



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 22-21
Date: November 3, 2022
Time: 1:00 p.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

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

	Pages
1. PREVIOUSLY TABLED	
2. RURAL	
2.1. 1:15 p.m.FL/A-22:31419 McDonald Street, Flamborough (Ward 13) Agent Ian Jonkman Owner C. & K. Scharringa	5
2.2. 1:20 p.m.GL/A-22:3123233 Hall Road, Glanbrook (Ward 11) Agent JB Drafting and Design c/o J. Bognar Owner I. Schroeder & R.Cauchi	21
2.3. 1:25 p.m.SC/B-10:180106 Byron Avenue, Stoney Creek (Ward 9) Agent A.J. Clarke & Associates c/o S. Fraser Owner Z. Marinovic	39
2.4. 1:25 p.m.SC/B-10:181106 Byron Avenue, Stoney Creek (Ward 9) Agent A.J. Clarke & Associates c/o S. Fraser Owner Z. Marinovic	53

- 2.5. 1:25 p.m.SC/A-12:117106 Byron Avenue, Stoney Creek (Ward 9) 71
Agent A.J. Clarke & Associates c/o S. Fraser
Owner Z. Marinovic
- 2.6. 1:35 p.m.FL/A-22:305321 Parkside Drive, Flamborough (Ward 15) 121
Owners G. & N. Diffey
- 2.7. 1:40 p.m.FL/A-22:3152 Shire Court, Flamborough (Ward 15) 141
Agent Kristjan Fortune Designs
Owner D. Eccles
- 2.8. 1:45 p.m.FL/A-22:31715 Strathroy Crescent, Flamborough (Ward 15) 167
Agent Refined Pools and Landscaping c/o T. Holley
Owner F. & J. Clark
- 2.9. 1:50 p.m.GL/A-22:30779 Sundance Crescent, Glanbrook (Ward 9) 179
Agent L. Angelici
Owners C. & M.Biederman

3. SUBURBAN

- 3.1. 1:55 p.m.HM/A-22:228195 East 8th Street, Hamilton (Ward 8) 189
Agent L. Angelici
Owner J. Gardner & D. Blanchard
- 3.2. 2:00 p.m.AN/A-22:311714 Hiawatha Blvd, Ancaster (Ward 12) 199
Agent Perspective Views c/o M. Ribau
Owner M. Naimpoor
- 3.3. 2:10 p.m.SC/B-22:74 16 Lochside Drive, Stoney Creek (Ward 10) 215
Agent IBI Group c/o J. Ariens / Tarbutt Construction Ltd. J. Tarbutt
Owner L. Molloy
- 3.4. 2:10 p.m.SC/A-22:25516 Lochside Drive, Stoney Creek (Ward 10) 233
Agent IBI Group c/o J. Ariens / Tarbutt Construction Ltd. J. Tarbutt
Owner L. Molloy

3.5. 2:15 p.m.SC/A-22:313511 Winona Road, Stoney Creek (Ward 10) 249
Agent M. Fratarcangeli
Owner E. Gjerka

3.6. B R E A K

4. URBAN

4.1. 2:40 p.m.HM/A-22:310175 Beach Blvd, Hamilton (Ward 5) 257
Agent Details Matter c/o S. Wilson
Owner J. & R. Prouse

4.2. 2:50 p.m.HM/A-22:190330 Dundurn Street South, Hamilton (Ward 1) 265
Agent SRM Architects Inc
Owner 2178949 Ontario Inc

5. CLOSED

6. ADJOURNMENT



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	FL/A-22:314	SUBJECT PROPERTY:	19 McDonald St, Rockton
ZONE:	“S1” & “P7” (Settlement Residential & Conservation/Hazard)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 15-173 & 22-084

APPLICANTS: Owner: Calvin & Karen Scharringa
Agent: Ian Jonkman

The following variances are requested:

1. A maximum of 69.7 m² of gross floor area shall be provided for the accessory building instead of the requirement in the By-Law which states that the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 m² or 7.5 % total lot coverage, whichever is the lesser; and
2. A maximum building height of 5.0 m shall be provided instead of the maximum permitted of 4.5 m.

PURPOSE & EFFECT: So as to facilitate the construction of a proposed one (1) storey new detached accessory building to an existing single detached dwelling within the “S1” Settlement Residential Zone, notwithstanding that:

Notes:

- i. The property is zoned S1 (Settlement Residential) Zone and P7 (Conservation/Hazard Land-Rural) Zone. All of the development is within the “S1” Zone. The proposed changes are subject to Site Plan Approval.
- ii. The frontage of the property is along Old Highway No 8. There is no frontage along McDonald Street. The property however, is accessible from a driveway which extends from the open portion of McDonald Street over the unopened road allowance of McDonald Street.
- iii. The variances are written as requested by the applicant.
- iv. The property contains a floodplain and is under conservation management. The property is subject

FL/A-22:314

to permits from the Grand River Conservation Authority.

- v. The lands are located within or adjacent to an Environmentally Sensitive Area (ESA) and are subject to Site Plan Control.

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

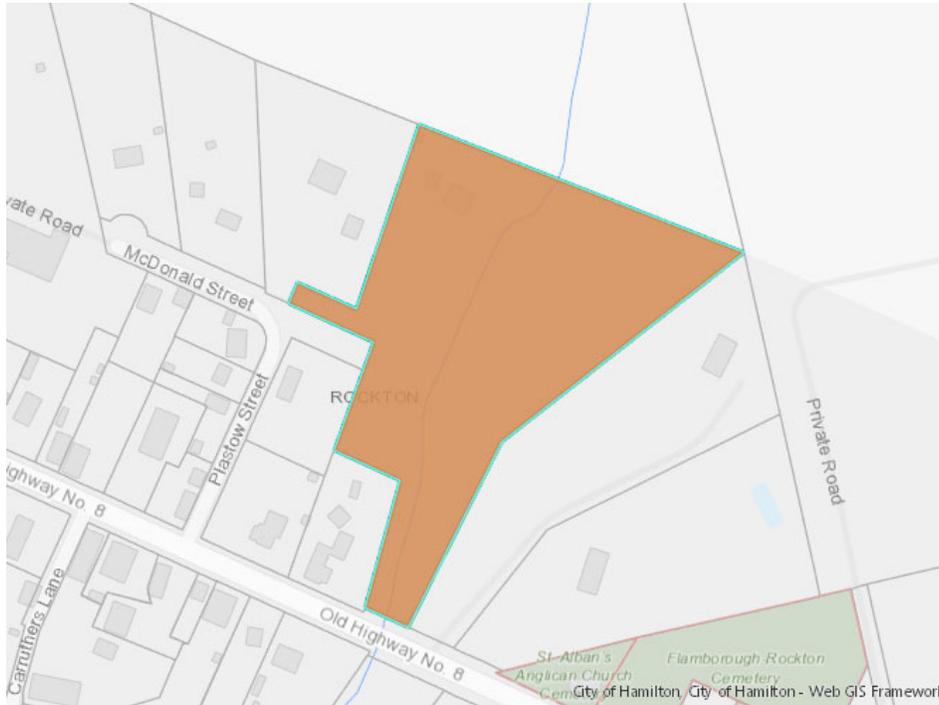
- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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-22:314



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

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

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



Scharringa Shed



DRAWING INDEX

A.1	Title Page
A.2	Elevations
A.3	Foundation & Ground Floor Plan
A.4	Building Sections & Details
A.5	General Notes
S.1	Site Plan

PROJECT INFORMATION

ITEM	DESCRIPTION
1.	Building Area & Gross Area = 750 sq. ft.
2.	Storeys = 1 storey
3.	Specified Snow Load = 1.225kPa

- GENERAL NOTES**
1. The contractor must check and verify all dimensions on the job prior to construction.
 2. Before ordering roof trusses, verify all dimensions on site.
 3. Drawings are not to be scaled.
 4. All construction is to meet the current requirements of the Ontario Building Code (O.B.C.) & municipal By-laws. The required permits & approvals are to be obtained before the contractor commences with the work.
 5. If there are any desired changes to the design of the building in which the building permit was issued for, the designer must be notified of such 'desired changes' and give approval before the change commences.
 6. If any errors are discovered on the drawings, the designer must be notified before construction commences.

No.	DATE	DESCRIPTION
DRL	06.09.2022	Preliminary Design
DIR2	06.13.2022	Issued For Client Review
DIR3	09.30.2022	Issued For Client Review

Ian Jonkman reviews and takes responsibility for the design work on behalf of a firm, Andy Jonkman Construction Ltd., registered under sub-section 3.2.4. of Division C of the Building Code.
 Individual BCIN: 45579
 Firm BCIN: 103245
Ian Jonkman
 NAME SIGNATURE

iDESIGN DRAFTING
 580 Sheffield Rd., R.R.#1,
 Troy, Ontario L0R 2B0
 Office: 519-647-3223
 Cell: 519-751-8412 i-design.ca

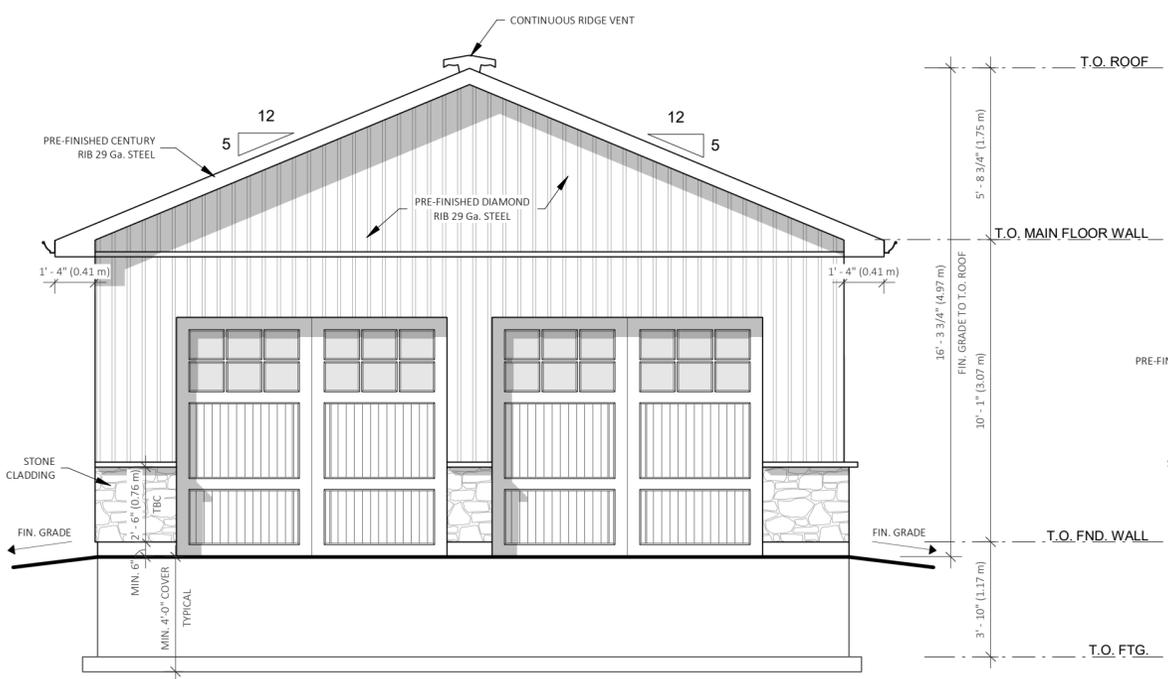
PROJECT INFORMATION
Scharringa Shed
 19 McDonald Street
 Rockton, ON, L0R 1X0

SHEET TITLE
 Title Page

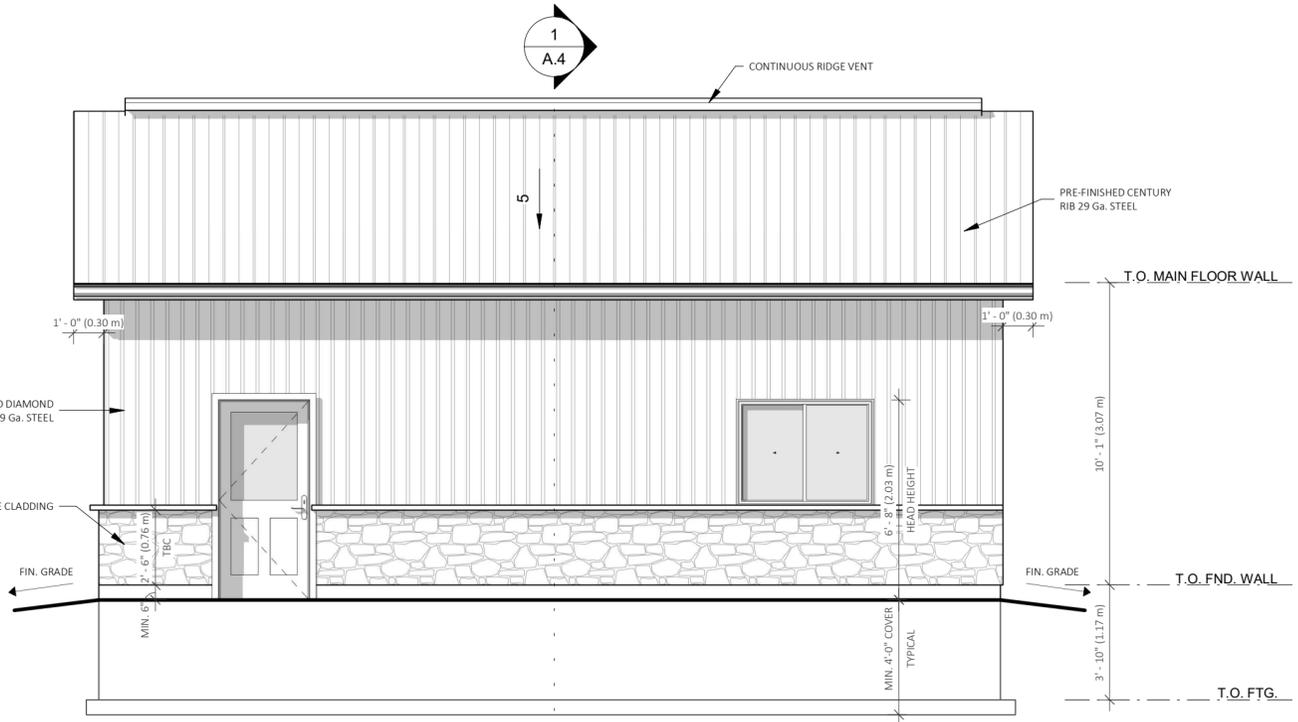
OWNER: C & K Scharringa
DRAWN BY: B.Powell
CHECKED BY: I. Jonkman

DATE 09.30.2022 **SHEET**
SCALE 1/4" = 1'-0" OF **A.1**

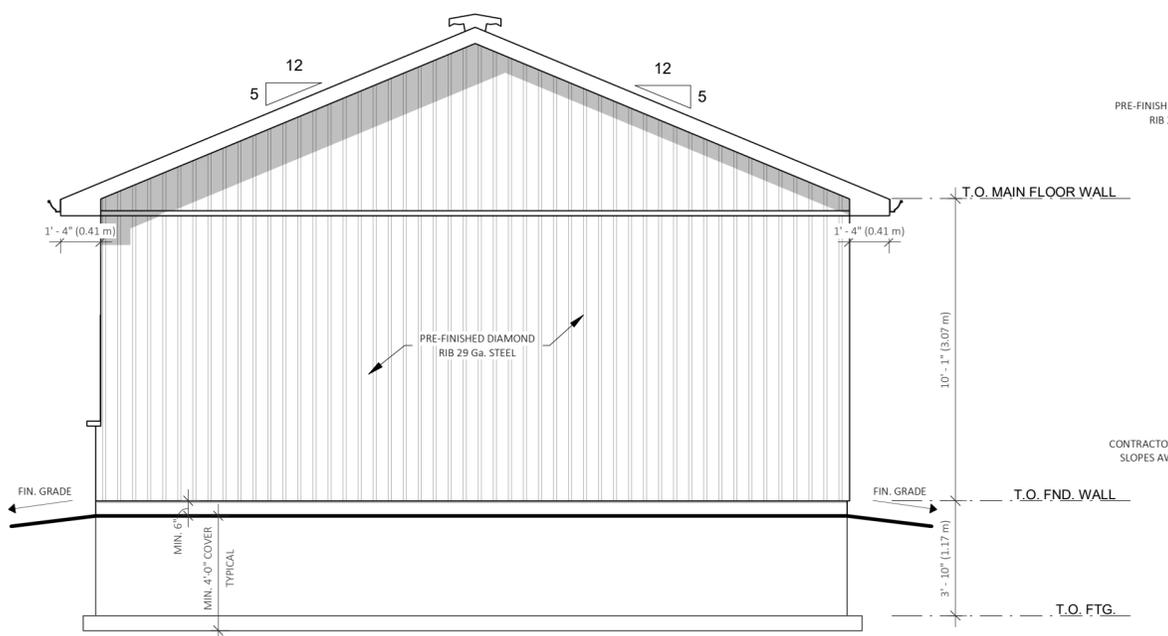
PROJECT No. : J22063.2



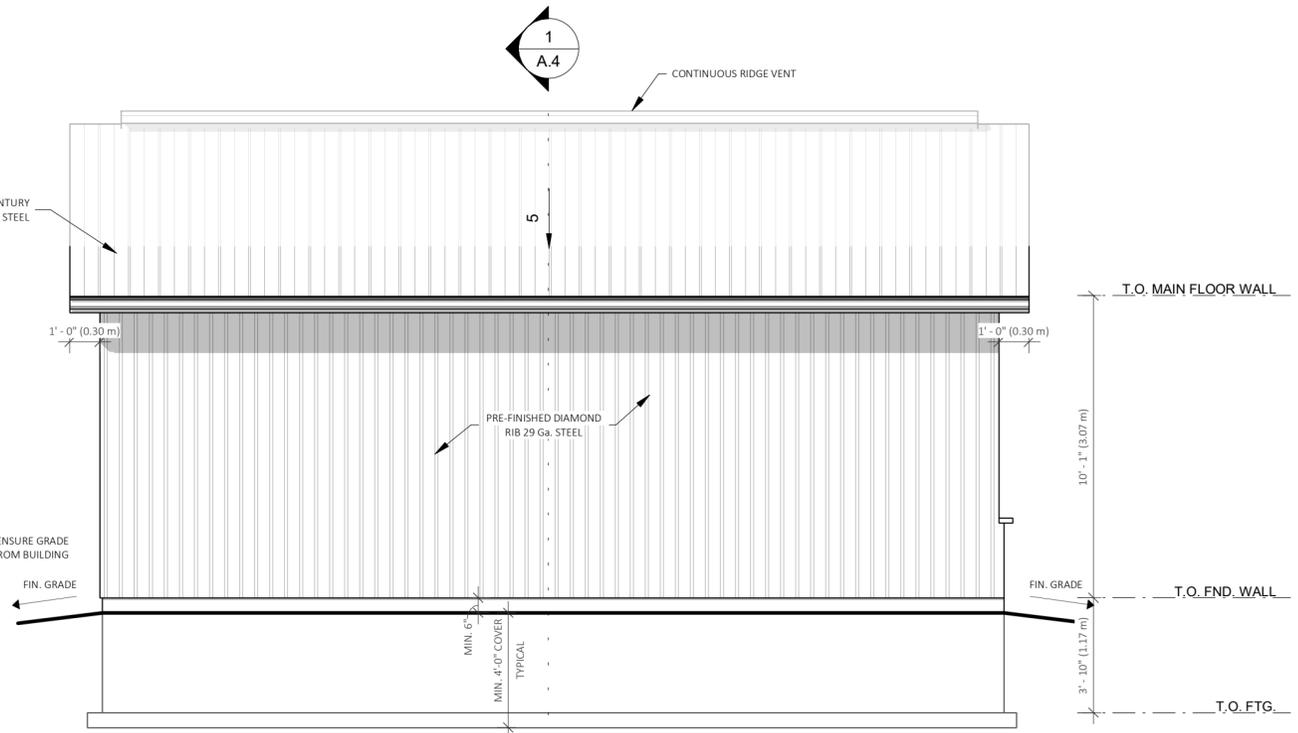
2 SOUTH ELEVATION
A.2 1/4" = 1'-0"



3 EAST ELEVATION
A.2 1/4" = 1'-0"



1 NORTH ELEVATION
A.2 1/4" = 1'-0"



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

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No.	DESCRIPTION	DATE
DRL	Preliminary Design	06.09.2022
DIR	Issued For Client Review	06.13.2022
DRB	Issued For Client Review	09.30.2022

Ian Jonkman reviews and takes responsibility for the design work on behalf of a firm, Andy Jonkman Construction Ltd., registered under sub-section 3.2.4. of Division C of the Building Code.
 Individual BCIN: 45579
 Firm BCIN: 103245
Ian Jonkman
 NAME SIGNATURE

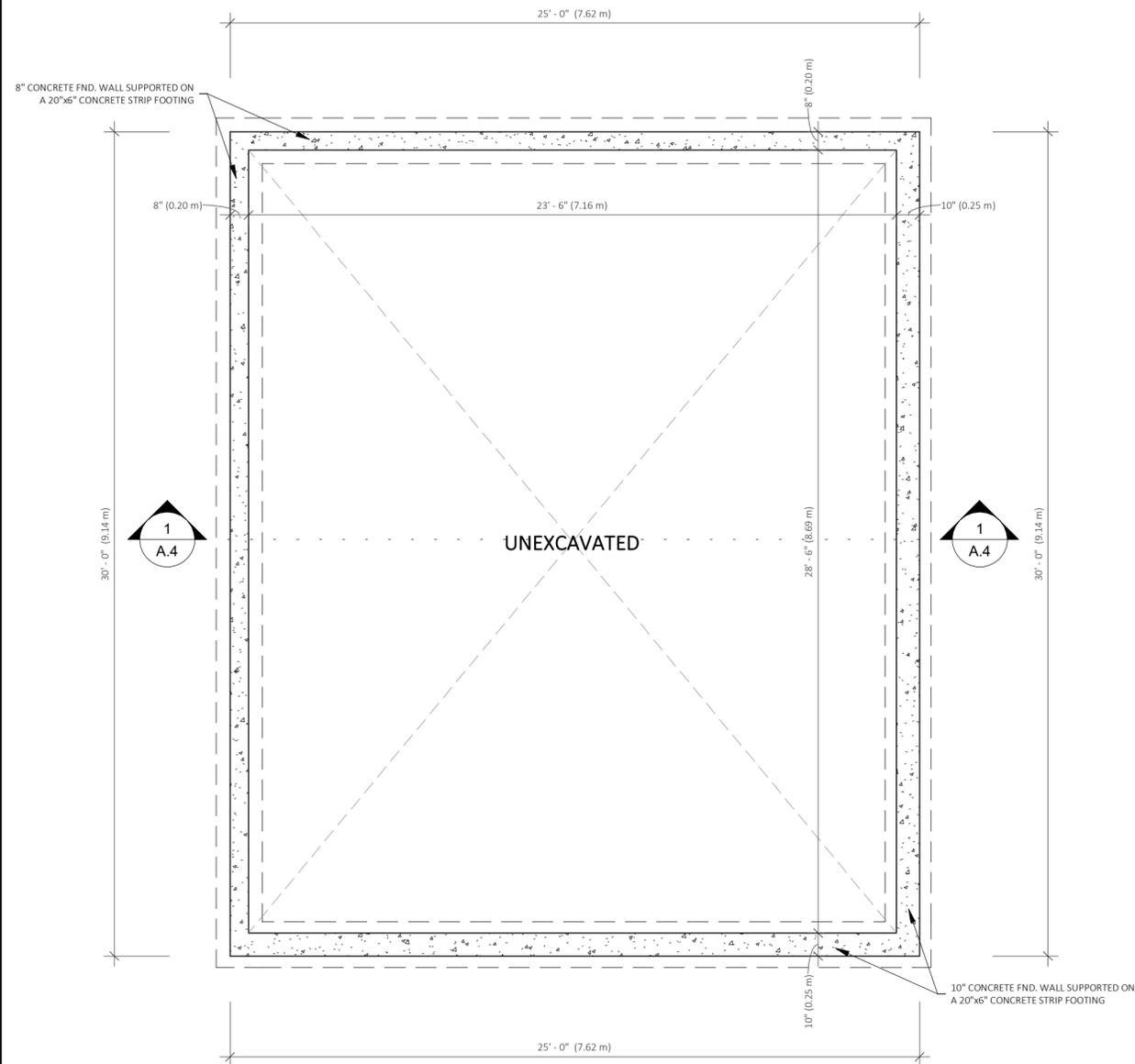
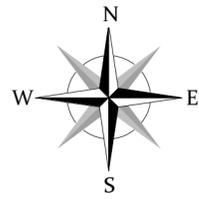
iDESIGN DRAFTING
 580 Sheffield Rd., R.R.#1,
 Troy, Ontario L0R 2B0
 Office: 519-647-3223
 Cell: 519-751-8412 i-design.ca

PROJECT INFORMATION
Scharringa Shed
 19 McDonald Street
 Rockton, ON, L0R 1X0

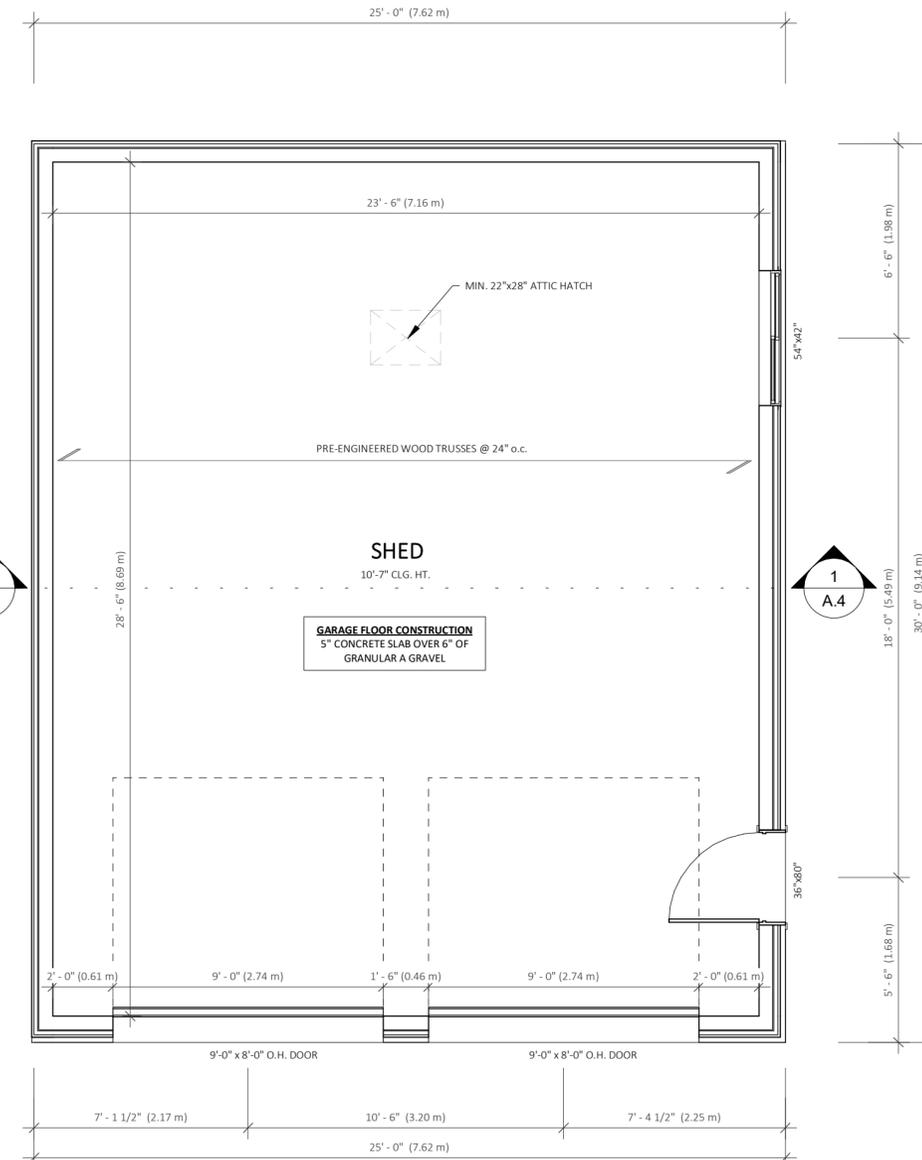
SHEET TITLE
 Elevations

OWNER: C & K Scharringa
DRAWN BY: B.Powell
CHECKED BY: I. Jonkman

DATE 09.30.2022 **SHEET** A.2
SCALE 1/4" = 1'-0" **OF**
PROJECT No. : J22063.2



1
A.3 FOUNDATION PLAN
1/4" = 1'-0"



2
A.3 MAIN FLOOR PLAN
1/4" = 1'-0"

- GENERAL NOTES**
1. The contractor must check and verify all dimensions on the job prior to construction.
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No.	DATE	DESCRIPTION
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DR3	09.30.2022	Issued For Client Review

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 Individual BCIN: 45579
 Firm BCIN: 103245
Ian Jonkman
 NAME SIGNATURE

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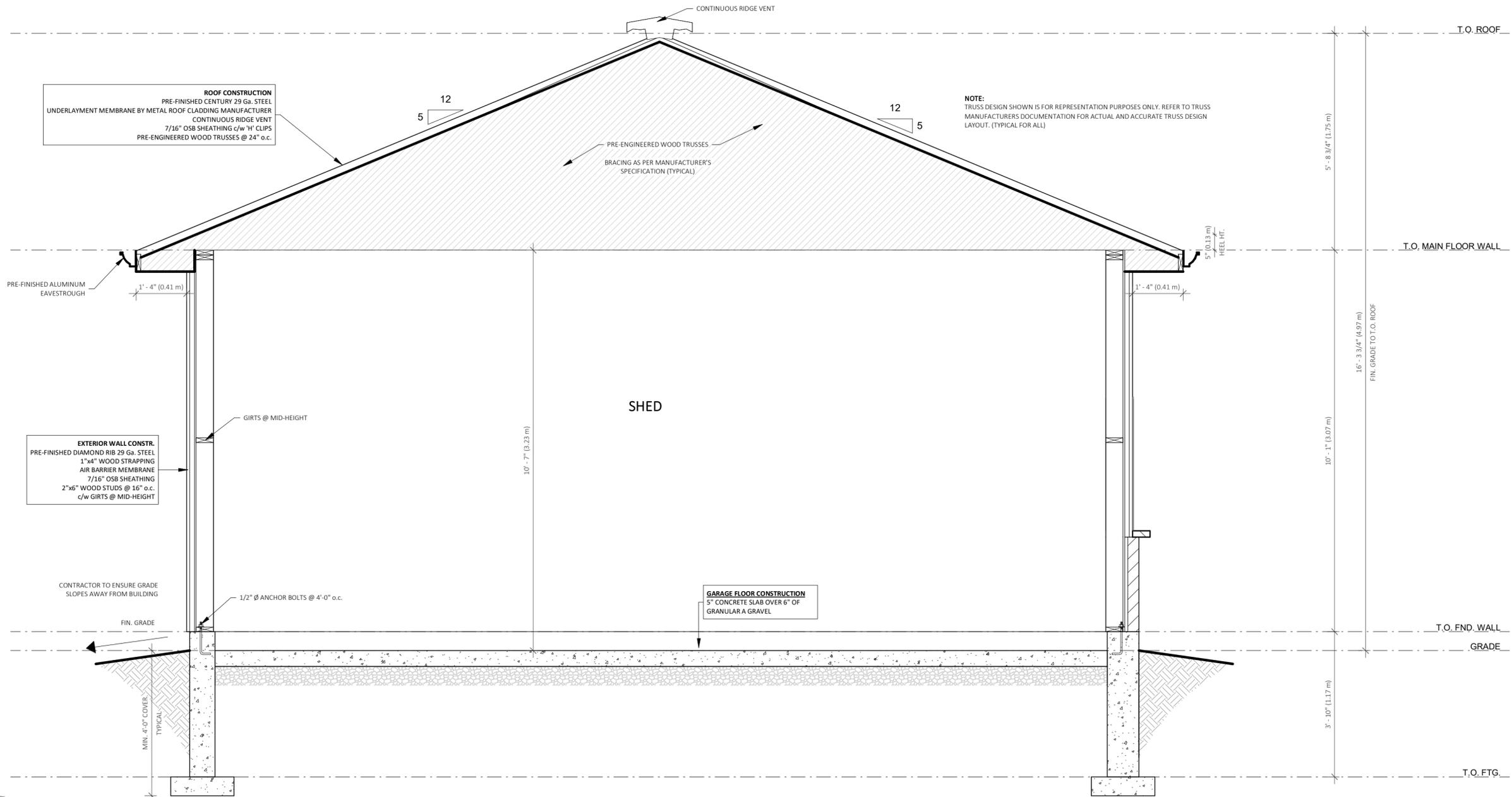
PROJECT INFORMATION
Scharringa Shed
 19 McDonald Street
 Rockton, ON, L0R 1X0

SHEET TITLE
Foundation & Ground Floor Plan

OWNER: C & K Scharringa
DRAWN BY: B.Powell
CHECKED BY: I. Jonkman

DATE 09.30.2022 **SHEET**
SCALE 1/4" = 1'-0" **OF**
A.3

PROJECT No. : J22063.2



NOTE:
TRUSS DESIGN SHOWN IS FOR REPRESENTATION PURPOSES ONLY. REFER TO TRUSS MANUFACTURERS DOCUMENTATION FOR ACTUAL AND ACCURATE TRUSS DESIGN LAYOUT. (TYPICAL FOR ALL)

ROOF CONSTRUCTION
PRE-FINISHED CENTURY 29 Ga. STEEL UNDERLAYMENT MEMBRANE BY METAL ROOF CLADDING MANUFACTURER
CONTINUOUS RIDGE VENT
7/16" OSB SHEATHING c/w 'H' CLIPS
PRE-ENGINEERED WOOD TRUSSES @ 24" o.c.

EXTERIOR WALL CONSTR.
PRE-FINISHED DIAMOND RIB 29 Ga. STEEL
1"x4" WOOD STRAPPING
AIR BARRIER MEMBRANE
7/16" OSB SHEATHING
2"x6" WOOD STUDS @ 16" o.c.
c/w GIRTS @ MID-HEIGHT

GARAGE FLOOR CONSTRUCTION
5" CONCRETE SLAB OVER 6" OF GRANULAR A GRAVEL

1 CROSS SECTION
A.4 1/2" = 1'-0"

GENERAL STRUCTURAL NOTES

- GENERAL**
- ALL STRUCTURAL NOTES LISTED IN THIS DOCUMENT ARE A FEW OF THE MINIMUM REGULATORY GUIDELINES THAT MUST COMPLIED WITH FOR THE WORK DESCRIBED IN THESE DOCUMENTS. THE GUIDELINES AND/OR NOTES LISTED BELOW DO NOT CONTAIN ALL THE REQUIRED GUIDELINES AND/OR REGULATIONS THAT THE WORK MUST CONFORM TO. ALL WORK IS TO MEET AND TO BE CARRIED OUT ACCORDING TO THE CURRENT REQUIREMENTS OF THE ONTARIO BUILDING CODE (O.B.C.) 2012 EDITION INCLUDING ALL REVISIONS, MUNICIPAL BY-LAWS, AND ANY OTHER REGULATIONS THAT MAY APPLY TO A PARTICULAR PROJECT.
 - ALL DIMENSIONS AND NOTES SHOWN ON STRUCTURAL, ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS SHALL BE COMPARED TOGETHER AND IF INCONSISTENCIES ARE FOUND THE DESIGNER OR ENGINEER MUST BE NOTIFIED PRIOR TO PROCEEDING WITH THE WORK.
 - STRUCTURES SHALL CONFORM TO O.B.C. PART 9, OF THE MOST RECENT VERSION, UNLESS OTHERWISE NOTED.
 - DESIGN LIVE LOADS FOR EACH PORTION OF THE STRUCTURE ARE INDICED ON THE DRAWINGS. DO NOT EXCEED THESE LOADINGS DURING CONSTRUCTION.
- FOUNDATION WALLS, FOOTINGS, SLABS & REINFORCEMENT**
- ALL CONCRETE WORK SHALL CONFORM TO THE LATEST REQUIREMENTS OF CSA A23.1, A23.2 & A23.3.
 - ALL CONCRETE COVER SHALL CONFORM TO CSA A23.1 AND THE FOLLOWING BELOW U.N.O.
 - A. CONCRETE CAST AGAINST EARTH: 3"
 - B. EXTERIOR BEAMS, SLABS, COLUMNS/PIERS, & WALLS: 2"
 - C. INTERIOR BEAMS & COLUMNS/PIERS: 1.5"
 - D. INTERIOR SLABS: 1"
 - PROVIDE 4'-0" MINIMUM FROST COVER ABOVE THE UNDERSIDE OF ALL EXTERIOR FOUNDATION WALLS
 - ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL HAVING A SAFE BEARING CAPACITY OF 3,000 P.S.F. OR STRUCTURAL FILL COMPACTED TO 98% STANDARD PROCTOR DENSITY, WHICH IS TO BE CONFIRMED BY A CERTIFIED GEOTECHNICAL ENGINEER BEFORE PLACING CONCRETE. THE BOTTOM OF EVERY EXCAVATION SHALL BE FREE OF ALL ORGANIC MATERIAL.
 - FTG. THICKNESS SHALL NOT BE LESS THAN THE GREATER OF 4" OR THE WIDTH OF THE PROJECTION OF THE FOOTING BEYOND THE SUPPORTED ELEMENT.
 - CONTRACTOR TO NOTIFY ENGINEER PRIOR TO THE PLACEMENT OF CONCRETE FOR:
 - A. VERIFICATION OF SOIL BEARING CAPACITY.
 - B. INSPECTION OF REINFORCING.
 - CONCRETE FOUNDATION WALLS & FOOTINGS TO HAVE A MINIMUM 28 DAY STRENGTH OF 3000 P.S.I.
 - EXTERIOR CONCRETE SLABS TO HAVE A MINIMUM 28 DAY STRENGTH OF 4641 P.S.I. (32 MPa).
 - AIR CONTENT IN CONCRETE EXPOSED TO WEATHER 4% - 6%.
 - ALL PIERS SHALL BE POURED INTEGRALLY WITH FOUNDATION WALLS.
 - IF THE T.O. FND. WALL IS REDUCED IN THICKNESS TO PERMIT THE INSTALLATION OF FLOOR JOISTS, THE REDUCED SECTION SHALL BE NOT MORE THAN 13 3/4" HIGH AND NOT LESS THAN 3 1/2" THICK.
 - IF THE T.O. FND. WALL IS REDUCED IN THICKNESS TO PERMIT THE INSTALLATION OF MASONRY EXTERIOR FACING, THE REDUCED SECTION SHALL BE NOT LESS THAN 3 1/2" THICK AND SHALL BE TIED TO THE FACING MATERIAL WITH METAL TIES SPACED NOT MORE THAN 8" VERTICALLY AND 12" HORIZONTALLY. THE CAVITY BETWEEN THE FND. WALL AND MASONRY FACING IS TO BE FILLED WITH MORTAR.
 - PROVIDE DOOR BUCKS TO DEPTH SHOWN AT ALL EXTERIOR DOOR LOCATIONS AS SHOWN.
 - CONTRACTOR IS TO ENSURE THAT THERE IS ADEQUATE FOUNDATION DRAINAGE AVAILABLE TO ELIMINATE HYDROSTATIC PRESSURES.
 - FOUNDATION WALLS ARE NOT DESIGNED FOR LOADING FROM EQUIPMENT NEXT THE THE FOUNDATION WALLS. CONTRACTOR IS TO TAKE CAUTION WHEN BACKFILLING AGAINST THE FOUNDATION WALLS.
 - ALL REINFORCING STEEL TO BE 400W AND SHALL CONFORM TO CSA-G30.18-M92. MINIMUM YIELD STRENGTH OF 60 K.S.I. (400 MPa) DEFORMED BARS.
 - WELDED WIRE MESH & WELDED WIRE FABRIC SHALL CONFORM TO CSA G30.5, GY=450 MPA & HAVE A MINIMUM LAP OF 6" AT JOINTS U.N.O.
 - ALL REINFORCING LAP SPLICES SHALL CONFORM TO THE LATEST CSA STANDARD A23. 3-94. ALL BARS SPLICES TO BE CLASS 'B' TENSION U.N.O.
 - CONCRETE SLABS: CRACK CONTROL SHOULD BE PLACED ALONG THE CENTRE OF THE LENGTH AND WIDTH OF AREA AND PLACED NO MORE THAN 14'-0" o.c. PROVIDE JOINT FILLER IN CONTROL JOINTS.
- UNIT MASONRY**
- MASONRY UNIT STANDARDS TO COMPLY WITH THE STANDARDS LISTED IN THE O.B.C. 9.20.2.1(1)(a) to (k)
 - CONCRETE BLOCKS EXPOSED TO THE WEATHER SHALL HAVE WEIGHT AND ABSORPTION CHARACTERISTICS CONFORMING TO CLASSES A, B, C or D DESCRIBED IN CAN/CSA-A165.1.
 - ALL MASONRY AND GROUT SHALL COMPLY WITH CAN/CSA-A179.
 - MIN. COMPRESSIVE STRENGTH OF SOLID OR HOLLOW CONCRETE BLOCKS SHALL BE 15 MPa FOR BLOCKS EXPOSED TO THE WEATHER AND 10 MPa FOR BLOCKS NOT EXPOSED TO THE WEATHER.
- MORTAR FOR EXTERIOR MASONRY ABOVE GRADE SHALL BE:**
TYPE S - LOAD BEARING BELOW AND ABOVE GRADE
TYPE N OR S - NON-LOAD BEARING WALLS AND COLUMNS, PARAPETS, CHIMNEYS, AND MASONRY VENEER
- MORTAR FOR EXTERIOR MASONRY BELOW GRADE SHALL BE:**
TYPE S - FOUNDATION WALLS AND CHIMNEYS = 8"
MORTAR FOR INTERIOR MASONRY SHALL BE: = 4"
TYPE N - LOAD BEARING AND NON-LOAD BEARING WALLS AND COLUMNS
- MORTAR MIX PROPORTIONS AND GROUT MIX PROPORTIONS TO MEET THE REQUIREMENTS IN TABLES 9.20.3.2.B. AND TABLE 9.20.3.2.C. IN THE O.B.C. SUFFICIENT AMOUNT OF WATER ADDED TO CREATE A CONSISTENCY ADEQUATE FOR LAYING MASONRY UNITS.**
- ALL MASONRY TO BE SUPPORTED ON MASONRY, CONCRETE, STEEL, OR FOUNDATIONS OF WOOD FRAME.
 - EVERY MASONRY WALL SHALL BE AT LEAST AS THICK AS THE WALL IT SUPPORTS.
 - STEEL LINTELS SUPPORTING MASONRY SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 6" OF BEARING AT END SUPPORTS. BEARING TO BE ON MASONRY, CONCRETE, OR STEEL.
 - STEEL LINTELS SUPPORTING MASONRY SHALL BE PRIMED OR PAINTED, OR OTHERWISE PROTECTED FROM CORROSION.
 - MINIMUM BEARING DISTANCE ON MASONRY WALLS ARE:
 - O.W.S.I. = 4" LINTELS
 - BEAMS = 6" CONC. SLABS
- WOOD FRAMING**
- WOOD STRUCTURAL ELEMENTS SHALL COMPLY WITH CSA STANDARD 086-01.
 - ALL LUMBER TO BE S.P.F. No. 1 OR 2 OR BETTER UNLESS OTHERWISE NOTED.
 - MOISTURE CONTENT OF LUMBER SHALL BE NOT MORE THAN 19% WHEN INSTALLED.
 - ALL LVL BEAMS TO BE VERSA-LAM 2.0E OR APPROVED EQUIVALENT UNLESS SHOWN OTHERWISE BY A DESIGNER OR ENGINEER.
 - CONVENTIONAL WOOD FLOOR JOISTS, WOOD LINTELS, AND BUILT-UP WOOD BEAM SPANS ARE TAKEN FROM THE 2009 EDITION CANADIAN WOOD COUNCIL 'THE SPAN BOOK'.
 - IF THE FLOOR SYSTEM IS A PRE-ENGINEERED FLOOR REFER TO MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION REQUIREMENTS.
 - UNLESS OTHERWISE NOTED, BEAMS SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE MIN. 3 1/2" BEARING AT END SUPPORTS. 3-DAY BEARING REQUIREMENT: 1-1/2" OF BEARING
- CONVENTIONAL FLOOR JOISTS SHALL HAVE NOT LESS THAN 1 1/2" END BEARING.
 - PRE-ENGINEERED FLOOR JOISTS SHALL HAVE NOT LESS THAN 1 3/4" END BEARING OR OTHERWISE NOTED BY THE JOIST SUPPLIER.
 - ROOF JOISTS AND RAFTERS SHALL BE NOT LESS THAN 1 1/2" END BEARING.
 - FLOOR JOISTS MAY BE SUPPORTED ON THE TOP OF BEAMS OR FRAMED INTO THE SIDES OF BEAMS. THE JOISTS MAY BE SUPPORTED BY A SUITABLE JOIST HANGERS OR A SUITABLE SIZE LEDGER STRIP.
 - HEADER JOISTS AROUND FLOOR OPENINGS SHALL BE DOUBLED WHEN THEY EXCEED 3'-11". IF THE LENGTH EXCEEDS 10'-6" CALCULATIONS ARE REQUIRED TO DETERMINE SIZE.
 - TRIMMER JOISTS AROUND FLOOR OPENINGS SHALL BE DOUBLED WHEN THE LENGTH OF THE HEADER JOISTS EXCEEDS 2'-7". IF THE HEADER JOISTS EXCEEDS 6'-7" IN LENGTH, CALCULATIONS ARE REQUIRED TO DETERMINE THE TRIMMER SIZE.
 - GIRDER TRUSSES, BUILT-UP WOOD BEAMS, OR TIMBER BEAMS SHALL BE SUPPORTED AT THE BEARING ENDS BY A WOOD BUILT-UP POST MATCHING THE TOTAL WIDTH OF THE BEAM IT IS SUPPORTING, UNLESS OTHERWISE NOTED.
 - TRUSS / FLOOR DESIGNER(S) OR THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE PRIOR TO ORDERING PRE-ENGINEERED TRUSSES OF PRE-ENGINEERED FLOOR JOISTS.
 - ALL INTERIOR LOAD BEARING WALLS FRAMED WITH GIRTS @ MID-HEIGHT.
- STRUCTURAL STEEL**
- ALL STEEL TO CONFORM TO CSA G40.21 GR44W OR 50W.
 - ALL BOLTS SHALL BE ASTM A325 OR BETTER STRENGTH BOLTS. ANCHOR BOLTS MAY BE ASTM A307.
 - WELD STEEL JOISTS AND STEEL BEAMS TO SUPPORTING MEMBERS UNLESS OTHERWISE NOTED.
 - ALL WELDING TO CONFORM TO C.W.B. APPROVED PROCEDURES. ALL WELDING TO BE CARRIED OUT BY WELDERS CERTIFIED BY THE C.W.B., EMPLOYED BY A FIRM CERTIFIED IN DIVISION 1 OR 2.
 - EXTERIOR STEEL BEAMS SUSCEPTIBLE TO CORROSION SHALL BE PRIMED WITH RUST INHIBITIVE PAINT.
 - WHEN FLUSH STEEL BEAMS ARE REQUIRED PACK THE WEB OF THE BEAM SOLID WITH 2x LUMBER AND/OR PLYWOOD FLUSH WITH THE OUTSIDE OF THE BEAM FLANGE. BOLT PACKING TO STEEL BEAM WITH 1/2" Ø THRU-BOLTS @ 16" o.c. STAGGERED OR OTHER APPROVED EQUIVALENT FASTENING SYSTEM. USE ONLY HANGERS APPROVED BY THE JOIST OR BEAM DESIGNER.

- GENERAL NOTES**
- The contractor must check and verify all dimensions on the job prior to construction.
 - Before ordering roof trusses, verify all dimensions on site.
 - Drawings are not to be scaled.
 - All construction is to meet the current requirements of the Ontario Building Code (O.B.C.) & municipal By-laws. The required permits & approvals are to be obtained before the contractor commences with the work.
 - If there are any desired changes to the design of the building in which the building permit was issued for, the designer must be notified of such 'desired changes' and give approval before the change commences.
 - If any errors are discovered on the drawings, the designer must be notified before construction commences.

No.	DATE	DESCRIPTION
DIR1	06.09.2022	Preliminary Design
DIR2	06.13.2022	Issued For Client Review
DIR3	09.30.2022	Issued For Client Review

Ian Jonkman reviews and takes responsibility for the design work on behalf of a firm, Andy Jonkman Construction Ltd., registered under sub-section 3.2.4. of Division C of the Building Code.
Individual BCIN: 45579
Firm BCIN: 103245
Ian Jonkman
NAME SIGNATURE

iDESIGN DRAFTING
580 Sheffield Rd., R.R.#1, Troy, Ontario L0R 2B0
Office: 519-647-3223
Cell: 519-751-8412 i-design.ca

PROJECT INFORMATION
Scharringa Shed
19 McDonald Street
Rockton, ON, L0R 1X0

SHEET TITLE
Building Sections & Details

OWNER:	C & K Scharringa
DRAWN BY:	B.Powell
CHECKED BY:	I. Jonkman
DATE	09.30.2022
SCALE	As indicated
PROJECT No. :	J22063.2



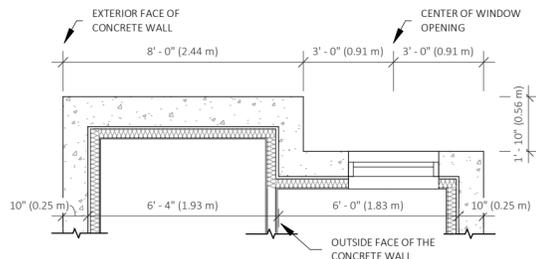
GENERAL DRAWING NOTES

- ALL WORK IS TO MEET AND TO BE CARRIED OUT ACCORDING TO THE CURRENT REQUIREMENTS OF THE ONTARIO BUILDING CODE (O.B.C.) 2012 EDITION INCLUDED ALL REVISIONS, MUNICIPAL BY-LAWS, AND ANY OTHER REGULATIONS THAT MAY APPLY TO A PARTICULAR PROJECT.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER TO SUBMIT THE DRAWINGS SIGNED BY THE DESIGNER FOR THE REQUIRED PERMITS AND APPROVALS NEEDED FROM AUTHORITIES HAVING JURISDICTION BEFORE CONSTRUCTION CAN COMMENCE.
- IF THERE ARE ANY DESIRED CHANGES TO THE DESIGN OF THE BUILDING IN WHICH THE BUILDING PERMIT WAS ISSUED FOR, THE DESIGNER MUST BE NOTIFIED OF SUCH 'DESIRED CHANGES' AND GIVE APPROVAL BEFORE THE CHANGE COMMENCES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER TO SUBMIT THE REVISED DRAWINGS TO THE APPLICABLE DEPARTMENTS OVERSEEING THE PERMITS.
- IF ANY ERRORS OR DISCREPANCIES ARE DISCOVERED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED BEFORE CONSTRUCTION COMMENCES.
- THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION OR ORDERING OF MATERIAL. THIS INCLUDES PRE-ENGINEERED ROOF SYSTEMS AND PRE-ENGINEERED FLOOR SYSTEMS.
- DRAWINGS ARE NOT TO BE SCALED.
- WINDOW & DOOR SUPPLIER SHALL WORK WITH THE OWNER AND/OR THE CONTRACTOR AND PROVIDE SHOP DRAWINGS FOR THE WINDOWS AND DOORS IN THE PROJECT'S SCOPE OF WORK. ALL FINAL WINDOW STYLES AND SIZES TO BE DETERMINED BY THE OWNER.
- CABINET FABRICATOR(S) SHALL WORK WITH THE OWNER AND/OR THE CONTRACTOR ON THE CABINETRY DESIGN AND PROVIDE FINAL SHOP DRAWINGS TO THE OWNER FOR ALL RELATED WORK.
- ALL FINAL INTERIOR AND EXTERIOR FINISHES TO BE CONFIRMED AND CHOSEN BY THE OWNER.

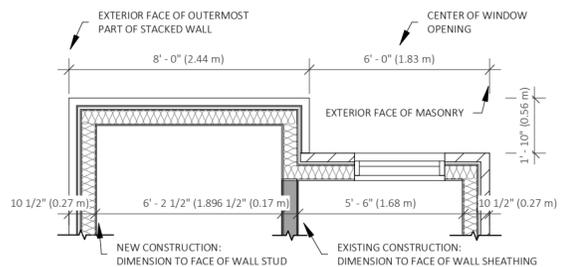
DIMENSIONING STANDARDS

- ALL EXTERIOR DIMENSIONS ARE SHOWN THE CENTER OF DOOR & WINDOW OPENINGS, BUILDING OFFSETS, AND THE OVERALL BUILDING FACE.
- IN THE CASE OF A STACKED WALL, DIMENSIONS ARE TAKEN TO THE FACE OF THE OUTERMOST PORTION OF THE WALL.
- UNLESS OTHERWISE SHOWN, ASSUME ALL INTERIOR MEASUREMENTS IN NEW CONSTRUCTION ARE TAKEN TO THE FACE OF THE STRUCTURAL ELEMENT AND NOT NECESSARILY THE FACE OF THE WALL SHEATHING.
- UNLESS OTHERWISE SHOWN, ASSUME ALL INTERIOR MEASUREMENTS IN EXISTING CONSTRUCTION ARE TAKEN TO THE FACE OF THE EXISTING WALL SHEATHING AND NOT NECESSARILY THE STRUCTURAL ELEMENT.

CONCRETE FOUNDATION WALL CONSTRUCTION EXAMPLE



BRICK VENEER OR STACKED WALL ON WOOD STUD CONSTRUCTION EXAMPLE



PHASING

ARCHITECTURAL DRAWINGS MAY DISPLAY ELEMENTS IN THREE PHASES. EACH PHASE IS GRAPHICALLY DISPLAYED DIFFERENTLY.

- EXISTING CONSTRUCTION
- NEW CONSTRUCTION
- EXISTING DEMOLISHED

ADDITIONAL GRAPHICAL REPRESENTATION

- STEEL OR WOOD BEAM / LINTEL
- 1 HR. MIN F.R.R.
- PERIMETER OF FLOOR ABOVE
- BATT INSULATION OR BLOWN CELLULOSE
- SPRAYED URETHANE INSULATION

DEFINITIONS

- BUILDING AREA** MEANS THE GREATEST HORIZONTAL AREA OF A BUILDING ABOVE GRADE WITHIN THE OUTSIDE SURFACE OF EXTERIOR WALLS.
- GRADE** MEANS THE AVERAGE LEVEL OF PROPOSED OR FINISHED GROUND ADJOINING A BUILDING AT ALL EXTERIOR WALLS.
- GROSS AREA** MEANS THE COMBINED FLOOR AREA OF EVERY STOREY IN A BUILDING BETWEEN THE OUTSIDE SURFACE OF EXTERIOR WALLS.
- STOREY** MEANS A PORTION OF A BUILDING THAT IS SITUATED BETWEEN THE TOP OF ANY FLOOR AND THE TOP OF THE FLOOR NEXT ABOVE IT (OR CEILING ABOVE THE FLOOR IF THERE IS NO FLOOR ABOVE)

ABBREVIATIONS

@	AT
A.B.	AIR BARRIER
ALUM.	ALUMINUM
B.O.B.	BEAM BY OTHERS
B/W	BETWEEN
CONC.	CONCRETE
CONSR.	CONSTRUCTION
CONT.	CONTINUOUS
CL.	CENTER LINE
C/W	CEILING
E.W.	COMPLETE WITH EACH WAY
EX.	EXISTING
EXT.	EXTERIOR
DEM.	DEMOLISHED
DIA. Ø	DIAMETER
F.R.	FIRE RATED
F.R.F.	FIRE RESISTANCE RATING
F.L.R.	FLOOR
FND.	FOUNDATION
FTG.	FOOTING
FURN.	FURNACE
GFA	GROUND FLOOR AREA
LG.	LEDGER
MAX.	MAXIMUM
MIN.	MINIMUM
O.B.C.	ONTARIO BUILDING CODE
O.C.	ON CENTER
P.L.	POINT LOAD
PREF.	PREFINISHED
PROP.	PROPOSED
P.T.	PRESSURE TREATED
S.FTG.	STEP FOOTING
S.FND.	STEP FOUNDATION
T&G	TONGUE AND GROOVE
THK	THICK
T.O.	TOP OF
TYP.	TYPICAL
U.S.	UNDERSIDE
V.B.	VAPOUR BARRIER
W.H.	WATER HEATER
W/	WITH

GENERAL CONSTRUCTION NOTES

ALL NOTES LISTED UNDER 'GENERAL CONSTRUCTION NOTES' ARE A FEW GUIDELINES TO ASSIST WITH THE WORK DURING THE CONSTRUCTION PROCESS. THE WORK DESCRIBED IN THESE DOCUMENTS ARE REQUIRED TO MEET THE STANDARDS LISTED HERE BUT NOT LIMITED TO THESE STANDARDS.

MISC.

- AN ENCLOSED SPACE BELOW A FLOOR ASSEMBLY AND THE GROUND COVER IS CONSIDERED A CRAWL SPACE IF THE HEIGHT FROM THE U.S. OF THE FLOOR JOISTS TO THE GROUND COVER IS LESS THAN 5'-11". EACH CRAWL SPACE IS TO BE ACCESSED BY AN OPENING OF NOT LESS THAN 19 5/8" x 2'-11 1/2".
- AN ATTACHED GARAGE IS REQUIRED TO HAVE A FLOOR THAT SLOPES LIQUIDS TO THE OUTDOORS.
- A FIRE SEPARATOR (F.S.) HAVING A FIRE RESISTANCE RATING (F.R.R.) OF NOT LESS THAN 1 HOUR IS REQUIRED BETWEEN THE MAIN HOUSE AND THE IN-LAW SUITE AS PER OBC 9.10.9.14.(3).
- DOORS LOCATED IN THE F.S. ARE REQUIRED TO HAVE A MIN. 45 MIN. FIRE-PROTECTION RATING AS PER OBC 2.9.10.13.1.(1). THE DOORS MUST ALSO BE EQUIPPED WITH A SELF-CLOSING DEVICE AS PER OBC 9.10.13.10.(1).
- SUITE DEMISING WALL TO BE BUILT WITH A 2"x6" WOOD PLATE W/ STAGGERED 2"x4" STUDS. ONE LAYER OF 5/8" TYPE 'X' GYPSUM BOARD INSTALLED ON EACH SIDE OF WALL. BATT INSULATION IN WALL TO IMPROVE SOUND ATTENUATION.
- VERTICAL FIRE BLOCKS ARE REQUIRED IN THE CONCEALED ROOF SPACE SO THAT NO ONE COMPARTMENT DIMENSION EXCEEDS 65'-8" AS PER 9.10.16.1.(5).

DRAINAGE & GRADING

- WATER AROUND THE BUILDING SHALL NOT ACCUMULATE AT OR NEAR THE BUILDING AND SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES. THE CONTRACTOR IS TO ENSURE THE WATER DRAINS AWAY FROM THE BUILDING.
- PLATON FOUNDATION WRAP OR APPROVED EQUAL APPLIED TO THE EXTERIOR SIDE OF THE FOUNDATION WALL WHERE A DRAINAGE LAYER IS REQUIRED.
- DRAINAGE CONSISTING OF A 4" PERFORATED WEEPING TILE c/w SOCK AND HAVING MIN. 6" CLEAR CRUSHED STONE COVER ABOVE THE TILE AT THE BASE OF EVERY FND. WALL CONTAINING AN INTERIOR BASEMENT. THE TOP OF TILE IS TO BE BELOW THE BOTTOM OF THE INTERIOR CONCRETE SLAB OR THE GROUND LEVEL IN A CRAWLSPACE.
- EVERY WINDOW WELL SHALL BE DRAINED TO THE FOOTING LEVEL OR OTHER SUITABLE LOCATION.
- WHERE GRAVITY DRAINAGE IS NOT PRACTICAL, A COVERED SUMP PUMP WITH AN AUTOMATIC PUMP SHALL BE INSTALLED TO DISCHARGE THE WATER INTO A SEWER, DRAINAGE DITCH, OR DRY WELL.
- DRY WELLS ARE ONLY PERMITTED IF THE NATURAL GROUNDWATER LEVEL IS BELOW THE BOTTOM OF THE DRY WELL. THEY SHALL BE LOCATED NOT LESS THAN 16'-5" FROM THE BUILDING'S FOUNDATION AND SHALL DRAIN AWAY FROM THE BUILDING.
- FLOORS IN GARAGES AND FLOORS INSTALLED OVER 4" OF GRANULAR FILL DO NOT NEED TO BE DAMPROOFED. GRANULAR FILL IS NOT REQUIRED BELOW FLOORS OF GARAGES, CARPORTS, OR ACCESSORY BUILDINGS.

FOUNDATION WALLS & FOOTINGS & SLABS

- EXTERIOR FOUNDATION WALLS SHALL EXTEND NOT LESS THAN 6" ABOVE FINISHED GROUND.
- WHEN THE AIR TEMPERATURE IS BELOW 5°C, CONCRETE SHALL BE KEPT AT A TEMPERATURE NOT LOWER THAN 10°C WHILE BEING MIXED AND PLACED. THE TEMPERATURE SHALL BE MAINTAINED AT 10°C OR HIGHER FOR 72 HOURS AFTER BEING PLACED.
- STEP FTGS: MAX. VERTICAL RISE BETWEEN STEPS IS 24" AND THE MIN. HORIZONTAL DISTANCE BETWEEN STEPS IS 24".

WOOD FRAMING

- STRUCTURAL WOOD ELEMENTS SHALL BE PRESSURE-TREATED WITH A PRESERVATIVE TO RESIST DECAY, IN LOCATIONS WHERE THE VERTICAL CLEARANCE BETWEEN THE STRUCTURAL WOOD ELEMENTS AND THE FINISHED GROUND LEVEL OR CONCRETE IN CONTACT WITH THE GROUND IS LESS THAN 6". WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE TREATED SHALL BE PROTECTED WITH A 6 MIL. POLYETHYLENE FILM OR TYPE S ROLL ROOFING.
- ENDS OF WOOD JOISTS, BEAMS, AND OTHER MEMBERS SHALL BE TREATED TO PREVENT DECAY WHERE THE BOTTOM OF THE MEMBER IS AT OR BELOW GROUND LEVEL, OR A 1/2" AIR SPACE SHALL BE PROVIDED AT THE END AND SIDES OF THE MEMBER.
- HOLES DRILLED IN ROOF, FLOOR, OR CLG. FRAMING MEMBERS SHALL BE NOT LARGER THAN ONE-QUARTER THE DEPTH OF THE MEMBER AND SHALL BE LOCATED NOT LESS THAN 2" FROM THE EDGES, UNLESS THE DEPTH OF THE MEMBER IS INCREASED BY THE SIZE OF THE HOLE.
- NOTCHES IN ROOF, FLOOR, OR CLG. FRAMING MEMBERS SHALL BE LOCATED ON THE TOP OF THE MEMBER WITHIN HALF THE JOIST DEPTH FROM THE EDGE OF BEARING AND IS NOT DEPER THAN ONE-THIRD THE JOIST DEPTH UNLESS THE DEPTH OF THE MEMBER IS INCREASED BY THE SIZE OF THE NOTCH.
- WALL STUDS SHALL NOT BE NOTCHED OR DRILLED TO REDUCE THE REMAINDER OF THE STUD TO LESS THAN TWO-THIRDS THE DEPTH OF THE STUD IF THE STUD IS LOAD BEARING OR 1 1/2" IF THE STUD IS NON-LOADBEARING UNLESS THE WEAKENED STUDS ARE SUITABLY REINFORCED.
- TOP PLATES IN WALLS SHALL NOT BE NOTCHED OR DRILLED TO REDUCE THE REMAINDER OF THE PLATE TO LESS THAN 2" UNLESS THE WEAKENED PLATES ARE SUITABLY REINFORCED.
- ROOF TRUSS MEMBERS SHALL NOT BE NOTCHED OR DRILLED UNLESS IT IS ALLOWED FOR IN THE DESIGN OF THE TRUSS. CONTACT THE TRUSS DESIGNER TO DETERMINE IF SUCH IS POSSIBLE.
- BUILDINGS SHALL BE ANCHORED TO THE BUILDING BY FASTENING A SILL PLATE TO THE FND. WITH NOT LESS THAN 1/2" Ø ANCHOR BOLTS SPACED NOT MORE THAN 7'-10 1/2" UNLESS OTHERWISE NOTED. SILL PLATES SHALL BE MIN. 2"x4" MATERIAL.
- BOTTOM OF FLOOR JOISTS SHALL BE RESTRAINED FROM TWISTING AT EACH END BY TOE-NAILING TO THE SUPPORTS, END NAILING TO THE HEADER JOISTS, OR BY PROVIDING CONTINUOUS STRAPPING, BLOCKING BETWEEN THE JOISTS, OR CROSS-BRIDGING NEAR THE SUPPORTS.
- NON-LOADBEARING WALLS PARALLEL TO THE FLOOR JOISTS SHALL BE SUPPORTED BY JOISTS BENEATH THE WALL OR ON BLOCKING BETWEEN THE FLOOR JOISTS. BLOCKING TO BE MIN. 2"x4" SPACED MAX. 3'-11" O.C.
- LOADBEARING WALLS AT RIGHT ANGLES TO FLOOR JOISTS SHALL BE LOCATED NOT MORE THAN 2'-11" FROM THE JOISTS SUPPORT WHEN THE WALL DOES NOT SUPPORT A FLOOR, AND NOT MORE THAN 24" FROM THE JOIST SUPPORT WHEN THE WALL SUPPORTS ONE OR MORE FLOORS. (UNLESS THE JOIST SIZE IS DESIGNED TO SUPPORT SUCH LOADS)
- FLOOR JOISTS SUPPORTING ROOF LOADS SHALL NOT CANTILEVER MORE THAN 16" BEYOND THEIR SUPPORTS WHERE 2" x 8" FLOOR JOISTS ARE USED AND NOT MORE THAN 24" BEYOND THEIR SUPPORTS WHERE 2" x 10" OR LARGER JOISTS ARE USED. THESE CANTILEVERS SHALL NOT SUPPORT FLOOR LOADS FROM STORIES ABOVE UNLESS CALCULATIONS ARE SHOWN THEY ARE CAPABLE OF THE DESIGN LOADS.
- WHEN CANTILEVERED FLOOR JOISTS ARE AT RIGHT ANGLES TO THE MAIN FLOOR JOISTS, THE TAIL JOISTS IN THE CANTILEVERED PORTION SHALL EXTEND INWARD AWAY FROM THE CANTILEVERED SUPPORT A DISTANCE EQUAL TO MIN. SIX TIMES THE LENGTH OF THE CANTILEVER AND SHALL BE NAILED TO AN INTERIOR DOUBLE HEADER JOIST.
- WALL BRACING IS NOT REQUIRED IN EXTERIOR WALLS IF THE WALLS ARE CLAD IN PANEL TYPE SIDING, DIAGONALLY SHEATHED WITH LUMBER, OR SHEATHED WITH PLYWOOD, OSB, WAFERBOARD, GYPSUM OR FIBERBOARD SHEATHING.
- WALL STUDS SHALL BE CONTINUOUS FOR THE FULL STOREY HEIGHT EXCEPT FOR AT OPENINGS AND SHALL NOT BE SPLICED.

ROOFING

- ROOFING TYPES AND SLOPE LIMITS AS PER TABLE 9.26.3.1.
- FLASHING SHALL BE INSTALLED AT JUNCTIONS BETWEEN ROOFS AND WALLS THAT RISE ABOVE THE ROOF AND GAURDS THAT ARE CONNECTED TO THE ROOF BY OTHER THAN PICKETS OR POSTS. CHIMNEY SADLE IS REQUIRED WHERE THE UPPER SIDE OF THE CHIMNEY ON A SLOPING ROOF IS MORE THAN 29 1/2" WIDE EXCEPT IF THE INTERSECTION BETWEEN THE CHIMNEY AND ROOF IS PROTECTED BY SHEET METAL FLASHING THAT EXTENDS UP THE CHIMNEY A HEIGHT EQUAL TO 1/6th THE WIDTH OF THE CHIMNEY (MIN. HEIGHT = 6") AND UP THE ROOF SLOPE TO A POINT EQUAL IN HEIGHT TO THE FLASHING ON THE CHIMNEY (BUT NOT LESS THAN 1.5 TIMES THE SHINGLE EXPOSURE).
- OPEN VALLEYS SHALL BE FLASHED WITH ONE LAYER OF SHEET METAL MIN. 24" WIDE OR MIN. 2 LAYERS OF ROLL ROOFING.
- WHEN REQUIRED, EAVE PROTECTION SHALL BE PROVIDED ON SHINGLE, SHAKE, OR TILE ROOFS EXTENDING FROM THE EDGE OF THE ROOF TO A MINIMUM OF 3'-0" UP THE ROOF SLOPE TO A LINE NOT LESS THAN 1'-0" INSIDE THE INNER FACE OF THE EXTERIOR WALL.

- EAVE PROTECTION IS NOT REQUIRED OVER: UNHEATED GARAGES, CARPORTS, PORCHES,
 - UNHEATED GARAGES, CARPORTS, AND PORCHES
 - WHERE THE ROOF OVERHANG EXCEEDS 3'-0" MEASURED ALONG THE ROOF SLOPE FROM THE EDGE OF ROOF TO THE INNER FACE OF THE EXTERIOR WALL
 - ON ROOFS OF ASPHALT SHINGLES INSTALLED IN ACCORDANCE WITH SUBSECTION 9.26.8.
 - ON ROOFS WITH SLOPES OF 8/12 OR GREATER
 - IN REGIONS WITH 3500 OR FEWER DEGREE-DAYS

THERMAL INSULATION

- WHEN INSULATION IS EXPOSED TO THE WEATHER AND SUBJECT TO MECHANICAL DAMAGE, IT SHALL BE PROTECTED WITH NOT LESS THAN:
 - 1/4" PRESERVATIVE-TREATED PLYWOOD, OR
 - 1/2" CEMENT PARGING ON WIRE LATH APPLIED TO THE EXPOSED FACE AND EDGE.
- INSULATION AND VAPOUR BARRIER IS TO BE PROTECTED FROM MECHANICAL DAMAGE BY A COVERING SUCH AS GYPSUM BOARD, PLYWOOD, PARTICLE BOARD, OSB, WAFERBOARD OR HARDBOARD. AN EXCEPTION IS MADE IF THE BASEMENT IS UNFINISHED AND THE INSULATION CONSISTS OF MINERAL FIBRE INSULATION COVERED WITH 6 mil. POLY VAPOUR BARRIER.
- LOOSE-FILL INSULATION ABOVE SLOPED CEILINGS SHALL NOT BE USED ON CEILINGS WITH A PITCH OF MORE THAN 4.5/12 FOR MINERAL FIBRE AND CELLULOSE FIBRE INSULATION AND 2.5/12 PITCH FOR OTHER TYPES OF INSULATION.
- PERMITTED BASEMENT INSULATION GAP BETWEEN THE FLOOR LEVEL AND THE BOTTOM OF INSULATION IS MAX. 8".
- VENTING ROOF SPACES:
- EXCEPT WHERE IT IS SHOWN UNNECESSARY, VENTS SHALL BE INSTALLED BETWEEN INSULATION AND THE UNDERSIDE OF THE ROOF SHEATHING TO PERMIT THE MOVEMENT OF AIR FROM THE ATTIC SPACE TO THE EXTERIOR.
- UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA. IF THE ROOF SLOPE IS LESS THAN A 2/12 PITCH OR IF THE ROOF IS CONSTRUCTED WITH ROOF JOISTS, THE UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/150 OF THE INSULATED CEILING AREA. IN ALL SITUATIONS THERE SHALL NOT BE LESS THAN 25% OF THE REQUIRED OPENINGS LOCATED AT THE TOP OF THE SPACE AND NOT LESS THAN 25% OF THE REQUIRED OPENINGS LOCATED AT THE BOTTOM OF THE SPACE.
- REQUIRED VENTS MAY BE ROOF TYPE, EAVE TYPE, GABLE-END TYPE, OR A COMBINATION OF THE THEM. THEY MUST BE DISTRIBUTED EVENLY ON OPPOSITE SIDES OF THE BUILDING.
- MIN. 2 1/2" CLEAR VENTING SPACE REQUIRED BETWEEN THE TOP OF INSULATION AND THE UNDERSIDE OF ROOF SHEATHING WHEN VENTING IS PROVIDED TO A ROOF JOIST SPACE. WHEN VENTS (i.e. MOORE VENTS) ARE INSTALLED UP THE ROOF JOIST SPACE STARTING AT THE EAVE LEVEL AND HAVE PREFORMED BAFFLES 1" THICK THE 2 1/2" CLEARANCE IS NOT NEEDED. THE VENTS MUST EXTEND 2" PAST THE TOP OF THE INSULATION AND MUST HAVE A SUFFICIENT CROSS AREA TO MEET THE VENTING REQUIREMENTS.
- IF EACH INDIVIDUAL JOIST SPACE IS NOT VENTED INDIVIDUALLY ROOF JOIST SPACES SHALL BE INTERCONNECTED BY INSTALLING 1 1/2" x 1 1/2" PURLINS ON TOP OF THE ROOF JOISTS.

- ACCESS:
- AN ATTIC HATCH MUST BE INSTALLED TO EVERY ATTIC OR ROOF SPACE IF THE ATTIC OR ROOF SPACE IS NOT LESS THAN 108 FT², 3'-3 1/2" IN LENGTH OR WIDTH, AND IS 24" IN HEIGHT OVER AT LEAST THE AREA DESCRIBED IN THE OTHER TWO CRITERIA. MIN. ATTIC ACCESS SIZE TO BE 22" x 28" WITH MIN. R20 INSULATION AND WEATHER STRIPPING.
- ALL SPRAY FOAM TO BE COVERED AS PER O.B.C. 9.10.17.10.(1).

- WINDOWS & DOORS
- EXCEPT WHERE A DOOR ON THE SAME FLOOR LEVEL AS THE BEDROOM PROVIDES DIRECT ACCESS TO THE EXTERIOR, EVERY FLOOR LEVEL CONTAINING A BEDROOM SHALL BE PROVIDED WITH AT LEAST ONE OUTSIDE WINDOW THAT IS OPENABLE FROM THE INSIDE WITHOUT ANY TOOLS AND PROVIDES AN UNOBSTRUCTED OPEN PORTION HAVING A MIN. AREA OF 3.77 SQ. FT. WITH NO DIMENSION LESS THAN 1'-3".

- EXTERIOR CLADDING
- MIN. 1 LAYER OF SHEATHING MEMBRANE CONFORMING TO THE PERFORMANCE REQUIREMENTS OF CAN/CGSB-51.32-M "SHEATHING MEMBRANE, BREATHER TYPE" SHALL BE APPLIED TO EXTERIOR WALLS BELOW SIDING, STUCCO, AND MASONRY VENEER. JOINTS SHALL BE LAPPED A MINIMUM 4" AND TAPED. A SHEATHING MEMBRANE IS NOT REQUIRED IF INSULATED SHEATHING WITH AN INTEGRAL SHEATHING MEMBRANE OR A FACE SEALED CLADDING IS INSTALLED.

- A MIN. CLEARANCE OF 8" SHALL BE PROVIDED BETWEEN FINISHED GROUND AND CLADDING THAT IS AFFECTED BY MOISTURE, SUCH AS UNTREATED WOOD, PLYWOOD, OSB, WAFERBOARD, AND HARDBOARD.
- A MIN. CLEARANCE OF 2" SHALL BE PROVIDED BETWEEN A ROOF SURFACE AND CLADDING THAT IS AFFECTED BY MOISTURE, SUCH AS UNTREATED WOOD, PLYWOOD, OSB, WAFERBOARD, AND HARDBOARD.
- A MIN. CLEARANCE OF 8" SHALL BE PROVIDED BETWEEN FINISHED GROUND AND STUCCO EXCEPT WHEN IT IS APPLIED OVER CONCRETE OR MASONRY.
- MASONRY VENEER OVER WOOD FRAME WALLS SHALL HAVE A MIN. 1" AIR SPACE BEHIND THE VENEER. MASONRY VENEER LESS THAN 3 1/2" THICK SHALL HAVE UNRAKED JOINTS.
- MASONRY VENEER OF HOLLOW UNITS RESTING ON BEARING SUPPORT SHALL PROJECT NOT MORE THAN 1 3/16" PAST THE BEARING EDGE WHEN THE VENEER IS 3 1/2" THICK OR THICKER AND NOT MORE THAN 1/2" PAST THE BEARING EDGE WHEN THE VENEER IS LESS THAN 3 1/2" THICK.
- MASONRY VENEER 2 3/4" THICK OR THICKER SHALL BE TIED TO MASONRY BACK-UP OR WOOD FRAMING MEMBERS WITH TIES THAT ARE CORROSION RESISTANT, NOT LESS THAN 1/32" THICK, 7/8" WIDE AND SHAPED TO PROVIDE A KEY WITH THE MORTAR. IF FASTENED TO WOOD FRAMING MEMBERS THE STRAPS SHALL BE FASTENED WITH CORROSION RESISTANT FASTENERS (SCREWS OR SPIRAL NAILS) PENETRATING THE FRAMING MEMBERS BY NO LESS THAN 1 3/16". FASTENERS TO BE SPACED AS SHOWN BELOW:

- | MAX. VERTICAL SPACING | MAX. HORIZONTAL SPACING |
|-----------------------|-------------------------|
| 16" | 32" |
| 20" | 24" |
| 24" | 16" |
- FLASHING SHALL BE INSTALLED IN MASONRY AND MASONRY VENEER WALLS BENEATH JOINTED MASONRY WINDOW SILLS, OVER THE BACK AND TOP OF PARAPET WALLS, BENEATH WEEP HOLES, AND OVER THE HEADS OF WINDOWS & DOOR OPENINGS IN EXTERIOR WALLS WHEN THE DISTANCE FROM THE TOP OF WINDOW AND DOOR TO THE U.S. OF THE SOFFIT IS GREATER THAN 1/4 THE HORIZONTAL EAVE OVERHANG DIMENSION.
 - WEEP HOLES SHALL BE SPACED NOT MORE THAN 2'-7 1/2" AT THE BOTTOM OF CAVITIES IN CAVITY WALLS AND AIR SPACES IN MASONRY VENEER WALLS. THIS INCLUDES OVER WINDOW & DOOR LOCATIONS. THEY SHALL BE IN A LOCATION THAT WILL DIRECT THE WATER TO THE EXTERIOR OF THE BUILDING AWAY FROM THE CAVITY.
 - CAVITY WALLS SHALL BE CONSTRUCTED SO THAT MORTAR DROPPINGS ARE PREVENTED FROM FORMING AN OBSTRUCTION THAT WILL PREVENT THE FLOW OF RAIN WATER ACROSS THE CAVITY.

- MASONRY CHIMNEYS AND FLUES
- THE BELOW INFORMATION RELATES TO MASONRY CHIMNEYS NOT MORE THAN 39'-4" IN HEIGHT SERVING FIREPLACES OR APPLIANCES HAVING A COMBINED TOTAL RATED HEAT OUTPUT OF 120 KW OR LESS.
- THE WALLS OF ANY CHIMNEY OR FLUE PIPE SHALL BE CONSTRUCTED TO BE SMOKE TIGHT AND FLAME TIGHT. CHIMNEY FLUES SHALL NOT BE INSTALLED MORE THAN 45° TO THE VERTICAL.
- EVERY MASONRY CHIMNEY SHALL HAVE A LINING OF CLAY, CONCRETE, FIREBRICK OR METAL. JOINTS SHALL BE SEALED TO PROVIDE A BARRIER TO FLUE GASES AND CONDENSATE INTO THE CAVITY BETWEEN THE LINER AND THE SURROUNDING MASONRY.
- CLAY LINERS TO CONFORM TO CAN/CSA-A324-M. FIREBRICK LINERS TO CONFORM TO ASTM C27 AND TO BE LAID WITH HIGH TEMPERATURE CEMENT MORTAR CONFORMING TO CAN/CGSB-10.3. CONCRETE LINERS TO CONFORM TO CLAUSE 4.2.6.4. OF CAN/CSA-A405-M.
- CLAY LINERS SHALL BE NOT LESS THAN 5/8" THICK AND SHALL BE ABLE TO RESIST, WITHOUT SOFTENING OR CRACKING, A TEMPERATURE OF 1100°C. METAL LINERS TO BE CONSTRUCTED OF AT LEAST 0.3 mm THICK STAINLESS STEEL.

- MIN. SPACE OF 3/8" SHALL BE LEFT BETWEEN THE CHIMNEY LINER AND THE SURROUNDING MASONRY. THIS SPACE IS NOT TO BE FILLED WITH MORTAR.
- CHIMNEY FLUE SHALL EXTEND NOT LESS THAN 35 1/2" BEYOND THE HIGHEST POINT OF THE ROOF IN WHICH THE CHIMNEY COMES IN CONTACT WITH AND 24" ABOVE THE HIGHEST ROOF SURFACE OR STRUCTURE WITHIN 9'-10" OF THE CHIMNEY.
- CHIMNEY NEED NOT BE LATERALLY BRACED IF NO HORIZONTAL OUTSIDE DIMENSION IS LESS THAN 16" AND THE CHIMNEY EXTENDS NOT MORE THAN 11'-9 3/4" ABOVE THE ROOF OR THE MASONRY WALL OF WHICH IT FORMS.
- TOP OF THE CHIMNEY TO HAVE A WATERPROOF CAP OF REINFORCED CONCRETE, MASONRY, OR METAL. THE CAP SHALL SLOPE FROM THE LINING AND BE PROVIDED WITH A DRIP EDGE OF NOT LESS THAN 1" FROM THE CHIMNEY WALL. CAST-IN-PLACE CONCRETE CAP SHALL BE SEPERATED FROM THE CHIMNEY LINER BY A BOND BREAK AND BE SEALED AT THAT LOCATION. JOINTED PRECAST OR MASONRY CHIMNEY CAPS SHALL HAVE A FLASHING INSTALLED BENEATH THE CAP EXTENDING FROM THE LINER TO THE DRIP EDGE.
- EXCEPT FOR A CHIMNEY FLUE CONSTRUCTED TO SERVE A MASONRY FIREPLACE, A CLEANOUT OPENING SHALL BE INSTALLED NEAR THE BASE OF THE CHIMNEY FLUE.
- WALLS OF THE MASONRY CHIMNEY SHALL BE BUILT OF SOLID UNITS NOT LESS THAN 2 3/4" THICK.
- FLUE LINERS IN THE SAME CHIMNEY SHALL BE SEPERATED BY NOT LESS THAN 2 3/4" OF MASONRY OR CONCRETE EXCLUSIVE OF LINERS WHERE CLAY LINERS ARE USED, OR 3 1/2" OF FIREBRICK WHERE FIREBRICK LINERS ARE USED.
- JOISTS OR BEAMS MAY BE SUPPORTED ON MASONRY WALLS THAT ENCLOSE CHIMNEY FLUES IF THE COMBUSTIBLE MEMBERS ARE SEPERATED FROM THE FLUE BY A MINIMUM OF 11 1/2" OF SOLID MASONRY.
- THE CLEARANCE BETWEEN MASONRY AND COMBUSTIBLE MATERIALS SHALL BE NOT LESS THAN 2" FOR INTERIOR CHIMNEYS AND 1/2" FOR EXTERIOR CHIMNEYS. A MIN. 6" CLEARANCE BETWEEN A CLEANOUT OPENING AND COMBUSTIBLE MATERIAL. COMBUSTIBLE FLOORING, SUBFLOORING, AND CLG. FINISHES SHALL HAVE NOT LESS THAN A 1/2" CLEARANCE FROM MASONRY CHIMNEYS.
- ALL SPACES BETWEEN MASONRY CHIMNEYS AND COMBUSTIBLE MATERIAL SHALL BE SEALED TOP OR BOTTOM WITH NONCOMBUSTIBLE MATERIAL.
- HEARTH DIMENSIONS TO MEET THE REQUIREMENTS OF O.B.C. 9.22.5 HEARTH.

- GENERAL STAIR & RAILING NOTES
- INTERIOR & EXTERIOR STAIRS SERVING DWELLING UNITS AND EXTERIOR STAIRS SERVING GARAGES THAT SERVE DWELLING UNITS SHALL BE CONSTRUCTED AS FOLLOWS:

TYPE	MAX.	MIN.
RISE	7-7/8"	4-7/8"
RUN	14"	10-3/64"

- MAX. 1" NOSING.
- RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT OF STAIRS.
- TREADS SHALL HAVE A UNIFORM RUN AND TREAD DEPTH IN ANY ONE FLIGHT OF STAIRS.
- THE MINIMUM HEAD HEIGHT ABOVE INTERIOR STAIRS IS 6'-5".
- MINIMUM INTERIOR STAIR WIDTH IS 2'-10". THE MAX. VERTICAL HEIGHT BETWEEN LANDINGS IS 12'-1 5/8".
- A LANDING IS NOT REQUIRED AT THE TOP OF A STAIR BETWEEN THE TOP OF STAIR AND DOOR IF THE DOOR SWINGS AWAY FROM THE STAIR.
- THE PRIMARY ENTRANCE INTO A DWELLING UNIT REQUIRES A LANDING. A SECONDARY ENTRANCE CONTAINING NOT MORE THAN 3 RISERS DOES NOT REQUIRE A LANDING IF THE DOOR DOES NOT SWING TOWARDS THE STAIRS.
- HANDRAIL IS REQUIRED ON INTERIOR STAIRS IF THERE ARE MORE THAN TWO RISERS. HANDRAIL IS REQUIRED ON EXTERIOR STAIRS IF THERE ARE MORE THAN THREE RISERS.
- HANDRAIL HEIGHT ON STAIRS TO BE OR BE BETWEEN 34 1/16" AND 38".
- PORCHES, BALCONIES, LANDINGS, STEPS, MEZZANINES, AND RAISED WALKWAYS REQUIRE A GAIRD IF THE TOP OF WALKING SURFACE IS GREATER THAN 2'-0" ABOVE AN ADJACENT SURFACE OR IF THE ADJACENT SURFACE WITHIN 3'-11" FROM THE WALKING SURFACE HAS A SLOPE OF MORE THAN 1 IN 2.
- MIN. GAURD HEIGHT FOR INTERIOR AND EXTERIOR STAIRS IS 2'-11 1/2". MIN. GAURD HEIGHT FOR EXTERIOR STAIRS WHERE THE WALKING SURFACE IS GREATER THAN 5'-11" FROM AN ADJACENT SURFACE IS 3'-6".
- MIN. GAURD HEIGHT AROUND LANDINGS IS 3'-6".
- GLASS RAILINGS, GLASS RAILING COMPONENTS, AND INSTALLATION REQUIREMENTS TO BE ENGINEERED AND SUPPLIED BY OTHERS.

- BATHROOMS, KITCHENS, & LAUNDRY ROOMS
- REINFORCEMENT SHALL BE INSTALLED IN WALLS ENCLOSING A BATHROOM FOR THE FUTURE INSTALLATION OF A GRAB BAR ADJACENT TO A WATER CLOSET, SHOWER, AND BATHTUB.
- WHEN PROVIDED, GRAB BARS SHALL BE CAPABLE OF RESISTING A LOAD OF NOT LESS THAN 1.3 KN VERTICALLY OR HORIZONTALLY.
- A FLOOR DRAIN SHALL BE INSTALLED IN A BASEMENT FORMING PART OF A DWELLING UNIT.
- AN EXHAUST AIR INTAKE SHALL BE INSTALLED IN EACH KITCHEN, BATHROOM, AND WATER CLOSET ROOM.
- PROVIDE A DRYER VENT TO THE EXTERIOR.

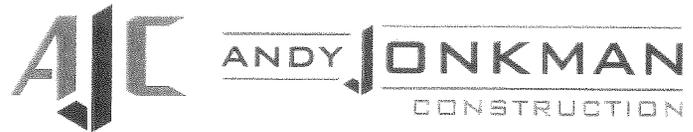
- LIGHTING, CARBON MONOXIDE DETECTORS, & SMOKE ALARMS
- IF A FUEL BURNING APPLIANCE IS INSTALLED IN A SUITE OF RESIDENTIAL OCCUPANCY OR IF AN ATTACHED GARAGE IS PART OF THE HOUSE, A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING ROOM IN THE SUITE.
- A CARBON MONOXIDE ALARM SHALL BE MECHANICALLY FIXED AT THE MANUFACTURER'S RECOMMENDED HEIGHT OR IF THERE ARE NO INSTRUCTIONS ON OR NEAR THE CEILING, IT SHALL BE INSTALLED AS PER O.B.C. 9.33.4.3.
- SMOKE ALARMS ARE REQUIRED TO BE INSTALLED ON EACH STOREY INCLUDING BASEMENT, IN EACH SLEEPING ROOM, A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY. ALL SMOKE ALARMS ARE REQUIRED TO BE INTERCONNECTED AND HAVE A VISUAL SIGNALLING COMPONENT AS PER O.B.C. 9.10.19.3(3).
- SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND IN CONFORMANCE WITH CAN/ULC-5553.
- AN EXTERIOR LIGHTING OUTLET CONTROLLED BY A WALL SWITCH SHALL BE PROVIDED AT EVERY ENTRANCE INTO BUILDINGS OF RESIDENTIAL OCCUPANCY.
- EMERGENCY LIGHTING SHALL CONFORM TO O.B.C. SUBSECTION 9.9.12.

- REINFORCEMENT SHALL BE INSTALLED IN WALLS ENCLOSING A BATHROOM FOR THE FUTURE INSTALLATION OF A GRAB BAR ADJACENT TO A WATER CLOSET, SHOWER, AND BATHTUB.
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- PROVIDE A DRYER VENT TO THE EXTERIOR.

- LIGHTING, CARBON MONOXIDE DETECTORS



580 Sheffield Rd., R.R.#1
 Troy, Ontario L0P 2B0
 T 519-647-3223 F 519-647-2910
 andyjonkmanconstruction.com

September 20, 2022

Committee of Adjustment
 City Hall, 5th Floor
 71 Main St. W.
 Hamilton, ON.
 L8P 4Y5

Attn: Committee of Adjustment

**Re: Minor Variance Application Re. 19 McDonald St. in Rockton, ON.
 Answers provided for Question #4
 Answers provided for Question #5**

4. Nature and extent of relief applied for:

The application is for relief regarding a detached accessory building on the property.

Detached Accessory Building

- The application is to seek relief from the building area and building height requirements for an accessory building under Section 4.8 of the By-law 05-200. The proposed accessory building will be replacing an existing detached accessory building on the property. The existing building will be demolished because of its deteriorating condition. The proposed building will be smaller in building area and lower in building height the current existing building. The existing building has an existing building area of 73.03 sq. m., gross area of 146.05 sq. m. (it has a loft), and a building height of 7.010m.

1) Gross Area:

The By-law states that the aggregate gross floor area of accessory buildings shall not exceed 45 sq. m. or 7.5% of the lot coverage, whichever is the lesser. The proposed building is a single story structure having a building area of 69.7 sq. m. We are seeking relief to allow the new detached accessory building to have a gross area of 24.70 sq. m. (69.7 sq. m. – 45 sq. m.) more than the permitted gross area.

2) Building Height:

The By-law states that the maximum building height for accessory buildings is 4.5m (14'-9 3/16"). The proposed

building height of the proposed detached accessory building is 4.97m (16'- 3 ¾"). We are seeking relief to allow the new detached accessory building to have a building height of 0.47m higher than the permitted building height.

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

Detached Accessory Building

1) Gross Area:

The existing building needs to be removed/demolished in the coming years because of its deteriorating condition. The owner would like to build a new structure to replace the demolished structure to store everything from the current building into. The new building is slightly smaller than what the current footprint is and the new building does not have loft storage space so they will be downsizing in storage area when making the switch. This is a large 8.5 acre property with an abundant amount of space in which we feel should not be a problem to build a 69.7 sq. m. detached structure. The property is tucked in the back of Rockton surrounded by trees which keeps this building out of site from the neighbors. Allowing the owner to build a larger building will keep the property looking neat and tidy by storing everything indoors.

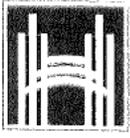
2) Building Height:

The owner needs the ceiling height (and garage door height) inside the building to fit his small lawn tractor, trailer, and other misc. items. The roof pitch was chosen based on aesthetics. The 5/12 roof pitch will look better with the existing house than a lower pitch roof. The shed is tucked back in the trees secluded from any neighbors so we feel that the minor change in building height will not affect anybody around them. The existing building that is coming down is 7.010m tall which is 2.509m taller than what the proposed building will be.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Ian Jonkman, Arch. Dipl. Tech.
Andy Jonkman Construction Ltd.



Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Calvin & Karen Scharringa	
Applicant(s)*		
Agent or Solicitor	Ian Jonkman	

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 on the property

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

4. Nature and extent of relief applied for:

PROVIDED ON SEPARATE ATTACHMENT.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

PROVIDED ON SEPARATE ATTACHMENT.

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

Lots 11 and 12	19 McDonald St.
Registered Plan 336	Rockton, ON
and Part of Lot 21	LOR 1X0
Concession 4	

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 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 owner's knowledge of the past history of this property and of the small town of Rockton as a whole.

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.

September 20, 2022
Date


Signature Property Owner(s)

CAROL & KAREN SCHARRINK
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage +/- 57.91 M (difficult to say with irregular property shape)
Depth +/- 292 M x +/- 215m (difficult to say with irregular property shape)
Area 8.5 acres
Width of street 6.09m

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

Existing:

Existing house: 2 storey, 149.76 sq. m. building area, 241.92 sq. m. gross area, building height = 8.33m, no attached garage, 102.94 sq. m. of covered porches attached to the house.
Existing detached garage: two storey, 73.03 sq. m. building area, 146.015 sq. m. gross area, building height = 7.010m

Proposed

Detached accessory building: 1 storey, 7.62m x 9.144m (width x length), 69.68 m² building area, building height = 4.97m

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 house: west side yard +/- 28.96m, north side yard = +/-33.53m, south side yard = +/- 90.53m, and east side yard = +/- 120.09m.
Existing detached garage: west side yard = +/- 11.83m, north side yard = +/- 30.56m, south side yard = +/-92.18m, and east side yard = +/- 144.48m

Proposed:

Detached accessory building: West side yard = 3.66m m, north side yard 12.19 m, south side yard = 113.87 m, and east side yard = 184.02 m.

13. Date of acquisition of subject lands:
August 2008
-
14. Date of construction of all buildings and structures on subject lands:
House in 1998. Detached garage shortly after. House added in 2014
-
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 family dwelling units
-
17. Length of time the existing uses of the subject property have continued:
Since the home was built in 1998
-
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------|-----------|------------|
| Water | <u>N/A</u> | Connected | <u>N/A</u> |
| Sanitary Sewer | <u>N/A</u> | Connected | <u>N/A</u> |
| Storm Sewers | <u>N/A</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Rockton Hamilton Official Plan - Settlement Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning Bylaw 05-200
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
- Yes No
- If yes, please provide the file number:
FL/A-21:73
- 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)
- N/A
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	GL/A-22:312	SUBJECT PROPERTY:	3233 HALL RD, GLANBROOK
ZONE:	"P6 and A1" (Conservation Hazard Land and Agriculture)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Ian Schroedeer/Renee Cauchi
Agent: Jenny Bognar – JB Drafting and Design

The following variances are requested:

1. A single detached dwelling and associated septic system shall be permitted on the subject vacant lot notwithstanding that new buildings and structures are not permitted on a vacant lot.

PURPOSE & EFFECT: To facilitate the construction of a new single detached dwelling and associated septic on the portion of the lands zoned P6.

Notes: 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:

DATE:	Thursday, November 3, 2022
TIME:	1:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

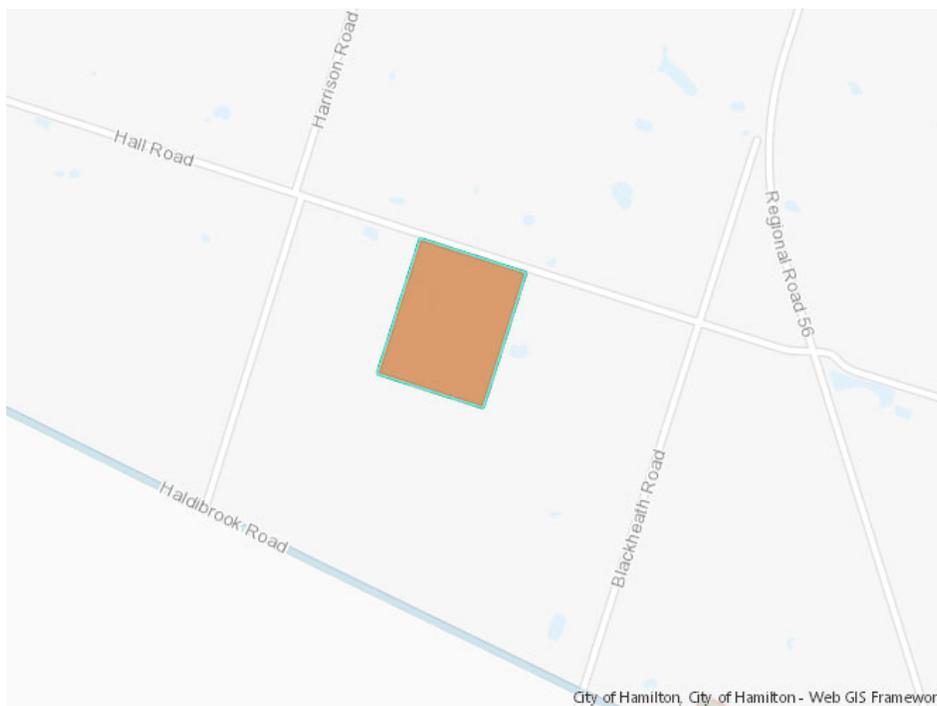
GL/A-22:312

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

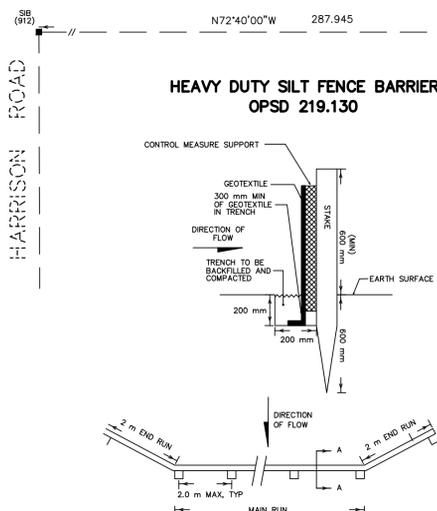
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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

SITE AND GRADING PLAN FOR 3233 HALL ROAD IN THE CITY OF HAMILTON

SCALE 1:300 METRIC

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



SILTATION CONTROL: THE SILTATION AND EROSION CONTROL MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT.

ALL EROSION AND SILTATION CONTROL DEVICES SHALL BE AS PER THE "GREATER GOLDEN HORSHOUE AREA CONSERVATION AUTHORITIES", "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".

"THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING OR LEAVING THE CONSTRUCTION SITE.

- LEGEND: DENOTES MONUMENT SET, IRON BAR, PLASTIC BAR, CUT CROSS, STANDARD IRON BAR, SHORT STANDARD IRON BAR, A.T. McLAREN, O.L.S., ORIGIN UNKNOWN, MEASURED, TOP OF BANK, BOTTOM OF BANK, INVERT, EVERGREEN, DIAMETER, NOT TO SCALE, EXISTING ELEVATION, PROPOSED ELEVATION, PROPOSED SWALE ELEVATION, DIRECTION OF FLOW, PROPOSED SWALE, SWALE WITH SUBDRAIN, ROOF LEADER, RISER, PROPOSED SILT FENCE.

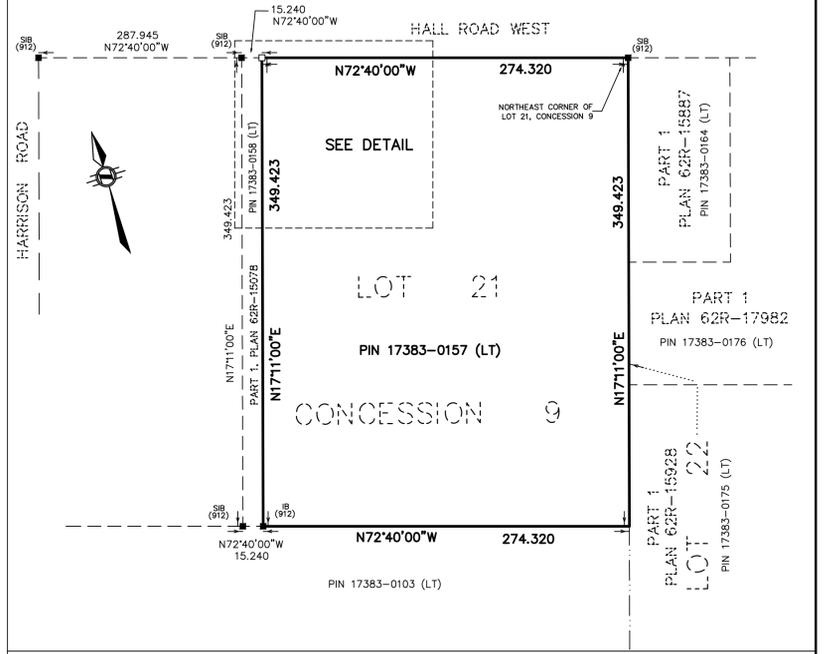
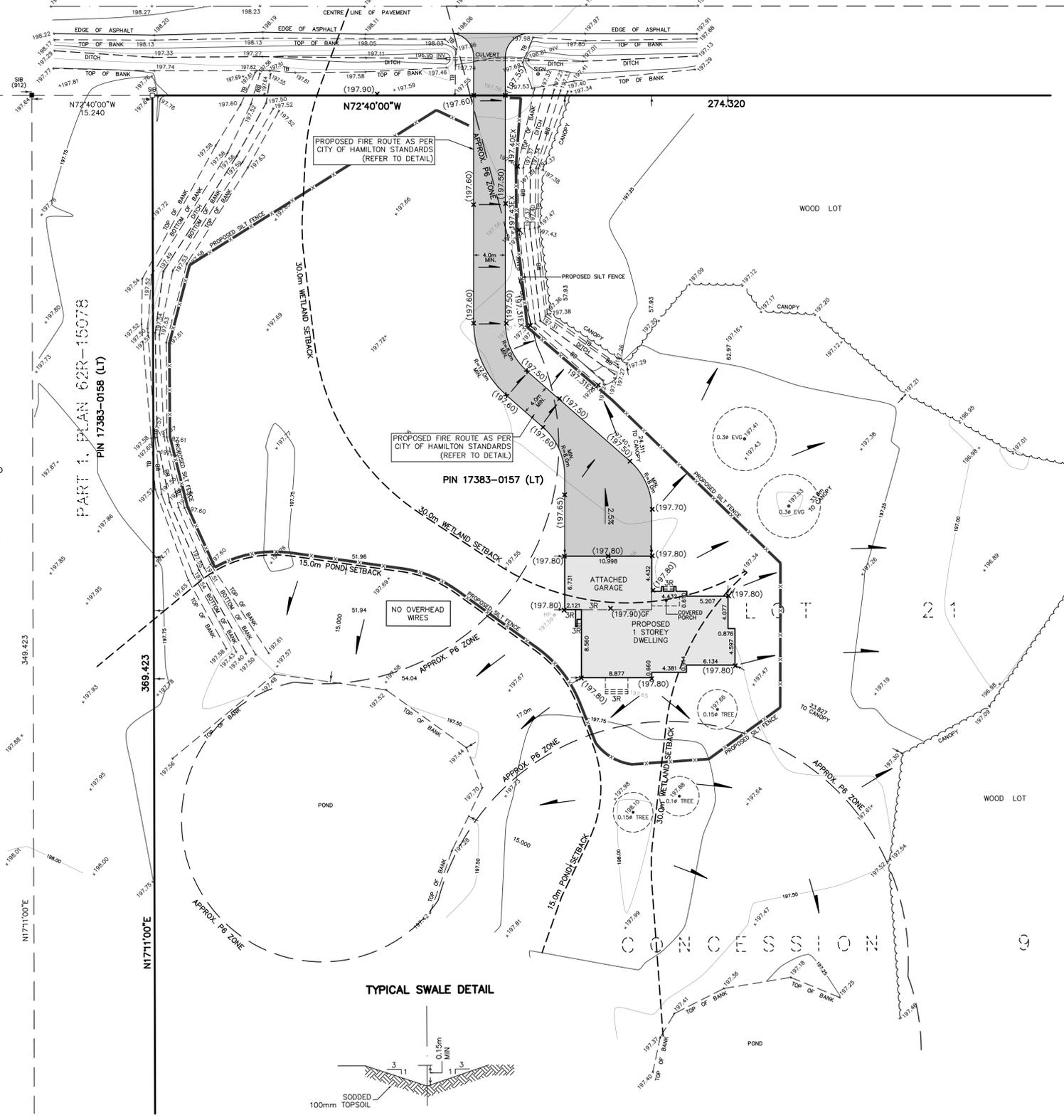
LOT AREA: LOT AREA = 95859 Sq.m. LOT COVERAGE = 0.25% PROPOSED HOUSE ELEVATIONS: GARAGE FLOOR = 197.80, TOP OF FOUNDATION = 197.95, FIRST FLOOR = 198.36, BASEMENT FLOOR = 195.38, U/S OF FOOTING = 195.08

NOTE: UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION. INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. BOUNDARY COMPILED FROM PLAN BY A.T. McLAREN LTD DATED MARCH 18, 2022.

ROOFWATER LEADERS: ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN ONTO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6m FROM THE FACE OF THE BUILDING.

BENCHMARK: MONUMENT 00119693492. STATION IS LOCATED ON WEST SIDE OF BLACK HEATH RD (REGIONAL RD 13) APPROX. 0.30 KM SOUTH OF HWY 58 AND 100.50 M NORTH OF C/L OF HALL RD.

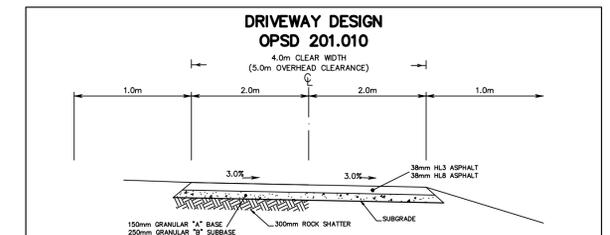
HALL ROAD WEST (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 8 & 9) PIN 17383-0142 (LT)



KEY PLAN Not To Scale

GENERAL GRADING NOTES:

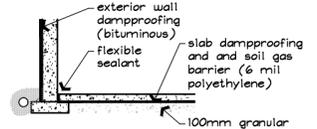
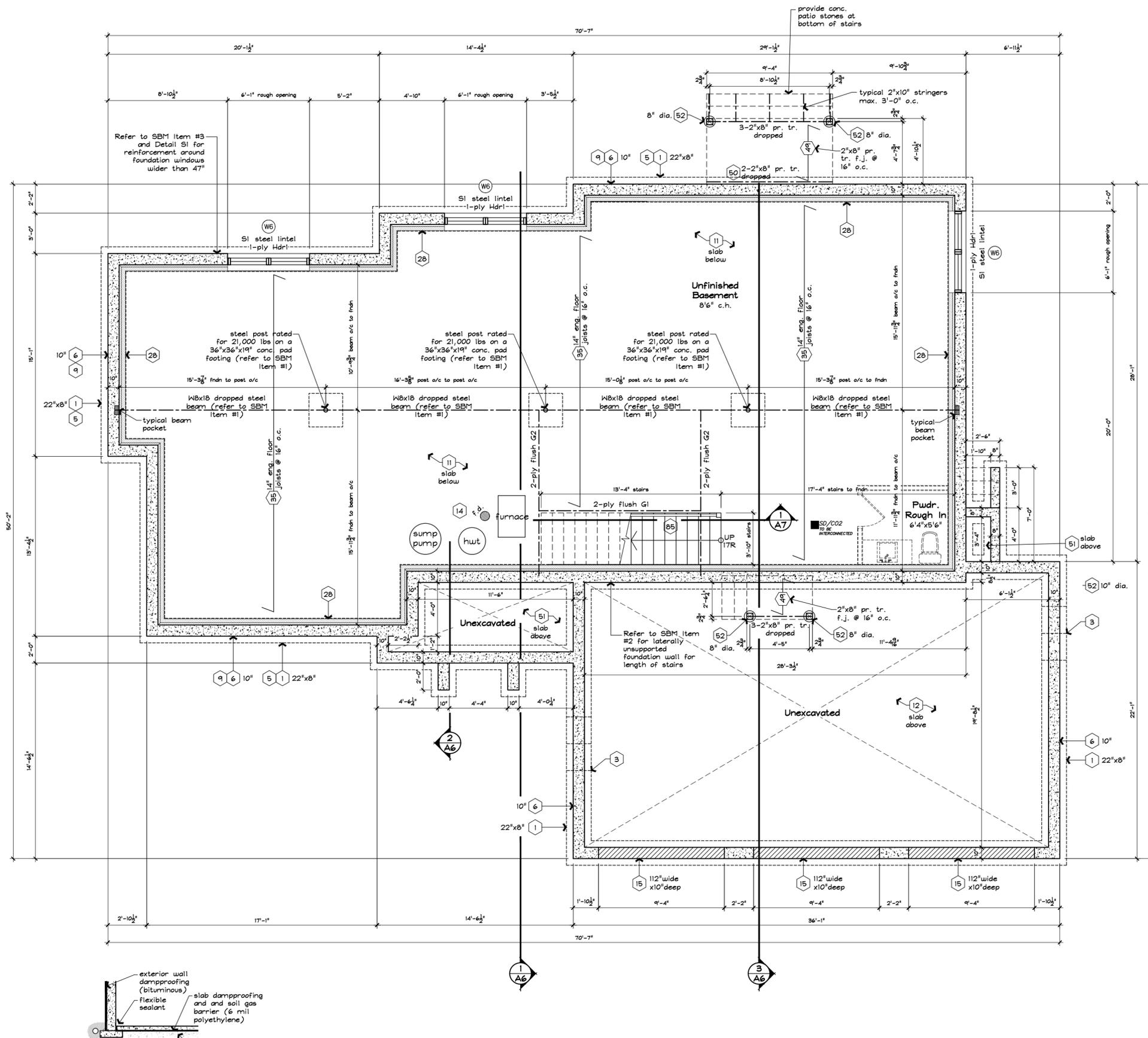
- 1. ALONG ADJOINING PROPERTIES TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SODDED SLOPES (MIN 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED.
2. ALL RETAINING WALLS, WALKWAYS, CURBS ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0M OR HIGHER SHALL BE DESIGNED BY A P.Eng.
3. SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
4. RETAINING WALLS 0.6m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
5. SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33% SLOPE (3:1 SLOPES).
6. WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED PROVIDED A 150mm SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAIN INTO A SUITABLE OUTLET, (WITH A MINIMUM 0.3m COVER OVER THE SUB-DRAIN, OR OTHER MITIGATION MEASURES).
7. MINIMUM GRADE FOR A WRAP-AROUND SWALE IN THE BACKYARD SHALL BE 1.0%
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED AS A STRAIGHT LINE.
9. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN.) ABOVE FINISHED GRADE.
10. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2.0% AND NOT MORE THAN 7.0% REVERSED SLOPE DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED.
11. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
12. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
13. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT OWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD THE PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
14. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VALVETS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.



- NOTES: A PORTION OF ROADWAY OR YARD PROVIDED AS A REQUIRED ACCESS ROUTE FOR FIRE DEPARTMENT USE SHALL:
a) HAVE A CLEAR WIDTH NOT LESS THAN 4m, UNLESS IT CAN BE SHOWN LESSER WIDTHS ARE SATISFACTORY.
b) HAVE A CENTRELINE RADIUS NOT LESS THAN 8.0m.
c) HAVE AN OVERHEAD CLEARANCE NOT LESS THAN 5m.
d) HAVE A CHANGE OF GRADIENT NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15m.
e) BE DESIGNED TO SUPPORT THE EXPECTED LOADS IMPOSED BY FIREFIGHTER EQUIPMENT (36,514kg OR 80,500lbs.) AND BE SURFACED WITH CONCRETE, ASPHALT OR OTHER MATERIAL DESIGNED TO PERMIT ACCESSIBILITY UNDER ALL CLIMATIC CONDITIONS.
f) HAVE TURNAROUND FACILITIES FOR ANY DEAD-END PORTION OF THE ACCESS ROUTE MORE THAN 90m LONG
g) BE CONNECTED WITH A PUBLIC THOROUGHFARE.

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

Logo and contact information for A.T. McLaren Limited, Legal and Engineering Services, 69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ONTARIO, L8N 2B9. Phone: (905) 527-8559, Fax: (905) 527-0032.



Radon Gas Barrier (For New Addition Only)
 Provide:
 1. A soil gas barrier on the foundation walls (bituminous dampproofing, and
 2. Under the basement floor slab using 5 mil. polyethylene lapped not less than 300 mm, and
 3. Sealing along the perimeter of the basement floor slab and at all penetrations using flexible sealant (polyurethane caulking)
 Note: Care must be taken when installing 6 mil. polyethylene since it's prone to puncture. Please ensure the polyethylene is adequately protected.

**THE SCHROEDER/
 CAUCHI RESIDENCE**
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 BINBROOK, ON
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**drafting
 + design**
 ■ 193 East 43rd Street ■
 ■ Hamilton, ON ■ L8T 3C3 ■
 ■ jbdraftinganddesign@live.ca ■
 ■ 905.517.6027 ■

PRELIMINARY
 09.29.22 signature required
 Jennifer Bognar reviews and takes responsibility for the design work described in this document
 firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
10-30-20	ISSUED FOR REVIEW
11-17-20	ISSUED FOR REVIEW
01-05-21	ISSUED FOR REVIEW
07-20-21	ISSUED FOR PRINTING
11-30-21	ISSUED FOR REVIEW
05-23-22	ISSUED FOR C.A.

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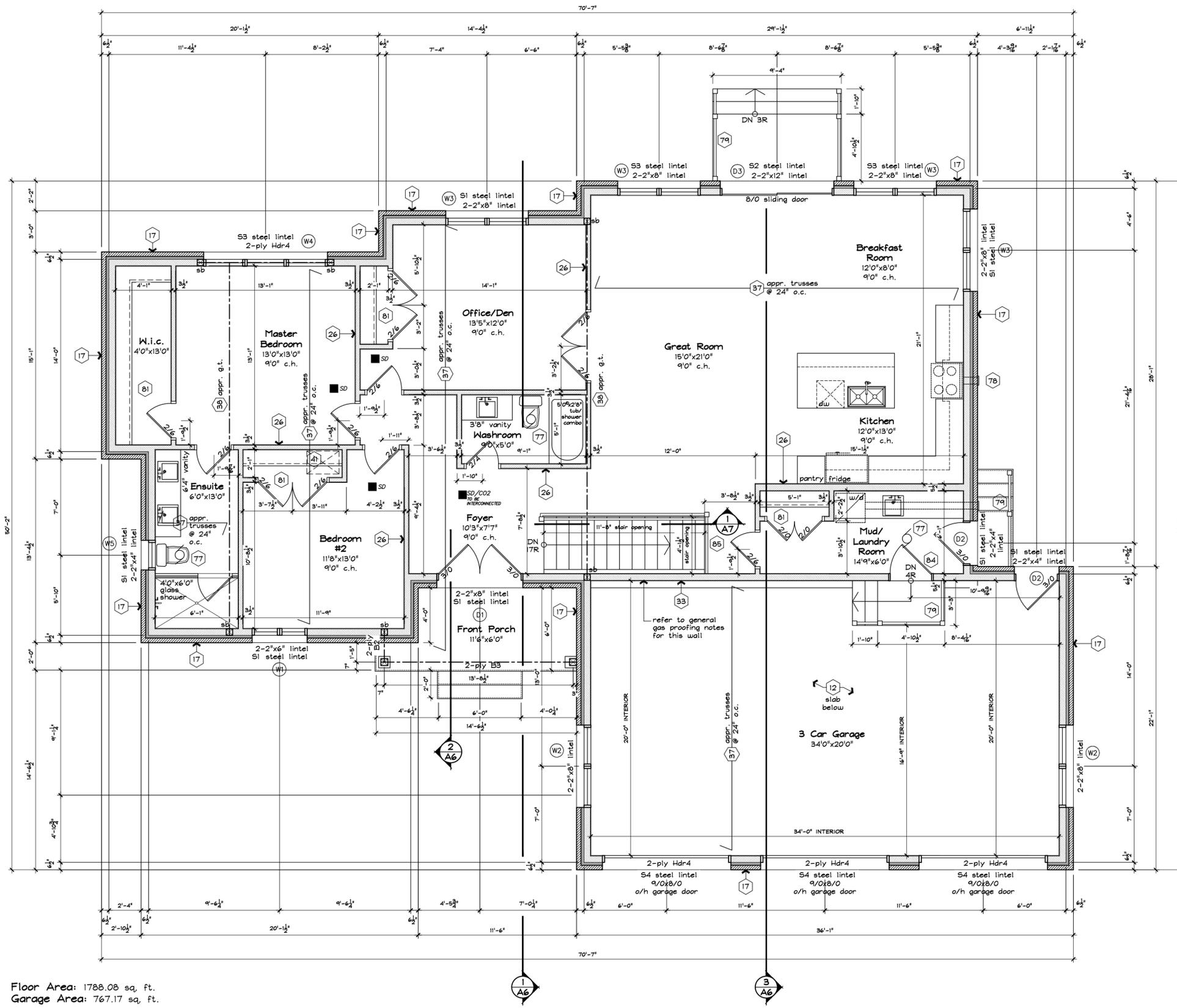
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**PROPOSED
 BASEMENT PLAN**
 3/16" = 1'-0"

SHEET **A1** OF 8



Floor Area: 1788.08 sq. ft.
Garage Area: 767.17 sq. ft.

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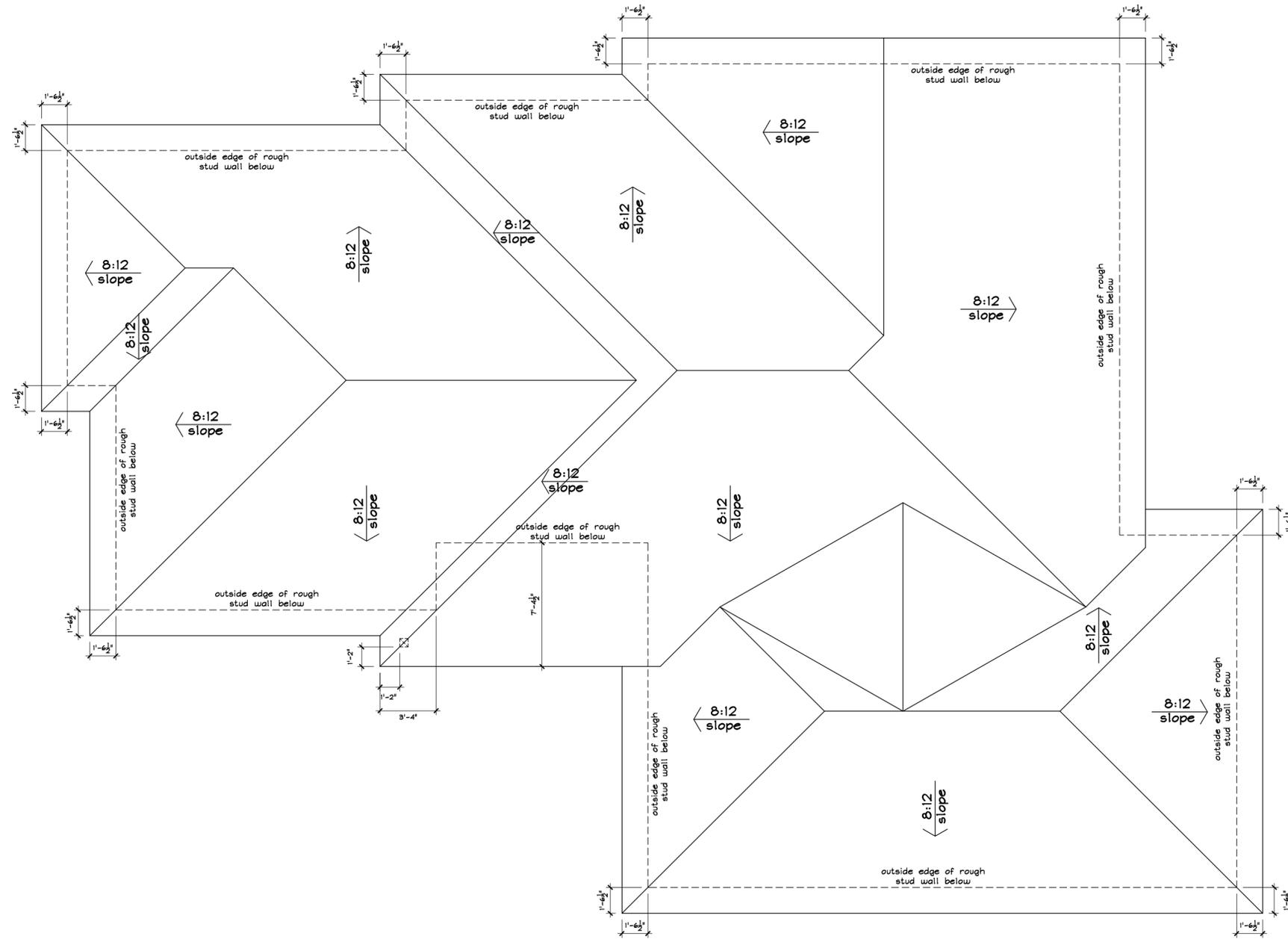
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**PROPOSED FIRST
FLOOR PLAN**
3/16" = 1'-0"
SHEET **A2** OF 8



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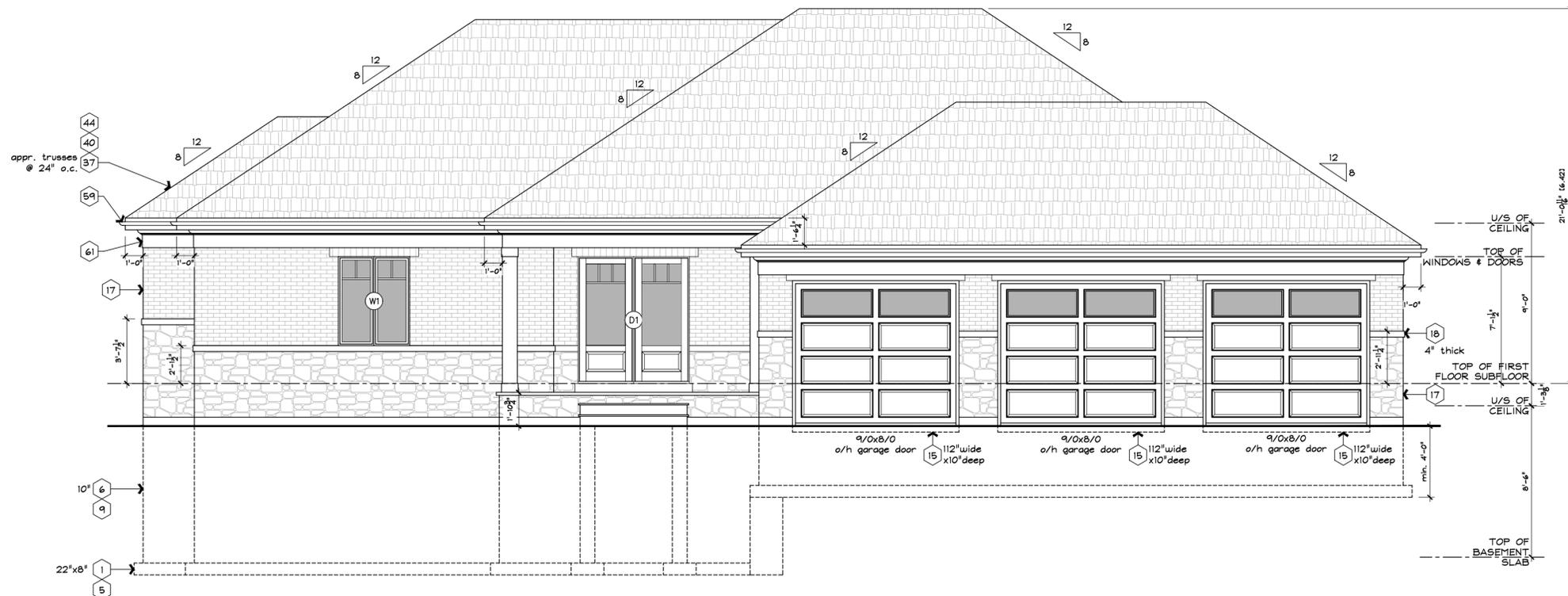
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**PROPOSED
ROOF PLAN**
3/16" = 1'-0"

SHEET
A3
OF 8



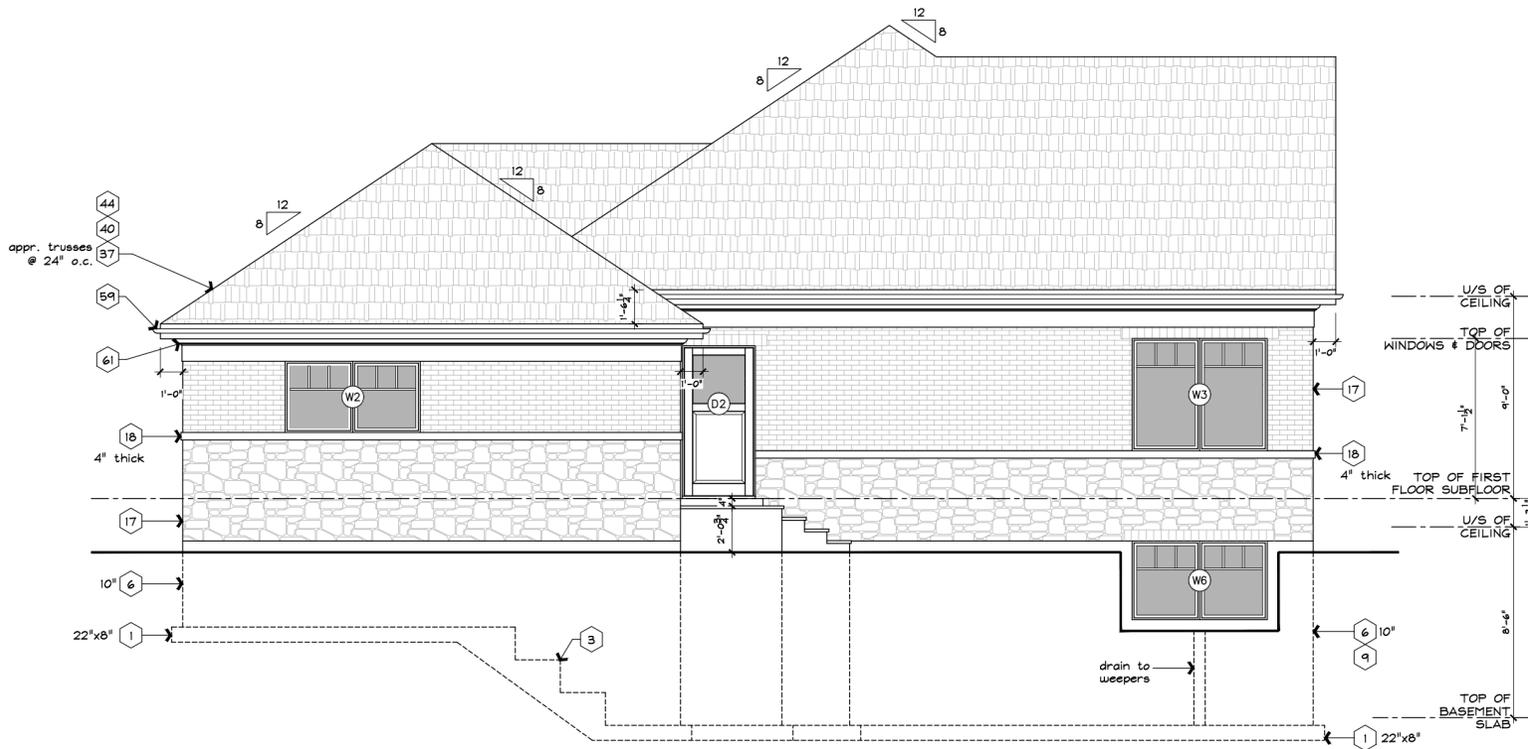
EEDS CALCULATION

WALL AREA = 67.36 sq. m.
 WINDOW/DOOR AREA = 3.70 sq. m.



FULL HOUSE EEDS CALCULATION

WALL AREA = 210.41 sq. m.
 WINDOW/DOOR AREA = 29.90 sq. m.
 WINDOW/DOOR AREA % = 14.21%



EEDS CALCULATION

WALL AREA = 32.01 sq. m.
 WINDOW/DOOR AREA = 5.19 sq. m.



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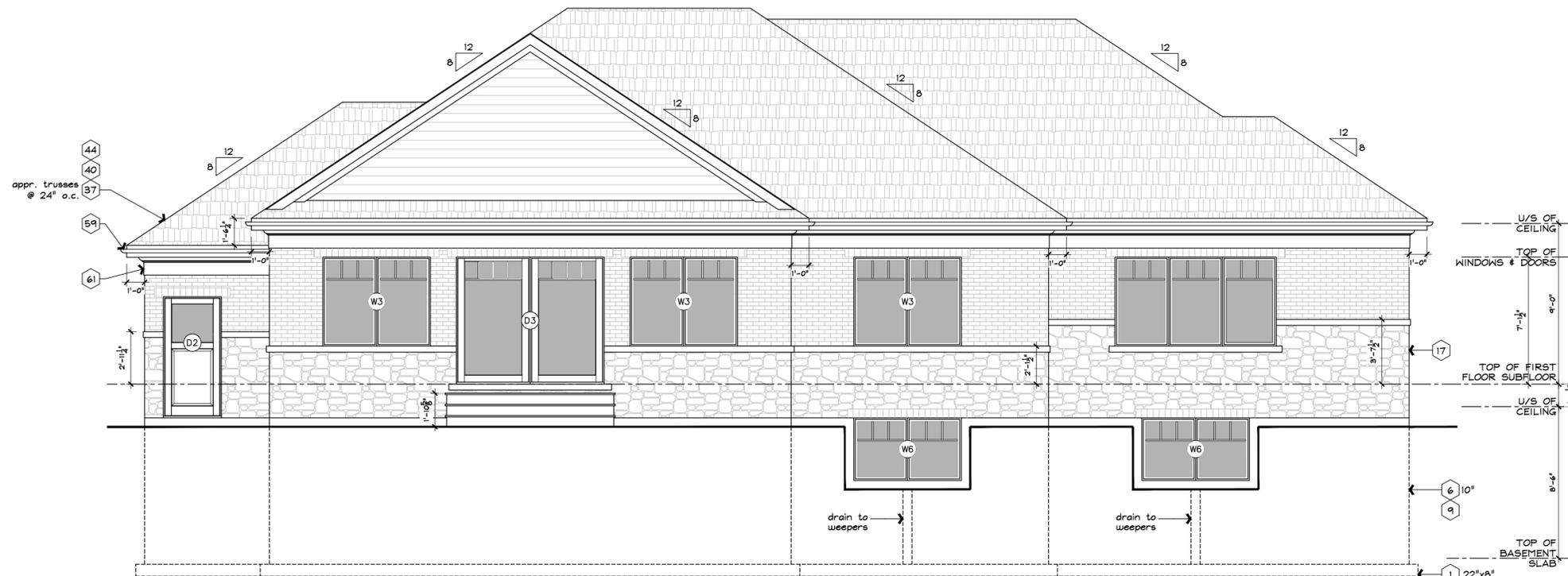
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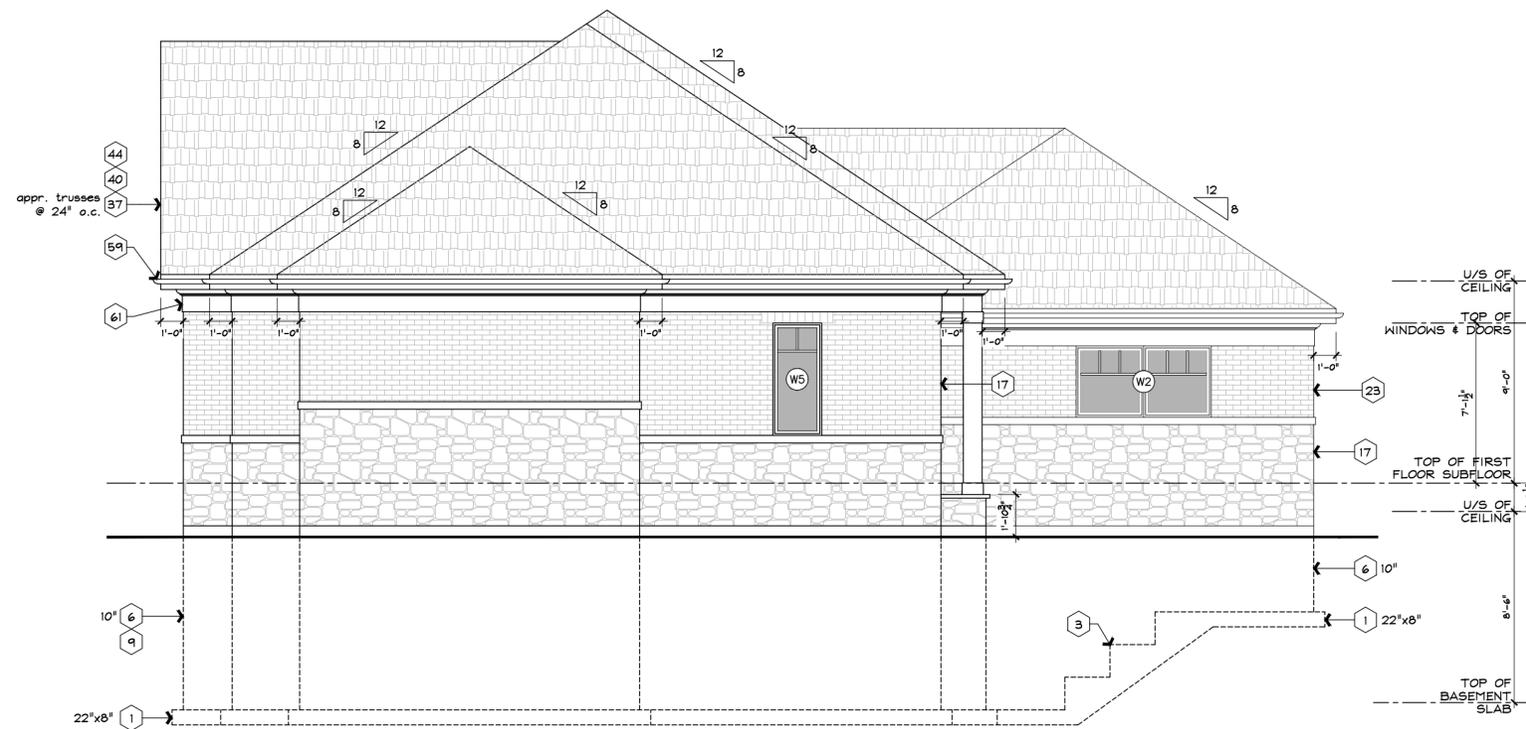
**PROPOSED FRONT
 & RIGHT SIDE ELEVATIONS**
 3/16" = 1'-0"

SHEET
A4
 OF 8



EEDS CALCULATION

WALL AREA = 71.91 sq. m.
 WINDOW/DOOR AREA = 20.00 sq. m.



EEDS CALCULATION

WALL AREA = 35.60 sq. m.
 WINDOW/DOOR AREA = 1.01 sq. m.

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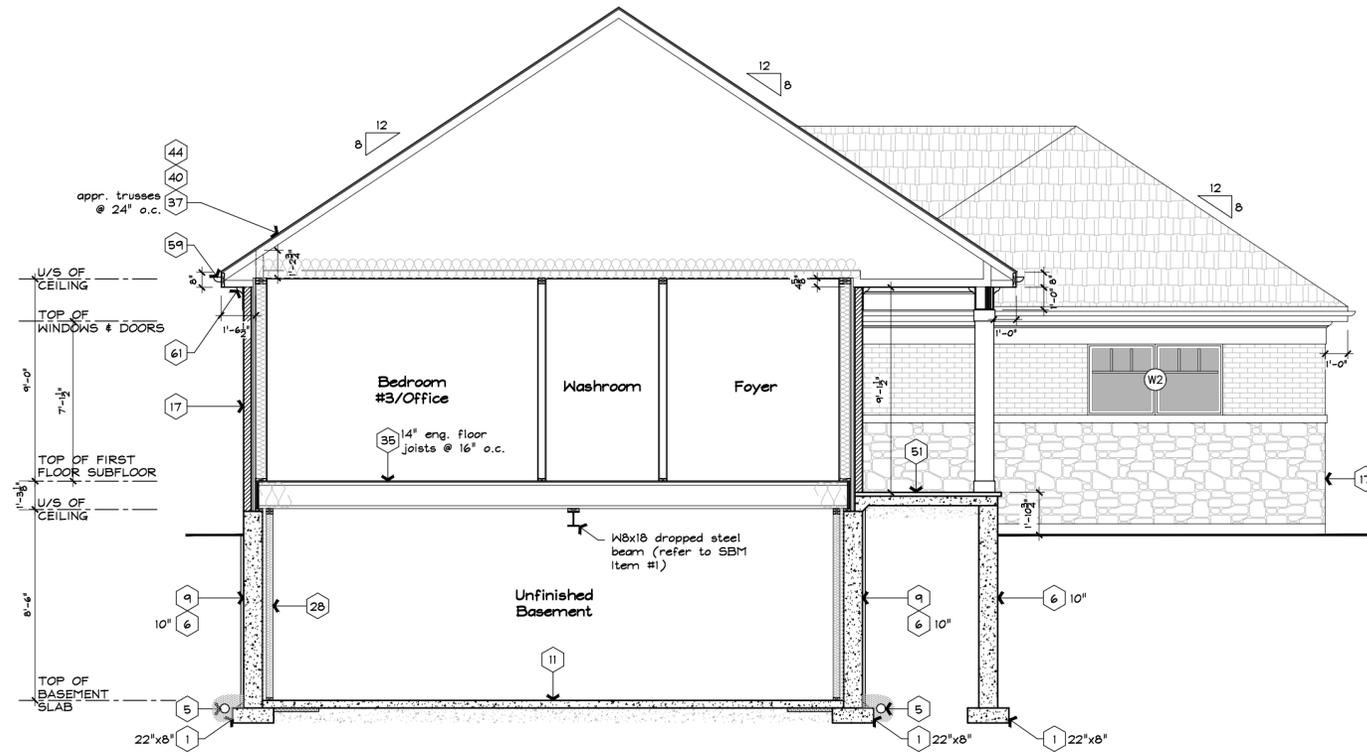
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**PROPOSED REAR
 & LEFT SIDE ELEVATIONS**
 3/16" = 1'-0"

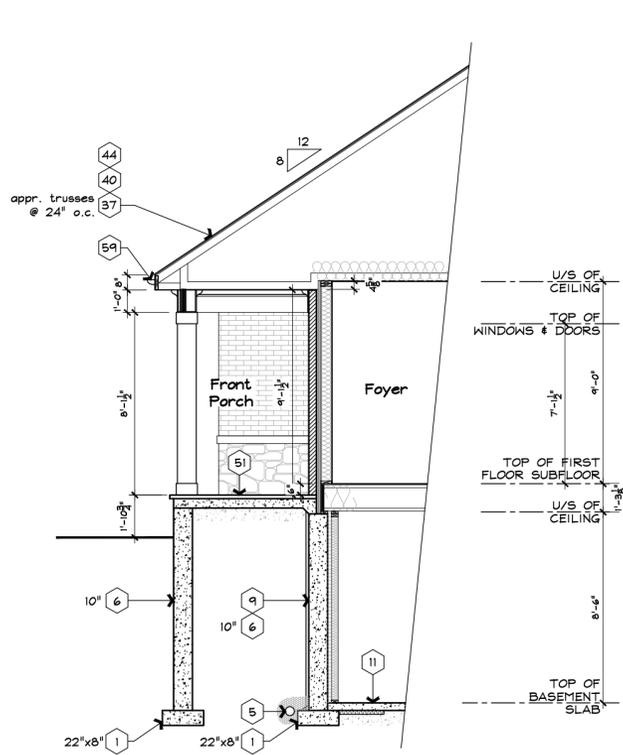
SHEET

A5

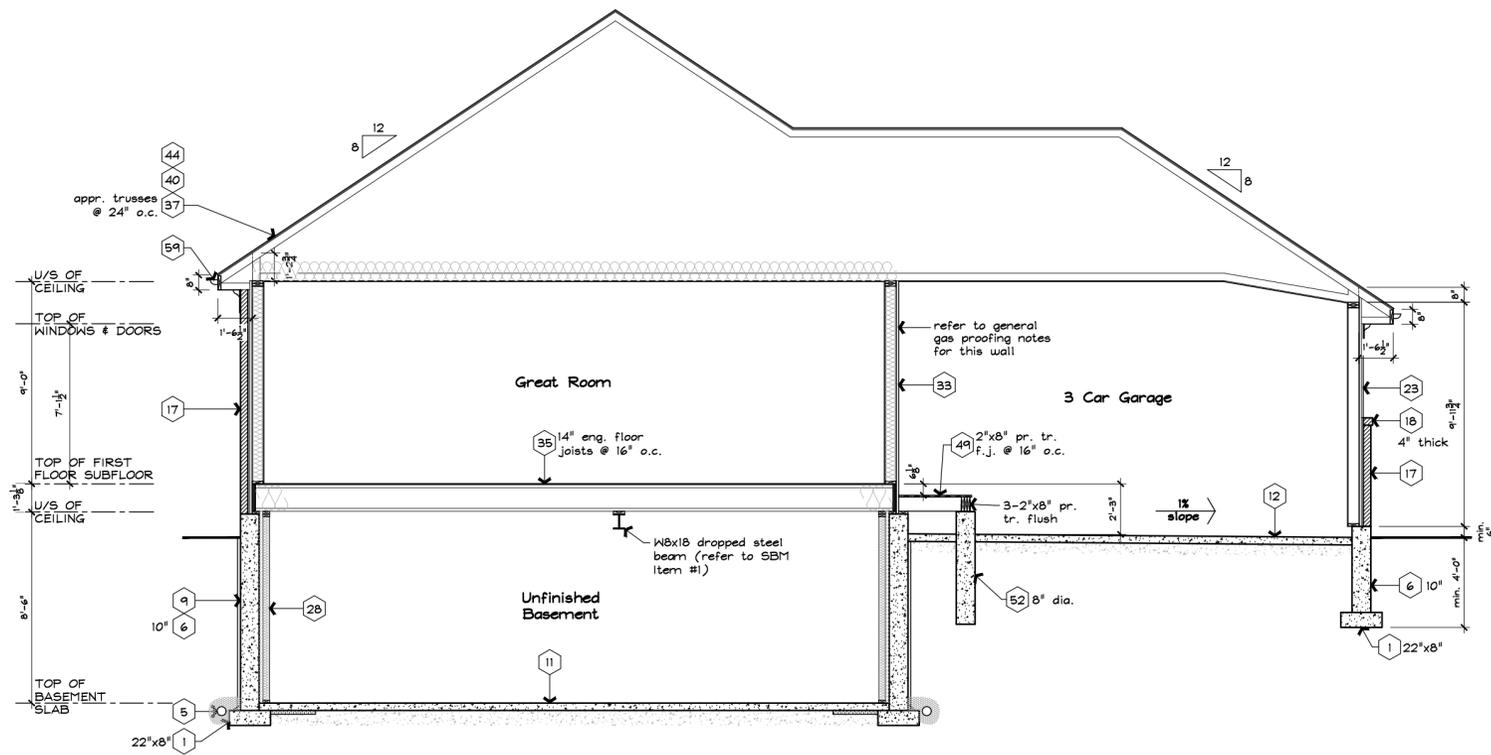
OF 8



1 CROSS SECTION 1
A6 3/16" = 1'-0"



2 CROSS SECTION 2
A6 3/16" = 1'-0"



3 CROSS SECTION 3
A6 3/16" = 1'-0"

EEDS CALCULATION
WALL AREA = 3.53 sq. m.
WINDOW/DOOR AREA = 0.0 sq. m.

THE SCHROEDER/
CAUCHI RESIDENCE
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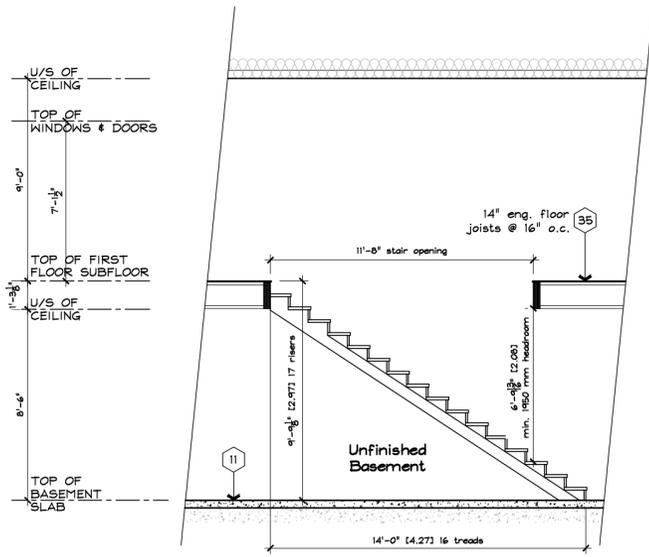
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CROSS SECTIONS
SHEET

A6 OF 8



1 CROSS SECTION 4
A7 3/16" = 1'-0"

SIZE	FRAMING	ROUGH GLASS	OPENING	GLAZING AREA (GLZ A)	ROUGH STUD OPENING AREA (RSO A)
4'-0" x 4'-1"	1'-7" x 1'-7"	1'-7" x 1'-7"	4'-0" x 4'-1"	14.51ft ² (1.35m ²)	10.0ft ² (0.93m ²)
6'-0" x 6'-1"	2'-7" x 2'-7"	2'-7" x 2'-7"	6'-0" x 6'-1"	19.0ft ² (1.77m ²)	14.21ft ² (1.32m ²)
6'-0" x 6'-1"	2'-7" x 2'-7"	2'-7" x 2'-7"	6'-0" x 6'-1"	23.68ft ² (2.20m ²)	19.0ft ² (1.77m ²)
9'-0" x 9'-1"	2'-7" x 2'-7"	2'-7" x 2'-7"	9'-0" x 9'-1"	35.52ft ² (3.30m ²)	30.0ft ² (2.79m ²)
2'-2" x 2'-3"	1'-9" x 1'-9"	1'-9" x 1'-9"	2'-2" x 2'-3"	8.02ft ² (0.75m ²)	10.83ft ² (1.01m ²)
6'-0" x 6'-1"	2'-7" x 2'-7"	2'-7" x 2'-7"	6'-0" x 6'-1"	15.93ft ² (1.48m ²)	21.00ft ² (1.96m ²)
6'-3" x 6'-4"	2'-2" x 2'-2"	2'-2" x 2'-2"	6'-3" x 6'-4"	19.80ft ² (1.84m ²)	44.53ft ² (4.14m ²)
3'-2" x 3'-3"	2'-3" x 2'-3"	2'-3" x 2'-3"	3'-2" x 3'-3"	4.89ft ² (0.45m ²)	22.04ft ² (2.05m ²)
8'-3" x 8'-4"	3'-2" x 3'-2"	3'-2" x 3'-2"	8'-3" x 8'-4"	38.19ft ² (3.55m ²)	56.78ft ² (5.26m ²)

GLZ A = GLAZING AREA (FOR LIMITING DISTANCE)
RSO A = ROUGH STUD OPENING AREA (FOR EEDS)

2 WINDOW/DOOR SCHEDULE
A7 N.T.S.

ZONE 1 DWELLINGS - HEATING EQUIP. ≥ 92% COMPLIANCE PACKAGE A2

COMPONENT	THERMAL VALUES
CEILING WITH ATTIC SPACE	R.60 MIN. NOMINAL
CEILING WITHOUT ATTIC SPACE	R.31 MIN. NOMINAL
EXPOSED FLOOR	R.31 MIN. NOMINAL
WALLS ABOVE GRADE	R.19+5ci MIN. NOMINAL
BASEMENT WALLS	R.12+10ci MIN. NOMINAL
BASEMENT GRADE SLAB ENTIRE SURFACE > 600mm BELOW GRADE	-----
HEATED SLAB OR SLAB ≤ 600mm BELOW GRADE	R.10 MIN. NOMINAL
EDGE OF BELOW GRADE SLAB ≤ 600mm BELOW GRADE	R.10 MIN. NOMINAL
WINDOWS OR SLIDING GLASS DOORS	MAX. U 0.28
SKYLIGHTS	MAX. U 0.49
SPACE HEATING EQUIPMENT	MIN. AFUE 96%
HRV	MIN. SRE 75%
DOMESTIC WATER HEATER	MIN. EF 0.70

3 SB-12 PACKAGE
A7 N.T.S.

THE SCHROEDER/
CAUCHI RESIDENCE
3233 HALL ROAD
BINBROOK, ON
L0R 1C0

drafting + design

193 East 43rd Street
Hamilton, ON L8T 3C3
jbdraftinganddesign@live.ca
905.517.6027

PRELIMINARY
09.29.22 signature required
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
10-30-20	ISSUED FOR REVIEW
11-17-20	ISSUED FOR REVIEW
01-05-21	ISSUED FOR REVIEW
07-20-21	ISSUED FOR PRINTING
11-30-21	ISSUED FOR REVIEW
05-25-22	ISSUED FOR C.A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

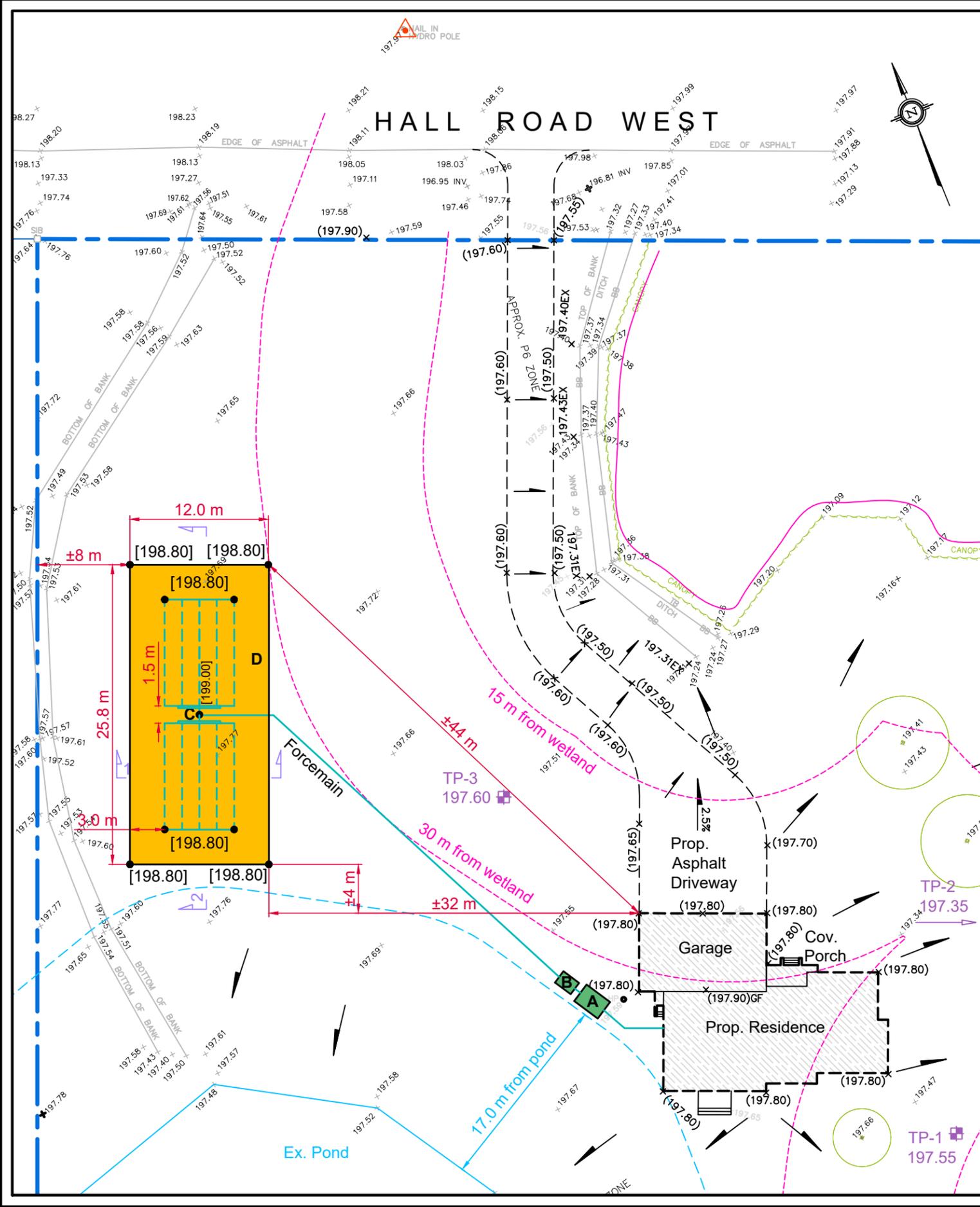
UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST PROVIDED DRAWINGS. DO NOT SCALE DRAWINGS.

CROSS SECTIONS & DETAILS



FlowSpec Engineering Ltd., 31 McBrine Drive, Unit 1, Kitchener, ON N2R 1J1
Office: 519-744-9336 Web: www.flowspec.ca



Design Parameters:
 Peak wastewater flow (Q_p): 1,850 L/day
 Soil percolation time (T): >50 min/cm

- Post-Construction Requirements:**
- Do not discharge non-domestic wastewater to the WTS (e.g., water-softener, iron-filter, industrial, paint, pool, hot-tub, or floor-drain wastewater).
 - Direct all snow storage, ground-surface drainage, roof downspouts, and sump-pump lines away from the bed.
 - Do not irrigate over the WTS.
 - Do not direct any water to subsurface perforated drainage pipes in the vicinity of the WTS.
 - Do not install ground-source heat loops within the envelope of the WTS.
 - Maintain short grass growth on the bed and mow with low tire-pressure equipment only.

- Key Components:**
- A** Septic tank: 4,000 L (minimum)
 - B** Pump tank: 1,800 L (minimum)
 - C** Polylok distribution box, including downward-facing inlet, insulation, and ground-surface access
 - D** Infiltrator ATL BMEC bed:
 - Infiltrator ATL conduit length: 91.5 m (10 lines x 9.15 m, 30 conduits)
 - Infiltrator specified system sand area: 309 m²

Elevations (m):

Building sewer outlet inv. (min.)	= 197.20
Septic tank inlet inv.	= 197.10
Septic tank outlet inv.	= 197.05
Distribution box inlet inv.	= 198.35
Header pipe inv.	= 198.30
Base of chambers	= 198.20
Base of ATL System sand	= 197.95
Subgrade	= 197.35

OBC Minimum Required Clearances (m):

Feature:	Tank:	Dist. Line:
Structure:	1.5	5 + 2.0
Drilled Well:	15	15 + 2.0
Dug Well:	15	30 + 2.0
Water Service:	2.44	2.44 + 2.0
Surface Water:	15	15 + 2.0
Property Line:	3	3 + 2.0

- Legend:**
- [100.00] Ex. Ground-Surface Elevation (m)
 - (100.00) Prop. Ground-Surface Elevation (m) (FlowSpec)
 - × (100.00) Prop. Ground-Surface Elevation (m) (Others)
 - Ex. Tree
 - Property Line (subject property)
 - ⊕ Test Pit Location
 - 100.00 Test Pit Ground-Surface Elevation (m)
 - Prop. Sewer (unless noted otherwise)
 - - - Prop. Distribution Line
 - ← Prop. Swale
 - ▭ Prop. ATL System Sand
 - ↕ Cross-Section (refer to Dwg. 2)
 - △ Temporary Benchmark: Top of nail in hydro pole on north side of Hall Road West, Elev. 197.97 m (geodetic datum)

Dwg. Ref.: A.T. McLaren Ltd., Site and Grading Plan, File No. 36895-SG, July 5, 2022; Grand River Conservation Authority, GRIN Map, 2015

Client:	Chelten Homes
Project:	Design of Wastewater Treatment System for Proposed Residence Schroeder/Cauchy Property
Location:	3233 Hall Road West City of Hamilton
Drawing:	Layout Sketch

No.	Revision	Date	Checked

PRELIMINARY

Scale: 1:400

Design: BS Checked: DM

Drawn: BS

Date: September 00, 2022

File No.: 00775-1

Drawing No.: 1



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Ian Schroeder and Renee Cauchi	32 McCargow Dr Caledonia, ON N3W 0C3	Phone: 289-237-7001
			E-mail: ian.schroeder@hotmail.com
Applicant(s)*	Ian Schroeder and Renee Cauchi	32 McCargow Dr Caledonia, ON N3W 0C3	Phone: 289-237-7001
			E-mail: 32 McCargow DrCale
Agent or Solicitor	Jenny Bognar JB Drafting and Design	193 East 43rd St Hamilton, ON L8T 3C3	Phone: 905-517-6027
			E-mail: jbdraftinganddesign@

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:

Not applicable

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

4. Nature and extent of relief applied for:

To place new dwelling & septic in a current P6 zone, that does not allow single family dwellings; part of P6 zone to be converted to A1 zone through housekeeping amendment

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

See attached

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

3233 Hall Road, Lot 21, Concession 9

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?

Knowledge of area

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

June 22, 2022
Date

[Handwritten Signature]
Signature Property Owner(s)

Ian Schroeder / Renee Cauchi
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 274.320 m.
Depth 349.423 m.
Area 95,859.00 sq. m.
Width of street 20.0 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: _

n/a

Proposed

237.39 sq. m. ground floor area, 1 story, 15.29 m. x 21.51 m., 7.15 m. high

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

Existing:

n/a

Proposed:

57.93 m. front yard setback, 51.94 m. west side setback, 200.00+ m. east side setback, 200.00+ m. south setback

- 13. Date of acquisition of subject lands:
February 4, 2022

- 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.):
Empty Lot - former single family dwelling

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

- 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 _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____

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

- 20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
A1/P6

- 21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

- 22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No

- 23. Additional Information (please include separate sheet if needed)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/B-10:180	SUBJECT PROPERTY:	106 Byron Avenue, Stoney Creek
-------------------------	--------------------	--------------------------	--------------------------------

APPLICANTS: Owner: ZDRAVKO MARINOVIC
Agent: A.J. Clarke & Associates c/o S. Fraser

PURPOSE & EFFECT: To permit the conveyance of a parcel of land measuring 15.24m x 30.48m for single family residential purposes, and to retain a parcel of land measuring 30.48m x 30.48m containing an existing dwelling and garage for single family residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	15.24 m [±]	30.48 m [±]	464.4 m ² ±
RETAINED LANDS:	30.48 m [±]	30.48 m [±]	928.8 m ² ±

Associated Planning Act File(s): SC/A-12:117 & SC/B-10:181

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

SC/B-10:180

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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: October 18, 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-10:180

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

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

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

Zdravko Marinovic
106 Byron Avenue,
Stoney Creek ON, L8J 2T2
Cell: 905-531-6870

City of Hamilton
Planning and Economic Development
Planning

Attention: Ms. Jamila Sheffield, Secretary-Treasurer C of A

As requested, I confirm the following:

I confirm that I am the registered owner of the property on 106 Byron Avenue, Stoney Creek, ON.

I also confirm that I would like to resurrect applications numbers SC/B-10:180 and SC/B-10:181 which include three lots and a minor variance.

Additionally, I confirm that I give the authorization to A.J. Clarke and Associates Ltd. and Stephen Fraser as the Principal, Planner/General Manager to act on my behalf.

Finally, I confirm that the previous agents are not longer working on the applications.

Zdravko Marinovic



Stoney Creek, September 26, 2022.

April 18th, 2013

SC/B-10:180

SC/B-10:181

SC/A-12:117

Zdravko Marinovic

106 Byron Avenue, Stoney Creek

Appearances were:

Sergio Manchia, agent on behalf of the owner. Interested parties were: D. Knap, 102 Byron Ave., Stoney Creek, ON L8J 2T2; D. Lewis 98 Byron Avenue, Stoney Creek, ON L8J 2T2; B. Dodd, 92 Byron Ave., Stoney Creek, ON L8J 2S1; J. Dyer, 119 Byron Ave., Stoney Creek, ON L8J 2T2; S. Marshall, 95 Byron Ave., Stoney Creek, On L8J 2S8; J. Alfano 103 Aubrey Ave., Stoney Creek, ON L8J 2T2;

Those members present for the hearing of this application were: M. Dudzic (Chairman), I. Dunlop, W. Pearce, D. Smith
L. Gaddy, K. Audziss, V. Abraham, D. Serwatak

A summary comment from the Planning and Economic Development Division together with comments from other departments and agencies were entered into the record.

Letters were entered into the record from: D. Knap, 102 Byron Ave., Stoney Creek, ON L8J 2T2; D. van Veen, 101 Aubrey Ave., Stoney Creek, ON L8J 2T2

S. Manchia

- this matter was tabled a few months ago
- understood that Engineering had issues, but not sure why planning has issues
- they have established that culverts need to be adjusted on Byron up to Aubrey
- the City is undertaking a study
- it is his opinion that an additional 2 lots would not impact any drainage issue
- his client has no objections to only building 2 out of the 3 lots for the time being
- applicant is asking for 50' lots in staff's report they have indicated that there are 40' 50' and 60' lots
- would like to hear what the residents have to say

D. Knap

- this is the third time they have been to Committee
- there is a great concern with flooding
- this area have been identified as a detention pond
- passed pictures to the Committee
- page 5 of the pictures illustrates the retaining wall he had to build to try to eliminate water reaching his front porch
- This is the first he has heard about the applicant wishing to build 2 out of the 3 dwelling now and are opposed to that proposal
- He and many of the other neighbours have been here for 42 years; they know the area

SC/B-10:180, SC/B-10:181, SC/A-12:117

Page 2

- the applicant will be faced with solid bed rock which will not allow them to dig deep and they will all be faced with water rising higher
 - further feels that the variances are not minor
- D. Lewis
- moved here 11 years ago
 - has tried many things to prevent flooding on his property
 - water flow is coming from 2 streets and the ditches cannot handle the flow
 - it takes days before the water goes down
 - he is so concerned that he even considered getting sand bags in case they need them
 - if these homes are built, they will act like dames
 - if there are changes made the City would have to take up roads from Leckie to Aubrey everything would have to be torn up
 - the City has been out numerous times
 - even building one home will cause problems
 - the one catch basin that has been installed cannot keep up with the water flow
- B. Dodd
- agree with everything his neighbours have said
 - there is new infill housing at the rear of their properties, the rear of these homes slop down
 - during spring thaw and during a normal rain fall causes flooding in his backyard
 - cannot see how the Engineering Department would change their minds as this is a major issue in this neighbourhood
- J. Dyer
- showed some pictures of his property
 - agrees with his neighbours
 - indicated that during a heavy rainfall his sub-pump will run for hours and he has still experienced flooding in his basement
- S. Marshall
- moved here from Mississauga because of the trees and space between homes; everyone was not on top of each other
 - now Leckie St. has become a construction zone
 - trees have been removed
 - now the same will be happening on Byron

SC/B-10:180, SC/B-10:181, SC/A-12:117

Page 3

- S. Manchia
- have had meetings with staff
 - does agree that flooding is a serious problem
 - without his client addressing these concerns the residents will continue to face flooding issues
 - does not know how long the City will take to complete their study
 - planning matters are secondary to the more pressing issue of the storm sewers
 - severing the property means that the applicant would have to go through a consent agreement which looks at grading and drainage carefully
- D. Stevens
- there have been dealings with staff, everything should be implemented and reviewed before approval is given for the severance of the property
- K. Audziss
- have to fix these types of issues because the application does comply with the zoning by-laws
 - tabling application is a good idea, but the issues in this neighbourhood need to be fixed
- V. Abraham
- in favour of tabling the applications until Engineering concerns have been worked out
- I. Dunlop
- could the severance be approved and place a condition respecting the Engineering study
- D. Stevens
- conditions have to be met within a one year timeframe; cannot say that the study would be completed within that year and then the applications would lapse

Following discussion it was moved by Mr. Abraham and seconded by Mr. Pearce that the application be **TABLED** until further notice.

CARRIED.



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

City Hall
5th floor, 71 Main Street West
Hamilton, Ontario L8P 4Y5
Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

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

Office Use Only

Date Application Received: <i>DEC 22/10</i>	Date Application Deemed Complete: <i>DEC 22/10</i>	Submission No.:	File No.: <i>SCP-10-180</i>
--	---	-----------------	--------------------------------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	ZDRAVKO MARINOVIC	[REDACTED]	[REDACTED]
Applicant(s)*			Business () Fax: () E-mail:
Agent or Solicitor			Business () Fax: () E-mail:

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

1.3 All correspondence should be sent to

Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°.	Lot(s) <i>71</i>	Reference Plan N°. <i>955</i>	Part(s)
Municipal Address <i>106 BYRON AVE STONE CREEK</i>			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)

Transfer: creation of a new lot Other: a charge
 addition to a lot a lease
 an easement a correction of title
 other purpose (specify ie. farm consolidation)

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**:

PART 1

Frontage (m) 15.24	Depth (m) 30.48	Area (m ² or ha) 464.4 m ²
-----------------------	--------------------	---

Existing Use of Property to be severed:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be severed:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):

Existing:

Proposed:

Type of access: (check appropriate box)

- provincial highway municipal road, maintained all year
 municipal road, seasonally maintained other public road
 right of way if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal 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 tank¹
 privately owned and operated communal septic system
 privy
 other means (specify)

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

PARTS 2 & 3

Frontage (m) 30.48	Depth (m) 30.48	Area (m ² or ha) 928.8 m ²
-----------------------	--------------------	---

Existing Use of Property to be retained:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be retained:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):

Existing:

Proposed

Type of access: (check appropriate box)

- provincial highway municipal road, maintained all year
 municipal road, seasonally maintained other public road
 right of way if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal 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 tank
- privately owned and operated communal septic system
- privy
- 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 are the existing official plan designation(s), if any, of the subject land:

Regional Official Plan designation:

Local Official Plan designation:

5.2 What is the zoning, if any, of the subject land?

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

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

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 (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 PREVIOUS USE OF PROPERTY

- Residential
- Industrial
- Commercial
- Farmland
- 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 sewage sludge 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

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 3(1) of the Planning Act?

Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No

(Provide explanation)

c) Is this application consistent with Places to Grow (P2G)?

Yes No

(Provide explanation)

d) Is the subject lands within an area of land designated under any provincial plan or plans?

Yes No

e) Are the subject lands subject to the Niagara Escarpment Commission Plan?

Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Commission 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 2005?

Yes No

If yes, is the proposal in conformity with the Greenbelt Plan 2005?

Yes No

(Provide Explanation)



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/B-10:181	SUBJECT PROPERTY:	106 Byron Avenue, Stoney Creek
-------------------------	--------------------	--------------------------	--------------------------------

APPLICANTS: Owner: ZDRAVKO MARINOVIC
Agent: A.J. Clarke & Associates c/o S. Fraser

PURPOSE & EFFECT: To permit the conveyance of a parcel of land measuring 15.24 m x 30.48 m containing a portion of an existing dwelling and garage for single family residential purposes, and to retain a parcel of land measuring 15.24 m x 30.48 m containing a portion of an existing dwelling for single family residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	15.24 m [±]	30.48 m [±]	464.4 m ² ±
RETAINED LANDS:	15.24 m [±]	30.48 m [±]	464.4 m ² ±

Associated Planning Act File(s): SC/A-12:117 & SC/B-10:180

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

SC/B-10:181

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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: October 18, 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-10:181

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

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

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

SC/B-10:180
SC/B-10:181
Page 5

No road widening is required on the subject sections of Byron Avenue.

For the information of the Committee, please be advised that we recommended the denial of these applications on February 4, 2011 and May 28, 2012 and; subsequently, the applications were tabled on both occasions so that the applicant could address significant stormwater management issues (flooding).

Shortly after the last Committee hearing in May, 2012 , at the request of the applicants' representative, we provided all available storm water management reports and engineering data supporting the City's position with regards to flooding issues including the overland flow route and where its ultimately intended to be directed and to which particular pond outlet. We remain concerned that the post-severance flows will be increased significantly due to increase in imperviousness which may exacerbate the existing situation. To date, we have not been provided with any reports or documentation addressing our previous stormwater management concerns.

We recommend therefore that the proposed applications be denied.

Source Water Protection

No comments.

Hamilton Municipal Parking System (Parking Services):

No Comment

PUBLIC WORKS DEPARTMENT

Traffic, Engineering and Operations Division:

SC/B-10:180 & SC/B-10:181

Separate access is required for the retained and severed lands. An Access Permit will be required from Public Works. Details on the permit process can be obtained from Johanna Black at 905-546-2424 ext. 4577.

CORPORATE SERVICES:

Budgets, Taxation & Policy (outstanding taxes):

The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.

See attached for additional comments.



● Site of the Application



Committee of Adjustment

Subject Property

106 Byron Avenue



Lands to be Conveyed



Lands to be Retained

File Name/Number:

SC/B-10:181

Date:

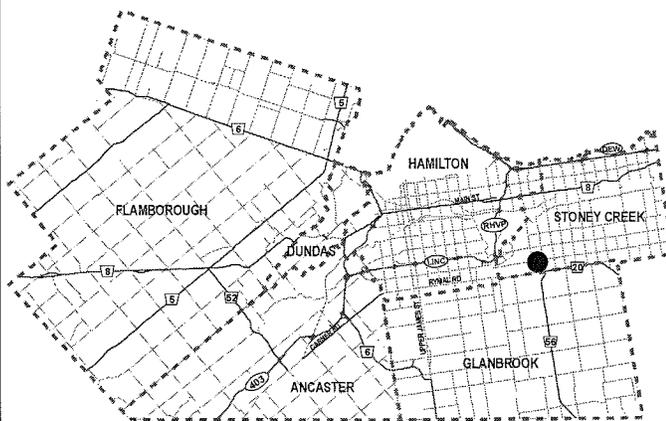
April 12, 2013

Technician:

DB

Map Not to Scale

Appendix "A"



City of Hamilton



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

April 18th, 2013

Re-scheduled
SC/A-12:117 (106 Byron Avenue, Stoney Creek)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT**Development Planning – East:**

The lands are designated “Residential” on Schedule “A” – General Land Use Plan and “Low Density Residential” on Schedule “A3” – West Mountain Planning District (Heritage Green) Secondary Plan in the City of Stoney Creek Official Plan. The subject property is also identified as “Low Density Residential” in the Highland Neighbourhood Plan which was approved by Council on July 25th, 1989.

The lands are zoned Residential “R2” Zone in Stoney Creek Zoning By-law No. 3692-92.

Variance 1

The general intent and purpose of the by-law is to ensure lot widths are consistent with the surrounding neighbourhood and to ensure an adequate building envelope with appropriate setbacks can be provided. The applicant is proposing to reduce the frontage of the proposed corner lot through Consent Application (SC/B-10:81) to 15.0 metres whereas the by-law requires 16.5 metres. Staff is of the opinion that the variance is not minor since it implements the proposed severance, which staff does not support, and does not meet the intent of the Zoning By-law.

Variance 2

The general intent and purpose of the by-law is to ensure that lots are consistent with the surrounding neighbourhood and adequate amenity space can be provided. The applicant is proposing to reduce the lot area of the proposed corner lot through Consent Application (SC/B-10:81) to 462.0 square metres whereas the by-law requires 505.0 square metres. Staff is of the opinion that the variance is not minor since it implements the proposed severance, which staff does not support, and does not meet the intent of the Zoning By-law.

Based on the foregoing, the variances are not considered to be minor in nature, nor desirable for the appropriate use of the lands, and do not maintain the general intent and purpose of the Official Plan and Zoning By-law. Accordingly, staff do not support the application.

Building Services Division:

1. This application will permit the creation of two (2) new lots for residential purposes.
2. A building permit is required for the construction of the proposed single family dwellings.
3. A demolition permit is required for the demolition of the existing single family dwelling and attached garage.

SC/A-12:117

Page 2

4. This variance is necessary to facilitate consent SC/B-10:180 and SC/B-10:181.

Development Engineering – East:

No Comment

Hamilton Municipal Parking System (Parking Services):

No Comment

PUBLIC WORKS DEPARTMENT

Traffic, Engineering and Operations Division:

No Comment

See attached for additional comments.



● Site of the Application



Committee of Adjustment

Subject Property



106 Byron Avenue

File Name/Number:

SC/A-12:117

Date:

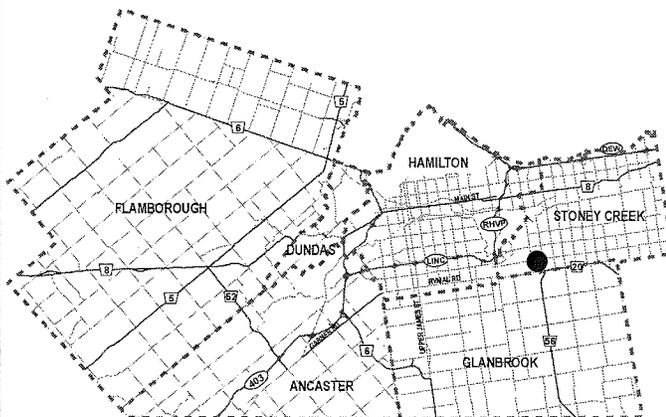
April 12, 2013

Technician:

DB

Map Not to Scale

Appendix "A"



City of Hamilton



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



IBI Group
 200 East Wing-360 James Street North
 Hamilton ON L8L 1H5 Canada
 tel 905 546 1010
 fax 905 546 1011

May 2nd, 2012

Mr. Scott Baldry
 Secretary Treasurer, Committee of Adjustment
 City of Hamilton
 71 Main Street West, 5th Floor
 Hamilton, ON L8P 4Y5

Dear Mr. Baldry:

**106 BYRON AVENUE, STONEY CREEK
 NEW MINOR VARIANCE APPLICATION AND
 REACTIVATION OF CONSENT APPLICATIONS SC/B-10:180 & SC/B-10:181**

On behalf of the owner of the subject property, we are pleased to submit this minor variance application to facilitate three lots proposed via Consent to Server application Nos. SC/B-10:180 and SC/B-10:181 previously tabled by the Committee of Adjustment on February 10th, 2011.

The subject property is designated Residential on Schedule "A" – General Land Use Plan and Low Density Residential on Schedule "A3 – West Mountain Planning District (Heritage Green) Secondary Plan in the City of Stoney Creek Official Plan. The lands are located in the Residential "R2" Zone of the Stoney Creek Zoning By-law.

The purpose of the two consent applications was to sever two lots and retain the third for residential purposes as illustrated on the enclosed sketch. The proposed Lot 1 and Lot 3 conform to all aspects of the Zoning By-law while Part 2 requires the following minor variances:

- To reduce the minimum lot area on a corner lot from 505 square metres to 464 square metres; and,
- To reduce the minimum lot frontage on a corner lot from 16.5 metres to 15.0 metres.

Through the City review of the previous consent applications, the following two concerns were raised by staff as the basis for tabling the applications and they are:

- Development Engineering advised it may be difficult to demonstrate that the pre-severance drainage flows will not exceed the post severance drainage flows; and,
- Development Planning advised that they are of the opinion the proposal is not consistent with the existing neighbourhood character and lot fabric.

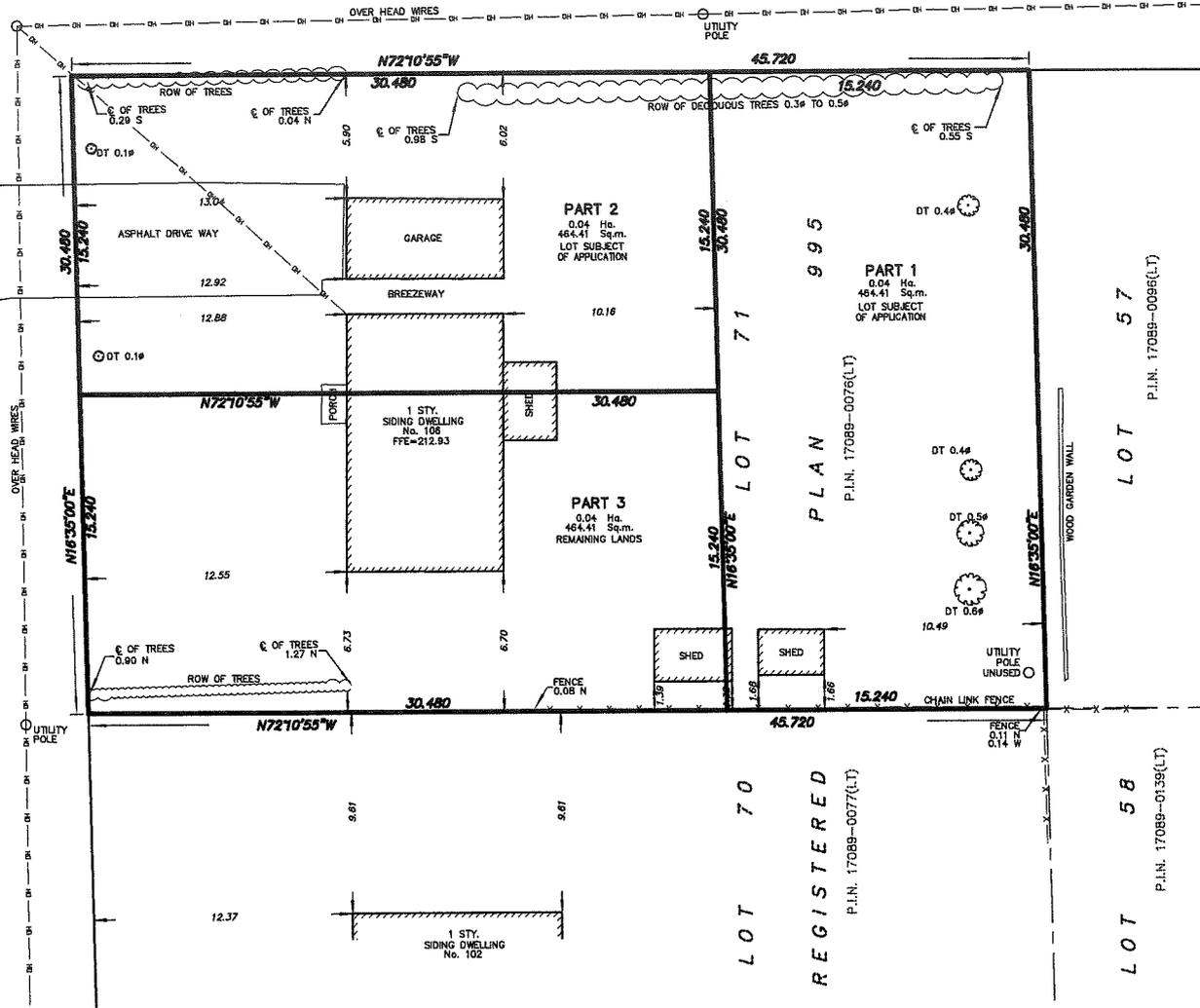
In response to the concerns noted above, IBI Group offers the following response:

The flooding concerns can be adequately addressed with a condition of approval. In the event the applicant cannot satisfy the Development Engineering concern, the condition is not cleared and the approval lapses with no new lot creation. Addressing this concern as a condition of approval is consistent with past City practice.

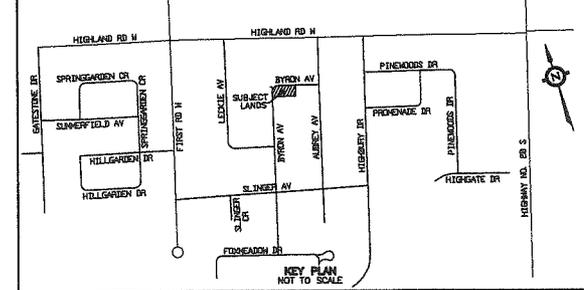
BYRON AVENUE
(BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))



BYRON AVENUE
(BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))



KEY MAP



ADDRESS: **106 BYRON AVENUE**

**SKETCH FOR SEVERANCE APPLICATION OF
ALL OF LOT 71
REGISTERED PLAN 955
IN THE
CITY OF HAMILTON**

SCALE & NOTES

SCALE: 1:200



EDWARD J. GRENKIE
ONTARIO LAND SURVEYOR

© COPYRIGHT 2010

METRIC

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

DATE: SEPTEMBER 29, 2010

Edward J. Grenkie
EDWARD J. GRENKIE
ONTARIO LAND SURVEYOR

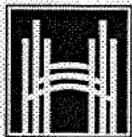
Barich Grenkie
Surveying Ltd.

20 - 428 MILLER ROAD - STONEY CREEK, ONT
(905) 862-6787

DWN BY: W. LA FORME

CHK BY: EG

JOB No. 2010791



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

City Hall
5th floor, 71 Main Street West
Hamilton, Ontario L8P 4Y5
Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

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

Office Use Only

Date Application Received: <i>DEC. 22/10</i>	Date Application Deemed Complete: <i>DEC 22/10</i>	Submission No.:	File No.: <i>SC/B-10-181</i>
---	---	-----------------	---------------------------------

1 APPLICANT INFORMATION

1.1, 1.2

NAME			
Registered Owners(s)	<i>ZDRAVKO MARINOVIC</i>		
Applicant(s)*			
Agent or Solicitor			
		Business ()	
		Fax: ()	
		E-mail:	
		Business ()	
		Fax: ()	
		E-mail:	

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

1.3 All correspondence should be sent to

- Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°.	Lot(s) <i>71</i>	Reference Plan N°. <i>955</i>	Part(s)
Municipal Address <i>106 BYRON AVE STONEY CREEK</i>	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)

- Transfer: creation of a new lot Other: a charge
 addition to a lot a lease
 an easement a correction of title
 other purpose (specify ie. farm consolidation)

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**:

PART 2

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24	30.48	464.4 m ²

Existing Use of Property to be severed:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be severed:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):

Existing:

Proposed:

Type of access: (check appropriate box)

- provincial highway municipal road, maintained all year
 municipal road, seasonally maintained other public road
 right of way if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal 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 tank¹
 privately owned and operated communal septic system
 privy
 other means (specify)

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

PART 3

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24	30.48	464.4 m ²

Existing Use of Property to be retained:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be retained:

- Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):

Existing:

Proposed:

Type of access: (check appropriate box)

- provincial highway municipal road, maintained all year
 municipal road, seasonally maintained other public road
 right of way if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal 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 tank
- privately owned and operated communal septic system
- privy
- 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 are the existing official plan designation(s), if any, of the subject land:

Regional Official Plan designation:

Local Official Plan designation:

5.2 What is the zoning, if any, of the subject land?

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

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 PREVIOUS USE OF PROPERTY

- Residential
- Industrial
- Commercial
- Farmland
- 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 sewage sludge was applied to the lands?

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

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

Yes No Unknown

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

Yes No Unknown

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

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

Is the previous use inventory attached?

Yes No

→ **7 PROVINCIAL POLICY**

7.1 a) Is this application consistent with the Policy Statements issued under subsection 3(1) of the Planning Act?

Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No

(Provide explanation)

c) Is this application consistent with Places to Grow (P2G)?

Yes No

(Provide explanation)

d) Is the subject lands within an area of land designated under any provincial plan or plans?

Yes No

e) Are the subject lands subject to the Niagara Escarpment Commission Plan?

Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Commission 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 2005?

Yes No

If yes, is the proposal in conformity with the Greenbelt Plan 2005?

Yes No

(Provide Explanation)



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/A-12:117	SUBJECT PROPERTY:	106 Byron Avenue, Stoney Creek
ZONE:	"R2" (Single Residential)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner: ZDRAVKO MARINOVIC
Agent: A.J. Clarke & Associates c/o S. Fraser

The following variances are requested:

Part 2

1. A lot area of 462.0m² shall be provided instead of the minimum lot area of 505.0m² required for a corner lot.
2. A lot frontage of 15.0m shall be provided instead of the minimum lot frontage of 16.5m required for a corner lot.

PURPOSE & EFFECT: To create three (3) lots for residential purposes in accordance with consent applications no. SC/B-10:180 and SC/B-10:181.

Notes:

- i. The applicant shall be advised that each dwelling is required to provide a minimum of two (2) parking spaces in accordance with Sections 6.3.4, 6.1.8 and 4.10 of Stoney Creek Zoning By-law 3692-92. Insufficient information has been provided in order to determine zoning compliance. Further variances may be required if compliance cannot be achieved.
- ii. The current zoning designation permits a maximum building height of 11.0m. Details have not been provided in order to confirm zoning compliance.
- iii. These variances are necessary to facilitate land severance applications SC/B-10:180 and SC/B-10:181.

SC/A-12:117

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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-12:117



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

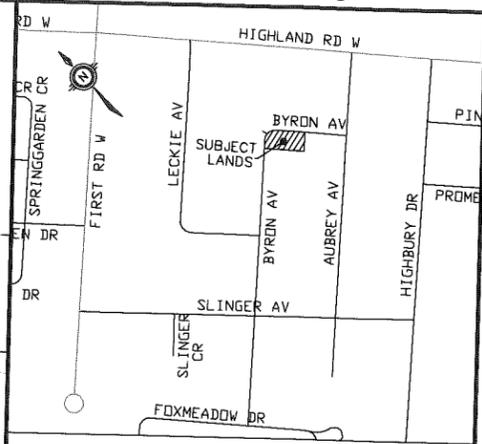
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

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

BYRON AVENUE

(BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))



KEY MAP - N.T.S.

VARIANCES

1. MINIMUM LOT AREA ON A CORNER LOT BE 462m² INSTEAD OF THE REQUIRED 505m².
2. MINIMUM LOT FRONTAGE ON A CORNER LOT BE 15m INSTEAD OF THE REQUIRED 16.5m.



SUITE 200, EAST WING
360 JAMES STREET NORTH
HAMILTON, ONTARIO
L8L 1H5
(905) 546-1010
www.ibigroup.com

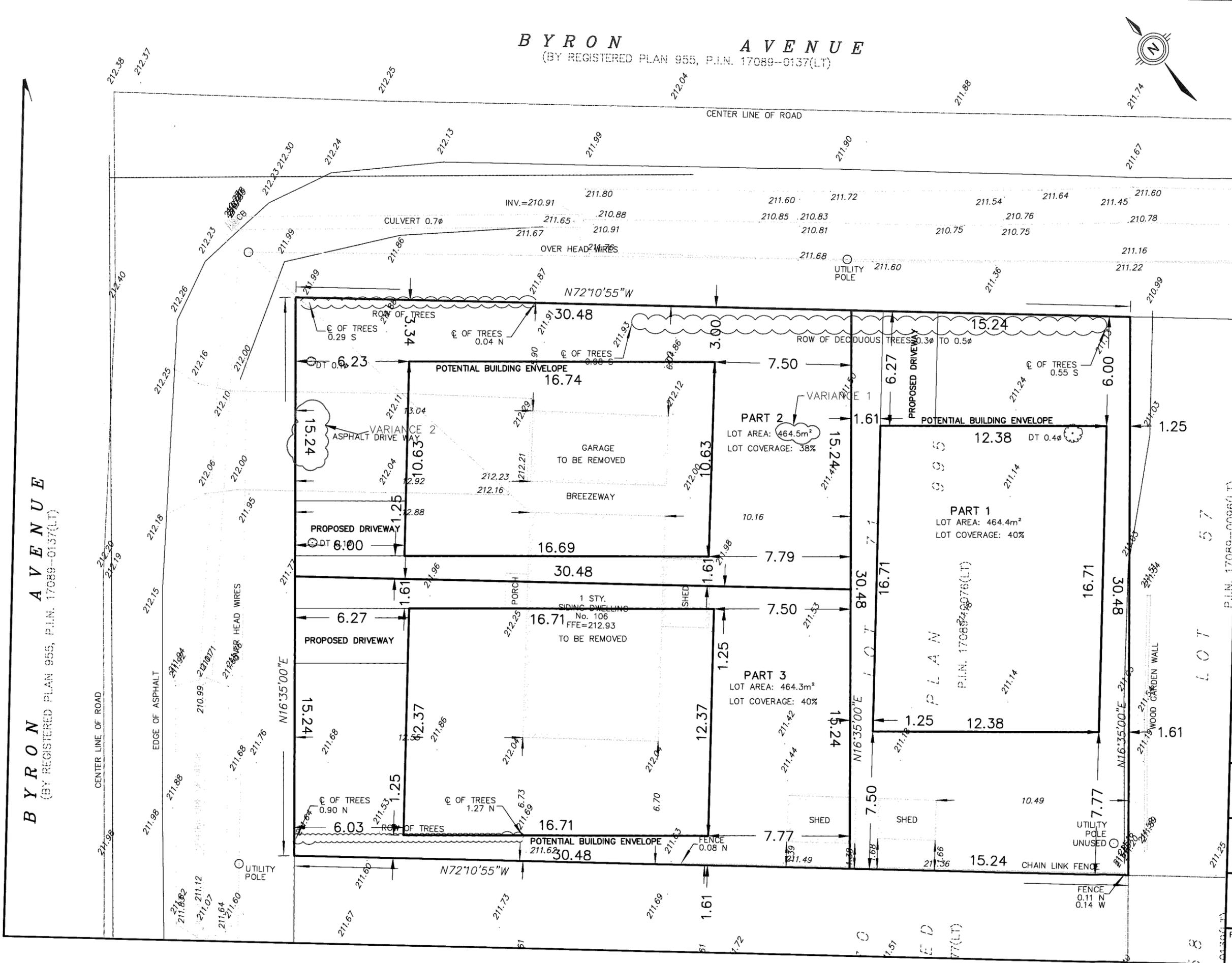
SCALE 1:200
DATE 2012-04-17
DRAWN BY A. BUONAMICI

CITY OF HAMILTON

106 BRYON AVENUE

MINOR VARIANCE SKETCH

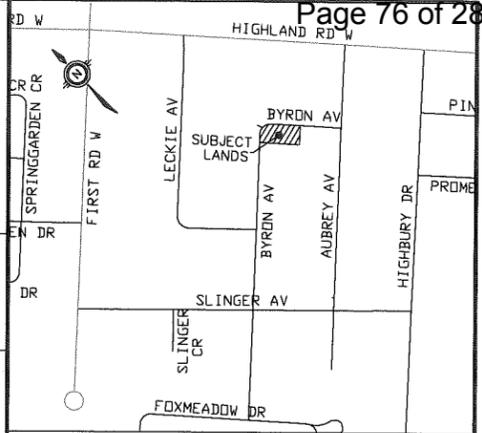
FILE No. 32153 FIGURE No. FIGURE 1



BYRON AVENUE
(BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))

BYRON AVENUE

(BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))



KEY MAP - N.T.S.

VARIANCES

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IBI GROUP
 SUITE 200, EAST WING
 360 JAMES STREET NORTH
 HAMILTON, ONTARIO
 L8L 1H5
 (905) 546-1010
 www.ibigroup.com

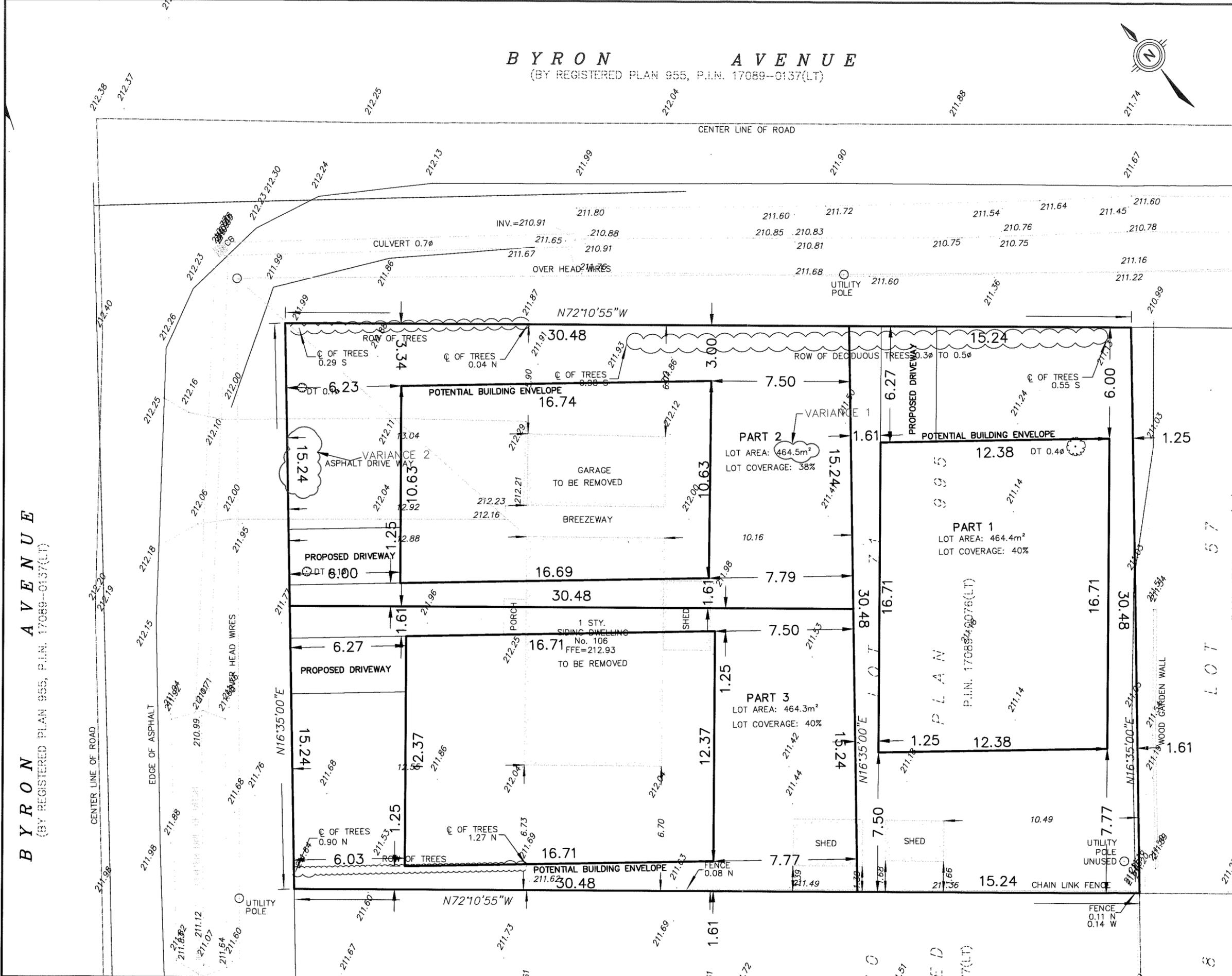
SCALE 1:200
 DATE 2012-04-17
 DRAWN BY A. BUONAMICI

CITY OF
HAMILTON

106 BRYON AVENUE

MINOR VARIANCE
 SKETCH

FILE No. 32153
 FIGURE No. FIGURE 1



BYRON AVENUE
 (BY REGISTERED PLAN 955, P.I.N. 17089-0137(LT))

FLOODING CONCERNS OF
102 BYRON AVE
STONEY CREEK

PRESENTED TO:

HAMILTON COMMITTEE OF ADJUSTMENT
THURSDAY, MAY 31, 2012
HAMILTON CITY HALL

PRESENTED BY:

DON & SUE KNAP
102 BYRON AVENUE
STONEY CREEK, ON
L8J 2T2
905-578-9488

REGARDING

SEVERANCE APPLICATION NO. SC/B-10:180
SEVERANCE APPLICATION NO. SC/B-10:181
&
VARIANCE APPLICATION NO. SC/A-12:117

MUNICIPAL NUMBER
106 BYRON AVENUE
HAMILTON ON
(STONEY CREEK)

**RE: SEVERANCE APPLICATION NO. SC/B-10:180 & SC/B-10:181
APPLICATION FOR MINOR VARIANCE NO. SC/A-12:117**

We submit our opposition to the above applications for the following reasons;

- 1) There are no existing storm sewers on Byron Avenue.
..... "there is a history of flooding issues in this area. Since there is no suitable outlet for storm water drainage, we are concerned that the applicant/owner can not demonstrate that the pre-severance drainage flows will not exceed the post severance drainage flows which may result in additional flooding of the surrounding lands." (Development Planning-East, February 10th, 2011).
- 2) Consent to Severance Application NO.SC/A-10-181 and permit buildings and structures having a side yard of 1.25 m, will create a significant negative impact on the drainage between the lands of 106 and 102 Byron Avenue by not maintaining existing elevations and drainage patterns.
- 3) Consent to Severance Application SC/B-10:180 will cause major disruption of drainage from the following lands; 86, 92, and 98 Byron Ave. as well as 93, 95, 97, 99, and 101 Aubrey Ave. northerly through rear yards towards the southerly culvert of Byron Avenue.
This will result in severe detention ponding in the rear yard of 102 Byron Avenue.
- 4) The proposed severance and variance application locates proposed buildings and structures for the subject lands having a front yard 6.00 m and 6.03 m. This front yard allowance is inconsistent with the character of the existing neighbouring structures located on Byron Avenue having a front yard allowance of +/- 12.00 m.
- 5) The proposed front allowance of only 6.00 m would block and detract from the view residents of Byron Avenue currently have and enjoy of their streetscape.
- 6) Anything more than a one story dwelling for the new subject buildings may also not be in character.
- 7) "Staff is of the opinion that the proposal is not consistent with the existing neighbourhood character and lot fabric". (Development Planning-East, February 10th, 2011).

HISTORY

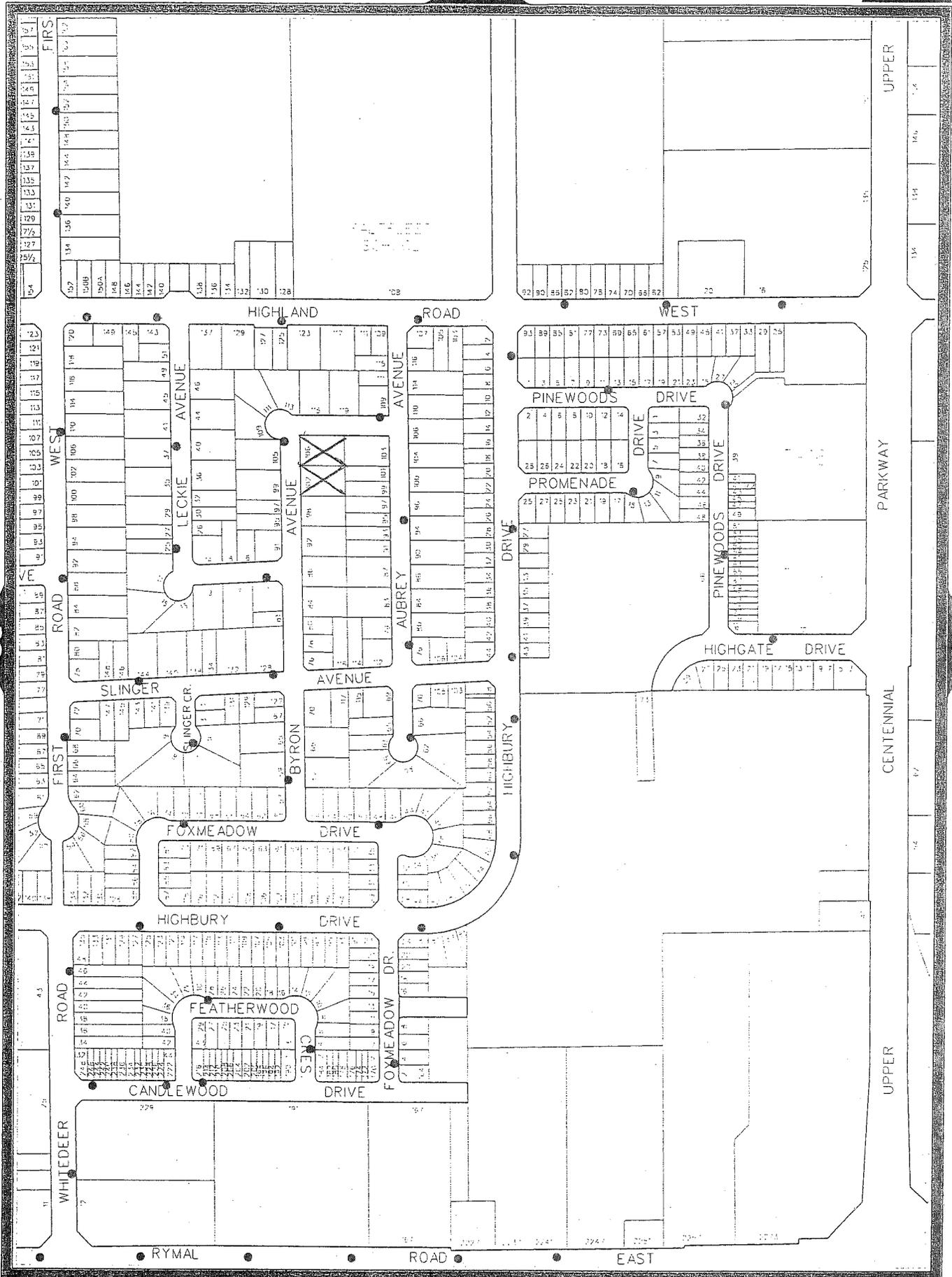
- Flooding of the lands of 102 Byron Avenue and surrounding lands often occur during the spring.
- Flooding may also occur during the summer and fall months during a moderate rainfall.
- We have included pictures of culverts in front of 91 Byron Ave. taken April 26, 2011, which acted as a detention pond to mitigate flooding of 102 Byron during 2011.

MAP INDEX

Map #1 - Leckie Park Survey street and site Map

Map #2 - Local aerial view with culverts and water flows indicated

Map #3 - Aerial view indicating flooding and water flow over the
the lands of 102 and 106 Byron Avenue, Hamilton



Revised July 2000

MAP #1

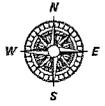
MapIt

MAPIT



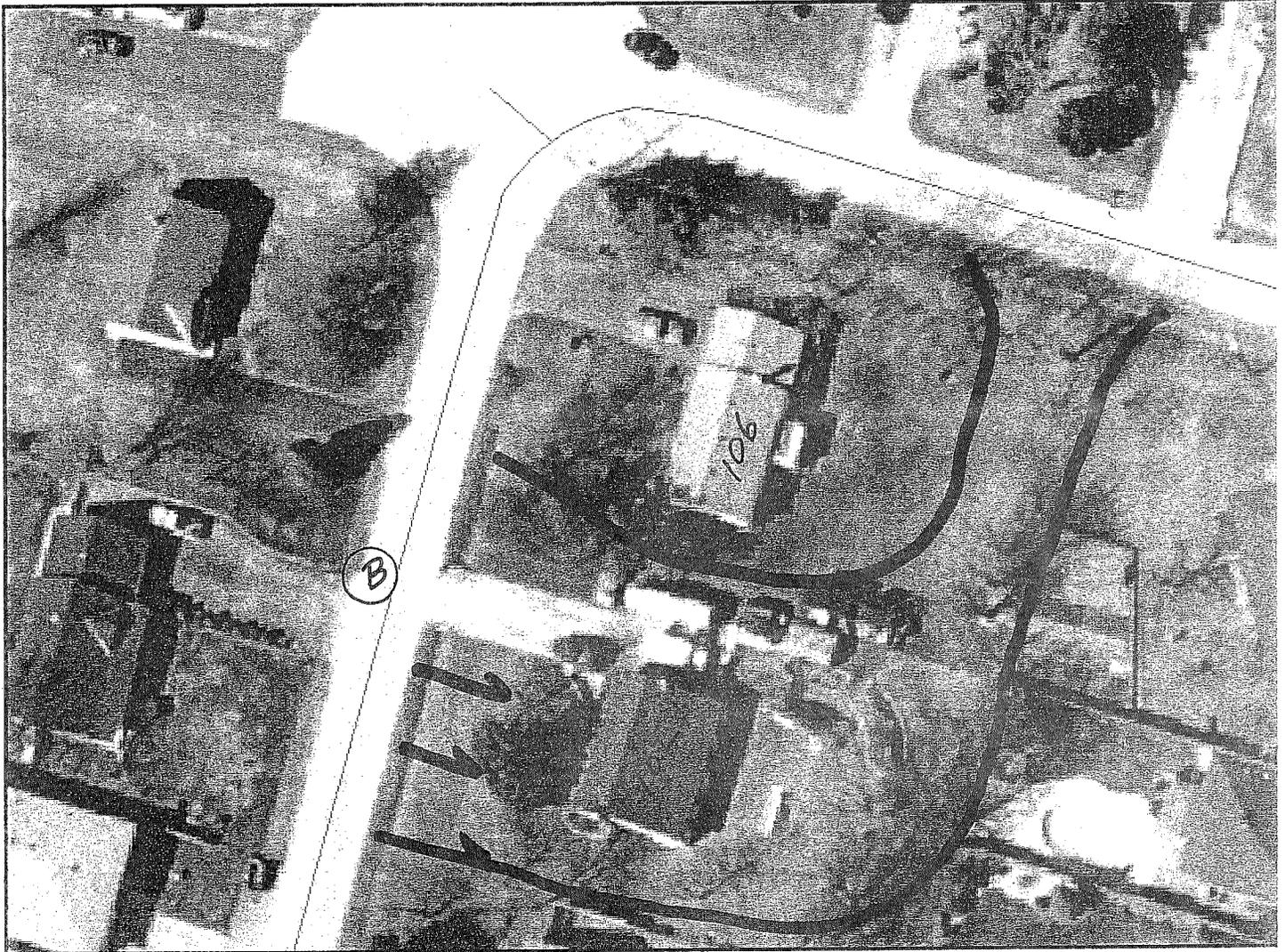
POWERED BY
MAPHAMILTON.CA

City of Hamilton
www.map.hamilton.ca



Aerial Photos captured in the spring of 2002, at a 20cm resolution.

MAP # 2



1 : 367

Produced by Guest 14:48 2/27/2006

MAP # 3

PHOTO INDEX

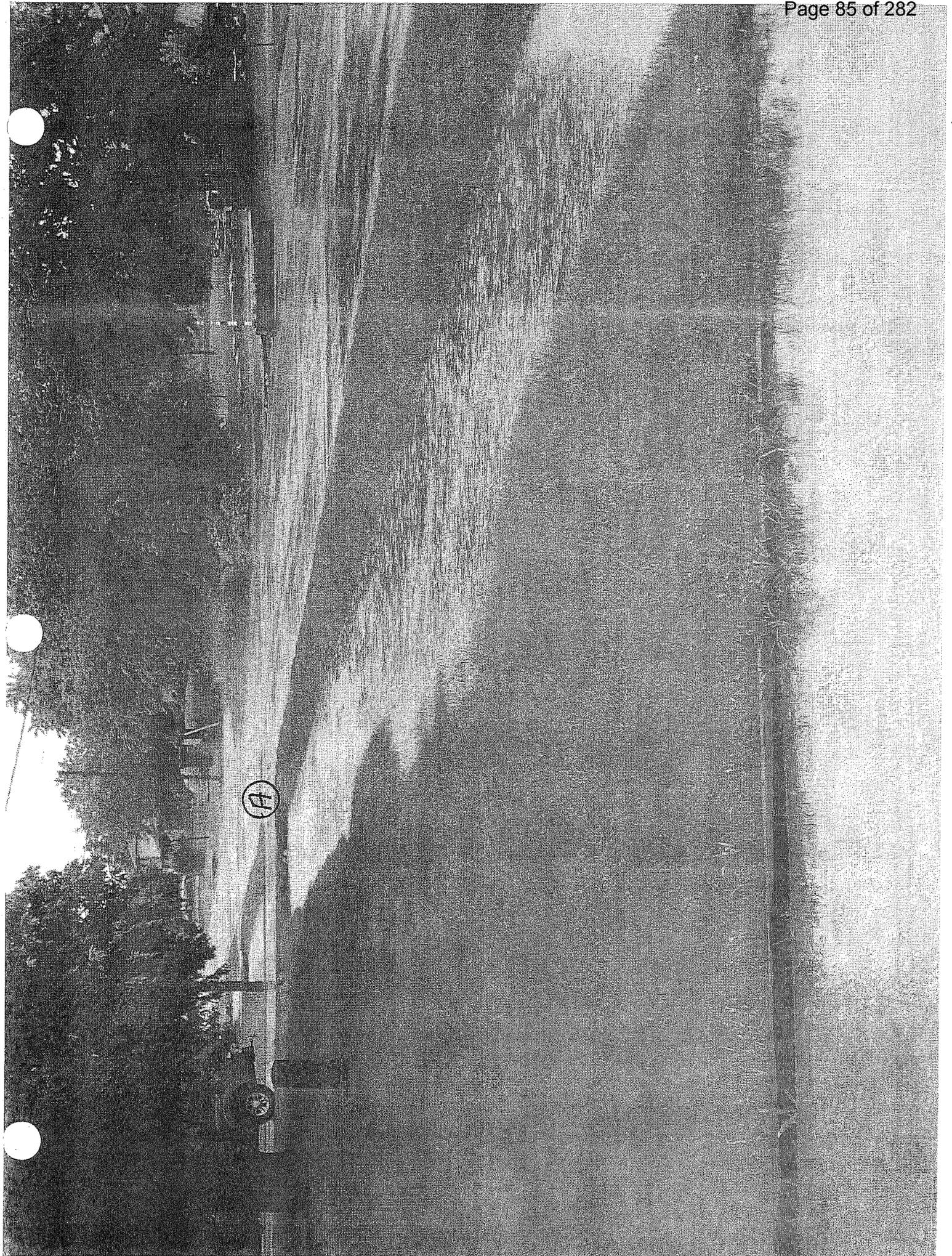
SERIES #1 - Roadside ditches, North/South portion of Byron Avenue

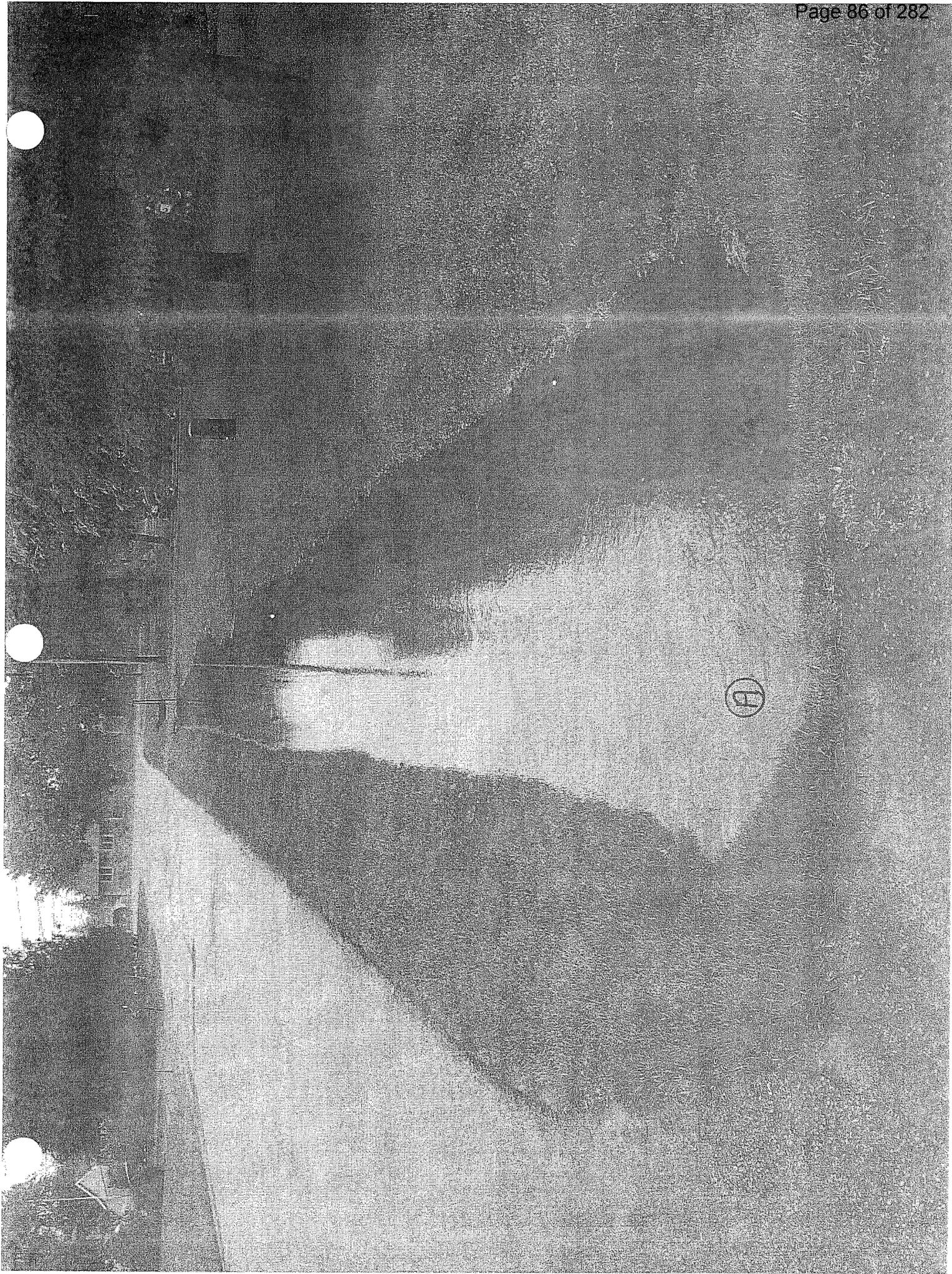
- 1/. View southerly from driveway 102 Byron Avenue towards 98 Byron Ave.
(A) on Map #2 locates convergence of 2 culverts.
 - Along East side of Byron Avenue
 - From West side of Byron Avenue conducting water under the road from the west side of Byron Avenue AND a portion of Leckie Avenue.
- 2/. Standing atop culvert convergence shown as (A) on Map #2 picture 1, looking northerly from driveway 98 Byron Avenue towards 102 Byron Avenue.
- 3/. For comparison purposes this photo from a position (B) Map #3 shows southerly flow of west side of Byron Avenue (opposite 102 Byron) towards under road culvert at (A) Map #2.
- 4/. Shows ditch east side of Byron Avenue between driveway culverts of 102 and 106 Byron Avenue (C) Map #2

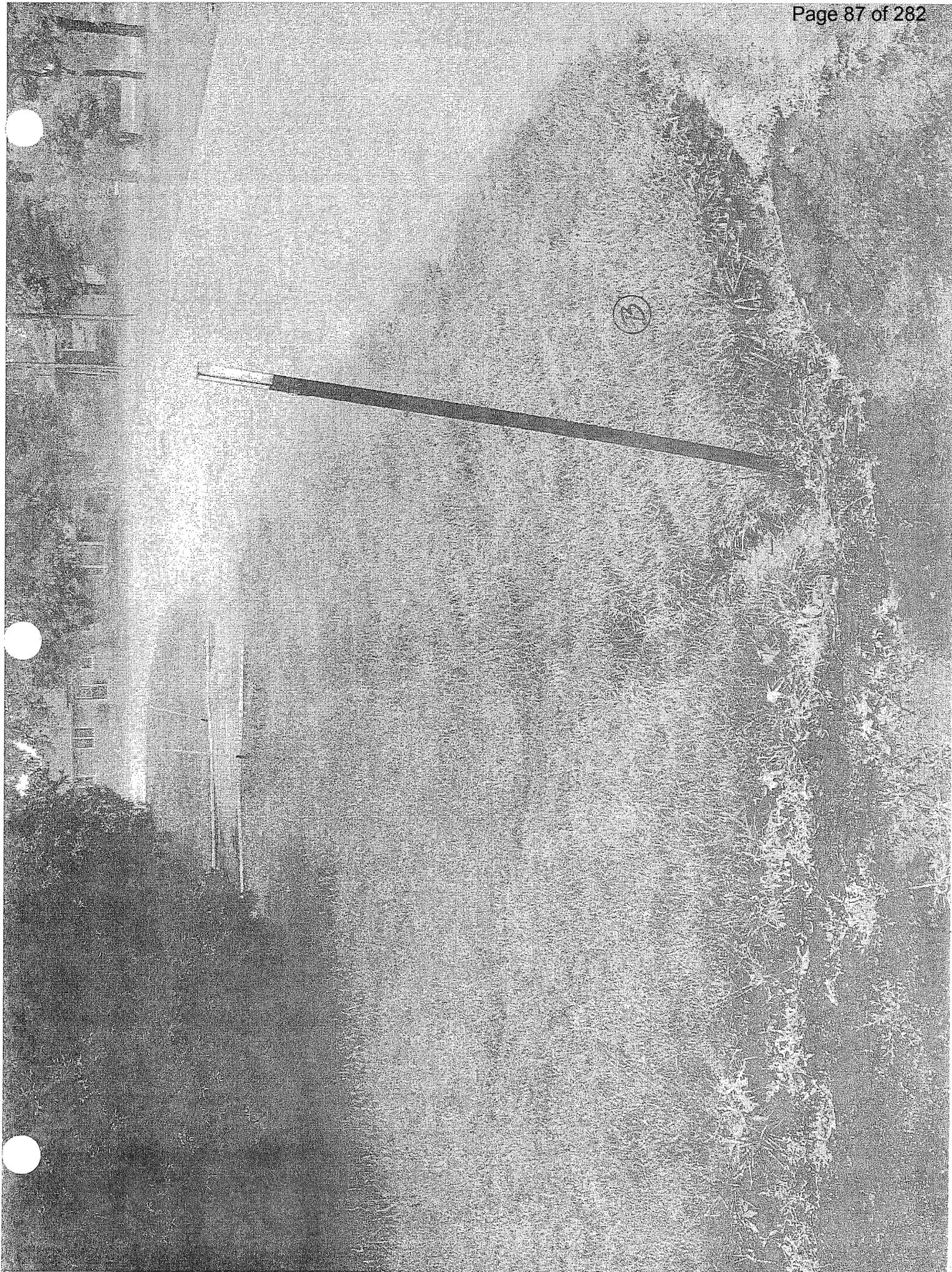
SERIES #2 - Views from front door of 102 Byron Avenue

SERIES #3 - Views of rear yards, 102 and 106 Byron Avenue

SERIES #4 - Restricted drainage past 91 BYRON AVENUE, April 2011









11

SERIES #2 - Views from front door of 102 Byron Avenue

- 5/. View of flooding Southerly portion of front yard
- 6/. Southern frontage. Water receding at time of photo.
- 7/, 8/, 9/, View of completely flooded central portion of front yard
- 10/. 11/. Flooding of northern portion of front yard

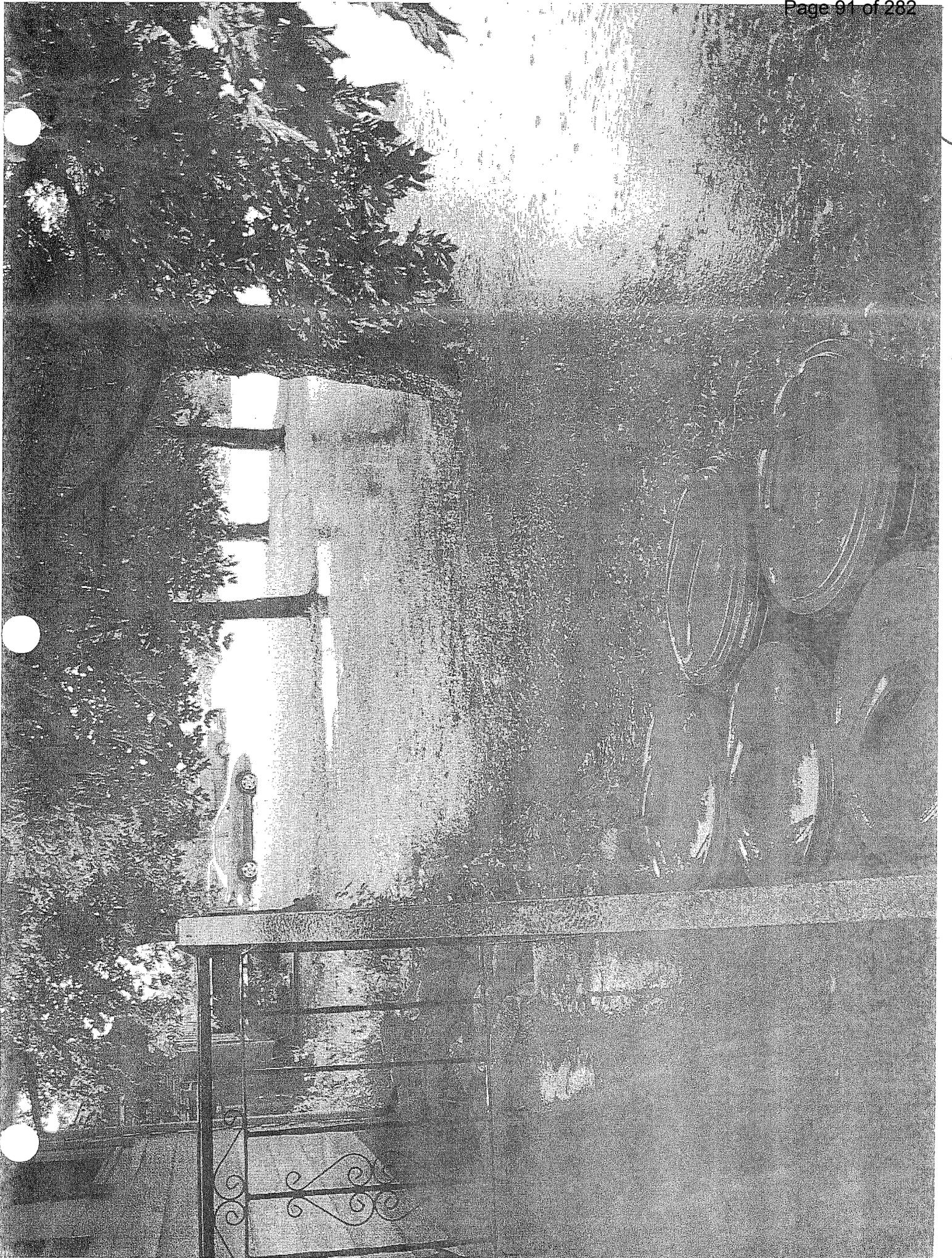
NOTE: - An 8 inch natural rock wall and raised garden was constructed in an effort to keep flood waters away from dwelling foundation of 102 Byron Ave.

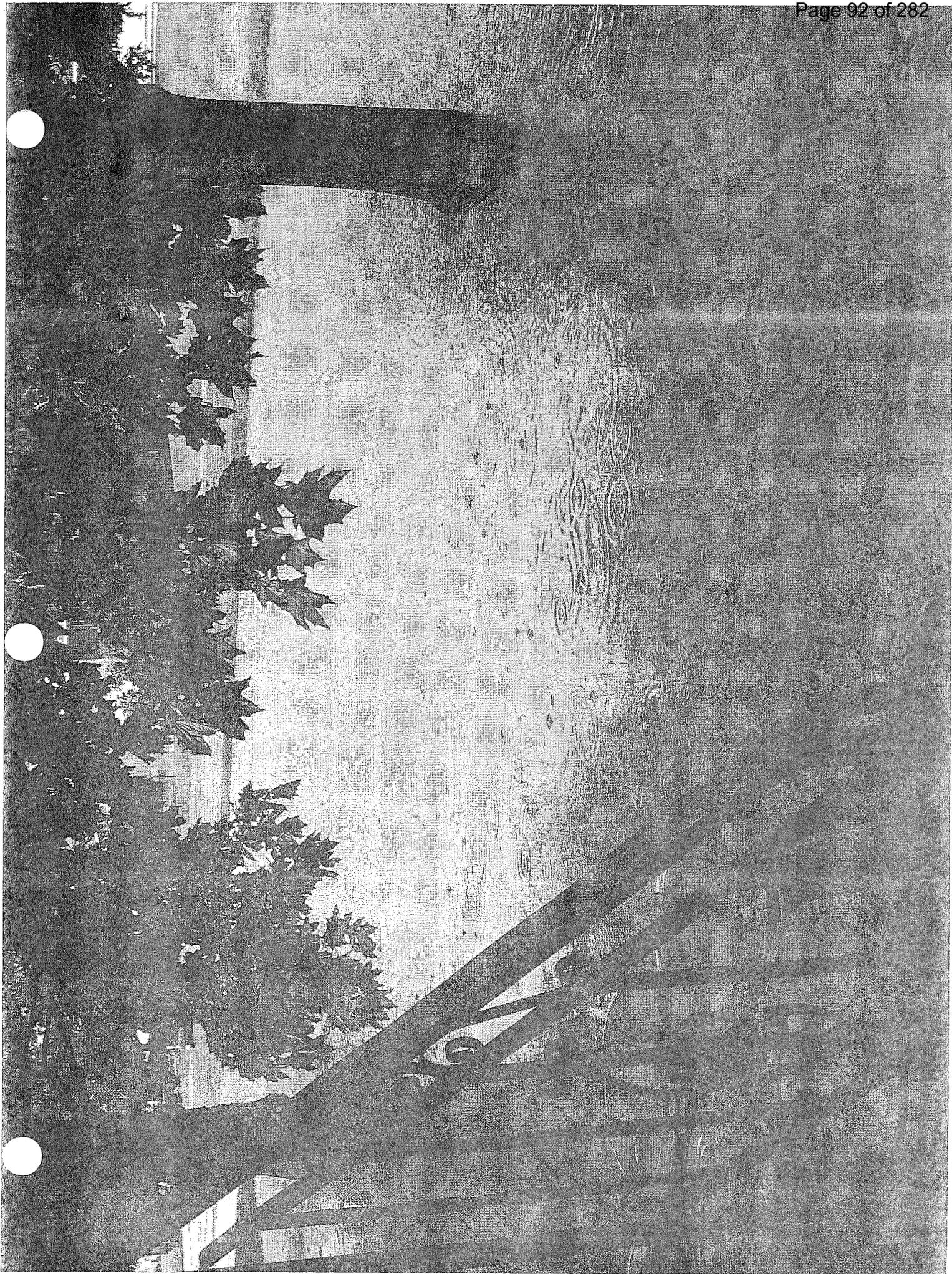
SERIES #1 - Roadside ditches, North/South portion of Byron Avenue

SERIES #3 - Views of rear yards, 102 and 106 Byron Avenue

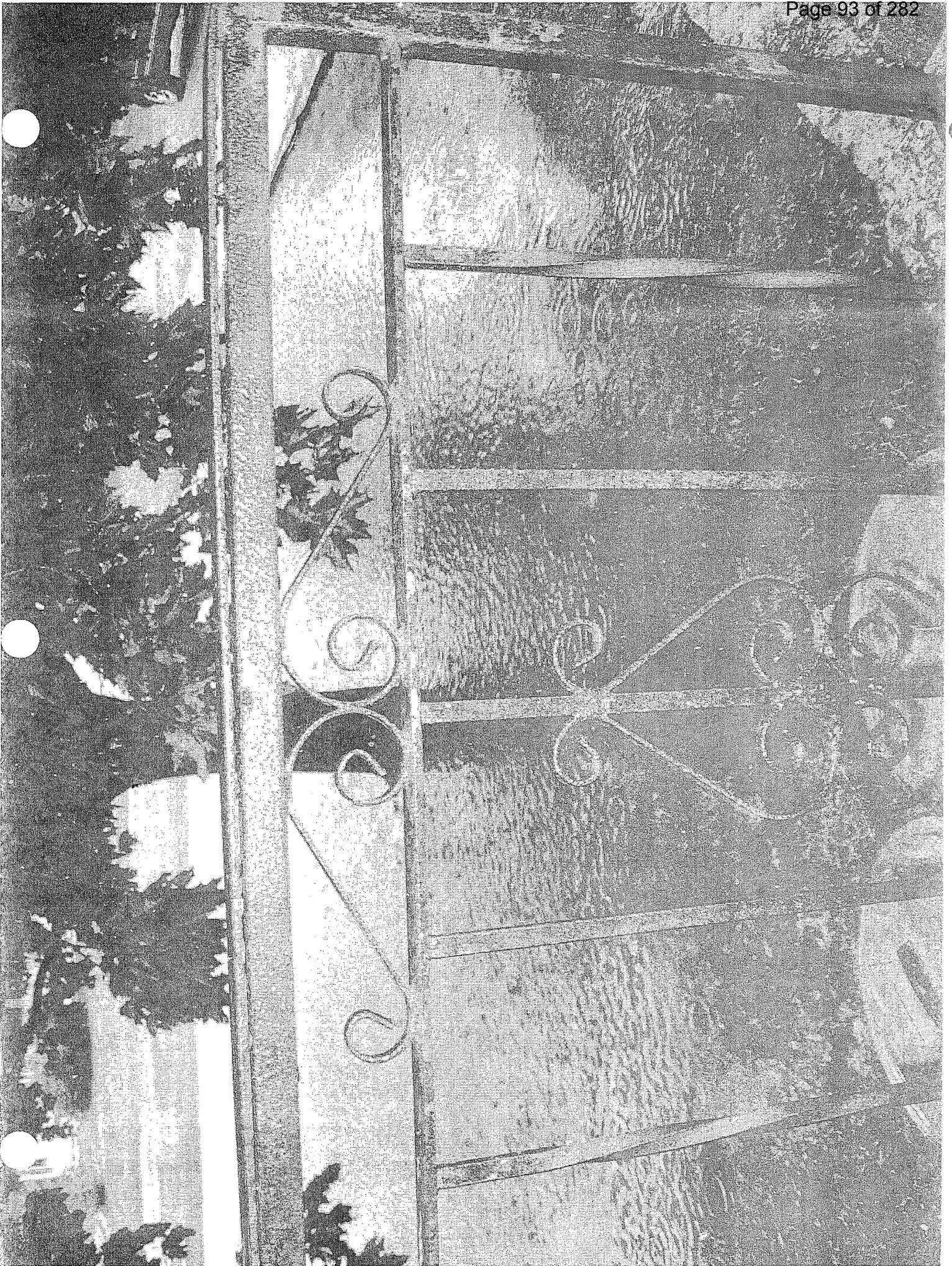
SERIES #4 - Restricted drainage past 91 BYRON AVENUE, April 2011

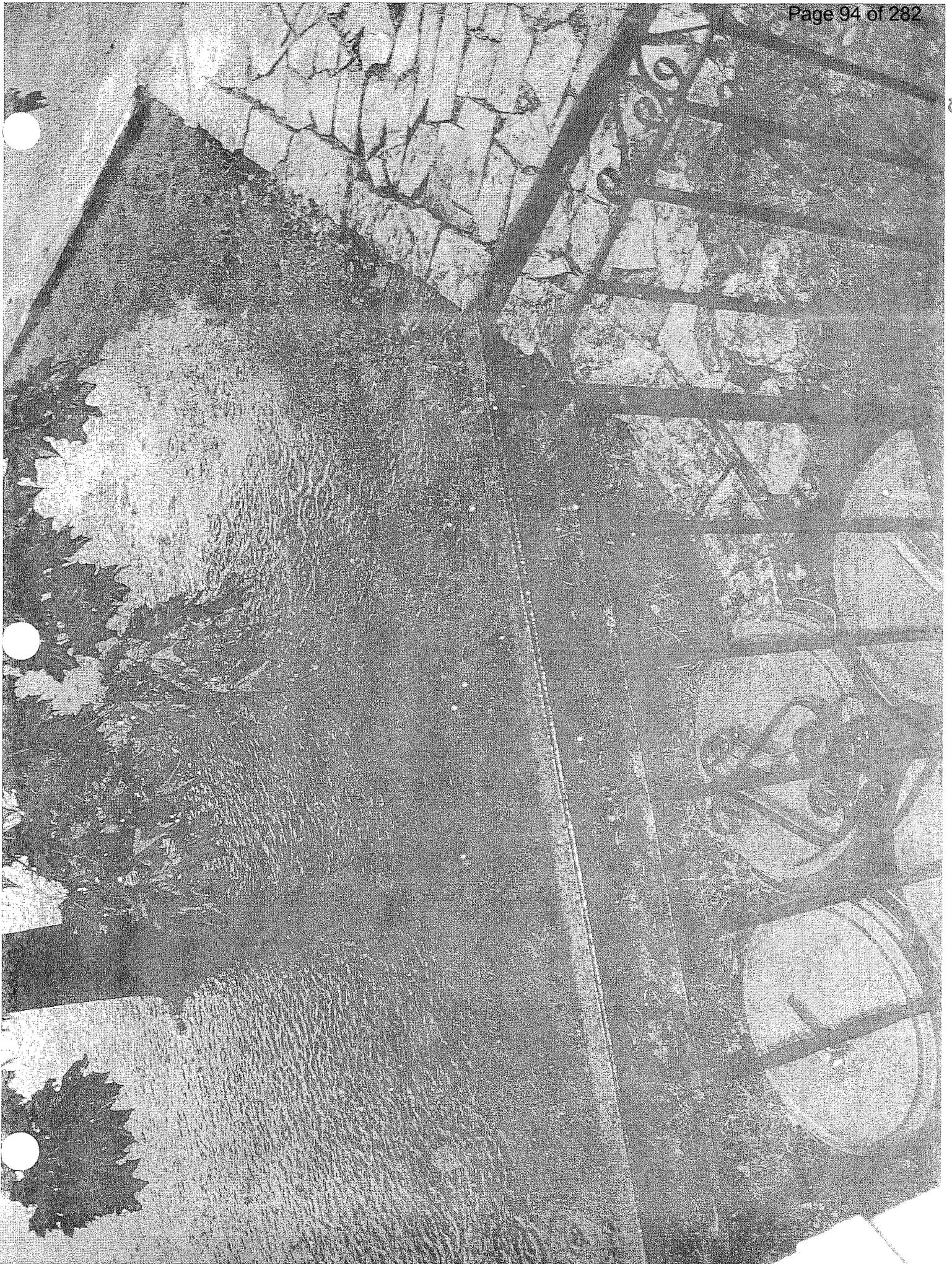




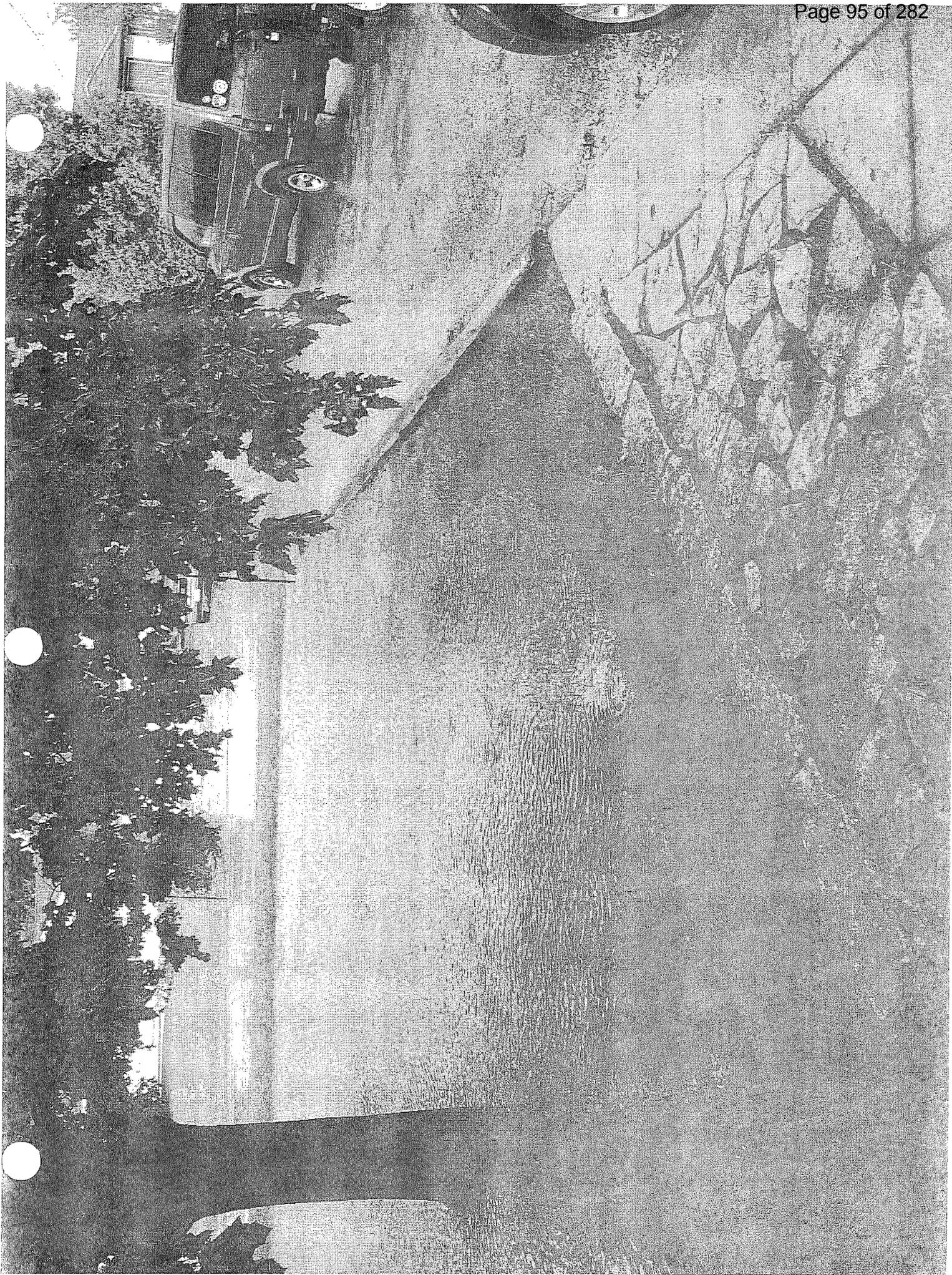


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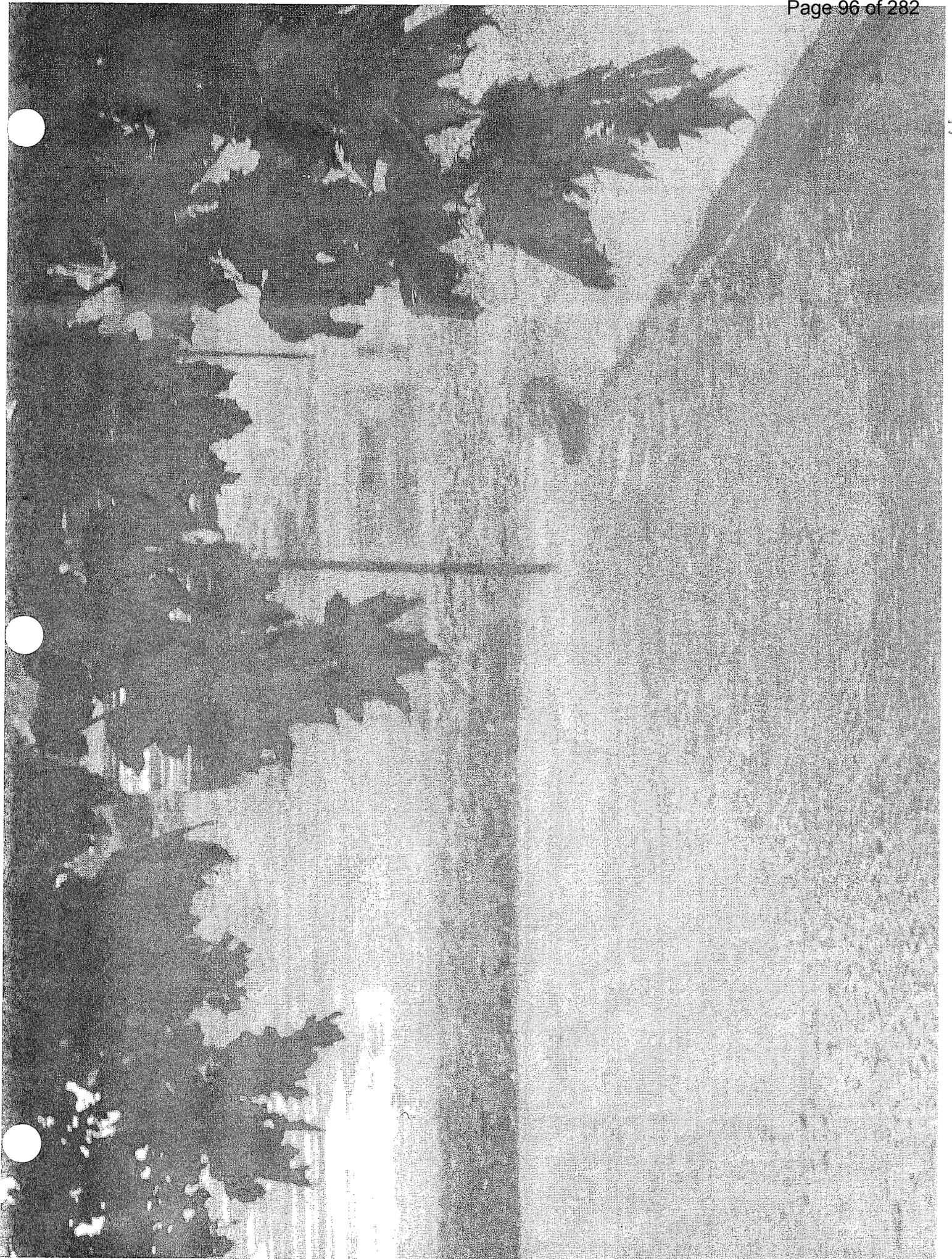




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10



SERIES #3 - Views of rear yards, 102 and 106 Byron Avenue

12/. 13/. Showing water flow, east boundary, rear yard of 102 Byron toward lands of 106 Byron.

NOTE: Elevation differential, neighbouring property of 101 Aubrey Avenue

14/. Flow and ponding of water between 106 Byron Avenue and 103 Aubrey Avenue.

NOTE: Elevation differential of approximately 0.96 m (3.15 feet) between centre line of road and bottom of open culvert at rear yard land of 106 Byron Avenue.

15/. Flow and ponding of water on the lands of 106 and 102 Byron Avenue and 103 Aubrey Avenue.

NOTE: Elevation differential across entire rear yard line of 106 Byron Ave. is 0.06 m (2 inches)

16/. Water flow north side of lands of 106 Byron Avenue looking East from a position (E) on Map #2

17/. South roadside ditch of the East/West portion of Byron Avenue. (D) on this photo and Map #1 show entrance to 2 under road culverts leading to the North side.

18/. Entrance to the 2 under road culverts shown in photo 16 and indicated on Map #2

SERIES #1 - Roadside ditches, North/South portion of Byron Avenue

SERIES #2 - Views from front door of 102 Byron Avenue

SERIES #4 - Restricted drainage past 91 BYRON AVENUE, April 2011

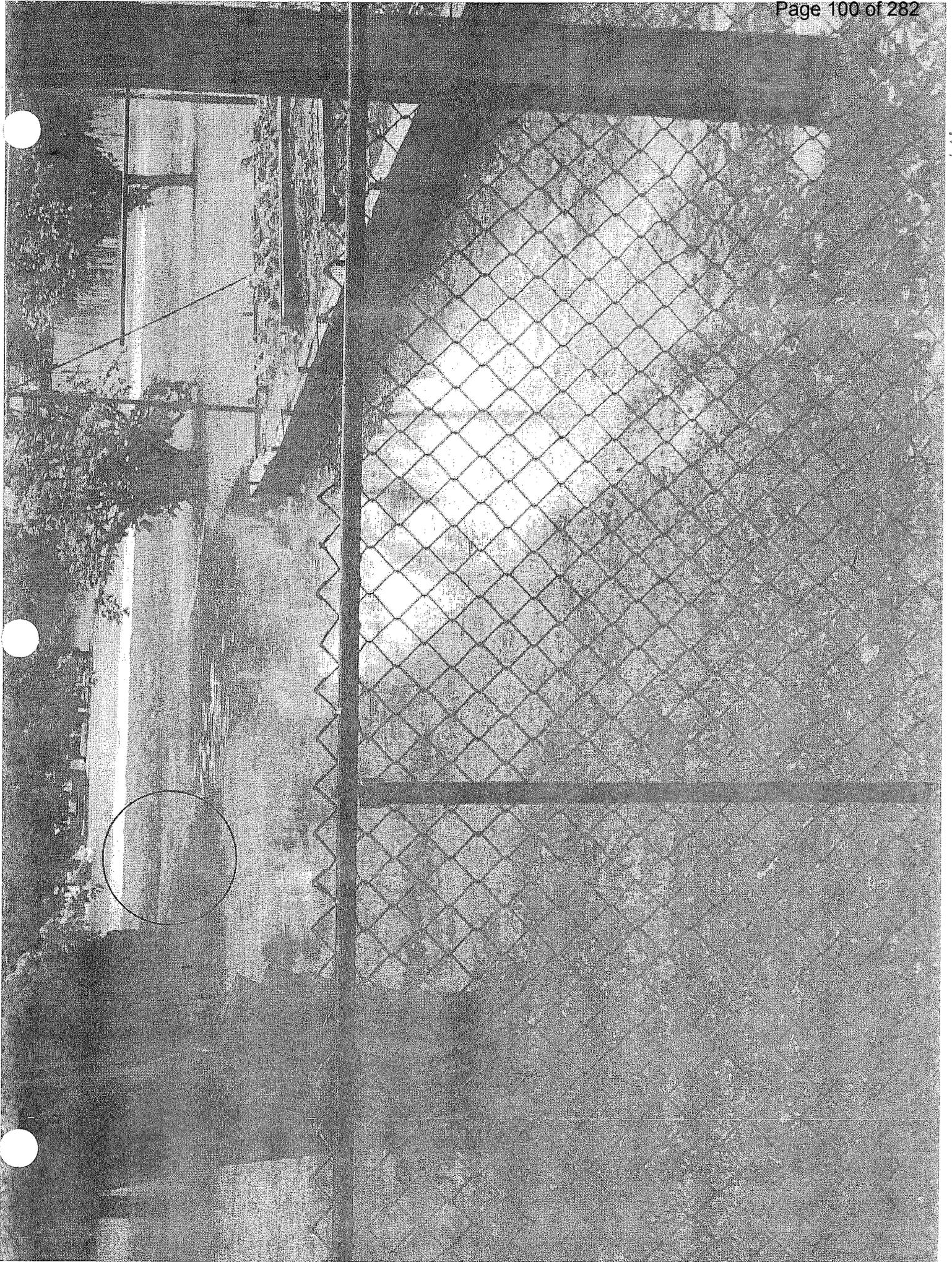


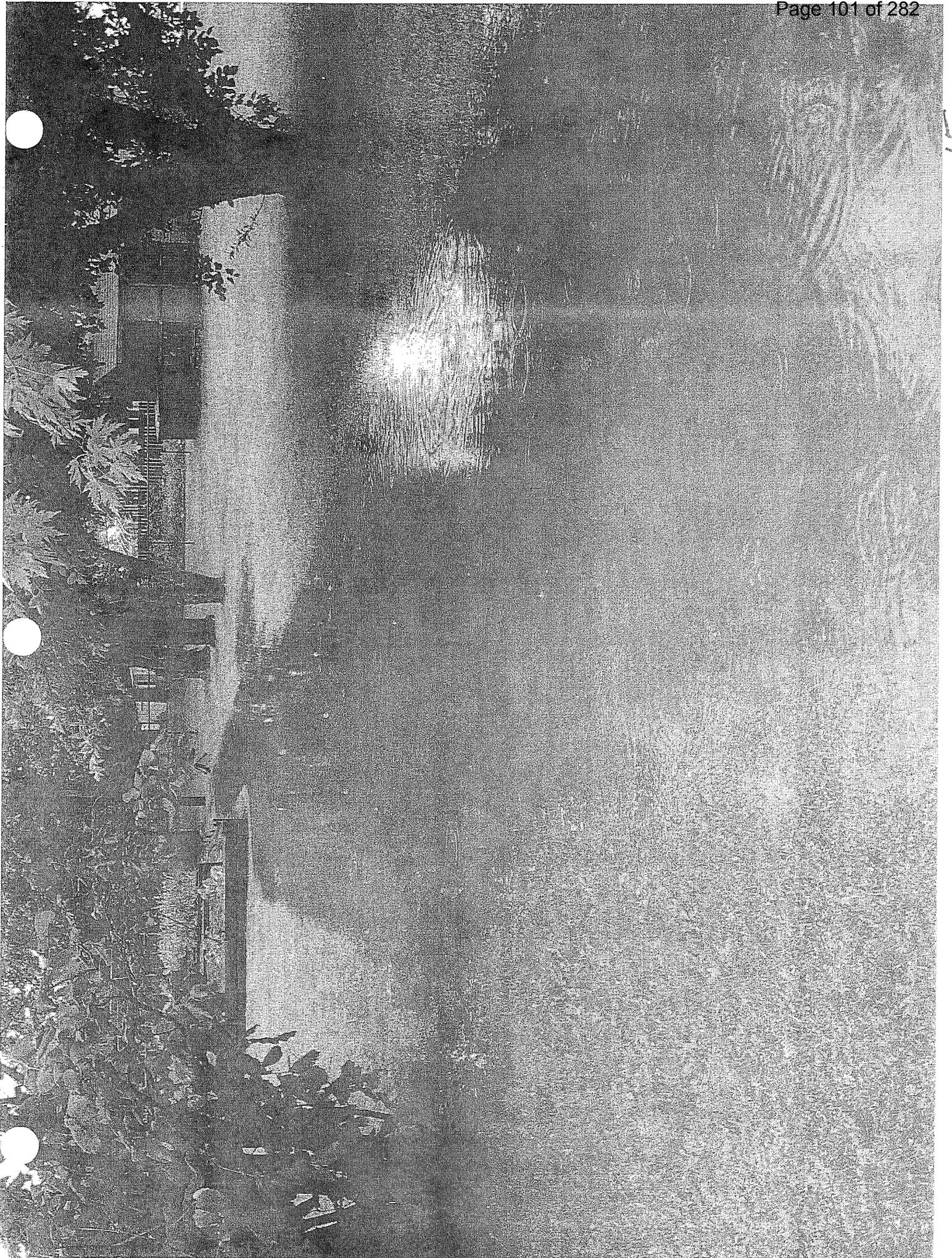
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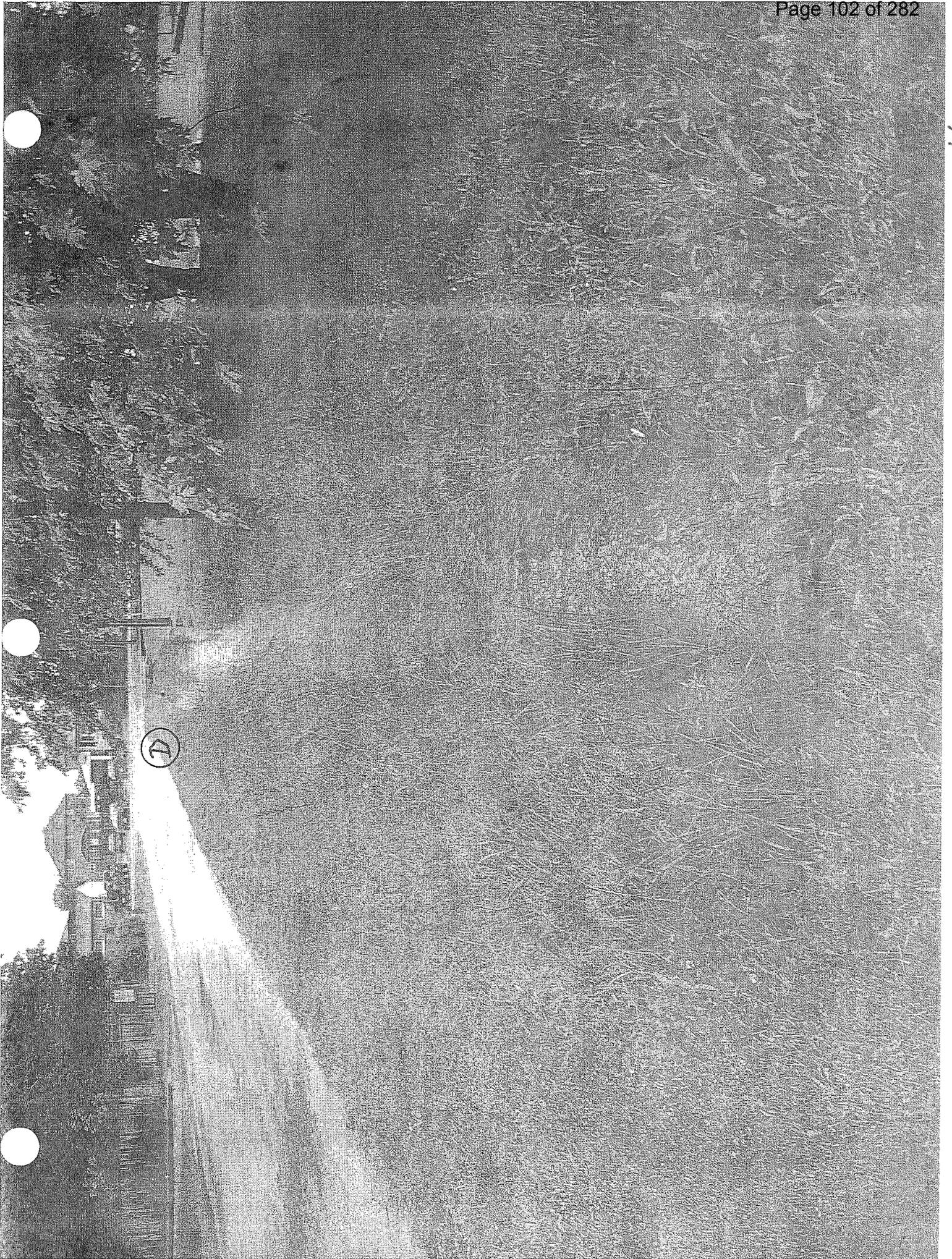
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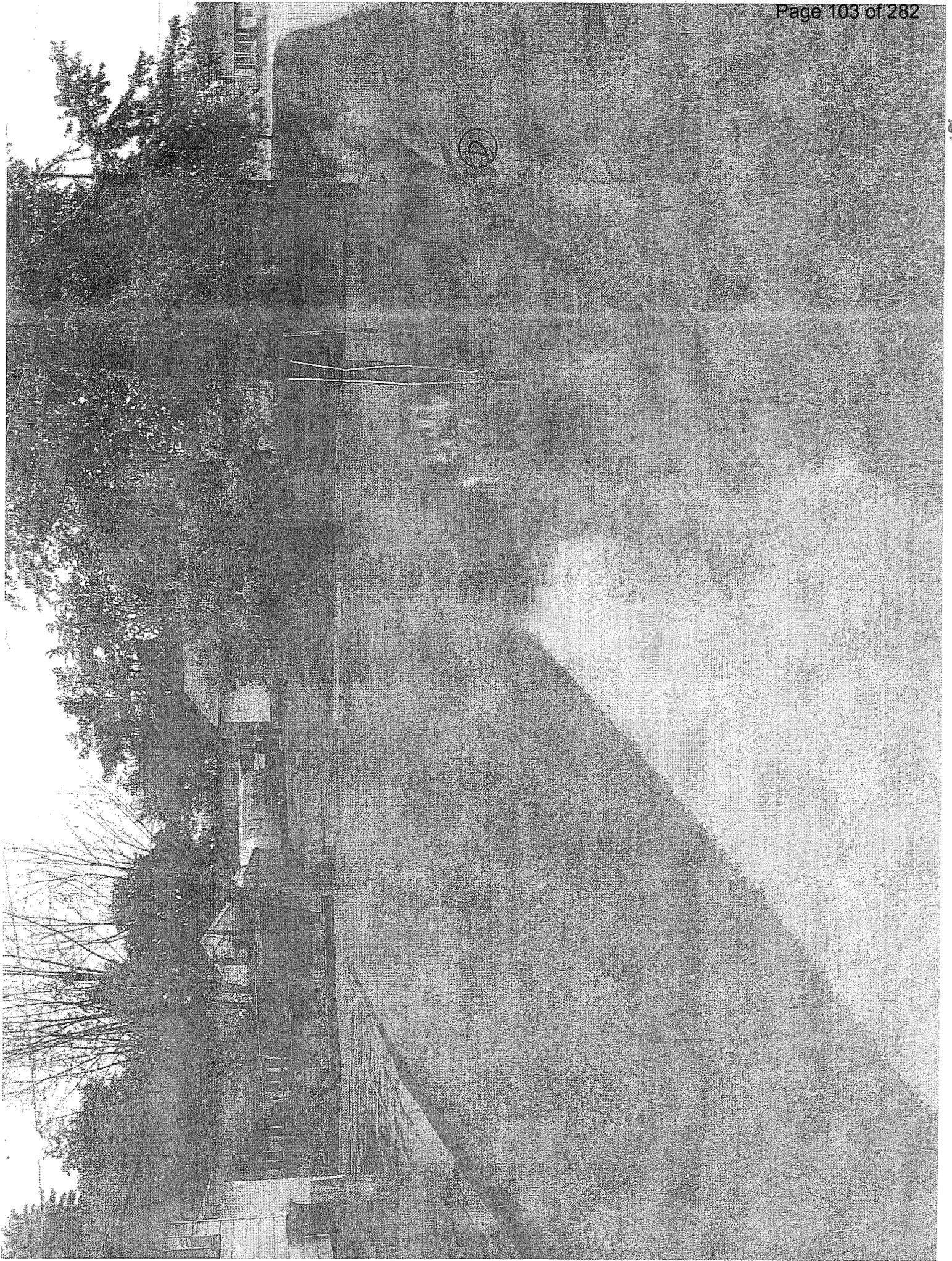




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16



A

IR

④

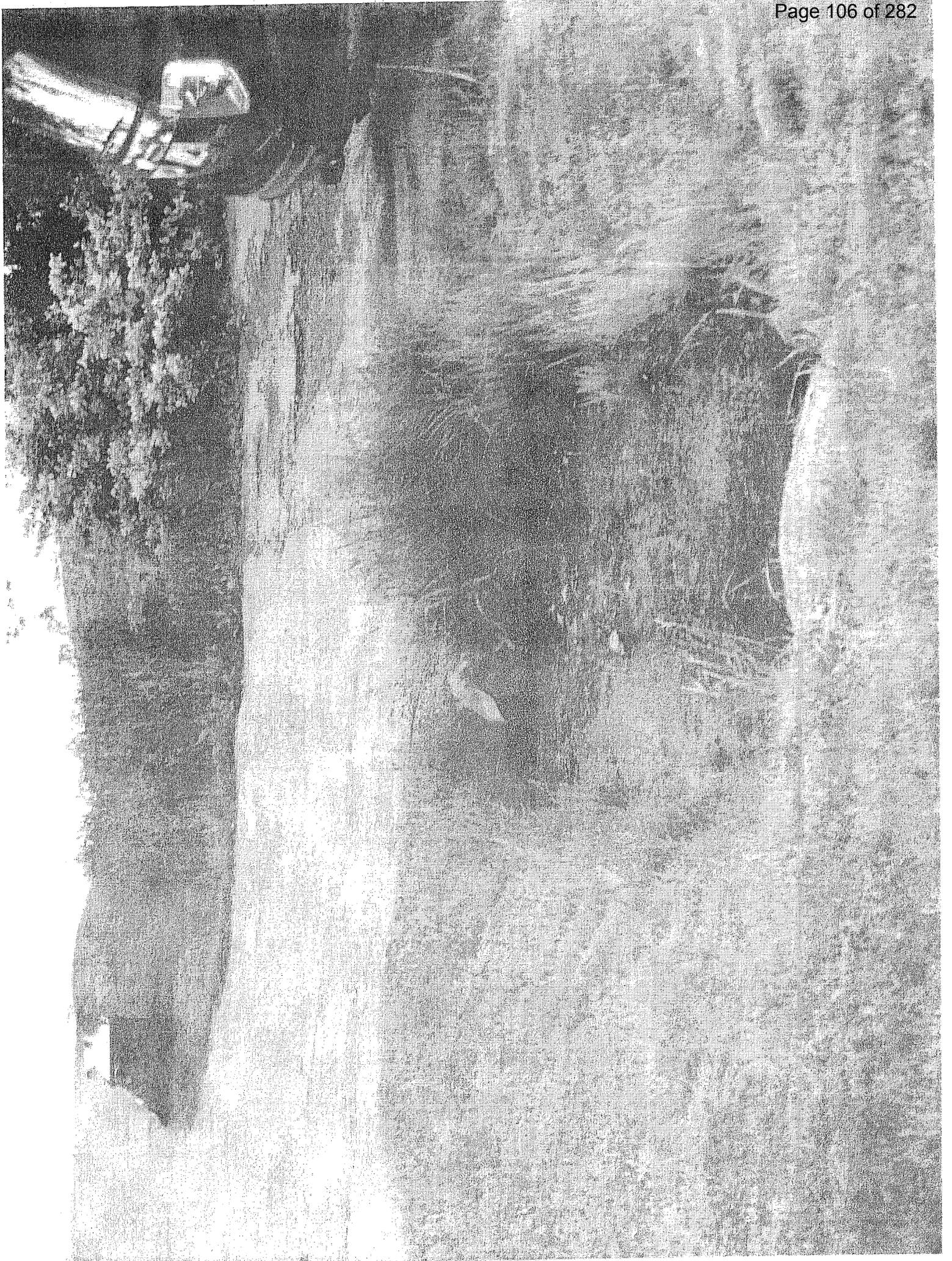
SERIES #4 – Restricted drainage past 91 BYRON AVENUE, April 2011

- The under driveway culvert of 91 Byron is plugged,
- The 24 inch culvert running from under the driveway of 95 Byron Avenue, easterly under Byron Avenue to the open east ditch in front of 98 Byron Avenue is partially plugged.
- This condition is currently causing flooding conditions to 91 and 95 Byron Avenue as well as permitting constant standing water in the open ditch in front of 91 Byron Avenue.
- **Mitigated flooding conditions at 102 Byron Ave during 2011.**

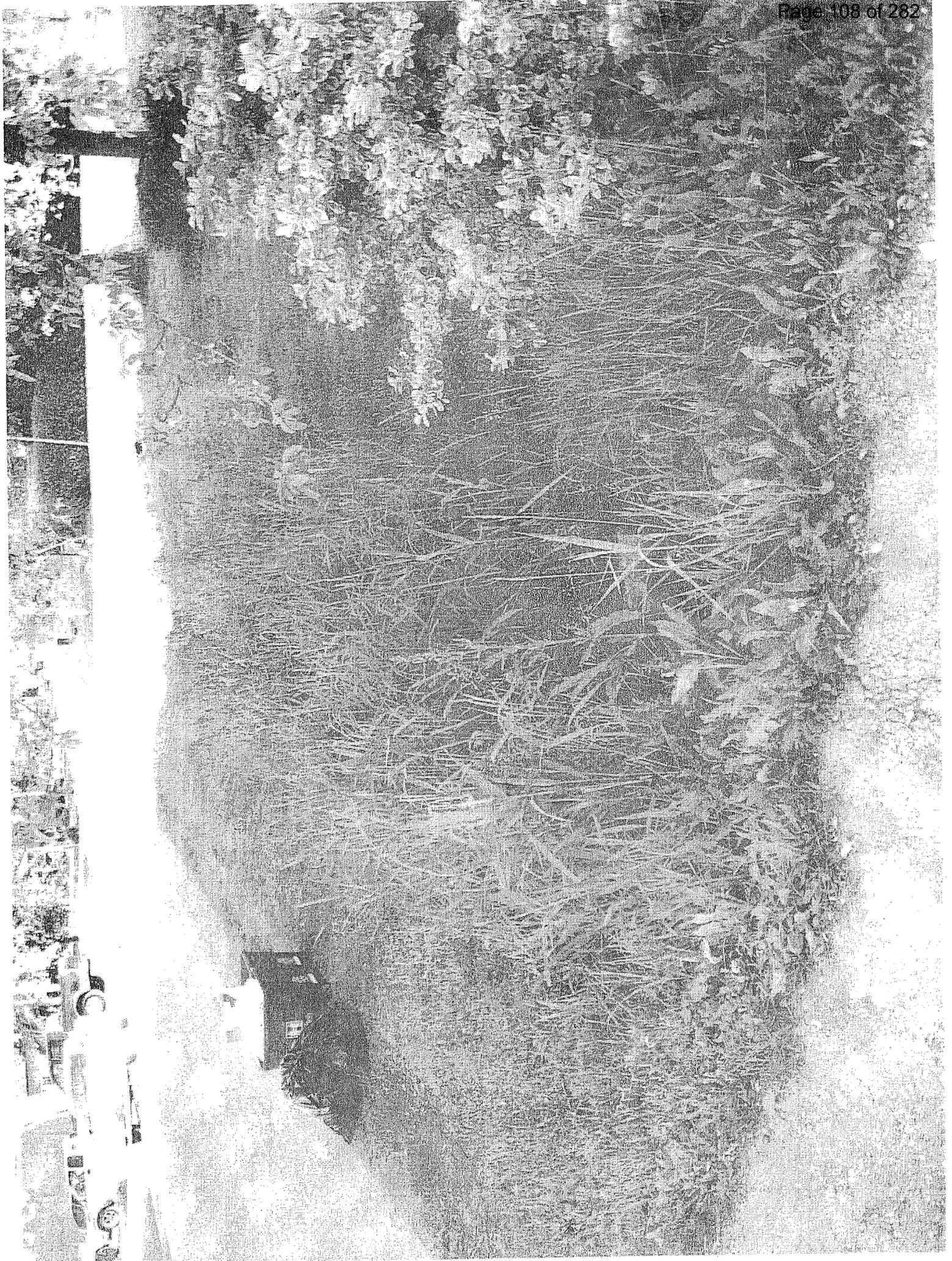
SERIES #1 - Roadside ditches, North/South portion of Byron Avenue

SERIES #2 - Views from front door of 102 Byron Avenue

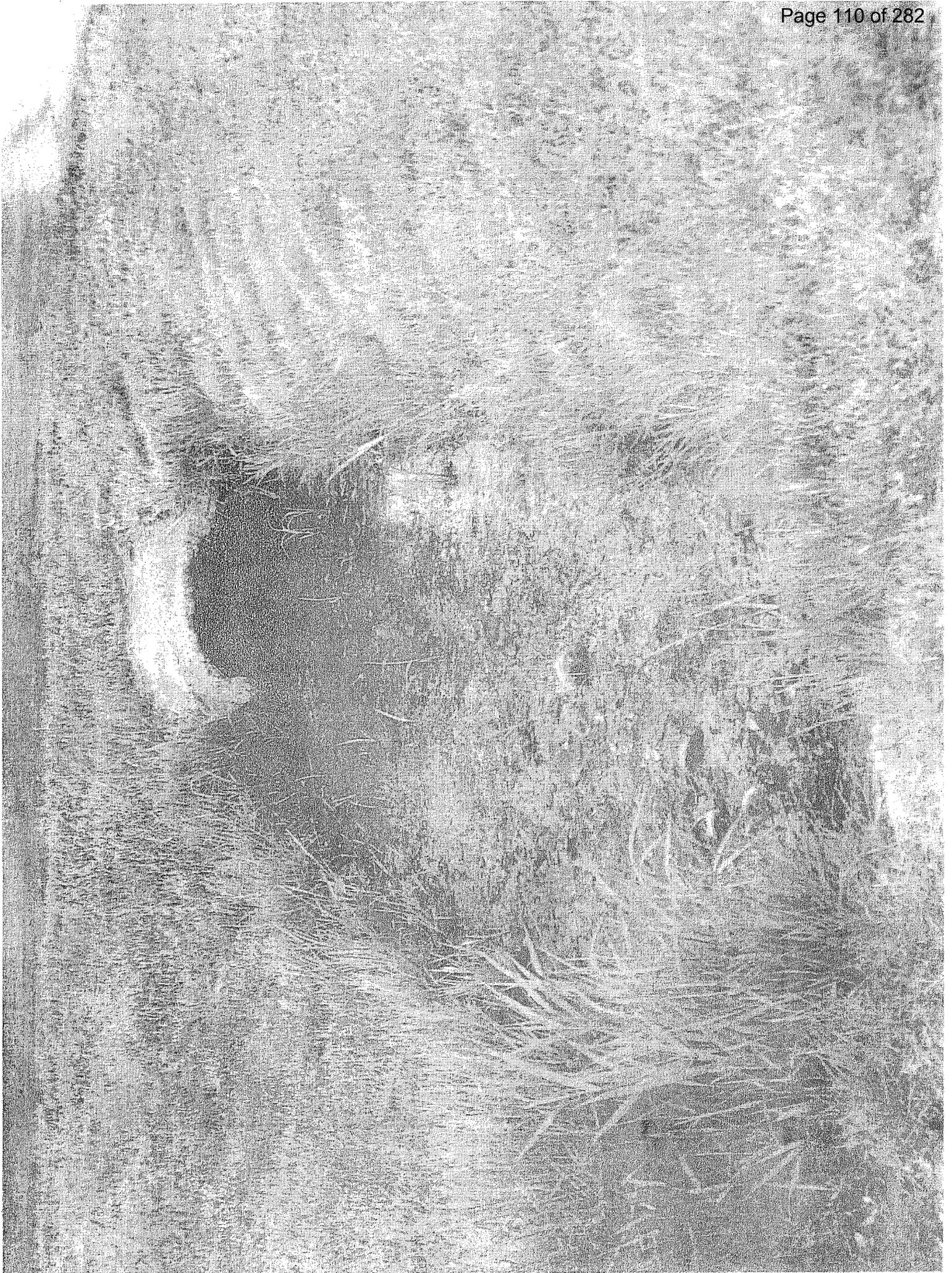
SERIES #3 - Views of rear yards, 102 and 106 Byron Avenue













IN THE MATTER OF The Planning Act, 1990, c. P. 13 **AND**
IN THE MATTER OF an application for a minor variance from the City of
Hamilton (formerly Stoney Creek) Restricted Area By-Law (Zoning By-
Law) No. 3692-92, with respect to the premises known as:

Premises: 106 Byron Ave.

Application No. SC/A-12:117

AFFIDAVIT OF SERVICE

I, Scott Baldry, of the City of Hamilton make oath and say as follows:

1. A copy of the sample Notice of Hearing addressed to "BLANK [computer generated for assessed owners of land]" herein is attached hereto and marked Exhibit "A" to this my Affidavit.

2. A copy of the "Notice of Public Hearing [signed] and with sketch", herein is attached hereto and marked Exhibit "B" to this my Affidavit.

3. On or before, Tuesday, May 15th, 2012 I served the signed Notice of Public Hearing and sketch by regular mail and interdepartmental mail to those persons and corporations shown on the list attached hereto and marked Exhibit "C" and also served computer generated Notices of Hearing by regular mail to the persons and corporations shown on the circularization master list attached hereto and marked Exhibit "D".

SWORN BEFORE ME at the)
)
City of Hamilton this)
)
15th day of May, 2012)
)
A Commissioner of Oaths) _____
)
)
)



Committee of Adjustment
City Hall
5th floor, 71 Main Street West
Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221
Fax (905) 546-4202

EXHIBIT A
EXHIBIT B

COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

APPLICATION FOR MINOR VARIANCE

APPLICATION NO. SC/A-12:117

IN THE MATTER OF The Planning Act, R.S.O., 1990, c.P. 13, as amended and of the Zoning By-Law No. 3692-92, of the City of Hamilton (formerly Stoney Creek), Section 6.3.

AND IN THE MATTER OF the Premises known as Municipal number 106 Byron Avenue Formerly in the City of Stoney Creek, now in the City of Hamilton and in an "R2" (Single Residential) district;

AND IN THE MATTER OF AN APPLICATION by the agent IBI Group on behalf of the owner Zdravko Marinovic, for relief from the provisions of the Zoning By-Law No. 3692-92, under Section 45 of The Planning Act, R.S.O. 1990, c. P. 13, so as to permit the creation of two (2) new lots for residential purposes, notwithstanding that:

1. A minimum lot frontage of 15.0m shall be permitted for a corner lot instead of the minimum required lot frontage of 16.5m for a corner lot; and
2. A minimum lot area of 462.0m² shall be permitted for a corner lot instead of the minimum required lot area of 505.0m² for a corner lot.

NOTE:

This application is necessary to facilitate consent applications SC/B-10:180 and SC/B-10:181.

The proposed lots appear to conform to the requirements for side yards; however, it has not been indicated on the submitted plans if the proposed dwelling units will be provided with attached garages or carports. As such, further variances may be required

The proposed single family dwellings will be subject to the issuance of a building permit in the normal manner,

TAKE NOTICE that this application will be heard by the Committee as shown below:

DATE:	Thursday, May 31st, 2012
TIME:	1:35 p.m.
PLACE:	Rooms 192 & 193, 1st floor Hamilton City Hall

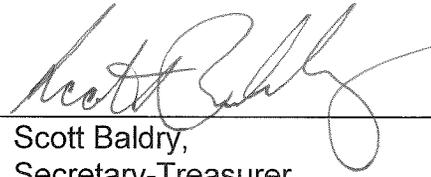
If there is any further information you may require on this application please contact this office, at (905) 546-2424, ext. 4130 or 4221.

By order of the Committee of Adjustment,

DATED: May 15th, 2012

SC/A-12:117

Page 2



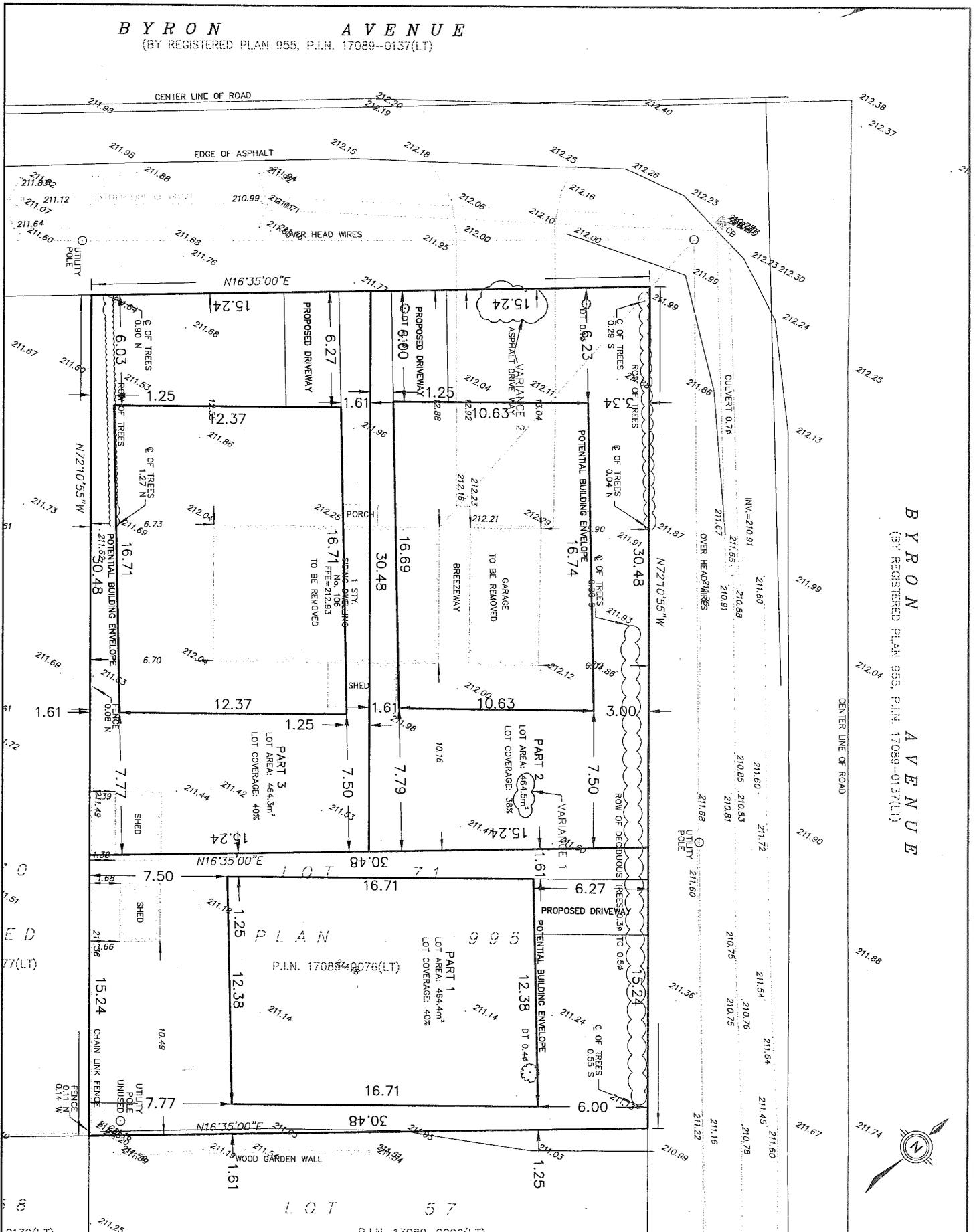
Scott Baldry,
Secretary-Treasurer

Note: If you wish to be notified of the decision of the Committee in respect of this application, you must submit a written request to the Committee of Adjustment. This will also entitle you to be advised of a possible Ontario Municipal Board hearing. Even if you are the successful party, you should request a copy of the decision since the Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

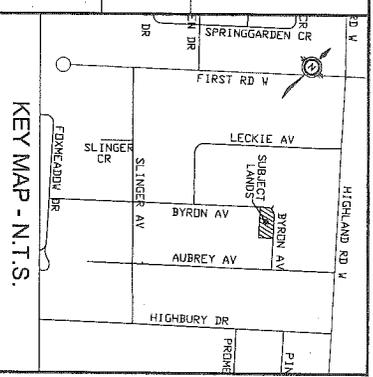
Information respecting this application is being collected under the authority of The Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address and contact information of persons submitting comments and/or opinions, will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

Note to Applicant: In default of appearance of yourself or of any person duly authorized by you to appear on your behalf, the Committee may dismiss the application for lack of prosecution.

BYRON AVENUE
(BY REGISTERED PLAN 955, P.L.N. 17089-0137(LT))



BYRON AVENUE
(BY REGISTERED PLAN 955, P.L.N. 17089-0137(LT))



KEY MAP - N.T.S.

- VARIANCES**
1. MINIMUM LOT AREA ON A CORNER LOT BE 462m² INSTEAD OF THE REQUIRED 505m².
 2. MINIMUM LOT FRONTAGE ON A CORNER LOT BE 15m INSTEAD OF THE REQUIRED 16.5m.

BI GROUP

SUITE 200, EAST WING
360 JAMES STREET NORTH
HAMILTON, ONTARIO
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(905) 546-1010
www.biigroup.com

SCALE 1:200
DATE 2012-04-17
DRAWN BY A. BUONAMICI
CITY OF HAMILTON
106 BRYON AVENUE
MINOR VARIANCE SKETCH

FILE NO. 32153
FIGURE NO. FIGURE 1

SL14-12:117
SKETCH

FILE:hamilton\9999\Proposed\2012\Sergio Marchisio\Byron\2012-03-28\Drawings\form\32153\DWG_LAYOUT1131X17L.LAST SAVED BY:Angela Buonamici, Wednesday, May 02, 2012 2:08:35 PM. PLOTTED BY:Angela Buonamici, Wednesday, May 02, 2012 3:31:20 PM

DISTRIBUTION LIST

AGENDA, NOTICE OF HEARING AND SKETCH

Planning and Development
4th floor, Hamilton City Centre
Attention: Mr. J. Morgante

Mr. M. Dudzic, Barrister
Chairman
Committee of Adjustment

Planning and Development
4th floor, Hamilton City Centre
Attention: Mr. R. Lee, M.C.I.P.

Mr. D. Drury
Committee Member

Planning and Development
4th floor, Hamilton City Centre
Attention: Mr. J. Thompson

Mr. I. Dunlop
Committee Member

Mr. H. Solomon
Public Works & Traffic Department
Traffic Division

Mr. V. Abraham
Committee Member

Mr. J. Spolnik, Acting Director
Building Department

Mr. D. Serwatuk
Committee Member

Building Department
Attention: Mrs. Z. Race

Mr. W. Pearce
Committee Member

Mr. V. Ormond
Building Department

Mr. K. Audziss
Committee Member

Ms. Kathryn Deiter
Urban Municipal Librarian
2nd Floor
Hamilton Public Library

Mr. V. Gaddy
Committee Member

Durand Neighbourhood Association
c/o Cathy Gazzola
17 Bruce Street
Hamilton, Ontario L8P 3M5

Mr. D. Smith
Committee Member

Mr. Neil Everson
Business Development Officer
Economic Development Department

M.T.O. Corridor Management Office
1st Floor, Atrium Tower
Ministry of Transportation
1201 Wilson Avenue
Downsview, ON M3M 1J8

The Hamilton Spectator
c/o City Clerk's Department

Mr. Martin Hazell
Manager of Traffic Services
Noise Control
c/o Public Works Department

Hazel Milsome
Planning and Development Dept.
Downtown Renewal Division

Field Services Division
Building Department

Mr. P. Delulio
Planning and Development Dept.
Stoney Creek Office

Mr. M. Morris
Hamilton Hydro
55 John Street North
P.O. Box 2249, Station LCD1
Hamilton, ON L8N 3E4

COUNCILLOR

MORTGAGEE

AGENT

Councillor Brad Clark

IBI Group



Hamilton

Committee of Adjustment
 City Hall
 5th floor 71 Main Street West
 Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department
 Development and Real Estate Division

Phone (905) 546-2424 ext.4221
 Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
 RETURN TO THE CITY OF HAMILTON PLANNING
 DEPARTMENT.**

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>SC/A-12-117</u>	DATE APPLICATION RECEIVED <u>1/14/12</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON
 COMMITTEE OF ADJUSTMENT
 HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

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

- Name of Owner Zdravko Marinovic Telephone [REDACTED]
- Address 106 Byron Ave
Stoney Creek Postal Code L8J 2T2
- Name of Agent IBI Group Telephone No. 905-546-1010
 FAX NO. 905-546-1011 E-mail address. sergio.manchia@ibigroup.com
- Address 360 James Street North, Suite 200
Hamilton Postal Code L8L 1H5

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

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

 _____ Postal Code _____

 _____ Postal Code _____

6. Nature and extent of relief applied for:

1. To permit a minimum lot area on a corner of 462m² instead of the required 505m².

2. To permit a minimum lot frontage on a corner lot to be 15.0m instead of the required 16.5m.

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

Due to the proposed severance it is not able to comply with the by-law.

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

Lot 71, Registered Plan 955, in the City of Hamilton

9. PREVIOUS USE OF PROPERTY

Residential Industrial _____ Commercial _____

Farmland _____ Vacant _____

Other _____

9.1 If Industrial or Commercial, specify use _____

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

Yes _____ No Unknown _____

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

Yes _____ No Unknown _____

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

Yes _____ No Unknown _____

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

Yes _____ No Unknown _____

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

Yes _____ No Unknown _____

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

Yes _____ No X Unknown _____

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

Yes _____ No X Unknown _____

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

Yes _____ No X Unknown _____

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

Yes _____ No X Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Previous discussions with the owner.

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

Is the previous use inventory attached? Yes _____ No _____

ACKNOWLEDGEMENT CLAUSE

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

April 30, 2012
Date


Signature Property Owner

Zdravko Marinovic

Print Name of Owner



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	FL/A-22:305	SUBJECT PROPERTY:	321 PARKSIDE DR, FLAMBOROUGH
ZONE:	"R1-3" (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owners: GEOFF & NICOLE DIFFEY

The following variances are requested:

1. A maximum lot coverage of 31% shall be permitted instead of the maximum 25% allowed.
2. A northly side yard setback of 0.0m shall be permitted instead of the 1.2m minimum required.

PURPOSE & EFFECT: To permit the construction of a 22.23 square metre pergola, as well as a 11.6 square metre enclosed "breeze way".

Notes:

1. The "side canopy" has been considered part of the principle dwelling for the purposes of this review.
2. Based on the site statistics provided, the total lot coverage including the proposed construction will be 246.09m². resulting in a lot coverage of 30.46% rather than the 29.9% indicated on the site statistics. Should the proposed construction area change, additional variances will 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.

FL/A-22:305

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

DATE:	Thursday, November 3, 2022
TIME:	1:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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-22:305



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

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

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

SITE STATISTICS:

Project Description: Exterior work including New Stair to Second Floor Roof Deck, Wood Pergola and Breezeway
Zoning / Occupancy: R1-3 (Urban Residential). Single Detached Dwelling
Occupancy Load: 10 persons (2 per sleeping room)
Total Site Area: 807.96 sqm (8 696.8 SF)

EXISTING PROPOSED

Building Area (sqm): 193.0 Hse 11.6 (Side Canopy)
 9.2 Shed 4.3 sqm (Ext. Stair)
 22.23sqm (Pergola- uncovered)
 5.76sqm (Mudroom Addition)

LOT COVERAGE: **EXIST. PROPOSED Permitted/Required**
 25%(202.2sqm) 29.9%(241.9sqm) 25% (202sqm)

LOT DEPTH: 40.2m no change
LOT FRONTAGE: 20.1m no change
LOT AREA 807.96 sqm no change
HEIGHT (Res) 7.69 m (Top of ridge) no change - 11m (max)

SETBACKS:

FRONT YARD: 7.71m 5.63m 7.5m (min)
REAR YARD: 21.4m 17.3m (Hse) 7.5m (min)
WEST SIDE YARD: 2.3m unchanged 1.2m (min)
EAST SIDE YARD: 1.22m 0m 1.2m (min)

SCOPE OF WORK

EXTERIOR WORK INCLUDING PROPOSED STAIR TO DECK, WOOD PERGOLA AND BREEZWAY WITH ROOF

PROJECT INFORMATION

PROJECT DESCRIPTION: SMALL RESIDENTIAL EXTERIOR ALTERATIONS & ADDITION
ZONING CLASSIFICATION: R1-3 URBAN RESIDENTIAL (SINGLE DETACHED)
TYPE OF CONSTRUCTION: COMBUSTIBLE / NON-COMBUSTIBLE
PROPOSED USE OF BUILDING: RESIDENTIAL - SINGLE DETACHED
CURRENT USE OF BUILDING: RESIDENTIAL - SINGLE DETACHED

OCCUPANT LOAD: 10

AREA OF NEW CONSTRUCTION: SIDE CANOPY = 11.5 sqm [124.4 SFT.]
 EXTERIOR STAIRS = 4.32 sqm [46.4 SFT]
 PERGOLA = 22.23 sqm [239.3 sft]
 MUDROOM ADDITION = 5.76m (58.31 sqm)

PROJECT CONTACTS

ARCHITECT: **BELINDA JONES ARCHITECT**
 159 MARTIN STREET
 MILTON, ON, L9T 2R3
CONTACT: Belinda Jones
PH: (416) 662-6024
EM: Belinda@Belindajones.ca



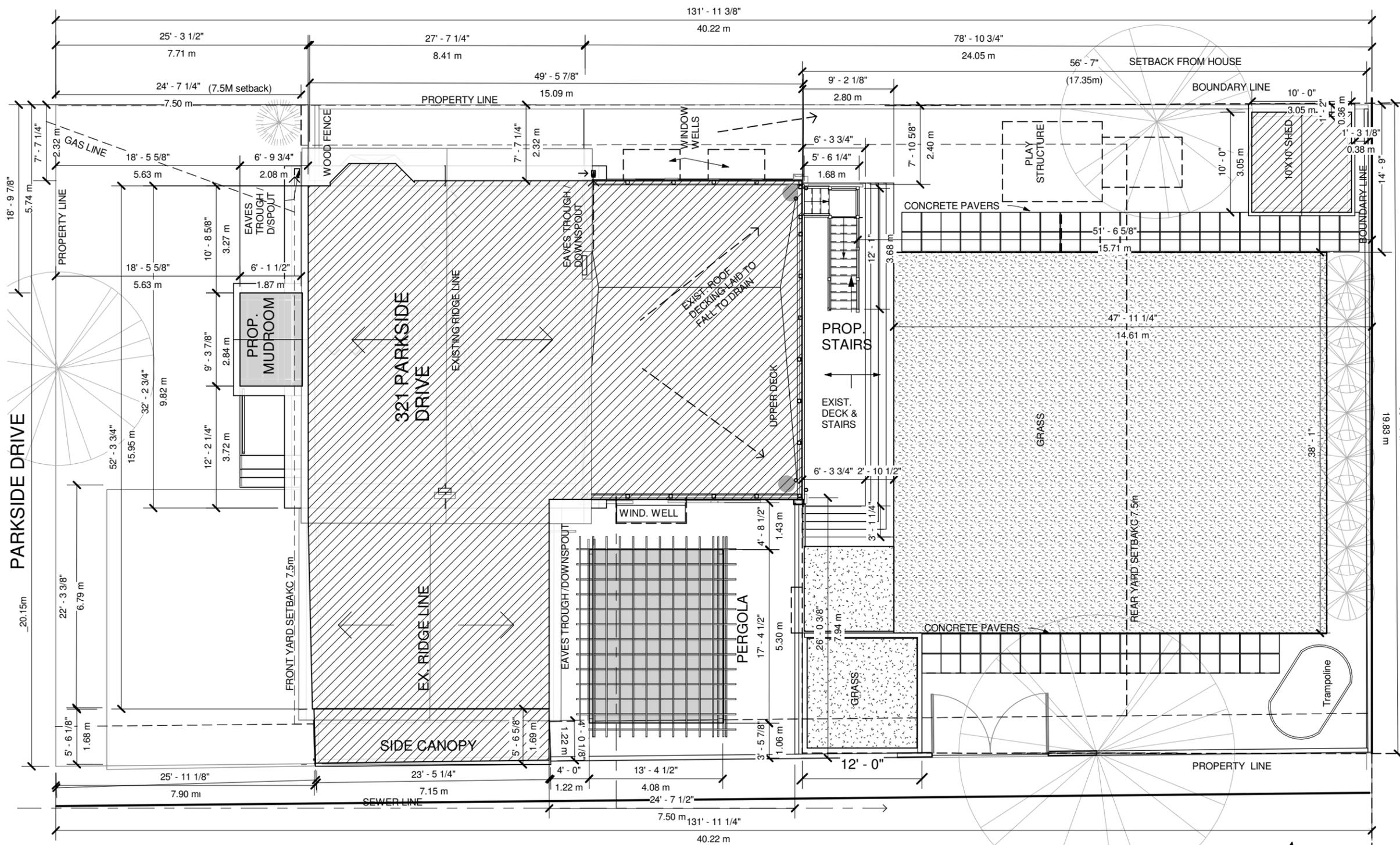
Project Name: HOUSE DIFFEY
Project Address: 321 PARKSIDE DR
 WATERDOWN
 HAMILTON
 ON

B J A Belinda Jones Architect
 159 Martin Street
 Milton ON
 L9T 2R3
 P 416-662 6024
 Project #: 17-010

Revision Schedule			
Rev	Date	By	Description
1	20/07/27	BJ	Minor permit Subm

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Sheet: PROJECT DETAILS
Scale: As indicated
Sheet Number: A0



1 SITE PLAN
SCALE: 3/32" = 1'-0"

Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**



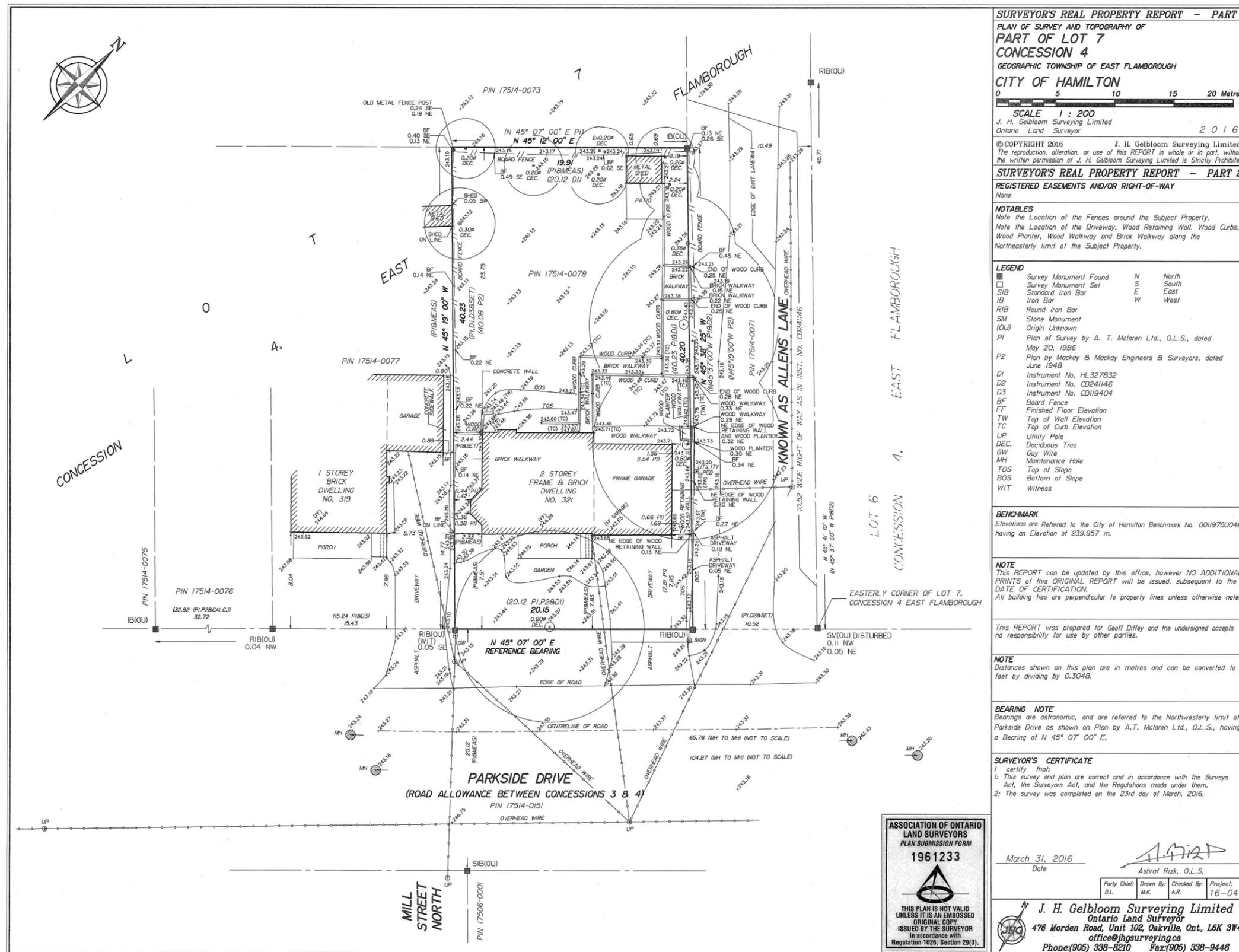
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P 416-662 6024
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Revision Schedule			
Rev	Date	By	Description

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Sheet: **SITE PLAN**
Scale 3/32" = 1'-0"

Sheet Number: **A1**



SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF SURVEY AND TOPOGRAPHY OF
PART OF LOT 7
CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH
CITY OF HAMILTON

0 5 10 15 20 Metres

SCALE 1 : 200
 J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor 2016

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SURVEYOR'S REAL PROPERTY REPORT - PART 2
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
 None

NOTABLES
 Note the Location of the Fences around the Subject Property.
 Note the Location of the Driveway, Wood Retaining Wall, Wood Curbs, Wood Planter, Wood Walkway and Brick Walkway along the Northeasterly limit of the Subject Property.

LEGEND

■	Survey Monument Found	N	North
□	Survey Monument Set	S	South
SIB	Standard Iron Bar	E	East
IB	Iron Bar	W	West
RIB	Round Iron Bar		
SM	Stone Monument		
(OU)	Origin Unknown		
PI	Plan of Survey by A. T. McLaren Ltd., O.L.S., dated May 20, 1986		
P2	Plan by Mackay & Mackay Engineers & Surveyors, dated June 1948		
D1	Instrument No. HL327832		
D2	Instrument No. CD241146		
D3	Instrument No. CD119404		
BF	Board Fence		
FF	Finished Floor Elevation		
TW	Top of Wall Elevation		
TC	Top of Curb Elevation		
UP	Utility Pole		
DEC.	Deciduous Tree		
GW	Guy Wire		
MH	Maintenance Hole		
TOS	Top of Slope		
BOS	Bottom of Slope		
WIT	Witness		

BENCHMARK
 Elevations are Referred to the City of Hamilton Benchmark No. 0011975U046, having an Elevation of 239.957 m.

NOTE
 This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
 All building ties are perpendicular to property lines unless otherwise noted.

This REPORT was prepared for Geoff Diffeey and the undersigned accepts no responsibility for use by other parties.

NOTE
 Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE
 Bearings are astronomic, and are referred to the Northwesterly limit of Parkside Drive as shown on Plan by A.T. McLaren Ltd., O.L.S., having a Bearing of N 45° 07' 00" E.

SURVEYOR'S CERTIFICATE
 I certify that:
 1: This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act, and the Regulations made under them.
 2: The survey was completed on the 23rd day of March, 2016.

March 31, 2016
 Date
 Ashraf Rizk, O.L.S.

Party Chief:	DL	Drawn By:	M.K.	Checked By:	A.R.	Project:	16-041
--------------	----	-----------	------	-------------	------	----------	--------

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor
 476 Morden Road, Unit 102, Oakville, Ont, L6K 3W4
 office@jhgsurveying.ca
 Phone:(905) 338-8210 Fax:(905) 338-9448

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
 1961233

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



Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
 WATERDOWN
 HAMILTON
 ON**

Legal Survey 2016

B J A
 LIVE THE DREAM

Belinda Jones Architect
 159 Martin Street
 Milton ON
 L9T 2R3

Project #: 17-010

P 416-662 6024

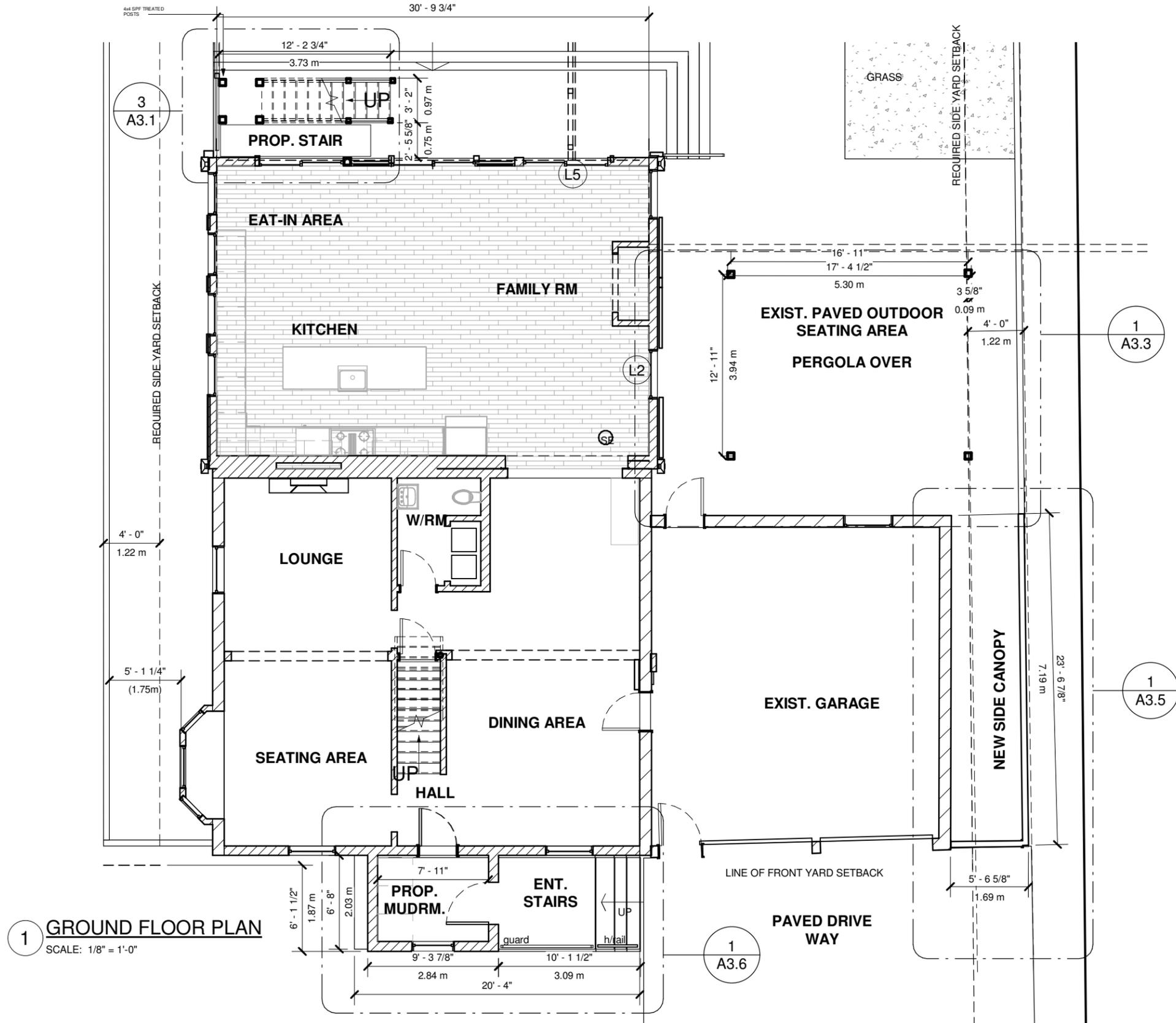
Revision Schedule			
Rev	Date	By	Description

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Sheet: **LEGAL SURVEY PLAN**

Scale: 1" = 20'-0"

Sheet Number: **A1.1**



1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**



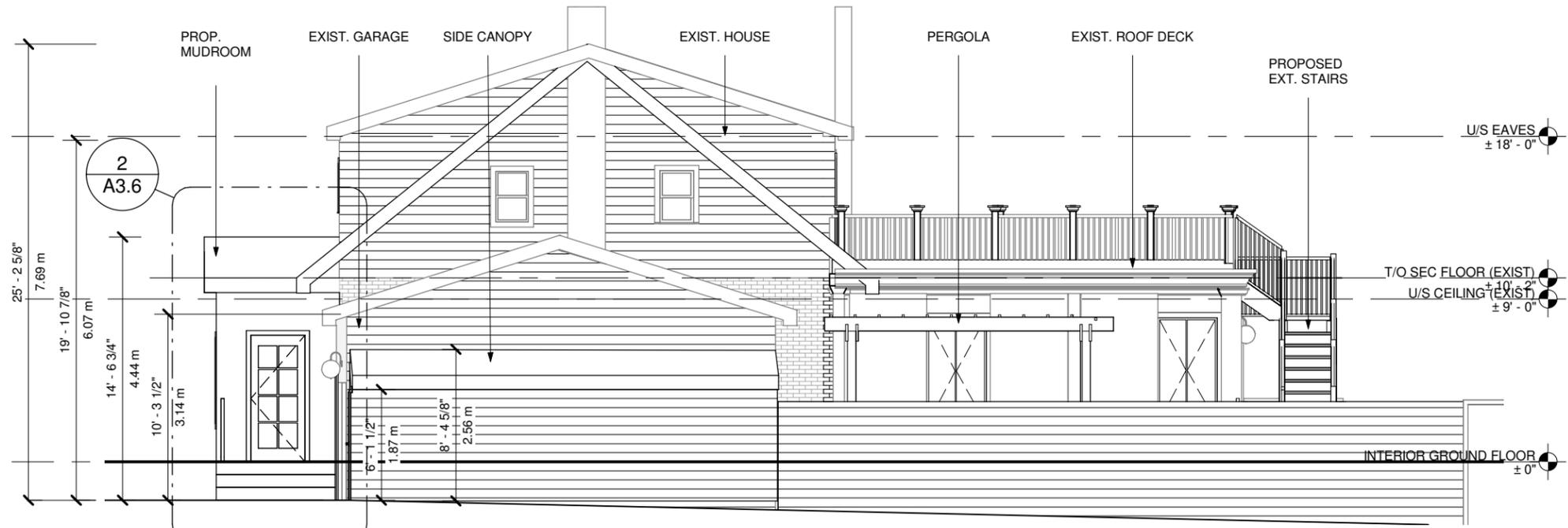
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Rev	Date	By	Description

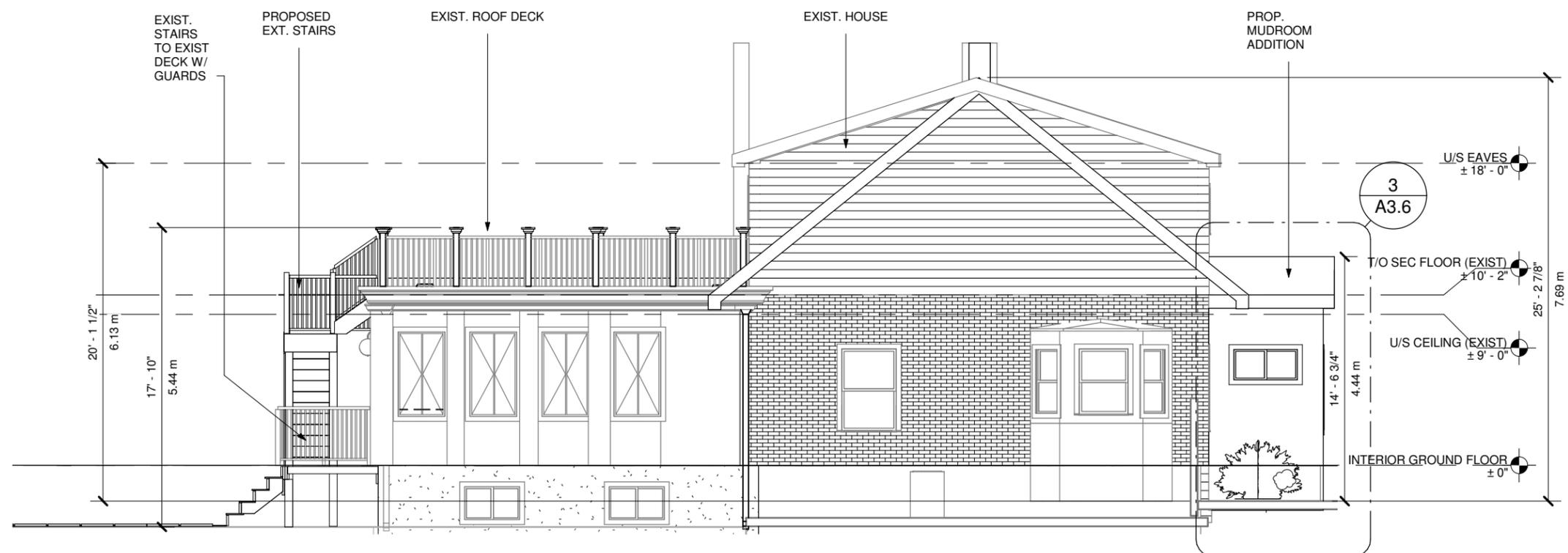
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Sheet: **GROUND FLOOR PLAN**
Scale: 1/8" = 1'-0"

Sheet Number: **A1.2**



1 Exterior Elevation - EAST SS
SCALE: 1/8" = 1'-0"



2 Exterior Elevation - WEST SS
SCALE: 1/8" = 1'-0"



Project Name:
HOUSE DIFFEY

Project Address:
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HAMILTON
ON**

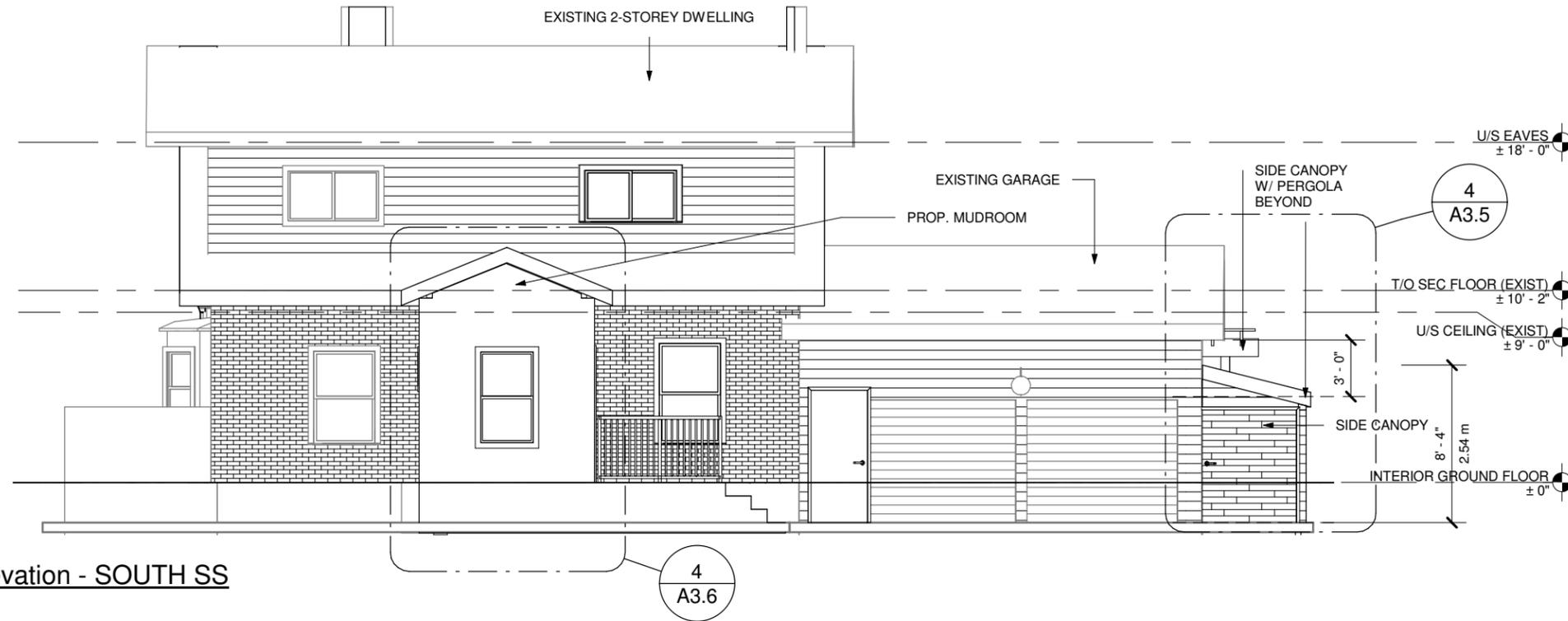
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P 416-662 6024
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Revision Schedule			
Rev	Date	By	Description
1	20/07/27	BJ	Minor permit Subm

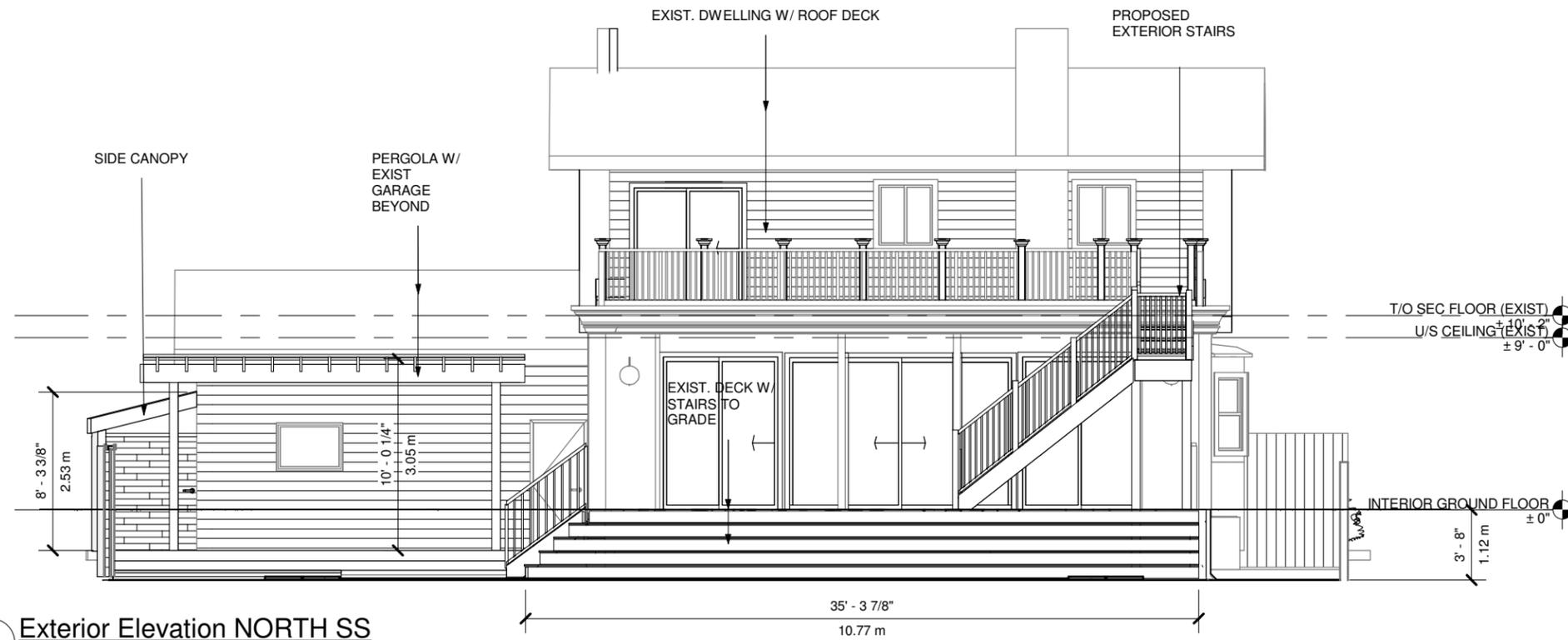
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Sheet: **ELEVATIONS 1**
Scale: 1/8" = 1'-0"

Sheet Number: **A2.1**



1 Exterior Elevation - SOUTH SS
SCALE: 1/8" = 1'-0"



2 Exterior Elevation NORTH SS
SCALE: 1/8" = 1'-0"



Project Name:
HOUSE DIFFEY

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HAMILTON
ON**

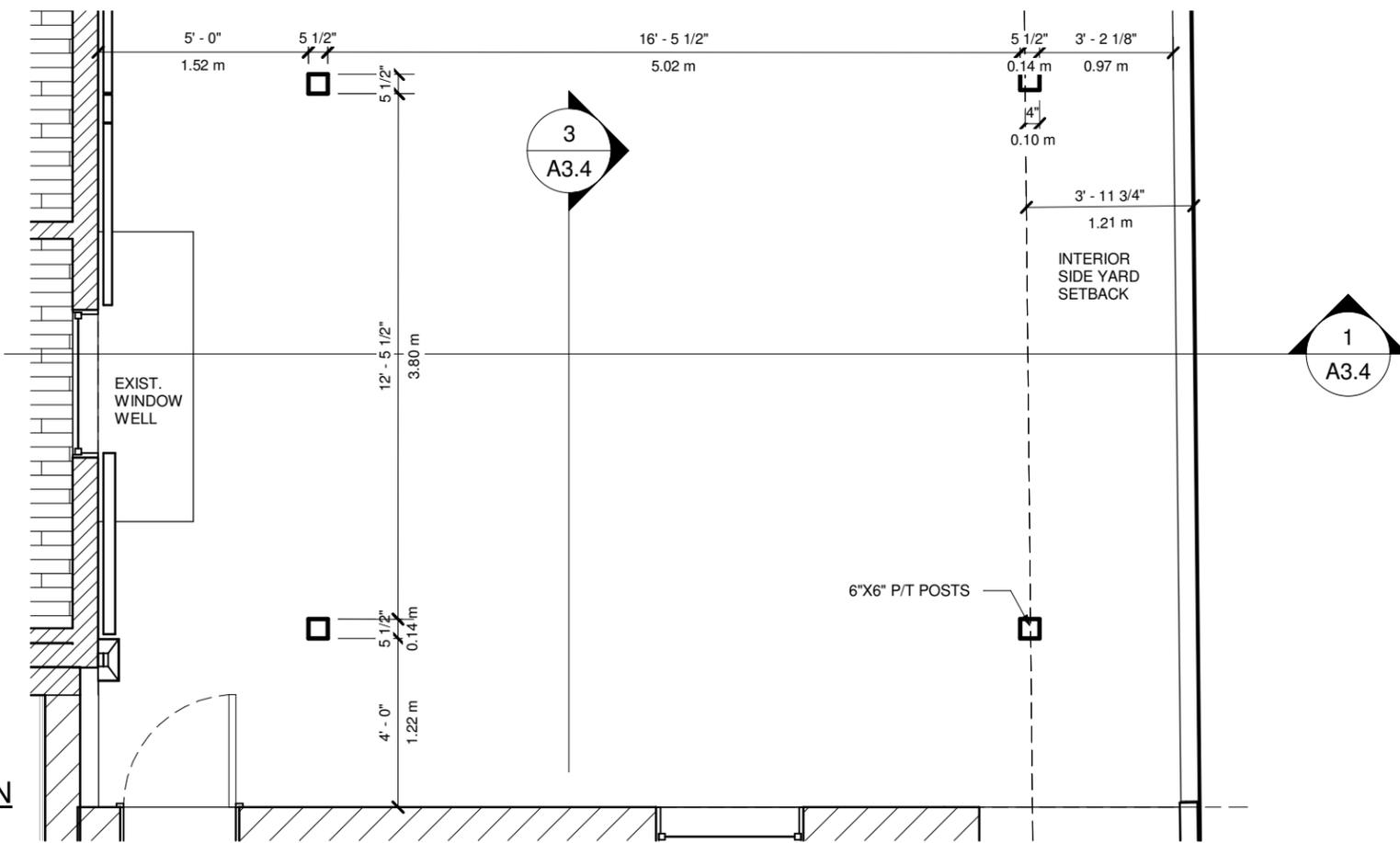
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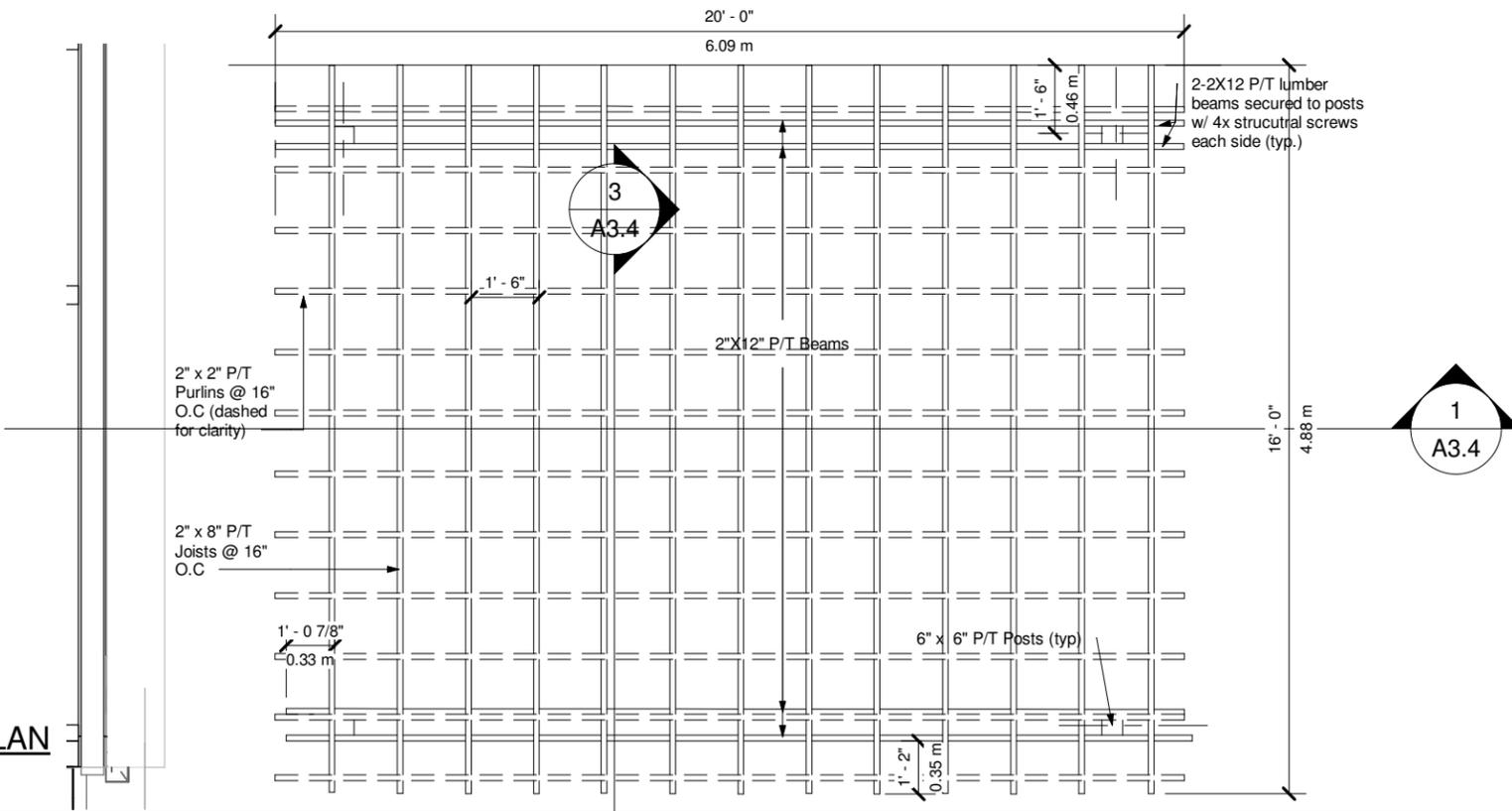
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Sheet: **ELEVATIONS 2**
Scale: 1/8" = 1'-0"

Sheet Number: **A2.2**



1 PERGOLA FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 PERGOLA FRAMING PLAN
SCALE: 1/4" = 1'-0"



Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**

B J A
Belinda Jones Architect
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Revision Schedule			
Rev	Date	By	Description

LINE OF ROOF OF GARAGE

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Sheet: **PERGOLA DETAILS 1**
Scale: 1/4" = 1'-0"

Sheet Number: **A3.3**

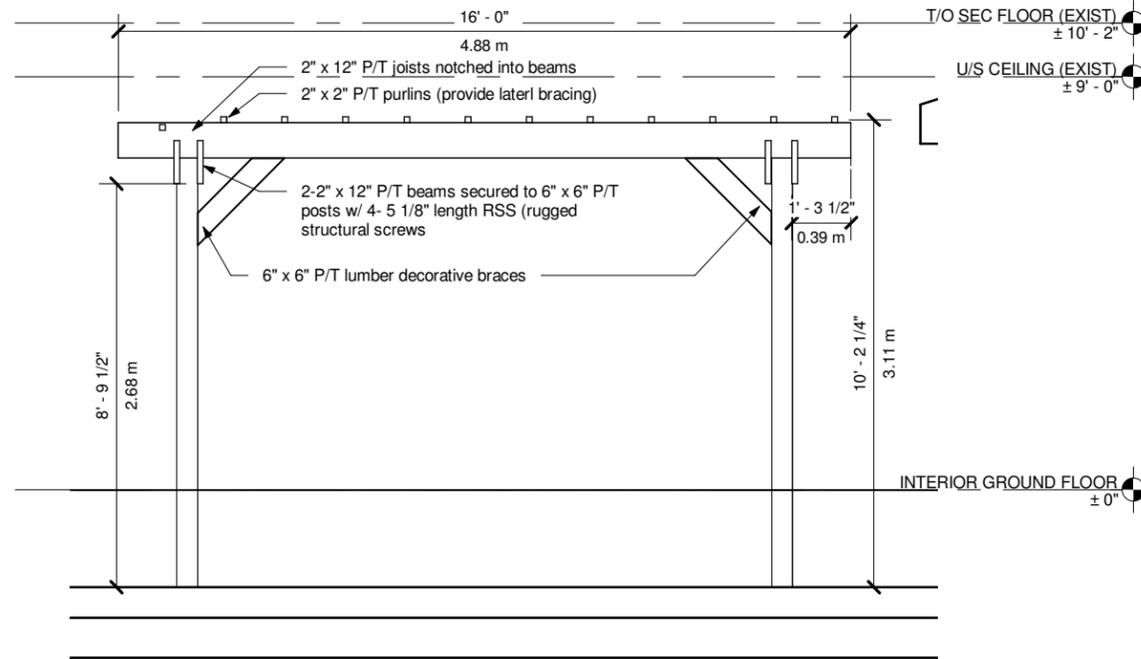
PERGOLA FRAMING NOTES

GENERAL FRAMING:
 MIN. SPECIFICATION FOR ALL FRAMING MEMBERS: PRESSURE-TREATED LUMBER OR EXTERIOR GRADE CEDAR.
 JOISTS SPACED 416m O.C. (16")
 JOISTS NOTCHED INTO BEAM MIN. 4 " IN DEPTH.

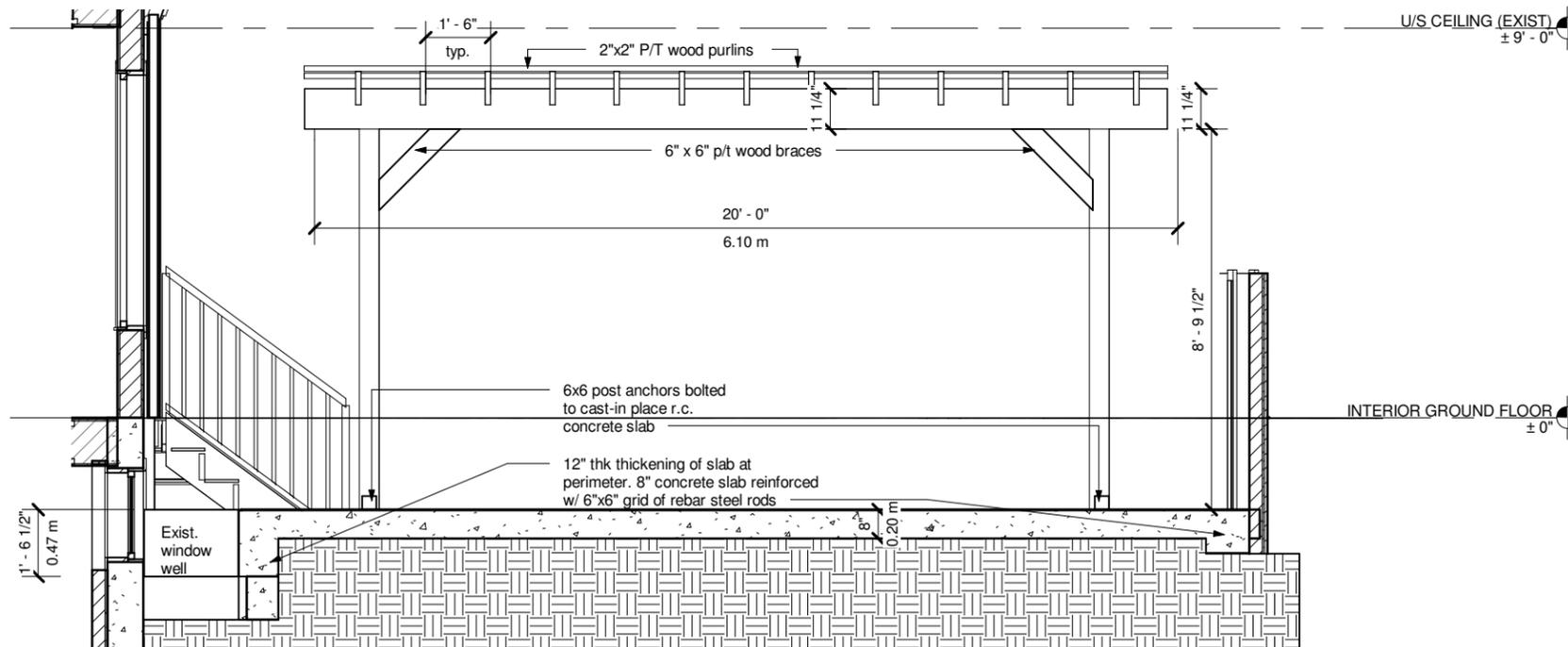
BEAMS SECURED TO POSTS WITH RUGGED STRUCTURAL SCREWS (5/16" X 5-1/8" LONG GRK FASTENERS)
 6X6 P/T POSTS BOLTED TO 8" DEEP REINFORCED CONCRETE SLAB W/ SIMPSON STRONG TIE STEEL GALV. POST BASE BRACKET (ZMAX CODE ABU66Z). BOLT ANCHOR TO EXTEND MIN DEPTH OF 4 " INTO CONCRETE.
 SLAB HAS 12" DEEP PERIMETER THICKENING AND REINFORCED W/ 6"X6" REBAR GRID

BEAMS CONN. TO POSTS WITH 4- 5/16" X 5 1/8" RSS SCREWS BOTH SIDES OF POSTS
 JOISTS ARE Laterally BRACED BY 2"X2" P/T PURLINS ABOVE. PURLINS TOE NAILED W/ DECK SCREWS TO JOISTS.

CANTILEVER PORTION OF BEAM/JOIST TO CANTILEVER MAX. 1/6 OF BEAM/JOIST SPAN.



3 PERGOLA CROSS SECTION
 SCALE: 1/4" = 1'-0"



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



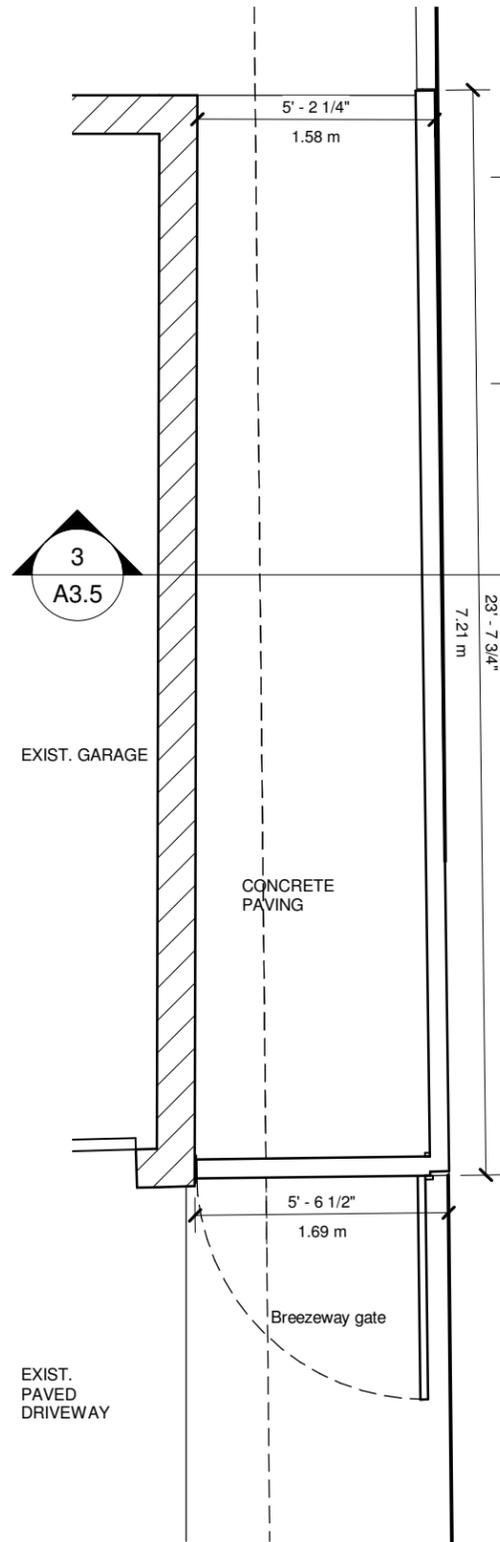
Project Name: **HOUSE DIFFEY**
 Project Address: **321 PARKSIDE DR
 WATERDOWN
 HAMILTON
 ON**

B J A Belinda Jones Architect
 159 Martin Street
 Milton ON
 R4T 2R3
 P 416-662 6024
 Project #: 17-010

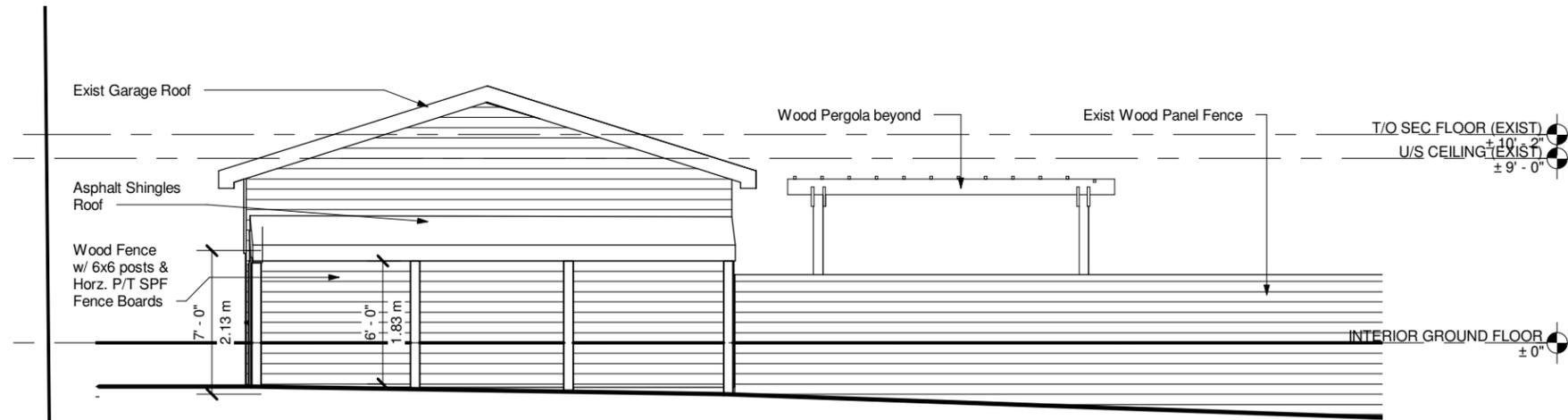
Revision Schedule			
Rev	Date	By	Description

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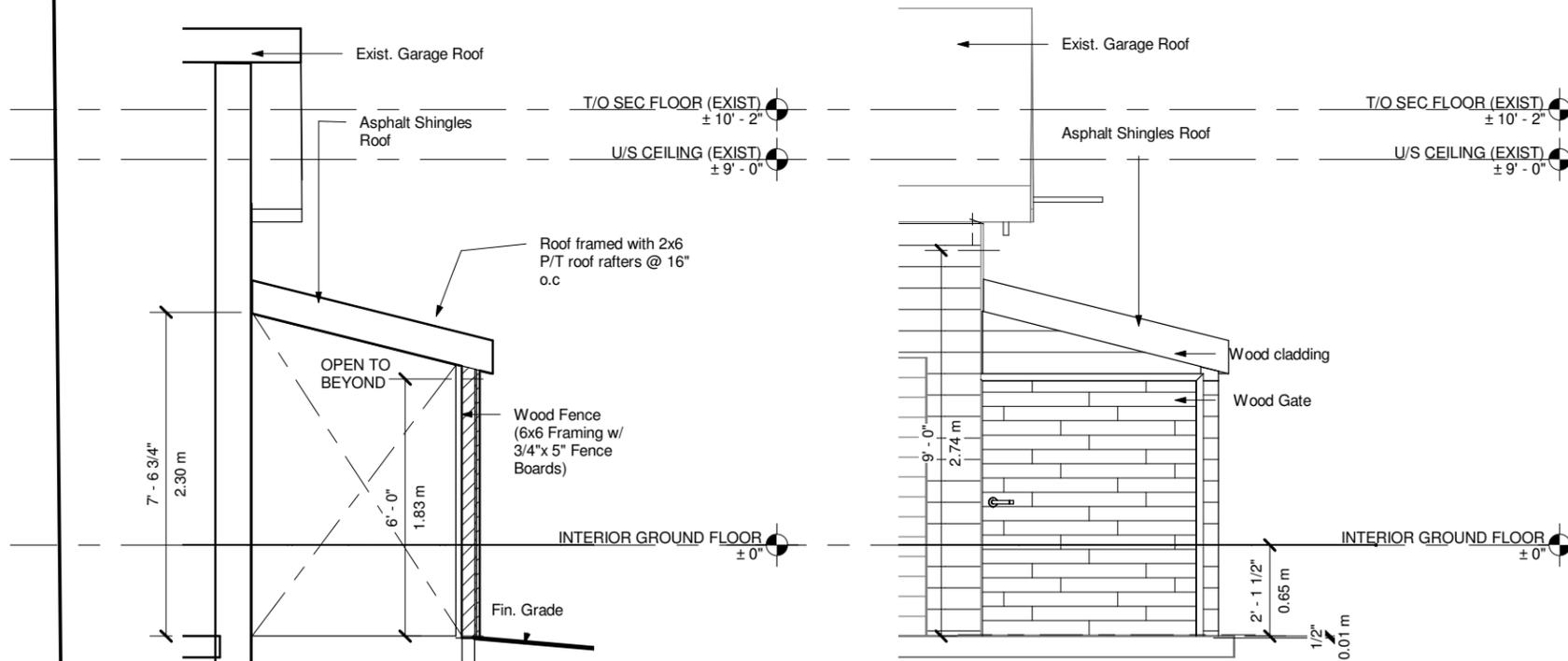
Sheet: **PERGOLA
 DETAILS 2**
 Scale: 1/4" = 1'-0"
 Sheet Number: **A3.4**



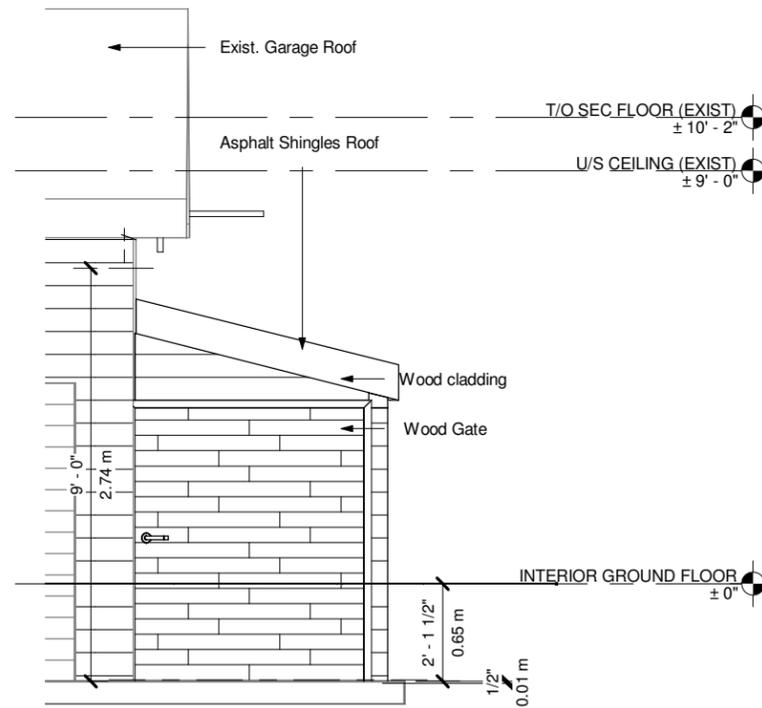
1 SIDE CANOPY PLAN
SCALE: 1/4" = 1'-0"



2 SIDE CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



3 SIDE CANOPY SECTION
SCALE: 1/4" = 1'-0"



4 FRONT VIEW OF SIDE CANOPY
SCALE: 1/4" = 1'-0"



Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**

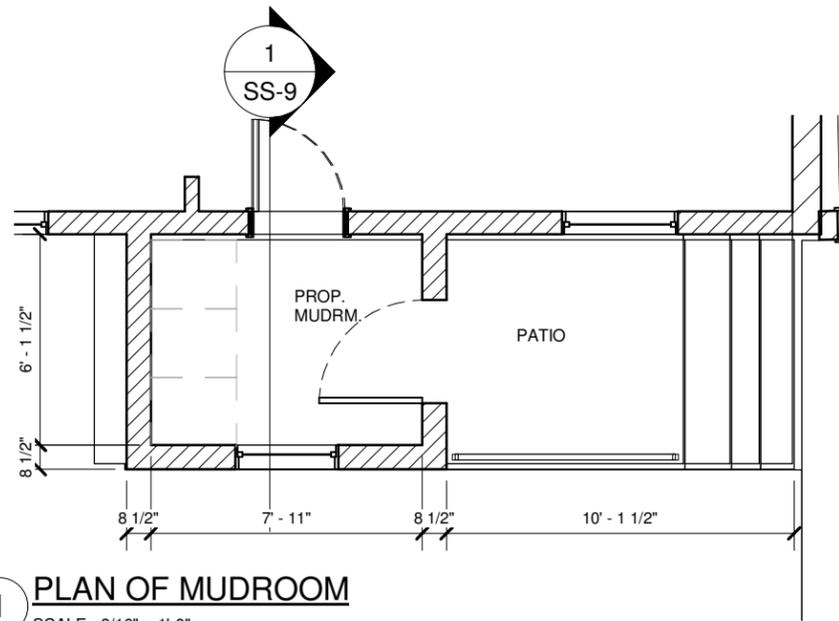
B J A Belinda Jones Architect
159 Martin Street
Milton ON
L9T 2R3
P 416-662 6024
Project #: 17-010

Revision Schedule			
Rev	Date	By	Description

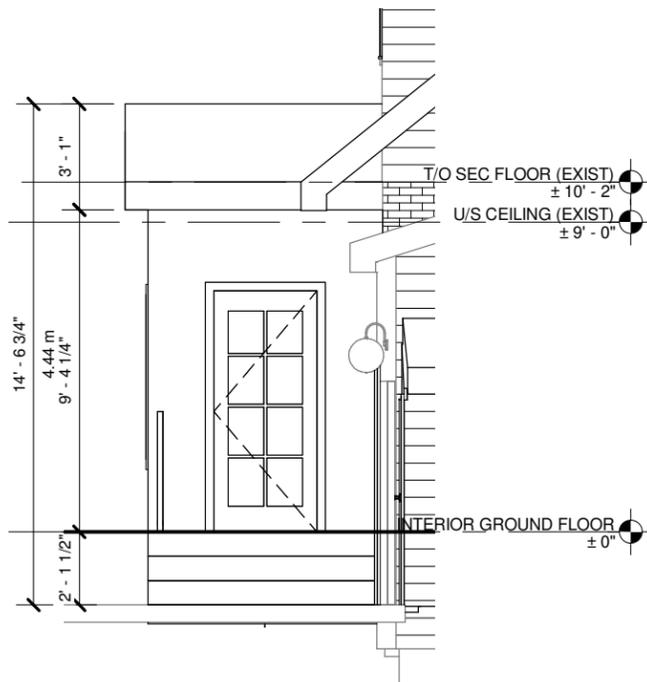
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Sheet: **SIDE CANOPY DETAILS**
Scale: As indicated

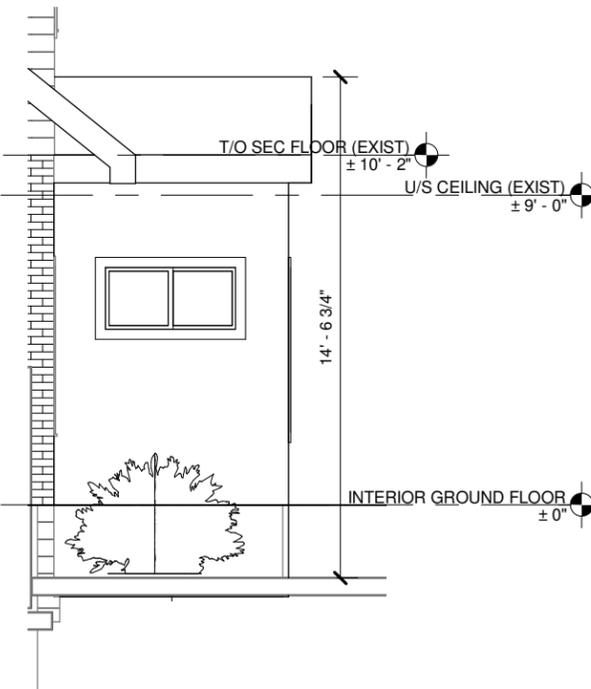
Sheet Number: **A3.5**



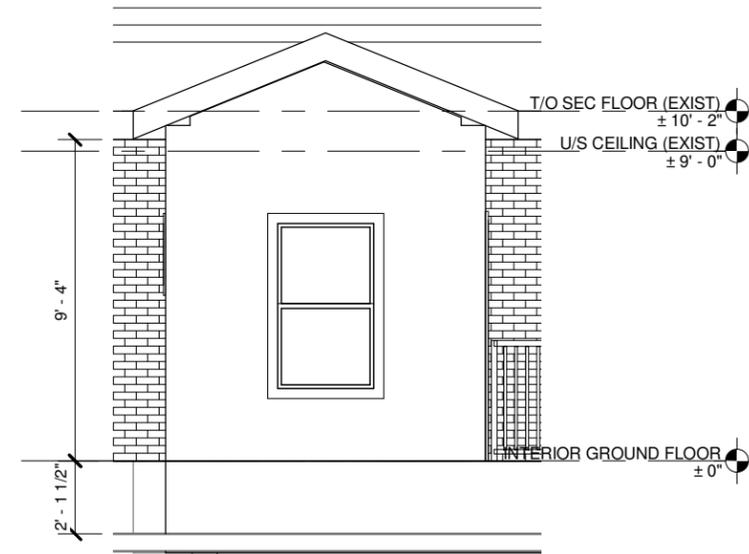
1 PLAN OF MUDROOM
SCALE: 3/16" = 1'-0"



2 MUDROOM ELEVATION 1
SCALE: 3/16" = 1'-0"



3 MUDROOM ELEVATION 2
SCALE: 3/16" = 1'-0"



4 MUDROOM ELEVATION 3
SCALE: 3/16" = 1'-0"



Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**

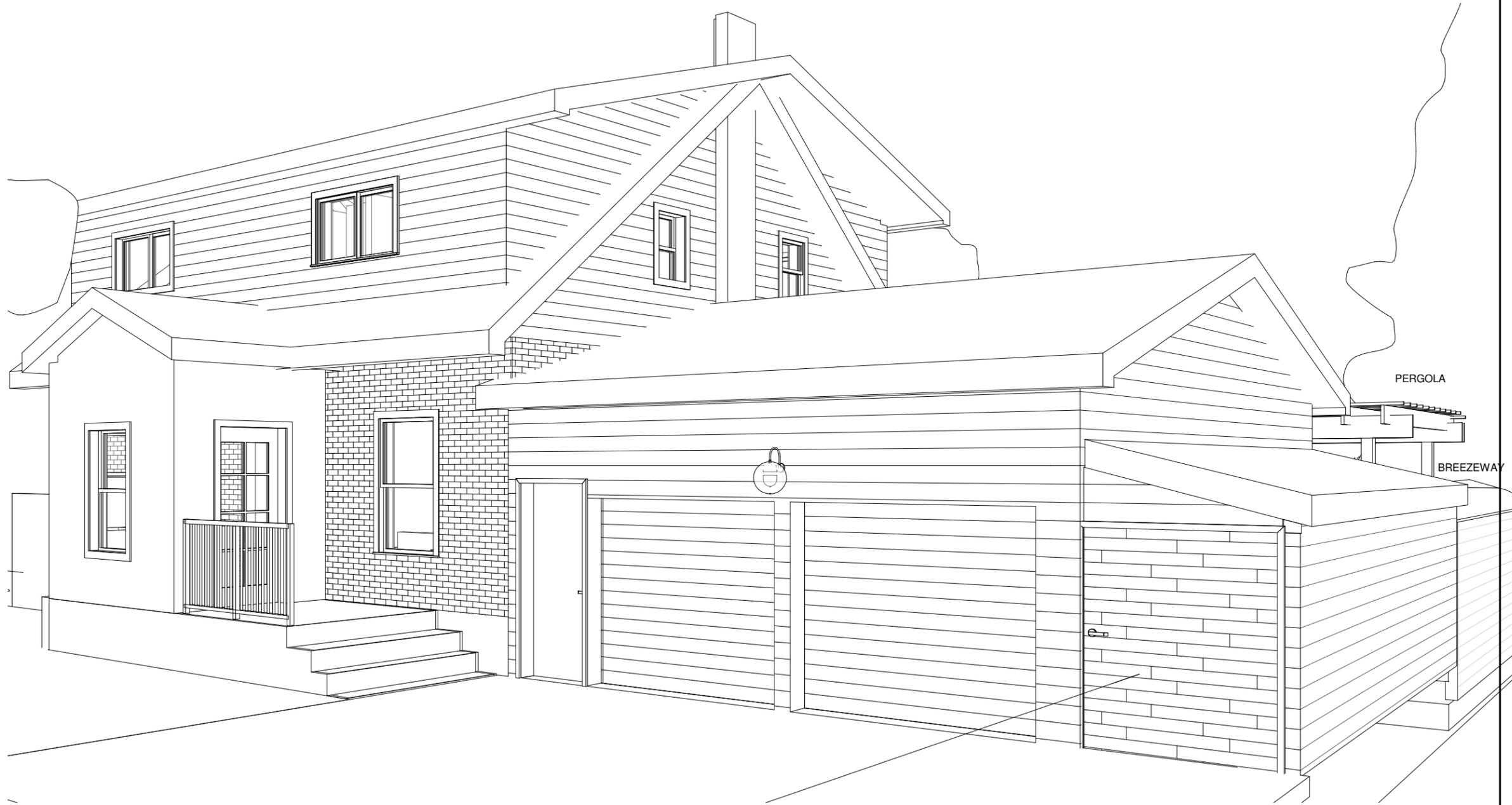
B J A Belinda Jones Architect
159 Martin Street
Milton ON
L9T 2R3
P 416-662 6024
Project #: 17-010

Revision Schedule			
Rev	Date	By	Description

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Sheet: **DETAILS OF MUDROOM**
Scale 3/16" = 1'-0"

Sheet Number: **A3.6**



3D VIEW FRONT OF HOUSE



Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**

Sheet: **Perspective**

Scale:

Sheet Number: **A5.0**

B J A
LIVE THE DREAM

Belinda Jones Architect
159 Martin Street
Milton ON
L9T 2R3

P 416-662 6024

Project #: 17-010

Revision Schedule			
Rev	Date	By	Description

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Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	GROFF DITNEY NICOLE DITNEY	[REDACTED]	
Applicant(s)*			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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

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

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

4. Nature and extent of relief applied for:

SIDE YARD BRICKWAY } COVERAGE
PERGOLA.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

STRUCTURES ARE IN PLACE AND IT AFFECTS OF
OVERALL DESIGN, LOOK, & FEEL.

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**):

321 PARKSIDE DRIVE, WARDEN OUT LOR 2HO
PART OF LOT 7 CONVESSION 4

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

- Yes No Unknown

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

Yes No Unknown

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

WE HAVE LIVED IN THE HOUSE FOR 6+ 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.

9/27/2022
Date

[Signature]
Signature Property Owner(s)

NICOLE AND GUY DUFFY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 201.5 m
 Depth 40.27 (131'-11 3/8")
 Area 807.96
 Width of street 2 LANES.

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

Existing:
 193,01² House
 9.2 SHED

Proposed
 11,67m BRIDGEWAY
 4,52m PORCH.

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

Existing:
 FRONT/MID

Proposed:
 EAST SIDE - BRIDGEWAY
 EAST SIDE - PORCH.

13. Date of acquisition of subject lands:

DEC 15 2015

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

HOUSE UNKNOWN / ADDITION 2016 / STAB + PORCH 7 2002 WAY

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.):

VACANT LANE WAY / SINGLE FAMILY

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

OVER 70 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:

NA

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

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)

Yes No

If yes, please provide the file number:

21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes No

21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

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

Yes No

23. Additional Information (please include separate sheet if needed)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	FL/A-22:315	SUBJECT PROPERTY:	2 Shire Court, Carlisle
ZONE:	"S1" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: David Eccles
Agent: Kristjan Fortune Designs

The following variances are requested:

1. A southerly side yard setback of 1.2m shall be provided instead of the minimum required 3.0m side yard setback.

PURPOSE & EFFECT: To permit the construction of a new side yard addition onto the existing single detached dwelling.

Notes:

Please be advised that eaves and gutters are permitted to project into a required side yard not more than 0.6m, or half the distance of the required yard, whichever is lesser. Insufficient information has been provided in order to confirm zoning compliance. The applicant is advised that further 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:

DATE:	Thursday, November 3, 2022
TIME:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton

FL/A-22:315

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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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
- Visit Committee of Adjustment staff at 5th 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: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

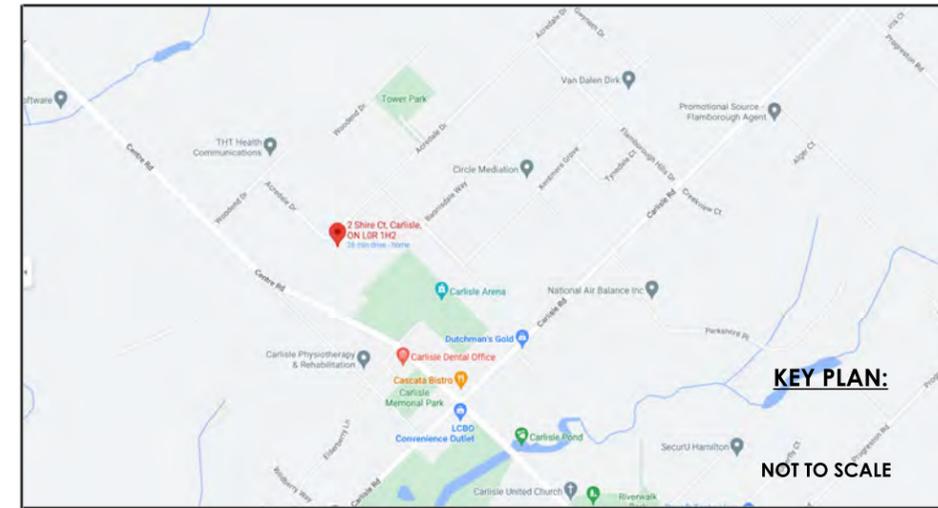
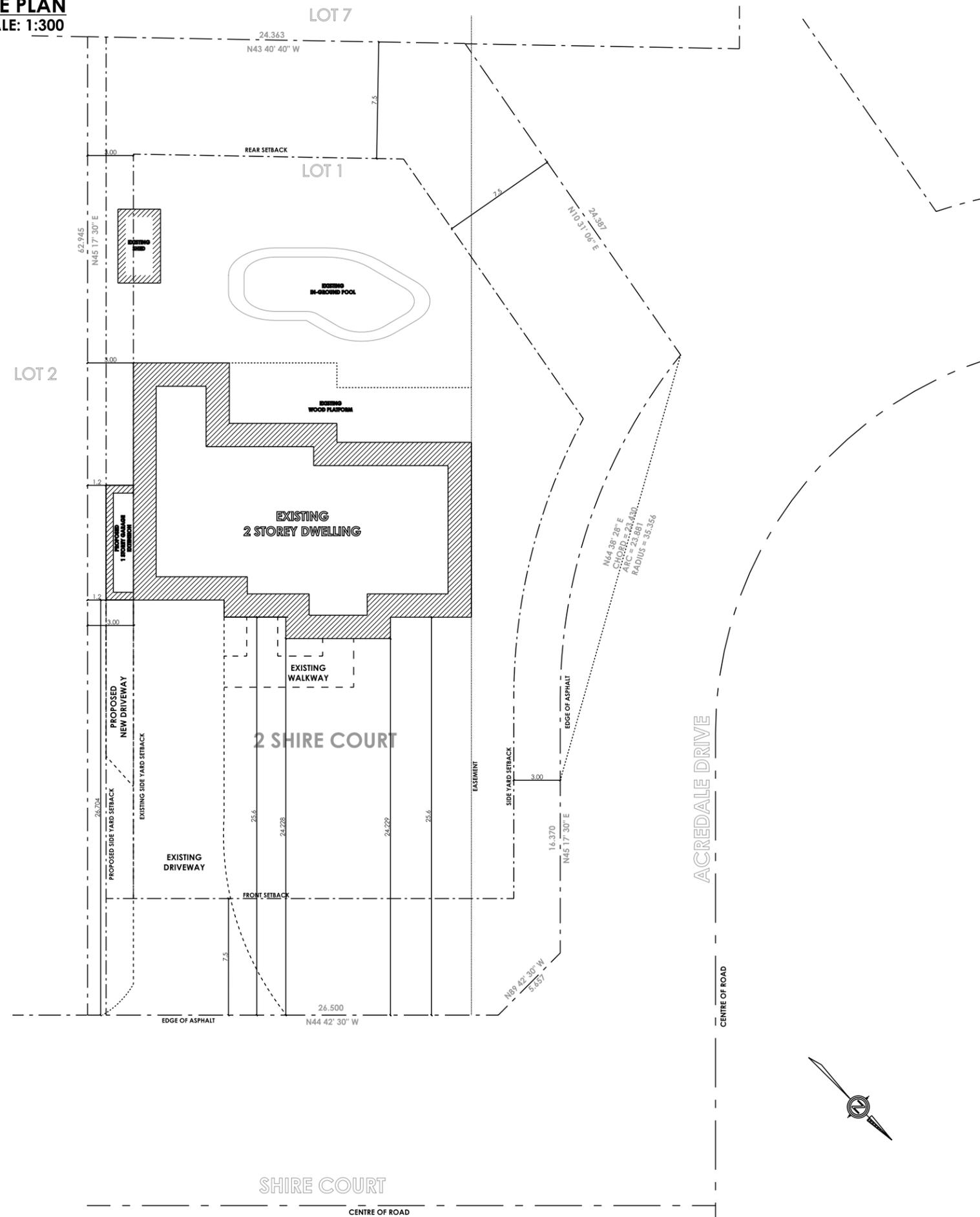
2. In person Oral Submissions

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

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

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

SITE PLAN
SCALE: 1:300



SITE STATISTICS:

ZONE: S1

LOT AREA	1975 SqM	21,258.72 SqFt
EXISTING HOUSE COVERAGE	288 SqM	3100 SqFt
PROPOSED HOUSE COVERAGE	301 SqM	3239.94 SqFt
EXISTING GARAGE	39.20 SqM	422 SqFt
PROPOSED GARAGE	51.28 SqM	552 SqFt
EXISTING LEFT SETBACK	3.0 M	9.84 Ft
PROPOSED LEFT SETBACK	1.2 M	3.94 Ft

TABLE OF CONTENTS:

- A0.01 SITE PLAN AND SITE STATISTICS
- A0.02 GENERAL NOTES
- A1.01A EXISTING FOUNDATION PLAN
- A1.01B PROPOSED FOUNDATION PLAN
- A1.02A EXISTING MAIN FLOOR
- A1.02B PROPOSED MAIN FLOOR
- A1.03 EXISTING SECOND FLOOR
- A1.04A EXISTING ROOF PLAN
- A1.04B PROPOSED ROOF PLAN
- A2.01A EXISTING FRONT ELEVATION
- A2.01B PROPOSED FRONT ELEVATION
- A2.02A EXISTING BACK ELEVATION
- A2.02B PROPOSED BACK ELEVATION
- A2.03A EXISTING LEFT ELEVATION
- A2.03B PROPOSED LEFT ELEVATION
- A2.04 EXISTING RIGHT ELEVATION
- A4.01 CROSS SECTION A-A
- SP0-01 SURVEY PLAN 1
- SP0-02 SURVEY PLAN 2



DESIGNED BY:
KRISTJAN FORTUNE DESIGNS
905-510-5425
info@kristjanfortunedesigns.com



DESIGNER: KRISTJAN FORTUNE
DESIGNER BCIN: 27992
FIRM: KRISTJAN FORTUNE DESIGNS
FIRM BCIN: 121448

DATE SIGNATURE OF DESIGNER

These drawings are the property of KRISTJAN FORTUNE DESIGNS and/or its clients only.

Contractors will check & verify all dimensions & site conditions prior to proceeding with work

DRAWING DATE	NO.
30/08/2022	01

SCALE: AS NOTED

PROJECT #: 22-2-S

PROJECT ADDRESS: 2 SHIRE CRT
CARLISLE, ON
L0R 1H2

DRAWING: SITE PLAN & SITE STATISTICS

DRAWING NO: **A0.01**

NOTES:

GENERAL:
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE, O.REG. 332/12.

ACCESS TO CRAWL SPACES AND ATTICS MORE THAN 2' IN HEIGHT TO BE A MIN. OF 22" X 28" FITTED WITH DOORS AND COVERS, INSULATED AND WEATHER STRIPPED. WOOD TO BE PRESSURE TREATED IF LESS THAN 450mm TO GROUND.

GAS PROOFING OF GARAGES:
CONSTRUCTION BETWEEN ATTACHED OR BUILT-IN GARAGES AND DWELLING UNITS SHALL PROVIDE AN EFFECTIVE BARRIER TO GAS AND EXHAUST FUMES. CEILINGS AND STUD PARTITIONS SHALL HAVE ONE LAYER 1/2" DRYWALL FILLED AND TAPED.

3.3.4.10 RESISTANCE TO FORCED ENTRY

RESISTANCE TO FORCED BREAK AND ENTRY INTO RESIDENTIAL UNITS AND THE PROBLEM OF SECURITY DOORS AND WINDOWS. A NEW STANDARD IS REFERENCED FOR WINDOW DESIGN. SEE O.B.C. 9.6.6. DOOR VIEWER FOR EACH DOOR LEADING INTO THE HOUSE. SOLID JAMB BLOCKING TO PREVENT SPREADING. PROVISIONS OF HINGE PINS WHICH CANNOT BE REMOVED WHEN DOOR IS CLOSED. PROVISION OF DEAD BOLT LOCK FOR ADDED LOCK PROTECTION.

9.7. OPENINGS:

WINDOWS AND EXTERIOR DOORS, EXCEPT GARAGE DOORS SHALL BE PROVIDED WITH STORM WINDOWS, DOORS OR OTHER MEANS OF MINIMIZING HEAT LOSS OR INFILTRATION. CAULKING SHALL BE PROVIDED BETWEEN WINDOW AND DOOR FRAMES AND EXTERIOR STUCCO OR MASONRY. A DOOR BETWEEN A GARAGE AND DWELLING SHALL BE AN EXTERIOR TYPE, TIGHT FITTING AND WEATHER STRIPPED TO PROVIDE AN EFFECTIVE BARRIER AGAINST GAS AND EXHAUST FUMES AND SHALL BE FITTED WITH A SELF-CLOSING DEVICE AND SHALL COMPLY WITH RESISTANCE TO FORCED ENTRY; DOOR TO GARAGE SHALL NOT OPEN INTO A BEDROOM. DOORS TO DWELLING SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF KEYS. ATTIC ACCESS HATCH TO BE 20" X 28" INSULATED AND WEATHER STRIPPED. EVERY FLOOR LEVEL CONTAINING BEDROOMS MUST BE PROVIDED WITH AT LEAST ONE OUTSIDE WINDOW THAT CAN BE OPENED FROM THE INSIDE WITHOUT THE USE OF TOOLS. THESE WINDOWS MUST HAVE AN UNOBSTRUCTED WINDOW PORTION HAVING A MIN. AREA OF 3.8 SQ.FT. WITH NO DIMENSION LESS THAN 15" (380mm) FOR SQUARE WINDOWS. THE MIN. DIMENSION MUST APPLY TO THE OPENABLE PORTION OF THE WINDOW. SILLS MUST BE NO MORE THAN 3' 3" ABOVE THE FLOOR FOR EGRESS WINDOWS. PERFORMANCE GRADES FOR WINDOWS, DOORS, AND SKYLIGHTS SHALL BE SELECTED ACCORDING TO CSA A44051.

9.8 STAIRS AND GUARDS:

(1) INTERIOR AND EXTERIOR: MAX. RISE 7 7/8" MIN. RUN 8 1/4". MIN. TREAD 9 1/4". MIN 1" NOSING WHERE RUN IS LESS THAN 10".
(2) WIDTH: INTERIOR MIN. 2' 10" BETWEEN WALL FACES, EXTERIOR 3'.
(3) HEAD ROOM: INTERIOR 6' 5" MIN. EXTERIOR 6' 9".
(4) LANDINGS: AS WIDE AND LONG AS WIDTH OF STAIRS.
(5) HAND RAILS: MIN. 32". MAX. 36" ABOVE NOSING. MIN. 1 1/2" CLEARANCE FROM WALL.
(6) GUARDS: INTERIOR GUARDS, MIN. 36" HIGH AROUND LANDINGS AND FLOOR AREAS OF MORE THAN 2 RISERS. EXTERIOR GUARDS, MIN. 36" HIGH FOR GRADES GREATER THAN 2' 0" AND MIN. 42" HIGH FOR GRADES GREATER THAN 6' 0" FOR BALCONIES, PICKETS AND GUARDS FOR STAIRS AND AROUND LANDINGS TO BE A MAX. OF 4" (100mm) APART FOR PORCHES LESS THAN 4' ABOVE GROUND. GUARDS TO BE 36" HIGH. CURVED STAIRS TO HAVE MIN. RUN 6" AND MIN. AVERAGE RUN OF 7 7/8". GUARDS AROUND EXTERIOR BALCONIES, PORCHES, AND DECKS SHALL BE DESIGNED SO THAT NO MEMBER, ATTACHMENT, OPENING LOCATED BETWEEN 4" AND 2' 11" ABOVE FLOOR BALCONY, PORCH OR DECK WILL FACILITATE CLIMBING.

9.8.5 RAMPS:
MAX. SLOPE FOR PEDESTRIAN RAMP TO BE ONE IN TEN.

9.10. FIRE PROTECTION:

(1) AN EXPOSED BUILDING FACE, LESS THAN 4' FROM THE LOT LINE SHALL HAVE A MIN. FIRE RESISTANCE RATING OF 3/4 HRS.
(2) EXTERIOR WALLS LESS THAN 2' FROM THE LOT LINE SHALL BE CLAD WITH NONCOMBUSTIBLE MATERIAL.
(3) WALLS LESS THAN 4' FROM THE LOT LINE SHALL HAVE NO UNPROTECTED WINDOWS.
(4) PARTY WALLS SHALL HAVE 1 HR. MIN. FIRE RATING.
(5) FIRE STOP ALL CONCEALED SPACES BETWEEN STORIES AT FLOORS, CEILINGS, ROOFS, EXTERIOR CORNICES, BALCONIES AND CANOPIES OF COMBUSTIBLE CONSTRUCTION.
(6) FLAME SPREAD RATING OF INTERIOR FINISHES 150 MAX. WHEN PRODUCTS OF COMBUSTION DETECTOR INSTALLED. (7) SMOKE ALARMS CONFORMING TO CANANDA/U.L.C-553 SHALL BE INSTALLED ON EACH FLOOR LEVEL NEAR THE STAIRS CONNECTING FLOOR LEVELS ON FLOORS WITH BEDROOMS. THE SMOKE DETECTOR MUST BE BETWEEN SLEEPING AREA AND REMAINDER OF FLOOR AREA. (8) CABLED END WALLS LESS THAN 4' TO LOT LINE SHALL HAVE MIN. ONE LAYER OF 5/8" LABELLED DRYWALL ON INSIDE FACE UP TO UNDERSIDE OF DECK.

9.10.19.3. LOCATION OF SMOKE ALARMS

(1) WITHIN DWELLING UNITS, SUFFICIENT SMOKE ALARMS SHALL BE INSTALLED SO THAT:
(A) THERE IS AT LEAST ONE SMOKE ALARM INSTALLED ON EACH STOREY, INCLUDING BASEMENTS, AND
(B) ON ANY STOREY OF A DWELLING UNIT CONTAINING SLEEPING ROOMS, A SMOKE ALARM IS INSTALLED. (I) IN EACH SLEEPING ROOM, AND (II) IN A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY.
(2) ASMOKE ALARM REQUIRED IN SENTENCE (1) SHALL BE INSTALLED IN CONFORMANCE WITH ANULC-5533. INSTALLATION OF SMOKE ALARMS:
NOTE: ON JULY 1, 2017, SENTENCES 9.10.19.3.(2) OF DIVISION 8 OF THE REGULATION IS REVOKED AND THE FOLLOWING SUBSTITUTED: (SEE: O. REG. 139/17, S. 115)
(2) WITHIN A HOUSE THAT CONTAINS AN INTERIOR SHARED MEANS OF EGRESS OR COMMON AREA, A SMOKE ALARM SHALL BE INSTALLED IN EACH SHARED MEANS OF EGRESS AND COMMON AREA.
(3) A SMOKE ALARM REQUIRED IN SENTENCE (1) SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. (LIGHT, COLOR AND PULSE CHARACTERISTICS) OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE".
NOTE: ON JULY 1, 2017, SENTENCES 9.10.19.3.(3) OF DIVISION 8 OF THE REGULATION IS REVOKED AND THE FOLLOWING SUBSTITUTED: (SEE: O. REG. 139/17, S. 115)
(3) A SMOKE ALARM REQUIRED IN SENTENCES (1) AND (2) SHALL BE INSTALLED IN CONFORMANCE WITH CANULC-5533. INSTALLATION OF SMOKE ALARMS:
(4) THE VISUAL SIGNALLING COMPONENT REQUIRED IN SENTENCE (3) NEED NOT:
(A) BE INTEGRATED WITH THE SMOKE ALARM PROVIDED IT IS INTERCONNECTED TO IT,
(B) BE ON BATTERY BACKUP, OR
(C) HAVE SYNCHRONIZED FLASH RATES, WHEN INSTALLED IN A DWELLING UNIT.
NOTE: ON JULY 1, 2017, SENTENCES 9.10.19.3.(4) OF DIVISION 8 OF THE REGULATION IS REVOKED AND THE FOLLOWING SUBSTITUTED: (SEE: O. REG. 139/17, S. 115)
(4) A SMOKE ALARM REQUIRED IN SENTENCES (1) AND (2) SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. (LIGHT, COLOR AND PULSE CHARACTERISTICS) OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE".
(5) THE LUMINOUS INTENSITY FOR VISUAL SIGNALLING COMPONENTS REQUIRED IN SENTENCE (3) THAT ARE INSTALLED IN SLEEPING ROOMS SHALL BE A MINIMUM OF 175 CD.
NOTE: ON JULY 1, 2017, SENTENCES 9.10.19.3.(5) OF DIVISION 8 OF THE REGULATION IS REVOKED AND THE FOLLOWING SUBSTITUTED: (SEE: O. REG. 139/17, S. 115)
(5) THE VISUAL SIGNALLING COMPONENT REQUIRED IN SENTENCE (4) NEED NOT:
(A) BE INTEGRATED WITH THE SMOKE ALARM PROVIDED IT IS INTERCONNECTED TO IT,
(B) BE ON BATTERY BACKUP, OR
(C) HAVE SYNCHRONIZED FLASH RATES, WHEN INSTALLED IN A HOUSE OR AN INDIVIDUAL DWELLING UNIT.
(6) SMOKE ALARMS REQUIRED IN SENTENCE (1) SHALL BE INSTALLED ON OR NEAR THE CEILING.
NOTE: ON JULY 1, 2017, SENTENCES 9.10.19.3.(6) OF DIVISION 8 OF THE REGULATION IS REVOKED AND THE FOLLOWING SUBSTITUTED: (SEE: O. REG. 139/17, S. 115)
(6) THE LUMINOUS INTENSITY FOR VISUAL SIGNALLING COMPONENTS REQUIRED IN SENTENCE (4) THAT ARE INSTALLED IN SLEEPING ROOMS SHALL BE A MINIMUM OF 175 CD.
(7) SMOKE ALARMS REQUIRED IN SENTENCES (1) AND (2) SHALL BE INSTALLED ON OR NEAR THE CEILING.

9.12 EXCAVATION:
TOP SOIL AND VEGETABLE MATTER IN ALL UNEXCAVATED AREAS UNDER BUILDING TO BE REMOVED.

9.14 SURFACE DRAINAGE:
SHALL BE DIRECTED AWAY FROM THE BUILDING. WATER SUPPLY WELL OR SEPTIC TANK DISPOSAL BED.

9.14.6.3. WINDOW WELLS
(1) EVERY WINDOW WELL SHALL BE DRAINED TO THE FOOTING LEVEL OR OTHER SUITABLE LOCATION.

9.15 FOOTINGS AND FOUNDATIONS:
CONCRETE FOOTINGS SHALL REST ON UNDISTURBED SOIL WITH ALLOWABLE BEARING PRESSURE OF 75 KPA. (1569 P/FS). MINIMUM OF 4" BELOW FINISHED GRADE. CONCRETE FOR UNREINFORCED FOOTINGS AND FOUNDATION WALLS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 15 MPa (2200 PSI) AFTER 28 DAYS. FOOTINGS MINIMUM (8") THICK. MINIMUM 4" PROJECTION OF FOUNDATION WALL AND MINIMUM 19" WIDE WHEN SUPPORTING 2 FLOORS OF BRICK AND MASONRY VENEER. STEPPED FOOTINGS: 20" MINIMUM HORIZONTAL DISTANCE BETWEEN STEPS. VERTICAL STEP MAXIMUM 20". FOUNDATION WALLS SHALL EXTEND MINIMUM 6" ABOVE GRADE. UNIT MASONRY WALLS TO BE DAMPROOFED AND PARGED BELOW GROUND LEVEL WITH MINIMUM 1/4" MORTAR PARANG AND SHALL BE COVERED OVER FOOTINGS. CONCRETE WALLS TO BE WATER PROOFED SHALL HAVE ALL HOLES AND RECESSES RESULTING FROM REMOVAL OF FORM TIES SEALED WITH MORTAR OR WATERPROOFING MATERIAL. FOUNDATION WALLS SHALL BE WATERPROOFED OR A DRAINAGE LAYER SHALL BE INSTALLED ADJACENT TO THE EXTERIOR SURFACE OF THE FOUNDATION WALL AND SHALL EXTEND TO THE FOOTING LEVEL. THE BOTTOM OF EVERY EXTERIOR FOUNDATION WALL SHALL BE DRAINED BY DRAINAGE TILE OR PIPE LAID AROUND THE EXTERIOR OF THE FOUNDATION. THE TOP AND SIDES OF DRAIN PIPE OR TILE SHALL BE COVERED WITH NOT LESS THAN 6" OF 3/4" CLEAR STONE OR OTHER COARSE CLEAN GRANULAR MATERIAL (AS PER 9.14.4.1). REDUCED FOUNDATION WALLS TO ALLOW BRICK FACING AND MAINTAIN LATERAL SUPPORT. THE BRICKS TO MIN. 3 1/2" CONC. WITH DOVE TAIL MASONRY TIES. (MIN. 1/16" THICK X 7/8" WIRE) @ 8" C/C VERT. 36" HORIZ. FILL SPACE BEHIND BRICK WITH MORTAR. CRACK JOINTS SHALL BE PROVIDED IN FOUNDATION WALLS MORE THAN 25m LONG AT INTERVALS OF NOT MORE THAN 15m. JOINTS ARE DESIGNED TO RESIST MOISTURE PENETRATION.

9.16 FLOORS ON GROUND:
CONCRETE SLABS ON GROUND SHALL BE A MINIMUM 3" THICK ON 5" CRUSH STONE. EXPECT FOR GARAGE SLABS. CONCRETE SLABS ON GRADE SHALL BE REINFORCED WITH 6" X 6" 6/16 MESH LOCATED NEAR MID-DEPTH OF SLAB. CONCRETE SLABS UNDER FINISHED AREAS SHALL BE DAMP-PROOFED WITH 6mm POLYETHYLENE. THE TOP OF EVERY SLAB ON GRADE SHALL BE A MINIMUM 6" ABOVE GRADE. CONCRETE FOR GARAGE SLABS AND EXTERIOR STEPS AND PORCHES SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 25MPa (3600 PSI) AFTER 28 DAYS AND SHALL HAVE AIR ENTRAINMENT OF 5-8%. GRANULAR FILL (1) EXCEPT FOR SLABS IN GARAGES, NOT LESS THAN 4" OF COARSE CLEAN GRANULAR MATERIAL SHALL BE PLACED BENEATH SLABS IN DWELLING UNITS (2) ANY OTHER FILL BENEATH THE TOP PORTION OF COARSE CLEAN GRANULAR MATERIAL SHALL BE COMPACTED (3) ANY FILL BENEATH SLABS AND GARAGES OTHER THAN COARSE CLEAN GRANULAR MATERIAL SHALL BE COMPACTED.

9.19.2.1. ACCESS
(1) EVERY ATTIC OR ROOF SPACE SHALL BE PROVIDED WITH AN ACCESS HATCH WHERE THE ATTIC OR ROOF SPACE:
(A) MEASURES NOT LESS THAN:
(I) 10 M² IN AREA,
(II) 1 000 MM IN LENGTH OR WIDTH, AND
(III) 600 MM IN HEIGHT OVER AT LEAST THE AREA DESCRIBED IN SUBCLAUSES (I) AND (II), OR
(B) CONTAINS A FUEL-FIRED APPLIANCE.
(2) EXCEPT WHERE AN ATTIC OR ROOF SPACE CONTAINS A FUEL-FIRED APPLIANCE, THE HATCH REQUIRED IN SENTENCE (1) SHALL BE NOT LESS THAN 550 MM BY 900 MM EXCEPT THAT, WHERE THE HATCH SERVES A SINGLE DWELLING UNIT, THE HATCH MAY BE REDUCED TO:
NOTE: ON JULY 1, 2017, SENTENCE 9.19.2.1.(9) OF DIVISION 8 OF THE REGULATION IS AMENDED BY STRIKING OUT "SINGLE DWELLING UNIT IN THE PORTION BEFORE CLAUSE (A) AND SUBSTITUTING "HOUSE OR AN INDIVIDUAL DWELLING UNIT IN A HOUSE".
(SEE: O. REG. 139/17, S. 122)
(A) 0.32 M² IN AREA WITH NO DIMENSION LESS THAN 545 MM, OR
(B) 500 MM BY 700 MM.
(3) HATCHWAYS TO ATTIC OR ROOF SPACES SHALL BE FITTED WITH DOORS OR COVERS.
SECTION 9.20. MASONRY AND INSULATING CONCRETE FORM WALLS NOT IN CONTACT WITH THE GROUND

9.23 WOOD FRAME CONSTRUCTION:
ALL FLOOR JOISTS AND BEAMS TO BE #2 GRADE. SPRUCE OR EQUAL UNLESS STATED OTHERWISE. SILL PLATES SHALL BE ANCHORED TO THE FOUNDATION WITH THE MIN. 1/2" DIAMETER ANCHOR BOLTS MAX. 7'10" O.C. ANCHOR BOLTS SHALL BE EMBEDDED NUTS AND WASHERS NOT LESS THAN 4" INTO THE FOUNDATION AND SO DESIGNED THAT MAY BE TIGHTENED WITHOUT WITHDRAWING THEM FROM THE FOUNDATION. JOISTS SHALL HAVE A MIN. 1 1/2" END BEARING. BEAMS SHALL HAVE MIN. 3 1/2" END BEARING. FLOOR JOISTS MAY BE SUPPORTED ON TOPS OF BEAMS OR MAY BE FRAMED INTO SIDE OF BEAMS. WHEN FRAMED INTO SIDE OF WOOD BEAMS, JOISTS SHALL BE SUPPORTED ON JOIST HANGERS. HEADER JOISTS SHALL BE DOUBLED WHEN THEY EXCEED 3' 11" IN LENGTH. HEADER JOISTS EXCEEDING 10' 6" IN LENGTH SHALL BE DETERMINED BY CALCULATION. TRIMMER JOISTS SHALL BE DOUBLED WHEN LENGTH OF HEADER JOIST EXCEEDS 32". WHEN HEADER JOIST EXCEEDS 6' 8" SIZE OF TRIMMER JOISTS SHALL BE DETERMINED BY CALCULATION. LOAD BEARING INTERIOR WALLS PARALLEL TO FLOOR JOISTS SHALL BE SUPPORTED BY BEAMS OR WALLS OF SUFFICIENT STRENGTH TO TRANSFER SAFELY THE DESIGN LOADS TO VERTICAL SUPPORTS. LOAD BEARING INTERIOR WALL AT RIGHT ANGLES TO FLOOR JOISTS SHALL BE LOCATED NOT MORE THAN 900mm (2' 11") FROM JOIST SUPPORT WHEN THE WALL DOES NOT SUPPORT A FLOOR, AND NOT MORE THAN 600mm (2') FROM THE JOIST SUPPORT WHEN THE WALL SUPPORTS ONE OR MORE FLOORS. UNLESS THE JOIST SIZE IS DESIGNED TO SUPPORT SUCH LOADS, NON LOAD BEARING INTERIOR WALLS AT RIGHT ANGLES TO THE FLOOR JOIST ARE NOT RESTRICTED AS TO LOCATION.
(1) NON LOAD BEARING WALLS PARALLEL TO THE FLOOR JOISTS SHALL BE SUPPORTED BY JOISTS BENEATH THE WALL OR ON BLOCKING BENEATH THE JOISTS.
(2) BLOCKING FOR THE SUPPORT OF NON LOAD BEARING WALLS SHALL BE NOT LESS THAN 2" X 4" (38mm X 89mm) LUMBER, SPACED NOT MORE THAN 4' (1.2m) APART. FLOOR JOISTS SUPPORTING ROOF LOADS SHALL NOT BE CANTILEVERED MORE THAN 400mm BEYOND THEIR SUPPORTS WHERE 38mm BY 184mm JOISTS ARE USED AND NOT MORE THAN 400mm BEYOND THEIR SUPPORTS WHERE 38mm BY 235mm OR LARGER JOISTS ARE USED. DOUBLE TOP PLATE FOR ALL LOAD BEARING PARTITIONS. DOUBLE STUDS AT CORNERS AND EACH SIDE OF OPENINGS. FLOOR JOISTS TO CROSS BRIDGING LOCATED NOT MORE THAN 6' 11" (2100mm) FROM EACH SUPPORT OR OTHER ROWS OF BRIDGING. STRAPPING
(A) AT LEAST 1X3" (19mm x 64mm) NAILED TO THE UNDERSIDE OF FLOOR JOISTS.
(B) LOCATED NOT MORE THAN 6' 11" (2100mm) FROM EACH SUPPORT OR OTHER ROWS OF STRAPPING AND FASTENED AT EACH END TO A SILL OR HEADER. STRAPPING IS NOT REQUIRED IF FLOORING STRIPS OR A PANEL TYPE CEILING FINISH IS ATTACHED DIRECTLY TO JOISTS. INTERIOR LOAD BEARING PARTITION IN BASEMENT TO BE 2" X 4" SPRUCE 16' O.C. FOR BUNGALOWS AND 2" X 6" SPRUCE 16' O.C. OR 2" X 4" SPRUCE 12' O.C. FOR 2 STORY HOUSES. CANTILEVERED FLOOR JOISTS SUPPORTING ROOF LOADS SHALL NOT BE CANTILEVERED MORE THAN 15 3/4" (400mm) BEYOND THEIR SUPPORTS WHERE 2" X 8" JOISTS ARE USED AND NOT MORE THAN 23 5/8" (600mm) FOR 2" X 10" OR LARGER JOISTS ARE USED. WHERE CANTILEVERED FLOOR JOISTS ARE AT RIGHT ANGLES TO MAIN FLOOR JOISTS THE TAIL JOIST IN THE CANTILEVERED PORTION SHALL EXTEND INWARD AROUND FROM CANTILEVER. SUPPORT A DISTANCE EQUAL TO AT LEAST 6 TIMES THE LENGTH OF CANTILEVER AND THE END NAILED TO AN INTERIOR DOUBLE HEADER JOIST.

9.23.9.9 FINISHED FLOORING:
FINISHED FLOORING SHALL BE PROVIDED IN ALL RESIDENTIAL OCCUPANCIES. FINISHED FLOORING IN BATHROOMS, KITCHENS, LAUNDRY AREAS AND GENERAL STORAGE AREAS, SHALL BE A RESILIENT TYPE PROVIDING WATER RESISTANCE. WHERE CERAMIC TILE IS USED, CONSTRUCTION SHALL BE AS PER O.B.C. 9.30.6.

9.25.2 INSULATION:
MIN. R-4 FOR EXPOSED DOORS. MIN. R-20 BELOW GRADE IN FOUNDATION WALLS ENCLOSING HEATED SPACE. R-20 IN ALL EXTERIOR WALLS. MIN. R-3.5 IN EXPOSED ROOFS. MIN. R-31 IN EXPOSED FLOORS. MIN. R-50 IN EXPOSED CEILINGS WITH ATTIC SPACE. SOUND TRANSMISSION CLASS RATING TO BE A MIN. 50 BETWEEN DWELLING UNITS.

9.25.3 AIR BARRIERS
AIR BARRIER SYSTEMS SHALL BE INSTALLED SUCH AS THEY CONTROL AIR LEAKAGE OR PERMIT VENTING TO THE EXTERIOR. SHALL BE CONTINUOUS ACROSS ALL CONSTRUCTION, CONTROL AND EXPANSION JOINTS AND BUILDING ASSEMBLY.

9.25.4 VAPOR BARRIERS
VAPOUR BARRIERS SHALL BE INSTALLED TO PROTECT THE ENTIRE SURFACES OF THERMALLY INSULATED WALLS, CEILING AND FLOOR ASSEMBLIES. VAPOUR BARRIER PROTECTION SHALL BE INSTALLED ON THE WARM SIDE OF INSULATION. PENETRATIONS OF THE AIR BARRIER PROTECTION, SUCH AS THOSE CREATED BY THE INSTALLATION OF DOORS, WINDOWS, ELECTRICAL WIRING, ELECTRICAL BOXES, PIPING OR DUCT WORK, SHALL BE SEALED TO MAINTAIN THE INTEGRITY OF THE AIR BARRIER PROTECTION OVER THE ENTIRE SURFACE. PROVIDE AIR BARRIER SEE O.B.C. 9.25.3.2

9.26.4.3. VALLEY FLASHING
(1) WHERE SLOPING SURFACES OF SHINGLED ROOFS INTERSECT TO FORM A VALLEY, THE VALLEY SHALL BE FLASHED.
(2) VALLEY FLASHING SHALL BE INSTALLED OVER CONTINUOUS SHEATHING.
(3) CLOSED VALLEYS SHALL NOT BE USED WITH RIGID SHINGLES ON SLOPES OF LESS THAN 1 IN 12.
(4) CLOSED VALLEY FLASHING SHALL CONSIST OF SHEET METAL, SELF SEALING COMPOSITE MEMBRANES CONSISTING OF POLYETHYLENE AND BITUMINOUS MATERIAL OR ONE LAYER OF EITHER TYPE S SMOOTH SURFACE ROLL ROOFING OR TYPE M MINERAL SURFACE ROLL ROOFING (MINERAL SURFACE DOWN) NOT LESS THAN 600 MM WIDE, AND NAILS SHALL NOT PENETRATE THE FLASHING WITHIN 75 MM OF ITS EDGE OR 124 MM OF THE BOTTOM OF THE VALLEY CENTRELNE.
(5) OPEN VALLEYS SHALL BE FLASHED WITH:
(A) AT LEAST ONE LAYER OF SHEET METAL NOT LESS THAN 600 MM WIDE, OR
(B) NO FEWER THAN TWO LAYERS OF ROLL ROOFING.
(6) THE BOTTOM LAYER OF ROOFING REQUIRED IN SENTENCE (4) SHALL CONSIST OF NOT LESS THAN TYPE S SMOOTH ROLL ROOFING OR TYPE M MINERAL SURFACE ROLL ROOFING (MINERAL SURFACE DOWN) NOT LESS THAN 457 MM WIDE, CENTRED IN THE VALLEY AND FASTENED WITH NAILS SPACED NOT MORE THAN 450 MM O.C. LOCATED 25 MM AWAY FROM THE EDGES.
(7) THE TOP LAYER OF ROOFING REQUIRED IN SENTENCE (4) SHALL CONSIST OF NOT LESS THAN TYPE M MINERAL SURFACE ROLL ROOFING (MINERAL SURFACE UP), 914 MM WIDE, CENTRED IN THE VALLEY, APPLIED OVER A 100 MM WIDE STRIP OF CEMENT ALONG EACH EDGE OF THE BOTTOM LAYER, AND FASTENED WITH A SUFFICIENT NUMBER OF NAILS TO HOLD IT IN PLACE UNTIL THE SHINGLES ARE APPLIED.

9.26.5.1. REQUIRED EAVE PROTECTION
(1) EXCEPT AS PROVIDED IN SENTENCE (2), EAVE PROTECTION SHALL BE PROVIDED ON SHINGLE, SHAKE OR TILE ROOFS, EXTENDING FROM THE EDGE OF THE ROOF A MINIMUM OF 900 MM UP THE ROOF SLOPE TO A LINE NOT LESS THAN 300 MM INSIDE THE INNER FACE OF THE EXTERIOR WALL.
(2) EAVE PROTECTION IS NOT REQUIRED:
(A) OVER UNHEATED GARAGES, CARPORTS AND PORCHES.
(B) WHERE THE ROOF OVERHANG EXCEEDS 900 MM MEASURED ALONG THE ROOF SLOPE FROM THE EDGE OF THE ROOF TO THE INNER FACE OF THE EXTERIOR WALL.
(C) ON ROOFS OF ASPHALT SHINGLES INSTALLED IN ACCORDANCE WITH SUBSECTION 9.26.8.
(D) ON ROOFS WITH SLOPES OF 1 IN 1.5 OR GREATER.
(E) IN REGIONS WITH 3 500 OR FEWER DEGREE-DAYS.

9.26.5.2. MATERIALS
(1) EAVE PROTECTION SHALL BE LAID BENEATH THE STARTER STRIP AND SHALL CONSIST OF:
(A) NO. 15 ASPHALT-SATURATED FELT LAID IN TWO PLYS LAPPED 480 MM AND CEMENTED TOGETHER WITH LAP CEMENT.
(B) TYPE M OR S ROLL ROOFING LAID WITH NOT LESS THAN 100 MM HEAD AND END LAPS CEMENTED TOGETHER WITH LAP CEMENT.
(C) GLASS FIBRE OR POLYESTER FIBRE COATED BASE SHEETS, OR
(D) SELF-SEALING COMPOSITE MEMBRANES CONSISTING OF MODIFIED BITUMINOUS COATED MATERIAL.

9.26.6.2. INSTALLATION
(1) WHEN USED WITH SHINGLES, UNDERLAY SHALL BE INSTALLED PARALLEL TO THE EAVES WITH HEAD AND END LAP OF NOT LESS THAN 50 MM.
(2) THE TOP EDGE OF EACH STRIP REFERRED TO IN SENTENCE (1) SHALL BE FASTENED WITH SUFFICIENT ROOFING NAILS TO HOLD IT IN PLACE UNTIL THE SHINGLES ARE APPLIED.
(3) THE UNDERLAY REFERRED TO IN SENTENCE (1) SHALL OVERLAP THE EAVE PROTECTION BY NOT LESS THAN 100 MM.

9.26.7.6 HIPS AND RIDGES
(1) SHINGLES ON HIPS AND RIDGES SHALL BE APPLIED SO THEY EXTEND NOT LESS THAN 100 MM ON EITHER SIDE OF THE HIP OR RIDGE, AND SHALL BE LAPPED NOT LESS THAN 150 MM.
(2) SHINGLES REFERRED TO IN SENTENCE (1) SHALL BE FASTENED WITH NAILS OR STAPLES ON EACH SIDE LOCATED NOT MORE THAN 25 MM FROM THE EDGE AND 25 MM ABOVE THE BUTT OF THE OVERLYING SHINGLE.

9.27.3 FLASHING:
(1) FLASHING SHALL BE INSTALLED AT EVERY HORIZONTAL JUNCTION BETWEEN 2 DIFFERENT EXTERIOR FINISHES, EXCEPT WHERE THE UPPER FINISH OVERLAPS THE LOWER FINISH.
(2) EXCEPT AS PROVIDED IN SENTENCE (4), FLASHING SHALL BE APPLIED OVER EXTERIOR WALL OPENINGS WHERE THE VERTICAL DISTANCE FROM THE BOTTOM OF THE EAVE TO THE TOP OF THE TRIM IS MORE THAN ONE QUARTER OF THE HORIZONTAL OVERHANG OF THE EAVE.
(3) FLASHING SHALL BE INSTALLED SO THAT IT EXTENDS UPWARD NOT LESS THAN 2" (50mm) BEHIND THE SHEATHING PAPER AND FORMS A DRIP ON THE OUTSIDE EDGE.
(4) WHERE A WINDOW OR EXTERIOR DOOR IS DESIGNED TO BE INSTALLED WITHOUT FLASHING, THE INTERIOR FLANGE OF THE WINDOW OR DOOR FRAME SHALL BE BEDDED INTO A NON-HARDENING TYPE CAULKING MATERIAL AND THE EXTERIOR FLANGE SCREWED DOWN. EDGE

9.27.3.8. FLASHING INSTALLATION
(1) EXCEPT AS PROVIDED IN SENTENCE (2), FLASHING SHALL BE INSTALLED AT:
(A) EVERY HORIZONTAL JUNCTION BETWEEN CLADDINGS ELEMENTS,
(B) EVERY HORIZONTAL OFFSET IN THE CLADDING, AND
(C) EVERY HORIZONTAL LINE WHERE THE CLADDING SUBSTRATES CHANGE AND WHERE THE SUBSTRATES DIFFER SUFFICIENTLY FOR STRESSES TO BE CONCENTRATED ALONG THAT LINE, OR
(II) THE INSTALLATION OF THE CLADDING ON THE LOWER SUBSTRATE MAY COMPROMISE THE DRAINAGE OF MOISTURE FROM BEHIND THE CLADDING ABOVE.
(2) FLASHING NEED NOT BE INSTALLED AS DESCRIBED IN SENTENCE (1).
(A) WHERE THE UPPER CLADDING ELEMENTS OVERLAP THE LOWER CLADDING ELEMENTS BY NOT LESS THAN 25 MM,
(B) WHERE:
(I) THE CLADDING ABOVE AND BELOW THE JOINT IS INSTALLED OUTBOARD OF A DRAINED AND VENTED AIR SPACE, AND
(II) THE HORIZONTAL DETAIL IS CONSTRUCTED SO AS TO MINIMIZE INGRESS OF PRECIPITATION INTO THE AIR SPACE, OR
(C) AT HORIZONTAL CONSTRUCTION JOINTS IN STUCCO, WHERE:
(I) THE JOINT IS FINISHED WITH AN EXPANSION-CONTRACTION STRIP, AND
(II) THE CLADDING IS INSTALLED OUTBOARD OF A DRAINED AND VENTED AIR SPACE.
(3) FLASHING SHALL BE INSTALLED OVER EXTERIOR WALL OPENINGS WHERE THE VERTICAL DISTANCE FROM THE BOTTOM OF THE EAVE TO THE TOP OF THE TRIM IS MORE THAN ONE-QUARTER OF THE HORIZONTAL OVERHANG OF THE EAVE.
(4) FLASHING DESCRIBED IN SENTENCES (1) AND (3) SHALL:
(A) EXTEND NOT LESS THAN 50 MM UPWARD INBOARD OF THE SHEATHING MEMBRANE OR SHEATHING INSTALLED IN LIEU OF THE SHEATHING MEMBRANE.
(B) HAVE A SLOPE OF NOT LESS THAN 6% TOWARD THE EXTERIOR AFTER THE EXPECTED SHRINKAGE OF THE BUILDING FRAME.
(C) TERMINATE AT EACH END WITH AN END-DAM.
(I) WITH A HEIGHT IN MILLIMETRES NOT LESS THAN 25 MM OR 1/10 OF THE VALUE OF THE 1 IN 5 DRIVING RAIN WIND PRESSURE IN PA, AND
(II) AT THE HEIGHT DEFINED IN SUBCLAUSE (I), EXTENDING TO THE FACE OF THE ADJACENT CLADDING.
(D) LAP NOT LESS THAN 10 MM VERTICALLY OVER THE BUILDING ELEMENT BELOW, AND
(E) TERMINATE IN A DRIP EXTENDING NOT LESS THAN 5 MM OUTWARD FROM THE OUTER FACE OF THE BUILDING ELEMENT BELOW.
(5) WHERE THE SILLS OF WINDOWS AND DOORS INSTALLED IN EXTERIOR WALLS ARE NOT SELF-FLASHING, FLASHING SHALL BE INSTALLED BETWEEN THE UNDERSIDE OF THE WINDOW OR DOOR AND THE WALL CONSTRUCTION BELOW.

9.32 VENTILATION:
OPENING SHALL BE PROTECTED FROM THE WEATHER AND INSECTS AND SCREENING SHALL BE OF RUST PROOF MATERIAL.
(1) ROOF SPACES, MIN. 1 SQ.FT. OF UNOBSTRUCTED VENTILATING AREA FOR EACH 300 SQ.FT. OF INSULATED CEILING AREA FOR ROOFS WITH A SLOPE EXCEEDING 2' IN 12". MIN. 1 SQ.FT. OF UNOBSTRUCTED VENTILATING AREA FOR EACH 150 SQ.FT. OF INSULATED CEILING AREA FOR ROOFS WITH A SLOPE OF 2' IN 12" OR LESS. OR ANY ROOF WHEN AN INTERIOR FINISH IS APPLIED TO ROOF RAFTERS. NOT MORE THAN HALF OF THE REQUIRED VENTILATION AREA SHALL BE PROVIDED AS VENTILATION LOCATED NEAR THE RIDGE EXCEPT FOR CATHEDRAL CEILINGS AND ROOFS WITH A SLOPE OF 2' IN 12" OR LESS THAN CONTINUOUS EAVE AND RIDGE VENTILATION SHALL BE PROVIDED.
(2) CRAWL SPACE: MIN. 1 SQ.FT. OF UNOBSTRUCTED VENTILATING AREA FOR EVERY 538 SQ.FT. OF FLOOR AREA
(3) BASEMENT: UNFINISHED 0.2% OF FLOOR AREA. FINISHED 3 SQ.FT. MIN.
(4) WHEN MECHANICAL VENTILATION IS PROVIDED THERE SHALL BE AT LEAST ONE AIR CHANGE PER HOUR.
(5) MIN. 3 SQ.FT. OF NATURAL VENTILATION REQUIRED IN EACH HABITABLE ROOM.

9.33.4.2. LOCATION OF CARBON MONOXIDE ALARMS
(1) WHERE A FUEL-BURNING APPLIANCE IS INSTALLED IN A SUITE OF RESIDENTIAL OCCUPANCY, A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA IN THE SUITE.
(2) WHERE A FUEL-BURNING APPLIANCE IS INSTALLED IN A SERVICE ROOM THAT IS NOT IN A SUITE OF RESIDENTIAL OCCUPANCY, A CARBON MONOXIDE ALARM SHALL BE INSTALLED IN THE SUITE.
(3) WHERE A STORAGE GARAGE IS LOCATED IN A BUILDING CONTAINING A RESIDENTIAL OCCUPANCY, A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA IN EVERY SUITE OF RESIDENTIAL OCCUPANCY THAT IS ADJACENT TO THE SERVICE ROOM, AND
(B) IN THE SERVICE ROOM.
(4) WHERE A STORAGE GARAGE IS LOCATED IN A BUILDING CONTAINING A RESIDENTIAL OCCUPANCY, A CARBON MONOXIDE ALARM SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA IN EVERY SUITE OF RESIDENTIAL OCCUPANCY THAT IS ADJACENT TO THE STORAGE GARAGE.
(5) A CARBON MONOXIDE ALARM SHALL BE MECHANICALLY FIXED.
(A) AT THE MANUFACTURER'S RECOMMENDED HEIGHT, OR
(B) IN THE ABSENCE OF SPECIFIC INSTRUCTIONS, ON OR NEAR THE CEILING.

9.35.2.2. GARAGE FLOOR
(1) WHERE AN ATTACHED OR BUILT-IN GARAGE IS PROVIDED, THE GARAGE FLOOR SHALL BE SLOPED TO DRAIN LIQUIDS TO THE OUTDOORS.

LINTEL SCHEDULES

WOOD LINTELS:

- WB1 = 2 - 2" X 8" SPRUCE BEAM
- WB2 = 3 - 2" X 8" SPRUCE BEAM
- WB3 = 4 - 2" X 8" SPRUCE BEAM
- WB4 = 2 - 2" X 10" SPRUCE BEAM
- WB5 = 3 - 2" X 10" SPRUCE BEAM
- WB6 = 4 - 2" X 10" SPRUCE BEAM
- WB7 = 2 - 2" X 12" SPRUCE BEAM
- WB8 = 3 - 2" X 12" SPRUCE BEAM
- WB9 = 4 - 2" X 12" SPRUCE BEAM

BRICK VENEER LINTELS:

- WL1 = 31/2" X 31/2" X 1/4 (90X90X6) + 2 - 2" X 8" SPR.
- WL2 = 4" X 31/2" X 5/16" (100X90X8) + 3 - 2" X 8" SPR.
- WL3 = 5" X 31/2" X 5/16" (125X90X8) + 4 - 2" X 8" SPR.
- WL4 = 6" X 31/2" X 3/8" (150X90X10) + 2 - 2" X 10" SPR.
- WL5 = 6" X 4" X 3/8" (150X100X10) + 3 - 2" X 10" SPR.
- WL6 = 5" X 31/2" X 5/16" (125X90X8) + 4 - 2" X 10" SPR.
- WL7 = 5" X 31/2" X 5/16" (125X90X8) + 2 - 2" X 12" SPR.
- WL8 = 5" X 31/2" X 5/16" (125X90X8) + 3 - 2" X 12" SPR.
- WL9 = 6" X 4" X 5/16" (150X100X10) + 4 - 2" X 12" SPR.

- L1 = 31/2" X 31/2" X 1/4" (90X90X6)
- L2 = 4" X 31/2" X 5/16" (100X90X8)
- L3 = 5" X 31/2" X 5/16" (125X90X8)
- L4 = 6" X 31/2" X 3/8" (150X90X10)
- L5 = 6" X 4" X 3/8" (150X100X10)

STEEL BEAMS

STEEL Height Flange Thick
W10 X 30 (10.33" X 5.77" X .440)
W8 X 18 (8.14" X 5.25" X .330)

ROOF RAFTERS

HIP AND VALLEY RAFTERS 2" GREATER THAN COMMON RAFTERS & NOT LESS THAN 1 1/2" THICK (ACTUAL SIZE) CHECK ONTARIO BUILDING CODE FOR ROOF LIVE LOADS.

CUse No. 2 Grade	Live Load	Live Load
Spruce or Equal	40 - PSF	50 - PSF
2" X 4" SPR. @ 16" O.C	7' - 4"	6' - 10" MAX SPAN
2" X 6" SPR. @ 16" O.C	11' - 7"	10' - 9" MAX SPAN
2" X 8" SPR. @ 16" O.C	15' - 3"	14' - 1" MAX SPAN



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Contractors will check & verify all dimensions & site conditions prior to proceeding with work

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SCALE :	N/A
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PROJECT:	2 SHIRE CRT CARLISLE, ON LOR 1H2

DRAWING : GENERAL NOTES

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A0.02



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 KRISTJAN FORTUNE DESIGNS
 905-510-5425
 info@kristjanfortunedesigns.com



DESIGNER: KRISTJAN FORTUNE
 DESIGNER BCIN: 27992
 FIRM: KRISTJAN FORTUNE DESIGNS
 FIRM BCIN: 121448

DATE _____ SIGNATURE OF DESIGNER _____

These drawings are the property of
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 and/or its clients only.

Contractors will check & verify
 all dimensions & site conditions
 prior to proceeding with work

DRAWING DATE	NO.
30/08/2022	01

SCALE: 1/8" = 1'

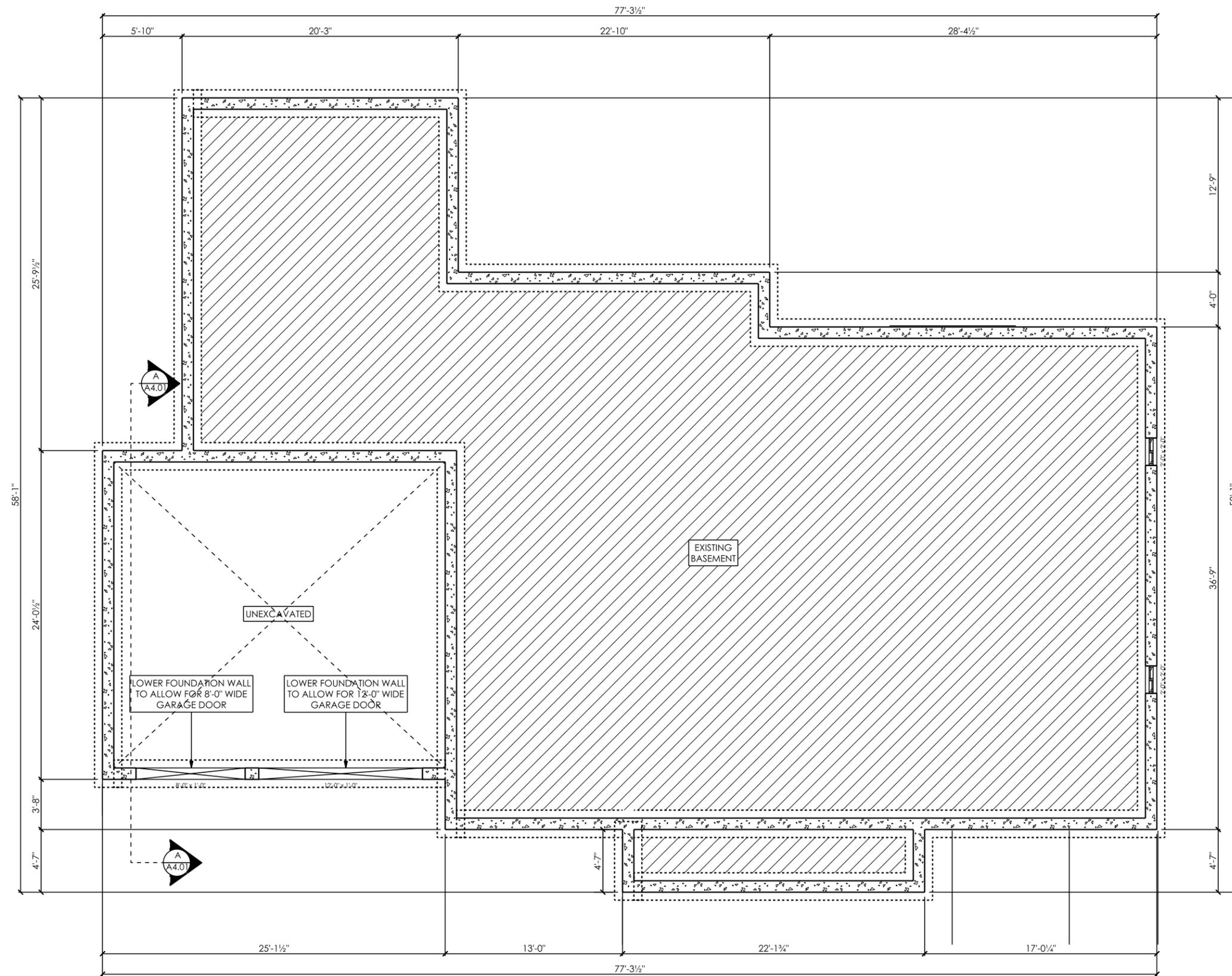
PROJECT #: 22-2-S

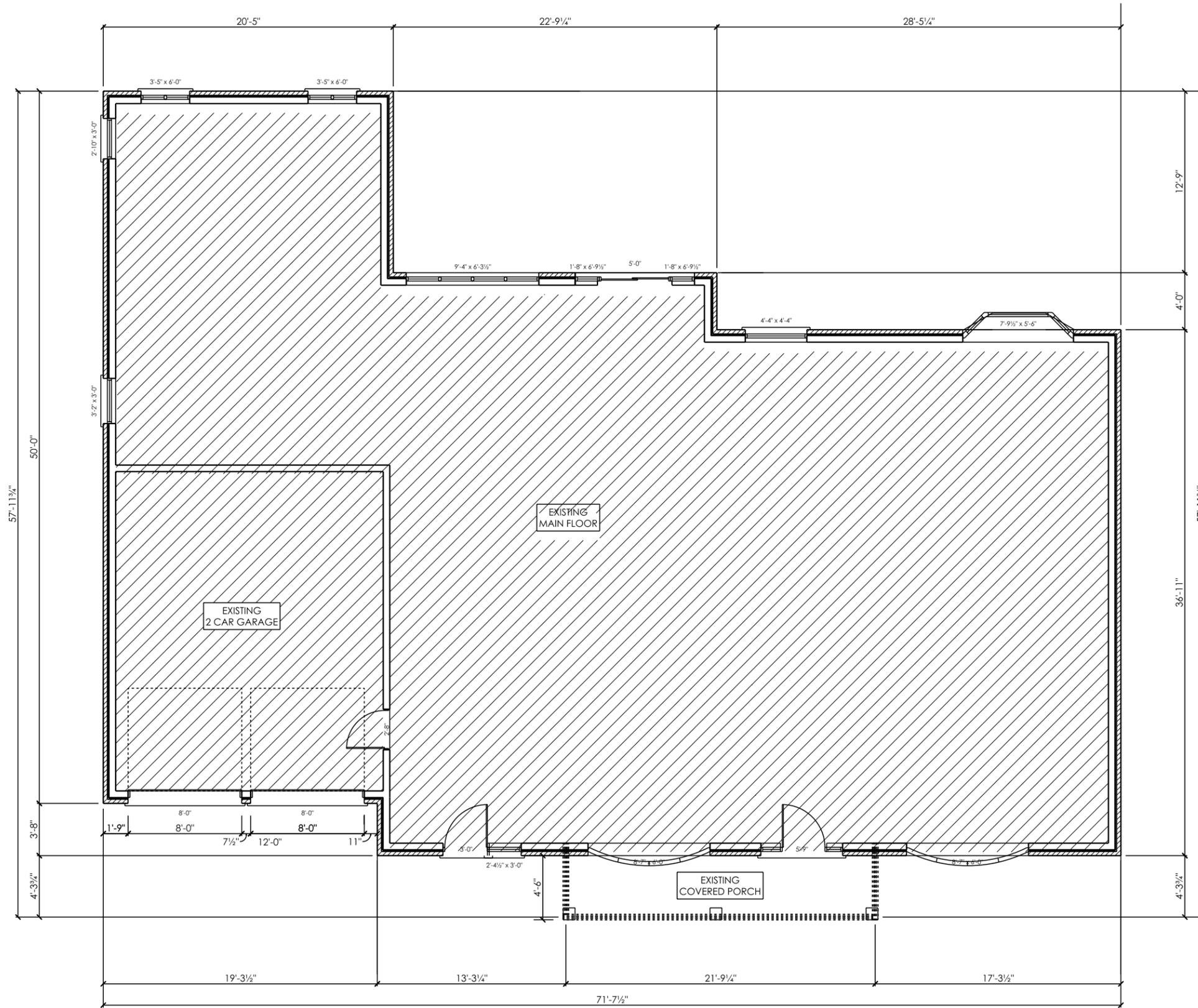
PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 FOUNDATION PLAN

DRAWING NO:

A1.01B





DESIGNED BY:
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 info@kristjanfortunedesigns.com



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30/08/2022	01

SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 MAIN FLOOR

DRAWING NO:

A1.02A



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 info@kristjanfortunedesigns.com



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SCALE: 1/8" = 1'

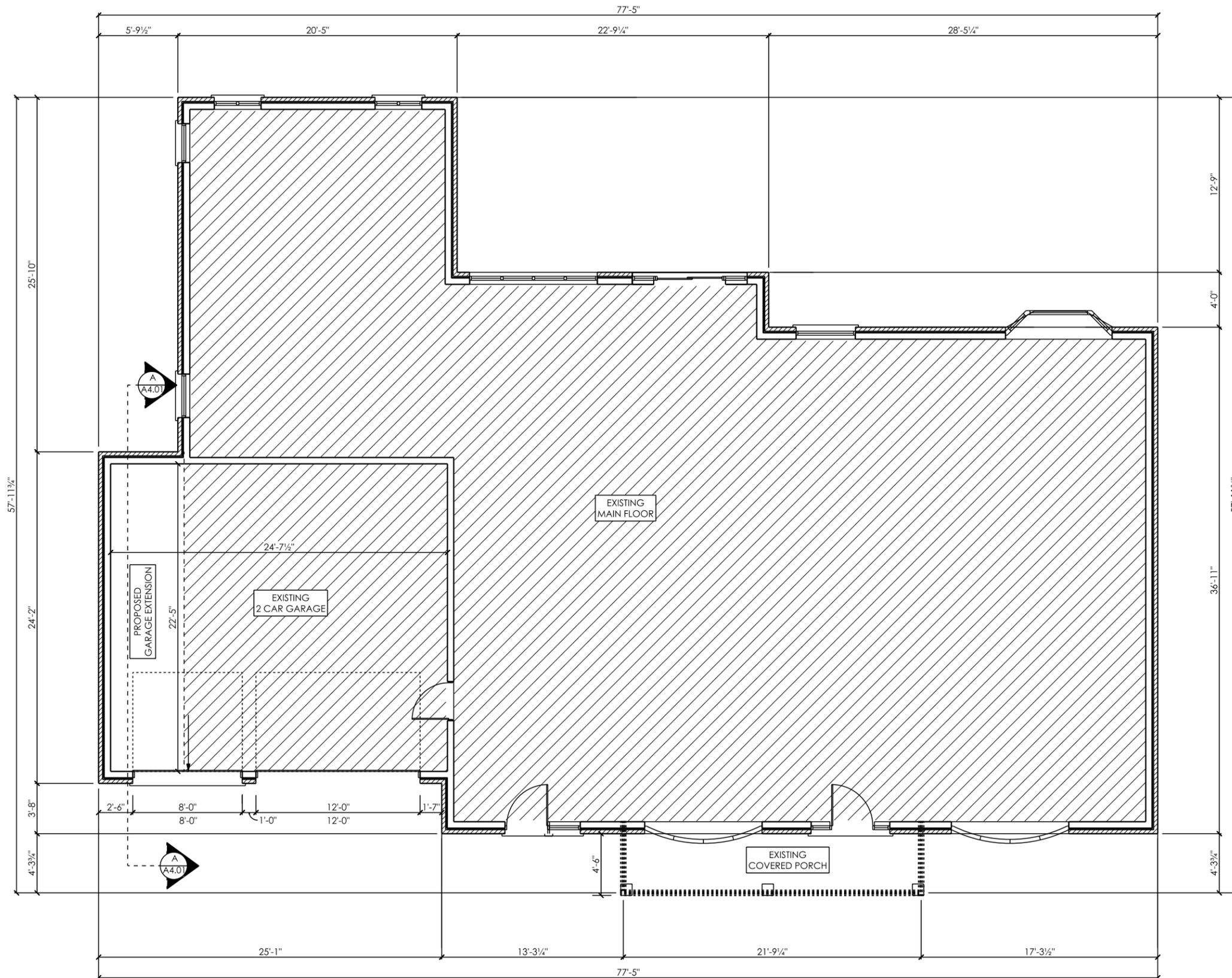
PROJECT #: 22-2-S

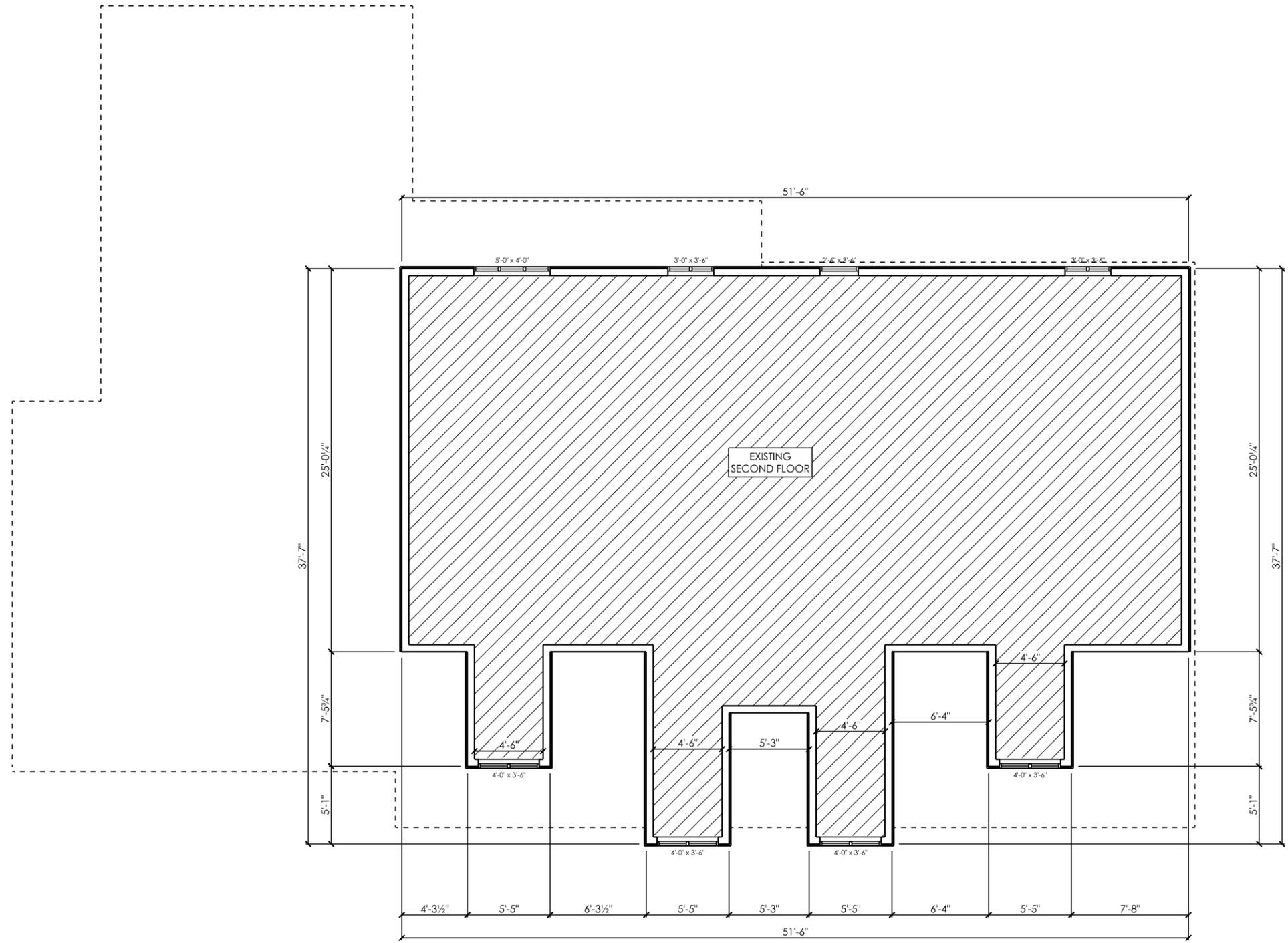
PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 MAIN FLOOR

DRAWING NO:

A1.02B





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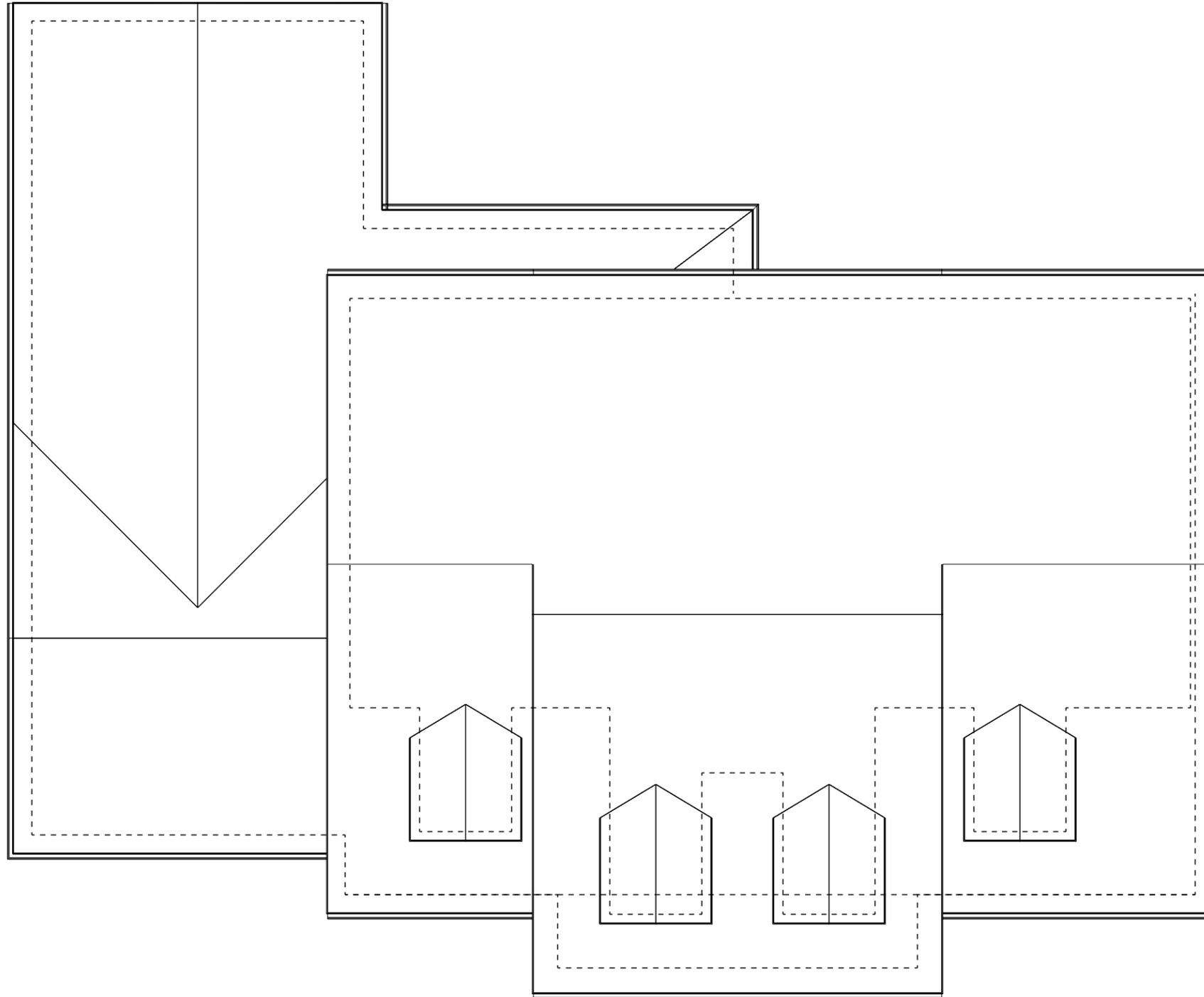
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: SECOND FLOOR

DRAWING NO:
A1.03



DESIGNED BY:
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 905-510-5425
 info@kristjanfortunedesigns.com



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 FIRM BCIN: 121448

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30/08/2022	01

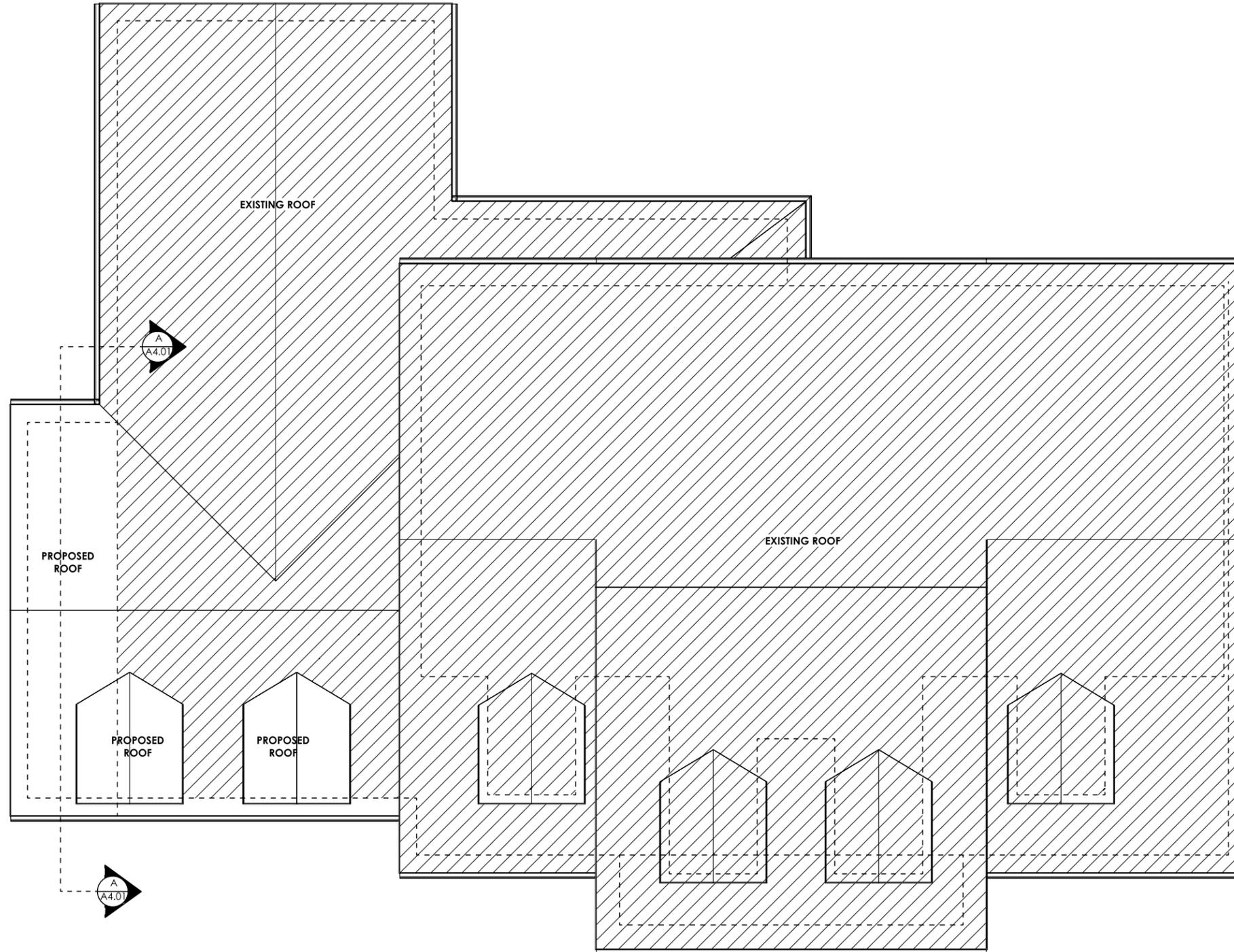
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 ROOF PLAN

DRAWING NO: A1.04A



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DRAWING DATE	NO.
30/08/2022	01

SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 ROOF PLAN

DRAWING NO:
A1.04B



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DRAWING DATE	NO.
30/08/2022	01

SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 FRONT ELEVATION

DRAWING NO:

A2.01A



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SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 FRONT ELEVATION

DRAWING NO:

A2.01B



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SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 BACK ELEVATION

DRAWING NO:
A2.02A



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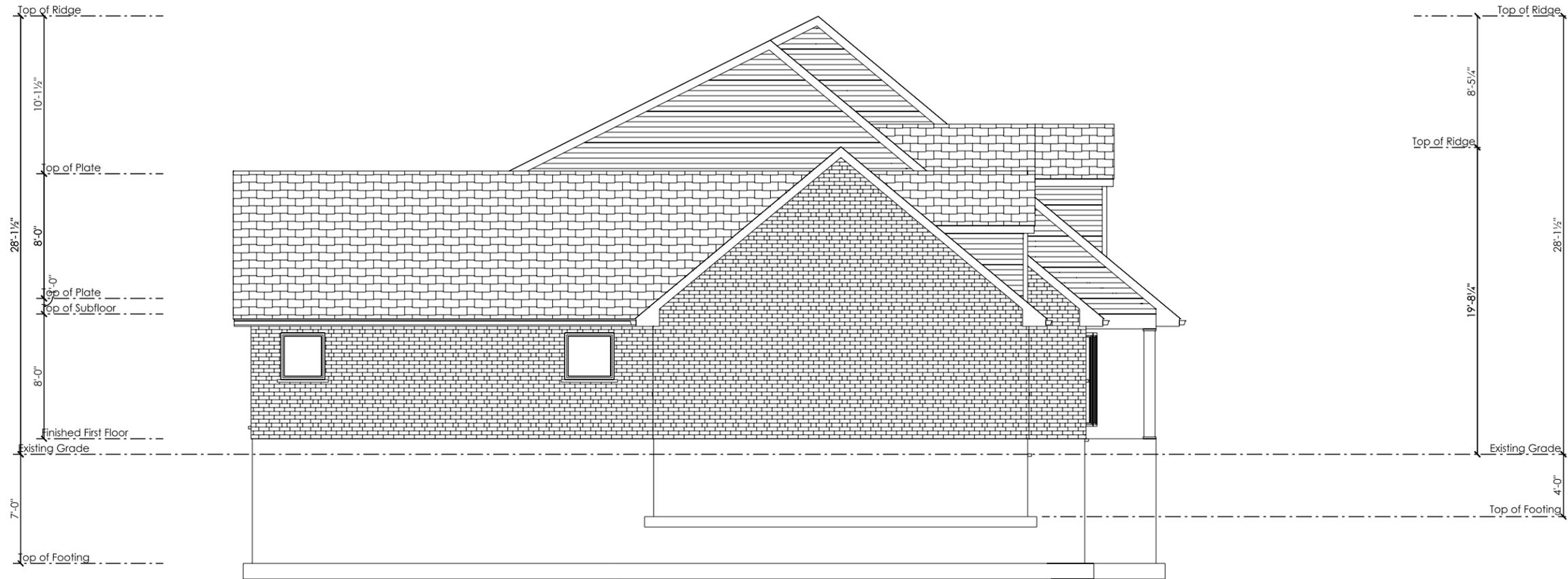
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 BACK ELEVATION

DRAWING NO:

A2.02B



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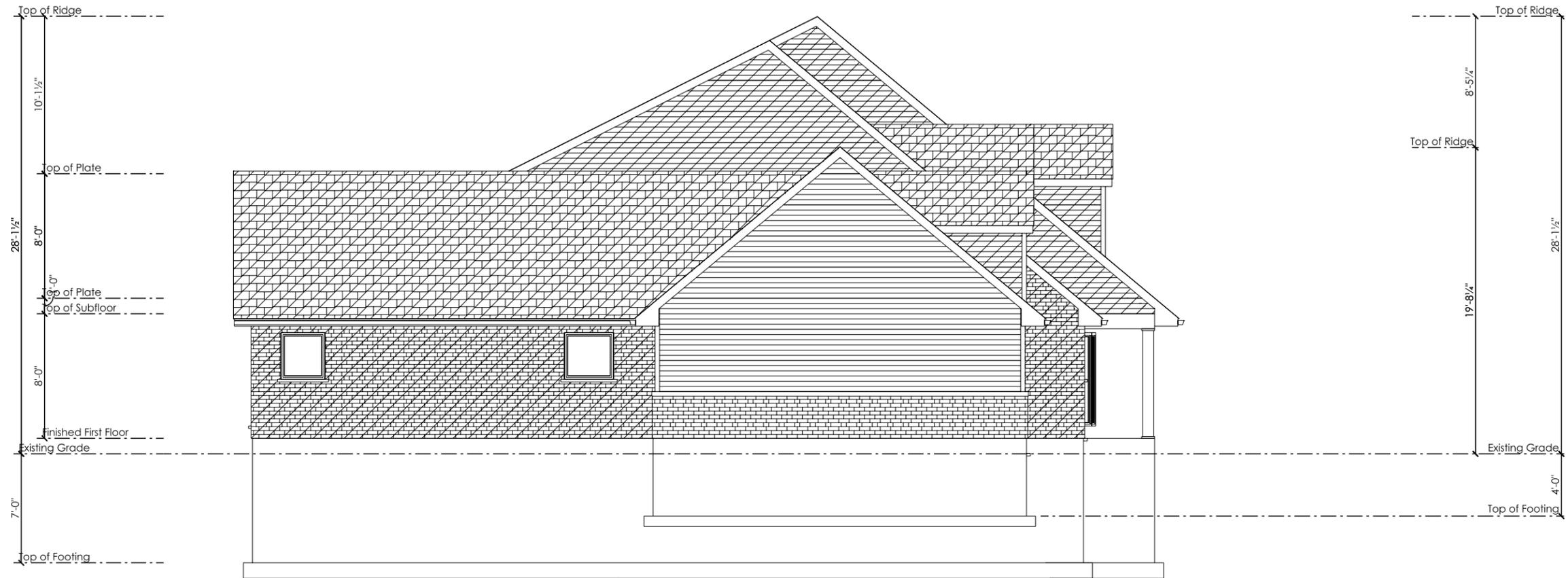
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 LEFT ELEVATION

DRAWING NO:
A2.03A



DESIGNED BY:
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 info@kristjanfortunedesigns.com



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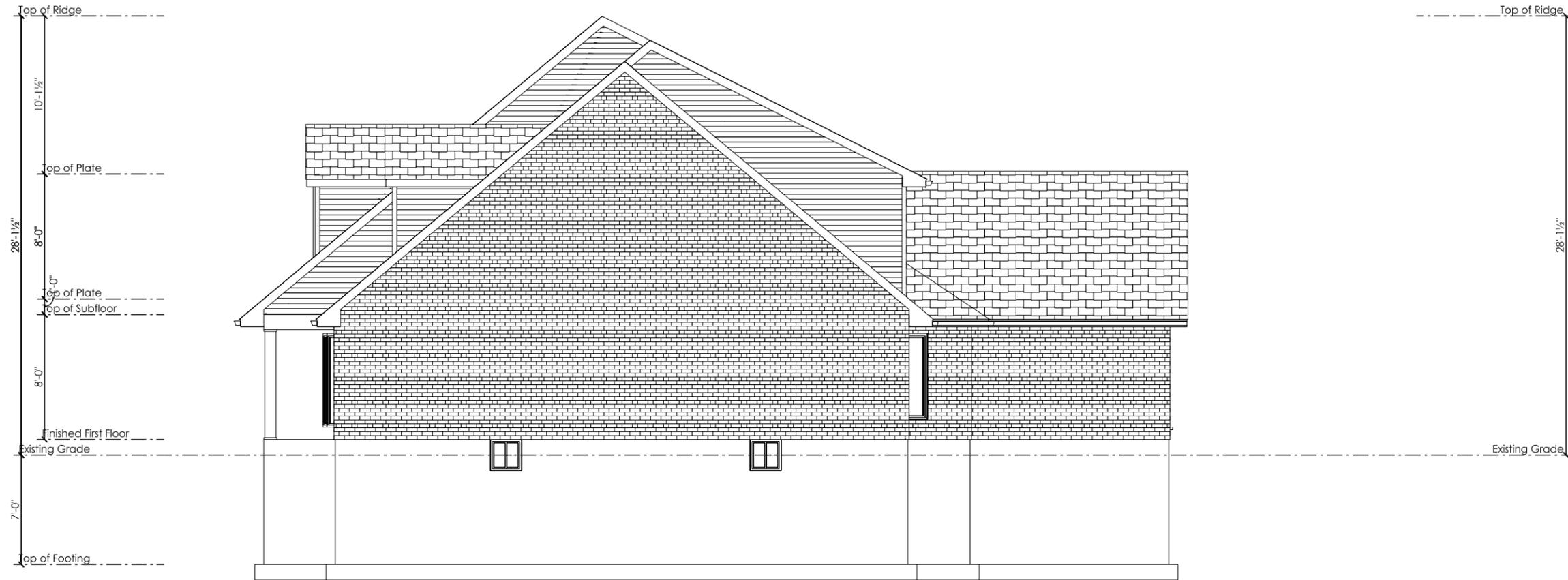
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 LEFT ELEVATION

DRAWING NO:
A2.03B



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 FIRM BCIN: 121448

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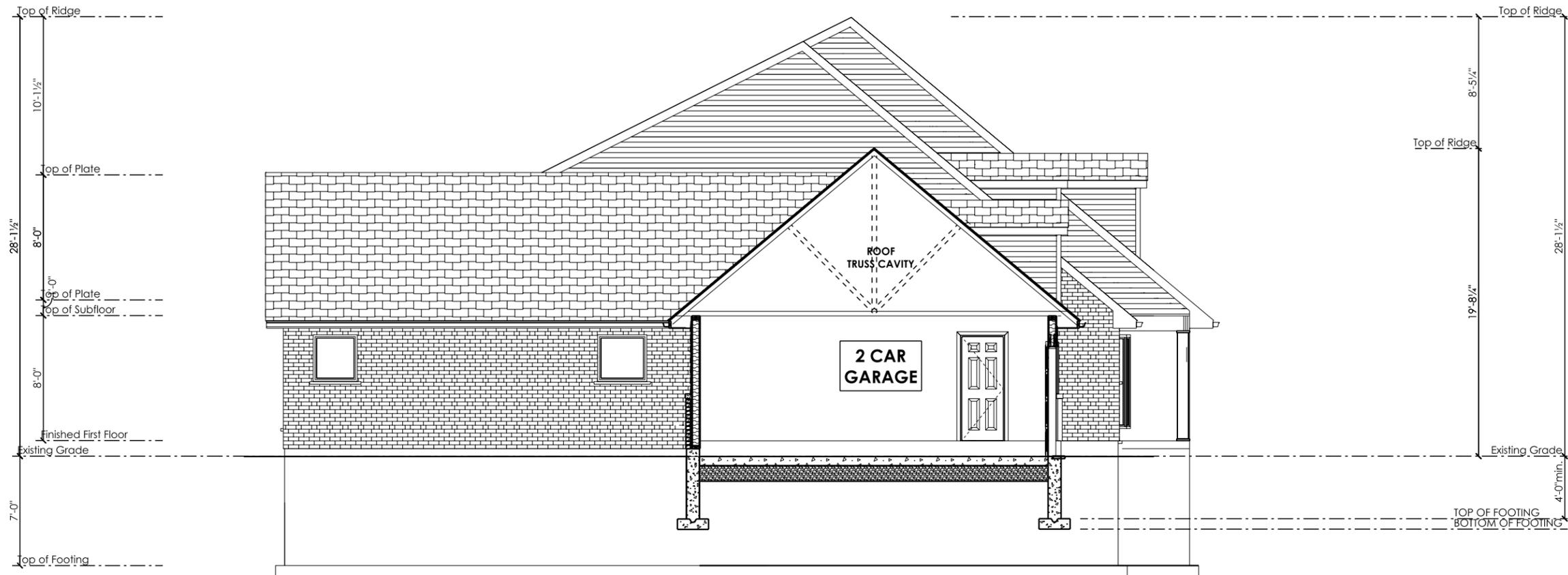
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: RIGHT ELEVATION

DRAWING NO:
A2.04



DESIGNED BY:
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 info@kristjanfortunedesigns.com



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 FIRM BCIN: 121448

DATE _____ SIGNATURE OF DESIGNER _____

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DRAWING DATE	NO.
30/08/2022	01

SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: CROSS SECTION A-A

DRAWING NO:

A4.01

PLAN 62M-473
 I CERTIFY THAT THIS PLAN 62M-473 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WENTWORTH, AT 12:10 O'CLOCK ON THE 10 DAY OF JULY 1986 AND ENTERED IN THE REGISTER FOR PARCEL PLAN 1 SECTION 62M-473 AND REQUIRED CONSENTS AND AFFIDAVITS ARE REGISTERED AS PLAN DOCUMENT NO 184719.5.1

E. Olski A.C.R.
 LAND REGISTRAR

APPROVED UNDER SECTION 50 OF THE PLANNING ACT BY THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH THE 10 DAY OF August, 1986.

Glenn E. Giddy
 Regional Chairman
 AUTHORIZED BY BY-LAW NO 71-75

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

THIS PLAN COMPRISES OF PART OF PARCEL S-4 SECTION E-F-9 LOTS 1, 8 AND SHIRE COURT-SUBJECT TO EASEMENT INST. 180356A.B, 21433H.L. 215619A.B.



PLAN OF Meadowvale Estates
 BEING A SUBDIVISION OF PART OF LOT 7- CONCESSION 9 FORMERLY IN THE TOWNSHIP OF EAST FLAMBOROUGH NOW IN THE TOWN OF FLAMBOROUGH REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1:750
 GLENN E. GIDDY -O.L.S.-1986

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
 2. THE SURVEY WAS COMPLETED ON THE 13TH DAY OF JULY, 1986.

JULY 10, 1986
 DATE

Glenn E. Giddy
 GLENN E. GIDDY
 ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:
 1. LOTS 1 TO 8 (BOTH INCLUSIVE), BLOCK 'A' AND THE STREET NAMED SHIRE COURT HAS BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
 2. THE STREET NAMED SHIRE COURT HAS BEEN DEDICATED AS A PUBLIC HIGHWAY.

DATED THE 10TH DAY OF JULY, 1986.

STEINNAGEL CONSTRUCTION LIMITED

P. Steinnagel
 LEO STEINNAGEL, PRESIDENT
Arnd Steinnagel
 ARND STEINNAGEL, SECRETARY/TREASURER

AREAS

(SQUARE METRES)	
LOT 1	1974.724
LOT 2	1928.231
LOT 3	2311.818
LOT 4	4019.207
LOT 5	4341.373
LOT 6	2241.762
LOT 7	1891.000
LOT 8	1883.000
BLOCK 'A'	34.133

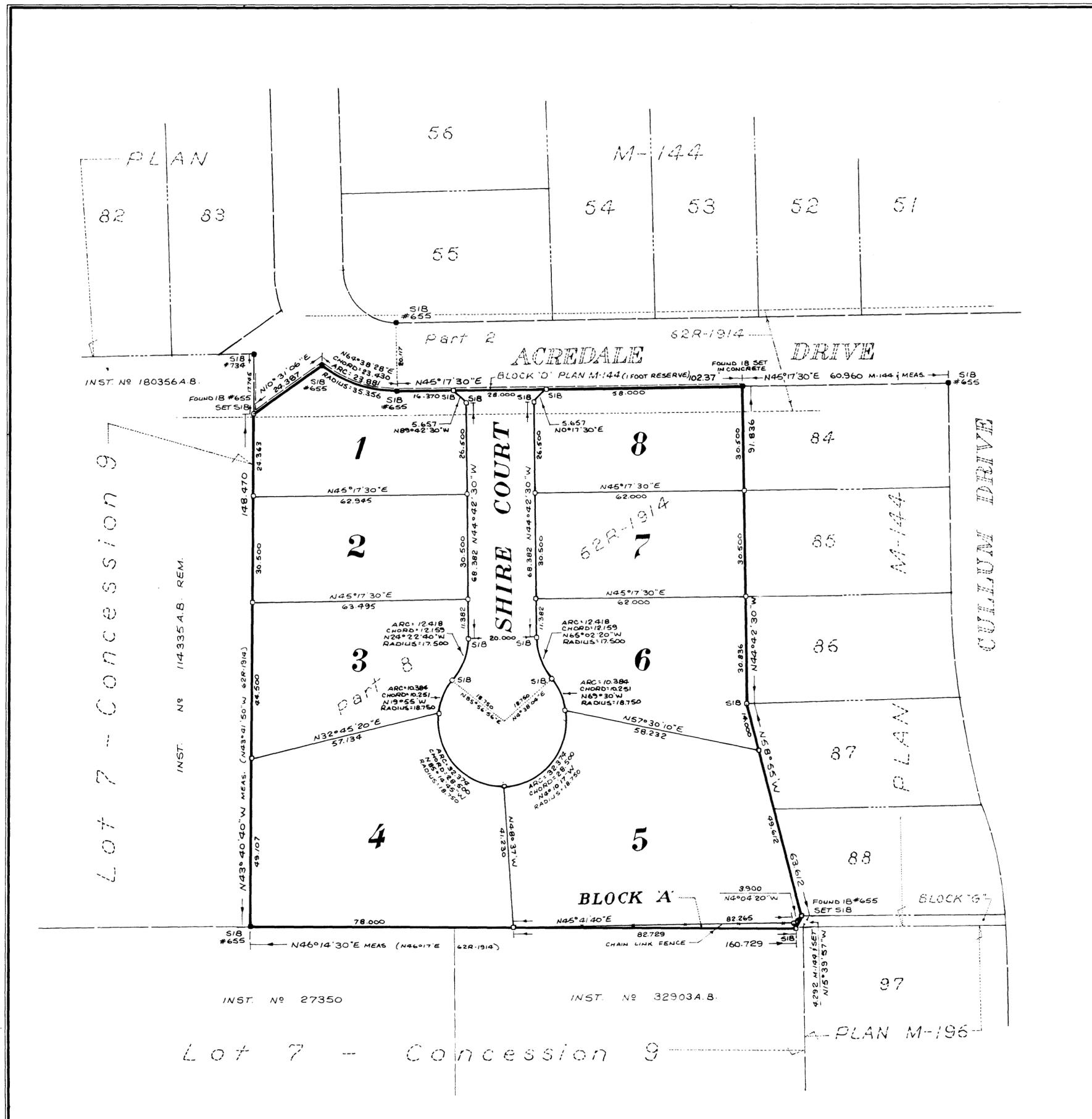
LEGEND

- - DENOTES A SURVEY MONUMENT PLANTED
- - DENOTES A SURVEY MONUMENT FOUND
- SIB OR ●SIB - DENOTES A STANDARD IRON BAR
- OR ● - DENOTES AN IRON BAR

BEARINGS ARE ASTRONOMIC IN NATURE AND ARE REFERRED TO THE SOUTHERLY LIMIT OF ACREDALE DRIVE AS SHOWN ON REGISTERED PLAN N8 M-144, AS BEING N45°17'30"E.

GLENN E. GIDDY

ONTARIO LAND SURVEYOR
 237 LOCKE ST. S. SUITE 205
 HAMILTON - ONTARIO
 528-4676 - LBP-4T4



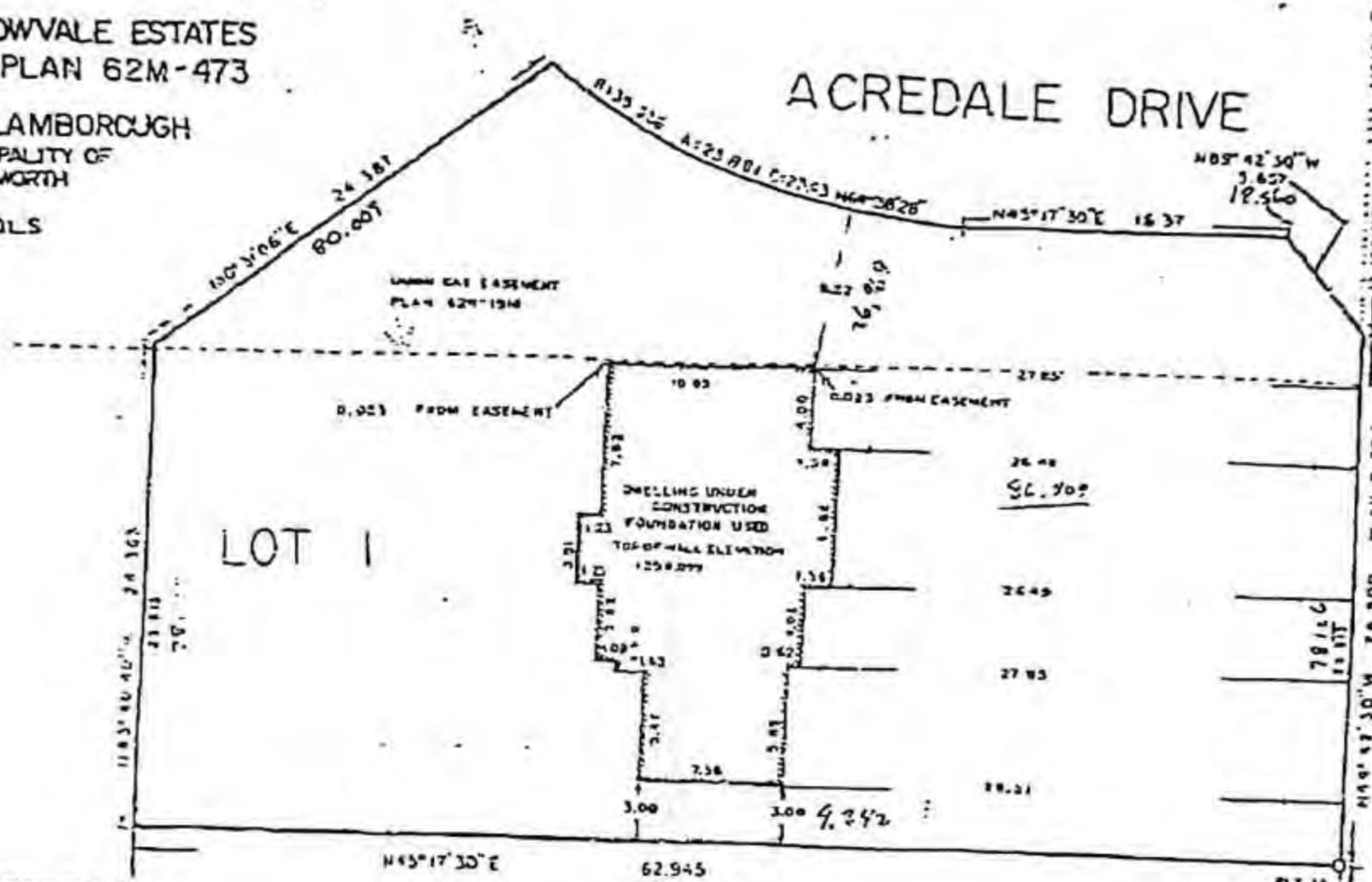
62M 473

BUILDING LOCATION SURVEY
 OF
LOT 1 - MEADOWVALE ESTATES
 REGISTERED PLAN 62M-473
 IN THE
TOWN OF FLAMBOROUGH
 REGIONAL MUNICIPALITY OF
 HAMILTON-WENTWORTH
 SCALE 1:300
 J DAVID PETERS OLS
 1988

CB Attached to P. 161

SURVEY

JUN 22 '98 10:56AM D W MUIR



SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 28TH DAY OF NOVEMBER 1988

[Signature]
 ONSHORE LAND SURVEYOR

© MACKAY, MACKAY & PETERS LIMITED

NOTE: BEARINGS ARE ASTROGNOMIC AND REFERRED TO THE WEST LIMIT OF SHIRE COURT ON A COURSE OF N44°42'30"W AS SHOWN ON REGISTERED PLAN 62M-473

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.

MackAY, MackAY & PETER^S LIMITED

SUITE 606, UNION GAS BUILDING
 20 HUGHSON STREET SOUTH
 HAMILTON, ONTARIO L8N 2A1

X-9114

Handwritten notes and signatures on the right side of the plan, including 'SHIRE COURT' and various initials.



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	David Eccles		
Applicant(s)*	Kristjan Fortune Designs Kristjan Fortune		
Agent or Solicitor			Phone:
			E-mail:

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

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

TD Bank WATERDOWN SHOPPING CENTRE 255 DUNDAS STREET E WATERDOWN, ON L8B OES (905) 689-8772
--

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:

Side Yard Setback reduced from 3M to 1.2M on Attached Garage Side. More room in the garage is needed to be able to exit the vehicle when 2 vehicles are in the garage at the same time.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing garage is situated right on the current side yard setback. In order to widen the garage the side yard setback will need to be reduced.

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**):

PCL 1-1, SEC 62M473 ; LT 1, PL 62M473 ; S/T
AB180358.AB215619 HL21433 FLAMBOROUGH CITY OF HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Public Records, MPAC propertyline, Geo Warehouse.

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.

September 15 2022

Date



Signature Property Owner(s)

David Eccles

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 86.94
 Depth 212.07
 Area 0.49
 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 Lot Coverage: 288 SqM
 Garage Area: 39.20 SqM
 Garage Height: 19'-8.25"

Proposed

House Lot Coverage: 301 SqM
 Garage Area: 52.28 SqM
 Garage Height: 19'-8.25"

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

Existing:

Garage Left(South) Side Yard Setback 3m

Proposed:

Garage Left(South) Side Yard Setback 1.2m

- 13. Date of acquisition of subject lands:
July 19 2021

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

- 15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family 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:
33 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:
RURAL SETTLEMENT AREAS

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
S1

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

If yes, please provide the file number:

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

21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

- 22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No

23. Additional Information (please include separate sheet if needed)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	FL/A-22:317	SUBJECT PROPERTY:	15 Strathroy Cres, Waterdown
ZONE:	"R11-1" (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owners: Fred & Judy Clark
Agent: Todd Holley

The following variances are requested:

1. A 1.1 metre setback to the proposed swimming pool from the easterly side lot line shall be permitted instead of the minimum required 1.8 metre setback from any lot line other than the rear lot line.
2. A 1.1 metre setback to the proposed swimming pool from the westerly side lot line shall be permitted instead of the minimum required 1.8 metre setback from any lot line other than the rear lot line.

PURPOSE & EFFECT: To permit the construction of a proposed inground fiber glass pool.

Notes:

1. Details not provided regarding swimming pool pumps. Note that swimming pool pumps require a 0.6m setback from a side or rear lot line.

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for

FL/A-22:317

	details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

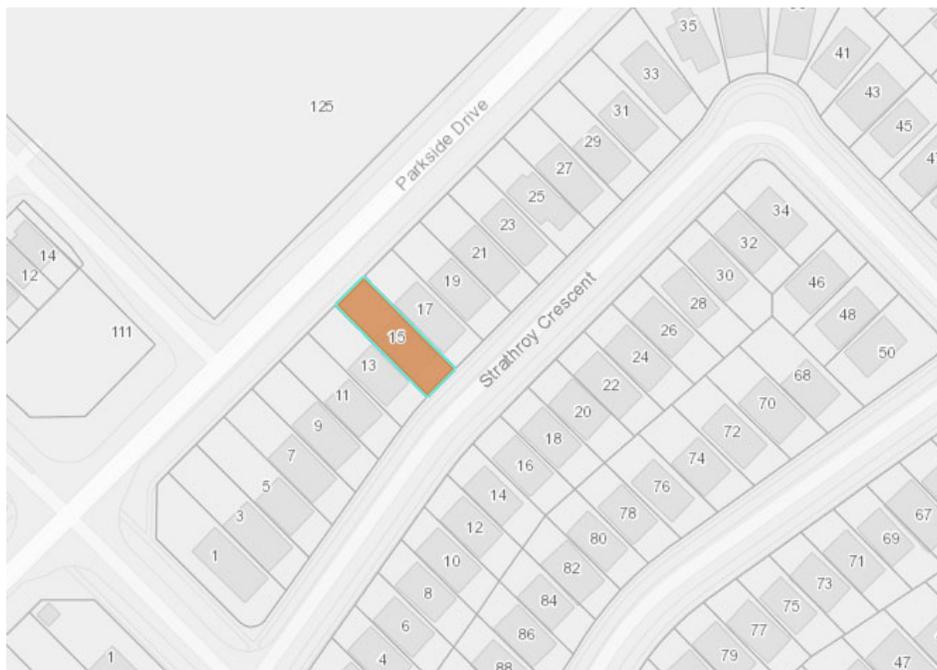
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
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PUBLIC INPUT

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

Orally: If you would like to speak to this item at the hearing you may do so via video link, 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: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

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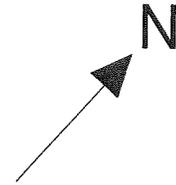
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 DOUBLE HIGH WALL
 SINGLE HIGH WALL
****ELEVATIONS SHALL MATCH NEIGHBORING PROPERTIES AT PROPERTY LINE****



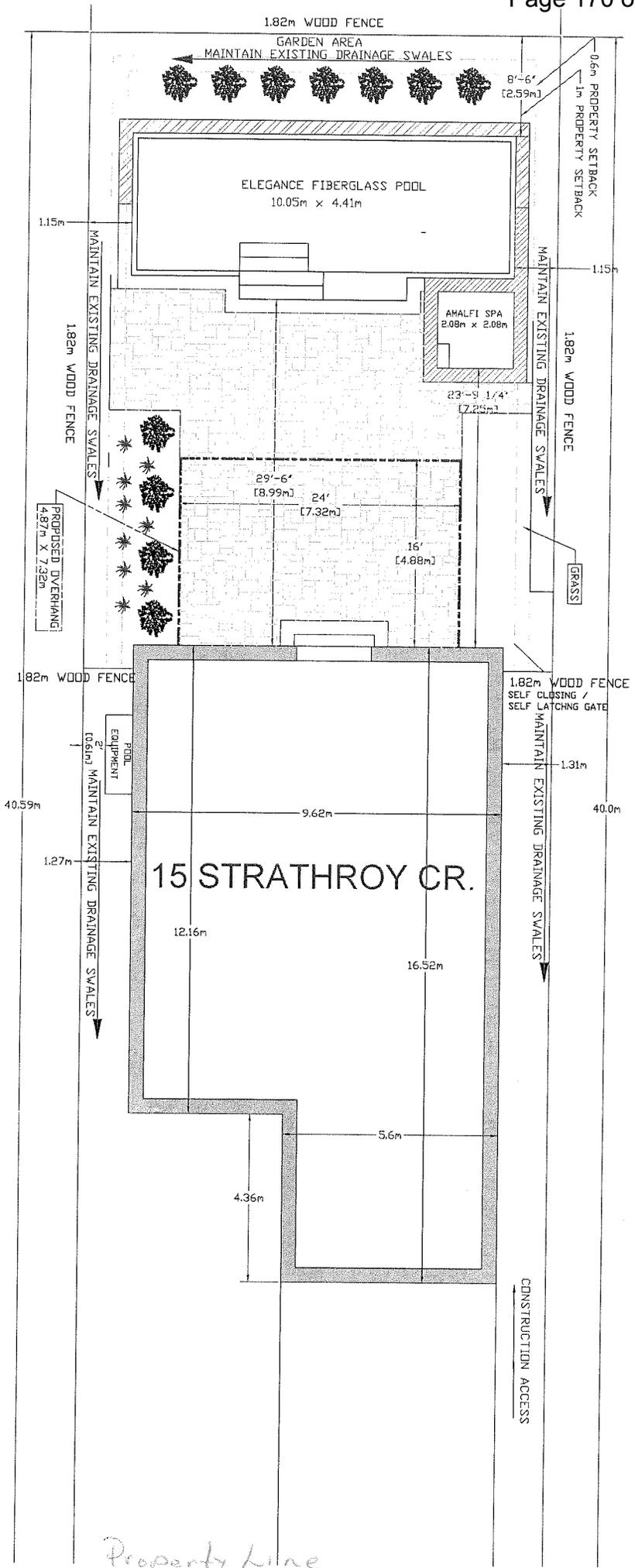
Refined Landscape Architecture
1000 Lakeshore Blvd. E. Suite 100
Toronto, Ontario M5G 1S7
Tel: (416) 461-1111

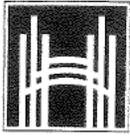
Site:	15 STRATHROY CRES.
Date:	08/24/2022
Designer:	TFH
Drawn By:	CLL
Revision:	2

LOT AREA	488 m ²
LOT DEPTH	40.0m
LOT FRONTAGE	12.2m

LOT COVERAGE	
GROSS FLOOR AREA	141.39 m ²
LANDSCAPED AREA	125.69 m ²
LOT WIDTH	12.2m
LOT DEPTH	40.0m

SETBACKS	EXISTING	PROPOSED
FRONT YARD	7.63m	7.63m
REAR YARD	15.85m	2.59m
EAST	1.31m	1.15m
WEST	1.27m	1.15m





Hamilton

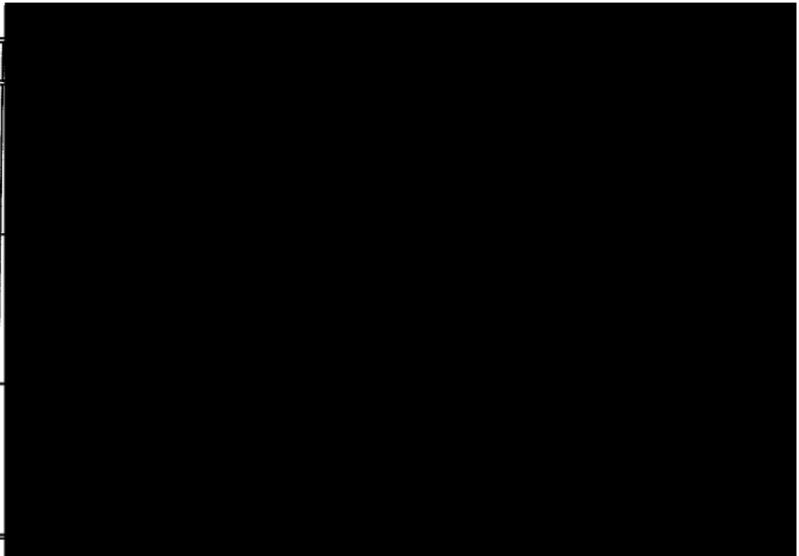
Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

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

**APPLICATION FOR A MINOR VARIANCE/PERMISSION
 UNDER SECTION 45 OF THE PLANNING ACT**

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	FRED CLARK Judy Clark
Applicant(s)	FRED CLARK
Agent or Solicitor	TODD HOLLEY (RETURNS PLOTTING + LANDSCAPING)



1.2 All correspondence should be sent to

- Owner
 Agent/Solicitor
 Applicant

1.2 All correspondence should be sent to

- Purchaser
 Applicant
 Owner
 Agent/Solicitor

1.3 Sign should be sent to

- Purchaser
 Applicant
 Owner
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes* No

If YES, provide email address where sign is to be sent fgclark99@gmail.com

1.5 All correspondence may be sent by email

- Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	15 STRATHROY CREE WATERWAYS (LOR 21/5)		
Assessment Roll Number	3033907/002/0000		
Former Municipality			
Lot	170	Concession	
Registered Plan Number	62M-740	Lot(s)	170
Reference Plan Number (s)		Part(s)	

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

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

SIDE OF BACKYARD SETBACKS TO BE 1.15M INSTEAD 1.8M TO THE SWIMMING POOL

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

FIBRE GYPS POOL SHELL PURCHASED IS JUST UNDER 10M AT WATERLINES - LEAVING 1.15M ON EACH SIDE. AT LEAST .6M DRAINAGE SWALES WILL BE MAINTAINED

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12.2 m	40.0 m	488 m ²	

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

Drawing attached

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Drawing attached

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

lake or other water body
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

ditches
 other means (specify)

4.6 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)

- 4.7 Type of access: (check appropriate box)
- provincial highway
 - municipal road, seasonally maintained
 - municipal road, maintained all year
- right of way
 - other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
single detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
Feb 2, 1995

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
single detached dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
single detached dwelling

7.4 Length of time the existing uses of the subject property have continued:
27 years, 8 months

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) x Neighbourhood

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

Single detached dwelling, adding in ground pool.

7.6 What is the existing zoning of the subject land? Residential R1-1

7.8 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:

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

Yes No

If yes, please provide the file number:

7.10 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

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1 - single detached dwelling

8.2 Number of Dwelling Units Proposed: 1 - in ground pool.

8.3 Additional Information (please include separate sheet if needed):

In ground swimming pool to be installed once variance is approved. Request side of backyard setbacks to be 1.15m instead of 1.8m to the swimming pool. Drainage swails will be maintained.

↑ Setback will accommodate width of the fibreglass shell of 10m.
The overhang on the drawing is a proposal and will be dealt with on a separate permit

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- _____
- _____

12. OWNER AUTHORIZATION

One authorization (if applicable) must be completed for every owner registered on title at the time of application.

12.1 Owner(s) Authorization (Person(s))

As of the date of this application, I (Name) Fred Clark Judy Clark 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 (Name of Agent) Todd Holley of (Name of Agent Company) Retrial Pods and Landscaping 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 Oct 5, 2022SIGNED Fred Clark Judy Clark**12.2 Owner(s) Authorization (Corporation)**

As of the date of this application, I (Name) _____ having signing authority for (Name of Corporation) _____, that is the registered Owner 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 (Name of Agent) _____ of (Name of Agent Company) _____ 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 Oct 5, 2022SIGNED Fred Clark**13. ACKNOWLEDGEMENTS**

Acknowledgements may be signed by the owner(s) or the owner's authorized agent as noted above. Initial beside each item and sign below.

13.1 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. Initials J

13.2 I acknowledge that all information submitted with the application or during the processing of the application 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. The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. 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. Initials J

- 13.3 I acknowledge that the members of the Committee of Adjustment and members of staff of the City of Hamilton may enter the subject lands for the limited purposes of evaluating the merits of this application. Initials f
- 13.4 I acknowledge that a sign is required to be posted on the subject lands, clearly visible and legible from a public highway (road). The sign must be posted no later than 14 days before the Hearing for consents, and no later than 10 days before the Hearing for minor variances. I acknowledge that the sign will remain posted and visible until after the Hearing. Failure to post the sign in accordance with the requirements may result in a deferral of the application. Initials f
- 13.5 I acknowledge that it is a policy of the City of Hamilton that any City costs associated with an appeal to the Ontario Land Tribunal, by a party other than the Applicant, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, minor variance, and/or any other development application under the *Planning Act*, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Applicant. I acknowledge and agree that a Cost Acknowledgment Agreement may be required to be filed in this event. Questions about this agreement should be directed to cofa@hamilton.ca.
Initials f

NAME FRED CLARK

DATE Oct 5/2022

SIGNED Fred Clark

14. AFFIDAVIT OR SWORN DECLARATION

This declaration must be sworn before a Commissioner of Oaths.

I, (Name) FRED CLARK of the (Town/City etc.) Town of Waterdown MD
of WATERDOWN in the (Province/City, etc.) PROVINCE
of Ontario solemnly declare that:

All of the above statements and information submitted with the application 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.

Sworn (or Declared) before me at the CITY of BURLINGTON in the PROVINCE of ONTARIO this 5th day of OCTOBER, 2022.

Michael De Fabrizio
A Commissioner, etc.

Fred Clark
Owner/Agent, etc.

Michael De Fabrizio
Barrister & Solicitor
Notary Public and Commissioner of Oaths
in and for the Province of Ontario.
My commission is of unlimited duration.
No legal advice given

Walk-in Notary
200-4145 North Service Road
Burlington, ON., L7L 6A3
905-336-6972
www.walkinnotary.com



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	GL/A-22:307	SUBJECT PROPERTY:	79 Sundance Cres, Hannon
ZONE:	"R4-173 (B)" (Residential)	ZONING BY-LAW:	Zoning By-law former Township of Glanbrook 464, as Amended 13-226 and 16-083

APPLICANTS: Owner: Chris & Melissa Biederman
Applicant: Len Angelici

The following variances are requested:

1. A minimum setback of 2.9m shall be permitted from the southerly exterior side lot line abutting the Sundance Cres street line instead of the minimum 7.5m setback required from a street line.

PURPOSE & EFFECT: To facilitate the construction on of a rear covered deck for the existing single detached dwelling.

Notes: 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:

DATE:	Thursday, November 3, 2022
TIME:	1:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
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GL/A-22:307

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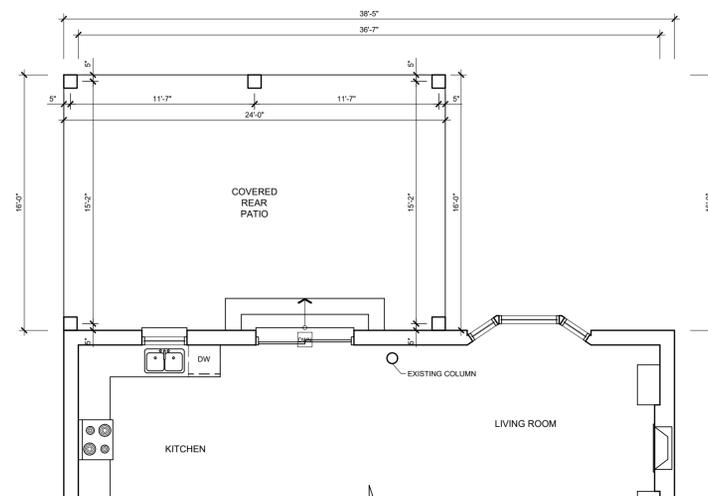
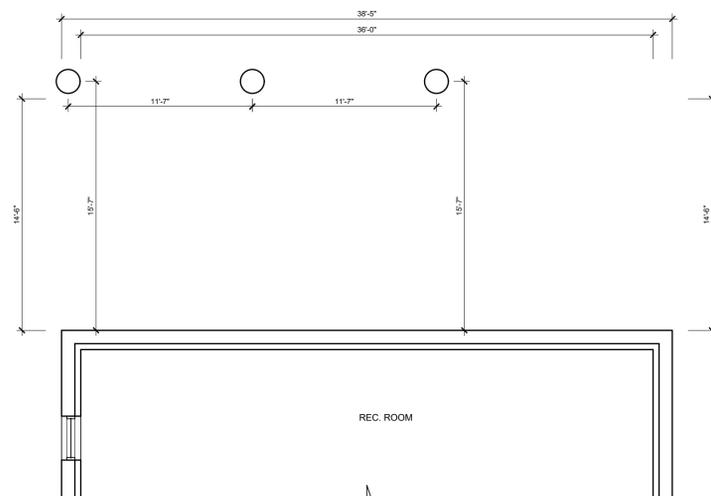
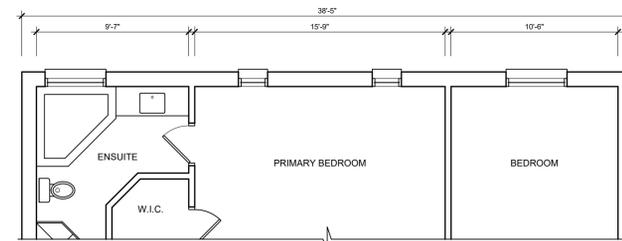
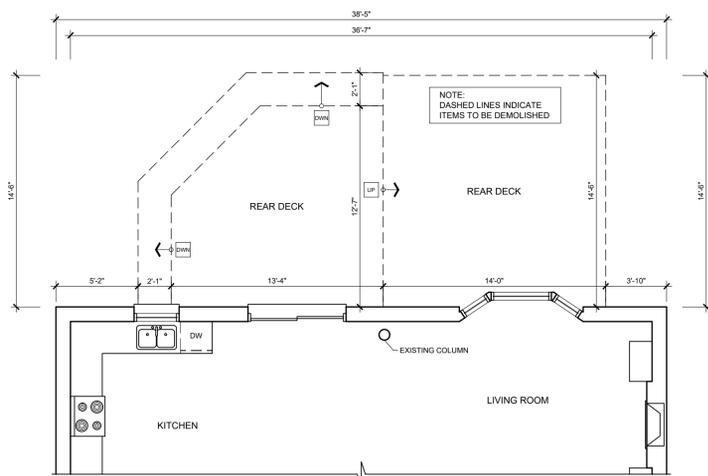
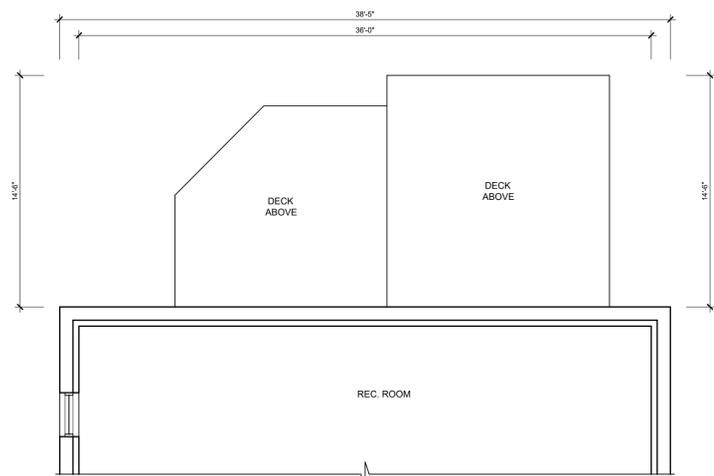
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PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	09/23/2022

- 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 124457
NAME BCIN

09/23/2022
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
**79 SUNDANCE CRES.
STONE CREEK, ON**

SHEET TITLE
EXISTING & PROPOSED FLOOR PLANS

DRAWN BY
L. ANGELICI

DATE
09/23/2022

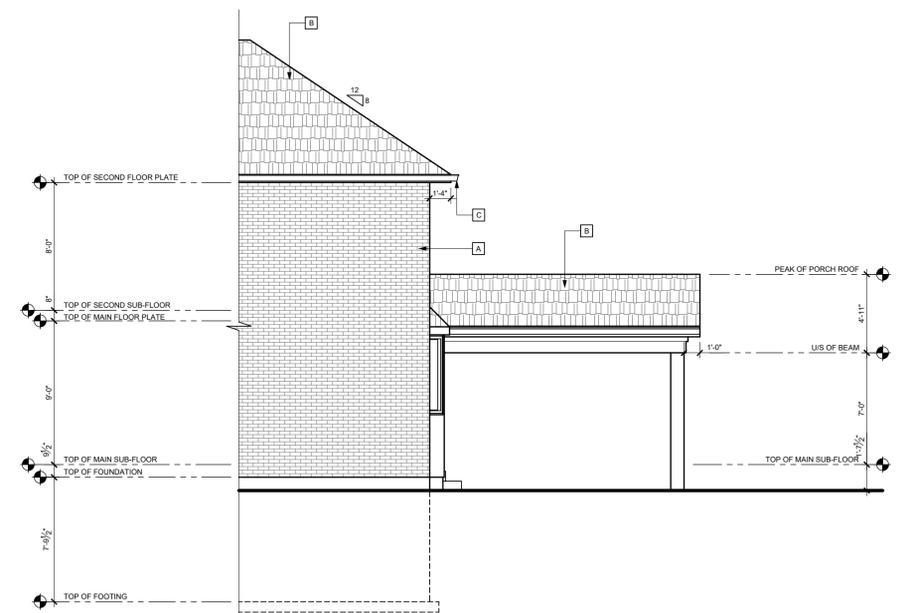
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22090

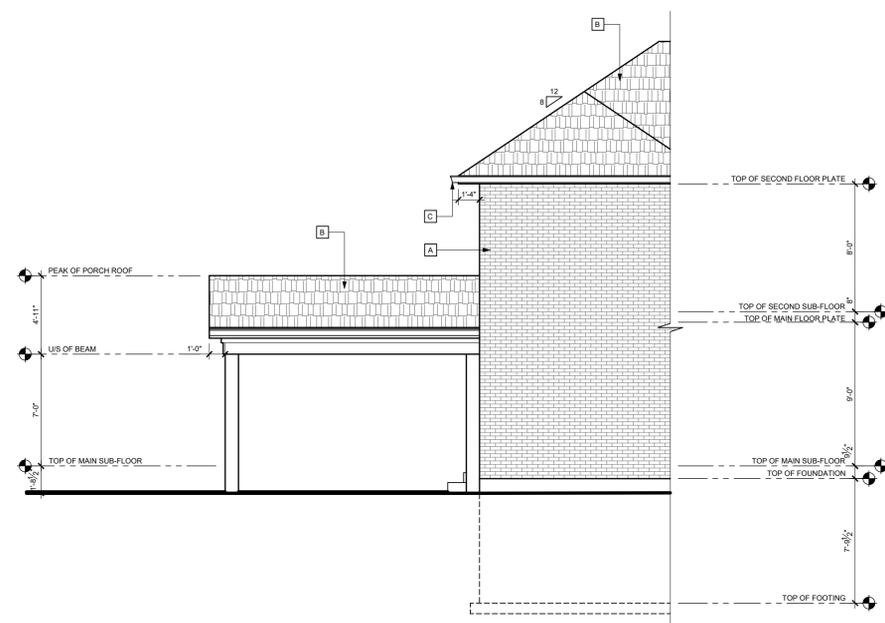
A1



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



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



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

EXTERIOR FINISH INDEX

[A]	BRICK VENEER
[B]	ASPHALT SHINGLES
[C]	5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR VARIANCE	09/23/2022
No.	REVISION	DATE

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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
09/23/2022	<i>[Signature]</i>
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
**79 SUNDANCE CRES.
STONE CREEK, ON**

SHEET TITLE
PROPOSED ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	09/23/2022
SCALE	3/16"=1'-0"
PROJECT No.	22090

A2

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca



Hamilton

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	MELISSA & CHRIS BIEDERMAN		
Applicant(s)*	LEN ANGELICI		
Agent or Solicitor			Phone:
			E-mail:

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

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

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

4. Nature and extent of relief applied for:

RELIEF FROM REQUIRED FLANKING STREET SETBACK OF 4.5m TO 2.94m

Second Dwelling Unit Reconstruction of Existing Dwelling

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

DUE TO SHAPE OF THE LOT AND EXISTING SIDE SETBACK OF DWELLING IT IS NOT POSSIBLE TO BUILD A PATIO TO THE EDGE OF THE DWELLING

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 SUNDANCE CRES
HANNON, ON
LOR 1P0
REGISTERED PLAN 62M-1114
LOT 56

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.

SEPT. 18, 2022
Date

Christopher J. Biederman
~~*M Biederman*~~
Signature Property Owner(s)

MELISSA BIEDERMAN ¹/₃ CHRIS BIEDERMAN
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 13.40m
Depth 30.00m
Area 493.78m²
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:
GROUND FLOOR: 141.22m²
2 STORIES
WIDTH: 11.71m
LENGTH: 12.83m

Proposed

PATIO:
AREA: 35.67m²
1 STOREY
WIDTH: 7.32m
LENGTH: 4.88m

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: 5.88m
REAR: 11.32m
RIGHT SIDE: 1.29m
LEFT SIDE: 3.46m

Proposed:

PATIO:
REAR: 6.42m
RIGHT SIDE: 5.68m
LEFT SIDE: 2.94m

13. Date of acquisition of subject lands:
N/A
14. Date of construction of all buildings and structures on subject lands:
2010
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY DWELLING
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY DWELLINGS
17. Length of time the existing uses of the subject property have continued:
SINCE CONSTRUCTION
18. Municipal services available: (check the appropriate space or spaces)
Water 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:
R4-173(B) RESIDENTIAL 4 - 464 GLANBROOK
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-22:228	SUBJECT PROPERTY:	195 EAST 8TH STREET, HAMILTON
ZONE:	"C" (Urban Protected Residential)	ZONING BY-LAW:	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 3.7 m shall be provided instead of the minimum required 6.0 m front yard depth; and
2. A minimum side yard width of 0.3 m shall be provided on the southerly side lot line instead of the minimum required 1.2 m side yard width; and
3. Eaves and gutters shall be permitted to encroach the entire southerly side yard width instead of the regulation in the By-Law which states that eave or gutter may project into a required side yard not more than one half of its width, or 1.0 m, whichever is the lesser; and
4. No front yard landscaped area 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 notwithstanding that;

Notes:

- i. The proposed addition does not exceed 8 habitable rooms; therefore, no variance is triggered for parking.
- ii. Please be advised that variances have been written based on the information provided by the

HM/A-22:228

applicant, if the information provided is inaccurate then further variances shall be required.

- iii. Please note that if variance # 1 is approved, then the proposed roofed over unenclosed front porch would be in compliance.
- iv. Please note that if variance # 3 is approved then the proposed roofed-over unenclosed front porch would not be encroaching onto the side yard.

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

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

DATE:	Thursday, November 3, 2022
TIME:	1:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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-22:228



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

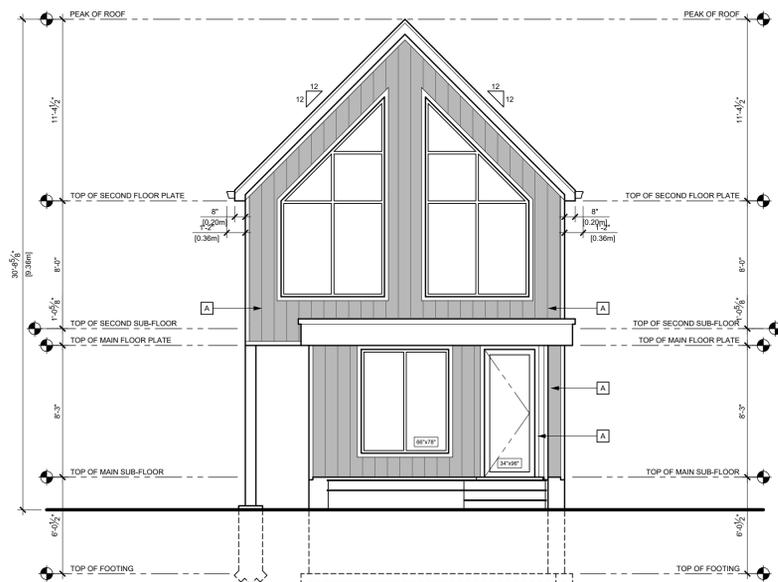
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

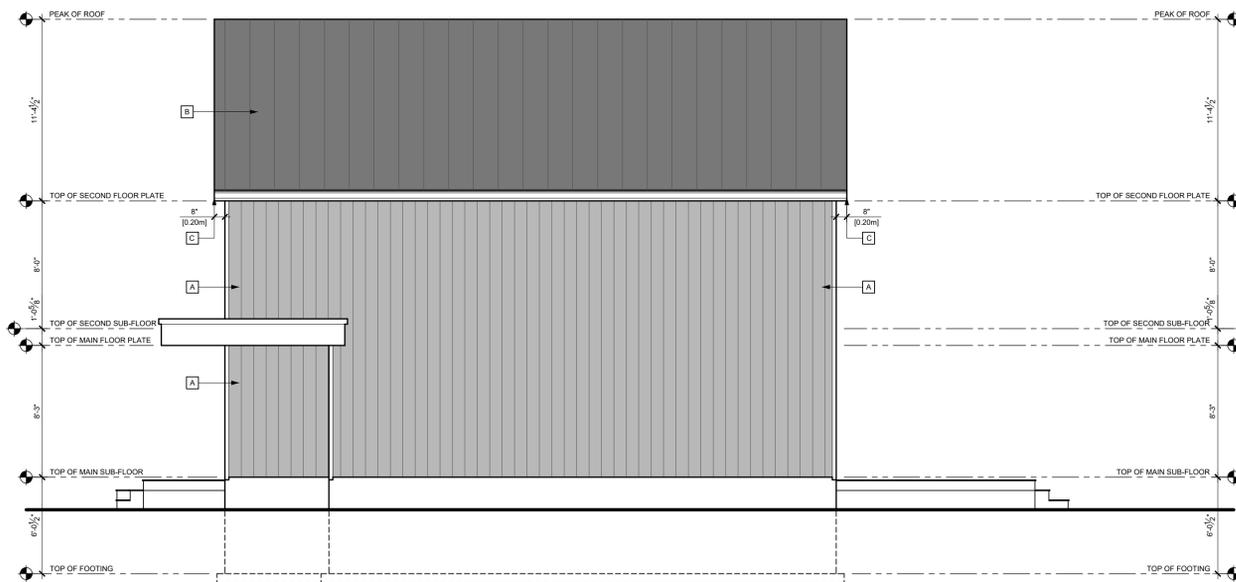
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

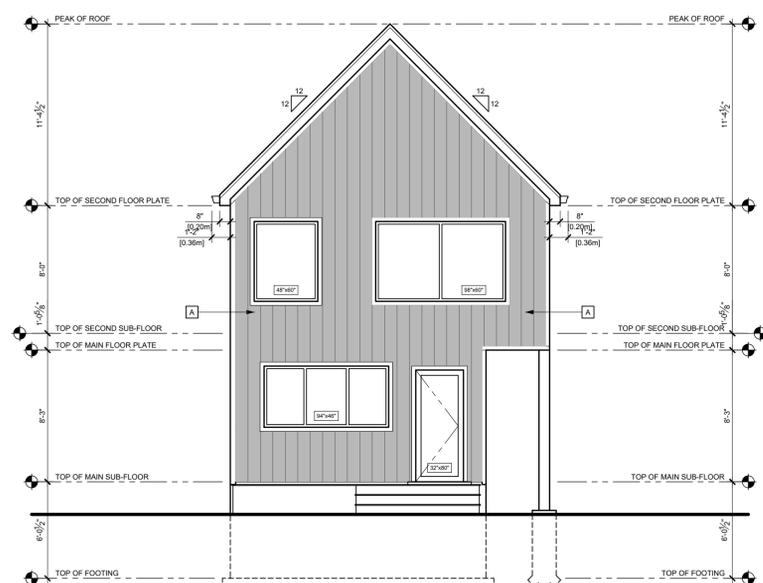
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



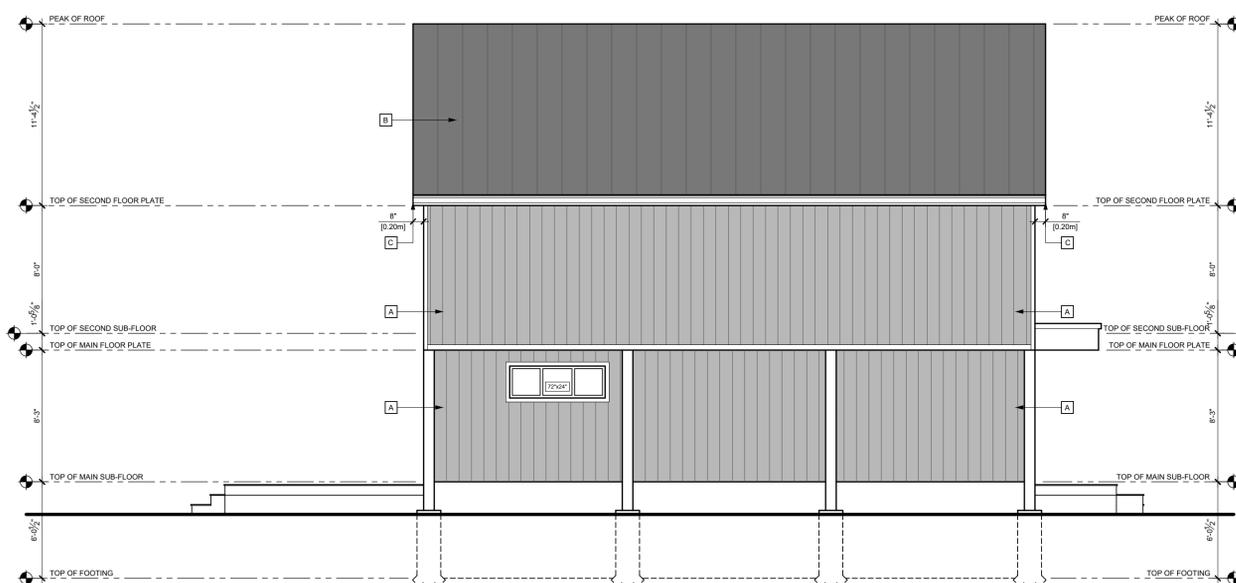
FRONT ELEVATION
SCALE 3/16" = 1' - 0"



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. EAVENTROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	09/22/2022

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

09/22/2022
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	09/22/2022
SCALE	3/16"=1'-0"
PROJECT No.	22052

A3



Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME
Registered Owners(s)	JONATHAN GARDNER DAVID BLANCHARD
Applicant(s)*	LEN ANGELICI
Agent or Solicitor	



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

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

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

4. Nature and extent of relief applied for:

RELIEF FROM REQUIRED SIDE YARD SETBACK OF 1.2m TO 0.36m
RELIEF FROM REQUIRED FRONT YARD LANDSCAPED AREA OF 50% TO 33.88%

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 0.36m FROM THE PROPERTY LINE
EXISTING FRONT YARD CONDITIONS ONLY RESULT IN 33.88%
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 306.77m²
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: 56.19m² WIDTH: 4.90m
GROSS FLOOR AREA: 92.3m² LENGTH: 11.72m
2 STOREYS

Proposed:

GROUND FLOOR AREA: 56.83m² WIDTH: 6.12m
GROSS FLOOR AREA: 128.59m² 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: 3.62m RIGHT SIDE: 0.36m
REAR: 23.28m LEFT SIDE: 2.46m

Proposed:

DWELLING:
FRONT: 3.62m RIGHT SIDE: 0.36m
REAR: 23.28 LEFT SIDE: 1.24m

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 | <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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	AN/A-22:311	SUBJECT PROPERTY:	714 Hiawatha Blvd, Ancaster
ZONE:	"ER" (Existing Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended 18-105

APPLICANTS: Owner: Mahmoud Naimpoor
Applicant: Matthew Ribau

The following variances are requested:

1. A Side Yard Setback of 1.8 metres shall be provided instead of the required 2.591 metres for a lot with a Frontage greater than 23 metres

PURPOSE & EFFECT: So as to permit the construction of a second storey addition to the existing Single Detached Dwelling and a porch in the front yard notwithstanding that:

Notes:

1. Insufficient information has been provided to determine the eaves/ gutter projections into the required side yard. Be advised that the drawings provided indicate the eaves project 0.61 metres (two feet) into the required side yard where 0.60 metres is permitted. In addition, no projection has been provided for the gutter into the required side yard. As such, a variance could not be added without additional information. Be advised, should the eaves and gutter exceed the permitted 0.60 metres side yard encroachment additional variance may be required.
2. Be advised, the requested variance for the porch encroachment in the front yard has not been included as a variance as it is not required to permit the front porch due to the minimum required front yard being 7.072 metres (20% difference of the averaged front yard setback of 8.84 metres between 722 & 706 Hiawathan Boulevard) and the front yard setback of the porch being 8.08 metres.

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-22:311

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

DATE:	Thursday, November 3, 2022
TIME:	2:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

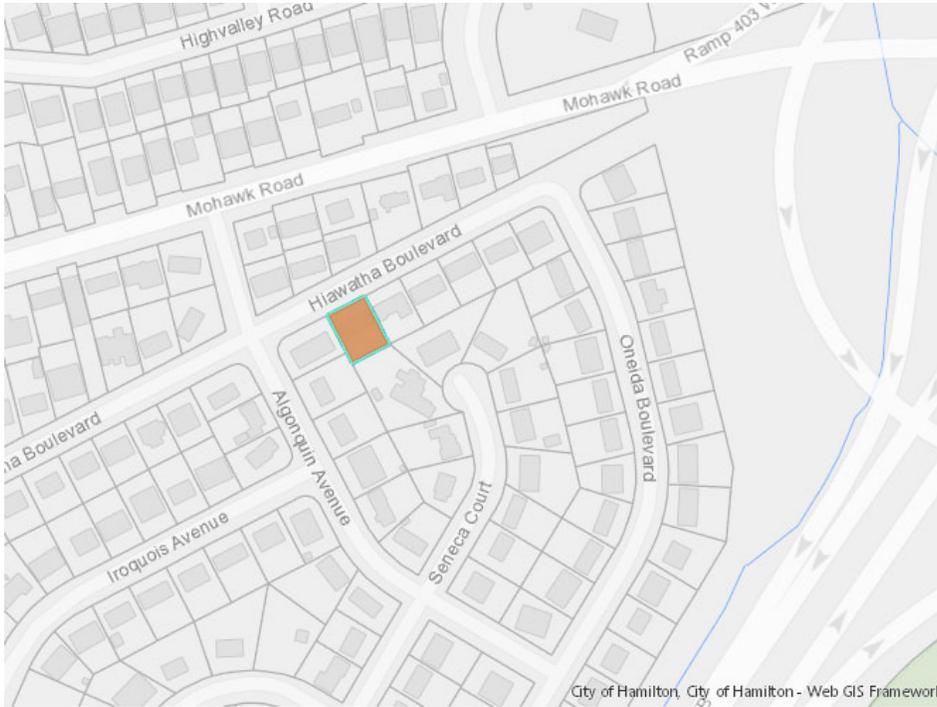
- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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.

AN/A-22:311



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

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

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

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

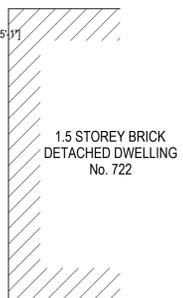
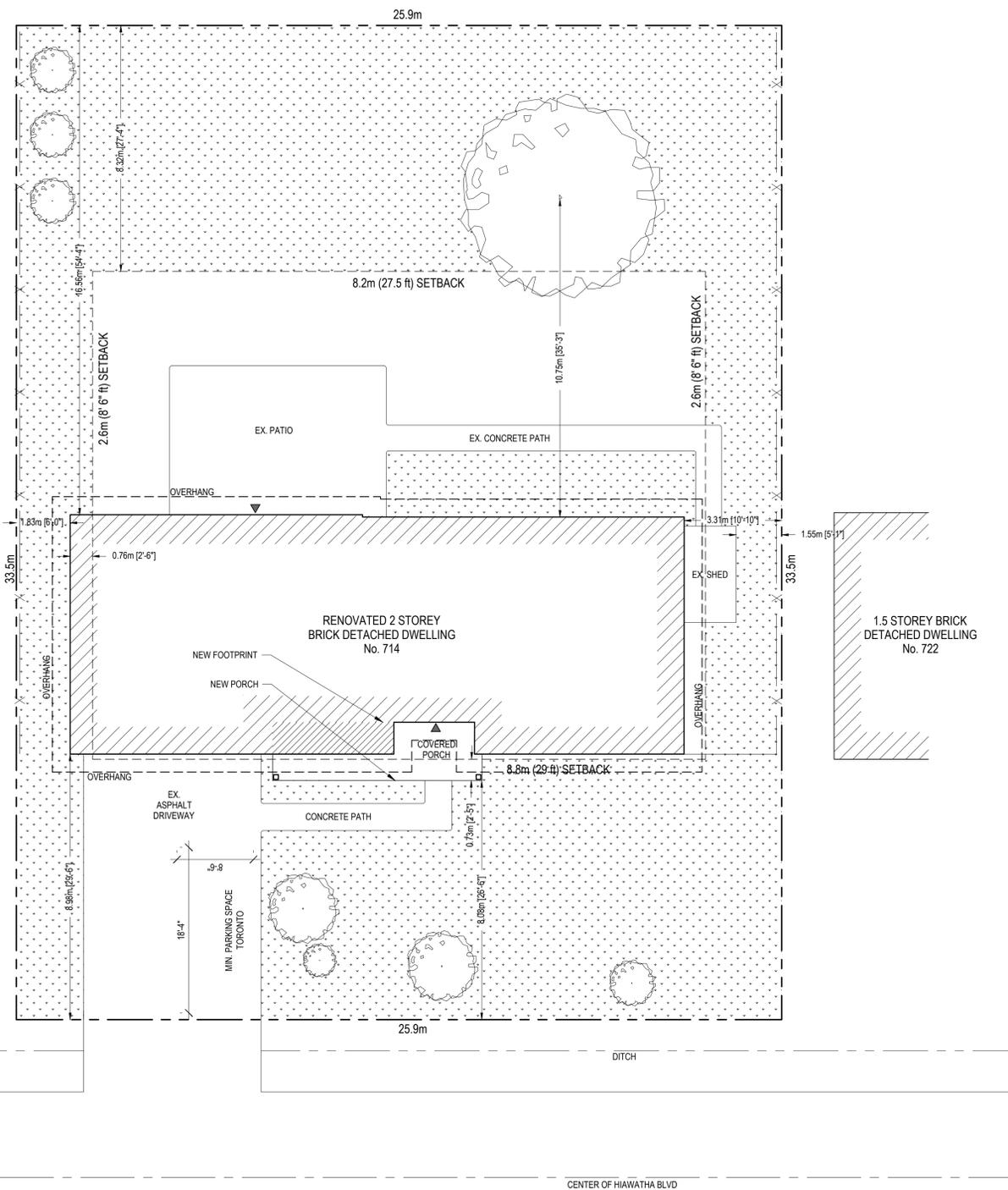


PROPERTY INFORMATION	
OWNER'S NAME	11528
OWNER'S ADDRESS	11528
OWNER'S PHONE	905-881-1111
OWNER'S FAX	905-881-1111
OWNER'S EMAIL	11528@11528.com
OWNER'S WEBSITE	www.11528.com
OWNER'S SOCIAL MEDIA	www.facebook.com/11528
OWNER'S CONTACT PERSON	Matthew Ribau
OWNER'S CONTACT PHONE	905-881-1111
OWNER'S CONTACT FAX	905-881-1111
OWNER'S CONTACT EMAIL	11528@11528.com
OWNER'S CONTACT WEBSITE	www.11528.com
OWNER'S CONTACT SOCIAL MEDIA	www.facebook.com/11528

LEGEND	
	DENOTES ENTRANCE
	EXISTING STRUCTURE
	PROPOSED STRUCTURE
	PROPERTY LINE
	ZONING SETBACKS
	FENCE



DITCH



PERSPECTIVE VIEWS

All drawings, the design, and the details thereon remain the property of the designer and are not to be altered, re-used or reproduced without the designer's express written consent. The contractor, must field verify all dimensions and must confirm & correlate all details within the full drawings package being responsible for same throughout construction, reporting any discrepancies to the designer prior to commencing the relevant work. All drawings, detail & specifications represented in the drawings are to be used for construction only when issued by the designer and noted accordingly in the "issue/revisions" box heron.

714
HIAWATHA
BLVD

ANCASTER, ONTARIO

Project No. PV22-060

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.

11528

Matthew Ribau

Issue
SUBMITTED FOR MV 2022-09-27

Project North

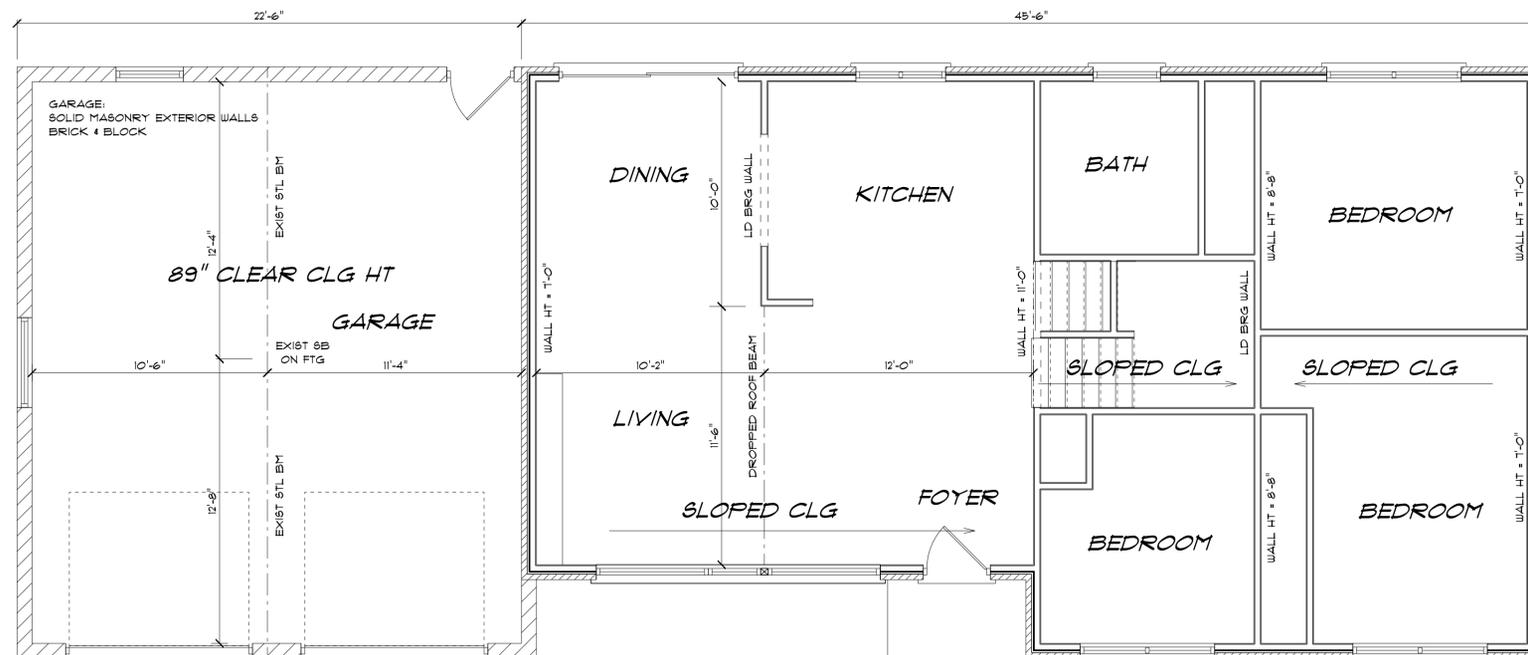


Scale 1/4" = 1'-0"

SITEPLAN

SP1

2022-01-06 - 3:40:49 PM



714 HIAWATHA
 ANCASTER, ONTARIO
 EXISTING MAIN FLOOR PLAN
 PARTIAL
 PROPOSED ADDITION TO AN
 EXIST SPLIT LEVEL S-F-D
 1725 SQFT (TOTAL FINISHED)

MARCH 2021

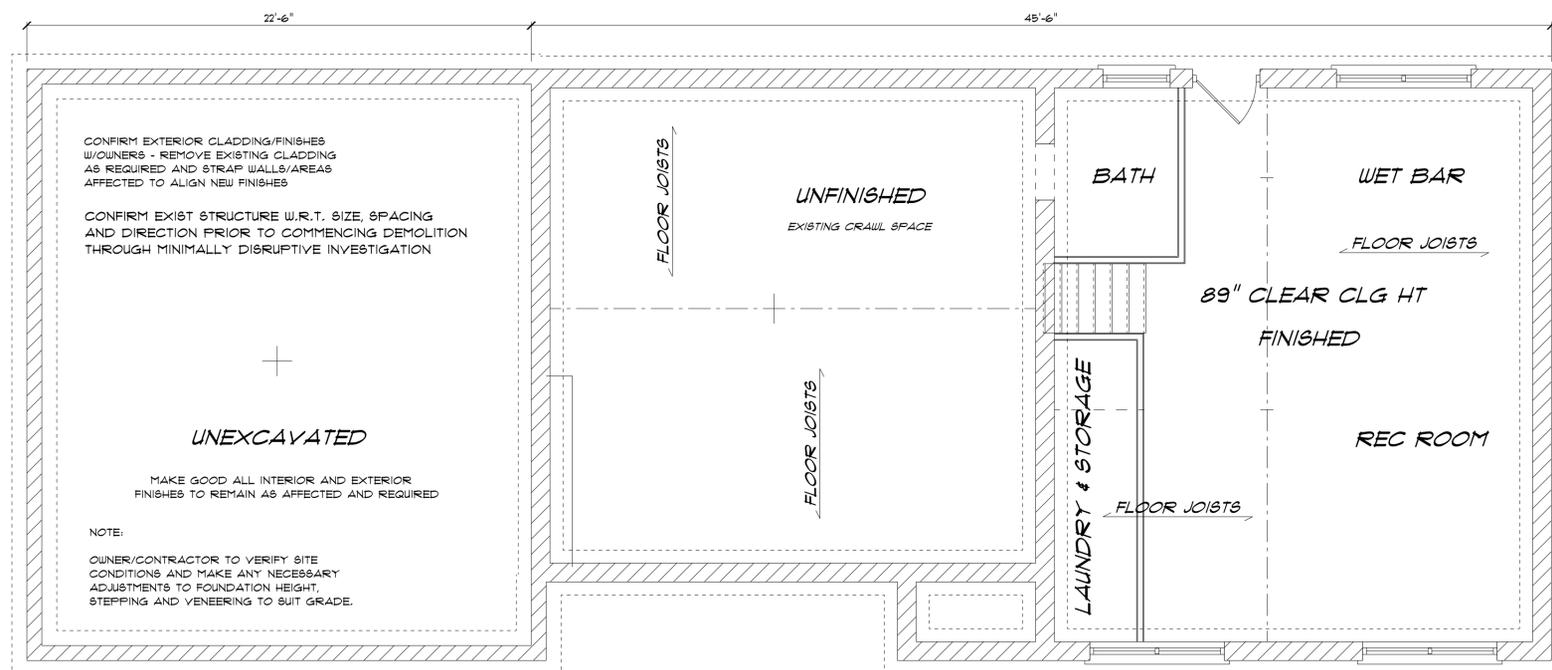
SCALE 1/4" = 1'-0"

DATE: MARCH 2021
 FILE: 714 HIAWATHA
 DRAWN BY:
 FABIO DI VINCENZO
 BCIN: 43681
 QUALIFICATIONS:
 HOUSE, STRUCTURAL
Fabio Di Vincenzo

- NOTE:
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.

FIELD VERIFY ALL DIMENSIONS TO CONFIRM AS-BUILT CONDITIONS AND ADJUSTMENTS FOR PROPER ALIGNMENT - RE-USE EXISTING WINDOWS WHERE POSSIBLE AS PER OWNERS' SPECIFICATIONS - MAKE GOOD ALL EXISTING AREAS AFFECTED BY RENOVATION - CONTRACTOR TO CONFIRM AND COORDINATE WITH OWNERS MATERIALS/FINISHES TO BE SALVAGED AND/OR RESTORED PRIOR TO DEMOLITION

BUILD & ERECT TEMPORARY SUPPORT WALLS W/ 2"x6" @16" O.C. C/W TOP & BOTTOM PLATES PRIOR TO AND DURING REMOVAL OF LD BRG WALLS AND INSTALLATION OF NEW STRUCTURE AS REQUIRED - FIELD VERIFY



714 HIAWATHA
 ANCASTER, ONTARIO
 EXISTING BASEMENT PLAN
 PARTIAL
 PROPOSED ADDITION TO AN
 EXIST SPLIT LEVEL S-F-D

MARCH 2021

MAINTAIN INTEGRITY OF EXIST WEEPING TILE/SUBSURFACE DRAINAGE SYSTEM

EXISTING FOOTINGS MINIMUM 18"x6" P.I.P. CONCRETE
 FIELD VERIFY TO CONFIRM
 BEYOND SCOPE OF THESE DRAWINGS

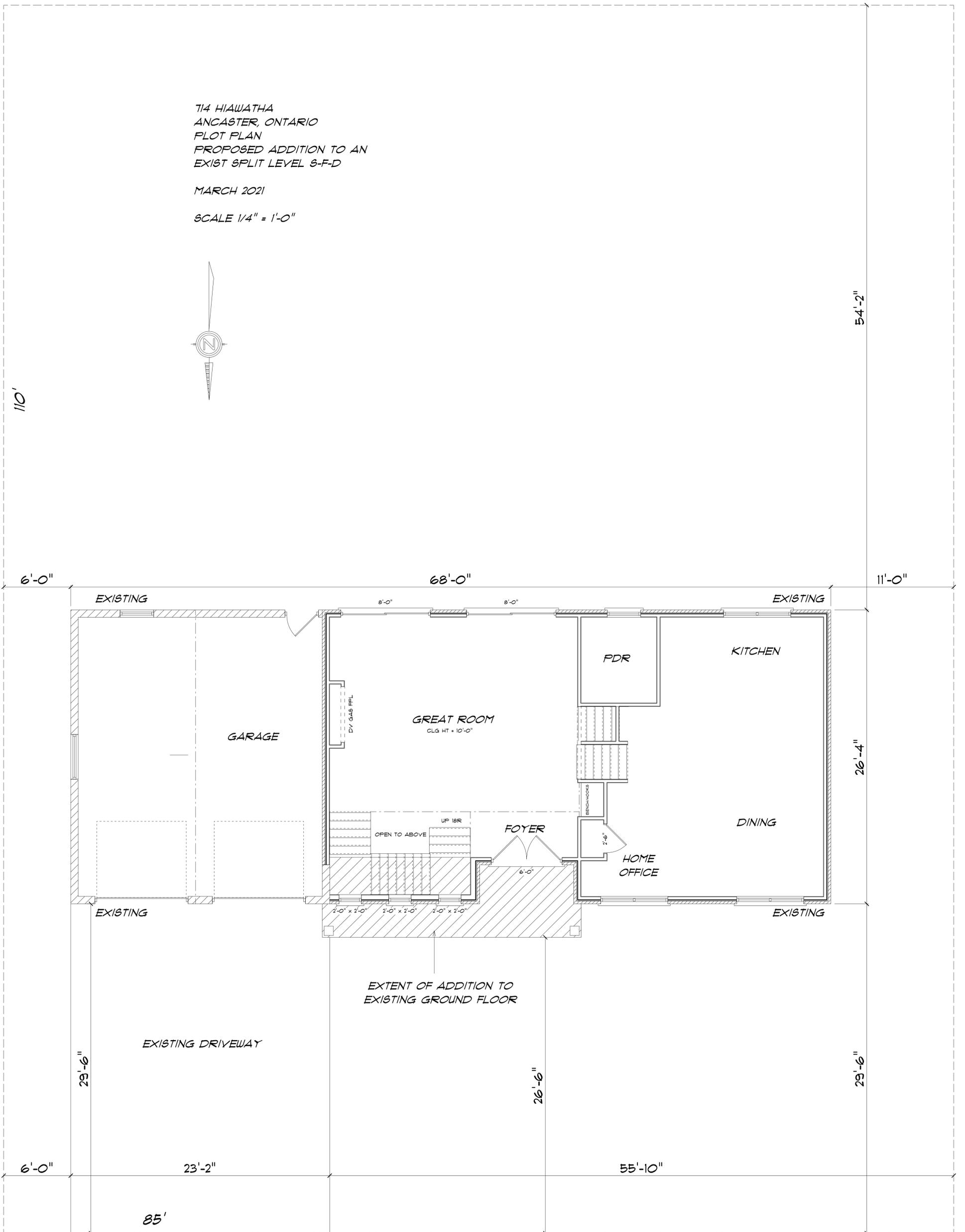
10" CONC BLOCK FNDTN

EXISTING FINISHED SPACES IN EXISTING
 BASEMENT TO REMAIN

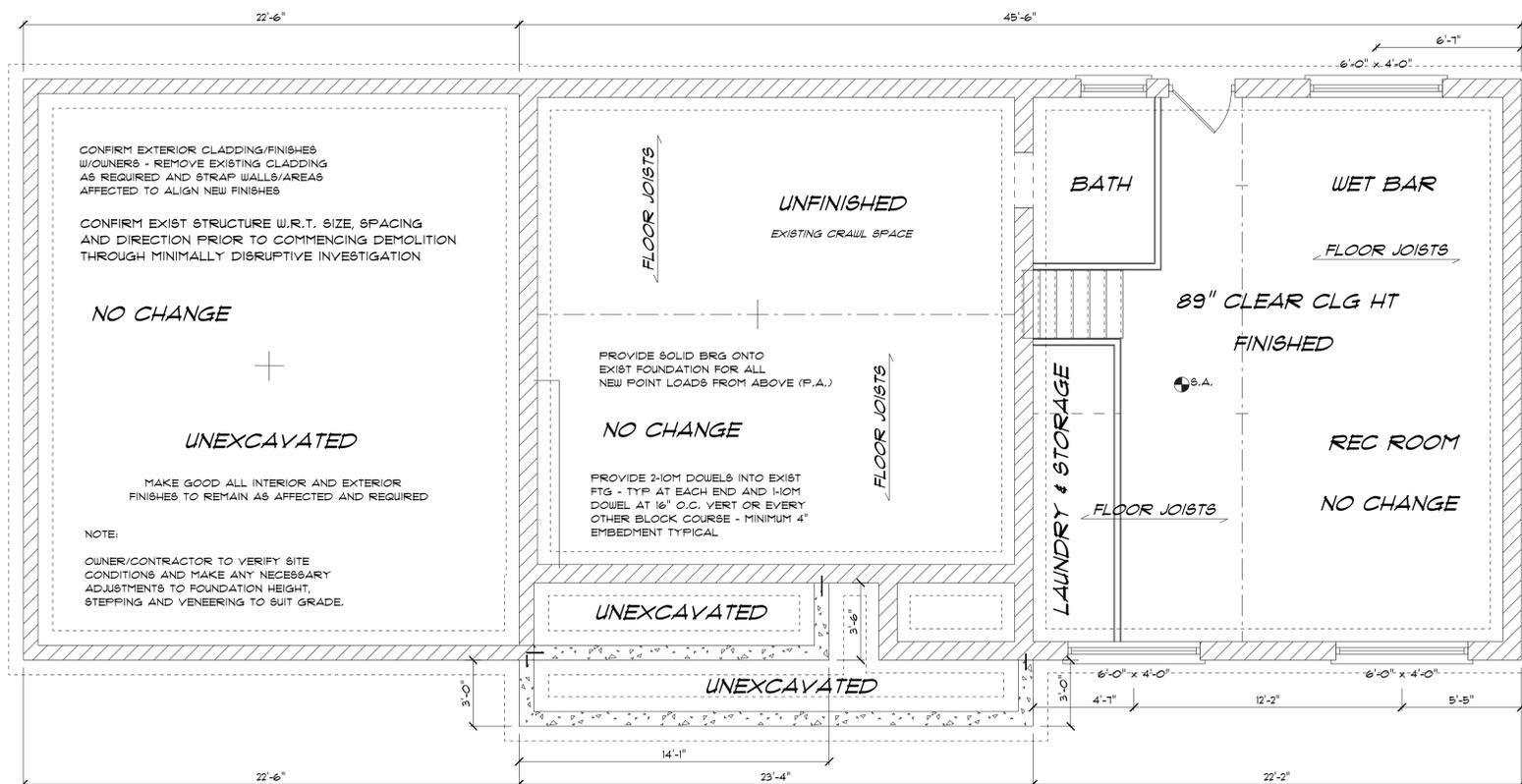
714 HIAWATHA
ANCASTER, ONTARIO
FLOT PLAN
PROPOSED ADDITION TO AN
EXIST SPLIT LEVEL S-F-D

MARCH 2021

SCALE 1/4" = 1'-0"



HIAWATHA BLVD



714 HIAWATHA
 ANCASTER, ONTARIO
 PROPOSED FOUNDATION PLAN
 PARTIAL
 PROPOSED ADDITION TO AN
 EXIST SPLIT LEVEL S-F-D
 MARCH 2021

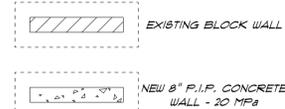
MAINTAIN INTEGRITY OF EXIST WEEPING
 TILE/SUBSURFACE DRAINAGE SYSTEM

MAKE GOOD ALL SURFACES
 READY FOR EXTERIOR DAMPROOFING/
 DRAINAGE LAYER OR WATERPROOFING

EXISTING FOOTINGS MINIMUM 18"x6" P.I.P. CONCRETE
 10" CONCRETE BLOCK FOUNDATION - EXISTING
 BEYOND SCOPE OF THESE DRAWINGS

FIELD VERIFY ALL DIMENSIONS TO CONFIRM AS-BUILT CONDITIONS
 AND ADJUSTMENTS FOR PROPER ALIGNMENT - RE-USE EXISTING
 WINDOWS WHERE POSSIBLE AS PER OWNERS' SPECIFICATIONS - MAKE
 GOOD ALL EXISTING AREAS AFFECTED BY RENOVATION - CONTRACTOR
 TO CONFIRM AND COORDINATE WITH OWNERS MATERIALS/FINISHES TO BE
 SALVAGED AND/OR RESTORED PRIOR TO DEMOLITION

EXISTING FINISHED SPACES IN EXISTING
 BASEMENT TO REMAIN



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 AS PRESCRIBED

DATE: MARCH 2021
 FILE: 714 HIAWATHA
 DRAWN BY:
 FABIO DI VINCENZO
 BCIN: 43661
 QUALIFICATIONS:
 HOUSE, STRUCTURAL
Fabio Di Vincenzo

WOOD LINTEL/HEADERS NOT NOTED ARE 2-2"x8"
 STEEL LINTEL/HEADERS NOT NOTED ARE 3 1/2"x 3 1/2"x 1/4"

NOTE:

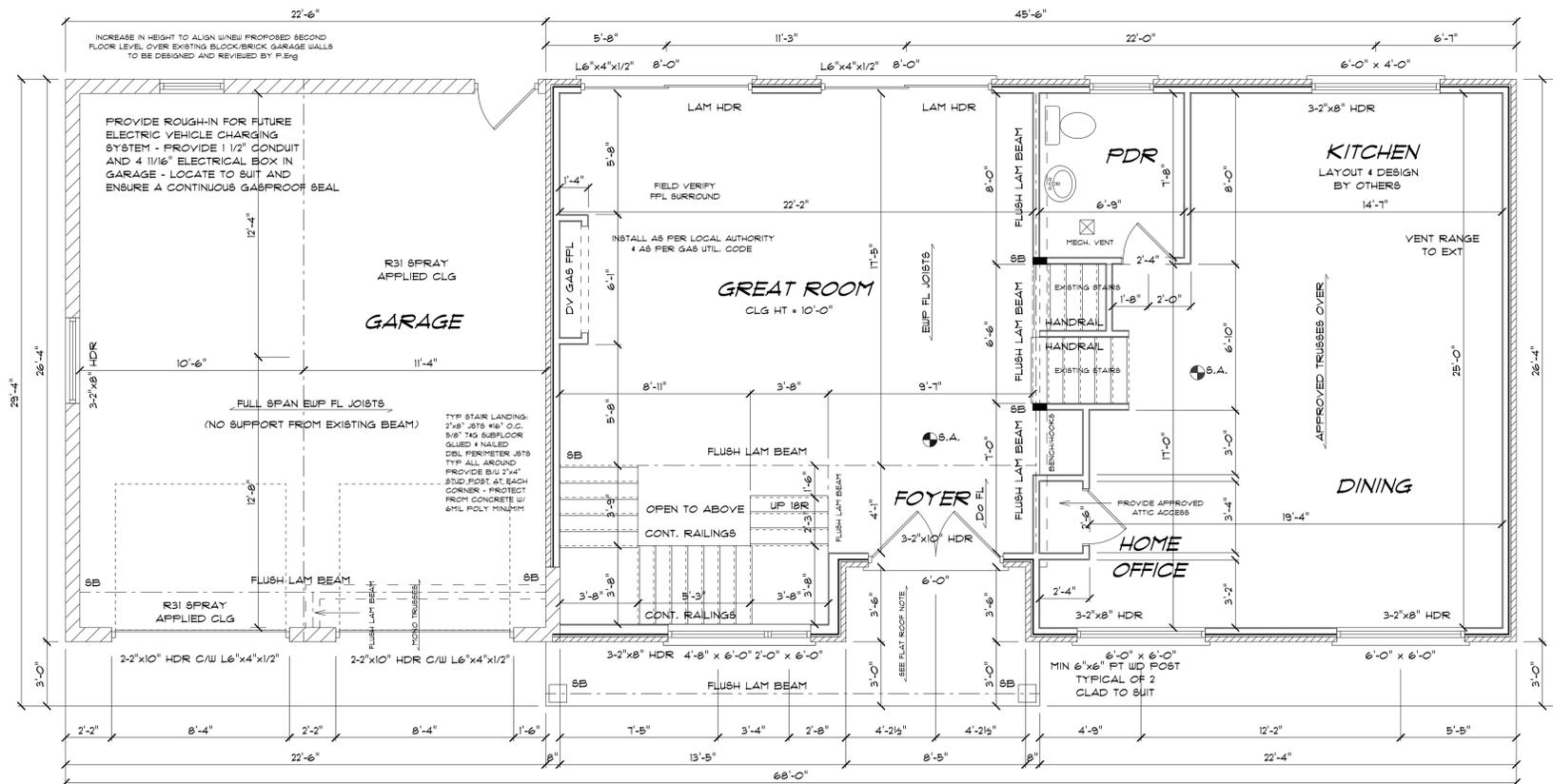
1. FOUNDATION WALLS ARE 8" THICK POURED CONCRETE UNLESS NOTED OTHERWISE.
2. ALL BRICK CUTS IN TOP OF FOUNDATION WALL FOR VENEERING ARE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO SUIT INDIVIDUAL SITE GRADES.
3. PROVIDE LIGHTS AND OUTLETS TO SUIT AND IN CONFORMANCE WITH APPLICABLE CODES.
4. HEAT-LOSS AND DUCT LAYOUT BY OTHERS.

NOTE:

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.

EXTERIOR PORCHES:
 6" THK 32 MPa CONCRETE W/AIR
 PROVIDE 10M BAR @ 8"
 EACH WAY - TYPICAL -
 2" MIN COVER FROM BOTTOM
 TIE SLAB TO WALLS W/10M BAR
 @2'-0" O.C. W/2" EMBEDMENT INTO
 WALL AND 2" EMBEDMENT INTO SLAB

SMOKE ALARMS:
 AS PER OBC 9.10.19.2. & 9.10.19.4.



**714 HIAWATHA
ANCASTER, ONTARIO
PROPOSED MAIN FLOOR PLAN**

**PROPOSED ADDITION TO AN
EXIST SPLIT LEVEL S-F-D
1725 SQFT (EXISTING)
50 SQFT (ADDED)**

MARCH 2021

SCALE 1/4" = 1'-0"

**SMOKE ALARMS:
AS PER OBC 9.10.18.2 & 9.10.18.4.**

**TRUSS FRAME ROOF:
ASPHALT SHINGLES
1/2" ROOF SHEATHING
1" CLIPS FOR EDGE SUPPORT
BLOCKING AS SPECIFIED
APPROVED TRUSSES @ 24" O.C.
BRACING AS SPECIFIED
R60 BLOW-IN INSULATION
6 MIL POLY V.B.
1/2" CLG DRYWALL**

**PROVIDE APPROVED GAS
PROOF SEAL ON ALL FLOORS,
CEILING & WALLS BETWEEN
DWELLING AND CONTAINED GARAGE**

**VERIFY DESIGN OF CEILING TREATMENTS
W/OWNERS - TBD AT FRAMING STAGE -
PROVIDE FIRESTOPPING AS REQ'D**

- NOTE:**
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 OWNER PRIOR TO CONSTRUCTION.

**EXTERIOR PORCHES:
6" THK 32 MPA CONCRETE W/AIR
PROVIDE IOM BAR @ 8"
EACH WAY - TYPICAL -
2" MIN COVER FROM BOTTOM
TIE SLAB TO WALLS W/IOM BAR
@ 2'-0" O.C. W/2" EMBEDMENT INTO
WALL AND 2" EMBEDMENT INTO SLAB**

**SEE FLOOR LAYOUT & BEAM SPECS FOR
ALL RELEVANT FRAMING REQUIREMENTS -
VERIFY W/SUPPLIER**

**EXISTING CUT ROOFS TO BE REMOVED COMPLETELY -
MAKE GOOD AND READY FOR EXTENSION OF EXISTING
WALL HEIGHTS AS NOTED HEREIN**

**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 AS PRESCRIBED**

DATE: MARCH 2021
FILE: 714 HIAWATHA
DRAWN BY:
FABIO DI VINCENZO
BCIN: 43681
QUALIFICATIONS:
HOUSE, STRUCTURAL
Fabio Di Vincenzo

**EXISTING MAIN FLOOR EXTERIOR WALLS TO
REMAIN IN TACT - BISTER NEW STUDS ONTO
EACH EXISTING STUD AND RUN FULL HEIGHT
TO 10' CLG HT - FILL EXISTING STUD AREAS
W/CLOSED CELL, 7LB FOAM INSULATION -
NEW EXTERIOR STUD WALLS ARE 2"x6" - C/W
MID HEIGHT SOLID BLOCKING/GIRTS
FIELD VERIFY AND CONFIRM**

- NOTE:**
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 2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

**FLAT ROOF
3/4" EXT GRADE FLYWOOD SHEATHING
APPROVED FLAT ROOF MEMBRANE
2"x10" JST @ 16" O.C.
FLASH & SEAL - PROVIDE SCUPPERS
AS REQUIRED**

**FIELD VERIFY ALL DIMENSIONS TO CONFIRM AS-BUILT CONDITIONS
AND ADJUSTMENTS FOR PROPER ALIGNMENT - RE-USE EXISTING
WINDOWS WHERE POSSIBLE AS PER OWNERS' SPECIFICATIONS - MAKE
GOOD ALL EXISTING AREAS AFFECTED BY RENOVATION - CONTRACTOR
TO CONFIRM AND COORDINATE WITH OWNERS' MATERIALS/FINISHES TO BE
SALVAGED AND/OR RESTORED PRIOR TO DEMOLITION**

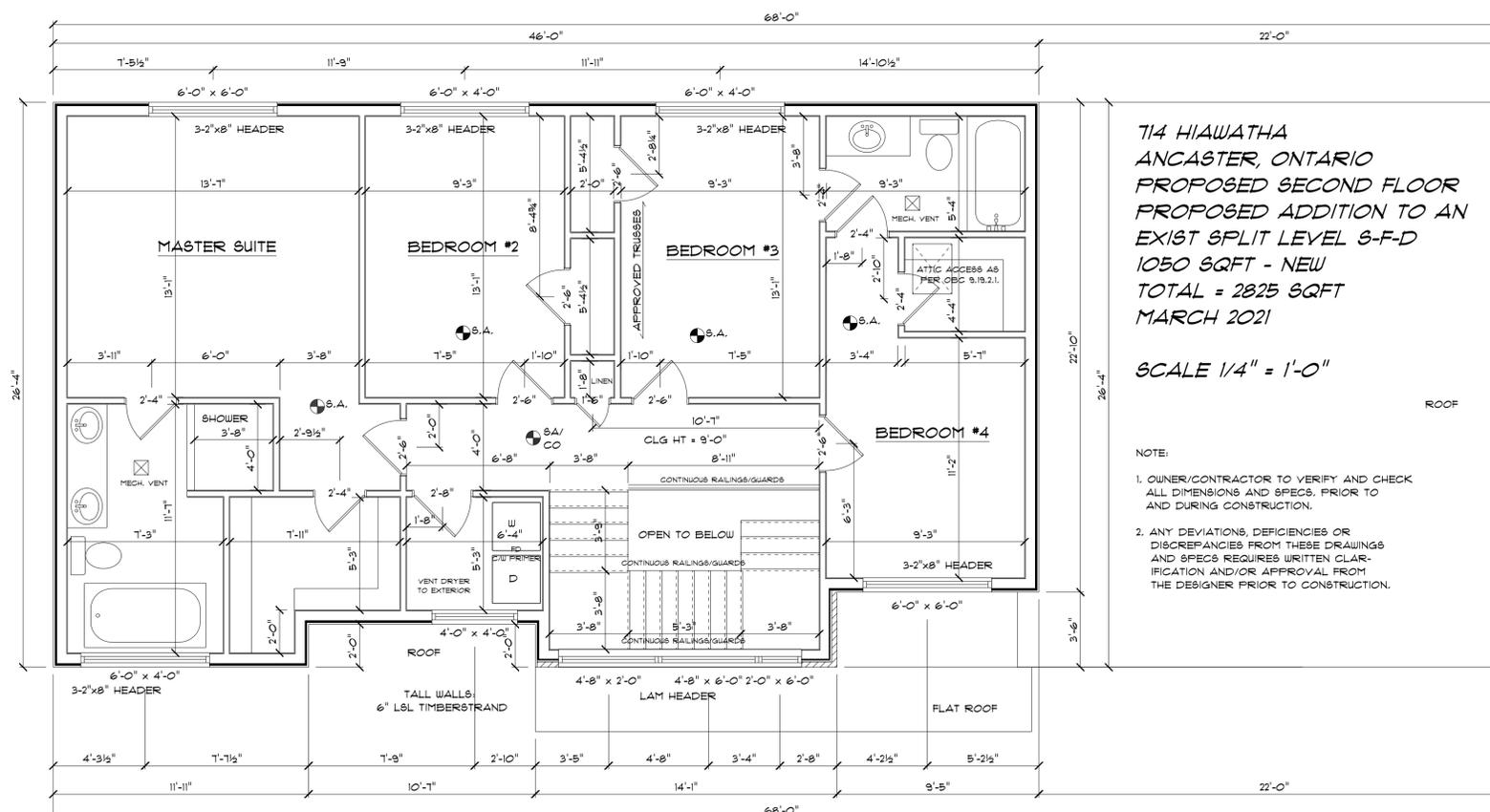
**BUILD & ERECT TEMPORARY SUPPORT WALLS W/ 2"x6" @ 16" O.C. C/W
TOP & BOTTOM PLATES PRIOR TO AND DURING REMOVAL OF LD BRG
WALLS AND INSTALLATION OF NEW STRUCTURE AS REQUIRED - FIELD VERIFY**

**SEE ELEVATIONS FOR TRANSOM
DESIGN & SIZES - VERIFY W/WINDOW/DOOR
SUPPLIER & OWNERS PRIOR TO ORDERING**

**NOTE:
ROOM DIMENSIONS ARE BASED ON 10" TH. EXTERIOR MASONRY
WALLS, 8" TH. EXTERIOR STUCCO/SIDED WALLS, AND 6" TH. INTERIOR
WALLS UNLESS NOTED OTHERWISE.**

**TYPICAL CUT ROOF AND ALL FILL-IN/OVERLAY AREAS:
1/2" ROOF SHEATHING e/w EDGE SUPPORT
2"x8" RIDGEBOARDS & HIP RAFTERS
2"x6" ROOF RAFTERS @ 16" O.C.
2"x6" CLG JOISTS @ 16" O.C. - AS REQ'D**

**WOOD LINTELS/HEADERS NOT NOTED ARE 2-2"x8"
STEEL LINTELS NOT NOTED ARE 3 1/2"x 3 1/2"x 1/4"**



714 HIAWATHA
 ANCASTER, ONTARIO
 PROPOSED SECOND FLOOR
 PROPOSED ADDITION TO AN
 EXIST SPLIT LEVEL S-F-D
 1050 SQFT - NEW
 TOTAL = 2825 SQFT
 MARCH 2021
 SCALE 1/4" = 1'-0"

- NOTE:
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.

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 AS PRESCRIBED

DATE: MARCH 2021
 FILE: 714 HIAWATHA
 DRAWN BY:
 FABIO DI VINCENZO
 BCIN: 43681
 QUALIFICATIONS:
 HOUSE, STRUCTURAL
Fabio Di Vincenzo

TRUSS FRAME ROOF:
 ASPHALT SHINGLES
 1/2" ROOF SHEATHING
 1" CLIPS FOR EDGE SUPPORT
 BLOCKING AS SPECIFIED
 APPROVED TRUSSES @ 24" O.C.
 BRACING AS SPECIFIED
 R60 BLOWN-IN INSULATION
 6 MIL POLY V.B.
 1/2" CLG DRYWALL

FLAT ROOFS:
 2"x10" P.T. JOISTS @16" O.C.
 3/4" EXT GRADE SHEATHING
 B/U ROOFING OR APPROVED
 EQUIV FOR NO SLOPE
 R31 MIN SPRAY APPLIED
 CLOSED CELL, 2lb FOAM
 INSULATION
 1/2" CLG DRYWALL
 DRAIN AREA TO SCUPPER

TYPICAL EXTERIOR WALL:
 WOOD/LUMBER OR VINYL SIDING
 TYPYK' HOUSEWRAP A/B
 1/16" EXTERIOR SHEATHING
 2x6 STUDS @ 16" O.C. (PROVIDE
 GIRTS @4" O.C. VERT FOR WALLS
 TALLER THAN 9')
 R22 BATT INSULATION
 6 MIL POLY V.B.
 1/2" DRYWALL
 TAPED AND SANDED

TYPICAL STUCCO EXTERIOR WALL:
 EXTERIOR ACRYLIC STUCCO SYSTEM
 1 1/2" WHITE OPEN INSULATION BOARD
 CONT AIR & VAPOUR BARRIER
 1/2" DENS-GLASS SHEATHING
 2"x6" STUDS @ 16" O.C.
 R22 BATT INSULATION
 6 MIL POLY V.B.
 1/2" DRYWALL
 TAPED AND SANDED

NOTE:
 ROOM DIMENSIONS ARE BASED ON 10' th. EXTERIOR MASONRY WALLS, 8" th. EXTERIOR STUCCO/SIDING WALLS, AND 4" th. INTERIOR WALLS UNLESS NOTED OTHERWISE.

TYPICAL CUT ROOF AND ALL FILL-IN/OVERLAY AREAS:
 1/2" ROOF SHEATHING C/U EDGE SUPPORT
 2"x8" RIDGEBOARDS AND HIP RAFTERS
 2"x6" ROOF RAFTERS @ 16" O.C.
 2"x6" CLG JOISTS @ 16" O.C. AS REQ'D

WOOD LINTELS/HEADERS NOT NOTED ARE 2-2"x8"
 STEEL LINTELS NOT NOTED ARE 3 1/2" x 3 1/2" x 1/4"

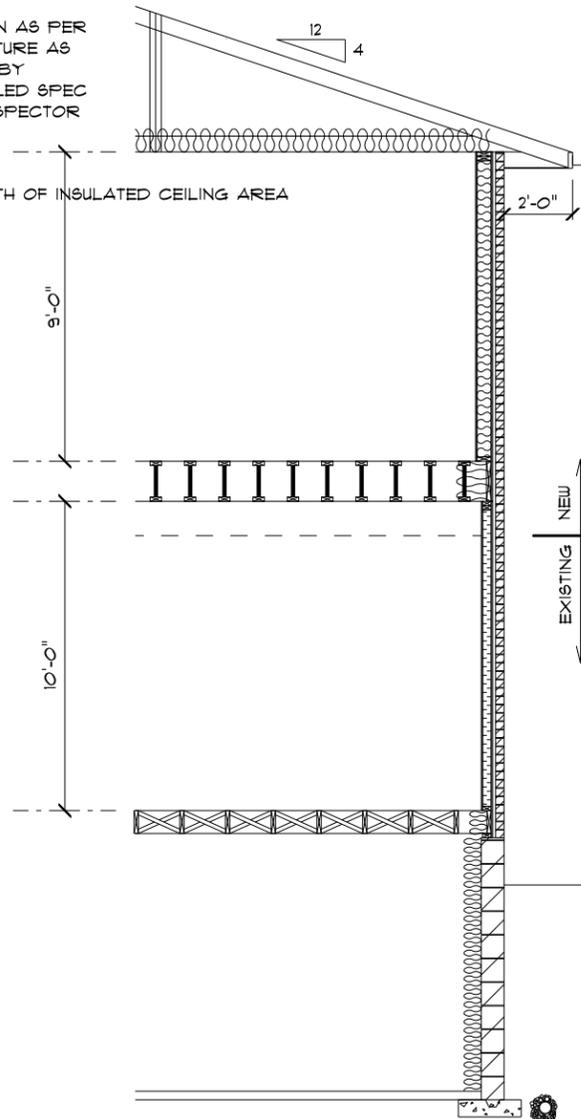
SMOKE ALARMS:
 AS PER OBC 9.10.19.2. & 9.10.19.4.

- NOTE:
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.

TYPICAL CUT ROOF AND ALL FILL-IN/OVERLAY AREAS:
 1/2" ROOF SHEATHING c/w EDGE SUPPORT
 2"x8" RIDGEBOARDS AND HIP RAFTERS
 2"x6" ROOF RAFTERS @ 16" O.C.
 2"x6" CLG JOISTS @ 16" O.C. AS REQ'D
 SEE PLAN FOR CLARIFICATION

TRUSS LAYOUT AND DESIGN AS PER SUPPLIER - VERIFY STRUCTURE AS SHOWN - TO BE REVIEWED BY DESIGNER - PROVIDE SEALED SPEC PACKAGE ON SITE FOR INSPECTOR

NOTE:
 VENTILATE ROOF TO 1/300TH OF INSULATED CEILING AREA



DO NOT SCALE DRAWINGS

PROVIDE FLASHING TYPICAL AS PER OBC 9.26.4.

MATCH EXISTING ROOF OVERHANGS - FIELD VERIFY

PROVIDE APPROVED EAVE PROTECTION AS PER OBC 9.26.5.

NOTE:
 OWNER/CONTRACTOR TO VERIFY SITE CONDITIONS AND MAKE ANY NECESSARY ADJUSTMENTS TO FOUNDATION HEIGHT, STEPPING AND VENEERING TO SUIT GRADE.

CONFIRM EXTERIOR CLADDING/FINISHES W/OWNERS - REMOVE EXISTING CLADDING AS REQUIRED AND STRAP WALLS/AREAS AFFECTED TO ALIGN NEW FINISHES

MAKE GOOD ALL INTERIOR AND EXTERIOR FINISHES TO REMAIN AS AFFECTED AND REQUIRED

CONFIRM EXIST STRUCTURE W.R.T. SIZE, SPACING AND DIRECTION PRIOR TO COMMENCING DEMOLITION THROUGH MINIMALLY DISRUPTIVE INVESTIGATION

TRUSS FRAME ROOF:
 ASPHALT SHINGLES
 1/2" ROOF SHEATHING
 1" CLIPS FOR EDGE SUPPORT
 BLOCKING AS SPECIFIED
 APPROVED TRUSSES @ 16" O.C.
 BRACING AS SPECIFIED
 R60 BLOWN IN INSULATION
 VENT 1/300TH OF CEILING AREA
 6 MIL POLY V.B.
 1/2" CLG DRYWALL

- NOTE:
1. ERECT AND Laterally BRACE TRUSSES IN CONFORMANCE WITH MANUFACTURERS SPECIFICATIONS.
 2. DO NOT USE THIS ROOF PLAN TO DETERMINE MATERIAL QUANTITIES OF ROOF FRAMING MEMBERS.
 3. USE ICE & WATER SHIELD BELOW SHINGLES IN VALLEY AREA MIN. 3'-0" EACH SIDE OF VALLEY (TYPICAL).

TYPICAL SILL ASSEMBLY:
 1/2" DIA. ANCHOR BOLT @ 12" O.C.
 2"x6" SILL PLATE
 1/4" SILL GASKET

4" dia. WEEPING TILE
 W/12" CLEAR GRAVEL COVER. CONNECT TO SEALED SUMP (TYPICAL)

FIELD VERIFY ALL DIMENSIONS TO CONFIRM AS-BUILT CONDITIONS AND ADJUSTMENTS FOR PROPER ALIGNMENT - RE-USE EXISTING WINDOWS WHERE POSSIBLE AS PER OWNERS' SPECIFICATIONS - MAKE GOOD ALL EXISTING AREAS AFFECTED BY RENOVATION - CONTRACTOR TO CONFIRM AND COORDINATE WITH OWNERS MATERIALS/FINISHES TO BE SALVAGED AND/OR RESTORED PRIOR TO DEMOLITION

GENERAL NOTES

1. ALL MATERIALS AND CONSTRUCTION TO STRICTLY CONFORM TO STANDARDS SET OUT BY THE ONTARIO BUILDING CODE.
2. ALL LUMBER TO BE A MINIMUM OF NO. 1 CONST. GRADE SPRUCE.
3. ALL CEILING OR FLOOR OPENINGS TO HAVE DOUBLE TRIMMER AND HEADER JOISTS.
4. ALL PARTITIONS PARALLEL TO FLOOR JOISTS TO HAVE DOUBLE FLOOR JOISTS BENEATH THEM.
5. ALL JOISTS ENDING AT A HEADER WITHOUT END BEARING, TO HAVE METAL JOIST HANGER SUPPORTS.
6. PROVIDE 2 x 2 CROSS-BRIDGING BETWEEN JOISTS. ONE LINE OF BRIDGING PER 4'-6" OF SPAN.
7. INTERIOR WALLS OF GARAGE ADJOINING LIVING QUARTERS TO BE BUILT SIMILAR TO TYPICAL WALL SECTION. REPLACE BRICK VENEER WITH DRYWALL CLADDING.
8. BASEMENT ACCESS--MIN. RUN 9.5"--MAX. RISE 1 1/8". STAIRCASE TO CONFORM TO O.B.C. SUBSECTION. 9.8.3.
9. BASEMENT WINDOWS BELOW GRADE TO HAVE CORRUGATED GALVANIZED WINDOW WELLS (WITH DRAIN), TO EXTERIOR WEEPING TILE.
10. PROVIDE ALL FLASHING AS PER SUBSECTION. 9.26.4 OF O.B.C.
11. ALL FOOTINGS TO BE A MINIMUM OF 4'-0" BELOW GRADE AND TO BE RESTING ON ADEQUATE BEARING UNDISTURBED SOIL. IF OVEREXCAVATED, BUILD UP FOOTING THICKNESS AND/OR FOUNDATION WALL HEIGHT.
12. SUB-SOIL CONDITIONS MAY REQUIRE INVESTIGATION AND ARE BEYOND THE SCOPE OF THESE DRAWINGS.
13. PROVIDE MECHANICAL VENTILATION IN FIRST FLOOR WASHROOM.
14. ALL HEATING, PLUMBING AND ELECTRICAL TO CONFORM TO APPLICABLE CODES.
15. ALL DIMENSIONS SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO AND DURING CONST. VARIATIONS FROM THE DRAWINGS AND SPECS REQUIRES PRIOR APPROVAL OF DESIGNER.
16. ALL CONSTRUCTION REQUIRES PERIODIC MUNICIPAL INSPECTION.

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 AS PRESCRIBED

STUCCO EXTERIOR WALL:
 APPROVED ACRYLIC STUCCO SYSTEM
 1 1/2" OPEN INSULATION BOARD
 1/2" DENS-GLASS SHEATHING
 2x6 STUDS @ 16" O.C.
 R22 BATT INSULATION
 6 MIL POLY V.B.
 1/2" DRYWALL

TYPICAL 2x6 BRICK/STONE EXTERIOR WALL:
 MASONRY AS SELECTED BY OWNER
 7 GAUGE CORRUGATED GALVANIZED METAL BRICK TIES
 1" AIR SPACE
 7/16" SHEATHING
 2"x6" STUDS @ 16" O.C.
 R22 BATT INSULATION
 6 MIL POLY V.B.
 1/2" DRYWALL
 TAPED AND SANDED

DATE: MARCH 2021
 FILE: 714 HIAWATHA
 DRAWN BY:
 FABIO DI VINCENZO
 BCIN: 43681
 QUALIFICATIONS:
 HOUSE, STRUCTURAL

Fabio Di Vincenzo

TYPICAL WEEP HOLE ASSEMBLY:
 WEEP HOLES @ 24" O.C.
 MASTIC SEAL &
 METAL FLASHING

GUARDS, HANDRAILS & STAIRS AS PER SB-1 AND AS PER OBC 9.8.8., 9.8.7. & 9.8.3. RESPECTIVELY & AS REQ'D - APPROVED ALUMINUM/GLASS RAIL SYSTEM OR ALTERNATIVE - PROVIDE SPECS - TBD BY OWNER

TYPICAL EXTERIOR WALL:
 WOOD/LUMBER/VINYL SIDING
 'TYVEK' HOUSEWRAP A/B
 7/16" EXTERIOR SHEATHING
 2x6 STUDS @ 16" O.C. (PROVIDE GIRTS @ 4' O.C. VERT FOR WALLS TALLER THAN 9')
 R22 BATT INSULATION
 6 MIL POLY V.B.
 1/2" DRYWALL
 TAPED AND SANDED

714 HIAWATHA BLVD
 ANCASTER, ONTARIO

TYPICAL WALL SECTION

MARCH 2021

SCALE 3/16" = 1'-0"

EXISTING MAIN FLOOR WALLS - UNDER NEW SECOND FLOOR:
 EXISTING FRAMING AND EXTERIOR CLADDING TO REMAIN REMOVE TOP PLATES AND GISTER ON NEW 2"x6" STUDS ONTO EACH EXISTING STUD - FULL HEIGHT FROM EXIST FLOOR TO NEW, 10' CEILING HEIGHT - PROVIDE MID HEIGHT GIRTS WITHIN EACH NEW STUD SPACE - PROVIDE NEW DOUBLE TOP PLATES MAKING WALLS CONTINUOUS - INSTALL SPRAY APPLIED, 2LB, CLOSED CELL FOAM INSULATION AND FILL ALL CAVITIES ENTIRELY - MAKE GOOD ALL AREAS AFFECTED - STRAP WALLS BOTH INTERIOR AND EXTERIOR AS REQUIRED TO ENSURE ALIGNMENT WITH EXISTING CONDITIONS

ALL EXISTING CONDITIONS TO BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCING WORK. ACTUAL WALL HEIGHTS AND ALIGNMENT OF SAME TO BE CO-ORDINATED WITH FLOOR JOIST AND ROOF TRUSS DESIGNERS/SUPPLIERS PRIOR TO PRODUCTION - STRAP AND ALIGN WALL FRAMING AS REQUIRED TO SUIT - FIELD VERIFY

- NOTE:
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.

WOOD LINTELS/HEADERS NOT NOTED ARE 2-2"x8"
 STEEL LINTELS NOT NOTED ARE 3 1/2"x 3 1/2"x 1/4"

DIMENSIONS ARE FOR REFERENCE ONLY - TO BE VERIFIED ON SITE TO SUIT ACTUAL GRADING AND FLOOR JOIST CONDITIONS



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Mahmoud Naimpoor		
Applicant(s)*	Matthew Ribau		
Agent or Solicitor	N/A	N/A	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:

Mahmoud Naimpoor
 714 Hiawatha Boulevard, Ancaster L9G 3A7

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:

Building is currently encroaching. We are applying for a reduction in the side lot requirement. Minimum requirement based on the by-law is 10% of frontage which is 2.6m (8.5ft) and we are proposing 1.8m (6ft) to allow for our proposed renovation. And variance for front yard setback for proposed porch. Goes slightly beyond 20% of neighbours average frontage.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Our renovated garage will be build on existing, which is already more than what the by-law allows. Our porch will go slightly beyond front setback.

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**):

714 Hiawatha Boulevard, Ancaster L9G 3A7
Zoning File: C1-18-A Zoning Code: ER
Bylaw Number: 18-105

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

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

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

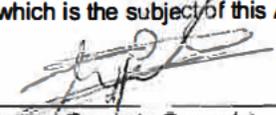
8.11 What information did you use to determine the answers to 8.1 to 8.10 above?
 The building and neighborhood is residential and has been for a very long time. The surrounded land is residential.

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

5e827/22
 Date


 Signature Property Owner(s)
 Mahmoud Naimpoor
 Print Name of Owner(s)

10. Dimensions of lands affected:
 Frontage 25.9m (85ft)
 Depth 33.5m (110ft)
 Area 867.65m2 (9339.3 sqft)
 Width of street 20m

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:
 1775 sqft gross floor area.
 1 story
 68t wide, 26'4" deep, 16'10" tall
 Proposed
 2825 sqft gross floor area.
 2 stories.
 68 ft wide, 26'4" deep, 25' 10" tall

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)
 Existing:
 Garage 6' from side property line, 1 story.
 Proposed:
 Garage 6' from side property line, 2 stories.

13. Date of acquisition of subject lands:
July, 2007
-
14. Date of construction of all buildings and structures on subject lands:
Cera 1950s
-
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:
Entire time
-
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:
87-57 Ancaster
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
87-57 Ancaster, 18-105
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:
N/A
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information (please include separate sheet if needed)
We believe that the proposed changes are in-line with the intend of the by-law.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/B-22:74	SUBJECT PROPERTY:	16 Lochside Dr, Stoney Creek
-------------------------	-------------------	--------------------------	------------------------------

APPLICANTS: Owner: Lynn Ann Molloy
Agent: IBI Group c/o J. Ariens & Jim Tarbutt – Tarbutt Construction Ltd

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained.

	Frontage	Depth	Area
SEVERED LANDS:	40.716 m [±]	27.432 m [±]	1,116.921 m ^{2±}
RETAINED LANDS:	48.697 m [±]	84.686 m [±] East 57.184 m [±] West	2,888.19 m ^{2±}

Associated Planning Act File(s): SC/A-22:255

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

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

DATE:	Thursday, November 3, 2022
TIME:	2:10 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

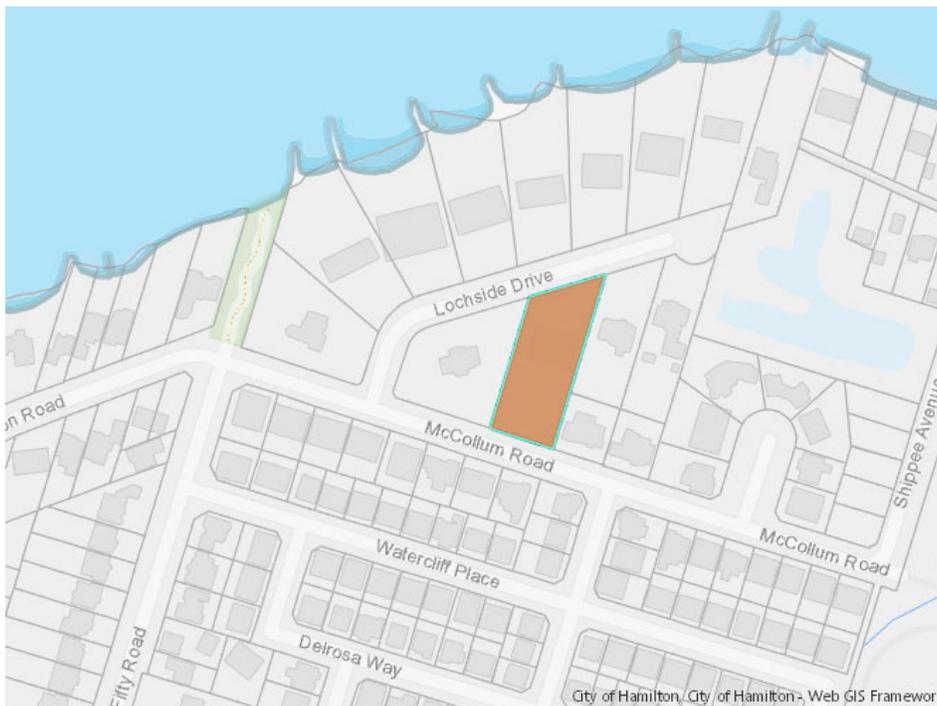
SC/B-22:74

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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: October 18, 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-22:74

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

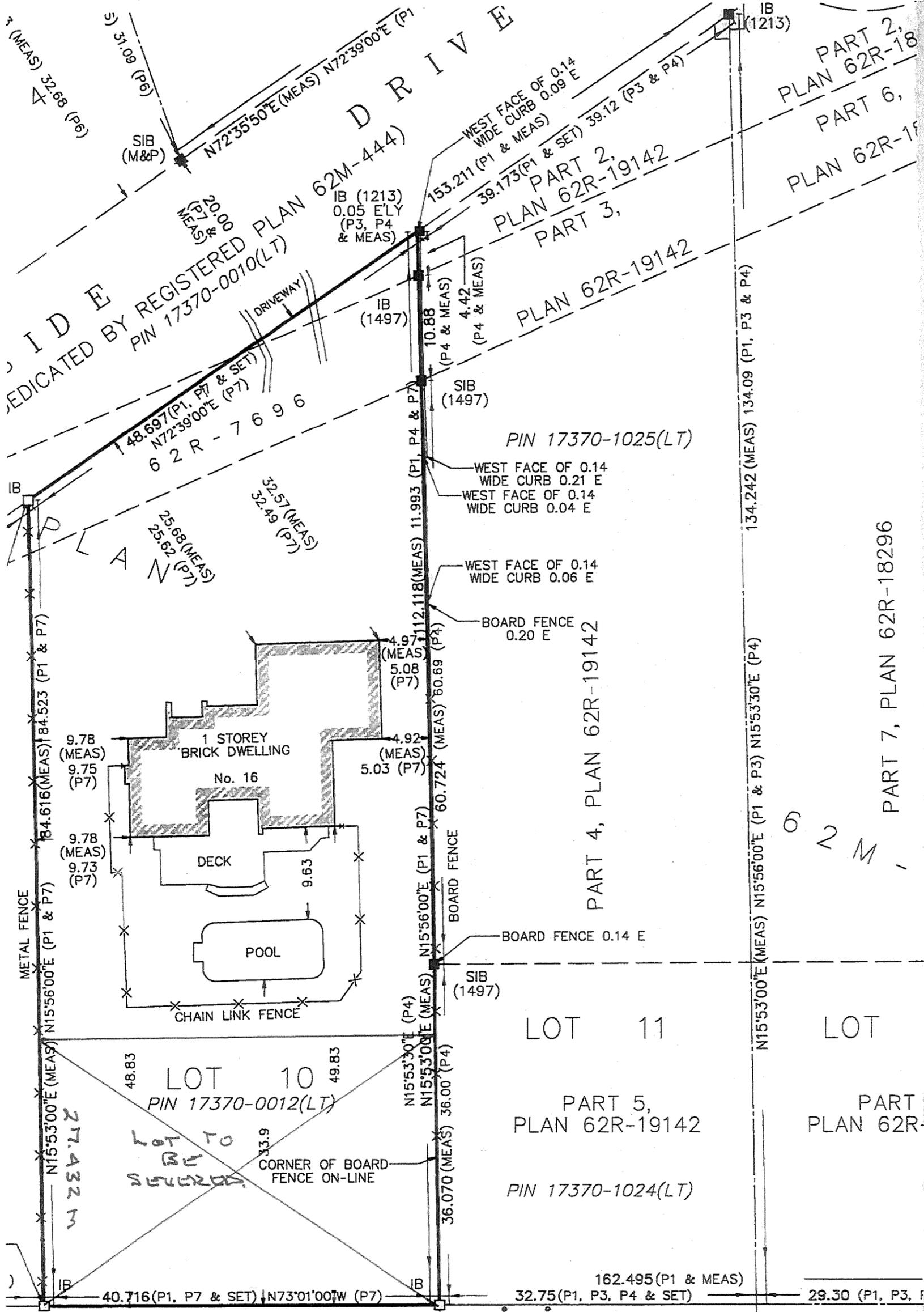
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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



14
 (MEAS) 32.68 (P6)
 31.09 (P9)
 N72°35'50"E (MEAS) N72°39'00"E (P1)
 20.00 (MEAS)
 SIB (M&P)
 48.697 (P1, P7 & SET)
 N72°39'00"E (P7)
 62R-7696
 25.68 (MEAS)
 25.62 (P7)
 32.57 (MEAS)
 32.49 (P7)
 9.78 (MEAS)
 9.75 (P7)
 9.78 (MEAS)
 9.73 (P7)
 9.63
 4.97 (MEAS)
 5.08 (P7)
 4.92 (MEAS)
 5.03 (P7)
 60.724 (MEAS)
 60.69 (P4)
 112.118 (MEAS)
 11.993 (P1, P4 & P7)
 10.88 (P4 & MEAS)
 4.42 (P4 & MEAS)
 134.242 (MEAS)
 134.09 (P1, P3 & P4)
 N15°53'00"E (MEAS)
 N15°56'00"E (P1 & P3)
 N15°53'30"E (P4)
 36.070 (MEAS)
 36.00 (P4)
 40.716 (P1, P7 & SET)
 N73°01'00"W (P7)
 162.520 (P1 & MEAS)
 264.993 (P1, P8 & MEAS)
 162.495 (P1 & MEAS)
 32.75 (P1, P3, P4 & SET)
 29.30 (P1, P3, P4 & SET)

ROAD

PART 6, PLAN 62R-19142
 DEDICATED AS PUBLIC HIGHWAY BY
 BY-LAW 12-013, INST. No. WE812148

WNSHIP OF SALTFLEET)
 OF SALTFLEET BY INST.
 / 1590, INST. No. BL1479

LOT 7 62M-987 LOT 8 62M-987 LOT 149 62M-987 ISLANDVIEW WAY
 REGISTERED PLAN

PART 7, PLAN 62R-18296

0 2 M



IBI GROUP
 200 East Wing – 360 James Street North
 Hamilton ON L8L 1H5 Canada
 tel 905 546 1010
ibigroup.com

September 16, 2022

Chair and Members of Committee of Adjustment c/o Jamila Sheffield
 Secretary - Treasurer, Committee of Adjustment
 City of Hamilton
 71 Main Street West - 5th Floor
 Hamilton, Ontario
 L8P 4Y5

Dear Ms. Sheffield:

**16 LOCHSIDE DRIVE, STONEY CREEK
 CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255
 CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255 - 16
 LOCHSIDE DRIVE, STONEY CREEK**

In July 2022, Tarbutt Construction Ltd. submitted concurrent applications for Consent and Minor Variance for the lands located at 16 Lochside Drive, Stoney Creek (herein referred to as the “subject lands”). The Consent Application was submitted to sever the existing lot into a total of two residential parcels (one severed and one retained), while the Minor Variance Application was submitted to permit eight minor variances to accommodate the proposed severance. The variances requested at the time were in line with the provisions of the R1-18 Zone, which was approved for 22 & 28 Lochside Drive. These applications were heard at the Committee of Adjustment Hearing, dated August 25th, 2022. After some discussion on the details of the applications, the applicant decided to table the applications and the Committee moved to accept the tabling.

Since that time, the applicant has retained IBI Group to prepare and submit a revised Minor Variance Application. As such, please accept this second resubmission for the above noted property and applications, following the tabling of the applications at the August 25th, 2022 hearing. This letter provides some information, rationale and analysis to support this resubmission. We re-iterate that the intent of the applications is to permit one new vacant lot, while retaining one lot with the retained dwelling. There are no proposed dwelling designs for the severed lot.

1.0 REVISED MINOR VARIANCES

The subject lands are zoned ‘Rural Residential Estate’ (RRE) in the Former Stoney Creek In the context of establishing the proposed residential lot on the lands to be severed and the resulting retaining lot, which includes the existing single detached dwelling, we have revised the variances for each residential parcel based on our review and interpretation of the Former City of Stoney Creek Zoning By-law 3692-92 to the following:

LANDS TO BE SEVERED:

1. A minimum lot area of 1,110 square metres shall be provided, instead of the minimum lot area required of 4,000 square metres, and;
2. A minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage shall be provided instead of the minimum required 25.0 metres front yard setback;

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

LANDS TO BE RETAINED:

3. A minimum lot area of 2,880 square metres shall be provided instead of the minimum required lot area of 4,000.0 square metres

Planning Act Section 45 (1) Compliance

Section 45 (1) of the Planning Act permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

1.1 Variances 1 & 3: Minimum Lot Area

The current zoning requires a minimum lot area of 4,000 square metres. The proposed lot along McCollum Road will require a variance to permit a reduced lot area of 1,110 square metres, while the retained lot along Lochside Drive requires a variance to permit a reduced minimum lot area of 2,880 square metres.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. As such, it is our opinion that the requested variances to the lot area are minor in nature and do not impact the overall character of the neighbourhood. As seen in **Figure 1**, the proposed lot areas are compatible with the existing lots in the neighbourhood, which range from 1,000 to 4,000 square metres. The lots, that are approximately 4,000 square metres, are waterfront lots, which have frontage along Lake Ontario, while the interior lots are primarily on the lower end of the identified range. The subject lands do not have frontage on Lake Ontario and are located within the interior of the neighbourhood. In addition, the subject lands have a generous area and can readily accommodate a new dwelling, while still maintaining the lower density, with lot sizes and shapes compatible with the context.

In the case of the proposed lot, the proposed variance for lot area is consistent with the lot areas of 17 and 19 McCollum Road as well as 3 Avery Circle, which are directly adjacent. The potential size of the new dwelling on the proposed lot will comply with required setbacks as required by the By-law, except for the front yard setback (identified in the second variance), thereby ensuring an appropriate distance between adjacent dwelling and reducing significant privacy and overlook concerns. The existing character of the area and streetscape are being maintained.

In the case of the retained lot, the reduced lot area will accommodate the existing single detached dwelling, deck and pool, while complying with all setbacks, as required by the By-law. Therefore, the proposed development will not have any adverse impacts on the area or upon surrounding homes.

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022



Figure 1: Surrounding Context around Subject Lands (identified in red), Retrieved from City of Hamilton Mapping

2. Are the Variances Desirable and Appropriate?

The variances are desirable and appropriate because they are compatible within the existing neighbourhood and built form. As illustrated in **Figure 1**, the existing residential lands within the vicinity of the subject lands have a mix and range of lot areas, which range from 1,000 to 4,000 square metres. As such, the proposed reductions to the lot area requirements will facilitate the proposed consent, which maintains the character and built form of the neighbourhood, while simultaneously allowing for mild intensification and generally lower density development and are therefore desirable and appropriate.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The subject lands are designated as 'Neighbourhoods' in Schedule E- Urban Structure and designated as 'Neighbourhoods' in Schedule E-1 – Urban Land Use Designations. These policies allow for residential uses. In addition, the subject lands are located within the Urban Lakeshore Area Secondary Plan and is designated Low Density Residential 2b, which permits a maximum density 32 units per net residential hectare. The proposed lot is intended to be developed with one single detached residential dwelling and the resulting density of 8.9 units per net hectare complies with the maximum density. The proposed development matches the low-density character of the neighbourhood.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The proposed variances to the minimum lot area meet the intent and purpose of the Zoning By-law. The subject lands are located in an established neighbourhood, where

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

there is a wide range of lot sizes and frontages. The purpose of a minimum lot area is to ensure there is adequate space to develop the lands without over development. In our opinion, the intent of the minimum lot area of 4,000 square metres for the Rural Residential Estate Zone was to accommodate private services, however, the subject lands and neighbourhood have access to full municipal water and wastewater servicing. Therefore, the reduced lot area is appropriate and can appropriately accommodate the existing single detached dwelling as well as the construction of an additional single detached dwelling.

We understand that Planning Staff are suggesting that a Zoning By-law amendment be processed and approved rather than proceeding with a variance. We respectfully disagree as a single family dwelling is a permitted use as of right subject to certain regulations and no change in use is being requested. These lands are zoned for residential purposes now. A reduction to lot area is in our opinion a “typical” matter that a Committee of Adjustment can approve pursuant to the provisions of Section 45 (1) of the Planning Act which authorize the Committee to consider a variance subject to compliance with the four tests. Proceeding with a variance is also in conformity with Bill 109 which requires expedited processing of land development applications to increase the supply of housing.

1.2 Variance 2: Minimum Front Yard

The current zoning requires a minimum front yard setback of 25.0 metres. The proposed lot along McCollum Road requires a variance to permit a reduced minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the minimum front yard is minor in nature, as they do not impact the overall character of the neighbourhood and rather, represent a general theme in the interior of the neighbourhood, consisting of reduced front yard setbacks. The proposed front yard setback is consistent with the existing front yard setbacks along McCollum Road, as seen in **Figure 1**.

2. Are the Variances Desirable and Appropriate?

The requested variance is desirable and appropriate for the neighbourhood, as the majority of dwellings located in the interior of the neighbourhood along McCollum Road are close to the street line and have front yard setbacks in line with what is being requested.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The variance meets the general intent of the Official Plan and Secondary Plan. As the neighbourhood is designated Low Density Residential, the proposed variance is to accommodate a single detached dwelling, which is a permitted use. The reduced front yard reflects the existing neighbourhood character and maintains the “rhythm” of the street.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The variance meets the general intent of the former Zoning By-law, as the proposed reduction to the front yard setback allows the proposed building to be consistent with the adjacent properties. The reduced front yard set back maintains the overall character of the area. The existing zoning was applied by the former City of Stoney Creek when this

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

was a more rural estate type area with larger lots situated in a semi rural lakeshore setting. Full municipal services have been provided which allow for a more compact form of development and smaller lots and reduced front yards.

2.0 CONCLUSION AND RECOMMENDATIONS

Based on our review of the existing context, the proposed plan and applicable planning policy and legislation, it is our opinion that the proposed applications should be approved. The proposed development complies with, conforms to and implements the requirement of the Planning Act, the UHOP, the Urban Lakeshore Secondary Plan and the By-law and each of the variances, individually and collectively, meet the four tests as required under the Planning Act. A Zoning By-law amendment application should not be required as no new use is being requested and the reduced lot area and front yard setback are indeed typical variances within the power of the Committee of Adjustment to consider.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Regards,
IBI Group



John Ariens, MCIP, RPP
Associate Director – Practice Lead



Ritee Haider, MCIP, RPP
Planner



Hamilton

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

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

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

Office Use Only

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

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone: E-mail:
Registered Owners(s)	LYNN ANN MOLLOY		
Applicant(s)**			
Agent or Solicitor	JIM TARBUTT TARBUTT CONSTRUCTION LTD		

*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 10	Concession	Former Township STONEY CREEK
Registered Plan N°. 62M-444	Lot(s) 10	Reference Plan N°.	Part(s)
Municipal Address 16 LOCHSIDE DR. STONEY CREEK ON L8E 5T6			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: THERE IS AN EASEMENT ON THE LANDS ~~BE~~ BEING RETAINED, BUT, NOT THE LANDS TO BE SEVERED

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:

N/A

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

N/A

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
<u>40.716 m</u>	<u>27.432 m.</u>	<u>1,116.921 m²</u>

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: NOTHING AT THIS TIME

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)

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

Frontage (m)	Depth (m)	Area (m ² or ha)
48.697 m	84.686 m EASTSIDE 57.134 m WESTSIDE	2,888.19

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: RESIDENCE WITH ATTACHED GARAGE

Proposed: NO CHANGE

Existing structures to be removed: NONE

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system
 - privately owned and operated individual septic system
 - other means (specify)
- WE ARE IN THE PROCESS OF CONNECTING THE EXISTING SEPTIC SYSTEM TO CITY SANITARY LINES.

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

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable): _____

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

THE SURROUNDING LAND IS COMPLETELY DEVELOPED. THIS IS THE LAST PARCEL OF LAND ON THIS STREET THAT CAN BE SEVERED

5.2 What is the existing zoning of the subject land? RRE.
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

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

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

*Complete MDS Data Sheet if applicable

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

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

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

PRESENT OWNER HAS RESIDED ON THIS PROPERTY FOR 39 YEARS. THIS PROPERTY WAS DEVELOPED AS R.R.E. 39 YEARS AGO

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

[Empty box for explanation]

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

[Empty box for explanation]

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

[Empty box for explanation]

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

[Empty box for explanation]

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)

[Empty box for 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)

[Empty box for 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?

39 YEARS

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

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

9 OTHER APPLICATIONS

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

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

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

Yes No Unknown

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

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area

Designation

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

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

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

10.3 Description of Lands

a) Lands to be Severed:

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

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

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

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

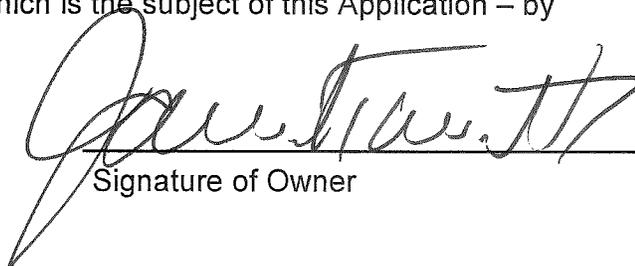
Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

WOCOSIDE DR. WAS DEVELOPED APPROXIMATELY 39 YEARS AGO. DURING THE PAST 20 YEARS, ALL THE SURROUNDING LAND HAS BEEN DEVELOPED INTO RESIDENTIAL HOUSING ADJACENT TO FIFTY POINT CONSERVATION AREA

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.

JULY 21, 2022
 Date


 Signature of Owner



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/A-22:255	SUBJECT PROPERTY:	16 LOCHSIDE DRIVE, STONEY CREEK
ZONE:	"RRE" (Rural Residential Estate)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner - Lynn Ann Molloy
Agent – IBI Group J. Ariens & Tarbutt Construction Ltd

The following variances are requested:

LANDS TO BE SEVERED:

1. A minimum lot area of 1,110.0 m² shall be provided instead of the minimum lot area required of 4,000 m²; and
2. A minimum front yard setback of 6.0 m, shall be provided instead of the minimum required 25.0 m front yard setback; and

LANDS TO BE RETAINED:

1. A minimum lot area of 2,880.0 m² shall be provided instead of the minimum required lot area of 4,000 m²; and

PURPOSE & EFFECT: To facilitate the creation of two lots through land severance application SC/B-22: 74 notwithstanding that;

Notes:

- i. These variances are necessary to facilitate land severance application SC/B-22: 74.
- ii. Please be advised that a 0.30 m reserve shown as BLOCK 14 (PIN 17370-0878(LT)) abutting McCollum Road shall be incorporated into the road allowance to facilitate access for the new lot (severed) to be created through lands severance application SC/B-22: 74.

SC/A-22:255

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

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

DATE:	Thursday, November 3, 2022
TIME:	2:10 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

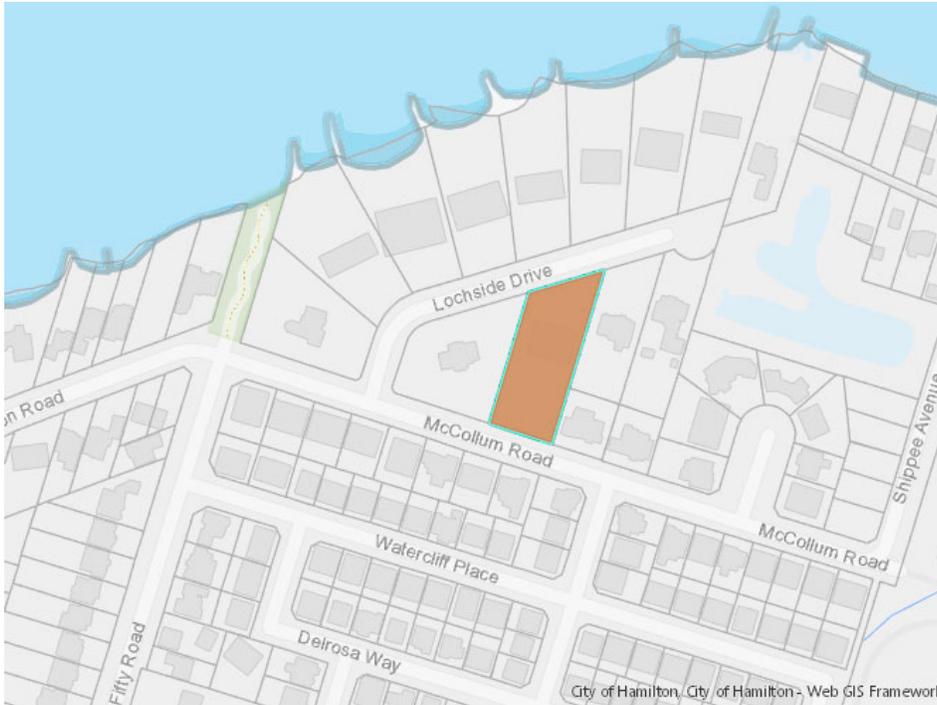
- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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-22:255



 Subject Lands

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

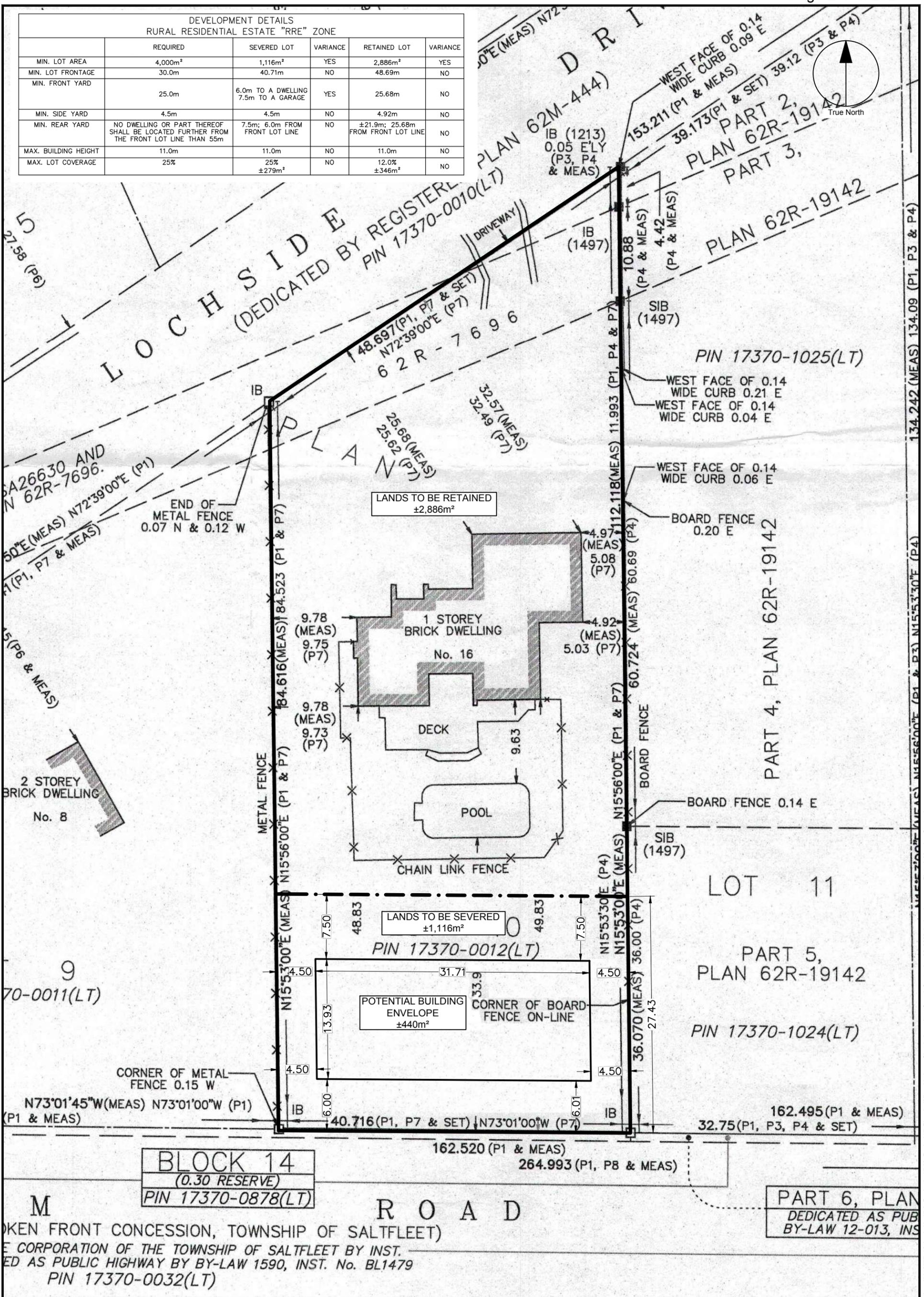
2. In person Oral Submissions

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

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

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

DEVELOPMENT DETAILS RURAL RESIDENTIAL ESTATE "RRE" ZONE					
	REQUIRED	SEVERED LOT	VARIANCE	RETAINED LOT	VARIANCE
MIN. LOT AREA	4,000m ²	1,116m ²	YES	2,886m ²	YES
MIN. LOT FRONTAGE	30.0m	40.71m	NO	48.69m	NO
MIN. FRONT YARD	25.0m	6.0m TO A DWELLING 7.5m TO A GARAGE	YES	25.68m	NO
MIN. SIDE YARD	4.5m	4.5m	NO	4.92m	NO
MIN. REAR YARD	NO DWELLING OR PART THEREOF SHALL BE LOCATED FURTHER FROM THE FRONT LOT LINE THAN 55m	7.5m; 6.0m FROM FRONT LOT LINE	NO	±21.9m; 25.68m FROM FRONT LOT LINE	NO
MAX. BUILDING HEIGHT	11.0m	11.0m	NO	11.0m	NO
MAX. LOT COVERAGE	25%	25%	NO	12.0%	NO



CLIENT TARBUTT CONSTRUCTION LTD. 189 SOUTH SERVICE ROAD GRIMSBY, ON L3M 4H6	PROJECT NAME 16 LOCHSIDE 16 LOCHSIDE DRIVE STONE CREEK, ON L8E 5T6	IBI GROUP Suite 200 - 360 James Street North Hamilton ON L8L 1H5 Canada tel 905 546 1010 fax 905 546 1011 ibigroup.com	FIGURE NAME MINOR VARIANCE SKETCH	FIGURE NO. 1	REVISION 0
	SCALE: 1:400		DATE: 2022-09-22	PROJECT MGR: J.MARCUS	DRAWN BY: J.MARCUS
PROJECT NO: 140577					

File Location: J:\140577_16 Lochside_V.0_Production\7.03_Design\17_Planning\Minor Variance Sketch.dwg Last Saved: September 26, 2022, by Jared Marcus Plotted: Monday, September 26, 2022, 9:55:55 AM, Plot Size: 11.00 x 16.00, Plot Scale: 1:1000



IBI GROUP
 200 East Wing – 360 James Street North
 Hamilton ON L8L 1H5 Canada
 tel 905 546 1010 fax 905 546 1011
ibigroup.com

September 20, 2022

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

Dear Ms. Sheffield:

**16 LOCHSIDE DRIVE, STONEY CREEK
 CONSENT AND MINOR VARIANCE APPLICATIONS - SC/B-22:74 & SC/A-22:255**

On behalf of our client, Tarbutt Construction Ltd., we are pleased to submit a revised Minor Variance application for the above noted property.

At the August 25th Committee hearing our client requested that both the Minor Variance and Consent applications be tabled so that they could review and contemplate adjustments. Since then, Tarbutt Construction Ltd. has retained our firm to review and represent the matter.

Upon review we have determined that the Consent application has merit as submitted initially and no changes are necessary, but the Minor Variance application warranted further investigation. The result is the removal of variances for side yard setback, rear yard setback, and lot coverage from the severed parcel, and the removal of the rear yard setback variance from the retained parcel. The remaining variances are for minimum lot area for both severed and retained parcels, and minimum front yard setback for only the severed parcel. We would note that the initial application made two separate front yard setback requests for the severed parcel, where only one was needed. The duplicated variance requesting the 7.5m and 8.0m front yard setbacks is removed.

In support of the amended Minor Variance application please find enclosed the following information:

- One (1) copy of a Minor Variance sketch which provides additional site statistics;
- One (1) copy of the Planning Opinion memo supporting the proposed variances; and,
- One (1) copy of the Owner's Authorization updated to include IBI Group as agent.

Please note that the recirculation fee will be submitted under separate cover.

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,

Jared Marcus, CPT
 Associate, Manager – Planning



IBI GROUP
 200 East Wing – 360 James Street North
 Hamilton ON L8L 1H5 Canada
 tel 905 546 1010
ibigroup.com

September 16, 2022

Chair and Members of Committee of Adjustment c/o Jamila Sheffield
 Secretary - Treasurer, Committee of Adjustment
 City of Hamilton
 71 Main Street West - 5th Floor
 Hamilton, Ontario
 L8P 4Y5

Dear Ms. Sheffield:

**16 LOCHSIDE DRIVE, STONEY CREEK
 CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255
 CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255 - 16
 LOCHSIDE DRIVE, STONEY CREEK**

In July 2022, Tarbutt Construction Ltd. submitted concurrent applications for Consent and Minor Variance for the lands located at 16 Lochside Drive, Stoney Creek (herein referred to as the “subject lands”). The Consent Application was submitted to sever the existing lot into a total of two residential parcels (one severed and one retained), while the Minor Variance Application was submitted to permit eight minor variances to accommodate the proposed severance. The variances requested at the time were in line with the provisions of the R1-18 Zone, which was approved for 22 & 28 Lochside Drive. These applications were heard at the Committee of Adjustment Hearing, dated August 25th, 2022. After some discussion on the details of the applications, the applicant decided to table the applications and the Committee moved to accept the tabling.

Since that time, the applicant has retained IBI Group to prepare and submit a revised Minor Variance Application. As such, please accept this second resubmission for the above noted property and applications, following the tabling of the applications at the August 25th, 2022 hearing. This letter provides some information, rationale and analysis to support this resubmission. We re-iterate that the intent of the applications is to permit one new vacant lot, while retaining one lot with the retained dwelling. There are no proposed dwelling designs for the severed lot.

1.0 REVISED MINOR VARIANCES

The subject lands are zoned ‘Rural Residential Estate’ (RRE) in the Former Stoney Creek In the context of establishing the proposed residential lot on the lands to be severed and the resulting retaining lot, which includes the existing single detached dwelling, we have revised the variances for each residential parcel based on our review and interpretation of the Former City of Stoney Creek Zoning By-law 3692-92 to the following:

LANDS TO BE SEVERED:

1. A minimum lot area of 1,110 square metres shall be provided, instead of the minimum lot area required of 4,000 square metres, and;
2. A minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage shall be provided instead of the minimum required 25.0 metres front yard setback;

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

LANDS TO BE RETAINED:

3. A minimum lot area of 2,880 square metres shall be provided instead of the minimum required lot area of 4,000.0 square metres

Planning Act Section 45 (1) Compliance

Section 45 (1) of the Planning Act permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

1.1 Variances 1 & 3: Minimum Lot Area

The current zoning requires a minimum lot area of 4,000 square metres. The proposed lot along McCollum Road will require a variance to permit a reduced lot area of 1,110 square metres, while the retained lot along Lochside Drive requires a variance to permit a reduced minimum lot area of 2,880 square metres.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. As such, it is our opinion that the requested variances to the lot area are minor in nature and do not impact the overall character of the neighbourhood. As seen in **Figure 1**, the proposed lot areas are compatible with the existing lots in the neighbourhood, which range from 1,000 to 4,000 square metres. The lots, that are approximately 4,000 square metres, are waterfront lots, which have frontage along Lake Ontario, while the interior lots are primarily on the lower end of the identified range. The subject lands do not have frontage on Lake Ontario and are located within the interior of the neighbourhood. In addition, the subject lands have a generous area and can readily accommodate a new dwelling, while still maintaining the lower density, with lot sizes and shapes compatible with the context.

In the case of the proposed lot, the proposed variance for lot area is consistent with the lot areas of 17 and 19 McCollum Road as well as 3 Avery Circle, which are directly adjacent. The potential size of the new dwelling on the proposed lot will comply with required setbacks as required by the By-law, except for the front yard setback (identified in the second variance), thereby ensuring an appropriate distance between adjacent dwelling and reducing significant privacy and overlook concerns. The existing character of the area and streetscape are being maintained.

In the case of the retained lot, the reduced lot area will accommodate the existing single detached dwelling, deck and pool, while complying with all setbacks, as required by the By-law. Therefore, the proposed development will not have any adverse impacts on the area or upon surrounding homes.

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022



Figure 1: Surrounding Context around Subject Lands (identified in red), Retrieved from City of Hamilton Mapping

2. Are the Variances Desirable and Appropriate?

The variances are desirable and appropriate because they are compatible within the existing neighbourhood and built form. As illustrated in **Figure 1**, the existing residential lands within the vicinity of the subject lands have a mix and range of lot areas, which range from 1,000 to 4,000 square metres. As such, the proposed reductions to the lot area requirements will facilitate the proposed consent, which maintains the character and built form of the neighbourhood, while simultaneously allowing for mild intensification and generally lower density development and are therefore desirable and appropriate.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The subject lands are designated as 'Neighbourhoods' in Schedule E- Urban Structure and designated as 'Neighbourhoods' in Schedule E-1 – Urban Land Use Designations. These policies allow for residential uses. In addition, the subject lands are located within the Urban Lakeshore Area Secondary Plan and is designated Low Density Residential 2b, which permits a maximum density 32 units per net residential hectare. The proposed lot is intended to be developed with one single detached residential dwelling and the resulting density of 8.9 units per net hectare complies with the maximum density. The proposed development matches the low-density character of the neighbourhood.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The proposed variances to the minimum lot area meet the intent and purpose of the Zoning By-law. The subject lands are located in an established neighbourhood, where

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

there is a wide range of lot sizes and frontages. The purpose of a minimum lot area is to ensure there is adequate space to develop the lands without over development. In our opinion, the intent of the minimum lot area of 4,000 square metres for the Rural Residential Estate Zone was to accommodate private services, however, the subject lands and neighbourhood have access to full municipal water and wastewater servicing. Therefore, the reduced lot area is appropriate and can appropriately accommodate the existing single detached dwelling as well as the construction of an additional single detached dwelling.

We understand that Planning Staff are suggesting that a Zoning By-law amendment be processed and approved rather than proceeding with a variance. We respectfully disagree as a single family dwelling is a permitted use as of right subject to certain regulations and no change in use is being requested. These lands are zoned for residential purposes now. A reduction to lot area is in our opinion a “typical” matter that a Committee of Adjustment can approve pursuant to the provisions of Section 45 (1) of the Planning Act which authorize the Committee to consider a variance subject to compliance with the four tests. Proceeding with a variance is also in conformity with Bill 109 which requires expedited processing of land development applications to increase the supply of housing.

1.2 Variance 2: Minimum Front Yard

The current zoning requires a minimum front yard setback of 25.0 metres. The proposed lot along McCollum Road requires a variance to permit a reduced minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the minimum front yard is minor in nature, as they do not impact the overall character of the neighbourhood and rather, represent a general theme in the interior of the neighbourhood, consisting of reduced front yard setbacks. The proposed front yard setback is consistent with the existing front yard setbacks along McCollum Road, as seen in **Figure 1**.

2. Are the Variances Desirable and Appropriate?

The requested variance is desirable and appropriate for the neighbourhood, as the majority of dwellings located in the interior of the neighbourhood along McCollum Road are close to the street line and have front yard setbacks in line with what is being requested.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The variance meets the general intent of the Official Plan and Secondary Plan. As the neighbourhood is designated Low Density Residential, the proposed variance is to accommodate a single detached dwelling, which is a permitted use. The reduced front yard reflects the existing neighbourhood character and maintains the “rhythm” of the street.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The variance meets the general intent of the former Zoning By-law, as the proposed reduction to the front yard setback allows the proposed building to be consistent with the adjacent properties. The reduced front yard set back maintains the overall character of the area. The existing zoning was applied by the former City of Stoney Creek when this

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

was a more rural estate type area with larger lots situated in a semi rural lakeshore setting. Full municipal services have been provided which allow for a more compact form of development and smaller lots and reduced front yards.

2.0 CONCLUSION AND RECOMMENDATIONS

Based on our review of the existing context, the proposed plan and applicable planning policy and legislation, it is our opinion that the proposed applications should be approved. The proposed development complies with, conforms to and implements the requirement of the Planning Act, the UHOP, the Urban Lakeshore Secondary Plan and the By-law and each of the variances, individually and collectively, meet the four tests as required under the Planning Act. A Zoning By-law amendment application should not be required as no new use is being requested and the reduced lot area and front yard setback are indeed typical variances within the power of the Committee of Adjustment to consider.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Regards,
IBI Group



John Ariens, MCIP, RPP
Associate Director – Practice Lead



Ritee Haider, MCIP, RPP
Planner

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

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



APPLICATION FOR 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)	LYNN ANN MOLLOY	
Applicant(s)*		
Agent or Solicitor	JIM TARBUTT TARBUTT CONSTRUCTION LTD	

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:

ADJUST SETBACKS FOR A RESIDENTIAL BUILDING FOR A ~~SEVERE~~ NEWLY SEVERED LOT

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

THE ORIGINAL ZONING IS RRE, SINCE THE LOCAL AREA HAS DEVELOPED OVER THE PAST 20 YEARS, TO ORIGINAL 1 ACRE LOT MAY SEVERE @ A GOOD SIZE BUILDING 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**):

16, LOCKSIDE DR. STONEY CREEK
LOT 10 PLAN 62M - 444 CITY OF HAMILTON
PIN 17370-0012 (LT)

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?

LOCKSIDE DR., FORMERLY WINDOIA, WAS DEVELOPED APPROX. 39 YEARS AGO. THE PRESENT OWNER HAD THE EXISTING CONSTRUCTED BY JAY ROBINSON AND RESIDES HERE AT PRESENT

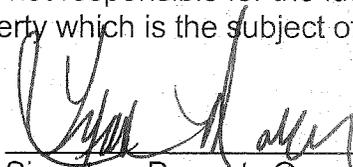
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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 21, 2022
Date


Signature Property Owner(s)

WYNNE AND MOLLOY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40.716 M.
Depth 27.432 M
Area 1,116.921 M²
Width of street 20.12 M

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

Existing: VACANT LAND

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: VACANT LAND

Proposed:

MIN. FRONT YARD 6.0 M EXCEPT 7.5 M TO ATTACHED GARAGE
MIN. SIDE YARD 1.85 M OR CARPORT
MAX. REAR YARD 7.5 M
LOT COVERAGE 40%

MAX. FRONT YARD 7.5 M EXCEPT 3.0 M TO ATTACHED GARAGE OR CARPORT

13. Date of acquisition of subject lands:
1983

14. Date of construction of all buildings and structures on subject lands:
1983

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:
39 YEARS

18. Municipal services available: (check the appropriate space or spaces)
Water Connected
Sanitary Sewer Connected IN THE PROCESS
Storm Sewers PERMITS ISSUED

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

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

21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:

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

21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No

23. Additional Information (please include separate sheet if needed)

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/A-22:313	SUBJECT PROPERTY:	511 Winona Rd, Stoney Creek
ZONE:	"R2" (Residential Two)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner: ELVIS GJERKAJ
Agent: MATTHEW FRATARCANGELI

The following variances are requested:

1. The maximum lot coverage shall be 43.27% instead of the maximum permitted lot coverage of 40%.
2. A minimum rear yard of 5.30 metres shall be permitted instead of the minimum 7.5 metres required.

PURPOSE & EFFECT: As to permit the construction of a roofed over rear yard deck attached to an existing single detached dwelling.

Notes: 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:

DATE:	Thursday, November 3, 2022
TIME:	2:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

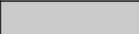
2. In person Oral Submissions

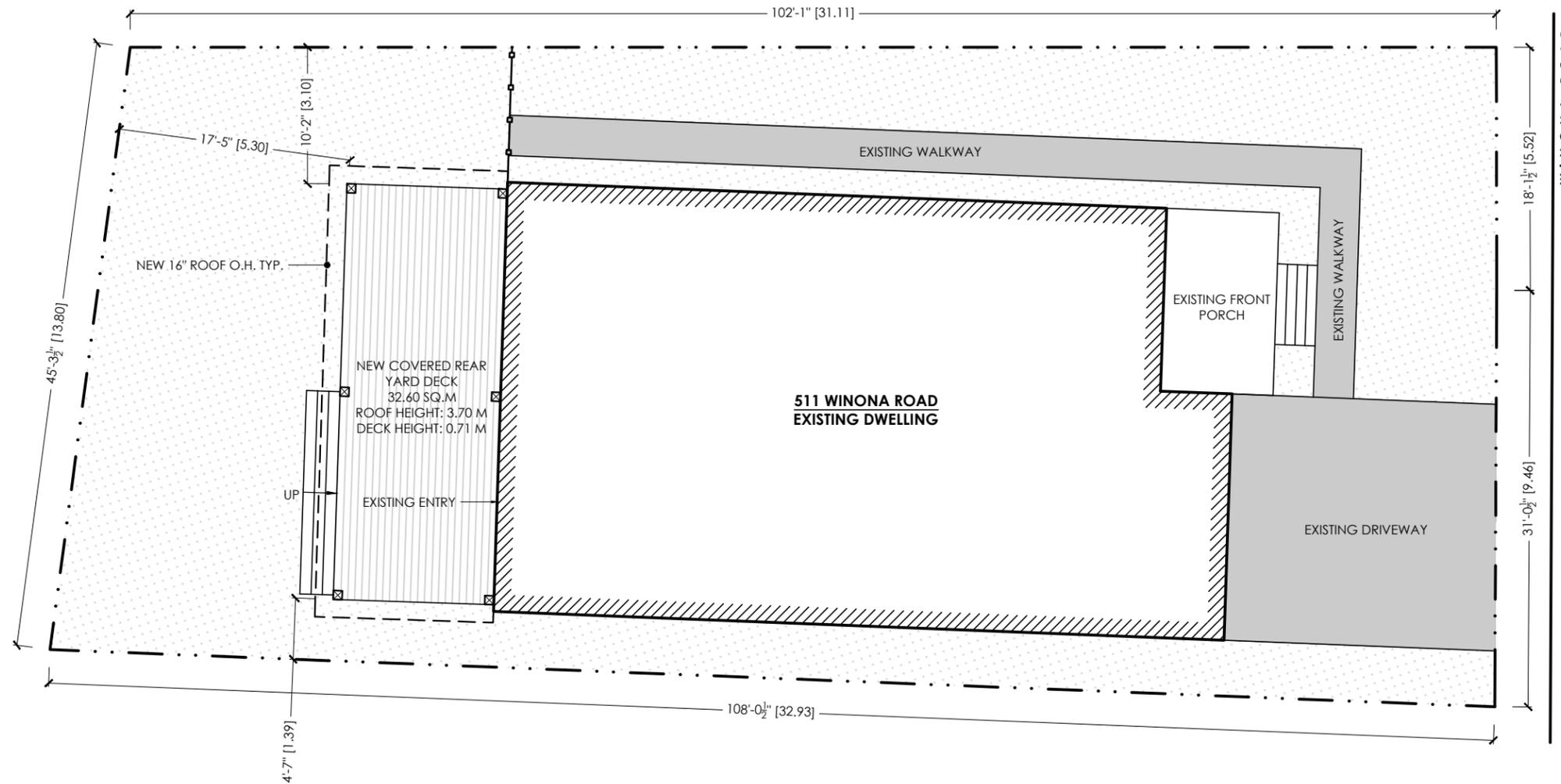
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

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

LEGEND:

-  EXISTING SOFTSCAPE
-  EXISTING HARDSCAPE
-  NEW DECK
-  NEW POST



GENERAL SITE PLAN NOTES:

1. LOT LINE AND HOUSE FOOTPRINT DATA IS TAKEN FROM A CERTIFIED OLS SURVEY. THIS DATA HAS BEEN SUBMITTED WITH THE PERMIT APPLICATION.
2. ONLY SITE WORK RELATED TO THE CONSTRUCTION OF THE SUBJECT COVERED REAR YARD DECK TO BE CARRIED OUT.
3. EXISTING SITE DRAINAGE PATTERNS TO REMAIN UNCHANGED. MINIMUM 24" AROUND PROPERTY LINE TO REMAIN UNCHANGED - GRADES TO MATCH
4. ALL DOWNSPOUTS ON SITES DRAINS DIRECTLY INTO SOFT LANDING. NO DOWNSPOUTS ARE TO CROSS WALKWAYS OR PATIOS OR DRAIN ONTO/ACROSS WALKWAYS OR PATIOS.

LOT STATS:

LOT AREA:	4946.34	SQ. FT. [459.53 SQ. M.]
HOUSE / PORCH:	1789.60	SQ. FT. [166.26 SQ. M.]
NEW COVERED REAR YARD DECK:	350.90	SQ. FT. [32.60 SQ. M.]
LOT COVERAGE:	2140.50	SQ. FT. [198.86 SQ.M.] = 43.27%

1 PROPOSED SITE PLAN
SP1.01 3/32" - 1'-0"



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

Matthew Fratarcangeli

REGISTRATION INFORMATION
TENHOUSE BUILDING WORKSHOP
BCIN#:112916

NO.	DATE	REVISION/ISSUE
0	09-30-2022	FOR PERMIT APPLICATION

PROJECT:
NEW COVERED REAR YARD DECK AT 511 WINONA ROAD HAMILTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2022-027	CHECKED: M.D.F
REVISION: 0	DATE: 09-30-2022

PROPOSED SITE PLAN
SP1.01



Hamilton

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	ELVIS GJERKAJ	[REDACTED]
Applicant(s)	MATTHEW FRATARCANGELI	
Agent or Solicitor	MATTHEW FRATARCANGELI	

1.2 All correspondence should be sent to Owner Applicant
 Agent/Solicitor

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

1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	511 WINONA ROAD, HAMILTON ON, L8E 5E5		
Assessment Roll Number			
Former Municipality			
Lot	LOT 48	Concession	
Registered Plan Number	62M-665	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

DECREASE MAXIMUM LOT COVERAGE PERMITTED:
(REQUIREMENT: 40 %)(PROPOSED: 44%)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

PREFERRED SIZED FOR COVERED OUTDOOR LIVING SPACE

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
14.98 METERS	32.93 METERS	459.53 SQ. M	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXISTING 2-STOREY HOUSE	6.02 METERS	8.93 METERS	3.07 & 1.26 METERS	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
NEW COVERED REAR YARD DECK	22.52 METERS	5.29 METERS	3.10 & 1.39 METERS	

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXISTING 2-STOREY HOUSE	155.60	311.20	2	7.71 METERS

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
NEW COVERED REAR YARD DECK	32.60	32.60	1	ROOF: 3.70 M DECK:0.71 M

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)
-

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)
-

- 4.6 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)
-

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

SINGLE FAMILY

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

SINGLE FAMILY

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

SINGLE FAMILY

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

SINGLE FAMILY

7.4 Length of time the existing uses of the subject property have continued:

SINCE CONSTRUCTED

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) 3692-92 STONEY CREEK

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

7.6 What is the existing zoning of the subject land? R2

7.8 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:



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-22:310	SUBJECT PROPERTY:	175 Beach Boulevard, Hamilton
ZONE:	"C/S-1435" (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 99-169

APPLICANTS: Owner: Juliette/Rob Prouse
Agent: Shane Wilson – Details Matter

The following variances are requested:

1. A northerly side yard of 1.2 metres shall be permitted instead of the minimum required 1.7m side yard.

PURPOSE & EFFECT: To permit the construction a proposed 100 square metre second storey addition.

Notes:

1. If a common swale is located between the subject property and the adjoining property to the north, the minimum required side yard may be reduced to 1.5 metres as per 1. (b) of amending By-law 99-169. A variance would still be required to reduce the minimum side yard to 1.2 metres for the purposes of the proposed construction.

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

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

DATE:	Thursday, November 3, 2022
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for

HM/A-22:310

	details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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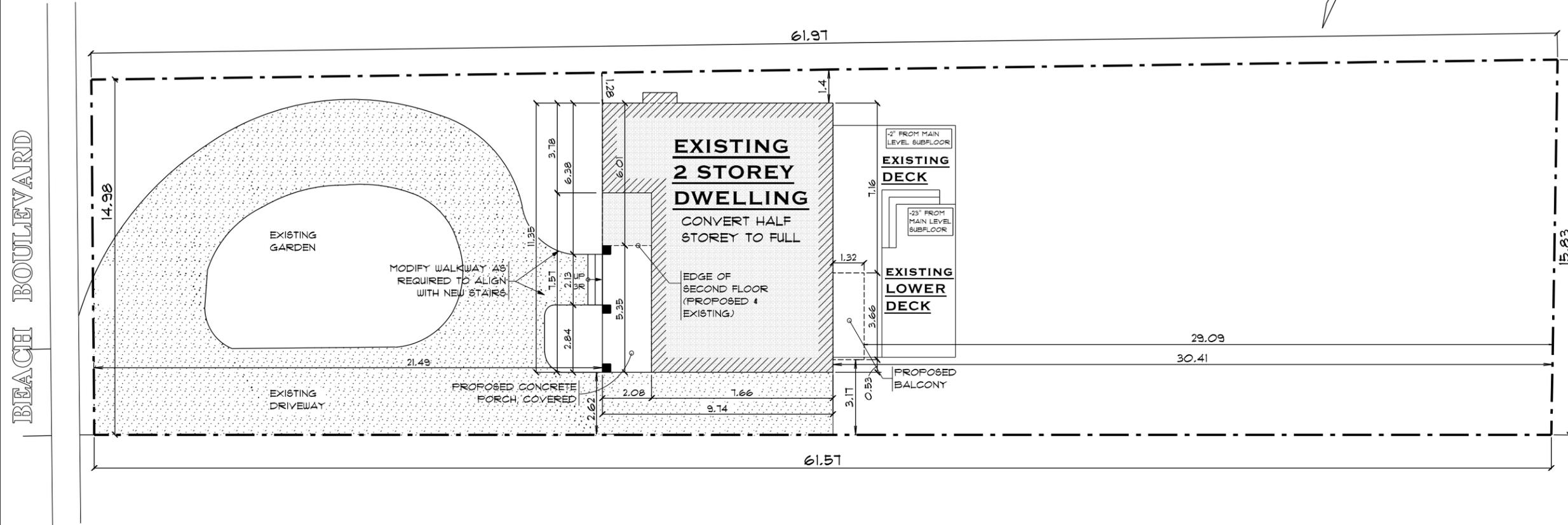
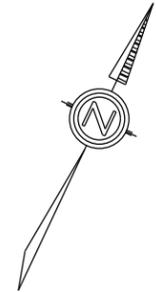
2. In person Oral Submissions

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

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

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

PLAN OF
#175 BEACH BOULEVARD
 IN THE
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HALTON



QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

SHANE K WILSON
 FIRM NAME: DETAILS MATTER 39141

Details **Matter**

M. 905.870.8445
 SHANE@DETAILSMATTER.CA WWW.DETAILSMATTER.CA

FACEBOOK.COM/DETAILSMATTER2007
 @DETAILSMATTER07

PROJECT:
 175 BEACH BLVD
 HAMILTON, ONTARIO

SHEET TITLE:
SITE SKETCH

NO.	DATE:	ISSUE / REVISION
1	04-29-22	ISSUED FOR PERMIT
2	09-28-22	REVISED FOR C.O.A.
3		
4		
5		

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 OBC.

LOT COVERAGE STATISTICS

LOT AREA	951.39 SQ. M.
EXISTING MAIN FLOOR	95.47 SQ. M. 10.03 %
EXISTING SECOND FLOOR AREA	99.31 SQ. M.
TOTAL PROPOSED FLOOR AREA	194.78 SQ. M. 20.47 %
PROPOSED FRONT COVERED PORCH	15.98 SQ. M. 1.68 %
TOTAL LOT COVERAGE	111.45 SQ. M. 11.71 %

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE:	DATE: JULY 2021	PROJECT NO: DM21-025

DRAWING NO:
AO



Hamilton

Committee of Adjustment

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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

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

Royal Bank of Canada
3535 New St
Burlington, ON
L7N 3W2

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) Left Side Yard Setback : 1.8m allowed, 1.2 m proposed (existing corner)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

We are proposing to convert a half storey second floor with a full height addition. The design is building up on existing exterior walls and our existing left hand (north west) side wall does not comply with the zoning bylaw.

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

175 Beach Boulevard

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?

best of our knowledge

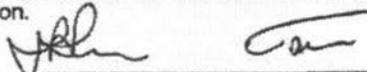
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

September 18th 2022
 Date


 Signature Property Owner(s)

Juliette and Rob Prouse
 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 49'-2"
 Depth 202'-0" / 203'-3.5"
 Area 10,241 SF
 Width of street 38'

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

Existing:

Existing 1.5 Storey Home.
 Existing Main Floor Area 1027.7 SF
 Existing Gross Floor Area 2096.7 SF
 Width : 23'-6" Length : 31'-11.5" Height : 22'-0" +/-

Proposed

2 Storey Home
 Proposed Main Floor Area 1027.7 SF
 Proposed Gross Floor Area 2096.7 SF
 Width : 23'-6" Length : 31'-11.5" Height : 27'-10.5"

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

Existing:

Dwelling : 70'-6" front (west), 4'-2.5" left (north), 99'-9.5" rear (east), 8'-7" right (south)
 Front Porch : 8'-7" right (south) , 70'-6" front (west)

Proposed:

Dwelling : 70'-6" front (west), 4'-2.5" left (north)", 99'-9.5" rear (east), 8'-7" right (south)
 * we are just converting half story to full but existing north wall doesn't comply.
 Proposed Front Porch : 8'-7" right (south) , 70'-6" front (west)

13. Date of acquisition of subject lands:
2012-10-03
14. Date of construction of all buildings and structures on subject lands:
Approx 1940
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family Dwelling
17. Length of time the existing uses of the subject property have continued:
always
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input 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

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NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-22:190	SUBJECT PROPERTY:	330 Dundurn St S, Hamilton
ZONE:	"I3" (Major Institutional)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 07-101

APPLICANTS: Owner: 2178949 ONTARIO INC - LEV DEVELOPMENT
Agent: SRM ARCHITECTS INC
Applicant: YANIV GELER

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

HM/A-22:190

yard and minimum required rear of 6.0 metres where abutting a Residential Zone.

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 eighty (80) 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 108 dwelling units, notwithstanding:

Notes:

1. The proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. The requested variances are required to facilitate Site Plan Application No. DA-21-133, which received condition approval on March 16, 2022. Please note that a full zoning compliance review has not been completed as part of the submitted minor variance application; as such, the variances have been written as requested by applicant.

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

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

DATE:	Thursday, November 3, 2022
TIME:	2:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

HM/A-22:190

PUBLIC INPUT

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

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



 **Subject Lands**

DATED: October 18, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



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SITE DATA		
DATA	REQUIRED	PROVIDED
ZONING	MAJOR INSTITUTIONAL (I3)	
NET LOT AREA	7,555m ²	
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

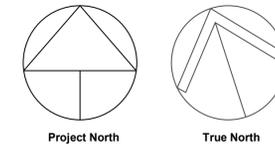
BUILDING DATA		
DATA	REQUIRED	PROVIDED
TOTAL DENSITY	-	108 UNITS
		57 (52.8%) - 1 BED/
		1 BED+DEN
		45 (41.6%) - 2 BED/
		2 BED+DEN
		6 (5.6%) - 3 BED
BUILDING AREA	-	1,241m ² (13,358 SF)
GROSS CONSTRUCTION AREA	-	12,454m ² (134,054 SF)
GROSS FLOOR AREA	-	8,726m ² (93,926 SF)
GFA (CITY OF HAMILTON)	-	8,100m ² (87,194 SF)
NET SALEABLE AREA	-	6,817m ² (71,225 SF)
NUMBER OF STOREYS	-	8
BUILDING HEIGHT (NOT INCL. PH.)	28m MAX.	28m
AMENITY AREA	-	2,489 SF - INDOOR
		4,182 SF - OUTDOOR
		6,671 SF - TOTAL

GROSS FLOOR AREA BREAKDOWN		
DATA	REQUIRED	PROVIDED
LEVEL 1		1,241m ² (13,358 SF)
LEVEL 2		1,000m ² (10,764 SF)
LEVEL 3		1,249m ² (13,444 SF)
LEVEL 4		1,249m ² (13,444 SF)
LEVEL 5		943m ² (10,150 SF)
LEVEL 6		980m ² (10,549 SF)
LEVEL 7		887m ² (9,548 SF)
LEVEL 8		839m ² (9,031 SF)
MECH. PH.		338m ² (3,638 SF)
GFA TOTAL (INCL. SERVICES)		8,726m ² (93,926 SF)

SITE COVERAGE DATA		
DATA	REQUIRED	PROVIDED
PROPOSED BUILDING COVERAGE		1,101m ² (11.9%)
EXISTING BUILDING COVERAGE		1,860m ² (24.6%)
ASPHALT AREA		1,842m ² (24.4%)
LANDSCAPING AREA		2,751m ² (36.4%)
TOTAL		7,555m ² (100%)

VEHICLE PARKING DATA		
DATA	REQUIRED	PROVIDED
RESIDENTIAL PARKING (6.58c(i))	EXISTING RETIREMENT: 113 UNITS, 1/3 PEOPLE = 38 STALLS PROPOSED CONDO: 0.3 X UNIT = 50m ² = 0.3 X 35 = 10.5 1.0 X UNIT = 50m ² = 1.0 X 73 = 73 TOTAL = 122	RETIREMENT: 22 CONDO & VISITOR: 80 TOTAL: 102 STALLS
BARRIER FREE PARKING (INCL.)	RETIREMENT = 1 CONDO = 4% = 3.4 TOTAL = 4	4 STALLS (INCL.)
TOTAL PARKING		102 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 TO 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
9	2022-10-03	PARKING REV. ISSUED FOR MV APPLICATION
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

	Project No.	21046
	Project Date	2022-09-09
	Drawn by	CZ
	Checked by	RPH
	Per Date / Time	2022-10-05 2:55:35 PM

ABERDEEN CONDOS
444 ABERDEEN AVE.
HAMILTON

SITE PLAN

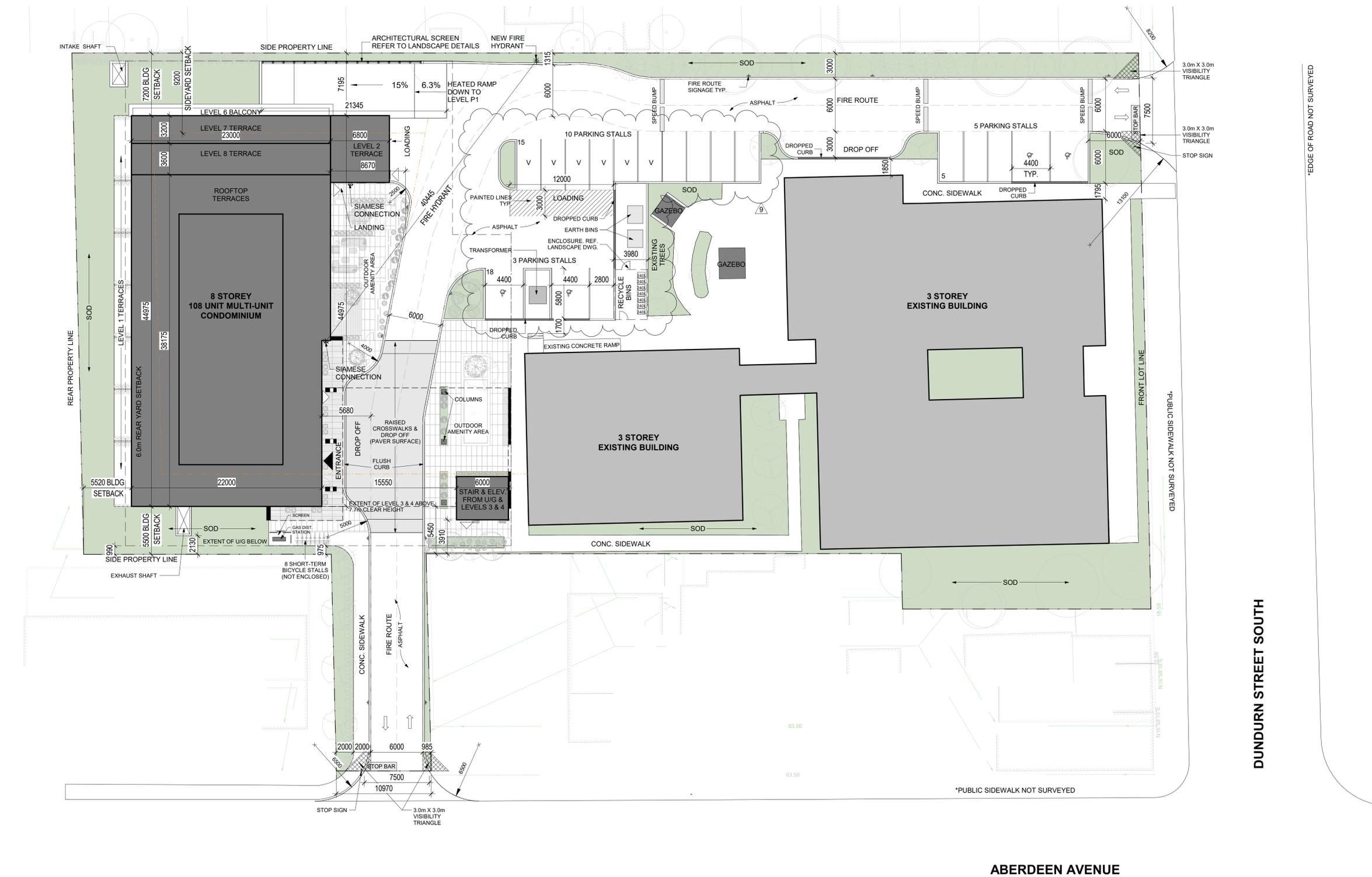
Drawing Scale: As indicated
 Status:

PRELIMINARY

Drawing No. Revision No.

D1.1 - r9

C:\Users\ashah\Documents\21046 Aberdeen Condos_V16_ashah\CDMLV.rvt

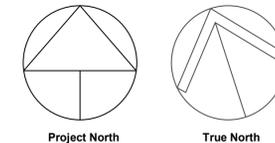


*EDGE OF ROAD NOT SURVEYED

ABERDEEN AVENUE

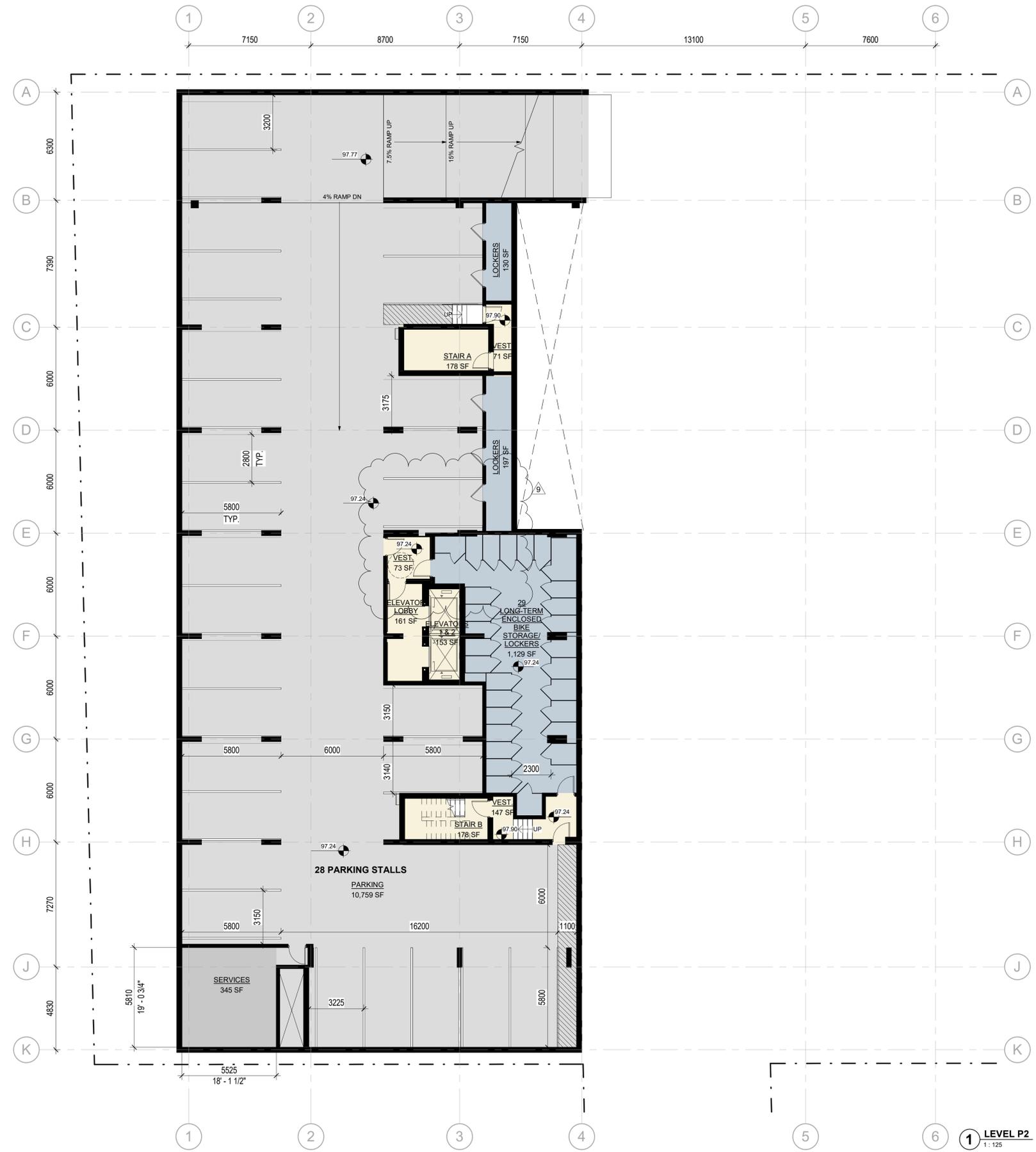
DUNDURN STREET SOUTH

1 SITE PLAN
 1: 225



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6. 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.
7. 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
9	2022-10-03	PARKING REV. ISSUED FOR MV APPLICATION
8	2021-11-22	ISSUED FOR SPA 2ND SUBMISSION
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: 2022-09-09
 Drawn by: ADS
 Checked by: RPH
 Plot Date / Time: 2022-10-05 2:55:35 PM

**ABERDEEN CONDOS
 444 ABERDEEN AVE.
 HAMILTON**

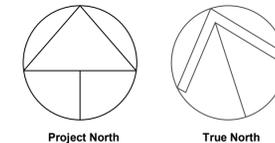
LEVEL P2 FLOOR PLAN

PRELIMINARY

Drawing Scale: 1 : 125
 Status:
 Drawing No. Revision No.
D2.1 - r9

C:\Users\ashah\Documents\21046 Aberdeen Condos_V16_ashah\CDMLW.rvt

1 LEVEL P2
1 : 125



GENERAL NOTES

1. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.
2. ALL WORK SHALL COMPLY WITH THE 2012 ONTARIO BUILDING CODE AND AMENDMENTS.
3. CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
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srm
ARCHITECTS INC.

Project No: 21046
Project Date: 2022-09-09
Drawn by: ADS
Checked by: RPH
Plot Date / Time: 2022-10-05 2:55:36 PM

**ABERDEEN CONDOS
444 ABERDEEN AVE.
HAMILTON**

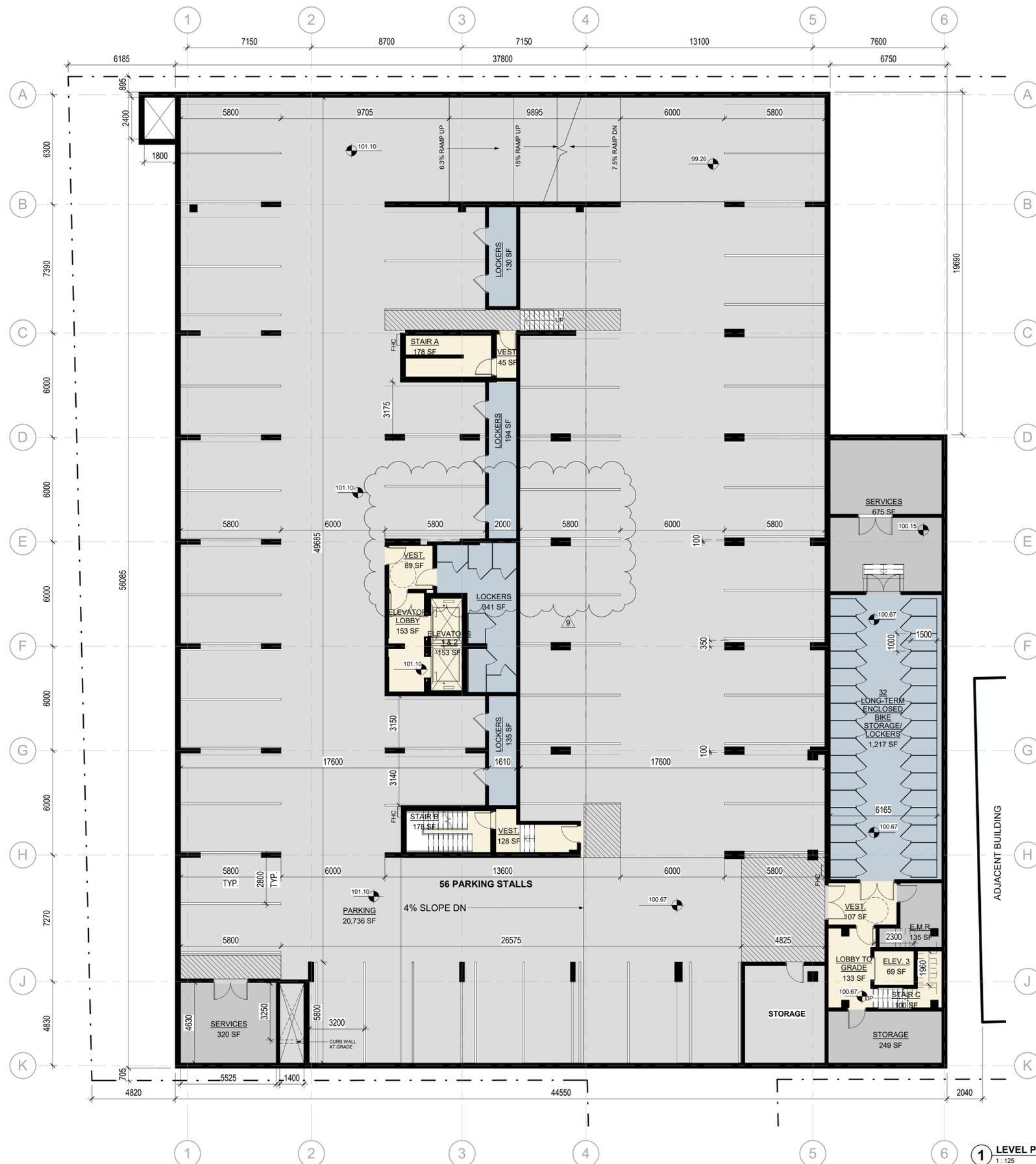
LEVEL P1 FLOOR PLAN

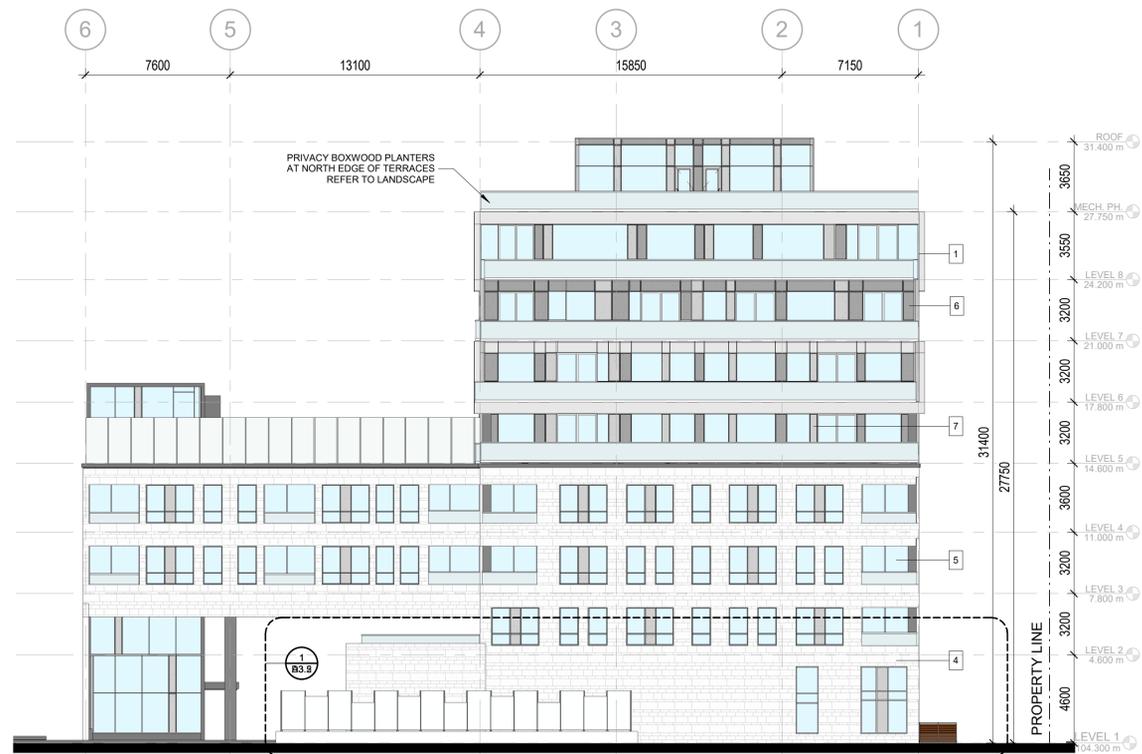
Drawing Scale: 1 : 125
Status:

PRELIMINARY

Drawing No. Revision No.

D2.2 - r9





4 NORTH ELEVATION
1: 175



2 WEST ELEVATION
1: 175



3 SOUTH ELEVATION - VISIBLE FROM ABERDEEN AVE.
1: 175



1 EAST ELEVATION - VISIBLE FROM DUNDURN ST.
1: 175

GENERAL NOTES

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Material Schedule

ID Tag	Material Diagram	Wall Description
1	[Diagram]	FEATURE METAL PANEL
2	[Diagram]	BLACK METAL PANEL
3	[Diagram]	WOOD METAL PANEL
4	[Diagram]	STONE VENEER (CREAM)
5	[Diagram]	CLEAR VISION GLASS
6	[Diagram]	SPANDREL GLASS
7	[Diagram]	ACCENT SPANDREL GLASS
8	[Diagram]	CLEAR GLASS HANDRAIL

REFER TO RENDERINGS FOR DESIGN INTENT

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Project No. 21046
 Project Date 2022-09-09
 Drawn by MES
 Checked by EJ
 Per Date / Time 2022-10-05 2:56:01 PM

srm
 ARCHITECTS INC.

ABERDEEN CONDOS
 444 ABERDEEN AVE.
 HAMILTON

ELEVATIONS

Drawing Scale As indicated
 Status

PRELIMINARY

Drawing No. Revision No.

D3.1 - r9



ARCHITECTS INC.

BUILDING CONFIDENCE

Attention: City of Hamilton - Committee of Adjustment
City hall, 71 Main St. W.,
Hamilton, ON L8P4Y5

Date: October 04, 2022

Regarding: 21046 – 330 Dundurn St. S, Hamilton
Application for a Minor Variance – Cover Letter

To Whom may concern,

SRM Architects applied on behalf of Lev Living for a Minor Variance application File HM/A-22:190 to request relief for site specific provisions to implement the construction of an 8 storey multiple dwelling comprising 109 units, 97 parking stalls (surface and underground), and 63 bicycle parking stalls.

The application was brought forward at the September 8, 2022 Committee of Adjustments Hearing where it was concluded by the Committee to defer the application for a later hearing date pending a further meeting with the neighbours to clarify the application details.

Following the request of the Committee, the applicant coordinated a MS Teams Virtual meeting between members of the neighbourhood group- led by Mr. Jason Gerard, Lev Living, SRM Architects and IBI Group, on September 15, 2022. The paramount issues raised at the meeting were with regard to height/oversight and the lack of parking. Several of the neighbours expressed appreciation for the architectural design of the building and were generally accepting of the construction of a multiple dwelling apartment building at this site. Details of the discussion are appended as **Schedule A** to this letter for your convenience.

As a result of the neighbourhood meeting, Lev Living directed SRM to revise the proposed site plan application to **reduce the number of units to 108, and provide an additional 5 parking stalls** to the total proposed parking provided. In addition, **6 dedicated visitor parking spaces** are now shown on the revised Architectural Plans. The location of the additional parking spaces have been shown in the “clouded areas” on the Architectural Drawings prepared by SRM Architects and included in this submission.

As a result of the site plan changes, the following revision is being proposed to Application HM/A-22:190.

Original Application – Variance 7	Revised Variance 7
A variance to permit a minimum of seventy-five (75) parking spaces be provided for the Multiple Dwelling, instead of the requirements contained in Section 5.6c) requiring a minimum eighty-five (85) parking spaces.	A variance to permit a minimum of eighty (80) parking spaces be provided for the Multiple Dwelling, instead of the requirements contained in Section 5.6c) requiring a minimum eighty-five (84) parking spaces.

The above site plan changes will now implement the construction of an 8-storey multiple dwelling comprising **108 units, 102 parking stalls (surface and underground), and 63 bicycle parking stalls.**

The Staff Recommendation Report dated August 11, 2022 for this application staff supported the requested variances and recommended approval for the application as it was in staff's opinion that the requested variances maintained the intent of the Official Plan and Zoning By-law and that the variances were minor in nature as the proposed building will:

- Provide a proper built form;
- Will be stepped back appropriately;
- The proposed setbacks maintain the intent of the by-law;
- Sufficient access and distance are being provided to the side and rear yards; and,
- That sufficient parking is being provided to the multiple dwelling on site.

We are in agreement with the findings of the staff report. As a result of the neighbourhood meeting, the revisions to the Site Plan and the proposed revision to Minor Variance Application HM/A-22:190 will bring the proposed development more in conformity with Zoning By-Law 05-200.

As recommended by the Committee, we respectfully request that the revised variance request and site plan detail (reduction of 1 unit) be provided to the interested parties, and the application be scheduled for the November 3rd, 2022, Committee of Adjustments meeting.

Please note that the required recirculation fee of \$285.00 will be paid via Credit Card by the applicant, please see the contact information below to call for payment.

Melissa McKay, MCIP RPP
Vice President, Development and Acquisitions
700 Lawrence Avenue West, Suite 375
Toronto M6A 3B4
Phone: 416-849-5030 or Mobile: 647-336-5704

Yours truly,



Ryan Hicks, Managing Partner

SRM Architects Inc.

Schedule "A"

Neighbourhood meeting:

Date : Sep. 15th, 2002

Location : Online

Attendees : Members of neighbourhood, Lev Living (Owner), SRM (Project architect), IBI (Project Planner)

Item 1: Building height and setbacks at northerly property line

Re: Variance 2 and 3: *...a variance to allow 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 and a variance to allow 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. The intent of this provision is to provide a proper massing and to create a pedestrian realm on the ground floor.*

Concern raised: Residents were concerned about the overlook from higher floors and the lack of side yard being proposed for the height of the building.

Comment: The requested northerly side yard setback of 7.2m applies to those storeys equal to, or below, 21.0m in building height. *(note: current zoning only requires a 6.0m side yard setback for those portions of the building at, or below 18.0m. Therefore, the 7.2m side yard setback exceeds zoning requirements for portions of the building at, or below, 18.0m.)* Those portions of the building above 21.0m in building height will be in conformance with 8.3.2.2.(b) (ii), and increased setbacks have been provided, equivalent, or greater than the increase to building height. Details of the requested side yard setbacks are illustrated on the cross section included below as **Figure 1**.

As an additional measure to mitigate overlook into the residential properties located to the north, landscape planters will be provided on the terraces and/or balconies. This measure serves to the control the line of sight of residents of the proposed development. A virtual illustration of the view from the 7th floor terrace is included as **Figure 2** below.

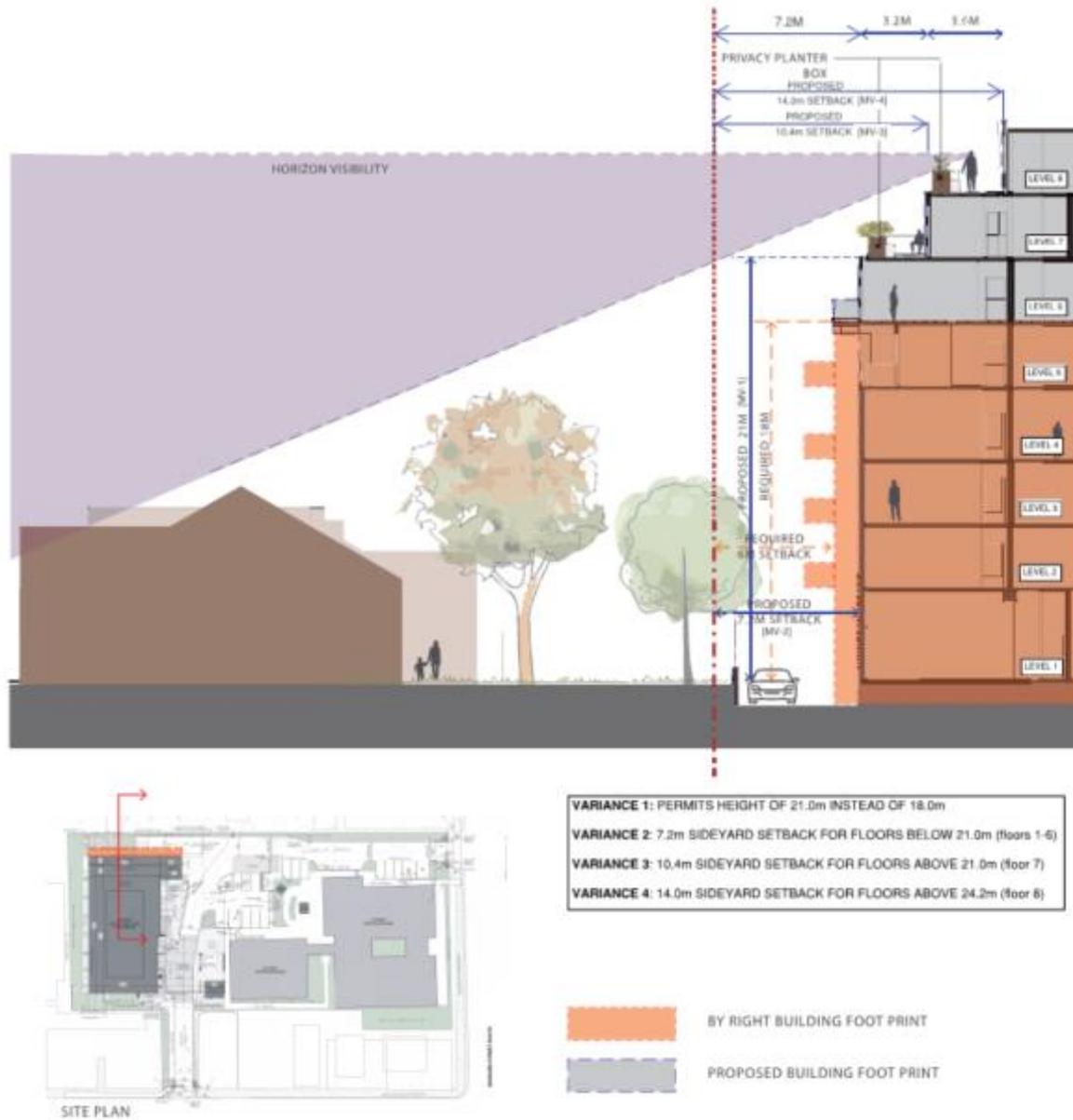


Figure 1: Cross section illustrating the setback variances being requested.



Figure 2: Virtual rendering of the view from the 7th floor terrace showing the view over the proposed planters.

Item 2: Parking relief

Re: Variance 7 and 8: *...a variance to a minimum of seventy-five (75) parking spaces shall be provided for the Multiple Dwelling, instead of the requirements contained in Section 5.6c) and the minimum eighty-five (85) parking spaces required and a variance to allow a minimum of twenty-two (22) parking spaces shall be provided for the Retirement Home, instead of the requirements contained in Section 5.6c) and the minimum thirty-eight (38) parking spaces required. The intent of this provision is to provide sufficient parking on site.*

Concerns raised:

- Overspilling of resident parking onto Homewood Avenue.

Comment: The site plan and minor variance application has been revised to reduce the number of deficient parking spaces from 10 deficient spaces to 4 deficient spaces. In addition, the total unit count has been reduced from 109 units to 108 units. The minor variance application is being requested to be revised to reflect these changes.

Additionally, through the site plan application process, the following Traffic Demand Management program is proposed as part of the development:

- Short term (8 stalls) and Long term (55 stalls) bicycle parking on site.
- Bike Share Memberships for new residents during year 1 of occupancy.
- Mass transit incentives including on site transit schedules and information, and Presto cards

- Assurance of shared parking space between residential and retirement home.

It is worth noting that the applicant is also the owner of the adjacent retirement home. As part of the development, a condominium corporation will be registered to ensure among other things that parking strategy is implemented and maintained.

The information below is taken from the Traffic Impact Analysis and Parking Justification Study prepared by Paradigm Transportation Solutions and submitted as part of the Site Plan Approval Application to the City.

Proposed parking analysis:

Item	Required by zoning	Required by <i>Transportation Impact and Parking Study [Attached]</i>	Proposed Parking
Residential Parking	84	63	80
Retirement Home	38	28	22
Visitors Parking	NA	Included	6(Included)
Total	122	91	102

The proposed parking count of eighty (80) spaces for the multiple dwelling exceeds the parking rate recommended in *Section 7 Parking Justification* of the *Transportation Impact and Parking Study* prepared by Paradigm Transportation Solutions Ltd.

Section 7.3.3. *Industry Parking Guidelines* discusses peak parking demand for both uses on the site. Through implementation of a *shared parking strategy*, the anticipated parking demand is forecast to be approximately 63 spaces. Given it is the owner's intent to employ a *shared parking strategy* between the retirement home and mid-rise building, a surplus parking spaces is provided for the site.

As noted earlier, 6 designated visitors parking spaces will always be available for visitors to park on site.

Furthermore, the following Traffic Demand Management program is proposed as part of the development:

- Short term (8 stalls) and Long term (55 stalls) bicycle parking on site.
- Bike Share Memberships for new residents during year 1 of occupancy.
- Mass transit incentives including on site transit schedules and information, and Presto cards

Committee of Adjustment

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



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

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

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

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

BANK OF MONTREAL Ryan Bulmer 100 King Street West, Suite 18th Floor Toronto, Ontario M5X 1A1

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

4. Nature and extent of relief applied for:

Nature and extent of relief being applied for REF. Attached Additional Sheet

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Nature and extent of relief being applied for REF. Attached Additional Sheet

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

330 Dundurn Street South

Property Number: 251801009152590

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Phase 1 ESA Prepared by Lantek Limited Dated January 2021

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

May 18 2022

 Date



 Signature Property Owner(s)

Yaniv Geler

 Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	64.0 m	_____
Depth	123.39 m	_____
Area	7,555.66m ²	_____
Width of street	-	_____

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

Existing: _____
 Existing retirement residence (Aberdeen Retirement Residence), a surface parking area, and a storm water management area.

Proposed
 Removal of existing surface parking stalls and storm water management area on the west side of the property and construct an 8 (eight) storey apartment building with 2 (two) levels of underground parking. 70 parking spaces proposed.

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

Existing:
 3 (three) storey, 1,860m² 113 suite retirement complex.
 Approx 53m from rear lot line, 4.5m from front lot line,
 Approx 12.4 m from north lot line, 0.5m from south lot line.

Proposed:
 8 (eight) storey, 1,102m² 109 suite multi-unit Condominium
 Approx 5.5 rear set back, 82.6m from front lot line,
 Approx 7.2m from north lot line, and 5.5m for south.

13. Date of acquisition of subject lands:
December 2008
-
14. Date of construction of all buildings and structures on subject lands:
1999 and 2015 addition. New build TBD
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Retirement Home
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Urban Residential, Commercial
-
17. Length of time the existing uses of the subject property have continued:
23 YEARS
-
18. Municipal services available: (check the appropriate space or spaces)
Water Connected Connected _____
Sanitary Sewer Connected Connected _____
Storm Sewers Connected
19. Present Official Plan/Secondary Plan provisions applying to the land:
Block A&B Registered Plan 1295 and part Park Lot 20 Registered plan NO.405
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Major institutional (I3)
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:

- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information (please include separate sheet if needed)

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