11 [Zone 1]				
For Heating other than Electric Space Heating				
Component	Min. R-Value	Max. U-Value	Min. Effective R-Value	Energy Rating
Ceiling with Attic Space	60	0.017	59.22	
Ceiling without Attic Space	31	0.036	27.65	
Exposed Floor	31	0.034	29.8	
Walls Above Grade	19 + 5ci	0.049	20.32	
Basement Walls	20ci	0.047	21.12	
Heated Slab or Slab ≤ 24" Below Grade	10	0.090	11.13	
Edge of Below Grade Slab: ≤ 24" Below Grade	10			
Windows & Sliding Glass Doors:		1.6		25
Skylights		2.8		
Gross Building Face		22.67 m <sup>2</sup>		244.00 ft <sup>2</sup>
Glazing Area		3.76 m <sup>2</sup>		40.50 ft <sup>2</sup>
Ratio (%)			16.60	

- Notes:
- 1) Where a minimum R Value, maximum U Value, or minimum Effective R Value are specified for a component,
  - 2) ci means continuous insulation
  - 3) Where a dwelling unit has a walkout basement, the thermal performance of the exterior basement wall shall be not less than
    - a) the basement wall containing the door opening and
    - b) any basement wall that has an exposed wall area above the ground level exceeding 50% of that basement wall area



**CROSS SECTION 'A'**  
SCALE: 1:48

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 John Vanderwoerd BCIN 21611

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**VANDERWOERD DRAFTING & DESIGN**  
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DRAWN BY:  
**JOHN VANDERWOERD, M.A.A.T.O. BCIN: 21611**

STARTING DATE: Jun 4, 2021	LAST REVISION DATE: Jun 23, 2022
-------------------------------	-------------------------------------

CUSTOMER:  
**Sarah Brydges  
 302 EAST 16th St.  
 Hamilton, ON**

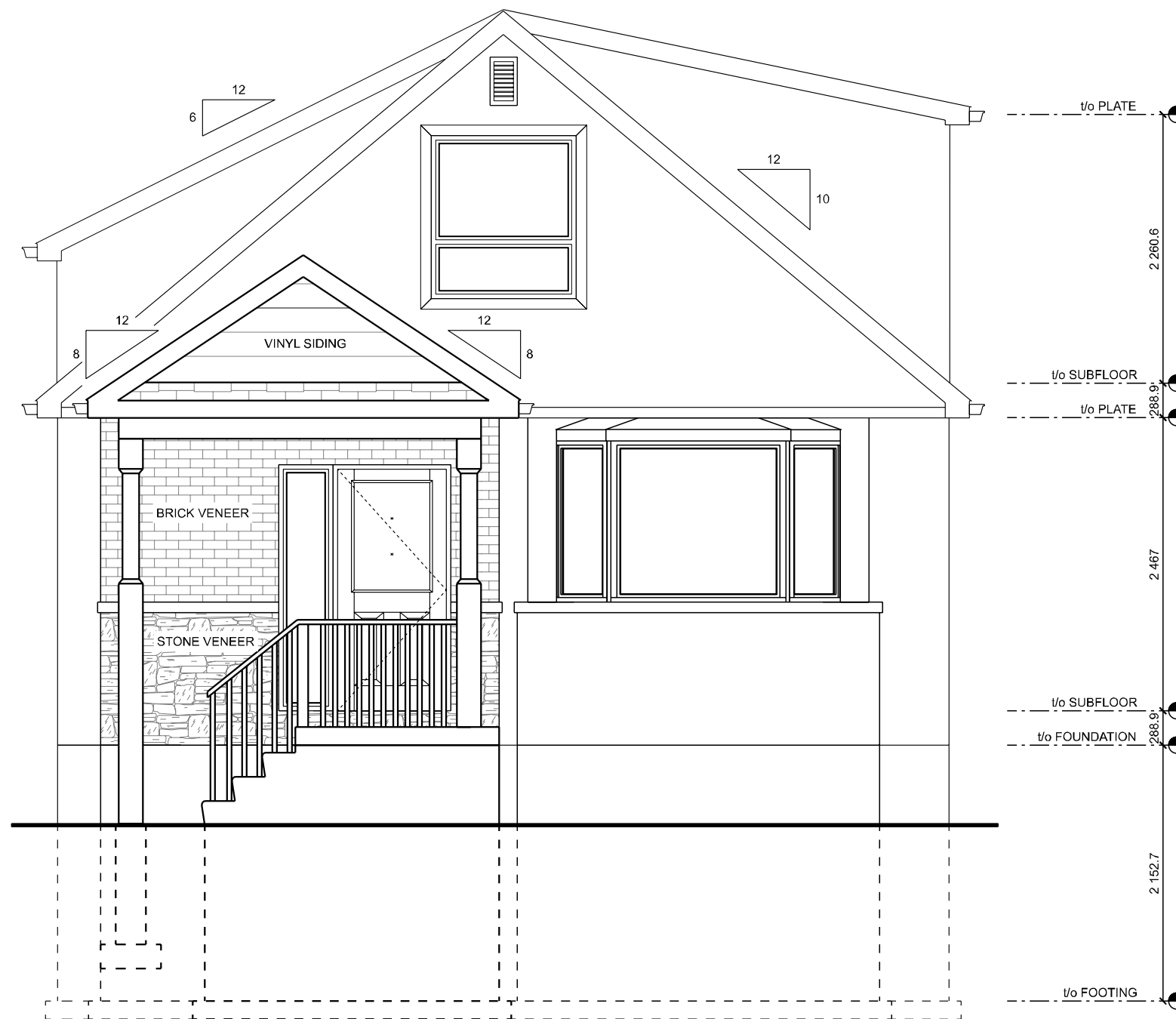
PROJECT:  
**Porch Renovation**

DRAWING TITLE:  
**Proposed Floor Plan**

DRAWING #: 21-162	PAGE #: 2 of 10
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**FRONT ELEVATION**  
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**JOHN VANDERWOERD,**  
M.A.A.T.O. BCIN: 21611

STARTING DATE:  
Jun 4, 2021

LAST REVISION DATE:  
Jun 23, 2022

CUSTOMER:  
Sarah Brydges  
302 EAST 16th St.  
Hamilton, ON

PROJECT:  
Porch Renovation

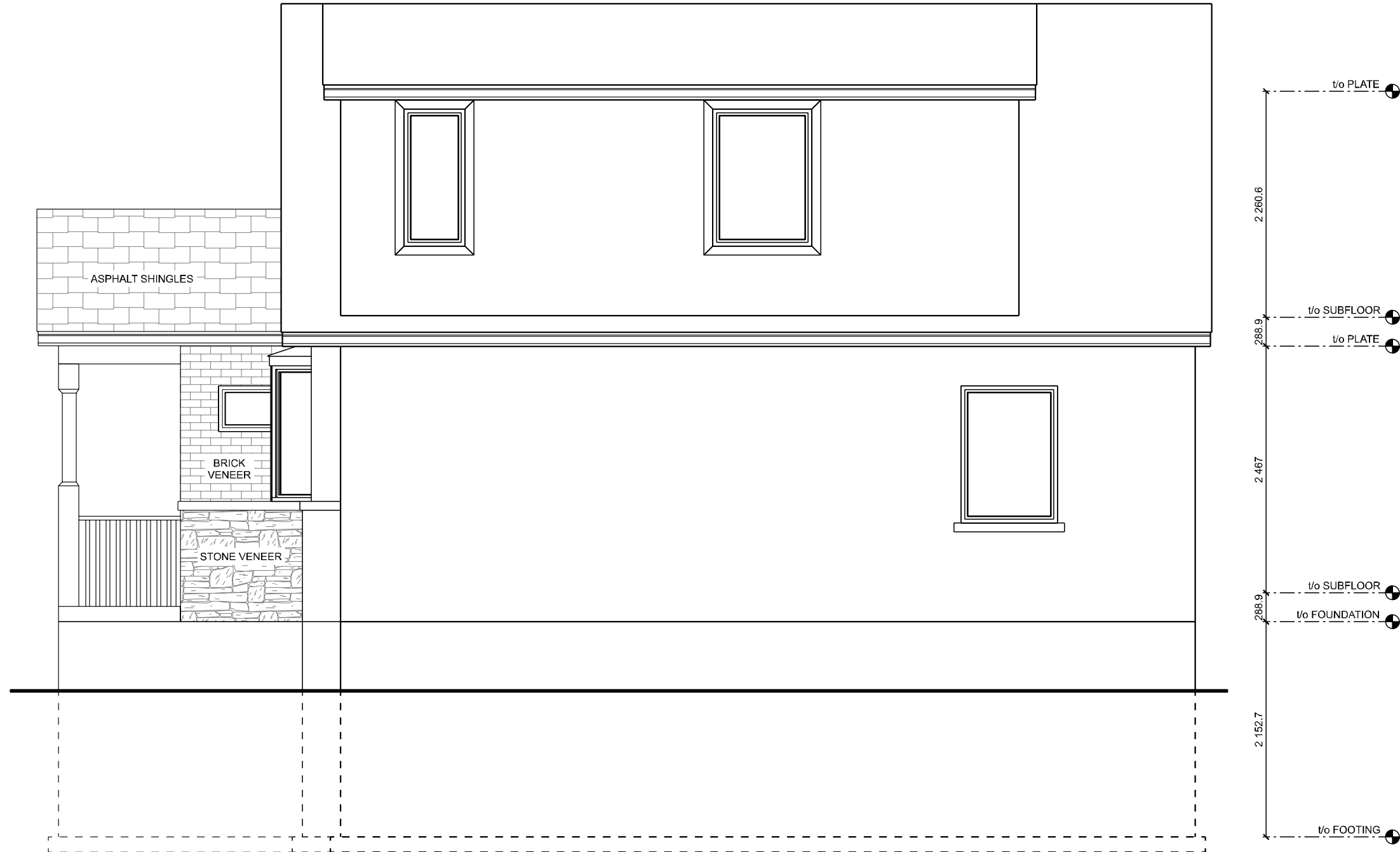
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**RIGHT ELEVATION**  
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JOHN VANDERWOERD,  
M.A.A.T.O. BCIN: 21611

**STARTING DATE:** Jun 4, 2021  
**LAST REVISION DATE:** Jun 23, 2022

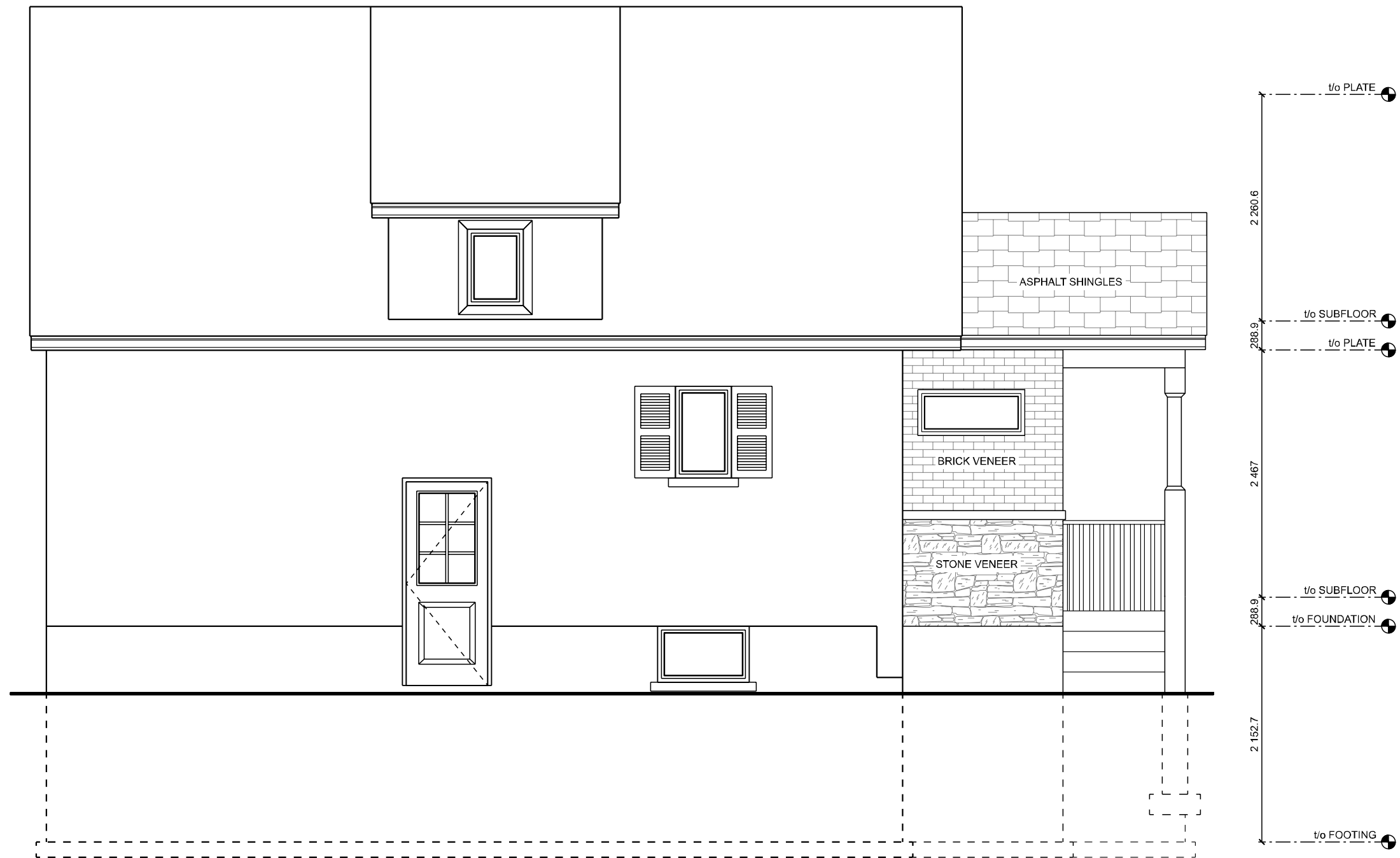
**CUSTOMER:**  
Sarah Brydges  
302 EAST 16th St.  
Hamilton, ON

**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Right Elevation

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**LEFT ELEVATION**  
SCALE: 1:48

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*John Vanderwoerd*  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
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 BCIN 38975

**VANDERWOERD**  
 DRAFTING & DESIGN

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DRAWN BY:  
**JOHN VANDERWOERD,**  
 M.A.A.T.O. BCIN: 21611

STARTING DATE: Jun 4, 2021	LAST REVISION DATE: Jun 23, 2022
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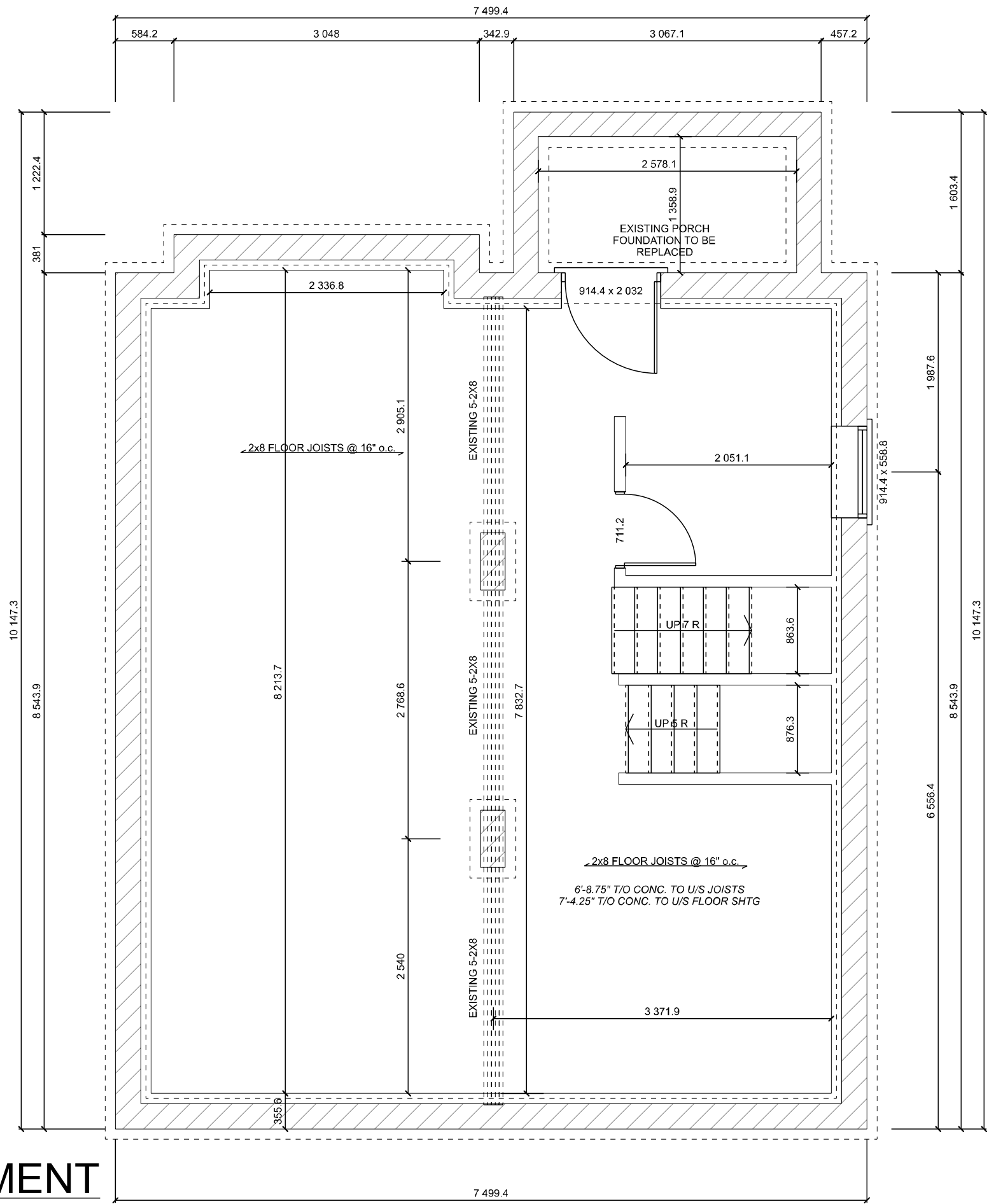
CUSTOMER:  
**Sarah Brydges**  
 302 EAST 16th St.  
 Hamilton, ON

PROJECT:  
**Porch Renovation**

DRAWING TITLE:  
**Left Elevation**

DRAWING #: 21-162	PAGE #: 5 of 10
SCALE: 1:48	

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**BASEMENT**  
SCALE: 1:48

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**QUALIFICATION INFORMATION**  
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.

*John Vanderwoerd*  
**REGISTRATION INFORMATION**  
John Vanderwoerd BCIN 21611  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 39975

**VANDERWOERD**  
DRAFTING & DESIGN

John Vanderwoerd, M.A.A.T.O.  
34 Duke Street, Arthur, Ontario N0G 1A0  
www.home-design-bcin.ca  
519-848-2128

**DRAWN BY:**  
JOHN VANDERWOERD,  
M.A.A.T.O. BCIN: 21611

<b>STARTING DATE:</b> Jun 4, 2021	<b>LAST REVISION DATE:</b> Jun 23, 2022
--------------------------------------	--

**CUSTOMER:**  
Sarah Brydges  
302 EAST 16th St.  
Hamilton, ON

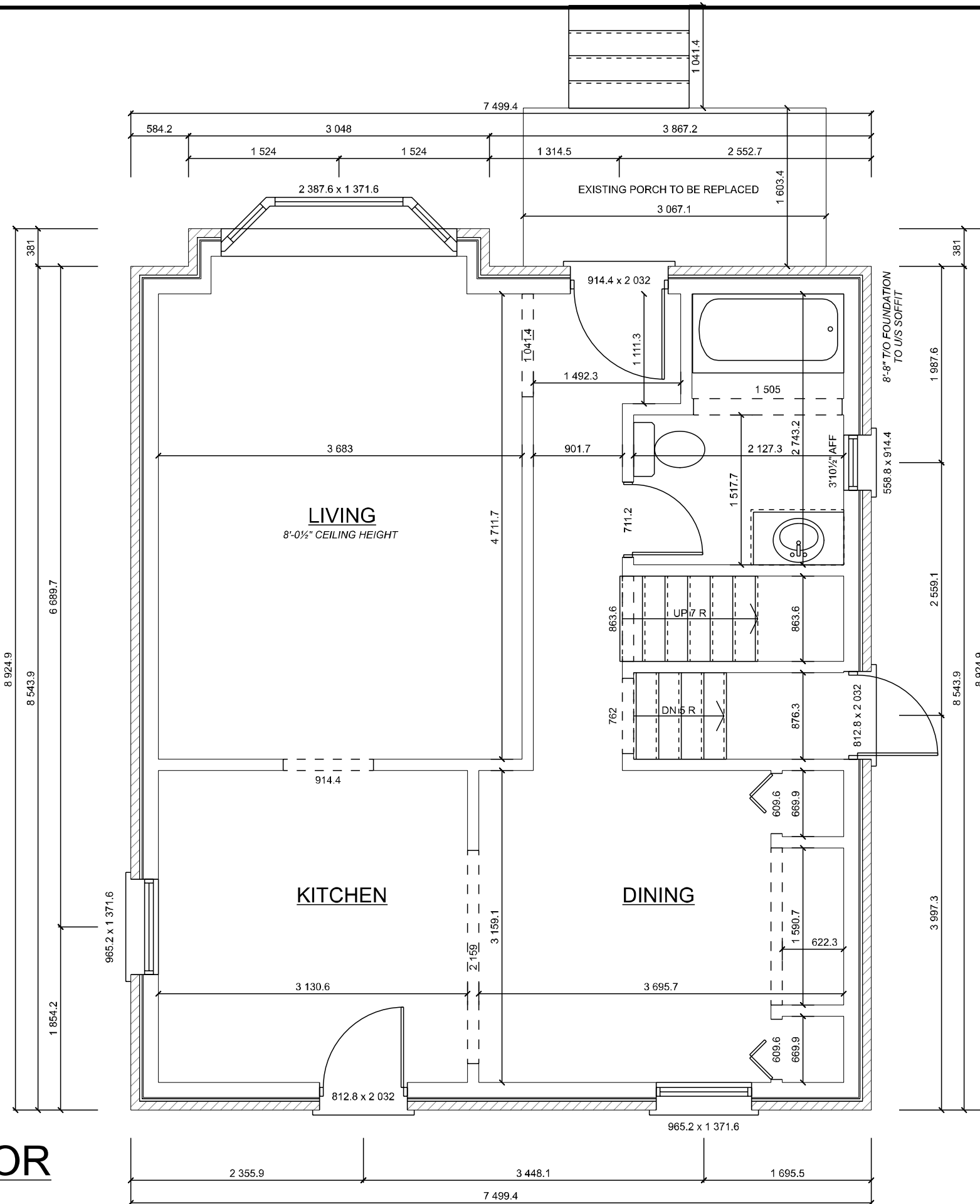
**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Existing Basement

<b>DRAWING #:</b> 21-162	<b>PAGE #:</b> 6 of 10
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**SCALE:**  
1:48

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**MAIN FLOOR**  
SCALE: 1:48

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STARTING DATE: Jun 4, 2021	LAST REVISION DATE: Jun 23, 2022
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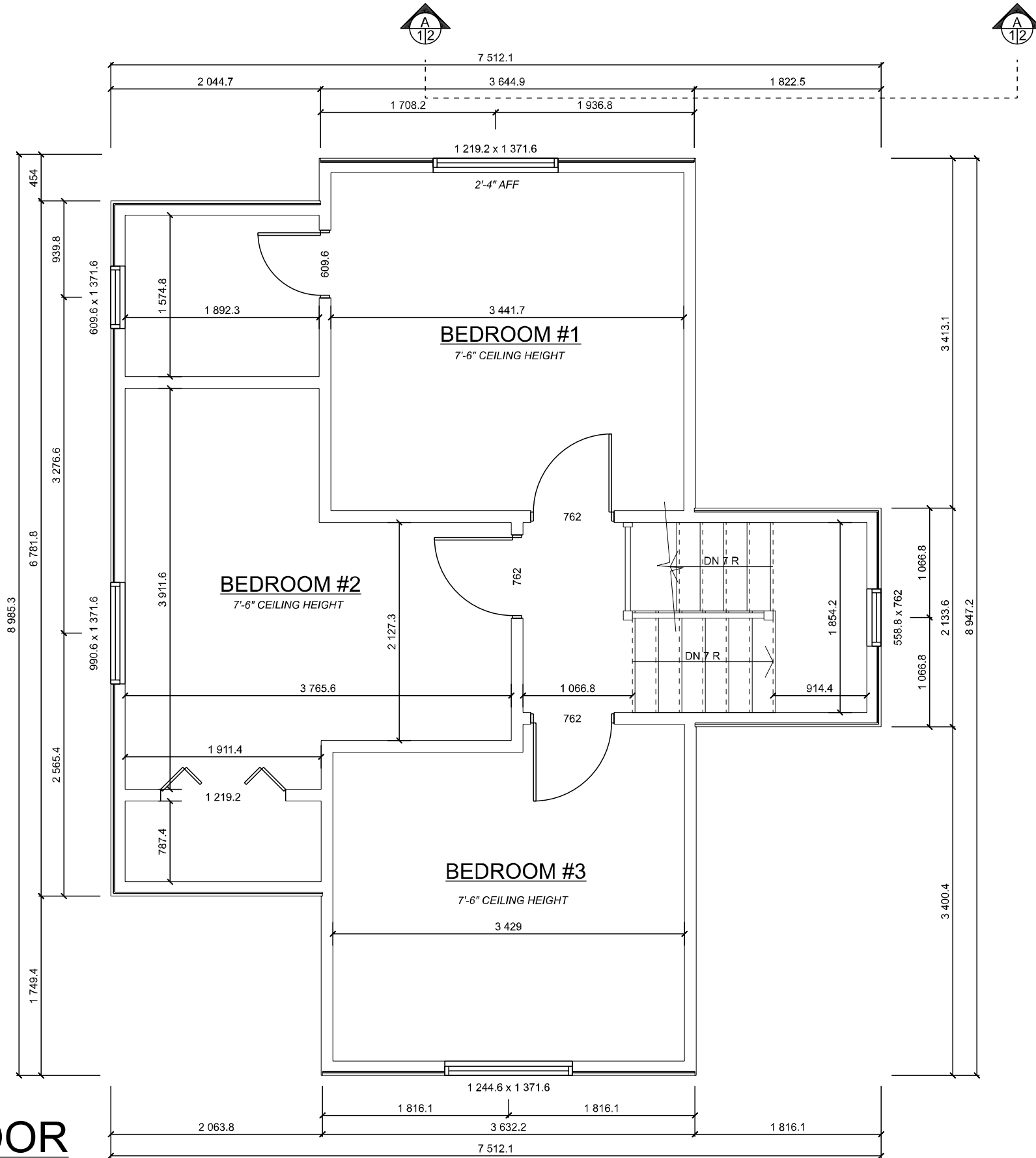
CUSTOMER:  
**Sarah Brydges**  
302 EAST 16th St.  
Hamilton, ON

PROJECT:  
**Porch Renovation**

DRAWING TITLE:  
**Existing Main Floor**

DRAWING #: 21-162	PAGE #: 7 of 10
SCALE: 1:48	

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**SECOND FLOOR**  
SCALE: 1:48

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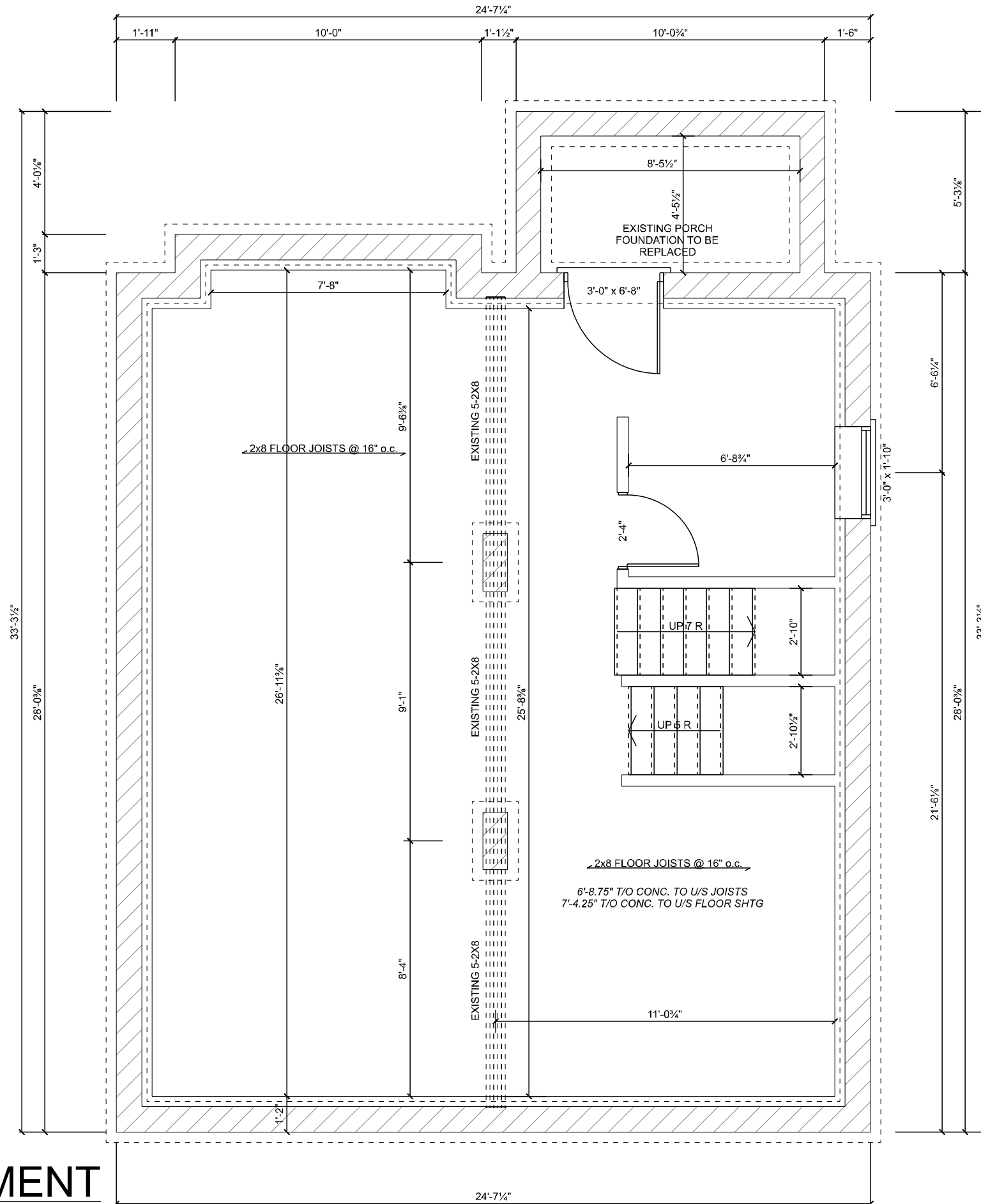
**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Existing Second Floor

<b>DRAWING #:</b> 21-162	<b>PAGE #:</b> 8 of 10
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**SCALE:**  
1:48

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

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STARTING DATE: Jun 4, 2021	LAST REVISION DATE: Aug 31, 2021
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CUSTOMER:  
 Sarah Brydges  
 302 E 16th St.  
 Hamilton, ON

PROJECT:  
 Porch Renovation

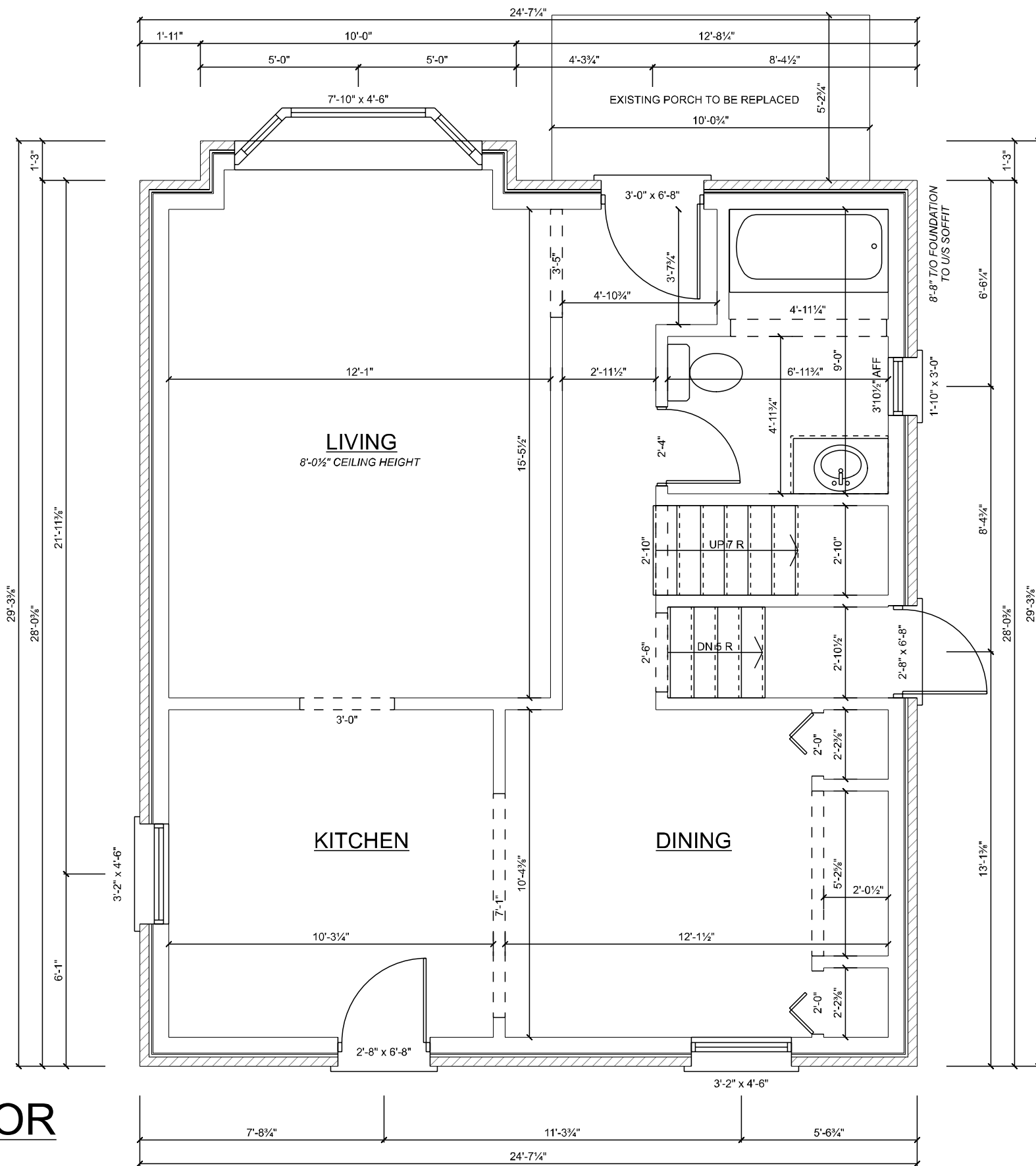
DRAWING TITLE:  
 Existing Basement

DRAWING #: 21-162	PAGE #: 6 of 10
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SCALE:  
 1/4" = 1'-0"

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**MAIN FLOOR**  
SCALE: 1/4" = 1'-0"

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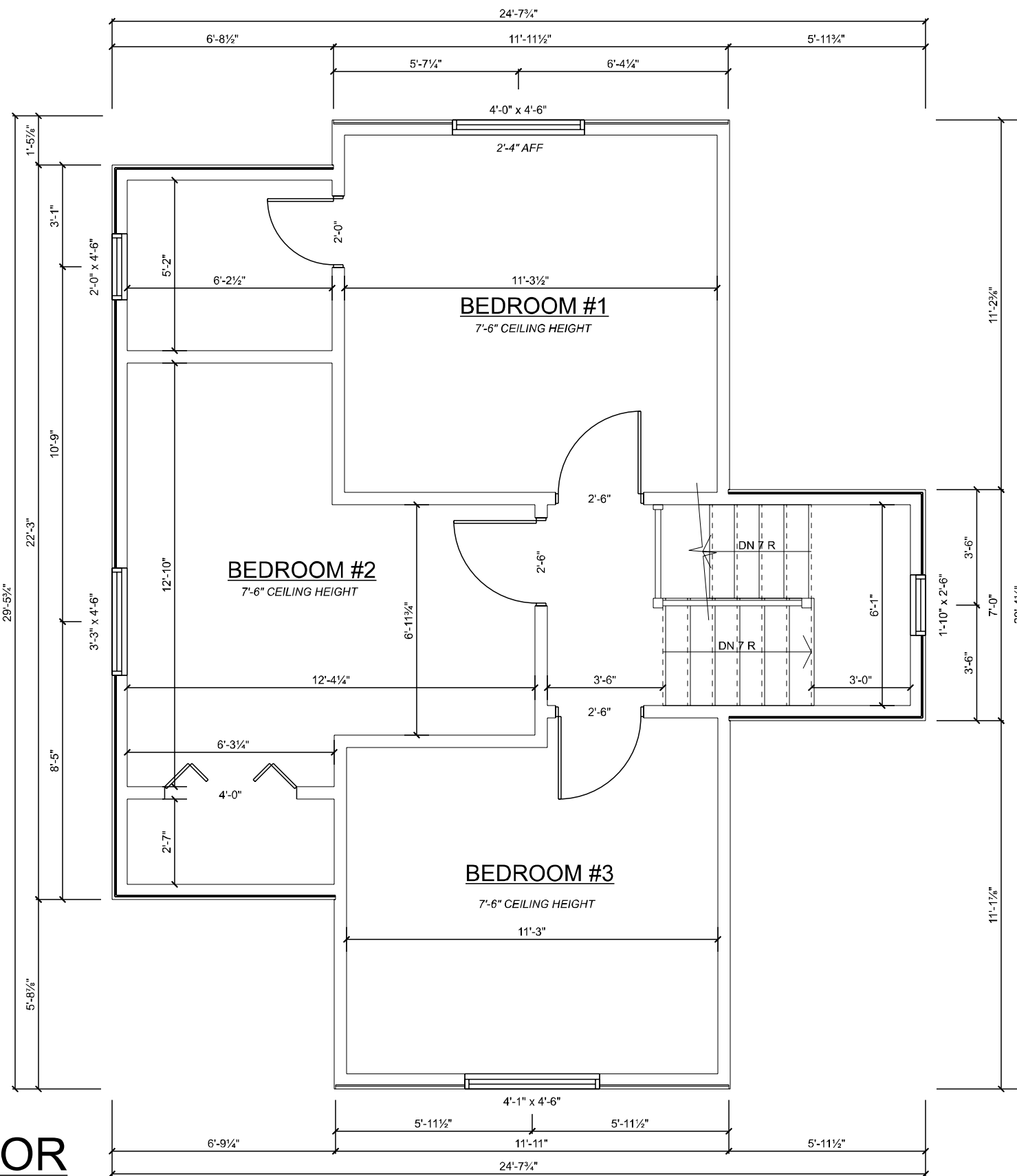
**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Existing Main Floor

**DRAWING #:** 21-162  
**PAGE #:** 7 of 10

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

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**SECOND FLOOR**  
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Hamilton, ON

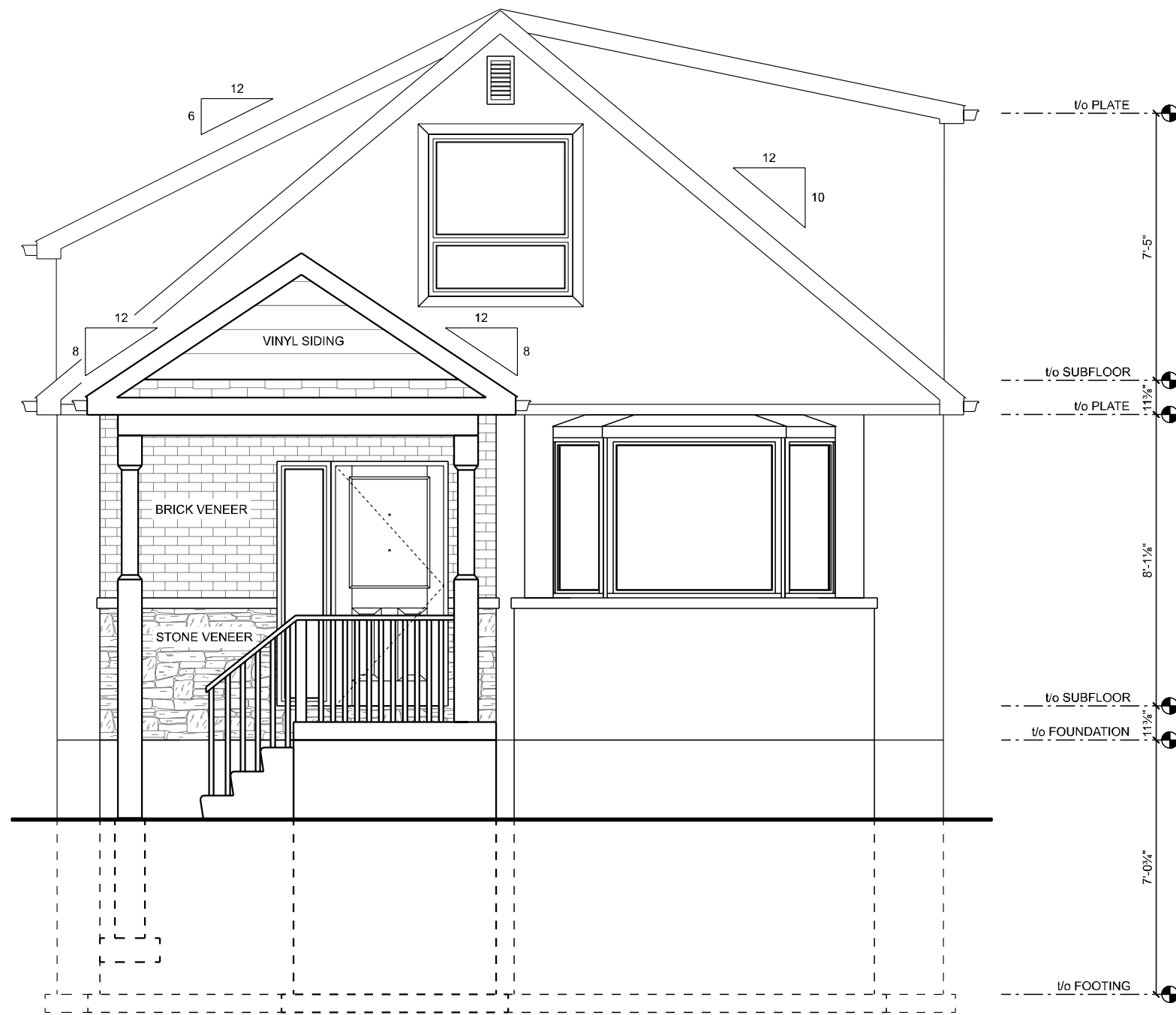
**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Existing Second Floor

**DRAWING #:** 21-162  
**PAGE #:** 8 of 10

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

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**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

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STARTING DATE: Jun 4, 2021	LAST REVISION DATE: Aug 31, 2021
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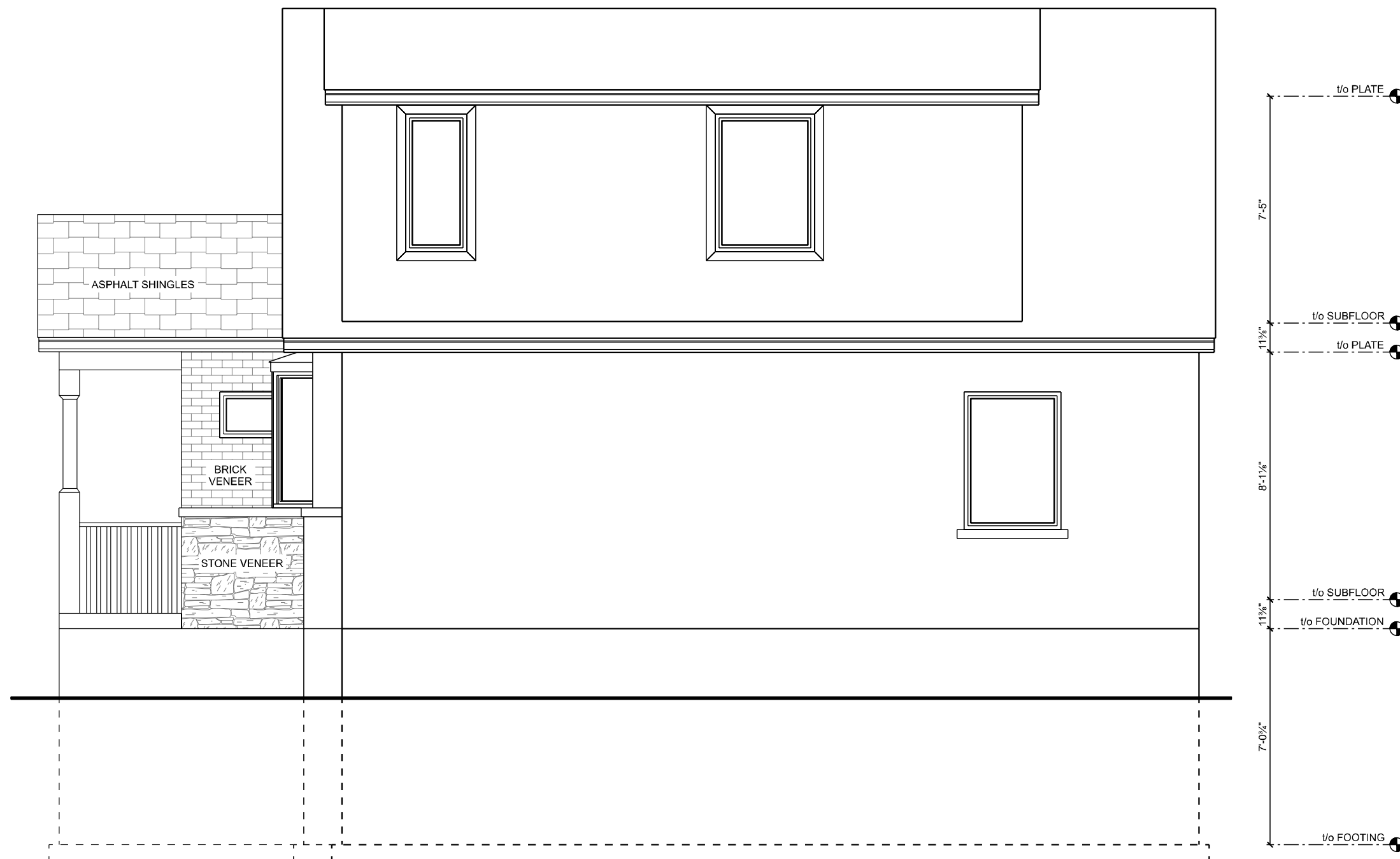
CUSTOMER:  
Sarah Brydges  
302 E 16th St.  
Hamilton, ON

PROJECT:  
Porch Renovation

DRAWING TITLE:  
Front Elevation

DRAWING #: 21-162	PAGE #: 3 of 10
SCALE: 1/4" = 1'-0"	

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**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

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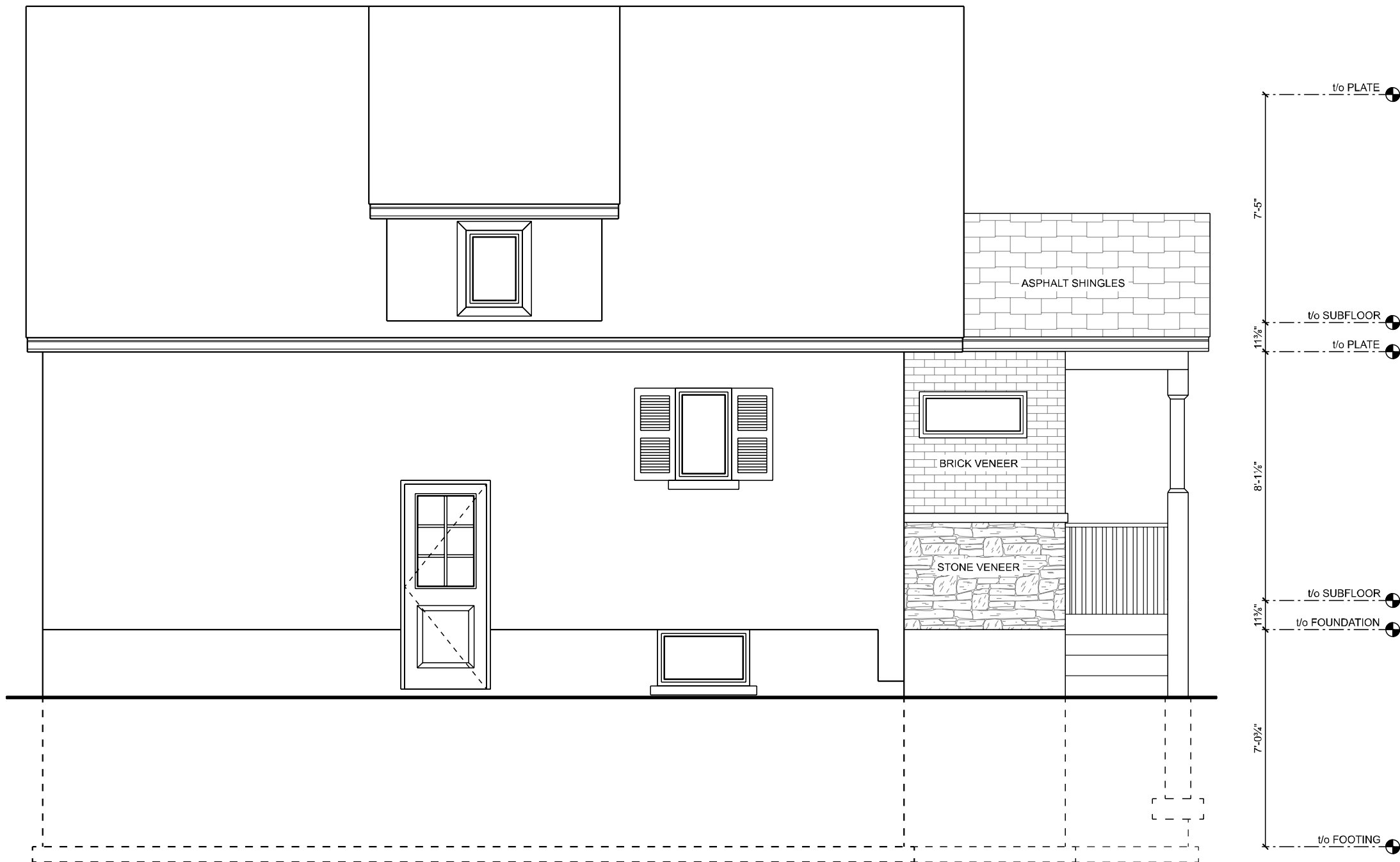
**CUSTOMER:**  
Sarah Brydges  
302 E 16th St.  
Hamilton, ON

**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Right Elevation

<b>DRAWING #:</b> 21-162	<b>PAGE #:</b> 4 of 10
<b>SCALE:</b> 1/4" = 1'-0"	

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**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

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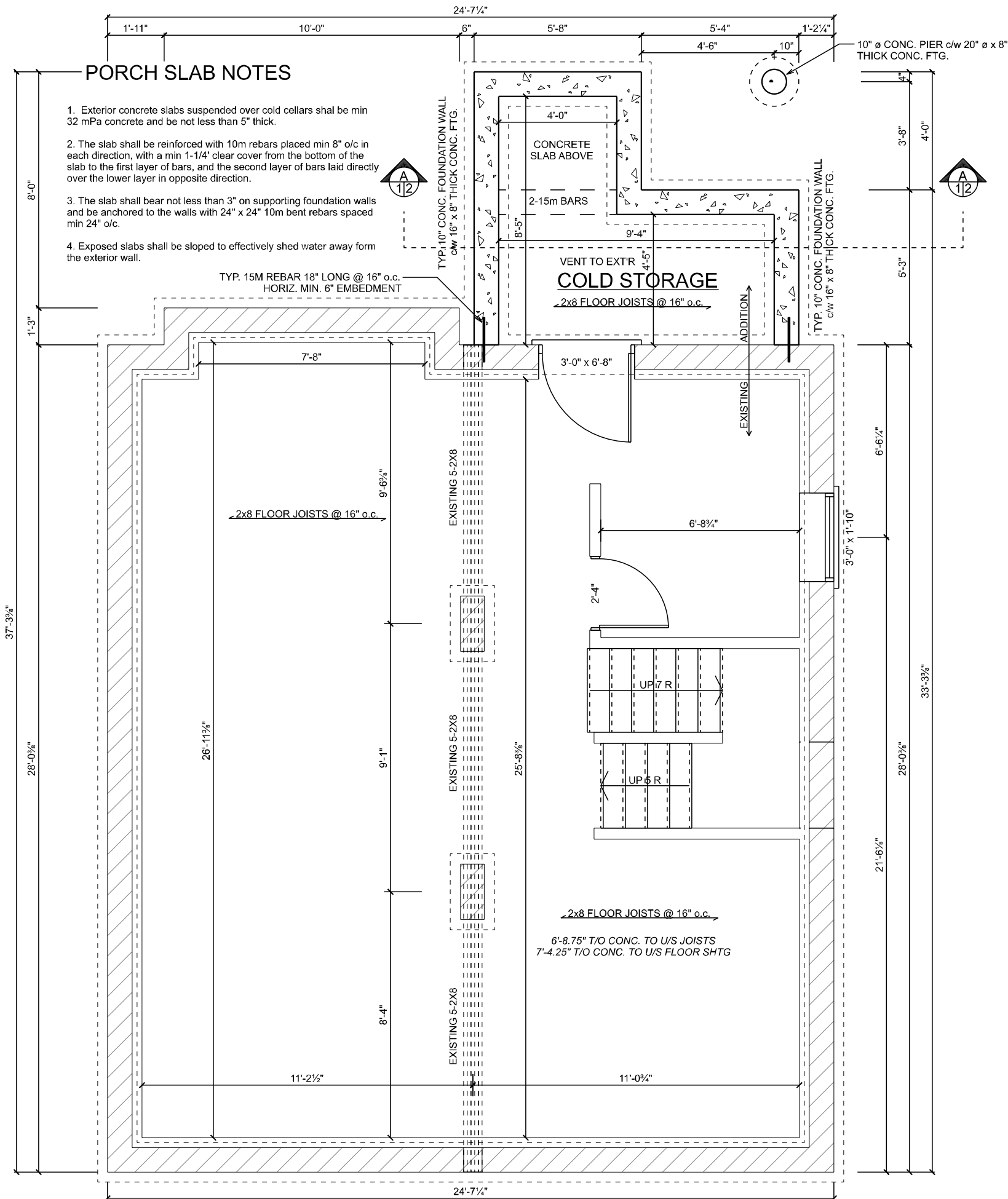
**CUSTOMER:**  
Sarah Brydges  
302 E 16th St.  
Hamilton, ON

**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Left Elevation

**DRAWING #:** 21-162  
**PAGE #:** 5 of 10  
**SCALE:** 1/4" = 1'-0"

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**PORCH SLAB NOTES**

1. Exterior concrete slabs suspended over cold collars shall be min 32 mPa concrete and be not less than 5" thick.
2. The slab shall be reinforced with 10m rebar placed min 8" o/c in each direction, with a min 1-1/4" clear cover from the bottom of the slab to the first layer of bars, and the second layer of bars laid directly over the lower layer in opposite direction.
3. The slab shall bear not less than 3" on supporting foundation walls and be anchored to the walls with 24" x 24" 10m bent rebar spaced min 24" o/c.
4. Exposed slabs shall be sloped to effectively shed water away from the exterior wall.

TYP. 15M REBAR 18" LONG @ 16" o.c.  
HORIZ. MIN. 6" EMBEDMENT

TYP. 10" CONC. FOUNDATION WALL  
c/w 16" x 8" THICK CONC. FTG.

TYP. 10" CONC. FOUNDATION WALL  
c/w 16" x 8" THICK CONC. FTG.

10" ø CONC. PIER c/w 20" ø x 8" THICK CONC. FTG.

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**LAST REVISION DATE:** Aug 31, 2021

**CUSTOMER:**  
Sarah Brydges  
302 E 16th St.  
Hamilton, ON

**PROJECT:**  
Porch Renovation

**DRAWING TITLE:**  
Proposed Basement

**DRAWING #:** 21-162  
**SCALE:** 1/4" = 1'-0"

**PAGE #:** 1 of 10

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

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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)	Saran Ashley Brydges + Lucas Wright	
Applicant(s)*		
Agent or Solicitor	Andrew Siders Purocraft Renovations 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:

The Bank of Nova Scotia "Scotia bank"  
 44 King St. West  
 Toronto, ON  
 M5H 1H1

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

4. Nature and extent of relief applied for:
- Exemption to Section 18 (3)(vi)(D) of Zoning Bylaw 6593 to encroach upon the front yard setback by enclosing the existing porch
- Second Dwelling Unit       Reconstruction of Existing Dwelling
5. Why it is not possible to comply with the provisions of the By-law?
- By enclosing the existing porch and adding it to the living space, it encroaches on the required front yard 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**):
- Single Family Residential Dwelling Unit      Reg'd plan 762  
~~1881~~ 302 East 16th St. Hamilton      LOT 16
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's recollection  
 Age of the neighborhood

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.

June 15 / 2022  
 Date

[Signature] Sarah Brydges  
 Signature Property Owner(s)

Lucas Wright Sarah Brydges  
 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 31 ft.  
 Depth 113.5 ft.  
 Area 3,518.5 Sq. ft - .08 Acres  
 Width of street \_\_\_\_\_

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

Existing:

1.5 Story Home - 700 S.E. main floor, 500 S.E. on second floor  
 Ground floor is 24.5' wide x 29' deep approx 20' from grade to eaves. 10 x 10 shed located in the rear yard

Proposed

To enclose the existing 5' x 10' front porch and construct a new 4' x 10' covered stair and landing in front.

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

Existing:

10 x 10 Shed located 14.86 m from front lot line, 17.9 m from the rear, .9 m from the ~~east~~ <sup>South</sup> side yard lot line, 9.23 m from the north side lot line

Proposed:

Enclose the exist<sup>ing</sup>  
 New porch and stair 4' x 10' with roof located 1.68 m from the front and 4.93 m from the south side lot line

13. Date of acquisition of subject lands:  
June 20, 2014
14. Date of construction of all buildings and structures on subject lands:  
1949
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:  
73 Years

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:

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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/A-22:231</b>	<b>SUBJECT PROPERTY:</b>	35 UPPER LAKE AVENUE, STONE CREEK
<b>ZONE:</b>	R2 and OS (Residential Two; Open Space)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Owner – William & Sharon Houston  
Agent – Sean Lachepele

The following variances are requested:

1. One (1) parking space shall be provided instead of the minimum required two (2) parking spaces.

**PURPOSE & EFFECT:** To permit the construction of an addition in the Northerly and Southerly side yards and a front porch expansion in the front and Northerly side yard

**Notes:**

1. Insufficient information has been provided for parking within the proposed garage and the driveway within the front yard. Section 6.3.4 of Stoney Creek Zoning By- Law 3692-92 requires a minimum number of two (2) parking spaces per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted. Parking spaces within the attached, private garage shall be 6.0 m x 3.0 m. The proposed garage does not appear to provide ample space for the required parking space. As such, a variance has been added to address this.
2. Be advised, as per Section 4.10.2 b) of Stoney Creek Zoning By-Law 3692-92, any parking space other than a 90 degree parking space shall have a width of 3.0 m and a length of 6.0 m. Insufficient information has been provided regarding parking spaces on the driveway. Should the parking space within the driveway not meet the required dimensions of a parking space, additional variances may be required.
3. Insufficient information has been provided for the front porch stairs. An unenclosed porch, including the stairs, may project into any required front yard 1.5 metres. It appears that the proposed front

**SC/A-22:231**

porch stairs encroach beyond the maximum permitted 1.5 metres. Should the porch and stairs encroach further than the permitted 1.5 metres, additional variances may be required.

4. Be advised, a portion of the property is within the OS (Open Space) zone which does not permit a Single Family Dwelling or Uses, Buildings or Structures accessory to the Single Family Dwelling use. Insufficient information has been provided regarding the location of the proposed addition(s) to the Single Family Dwelling in relation to the Open Space zone. Should any portion of the proposed expansion to the Single Family Dwelling be within the Open Space zone, 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

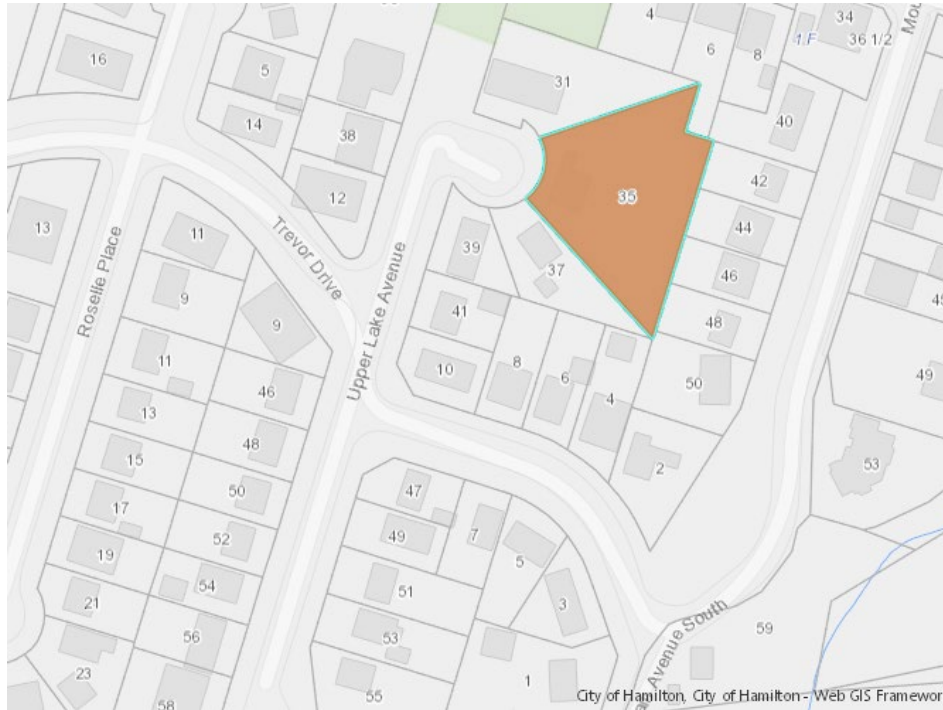
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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 and instructions for check in to participate in person.

SC/A-22:231



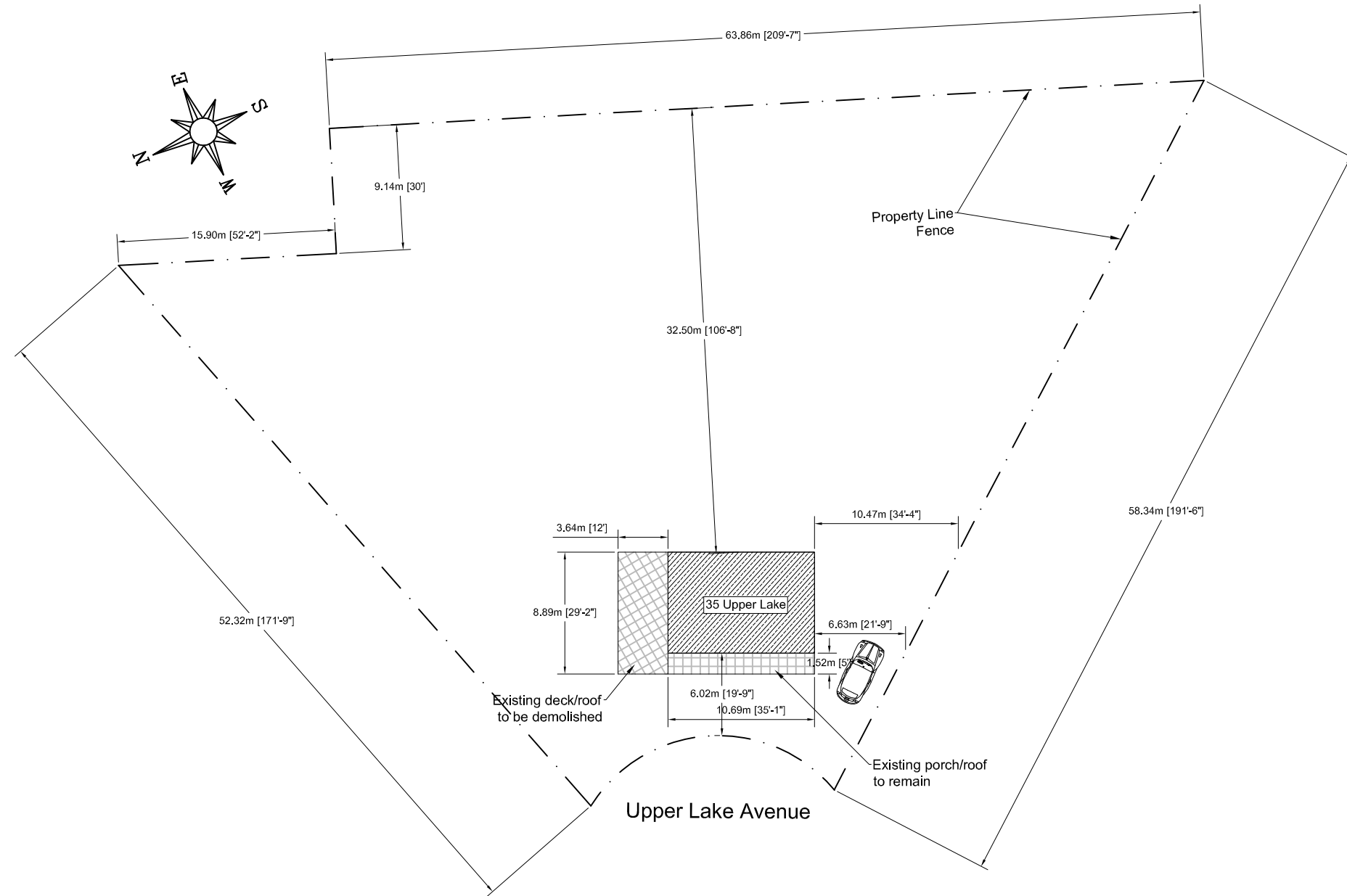
 **Subject Lands**

DATED: July 26, 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.



**Existing Site Plan**  
Scale 1:400

**ENGINEER SEAL:**

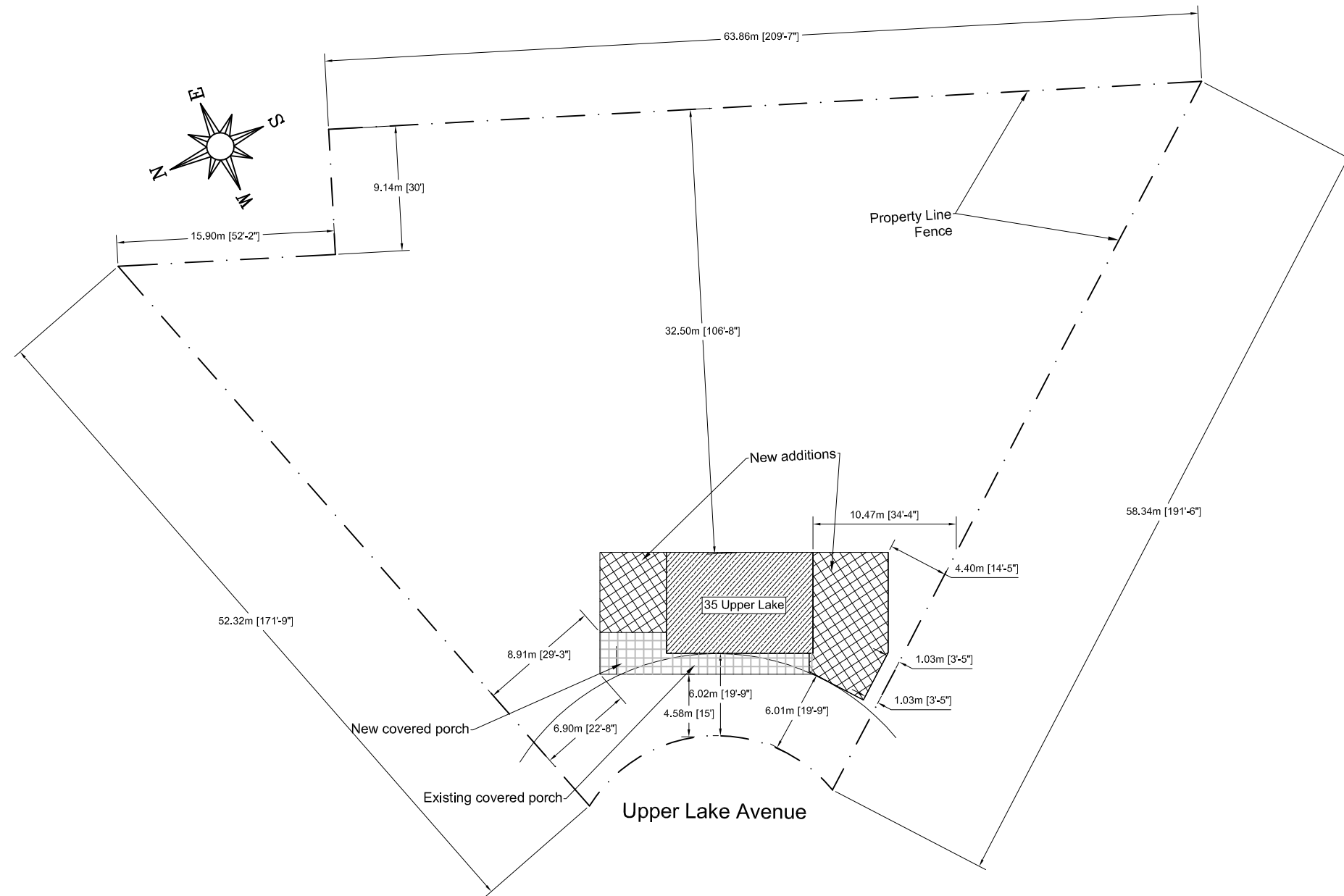
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Existing Site Plan

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

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



**Proposed Site Plan**

Scale 1:400

BUILDING AND SITE STATISTICS      RESIDENTIAL BUILDING ZONE R2  
 LOT AREA = 2399 m<sup>2</sup>                      MAXIMUM LOT COVERAGE 40%  
 HEIGHT OF BUILDING = 7.42m          MAXIMUM HEIGHT OF BUILDING = 11m

LOT COVERAGE (SQ.m)				
	EXISTING	PROPOSED	TOTAL	%
FIRST FLOOR	78.77	81.39	160.16	6.7
COVERED PORCH/DECK (SEE NOTE 1)	16.25+32.36	14.87	31.12	1.3
TOTAL			191.28	8

NOTE1-PART OF EXISTING COVERED PORCH/DECK WHICH IS 32.36m<sup>2</sup> TO BE DEMOLISHED

**ENGINEER SEAL:**

No.	Revision/Issue	Date

**PROJECT:**  
 35 Upper Lake Avenue  
 Stoney Creek Ontario

**TITLE:**  
 Proposed Site Plan

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

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

## PROJECT:

NEW ADDITION FOR THE EXISTING RESIDENTIAL  
BUILDING LOCATED AT 35 UPPER LAKE AVENUE,  
HAMILTON, ONTARIO

SHEET INDEX	
S0.01	COVER SHEET
SP1.01	EXISTING SITE PLAN
SP1.02	PROPOSED SITE PLAN
S1.01	EXISTING PLAN AT BASEMENT
S1.02	EXISTING PLAN AT FIRST FLOOR
S1.03	EXISTING PLAN AT SECOND FLOOR
S1.04	PROPOSED PLAN AT BASEMENT
S1.05	PROPOSED PLAN AT FIRST LEVEL
S1.06	PROPOSED PLAN AT SECOND LEVEL
S1.07	PROPOSED ROOF PLAN
S2.01	EAST VIEW
S2.02	WEST VIEW
S2.03	NORTH VIEW
S2.04	SOUTH VIEW
S2.05	SECTION A
S2.06	SECTION B
S5.01	SCHEDULES, GENERAL NOTES

**ENGINEER  
SEAL:**



No.	Revision/Issue	Date

**PROJECT:**

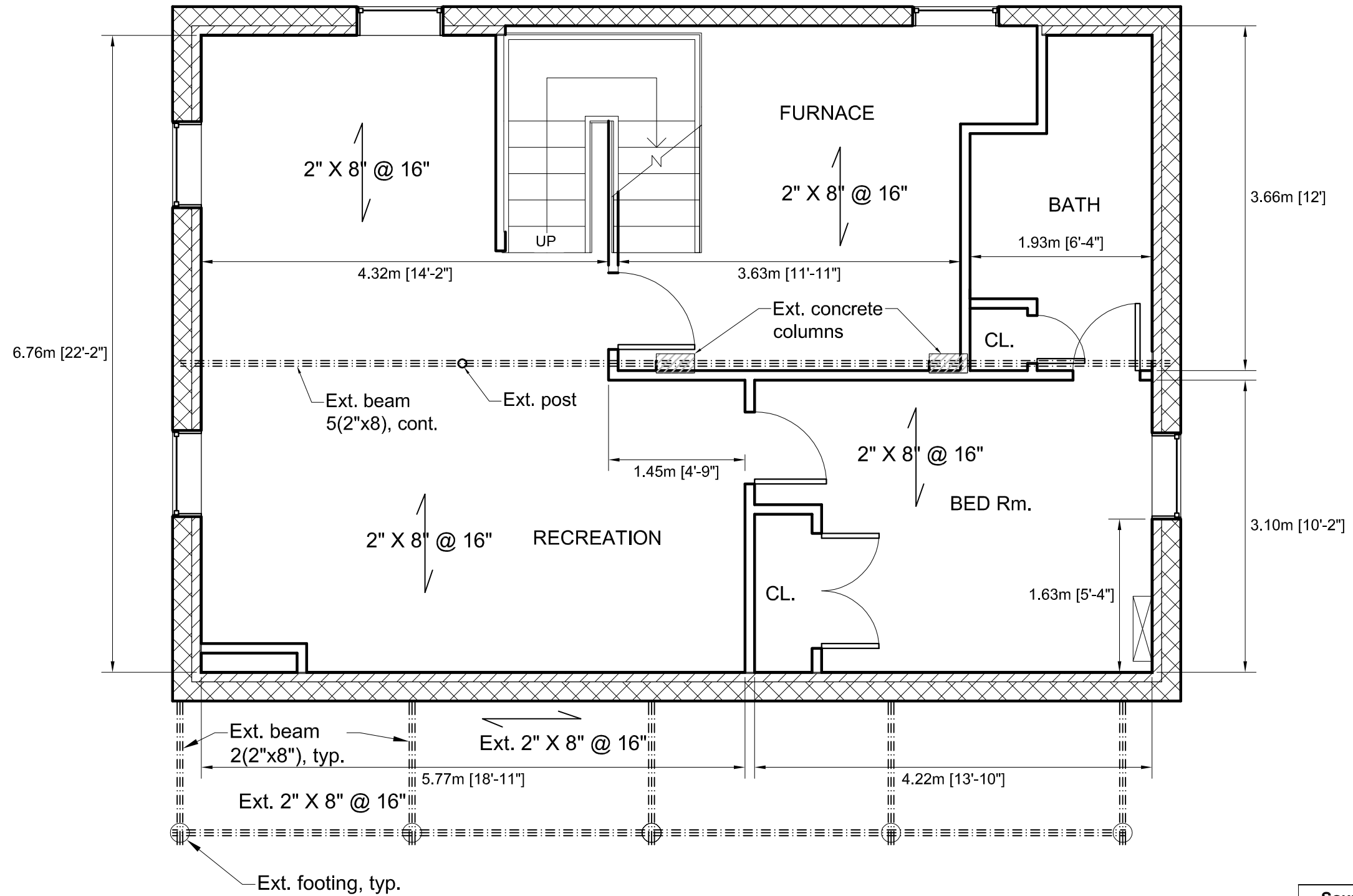
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**

Cover Page

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S0.01</b>
APPROVED BY:	





**Existing Basement Plan**  
Scale 1:50

ENGINEER SEAL:

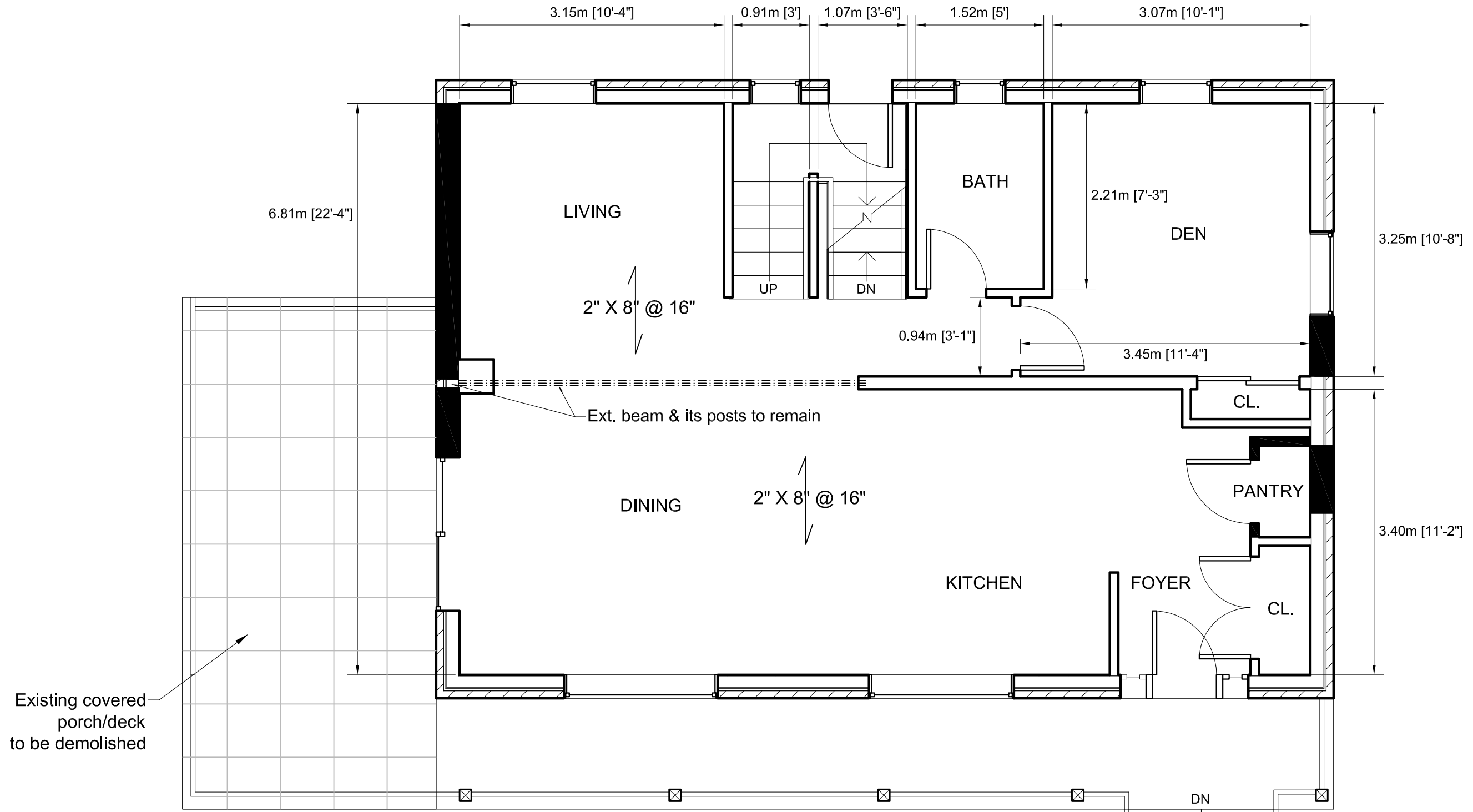
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Existing Basement Plan

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.01</b>
APPROVED BY:	



Legends:

**█** Walls to be removed

Existing First Floor Plan

Scale 1:50

Staircase to be relocated

Existing covered porch/deck to be demolished

ENGINEER SEAL:

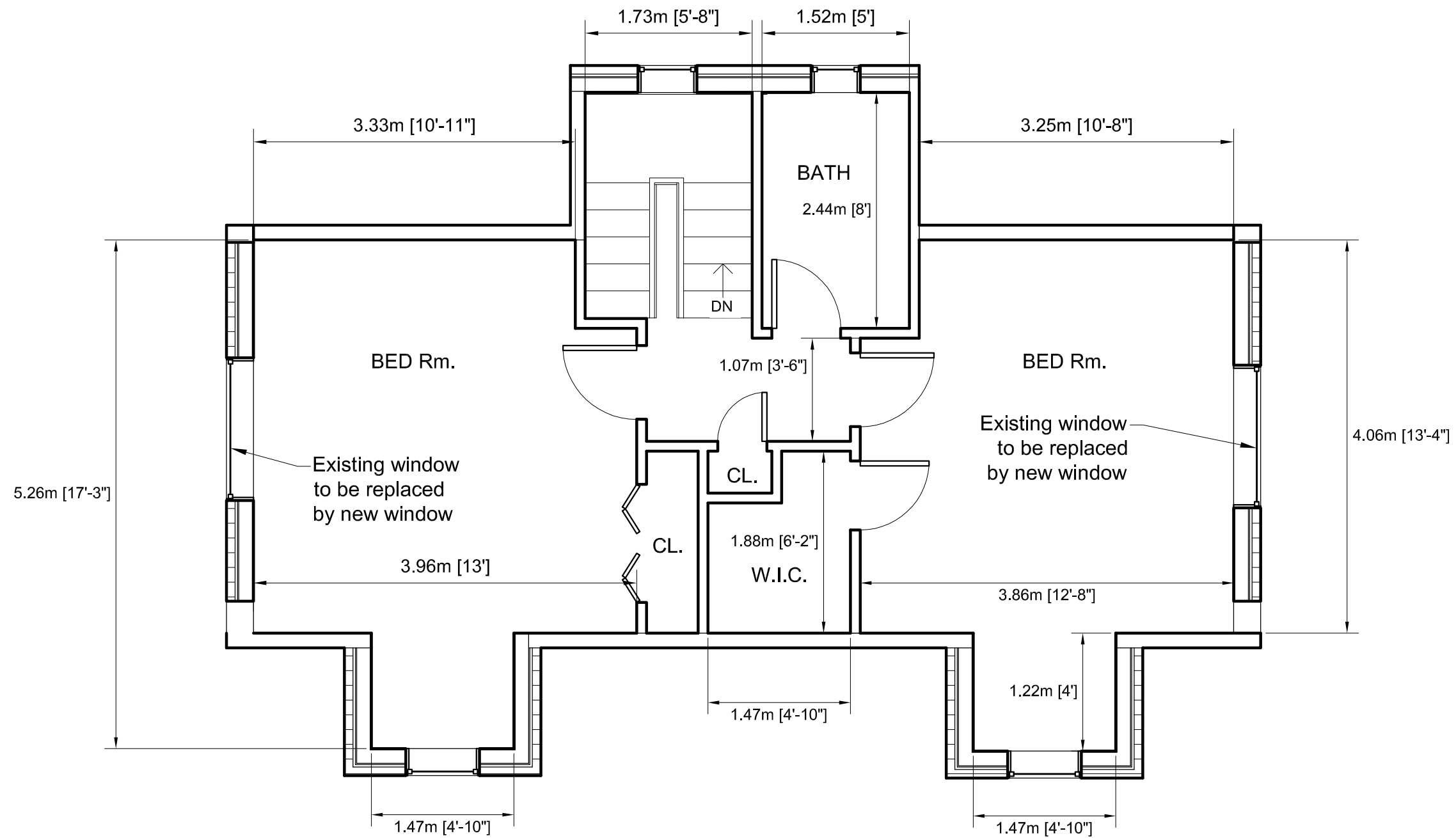
No.	Revision/Issue	Date

PROJECT:  
35 Upper Lake Avenue  
Stoney Creek Ontario

TITLE:  
Existing First Floor Plan

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.02</b>
APPROVED BY:	
BY:	



Existing Second Floor Plan  
Scale 1:50

ENGINEER SEAL:

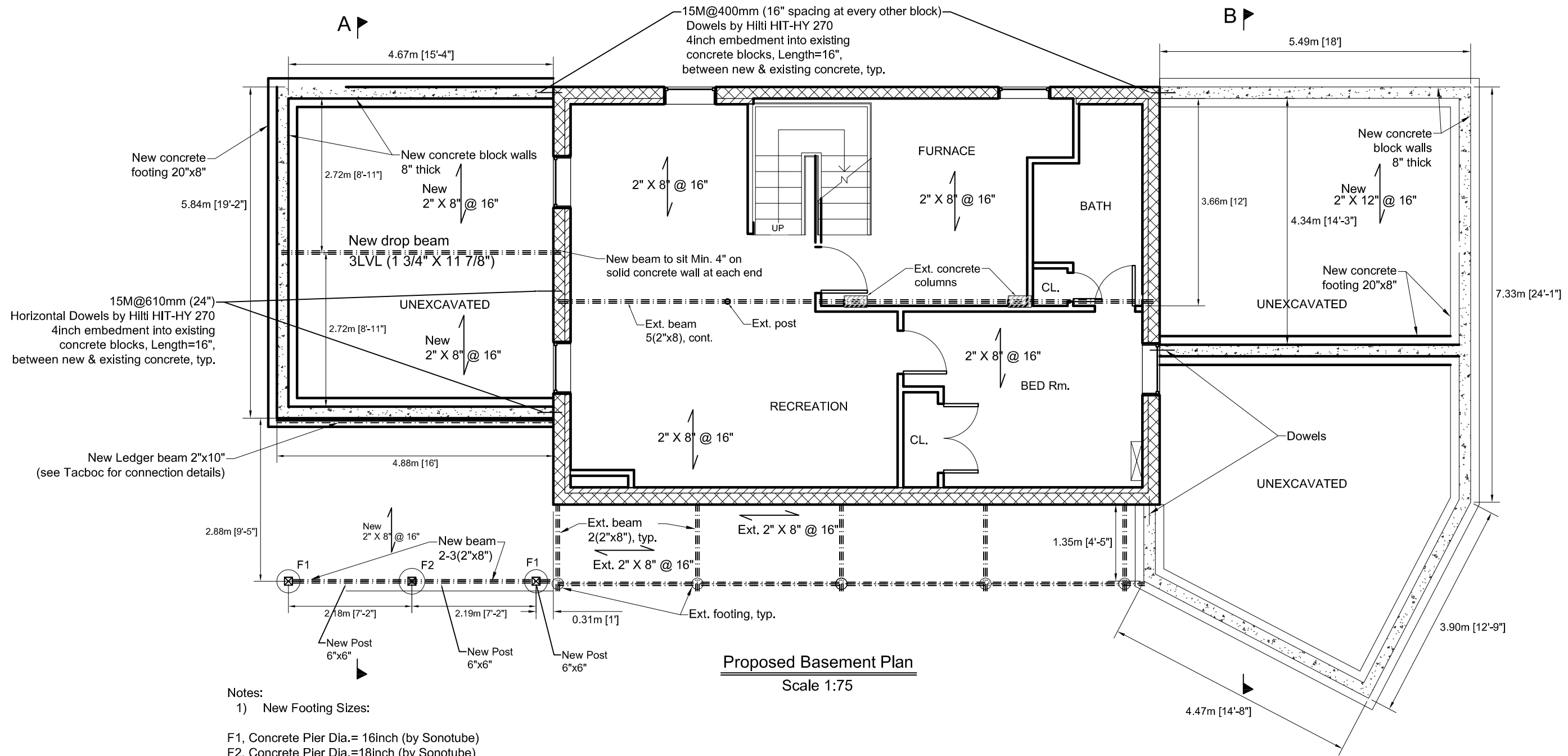
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Existing Second Floor Plan

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.03</b>
APPROVED BY:	



Notes:

- 1) New Footing Sizes:  
 F1, Concrete Pier Dia.= 16inch (by Sonotube)  
 F2, Concrete Pier Dia.=18inch (by Sonotube)  
 Compression strength of concrete 30MPa (Min.)
- 2) All footings to be embedded minimum 4ft below grade and sit on undisturbed soil.
- 3) Top of footing should be minimum 6inch above grade.
- 4) Attach all new posts (6"x6") to concrete footings by Simpson Column Base RCPS5.5HDG or Equivalent.
- 5) Lumbers exposed to exterior weather to be Spruce No. 1/No.2 grade pressure treated.
- 6) Refer to attached TACBOC drawings for details of guardrails, handrails, stairs and deck.
- 7) Do not damage or disturb soil under existing footings.

ENGINEER SEAL:

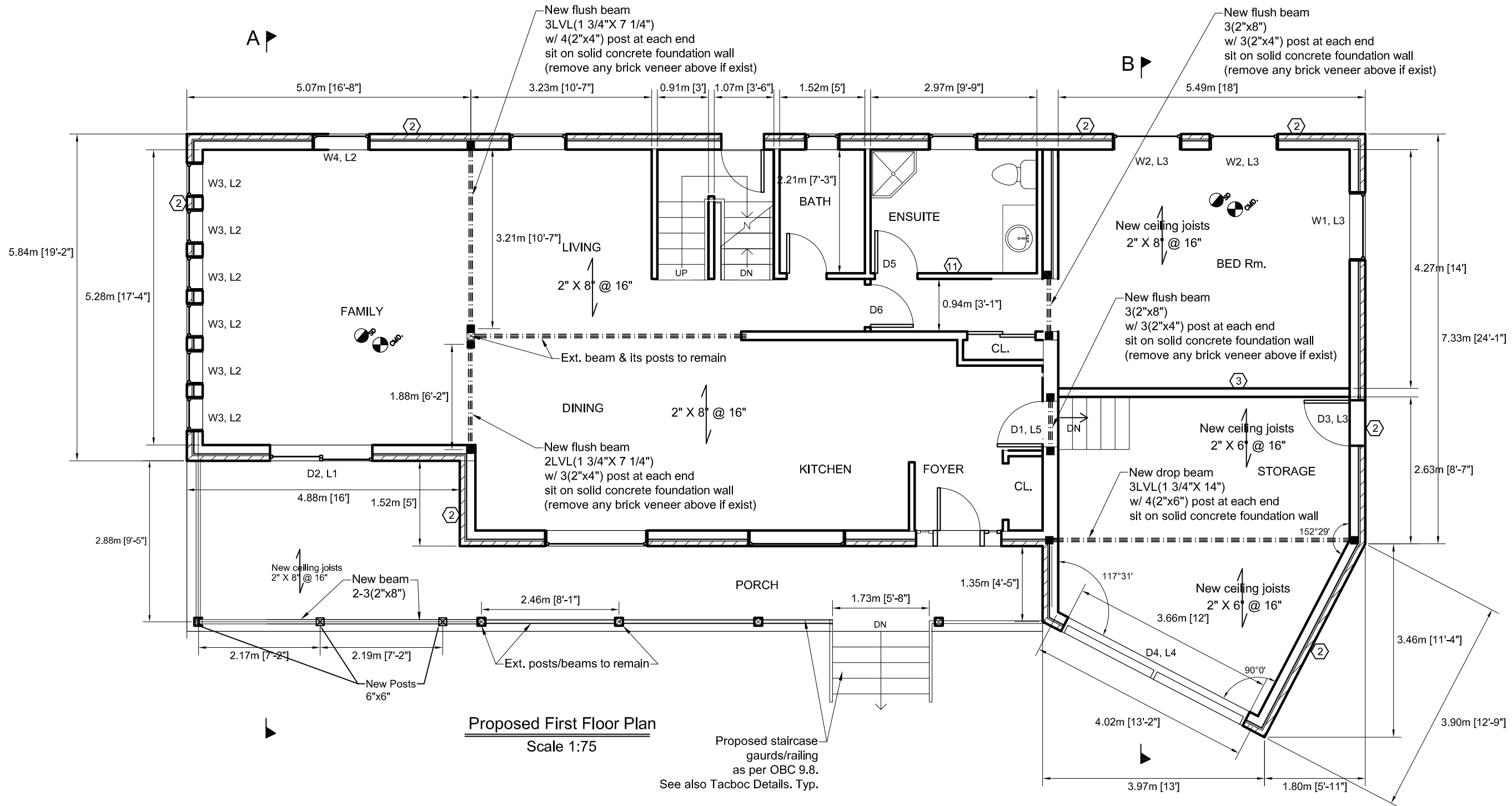
No.	Revision/Issue	Date

**PROJECT:**  
 35 Upper Lake Avenue  
 Stoney Creek Ontario

**TITLE:**  
 Proposed Basement  
 Plan

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.04</b>
APPROVED BY:	



**Proposed First Floor Plan**  
Scale 1:75

Proposed staircase-  
guards/railing  
as per OBC 9.8.  
See also Taboc Details. Typ.

**ENGINEER SEAL:**

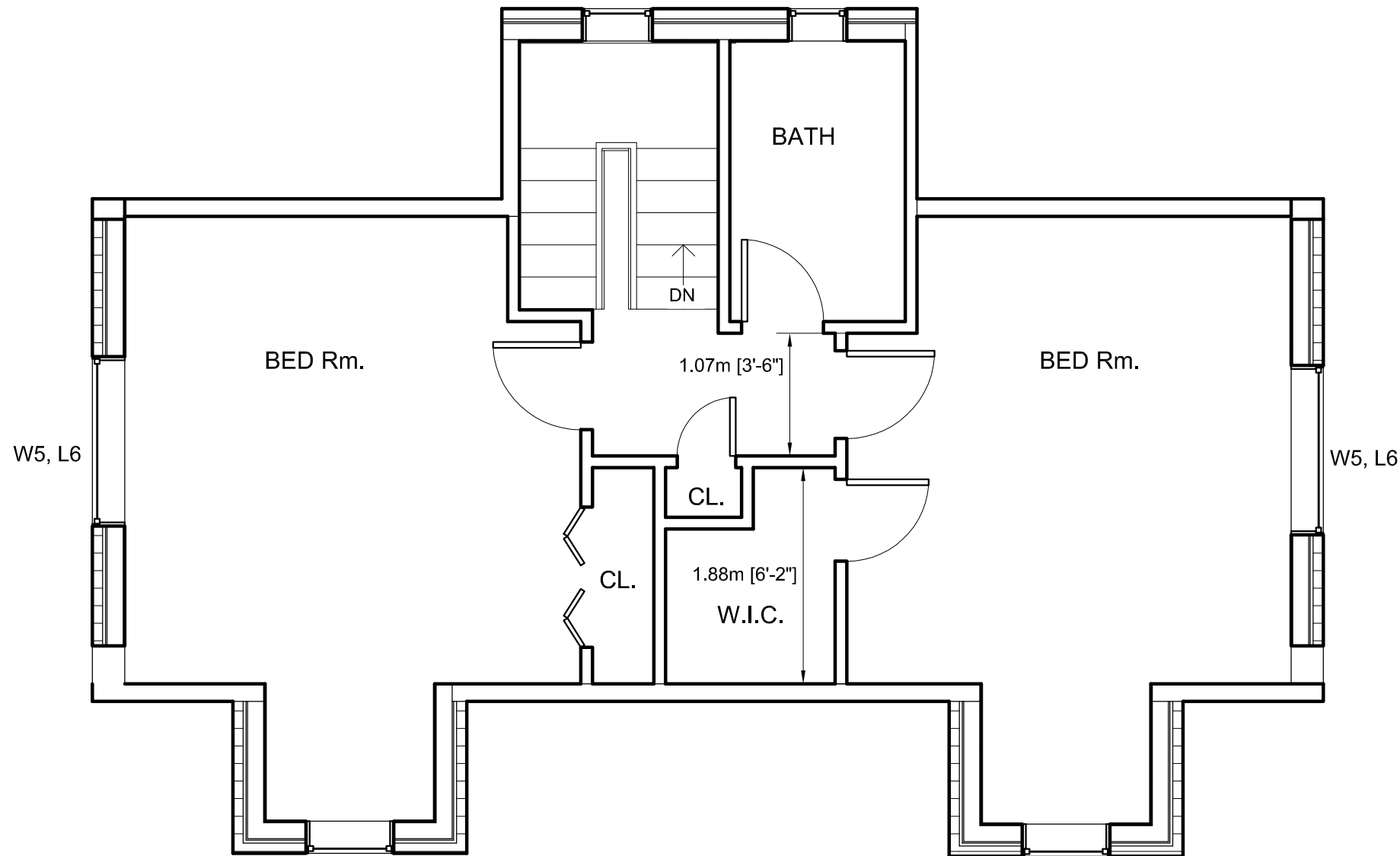
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Proposed First Floor  
Plan

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.05</b>
APPROVED BY:	



Proposed Second Floor Plan  
Scale 1:50

ENGINEER  
SEAL:



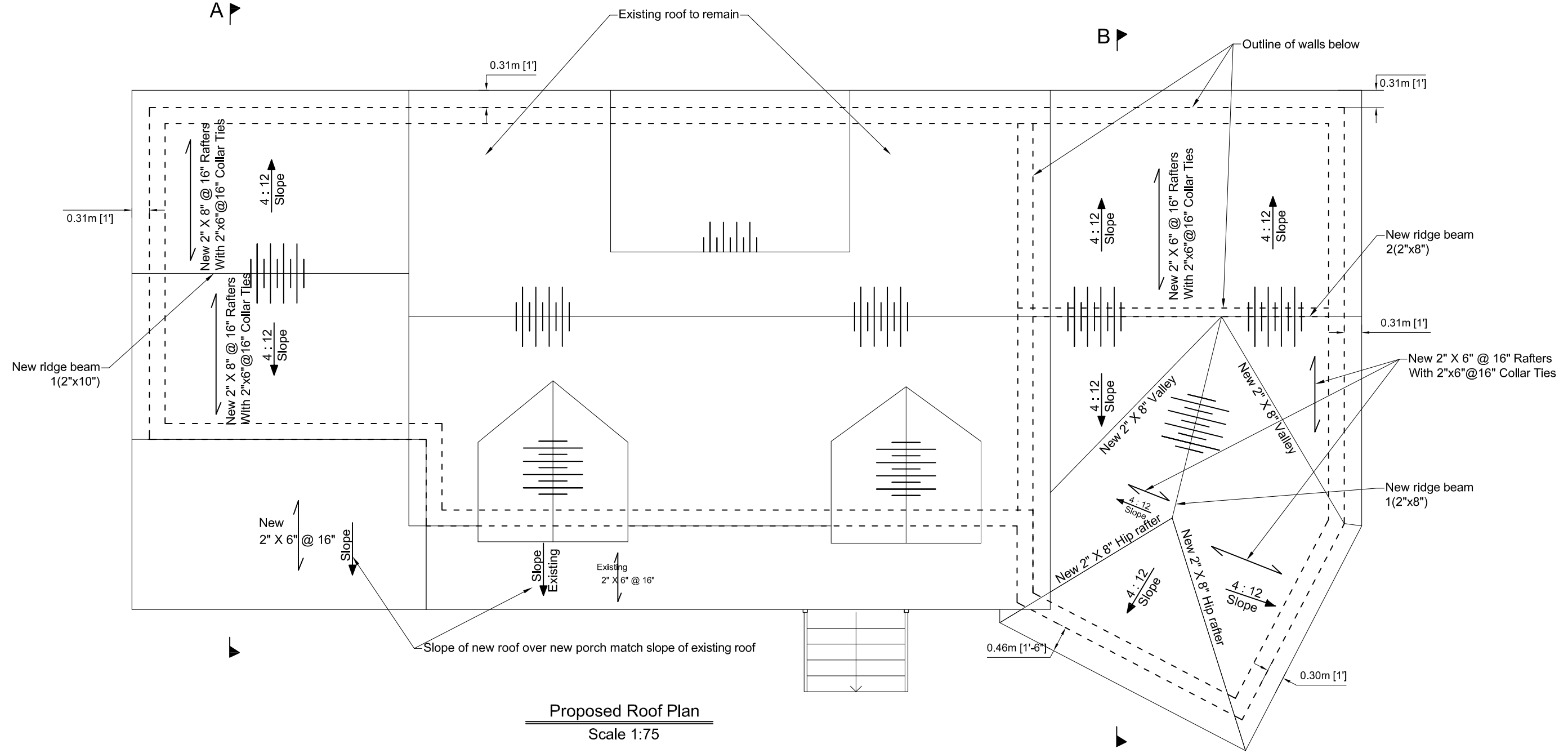
No.	Revision/Issue	Date

PROJECT:  
35 Upper Lake Avenue  
Stoney Creek Ontario

TITLE:  
Proposed Second  
Floor Plan


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

SCALE:	DRAWING NO.
DESIGNED BY:	S1.06
APPROVED BY:	



**Proposed Roof Plan**  
Scale 1:75

**ENGINEER SEAL:**



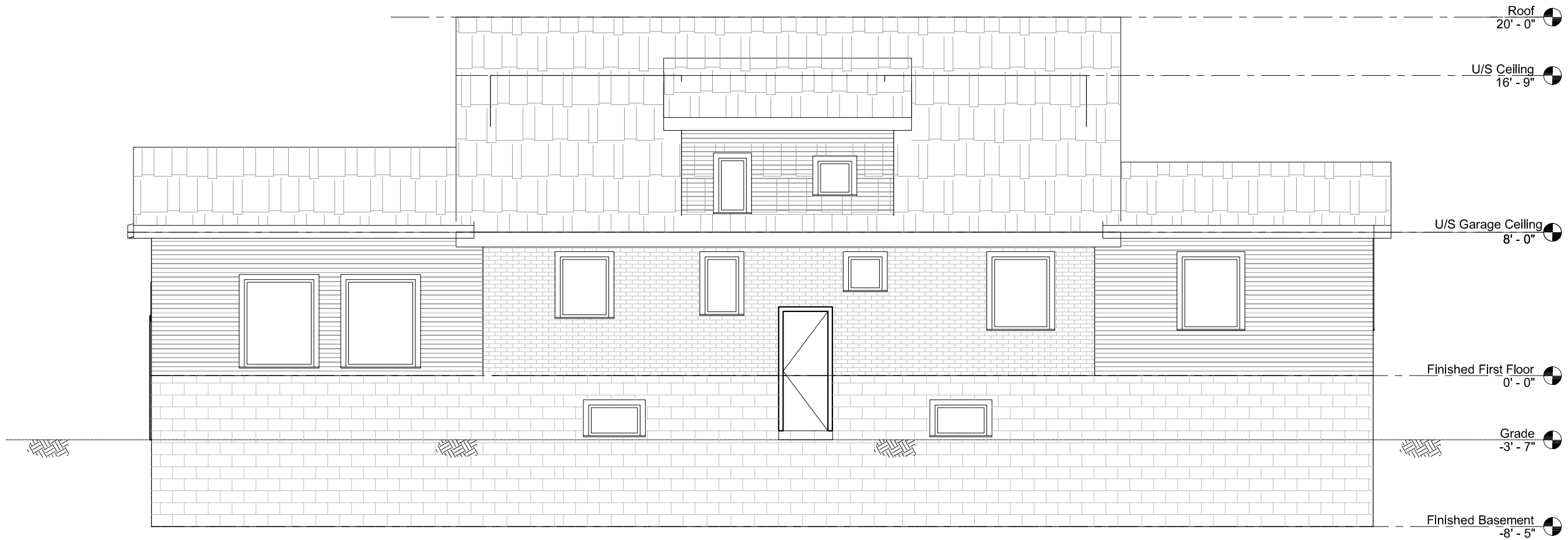
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Proposed Roof Plan


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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S1.07</b>
APPROVED BY:	



East View  
Scale 1:75

**ENGINEER SEAL:**



No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
East View

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


SCALE:	DRAWING NO.
DESIGNED BY:	<b>S2.01</b>
APPROVED BY:	





West View  
Scale 1:75

ENGINEER  
SEAL:



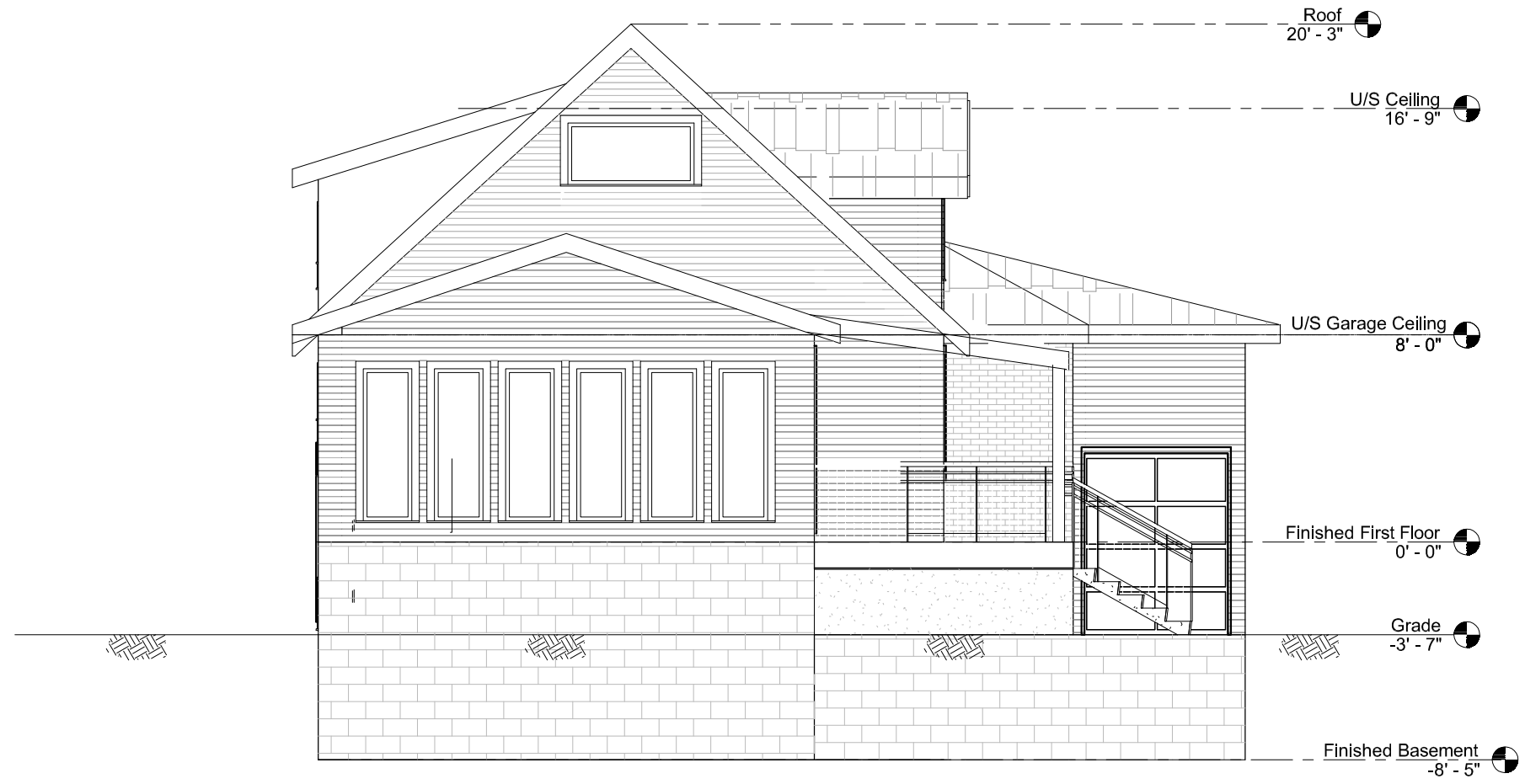
No.	Revision/Issue	Date

PROJECT:  
35 Upper Lake Avenue  
Stoney Creek Ontario

TITLE:  
West View

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

SCALE:	DRAWING NO.
DESIGNED BY:	S2.02
APPROVED BY:	



North View  
Scale 1:75

ENGINEER  
SEAL:



No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
North View

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S2.03</b>
APPROVED BY:	



South View  
Scale 1:75

ENGINEER  
SEAL:



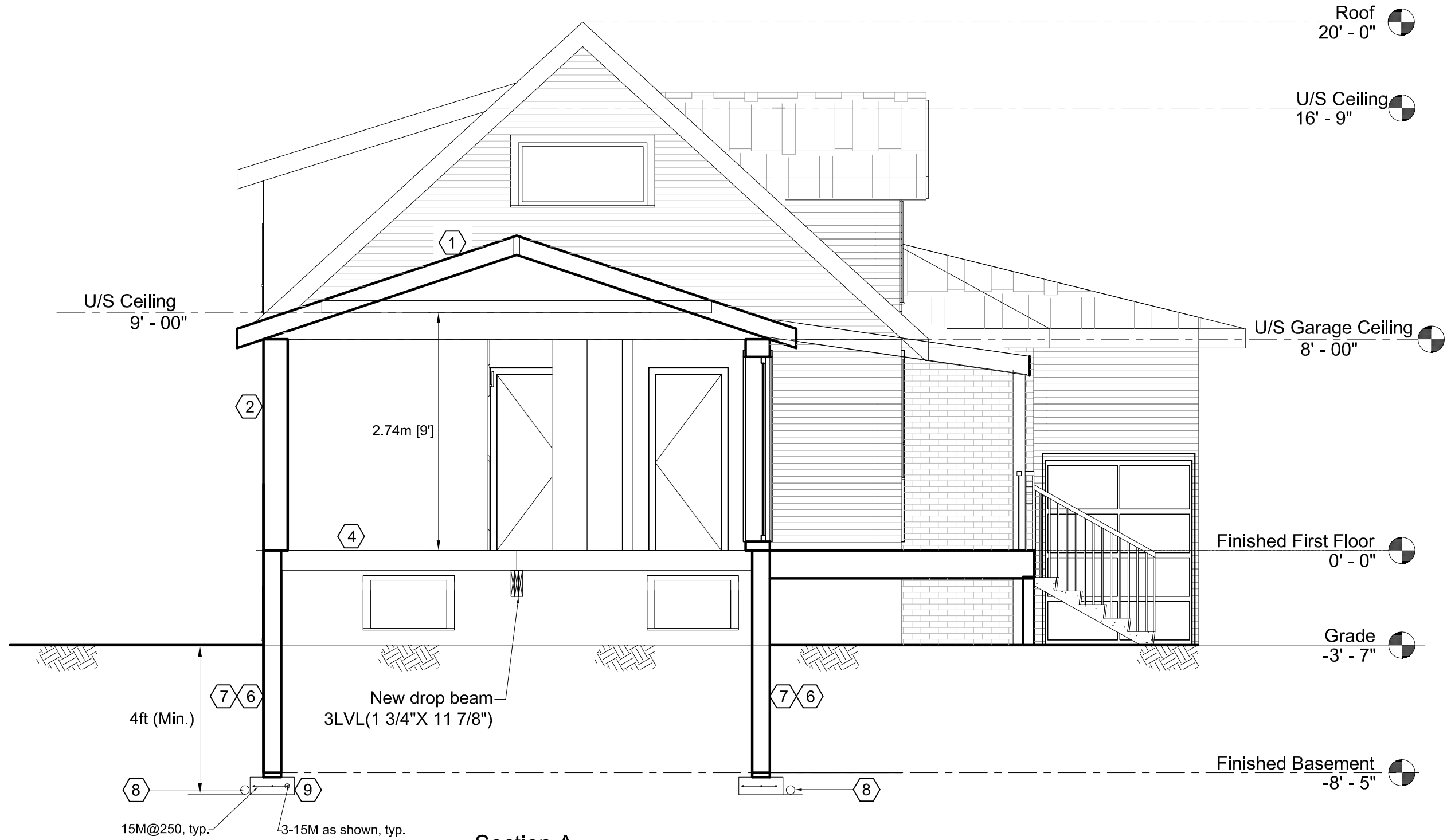
No.	Revision/Issue	Date

PROJECT:  
35 Upper Lake Avenue  
Stoney Creek Ontario

TITLE:  
South View

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

SCALE:	DRAWING NO.
DESIGNED BY:	S2.04
APPROVED BY:	



**Section A**  
Scale 1:50

ENGINEER SEAL:

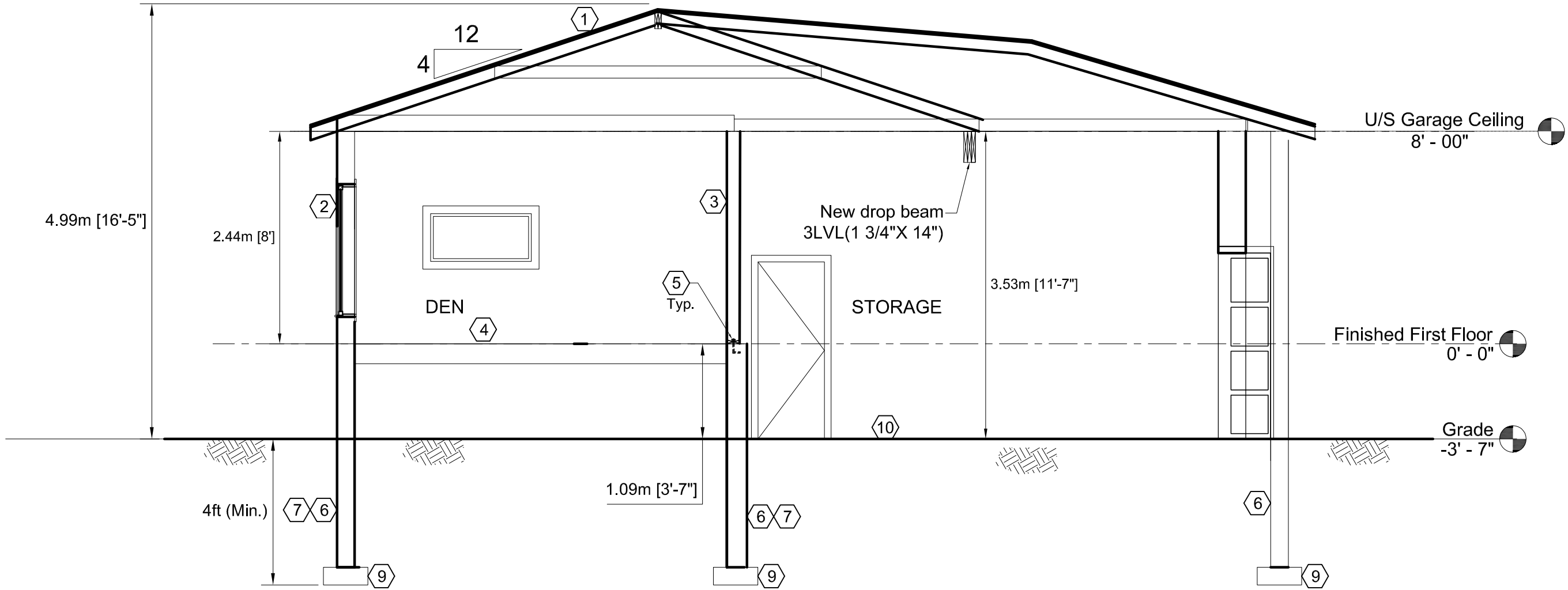
No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Section A

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

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S2.05</b>
APPROVED BY:	



**Section B**  
Scale 1:50

ENGINEER SEAL:

No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Section B

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

SCALE:	DRAWING NO.
DESIGNED BY:	S2.06
APPROVED BY:	

DOOR SCHEDULE	
D1	NEW EXTERIOR 32"(W)X80"(H), WITH SELF CLOSING DEVICE & AIR TIGHT/GAS PROOF
D2	NEW PATIO DOOR 72"(W)X80"(H)
D3	NEW EXTERIOR 32"(W)X80"(H)
D4	NEW GARAGE DOOR 144"(W)X84"(H)
D5	NEW INTERIOR 28"(W)X80"(H)
D6	NEW INTERIOR 30"(W)X80"(H)

WINDOW SCHEDULE	
W1	NEW 48"(W)X24"(H)
W2	NEW 48"(W)X60"(H)
W3	NEW 24"(W)X72"(H)
W4	NEW 40"(W)X50"(H)
W5	NEW 60"(W)X36"(H)

LINTEL SCHEDULE	
L1	3(2"x10") W/ 3(2"x6") POST EACH SIDE
L2	2(2"x8") W/ 3(2"x6") POST EACH SIDE
L3	3(2"x8") W/ 3(2"x6") POST EACH SIDE
L4	3LVL(1 3/4"x9 1/2") W/ 4(2"x6") POST EACH SIDE
L5	2(2"x8") W/ 3(2"x4") POST EACH SIDE & STEEL ANGLE L 3.5"x3.5"x0.25" W/ 6INCH BEARING EACH SIDE,
L6	2(2"x8") W/ 3(2"x4") POST EACH SIDE

**LEGENDS:**



SMOKE ALARM



CARBONMONOXIDE DETECTOR

**CONSTRUCTION NOTES:**

- 1 **ROOF CONSTRUCTION WITH ATTIC SPACE**  
210 (9.5KG/M<sup>2</sup>) ASPHALT SHINGLES, 5/8" (16) PLYWOOD SHEATHING WITH "H" CLIPS ON RAFTERS, 3' (915) STRIP, AS PER O.B.C. 9.26.5.2 EAVE PROTECTION, METAL EAVE TROUGH ON ALUM. FASCIA AND VENTED SOFFIT. ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES. WITH R60 INSULATION.
- 2 **SIDE WALL CONSTRUCTION W/CONTINUOUSE INSULATION**  
VINYL SIDING ATTACHED TO FURRING MEMBERS ON APPROVED AIR/WATER BARRIER AS PER O.B.C. 9.27.3. ON EXTERIOR TYPE 1" THICK RIGID INSULATION (JOINTS UNTAPED) MECHANICAL FASTENED AS PER MANUFACTURERS SPECIFICATIONS ON 3/8"(9.5) EXT. GRADE SHEATHING ON 2"x6"(38X140) STUDS@16"(406) O.C., R19 INSULATION BETWEEN STUDS, APPROVED 6 MIL. POLYETHYLENE AIR/VAPOUR BARRIER ON 1/2"(12.7). (GYPSUM WALL BOARD INTERIOR FINISH (GYPSUM SHEATHING, RIGID INSULATION AND FIBERBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING (9.23.16.3.(1))
- 3 **FUME-PROOF INSULATED INTERIOR WALL IN GARAGE**  
1/2"(12.7) THICK G.W.B. ON HOUSE INTERIOR SIDE OF 6 MIL. POLY. AIR/VAPOUR BARRIER ON 2"x6"@16" (38X140 @406) O.C. 2 TOP PLATES & 1 BOTTOM PLATE, C/W. R-24 BATT INSULATION BETWEEN ON 2 LAYERS G.W.B. WITH STAGGERED JOINTS COVERED WITH F.P. TAPE AND COMPOUND FINISHED WITH PAINT AS SELECTED BY OWNER.
- 4 **EXPOSED FLOOR**  
FINISHED FLOOR ON 5/8"(16) T & G SUB FLOOR ON JOISTS AS SHOWN WITH R31 SPRAY FOAM INSULATION BETWEEN JOISTS AND 5/8" THICK CEMENT BOARD UNDERNEATH.
- 5 **SILL PLATE**  
2"x6" (38X140) SILL PLATE FASTENED TO FOUNDATION WALL WITH 1/2"(12.7) DIA. ANCHOR BOLTS SPACED 4'(1219) OCS. X 6"(150) LONG. ANCHOR BOLTS WITH NUTS AND WASHERS TO BE EMBEDDED NOT LESS THAN 4"(100) IN THE FOUNDATION. GROUT WITH 16.7MPA GROUT. SILL PLATE TO BE LEVELED ON A FULL BED OF MORTAR OR IF TOP OF FOUNDATION IS PERFECTLY LEVELED.AN APPROVED SILL PLATE GASKET OR LAYER OF MINERAL WOOL AT LAST 1"(25) THICK TO BE PROVIDED. ALL AS PER OBC.9.23.6.
- 6 **FOUNDATION WALL**  
8"(203) THICK CONCRETE BLOCK FOUNDATION WALL, COMPRESSION STRENGTH OF BLOCK 20MPa WITH TYPE "S" MORTAR AT JOINTS. WITH 2 COATS BITUMINOUS DAMP PROOFING & DRAINAGE LAYER FROM GRADE TO FOOTING ON.
- 7 **DAMP PROOFING MATERIAL: CONFORM TO 9.13.2.2(1)**
- 8 **DRAIN TILE OR PIPE**  
DRAIN TILE AND PIPE TO BE 4"(100) MIN. DIA. AND INSTALLED ON UNDISTURBED SOIL AND CONNECT TO EXISTING DRAIN TILE. THE TOP AND SIDES OF DRAIN PIPE OR TILE TO BE COVERED WITH NOT LESS THAN 150MM OF CRUSHED STONE OR OTHER COARSE CLEAN GRANULAR MATERIAL. ALL AS PER OBC 9.14.3. SHALL NOT ACCUMULATE NEAR THE BUILDING OR AFFECT SURFACE DRAINAGE OF ADJACENT PROPERTIES.
- 9 **CONCRETE FOOTING**  
NEW CONCRETE FOOTING 20"x8" WITH REBARS AS SHOWN AT SAME LEVEL OF EXISTING FOOTINGS WITH COMPRESSION STRENGTH OF CONCRETE 30MPa TO SIT ON UNDISTURBED SOIL. (MINIMUM FOOTING DEPTH 4FT BELOW GRADE).
- 10 **GARAGE SLAB**  
4" (102) MIN. 25MPa (3600psi) CONCRETE SLAB C/W 6X6 6/6 W.W.M. IN CENTER OF SLAB ON 4" (102) COARSE GRANULAR FILL WITH COMPACTED SUB-BASE OR COMPACTED NATIVE FILL. SLOPE TO FRONT @ 1% MIN..
- 11 **INTERIOR PARTITION**  
(NON LOAD BEARING), 1/2"(12.7) THICK G.W.B. EACH SIDE OF 2"x4" (38X89) WOOD STUDS @16"(406) O.C. FINISHED WITH PAINT AS SELECTED BY OWNER.

**GENERAL NOTES:**

- 1-ALL INFORMATION IS SHOWN AS EXISTING SHALL BE CHECKED AND VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. IF ANY DISCREPANCIES FOUND IN DRAWINGS, INFORM THE ENGINEER BEFORE PROCEEDING THE WORK.
- 2-CONTRACTOR TO CAREFULLY EXAMINE ALL EXISTING SITE CONDITIONS AND BUILDING COMPONENTS, SO THAT A CLEAR AND COMPREHENSIVE UNDERSTANDING OF THE SCOPE OF WORK IS ACHIEVED.
- 3-VERIFY DIRECTION OF EXISTING JOISTS AS SHOWN ON DRAWINGS. REPORT TO ENGINEER IF FOUND DISCREPANCIES BEFORE START OF CONSTRUCTION.
- 4-WHERE EXISTING CONSTRUCTION TO REMAIN IS DAMAGED BY CONTRACTOR'S DEMOLITION WORK, THE CONSTRUCTION MUST BE REPAIRED TO MATCH EXISTING.
- 5-THE EXISTING UTILITIES SHOULD BE PROTECTED AND RELOCATED IF REQUIRED.
- 6-IT IS THE CONTRACTOR'S RESPONSIBILITY WHEN DEMOLISHING THE EXISTING WALLS AND CEILINGS TO ENSURE THAT ELECTRICAL SERVICES WITHIN WALLS AND CEILING ARE NOT LIVE.
- 7-AT LOCATIONS WHERE EXISTING WALLS, PIPING, DUCTWORK, AND MILLWORK ARE TO BE REMOVED, CONTRACTOR SHALL REPAIR AND MAKE GOOD AFFECTED SURFACES TO MATCH EXISTING.
- 8-MATERIAL. ALL STEEL SECTIONS TO MEET CSA G40.20/G40.21, W SECTION GRADE 350W. STEEL PLATES AND ANGLES GRADE 300W, STEEL HOLLOW SECTIONS GRADE 350W. COMPRESSION STRENGTH OF CONCRETE 30MPA (MINIMUM).
- 9-MATERIAL FOR LUMBERS IS S-P-F, SELECT STRUCTURAL. LUMBERS EXPOSED TO EXTERIOR WEATHER TO BE PRESSURE TREATED.
- 10-MATERIAL FOR LVL BEAMS IS 2.0E (FROM WEST FRASER TIMBER), LVL SCREWS FROM FLATLOK
- 11- USE SIMPSON HANGERS TO ATTACH JOISTS TO NEW BEAMS. FOR NUMBER AND TYPE OF FASTENERS REFER TO SUPPLIER INSTRUCTION.
- 12-WELDING TO COMPLY WITH CSA W59 AND BE CARRIED OUT BY CERTIFIED WELDERS. WELDING ELECTRODES TO BE E480XX. BEFORE START OF WELDING, MAKE ALL WELDING SURFACES CLEAN FROM RUST.
- 13-DO SITE MEASUREMENTS FOR EXACT SIZES OF NEW BEAMS AND POST.
- 14-PROVIDE TEMPORARY SUPPORT FOR EXTERIOR WALLS BEFORE MAKING NEW OPENINGS.

**ENGINEER SEAL:**

No.	Revision/Issue	Date

**PROJECT:**  
35 Upper Lake Avenue  
Stoney Creek Ontario

**TITLE:**  
Schedules, Notes

SCALE:	DRAWING NO.
DESIGNED BY:	<b>S5.01</b>
APPROVED BY:	

**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5



Hamilton

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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)	William James Houston Sharon Lynn Houston	
Applicant(s)*	As Above	
Agent or Solicitor	Sean Lachapelle	

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

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

Royal Bank of Canada 917 Queenston Rd. L8G-1B8
--

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:

[Empty box for nature and extent of relief]

- Second Dwelling Unit
- Reconstruction of Existing Dwelling

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

FROUNT SET BACK FOR REQUIRED PARKING SPACES

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

35 UPPERLAKE AVE STONEY CREEK

7. PREVIOUS USE OF PROPERTY

- Residential  Industrial  Commercial
- Agricultural  Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown

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

- Yes  No  Unknown



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

Yes  No  Unknown

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

House was built in 1952, prior to that this area was farm land

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.

June, 22, 2022  
Date

[Signature] Shanon Houston  
Signature Property Owner(s)

Bill Houston Shanon Houston  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 34.06 m  
Depth 58.34 m  
Area 1987.06 m<sup>2</sup>  
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:\_\_\_

STOREY & HALF  
78.77 m<sup>2</sup>

Proposed

TWO SIDE ADDITION, ONE STOREY  
81.39 m<sup>2</sup> TOTAL OF 160.16 m<sup>2</sup>

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

Existing:

8.91 m FROM LOT LINES @ SIDES  
6.02 m FROM FRONT  
32.50 m FROM REAR

Proposed:

8.91 m FROM RIGHT, 1.03 FROM LEFT  
6.02 m FROM FRONT  
32.50 m FROM REAR

13. Date of acquisition of subject lands:  
April 1998

14. Date of construction of all buildings and structures on subject lands:  
1955

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:  
70+ 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"/>		

19. Present Official Plan/Secondary Plan provisions applying to the land:  
2518003480208 000 NEIGHBOURHOODS

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 + OS

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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:208</b>	<b>SUBJECT PROPERTY:</b>	32 CEDAR AVENUE
<b>ZONE:</b>	“D” (One- and Two-Family Residential Dwellings and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – Natalie Lazier  
Agent – Marina Fensham

The following variances are requested:

1. The existing one (1) parking space shall be provided instead of the minimum required three (3) parking spaces for Nine (9) habitable rooms.
2. A side yard setback of 0.53 m shall be provided instead of the minimum required 2.7 m side yard setback.
3. An eaves/ gutter encroachment into the required side yard shall be permitted to project the entirety of the required side yard to the lot line instead of the maximum 1.0 m or not more than one-half of the width of the required side yard, whichever is lesser.

**PURPOSE & EFFECT:** So as to permit a third storey attic addition to an existing single-family dwelling notwithstanding that:

**Notes:**

- i. The applicant has indicated the existing dwelling was constructed prior to July 25, 1950 which has a parking space requirement of 0 spaces for a single-family dwelling. A survey or other documentation has not been provided to confirm the date of construction/ issuance of a permit. Additional parking space information relating to the size and location has not been provided. Should the single-family dwelling have been constructed after the passing date of Hamilton Zoning By-Law 6593, additional variances may be required.
- ii. The applicant shall ensure the minimum required parking space size of 2.7 m x 6.0 m be maintained for the required one (1) parking space.

**HM/A-22:208**

- iii. Insufficient information has been provided for any eaves/ gutters of the proposed addition. Due to the setback required for the addition, it would appear that there is insufficient space provided for any eaves/ gutters along the Northern lot line. As such, a variance has been provided to address this.
- iv. Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.

**This 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto: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-22:208



 Subject Lands

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

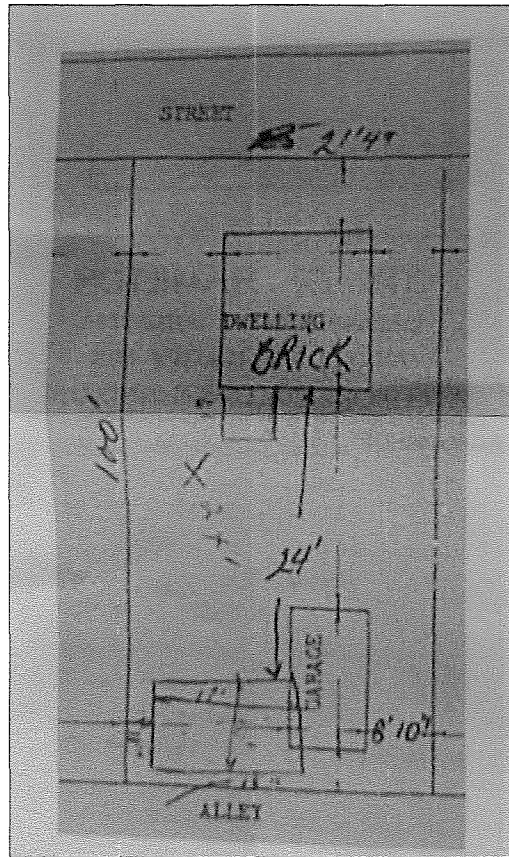
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

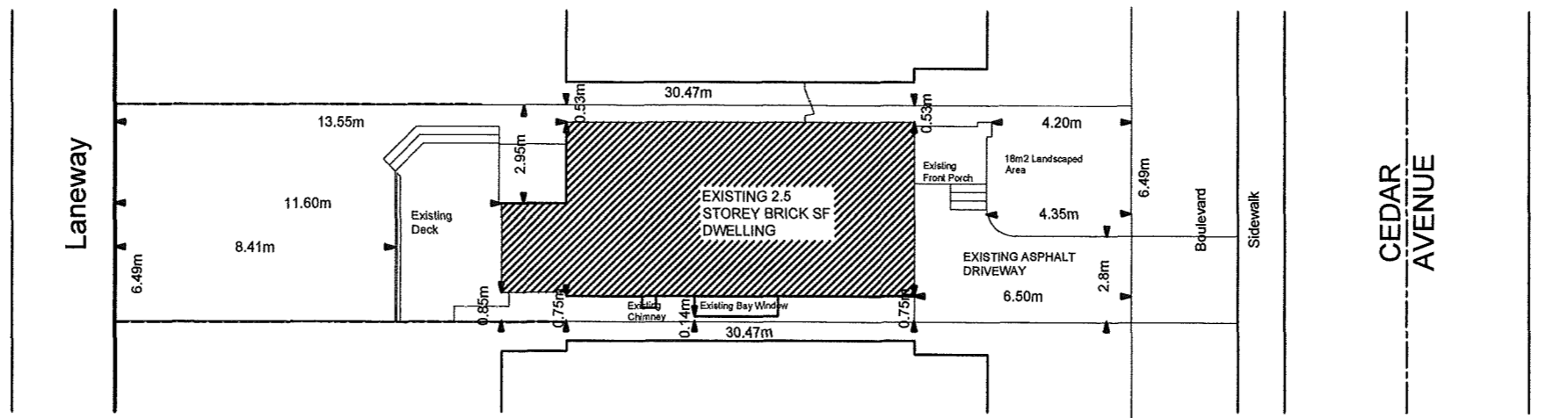
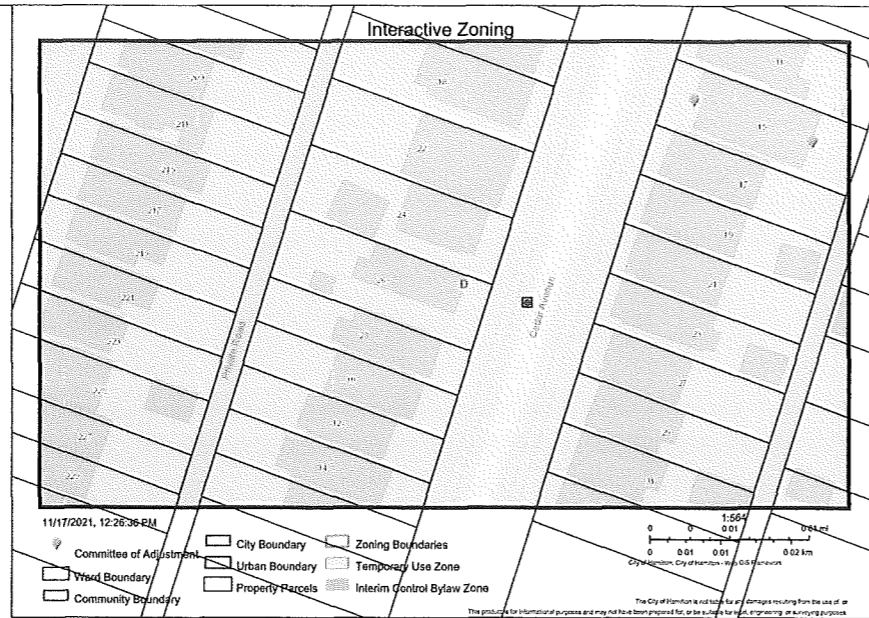
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto: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.



Obtained from Property Search



**Site Statistics & Zoning - "D" District**

Dimensions of Lands Affected  
 Frontage: 6.49m  
 Depth: 30.47m  
 Area: 198.08m<sup>2</sup>  
 Width of Street: 7m

Building Area  
 Existing: 64.98m<sup>2</sup>  
 Proposed: Attic Addition

Gross Floor Area: 171.23m<sup>2</sup>  
 Basement Floor Area: 59.18m<sup>2</sup>

Building Statistics  
 Width: 5.82m  
 Length: 14.69m  
 Height: 10.52m / 14m Allowed  
 Number of Storeys: 3

HABITABLE ROOMS		
ROOM #	ROOM NAME	FLOOR
1	Dining Room	Main
2	Kitchen / Living Room	Main
3	Breakfast Room	Main
4	Master Bathroom	Second
5	Den	Second
6	Bedroom	Second
7	Bedroom	Attic
8	Office	Attic
9	Bedroom	Attic

Note: No habitable room in basement due to ceiling height.

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f(i) BCIN: 21574 / 116384

ISSUE FOR VARIANCE: June 22, 2022  
 ISSUE FOR PERMIT REV: June 2, 2022  
 ISSUE FOR CONTRACTOR PRICING: June 2, 2022  
 ISSUE FOR PERMIT: April 19, 2022

REMARKS	DATE	NO.
REVISIONS		

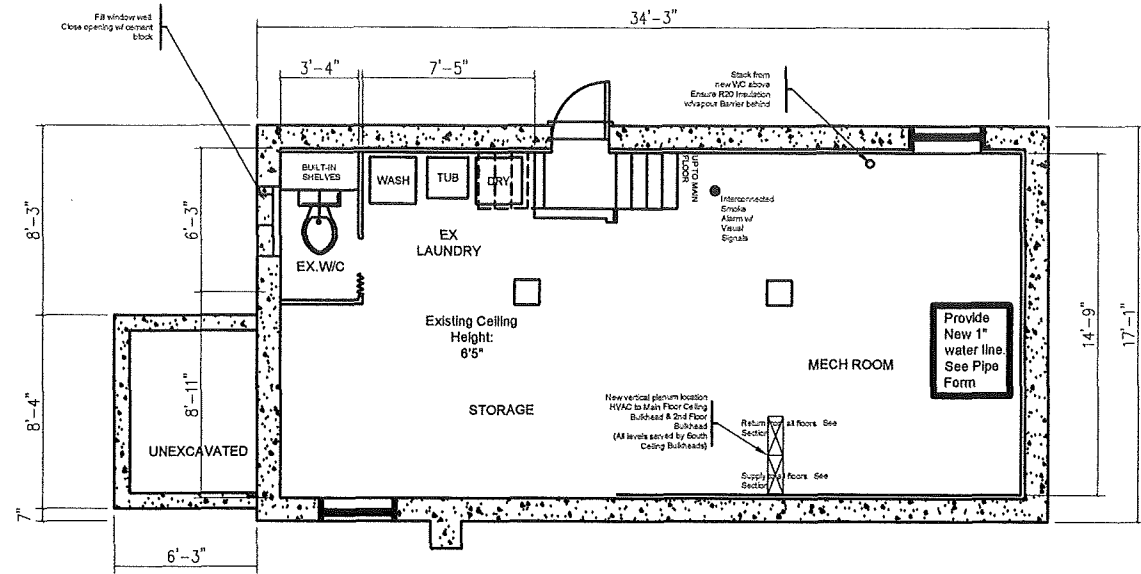
**thinkGiraffe**  
 ENVIRONMENTAL DESIGN  
 16 Sulphur Springs Road,  
 Ancaster, ON, L9G 1L8  
 905 304 1496  
 thinkgiraffe@bellnet.ca

**PROJECT**  
 Klassen Lazier  
 Attic Addition & Renovations  
 32 Cedar Ave  
 Hamilton  
 L8M 3A5

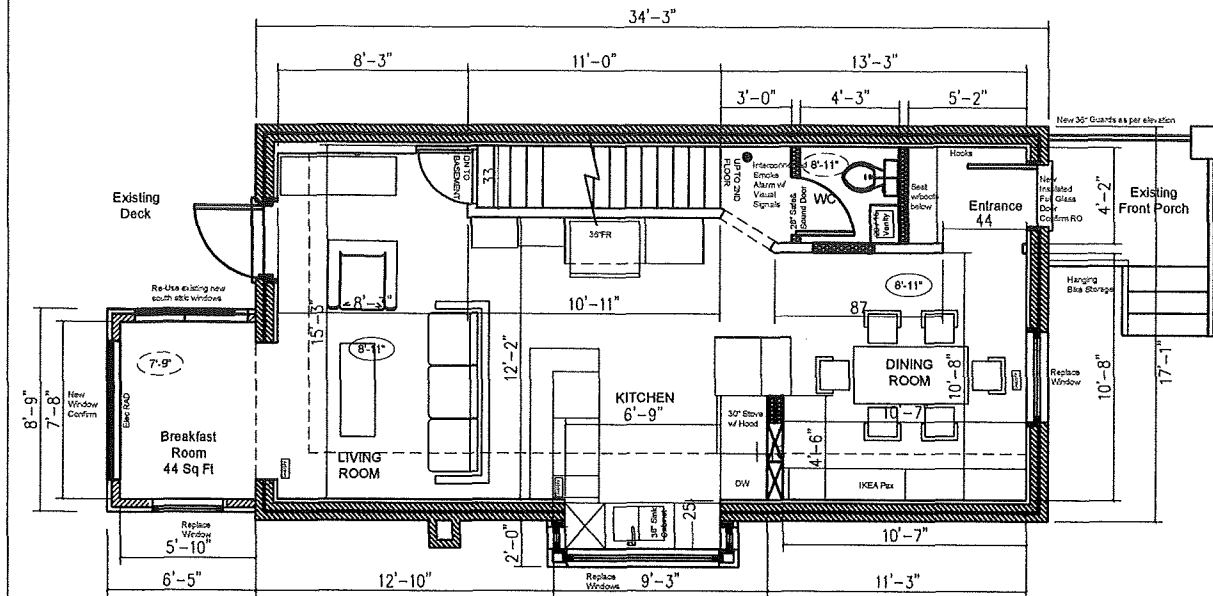
**SHEET TITLE**  
 Site Plan

FOLDER	DRAWN BY M
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

**A101**



HABITABLE ROOMS	
ROOM #	ROOM NAME
1	Dining Room
2	Kitchen / Living Room
3	Breakfast Room

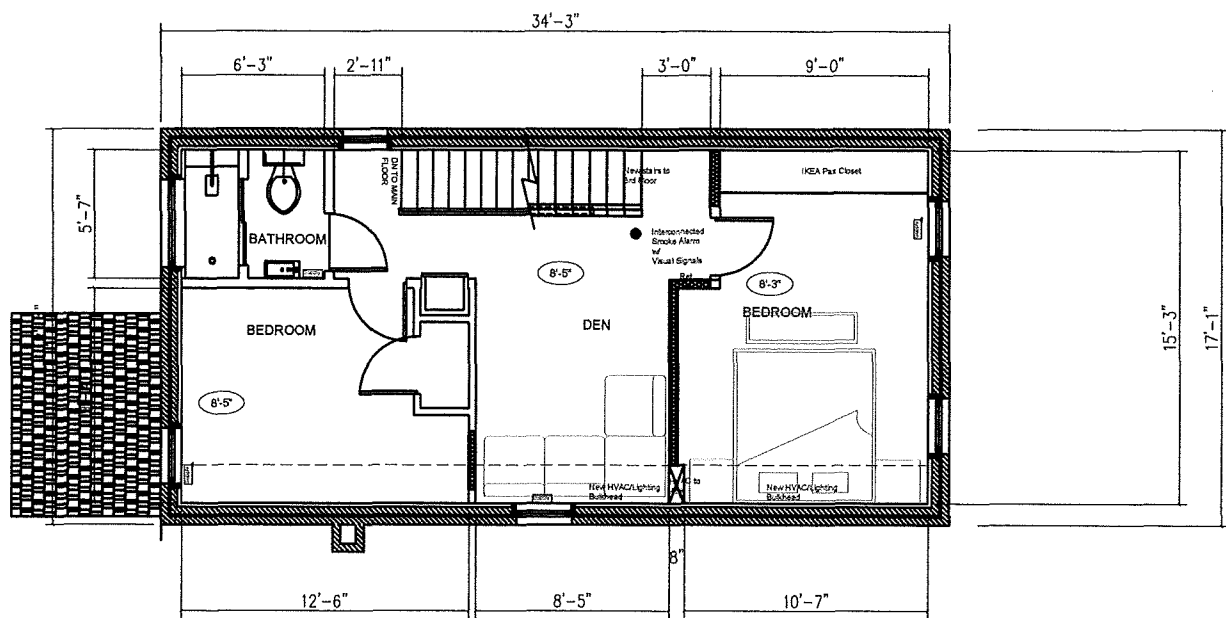


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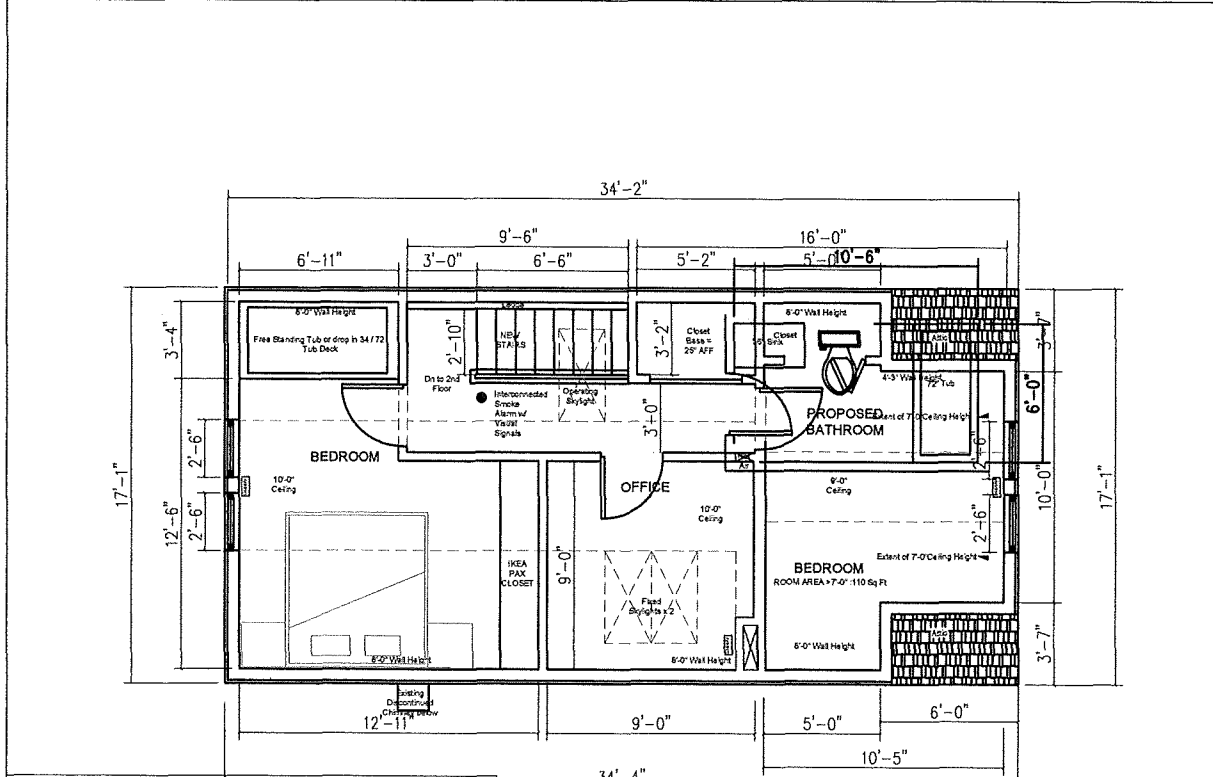
Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (f) (i) BCIN: 21674 / 116364

ISSUE FOR VARIANCE: June 22, 2022  
 ISSUE FOR PERMIT REV: June 2, 2022  
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REMARKS	DATE	NO.
REVISIONS		



PROPOSED MAIN FLOOR PLAN



HABITABLE ROOMS	
ROOM #	ROOM NAME
4	Master Bedroom
5	Den
6	Bedroom

HABITABLE ROOMS	
ROOM #	ROOM NAME
7	Bedroom
8	Bedroom
9	Office

**thinkGiraffe**  
 ENVIRONMENTAL DESIGN  
 18 Sulphur Springs Road,  
 Ancaster, ON, L9G 1L8  
 905 304 1496  
 thinkgiraffe@bellnet.ca

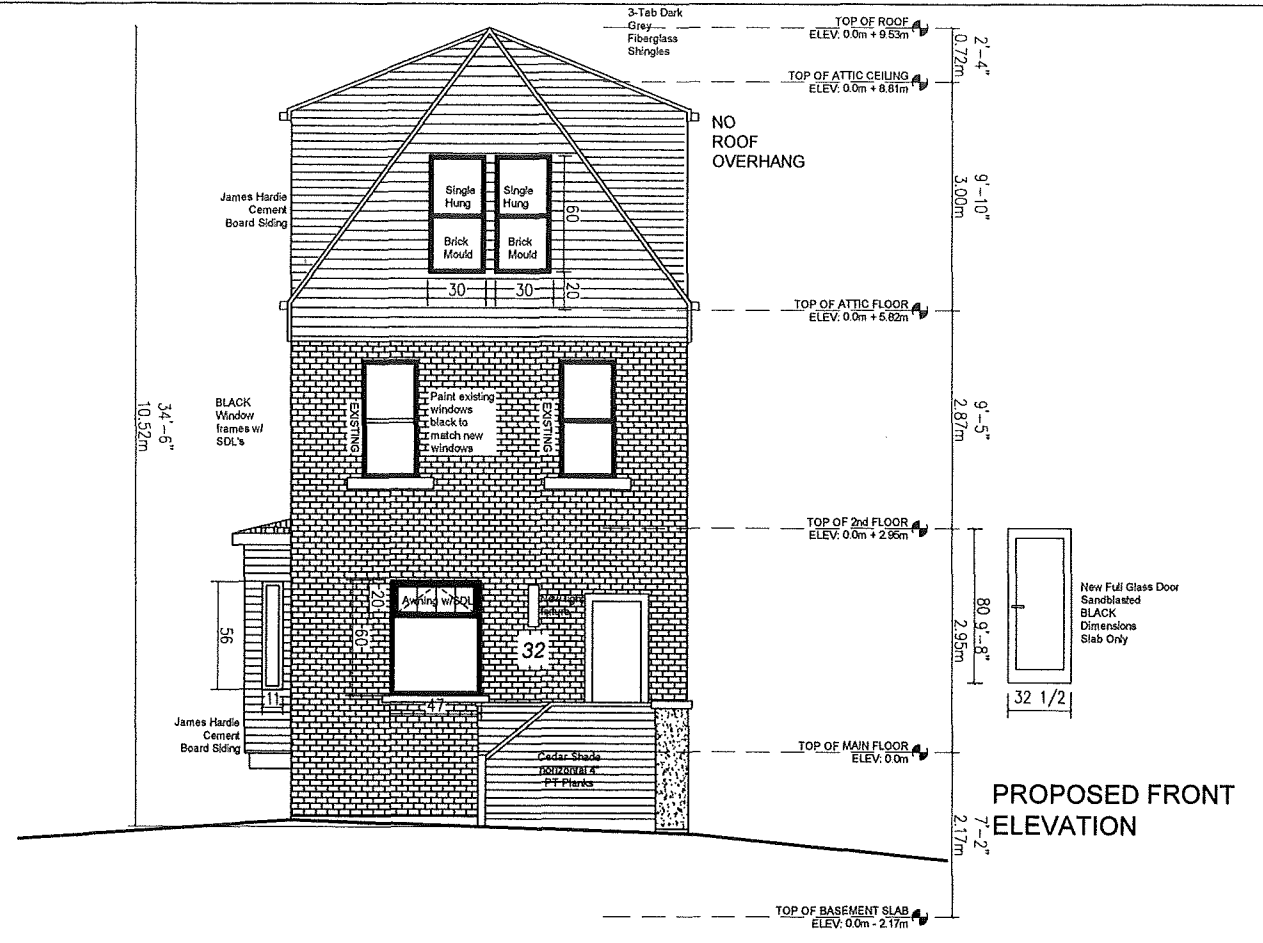
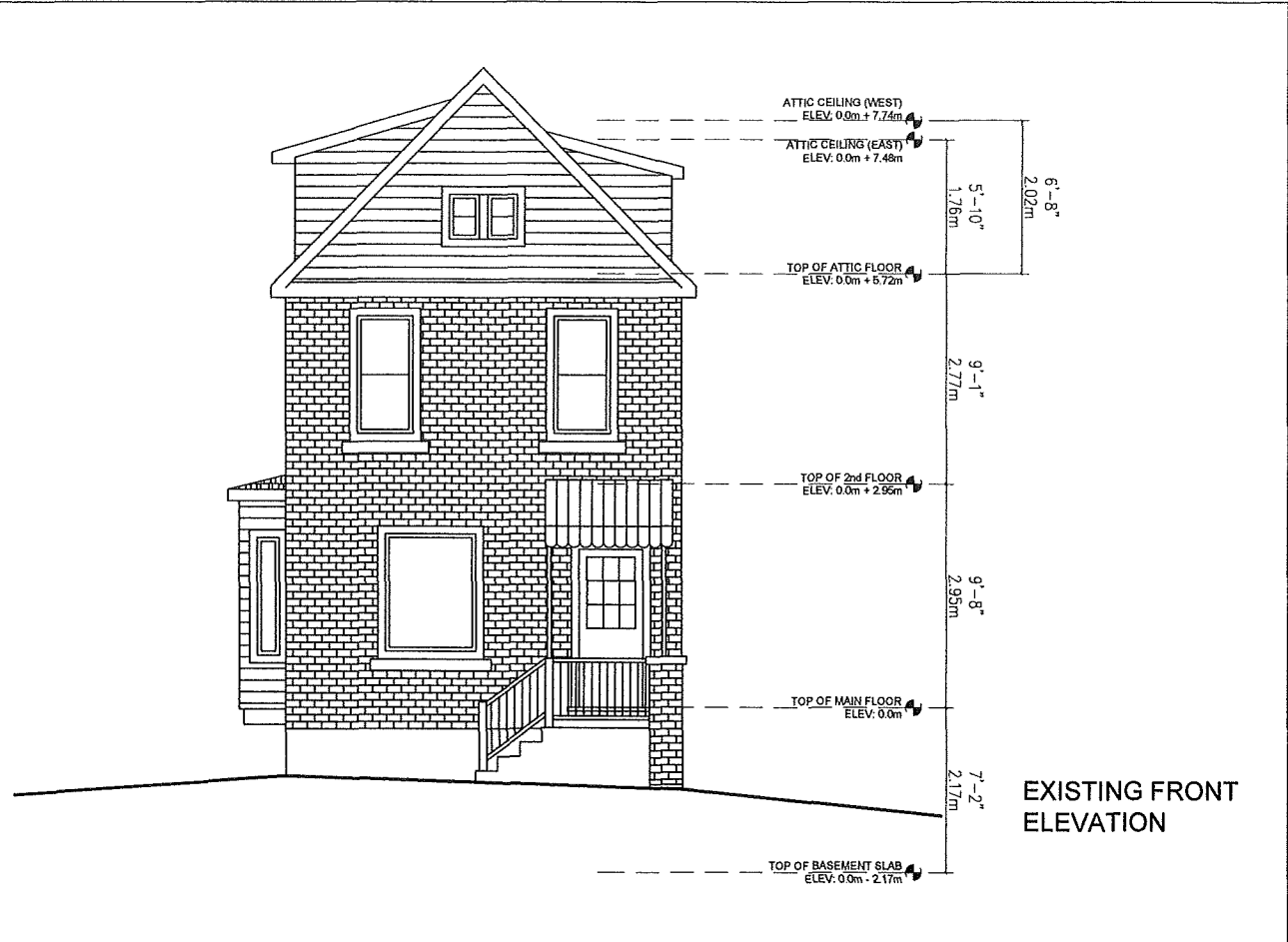
**PROJECT**  
 Klassen Lazier  
 Attic Addition & Renovations  
 32 Cedar Ave  
 Hamilton  
 L8M 3A5

**SHEET TITLE**  
 FLOOR PLANS

<b>FOLDER</b>	<b>DRAWN BY</b> M
<b>FILE</b>	<b>SCALE</b> 1/4" = 1'-0"
<b>DATE</b>	<b>NUMBER</b>

**A201**





CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fansham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (ii) BCIN: 21574 / 116364

ISSUE FOR VARIANCE: June 22, 2022  
 ISSUE FOR PERMIT REV: June 2, 2022  
 ISSUE FOR CONTRACTOR PRICING: June 2, 2022  
 ISSUE FOR PERMIT: April 19, 2022

REMARKS	DATE	NO.
REVISIONS		

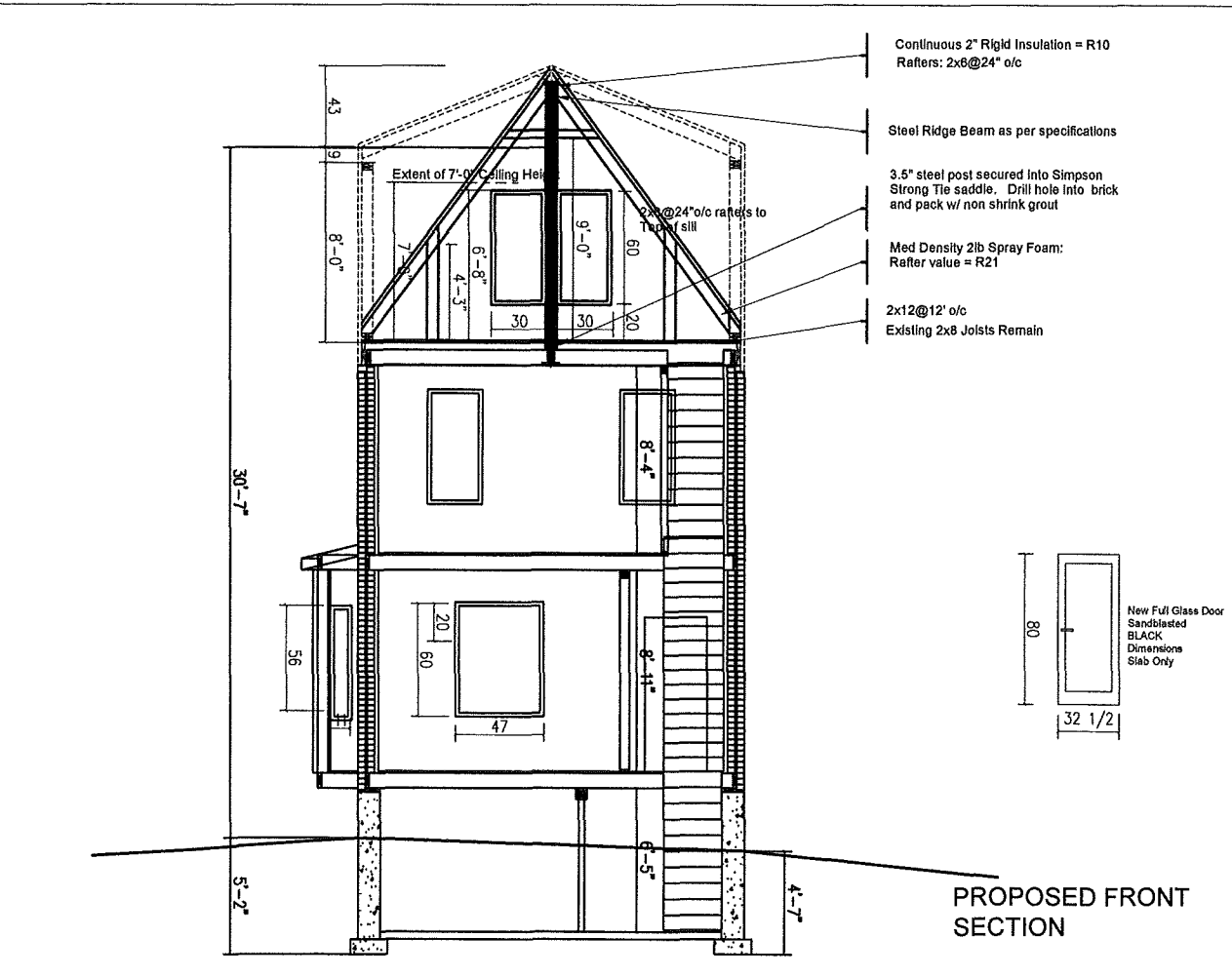
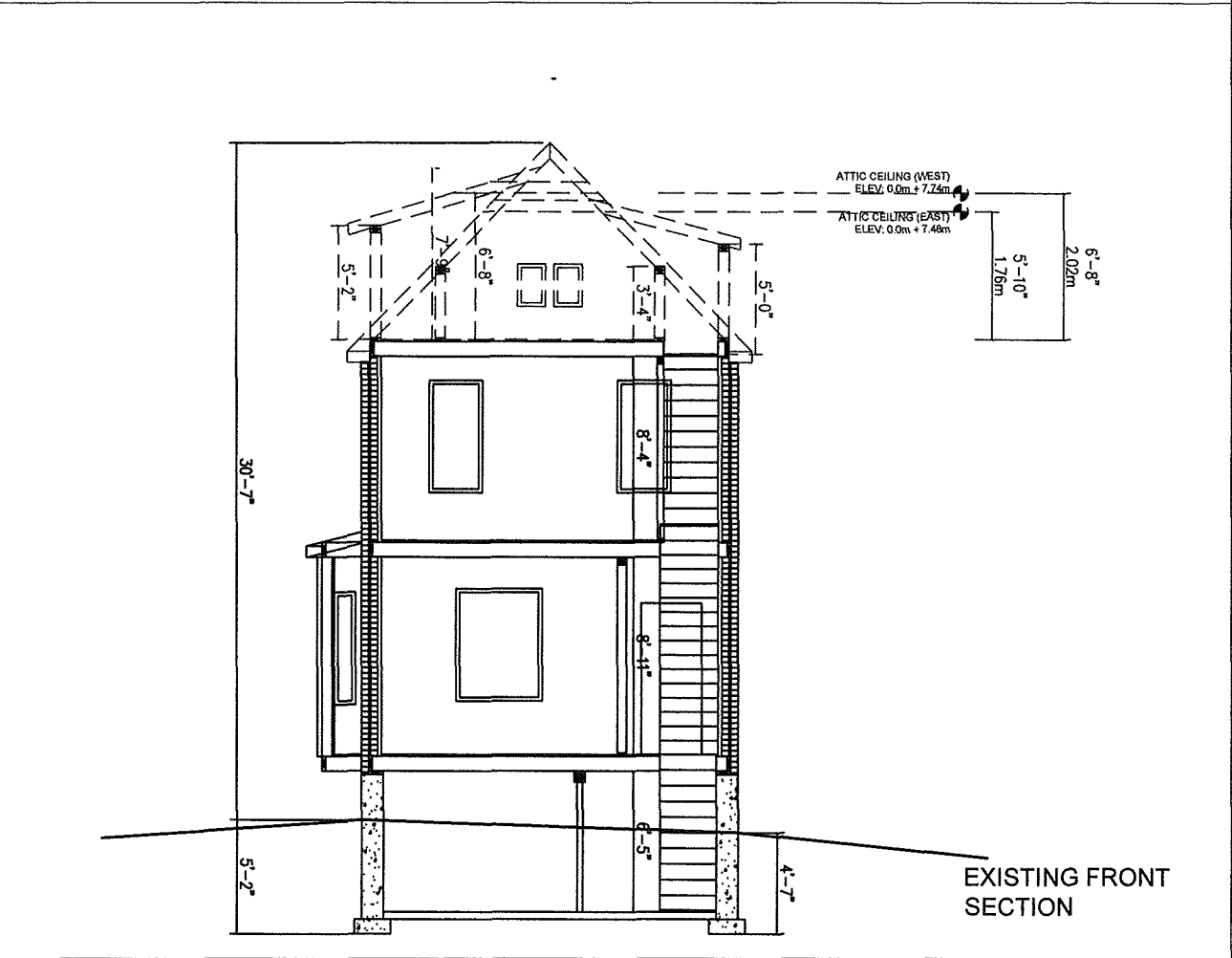
**thinkGiraffe**  
 ENVIRONMENTAL DESIGN  
 16 Sulphur Springs Road,  
 Ancaster, ON, L9G 1L8  
 905 304 1496  
 thinkgiraffe@bellnet.ca

**PROJECT**  
 Klassen Lazier  
 Attic Addition & Renovations  
 32 Cedar Ave  
 Hamilton  
 L8M 3A5

**SHEET TITLE**  
 FRONT ELEVATION & SECTION

<b>FOLDER</b>	<b>DRAWN BY</b> M
<b>FILE</b>	<b>SCALE</b> 1/4" = 1'-0"
<b>DATE</b>	<b>NUMBER</b>

**A301**





**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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) CARLA-AMARIS KLASSEN	Natalie Margaret LAZIER	
Applicant(s)*	Marina Fensham	
Agent or Solicitor		
		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: Attic Addition

<ul style="list-style-type: none"> <li>• Side Yard 2.7m required</li> <li>• Parking (9 Habitable Rooms)</li> </ul>	<ul style="list-style-type: none"> <li>• Basement ceiling height 6'5"</li> </ul>
--	--

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

<ul style="list-style-type: none"> <li>Residence location Existing 100+ Years</li> <li>Basement ceiling height existing</li> <li>Zoning deems 4m<sup>2</sup> Breakfast Rm Habitable</li> </ul>
--

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**):

32 Cedar Ave, Hamilton
------------------------

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial   
 Agricultural       Vacant   
 Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes  No  Unknown

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

Owners / 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

**9. ACKNOWLEDGEMENT CLAUSE**

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

2022/06/12  
Date

*Natalie Klassen*  
Signature Property Owner(s)

Natalie LAZIER C.A. Klassen  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	5.82 m (House)	6.49 m (Land)
Depth	14.7 m (House)	30.47 m (Land)
Area	198.0 m <sup>2</sup>	
Width of street	7 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:

Building Area : 65 m<sup>2</sup>  
Height : ~~9.3 m~~ 9.3 m | 3 Storcs  
Arca 65 m<sup>2</sup> + 54 m<sup>2</sup> + 39.1 m<sup>2</sup> = 458 m<sup>2</sup>

Proposed

Building Area : 65 m<sup>2</sup>  
Height 10.52 m | 3 Storcs  
Arca 65 m<sup>2</sup> + 54 m<sup>2</sup> + 54 m<sup>2</sup> = 173 m<sup>2</sup>

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

Existing:

Same as Proposed

Front :	6.5 m	
Rear :	11.6 m	
North Side :	0.53 m	0.14 m Bay window
South Side :	0.75 m	

Proposed:

13. Date of acquisition of subject lands: 2014
14. Date of construction of all buildings and structures on subject lands: Circa 1920
15. Existing uses of the subject property (single family, duplex, retail, factory etc.): SF Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.): SF Residential
17. Length of time the existing uses of the subject property have continued: 100 + Years
18. Municipal services available (check the appropriate space or spaces)  
 Water ✓ Connected ✓  
 Sanitary Sewer ✓ Connected ✓  
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (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.

Planning and Economic Development  
Department  
Planning Division  
Zoning and Committee of Adjustment Section

**Committee of Adjustment Comments**

TO: Jamila Sheffield  
Secretary-Treasurer - Committee of Adjustment  
Zoning and Committee of Adjustment Section

FROM: Liam Tapp  
(905) 546-2424 Ext. 6884-

DATE: July 15, 2022

SUBJECT:	<b>Application:</b>	HM/A-22:208
	<b>Folder Number:</b>	22-127751-00 COA
	<b>Zoning District:</b>	D
	<b>Zoning District Description:</b>	One and Two Family Residential Dwellings and Etc.
	<b>By-Law Number:</b>	6593
	<b>Address:</b>	32 CEDAR AVE, HAMILTON
	<b>By-Law Section:</b>	10 & 18a
	<b>Anticipated Hearing Date:</b>	July 28, 2022
	<b>Comments Due By:</b>	July 22, 2022

---

**COMMENTS:**

So as to permit a third storey attic addition to an existing single family dwelling notwithstanding that:

1. The existing one (1) parking space shall be provided instead of the minimum required three (3) parking spaces for Nine (9) habitable rooms.
2. A side yard setback of 0.53 m shall be provided instead of the minimum required 2.7 m side yard setback
3. An eaves/ gutter encroachment into the required side yard shall be permitted to project the entirety of the required side yard to the lot line instead of the maximum 1.0 m or not more than one-half of the width of the required side yard, whichever is lesser.

**Notes:**

- i. **The applicant has indicated the existing dwelling was constructed prior to July 25, 1950 which has a parking space requirement of 0 spaces for a single family dwelling. A survey or other documentation has not been provided to confirm the date of construction/ issuance of a permit. Additional parking space information relating to the size and location has not been provided. Should the single family dwelling have been constructed after the passing date of Hamilton Zoning By-Law 6593, additional variances may be required.**
- ii. **The applicant shall ensure the minimum required parking space size of 2.7 m x 6.0 m be maintained for the required one (1) parking space**

- iii. **Insufficient information has been provided for any eaves/ gutters of the proposed addition. Due to the setback required for the addition, it would appear that there is insufficient space provided for any eaves/ gutters along the Northern lot line. As such, a variance has been provided to address this.**
- iv. **Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.**







Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:224</b>	<b>SUBJECT PROPERTY:</b>	277 BALMORAL AVENUE N, HAMILTON
<b>ZONE:</b>	D (One and Two Family Dwellings and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – Julie Mota-Teixeira  
Agent – Gordon Pappin

The following variances are requested:

1. A side yard setback of 0.11 m shall be provided instead of the minimum required 1.2 m side yard setback
2. An eaves/ gutter encroachment into the required side yard shall be permitted to project the entirety of the required side yard to the lot line instead of the maximum 1.0 m or not more than one-half of the width of the required side yard, whichever is lesser.

**PURPOSE & EFFECT:** To establish a 2 ½ storey, rear yard addition to the existing Single Family Dwelling.

**Notes:**

- i. Insufficient information has been provided for any eaves/ gutters of the proposed addition. Due to the setback required for the addition, it would appear that there is insufficient space provided for any eaves/ gutters along the Northern lot line. As such, a variance has been provided to address this.
- ii. Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.
- iii. The By-law requires parking at a rate of two (2) parking spaces for the first eight (8) habitable

**HM/A-22:224**

rooms plus 0.5 spaces for each additional habitable room. No floor plans were provided to confirm the total number of habitable rooms proposed and as a result the minimum number of parking spaces required could not be determined. Therefore, 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.

HM/A-22:224



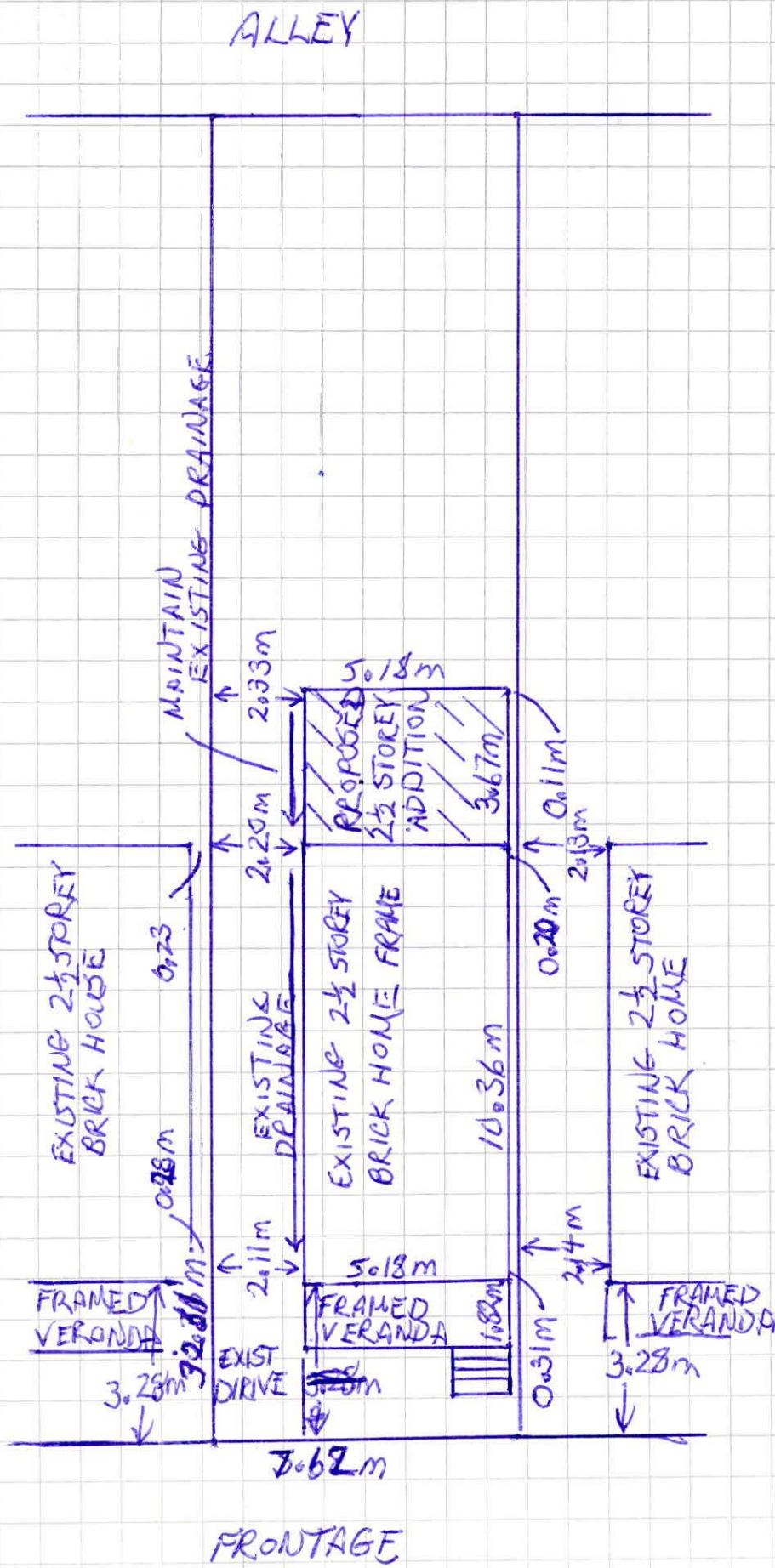
 Subject Lands

DATED: July 26, 2022

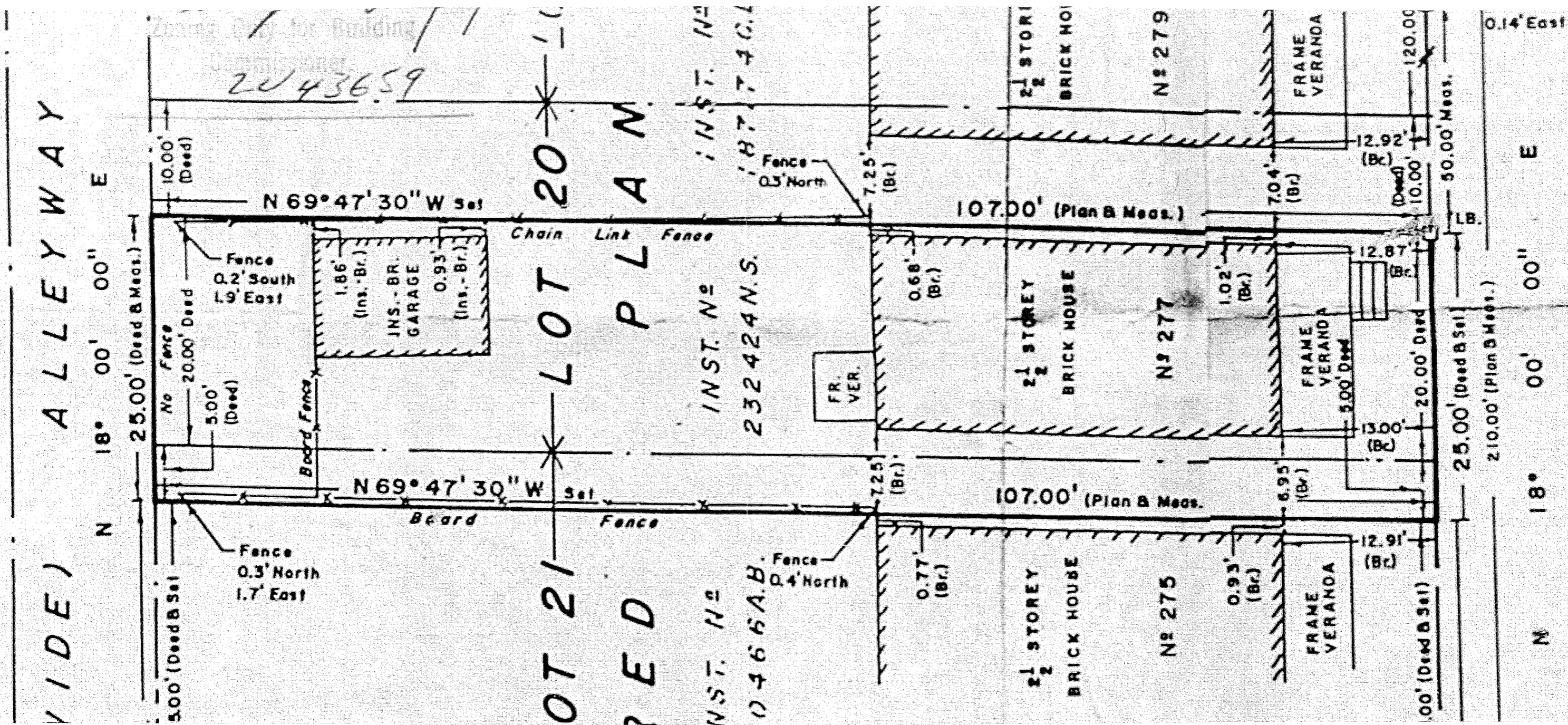
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



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



LOT 20/21 RESIDENTIAL - EXISTING AND ADDITION TO  
BE COMPLETED IN STUCCO  
277 BALMORAL AVE. N.  
HAMINGTON, ONT

	EXISTING	ADDITION	TOTAL	%	ALLOWED %
LOT COVERAGE	58.70 <sup>2</sup> m	18.96 <sup>2</sup> m	72.66 <sup>2</sup> m	17	—
GROSS FLOOR PLAN LANDSCAPED AREA	16.11 <sup>2</sup> m	56.87 <sup>2</sup> m	217.98 <sup>2</sup> m	17	—
NO. OF STOREYS HEIGHT	2 <sup>0</sup> STOREY 8.94m	2 <sup>0</sup> STOREY 8.94m	2 <sup>0</sup> STOREY 8.94m		
WIDTH	5.18 <sup>2</sup> m	5.18 <sup>2</sup> m	5.18 <sup>2</sup> m		—
DEPTH	10.36 <sup>2</sup> m	3.66 <sup>2</sup> m	14.02 <sup>2</sup> m		—
PARKING	—	—	—		—

LOT AREA - 248.44<sup>2</sup>m

LOT FRONTAGE - 7.62m

LOT DEPTH - 32.61m

SET BACKS	EXISTING	PROPOSED
FRONT YARD	3.92m	14.28m
REAR YARD	28.33m	24.67m
INTERIOR SIDE (NORTH)	0.31m	0.11m
INTERIOR SIDE (SOUTH)	2.12m	2.20m



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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)	Julie G. Mota-Teixeira	[REDACTED]
Applicant(s)*		
Agent or Solicitor	GORDON PAPPIN	

**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: COMPLETE A 2<sup>ND</sup> STOREY ADDITION AT THE REAR OF THE HOME. CONTINUING THE NORTH WALL OF THE ADDITION WITH THE EXISTING RESIDENCE WITHIN THE EXISTING LIMIT OF BUILDING A STRUCTURE WITHIN PROXIMITY TO PROPERTY LINE.

- Secondary Dwelling Unit       Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?  
EXISTING RESIDENTIAL NORTH WALL SITS 0.21 M FROM PROPERTY LINE. TO CONTINUE THE ADDITION ON THE EXISTING LINE THE ADDITION INFRINGES ON EXISTING BY-LAWS OF NEW STRUCTURE BUILT NEXT TO PROPERTY LINE, IN THIS CASE 0.21 M

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**):

277 BALMORAL AVE. N. LOT 20/21  
 HAMILTON, ONT.  
 L8L 7S3

7. PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial   
 Agricultural       Vacant       Other

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use N/A

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown

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

- Yes       No       Unknown



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

Yes  No  Unknown

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

been used a single family Dwelling since was built

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

Date June 10/22

Signature Property Owner(s)

Print Name of Owner(s) Julie Mota-Teixeira

10. Dimensions of lands affected:

Frontage 70.62 m  
 Depth 32.61 m  
 Area 248.49 m<sup>2</sup>  
 Width of street 8.14 m

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

Existing: 2 1/2 STOREY RESIDENTIAL HOME - GROUND FLOOR AREA - 53.70 m<sup>2</sup>, GROSS FLOOR AREA - 161.11 m<sup>2</sup>, WIDTH - 5.18 m, LENGTH 10.36 m, HEIGHT - 8.94 m. STRUCTURE IS PRESENTLY BRICK FRAMED TO BE COMPLETED IN STUCCO.

Proposed ADDITION TO REAR OF HOME, FULL WIDTH AND HEIGHT OF EXISTING RESIDENCE PLUS DEPTH. ADDITION WILL BE 2 1/2 STOREY STUCCO. GROUND FLOOR AREA - 18.96 m<sup>2</sup>, GROSS FLOOR AREA - 56.87 m<sup>2</sup>, WIDTH - 5.18 m, LENGTH - 3.66 m, HEIGHT - 8.94 m.

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

Existing: EXISTING RESIDENTIAL HOME - FROM FRONT LOT LINE: N/E CORNER - 3.92 m, S/E CORNER - 3.96 m, FROM REAR LOT LINE: N/W CORNER - 8.13 m, S/W CORNER - 8.09 m - FROM INTERIOR SIDE: NORTH - N/E CORNER - 0.31 m, N/W CORNER - 0.21 m - FROM INTERIOR SIDE: SOUTH - S/E CORNER - 2.12 m, S/W CORNER - 2.21 m

Proposed: ADDITION - FROM FRONT LOT LINE: N/E CORNER - 14.28 m, FROM S/E CORNER - 14.32 m, FROM REAR LOT LINE: N/W CORNER - 14.67 m, S/W CORNER - 14.63 m - FROM INTERIOR SIDE - NORTH - N/E CORNER - 0.21 m, N/W CORNER - 0.18 m - FROM INTERIOR SIDE - SOUTH - S/E CORNER - 2.21 m, S/W CORNER - 2.24 m.

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:233</b>	<b>SUBJECT PROPERTY:</b>	221 HESS STREET S, HAMILTON
<b>ZONE:</b>	"DE-3" (Multiple Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner – Lucie Gingras

The following variances are requested:

1. An uncovered front porch shall be permitted to be located as close as 0.0 m from the street line whereas the By – Law states that a terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre (3.28 feet) above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres (1.64 feet) from the nearest side lot line and at least 1.5 metres (4.92 feet) from the nearest street line; and

**PURPOSE & EFFECT:** To permit the construction of a front porch to an existing single-family dwelling notwithstanding that;

**Notes:**

- i. It appears based on GIS that the existing building is straddling the property lot line and onto the road allowance (Hess Street South) and the variance has been written based on that.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

HM/A-22:233

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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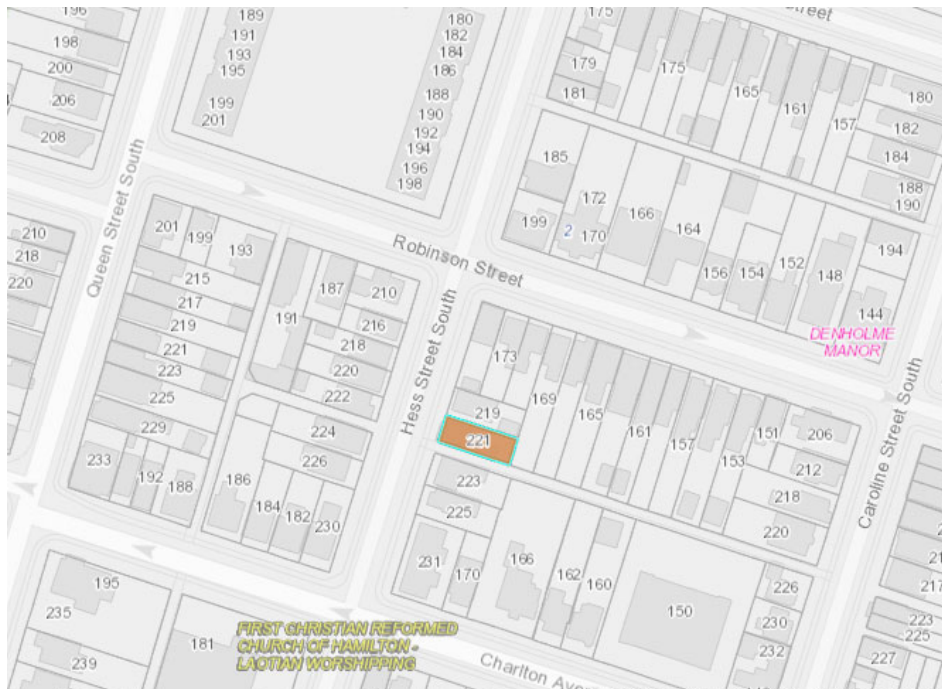
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



**Subject Lands**

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

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#### 1. Virtual Oral Submissions

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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.

#### 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 (2<sup>nd</sup> 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](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

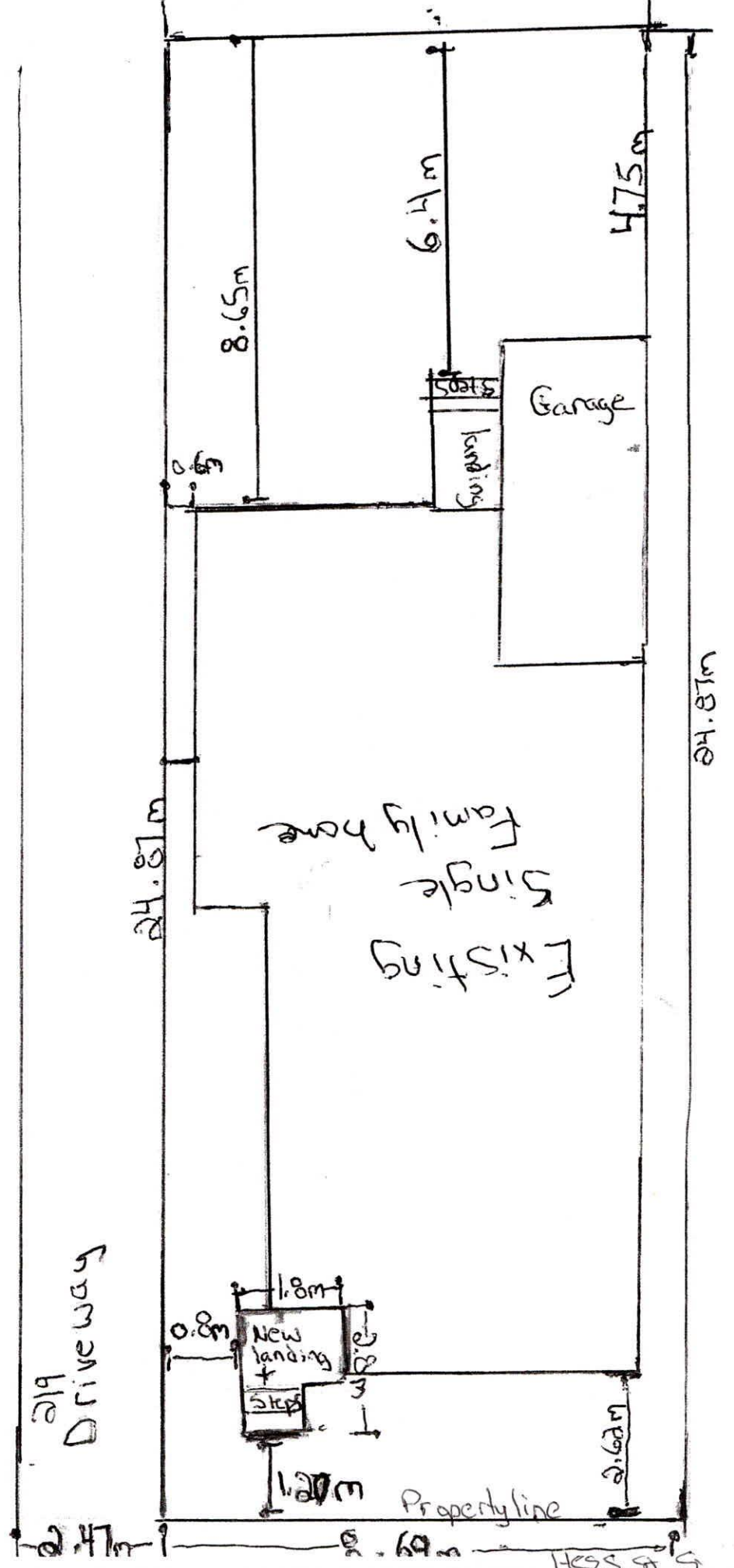
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Lts 137 138 221 Hess St S

Proposed plan 32



Scale  
1:100



219 Hess St Single Family home

Alley way

223 Hess St South Single Family home

Existing Single Family home

New landing + steps

Garage

Landing

Steps

Property line

219 Hess St Drive way

24.47m

1.69m

Hess St S

24.57m



Scale  
1:100

219  
Hess  
St  
Single  
Family  
home

219  
Hess  
St  
Single  
Family  
home

24.87m

8.65m

6.41m

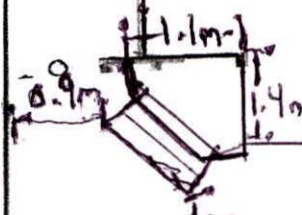
4.75m

24.87m

Existing  
Single Family  
home.

Alley way

223  
Hess St  
South  
Single  
Family  
home



Property line

24.87m

8.69m

Hess St S 24.57m



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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	
<b>Registered Owners(s)</b>	Lucie Gingras		
<b>Applicant(s)*</b>	Lucie Gingras		
<b>Agent or Solicitor</b>			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:

None



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

4. Nature and extent of relief applied for:

Front landing and stairs need to be expanded and will be constructed using composite & aluminum railing instead of wood. We need relief from the need to respect both the set back from the front of the property and the use the same building material to construct the stairs and landing. The landing and stairs will end 1.2 m from the front property line

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Landing and stairs at the front of the house are old, narrow and do not meet the accessibility needs of the occupants. Stairs and landing need to be expanded. There is no space or land to expand the stairs and landing other than by decreasing the set back. To lower the maintenance composite and aluminum railings will be used.

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**):

221 Hess St South  
PT LTS 137 & 138, PL 256 , AS IN VM85174 ; HAMILTON  
City of Hamilton  
PIN# 17135-0319 (LT)

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?

I have owned the house for 25 years, at the time I bought it the house was completely redone, the garage is made of cinder block and wood. I can answer no to the above question for the past 25 years but prior to this I have no 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.

July 3 2022  
Date

  
Signature Property Owner(s)

Lucie Gingras  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>8 meter</u>
Depth	<u>24 meters</u>
Area	<u>0.05</u>
Width of street	<u>9 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 existing landing and stairs, made of pressure treated wood, are open, uncovered and take up and area of about 2.1 m2

Proposed

The landing and stairs will be redone using composite material and aluminum railing will be open, uncovered and take up and area of about 4.8 m2

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 landing is in the form of a right angle triangle 0.9 m from the lot property line on the north side and 2.4 m from the front property line see existing plans for details see further details in the existing plan provided

Proposed:

Stairs and landing will remain at the same height but will end 1.2 m from the property line and 0.8 m from the north side property line. See further details on the size in the attached proposed plan

13. Date of acquisition of subject lands:  
1997
14. Date of construction of all buildings and structures on subject lands:  
Unknown date of original construction front stairs redone in 1997
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 on both sides home on the south side seperated by alleyway
17. Length of time the existing uses of the subject property have continued:  
25 years
18. Municipal services available: (check the appropriate space or spaces)  
Water  Connected   
Sanitary Sewer  Connected   
Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Urban Hamilton Official PPlan-Schedule E1- Neighbourhoods; and not part of a se
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Zoned DE-3 Multiple Dwelling in Zoning By-law No. 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:  
\_\_\_\_\_
- 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:153</b>	<b>SUBJECT PROPERTY:</b>	9 SOUTHVIEW PLACE, HAMILTON
<b>ZONE:</b>	C/S-1335 and C/S-1335a (Urban Protected Residential, etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended by By-law No. 95-02 and 05-033

**APPLICANTS:**      Owner – S. Mohan & S. Mohan  
                                 Agent – Vivek Gupta

The following variances are requested:

1. Two (2) entrances shall be permitted on the front façade of the dwelling instead of the requirement that a maximum of one entrance shall be permitted on the front facade of a dwelling containing a Secondary Dwelling Unit.
2. A minimum parking space length of 5.9m shall be permitted instead of the minimum required parking space length of 6.0m.

**PURPOSE & EFFECT:**      To establish a Secondary Dwelling Unit within an existing Single Family Dwelling.

**Notes:**

- i) Pursuant to the regulations contained in Section 19 of Hamilton Zoning By-law No. 6593, a Secondary Dwelling Unit shall contain a maximum of two (2) bedrooms. The Plans for a secondary dwelling unit in the basement show two (2) bedrooms. The Agent indicated that the “proposed rec room”, “proposed office” and “proposed storage” are not intended to be used as “bedrooms”. If these rooms are used as bedrooms, a further variance 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:

HM/A-22:153

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

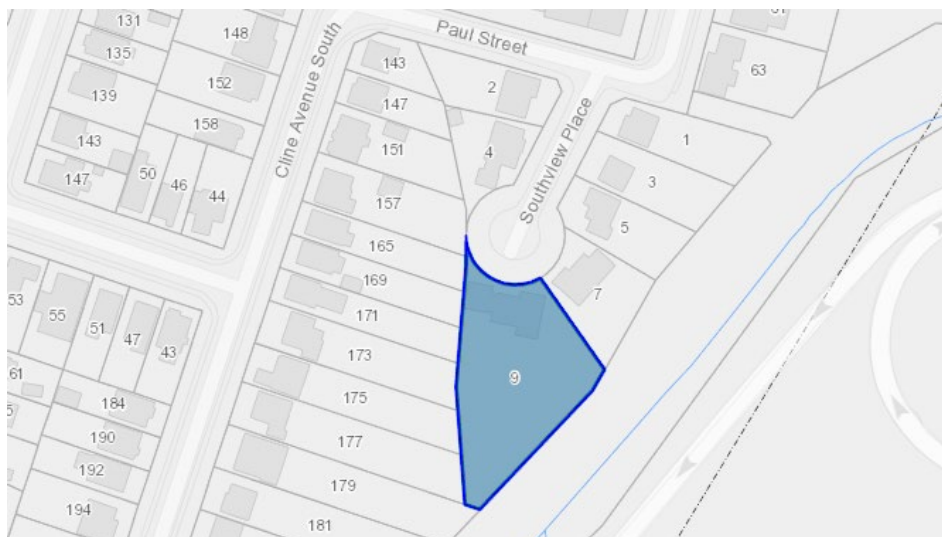
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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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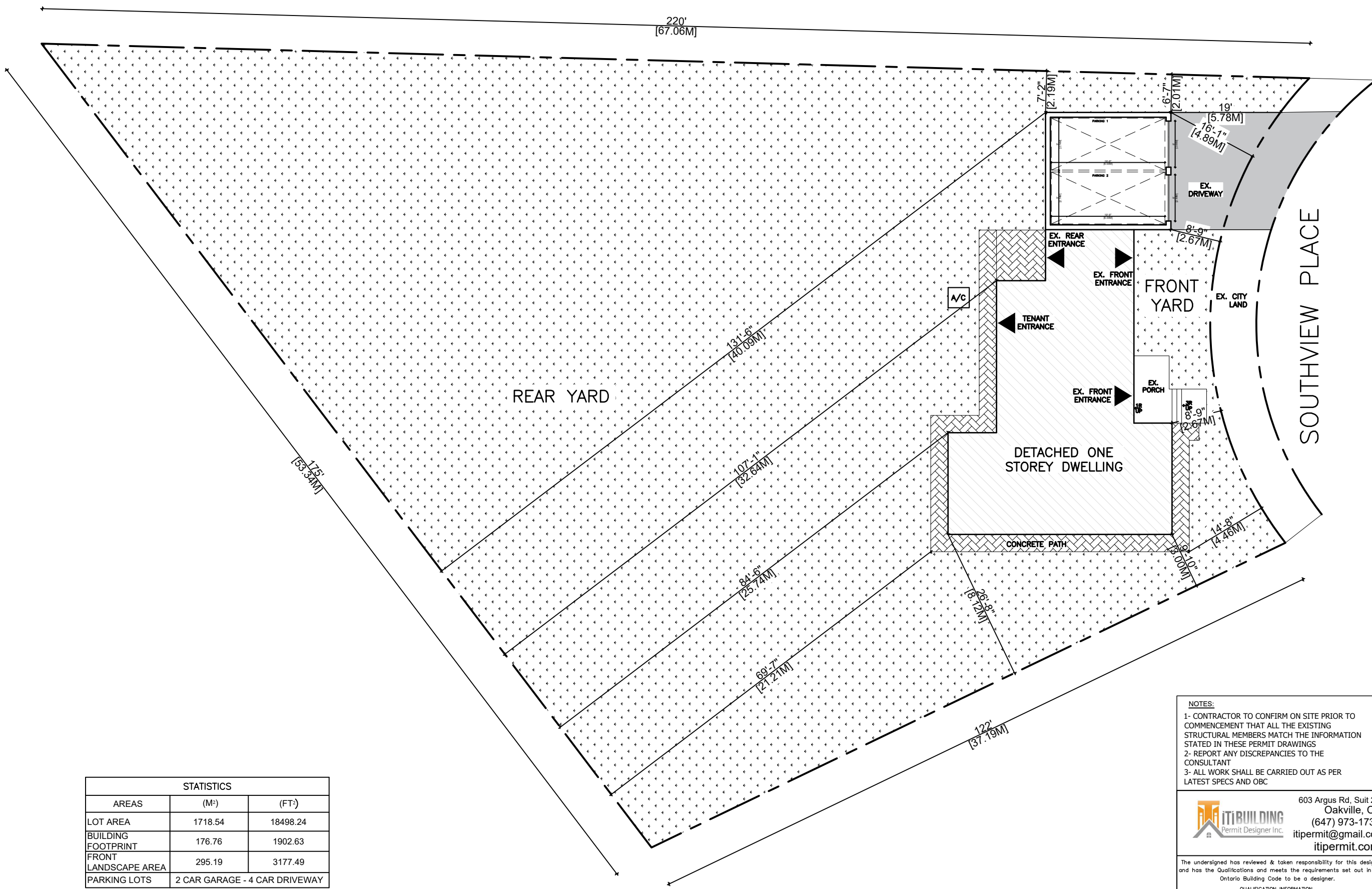
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BUILDING FOOTPRINT	176.76	1902.63
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PARKING LOTS	2 CAR GARAGE - 4 CAR DRIVEWAY	

DOOR SCHEDULE			
NO	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
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D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
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	INTERIOR	30" X 80"	EXISTING DOOR TO REMAIN

LEGEND:	
SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm <sup>2</sup> PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m <sup>2</sup> (.277 s.f.)
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	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
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	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

**NOTES:**  
 1- CONTRACTOR TO CONFIRM ON SITE PRIOR TO COMMENCEMENT THAT ALL THE EXISTING STRUCTURAL MEMBERS MATCH THE INFORMATION STATED IN THESE PERMIT DRAWINGS  
 2- REPORT ANY DISCREPANCIES TO THE CONSULTANT  
 3- ALL WORK SHALL BE CARRIED OUT AS PER LATEST SPECS AND OBC

**ITIBUILDING** Permit Designer Inc.  
 603 Argus Rd, Suit 201 Oakville, ON (647) 973-1733  
 itipermits@gmail.com itipermits.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

**QUALIFICATION INFORMATION**  
 Required unless design is exempt under 3.2.5 of Div.C. of the building code  
 VIVEK GUPTA 39587 BCIN  
 Name BCIN  
 Signature Date  
 #CURDATE

**REGISTRATION INFORMATION**  
 Required unless design is exempt under 3.2.5. of Div. C. of the building code  
 ITI PERMIT DESIGNERS INC. -  
 Firm Name BCIN

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

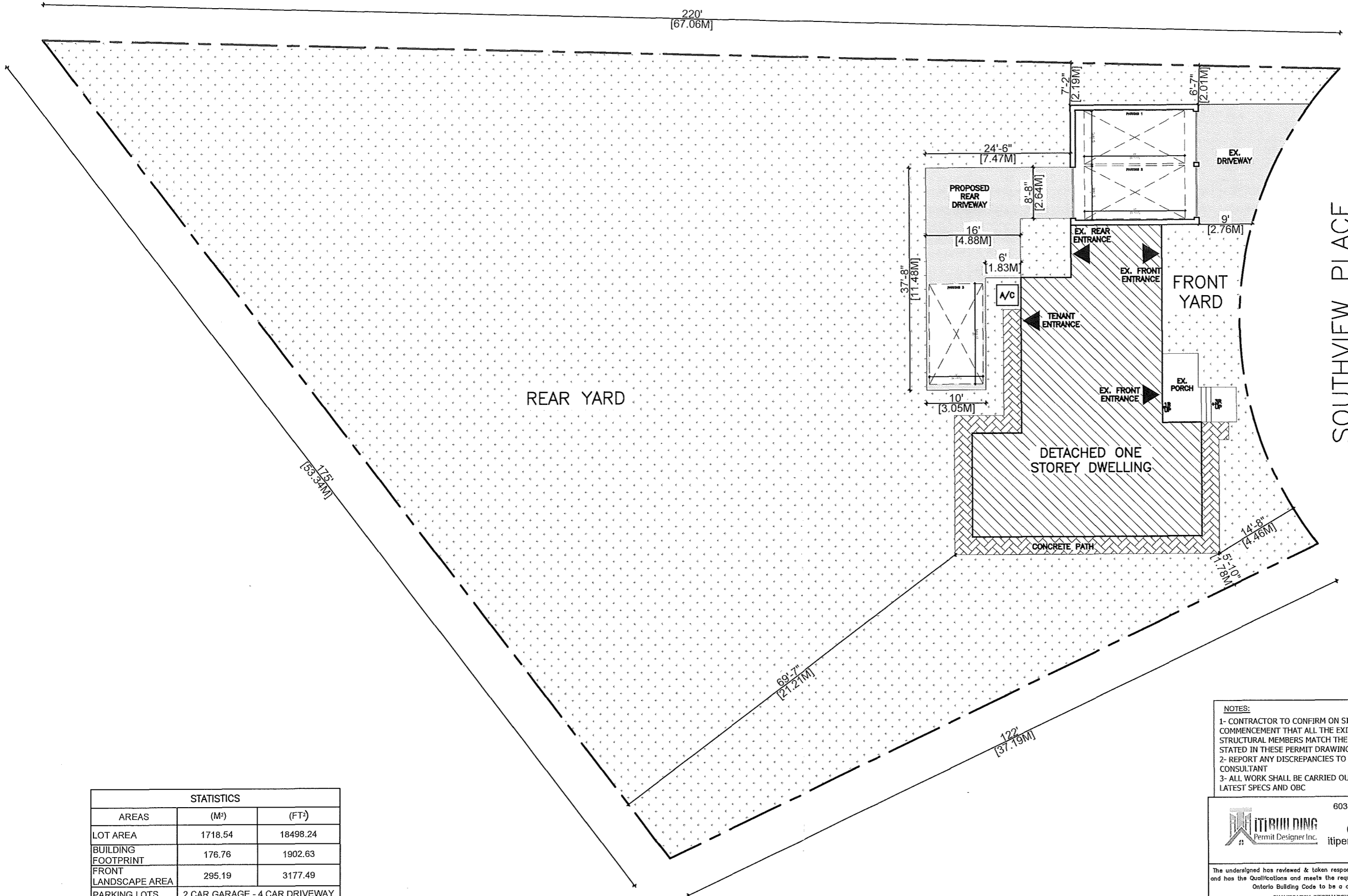
**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

**CLIENT APPROVAL DATE:** 21-07-30  
**ORIGINAL DATE:** 21-07-09  
**REV. 1 DATE:** 21-07-30 **REV. 2 DATE:** 21-09-20  
**REV. 3 DATE:** 21-10-10 **REV. 4 DATE:** 21-11-18

**DRAWN BY:** JO  
**CHECKED BY:** VG

**DRAWING NAME:** DRG. SCALE: 1:200  
**DRAWING NO.:** SP1.02  
**SHEET SIZE:** 17" x 11"





NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
DD1	INTERIOR	30" X 80"	NEW INTERIOR DOOR
DD2	INTERIOR	32" X 80"	NEW INTERIOR DOOR
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**LEGEND:**

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**ITIPERMITTING**  
 Permit Designer Inc.  
 603 Argus Rd, Suit 201  
 Oakville, ON  
 (647) 973-1733  
 itipermitt@gmail.com  
 itipermitt.com

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

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The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

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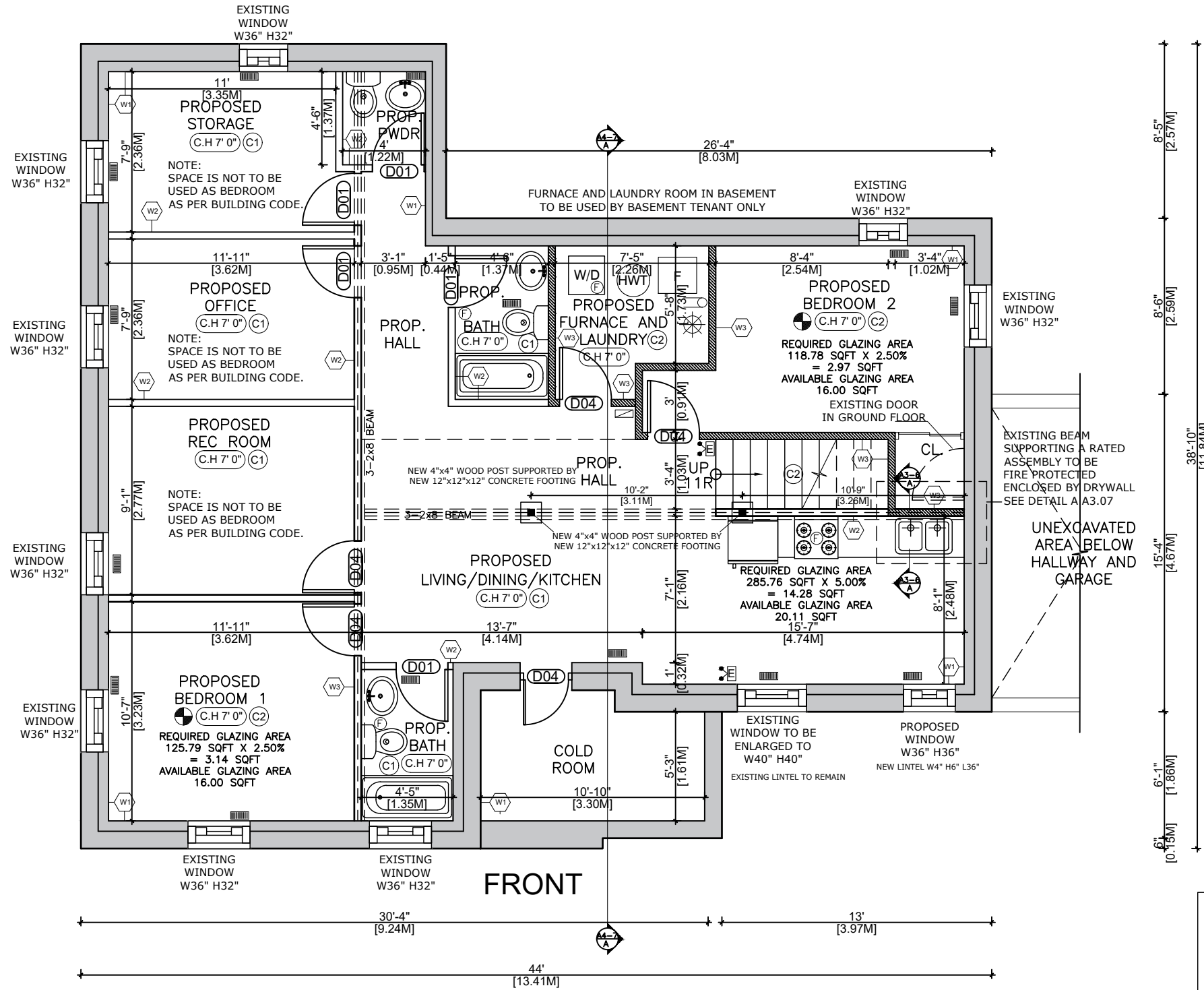
Name: VIVEK GUPTA 39587 BCIN  
 Signature: [Signature] #CURDATE  
 Date: [Date]

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ITI PERMIT DESIGNERS INC. BCIN

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	REV. 3 DATE: 21-10-10	REV. 4 DATE: 21-11-1
DRAWN BY: JO		
CHECKED BY: VG		
DRAWING NAME: SITE PLAN	DRG. SCALE: 1:200	DRAWING NO: SP1.02
		SHEET SIZE: 17" x 11"

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	THREE WAY ELECTRIC OUTLET

**WALL LEGENDS**

**C1 FLOOR ASSEMBLY SB-3 (F8d)**  
 FRR - 30 MIN. STC-50  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS  
 3- RESILIENT CHANNEL @ 24" O/C  
 4- 5/8" GYPSUM BOARD TYPE 'X'

**C2 FLOOR ASSEMBLY SB-3 (F4c)**  
 FRR - 45 MIN. STC-35  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS W/ 6" SOUND INSULATION (STC 35)  
 3- 2 x 5/8" GYPSUM BOARD TYPE 'X'

**W1 SB-3 (ASSEMBLY EW1)**  
 TYP. EXTERIOR WALL

1- EXTERIOR FOUNDATION WALL  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- MIN. R20 BATT INSULATION  
 4- 6 MIL. POLY VAPOUR BARRIER  
 5- 1/2" GYPSUM BOARD

**W2 SB-3 (ASSEMBLY W1c)**  
 TYP. INTERIOR WALL

1- 1/2" GYPSUM BOARD  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- 1/2" GYPSUM BOARD

**W3 SB-3 (ASSEMBLY W4a)**  
 FRR INTERIOR PARTITION WALL (1H FRR & 51 STC):  
 1- 5/8" GYPSUM BOARD TYPE 'X' ON BOTH SIDES  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS WITH 6 MIL POLY UNDER PLATE  
 3- ENTIRE STUD CAVITY FILLED WITH SOUND INSULATION (STC51)  
 4- RESILIENT CHANNELS ON BOTH SIDE SPACED @16" O.C W/ 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON OTHER RESILIENT METAL CHANNEL SIDE

**MAIN UNIT**  
 2418.75 SQ FT  
 224.71 SQ M

**SECOND UNIT TENANT ARE**  
 608.65 SQ FT  
 56.54 SQ M

**ITIBUILDING**  
 Permit Designer Inc.  
 603 Argus Rd, Suit 201  
 Oakville, ON  
 (647) 973-1733  
 itipermits@gmail.com  
 itipermits.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION  
 Required unless design is exempt under 3.2.5 of Div.C. of the building code

VIVEK GUPTA 39587 BCIN  
 Name #CURDATE  
 Signature Date

REGISTRATION INFORMATION  
 Required unless design is exempt under 3.2.5 of Div. C. of the building code

ITIPERMIT DESIGNERS INC. -  
 Firm Name BCIN

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

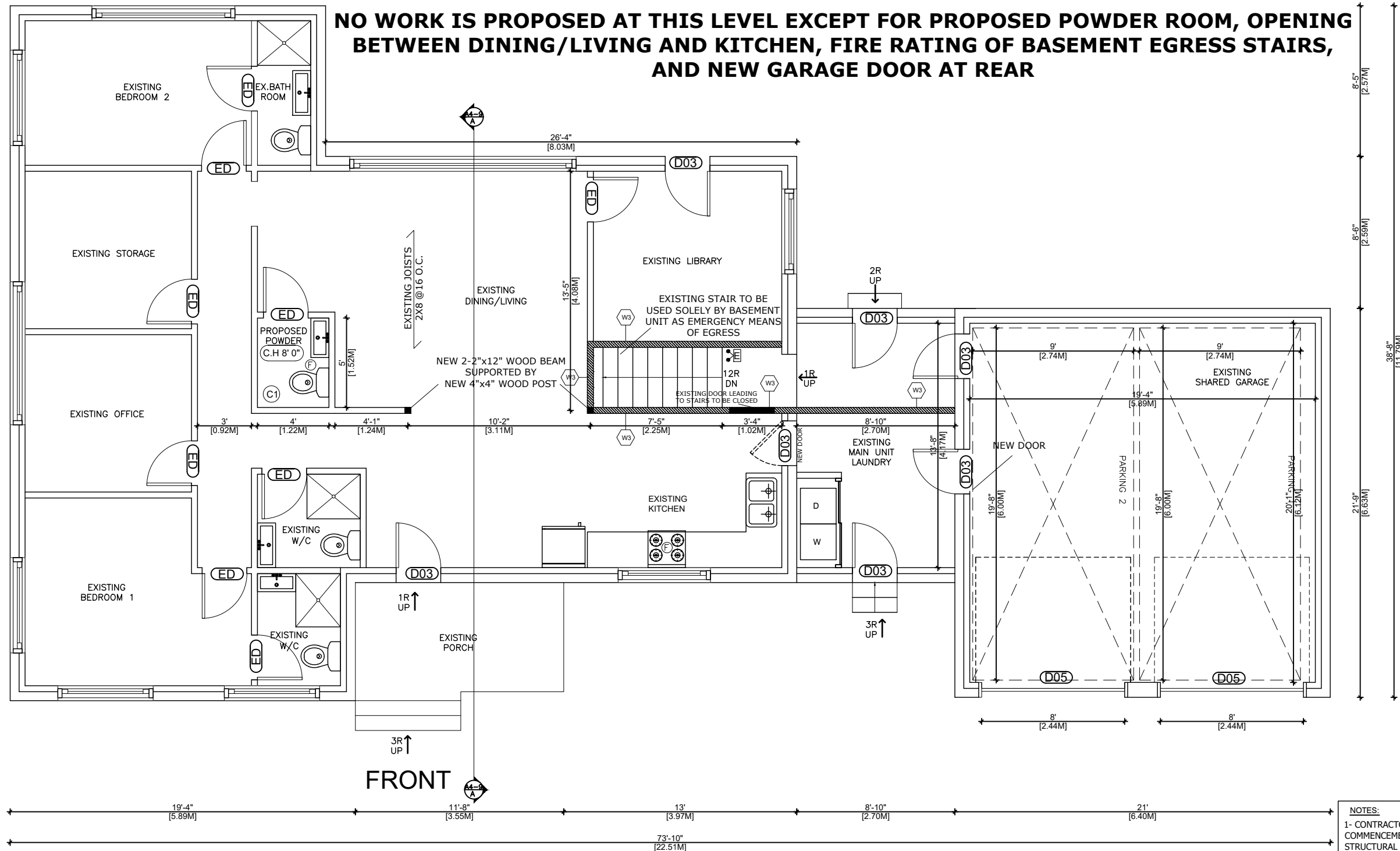
**CLIENT APPROVAL DATE:** 21-07-30  
**REV. 1 DATE:** 21-07-30  
**REV. 3 DATE:** 21-12-15

**ORIGINAL DATE:** 21-07-09  
**REV. 2 DATE:** 21-09-20

**DRAWN BY:** JO  
**CHECKED BY:** VG

**DRAWING NAME:** BASEMENT PLAN  
**DRG. SCALE:** 1:75  
**DRAWING NO.:** A1.03  
**SHEET SIZE:** 17" x 11"

**NO WORK IS PROPOSED AT THIS LEVEL EXCEPT FOR PROPOSED POWDER ROOM, OPENING BETWEEN DINING/LIVING AND KITCHEN, FIRE RATING OF BASEMENT EGRESS STAIRS, AND NEW GARAGE DOOR AT REAR**



DOOR SCHEDULE			
NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
D05	EXTERIOR	104" X 84"	EXISTING GARAGE DOOR WITH MECHANICAL AUTOMATIC OPENER
ED	INTERIOR	30" X 80"	EXISTING DOOR TO REMAIN

LEGEND:	
SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm2 PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m2 (277 s.f.)
	RETURN-AIR GRILLE. PROVIDED IN ALL FIRE COMPARTMENTS SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.
	EXHAUST FAN VENTED DIRECTLY TO EXTERIOR.
	EXISTING WALL TO REMAIN.
	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
	FIRE SEPARATION. PROVIDE CONSTRUCTION LABEL ALL REQUIRED SEPARATIONS WITH MINUTE RATINGS.
	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

**NOTES:**  
 1- CONTRACTOR TO CONFIRM ON SITE PRIOR TO COMMENCEMENT THAT ALL THE EXISTING STRUCTURAL MEMBERS MATCH THE INFORMATION STATED IN THESE PERMIT DRAWINGS  
 2- REPORT ANY DISCREPANCIES TO THE CONSULTANT  
 3- ALL WORK SHALL BE CARRIED OUT AS PER LATEST SPECS AND OBC

**WALL LEGENDS**

**C1 FLOOR ASSEMBLY SB-3 (F8d) FRR - 30 MIN. STC-50**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS  
 3- RESILIENT CHANNEL @ 24" O/C  
 4- 5/8" GYPSUM BOARD TYPE 'X'

**C2 FLOOR ASSEMBLY SB-3 (F4c) FRR - 45 MIN. STC-35**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS W/ 6" SOUND INSULATION (STC 35)  
 3- 2 x 5/8" GYPSUM BOARD TYPE 'X'

**W1 SB-3 (ASSEMBLY EW1) TYP. EXTERIOR WALL**

- 1- EXTERIOR FOUNDATION WALL
- 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS
- 3- MIN. R20 BATT INSULATION
- 4- 6 MIL. POLY VAPOUR BARRIER
- 5- 1/2" GYPSUM BOARD

**W2 SB-3 (ASSEMBLY W1c) TYP. INTERIOR WALL**

- 1- 1/2" GYPSUM BOARD
- 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS
- 3- 1/2" GYPSUM BOARD

**W3 SB-3 (ASSEMBLY W4a) FRR INTERIOR PARTITION WALL (1H FRR & 51 STC):**

- 1- 5/8" GYPSUM BOARD TYPE 'X' ON BOTH SIDES
- 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS WITH 6 MIL POLY UNDER PLATE
- 3- ENTIRE STUD CAVITY FILLED WITH SOUND INSULATION (STC51)
- 4- RESILIENT CHANNELS ON BOTH SIDE SPACED @16" O.C W/ 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON OTHER RESILIENT METAL CHANNEL SIDE

**MAIN UNIT**  
 2418.75 SQ FT  
 224.71 SQ M

**SECOND UNIT TENANT AREA**  
 608.65 SQ FT  
 56.54 SQ M

**ITIBUILDING**  
 Permit Designer Inc.  
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 Oakville, ON  
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QUALIFICATION INFORMATION  
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VIVEK GUPTA 39587 BCIN  
 Name BCIN  
 Signature Date  
 #CURDATE

REGISTRATION INFORMATION  
 Required unless design is exempt under 3.2.5. of Div. C. of the building code

ITIPERMIT DESIGNERS INC. -  
 Firm Name BCIN

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

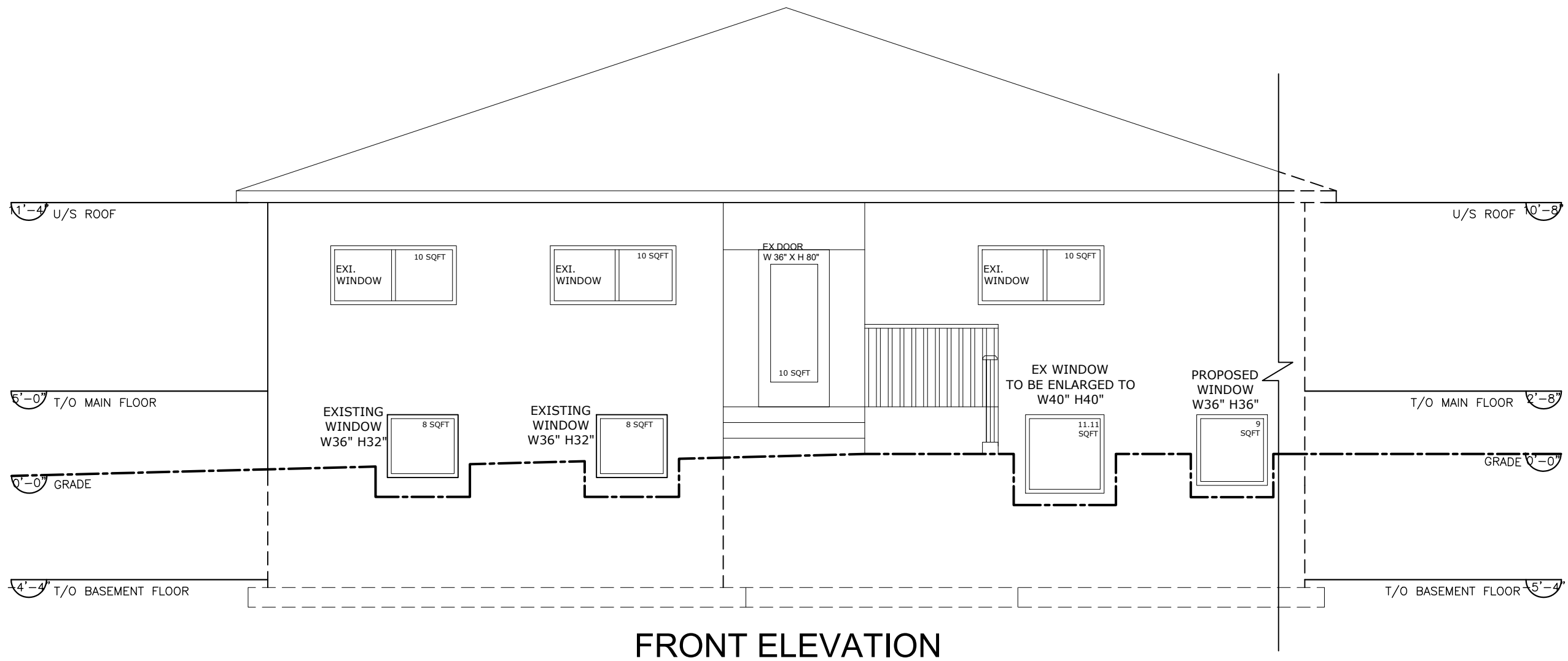
**CLIENT APPROVAL DATE:** 21-07-30  
**ORIGINAL DATE:** 21-07-09

**REV. 1 DATE:** 21-07-30  
**REV. 2 DATE:** 21-09-22

**REV. 3 DATE:** 21-12-15

**DRAWN BY:** JO  
**CHECKED BY:** VG

**DRAWING NAME:** MAIN FLOOR PLAN  
**DRG. SCALE:** 1:75  
**DRAWING NO.:** A1.04  
**SHEET SIZE:** 17" x 11"



FRONT ELEVATION

NO.	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED	EXTERIOR	32" X 80"	EXISTING DOOR TO REMAIN
	INTERIOR	30" X 80"	

LEGEND:

SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm2 PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m2 (.277 s.f.)
	RETURN-AIR GRILLE. PROVIDED IN ALL FIRE COMPARTMENTS SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.
	EXHAUST FAN VENTED DIRECTLY TO EXTERIOR.
	EXISTING WALL TO REMAIN.
	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
	FIRE SEPARATION. PROVIDE CONSTRUCTION LABEL ALL REQUIRED SEPARATIONS WITH MINUTE RATINGS.
	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

NOTES:  
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 2- REPORT ANY DISCREPANCIES TO THE CONSULTANT  
 3- ALL WORK SHALL BE CARRIED OUT AS PER LATEST SPECS AND OBC

**WALL LEGENDS**  
**C1 FLOOR ASSEMBLY SB-3 (F8d)**  
**FRR - 30 MIN. STC-50**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS  
 3- RESILIENT CHANNEL @ 24" O/C  
 4- 5/8" GYPSUM BOARD TYPE 'X'

**C2 FLOOR ASSEMBLY SB-3 (F4c)**  
**FRR - 45 MIN. STC-35**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS W/ 6" SOUND INSULATION (STC 35)  
 3- 2 x 5/8" GYPSUM BOARD TYPE 'X'

**W1 SB-3 (ASSEMBLY EW1)**  
 TYP. EXTERIOR WALL  
 1- EXTERIOR FOUNDATION WALL  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- MIN. R20 BATT INSULATION  
 4- 6 MIL. POLY VAPOUR BARRIER  
 5- 1/2" GYPSUM BOARD

**W2 SB-3 (ASSEMBLY W1c)**  
 TYP. INTERIOR WALL  
 1- 1/2" GYPSUM BOARD  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- 1/2" GYPSUM BOARD

**W3 SB-3 (ASSEMBLY W4a)**  
 FRR INTERIOR PARTITION WALL (1H FRR & 51 STC):  
 1- 5/8" GYPSUM BOARD TYPE 'X' ON BOTH SIDES  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS WITH 6 MIL POLY UNDER PLATE  
 3- ENTIRE STUD CAVITY FILLED WITH SOUND INSULATION (STC51)  
 4- RESILIENT CHANNELS ON BOTH SIDE SPACED @16" O.C W/ 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON OTHER RESILIENT METAL CHANNEL SIDE

**MAIN UNIT**  
 2418.75 SQ FT  
 224.71 SQ M

**SECOND UNIT TENANT AREA**  
 608.65 SQ FT  
 56.54 SQ M

**ITIBUILDING** Permit Designer Inc.  
 603 Argus Rd, Suit 201 Oakville, ON (647) 973-1733  
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VIVEK GUPTA 39587 BCIN  
 Name  
 Signature  
 Date

REGISTRATION INFORMATION  
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ITIPERMIT DESIGNERS INC. - BCIN  
 Firm Name

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

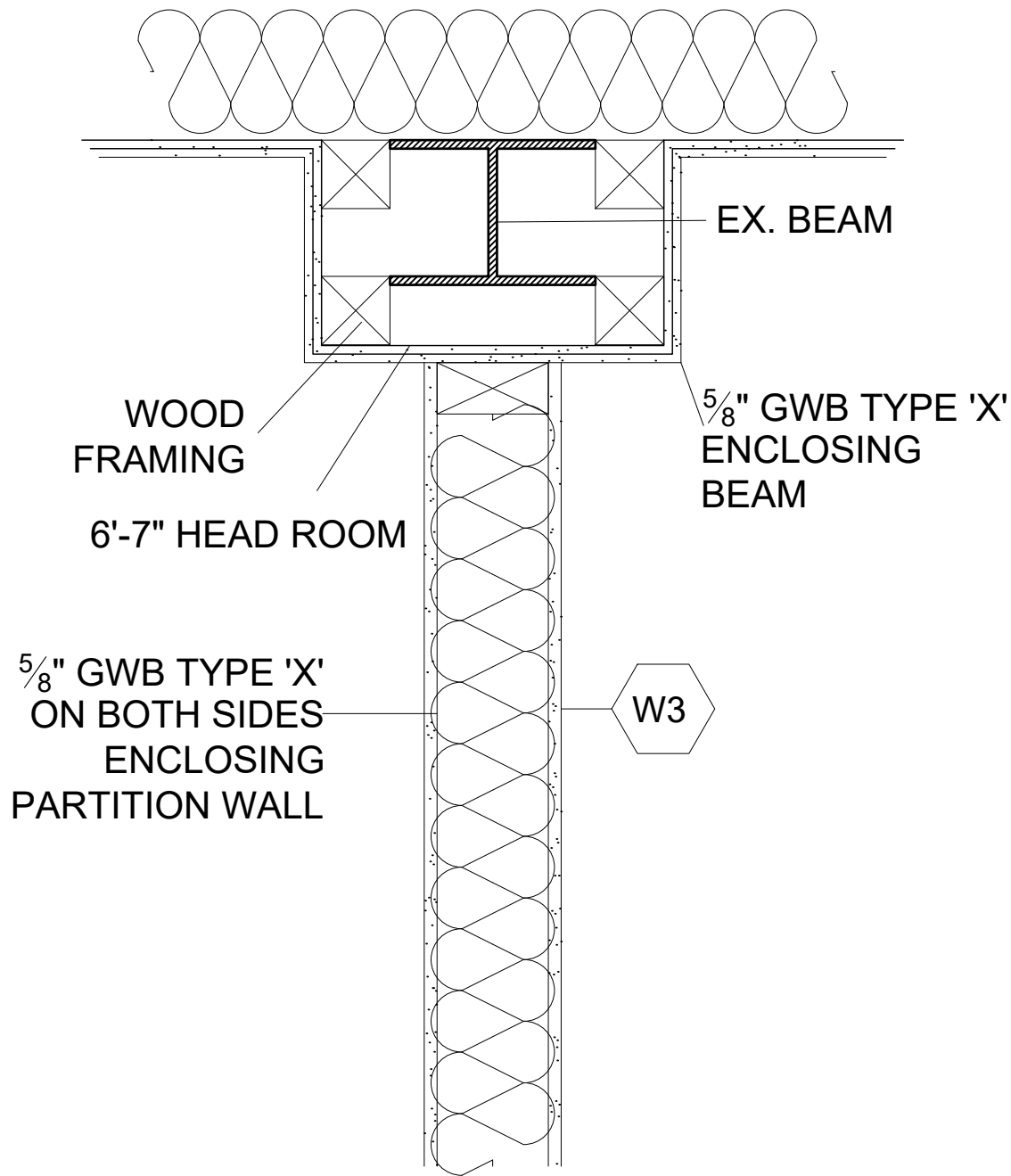
**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

CLIENT APPROVAL DATE: 21-07-30	ORIGINAL DATE: 21-07-09
REV. 1 DATE: 21-07-30	REV. 2 DATE: 21-09-20
REV. 3 DATE: 21-10-10	

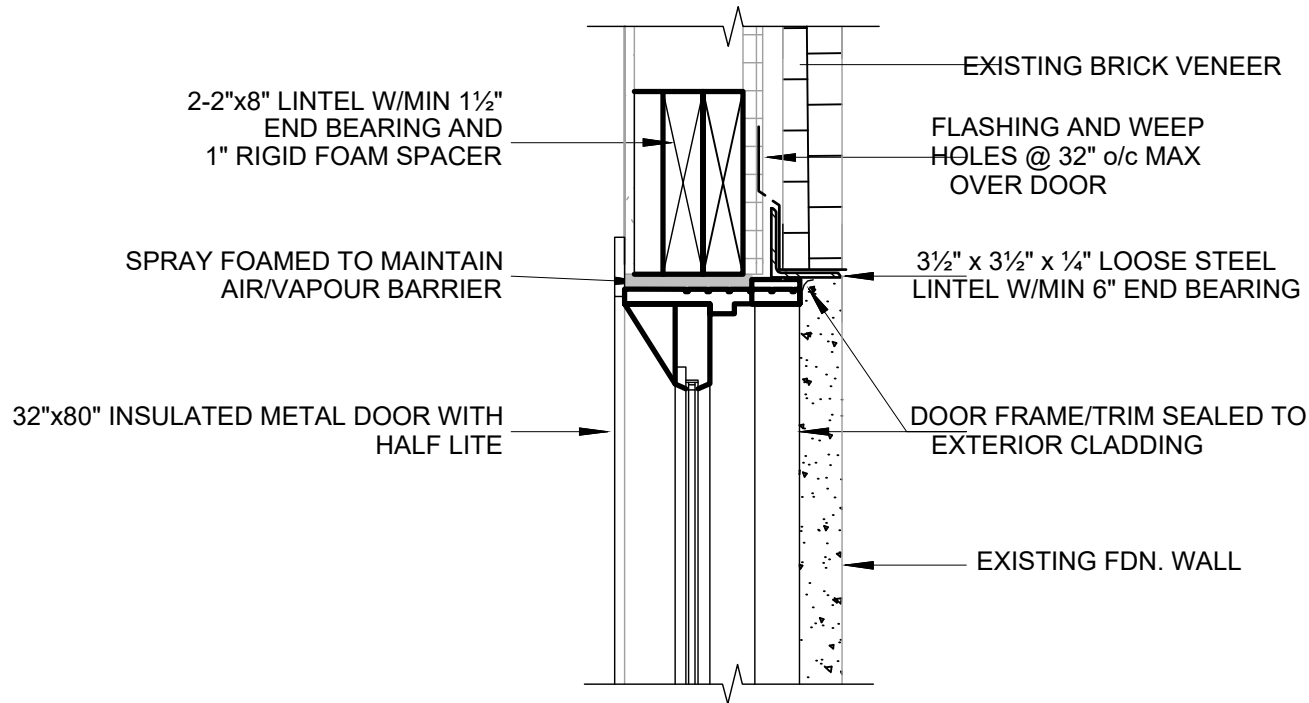
**DRAWN BY:** FB  
**CHECKED BY:** VG

**DRAWING NAME:** WEST ELEVATION  
**DRG. SCALE:** 1:60  
**DRAWING NO.:** A2.05  
**SHEET SIZE:** 17" x 11"

**CEILING ASSEMBLY 2**



**DETAIL A 1:5**  
**TYPICAL STRUCTURAL FIRE PROTECTION FOR BEAM**



**DETAIL B 1:15**  
**NEW DOOR LINTEL**

DOOR SCHEDULE			
NO	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED	EXTERIOR	32" X 80"	EXISTING DOOR TO REMAIN
	INTERIOR	30" X 80"	

LEGEND:	
SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm2 PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m2 (.277 s.f.)
	RETURN-AIR GRILLE. PROVIDED IN ALL FIRE COMPARTMENTS SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.
	EXHAUST FAN VENTED DIRECTLY TO EXTERIOR.
	EXISTING WALL TO REMAIN.
	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
	FIRE SEPARATION. PROVIDE CONSTRUCTION LABEL ALL REQUIRED SEPARATIONS WITH MINUTE RATINGS.
	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

**WALL LEGENDS**

**C1 FLOOR ASSEMBLY SB-3 (F8d) FRR - 30 MIN. STC-50**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS  
 3- RESILIENT CHANNEL @ 24" O/C  
 4- 5/8" GYPSUM BOARD TYPE 'X'

**C2 FLOOR ASSEMBLY SB-3 (F4c) FRR - 45 MIN. STC-35**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS W/ 6" SOUND INSULATION (STC 35)  
 3- 2 x 5/8" GYPSUM BOARD TYPE 'X'

**W1 SB-3 (ASSEMBLY EW1) TYP. EXTERIOR WALL**

1- EXTERIOR FOUNDATION WALL  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- MIN. R20 BATT INSULATION  
 4- 6 MIL. POLY VAPOUR BARRIER  
 5- 1/2" GYPSUM BOARD

**W2 SB-3 (ASSEMBLY W1c) TYP. INTERIOR WALL**

1- 1/2" GYPSUM BOARD  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS  
 3- 1/2" GYPSUM BOARD

**W3 SB-3 (ASSEMBLY W4a) FRR INTERIOR PARTITION WALL (1H FRR & 51 STC)**

1- 5/8" GYPSUM BOARD TYPE 'X' ON BOTH SIDES  
 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS WITH 6 MIL POLY UNDER PLATE  
 3- ENTIRE STUD CAVITY FILLED WITH SOUND INSULATION (STC51)  
 4- RESILIENT CHANNELS ON BOTH SIDE SPACED @16" O.C W/ 2 LAYERS OF 5/8" TYPE X GYPSUM BOARD ON OTHER RESILIENT METAL CHANNEL SIDE

**MAIN UNIT**  
2418.75 SQ FT  
224.71 SQ M

**SECOND UNIT TENANT AREA**  
608.65 SQ FT  
56.54 SQ M

**ITIBUILDING** Permit Designer Inc.

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Oakville, ON  
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itipermits@gmail.com  
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 VIVEK GUPTA 39587 BCIN  
 Name BCIN  
 Signature Date  
 #CURDATE

REGISTRATION INFORMATION  
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 Firm Name BCIN

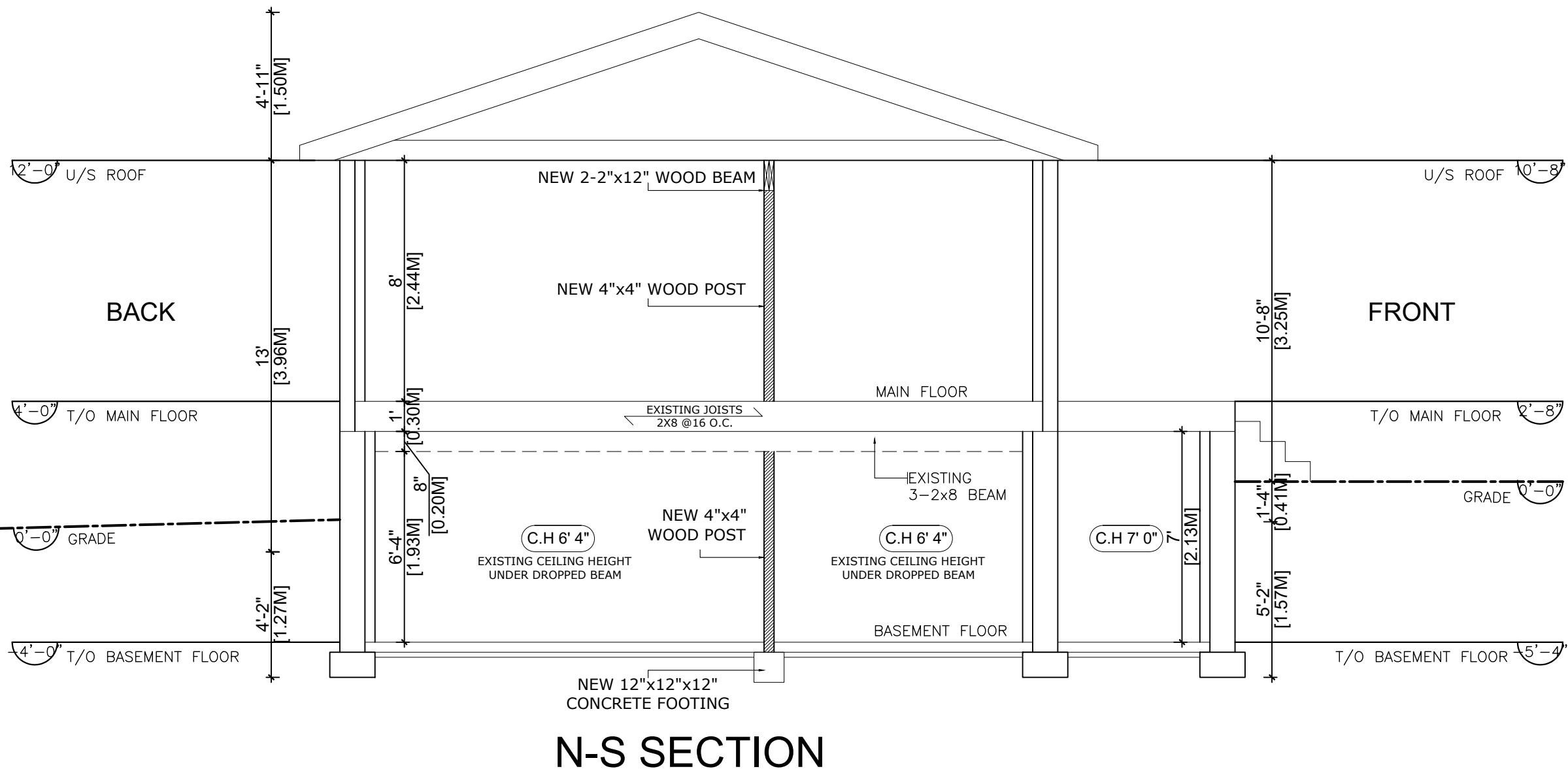
**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

**CLIENT APPROVAL DATE:** 21-07-30  
**REV. 1 DATE:** 21-07-30  
**ORIGINAL DATE:** 21-07-09  
**REV. 2 DATE:** 21-09-20

**DRAWN BY:** JO  
**CHECKED BY:** VG

**DRAWING NAME:** DETAIL  
**DRG. SCALE:** AS NOTED  
**DRAWING NO.:** A3.06  
**SHEET SIZE:** 17" x 11"



### N-S SECTION

DOOR SCHEDULE			
NO	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED	EXTERIOR	32" X 80"	EXISTING DOOR TO REMAIN
	INTERIOR	30" X 80"	EXISTING DOOR TO REMAIN

#### LEGEND:

SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm2 PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m2 (.277 s.f.)
	RETURN-AIR GRILLE. PROVIDED IN ALL FIRE COMPARTMENTS SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.
	EXHAUST FAN VENTED DIRECTLY TO EXTERIOR.
	EXISTING WALL TO REMAIN.
	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
	FIRE SEPARATION. PROVIDE CONSTRUCTION LABEL ALL REQUIRED SEPARATIONS WITH MINUTE RATINGS.
	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

**NOTES:**  
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 3- ALL WORK SHALL BE CARRIED OUT AS PER LATEST SPECS AND OBC

### CROSS SECTION

**WALL LEGENDS**

**C1 FLOOR ASSEMBLY SB-3 (F8d)**  
**FRR - 30 MIN. STC-50**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS  
 3- RESILIENT CHANNEL @ 24" O/C  
 4- 5/8" GYPSUM BOARD TYPE 'X'

**C2 FLOOR ASSEMBLY SB-3 (F4c)**  
**FRR - 45 MIN. STC-35**  
 1- 1/2" PLYWOOD SUBFLOOR  
 2- 2"x4" OR 2"x6" @16" O/C CEILING JOISTS W/ 6" SOUND INSULATION (STC 35)  
 3- 2 x 5/8" GYPSUM BOARD TYPE 'X'

**W1 SB-3 (ASSEMBLY EW1)**  
 TYP. EXTERIOR WALL

- EXTERIOR FOUNDATION WALL
- 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS
- MIN. R20 BATT INSULATION
- 6 MIL. POLY VAPOUR BARRIER
- 1/2" GYPSUM BOARD

**W2 SB-3 (ASSEMBLY W1c)**  
 TYP. INTERIOR WALL

- 1/2" GYPSUM BOARD
- 2- 2"x4" OR 2"x6" @16" O/C WOOD STUDS
- 1/2" GYPSUM BOARD

**W3 SB-3 (ASSEMBLY W4a)**  
 FRR INTERIOR PARTITION WALL (1H FRR & 51 STC):

- 1-5/8" GYPSUM BOARD TYPE 'X' ON BOTH SIDES
- 2-2"x4" OR 2"x6" @16" O/C WOOD STUDS WITH 6 MIL POLY UNDER PLATE
- 3-ENTIRE STUD CAVITY FILLED WITH SOUND INSULATION (STC51)
- RESILIENT CHANNELS ON BOTH SIDE SPACED @16" O.C W/ 2 LAYERS OF 5/8"TYPE X GYPSUM BOARD ON OTHER RESILIENT METAL CHANNEL SIDE

**MAIN UNIT**  
 2418.75 SQ FT  
 224.71 SQ M

**SECOND UNIT TENANT AREA**  
 608.65 SQ FT  
 56.54 SQ M

**ITIBUILDING**  
 Permit Designer Inc.

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VIVEK GUPTA 39587 BCIN  
 Name BCIN  
 Signature Date

REGISTRATION INFORMATION  
 Required unless design is exempt under 3.2.5 of Div. C, of the building code

ITIPERMIT DESIGNERS INC. -  
 Firm Name BCIN

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

**PROJECT NAME:** SECOND UNIT RENOVATION

**CLIENT APPROVAL DATE:** 21-07-30  
**ORIGINAL DATE:** 21-07-09

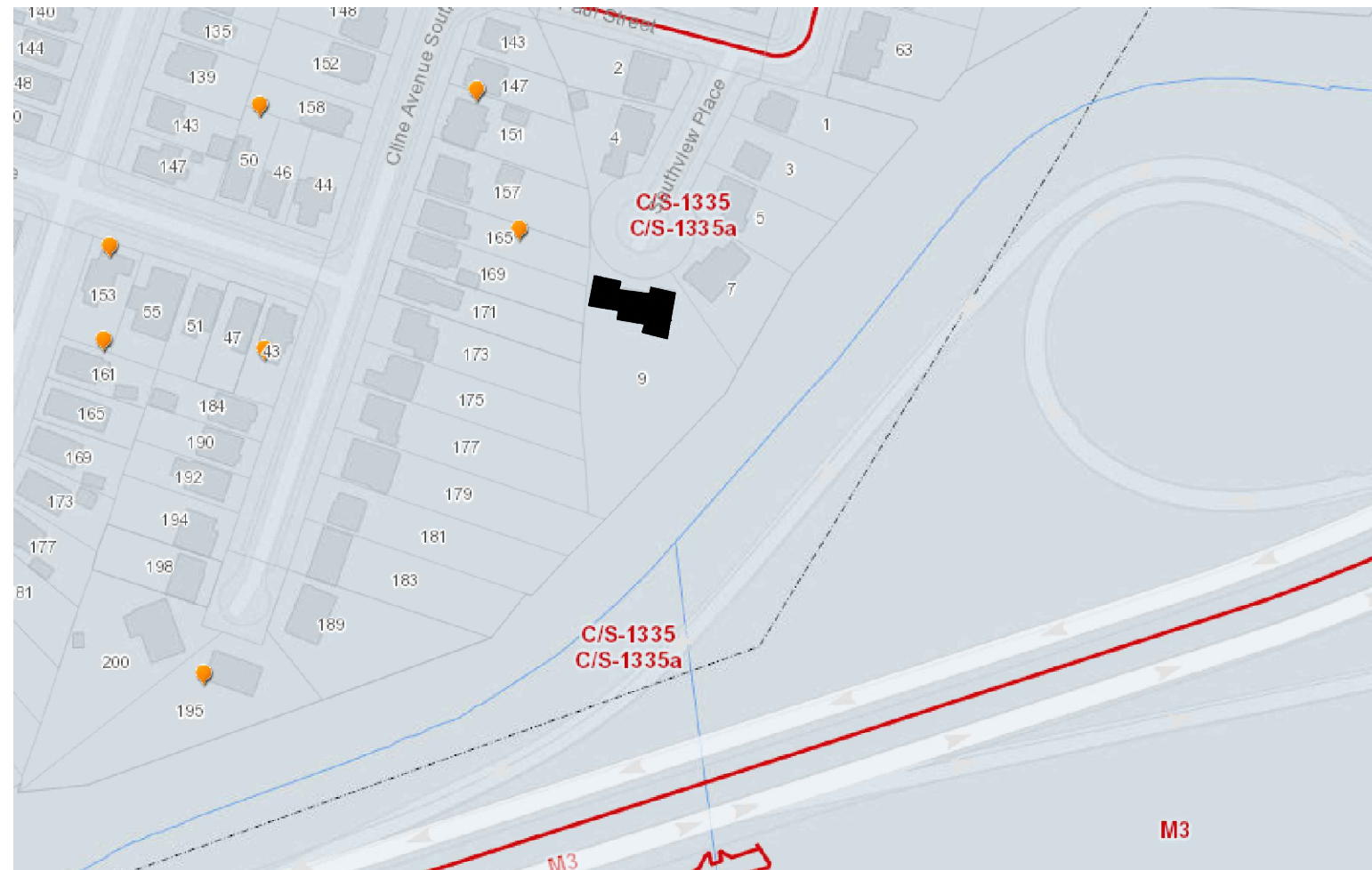
**REV. 1 DATE:** 21-07-30  
**REV. 2 DATE:** 21-09-20

**REV. 3 DATE:** 21-10-10

**DRAWN BY:** FB  
**CHECKED BY:** VG

**DRAWING NAME:** DRG. SCALE: 1:50  
**DRAWING NO.:** A4.07

**CROSS SECTION SHEET SIZE:** 17" x 11"



## SECOND UNIT BASEMENT APARTMENT

9 SOUTHVIEW PL,  
HAMILTON, ON.

### DRAWING LIST:

A0.01	COVER SHEET
SP1.02	SITE PLAN
A1.03	BASEMENT PLAN
A1.04	MAIN FLOOR PLAN
A1.05	STAIR PLAN
A2.06	ELEVATIONS
A3.07	DETAIL
A4.08	SECTIONS
A4.09	CROSS SECTION

**NOTES:**  
 1- CONTRACTOR TO CONFIRM ON SITE PRIOR TO COMMENCEMENT THAT ALL THE EXISTING STRUCTURAL MEMBERS MATCH THE INFORMATION STATED IN THESE PERMIT DRAWINGS  
 2- REPORT ANY DISCREPANCIES TO THE CONSULTANT  
 3- ALL WORK SHALL BE CARRIED OUT AS PER LATEST SPECS AND OBC

**ITI BUILDING**  
 Permit Designer Inc.  
 603 Argus Rd, Suit 201  
 Oakville, ON  
 (647) 973-1733  
 itipermit@gmail.com  
 itipermit.com

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION  
 Required unless design is exempt under 3.2.5 of Div.C, of the building code  
 Name: VIVEK GUPTA BCIN: 39587  
 Signature: [Signature] Date: #CURDATE

REGISTRATION INFORMATION  
 Required unless design is exempt under 3.2.5. of Div. C, of the building code  
 Firm Name: ITI PERMIT DESIGNERS INC. BCIN: -

NO	TYPE	SIZE (DOOR LEAF)	REMARKS
D01	INTERIOR	30" X 80"	NEW INTERIOR DOOR
D02	INTERIOR	32" X 80"	NEW INTERIOR DOOR
D03	EXTERIOR	32" X 80"	NEW 20 MIN FIRE-RATED DOOR WITH FRAME AND CLOSING DEVICE
D04	INTERIOR	32" X 80"	NEW 20 MIN FIRE RATED DOOR WITH SELF CLOSING DEVICE
ED			EXISTING DOOR TO REMAIN

**LEGEND:**

SYMBOL	DESCRIPTION
	INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
	WALL MOUNTED LIGHT SWITCH AND CEILING FIXTURE. MAX. 160cm2 PERMITTED OPENINGS IN FIRE SEPARATIONS.
	WARM-AIR SUPPLY OUTLET. MAX. PERMITTED OPENING IN CEILING FIRE SEPARATIONS: 0.025m2 (.277 s.f.)
	RETURN-AIR GRILLE. PROVIDED IN ALL FIRE COMPARTMENTS SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.
	EXHAUST FAN VENTED DIRECTLY TO EXTERIOR.
	EXISTING WALL TO REMAIN.
	PROPOSED WALL DESIGNER TO PROVIDE ALL REQUIRED DETAILS TO DEMONSTRATE CONSTRUCTION
	FIRE SEPARATION. PROVIDE CONSTRUCTION LABEL ALL REQUIRED SEPARATIONS WITH MINUTE RATINGS.
	CEILING HEIGHT TAG.
	WALL TYPE TAG. PROVIDE CONSTRUCTION DETAILS FOR ALL APPLICABLE WALLS.
	EMERGENCY LIGHTING PER OBC 2012 DIV.B 9.9.12.3
	CARBON MONOXIDE DETECTOR
	THREE WAY ELECTRIC OUTLET

**ADDRESS:** 9 SOUTHVIEW PLACE, HAMILTON, ON

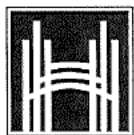
**PROJECT NAME:** SECOND UNIT BASEMENT APARTMENT

	<b>CLIENT APPROVAL DATE:</b> 21-07-30	<b>ORIGINAL DATE:</b> 21-07-09
	<b>REV. 1 DATE:</b> 21-07-30	<b>REV. 2 DATE:</b> 21-09-20

**DRAWN BY:** JO  
**CHECKED BY:** VG

**DRAWING NAME:** COVER SHEET  
**DRG. SCALE:** N.T.S.  
**DRAWING NO.:** A0.01  
**SHEET SIZE:** 17" x 11"

**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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	
<b>Registered Owners(s)</b>	Mohan <del>Subram</del> Subramaniam. Mohan Sumithra mohan.		
<b>Applicant(s)*</b>	Vivek Gupta		
<b>Agent or Solicitor</b>			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:

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

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

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes  No  Unknown

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

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

\_\_\_\_\_ Date

\_\_\_\_\_ Signature Property Owner(s)

\_\_\_\_\_ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage \_\_\_\_\_

Depth \_\_\_\_\_

Area \_\_\_\_\_

Width of street \_\_\_\_\_

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

Existing: \_

Proposed

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

Existing:

Proposed:

13. Date of acquisition of subject lands:  
\_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
\_\_\_\_\_
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
\_\_\_\_\_
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
\_\_\_\_\_
17. Length of time the existing uses of the subject property have continued:  
\_\_\_\_\_
18. Municipal services available: (check the appropriate space or spaces)  
Water \_\_\_\_\_ Connected \_\_\_\_\_  
Sanitary Sewer \_\_\_\_\_ Connected \_\_\_\_\_  
Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/B-22:70</b>	<b>SUBJECT PROPERTY:</b>	330 DUNDURN STREET S, HAMILTON
-------------------------	-------------------	--------------------------	-----------------------------------

**APPLICANTS:** Owner – 2178949 Ontario Inc. c/o Mr. Yaniv Geler  
Agent – IBI Group c/o Carmen Jandu

**PURPOSE & EFFECT:** To permit the partial discharge of a mortgage to facilitate the future development of the Charged Lands.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>CHARGE/DISCHARGE LANDS:</b>	10.9 m <sup>±</sup>	Varies m <sup>±</sup>	3,076.3 m <sup>2</sup> ±
<b>REMAINDER LANDS:</b>	64.0 m <sup>±</sup>	78.35 m <sup>±</sup>	4,483.0 m <sup>2</sup> ±

Associated Planning Act File(s): Site Plan Approval City of Hamilton DA-21-133, HM/A-22:190

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

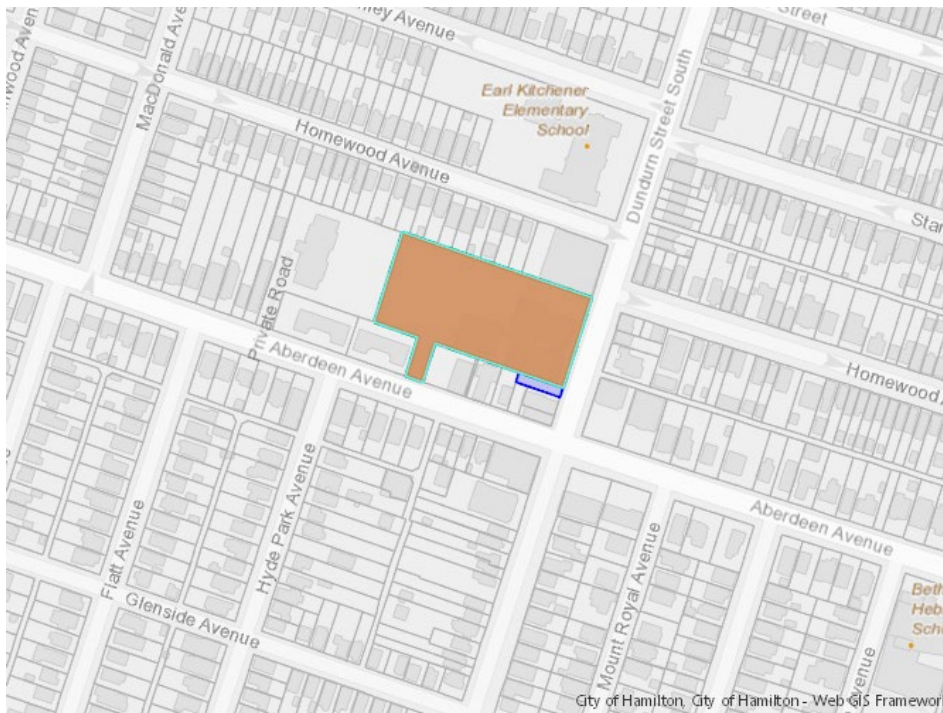
**HM/B-22:70**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 2022

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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-22:70**

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](mailto: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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

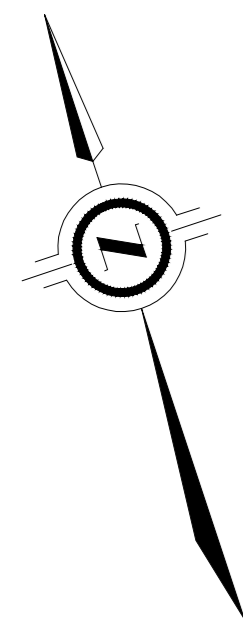
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> 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](mailto: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.





HOMWOOD AVENUE  
(BY REGISTERED PLAN No. 405)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.	PLAN 62R-
	RECEIVED AND DEPOSITED
DATE _____	DATE _____
G.T. STIDWILL ONTARIO LAND SURVEYOR	REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No 62)

SCHEDULE			
PART	LOT	PLAN	PIN
1	BLOCKS A AND B	REGISTERED PLAN 1295	ALL OF PIN 17132-0295 (LT)
2	PART OF PARK LOT 20	SIR ALLAN N. MACNAB SURVEY	ALL OF PIN 17132-0296 (LT)

PART 1 IS SUBJECT TO AN EASEMENT AS IN INST. No. LT543331.

PLAN OF SURVEY OF BLOCKS A AND B REGISTERED PLAN 1295 AND PART OF PARK LOT 20 SIR ALLAN N. MACNAB SURVEY CITY OF HAMILTON  
SCALE 1 : 250  
J.D. BARNES LIMITED  
DISTANCES AND 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 AND B, 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 0.999684.

INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES TO AN URBAN ACCURACY PER SECTION 14 (2) OF O. REG 216/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	589 779.75	4 789 414.23	
ORP (B)	589 879.86	4 789 320.49	

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.  
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 137.19 N46°53'00"W

**MINOR ARTERIAL LEGEND**

- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- CP DENOTES CONCRETE PIN AND WASHER
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- P1 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY J.D. BARNES LTD., O.L.S., DATED FEBRUARY 12, 2021 (PROJECT No. 20-30-616-00-4)
- P2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY SPEIGHTS, VAN NOSTRAND & GIBSON LTD., O.L.S., DATED JUNE 11, 1993 (FILE 93-4317)
- N1 DENOTES SURVEY NOTES FROM MATHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD., O.L.S., DATED NOVEMBER 10, 2014 (REF. No: 14-16-146-00)
- MEAS DENOTES MEASURED
- JDB DENOTES J.D. BARNES LIMITED
- 744 DENOTES MATHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD., O.L.S.
- MMP DENOTES MACKAY, MACKAY & PETERS, LIMITED, O.L.S.
- 655 DENOTES JOHN T. PETERS, O.L.S.
- 1213 DENOTES J.D. PETERS, O.L.S.
- SVN&G DENOTES SPEIGHT, VAN NOSTRAND & GIBSON, LTD., O.L.S.
- NI DENOTES NO IDENTIFICATION

N=North / S=South / E=East / W=West

**SURVEYOR'S CERTIFICATE**

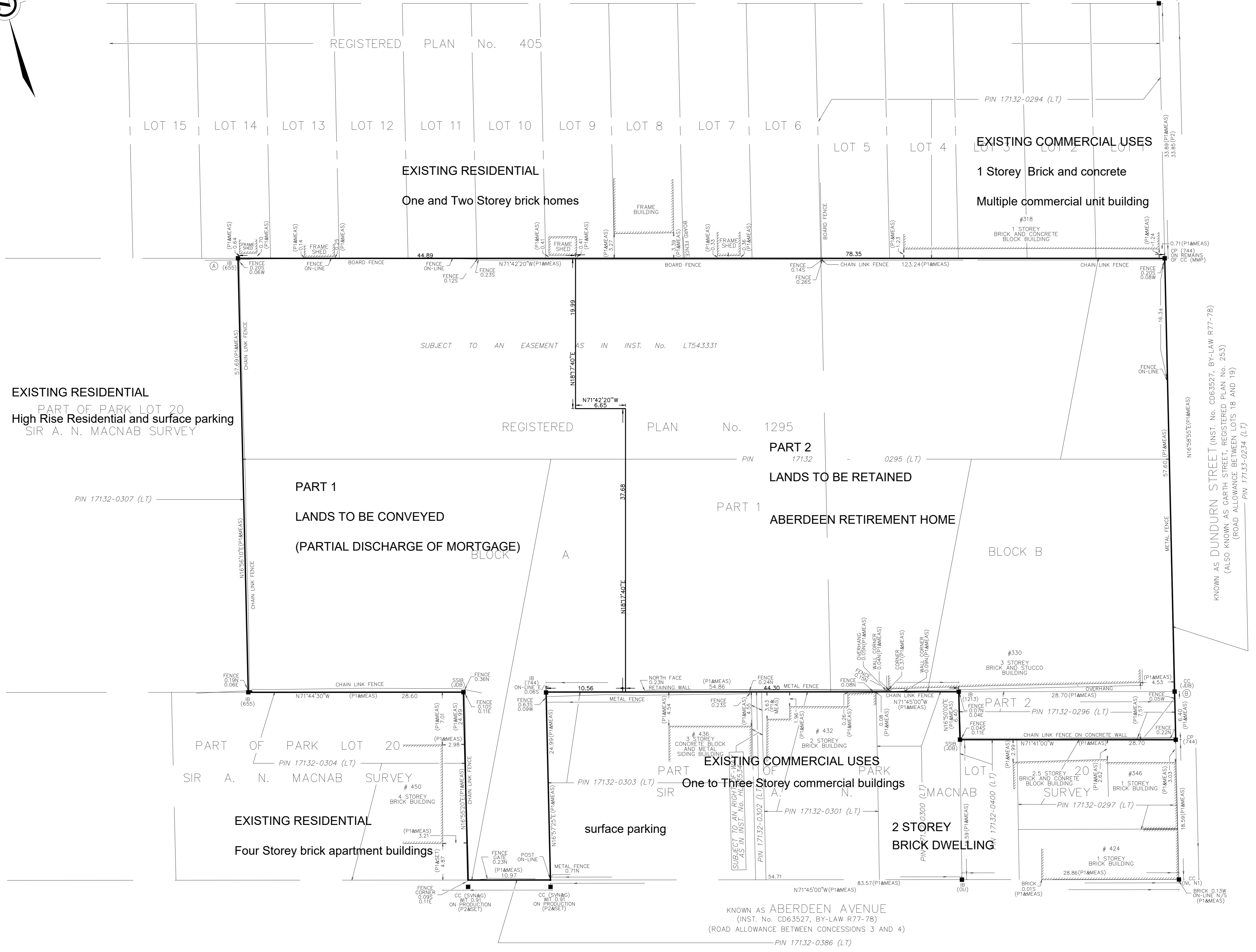
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 16th DAY OF SEPTEMBER, 2021.

DATE \_\_\_\_\_ G.T. STIDWILL  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER XXXXXXX

DRAWN BY: MB	CHECKED BY: GS	REFERENCE NO.: 20-30-616-01-A
PLOTTED: \$DATE\$		DATED: 6/07/2022



KNOWN AS ABERDEEN AVENUE  
(INST. No. CD63527, BY-LAW R77-78)  
(ROAD ALLOWANCE BETWEEN CONCESSIONS 3 AND 4)  
— PIN 17132-0386 (LT)

CITY OF HAMILTON - MINOR ARTERIAL

KNOWN AS DUNDURN STREET (INST. No. CD63527, BY-LAW R77-78)  
(ALSO KNOWN AS GARTH STREET, REGISTERED PLAN No. 253)  
(ROAD ALLOWANCE BETWEEN LOTS 18 AND 19)  
— PIN 17133-0234 (LT)

EXISTING RESIDENTIAL  
PART OF PARK LOT 20  
High Rise Residential and surface parking  
SIR A. N. MACNAB SURVEY

EXISTING RESIDENTIAL  
One and Two Storey brick homes

EXISTING COMMERCIAL USES  
1 Storey Brick and concrete  
Multiple commercial unit building

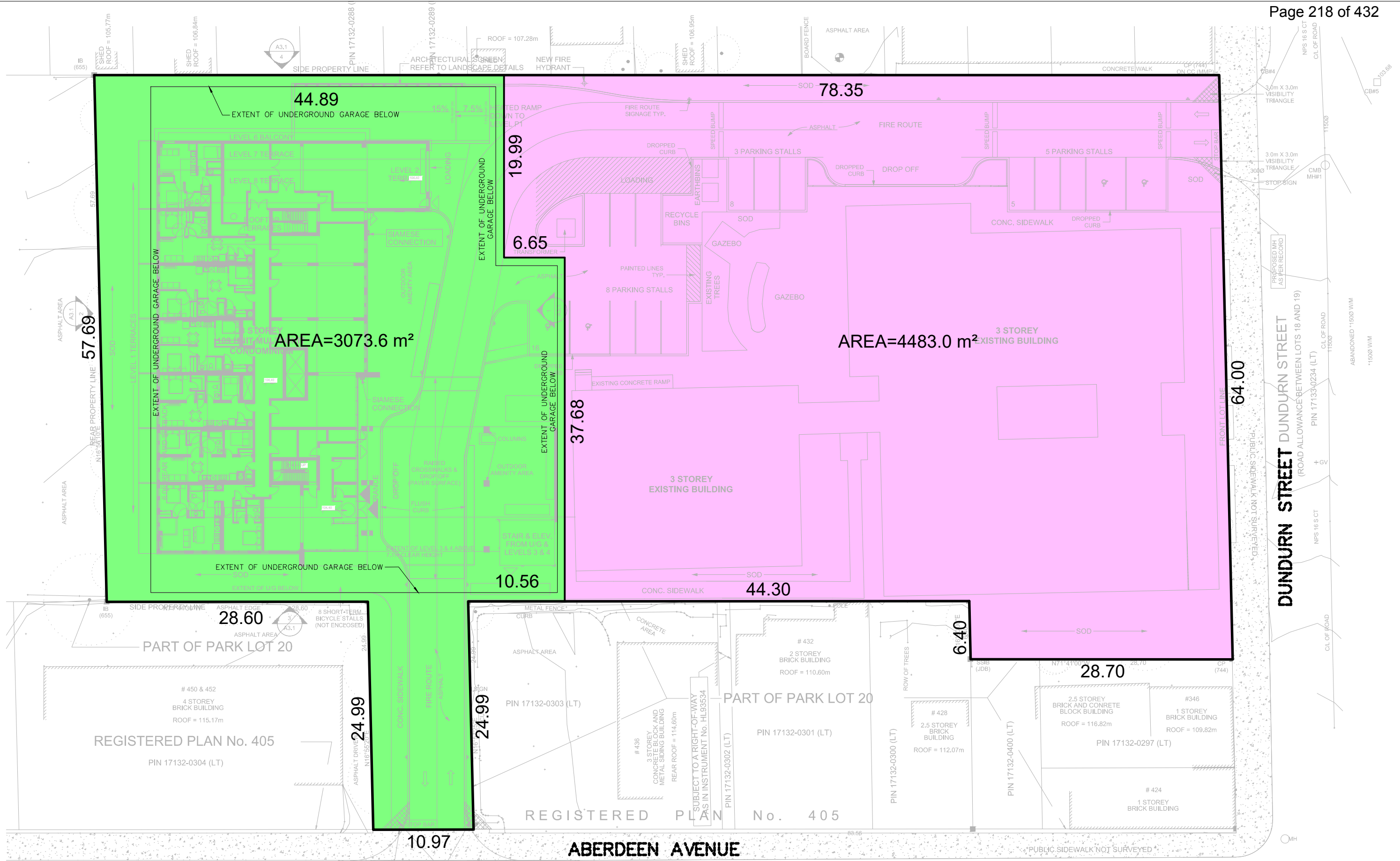
PART 1  
LANDS TO BE CONVEYED  
(PARTIAL DISCHARGE OF MORTGAGE)  
BLOCK A

PART 2  
LANDS TO BE RETAINED  
ABERDEEN RETIREMENT HOME  
BLOCK B

EXISTING COMMERCIAL USES  
One to Three Storey commercial buildings

EXISTING RESIDENTIAL  
Four Storey brick apartment buildings

2 STOREY  
BRICK DWELLING



COLOURED MORTGAGE DISCHARGE SKETCH  
GROUND FLOOR

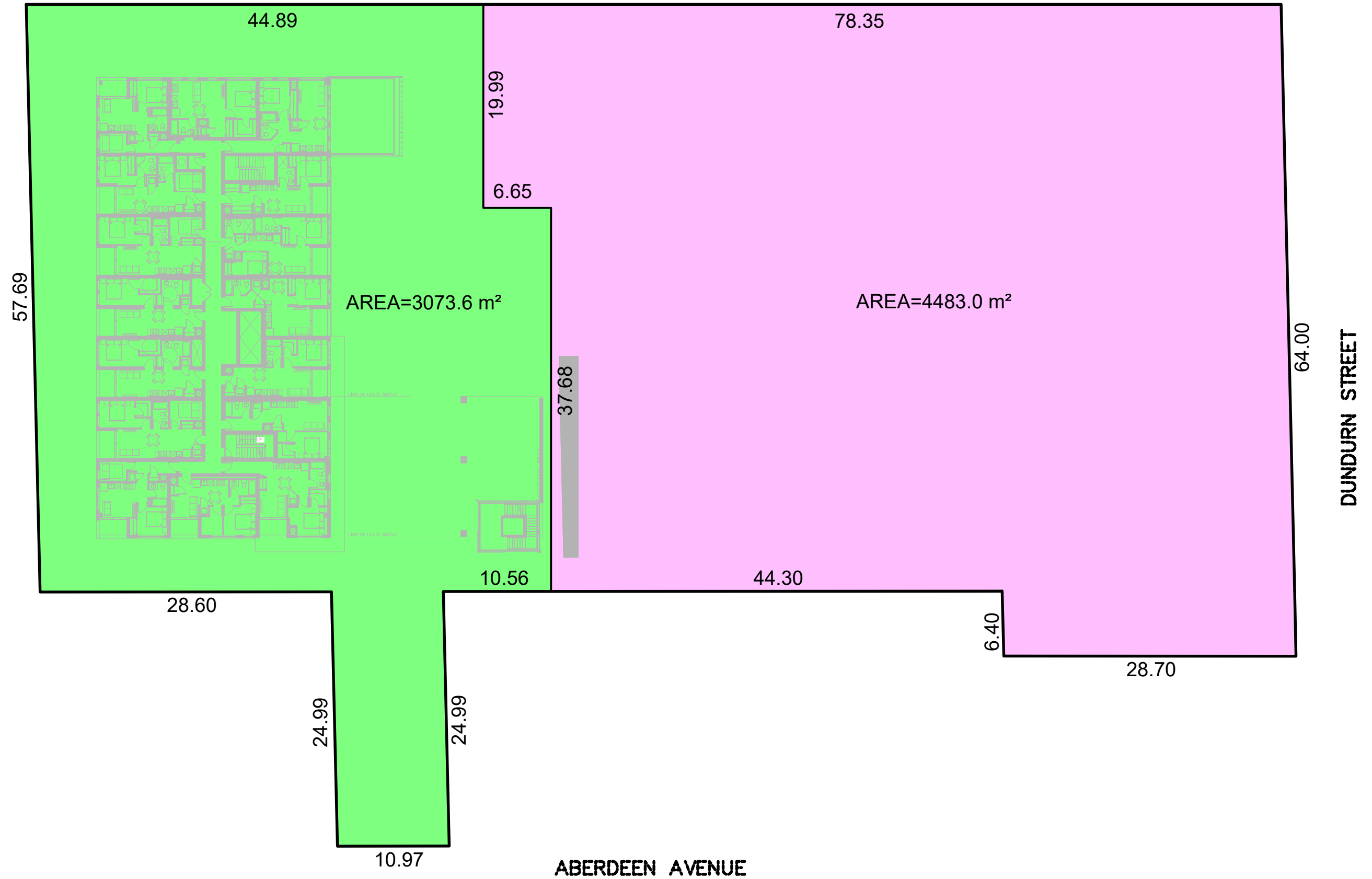


- FREEHOLD (REMAINDER LANDS)
- LAND TO BE DISCHARGED FROM MORTGAGE FOR FUTURE CONSTRUCTION

	AREAS (m <sup>2</sup> )
	4483.0 m <sup>2</sup>
	3073.6 m <sup>2</sup>
<b>TOTAL AREA:</b>	<b>7556.6 m<sup>2</sup></b>

DATE: JUNE 22, 2022  
SHEET 1 OF 3

**KRCMTR**



**COLOURED MORTGAGE DISCHARGE SKETCH**  
**2nd FLOOR and ABOVE**

File: 21-101SK01

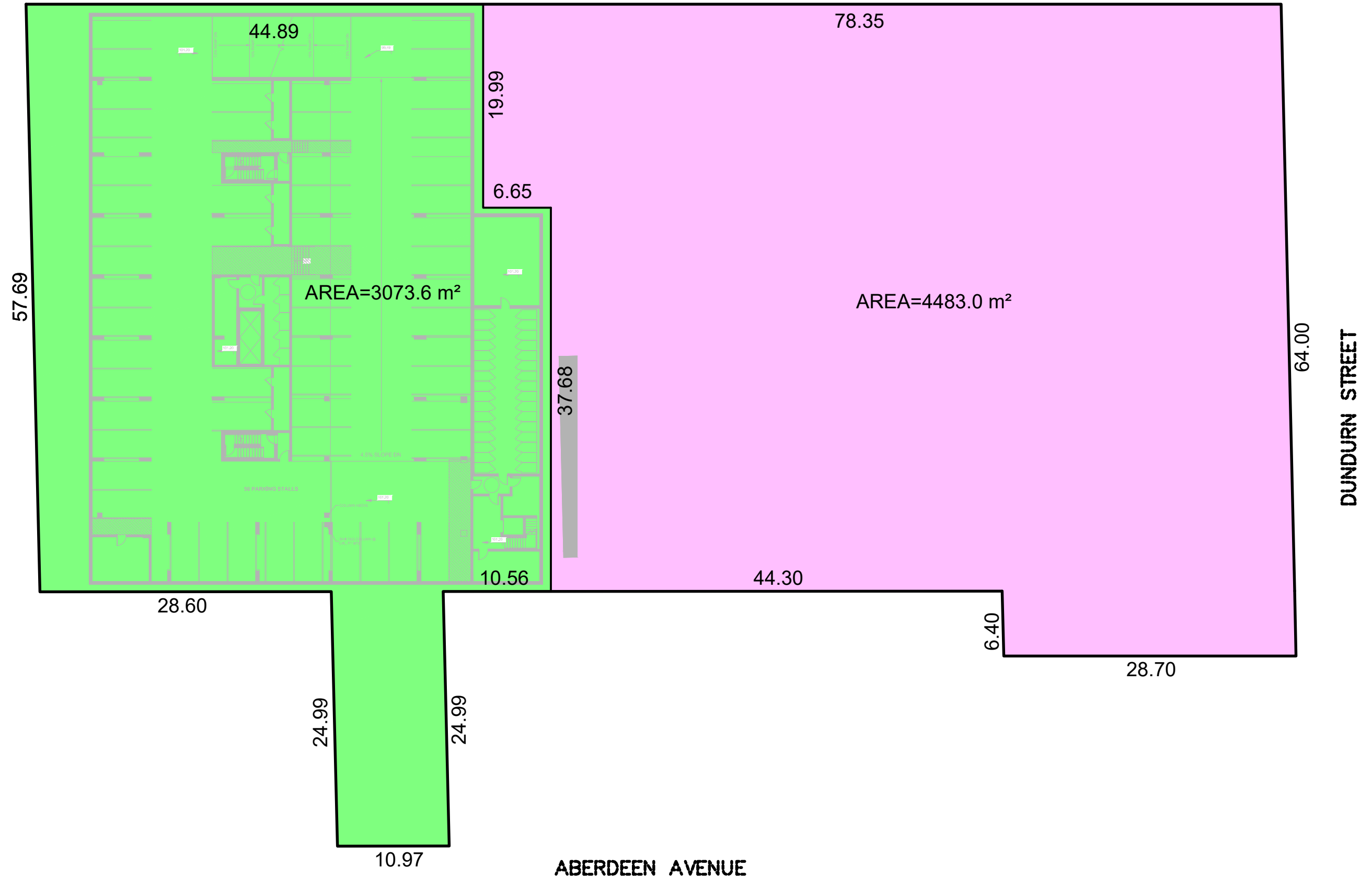


- FREEHOLD (REMAINDER LANDS)
- LAND TO BE DISCHARGED FROM MORTGAGE FOR FUTURE CONSTRUCTION

	AREAS (m <sup>2</sup> )
	4483.0 m <sup>2</sup>
	3073.6 m <sup>2</sup>
<b>TOTAL AREA:</b>	<b>7556.6 m<sup>2</sup></b>

DATE: JUNE 22 2022  
 SHEET 2 OF 3

**KRCMTR**



COLOURED MORTGAGE DISCHARGE SKETCH  
FLOORS P1, P2 AND BELOW

File: 21-101SK01



- FREEHOLD (REMAINDER LANDS)
- LAND TO BE DISCHARGED FROM MORTGAGE FOR FUTURE CONSTRUCTION

	AREAS (m <sup>2</sup> )
	4483.0 m <sup>2</sup>
	3073.6 m <sup>2</sup>
<b>TOTAL AREA:</b>	<b>7556.6 m<sup>2</sup></b>

DATE: JUNE 22, 2022  
SHEET 3 OF 3

**KRCMTR**





Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

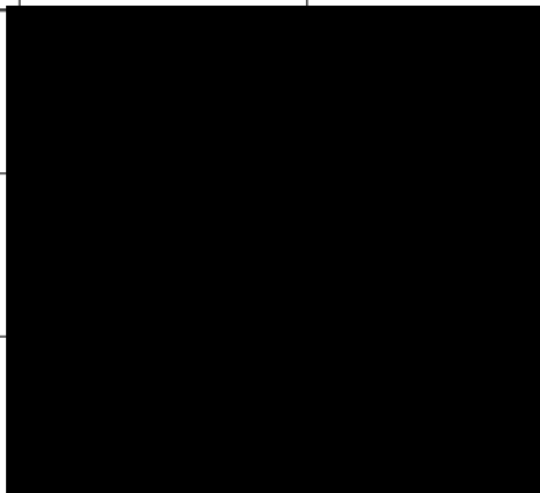
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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)	2178949 Ontario Inc. c/o Mr. Yaniv Geler		
Applicant(s)**	Same as Owner		
Agent or Solicitor	IBI Group c/o Carmen Jandu		

\*Purchaser must provide a copy of the position or 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°. 1295	Lot(s) Blk A & B	Reference Plan N°.	Part(s)
Municipal Address 330 Dundurn St S			Assessment Roll N°.

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

Yes  No

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

### 3 PURPOSE OF THE APPLICATION

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

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

creation of a new lot

addition to a lot

an easement

Other:  a charge (Partial Discharge of Mortgage)

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:

2178949 Ontario Inc.

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

### 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION Part 1 as shown

4.1 Description of land intended to be **Severed (lease, easement, charge etc.)**: on Site Sketch

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
10.9	varies	3,076.3 m <sup>2</sup>

Existing Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) Surface parking area and stormwater management facility

Industrial

Agricultural-Related

Commercial

Vacant

Proposed Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) Conditionally site plan approved City of Hamilton File No. DA-21-133

Industrial

Agricultural-Related

Commercial

Vacant

Building(s) or Structure(s):

Existing: \_\_\_\_\_

Proposed: 8 storey apartment building - condominium tenure

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)**: Part 2 as shown on Site Sketch

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
64.0	78.35	4,483.0 m <sup>2</sup>

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) Existing Retirement Home
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: 3 storey retirement home

Proposed: n/a

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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The neighbourhoods designation permits residential uses of various forms generally throughout the entire designation.



## 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? Major Institutional (13)

## 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) Retirement Home

- 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?  

The lands are currently developed with a retirement home. This use has continued for ±30 years
- 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 Please see Phase 1 and 2 Environmental Reports prepared by Landtek Limited.

**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 lands are located within the Urban boundary, where development is generally to be directed.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes  No (Provide explanation)  

The lands are located within the Urban boundary, where development is generally to be directed.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes  No (Provide explanation)  

The lands are located within the Urban boundary, where development is generally to be directed.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes  No
- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes  No  
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?  
 Yes  No  
 (Provide Explanation)
- f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes  No  
 If yes, is the proposal in conformity with the Parkway Belt West Plan?  
 Yes  No (Provide Explanation)
- g) Are the subject lands subject to the Greenbelt Plan?  
 Yes  No

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

**8 HISTORY OF THE SUBJECT LAND**

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

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

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

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

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

8.4 How long has the applicant owned the subject land?

Acquired in 2007.

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 HM/A-22-190      Status PENDING (JULY 14 AGENDA)

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

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

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

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

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

**10.3 Description of Lands**

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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.

June 29 2022  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of Owner



**IBI GROUP**  
200 East Wing – 360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010  
[ibigroup.com](http://ibigroup.com)

July 5, 2022

Chair and Members of Committee of Adjustment  
c/o Ms. Jamila Sheffield, Secretary-Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, Ontario L8P 4Y5

Dear Chair and Members of Committee of Adjustment:

**APPLICATION FOR CONSENT TO SEVER - DISCHARGE OF MORTGAGE  
330 DUNDURN STREET SOUTH, HAMILTON**

IBI Group (Hamilton) are the planning consultants for Lev Living, the owners of the lands located at 330 Dundurn Street South, Hamilton (the “Subject Lands”), currently known as the Aberdeen Gardens Retirement Residence.

Surrounding Site Context

The subject lands are located north of Aberdeen Avenue, east of MacDonald Avenue, south of Homewood Avenue, and west of Dundurn Street South. To the north of the subject lands are single detached dwellings, retail, and an elementary school. To the east are low density multiple dwellings, single-detached dwellings, a medical clinic (Rexall), and a church. To the south are mixed-use residential dwellings, multi-residential dwellings (apartment), and single-detached dwellings. To the west are a parking lot, single detached dwellings, attached dwellings, apartments, and open space.

Current Planning Processes

In 2021, Lev Living submitted an application for Site Plan Approval for the redevelopment of the western portion of the subject lands currently being utilized as surface parking and stormwater management. The redevelopment concept for the Site Plan Approval application envisions the construction of an eight-storey, residential apartment building with 109 units and 1 level of underground parking, a rendering of the proposed building has been included in this application for your convenience. The proposed development was granted Conditional Site Plan Approval in Spring 2022 and the owner is currently in the process of clearing conditional site plan conditions to finalize the Site Plan approval. Future planning processes will include the submission of a plan of condominium application anticipated for submission in mid 2023.

Partial Discharge of Mortgage

In order to arrange for construction financing, the owner will require a partial discharge for the portion of lands that encompass the new building. We understand that the owner had initiated discussion with their current mortgage lender, BMO, who have approved the direction to apply for

Chair and Members of Committee of Adjustment – July 5, 2022

a partial discharge of mortgage. We also understand that BMO will likely be the loan entity for construction financing.

The partial discharge of the mortgage permitted under Section 50(16) of the Planning Act, requires a legal description for the portion of lands that will be subject to the discharge of mortgage. The portion of lands subject to partial discharge of the will be created through the application for Consent to Sever under Section 53 of the *Planning Act*.

The lands which are to be severed for the purposes of discharge of mortgage are shown as Part 1 of the attached site sketch and described as Block A, Registered Plan 1295 and Park of Park lot 20, Sir Allan N. MacNab Survey, in the City of Hamilton. Please see attached Site Sketch and Coloured Mortgage Discharge Sketch, showing Parts 1 and 2 where Part 1 would be severed and Part 2 would be retained.

In addition to this, the proposed severance would continue to comply with the zoning. The lands are Zoned Major Institutional (I3) within the City of Hamilton Zoning By-law 05-200. Permitted uses within the zone include Multiple Dwellings and Retirement Homes. It is noted that Multiple Dwelling Uses are only permitted on the same lot as an Educational Establishment, Retirement Home, or Long-Term Care Facility.

As noted above the proposed consent application is to allow for a partial discharge of the mortgage on Part 1 of the subject lands. The partial discharge of the Mortgage would not technically sever the lands and both parts will continue to be owned by the same legal entity. The ultimate development will operate and function as one site with shared facilities which will be detailed in the future plan of condominium declaration and shared facilities agreement. As such, the lands will remain as one parcel, and therefore the proposed use continues to be permitted on the subject lands.

In support of the proposed consent application, for purposes of partial discharge of mortgage, please find enclosed the following:

- A Completed Application Form;
- Phase 1 and 2 Environmental Site Assessment as prepared by Landtek Limited;
- A Rendering of the proposed 8 Storey apartment building as prepared by SRM Architects;
- Coloured Mortgage Discharge Sketch as prepared by Krcmar Surveyors; and,
- A Site Sketch.

We request that the application fee of \$2,985.00 be paid via credit card, and that instructions for payment be provided to our client for coordination. Please see contact information below for your convenience:

Mr. Yaniv Geler, President  
Lev Living  
Telephone: 416-849-5030

IBI GROUP

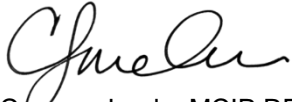
3

Chair and Members of Committee of Adjustment – July 5, 2022

Furthermore, we are pleased to provide this application via electronic submission, however, please advise the undersigned if a hardcopy will be required.

Yours truly,

**IBI GROUP (Hamilton) Inc.**

A handwritten signature in black ink, appearing to read 'C. Jandu', written in a cursive style.

Carmen Jandu, MCIP RPP

Copy:

Mr. Y. Geler – Lev Living

Mr. A. Katz- Harris and Schaffer





## LANDTEK LIMITED

*Consulting Engineers*

205 Nebo Road, Unit 3  
Hamilton, Ontario  
Canada  
L8W 2E1

Phone: 905-383-3733  
Fax: 905-383-8433  
engineering@landteklimited.com  
www.landteklimited.com

**Available for Viewing**  
**Contact [cofa@hamilton.ca](mailto:cofa@hamilton.ca) for more information.**

**Phase One Environmental Site Assessment**  
**330 Dundurn Street South**  
**City of Hamilton, Ontario**

Prepared for:

**Greenwood Retirement Communities**  
2200 Yonge Street, Suite 805  
Toronto, Ontario  
M4S 2C6

File: 15291  
September 28, 2015



## LANDTEK LIMITED

*Consulting Engineers*

205 Nebo Road, Unit 3  
Hamilton, Ontario  
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L8W 2E1

Phone: 905-383-3733  
Fax: 905-383-8433  
engineering@landteklimited.com  
www.landteklimited.com

**Available for Viewing**  
**Contact [cofa@hamilton.ca](mailto:cofa@hamilton.ca) for more information.**

**Limited Phase Two**  
**Environmental Site Assessment**  
330 Dundurn Street South (Western Parcel) Street  
Hamilton, Ontario

Prepared for:  
**2178949 Ontario Inc.**  
2200 Yonge Street, Suite 602  
Toronto, Ontario  
M4S 2CS

File: 20465.1

April 2020



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:190</b>	<b>SUBJECT PROPERTY:</b>	330 DUNDURN STREET S, HAMILTON
<b>ZONE:</b>	"I3" (Major Institutional)	<b>ZONING BY-LAW:</b>	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 requirement contained in Section 8.3.2.2b), and 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 equal to or below 21.0 metres, instead of the requirement contained in Section 8.3.2.2b)ii) 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 the requirement contained in Section 8.3.2.2b)ii) 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 the requirement contained in Section 8.3.2.2b)ii) 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 requirement contained in Section 8.3.2.2a) and 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 required southerly side yard and the minimum required rear yard shall be required for the portion of the building equal or above 21.0 metres to a maximum building height of 28 metres instead the requirement contained in Section 8.3.2.2b)ii), 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 requirements contained in Section 5.6c) and 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 requirements contained in Section 5.6c) and 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>2:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**HM/A-22:190**

- 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: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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 <sup>2</sup>	
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

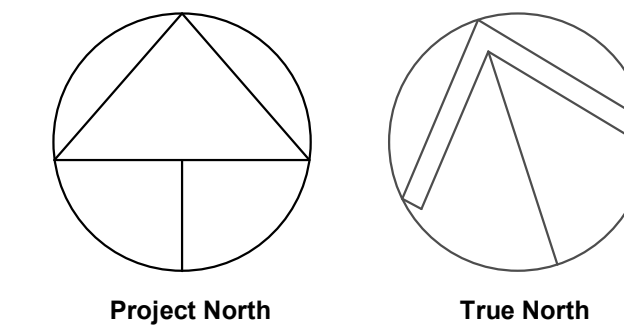
BUILDING DATA		
DATA	REQUIRED	PROVIDED
TOTAL DENSITY		109 UNITS
		87 (80%) - 1 BED/ 1 BED+DEN
		22 (20%) - 2 BED/ 2 BED+DEN
BUILDING AREA		1,390m <sup>2</sup> (14,960 SF)
GROSS CONSTRUCTION AREA		14,084m <sup>2</sup> (151,595 SF)
GROSS FLOOR AREA		8,492 m <sup>2</sup> (91,407 SF)
GFA (CITY OF HAMILTON)		8,313 m <sup>2</sup> (89,480 SF)
NET SALABLE AREA		6,615 m <sup>2</sup> (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 <sup>2</sup> (11,862 SF)
LEVEL 2		994 m <sup>2</sup> (10,700 SF)
LEVEL 3		1,246 m <sup>2</sup> (13,412 SF)
LEVEL 4		1,246 m <sup>2</sup> (13,412 SF)
LEVEL 5		921 m <sup>2</sup> (9,913 SF)
LEVEL 6		969 m <sup>2</sup> (10,430 SF)
LEVEL 7		867 m <sup>2</sup> (9,332 SF)
LEVEL 8		807 m <sup>2</sup> (8,688 SF)
MECH. PH.		340 m <sup>2</sup> (3,660 SF)
GFA TOTAL (INCL. SERVICES)		8,492 m <sup>2</sup> (91,407 SF)

SITE COVERAGE DATA		
DATA	REQUIRED	PROVIDED
PROPOSED BUILDING COVERAGE		1,102m <sup>2</sup> (15%)
EXISTING BUILDING COVERAGE		1,860m <sup>2</sup> (25%)
ASPHALT AREA		1,842m <sup>2</sup> (24%)
LANDSCAPING AREA		2,751m <sup>2</sup> (36%)
TOTAL		7,555m <sup>2</sup> (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 <sup>2</sup> = 0.3 X 34 = 10.2 1.0 X UNIT = 50m <sup>2</sup> = 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

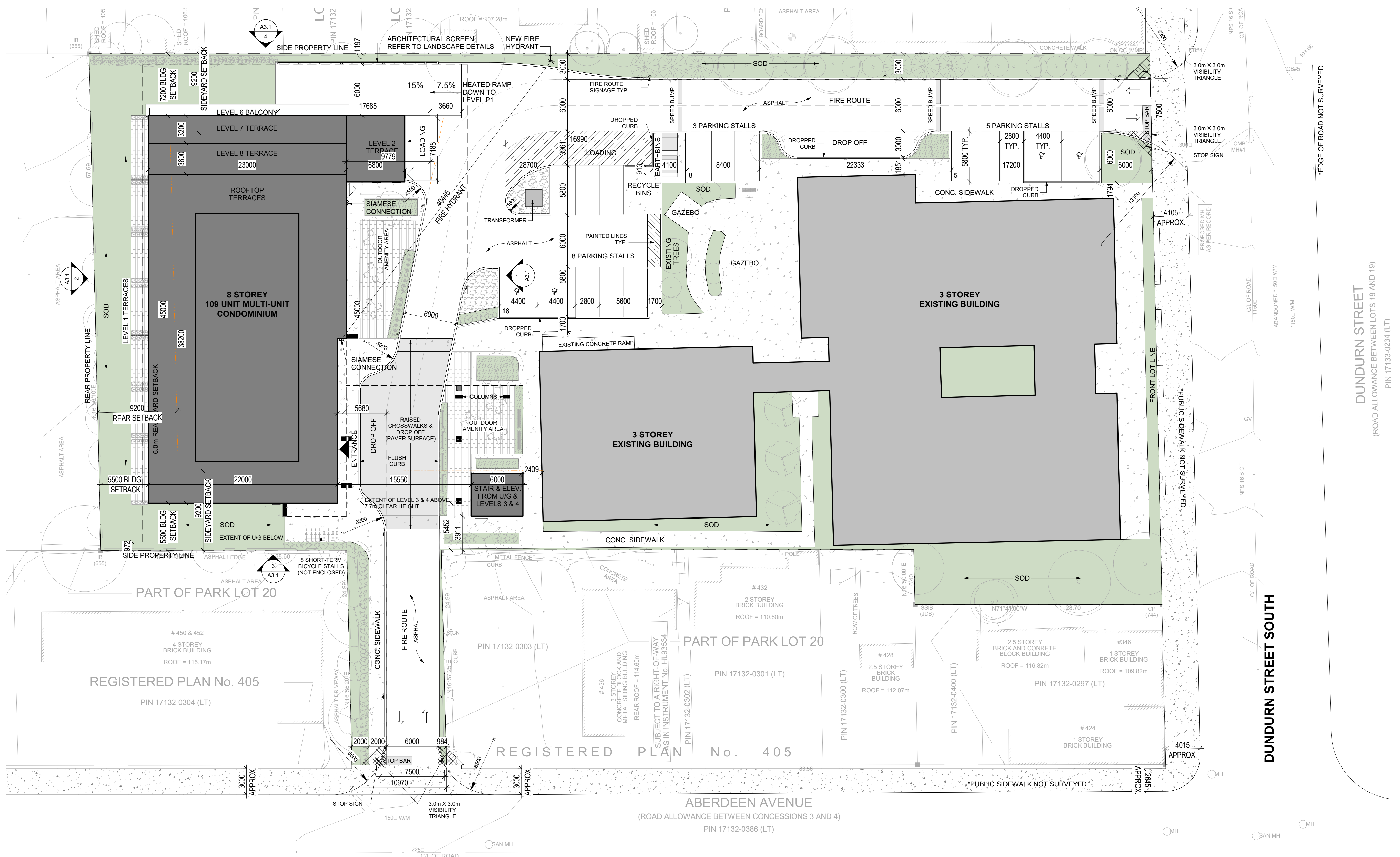
BICYCLE & TDM MEASURES DATA		
DATA	REQUIRED	PROVIDED
BICYCLE PARKING		SHORT TERM: (NOT ENCLOSED - OUTDOORS) 8 STALLS LONG TERM: (ENCLOSED - INDOORS LEVELS P1 & P2) 55 STALLS (0.5/UNIT)
ADDITIONAL TDM MEASURES		BIKE SHARE MEMBERSHIP FOR NEW RESIDENTS TO BE OFFERED DURING FIRST YEAR OF OCCUPANCY. TRANSIT 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: EJT  
 Plot Date / Time: 2022-05-20 10:39:59 AM

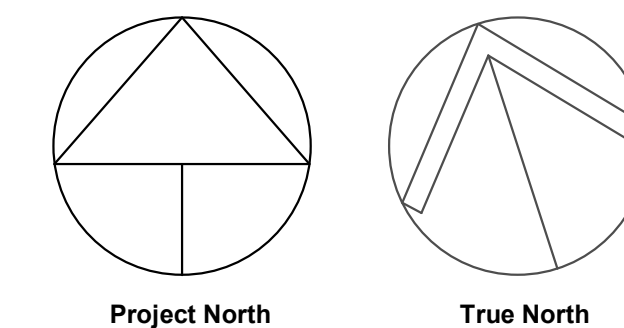
**ABERDEEN CONDOS  
330 DUNDURN ST. S.  
HAMILTON**

**SITE PLAN**

Drawing Scale: As indicated  
 Status: ISSUED FOR MINOR VARIANCE  
 Drawing No.: 1  
 Revision No.: 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

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**

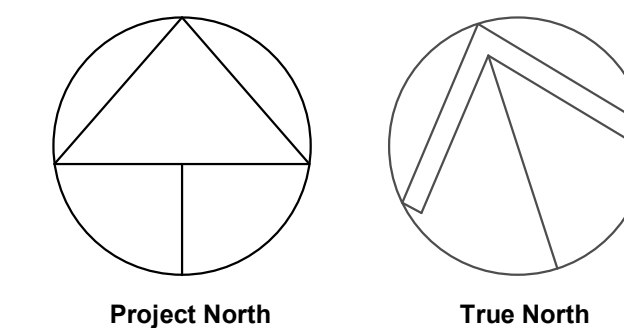
**LEVEL P2 FLOOR PLAN**

Ontario Association of Architects logo: EDWARD THOMAS, LICENCE 5572

Drawing Scale: 1: 125  
Status: ISSUED FOR MINOR VARIANCE  
Drawing 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. \_\_\_\_\_  
 Status \_\_\_\_\_  
 Issued for Minor Variance  
 Drawing No. \_\_\_\_\_  
 Revision No. \_\_\_\_\_

Drawing Scale: 1:125

**A2.2 - r6**

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**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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	
<b>Registered Owners(s)</b>		
<b>Applicant(s)*</b>		
<b>Agent or Solicitor</b>		

**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 <sup>2</sup>
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, 1,860m<sup>2</sup> 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, 1,102m<sup>2</sup> 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.



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.

<b>Nature and extent of relief applied for:</b>
<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>
<b>Why it is not possible to comply with the provisions of the By-law?</b>
<ul style="list-style-type: none"> <li>• 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.</li> <li>• Yard setback relief is insurance of site functionality and circulation for all required emergent and non-emergent vehicular access.</li> <li>• Proposed development consolidates all parking requirements. Providing a centralized underground parking lot with 16 surface level spots.</li> </ul>



June 20, 2022

**Pamela A. Green**

Partner

Direct +1 905 540 3276

Direct Fax +1 905 528 5833

pamela.green@gowlingwlg.com

File no. H231150

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

Dear Committee Members:

**Re: 2943 Jerseyville Road West, Ancaster  
Application for Consent/ Land Severance No. AN/B-21:94**

---

We are the lawyers for 2296544 Ontario Inc. (the "**Owner**"), the applicant under the above noted application and owner of the property at 2943 Jerseyville Road West, Ancaster (the "**Subject Lands**").

The Owner applied for a severance of the Subject Lands, to sever the portion of the Subject Lands that contains the residential dwelling (the "**Severed House Lands**") from the remainder of the lands, being farm lands (the "**Retained Farm Lands**"). We are attaching a sketch of the Subject Lands showing the Severed House Lands in yellow, the Retained Farm Lands in blue and the adjoining lands (also owned by the same client through a different corporation), being 3011 Jerseyville Road West (the "**Adjoining Lands**") in red.

The Committee of Adjustments provided the Owner with their Notice of Decision approving its request for severance on several conditions, including the requirement to receive approval of a Zoning Bylaw Amendment Application ("**ZBA Application**") (condition #4) and of a Rural Hamilton Official Plan Amendment Application ("**OPA Application**") (condition #5) to create a "no build" zone on the Retained Farm Lands. The Committee included these no build zone conditions to prevent the creation of a new building lot.

These two conditions were included as a result of our client receiving incorrect information about losing a right to build a home on the Adjoining Lands when submitting their original application for the severance of the Subject Lands.

The original application could have included a requirement to merge the Retained Farm Lands with the Adjoining Lands. A merger of these lands would eliminate the need for both the ZBA Application and the OPA Application because (i) the Adjoining Lands currently only have the right to build one dwelling and (ii) after the merger, the new parcel would still only have the right to build one dwelling. Therefore, there would be no need to amend the existing zoning to prevent a new building lot from being created by the severance.

We have confirmed with Charlie Toman of the City of Hamilton that this merger would eliminate the need for both the ZBA Application and the OPA Application. He also confirmed that the building rights for the



Adjoining Lands would be unchanged. We attach a copy of the email chain with Charlie Toman for your reference.

We are asking the Committee to amend the conditions for severance to:

1. delete conditions 4 & 5 (being the requirement for the ZBA Application & the OPA Application);
2. include a new condition to merge the Retained Farm Lands with the Adjoining Lands; and
3. include a new condition to deliver an Undertaking from the solicitor for the Owner to provide proof of the merger.

We are enclosing herewith our cheque in the amount of \$200.00 for the recirculation fee. Please confirm receipt of the enclosed cheque via email to [pamela.green@gowlingwlg.com](mailto:pamela.green@gowlingwlg.com) and let us know if you require any additional information.

Sincerely,

Gowling WLG (Canada) LLP

A handwritten signature in black ink, appearing to read "P. Green", written over a large, stylized letter "P".

Pamela A. Green  
Partner

PG/mc  
Encl.





Committee of Adjustment  
 Hamilton City Hall  
 71 Main Street West, 5<sup>th</sup> floor  
 Hamilton, ON L8P 4Y5  
 Telephone (905) 546-2424  
 ext. 4221, 3935  
 Fax (905) 546-4202

**COMMITTEE OF ADJUSTMENT**  
**NOTICE OF DECISION**

**APPLICATION FOR CONSENTLAND SEVERANCE**

**APPLICATION NO. AN/B-21:94**  
**SUBMISSION NO. B-94/21**

**APPLICATION NUMBER:** AN/B-21:94

**SUBJECT PROPERTY:** 2943 Jerseyville Rd. W., Ancaster

**APPLICANT(S):** Agent Kirk McPherson  
 Owner 2296544 Ontario Inc.

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for existing residential use and to retain a vacant parcel of land for agricultural-related use. Existing single family dwelling and detached garage to remain.

**Severed lands:**

137.69m± x 88.27m± and an area of 1.03 per ha±

**Retained lands:**

232.00m± x 170.00m± and an area of 5.31 per ha±

**THE DECISION OF THE COMMITTEE IS:**

That the said application, as set out in paragraph three above, **IS APPROVED**, for the following reasons:

1. The proposal does not conflict with the intent of the Urban Hamilton Official Plan.
2. The Committee considers the proposal to be in keeping with development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.
4. The submissions made regarding this matter affected the decision by supporting the granting of the application.

**Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following conditions:**

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

AN/B-21:94

Page 2

4. The owner shall submit and receive final and binding approval of a Zoning Bylaw Amendment Application for the subject lands, in order to prevent any future residential development on the retained farm lot and to recognize its reduced lot area, to the satisfaction of the Manager, Development Planning
5. The owner shall submit and receive final and binding approval of a Rural Hamilton Official Plan Amendment application for the subject lands, in order to recognize the reduce lot area of the retained farm lot to the satisfaction of the Manager, Development Planning
6. The owner shall demolish the existing agricultural outbuildings on the lands to be conveyed to the satisfaction of the Manager of Development Planning.
7. The owner provides documentation confirming the total land area comprising of the consolidated farm operation to the satisfaction of the Manager of Development Planning.
8. To the satisfaction of Director, Hamilton Water, the applicant shall submit a Scoped Hydrogeological Report. Scope of the report will include but may not be limited to:
  1. It is assumed a private well supports the existing dwelling and its water servicing. As a result, the applicant shall forward the Ministry of Environment Water Well Record for the existing well to Source Protection Planning for our review. If the Water Well Record can not be located OR if the well is more than 10 years old, it shall be inspected by a licensed water well contractor for its condition and its sustainable pumping rate verified to demonstrate that the existing well can sustainably support the residential use. Any improvements to the condition of the well suggested by the water well contractor shall be implemented and associated documentation shall be forwarded to Source Protection Planning for review. Find licensed water well contractors here: <https://www.ontario.ca/page/find-licenced-well-contractors>
  2. The water well contractor or other qualified professional (P.Eng, P.Geo) shall obtain water quality samples from the onsite well. Parameters to be analyzed shall be at minimum, general chemistry, major ions, nutrients, and metals, E. coli, total coliforms. Find licensed laboratories here: <https://www.ontario.ca/page/list-licensed-laboratories>
  3. A revised site plan shall indicate the location of the well and septic system components (tank(s) and leaching bed) and demonstrate that the locations conform with minimum clearance distances within Part 8 of the Ontario Building Code. A reserve area bed shall also be delineated to conform to Rural Hamilton Official Plan requirements.
9. The existing right-of-way at the subject property is approximately 20.0 metres. Approximately 3.0 metres are to be dedicated to the right-of-way on Jerseyville Road, as per the Council Approved Rural Official Plan: Schedule C-1 - Future Right-of-Way Dedications. Jerseyville Road is to be 26.213 metres.
 

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).
10. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plan Examination).
11. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).

AN/B-21:94

Page 3

12. The applicant shall provide confirmation of the existing uses on the lands to be retained and conveyed in order to determine compliance with the permitted uses of the “A1” zone or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
13. The owner shall submit survey evidence that the lands to be severed, including: the location of any existing structure(s) including accessory buildings; parking (including number of spaces, size, aisle width, access driveway, location and setback of parking spaces); lot coverage of accessory buildings; height of accessory buildings and vehicular entrance and access driveway to accessory buildings; and, Minimum Distance Separation Formula, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
14. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed, to the satisfaction of the Planning and Economic Development Department (Building Division –Plan Examination Section).
15. The owner shall apply for and receive any required building permits in the normal manner to the satisfaction of the Planning and Economic Development Department (Building Division – Zoning Section).
16. That the Owner submits an assessment prepared by a qualified professional to demonstrate that the existing private services i.e. water well and septic system, if any, are in good working condition to continue to support the existing dwellings and that the lot size is sufficient to provide for a reserve septic bed and/or a new water well if required all supported by the existing soil conditions to the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.

DATED AT HAMILTON this 20 day of January 2022.

\_\_\_\_\_  
D. Smith (Chairman)

\_\_\_\_\_  
N. Mleczo

\_\_\_\_\_  
D. Serwatuk

\_\_\_\_\_  
L. Gaddy

\_\_\_\_\_  
M. Dudzic

\_\_\_\_\_  
B. Charters

\_\_\_\_\_  
M. Switzer

\_\_\_\_\_  
T. Lofchik

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS January 27, 2022.  
HEREIN NOTED CONDITIONS MUST BE MET WITHIN TWO (2) YEAR OF THE DATE OF THIS NOTICE OF DECISION (January 27, 2024) OR THE APPLICATION SHALL BE DEEMED TO BE REFUSED (PLANNING ACT, SECTION 53(41)).

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO LAND TRIBUNAL (OLT) MAY BE FILED IS February 16, 2022

**NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.**

**Note from Cultural Heritage:** Cultural Heritage support the retention of the circa 1876 built heritage resource, however, the contextual value of the agricultural landscape will be impacted through a severance. Staff have no further comments on the application as circulated.

January 20th, 2022

**AN/B-21:94 – 2943 Jerseyville Rd. W., Ancaster**

## Consolidation Report

The attached comments have been reviewed with regard to the above noted Committee of Adjustment application and the following comments are submitted:

Should the Committee grant the severance, an approval should be subject to the following condition(s):

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)
4. The owner shall submit and receive final and binding approval of a Zoning Bylaw Amendment Application for the subject lands, in order to prevent any future residential development on the retained farm lot and to recognize its reduced lot area, to the satisfaction of the Manager, Development Planning
5. The owner shall submit and receive final and binding approval of a Rural Hamilton Official Plan Amendment application for the subject lands, in order to recognize the reduce lot area of the retained farm lot to the satisfaction of the Manager, Development Planning
6. The owner shall demolish the existing agricultural outbuildings on the lands to be conveyed to the satisfaction of the Manager of Development Planning.
7. The owner provides documentation confirming the total land area comprising of the consolidated farm operation to the satisfaction of the Manager of Development Planning.
8. To the satisfaction of Director, Hamilton Water, the applicant shall submit a Scoped Hydrogeological Report. Scope of the report will include but may not be limited to:
  1. It is assumed a private well supports the existing dwelling and its water servicing. As a result, the applicant shall forward the Ministry of Environment

**January 20th, 2022**

Water Well Record for the existing well to Source Protection Planning for our review. If the Water Well Record can not be located OR if the well is more than 10 years old, it shall be inspected by a licensed water well contractor for its condition and its sustainable pumping rate verified to demonstrate that the existing well can sustainably support the residential use. Any improvements to the condition of the well suggested by the water well contractor shall be implemented and associated documentation shall be forwarded to Source Protection Planning for review. Find licensed water well contractors here: <https://www.ontario.ca/page/find-licenced-well-contractors>

2. The water well contractor or other qualified professional (P.Eng, P.Geo) shall obtain water quality samples from the onsite well. Parameters to be analyzed shall be at minimum, general chemistry, major ions, nutrients, and metals, E. coli, total coliforms. Find licensed laboratories here: <https://www.ontario.ca/page/list-licensed-laboratories>
  3. A revised site plan shall indicate the location of the well and septic system components (tank(s) and leaching bed) and demonstrate that the locations conform with minimum clearance distances within Part 8 of the Ontario Building Code. A reserve area bed shall also be delineated to conform to Rural Hamilton Official Plan requirements.
- 9 The existing right-of-way at the subject property is approximately 20.0 metres. Approximately 3.0 metres are to be dedicated to the right-of-way on Jerseyville Road, as per the Council Approved Rural Official Plan: Schedule C-1 - Future Right-of-Way Dedications. Jerseyville Road is to be 26.213 metres.

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).

10. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plan Examination).
11. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
12. The applicant shall provide confirmation of the existing uses on the lands to be retained and conveyed in order to determine compliance with the permitted uses of the "A1" zone or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
13. The owner shall submit survey evidence that the lands to be severed, including: the location of any existing structure(s) including accessory buildings; parking (including number of spaces, size, aisle width, access driveway, location and setback of

**January 20th, 2022**

- parking spaces); lot coverage of accessory buildings; height of accessory buildings and vehicular entrance and access driveway to accessory buildings; and, Minimum Distance Separation Formula, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
14. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed, to the satisfaction of the Planning and Economic Development Department (Building Division –Plan Examination Section).
  15. The owner shall apply for and receive any required building permits in the normal manner to the satisfaction of the Planning and Economic Development Department (Building Division – Zoning Section).
  16. The Owner must enter into with the City of Hamilton and register on title, a Consent Agreement, having an administrative fee of \$4,500.00 (2022 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), driveway approaches, relocation of any existing infrastructure and any damage during construction (unknown costs at this time), to the satisfaction of the City's Manager of Development Approvals. Cash payments mentioned above are subject to change.
  17. That the owner provides a cash payment to the City for the future urbanization of the street based on the frontage of the severed portion of the property and the "New Roads Servicing Rate" at the time of payment to the satisfaction of the Manager of Engineering Approvals Section.
  18. That the Owner submits an assessment prepared by a qualified professional to demonstrate that the existing private services i.e. water well and septic system, if any, are in good working condition to continue to support the existing dwellings and that the lot size is sufficient to provide for a reserve septic bed and/or a new water well if required all supported by the existing soil conditions to the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.

**January 20th, 2022**

**Note from Cultural Heritage:** Cultural Heritage support the retention of the circa 1876 built heritage resource, however, the contextual value of the agricultural landscape will be impacted through a severance. Staff have no further comments on the application as circulated.

January 20th, 2022

**AN/B-21:94 – 2943 Jerseyville Rd. W., Ancaster****PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT****Development Planning – Rural**

The purpose of this application is to permit the conveyance of a parcel of land for existing residential use and to retain a vacant parcel of land for agricultural-related use. Existing single family dwelling and detached garage to remain.

**Severed lands:**

137.69m± x 88.27m± and an area of 1.03 per ha±

**Retained lands:**

232.00m± x 170.00m± and an area of 5.31 per ha±

**Provincial Policy Statement**

The subject property is located within a Prime Agricultural Area. The application has been reviewed against the policies that speak to lot creation within agricultural areas, namely Section 2.3.4.1 which speaks to farm severances as a result of surplus farm dwelling severances.

- “2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:
- c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
    1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
    2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective;”

**Greenbelt Plan:**

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

**“4.6 Lot Creation**



**January 20th, 2022**

- f) The severance of a residence surplus to a farming operation as a result of a farm consolidation, on which a habitable residence was an existing use, provided that:
  - iii. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
  - iv. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered.”

**Rural Hamilton Official Plan:**

The Rural Hamilton Official Plan designates the property as Agriculture in Schedule D – Rural Land Use Designations. The following policies amongst others apply:

1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D – Rural Land Use Designations: (OPA18)

a) Severances that create a new lot for the following purposes shall be prohibited:

i) Residential uses except in accordance with:

1) Policies F.1.14.2.1 b) iii) and F.1.14.2.8, where a dwelling may be severed as a result of a farm consolidation; and,

2) Policies F.1.14.2.1 b) iv) and F.1.14.2.4, where a dwelling within a designated Rural Settlement Area may be severed;

“1.14.2.8 An existing farm dwelling that is a residence surplus to a farming operation as a result of a farm consolidation may be severed provided all of the following conditions are met:

a) In all cases where surplus farm dwellings are to be severed the following shall apply:

i) The farm consolidation shall have been completed prior to the time of application.

**January 20th, 2022**

ii) The farm dwelling shall be determined to be surplus to the farm operation for no reason other than the farm dwelling is surplus to the needs of the farm consolidation. Farm dwellings that have been determined to be surplus to a farm operation prior to December 16, 2004 and prior to the acquisition of the additional farm parcel(s), or as a result of changing agricultural operations, are deemed not to be surplus farm dwellings for the purposes of Section F.1.14.2.8.

iii) The proposed surplus farm dwelling:

1) shall have been built on or before December 16, 2004; and,

2) shall be habitable on the date of the application for the surplus farm dwelling severance and shall meet the City's standards for occupancy without requiring substantial demolition and new construction.

iv) The surplus dwelling lot shall be a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Wastewater Services of this Plan. The maximum size of the surplus dwelling lot shall be the size required for servicing in accordance with Section C.5.1, with as little acreage as possible taken out of agricultural production;

v) A private water well and private sewage disposal system shall be provided in accordance with Section C.5.1, Private Water and Wastewater Services of this Plan;

vi) The shape and dimensions of the surplus farm dwelling lot shall:

1. not impair agricultural operations on the retained land; and

2. generally not exceed a depth of 122 metres (400 feet);

vii) The surplus dwelling lot shall not include barns or other farm buildings which are not suitable to be used as accessory structures to a residential use prescribed by the Zoning By-law, and no such buildings or structures shall be used for industrial or commercial purposes.

**January 20th, 2022**

viii) Where a barn or other farm building exists within the immediate vicinity of the surplus residence, the City may require demolition of the barn.”

“Lands Not Merged in Title

c) In cases of a farm dwelling made surplus as a result of acquisition as part of a farm operation that does not result in the merging in title of parcels of land, applications for severance of the surplus dwelling shall comply with the following conditions:

i) The owner and operator of the farm maintains an existing dwelling on land that is also part of the consolidated farm operation;

ii) The parcels of land comprising the consolidated farm operation shall generally be a minimum of 38.4 hectares (95 acres) in total in the Agriculture and Rural designations and 14.2 hectares (35 acres) in the Specialty Crop designation; (OPA 30)

iii) The parcel of land from which the surplus dwelling is severed shall generally be a minimum of 8.1 hectares (20 acres) in size for lands designated Specialty Crop on Schedule D – Rural Land Use Designations, or 16.2 hectares (40 acres) in size for lands designated Agriculture or Rural on Schedule D – Rural Land Use Designations;

iv) Prior to granting of final consent, one of the following conditions shall be met for the retained farm parcel as a result of a surplus farm dwelling severance:

1. The land owner shall apply for and receive final approval to rezone the farm parcel to prohibit the construction of a dwelling unit; or

2. The land owner shall grant in favour of the City, a restrictive covenant which prohibits the construction of any dwelling unit.

If the land owner grants a restrictive covenant in favour of the City, the City shall rezone the farm parcel to prohibit the construction of any dwelling unit.”

Staff note that the applicant is severing the residential parcel with the intent to keep the retained parcel for farming operations, therefore the proposed consent is to facilitate a

**January 20th, 2022**

surplus farm dwelling severance as recognized under the Section F1.14.2.8 of the Rural Hamilton Official Plan. Planning staff have reviewed the information provided with the Consent application and have identified the following conditions to ensure that the severance conforms with the Rural Hamilton Official Plan:

- Require the applicant obtain approval of a Rural Hamilton Official Plan Amendment to establish a site specific policy area to recognize the retained agricultural parcel which is undersized and does not conform to F1.14.2.8 c) iii).
- Require the applicant to obtain approval of a Zoning By-law Amendment in order to prohibit construction of a new dwelling unit on the retained agricultural parcel, as per section F1.14.2.8 c) iv) 2, in perpetuity and to recognize the reduced lot area.
- Require the applicant to remove existing agricultural outbuildings on the severed surplus farm dwelling property as per section F1.14.2.8 a) vii).
- Require the applicant to provide documentation to planning staff confirming the total land area comprising of the consolidated farm operation as per section F1.14.2.8 c) ii).

### **Hamilton Zoning By-law No. 05-200**

The subject lands are zoned A1 (Agriculture) Zone to which the proposed uses comply. The proposed retained farm parcel does not comply with the minimum lot area requirements, (40.4 ha double check) therefore the owner will have to amend Zoning By-law 05-200.

### **Cultural Heritage**

The subject property contains a circa 1876 farmhouse and is included in the City's Inventory of Heritage Buildings. The subject property is also adjacent to 2938, 2956, 3002 and 3011 Jerseyville Road West, properties included in the City's Inventory of Heritage Buildings.

Accordingly, the following sections of the Rural Hamilton Official Plan, Volume 1, apply:

- B.3.4.1.3 "Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources." and,
- B.3.4.2.1(g) "Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals."
- B.3.4.2.1(h) "Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes,

**January 20th, 2022**

by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.”

The applicant proposes to convey a parcel of land for existing residential use and to retain a vacant parcel of land for agricultural-related use. The existing single-family dwelling and detached garage to remain.

Staff have reviewed the application and support the retention of the circa 1876 built heritage resource, however, the contextual value of the agricultural landscape will be impacted through a severance. Staff have no further comments on the application as circulated.

### Source Water Protection

Given the proposed severance exceeds 1 ha in lot area, we have no concerns related to the sustainability of the proposal as it relates to managing pollution risks from the existing septic system. As a condition of approval to the satisfaction of Director, Hamilton Water, the applicant shall submit a Scoped Hydrogeological Report. Scope of the report will include but may not be limited to:

1. It is assumed a private well supports the existing dwelling and its water servicing. As a result, the applicant shall forward the Ministry of Environment Water Well Record for the existing well to Source Protection Planning for our review. If the Water Well Record can not be located OR if the well is more than 10 years old, it shall be inspected by a licensed water well contractor for its condition and its sustainable pumping rate verified to demonstrate that the existing well can sustainably support the residential use. Any improvements to the condition of the well suggested by the water well contractor shall be implemented and associated documentation shall be forwarded to Source Protection Planning for review. Find licensed water well contractors here:

<https://www.ontario.ca/page/find-licenced-well-contractors>

2. The water well contractor or other qualified professional (P.Eng, P.Geo) shall obtain water quality samples from the onsite well. Parameters to be analyzed shall be at minimum, general chemistry, major ions, nutrients, and metals, E. coli, total coliforms. Find licensed laboratories here: <https://www.ontario.ca/page/list-licensed-laboratories>

3. A revised site plan shall indicate the location of the well and septic system components (tank(s) and leaching bed) and demonstrate that the locations conform with minimum clearance distances within Part 8 of the Ontario Building Code. A reserve area bed shall also be delineated to conform to Rural Hamilton Official Plan requirements.

### **Recommendation**

Based on the preceding information, Staff recommend approval with the following conditions are met:

**January 20th, 2022**

1. The owner shall submit and receive final and binding approval of a Zoning Bylaw Amendment Application for the subject lands, in order to prevent any future residential development on the retained farm lot and to recognize its reduced lot area, to the satisfaction of the Manager, Development Planning
2. The owner shall submit and receive final and binding approval of a Rural Hamilton Official Plan Amendment application for the subject lands, in order to recognize the reduce lot area of the retained farm lot to the satisfaction of the Manager, Development Planning
3. The owner shall demolish the existing agricultural outbuildings on the lands to be conveyed to the satisfaction of the Manager of Development Planning.
4. The owner provides documentation confirming the total land area comprising of the consolidated farm operation to the satisfaction of the Manager of Development Planning.
5. To the satisfaction of Director, Hamilton Water, the applicant shall submit a Scoped Hydrogeological Report. Scope of the report will include but may not be limited to:
  1. It is assumed a private well supports the existing dwelling and its water servicing. As a result, the applicant shall forward the Ministry of Environment Water Well Record for the existing well to Source Protection Planning for our review. If the Water Well Record can not be located OR if the well is more than 10 years old, it shall be inspected by a licensed water well contractor for its condition and its sustainable pumping rate verified to demonstrate that the existing well can sustainably support the residential use. Any improvements to the condition of the well suggested by the water well contractor shall be implemented and associated documentation shall be forwarded to Source Protection Planning for review. Find licensed water well contractors here: <https://www.ontario.ca/page/find-licenced-well-contractors>
  2. The water well contractor or other qualified professional (P.Eng, P.Geo) shall obtain water quality samples from the onsite well. Parameters to be analyzed shall be at minimum, general chemistry, major ions, nutrients, and metals, E. coli, total coliforms. Find licensed laboratories here: <https://www.ontario.ca/page/list-licensed-laboratories>
  3. A revised site plan shall indicate the location of the well and septic system components (tank(s) and leaching bed) and demonstrate that the locations conform with minimum clearance distances within Part 8 of the Ontario Building Code. A reserve area bed shall also be delineated to conform to Rural Hamilton Official Plan requirements.

January 20th, 2022

**Note from Cultural Heritage:** Cultural Heritage support the retention of the circa 1876 built heritage resource, however, the contextual value of the agricultural landscape will be impacted through a severance. Staff have no further comments on the application as circulated.

**Building Division:**

1. The applicant shall clarify the uses (including the uses in all buildings on the lands to be conveyed) on both the lands to be conveyed and the lands to be retained in order to determine zoning compliance as the application indicates the proposed use on the lands to be conveyed is “unknown/agricultural?” although it does also states a house and garage are existing building. The applicant shall ensure that the proposed uses for the lands to be conveyed and retained are permitted.
2. The applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Growth Planning Section of the Planning and Economic Development Department prior to the issuance of a building permit.
3. Subject to the Minimum Distance Separation requirements for livestock facilities within agricultural areas as set out in the Zoning By-Law.
4. The applicant, as a condition of approval, shall be required to provide evidence from a qualified professional that the existing septic system will be in compliance with The Ontario Building Code with respect to its location to the new property lines. The septic system shall be located entirely within the lands to be conveyed or the lot lines shall be reconfigured to accommodate the existing septic system. A septic system is not permitted to be located on adjacent lands.
5. The building setbacks shown on the survey submitted for the lands to be conveyed are illegible. Further, the survey also does not provide details respecting the uses, gross floor areas and heights for the buildings on the lands to conveyed. As such, this Division cannot confirm zoning compliance.
6. A variance for lot area will be required for zoning compliance of the lands to be retained as a minimum lot area of 40.4ha is required for an agriculture use and a lot area of 5.31ha is proposed.
7. In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.
8. In order to clear conditions, the applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.

January 20th, 2022

**CONDITIONAL UPON:**

1. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plan Examination).
2. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
3. The applicant shall provide confirmation of the existing uses on the lands to be retained and conveyed in order to determine compliance with the permitted uses of the “A1” zone or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
4. The owner shall submit survey evidence that the lands to be severed, including: the location of any existing structure(s) including accessory buildings; parking (including number of spaces, size, aisle width, access driveway, location and setback of parking spaces); lot coverage of accessory buildings; height of accessory buildings and vehicular entrance and access driveway to accessory buildings; and, Minimum Distance Separation Formula, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
5. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed, to the satisfaction of the Planning and Economic Development Department (Building Division –Plan Examination Section).
6. The owner shall apply for and receive any required building permits in the normal manner to the satisfaction of the Planning and Economic Development Department (Building Division – Zoning Section).

**Development Engineering:**

According to our GIS records, there are currently no existing municipal water, sanitary or storm sewer services along Jersey Road West. The site is located outside the Urban boundary.

Jerseyville is classified as a Rural Collector Road per the Rural Hamilton Official Plan. Please refer to Transportation Planning comments for right-of-way widening, access and/or daylight triangle related comments, if any.



**January 20th, 2022**

Currently, the existing street has a rural cross section. Therefore, as a condition of approval the owner is required to provide a cash payment to the City for the future urbanization of the street based on the “New Road Servicing Rates”.

Both severed and retained lots shall have self contained drainage, with their respective, separate stormwater outlets. Furthermore, both lots are to have separate private water and sewage services.

**Recommendations:**

1. The Owner must enter into with the City of Hamilton and register on title, a Consent Agreement, having an administrative fee of \$4,500.00 (2022 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), driveway approaches, relocation of any existing infrastructure and any damage during construction (unknown costs at this time), to the satisfaction of the City’s Manager of Development Approvals. Cash payments mentioned above are subject to change.
2. That the owner provides a cash payment to the City for the future urbanization of the street based on the frontage of the severed portion of the property and the “New Roads Servicing Rate” at the time of payment to the satisfaction of the Manager of Engineering Approvals Section.
3. That the Owner submits an assessment prepared by a qualified professional to demonstrate that the existing private services i.e. water well and septic system, if any, are in good working condition to continue to support the existing dwellings and that the lot size is sufficient to provide for a reserve septic bed and/or a new water well if required all supported by the existing soil conditions to the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.

**Source Water Protection:**

Given the proposed severance exceeds 1 ha in lot area, we have no concerns related to the sustainability of the proposal as it relates to managing pollution risks from the existing septic system. As a condition of approval to the satisfaction of Director, Hamilton Water, the applicant shall submit a Scoped Hydrogeological Report. Scope of the report will include but may not be limited to:

1. It is assumed a private well supports the existing dwelling and its water servicing. As a result, the applicant shall forward the Ministry of Environment Water Well Record for the existing well to Source Protection Planning for our review. If the

January 20th, 2022

Water Well Record can not be located OR if the well is more than 10 years old, it shall be inspected by a licensed water well contractor for its condition and its sustainable pumping rate verified to demonstrate that the existing well can sustainably support the residential use. Any improvements to the condition of the well suggested by the water well contractor shall be implemented and associated documentation shall be forwarded to Source Protection Planning for review. Find licensed water well contractors here: <https://www.ontario.ca/page/find-licenced-well-contractors>

2. The water well contractor or other qualified professional (P.Eng, P.Geo) shall obtain water quality samples from the onsite well. Parameters to be analyzed shall be at minimum, general chemistry, major ions, nutrients, and metals, E. coli, total coliforms. Find licensed laboratories here: <https://www.ontario.ca/page/list-licensed-laboratories>
3. A revised site plan shall indicate the location of the well and septic system components (tank(s) and leaching bed) and demonstrate that the locations conform with minimum clearance distances within Part 8 of the Ontario Building Code. A reserve area bed shall also be delineated to conform to Rural Hamilton Official Plan requirements.

#### **Transportation Planning:**

1. Transportation Planning has no objection to the land severance application, provided the following conditions are met:
  - a. The existing right-of-way at the subject property is approximately 20.0 metres. Approximately 3.0 metres are to be dedicated to the right-of-way on Jerseyville Road, as per the Council Approved Rural Official Plan: Schedule C-1 - Future Right-of-Way Dedications. Jerseyville Road is to be 26.213 metres.

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).

**See attached for additional comments.**



Sam Brush, Urban Forest Health Technician  
 City Centre, 77 James Street North, Suite 400  
 Hamilton, ON L8R 2K3  
 Phone (905) 546-2424 Ext. 7375, Fax (905) 546-4473  
 Email – Sam.Brush@hamilton.ca

## Hamilton

Forestry & Horticulture Section  
 Environmental Services Division  
 Public Works Department

**Date:** January 12, 2022

**To:** Jamila Sheffield, Committee of Adjustment Secretary/Treasurer  
 Development Planning  
 City Hall – 71 Main Street West – 5<sup>th</sup> Floor

**From:** Sam Brush – Urban Forestry Health Technician

**Subject:** 2943 Jerseyville Rd. W., Ancaster  
 File: AN/B-21:94

---

### PREAMBLE

In response to your Agenda listing for the upcoming meeting on Thursday, January 20, 2022, regarding the above subject area under discussion, the Forestry & Horticulture Section has reviewed the submission associated with the Application for Consent/Land Severance for this site and provides the following opinion:

### SCOPE

There are municipal tree assets on site although it is determined that no impacts are anticipated through this application; therefore, no Tree Management Plan is required.

Note: Prior to a person performing any work on, in or around a public tree an application for a permit shall be submitted to the Director.

### TREE MANAGEMENT

Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements.

### LANDSCAPE PLAN

No new Landscape Strips are shown on the submission and none are requested by the Forestry and Horticulture Section.

## SUMMARY

- There are Municipal Tree Assets on site, although no impacts are anticipated therefore no Tree Management Plan or Landscape plan is required.
- Note: Prior to a person performing any work on, in or around a public tree an application for a permit shall be submitted to the Director.

We encourage you to forward a complete copy of our comments to the applicant and should you or the Applicant require clarification or technical assistance, please do not hesitate to contact me at (905) 546- 2424 Ext. 7375.

Regards,

A handwritten signature in black ink, appearing to read "Sam Brush". The signature is stylized and cursive.

Sam Brush  
Urban Forest Health Technician

**From:** [sue hunter](#)  
**To:** [Committee of adjustment](#)  
**Subject:** [\*\*\*\*POSSIBLE SPAM]LAND SEVERANCE APPLICATION AN/B-21:94  
**Date:** January 7, 2022 4:18:04 PM

---

To whom it may concern,

This is in reference to the severance application of 2943 Jerseyville Road West, Ancaster, Ontario. This property is directly across the road from us.

We have been residents for over 40 years and having seen a massive home, too big for the lot, at 2938 Jerseyville Road West, being built recently we are opposed to any more building in our rural area. This makes a huge impact on our quiet way of life here.

We do not want to see this open the floodgates for massive realstate grabs here which will have a domino affect . Rural property in this area was supposed to be protected but now with the ridiculous cost of realty it threatens to destroy this way of life. We are a fully functioning farm community and we would like to keep it that way.

Sincerely  
Dave and Sue Hunter  
2956 Jerseyville Road West  
Ancaster, Ontario

**From:** [sue hunter](#)  
**To:** [Committee of adjustment](#)  
**Subject:** LAND SEVERANCE APPLICATION AN/B-21:94  
**Date:** January 17, 2022 9:37:29 AM

---

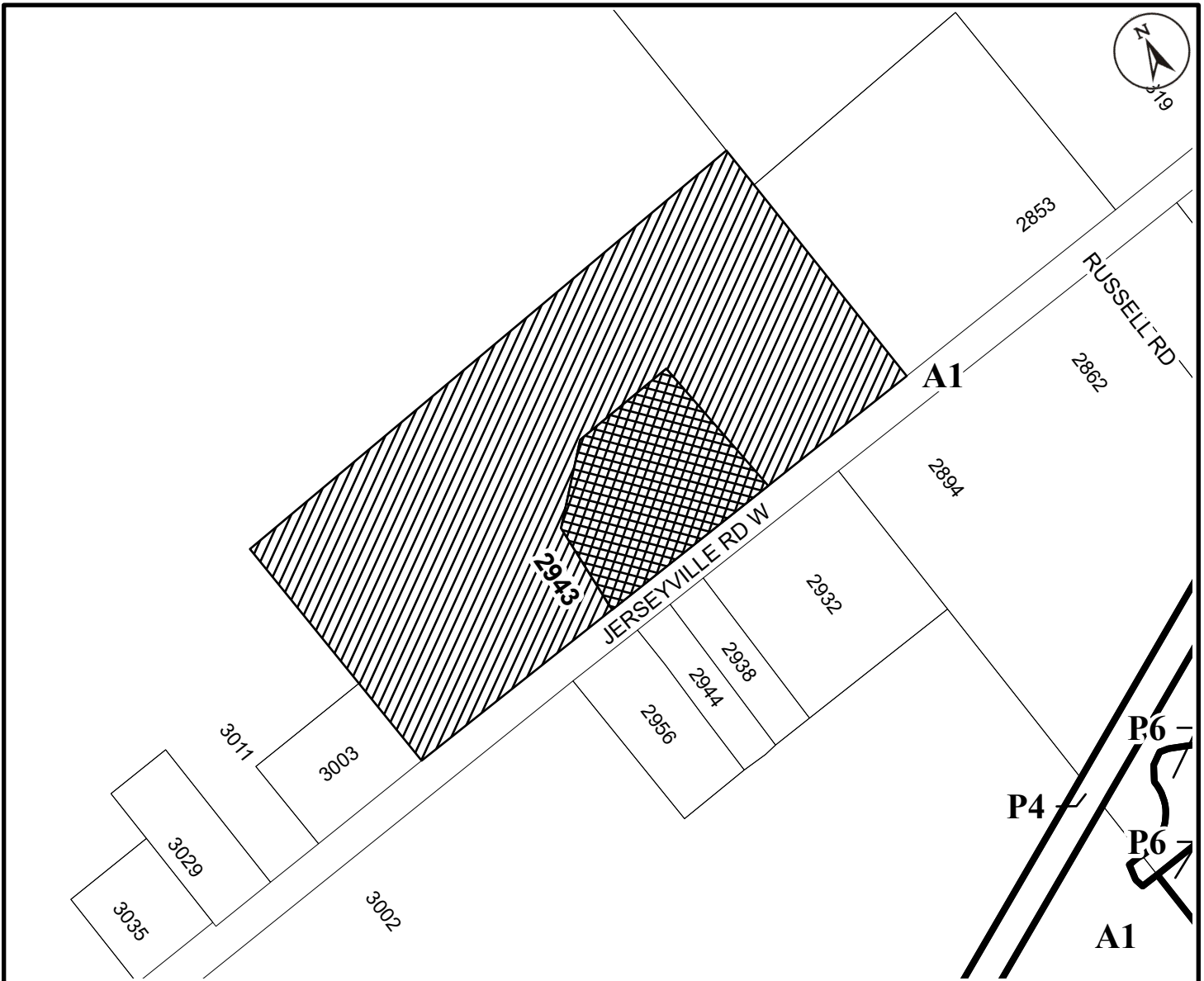
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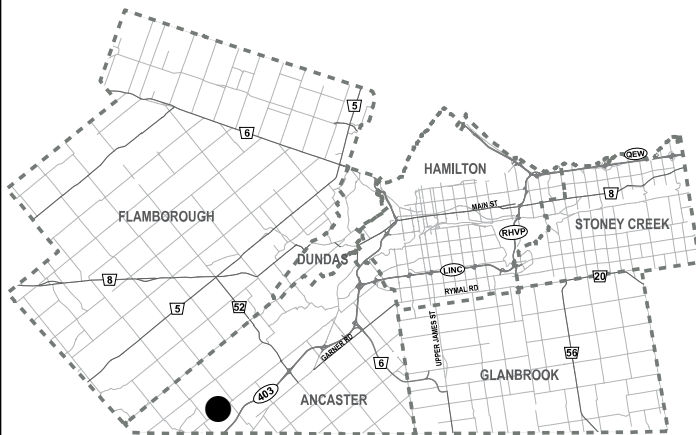
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We do not want to see this open the floodgates for massive real estate grabs here which will have a domino effect. Rural property in this area was supposed to be protected but now with the ridiculous cost of realty it threatens to destroy this way of life. We are a fully functioning farm community and we would like to keep it that way.

Sincerely  
Dave and Sue Hunter  
2956 Jerseyville Road West  
Ancaster, Ontario



● Site Location





**City of Hamilton**

**Committee of Adjustment**

**Subject Property**

2943 Jerseyville Road West, Ancaster  
(Ward 12)

-  Lands to be Retained
-  Lands to be Severed

**File Name/Number:**  
AN/B-21:94

**Date:**  
January 13, 2022

**Technician:**  
AL

Map Not To Scale

**Appendix "A"**



Hamilton







Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:226</b>	<b>SUBJECT PROPERTY:</b>	183 SUNNYRIDGE ROAD, ANCASTER
<b>ZONE:</b>	"S1" (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner – L & M Godoy  
Agent – Len Angelici

The following variances are requested:

1. A maximum aggregate gross floor area of 74.5m<sup>2</sup> shall be permitted for all accessory buildings whereas the zoning By-law states that the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser.

**PURPOSE & EFFECT:** To facilitate the construction of a one storey 74.32m<sup>2</sup> accessory building (private workshop) for the existing single detached dwelling.

**Notes:**

Based on GIS aerial view, it appears that there are other accessory buildings located on the lot. If the existing accessory buildings are proposed to be retained on the lot, further variances will be required. The applicant shall provide confirmation.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

AN/A-22:226

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

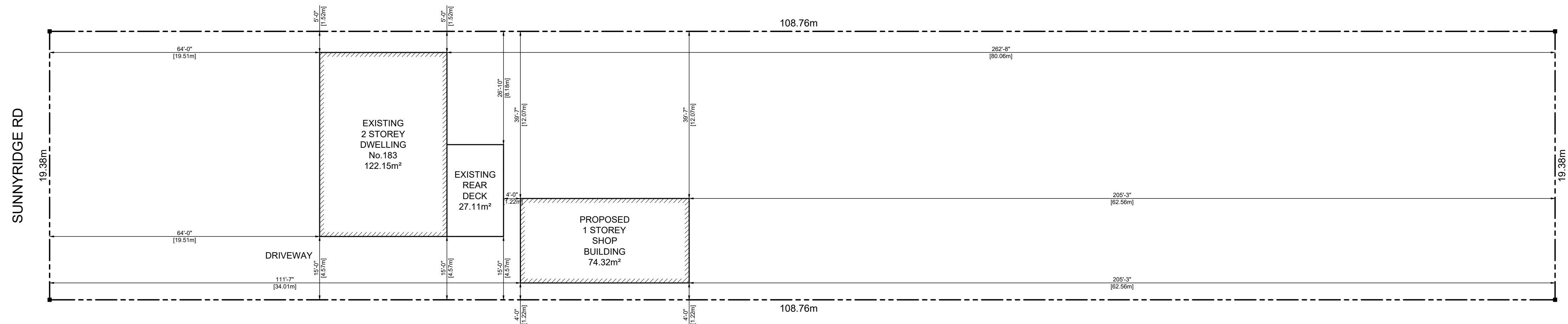
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

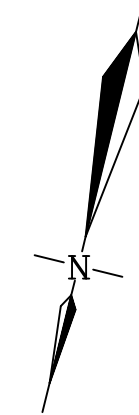
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto: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	
ZONE:	S1
LOT AREA:	2107.84m²
EXISTING DWELLING AREA:	122.15m²
EXISTING REAR DECK AREA:	27.11m²
PROPOSED SHOP BUILDING AREA:	74.32m²
LOT COVERAGE:	9.32%
SHOP BUILDING HEIGHT:	1
<b>SETBACKS</b>	
FRONT:	34.01m
REAR:	52.56m
LEFT SIDE:	12.07m
RIGHT SIDE:	1.22m



PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/27/2022

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

SEAL

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

**QUALIFICATION INFORMATION**

LEONARD ANGELICI 42391  
NAME BCIN

**REGISTRATION INFORMATION**

LEN ANGELICI DESIGN 43162  
NAME BCIN

06/27/2022  
DATE SIGNATURE

**Len Angelici Design**

270 SHERMAN AVE N. UNIT OF-269  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

**PROJECT**

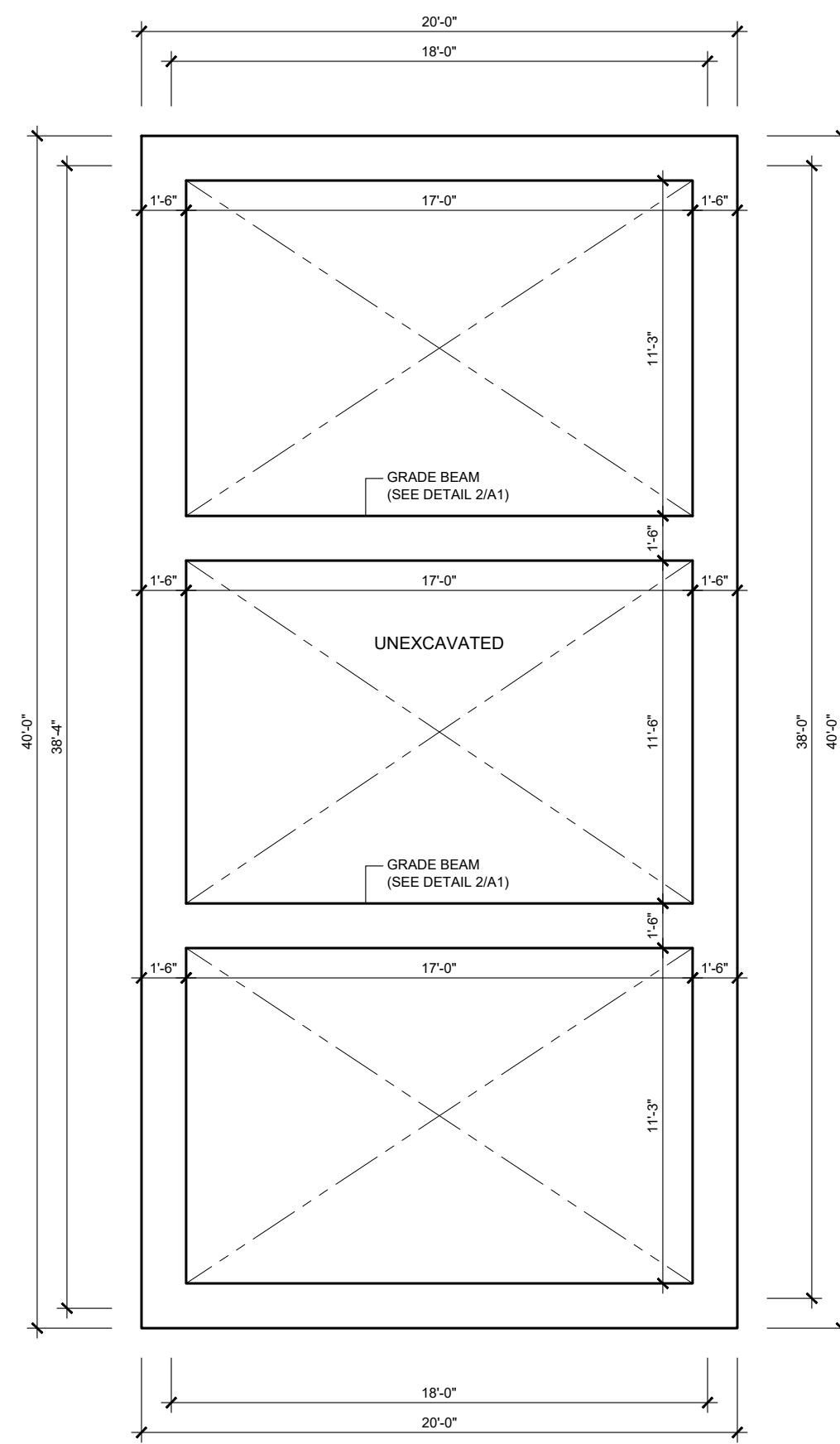
PROPOSED RESIDENCE  
183 SUNNYRIDGE RD  
JERSEYVILLE, ON

**SHEET TITLE**

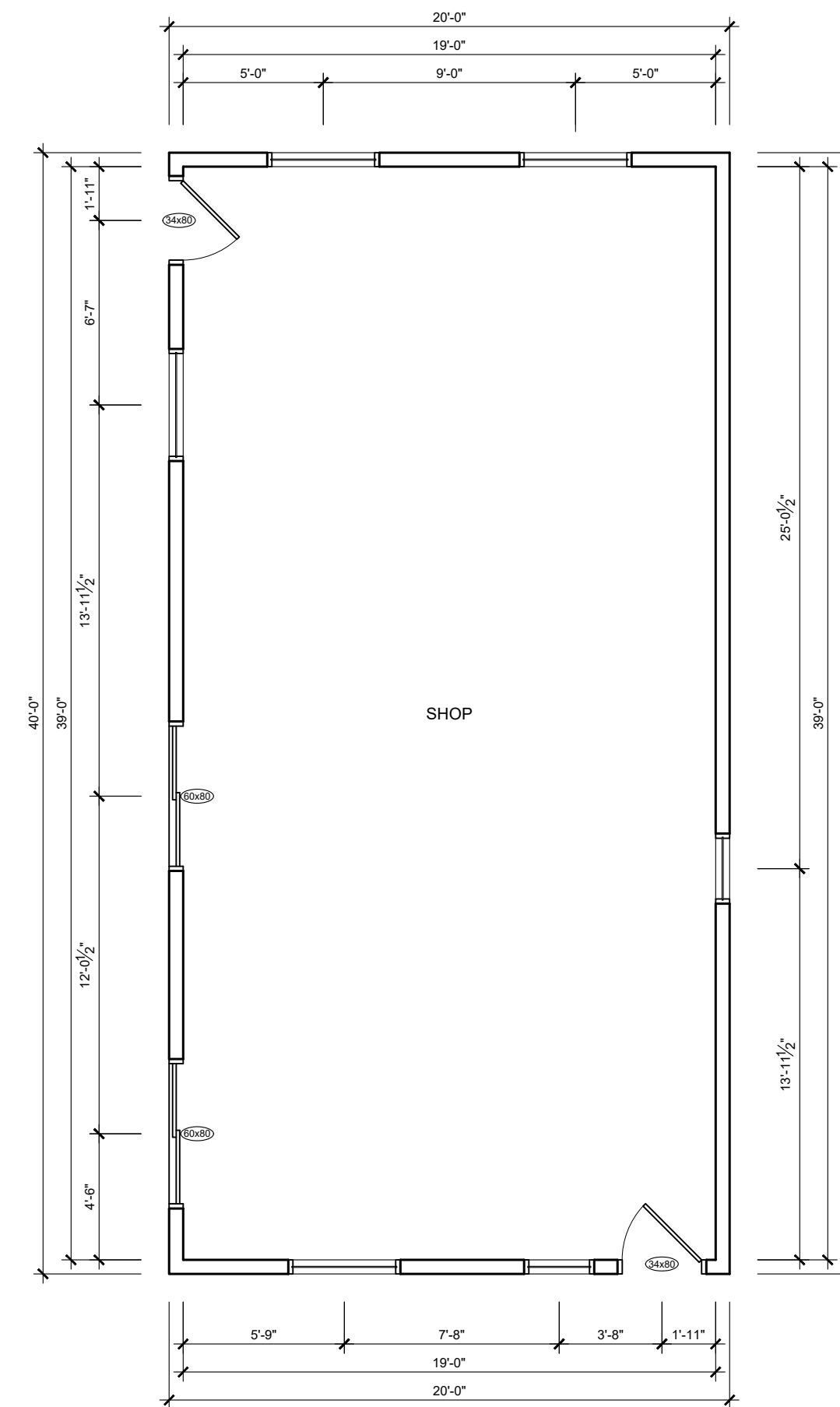
SITE PLAN

DRAWN BY	L. ANGELICI
DATE	06/27/2022
SCALE	1/8" = 1'-0"
PROJECT No.	22062

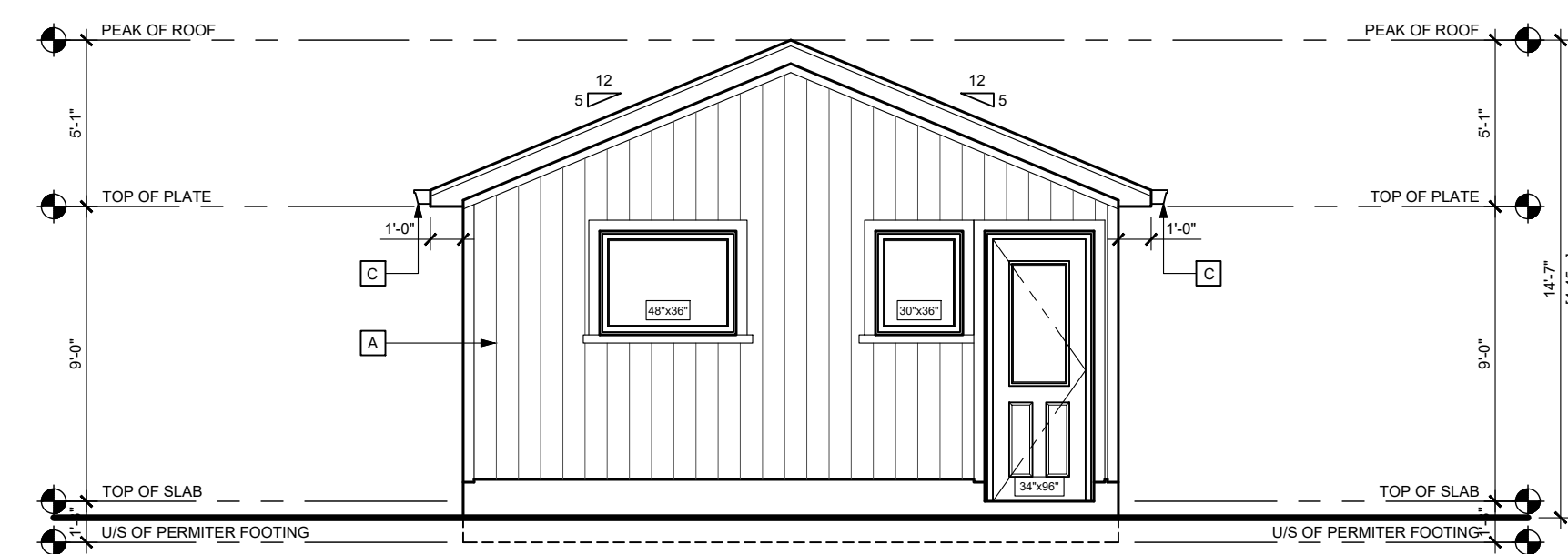
**SP1**



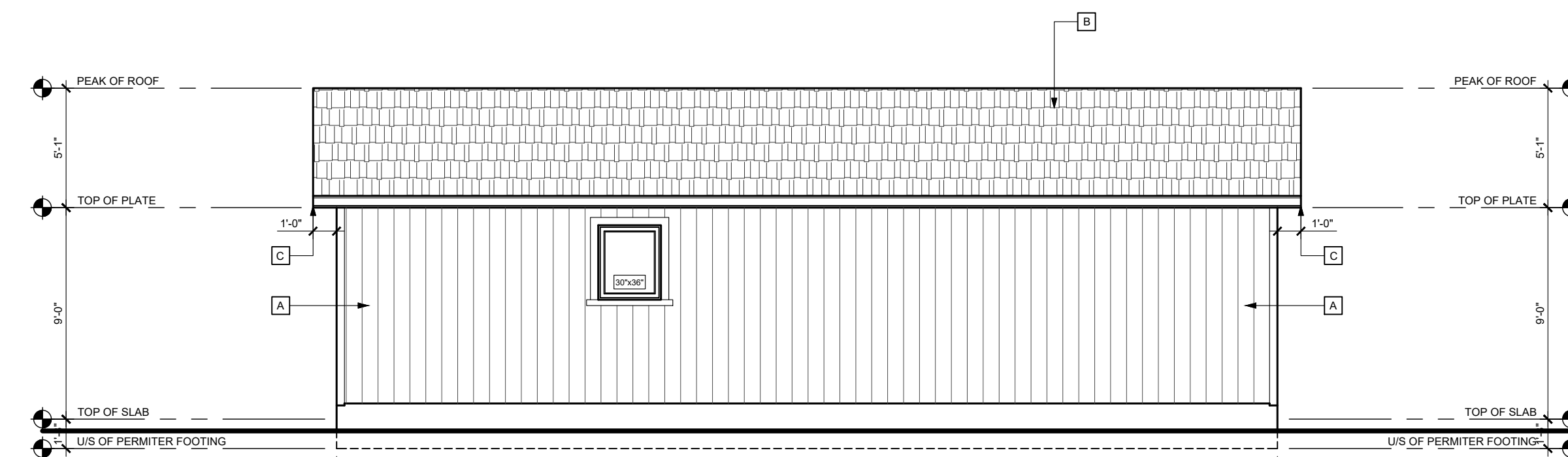
**PROPOSED FOUNDATION PLAN**  
SCALE: 3/16" = 1' - 0"



**PROPOSED SHOP PLAN**  
SCALE: 3/16" = 1' - 0"

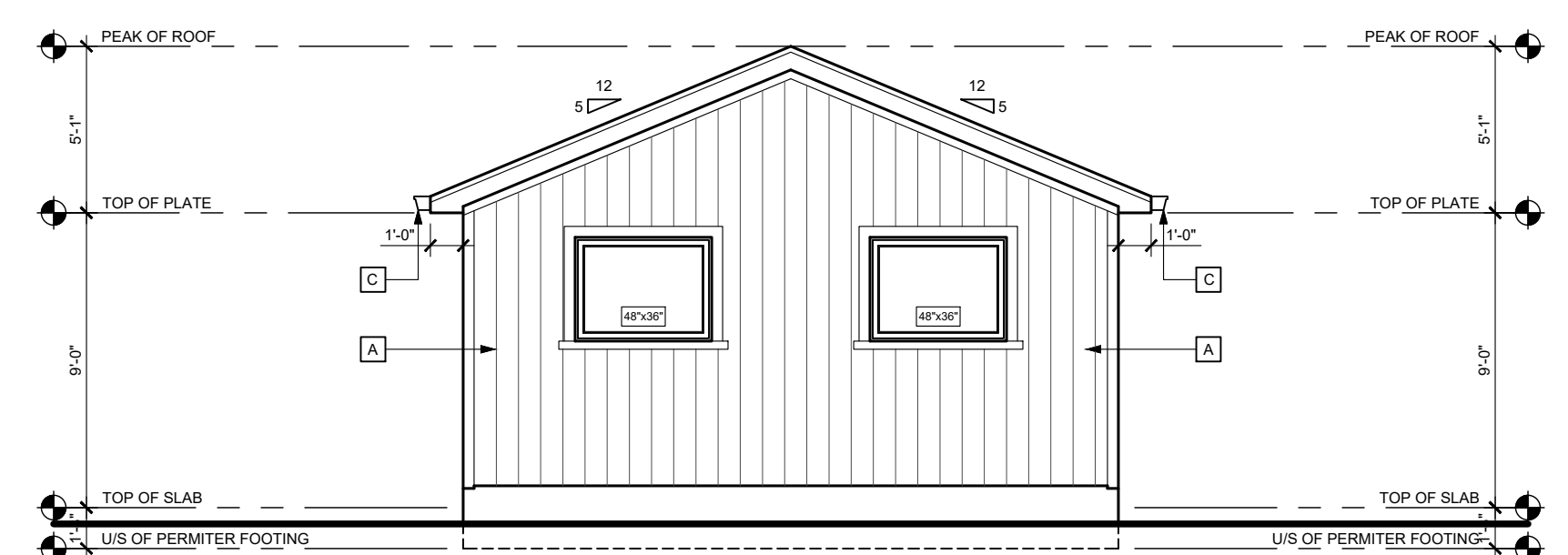


**FRONT ELEVATION**  
SCALE: 3/16" = 1' - 0"

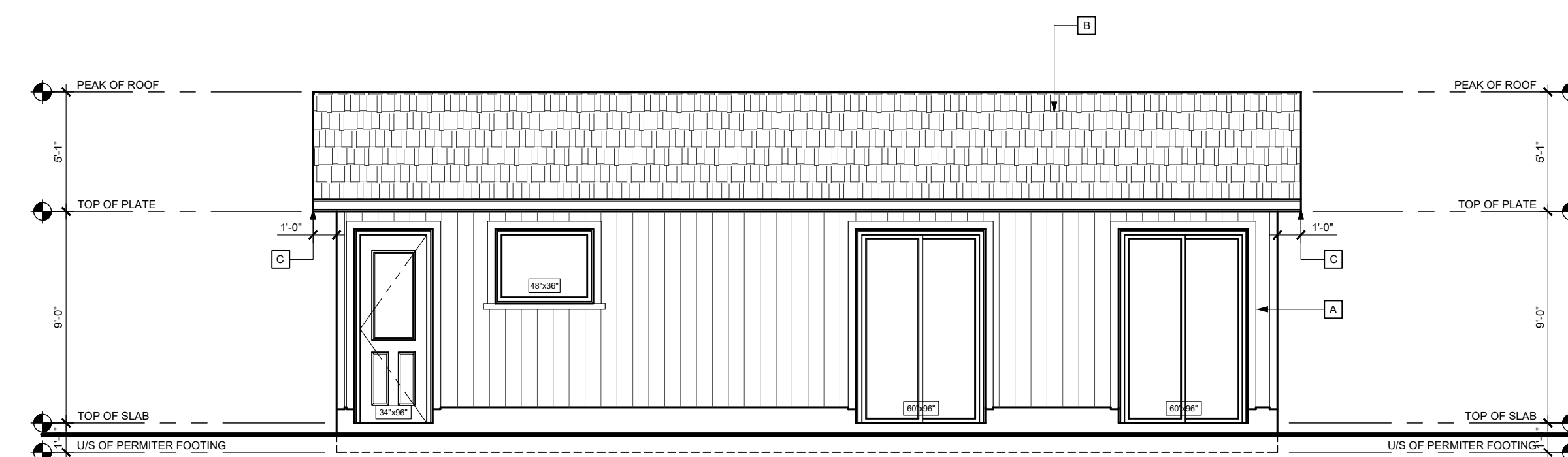


**RIGHT SIDE ELEVATION**  
SCALE: 3/16" = 1' - 0"

WALL AREA: 35.30m<sup>2</sup>  
WALL SETBACK: 1.22m  
UNPROTECTED OPENINGS AREA: 0.54m<sup>2</sup> = 1.53%  
MAXIMUM ALLOWABLE OPENINGS: 7%



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



**LEFT SIDE ELEVATION**  
SCALE: 3/16" = 1' - 0"

**EXTERIOR FINISH INDEX**

- [A] PRE-FIN. WOOD SIDING
- [B] ASPHALT SHINGLES
- [C] 5" PRE-FIN. ALUM. EAVTROUGH ON 6" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR PERMIT REVIEW	06/27/2022

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
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4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
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8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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

**QUALIFICATION INFORMATION**

LEONARD ANGELICI 42391  
NAME BCIN

**REGISTRATION INFORMATION**

LEN ANGELICI DESIGN 43162  
NAME BCIN

06/27/2022  
DATE SIGNATURE

**Len Angelici Design**

270 SHERMAN AVE N. UNIT OF-269  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

**PROJECT**

PROPOSED RESIDENCE  
183 SUNNYRIDGE RD  
JERSEVILLE, ON

**SHEET TITLE**

PROPOSED FLOOR PLANS & ELEVATIONS

DRAWN BY  
L. ANGELICI

DATE  
06/27/2022

SCALE  
3/16"=1'-0"

PROJECT No.  
22062

A1



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>	LEONARDO AMADO GODOY & MARSELHA TINELLI GOMES GODOY	[REDACTED]
<b>Applicant(s)*</b>	LEN ANGELICI	
<b>Agent or Solicitor</b>		<b>Phone:</b>
		<b>E-mail:</b>

**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 MAX SIZE FOR ACCESSORY DWELLING OF 45m<sup>2</sup> TO 74.32m<sup>2</sup>

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

MAX SIZE OF 45m<sup>2</sup> DOES NOT ALLOW FOR ADEQUATELY SIZED SHOP BUILDING

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

183 SUNNYRIDGE RD  
ANCASTER, ON  
L0R 1R0

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?

AREA HAS BEEN RESIDENTIAL SINCE CONSTRUCTION OF SUBJECT PROPERTY

8.12 If previous use of property is industrial or commercial or if YES to any of 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.

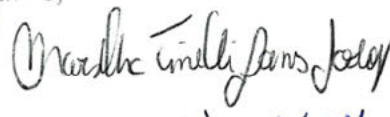
Is the previous use inventory attached? Yes  No

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.

06/20/2022  
Date

  
Signature Property Owner(s)



LEONARDO AMADO GODOY  
Print Name of Owner(s)

MARSELLA TINELLI GOMES GODOY

10. Dimensions of lands affected

Frontage 19.38m

Depth 108.76

Area 2107.84

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

DWELLING:  
FLOOR AREA: 122.15m2  
2 STOREYS

Proposed

SHOP:  
FLOOR AREA: 74.32m2      HEIGHT: 4.45m  
LENGTH: 12.19m              1 STOREY  
WIDTH: 6.10m

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

Existing

DWELLING:  
FRONT: 19.51m  
REAR: 80.06m  
RIGHT SIDE: 4.57m  
LEFT SIDE: 1.52m

Proposed

SHOP:  
FRONT: 34.01m  
REAR: 62.56m  
RIGHT SIDE: 1.22m  
LEFT SIDE: 12.07m



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 DWELLINGS, AGRICULTURAL
- 
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTION
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/B-22:68</b>	<b>SUBJECT PROPERTY:</b>	582 CARLUKE ROAD W, ANCASTER,
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**APPLICANTS:** Owner - David Bruulsema & Jody Bruulsema  
Applicant – Bryce Beamer & Michele Inksetter  
Agent - David Marshall

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to be added to property known municipally as 560 Carluke Rd. W.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	29.5 m <sup>±</sup>	59.92 m <sup>±</sup>	2,306 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	237 m <sup>±</sup>	1142 m <sup>±</sup>	45 ha <sup>±</sup>

Associated Planning Act File(s): N/A

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**AN/B-22:68**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



DATED: July 26, 2022

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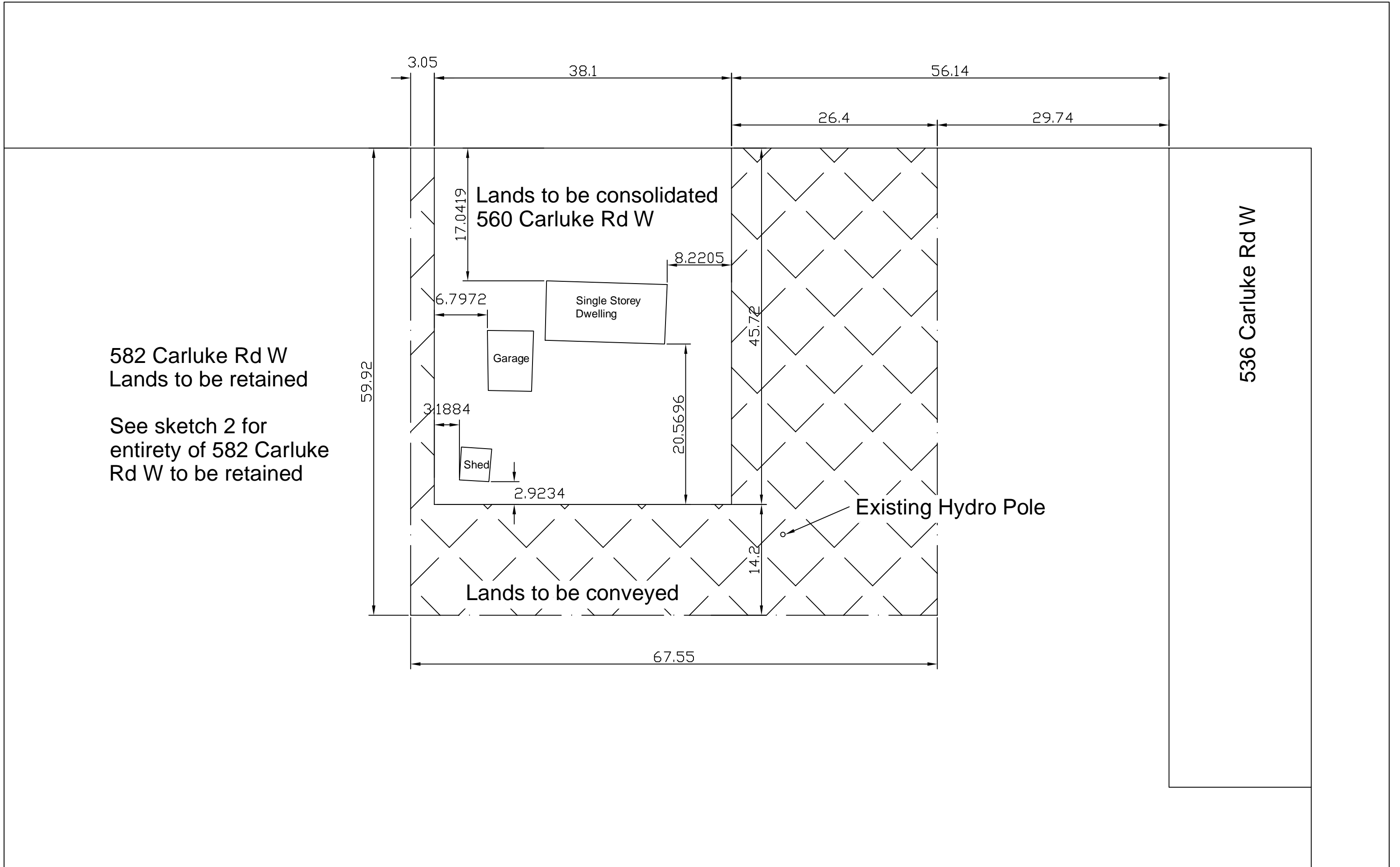
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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-22:68**

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](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



582 Carluke Rd W  
Lands to be retained

See sketch 2 for  
entirety of 582 Carluke  
Rd W to be retained

Lands to be consolidated  
560 Carluke Rd W

Single Storey  
Dwelling

Garage

Shed

Existing Hydro Pole

Lands to be conveyed

536 Carluke Rd W

**560 Carluke Road W**

Carluk  
Hall Park

Carluk  
Rd W

Carluk  
Richards

Triple C Farm

±660ft

±184ft

±210ft

±150ft

±273ft

±69ft

±230ft

±125ft

±150ft

±1,700ft

**582 Carluke Road W  
retained lands  
+/- 112 acres (45ha)**

Shaver Rd

±4,020ft

±200ft

±150ft

±200ft

±1,130ft

Shaver Rd

±1,690ft

Sawmill Rd

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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	Phone:
<b>Registered Owners(s)</b>	David Bruulsema Jody Bruulsema	[REDACTED]	
<b>Applicant(s)*</b>	Bryce Beamer Michele Inksetter		
<b>Agent or Solicitor</b>	David Marshall		

\* 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 Ancaster - City if Hamilton	Lot Pt Lot 37	Concession Con 7	Former Township Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 582 Carluke Rd W, Hamilton ON L9G 3L1			Assessment Roll N°. 140.510.51200

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

 Yes  No

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

Easement in Favour of Hydro One**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:

Bryce Beamer, Michelle Inksetter

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

560 Carluke Rd W, Ancaster L9G 3L1

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
29.5 +/-	59.92	2,306 +/- m2

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: None

Proposed: 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) \_\_\_\_\_

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
237 +/-	1142 +/-	45 ha

Existing Use of Property to be retained:

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



<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<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?  
Site inspection
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes       No

**7 PROVINCIAL POLICY**

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

- Yes       No

Proposed lot addition does not conflict with Agricultural policies of the PPS, lands to be severed do not contain any natural or cultural heritage features. Proposal will only provide for increased lot area, no development is proposed.

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

See above discussion on PPS

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

Proposal complies with Rural Area Policies, Section 2.2.9, and Agricultural System, Section 4.2.6. Proposal is not detrimental to agricultural land base and will not result in land use conflicts

- 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

see below for Greenbelt

- 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)

Minor Lot addition/boundary adjustments are permitted in Prime Agricultural Areas

## 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.

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8.4 How long has the applicant owned the subject land?  
 David and Jody Bruulsema have owned 582 Carluke Rd W since July 5, 2018 (about 3.5 years)

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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.

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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) 29.5 +/-	Area (m <sup>2</sup> or ha): (from in Section 4.1) 2306 +/- m <sup>2</sup>
--	---

Existing Land Use: Agricultural Proposed Land Use: Residential

## b) Lands to be Retained:

Frontage (m): (from Section 4.2) 237 +/-	Area (m <sup>2</sup> or ha): (from Section 4.2) 45 ha
---	--

Existing Land Use: Agriculture Proposed Land Use: Agriculture

## 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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.

Proposed lot addition will achieve a lot area equal to 1.0 acre (0.4 ha) which is the accepted minimum standard for a rural property and sustainable private services. Retained lands will continue to meet the minimum 40 hectare lot area requirement.

## 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.

March 19, 2022

Date

  
Signature of Owner







Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-22:227</b>	<b>SUBJECT PROPERTY:</b>	877 MILLGROVE SIDEROAD, FLAMBOROUGH
<b>ZONE:</b>	"P7 & P8" (Conservation/Hazard Lands)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner – David Josiah John Shelley  
Agent – Matthew Fratarcangeli

The following variances are requested:

1. A new accessory building is intended whereas no new buildings or structures are permitted in the current P7 and P8 zone.
2. A building height of 5.8m shall be provided instead of the maximum building height of 4.5m permitted for an accessory building.
3. A maximum gross floor area of 46.0m<sup>2</sup> for accessory buildings shall be permitted whereas the by-law permits a maximum aggregate gross floor area of 45.0m<sup>2</sup> for accessory buildings.

**PURPOSE & EFFECT:** So as to permit the construction of a new accessory building in the rear yard of the existing single detached dwelling:

**Notes:**

- i. The proposed accessory building is intended to replace an existing structure on the lot.
- ii. The proposed accessory building appears to straddle the zone boundary of a P7 and P8 zone.

**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.**

**FL/A-22:227**

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

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:10 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

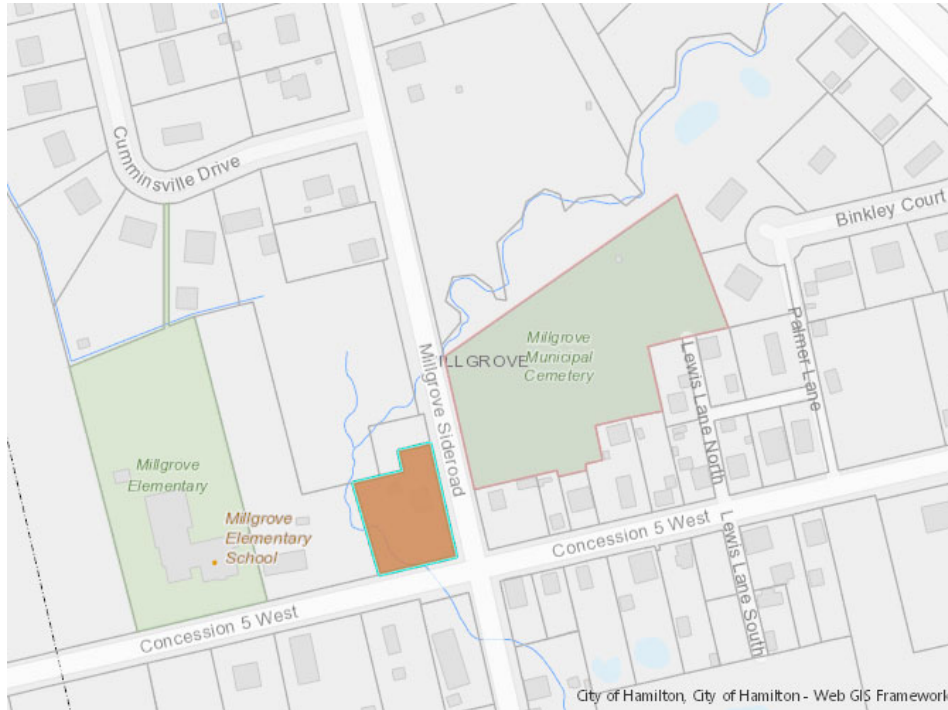
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935


**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 and instructions for check in to participate in person.

FL/A-22:227



 Subject Lands

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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

Planning and Economic  
Development Department

## Memorandum

**To:** Dio Ortiz  
Manager, Building Engineering and Zoning

**From:**  Jessica Abrahamse M.E.S., Natural Heritage Planner (ext. 1231)  
Heritage and Urban Design

Melissa Kiddie, Natural Heritage Planner (ext. 1290)  
Heritage and Urban Design

**Date:** **June 9, 2022**

**Subject:** **Exemption from Site Plan Control By-law No. 15-176 for 877 Millgrove Sideroad. for Development within or adjacent to Core Areas**

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In accordance with Section 9.1 of Site Plan Control By-law No. 15-176, Site Plan Control shall apply to “*any buildings or structures, including accessory buildings and structures, decks and additions to existing buildings, situated Adjacent to or within a Core Area (s), except for single detached, duplex, semi-detached or street townhouse dwellings located within a plan of subdivision or plan of condominium draft approved after January 1, 2013*”.

Proposed Development (Please briefly describe proposed development and attach concept plan/map):

Rebuilding and expanding garage in existing development footprint.

Core Areas include:

An adjacent Provincially Significant Wetland and Watercourse

Based on a review of the proposed development, the following is applicable:

- Proposed development is located within the footprint of an existing structure.
- Proposed development is located within a disturbed area (i.e. manicured area).
- Proposed development is located at least **X** metres away from the Core Areas.
- Correspondence has been provided by the relevant Conservation Authority (attached).

Therefore, Site Plan Control for the above property is waived.

**Notes:**

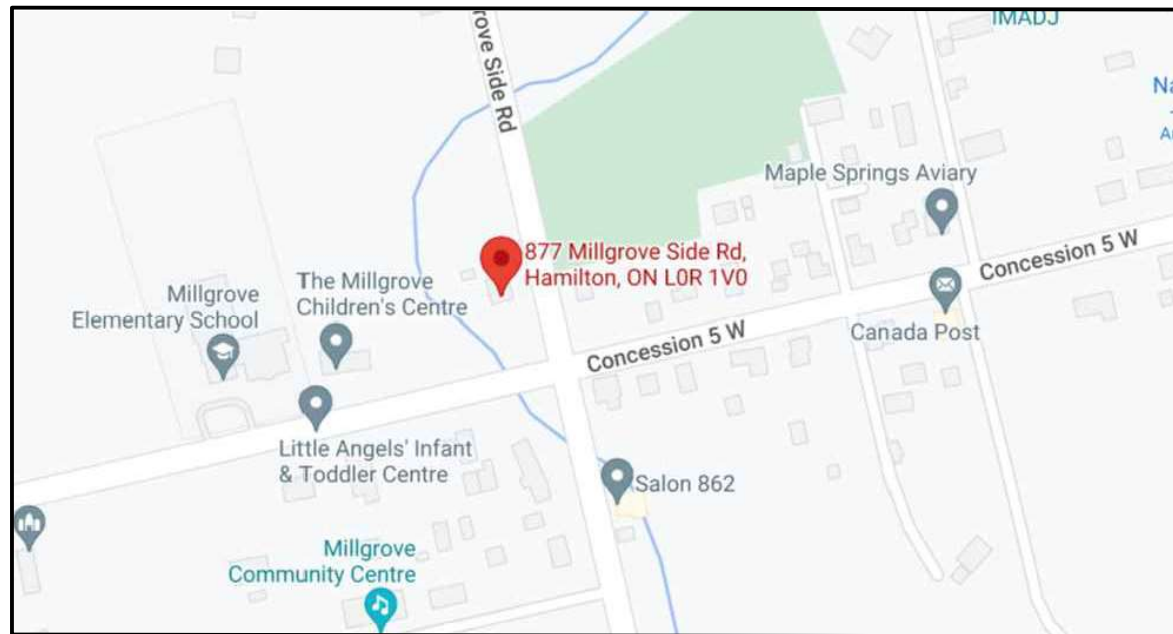
Additional Comments

This memo does not exempt the proposal from the requirements of a building permit, nor does it exempt the proposal from the requirements of the Zoning By-law or any further

- 2 -

regulations. Please be advised that should the application change, the Planning Division has the right to review the revised submission.

If you have any questions, please contact Mark Kehler at 905.546.2424 ext. 4148 or by e-mail at [Mark.Kehler@hamilton.ca](mailto:Mark.Kehler@hamilton.ca).



1 AREA MAP  
A0.01 NTS



2 877 MILLGROVE SIDE RD.  
A0.01 NTS

**PROJECT DESCRIPTION:**

- THESE DRAWINGS OUTLINE THE PLANS FOR A NEW DETACHED GARAGE AT 877 MILLGROVE SIDEROAD IN HAMILTON.

**GENERAL NOTES:**

1. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT 2012 ONTARIO BUILDING CODE AND ONTARIO CONSTRUCTION SAFETY ACT, AS REQUIRED.
2. CONTRACTOR TO TAKE ALL NECESSARY PRECAUTIONS TO COMPLY WITH LOCAL SAFETY AUTHORITIES HAVING JURISDICTION (I.E. OCCUPATIONAL HEALTH & SAFETY ACT).
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MINIMUM STANDARD AND SPECIFICATIONS OF THE MUNICIPALITY'S ENGINEERING DEPARTMENT.
4. VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE PROPERTY OWNER BEFORE PROCEEDING WITH ANY WORK. DO NOT SCALE FROM DRAWINGS.
5. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THERE IS NO INTERRUPTION OF ANY SURFACE OR SUBSURFACE DRAINAGE FLOW THAT WOULD ADVERSELY AFFECT NEIGHBOURING PROPERTIES.
6. ALL EXISTING UNDERGROUND UTILITIES WITHIN THE LIMITS OF CONSTRUCTION SHALL BE LOCATED AND MARKED. ANY DAMAGED OR DISTURBED UTILITIES SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE GOVERNING BODY AT CONTRACTOR'S EXPENSE.
7. SAFEGUARD ALL EXISTING STRUCTURES, SERVICES, AND ADJACENT PROPERTY AFFECTED BY THE CONSTRUCTION.
8. ALL CONCRETE WORK, INCLUDING FORMING, REINFORCING, PREPARATION, MIXING, PLACING, CURING AND FINISHING SHALL CONFORM TO CSA CAN 3-A23.1-M90 (M94).
9. ALL MASONRY WORK TO BE DONE IN ACCORDANCE WITH CAN3-5304-M90.
10. IF THERE ARE ANY DEVIATIONS FROM WHAT IS DEPICTED ON THESE DRAWINGS, THE CONTRACTOR IS TO NOTIFY TENHOUSE BUILDING WORKSHOP AND SEEK INSTRUCTION BEFORE PROCEEDING.

11. DEMOLITION SHALL BE PERFORMED IN COMPLIANCE WITH CSA S350-M1980(R2003) AND MINISTRY OF LABOUR REQUIREMENTS.
12. IF REQUIRED, CONTRACTOR IS TO PROVIDE SUPPORTS OR SHORING WHERE NECESSARY, BEFORE ANY CLEANUP, DEMOLITION, OR REPAIR ACTIVITIES.
13. ALL DIMENSIONS ARE IN IMPERIAL UNLESS OTHERWISE NOTED.
14. ALL DIMENSIONAL LUMBER TO BE SPRUCE, PINE, FIR (SPF) NO. 1 OR NO. 2 GRADE.
15. THE CONTRACTOR SHALL SEEK FURTHER DIRECTION, IF REQUIRED, REGARDING DETAILS OR MATERIAL SELECTION. TENHOUSE BUILDING WORKSHOP DOES NOT TAKE RESPONSIBILITY FOR ANY ADDITIONAL DETAILS NOT INCLUDED IN THESE DRAWINGS.
16. ALL SPECIFICATIONS AND MATERIALS PROPOSED BY ENGINEERS SHALL BE USED IN PLACE OF SPECIFICATIONS AND MATERIALS IDENTIFIED IN THE CONSTRUCTION NOTES.
17. ALL MANUFACTURED ITEMS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS. SUBMIT ALL INSTALLATION INSTRUCTIONS TO OWNER UPON COMPLETION OF JOB.
18. ALL HAZARDOUS MATERIALS TO BE IDENTIFIED BY THE CONTRACTOR AND PROPERLY DISPOSED OF.
19. ALL WORK AND TRADES SHALL BE COORDINATED BY THE GENERAL CONTRACTOR TO ENSURE ALL WORK IS COMPLETED TO THE HIGHEST STANDARD POSSIBLE.
20. ALL NEW STRUCTURAL MEMBERS ARE TO BE FRAMED, FASTENED, TIED, BRACED, AND ANCHORED TO PROVIDE NECESSARY STRENGTH, RIGIDITY, AND STABILITY PER THE 2012 OBC.
21. GENERAL CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY AND REQUIRED INSPECTIONS.
22. ALL MATERIAL TO BE NEW AND FREE OF DEFECTS.

**ABBREVIATIONS:**

AFF	ABOVE FINISHED FLOOR	HB	HOSE BIB
ALUM	ALUMINUM	INSUL	INSULATED OR INSULATION
BBSE	BEAM BY STRUCTURAL ENGINEER	INT	INTERIOR
BM	BEAM	JST	JOIST
CLG	CEILING	LVL	LAMINATED VENEER LUMBER
CRF	CONVENTIONAL ROOF FRAMING	LSL	LAMINATED STRAND LUMBER
CMU	CONCRETE MASONRY UNIT	MAX	MAXIMUM
COL	COLUMN	MIN	MINIMUM
CONC	CONCRETE	MTL	METAL
CONT	CONTINUOUS	OBC	ONTARIO BUILDING CODE
CW	COMPLETE WITH	OC	ON CENTER
DEMO	DEMOLISH	OSB	ORIENTED STRAND BOARD
DIM	DIMENSION	OTA	OPEN TO ABOVE
DJ	DOUBLE JOIST	OTB	OPEN TO BELOW
DN	DOWN	PT	PRESSURE TREATED
DO	DO OVER	PTD	PAINT OR PAINTED
DR	DOOR	REQD	REQUIRED
DROP	DROPPED	RM	ROOM
DS	DOWNSPOUT	RT	ROOF TRUSS
DWG	DRAWING	RWL	RAIN WATER LEADER
EA	EACH	SB	SOLID BEARING
EIFS	EXTERIOR INSULATED FINISH SYSTEM	SBFA	SOLID BEARING FROM ABOVE
ELEV	ELEVATION	SJ	SINGLE JOIST
ENC	ENCLOSED	SPEC	SPECIFIED OR SPECIFICATION
ENG	ENGINEER OR ENGINEERED	SPF	SPRUCE, PINE, FIR
EQ	EQUAL	STL	STEEL
EST	ESTIMATED	T&G	TONGUE AND GROOVE
EXT	EXTERIOR	TJ	TRIPLE JOIST
FD	FLOOR DRAIN	T/O	TOP OF
FG	FIXED GLASS	TYP	TYPICAL
FL	FLUSH	UNO	UNLESS NOTED OTHERWISE
FLR	FLOOR	U/S	UNDERSIDE
GA	GAUGE	WIC	WALK-IN CLOSET
GALV	GALVANIZED	WP	WEATHER PROOF
GWB	GYPSUM WALL BOARD		

**TENHOUSE**  
BUILDING WORKSHOP

TENHOUSE BUILDING WORKSHOP  
107 GLADSTONE AVENUE  
HAMILTON, ON L8M 2H8  
T: 905-699-7371

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 DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

**QUALIFICATION INFORMATION**  
MATTHEW FRATARCANGELI  
BCIN#:44839

**REGISTRATION INFORMATION**  
TENHOUSE BUILDING WORKSHOP  
BCIN#:112916

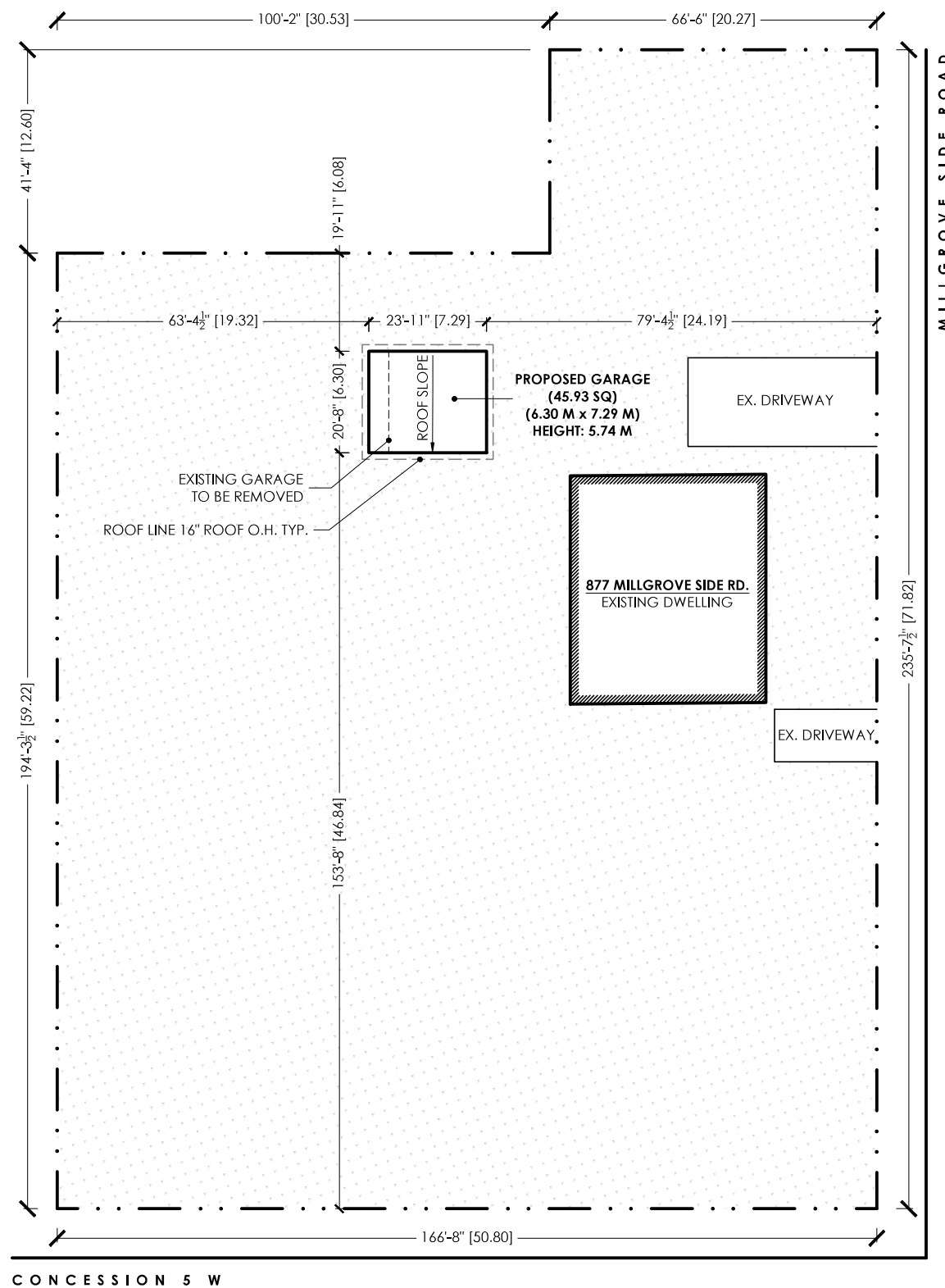
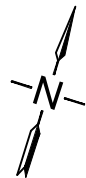
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PROJECT:  
NEW DETACHED GARAGE  
AT 877 MILLGROVE SIDE RD.,  
HAMILTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2022-011	CHECKED: M.D.F
REVISION: 0	DATE: 05-11-2022

LEGEND:

 EXISTING SOFTSCAPE



1 SITE PLAN  
SP0.01 1/32" - 1'-0"

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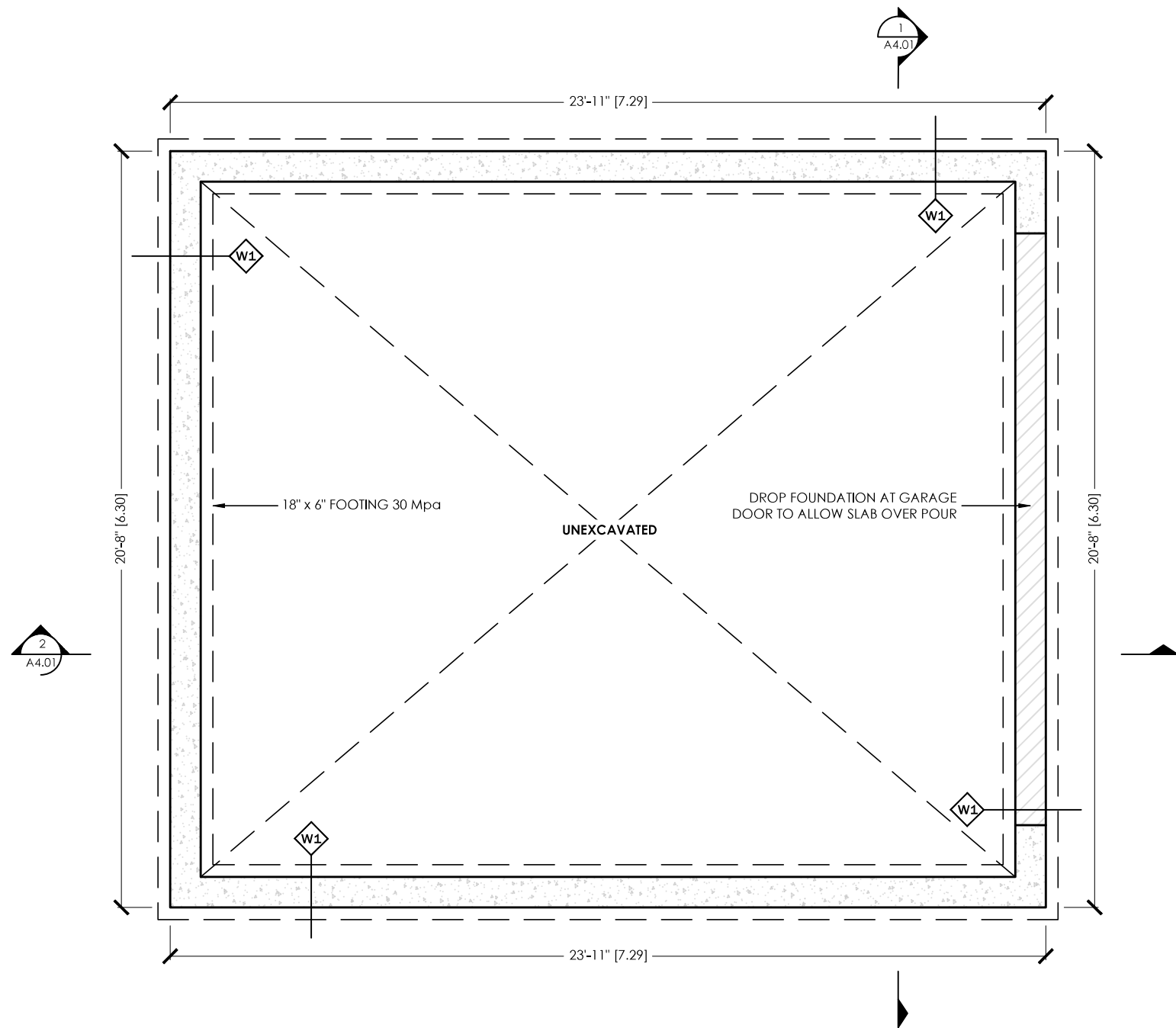
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SITE PLAN  
**SP0.01**





1 FOUNDATION PLAN  
A1.01 1/4" - 1'-0"

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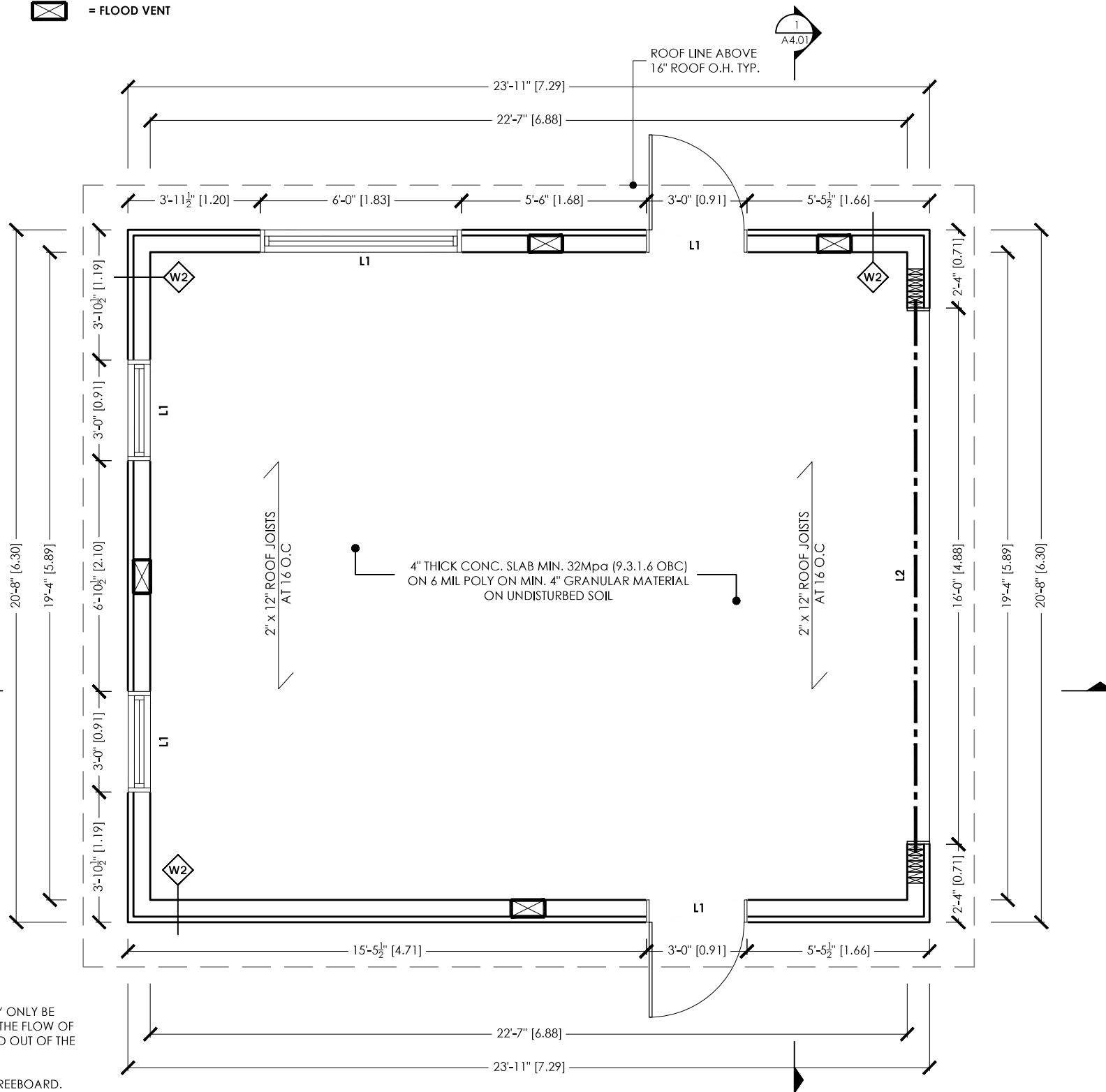
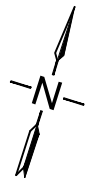
FOUNDATION PLAN  
**A1.01**

**LINTEL SCHEDULE**

- \* L1- 2-PLY 2" x 8" LINTEL, 4 PLY POST, 1 JACK, 3 KING
- \* L2- 3-PLY 2" x 12" LINTEL, 8 PLY POST, 2 JACKS, 6 KINGS  
PROVIDE 1 - 2X6 HORZ. BELOW + 2 - 2X6 HORZ. ABOVE

**\* LEGEND**

 = FLOOD VENT



**\* FLOODPROOFING NOTES:**

1. WET-FLOODPROOFING OF OPENINGS NOTED ON PLANS MAY ONLY BE COVERED WITH SCREENS OR LOUVRES THAT DO NOT BLOCK THE FLOW OF FLOODWATER. FLOODWATERS MUST BE ABLE TO FLOW IN AND OUT OF THE BUILDING AUTOMATICALLY THROUGH THE NOTED OPENINGS.
2. USE PLYWOOD BELOW THE FLOOD ELEVATION PLUS 1 FT OF FREEBOARD. NO SIDING OR FINISHES THAT CAN BE DAMAGED BY WATER. STUDS TO BE UNCOVERED AND ABLE TO DRY IF WET.
3. NO ELECTRICAL SERVICES ARE TO BE INSTALLED BELOW THE FLOOD ELEVATION PLUS 1 FT OF FREEBOARD.
4. ALL FASTENERS AND METAL HARDWARE TO BE GALVANIZED OR STAINLESS STEEL BELOW THE FLOOD ELEVATION PLUS 1 FT OF FREEBOARD.

**1 GARAGE PLAN**  
A1.02 1/4" = 1'-0"



**TACOMA ENGINEERS**

\* ITEMS DESIGNED AS REQUESTED.



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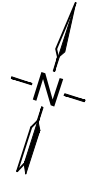
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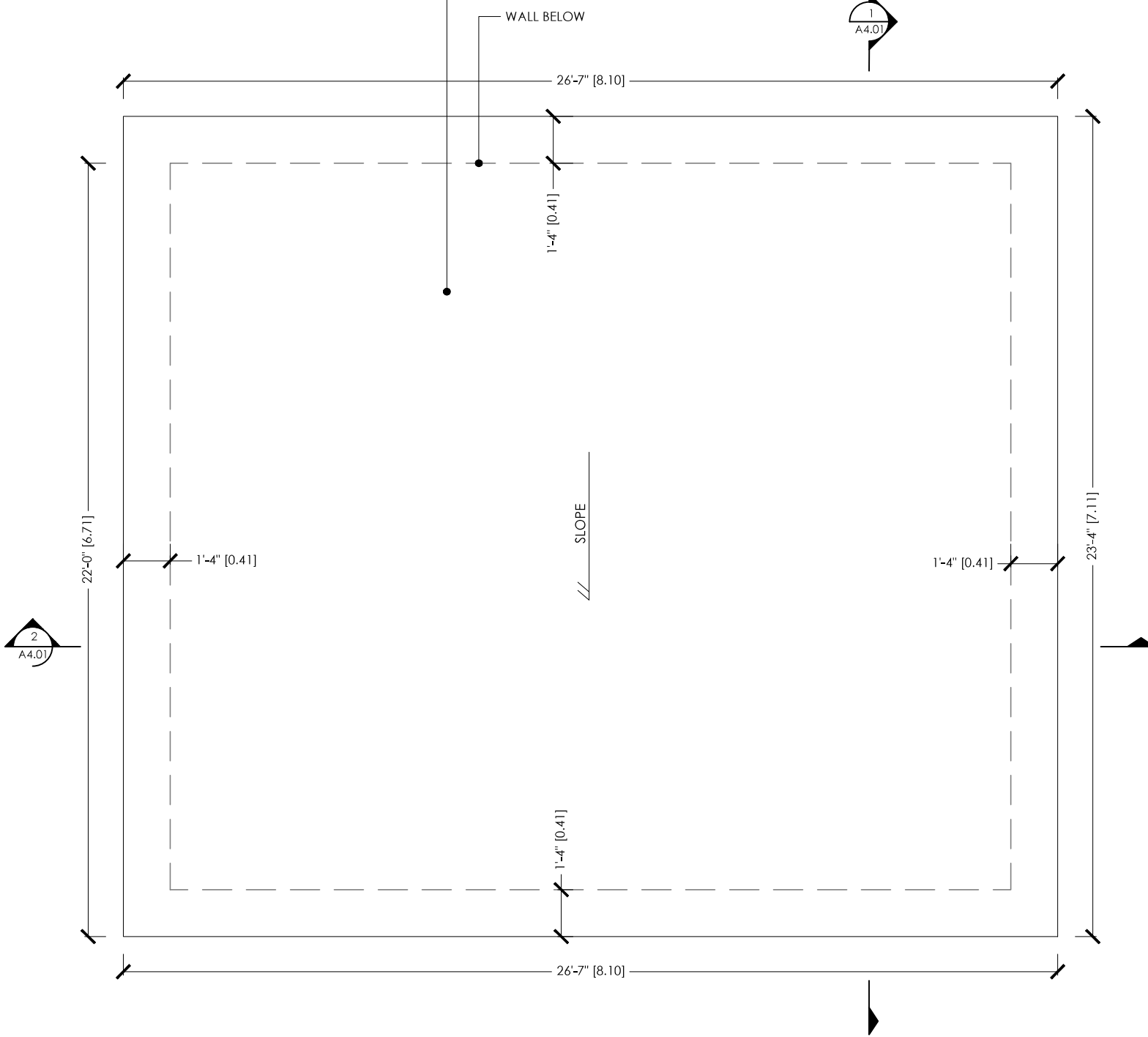
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GARAGE PLAN  
**A1.02**



**ROOF CONSTRUCTION**

MOD BIT PEEL AND STICK ROOF MEMBRANE AS PER MANUFACTURER  
 MOD BIT PRIMER ROLLED ON SHEATHING AS PER MANUFACTURER  
 1/2" EXTERIOR GRADE SHEATHING  
 ROOF JOISTS AS PER PLAN WITH 2 ROWS OF BLOCKING WITH EQUALLY SPACED  
 FINISH CEILING AS PER OWNERS DIRECTION



1 ROOF PLAN  
 A1.03 1/4" = 1'-0"

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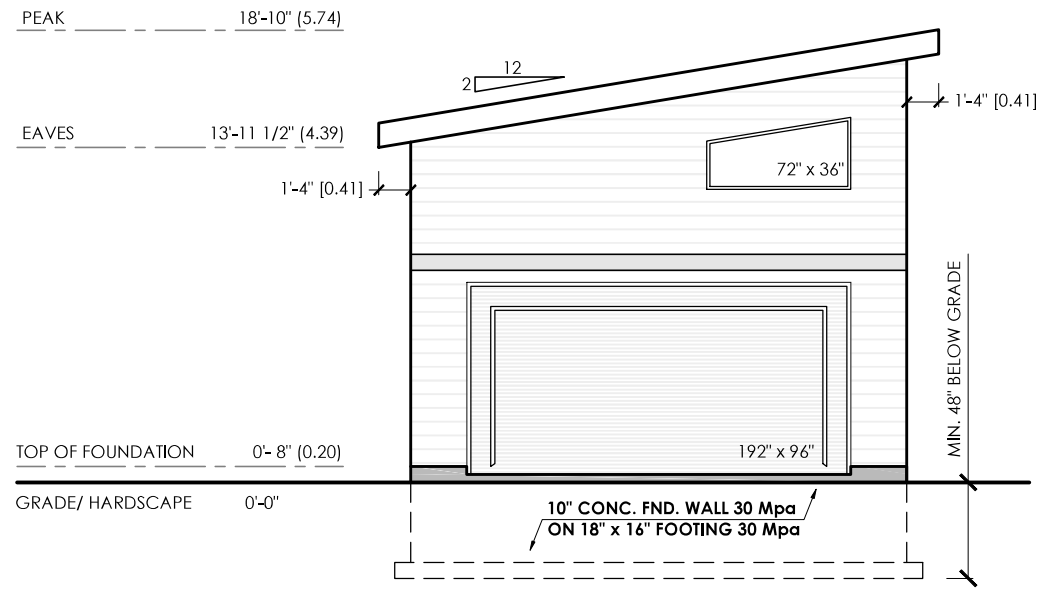
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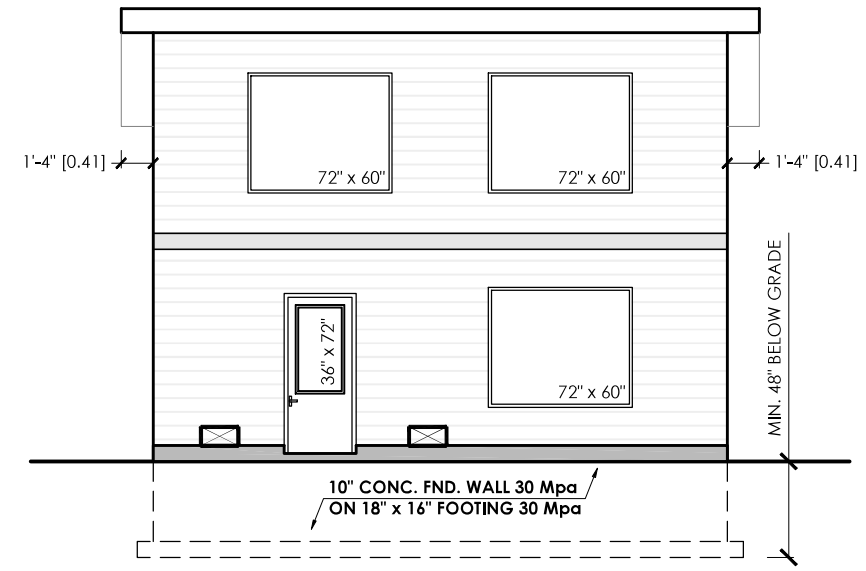
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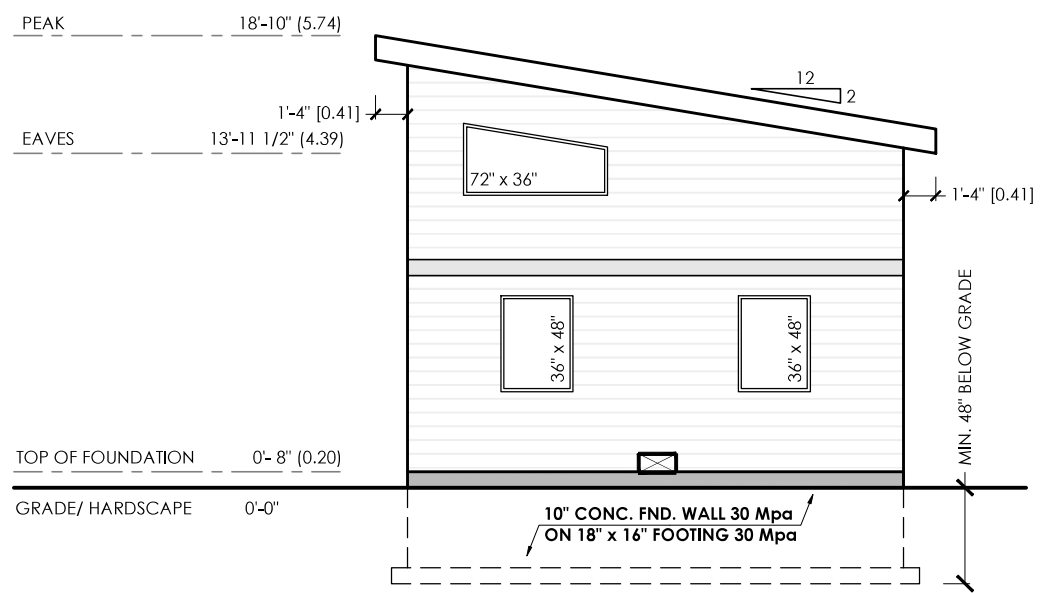
ROOF PLAN  
**A1.03**



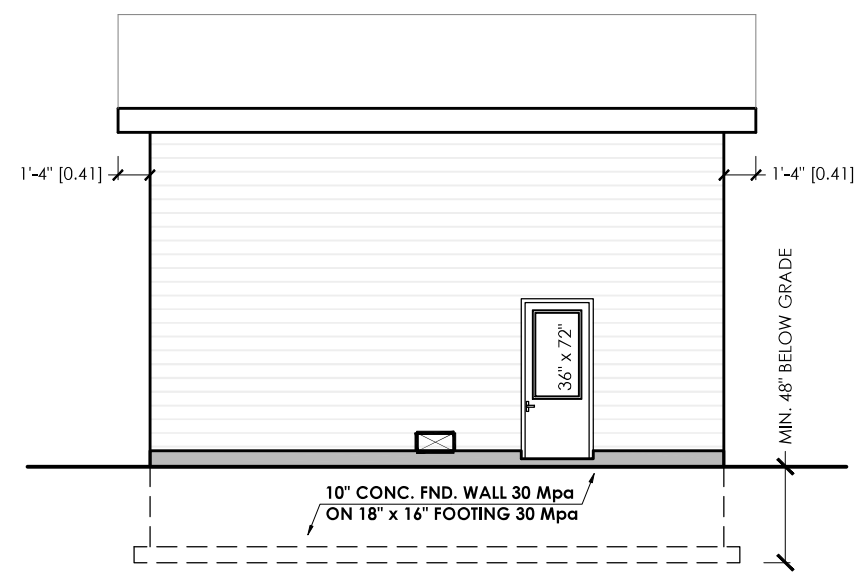
1 EAST ELEVATION  
A2.01 1/4" - 1'-0"



2 SOUTH E ELEVATION  
A2.01 1/4" - 1'-0"



3 WEST ELEVATION  
A2.01 1/4" - 1'-0"



4 NORTH ELEVATION  
A2.01 1/4" - 1'-0"

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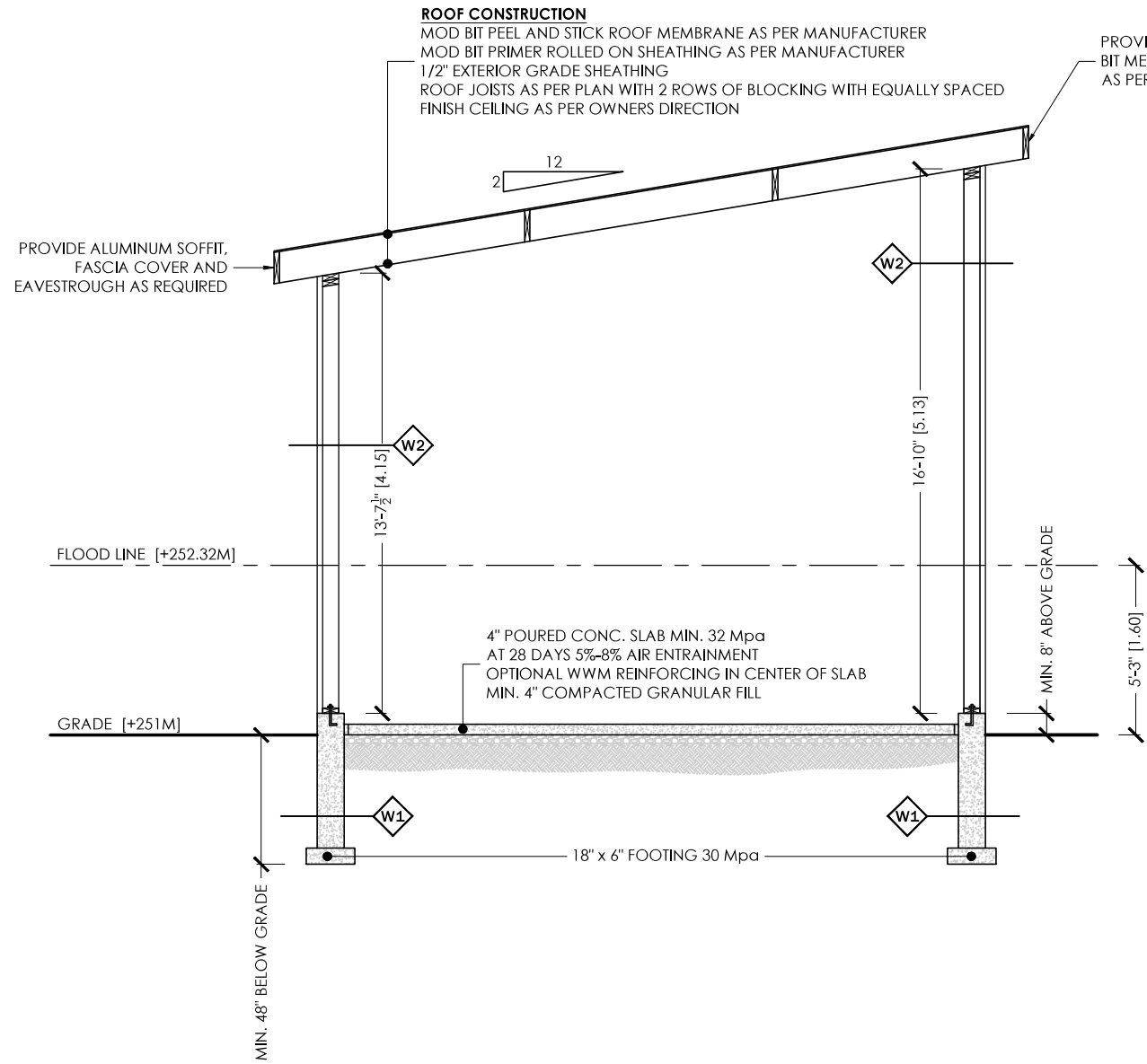
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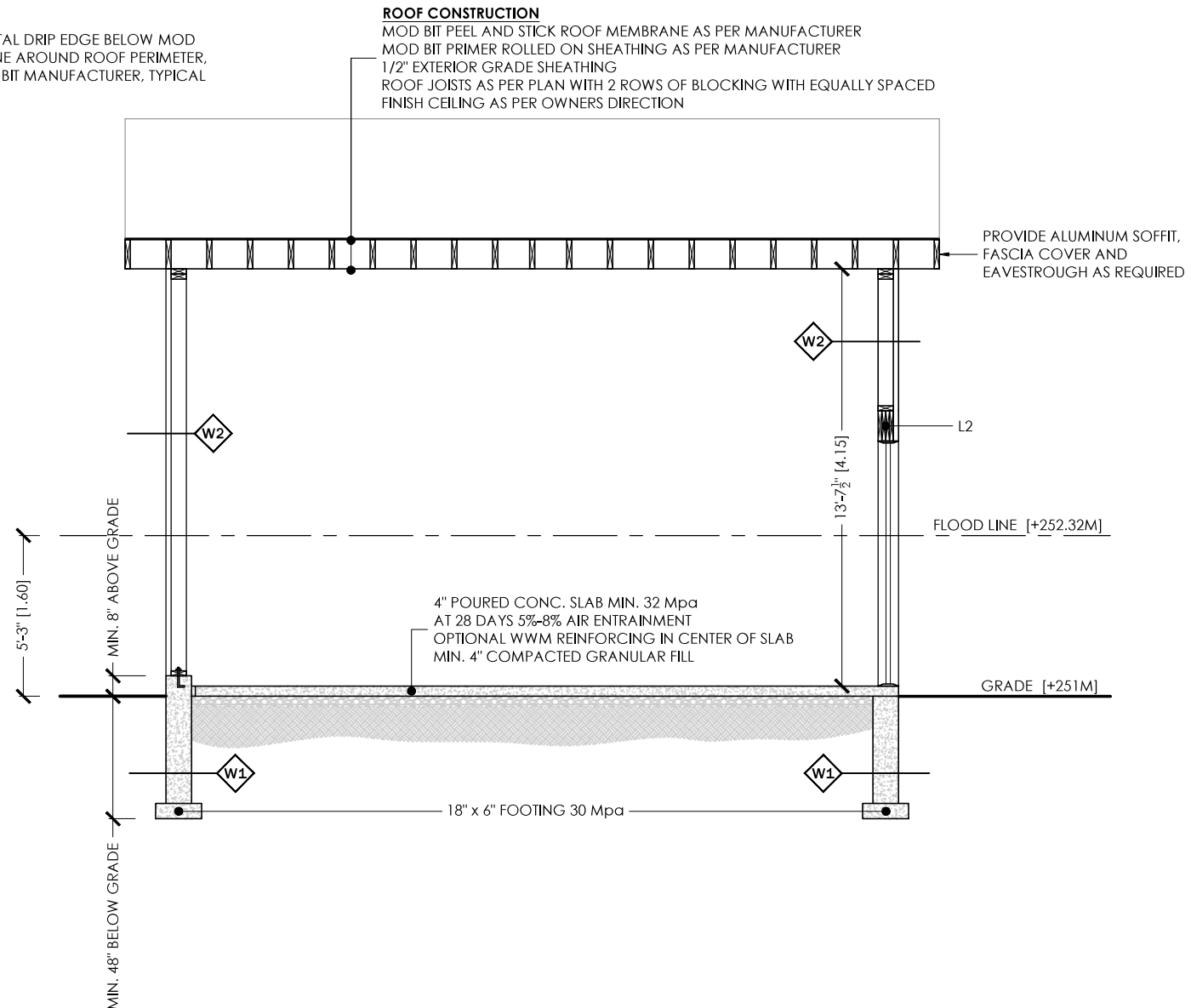
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ELEVATIONS  
**A2.01**



1 SECTION A  
A4.01 3/16" - 1'-0"



2 SECTION B  
A4.01 3/16" - 1'-0"



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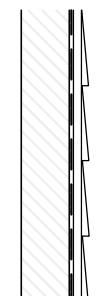
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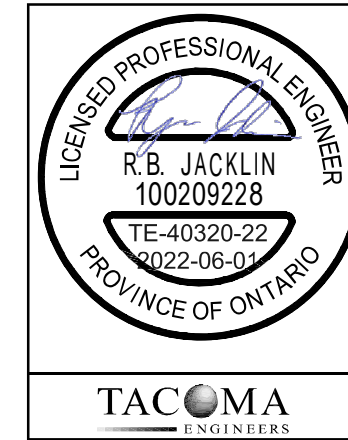
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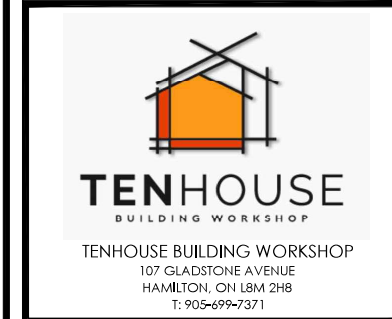
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SECTION A & B  
**A4.01**

WALL SCHEDULE		
DWG. MARKER	DETAIL	CONSTRUCTION
W1		<p><b>POURED CONCRETE FOUNDATION WALL</b>                      10" CONC. FND. WALL 30 Mpa W/ MIN 5-8% AIR ENTRAINMENT                      ON 18" x 6" FOOTING 30 Mpa W/ MIN 5-8% AIR ENTRAINMENT                      3-15M REBAR EQUALLY SPACED, BTM THIRD OF FOOTING                      MIN 2" CONCRETE COVER OVER REBAR                      ON UNDISTURBED SOIL TYPICAL</p>
W2		<p><b>EXTERIOR WALL</b>                      SIDING/BOARD AND BATTEN AS PER MANUFACTURER                      * EXTERIOR FINISH TO BE SUITABLE FOR WET FLOODPROOFING WHEN BELOW FLOOD LINE                      1" x 4" STRAPPING AT 16" O.C., FASTENED TO STUDS                      TYVEK AS PER MANUFACTURER                      1/4" EXTERIOR GRADE SHEATHING                      2" x 6" STUDS AT 16" O.C., DBL TOP PLATE                      SINGLE BTM PLATE, PRESSURE TREATED                      BTM PLATE FASTENED TO FOUNDATION WALL W/ 1/2" Ø BOLTS AT 4' O.C.                      PROVIDE SILL GASKET                      SHEATHING FLUSH WITH OUTSIDE EDGE OF SLAB                      PROVIDE BTM OF WALL FLASHING AS PER SIDING MANUFACTURER                      INTERIOR FINISH AS PER OWNERS DIRECTION                      * NO INTERIOR FINISH BELOW FLOOD LINE</p>



\* ITEMS DESIGNED AS REQUESTED.



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WALL SCHEDULES  
**A5.01**

\* FLOOD PROOFING DESIGN NOTES

1. THE GARAGE HAS BEEN DESIGNED TO MEET WET-FLOODPROOFING FLOOD HEIGHT PARAMETERS OF THE GRINDSTONE CREEK FLOODPLAIN MAPPING PROGRAM CGVD28 MODEL:
  - 1.1. REGIONAL FLOOD ELEVATION = 252.32M
2. WET-FLOODPROOFING IS ACHIEVED BY THE FOLLOWING MEASURES:
  - 2.1. PROVIDING OPENINGS TO ALLOW THE AUTOMATIC ENTRY OF FLOODWATERS INTO THE BUILDING TO MINIMIZE UNBALANCED HYDROSTATIC LOADS
  - 2.2. USING FLOOD DAMAGE-RESISTANT MATERIALS BELOW THE FLOOD ELEVATIONS PLUS 1 FT FREEBOARD

\* STRUCTURAL LOADS:

ROOF LOADS  
 SNOW (S=1.5kPa, Sr=0.4 kPa)  
 WIND(Rf, 1/50=0.46 kPa)

LL (TOP CHORD) 1.23 kPa  
 DL (TOP CHORD) 0.28 kPa  
 LL (BOTTOM CHORD) 0.0 kPa  
 DL (BOTTOM CHORD) 0.36 kPa

DESIGN TO COMPLY WITH:  
 - PART 9 OF BCBC 2018, ABC 2019  
 - PART 9 OF OBC 2012 (2019 AMENDMENT)  
 - CSA 086-14  
 - TPIC 2014

FLOOR LOADS  
 DEAD (FLOORS) 0.7 kPa  
 LIVE (FLOORS) 1.9 kPa

FLOOR LOADS ARE TO BE DESIGNED FOR NBCC 2010, PART 9, ABC 2014, OBC 2012 (2019 AMENDMENT).  
 LIMITS STATES DESIGN METHODOLOGY  
 DRY SERVICE CONDITION

LL DEFLECTION LIMIT L/360  
 TL DEFLECTION LIMIT L/240

**CONSTRUCTION SPECIFICATIONS:**

- 1 ROOF CONSTRUCTION:**  
NO. 210 ASPHALT SHINGLES (SELF-SEALING)  
ASTM E - 108 - 58 CLASS "C" ON 5/8" PLY WOOD SHEATING  
W/H CLIPS ON 2"x6" RAFTERS (OR AS SHOWN ON DWGS.)  
@ 16" O.C. W/ 2"x6" RIDGE BOARD (OR AS SHOWN ON DWGS.)  
2"x4" COLLAR TIES AT MID SPANS  
1"x4" RIBBON TIES AS REQUIRED  
R-31 ROOF INSULATION AND VAPOUR BARRIER  
CONTINUOUS AIR BARRIER AS PER O.B.C. 9.25.5.  
1/2" INTERIOR DRYWALL FINISH.  
PRE-FINISHED ALUMINUM OR ALUMINUM FASCIA AND MIN. 12"  
BEYOND INNER FACE OF EXTERIOR WALL.  
PRE-FINISHED ALUMINUM VENTED SOFFIT.
- 2 FOUNDATION WALL:**  
10" POURED CONCRETE FOUNDATION WALL ON 22"x10"  
DEEP FOOTINGS  
25 MPa MIN FOR WALLS AND FOOTING  
USE NEW DEFORMED 400 MPa REINFORCING BARS  
ALL REINFORCING BARS SHALL HAVE MINIMUM 400 MM COVER  
ALL SPICES SHOULD BE MINIMUM 2" OVERLAPPED  
FOUNDATION WALL TO BE ADEQUATELY BRACED PRIOR TO  
BACKFILLING. ALL FOOTINGS SHALL REST ON NATURALLY  
UNDISTURBED SOIL . ASSUME MIN. SOIL BEARING CAPACITY TO  
BE 75 KPa. BACKFILL WITH SUSCEPTIBLE SOIL (NON-SHRINK)
- 3 BRICK VENEER CONSTRUCTION:**  
3 1/2" FACE BRICK OR STONE FACING W/ 3/8" DIA.  
WEEP HOLES AT 32" O.C. AT STARTER COURSE AND OVER  
OPENINGS (TO BE LEFT CLEAN).  
BASE FLASHING TO BE CARRIED MIN.6" UP BEHIND WALL  
SHEATING PAPER.  
GALVANIZED METAL TIES 1"x7"0.03" AT 16" O.C. VERT.  
ALL MASONRY VENEER TIES SHALL BE MIN. 0.03" THICK AND 7/8"  
WIDE CORROSION-RESISTANT STRAPS AND SHALL CONFORM TO  
CAN3-A370-MBA "CONNECTORS FOR MASONRY".  
1" AIR SPACE, 3/8" BUILDING PAPER LAYERS TO OVERLAP 1/2"  
1/2" EXTERIOR SHEATING ON 2"x6" (OR AS SHOWN)  
SPRUCE STUDS AT 16" O.C.  
RSI 3.87 (R22) NON-COMBUSTIBLE BATT INSULATION AND  
VAPOUR BARRIER CONTINUOUS BARRIER AS PER O.B.C. 9.25.5.  
GIRTS AT 4'-0" FOR STUD HEIGHTS GREATER THAN 8'-0".  
DOUBLE TOP PLATE AND SINGLE BOTTOM (SILL) PLATE.  
VAPOUR BARRIER ON WARM SIDE.  
1/2" INTERIOR DRYWALL TAPED AND SANDED. (DRYWALL TO  
EXTEND BEHIND FURNACE TO COMPLY TO SECTION 9.20.12 OF  
THE ONTARIO BUILDING CODE.
- 4 INTERIOR STUD WALL PARTITIONS:**
  - A) LOAD BEARING  
2"x6" (OR AS SHOWN) STUDS AT 16" O.C. BEARING WALLS.  
DOUBLE TOP PLATE AND SINGLE BOTTOM PLATE WITH 1/2"  
INTERIOR DRYWALL ON BOTH SIDES TAPED AND SANDED
  - B) LOAD BEARING THERMAL INSULATED  
2"x6" (OR AS SHOWN) STUDS AT 16" O.C. BEARING WALLS.  
DOUBLE TOP PLATE AND SINGLE BOTTOM PLATE WITH 1/2"  
INTERIOR DRYWALL ON BOTH SIDES TAPED AND SANDED
  - C) NON-LOAD BEARING  
2"x4" (OR AS SHOWN) STUDS AT 16" O.C. WALLS.  
TOP AND BOTTOM PLATE WITH 1/2" INTERIOR DRYWALL ON  
BOTH SIDES TAPED AND SANDED
  - D) SOUND INSULATED (NON-LOAD BEARING)  
2"x4" (OR AS SHOWN) STUDS AT 16" O.C. WALLS.  
TOP AND BOTTOM PLATES WITH 1/2" INTERIOR DRYWALL  
ON BOTH SIDES TAPED AND SANDED AND SOUND  
ATTENUATION BATTS BETWEEN DRYWALL.
  - E) THERMAL INSULATED (NON-LOAD BEARING)  
2"x4" (OR AS SHOWN) STUDS AT 16" O.C. WALLS.  
TOP AND BOTTOM PLATES WITH 1/2" WATER RESISTANT  
DRYWALL ON WASHROOM SIDE TAPED AND SANDED  
AND SOUND ATTENUATION BATTS BETWEEN DRYWALL.
- 5 FOUNDATION INSULATION:**  
1/2" GYP. BD. ON 6 MIL. VAPOUR BARRIER ON 2"x4"  
WOOD STRAPPING WITH MIN. R20 ci INSULATION ON CONCRETE  
FOUNDATION WALL DAMPROOFED SATURATED FELT OR PAPER  
LAPPED 4" AT JOINTS.  
DAMP-PROOFING SHALL EXTEND FROM CEILING TO MINIMUM  
2'-0" BELOW FINISHED GRADE LEVEL EXCEPT AT COLD STORAGE  
(IF ANY) WHERE INSULATION SHALL EXTEND FROM CEILING TO  
FINISH BASEMENT FLOOR.
- 6 WEEPING TILE:**  
4" DIA. WEEPING TILE AROUND ALL FOOTINGS INCLUDING  
GARAGE FOOTINGS. WEEPING TILE TO BE COVERED WITH 6" OF  
CRUSHED STONE.
- 7 SLAB ON GRADE:**
  - A) GARAGE: 4" POURED CONC. SLAB ON GRADE ON POLY  
VAPOUR BARRIER. REINFORCED W/ 6x6x6 / 6 WELDED  
WIRE MESH ON 2" RIGID INSULATION OVER 6" GRANULAR  
FILL COMPACTED TO 98% MODIFIED PROCTOR DENSITY

- WITH DAMPROOFING. SLAB CONC. STRENGTH 32 MPa  
(464PSI) @ 28 DAYS WITH 5-8% AIR ENTRAINMENT ON  
COMPACTED SUB GRADE
- B) FLOOR SLAB: 4" POURED CONC. SLAB ON GRADE ON  
POLY. VAPOUR BARRIER BELOW 6" GRANULAR FILL  
COMPACTED TO 98% MODIFIED PROCTOR DENSITY WITH  
DAMP-PROOFING SLAB CONC. STRENGTH 25 MPa @ 28  
DAYS WITH 5-8% AIR ENTRAINMENT ON COMPACTED  
SUB-GRADE.
- 8 WOOD AND STEEL COLUMNS:**  
COLUMNS IN BASEMENTS:  
STEEL COLUMNS (SEE PLAN FOR SIZE) ON DAMPROOFING  
MATERIAL ON CONCRETE FOOTING (SEE PLAN FOR SIZE).  
COLUMNS ON OTHER FLOORS:  
WOOD COLUMNS (SEE PLANS FOR SIZE) TO REST ON STEEL OR  
WOOD BEAMS OR OTHER WOOD COLUMN EXTENDING TO  
BASEMENT AS IN NOTE ABOVE.  
EXTERIOR COLUMN (DECK, ETC.):  
6"x6" OR (AS SHOWN) WOOD COLUMN ON METAL SHOE  
AND 1/2" DIA. BOLT ANCHORED IN 8" DIA. AND MINIMUM  
4'-0" DEEP POURED CONCRETE FOOTING.
- 9 STEEL BEAM SUPPORT:**  
1"x4" TO BE FIXED ON BOTH SIDES OF STEEL BEAMS.
- 10 SUB-FLOOR JOIST STRAPPING AND BRIDGING:**  
FLOOR FINISH ON 5/8" TONGUE AND GROOVE SUB-FLOOR  
ON FLOOR JOIST. FOR TILE APPLICATION (O.B.C. 9.30.8.4)  
FLOOR JOIST AS NOTED ON PLANS AND AS PER  
MANUFACTURERS SPECIFICATION. ALL JOIST TO BE BRIDGED  
WITH A CONTINUOUS 1"x4" OR 2"x2 CROSS BRACING OR  
SOLID BLOCKING @ 2100 MM (6'-11") O.C. MAX. ALL JOIST TO  
BE STRAPPED WITH 1"x3" @ 2100 MM (6'-11") O.C.
- 11 WET WALL PROTECTION:**  
CERAMICS AND PLASTIC TILE INSTALLED ON WALL AROUND  
BATHTUBS AND SHOWERS SHALL BE APPLIED OVER MOISTURE  
RESISTANT BACKING.  
JOINTS BETWEEN WALL TILES AND BATHTUBS SHALL BE  
CAULKED WITH MATERIAL CONFORMING TO CGSB  
19-GP-22M "SEALING COMPOUND MILDEW RESISTANT, FOR  
TUBS AND TILE"
- 12 DAMPROOFING:**  
DAMP-PROOFING UNDERSIDE OF STAIR STRINGER WITH 45#  
ROLL ROOFING OR WITH 2 MIL. POLY WHEN STAIR STRINGER IS  
IN CONTACT WITH A CONCRETE SLAB ON GRADE SUCH AS  
BASEMENT.
- 13 CERAMIC FINISHED FLOORS:**  
CERAMIC FLOOR TILES ON 1 1/2" MORTOR BASE REINFORCED  
WITH WIRE MESH ON 5/8" SUB-FLOOR-ALL ALL EDGES  
SUPPORTED BY MINIMUM 2"x2" BLOCKING
- 14 CEILING INSULATION:**  
16 MM (5/8") GYP. WALLBD.  
6 MMIL POLY. VAPOUR BARRIER  
R60 BLOWN CELLULOSE INSULATION BETWEEN CEILING JOISTS  
SECTION 9.25.2.4 OF THE O.B.C.
- 15 SILL PLATE:**  
2"x6" (OR AS SHOWN) PLATE WITH 1/2" DIA.  
ANCHOR BOLTS X 8" LONG  
MIN. 4" IN CONCRETE @ 8'-0" O.C.
- 16 BEAM POCKET OR CONCRETE PILASTER:**  
BEAM POCKET IN POURED CONCRETE WALL OR 4"x12"  
CONCRETE PILASTER (UNLESS SHOWN OTHERWISE) TO BE  
PROVIDED TO STEEL BEAMS.  
STEEL BEAM TO BE LEVELED WITH STEEL PLATES OR STEEL  
SADDLES.
- 17 GYPSUM WALL BOARD:**  
1/2" GYPSUM BOARD (IF FINISHED), 6 MIL POLY. VAPOUR  
BARRIER ON 2"x4" WOOD STRAPPING WITH R12 MIN.  
INSULATION AND MOISTURE BARRIER ON FOUNDATION WALL.  
TAPE AND SEAL JOINTS AS PER O.B.C. 9.29.5  
1/2" G.W.P. ON WALL AND CEILING BETWEEN HOUSE AND  
GARAGE.
- 18 CEILING AND BULKHEAD FINISH:**  
1/2" INTERIOR DRYWALL TAPED, SANDED AND PRIMED
- 19 ROOF VENTILATION:**  
FOR TYPICAL ROOF- 1:300 OF INSULATED CEILING AREA WITH  
35% AT EAVES & MIN. 25% @ TOP OF ROOF SPACE  
FOR CATHEDRAL ROOF- 1:50 OF INSULATED CEILING AREA  
WITH 35% AT EAVES & MIN. 25% @ TOP OF ROOF SPACE  
SECTION 9.19.1.2 OF THE O.B.C
- 20 EAVE PROTECTION:**  
TYPE "S" ROLLED ROOFING (SMOOTH SURFACE) EAVES  
PROTECTION TO EXTEND MINIMUM OF 12" FROM INNER FACE  
OF EXTERIOR WALL AND MINIMUM 3'-0" UP THE ROOF SLOPE.
- 21 FOOTINGS:**  
ALL FOOTINGS SHALL RESTS ON NATURAL UNDISTURBED SOIL  
BEARING CAPACITY OF 75 KPa, ROCK OR COMPACTED  
GRANULAR FILL WITH MINIMUM BEARING CAPACITY OF 144  
KPa AND MUST BE MIN. 4'-0" BELOW FINISHED GRADE, AND  
CONTINUOUSLY KEVED.  
CONCRETE FOR FOOTINGS SHALL BE MIN. 20 MPa @ 28  
DAYS. MINIMUM FOOTING FOR 2 STOREY BRICK VENEER

- CONSTRUCTION 22"x10" OR UPGRADED AS PER SOIL REPORT.  
BACKFILL REQUIRED WITH NON-FROST SUSCEPTIBLE SOIL.
- 22 ATTIC ACCESS HATCH:**  
(O.B.C. 9.19.2)  
MIN. 21"x24" ATTIC ACCESS HATCH & A MIN. AREA OF 0.32 M  
(3.44 SQ.FT) WITH RSI 7.0 (R40) RIGID INSUL. AND WEATHER  
STRIPPING.
- 23 FASCIA AND SOFFIT:**  
FASCIA AND SOFFIT TO BE PRE-FINISHED ALUMINUM.  
(UNLESS SHOWN OTHERWISE) SOFFIT TO VENTED.
- 24 STEP FOOTINGS:**  
MAX. VERTICAL RISE BETWEEN HORIZONTAL PORTIONS:  
2'-0" FOR FIRM SOIL. 1'-4" FOR SAND OR GRAVEL.  
MIN. HORIZONTAL DISTANCE BETWEEN RISERS: 2'-0"
- 25 FLAT ROOF /CANOPY:**  
PRE-FINISHED METAL FLASHING ON EPDM MEMBRANE  
ROOFING ADHERED TO  
ROOF ASSEMBLY: UNLESS NOTED OTHER WISE  
- STRUCTURAL FRAMING AS PER ROOF JOIST AND BEAM  
ENGINEERED APPROVED SHOP DRAWINGS AND LAYOUTS.  
- 5/8 T&G PLYWOOD SHEATING  
- PANEL-TYPE ROOF SHEATING REQUIRING EDGE SUPPORT  
SHALL CONSIST OF METAL H CLIPS. OR 38X BLOCKING  
SECURELY NAILED BETWEEN FRAMING MEMBERS, TONGUE  
AND GROOVE EDGE PANEL-TYPE SHEATING DOES NOT  
REQUIRE EDGE SUPPORT.  
- PLYWOOD PANEL SHALL BE INSTALLED WITH THE SURFACE  
GRAIN RUNNING PERPENDICULAR TO FRAMING MEMBERS  
AND WITH JOINTS PARALLEL TO FRAMING MEMBERS  
STAGGERED AT LEAST 800 MM.  
- PLANK DECKING: 38X140 T&G DECKING TO BE REPLACED  
IN CONTROLLED RANDOM PATTERN.  
- FLAT ROOF AREA TO BE BUILT-UP ON-SITE TO PROVIDE  
POSITIVE DRAINAGE.  
ROOFING TO EXTEND 12" MIN. OVER ROOF SHINGLES  
PROVIDE 2" SLOPE (SLOPE TO ROOF DRAIN). MIN 1/10 SLOPE.  
R-31 NON-COMBUSTIBLE BATT INSULATION AND VAPOUR  
BARRIER CONTINUOUS BARRIER AS PER O.B.C 9.25.5 IR 60MIL  
(R31) EPDM MEMBRANE.
- 26 INTERIOR STAIRS:**  
MAIN STAIR (MIN. REQUIREMENTS) DIMENSIONS SHOWN ON  
SECTION TO RULE.  
UNIFORM RISE & RUN IN A GIVEN RUN WITHIN 1/4"  
MAX. RISE = 7 7/8"  
MAX. RUN = 9"  
MIN. THREAD = 9 7/8"  
NOSING = 1" MIN.  
HEADROOM = 6'-5"  
RAIL AT LANDING = 3'-0"  
RAIL AT STAIR = 2'-11"  
MIN. WIDTH = 2'-10"  
FOR CURVED STAIRS:  
MIN. RUN = 8" MIN.  
AVG. RUN = 8"  
**EXTERIOR STAIRS OR PRECAST STEPS:**  
MAX. RISE = 7 7/8"  
MIN. RISE 4 7/8"  
MAX. RUN = 14"  
MIN. RUN 9"  
MIN. TREAD = 9 7/8"  
NOSING = 1"  
AN EQUIVALENT BACK SLOPE ON THE RISE MAY BE ADDED TO  
OBTAIN THE MINIMUM THREAD WIDTH OF (9 7/8")  
**REFER TO REGION AS-BUILT: 0-10899**
- 27 EXTERIOR/INTERIOR GUARD**  
FINISHED NATURAL WOOD HANDRAIL ON WOOD OR METAL  
PICKETS (UNLESS OTHERWISE SHOWN) MAX. 4" O.C.  
SPACING. IF HANDRAIL IS USED AGAINST AN INTERIOR WALL  
THE CLEARANCE BETWEEN HANDRAIL AND SURFACE BEHIND  
TO BE 2" MIN. HANDRAIL TO BE CONTINUOUS EXCEPT FOR  
NEWEL POST AT CHANGES OD DIRECTION.  
GUARDS TO CONFORM TO O.B.C 9.8.8.2  
GUARD MAX. HEIGHT = 36", HANDRAIL MIN. HEIGHT = 32"  
MEASURED VERTICALLY FROM OUTSIDE EDGE OF STAIR  
NOSING GUARDS AT LANDINGS . ANY OTHER INTERIOR  
AREAS REQUIRING GUARDS SHALL BE MINIMUM 36", EXTERIOR  
GUARD SHALL BE MINIMUM 42" (UNLESS OTHERWISE SHOWN)
- 28 STUCCO WALL CONSTRUCTION:**  
STUCCO LANDING CONFORMING TO O.B.C. 9.27.1.1 (2) &  
9.28 REQUIREMENT AND APPLIED PER MANUFACTURERS  
SPECIFICATIONS CCMC EVALUATION REPORT TO BE  
APPROVED BY LICENSED PROFESSIONAL ENGINEER. OVER  
25MM (1") MIN. EXTRUDED OR EXPAND RIGID POLYSTYRENE  
ON APPROVED AIR BARRIER ON 1/2" EXTERIOR TYPE  
SHEATING ON 38X140 (2"x6") STUDS @ 400 (16") O.C.  
RSI 3.87 (R22) NON-COMBUSTIBLE BATT. INSULATION  
APPROVED/AIR BARRIER WARM SIDE AS PER 9.25.5 O.B.C.  
AND 5/8" GYPSUM BOARD (X) TAPED AND SANDED GIRTS AT  
4'-0" FOR STUDS HEIGHT GREATER THAN 8'-0". DOUBLE TOP  
PLATE AND SINGLE BOTTOM (SILL) PLATE. (1 HOUR RATED)

- 29 EAVESTHROUGH AND RAINWATER LEADER:**  
(UNLESS SHOWN OTHERWISE)
- 30 CAPPED DRYER VENTS**  
CLOTHES DRYER TO BE VENTED DIRECTLY TO THE OUTSIDE  
THROUGH EXTERIOR WALL. USE 4" DIA. SMOOTH WALL VENT  
PIPE AS PER SECTION 6.2.3.8.(7)
- 31 INTERIOR WASHROOM VENTS:**  
INTERIOR WASHROOM (NO WINDOWS TO THE OUTSIDE) TO  
BE MECHANICALLY VENTED TO THE OUTSIDE TO PROVIDE AT  
LEAST ONE AIR CHANGE PER HOUR.
- 32 STOVE/COOKTOP VENT:**  
MECHANICAL VENTILATION DIRECTLY TO THE OUTSIDE SHALL  
BE PROVIDED
- 33 GAS-PROOFING:**  
GAS-PROOFED WALLS AND CEILING OF GARAGE ADJACENT  
TO INTERIOR SPACE:  
1/2" GYP. BD., TAPED AND SEAL ALL JOINTS GAS TIGHT.  
R-24 INSULATION IN WALLS. R-31 IN CEILING WITH 6 MIL  
VAPOUR BARRIER ON THE WARM SIDE. CONTINUOUS AIR  
BARRIER AS PER O.B.C. 9.10.9.16  
ALL DUCTWORK IN CEILING TO BE INSULATED MIN. R-12 AND  
GAS-PROOFED. WITH SELF CLOSER AND WEATHERSTRIPPING.
- 34 LINEN CLOSETS:**  
ALL LINEN CLOSETS TO HAVE MINIMUM 5 SHELVES. SHELVES  
TO BE MIN. 14" DEEP
- 35 COLD CELLAR PORCH SLAB:**  
MAX. 2500MM (6'-2") PORCH DEPTH, AND (8") 32 MPa  
CONC. SLAB WITH AIR ENTRAPMENT AND WITH 15M BARS @  
8" O.C. EACH WAY 10M DOWELS @ 24" O.C. ANCHORED IN  
FDN. WALL
- 36 CONVENTIONAL ROOF FRAMING:**  
CEILING JOIST TO BE 2"x6" @ 16" O.C.  
2"x6" RIDGE BOARD (OR AS SHOWN ON DWGS.)  
2"x4" COLLAR TIES AT MIDSPANS  
FOR MAX. 2830MM SPAN & 2"x6" @ 16" O.C.  
FOR MAX. 4450 SPAN  
RAFTERS FOR BUILT-UP ROOF TO BE 2"x4" @ 24" O.C.  
WITH 2"x4" CENTRE POST TO THE TRUSS AND LATERALLY  
BRACED @ 6'-0" O.C. VERTICALLY.
- 37 2 STOREY VOLUME SPACES:**  
MAX. 16'-0" HEIGHT AND MAXIMUM ROOF TRUSSES  
LENGTH OF 8.0M  
**CONCRETE**  
CONCRETE DESIGN SHALL CONFORM TO CAN -A438  
"CONCRETE CONSTRUCTION FOR HOUSING AND  
SMALL BUILDINGS"  
**STEEL**  
STRUCTURAL STEEL SHALL CONFORM TO C.S.A. SPEC  
G 40-21M. ALL STEEL TO BE SHOP PAINTED (PRIMED)  
ALL STEEL BEAMS TO BE NEW STOCK. ALL STEEL  
REINFORCING RODS MIN. YIELD STRENGTH 60,000 P.S.I  
**NON-PRESSURE TREATED WOOD:**  
WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE  
TREATED WITH WOOD PRESERVATIVE AND WHICH ARE  
SUPPORTED ON CONCRETE IN CONTACT WITH THE  
GROUND OR FILL SHALL BE SEPARATED FROM THE  
CONCRETE BY AT LEAST 2 MIL POLYETHYLENE FILM NO.50  
(45 LB) ROLL ROOFING OR OTHER DAMPROOFING  
MATERIAL. SUCH DAMPROOFING IS NOT REQUIRED  
WHERE THE WOOD MEMBER IS AT LEAST 6" ABOVE THE  
GROUND.  
**FIRE STOPS/FLAME SPREAD LIMITS:**  
CONCEALED SPACES IN INTERIOR WALLS, CEILINGS AND  
CRAWL SPACES SHALL BE SEPARATED BY FIRE STOPS  
FROM CONCEALED SPACES IN EXTERIOR WALLS, ATTIC  
OR ROOF SPACES AS PER SUBSECTION 9.10.15 OF THE  
ONTARIO BUILDING CODE. FOR FLAME SPREAD LIMITS  
SUBSECTION 9.10.16 OF O.B.C. SHALL APPLY.  
**DUCTS:**  
SUPPLY DUCTS AND RETURN DUCTS IN EXTERIOR WALLS  
SHALL BE INSTALLED WITH MIN. R-4 FIBRE GLASS  
INSULATION TO PREVENT MOISTURE CONDENSATION IN  
THE DUCT. DUCT SPACES SHALL BE FURRED OUT WITH 1/2"  
DRYWALL ON 2"x2" WOOD STRAPPING. SUPPLY DUCTS  
AND RETURN DUCTS IN UNHEATED SPACES SHALL BE  
INSULATED WITH MIN. R7 INSULATION VALUE. ALL JOISTS  
IN DUCTS TO BE SECURELY RIVETED AND TAPED.  
**WINDOWS AND SKYLIGHTS:**  
ALL WINDOWS AND SKYLIGHTS TO COMPLY WITH  
SECTION 9.7 OF THE ONTARIO BUILDING CODE.  
ALL WINDOWS TO BE GLAZED OR THERMOPANE.  
EVERY FLOOR LEVEL CONTAINING BEDROOMS SHALL BE  
PROVIDED WITH AT LEAST ONE OUTSIDE WINDOWS THAT  
CAN BE OPENED FROM THE INSIDE WITHOUT THE USE OF  
TOOLS.  
EACH SUCH WINDOW SHALL PROVIDE AN INDIVIDUAL  
UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM  
AREA OF 3.8 SQ.FT WITH NO DIMENSION LESS THAN 15".  
EXCEPT FOR BASEMENT WINDOWS THE ABOVE NOTED  
WINDOW SHALL HAVE A MAXIMUM SILL HEIGHT OF 3'-3"  
ABOVE THE FLOOR.

- ALL WINDOWS WITHIN 6'-7" OF ADJACENT GROUND  
LEVEL SHALL CONFORM TO THE REQUIREMENTS FOR  
RESISTANCE TO FORCED ENTRY AS DESCRIBED IN CLAUSE  
10.13 OF CAN3-A440, "WINDOWS"
- DOORS:**  
ALL DOORS SHALL COMPLY WITH SECTION 9.10.13.15 OF  
THE ONTARIO BUILDING CODE
- SMOKE ALARMS:**  
  
SMOKE ALARMS SHALL BE PROVIDED AS PER SECTION  
9.10.19 OF THE ONTARIO BUILDING CODE.  
SMOKE ALARMS CONFORMING TO CAN/ULC-S531  
"SMOKE ALARM SHALL BE INSTALLED IN EACH DWELLING  
UNIT AND IN EACH SLEEPING ROOM NOT WITHIN A  
DWELLING UNIT. SECTION 9.10.19.1(1)
- CARBON MONOXIDE DETECTOR:**  
CARBON MONOXIDE DETECTOR SHALL BE PROVIDED AS PER  
SECTION 9.33.4 OF THE ONTARIO BUILDING CODE. WHERE  
FUEL-BURNING APPLIANCE IS INSTALLED, CARBON  
MONOXIDE DETECTOR IS REQUIRED IN THE DWELLING UNIT  
ADJACENT TO EACH SLEEPING AREA.  
**GENERAL NOTES:**  
ALL CONSTRUCTION TO CONFORM TO THE CONSTRUCTION  
REQUIREMENTS OF THE ONTARIO BUILDING CODE  
REGULATION (332-12), PART 9. DRAWINGS MUST NOT  
SCALED.  
HANDWRITTEN NOTES WHICH APPEAR ON THE DRAWINGS  
HAVE PRECEDENCE. MANUFACTURED ITEMS, MATERIALS AND  
CONSTRUCTION MUST COMPLY WITH ALL REQUIREMENTS OF  
THE MORTGAGES AND HOUSING CORPORATION (C.M.H.C.).  
ALL REFERENCES TO AND FINISHED GRADE LINES AS  
INDICATED ON THE ARCHITECTURAL WORKING DRAWINGS  
ARE FOR REFERENCE ON AND DO NOT NECESSARILY DEPICT  
FINISHED GRADING CONDITIONS OF ANY PARTICULAR LOT. IT  
SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR OR  
BUILDER TO CHECK AND VERIFY ALL DIMENSIONS AND  
CHECK ALL JOB CONDITIONS ON THE JOB SITE BEFORE  
PROCEEDING WITH THE WORK.  
ARCHITECTS IT TO BE NOTIFIED PROMPTLY OF ANY  
DISCREPANCIES AT LEAST ONE WEEK BEFORE ORDERING OR  
PLACEMENT OF MATERIALS AND UNITS FOR CONSTRUCTION  
REGARDING SUCH DISCREPANCIES. FAILURE TO OBSERVE  
THESE CONDITIONS WHICH MAY REQUIRE EXPENSIVE  
REMEDIAL ACTION SHALL NOT BECOME THE RESPONSIBILITY  
OF OR COST TO ARCHITECT.  
DIMENSIONS ARE TAKEN TO ROUGH STUD OR MASONRY  
SURFACES, GIVEN AS NORMAL DIMENSIONS. EXTERIOR WALL  
DIMENSIONS DO NOT ALLOW FOR BRICK PROJECTION THEY  
ARE TAKEN FROM OUTSIDE FACE OF FOUNDATION WALL TO  
INSIDE FACE OF STUD.  
**MISCELLANEOUS ITEMS:**  
ALL CLOSET TO HAVE METAL ROD WITH WOOD SHELF MIN.  
14" DEEP.  
MAIN BATHROOM TO HAVE RECESSED MEDICINE CABINET,  
MIRROR AND VANITY.  
ALL WASHROOM/POWDER ROOMS TO HAVE MIRROR AND  
VANITY ( OR PEDESTAL SINK)  
ALL SLIDING CLOSET DOORS OR MIRROR DOORS TO BE 6'-8"  
HIGH.

**TENHOUSE**  
BUILDING WORKSHOP

TENHOUSE BUILDING WORKSHOP  
107 GLADSTONE AVENUE  
HAMILTON, ON L8M 2H8  
T: 905-699-7371

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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  
DESIGN THE WORK SHOWN ON THE  
ATTACHED DOCUMENTS

**QUALIFICATION INFORMATION**  
MATTHEW FRATARCANGELI  
BCIN#:44839

*Matthew Fratarcangeli*

**REGISTRATION INFORMATION**  
TENHOUSE BUILDING WORKSHOP  
BCIN#:112916

NO.	DATE	REVISION/ISSUE
0	05-11-2022	FOR PERMIT APPLICATION

PROJECT:  
NEW DETACHED GARAGE  
AT 877 MILLGROVE SIDE RD,  
HAMILTON, ON

<b>DRAWN:</b> J.T	<b>APPROVED:</b> M.D.F
<b>FILE NO:</b> 2022-011	<b>CHECKED:</b> M.D.F
<b>REVISION:</b> 0	<b>DATE:</b> 05-11-2022

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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:

TANDIA FINANCIAL CREDIT UNION



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

4. Nature and extent of relief applied for:

INCREASE MAXIMUM HEIGHT OF ACCESSORY STRUCTURE  
(REQUIREMENT: 4.5 METERS)  
(PROPOSED: 5.74 METERS)

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

PROPOSED HEIGHT FOR ADDITIONAL STORAGE SPACE FOR PERSONAL ITEMS  
(TYPICAL HOUSEHOLD ITEMS - BINS, BIKES, SEASONAL ETC.)

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**):

877 MILLGROVE SIDE ROAD  
PLAN NUMBER: 62R-5573

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?

LOCATION OF PROPERTY AND HISTORY AS PROVIDED BY 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.

2022-06-08  
Date

*D. Shelley*  
Signature Property Owner(s)

DAVID JOSIAH JOHN SHELLEY  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 71.82 METERS  
Depth 50.80 METERS  
Area 3263.57 SQUARE METERS  
Width of street \_\_\_\_\_

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

Existing: \_

HOUSE FOOTPRINT: 171.47 SQUARE METERS  
GROSS FLOOR AREA: 257.21 SQUARE METERS  
2 STOREYS: 14.14 METERS WIDE x 12.13 LONG  
1 STOREY GARAGE: 6.30 METERS WIDE x 6.05 LONG

Proposed

NEW 1 STOREY DETACHED GARAGED:  
FLOOR AREA: 45.93 SQUARE METERS (6.30 METERS WIDE x 7.29 LONG)  
5.74 METERS HIGH

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

Existing:

HOUSE: LEFT SIDE: 26.31 METERS, RIGHT SIDE: 31.42 METERS, FRONT: 6.87 METERS, REAR: 31.80 METERS  
1 STOREY GARAGE: LEFT SIDE: 6.08 METERS, RIGHT SIDE: 46.84 METERS, FRONT: 24.19 METERS, REAR: 20.56 METERS

Proposed:

NEW 1 STOREY DETACHED GARAGE: LEFT SIDE: 6.08 METERS, RIGHT SIDE: 46.84 METERS, FRONT: 24.19 METERS, REAR: 19.32 METERS

- 13. Date of acquisition of subject lands:  
OCTOBER 2019

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- 14. Date of construction of all buildings and structures on subject lands:  
1969

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

---

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

---

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

---

- 18. Municipal services available: (check the appropriate space or spaces)  
Water WELL Connected \_\_\_\_\_  
Sanitary Sewer SEPTIC Connected \_\_\_\_\_  
Storm Sewers \_\_\_\_\_
- 19. Present Official Plan/Secondary Plan provisions applying to the land:  

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

RURAL ZONING, PARENT - 05-200, BYLAW - 15-173
---
- 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-22:222</b>	<b>SUBJECT PROPERTY:</b>	11 Mountain View Road, Flamborough
<b>ZONE:</b>	"S1" (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner – Chris Klimm  
Agent – Details Matter: S. Wilson

The following variances are requested:

1. A front yard setback of 6.6m shall be provided instead of the minimum required 7.5m front yard setback.
2. A building height of 5.7m shall be provided instead of the maximum building height of 4.5m permitted for an accessory building.
3. A maximum gross floor area of 55.0m<sup>2</sup> for accessory buildings shall be permitted whereas the by-law permits a maximum aggregate gross floor area of 45.0m<sup>2</sup> for accessory buildings.

**PURPOSE & EFFECT:** To permit the construction of a two (2) storey addition to the existing single detached dwelling.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

FL/A-22:222

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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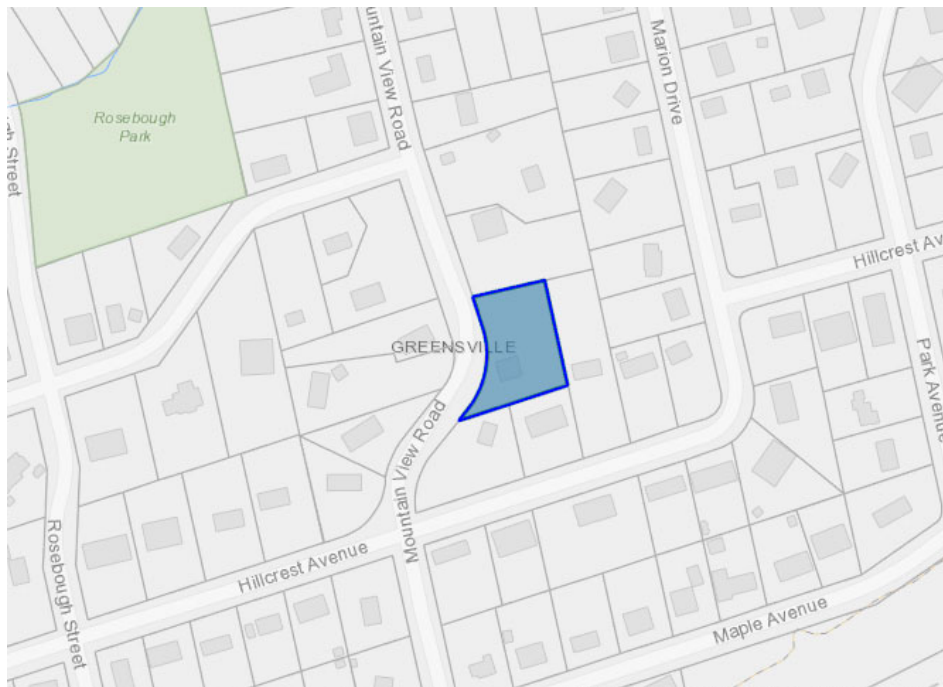
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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.

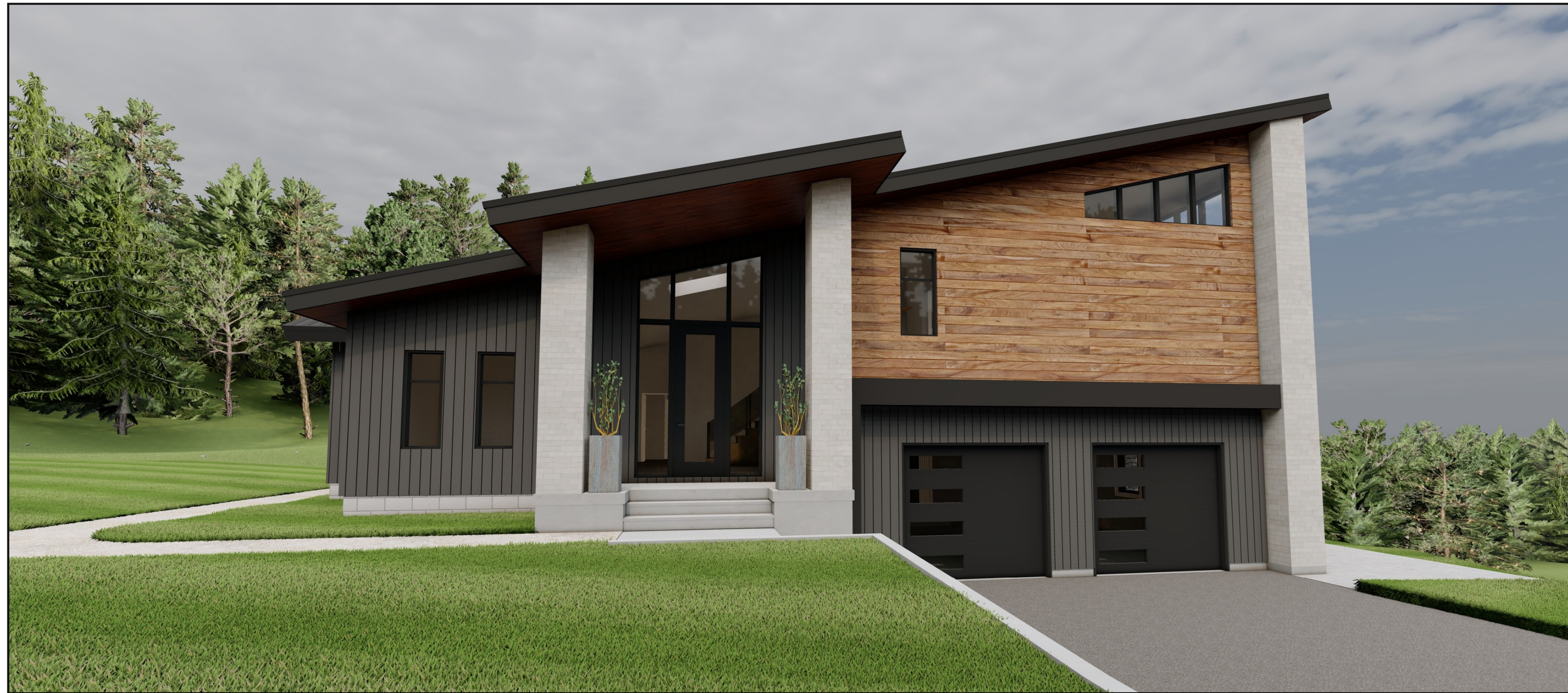
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> 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](mailto: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.

# KLIMM RESIDENCE



## DRAWINGS LIST

- A1 COVER SHEET AND DETAILS
- A2 FRONT AND LEFT ELEVATIONS
- A3 LEFT AND REAR ELEVATIONS
- A4 LOWER BASEMENT PLAN
- A5 BASEMENT FLOOR PLAN
- A6 MAIN FLOOR PLAN
- A7 CROSS SECTIONS A-A, B-B

## CONSTRUCTION DETAILS

<p><b>1</b> STRIP FOOTINGS 18" WIDE X 6" DEEP CONTINUOUS FOUR CONCRETE FOOTINGS</p> <p><b>2</b> CONC. FOUNDATION WALLS WATERPROOF DRAINAGE MEMBRANE ON 6" BITUMINOUS ASPHALT DAMPROOFING ON 1/2" PAVING ON 8" THICK FOURS CONCRETE WALL</p> <p><b>3</b> DRAINAGE LAYER 4" OR LEBBER TILE W/ 6" 3/4" CLEAR STONE COVER MIN.</p> <p><b>4A</b> EXTERIOR WALL - SIDING HORIZONTAL SIDING (SELECTION BY OWNER) R5 (7) ROXUL "COMFORTBOARD 80" TYVEK HOUSE WRAP AIR BARRIER 1/2" EXTERIOR SHEATHING 2X6 WOOD STUDS AT 16" O.C. R2 BATT INSULATION W/ 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALLBOARD TAPED AND FINISHED</p> <p><b>4B</b> EXTERIOR WALL - SIDING HORIZONTAL SIDING (SELECTION BY OWNER) R5 (7) ROXUL "COMFORTBOARD 80" TYVEK HOUSE WRAP AIR BARRIER 1/2" EXTERIOR SHEATHING 2X6 USE LBL WOOD STUDS AT 16" O.C. R2 BATT INSULATION W/ 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALLBOARD TAPED AND FINISHED</p> <p><b>4C</b> EXTERIOR WALLS - STONE VENEER 4" STONE VENEER 1" AIR SPACE 200 THICK X 18" WIDE GALVANIZED SPRAL NAILS OR SCREWS 32" O.C. HORIZ., 16" O.C. VERT. 12" X 12" PAVES 2" W/ TAPE ON ALL BEAMS 2X6 WOOD STUDS AT 16" O.C. R2 BATT INSULATION 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALLBOARD</p>	<p><b>4D</b> EXTERIOR WALLS - GARAGE WALLS HORIZONTAL SIDING (SELECTION BY OWNER) TYVEK HOUSEWRAP AIR BARRIER R5 (7) ROXUL "COMFORTBOARD 80" 2X6 WOOD STUDS AT 16" O.C. R2 BATT INSULATION W/ (OPT.) 6 MIL POLY VAPOUR BARRIER (OPT.) 1/2" GYPSUM WALLBOARD TAPED AND FINISHED</p> <p><b>4E</b> GARAGE / HOUSE WALLS 1/2" GYPSUM WALLBOARD TAPED AND FINISHED 6 MIL POLY VAPOUR BARRIER R2 BATT INSULATION 2X6 WOOD STUDS AT 16" O.C. 1/2" EXTERIOR SHEATHING (GAS PROOF)</p> <p><b>4F</b> CULTURED STONE 1 1/2" THICK CULTURED STONE AS PER OWNER'S SELECTION MORTAR SETTING BED SCRATCH COAT GALVANIZED METAL LATH 1/2" EXTERIOR SHEATHING R5 (7) ROXUL "COMFORTBOARD 80" TYVEK HOUSE WRAP AIR BARRIER 1/2" EXTERIOR SHEATHING 2X6 WOOD STUDS AT 16" O.C. R2 BATT INSULATION W/ 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALLBOARD TAPED AND FINISHED</p> <p><b>4G</b> INTERIOR STUD PARTITION 1/2" DRYWALL ON BOTH SIDES OF 2X4 WOOD STUDS AT 16" O.C. OR 2X6 WOOD STUDS AT 16" O.C. AS INDICATED</p> <p><b>4H</b> SOUND INSULATED WALL 1/2" DRYWALL ON BOTH SIDES 2X6 WOOD STUDS AT 16" O.C. ROXUL MINERAL BATT INSULATION</p>	<p><b>5A</b> FLOOR - BASEMENT: 1/2" INTERIOR DRYWALL FINISH CONTINUOUS AIR/VAPOUR BARRIER MIN. R50 BATT INSULATION</p> <p><b>5B</b> FLOOR - GARAGE 3" MIN. CONCRETE SLAB ON 8" MIN. GRANULAR BASE WITH 1/2" INTERIOR DRYWALL FINISH 2 COATS OF JOIST COMPOUND R31 INSULATION, 2 LB CLOSED CELL BAUF SPRAY FOAM INSULATION</p> <p><b>5C</b> FLOOR - RUP 1 1/8" DEEP PRE-ENGINEERED FLOOR JOISTS AT 16" O.C. WITH 3/4" SHEATHING GLED AND NAILED.</p> <p><b>5D</b> FLOOR - REINFORCED SLAB 6" CONCRETE SLAB W/ 10M BARS AT 8" O.C. IN BOTH DIRECTIONS W/ 1" CLEAR COVER AT BOTTOM OF SLAB. SLAB SHALL HAVE MIN. 3" BEARING ON FOUNDATION WALLS AND TO BE ANCHORED AT 23 3/8" WITH 24" X 24" 10M BENT DOUBLE.</p> <p><b>6A</b> FLOOR INSULATION CONTINUOUS HEADER JOIST WITH R22 BATT INSULATION EXTEND VAPOUR/AIR BARRIER 1' BEYOND JOIST AND SUBFLOOR</p> <p><b>6B</b> BASEMENT INSUL. / FURRING R50 R22 R50 R10 CLOSED CELL BAUF 6MMX4 FOAM INSULATION OR 2" R10 ROXUL INSULATION 2X4 STUDS AT 24" O.C. R2 BATT INSULATION 6 MIL VAPOUR BARRIER 1/2" DRYWALL TAPED AND FINISHED</p> <p><b>6C</b> BASEMENT INSULATION ROXUL CONTINUOUS BLANKET 6 MIL VAPOUR BARRIER MECHANICALLY FASTENED TO WALL</p> <p><b>8D</b> FLAT ROOF JOIST TORCHED ON RUBBER MEMBRANE ROOF 3 DEG SLOPE TO EDGE ON 3/8" SPRUCE PLYWOOD SHEATHING COMPLETE WITH 1/2" PLYCLIPS 2X6 ROOF RAFTERS AT 16" O.C.</p>	<p><b>7A</b> R&amp;O CEILING 1/2" INTERIOR DRYWALL FINISH CONTINUOUS AIR/VAPOUR BARRIER MIN. R50 BATT INSULATION</p> <p><b>7B</b> GARAGE CEILING 2 COATS OF JOIST COMPOUND R31 INSULATION, 2 LB CLOSED CELL BAUF SPRAY FOAM INSULATION</p> <p><b>7C</b> CATHEDRAL CEILING R31 (2M) FIBERGLASS OR BLDGWRN INSULATION</p> <p><b>8A</b> PRE-ENGINEERED TRUSSES STANDING REAR METAL ROOFING (SELECTION BY OWNER) METAL BAYE STARTER 1/2" BRIDGE PLYWOOD SHEATHING COMPLETE WITH 1/2" PLYCLIPS R5 (7) ROXUL "COMFORTBOARD 80" TYVEK HOUSE WRAP AIR BARRIER 1/2" EXTERIOR SHEATHING 2X6 WOOD STUDS AT 16" O.C. R2 BATT INSULATION W/ 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALLBOARD TAPED AND FINISHED</p> <p><b>8B</b> STICK FRAMED ROOF 30 YEAR ASPHALT SHINGLES (SELECTION BY OWNER) METAL BAYE STARTER 1/2" BRIDGE PLYWOOD SHEATHING COMPLETE WITH 1/2" PLYCLIPS 2X6 ROOF RAFTERS AT 16" O.C.</p> <p><b>8C</b> DECORATIVE ROOF METAL ROOFING (SELECTION BY OWNER) METAL BAYE STARTER 1/2" BRIDGE PLYWOOD SHEATHING COMPLETE WITH 1/2" PLYCLIPS 2X6 ROOF RAFTERS AT 16" O.C.</p> <p><b>15</b> STAIRS (TABLE 3.1.2.A.2) MAXIMUM RISE: 7 1/8" MAXIMUM RUN: 10" MAXIMUM NOBING: 1" MINIMUM WIDTH: 2'0" MINIMUM HEADROOM: 6'8"</p>	<p><b>9</b> ROOF VENTILATION ROOF VENTS UNIFORMLY DISTRIBUTED EQUAL TO 1/100 OF INSULATED CEILING AREA</p> <p><b>10</b> STOVE VENT CLIFFED STOVE/CHIMNEY EXHAUST VENTED TO EXTERIOR, CONFORMING TO PART 6, CBC 9.33.1.8(1)</p> <p><b>11</b> PROVIDE ATTIC ACCESS R31 (2M) FIBERGLASS OR BLDGWRN INSULATION EXTERIOR SOFFIT 4 FASCIA</p> <p><b>12</b> PROVIDE ZERO CLEARANCE GAS FIREPLACE WITH NON-COMBUSTIBLE HEARTH EXTENDING MIN. 16" IN FRONT AND MIN. 8" BEYOND EACH SIDE OF THE FIREPLACE OPENING METAL CARBON MONOXIDE DETECTOR CONFORMING TO CAN/CSA 9.8 OR UL 2004 HANDRAIL / GUARDS</p> <p><b>13</b> INTERIOR LANDING: 3'-0" EXTERIOR LANDING: 3'-6" EXTERIOR STAIRS: 3'-0" INTERIOR STAIRS: 2'-6" MINIMUM STAIR WIDTH: 2'-0" MAX BETWEEN PICKETS: 4" EXTERIOR GUARDS AT LANDINGS MAY BE 2'-8" IF LESS THAN 4'-0" TO GRADE LEVEL</p> <p><b>14</b> INTERIOR LANDING: 3'-0" EXTERIOR LANDING: 3'-6" EXTERIOR STAIRS: 3'-0" INTERIOR STAIRS: 2'-6" MINIMUM STAIR WIDTH: 2'-0" MAX BETWEEN PICKETS: 4" EXTERIOR GUARDS AT LANDINGS MAY BE 2'-8" IF LESS THAN 4'-0" TO GRADE LEVEL</p>	<p><b>16</b> METAL FLASHING MIN 3" UP BEING SHEATHING MIN 3" HORIZONTAL OVER ROOF</p> <p><b>17</b> DECK LEDGER LEDGER A ANCHOR 2X6x6 MIN. P.T. LEDGER WITH 2 ROW OF 3/8" X 4" BOLTS AT 24" O.C. STAGGERED</p> <p><b>18</b> STEPPED FOOTINGS VERTICAL RISE: 9 3/4" MAX FOR BAND / GRAVEL 9 3/8" FOR FRT SOIL HORIZONTAL RUN 23 3/8" + WINDOW REINFORCING + PROVIDE 2-18M BARS ON EACH SIDE OF OPENING AND AT ALL WITH 2' COVERAGE</p>
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### LEGEND

- VENT
- PLA POINT LOAD FROM ABOVE
- FAN BATHROOM EXHAUST FAN
- F.D. FLOOR DRAIN
- SS KNS POST (TALLBALL)
- TRIMMERS / POSTS

BMI	2 - 2X6	BMI	2 - 2X10
BMI	3 - 2X6	BMI	3 - 2X10
BMI	2 - 2X8	BMI	4 - 2X10
BMI	3 - 2X8	BMI	2 - 2X12
BMI	4 - 2X8	BMI	3 - 2X12

LVL1	1 3/4" x 1 1/4" 2.0E LVL
LVL2	2 - 1 3/4" x 1 1/4" 2.0E LVL
LVL3	3 - 1 3/4" x 1 1/4" 2.0E LVL
LVL4	1 3/4" x 9 1/2" 2.0E LVL
LVL5	2 - 1 3/4" x 9 1/2" 2.0E LVL
LVL6	3 - 1 3/4" x 9 1/2" 2.0E LVL
LVL7	4 - 1 3/4" x 9 1/2" 2.0E LVL
LVL8	1 3/4" x 11 1/8" 2.0E LVL
LVL9	2 - 1 3/4" x 11 1/8" 2.0E LVL
LVL10	3 - 1 3/4" x 11 1/8" 2.0E LVL
LVL11	4 - 1 3/4" x 11 1/8" 2.0E LVL
LVL12	1 3/4" x 14" 2.0E LVL
LVL13	2 - 1 3/4" x 14" 2.0E LVL
LVL14	3 - 1 3/4" x 14" 2.0E LVL
LVL15	2 - 1 3/4" x 16" 2.0E LVL
LVL16	3 - 1 3/4" x 16" 2.0E LVL
LVL17	2 - 1 3/4" x 18" 2.0E LVL
LVL18	3 - 1 3/4" x 18" 2.0E LVL

### TABLE 3.1.1.2.A (IP) - ZONE 1 COMPLIANCE PACKAGE 'A1'

COMPONENT	THERMAL VALUES	
CEILING WITH ATTIC SPACE	MINIMUM NOMINAL R	60
	MINIMUM EFFECTIVE R	59.22
CEILING WITHOUT ATTIC SPACE	MINIMUM NOMINAL R	31
	MINIMUM EFFECTIVE R	21.65
EXPOSED FLOOR	MINIMUM NOMINAL R	31
	MINIMUM EFFECTIVE R	21.65
WALLS ABOVE GRADE	MINIMUM NOMINAL R	22
	MINIMUM EFFECTIVE R	17.03
BASEMENT WALLS	MINIMUM NOMINAL (R+VALUE)	20x1 OR 12 + 10x1
	MINIMUM EFFECTIVE R	21.2
BELOW GRADE SLAB ENTIRE SURFACE > 600 MM BELOW GRADE	MINIMUM NOMINAL (R+VALUE)	-
	MINIMUM EFFECTIVE R	-
HEATED GRADE SLAB OR SLAB < 600 MM BELOW GRADE	MINIMUM NOMINAL (R+VALUE)	10
	MINIMUM EFFECTIVE R	11.13
EDGE OF BELOW GRADE SLAB < 600 MM BELOW GRADE	MINIMUM NOMINAL (R+VALUE)	10
WINDOWS AND SLIDING GLASS DOORS	MAX U	0.28
	ENERGY RATING	75
SKYLIGHTS	MAX U	N / A
SPACE HEATING EQUIPMENT	MINIMUM ARIE	96%
HRV	MINIMUM BRE	75%
DOMESTIC HOT WATER HEATER	MINIMUM EF	0.80

PROJECT NORTH	TRUE NORTH	
No.	DATE:	ISSUE / REVISION
1	06-02-22	PRICING & CO-ORDINATION
2	06-15-22	C.O.A. APPLICATION
3		
4		
5		
6		
7		
8		
9		

**GENERAL NOTES:**

THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS WITH CONDITIONS ON SITE AND ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF DETAILS MATTER.

USE LATEST REVISED DRAWINGS.

MAKE GOOD ALL AREAS OF WORK AND SURFACES DISTURBED BY CONSTRUCTION WHETHER SHOWN ON THE DRAWINGS OR NOT.

DO NOT SCALE DRAWINGS.

THESE DRAWINGS ARE IN ACCORDANCE TO THE 2012 O.B.C.

**QUALIFICATION INFORMATION**

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SHANE K WILSON  
FIRM NAME: DETAILS MATTER 39141

905.870.8445  
SHANE@DETAILSMATTER.CA WWW.DETAILSMATTER.CA  
FACEBOOK.COM/DETAILSMATTER2007  
@DETAILSMATTER07

BUILDER:

PROJECT:  
KLIMM RESIDENCE  
11 MOUNTAIN VIEW RD  
DUNDAS, ONTARIO

SHEET TITLE:  
**COVERPAGE**

DRAWN BY: S.K.W. CHECKED BY: S.K.W. PROJECT NO: DM21-006

SCALE: 1/4" = 1'-0" DATE: FEBRUARY 2021

DRAWING NO:

# A1



No.	DATE:	ISSUE / REVISION
1	06-02-22	PRICING & CO-ORDINATION
2	06-15-22	C.O.A. APPLICATION
3		
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**GENERAL NOTES:**

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USE LATEST REVISED DRAWINGS.

MAKE GOOD ALL AREAS OF WORK AND SURFACES DISTURBED BY CONSTRUCTION WHETHER SHOWN ON THE DRAWINGS OR NOT.

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BUILDER:

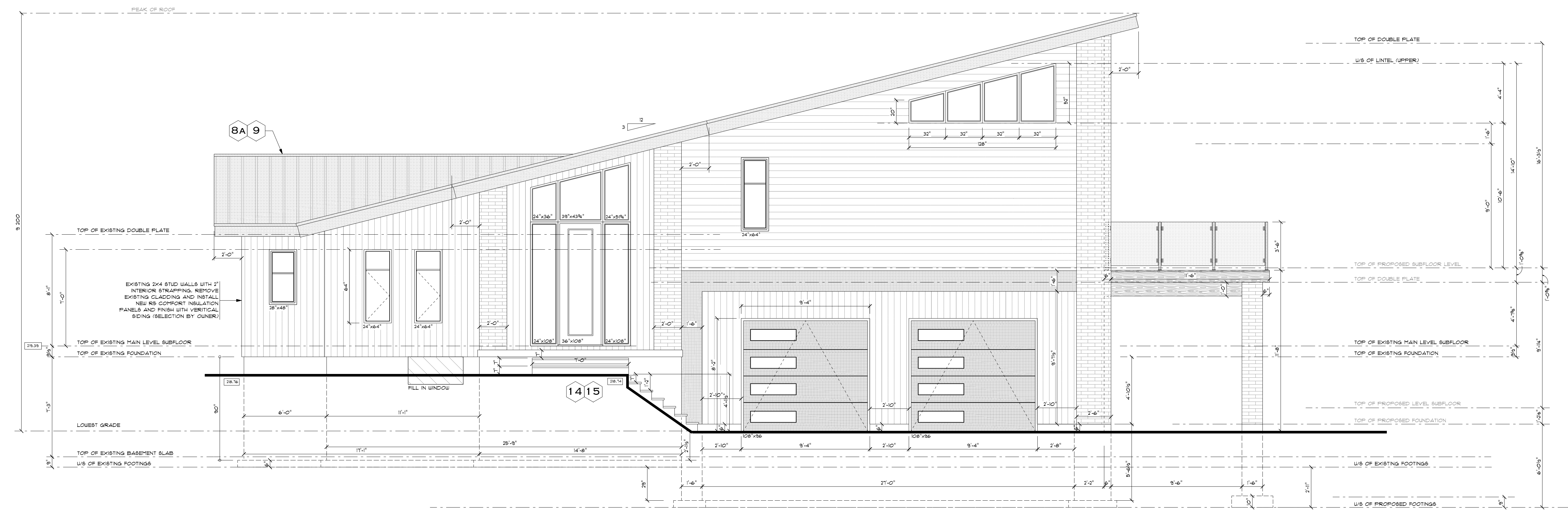
PROJECT:  
 KLIMM RESIDENCE  
 11 MOUNTAIN VIEW RD  
 DUNDAS, ONTARIO

SHEET TITLE:  
**PROPOSED FRONT AND LEFT ELEVATION**

DRAWN BY: S.K.W. CHECKED BY: S.K.W. PROJECT NO: DM21-006

SCALE: 1/4" = 1'-0" DATE: FEBRUARY 2021

DRAWING NO:  
**A2**



**PROPOSED FRONT ELEVATION**



**PROPOSED LEFT ELEVATION**







BM1	2 - 2x6	BM6	2 - 2x10
BM2	3 - 2x6	BM7	3 - 2x10
BM3	2 - 2x8	BM8	4 - 2x10
BM4	3 - 2x8	BM9	2 - 2x12
BM5	4 - 2x8	BM10	3 - 2x12

LVL1	13/4" X 11/4" 2.OE LVL
LVL2	2 - 13/4" X 11/4" 2.OE LVL
LVL3	3 - 13/4" X 11/4" 2.OE LVL
LVL4	13/4" X 8 1/2" 2.OE LVL
LVL5	2 - 13/4" X 8 1/2" 2.OE LVL
LVL6	3 - 13/4" X 8 1/2" 2.OE LVL
LVL7	4 - 13/4" X 8 1/2" 2.OE LVL
LVL8	13/4" X 11 7/8" 2.OE LVL
LVL9	2 - 13/4" X 11 7/8" 2.OE LVL
LVL10	3 - 13/4" X 11 7/8" 2.OE LVL
LVL11	4 - 13/4" X 11 7/8" 2.OE LVL
LVL12	13/4" X 14" 2.OE LVL
LVL13	2 - 13/4" X 14" 2.OE LVL
LVL14	3 - 13/4" X 14" 2.OE LVL
LVL15	2 - 13/4" X 16" 2.OE LVL
LVL16	3 - 13/4" X 16" 2.OE LVL
LVL17	2 - 13/4" X 18" 2.OE LVL
LVL18	3 - 13/4" X 18" 2.OE LVL

PROJECT NORTH		TRUE NORTH	
NO.	DATE	ISSUE / REVISION	
1	06-02-22	PRICING & CO-ORDINATION	
2	06-15-22	C.O.A. APPLICATION	
3			
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9			

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BUILDER:

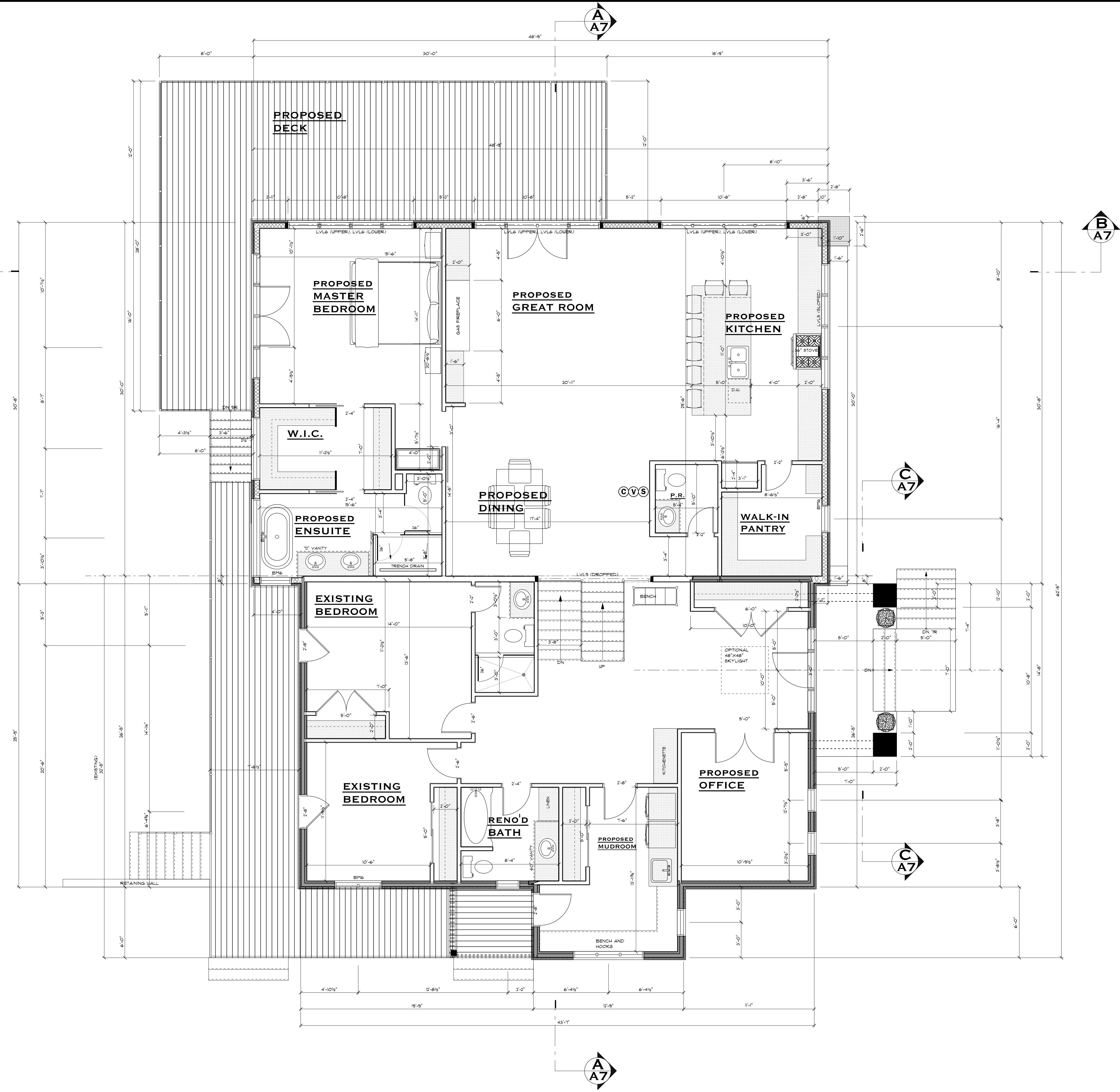
PROJECT:  
KLIMM RESIDENCE  
11 MOUNTAIN VIEW RD  
DUNDAS, ONTARIO

SHEET TITLE:  
**PROPOSED MAIN FLOOR PLAN**  
2,695 SF

DRAWN BY: S.K.W. CHECKED BY: S.K.W. PROJECT NO: DM21-006

SCALE: 1/4" = 1'-0" DATE: FEBRUARY 2021

DRAWING NO:  
**A6**



PROJECT NORTH		TRUE NORTH
NO.	DATE	ISSUE / REVISION
1	06-02-22	PRICING & CO-ORDINATION
2	06-15-22	C.O.A. APPLICATION
3		
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BUILDER:

PROJECT:  
 KLIMM RESIDENCE  
 11 MOUNTAIN VIEW RD  
 DUNDAS, ONTARIO

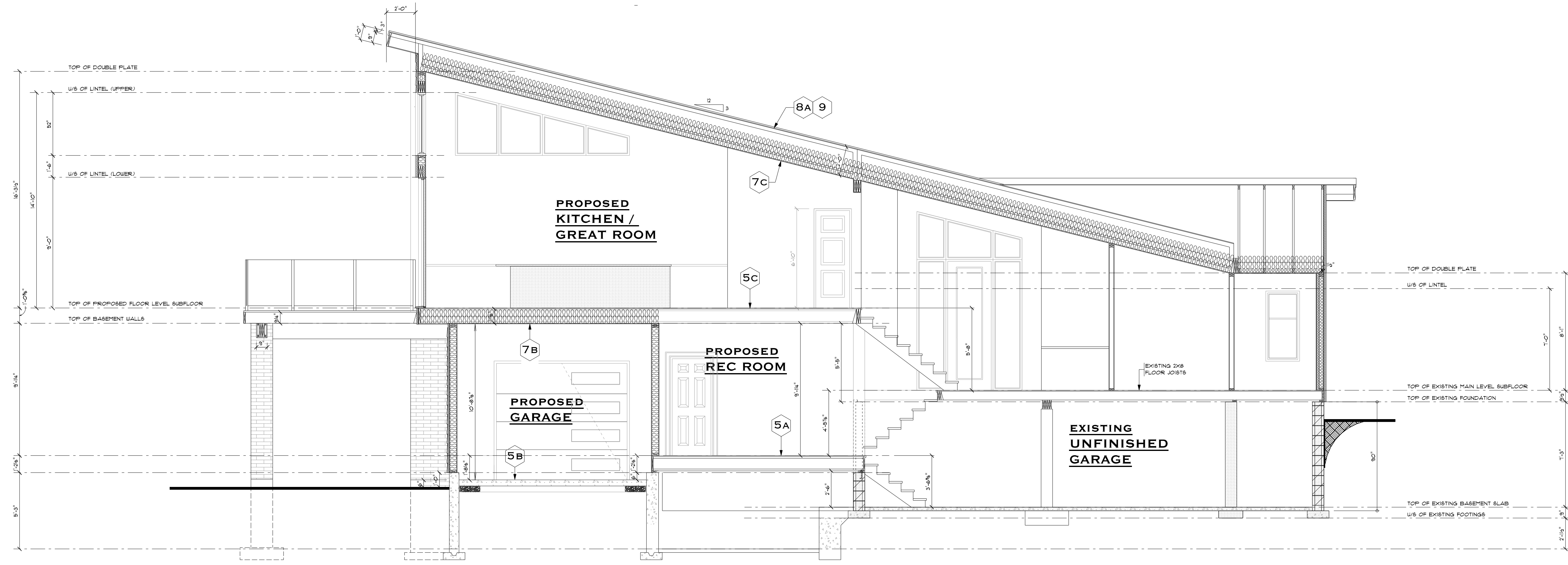
SHEET TITLE:  
**CROSS SECTIONS  
 A-A & B-B**

DRAWN BY: S.K.W. CHECKED BY: S.K.W. PROJECT NO: DM21-006

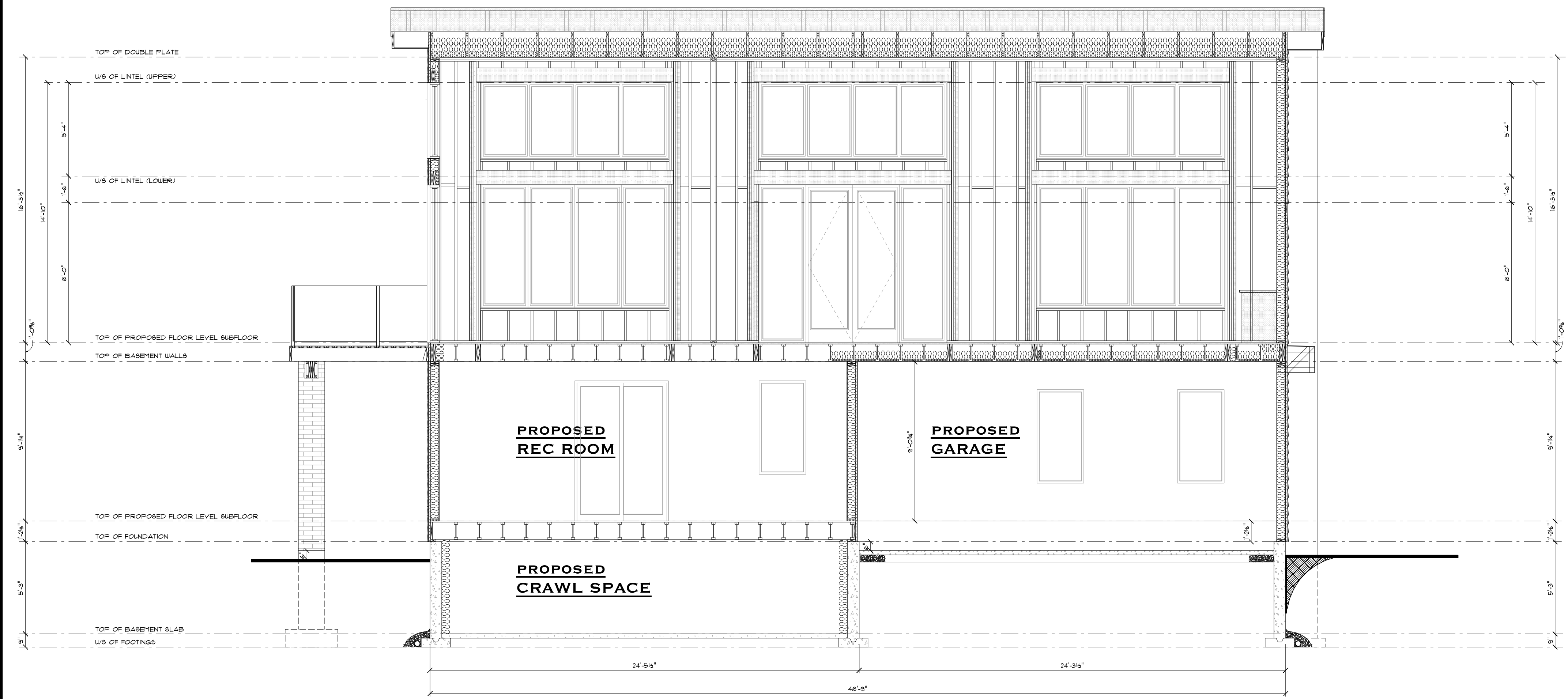
SCALE: 1/4" = 1'-0" DATE: FEBRUARY 2021

DRAWING NO:

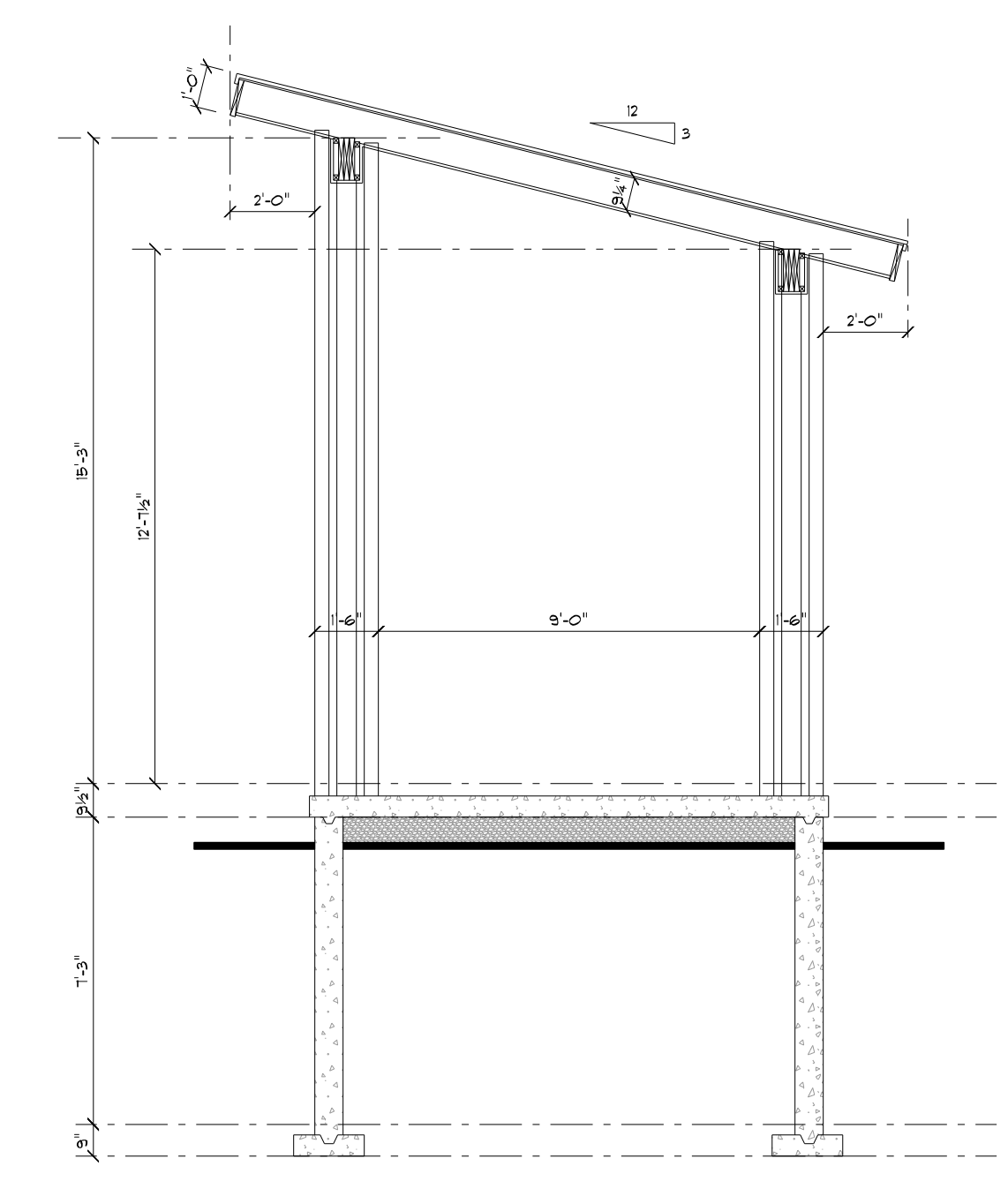
**A7**



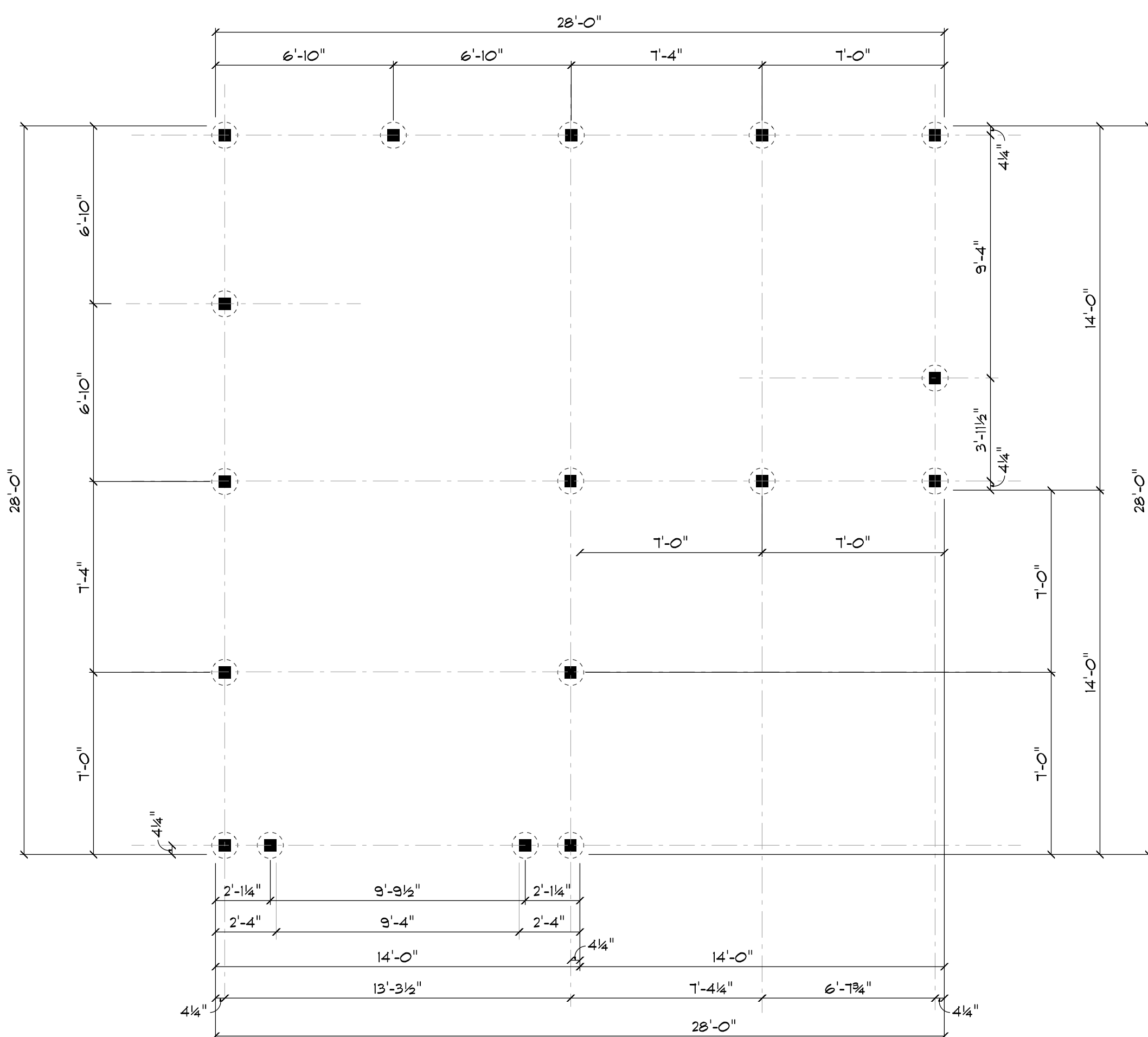
**CROSS SECTION A-A**



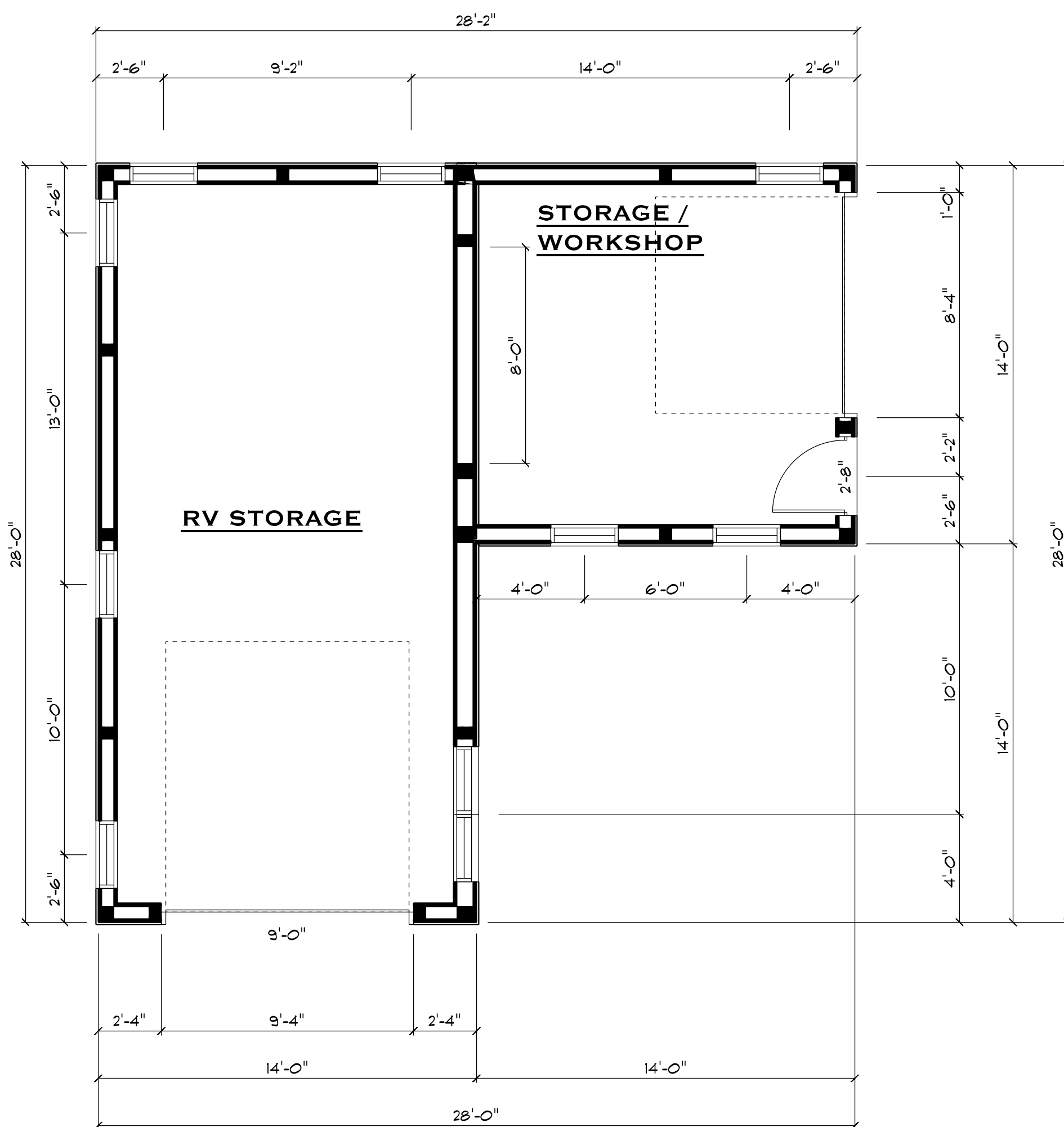
**CROSS SECTION B-B**



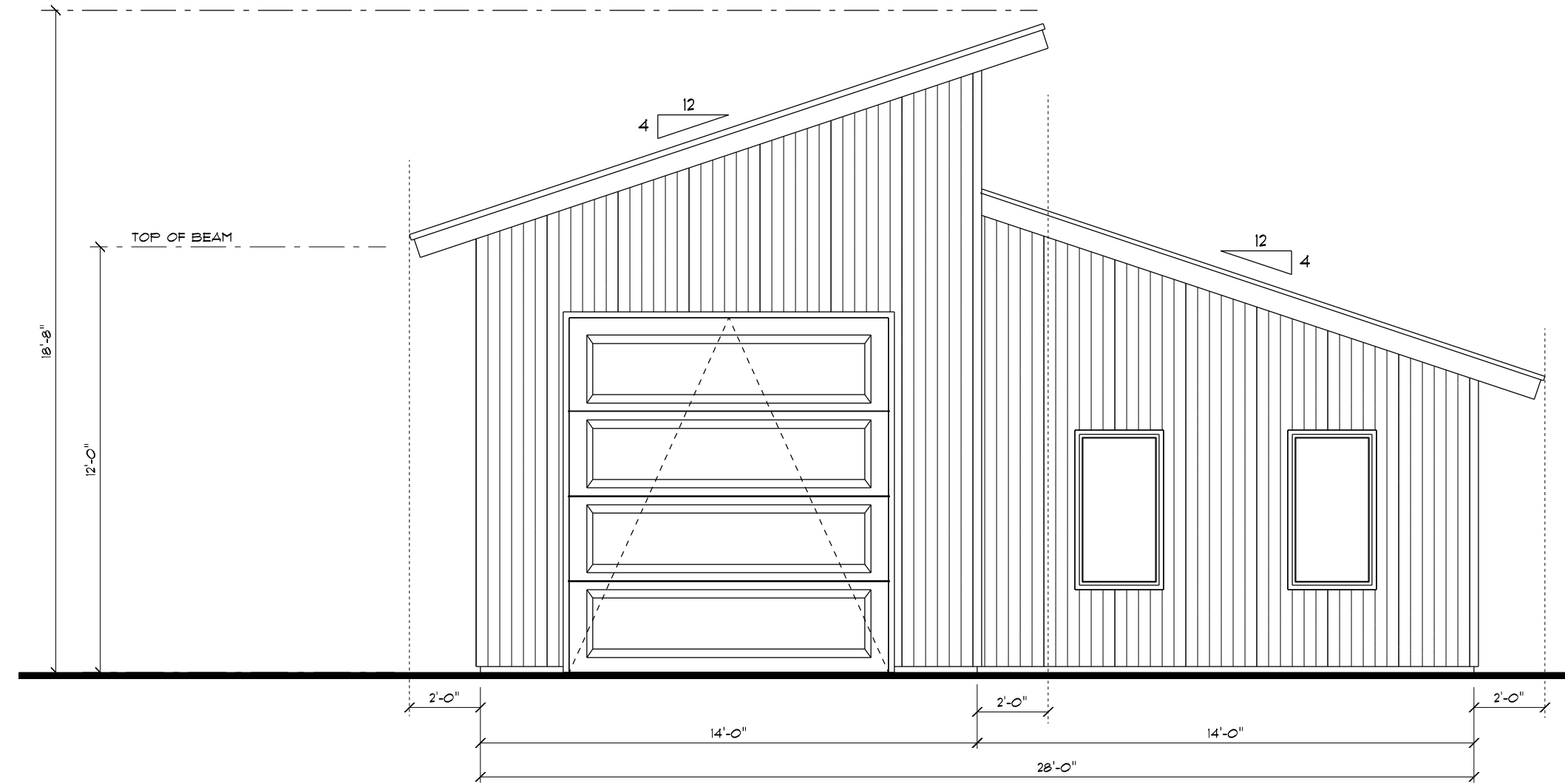
**CROSS SECTION C-C**



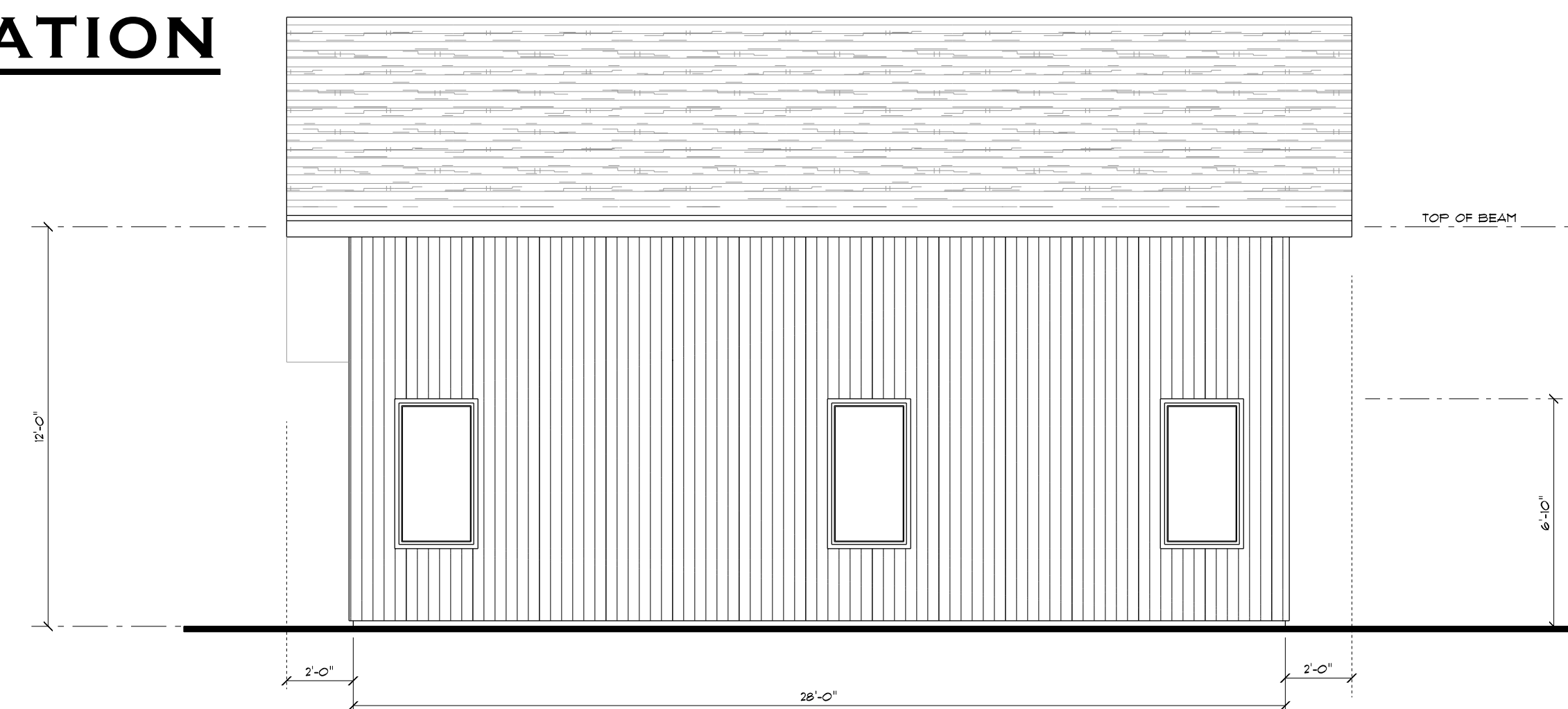
**FOUNDATION PLAN**



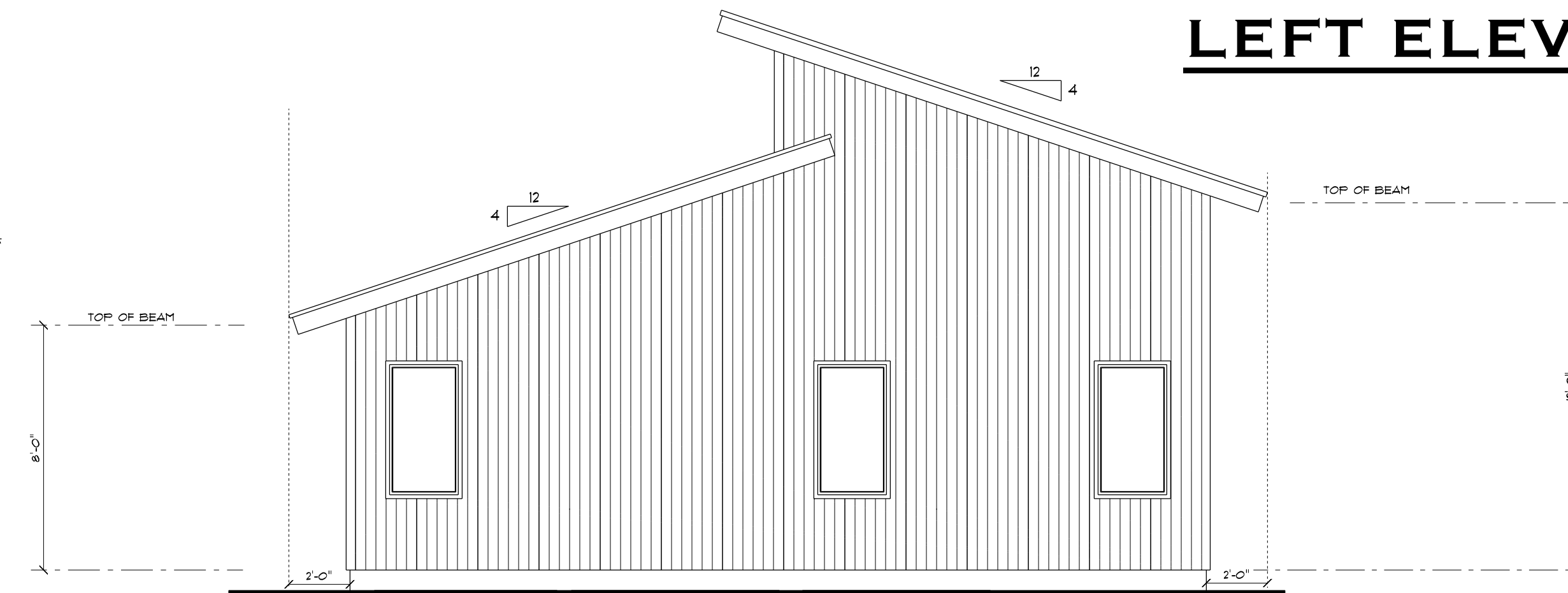
**FLOOR PLAN**



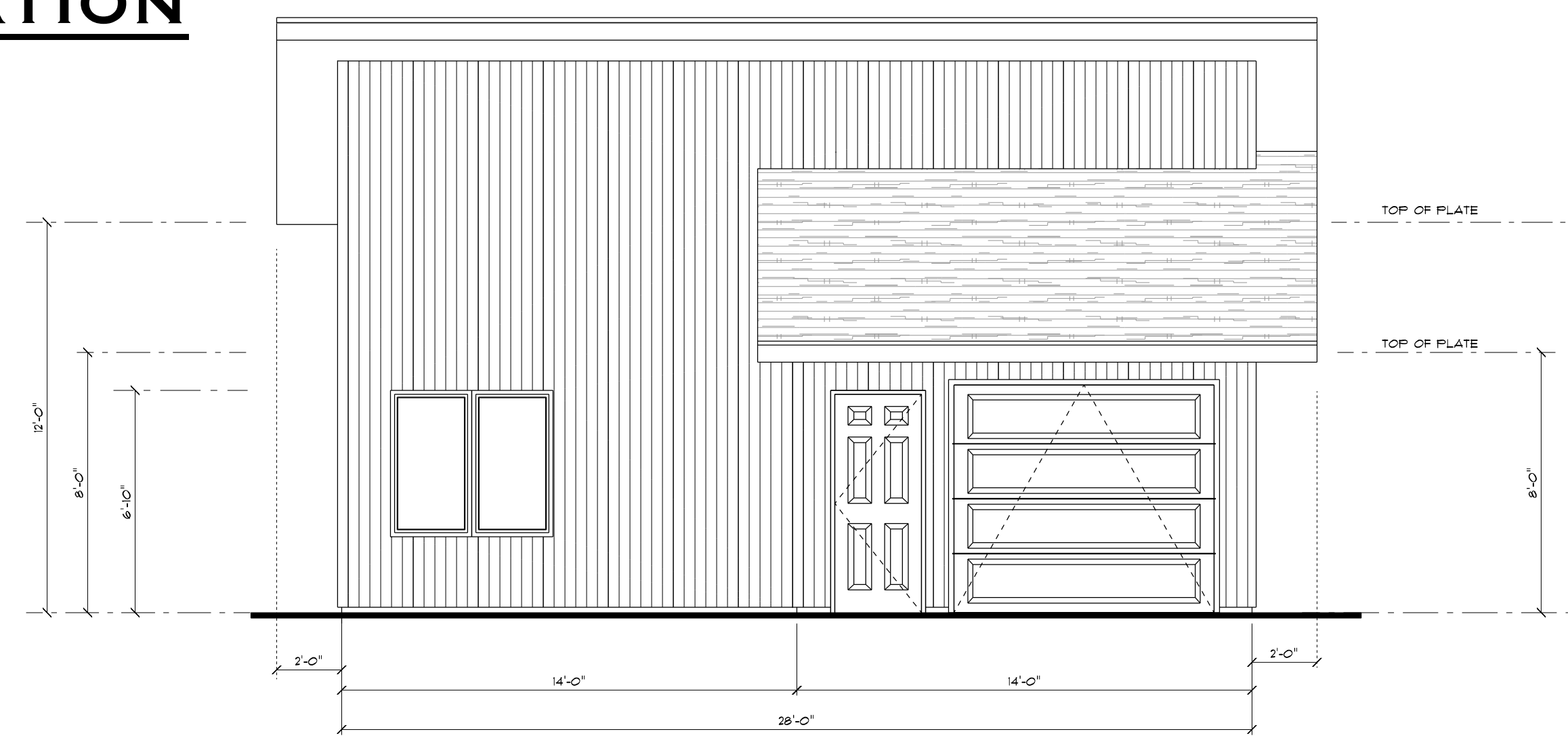
**FRONT ELEVATION**



**LEFT ELEVATION**



**REAR ELEVATION**



**RIGHT ELEVATION**

PROJECT NORTH		TRUE NORTH
NO.	DATE	ISSUE / REVISION
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BUILDER:

PROJECT:  
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 11 MOUNTAIN VIEW RD  
 DUNDAS, ONTARIO

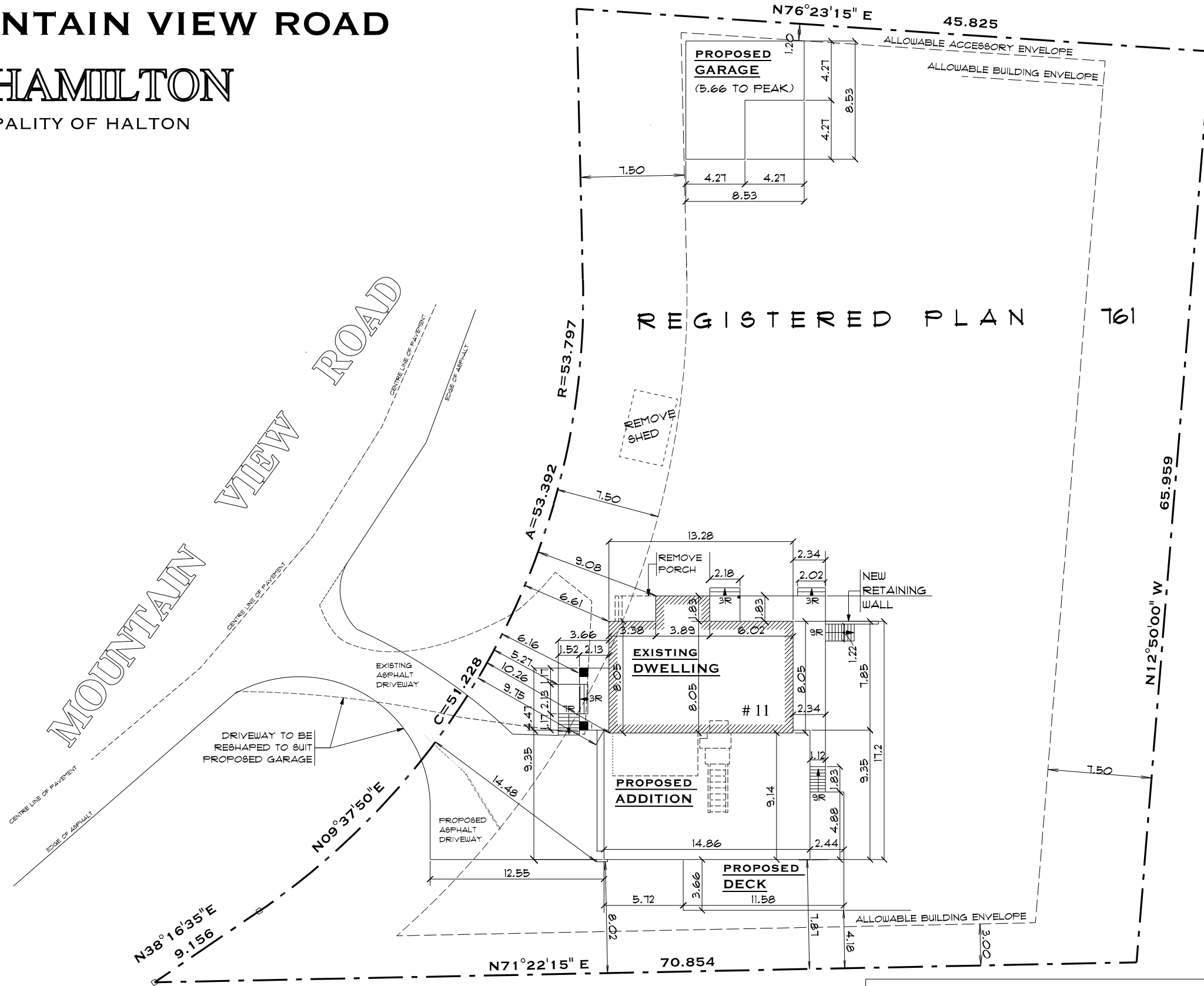
SHEET TITLE:  
**DETACHED GARAGE**

DRAWN BY: S.K.W. CHECKED BY: S.K.W. PROJECT NO: DM21-006

SCALE: 1/4" = 1'-0" DATE: FEBRUARY 2021

DRAWING NO:  
**A8**

PLAN OF  
**# 11 MOUNTAIN VIEW ROAD**  
 IN THE  
**CITY OF HAMILTON**  
 REGIONAL MUNICIPALITY OF HALTON







**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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)	Chris Klimm	
Applicant(s)*	Shane K Wilson (Details Matter)	
Agent or Solicitor	Shane K Wilson (Details Matter)	

**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:

TD Canada Trust 161 Bay St., Toronto, ON M5J 1C4, Canada
--

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

4. Nature and extent of relief applied for:

1) Front Yard Setback : 7.5m allowed, 6.61 proposed (existing corner)  
 2) Accessory Building Area : 45.00 sq. m allowed 54.63 Sq m.  
 2) Accessory Building Height : 4.5 m allowed,

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

- see attached response 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**):

11 Mountain View Road

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial

Agricultural       Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes  No  Unknown

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

The answers are to the best of my knowledge and are based on the existing site condition, location and confirmation of information with existing 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

**Minor Variance Application – 11 Mountain View Road, Greenville (Owner : Chris Klimm)**

**Question 5.**

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

- 1) The existing corner of the home does not meet the current bylaw. We are planning on removing the existing second floor and roof of the home and would like to add an addition on the south side of the home and reconstruct the entire roof. Our new roof structure will start on this non-conforming Northwest Corner.
- 2) We would like a larger accessory building than what is currently allowed in the zoning bylaw to provide needed storage for the owners RV and tractor. We would also like the building to have a workshop for personal use. The property is very large so this proposed footprint would still only cover 1.6% of the lot.
- 3) One of the items that needs to be stored in the accessory building is an RV which requires a high ceiling. We have proposed that one bay of the garage to have a 12' ceiling and a sloped 4/12 roof. With our placement on the property and the natural grade changes in this area the height should be dramatically minimized.

13. Date of acquisition of subject lands:  
July 15, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
1950s (based on listing)
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Dwelling
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Family Dwelling
- 
17. Length of time the existing uses of the subject property have continued:  
always
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water private well Connected \_\_\_\_\_  
Sanitary Sewer private septic Connected \_\_\_\_\_  
Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-22:229</b>	<b>SUBJECT PROPERTY:</b>	3 HAINES AVENUE, FLAMBOROUGH
<b>ZONE:</b>	"S1" (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 15-173

**APPLICANTS:** Owner – Ryan Clewlow & Leanna Ardron

The following variances are requested:

1. A minimum front yard of 4.90 metres shall be permitted, instead of the required minimum front yard of 7.5 metres.
2. A minimum northerly side yard width of 1.2 metres shall be permitted, instead of the required minimum side yard width of 3.0 metres.

**PURPOSE & EFFECT:** To permit the construction of a one-storey addition and new covered porch to the front of the existing single-family dwelling on a residential parcel of land, notwithstanding:

**Notes:**

1. Please note that detailed Elevation Drawings were not submitted to confirm the height of the proposed building addition. As per Section 12.3.3(f), a maximum building height of 12.5 metres is permitted. Additional variances may be required if compliance with Section 12.3.3(f) cannot be achieved.
2. Please note that the projection of eaves/troughs have not been indicated on the submitted Site Plan to confirm compliance with Section 4.6(a). Should the variances be approved to permit a reduced front yard and a reduced northerly side yard, eaves/troughs shall project no 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. Additional variances may be required if compliance with Section 4.6(a) cannot be achieved.
3. Please note that specific details regarding parking on the lot have not been indicated on the submitted Site Plan to confirm compliance with Section 5: Parking. Please note that as per Section

**FL/A-22:229**

5.6(c)(vii), a minimum of one (1) parking space is required for a Single Detached Dwelling. It appears that a minimum of one (1) parking space can be accommodated in the proposed attached garage; however, additional variances may be required if compliance with other requirements of Section 5: Parking cannot be achieved.

Further, please note that as per Section 5.1(b)(ii), on a lot containing a single detached dwelling, semi-detached dwelling or duplex dwelling in all zones, no parking spaces shall be permitted in a required front yard or required flankage yard except as otherwise permitted for single detached, semi-detached or duplex dwellings.

Finally, please note that as per Section 5.2(b)(iv) the length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space. As per Section 5.2(b)(v), notwithstanding Subsection iv), an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.

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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

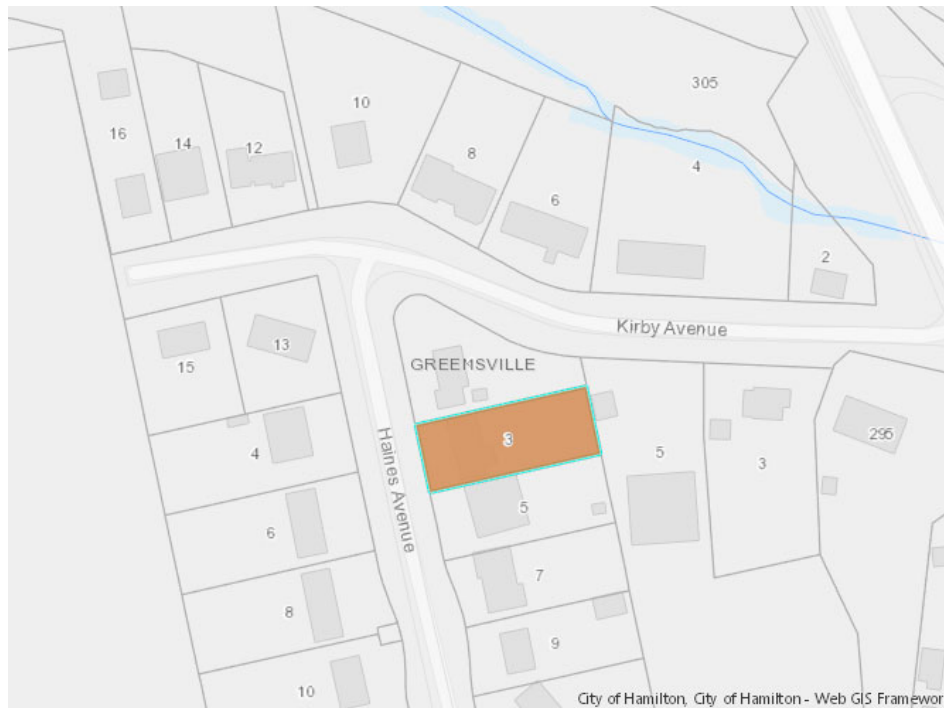
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935


**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.

**FL/A-22:229**

**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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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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Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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.**

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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.

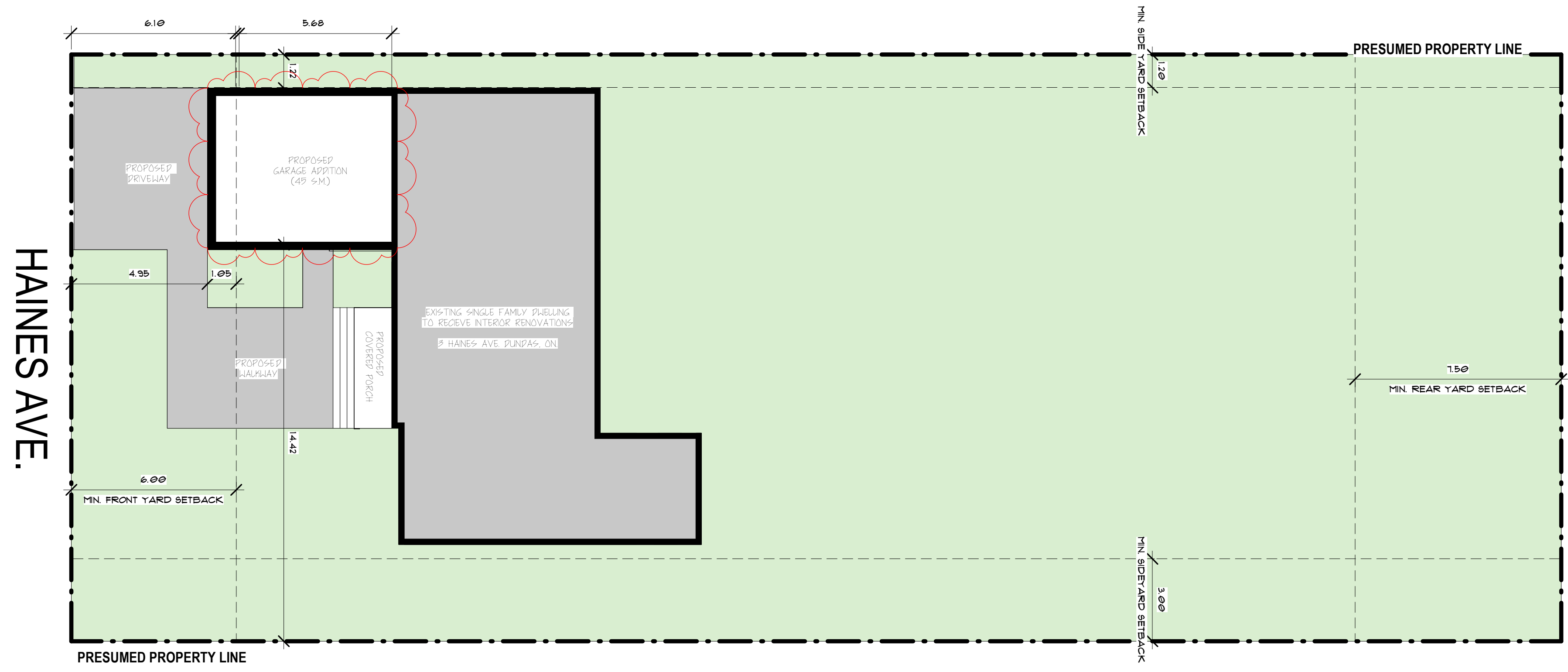
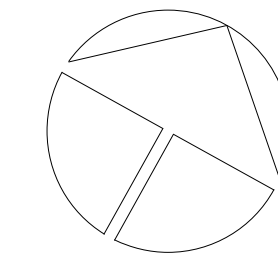
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> 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](mailto: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 STATISTICS (S1 ZONE)	
LOT AREA MIN = 0.4 HA	PROPOSED = 0.12 HA (EXISTING)
LOT FRONTAGE MIN = 30.0 M	PROPOSED = EXISTING
FRONT YARD SETBACK = 7.5 M	PROPOSED = 4.95 M <span style="float: right;">MINOR VARIANCE REQUIRED</span>
SIDE YARD SETBACK = 3.0 M	PROPOSED = EXISTING
REAR YARD SETBACK = 7.5 M	PROPOSED = EXISTING
BUILDING HEIGHT = 10.5 M	PROPOSED = EXISTING (GARAGE DOES NOT EXCEED HEIGHT OF EXTG. HOME)
LOT COVERAGE =	PROPOSED = 24.40 S.M (EXISTING DWELLING, PROPOSED GARAGE, PROPOSED DRIVEWAY / WALKWAY, COVERED PORCH)



**BM ARCHITECTURAL DESIGN**

58 Hackney Ridge, Brantford, Ontario  
 benjamin@bmarchitecturaldesign.com  
 519.721.4866

PROJECT  
 Attached Garage & Interior Reno.  
**Clewlou Residence**

3 Haines Ave. Flamborough, ON

DRAWING NAME <b>Site Plan</b>	DRAWING NO. <b>A001B</b>
----------------------------------	-----------------------------



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>	Ryan Clewlow Leanna Ardron	
<b>Applicant(s)*</b>	Leanna Ardron Ryan Clewlow	
<b>Agent or Solicitor</b>		<b>Phone:</b>
		<b>E-mail:</b>

**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:

Leanna Ardron, Ryan Clewlow 3 Haines Ave Dundas ON L9H5J9
--

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

4. Nature and extent of relief applied for:

FRONT YARD SETBACK TO BE REDUCED TO 5.0m TO ACCOMMODATE EXTENSION OF GARAGE

- Second Dwelling Unit       Reconstruction of Existing Dwelling

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

EXISTING 6.0m SETBACK DOESNT LEAVE SUFFICIENT PARKING SPACE INSIDE GARAGE

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

3 HAINES AVE. DUNDAS, 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?

CITY INTERACTIVE ZONING MAPPING AND COMPREHENSIVE ZONING

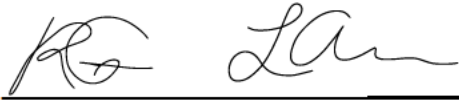
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

June 1, 2022  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature Property Owner(s)  
 Ryan Clewlow, Leanna Ardron  
 \_\_\_\_\_  
 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 21.3m  
 Depth 54.2m  
 Area 1156.49m  
 Width of street 9.0m

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

Existing:  
 \_\_\_\_\_  
 EXISTING SINGLE FAMILY DWELLING FOOTPRINT TO REMAIN AND RECEIVE INTERIOR RENOVATIONS.

Proposed  
 \_\_\_\_\_  
 PROPOSED 2 CAR GARAGE ATTACHED TO EXISTING DWELLING WITH AN AREA OF 33.44m<sup>2</sup> and a length of 5.9m AND A DEPTH OF 5.7m

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

Existing:  
 \_\_\_\_\_  
 TO REMAIN

Proposed:  
 \_\_\_\_\_  
 PROPOSED ATTACHED GARAGE  
 SIDE: 1.2m  
 FRONT: 5.0m

13. Date of acquisition of subject lands:  
October 31, 2018
- 
14. Date of construction of all buildings and structures on subject lands:  
/
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family
- 
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTION OF 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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  

6.0m FRONTYARD SETBACK
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.

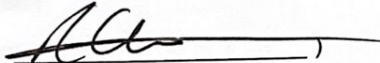
**PART 25 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.

I, Ryan Clewlow 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 )  
this 20 day of June A.D. 2022)

  
Applicant

**MARTHA MIGNANO,**  
a Commissioner, etc., Province of Ontario,  
for the City of Hamilton.  
Expires January 18, 2025.

**PART 26 OWNERS AUTHORIZATION** Ryan Clewlow, Leanna Ardron

As of the date of this application, I (NAME) \_\_\_\_\_ 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:

\_\_\_\_\_ of \_\_\_\_\_

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 June 1, 2022 SIGNED 

**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.

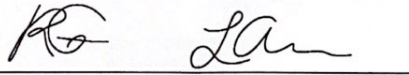
Ryan Clewlow, Leanna Ardron

I, \_\_\_\_\_, 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.

June 1, 2022

Date

  
Signature of Owner(s)

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton this 20 day of June, 2022

[Signature]  
WITNESS

[Signature]  
Per:  
I have authority to bind the corporation.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Per:  
I have authority to bind the corporation

DATED at Hamilton, Ontario this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

City of Hamilton

Per: \_\_\_\_\_  
Mayor

Per: \_\_\_\_\_  
Clerk







Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-22:234</b>	<b>SUBJECT PROPERTY:</b>	843 SAFARI ROAD, FLAMBOROUGH
<b>ZONE:</b>	"A1" (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner – David Wilson & Tanya Pinnegar

The following variances are requested:

1. A maximum gross floor area of 297.29 m<sup>2</sup> or 12.1% shall be provided instead of the maximum required aggregate Gross Floor Area of all Accessory Buildings which shall not exceed 200 square metres, or 5% lot coverage (122.95 m<sup>2</sup>), whichever is the lesser.
2. A maximum Accessory Building Height of 7.137 m shall be provided instead of the maximum required 6.0 m for all Accessory Buildings

**PURPOSE & EFFECT:** So as to permit a pole barn within the rear yard of an existing single detached dwelling notwithstanding that:

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**FL/A-22:234**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



DATED: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

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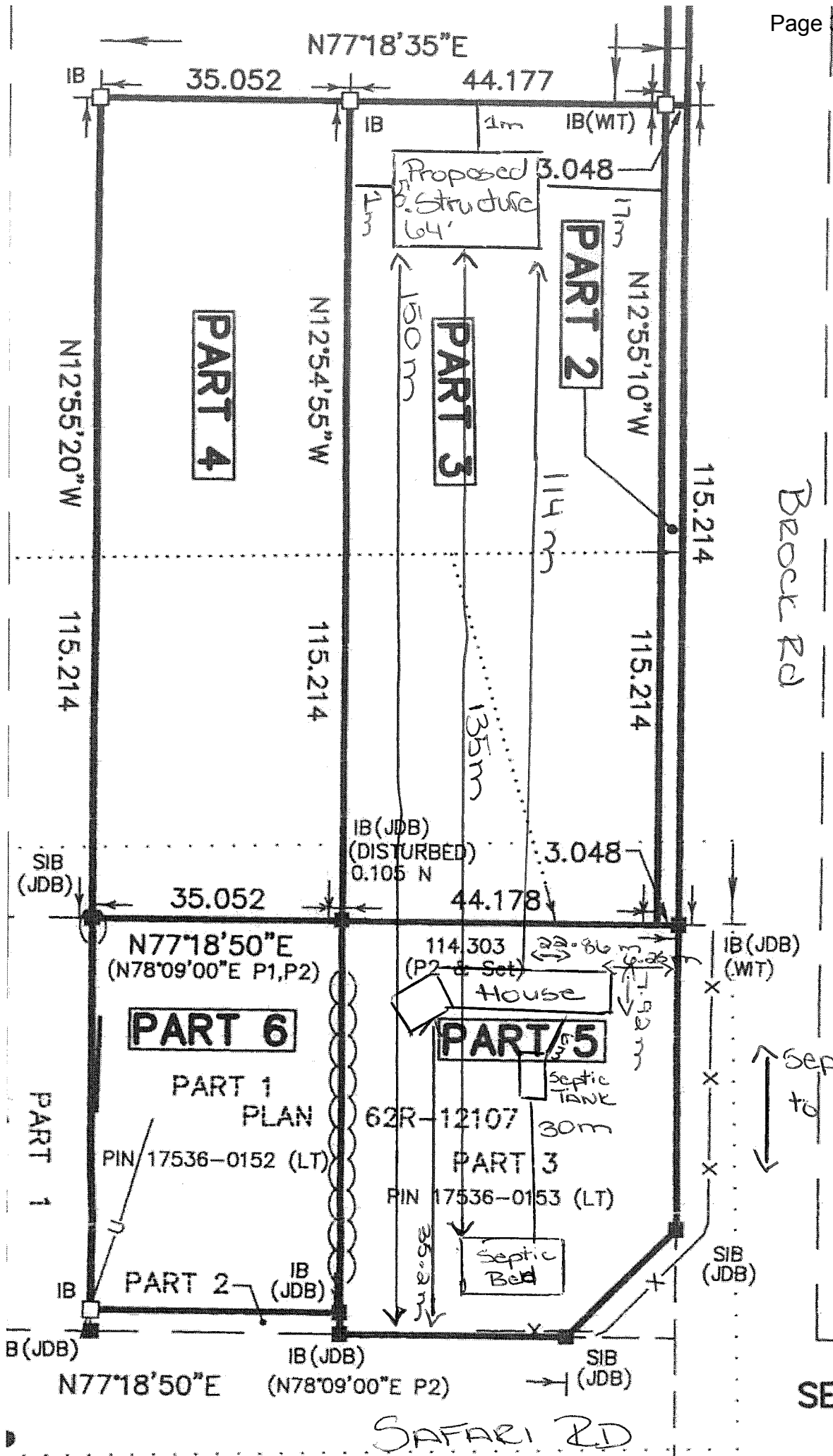
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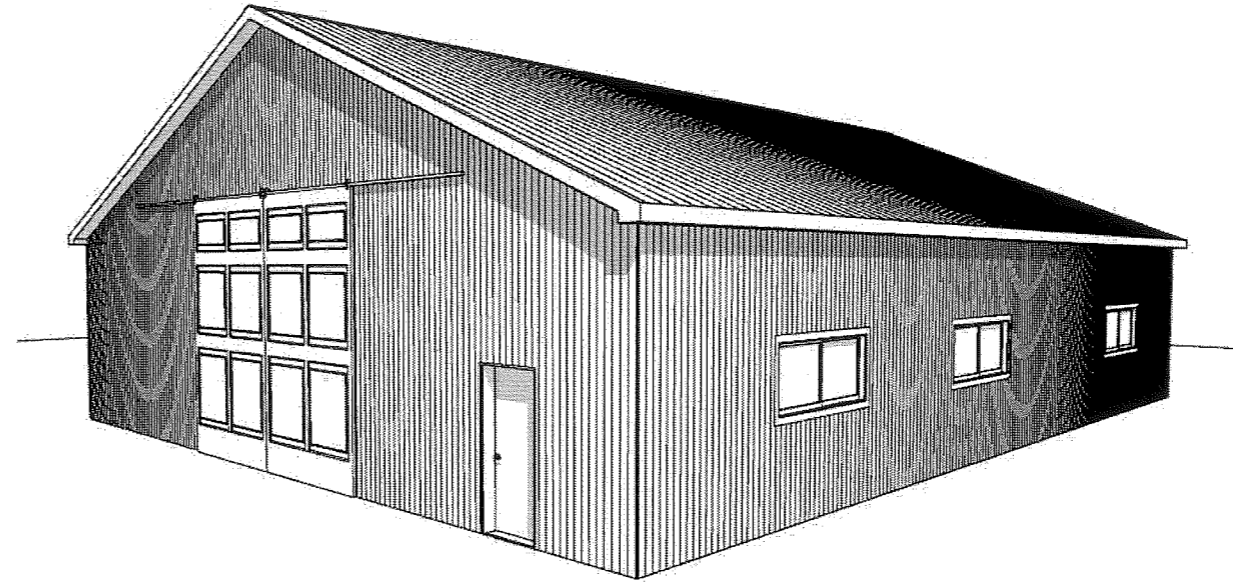
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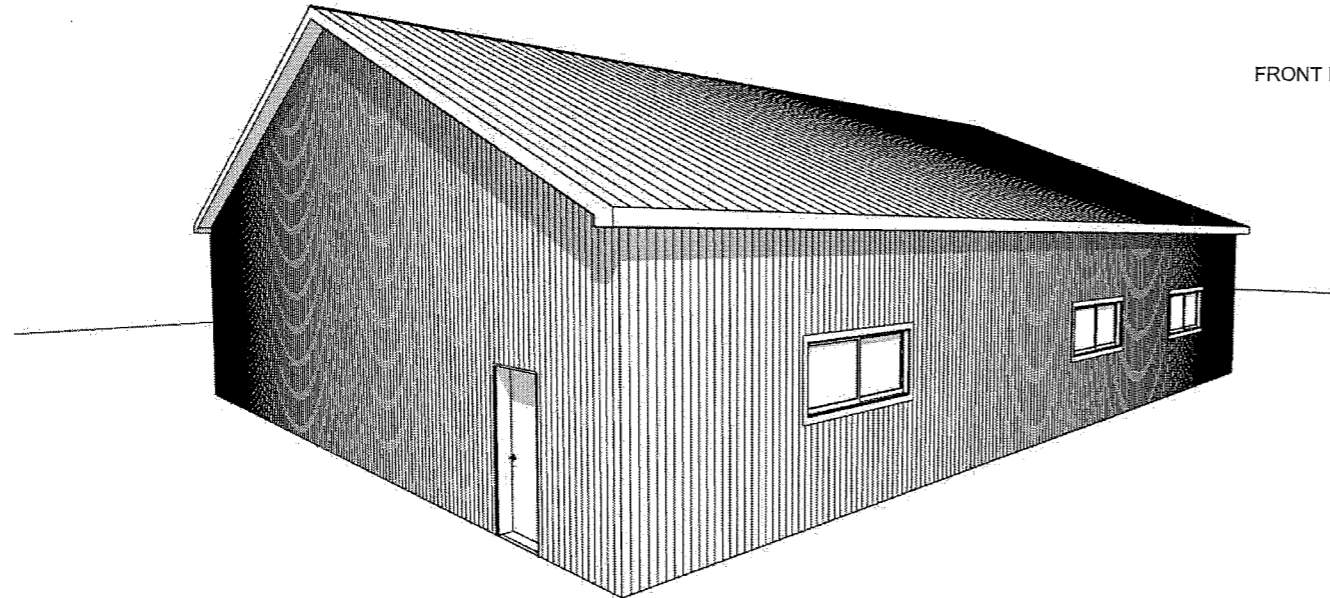


SE

Height 23'5" 7.137 m  
 Length 64' 19.507 m  
 Width 50' 15.24 m  
 Height of wall 12' 3.658 m



FRONT ISOMETRIC



REAR ISOMETRIC

Label	Title
A-1	TITLE PAGE
A-2	FOUNDATION PLAN
A-3	MAIN FLOOR PLAN
A-4	ROOF PLAN
A-5	FRONT & REAR ELEVATIONS
A-6	LEFT & RIGHT ELEVATIONS
A-7	BUILDING SECTION
A-8	TYPICAL DETAILS
A-9	TYPICAL DETAILS
A-10	CONSTRUCTION NOTES

**GENERAL NOTES FROM MMAH SUPPLEMENTARY STANDARD SB-11 (CONSTRUCTION OF FARM BUILDINGS)**

**LUMBER MATERIAL:**

- SHALL CONFORM TO THE APPROPRIATE REQUIREMENTS IN SUB-SECTION 9.3.2. OF DIVISION B OF THE BUILDING CODE.
- UN-GRADED LUMBER MAY BE USED FOR WOOD POSTS, JOISTS, RAFTERS, LINTELS, BEAMS AND WALL STUDS IN A FARM BUILDING OF LOW HUMAN OCCUPANCY OF NOT MORE THAN ONE STOREY IN BUILDING HEIGHT.
- UN-GRADED LUMBER MEANS LUMBER THAT HAS NOT BEEN GRADE-STAMPED TO INDICATE ITS GRADE, AS DETERMINED BY THE NLGA, BUT THAT MEETS THE FOLLOWING VISUAL ATTRIBUTES:
  - (a) IT IS ROUGH SAWN TO FULL NOMINAL SIZE
  - (b) IT HAS NO EVIDENCE OF DECAY,
  - (c) IT HAS NO TIGHT KNOTS THAT EXCEED 25% OF THE CROSS SECTIONAL AND THAT ARE SPACED CLOSER THAN 150mm (6") ON CENTERS,
  - (d) IT HAS NO LOOSE KNOTS OR HOLES THAT EXCEED 25% OF THE CROSS SECTION AND THAT ARE SPACED CLOSER THAN 600mm (24") ON CENTERS,
  - (e) IT HAS THE SLOPE OF GRAIN NOT EXCEEDING 1 (VERTICAL) IN 4 (HORIZONTAL),
  - (f) IT IS FREE OF EXCESSIVE WARP.

**STRUCTURAL REQUIREMENTS:**

- EXCEPT AS PROVIDED IN ARTICLES 1.3.2. TO 1.3.4., WOOD POSTS, JOISTS, RAFTERS, LINTELS, BEAMS AND WALL STUDS SHALL BE DESIGNED IN CONFORMANCE WITH 9.4. OF DIVISION B OF THE BUILDING CODE.
- POSTS: IN A FARM BUILDING OF LOW HUMAN OCCUPANCY, THE SIZE OF WOOD POSTS SHALL CONFORM TO TABLES 1.3.2.A. TO 1.3.2.J.
- SPANS: IN A FARM BUILDING OF LOW HUMAN OCCUPANCY THE SPANS OF WOOD JOISTS, RAFTERS, LINTELS, AND BEAMS SHALL CONFORM TO THE SPAN TABLES 1.3.3.K. TO 1.3.3.T. FOR THE LOADS SHOWN IN THE TABLES.
- STUD DESIGN: IN A FARM BUILDING OF LOW HUMAN OCCUPANCY, THE SIZE AND SPACING OF WOOD STUDS SHALL CONFORM TO TABLES 1.3.4.U. TO 1.3.4.W. FOR THE STUDS SHOWN IN THE TABLES.

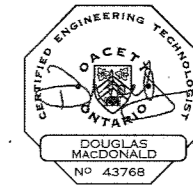
CLIMATIC DATA & DESIGN LOADS - Farm Building		
CLIMATIC LOCALITY: Hamilton Below Esc - W of Hwy 403		
<b>ROOF LOADING:</b>		
GROUND SNOW LOAD (S <sub>g</sub> )	1.10	22.97
RAIN LOAD (S <sub>r</sub> )	0.40	8.35
SNOW LOAD FACTOR (C <sub>s</sub> )	0.80	-
IMPORTANCE FACTOR (I <sub>s</sub> )	0.80	-
WIND EXPOSURE FACTOR (C <sub>w</sub> )	0.75	-
ROOF SLOPE	5 in 12	-
ROOF SURFACE	Unobstructed Slopes	-
SLOPE FACTOR (C <sub>s</sub> )	0.83	-
SHAPE FACTOR (C <sub>d</sub> )	1.00	-
ROOF DESIGN SNOW LOAD	1.00	20.89
ROOF & CEILING DESIGN DEAD LOAD	0.57	11.90
<b>FLOOR LOADING:</b>		
GROUND FLOOR LIVE LOAD	2.40	50.00
OTHER FLOORS LIVE LOAD	2.40	50.00
FLOOR DEAD LOAD	0.72	15
<b>WIND LOADING:</b>		
1/50 WIND PRESSURE	0.46	9.61
1/10 WIND PRESSURE	0.36	7.52
IMPORTANCE FACTOR	0.9	-
EXPOSURE FACTOR	0.9	-
GUST FACTOR	2	-
EXTERNAL PRESSURE COEFFICIENT (C <sub>p</sub> )	2	-
SPECIFIED DESIGN WIND LOAD (p)	1.32	27.67
<b>TEMPERATURE:</b>		
DEGREE DAYS BELOW 10°C	3480	-
<b>SOIL:</b>		
ASSUMED ALLOWABLE BEARING	75	1,566
ROCK	900	10,443
THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DRAWINGS AND MATERIALS EITHER SPECIFIED OR ASSUMED. WHERE DIFFERENT OR HEAVIER MATERIALS ARE PROPOSED THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD-BEARING ELEMENTS THAT MAY BE ADVERSELY AFFECTED		

**GENERAL NOTES:**  
 These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.

AREA CALCULATIONS	
Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

**Issue Record:**

No.	Description	Date
1	ISSUED FOR REVIEW	APR. 16, 2020
2	ISSUED FOR PERMIT	APR. 17, 2020
3		



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

QUALIFICATION INFORMATION:  
 DOUGLAS MACDONALD  
 NAME: DOUGLAS MACDONALD SIGNATURE: [Signature] BCIN: 31087  
 REGISTRATION INFORMATION:  
 MACDONALD DESIGN & MANAGEMENT 31087  
 REV. NAME: BCIN

**MacDonald**  
 design & management  
 Tel: (519) 766-6264  
 36 Melrose Place, Guelph, Ontario

WILSON  
 POLE BARN

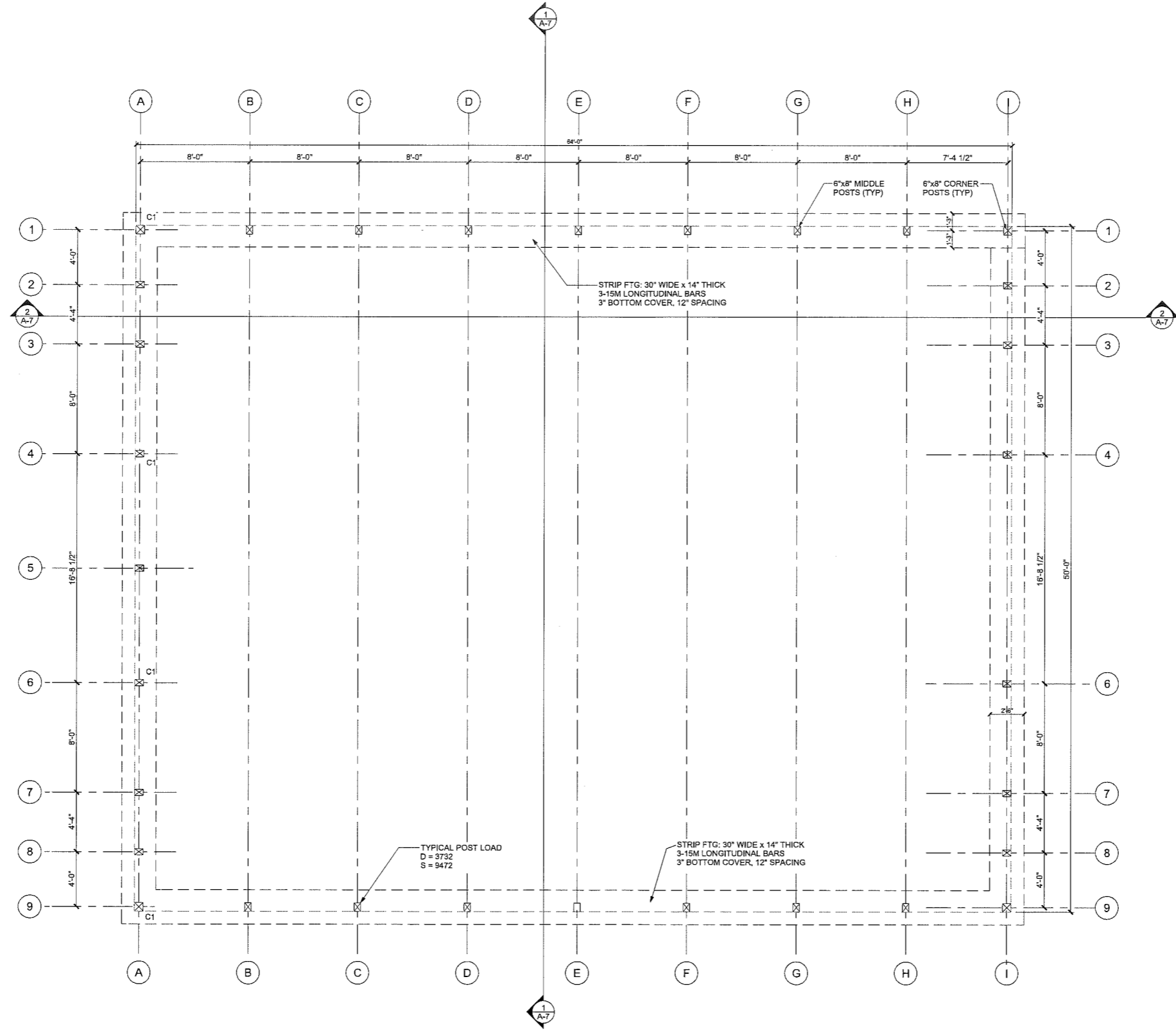
843 Safari Road  
 Millgrove

Scale: N/A

TITLE PAGE

Plot Size:  
 18"x24"

Drawing No:  
 A-1



1 FOUNDATION PLAN  
SCALE: 3/16"=1'-0"

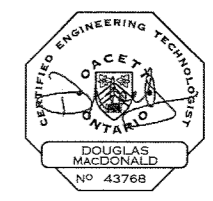
**GENERAL NOTES:**  
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**AREA CALCULATIONS**

Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

**Issue Record:**

No.	Description	Date
1	ISSUED FOR REVIEW	APR. 16, 2020
2	ISSUED FOR PERMIT	APR. 17, 2020
3		



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.

QUALIFICATIONS INFORMATION  
 DOUG MACDONALD  
 NAME: DOUG MACDONALD SIGNATURE: [Signature] ECIN: 31087  
 REGISTRATION INFORMATION  
 MACDONALD DESIGN & MANAGEMENT 31087  
 FIRM NAME: [Blank] ECIN: [Blank]

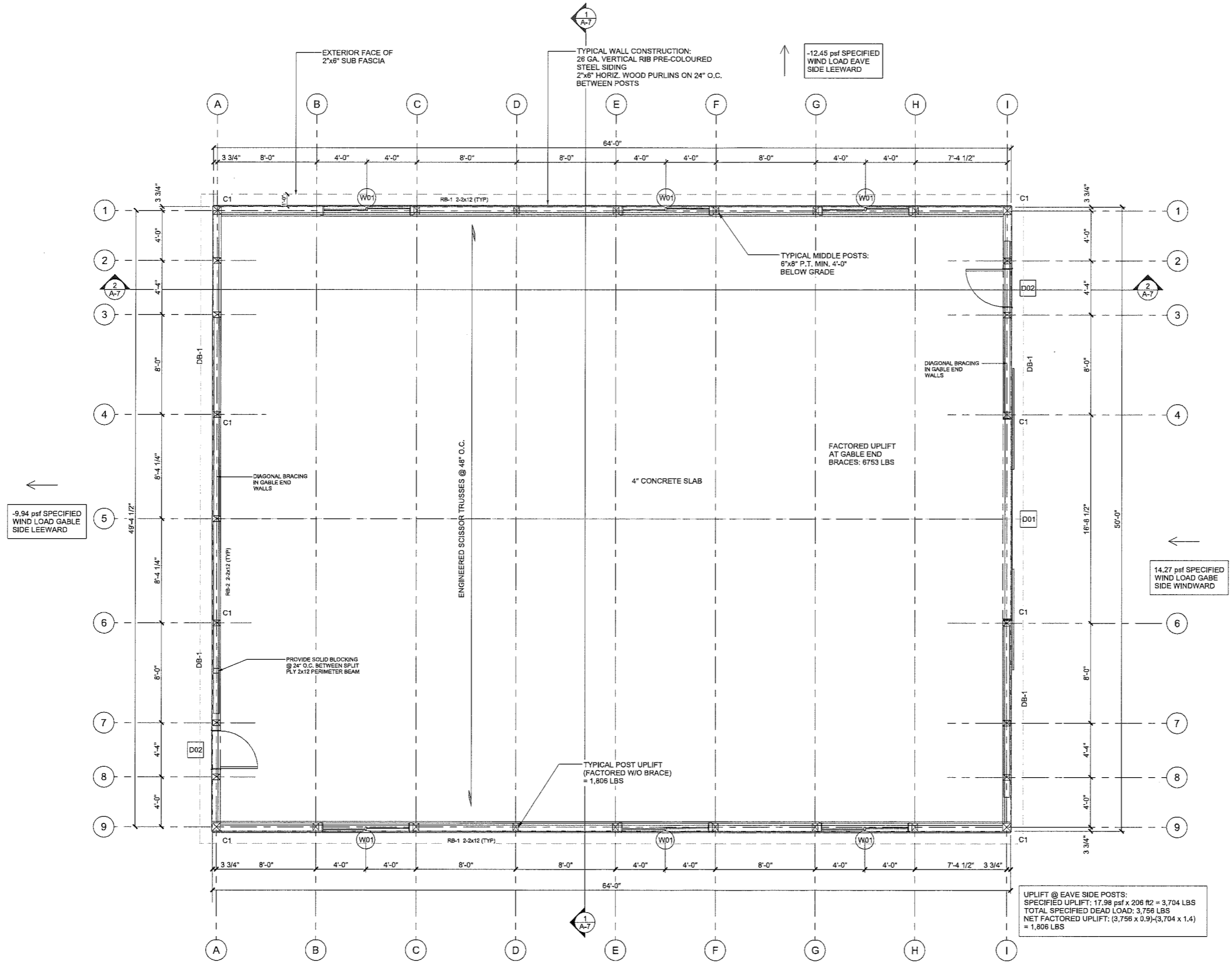


**WILSON POLE BARN**  
843 Safari Road  
Millgrove

Scale: AS NOTED

FOUNDATION PLAN

Plot Size: 18"x24"	Drawing No: A-2
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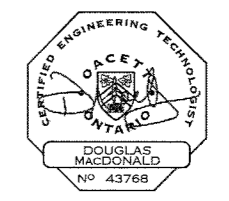
WINDOW SCHEDULE					
NUMBER	FLOOR	QTY	WIDTH	HEIGHT	TYPE
W01	1	6	184"	136"	LEFT SLIDING

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	TYPE	
D01	1	192"	168"	DOUBLE BARN	
D02	2	136"	180"	HINGED	

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AREA CALCULATIONS	
Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

Issue Record:		
No.	Description	Date
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QUALIFYING INFORMATION:  
DOUG MACDONALD  
NAME: DOUG MACDONALD SIGNATURE: [Signature] ECN: 31587  
REGISTRATION INFORMATION:  
MACDONALD DESIGN & MANAGEMENT 31587  
FIRM NAME: [Redacted] ECN: [Redacted]

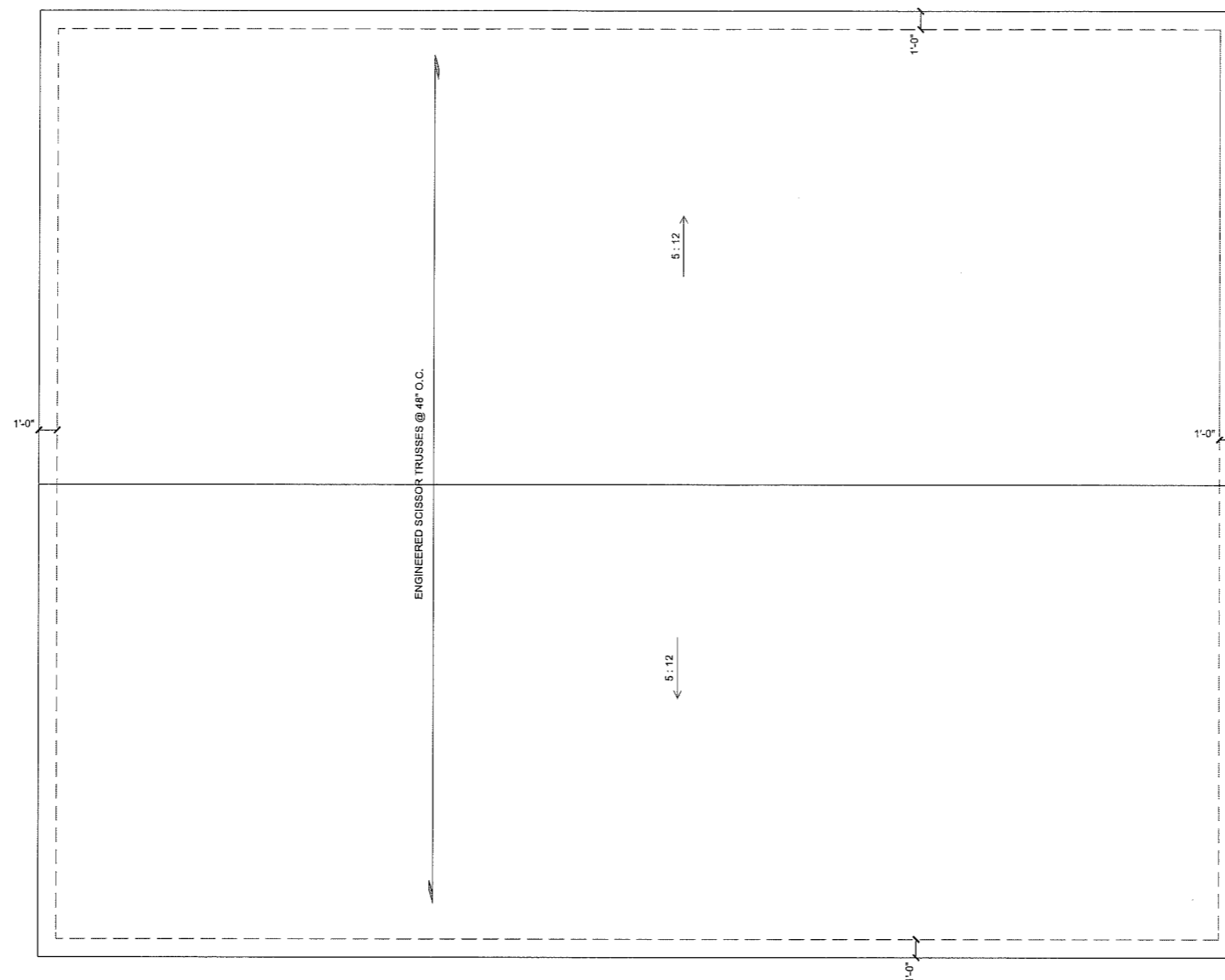


**WILSON POLE BARN**  
843 Safari Road  
Millgrove

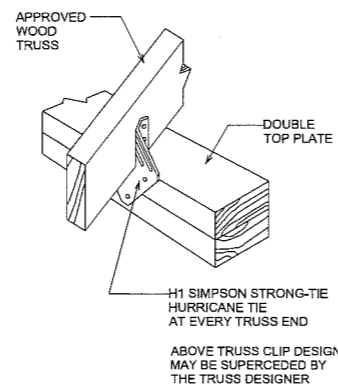
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MAIN FLOOR PLAN

Plot Size: 18'x24" Drawing No: A-3



1 ROOF PLAN  
SCALE: 3/16"=1'-0"



2 TRUSS CLIP DETAIL  
SCALE: NTS

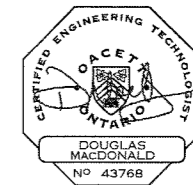
**TRUSS NOTE:**  
TRUSS MANUFACTURER TO PROVIDE TRUSS LAYOUT AND COMPONENT DETAILS TO THE DESIGNER PRIOR TO FABRICATION. CONTRACTOR MUST VERIFY WITH THE DESIGNER THAT THE STRUCTURE AND TRUSS LAYOUT HAS BEEN COORDINATED AND REVIEWED BY THE DESIGNER PRIOR TO COMMENCEMENT OF THE WOOD FRAMING WORK.  
THE DESIGNER HAS ENGINEERED THE DESIGN OF THE SUPERSTRUCTURE SUPPORTING ALL ENGINEERED TRUSSES. GRAVITY LOADING TRANSFERRED BY THE ROOF TRUSS SYSTEM HAS BEEN CONSIDERED BY THE DESIGNER AS REQUIRED IN OBC PART 4. IT IS THE RESPONSIBILITY OF THE ROOF TRUSS DESIGNER/SUPPLIER TO PROVIDE THE ENGINEERING FOR ALL PROPRIETARY TRUSS COMPONENTS - I.E. CHORDS, LATERAL WEB & CHORD BRACING FOR BUCKLING AND ANY RELATED LATERAL RESTRAINTS NEEDED THAT COULD BE TRANSFERRED BY THE RESULTANT FORCES WITHIN THE TRUSS MEMBERS.  
ENGINEERING AND SPECIFICATIONS FOR TRUSSES TO BE ON SITE AT TIME OF FRAMING INSPECTION.

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AREA CALCULATIONS	
Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

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 QUALIFICATION INFORMATION:  
 DOUG MACDONALD  
 NAME: DOUG MACDONALD SIGNATURE: [Signature] BCIN: 35428  
 REGISTRATION INFORMATION:  
 MACDONALD DESIGN & MANAGEMENT 31087  
 FIRM NAME: [Blank] BCIN: [Blank]



WILSON  
POLE BARN

843 Safari Road  
Millgrove

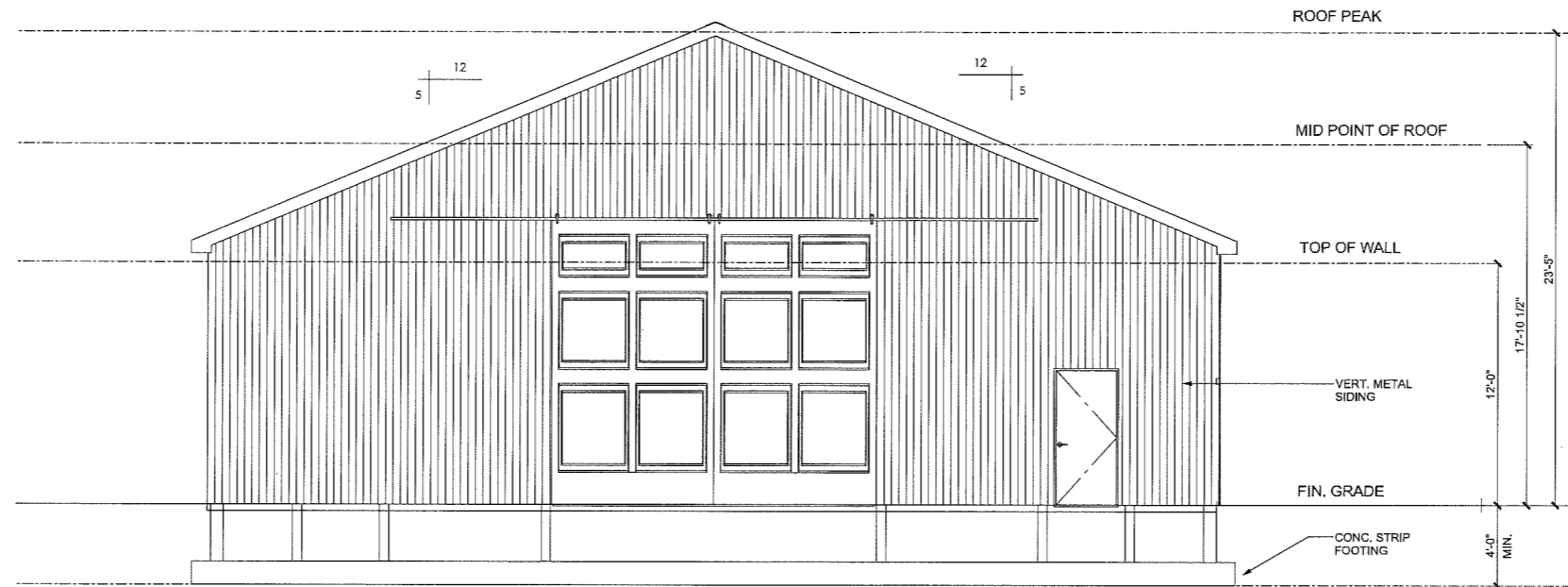
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ROOF PLAN

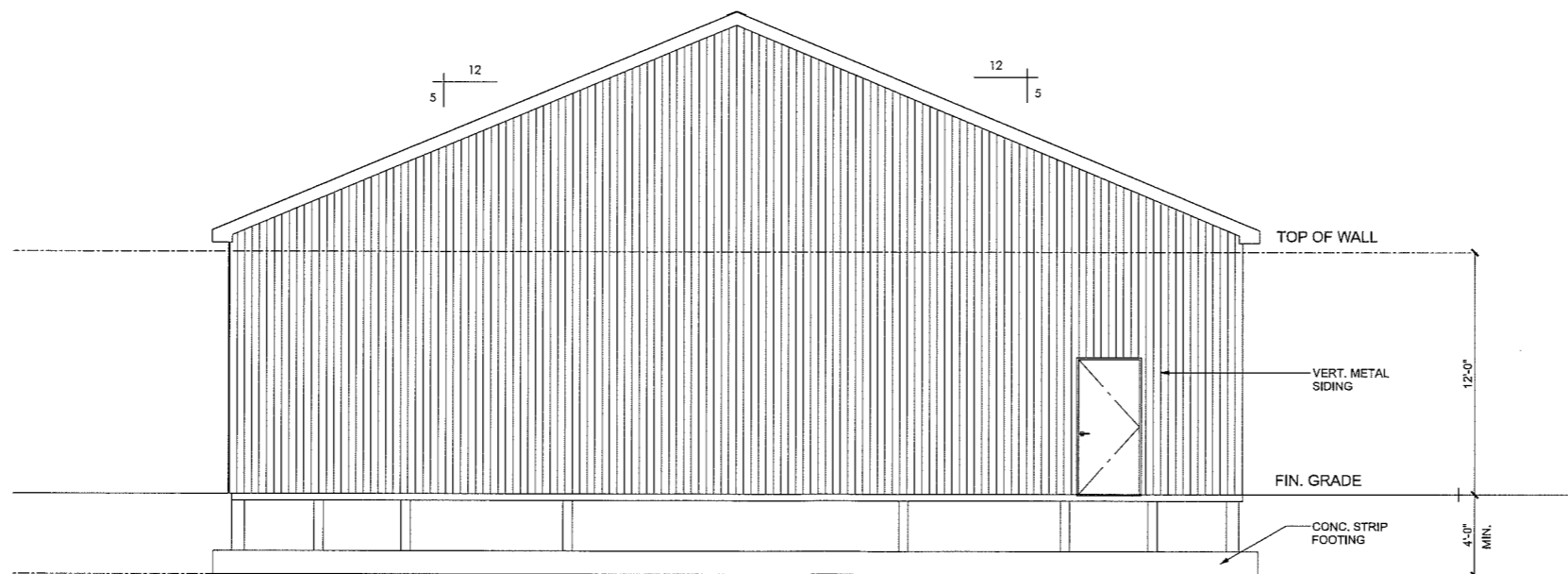
Plot Size:  
18"x24"

Drawing No:  
A-4





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



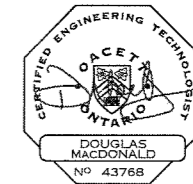
2 REAR ELEVATION  
SCALE: 3/16"=1'-0"

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AREA CALCULATIONS	
Main floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

**Issue Record:**

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2	ISSUED FOR PERMIT	APR. 17, 2020
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QUALIFICATIONS INFORMATION

DOUGLAS MACDONALD 43768

NAME SIGNATURE BCIN

REGISTRATION INFORMATION

MACDONALD DESIGN & MANAGEMENT 31887

FIRM NAME BCIN



**WILSON  
POLE BARN**

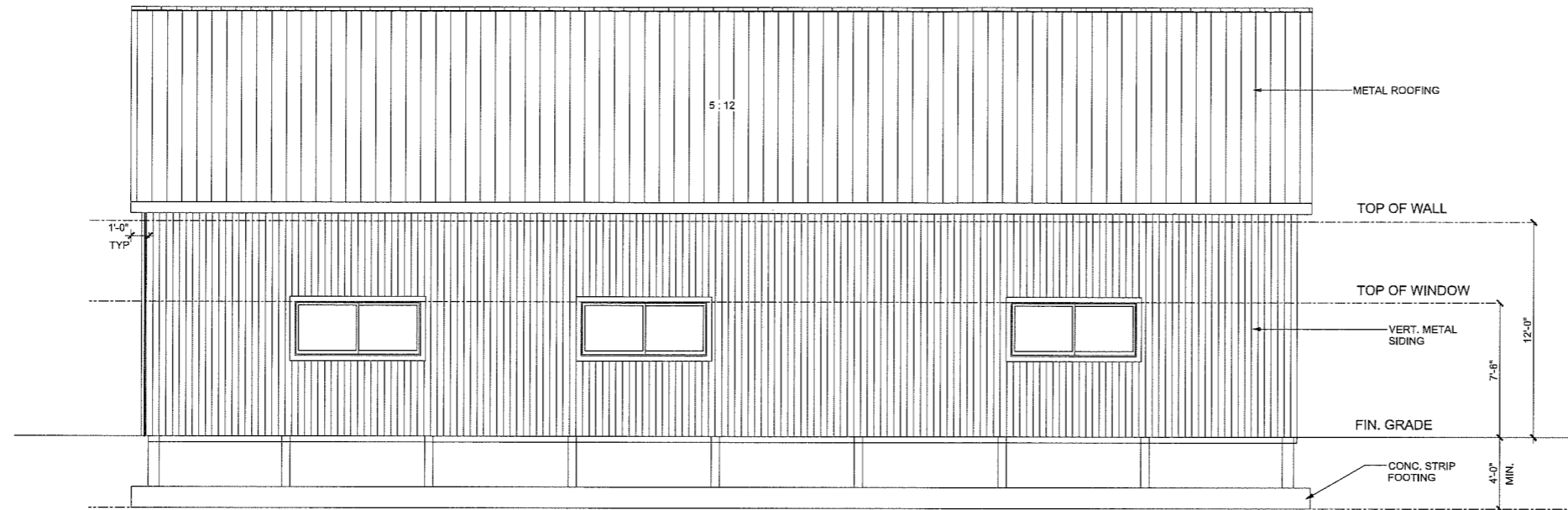
843 Safari Road  
Millgrove

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

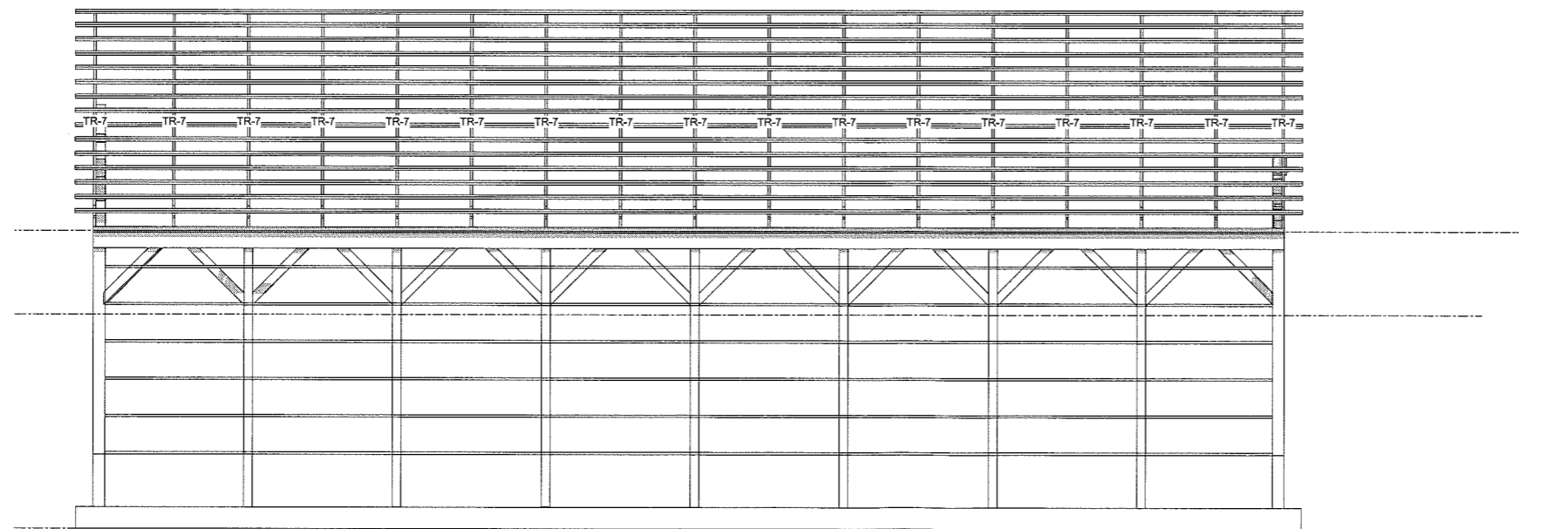
**FRONT & REAR  
ELEVATIONS**

Plot Size:  
18"x24"

Drawing No:  
A-5



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



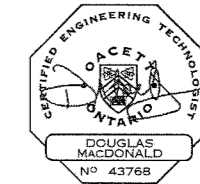
2 LEFT ELEVATION  
SCALE: 3/16"=1'-0"

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AREA CALCULATIONS	
Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

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 DOUG MACDONALD 35528  
 NAME SIGNATURE BCIN  
 REGISTRATION INFORMATION:  
 MACDONALD DESIGN & MANAGEMENT 31087  
 FIRM NAME BCIN



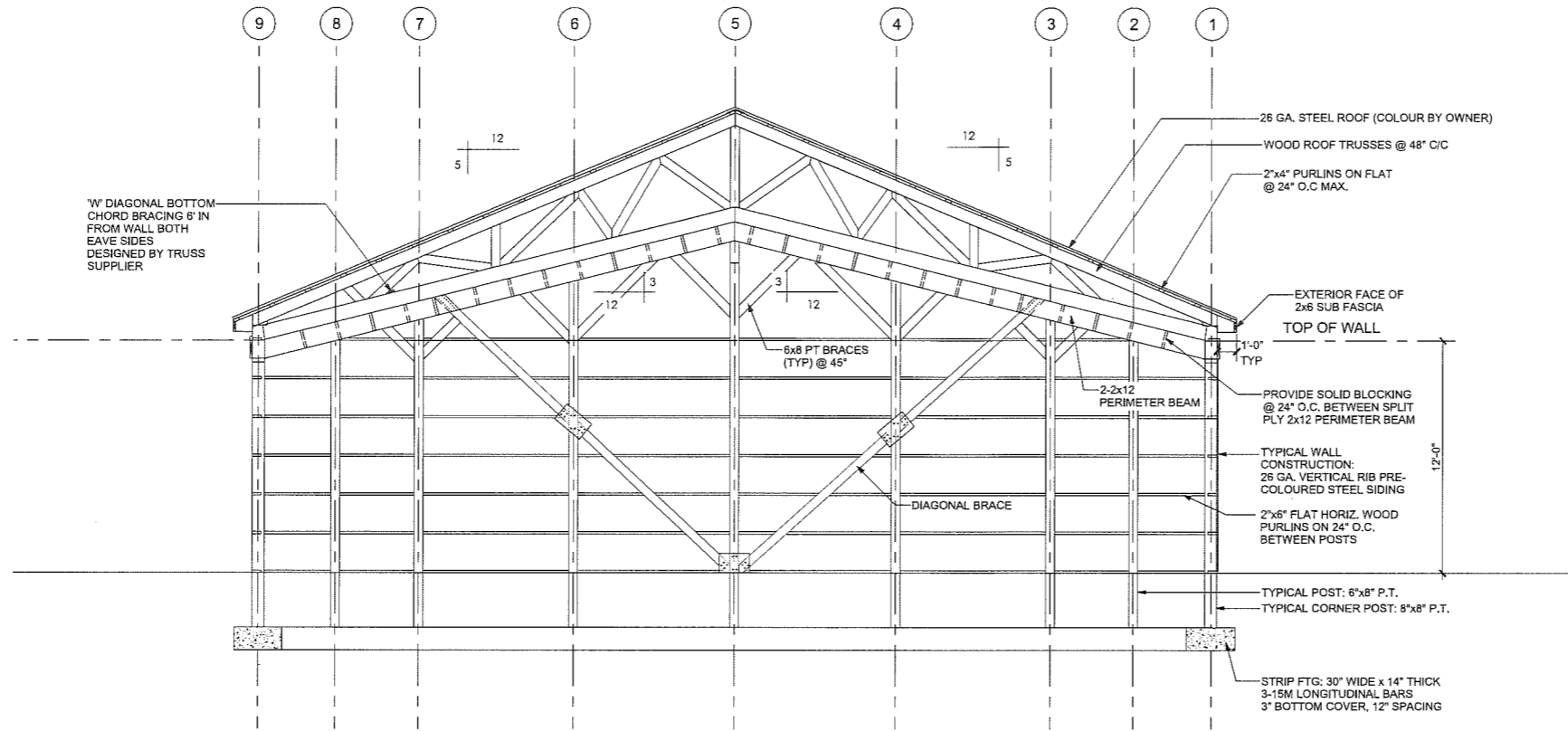
WILSON  
POLE BARN

843 Safari Road  
Millgrove

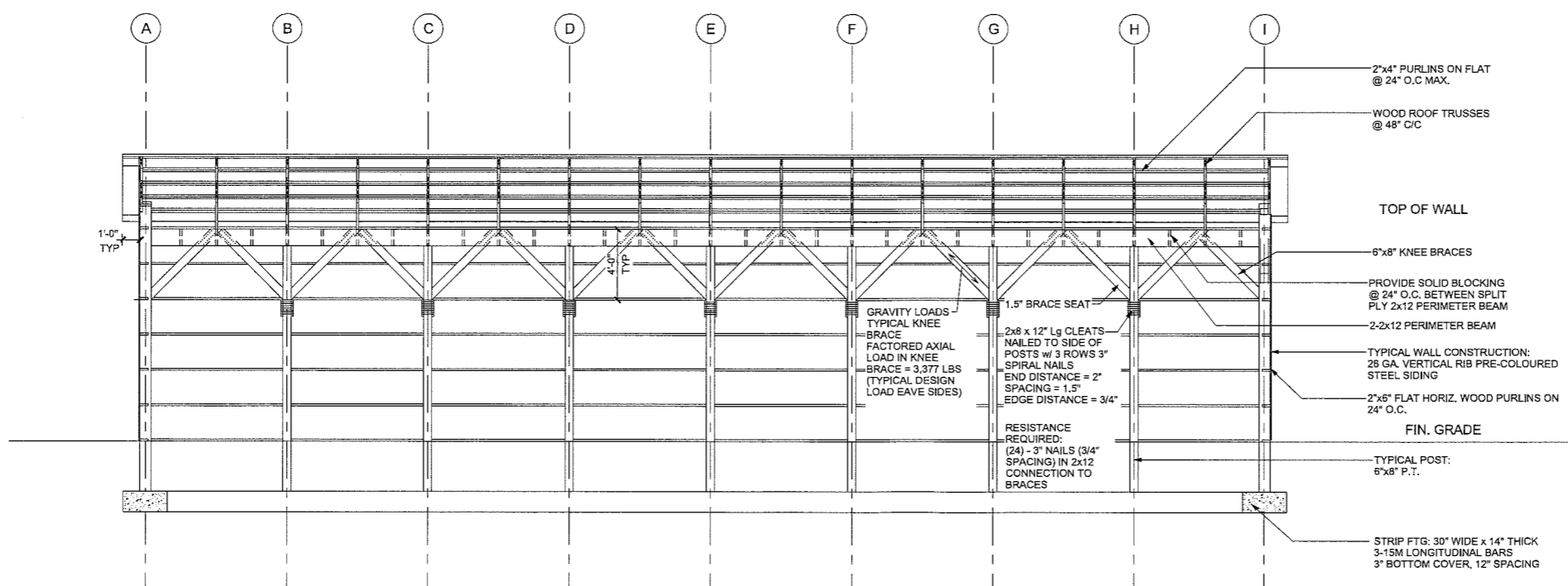
Scale: 3/16" = 1'-0"

LEFT & RIGHT  
ELEVATIONS

Plot Size: 18"x24"	Drawing No: A-6
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1 BUILDING SECTION  
SCALE: 3/16"=1'-0"

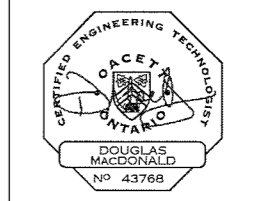


2 BUILDING SECTION  
SCALE: 3/16"=1'-0"

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AREA CALCULATIONS	
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Lot Coverage	3200 sqft

Issue Record:		
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QUALIFICATIONS INFORMATION  
 DOUGLAS MACDONALD  
 NAME: DOUGLAS MACDONALD SIGNATURE: [Signature] BCPI: 3528  
 REGISTRATION INFORMATION  
 MACDONALD DESIGN & MANAGEMENT 31087  
 FIRM NAME: FCM

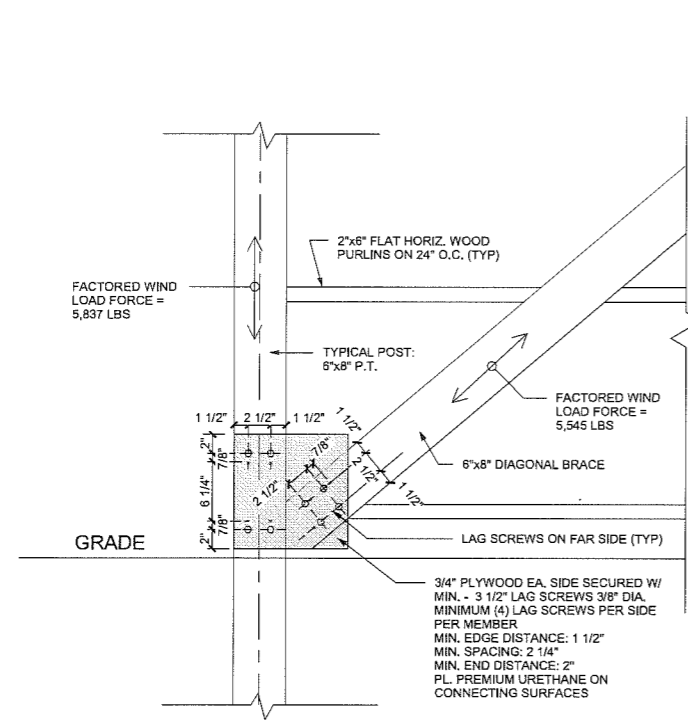


**WILSON POLE BARN**  
 843 Safari Road  
 Millgrove

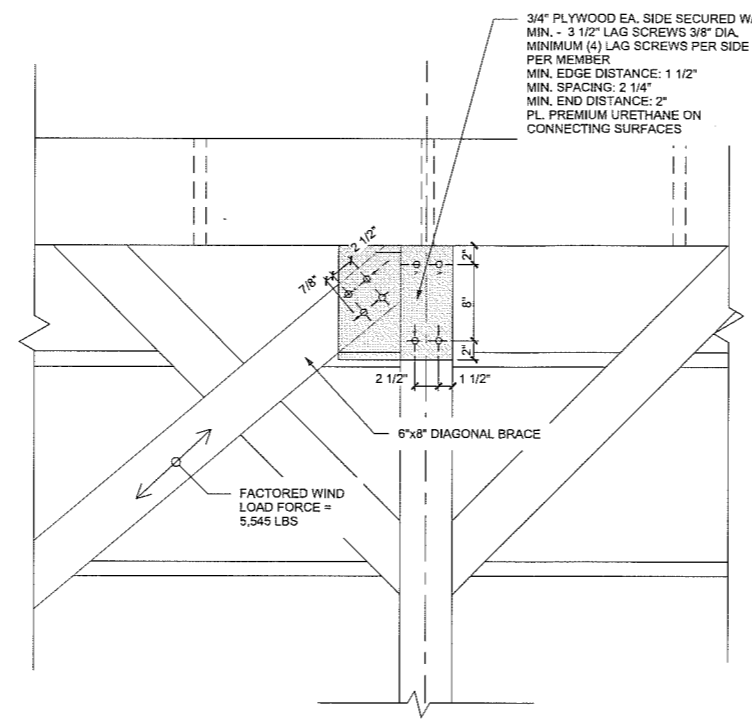
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BUILDING SECTION

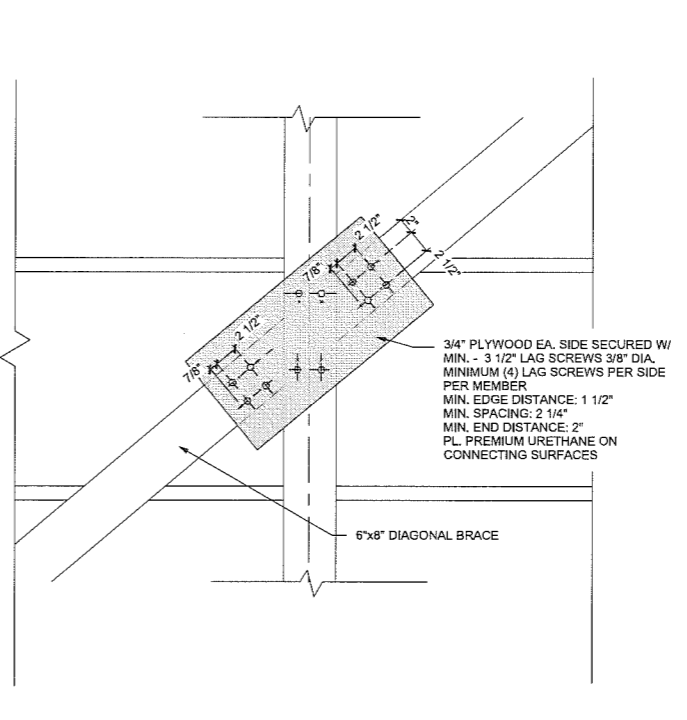
Plot Size: 18"x24"	Drawing No: A-7
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1 DIAGONAL BRACE BOTTOM CONNECTION  
SCALE: 1"=1'-0"

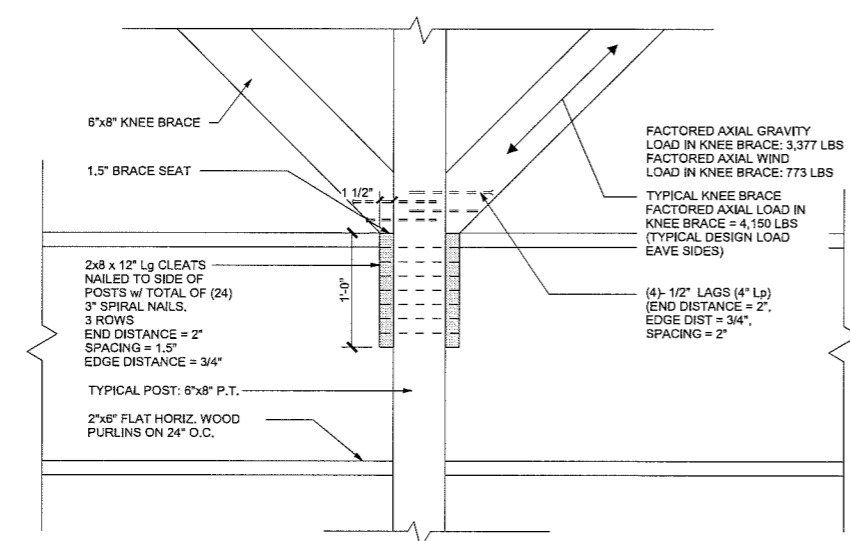


2 DIAGONAL BRACE TOP CONNECTION  
SCALE: 1"=1'-0"

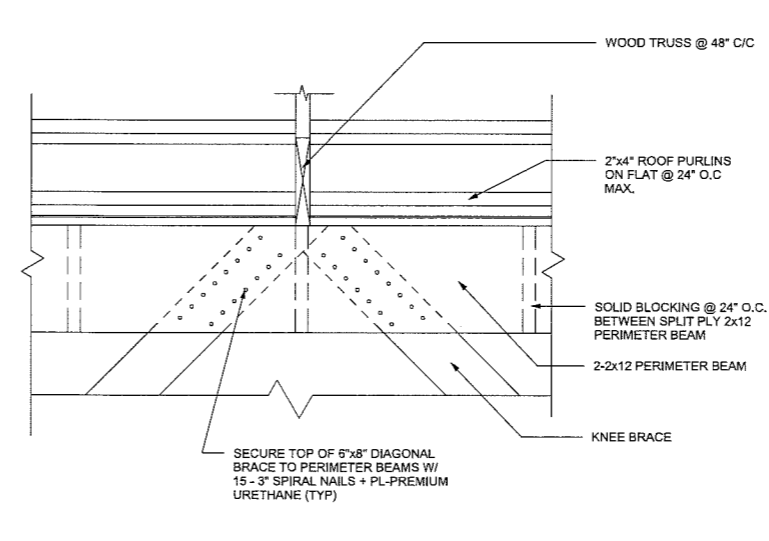


3 DIAGONAL BRACE CENTER CONNECTION  
SCALE: 1"=1'-0"

WIND BRACE LOADING FOR KNEE BRACES:  
FACTORED WIND PRESSURE NORMAL TO GABLE: 24.21 PSF x 1.4 = 34 PSF  
LOAD EACH EAVE SIDE AT TOP OF POSTS: 225 SQ.FT. x 34 = 7,650 LBS  
LOAD AT EACH KNEE BRACE (45°) 7,650 LBS/1.4 BRACES = 546 LBS  
AXIAL LOAD IN BRACES: 546 LBS/7071 = 773 LBS (in 45 DEGREES)



4 KNEE BRACE CONNECTION AT POST  
SCALE: 1"=1'-0"



5 KNEE BRACE CONNECTION AT PERIMETER BEAM  
SCALE: 1"=1'-0"

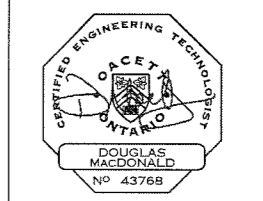
GENERAL NOTES:  
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AREA CALCULATIONS

Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

Issue Record:

No.	Description	Date
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QUALIFICATION INFORMATION:  
DOUG MACDONALD 25928  
NAME SIGNATURE BCIN  
REGISTRATION INFORMATION:  
MACDONALD DESIGN & MANAGEMENT 31587  
FIRM NAME BCIN

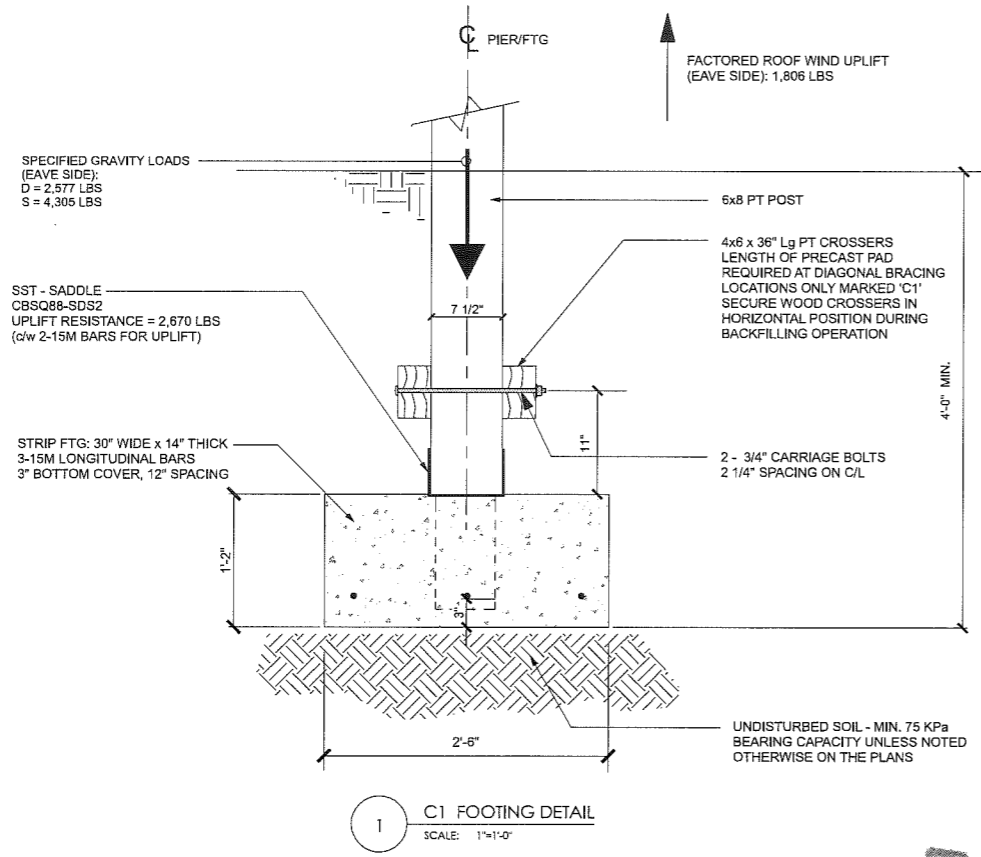


WILSON  
POLE BARN  
  
843 Safari Road  
Millgrove

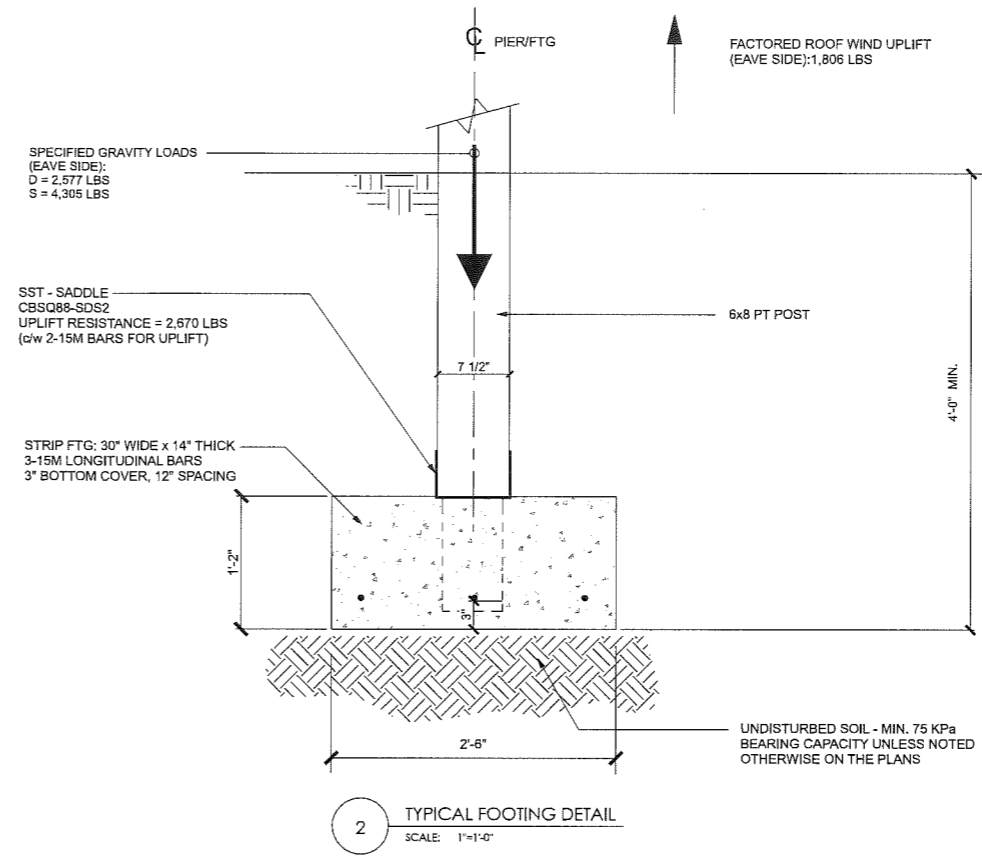
Scale: AS NOTED

TYPICAL DETAILS

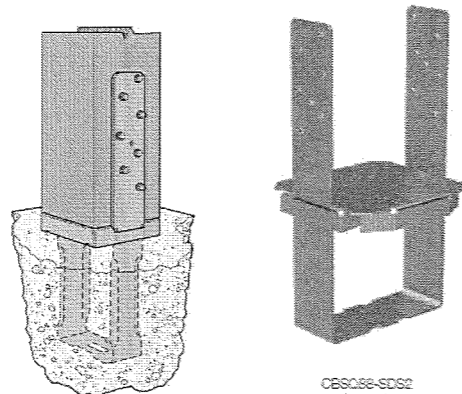
Plot Size: 18"x24"	Drawing No: A-8
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1 C1 FOOTING DETAIL  
SCALE: 1"=1'-0"



2 TYPICAL FOOTING DETAIL  
SCALE: 1"=1'-0"



CBSQ88-SDS2

**WOOD FRAMING NOTES**

- 1.0 GENERAL
- 1.1 THE FOLLOWING NOTES INDICATE ONLY THE MINIMUM REQUIREMENTS APPLICABLE TO STRUCTURAL WOOD CONSTRUCTION. SEE ALSO THE ARCHITECTURAL DRAWINGS AND THE SPECIFICATION (IF APPLICABLE) FOR REQUIREMENTS FOR NON-STRUCTURAL WOOD FRAMING.
- 1.2 WOOD CONSTRUCTION SHALL CONFORM TO BOTH CSA 086 AND TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
- 1.3 REFER TO ARCHITECTURAL DRAWINGS FOR DETAILS OF AIR SPACES, INSULATION, ROOFING, FLOOR AND WALL FINISHES.
- 2.0 MATERIALS
- 2.1 LUMBER - UNLESS OTHERWISE NOTED TO BE SPRUCE-PINE-FIR (SPF), GRADE NO.2, CONFORMING TO CSA STANDARD WITH 0141 WITH A MAXIMUM MOISTURE CONTENT OF 19% AT THE TIME OF INSTALLATION. LUMBER SHALL BEAR THE GRADING STAMP OF AN AGENCY APPROVED BY THE CANADIAN LUMBER STANDARDS ADMINISTRATION BOARD. COMPLY WITH THE REQUIREMENTS OF ONTARIO BUILDING CODE FOR SUB-FLOORING IN TABLE 9.23.14.A ROOF SHEATHING IN TABLE 9.23.15.A WALL SHEATHING IN TABLE 9.23.16.A
- 2.2 COMPLY WITH THE REQUIREMENTS OF ONTARIO BUILDING CODE FOR SUB-FLOORING IN TABLE 9.23.14.A ROOF SHEATHING IN TABLE 9.23.15.A WALL SHEATHING IN TABLE 9.23.16.A
- 2.3 NAILS, SPIKES, AND STAPLES: - TO CSA STANDARD B111; GALVANIZED FOR EXTERIOR WORK, OR HIGHLY HUMID AREAS AND FOR TREATED LUMBER; PLAIN ELSEWHERE. NAILING OF FRAMING UNLESS OTHERWISE NOTED, SHALL CONFORM TO 9.23.3.4 IN THE ONTARIO BUILDING CODE.
- 2.4 ROUGH HARDWARE: - BOLTS, NUTS, WASHERS, LAGS, PINS, SCREWS, ALL TO BE HOT DIP GALVANIZED.
- 2.5 WOOD PRESERVATIVES (PRESSURE TREATED): - WHERE REQUIRED TO CONFORM TO CSA STANDARD 080-M.
- 2.6 FRAMING ANCHORS - FRAMING ANCHORS, JOIST HANGERS, BEAM HANGERS, POST CAPS, POST ANCHORS, BACK-UP CLIPS AND ANGLES, UNLESS OTHERWISE SHOWN ON THE STRUCTURAL DRAWINGS, ARE ALL TO BE AS MANUFACTURED BY SIMPSON STRONG-TIE OR AN APPROVED EQUAL, SIZED TO THE JOB AT HAND. ALL ARE TO BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS UTILIZING "SPECIAL" NAILS WHERE REQUIRED.
- 3.1 STUD WALLS: -
- 3.1.1 PROVIDE FULL WIDTH SILL PLATES, MIN. 38x89 (2x4) ANCHORED TO FOUNDATION WITH 12 mm (1/2") DIAMETER BOLTS x 250 mm (10") LONG @ 1200 mm (4'-0") CENTRES. BOLTS TO BE GROUTED OR CONCRETED IN SOLID.
- 3.1.2 STUDS TO BE OF SIZE AND SPACING AS NOTED ON THE STRUCTURAL DRAWINGS.
- 3.1.3 PROVIDE, UNLESS OTHERWISE NOTED, A MINIMUM OF TWO (2) STUDS AT CORNERS, INTERSECTIONS, AND EACH SIDE OF THE OPENINGS.
- 3.1.4 ALL STUDS TO BE CONTINUOUS FOR FULL STOREY HEIGHT WITH NO SPLICE.
- 3.1.5 PROVIDE MID-HEIGHT BLOCKING FOR ALL STUD WALLS, UNLESS AT LEAST ONE SIDE IS SHEATHED.
- 3.1.6 PROVIDE MINIMUM TWO (2) TOP PLATES FOR LOAD BEARING WALLS. PLATES TO BE LAPPED OR TIED AT CORNERS AND INTERSECTIONS.
- 3.1.7 NON-LOAD BEARING STUD WALLS TO CONFORM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
- 3.2 FLOOR AND ROOF JOISTS: -
- 3.2.1 PROVIDE JOIST OF SIZE, SPACING AND SPAN AS NOTED ON THE STRUCTURAL DRAWINGS. UNLESS OTHERWISE NOTED, JOISTS SHALL BE CONTINUOUS IN ANY 1 SPAN WITH NO SPLICE.
- 3.2.2 WHERE JOISTS FRAME INTO THE SIDE OF A STEEL BEAM, JOISTS SHALL BE SUPPORTED ON THE BOTTOM FLANGE OF THE BEAM OR ON NOT LESS THAN 38x89 (2x3) LUMBER BOLTED TO THE WEB WITH MINIMUM 1/2" Ø BOLTS SPACED AT MAXIMUM 12" O.C.
- 3.3 BRIDGING OR BLOCKING: -
- 3.3.1 PROVIDE CROSS-BRIDGING OR SOLID BLOCKING OR APPROVED PROPRIETARY METAL STRAPS IN ACCORDANCE WITH THE ONTARIO BUILDING CODE.
- 3.3.2 PROVIDE CONTINUOUS WOOD STRAPPING ACROSS BOTTOM OF JOISTS AS WHEN REQUIRED BY THE ONTARIO BUILDING CODE.
- 3.3.3 SPACING OF BRIDGING TO BE AT 2100 mm MAXIMUM CENTRES.
- 3.4 SUB-FLOORING AND ROOF SHEATHING: -
- 3.4.1 TO BE TYPE AND THICKNESSES SHOWN ON THE STRUCTURAL DRAWINGS, INSTALLED WITH END JOINTS STAGGERED.
- 3.4.2 AT EDGES OF PANELS, PROVIDE NOT LESS THAN 39 mm X 39 mm (2" x 2") BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS, UNLESS OTHERWISE APPROVED.
- 3.4.3 FOR ROOF SHEATHING PROVIDE AT LEAST A 2 mm (1/16") GAP BETWEEN SHEETS.
- 3.4.4 EXTERIOR TYPE PLYWOOD USED AS ROOF AND/OR WALL SHEATHING SHALL BE LEGIBLY IDENTIFIED THAT THE MATERIAL IS OF EXTERIOR TYPE.
- 3.4.5 SUB-FLOORING SHALL BE GLUED AND NAILED TO ALL JOISTS. GLUE TO BE A HIGH SOLIDS, RUBBER CONTACT TYPE SUPPLIED IN CARTRIDGES. USE A CONTINUOUS GLUE BEAD AND RUN A THIN BEAD INTO GROOVES JUST BEFORE INSERTING GROOVES OF T & G PLYWOOD.
- 3.4.6 NAILS TO BE 44 mm (1 3/4") SPIRAL OR RING THREAD AT 600 mm (24") ON CENTRES MAXIMUM.
- 3.4.7 MAKE BUTT JOINTS ON SOLID MATERIAL.
- 3.4.8 WALL SHEATHING SHALL BE INSTALLED SO THAT ALL ENDS ARE SUPPORTED WITH END JOINTS STAGGERED. A GAP OF NOT LESS THAN 2 mm (1/16") SHALL BE LEFT BETWEEN SHEETS OF PLYWOOD, WAFFER BOARD OR FIBRE BOARD.
- 3.4.9 NOTCHING & DRILLING: - ONLY ALLOWED WITHIN THE LIMITATIONS SET OUT IN THE ONTARIO BUILDING CODE.
- 4.0 LAMINATED VENEER LUMBER (LVL)
- 4.1 BEAMS, LINTELS AND JOISTS SHALL BE AS SUPPLIED BY AN APPROVED MANUFACTURER.
- 4.2 ACCEPTABLE TYPES: - GANGLAM BY GANG-NAIL CANADA LTD. MICROLAM BY TRUS JOIST CORPORATION PARALLAM BY MacMILLAN BLOEDEL LTD.
- 4.3 WOOD VENEERS & ADHESIVES: - SHALL BE IN ACCORDANCE WITH APPROVED MANUFACTURER'S STANDARDS AND APPLICABLE CSA STANDARDS.
- 4.4 ALL MEMBERS SHALL BEAR IDENTIFICATION MARKS OF THE MANUFACTURER.
- 4.5 EXECUTION: -
- 4.5.1 MINIMUM END BEARING SHALL BE 75mm (3") UNLESS NOTED.
- 4.5.2 FOR SINGLE SPANS LVL SHALL NOT BE SPLICED BUT SHALL BE CONTINUOUS BETWEEN SUPPORTS.
- 4.5.3 WHERE INDIVIDUAL MEMBERS ARE BUTTED TOGETHER, JOINTS SHALL OCCUR OVER SUPPORTS, EXCEPT THAT WHERE BEAMS ARE CONTINUOUS OVER MORE THAN ONE SUPPORT, JOINTS MAY BE LOCATED WITHIN 150mm (6") OF THE QUARTER POINTS OF THE CLEAR SPANS. SUCH JOINTS SHALL BE STAGGERED END FOR END.
- 4.5.4 NAILING AND/OR BOLTING: - OF MULTI-PLYS SHALL BE IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND IN NO CASE LESS THAN 2 ROWS OF 16d (3 1/2") NAILS AT 300mm (12") CENTRES, EACH ROW.
- 4.5.5 NAILS INTO EDGES OF LVL SHALL BE SPACED AT A MINIMUM OF 75mm (3") FOR 8d (2 1/2") NAILS AND 100 (4") FOR 10d (3") NAILS.
- 4.5.6 LVL BEARING ONTO MASONRY OR CONCRETE AT OR BELOW GRADE LEVEL SHALL BE PRESSURE TREATED (PT) TO PREVENT DECAY OR PROTECTED AT THE BEARING WITH A MIN. OF 0.05 POLYETHYLENE FILM OR TYPE S ROLL ROOFING.
- 4.5.7 NOTCHING & DRILLING: - PERMITTED ONLY WITH APPROVAL AND WITHIN THE LIMITATIONS SPECIFIED IN THE ONTARIO BUILDING CODE.
- 4.5.8 LVL SHALL BE RESTRICTED TO DRY SERVICE LOCATIONS, AND SHALL NOT BE USED DIRECTLY EXPOSED TO WEATHER OR IN HIGH HUMIDITY AREAS WHEN MOISTURE CONTENT EXCEEDING 19% CAN RESULT

Model No.	Nominal Column Size	Material		Dimensions (in.)				Fasteners	Allowable Loads DF/SP		
		Base (ga.)	Strap (ga. x Width)	W <sub>1</sub>	W <sub>2</sub>	D	H		Uplift	Cracked Uplift	Download
<b>Wind and Seismic Design Category A&amp;B</b>											
CSQ44-SDS2	4x4	12	10 ga. x 2 1/4	3 3/8	3 1/2	7 1/8	8 3/8	(14) 1/4" x 2" SDS	5,390	4,650	10,975
CSQ46-SDS2	4x6	12	10 ga. x 3	3 3/8	5 1/8	7 1/8	8 1/8	(14) 1/4" x 2" SDS	5,390	4,650	14,420
CSQ66-SDS2	6x6	12	10 ga. x 3	5 1/8	5 1/2	6 3/8	8 3/8	(14) 1/4" x 2" SDS	4,375	3,060	14,420
CSQ86-SDS2	6x8	12	7 ga. x 3	7 1/2	5 3/8	6 3/8	8 1/8	(12) 1/4" x 2" SDS	3,815	2,670	20,915
CSQ88-SDS2	8x8	12	7 ga. x 3	7 1/2	7 3/8	6 3/8	8 1/8	(12) 1/4" x 2" SDS	3,815	2,670	22,225
<b>Seismic Design Category C-F</b>											
CSQ44-SDS2	4x4	12	10 ga. x 2 1/4	3 3/8	3 1/2	7 1/8	8 3/8	(14) 1/4" x 2" SDS	5,390	4,070	10,975
CSQ46-SDS2	4x6	12	10 ga. x 3	3 3/8	5 1/8	7 1/8	8 1/8	(14) 1/4" x 2" SDS	5,390	4,070	14,420
CSQ66-SDS2	6x6	12	10 ga. x 3	5 1/8	5 1/2	6 3/8	8 3/8	(14) 1/4" x 2" SDS	3,820	2,680	14,420
CSQ86-SDS2	6x8	12	7 ga. x 3	7 1/2	5 3/8	6 3/8	8 1/8	(12) 1/4" x 2" SDS	3,340	2,335	20,915
CSQ88-SDS2	8x8	12	7 ga. x 3	7 1/2	7 3/8	6 3/8	8 1/8	(12) 1/4" x 2" SDS	3,340	2,335	22,225

3 COLUMN BASE SADDLE  
SCALE: NTS

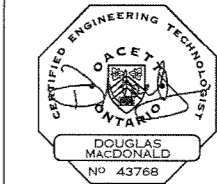
**GENERAL NOTES:**  
These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.

**AREA CALCULATIONS**

Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

**Issue Record:**

No.	Description	Date
1	ISSUED FOR REVIEW	APR. 16, 2020
2	ISSUED FOR PERMIT	APR. 17, 2020
3		



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:  
BOB MACDONALD 21628  
NAME: BOB MACDONALD SIGNATURE: [Signature] BCIN: [Blank]  
REGISTRATION INFORMATION:  
MACDONALD DESIGN & MANAGEMENT 31587  
FIRM NAME: [Blank] BCIN: [Blank]

**MacDonald**  
design & management  
Tel: (519) 766-6534  
36 Melrose Place, Guelph, Ontario

**WILSON**  
**POLE BARN**  
  
843 Safari Road  
Millgrove

Scale: AS NOTED

**TYPICAL DETAILS**

Plot Size: 18"x24"  
Drawing No: A-9

**CAST-IN-PLACE CONCRETE NOTES**

- |   |  |
|---|--|
| <p>1.0 GENERAL</p> <p>1.1 PROVIDE ALL LABOUR, MATERIALS, TOOLS AND EQUIPMENT REQUIRED TO CARRY OUT THE WORK.</p> <p>1.2 REFER ALSO TO GENERAL NOTES, NOTES UNDER PLANS AND SCHEDULES, TYPICAL DETAILS AND SPECIFICATION.</p> <p>2.0 PRODUCTS</p> <p>2.1 PORTLAND CEMENT, WATER AND AGGREGATES SHALL CONFORM TO CSA A23.1</p> <p>2.2 PROVIDE AN APPROVED WATER REDUCING ADDITIVE IN ALL CONCRETE. PROVIDE AN APPROVED AIR ENTRAINING ADDITIVE IN ALL CONCRETE WHICH WILL BE EXPOSED TO A FREEZE/THAW CYCLE AND/OR THE ACTION OF DE-ICING SALT. ADMIXTURES SHALL CONFORM TO CSA A-266 SERIES.</p> <p>2.3 FORMWORK SHALL CONFORM TO CSA A23.1 AND FALSEWORK SHALL CONFORM TO CSA S269.1.</p> <p>2.4 IF SO INSTRUCTED, THE DESIGNS FOR THE FORMWORK SHALL BE SUBMITTED FOR REVIEW BEFORE CONSTRUCTION. FORMWORK DRAWINGS AND DESIGN SHALL BEAR THE STAMP OF A LICENSED PROFESSIONAL ENGINEER WITH EXPERIENCE IN CONCRETE FORMWORK DESIGN.</p> <p>2.5 PROVIDE STANDARD ADJUSTABLE MASONRY ANCHOR SLOTS FOR ALL MASONRY FACING OR ABUTTING CONCRETE FACES.</p> <p>2.6 PROVIDE AND/OR INSTALL STANDARD ADJUSTABLE INSERTS &amp; ALL OTHER CAST-IN INSERTS AS REQUIRED BY THE ARCHITECTURAL, STRUCTURAL, MECHANICAL &amp; ELECTRICAL DRAWINGS &amp; SPECIFICATION.</p> <p>2.7 REINFORCING STEEL UNLESS SPECIFICALLY NOTED, SHALL BE DEFORMED BARS CONFORMING TO CSA G30.18 GRADE 400 (58000 PSI).</p> <p>2.8 WELDED WIRE FABRIC TO CONFORM TO CSA G30.5.</p> <p>2.9 REINFORCING SHALL BE DETAILED, BENT, PLACED AND SUPPORTED TO CONFORM TO ACI STANDARD 318 AND THE MANUAL OF STANDARD PRACTICE PUBLISHED BY THE REINFORCING STEEL INSTITUTE OF ONTARIO.</p> <p>2.10 DRY-PACK GROUT TO BE 1 PART PORTLAND CEMENT TO 1 1/2 PARTS SAND TO 2 PARTS OF 8mm PEA GRAVEL WITH ONLY SUFFICIENT WATER TO DAMPEN MIXTURE. COMPRESSIVE STRENGTH 50 MPa AT 28 DAYS.</p> <p>2.11 NON-SHRINK GROUT TO BE AN APPROVED PRE-MIXED PROPRIETARY PRODUCT.</p> <p>2.12 PROVIDE APPROVED EXTRUDED PVC WATERSTOPS OF SIZE &amp; STYLES INDICATED WITH PRE-WELDED CORNERS &amp; INTERSECTIONS. SEE ALSO TYPICAL DETAILS.</p> <p>2.13 CURING AND SEALING COMPOUNDS WHERE APPROVED FOR USE TO CONFORM TO ASTM STANDARD C309. GENERALLY, ALL CONCRETE SURFACES ARE TO BE SEALED UNLESS NOTED OTHERWISE. COMPOUNDS ARE TO BE COMPATIBLE WITH APPLIED FINISHES.</p> | <p>3.0 EXECUTION</p> <p>3.1 MINIMUM COMPRESSIVE STRENGTH FOR CONCRETE @ 28 DAYS SHALL BE AS NOTED ON THE DRAWINGS (20 MPa MINIMUM).</p> <p>3.2 SLUMP AT THE POINT OF DISCHARGE SHALL BE CONSISTENT AT 90mm + 20mm (3 1/2" + 3/4") UNLESS NOTED OTHERWISE. GREATER SLUMPS ARE NOT ACCEPTABLE.</p> <p>3.3 CONCRETE MIXING, TRANSPORTATION, HANDLING AND PLACING SHALL CONFORM TO CSA A23.1.</p> <p>3.4 CONSTRUCTION JOINTS FOR WALLS ARE BASED UPON VERTICAL JOINTS AT A MAXIMUM SPACING OF 10000mm (32'-10").</p> <p>3.5 CONSTRUCTION JOINTS FOR WALLS, SLABS, AND BEAMS NOT SHOWN ON THE DRAWINGS SHALL BE APPROVED BY THE STRUCTURAL CONSULTANT/DESIGNER BEFORE CONSTRUCTION. GENERALLY JOINTS IN SLABS SHALL BE AT RIGHT ANGLES TO THE SPANS, AT MID-SPAN IF POSSIBLE AND BE CLEAR OF SUPPORTS AND POINT LOADS.</p> <p>3.6 CONSTRUCTION JOINTS FOR WALLS, SLABS, AND BEAMS NOT SHOWN ON THE DRAWINGS SHALL BE APPROVED BY THE STRUCTURAL CONSULTANT BEFORE CONSTRUCTION. GENERALLY JOINTS IN SLABS SHALL BE AT RIGHT ANGLES TO THE SPANS, AT MID-SPAN IF POSSIBLE AND BE CLEAR OF SUPPORTS AND POINT LOADS.</p> <p>3.7 CONSTRUCTION JOINTS FOR WALLS, SLABS, AND BEAMS NOT SHOWN ON THE DRAWINGS SHALL BE APPROVED BY THE STRUCTURAL CONSULTANT BEFORE CONSTRUCTION. GENERALLY JOINTS IN SLABS SHALL BE AT RIGHT ANGLES TO THE SPANS, AT MID-SPAN IF POSSIBLE AND BE CLEAR OF SUPPORTS AND POINT LOADS.</p> <p>3.8 OPENINGS AND DRIVEN FASTENERS REQUIRED IN THE CONCRETE AFTER THE CONCRETE IS PLACED SHALL BE APPROVED BY THE STRUCTURAL CONSULTANT BEFORE PROCEEDING.</p> <p>3.9 FINISHING, REFER TO ARCHITECTURAL DRAWINGS AND SPECIFICATIONS FOR REQUIRED FINISH TO EXPOSED CONCRETE. ALL HONEYCOMBING SHALL BE CUT OUT AND FILLED. FLOOR FINISHES SHALL BE AS REQUIRED BY THE ARCHITECTURAL DRAWINGS AND SPECIFICATIONS AND SHALL CONFORM TO CSA STANDARD A23.1 (CLASS A FINISH UNLESS NOTED).</p> <p>3.10 TOLERANCES FOR PLACING STRUCTURAL CONCRETE, REINFORCING STEEL, CAST-IN HARDWARE AND FOR FLOOR &amp; ROOF FINISHES SHALL BE AS SPECIFIED IN CSA STANDARD A23.1.</p> <p>3.11 MINIMUM REINFORCING FOR ANY CONCRETE WALL TO BE AS SHOWN ON TYPICAL DETAIL FOR CONCRETE WALLS.</p> <p>3.12 MINIMUM REINFORCING FOR ANY SUSPENDED SLAB SHALL BE TEMPERATURE BARS BOTTOM EACH WAY PLUS 10M @ 600 (24") DOWELS 600x600 (2'-0" x 2'-0") TOP AROUND PERIMETER. REFER TO TYPICAL DETAIL OF ONE WAY SLABS.</p> <p>4.0 QUALITY CONTROL</p> <p>4.1 FOR INSPECTION AND TESTING, SEE GENERAL NOTES.</p> |
|---|--|

CONCRETE COVER			
EXPOSURE CONDITION	N	EXPOSURE CLASS	
		F-1, F-2, S-1, S-2	C-XL, C-1, C-3 A-1, A-2, A-3
CAST AGAINST PERMANENTLY EXPOSED EARTH	-	75mm	75mm
BEAMS, GIRDERS, COLUMNS, and PILES	30mm	40mm	60mm
SLABS, WALLS, JOISTS, SHELLS, and FOLDED PLATES	20mm	40mm	60mm
RATIO OF COVER TO NOMINAL BAR DIAMETER	1.0	1.5	2.0
RATIO OF COVER TO NOMINAL MAXIMUM AGGREGATE SIZE	1.0	1.5	2.0

**TABLE 1 (CSA-A23.3-04)**  
DEFINITIONS OF C, F, N, A and S CLASSES OF EXPOSURE

C-XL	STRUCTURALLY REINFORCED CONCRETE EXPOSED TO CHLORIDES OR OTHER SEVERE ENVIRONMENTS WITH OR WITHOUT FREEZING AND THAWING CONDITIONS, WITH HIGHER DURABILITY PERFORMANCE EXPECTATIONS THAN THE C-1, A-1 OR S-1 CLASSES.
C-1	STRUCTURALLY REINFORCED CONCRETE EXPOSED TO CHLORIDES WITH OR WITHOUT FREEZING AND THAWING CONDITIONS.
C-2	NON-STRUCTURALLY REINFORCED (PLAIN) CONCRETE EXPOSED TO CHLORIDES AND FREEZING AND THAWING. EXAMPLES: GARAGE FLOORS, PORCHES STEPS PAVEMENTS.
C-3	CONTINUOUSLY SUBMERGED CONCRETE EXPOSED TO CHLORIDES BUT NOT TO FREEZING AND THAWING. EXAMPLE: UNDER WATER PORTIONS OF MARINE STRUCTURES.
C-4	NON-STRUCTURALLY REINFORCED CONCRETE EXPOSED TO CHLORIDES BUT NOT TO FREEZING AND THAWING. EXAMPLES: UNDERGROUND PARKING SLABS ON GRADE.
F-1	CONCRETE EXPOSED TO FREEZING & THAWING IN A SATURATED CONDITION BUT NOT TO CHLORIDES. EXAMPLES: POOL DECKS, PATIOS, TENNIS COURTS, FRESHWATER POOLS, FRESH WATER CONTROL STRUCTURES.
F-2	CONCRETE IN AN UNSATURATED CONDITION EXPOSED TO FREEZING AND THAWING BUT NOT TO CHLORIDES. EXAMPLES: EXTERIOR WALLS AND COLUMNS.
N	CONCRETE NOT EXPOSED TO CHLORIDES NOR FREEZING AND THAWING. EXAMPLES: FOOTINGS AND INTERIOR SLABS.
A-1	STRUCTURALLY REINFORCED CONCRETE EXPOSED TO SEVERE MANURE AND/OR SILAGE GASES WITH OR WITHOUT FREEZE-THAW EXPOSURE. CONCRETE EXPOSED TO THE VAPOUR ABOVE MUNICIPAL SEWAGE OR INDUSTRIAL EFFLUENT, WHERE HYDROGEN SULPHIDE GAS MAY BE GENERATED. EXAMPLES: REINFORCED BEAMS, SLABS AND COLUMNS OVER MANURE PITS AND SILOS, CANALS, AND PIG SLATS; AND ACCESS HOLES, ENCLOSED CHAMBERS, AND PIPES THAT ARE PARTIALLY FILLED WITH EFFLUENTS.
A-2	STRUCTURALLY REINFORCED CONCRETE EXPOSED TO MODERATE TO SEVERE MANURE AND/OR SILAGE GASES AND LIQUIDS, WITH OR WITHOUT FREEZE-THAW EXPOSURE. EXAMPLES: REINFORCED WALLS IN EXTERIOR MANURE TANKS, SILOS, AND FEED BUNKERS, AND EXTERIOR SLABS.
A-3	STRUCTURALLY REINFORCED CONCRETE EXPOSED TO MODERATE TO SEVERE MANURE AND/OR SILAGE GASES AND LIQUIDS, WITH OR WITHOUT FREEZE-THAW EXPOSURE IN A CONTINUOUSLY SUBMERGED CONDITION. CONCRETE CONTINUOUSLY SUBMERGED IN MUNICIPAL OR INDUSTRIAL EFFLUENTS. EXAMPLES: INTERIOR GUTTER WALLS, BEAMS, SLABS, AND COLUMNS; SEWAGE PIPES THAT ARE CONTINUOUSLY FULL E.G. FORCEMAINS; AND SUBMERGED PORTIONS OF SEWAGE TREATMENT STRUCTURES.
A-4	NON-STRUCTURALLY REINFORCED CONCRETE EXPOSED TO MODERATE MANURE AND/OR SILAGE GASES AND LIQUIDS, WITH OR WITHOUT FREEZE-THAW EXPOSURE. EXAMPLES: INTERIOR SLABS ON GRADE.
S-1	CONCRETE SUBJECTED TO VERY SEVERE SULPHATE EXPOSURES.
S-2	CONCRETE SUBJECTED TO SEVERE SULPHATE EXPOSURE.
S-3	CONCRETE SUBJECTED TO MODERATE SULPHATE EXPOSURE.

**FARM BUILDINGS:**

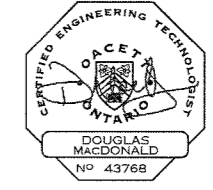
- CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS IN THE NATIONAL FARM BUILDING CODE OF CANADA 1995
- ARTICLES 1.1.1.2, AND 3.1.8.1, AND SUBSECTIONS 3.1.4, AND 4.1.4, IN THE NATIONAL FARM BUILDING CODE OF CANADA DO NOT APPLY TO FARM BUILDINGS.
- IN THE NATIONAL FARM BUILDING CODE OF CANADA, REFERENCES IN ARTICLES 1.1.1.3., 1.2.1.2., 2.2.2.1., 2.2.2.2., 2.3.1.1., 2.3.2.1., 3.1.1.1., 3.1.1.2., 3.1.2.1., AND 3.1.6.1. TO THE NATIONAL BUILDING CODE OF CANADA ARE DEEMED TO REFER TO THE OBC.
- STRUCTURAL DESIGN CONFORMS TO 9.4 OF THE ONTARIO BUILDING CODE, DESIGNED ACCORDING TO GOOD ENGINEERING PRACTICE SUCH AS PROVIDED IN THE CWC, "ENGINEERING GUIDE FOR WOOD FRAME CONSTRUCTION", OR HAS BEEN DESIGNED ACCORDING TO PART 4 USING THE LOADS AND DEFLECTION AND VIBRATION LIMITS SPECIFIED IN PART 9.
- THE SIZE OF WOOD POSTS SHALL CONFORM TO TABLES IN SB-11 OR AS DESIGNED UNDER SECTION 9.4 OF THE LATEST ONTARIO BUILDING CODE.
- THE SPANS OF WOOD JOISTS, RAFTERS, LINTELS, AND BEAMS, CONFORM TO THE SPANS SHOWN IN SB-11 OR HAVE BEEN DESIGNED UNDER THE PROVISIONS IN SECTION 9.4 AND NOTE #4 ABOVE.
- STUD SIZE AND SPACING SHALL CONFORM TO TABLES 1.3.4.U. TO 1.3.4.W. IN SB-11 FOR THE LOADS SHOWN IN THE TABLES UNLESS OTHERWISE SHOWN ON THE PLANS.

**GENERAL NOTES:**  
These drawings are not to be scaled. All dimensions must be verified by contractor prior to commencement of any work. Any discrepancies must be reported directly to the designer.

AREA CALCULATIONS	
Main Floor Fin. Area	3200 sqft
Lot Coverage	3200 sqft

**Issue Record:**

No.	Description	Date
1	ISSUED FOR REVIEW	APR. 16, 2020
2	ISSUED FOR PERMIT	APR. 17, 2020
3		



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

DOUGLAS MACDONALD *[Signature]* 2020

NAME SIGNATURE BCIN

REGISTRATION INFORMATION

MACDONALD DESIGN & MANAGEMENT 31087

FIRM NAME BCIN



**WILSON  
POLE BARN**

843 Safari Road  
Millgrove

Scale: AS NOTED

**CONSTRUCTION NOTES**

Plot Size: 18"x24"	Drawing No: A-10
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MDM-20.029 - 843 Safari Road -  
 Millgrove - Wilson Pole Barn -  
 Perimeter Roof Beam - RB-1 .wwb  
 Apr. 14, 2020 13:08

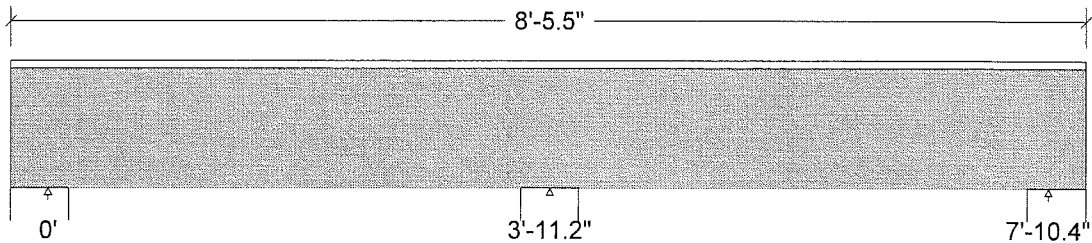
**Design Check Calculation Sheet**  
 WoodWorks Sizer 9.3.2

**Loads:**

Load	Type	Distribution	Pat-tern	Location [ft]		Magnitude		Unit
				Start	End	Start	End	
Truss1 D	Dead	Point	No	4.23		1236		lbs
Truss1 S	Snow	Point	No	4.23		2153		lbs
Truss2 D	Dead	Point	No	0.23		1236		lbs
Truss2 S	Snow	Point	No	0.23		2153		lbs
Truss3 D	Dead	Point	No	8.23		1236		lbs
Truss3 S	Snow	Point	No	8.23		2153		lbs
Self-weight	Dead	Full UDL	No			6.1		plf

Load magnitude does not include Normal Importance factor from O86 Table 5.2.3.2, which is applied during analysis.

**Maximum Reactions (lbs), Bearing Resistances (lbs) and Bearing Lengths (in) :**



Unfactored:				
Dead	1245		1266	1245
Snow	2153		2153	2153
Factored:				
Total	4786		4812	4786
Pt. load	4775		4775	4775
Bearing:				
Resistance				
Beam	6747		7207	6747
Support	10311		10311	10311
Anal/Des				
Beam	0.71^		0.66^	0.71^
Support	0.46		0.47	0.46
Load comb	#2		#2	#2
Length	5.50^		5.50^	5.50^
Min req'd	3.89^		3.52^	3.89^
KB	1.00		1.07	1.00
KB min	1.00		1.11	1.00
Kd	1.00		1.00	1.00
KB support	1.00		1.00	1.00
fc sup	783		783	783
Kzcp sup	1.00		1.00	1.00

^ = O86 6.5.7.3 implemented for point loads near support governs.

Canadian  
Wood  
Council

Conseil  
canadien  
du bois

MDM-20.029 - 843 Safari Road - Millgrove - Wilson Pole Barn - Perimeter Roof Beam - RB-1 .wwb

Page 2

**Built-up, S-P-F, No.1/No.2, 2x12, 2-ply (3"x11-1/4")**

Supports: All - Timber Column, S-P-F No.2

Total length: 8'-5.5"; volume = 2.0 cu.ft.;

Load sharing: Yes;

**Force vs. Resistance and Deflection using CSA O86-14:**

Criterion	Analysis Value	Design Value	Unit	Analysis/Design (%)
Shear	Vf @d = 11	Vr = 3144	lbs	Vf/Vr = 0.4
Moment(+)	Mf = 9	Mr = 5803	lbs-ft	Mf/Mr = 0.2
Moment(-)	Mf = 17	Mr = 5803	lbs-ft	Mf/Mr = 0.3

**Additional Data:**

FACTORS:	f/E(ksi)	KD	KH	KZ	KL	KT	KS	KN	LC#
Fv	218	0.65	1.10	1.000	-	1.00	1.00	-	#1
Fb+	1711	0.65	1.10	1.000	1.000	1.00	1.00	-	#1
Fb-	1711	0.65	1.10	1.000	1.000	1.00	1.00	-	#1
Fcp	769	-	-	1.000	-	1.00	1.00	-	#-

**CRITICAL LOAD COMBINATIONS:**

Shear : LC #1 = 1.4D

Moment(+): LC #1 = 1.4D

Moment(-): LC #1 = 1.4D

Bearing : Support 1 - LC #2 = 1.25D + (1.0)1.5S

Support 2 - LC #2 = 1.25D + (1.0)1.5S

Support 3 - LC #2 = 1.25D + (1.0)1.5S

Load Types: D=dead W=wind S=snow H=earth,groundwater E=earthquake

L=live(use,occupancy) Ls=live(storage,equipment) f=fire

All Load Combinations (LCs) are listed in the Analysis output

**CALCULATIONS:**

"Live" deflection = Deflection from all non-dead loads (live, wind, snow...)

**Design Notes:**

1. WoodWorks analysis and design are in accordance with the 2010 National Building Code of Canada (NBC Part 4) and the CSA O86-14 Engineering Design in Wood standard (May 2014 edition).
2. Please verify that the default deflection limits are appropriate for your application.
3. O86 6.5.3 requires that beam and stringer grades shall not be designed for continuity in determining requirements for bending resistance, unless regraded along the full length of the member.
4. BEAMS require restraint against lateral displacement and rotation at points of bearing (O86 6.5.4.2.1).
5. This beam requires both top and bottom edges to be held in line (6.5.4.2.1(e)).
6. BUILT-UP BEAMS: it is assumed that each ply is a single continuous member (that is, no butt joints are present) and that each ply is equally top-loaded. Where beams are side-loaded, special fastening details may be required.
7. each ply is equally top-loaded. Where beams are side-loaded, special fastening details may be required.



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5



Hamilton

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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	
<b>Registered Owners(s)</b>	DAVID Wilson Tanya Pinnegar	843 Safari Rd Millgrove ON L8B 1S4	<b>Phone:</b> 905 580 9701 905 929-0441  <b>E-mail:</b> thelastlaughisbest@yahoo.ca tpinn4@gmail.com
<b>Applicant(s)*</b>	DAVID Wilson Tanya Pinnegar	843 Safari Rd Millgrove ON L8B 1S4	<b>Phone:</b> 905 580 9701 905 929-0441  <b>E-mail:</b> thelastlaughisbest@yahoo.ca tpinn4@gmail.com
<b>Agent or Solicitor</b>			<b>Phone:</b>   <b>E-mail:</b>

**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 National  
 16 York St Suite 1900  
 Toronto, ON  
 M5T 0E6

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 area requirements as well as relief from maximum height requirements

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Due to size of items being stored the building cannot accommodate smaller size.

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

West Flamborough Con 7 Pt Lot 7 R/F 6ARA0374 B/Fs  
3 and 5 Imreg 1.91 AC 138-88FE D  
843 Sofron Rd

7. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
Agricultural  Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_  
8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred? Yes  No  Unknown

8.3 Has a gas station been located on the subject land or adjacent lands at any time? Yes  No  Unknown   
8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands? Yes  No  Unknown

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

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands? Yes  No  Unknown

8.7 Have the lands or adjacent lands ever been used as a weapon firing range? Yes  No  Unknown

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

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

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

Yes  No  Unknown

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

Personal Knowledge from 14 yrs living on Property as well as information from previous owners when purchased Property

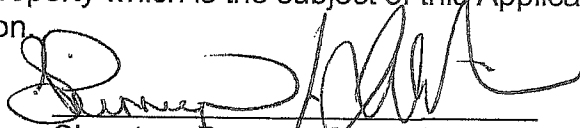
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

4 July 2022  
Date

  
Signature Property Owner(s)

Tanya Pinnegar / David Wilson  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 47.2 m  
Depth 52.1 m  
Area 2459.12 m<sup>2</sup>  
Width of street \_\_\_\_\_

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

Existing: \_

Single Family Dwelling  
See Attached Drawing For Details

Proposed

297.28 m<sup>2</sup>, 297.28 m<sup>2</sup>, 50' x 64' 22.5"

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

Existing:

Single Family Dwelling  
See Attached Drawing For Details

Proposed:

Rear Side of property  
1m away from Rear  
1m away from Side  
150m away from front yard

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.

[Empty rectangular box for additional information]

Additional information (please include separate sheet if needed)

Yes  No

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

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.

Yes  No

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?

[Empty rectangular box for site-specific zoning by-law amendment]

If yes, please provide the file number:

Yes  No

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)

[Handwritten: 05-200]

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

[Handwritten: Agriculture]

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

Water: N/A  
Sanitary Sewer: N/A  
Storm Sewers: N/A

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

1921 year of

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

[Handwritten: Farm]

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

[Handwritten: Single Family]

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

[Handwritten: Approx 1921]

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

[Handwritten: 2012]

13. Date of acquisition of subject lands:

**PART 25 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.

I, David Wilson + Tanya Pinnegar 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 )  
this 4 day of July A.D. 2022)

[Signature]  
Applicant

[Signature]  
A Commissioner, etc.

**PART 26 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) David Wilson Tanya Pinnegar 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:

\_\_\_\_\_ of \_\_\_\_\_

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 July 4 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, David Wilson Tanya Pinnegar, 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.

July 4 2022  
Date

[Signature]  
Signature of Owner(s)

**PART 28 PERMISSION TO ENTER**

Date: July 4 2022

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 843 Sofort Rd Millgrove ON L8B 1S4  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner or Authorized agent

[Handwritten Signature]  
David Wilson Langlois

Please print name

Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

**PART 29 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

CITY OF HAMILTON

**COST ACKNOWLEDGEMENT AGREEMENT**

This Agreement made this 4 day of July, 20 22.

BETWEEN:

David Wilson Tanya Pinnegar

Applicant's name(s)

hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Ontario Land Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Ontario Land Tribunal by a party other than the developer; and (c) the City appears before the Ontario Land Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Ontario Land Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Ontario Land Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Ontario Land Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.



17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton this 6 day of July, 2022

[Signature]  
WITNESS

[Signature]  
Per:  
I have authority to bind the corporation.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Per:  
I have authority to bind the corporation

DATED at Hamilton, Ontario this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Hamilton

Per: \_\_\_\_\_  
Mayor

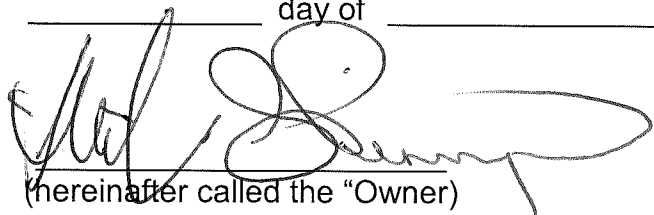
Per: \_\_\_\_\_  
Clerk

Schedule "A"  
Description of Lands

**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")

-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 4 July 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.

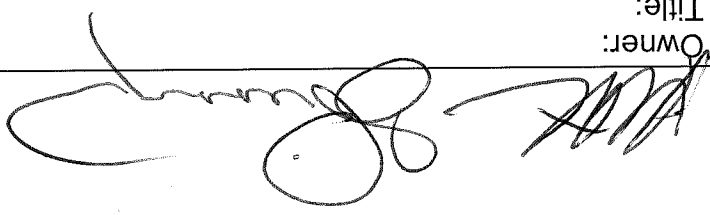
**AND WHEREAS** Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee 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 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: \_\_\_\_\_  
Title: \_\_\_\_\_  
I have authority to bind the corporation

\_\_\_\_\_  
Assignee: \_\_\_\_\_  
Title: \_\_\_\_\_  
I have authority to bind the corporation  
c/s

**CITY OF HAMILTON**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>DN/A-22:235</b>	<b>SUBJECT PROPERTY:</b>	1 ROGERS ROAD, DUNDAS
<b>ZONE:</b>	"R2" (Single Detached Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Dundas 3581-86, as Amended

**APPLICANTS:** Owner – Dwayne Douglas MacDonald  
Agent – Daniel Cheatley

The following variances are requested:

1. A rear yard setback of 4.6m shall be provided for the accessory building instead of the minimum required 7.5m rear yard setback.

**PURPOSE & EFFECT:** To permit the construction of a new accessory building in the rear yard of the existing single detached dwelling.

**Notes:**

- i. Accessory buildings having a gross floor area greater than 18.0 square metres are subject to the principal building requirements of the R2 zone.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**DN/A-22:235**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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.

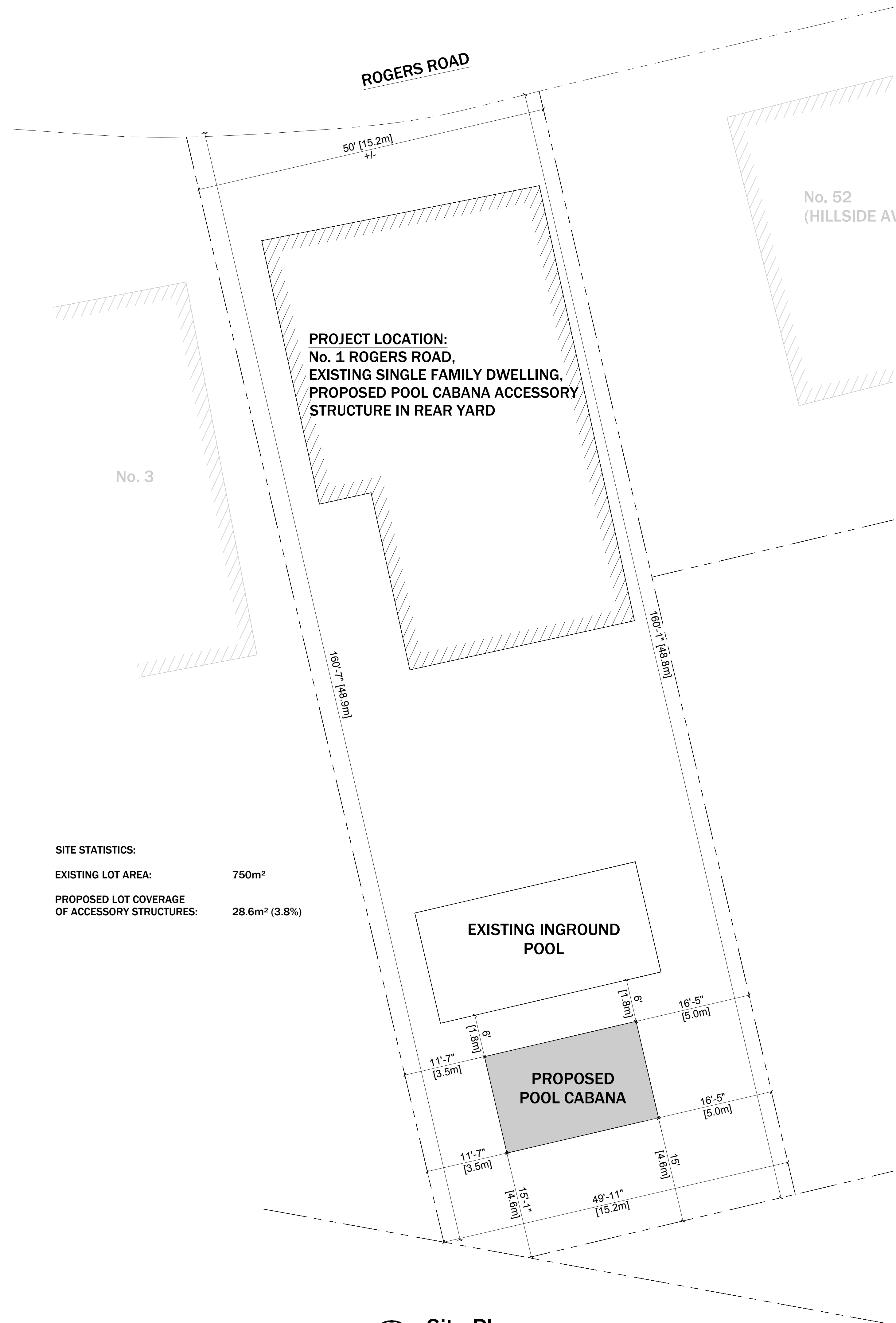
# GENERAL NOTES

**Project Description:**

This project involves the construction of a new 18m<sup>2</sup> pool cabana accessory structure in the rear yard of the existing single family dwelling located at 1 Rogers Road, in Dundas.

- All work shall comply with the Ontario Building Code (2012), fire department regulations, utility company standards, and the best trade practices.
- The General Contractor shall arrange all inspections and tests as specified or required by the building department and shall pay all costs and fees for same. The Contractor shall secure all building permits and upon completion of the project (prior to final payment) deliver to the Owner a Certificate of Occupancy or Use from the building department.
- All plumbing and electrical work shall be performed by State licensed contractors. Contractors shall submit all required permits, certificates, and sign-offs to Owner and Architect for their records.
- The General Contractor shall verify all dimensions, be familiar with the existing conditions, and bring any discrepancies to the attention of the Architect prior to submission of construction proposal and before beginning work. The Drawings reflect conditions reasonably inferred from the existing visible conditions but cannot guaranteed by the Architect. Drawings may be scaled for estimating purposes and for general reference only. For all other dimensions or locations consult the Architect or refer to dimensions on Drawings. Verify all dimensions in the field.
- The General Contractor shall lay out all work and be responsible for all dimensions and conditions for trades such as electrical, plumbing, etc.
- The General Contractor shall provide and maintain access to the premises at all times.
- The Construction Manager shall make the premises secure from the elements and trespass on a daily basis.
- The General Contractor shall keep the construction site free and clear of all debris and keep out all unauthorized persons. Upon completion of Work, the entire construction area is to be thoroughly cleaned and prepared for occupancy by Owner. All materials and debris resulting from the Contractor's work shall be removed from the site and disposed of properly. Care shall be taken during construction that no debris or materials are deposited in any Right of Way area.
- The General Contractor shall be responsible for protecting all existing and new conditions and materials on the site. Any damage caused by or during the execution of the Work is the Contractor's responsibility and shall be repaired to the Owner's satisfaction at the Contractor's expense.
- No cutting or damage to building structural components will be allowed without written authorization from the Architect.
- All utilities shall be connected to provide gas, electric, and water to all equipment whether said equipment is in Contract or not. Equipment shall be guaranteed to function properly upon completion.
- Manufacturer's standard specifications and materials approved for project use are hereby made part of these Notes with same force and effect as if written out in full herein. All appliances, fixtures, equipment, hardware, etc. shall be installed in accordance with Manufacturer's specifications and procedures.
- Written words take precedence over drawn lines. Large-scale details and plans take precedence over smaller details and plans. Should a conflict arrive between the Specifications and Drawings, the requirements deemed most stringent shall be used.
- Minor details not usually shown or specified but necessary for proper and acceptable construction, installation, or operation of any part of the Work as determined by the Architect shall be included in the Work as if it were specified or indicated on the Drawings.
- All architectural drawings and construction notes are complimentary. What is indicated and called for by one shall be binding as though called for by all.
- No deviation from the Drawings or Specifications or intent of same shall be made without the Architect's written authorization.
- All Work shall be guaranteed for one year after final approval. The General Contractor shall sign the written guarantee as provided by the Owner. The guarantee shall cover all general and subcontractor work. All defects discovered during this period shall be repaired to the Owner's satisfaction at the Contractor's expense.
- All dimensions are to face of stud or centerline of structure unless otherwise noted (UON).

STRUCTURAL SCHEDULE	
MEMBER NUMBER	DESCRIPTION
F1	14"Ø POURED CONCRETE PIER FOOTING TO BEAR ON UNDISTURBED SOIL AT A MINIMUM DEPTH OF 48" BELOW GRADE
P1	3"x3"x $\frac{3}{16}$ " HSS STEEL POST EMBEDDED MIN. 24" INTO FOOTING
P2	6"x6" PRESSURE TREATED WOOD POST
B1	W10x22 STEEL BEAM
B2	3-PLY 2"x10" PRESSURE TREATED WOOD BEAM
J1	PRESSURE TREATED OR CEDAR 2"x10" ROOF JOISTS AT 16" O.C.



**SITE STATISTICS:**  
 EXISTING LOT AREA: 750m<sup>2</sup>  
 PROPOSED LOT COVERAGE OF ACCESSORY STRUCTURES: 28.6m<sup>2</sup> (3.8%)

**1 Site Plan**  
 1:100

WREN  
 WREN-DESIGN.CA

**PROPOSED POOL CABANA**  
 1 ROGERS ROAD,  
 DUNDAS, ONTARIO, CANADA

Revisions	Date
ISSUED FOR PERMIT	02-06-2022

Project North

0

Scale AS NOTED

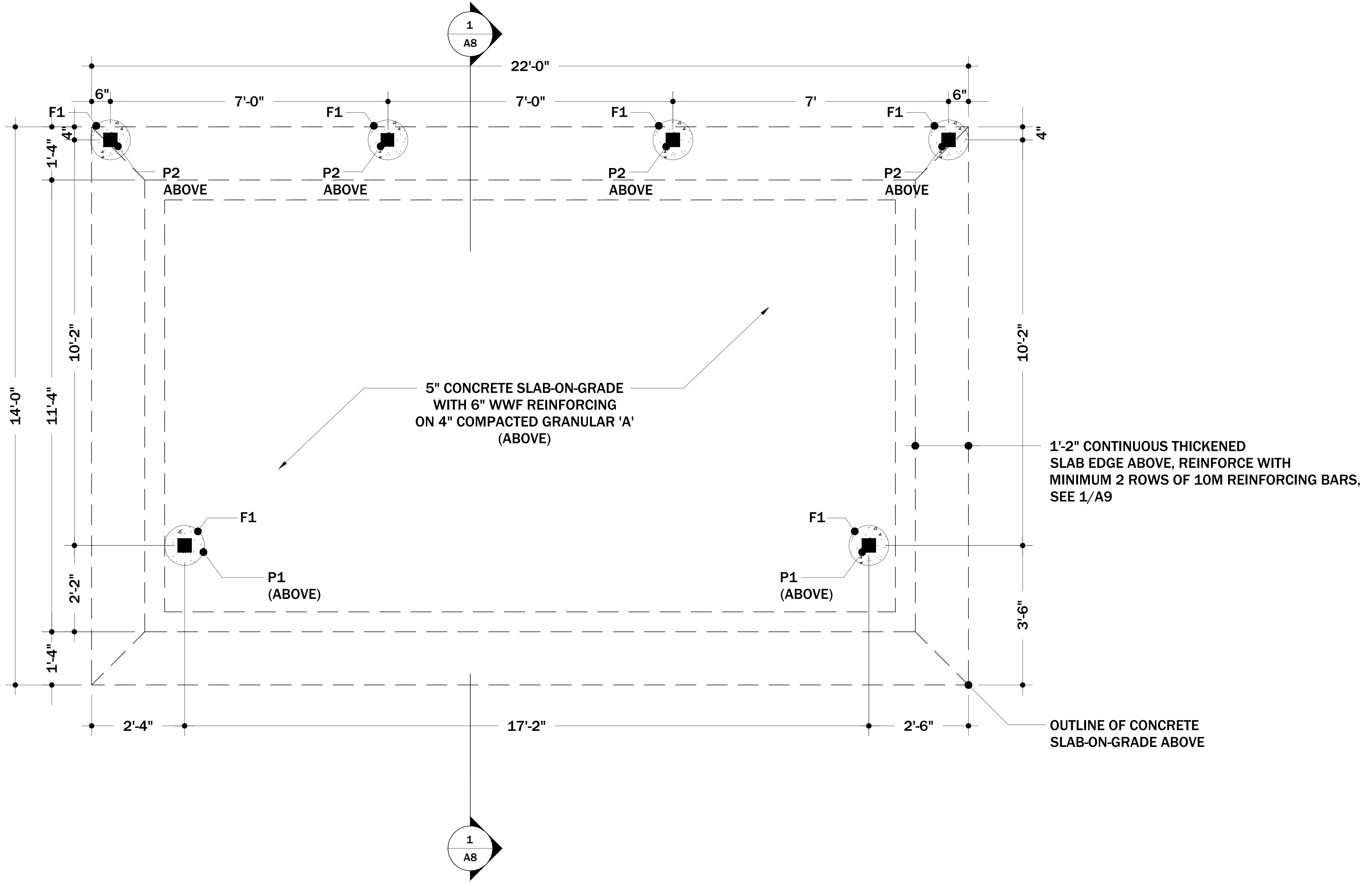
**Site Plan, General Notes**

A0

Sheet No. © 2022



STRUCTURAL SCHEDULE	
MEMBER NUMBER	DESCRIPTION
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B2	3-PLY 2"x10" PRESSURE TREATED WOOD BEAM
J1	PRESSURE TREATED OR CEDAR 2"x10" ROOF JOISTS AT 16" O.C.



**1** Foundation Plan  
SCALE: 3/4" = 1'-0"

**WREN**  
WREN-DESIGN.CA

**PROPOSED POOL CABANA**  
1 ROGERS ROAD,  
DUNDAS, ONTARIO, CANADA

Revisions	Date
ISSUED FOR PERMIT	19-04-2022

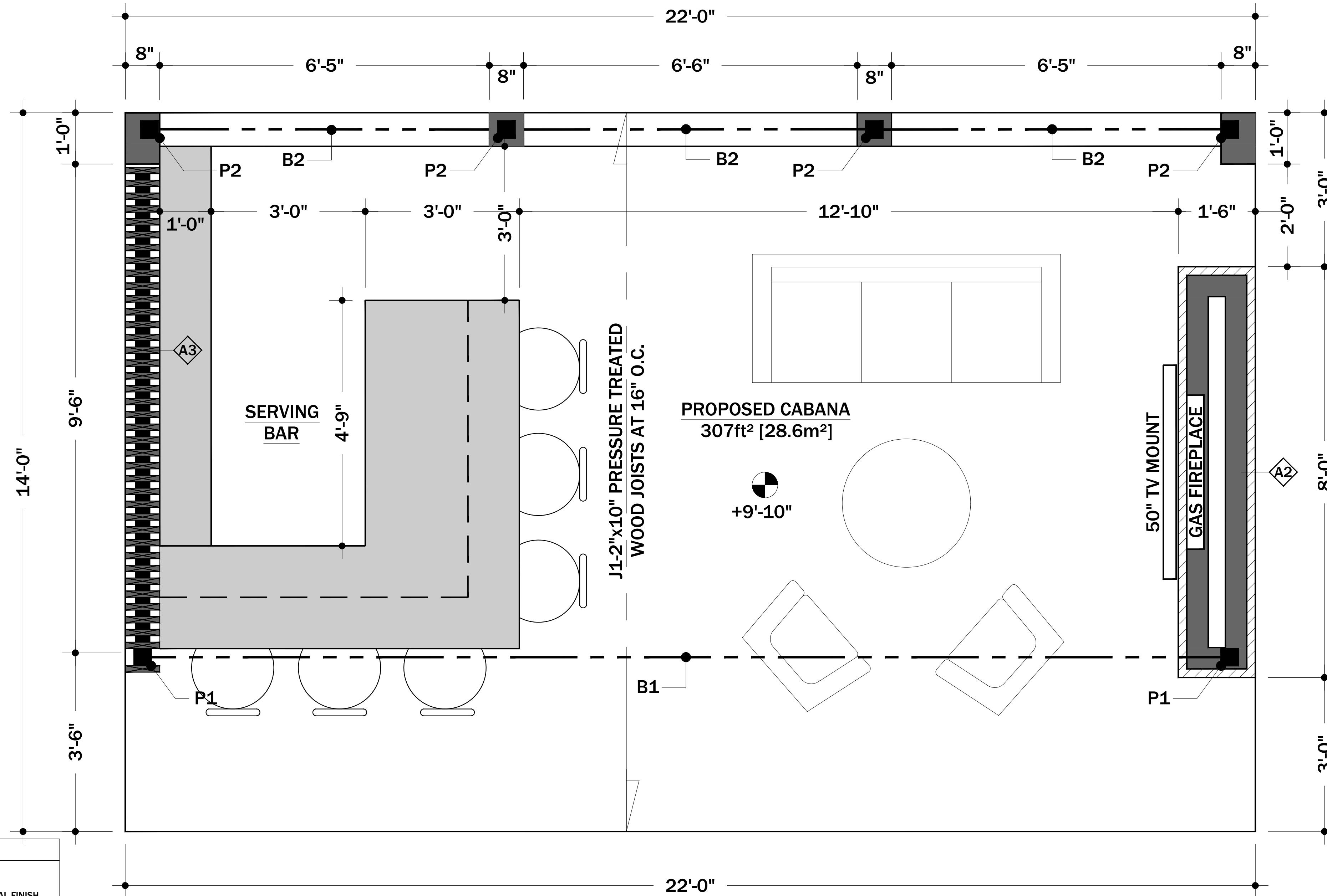
Project North

Scale 3/4"=1'-0"

Proposed Foundation Plan

**A1**

STRUCTURAL SCHEDULE	
MEMBER NUMBER	DESCRIPTION
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J1	PRESSURE TREATED OR CEDAR 2"x10" ROOF JOISTS AT 16" O.C.



WALL TYPE SCHEDULE	
	<p><b>WOOD FRAME WALL</b></p> <ul style="list-style-type: none"> <li>WOOD BOARD AND BATTEN OR CORRUGATED SHEET METAL FINISH</li> <li>MOISTURE BARRIER, TYVEK, OR SELF ADHERING WATERPROOF MEMBRANE</li> <li><math>\frac{3}{4}</math>" EXTERIOR GRADE PLYWOOD SHEATHING,</li> <li>2"x6" PRESSURE TREATED WOOD STUDS AT 16" O.C.,</li> <li>MOISTURE RESISTANT GYPSUM WALL BOARD, CEMENT BOARD OR WOOD FINISH AT INTERIOR SIDE</li> </ul>
	<p><b>STONE VENEER WALL</b></p> <ul style="list-style-type: none"> <li>3" STACKED LIMESTONE VENEER</li> <li>MOISTURE BARRIER, TYVEK, OR SELF ADHERING WATERPROOF MEMBRANE</li> <li><math>\frac{3}{4}</math>" EXTERIOR GRADE PLYWOOD SHEATHING,</li> <li>2"x6" PRESSURE TREATED WOOD STUDS AT 16" O.C.,</li> </ul>
	<p><b>STRIATED WOOD WALL</b></p> <ul style="list-style-type: none"> <li>2"x8" PRESSURE TREATED OR CEDAR STUDS WITH</li> <li>2"x4" PRESSURE TREATED OR CEDAR SPACER STUDS,</li> <li>PAINT SPACER STUDS BLACK WITH EXTERIOR GRADE WOOD PAINT</li> </ul>

**1 Cabana Plan**  
SCALE: 3/4" = 1'-0"

**WREN**  
WREN-DESIGN.CA

**PROPOSED POOL CABANA**  
1 ROGERS ROAD,  
DUNDAS, ONTARIO, CANADA

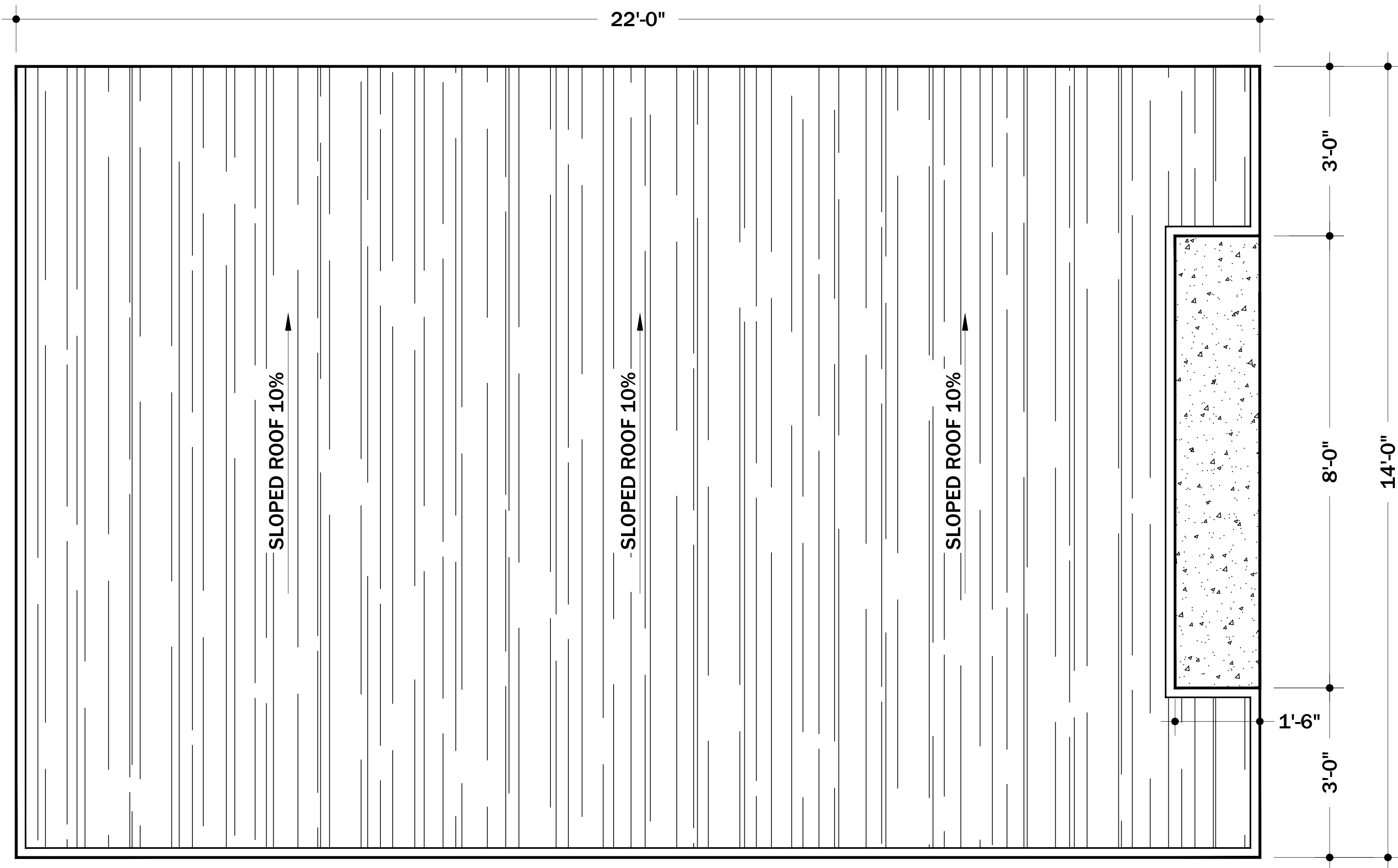
Revisions	Date
ISSUED FOR PERMIT	19-04-2022

Project North

Scale 3/4"=1'-0"

**Proposed Cabana Plan**

**A2**



**1** Roof Plan  
SCALE: 3/4" = 1'-0"

**WREN**  
WREN-DESIGN.CA

**PROPOSED  
POOL CABANA**  
1 ROGERS ROAD,  
DUNDAS, ONTARIO, CANADA

Revisions	Date
ISSUED FOR PERMIT	19-04-2022

Project North

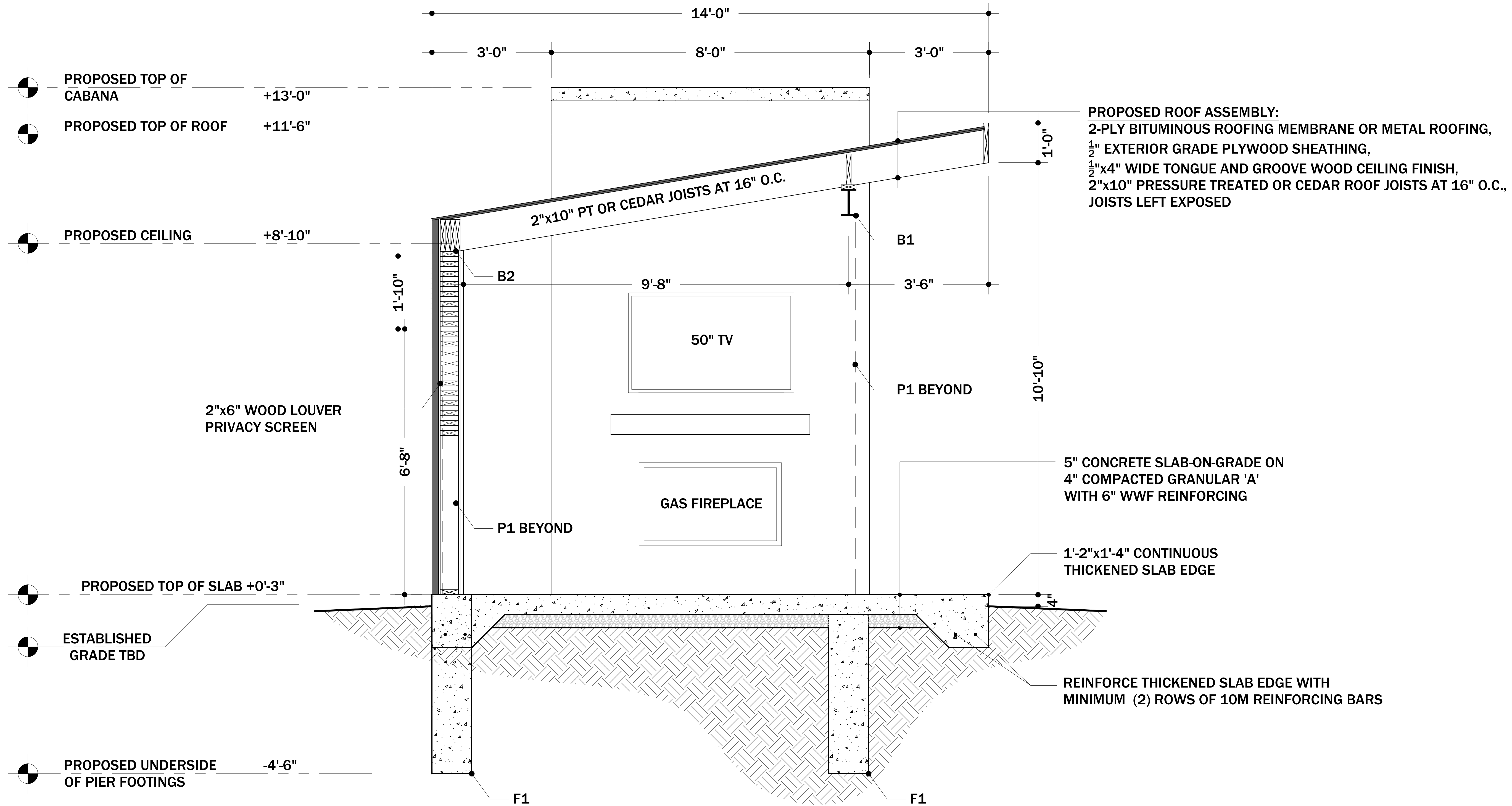


Scale 3/4"=1'-0"

Proposed Roof Plan

**A3**

STRUCTURAL SCHEDULE	
MEMBER NUMBER	DESCRIPTION
F1	14"Ø POURED CONCRETE PIER FOOTING TO BEAR ON UNDISTURBED SOIL AT A MINIMUM DEPTH OF 48" BELOW GRADE
P1	3"x3"x <sup>3</sup> / <sub>16</sub> " HSS STEEL POST EMBEDDED MIN. 24" INTO FOOTING
P2	6"x6" PRESSURE TREATED WOOD POST
B1	W10x22 STEEL BEAM
B2	3-PLY 2"x10" PRESSURE TREATED WOOD BEAM
J1	PRESSURE TREATED OR CEDAR 2"x10" ROOF JOISTS AT 16" O.C.



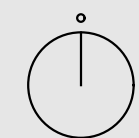
1 Section A-A  
SCALE: 3/4" = 1'-0"

**WREN**  
WREN-DESIGN.CA

**PROPOSED POOL CABANA**  
1 ROGERS ROAD,  
DUNDAS, ONTARIO, CANADA

Revisions	Date
ISSUED FOR PERMIT	19-04-2022

Project North



Scale 3/4"=1'-0"

Section A-A

**A8**



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto: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	
<b>Registered Owners(s)</b>			
<b>Applicant(s)*</b>			
<b>Agent or Solicitor</b>			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:

Relief sought to reduce required rear set back for an accessory structure exceeding 18 sq. m. from 7.5m to permit the proposed rear setback of 4.5m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Existing swimming pool obstructs location at the required rear setback of 7.5m.

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**):

1 Rogers Road, Dundas

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?

DWELLING PURCHASE 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.

\_\_\_\_\_  
Date

*Dwayne Macdonald Amanda MacDonald*  
\_\_\_\_\_  
Signature Property Owner(s)

DWAYNE MACDONALD  
\_\_\_\_\_  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage \_\_\_\_\_  
Depth \_\_\_\_\_  
Area \_\_\_\_\_  
Width of street \_\_\_\_\_

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

Existing: \_

2 STOREY SINGLE FAMILY DWELLING

Proposed

SINGLE FAMILY DWELLING WITH ACCESSORY POOL CABANA IN REAR YARD

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

Existing:

\_\_\_\_\_

Proposed:

\_\_\_\_\_

13. Date of acquisition of subject lands:  
\_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
APPROXIMATELY 1980  
\_\_\_\_\_
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.):  
SINGLY FAMILY DWELLING  
\_\_\_\_\_
17. Length of time the existing uses of the subject property have continued:  
1980'S  
\_\_\_\_\_

18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |

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

NEIGHBOURHOODS
----------------

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

--

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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>DN/A-22:238</b>	<b>SUBJECT PROPERTY:</b>	24 PEEL STREET T, DUNDAS
<b>ZONE:</b>	"R2" (Single Detached Residential Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Dundas 3581-86, as Amended

**APPLICANTS:** Owner – Jack & Iwona Deska  
Agent – Gabe Faraone

The following variances are requested:

1. A minimum front yard of 5.0 metres shall be provided instead of the minimum required front yard of 6.0 metres.
2. A minimum rear yard of 2.70 metres shall be provided instead of the minimum required rear yard of 7.5 metres.
3. The stairs associated with a roofed-over but otherwise unenclosed one-storey porch at the first storey level may be located a minimum of 2.60 metres from the front lot line, instead of the requirement that every such projecting porch shall be distant at least 4.0 metres from the front lot line.

**PURPOSE & EFFECT:** To permit the construction of a second storey addition and an attached garage to the existing single-family dwelling notwithstanding that;

**Notes:**

1. Please note that specific details regarding parking on the lot were not included on the Site Plan provided. However, it appears that one (1) parking space is proposed and can be accommodated in the attached garage. Please note that the minimum parking space dimensions are 2.70 metres in width x 6.0 metres in length. Additional variances may be required if compliance with the parking regulations contained in Dundas Zoning By-law No. 3581-86 cannot be achieved.
2. Please note that specific details regarding the projection of eaves/gutters was not indicated on the Site Plan provided. Additional variances may be required if compliance with Section 6.6.2 cannot be achieved.

**DN/A-22:238**

3. Please note that the distance from the uncovered porch (i.e. the proposed stairs in the southerly side yard) to the southerly side lot line was not indicated on the Site Plan provided. As per Section 6.6.8, an uncovered porch, including stairs, which does not extend more than 1.0 metres above the floor level of the first storey may project into a required yard if distant at least 0.5 metres from the nearest side lot line. Additional variances may be required if compliance with Section 6.6.8 cannot be achieved.
4. The Site Plan statistics indicate a minimum of 51.85% of the area of the front yard as landscaping. From the materials provided, it is unclear if the percentage indicated is consistent with the definition of Landscaped Area as provided in Dundas Zoning By-law No. 3581-86.
5. A building permit is required for the proposed addition. 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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

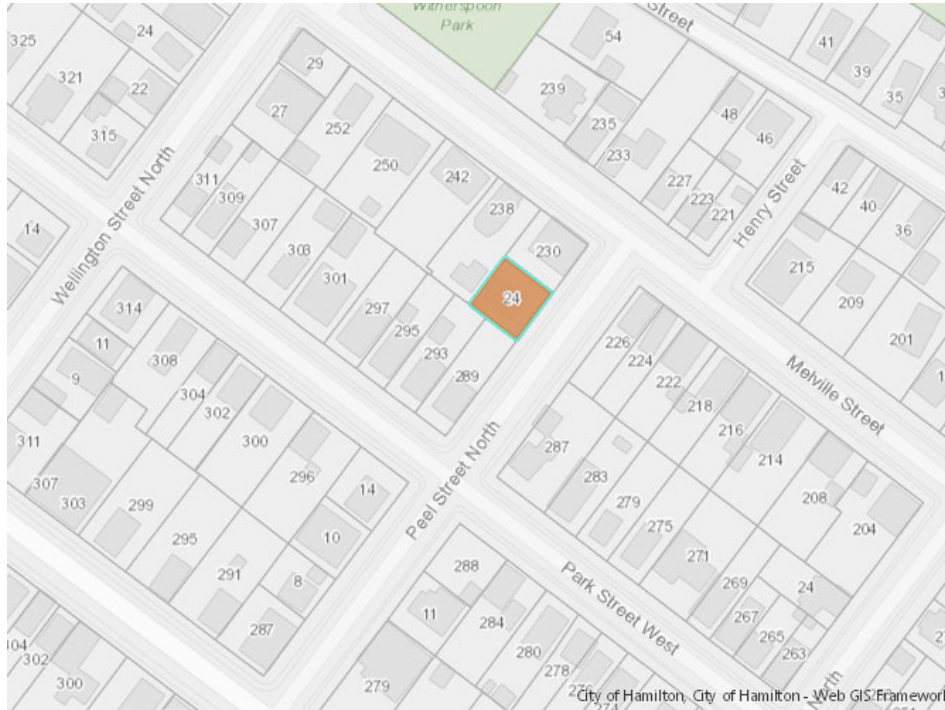
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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 and instructions for check in to participate in person.

DN/A-22:238



 **Subject Lands**

DATED: July 26, 2022

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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.

CONSTRUCTION NOTES (Unless noted otherwise)

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND SPEC'S AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12

1. ROOF CONSTRUCTION

No. 210 (10.25 kg/m2) ASPHALT SHINGLES, 3/8" (9.5) PLYWOOD SHEATHING WITH 7/8" CLIPS. APPROVED WOOD TRUSSES @ 24" (600) O.C. MAX. APPROVED EAVES PROTECTION TO EXTEND 2'-11" (900) FROM EDGE OF ROOF AND MIN. 12" (300) BEYOND INNER FACE OF EXTERIOR WALL, 2"x4"(38x89) TRUSS BRACING @ 6'-0" (1830) O.C. AT BOTTOM CHORD. PREFIN. ALUM. EAVESTROUGH, FASCIA, R/W & VENTED SOFFIT. ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES.

2. SIDING WALL CONSTRUCTION (2"x6")

SIDING AS PER ELEVATION ATTACHED TO FRAMING MEMBERS, FURRING MEMBERS OR BLOCKING BETWEEN THE FRAMING MEMBERS ON APPROVED SHEATHING PAPER ON 3/8" (9.5) EXTERIOR GRADE SHEATHING ON 2"x6" (38x140) SPRUCE STUDS @ 16" (400) O.C., R19 (RSI 3.34) MINIMUM BATT INSULATION, APPROVED 6 MIL POLYETHYLENE AIR/VAPOUR BARRIER, ON 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. WALL ASSEMBLY R22 (RSI 3.80) AS PER O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3

2A. SIDING WALL CONSTRUCTION (2"x6") [NON COMBUSTIBLE]

SIDING AS PER ELEVATION ATTACHED TO FRAMING MEMBERS, FURRING MEMBERS OR BLOCKING BETWEEN THE FRAMING MEMBERS ON APPROVED SHEATHING PAPER, 3/8" (9.5) DENGLASS GLD EXTERIOR TYPE SHEATHING, ON 2"x6" (38x140) 16 Gd. STRUCTURAL STEEL STUDS @ 12" (300) O.C., R24 (RSI 4.23) INSULATION, APPROVED 6 MIL POLYETHYLENE AIR/VAPOUR BARRIER, ON 3/8" (9.5) TYPE "X" GYPSUM WALLBOARD INT. FINISH. (GYPSUM SHEATHING, RIGID INSULATION, AND FIREBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING - O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3)

2B. SIDING WALL @ GARAGE CONSTRUCTION (2"x4")

SIDING AS PER ELEVATION ATTACHED TO FRAMING MEMBERS, FURRING MEMBERS OR BLOCKING BETWEEN THE FRAMING MEMBERS ON APPROVED SHEATHING PAPER ON 3/8" (9.5) EXTERIOR TYPE SHEATHING ON 2"x4" (38x89) SPRUCE STUDS @ 16" (400) O.C., 1/2" (12.7) GYPSUM WALLBOARD INTERIOR FINISH. (GYPSUM SHEATHING, RIGID INSULATION AND FIREBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING - O.B.C. 9.23)

2C. SIDING WALL CONSTRUCTION (2"x6") - CONTINUOUS INSULATION

SIDING AS PER ELEVATION SHEATHING PAPER, LAYERS TO OVERLAP EACH OTHER RS (RSI 0.88) RIGID INSULATION, EXTERIOR GRADE SHEATHING ON 2"x6" (38x140) SPRUCE STUDS @ 16" (400) O.C., R19 (RSI 3.52) MINIMUM BATT. INSULATION IN CONTINUOUS CONTACT W/ SHEATHING & CONTINUOUS VAPOUR BARRIER, APPROVED 6 MIL POLYETHYLENE AIR/VAPOUR BARRIER, ON 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. WALL ASSEMBLY R22 (RSI 3.8) (GYPSUM SHEATHING, RIGID INSULATION, AND FIREBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING - O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3)

3. BRICK VENEER WALL CONSTRUCTION (2"x6")

4" (90) FACE BRICK 1" (25) AIR SPACE, 7/8"x7"x0.03" (22x180x0.76) GALV. METAL TIES @ 16" (400) O.C. HORIZ. 24" (600) O.C. VERT. TIES TO BE IN CONTACT WITH WOOD STUDS ONLY. APPROVED SHEATHING PAPER, 3/8" (9.5) EXTERIOR TYPE SHEATHING, 2"x6" (38x140) STUDS @ 16" (400) O.C., R24 (RSI 3.34) INSULATION AND 6 mil POLYETHYLENE VAPOUR BARRIER WITH APPROVED CONTIN. AIR BARRIER, 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. PROVIDE WEEP HOLES @ 32" (800) O.C. BOTTOM COURSE AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" (150) BEHIND BUILDING PAPER, WALL ASSEMBLY R22 (RSI 3.80) AS PER O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3.

3A. BRICK VENEER WALL CONSTRUCTION (2"x4")

4" (90) FACE BRICK 1" (25) AIR SPACE, 7/8"x7"x0.03" (22x180x0.76) GALV. METAL TIES @ 16" (400) O.C. HORIZ. 24" (600) O.C. VERT. TIES TO BE IN CONTACT WITH WOOD STUDS ONLY. APPROVED SHEATHING PAPER, RS (RSI 0.9) EXT. RIGID INSUL. BD., 2"x4" (38x89) STUDS @ 16" (400) O.C. WITH APPROVED DIAGONAL WALL BRACING, R14 (RSI 2.46) INSULATION AND 6 mil POLYETHYLENE VAPOUR BARRIER WITH APPROVED CONT. AIR BARRIER, 1/2" (12.7) INT. DRYWALL FINISH. PROVIDE WEEP HOLES @ 32" (800) O.C. BOTTOM COURSE AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" (150) BEHIND BUILDING PAPER, WALL ASSEMBLY R22 (RSI 3.80) AS PER O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3

3B. BRICK VENEER WALL @ GARAGE CONSTRUCTION (2"x4")

4" (100) BRICK VENEER TIED TO WOOD FRAMING MEMBERS W/ 7/8"x7"x0.03" 22x180x0.76) GALV. METAL TIES @ 16" (400) O.C. HORIZ. AND 24" (610) O.C. VERT. 1" (25) AIR SPACE. APPROVED AIR BARRIER ON 3/8" (9.5) EXTERIOR TYPE SHEATHING ON 2"x4" SPRUCE STUDS @ 16" (400) O.C., 1/2" (12.7) GYPSUM WALLBOARD INTERIOR FINISH, PROVIDE WEEP HOLES @ 32" (800) O.C. AT BOTTOM COURSE AND OVER OPENINGS, PROVIDE BASE FLASHING UP 6" (150) MINIMUM BEHIND BUILDING PAPER.

3C. BRICK VENEER WALL (2"x6") - CONTINUOUS INSULATION

4" FACE BRICK, 1" AIR SPACE, 22 Gd. (0.76mm) THICK x 1" (22mm) WIDE GALVANIZED METAL TIES, INSTALLED W/ GALVANIZED SPIRAL NAILS OR SCREWS, 16" O.G. HORIZONTAL, 24" O.G. VERTICAL, SHEATHING PAPER W/ LAYERS TO OVERLAP EACH OTHER, RS (RSI 0.88) RIGID INSULATION FOR EXTERIOR TYPE SHEATHING, 2"x6" WOOD STUDS @ 16" O.C. R19 (RSI 3.52) BATT INSULATION IN CONT. CONTACT W/ SHEATHING CONTINUOUS VAPOUR/AIR BARRIER, DOUBLE PLATE @ TOP, SOLID PLATE @ BOTTOM, 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. PROVIDE WEEP HOLES @ 32" (800) O.C. BOTTOM COURSE AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" (150) BEHIND BUILDING PAPER. AS PER O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3.

4. INTERIOR STUD PARTITIONS

FOR BEARING PARTITIONS 2"x4" (38x89) @ 16" (400) O.C. FOR 2 STOREYS AND 1/2" (300) O.C. FOR 3 STOREYS, NON-BEARING PARTITIONS 2"x4" (38x89) @ 24" (600) O.C. PROVIDE 2"x4" (38x89) BOTTOM PLATE AND 2/2"x4" (2/38x89) TOP PLATE. 1/2" (12.7) INT. DRYWALL BOTH SIDES OF STUDS, PROVIDE 2"x6" (38x140) STUDS WHERE NOTED.

4A. EXTERIOR LOFT WALL CONSTRUCTION - NO CLADDING (2"x6")

3/8" (9.5) EXTERIOR TYPE SHEATHING, 2"x6" (38x140) STUDS @ 16" (400) O.C., R19 (RSI 3.34) INSULATION AND 6 mil POLYETHYLENE VAPOUR BARRIER WITH APPROVED CONTIN. AIR BARRIER, 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. WALL ASSEMBLY CALC. AS PER O.B.C. 9.23 & 12.3.2.1 & 12.3.3.3

5. FOUNDATION WALL FOOTINGS - O.B.C. 9.15.4.1

10" (200) CONC. BLK FOOTING WITH BITUMINOUS DAMPROOFING AND OPT. DRAINAGE LAYER, DRAINAGE LAYER REQUIRED WHEN BASEMENT INSUL. EXTERNS 2'-11" (900) BELOW FIN. GRADE. MAXIMUM UNSUPPORTED HEIGHT 8'-2" (2500) WITH 4'-11" (1500) MAX. EARTH RETENTION FROM BASEMENT SLAB TO FIN. GRADE, ON CONC. FOOTING. JOIST SPANS GREATER THAN 16'-0" (4900) SHALL BE SIZED IN ACCORDANCE TO 9.15.3.4 (1) OF THE O.B.C. (PLEASE SEE A11 FOR TABLE). BRACE FDTN. WALL PRIOR TO BACKFILLING. ALL FOOTINGS SHALL REST ON NATURAL UNDISTURBED SOIL OR COMPACTED ENGINEERED FILL, WITH MIN. BEARING CAPACITY OF 1500 PSF OR GREATER. IF SOIL BEARING DOES NOT MEET MINIMUM CAPACITY ENGINEERED FOOTINGS ARE REQUIRED.

Table with 3 columns: # STOREYS SUPPORTED, W/ MASONRY VENEER, W/ BRICK OR CONCRETE. Values range from 1 to 3 storeys.

6. 4" (100) # WEEPING TILE @ (150) CRUSHED STONE OVER AND AROUND WEEPING TILES.

7. BASEMENT SLAB - O.B.C. 9.13 - 1

3" (80) MIN. 25MPa (3600psi) CONC. SLAB ON 4" (100) COARSE GRANULAR FILL, OR 20MPa (2900psi) CONC. WITH DAMPROOFING BELOW SLAB.

8. EXPOSED FLOOR TO EXTERIOR

PROVIDE R31 INSULATION, 6 mil POLY VAPOUR BARRIER AND CONTIN. AIR BARRIER, FINISHED SOFFIT.

9. R50 2LBS. SPRAY FOAM INSULATION, 1/2" DRYWALL [INT. SIDE]

10. ALL STAIRS/EXTERIOR STAIRS - O.B.C. 9.8.1

MAX. RISE = 7-7/8" (200) RAIL @ LANDING = 2'-10" (865) MIN. RISE = 4-7/8" (125) RAIL @ STAIR = 2'-10" (865) MIN. RUN = 10" (255) MIN. STAIR WIDTH = 2'-11" (900) NOSING = 1" (25) FOR CURVED STAIRS MIN. HEADROOM = 6'-5" (1950) MIN. RUN = 7-1/2" (190)

11. GUARDS/RAILINGS - O.B.C. 9.8.1

FINISHED NON-CUMBERABLE GUARD/RAILING WITH 4" (100) O.C. MAXIMUM SPACING BETWEEN PICKETS. THE MINIMUM SPECIFIED HORIZONTAL LOAD APPLIED INWARD OR OUTWARD AT THE TOP OF EVERY REQUIRED SHALL BE:

- i) A UNIFORM LOAD OF 113 lb/ft OR A CONCENTRATED LOAD OF 225 lbs.
ii) A VERTICAL LOAD OF 168 lb/ft, WHICH NEED NOT ACT SIMULTANEOUSLY WITH THE HORIZONTAL LOAD.
iii) INDIVIDUAL ELEMENTS ARE TO BE DESIGNED FOR A CONCENTRATED LOAD OF 113 lbs AT ANY MOMENT.

GUARDS - O.B.C. 9.8.2

INTERIOR GUARDS: 2'-11"(900)MIN. EXTERIOR GUARDS: 3'-6"(1070)MIN. GLASS IN GUARDS - O.B.C. 9.8.8.7.1

(1)glass in guards shall be,
(a)jelly glass of the laminated or tempered type conforming to CAN/CGSB-12.1-M, "Tempered or Laminated Safety Glass", or
(b)wired glass conforming to CAN/CGSB-12.11-M, "Wired Safety Glass".

2"x4" (38x89) SILL PLATE WITH 1/2" (12.7) # ANCHOR BOLTS 8" (200) LONG, EMBEDDED MIN. 4" (100) INTO CONC. @ 7'-10" (2400) O.C., 4" (100) HIGH CONC. CURB ON 14"x6" (350x150) CONC. FOOTING. USE NON-SHRINK GROUT TO LEVEL SILL PLATE WHEN REQUIRED.

R12 (RSI 2.11) INSULATION BLANKET OR BATTS WITH 2"x4" (38x89) STUD WALL, 6 mil POLYETHYLENE VAPOUR BARRIER W/ R10 (RSI 1.76) RIGID INSULATION, DAMPROOFING WITH BUILDING PAPER BETWEEN THE FOUNDATION WALL AND INSULATION UP TO GRADE LEVEL. WALL ASSEMBLY R20 (RSI 3.52) NOTE: INSULATION TO EXTEND FULL HEIGHT OF FOUNDATION WALL TO UNDERSIDE OF SUBFLOOR TO TOP OF SLAB.

14. BEARING STUD PARTITION

2"x4" (38x89) STUDS @ 16" (400) O.C., 2"x4" (38x89) SILL PLATE ON DAMPROOFING MATERIAL, 1/2" (12.7) # ANCHOR BOLTS 8" (200) LONG, EMBEDDED 4" (100) MIN. INTO CONC. @ 7'-10" (2400) O.C. COVER 24"x24" (610x610) 10M DOWELS @ 24" (600) O.C., ANCHORED IN PERIMETER FOUND. WALLS. SLOPE SLAB 1.0% FROM DOOR. PROVIDE 1/2" LINTELS OVER CELLAR DOOR.

STEEL BEARING COLUMN

9'-10" MAX. SPAN BETWEEN COLUMNS. 3 1/2" (90) SINGLE TUBE NON-ADJUSTABLE STEEL COL. CONFORMING TO CAN/CGSB-7.2M, AND WITH 6"x6"x3/8" (150x150x9.5) STL. PLATE TOP & BOTTOM. FIELD WELD BW/COL. CONNECTION. 34"x34"x16" (870x870x410) CONC. FOOTING ON UNDISTURBED SOIL OR ENGINEERED FILL CAPABLE OF SUSTAINING A PRESSURE OF 150 kPa MINIMUM.

STEEL BEARING COLUMN

3 1/2" (90) # x 0.188" (4.78) NON-ADJUSTABLE STEEL COL. WITH 6"x6"x3/8" (150x150x9.5) STL. PLATE TOP & BOTTOM. FIELD WELD BW/COL. CONNECTION. 42"x42"x18" (1070x1070x460) CONC. FOOTING ON UNDISTURBED SOIL OR ENGINEERED FILL CAPABLE OF SUSTAINING A PRESSURE OF 150 kPa MINIMUM AND AS PER SOLS REPORT.

STEEL COLUMN

3 1/2" (90) # x 0.188" (4.78) NON-ADJUSTABLE STEEL COL. TO BE ON 6"x6"x3/8" (150x150x9.5) STL. TOP PLATE & 6"x4"x3/8" (150x100x9.5) BOTTOM PLATE. BASE PLATE 4'-1/2"x10"x1/2" (120x250x12.7) WITH 2'-1/2"x 12" LONG x 2" HOOK ANCHORS (2- 12.7x305x50). FIELD WELD COL. TO BASE PLATE AND BEAMS.

16. BEAM POCKET OR 8"x8" (200x200) POURED CONC. NIB WALLS. MIN. BEARING 3 1/2" (90).

17. 1"x3" (19x64) CONTINUOUS WOOD STRAPPING BOTH SIDES OF STEEL BEAM.

18. GARAGE SLAB:

4" (100) 32MPa (4640psi) CONC. SLAB WITH 5-8X AIR ENTRAINMENT ON OPT. 4" (100) COARSE GRANULAR FILL WITH COMPACTED SUB-BASE OR COMPACTED NATIVE FILL SLOPE TO FRONT @ 1% MIN.

19. 1/2" (12.7) GYPSUM BD. ON WALL AND CEILING BETWEEN HOUSE AND GARAGE. R24 IN WALLS, R31 IN CEILING. TAPE AND SEAL ALL JOINTS GAS TIGHT.

20. DOOR AND FRAME GASPROOF. DOOR EQUIPPED WITH SELF CLOSING DEVICE AND WEATHERSTRIPPING.

21. PRECAST CONC. STEP OR WOOD STEP WHERE NOT EXPOSED TO WEATHER. MAX RISE 7-7/8" (200), MIN. TREAD 9-1/2" (235).

22. CAPPED DRYER EXHAUST VENTED TO EXTERIOR. CONFORMING TO PART 6, OBC 9.32.1.5.(1).

23. ATTIC ACCESS HATCH MIN. 0.32m2 with NO DIM. LESS THAN 545mm WITH WEATHERSTRIPPING. R40 (RSI 7.00) RIGID INSUL. BACKING. OBC 9.19.2.1.

24. BUILT-UP 2 PLY TORCH DOWN ON 3" EXT. PLY. SHEATHING W/7/8" CLIPS APPROVED EAVES PROTECTION TO EXTEND 2'-11" (900) FROM EDGE OF ROOF AND MIN. 12" (300) BEYOND INNER FACE OF EXTERIOR WALL ROOF DRAINED TO ROOF DRAINS OR SCUPPERS, BUILT IN ACCORDANCE TO SUBSECTION 9.26.11. O.B.C. REG. 332/12

25. LINEN CLOSET, 4 SHELVES MIN. 14" (350) DEEP.

26. MECHANICAL EXHAUST FAN, VENTED TO EXTERIOR, TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR.

27. STEEL BEARING WALL FOR MASONRY WALLS

11"x11"x5/8" (280x280x15.9) STL. PLATE FOR STL. BEAMS AND 11"x11"x1/2" (280x280x12.7) STL. PLATE FOR WOOD BEAMS BEARING ON CONC. BLOCK PARTYWALL, ANCHORED WITH 2- 3/4" (2-19) x 8" (200) LONG GALV. ANCHORS WITHIN SOLID BLOCK COURSE. LEVEL WITH NON-SHRINK GROUT. OR SOLID WOOD BEARING FOR WOOD STUD WALLS

SOLID WOOD BEARING FOR WOOD STUD WALLS

SOLID BEARING TO BE AT LEAST AS WIDE AS THE SUPPORTED MEMBER. SOLID WOOD BEARING COMPRISED OF BUILT-UP WOOD STUDS TO BE CONSTRUCTED IN ACCORDANCE WITH O.B.C. 9.17.4.2.(2).

29. 6" x 6" WOOD POST ANCHORED TO 12" DIA. POURED CONC. PIER TO A MIN. OF 4'-0" BELOW GRADE W/MTL. SHOE & 1/2" BOLT ANCHORED MIN. 4" INTO PIER

STEP FOOTINGS: MIN. HORIZ. STEP = 23 5/8" (600), MAX. VERT. STEP = 23 5/8" (600).

31. 4" (100) CONCRETE SLAB ON GRADE ON 4" (100) COARSE GRANULAR FILL, REINFORCED WITH 6x6xW2.9xW2.9 MESH PLACED NEAR MID-DEPTH OF SLAB. CONC. STRENGTH 32MPa (4640psi) WITH 5-8X AIR ENTRAINMENT ON COMPACTED SUB-GRADE.

32. DIRECT VENT FURNACE TERMINAL MIN. 3'-0" (915) FROM A GAS REGULATOR. MIN. 12" (305) ABOVE FIN. GRADE, FROM ALL OPENINGS, EXHAUST AND INTAKE VENTS. HRY INTAKE TO BE A MIN. OF 6'-0" (1830) FROM ALL EXHAUST TERMINALS. REFER TO GAS UTILIZATION CODE.

33. DIRECT VENT GAS FIREPLACE VENT TO BE A MIN. 12" (305) FROM ANY OPENING AND ABOVE FIN. GRADE. REFER TO GAS UTILIZATION CODE.

34. SUBFLOOR JOIST STRAPPING AND BRIDGING

5/8" (15.9) 1x6 SUBFLOOR ON WOOD FLOOR JOISTS. FOR CERAMIC TILE APPLICATION SEE OBC 9.30.6. ALL JOISTS TO BE BRIDGED WITH 2"x2" (38x38) CROSS BRACING OR SOLID BLOCKING @ 6'-11" (2100) O.C. MAX. ALL JOIST TO BE STRAPPED WITH 1"x3" (19x64) @ 6'-11" (2100) O.C. UNLESS A PANEL TYPE CEILING FINISH IS APPLIED.

EXPOSED BUILDING FACE - O.B.C. 9.10.14.4. & 9.10.15.4

EXPOSED BUILDING FACE WITH A LIMITING DISTANCE LESS THAN 3'-11" (1200) REQUIRING A FIRE RESISTANCE RATING OF NOT LESS THAN 45 MINUTES AND CONFORMING TO O.B.C. 9.10.14.4. & 9.10.15.4. REFER TO DETAILS FOR TYPE AND SPECIFICATIONS.

COLD CELLAR PORCH SLAB - O.B.C. 9.40

FOR MAX. 8'-2" (2500) PORCH DEPTH, 5" (125) 32 MPa (4640psi) CONC. SLAB WITH 5-8X AIR ENTRAINMENT. REINFORCE WITH 10M BARS @ 8" (200) O.C. EACH WAY IN BOTTOM THIRD OF SLAB, 2" (30mm) COVER 24"x24" (610x610) 10M DOWELS @ 24" (600) O.C., ANCHORED IN PERIMETER FOUND. WALLS. SLOPE SLAB 1.0% FROM DOOR. PROVIDE 1/2" LINTELS OVER CELLAR DOOR.

37. THE FOUND. WALL SHALL NOT BE REDUCED TO LESS THAN 3'-1/2" (90) THICK TO A MAX. DEPTH OF 24" (610) AND SHALL BE TIED TO THE FACING MATERIAL WITH METAL TIES SPACED 8" (200) O.C. VERTICALLY AND 12" (300) O.C. HORIZONTALLY. FILL SPACE BETWEEN WALL AND FACING SOLID WITH MORTAR.

38. CONVENTIONAL ROOF FRAMING - O.B.C. 9.23

2"x6" (38x140) RAFTERS @ 16" (400) O.C., 2"x8" (38x184) RIDGE BOARD, 2"x4" (38x89) COLLAR TIES AT MIDSPANS, CEILING JOISTS TO BE 2"x4" (38x89) @ 16" (400) O.C. FOR MAX. 9'-3" (2830) SPAN & 2"x6" (38x140) @ 16" (400) O.C. FOR MAX. SPAN 14'-7" (4450). RAFTERS FOR BUILT UP ROOF OVER PRE-ENGINEERED ROOF TRUSSES AND OR CONVENTIONAL FRAMING TO BE 2"x4" (38x89) @ 24" (600) O.C. UNLESS OTHERWISE SPECIFIED.

39. TWO STOREY VOLUME SPACES

- FOR WIND LOADS <= 0.5 kPa (g50): PROVIDE 2-2"x6" (2-38x140) SPR.#2 CONTINUOUS STUDS @ 12" (300) O.C. FOR BRICK AND 16" (400) O.C. FOR SIDING ON 3"x8" (9.5) THICK EXTERIOR PLYWOOD SHEATHING. PROVIDE SOLID WOOD BLOCKING BETWEEN WOOD STUDS @ 4'-0" (1200) O.C. VERTICALLY. (O.B.C. 9.23.10.1) - FOR WIND LOADS > 0.5 kPa (g50): PROVIDE 2-2"x6" (2-38x140) SPR.#2 CONTINUOUS STUDS @ 8" (200) O.C. FOR BRICK AND 12" (300) O.C. FOR SIDING ON 3"x8" (9.5) THICK EXTERIOR PLYWOOD SHEATHING. PROVIDE SOLID WOOD BLOCKING BETWEEN WOOD STUDS @ 4'-0" (1200) O.C. VERTICALLY. - FOR HORIZONTAL DISTANCES LESS THAN 9'-6" (2900) PROVIDE CONTINUOUS 2"x6" (38x140) STUDS @ 16" (400) O.C. WITH CONTINUOUS 2-2"x6" (2-38x140) TOP PLATE @ 1'-2"x6" (1-38x140) BOTTOM PLATE & MINIMUM OF 3'-2"x8" (3-38x184) CONT. HEADER AT GROUND FLOOR CEILING LEVEL TOE-NAILLED & GLUED AT TOP, BOTTOM PLATES & HEADERS.

40. TYPICAL 1 HOUR FIRE RATED PARTYWALL. REFER TO DETAILS FOR TYPE AND SPECIFICATIONS.

41. STUCCO WALL CONSTRUCTION (2"x6")

STUCCO CLADDING CONFORMING TO O.B.C. REQUIREMENTS AND APPLIED PER MANUFACTURERS SPECIFICATIONS OVER 1" (25) MINIMUM EXTRUDED OR EXPANDED RIGID POLYSTYRENE ON APPROVED SHEATHING PAPER ON 1/2" (12.7) EXT. TYPE SHEATHING ON 2"x6" (38x140) SPRUCE STUDS @ 16" (400) O.C., R19 (RSI 3.34) BATT INSUL., APPROVED 6 MIL POLYETHYLENE VAPOUR BARRIER, 1/2" (12.7) GYPSUM WALLBOARD INTERIOR FINISH. WALL ASSEMBLY R22 (RSI 3.80) O.B.C. 12.3.2.1 & 12.3.3.3.

41A. STUCCO WALL CONSTRUCTION (2"x4")

STUCCO CLADDING CONFORMING TO OBC REQUIREMENTS AND APPLIED PER MANUFACTURERS SPECIFICATIONS ON R5 (RSI 0.9) 1" (25) MIN. EXTRUDED OR EXPANDED RIGID POLYSTYRENE ON APPROVED SHEATHING PAPER ON 1/2" (12.7) EXTERIOR TYPE SHEATHING ON 2"x4" (38x89) SPRUCE STUDS @ 16" (400) O.C., R14 (RSI 3.25) BATT INSULATION, APPROVED 6 MIL POLYETHYLENE VAPOUR BARRIER, 1/2" (12.7) GYPSUM WALLBOARD INTERIOR FINISH. WALL ASSEMBLY R22 (RSI 3.80) O.B.C. 12.3.2.1 & 12.3.3.3.

41B. STUCCO WALL @ GARAGE CONST. (2"x4")

STUCCO CLADDING CONFORMING TO OBC REQUIREMENTS AND APPLIED PER MANUFACTURERS SPECIFICATIONS OVER 1" (25) MINIMUM EXPANDED OR EXTRUDED RIGID POLYSTYRENE ON APPROVED SHEATHING PAPER ON 1/2" (12.7) EXTERIOR TYPE SHEATHING ON 2"x4" (38x89) SPRUCE STUDS @ 16" (400) O.C., 1/2" (12.7) GYPSUM WALLBOARD INTERIOR FINISH.

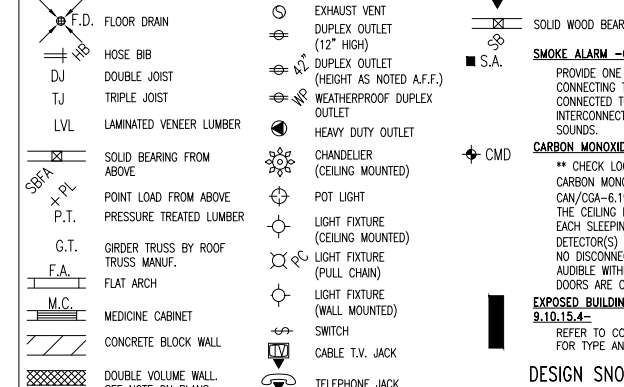
42. FOUNDATION WALLS @ UNSUPPORTED OPENINGS:

2-20M BARS IN TOP PORTION OF WALL (UP TO 8'-0" OPENING) 3-20M BARS IN TOP PORTION OF WALL (8'-0" TO 10'-0" OPENING) 4-20M BARS IN TOP PORTION OF WALL (10'-0" TO 15'-0" OPENING) - BARS STACKED VERTICALLY AT INTERIOR FACE OF WALL - BARS TO HAVE MIN. 2" (50) CONC. COVER - BARS TO EXTEND 2'-0" (600) BEYOND BOTH SIDES OF OPENING

43. STUD WALL REINFORCEMENT - OBC 9.5.2.3

PROVIDE STUD WALL REINFORCEMENT IN MAIN BATHROOM CONFORMING TO O.B.C. 3.8.3.8.1.(1)(c) FOR WATER CLOSETS AND O.B.C. 3.8.3.13.1.(1)(f) FOR SHOWERS OR BATHUBS.

LEGEND:



WOOD LINTELS AND BUILT-UP WOOD BEAMS

Table with 3 columns: Item, Description, Dimensions. Includes items L1 through L9 for various wood lintel and beam specifications.

LOOSE STEEL LINTELS

Table with 3 columns: Item, Description, Dimensions. Includes items L7 through L12 for loose steel lintel specifications.

LAMINATED VENEER LUMBER (LVL) BEAMS

Table with 3 columns: Item, Description, Dimensions. Includes items LV1 through LV9 for laminated veneer lumber beam specifications.

DOOR SCHEDULE:

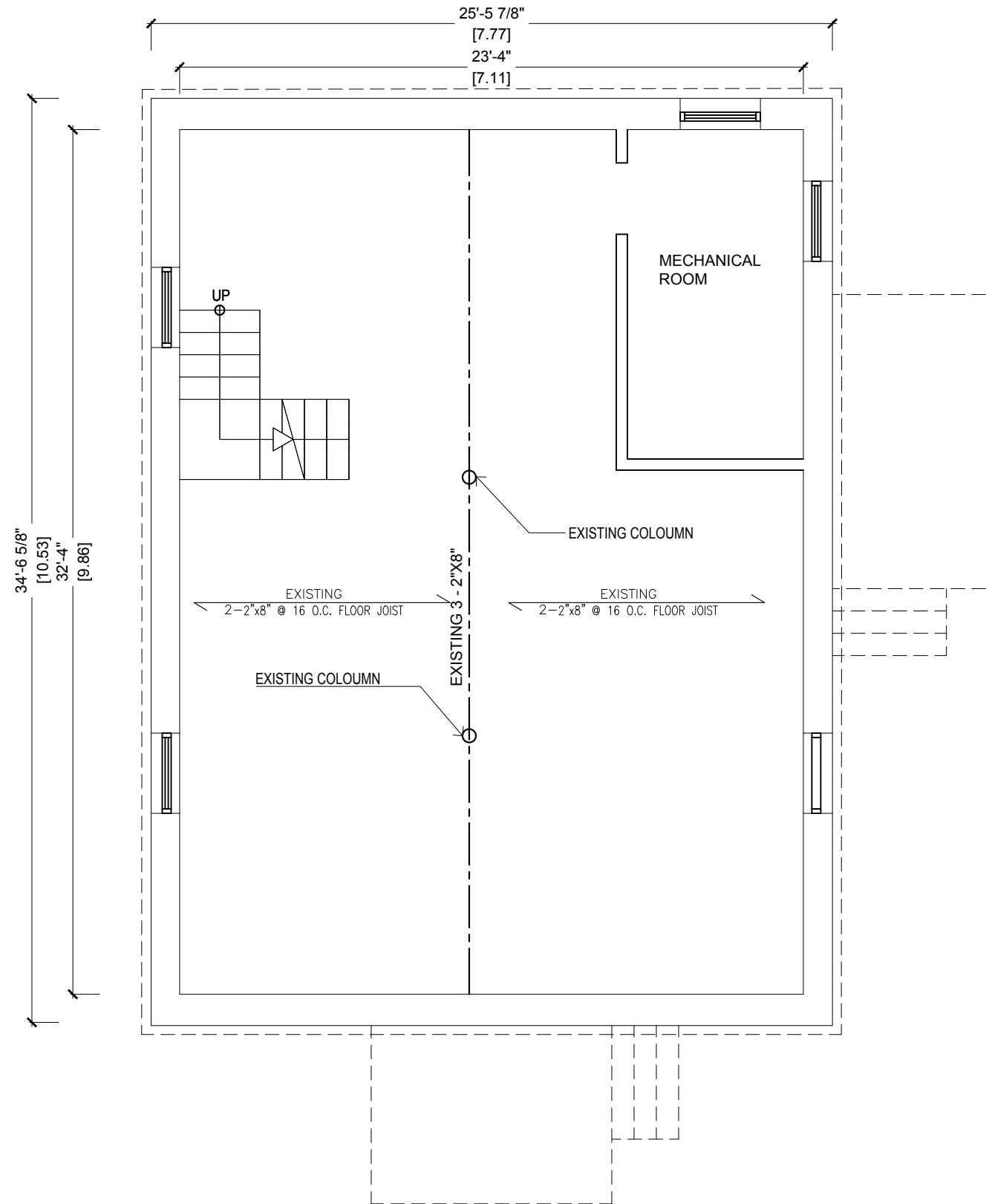
Table with 3 columns: Item, Description, Dimensions. Includes items 1 through 5A for various door types and sizes.

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO G.P.F. DESIGN SERVICES BEFORE PROCEEDING WITH THE WORK. ALL DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF G.P.F. AND THE PROPERTY OF G.P.F. DESIGN SERVICES WHICH MUST BE RETURNED AT THE COMPLETION OF THE WORK. ALL DRAWINGS TO BE USED FOR CONSTRUCTION ONLY AFTER BUILDING PERMIT HAS BEEN ISSUED.

THE LATEST VERSION OF THE BUILDING CODE OVERRULES WHERE DISCREPANCY FOUND BETWEEN GENERAL NOTES AND BUILDING CODE.

SHORE & BRACE WHERE NECESSARY TO ENSURE THE SAFETY & STABILITY OF THE EXISTING STRUCTURE DURING CONSTRUCTION. SHORING TO BE DESIGNED & INSPECTED BY A PROFESSIONAL ENGINEER PRIOR TO INSTALLATION.

DURING EXCAVATION SHORING SHALL BE REQUIRED IF THE EXCAVATION DOES NOT COMPLY WITH HEALTH AND SAFETY. SHORING TO



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

GPF Design Services Inc.  
 2572 Eglinton Avenue West  
 Toronto, ON M6M 1T4  
 Tel. 416-656-0134  
 B.C.I.N 28087

No.	Description	Date	By
8.			
7.			
6.			
5.			
4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

REVISIONS

CLIENT:

PROJECT:

24 PEEL ST.  
 HAMILTON, ON.

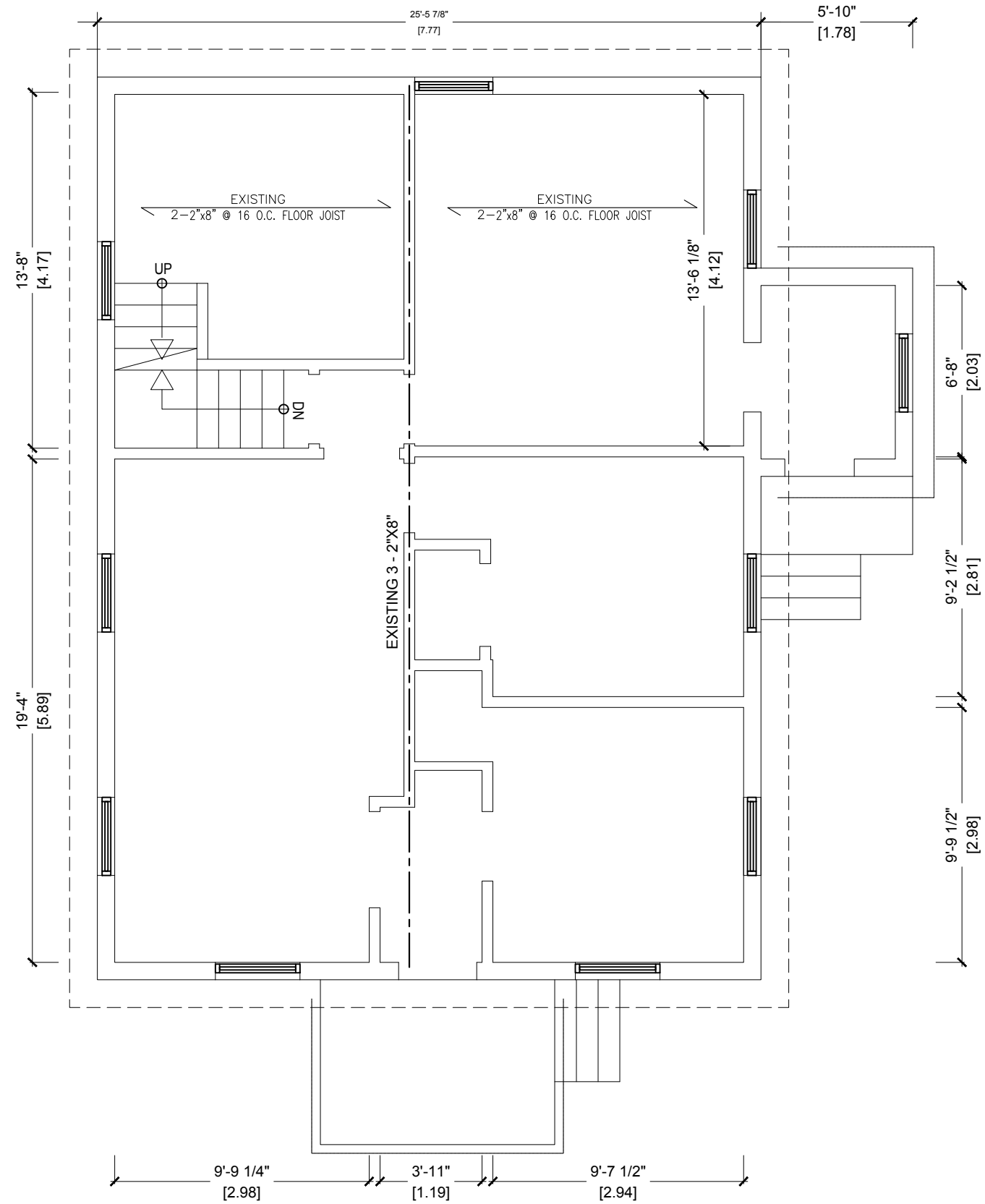
SHEET TITLE:

EXISTING BASEMENT FLOOR

SCALE:

3/16" = 1'-0"

A1.1



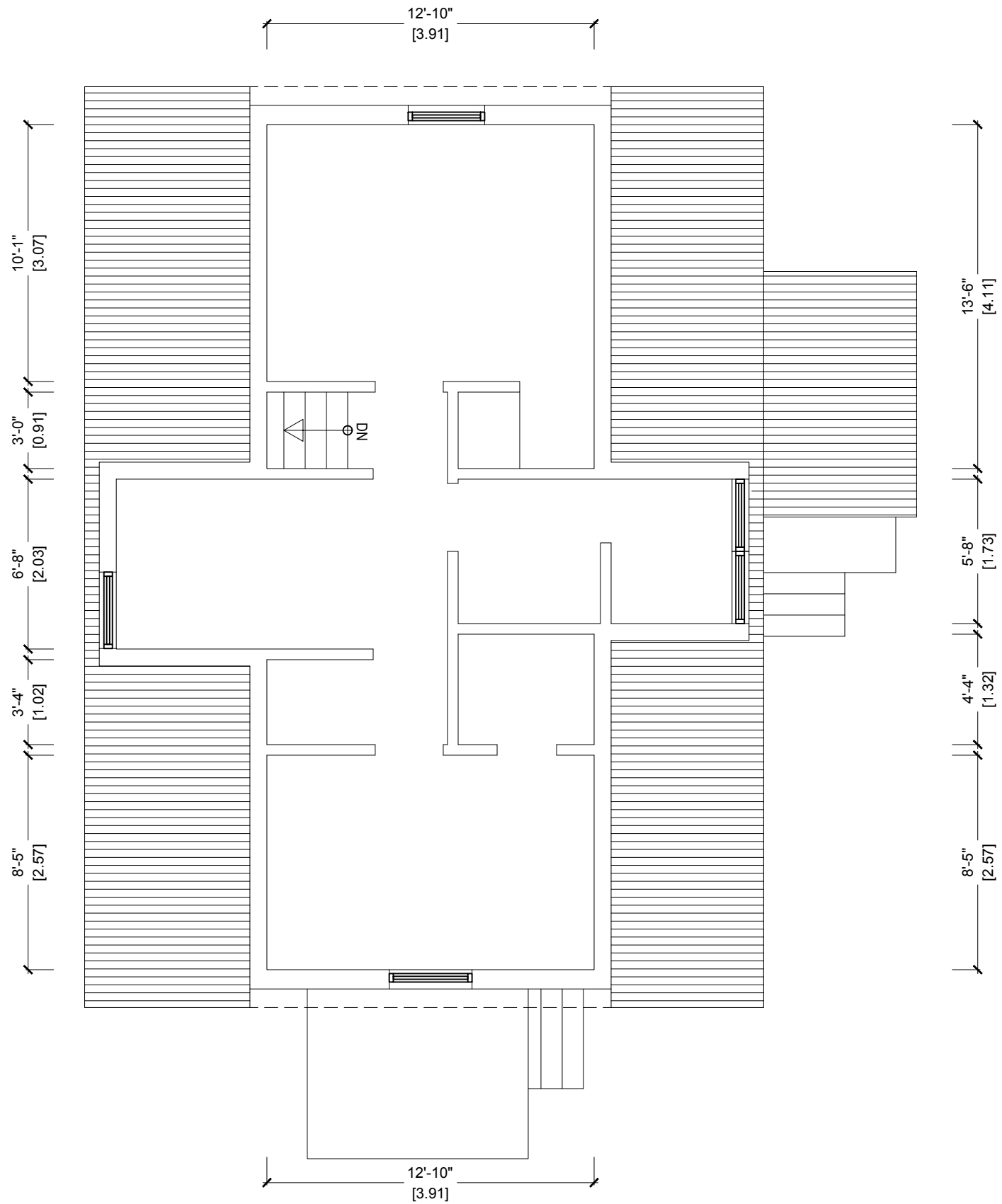
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3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**EXISTING FIRST FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.2**



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

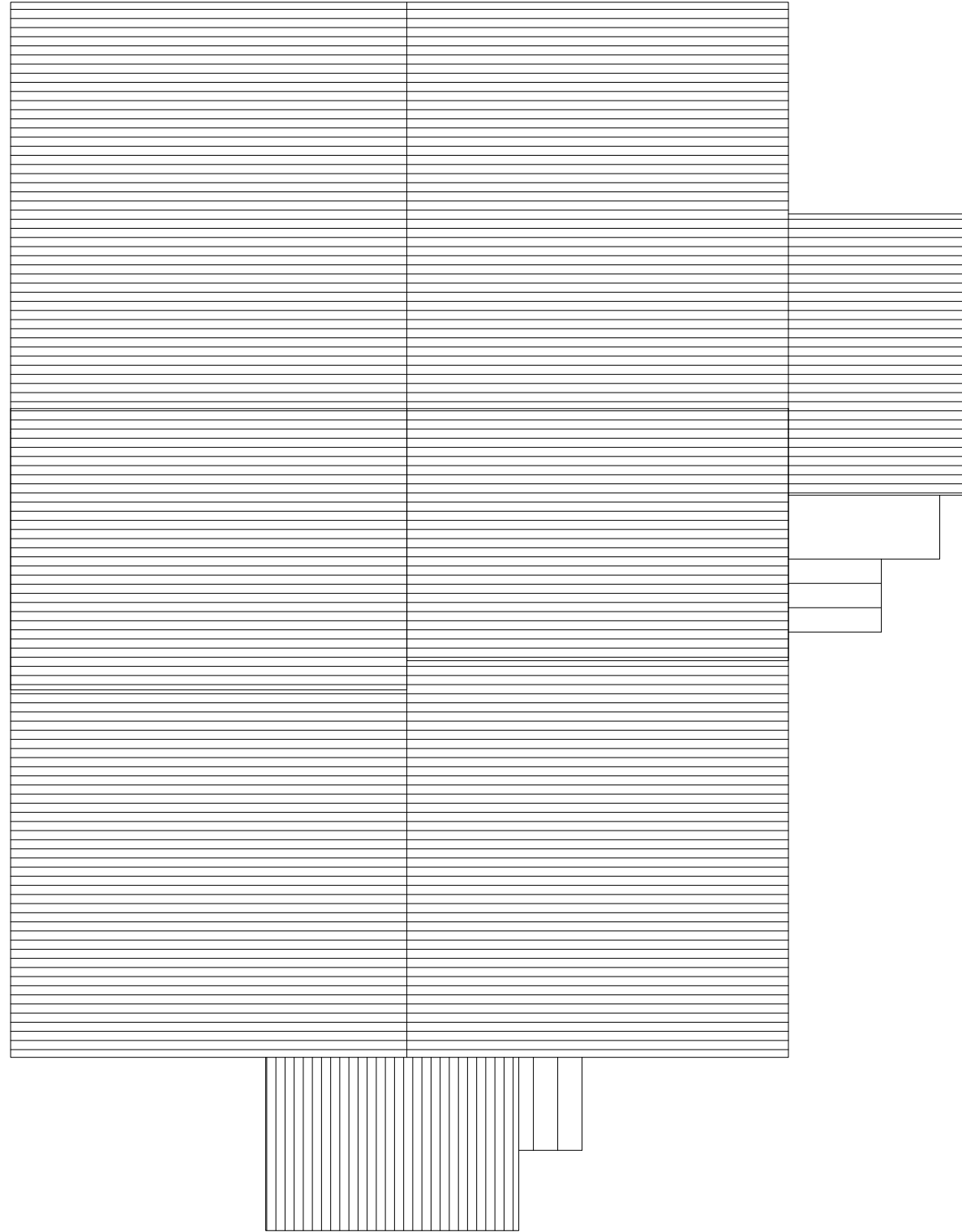
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4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**EXISTING SECOND FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.3**





NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

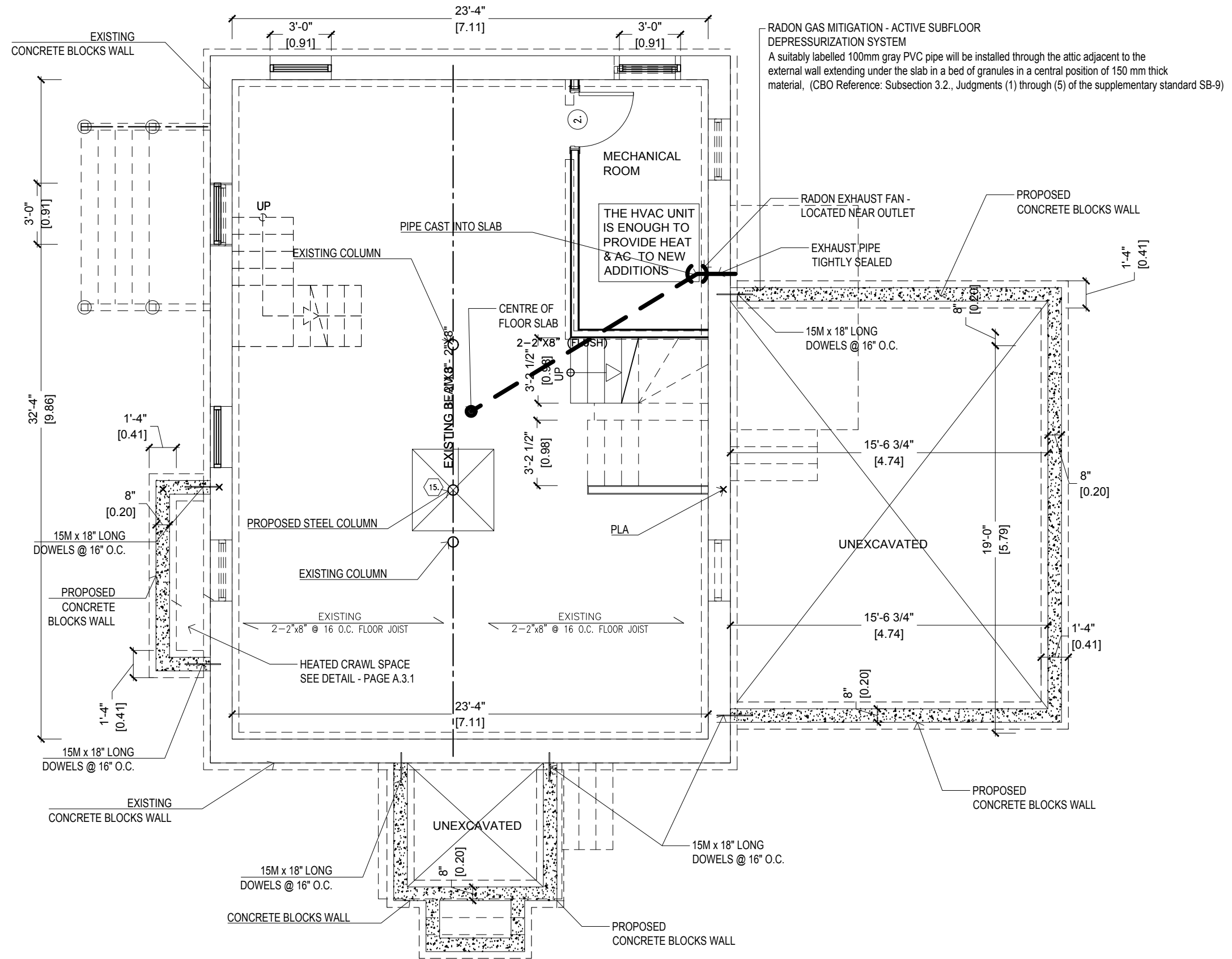
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No.	Description	Date	By
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5.			
4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

REVISIONS

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**EXISTING ROOF FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.4**



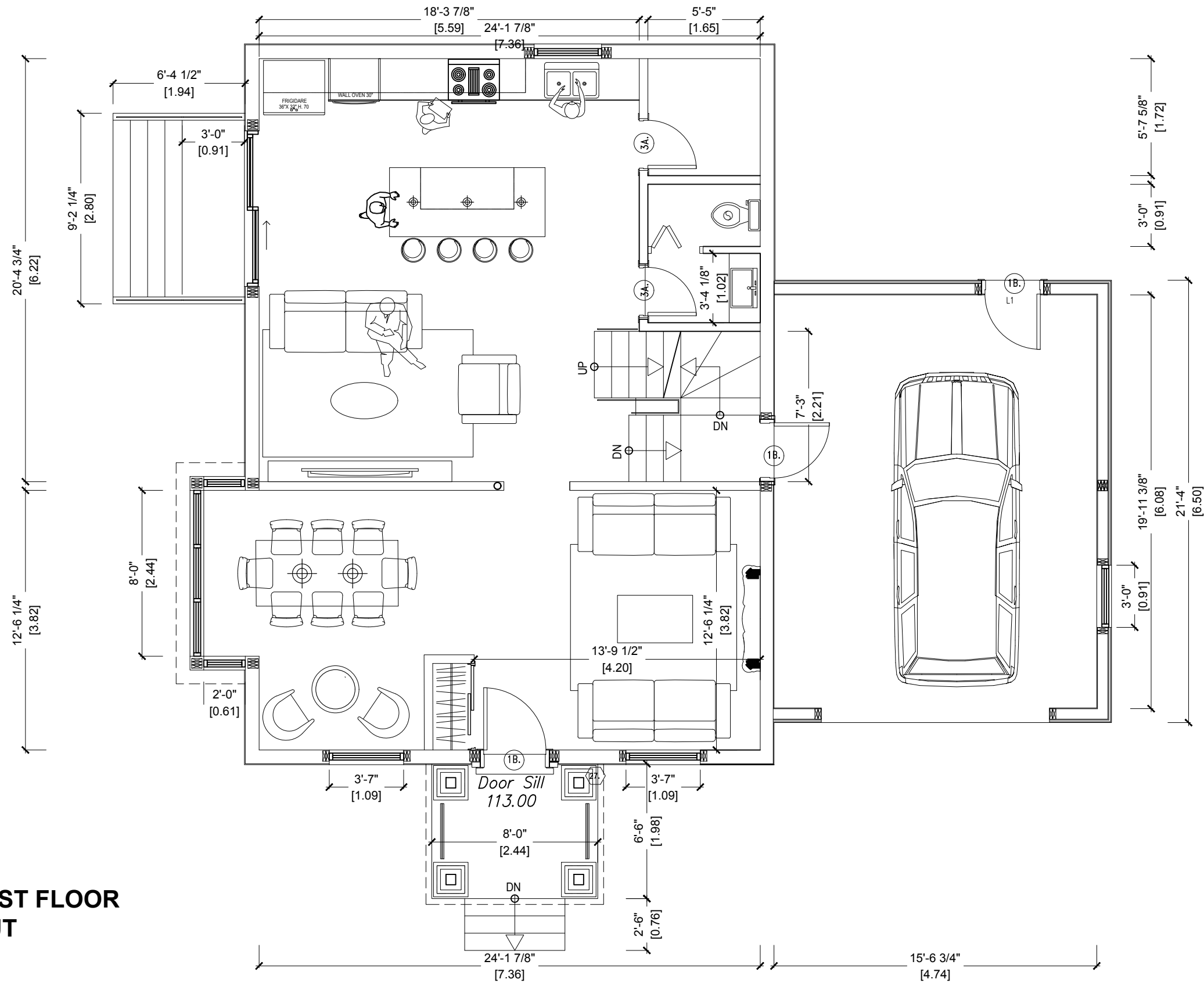
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No.	Description	Date	By
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6.			
5.			
4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROPOSED BASEMENT FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.5**



**PROPOSED FIRST FLOOR LAYOUT**

NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

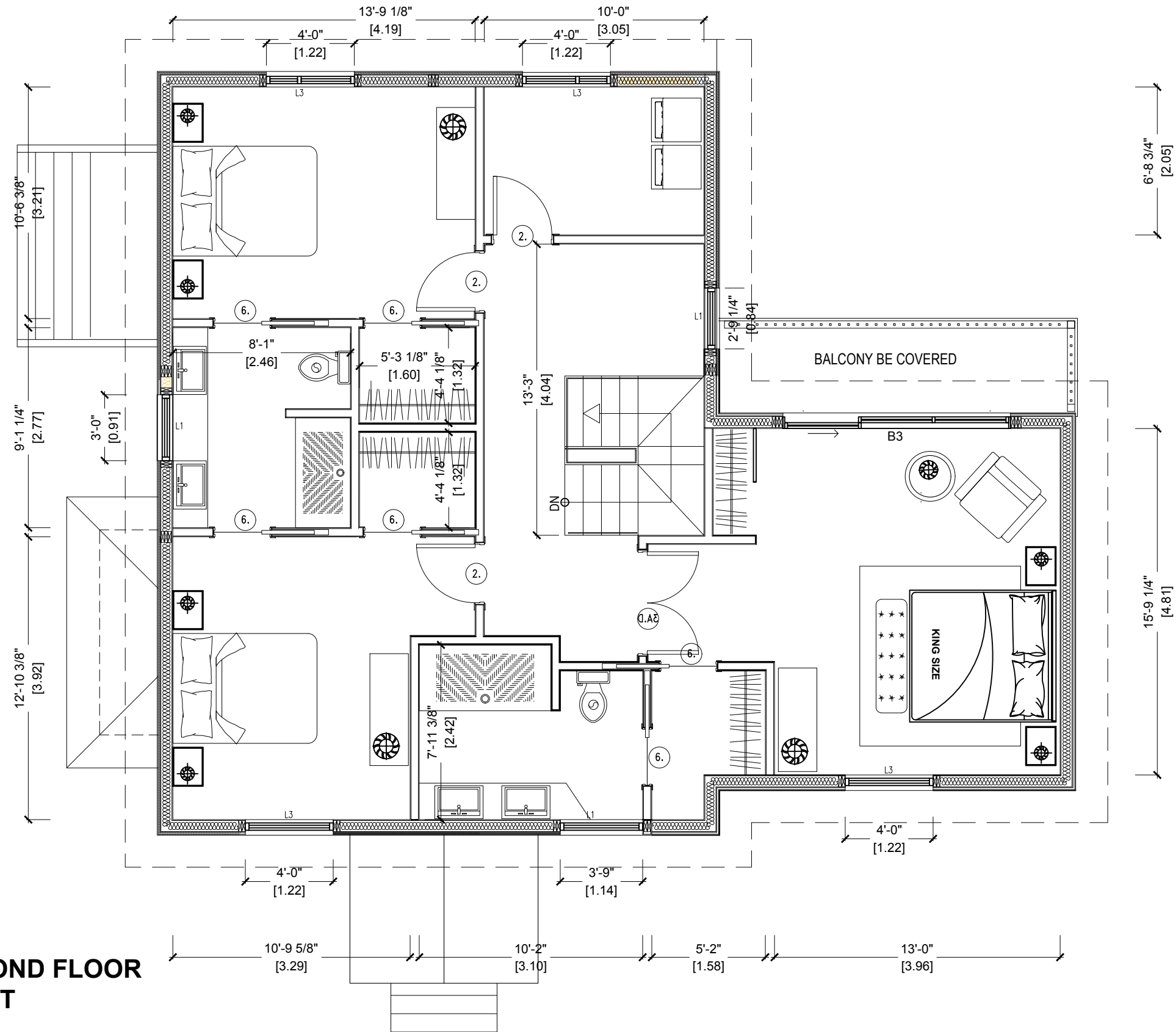
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3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROPOSED FIRST FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.6**





**PROPOSED SECOND FLOOR LAYOUT**

NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

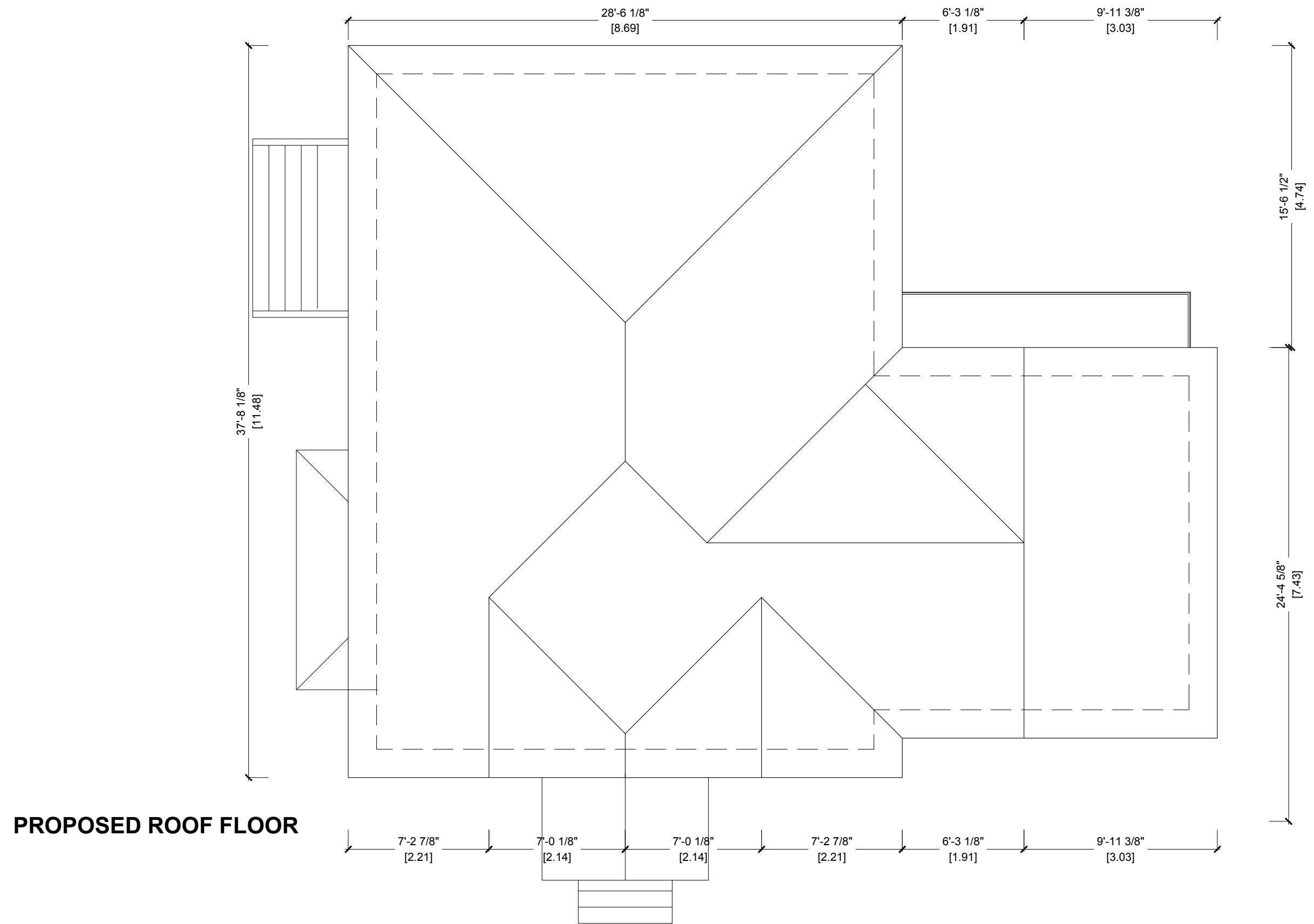
GPF Design Services Inc.  
 2572 Eglinton Avenue West  
 Toronto, ON M6M 1T4  
 Tel. 416-656-0134  
 B.C.I.N 28087

No.	Description	Date	By
8.			
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4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROPOSED SECOND FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.7**





**PROPOSED ROOF FLOOR**



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

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2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROPOSED ROOF FLOOR**  
 SCALE:  
**3/16" = 1'-0"**  
**A1.08**



**EXISTING EAST ELEVATION**



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

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1.	Issued for Permit	21.12.01	FM

REVISIONS

CLIENT:

PROJECT:

24 PEEL ST.  
 HAMILTON, ON.

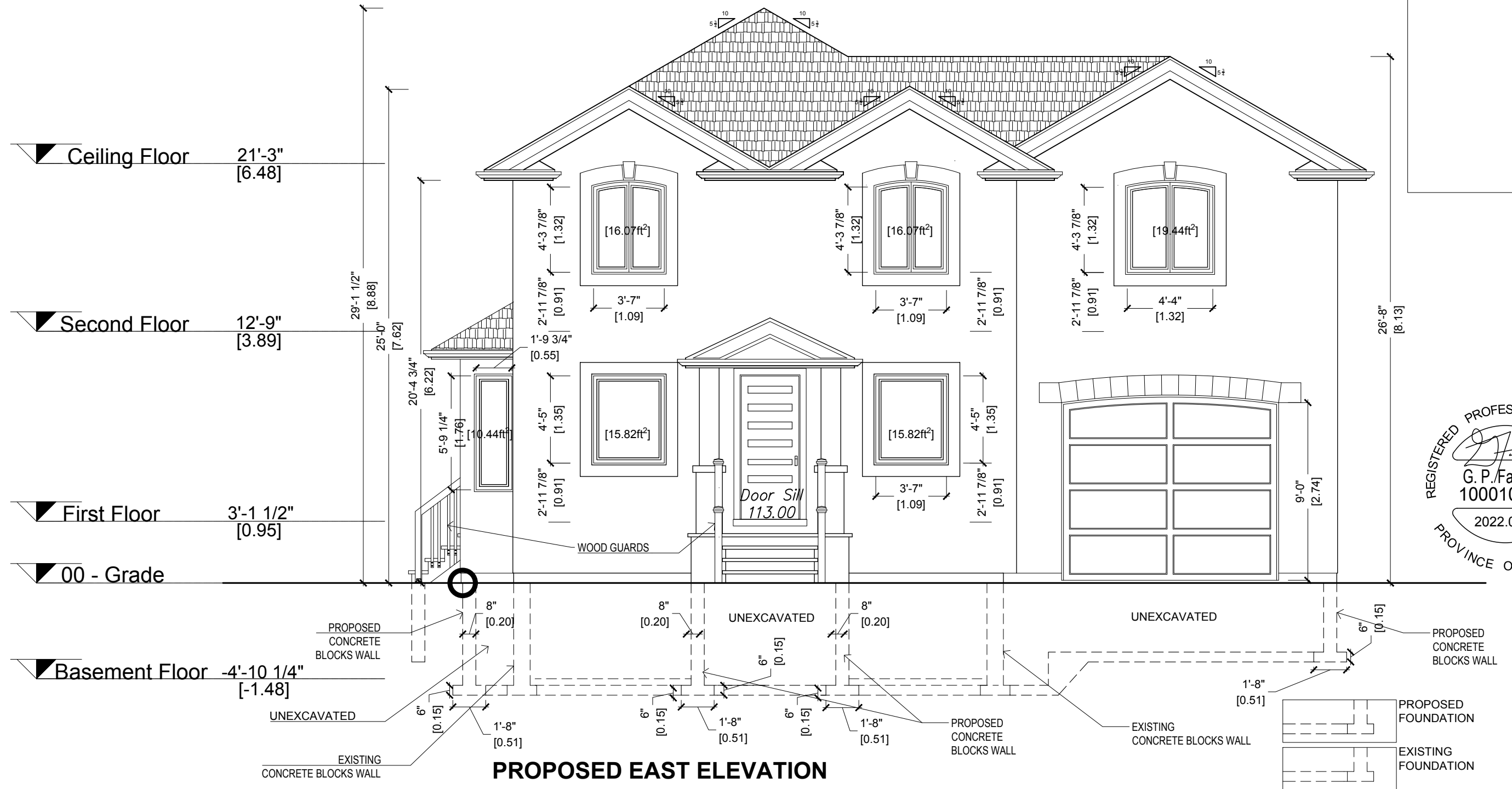
SHEET TITLE:

**EXISTING EAST ELEVATION**

SCALE:

3/16" = 1'-0"

**A2.1**



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

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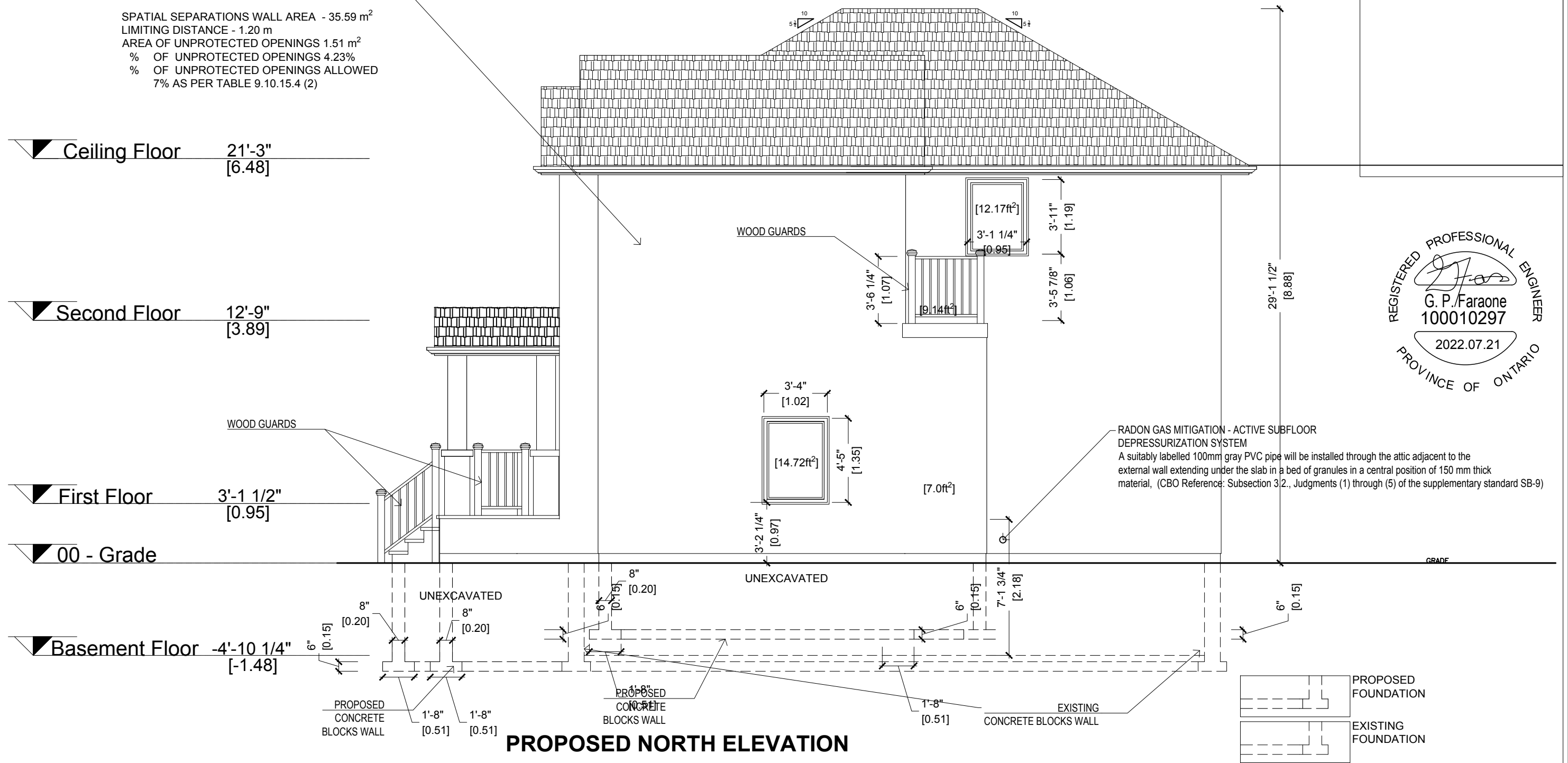
CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROP. EAST ELEVATION**  
 SCALE:  
**3/16" = 1'-0"**

**A2.02**

**SPATIAL SEPARATIONS CALCULATIONS FOR NORTH ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 35.59 m<sup>2</sup>  
 LIMITING DISTANCE - 1.20 m  
 AREA OF UNPROTECTED OPENINGS 1.51 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 4.23%  
 % OF UNPROTECTED OPENINGS ALLOWED 7% AS PER TABLE 9.10.15.4 (2)



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

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1.	Issued for Permit	21.12.01	FM

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROP. NORTH ELEVATION**  
 SCALE:  
**1/8" = 1'-0"**  
**A2.03**



**SPATIAL SEPARATIONS CALCULATIONS FOR WEST ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 11.80 m<sup>2</sup>  
 LIMITING DISTANCE - 8.84 m  
 AREA OF UNPROTECTED OPENINGS 6.22 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 56.94%  
 % OF UNPROTECTED OPENINGS ALLOWED  
 - % AS PER TABLE 9.10.15.4 (2)

**SPATIAL SEPARATIONS CALCULATIONS FOR WEST ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 48.30 m<sup>2</sup>  
 LIMITING DISTANCE - 2.72 m  
 AREA OF UNPROTECTED OPENINGS 6.02 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 12.47%  
 % OF UNPROTECTED OPENINGS ALLOWED  
 16% AS PER TABLE 9.10.15.4 (2)

**Ceiling Floor** 21'-3" [6.48]

**Second Floor** 12'-9" [3.89]

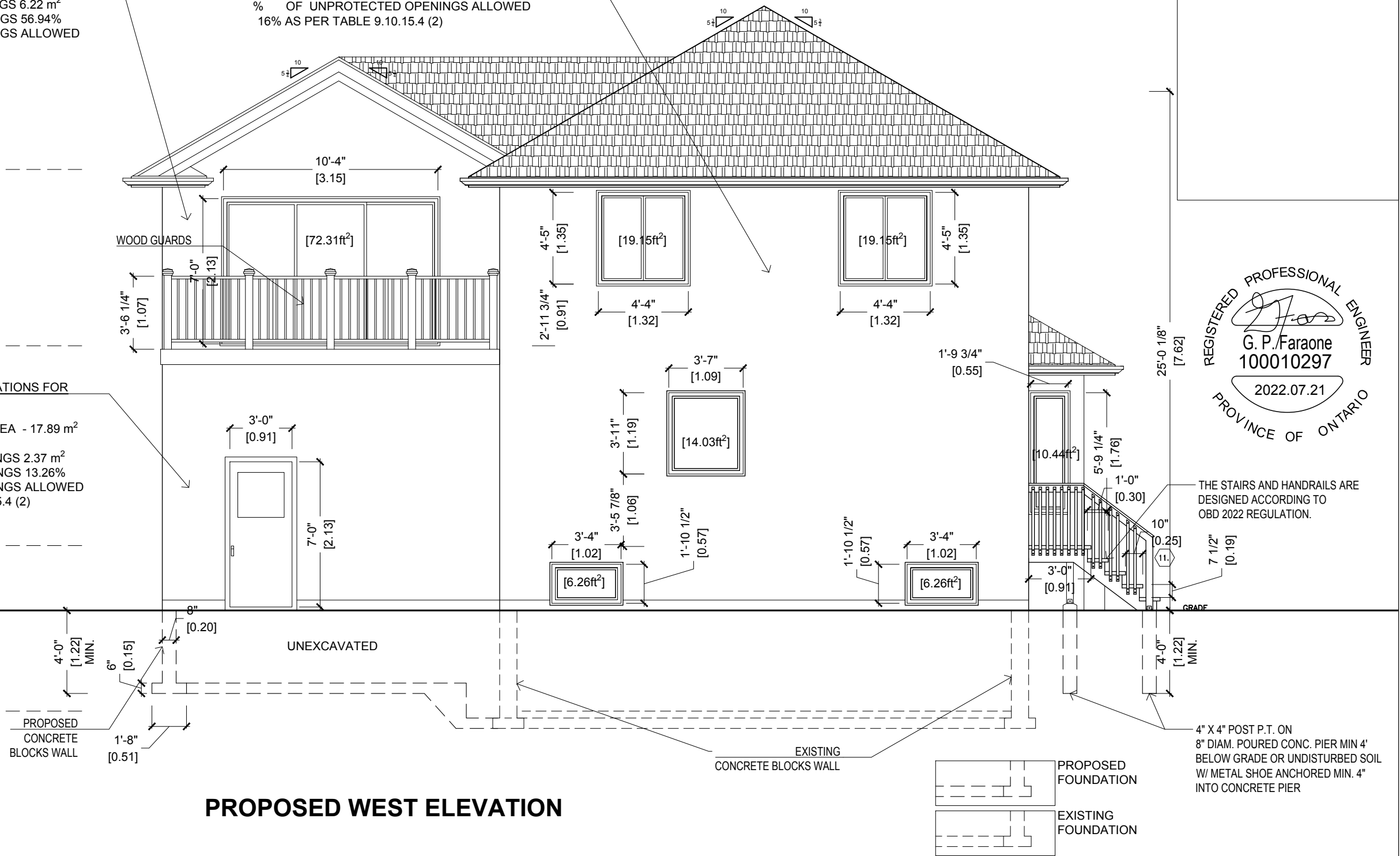
**SPATIAL SEPARATIONS CALCULATIONS FOR WEST ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 17.89 m<sup>2</sup>  
 LIMITING DISTANCE - 7.57 m  
 AREA OF UNPROTECTED OPENINGS 2.37 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 13.26%  
 % OF UNPROTECTED OPENINGS ALLOWED  
 100% AS PER TABLE 9.10.15.4 (2)

**First Floor** 3'-1 1/2" [0.95]

**00 - Grade**

**Basement Floor** -4'-10 1/4" [-1.48]



**PROPOSED WEST ELEVATION**

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1.	Issued for Permit	21.12.01	FM

CLIENT:

PROJECT:

24 PEEL ST.  
 HAMILTON, ON.

SHEET TITLE:

**PROP. WEST ELEVATION**

SCALE:

3/16" = 1'-0"

**A2.04**

**SPATIAL SEPARATIONS CALCULATIONS FOR SOUTH ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 55.54 m<sup>2</sup>  
 LIMITING DISTANCE - 4.11 m  
 AREA OF UNPROTECTED OPENINGS 7.13 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 12.84%  
 % OF UNPROTECTED OPENINGS ALLOWED 23% AS PER TABLE 9.10.15.4 (2)

▲ Ceiling Floor 21'-3" [6.48]

▲ Second Floor 12'-9" [3.89]

▲ First Floor 3'-1 1/2" [0.95]

▲ 00 - Grade

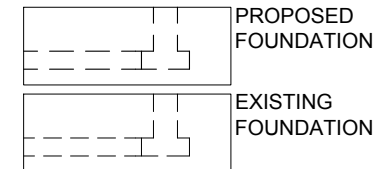
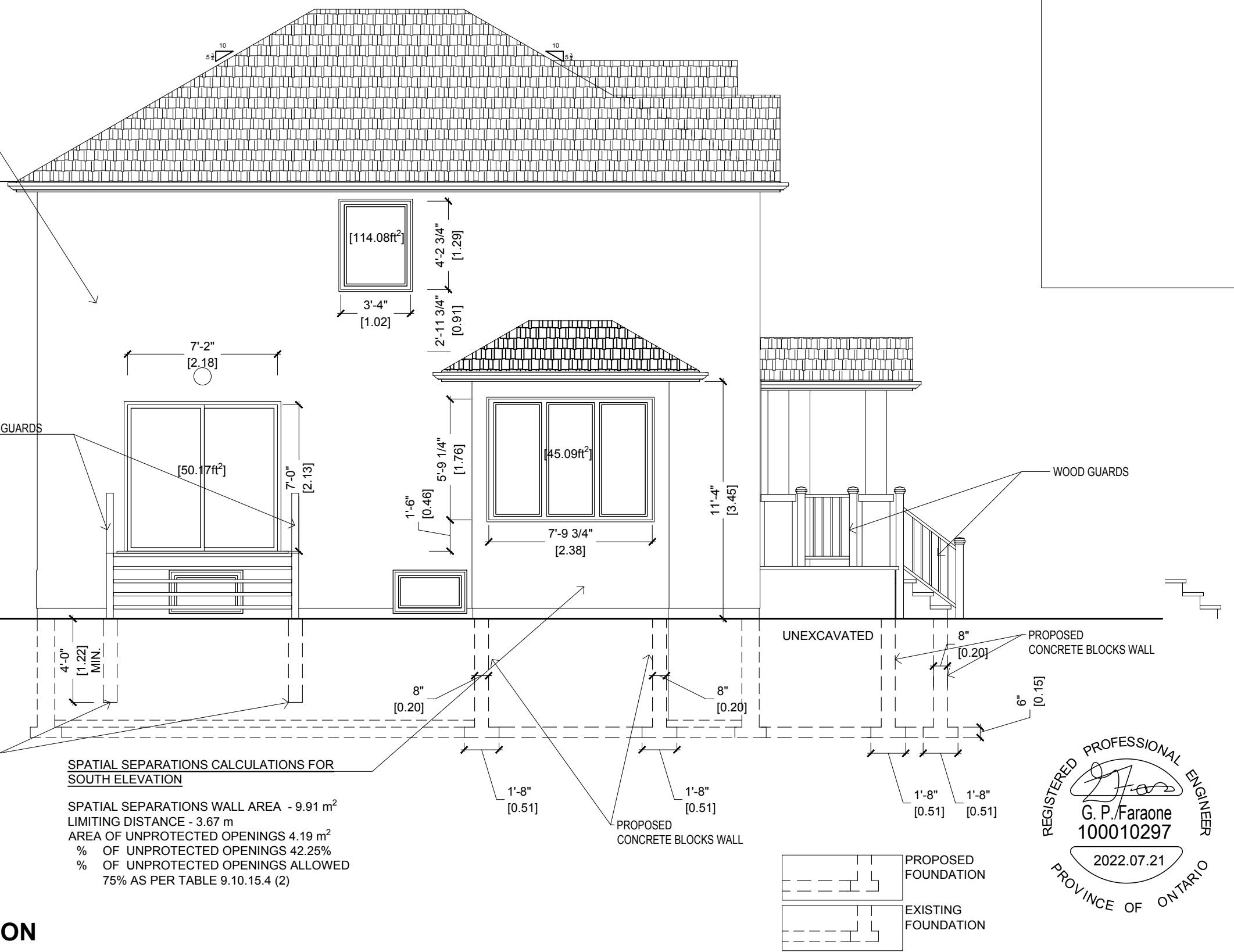
▲ Basement Floor -4'-10 1/4" [-1.48]

4" X 4" POST P.T. ON  
 8" DIAM. POURED CONC. PIER MIN 4'  
 BELOW GRADE OR UNDISTURBED SOIL  
 W/ METAL SHOE ANCHORED MIN. 4"  
 INTO CONCRETE PIER

**SPATIAL SEPARATIONS CALCULATIONS FOR SOUTH ELEVATION**

SPATIAL SEPARATIONS WALL AREA - 9.91 m<sup>2</sup>  
 LIMITING DISTANCE - 3.67 m  
 AREA OF UNPROTECTED OPENINGS 4.19 m<sup>2</sup>  
 % OF UNPROTECTED OPENINGS 42.25%  
 % OF UNPROTECTED OPENINGS ALLOWED 75% AS PER TABLE 9.10.15.4 (2)

**PROPOSED SOUTH ELEVATION**



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CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROP. SOUTH Elevation**  
 SCALE:  
**3/16" = 1'-0"**  
**A2.05**

THIN BRICK VENEER ATTACHED WITH BOND COAT. LAYER R5 (RSI 0.88) RIGID INSULATION, EXTERIOR GRADE SHEATHING ON 2"x6" (38x140) SPRUCE STUDS @ 16" (400) O.C., R19 (RSI 3.52) MINIMUM BATT. INSULATION IN CONTINUOUS CONTACT W/ SHEATHING & CONTINUOUS VAPOUR BARRIER, APPROVED 6 MIL POLYETHYLENE AIR/VAPOUR BARRIER, ON 1/2" (12.7) GYPSUM WALLBOARD INT. FINISH. WALL ASSEMBLY R22 (RSI 3.8) (GYPSUM SHEATHING, RIGID INSULATION, AND FIBREBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING.

WOOD SILL PLATE FASTENED TO FOUNDATION WALL W/ MINIMUM 1/2" DIAMETER ANCHOR BOLTS EMBEDDED MIN. 4" IN CONCRETE @ 7'-10" O.C. MAX. & PROVIDE CAULKING OR GASKET BETWEEN PLATE & FOUNDATION WALL

TOP BLOCK COURSE FILLED W/ MORTAR OR CONCRETE

SLOPE GRADE AWAY FROM BUILDING FACE

BITUMINOUS DAMPPROOFING ON MINIMUM 1/4" PARGING ON CONCRETE BLOCK FDN. WALL R8 RIGID INSULATION MIN. 24" BELOW EXTERIOR GRADE PROTECT INSULATION W/ INTERIOR FINISH

16"x6" DEEP POURED CONC. FTG. (TYPICAL) FOOTING TO BEAR ON UNDISTURBED SOIL

4" DIA. WEEPING TILE W/ 6" CRUSHED STONE COVER

FLOOR FINISH  
5/8" T&G PLYWOOD SUBFLOOR OR APPROVED EQUAL ON WOOD FLOOR JOISTS BRIDGED W/ CONTINUOUS 1"x3" STRAPPING OR 2"x2" CROSS BRIDGING OR SOLID BLOCKING @ 6'-11" O.C.

ACOUSTIC SEALANT

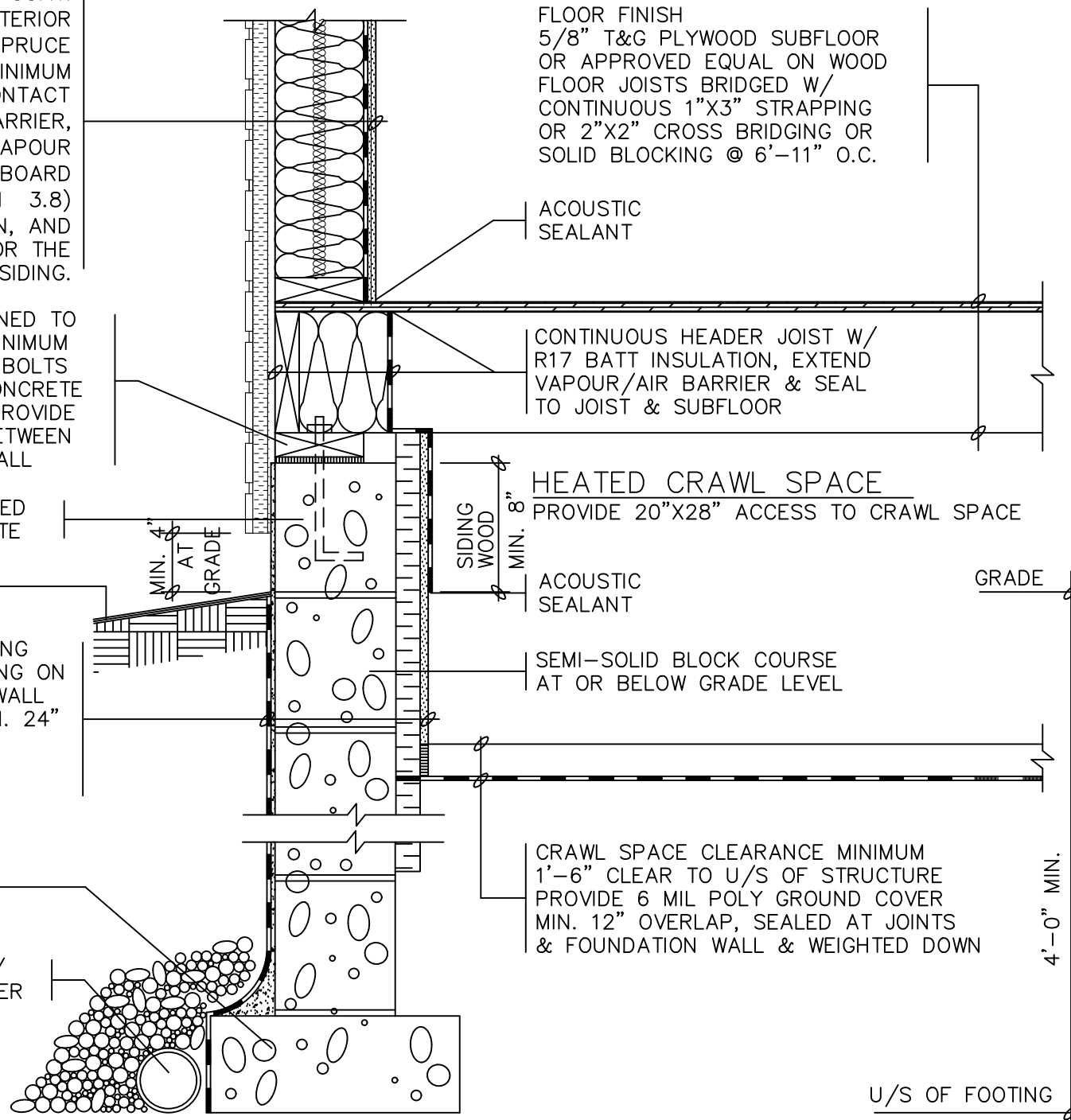
CONTINUOUS HEADER JOIST W/ R17 BATT INSULATION, EXTEND VAPOUR/AIR BARRIER & SEAL TO JOIST & SUBFLOOR

HEATED CRAWL SPACE  
PROVIDE 20"x28" ACCESS TO CRAWL SPACE

ACOUSTIC SEALANT

SEMI-SOLID BLOCK COURSE AT OR BELOW GRADE LEVEL

CRAWL SPACE CLEARANCE MINIMUM 1'-6" CLEAR TO U/S OF STRUCTURE PROVIDE 6 MIL POLY GROUND COVER MIN. 12" OVERLAP, SEALED AT JOINTS & FOUNDATION WALL & WEIGHTED DOWN



## FRAME WALL DETAILS



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REVISIONS

CLIENT:

PROJECT:

24 PEEL ST.  
HAMILTON, ON.

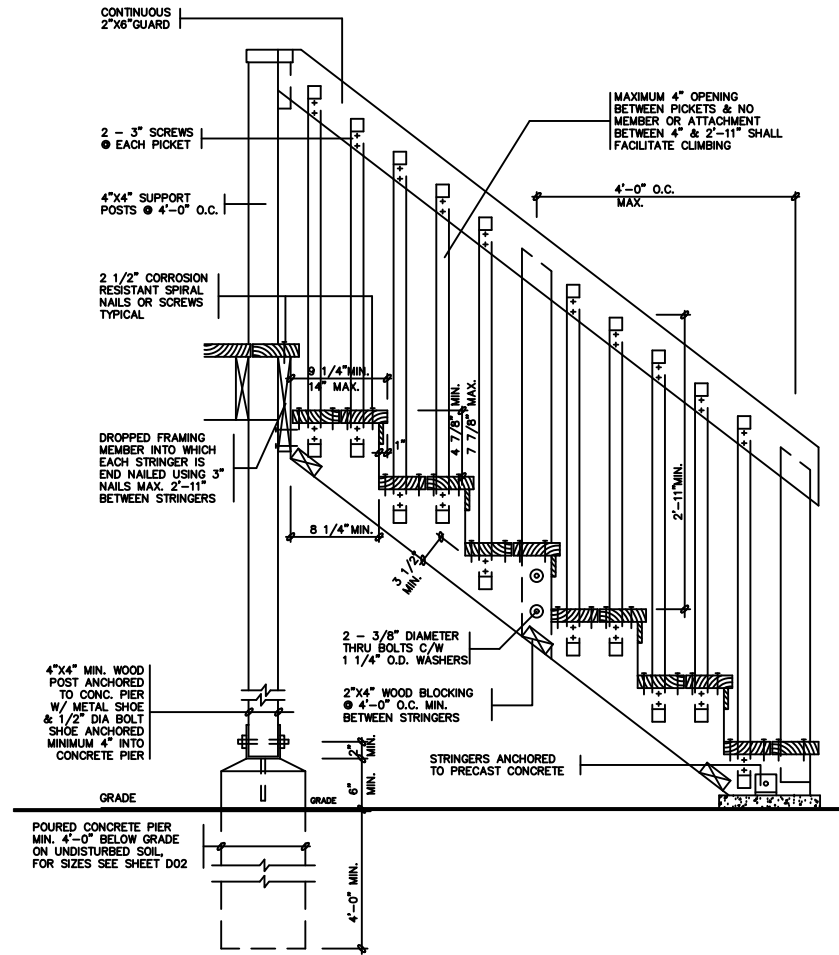
SHEET TITLE:

DETAILS

SCALE:

NTS

A3.1



**GENERAL NOTES**

1. SITE PLAN OR SURVEY IS REQUIRED SHOWING ALL LOT LINES & DIMENSIONS SIZE & LOCATION OF ALL EXISTING BUILDINGS, LOCATION & SIZE OF DECK
2. LUMBER NO. 2 SPF OR BETTER, WOOD POSTS MIN. 4"x4" (SOLID) USE CORROSION RESISTANT SPIRAL NAILS OR SCREWS.
3. DECK IS NOT PERMITTED TO BE SUPPORTED ON BRICK VENEER
4. CONCRETE PIERS SHALL BEAR ON UNDISTURBED SOIL. THE BEARING CAPACITY OF THE SOIL SHALL BE DETERMINED PRIOR TO CONSTRUCTION
5. PROVIDE A HANDRAIL 31"-38" HIGH ON STAIRS IF MORE THAN THREE RISERS, PROVIDE A GUARD ON BOTH SIDES IN ACCORDANCE W/ THE DETAIL ABOVE WHERE THE STAIR EXCEEDS 6 RISERS.

JOIST SPAN	PIER SIZE				BEAM SIZE				JOIST SIZE
	PIER SPACING				PIER SPACING				
1500 PSF	6'	8'	10'	12'	4'	6'	8'	10'	2"x6"
	8'	10'	12'	14'	2/2"x6"	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"
	10'	12'	14'	16'	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"	2"x8"
2500 PSF	6'	8'	10'	12'	4'	6'	8'	10'	2"x6"
	8'	10'	12'	14'	2/2"x6"	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"
	10'	12'	14'	16'	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"	2"x10"
4000 PSF	6'	8'	10'	12'	4'	6'	8'	10'	2"x6"
	8'	10'	12'	14'	2/2"x6"	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"
	10'	12'	14'	16'	2/2"x8"	2/2"x10"	2/2"x12"	2"x8"	2"x10"



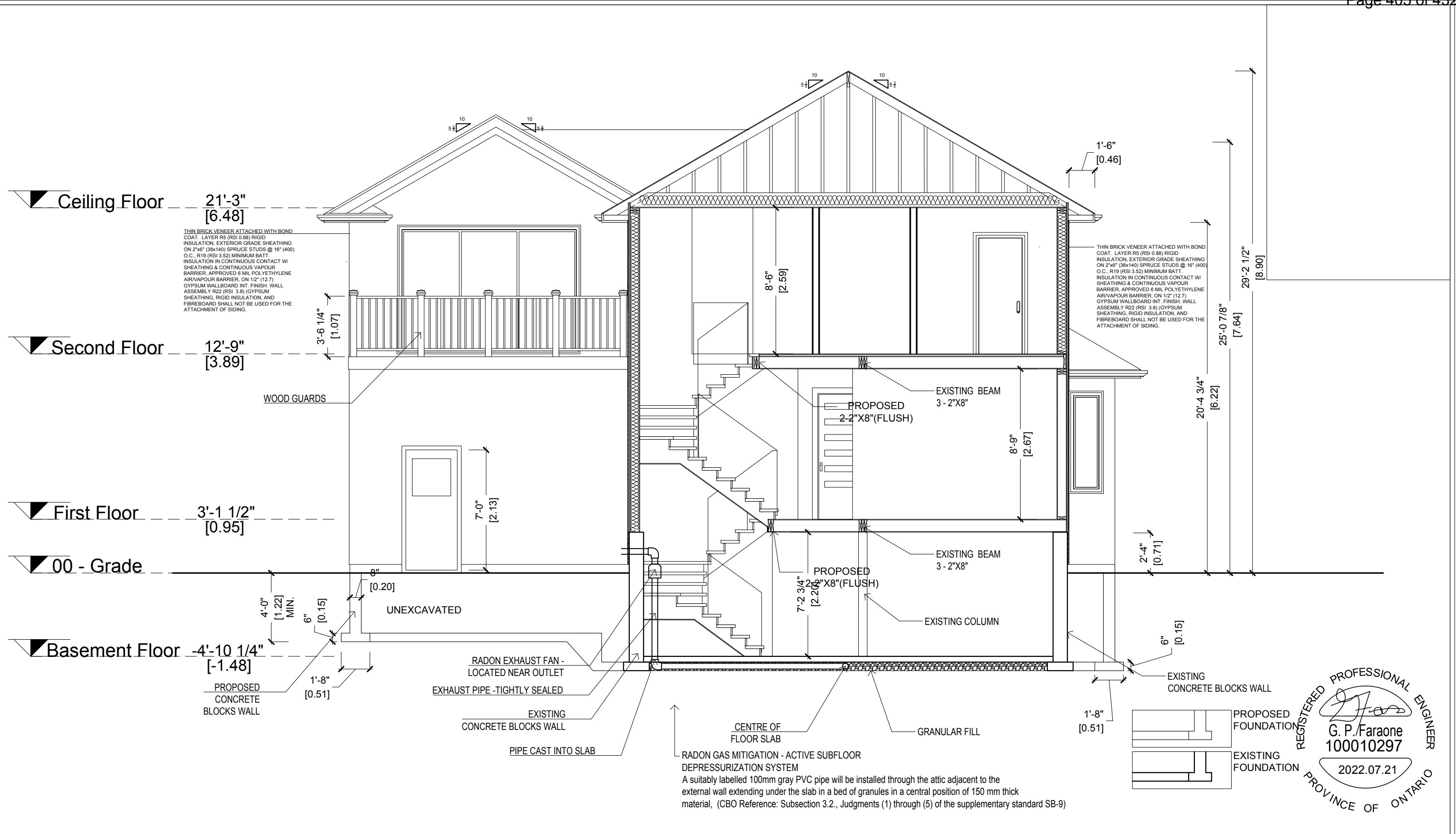
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CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**DETAILS**  
 SCALE:  
**NTS**  
**A3.2**



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CLIENT:

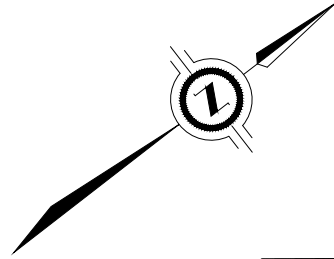
PROJECT: 24 PEEL ST. HAMILTON, ON.

SHEET TITLE: PROPOSED SECTION CUT

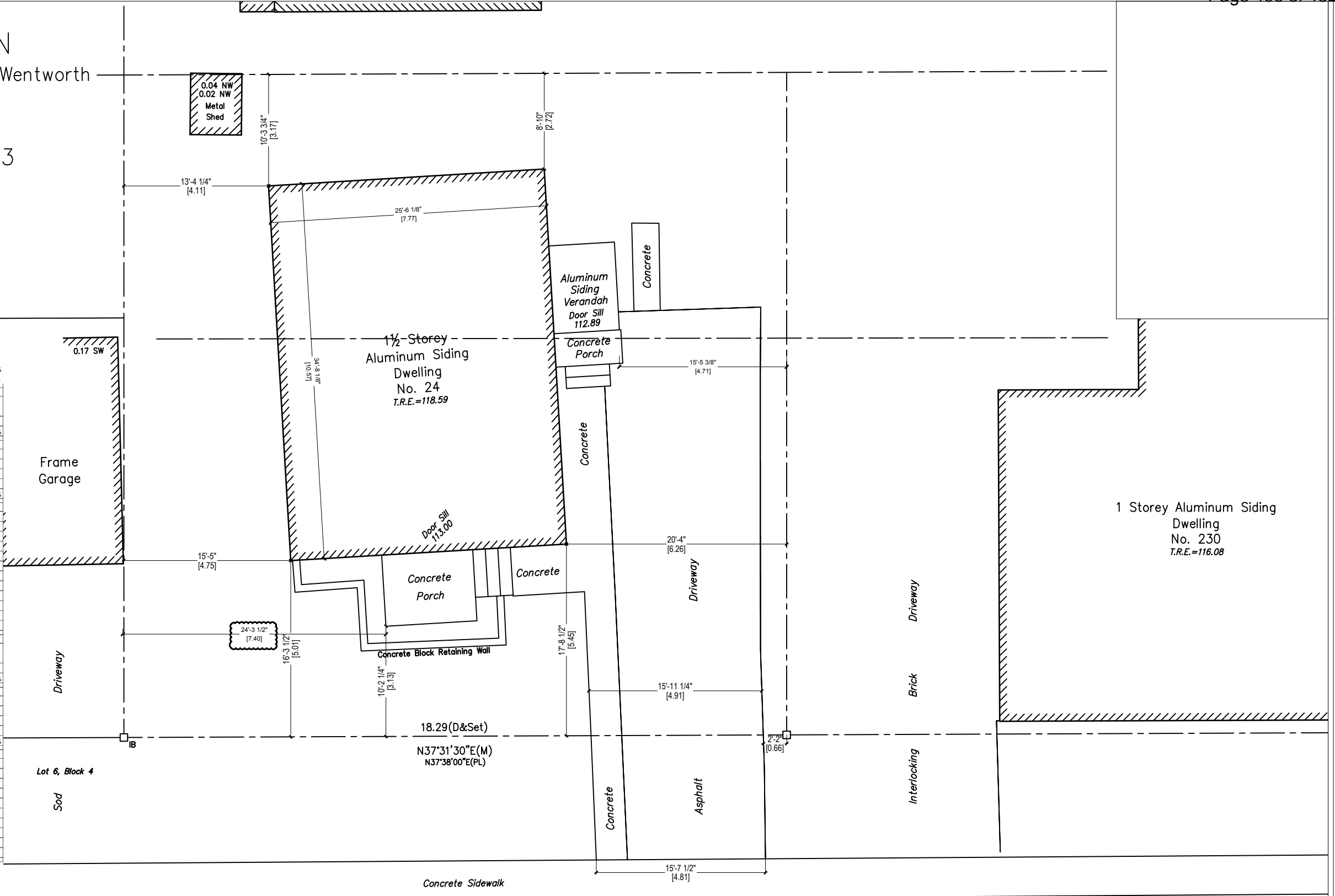
SCALE: 3/16" = 1'-0"

**A4.1**

CITY of HAMILTON  
 Regional Municipality of Hamilton-Wentworth  
 Part of LOT 6  
 BLOCK 4  
 REGISTERED PLAN 1443



INDEXES		TOTAL ft <sup>2</sup>	TOTAL m <sup>2</sup>	
LOT AREA		3747.00	348.11	
EXISTING GFA		1480.75	137.57	39.52 %
PROPOSED GFA		2080.31	193.27	55.52 %
<b>EXISTING LOT COVERAGE HOUSE</b>				
FIRST FLOOR	ft <sup>2</sup> 910.5	ft <sup>2</sup> 1480.75	m <sup>2</sup> 137.57	
SECOND FLOOR	ft <sup>2</sup> 570.25			
<b>EXISTING GARAGE</b>				
	ft <sup>2</sup>	0.00	0.00	
<b>COVERAGE (HOUSE+GARAGE)</b>				
	ft <sup>2</sup> 910.50	m <sup>2</sup> 84.59		24.30 %
<b>EXISTING FRONT LANDSCAPING</b>				
FRONT YARD	ft <sup>2</sup> 1049.17	m <sup>2</sup> 97.47		
DRIVEWAY	ft <sup>2</sup> 243.81	m <sup>2</sup> 22.65		
WALKWAY	ft <sup>2</sup> 80.16	m <sup>2</sup> 7.45		
PORCH & STAIRS	ft <sup>2</sup> 70.94	m <sup>2</sup> 6.59		
SOFT LANDSCAPE AREA	ft <sup>2</sup> 654.26	m <sup>2</sup> 60.78		17.46 %
<b>EXISTING SET BACK LANDSCAPING</b>				
TOTAL REAR YARD AREA	ft <sup>2</sup> 565.05	m <sup>2</sup> 52.49		
SOFT LANDSCAPE	ft <sup>2</sup> 538.19	m <sup>2</sup> 50.00		
SHED	ft <sup>2</sup> 26.86	m <sup>2</sup> 2.50		
TOTAL INTERIOR SIDE YARD AREA NORTH	ft <sup>2</sup> 743.74	m <sup>2</sup> 69.10		
SOFT LANDSCAPE	ft <sup>2</sup> 294.24	m <sup>2</sup> 27.34		
PORCH & STAIRS	ft <sup>2</sup> 27.42	m <sup>2</sup> 2.55		
WALKWAY	ft <sup>2</sup> 83.71	m <sup>2</sup> 7.78		
DRIVEWAY	ft <sup>2</sup> 289.14	m <sup>2</sup> 26.86		
ALUMINIUM SIDING VERANDA	ft <sup>2</sup> 49.23	m <sup>2</sup> 4.57		
TOTAL INTERIOR SIDE YARD AREA SOUTH	ft <sup>2</sup> 499.77	m <sup>2</sup> 46.43		
SOFT LANDSCAPE	ft <sup>2</sup> 499.77	m <sup>2</sup> 46.43		
TOTAL SOFT LANDSCAPE	ft <sup>2</sup> 1332.20	m <sup>2</sup> 123.77		
<b>PROPOSED LOT COVERAGE HOUSE</b>				
FIRST FLOOR	m <sup>2</sup> 908.75	ft <sup>2</sup> 2080.31	m <sup>2</sup> 193.27	
SECOND FLOOR	m <sup>2</sup> 1171.56			
<b>PROPOSED GARAGE</b>				
	ft <sup>2</sup> 346.05	m <sup>2</sup> 32.15		
<b>COVERAGE (HOUSE+GARAGE)</b>				
	ft <sup>2</sup> 1254.80	m <sup>2</sup> 116.57		33.49 %
<b>PROPOSED FRONT LANDSCAPING</b>				
FRONT YARD	ft <sup>2</sup> 1096.39	m <sup>2</sup> 101.86		
DRIVEWAY	ft <sup>2</sup> 327.77	m <sup>2</sup> 30.45		
WALKWAY	ft <sup>2</sup> 136.02	m <sup>2</sup> 12.64		
PORCH & STAIRS	ft <sup>2</sup> 64.08	m <sup>2</sup> 5.95		
SOFT LANDSCAPE AREA	ft <sup>2</sup> 568.52	m <sup>2</sup> 52.62		51.85 %
<b>PROPOSED SET BACK LANDSCAPING</b>				
TOTAL REAR YARD AREA	ft <sup>2</sup> 581.76	m <sup>2</sup> 54.05		
SOFT LANDSCAPE	ft <sup>2</sup> 554.90	m <sup>2</sup> 51.55		
SHED	ft <sup>2</sup> 26.86	m <sup>2</sup> 2.50		
TOTAL INTERIOR SIDE YARD AREA NORTH	ft <sup>2</sup> 341.09	m <sup>2</sup> 31.69		
SOFT LANDSCAPE	ft <sup>2</sup> 236.46	m <sup>2</sup> 21.97		
WALKWAY	ft <sup>2</sup> 104.63	m <sup>2</sup> 9.72		
TOTAL INTERIOR SIDE YARD AREA SOUTH	ft <sup>2</sup> 472.49	m <sup>2</sup> 43.90		
SOFT LANDSCAPE	ft <sup>2</sup> 420.79	m <sup>2</sup> 39.09		
STAIRS	ft <sup>2</sup> 51.70	m <sup>2</sup> 4.80		
TOTAL SOFT LANDSCAPE	ft <sup>2</sup> 1212.15	m <sup>2</sup> 112.61		



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

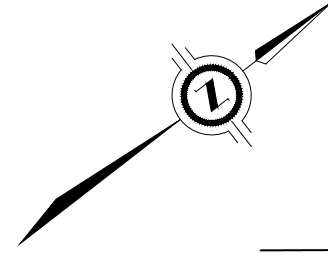
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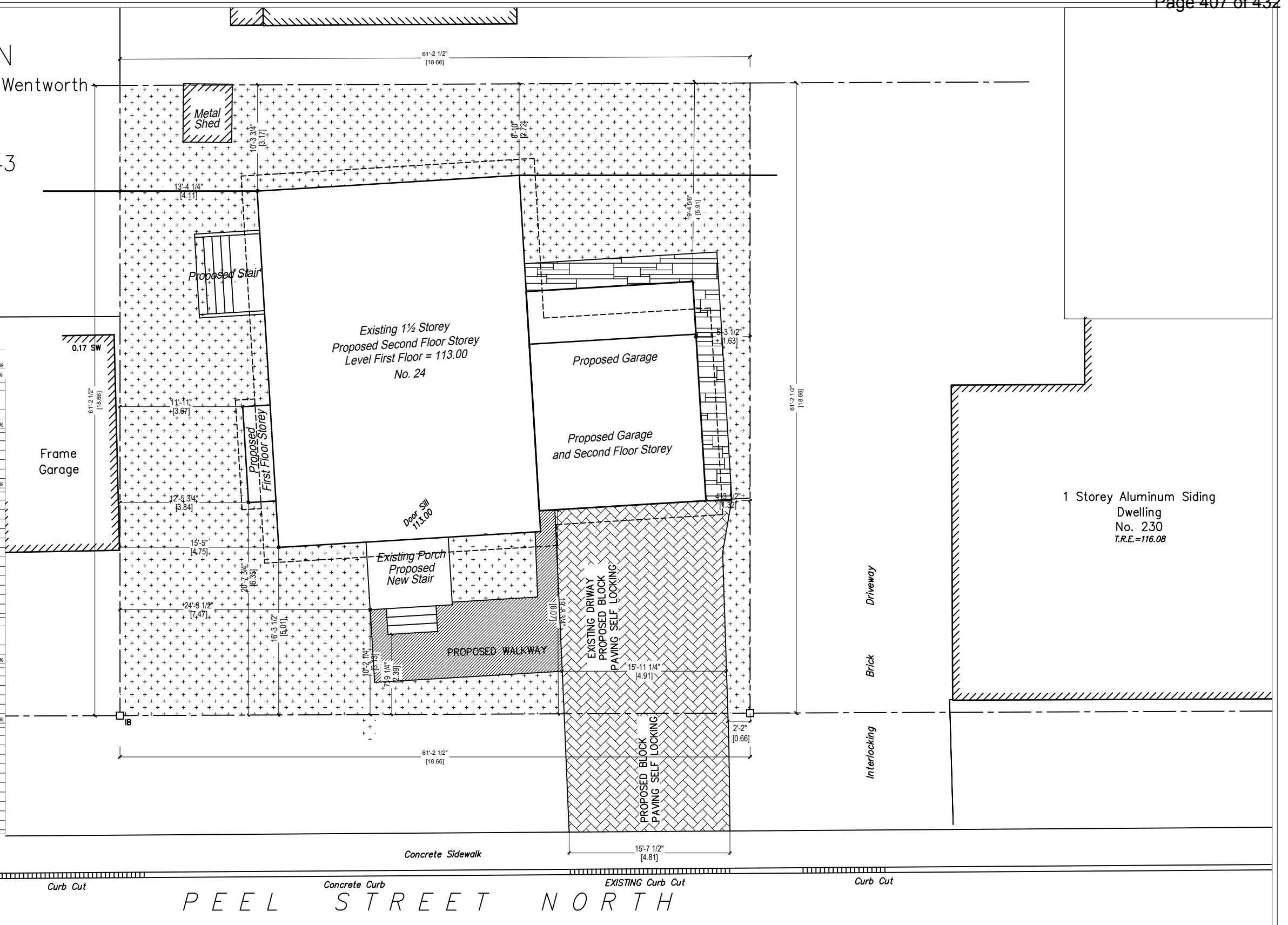
CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**EXISTING SITE PLAN**  
 SCALE:  
 NTS  
**SP1.1**

CITY of HAMILTON  
 Regional Municipality of Hamilton-Wentworth  
 Part of LOT 6  
 BLOCK 4  
 REGISTERED PLAN 1443



INDEXES		TOTAL ft <sup>2</sup>	TOTAL m <sup>2</sup>	
LOT AREA	ft <sup>2</sup>	3747.00	m <sup>2</sup>	348.11
EXISTING GFA	ft <sup>2</sup>	1480.75	m <sup>2</sup>	137.57 39.52 %
PROPOSED GFA	ft <sup>2</sup>	2080.31	m <sup>2</sup>	193.27 55.52 %
<b>EXISTING LOT COVERAGE HOUSE</b>				
FIRST FLOOR	ft <sup>2</sup>	910.5	m <sup>2</sup>	
SECOND FLOOR	ft <sup>2</sup>	570.25	m <sup>2</sup>	
EXISTING GARAGE	ft <sup>2</sup>	0.00	m <sup>2</sup>	0.00
COVERAGE (HOUSE+GARAGE)	ft <sup>2</sup>	910.50	m <sup>2</sup>	84.59 24.30 %
<b>EXISTING FRONT LANDSCAPING</b>				
FRONT YARD	ft <sup>2</sup>	1049.17	m <sup>2</sup>	97.47
DRIVEWAY	ft <sup>2</sup>	243.81	m <sup>2</sup>	22.65
WALKWAY	ft <sup>2</sup>	80.16	m <sup>2</sup>	7.45
PORCH & STAIRS	ft <sup>2</sup>	70.94	m <sup>2</sup>	6.59
SOFT LANDSCAPE AREA	ft <sup>2</sup>	654.26	m <sup>2</sup>	60.78 17.46 %
<b>EXISTING SET BACK LANDSCAPING</b>				
TOTAL REAR YARD AREA	ft <sup>2</sup>	565.05	m <sup>2</sup>	52.49
SOFT LANDSCAPE	ft <sup>2</sup>	538.19	m <sup>2</sup>	50.00
SHED	ft <sup>2</sup>	26.86	m <sup>2</sup>	2.50
TOTAL INTERIOR SIDE YARD AREA NORTH	ft <sup>2</sup>	743.74	m <sup>2</sup>	69.10
SOFT LANDSCAPE	ft <sup>2</sup>	294.24	m <sup>2</sup>	27.34
PORCH & STAIRS	ft <sup>2</sup>	27.42	m <sup>2</sup>	2.55
WALKWAY	ft <sup>2</sup>	83.71	m <sup>2</sup>	7.78
DRIVEWAY	ft <sup>2</sup>	289.14	m <sup>2</sup>	26.86
ALUMINIUM SIDING VERANDA	ft <sup>2</sup>	49.23	m <sup>2</sup>	4.57
TOTAL INTERIOR SIDE YARD AREA SOUTH	ft <sup>2</sup>	499.77	m <sup>2</sup>	46.43
SOFT LANDSCAPE	ft <sup>2</sup>	499.77	m <sup>2</sup>	46.43
TOTAL SOFT LANDSCAPE	ft <sup>2</sup>	1332.20	m <sup>2</sup>	123.77
<b>PROPOSED LOT COVERAGE HOUSE</b>				
FIRST FLOOR	ft <sup>2</sup>	908.75	m <sup>2</sup>	193.27
SECOND FLOOR	ft <sup>2</sup>	1171.56	m <sup>2</sup>	
PROPOSED GARAGE	ft <sup>2</sup>	346.05	m <sup>2</sup>	32.15
COVERAGE (HOUSE+GARAGE)	ft <sup>2</sup>	1254.80	m <sup>2</sup>	116.57 33.49 %
<b>PROPOSED FRONT LANDSCAPING</b>				
FRONT YARD	ft <sup>2</sup>	1096.39	m <sup>2</sup>	101.86
DRIVEWAY	ft <sup>2</sup>	327.77	m <sup>2</sup>	30.45
WALKWAY	ft <sup>2</sup>	136.02	m <sup>2</sup>	12.64
PORCH & STAIRS	ft <sup>2</sup>	64.08	m <sup>2</sup>	5.95
SOFT LANDSCAPE AREA	ft <sup>2</sup>	568.52	m <sup>2</sup>	52.82 51.85 %
<b>PROPOSED SET BACK LANDSCAPING</b>				
TOTAL REAR YARD AREA	ft <sup>2</sup>	581.76	m <sup>2</sup>	54.05
SOFT LANDSCAPE	ft <sup>2</sup>	554.90	m <sup>2</sup>	51.55
SHED	ft <sup>2</sup>	26.86	m <sup>2</sup>	2.50
TOTAL INTERIOR SIDE YARD AREA NORTH	ft <sup>2</sup>	341.09	m <sup>2</sup>	31.69
SOFT LANDSCAPE	ft <sup>2</sup>	236.46	m <sup>2</sup>	21.97
WALKWAY	ft <sup>2</sup>	104.63	m <sup>2</sup>	9.72
TOTAL INTERIOR SIDE YARD AREA SOUTH	ft <sup>2</sup>	472.49	m <sup>2</sup>	43.90
SOFT LANDSCAPE	ft <sup>2</sup>	420.79	m <sup>2</sup>	39.09
STAIRS	ft <sup>2</sup>	51.70	m <sup>2</sup>	4.80
TOTAL SOFT LANDSCAPE	ft <sup>2</sup>	1212.15	m <sup>2</sup>	112.61



NOTE: - ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED.

GPF Design Services Inc.  
 2572 Eglinton Avenue West  
 Toronto, ON M6M 1T4  
 Tel. 416-656-0134  
 B.C.I.N 28087

No.	Description	Date	By
8.			
7.			
6.			
5.			
4.	Revision	2022.07.21	FM
3.	Revision	2022.06.08	FM
2.	Revision	2022.05.06	FM
1.	Issued for Permit	21.12.01	FM
No.	Description	Date	By

CLIENT:  
 PROJECT:  
**24 PEEL ST.  
 HAMILTON, ON.**

SHEET TITLE:  
**PROPOSED SITE PLAN**  
 SCALE:  
**NTS**  
**SP1.2**



**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>	Jack Deska, Iwona Deska	
<b>Applicant(s)*</b>	Gabe Faraone	
<b>Agent or Solicitor</b>	Gabe Faraone	

**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:

second story addition, and Garage  
 Reduce front yard step back 4.72  
 Reduce rear yard step back 2.72

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

Existing first floor does not comply with existing setbacks.  
 Proposed second floor is in line with existing first floor.

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

Part of Lot 6, Block 4. Registered Plan 1443  
 24 Peel Street North

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 residential area

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

July 7 2022  
Date

Jack Deska Iwona Deska  
Signature Property Owner(s)

Jack Deska, Iwona Deska  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>18.29</u>
Depth	<u>18.66</u>
Area	<u>348.1</u>
Width of street	<u>11.16</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: \_

1 1/2 Storey House  
- 7.77m x 10.57m  
GFA - 137.6 m.sq.

Proposed

2 Storey House + Garage  
- 7.77m x 10.57m  
GFA - 190.9 m.sq.

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:  
North Setback- 4.71m, East Setback- 5.01m,  
South Setback- 4.11m, West Setback- 2.72m

Proposed:

House w/ attached Garage:  
North Setback- 1.24m, East Setback- 4.72m,  
South Setback- 4.11m, West Setback- 2.72m

13. Date of acquisition of subject lands:  
N/A Sept. 2021
14. Date of construction of all buildings and structures on subject lands:  
N/A 1954
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 Yes Connected Yes  
Sanitary Sewer Yes Connected Yes  
Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Nabouhwood
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Single Detached Residential "R2"
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/B-22:69</b>	<b>SUBJECT PROPERTY:</b>	132 SLINGER AVENUE, STONE CREEK,
-------------------------	-------------------	--------------------------	-------------------------------------

**APPLICANTS:** Owner – Anthony Longo  
Agent – Bousfields Inc. c/o David Falletta

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land for residential purposes (existing detached garage to be removed) and to retain a parcel of land containing an existing detached dwelling (to remain).

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	15.06 m <sup>±</sup>	45.72 m <sup>±</sup>	688.54 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	15.42 m <sup>±</sup>	45.71 m <sup>±</sup>	704.84 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): Previous consent SC/B-16:94

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>3:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**SC/B-22:69**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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..

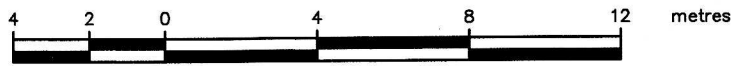
**SC/B-22:69**

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.

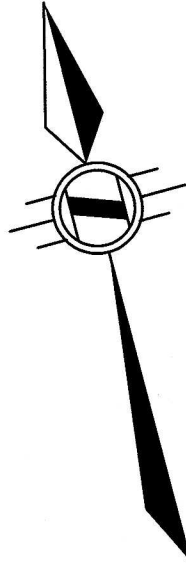
If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail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

**SKETCH FOR SEVERANCE**  
 OF  
**LOT 103**  
**REGISTERED PLAN No. 955**  
 IN THE  
**CITY OF HAMILTON**

SCALE 1:200 METRIC

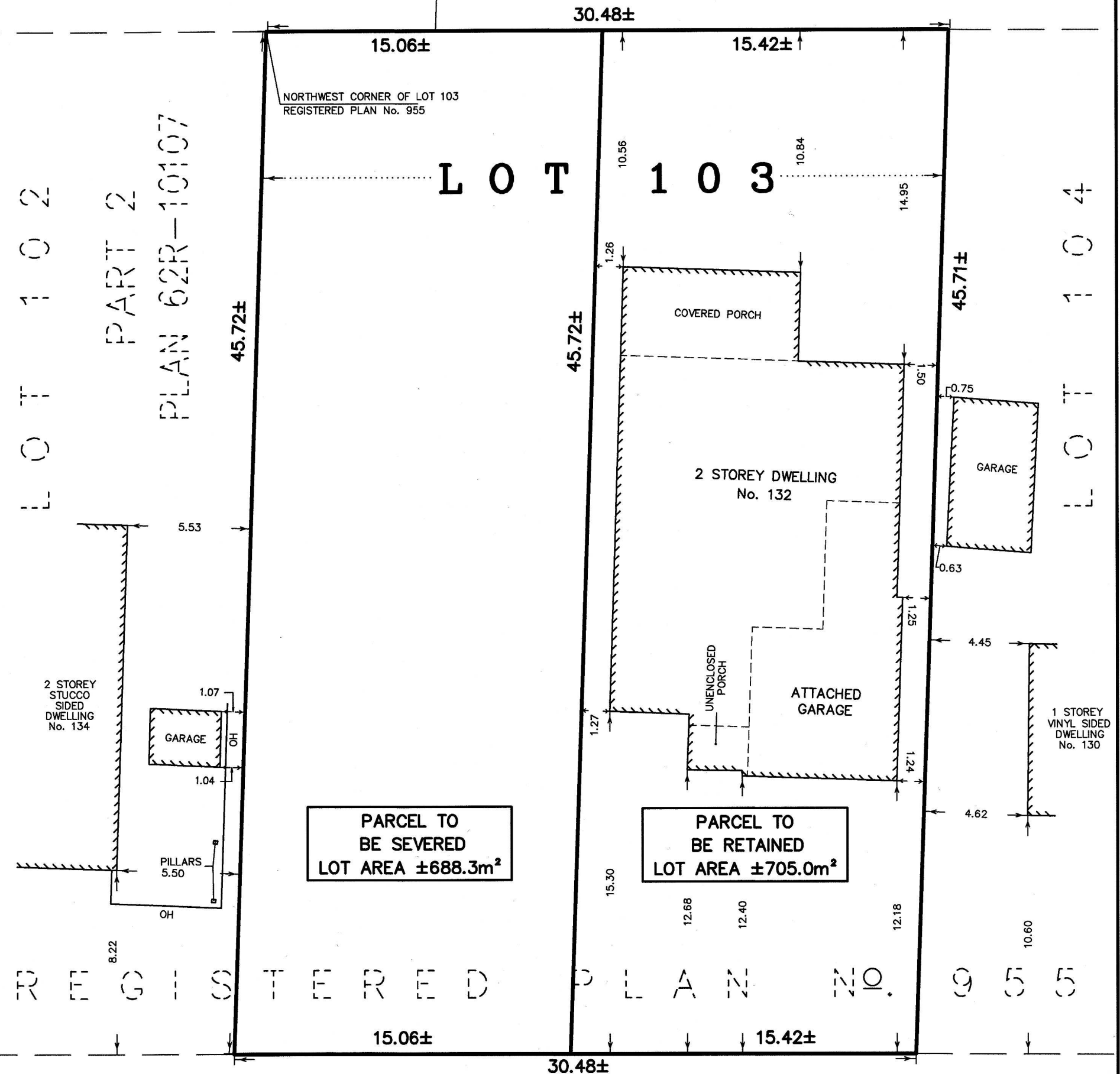


**S.D. McLAREN, O.L.S. - 2022**



LOT 74

LOT 73



**SLINGER AVENUE**  
 (ESTABLISHED BY REGISTERED PLAN 955)

**CAUTION:**

A) THIS IS NOT A PLAN OF SURVEY AND SHALL ONLY BE USED FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©

MAY 02, 2022  
 DATE

*S.D. McLaren*  
 S. DAN McLAREN, O.L.S.



**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KB	Checked SDM	Crew Chief —	Scale 1:200	Dwg.No. 35152-SK
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**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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	
<b>Purchaser*</b>	n/a		<b>Phone:</b>
			<b>E-mail:</b>
<b>Registered Owners(s)</b>			
<b>Applicant(s)**</b>			
<b>Agent or Solicitor</b>			

**\*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	Concession	Former Township
Registered Plan N°. 955	Lot(s) 103	Reference Plan N°.	Part(s)
Municipal Address 132 Slinger Avenue			Assessment Roll N°.

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

Yes  No

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

### 3 PURPOSE OF THE APPLICATION

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

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

creation of a new lot

addition to a lot

an easement

Other:  a charge

a lease

a correction of title

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

creation of a new lot

creation of a new non-farm parcel

(i.e. a lot containing a surplus farm dwelling  
resulting from a farm consolidation)

addition to a lot

Other:  a charge

a lease

a correction of title

an easement

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

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

### 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
15.06	45.72	688.54

Existing Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) \_\_\_\_\_

Industrial

Agricultural-Related

Commercial

Vacant

Proposed Use of Property to be severed:

Residential

Agriculture (includes a farm dwelling)

Other (specify) \_\_\_\_\_

Industrial

Agricultural-Related

Commercial

Vacant

Building(s) or Structure(s):

Existing: 1-storey detached garage

Proposed: 2-storey detached dwelling

Existing structures to be removed: 1-storey detached garage

Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

Type of water supply proposed: (check appropriate box)

publicly owned and operated piped water system

privately owned and operated individual well

lake or other water body

other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- 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 <sup>2</sup> or ha)
15.42	45.71	704.84

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: 2-storey detached dwelling

Proposed: no change

Existing structures to be removed: n/a

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity       telephone       school bussing       garbage collection

**5 CURRENT LAND USE**

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Application proposes residential use which is permitted in Neighbourhoods designation, and is similar to the surrounding existing uses.

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? R2 (By-law 3692-92 Stoney Creek)

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"/>	various commercial retail uses
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?  

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

## 7 PROVINCIAL POLICY

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

Refer to submitted cover letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)  

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

Refer to submitted 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  

Refer to submitted cover letter.
- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No  
 If yes, is the proposal in conformity with the Niagara Escarpment Plan?  
 Yes       No  
 (Provide Explanation)
- f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes       No  
 If yes, is the proposal in conformity with the Parkway Belt West Plan?  
 Yes       No      (Provide Explanation)
- g) Are the subject lands subject to the Greenbelt Plan?  
 Yes       No

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

**8 HISTORY OF THE SUBJECT LAND**

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

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

Application for consent which was APPROVED. Application No. SC/B-16:94.

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

Detached dwelling has been built on the retained lands. This application includes a slight reduction in frontage width of the severed parcel compared to original application (~0.18 m).

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

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

8.4 How long has the applicant owned the subject land?

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

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

**9 OTHER APPLICATIONS**

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

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

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

Yes       No       Unknown

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

File number \_\_\_\_\_ Status \_\_\_\_\_

**10 RURAL APPLICATIONS**

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

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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> 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 <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

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

**12 ACKNOWLEDGEMENT CLAUSE**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner





Project No. 2045

June 20, 2022

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor  
71 Main Street West  
Hamilton, ON L8P 4Y5

SENT VIA EMAIL TO: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**Re: Consent Application**  
**132 Slinger Avenue, City of Hamilton**

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Bousfields Inc. is the planning consultant to Anthony Longo, the registered owner of 132 Slinger Avenue in the City of Hamilton (the "subject site"). This letter has been prepared in support of the enclosed Consent application to provide relevant information regarding the proposed severance and to assist the Committee in making an informed decision. See enclosed the following digital materials:

- Proposed Severance Sketch showing Lot 103 in Registered Plan No. 955; and,
- Signed and Commissioned Consent Application Form.

The required City Application fee (\$2,985.00 for a property serviced with sanitary sewers and public watermains) will be mailed to the City separately. A scanned copy of the cheque is attached to this letter.

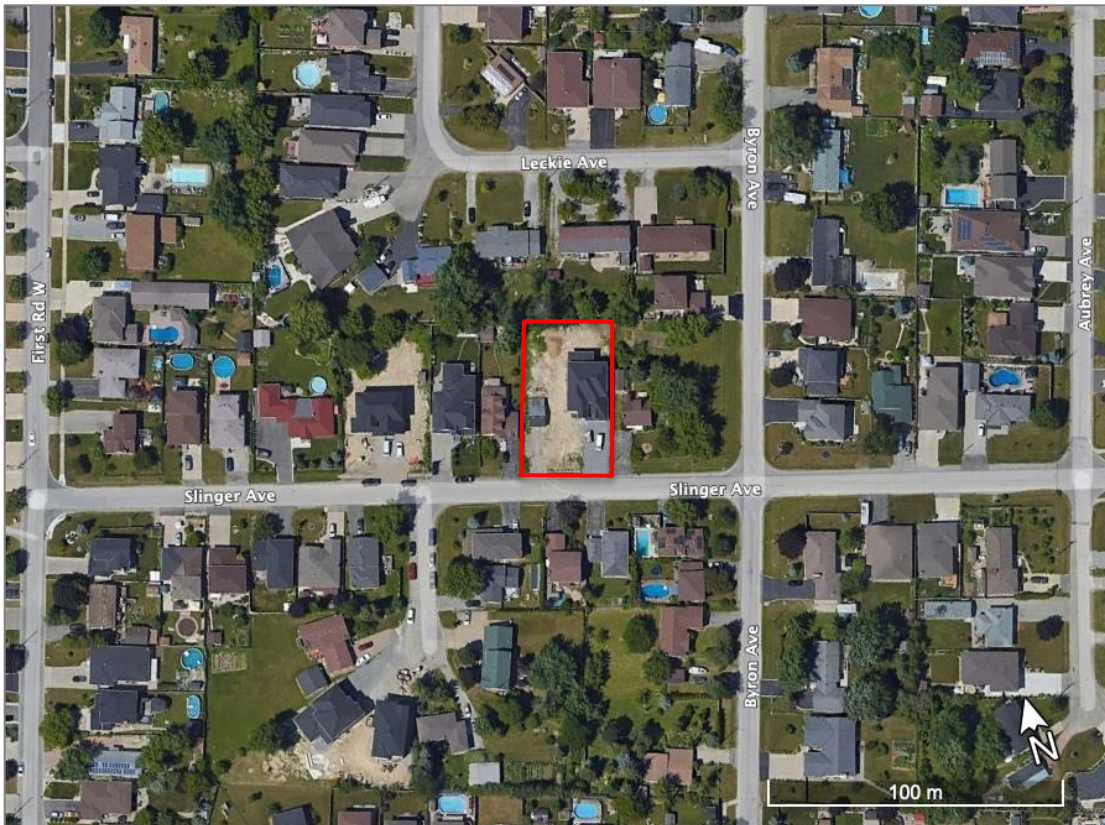
### **Subject Site**

Lot 103 in Registered Plan No. 955 (municipally known as 132 Slinger Avenue) is located in the southeast quadrant of the City of Hamilton Urban Area, formerly within the City of Stoney Creek. The subject site fronts the north side of Slinger Avenue and is approximately 1,394 square metres. The subject site currently has a 2-storey single detached dwelling on the east portion of the site (lands to be retained) and a 1-storey detached garage on the west portion of the site (lands to be severed).

The subject site is located between two existing detached residential dwellings on Slinger Avenue (128 & 134 Slinger Avenue). The surrounding area land use is predominantly residential and is comprised of existing single detached dwellings and semi-detached dwellings, with multiple schools and parks located throughout

community. Commercial uses are located approximately 500 metres to the south and east of the subject site, generally along arterial roads on the edges of the community.

### *Aerial Photo*



Source: Google Earth, 2018

### **History**

The site was subject to a previous Consent application in 2016. On December 22, 2016, the Committee issued a Notice of Decision which approved the Consent Application for 132 Slinger Avenue to permit the conveyance of a parcel of land measuring approximately 675 square metres for residential purposes, and to retain the remaining lands (approximately 675 square metres) for residential purposes as well.

Upon review of the application, the Committee approved the Consent for the following reasons:

- The proposal did not conflict with the intent of the Urban Hamilton Official Plan;

- The Committee considered the proposal to be in keeping with the development in the area; and
- The Committee was satisfied that a plan of subdivision was not necessary for the proper and orderly development of the lands.

The Notice of Decision contained several conditions to be met within one year of the date of the Notice to receive final approval. The conditions of approval were not met within the prescribed period and the application lapsed. Since that time, the existing dwelling, which sat in the centre of the lot, was demolished and a new dwelling was constructed on the east side of the subject site.

### **Proposed Consent Application**

The proposed application is generally consistent with the previous application approved in 2016. Lot 103 is proposed to be severed to create a new residential lot, approximately 688 square metres in size, fronting onto Slinger Avenue. The severed parcel comprises the west half of the subject site and currently has a 1-storey detached garage. The detached garage is intended to be demolished and replaced with a 2-storey single detached dwelling, similar to what currently exists on the retained lands (the east half of the subject site). The new lot and retained lots would comply with the applicable in-force Zoning By-law.

### **Section 51 of the *Planning Act* (Land Division)**

Section 51 of the *Planning Act* authorizes the Committee of Adjustment to make decisions on the division of land. The *Planning Act* sets the standards to which provincial interests, and provincial and local policies and goals are implemented. Accordingly, to assess whether the Consent Application is based on sound planning principles, regard must be had for the criteria listed in subsection 51(24) of the *Planning Act*.

### **Criteria**

The following section provides an assessment of how the proposed application has appropriate regard for the criteria in subsection 51(24) of the *Planning Act*.

*(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

<b>Regulation</b>	<b>Response</b>
(a) <i>the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;</i>	The proposal is to intensify an underutilized site within the <i>Built Boundary</i> , which is consistent with and conforms to the PPS and Growth Plan.
(b) <i>whether the proposed subdivision is premature or in the public interest;</i>	The Consent will allow for development to occur within an existing residential subdivision with existing public infrastructure and is not premature.
(c) <i>whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed lot configuration of the severed and retained parcels comply with the in-force zoning by-law and conform with the applicable official plan. The Consent represents a logical pattern of development consistent with the existing residential community.
(d) <i>the suitability of the land for the purposes for which it is to be subdivided;</i>	The Consent will facilitate residential development on lands planned for residential uses in accordance with the in-force zoning by-law and official plan.
(d.1) <i>if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;</i>	Not applicable.
(e) <i>the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The Consent will utilize an existing street (Slinger Avenue) and no new ones are proposed.
(f) <i>the dimensions and shapes of the proposed lots;</i>	The proposed lot dimensions (lot frontage, lot area) are consistent with several existing lots in the surrounding community and are in compliance with the in-force zoning regulations.
(g) <i>the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the</i>	Not applicable.

Regulation	Response
<i>buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	
(h) <i>conservation of natural resources and flood control;</i>	Not applicable.
(i) <i>the adequacy of utilities and municipal services;</i>	The subject site is part of a registered plan of subdivision which is serviced by existing utilities and municipal services. The existing utilities and municipal services are adequate to accommodate the proposed Consent application to create one additional lot, which is supported by the fact that the Consent application was previously been approved by the Committee in 2016. In our opinion, the Consent will contribute to optimizing the use of existing municipal services in the built-up urban area.
(j) <i>the adequacy of school sites;</i>	We do not anticipate the proposed new lot will impact existing school capacity.
(k) <i>the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	Not applicable.
(l) <i>the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and</i>	The subject site is part of a registered plan of subdivision. Matters of conservation of energy have been dealt with through the overall draft plan of subdivision and conditions of draft plan approval.
(m) <i>the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under</i>	The Consent proposes the creation of one new lot for a single detached dwelling, which is <b>not</b> subject to site plan control. The development of the building will be regulated by the building permit process and Ontario Building Code.

Regulation	Response
<p><i>subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).</i></p>	

### Urban Hamilton Official Plan

Chapter F of the Urban Hamilton Official Plan (the “UHOP”) deals with Implementation and section 1.14.3 deals with lot creation within the urban area. Policy 1.14.3.1 states consents for new lot creation, for both severed and retained lands, for residential uses in the Neighbourhoods designation, shall be permitted provided the following conditions are met:

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

With respect to conditions (a) and (b), the proposed Consent would result in the creation of a new lot and a retained lot, both of which conform with the policies of the UHOP and the applicable Neighbourhood policies, which permit single detached residential dwellings. The subject site is designated Neighbourhoods in the UHOP and is designated Low Density Residential in the Stoney Creek Neighbourhoods Plan – Highland. The proposed Consent would allow residential development on the new lot in a manner that conforms with the UHOP and applicable Neighbourhood Plan.

With respect to conditions (c) and (d), the proposed lots are in conformity with the in-force Zoning By-law (refer to Zoning Compliance below) and the lots reflect the general scale and character of the surrounding existing residential community.

With respect to conditions (e) and (f), the proposed lots can be fully serviced by existing municipal water and wastewater systems and front onto a public road (Slinger Avenue).

### Zoning Compliance

The subject site is zoned R2 Single Residential – Two in the City of Stoney Creek Zoning By-law 3692-92. The table below compares the proposed lot frontage and area of the severed and retained parcels compared with the in-force zoning of the subject site.

Lot 103	Min Lot Frontage (m)	Provided Lot Frontage (m)	Min Lot Area (m <sup>2</sup> )	Provided Lot Area (m <sup>2</sup> )	Compliance
Severed Parcel	15	15.02±	460	688.3±	Yes
Retained Parcel	15	15.42±	460	705.0±	Yes

The existing dwelling complies with all other requirements of the R2 zone and the proposed dwelling on the severed parcel will be required to comply with the R2 regulations.

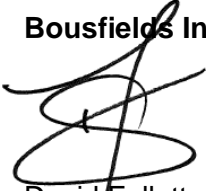
### Conclusion

Based on the above analysis, the requested Consent Application is appropriate and represents good planning.

We trust the foregoing is satisfactory however, should you require any additional information or clarification, please contact me or David Milano of our office.

Respectfully submitted,

**Bousfields Inc.**



David Falletta, MCIP, RPP

DM/df:jobs

Attachments (2)

Cc: A. Longo