



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

**Meeting #:** 22-22  
**Date:** November 17, 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

---

	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
<b>2. URBAN</b>	
2.1. 1:15 p.m.HM/A-22:322693 Beach Boulevard, Hamilton (Ward 5) Owner T. Laan & C. Farner	5
2.2. 1:20 p.m.HM/A-22:333928 King Street East, Hamilton (Ward 3) Agent K. Bekendam Owner Red Betta Holdings Corp.	19
2.3. 1:30 p.m.HM/B-22:102536 Ferguson Avenue North, Hamilton (Ward 2) Agent Defilippis Design Owner Van Tran	33
2.4. 1:30 p.m.HM/A-22:318536 Ferguson Avenue North, Hamilton (Ward 2) Agent Defilippis Design Owner Van Tran	43
2.5. 1:35 p.m.HM/A-22:32052 Barton Street West, Hamilton (Ward 2) Agent Invizij Architects c/o E. Cubitt Owner M. & E. Gowing	53

- 2.6. 1:40 p.m. HM/A-22:64211 John Street South, Hamilton (Ward 2) 67  
Agent GSP Group Inc c/o S. Hastings  
Owner Corktown Plaza Inc.
- 2.7. 1:45 p.m. HM/A-22:331192 Hughson Street North, Hamilton (Ward 2) 103  
Owner 2837504 Ontario Inc. c/o A. Lindsay
- 2.8. 1:45 p.m. HM/A-22:330181 John Street North, Hamilton (Ward 2) 119  
Owner 2837504 Ontario Inc. c/o A. Lindsay
- 2.9. 1:50 p.m. HM/A-22:32843 Holly Avenue, Hamilton (Ward 4) 133  
Agent B. Lopes  
Owner D. M. Faria
- 2.10. 1:55 p.m. HM/A-22:27742 Ray Street South, Hamilton (Ward 1) 151  
Agent Suite Additions Inc. c/o A. Tran  
Owner Quinn Investigations Inc.
- 2.11. 2:00 p.m. HM/A-22:323112 Kent Street, Hamilton (Ward 1) 161  
Agent G. Sweetman  
Owner L. Boyce
- 2.12. 2:05 p.m. HM/A-22:324148 Canada Street, Hamilton (Ward 1) 177  
Agent AJ Clarke & Associates c/o S. Fraser  
Owner D. & A. Ionico
- 2.13. 2:10 p.m. HM/A-22:33645 Tom Street, Hamilton (Ward 1) 187  
Owners S. Eagle & J. Lillicrop

2.14. B R E A K

### 3. RURAL

- 3.1. 2:30 p.m. SC/B-22:108128 Slinger Ave, Stoney Creek (Ward 9) 211  
Agent AJ Clarke & Associates c/o S. Fraser  
Owner I. & I. Stanic

- 3.2. 2:35 p.m.DN/B-22:10674 Hopkins Court, Dundas (Ward 13) 225  
Agent J. Lensink  
Owner D. & R. Lodewyks
- 3.3. 2:40 p.m.FL/A-22:326653 Safari Road, Flamborough (Ward 13) 235  
Agent P. Tewari  
Owner T. Singh
- 3.4. 2:45 p.m.DN/A-22:32744 Head Street, Dundas (Ward 13) 259  
Agent Vicano Developments Ltd. – Y. Yawson  
Owner BMAN Holdings Inc. (1136148 Ontario Ltd.)
- 3.5. 2:50 p.m.DN/A-22:33223 Main Street, Dundas (Ward 13) 271  
Owner M. Stott & E. Galway
- 3.6. 3:00 p.m.FL/B-22:110138 Overdale Ave, Flamborough (Ward 15) 279  
Agent AJ Clarke & Associates – R. Ferrari  
Owner B. & A. Dunsby
- 3.7. 3:00 p.m.FL/A-22:329138 Overdale Ave, Flamborough (Ward 15) 295  
Agent AJ Clarke & Associates – R. Ferrari  
Owner B. & A. Dunsby

#### 4. SUBURBAN

- 4.1. 3:05 p.m.AN/A-22:18064 Lovers Lane, Ancaster (Ward 12) 311  
Agent AJ Clarke & Associates – R. Ferrari  
Owner M. Kancko & N. Miskovic
- 4.2. 3:10 p.m.AN/A-22:27950 West Crest, Ancaster (Ward 12) 335  
Owners T. & N. Booth
- 4.3. 3:15 p.m.HM/A-22:32110 Taymall Street, Hamilton (Ward 6) 363  
Owner D. Haley
- 4.4. 3:20 p.m.SC/B-22:104188 Fruitland Road, Stoney Creek (Ward 10) 379  
Agent AJ Clarke & Associates c/o F. Kloibhofer  
Owners Fruitland Property Group Inc. & Ascension Properties Inc.

4.5. 3:20 p.m.SC/B-22:105192 Fruitland Road, Stoney Creek (Ward 10)

391

Agent AJ Clarke & Associates c/o F. Kloibhofer  
Owner Fruitland Property Group Inc.

5. **CLOSED**

6. **ADJOURNMENT**



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:322</b>	<b>SUBJECT PROPERTY:</b>	693 Beach Blvd, Hamilton
<b>ZONE:</b>	"C/S-1435" (Urban Protected Residential and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Terri Laan & Chris Farner

The following variances are requested:

1. A maximum 3 storey building height shall be permitted instead of the maximum 2.5 storey building height required.
2. A minimum front yard setback of 5.1m shall be provided instead of the minimum 6.0m required.
3. A minimum northerly side yard setback of 1.5m shall be provided instead of the minimum 1.7m side yard required.
4. A minimum southerly side yard setback of 0.3m shall be permitted instead of the minimum 1.7m side yard required.
5. An open fire escape in may project the full extent of the required northerly side yard instead of the maximum permitted projection of 1.0m or one-third the width of the side yard, whichever is lesser.

**PURPOSE & EFFECT:** To permit the construction of a 0.5 storey addition, making the existing 2.5 storey building a 3 storey.

**Notes:**

1. Should these variances be approved, the roofed over porch in the front yard will encroach 2.1m into the required front yard, not exceeding the maximum 3.0m projection permitted.
2. Note that our GIS mapping indicates a 4th structure on the property Identified as 693 ½, this building is not shown on the plans provided and as such has not been reviewed for zoning compliance at this time. Additional variances may be required at such a time that details are provided for the noted building.

HM/A-22:322

3. Variances written as requested by applicant.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

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

HM/A-22:322



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

NORTH

701  
1-storey Dwelling

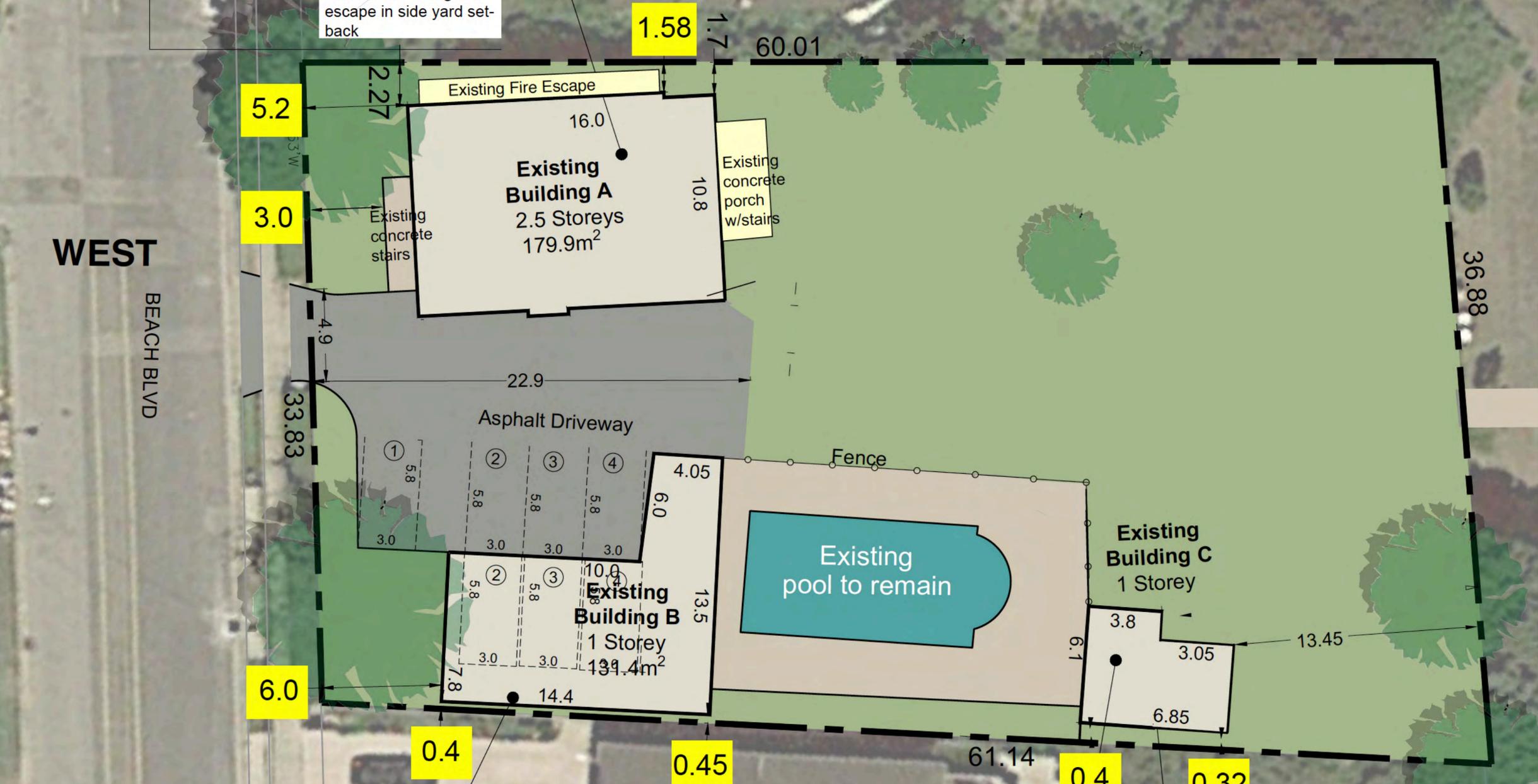
EXISTING BUILDING A	
EXISTING USE	PROPOSED USE
Residential property with 3 self contained units	<ul style="list-style-type: none"> <li>• Address front &amp; side yard setback</li> <li>• Change to 2.5 storeys to 3 storeys</li> <li>• Address existing fire escape in side yard setback</li> </ul>

WEST

EAST

BEACH BLVD

Waterfront Trail



EXISTING BUILDING B	
EXISTING USE	PROPOSED USE
4 parking spaces. 3 garages with bicycle storage and property maintenance storage	<ul style="list-style-type: none"> <li>• Address front &amp; side yard setback</li> <li>• No proposed change to building</li> </ul>

SOUTH

685  
2-storey Dwelling

Existing Cabana / Storage  
23.4m<sup>2</sup>

EXISTING CABANA / STORAGE	
EXISTING USE	PROPOSED USE
Pool storage with bar/prep area	<ul style="list-style-type: none"> <li>• Address side yard setback</li> <li>• No proposed change to building</li> </ul>

**PLAN**  
SHOWING  
**PART OF BURLINGTON BEACH**  
LANDS FRONTING ON EAST SIDE OF BEACH BLVD BETWEEN KILLARNEY & LOCARNO AVENUES  
IN THE PODMER  
**TOWNSHIP OF SALT FLEET**  
NOW IN THE  
**CITY OF HAMILTON**  
IN THE  
**REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH**

SCALE: 1" = 40'

J. DAVID PETERSOLS  
1974.

RECEIVED AND DEPOSITED AS  
**PLAN 62R-1968**

DATED: AUGUST 9, 1974

*J. David Petersols*  
LAND REGISTRAR FOR THE REGISTRY DIVISION OF WENTWORTH

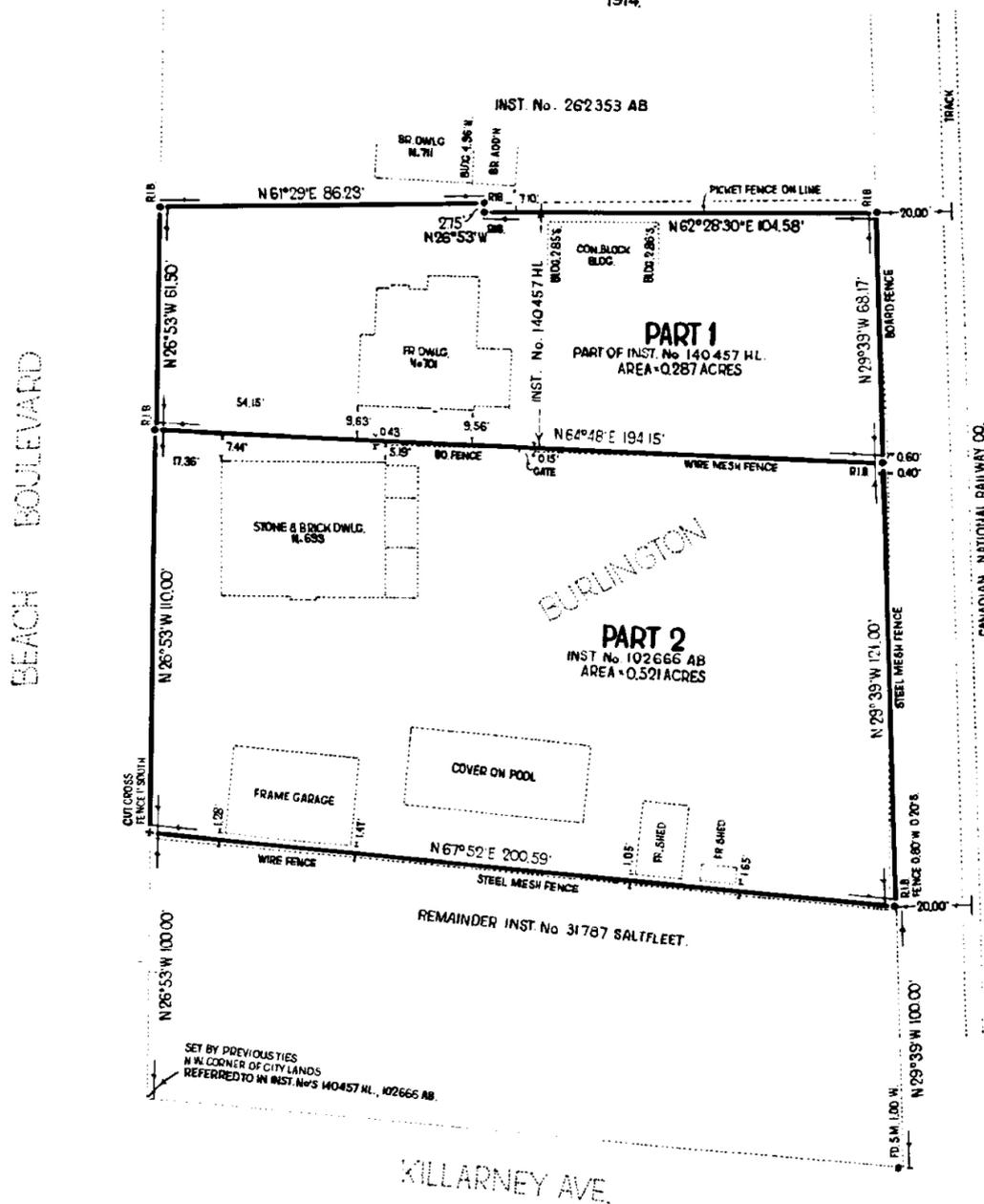
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART  
I OF THE REGISTRY ACT

DATED: JUNE 18, 1974

*J. D. Peters*  
J. D. PETERS

**CAUTION:**

THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE  
MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE 6TH DAY OF JUNE 1974

HAMILTON - ONT. JUNE 11, 1974.

*J. David Peters*  
J. DAVID PETERS  
ONTARIO LAND SURVEYOR

BEARINGS ARE ASSUMED ASTRONOMIC AND ARE REFERRED TO BEACH BOULEVARD ON A COURSE OF N 26° 53' W.

SIGN ◊ SM DENOTES A STONE MONUMENT  
SIGN ◊ SIB DENOTES A STANDARD IRON BAR  
SIGN + CC DENOTES A CUT CROSS  
SIGN • RIB DENOTES A ROUND IRON BAR  
FD DENOTES FOUND.

**MACKAY & MACKAY & PETERS**  
ONTARIO LAND SURVEYORS  
HAMILTON - ONTARIO

Y-16203

16X

1228.1918



**2018**

**Aug & Nov. 2018. 693 Beach Blvd., Hamilton. West front. Facing Beach Blvd.**

**2.5 Storey. Close proximity to Beach Blvd. Reduced front yard setback.**



**693 Beach Blvd., Hamilton. South side.**



**2022**

March, 2022. 693 Beach Blvd., Hamilton. West front & East rear view.

3 Storey. Front (West) and Rear (East-Lake) domer addition.



3 storey fire-escape. 1962.

**2022**



Oct. 2022. Neighbours of 693 Beach Blvd., Hamilton.





Hamilton

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>			
<b>Applicant(s)</b>			
<b>Agent or Solicitor</b>			<b>Phone:</b>
			<b>E-mail:</b>

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	693 Beach Blvd		
Assessment Roll Number	050513029800000		
Former Municipality	BUR BCH		
Lot	PT RP	Concession	
Registered Plan Number	62R1868 PART 2	Lot(s)	
Reference Plan Number (s)		Part(s)	2

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:

1. Address existing front & side yard set backs. 2. Change to 3 stories.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

1. House and out buildings were built prior to the by-law. 2. Expanding attic 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
33.83	61.14	0.53 AC	

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
A. 2.5 story residential house	3 m	38.18 m	1.58 m	1930
B. 3 car garage 1 storey	6 m	40.14 m	0.4 m	1950
C. Pool cabana	42.14 m	13.45 m	0.4 m	1960

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
A. Change to 3 storeys	3 m	38.18 m	1.58 m	2021
B. 3 car garage No change	6 m	40.14 m	0.4 m	1950
C. Pool cabana. No change	42.14 m	13.45 m	0.4 m	1960

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
A. 2.5 story residential house	179.9 sq m	400.7 sq m	2.5	9.75 m
B. 3 car garage 1 storey	131.4 sq m	131.4 sq m	1	4.27 m
C. Pool cabana	23.4 sq m	23.4 sq m	1	4.0 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
A. 3 story residential house	179.9 sq m	437.8 sq m	3	9.75 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
  - 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 3-plex
- 

- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 single detached dwelling duplex
- 

**7 HISTORY OF THE SUBJECT LAND**

- 7.1 Date of acquisition of subject lands:  
 August 2018
- 

- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 single detached dwelling 4-plex
- 

- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 single detached dwelling 4-plex
- 

- 7.4 Length of time the existing uses of the subject property have continued:  
 60 years. Since 1962
- 

- 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) Identified as "Neighbourhoods" in Schedule E- Urban Structure

---

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

\*SEE PAGE 5 FOR EXPLANATION.

- 7.6 What is the existing zoning of the subject land? C/S-1435
- 

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:333</b>	<b>SUBJECT PROPERTY:</b>	928 King St E, Hamilton
<b>ZONE:</b>	"TOC1" (Transit Oriented Corridor Mixed Use)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: Red Betta Holdings Corp  
Agent: Ken Bekendam

The following variances are requested:

1. A deck/fire escape may project a maximum 3.1m into a required rear yard whereas the by-law permits a maximum projection of 1.5m.

**PURPOSE & EFFECT:** To permit the construction of a new deck and fire escape in the rear yard of the existing duplex.

**Notes:**

- i. A minimum 7.5m rear yard setback is required in the current zoning designation. As such, this variance would permit a deck and fire escape to be as close as 4.4m from the 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:

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**HM/A-22:333**

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

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

**PUBLIC INPUT**

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

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



**Subject Lands**

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

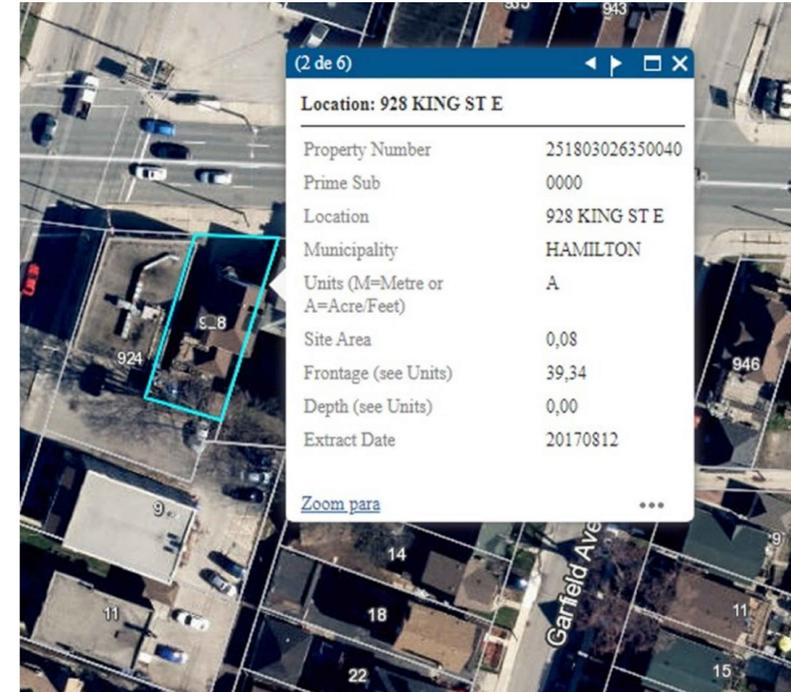
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

# 928 KING STREET EAST - HAMILTON, ON.

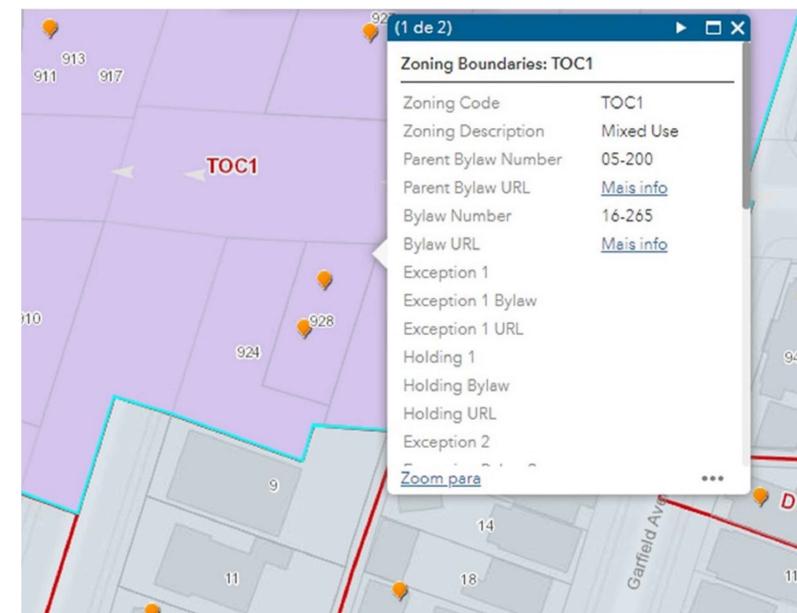
## PROPOSED DECK



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP

CITY ELECTRONIC STAMP:

**KING HOMES INC.**

**legal second suites.com**

LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A. BUSCOM, L.T. ROBERT MENDEZ, P. ENG.  
 kenbekendam@gmail.com robertmendez@yahoo.com

CONTACT INFORMATION: CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E., HAMILTON, ON. CONSTRUCTION ENGINEERS  
 OFFICE PHONE: 855-546-4467 OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-861-0647 PEO: 100054193

- GENERAL NOTES:
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - 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 DIFFER FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
  - 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, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.
  - BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
  - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE:	GENERAL DESCRIPTION:	INITIALS:
01			
02			
03			
04			



PROJECT NAME/ADDRESS:  
**928 KING STREET EAST - HAMILTON, ON.**

SHEET NAME:  
**TITLE PAGE**

SCALE: N/A	DATE: 01/08/2022
PROJECT NO. 22-77	DATE: 01/08/2022
DRAWN BY: ALISSON LUZZI	REVIEWED BY: KEN BEKENDAM

SHEET NO.  
**A0.01**

GENERAL NOTES:

- ALL CONSTRUCTION TO COMPLY WITH THE CURRENT ONTARIO BUILDING CODE (REVISED 2012 OBC - DEC 19, 2017).
- ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING, MASONRY, OR CONCRETE SURFACES U.O.N.
- ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENING.
- CONTRACTOR SHALL VERIFY WINDOW OPENINGS WITH THE MANUFACTURER PRIOR TO WORK.
- READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH ELECTRICAL PLANS SUPPLIED BY LICENSED ELECTRICAL CONTRACTOR.
- ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND FIELD CONDITIONS BEFORE COMMENCING FABRICATION.
- THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFORM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
- PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
- CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCE NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
- THE CONTRACTOR IS NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.
- EXISTING DRAINAGE PATTERNS TO REMAIN. ANY NEW SUMP PUMP INSTALLATIONS TO DISCHARGE IN REAR YARD
- BUILDING FROM THESE SHALL PROCEED ONLY WHEN MARKED "ISSUED FOR CONSTRUCTION."
- EXISTING STRUCTURE NOTE:
- OWNER AND CONTRACTOR ARE FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING GENERAL AND STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK.
- OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK IF REQUIRED.

CODE REFERENCES AND SPECIFICATIONS

- 1. FIRE PROTECTION MEASURES

ALL FIRE PROTECTION MEASURES MUST COMPLY WITH OBC 9.10. (U.O.N.)

2. CEILING HEIGHTS

CEILING HEIGHTS SHALL COMPLY WITH OBC 9.5.3.1. AND PART 11 - C102 OF TABLE 11.5.1.1.C.

PART 9:

BASEMENT SPACE - 2 100 mm (6'-10 3/4") over at least 75% of the basement area except that under beams and ducts the clearance is permitted to be reduced to 1 950 mm (6'-4 7/8")

PART 11 (COMPLIANCE ALTERNATIVE):

- In a house,
- (a) minimum room height shall not be less than 1 950 mm (6'-4 7/8") over the required floor area and in any location that would normally be used as a means of egress, or
- (b) minimum room height shall not be less than 2 030 mm (6'-8") over at least 50% of the required floor area, provided that any part of the floor having a clear height of less than 1 400 mm (4'-7 1/8") shall not be considered in computing the required floor area.

3. EGRESS FROM DWELLING UNIT

EGRESS FROM DWELLING UNIT SHALL COMPLY WITH OBC 9.9.9 AND PART 11 COMPLIANCE - C136 OF TABLE 11.5.1.1.C.

PART 9:

9.9.9.1. Travel Limit to Exits or Egress Doors

- (1) Except as provided in Sentences (2) and (3), every dwelling unit containing more than 1 storey shall have exits or egress doors located so that it shall not be necessary to travel up or down more than 1 storey to reach a level served by,
- (a) an egress door to a public corridor, enclosed exit stair or exterior passageway, or
- (b) an exit doorway not more than 1 500 mm above adjacent ground level.
- (2) Where a dwelling unit is not located above or below another suite, the travel limit from a floor level in the dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level is served by an openable window or door,
- (a) providing an unobstructed opening of not less than 1 000 mm in height and 550 mm in width, and
- (b) located so that the sill is not more than,
- (i) 1 000 mm above the floor, and
- (ii) 7 m above adjacent ground level.
- (3) The travel limit from a floor level in a dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level has direct access to a balcony.
- 9.9.9.2. Two Separate Exits
- (1) Except as provided in Sentence 9.9.7.3.(1), where an egress door from a dwelling unit opens onto a public corridor or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in opposite directions to two separate exits unless the dwelling unit has a second and separate means of egress.

9.9.9.3. Shared Egress Facilities

- (1) A dwelling unit shall be provided with a second and separate means of egress where an egress door from the dwelling unit opens onto,
- (a) an exit stairway serving more than one suite,
- (b) a public corridor,
- (i) serving more than one suite, and
- (ii) served by a single exit,
- (c) an exterior passageway,
- (i) serving more than one suite,
- (ii) served by a single exit stairway or ramp, and
- (iii) more than 1.5 m above adjacent ground level, or
- (d) a balcony,
- (i) serving more than one suite,
- (ii) served by a single exit stairway or ramp, and
- (iii) more than 1.5 m above adjacent ground level.

PART 11 (COMPLIANCE ALTERNATIVE):

- In a house, exit requirements are acceptable if at least one of the following conditions exists:
- (a) a door, including a sliding door, that opens directly to the exterior from a dwelling unit, serves only that dwelling unit and has reasonable access to ground level, and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.,
- (b) an exit that is accessible to more than one dwelling unit and provides the only means of egress from each dwelling unit, provided that the means of egress is separated from the remainder of the building and common areas by a fire separation having a 30 min fire-resistance rating and provided further that the required access to exit from any dwelling unit cannot be through another dwelling unit, service room or other occupancy, and both dwelling units and common areas are provided with smoke alarms that are installed in conformance with Subsection 9.10.19. and are interconnected, or
- (c) access to an exit from one dwelling unit which leads through another dwelling unit where,
- (i) an additional means of escape is provided through a window that conforms to the following:
- (A) the sill height is not more than 1 000 mm above or below adjacent ground level,
- (B) the window can be opened from the inside without the use of tools,
- (C) the window has an individual unobstructed open portion having a minimum area of 0.38 m<sup>2</sup> with no dimension less than 460 mm
- (D) the sill height does not exceed 900 mm above the floor or fixed steps,
- (E) where the window opens into a window well, a clearance of not less than 1 000 mm shall be provided in front of the window, and
- (F) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected,
- (i) an additional means of escape is provided through a window that conforms to the following:
- (A) the window is a casement window not less than 1 060 mm high, 560 mm wide, with a sill height not more than 900 mm above the inside floor,
- (B) the sill height of the window is not more than 5 m above adjacent ground level, and
- (C) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected, or (iii) the building is sprinklered and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.

10. EGRESS FROM BEDROOMS

EGRESS FROM BEDROOMS SHALL COMPLY WITH OBC 9.9.10.1

PART 9:

- (1) Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with at least one outside window that,
- (a) is openable from the inside without the use of tools,
- (b) provides an individual, unobstructed open portion having a minimum area of 0.35 m<sup>2</sup> with no dimension less than 380 mm, and
- (c) maintains the required opening described in Clause (b) without the need for additional support.
- (2) Except for basement areas, the window required in Sentence (1) shall have a maximum sill height of

1000 mm above the floor.

- (3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window.
- (4) Where the sleeping area within a live/work unit is on a mezzanine with no obstructions more than 1 070 mm above the floor, the window required in Sentence (1) may be provided on the main level of the live/work unit provided the mezzanine is not more than 25% of the area of the live/work unit or 20 m<sup>2</sup>, whichever is less, and an unobstructed direct path of travel is provided from the mezzanine to this window.
- (5) Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window.
- (6) Where the sash of a window referred to in Sentence (5) swings towards the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency.
- (7) Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be openable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

5. SMOKE ALARMS

SMOKE ALARMS SHALL COMPLY WITH OBC 9.10.19. AND PART 11 COMPLIANCE - C175 OF TABLE 11.5.1.1.C.

PART 9:

- 9.10.19.1. Required Smoke Alarms
- (2) Smoke alarms conforming to CAN/ULC-S531, "Smoke Alarms", shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit.
- (3) Smoke alarms 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".
- (4) The visual signalling component required in Sentence (2) 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.
- (5) The luminous intensity for visual signalling components required in Sentence (2) that are installed in sleeping rooms shall be a minimum of 175 cd.
- (6) Smoke alarms required in Sentence (1) shall be installed on or near the ceiling.
- 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) 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 Sentences (1) and (2) shall be installed in conformance with CAN/ULC-S553, "Installation of Smoke Alarms".
- 9.10.19.1. Power Supply
- (1) Except as provided in Sentences (2) and (3), smoke alarms required in Sentences 9.10.19.1.(1) and 9.10.19.3.(2) shall,
- (a) be installed with permanent connections to an electrical circuit,
- (b) have no disconnect switch between the overcurrent device and the smoke alarm, and
- (c) in case the regular power supply to the smoke alarm is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the smoke alarm for a period of not less than 7 days in the normal condition, followed by 4 min of alarm.
- 9.10.19.1. Interconnection of Smoke Alarms
- (1) Where more than one smoke alarm is required in a dwelling unit, the smoke alarms shall be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound.

PART 11 (COMPLIANCE ALTERNATIVE):

Smoke alarms may be battery operated.

10. CARBON MONOXIDE ALARMS

CARBON MONOXIDE ALARMS SHALL COMPLY WITH OBC 9.33.4. AND PART 11 COMPLIANCE - C197 OF TABLE 11.5.1.1.C.

PART 9:

- 9.33.4.1. Application
- (1) This Subsection applies to every building that,
- (a) contains a residential occupancy, and
- (b) contains a fuel-burning appliance or a storage garage.
- 9.33.4.1. 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,
- (a) adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the service room, and
- (b) in the service room.
- (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 storage garage.
- (4) Where a storage garage serves only the dwelling unit to which it is attached or built in, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the dwelling unit.
- (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.
- 9.33.4.1. Installation and Conformance to Standards
- (1) The carbon monoxide alarm required by Article 9.33.4.2. shall,
- (a) except as permitted in Sentence (2), be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide alarm,
- (b) be wired so that its activation will activate all carbon monoxide alarms within the suite, where located within a suite of residential occupancy,
- (c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area, and
- (d) conform to,
- (i) CAN/CSA-6.19, "Residential Carbon Monoxide Alarming Devices", or
- (ii) UL 2034, "Single and Multiple Station Carbon Monoxide Alarms".
- (2) Where the building is not supplied with electrical power, carbon monoxide alarms are permitted to be battery operated.

PART 11 (COMPLIANCE ALTERNATIVE):

Carbon monoxide alarms may be battery operated or plugged into an electrical outlet.

10. FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES  
FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES SHALL COMPLY WITH OBC 9.10.8.3 AND PART 11 COMPLIANCE - C147 OF TABLE 11.5.1.1.C.

PART 9:

- (1) Except as otherwise provided in this Subsection, all load bearing walls, columns and arches in the storey immediately below a floor or roof assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly.
- PART 11 (COMPLIANCE ALTERNATIVE):
- (a) Except as provided in (b) and (c), 30 min rating is acceptable.
- (b) In a house, 15 min horizontal fire separation is acceptable where,
- (i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
- (ii) smoke alarms are interconnected.
- (c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.

11. SEPARATION OF SERVICE ROOMS

SEPARATION OF SERVICE ROOMS SHALL COMPLY WITH OBC 9.10.10.4

PART 9:

- 9.10.10.1. Appliances and Equipment to be Located in a Service Room
- (1) Except as provided in Sentences (2) and (3) and Article 9.10.10.5., fuel-fired appliances shall be located in a service room separated from the remainder of the building by a fire separation having not less than a 1 h fire-resistance rating.
- (2) Except as required in the appliance installation standards referenced in Sentences 6.2.1.4.(1) and 9.33.1.2.(1), fuel fired spaceheating appliances, space-cooling appliances and service water heaters need not be separated from the remainder of the building as required in Sentence (1) where the equipment serves,
- (a) not more than one room or suite,
- (b) a house, or
- (c) a building, other than a house, with a building area of not more than 400 m<sup>2</sup> and a building height of not more than 2 storeys.
- (3) Sentence (1) does not apply to fireplaces and cooking appliances.

9. SEPARATION OF RESIDENTIAL SUITES

SEPARATION OF RESIDENTIAL SUITES SHALL COMPLY WITH OBC 9.10.9.14 AND PART 11 COMPLIANCE - C152 OF TABLE 11.5.1.1.C.

PART 9:

- (1) Except as provided in Sentences (2) and (3) and Article 9.10.21.2., suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 min.
- (2) Sleeping rooms in boarding, lodging or rooming houses where sleeping accommodation is provided for not more than 5 boarders or lodgers shall be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 30 min where the sleeping rooms form part of the proprietor's residence and do not contain cooking facilities.
- (3) Except as provided in Sentences (4) and (5), dwelling units that contain 2 or more storeys including basements shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h.
- (4) Except as provided in Sentence (5), dwelling units in a house shall be separated from each other and common areas by a fire separation having a fire-resistance rating of not less than 45 min.
- (5) The fire-resistance rating of the fire separation required in Sentence (4) is permitted to be waived where the house is sprinklered.

PART 11 (COMPLIANCE ALTERNATIVE):

- (a) Except as provided in (b) and (c), 30 min fire separation is acceptable.
- (b) In a house, 15 min horizontal fire separation is acceptable where,
- (i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and
- (ii) smoke alarms are interconnected.
- (c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.

10. CLOSURES (DOORS):

CLOSURES SHALL COMPLY WITH OBC 9.10.13.1 AND PART 11 COMPLIANCE - C155 OF TABLE 11.5.1.1.C.

PART 9:

- (1) Except as provided in Article 9.10.13.2., openings in required fire separations shall be protected with a closure conforming to Table 9.10.13.1. and shall be installed in conformance with NFPA 80. Fire Doors and Other Opening Protectives, unless otherwise specified in this Part.

PART 11 (COMPLIANCE ALTERNATIVE):

- Existing functional closures are acceptable subject to C.A.'s C8 and C156.
- (a) Existing functional and sound doors in existing buildings that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min.
- (b) all existing functional and sound hollow metal or kalamein doors which carry existing 1.5 h labels are acceptable in lieu of current 1.5 h labels and may contain wired glass panels not exceeding 0.0645 m<sup>2</sup>, at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and
- (c) every fire door, window assembly or glass block used as a closure in a required fire separation shall be installed in conformance with good engineering practice. In a house, existing unlabelled doors at least 45 mm solid core wood or metal clad are acceptable. For existing closures, ratings of 20 min will not be required where the entire floor area is sprinklered.

11. LAUNDRY FIXTURES

LAUNDRY FIXTURES SHALL COMPLY WITH OBC 9.31.4.2.

PART 9:

- (1) Laundry facilities or a space for laundry facilities shall be provided in every dwelling unit or grouped elsewhere in the building in a location conveniently accessible to occupants of every dwelling unit.

12. NATURAL VENTILATION

NATURAL VENTILATION SHALL COMPLY WITH OBC 9.32.2.1 AND PART 11 COMPLIANCE - C194 OF TABLE 11.5.1.1.C.

PART 9:

- (1) The unobstructed openable ventilation area to the outdoors for rooms and spaces in a residential occupancy ventilated by natural means shall conform to Table 9.32.2.1.

PART 11 (COMPLIANCE ALTERNATIVE):

In a house, rooms or spaces to be ventilated by natural means in accordance with Subsection 9.32.2. or by providing adequate mechanical ventilation.

13. ELECTRICAL FACILITIES

ELECTRICAL FACILITIES SHALL COMPLY WITH OBC 9.34.

14. INTERCONNECTION OF SYSTEMS

INTERCONNECTION OF SYSTEMS SHALL COMPLY WITH OBC 6.2.3.9 AND PART 11 COMPLIANCE - C91 OF TABLE 11.5.1.1.C.

PART 9:

- (1) In a residential occupancy, air from one suite shall not be circulated to any other suite or to a public corridor or public stairway.

PART 11 (COMPLIANCE ALTERNATIVE):

In a building containing not more than four dwelling units or residential suites, the existing heating or air-conditioning system may be altered to serve more than one dwelling unit or suite, provided smoke alarms are installed in each dwelling unit or suite and provided a smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detector.

15. PENETRATIONS

PIPING, TUBING, DUCTS, CHIMNEYS, WIRING, CONDUIT, ELECTRICAL OUTLET BOXES AND OTHER SIMILAR SERVICE EQUIPMENT THAT PENETRATE A FIRE SEPARATION MUST BE NON COMBUSTIBLE AND FIRE STOPPED.

16. PLUMBING

ALL PLUMBING MUST CONFORM TO O.REG.332/12, DIV. 8 PART 7 OF THE BUILDING CODE

17. HANDRAILS AND GUARDRAILS

INSTALL HANDRAILS AND GUARDRAILS IN ACCORDANCE WITH 9.8.7. AND 9.8.8 OF THE BUILDING CODE RESPECTIVELY

CITY ELECTRONIC STAMP:



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER

KEN BEKENDAM, B.A. BSCOM. LT. ROBERT MENDEZ, P. ENG. kenbendam@gmail.com robertmendez@yahoo.com

CONTACT INFORMATION: CONTACT INFORMATION:

OFFICE: 979 MAIN ST. E. HAMILTON ON CONSTRUCTIONERS ENGINEERING

OFFICE PHONE: 855-546-4467 OFFICE PHONE: 416-807-1372

CELL PHONE: 905-963-0647 PEO: 100054193

GENERAL NOTES:

- 1. DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
- 2. 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 DIFFER FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
- 3. FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.
- 4. 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.
- 5. USE LATEST REVISED DRAWINGS.
- 6. ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
- 7. ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.)
- 8. BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
- 9. CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE:	GENERAL DESCRIPTION:	INITIALS:
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:



PROJECT NAME/ADDRESS:

928 KING STREET EAST-HAMILTON, ON.

SHEET NAME:

CONSTRUCTION NOTES

SCALE:

NTS

PROJECT NO. DATE:

22-77 01/08/2022

DRAWN BY: REVIEWED BY:

ALISSON LUZZI KEN BEKENDAM

SHEET NO.

A0.02

SITE INFORMATION & STATISTICS	
ADDRESS	928 KING ST E, HAMILTON-ON.
ZONING TYPE	TOC-1
LOT AREA	3254.45 SQ FT (302.35 SQ M)
LOT FRONTAGE	39'-4" (11.99m)

**GENERAL NOTES:**

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION, AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

**EXISTING STRUCTURE NOTE:**

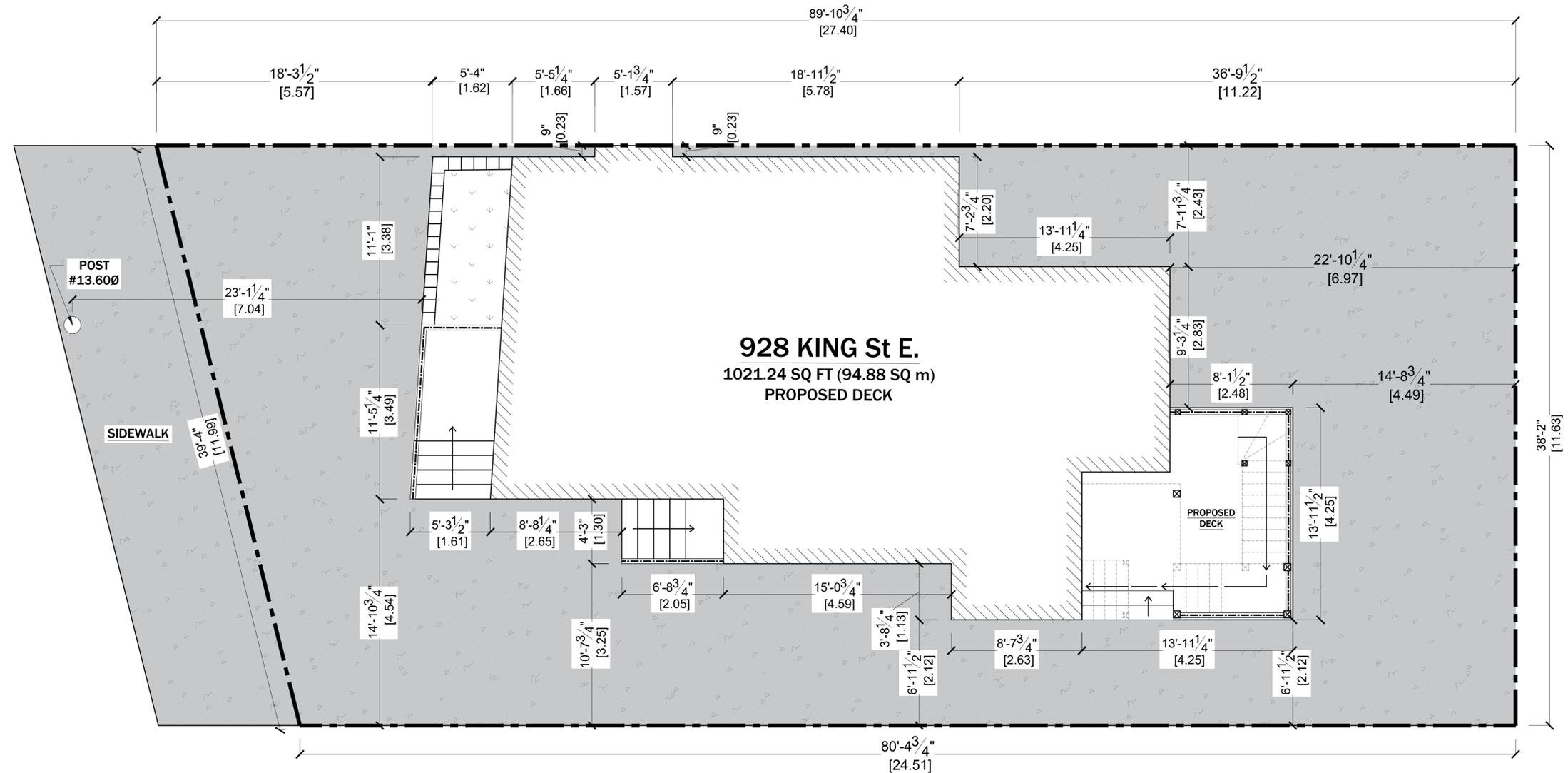
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

**BUILDING CODE COMPLIANCE NOTE:**

THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

**SITE PLAN:**

BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES



CITY ELECTRONIC STAMP:

**legal second suites.com**

LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A. BUSCOM, L.T. ROBERT MENDEZ, P. ENG.  
 kenbekendam@gmail.com robertmendez@yahoo.com

CONTACT INFORMATION: CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E. HAMILTON ON CONSTRUCTION ENGINEERS  
 OFFICE PHONE: 855-546-4467 OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-961-0647 PEO: 100054193

GENERAL NOTES:  
 1. DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"  
 2. 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 LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.  
 3. FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.  
 4. 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.  
 5. USE LATEST REVISED DRAWINGS.  
 6. ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.  
 7. ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.  
 8. BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.  
 9. CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:  
 928 KING STREET EAST-HAMILTON, ON.

SHEET NAME:  
 SITE PLAN

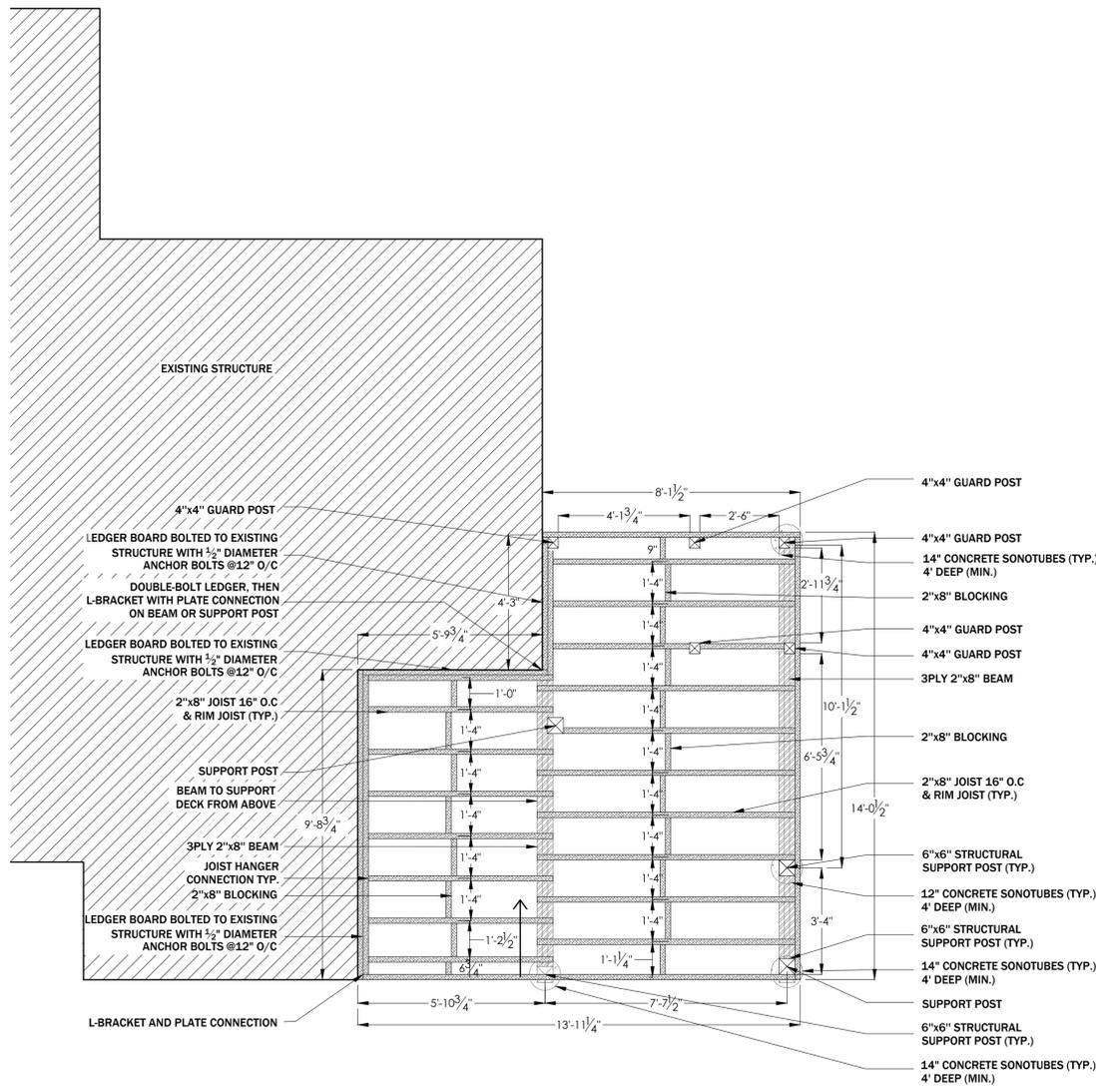
SCALE:  
 1/4" = 1'-0"

PROJECT NO. 22-77 DATE: 01/08/2022

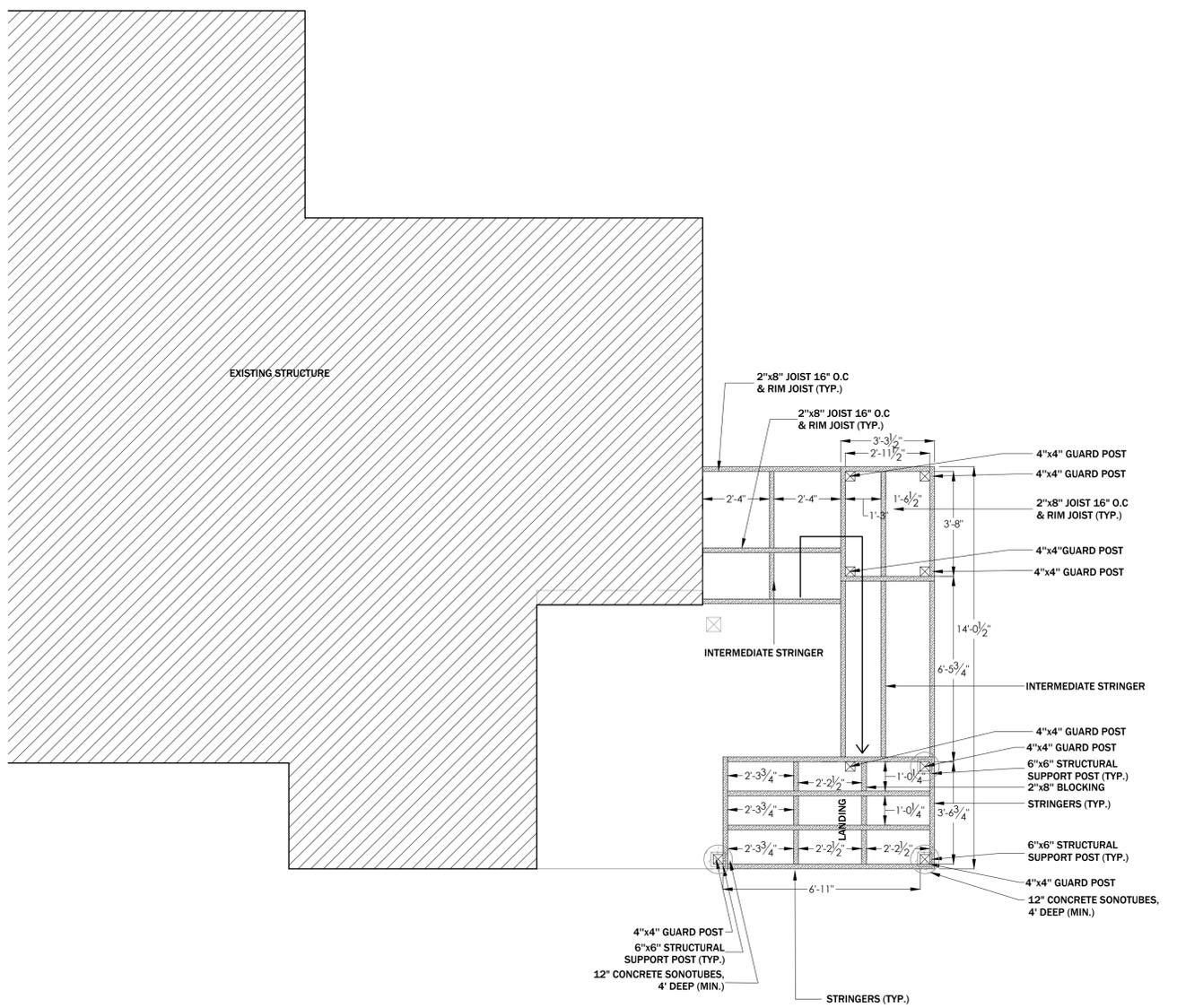
DRAWN BY: ALISSON LUZZI REVIEWED BY: KEN BEKENDAM

SHEET NO.  
 SP1.01

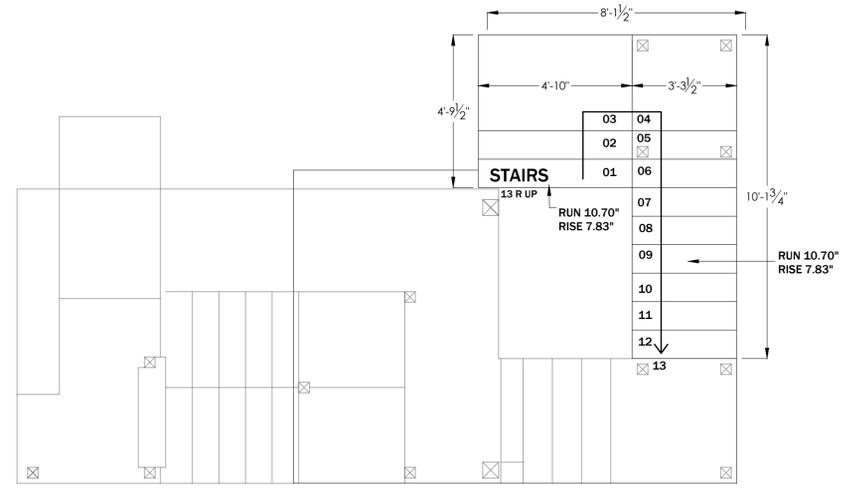
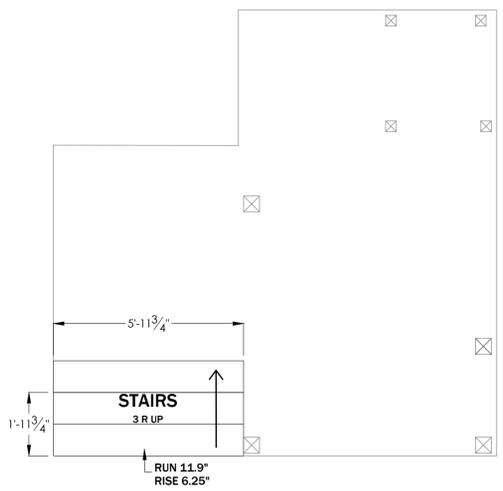
CITY ELECTRONIC STAMP:



**PROPOSED MAIN FLOOR DECK**



**PROPOSED STAIRS MAIN FLOOR DECK**



**legal second suites.com**

LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A. BUSCOM, L.T.  
 kenbekendam@gmail.com

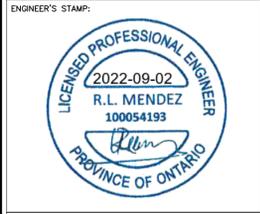
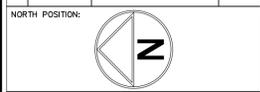
ROBERT MENDEZ, P. ENG.  
 robertmendez@yahoo.com

CONTACT INFORMATION: CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E. HAMILTON ON CONSTRUCTION ENGINEERING  
 OFFICE PHONE: 855-546-4467 OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-963-0647 PEO: 100054193

- GENERAL NOTES:
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - 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 DIFFER FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
  - 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, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.
  - BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
  - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			



PROJECT NAME/ADDRESS:  
**928 KING STREET EAST-HAMILTON, ON.**

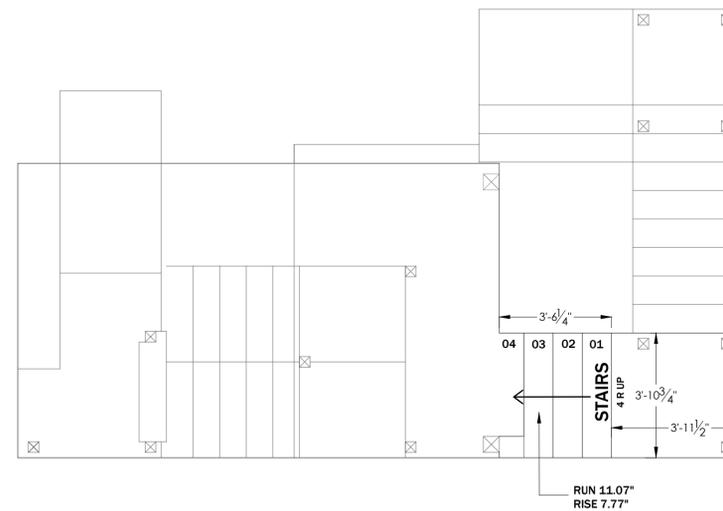
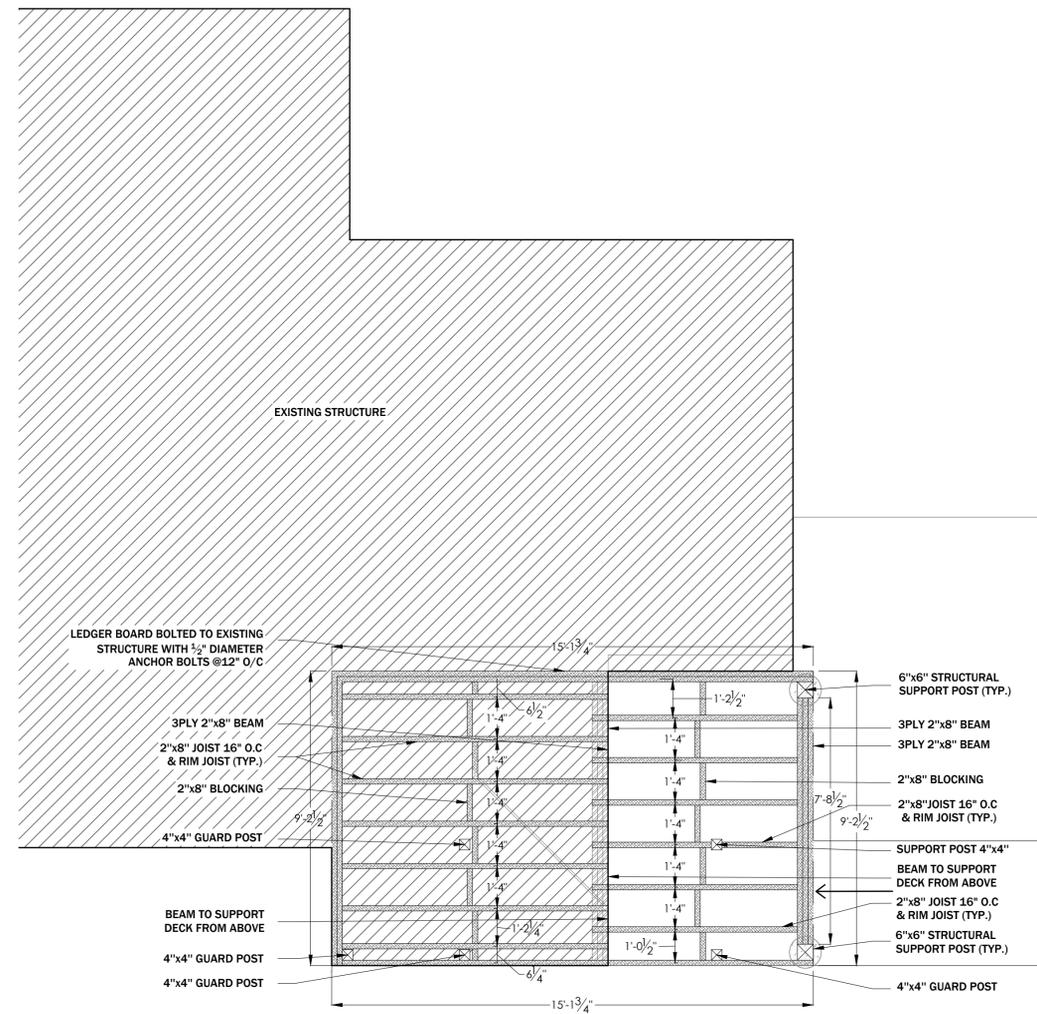
SHEET NAME:  
**PROPOSED GROUND FLOOR**

SCALE:  
 3/8" = 1'-0"

PROJECT NO. 22-77 DATE: 01/08/2022

DRAWN BY: ALISSON LUZZI REVIEWED BY: KEN BEKENDAM

SHEET NO.  
**A1.06**



**PROPOSED SECOND FLOOR DECK**

CITY ELECTRONIC STAMP:



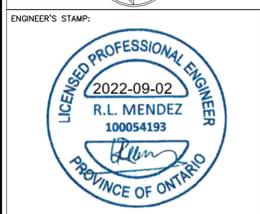
LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A.BUSCOM, L.T. ROBERT MENDEZ, P. ENG.  
 kenbekendam@gmail.com robertmendez@yahoo.com  
 CONTACT INFORMATION: CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E. HAMILTON ON CONSTRUCTION ENGINEERS  
 855-546-4467 OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-963-0647 PEO: 100054193

- GENERAL NOTES:
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - 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 DIFFER FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
  - 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, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.
  - BUILDING OWNER(S) WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
  - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE:	GENERAL DESCRIPTION:	INITIALS:
01			
02			
03			
04			



PROJECT NAME/ADDRESS:  
**928 KING STREET EAST-HAMILTON, ON.**

SHEET NAME:  
**PROPOSED SECOND FLOOR**

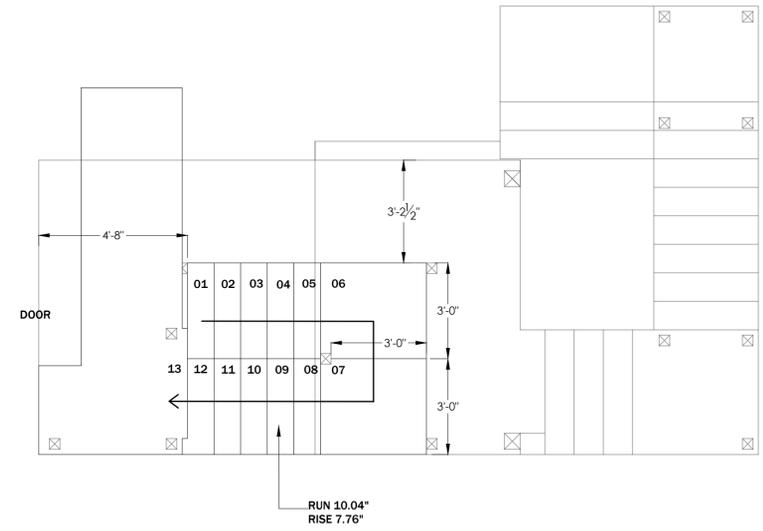
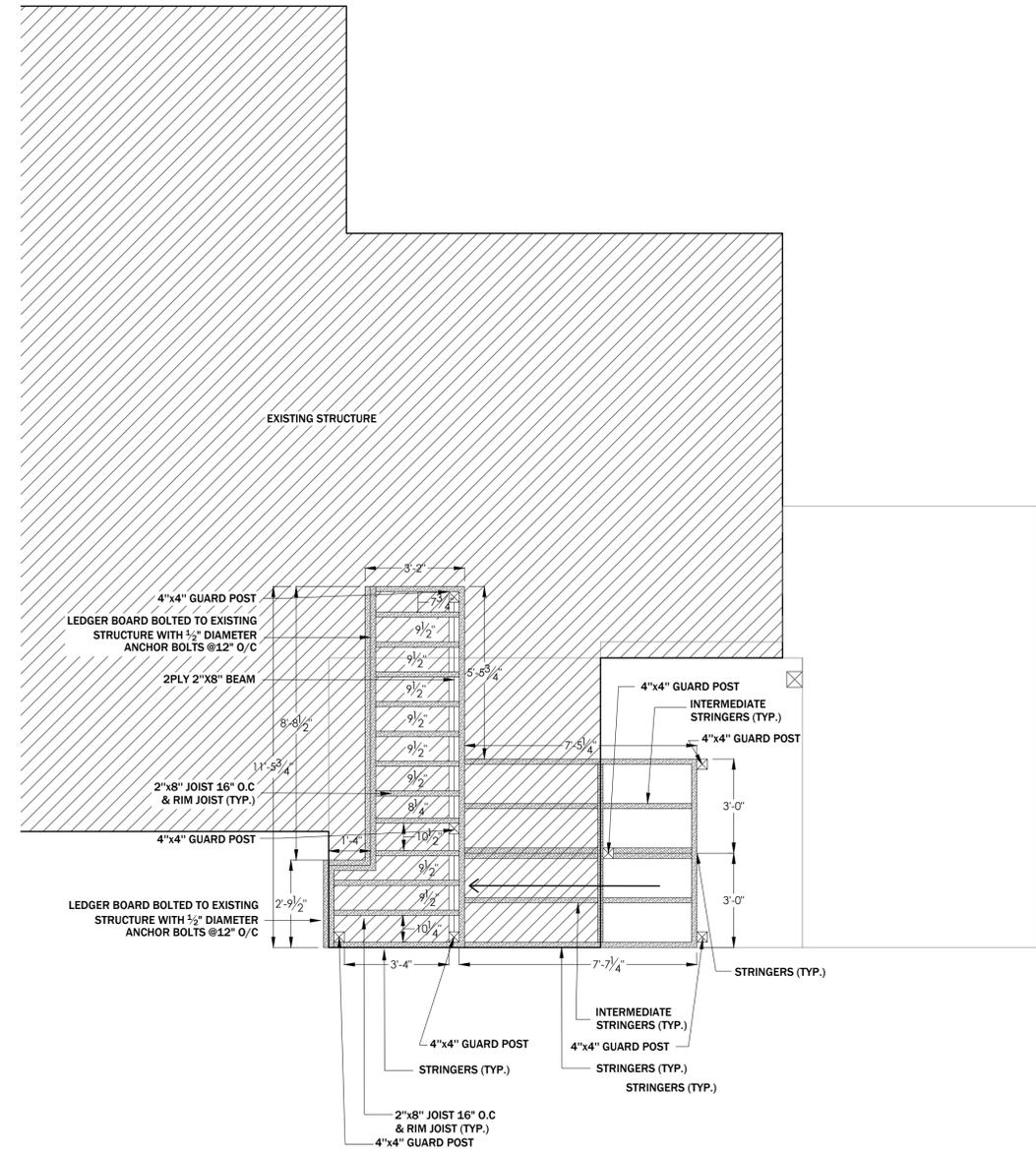
SCALE:  
 3/8" = 1'-0"

PROJECT NO. 22-77 DATE: 01/08/2022

DRAWN BY: ALISSON LUZZI REVIEWED BY: KEN BEKENDAM

SHEET NO.  
**A1.07**

CITY ELECTRONIC STAMP:



**PROPOSED ATTIC DECK**



**legal second suites.com**

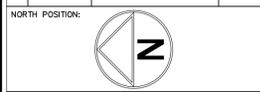
LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A. BUSCOM, L.T. ROBERT MENDEZ, P. ENG.  
 kenbekendam@gmail.com robertmendez@yahoo.com  
 CONTACT INFORMATION: CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E. HAMILTON ON CONSTRUCTION ENGINEERS  
 OFFICE PHONE: 855-546-4467 OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-861-0647 PEO: 100054193

- GENERAL NOTES:
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - 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 LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
  - 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, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.
  - BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
  - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

REVISIONS:

NO.	DATE:	GENERAL DESCRIPTION:	INITIALS:
01			
02			
03			
04			



PROJECT NAME/ADDRESS:  
**928 KING STREET EAST-HAMILTON, ON.**

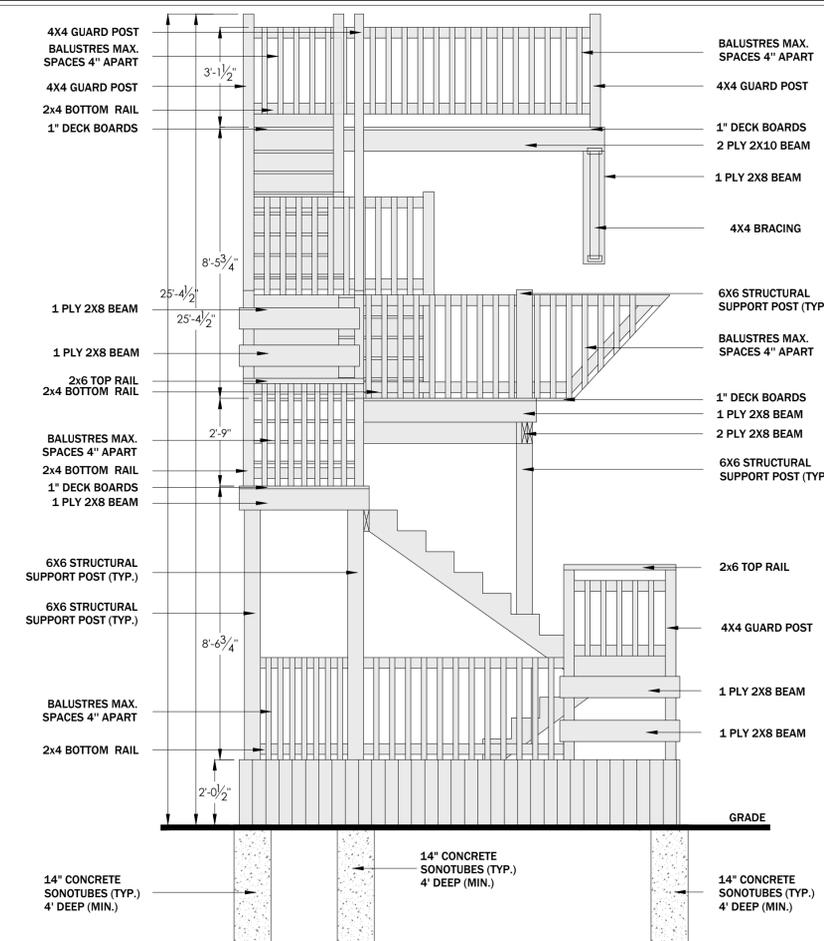
SHEET NAME:  
**PROPOSED THIRD FLOOR**

SCALE:  
 3/8" = 1'-0"

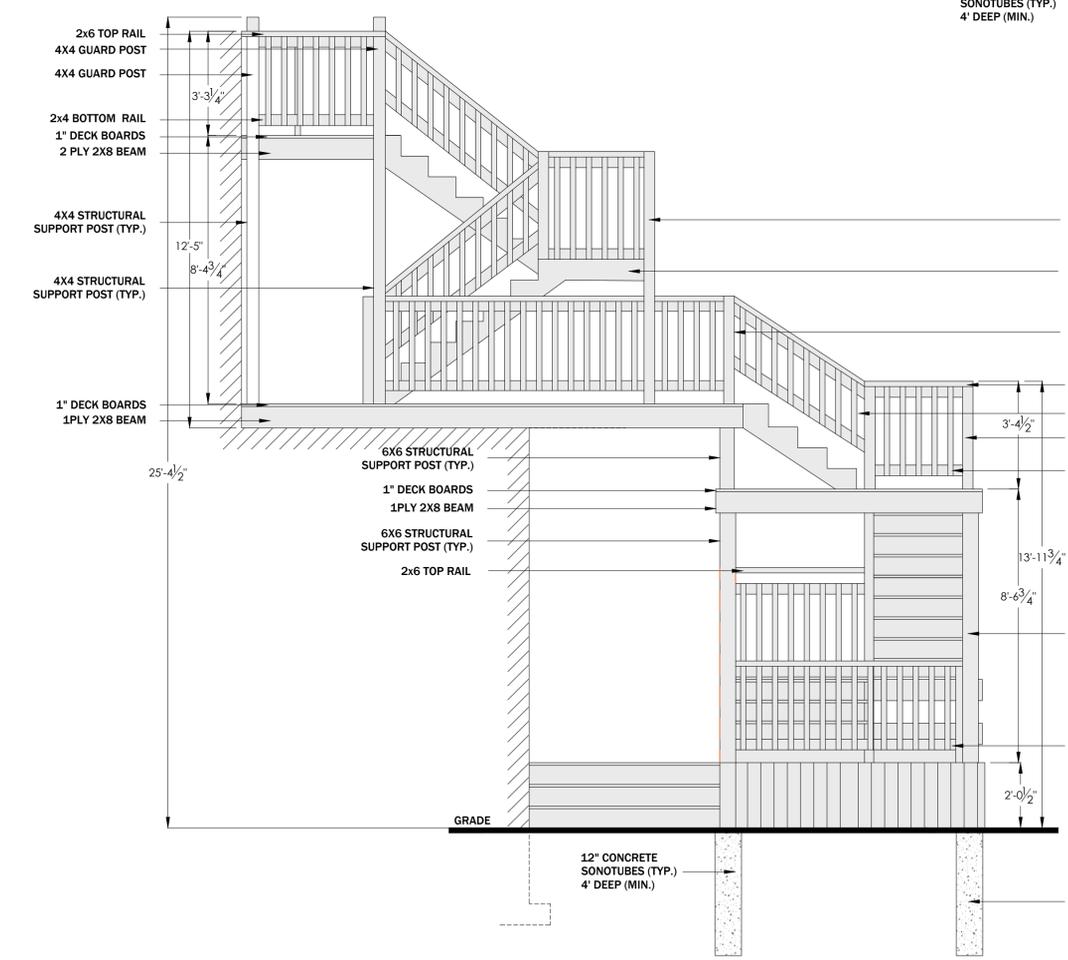
PROJECT NO. 22-77 DATE: 01/08/2022

DRAWN BY: ALISSON LUZZI REVIEWED BY: KEN BEKENDAM

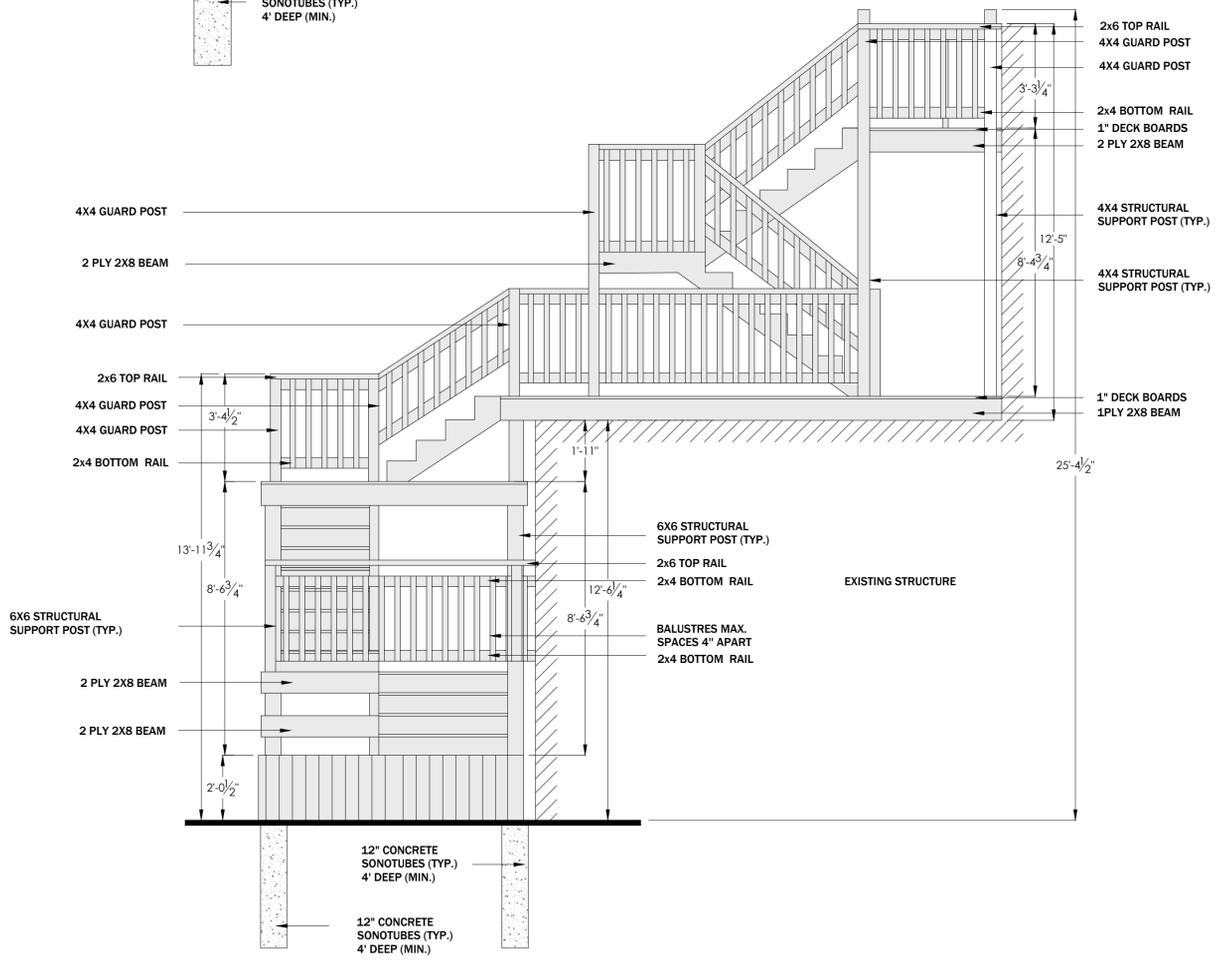
SHEET NO.  
**A1.08**



**FRONT ELEVATION**



**LEFT ELEVATION**



**RIGHT ELEVATION**

CITY ELECTRONIC STAMP:

**legal second suites.com**

LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT LEAD ENGINEER  
 KEN BEKENDAM, B.A. BUSCOM, L.T.      ROBERT MENDEZ, P. ENG.  
 kenbekendam@gmail.com      robertmendez@yahoo.com

CONTACT INFORMATION:      CONTACT INFORMATION:  
 OFFICE: 979 MAIN ST. E. HAMILTON, ON      CONSTRUCTION ENGINEERS  
 855-546-4467      OFFICE PHONE: 416-807-1372  
 CELL PHONE: 905-861-0647      PEO: 100054193

GENERAL NOTES:  
 1. DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"  
 2. 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 LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.  
 3. FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.  
 4. 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, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.  
 5. USE LATEST REVISED DRAWINGS.  
 6. ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.  
 7. ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION. LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.  
 8. BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.  
 9. CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:  
  
 PROJECT NAME/ADDRESS:  
**928 KING STREET EAST-HAMILTON, ON.**

SHEET NAME:  
**PROPOSED DECK**

SCALE:  
 3/8" = 1'-0"

PROJECT NO. 22-77	DATE 01/08/2022
DRAWN BY: ALISSON LUZZI	REVIEWED BY: KEN BEKENDAM

SHEET NO.  
**A3.02**



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

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

## APPLICATION FOR A MINOR VARIANCE

**FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S SIGNATURE \_\_\_\_\_

### The Planning Act

#### Application for Minor Variance or for Permission

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

	NAME	MAILING ADDRESS	
1, 2	m		
<b>Registered Owners(s)</b>			
<b>Applicant(s)*</b>	m		
<b>Agent or Solicitor</b>			
			<b>Phone:</b>
			<b>E-mail:</b>

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

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

n.a

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

4. Nature and extent of relief applied for:

To permit a rear yard deck setback of 4.49m whereas the bylaw requires 6m

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

The deck already exists. Property constraints.  
Need deck to access second floor dwelling unit

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**):

928 King St E

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

Other \_\_\_\_\_

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

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes  No  Unknown

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

Existing residential use

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.

X  
\_\_\_\_\_  
Date

X   
\_\_\_\_\_  
Signature Property Owner(s)

X  
\_\_\_\_\_  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage See site plan  
Depth See site plan  
Area See site plan  
Width of street See site plan

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

Existing: See site plan

Proposed See site plan

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

Existing: See site plan

Proposed: See site plan

13. Date of acquisition of subject lands:  
March 25th 2022
- 
14. Date of construction of all buildings and structures on subject lands:  
unknown
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
two family dwelling
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
residential
- 
17. Length of time the existing uses of the subject property have continued:  
unknown
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                           |                      |
|---------------------------|----------------------|
| Water <u>yes</u>          | Connected <u>yes</u> |
| Sanitary Sewer <u>yes</u> | Connected <u>yes</u> |
| Storm Sewers <u>yes</u>   |                      |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  

TOC1
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
- Yes       No
- If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
- Yes       No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being “received” for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
- Yes       No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/B-22:102</b>	<b>SUBJECT PROPERTY:</b>	536 Ferguson Ave N, Hamilton
-------------------------	--------------------	--------------------------	------------------------------

**APPLICANTS:** Owner: Van Tran  
Agent: Nick DeFilippis

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	6.095 m <sup>±</sup>	27.48 m <sup>±</sup>	167 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	6.095 m <sup>±</sup>	27.48 m <sup>±</sup>	167 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): HM/A-22:318

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

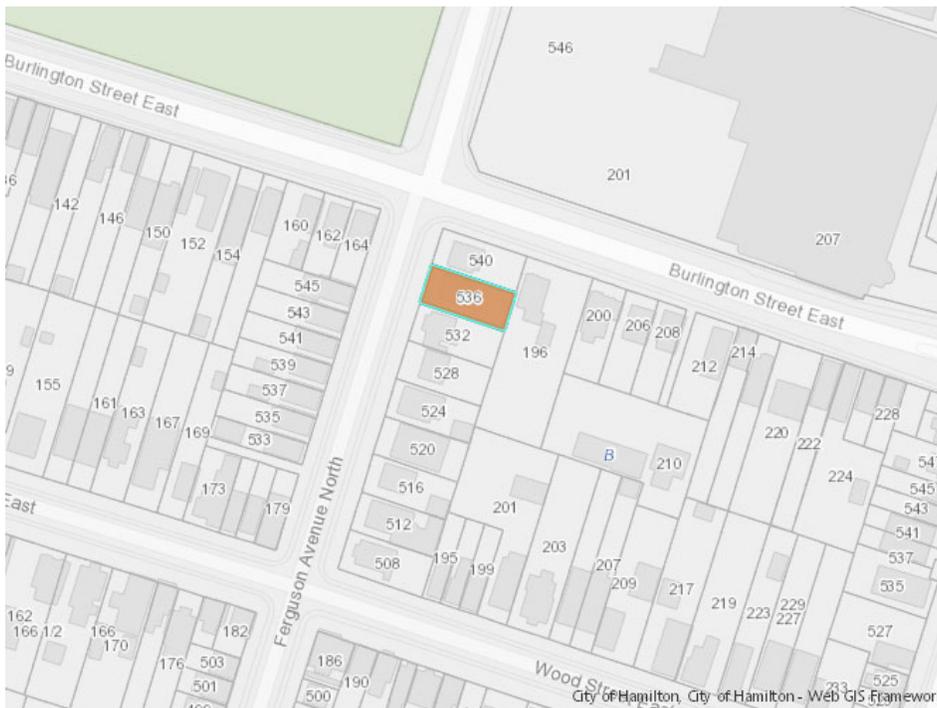
**HM/B-22:102**

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

**PUBLIC INPUT**

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

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



 **Subject Lands**

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

**HM/B-22:102**

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

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

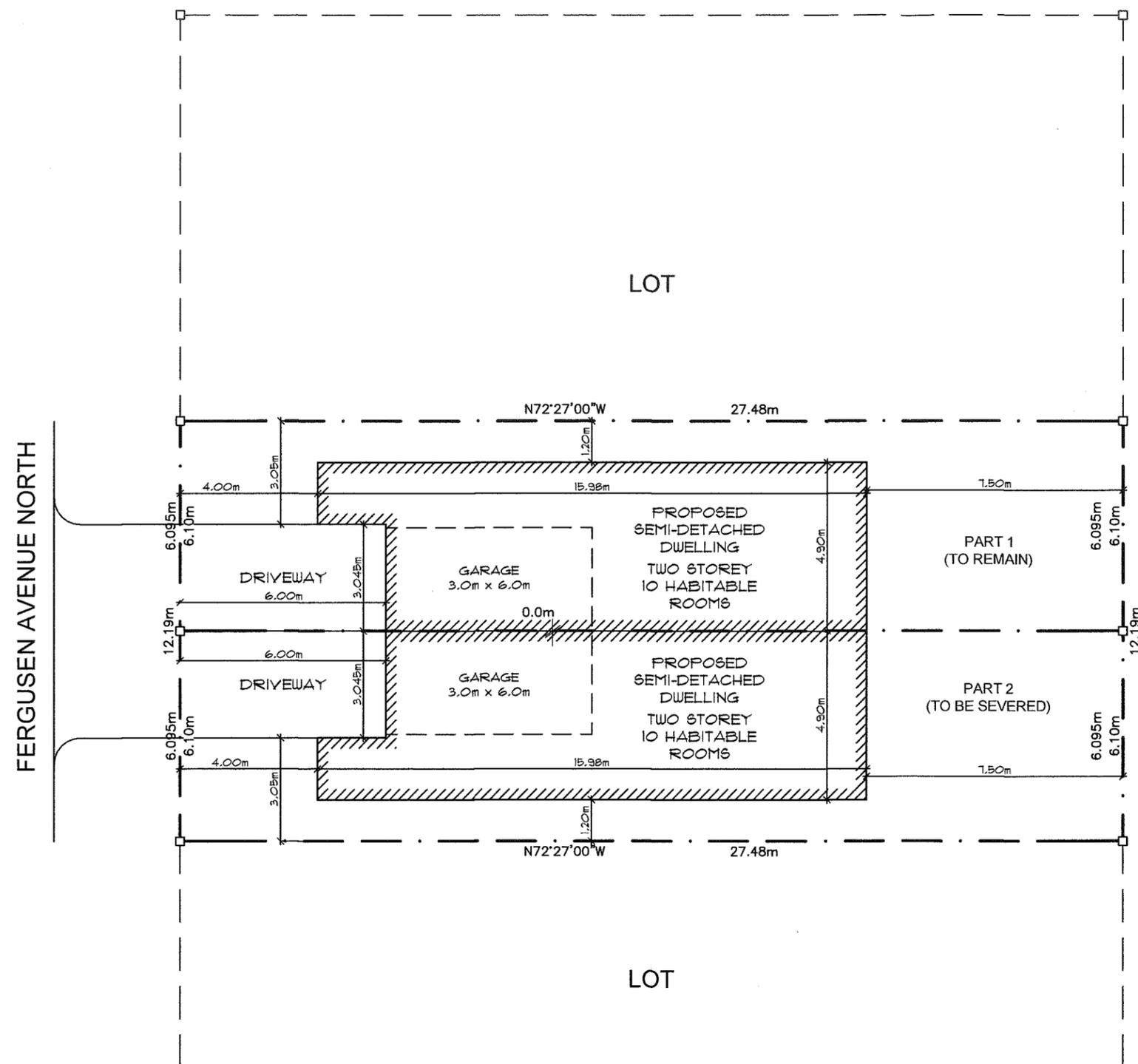
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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

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

BURLINGTON STREET EAST



**SITE STATISTICS**

TOTAL EXISTING LOT AREA 334.98 m<sup>2</sup>

PART 1 (REMNANT LAND) LOT AREA 167.49 m<sup>2</sup>

FRONT YARD 24.38 m<sup>2</sup>

FRONT YARD LANDSCAPING 12.2 m<sup>2</sup> (50.04%)

HEIGHT 11 m

LOT FRONTAGE 6.095 m

10 HABITABLE ROOMS

PARKING SPACES 2

PART 2 (SEVERED LAND) LOT AREA 167.49 m<sup>2</sup>

FRONT YARD 24.38 m<sup>2</sup>

FRONT YARD LANDSCAPING 12.2 m<sup>2</sup> (50.04%)

HEIGHT 11 m

LOT FRONTAGE 6.095 m

10 HABITABLE ROOMS

PARKING SPACES 2

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

3		 <b>DeFILIPPIS DESIGN</b> 687 BARTON ST. E., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2		
1		
REV.		
JOB NO.		SEVERANCE SKETCH FOR: <b>NYGUYEN</b> 536 FERGUSON AVENUE NORTH HAMILTON, ON
CHKD. BY		
DRN. BY		
DATE: AUGUST, 2022		
SCALE: 1:75		<b>SEVERANCE</b>
DWG NO. SP-1		

**SURVEYOR'S REAL PROPERTY REPORT  
PART 1 - PLAN OF SURVEY OF  
PART OF LOTS 51 AND 52  
REGISTERED PLAN 327  
CITY OF HAMILTON**

SCALE 1:100  
2m 0 2 4 6 8 10 METRES  
KAD LANKA SURVEYING INC. O.L.S. ©  
**METRIC**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY DIVIDING BY 0.3048

MUNICIPAL NO. 536, FERGUSON AVENUE NORTH, HAMILTON

**PART 2 (SURVEY REPORT)**  
1. REGISTERED BY-LAWS, EASEMENTS AND/OR RIGHT OF WAYS: NONE  
2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF FENCES ALONG THE NORTHERLY,  
EASTERLY AND SOUTHERLY LIMITS OF THE SUBJECT PROPERTY.  
3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS REPORT WAS PREPARED FOR **TRAN, VAN** AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

**LEGEND**

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- IF DENOTES IRON PIPE
- SM DENOTES STONE MONUMENT
- PKN DENOTES PK NAIL WITH WASHER
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- PL DENOTES REGISTERED PLAN 327
- PL1 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS, O.L.S., DATED FEBRUARY 27, 1997 (JOB No. 97-040)
- PL2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS, O.L.S., DATED FEBRUARY 27, 1997 (JOB No. 97-041)
- PL3 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY GUIDO CONSOLI O.L.S., DATED FEBRUARY 20, 1987.
- PL4 DENOTES BUILDING LOCATION SURVEY BY EDWARD BARICH O.L.S. DATED JUNE 13, 1989.
- (MS) DENOTES MUNICIPAL SURVEY
- CALC'D DENOTES CALCULATED FROM PL3 AND D1
- (ORP) DENOTES OBSERVED REFERENCE POINT
- D1 DENOTES INSTRUMENT No. VM58695
- D2 DENOTES INSTRUMENT No. VM115719
- (FDN) DENOTES FOUNDATION
- (FACE) DENOTES FACE OF THE BUILDING
- (NTS) DENOTES NOT TO SCALE
- (OU) DENOTES ORIGIN UNKNOWN
- (IS) DENOTES CORNER SET BY INTERSECTION METHOD
- NAD DENOTES NORTH AMERICAN DATUM
- CSRS DENOTES CANADIAN SPATIAL REFERENCE SYSTEM
- UTM DENOTES UNIVERSAL TRANSVERSE MERCATOR
- FF DENOTES FINISHED SILL ELEVATION AT ENTRY
- BSF DENOTES BASEMENT SILL ELEVATION
- CLBF DENOTES CENTRELINE OF BOARD FENCE
- CRW DENOTES CONCRETE RETAINING WALL
- OHW DENOTES OVERHEAD WIRE
- AC DENOTES AIR CONDITIONER
- DS DENOTES DOOR SILL ELEVATION
- CST DENOTES CONCRETE STEP
- GM DENOTES GAS METER
- TP DENOTES TELEPHONE POLE
- HP DENOTES HYDRO POLE
- DT DENOTES DECIDUOUS TREE
- CT DENOTES CONIFEROUS TREE
- WV DENOTES WATER VALVE
- OW DENOTES OVERHEAD WIRE
- T DENOTES TELEPHONE WIRE
- X DENOTES FENCE

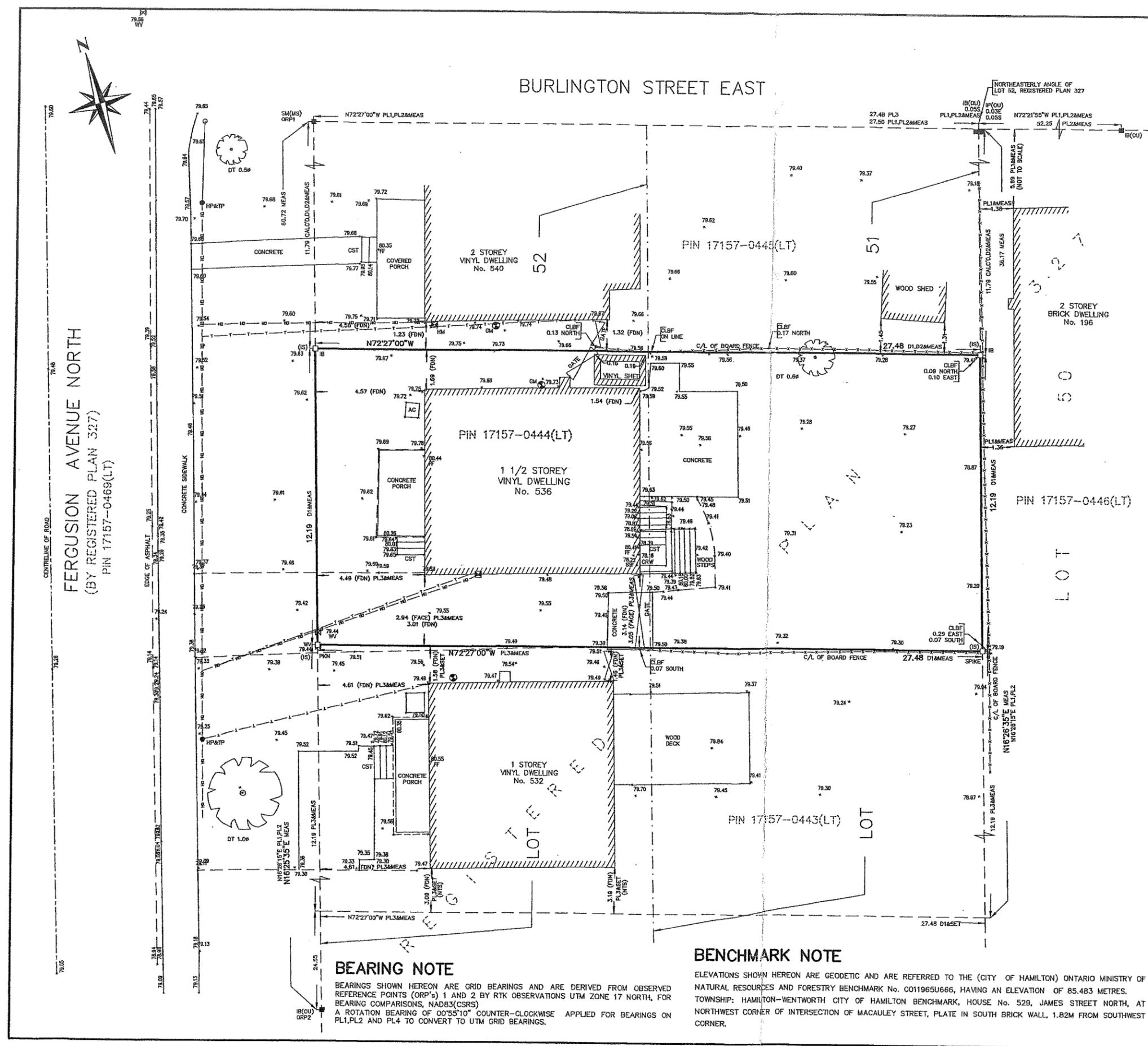
ASSOCIATION OF ONTARIO LAND SURVEYORS  
PLAN SUBMISSION FORM  
V-20249

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

**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. MAY  
2. THE SURVEY WAS COMPLETED ON THE 10th DAY OF 2022  
10, MAY 2022  
DATE  
VINEETHA RATHNAYAKE  
ONTARIO LAND SURVEYOR

**KAD LANKA SURVEYING INC.**  
34, EZRA CRESCENT  
BRAMPTON, ON, L7A 5A6  
PHONE: 905-493-4523 Email: info@kadlankasurveying.ca

DRAWN BY: V.R. CHECKED BY: V.R. CAD NUMBER: 2022-042-SRPR JOB NUMBER: 2022-042



BURLINGTON STREET EAST

FERGUSON AVENUE NORTH  
(BY REGISTERED PLAN 327)  
PIN 17157-0469(LT)

**BEARING NOTE**  
BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (ORP's) 1 AND 2 BY RTK OBSERVATIONS UTM ZONE 17 NORTH, FOR BEARING COMPARISONS, NAD83(CSRS)  
A ROTATION BEARING OF 00°55'10" COUNTER-CLOCKWISE APPLIED FOR BEARINGS ON PL1, PL2 AND PL4 TO CONVERT TO UTM GRID BEARINGS.

**BENCHMARK NOTE**  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE (CITY OF HAMILTON) ONTARIO MINISTRY OF NATURAL RESOURCES AND FORESTRY BENCHMARK No. 0011965U666, HAVING AN ELEVATION OF 85.483 METRES.  
TOWNSHIP: HAMILTON-WENTWORTH CITY OF HAMILTON BENCHMARK, HOUSE No. 529, JAMES STREET NORTH, AT NORTHWEST CORNER OF INTERSECTION OF MACAULEY STREET, PLATE IN SOUTH BRICK WALL, 1.82M FROM SOUTHWEST CORNER.

1/24/23



Hamilton

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

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

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

Date Application Received:	Date Application Deemed Complete:	Submission No.:	<b>Office Use Only</b>
			File No.:

**1 APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone: E-mail:
Registered Owners(s)	VAN TRAN		
Applicant(s)**	Same		E-mail:
Agent or Solicitor	DEFILOPPIS DESIGN		Phone: E-mail:

\*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  Applicant  Owner  Agent/Solicitor

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

2.1 Area Municipality	Lot	Concession	Former Township
Hamilton			Hamilton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address	536 FERGUSON AVE, HAMILTON		Assessment Roll N°.

2.2 Are there any easements or restrictive covenants affecting the subject land?  
 Yes  No

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

[Empty box for describing easements or covenants]

**3 PURPOSE OF THE APPLICATION**

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

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

- creation of a new lot
- addition to a lot
- an easement
- Other:  a charge
- a lease
- a correction of title

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

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

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

PENDING

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

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 <sup>2</sup> or ha)
<u>6.095m</u>	<u>27.48m</u>	<u>167 sqm</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: RESIDENTIAL DWELLING TO BE DEMOLISHED

Proposed: TWO STOREY SEMI DETACHED DWELLING

Existing structures to be removed: RESIDENTIAL DWLG

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): PLOT 1

Frontage (m) <u>6.095m</u>	Depth (m) <u>27.8m</u>	Area (m <sup>2</sup> or ha) <u>167 sqm</u>
-------------------------------	---------------------------	---

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: RES. DWELLING TO BE DEMOLISHED

Proposed: TWO STOREY SEMI-DETACHED DWG

Existing structures to be removed:

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): W

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

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

EXPANSION OF RESIDENTIAL USE WITHIN A DEVELOPED RESIDENTIAL AREA

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

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

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

\*Complete MDS Data Sheet if applicable

6 **PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:318</b>	<b>SUBJECT PROPERTY:</b>	536 Ferguson Ave N, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential – One- and Two-Family Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Van Tran  
Agent: Nick DeFilippas

The following variances are requested:

1. A minimum lot frontage of 12.1 m shall be provided instead of the minimum lot frontage required of 18.0 m; and
2. A minimum lot area 334.9 m<sup>2</sup> shall be provided instead of the minimum required lot area of 540.0 m<sup>2</sup>; and
3. A minimum front yard depth of 4.0 m shall be provided for the one half of the semi-detached dwelling shown as part 1 and for the one half of the semi-detached dwelling shown as part 2 instead of the minimum required 6.0 m front yard depth; and
4. To permit the parking space proposed within the driveway shown on Part 1 and Part 2 to obstruct the accessibility of the parking space proposed within the garage whereas the By-Law state that sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible form within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space; and

**PURPOSE & EFFECT:** To facilitate the construction of a new semi-detached two-family dwelling notwithstanding that;

**Notes:**

- i. Please note that a variance has been requested for 2 parking spaces instead of the minimum

**HM/A-22:318**

required 3 spaces (for a 10 proposed habitable rooms); however, this variance is not required as the total number of habitable rooms is only applicable to a single-family dwelling and not a semi-detached dwelling; therefore, this variance is not required at this time.

- ii. Please note that there are no regulations for lot width, lot area for a one half of a semi-detached; therefore, these variances are not required at this time.
- iii. Please be advised that tandem parking is not permitted for a semi-detached; therefore, a variance has been written for the accessibility of the parking space within the attached garage.
- iv. These variances are necessary to facilitate land severance application HM/B-22: 102.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

HM/A-22:318



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

**SURVEYOR'S REAL PROPERTY REPORT  
PART 1 - PLAN OF SURVEY OF  
PART OF LOTS 51 AND 52  
REGISTERED PLAN 327  
CITY OF HAMILTON**

SCALE 1:100  
2m 0 2 4 6 8 10 METRES  
KAD LANKA SURVEYING INC. O.L.S. ©

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

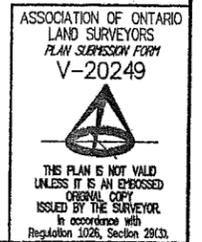
MUNICIPAL NO. 536, FERGUSON AVENUE NORTH, HAMILTON

- PART 2 (SURVEY REPORT)**
1. REGISTERED BY-LAWS, EASEMENTS AND/OR RIGHT OF WAYS: NONE
  2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF FENCES ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LIMITS OF THE SUBJECT PROPERTY.
  3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS REPORT WAS PREPARED FOR TRAN, VAN AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

**LEGEND**

□	DENOTES MONUMENT SET
■	DENOTES MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
IP	DENOTES IRON PIPE
SM	DENOTES STONE MONUMENT
PKN	DENOTES PK NAIL WITH WASHER
PIN	DENOTES PROPERTY IDENTIFIER NUMBER
PL	DENOTES REGISTERED PLAN 327
PL1	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS, O.L.S., DATED FEBRUARY 27, 1997 (JOB No. 97-040)
PL2	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS, O.L.S., DATED FEBRUARY 27, 1997 (JOB No. 97-041)
PL3	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY GUIDO CONSOLI O.L.S., DATED FEBRUARY 20, 1987.
PL4	DENOTES BUILDING LOCATION SURVEY BY EDWARD BARICH O.L.S. DATED JUNE 13, 1989.
(MS)	DENOTES MUNICIPAL SURVEY
CALC'D	DENOTES CALCULATED FROM PL3 AND D1
(ORP)	DENOTES OBSERVED REFERENCE POINT
D1	DENOTES INSTRUMENT No. VM59695
D2	DENOTES INSTRUMENT No. VM115719
(FDN)	DENOTES FOUNDATION
(FACE)	DENOTES FACE OF THE BUILDING
(NTS)	DENOTES NOT TO SCALE
(OU)	DENOTES ORIGIN UNKNOWN
(IS)	DENOTES CORNER SET BY INTERSECTION METHOD
NAD	DENOTES NORTH AMERICAN DATUM
CSRS	DENOTES CANADIAN SPATIAL REFERENCE SYSTEM
UTM	DENOTES UNIVERSAL TRANSVERSE MERCATOR
FF	DENOTES FINISHED SILL ELEVATION AT ENTRY
BSF	DENOTES BASEMENT SILL ELEVATION
CLBF	DENOTES CENTRELINE OF BOARD FENCE
CRW	DENOTES CONCRETE RETAINING WALL
OHW	DENOTES OVERHEAD WIRE
AC	DENOTES AIR CONDITIONER
DS	DENOTES DOOR SILL ELEVATION
GST	DENOTES CONCRETE STEP
GM	DENOTES GAS METER
TP	DENOTES TELEPHONE POLE
HP	DENOTES HYDRO POLE
DT	DENOTES DECIDUOUS TREE
CT	DENOTES CONIFEROUS TREE
WV	DENOTES WATER VALVE
OW	DENOTES OVERHEAD WIRE
TW	DENOTES TELEPHONE WIRE
-x-	DENOTES FENCE



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1028, Section 29(3).

**SURVEYOR'S CERTIFICATE**

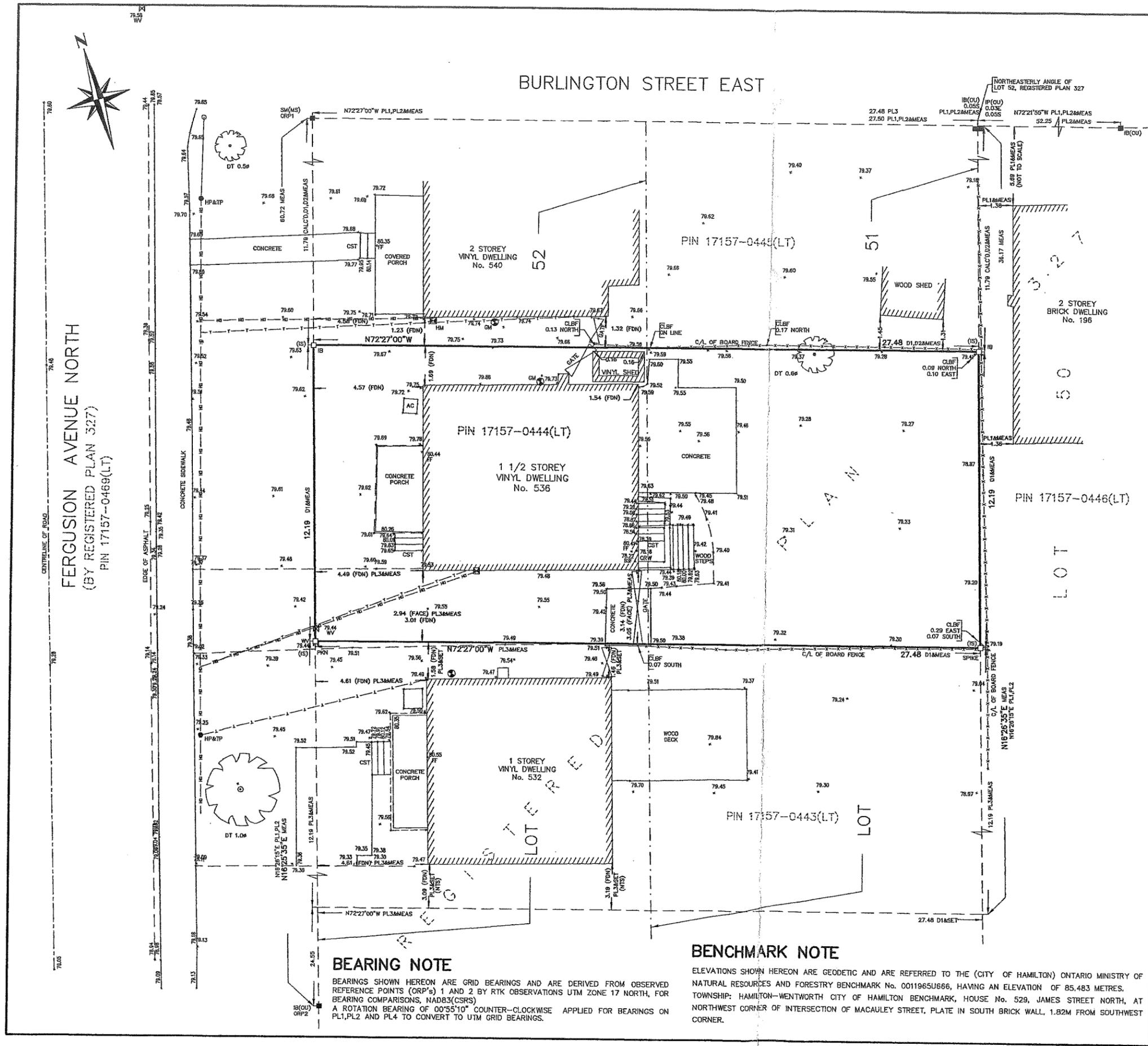
I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. MAY
2. THE SURVEY WAS COMPLETED ON THE 10th DAY OF \_\_\_\_\_, 2022

10. MAY, 2022  
DATE

VINEETHA RATHNAYAKE  
ONTARIO LAND SURVEYOR

	<b>KAD LANKA SURVEYING NO.</b>		
	34, EZRA CRESCENT BRAMPTON, ON, L7A 5A6 PHONE: 905-493-4523 Email: info@kadlankasurveying.ca		
DRAWN BY: V.R.	CHECKED BY: V.R.	CAD NUMBER: 2022-042-SRPR	JOB NUMBER: 2022-042



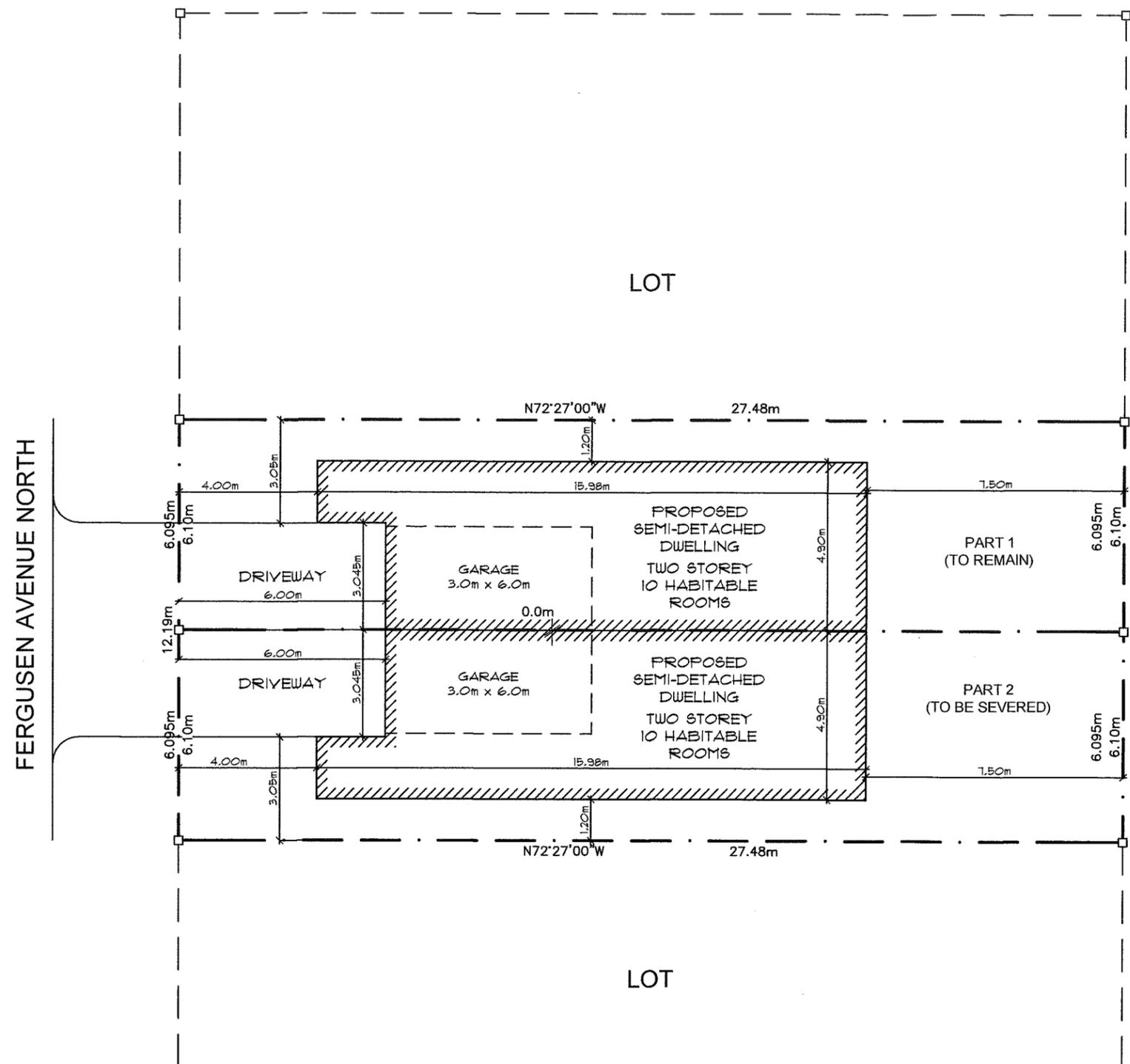
**BEARING NOTE**  
BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (ORP's) 1 AND 2 BY RTK OBSERVATIONS UTM ZONE 17 NORTH, FOR BEARING COMPARISONS, NAD83(CSRS). A ROTATION BEARING OF 00°55'10" COUNTER-CLOCKWISE APPLIED FOR BEARINGS ON PL1, PL2 AND PL4 TO CONVERT TO UTM GRID BEARINGS.

**BENCHMARK NOTE**  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE (CITY OF HAMILTON) ONTARIO MINISTRY OF NATURAL RESOURCES AND FORESTRY BENCHMARK No. 0011965U666, HAVING AN ELEVATION OF 85,483 METRES. TOWNSHIP: HAMILTON-WENTWORTH CITY OF HAMILTON BENCHMARK, HOUSE No. 529, JAMES STREET NORTH, AT NORTHWEST CORNER OF INTERSECTION OF MACAULEY STREET, PLATE IN SOUTH BRICK WALL, 1.82M FROM SOUTHWEST CORNER.

1/24/22

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

BURLINGTON STREET EAST



**SITE STATISTICS**

TOTAL EXISTING LOT AREA 334.98 m<sup>2</sup>

PART 1 (REMNANT LAND) LOT AREA 167.49 m<sup>2</sup>

FRONT YARD 24.38 m<sup>2</sup>

FRONT YARD LANDSCAPING 12.2 m<sup>2</sup> (50.04%)

HEIGHT 11 m

LOT FRONTAGE 6.095 m

10 HABITABLE ROOMS

PARKING SPACES 2

PART 2 (SEVERED LAND) LOT AREA 167.49 m<sup>2</sup>

FRONT YARD 24.38 m<sup>2</sup>

FRONT YARD LANDSCAPING 12.2 m<sup>2</sup> (50.04%)

HEIGHT 11 m

LOT FRONTAGE 6.095 m

10 HABITABLE ROOMS

PARKING SPACES 2

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

3		 <b>DeFILIPPIS DESIGN</b> 687 BARTON ST. E., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2		
1		
REV.		
JOB NO.		SEVERANCE SKETCH FOR:
CHKD. BY		<b>NYGUYEN</b>
DRN. BY		536 FERGUSON AVENUE NORTH
DATE: AUGUST, 2022		HAMILTON, ON
SCALE: 1:75		<b>SEVERANCE</b>
DWG NO. SP-1		



Hamilton

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

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

### APPLICATION FOR A MINOR VARIANCE

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)	VAN TRIN	
Applicant(s)*	SA M	
Agent or Solicitor	DEFILIAS DESIGN	

Note: Unless otherwise requested all   
 any.

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

N/A

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

4. Nature and extent of relief applied for: LOT AREA OF 16730M INSTEAD OF 27089M  
PROVIDE 2 PARKING SPACES INSTEAD OF 3 PER PLOT  
LOT FRONTAGE OF 6.095M INSTEAD OF 9.0M  
INTERIOR SIDE YARD OF 0.0M INSTEAD OF 1.2M  
 Second Dwelling Unit      Reconstruction of Existing Dwelling AND REPLACE WITH NEW

5. Why it is not possible to comply with the provisions of the By-law?  
NATURE OF EXISTING LOT AND SIZE

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
536 FERGUSSON AVE N  
HAMILTON

7. PREVIOUS USE OF PROPERTY

- Residential      Industrial      Commercial   
 Agricultural      Vacant

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use N/A

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

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

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes      No      Unknown

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

- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes      No      Unknown

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
 Yes      No      Unknown

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

- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
 Yes      No      Unknown

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

Yes  No  Unknown

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

EXISTING RESIDENTIAL USE IN EXCESS OF 60 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.

08/2022  
Date

V.T.  
Signature Property Owner(s)

VAN TEEU  
Print Name of Owner(s)

10. Dimensions of lands affected: (TOTAL)	PART 1	PART 2
Frontage	12.19m	6.095m
Depth	27.48m	27.48m
Area	334.98sqm	167.49sqm
Width of street	20m	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:

TWO SINGLE FAMILY DWELLINGS TO BE DEMOLISHED

Proposed

TWO SEMI-DETACHED DWELLINGS ONE ON EACH PART

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

Existing:

See To Be Demolished SEE SURVEY PLAN

Proposed:

See Site Sketch





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:320</b>	<b>SUBJECT PROPERTY:</b>	52 Barton St W, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Matthew & Emily Gowing  
Agent: Invizij Architects – Emma Cubitt

The following variances are requested:

1. A Secondary Dwelling Unit – Detached shall be a minimum 0.3m from the rear lot line whereas the building containing a Secondary Dwelling Unit – Detached is required to be a minimum 1.2m from the rear lot line.
2. A Secondary Dwelling Unit – Detached shall be a minimum 0.2m from an interior side lot line whereas the building containing a Secondary Dwelling Unit – Detached is required to be a minimum 1.2m from an interior side lot line.
3. A maximum gross floor area of 101.0m<sup>2</sup> shall be provided instead of the maximum gross floor area of 75.0m<sup>2</sup> permitted for a Secondary Dwelling Unit Detached.
4. A minimum parking space size of 2.7m x 5.5m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.
5. No onsite manoeuvring shall be provided for the required parking space instead of the requirement that a 6.0m manoeuvring space abutting and accessory to each parking space shall be provided and maintained on the lot.
6. An access driveway width being 1.8m shall be provided on-site instead of the minimum required 2.8m wide access driveway.

**PURPOSE & EFFECT:** To permit a new Secondary Dwelling Unit – Detached in the rear yard of the existing Single-Family Dwelling.

HM/A-22:320

**Notes:**

- i. The by-law permits eaves and gutters to project no further than 30cm into a required minimum yard setback and in no case shall extend beyond the property line(s). Insufficient information respecting the distance of the eave and gutter projection has been provided in order to confirm zoning compliance at this time.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

HM/A-22:320



Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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



DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	SITE PLAN
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 225
DRAWING NO.:	1

PLOTTED: 2022-10-03 11:02:02 AM

**RELEVANT SITE DEVELOPMENT DETAILS**

MAJOR OCCUPANCY: D (URBAN PROTECTED RESIDENTIAL)

TABLE 3.1.2.1 OF 2012 OBC AND IN ACCORDANCE WITH DEFINITIONS FOR "RESIDENTIAL OCCUPANCY" PER ARTICLE 1.4.1.2 DIVISION A OF 2012 OBC

EXISTING GFA OF PRINCIPAL DWELLING: 247 m<sup>2</sup>  
 EXISTING GARAGE: 53.7 m<sup>2</sup>  
 BASEMENT: 108.24 m<sup>2</sup>

PROPOSED NEW SDU GROSS FLOOR AREA: 75 m<sup>2</sup>  
 ZONING MAXIMUM: 75 m<sup>2</sup>

PERCENTAGE OF SDU TO PRINCIPAL DWELLING: 30.4%  
 ZONING MAXIMUM: 70%

NEW ADDITION HEIGHT: 5.97 m  
 ZONING MAX: 6 m

SIDE YARD - SDU: .2 m  
 ZONING MIN: 1.2 m  
 REAR YARD - SDU: .3 m  
 ZONING MIN: 1.2 m  
 SOUTH BOUNDARY LOT LINE - SDU: .36 m  
 ZONING MIN: 1.2 m

NUMBER OF STREETS / ACCESS ROUTES: 1

LOT TOTAL AREA: 443.8 m<sup>2</sup>  
 EXISTING DWELLING COVERAGE: 177.2 m<sup>2</sup>  
 DECK/PORCH AREA: 11.7 m<sup>2</sup>  
 PAVED AREA: 95 m<sup>2</sup>

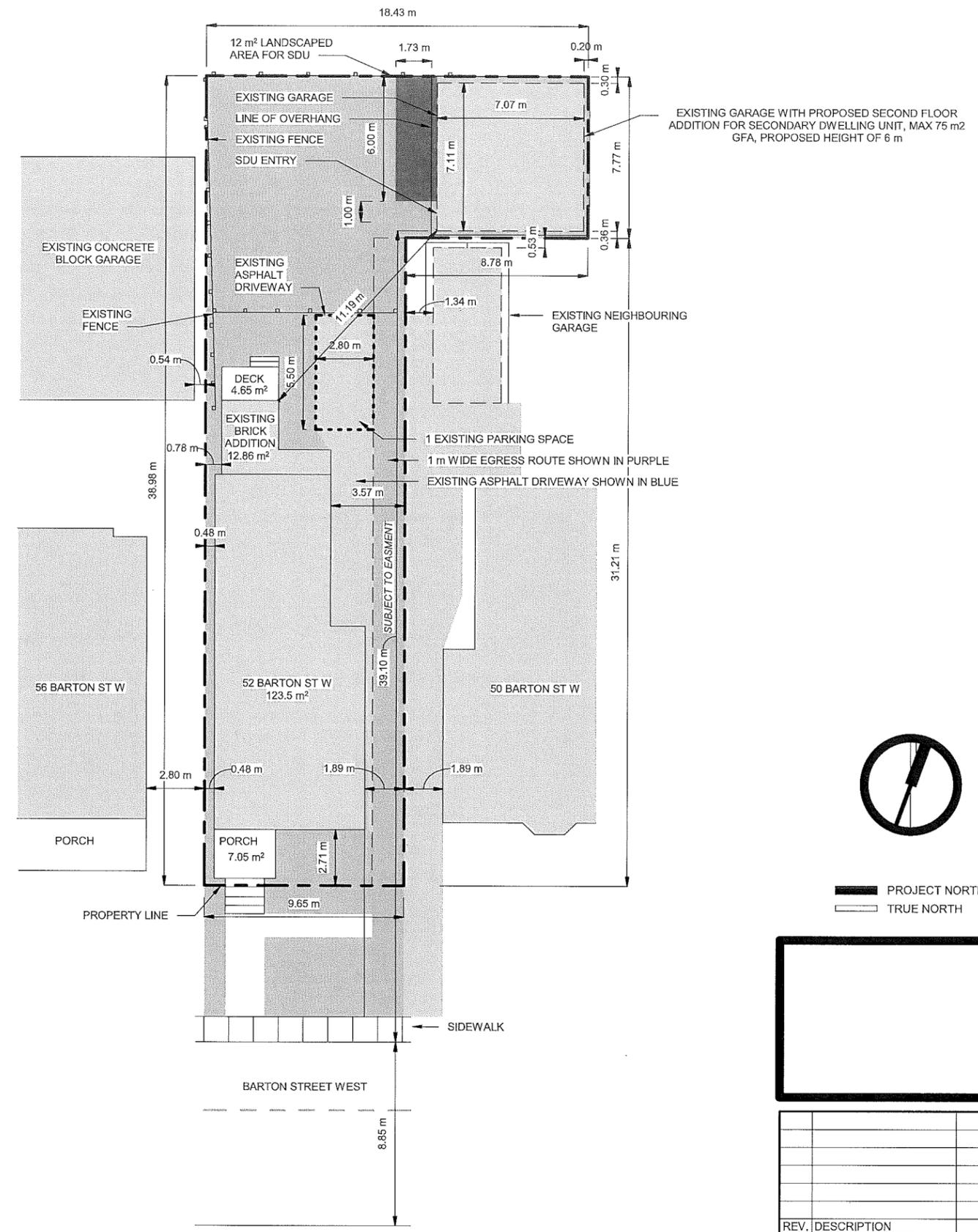
TOTAL LOT COVERAGE FOR ALL STRUCTURES: 42.6%  
 ZONING MAXIMUM: 25%

SOFT LANDSCAPE AREA: 164.39 m<sup>2</sup> (37%)

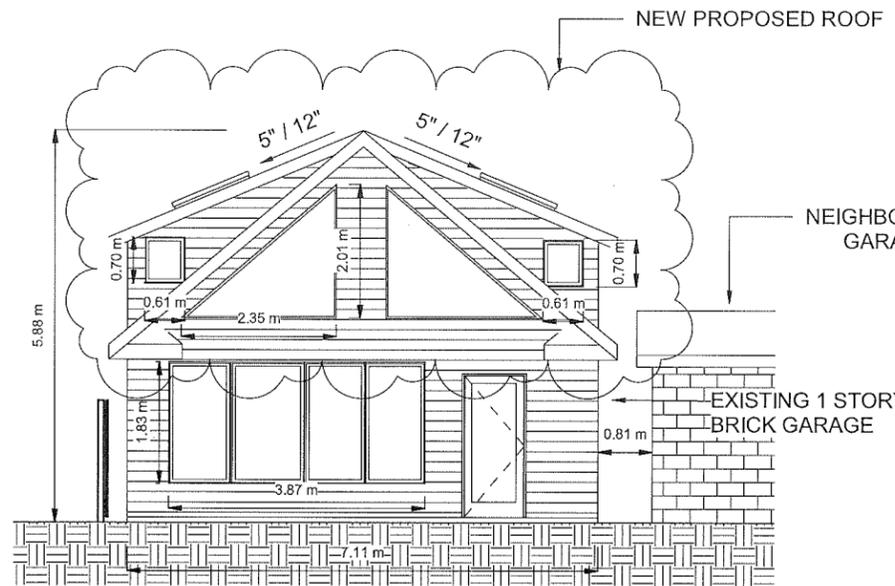
PROPERTY LINES AND SETBACKS BASED ON SURVEY BY: LEJAN LAND SURVEYING INC DATED: AUGUST 22, 2022

**LEGEND**

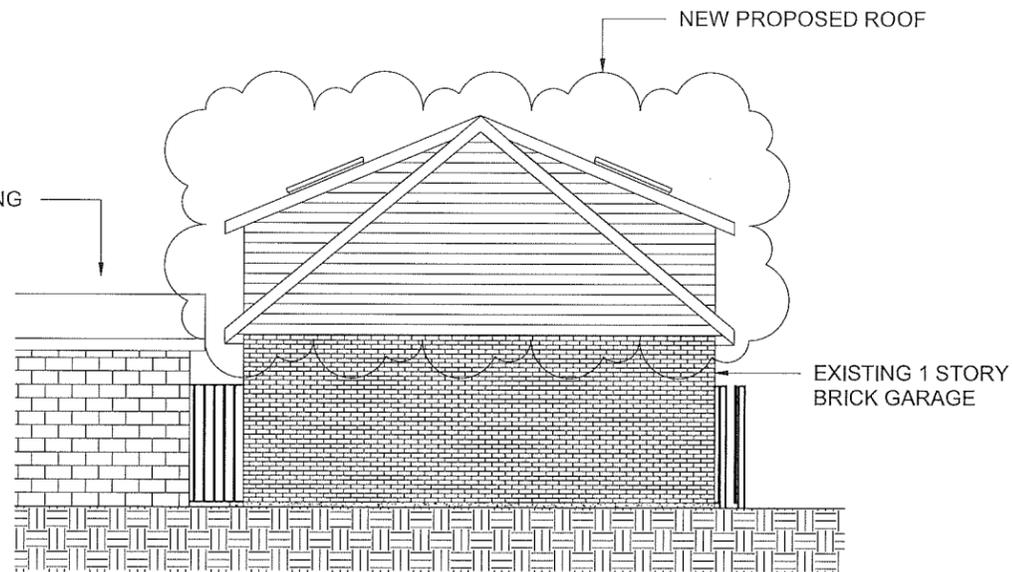
	STRUCTURE BOUNDARY
	FENCE
	PROPERTY BOUNDARY
	EASEMENT BOUNDARY



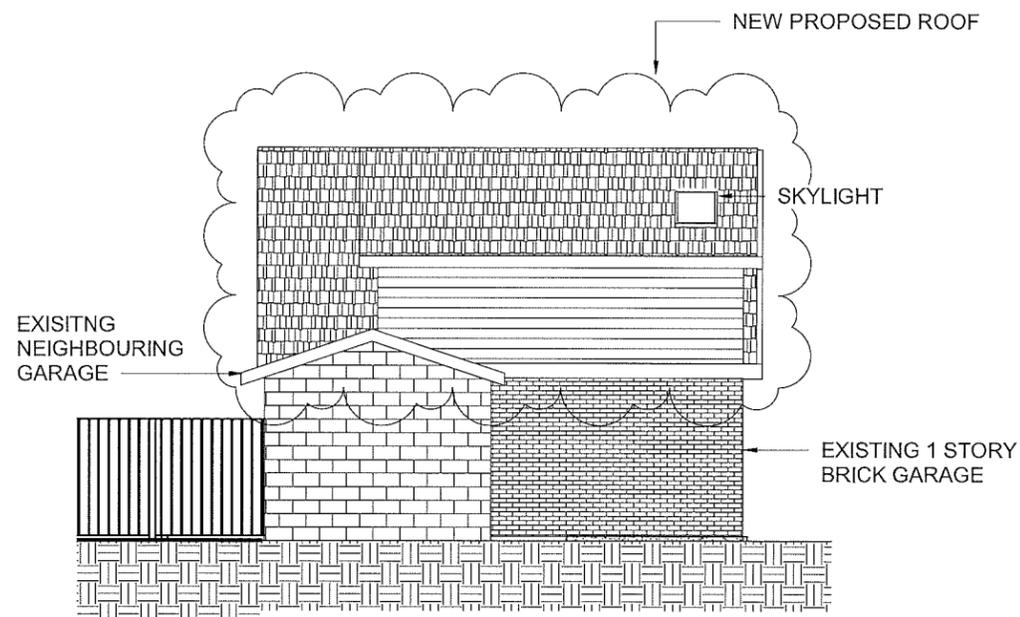
PROJECT NORTH TRUE NORTH		
REV.	DESCRIPTION	DATE



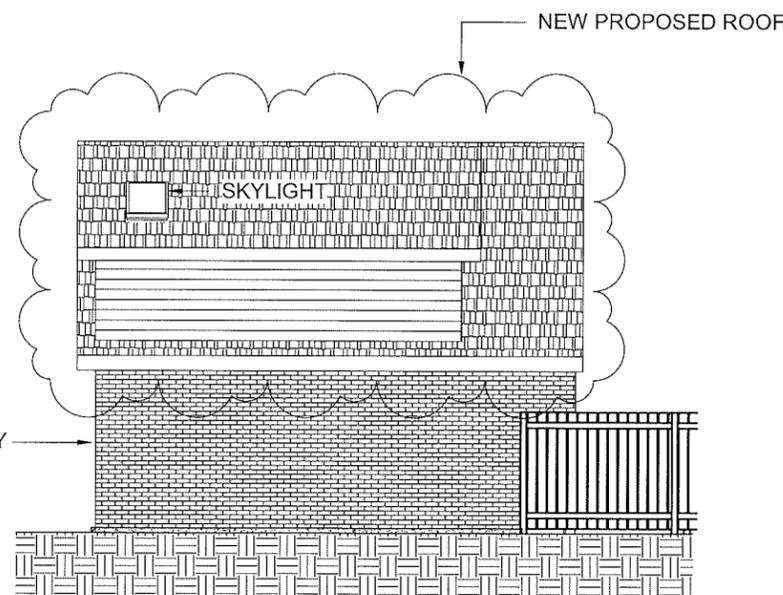
① East  
1 : 96



④ West  
1 : 96



② North  
1 : 96



③ South  
1 : 96



— PROJECT NORTH  
— TRUE NORTH



REV.	DESCRIPTION	DATE
1	Revision 1	Date 1

**INVIZIJ**  
Architects Inc.  
185 YOUNG STREET,  
HAMILTON, ON L89 1V9  
T: 905 525 9000 | invizij.ca

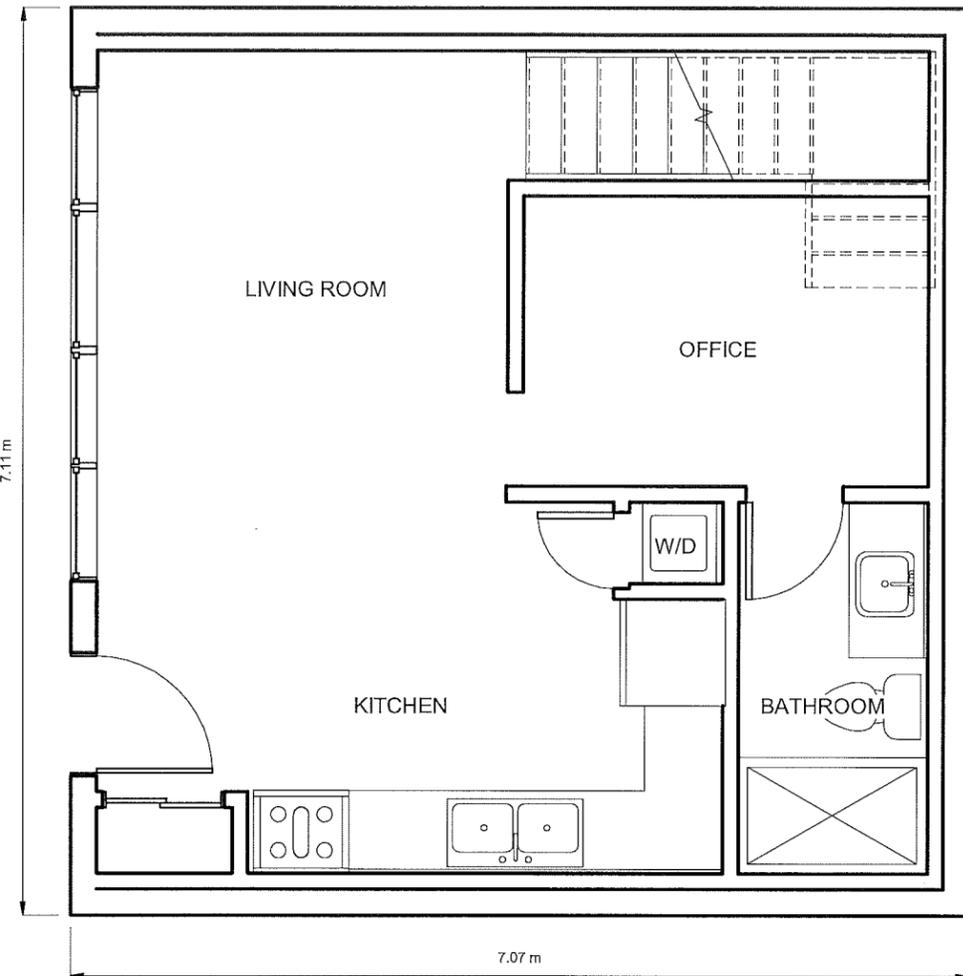
DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

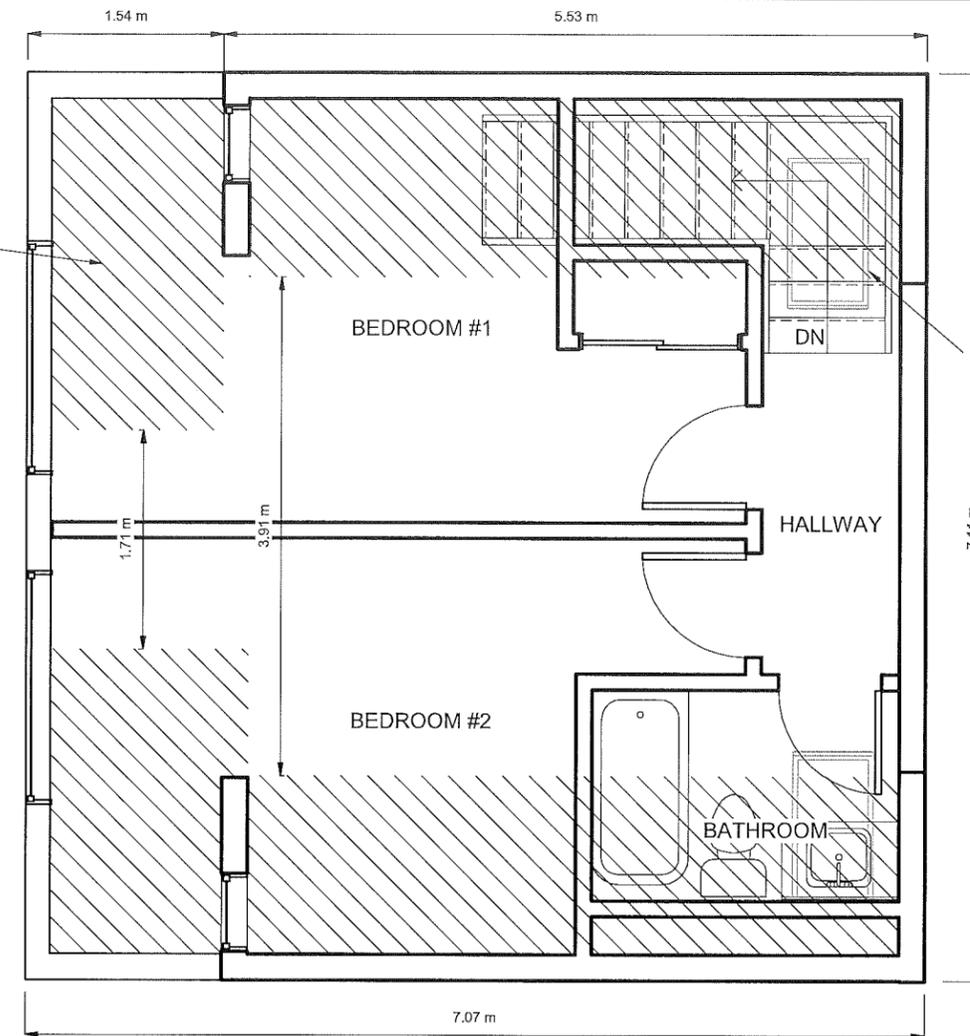
PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	ELEVATIONS
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 96
DRAWING NO.:	2

PLOTTED: 2022-09-30 1:23:34 PM



① Level 1 50.3 m<sup>2</sup>  
1 : 50

CEILING HEIGHT BELOW 2.1 m



② Level 2 24.3 m<sup>2</sup>  
1 : 50

SKYLIGHTS, ABOVE



PROJECT NORTH  
TRUE NORTH



REV.	DESCRIPTION	DATE

**INVIZIJ**  
Architects Inc.  
185 YOUNG STREET,  
HAMILTON, ON L89 1V9  
T: 905 525 9000 | invizij.ca

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	FLOOR PLANS
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 50
DRAWING NO.:	3

PLOTTED: 2022-09-30 1:27:13 PM

**RELEVANT SITE DEVELOPMENT DETAILS**

MAJOR OCCUPANCY: D (URBAN PROTECTED RESIDENTIAL)

TABLE 3.1.2.1 OF 2012 OBC AND IN ACCORDANCE WITH DEFINITIONS FOR "RESIDENTIAL OCCUPANCY" PER ARTICLE 1.4.1.2 DIVISION A OF 2012 OBC

EXISTING GFA OF PRINCIPAL DWELLING: 247 m<sup>2</sup>  
 EXISTING GARAGE: 53.7 m<sup>2</sup>  
 BASEMENT: 108.24 m<sup>2</sup>

PROPOSED NEW SDU GROSS FLOOR AREA: 75 m<sup>2</sup>  
 ZONING MAXIMUM: 75 m<sup>2</sup>

PERCENTAGE OF SDU TO PRINCIPAL DWELLING: 30.4%  
 ZONING MAXIMUM: 70%

NEW ADDITION HEIGHT: 5.97 m  
 ZONING MAX: 6 m

SIDE YARD - SDU: .2 m  
 ZONING MIN: 1.2 m  
 REAR YARD - SDU: .3 m  
 ZONING MIN: 1.2 m  
 SOUTH BOUNDARY LOT LINE - SDU: .36 m  
 ZONING MIN: 1.2 m

NUMBER OF STREETS / ACCESS ROUTES: 1

LOT TOTAL AREA: 443.8 m<sup>2</sup>  
 EXISTING DWELLING COVERAGE: 177.2 m<sup>2</sup>  
 DECK/PORCH AREA: 11.7 m<sup>2</sup>  
 PAVED AREA: 95 m<sup>2</sup>

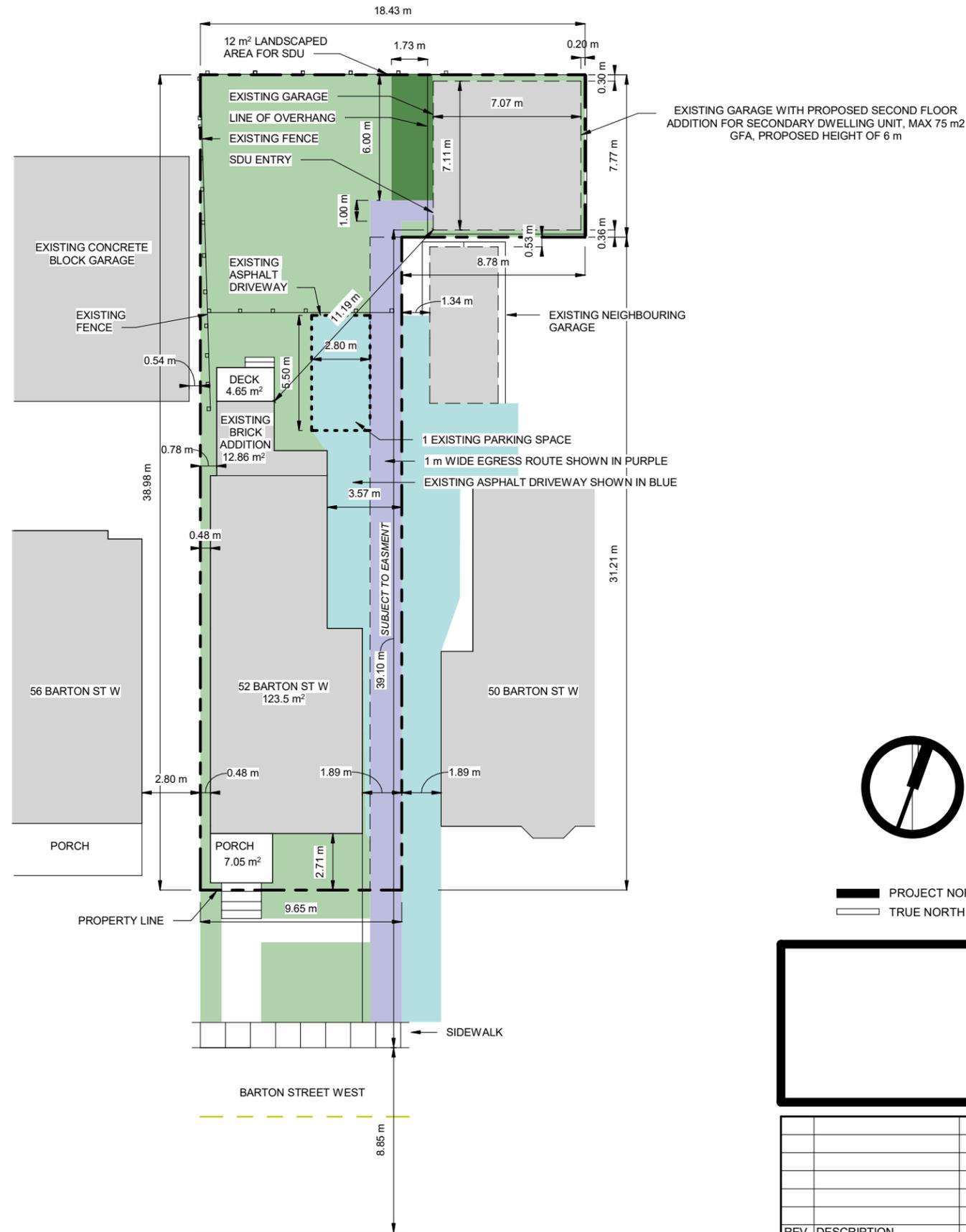
TOTAL LOT COVERAGE FOR ALL STRUCTURES: 42.6%  
 ZONING MAXIMUM: 25%

SOFT LANDSCAPE AREA: 164.39 m<sup>2</sup> (37%)

PROPERTY LINES AND SETBACKS BASED ON SURVEY  
 BY: LEJAN LAND SURVEYING INC  
 DATED: AUGUST 22, 2022

**LEGEND**

- STRUCTURE BOUNDARY
- - - FENCE
- - - - PROPERTY BOUNDARY
- - - - EASEMENT BOUNDARY



PROJECT NORTH  
 TRUE NORTH



REV.	DESCRIPTION	DATE

**INVIZIJ**  
 Architects Inc.  
 185 YOUNG STREET,  
 HAMILTON, ON L89 1V9  
 T: 905 525 9000 | invizij.ca

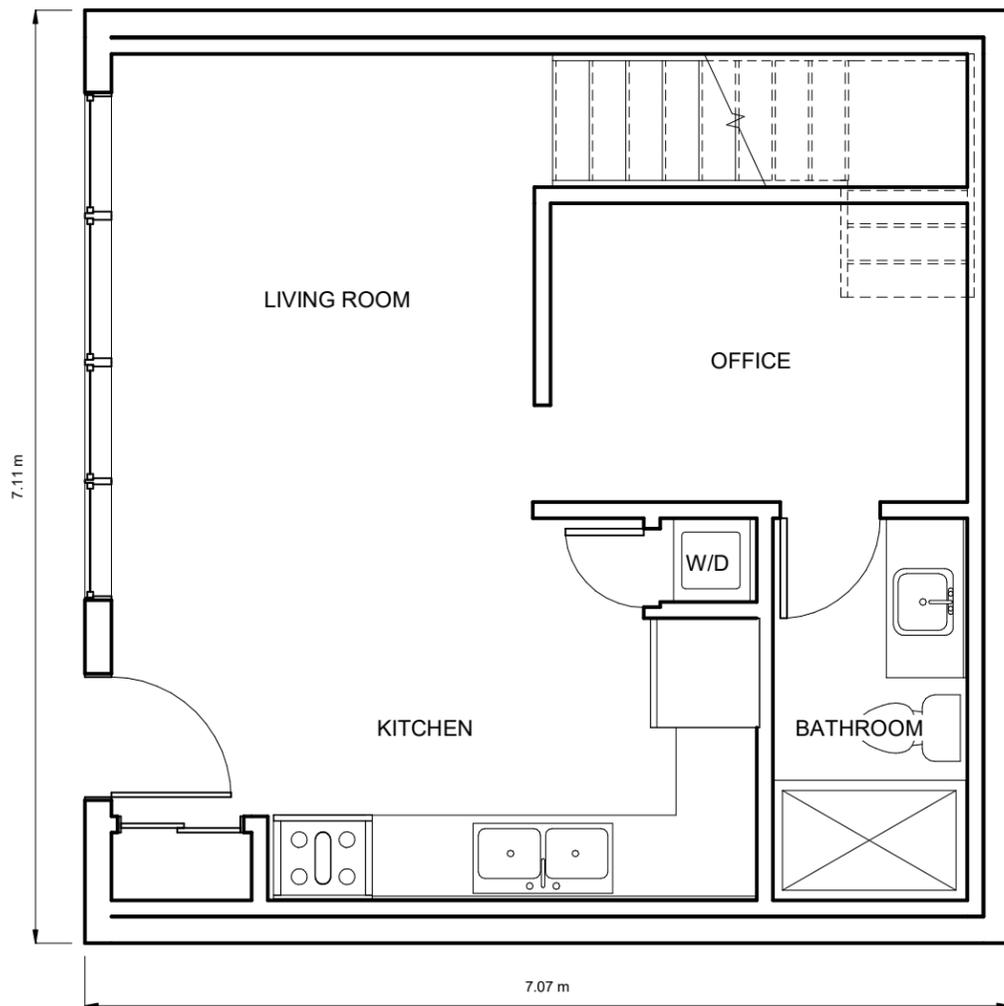
DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

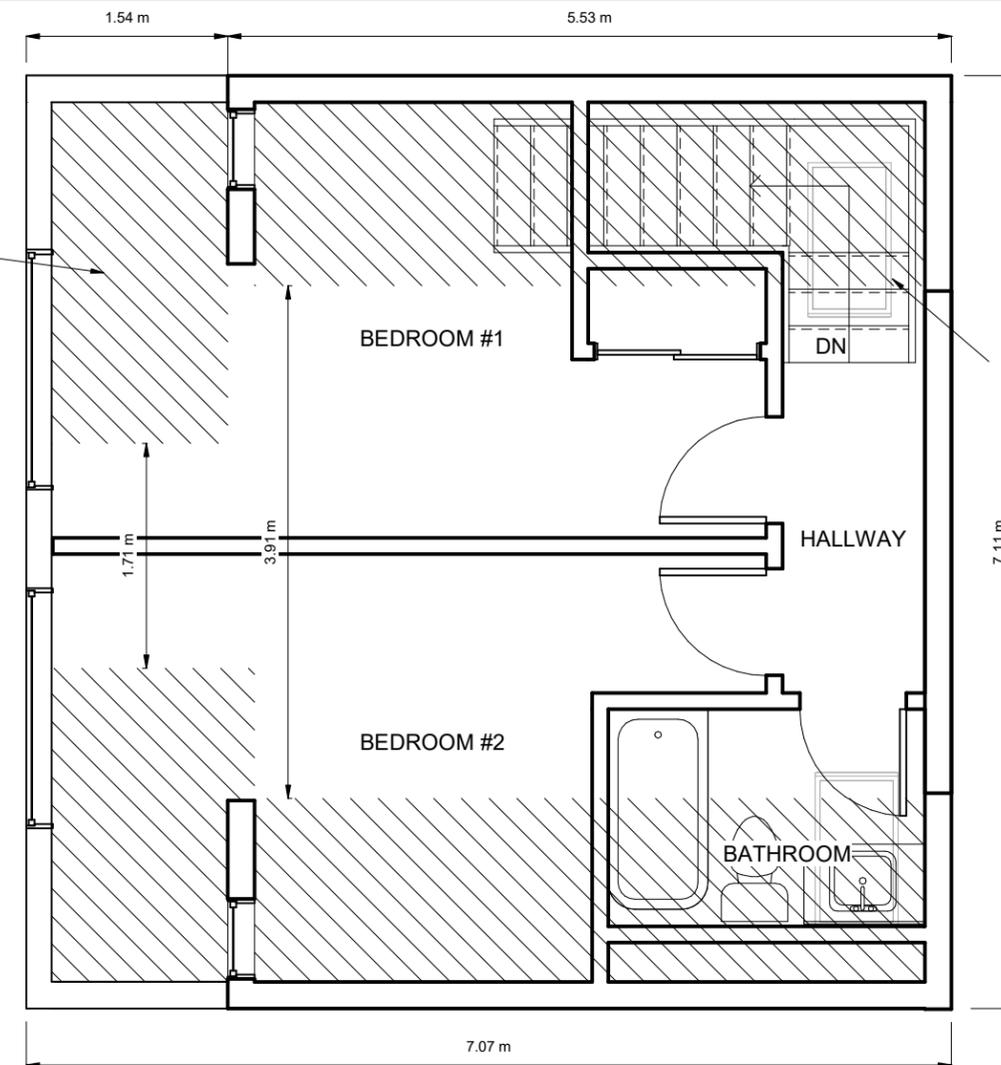
PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	SITE PLAN
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 225
DRAWING NO.:	1

PLOTTED: 2022-10-03 11:02:02 AM



① Level 1 50.3 m<sup>2</sup>  
1 : 50

CEILING HEIGHT BELOW 2.1 m



② Level 2 24.3 m<sup>2</sup>  
1 : 50

SKYLIGHTS, ABOVE



PROJECT NORTH  
TRUE NORTH



REV.	DESCRIPTION	DATE



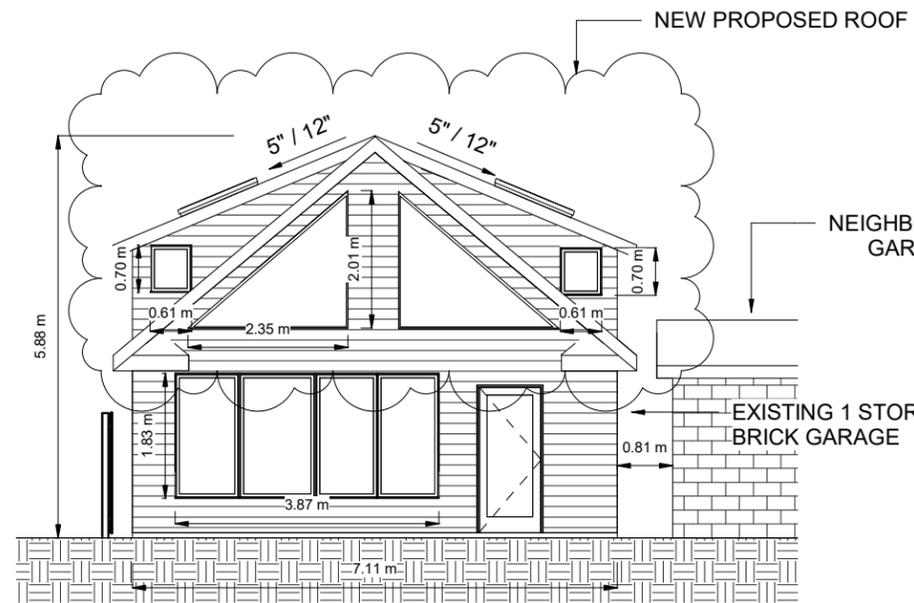
DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

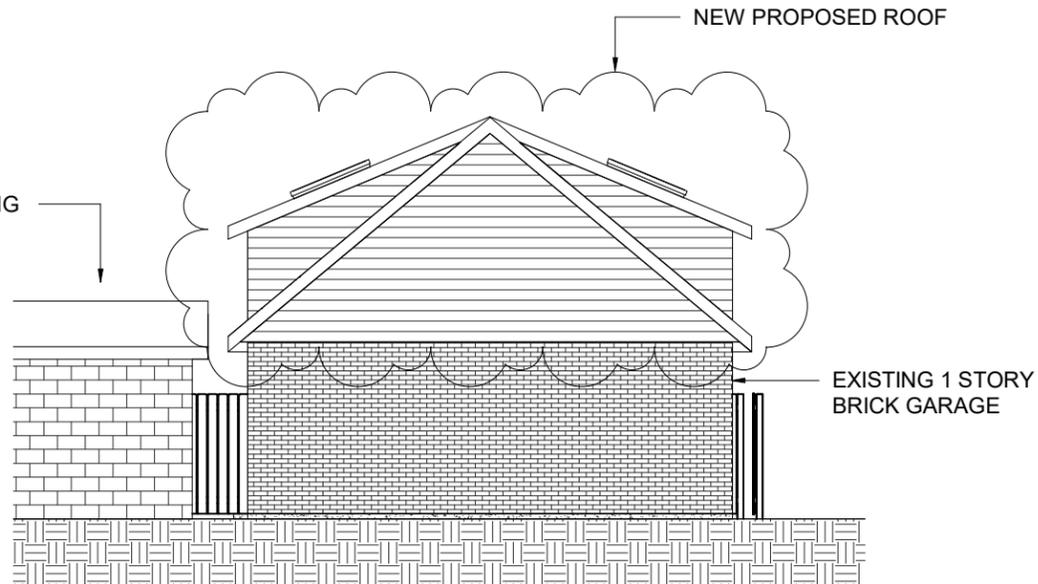
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	FLOOR PLANS
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 50
DRAWING NO.:	3

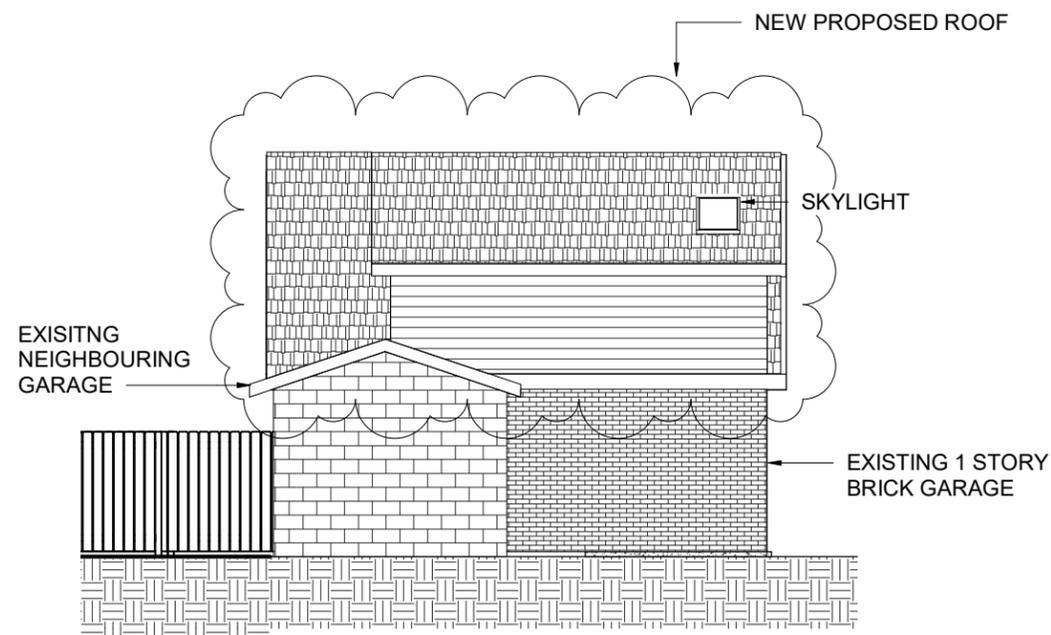
PLOTTED: 2022-09-30 1:27:13 PM



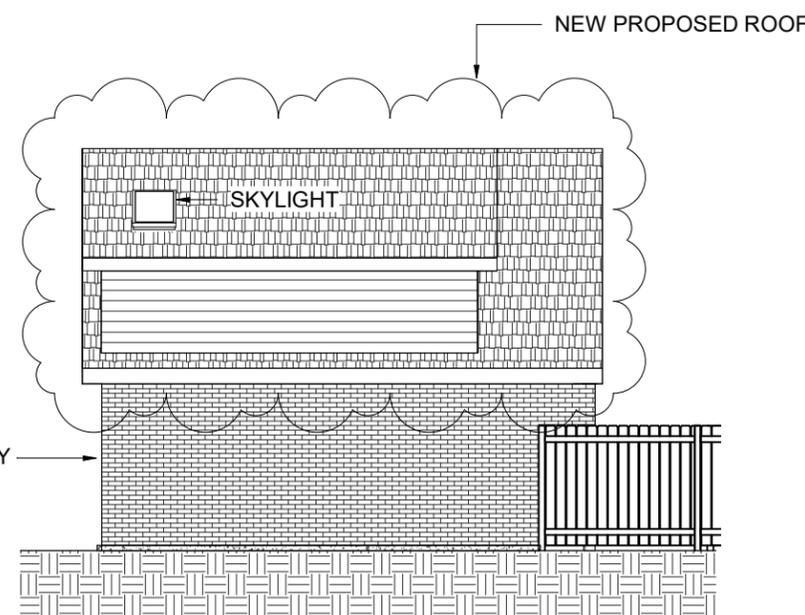
① East  
1 : 96



④ West  
1 : 96



② North  
1 : 96



③ South  
1 : 96



— PROJECT NORTH  
— TRUE NORTH



1	Revision 1	Date 1
REV.	DESCRIPTION	DATE



DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	GOWING SDU
PROJECT ADDRESS:	52 BARTON ST W
PROJECT NO.:	-
DRAWING TITLE:	ELEVATIONS
DRAWN BY:	JV
CHECKED BY:	-
DATE:	09/23/22
SCALE:	1 : 96
DRAWING NO.:	2

PLOTTED: 2022-09-30 1:23:34 PM



Hamilton

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

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

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	Matthew and Emily Gowing	
<b>Applicant(s)</b>	Matthew and Emily Gowing	
<b>Agent or Solicitor</b>	Invizij Architects, Emma Cubitt	

- 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 mattypandg@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	52 Barton Street West, Hamilton ON., L8L1A4		
Assessment Roll Number	020125556400000		
Former Municipality	Hamilton		
Lot	Part of Lot 6	Concession	
Registered Plan Number	127 BLK 21	Lot(s)	
Reference Plan Number (s)		Part(s)	Part Lot 6 L-SHPD

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:

Subject to an easement as in instrument no. VM257950

### 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:

Reduced side and rear yard setbacks for proposed SDU

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Reduced side and rear yard setbacks (proposing to convert existing structure to SDU).

3.3 Is this an application 45(2) of the Planning Act.

Yes  No

If yes, please provide an explanation:

Proposed SDU uses an existing historic garage structure which has reduced setbacks

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
31.67 feet	127.80 feet	0.11 AC	8.85 meters

*Handwritten signature and note:*  
Metric

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
Garage	0.36m	0.30m	0.20m	Existing/Unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Secondary Dwelling Unit	0.36m	0.30m	0.20m	2023

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
Garage	53.7m <sup>2</sup>	53.7m <sup>2</sup>	1	4m
House	123.5 m <sup>2</sup>	123.5 m <sup>2</sup>	2.5	10m
Pre-Existing Back Addition	12.86 m <sup>2</sup>	12.86 m <sup>2</sup>	1	4m
Deck (Pre-Existing)	4.65 m <sup>2</sup>	4.65 m <sup>2</sup>	1	3m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Secondary Dwelling Unit	53.7m <sup>2</sup>	75m <sup>2</sup>	2	5.97m

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)
- |   |  |
|---|--|
| <input type="checkbox"/> provincial highway                             | <input type="checkbox"/> right of way      |
| <input type="checkbox"/> municipal road, seasonally maintained          | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year |  |
- 

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 dwelling

---

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
 June 13, 2013

---

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Single detached home

---

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Single detached home

---

7.4 Length of time the existing uses of the subject property have continued:  
 9.5 years

---

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) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? D - residential

---

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:64</b>	<b>SUBJECT PROPERTY:</b>	211 John St S, Hamilton
<b>ZONE:</b>	"C5, 739" (Mixed Use Medium Density)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 21-038

**APPLICANTS:** Owner: Corktown GP Inc  
Agent: GSP Group Inc – Stuart Hastings

The following variances are requested:

1. Parking spaces for the Multiple Dwelling use shall be provided at a rate of 0.55 parking spaces per dwelling unit instead of the minimum required 0.6 parking spaces per dwelling unit.

**PURPOSE & EFFECT:** To permit the construction of a new mixed-use development in accordance with Site Plan Control Application DA-21-112 notwithstanding that:

**Notes:**

- i. This variance is necessary to facilitate Site Plan Control Application DA-21-112.
- ii. Be advised that Amending By-law #21-038 previously amended the minimum number of required parking spaces to 0.6 spaces per unit. This variance will further reduce this required parking ratio.
- iii. Please be advised that the applicant has not obtained council approval to obtain any additional variances that may be necessary to facilitate the proposed development.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

HM/A-22:64

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

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

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

## PUBLIC INPUT

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

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



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

DRAWING LIST	
DWG NO.	TITLE
SCHEDULES	
A100	SITE STATISTICS
A101	CONTEXT PLAN
A102	SURVEY PLAN
A103	SITE PLAN
PLANS	
A202	P3 PARKING LEVEL PLAN
A203	P2 PARKING LEVEL PLAN
A204	P1 PARKING LEVEL PLAN
A205	GROUND LEVEL PLAN
A205a	MEZZANINE LEVEL PLAN
A206	BUILDING A - LEVEL 2 PLAN
A207	BUILDING A - LEVELS 3-6 PLAN
A208	BUILDING A - LEVELS 7-8 PLAN
A209	BUILDING A - LEVEL 9 PLAN
A210	BUILDING A - LEVEL 10 PLAN
A211	BUILDING A - LEVELS 11-14 PLAN
A215	BUILDING B - LEVEL 2 PLAN
A216	BUILDING B - LEVELS 3-7 PLAN
A217	BUILDING B - LEVELS 8-26 PLAN
A218	BUILDING B - LEVEL 27 PLAN
ELEVATIONS	
A400	EAST ELEVATION
A401	SOUTH ELEVATION
A406	NORTH ELEVATION
A407	WEST ELEVATION
SECTIONS	
A420	CROSS SECTION A
A421	CROSS SECTION B
A422	CROSS SECTION C
A423	CROSS SECTION D

NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

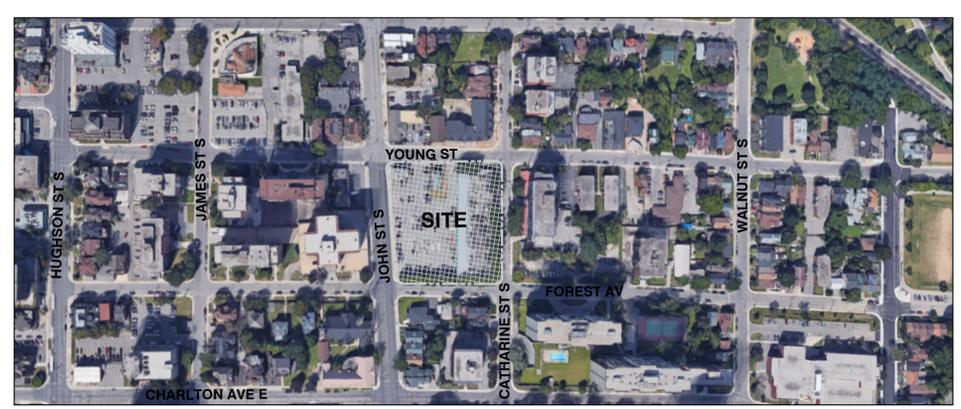
**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON

# CORKTOWN

## ISSUED FOR COORDINATION

### 8 SEPTEMBER 2022



**KEY PLAN**  
 SCALE: 2500

DRAWN G.S.	SCALE NTS
CHECKED G.S.	DATE 17 JANUARY 2018
TITLE TITLE PAGE	
PROJECT NO. 19-188	DRAWING NO. A000





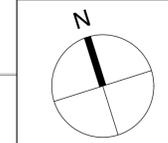
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:500
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**CONTEXT PLAN**

PROJECT NO. 19-188	DRAWING NO. A101
-----------------------	---------------------

**32 STOREY**  
 (~700m<sup>2</sup>)

**23 STOREY**  
 (785m<sup>2</sup>)

**21 STOREY**  
 (~1,180m<sup>2</sup>)

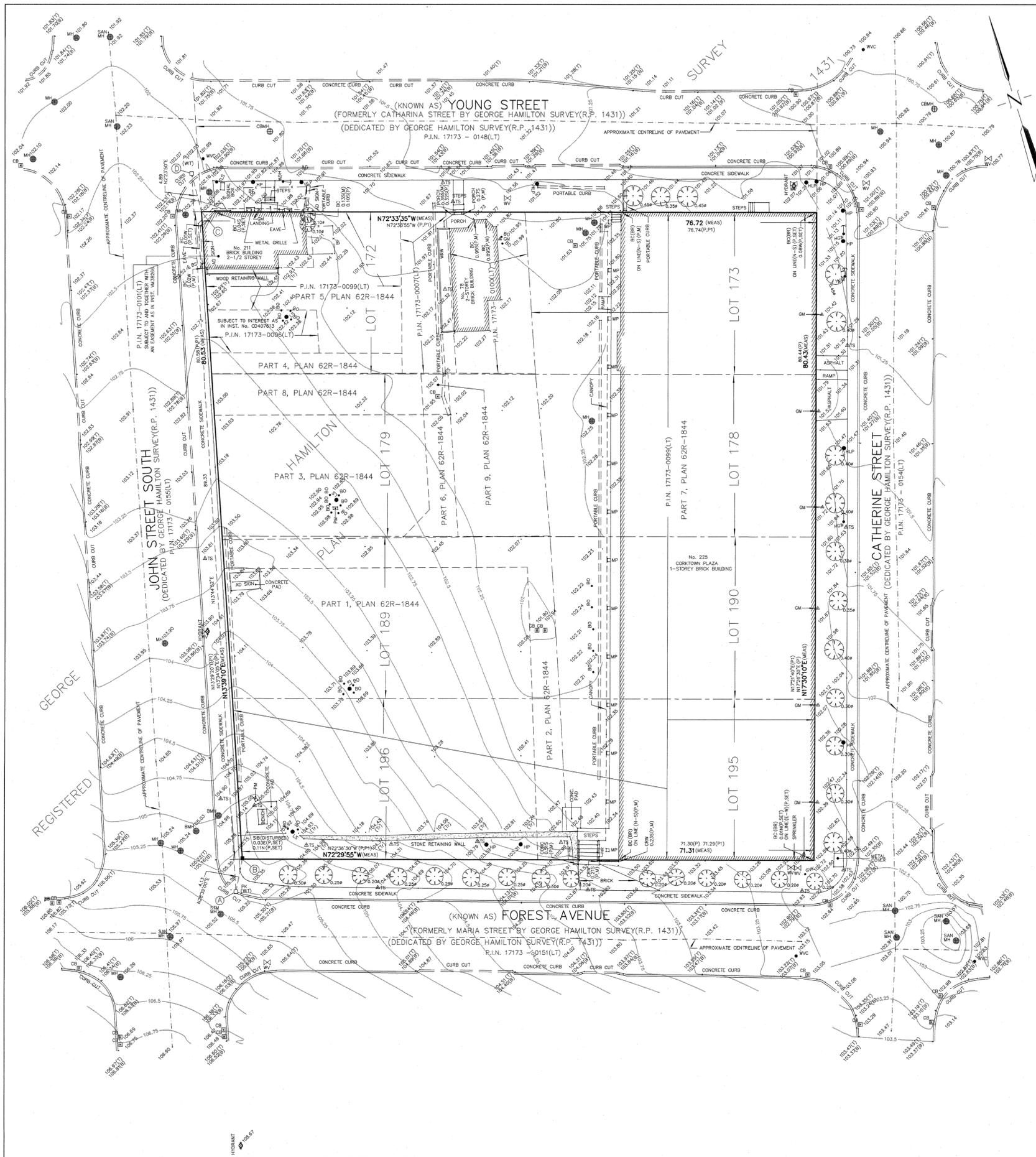
**21 STOREY**  
 (~1,180m<sup>2</sup>)

**10 STOREY**  
 (~560m<sup>2</sup>)

**11 STOREY**  
 (~1,065m<sup>2</sup>)

**14 STOREYS**  
**27 STOREYS**

**14 STOREY**  
 (~550m<sup>2</sup>)  
**14 STOREY**  
 (~780m<sup>2</sup>)  
**17 STOREY**  
 (~760m<sup>2</sup>)  
**14 STOREY**  
 (~1,050m<sup>2</sup>)



BOUNDARY AND TOPOGRAPHICAL SURVEY OF  
 ALL OF LOTS 172, 173, 178, 179, 189,  
 190, 195 AND 196  
 GEORGE HAMILTON SURVEY  
 (REGISTERED PLAN 1431)  
 CITY OF HAMILTON



R. AVIS SURVEYING INC.

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

© COPYRIGHT: "NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF R. AVIS, O.L.S."

NOTES AND LEGEND

BEARINGS SHOWN HEREON ARE UTM GRID BEARINGS, DERIVED FROM OBSERVED REFERENCE POINTS AND HAVING A BEARING OF N134°45'2" E BY REAL TIME NETWORK(RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS-2014), CENTRAL MERIDIAN 81° 00' WEST LONGITUDE, (UNIVERSAL TRANSVERSE MERCATOR).

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83(CRS-2014).

POINT ID	NORTHING	EASTING
ORP A	4789178.587	591827.143
ORP B	4789182.217	591829.117
ORP C	4789220.471	591848.125
ORP D	4789225.355	591848.372

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

DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999969177.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON BENCH MARK No. 3-26, HAVING AN ELEVATION = 110.834 metres.

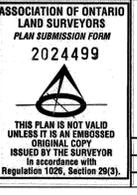
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WT DENOTES WITNESS
- MEAS/M DENOTES MEASURED
- N,S,E,W DENOTES NORTH, SOUTH, EAST, WEST
- PK DENOTES PK NAIL
- P DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. T. McCLAREN, O.L.S. DATED JULY 18, 2014
- P1 DENOTES PLAN 62R-1844
- AD SIGN DENOTES ADVERTISEMENT SIGN
- BMH DENOTES BELL MANHOLE
- BO DENOTES BOLLARD
- BSS DENOTES BUS STOP SIGN
- BF DENOTES BOARD FENCE
- BR DENOTES BRICK
- B(D) DENOTES BOTTOM OF CURB
- CB DENOTES CATCH BASIN
- CBMH DENOTES CATCH BASIN MANHOLE
- CSW DENOTES CONCRETE SIDEWALK
- CONC DENOTES CONCRETE
- FH DENOTES FIRE HYDRANT
- GM DENOTES GAS METER
- GVK DENOTES GAS VALVE KEY
- HGW DENOTES HYDRO GUY WIRE
- HLP DENOTES HYDRO LIGHT POLE
- HP DENOTES HYDRO POLE
- HR DENOTES HAND RAIL
- LS DENOTES LIGHT STANDARD
- ME DENOTES METAL POST
- MP DENOTES METAL POST
- PM DENOTES PARKING METRE
- RP DENOTES REGISTERED PLAN 1431
- SAN MH DENOTES SANITARY MANHOLE
- ST MH DENOTES STORM MANHOLE
- TLS DENOTES TRAFFIC LIGHT STANDARD
- TS DENOTES TRAFFIC SIGN
- (T) DENOTES TOP OF CURB
- (T) DENOTES TOP OF RETAINING WALL
- WW DENOTES WATER WALL
- WVC DENOTES WATER VALVE CHAMBER
- WRW DENOTES WOOD RETAINING WALL
- 0.109 DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER 0.10 metres
- DENOTES SPOT ELEVATION

AREA: 5950.2 sq.m.

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 29th DAY OF AUGUST, 2017.

SEPTEMBER 1, 2017  
 DATE  
 PIRATHEEPAN RAMACHANDRAN  
 Ontario Land Surveyor



R. AVIS SURVEYING INC.  
 SUITE 203  
 235 YORKLAND BOULEVARD  
 TORONTO, ONTARIO  
 M2J 4Y8  
 TEL: (416) 490-8352 FAX: (416) 491-6206  
 www.ravisurveying.com

CHECKED BY : P.R., O.L.S.  
 CALCULATED BY : JB/PR  
 DRAWN BY : JB

PROJECT No. : 3119-0  
 DRAWING No. : 3119-0T.DWG

NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

"ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION."

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

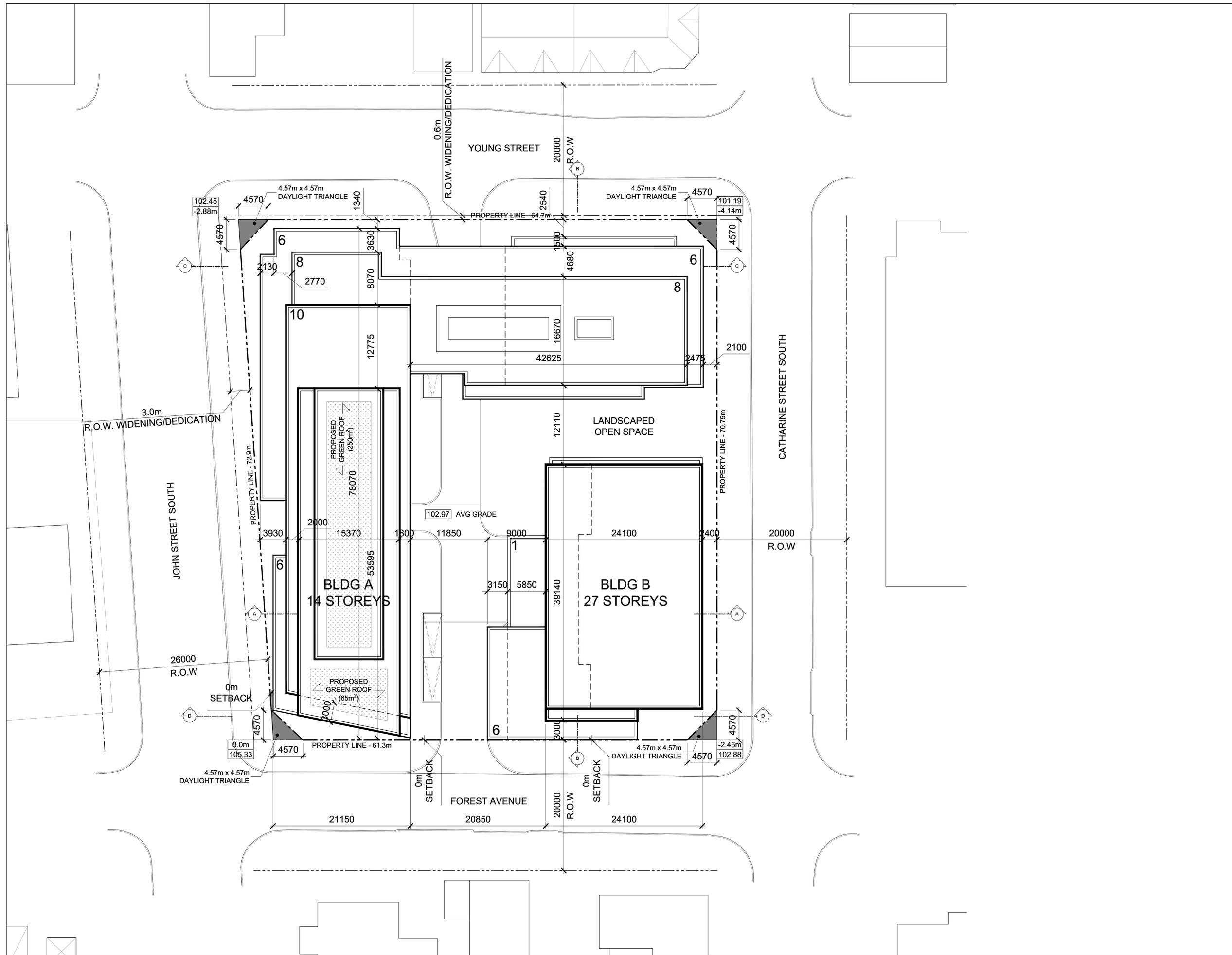
**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEEN'S QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON

DRAWN G.S.	SCALE N.T.S
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**SURVEY PLAN**

PROJECT NO. 19-188	DRAWING NO. A102
-----------------------	---------------------



**NOTES:**

CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPOSER IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPOSER SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.6392).

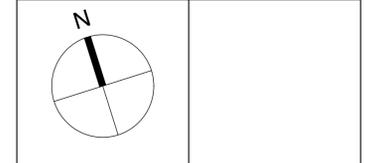
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018
NO.	REVISIONS	DATE

\*ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

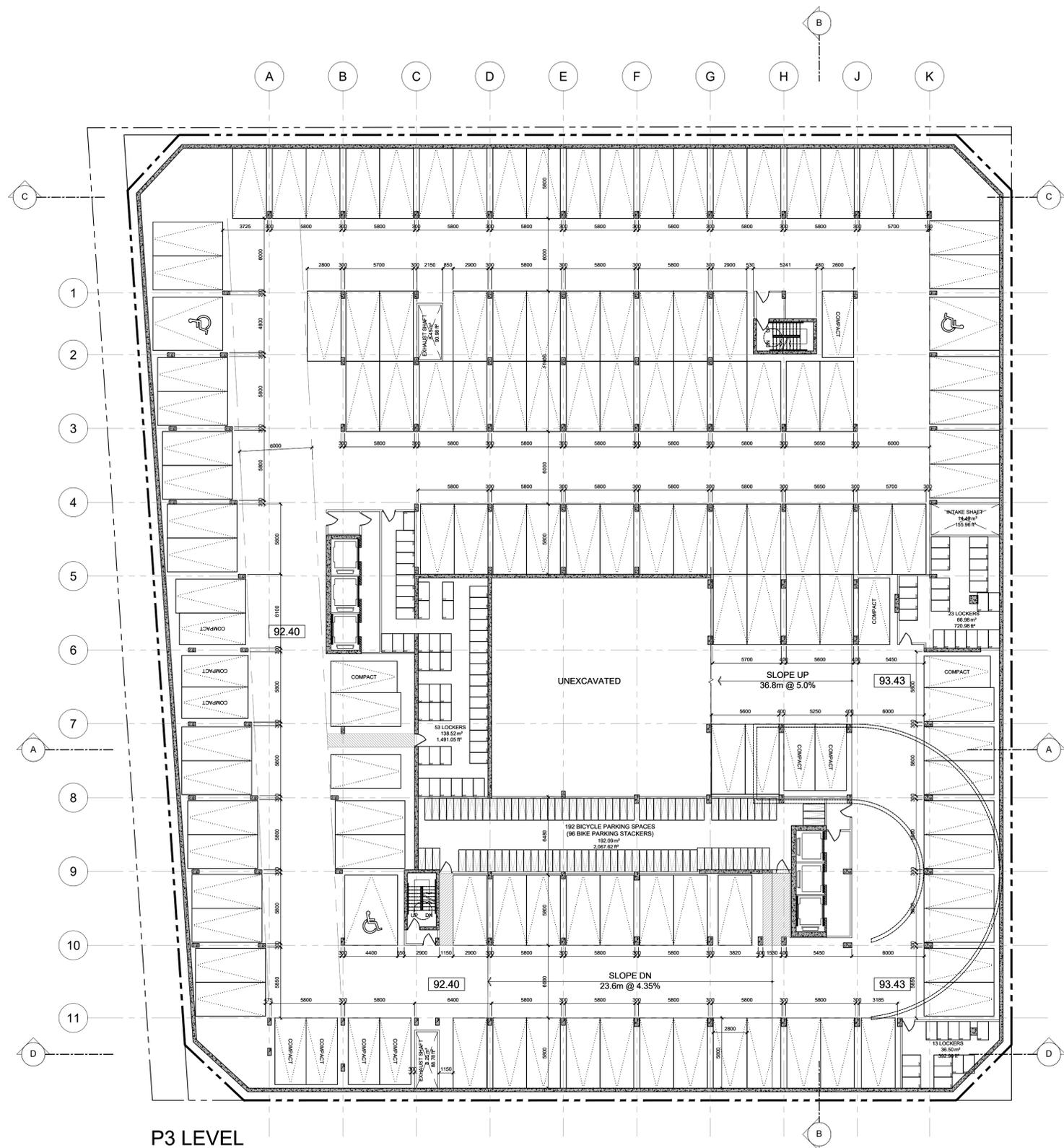
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:250
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**SITE PLAN**

PROJECT NO. 19-188	DRAWING NO. A103
-----------------------	---------------------

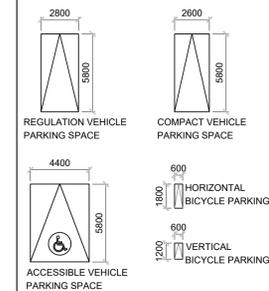


**P3 LEVEL**  
**136 PARKING SPACES**

**NOTES:**

1. LOBBY VESTIBULES DOORS AND WALLS ADJACENT TO VESTIBULE DOORS HAVE TRANSPARENT GLAZING IN FIRE RATED DOORS AND ASSEMBLIES TO CONFORM TO O.B.C. ALLOWABLE AREA.

**PARKING LEGEND**



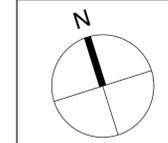
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
CORE ARCHITECTS INC.  
130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
TORONTO, ON CANADA M5A 0P6  
T +1 416 343 0400 • F +1 416 343 0401  
INFO@COREARCHITECTS.COM  
WWW.COREARCHITECTS.COM

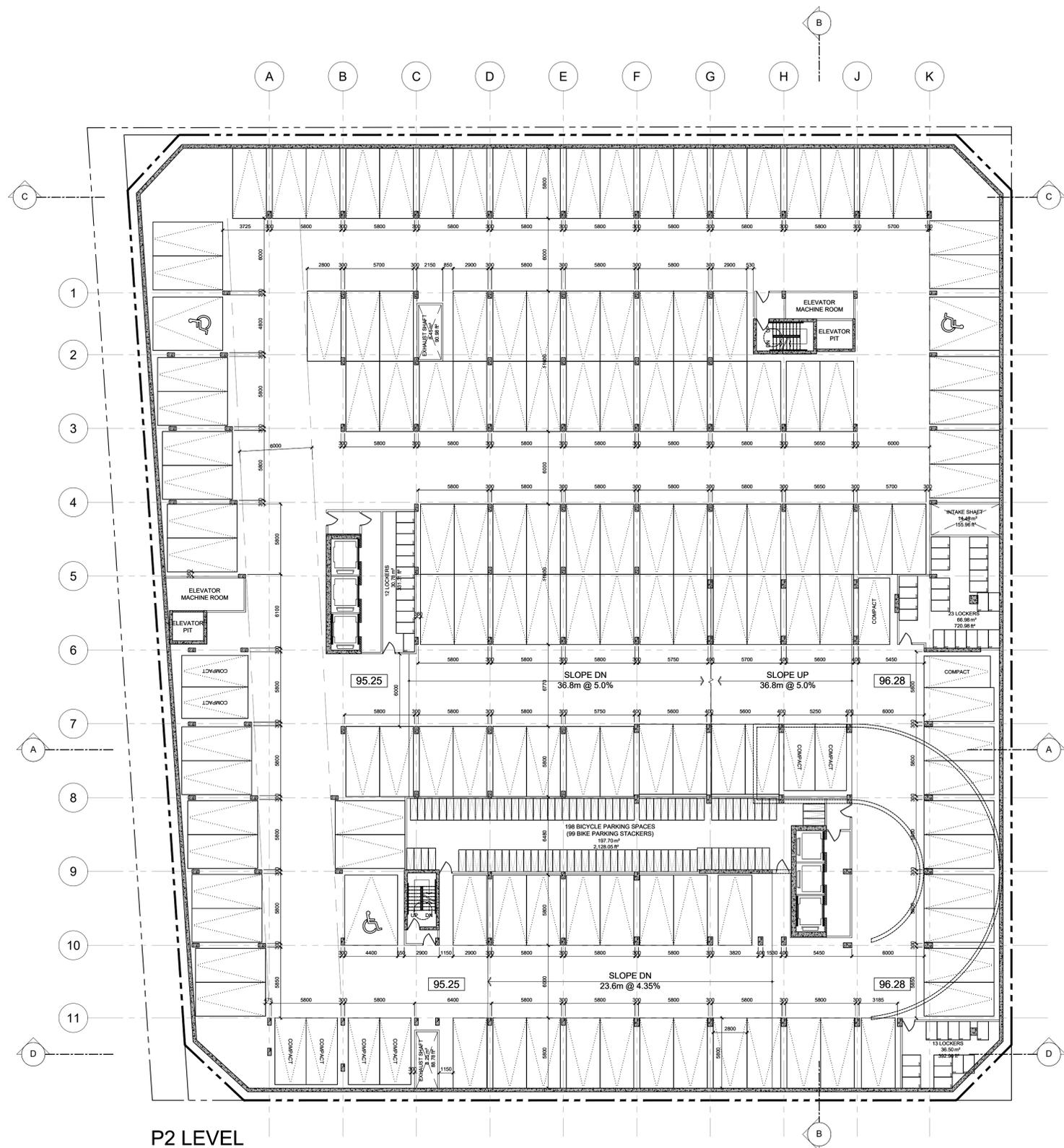
**CORKTOWN**  
211-225 JOHN STREET S  
AND 70-78 YOUNG STREET  
HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**P3 PARKING LEVEL**

PROJECT NO. 19-188	DRAWING NO. <b>A202</b>
-----------------------	----------------------------

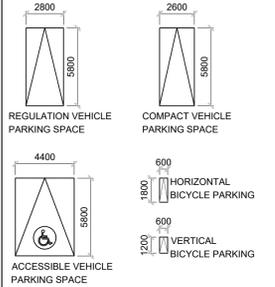


**P2 LEVEL  
148 PARKING SPACES**

**NOTES:**

1. LOBBY VESTIBULES DOORS AND WALLS ADJACENT TO VESTIBULE DOORS HAVE TRANSPARENT GLAZING IN FIRE RATED DOORS AND ASSEMBLIES TO CONFORM TO O.B.C. ALLOWABLE AREA.

**PARKING LEGEND**



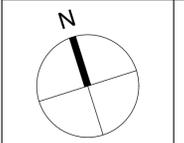
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	24 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

\*ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

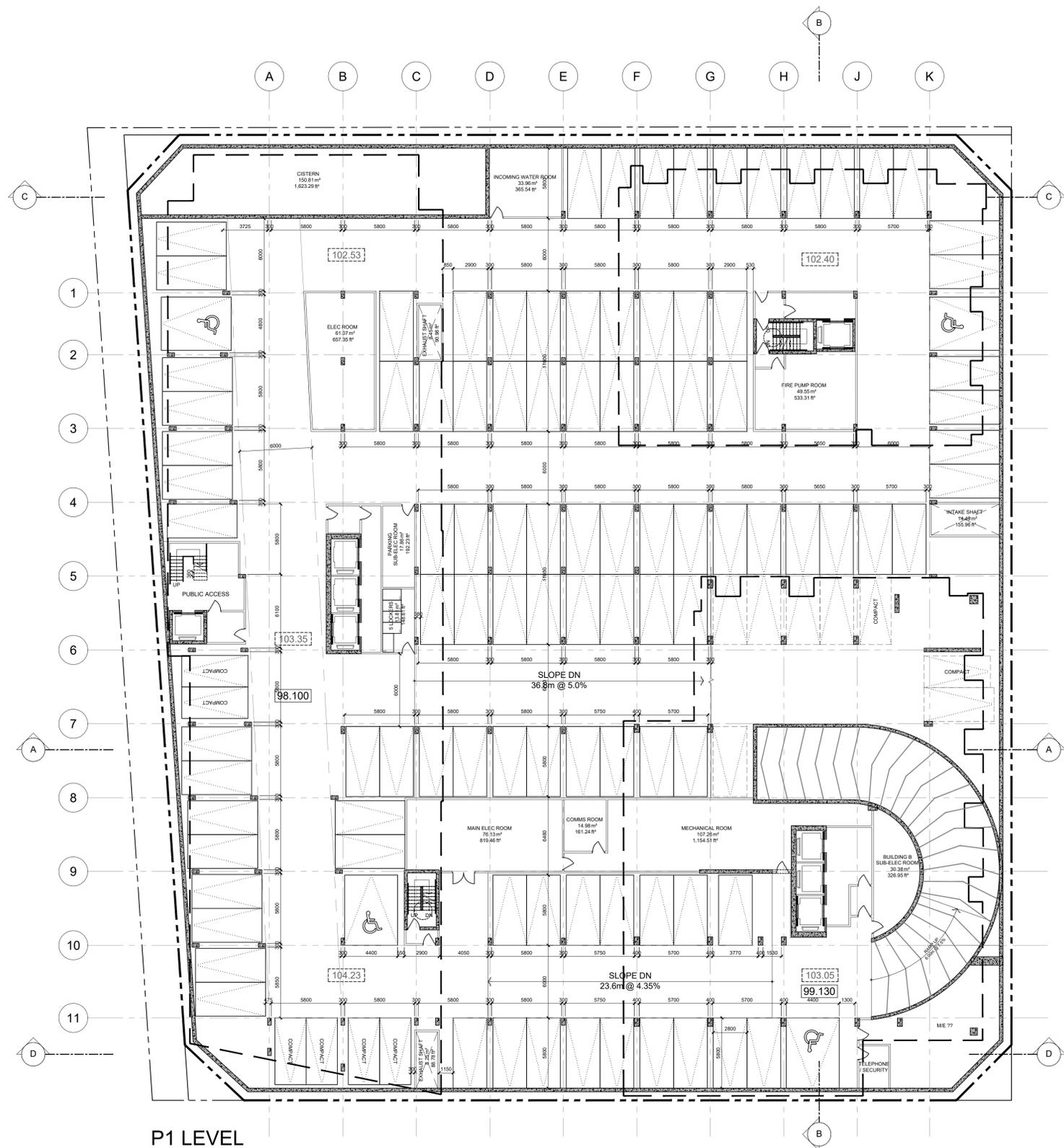
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**P2 PARKING LEVEL**

PROJECT NO. 19-188	DRAWING NO. <b>A203</b>
-----------------------	----------------------------

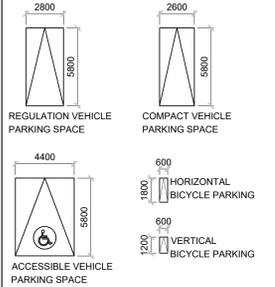


P1 LEVEL  
110 PARKING SPACES

NOTES:

1. LOBBY VESTIBULES DOORS AND WALLS ADJACENT TO VESTIBULE DOORS HAVE TRANSPARENT GLAZING IN FIRE RATED DOORS AND ASSEMBLIES TO CONFORM TO O.B.C. ALLOWABLE AREA.

PARKING LEGEND



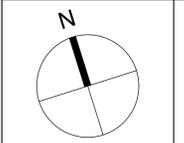
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

\*ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.\*

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

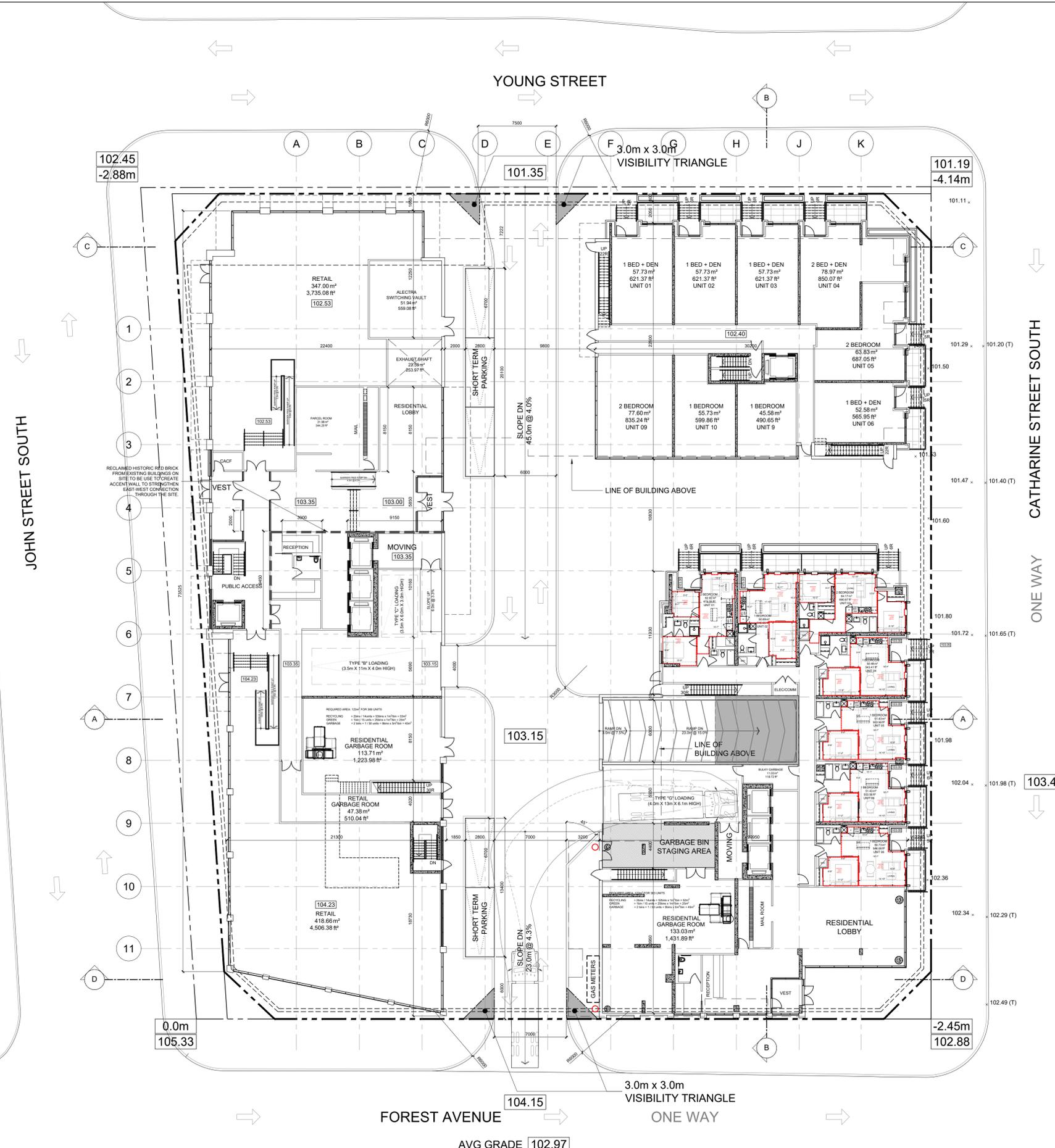
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



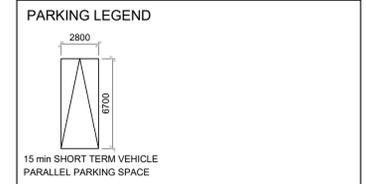
DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**P1 PARKING LEVEL**

PROJECT NO. 19-188	DRAWING NO. <b>A204</b>
-----------------------	----------------------------



- NOTES:**
- REFER TO SITE SERVICING AND GRADING PLAN FOR DETAILED GRADING.
  - REFER TO LANDSCAPE PLANS FOR PLANTING AND PAVING LOCATIONS, MATERIALS AND DETAILS.
  - ALL BUILDINGS HAVE 1 CHUTE EQUIPPED W/ TRISORTER FOR GARBAGE, RECYCLING, AND COMPOST. GARBAGE STREAM ATTACHED TO COMPACTOR.



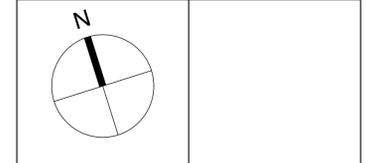
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	27 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	REISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

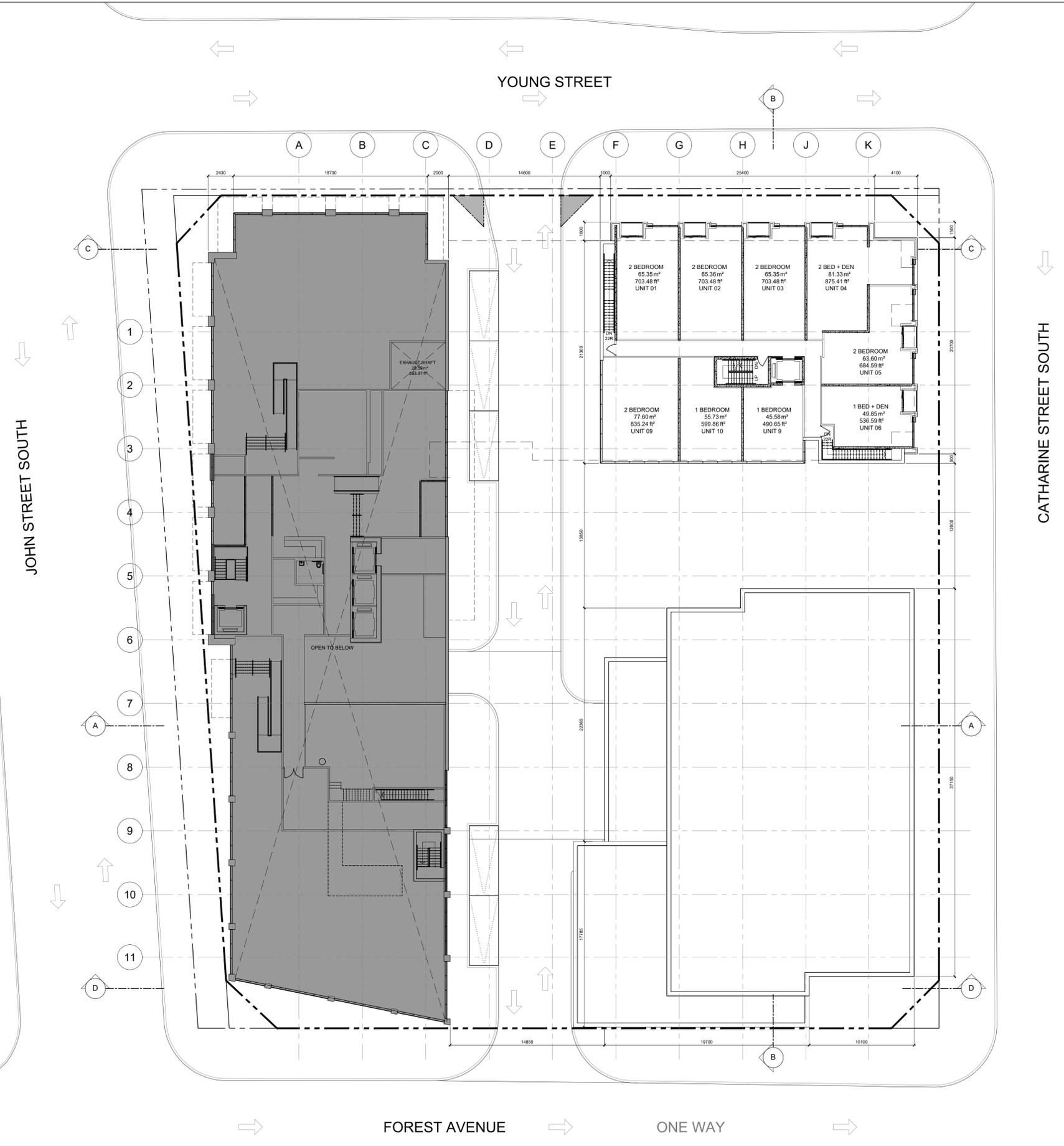
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



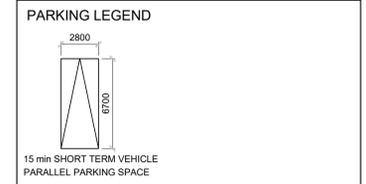
DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**GROUND FLOOR PLAN**

PROJECT NO. 19-188	DRAWING NO. A205
-----------------------	---------------------



- NOTES:**
- REFER TO SITE SERVICING AND GRADING PLAN FOR DETAILED GRADING.
  - REFER TO LANDSCAPE PLANS FOR PLANTING AND PAVING LOCATIONS, MATERIALS AND DETAILS.
  - ALL BUILDINGS HAVE 1 CHUTE EQUIPPED W/ TRISORTER FOR GARBAGE, RECYCLING, AND COMPOST. GARBAGE STREAM ATTACHED TO COMPACTOR.



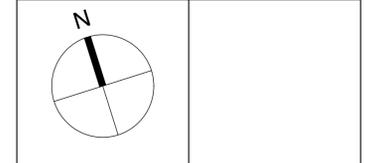
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

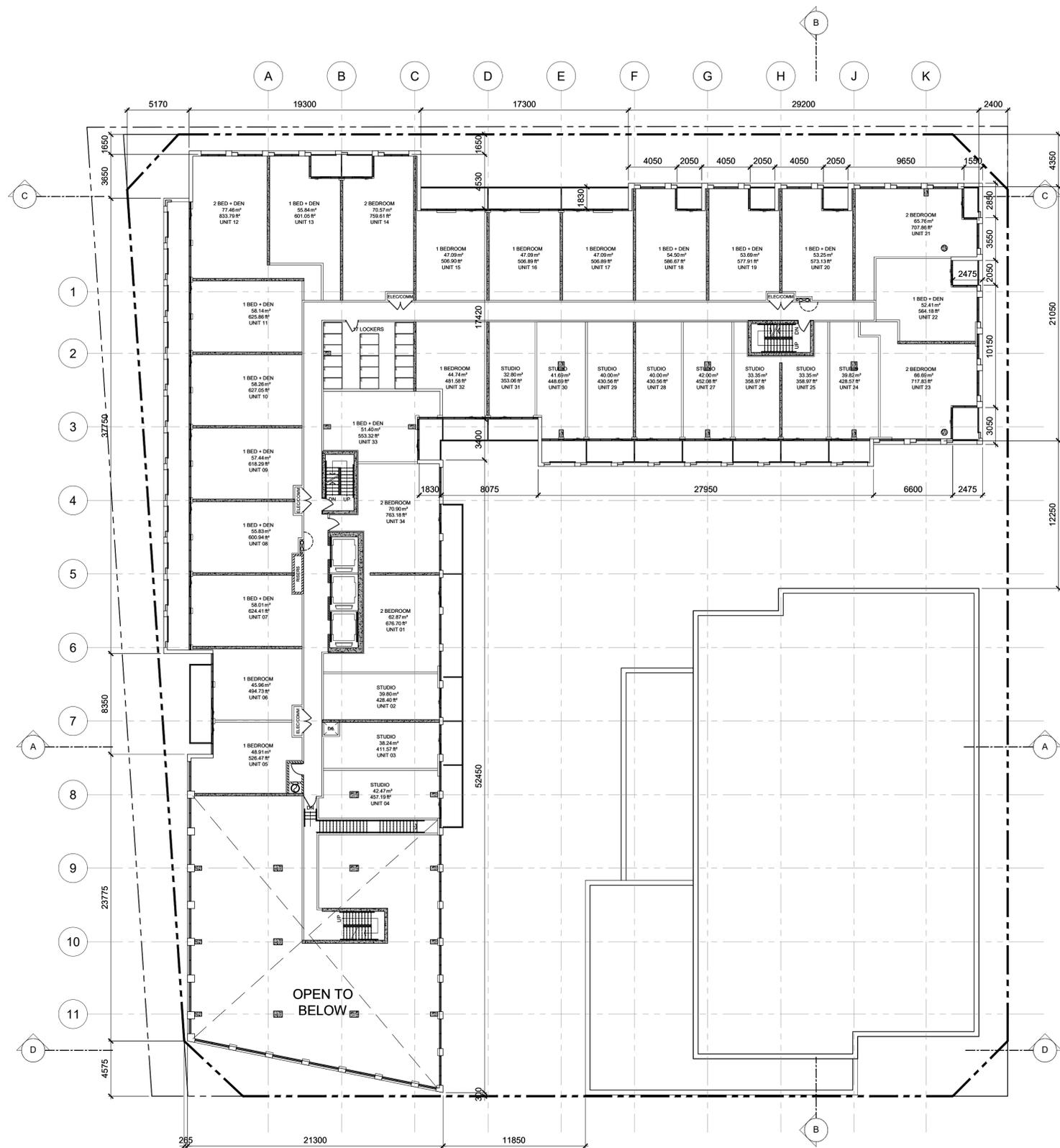
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**MIDRISE MEZZANINE PLAN  
 TOWER LEVEL 2 PLAN**

PROJECT NO. 19-188	DRAWING NO. A205a
-----------------------	----------------------



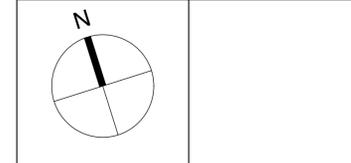
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	27 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

\*ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVEL 2 PLAN**

PROJECT NO. 19-188	DRAWING NO. A206
-----------------------	---------------------



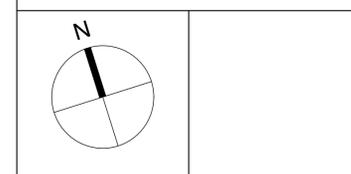
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	27 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

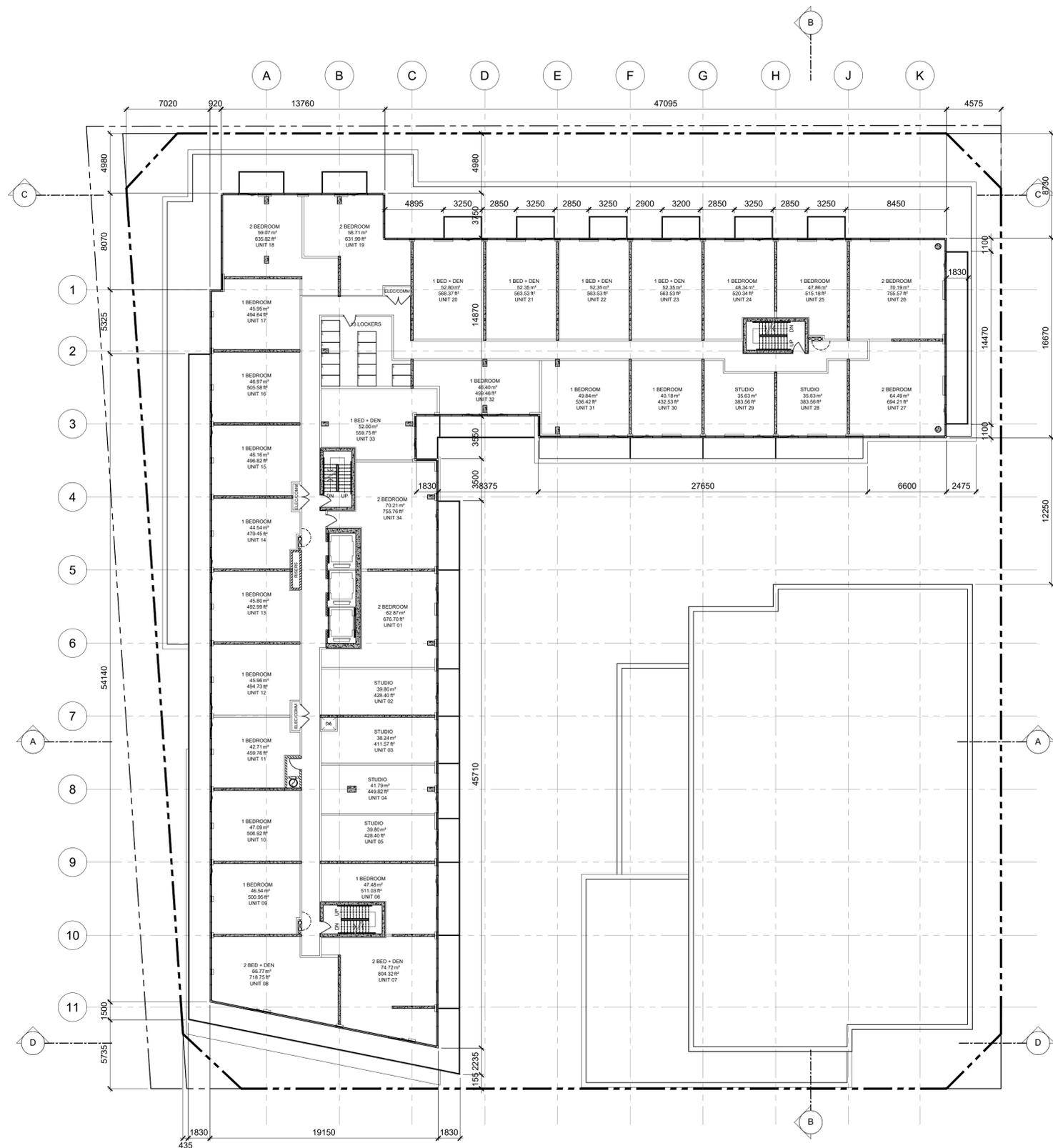
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVELS 3-6 PLAN**

PROJECT NO. 19-188	DRAWING NO. <b>A207</b>
-----------------------	----------------------------



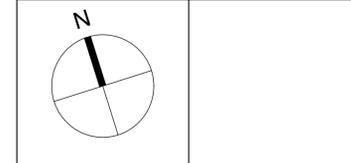
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

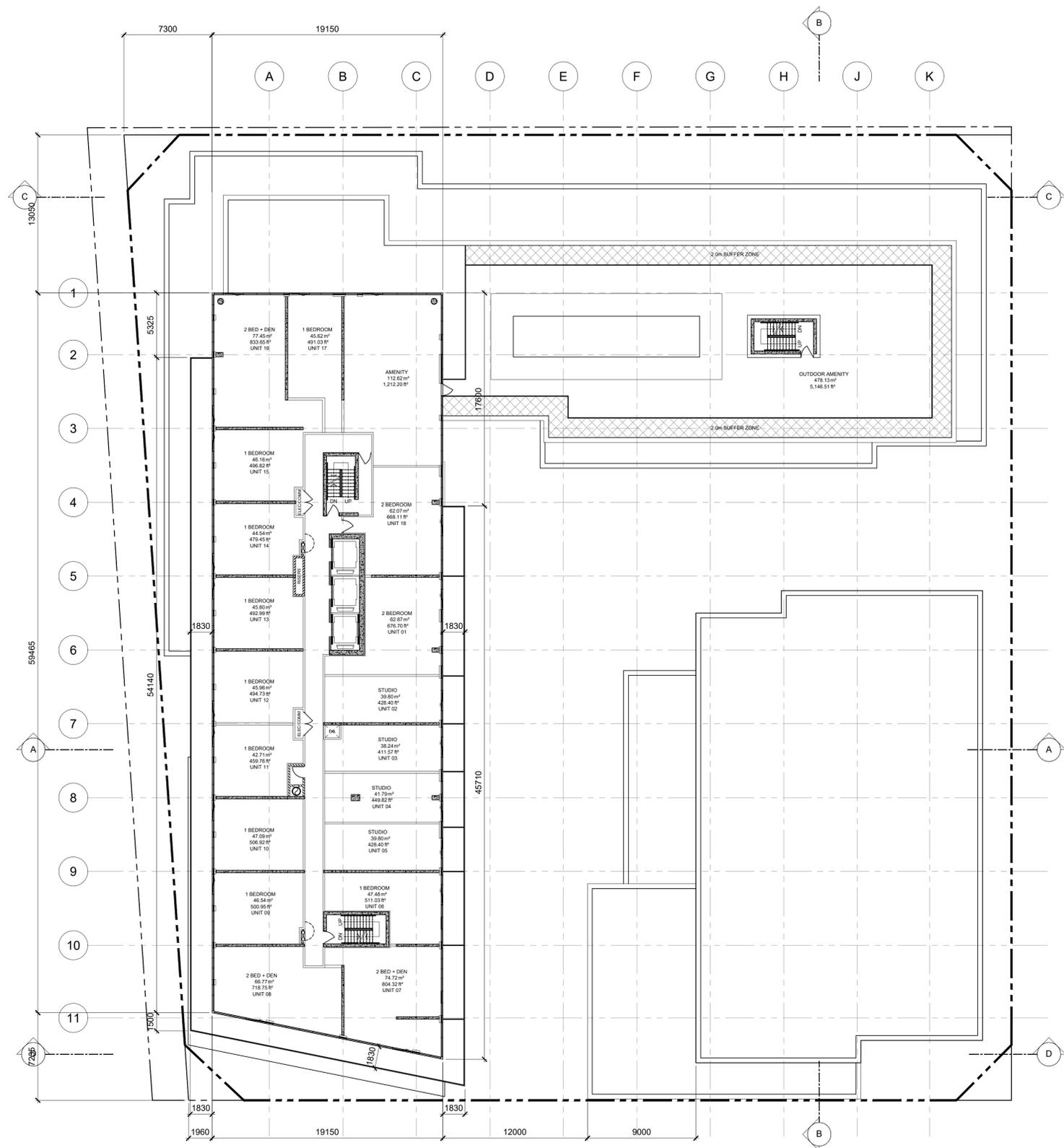
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVELS 7-8 PLAN**

PROJECT NO. 19-188	DRAWING NO. A208
-----------------------	---------------------



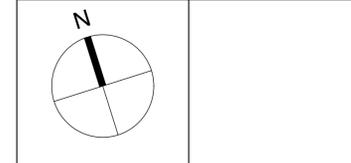
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 COREARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

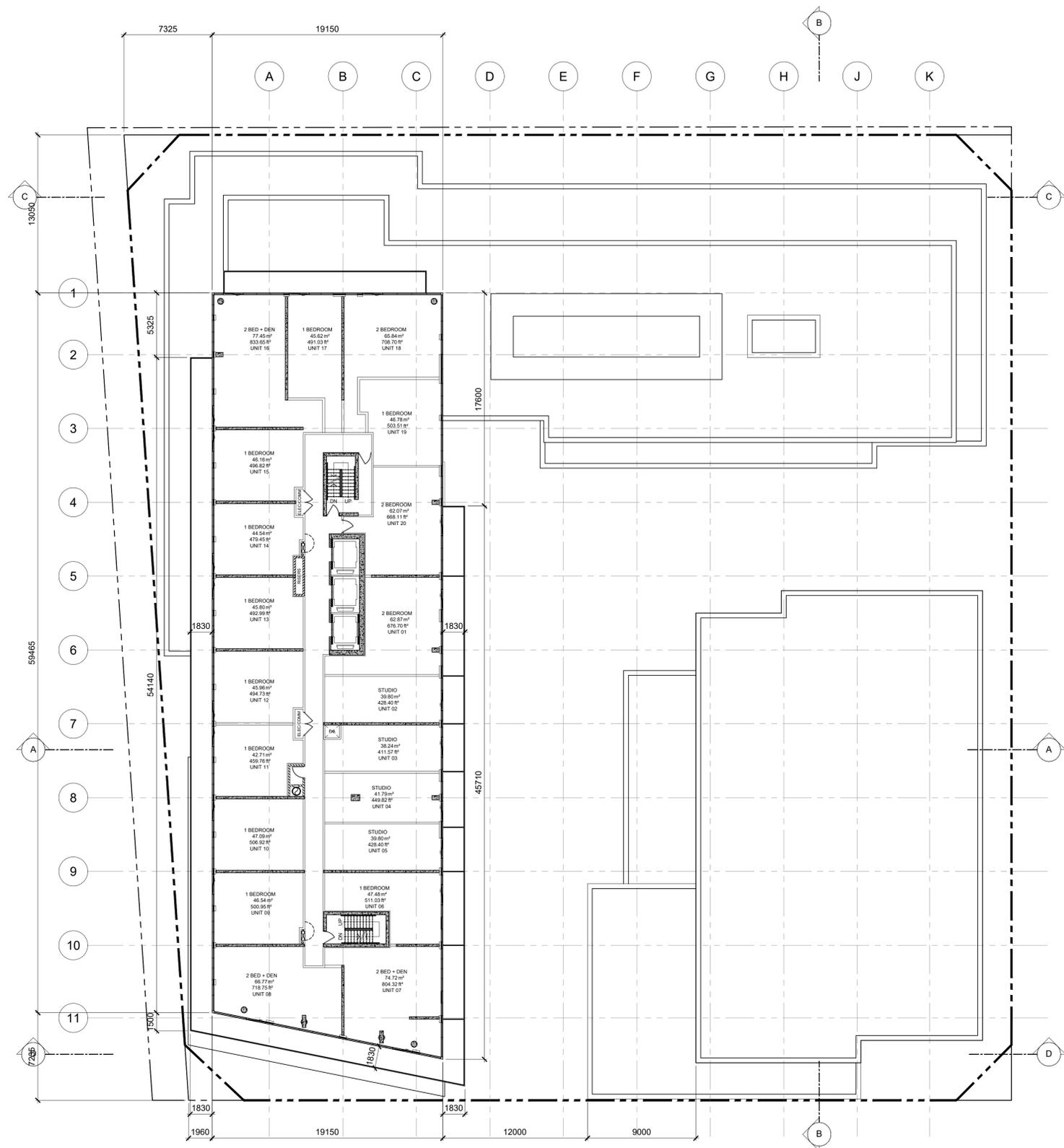
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVEL 9 PLAN**

PROJECT NO. 19-188	DRAWING NO. A209
-----------------------	---------------------



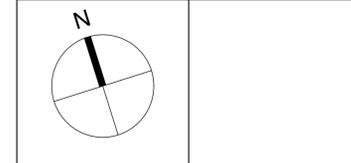
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

\*ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.\*

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 COREARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVEL 10 PLAN**

PROJECT NO. 19-188	DRAWING NO. A210
-----------------------	---------------------



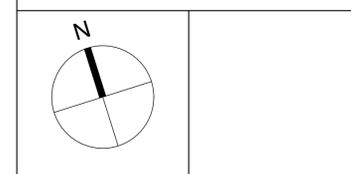
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING A - LEVELS 11-14 PLAN**

PROJECT NO. 19-188	DRAWING NO. A211
-----------------------	---------------------



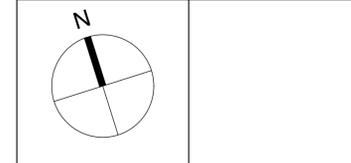
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	03 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	09 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

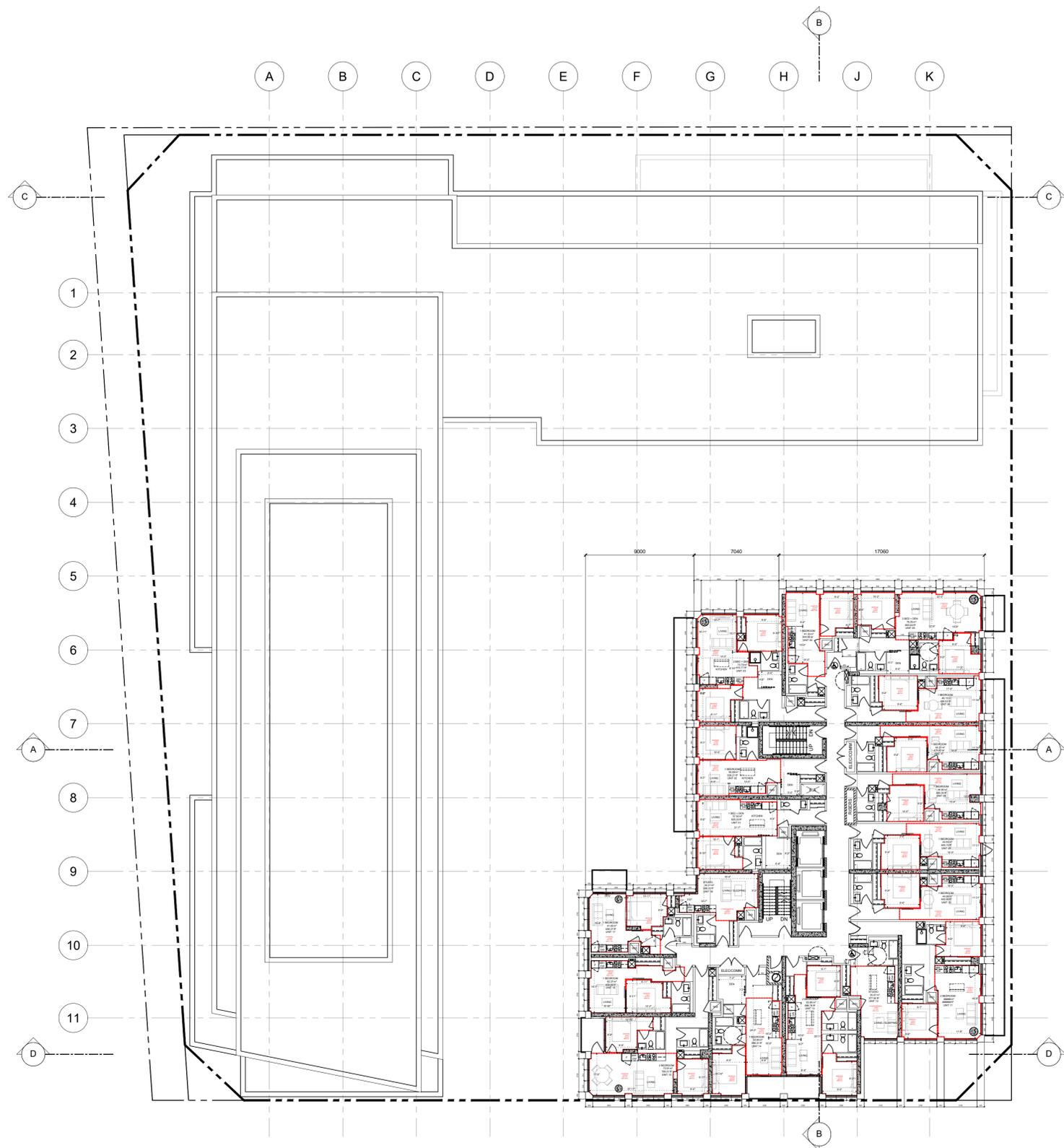
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING B - LEVEL 2 PLAN**

PROJECT NO. 19-188	DRAWING NO. <b>A215</b>
-----------------------	----------------------------



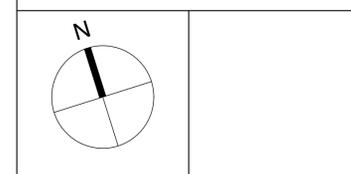
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	03 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	27 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	09 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 ~ F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

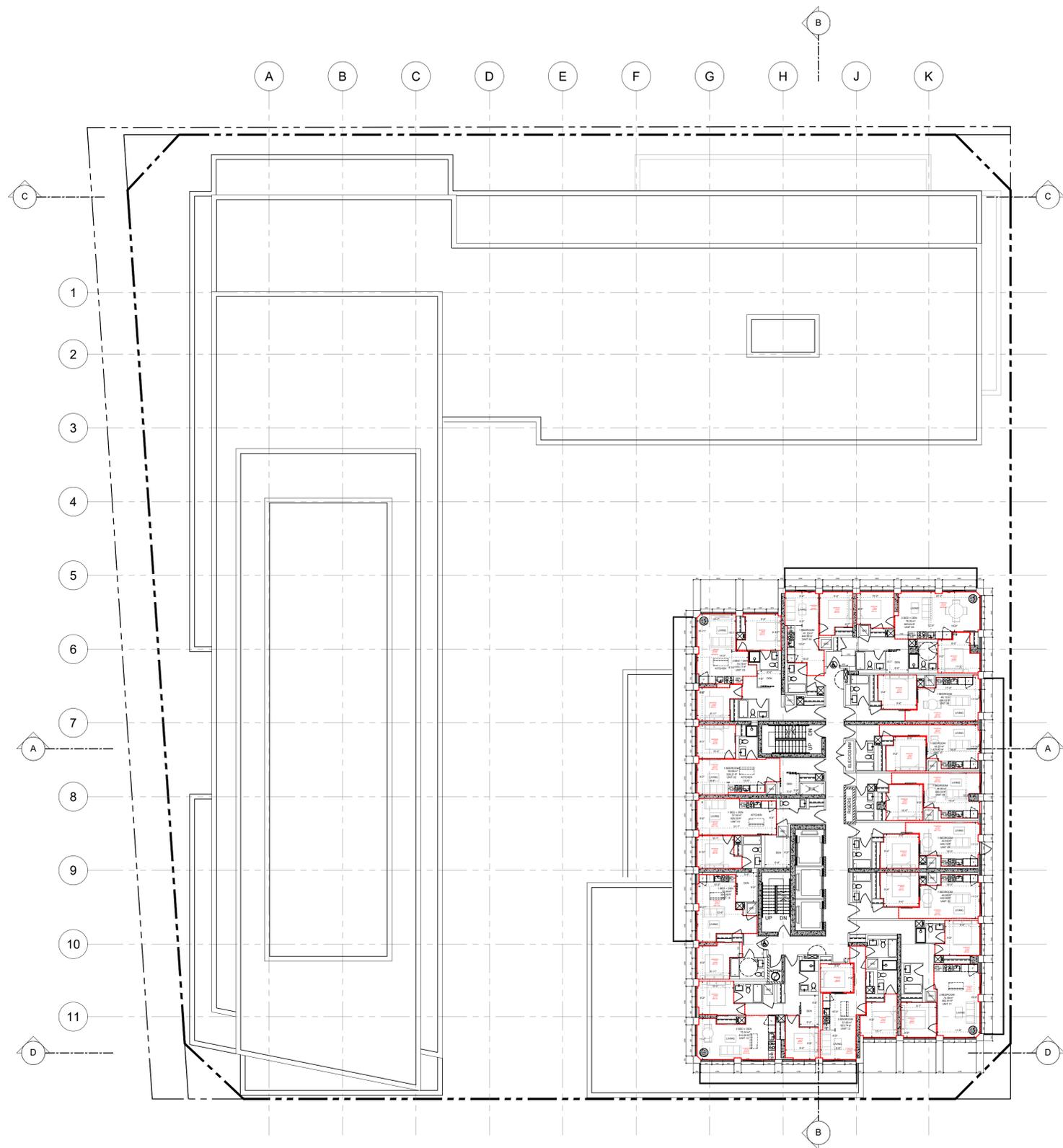
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING B - LEVELS 3-7 PLAN**

PROJECT NO. 19-188	DRAWING NO. <b>A216</b>
-----------------------	----------------------------



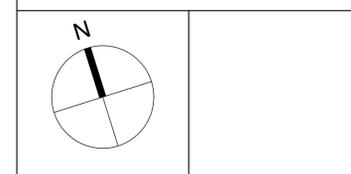
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

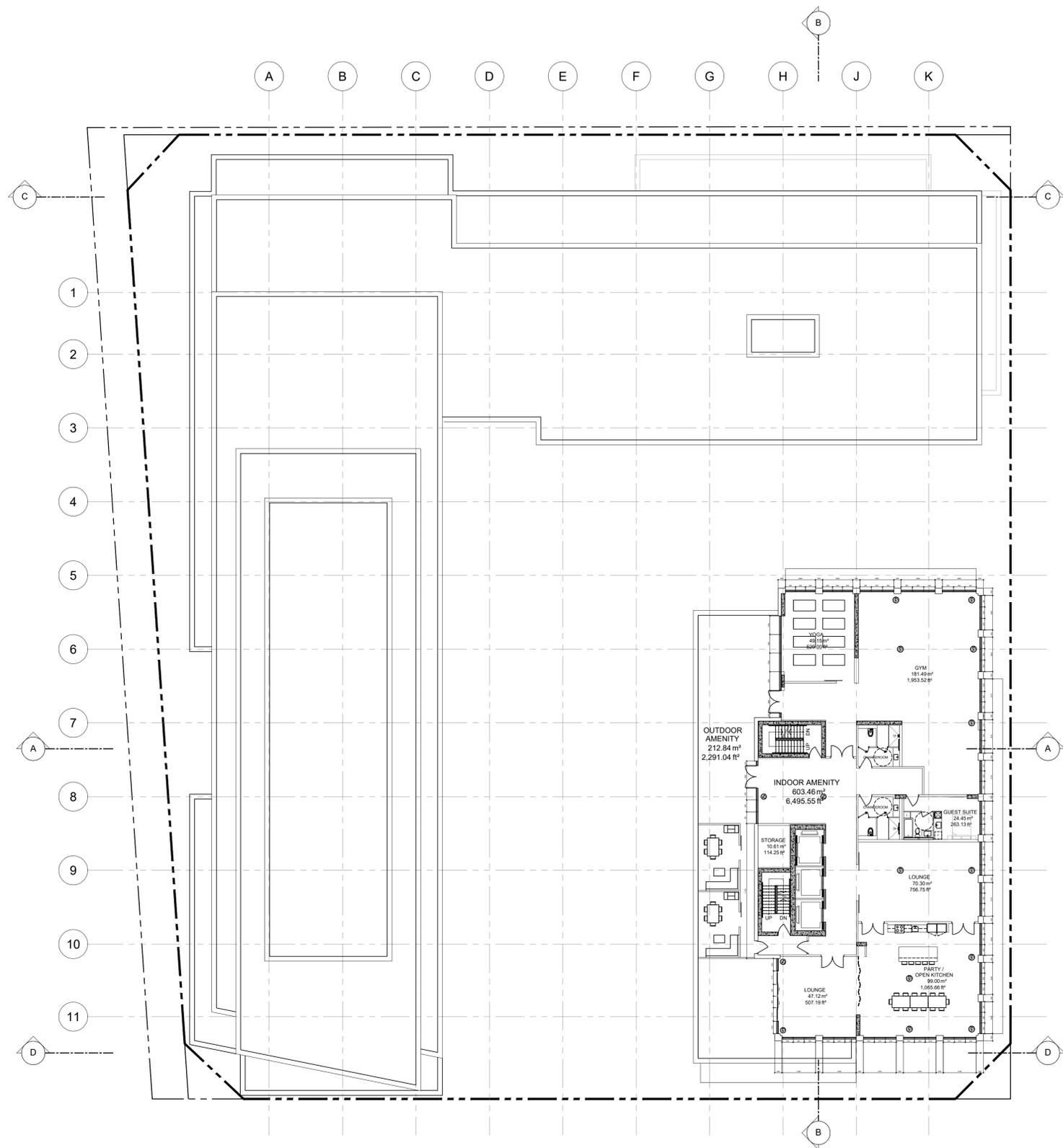
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING B - LEVELS 8-26 PLAN**

PROJECT NO. 19-188	DRAWING NO. <b>A217</b>
-----------------------	----------------------------



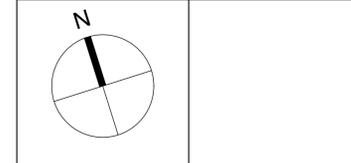
NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	03 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	09 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 ~ F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

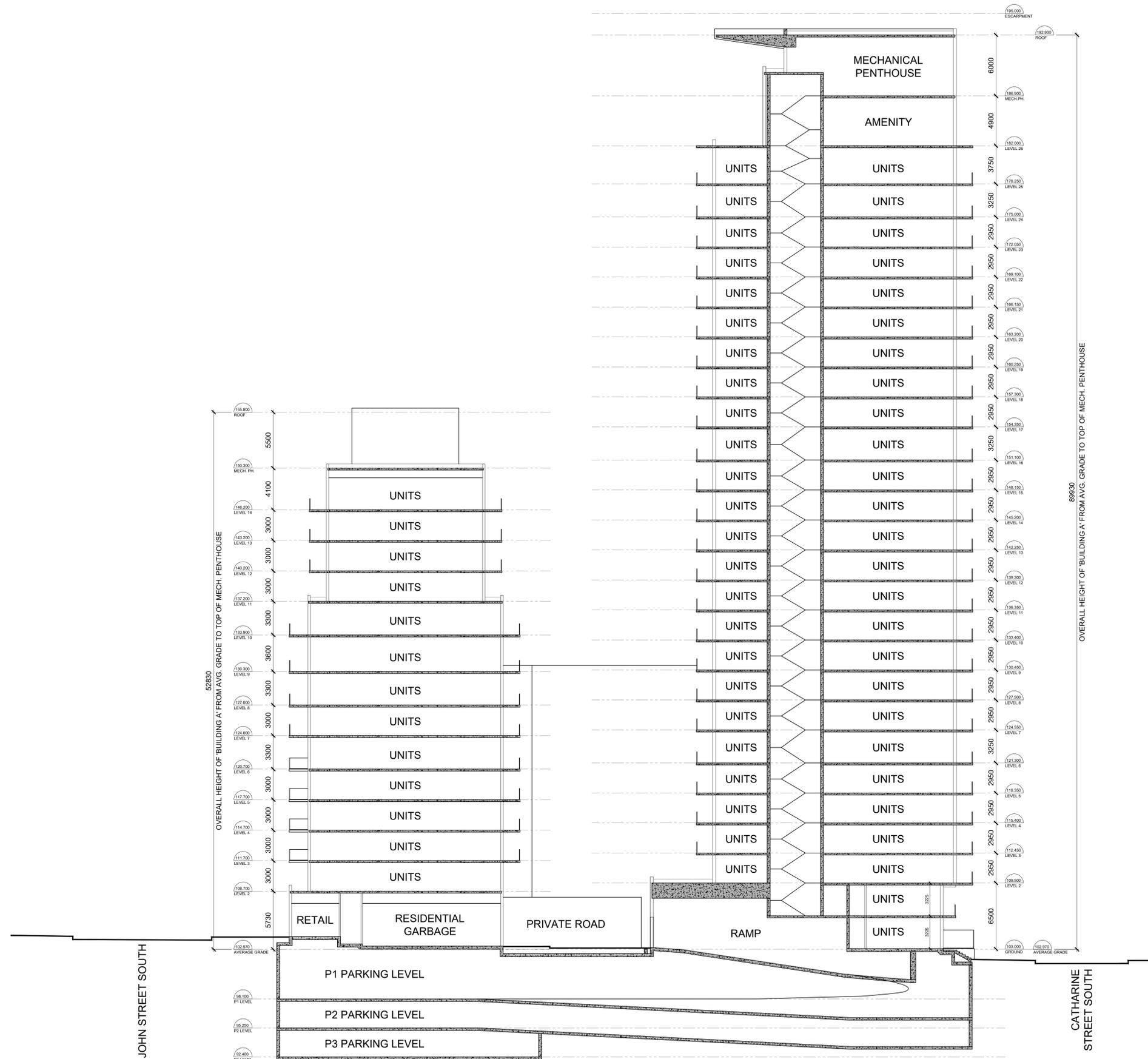
**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING B - LEVEL 27 PLAN**

PROJECT NO. 19-188	DRAWING NO. A218
-----------------------	---------------------



NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

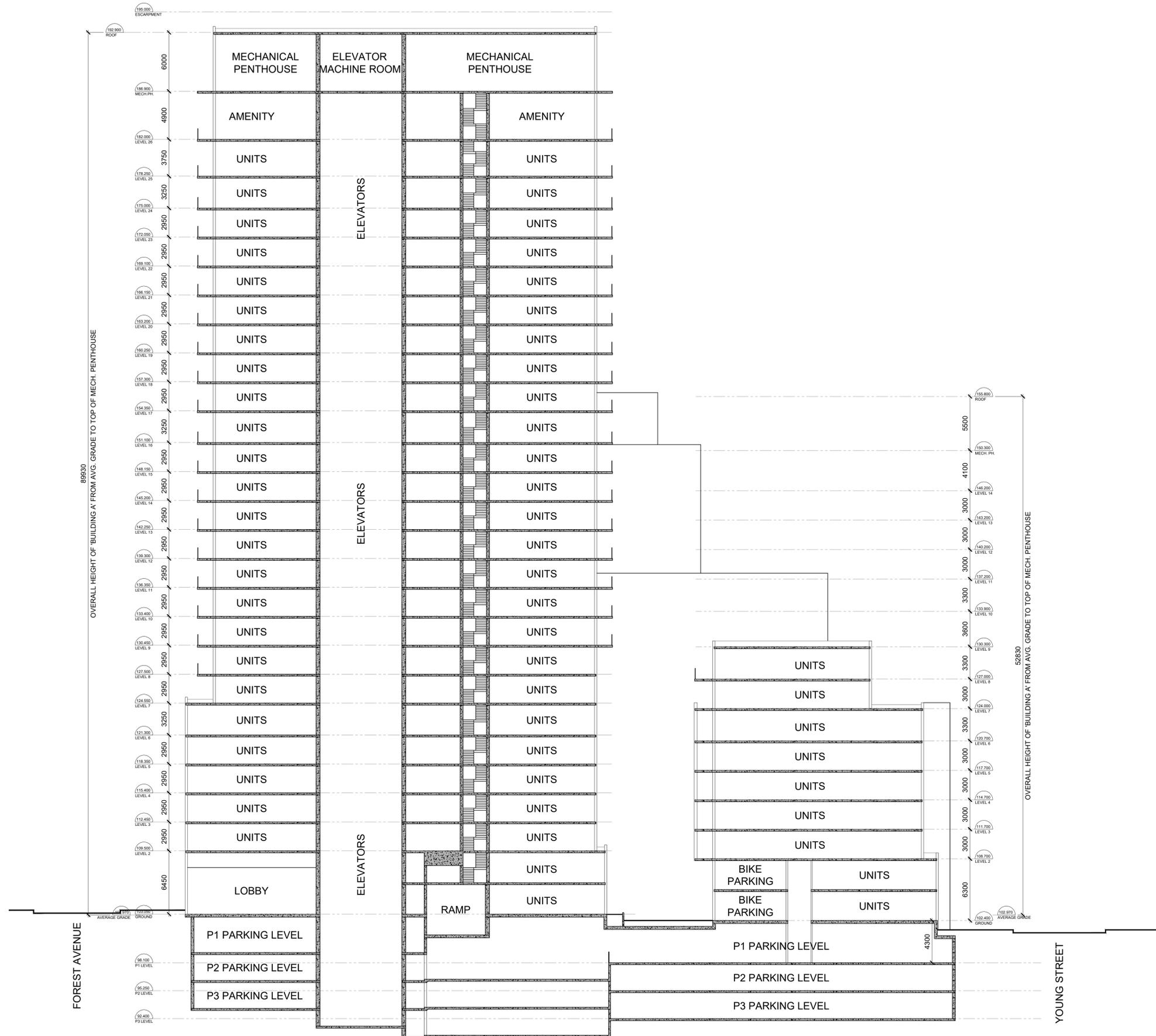
**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YONG STREET  
 HAMILTON, ON

DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING SECTION A**

PROJECT NO. 19-188	DRAWING NO. A420
-----------------------	---------------------



NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

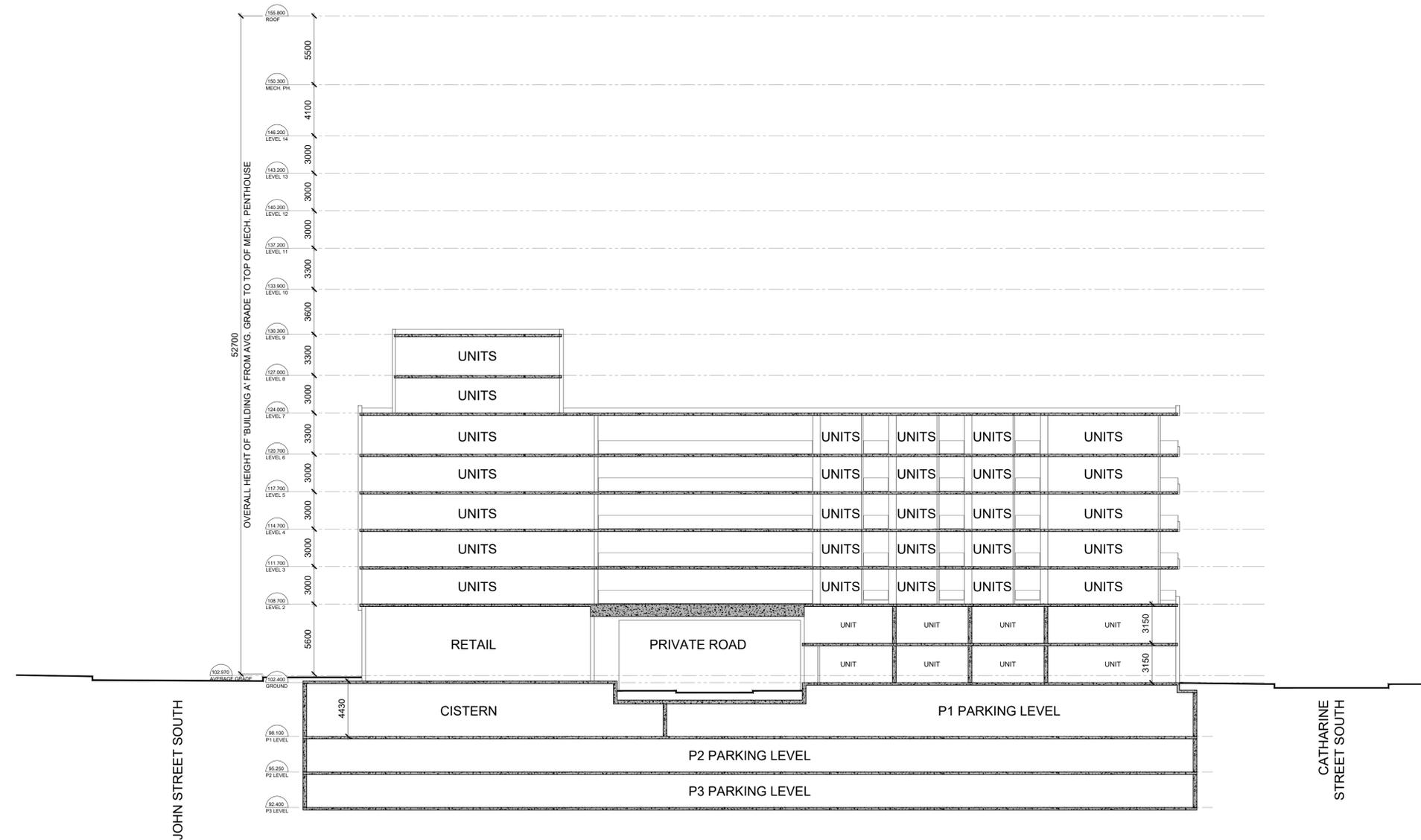
**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON

DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING SECTION B**

PROJECT NO. 19-188	DRAWING NO. A421
-----------------------	---------------------



NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

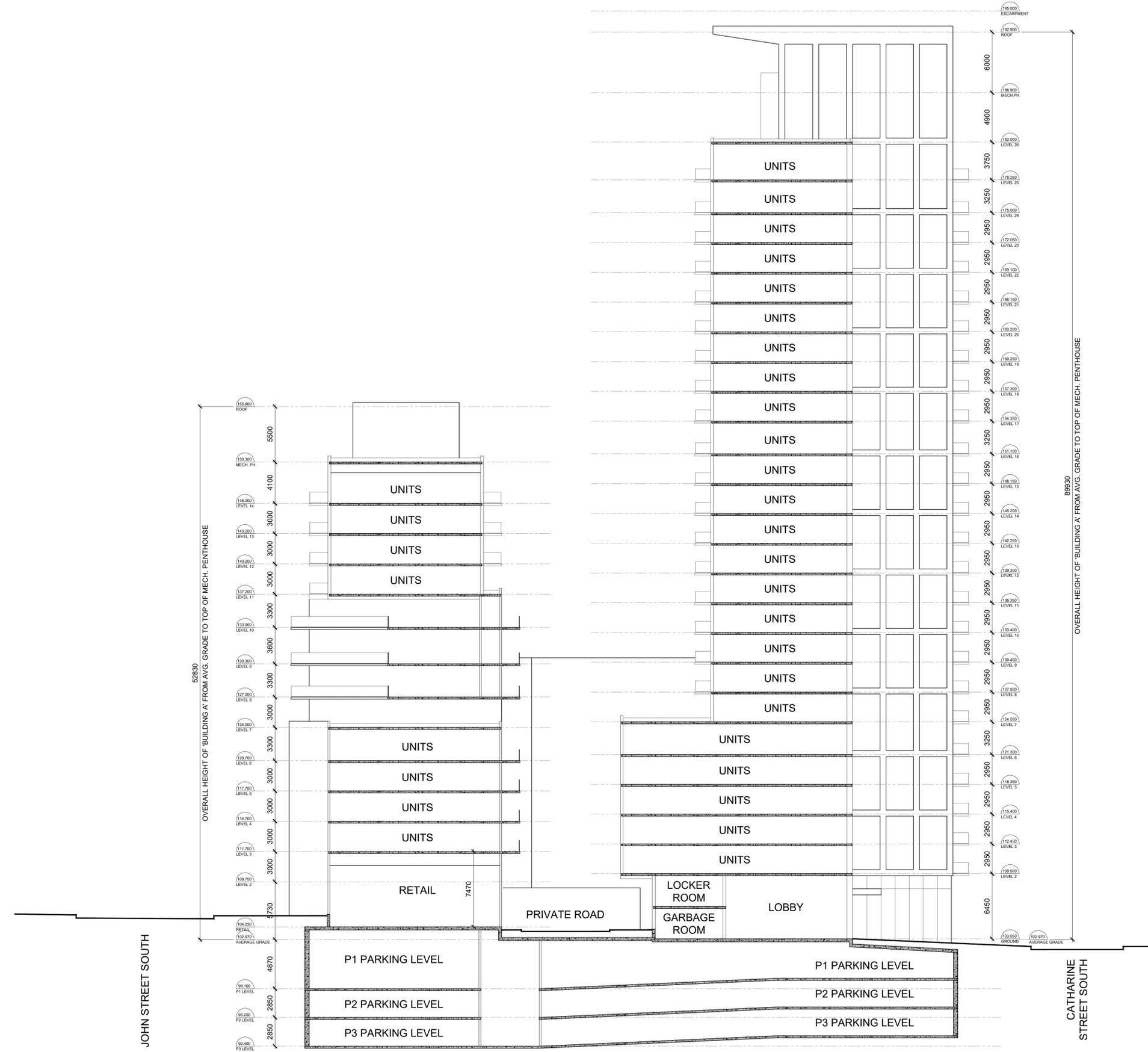
**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON

DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING SECTION C**

PROJECT NO. 19-188	DRAWING NO. <b>A422</b>
-----------------------	----------------------------



NO.	REVISIONS	DATE
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	2 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	RE-ISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**COREARCHITECTS**  
 CORE ARCHITECTS INC.  
 130 QUEENS QUAY EAST, SUITE 700, WEST TOWER  
 TORONTO, ON CANADA M5A 0P6  
 T +1 416 343 0400 • F +1 416 343 0401  
 INFO@COREARCHITECTS.COM  
 WWW.COREARCHITECTS.COM

**CORKTOWN**  
 211-225 JOHN STREET S  
 AND 70-78 YOUNG STREET  
 HAMILTON, ON

DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE  
**BUILDING SECTION D**

PROJECT NO. 19-188	DRAWING NO. <b>A423</b>
-----------------------	----------------------------



SHAPING GREAT COMMUNITIES

October 7, 2022

GSP File No. 17228

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

**Attn:** Ms. Jamila Sheffield  
 Secretary-Treasurer

**RE: Amendment to Minor Variance Application: HM/A-22:64  
 Cash-in-Lieu of Parking Application  
 211-225 John Street South & 70-78 Young Street, Hamilton (“Corktown Plaza”)  
 Related Site Plan Application: DA-21-112**

---

Dear Ms. Sheffield:

On behalf of Slate Asset Management, GSP Group would like to formally request to amend the above minor variance application respecting 211-225 John Street South & 70-78 Young Street, Hamilton (more commonly known as Corktown Plaza). The subject lands are currently subject to conditional Site Plan Approval (DA-21-112) for a comprehensive mixed-use redevelopment consisting of a 27-storey residential building and a 14-storey residential building with retail at ground level. The proposed development has been revised to include 744 units.

The *original* nature and extent of zoning relief applied for was as follows:

- To permit a parking rate of **0.44 parking spaces per unit for a multiple dwelling**, whereas 0.6 spaces per unit is required.

We request to *amend* the extent of the relief for to the following:

- To permit a parking rate of **0.55 parking spaces per unit for a multiple dwelling**, whereas 0.6 spaces per unit is required.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

October 7, 2022

GSP File No. 17228

As per the revised architectural drawings, 394 parking spaces are proposed to be provided across three levels of underground parking, representing a parking ratio of 0.53 spaces per unit. The deficiency between the requested parking ratio of 0.55, and the provided parking ratio of 0.53, which amounts to 15 parking spaces, is proposed to be provided by a cash-in-lieu of parking payment. Accordingly, a cash-in-lieu of parking application has been submitted concurrently with this amendment request.

The approach of combining an amended minor variance application with a cash-in-lieu of parking payment was proposed and outlined in comments provided by Transportation Planning (dated: July 26, 2022).

It is understood that in order to achieve the proposed ratio of 0.53 spaces per unit, the landowner is required to enter into a written agreement with the City to provide the TDM measures listed in the Transportation comments as well as to provide Cash-in-Lieu of Parking. At this time, I can confirm that the landowner is willing to enter into such a written agreement.

In support of this amended Minor Variance Application, please find attached the following digital documents and plans for your review and consideration:

- Comments from Transportation Planning, dated July 26, 2022; and
- Revised Architectural Drawings, including Site Statistics, a Survey, Site Plan, Floor Plans, and Elevation Drawings, prepared by Core Architects Inc. and dated September 8, 2022.

In addition to the above, I will submit a cheque in the amount of \$285.00 made payable to the “City of Hamilton” representing the minor variance recirculation fee tomorrow morning at City Hall.

Should you have any questions, or require any additional information, please contact Stuart Hastings at 289-778-1410 or by email at [shastings@gspgroup.ca](mailto:shastings@gspgroup.ca).

Yours truly,  
**GSP Group Inc.**



Stuart Hastings, MCIP, RPP  
Planner

cc: via email *Rino Dal Bello, Senior Project Manager – Urban Area*  
*Alaina Baldassara, Planner 1*  
*Veronica Green, Slate Asset Management*



July 26, 2022

Attention: Mark Kehler, Senior Planner, Development Planning

Prepared By: Jill Juhlke, Senior Project Manager, Transportation Planning

**SUBJECT:** 211-225 John Street South & 70-78 Young Street (WARD 2)  
DA-21-112 (Previous Files: PSR-20-090, UHOPA-18-017, ZAC-18-041)

***Documents Reviewed***

- *211 John Street South – Parking Study Addendum, Prepared by Paradigm, dated 30 June 2022*

Transportation Planning has reviewed the 211 John Street South – Parking Study Addendum prepared by Paradigm, dated 30 June 2022. Based on the previously prepared Transportation Impact Study (TIS) and Parking Justification Study (June 2020) and the June 2022 addendum, Transportation Planning has developed two parking ratio options for consideration by the Applicant. Both options provide a reduction in parking that is acceptable to Transportation Planning and is supportive of the City’s goal to “explore changes to parking as an opportunity for economic recovery and stimulus” while ensuring the site provides adequate onsite parking so as not to increase the high demand for on-street parking within the surrounding area. Both options will require a commitment to the implementation of Travel Demand Management (TDM) measures to encourage and facilitate travel by alternative modes.

**Option 1: 0.55 per unit parking ratio**

To achieve this ratio, the applicant is required to provide the following TDM measures:

1. Long-term bicycle parking is to be provided at a minimum of 0.5 spaces per dwelling unit, or 371 spaces, located within a secure, weather-protected area(s) within the building. These spaces are to be illustrated and identified on the site plan.
2. Short-term bicycle parking is to be provided in excess of the Zoning By-law. Transportation Planning requires a total of 0.1 space per unit, or 74 short-term bicycle parking spaces. These spaces are to be provided in well-lit onsite areas near the building entrances and adjacent to the commercial space(s). These spaces are to be illustrated and identified on the site plan.
3. The Applicant is to provide, at their expense, an onsite Hamilton Bike Share (SoBi) hub near the John Street South and Young Street site limits and in close proximity to the existing HSR transit stop.



4. The Applicant is to provide a minimum of two dedicated onsite carshare parking spaces, to be reserved for one or more car-share providers. These spaces are to be provided in a location that is convenient for both residents and the surrounding neighbourhood and are to be illustrated and identified on the site plan.
5. The Applicant is to contact Hamilton Street Railway (HSR) to discuss upgrading the John Street South and Young Street transit stop, at the Applicant's expense. Upgrades could include an enhanced shelter or additional seating as space permits.
6. The site plan shall provide enhanced walking routes between main building entrances and the existing municipal sidewalks and transit stop located at John Street South and Young Street.
7. Where possible, the site should provide weather-protected waiting areas adjacent to the existing transit stop.
8. Explore the option of paid parking for employees and visitors. Transportation Planning recognizes that paid parking implementation may not be feasible since parking is proposed to be shared between all onsite uses. However, this could be achieved through designating un-assigned residential spaces as either visitor or employee parking until such time as those spaces are purchased and assigned. At a minimum, paid parking should be implemented at the short-term surface parking spaces.
9. The Applicant is required to implement unbundled parking so only those units requiring parking purchase a space. The applicant is strongly encouraged to assign spaces to units and limit parking purchases to one space per unit.
10. The Applicant is required to provide one Presto card with a pre-loaded balance of \$350, approximately the equivalent of a three-month Presto pass; and one six-month Hamilton Bike Share membership (\$100) with each new unit purchase to encourage travel by alternative modes.

**Option 2: 0.50 per unit parking ratio**

To achieve this ratio, the applicant is required to:

1. Provide all of the above-noted TDM measures with the exception of the Hamilton Bike Share hub, which will be provided at the City's expense.
2. Provide cash-in-lieu of parking (CILP) for 37 spaces (the difference in parking between 0.55 spaces per unit and 0.50 spaces per unit) based on the City's CILP Policy. The amount is based on 50% of the cost of constructing a parking space and will be calculated by the City.



Hamilton

The Applicant will be required to enter into a written agreement to provide the required TDM measures (Option 1) or TDM measures and CILP (Option 2).

Should you have any questions, please email [tplanning@hamilton.ca](mailto:tplanning@hamilton.ca), referencing:  
211-225 John Street South & 70-78 Young Street - DA-21-112 (Ward 2) Transportation Planning Response

cc: Development Engineering Approvals



**Committee of Adjustment**

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

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

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	<b>MAILING ADDRESS</b>
<b>Registered Owners(s)</b>	
<b>Applicant(s)*</b>	
<b>Agent or Solicitor</b>	

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

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

n/a
-----

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

4. Nature and extent of relief applied for:

To permit a parking rate of 0.44 parking spaces per unit, whereas 0.60 spaces per unit is required.

- Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

Please refer to the Parking Study Addendum prepared by Paradigm Transportation Consulting Ltd. submitted with this application for details.

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

Legal: All of Lots 172, 173, 178, 179, 189, 190, 195, and 196 George Hamilton Survey (Registered Plan 1431)  
Address: 211 and 225 John Street South, and 70 and 78 Young Street

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use Retail Plaza

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes                       No                       Unknown

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

Yes  No  Unknown

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

Owner's Knowledge. Phase II Environmental Assessment Summary Letter (Terraprobe).

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

Phase II Environmental Assessment Summary Letter (Terraprobe) previously submitted as part of applications (UHOPA-18-17 / ZAC-18-041)

**9. ACKNOWLEDGEMENT CLAUSE**

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

February 18, 2022  
Date



Signature Property Owner(s)  
Slate Holdings (Canada) ULS & Corktown Plaza  
Lucas Manuel, Managing Director and Partner

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>71.3 metres (Forest Avenue)</u>
Depth	<u>±80 metres</u>
Area	<u>0.59 hectares</u>
Width of street	<u>Forest Ave. (±21.2m); John St. S. (±20.1m); Young St. (±18.6m); Catharine St. S. (±20.1m)</u>

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

Existing:           

1-storey retail plaza with 2-storey stand-alone buildings.

Proposed

To comprehensively redevelop the site for a 26-storey residential building and a 14-storey residential building atop a mixed-use podium containing commercial retail space. Please refer to Site Plan Application (DA-21-112) for further details.

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

Existing:           

Please refer to Survey submitted with this application.

Proposed:

Please refer to Site Plan drawings, prepared by Core Architects, and submitted with this application.

13. Date of acquisition of subject lands:  
2017
- 
14. Date of construction of all buildings and structures on subject lands:  
All existing buildings to be demolished.
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Retail, Restaurants
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single-detached, High-rise residential buildings, and commercial uses
- 
17. Length of time the existing uses of the subject property have continued:  
Since approximately the 1980s.
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water  Connected   
Sanitary Sewer  Connected   
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Schedule E: Neighbourhoods; Schedule E-1: Mixed Use - Medium Density
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Mixed Use Medium Density (C5) Zone, Exception: 739, Holding: H118
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:  
ZAC-18-041
- 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.  
Council passed a waiver on January 19th to authorize Slate Asset Management to apply for a minor variance of a site-specific by-law approved within the last 2 years. Waiver is attached to application.
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)  
Paradigm Transportations Solutions has provided a Parking Study Addendum containing a justification for the reduced parking ratio.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:331</b>	<b>SUBJECT PROPERTY:</b>	192 Hughson St N, Hamilton
<b>ZONE:</b>	"E-3/S-332" (High Density Multiple Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 74-102

**APPLICANTS:** Owner: 2837505 Ontario Inc – Amber Lindsay

The following variances are requested:

1. A parking ratio of 0.63 spaces per dwelling unit shall be permitted instead of the minimum required parking ratio of 0.66 spaces per dwelling unit.
2. A minimum manoeuvring aisle of 5.7m shall be permitted instead of the minimum 6.0m wide manoeuvring aisle required.
3. A one-way access driveway having a width of 2.7m shall be permitted instead of the minimum 3.0m wide access driveway required.

**PURPOSE & EFFECT:** To facilitate the reduction of parking spaces resulting from the construction of structural walls within the existing parking garage in order to allow a total of 260 dwelling units.

**Notes:**

OMB decision HM/A-16:110, previously approved a parking ratio of 0.66 spaces per unit.

The applicant has indicated the proposal for a future one storey addition in order to increase the total number of dwelling units to 260 units as approved by OMB decision HM/A-16:110. However, details of the proposed addition were not provided. In addition, no formal Site Plan application has been received for the proposed addition. Therefore, variances written as requested.

It is unclear if the intent is to have a mutual access or one-way access for the underground parking. Confirmation shall be provided as further variances may be required.

**HM/A-22:331**

No visitors parking spaces and no loading spaces have been clearly illustrated on submitted plans from which to determine compliance; as such, further variances may be required. Please note that the proposed 260 dwelling units requires a minimum of 52 visitors parking spaces and a minimum of two (2) loading spaces.

OMB decision HM/A-16:110 approved a reduced parking spaces size to several parking spaces. Please note that not all parking space sizes have been clearly dimensioned from which to confirm compliance. Therefore, further variances may be required.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

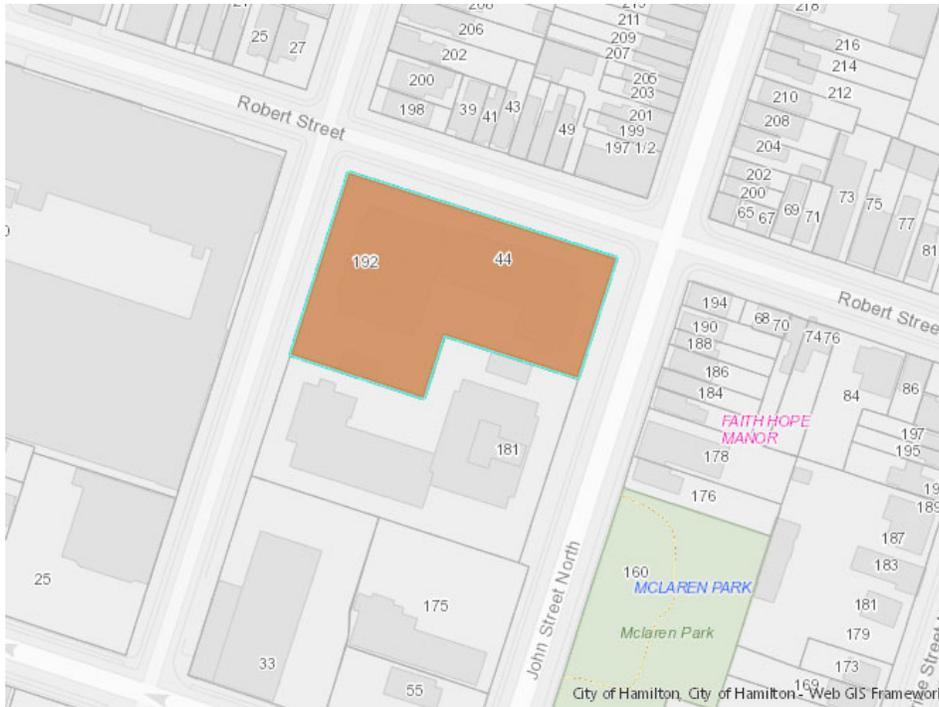
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**PUBLIC INPUT**

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

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

HM/A-22:331



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

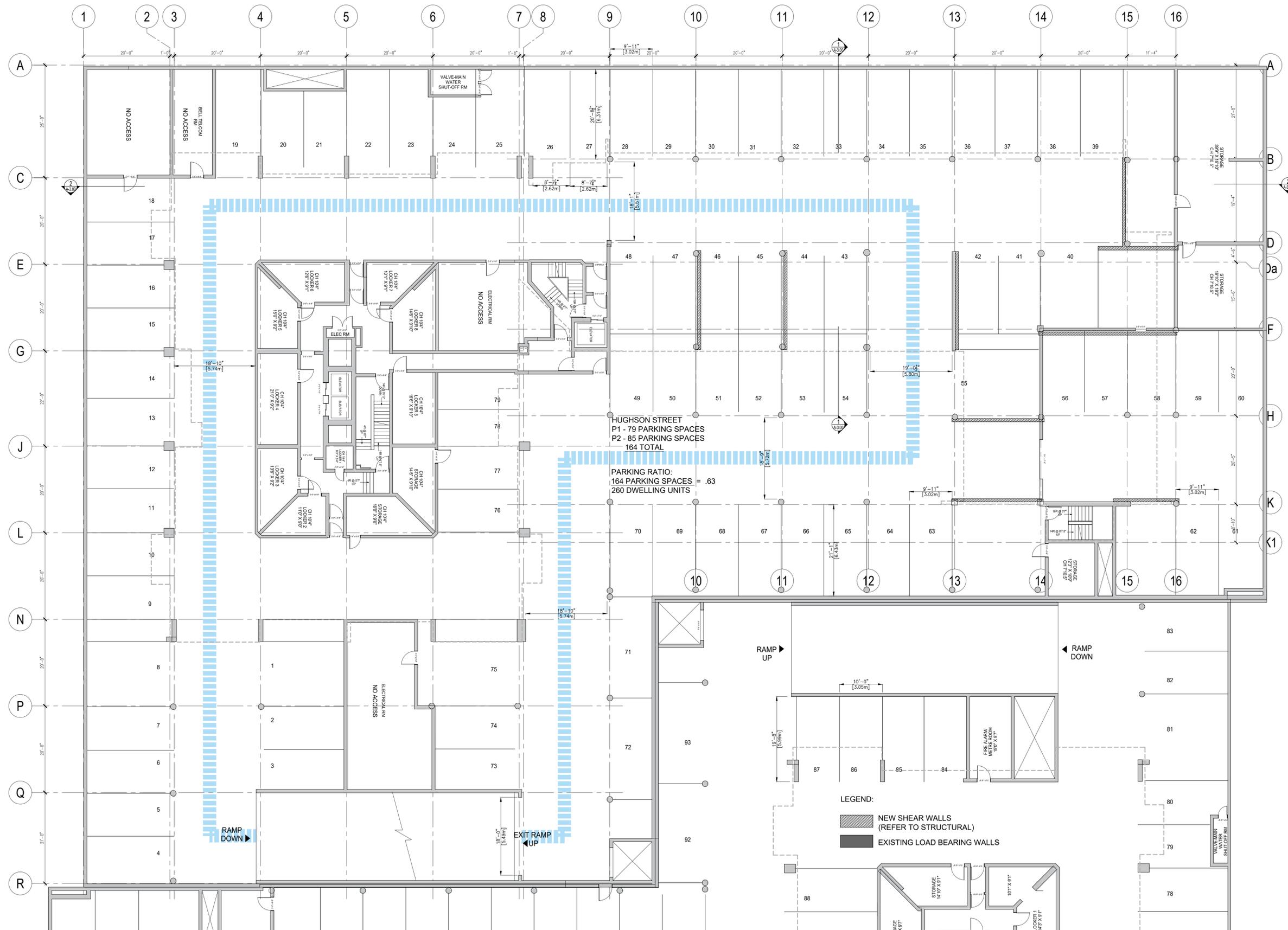
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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



# ROBERT STREET



HUGHSON STREET  
 P1 - 79 PARKING SPACES  
 P2 - 85 PARKING SPACES  
 164 TOTAL

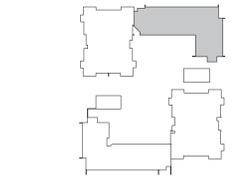
PARKING RATIO:  
 164 PARKING SPACES = .63  
 260 DWELLING UNITS

DO NOT SCALE DRAWINGS

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, CLIMAX GREEN LIANG ARCHITECTS INC., BEFORE PROCEEDING WITH ANY PART OF THE WORK.

ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS AND DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

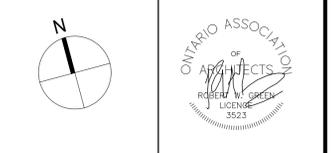
DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.



NO	REVISIONS	DATE	CHK
3	ISSUED FOR BUILDING PERMIT	OCT. 07/22	
2	ISSUED FOR REVIEW	JUN. 13/22	RG
1	ISSUED FOR REVIEW	MAR. 28/22	RG

**CGL**  
 architects

56 AVENUE ROAD,  
 TORONTO, ONTARIO, M5R 2H8  
 TEL: (416)925-8100 FAX: (416)925-8527  
 WWW.CGLARCHITECTS.COM



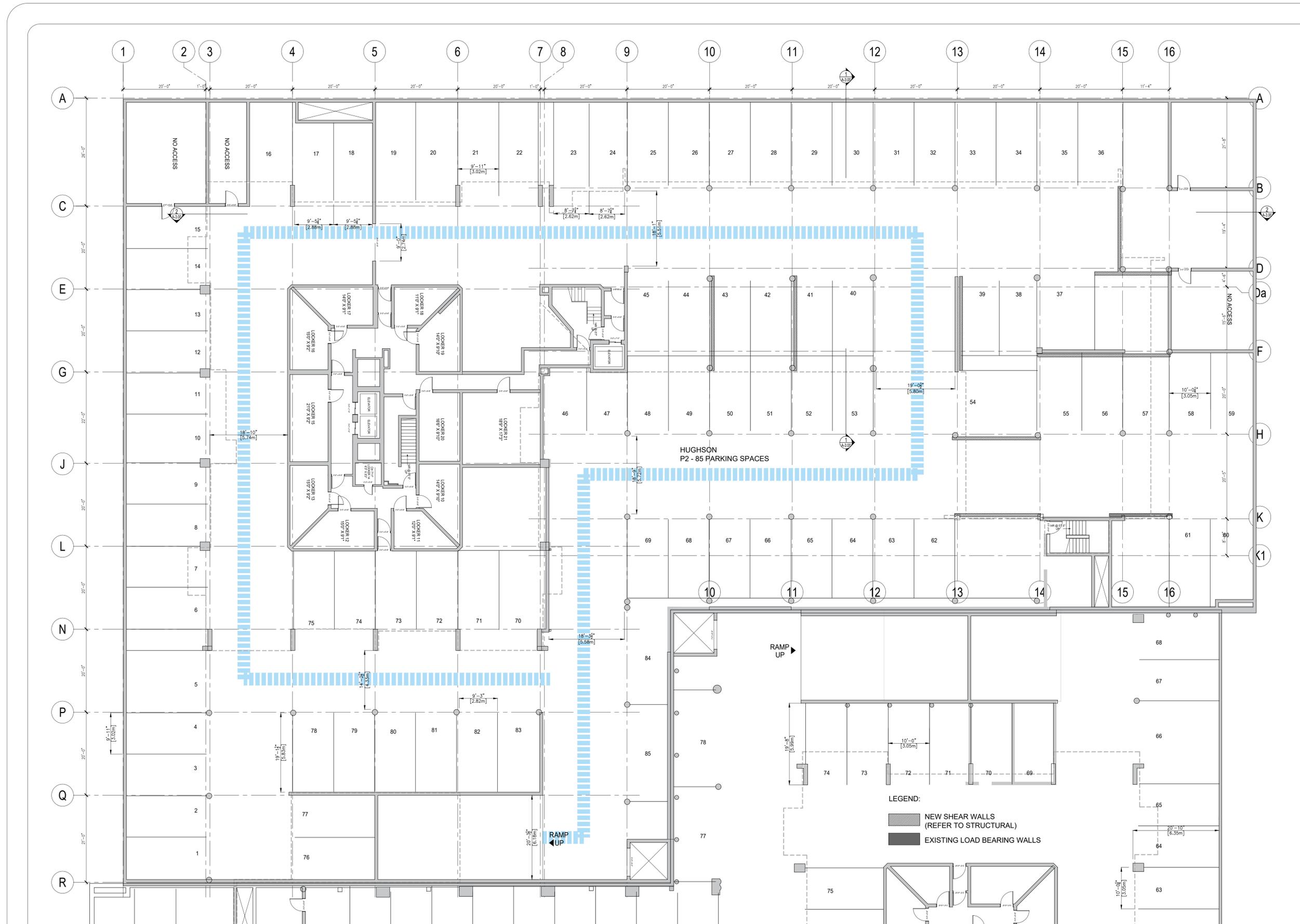
PROJECT:  
**Townhouse Renovations and Addition**  
 192 Hughson St.N.  
 Hamilton, Ontario

DRAWING TITLE:  
**EXISTING PARKING @ P1 LEVEL**

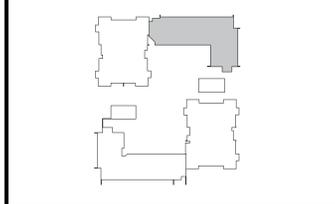
DATE:	JUNE 2022	PROJECT NO.	22123
SCALE:	3/32" = 1'-0"	DRAWING NO.	A1.012
DRAWN BY:	HM, LZ		
CHECKED BY:	CL, RG		

N:\22123 - 6 Fl. addition, 192 Hughson St. & 181 John St\100 - Working Drawings\SHEETS (192 HUGHSON ST)\22123 - A1.012 Hu-Townhouse\_Parking 1.dwg, 10/11/2022 4:15:48 PM

# ROBERT STREET



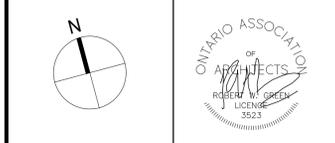
DO NOT SCALE DRAWINGS  
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, CLIMAKS GREEN LIANG ARCHITECTS INC., BEFORE PROCEEDING WITH ANY PART OF THE WORK.  
 ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS AND DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.  
 DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.



NO	REVISIONS	DATE	CHK
3	ISSUED FOR BUILDING PERMIT	OCT. 07/22	
2	ISSUED FOR REVIEW	JUN. 13/22	RG
1	ISSUED FOR REVIEW	MAR. 28/22	RG



56 AVENUE ROAD,  
 TORONTO, ONTARIO, M5R 2H8  
 TEL: (416)925-8100 FAX: (416)925-8527  
 WWW.CGLARCHITECTS.COM



PROJECT:  
**Townhouse Renovations and Addition**  
 192 Hughson St.N.  
 Hamilton, Ontario

DRAWING TITLE:  
**EXISTING PARKING @ P2 LEVEL**

DATE:	JUNE 2022	PROJECT NO.	22123
SCALE:	3/32" = 1'-0"	DRAWING NO.	A1.011
DRAWN BY:	HM, LZ		
CHECKED BY:	CL, RG		



2140 King St. E., Hamilton, ON, L8K 1W6  
 905 547 5056  
 info@valeryhomes.com  
 valerygroup.com

October 18, 2022

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

**Re: 192 Hughson Street North, Hamilton  
 Minor Variance Application**

We are pleased to submit the enclosed Minor Variance application for the property municipally known as 192 Hughson Street North (the “Subject Lands”).

The Subject Lands are currently occupied by a 245-unit 18-storey tower and 5-storey ‘townhouse block’ with two (2) levels of underground parking. The Subject Lands are a twin property to the adjacent 181 John Street North. The ‘townhouse block’ will be the subject of a future one (1) storey addition, bringing the total number of dwelling units at each property to 260 to implement Ontario Municipal Board (OMB) Decisions P1909014 and PL170903 regarding site density. Note that a Site Plan Exemption has been issued by the City for this addition and a corresponding Building Permit application will be filed imminently. The purpose of the Minor Variance application is to address nonconformities that will be caused by structural repairs required to the underground parking garage. New shear walls are required to resolve structural deficiencies on both levels of the existing underground parking garage. Moreover, this work is required to address the outstanding Order to Comply associated with the structural condition of the P1 and P2 garage levels.

The location of the required shear walls was designed by a professional engineer to ensure the garage is capable of sustaining safely its own weight and the weight of the existing building above, and having a factor of safety as required by the Ontario Building Code. However, the new walls cause nonconformities to City of Hamilton Zoning By-law No. 6593 by impeding a number of existing parking spaces or the required maneuvering area for said spaces thereby rendering them unusable to residents. The impact and relief requested is described below.

**Background & Zoning Requirements**

The Subject Lands are zoned High Density Multiple Dwellings “E-3/S-332” in the City of Hamilton Zoning By-law No. 6593 and are subject to OMB Decisions PL170904 and PL170903. The zoning compliance of the Subject Lands based on the completion of the required structural walls is outlined in Table 1 below.

Table 1. Zoning Conformity to City of Hamilton Zoning By-law No. 6593

High Density Multiple Dwellings “E-3/S-332” District – Hamilton By-law No. 6593			
Requirement per PL170904 & PL170903		Condition After Construction of Structural Walls	
0.66 spaces/unit	172 spaces*	0.63 spaces/unit	164 spaces*
*Calculated based on 260 dwelling units as permitted by the OMB Decisions.			

In order to facilitate the construction of the structural walls in the parking garage, the following variance is required:

Variance No. 1: Parking at a rate of 0.63 spaces per dwelling unit shall be provided, instead of the minimum required parking ratio of 0.66 spaces per dwelling unit.

### Analysis

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

1. Does the minor variance maintain the general intent and purpose of the Official Plan?
2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?
3. Is the minor variance desirable and appropriate for the lands?
4. Is the requested variance minor in nature?

The analysis that follows demonstrates how the requested variance satisfies the four tests:

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The Subject Lands are designated Downtown Urban Growth Centre on Schedule E – Urban Structure and Downtown Mixed Use Area on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP).

The purpose of the requested variance is to recognize that the parking supply available after construction of the shear walls in the underground parking garage will not meet that which is required by the applicable Zoning By-law. Section E.2.3.1.16 of the UHOP provides a policy goal that “Reduced parking requirements shall be considered to encourage a broader range of uses and densities and to support transit”. Moreover, Section E.4.4.14 states that “Reduced parking requirements shall be considered in recognition of the high level of transit service to the area designated Downtown Mixed Use”. With these policy objectives in mind, the required variance for the reduced parking ratio would facilitate the required construction of the shear walls while maintaining a sufficient supply of parking for the existing multiple dwelling within these designations. Therefore, the proposed variance maintains the general intent and purpose of the Official Plan.

2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?

The general intent and purpose of the parking provisions of the Zoning By-law are to provide adequate parking for residents and visitors. The requested variance represents a minor decrease to the required parking and therefore maintains the general intent of the zoning.

Moreover, while the City of Hamilton Zoning By-law No. 05-200 does not currently apply to the Subject Lands as the Residential Zones have not yet been incorporated in the new comprehensive by-law, the test to evaluate whether the minor variance maintains the general intent and purpose of the Zoning By-law

should consider the requirements of this newer by-law as its purpose is to implement the policies of the current UHOP and better represents modern planning principles. Table 2 below describes the conformity of the proposed variance to City of Hamilton Zoning By-law No. 05-200:

Table 2. Zoning Conformity to City of Hamilton Zoning By-law No. 05-200

<b>City of Hamilton By-law No. 05-200 – Section 5.6: Parking Requirements for Downtown Zones</b>		
Description	Required Ratio	Required No. of Spaces
i) Dwelling units less than 50 square metres in GFA		
Units 1-12	0 per unit x 12 units	0
Units 13+	0.3 per unit x 55 units	16
	<b>Subtotal =</b>	<b>16</b>
ii) Dwelling units greater than 50.0 square metres in GFA		
Units 1-12	0 per unit x 12 units	0
Units 13-50	0.5 per unit x 38 units	19
Units 51+	0.7 per unit x 108 units	75
	<b>Subtotal =</b>	<b>94</b>
iii) Units with 3 or more bedrooms		
Units 1-12	0 per unit x 12 units	0
Units 13+	0.3 per unit x 23 unit	6
	<b>Total =</b>	<b>116</b>

The above analysis demonstrates that the requested variance maintains the general intent and purpose of the Zoning By-law as the supply exceeds the requirement under the new City of Hamilton Zoning By-law No. 05-200 which is more in keeping with modern planning standards than the provisions of City of Hamilton Zoning By-law No. 6593.

3. Is the minor variance desirable and appropriate for the lands?

The requested variance is desirable and appropriate for the lands because it will maintain an adequate parking supply for the existing multiple dwelling that is located in a walkable area of Downtown Hamilton area in close proximity to transit. Moreover, the minor variance is desirable to ensure the adequate structural repair of the underground parking garage in a manner that is required by the Ontario Building Code.

4. Is the requested variance minor in nature?

The requested variance is minor in nature, as demonstrated by the analysis of the proposed parking supply against the City of Hamilton Zoning By-law No. 05-200. The requested variance represents an over supply of parking in comparison to the modern parking requirements of the City of Hamilton Zoning By-law No. 05-200 that are being applied elsewhere across the City, including directly adjacent to the Subject Lands. In addition, the Subject Lands are located in the Downtown Area in close proximity to a diversity of land uses and transit services. For these reasons, the proposed reduction in the parking requirement for the Subject Lands is considered minor.



2140 King St. E., Hamilton, ON, L8K 1W6  
905 547 5056  
info@valeryhomes.com  
valerygroup.com

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

- Application Form;
- Site Plan;
- Undergrounding Parking Plans;
- Cheque in the amount of **\$3,465.00** made payable to the City of Hamilton for the application fee.

I trust the enclosed is in order; however, please feel free to contact the undersigned with any questions or comments.

Kind Regards,

A handwritten signature in black ink that reads 'A Lindsay'.

Amber Lindsay, M.E.S.  
2837504 Ontario Inc.  
c/o Valery Homes



Hamilton

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>			
<b>Applicant(s)</b>			<b>Phone:</b>
			<b>E-mail:</b>
<b>Agent or Solicitor</b>			<b>Phone:</b>
			<b>E-mail:</b>

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			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		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:

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

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

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

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):

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.):

---

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

---

## 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)

---

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

---

7.4 Length of time the existing uses of the subject property have continued:

---

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) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? \_\_\_\_\_

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:330</b>	<b>SUBJECT PROPERTY:</b>	181 John St N, Hamilton
<b>ZONE:</b>	"E-3/S-332 (High Density Multiple Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: 2837505 Ontario Inc – Amber Lindsay

The following variances are requested:

1. 0.63 parking spaces per dwelling unit shall be permitted instead of the minimum 1 space per unit.

**PURPOSE & EFFECT:** To facilitate the construction of structural walls in an existing parking garage,

**Notes:**

1. Should this variance be approved the minimum required number of parking spaces will be 154 based on 245 dwelling units at a rate of 0.63 parking spaces per unit.
2. Should this variance be approved, and a future one storey addition be implemented on the "townhouse block" on the property the minimum number of parking spaces would be 163 parking spaces based on 260 dwelling units at a rate of 0.63 parking spaces per unit.
3. Variances written exactly as requested by the applicant.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

HM/A-22:330

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

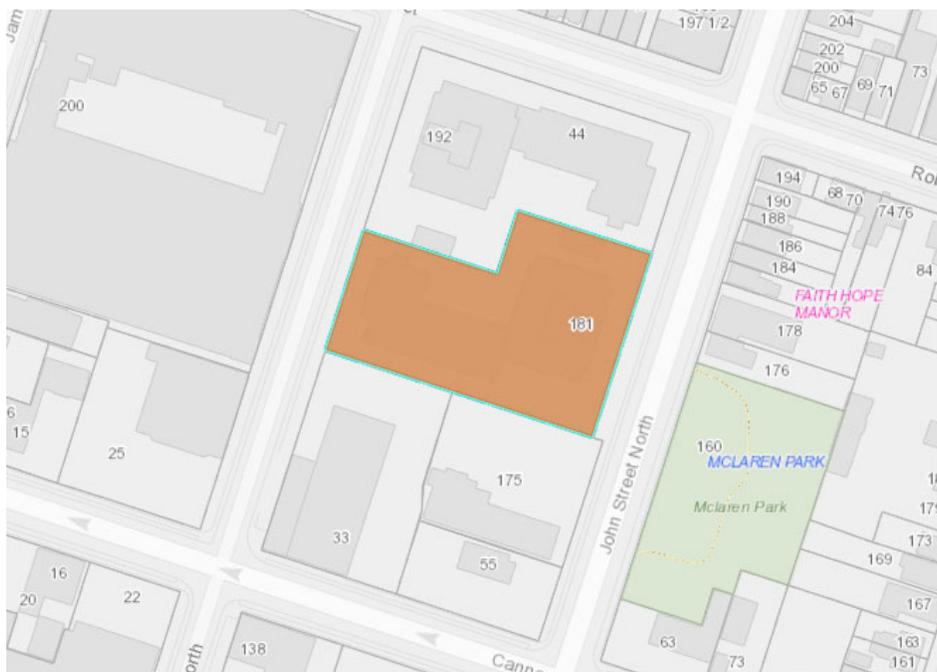
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## PUBLIC INPUT

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

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



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

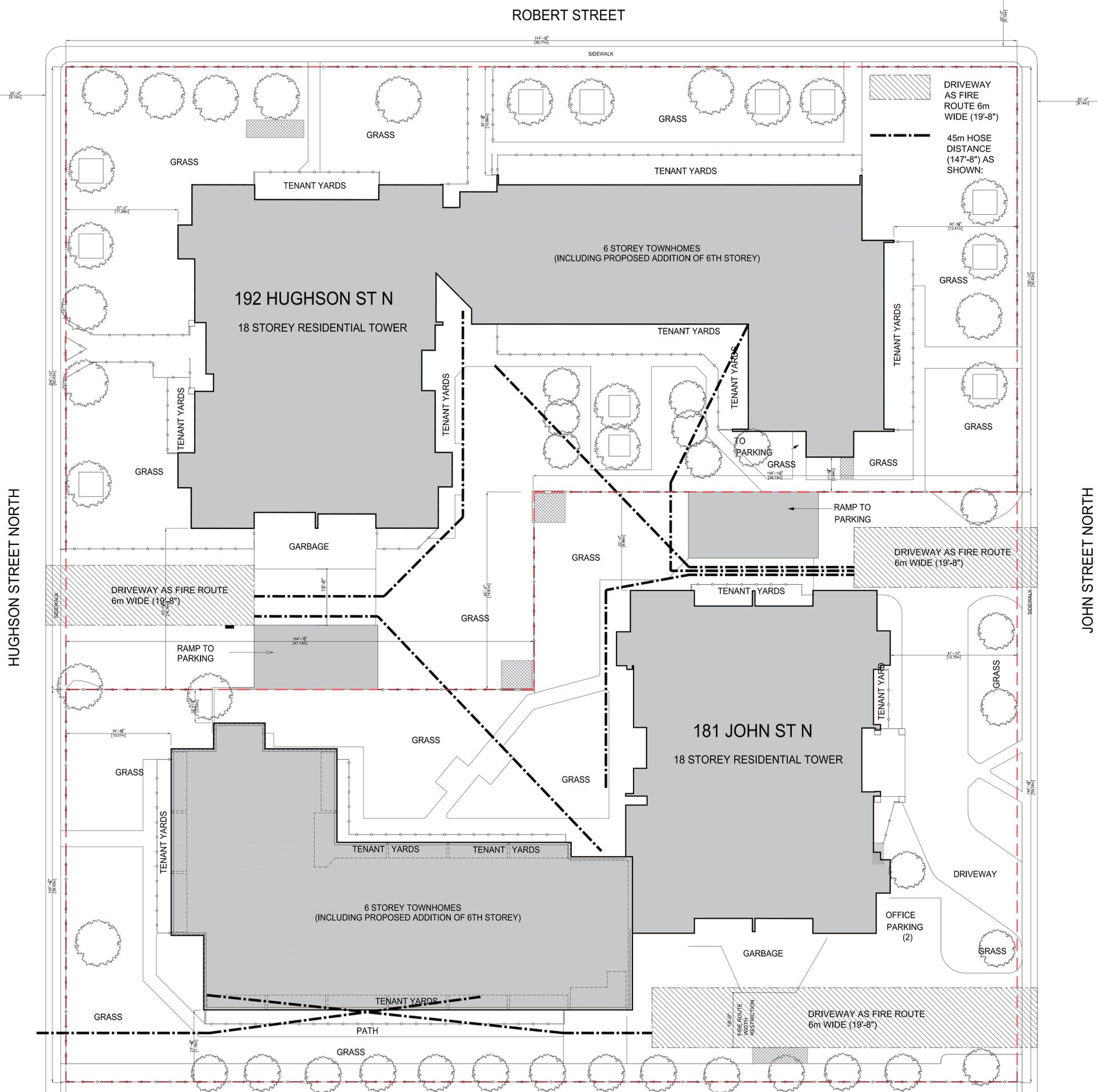
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

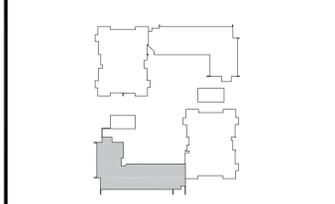
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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



DO NOT SCALE DRAWINGS  
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, CLIMAX GREEN LIVING ARCHITECTS INC., BEFORE PROCEEDING WITH ANY PART OF THE WORK.  
 ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS AND DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.  
 DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.



NO	REVISIONS	DATE	CHK
4	ISSUED FOR BUILDING PERMIT	SEP. 30/22	
3	ISSUED FOR REVIEW	AUG. 12/22	RG
2	ISSUED FOR REVIEW	JUN. 13/22	RG
1	ISSUED FOR REVIEW	MAR. 28/22	RG

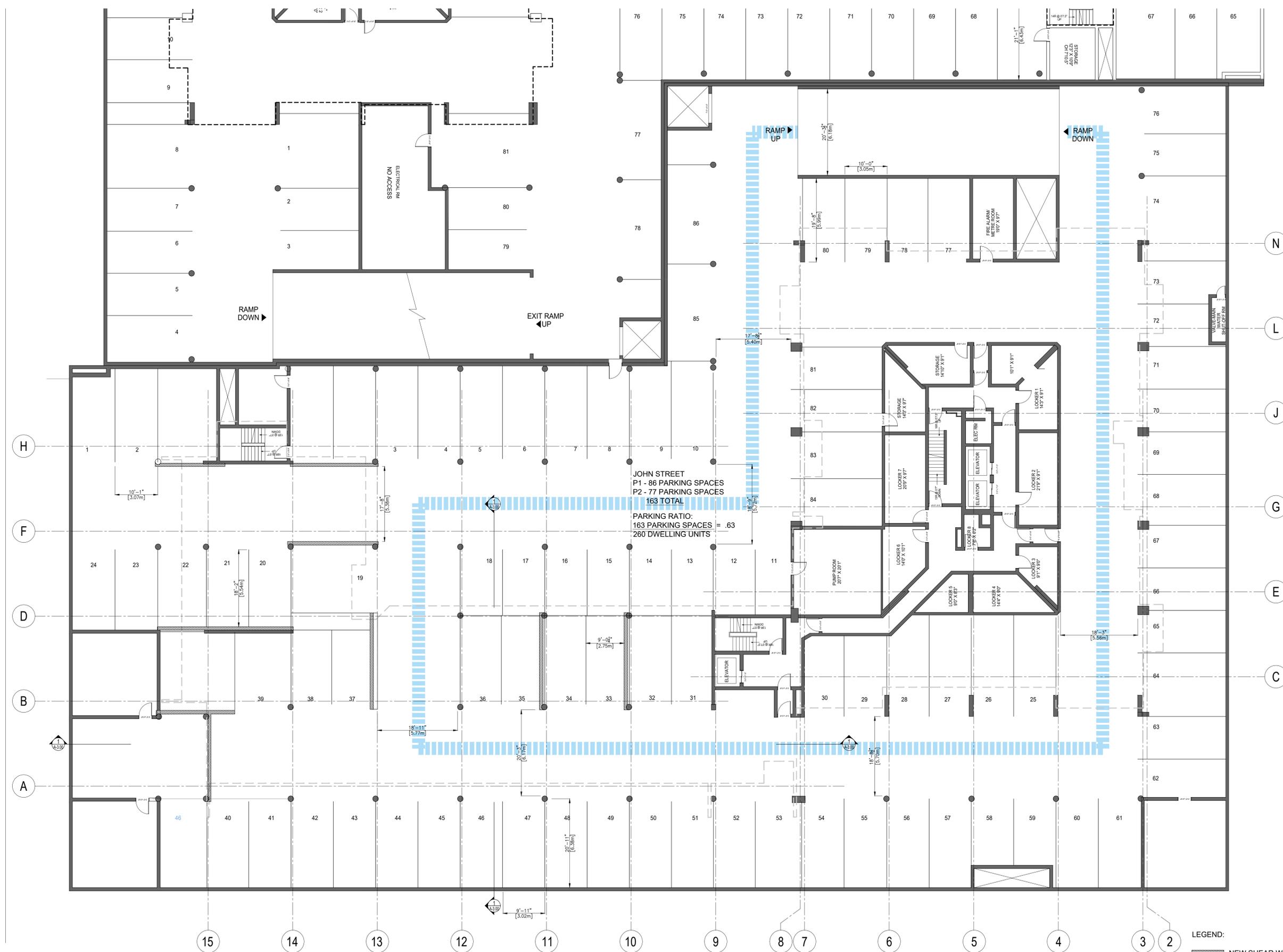
**CGL**  
architects

56 AVENUE ROAD,  
TORONTO, ONTARIO, M5R 2H8  
TEL: (416)925-8100 FAX: (416)925-8527  
WWW.CGLARCHITECTS.COM

PROJECT:  
**Townhouse Renovations and Addition**  
 181 John St.N.  
 Hamilton, Ontario

DRAWING TITLE:  
**SITE PLAN**

DATE:	JUNE 2022	PROJECT NO.	22123
SCALE:	1/16" = 1'-0"	DRAWING NO.	A1.010
DRAWN BY:	HM, LZ		
CHECKED BY:	CL, RG		



**PARKING LEVEL P1**

JOHN STREET  
 P1 - 86 PARKING SPACES  
 P2 - 77 PARKING SPACES  
**163 TOTAL**  
 PARKING RATIO:  
 163 PARKING SPACES  
 260 DWELLING UNITS  
 = .63

**LEGEND:**  
 NEW SHEAR WALLS (REFER TO STRUCTURAL)  
 EXISTING WALLS

DO NOT SCALE DRAWINGS  
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, CLIMAX GREEN LANG ARCHITECTS INC., BEFORE PROCEEDING WITH ANY PART OF THE WORK.  
 ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS AND DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.  
 DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.



NO	REVISIONS	DATE	CHK
4	ISSUED FOR BUILDING PERMIT	SEP. 30/22	
3	ISSUED FOR REVIEW	AUG. 12/22	RG
2	ISSUED FOR REVIEW	JUN. 13/22	RG
1	ISSUED FOR REVIEW	MAR. 28/22	RG
0	REVISIONS		

**CGL**  
 architects

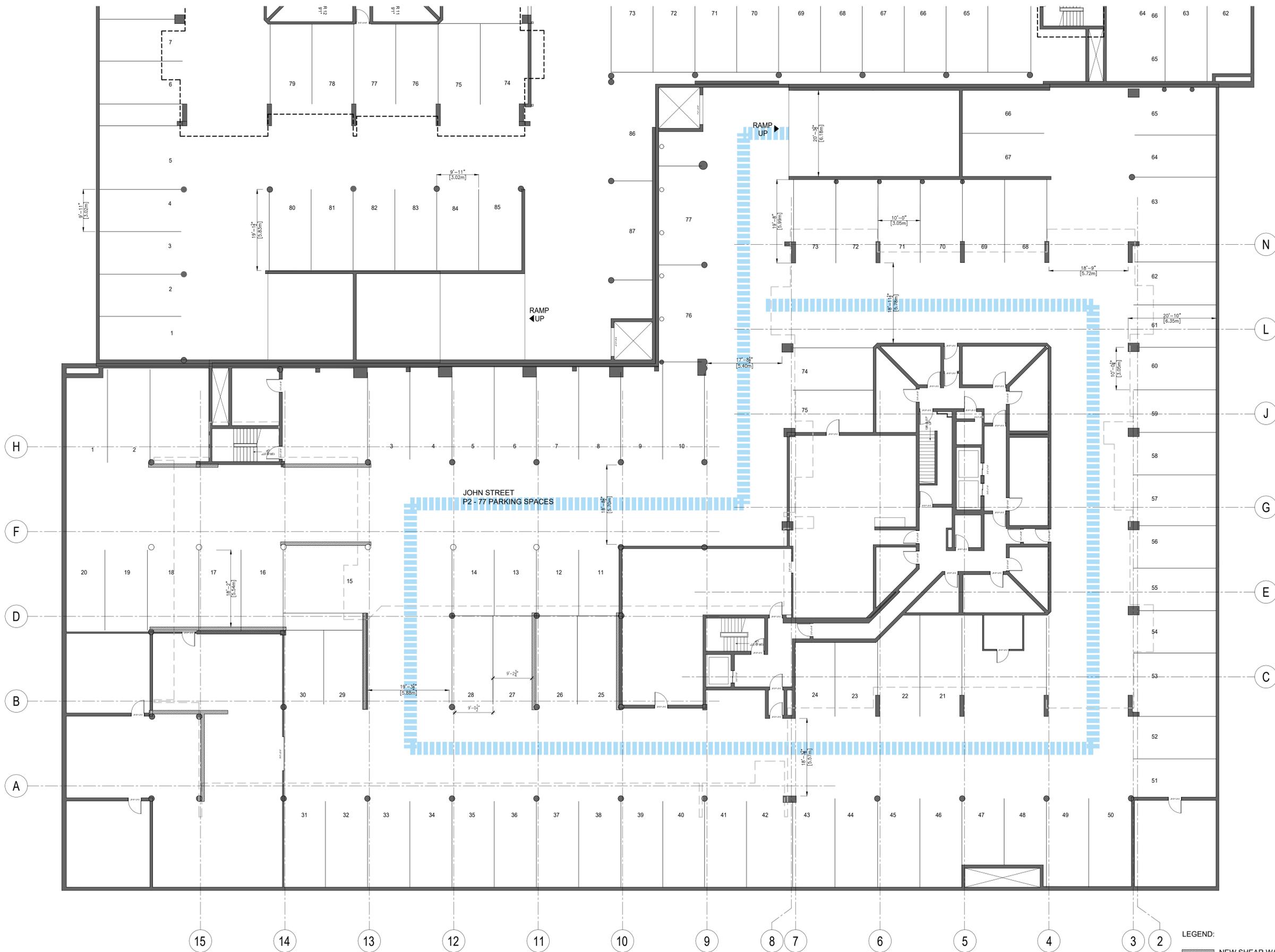
56 AVENUE ROAD,  
 TORONTO, ONTARIO, M5R 2H8  
 TEL: (416)925-8100 FAX: (416)925-8527  
 WWW.CGLARCHITECTS.COM

ONTARIO ASSOCIATION  
 OF  
 ARCHITECTS  
 ROBERT W. SPEDD  
 LICENSE  
 3523

PROJECT:  
**Townhouse  
 Renovations  
 and Addition**  
 181 John St.N.  
 Hamilton, Ontario

DRAWING TITLE:  
**EXISTING PARKING  
 @ P1 LEVEL**

DATE:	JUNE 2022	PROJECT NO.	22123
SCALE:	3/32" = 1'-0"	DRAWING NO.	A1.011
DRAWN BY:	HM, LZ		
CHECKED BY:	CL, RG		



DO NOT SCALE DRAWINGS

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, CLIMAX GREEN LANG ARCHITECTS INC., BEFORE PROCEEDING WITH ANY PART OF THE WORK.

ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS AND DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

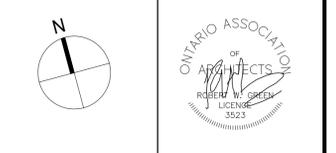
DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.



NO	REVISIONS	DATE	CHK
4	ISSUED FOR BUILDING PERMIT	SEP. 30/22	
3	ISSUED FOR REVIEW	AUG. 12/22	RG
2	ISSUED FOR REVIEW	JUN. 13/22	RG
1	ISSUED FOR REVIEW	MAR. 28/22	RG
0	NO REVISIONS		



56 AVENUE ROAD,  
TORONTO, ONTARIO, M5R 2H8  
TEL: (416)925-8100 FAX: (416)925-8527  
WWW.CGLARCHITECTS.COM



PROJECT:

**Townhouse Renovations and Addition**

181 John St.N.  
Hamilton, Ontario

DRAWING TITLE:

**EXISTING PARKING @ P2 LEVEL**

LEGEND:

NEW SHEAR WALLS (REFER TO STRUCTURAL)

EXISTING WALLS

DATE:	JUNE 2022	PROJECT NO.	22123
SCALE:	3/32" = 1'-0"	DRAWING NO.	A1.012
DRAWN BY:	HM, LZ		
CHECKED BY:	CL, RG		



2140 King St. E., Hamilton, ON, L8K 1W6  
 905 547 5056  
 info@valeryhomes.com  
 valerygroup.com

October 18, 2022

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

**Re: 181 John Street North, Hamilton  
 Minor Variance Application**

We are pleased to submit the enclosed Minor Variance application for the property municipally known as 181 John Street North (the "Subject Lands").

The Subject Lands are currently occupied by a 245-unit 18-storey tower and 5-storey 'townhouse block' with two (2) levels of underground parking. The Subject Lands are a twin property to the adjacent 192 Hughson Street North. The 'townhouse block' will be the subject of a future one (1) storey addition, bringing the total number of dwelling units at each property to 260 to implement Ontario Municipal Board (OMB) Decisions P1909014 and PL170903 regarding site density. Note that a Site Plan Exemption has been issued by the City for this addition and a corresponding Building Permit application will be filed imminently. The purpose of the Minor Variance application is to address nonconformities that will be caused by structural repairs required to the underground parking garage. New shear walls are required to resolve structural deficiencies on both levels of the existing underground parking garage. Moreover, this work is required to address the outstanding Order to Comply associated with the structural condition of the P1 and P2 garage levels.

The location of the required shear walls was designed by a professional engineer to ensure the garage is capable of sustaining safely its own weight and the weight of the existing building above, and having a factor of safety as required by the Ontario Building Code. However, the new walls cause nonconformities to City of Hamilton Zoning By-law No. 6593 by impeding a number of existing parking spaces or the required maneuvering area for said spaces thereby rendering them unusable to residents. The impact and relief requested is described below.

**Background & Zoning Requirements**

The Subject Lands are zoned High Density Multiple Dwellings "E-3/S-332" in the City of Hamilton Zoning By-law No. 6593 and are subject to OMB Decisions PL170904 and PL170903. The zoning compliance of the Subject Lands based on the completion of the required structural walls is outlined in Table 1 below.

Table 1. Zoning Conformity to City of Hamilton Zoning By-law No. 6593

High Density Multiple Dwellings "E-3/S-332" District – Hamilton By-law No. 6593			
Requirement per PL170904 & PL170903		Condition After Construction of Structural Walls	
0.68 spaces/unit	177 spaces*	0.63 spaces/unit	163 spaces*
*Calculated based on 260 dwelling units as permitted by the OMB Decisions.			

In order to facilitate the construction of the structural walls in the parking garage, the following variance is required:

Variance No. 1: Parking at a rate of 0.63 spaces per dwelling unit shall be provided, instead of the minimum required parking ratio of 0.68 spaces per dwelling unit.

### Analysis

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

1. Does the minor variance maintain the general intent and purpose of the Official Plan?
2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?
3. Is the minor variance desirable and appropriate for the lands?
4. Is the requested variance minor in nature?

The analysis that follows demonstrates how the requested variance satisfies the four tests:

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The Subject Lands are designated Downtown Urban Growth Centre on Schedule E – Urban Structure and Downtown Mixed Use Area on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP).

The purpose of the requested variance is to recognize that the parking supply available after construction of the shear walls in the underground parking garage will not meet that which is required by the applicable Zoning By-law. Section E.2.3.1.16 of the UHOP provides a policy goal that “Reduced parking requirements shall be considered to encourage a broader range of uses and densities and to support transit”. Moreover, Section E.4.4.14 states that “Reduced parking requirements shall be considered in recognition of the high level of transit service to the area designated Downtown Mixed Use”. With these policy objectives in mind, the required variance for the reduced parking ratio would facilitate the required construction of the shear walls while maintaining a sufficient supply of parking for the existing multiple dwelling within these designations. Therefore, the proposed variance maintains the general intent and purpose of the Official Plan.

2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?

The general intent and purpose of the parking provisions of the Zoning By-law are to provide adequate parking for residents and visitors. The requested variance represents a minor decrease to the required parking and therefore maintains the general intent of the zoning.

Moreover, while the City of Hamilton Zoning By-law No. 05-200 does not currently apply to the Subject Lands as the Residential Zones have not yet been incorporated in the new comprehensive by-law, the test

to evaluate whether the minor variance maintains the general intent and purpose of the Zoning By-law should consider the requirements of this newer by-law as its purpose is to implement the policies of the current UHOP and better represents modern planning principles. Table 2 below describes the conformity of the proposed variance to City of Hamilton Zoning By-law No. 05-200:

Table 2. Zoning Conformity to City of Hamilton Zoning By-law No. 05-200

<b>City of Hamilton By-law No. 05-200 – Section 5.6: Parking Requirements for Downtown Zones</b>		
Description	Required Ratio	Required No. of Spaces
i) Dwelling units less than 50 square metres in GFA		
Units 1-12	0 per unit x 12 units	0
Units 13+	0.3 per unit x 55 units	16
	<b>Subtotal =</b>	<b>16</b>
ii) Dwelling units greater than 50.0 square metres in GFA		
Units 1-12	0 per unit x 12 units	0
Units 13-50	0.5 per unit x 38 units	19
Units 51+	0.7 per unit x 108 units	75
	<b>Subtotal =</b>	<b>94</b>
iii) Units with 3 or more bedrooms		
Units 1-12	0 per unit x 12 units	0
Units 13+	0.3 per unit x 23 unit	6
	<b>Total =</b>	<b>116</b>

The above analysis demonstrates that the requested variance maintains the general intent and purpose of the Zoning By-law as the supply exceeds the requirement under the new City of Hamilton Zoning By-law No. 05-200 which is more in keeping with modern planning standards than the provisions of City of Hamilton Zoning By-law No. 6593.

3. Is the minor variance desirable and appropriate for the lands?

The requested variance is desirable and appropriate for the lands because it will maintain an adequate parking supply for the existing multiple dwelling that is located in a walkable area of Downtown Hamilton area in close proximity to transit. Moreover, the minor variance is desirable to ensure the adequate structural repair of the underground parking garage in a manner that is required by the Ontario Building Code.

4. Is the requested variance minor in nature?

The requested variance is minor in nature, as demonstrated by the analysis of the proposed parking supply against the City of Hamilton Zoning By-law No. 05-200. The requested variance represents an over supply of parking in comparison to the modern parking requirements of the City of Hamilton Zoning By-law No. 05-200 that are being applied elsewhere across the City, including directly adjacent to the Subject Lands. In addition, the Subject Lands are located in the Downtown Area in close proximity to a diversity of land uses and transit services. For these reasons, the proposed reduction in the parking requirement for the Subject Lands is considered minor.



2140 King St. E., Hamilton, ON, L8K 1W6  
905 547 5056  
info@valeryhomes.com  
valerygroup.com

In support of these applications, please find the following materials enclosed:

- Application Form;
- Site Plan;
- Undergrounding Parking Plans; and,
- Cheque in the amount of **\$3,465.00** made payable to the City of Hamilton for the application fee.

I trust the enclosed is in order; however, please feel free to contact the undersigned with any questions or comments.

Kind Regards,

A handwritten signature in black ink that reads 'A Lindsay'.

Amber Lindsay, M.B.  
2837505 Ontario Inc.  
c/o Valery Homes



Hamilton

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>			
<b>Applicant(s)</b>			Phone: E-mail:
<b>Agent or Solicitor</b>			Phone: E-mail:

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			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		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:

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

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

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

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):

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.):

---

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

---

**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)

---

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

---

7.4 Length of time the existing uses of the subject property have continued:

---

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) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? \_\_\_\_\_

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:328</b>	<b>SUBJECT PROPERTY:</b>	43 Holly Ave, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Delfim Manuel Faria  
Agent: Bruno Lopes

The following variances are requested:

1. The front yard landscaped area shall be a minimum of 25.0% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

**PURPOSE & EFFECT:** To permit the construction of a new two (2) storey addition in the rear yard and second storey addition onto the existing single-family dwelling.

**Notes:**

- i. A Residential Boulevard Parking Agreement with the Hamilton Municipal Parking Authority may be required for the parking space shown to encroach on the Holly Avenue road allowance.
- ii. Please be advised that as the proposed addition(s) are maintaining the legal non-complying yard setbacks of the existing dwelling, the requested variances for reduced front and side yards are not required.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

HM/A-22:328

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

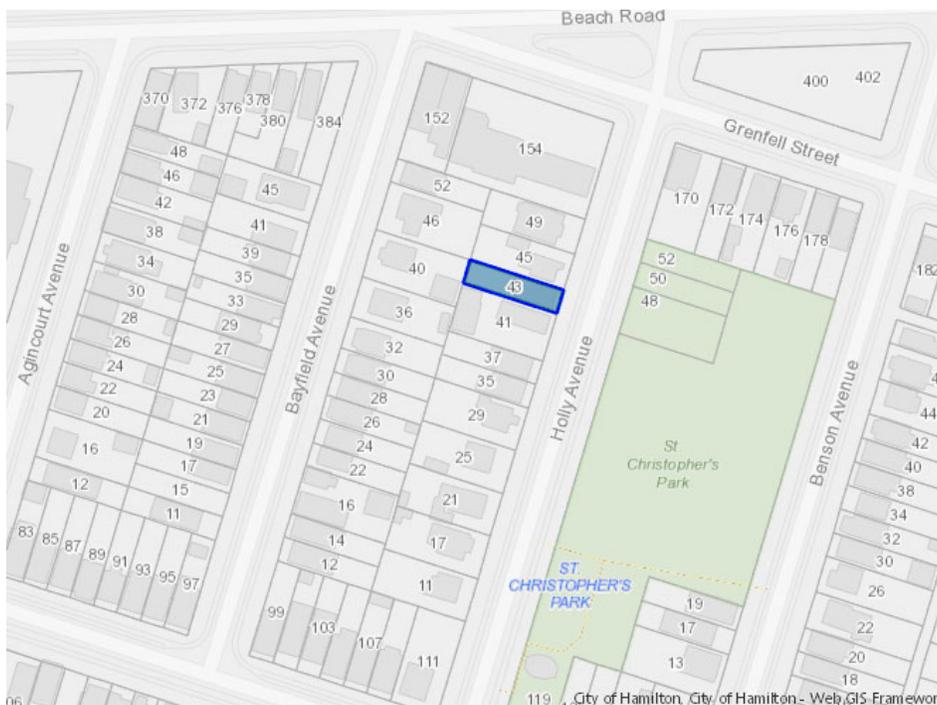
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## PUBLIC INPUT

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

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



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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



SEE SURVEY BY O.L.S. FOR VERIFICATION SURVEY INFORMATION TAKEN FROM SURVEYOR'S REAL PROPERTY REPORT

PART 1  
PLAN OF PART OF LOT 185  
REGISTERED PLAN 505  
CITY OF HAMILTON

AS PREPARED :  
KAD LANKA SURVEYING INC.  
ONTARIO LAND SURVEYOR  
DATED: MAY 4, 2022

MUNICIPALITY AND PROJECT INFORMATION	
PROJECT TYPE AND DESCRIPTION	PROP. SECOND FLOOR ADDITION; PROP. REAR ADDITION; PROP. INTERIOR ALTERATIONS
MUNICIPALITY	HAMILTON
ZONING DESIGNATION	D; HT = 14.0m

LOT SIZE (PROPERTY LINE)	EXISTING (m)
- EAST (FRONT)	7.57
- WEST (REAR)	7.57
- NORTH	30.48
- SOUTH	30.48

SETBACKS	PERMITTED (m)	EXISTING (m)	PROPOSED (m)
FRONT YARD (EAST)	6.0	3.89	3.89
REAR (WEST)	7.5	11.98	6.74
SIDE YARD NORTH	1.2	0.42	0.42
SIDE YARD EAST	1.2	0.79	0.79

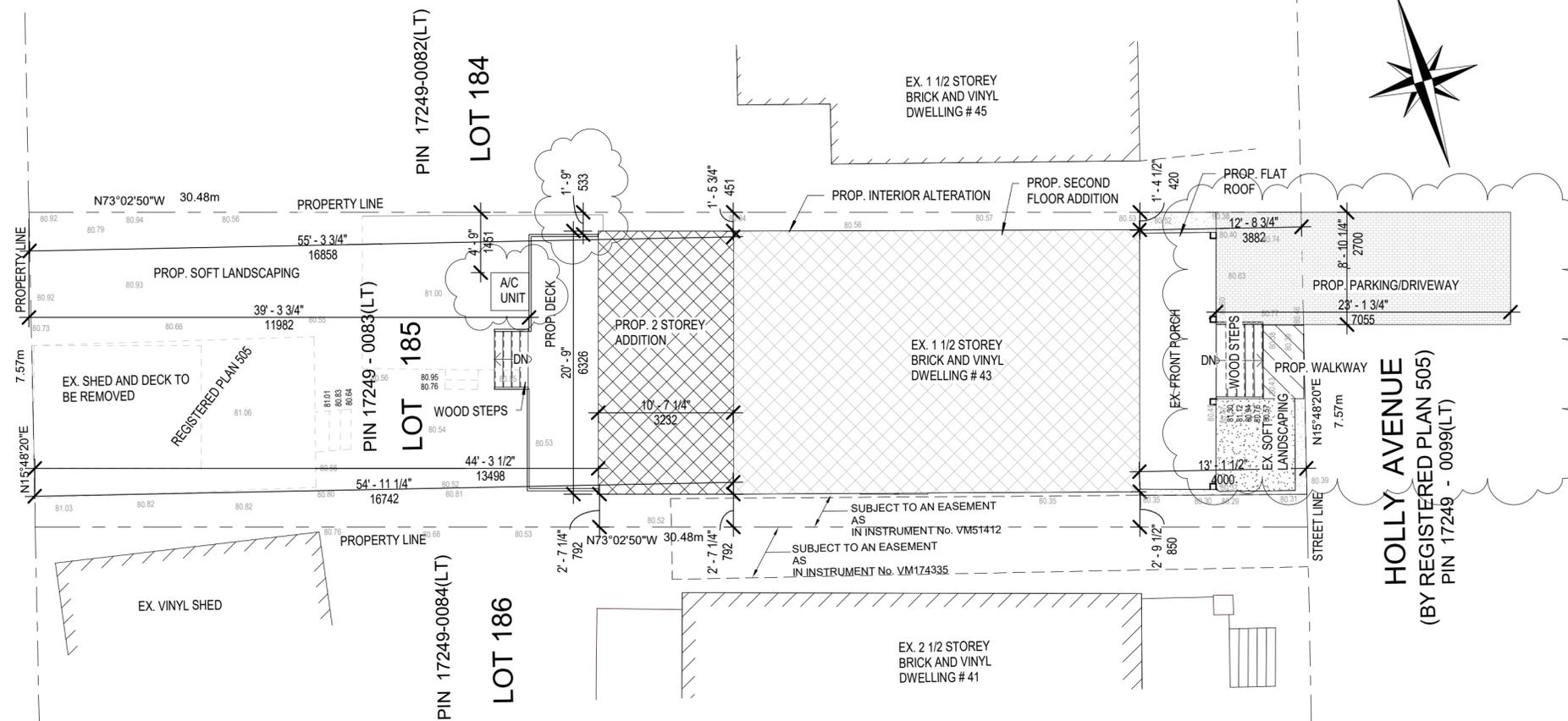
- TOTAL LOT AREA	ft <sup>2</sup>	m <sup>2</sup>
	2483.06	230.684

LANDSCAPING - FRONT	PERMITTED (ft <sup>2</sup> /m <sup>2</sup> )	EXISTING (ft <sup>2</sup> /m <sup>2</sup> )	PROPOSED (ft <sup>2</sup> /m <sup>2</sup> )
- FRONT YARD	N/A	322.84 / 29.99	322.84 / 28.99
- DRIVEWAY AREA	N/A	0.0 / 0.0	61.17 / 5.68
- FRONT YARD W/O DRIVEWAY AREA	N/A	322.84 / 29.99	261.67 / 23.31
- SOFT LANDSCAPING	(50%) 130.84 / 11.55	(45.16%) 118.18 / 10.78	(25.13%) 65.76 / 6.12

GENERAL NOTES:

- NO WORK TO ENCROACH ON ADJOINING PROPERTIES
- SMOKE ALARMS SHALL BE INSTALLED ON EACH STOREY OF A DWELLING UNIT, INCLUDING BASEMENTS O.B.C. 9.10.18.2. [1] [a] [b] and [c]
- CARBON MONOXIDE DETECTORS: IN EACH ROOM THAT CONTAINS A FUEL BURNING APPLIANCE PROVIDE A CARBON MONOXIDE DETECTOR ON OR NEAR THE CEILING EQUIPPED WITH AN ALARM AUDIBLE THROUGHOUT DWELLING UNIT OR INTERCONNECT WITH SMOKE ALARM SO THAT WHEN THE CARBON MONOXIDE DETECTOR IS ACTIVATED, IT WILL ACTIVATE THE SMOKE ALARM AS PER O.B.C. 9.33.4.1.[1] AND AS PER O.B.C. 9.33.4.2.[1] [2] AND [4]
- EXCAVATION NOTES: EXCAVATION AND / OR CONSTRUCTION ON ADJACENT PROPERTIES REQUIRES THE CONSENT OF AFFECTED PROPERTY OWNER(S).
- EVERY EXCAVATION SHALL BE UNDERTAKEN IN A MANNER AS TO PREVENT MOVEMENT WHICH WOULD CAUSE DAMAGE TO ADJACENT PROPERTY. EXISTING STRUCTURES, UTILITIES, ROADS AND SIDEWALKS AT ALL STAGES OF CONSTRUCTION.
- MIN. SOIL BEARING CAPACITY 75KPa. SOIL IS NOT PEAT, FILL OR SENSITIVE CLAY. THE DISTANCE BETWEEN THE BOTTOM OF FOOTINGS AND THE WATER TABLE IS EQUAL TO OR GREATER THAN THE WIDTH OF THE FOOTGS.
- WHERE THE DEPTH OF EXCAVATION EXCEEDS 4'-0", EXCAVATE AT 45° ANGLE OR IN ACCORDANCE WITH APPROVED SHORING DETAILS. STRUCTURE IS NOT LOCATED ON GROUNDS HAVING A SLOPE STEEPER THAN 1 VERTICAL TO 2 HORIZONTAL.
- SURFACE DRAINAGE SHALL NOT BE DISCHARGED DIRECTLY OR INDIRECTLY ONTO A SIDEWALK, DRIVEWAY, STAIRWAY OR AN ADJOINING PROPERTY.
- TREES ON PRIVATE PROPERTY NO PERSON SHALL WITHIN THE CITY'S BOUNDARIES, INJURE OR DESTROY ANY TREE HAVING A DIAMETER OF 30 cm ( 12 INCHES ) OR MORE, MEASURED AT 1.4 m (4'-7") ABOVE GROUND LEVEL UNLESS SO AUTHORIZED BY PERMIT FROM THE COMMISSIONER OF PARKS AND RECREATION. PER MUNICIPAL CODE CHAPTER 331.

	PERMITTED		EXISTING		PROPOSED	
	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>	ft <sup>2</sup>	m <sup>2</sup>
- LOT COVERAGE	N/A		26.63%		35.53%	
- FLOOR SPACE INDEX	N/A		661.32	61.44	882.12	81.95
- FIRST FLOOR AREA			1322.64	122.88	1764.24	163.90
- SECOND FLOOR AREA						
- NEW TOTAL AREA						



1 Site Plan  
SCALE: 1/8" = 1'-0"

**MXL ENGINEERING & ASSOCIATES, INC.**  
1649 ST. Clair Avenue W, TORONTO ON  
M6N 1H7  
email: permits@mxleng.ca  
website: www.mxleng.ca  
Phone: 647.621.1246

NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE
1	Issued for Zoning	August, 2022	5		
2			6		
3			7		
4			8		

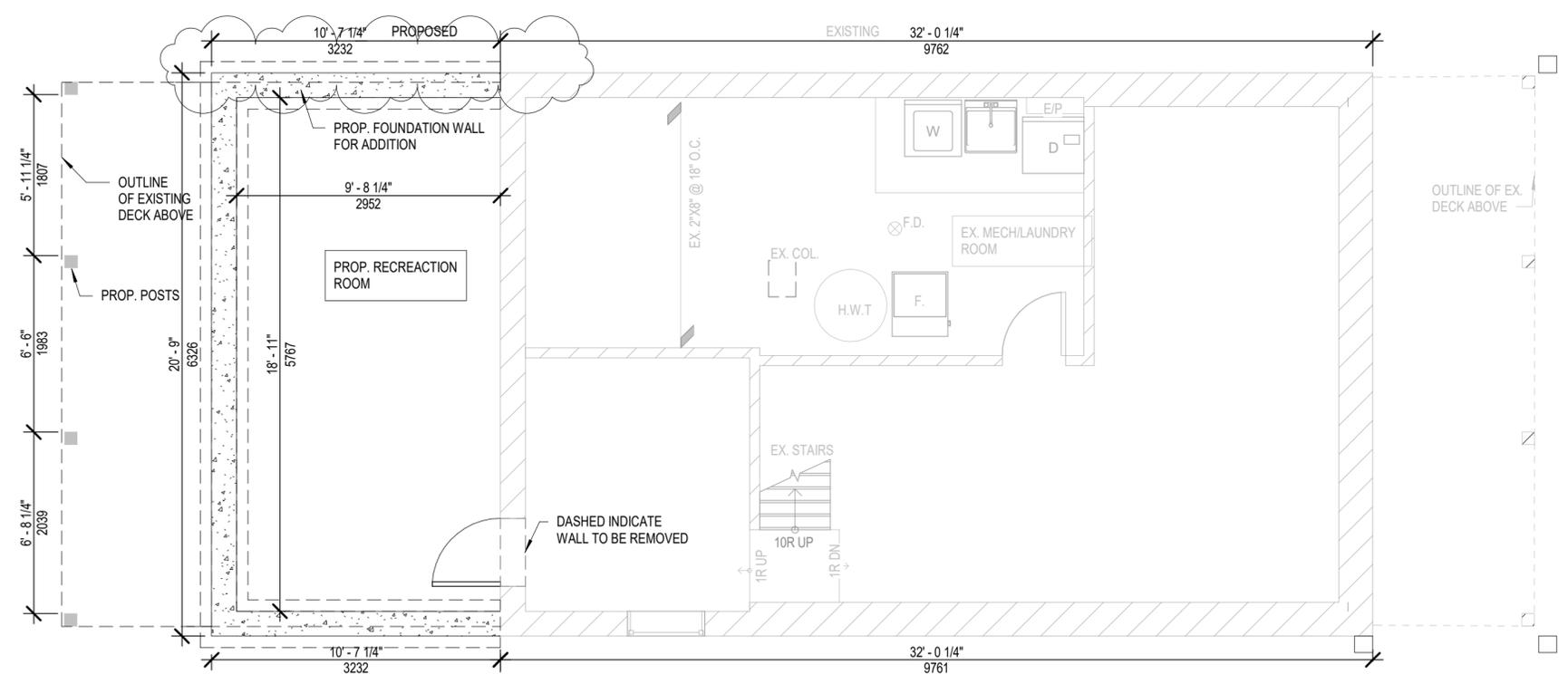
CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK

DRAWN BY Ahadu Tesfaye
REVIEWED BY Igor Kock

PROJECT <b>43 Holly Avenue</b>
TITLE <b>Site Plan</b>

SCALE As indicated
DATE August, 2022
JOB No. 106-1796
DRAWING No. <b>A01.01</b>

- LEGEND**
- S.A. SMOKE ALARM
  - C.M.D. CARBON MONOXIDE DETECTOR
  - M.V. MECHANICAL VENTILATION
  - H.B. HOSE BIB
  - (F.D.) FLOOR DRAIN (INTERIOR)
  - S.B. SOLID BEARING
  - P.L. POINT LOAD
  - EXIST'G WALLS TO REMAIN
  - EXIST'G WALLS TO BE REMOVED
  - COL-1 COLUMN

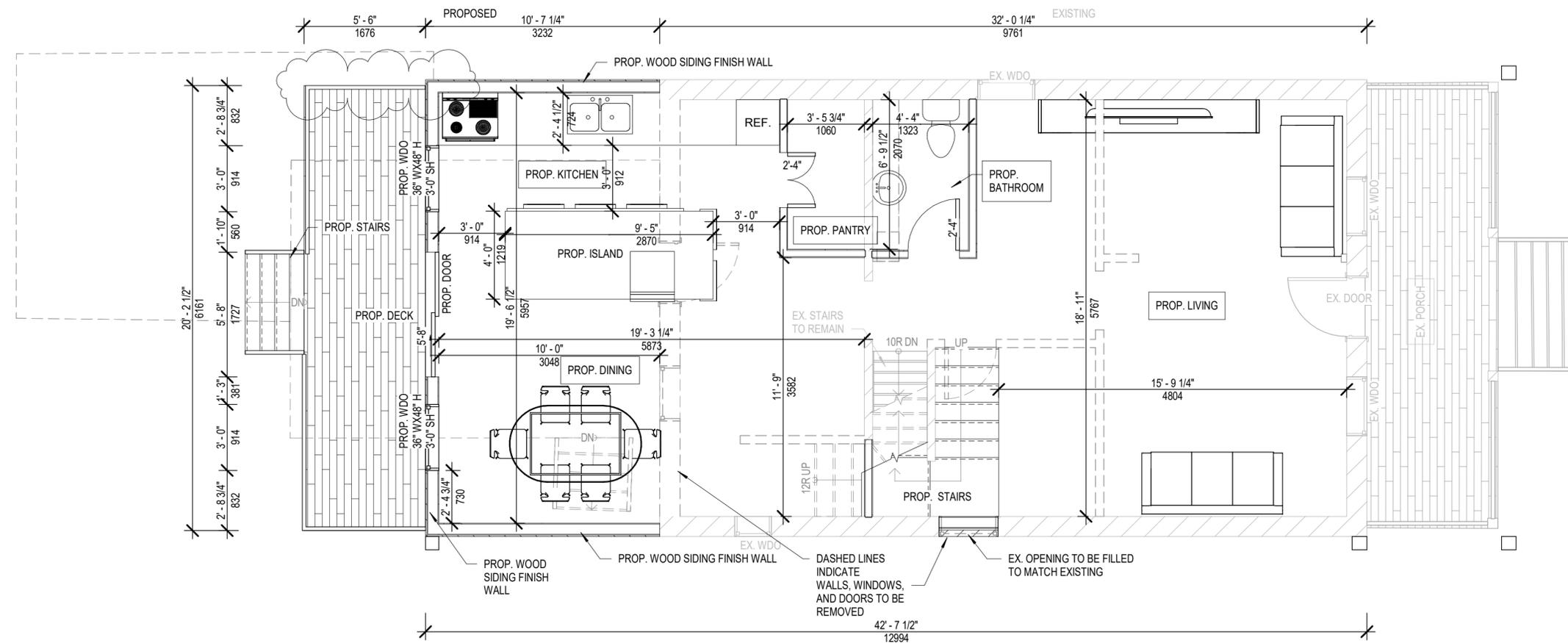


1 **Basement**  
SCALE: 1/4" = 1'-0"

 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK	DRAWN BY Ahadu Tesfaye	PROJECT <b>43 Holly Avenue</b>	SCALE As indicated
	1	Issued for Zoning	August, 2022	5				REVIEWED BY Igor Kock		DATE August, 2022
	2			6					TITLE <b>Basement Plan</b>	JOB No. 106-1796
	3			7					DRAWING No. <b>A02.01</b>	
4			8							

**LEGEND**

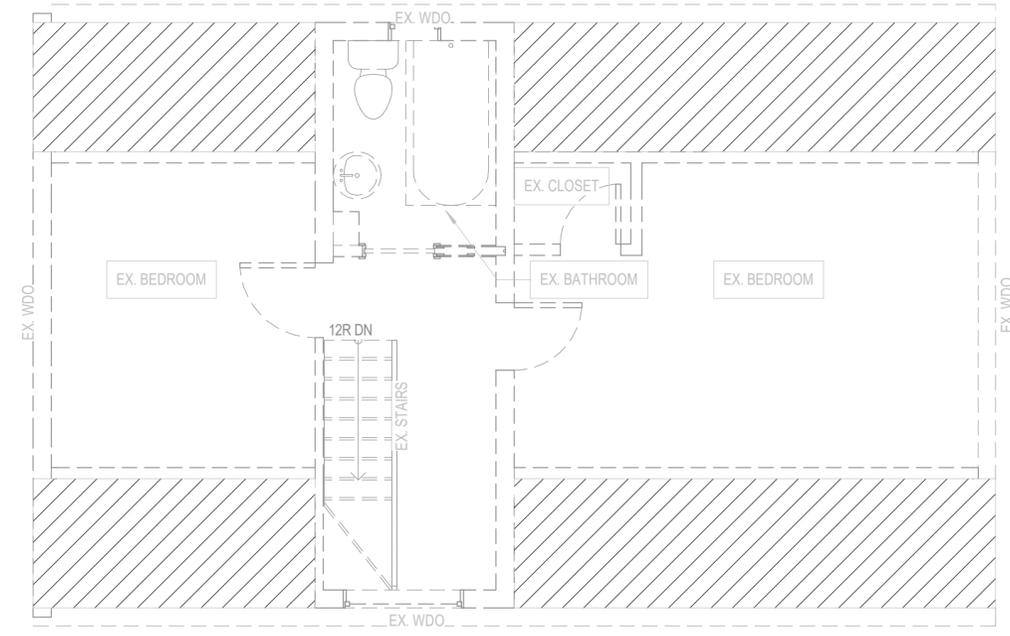
- S.A. SMOKE ALARM
- C.M.D. CARBON MONOXIDE DETECTOR
- M.V. MECHANICAL VENTILATION
- H.B. HOSE BIB
- (F.D.) FLOOR DRAIN (INTERIOR)
- S.B. SOLID BEARING
- P.L. POINT LOAD
- EXIST'G WALLS TO REMAIN
- EXIST'G WALLS TO BE REMOVED
- COL-1 COLUMN



1 First Floor Prop.  
SCALE: 1/4" = 1'-0"

 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK	DRAWN BY	PROJECT  <b>43 Holly Avenue</b>  TITLE <b>First Floor Prop.</b>	SCALE
	1	Issued for Zoning	August, 2022	5				Ahadu Tesfaye		As indicated
	2			6				Igor Kock		August, 2022
	3			7						JOB No. 106-1796
	4			8				DRAWING No. <b>A02.02</b>		

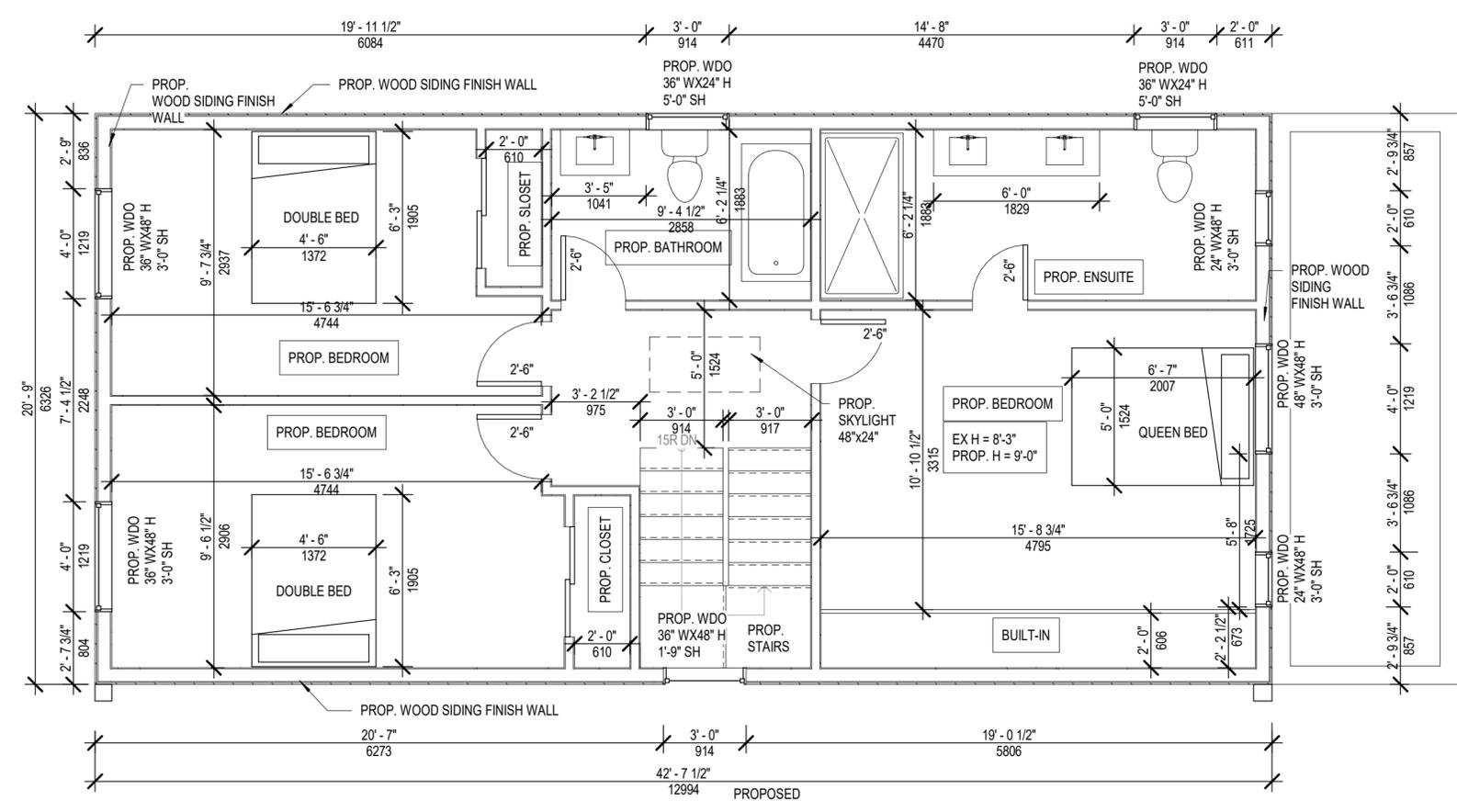
- LEGEND**
- S.A. SMOKE ALARM
  - C.M.D. CARBON MONOXIDE DETECTOR
  - M.V. MECHANICAL VENTILATION
  - H.B. HOSE BIB
  - (F.D.) FLOOR DRAIN (INTERIOR)
  - S.B. SOLID BEARING
  - P.L. POINT LOAD
  - EXIST'G WALLS TO REMAIN
  - EXIST'G WALLS TO BE REMOVED
  - COL-1 COLUMN



1 Second Floor Demo.  
SCALE: 1/4" = 1'-0"

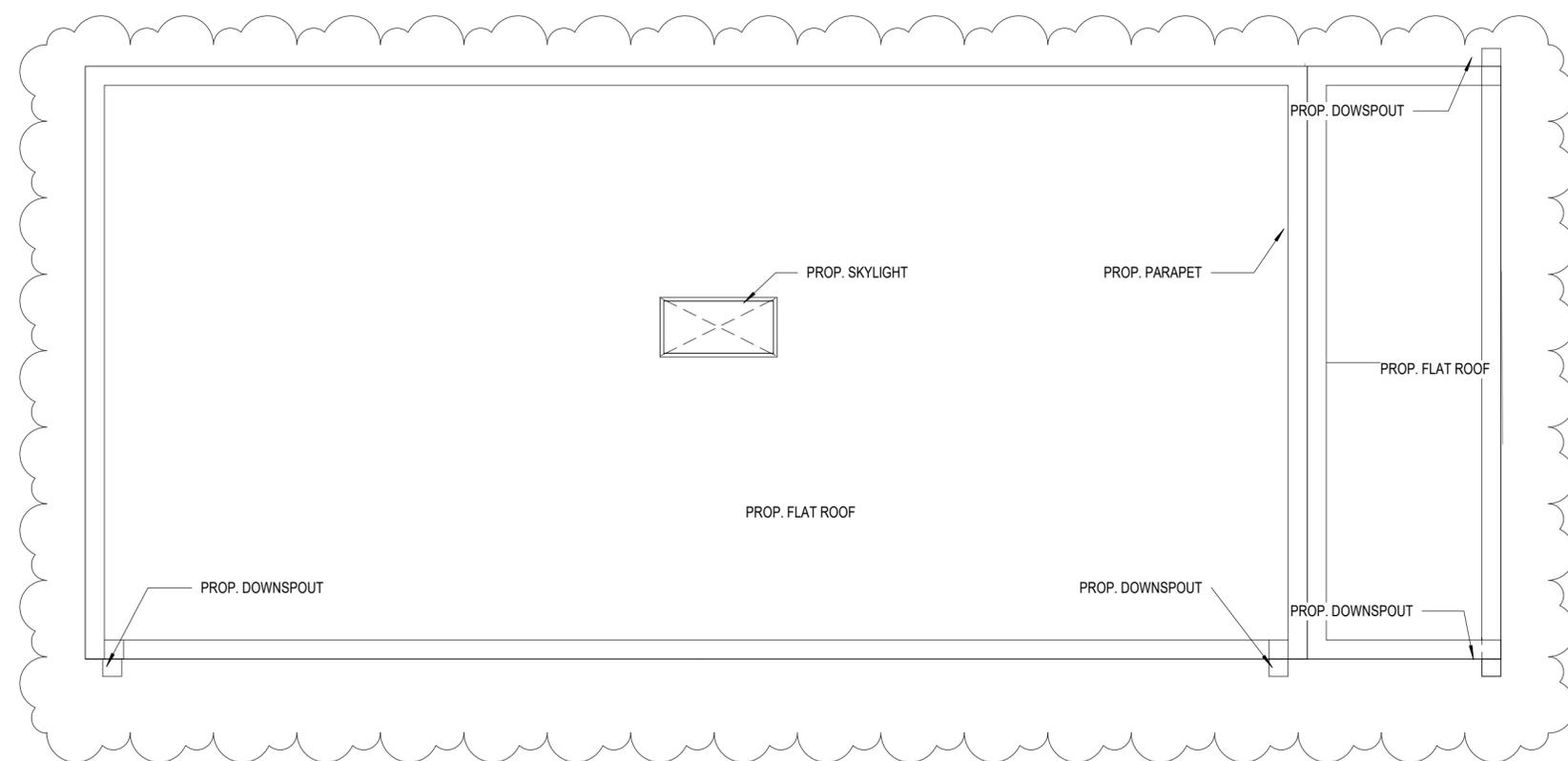
 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	<p>CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK</p>	DRAWN BY Ahadu Tesfaye	<p>PROJECT <b>43 Holly Avenue</b></p>	SCALE As indicated
	1	Issued for Zoning	August, 2022	5				REVIEWED BY Igor Kock		DATE August, 2022
	2			6					TITLE <b>Second Floor Demo.</b>	JOB No. 106-1796
	3			7					DRAWING No. <b>A02.03a</b>	
4			8							

- LEGEND**
- S.A. SMOKE ALARM
  - C.M.D. CARBON MONOXIDE DETECTOR
  - M.V. MECHANICAL VENTILATION
  - H.B. HOSE BIB
  - (F.D.) FLOOR DRAIN (INTERIOR)
  - S.B. SOLID BEARING
  - P.L. POINT LOAD
  - EXIST'G WALLS TO REMAIN
  - EXIST'G WALLS TO BE REMOVED
  - COL-1 COLUMN



1 Second Floor Prop.  
SCALE: 1/4" = 1'-0"

 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK	DRAWN BY	PROJECT	SCALE
	1	Issued for Zoning	August, 2022	5				Ahadu Tesfaye	<h2 style="margin: 0;">43 Holly Avenue</h2>	As indicated
	2			6				Igor Kock		DATE
	3			7					TITLE	JOB No.
	4			8					DRAWING No.	A02.03b



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



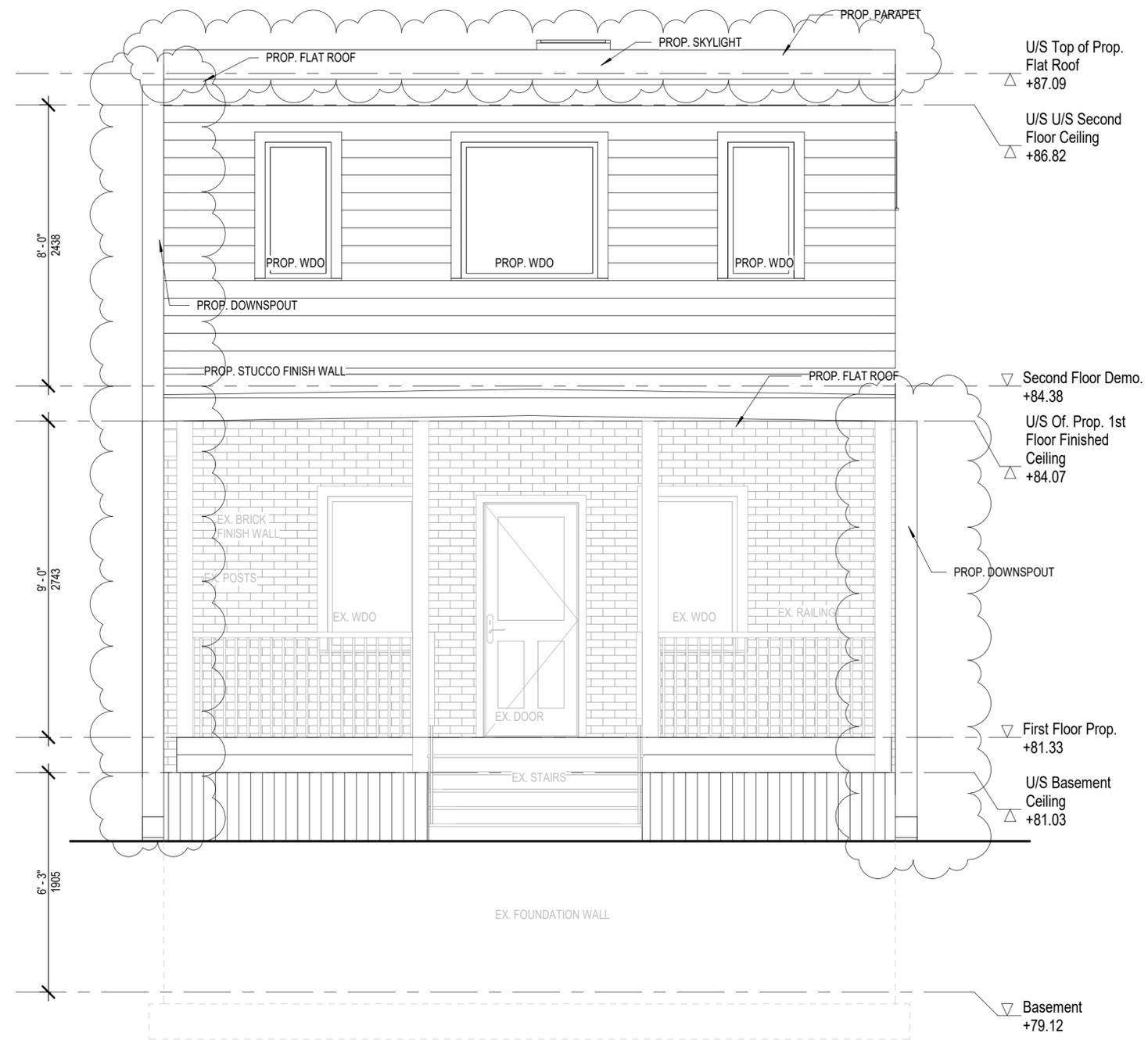
NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE
1	Issued for Zoning	August, 2022	5		
2			6		
3			7		
4			8		

CONTRACTOR MUST  
VERIFY ALL DIMENSIONS  
PRIOR TO  
COMMENCEMENT  
OF WORK

DRAWN BY Ahadu Tesfaye
REVIEWED BY Igor Kock

PROJECT <b>43 Holly Avenue</b>
TITLE <b>Roof Plan</b>

SCALE 1/4" = 1'-0"
DATE August, 2022
JOB No. 106-1796
DRAWING No. <b>A02.04</b>



1 EAST  
SCALE: 3/8" = 1'-0"



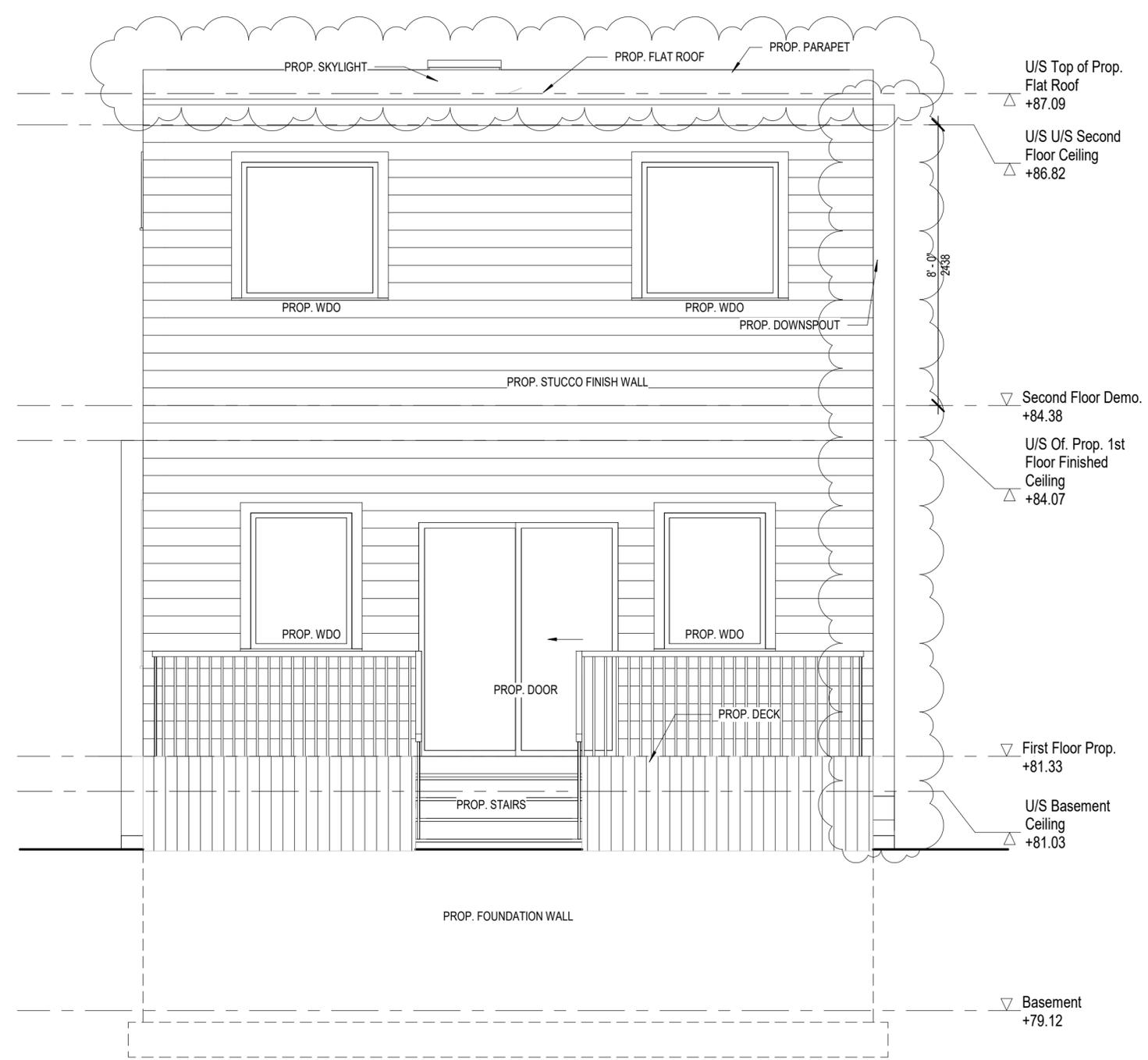
NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE
1	Issued for Zoning	August, 2022	5		
2			6		
3			7		
4			8		

CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK

DRAWN BY  
Ahadu Tesfaye  
REVIEWED BY  
Igor Kock

PROJECT  
**43 Holly Avenue**  
TITLE  
**East (Front) - Elevation**

SCALE  
3/8" = 1'-0"  
DATE  
August, 2022  
JOB No.  
106-1796  
DRAWING No.  
**A03.01a**



1 WEST  
SCALE: 3/8" = 1'-0"



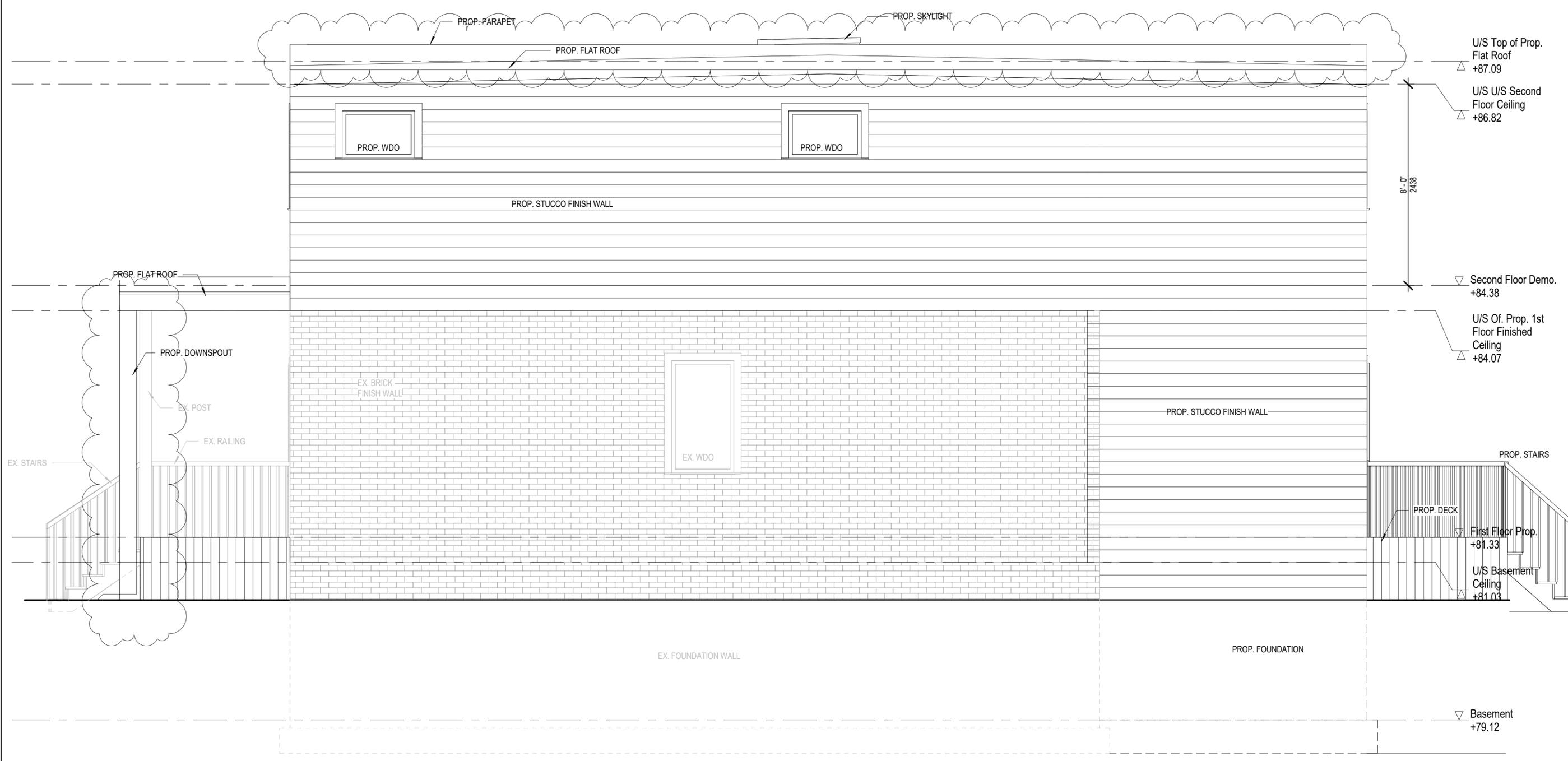
NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE
1	Issued for Zoning	August, 2022	5		
2			6		
3			7		
4			8		

CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK

DRAWN BY  
Ahadu Tesfaye  
REVIEWED BY  
Igor Kock

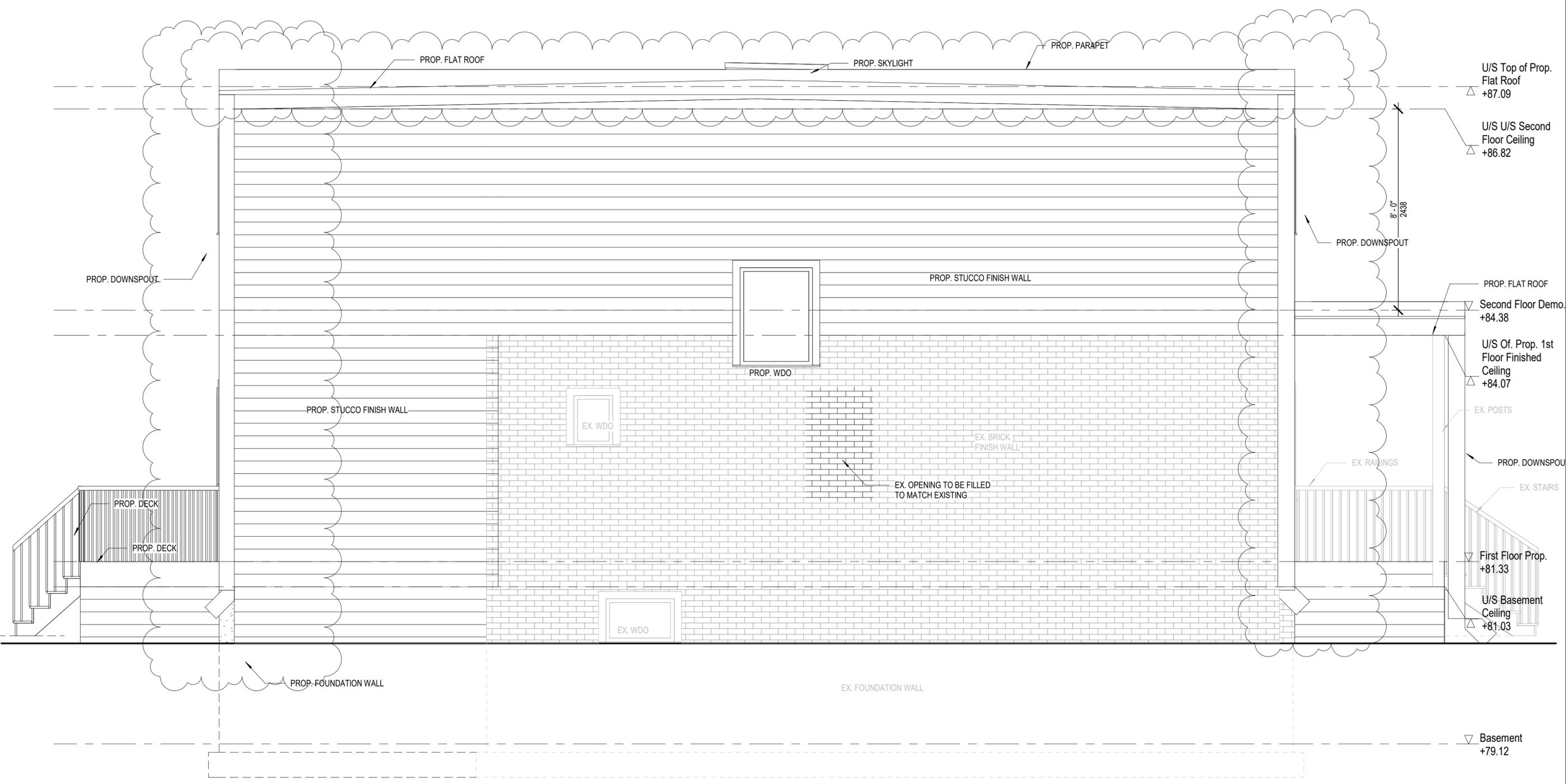
PROJECT  
**43 Holly Avenue**  
TITLE  
**West (Rear) - Elevation**

SCALE 3/8" = 1'-0"  
DATE August, 2022  
JOB No. 106-1796  
DRAWING No. **A03.02a**



1 NORTH  
SCALE: 3/8" = 1'-0"

 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK	DRAWN BY Ahadu Tesfaye	PROJECT <b>43 Holly Avenue</b>	SCALE 3/8" = 1'-0"
	1	Issued for Zoning	August, 2022	5				REVIEWED BY Igor Kock		DATE August, 2022
	2			6				TITLE <b>North - Elevation</b>	JOB No. 106-1796	
	3			7				DRAWING No. <b>A03.03a</b>		
4				8						



1 SOUTH  
SCALE: 3/8" = 1'-0"

 <p>MXL ENGINEERING &amp; ASSOCIATES, INC. 1649 ST. Clair Avenue W, TORONTO ON M6N 1H7 email: permits@mxleng.ca website: www.mxleng.ca Phone: 647.621.1246</p>	NO.	DESCRIPTION OF ISSUE	DATE	NO.	DESCRIPTION OF ISSUE	DATE	CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK	DRAWN BY Ahadu Tesfaye	PROJECT <b>43 Holly Avenue</b>	SCALE 3/8" = 1'-0"
	1	Issued for Zoning	August, 2022	5				REVIEWED BY Igor Kock		DATE August, 2022
	2			6				TITLE <b>South Elevation</b>	JOB No. 106-1796	
	3			7		DRAWING No. <b>A03.04a</b>				
4			8							



Hamilton

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

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)	Delfim Manuel Faria	
Applicant(s)*		
Agent or Solicitor	Bruno Lopes	

**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:

5

**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:

Zoning By-law 6593:10(3)(i) = Min. 6m, Prop. 3.882m; 10(3)(ii) = Min. 1.2m, Prop. 0.42m (North) & 0.792m (South); 18(3)(v) = Min. 0.9m, Prop. 0.42m (North) & 0.792m (South); 18(14) Min. 50%, Prop. 25.13%

- Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

Second storey addition flush with existing first floor exterior walls already encroaching setbacks. Proposed driveway/parking space reduces front yard soft landscaping, existing soft landscaping already less than permitted.

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

Plan 505 Lot 185  
43 Holly Ave

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

DS

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

Yes  No  Unknown

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

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

Oct. 7 2022  
Date

Delfim Faria  
Signature Property Owner(s)

Delfim Manuel Faria  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 7.57m  
 Depth 30.48m  
 Area 230.684m  
 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 = 61.44 sqm.; Gross floor area = 122.88 sqm.; Number of stories = 1; Width = 6.626m; Length = 9.762m

Proposed

Ground floor area = 81.95 sqm.; Gross floor area = 163.90 sqm.; Number of stories = 2; Width = 6.626m; Length = 12.994m

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: 3.89m  
 Rear: 11.98m  
 Side (North): 0.42m  
 Side (South): 0.79m

Proposed:

Front: 3.89m  
 Rear: 6.74m  
 Side (North): 0.42m  
 Side (South): 0.79m

*S*

13. Date of acquisition of subject lands:  
\_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
1935  
\_\_\_\_\_
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.):  
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:  
Neighbourhoods

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
C2 Exception 304

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.

*B*



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:277</b>	<b>SUBJECT PROPERTY:</b>	42 Ray St S, Hamilton
<b>ZONE:</b>	"E" (Multiple Dwellings, Lodges, Clubs and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: QUINN INVESTIGATIONS INC  
Agent: SUITE ADDITIONS INC

The following variances are requested:

1. A minimum lot area of 358.4m<sup>2</sup> and a minimum lot width of 10.5m shall be permitted instead of the minimum lot area of 405.0m<sup>2</sup> and the minimum lot width of 12.0m required for a three-family dwelling.
2. A minimum of 5.8% of the lot area shall be provided and maintained as landscaped area instead of the minimum 25.0% of the lot area required.
3. A minimum manoeuvring aisle width of 3.8m shall be permitted for parking spaces #2, #3 and #4 and no onsite manoeuvring shall be permitted for parking space #1 instead of the minimum 6.0m manoeuvring aisle width required.
4. A minimum parking space size of 2.85m x 5.4m shall be provided for parking space #1 instead of the minimum parking space size of 2.7m x 6.0m required.

**PURPOSE & EFFECT:** To facilitate the establishment of a three-family dwelling within the existing building.

**Notes:**

The revised plan shows the required visitor parking space. The applicant shall ensure that the visitors parking is exclusively designated and properly marked for visitor with proper signage.

Parking is proposed to be accessed via an alleyway to the south. Based on our records, it appears that the alleyway may not be publicly assumed. If the alleyway is privately owned, an Encroachment Agreement and a Maintenance Easement may be required which shall be entered into and registered

**HM/A-22:277**

on title for both the lot upon which the building is encroaching onto and the subject lot.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>1:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

**PUBLIC INPUT**

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

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

HM/A-22:277



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

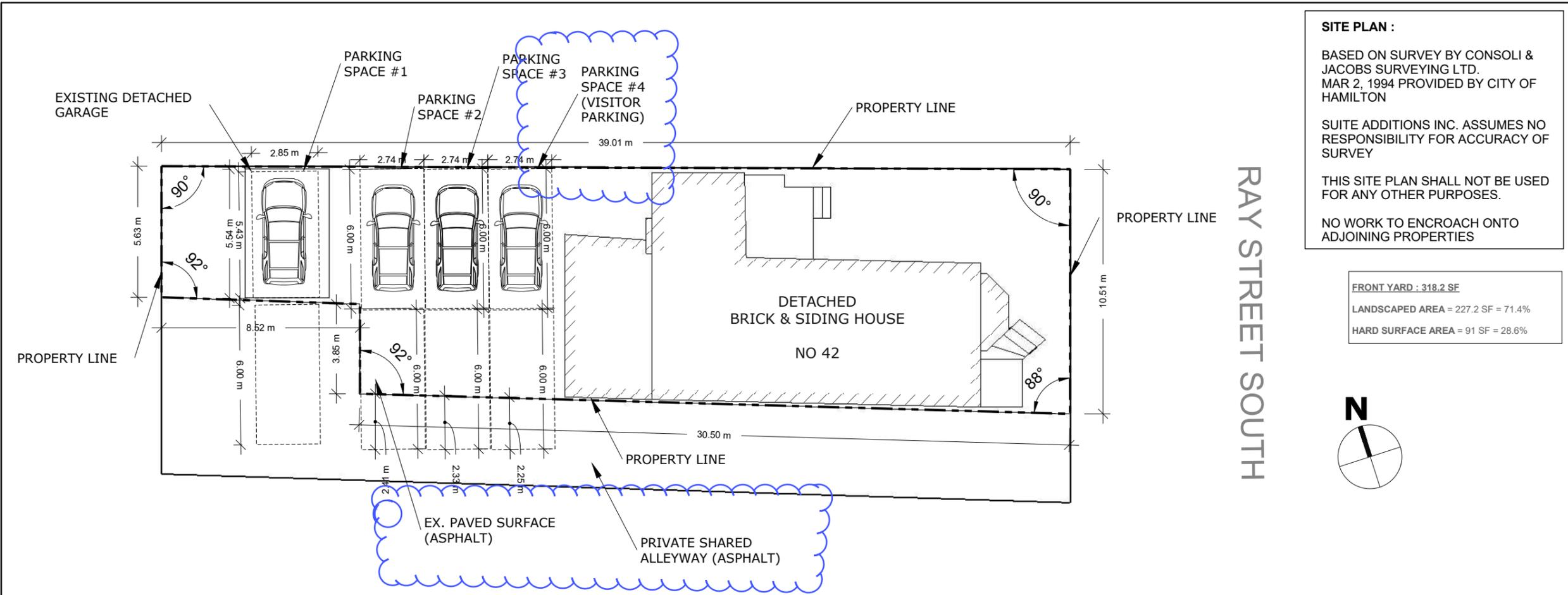
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



**SITE PLAN :**  
 BASED ON SURVEY BY CONSOLI & JACOBS SURVEYING LTD. MAR 2, 1994 PROVIDED BY CITY OF HAMILTON  
 SUITE ADDITIONS INC. ASSUMES NO RESPONSIBILITY FOR ACCURACY OF SURVEY  
 THIS SITE PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSES.  
 NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

FRONT YARD : 318.2 SF  
 LANDSCAPED AREA = 227.2 SF = 71.4%  
 HARD SURFACE AREA = 91 SF = 28.6%



**SUITE ADDITIONS INC.**  
 3-2375 Brimley Rd, Suite 807  
 Toronto, ON, M1S 3L6  
 Tel: 416-525-2628  
 Email: contact@suiteadditions.com

Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer

*Andy Tran*  
 Andy Tran - Signature  
 Individual BCIN: 102774  
 Firm: Suite Additions Inc.  
 Firm BCIN: 102497

**SITE PLAN**

SCALE: 1:192

1  
 SP1.01

**SITE INFORMATION & STATISTICS:**

<b>ADDRESS</b>	42 RAY STREET SOUTH, HAMILTON, ON, L8P 3V3		
<b>NEIGHBOURHOOD</b>			
<b>LOT NUMBER</b>			
<b>PLAN NUMBER</b>			
<b>ZONING TYPE</b>	E		
<b>LOT AREA</b>	358.43m <sup>2</sup>		
<b>LOT FRONTAGE</b>	10.51m		
<b>DESCRIPTION</b>			
<b>FLOOR AREAS</b>	<b>ALLOWED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
<b>BASEMENT</b>	-	127.43m <sup>2</sup>	NO CHANGE
<b>MAIN FLOOR</b>	-	127.43m <sup>2</sup>	NO CHANGE
<b>SECOND FLOOR</b>	-	103.60m <sup>2</sup>	NO CHANGE
<b>THIRD FLOOR</b>	-	15.93m <sup>2</sup>	NO CHANGE
<b>SETBACKS</b>			
<b>SIDE (N)</b>	-	0.29m	NO CHANGE
<b>FRONT (E)</b>	-	3.09m	NO CHANGE
<b>SIDE (S)</b>	-	0m	NO CHANGE
<b>BACK (W)</b>	-	6.65m	NO CHANGE

**GENERAL NOTES:**

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSION ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSION MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. ANY INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFORM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCED NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR.
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.
13. EXISTING DRAINAGE PATTERNS TO REMAIN.

**DRAWING LIST:**

- SP1.01 - SITE PLAN, SITE STATISTICS AND DRAWING LIST
- A1.01 - EXISTING BASEMENT PLAN
- A1.02 - EXISTING MAIN LEVEL PLAN
- A1.03 - EXISTING SECOND LEVEL PLAN
- A1.04 - EXISTING THIRD LEVEL PLAN
- A1.05 - PROPOSED BASEMENT PLAN
- A1.06 - PROPOSED MAIN LEVEL PLAN
- A1.07 - PROPOSED SECOND LEVEL PLAN
- A1.08 - PROPOSED THIRD LEVEL PLAN
- A1.09 - CROSS SECTION
- A1.10 - DOOR SCHEDULE, WALL SCHEDULE & FIRE SEPARATION
- A2.01 - NORTH ELEVATION
- A2.02 - EAST ELEVATION
- A2.03 - SOUTH ELEVATION
- A2.04 - WEST ELEVATION
- A3.02 - FIRE RESISTANCE RATING DETAILS
- A3.03 - EGRESS WINDOW DETAILS
- A0.01 - CONSTRUCTION SPECS
- A0.02 - CONSTRUCTION SPECS
- A0.03 - CONSTRUCTION SPECS

**PROJECT:**  
 2 FAMILY TO 3 FAMILY DWELLING CONVERSION

**ADDRESS:**  
 42 RAY STREET SOUTH, HAMILTON, ON, L8P 3V3

**CLIENT:** ELLIE QUINN  
**DRAWN BY:** ANDY TRAN / BOBBY POULSEN

**ISSUE DATE:** 5 AUG, 2022  
**RE-ISSUE DATE:** 4 OCT, 2022

**DESCRIPTION:**  
 SITE PLAN, SITE STATISTICS AND DRAWING LIST

**SCALE:** 1:192

**DRAWING NO:**  
**SP1.01**

**EXISTING STRUCTURE NOTE:**  
 OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK

**BUILDING CODE COMPLIANCE NOTE:**  
 THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE OBC AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS



Andy Tran - Suite Additions Inc.  
3-2375 Brimley Road, suite 807., Scarborough, ON M1S 3L6  
contact@suiteadditions.com  
[www.suiteadditions.com](http://www.suiteadditions.com)  
416-525-2628

Oct 4th, 2022

Dear Sir/Madam:

RE: HM/A-22:277 – 42 Ray Street South, Hamilton

I would like to submit an application for recirculation for file HM/A-22:277 – 42 Ray Street South, Hamilton for November 3rd.

The hearing was originally scheduled for September 22nd, and was tabled due to insufficient documentation, which has been clarified by planner Joe Buordolone.

There are no changes to the minor variance application.

Sincerely,

A handwritten signature in blue ink that reads "Andy Tran". The signature is written in a cursive, flowing style.

Andy Tran - Agent for homeowners of 42 Ray Street South, Hamilton

**Committee of Adjustment**

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



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

**FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

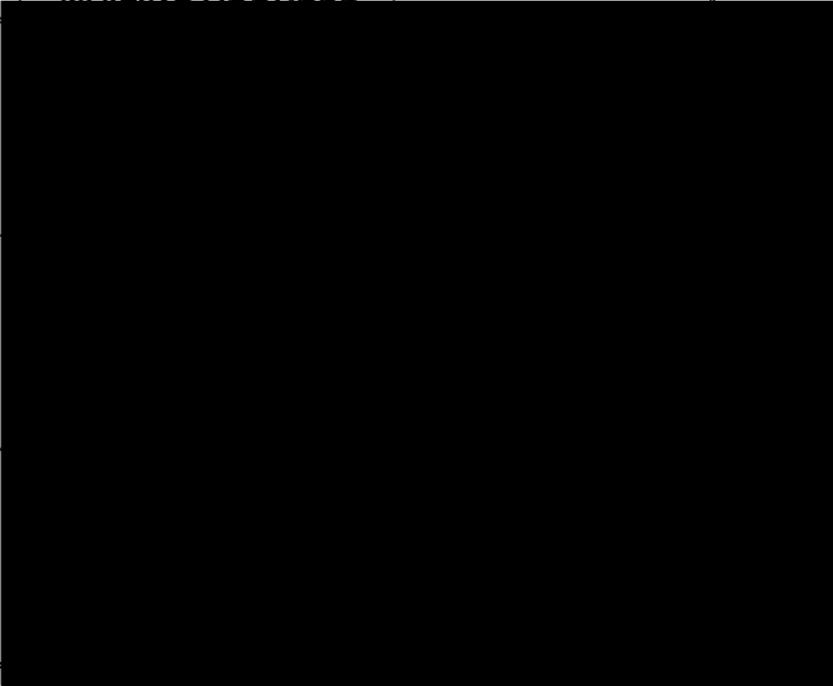
PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S SIGNATURE \_\_\_\_\_

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	Quinn Investigations Inc.	
<b>Applicant(s)*</b>	RICHARD QUINN for Quinn Investigations Inc.	
<b>Agent or Solicitor</b>	ANDY TRAN SUITE ADDITIONS INC.	

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

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

The Bank of Nova Scotia (overdraft)  
40 King St. W., First Mezzanine South  
Toronto, ON  
M5W 2X6

**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:

- Rear maneuvering to be off-site for 4 rear parking spaces (3 + 1 visitor) onto private shared alleyway (house being converted from 2 to 3 units)  
 - Parking space inside garage is 5.43m instead of required 6.0m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

- Section 18A requires rear maneuvering to be 6.0m long onsite. A portion of the rear maneuvering will be on the alleyway - existing condition  
 - Existing garage has 5.43m available - existing condition

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

42 RAY STREET SOUTH, HAMILTON, ON, L8P 3V3

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

Other \_\_\_\_\_

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

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

Yes  No  Unknown

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

PROPERTY IN EXISTENCE AS RESIDENTIAL PROPERTY FOR OVER 100 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.

August 16, 2022  
Date

  
Signature Property Owner(s)  
Quinn Investigations Inc.  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	10.51 m
Depth	39.01 m
Area	358.43 m2
Width of street	UNKNOWN

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

Existing: \_

GROUND FLOOR AREA = 127.43 m2  
GROSS FLOOR AREA = 246.96 m2  
ONE STOREY = 5.79 m WIDE, 18.98 m DEEP, 10.96 m HIGH

Proposed

NO CHANGES

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

Existing:

(E) FRONT SETBACK - 3.79 m  
(S) SIDE SETBACK - 0.3 m  
(W) REAR SETBACK - 17.39 m  
(N) SIDE SETBACK - 0.4 m

Proposed:

NO CHANGES

13. Date of acquisition of subject lands:  
NOV 4th, 1997
- 
14. Date of construction of all buildings and structures on subject lands:  
APPROXIMATELY 1900
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
TWO FAMILY DWELLING
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE AND MULTI FAMILY DWELLINGS
- 
17. Length of time the existing uses of the subject property have continued:  
30 years +
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water YES Connected YES  
Sanitary Sewer YES Connected YES  
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:  
NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
E - MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.
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)  
LEGAL LETTER INDICATING ACCESS TO PRIVATE ALLEYWAY PROVIDED
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:323</b>	<b>SUBJECT PROPERTY:</b>	112 Kent St, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential – One- and Two-Family Dwellings, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:**      Owner: Lisa Boyce  
                                 Agent: George Sweetman

The following variances are requested:

1. A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, shall be permitted to project the entirety of the front yard and a 0.0 metre setback from the front lot line instead of the required front yard projection not more than 3.0 metres and distant from the front lot line not more than 1.5 metres.

**PURPOSE & EFFECT:**      So as to permit the construction of a roof over the existing porch within the front yard of the existing Single-Family Dwelling notwithstanding that:

**Notes:**

- i) Note, the applicant has requested a variance to permit an increased front yard projection of 4.72m from 3.0m and a front lot line setback of 1.28m from 1.5m to permit the construction of the proposed roof over the existing porch. Be advised that the existing staircase providing access to the porch is considered part of the structure and shall adhere to the same provisions of the porch under Section 18(3)(vi)(d) for lot front yard projections and setbacks to the lot line. As such, the variance has been altered to include the setback and projection requirements for the front steps.
- ii) Insufficient information has been provided to determine the percentage of front yard landscaping. Based on the information provided, the construction of the porch roof does not appear to lead to further non-compliance regarding Front Yard Landscaping under Section 18(14)(i). Should the proposed work alter the existing footprint of the porch in the front yard and lead to further reduction of the front yard landscaping, additional variances may be required.

**HM/A-22:323**

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

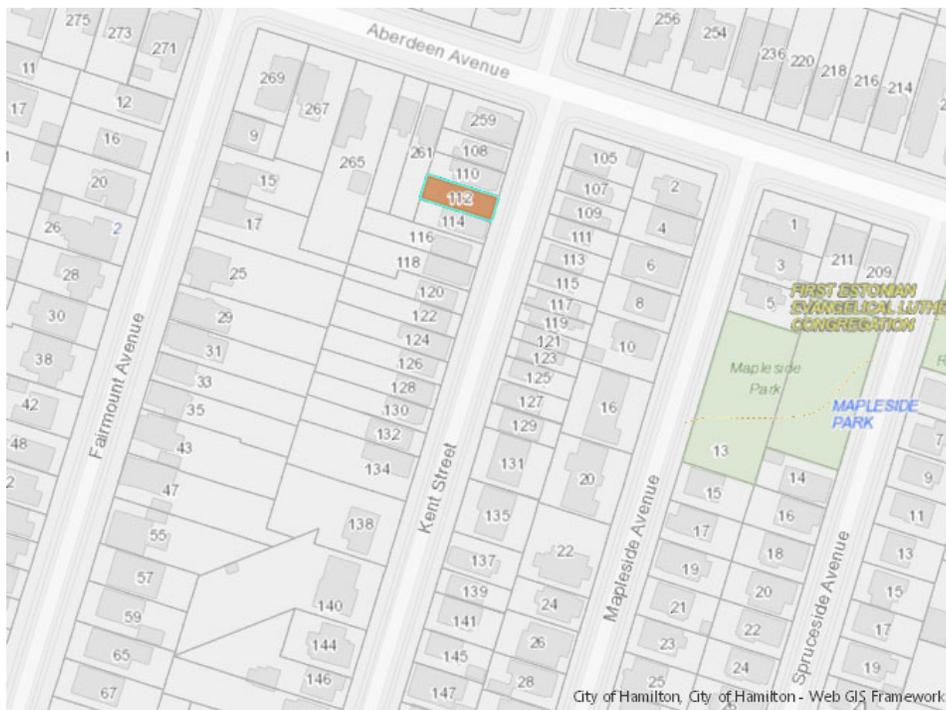
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**PUBLIC INPUT**

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

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

HM/A-22:323



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

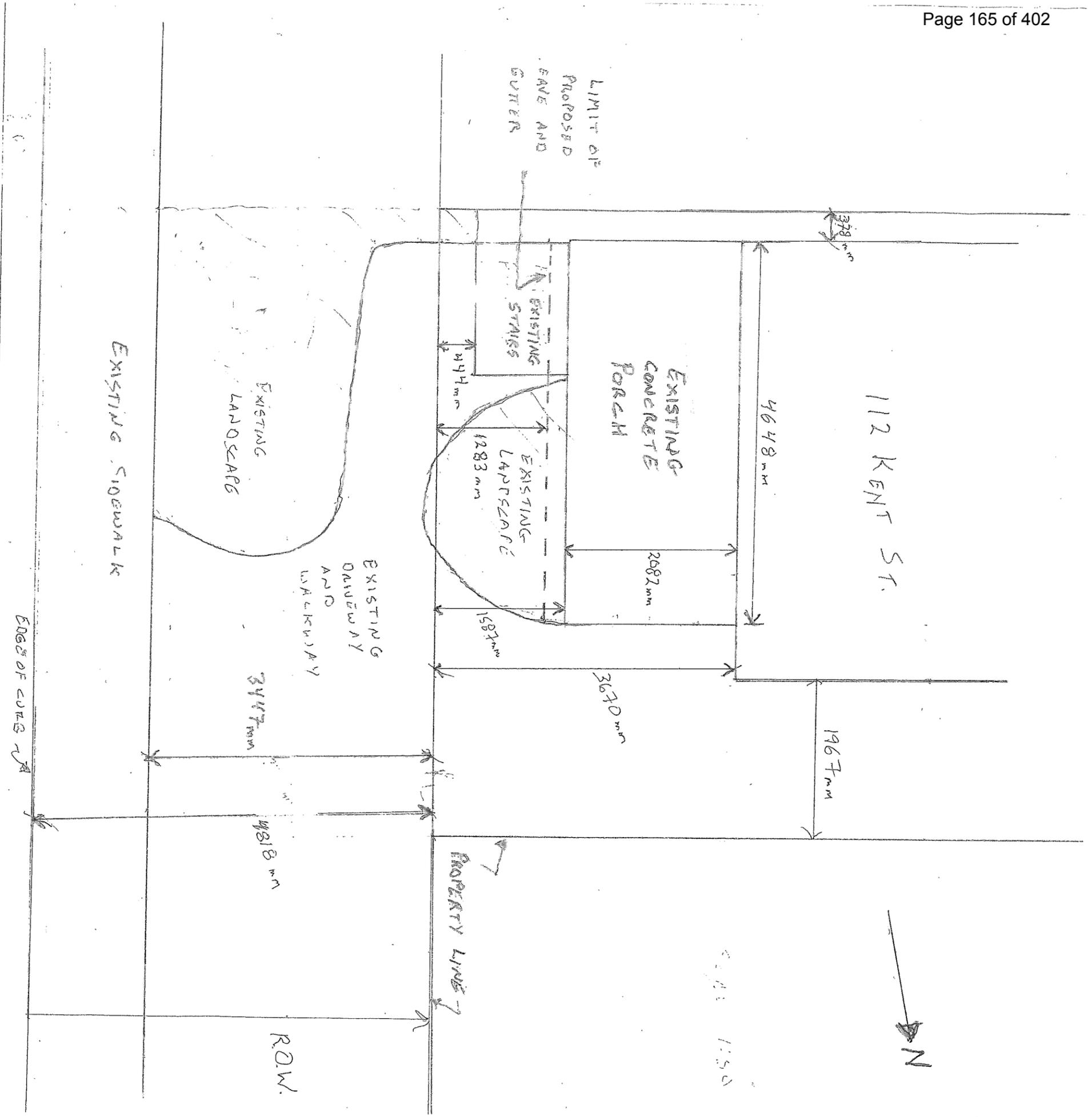
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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

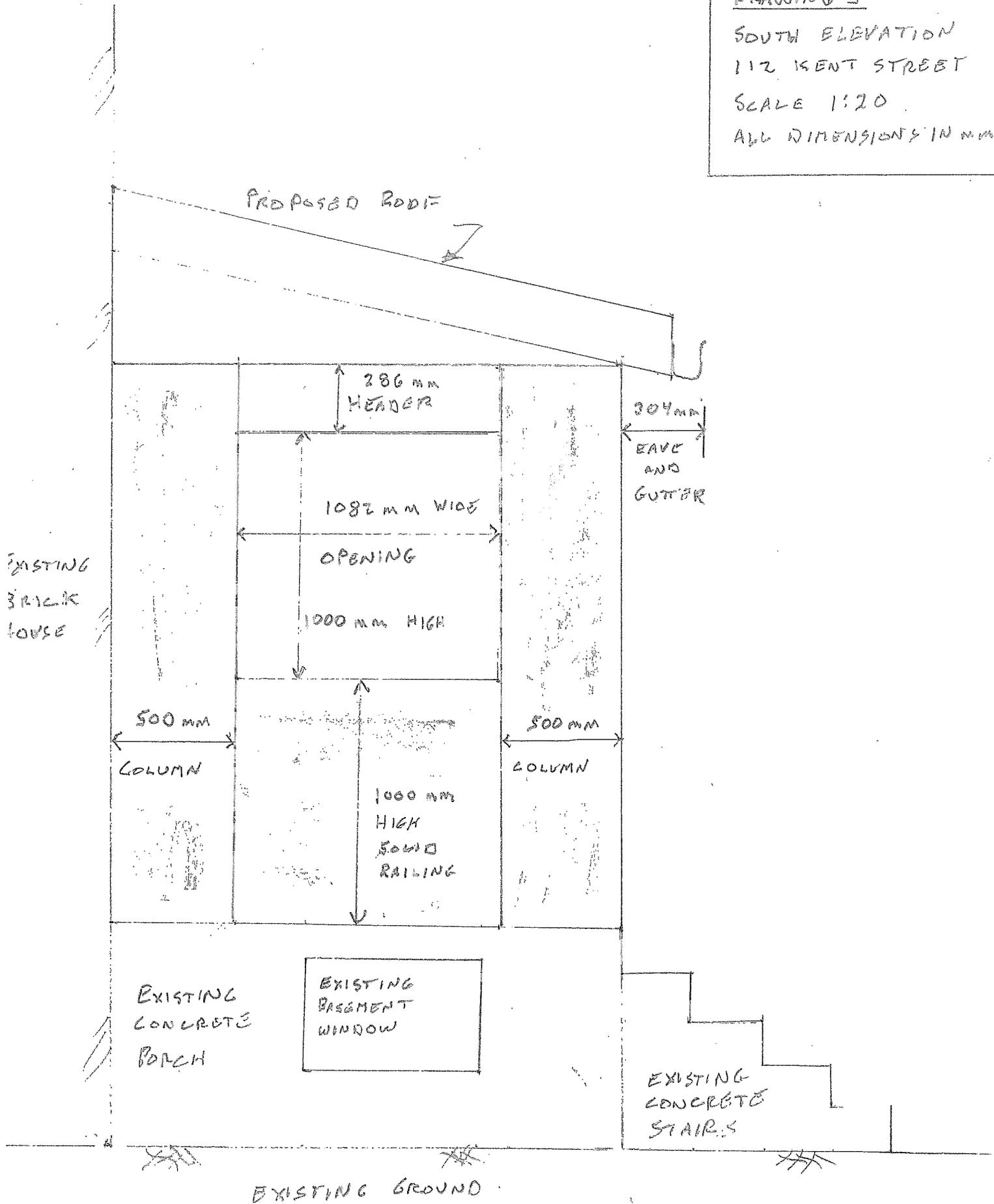


DRAWING 2  
 FRONT YARD  
 112 KENT STREET  
 SCALE 1:50  
 ALL DIMENSIONS IN mm



SCALE 1:50

DRAWING 3  
SOUTH ELEVATION  
112 KENT STREET  
SCALE 1:20  
ALL DIMENSIONS IN MM



DRAWING 4

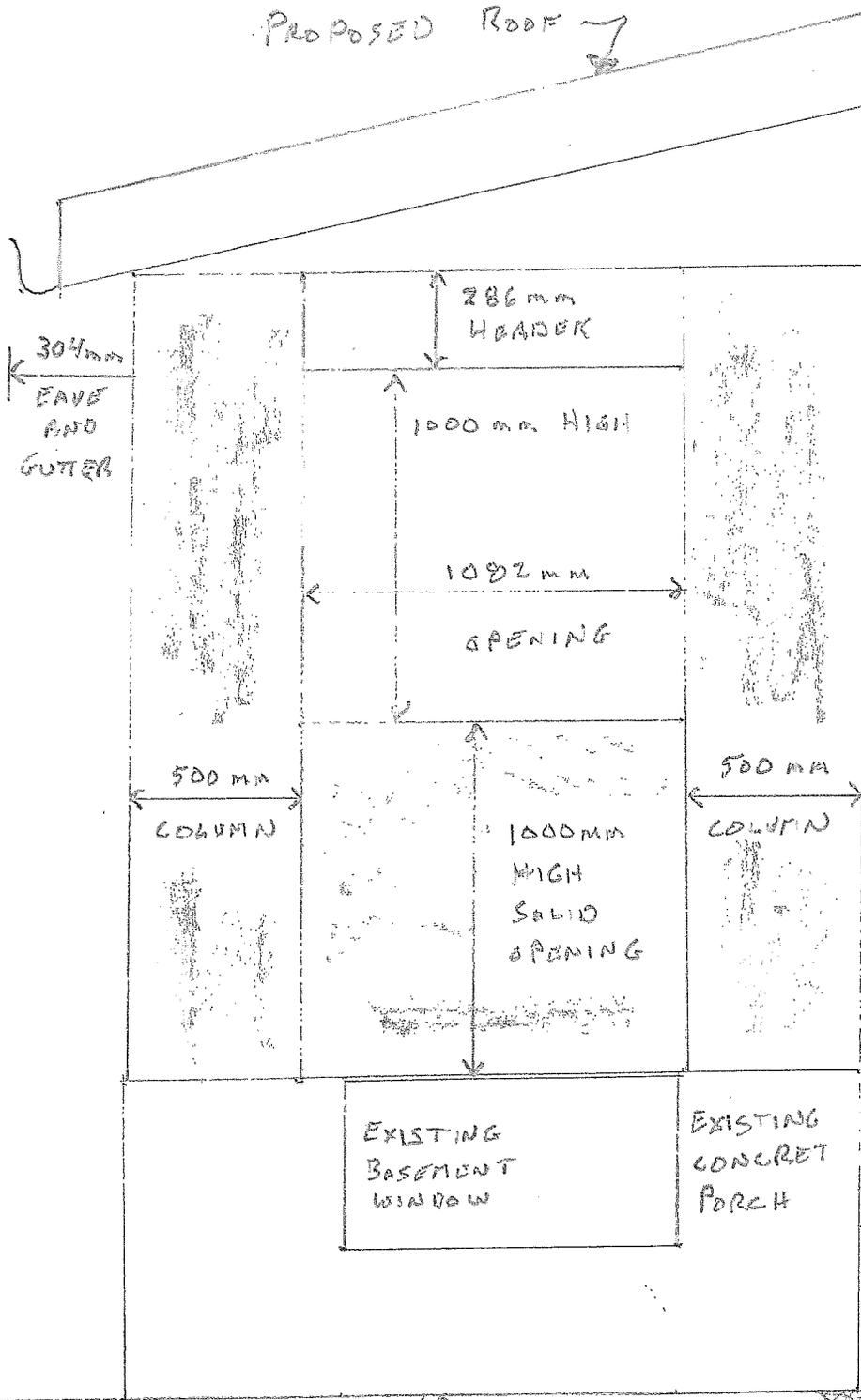
NORTH ELEVATION

112 KENT STREET

SCALE 1:20

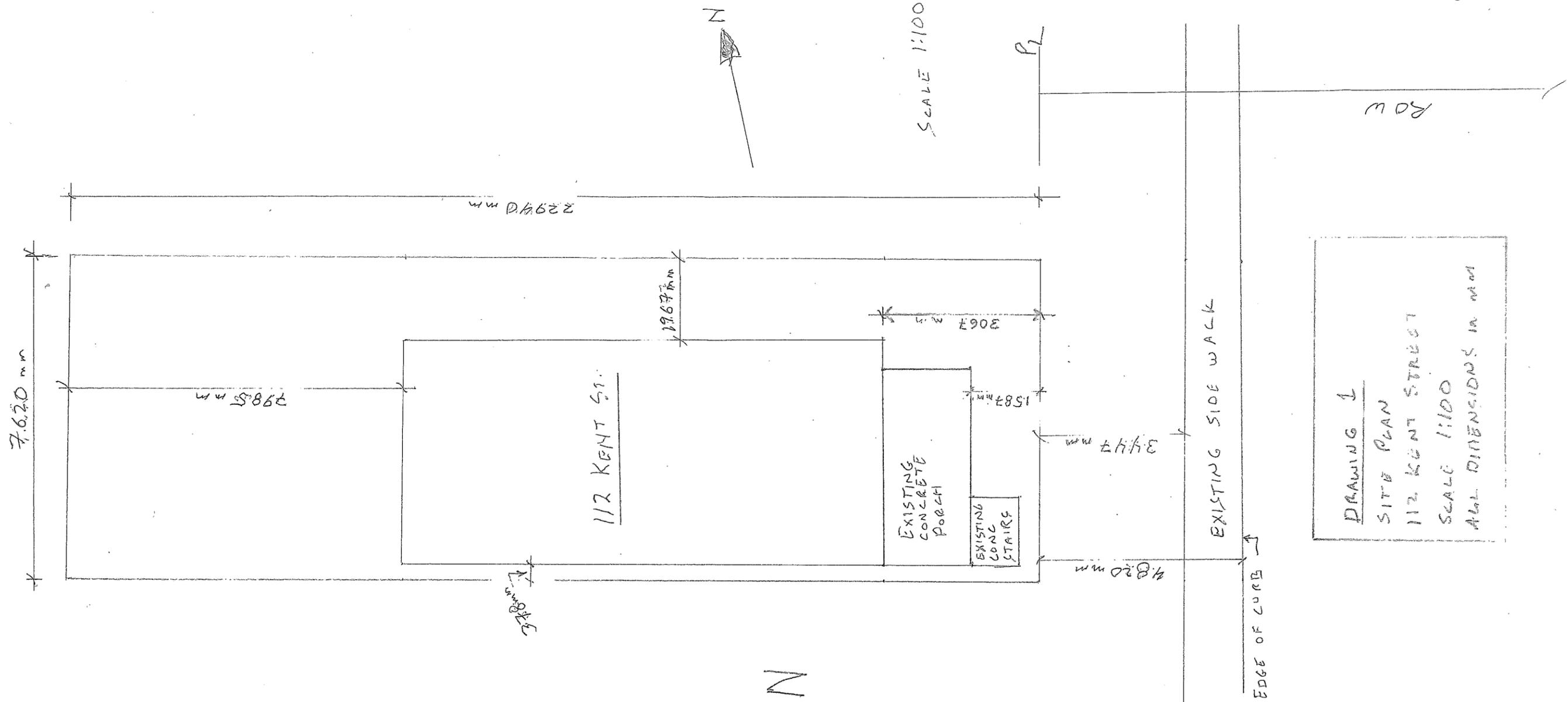
ALL DIMENSIONS IN MM

PROPOSED ROOF



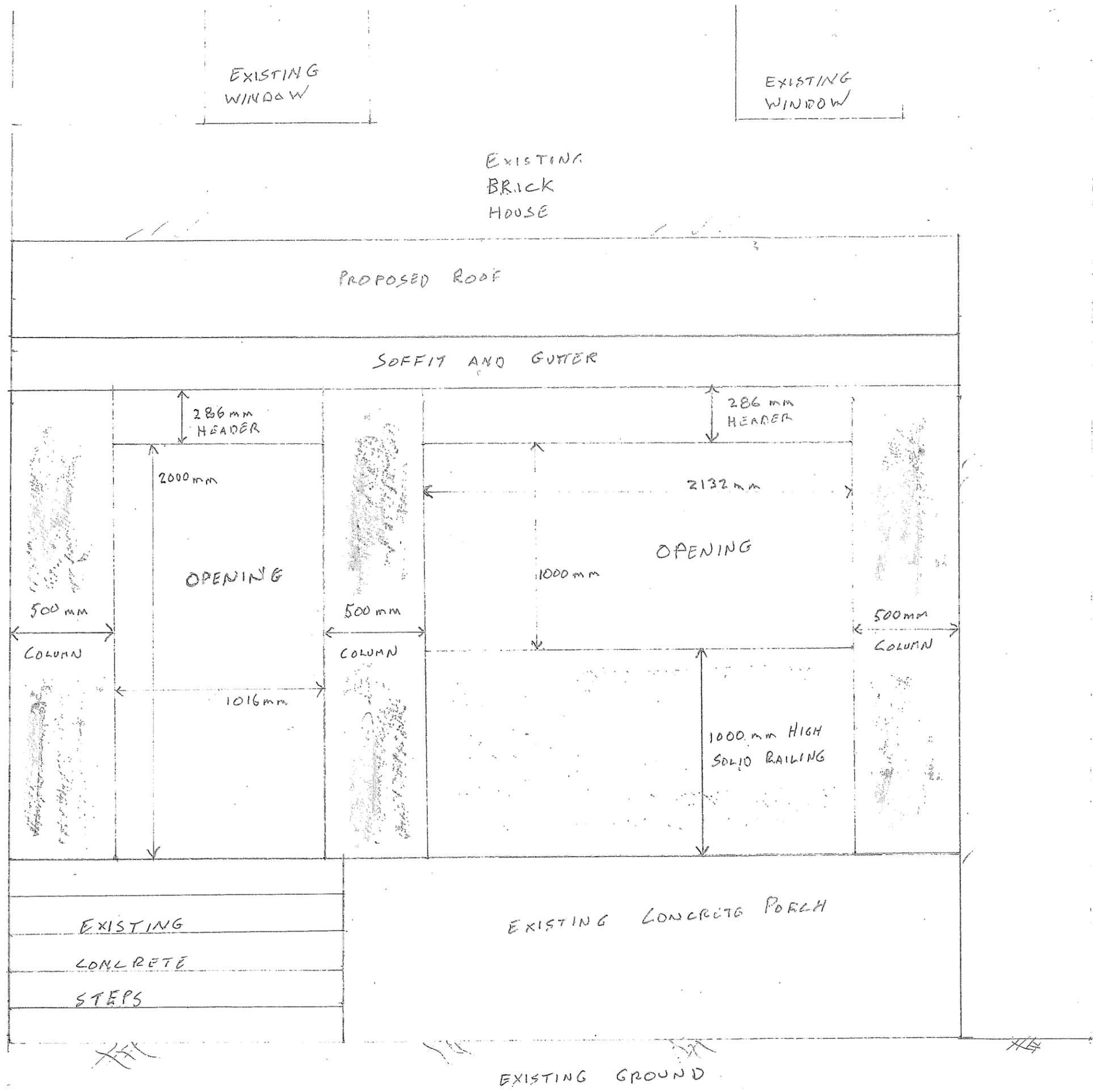
EXISTING  
BRICK  
HOUSE

EXISTING GROUND



DRAWING 1  
 SITE PLAN  
 112 KENT STREET  
 SCALE 1:100  
 ALL DIMENSIONS IN MM

DRAWING 5  
EAST ELEVATION  
112 KENT STREET  
SCALE 1:20  
ALL DIMENSIONS IN mm



PLAN  
OF LOT 4  
HORNING & STEVENS SURVEY  
REGISTERED PLAN NO. 400  
IN THE  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON-WENTWORTH  
SCALE 1 INCH = 10 FEET

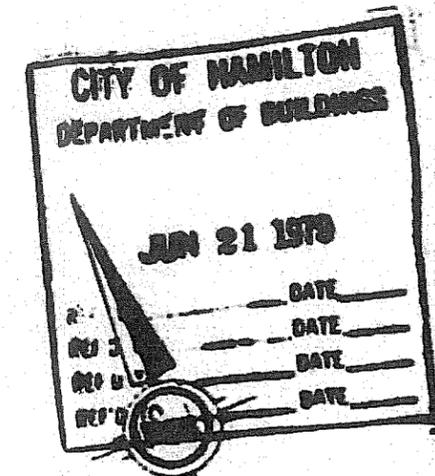
**CITY OF HAMILTON**  
**DEPARTMENT OF BUILDINGS**

EXAMINED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

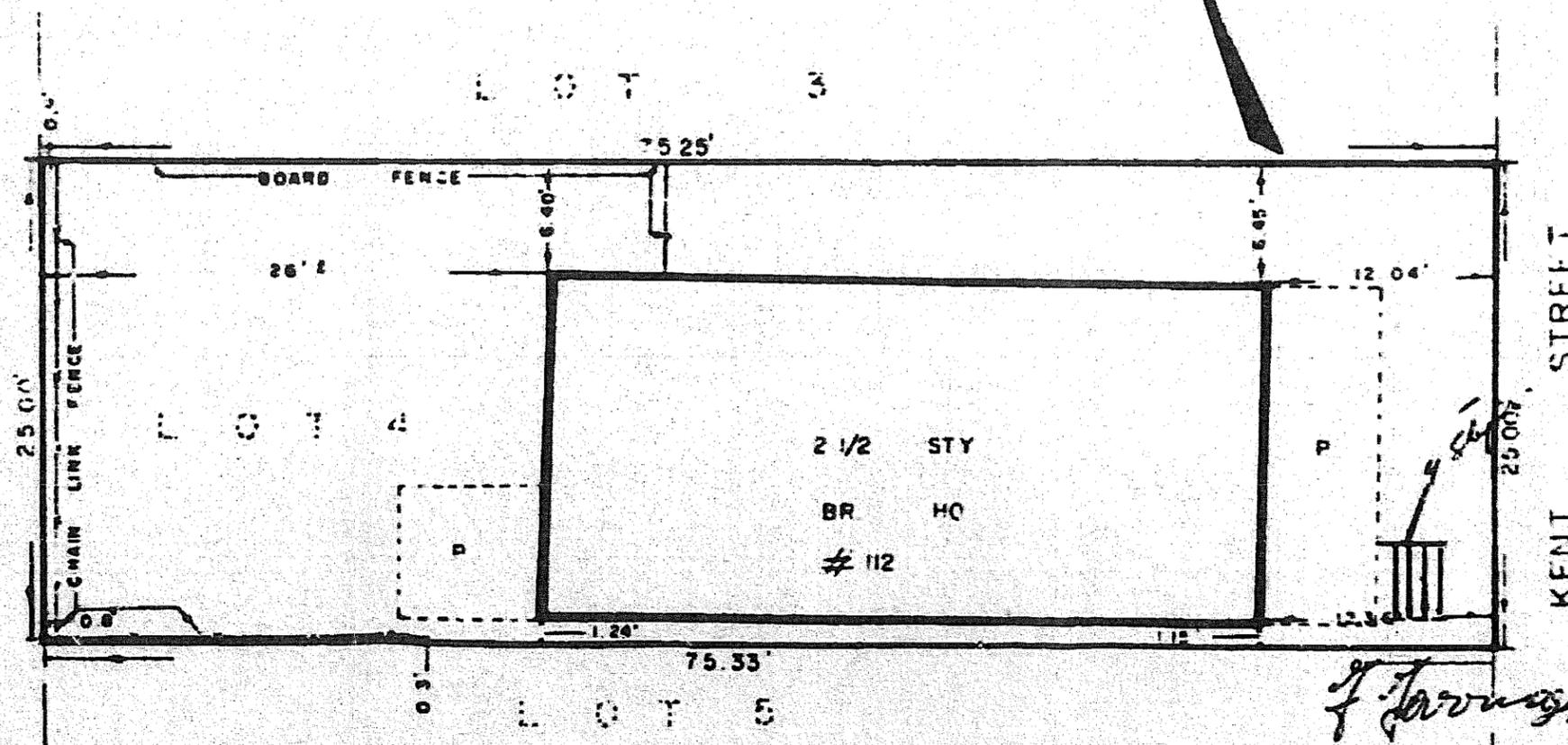
APPROVED: \_\_\_\_\_  
FOR BUILDING COMMISSIONER



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.

A T McLAREN LIMITED  
C. A. FAYORS & ENGINEERS

*A T McLaren*  
JULY 16 1975  
DATE  
A T McLAREN, O.L.S.  
66 KING STREET, E  
HAMILTON, ONTARIO  
527-8559, 527-0032



NOTE PLAN TO SHOW EXISTING CONDITIONS ONLY,  
NOT PREPARED FOR REGISTRATION

*F. Taravaggio*

Re: 112 Kent Street, Hamilton  
Minor Variance Application  
Proposed Porch Roof

October 7, 2022

We are requesting a minor variance to allow the installation of a roof above the existing concrete Porch at 112 Kent Street in Hamilton. The site is located in the urban area of Hamilton and is designated as D-residential in the Hamilton By-Law 6593.

The need for a variance is to accommodate the location of the existing concrete porch. The variances to section 18 (3) (VI) (d) of the by-law are, to increase the projection into the 6.0 m front yard setback from 3.0 m to 4.72m, and to reduce the front lot line setback from 1.5m to 1.28m. These variances allow the roof to be constructed over the existing concrete porch and accommodate the eave and gutter associated with the roof. The existing house, porch, landscaping and hard surfaces will remain unchanged. The existing porch and proposed roof are consistent with neighbouring properties and in keeping with the character of the street.

In support of the variance application, we provide the following information:

Drawing 1 – Site plan

Drawing 2 – Front Yard Detail showing existing porch location

Drawing 3 – Proposed South Elevation

Drawing 4 – Proposed North Elevation

Drawing 5 – Proposed East Elevation

Legal Plan – Prepared by A T McLaren OLS, July 1975

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



Hamilton

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

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

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

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

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

None

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

4. Nature and extent of relief applied for:

VARIANCES TO SECTION 18(3)(VI)(d), to increase the projection into the front yard from 3.0m to 4.72m and reduce the front lot line setback from 1.5m to 1.28m - SEE ATTACHED DWGS

- Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

LOCATION OF EXISTING PORCH - SEE ATTACHED DWGS AND MEMO

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**):

112 KENT STREET, 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?

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

OCTOBER 11, 2022  
Date

*Lisa Boyce*  
Signature Property Owner(s)

LISA BOYCE  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 7.62 m  
Depth 22.94 m  
Area 174.8 m<sup>2</sup>  
Width of street 20 m

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

Existing: \_

3 STOREY SINGLE FAMILY  
GROUND FLOOR AREA = 62.72 m<sup>2</sup>  
GFA = 198.16 m<sup>2</sup> SEE ATTACHED DWG

Proposed

NO CHANGE

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

Existing:

REAR LOT LINE = 7.985 m SEE ATTACHED DWG  
SOUTH LOT LINE = 0.378 m  
NORTH LOT LINE = 1.967 m  
FRONT LOT LINE = 3.067m (HOUSE) 1.587m (PORCH)

Proposed:

REAR LOT LINE = 7.985 m  
SOUTH LOT LINE = 0.378 m  
NORTH LOT LINE = 1.967 m  
FRONT LOT LINE = 3.067m (HOUSE) 1.28m (PORCH ROOF)

13. Date of acquisition of subject lands:  
SEPTEMBER 2012

14. Date of construction of all buildings and structures on subject lands:  
1902

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:  
100 YRS

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

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

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

URBAN

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

D - RESIDENTIAL

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

Yes       No

If yes, please provide the file number:

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

Yes       No

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

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

Yes       No

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

SEE ATTACHED DWGS AND MEMO

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:324</b>	<b>SUBJECT PROPERTY:</b>	148 Canada St, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential One- and Two-Family Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: David & Adam Ionico  
Agent: A.J. Clarke & Associates Ltd – Stephen Fraser

The following variances are requested:

**LAND TO BE SEVERD (PART2):**

1. A minimum lot width of 7.6 m shall be provided instead of the minimum required lot width of 12.0 m; and
2. A minimum lot area of 215.0 m<sup>2</sup> shall be provided instead of the minimum required lot area of 360.0 m<sup>2</sup>; and
3. A minimum side yard setback of 0.6m on the side of the lot containing the access easement; whereas a minimum side yard setback of 1.2m is required on both sides of the lot.

**LAND TO BE RETAINED (PART 1):**

4. A minimum lot width of 7.6 m shall be provided instead of the minimum required lot width of 12.0 m; and
5. A minimum lot area of 215.0 m<sup>2</sup> shall be provided instead of the minimum required lot area of 360.0 m<sup>2</sup>; and
6. A minimum side yard setback of 0.6m on the side of the lot containing the access easement; whereas a minimum side yard setback of 1.2m is required on both sides of the lot.

**HM/A-22:324**

**PURPOSE & EFFECT:** To facilitate the creation of two lots through land severance application HM/B-22: 29 notwithstanding that;

**Notes:**

- i. These variances are necessary to facilitate land severance application HM/B-22: 29.
- ii. Variances have been written exactly as requested by the applicant.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

HM/A-22:324



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

SURVEYOR'S REAL PROPERTY REPORT PART 1

PLAN OF LOT 54 REGISTERED PLAN No. 244 IN THE CITY OF HAMILTON SCALE 1:150 NICHOLAS P. MUTH, O.L.S.

THIS REPORT WAS PREPARED FOR BLAIR DRINKWATER NOTE: TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED

SURVEYOR'S REAL PROPERTY REPORT PART 1 - PLAN R-4558

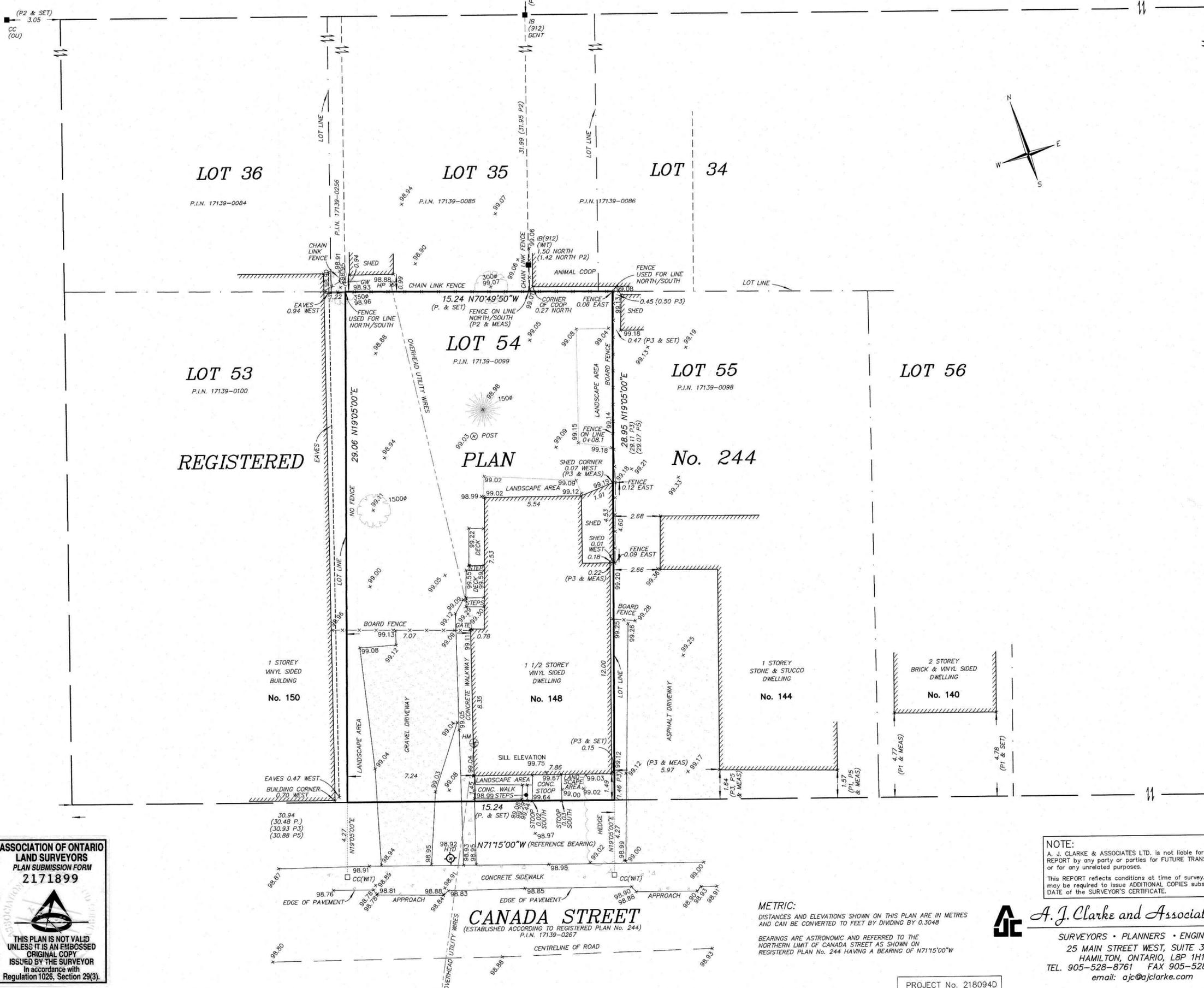
PART 2 PARCEL IS NOT SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY. PLEASE NOTE PRESENCE OF OVERHEAD UTILITY WIRES. REFER TO THE PLAN FOR SPECIFIC LOCATION OF FENCES, BUILDINGS, AND OTHER FEATURES RELATIVE TO THE PROPERTY LINE.

- LEGEND: DENOTES SURVEY MONUMENT PLANTED DENOTES SURVEY MONUMENT FOUND DENOTES IRON BAR DENOTES STANDARD IRON BAR DENOTES CUT CROSS DENOTES A.J. CLARKE, O.L.S. DENOTES ORIGIN UNKNOWN DENOTES WITNESS DENOTES MEASURED DENOTES REGISTERED PLAN No. 244 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A.T. McLAREN O.L.S. DATED APRIL 30, 2018 (INDEX 35463-F) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A.J. CLARKE & ASSOCIATES LTD. DATED DECEMBER 8, 1992 (INDEX E-11696) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS SURVEYING LTD. DATED DECEMBER 15, 1994 (INDEX 94-318) DENOTES BUILDING LOCATION SURVEY BY ASHENHURST NOUWENS LIMITED DATED AUGUST 30, 1988 (INDEX 88423) DENOTES CONCRETE DENOTES CUI WIRE DENOTES HYDRO METER DENOTES HYDRO POLE DENOTES HYDRANT DENOTES DIAMETER (mm) DENOTES CONIFEROUS TREE DENOTES DECIDUOUS TREE

JACKSON STREET (ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)

POULETTE STREET (ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)

LOCKE STREET



R-4558

SURVEYOR'S CERTIFICATE: I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF JUNE, 2021. NICHOLAS P. MUTH ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM 2171899 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3).

CANADA STREET (ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)

NOTE: A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this REPORT by any party or parties for FUTURE TRANSACTIONS or for any unrelated purposes. This REPORT reflects conditions at time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE.

METRIC: DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048 BEARINGS ARE ASTRONOMIC AND REFERRED TO THE NORTHERN LIMIT OF CANADA STREET AS SHOWN ON REGISTERED PLAN No. 244 HAVING A BEARING OF N71°15'00\"/>

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

PROJECT No. 218094D



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

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

October 11, 2022

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

**Re: 148 Canada Street – Minor Variance Application Submission**

---

Dear Madam:

A.J. Clarke and Associates Ltd. has been retained by the owner of 148 Canada Street for the purposes of submitting the enclosed Minor Variance Application. This application's approval is required to satisfy conditions 4 & 6 respectively, of Severance File: HM/B-22:29. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Minor Variance Application Form.
- One (1) cheque in the amount of \$3,465.00 representing the required application fee.
- One (1) electronic copy of the Severance Sketch.
- One (1) electronic copy of the Survey (please note that the existing structures are being removed).

The relief requested addresses the future lots being created through the aforementioned severance application and since all structures are intended to be removed, the variances required are as follows:

1. To permit a minimum lot width of 7.6m; whereas 12m is required;
2. To permit a minimum lot area of 215sq.m; whereas 360sq.m is required, and;
3. To permit a minimum side yard setback of 0.6m on the side of the lot containing the access easement; whereas a minimum side yard setback of 1.2m is required on both sides of the lot.

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

Yours truly,

Stephen Fraser, MCIP, RPP  
Principal, Planner  
**A. J. Clarke and Associates Ltd.**

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



Hamilton

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

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	David Ionico and Adam Ionico	
<b>Applicant(s)</b>	same as owners	
<b>Agent or Solicitor</b>	A.J. Clarke and Associates Ltd. c/o Stephen Fraser	

- 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	148 Canada Street		
Assessment Roll Number	251801009456510		
Former Municipality	Hamilton-Wentworth		
Lot		Concession	
Registered Plan Number	244	Lot(s)	54
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:

Please see attached cover letter.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Relief is required to facilitate final approval of severance file: HM/B-22:29 (conditions 4 &

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
15.24m (7.62m per lot)	28.95m to 29.06m	+/-441.97sq.m (220.77sq.m & 221.2sq.m)	15.24m

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
single-detached dwelling to be demolished				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Two single-detached dwellings	6m	7.5m	1.2m and 0.6m on interior of lots	year of 2023

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
Structure(s) to be demolished				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Two single-detached dwellings	Design not yet finalized	Design not yet finalized	2.5 as per zoning	11m as per zoning

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 dwellings

---

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 Single-detached dwellings, commercial to the west

---

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
 2021

---

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:  
 unknown

---

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) Neighbourhoods

---

Please provide an explanation of how the application conforms with the Official Plan.  
 Please see cover letter

7.6 What is the existing zoning of the subject land? "D" Urban Protected Residential - One and Two Family Dwellings, Etc

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>HM/A-22:336</b>	<b>SUBJECT PROPERTY:</b>	45 Tom St, Hamilton
<b>ZONE:</b>	"D" (Urban Protected Residential One- and Two-Family Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Stephen Eagle & Julia Lillicrop

The following variances are requested:

1. A minimum of one (1) parking space shall be provided on site instead of the minimum required 3 parking spaces.

**PURPOSE & EFFECT:** To facilitate the construction of a 2-storey rear addition providing a total of 10 habitable rooms to the existing single-family dwelling notwithstanding that;

**Notes:**

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:10 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

## HM/A-22:336

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

## PUBLIC INPUT

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

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



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

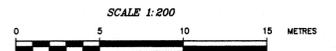
# T O M   S T R E E T

( BY REGISTERED PLAN 41, P.I.N. 17147-0108 (LT) )

N 69° 59' 10" W (Meas)      208.03 (P1 & Meas)  
N 69° 59' 45" W (P3)

PLAN SHOWING PROPOSED ADDITION  
( 45 TOM STREET )  
**PART OF LOT 34**  
**REGISTERED PLAN 41**  
( IN THE BLOCK BOUNDED BY STRATHCONA AVENUE, TOM, FLORENCE AND DUNDURN STREETS )

## CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.  
ONTARIO LAND SURVEYOR

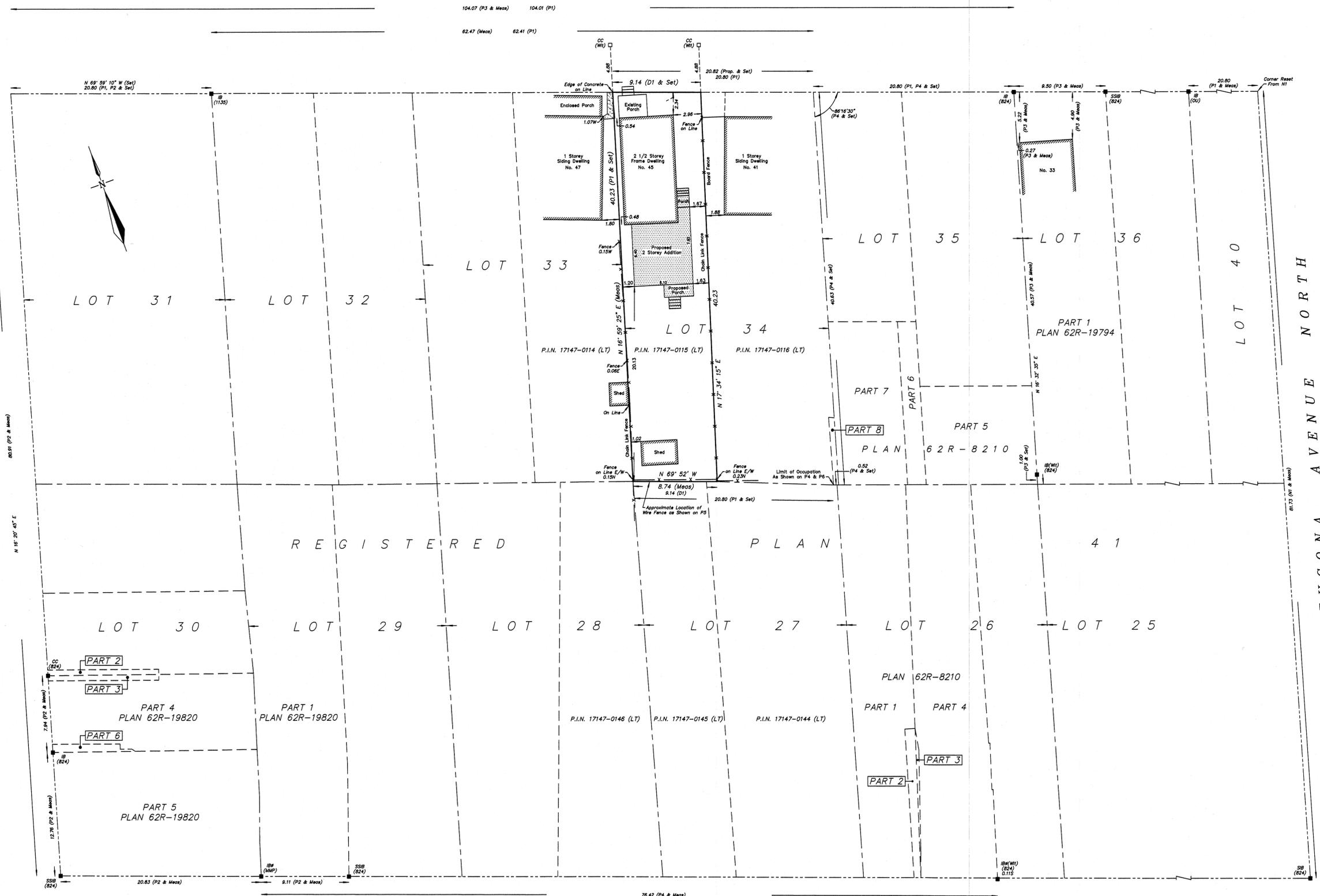
**METRIC NOTE:**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**BEARING NOTE:**  
BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM THE NORTHERLY LIMIT OF FLORENCE STREET AS SHOWN ON PLAN 62R-19820, BEING N 69°45'00" W.

- LEGEND:**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT PLANTED
  - SIB DENOTES STANDARD IRON BAR
  - SSIB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - IB# DENOTES ROUND IRON BAR
  - CC DENOTES CUT CROSS
  - WT. DENOTES WITNESS
  - (OU) DENOTES ORIGIN UNKNOWN
  - P1 DENOTES REGISTERED PLAN 41
  - P2 DENOTES PLAN 62R-19820
  - P3 DENOTES PLAN 62R-19794
  - P4 DENOTES PLAN 62R-8210
  - P5 DENOTES PLAN BY A.J. CLARKE O.L.S. (NOV. 22, 1968)
  - P6 DENOTES PLAN BY A.T. McLAREN O.L.S. (APRIL 16, 1964)
  - NT DENOTES FIELD NOTES BY A.T. McLAREN LTD. DATED: MAY 6, 1982
  - D1 DENOTES INSTRUMENT No. VM190036
  - (824) DENOTES A.T. McLAREN O.L.S.
  - (1135) DENOTES L.G. WOODS O.L.S.
  - (MMP) DENOTES MACKAY MACKAY & PETERS LTD.
  - (PROP.) DENOTES PROPORTIONED DISTANCE

DUNDURN STREET NORTH

STRATHCONA AVENUE NORTH

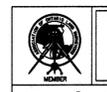


N 69° 46' 00" W ( REFERENCE BEARING )      208.39 (N1 & Meas)      208.03 (P1)

# F L O R E N C E   S T R E E T

APRIL 19, 2022  
DATE

BRYAN JACOBS  
ONTARIO LAND SURVEYOR



B.A. JACOBS SURVEYING LTD.  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L5N 1J3)  
PHONE 905-521-1536 FAX 905-521-0089

# T O M S T R E E T

( BY REGISTERED PLAN 41, P.I.N. 17147-0108 (LT) )

N 69° 59' 10" W (Meas)  
N 69° 59' 45" W (P3)

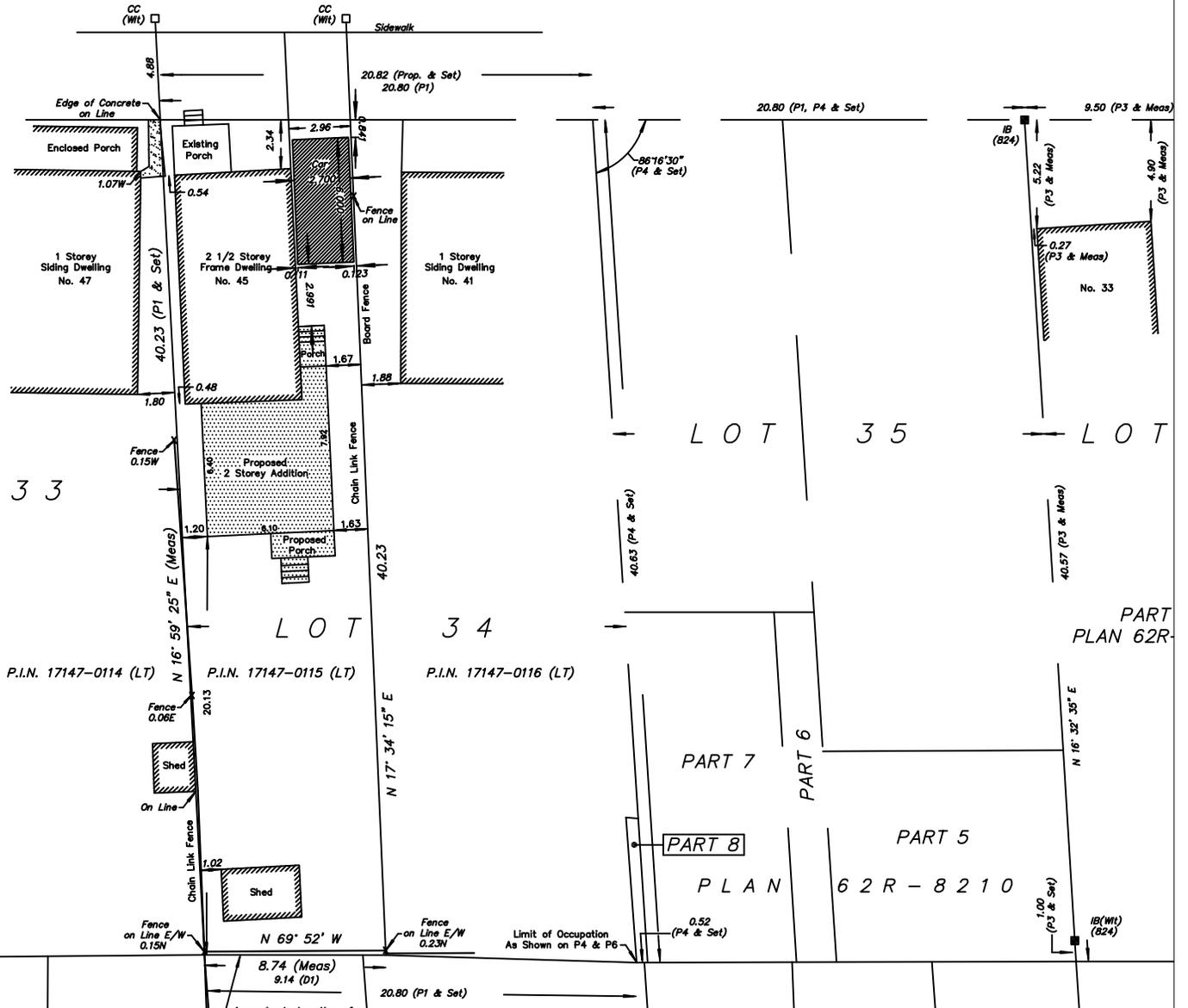
208.03 (P1 & Meas)

104.07 (P3 & Meas)

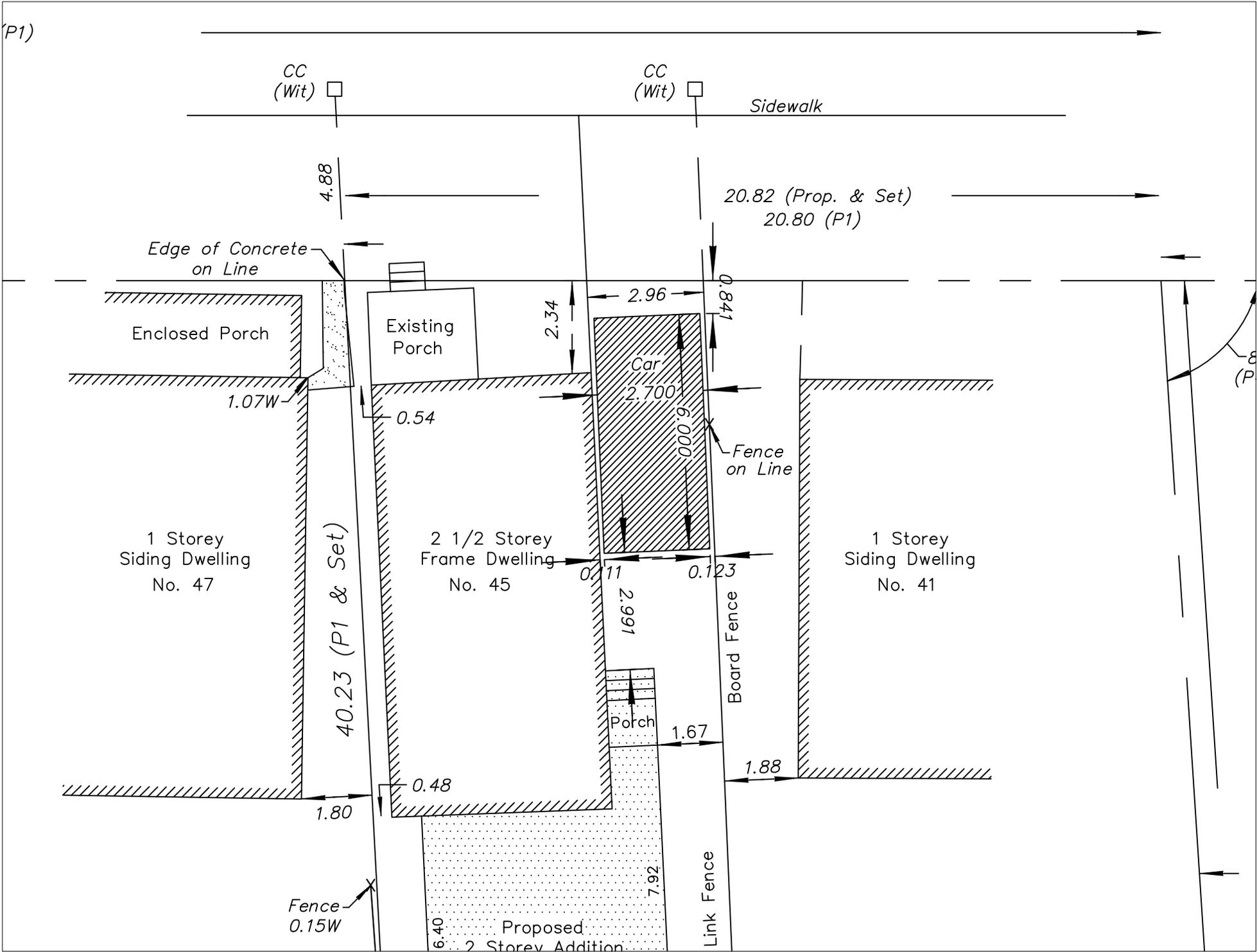
104.01 (P1)

62.47 (Meas)

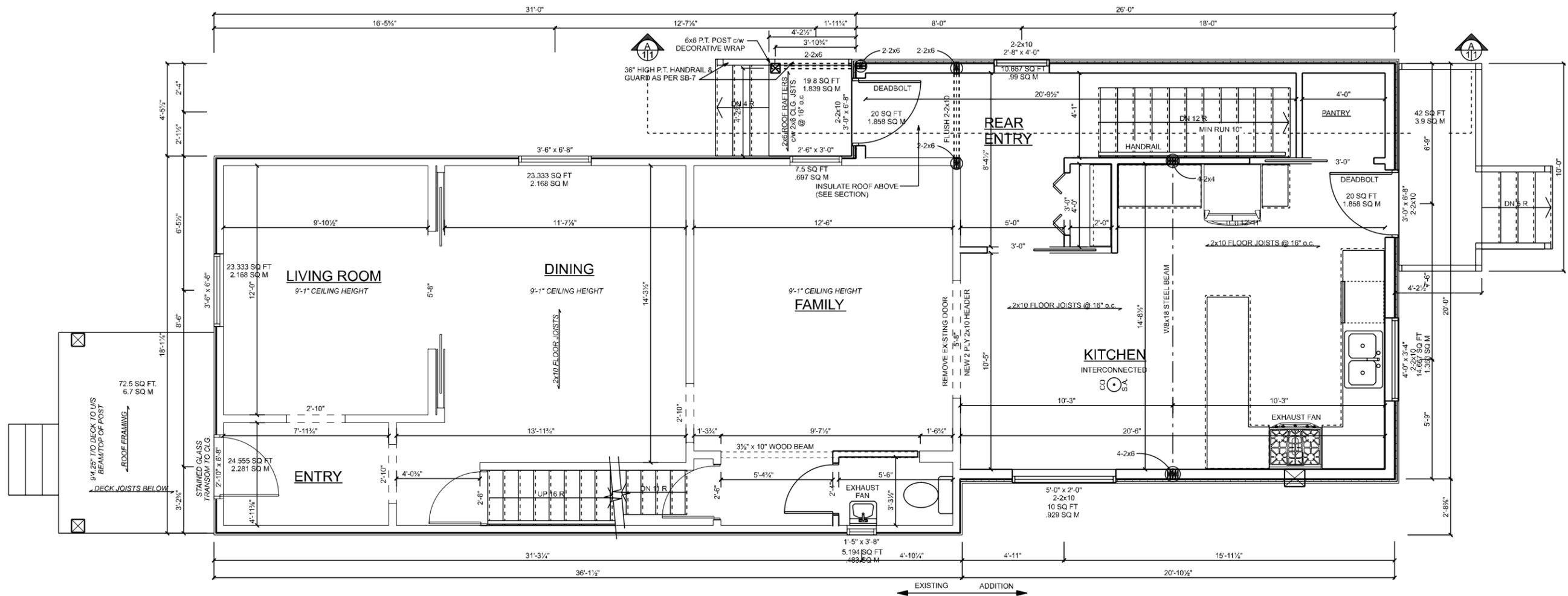
62.41 (P1)



(P1)







# PROPOSED MAIN FLOOR

SCALE: 3/16" = 1'-0"

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38976

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



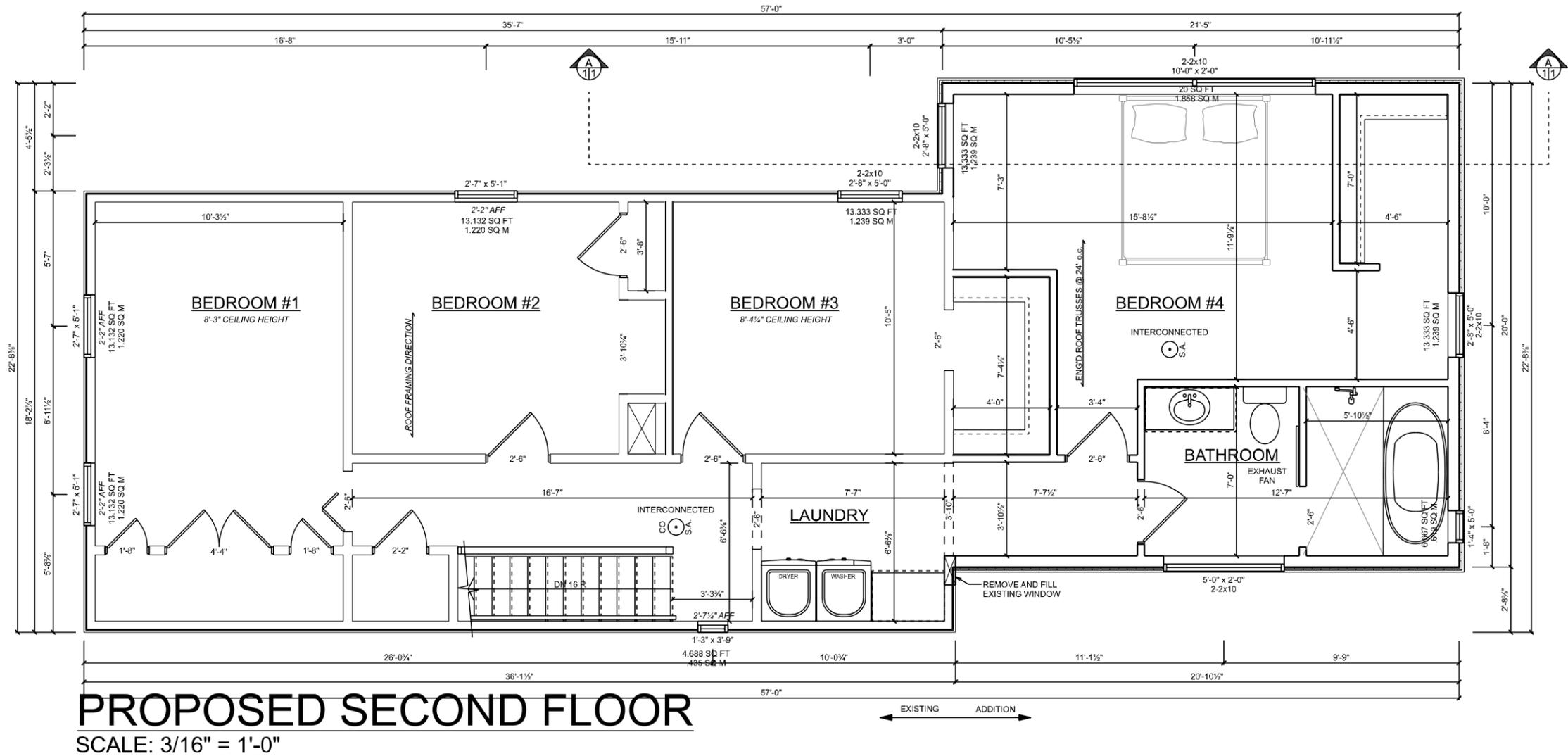
Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON  
 DRAWN BY:  
 JOHN VANDERWOERD,  
 M.A.A.T.O. BCIN: 21611

PROJECT:  
 Addition  
 DRAWING TITLE:  
 Proposed Main Floor

STARTING DATE:  
 Feb 19, 2021  
 DRAWING #:  
 21-046  
 SCALE:  
 3/16" = 1'-0"

LAST REVISION DATE:  
 Oct 20, 2022  
 PAGE #:  
 2 of 14

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
*John Vanderwoerd*  
John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 38976

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



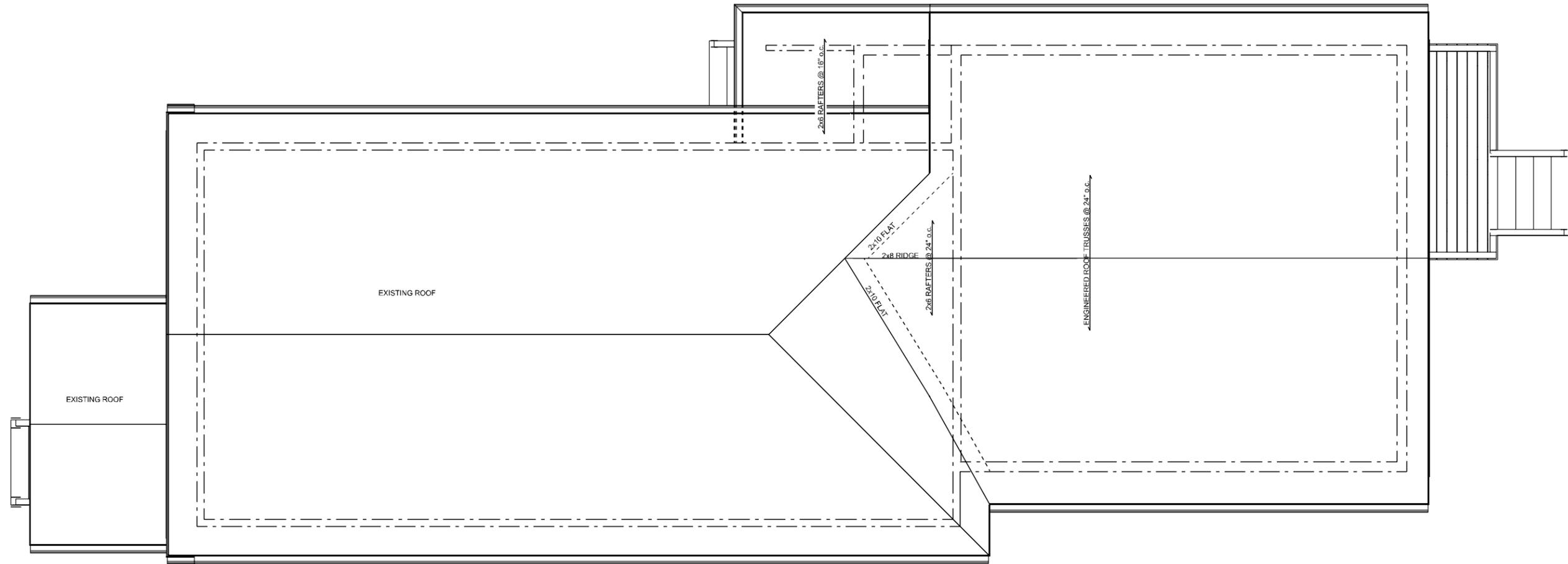
CONTRACTOR:  
**Steve & Julia Eagle**  
45 Tom St.  
Hamilton, ON  
DRAWN BY:  
**JOHN VANDERWOERD,**  
M.A.A.T.O. BCIN: 21611

PROJECT:  
**Addition**  
DRAWING TITLE:  
**Proposed Second Floor**

STARTING DATE:  
**Feb 19, 2021**  
DRAWING #:  
**21-046**  
SCALE:  
**3/16" = 1'-0"**

LAST REVISION DATE:  
**Oct 20, 2022**  
PAGE #:  
**3 of 14**

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



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

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38976

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



Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON  
 DRAWN BY:  
 JOHN VANDERWOERD,  
 M.A.A.T.O. BCIN: 21611

PROJECT:  
 Addition  
 DRAWING TITLE:  
 ROOF PLAN

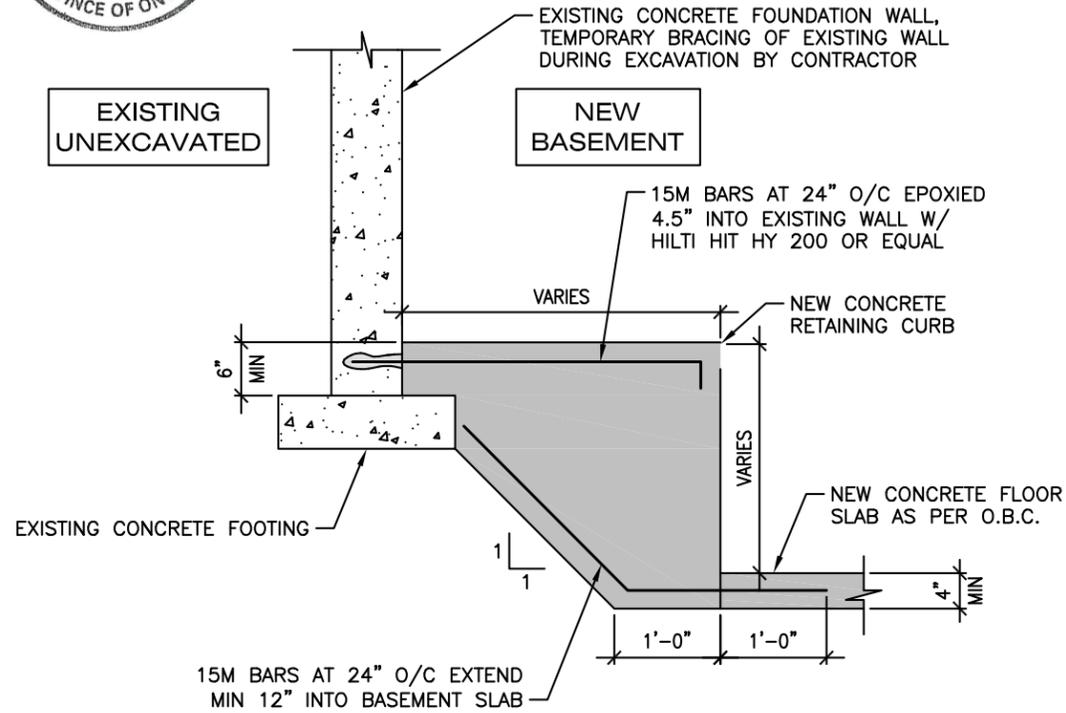
STARTING DATE:  
 Feb 19, 2021  
 DRAWING #:  
 21-046  
 SCALE:  
 3/16" = 1'-0"

LAST REVISION DATE:  
 Oct 20, 2022  
 PAGE #:  
 4 of 14

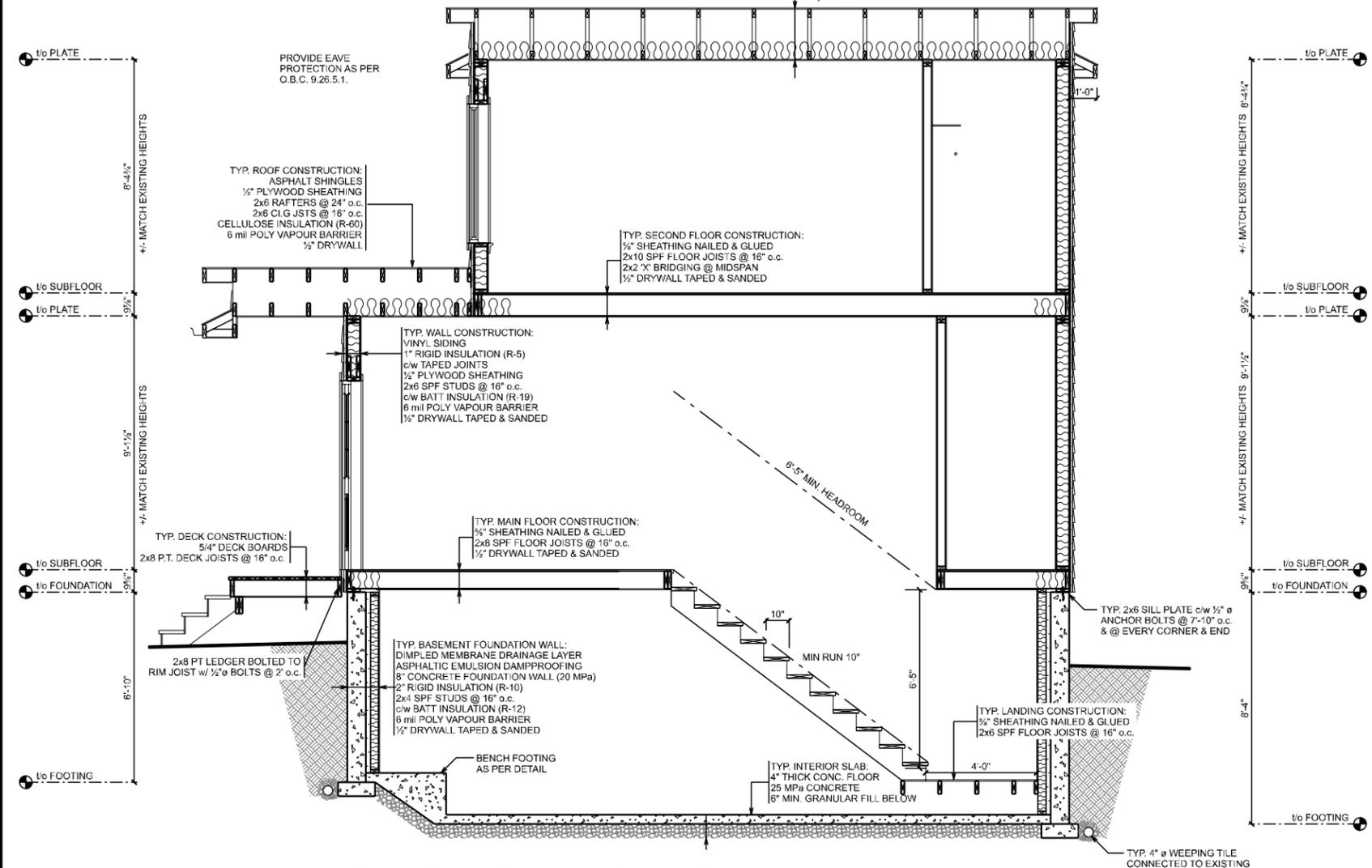
THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.

SB-12 Compliance Package - Additions				
Table 3.1.1.11 (Zone 3)				
For Heating other than Electric Space Heating				
Component	Min. R-Value	Max. U-Value	Min. Effective R-Value	Energy Rating
Ceiling with Attic Space	60	0.017	55.22	
Ceiling without Attic Space	31	0.036	27.65	
Exposed Floor	31	0.034	29.8	
Walls Above Grade	19 + Sci	0.049	20.32	
Basement Walls	20c	0.047	21.32	
Insulated Slab on Grade < 24" Below Grade	10	0.090	11.13	
Edge of Below Grade Slab < 24" Below Grade	10			
Windows & Sliding Glass Doors		1.6		25
Skylights		2.8		
Gross Building Face	143.66 m <sup>2</sup>		1514.00 ft <sup>2</sup>	
Glazing Area	14.65 m <sup>2</sup>		157.67 ft <sup>2</sup>	
Ratio (%)		10.41		

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



- NOTES:**
- SEALED FOR STRUCTURAL INFORMATION ONLY. SEE SPECIFICATION SHEET SS1 ATTACHED.
  - SOME TYPICAL O.B.C DESIGN ITEMS HAVE BEEN OMITTED FOR CLARITY. ENSURE CONSTRUCTION CONFORMS TO THE LATEST EDITION.
  - SOIL PARAMETERS:  $K_h=0.35$ , SPECIFIC WEIGHT= $18\text{kN/m}^3$
  - WALLS SUPPORTING DRAINED EARTH HAVE BEEN DESIGNED IN ACCORDANCE WITH O.B.C. 9.4.4.6.(1)(a)



**CROSS SECTION 'A'**  
 SCALE: 3/16" = 1'-0"

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design BCIN 38975

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



CONTRACTOR:  
**Steve & Julia Eagle**  
 45 Tom St.  
 Hamilton, ON

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

PROJECT:  
**Addition**

DRAWING TITLE:  
**Cross Section 'A'**

STARTING DATE:  
**Feb 19, 2021**

DRAWING #:  
**21-046**

SCALE:  
**As Noted**

LAST REVISION DATE:  
**Oct 20, 2022**

PAGE #:  
**5 of 14**

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



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

THESE DRAWINGS  
MUST BE SIGNED  
TO BE VALID FOR  
PERMIT.  
THEY ARE VALID  
ONLY FOR THE  
ORIGINAL ADDRESS  
IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.

John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 38976

**VANDERWOERD**  
DRAFTING & DESIGN

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



Steve & Julia Eagle  
45 Tom St.  
Hamilton, ON

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

PROJECT:  
Addition

DRAWING TITLE:  
Front Elevation

STARTING DATE:  
Feb 19, 2021

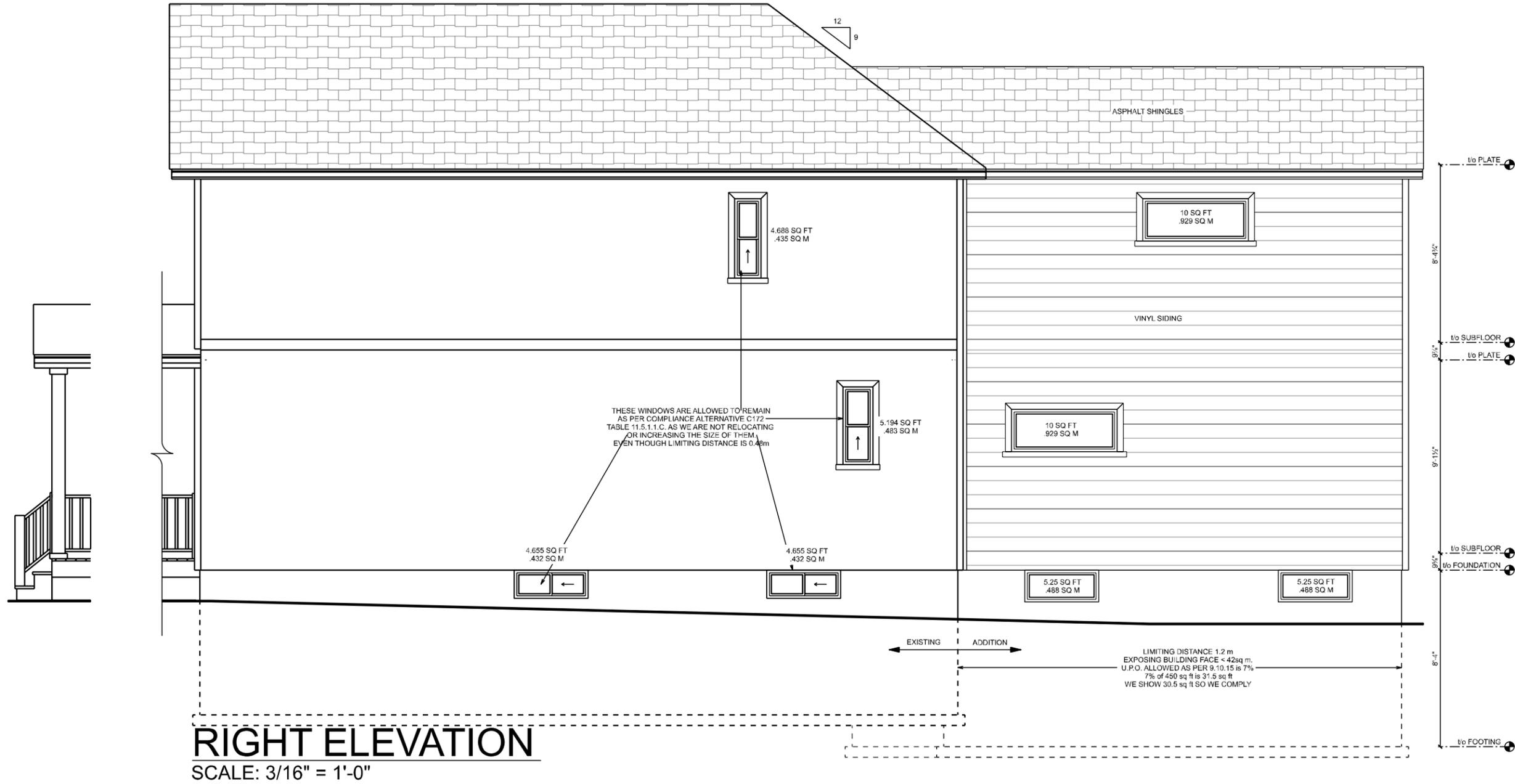
DRAWING #:  
21-046

SCALE:  
3/16" = 1'-0"

LAST REVISION DATE:  
Oct 20, 2022

PAGE #:  
6 of 14

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



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

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
*John Vanderwoerd*  
John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 38975

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



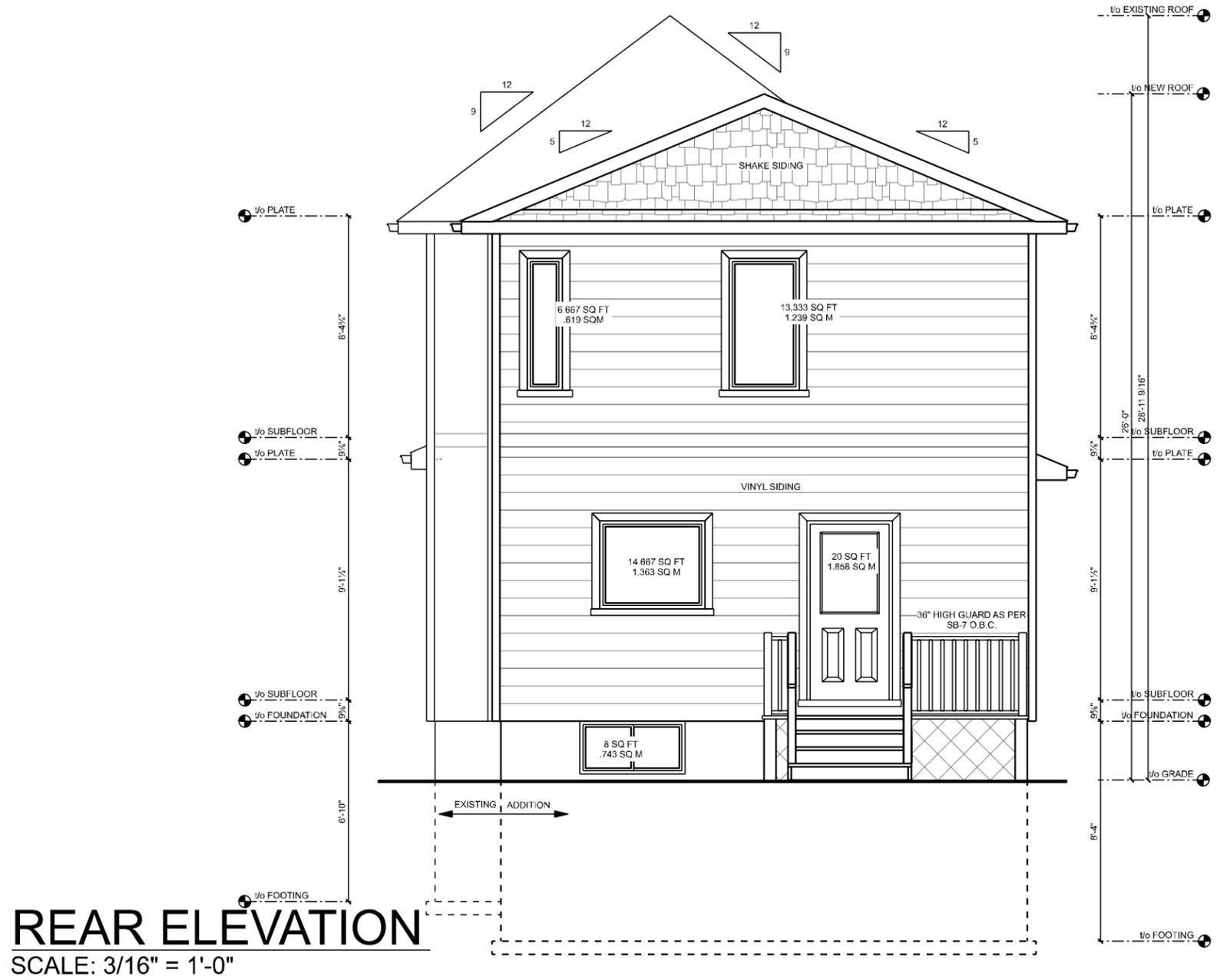
CONTRACTOR:  
**Steve & Julia Eagle**  
45 Tom St.  
Hamilton, ON  
DRAWN BY:  
**JOHN VANDERWOERD,**  
M.A.A.T.O. BCIN: 21611

PROJECT:  
**Addition**  
DRAWING TITLE:  
**Right Elevation**

STARTING DATE:  
**Feb 19, 2021**  
DRAWING #:  
**21-046**  
SCALE:  
**3/16" = 1'-0"**

LAST REVISION DATE:  
**Oct 20, 2022**  
PAGE #:  
**7 of 14**

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



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

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
*[Signature]*  
John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
Firm Name: Vanderwoerd Drafting & Design  
BCIN 38976

**VANDERWOERD**  
DRAFTING & DESIGN  
John Vanderwoerd, M.A.A.T.O.  
34 Duke Street, Arthur, Ontario N0G 1A0  
www.home-design-bc.in.ca  
519-848-2128



CONTRACTOR:  
**Steve & Julia Eagle**  
45 Tom St.  
Hamilton, ON  
DRAWN BY:  
**JOHN VANDERWOERD,**  
M.A.A.T.O. BCIN: 21611

PROJECT:  
**Addition**  
DRAWING TITLE:  
**Rear Elevation**

STARTING DATE:  
**Feb 19, 2021**  
DRAWING #:  
**21-046**  
SCALE:  
**3/16" = 1'-0"**

LAST REVISION DATE:  
**Oct 20, 2022**  
PAGE #:  
**8 of 14**



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

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38975

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



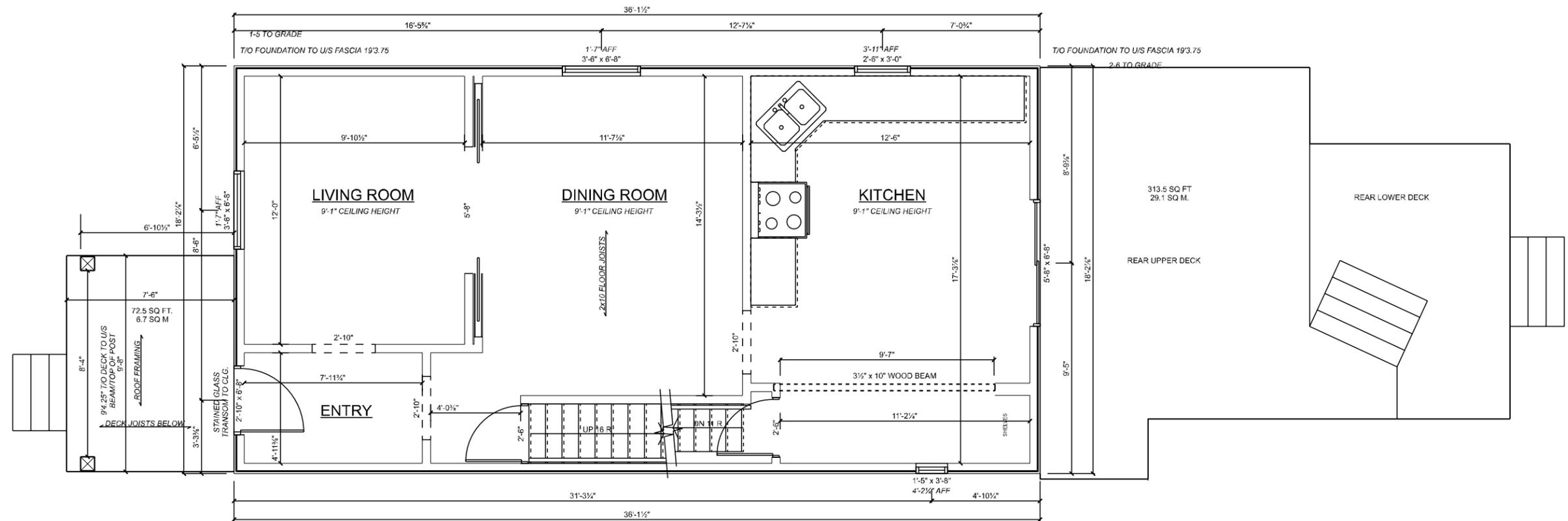
CONTRACTOR:  
**Steve & Julia Eagle**  
 45 Tom St.  
 Hamilton, ON  
 DRAWN BY:  
**JOHN VANDERWOERD,**  
 M.A.A.T.O. BCIN: 21611

PROJECT:  
**Addition**  
 DRAWING TITLE:  
**Left Elevation**

STARTING DATE:  
**Feb 19, 2021**  
 DRAWING #:  
**21-046**  
 SCALE:  
**3/16" = 1'-0"**

LAST REVISION DATE:  
**Oct 20, 2022**  
 PAGE #:  
**9 of 14**

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



**EXISTING MAIN FLOOR**  
 SCALE: 3/16" = 1'-0"

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design BCIN 38976

**VANDERWOERD**  
 DRAFTING & DESIGN  
 John Vanderwoerd, M.A.A.T.O.  
 34 Duke Street, Arthur, Ontario N0G 1A0  
 www.home-design-bc.in.ca  
 519-848-2128



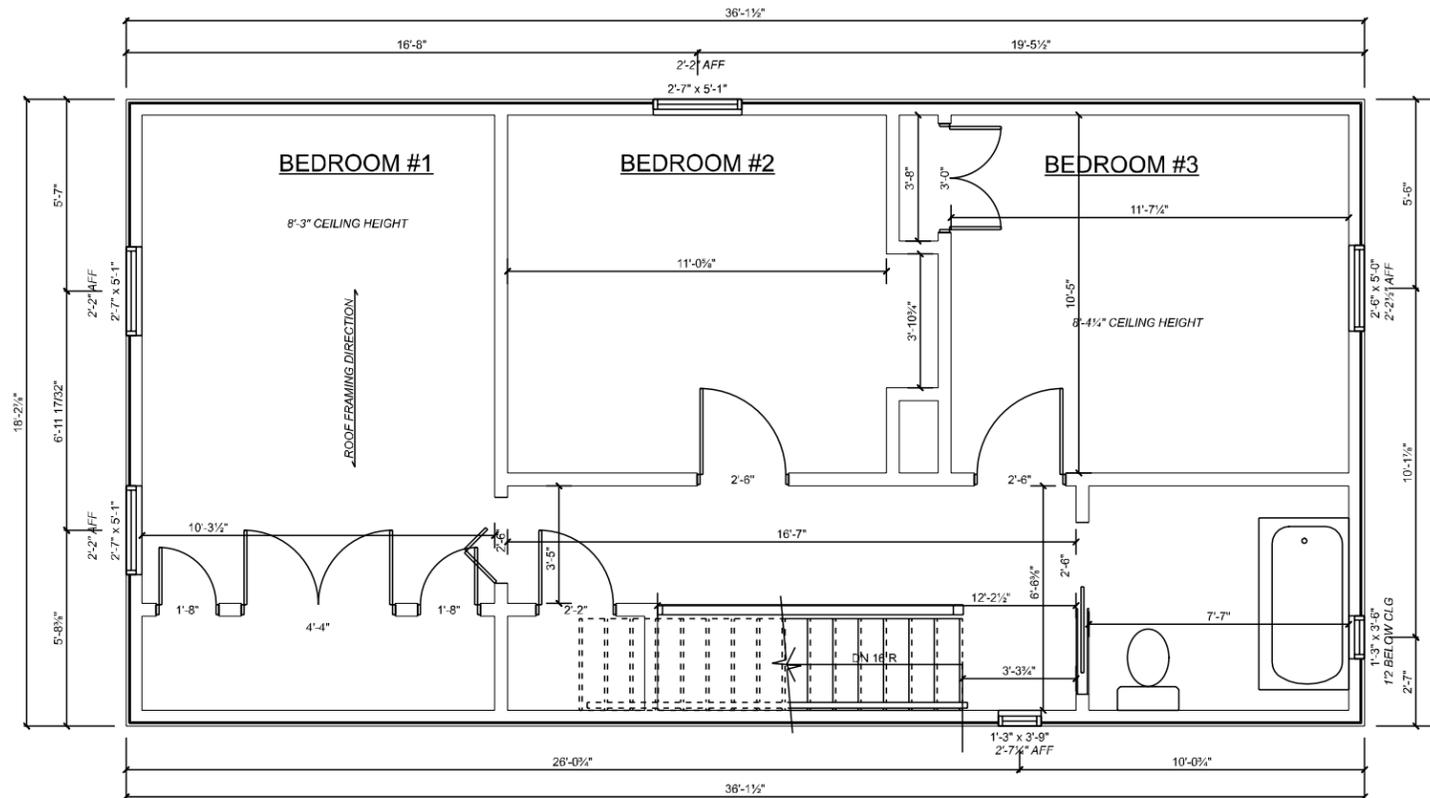
Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON  
 DRAWN BY:  
 JOHN VANDERWOERD,  
 M.A.A.T.O. BCIN: 21611

PROJECT:  
 Addition  
 DRAWING TITLE:  
 Existing Main Floor

STARTING DATE:  
 Feb 19, 2021  
 DRAWING #:  
 21-046  
 SCALE:  
 3/16" = 1'-0"

LAST REVISION DATE:  
 Oct 20, 2022  
 PAGE #:  
 10 of 14

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



**EXISTING SECOND FLOOR**  
 SCALE: 3/16" = 1'-0"

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.  
  
 John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38976

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



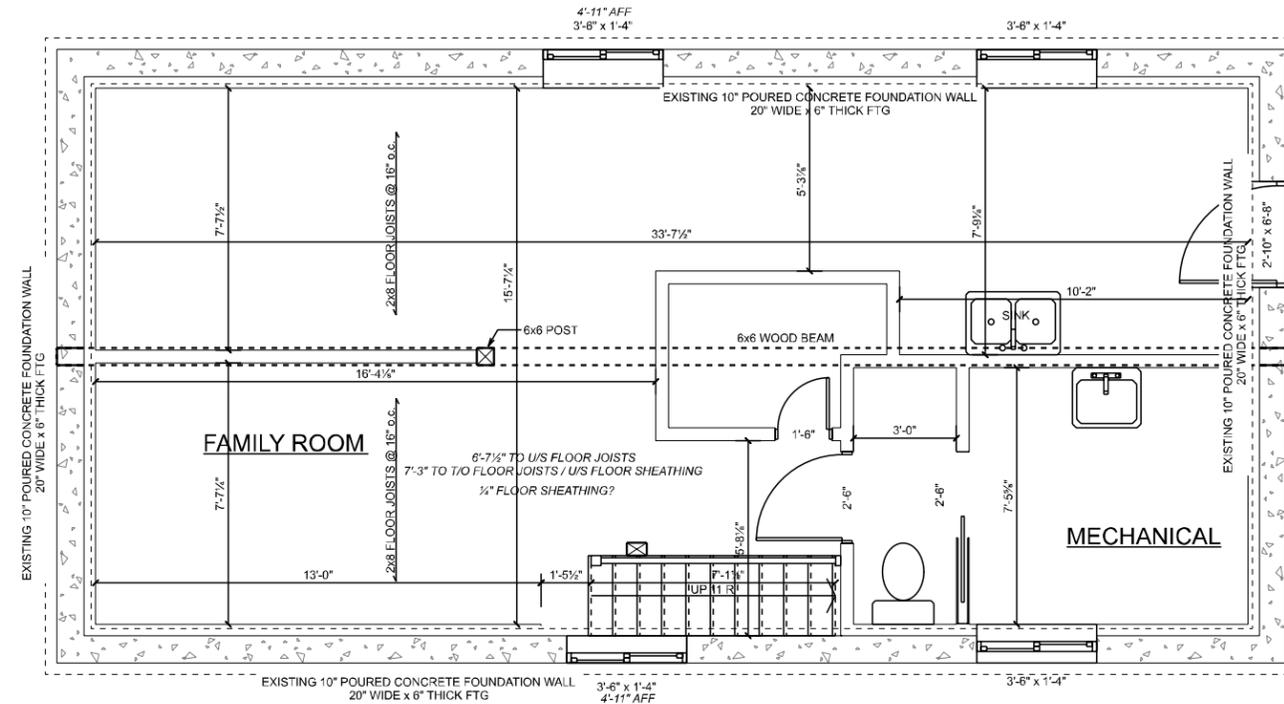
Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON  
 DRAWN BY:  
 JOHN VANDERWOERD,  
 M.A.A.T.O. BCIN: 21611

PROJECT:  
 Addition  
 DRAWING TITLE:  
 Existing Second Floor

STARTING DATE:  
 Feb 19, 2021  
 DRAWING #:  
 21-046  
 SCALE:  
 3/16" = 1'-0"

LAST REVISION DATE:  
 Oct 20, 2022  
 PAGE #:  
 11 of 14

THESE DRAWINGS ARE COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF VANDERWOERD DRAFTING & DESIGN. ALL DIMENSIONS TO BE VERIFIED BY ON-SITE CONTRACTOR AND ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER. WE WILL NOT BE RESPONSIBLE FOR COSTS INCURRED WHICH GO UNREPORTED OR CHANGES MADE TO THESE PLANS WITHOUT WRITTEN AUTHORIZATION FROM VANDERWOERD DRAFTING & DESIGN.



**EXISTING BASEMENT**  
 SCALE: 3/16" = 1'-0"

THESE DRAWINGS  
 MUST BE SIGNED  
 TO BE VALID FOR  
 PERMIT.  
 THEY ARE VALID  
 ONLY FOR THE  
 ORIGINAL ADDRESS  
 IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.

*[Signature]*

John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38976

**VANDERWOERD**  
 DRAFTING & DESIGN

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



Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON

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

PROJECT:  
 Addition

DRAWING TITLE:  
 Existing Basement

STARTING DATE:  
 Feb 19, 2021

DRAWING #:  
 21-046

SCALE:  
 3/16" = 1'-0"

LAST REVISION DATE:  
 Oct 20, 2022

PAGE #:  
 12 of 14

9.3.1. Concrete  
 9.3.1.1. General  
 (1) Except as provided in Sentence (2), unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for "R" class concrete stated in Clause 8.13 of CSA A23.1, "Concrete Materials and Methods of Concrete Construction".  
 (2) Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.  
 9.3.1.2. Cement  
 (1) Cement shall meet the requirements of CAN/CSA-A3001, "Cementitious Materials for Use in Concrete".  
 9.3.1.3. Concrete in Contact with Sulfate Soil  
 (1) Concrete in contact with sulfate soil, which is deleterious to normal cement, shall conform to the requirements in Clause 15.5 of CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction".  
 9.3.1.4. Aggregates  
 (1) Aggregates shall,  
 (a) consist of sand, gravel, crushed rock, crushed air-cooled blast furnace slag, expanded shale or expanded clay conforming to CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction", and  
 (b) be clean, well-graded and free of injurious amounts of organic and other deleterious material.  
 9.3.1.5. Water  
 (1) Water shall be clean and free of injurious amounts of oil, organic matter, sediment or any other deleterious material.  
 9.3.1.6. Compressive Strength  
 (1) Except as provided elsewhere in this Part, the compressive strength of unreinforced concrete after 28 days shall be not less than,  
 (a) 32 MPa for garage floors, carport floors and all exterior flatwork,  
 (b) 20 MPa for interior floors other than those for garages and carports, and  
 (c) 15 MPa for all other applications.  
 (2) Concrete used for garage and carport floors and exterior steps shall have air entrainment of 5 to 8%.

9.3.1.7. Concrete Mixes  
 (1) For site-batched concrete, the concrete mixes described in Table 9.3.1.7. shall be considered acceptable if the ratio of water to cementing materials does not exceed,  
 (a) 0.45 for garage floors, carport floors and all exterior flatwork,  
 (b) 0.65 for interior floors other than those for garages and carports, and  
 (c) 0.70 for all other applications.  
 (2) The size of aggregate in unreinforced concrete mixes referred to in Sentence (1) shall not exceed,  
 (a) 1/5 the distance between the sides of vertical forms, or  
 (b) 1/3 the thickness of flatwork.  
 9.3.1.8. Admixtures  
 (1) Admixtures shall conform to ASTM C260, "Air-Entraining Admixtures for Concrete", or ASTM C494 / C494M, "Chemical Admixtures for Concrete", as applicable.  
 9.3.1.9. Cold Weather Requirements  
 (1) When the air temperature is below 5°C, concrete shall be,  
 (a) kept at a temperature of not less than 10°C or more than 25°C while being placed, and  
 (b) maintained at a temperature of not less than 10°C for 72 h after placing.  
 (2) No frozen material or ice shall be used in concrete described in Sentence (1).

9.5.2.3. Stud Wall Reinforcement  
 (1) If wood wall studs or sheet steel wall studs enclose the main bathroom in a dwelling unit, reinforcement shall be installed to permit the future installation of a grab bar on a wall adjacent to,  
 (a) a water closet in the location required by Clause 3.8.3.8.(1)(d), and  
 (b) a shower or bathtub in the location required by Clause 3.8.3.13.(1)(f).  
 9.7.5.2. Resistance to Forced Entry for Doors  
 (1) Except for exterior doors to garages and to other ancillary spaces, this Article applies to,  
 (a) swinging entrance doors to dwelling units,  
 (b) swinging doors between dwelling units and attached garages or other ancillary spaces, and  
 (c) swinging doors that provide access directly or indirectly from a storage garage to a dwelling unit.  
 (2) Doors, frames and hardware that conform to a security level of at least Grade 10 as described in the Annex to ASTM F476, "Security of Swinging Door Assemblies", are not required to conform to Sentences (3) to (7).  
 (3) Except as provided in Sentence (2), wood doors described in Sentence (1) shall,  
 (a) be solid core or stile and rail type,  
 (b) be not less than 45 mm thick, and  
 (c) if of the stile and rail panel type, have a panel thickness of not less than 19 mm, with a total panel area not more than half of the door area.  
 (4) Except as provided in Sentence (2), doors described in Sentence (1) shall be provided with a deadbolt lock with a cylinder having no fewer than 5 pins and a bolt throw not less than 25 mm, protected with a solid or hardened free-turning ring or bevelled cylinder housing  
 (5) Except as provided in Sentence (2), an inactive leaf in double doors used in locations specified in Sentence (1) shall be provided with heavy-duty bolts top and bottom having an engagement of not less than 15 mm.

(6) Except as provided in Sentence (2), hinges for doors described in Sentence (1) shall be fastened to wood doors with wood screws not less than 25 mm long and to wood frames with wood screws such that at least two screws per hinge penetrate not less than 30 mm into solid wood, or shall be fastened to metal doors and metal frames with machine screws not smaller than No. 8 and not less than 10 mm long.  
 (7) Except as provided in Sentence (2), strikeplates for deadbolts described in Sentence (4) shall be fastened to wood frames with wood screws that penetrate not less than 30 mm into solid wood, or to metal frames with machine screws not smaller than No. 8 and not less than 10 mm long.  
 (8) Except for storm doors or screen doors, doors described in Sentence (1) that swing outward shall be provided with hinges or pins so that the doors cannot be removed when they are in the closed position.  
 (9) Solid blocking shall be provided on both sides at the lock height between the jambs for doors described in Sentence 9.6.8.1.(1) and the structural framing so that the jambs will resist spreading by force.

9.7.5.3. Resistance to Forced Entry for Windows  
 (1) In dwelling units, windows, any part of which is located within 2 m of adjacent ground level, shall conform to the requirements for resistance to forced entry as described in Clause 5.3.5 of AAMA/WDMA/CSA 101/1.5.2/A440, "NAFS - North American Fenestration Standard/Specification for Windows, Doors, and Skylights".  
 9.10.13.15. Doors Between Garages and Dwelling Units  
 (1) A door between an attached or built-in garage and a dwelling unit shall be tight-fitting and weatherstripped to provide an effective barrier against the passage of gases and exhaust fumes and shall be fitted with a self-closing device.  
 (2) A doorway between an attached or built-in garage and a dwelling unit shall not be located in a room intended for sleeping.  
 9.10.9.17. Separation of Repair Garages  
 (4) Where a building containing a repair garage also contains a dwelling unit, an air barrier system conforming to Subsection 9.25.3. shall be installed between the dwelling unit and the suite containing the garage to provide an effective air barrier to gas and exhaust fumes.  
 (5) Where membrane materials are used to provide the required airtightness in the air barrier system, all joints shall be sealed and structurally supported.

9.20.13.12. Drips Beneath Window Sills  
 (1) Except for wall openings located less than 150 mm above ground level, where a concealed flashing is not installed beneath window and door sills, such sills shall be provided with an outward slope and a drip located not less than 25 mm from the wall surface.  
 9.23 Wood Frame Construction  
 9.23.2.1. Strength and Rigidity  
 (1) All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.  
 9.23.3. Fasteners  
 9.23.3.1. Standards for Nails and Screws  
 (1) Unless otherwise indicated, nails specified in this Section shall be common steel wire nails or common spiral nails, conforming to CSA B111, "Wire Nails, Spikes and Staples".  
 (2) Wood screws specified in this Section shall conform to ANSI/ASME B18.6.1., "Wood Screws (Inch Series)".  
 9.23.3.2. Length of Nails  
 (1) All nails shall be long enough so that not less than half their required length penetrates into the second member. 9.23.3.3. Prevention of Splitting  
 9.23.3.3. Prevention of Splitting  
 (1) Splitting of wood members shall be minimized by staggering the nails in the direction of the grain and by keeping nails well in from the edges.  
 9.23.3.4. Nailing of Framing  
 (1) Except as provided in Sentence (2), nailing of framing shall conform to Table 9.23.3.4.

9.23.16. Wall Sheathing  
 9.23.16.1. Required Sheathing  
 (1) Exterior walls and gable ends shall be sheathed when the exterior cladding requires intermediate fastening between supports or if the exterior cladding requires solid backing.  
 9.23.16.2. Thickness, Rating and Material Standards  
 (1) Where wall sheathing is required, it shall conform to Table 9.23.16.2.A. or Table 9.23.16.2.B.  
 9.23.16.5. Joints in Panel-Type Sheathing  
 (1) A gap of not less than 2 mm shall be left between sheets of plywood, OSB, waferboard or fibreboard.

9.23.15. Roof Sheathing  
 9.23.15.1. Required Roof Sheathing  
 (1) Except as provided in Section 9.26., continuous lumber or panel-type roof sheathing shall be installed to support the roofing.  
 9.23.15.2. Material Standards  
 (1) Wood-based panels used for roof sheathing shall conform to the requirements of,  
 (a) CSA O121-M, "Douglas Fir Plywood",  
 (b) CSA O151, "Canadian Softwood Plywood",  
 (c) CSA O153-M, "Poplar Plywood",  
 (d) CAN/CSA-O325.0, "Construction Sheathing", or  
 (e) CSA O437.0, "OSB and Waferboard".  
 9.23.15.3. Direction of Installation  
 (1) Plywood roof sheathing shall be installed with the surface grain at right angles to the roof framing.  
 (2) OSB roof sheathing conforming to CAN/CSA-O325.0, "Construction Sheathing", or to O-1 and O-2 grades as specified in CSA O437.0, "OSB and Waferboard", shall be installed with the direction of face orientation at right angles to the roof framing members.  
 9.23.15.4. Joints in Panel-Type Sheathing  
 (1) Panel-type sheathing board shall be applied so that joints perpendicular to the roof ridge are staggered where,  
 (a) the sheathing is applied with the surface grain parallel to the roof ridge, and  
 (b) the thickness of the sheathing is such that the edges are required to be supported.  
 (2) A gap of not less than 2 mm shall be left between sheets of plywood, OSB or waferboard.  
 9.23.15.6. Edge Support  
 (1) Except as permitted in Sentence (2), where panel-type roof sheathing requires edge support, the support shall consist of,  
 (a) metal H clips, or  
 (b) not less than 38 mm by 38 mm blocking securely nailed between framing members.  
 (2) The supports referred to in Sentence (1) are not required when tongued-and-grooved edged panel-type sheathing board is used.  
 9.23.15.7. Thickness or Rating  
 (1) The thickness or rating of roof sheathing on a flat roof used as a walking deck shall conform to either Table 9.23.14.5.A. or Table 9.23.14.5.B. for subfloors.  
 9.26.18.2. Downspouts  
 (1) Where downspouts are provided and are not connected to a sewer, extensions shall be provided to carry rainwater away from the building in a manner that will prevent soil erosion.

9.23.16.2.A. Rating For Wall Sheathing When Applying CAN/CSA-O325.0  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.16.2.A.  
 Wall Sheathing Thickness and Specifications  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Type of Sheathing	Column 2 Minimum Thickness, mm <sup>(1)</sup> With Supports 406 mm o.c. With Supports 610 mm o.c.	Column 3 Minimum Thickness, mm <sup>(1)</sup> With Supports 610 mm o.c.	Column 4 Material Standards
1.	Fibreboard (insulating)	9.5	11.1	CAN/ULC-S706
2.	Gypsum Sheathing	9.5	12.7	CAN/CSA-A82-27M ASTM C1177 / C1177M ASTM C1396 / C1396M
3.	Lumber	170	170	See Table 9.3.2.1.
4.	Mineral Fibre, Rigid Board, Type 2	25	25	CAN/ULC-S702
5.	OSB, O-2 Grade	6.0	7.5	CSA O437.0
6.	OSB, O-1 Grade, and Waferboard, R-1 Grade	6.35	7.9	CSA O437.0
7.	Phenolic, faced	25	25	CAN/CSB-51.25-M
8.	Plywood (exterior type)	6	7.5	CSA O121-M CSA O151 CSA O153-M
9.	Polystyrene, Types 1 and 2	38	38	CAN/ULC-S701
10.	Polystyrene, Types 3 and 4	25	25	CAN/ULC-S701
11.	Polyurethane and Polyisocyanurate Type 1, faced	38	38	CAN/ULC-S704
12.	Polyurethane and Polyisocyanurate Types 2 and 3, faced	25	25	CAN/ULC-S704

Table 9.23.16.2.B.  
 Rating For Wall Sheathing When Applying CAN/CSA-O325.0  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.3.4.  
 Nailing of Framing  
 Forming Part of Sentence 9.23.3.4.(1)

Item	Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
1.	Floor joist to plate - toe nail	82	2
2.	Wood or metal strapping to underside of floor joists	57	2
3.	Cross bridging to joists	57	2 at each end
4.	Double header or trimmer joists	76	300 mm (o.c.)
5.	Floor joist to stud (balloon construction)	76	2
6.	Ledger strip to wood beam	82	2 per joist
7.	Joist to joist splice (See also Table 9.23.13.8.)	76	2 at each end
8.	Header joist end nailed to joists along perimeter	101	3
9.	Tail joist to adjacent header joist (end nailed) around openings	82	5
10.	Each header joist to adjacent trimmer joist (end nailed) around openings	101	3
11.	Stud to wall plate (each end) toe nail or end nail	62	4
12.	Doubled studs at openings, or studs at walls or wall intersections and corners	82	2
13.	Doubled top wall plates	76	600 mm (o.c.)
14.	Bottom wall plate or sole plate to joists or blocking (exterior walls) <sup>(2)</sup>	82	400 mm (o.c.)
15.	Interior walls to framing or subflooring	82	600 mm (o.c.)
16.	Horizontal member over openings in non-loadbearing walls - each end	82	2
17.	Limits to studs	82	2 at each end
18.	Ceiling joist to plate - toe nail each end	82	2
19.	Rafter to joist (with ridge supported)	101	2
20.	Rafter to joist (with ridge unsupported)	76	3
21.	Rafter to joist (with ridge unsupported)	76	3
22.	See Table 9.23.13.8.		
23.	Gusset plate to each rafter at peak	57	4
24.	Rafter to ridge board - toe nail - end nail	82	3
25.	Collar tie to rafter - each end	76	3
26.	Collar tie lateral support to each collar tie	57	2
27.	Jack rafter to hip or valley rafter	82	2
28.	Roof strut to rafter	76	3
29.	Roof strut to loadbearing wall - toe nail	82	2
30.	38 mm x 140 mm or less plank decking to support	82	2
31.	Plank decking wider than 38 mm x 140 mm to support	82	3
32.	38 mm edge laid plank decking to support (toe nail)	76	1
33.	38 mm edge laid plank to each other	76	450 mm (o.c.)

Table 9.23.16.2.A.  
 Wall Sheathing Thickness and Specifications  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Type of Sheathing	Column 2 Minimum Thickness, mm <sup>(1)</sup> With Supports 406 mm o.c. With Supports 610 mm o.c.	Column 3 Minimum Thickness, mm <sup>(1)</sup> With Supports 610 mm o.c.	Column 4 Material Standards
1.	Fibreboard (insulating)	9.5	11.1	CAN/ULC-S706
2.	Gypsum Sheathing	9.5	12.7	CAN/CSA-A82-27M ASTM C1177 / C1177M ASTM C1396 / C1396M
3.	Lumber	170	170	See Table 9.3.2.1.
4.	Mineral Fibre, Rigid Board, Type 2	25	25	CAN/ULC-S702
5.	OSB, O-2 Grade	6.0	7.5	CSA O437.0
6.	OSB, O-1 Grade, and Waferboard, R-1 Grade	6.35	7.9	CSA O437.0
7.	Phenolic, faced	25	25	CAN/CSB-51.25-M
8.	Plywood (exterior type)	6	7.5	CSA O121-M CSA O151 CSA O153-M
9.	Polystyrene, Types 1 and 2	38	38	CAN/ULC-S701
10.	Polystyrene, Types 3 and 4	25	25	CAN/ULC-S701
11.	Polyurethane and Polyisocyanurate Type 1, faced	38	38	CAN/ULC-S704
12.	Polyurethane and Polyisocyanurate Types 2 and 3, faced	25	25	CAN/ULC-S704

Table 9.23.16.2.B.  
 Rating For Wall Sheathing When Applying CAN/CSA-O325.0  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.3.4.  
 Nailing of Framing  
 Forming Part of Sentence 9.23.3.4.(1)

Item	Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
1.	Floor joist to plate - toe nail	82	2
2.	Wood or metal strapping to underside of floor joists	57	2
3.	Cross bridging to joists	57	2 at each end
4.	Double header or trimmer joists	76	300 mm (o.c.)
5.	Floor joist to stud (balloon construction)	76	2
6.	Ledger strip to wood beam	82	2 per joist
7.	Joist to joist splice (See also Table 9.23.13.8.)	76	2 at each end
8.	Header joist end nailed to joists along perimeter	101	3
9.	Tail joist to adjacent header joist (end nailed) around openings	82	5
10.	Each header joist to adjacent trimmer joist (end nailed) around openings	101	3
11.	Stud to wall plate (each end) toe nail or end nail	62	4
12.	Doubled studs at openings, or studs at walls or wall intersections and corners	76	750 mm (o.c.)
13.	Doubled top wall plates	76	600 mm (o.c.)
14.	Bottom wall plate or sole plate to joists or blocking (exterior walls) <sup>(2)</sup>	82	400 mm (o.c.)
15.	Interior walls to framing or subflooring	82	600 mm (o.c.)
16.	Horizontal member over openings in non-loadbearing walls - each end	82	2
17.	Limits to studs	82	2 at each end
18.	Ceiling joist to plate - toe nail each end	82	2
19.	Rafter to joist (with ridge supported)	101	2
20.	Rafter to joist (with ridge unsupported)	76	3
21.	Rafter to joist (with ridge unsupported)	76	3
22.	See Table 9.23.13.8.		
23.	Gusset plate to each rafter at peak	57	4
24.	Rafter to ridge board - toe nail - end nail	82	3
25.	Collar tie to rafter - each end	76	3
26.	Collar tie lateral support to each collar tie	57	2
27.	Jack rafter to hip or valley rafter	82	2
28.	Roof strut to rafter	76	3
29.	Roof strut to loadbearing wall - toe nail	82	2
30.	38 mm x 140 mm or less plank decking to support	82	2
31.	Plank decking wider than 38 mm x 140 mm to support	82	3
32.	38 mm edge laid plank decking to support (toe nail)	76	1
33.	38 mm edge laid plank to each other	76	450 mm (o.c.)

Table 9.23.16.2.A.  
 Wall Sheathing Thickness and Specifications  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Type of Sheathing	Column 2 Minimum Thickness, mm <sup>(1)</sup> With Supports 406 mm o.c. With Supports 610 mm o.c.	Column 3 Minimum Thickness, mm <sup>(1)</sup> With Supports 610 mm o.c.	Column 4 Material Standards
1.	Fibreboard (insulating)	9.5	11.1	CAN/ULC-S706
2.	Gypsum Sheathing	9.5	12.7	CAN/CSA-A82-27M ASTM C1177 / C1177M ASTM C1396 / C1396M
3.	Lumber	170	170	See Table 9.3.2.1.
4.	Mineral Fibre, Rigid Board, Type 2	25	25	CAN/ULC-S702
5.	OSB, O-2 Grade	6.0	7.5	CSA O437.0
6.	OSB, O-1 Grade, and Waferboard, R-1 Grade	6.35	7.9	CSA O437.0
7.	Phenolic, faced	25	25	CAN/CSB-51.25-M
8.	Plywood (exterior type)	6	7.5	CSA O121-M CSA O151 CSA O153-M
9.	Polystyrene, Types 1 and 2	38	38	CAN/ULC-S701
10.	Polystyrene, Types 3 and 4	25	25	CAN/ULC-S701
11.	Polyurethane and Polyisocyanurate Type 1, faced	38	38	CAN/ULC-S704
12.	Polyurethane and Polyisocyanurate Types 2 and 3, faced	25	25	CAN/ULC-S704

Table 9.23.16.2.B.  
 Rating For Wall Sheathing When Applying CAN/CSA-O325.0  
 Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.3.4.  
 Nailing of Framing  
 Forming Part of Sentence 9.23.3.4.(1)

Item	Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
1.	Floor joist to plate - toe nail	82	2
2.	Wood or metal strapping to underside of floor joists	57	2
3.	Cross bridging to joists	57	2 at each end
4.	Double header or trimmer joists	76	300 mm (o.c.)
5.	Floor joist to stud (balloon construction)	76	2
6.	Ledger strip to wood beam	82	2 per joist
7.	Joist to joist splice (See also Table 9.23.13.8.)	76	2 at each end
8.	Header joist end nailed to joists along perimeter	101	3
9.	Tail joist to adjacent header joist (end nailed) around openings	82	5
10.	Each header joist to adjacent trimmer joist (end nailed) around openings	101	3
11.	Stud to wall plate (each end) toe nail or end nail	62	4
12.	Doubled studs at openings, or studs at walls or wall intersections and corners	76	750 mm (o.c.)
13.	Doubled top wall plates	76	600 mm (o.c.)
14.	Bottom wall plate or sole plate to joists or blocking (exterior walls) <sup>(2)</sup>	82	400 mm (o.c.)
15.	Interior walls to framing or subflooring	82	600 mm (o.c.)
16.	Horizontal member over openings in non-loadbearing walls - each end	82	2
17.	Limits to studs	82	2 at each end
18.	Ceiling joist to plate - toe nail each end	82	2
19.	Rafter to joist (with ridge supported)	101	2
20.	Rafter to joist (with ridge unsupported)	76	3

9.27.4. Caulking

- 9.27.4.1. Required Caulking  
 (1) Caulking shall be provided where required to prevent the entry of water into the structure.  
 (2) Caulking shall be provided between masonry, siding or stucco and the adjacent door and window frames or trim, including sills unless such locations are completely protected from the entry of rain.  
 (3) Caulking shall be provided at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.
- 9.27.4.2. Materials  
 (1) Caulking shall be,  
 (a) a non-hardening type suitable for exterior use,  
 (b) selected for its ability to resist the effects of weathering, and  
 (c) compatible with and adhere to the substrate to which it is applied.
- (2) Caulking shall conform to,  
 (a) CGSB 19-GP-5M, "Sealing Compound, One Component, Acrylic Base, Solvent Curing",  
 (b) CAN/CGSB-19.13-M, "Sealing Compound, One Component, Elastomeric, Chemical Curing",  
 (c) CGSB 19-GP-14M, "Sealing Compound, One Component, Butyl-Polyisobutylene Polymer Base, Solvent Curing", or  
 (d) CAN/CGSB-19.24-M, "Multicomponent, Chemical Curing Sealing Compound".

9.10.19.1. Required Smoke Alarms

- (1) Smoke alarms conforming to CAN/ULC-S531, "Smoke Alarms", shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit.  
 (2) Smoke alarms shall have a visual signalling component conforming to the requirements in 18.5.3. of NFPA 72, "National Fire Alarm and Signaling Code"  
 (3) The visual signalling component required in Sentence (2) need not,  
 (a) be integrated with the smoke alarm provided it is interconnected to,  
 (b) be on battery backup, or  
 (c) have synchronized flash rates, when installed in a dwelling unit.  
 (4) The luminous intensity for visual signalling components required in Sentence (2) that are installed in sleeping rooms shall be a minimum of 175 cd.
- 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 on each floor level, 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.  
 (3) Smoke alarms required in Article 9.10.19.1. and Sentence (1) shall be installed on or near the ceiling.

9.10.19.4. Power Supply

- (1) Except as permitted in Sentence (2), smoke alarms shall be installed by permanent connections to an electrical circuit and shall have no disconnect switch between the overcurrent device and the smoke alarm and in case the regular power supply to the smoke alarm is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the smoke alarm for a period of not less than 7 days in the normal condition, followed by 4 min of alarm.  
 (2) Where the building is not supplied with electrical power, smoke alarms are permitted to be battery operated.

9.10.19.5. Interconnection of Smoke Alarms

- (1) Where more than one smoke alarm is required in a dwelling unit, the smoke alarms shall be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound.

9.10.19.6. Silencing of Smoke Alarms

- (1) A manually operated device is permitted to be incorporated within the circuitry of a smoke alarm installed in a dwelling unit so that it will silence the signal emitted by the smoke alarm for a period of not more than 10 min, after which the smoke alarm will reset and again sound the alarm if the level of smoke in the vicinity is sufficient to reactuate the smoke alarm.

9.10.19.7. Instructions for Maintenance and Care

- (1) Where instructions are necessary to describe the maintenance and care required for smoke alarms to ensure continuing satisfactory performance, they shall be posted in a location where they will be readily available to the occupants for reference.

9.33.4. Carbon Monoxide Alarms

9.33.4.1. Application

- (1) This Subsection applies to every building that,  
 (a) contains a residential occupancy, and  
 (b) contains a fuel-burning appliance or a storage garage.

9.33.4.2. Location of Carbon Monoxide Detectors

- (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,  
 (a) adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the service room, and  
 (b) in the service room.  
 (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 storage garage.  
 (4) Where a storage garage serves only the dwelling unit to which it is attached or built in, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the dwelling unit.

9.33.4.3. Installation and Conformance to Standards

- (1) The carbon monoxide alarm required by Article 9.33.4.2. shall,  
 (a) be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide alarm,  
 (b) be wired so that its activation will activate all carbon monoxide alarms within the suite, where located within a suite of residential occupancy,  
 (c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area, and  
 (d) conform to,  
 (i) CAN/CSA-6.19, "Residential Carbon Monoxide Alarming Devices", or  
 (ii) UL 2034, "Single and Multiple Station Carbon Monoxide Alarms".

9.34.2.6. Garages and Carports

- (1) A lighting outlet with fixture shall be provided for an attached, built-in or detached garage or carport.  
 (2) Except as provided in Sentence (3), lighting outlets required in Sentence (1) shall be controlled by a wall switch near the doorway.  
 (3) Where the lighting outlet and fixture required in Sentence (1) are ceiling mounted above an area not normally occupied by a parked car; or are wall mounted, a fixture with a built-in switch is permitted to be used.  
 (4) Where a carport is lighted by a light at the entrance to a dwelling unit, additional carport lighting is not required.

9.15.3.9. Step Footings

- (1) Where step footings are used,  
 (a) the vertical rise between horizontal portions shall not exceed 600 mm, and  
 (b) the horizontal distance between risers shall be not less than 600 mm.

9.15.4.6. Extension above Ground Level

- (1) Exterior foundation walls shall extend not less than 150 mm above finished ground level.

9.15.4. Foundation Walls

- 9.15.4.2. Foundation Wall Thickness and Required Lateral Support  
 (1) Except as required in Sentence (2), the thickness of foundation walls made of unreinforced concrete block or solid concrete and subject to lateral earth pressure shall conform to Table 9.15.4.2.A. for walls not exceeding 2.5 m in unsupported height.  
 (4) Where average stable soils are encountered and wind loads on the exposed portion of the foundation are no greater than 0.70 kPa, the thickness and reinforcing of foundation walls made of reinforced concrete block and subject to lateral earth pressure shall conform to Table 9.15.4.2.B. and Sentences (5) to (10).  
 (5) For concrete block walls required to be reinforced, continuous vertical reinforcement shall,  
 (a) be provided at wall corners, wall ends, wall intersections, at changes in wall height, at the jambs of all openings and at movement joints,  
 (b) extend from the top of the footing to the top of the foundation wall,  
 (c) where foundation walls are laterally unsupported at the top, have not less than 600 mm embedment into the footing, and  
 (d) where foundation walls are laterally supported at the top, have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.  
 (6) Where foundation walls are laterally unsupported, the footing shall be designed according to Part 4 to resist overturning and sliding, if the maximum height of finished ground above the basement floor or crawl space ground cover exceeds 1.50 m.  
 (7) At the base of concrete block walls required to be reinforced and where the height of finished ground above the basement floor or crawl space ground cover exceeds 2.0 m, not less than one 15M intermediate vertical bar reinforcement shall be installed midway between adjacent continuous vertical reinforcement, and shall,  
 (a) extend to not less than 600 mm above the top of the footing, and  
 (b) have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.  
 (8) For concrete block walls required to be reinforced, a continuous horizontal bond beam containing at least one 15M bar shall be installed,  
 (a) along the top of the wall,  
 (b) at the sill and head of all openings greater than 1.20 m in width, and  
 (c) at structurally connected floors.  
 (9) In concrete block walls required to be reinforced, all vertical bar reinforcement shall be installed along the centre line of the wall.  
 (10) In concrete block walls required to be reinforced, ladder or truss type lateral reinforcement not less than 3.8 mm (No. 9 ASWG) shall be installed in the bed joint of every second masonry course.
- 9.15.4.3. Foundation Walls Considered to be Laterally Supported at the Top  
 (1) Sentences (2) to (4) apply to lateral support for walls described in Sentence 9.15.4.2.(1).  
 (2) Foundation walls shall be considered to be laterally supported at the top if,  
 (a) such walls support solid masonry superstructure,  
 (b) the floor joists are embedded in the top of the foundation walls, or  
 (c) the floor system is anchored to the top of the foundation walls with anchor bolts, in which case the joists may run either parallel or perpendicular to the foundation walls.  
 (3) Unless the wall around an opening is reinforced to withstand earth pressure, the portion of the foundation wall beneath an opening shall be considered laterally unsupported, if,  
 (a) the opening is more than 1.2 m wide, or  
 (b) the total width of the openings in the foundation wall constitutes more than 25% of the length of the wall.  
 (4) For the purposes of Sentence (3), the combined width of the openings shall be considered as a single opening if the average width is greater than the width of solid wall between them.

9.15.6. Parging and Finishing of Foundation Walls

- 9.15.6.1. Foundation Walls Below Ground  
 (1) Concrete block foundation walls shall be parged on the exterior face below ground level as required in Section 9.13.  
 9.15.6.2. Foundation Walls Above Ground  
 (1) Exterior surfaces of concrete block foundation walls above ground level shall have tooled joints, or shall be rendered, parged or otherwise suitably finished.

9.25.3.2. Air Barrier System Properties

- (1) Sheet and panel type materials intended to provide the principal resistance to air leakage shall have an air leakage characteristic not greater than 0.02 L/(s·m<sup>2</sup>) measured at an air pressure differential of 75 Pa.  
 (2) Where polyethylene sheet is used to provide the air-tightness in the air barrier system, it shall conform to CAN/CGSB-51.34-M, "Vapour Barrier, Polyethylene Sheet for Use in Building Construction".

9.25.3.3. Continuity of the Air Barrier System

- (1) Where the air barrier system consists of an air-impermeable panel-type material, all joints shall be sealed to prevent air leakage.  
 (2) Where the air barrier system consists of flexible sheet material, all joints shall be,  
 (a) sealed with compatible material such as tape or flexible sealant, or  
 (b) except as required by Sentence (3), lapped not less than 100 mm and clamped, such as between framing members, furring or blocking and rigid panels.  
 (3) Where an air barrier system consisting of flexible sheet material is installed at locations where it is not supported by an interior finish, such as behind a bath tub, shower enclosure or fireplace, the continuity of the air barrier shall be maintained by sealing its joints.  
 (4) Where an interior wall meets an exterior wall, ceiling, floor or roof required to be provided with an air barrier protection, the air barrier system shall extend across the intersection and shall be sealed in accordance with Sentences (1) and (2).  
 (5) Where an interior wall projects through a ceiling or extends to become an exterior wall, spaces in the wall shall be blocked to provide continuity across those spaces with the air barrier system in the abutting walls or ceiling by,  
 (a) sealing each air barrier to the blocking, or  
 (b) wrapping each air barrier around the transition and sealing in accordance with Sentences (1) and (2).  
 (6) Where an interior floor projects through an exterior wall or extends to become an exterior floor, continuity of the air barrier system shall be maintained from the abutting walls across the floor assembly.  
 (7) Where an interior floor projects through an exterior wall to become an exterior floor,  
 (a) the air barrier of the wall under the floor shall be continuous with or sealed to the subfloor or the air barrier on the underside of the floor,  
 (b) the air barrier of the wall above the floor shall be continuous with or sealed to the subfloor or the air barrier on the top of the floor, and  
 (c) the spaces between floor joists shall be blocked and sealed.

- (8) Where a header wrap is used as an air barrier, it shall be sealed or lapped to the wall air barrier above and below in accordance with Sentences (1) and (2).  
 (9) Penetrations of the air barrier system, such as those created by the installation of electrical wiring, electrical boxes, piping or ductwork, shall be sealed with compatible material such as tape or caulking to maintain the integrity of the air barrier system over the entire surface.  
 (10) Penetrations of the air barrier system, such as those created by the installation of doors, windows and other fenestration shall be sealed to maintain the integrity of the air barrier system over the entire surface.  
 (11) Where an interior air barrier is penetrated by doors, windows and other fenestration, the air barrier shall be sealed to the door frame or window frame with,  
 (a) compatible tape, or  
 (b) spray foam insulation.  
 (12) Where an exterior air barrier is penetrated by doors, windows and other fenestration, the air barrier shall be sealed to the door frame or window frame with,  
 (a) compatible flexible flashing material,  
 (b) caulking, or  
 (c) spray foam insulation.  
 (13) An access hatch installed through an assembly constructed with an air barrier system shall be weatherstripped around the perimeter to prevent air leakage.  
 (14) Clearances between chimneys or gas vents and the surrounding construction that would permit air leakage from within the building into a wall or attic or roof space shall be sealed by noncombustible material to prevent such leakage and shall be sealed to the air barrier with tape or another compatible material, and to the vent with high temperature caulking in accordance with the manufacturer's installation instructions.  
 (15) Where the foundation wall and floor slab are used as an air barrier, they shall be caulked at all joints, intersections and penetrations.  
 (16) Sump pit covers shall be sealed.
- 9.25.3.4. Vapour Barriers Used as Air Barriers  
 (1) A vapour barrier used as an air barrier shall comply with the requirements of this Subsection.

9.29.5. Gypsum Board Finish (Taped Joints)

- 9.29.5.1. Application  
 (1) The requirements for application of gypsum board in this Subsection apply to the single layer application of gypsum board to wood furring or framing using nails or screws.  
 (2) Gypsum board applications not described in this Subsection shall conform to CSA A82.31-M, "Gypsum Board Application".
- 9.29.5.2. Materials  
 (1) Gypsum products shall conform to,  
 (a) CAN/CSA-A82.27-M, "Gypsum Board",  
 (b) ASTM C1178 / C1178M, "Gloss Mat Water-Resistant Gypsum Backing Panel",  
 (c) ASTM C1396 / C1396M, "Gypsum Board".
- 9.29.5.3. Maximum Spacing of Supports  
 (1) Maximum spacing of supports for gypsum board applied as a single layer shall conform to Table 9.29.5.3.
- 9.29.5.4. Support of Insulation  
 (1) Gypsum board supporting insulation shall be at least 12.7 mm thick.
- 9.29.5.5. Length of Fasteners  
 (1) The length of fasteners for gypsum board shall conform to Table 9.29.5.5., except that lesser depths of penetration are permitted for assemblies required to have a fire-resistance rating provided it can be shown, on the basis of fire tests, that such depths are adequate for the required rating.
- 9.29.5.6. Nails  
 (1) Nails for fastening gypsum board to wood supports shall conform to CSA B111, "Wire Nails, Spikes and Staples".
- 9.29.5.7. Screws  
 (1) Screws for fastening gypsum board to wood supports shall conform to ASTM C1002, "Steel Self-Piercing Tapping Screws for the Application of Gypsum Panel Products or Metal Plaster Bases to Wood Studs or Steel Studs".
- 9.29.5.8. Spacing of Nails  
 (1) For single-layer application on ceilings, nails shall be spaced,  
 (a) not more than 180 mm o.c. on ceiling supports, or  
 (b) every 300 mm o.c. along ceiling supports, in pairs about 50 mm apart.  
 (2) Where the ceiling sheets are supported by the wall sheets around the perimeter of the ceiling, this support may be considered as equivalent to nailing at this location.  
 (3) Except as required by Sentence (4), for single-layer application on walls, nails shall be spaced,  
 (a) not more than 200 mm o.c. on vertical wall supports, or  
 (b) every 300 mm o.c. along vertical wall supports, in pairs about 50 mm apart.  
 (4) For single-layer application on walls, where gypsum board is required to provide bracing, lateral support or fire protection, nails shall be spaced not more than 200 mm o.c. on,  
 (a) vertical wall supports, and  
 (b) top and bottom plates.  
 (5) The uppermost nails on vertical wall supports shall be not more than 200 mm below the ceiling.  
 (6) Nails shall be located not less than 10 mm from the side or edge of the board.
- 9.29.5.9. Spacing of Screws  
 (1) For single-layer application on a ceiling, screws shall be spaced not more than 300 mm o.c. on ceiling supports.  
 (2) Where the ceiling sheets are supported by the wall sheets around the perimeter of the ceiling, this support may be considered as equivalent to screwing at this location.  
 (3) Except as required by Sentence (4), for single-layer application on walls, screws shall be spaced,  
 (a) not more than 300 mm o.c. on vertical wall supports where the supports are more than 400 mm o.c., or  
 (b) not more than 400 mm o.c. on vertical wall supports where the supports are not more than 400 mm o.c.  
 (4) Except as required by Sentence (5), for single-layer application on walls, where gypsum board is required to provide bracing, lateral support or fire protection, screws shall be spaced not more than 300 mm o.c. on,  
 (a) vertical wall supports, and  
 (b) top and bottom plates.  
 (5) Where a fire-resistance rating is determined based on Supplementary Standard SB-3, Sentence (4) need not apply for the purpose of fire protection.  
 (6) Screws shall be located not less than 10 mm from the side or edge of the board.  
 (7) Screws shall be driven so that the heads do not puncture the paper.
- 9.29.5.10. Low Temperature Conditions  
 (1) In cold weather, heat shall be provided to maintain a temperature of not below 10°C for 48 h prior to taping and finishing and maintained for not less than 48 h after that.

THESE DRAWINGS MUST BE SIGNED TO BE VALID FOR PERMIT. THEY ARE VALID ONLY FOR THE ORIGINAL ADDRESS IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.5.1 of the 2012 O.B.C.

*John Vanderwoerd*

John Vanderwoerd BCIN 21611  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.  
 Firm Name: Vanderwoerd Drafting & Design  
 BCIN 38976



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

CONTRACTOR:



Steve & Julia Eagle  
 45 Tom St.  
 Hamilton, ON

PROJECT:

Addition

DRAWN BY:

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

DRAWING TITLE:

Notes Continued

STARTING DATE:

Feb 19, 2021

LAST REVISION DATE:

Oct 20, 2022

DRAWING #:

21-046

PAGE #:

14 of 14

SCALE:

N.T.S.



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

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

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	Stephen Eagle Julia Lillicrop		
Applicant(s)*	Stephen Eagle Julia Lillicrop		
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:

Royal Bank of Canada PO Box 80 Waterdown, ON L0R 2H0
---

**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:

By-Law 6593 requires an increase to three (3) parking spots due to ten (10) habitable rooms.

To get relief from By-Law 6593, relief from two (2) extra parking space.

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

Physical property limits cannot support the 2.7m x 6m additional parking spot requirement

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

Registered Plan 41, P.I.N. 17147-0108 (LT)  
45 Tom St, Hamilton ON, L8R 1X2

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?

General knowledge of the 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.

Oct 21 2012  
Date

*Stephen Eagle Julia Lillicrof*  
Signature Property Owner(s)

Stephen Eagle Julia Lillicrof  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>9.14m</u>
Depth	<u>40.23m</u>
Area	<u>367.7m2</u>
Width of street	<u>9.1m</u>

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

Existing: \_

Ground Floor Area: 648 ft2 (60.2m2)  
Gross Floor Area: 648x3 = 1944 ft2 (180.6m2)  
Stories: 2  
W,L,H: 18', 36', 30' approximately (5.5m , 10.97m, 9.1m)

Proposed

Ground Floor Area: 648 ft2 + 420ft2 = 1068ft2 (97.4m2)  
Gross Floor Area: 1068 x 3 = 3204ft2 (297.7m2)  
Stories: 2  
W,L,H: 22', 56', 30' approximately (6.7m, 17.1m, 9.1m)

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

Existing:

Main Dwelling  
Side: West 0.54m, East 2.96m Rear: 26.9m Front: 2.34m  
  
Rear Shed: West 1.02m, East 4m Rear: 1.4m Front: 34m

Proposed:

Main Dwelling  
Side: West 0.54m, East 1.67m Rear: 20.5m Front: 2.34m  
  
Rear Shed: West 1.02m, East 4m Rear: 1.4m Front: 34m

13. Date of acquisition of subject lands:  
April 2015
14. Date of construction of all buildings and structures on subject lands:  
Unknown
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family
17. Length of time the existing uses of the subject property have continued:  
Unknown
18. Municipal services available: (check the appropriate space or spaces)  
Water Yes Connected Yes  
Sanitary Sewer Yes Connected Yes  
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
By-Law 6593
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. Additional Information (please include separate sheet if needed)  
Site Plan  
Proposed Addition Design Details  
Site Plan with parking details, layout 1 and 2
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>SC/B-22:108</b>	<b>SUBJECT PROPERTY:</b>	128 Slinger Ave, Stoney Creek
-------------------------	--------------------	--------------------------	-------------------------------

**APPLICANTS:** Owner: Izabela & Ivana Stanic  
Agent: AJ Clarke & Associates – Stephen Fraser

**PURPOSE & EFFECT:** To convey two new parcels of land: Parcel A with existing dwelling and accessory structure to remain, and Parcel B for future residential development. To retain a parcel of land for future residential development.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS: (Parcel A)</b>	15.24 m <sup>±</sup>	30.48 m <sup>±</sup>	464.52 m <sup>2</sup> <sup>±</sup>
<b>SEVERED LANDS: (Parcel B)</b>	22.74 m <sup>±</sup>	30.48 m <sup>±</sup>	692.58 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS: (Parcel C)</b>	15.24 m <sup>±</sup>	37.99 m <sup>±</sup>	578.55 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): N/A

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**SC/B-22:108**

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

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

**PUBLIC INPUT**

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

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



 **Subject Lands**

DATED: November 1, 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-22:108**

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

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

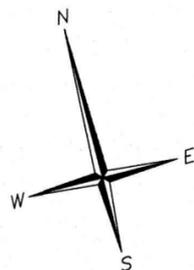
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



LOT 73

EX. RESIDENTIAL DWELLING No. 7

LOT 72

EX. RESIDENTIAL DWELLING No. 81

PART 1, PLAN 62R-5574

LOT 103 REGISTERED

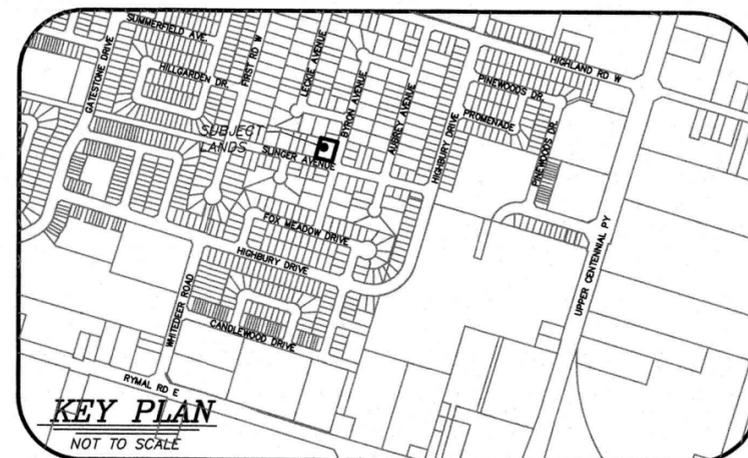
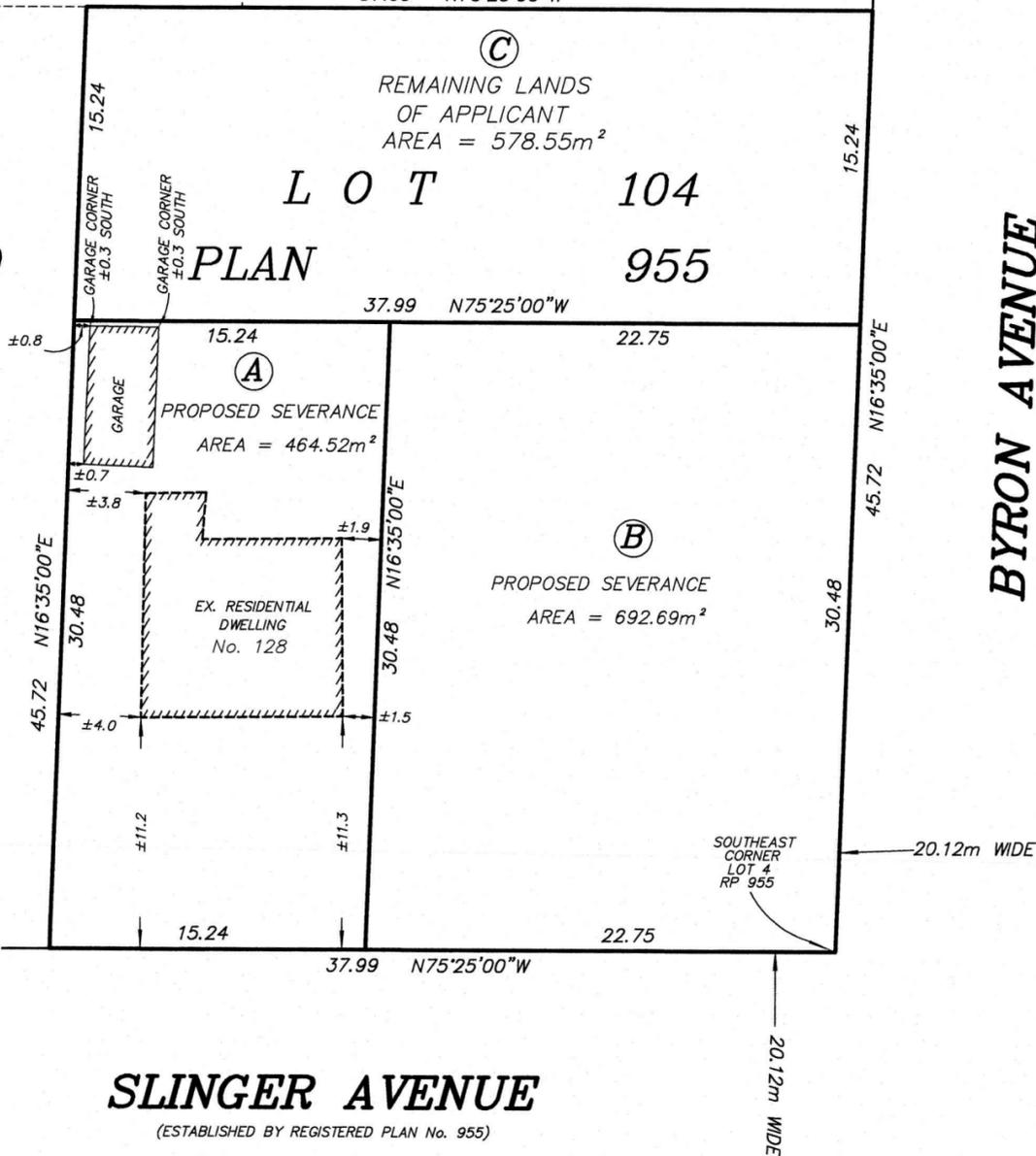
EX. RESIDENTIAL DWELLING No. 132

LOT 104 PLAN 955

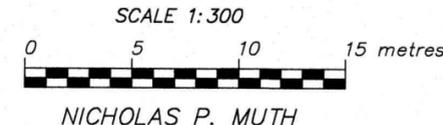
37.99 N75°25'00"W

37.99 N75°25'00"W

37.99 N75°25'00"W



SKETCH OF 128 SLINGER AVENUE CITY OF HAMILTON



NICHOLAS P. MUTH

THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED AS: LOT 104 REGISTERED PLAN No. 955

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

NOTE: THIS SKETCH IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE AND IS NOT BASED ON AN ACTUAL FIELD SURVEY.

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

CAUTION: THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.



SEPTEMBER 15, 2022 DATE

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

© COPYRIGHT, 2022 A. J. CLARKE & ASSOCIATES LTD. THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.



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

October 12, 2022

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

***Delivered via e-mail***

Attn: Jamila Sheffield  
Secretary-Treasurer, Committee of Adjustment

**Re: Severance Application Submission  
128 Slinger Avenue, Stoney Creek**

---

Dear Madam,

On behalf of our client, we are pleased to provide you with the enclosed submission in support of an application for consent to sever for the subject lands. Please find the following enclosed materials:

1. A cheque in the amount of \$4,975.00 made payable to the City of Hamilton, in payment of the requisite application fees.
2. One (1) Electronic copy of the filled and signed Severance (Consent) Application Form.
3. One (1) Electronic copy of a Severance Sketch, prepared by A.J. Clarke and Associates Ltd., dated September 15, 2022.

The proposed development consists of a severance application to sever one parcel of land into three (3) separate lots at 128 Slinger Avenue, in Stoney Creek. The proposed retained and severed parcels are identified as Parcels A, B and C, respectively on the enclosed severance sketch. Currently, there exists a single-detached dwelling and accessory building on the subject lands which are intended to remain. The resultant lots are as follows:

Proposed Lot	Frontage	Area
Parcel A	± 15. 24m	± 464. 5m <sup>2</sup>
Parcel B	± 22. 75m	± 692. 7m <sup>2</sup>
Parcel C	± 15. 24m	± 578. 5m <sup>2</sup>



### **Provincial Policy**

Further to questions 7.1, 7.2 and 7.3 of the attached application form, the following is submitted:

*“Is this application consistent with the Policy Statements issued under subsection “3” of the Planning Act?”*

The proposed development has sufficient regard for the matters of provincial interest outlined in subsection 3 of the *Planning Act*.

*“Is this application consistent with the Provincial Policy Statement (PPS)?”*

This property is appropriate for future development as it is within a settlement area as defined in the PPS, and settlement areas shall be the focus of growth. The subject lands are also within the built-up area and the proposed consent application will facilitate compatible residential intensification through infill development on municipal water and wastewater services, and with frontage on a municipal road. As such, this application is consistent with the PPS (2020).

*“Does this application conform to the Growth Plan for the Greater Golden Horseshoe?”*

The Growth Plan (2019, as amended) stresses the importance of optimizing the existing supply of land already within the built-up area for urban development (intensification) within the Greater Golden Horseshoe to avoid over-designating new land for future urban development. The proposal is consistent with the Growth Plan as it will encourage residential intensification through infill development and will optimize the use of existing infrastructure to support growth in a compact, compatible, and efficient form. As such, the proposal conforms to the Growth Plan.

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

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan. The “Neighbourhoods” designation permits single-detached dwellings. Further, the “Neighbourhoods” designation encourages intensification that is compatible with the lot fabric found in the existing neighbourhood.

Chapter F of the UHOP outlines the applicable policies for residential intensification within the Neighbourhoods designation, specifically relating to lot creation.

*F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the “Neighbourhoods” designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:*

- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) The lots comply with existing Neighbourhood Plans;*
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) The lots reflect the general scale and character of the established development pattern in the*



*surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*

- e) The lots are fully serviced by municipal water and wastewater systems; and,*
- f) The lots have frontage on a public road.*

Accordingly, the proposed lots have frontage onto a public road, are municipally serviced and comply with the intent of the policies within the UHOP, including managing appropriate intensification within the “Neighbourhoods” designation.

The proposed lots are consistent with the general lot fabric of the neighbourhood and can facilitate the construction of single-detached dwellings which are compatible with the neighbourhood. Upon approval of the subject applications, the existing dwelling and accessory structure will remain, and single-detached dwellings will be erected upon each new lot created.

### **West Mountain (Heritage Green) Secondary Plan**

The subject lands are located within the West Mountain (Heritage Green) Secondary Plan Area and further designated “Low Density Residential 2b” on Land Use Plan Map B.7.6 -1.

The “Low Density Residential 2b” designation permits single detached dwellings having a maximum density of 29 units per net residential hectare. Accordingly, the proposal would achieve a density of approximately 17.27 units per hectare (3 total units, 0.1737 ha), as such the proposal would conform to the West Mountain (Heritage Green) Secondary Plan.

Based on the foregoing, the severance conforms to the Urban Hamilton Official Plan and West Mountain (Heritage Green) Secondary Plan, including the policies which speak to facilitating a compatible form of intensification within the neighbourhoods.

### **City of Stoney Creek Zoning By-law 3692-92**

The property is zoned “R2 – Single Residential – Two” in the City of Stoney Creek Zoning By-law 3692-92. The current zone permits single-detached dwellings.

The regulations of the “R2” Zone are as follows:

Regulation	Requirement
Minimum Lot Area	460sq.m (interior lot) and 505sq.m (corner lot)
Minimum Lot Frontage	15.0m (interior lot) and 16.5m (corner lot)

The proposed severance and resulting lots conform to the lot area provisions of the “R2” Zone in the City of Stoney Creek Zoning By-law 3692-92. The location of the existing structures relative to the new property lines will need to be confirmed for zoning compliance or a minor variance application will need to be approved to enable their retention on parcel A.



City of Hamilton, Committee of Adjustment  
Re: 128 Slinger Avenue, Stoney Creek

October 12, 2022  
Page 4 of 4

---

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter.

We look forward to being scheduled for the next available Committee date. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

A handwritten signature in blue ink, appearing to be 'S. Fraser'.

Stephen Fraser, MCIP, RPP  
Principal, Planner  
**A.J. Clarke and Associates Ltd.**

Encl.

Copy via email: Ivica Stanic

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)



Hamilton

**APPLICATION FOR CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			<b>Phone:</b>
			<b>E-mail:</b>
<b>Registered Owners(s)</b>	Izabela Stanic and/or Ivana Stanic		
<b>Applicant(s)**</b>	Same as owners		
<b>Agent or Solicitor</b>	A. J. Clarke and Associates 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.

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

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	128 Slinger Avenue		
Assessment Roll Number			
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number	955	Lot(s)	104
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

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

- |   |   |
|---|---|
| <input type="checkbox"/> creation of a new lot(s)   | <input checked="" type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a lease                          |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title            |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge                         |
| <input type="checkbox"/> cancellation (must also complete section 9)  |   |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |   |

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

Unknown at this time

---

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

---

3.4 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)

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:	parcel C	parcel A	parcel B		
Type of Transfer	N/A	future conveyan	future conveyan		
Frontage	+/-15.24m	+/-15.24m	+/-22.74m		
Depth	+/-37.99m	+/-30.48m	+/-30.48m		
Area	+/-578.55sq.m	+/-464.52sq.m	+/-692.58sq.m		
Existing Use	residential/vacant	residential	residential/vacant		
Proposed Use	residential	residential	residential		
Existing Buildings/ Structures	none	single detached and accessory structure	none		
Proposed Buildings/ Structures	single detached dwelling	single detached dwelling and accessory structure to remain	single detached dwelling		
Buildings/ Structures to be Removed	none	none	none		

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

b) 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) \_\_\_\_\_

c) Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage system

privately owned and operated individual septic system

other means (specify) \_\_\_\_\_

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

electricity

telephone

school bussing

garbage collection

### 5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (Sch E-1)

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

See cover letter.

5.2 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 known, provide the appropriate file number and status of the application.

\_\_\_\_\_

5.3 What is the existing zoning of the subject land? Single Residential R2 Zone

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

5.4 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 known, provide the appropriate file number and status of the application.

\_\_\_\_\_

5.5 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)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>DN/B-22:106</b>	<b>SUBJECT PROPERTY:</b>	74 Hopkins Crt, Dundas
-------------------------	--------------------	--------------------------	------------------------

**APPLICANTS:** Owner: David/Roberta Lodewyks  
Agent: Jonathan Lensink

**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.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	15.2 m <sup>±</sup>	45.72 m <sup>±</sup>	696 m <sup>2</sup> ±
<b>RETAINED LANDS:</b>	15.2 m <sup>±</sup>	45.72 m <sup>±</sup>	696 m <sup>2</sup> ±

Associated Planning Act File(s): N/A

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**DN/B-22:106**

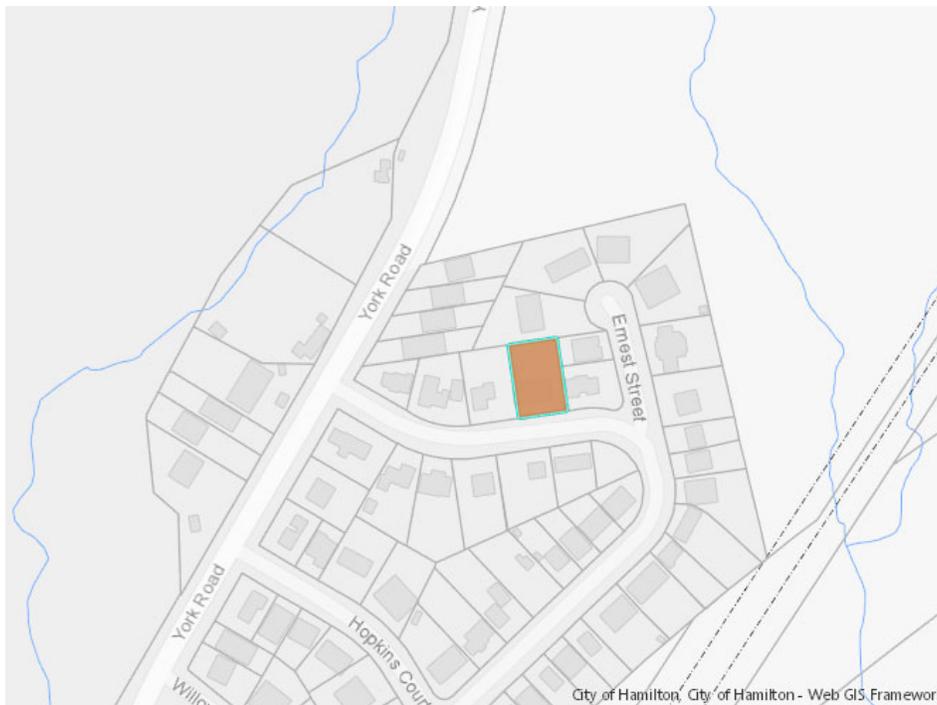
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

**PUBLIC INPUT**

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

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



DATED: November 1, 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..

**DN/B-22:106**

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

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

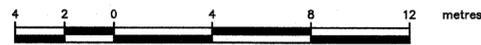
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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

**TOPOGRAPHIC SURVEY**  
OF  
**LOT 19**  
**REGISTERED PLAN 967**  
IN THE  
**CITY OF HAMILTON**

SCALE 1:200 METRIC



**S.D. McLAREN, O.L.S. - 2019**

**BENCHMARK:**

MONUMENT 0011975U007

TOWNSHIP: HAMILTON-WENTWORTH  
LARGE CONCRETE CULVERT UNDER  
YORK ROAD, 213.4m NORTHEAST OF  
INTERSECTION WITH OLYMPIC DRIVE,  
30.5m NORTH OF HARTMAN'S FLOWER  
SHOP, TABLET IN TOP OF SOUTHEAST  
RETAINING WALL, 98cm NORTHEAST  
AND 12cm NORTHWEST OF SOUTH  
CORNER OF CULVERT.

ELEVATION: 248.131 metre CGVD-1928:1978

REGISTERED PLAN 62M-338

LOT 4

REGISTERED PLAN 967

LOT 19

LOT 20

PART 1  
P.I.N. 17470 - 0488 (LT)

PART 2  
P.I.N. 17470 - 0489 (LT)

PLAN 62R-16903

**HOPKINS COURT**  
ESTABLISHED BY REGISTERED PLAN 967  
P.I.N. 17470 - 0423 (LT)

**SITE BENCHMARK**  
NAIL IN HYDRO POLE  
ELEVATION = 101.85

**LEGEND:**

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- SB STANDARD IRON BAR
- CC CUT CROSS
- 600 S.W. WOODS, O.L.S.
- 824 A.T. McLAREN, O.L.S.
- 1629 B.A. JACOBS, O.L.S.
- Med MEASURED
- P1 REGISTERED PLAN 967
- P2 PLAN 62R-16903
- P3 PLAN 62M-338
- P4 PLAN BY S.W. WOODS, O.L.S., DATED JANUARY 14, 1983
- P5 PLAN BY S.W. WOODS, O.L.S., DATED NOVEMBER 28, 1958
- P6 PLAN BY E. BARICH, O.L.S., DATED NOVEMBER 28, 1984
- P7 PLAN BY B.A. JACOBS, O.L.S., DATED SEPTEMBER 14, 2005
- MH MANHOLE
- WRW WOOD RETAINING WALL
- TB TOP OF BANK
- BB BOTTOM OF BANK
- FH FIRE HYDRANT
- DS DOORSILL
- LSA LANDSCAPED AREA
- CRW CONCRETE RETAINING WALL
- PS PATIO STONES

**BEARING NOTE:**

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

**NOTE:**

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999682673

**INTEGRATION DATA**

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

POINT ID	NORTHING	EASTING
ORP A	4792631.821	586998.754
ORP B	4792630.466	586949.262

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

**METRIC NOTE:**

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

**NOTE:**

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 22ND DAY OF OCTOBER, 2019

NOVEMBER 6, 2019  
DATE

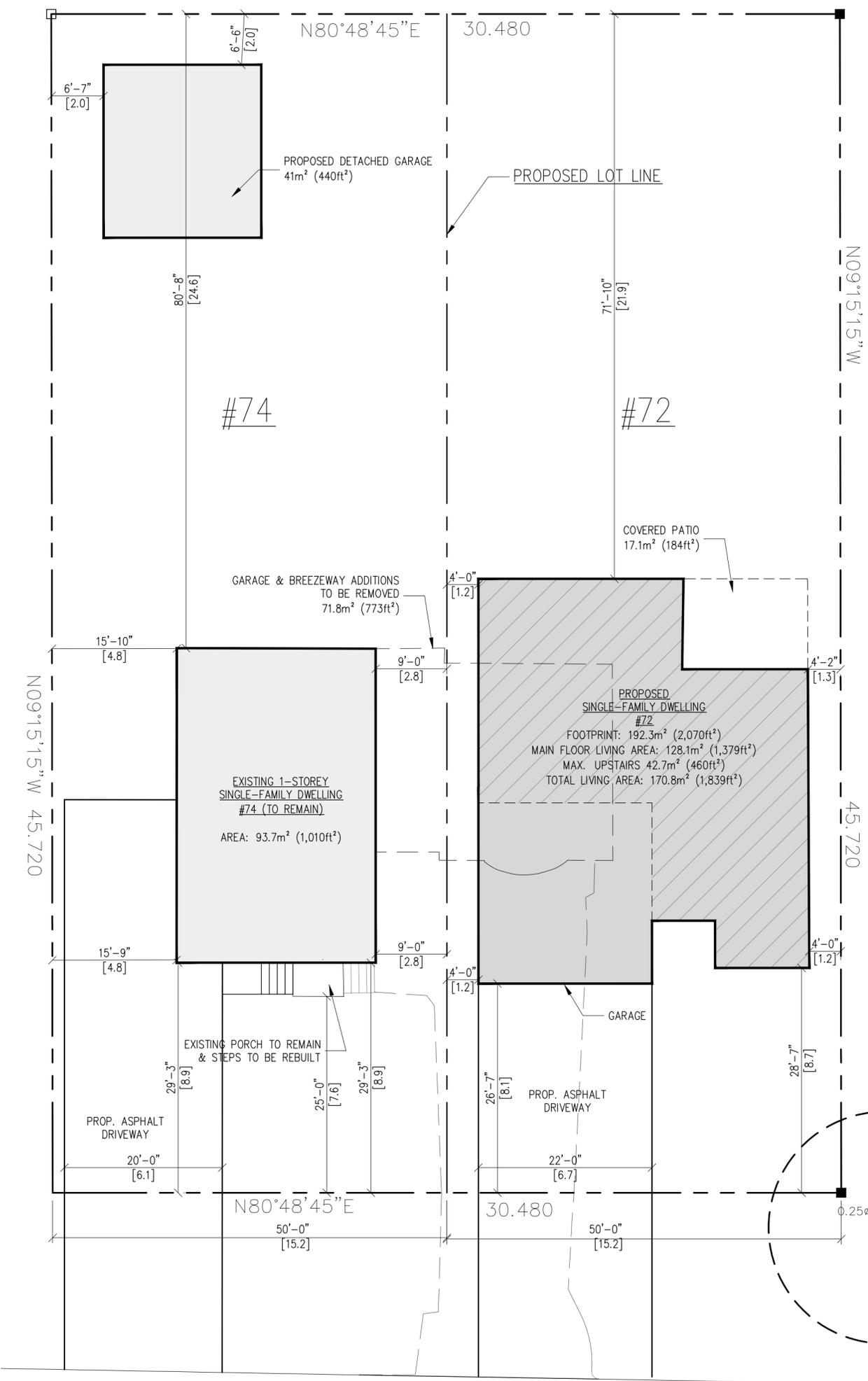
S. DAN McLAREN, O.L.S.



**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn LC	Checked RBM	Crew Chief MW	Scale 1:200	Dwg.No. 36165
----------	-------------	---------------	-------------	---------------



**ZONING STATISTICS - 74 HOPKINS COURT**  
**R2-S98(\*) ZONING (DUNDAS BY-LAW 3581-86)**

ITEM	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
LOT AREA	450m²	1,393.3m²	696.6m²	Y
LOT FRONTAGE	15.0m	30.48m	15.24m	Y
FRONT YARD	6.0m (7.5m*)	8.9m	8.9m	Y
SIDE YARD	1.2m	8.8m	2.8m	Y
SIDE YARD (TO REAR GARAGE)	2.0m	-	2.0m	Y
REAR YARD	7.5m	24.5m	24.5m	Y
HEIGHT	10.5m (7.5m*)	5m	5m	Y
FLOOR AREA EXCL. GARAGE AND BSMT.	240m²* (2,500ft²)	165.5m² (1,782ft²)	93.7m² (1,010ft²)	Y
LOT COVERAGE	30%*	11.9% (165.5m²)	19.3% (134.7m²)	Y

**ZONING STATISTICS - 72 HOPKINS COURT (NEW)**  
**R2-S98 ZONING (DUNDAS BY-LAW 3581-86)**

ITEM	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
LOT AREA	450m²	-	696.6m²	Y
LOT FRONTAGE	15.0m	-	15.24m	Y
FRONT YARD	6.0m (7.5m*)	-	8.9m	Y
SIDE YARD	1.2m	-	1.2m	Y
REAR YARD	7.5m	-	21.9m	Y
HEIGHT	10.5m (7.5m*)	-	7.5m	Y
FLOOR AREA EXCL. GARAGE AND BSMT.	240m²* (2,500ft²)	-	170.8m² (1,839ft²)	Y
LOT COVERAGE	30%*	-	27.6% (192.3m²)	Y



KEY MAP

REV.	DATE	REMARKS
3	SEP22	CofA SUBMISSION
2	DEC21	CITY DISCUSSION
1	22NOV21	REVIEW
0	08SEP21	ISSUED FOR DISCUSSION



JONATHAN LENSINK, P.ENG.  
JONLENSINK@GMAIL.COM // (905) 807-0191  
CERT. OF AUTH: 100565231

PROJECT TITLE

**72-74 HOPKINS COURT**  
**DUNDAS, ON L9H 5M8**

DRAWING TITLE

**LOT PLAN & ZONING**

SCALE AS NOTED

DATE

SHEET No.

**LP1**



**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

Hamilton

**APPLICATION FOR CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			<b>Phone:</b>
			<b>E-mail:</b>
<b>Registered Owners(s)</b>	David & Roberta Lodewyks		
<b>Applicant(s)**</b>			
<b>Agent or Solicitor</b>	Jonathan Lensink, P.Eng.		

\*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.

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

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	74 Hopkins Court		
Assessment Roll Number	251826026029200		
Former Municipality	Dundas		
Lot	19	Concession	
Registered Plan Number	967	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

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s)  | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a 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:

---

3.4 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)

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:	74 Hopkins Ct	72 Hopkins Ct			
Type of Transfer	N/A				
Frontage	15.2m	15.2m			
Depth	45.72m	45.72m			
Area	696sq.m.	696sq.m.			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	1-storey Single Family Dwelling with attached garage				
Proposed Buildings/ Structures		2-storey Single Family Dwelling with attached garage			
Buildings/ Structures to be Removed	Attached garage to be removed				

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

b) 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) \_\_\_\_\_

c) Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage system

privately owned and operated individual septic system

other means (specify) \_\_\_\_\_

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

electricity

telephone

school bussing

garbage collection

### 5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The new lot will provide a continuation of the residential use, fitting the existing neighborhood

5.2 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 known, provide the appropriate file number and status of the application.

\_\_\_\_\_

5.3 What is the existing zoning of the subject land? R2-S98

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

5.4 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 known, provide the appropriate file number and status of the application.

\_\_\_\_\_

5.5 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)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>FL/A-22:326</b>	<b>SUBJECT PROPERTY:</b>	653 Safari Rd, Flamborough
<b>ZONE:</b>	"A2" (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: Teranjit Singh  
Agent: Prem Tewari

The following variances are requested:

1. A maximum building height of 12.0m shall be permitted instead of the maximum 10.5m height permitted.

**PURPOSE & EFFECT:** To permit the construction of a new single-family dwelling with a ground floor area of 409.0m<sup>2</sup>.

**Notes:**

1. Drawings provided do not appear to show building height as per the definition within Hamilton Zoning By-law 05-200. As such additional variance may be required at such a time that building height is provided as per the definition of "Building Height" and "Grade".

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b>

FL/A-22:326

	<a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
--	--

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

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

## PUBLIC INPUT

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

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



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

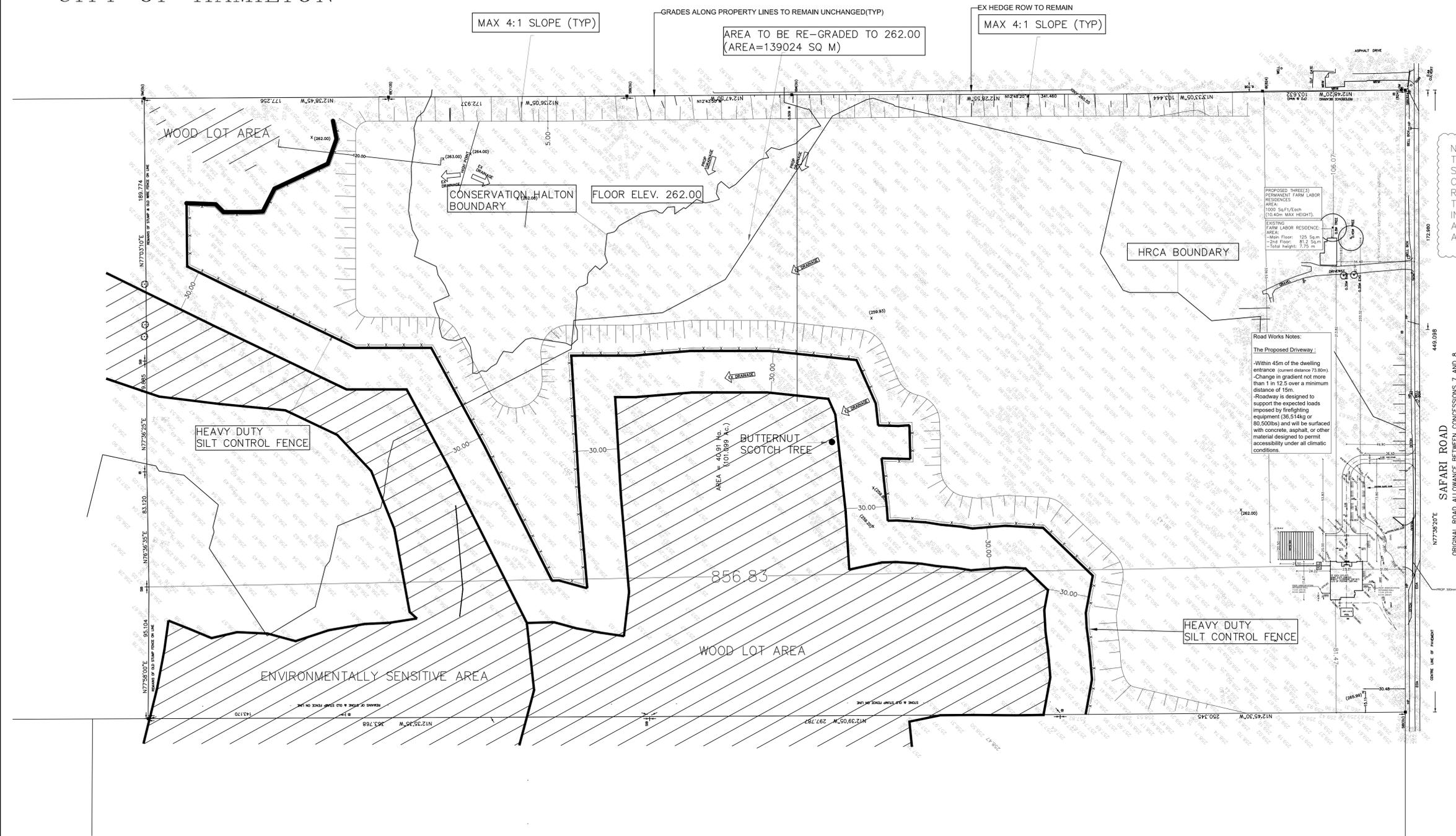
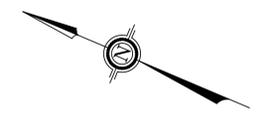
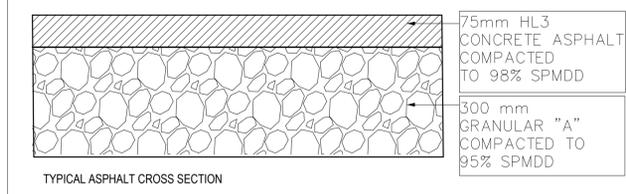
#### 2. In person Oral Submissions

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

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

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

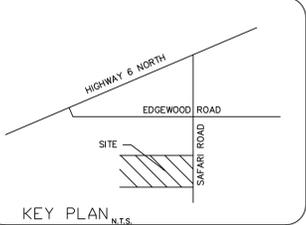
LOT 11  
CONCESSION 7  
GEOGRAPHIC  
TOWNSHIP OF WEST FLAMBOROUGH  
IN THE  
CITY OF HAMILTON



NOTE:  
THE LOCATION OF THE EXISTING SINGLE FAMILY DWELLING TO BE CONVERTED TO FARM LABOUR RESIDENCE AND ITS SETBACK TO THE NEW SINGLE FAMILY DWELLING IN ACCORDANCE WITH THE APPROVED COMMITTEE OF ADJUSTMENT DECISION.

Road Works Notes:  
The Proposed Driveway:  
-Within 45m of the dwelling entrance (current distance 73.60m)  
-Change in gradient not more than 1 in 12.5 over a minimum distance of 15m.  
-Roadway is designed to support the expected loads imposed by firefighting equipment (36,514kg or 80,500lbs) and will be surfaced with concrete, asphalt, or other material designed to permit accessibility under all climatic conditions.

SAFARI ROAD  
ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8



**LEGEND**

(268.02): PROPOSED GRADE  
268.00: EXISTING GRADE

LOT AREA: 409,135.84 Sq.m  
LOT COVERAGE AREA (0.24%):

- EXISTING FARM LABOR RESIDENCE: 130.00 Sq.m
- PROPOSED 3 FARM LABOR RESIDENCES: 278.90 Sq.m
- PROPOSED PRINCIPAL RESIDENCE: 581.00 Sq.m

NO.	REVISIONS	DATE	BY

OWNER: SINGH GREENHOUSES

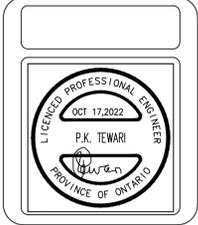
MUNICIPALITY: 653 SAFARI ROAD, FLAMBOROUGH, CITY OF HAMILTON

PROJECT NAME: GREENHOUSE CONSTRUCTION

DRAWN BY: HZ  
DATE: OCT 2022  
DESIGNED BY: PT  
CHECKED BY: PT

DATE OF ISSUE:

DATE OF PLOT: OCT 2022



IDM (2005) CONSULTANTS INC

5325 HARVESTER RD., BURLINGTON ONTARIO L7L 5K4  
TEL. 905-928-2542

SCALE IN METERS: 1:1500

DRAWING TITLE: GRADING PLAN

PROJECT NO. 3613 DRAWING NO. SP04-01

# TERANJIT SINGH RESIDENCE

## 653 Safari Road Milgrove



NOTE:  
CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER. ORIGINALLY  
DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING  
STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE  
STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS  
PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY  
DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH  
RESIDENCE**

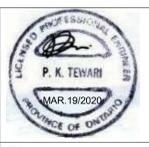
PROJECT:  
**CUSTOM HOUSE**  
  
653 Safari Road Milgrove

DRAWING:  
  
**COVER SHEET**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel:(905) 928-2542



DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.		
DATE:	19 MAR 2020	DRAWING No:	A-100
ISSUED:	19 MAR 2020		

NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
 DATE: \_\_\_\_\_

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER ORIGINALLY  
 DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING  
 STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE  
 STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS  
 PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.
No	REVISION	DATE	BY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY  
 DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH  
 RESIDENCE**

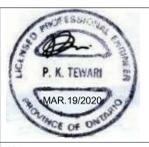
PROJECT:  
**CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING:  
**FOUNDATION PLAN**

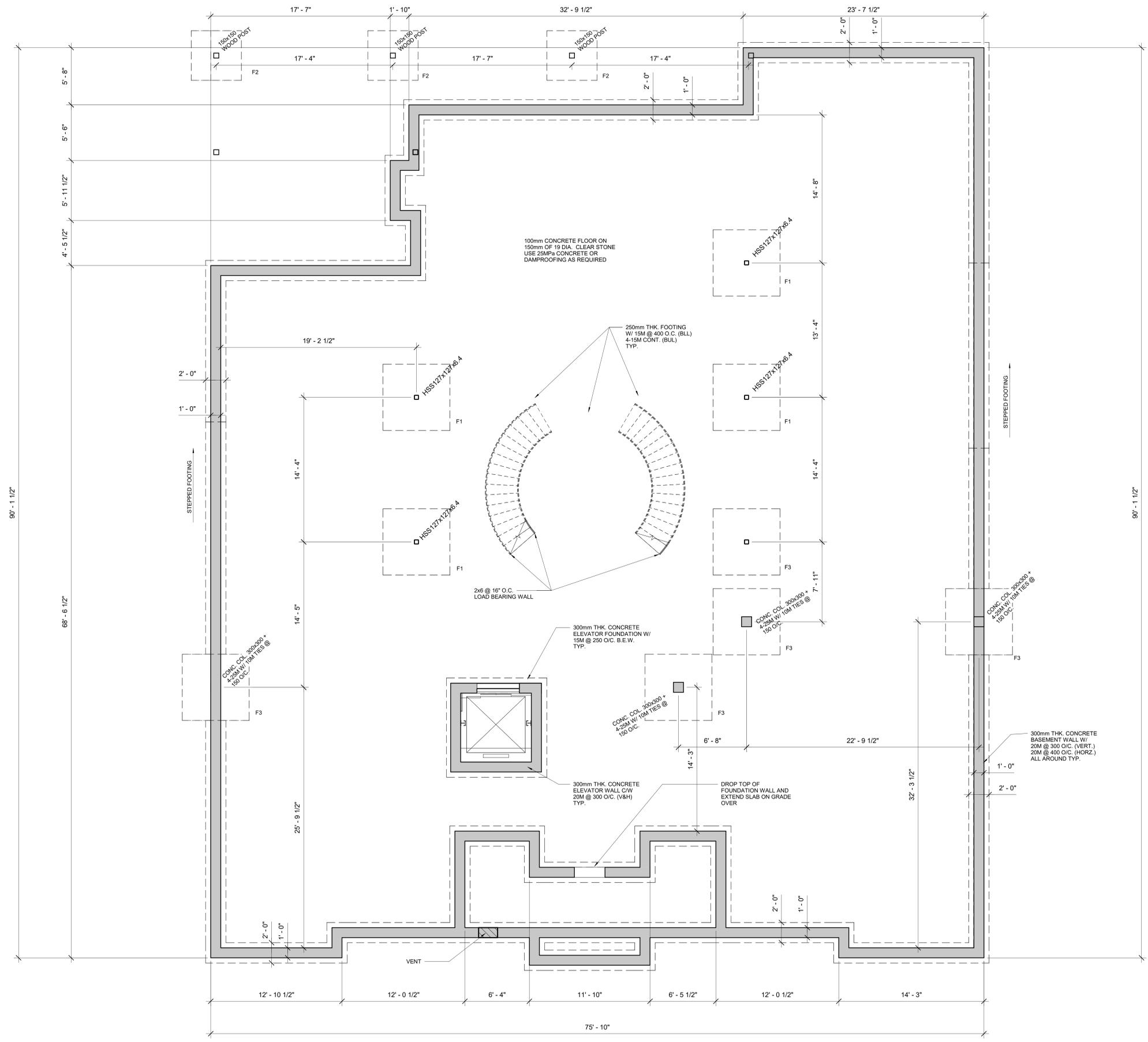
SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542



DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-101



**1 FOUNDATION PLAN**  
 1/4" = 1'-0"

FOOTING SCHEDULE					
MARK	SIZE	THICKNESS	REINFORCEMENT		REMARKS
			TOP	BOTTOM	
F1	2000 x 2000	400		8-20M E.W.	
F2	1500 x 1500	400		6-20M E.W.	
F3	2000 x 2000	500		8-20M E.W.	

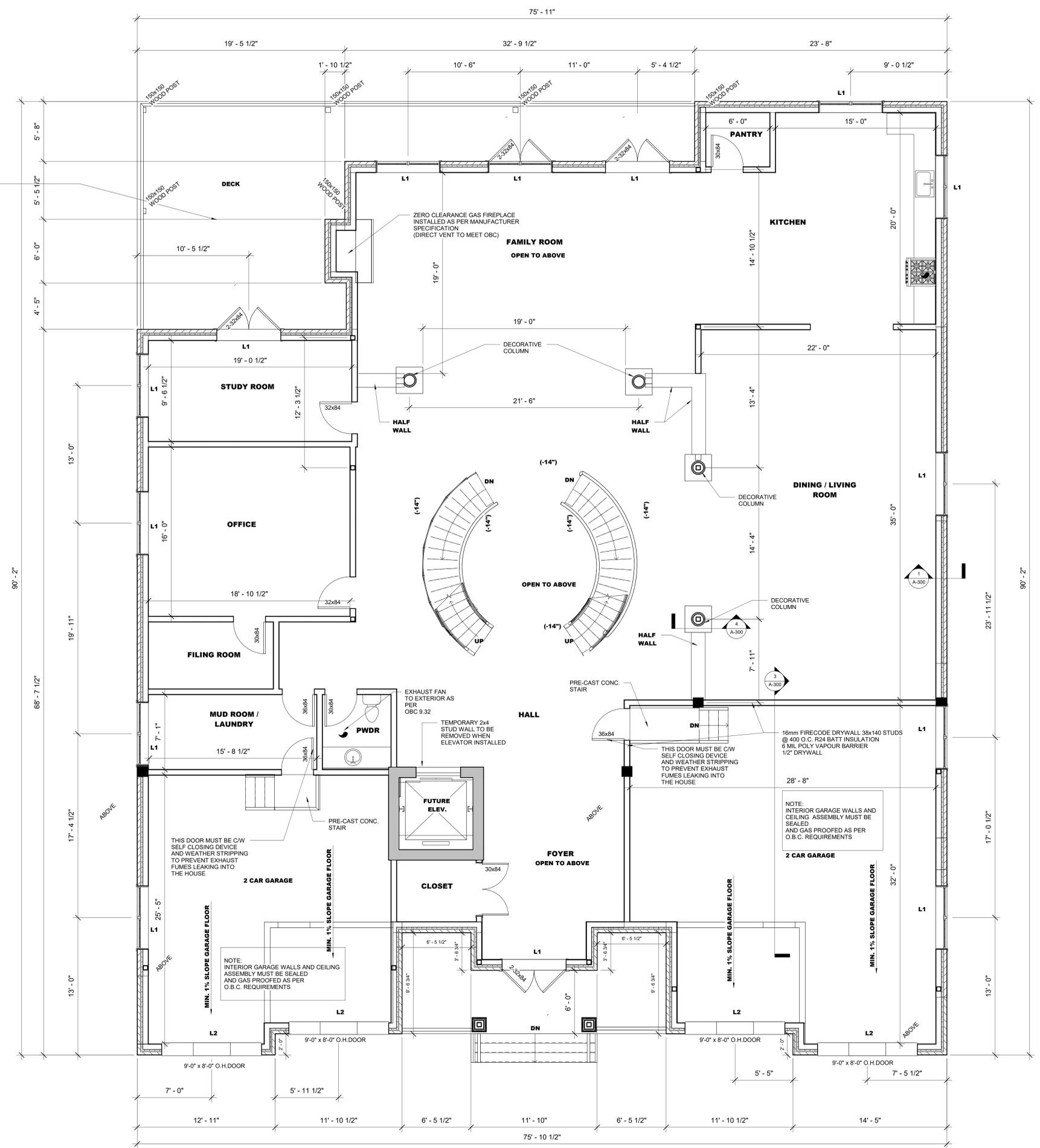
NOTE:  
 SBC OF SOIL = 250KPa (SLS)  
 (TO BE CONFIRMED AT SITE)



NOTE:  
CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_

SINGLE PLY DURADECK MEMBRANE  
INSTALLED AS PER MANUF. SPECS  
INTENDED AS FINAL WALKING  
SURFACE.  
MIN. 2% SLOPE TO SCUPPER DRAIN



**GARAGE LOADS (SUPERIMPOSED):**  
DEAD LOAD: 1.00 kPa  
LIVE LOAD: 2.40 kPa

**FLOOR LOADS:**  
DEAD LOAD: 1.40 kPa  
(INCLUDES 1.0kPa PARTITION LOAD)  
LIVE LOAD: 1.90kPa

**BALCONY LOADS:**  
DEAD LOAD: 1.40 kPa  
(INCLUDES 1.0 kPa PARTITION LOAD)  
LIVE LOAD: 4.80 kPa

**EXTERIOR BRICK LOOSE LINTEL SCHEDULE:**

WALL TYPE	OPENING	SIZE
4" BRICK	3'-1" TO 4'-6"	L127x89x6.4 L.L.V HOT DIP GALV.
4" BRICK	4'-7" TO 7'-6"	L152x102x9.5 L.L.V HOT DIP GALV.
4" BRICK	7'-7" TO 10'-0"	L203x102x9.5 L.L.V HOT DIP GALV.
4" BRICK	10'-1" TO 12'-0"	3/8" THK. BRICK PLATE PROVIDE 4" LONG 1/4" STITCH WELDS @ 12" C/C EACH SIDE BEAM TO PLATE

L1: 3-1 3/4" X 11 1/4" w/ 2900IB-2.0E  
w/ 6"x6" SFF No.1 WOOD COLUMN BOTH ENDS  
L2: W200x21 w/ HSS127x127x6.4 COLUMN BOTH ENDS

**GROUND FLOOR AREA:**  
TOTAL GROUND FLOOR AREA = 409 sq.m.

**TOTAL BUILDING AREA:**  
TOTAL BUILDING AREA = 553 sq.m.

1 GROUND FLOOR  
1/4" = 1'-0"

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER ORIGINALLY  
DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING  
STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE  
STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS  
PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY  
DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT: **TERANJIT SINGH  
RESIDENCE**

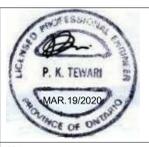
PROJECT: **CUSTOM HOUSE**  
**653 Safari Road Milgrove**

DRAWING: **GROUND FLOOR PLAN**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

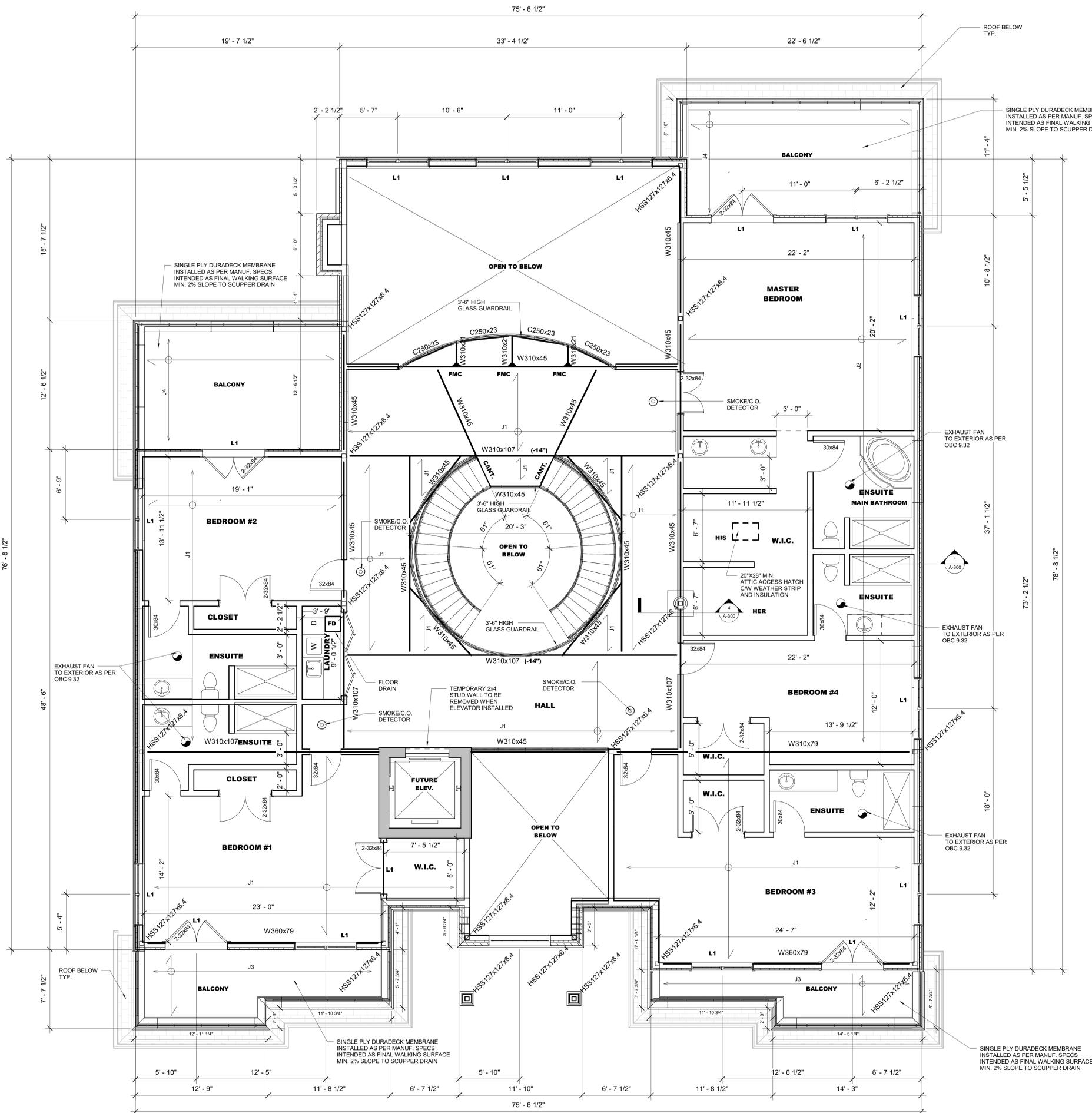
5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel:(905) 928-2542



DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-103

NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
 DATE: \_\_\_\_\_



1 SECOND FLOOR  
 1/4" = 1'-0"

- J1: 14" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT
- J2: 14" DP TJI560 @ 12" O.C. OR APPROVED EQUIVALENT
- J3: 11-7/8" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT
- J4: 11-7/8" DP TJI560 @ 8" O.C. OR APPROVED EQUIVALENT

- L1: 3-1/4" X 11 1/4" IJI 2900IB-2.0E w/ 6"x6" SPF No.1 WOOD COLUMN BOTH ENDS
- L2: W200x21 w/ HSS127x127x6.4 COLUMN BOTH ENDS

FLOOR LOADS:  
 DEAD LOAD: 1.40 kPa  
 (INCLUDES 1.0kPa PARTITION LOAD)  
 LIVE LOAD: 1.90kPa

BALCONY LOADS:  
 DEAD LOAD: 1.40 kPa  
 (INCLUDES 1.0 kPa PARTITION LOAD)  
 LIVE LOAD: 4.80 kPa

FMC = FULL MOMENT CONNECTION

SECOND FLOOR AREA:  
 TOTAL SECOND FLOOR AREA = 352 sq.m.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR REVIEW	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT: **TERANJIT SINGH RESIDENCE**

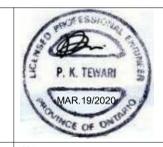
PROJECT: **CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING: **SECOND FLOOR PLAN**

SCALE: AS NOTED

IDM(2005) CONSULTANTS INC.

5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542

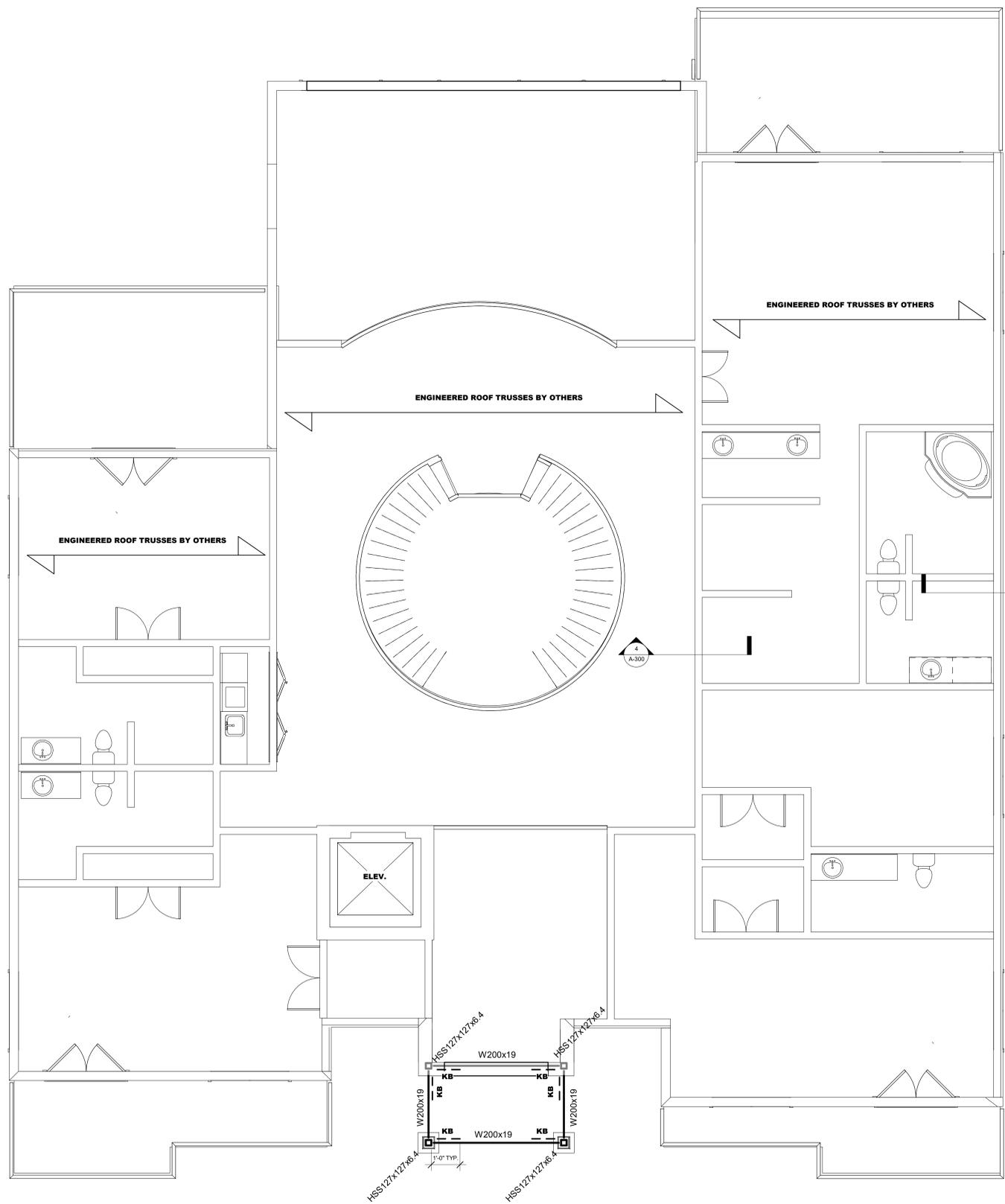


DRAWN BY: S.K.	JOB No: 2019-JPS-090
CHECKED BY: P.T.	DATE: 19 MAR 2020
ISSUED: 19 MAR 2020	DRAWING No: A-104



NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.



**LOADS:**  
 DEAD LOAD: 1.00 kPa  
 SNOW LOAD: 1.90 kPa  
 (Ss=1.5kPa, Sr=0.40kPa, Ca=1.25)  
 KB = KNEE BRACE (HSS127x127x6.4)

**1** ROOF PLAN  
 1/4" = 1'-0"

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH RESIDENCE**

PROJECT:  
**CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING:  
**ROOF FRAMING PLAN**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

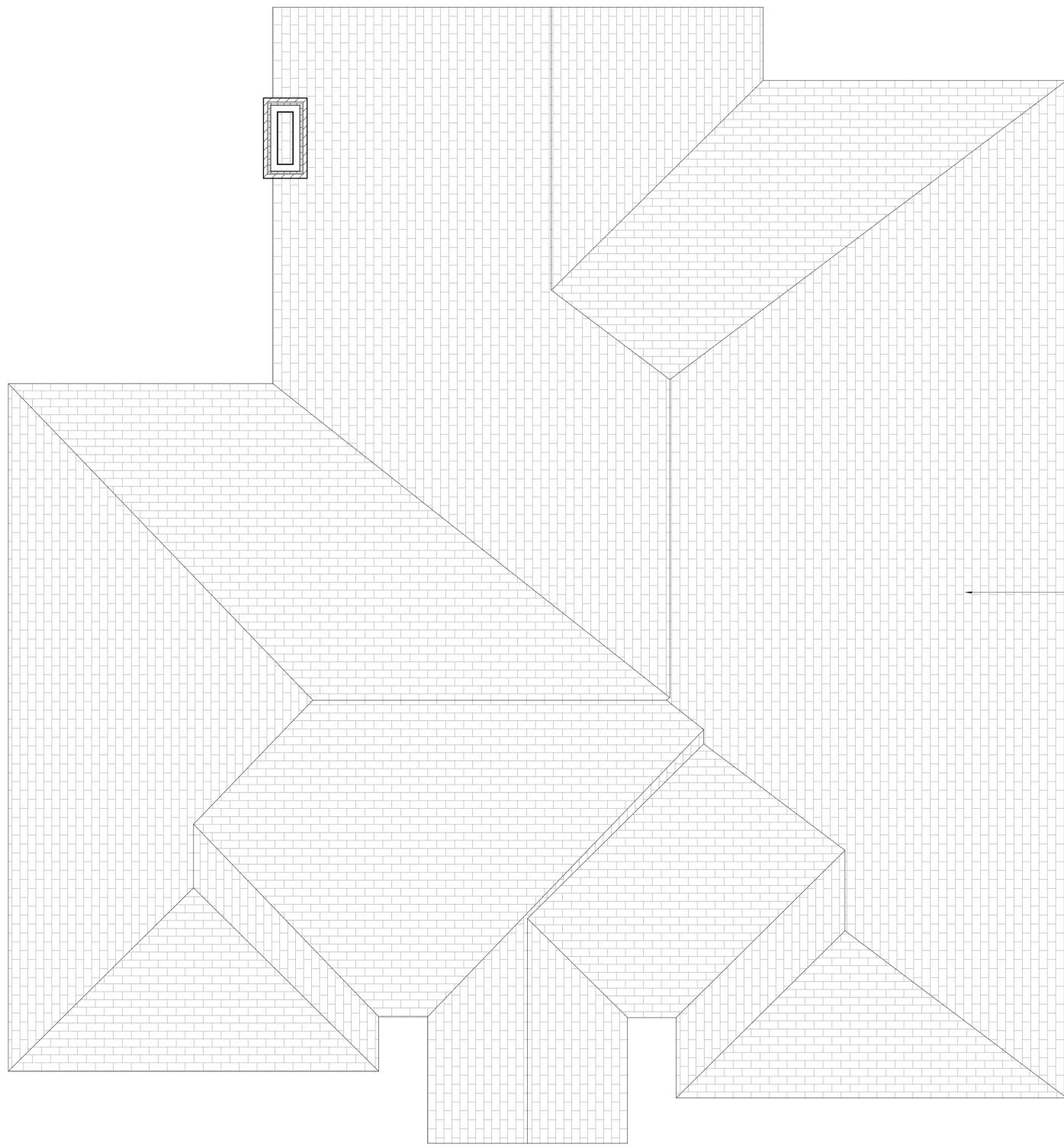
5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542



DRAWN BY:	P.F.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-105

NOTE:  
CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_



TYPICAL ROOF  
ASPHALT SHINGLES  
7/16" STRANDBOARD SHEATHING  
APPROVED WOOD TRUSSES @ 24" O.C.  
R60 BLOWN INSULATION  
6 mil. POLY VAPOUR BARRIER SEAL AND LAPPED  
1/2" DRYWALL  
TAPED AND SANDED

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER. ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH  
RESIDENCE**

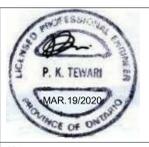
PROJECT:  
**CUSTOM HOUSE**  
  
653 Safari Road Milgrove

DRAWING:  
  
**ROOF PLAN**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel:(905) 928-2542



**1** ROOF PLAN  
1/4" = 1'-0"

DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DRAWING No:	A-105A
DATE:	19 MAR 2020		
ISSUED:	19 MAR 2020		

NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND I.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.



1 South  
 1/4" = 1'-0"



2 North  
 1/4" = 1'-0"

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER. ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH RESIDENCE**

PROJECT:  
**CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING:  
**ELEVATIONS**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

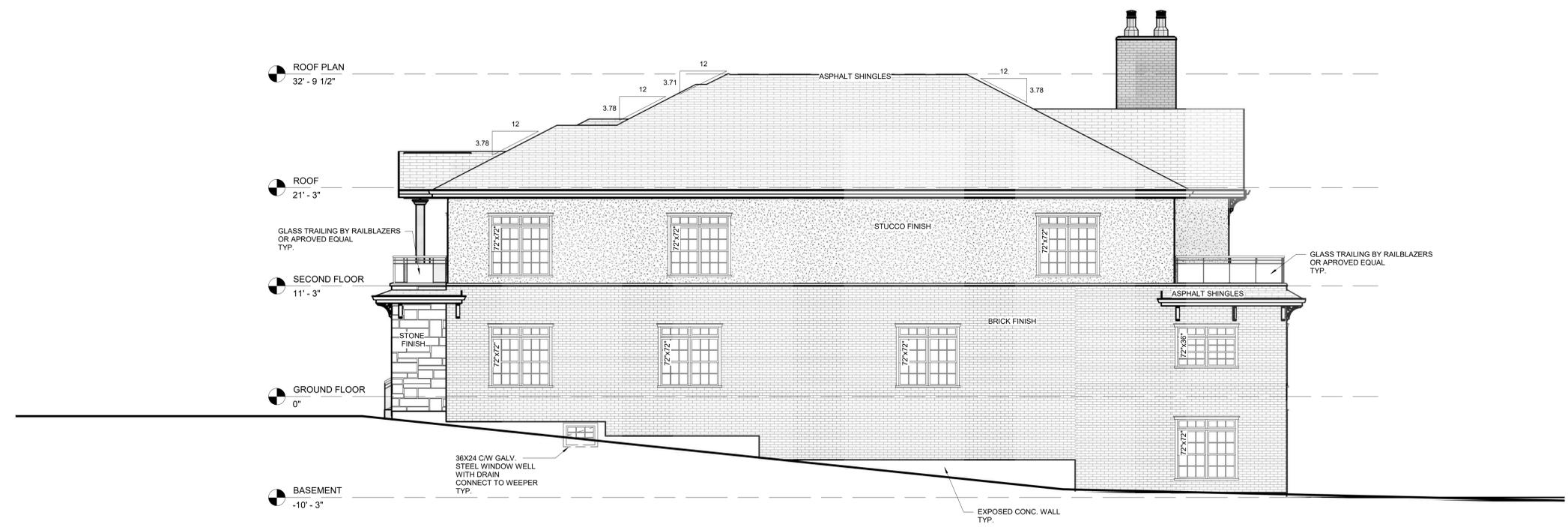
5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542



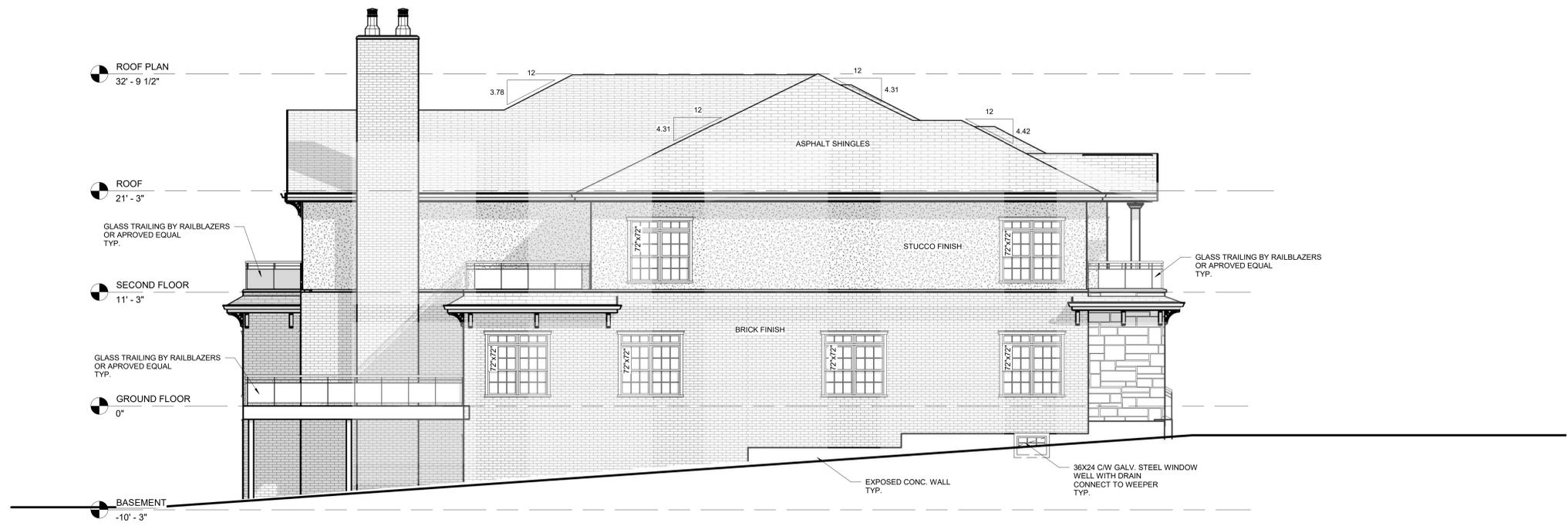
DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-201

NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.



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



1 West  
 3/16" = 1'-0"

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER. ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

No	REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH RESIDENCE**

PROJECT:  
**CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING:  
**ELEVATIONS**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

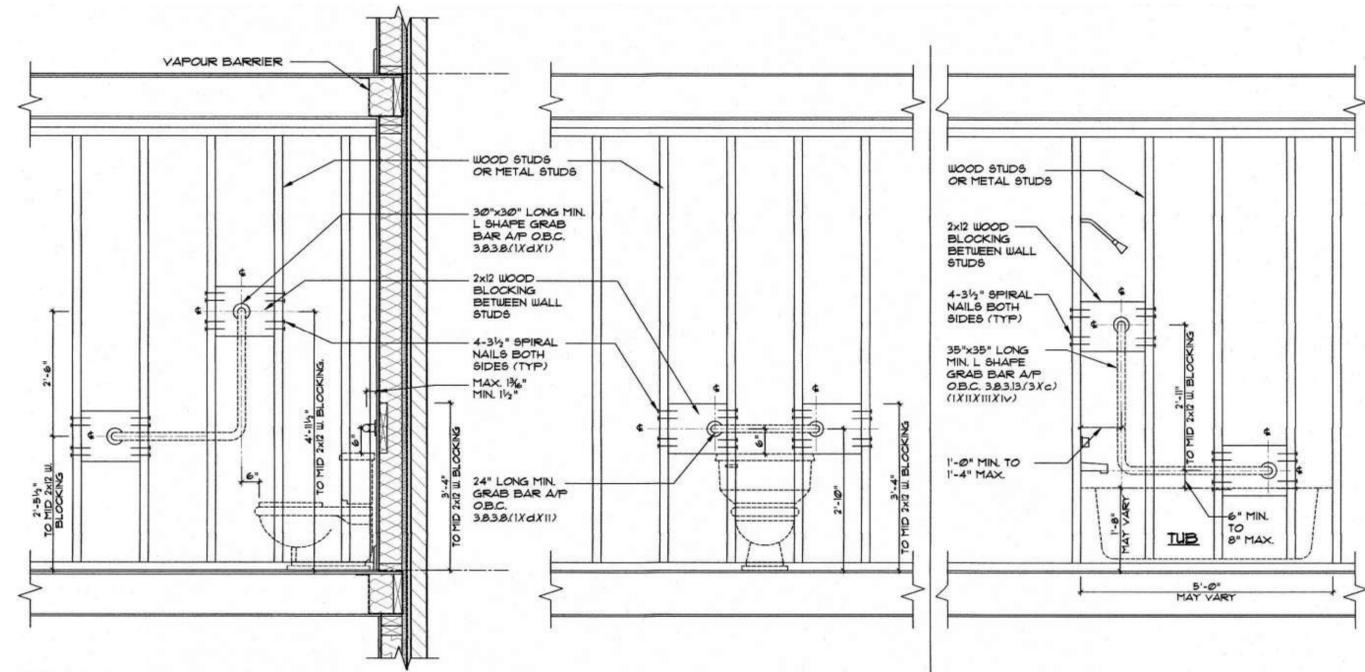
5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542



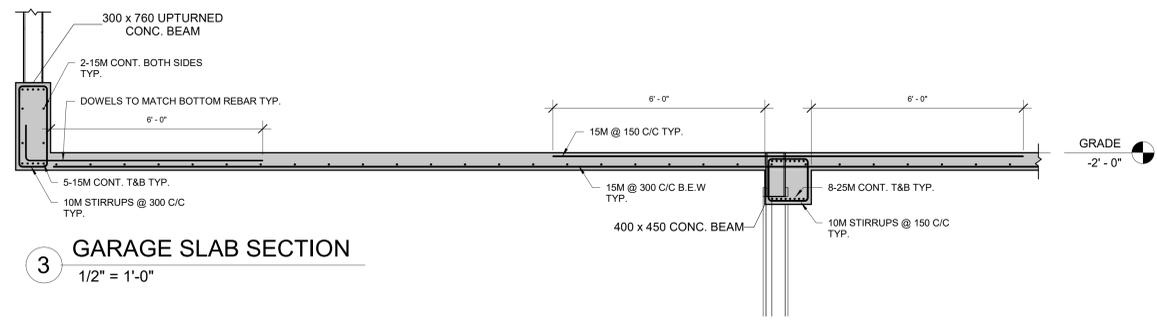
DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-202

NOTE: CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE. CONTACT CLIENT AND I.P. SAMUEL AND ASSOCIATES INC. FOR ANY DISCREPANCIES.

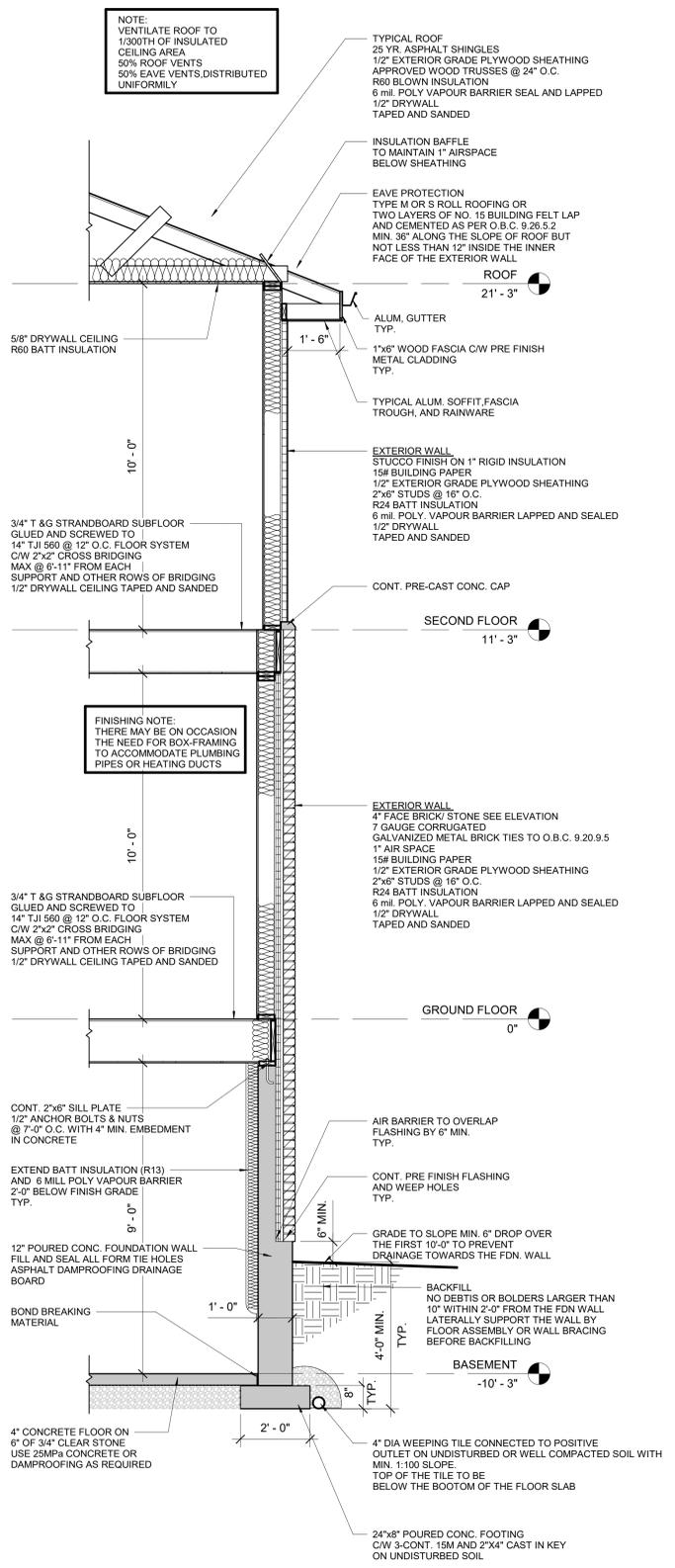
PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST. PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.



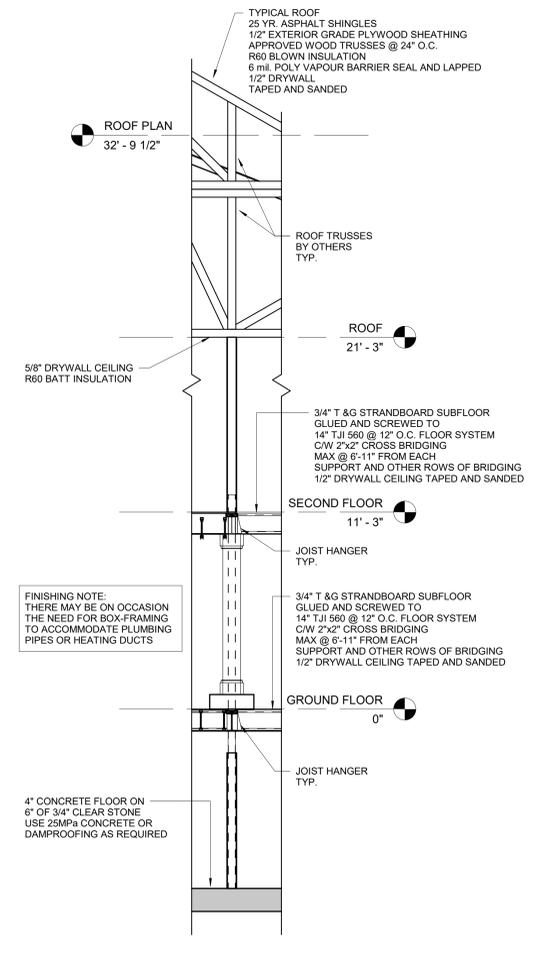
2 STRUCTURAL REINFORCEMENT FOR GRAB BAR SECTION 9.5.2.3  
1/2" = 1'-0"



3 GARAGE SLAB SECTION  
1/2" = 1'-0"



1 TYP. WALL SECTION  
1/2" = 1'-0"



4 TYP. INTERIOR WALL SECTION  
1/4" = 1'-0"

REVISION	DATE	BY
5	RE-ISSUED FOR PERMIT	03 NOV. 21 P.T.
4	RE-ISSUED FOR PERMIT	30 JUL. 20 P.T.
3	ISSUED FOR PERMIT	19 MAR 20 P.T.
2	ISSUED FOR REVIEW	13 MAR 20 P.T.
1	ISSUED FOR REVIEW	01 NOV 19 P.T.

CLIENT: **TERANJIT SINGH RESIDENCE**

PROJECT: **CUSTOM HOUSE**  
653 Safari Road Milgrove

DRAWING: **SECTION AND DETAILS**

SCALE: AS NOTED  
**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel:(905) 928-2542



DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	A-300

## CONSTRUCTION NOTES - U.N.O.

ALL CONSTRUCTION TO COMPLY WITH THE 2012 ONTARIO BUILDING CODE (OBC). ALL OTHER CODES AND LOCAL AUTHORITIES HAVING JURISDICTION SHALL BE REFERRED TO.  
ALL DIMENSIONS GIVEN FIRST IN IMPERIAL FOLLOWED BY METRIC IN BRACKETS

- TYPICAL FRAME CONSTRUCTION**

  - ALL FRAMING LUMBER TO BE No. 1 AND No. 2 SPF UNLESS NOTED OTHERWISE AND SHALL BE IDENTIFIED BY GRADE STAMP AND HAVE A MAX. MOISTURE CONTENT OF 19% AT THE TIME OF INSTALLATION
  - WOOD FRAME MEMBERS WHICH ARE SUPPORTED ON CONCRETE IN DIRECT CONTACT WITH SOIL, SHALL BE SEPARATED FROM THE CONCRETE WITH 6 MM. POLYETHYLENE
  - JOISTS TO HAVE MIN 1-1/2" (38mm) END BEARING
  - BEAMS TO HAVE MIN. 3-1/2" (89mm) END BEARING
  - DOUBLE STUDS @ OPENING
  - DOUBLE RIM JOISTS WHICH SUPPORT LINTELS IN EXTERIOR WALLS
  - DOUBLE HEADER JOIST AROUND FLOOR OPENINGS WHEN THEY ARE BETWEEN 3'-11" (1200mm) AND 10'-4" (32m)
  - DOUBLE TRIMMER JOISTS WHEN HEADER JOISTS LENGTH IS BETWEEN 2'-7" (800mm) AND 6'-7" (2000mm)
  - DOUBLE JOISTS UNDER PARALLEL PARTITIONS
  - BEAM TO BE PLACED UNDER LOAD BEARING WALL WHEN WALL IS PARALLEL TO FLOOR JOISTS
  - BEAM MAY BE A MAX. 24" (600mm) FROM A LOAD BEARING WALL WHEN THAT WALL IS PERPENDICULAR TO FLOOR JOISTS
  - METAL HANGERS TO BE USED FOR JOISTS AND BEAMS WHEN THEY FRAME INTO THE SIDES OF BEAMS, TRIMMERS, HEADERS
  - FLOOR JOIST SUPPORTING ROOF LOADS SHALL NOT BE CANTILEVERED MORE THAN 15-3/4" (400mm) BEYOND SUPPORTS FOR 2x8 (38x184mm)
  - FLOOR JOISTS SUPPORTING ROOF LOADS SHALL NOT BE CANTILEVERED MORE THAN 23-9/8" (600mm) BEYOND SUPPORTS FOR 2x10 (38x235mm) OR LARGER
  - ALL STEEL BEAMS TO BE GRADE 350W
  - LAMINATED VENEER LUMBER (LVL) TO BE GRADE 1.9E OR BETTER (MODULUS OF ELASTICITY, E=1.9x10<sup>6</sup> psi)
- INSULATION AND WEATHERPROOFING**

  - CEILING BELOW ATTIC OR ROOF SPACE
    - R-60 (RSI 10.56)
  - ROOF ASSEMBLY WITHOUT ATTIC OR ROOF SPACE
    - R-51 (RSI 8.46)
  - WALL OTHER THAN FOUNDATION WALL
    - R-19 + R7.50 (RSI 3.34 + 1.32c)
  - FOUNDATION WALLS ENCLOSING HEATED SPACE
    - R-20 + R8c (RSI 3.52 + 1.40c)
  - FLOOR, OTHER THAN SLAB-ON-GROUND
    - R-31 (RSI 5.46)
  - SLABS ON GROUND CONTAINING HEATING PIPES, TUBES, DUCTS OR CABLES
    - R-10 (RSI 1.76)
  - SLABS ON GROUND NOT CONTAINING HEATING PIPES, TUBES, DUCTS OR CABLES
    - R-10 (RSI 1.76)
  - BASEMENT FLOOR SLABS LOCATED MORE THAN 600MM BELOW GRADE
    - INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 6 MM. POLY IS SUFFICIENT FOR FIBERGLASS TYPE INSULATIONS
    - DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE OR SEALANT
    - CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND WINDOWS BETWEEN THE FRAME AND EXTERIOR CLADDING
    - WEATHERSTRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR
    - EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR
  - TYPICAL EXTERIOR WOOD SIDING WALL**

    - 1x6 IPE OR CEDAR WOOD SIDING
    - 6" (150mm) BASE FLASHING UP BEHIND WALL SHEATHING MEMBRANE
    - 15 lb (0.7 kg/m<sup>2</sup>) BUILDING PAPER LAPPED 4" (100mm) AT ALL JOINTS
    - 1" (25mm) EXTERIOR SHEATHING WITH R-5 (RSI 0.88) WITH ALL BUTT JOINTS TAPED
    - 2x4 MID-GRITS IF NOT SHEATHED
    - 2x6 (38x140mm) STUDS @ 16" (400mm) O.C.
    - MIN. R-22 (RSI 3.87) INSULATION
    - 6 MIL POLY AIR/VAPOUR BARRIER LAP ALL JOINTS AND SEAL WITH ACOUSTIC TYPE SEALANT
    - 1/2" (12.7mm) GYPSUM BOARD
  - EXTERIOR SIDING FIREWALL**

    - 45 MIN. FIRE RESISTANCE RATING
    - WALL ASSEMBLY THE SAME AS NOTED FOR TYPICAL EXTERIOR SIDING WALL WITH THE FOLLOWING EXCEPTION
    - 1" (25mm) EXTERIOR SHEATHING WITH R-5 (RSI 0.88) WITH ALL BUTT JOINTS TAPED, PROVIDE 1x3 (25x75mm) STRAPPING @ 16" (400mm) O.C. HORIZONTALLY FOR VERTICAL SIDING ONLY
    - MIN. R-22 (RSI 3.87) INSULATION WITH A MASS OF 0.032 kg/m<sup>2</sup> PER 1mm OF THICKNESS
    - 6 MIL POLY AIR/VAPOUR BARRIER
    - 1/2" (12.7mm) TYPE 'X' GYPSUM BOARD
  - GARAGE WALLS**

    - WALL ASSEMBLY THE SAME AS NOTED FOR TYPICAL EXTERIOR SIDING WALL WITH OR WITHOUT A FIRE RATING WITH THE FOLLOWING EXCEPTION
    - 2x4 (38x89mm) STUDS @ 16" (400mm) O.C.
    - DELETE: INSULATION, 6 MIL AIR/VAPOUR BARRIER AND 1/2" (12.7mm) GYPSUM BOARD
  - TYPICAL EXTERIOR BRICK/ STONE VENEER WALL**

    - 3-1/2 (90mm) FACE BRICK OR 4" (100mm) STONE, PROVIDE WEEP HOLES @ 2'-6" (800mm) @ BOTTOM COURSE AND ABOVE ALL OPENINGS
    - 6" (150mm) BASE FLASHING UP BEHIND WALL SHEATHING MEMBRANE
    - 1" (25mm) AIR SPACE
    - 15 lb (0.7 kg/m<sup>2</sup>) BUILDING PAPER LAPPED 4" (100mm) AT ALL JOINTS
    - GALV. METAL BRICK TIES @ 24" (600mm) H.O.C. AND 16" (400mm) V.O.C.
    - FASTEN TIES WITH CORROSION RESISTANT 1/8" (3mm) DIA. SCREWS OR SPIRAL NAILS WHICH PENETRATED AT LEAST 1-1/4" (32mm) INTO STUDS
    - 1" (25mm) EXTERIOR SHEATHING WITH R-5 (RSI 0.88) WITH ALL BUTT JOINTS TAPED
    - 2x4 MID-GRITS IF NOT SHEATHED
    - 2x6 (38x140mm) STUDS @ 16" (400mm) O.C.
    - MIN. R-22 (RSI 3.87) INSULATION @ 6" (8" (2030mm) O.C.
    - 6 MIL POLY AIR/VAPOUR BARRIER
    - 1/2" (12.7mm) GYPSUM BOARD
  - TYPICAL EXTERIOR BRICK/ STONE VENEER WALL**

    - 45 MIN. FIRE RESISTANCE RATING
    - WALL ASSEMBLY THE SAME AS NOTED FOR TYPICAL EXTERIOR BRICK/STONE VENEER WALL WITH THE FOLLOWING EXCEPTION
    - 1" (25mm) EXTERIOR SHEATHING WITH R-5 (RSI 0.88) WITH ALL BUTT JOINTS TAPED
    - MIN. R-22 (RSI 3.87) INSULATION WITH A MASS OF 0.032 kg/m<sup>2</sup> PER 1mm OF THICKNESS
    - 6 MIL POLY AIR/VAPOUR BARRIER
    - 1/2" (12.7mm) TYPE 'X' GYPSUM BOARD
  - GARAGE WALLS**

    - WALL ASSEMBLY THE SAME AS NOTED FOR TYPICAL EXTERIOR BRICK/STONE VENEER WALL WITH OR WITHOUT A FIRE RATING WITH THE FOLLOWING EXCEPTION
    - 2x4 (38x89mm) STUDS @ 16" (400mm) O.C.
    - DELETE: INSULATION, 6 MIL AIR/VAPOUR BARRIER AND 1/2" (12.7mm) GYPSUM BOARD
  - INTERIOR STUD WALLS**

    - 2x4 (38x89mm) WOOD STUDS @ 16" (400mm) O.C. OR 2x6 (38x140mm) WOOD STUDS @ 16" (400mm) O.C.
    - DOUBLE 2x4 (38x89mm) OR 2x6 (38x140mm) TOP PLATES
    - SINGLE 2x4 (38x89mm) OR 2x6 (38x140mm) BOTTOM PLATE
    - 1/2" (12.7mm) INTERIOR GYPSUM BOARD BOTH SIDES
  - MASONRY WALL**

    - FOR BRICK OF 3-1/2" (89mm) BRICK WALL SHALL BE BONDED WITH A HEADER COURSE EVERY SIXTH COURSE
    - PROVIDE 2" (50mm) SOLID MASONRY OR CONTINUOUS 1-1/2" PLATE UNDER A ROOF GRID FLOOR FRAMING MEMBERS
    - PROVIDE 7-1/2" (190mm) SOLID MASONRY UNDER BEAM AND COLUMNS
    - MASONRY WALL TO TIED TO EACH TIER OF JOIST WITH CORROSION RESISTANT STEEL STRAPS, KEYED MINIMUM 4" INTO MASONRY
    - WHEN JOISTS ARE PARALLEL TO THE WALL, TIES ARE EXTENDED THREE JOIST @ 6" (8" (2030mm) O.C.
    - FOR REDUCED FOUNDATION WALLS TO ALLOW A BRICK FACING WHILE MAINTAINING LATERAL SUPPORT, THE MINIMUM 3 1/2" (38mm) BRICK TO MINIMUM 3 1/2" (38mm) BACKUP BLOCK WITH CORROSION RESISTANT TIES AT LEAST 0.028 IN. IN CROSS SECTIONAL AREA, SPACED 7/8" (200mm) VERTICALLY AND 2'-11" (890mm) HORIZONTALLY, WITH JOISTS COMPLETELY FILLED WITH MORTAR
    - MASONRY OVER OPENINGS SHALL BE SUPPORTED ON CORROSION RESISTANT OR PRIME PAINTED STEEL LINTELS WITH A MINIMUM OF 5 7/8" (150mm) END BEARING.
  - DEMISING WALL**

    - 1.5 HOUR FIRE RESISTANT RATING (S.T.C. 58)
    - DOUBLE 5/8" (16mm) TYPE 'X' GYPSUM BOARD
    - 5-1/2" (140mm) BATT SOUND INSULATION
    - 2x6 (38x140mm) WOOD STUDS @ 16" (400mm) O.C.
    - DOUBLE 5/8" (16mm) TYPE 'X' GYPSUM BOARD
    - 1" (25mm) AIR SPACE
    - 3-1/2" (89mm) BATT SOUND INSULATION
    - 2x6 (38x140mm) WOOD STUDS @ 16" (400mm) O.C.
    - 5/8" (16mm) TYPE 'X' GYPSUM BOARD
  - FOUNDATION WALL**

    - NOT EXCEEDING A HEIGHT OF 9'-10" (3000mm) IN Laterally UNSUPPORTED HEIGHT
    - 8" (200mm) SOLID 2200 psi (15MPa) CONCRETE
    - MAX. UNSUPPORTED HEIGHT OF 3'-11" (1200mm) AND MAX. SUPPORTED HEIGHT OF 6'-11" (2100mm) MEASURED FROM FROM GRADE TO FINISHED BASEMENT
  - FLOOR**

    - NOT EXCEEDING A HEIGHT OF 9'-0" (2750mm) IN A Laterally SUPPORTED HEIGHT
    - 10" (250mm) SOLID 2200 psi CONCRETE
    - MAX. UNSUPPORTED HEIGHT OF 3'-11" (1200mm) AND MAX. SUPPORTED HEIGHT OF 6'-6" (2000mm) MEASURED FROM THE GRADE TO THE FINISHED BASEMENT
  - FLOOR**

    - INSULATE WITH R-20 (RSI 3.52) TO 6" (150mm) ABOVE FLOOR SLAB
    - A DRAINAGE LAYER IS REQUIRED ON THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 2'-11" BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF :
      - MIN. 3/4" MINERAL FIBRE INSULATION WITH MIN. DENSITY OF 3.6 LB/SQ FT2
      - MIN. 4" OF FREE DRAINAGE GRANULAR MATERIAL OR EQUIVALENT PERFORMANCE
      - AN APPROVED SYSTEM WHICH PROVIDES THE FLOOR JOISTS INSTALLED BEFORE
      - FOUNDATION WALLS SHALL BE BRACED OR HAVE
  - DAMP-PROOFING AND DRAINAGE**

    - WHERE HYDROSTATIC PRESSURE CURBS, FND WALLS SHALL BE WATERPROOFED AS PER OBC 9.13.5 (WALLS THAT ARE WATERPROOFED DO NOT REQUIRE DAMPPROOFING)
    - BITUMINOUS DAMP PROOFING AS PER OBC 9.13.5 (WALLS THAT ARE WATERPROOFED DO NOT REQUIRE DAMPPROOFING)
    - BITMINOUS DAMP PROOFING AS PER OBC 9.13.3.1 AND 9.13.3.2 (FINISHED BASEMENT SHALL HAVE INTERIOR DAMPPROOFING EXTENDING FROM SLAB TO GRADE LEVEL AND SHALL CONFORM TO OBC 9.13.3.3)
    - DRAINAGE LAYER SHALL BE PROVIDED IN CONFORMANCE TO OBC 9.14.2.1(2)(3)(4)
    - BACKFILL WITH NON-FROST SUSCEPTIBLE SOIL
    - WALL SHALL EXTEND MIN. 6" (150mm) ABOVE GRADE
    - FND WALLS SHALL BE BRACED OR HAVE FLOOR JOISTS INSTALLED BEFORE BACKFILLING
  - 8B. DAMPPROOFING AND DRAINAGE**

    - IN NORMAL SOIL CONDITIONS, THE EXTERIOR SURFACES OF FOUNDATION WALLS ENCLOSING BASEMENTS AND CRAWL SPACES SHALL BE DAMPPROOFED. WHERE HYDROSTATIC PRESSURE OCCURS, A WATERPROOFING SYSTEM IS REQUIRED.
    - MASONRY FOUNDATION WALLS SHALL BE PARGED WITH 1" OF MORTAR COVED OVER THE FOOTING PRIOR TO DAMPPROOFING. 4" FOUNDATION DRAINS SHALL BE LAID ON LEVEL, UNDISTURBED
    - GROUND ADJACENT TO THE FOOTINGS AT OR BELOW THE TOP OF THE BASEMENT SLAB OR CRAWL SPACE FLOOR, AND SHALL BE COVERED WITH 6" OF CRUSHED STONE. FOUNDATION DRAINS SHALL DRAIN TO A STORM SEWER, DRAINAGE DITCH, DRY WELL OR SUMP.
    - CONCRETE SLABS IN ATTACHED GARAGES SHALL BE SLOPED TO DRAIN TO THE EXTERIOR.
    - THE BUILDING SITE SHALL BE GRADED SO THAT SURFACE, SUMP AND ROOF DRAINAGE WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

RVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST 1 WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 3.8 SQ FT AND NO DIMENSION LESS THAN 15", WHICH IS OPENABLE FROM THE INSIDE WITHOUT TOOLS

EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 6'-7" FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEAD BOLT LOCK

THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT

- WEeping TILe**

  - 4" (100mm) DIAMETER WEeping TILe LAID ON UNDISTURBED OR WELL COMPACTED SOIL, TOP OF WEeping TILe TO BE BELOW BOTTOM OF FLOOR SLAB, COVER TOP AND SIDES OF WEeping TILe WITH 6" (150mm) OF CRUSHED STONE OR OTHER COURSE CLEAN GRANULAR MATERIAL AND DRAIN TO SEWER, DRAINAGE DITCH OR DRY WELL.

- BASEMENT SLAB**

  - SLAB ON GRADE
  - 3" (75mm) SOLID 3600 psi (25MPa) CONCRETE, SLAB DAMPPROOF BELOW SLAB WITH MIN 0.006" (0.15mm) POLYETHYLENE OR TYPE S ROLL ROOFING WITH 1/2" (300mm) LAPPED JOINTS (DAMP PROOFING MAY BE OMITTED IF CONCRETE HAS MINIMUM 3600 psi (25MPa) COMPRESSIVE STRENGTH AFTER 28 DAYS
  - 5" (125mm) OF 1" (25mm) CLEARANCE TO BASE
  - PROVIDE BOND BREAK MATERIAL BETWEEN SLAB AND FTG
  - WHERE RADON EXISTS THE PERIMETER OF SLAB AND ANY PENETRATIONS OF THE SLAB SHALL BE SEALED AGAINST SOIL GAS LEAKAGE WITH FLEXIBLE SEALANT CONFORMING TO OBC 9.10.13.7
  - PROVIDE R-10 (RSI 1.76) RIGID INSULATION AT PERIMETER OF SLAB WHERE GRADE IS WITHIN 23-1/2" (600mm) OF BASEMENT SLAB EDGE INSULATION TO EXTEND TO NOT LESS THAN 23-1/2" (600mm) BELOW THE EXTERIOR GRADE LEVEL (OBC SB-12.2.1.1.6(5))
  - PROVIDE R-10 (RSI 1.76) RIGID INSULATION UNDER ENTIRE SLAB WHERE THE ENTIRE SLAB IS WITHIN 23-1/2" (600m) OF OTHER SLABS
  - OBC SB-12.2.1.1.6(5))
  - GARAGE, CARPORT, EXTERIOR SLABS, AND EXTERIOR STEPS SHALL BE 32MPa CONCRETE WITH 5-8% AIR ENTRAINMENT, OTHER SLABS 25MPa CONCRETE
  - ALL FILL OTHER THAN COARSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT

- FLOOR ASSEMBLY**

  - 5/8" (16mm) T&G SPRUCE OR PLYWOOD OR EQUIVALENT AS PER OBC 9.2.3, 14.5, 9.30.2.3 AND 9.30.2.4
  - FLOOR JOISTS AS PER FLOOR PLANS (JOISTS SPACED @ 12" (300mm) O.C. UNDER CERAMIC TILE)
  - JOISTS TO HAVE MINIMUM 1-1/2" (89mm) OF END BEARING
  - JOISTS SHALL BEAR ON A SILL PLATE FIXED TO FOUNDATION WITH 1/2" (50mm) ANCHOR BOLTS @ 7'-10" (2390mm) O.C.
  - HEADER JOISTS BETWEEN 3'-11" (1200mm) AND 10'-4" (3200mm) IN LENGTH SHALL BE DOUBLED
  - TRIMMER JOISTS SHALL BE DOUBLED WHEN SUPPORTED HEADER IS BETWEEN 2'-7" (790mm) AND 6'-7" (2000mm)
  - 2x2 (38x38mm) CROSS BRIDGING REQUIRED NOT MORE THAN 6'-11" (2100mm) FROM EACH SUPPORT AND FROM OTHER ROWS OF BRIDGING
  - JOISTS SHALL BE SUPPORTED ON JOIST HANGERS FOR ALL FLUSH BEAMS, TRIMMERS, AND HEADERS
  - JOISTS LOCATED UNDER PARALLEL NON-LOAD BEARING PARTITIONS SHALL BE DOUBLED
- CEILING**

  - R-50 (RSI 8.81) INSULATION
  - 6 MIL POLY AIR/VAPOUR BARRIER
  - 5/8" (15.8mm) GYPSUM BOARD OR 1/2" (12.7mm) CEILING BOARD
- STAIRS INTERIOR AND EXTERIOR**

  - MAX. RISE = 7-7/8" (200mm)
  - MIN. RUN = 8-1/4" (210mm)
  - MIN. TREAD = 9-1/4" (235mm)
  - MAX. NOSING = 1" (25mm)
  - MIN. HEADROOM = 6'-5" (1900mm)
  - MIN. WIDTH = 2'-10" (860mm) (BETWEEN WALL FACES)
  - MIN. WIDTH = 2'-11" (900mm) (EXIT STAIRS BETWEEN GUARDS)
  - MIN. RUN = 5'-7/8" (150mm) (FOR CURVED STAIRS)
  - MIN. AVG RUN = 7-7/8" (200mm)

**EXTERIOR CONCRETE STEPS**

- 10" (254mm) RUN AND 8" (200mm) RISE
- 2 RISERS PERMITTED TO BE LAID ON GROUND MAX.
- FOOTING WALL REQUIRED FOR 3 OR MORE RISERS
- FOOTING TO BE MIN 4'-0" (1220mm) BELOW GRADE

- RAILINGS/GUARDS**

  - HAND RAIL IS ONLY REQUIRED FOR INTERIOR STAIRS CONTAINING MORE THAN 2 RISER AND EXTERIOR STAIRS CONTAINING MORE THAN 3 RISERS
  - INTERIOR LANDING = 3'-6" (1070mm)
  - INTERIOR STAIR = 2'-11" (900mm) MIN
  - EXTERIOR LANDING = 2'-11" (900mm) MIN (GREATER THAN 2'-0" (610mm) ABOVE GRADE)
  - EXTERIOR LANDING = 3'-6" (1070mm) MIN (GREATER THAN 2'-0" (610mm) ABOVE GRADE)
  - EXTERIOR STAIR = 2'-11" (900mm) MIN
  - 4" (100mm) MAX BETWEEN WOOD PICKETS

**SILL PLATE**

- 2x4 (38x89mm) SILL PLATE WITH 1/2" (12.7mm) DIA. ANCHOR BOLTS @ 7'-10" (2400mm) O.C. FASTENED TO PLATE W/NUTS AND WASHERS & SHALL BE EMBEDDED NOT LESS THAN 4" (100mm) INTO FDN WALL. SILL PLATE TO BE CALKED OR PLACED ON MINERAL WOOL OR FOAM GASKET NOT LESS THAN 1" (25mm) THICK BEFORE COMPRESSING, OR PLACED ON FULL BED OF MORTAR

**STRIP FOOTING**

- 2200 psi (15MPa) CONCRETE FOOTING WITH CONTINUOUS KEY RESTING ON UNDISTURBED SOIL, ROCK OR COMPACTED GRANULAR FILL WITH MIN. 21.76 psi (150kPa) BEARING CAPACITY (AS PER SOILS ENGINEERING REPORT)
- FOOTING SIZES MAY BE REDUCED FOR SOILS WITH GREATER BEARING CAPACITY (AS PER SOILS ENGINEERING REPORT)

**EXTERIOR WALLS**

- FTG TO EXTEND MIN. 4'-0" (1200mm) BELOW GRADE
- 3 STOREY BRICK = 19"x8" (485x155mm)
- 3 STOREY BRICK = 26"x8" (650x230mm)

**INTERIOR BEARING WALLS****SUPPORTING**

- 2 STOREY MASONRY = 26"x9" (650x230mm)
- 2 STOREY STUD = 18"x6" (450x150mm)
- 3 STOREY MASONRY = 38x14" (900x360mm)
- 3 STOREY STUD = 24x8" (600x200mm)

**BEARING STUD WALL (BASEMENT)**

- 2x4 (38x89mm) WOOD STUDS OR 2x6 (38x140mm) WOOD STUDS @ 12" (300mm) O.C.
- DOUBLE 2x6 OR 2x6 TOP PLATE
- 2x4 OR 2x6 SILL PLATE ON DAMPPROOFING MATERIAL, 1/2" (12.7mm) DIA. ANCHOR BOLTS @ 8'-0" (2400mm) O.C.
- FOOTING AS PER STRIP FOOTING NOTES WITH 4" CONC. CURB

**STEEL PIPE COLUMN (See O.B.C. 9.15.3.3)**

- 3 1/2" (89mm) DIA. X 0.118" (3.0mm) SINGLE WALL TUBE TYPE 2 ADJUSTABLE STEEL COLUMN WITH MIN. ALLOWABLE LOAD OF 8000 LBS (71.2kN) AT A MIN. EXTENSION OF 7'-1/2" (2318mm) CONFORMING TO CAN/COSB-7.2.94. AND WITH 6"x6"x3/8" (150x150x6.5) STEEL PLATE TOP & BOTTOM 34"x34"x16" (870x870x410) POURED CONCRETE FOOTING ON UNDISTURBED SOIL OR ENGINEERED FILL CAPABLE OF SUSTAINING A PRESSURE OF 150kPa

**MINIMUM AND AS SOIL REPORTS**

- STEEL PIPE COLUMN (See O.B.C. 9.15.3.3)**

  - 3-1/2" (89mm) DIA. X 0.188" (4.78mm) FIXED OR ADJUSTABLE STEEL COLUMN WITH MIN. ALLOWABLE LOAD OF 24000 lbs (108.6 kN) WITH 6"x6"x3/8" (150X150X6.5) STEEL PLATE TOP & BOTTOM
  - 42"x42"x16" (1070X1070X460) POURED CONCRETE FOOTING ON UNDISTURBED SOIL OR ENGINEERED FILL CAPABLE OF SUSTAINING A PRESSURE OF 150 kPa MIN. AND AS SOIL REPORTS

**STEEL PIPE COLUMN**

- 3-1/2" (89mm) DIA. X 0.188" (4.78mm) NON-ADJUSTABLE STEEL COLUMN WITH 6"x6"x3/8" (150x150x6.5mm) STEEL TOP PLATE & 4-1/2"x10"x1/2" (120x250X12.5mm) STEEL BOTTOM PLATE WITH 2-1/2"x12"x2" (2-12x20x300x50mm) HOOK ANCHORS, FIELD WELD COLUMN TO BASE PLATE

**PILASTERS/ BEAM POCKETS**

- PILASTER**
- 6"x6" (200mmx200mm) POURED CONCRETE PIER
- BEAM POCKET**
- 4" (100mm) RECESSED INTO FDN. WALL WIDTH TO MATCH BEAM SIZE WITH 1/2" (12.7mm) SPACE AROUND WOOD BEAMS

**STEEL BEAM STRAPPING**

- 1x4 (19x38mm) WOOD STRAPPING ON BOTH SIDES OF STEEL BEAM

**GARAGE SLAB**

- 4" (100mm) CONCRETE SLAB, 4650 psi (32MPa) COMPRESSIVE STRENGTH AFTER 28 DAYS FOR UNREINFORCED CONC. & WITH 5-8% AIR ENTRAINMENT
- 6"x6" (W2.9xW2.9) WIRE MESH LOCATED NEAR MID-DEPTH OF SLAB
- 4" (100mm) OF COURSE GRANULAR MATERIAL
- ANY FILL PLACED UNDER SLAB OTHER THAN COURSE CLEAN GRANULAR MATERIAL, SHALL BE COMPACTED

**GARAGE WALL & CEILING**

- 1/2" (12.7mm) GYPSUM BOARD ON BOTH SIDES OF WALL & US OF CEILING BETWEEN HOUSE & GARAGE TAPE AND SEAL ALL JOINTS GAS TIGHT
- R-27 (RSI 4.75) HIGH DENSITY BATT INSULATION IN WALLS
- R-31 (RSI 5.46) SPRAY FOAM INSULATION IN CEILINGS WITH FLOOR ABOVE
- CONTINUOUS AIR/VAPOUR BARRIER IN CONFORMANCE WITH OBC 9.25.38. 9.25.54 FOR FLOOR ABOVE

**GARAGE GASPROOFING**

- THE WALLS AND CEILINGS OF AN ATTACHED GARAGE MUST BE COMPLETELY SEALED AS TO PREVENT ANY INFILTRATION OF CARBON MONOXIDE OR GASOLINE FUMES INTO THE DWELLING
- ALL DRYWALL JOINTS SHALL HAVE A MIN. OF 2 COATS OF JOINT COMPOUND FOR ALL WALLS ADJACENT TO DWELLING
- DRYWALL THICKNESS SHALL BE 1/2" MIN.
- GYPSUM BOARD AND OTHER SURFACES SHALL BE CAULKED WITH ACOUSTIC SEALANT
- ALL PENETRATIONS SHALL BE CAULKED INCLUDING HOSE BIBS WITH FLEXIBLE CAULKING
- DOOR BETWEEN GARAGE AND DWELLING SHALL BE TIGHT FITTING AND WEATHERSTRIPPED AND PROVIDED WITH A SELF CLOSING DEVICE
- GARAGE SLAB SHALL BE SLOPED TO DRAIN TO THE EXTERIOR
- WHERE THE ATTACHED GARAGE IS ADJACENT TO AN ATTIC SPACE DRYWALL SHALL BE CARRIED UP TO THE ROOF SHEATHING AND CAULKED WITH FLEXIBLE CAULKING
- ALL PLUMBING AND OTHER PENETRATIONS THROUGH THE WALLS AND CEILING SHALL BE CAULKED
- DOORS BETWEEN THE DWELLING AND ATTACHED GARAGE MAY NOT OPEN INTO A BEDROOM AND SHALL BE WEATHERSTRIPPED AND HAVE A SELF-CLOSER

**PRECAST CONC. STEP**

- 2 RISERS PERMITTED TO BE LAID ON GROUND MAX.

**DRYER VENT**

- CAPPED DRYER VENT OBC 9.32.1.3(3)

**ATTIC ACCESS HATCH**

- 19-3/4" X 27-1/2" (500mmX700mm) ATTIC HATCH WEATHER STRIPPING & BACKED WITH R-40 (RSI 7.04) INSULATION

**CERAMIC TILE**

- WHEN CERAMIC TILE APPLIED TO A MORTAR BED WITH ADHESIVE, THE BED SHALL BE A MINIMUM OF 1/2" THICK AND REINFORCED WITH GALVANIZED DIAMOND MESH LATH, APPLIED OVER POLYETHYLENE ON SUBFLOORING ON JOISTS AT NO MORE THAN 16" O.C. WITH AT LEAST 2 ROWS CROSS BRIDGING

**EXHAUST FAN**

- ROOM TO BE MECHANICALLY VENTED TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR. SEALED WITH ALUM. TAPE

**WOOD COIL**

- 6x6 (140x140mm) SOLID No. 1 SPF
- METAL SHOE ANCHORED TO FTG
- 25"x25"x12" (640mmx640mmx300mm) CONC. PAD (1 FLOOR SUPPORTED WITH 9'-10" COL. SPACING)
- 34"x34"x14" (860mmx860mmx350mm) CONC. PAD (2 FLOORS SUPPORTED WITH 9'-10" COL. SPACING)

**PORCH SLAB**

- 4" (100mm) CONCRETE SLAB 4650 psi (32MPa) COMPRESSIVE STRENGTH AFTER 28 DAYS FOR UNREINFORCED CONC. & W/ 5-8% AIR ENTRAINMENT
- 6"x6" (W2.9xW2.9) WIRE MESH LOCATED NEAR MID-DEPTH OF SLAB
- 4" (100mm) OF COURSE GRANULAR MATERIAL
- ANY FILL PLACED UNDER SLAB, OTHER THAN COURSE CLEAN GRANULAR MATERIAL, SHALL BE COMPACTED

**PORCH SLAB ABOVE COLD STORAGE**

- FOR PORCHES LESS THAN 8'-0" DEEP
- 6" (130mm) 4650 psi (32MPa) CONC. SLAB W/5-8% AIR ENTRAINMENT
- REINFORCE WITH 10M BARS @ 8" (200mm) O.C. EACH WAY PLACED IN BTM. THIRD OF SLAB
- 24"x24" (600mmx600mm) 10 DOVELS @ 16" (400mm) O.C. ANCHORED IN PERIMETER OF FDN WALLS
- SLOPE SLAB MIN. 1.5% TO EXTERIOR
- PROVIDE LINTELS OR 2 BACK TO BACK OVER COLD CELLAR DOORS

**BRIDGING & STRAPPING****BRIDGING**

- 1x3 (19x64mm) OR 2x2 (38x38mm) CROSS BRIDGING @ MAX. 6'-11" (2100mm) O.C.

**STRAPPING**

- 1x2" (19x64mm) NAILED TO US OF JOISTS @ MAX. 6'-11" (2100mm) O.C. FASTED TO SILL OR HEADER @ ENDS

**BLOCK VENEER WALL**

- 4" (100mm) CONCRETE BLOCK TO SUPPORT BRICK ABOVE WALL AS PER NOTE EXCEPT NO WEEP HOLES

**WOOD FRAMING MEMBERS SUPPORTED ON CONCRETE IN CONTACT WITH GROUND OR FILL SHALL BE PRESSURE TREATED OR SEPARATED FROM CONCRETE WITH 6 MIL POLYETHYLENE OR No. 15 ROLL ROOFING****2 STOREY - DOUBLE VOLUME**

- WALL ASSEMBLY AS NOTED EXTERIOR SIDING WALL & EXTERIOR BRICK/STONE VENEER WALL WITH THE FOLLOWING EXCEPTIONS:
  - CEILING JOISTS TO BE 2x6 (38x140mm) @ 16" O.C. W/ 5-8% AIR ENTRAINMENT
  - 7/16" (11mm) OSB SHEATHING
- </

## GENERAL NOTES

- A. EXAMINATION OF SITE AND DRAWINGS
- VISIT THE SITE AND EXAMINE IT FOR ALL CHARACTERISTIC FEATURES AFFECTING NEW CONSTRUCTION. COMPARE THE ACTUAL ORIGINAL ELEVATIONS WITH THOSE SHOWN ON PLAN. CHECK ALL DIMENSIONS, LEVELS AND DETAILS SHOWN ON STRUCTURAL DRAWINGS AGAINST MECHANICAL, ELECTRICAL, AND OTHER RELEVANT DRAWINGS. REPORT ANY DISCREPANCIES TO OWNER BEFORE SUBMITTING PRICE. REPORT ANY DISCREPANCY TO THE CLIENT BEFORE COMMENCEMENT OF WORK.
  - EXISTING STRUCTURE IS SHOWN DOTTED AND SHALL REMAIN, UNLESS NOTED OTHERWISE IN THE CONTRACT DOCUMENTS. ANY STRUCTURE NOT SHOWN DOTTED SHALL BE ASSUMED TO BE NEW.
  - OBTAIN ALL DETAILS AND DIMENSIONS OF EXISTING WORK IN FIELD AND INCORPORATE SAME INTO NEW CONSTRUCTION. IF DETAILS VARY FROM WHAT IS ASSUMED IN DRAWINGS CONTACT CLIENT IMMEDIATELY.
  - WHERE TWO OR MORE INTERPRETATIONS CAN BE MADE FROM THE INFORMATION PROVIDED IN THE CONTRACT DOCUMENTS RELATING TO STRUCTURAL ITEMS, THE MOST EXPENSIVE INTERPRETATION SHALL BE ASSUMED FOR PRICING.
  - NO ALLOWANCE WILL BE MADE FOR DIFFICULTIES ENCOUNTERED OR EXPENSES INCURRED RESULTING FROM CONDITIONS CONSIDERED KNOWN AT THE TIME THE TENDERS ARE OPEN.
  - COMPLY WITH THE PROVINCIAL BUILDING CODE, NATIONAL BUILDING CODE, CANADIAN CONSTRUCTION CODE, LOCAL BY-LAWS AND ALL REGULATIONS SET BY AUTHORITIES HAVING JURISDICTION. THE MORE STRINGENT REQUIREMENTS SHALL APPLY IN CASE OF DISCREPANCIES OR CONFLICTS.
  - UNDER NO CIRCUMSTANCES SHALL STRUCTURAL DRAWINGS BE USED TO DETERMINE THE EXTENTS OF DEMOLITION. DEMOLITION MUST BE COORDINATED BY THE GENERAL CONTRACTOR BY USING CLIENT DRAWINGS.
  - J.P. SAMUEL & ASSOC. LTD. SHALL NOT TAKE RESPONSIBILITY FOR AREAS TO BE DEMOLISHED NOT SHOWN ON STRUCTURAL DRAWINGS. GENERAL CONTRACTOR MUST COORDINATE DEMOLITIONS WITH CLIENT/MECHANICAL & ELECTRICAL DRAWINGS. SHOULD DEMOLITION ON OTHER DRAWINGS INTERFERE WITH THE INTENT OF THE STRUCTURAL DRAWINGS, DO NOT PROCEED WITH WORK UNTIL ISSUES HAVE BEEN RESOLVED WITH ALL CONSULTANTS.
- B. PLANNING OF CONSTRUCTION
- ALL REQUIREMENTS FOR MECHANICAL EQUIPMENT AND ANY OTHER TRADES OR SERVICES AFFECTING THE STRUCTURE, SHALL BE ESTABLISHED IN CONSULTATION WITH CORRESPONDING MANUFACTURERS OR SUPPLIERS AND CLIENT.
  - DRAINAGE SHALL BE WORKED IN CONFORMITY TO RELEVANT DETAILS. REPORT ANY DEVELOPING PROBLEMS TO CLIENT AND OBTAIN THE NECESSARY INSTRUCTIONS BEFORE PROCEEDING WITH CONSTRUCTION.
- C. CONSTRUCTION PROCEDURES AND SAFETY
- J.P. SAMUEL AND ASSOCIATES LTD. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION SAFETY, MEANS, TECHNIQUES AND CONSTRUCTION PROCEDURES OR ANY TEMPORARY WORK AS MAY BE REQUIRED BY THE CONTRACTOR TO BUILD AND COMPLETE THE STRUCTURE IN CONFORMITY WITH CONTRACT DOCUMENTS. CONTRACTOR TO RETAIN AN INDEPENDENT STRUCTURAL ENGINEER TO CARRY OUT THE NECESSARY TECHNIQUES TO BE USED TO BUILD AND COMPLETE THE STRUCTURE ACCORDING TO THE CONTRACT DOCUMENTS AND SAFETY GUIDELINES FROM LOCAL CODES/AUTHORITIES. CONTRACTOR SHALL SUPPLY DRAWINGS STAMPED BY A PROFESSIONAL ENGINEER TO J.P. SAMUEL & ASSOC.
  - THE CONTRACTOR SHALL MAKE ADEQUATE PROVISIONS FOR CONSTRUCTION STRESSES AND FOR SUFFICIENT TEMPORARY BRACING TO KEEP THE STRUCTURE PLUMB AND IN TRUE ALIGNMENT AT ALL PHASES OF THE WORK, UNTIL COMPLETION (INCLUDING MASONRY WALLS, FLOOR AND ROOF DECKS, ETC.). ANY BRACING MEMBERS SHOWN ON PLANS ARE THOSE REQUIRED FOR THE FINISHED STRUCTURE, AND MAY NOT BE SUFFICIENT FOR ERECTION PURPOSES.
  - ALL CONSTRUCTION WORK FOR TEMPORARY SHORING AND BRACING OF EXISTING STRUCTURE SHALL BE DONE ONLY AFTER PERMISSION HAS BEEN GRANTED BY THE CONSTRUCTION HEALTH AND SAFETY BRANCH OF THE GOVERNING MINISTRY OF LABOUR.
  - PROTECT EXISTING BUILDINGS, TREES, FENCING, UTILITIES POLES, CABLES, ACTIVE UNDERGROUND SERVICES AND PAVING ON THE SITE OR ANY ADJOINING PROPERTIES FROM DAMAGE. ANY DAMAGE RESULTING FROM THIS CONSTRUCTION WORK SHALL BE MADE GOOD TO THE APPROVAL OF OWNER AT NO COST TO THE OWNER.
  - TRUCKS, CRANES, HOISTS, OR ANY HEAVY EQUIPMENT OR MATERIALS ARE NOT ALLOWED TO ENTER ANY STRUCTURAL FLOOR OR ROOF AREA UNLESS SPECIFICALLY DESIGNED AND DESIGNATED FOR THESE PURPOSES. INSTALL TEMPORARY BARRIERS TO PREVENT ACCIDENTAL OVERLOADING DURING CONSTRUCTION. DESIGN, INSTALL AND MAINTAIN ADEQUATE SHORING SYSTEM AS REQUIRED TO CARRY ANY SUCH TEMPORARY LOADING FROM CONSTRUCTION MATERIALS AND/OR EQUIPMENT.
  - NOTIFY CLIENT IMMEDIATELY UPON DISCOVERY OF ANY CONSTRUCTION ERROR, OMISSION, DEFECTIVE WORK, ETC., SO THAT THE MOST ECONOMICAL REMEDIAL MEASURES MAY BE DESIGNED AT THE EARLIEST POSSIBLE TIME.
  - DO NOT PROCEED WITH ANY REPAIR WORK UNTIL INSPECTION AND WRITTEN INSTRUCTIONS ARE OBTAINED FROM CLIENT NAME AND THE ENGINEER.
  - GENERAL CONTRACTOR SHALL NOTIFY MECHANICAL/ELECTRICAL CONTRACTORS THAT SUPPORTS AND THE DESIGN OF SUCH SUPPORTS TO CARRY MECHANICAL/ELECTRICAL EQUIPMENT SHALL BE BY THE MECHANICAL/ELECTRICAL CONTRACTORS. OBTAIN STRUCTURAL ENGINEERS APPROVAL TO CONNECT TO EXISTING BUILDING STRUCTURE. DESIGN OF SUPPORTS SHALL BE STAMPED BY A QUALIFIED STRUCTURAL ENGINEER RETAINED BY THE MECHANICAL/ELECTRICAL CONTRACTOR.

## ANALYSIS AND DESIGN OF STRUCTURE

EXAMINE ALL DRAWINGS, SPECIFICATIONS AND REMAINING CONTRACT DOCUMENTS TO OBTAIN ALL APPLICABLE LOADINGS. REPORT ANY DISCREPANCIES TO OWNER.

## REVIEW OF CONSTRUCTION

- A. GENERAL
- CONTRACTOR SHALL ASSUME COMPLETE RESPONSIBILITY FOR FULL SUPERVISION OF CONSTRUCTION WORK. SITE VISITS AND REVIEW BY DESIGN ENGINEER OR HIS REPRESENTATIVE ARE INTENDED FOR THE SOLE PURPOSE OF ASCERTAINING CONFORMANCE WITH THE GENERAL DESIGN CONCEPT. HIS REVIEW SHALL NOT MEAN THAT J.P. SAMUEL AND ASSOCIATES INC. HAS SEEN ALL CONSTRUCTION PROCEDURES. RESPONSIBILITY FOR WHICH SHALL REMAIN WITH THE CONTRACTOR PERFORMING THE WORK. REVIEW BY THE ENGINEER SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY FOR ERRORS AND OMISSIONS AND FOR MEETING ALL THE REQUIREMENTS OF THE CONSTRUCTION AND CONTRACT DOCUMENTS.
  - NOTIFY J.P. SAMUEL AND ASSOCIATES INC. 24 HOURS IN ADVANCE OF ANY REQUIRED SITE VISIT. NO ACCEPTANCE WILL BE GIVEN FOR ANY WORK THAT HAS NOT BEEN REVIEWED BY OUR REPRESENTATIVE.
  - NOTIFY CLIENT SUFFICIENTLY IN ADVANCE OF OPERATIONS TO ALLOW FOR ASSIGNMENT OF LABORATORY PERSONNEL & SCHEDULING OF TEST, SHOP INSPECTIONS, ETC.
  - PAY COSTS FOR UNCOVERING AND MAKING GOOD WORK THAT IS COVERED BEFORE REQUIRED INSPECTION OR TESTING IS COMPLETED & ACCEPTED BY CLIENT.

## SHOP DRAWINGS

- SUBMIT SHOP DRAWINGS FOR ALL STRUCTURAL WORK AND ANY WORK AFFECTING THE STRUCTURE TO CLIENT. OBTAIN CLIENT'S & ENGINEERS APPROVAL BEFORE PROCEEDING WITH THE FABRICATION.
- ALL THE SHOP DRAWINGS MUST BEAR THE SIGNATURE AND STAMP OF A QUALIFIED PROFESSIONAL ENGINEER REGISTERED IN THE PROVINCE.
- SHOP DRAWINGS MUST BE REVIEWED AND STAMPED REVIEWED BY THE GENERAL CONTRACTOR BEFORE ISSUING TO OWNER. SHOP DRAWINGS NOT STAMPED BY THE GENERAL CONTRACTOR WILL BE REJECTED. ANY DELAYS IN THE CONSTRUCTION SCHEDULE DUE TO NON-COMPLIANCE WITH THIS REQUIREMENT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- GENERAL CONTRACTOR AND SUBTRADES SHALL INCLUDE TIME IN THEIR SCHEDULE FOR PROPER SHOP DRAWING REVIEW BY CONSULTANTS. CONTRACTORS SHALL ALLOW 3 BUSINESS DAYS TIME FOR REVIEW BY THE STRUCTURAL CONSULTANT, IN ADDITION TO TIME REQUIRED BY OTHER PARTIES.
- SHOP DRAWINGS MUST BE ORIGINAL, AND PRODUCED BY THE RESPECTIVE SUB-TRADES. ANY DRAWINGS SUBMITTED FOR REVIEW WHICH CONTAIN DRAWINGS OR PARTS OF DRAWINGS PRODUCED BY J.P. SAMUEL AND ASSOCIATES INC. WILL BE REJECTED, AND THE CONTRACTOR RESPONSIBLE FOR PRODUCING THE SHOP DRAWINGS SHALL TAKE RESPONSIBILITY FOR ANY RESULTING DELAYS IN CONSTRUCTION.

## CONCRETE NOTES

- CONCRETE AND REBAR NOTES
  - ALL CONCRETE WORK SHALL CONFORM TO CANCSA - A23.1/A23.2-04 "CONCRETE MATERIAL & METHODS OF CONCRETE CONSTRUCTION" METHODS OF TEST AND STANDARD PRACTICES FOR CONCRETE
  - CONCRETE, FOR FOOTINGS AND FOUNDATION WALLS, SHALL CONFORM TO THE FOLLOWING:
 

CEMENT	-NORMAL TYPE 10 PORTLAND CEMENT (60% CONTENT)
STRENGTH	-30 MPa MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS
SLUMP	-70mm +/- 20mm (3" +/- 3/4") BEFORE ADMIXTURE
ADMIXTURES	-MID-RANGE WATER REDUCING STRENGTH INCREASING ADMIXTURE
AIR ENTRAINMENT	-NONE
AGGREGATES	-NATURAL SAND, GRAVEL, CRUSH ROCK, 19mm (3/4") MAX. AGGREGATE SIZE UNLESS NOTED ON CONTRACT DRAWINGS
CURING	-WET CURE OR 2 COATS OF ACRYLIC CURE AND SEAL ALSO SEE CONCRETE FINISHING AND CURING NOTES.

 COVER TO REINFORCING -PER CSA STANDARD A23.3
  - REINFORCING SHALL BE CANADIAN BILLET STEEL DEFORMED BARS IN ACCORDANCE WITH CSA G30.18 GRADE 400 (400MPa).
  - REINFORCING DETAILS & WORKMANSHIP SHALL BE IN ACCORDANCE WITH CANCSA - A23.1/A23.2 AND STANDARD A23.3
  - COVER TO REINFORCING SHALL BE IN ACCORDANCE WITH CANCSA-A23.1/A23.2 AND A23.3.
  - WHERE COLD OR HOT WEATHER FORECAST, ADHERE STRICTLY TO CSA A23.1
  - NO SPLICING IS PERMITTED UNLESS SPECIFICALLY APPROVED BY ENGINEER
  - MINIMUM LAP SPLICES AND DEVELOPMENT LENGTHS MUST FOLLOW CSA STANDARD A23.3 UNLESS OTHERWISE NOTED ON THE STRUCTURAL DRAWINGS. ALL SPLICES SHALL BE CLASS C.
  - ALL EXPOSED REINFORCEMENT ENDS DUE TO CONCRETE CHIPPING SHALL BE PAINTED WITH EPOXY.
  - ALL GROUT SHALL BE CPO NON-SHRINK, NON-CORROSIVE AND SHALL CONTAIN NON-FERROUS MATERIALS WITH MINIMUM EXPANSION UNLESS NOTED OTHERWISE ON THE CONTRACT DRAWINGS. MINIMUM COMPRESSIVE STRENGTH TO BE 40 MPa AFTER 3 DAYS UNLESS NOTED OTHERWISE ON THE DRAWINGS.
  - MINIMUM CONCRETE COVER TO REINFORCEMENT IN NON-CORROSIVE ENVIRONMENT:
    - ALL CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH OR ROCK TO BE 76mm (3").
    - ALL CONCRETE BEAMS AND COLUMNS NOT EXPOSED TO EARTH OR WEATHER TO BE 38mm (1 1/2").
    - ALL CONCRETE SLABS AND WALLS NOT EXPOSED TO EARTH OR WEATHER TO BE 25mm (1").
  - MID-RANGE WATER REDUCING ADMIXTURES MAY BE USED UNLESS NOTED OTHERWISE (SEE ABOVE). NO CALCIUM CHLORIDE MAY BE USED.
- CONCRETE FINISHING AND CURING
  - THE FLOOR SLAB AREA SHALL HAVE A STEEL TOWELED SURFACE AND SHALL BE CURED AS NOTED IN THE CONCRETE NOTES.
  - WHERE NEW CONCRETE IS TO BE PLACED AGAINST EXISTING CONCRETE, EXISTING CONCRETE MUST BE THOROUGHLY CLEANED TO REMOVE OIL, GREASE, AND DIRT AND BE SURFACE CHIPPED A MINIMUM OF 13mm (1/2") PRIOR TO PLACEMENT OF NEW CONCRETE UNLESS NOTED OTHERWISE ON DRAWINGS. APPLICATION OF AN APPROVED BONDING AGENT SHALL BE APPLIED AT ALL INTERFACES BETWEEN NEW AND OLD CONCRETE WHERE BONDING IS REQUIRED AS PART OF THE DESIGN.
- CONCRETE INSPECTION AND TESTING
  - THE FOLLOWING ITEMS SHALL BE INSPECTED OR TESTED BY AN INDEPENDENT INSPECTION/TESTING AGENCY DESIGNATED BY THE OWNER. MATERIALS AND WORKMANSHIP NOT CONFORMING TO THE SPECIFICATIONS AND DRAWINGS SHALL BE REJECTED. REPORTS AND TEST RESULTS SHALL BE PROMPTLY SUBMITTED TO THE ENGINEER FOR REVIEW.
  - CONCRETE
    - CONCRETE AND GROUT TESTING SHALL BE CONDUCTED IN ACCORDANCE WITH CSA A23.2 AND THE SPECIFICATIONS INCLUDING THE REQUIREMENTS FOR SLUMP, AIR ENTRAINMENT AND STRENGTH.
    - TEST CYLINDERS AND OTHER TESTS SHALL BE MADE OF ALL CONCRETE BATCHES PRIOR TO PLACING OF CONCRETE. CONTRACTOR SHALL MAINTAIN RECORDS OF FOUR DATES, TESTING PERFORMED, AND MIX RESULTS FOR ALL ITEMS POURED.
    - WHERE CONCRETE FAILS TO MEET THE SPECIFIED REQUIREMENTS OR WHICH DUE TO APPEARANCE, DAMAGE, OR DEFECT IS DEEMED REJECTABLE, THE ENGINEER MAY ORDER IN-SITU TESTING.
    - WHERE TESTING IS REQUIRED TO DETERMINE THE IN-SITU STRENGTH OF THE CONCRETE, CORES SAMPLES SHALL BE TAKEN, AND ALL NECESSARY REPAIRS TO THE STRUCTURE SHALL BE MADE, ALL AT NO COST TO THE OWNER.
  - REINFORCING STEEL
    - THE CONTRACTOR SHALL ADVISE THE ENGINEER OF REQUIRED REINFORCING STEEL INSPECTIONS AT LEAST 24 HOURS PRIOR TO CLOSING FORMS (IN THE CASE OF WALLS OR COLUMNS) AND 48 HOURS -PRIOR TO POURING FOOTINGS AND SLABS.
    - ALL REINFORCING SHALL BE IN PLACE BEFORE NOTIFYING THE ENGINEER OF RECORD INSPECTION.

## STRUCTURAL STEEL NOTES

- ALL MATERIALS, COMPONENTS AND WORKMANSHIP SHALL CONFORM TO CURRENT C.S.A. STANDARD S16.
- ALL STRUCTURAL STEEL TO BE OF NEW MATERIAL CONFORMING TO C.S.A. STANDARD G40.20/G40.21 - GRADE 350W, GRADE 350W CLASS 'H' FOR HSS SECTIONS.
- ALL STEEL WORK SHALL BE GIVEN ONE COAT OF APPROVED PRIMER.
- QUALIFIED INSPECTORS WILL BE EMPLOYED BY THE OWNER FOR THIS WORK. INSPECTION ORGANIZATION UNDERTAKING TO INSPECT WELDING SHALL BE QUALIFIED IN ACCORDANCE WITH THE REQUIREMENTS OF CSA W178.1 - (LATEST EDITION) "QUALIFICATION CODE FOR WELDING INSPECTION ORGANIZATIONS" AND APPROVED BY THE CANADIAN WELDING BUREAU.
- DESIGN CONNECTIONS IN ACCORDANCE WITH THE HANDBOOK OF STEEL CONSTRUCTION BY THE CANADIAN INSTITUTE OF STEEL CONSTRUCTION FOR LOADS SHOWN OR REQUIRED.
- HEADER CONNECTIONS SHALL BE USED AT ENDS OF ALL BEAMS.
- ALL CONNECTIONS SHALL BE WELDED OR HIGH TENSILE BOLTED CONFORMING TO ASTM A325
- WELDING SHALL CONFORM TO LATEST C.S.A. SPECIFICATION W58 AND BE UNDERTAKEN BY A FABRICATOR APPROVED BY THE CANADIAN WELDING BUREAU TO THE REQUIREMENTS OF C.S.A. W47.
- MIN. SIZE OF WELDS TO BE 6mm (1/4") EXCEPT FOR SEAL WELDS.
- ALL EXPOSED WELDS TO BE CONTINUOUS AND GROUND SMOOTH.
- STRUCTURAL STEEL MEMBERS SHALL NOT BE SPLICED UNLESS APPROVED BY THE STRUCTURAL ENGINEER IN WRITING.

## TIMBER FRAMING NOTES

- ALL CONVENTIONAL FRAMING TO BE SPF NO. 1/2 OR BETTER
- SUBMIT SHOP DRAWINGS FOR REVIEW FOR ALL PRE-ENGINEERED WOOD PRODUCTS, INCLUDING CONNECTION DETAILS (JOIST HANGERS, ETC.)
- ALL "LVL" MEMBERS TO BE 1.9E MICROLAM LVL OR BETTER. SUBMIT SHOP DRAWINGS FOR REVIEW FOR ALL PRE-ENGINEERED WOOD PRODUCTS, INCLUDING CONNECTION DETAILS (JOIST HANGERS, ETC.)
- ALL BUILT-UP LVL FLUSH CONNECTIONS TO BE MADE WITH APPROPRIATE SIMPSON STRONG TIE HANGER CONNECTOR. FRAMING SUPPLY COMPANY TO PROVIDE PLAN OF CONNECTORS FOR REVIEW.
- ALL BUILT-UP LVL BEAMS TO BE BOLTED TOGETHER w/ 2 ROWS OF 1/2" Ø A307 BOLTS @ 24" c/c, TYP. THROUGHOUT. (PER LVL MANUFACTURERS SPECIFICATIONS).
- REFER TO THE ONTARIO BUILDING CODE PART 9 FOR ALL FRAMING DETAILS NOT EXPLICITLY SHOWN ON THESE DRAWINGS, INCLUDING FRAMING ADJACENT OPENINGS, BRIDGING, BLOCKING, SUBFLOORING, FASTENING ETC.

## STRUCTURAL WOOD NOTES

- WOOD FRAMING DESIGN AND CONSTRUCTION SHALL CONFORM TO CANCSA-086-01 "ENGINEERING DESIGN IN WOOD".
- WOOD TRUSSES AND MANUFACTURED FRAMING MEMBERS ARE TO BE DESIGNED AND CERTIFIED BY A PROFESSIONAL ENGINEER FOR THE LOADS AND CONDITIONS INDICATED ON THE DRAWINGS.
- PROVIDED ADEQUATE BEARING SURFACE FOR THE TRUSS BEARING LOADS.
- FRAMED WALLS ARE TO BE WIND BRACED AT ALL CORNERS IN BOTH DIRECTIONS.
- LUMBER SHALL BE SPF NO. 1/2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
- LUMBER SHALL NOT BE NOTCHED OR DRILLED IN THE FIELD WITHOUT PERMISSION OF THE CONSULTANT.
- WALL SHEATHING SHALL BE 3/8" (9.5mm) PLYWOOD TO CSA O151 "CANADIAN SOFTWOOD PLYWOOD" OR 7/16" (11mm) O-2 OSB TO CSA 0462 "DESIGN RATED OSB", I/N/O.
- BOLTED CONNECTION SHALL BE MADE USING GRADE A307 BOLTS, UNLESS NOTED OTHERWISE.
- USE PRESSURE TREATED LUMBER (CWPB APPROVED) OR APPLY SUITABLE WOOD PRESERVATIVE TO ALL WOOD IN CONTACT WITH SOIL.
- WOOD IS NOT PERMITTED TO BEARING DIRECTLY ON MASONRY OR CONCRETE WITHOUT PROTECTION. PROVIDE EITHER PRESSURED TREATED LUMBER, SUITABLE WOOD PRESERVATIVE OR 6 MIL (0.152mm) POLYETHYLENE SHEET.
- PROVIDE SOLID WOOD HORIZONTAL BLOCKING AT MAXIMUM 48" (1.2m) O.C. FOR ALL FRAMED WALLS.
- ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
- LATERALLY SUPPORT ALL STEEL BEAMS BY PRE-DRILLING FLANGES FOR 1/2" (13mm) BOLTED ATTACHMENTS OF WOOD NAILERS WITH 9/16" (15mm) HOLES STAGGERED AT 24" (600mm) O.C.
- USE JOIST HANGERS WHERE FRAMING MEMBERS CONNECT INTO THE SIDE OF SUPPORTING MEMBERS.
- ALL STEEL CONNECTORS (UP/LIFT CLIPS, BRACKETS, JOIST HANGERS etc.) SHALL BE SIMPSON STRONG TIE CONNECTORS UNLESS NOTED OTHERWISE.
- ALL NAILS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE TO BE HOT DIP GALVANIZED.
- FOR ALL BUILT UP MEMBERS (TRUSSES, BEAMS, LINTELS) PROVIDE A BUILT UP POST WITH AN EQUAL OR GREATER THICKNESS UNLESS NOTED OTHERWISE. ALL BUILT UP POSTS TO BE CONTINUOUS (INCLUDING TRANSFER BLOCKING AT FLOORS) DOWN TO THE FOOTING.
- ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 3" (75mm) SPIRAL NAILS AT 12" (300mm) FOR EVERY PLY UNLESS NOTED OTHERWISE.

NOTE: CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE. CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC. FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST. PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.

DATE \_\_\_\_\_

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER. ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

4	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
3	ISSUED FOR PERMIT	19 MAR 20	P.T.
2	ISSUED FOR REVIEW	13 MAR 20	P.T.
1	ISSUED FOR REVIEW	01 NOV 19	P.T.
No	REVISION	DATE	BY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:

**TERANJIT SINGH  
RESIDENCE**

PROJECT:

**CUSTOM HOUSE**

**653 Safari Road Milgrove**

DRAWING:

**GENERAL NOTES-2**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

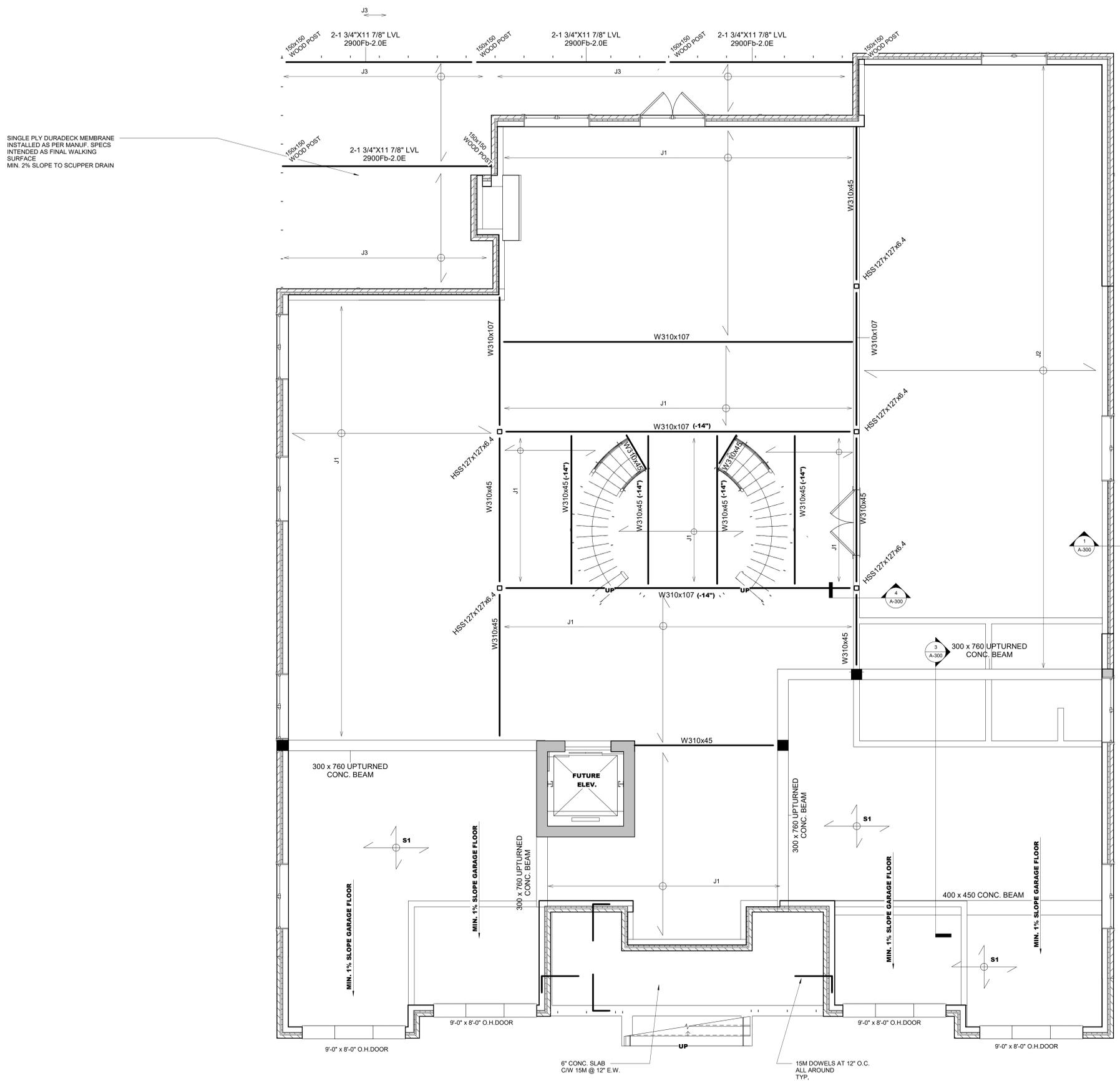
5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel: (905) 928-2542



DRAWN BY:	S.K.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.		
DATE:	19 MAR 2020	DRAWING No:	GN-2
ISSUED:	19 MAR 2020		

NOTE:  
CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_



SINGLE PLY DURADECK MEMBRANE  
INSTALLED AS PER MANUF. SPECS  
INTENDED AS FINAL WALKING  
SURFACE  
MIN. 2% SLOPE TO SCUPPER DRAIN

NOTES:  
- TOP OF STRUCTURAL STEEL IS  
THE SAME HEIGHT AS THE FLOOR  
JOISTS UNLESS NOTED  
OTHERWISE. (xxx")

GARAGE LOADS (SUPERIMPOSED):  
DEAD LOAD: 1.00 kPa  
LIVE LOAD: 2.40 kPa

FLOOR LOADS:  
DEAD LOAD: 1.40 kPa  
(INCLUDES 1.0kPa PARTITION LOAD)  
LIVE LOAD: 1.90kPa

BALCONY LOADS:  
DEAD LOAD: 1.40 kPa  
(INCLUDES 1.0 kPa PARTITION LOAD)  
LIVE LOAD: 4.80 kPa

EXTERIOR BRICK LOOSE LINTEL SCHEDULE:		
WALL TYPE	OPENING	SIZE
4" BRICK	3'-1" TO 4'-6"	L127x89x6.4 L.L.V HOT DIP GALV.
4" BRICK	4'-7" TO 7'-6"	L152x102x9.5 L.L.V HOT DIP GALV.
4" BRICK	7'-7" TO 10'-0"	L203x102x9.5 L.L.V HOT DIP GALV.
4" BRICK	10'-1" TO 12'-0"	3/8" THK. BRICK PLATE PROVIDE 4" LONG 1/4" STITCH WELDS @ 12" C/C EACH SIDE BEAM TO PLATE

- L1: 3-1 3/4" X 11 1/4" W/ 2900FB-2.0E  
W/ 6"x6" SPF No. 1 WOOD COLUMN BOTH ENDS
- L2: W200x21 w/ HSS127x127x6.4 COLUMN BOTH ENDS
- S1: 150 THK. 35MPa CLASS "C" CONCRETE SLAB W/ 15M @ 300 O/C B.E.W.

- J1: 14" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT
- J2: 14" DP TJI560 @ 12" O.C. OR APPROVED EQUIVALENT
- J3: 11-7/8" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT
- J4: 11-7/8" DP TJI560 @ 8" O.C. OR APPROVED EQUIVALENT

2	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
1	ISSUED FOR PERMIT	19 MAR 20	P.T.
No	REVISION	DATE	BY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH  
RESIDENCE**

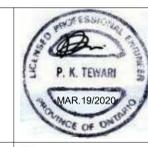
PROJECT:  
**CUSTOM HOUSE**  
**653 Safari Road Milgrove**

DRAWING:  
**GROUND FLOOR FRAMING  
PLAN**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
BURLINGTON, ONTARIO, L7L 5K4  
Tel:(905) 928-2542

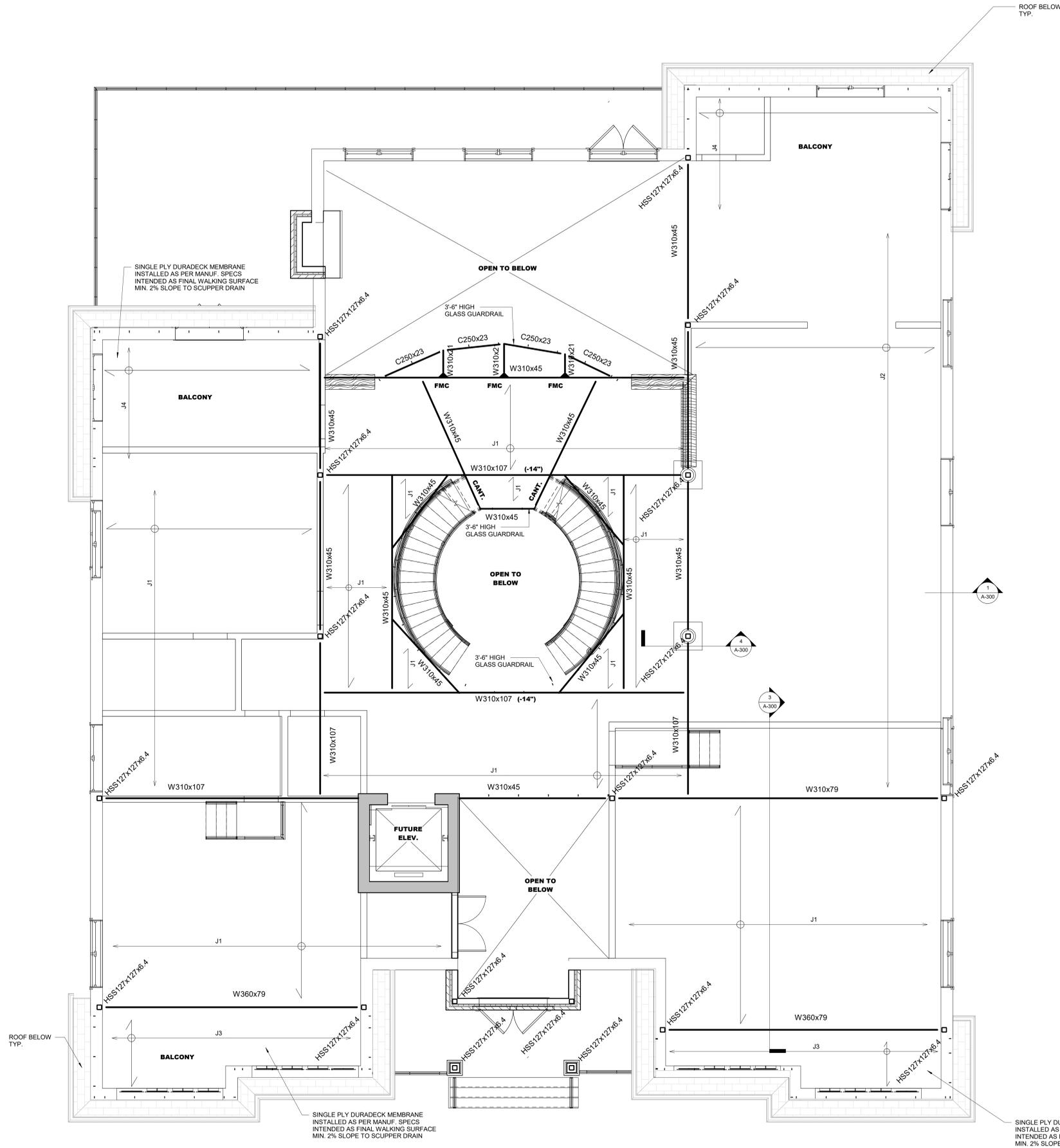


DRAWN BY:	P.F.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	S-101

**1** GROUND FLOOR FRAMING PLAN  
1/4" = 1'-0"

NOTE:  
 CONFIRM ALL GRIDS, DIMENSIONS AND ELEVATIONS AT SITE.  
 CONTACT CLIENT AND J.P. SAMUEL AND ASSOCIATES INC.  
 FOR ANY DISCREPANCIES.

PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
 PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
 DATE: \_\_\_\_\_



J1: 14" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT  
 J2: 14" DP TJI560 @ 12" O.C. OR APPROVED EQUIVALENT  
 J3: 11-7/8" DP TJI560 @ 16" O.C. OR APPROVED EQUIVALENT  
 J4: 11-7/8" DP TJI560 @ 8" O.C. OR APPROVED EQUIVALENT

FLOOR LOADS:  
 DEAD LOAD: 1.40 kPa  
 (INCLUDES 1.0kPa PARTITION LOAD)  
 LIVE LOAD: 1.90kPa  
 BALCONY LOADS:  
 DEAD LOAD: 1.40 kPa  
 (INCLUDES 1.0 kPa PARTITION LOAD)  
 LIVE LOAD: 4.80 kPa  
 FMC = FULL MOMENT CONNECTION

THE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE REMAINS WITH THE ENGINEER ORIGINALLY DESIGNED THE STRUCTURE. WE DID NOT PERFORM A DETAILED ANALYSIS OF THE DESIGN OF THE EXISTING STRUCTURE DURING OUR REVIEW. IT IS ASSUMED THAT THE CONTRACTOR CONSTRUCTED THE STRUCTURE IN ACCORDANCE WITH THE STRUCTURAL DRAWINGS, REVISIONS AND INSTRUCTIONS PROVIDED BY THE ORIGINAL DESIGN TEAM.

2	RE-ISSUED FOR PERMIT	03 NOV. 21	P.T.
1	ISSUED FOR PERMIT	19 MAR 20	P.T.
No	REVISION	DATE	BY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO <CLIENT NAME> BEFORE PROCEEDING WITH THE WORK.

CLIENT:  
**TERANJIT SINGH RESIDENCE**

PROJECT:  
**CUSTOM HOUSE**  
 653 Safari Road Milgrove

DRAWING:  
**SECOND FLOOR FRAMING PLAN**

SCALE: AS NOTED

**IDM(2005) CONSULTANTS INC.**

5325 HARVESTER ROAD,  
 BURLINGTON, ONTARIO, L7L 5K4  
 Tel:(905) 928-2542



DRAWN BY:	P.F.	JOB No:	2019-JPS-090
CHECKED BY:	P.T.	DATE:	19 MAR 2020
ISSUED:	19 MAR 2020	DRAWING No:	S-102

**1 SECOND FLOOR FRAMING PLAN**  
 1/4" = 1'-0"



Hamilton

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

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

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)	Teranjit Singh		
Applicant(s)	Prem Tewari		
Agent or Solicitor	same as above		Phone:
			E-mail:

- 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	653 Safari Rd, Hamilton Ont		
Assessment Roll Number	251830271033200		
Former Municipality	Flamborough		
Lot	11	Concession	7
Registered Plan Number		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:

To allow for a total height of 11.95 m compared to the permitted height of 10.5 m

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The by law uses average grades around the house including the basement elevation. This definition will make the house roof almost flat and will not work with the design of the house

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
449.1 m	911.55 m	40.93 Ha	20.0 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
SFD	56.4 m	851.55 m	213.82 and 106.02 m	> 60 years

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SFD	31.06 m	856.83	81.47 and 213.82 m	ASAP

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
SFD	125.0 sq m	206.2 sq m	2	7.75 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SFD	409.0 sq m	761.0 sq m	2	11.95 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
  - 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 Dwelling used as Farm Building

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
Year 2011

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Agricultural

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Agricultural

7.4 Length of time the existing uses of the subject property have continued:  
More Than 60 Years

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

Rural Hamilton Official Plan designation (if applicable): A2

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? A2

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	DN/A-22:327	<b>SUBJECT PROPERTY:</b>	44 Head St, Hamilton
<b>ZONE:</b>	"M6" (Light Industrial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: BMAN Holdings Inc  
Agent: Vicano Developments – Yaw Yawson

The following variances are requested:

1. To permit the existing eight (8) parking spaces along Head Street to maintain no adequate means of ingress and egress to and from a street line and therefore reverse onto the road allowance instead of the requirement that parking shall be provided with adequate means of ingress and egress to and from a street and arranged in a forward motion only so as to not interfere with normal public use of the street.
2. To permit the loading door associated with the internal loading facilities to be located abutting the MacNab street line with no visual barrier screening whereas the zoning by-law states that loading doors and associated loading facilities shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19.

**PURPOSE & EFFECT:** To recognize an existing parking condition for the eight (8) parking spaces abutting Head street as well as to permit the location of the loading door located in the new addition along MacNab Street in order to facilitate the development per Site Plan Application SPA-21-060.

**Notes:**

This development is subject to Site Plan Application SPA-21-060.

Committee decision DN/A-22:83, previously approved variances to the landscaped and planting strip areas as well as to the location of the existing eight (8) parking spaces from a street 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.**

DN/A-22:327

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

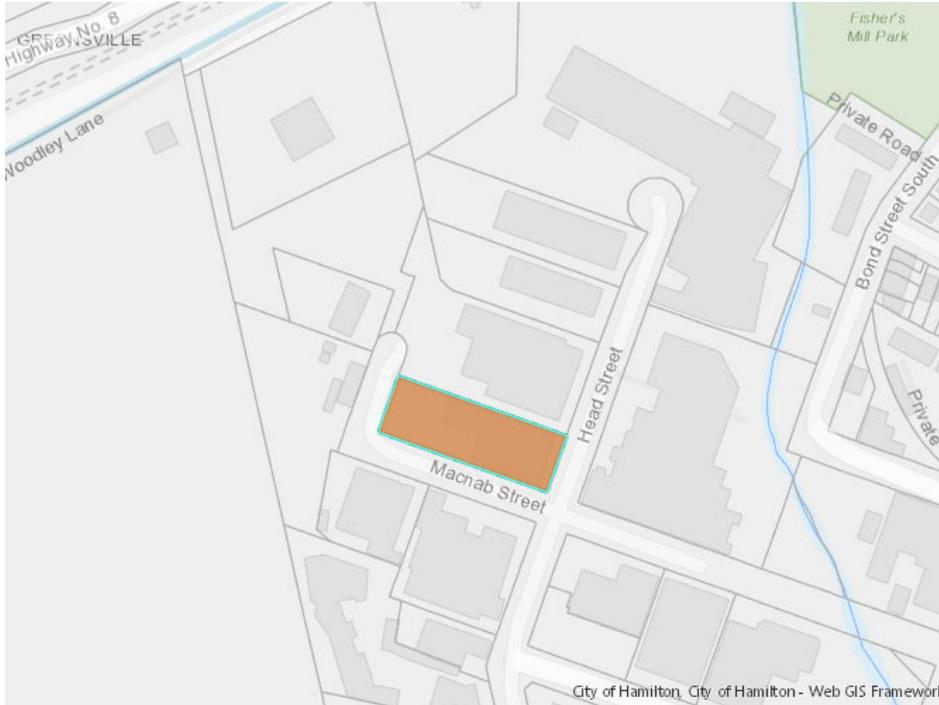
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **PUBLIC INPUT**

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

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

DN/A-22:327



 **Subject Lands**

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

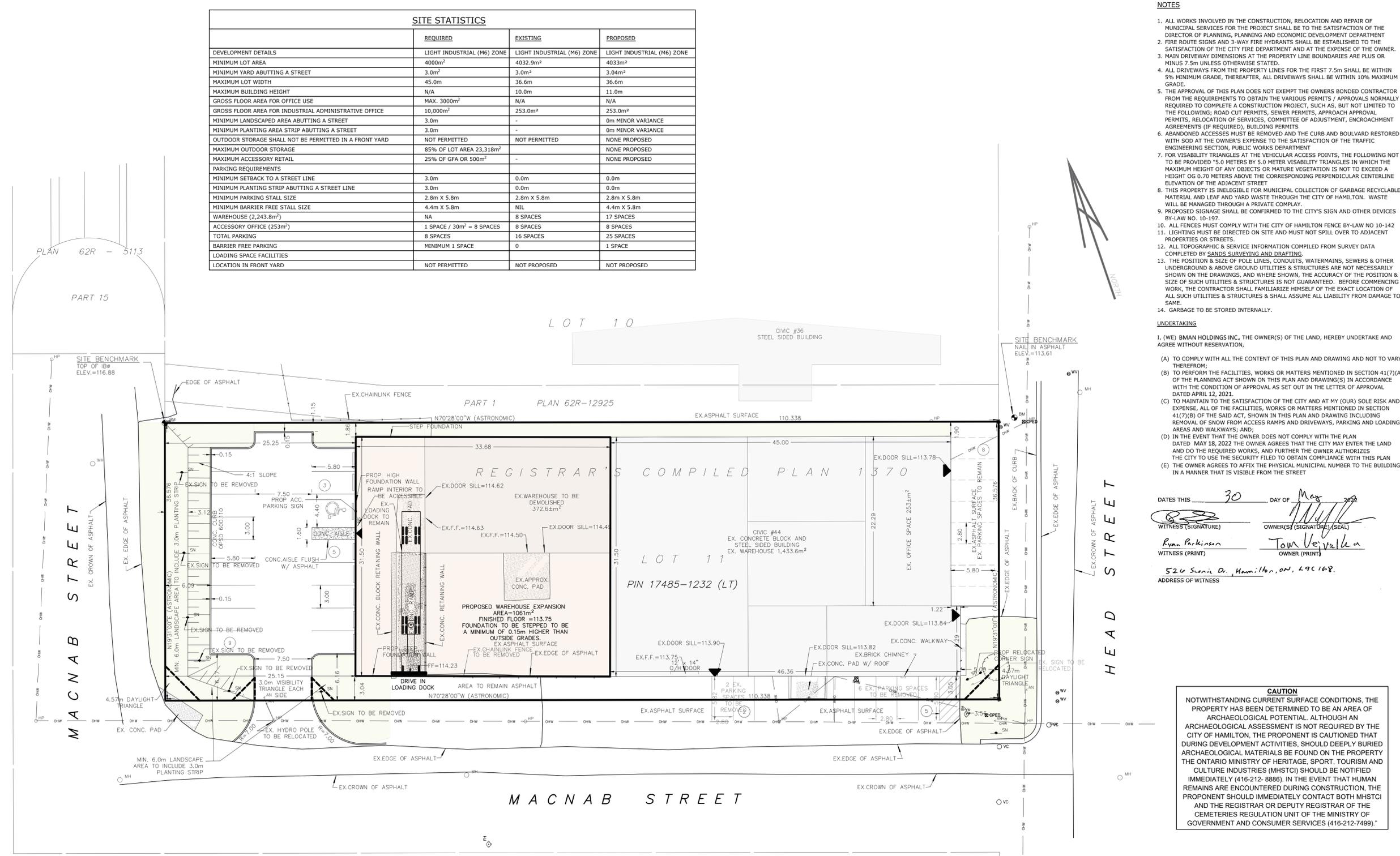
#### 2. In person Oral Submissions

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

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

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

	SITE STATISTICS		
	REQUIRED	EXISTING	PROPOSED
DEVELOPMENT DETAILS	LIGHT INDUSTRIAL (M6) ZONE	LIGHT INDUSTRIAL (M6) ZONE	LIGHT INDUSTRIAL (M6) ZONE
MINIMUM LOT AREA	4000m <sup>2</sup>	4032.9m <sup>2</sup>	4033m <sup>2</sup>
MINIMUM YARD ABUTTING A STREET	3.0m	3.0m	3.04m
MAXIMUM LOT WIDTH	45.0m	36.6m	36.6m
MAXIMUM BUILDING HEIGHT	N/A	10.0m	11.0m
GROSS FLOOR AREA FOR OFFICE USE	MAX. 3000m <sup>2</sup>	N/A	N/A
GROSS FLOOR AREA FOR INDUSTRIAL ADMINISTRATIVE OFFICE	10,000m <sup>2</sup>	253.0m <sup>2</sup>	253.0m <sup>2</sup>
MINIMUM LANDSCAPED AREA ABUTTING A STREET	3.0m	-	0m MINOR VARIANCE
MINIMUM PLANTING AREA STRIP ABUTTING A STREET	3.0m	-	0m MINOR VARIANCE
OUTDOOR STORAGE SHALL NOT BE PERMITTED IN A FRONT YARD	NOT PERMITTED	NOT PERMITTED	NONE PROPOSED
MAXIMUM OUTDOOR STORAGE	85% OF LOT AREA 23,318m <sup>2</sup>	-	NONE PROPOSED
MAXIMUM ACCESSORY RETAIL	25% OF GFA OR 500m <sup>2</sup>	-	NONE PROPOSED
PARKING REQUIREMENTS			
MINIMUM SETBACK TO A STREET LINE	3.0m	0.0m	0.0m
MINIMUM PLANTING STRIP ABUTTING A STREET LINE	3.0m	0.0m	0.0m
MINIMUM PARKING STALL SIZE	2.8m X 5.8m	2.8m X 5.8m	2.8m X 5.8m
MINIMUM BARRIER FREE STALL SIZE	4.4m X 5.8m	NIL	4.4m X 5.8m
WAREHOUSE (2,243.8m <sup>2</sup> )	NA	8 SPACES	17 SPACES
ACCESSORY OFFICE (253m <sup>2</sup> )	1 SPACE / 30m <sup>2</sup> = 8 SPACES	8 SPACES	8 SPACES
TOTAL PARKING	8 SPACES	16 SPACES	25 SPACES
BARRIER FREE PARKING	MINIMUM 1 SPACE	0	1 SPACE
LOADING SPACE FACILITIES			
LOCATION IN FRONT YARD	NOT PERMITTED	NOT PROPOSED	NOT PROPOSED



- NOTES**
1. ALL WORKS INVOLVED IN THE CONSTRUCTION, RELOCATION AND REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
  2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
  3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
  4. ALL DRIVEWAYS FROM THE PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MINIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
  5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNERS BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS / APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: ROAD CUT PERMITS, SEWER PERMITS, APPROACH APPROVAL PERMITS, RELOCATION OF SERVICES, COMMITTEE OF ADJUSTMENT, ENCROACHMENT AGREEMENTS (IF REQUIRED), BUILDING PERMITS
  6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOLLIVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT
  7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOT TO BE PROVIDED "5.0 METERS BY 5.0 METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET
  8. THIS PROPERTY IS INELIGIBLE FOR MUNICIPAL COLLECTION OF GARBAGE RECYCLABLE MATERIAL AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON. WASTE WILL BE MANAGED THROUGH A PRIVATE COMPLY.
  9. PROPOSED SIGNAGE SHALL BE CONFIRMED TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-197.
  10. ALL FENCES MUST COMPLY WITH THE CITY OF HAMILTON FENCE BY-LAW NO 10-142
  11. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
  12. ALL TOPOGRAPHIC & SERVICE INFORMATION COMPILED FROM SURVEY DATA COMPLETED BY SANDS SURVEYING AND DRAFTING
  13. THE POSITION & SIZE OF POLE LINES, CONDUITS, WATERMANS, SEWERS & OTHER UNDERGROUND & ABOVE GROUND UTILITIES & STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS, AND WHERE SHOWN, THE ACCURACY OF THE POSITION & SIZE OF SUCH UTILITIES & STRUCTURES IS NOT GUARANTEED. BEFORE COMMENCING WORK, THE CONTRACTOR SHALL FAMILIARIZE HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES & STRUCTURES & SHALL ASSUME ALL LIABILITY FROM DAMAGE TO SAME.
  14. GARBAGE TO BE STORED INTERNALLY.
- UNDERTAKING**
- I, (WE) BMAN HOLDINGS INC. THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,
- (A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
  - (B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITION OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED APRIL 12, 2021.
  - (C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND;
  - (D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED MAY 18, 2022 THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN
  - (E) THE OWNER AGREES TO AFFIX THE PHYSICAL MUNICIPAL NUMBER TO THE BUILDING IN A MANNER THAT IS VISIBLE FROM THE STREET

DATES THIS 30 DAY OF May 2022

WITNESS (SIGNATURE) *Ryan Parkinson* OWNER(S) (SIGNATURE) (SEAL) *Tom Vervalka*

WITNESS (PRINT) Ryan Parkinson OWNER (PRINT) Tom Vervalka

520 Seneca Dr. Hamilton, ON, L9C 1A8.  
ADDRESS OF WITNESS



**KEY PLAN**

REV.	DESCRIPTION	DATE	APPROV BY
4	REVISED FOR CITY COMMENTS	2022.05.18	CHM
3	REVISED FOR CITY COMMENTS	2022.02.11	JL
2	REVISED FOR CITY COMMENTS	2021.08.03	OWNER
1	REVISED FOR COMMENTS	2021.07.29	CM
0	INITIAL RELEASE	2021.03.29	---

PROJECT	PROJECT TITLE
LOT 11	REGISTRAR'S COMPILED PLAN 1370
	CITY OF HAMILTON
	PIN 17485-1232 (LT)
	44 HEAD STREET DUNDAS ONTARIO
	CITY FILE NO. SPA-21-060

**CAUTION**

NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES (MHSTCI) SHOULD BE NOTIFIED IMMEDIATELY (416-212-8886). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MHSTCI AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (416-212-7499).

Scale 1 : 250  
0 7.5 5.0 2.5 0 Metres 5 10

**UNITS & CONVERSION**  
ALL DIMENSIONS IN METRES.  
(CONVERT TO FEET: DIVIDE BY 0.3048)

**BEARING NOTE**  
BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B", BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010.0). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999603.

**ANTECH DESIGN & ENGINEERING GROUP**  
Engineers and Urban Planners  
25 King Street, Brantford, ON. N3T 3C4  
www.antechdesign.com

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF ANTECH DESIGN AND ENGINEERING GROUP. ANY REPRODUCTION OR DISTRIBUTION, IN WHOLE OR IN PART, WITHOUT THE EXPRESSED WRITTEN PERMISSION OF ANTECH DESIGN AND ENGINEERING GROUP IS PROHIBITED.

CLIENT  
**VICANO DEVELOPMENTS LIMITED**

SURVEY SYMBOLS	STORM, SANITARY, WATER SERVICE SYMBOLS	FIRE HYDRANT	UTILITY SERVICES SYMBOLS	GRADING SYMBOLS	OTHER SYMBOLS	UNDERGROUND SERVICES
<ul style="list-style-type: none"> <li>FOUND MONUMENTS</li> <li>SET MONUMENTS</li> <li>IRON BAR</li> <li>STD. IRON BAR</li> <li>SHORT STD. IRON BAR</li> <li>CUT CROSS</li> <li>NAIL &amp; WASHER</li> </ul>	<ul style="list-style-type: none"> <li>REGISTERED PLAN</li> <li>ORIGIN UNKNOWN</li> <li>MEASURED</li> <li>PROPORTIONED</li> <li>WITNESS</li> <li>BENCHMARK</li> <li>IRON PIPE</li> </ul>	<ul style="list-style-type: none"> <li>HYD SPRINKLER HEAD</li> <li>TEST HOLE</li> <li>BOREHOLE</li> <li>MONITORING WELL</li> <li>CULVERT</li> <li>CATCH BASIN</li> <li>DOUBLE CATCH BASIN</li> <li>DITCH INLET CATCH BASIN</li> </ul>	<ul style="list-style-type: none"> <li>MANHOLE - SANITARY</li> <li>MANHOLE - STORM</li> <li>CATCH BASIN MANHOLE</li> <li>DBL. CATCH BASIN MANHOLE</li> <li>MANHOLE - HYDRO</li> <li>MANHOLE - TRAFFIC</li> <li>MANHOLE - BELL</li> <li>MANHOLE - FIBER OPTIC</li> <li>MANHOLE - UNSPECIFIED</li> <li>GAS VALVE</li> <li>BOREHOLE</li> <li>UTILITY POLE</li> <li>HYDRO POLE</li> <li>BELL POLE</li> <li>LIGHT STD.</li> <li>HYDRO LIGHT STD.</li> <li>GAS VALVE</li> <li>HYDRO GUIDE WIRE</li> <li>HYDRO TRANSFORMER</li> <li>BELL MARKER</li> <li>BELL PEDESTAL</li> <li>CABLE TV MARKER</li> <li>CABLE PEDESTAL</li> </ul>	<ul style="list-style-type: none"> <li>EXISTING GRADE (m)</li> <li>PROPOSED GRADE (m)</li> <li>SEDIMENT TRAP</li> <li>DIRECTION OF SURFACE WATER</li> <li>TREELINE</li> <li>TRAFFIC SIGN</li> <li>RAILWAY SIGN</li> <li>SIGN (OTHER)</li> <li>TRAFFIC LIGHT</li> <li>TRAFFIC CONTROL BOX</li> <li>RAILWAY SIGNAL CTRL BOX</li> <li>FLAG POLE</li> <li>DECORATIVE POLE</li> <li>BOLLARD</li> <li>PILLAR</li> <li>GUARD POST</li> <li>MAIL BOX</li> <li>PARKING METER</li> <li>FLOOD LIGHT</li> <li>AIR CONDITIONER</li> </ul>	<ul style="list-style-type: none"> <li>PROPERTY LINES</li> <li>OVER-HEAD WIRES</li> <li>SILT FENCING - LIGHT DUTY</li> <li>SILT FENCING - HEAVY DUTY</li> <li>SWALE / DIRECTION</li> <li>GRADE SLOPE INDICATOR</li> </ul>	

PROFESSIONAL ENGINEER  
J.A. BUTLER  
2022-05-19  
PROVINCE OF ONTARIO

DRAWN: CHM  
CHECKED: JAB  
DATE: 2021.03.29

SHEET: SITE PLAN  
DRAWING NO. 210502 - V101  
REV. 4



October 18, 2022

**VIA ELECTRONIC DELIVERY**

Ms. Jamila Sheffield, ACST  
Secretary Treasurer-Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

**Re: 44 Head Street, Dundas (SPA-21-060) Minor Variance Application**

Dear Ms. Sheffield:

On behalf of our Client Bman Holdings Inc., we are pleased to submit a Minor Variance application for the above noted development.

This application seeks permission for the following variances:

1. Remove the requirement for an adequate means of ingress and egress for the 8 existing parking spaces located along the Head Street frontage. [Section 5.2(c)]
2. To permit an unscreened loading door and loading facility where section 5.2.1(b) requires that the any loading doors abutting a street be screened by a visual barrier.

As part of the ongoing site plan review process City staff have identified these zoning deficiencies and have requested that the applicant submit this minor variance application to address these concerns.

In support of the application please find enclosed the following information:

- One (1) copy of the Minor Variance application form;
- One (1) copy of the Landscape Plan and Site Plan drawings; and,
- One (1) cheque in the amount of \$3,465.

Should you require any additional information please do not hesitate to contact the undersigned.

Yours truly,



Yaw Yawson  
Development Planning Technician

cc: Tom Vejvalka, Bman Holdings Inc.



Hamilton

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>	BMAN HOLDINGS INC. (1136148 ONTARIO LTD.)		
<b>Applicant(s)*</b>	VICANO DEVELOPMENTS LIMITED c/o YAW YAWSON		
<b>Agent or Solicitor</b>	Same as applicant		<b>Phone:</b>
			<b>E-mail:</b>

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

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

N/A
-----

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

4. Nature and extent of relief applied for:

Please see attached Cover Letter for all of the required variances.

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

The variances required for the parking spaces and loading area are required due to existing conditions. Without the existing parking spaces & loading space the proposed building expansion can not proceed.

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

LOT 11, REGISTRAR'S COMPILED PLAN 1370, CITY OF HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial

Agricultural       Vacant

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use Warehouse facility
- 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?  
 Conversations with current owner

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
 Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

Oct 17/22  
 Date

[Signature]  
 Signature Property Owner(s)  
 Tom Vejvalka  
 Print Name of Owner(s)

10. Dimensions of lands affected:  
 Frontage 36.6m  
 Depth 110.4m  
 Area 4,033sq.m.  
 Width of street 20.1m Macnab Street/ 20.1m Head 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 1-storey 1,806.2 sq.m. Industrial warehouse building. The dimensions of the building are approximately 78.7m x31.50m.

Proposed:  
 The proposal includes a +/-1,060.9sq.m (11,423) sq.ft. addition to the rear of the existing warehouse facility. See enclosed site plan drawing.

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

Existing:  
 Front: 5.09m  
 Side: 1.90m/ 3.05m  
 Rear: 58.93m

Proposed:  
 Front: 5.09m  
 Side: 1.86m/ 3.05m  
 Rear: 25.15m

13. Date of acquisition of subject lands:  
2012
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.):  
Warehouse
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Industrial
17. Length of time the existing uses of the subject property have continued:  
Over 40 years
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Industrial Land
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Light Industrial Zone (M6)
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:  
COA Decision DN/A-22: 83
- 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)  
Property is subject to concurrent Site Plan application SPA-21-60 Landscape Plans showing the proposed design have been approved through this application.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>DN/A-22:332</b>	<b>SUBJECT PROPERTY:</b>	23 Main St, Dundas
<b>ZONE:</b>	"C5 and 570" (Mixed Use Medium Density Further Amended)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 17-240

**APPLICANTS:** Owner: Matthew Stott & Erin Galway

The following variances are requested:

1. A minimum of three (3) parking spaces shall be provided instead of the minimum required 8 parking spaces; and

**PURPOSE & EFFECT:** To facilitate the existing commercial use located on the ground floor of the existing Mixed-Use building to be converted into a medical clinic notwithstanding that;

**Notes:**

- i. This variance is necessary to facilitate building permit application # 22- 109612.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>2:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**DN/A-22:332**

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

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

**PUBLIC INPUT**

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

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



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

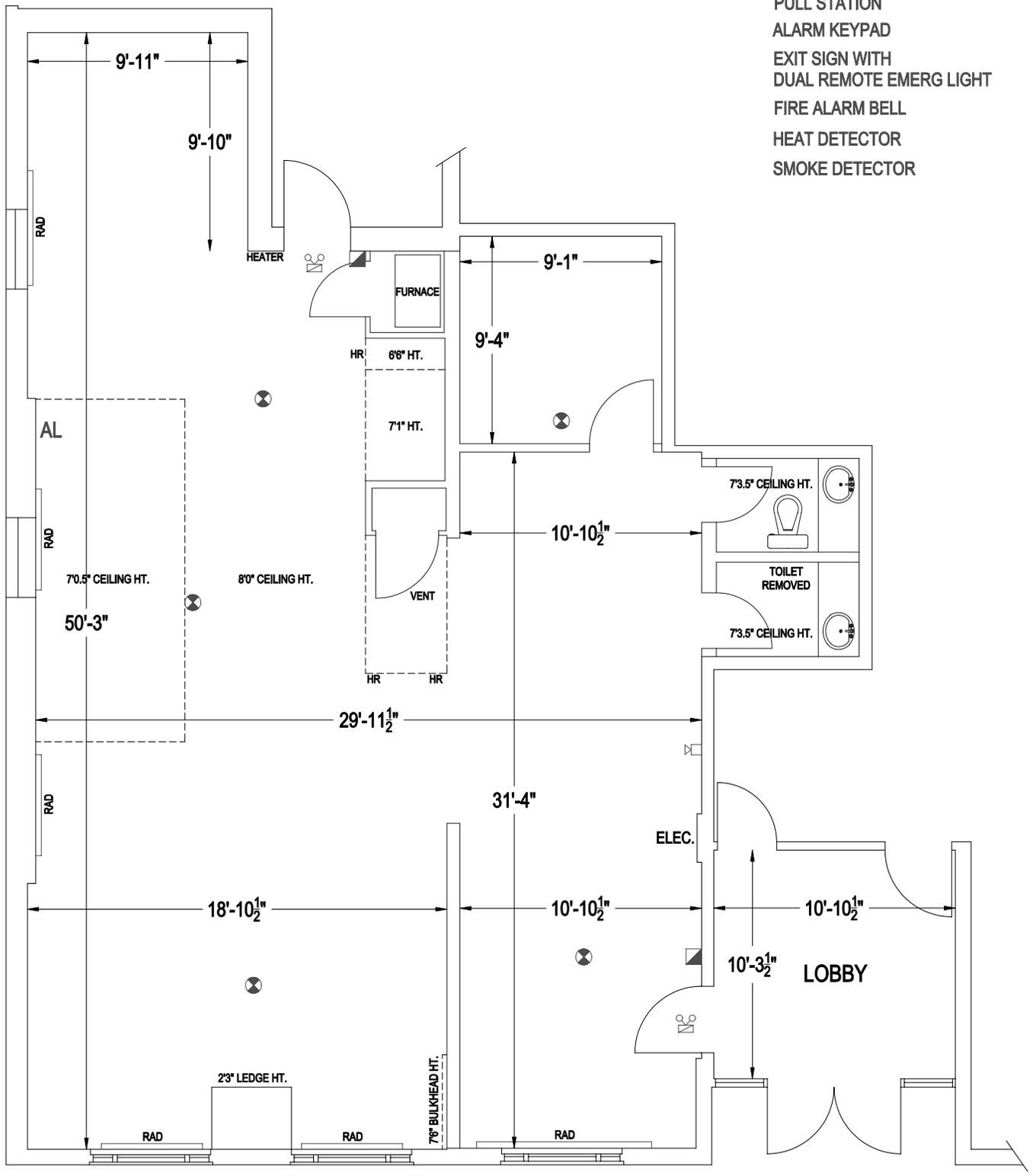
#### 2. In person Oral Submissions

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

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

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

- PULL STATION 
- ALARM KEYPAD 
- EXIT SIGN WITH DUAL REMOTE EMERG LIGHT 
- FIRE ALARM BELL 
- HEAT DETECTOR 
- SMOKE DETECTOR 



6'8" OPENING HT. (TYP.)  
 6'8" DOOR HT. (TYP.)

1,517 SF

PREPARED BY:  	LOCATION:  23 MAIN STREET DUNDAS, ONTARIO		PREPARED FOR: STOTT PHYSIOTHERAPY <hr/> DATE: NOVEMBER 16, 2021 <hr/> FILE: 23-MAIN-DUNDAS.dwg	SCALE: NTS
---	--	---	---	---------------



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

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

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	SAME AS BELOW		Phone:
			E-mail:
Applicant(s)*	Matthew Stott Erin Galway		
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 Canada Trust  
 Small Business Banking  
 4th Floor, Building 1  
 4720 Tahoe Boulevard  
 Mississauga, Ontario  
 L4W 5P2

**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 is applied for Parking  
 Required number of parking spaces = 9 spaces (Unit 104=141 sq.m/16 sq.m= 9 spaces)  
 Existing number of parking spaces = 3 spaces

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

No additional parking spaces are available. Existing plan allotted only three parking spaces of the common element to Unit 104.

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

Part of Lots 4,5,6 and 7, Plan 1401 in the Town of Dundas  
 23 Main Street, Dundas Ontario

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial

Agricultural       Vacant

Other Existing Residential 6 Story, Condominium

- 8.1 If Industrial or Commercial, specify use Previous use of Unit 104 was Retail

- 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?

N/A

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.

Oct 5/22

Date



Signature Property Owner(s)

MATTHEW SCOTT Erin Galway  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 47 m  
Depth 49.5 m  
Area 1587 m  
Width of street \_\_\_\_\_

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

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

Residential 6 storey condominium  
Ground floor area 510 sq. m  
Gross floor area 3530 sq. m  
25.41 m wide, 23.61 m long, 14.63 m high

Proposed

No change to the structure or lands is proposed.  
Unit 104 is and existing 141 sq.m retail space.  
Proposed change of use of Unit 104 to medical clinic.

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

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

4.29 m south side to lot line  
18 m north side to lot line  
1.9 m front to lot line  
9.74 m rear to lot line (varies, rear lot line is angular)

Proposed:

No change to the structure or lands is proposed.  
Unit 104 is and existing 141 sq.m retail space.  
Proposed change of use of Unit 104 to medical clinic.

13. Date of acquisition of subject lands:  
our purchase date DEC 4/2021
14. Date of construction of all buildings and structures on subject lands:  
1985
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Residential Condominium, Unit 104 existing use: retail
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Property to north is residential, to south is retirement home, rear is commercial
17. Length of time the existing uses of the subject property have continued:  
Unit 104 has been retail since 1985
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. Additional Information (please include separate sheet if needed)  

There is available street parking, 22 spaces unmetered, 2 metered. There are metered spots on King St and Cross St available as well. Physiotherapists at this location will be staggering their schedules so only 2 patients will be in the building at one time. Staff will be parking on Park St or walking to work and won't be using spots on Main St.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>FL/B-22:110</b>	<b>SUBJECT PROPERTY:</b>	138 Overdale Ave, Flamborough
-------------------------	--------------------	--------------------------	-------------------------------

**APPLICANTS:** Owner: Brock/Ann Dunsby  
Agent: A.J. Clarke & Associates Ltd – Ryan Ferrari

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to create a new residential building lot. The existing carport will be removed to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	17 m <sup>±</sup>	30.4 m <sup>±</sup>	516.37 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	30.4 m <sup>±</sup>	43.9 m <sup>±</sup>	1,335.27 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): FL/A-22:329

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

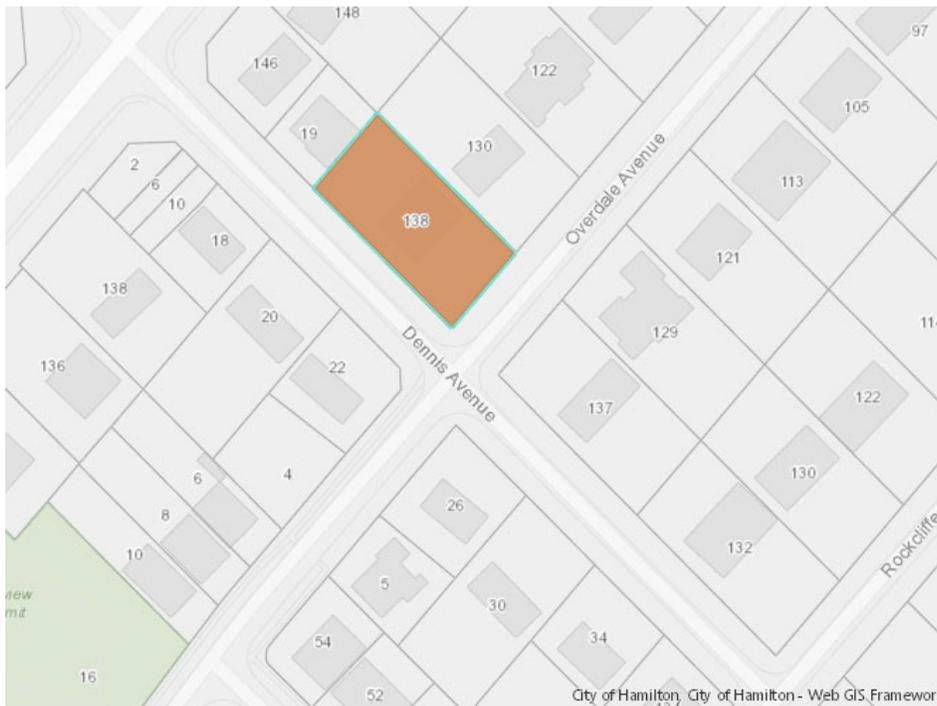
FL/B-22:110

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

## PUBLIC INPUT

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

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



 **Subject Lands**

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

**FL/B-22:110**

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

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

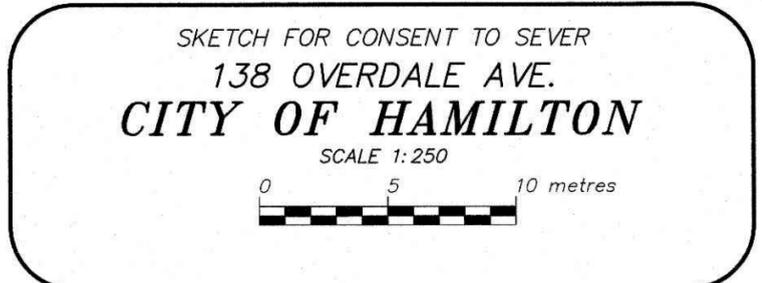
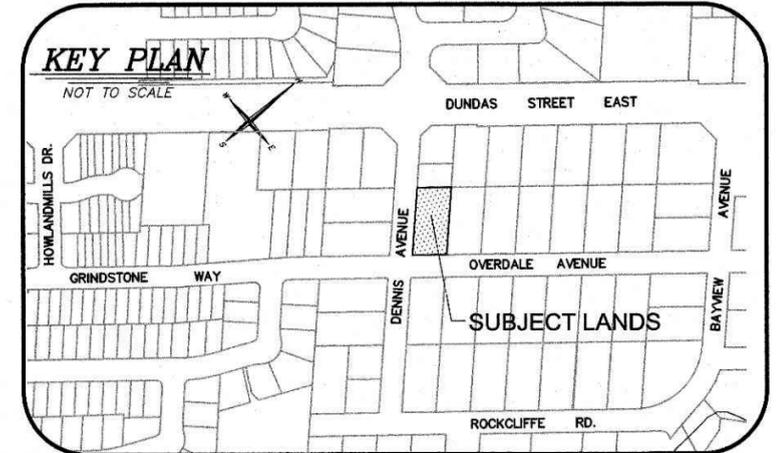
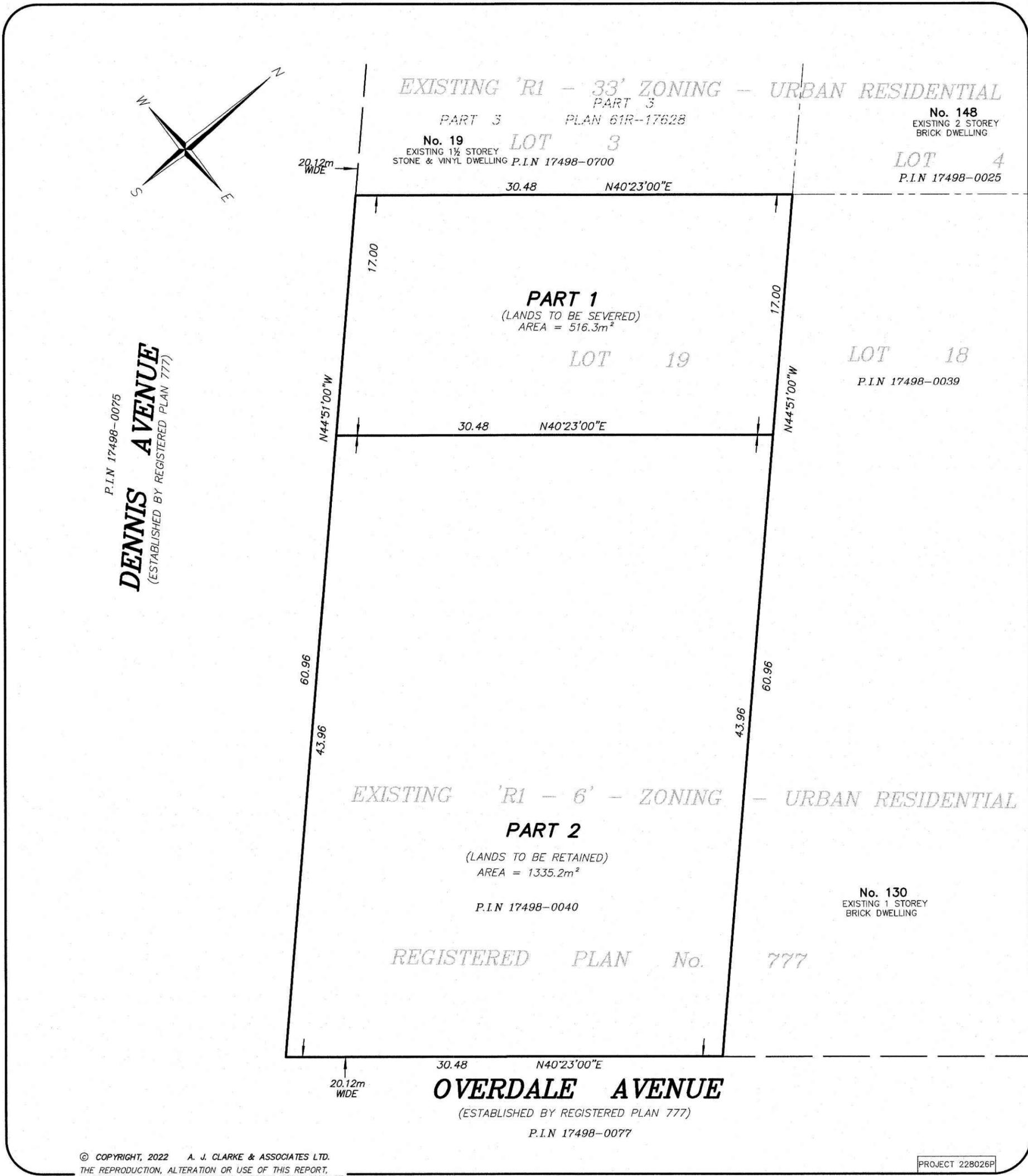
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED AS:  
 LOT 19  
 REGISTERED PLAN No. 777  
 CITY OF HAMILTON

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

**NOTE:**  
 THIS SKETCH IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

**CAUTION:**  
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

**CONSENT SCHEDULE:**  
 PART 1 (SEVERED LANDS) AREA = 516.3m<sup>2</sup>  
 PART 2 (RETAINED LANDS) AREA = 1335.2m<sup>2</sup>

OCTOBER 17, 2022  
 DATE

**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
**N. P. MUTH**  
 2038

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

© COPYRIGHT, 2022 A. J. CLARKE & ASSOCIATES LTD.  
 THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

H:\Jobs\W-to-S\RP\777\Lot 19\138 Overdale Avenue\Current Work\E-18768.dwg

*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

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

October 18, 2022

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

**Re: 138 Overdale Avenue, Hamilton  
Minor Variance and Severance Application Submission**

---

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Brock and Ann Dunsby for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 138 Overdale Avenue, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form;
- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$6,450 representing the required Severance and Minor Variance Application fees;
- One (1) electronic copy of the Severance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.
- One (1) electronic copy of the Minor Variance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create two (2) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on the severed lot and the existing dwelling is to remain on the lands being retained.

The subject land is located at the northern corner of the intersection at Overdale Avenue and Dennis Avenue, south of Dundas Street East, in Flamborough (Hamilton). The subject lands are currently occupied by one (1) single detached dwelling, pool and associated deck, hot tub patio and a temporary carport. Both the temporary carport and hot tub patio will be removed to comply with zoning by-law.

The below table details the lot frontages, depth, and areas, following the proposed severance.



	Part 1 (Severed)	Part 2 (Retained)
<b>Lot Frontage</b>	±17m	±30.4m
<b>Lot Depth</b>	±30.4m	±43.9m
<b>Lot Area</b>	±516.37m <sup>2</sup>	±1,335.27 m <sup>2</sup>

There is primarily single-detached residential development surrounding the subject lands, with Rockview Summit Park located southwest of the site, as well as a Municipal Centre and Public Library located to the North. There is a large commercial plaza located southwest of the subject site which includes the Clappison’s Power Centre Shopping Mall, Flamborough South Centre Shopping Mall, as well as a Wal-Mart.

The immediate surrounding land uses include:

<b>North</b>	Single-Detached Dwellings
<b>South</b>	Single-Detached Dwellings
<b>West</b>	Single-Detached Dwellings
<b>East</b>	Single-Detached Dwellings

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

## Planning Policy Overview

### Provincial Policy Statement

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which encourage strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed severance is a more efficient use of land within a built-up, urban area. The density is appropriate for the location and available infrastructure. This development will provide a greater range of housing and add to the housing stock for the area.

### Growth Plan for the Greater Golden Horseshoe

The 2020 consolidation of the Growth Plan builds upon the previous Growth Plan (2019) in its direction to prioritize intensification, support the achievement of complete communities, support a range, and mix of housing options, protect, and enhance natural heritage systems, support, and enhance the long-term viability of agriculture, conserve and promote cultural heritage resources, and integrate climate-change considerations into planning and managing growth.

The proposed severance is within a settlement area (built-up, urban area). It is an efficient use of land and infrastructure that adds to the housing stock of the surrounding area with gentle intensification that will contribute to meeting the housing needs for the projected growth of the area.



### **Niagara Escarpment Plan**

The Niagara Escarpment Plan provides a policy framework and objectives to balance development and protection of the Niagara Escarpment and its resources.

The subject lands are designated “Urban Area” as per Map 2 – City of Hamilton in the Niagara Escarpment Plan. The lands to the south of the subject land are identified as “Escarpment Natural Area”.

Policy 1.7.5.5 states that *new lots within Urban Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas adjacent to the Urban Area*. The proposed new lot created via severance does not encroach outside of the Urban Area boundary.

### **Urban Hamilton Official Plan**

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

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

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as “Neighbourhoods”. The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with existing Neighbourhood Plans;*
- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) *The lots are fully serviced by municipal water and wastewater systems; and,*
- f) *The lots have frontage on a public road.*

The proposed severance will create lots that conform to the Official Plan policies. The lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood. The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Overdale Avenue and Dennis Avenue.

Additionally, the ‘Neighbourhoods’ designation contains specific policies in relation to ‘Low Density Residential’. As such, ‘Low Density Residential’ uses permit single-detached, semi-detached, duplex,



triplex, and street townhouse dwellings. The proposal is to construct one (1) single detached dwelling on the severed land, which is consistent with the permitted uses under the UHOP. The maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal will see an overall density of 10.8 units per hectare (2 total units, 0.19 hectares), which is consistent with the maximum permitted density.

This particular neighbourhood is in a transition period. Over time, many of the larger lots have been severed to create smaller lots. This proposal is consistent with the prevailing trend found within the neighbourhood, being that larger lots have been split up into smaller lots over time.

**Flamborough Zoning By-law No. 90-145-Z**

The subject lands are zoned “R1-6 – Urban Residential (Single Detached)”, in Town of Flamborough Zoning By-law. The “R1” zone permits uses such as; a single detached dwelling, an urban farm, and a community garden. The regulations of the “R1-6” Zone are as follows:

Regulation	Requirement
Minimum Lot Area	1390 square metres
Minimum Lot Frontage	30 metres
Minimum Front Yard	7.5 metres
Minimum Interior Side Yard	3 metres
Minimum Exterior Side Yard	7.5 metres
Minimum Rear Yard	10 metres
Maximum Lot Coverage	15%
Maximum Height	8.2 metres
Max Floor Space	1-storey (186 sq m), 1-1/2 storey (186 sq m), 2 storey (372 sq m)

**Minor Variance**

A number of variances are required to facilitate the proposed development. The variances are as follows:

Part 1 (Severed)

1. To permit a minimum lot area of ±516 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum lot frontage/width of ±17 metres, whereas a minimum lot frontage of 30 metres is required.

Part 2 (Retained)

1. To permit a minimum lot area of ±1,335 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum rear yard depth of ±5 metres, whereas a minimum rear yard depth of 10 metres is required.



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

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

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits single-detached dwellings. The proposed dwelling will assist in the diversification of the available housing stock within the neighbourhood, while also maintaining a consistent streetscape and capitalizing on an opportunity for the gentle intensification of the neighbourhood.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. The proposed lots will reflect the general scale and character of the established development pattern in the surrounding area. The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

**2. Do the proposed variances maintain the intent and purpose of the Flamborough Zoning By-law No. 90-145-Z?**

The required variances to Flamborough Zoning By-law No. 90-145-Z are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

**Lot Frontage/width**

Part 1 is proposed to have a Lot Frontage of approximately 17 metres. A variance is required to the minimum lot frontage requirement for the proposed development (from 30.0 metres to 17.0 metres on Part 1).

The surrounding neighbourhood contains a range of lot areas, as the surrounding neighbourhood is predominantly zoned R1, with many containing Special Exceptions to allow for differing regulations in lot dimensions. These Special Exceptions were mostly developed to allow for the existing built neighbourhood to maintain their lot dimensions and dwelling sizes. The parent R1 – Urban Residential (Single Detached) Zone sets the provision for lot frontage at 18 metres. The adjacent property to the north has a lot frontage of ±21 metres. Across the right-of-way and within 30 metres of the subject lands parcels for 2, 6, and 10 Dennis Avenue, while zoned R6-45, have frontages of ±13, ±8, and ±7, metres. ±80 metres west along Overdale contain lot frontages of ±15 metres.

The accompanying severance sketch illustrates the width of the proposed severed lot. Despite the reduction in frontage from the R1-6 provision, there remains room for appropriate setbacks to accommodate a future residential development as evidenced with the single-detached dwellings within the neighbourhood on smaller frontages than the ±17 metres proposed in this application.



The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Accordingly, the proposed reduction in the lot frontage/width requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

### **Lot Area**

Part 1 is proposed to have a lot area of approximately  $\pm 516.37$  square metres. Part 2 is proposed to have a lot area of approximately  $\pm 1,335.27$  square metres.

A variance is required to the minimum lot area provision for the proposed development (from 1,390.0 square metres to  $\pm 516.37$  square metres on Part 1, and to  $\pm 1,335.27$  square metres on Part 2). The lot area reduction is consistent with the surrounding neighbourhood. Over time, lots have been severed and permitted to be much smaller than the parent zone requirement of 1,390m<sup>2</sup>. The root R1 Zone Provisions is sets the lot area minimum at 665 square metres.

The proposed lot area for Part 2, is of minimal difference to the provisions set for R1-6, as it will see a difference of 54 sq metres. Across Dennis Avenue, to the southwest of the subject lands, there are parcels of greatly varying sizes, with numerous Zoning Exceptions to the R1 zoning. The abutting property to the north of the subject lands (19 Dennis Avenue), while zoned with an R1 Exception, has a lot area of 653 sq metres.

The purpose of this reduction is to permit one single-detached dwelling on each lot and the size of the lots proposed still enables adequate amenity space for the residents, as shown with similar development within the neighbourhood. Accordingly, the intent of the Zoning By-law is maintained.

### **Rear Yard Depth**

Part 1 is proposed to have a rear yard depth of approximately  $\pm 5$  metres. A variance is required to permit a minimum rear yard depth of  $\pm 5$  metres, whereas a minimum rear yard depth of 10 metres is required. The by-law allows for residents to have sufficient, private, outdoor amenity area. As can be seen in the provided drawings and through aerial photography, the existing dwelling has enough space to provide for a deck, hot tub, and large swimming pool with associated concrete pool deck. The proposed rear yard area would be approximately  $\pm 190$  square metres. Accordingly, the intent of the zoning by-law is maintained.

Further, the accessory uses, and structures will be compliant with the General Provisions by-laws in Section 5 of Zoning By-law No. 90-145-Z. The extension of the deck structure labelled "patio" will be removed, leaving approximately  $\pm 1.8$  metres once the severance is completed.

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

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood. The proposed variances are consistent with the established character of the neighbourhood and recognize an existing situation for the lands to be retained. As such, the variances are appropriate for the development of the subject lands.



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

The proposed variances to lot frontage, lot area and rear yard depth reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. Additionally, and as mentioned previously, the existing dwelling is to remain on the retained lands. As such, the variances to area, and rear yard depths on the retained lands do not change the existing relationship between the existing dwelling and existing property lines. Further, while the reduction in lot area for Part 1 (to be severed) appears substantial, there is sufficient room to develop a single-detached dwelling with sufficient amenity space. This has been shown throughout the neighbourhood in already established developments. Therefore, there are no perceived impacts from these variances. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these minor zoning deficiencies. Accordingly, it is my professional planning opinion that the variances are minor in nature.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.

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

Sincerely,

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP  
Senior Planner

**A.J. Clarke and Associates Ltd.**

Encl.

Cc via email: Ann Dunsby  
[anndunsby@gmail.com](mailto:anndunsby@gmail.com)  
Brock Dunsby  
[bdunsby@live.ca](mailto:bdunsby@live.ca)



Hamilton

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

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

**APPLICATION FOR CONSENT TO SEVER LAND**  
**and VALIDATION OF TITLE**  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT*

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			<b>Phone:</b>
			<b>E-mail:</b>
<b>Registered Owners(s)</b>	Brock and Ann Dunsby		
<b>Applicant(s)**</b>	same as owner		
<b>Agent or Solicitor</b>	A.J. Clarke & Associates Ltd. c/o Ryan Ferrari		

\*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.

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

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 ryan.ferrari@ajclarke.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	138 Overdale Avenue		
Assessment Roll Number	30333037600		
Former Municipality	Flamborough		
Lot	10	Concession	3
Registered Plan Number	PI 777	Lot(s)	Lt 19
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

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s)  | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

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

unknown

---

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

N/A

---

3.4 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)

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:	<b>PART 2</b>	<b>PART 1</b>			
Type of Transfer	N/A				
Frontage	+/- 30.4 m	+/- 17 m			
Depth	+/- 43.9 m	+/- 30.4 m			
Area	+/- 1,335.27 sq m	+/- 516.37 sq m			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	one single-detached dwelling	temporary carport			
Proposed Buildings/ Structures	no change	one single-detached dwelling			
Buildings/ Structures to be Removed	none	temporary carport			

\* Additional fees apply.

**4.2 Subject Land Servicing**

a) Type of access: (check appropriate box)

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

b) 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)

c) Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
- telephone
- school bussing
- garbage collection

**5 CURRENT LAND USE**

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please see cover letter

- 5.2 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 known, provide the appropriate file number and status of the application.

---

- 5.3 What is the existing zoning of the subject land? "R1-6" Zone

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

- 5.4 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 known, provide the appropriate file number and status of the application.  
Concurrently submitted Minor Variance Application

- 5.5 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 * Submit Minimum Distance Separation Formulae (MDS) if applicable	<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"/>	



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>FL/A-22:329</b>	<b>SUBJECT PROPERTY:</b>	138 Overdale Ave, Waterdown
<b>ZONE:</b>	"R1-6" (Urban Residential (Single Detached))	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

**APPLICANTS:** Owner: Brock & Ann Dunsby  
Agent: A.J. Clarke & Associates Ltd – Ryan Ferrari

The following variances are requested:

**LOT TO BE SEVERED:**

1. A minimum lot frontage of 17.0 m shall be provided instead of the minimum required 30.0 m lot frontage; and
2. A minimum lot area of 516.3 m<sup>2</sup> shall be provided instead of the minimum required 1, 390.0 m<sup>2</sup>.

**LOT TO BE RETAINED:**

3. A minimum lot area of 1, 335.2 m<sup>2</sup> shall be provided instead of the minimum required lot area of 1, 390.0 m<sup>2</sup>; and
4. A minimum rear yard setback of 5.8 m shall be provided where the new lot line is to be created instead of the minimum required 10.0 m.
5. A maximum encroachment of 1.13 m shall be permitted to be provided on the westerly side lot line for the existing deck instead of the maximum encroachment permitted of 0.65 m.

**PURPOSE & EFFECT:** To facilitate the creation of two (2) lots through land severance application HM/B-22: 110 notwithstanding that;

**Notes:**

- i. These variances are necessary to facilitate land severance application FL/B-22: 110.

FL/A-22:329

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

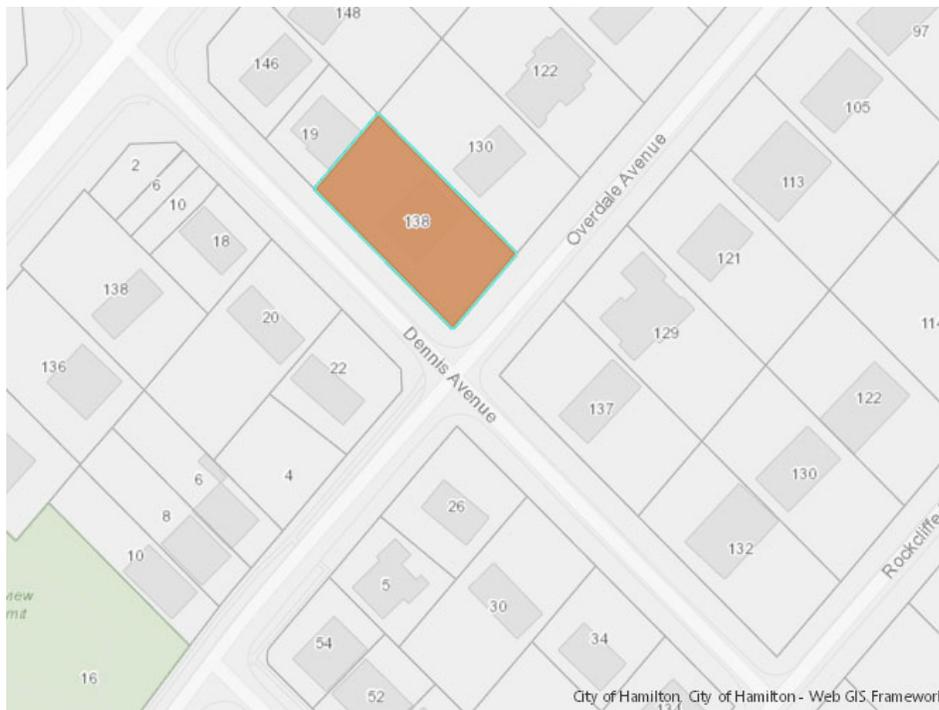
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **PUBLIC INPUT**

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

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

FL/A-22:329



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

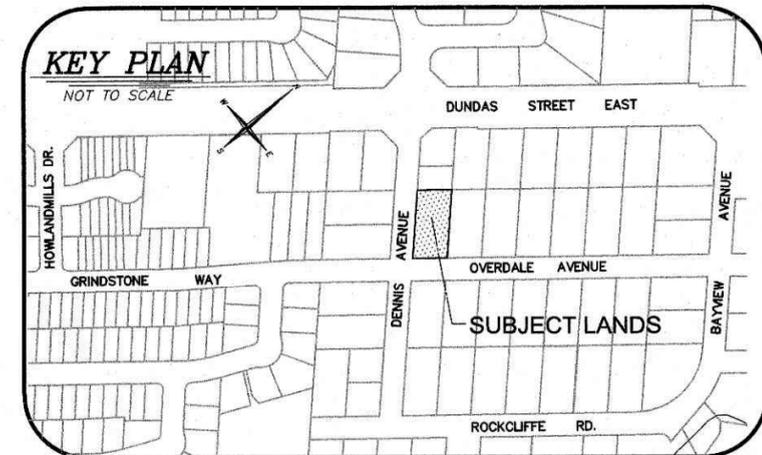
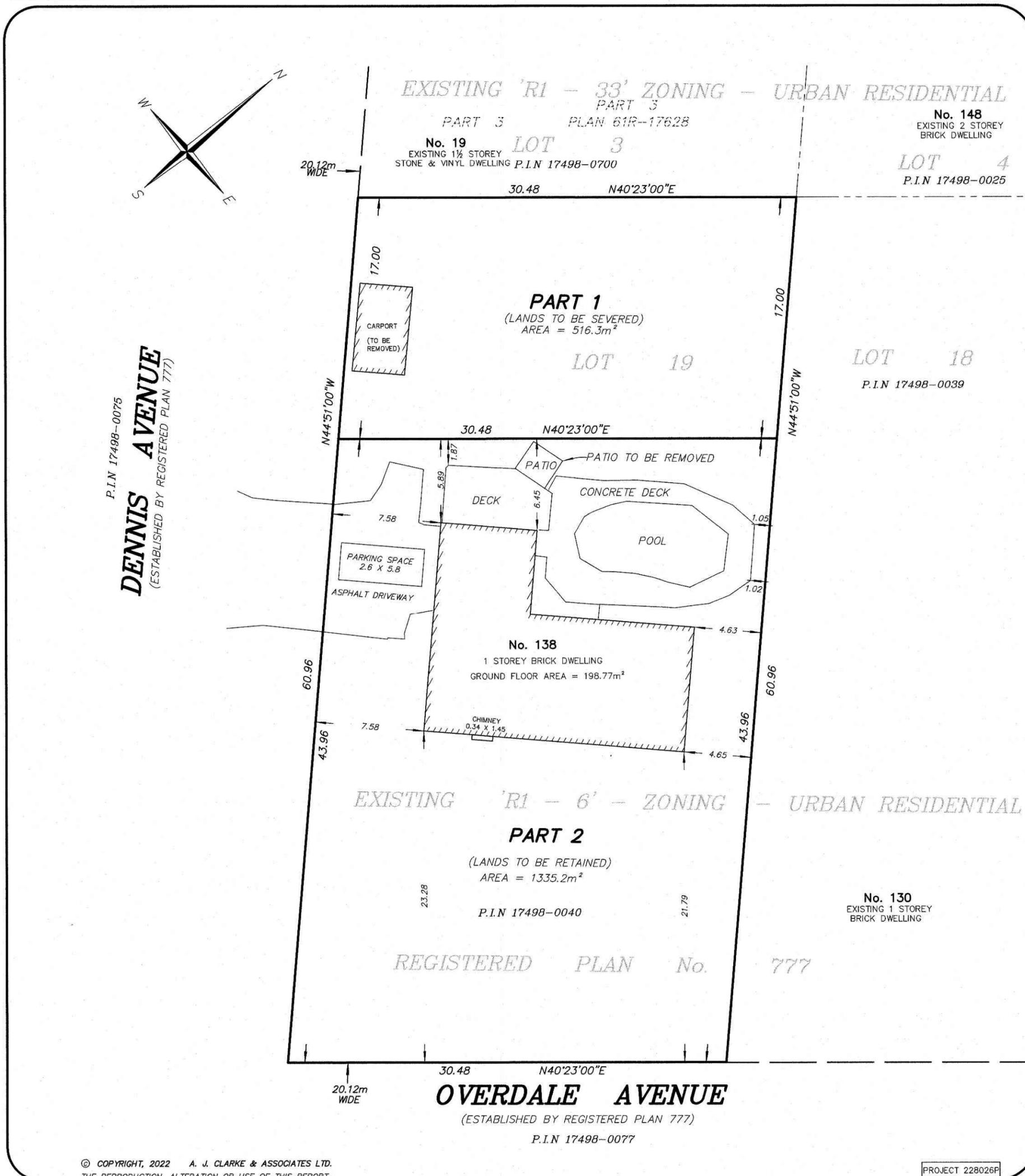
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



SKETCH FOR MINOR VARIANCE  
 138 OVERDALE AVE.  
**CITY OF HAMILTON**  
 SCALE 1:250

THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED AS:  
 LOT 19  
 REGISTERED PLAN No. 777  
 CITY OF HAMILTON

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

**NOTE:**  
 THIS SKETCH IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

**CAUTION:**  
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

**CONSENT SCHEDULE:**  
 PART 1 (SEVERED LANDS) AREA = 516.3m<sup>2</sup>  
 PART 2 (RETAINED LANDS) AREA = 1335.2m<sup>2</sup>

OCTOBER 17, 2022  
 DATE

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

© COPYRIGHT, 2022 A. J. CLARKE & ASSOCIATES LTD.  
 THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

H:\Jobs\N-to-S\RP\777\Lot 19\138 Overdale Avenue\Current Work\E-18768.dwg



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

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

October 18, 2022

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

**Re: 138 Overdale Avenue, Hamilton  
Minor Variance and Severance Application Submission**

---

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Brock and Ann Dunsby for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 138 Overdale Avenue, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form;
- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$6,450 representing the required Severance and Minor Variance Application fees;
- One (1) electronic copy of the Severance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.
- One (1) electronic copy of the Minor Variance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create two (2) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on the severed lot and the existing dwelling is to remain on the lands being retained.

The subject land is located at the northern corner of the intersection at Overdale Avenue and Dennis Avenue, south of Dundas Street East, in Flamborough (Hamilton). The subject lands are currently occupied by one (1) single detached dwelling, pool and associated deck, hot tub patio and a temporary carport. Both the temporary carport and hot tub patio will be removed to comply with zoning by-law.

The below table details the lot frontages, depth, and areas, following the proposed severance.



	Part 1 (Severed)	Part 2 (Retained)
<b>Lot Frontage</b>	±17m	±30.4m
<b>Lot Depth</b>	±30.4m	±43.9m
<b>Lot Area</b>	±516.37m <sup>2</sup>	±1,335.27 m <sup>2</sup>

There is primarily single-detached residential development surrounding the subject lands, with Rockview Summit Park located southwest of the site, as well as a Municipal Centre and Public Library located to the North. There is a large commercial plaza located southwest of the subject site which includes the Clappison’s Power Centre Shopping Mall, Flamborough South Centre Shopping Mall, as well as a Wal-Mart.

The immediate surrounding land uses include:

<b>North</b>	Single-Detached Dwellings
<b>South</b>	Single-Detached Dwellings
<b>West</b>	Single-Detached Dwellings
<b>East</b>	Single-Detached Dwellings

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

## Planning Policy Overview

### Provincial Policy Statement

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which encourage strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed severance is a more efficient use of land within a built-up, urban area. The density is appropriate for the location and available infrastructure. This development will provide a greater range of housing and add to the housing stock for the area.

### Growth Plan for the Greater Golden Horseshoe

The 2020 consolidation of the Growth Plan builds upon the previous Growth Plan (2019) in its direction to prioritize intensification, support the achievement of complete communities, support a range, and mix of housing options, protect, and enhance natural heritage systems, support, and enhance the long-term viability of agriculture, conserve and promote cultural heritage resources, and integrate climate-change considerations into planning and managing growth.

The proposed severance is within a settlement area (built-up, urban area). It is an efficient use of land and infrastructure that adds to the housing stock of the surrounding area with gentle intensification that will contribute to meeting the housing needs for the projected growth of the area.



### **Niagara Escarpment Plan**

The Niagara Escarpment Plan provides a policy framework and objectives to balance development and protection of the Niagara Escarpment and its resources.

The subject lands are designated “Urban Area” as per Map 2 – City of Hamilton in the Niagara Escarpment Plan. The lands to the south of the subject land are identified as “Escarpment Natural Area”.

Policy 1.7.5.5 states that *new lots within Urban Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas adjacent to the Urban Area*. The proposed new lot created via severance does not encroach outside of the Urban Area boundary.

### **Urban Hamilton Official Plan**

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

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

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as “Neighbourhoods”. The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with existing Neighbourhood Plans;*
- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) *The lots are fully serviced by municipal water and wastewater systems; and,*
- f) *The lots have frontage on a public road.*

The proposed severance will create lots that conform to the Official Plan policies. The lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood. The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Overdale Avenue and Dennis Avenue.

Additionally, the ‘Neighbourhoods’ designation contains specific policies in relation to ‘Low Density Residential’. As such, ‘Low Density Residential’ uses permit single-detached, semi-detached, duplex,



triplex, and street townhouse dwellings. The proposal is to construct one (1) single detached dwelling on the severed land, which is consistent with the permitted uses under the UHOP. The maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal will see an overall density of 10.8 units per hectare (2 total units, 0.19 hectares), which is consistent with the maximum permitted density.

This particular neighbourhood is in a transition period. Over time, many of the larger lots have been severed to create smaller lots. This proposal is consistent with the prevailing trend found within the neighbourhood, being that larger lots have been split up into smaller lots over time.

**Flamborough Zoning By-law No. 90-145-Z**

The subject lands are zoned “R1-6 – Urban Residential (Single Detached)”, in Town of Flamborough Zoning By-law. The “R1” zone permits uses such as; a single detached dwelling, an urban farm, and a community garden. The regulations of the “R1-6” Zone are as follows:

Regulation	Requirement
Minimum Lot Area	1390 square metres
Minimum Lot Frontage	30 metres
Minimum Front Yard	7.5 metres
Minimum Interior Side Yard	3 metres
Minimum Exterior Side Yard	7.5 metres
Minimum Rear Yard	10 metres
Maximum Lot Coverage	15%
Maximum Height	8.2 metres
Max Floor Space	1-storey (186 sq m), 1-1/2 storey (186 sq m), 2 storey (372 sq m)

**Minor Variance**

A number of variances are required to facilitate the proposed development. The variances are as follows:

Part 1 (Severed)

1. To permit a minimum lot area of ±516 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum lot frontage/width of ±17 metres, whereas a minimum lot frontage of 30 metres is required.

Part 2 (Retained)

1. To permit a minimum lot area of ±1,335 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum rear yard depth of ±5 metres, whereas a minimum rear yard depth of 10 metres is required.



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

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

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits single-detached dwellings. The proposed dwelling will assist in the diversification of the available housing stock within the neighbourhood, while also maintaining a consistent streetscape and capitalizing on an opportunity for the gentle intensification of the neighbourhood.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. The proposed lots will reflect the general scale and character of the established development pattern in the surrounding area. The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

**2. Do the proposed variances maintain the intent and purpose of the Flamborough Zoning By-law No. 90-145-Z?**

The required variances to Flamborough Zoning By-law No. 90-145-Z are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

**Lot Frontage/width**

Part 1 is proposed to have a Lot Frontage of approximately 17 metres. A variance is required to the minimum lot frontage requirement for the proposed development (from 30.0 metres to 17.0 metres on Part 1).

The surrounding neighbourhood contains a range of lot areas, as the surrounding neighbourhood is predominantly zoned R1, with many containing Special Exceptions to allow for differing regulations in lot dimensions. These Special Exceptions were mostly developed to allow for the existing built neighbourhood to maintain their lot dimensions and dwelling sizes. The parent R1 – Urban Residential (Single Detached) Zone sets the provision for lot frontage at 18 metres. The adjacent property to the north has a lot frontage of ±21 metres. Across the right-of-way and within 30 metres of the subject lands parcels for 2, 6, and 10 Dennis Avenue, while zoned R6-45, have frontages of ±13, ±8, and ±7, metres. ±80 metres west along Overdale contain lot frontages of ±15 metres.

The accompanying severance sketch illustrates the width of the proposed severed lot. Despite the reduction in frontage from the R1-6 provision, there remains room for appropriate setbacks to accommodate a future residential development as evidenced with the single-detached dwellings within the neighbourhood on smaller frontages than the ±17 metres proposed in this application.



The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Accordingly, the proposed reduction in the lot frontage/width requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

### **Lot Area**

Part 1 is proposed to have a lot area of approximately  $\pm 516.37$  square metres. Part 2 is proposed to have a lot area of approximately  $\pm 1,335.27$  square metres.

A variance is required to the minimum lot area provision for the proposed development (from 1,390.0 square metres to  $\pm 516.37$  square metres on Part 1, and to  $\pm 1,335.27$  square metres on Part 2). The lot area reduction is consistent with the surrounding neighbourhood. Over time, lots have been severed and permitted to be much smaller than the parent zone requirement of 1,390m<sup>2</sup>. The root R1 Zone Provisions is sets the lot area minimum at 665 square metres.

The proposed lot area for Part 2, is of minimal difference to the provisions set for R1-6, as it will see a difference of 54 sq metres. Across Dennis Avenue, to the southwest of the subject lands, there are parcels of greatly varying sizes, with numerous Zoning Exceptions to the R1 zoning. The abutting property to the north of the subject lands (19 Dennis Avenue), while zoned with an R1 Exception, has a lot area of 653 sq metres.

The purpose of this reduction is to permit one single-detached dwelling on each lot and the size of the lots proposed still enables adequate amenity space for the residents, as shown with similar development within the neighbourhood. Accordingly, the intent of the Zoning By-law is maintained.

### **Rear Yard Depth**

Part 1 is proposed to have a rear yard depth of approximately  $\pm 5$  metres. A variance is required to permit a minimum rear yard depth of  $\pm 5$  metres, whereas a minimum rear yard depth of 10 metres is required. The by-law allows for residents to have sufficient, private, outdoor amenity area. As can be seen in the provided drawings and through aerial photography, the existing dwelling has enough space to provide for a deck, hot tub, and large swimming pool with associated concrete pool deck. The proposed rear yard area would be approximately  $\pm 190$  square metres. Accordingly, the intent of the zoning by-law is maintained.

Further, the accessory uses, and structures will be compliant with the General Provisions by-laws in Section 5 of Zoning By-law No. 90-145-Z. The extension of the deck structure labelled "patio" will be removed, leaving approximately  $\pm 1.8$  metres once the severance is completed.

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

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood. The proposed variances are consistent with the established character of the neighbourhood and recognize an existing situation for the lands to be retained. As such, the variances are appropriate for the development of the subject lands.



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

The proposed variances to lot frontage, lot area and rear yard depth reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. Additionally, and as mentioned previously, the existing dwelling is to remain on the retained lands. As such, the variances to area, and rear yard depths on the retained lands do not change the existing relationship between the existing dwelling and existing property lines. Further, while the reduction in lot area for Part 1 (to be severed) appears substantial, there is sufficient room to develop a single-detached dwelling with sufficient amenity space. This has been shown throughout the neighbourhood in already established developments. Therefore, there are no perceived impacts from these variances. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these minor zoning deficiencies. Accordingly, it is my professional planning opinion that the variances are minor in nature.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.

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

Sincerely,

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP  
Senior Planner

**A.J. Clarke and Associates Ltd.**

Encl.

Cc via email: Ann Dunsby  
[anndunsby@gmail.com](mailto:anndunsby@gmail.com)  
Brock Dunsby  
[bdunsby@live.ca](mailto:bdunsby@live.ca)



Hamilton

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

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

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	Brock and Ann Dunsby	
Applicant(s)	same as owner	
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Ryan Ferrari	

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 ryan.ferrari@ajclarke.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	138 Overdale Avenue		
Assessment Roll Number	30333037600		
Former Municipality	Flamborough		
Lot	10	Concession	3
Registered Plan Number	PI 777	Lot(s)	Lt 19
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:

See attached cover letter

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

See attached cover letter

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
+/- 30.4 m	+/-60.9 m	+/- 1,851.63 sq m	+/- 20.2m

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
single-detached dwelling	+/- 21.79 m	+/-22.85 m	+/-7.58m exterior, +/-4.63m interior	early 1960s
pool	+/-33.38 m	+/-21.36 m	+/-2.94m , +/- 16.7 exterior	unknown
deck	+/-37.36 m	+/-17.17 m	+/- 14.74 m, +/-7.69m exterior	unknown
temporary carport	+/- 49.5 m	+/- 6.0 m	+/- 26 m, +/-0.57m exterior	unknown

Proposed: measurements following proposed severance

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
single-detached dwelling	+/-21.79 m	+/- 5.89 m	+/-7.58 m exterior, +/-4.63 m interior	early 1960s
pool	+/-33.38 m	+/-4.41 m	+/- 2.94m, +/-16.7 m exterior	unknown
deck	+/-37.36 m	±1.87m	+/- 14.74 m, +/-7.69 m exterior	unknown
temporary carport	removed	removed	removed	unknown

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
single-detached dwelling	+/-198 sq m	+/-198 sq m	one	+/- 4.5 m
pool	+/- 52.8 sq m	+/- 52.8 sq m	n/a	n/a
deck	+/-97 sq m	+/- 97 sq m	n/a	n.a
temporary carport	+/- 22.5 m	+/- 22.5 m	one	+/-3 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
single-detached dwelling	no change	no change	no change	no change
pool	no change	no change	no change	no change
deck	no change	no change	no change	no change
temporary carport	removed	removed	removed	removed

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.):  
 existing single-detached, one-storey dwelling

---

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 1- and 1.5-storey single-detached dwellings

---

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
 unknown

---

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:  
 since dwelling was 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) Neighbourhoods (UHOP)

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

Please see cover letter.

7.6 What is the existing zoning of the subject land? R1-6: Urban Residential, single-detached

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

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

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

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>AN/A-22:180</b>	<b>SUBJECT PROPERTY:</b>	64 Lover's Ln, Ancaster
<b>ZONE:</b>	"ER" (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended 18-105

**APPLICANTS:** Owner: Mihajilo Kancko  
Agent: AJ Clarke & Associates – Ryan Ferrari

The following variances are requested:

1. A minimum front yard setback of 10.0 metres shall be permitted, instead of the requirement that the required front yard setback shall be within twenty (20) percent of the average front yard setback (17.38 metres) of the one nearest principle dwelling facing the same street (i.e. between 13.90 metres and 20.38 metres).
2. A minimum southerly side yard setback of 4.7 metres shall be permitted, instead of the minimum 6.0 metre side yard setback required for a flankage yard.
3. A minimum rear yard setback of 4.29 metres shall be permitted, instead of the minimum 16.0 metre rear yard setback required.
4. A maximum lot coverage of 37.80 percent shall be permitted, instead of the maximum 35% lot coverage required.

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

**Notes:**

1. Please note that the Site Plan statistics indicate a total proposed lot coverage of 38 percent, whereas a maximum lot coverage of 35 percent is permitted. It is noted that the area of all buildings is indicated as 473.34 square metres, which is 37.72 percent of the area of the lot (i.e. lot area

**AN/A-22:180**

indicated as 1254.84 square metres). As such, a variance has been added to address this. Should the lot coverage be more than 37.80 percent, an additional variance may be required.

2. Specific details regarding the bay windows of the proposed single-family dwelling were not indicated on the submitted site plan. Please note as per a Divisional interpretation for Bay Windows, the proposed bay windows do not meet the form and intent of a bay window as it does not meet the following criteria:
  - a) A bay window is a window first and foremost.
  - b) A bay window is a projection of the window from the building wall.
  - c) A bay window may have a foundation to assist in the support of the window.
  - d) A bay window cannot be a wall or similar feature such as an alcove or other extension of a room and its floor area.

In addition to the above criteria, a bay window is composed of three windows joined, or mullied, to make a single large unit. The center window is flanked by narrower casement or double-hung windows. Two vertical uprights, called mullion posts, separate the three windowpanes. The submitted drawing does not appear to indicate three windows for the proposed bay windows but rather shows the wall of the primary dwelling projecting towards the flankage lot line with a single window along the wall facing the southern lot line. As such, the bay window appears to not meet criteria a) and d) as it functions more as an alcove or extension of the wall and appears to extend the ground floor area as per the submitted site plan. Variance #2 has been written as such to address this.

3. That should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(a), sills, cornices, bay windows etc. shall be permitted to project into the new minimum yard(s) a distance of not more than 0.60 metres. Additional variances may be required if compliance with Section 7.12(a) is not possible.
4. Specific details regarding the projection of eaves/gutters of the proposed single-family dwelling were not indicated on the submitted site plan. Please note that should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(b), eaves and gutters shall be permitted to project into the new minimum side yard a distance of not more than 0.60 metres, or into the minimum front yard and rear yard a distance of not more than 1.5 metres. Additional variances may be required if compliance with Section 7.12(b) is not possible.
5. Please note that should the variance requested to permit a reduced minimum front yard setback be approved, the proposed front porch and steps will not project into the minimum front yard and will therefore comply with Section 7.12(d).
6. Please note that as per Section 7.13(a), on any corner lot in any Zone, no obstruction, whether permanent or temporary, that blocks vision between a height of 75 centimetres and 2.4 metres above the centre line grade of the street, is permitted within a daylighting triangle of 10 metres. Additional variances may be required if compliance with Section 7.13(a) is not possible.

**AN/A-22:180**

7. Please note that should the variance requested to permit a reduced minimum rear yard setback, the proposed accessory structure (in-ground pool) will not be located in a required rear yard, and will therefore comply with Section 7.18(a)(vi). However, the distance from the proposed in-ground pool to the rear lot line has not been indicated. As per Section 7.18(a)(vi)(A), accessory buildings in excess of 12 square metres ground floor area shall not be less than 7.5 metres from the rear lot line for any lot located in an Existing Residential "ER" Zone. Additional variances may be required if compliance with Section 7.18(a)(vi)(A) is not possible.
8. Please note that elevation drawings were not provided to confirm the height of the proposed accessory structure(s) (cabana). As per Section 7.18(a)(iv), the maximum height for an accessory building is 4.5 metres. Additional variances may be required if compliance with Section 7.18(a)(iv) is not possible.
9. A building permit is required for the construction of the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

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

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

AN/A-22:180



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

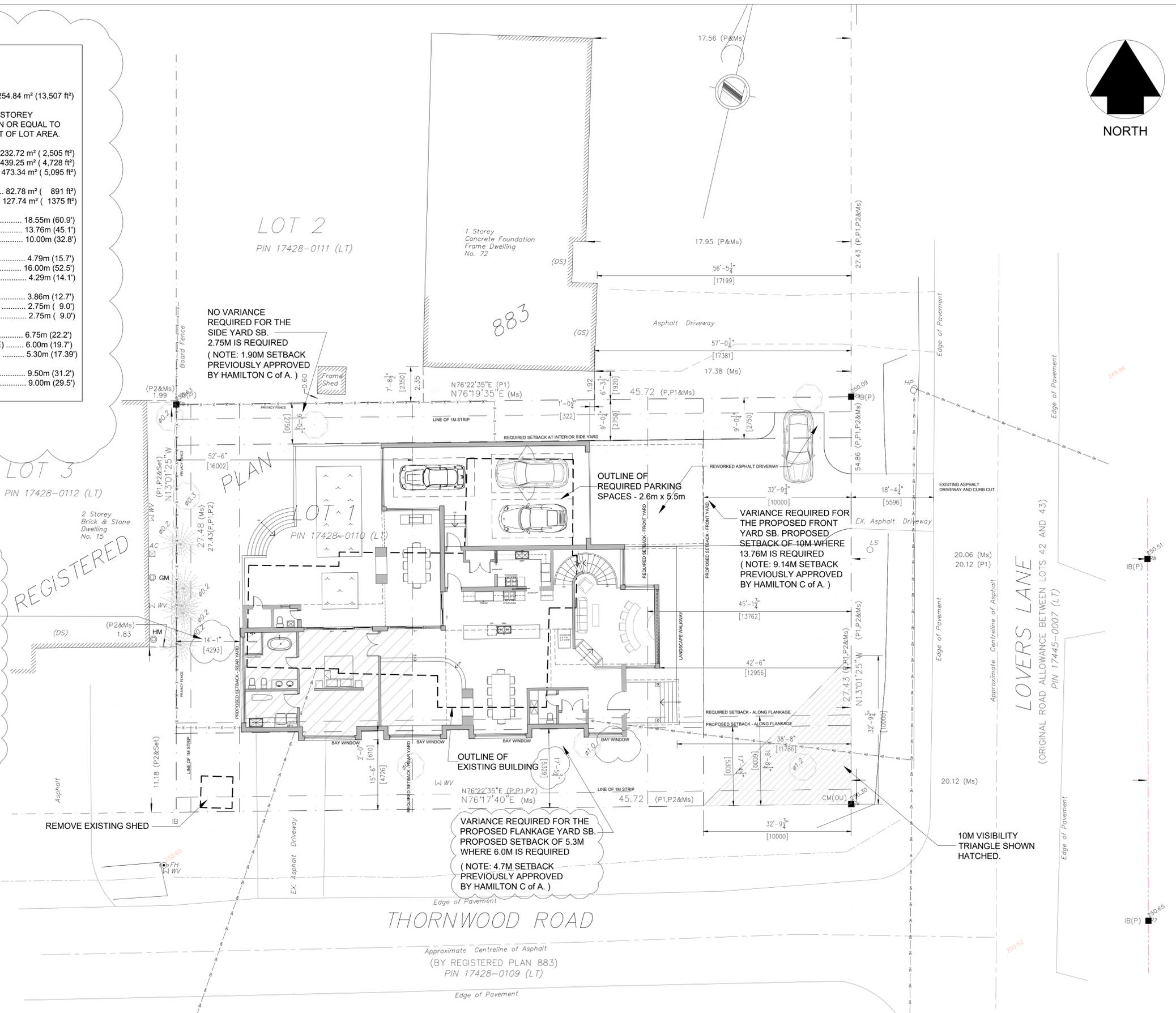
#### 2. In person Oral Submissions

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

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

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

SITE DATA	
ZONED:	ER (ANCASTER)
LOT AREA	1,254.84 m <sup>2</sup> (13,507 ft <sup>2</sup> )
MAXIMUM LOT COVERAGE REGULATION ONE-STORY TWO-STORY LOTS WITH AN AREA LESS THAN OR EQUAL TO 1,650 SQUARE METRES MAXIMUM 35 PERCENT OF LOT AREA.	
EXISTING TOTAL BLDG COVERAGE (18.6%)	232.72 m <sup>2</sup> ( 2,505 ft <sup>2</sup> )
TOTAL ALLOWED BLDG COVERAGE (35%)	439.25 m <sup>2</sup> ( 4,728 ft <sup>2</sup> )
TOTAL PROP. BLDG COVERAGE (38%)	473.34 m <sup>2</sup> ( 5,095 ft <sup>2</sup> )
TOTAL PROP. PATIO COVERAGE (6.6%)	82.78 m <sup>2</sup> ( 891 ft <sup>2</sup> )
TOTAL PROP. DRIVEWAY COVERAGE (6.6%)	127.74 m <sup>2</sup> ( 1375 ft <sup>2</sup> )
EXISTING FRONT YARD SETBACK ..... 18.55m (60.9')	
ALLOWABLE FRONT YARD SETBACK	13.76m (45.1')
PROPOSED FRONT YARD SETBACK	10.00m (32.8')
EXISTING REAR YARD SETBACK ..... 4.79m (15.7')	
ALLOWABLE REAR YARD SETBACK	16.00m (52.5')
PROPOSED REAR YARD SETBACK	4.29m (14.1')
EXISTING SIDE YARD SETBACK (INTERIOR) ..... 3.86m (12.7')	
ALLOWABLE SIDE YARD SETBACK (INTERIOR)	2.75m ( 9.0')
PROPOSED SIDE YARD SETBACK (INTERIOR)	2.75m ( 9.0')
EXISTING SIDE YARD SETBACK (FLANKAGE) ..... 6.75m (22.2')	
ALLOWABLE SIDE YARD SETBACK (FLANKAGE)	6.00m (19.7')
PROPOSED SIDE YARD SETBACK (FLANKAGE)	5.30m (17.39')
ALLOWABLE BUILDING HEIGHT ..... 9.50m (31.2')	
PROPOSED BUILDING HEIGHT	9.00m (29.5')



VARIANCE REQUIRED FOR PROPOSED REAR YARD SETBACK AT 1 STOREY BEDROOM PROPOSED S.B. = 4.29M WHERE 16M IS REQUIRED. EXISTING HOUSE IS AT 4.8M ( NOTE : 1.8M SETBACK PREVIOUSLY APPROVED BY HAMILTON C of A. )

NOTE: WITH THE SOUTHWEST REAR YARD PORTION OF THE STRUCTURE .... SHOWN AS CROSS HATCHED, BEYOND THE BY-LAW REQUIRED 16 METRE SETBACK, BEING ONE STOREY.

REGISTERED

THIS SITE PLAN INFORMATION TAKEN FROM SURVEY BY.....

YOUNG & YOUNG SURVEYING INC.  
A Subsidiary of Mauro Group Inc.  
2 HOLLAND DRIVE, UNIT 5,  
BOLTON, ONTARIO, L7E 1E1  
PHONE 905.951.8000 . FAX  
905.857.4811  
www.youngsurveying.ca -  
info@youngsurveying.ca

THE SURVEY WAS COMPLETED ON JUNE 5, 2021.  
BY GANESH SUNDAR, B.Eng.,  
ONTARIO LAND SURVEYOR

SURVEYOR'S REAL PROPERTY REPORT PART ONE (1) SHOWING TOPOGRAPHIC FEATURES OF...  
LOT 1  
REGISTERED PLAN 883  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

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

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

No.	REVISION	DATE
4	REVISED FOR C of A	SEPT 13 - 2022
3	REVISED BY SB NOTE AS PER GRACE WONG	JULY 18 - 2022
2	REVISED FOR C of A	JULY 8 - 2022
1	ISSUED FOR C of A	MAY 19 - 2022

NOTE: THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION".

ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.

**ARCHIMAGE DESIGN**  
& drafting services inc.

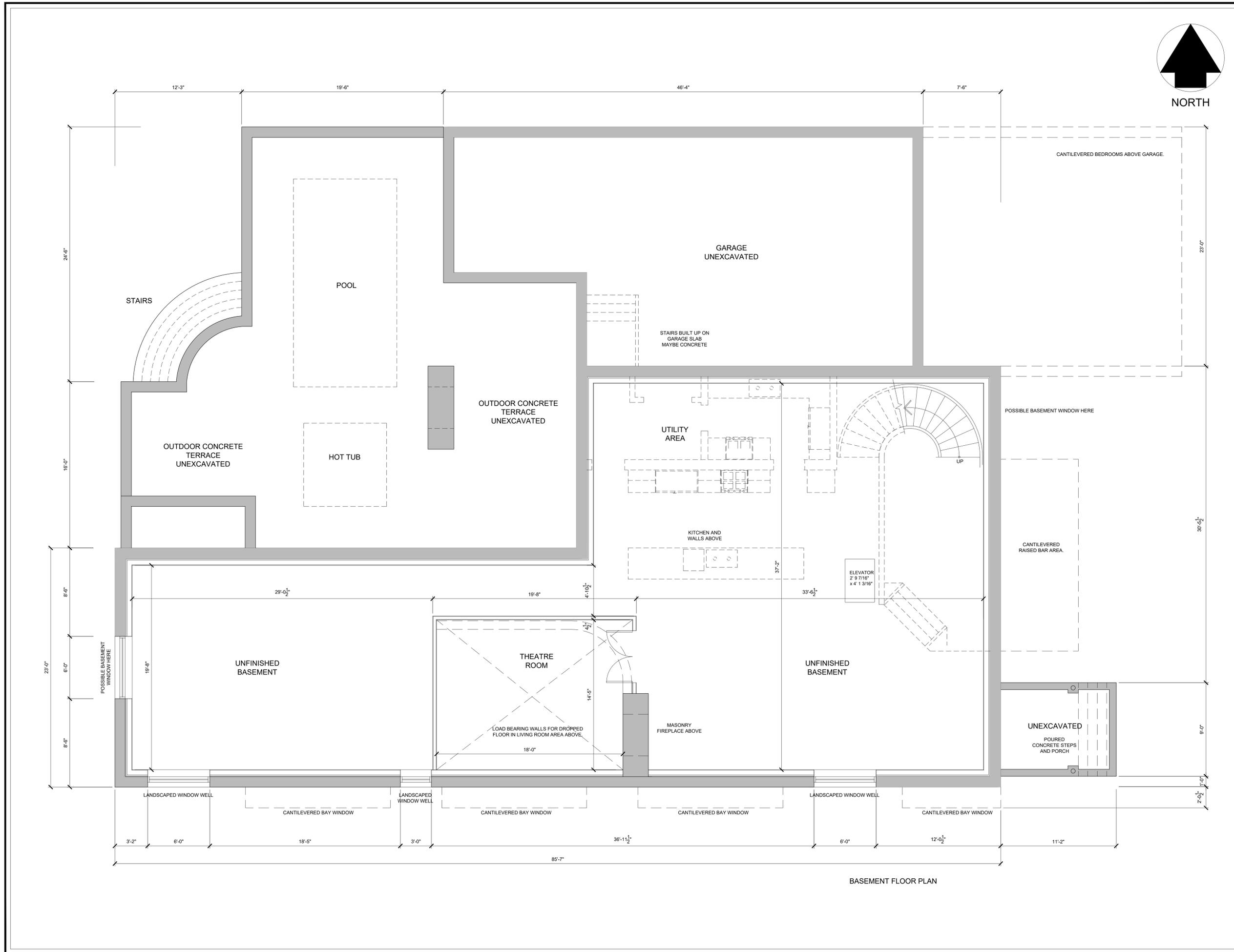
1281 Richmond Road, Burlington, Ontario  
905 331 8453, info@archimage.ca, www.archimage.ca

**FOR COMMITTEE OF ADJUSTMENT**

PROJECT:  
**KANCKO RESIDENCE**  
64 LOVERS LANE  
ANCASTER, ONTARIO

SHEET TITLE:  
**PROPOSED SITE PLAN**  
3/32"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO: <b>SP1</b>
CHECKED BY: AWG	
FILE NO: MK-21-06	01 of 06



RESERVED

No.	REVISION	DATE
3	REVISED FOR C of A	SEPT 13 - 2022
2	REVISED FOR C of A	JULY 8 - 2022
1	ISSUED FOR C of A	MAY 19 - 2022

NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION".

ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.

**ARCHIMAGE DESIGN**  
& drafting services inc.

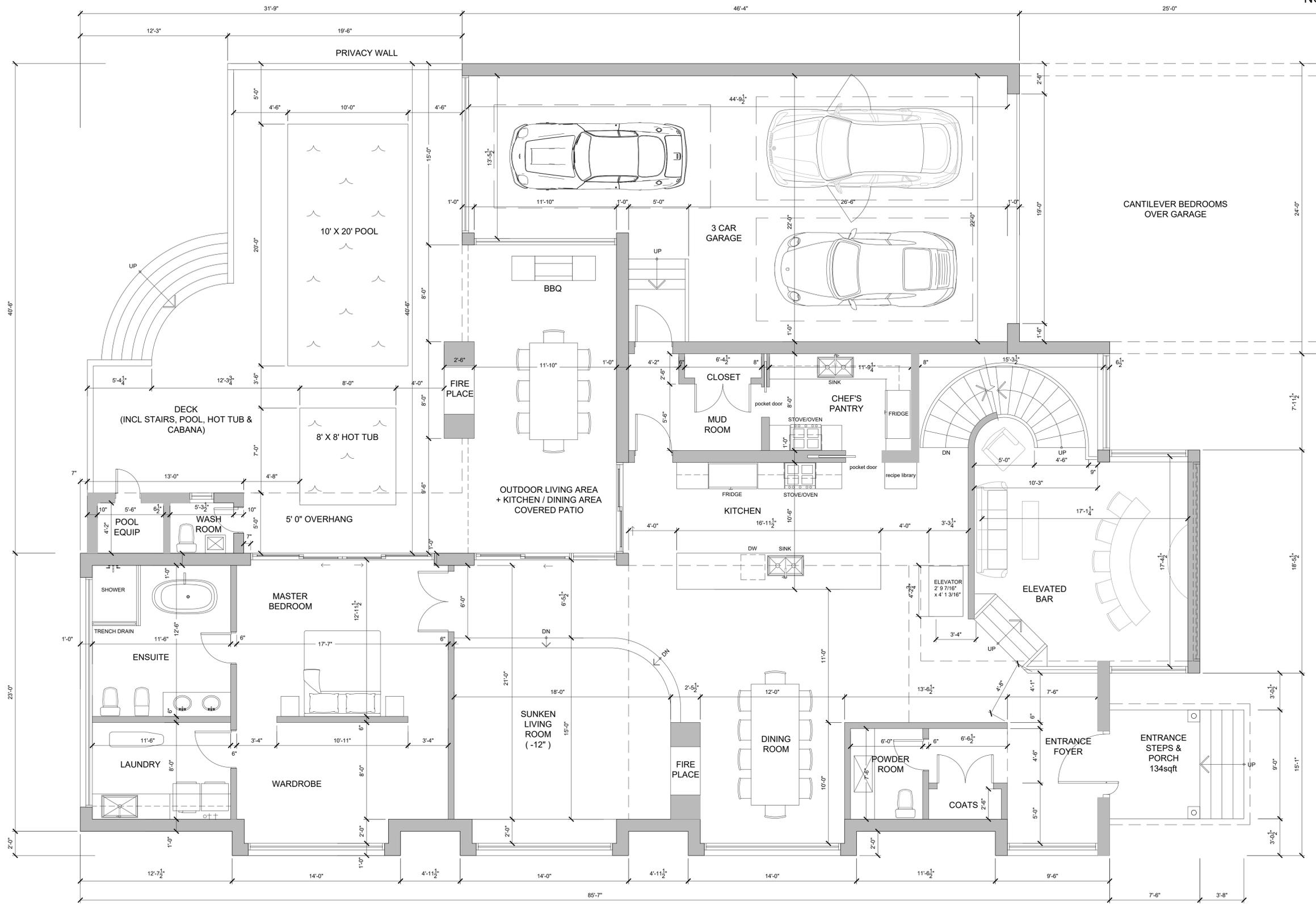
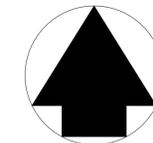
1281 Richmond Road, Burlington, Ontario  
905 331 8453, info@archimage.ca, www.archimage.ca

**FOR COMMITTEE OF ADJUSTMENT**

PROJECT:  
**KANCKO RESIDENCE**  
64 LOVERS LANE  
ANCASTER, ONTARIO

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

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



GROUND FLOOR PLAN

RESERVED		
3	REVISED FOR C of A	SEPT 13 - 2022
2	REVISED FOR C of A	JULY 8 - 2022
1	ISSUED FOR C of A	MAY 19 - 2022
No.	REVISION	DATE

NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION".

ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.

**ARCHIMAGE DESIGN**  
& drafting services inc.

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

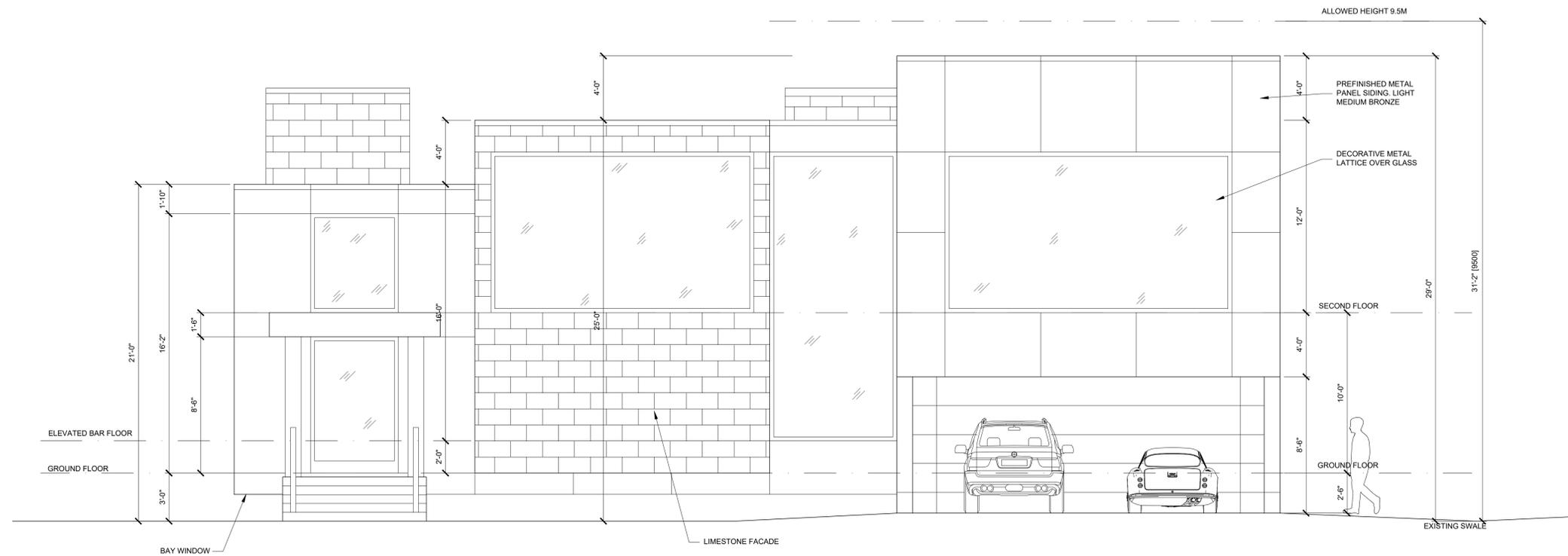
**FOR COMMITTEE OF ADJUSTMENT**

PROJECT:  
**KANCKO RESIDENCE**  
64 LOVERS LANE  
ANCASTER, ONTARIO

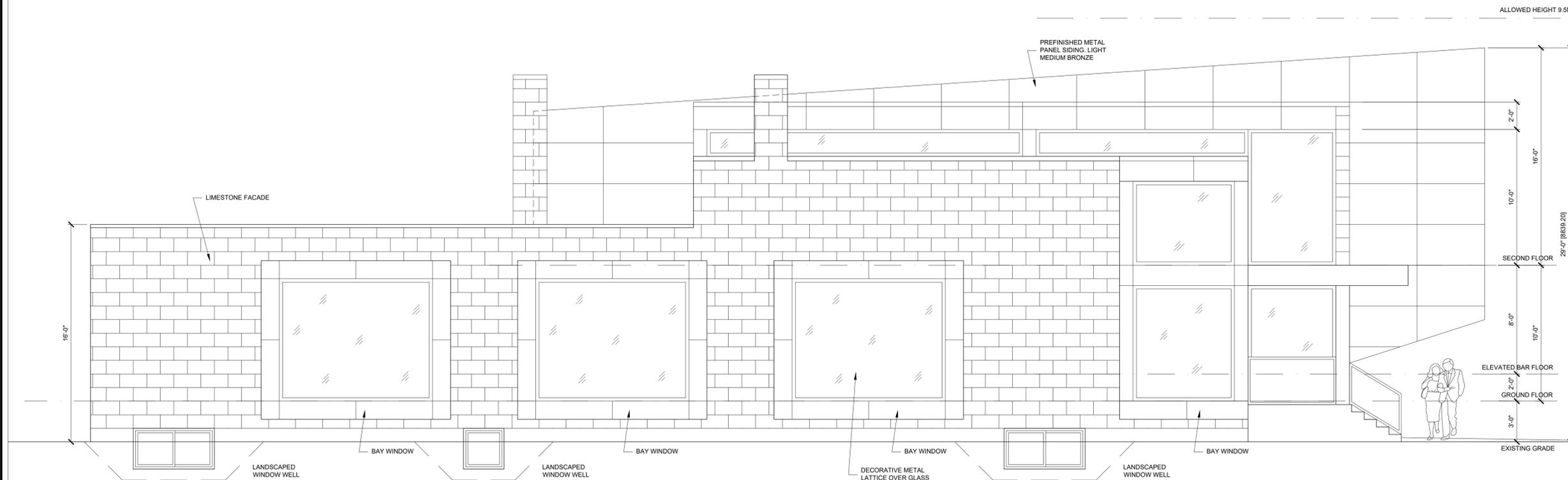
SHEET TITLE:  
**PROPOSED GROUND FLOOR**  
1/4"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO: <b>A1.2</b>
CHECKED BY: AWG	
FILE NO: MK-21-06	03 of 06





FRONT ELEVATION - EAST



LEFT ELEVATION - SOUTH

RESERVED

No.	REVISION	DATE
3	REVISED FOR C of A	SEPT 20 - 2022
2	REVISED FOR C of A	JULY 8 - 2022
1	ISSUED FOR C of A	MAY 19-2022

NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION".

ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.

**ARCHIMAGE DESIGN**  
& drafting services inc.

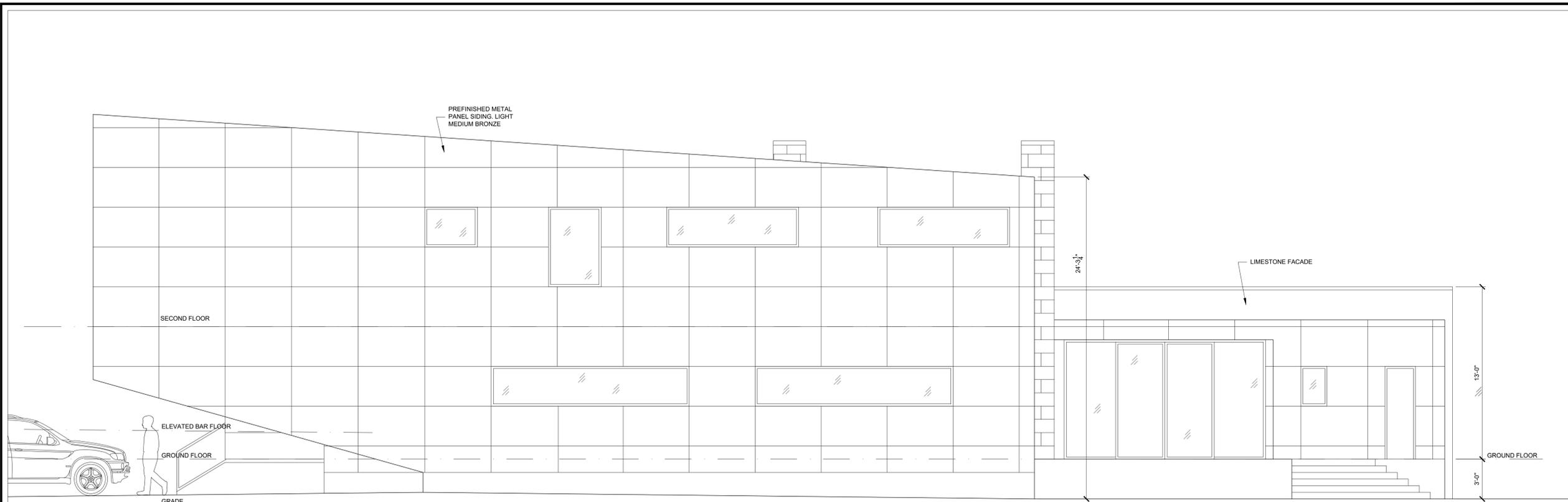
1281 Richmond Road, Burlington, Ontario  
905 331 8453, info@archimage.ca, www.archimage.ca

**FOR COMMITTEE OF ADJUSTMENT**

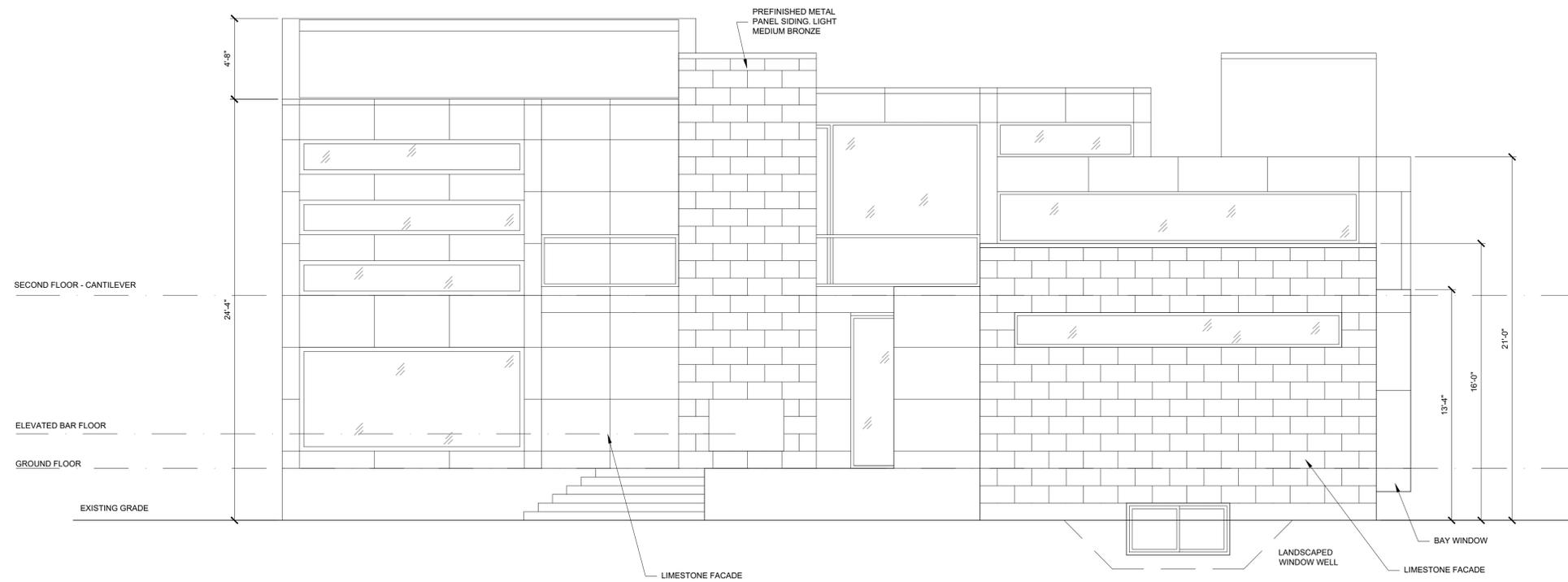
PROJECT:  
**KANCKO RESIDENCE**  
64 LOVERS LANE  
ANCASTER, ONTARIO

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

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



RIGHT ELEVATION - NORTH



REAR ELEVATION - WEST

RESERVED

No.	REVISION	DATE
3	REVISED FOR C of A	SEPT 20 - 2022
2	REVISED FOR C of A	JULY 8 - 2022
1	ISSUED FOR C of A	MAY 19-2022

NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS INDICATED AS "ISSUED FOR CONSTRUCTION".

ALL STRUCTURAL INFORMATION AS PER STRUCTURAL ENGINEER EXCEPT FOR ROOF TRUSSES, FLOOR JOISTS AND BEAMS AS SPECIFIED BY TRUSS, JOIST AND BEAM MANUFACTURER. SEE MANUFACTURERS ENGINEERED DRAWINGS.

**ARCHIMAGE DESIGN**  
& drafting services inc.

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

**FOR COMMITTEE OF ADJUSTMENT**

PROJECT:  
**KANCKO RESIDENCE**  
64 LOVERS LANE  
ANCASTER, ONTARIO

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

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



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

The City of Hamilton  
 Planning and Economic Development Department  
 Development Planning  
 71 Main Street West, 5<sup>th</sup> Floor  
 Hamilton, Ontario L8P 4Y5

October 18, 2022

Delivered via e-mail: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca)

Attn: Jamila Sheffield  
 Secretary Treasurer – Committee of Adjustment

**Re: 64 Lovers Lane, Hamilton  
 Minor Variance Application Resubmission – AN/A-22:180**

---

Dear Madam:

A.J Clarke and Associates Ltd., has been retained by the owner of 64 Lovers Lane for the purposes of providing a planning opinion on this matter before the Committee of Adjustment. In addition, we have been retained by the property owner as the authorized agent for this matter before the Committee.

The proposal is to seek variances to facilitate the construction of one (1) new single detached dwelling on the subject lands. The following variances are being sought to facilitate the construction of the dwelling.

1. To permit a minimum front yard setback of 10m, whereas a minimum of 13.27m required.
2. To permit a minimum rear yard setback of 4.7m, whereas a minimum of 7.5m is required.
3. To permit a minimum exterior side yard setback of 5.0m, whereas 6.0m is required.
4. To permit a maximum lot coverage of 38% (473.34m<sup>2</sup>), whereas a maximum lot coverage of 35% (439.25m<sup>2</sup>) is required.

In response to staff's comments issued on July 14<sup>th</sup>, 2022, the minimum rear yard setback the exterior side yard was increased. The front yard setback remains the same. An additional variance for lot coverage is necessary to facilitate the proposal. This variance has been confirmed to be necessary through an additional round of review.

The purpose of this revised resubmission is to provide justification for the proposed variances and to resubmit a revised site plan to facilitate the application.

### **Background**

Initially, the subject lands were approved for a minor variance application in July of 2021, to permit the following variances:

1. *To permit a minimum front yard setback of 9.15m, whereas a minimum of 13.27m required.*
2. *To permit a minimum rear yard setback of 1.9m, whereas a minimum of 7.5m is required.*
3. *To permit a minimum interior side yard setback of 1.9m, whereas 2.74m is required.*



4. *To permit a minimum exterior side yard setback of 4.7m, whereas 6.0m is required.*

These variances were supported by City Staff and the Committee. The proposal was appealed by neighboring parties to the OLT. The OLT overturned the Committee's decision.

A Revised proposal was provided to the Committee of Adjustment and was heard at the July 2022 Committee hearing. The application has since been tabled which is when A.J Clarke and Associates Ltd. was retained to take over the file.

### **Planning Opinion**

The revised proposal is much smaller both in scale than what was previously approved by the Committee and supported by Staff. Further, the proposal has been presented to the surrounding neighbours to provide their opinions on the revised proposal. It should be noted that four (4) letters of support were submitted to the Committee respecting the proposed variances.

The subject lands are 1,278 m<sup>2</sup> in size, having 54.86m of frontage onto Lovers Lane in Ancaster. The Official Plan designates the property as Neighbourhoods in Schedule E-1 and is zoned Existing Residential "ER" Zone in the City of Ancaster Zoning By-law No. 87-57.

A single detached dwelling is permitted within the Neighbourhoods Designation. The design of the proposed dwelling should be compatible with the neighbourhood. Accordingly, the following policies are applicable:

- B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.*
- B.3.3.2.3 Urban design should foster a sense of community pride and identity by:*
- a) respecting existing character, development patterns, built form, and landscape;*
  - b) promoting quality design consistent with the locale and surrounding environment;*
  - e) conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;*
  - f) demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm;*
  - g) contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas;*

With respect to the requested variances, the proposal represents an opportunity to revitalize the housing stock of this neighbourhood by providing for a new dwelling that is in keeping with the prevailing



characteristics of this neighbourhood, in terms of building scale and setbacks. The setback variances facilitate a dwelling that is mutually capable of existing in harmony with the surrounding dwellings in this neighbourhood and is compatible with its surroundings. For instance, the proposed exterior side and front setback are generally in keeping with the prevailing streetscape on the west side of Lovers Lane. The rear yard setback is not dissimilar to the rear yard setback of the existing dwelling on the subject property, which is proposed to be demolished.

The proposal is not anticipated to negatively impact the neighbourhood from a noise, nuisance, traffic or overlook perspective.

As part of the Justification for the proposed variances, *compatibility* of the proposal with the neighbourhood will be considered. The definition of compatibility is as follows and is contained in Chapter G of the Urban Hamilton Official Plan

***Compatibility/compatible:*** means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

Variances are subject to Section 45 (1) of the *Planning Act*. Known as the four tests. The four tests of a minor variance are as follows:

1. Is the proposed variance in keeping with the general purpose and intent of the Official Plan?
2. Is the proposed variance in keeping with the general purpose and intent of the Zoning By-law?
3. The proposed variance desirable in nature?
4. Is the proposed variance minor in nature?

An evaluation of each proposed variance and the four tests follows below:

**1. To permit a minimum front yard setback of 10m, whereas a minimum of 13.27m required.**

Staff provided the following opinion in their comments issued on July 14<sup>th</sup>, 2022:

*The intent of the provision is to ensure a consistent streetscape, and provide adequate space for landscaping, parking, and drainage. Staff acknowledge that the applicant reduced their requested setback variance, however, it was only by 0.85 metres and with the side of the dwelling that would require the reduction in the setback being adjacent to the northern property line, it will still project approximately 7.4 m beyond dwelling unit on adjacent property as this is a corner lot, this will create a boxed in feeling for the adjacent property.*

The proposed variance applies to the cantilevered portion of the second floor which is setback 10m from the front lot line. It should be noted that a majority of the ground floor of the dwelling is setback 12.9m from the front lot line and the garage entrance is situated approximately 17m from the front property line.



The intent of the front yard setback provision is to ensure that new development is generally in keeping with the surrounding streetscape. To this end, the required front yard setback is determined by calculating the front yard setback of the existing dwelling to the north (17.38m) and requiring that the new setback be within 20% of the setback (resulting in a minimum requirement of 13.76m).

Firstly, the ground floor of the proposed dwelling is generally in keeping with this requirement. Thereby not producing any impacts to the streetscape. In analyzing the west side of Lovers Lane, the majority of the front yard setbacks range between 6.68m to 12m. As such, the 10m setback of the second floor proposed is in keeping with the established range of front yard setbacks in the neighbourhood. The dwellings on the east side of Lovers Lane were not analyzed as these dwellings are situated on much larger lots and thus have larger setbacks than what is generally seen on the west side of Lovers Lane. Images which depict the aforementioned setbacks are provided below:

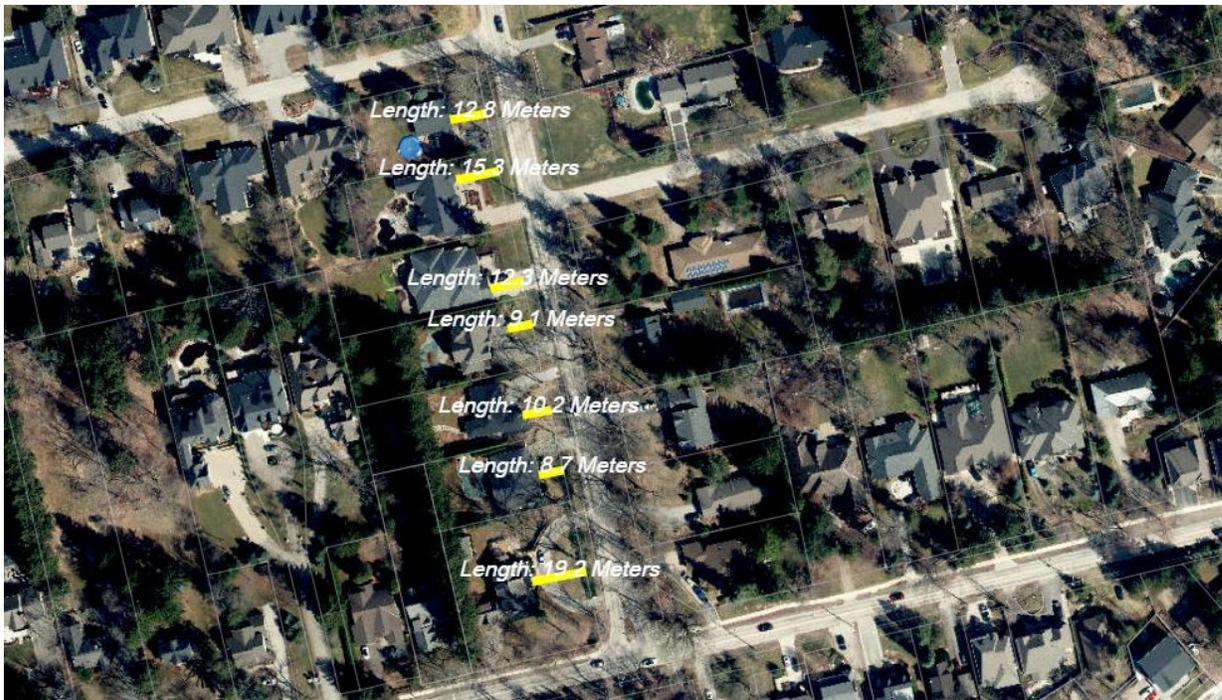


Figure 1 – West Side of Lovers Lane, south of Thornwood Road



Attn: Ms. Jamila Sheffield  
Re: 64 Lovers Lane – AN/A-22:180



Figure 2 – Front Setbacks on Lovers Lane, North of Thornwood Road



Figure 3 – Front Setbacks on Lovers Lane, North of Thornwood Road



As noted by the attached visuals, the immediate neighbour, which maintains a front yard setback of approximately 17m is the outlier on the west side of Lovers Lane, yet the proposed front yard setback is based on this singular dwelling. As far as the streetscape, the reduction is consistent with the prevailing streetscape and character found on the west side of Lovers Lane.

Respecting impact on the immediate neighbor, the northern property line contains a row of mature trees which will be maintained such that the projection of the second floor will not be seen by the immediate neighbour. The maintenance of these trees will be controlled through the future site plan control application and will mitigate any visual or overlook impacts on the adjacent neighbours front yard. Should Tree Protection not be feasible, there is an opportunity along the northern lot line to create compensation plantings to mitigate any overlook from the projection.

As the proposed setback is generally in keeping other found within the neighbourhood, the proposal is compatible and maintains the intent of the Official Plan and Zoning By-law. The variance is desirable for the use of the subject lands as the front yard setback provides adequate space for amenity, landscaping and parking. There are no perceived impacts to the immediate neighbour, as such the variance is minor in nature.

**2. To permit a minimum rear yard setback of 4.7m, whereas a minimum of 16.0m is required.**

Staff provided the following opinion in the comments issued on July 14<sup>th</sup>, 2022:

*“the proposed dwelling is closer to the lot line than the existing dwelling which will continue to create the boxed in feeling as the land use on the rear of the property is residential and if a different style of dwelling was proposed on the lot, a rear yard setback of 3.71 m [amended to 4.7m] does not provide adequate amenity and landscaped space”*

It should be noted that this variance represents a pinch point on the subject lands where the rear of the proposed dwelling is 4.2m setback from the adjacent property line. The majority of the rear yard accommodates a private amenity area that is setback approximately 14m from the rear property line. As such, there are no anticipated impacts on the private amenity area resulting from the variance. The reduced setback for a portion of the building improves the private amenity area by reducing the visibility of the private amenity area from the street. Further, the 4.7m setback interfaces with the driveway of the adjacent dwelling at 15 Thornwood Road, thereby negating any impacts on the private amenity area of 15 Thornwood Road. It should also be noted that the existing dwelling already maintains a similar setback in the rear yard (approximately 4.7m) that has existed on this lot since the original dwelling was constructed. As such, the proposed setback is not dissimilar to what is already established on site.

I note in the original iteration of staffs comments dated July 14<sup>th</sup>, that Development Engineering Staff provided the following comment:

***Development Engineering:***



*Development Approvals requires a minimum 6.0m rear yard setback as per the City's Lot Grading Policy to provide a useable rear yard amenity area. The proposed rear yard setback of 3.7m does not satisfy this requirement. Therefore, we recommend that the minor variance be denied.*

There is no credence to this requirement. The City's Lot Grading Policy States as follows:

*"the lesser of the distance regulated by the Zoning By-law or 6.0 metres."*

If approved, the lot grading policy will defer to the approved variances and will thereby be in keeping with the City's Lot Grading Policy.

Through the future Site Plan Control Application, a grading plan will be necessary ensure that adequate drainage is maintained for the subject lands. Further, the provision for adequate amenity space is a planning matter. There is adequate amenity space proposed for the single detached dwelling.

Through the above, the variance maintains the intent of the Official Plan and Zoning By-law as adequate amenity area is achieved in the rear yard. In addition, the variance is desirable as it creates a private amenity area for the future occupants of the dwelling. The variance will not impact the neighborhood and is therefore minor in nature. A future grading plan will ensure that adequate drainage is maintained.

Accordingly, the variance is appropriate and maintains the four tests.

**3. To permit a minimum exterior side yard setback of 5.3m, whereas 6.0m is required.**

Planning Staff provided the following comment, dated July 14<sup>th</sup>:

*The variance would alter the streetscape by allowing the applicant to build a dwelling approximately 6.5 metres beyond the adjacent dwelling and would be closer to the street than the other dwellings along Thornwood Drive, creating a boxed in feeling for the entire street. This variance is not minor nor the intent of the zone, thus staff recommend this variance be **denied**.*

This opinion provided by staff does not consider that the subject lands is a corner lot which interfaces with an interior lot to the west. Opposite of the subject lands is a corner lot containing a dwelling with an approximate 6.0m setback from the exterior side lot line. As such, the proposed setback is similar to what already exists on the street. The rear yard maintains a number of mature trees that will screen the rear yard from the dwelling at 15 Thornwood.

The subject lands are situated on a corner lot and the exterior lot line interfaces with Thornwood Road, south of the property. The intent of this provision is to provide adequate space for drainage and landscaping area to be afforded to the site. The provision is also intended to give adequate room for sightlines on corner lots. The proposal achieves the above noted measures and is generally in keeping with the established neighborhood character. Therefore, the variance maintains the purpose and intent of the Official Plan and Zoning By-law. The existing dwelling at 64 Lovers Lane is approximately 5.9m from the property line, as such the reduced exterior yard setback is an established feature of this neighborhood.



The lot directly opposite of the subject lands achieve approximately 5.9m setback from the lot line, similar to what is proposed. As such, the variance is compatible with the immediate neighborhood and the variance is desirable and minor in nature.

**4. To permit a maximum lot coverage of 38% (473.4m<sup>2</sup>), whereas a maximum lot coverage of 35% (439.25m<sup>2</sup>) is required.**

One additional variance is required to be added to the application for the purposes of lot coverage. The bulk of the building has not changed from what was proposed to the Committee of Adjustment in July of 2022, however, the variance has been clarified and is needed to facilitate the proposal.

The variance is to permit a maximum lot coverage of 38%, whereas a maximum of 35% is permitted. Note that decks and swimming pools are not included in the calculation of lot coverage. Generally, the intent of the By-law is to prevent the overbuilding of lots and to ensure that the lot is balanced impervious surface with adequate landscaping area. The increased lot coverage does not represent an overbuilding of the subject lot, adequately addresses the balance of landscaping and impervious surface on the subject lands. As justified above, adequate setbacks are provided to facilitate the use. The increase represents approximately 34m<sup>2</sup> or (approx. 365 sq.ft.), which is minor in nature. At the Site Plan Stage, a SWM Report will be prepared to ensure that Stormwater is adequately controlled on site. Accordingly, the variance maintains the four tests.

**Revised Resubmission**

In support of the revised application materials the following materials have been provided:

1. A digital copy of the Site Plan SP1 prepared by Archimage Design, revised September 13, 2022, prepared by Archimage Design.
2. A Digital Copy of Drawing A.1.2, Ground Floor Plan, September 13, 2022 prepared by Archimage Design.
3. Miscellaneous Drawings depicting the lot coverage of portions of the proposed building.
4. Figures Depicting the Front Yard Setbacks along the West side of Lovers Lane.

We trust that the submissions above are in order. Should you have any questions respecting the above, please do not hesitate to contact this office.

Prepared By:

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP  
Senior Planner

**A. J. Clarke and Associates Ltd.**

Encl.



Attn: Ms. Jamila Sheffield  
Re: 64 Lovers Lane – AN/A-22:180

---

Cc: Misco Kancko, 64 Lovers Lane



Hamilton

**Committee of Adjustment**

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

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

**APPLICATION FOR A MINOR VARIANCE**

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

**The Planning Act**

**Application for Minor Variance or for Permission**

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

1, 2	NAME	
<b>Registered Owners(s)</b>	Mihajilo Kancko	
	NIK MISKOVIC	
<b>Applicant(s)*</b>	NIK MISKOVIC	
<b>Agent or Solicitor</b>		<b>Phone:</b>
		<b>E-mail:</b>

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

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

Mihajilo Kancko Sandra Lovicki 256 Emick Drive Ancatser L9K 0EL
---

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

4. Nature and extent of relief applied for:

setback requirements

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

To establish a more practical design of the house

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

64 Lovers Lane, Ancatser  
Lot 1 Plan 883

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial

Agricultural       Vacant

Other \_\_\_\_\_

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

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

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

Yes       No       Unknown

8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes       No       Unknown

8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes       No       Unknown

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Relestate transaction with lawyers.  
Title search

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

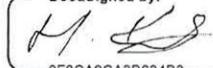
**9. ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

5/20/2022

Date

DocuSigned by:



0F0CA0CA3B634B3

Signature Property Owner(s)

Mihajilo Kancko

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

27.4 m 90'

Depth

45.6 m 150'

Area

1252.9 sq m 13,507 sq/ft

Width of street

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:

Single family 1 storey 2456 sq/ft  
+ 132 sq/ft porch  
+ 50 shed

Proposed

5,132 sq/ft . ground floor

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

Front yard	18.5	60.9 ft	Height 9.5m
Rear yard		15.7	
Side yard		9.0 ft	

Proposed:

Front yard	32.8	Height 9m
Rear yard	12.2	
Side yard	9.0 ft	

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Title search completed by lawyers under rela estate transaction. Existing lot since early 1900s

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature Property Owner(s)

\_\_\_\_\_ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>27.4m</u>
Depth	<u>45.6m</u>
Area	<u>1252 m</u>
Width of street	<u>20m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:\_\_\_\_\_

single family dwelling 1 storey  
2456 sq ft  
132 sq ft (existing porch + 50 sq/ft exisitng shed

Proposed

5132 sq ft total building area

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:\_\_\_\_\_

Front: 60.9 ft  
Rear: 15.7 ft  
Side Yard: 9.0 ft  
Height: 9.5m

Proposed:\_\_\_\_\_

Front yard: 32.8 ft  
Rear yard: 12.2 ft  
Side yard: 9.0 ft  
Height: 9m



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

### NOTICE OF PUBLIC HEARING Minor Variance

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>AN/A-22:279</b>	<b>SUBJECT PROPERTY:</b>	50 West Crest St, Ancaster
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:** Owner: Thomas & Natalie Booth

The following variances are requested:

1. The accessory building shall be permitted to be located 1.5 metres from the rear lot line instead of the minimum required 7.5 metres setback.
2. Height of 5.2 metres shall be provided for the proposed pool shed and gazebo instead of the maximum permitted building height of 4.5 metres for an accessory building.

**PURPOSE & EFFECT:** As to permit the construction of two new accessory buildings (pool shed and gazebo) in the rear yard of the existing single detached dwelling.

**Notes:**

1. The Ancaster Zoning By-law 87-57 permits eaves and gutters associated with an accessory building to project a maximum of 30 centimeters into a required minimum setback area. Insufficient information has been provided in order to determine zoning compliance. Further variances will be required if compliance cannot be achieved.
2. Insufficient information was provided in order to determine zoning compliance for the proposed overhang. Further variances may be required if compliance can not be achieved.
3. Please be advised that the property is 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:

AN/A-22:279

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:10 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

AN/A-22:279



 Subject Lands

DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

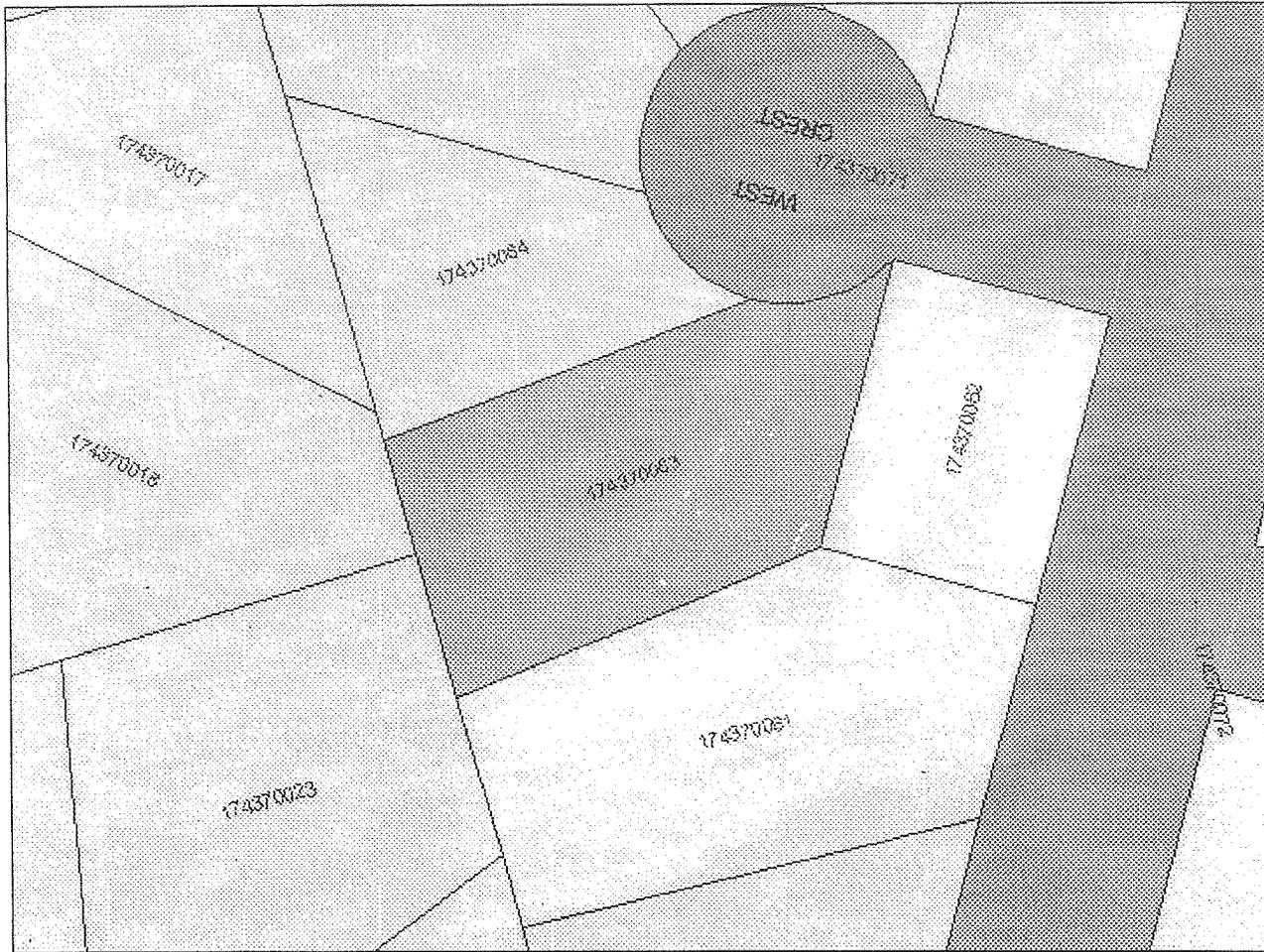
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



SALES HISTORY AND SUBJECT PROPERTY MAP REPORT

Sun Feb 11 19:22:49 EST 2007

Attachment 1a.



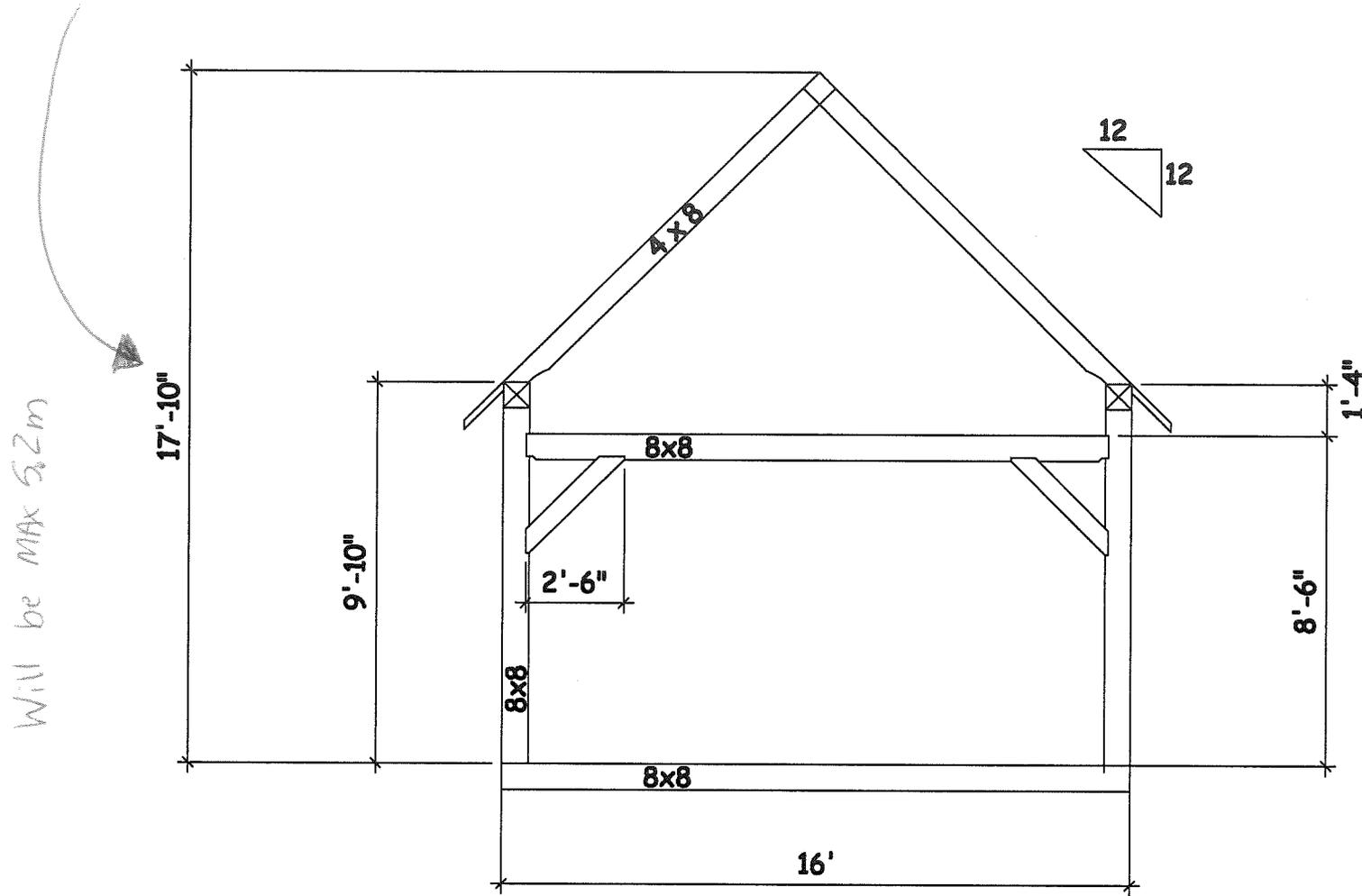
Subject Property Polygon  
 Parcel Polygons  
 Roads  
 Railways  
 Water Limits  
 Easement Limits  
 Subject Property Point  
 Neighbourhood Sales Points

**0 10 m.**  
 This map was compiled using plans and documents recorded in the Land Registry System and has been prepared for property indexing purposes only. This is not a Plan of Survey. For actual dimensions of property boundaries, see recorded plans and documents. Only major easements are shown.

SUBJECT PROPERTY IDENTIFICATION INFORMATION				
LRO	62			
PIN	174370063			
ASSESSMENT ROLL NUMBER	251410037005800			
REGISTRATION TYPE	LT			
LAND REGISTRY STATUS	ACTIVE			
MUNICIPALITY	ANCASTER			
ADDRESS	50 WEST CREST ST			
AREA	1269 m <sup>2</sup>			
PERIMETER	156 m			
DESCRIPTION	LT 14, PL 935 ; ANCASTER (AMENDED 08/10/00 BY LR2) CITY OF HAMILTON			
PARTY TO:	BOOTH, THOMAS ANDREW; WELSH, NATALIE DOROTHY			
SALES HISTORY				
INSTRUMENT	REGISTRATION	CONSIDERATION	INSTRUMENT	PARTY

# Drawings for the 16 x 20

\* Height to be adjusted to MAX 5.2m after variance approval.



Will be MAX 5.2m

**PROJECT NAME:**  
16 x 20

**DRAWING NAME:**  
Bent 1 + 2

**DATE:**  
April 15 2020

**SCALE:**  
1/4" = 1' - 0"

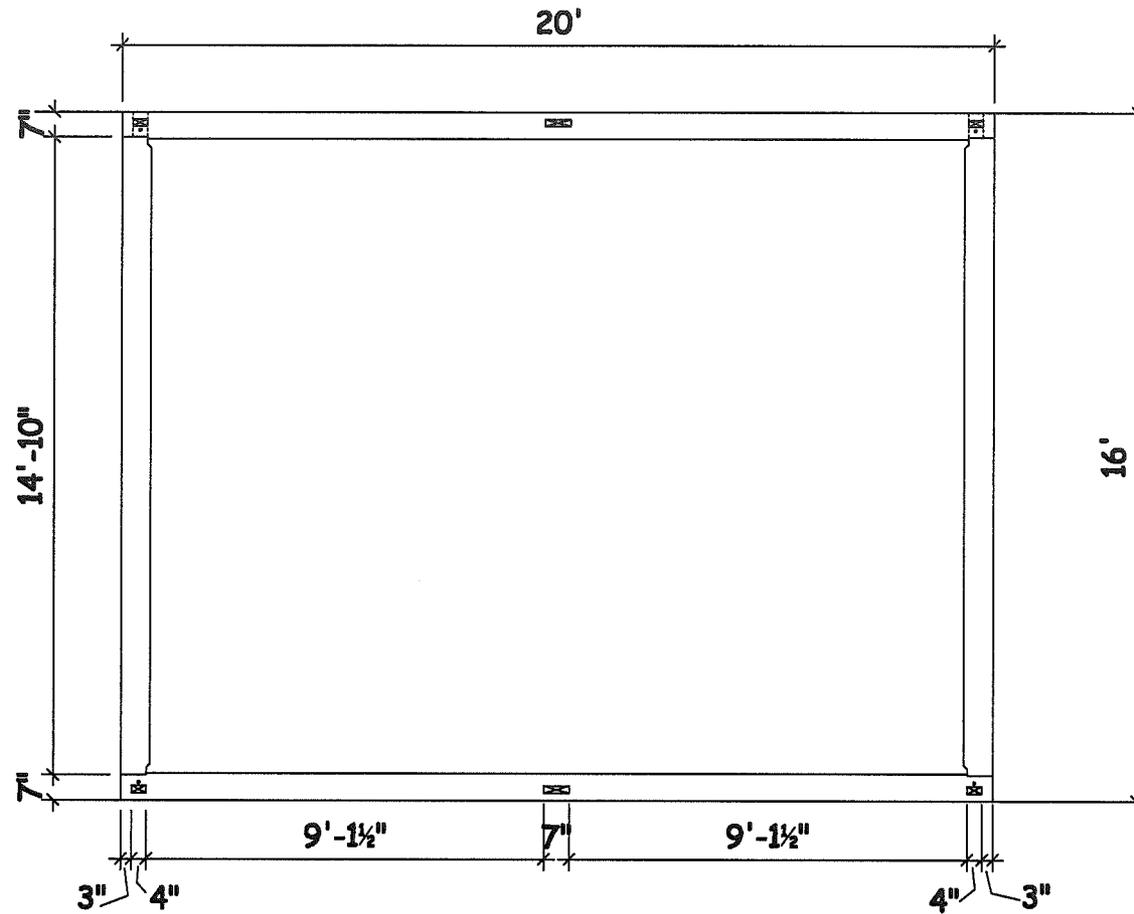
**DRAWN BY:**  
Jason Gibson

**CHECKED BY:**

# Bent 1 and 2

NO.

N



PROJECT NAME:

DRAWING NAME:  
Sill Plan

FILE:  
16 x 20

DATE:  
April 15 2020

SCALE:  
1/4" = 1' - 0"

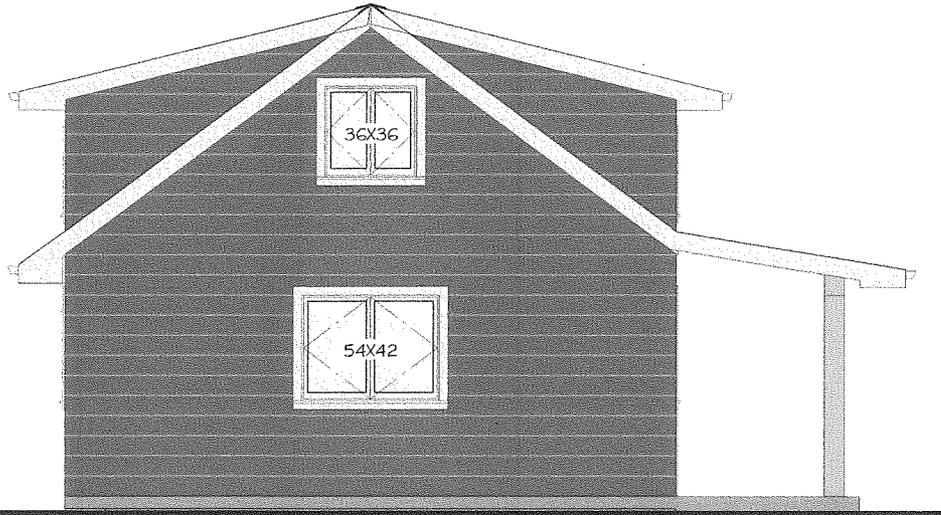
DRAWN BY:  
Jason Gibson

CHECKED BY:

# Sill Plan

timberschoolcanada.com

NO.



1 BACK ELEVATION  
A2 SCALE: 1/4" = 1'-0"



2 LEFT ELEVATION  
A2 SCALE: 1/4" = 1'-0"

THIS DRAWING AND DESIGN ARE THE COPYRIGHT PROPERTY OF E.R. TROUGHT DESIGN AND SHALL NOT BE COPIED, REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF THE DESIGNER. DRAWINGS SHALL NOT BE SCALED. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES WHICH BEARS THE DECLARATION AND HAVE MET THE REQUIREMENTS OF THE O.H.C. AS A REGISTERED DESIGNER, THESE DRAWINGS SHALL BE CONSIDERED AS NOT FOR CONSTRUCTION UNLESS AUTHORIZED BY THE DESIGNER'S SIGNATURE FOR PERMIT APPLICATION.

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATION FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODS TOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

ERIC TROUGHT, P. ENG

SIGNATURE BCIN: 24453, 30033

**E.R. TROUGHT  
DESIGN INC.**

31 HILLENDALE AVE.  
KINGSTON, ONTARIO  
K7M 1S2

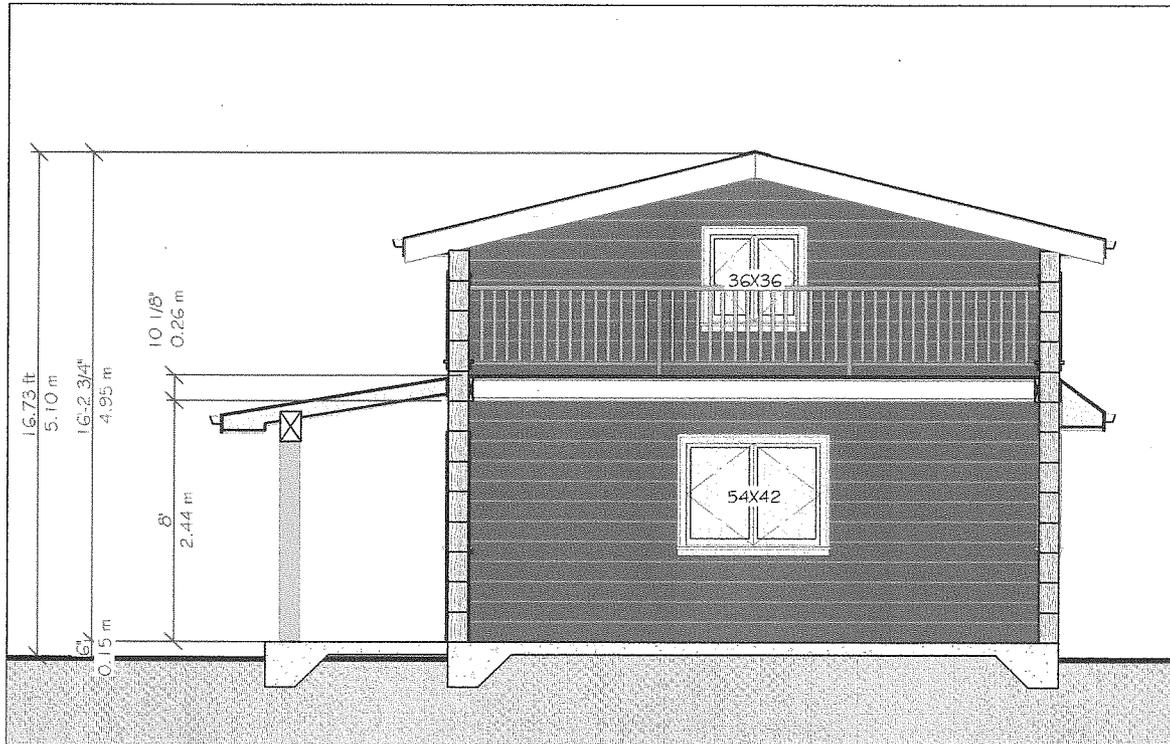
TEL 613 531-7873  
CELL 613 561-3428  
FAX 613 531-0602

<b>PROPOSED CABIN</b>	
CLIENT: NATALIE BOOTH	
LOCATION: KINGSTON, ON	
<b>ELEVATIONS</b>	
SCALE: 1/4" = 1'-0"	Sheet: 2 of 4
FRIDAY, OCTOBER 11, 2012	

DWG NO.

# A2

22269



THIS DRAWING AND DESIGN ARE THE COPYRIGHT PROPERTY OF E.R. TROUGHT DESIGN AND SHALL NOT BE COPIED, REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF THE DESIGNER. DRAWINGS SHALL NOT BE SCALED. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

ERIC TROUGHT, P. ENG

I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES WHICH BEARS THE DECLARATION AND HAVE MET THE REQUIREMENTS OF THE O.R.C. AS A REGISTERED DESIGNER. THESE DRAWINGS SHALL BE CONSIDERED AS NOT FOR CONSTRUCTION UNLESS AUTHORIZED BY THE DESIGNER'S SIGNATURE FOR PERMIT APPLICATION.

SIGNATURE: **BCIN: 24453, 30033**

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATION FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.



31 HILLENDALE AVE.  
KINGSTON, ONTARIO  
K7M 1S2

TEL 613 531-7873  
CELL 613 561-3428  
FAX 613 531-0602

**PROPOSED CABIN**

CLIENT: NATALIE BOOTH

LOCATION: KINGSTON, ON

**BUILDING SECTION**

SCALE: 1/4" = 1'-0"

FRIDAY, OCTOBER 14, 2022

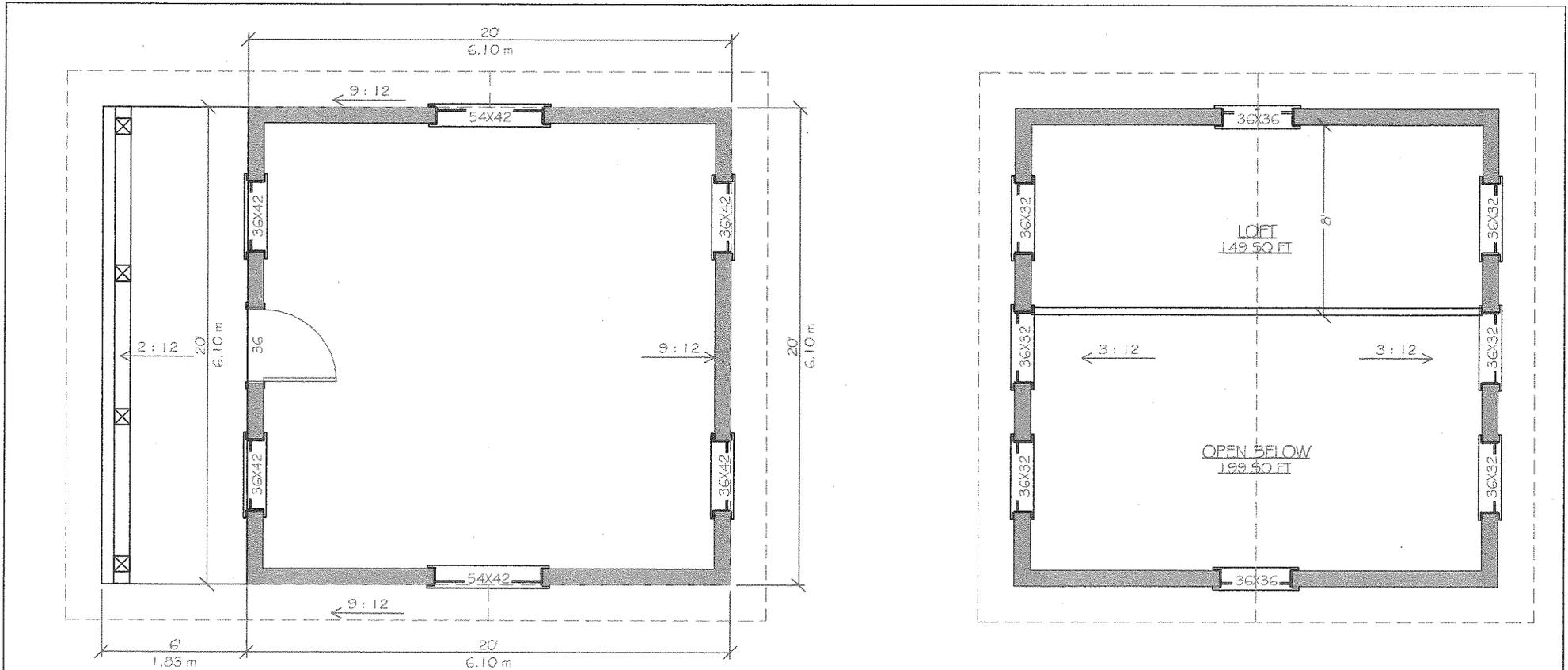
Sheet:

3 of 4

DWG NO.

**A3**

22280



1 MAIN FLOOR PLAN  
A4 SCALE: 1/4" = 1'-0"

2 SECOND FLOOR PLAN  
A4 SCALE: 1/4" = 1'-0"

THIS DRAWING AND DESIGN ARE THE COPYRIGHT PROPERTY OF E.R. TROUGHT DESIGN AND SHALL NOT BE COPIED, REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF THE DESIGNER. DRAWINGS SHALL NOT BE SCALED. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES WHICH BEARS THE DECLARATION AND HAVE MET THE REQUIREMENTS OF THE O.R.C. AS A REGISTERED DESIGNER. THESE DRAWINGS SHALL BE CONSIDERED AS NOT FOR CONSTRUCTION UNLESS AUTHORIZED BY THE DESIGNER'S SIGNATURE FOR PERMIT APPLICATION.

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATION FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACE, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

ERIC TROUGHT, P. ENG

SIGNATURE: BCIN: 24453, 30033



31 HILLENDALE AVE.  
KINGSTON, ONTARIO  
K7M 1S2

TEL 613 531-7873  
CELL 613 561-3428  
FAX 613 531-0602

PROPOSED CABIN

CLIENT: NATALIE BOOTH

LOCATION: KINGSTON, ON

FLOOR PLANS

SCALE: 1/4" = 1'-0"

FRIDAY, OCTOBER 14, 2022

Sheet:

4 of 4

DWG NO.

A4

22269

## ***Application for Minor Variance***

**50 West Crest, Ancaster ON L9G 2P1**

### **3.1 Nature and extent of relief applied for:**

#### **1. Accessory Structure Setback**

We are looking for a minor variance to allow for accessory buildings to be permitted to be located 1.5m from the rear lot line

#### **2. Building Height – Pool Shed**

We are seeking a variance to allow for a maximum height of 5.2m for our pool shed

#### **3. Building Height – Gazebo**

We are seeking a variance to allow for a maximum height of 5.2m for our gazebo

Drawing attached is for max height of 5.1m. The variance request is for 5.2m to allow for changes in log size.

Attachment 6  
(section 4.3)

## Particulars of all Buildings and Structures

50 West Crest, Ancaster ON L9G 2P1Lot 14, RP. 935

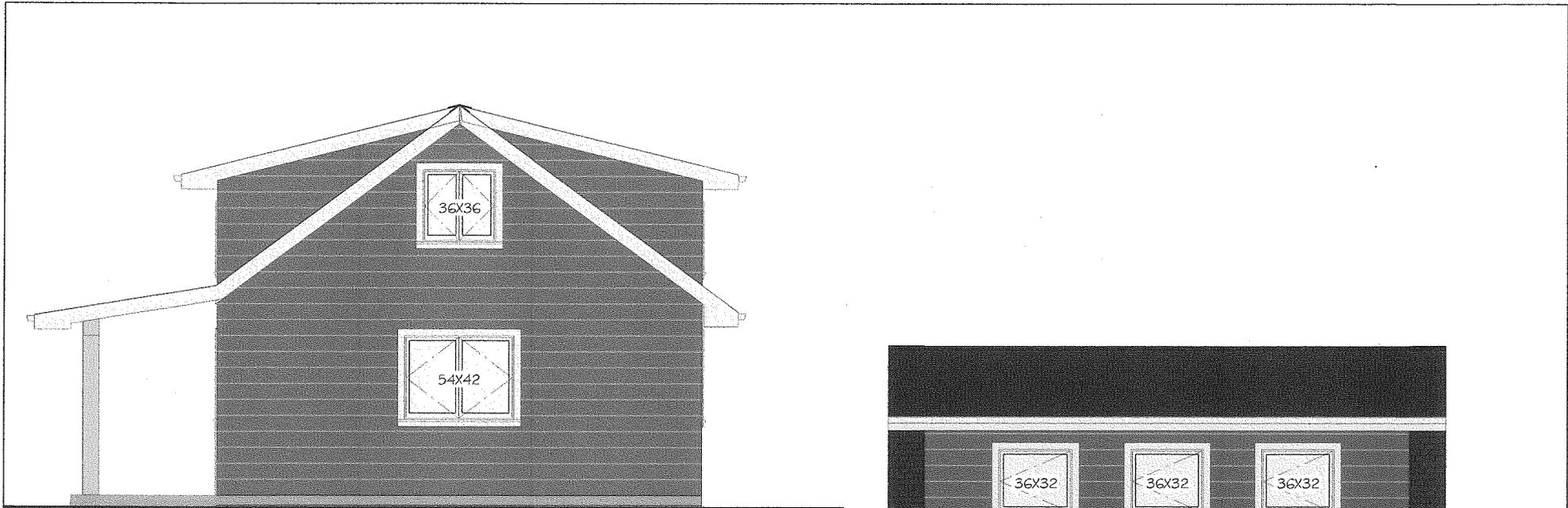
ZONING	LOT NO:	PLAN NO:	LOT AREA:	LOT FRONTAGE	LOT DEPTH
ER	14	935	1269m <sup>2</sup>	15.24m	70m (approx)

DESCRIPTION	WIDTH	DEPTH	NO. OF STORIES HEIGHT	EXISTING LOT COVERAGE	PROPOSED ADDITONS	%
Single Family	19.30m	8.0m	1 (approx 5.5m)	154.4 m <sup>2</sup>		12.2
Shed	3.048m	3.048m	(approx 3m)	9.29 m <sup>2</sup>		0.73
Gazebo	3.658m	3.658m	(approx 3.5m)	13.38 m <sup>2</sup>		8.66
Accessory Building Pavilion	4.8768m	6.096m	5.2m		29.73 m <sup>2</sup>	2.34
Accessory Building Pool Shed	6.096m	6.096m	5.2m		37.16 m <sup>2</sup>	2.93
<b>Totals (accessory bldg)</b>				<b>22.67m<sup>2</sup></b>	<b>66.89 m<sup>2</sup></b>	<b>14.7</b>
				<b>89.56</b>		

The total lot coverage for accessory buildings will TOTAL 89.56m, with the maximum coverage being 90m<sup>2</sup> in the ER zone

The total percentage of the lot for accessory buildings will TOTAL 14.66% with the maximum coverage being 35% in the ER zone

SETBACKS	EXISTING	PROPOSED
Rear	7.5m	1.5m
Side	1.5m	1.5m



1 FRONT ELEVATION  
A1 SCALE: 1/4" = 1'-0"

2 RIGHT ELEVATION  
A1 SCALE: 1/4" = 1'-0"

Amended

THIS DRAWING AND DESIGN ARE THE COPYRIGHT PROPERTY OF E.R. TROUGHT DESIGN AND SHALL NOT BE COPIED, REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF THE DESIGNER. DRAWINGS SHALL NOT BE SCALED. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES WHICH BEARS THE DECLARATION AND HAVE MET THE REQUIREMENTS OF THE O.R.C. AS A REGISTERED DESIGNER. THESE DRAWINGS SHALL BE CONSIDERED AS NOT FOR CONSTRUCTION UNLESS AUTHORIZED BY THE DESIGNER'S SIGNATURE FOR PERMIT APPLICATION.

THESE PLANS WERE DESIGNED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATION FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODS TOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

ERIC TROUGHT, P. ENG  
SIGNATURE: **BCIN: 24453, 30033**



**E.R. TROUGHT  
DESIGN INC.**

31 HILLENDALE AVE.  
KINGSTON, ONTARIO  
K7M 1S2

TEL 613 531-7873  
CELL 613 561-3428  
FAX 613 531-0502

PROPOSED CABIN	
CLIENT:	NATALIE BOOTH
LOCATION:	KINGSTON, ON
ELEVATIONS	
SCALE:	1/4" = 1'-0"
FRIDAY, OCTOBER 14, 2022	Sheet
	1 of 4

DWG NO.

# A1

22269

**APPLICATION FOR A MINOR VARIANCE****(#5) Explanation why it is not possible to comply with the provisions of the By-Law**

- We are at a disadvantage with an irregular shaped lot creating 2 rear lot lines.
- The By-Law stating a minimum set back of 7.5m on 2 sides of our lot would place our pool shed in the middle of our backyard.
- Not only the irregularity of our lot but also the positioning of our home limits the space we have to erect a pool shed (attachment 1a)
- It is unlikely we would be able to put an addition onto our garage due to the close proximity of the corner of our home to the rear lot line on the South side (which is actually already in the no build zone)
- Placing our pool shed within the setbacks as outlined by the By Law would create a space for unwanted wildlife and limit natural surveillance
- We are unable to position the pool shed on the South "rear lot line" abutting lot #12 due to extremely large existing trees. Our neighbourhood is valued due to the maturity of the natural trees, some being very old – ours being in excess of 20 meters (see attachment 1b)
- Erecting our pool shed with a 7.5m setback places the building over the existing decommissioned septic bed. Although this septic bed is no longer used for sewage, it remains in use for rainwater distribution.
- The natural grade of our property slopes away from our home in the backyard. The height of the pool shed will be below the height of our home and not visible from the street
- The exact height of our pool shed has not been determined as we will be using true logs and the final height will be based on the diameter of the logs used although it will not exceed a height of 6.5m
- The pool shed design includes a half loft to maximize storage space.
- Storage will be used in part for equipment for the local Ancaster Scouting Group. One of the churches sponsoring the group is no longer able to provide meeting or storage space for Scouts Canada. We have been active leaders for more than 50 years combined and continue to support and volunteer for Scouts Canada

The proposed positioning of the pool shed, and covered patio area would

- Allow for the best use of space in our yard allowing us to maximize our outdoor space
- The covered patio at the end of the pool would increase the visual aesthetics and usability of the current unusable space
- We would be able to condense other storage bins into the one structure for pool and yard equipment
- Both rear sides of the buildings are required to be positioned at the same spot to allow an exit from the pool shed to the covered patio area
- There is an existing natural buffer of tall bushes and trees along the rear lot line. Our buildings would not impact the sun or change the view of our rear neighbours – the rear lot line is almost 100% solid with existing natural buffers

- Due to the irregularity of both our lot and our surrounding properties as well as the oversized lots, there is a large distance between our rear lot line and the homes behind us. The 2 rear neighbours both have existing pools and outdoor living spaces located on the far sides of their backyards in relation to our property thus minimizing the impact of our build with a setback of 1.5m.
- It is very common in our area for homes to be sold and new owners demolish existing single-family dwellings and erect much larger homes in their place. We have considered this and are mindful of the nature and feel of Pinecrest being an older area. We feel it is in good keeping with the aesthetics of the area to build an accessory building rather than an addition or new build in our court

Overall we have considered our neighbours and feel our pool shed and covered patio will very minimally impact our neighbours in any way.

*We have attached letters from our neighbours citing no concerns with our proposed building plans*

July 25, 2022

Committee of Adjustment

RE: Minor Variance Application  
50 West Crest Ancaster, ON L9G 2P1

We understand our neighbours are applying for minor variances to build a pool shed and gazebo at 50 West Crest, Ancaster, Ontario.

Tom and Natalie Booth have showed us plans and discussed the location and dimensions of the structures. We discussed what bylaw restrictions they found out the city currently has with their project and what minor variances would be required to allow the structures to go up where they want to.

We do not have any concerns regarding the location, size or height of the buildings in their yard. We fully support the improvements they are attempting to do to their property and are excited to encourage better utilization and enjoyment of their property.

We believe these structures will fit into the neighbourhood. These additions keep in the spirit of Pinecrest, encouraging outdoor living and enjoyment of individuals' properties without infringing on any neighbouring properties while reinvesting into the property and community.

Sincerely,

*Pauline Skunben*

*60 Hosten Drive*

July 25, 2022

Committee of Adjustment

RE: Minor Variance Application  
50 West Crest Ancaster, ON L9G 2P1

We understand our neighbours are applying for minor variances to build a pool shed and gazebo at 50 West Crest, Ancaster, Ontario.

Tom and Natalie Booth have showed us plans and discussed the location and dimensions of the structures. We discussed what bylaw restrictions they found out the city currently has with their project and what minor variances would be required to allow the structures to go up where they want to.

We do not have any concerns regarding the location, size or height of the buildings in their yard. We fully support the improvements they are attempting to do to their property and are excited to encourage better utilization and enjoyment of their property.

We believe these structures will fit into the neighbourhood. These additions keep in the spirit of Pinecrest, encouraging outdoor living and enjoyment of individuals' properties without infringing on any neighbouring properties while reinvesting into the property and community.

Sincerely,

Terrie Wilkins-Duffie  
48 West Crest  
Ancaster Ont.

July 25, 2022

Committee of Adjustment

RE: Minor Variance Application  
50 West Crest Ancaster, ON L9G 2P1

We understand our neighbours are applying for minor variances to build a pool shed and gazebo at 50 West Crest, Ancaster, Ontario.

Tom and Natalie Booth have showed us plans and discussed the location and dimensions of the structures. We discussed what bylaw restrictions they found out the city currently has with their project and what minor variances would be required to allow the structures to go up where they want to.

We do not have any concerns regarding the location, size or height of the buildings in their yard. We fully support the improvements they are attempting to do to their property and are excited to encourage better utilization and enjoyment of their property.

We believe these structures will fit into the neighbourhood. These additions keep in the spirit of Pinecrest, encouraging outdoor living and enjoyment of individuals' properties without infringing on any neighbouring properties while reinvesting into the property and community.

Sincerely,

*Lori E Brian Campbell*

52 WEST CREST

ANCASTER

L9G 2P1

(for Section 5)



Google Maps

(for section 5)



Imagery ©2022 Google, Imagery ©2022 Maxar Technologies, Map data ©2022 Google 10 m

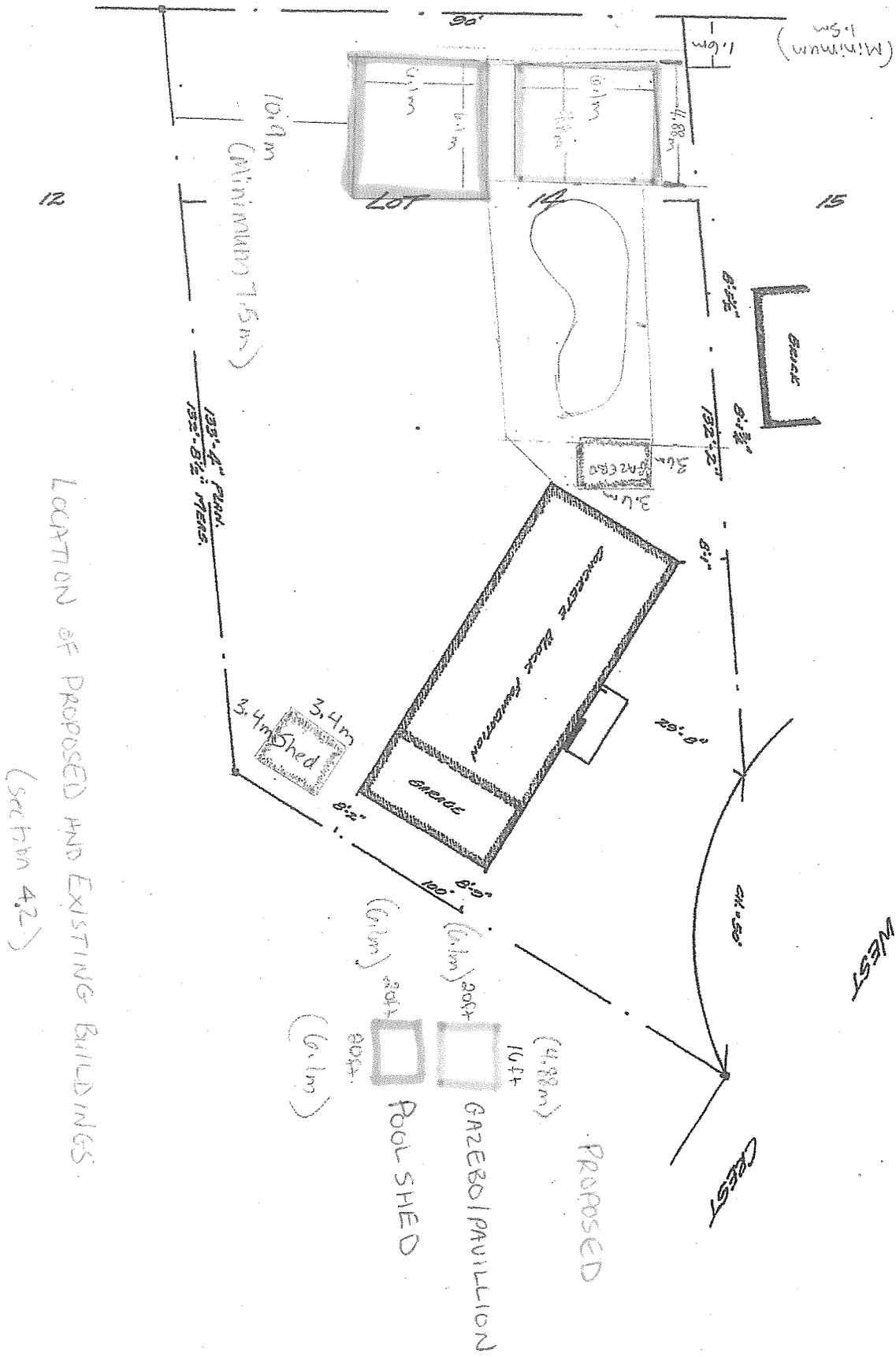


PLAN OF SURVEY OF  
 LOT 14, ANCEST SURVEY,  
 REGISTERED PLAN 935,  
 TWP. OF ANCASTER  
 SHERBROOKE

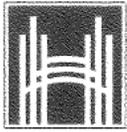
0.10cm ≈ 27.7cm

POOTH  
 50 WEST CREST  
 ANCASTER ON L4G2P1

Attachment 5



LOCATION OF PROPOSED AND EXISTING BUILDINGS:  
 (SECTION 4.2)



Hamilton

Committee of Adjustment  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION  
 UNDER SECTION 45 OF THE PLANNING ACT**

**1. APPLICANT INFORMATION**

<b>Registered Owners(s)</b>			
<b>Applicant(s)</b>			
<b>Agent or Solicitor</b>			<b>Phone:</b>
			<b>E-mail:</b>

- 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 *Please also send hard copy via mail*  
 If YES, provide email address where sign is to be sent [nataliedbooth@gmail.com](mailto:nataliedbooth@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	50 West Crest, Ancaster ON L9G2P1		
Assessment Roll Number	251410037005800		
Former Municipality	Town of Ancaster		
Lot	14	Concession	3
Registered Plan Number	935	Lot(s)	Part of Lot 47
Reference Plan Number (s)		Part(s)	(see attachment #1 & 1A)

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:

See Attachment #2

Second Dwelling Unit  Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?

See attachment #3

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: *see attachment #4*

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.24m	70m (approx)	1269m <sup>2</sup>	average for court

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
See attachment #5				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
See attachment #5				

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
See Attachment 6				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
See Attachment 6 and 6a				

- 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)

Septic Bed for Rain Water (no longer sewage)

- 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 Dwelling

---

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
 2005

---

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:  
 Approx 60 years

---

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) N/A

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? ER

---

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:

AN/A-22:279



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>HM/A-22:321</b>	<b>SUBJECT PROPERTY:</b>	10 Taymall St, Hamilton
<b>ZONE:</b>	"C" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: David Haley

The following variances are requested:

1. A building height of three storeys shall be permitted instead of the required maximum two and a half storeys.

**PURPOSE & EFFECT:** As to permit the construction of a new Single-Family Dwelling.

**Notes:**

1. The Former Hamilton Zoning By-law 6593 permits eaves and gutters to project into the required front and rear yard to a maximum of 1.5 metres, provided that no projection shall be closer to a street line than 1.5 metres. Into the required side yard to a maximum of one-half of its width, or 1.0 metres, whichever is the lesser. Insufficient information has been provided in order to determine zoning compliance. Further variances may be required if compliance cannot be achieved.
2. The Former Hamilton Zoning By-law 6593 permits balcony's to project into a required front and rear yard not more than 1.0 metres provided that not such projection shall be closer to a street line than 1.5 metres. Insufficient information has been provided in order to determine compliance with the proposed balcony located above the first story. Further variances may be required if compliance cannot be achieved.
3. Insufficient information in order to determine compliance with proposed parking. Further variances may be required if compliance cannot be achieved.
4. Please be advised the application for consent/severance (HM/B-18:116) is now final and binding for the severed lands known as 10 Taymall Street.

HM/A-22:321

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

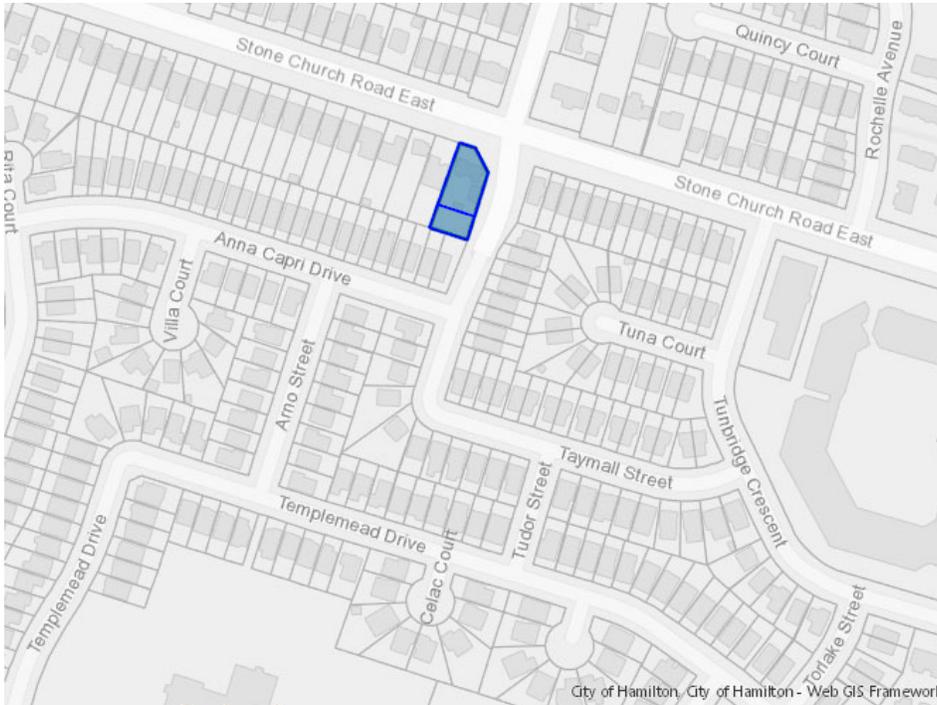
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

HM/A-22:321



DATED: November 1, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

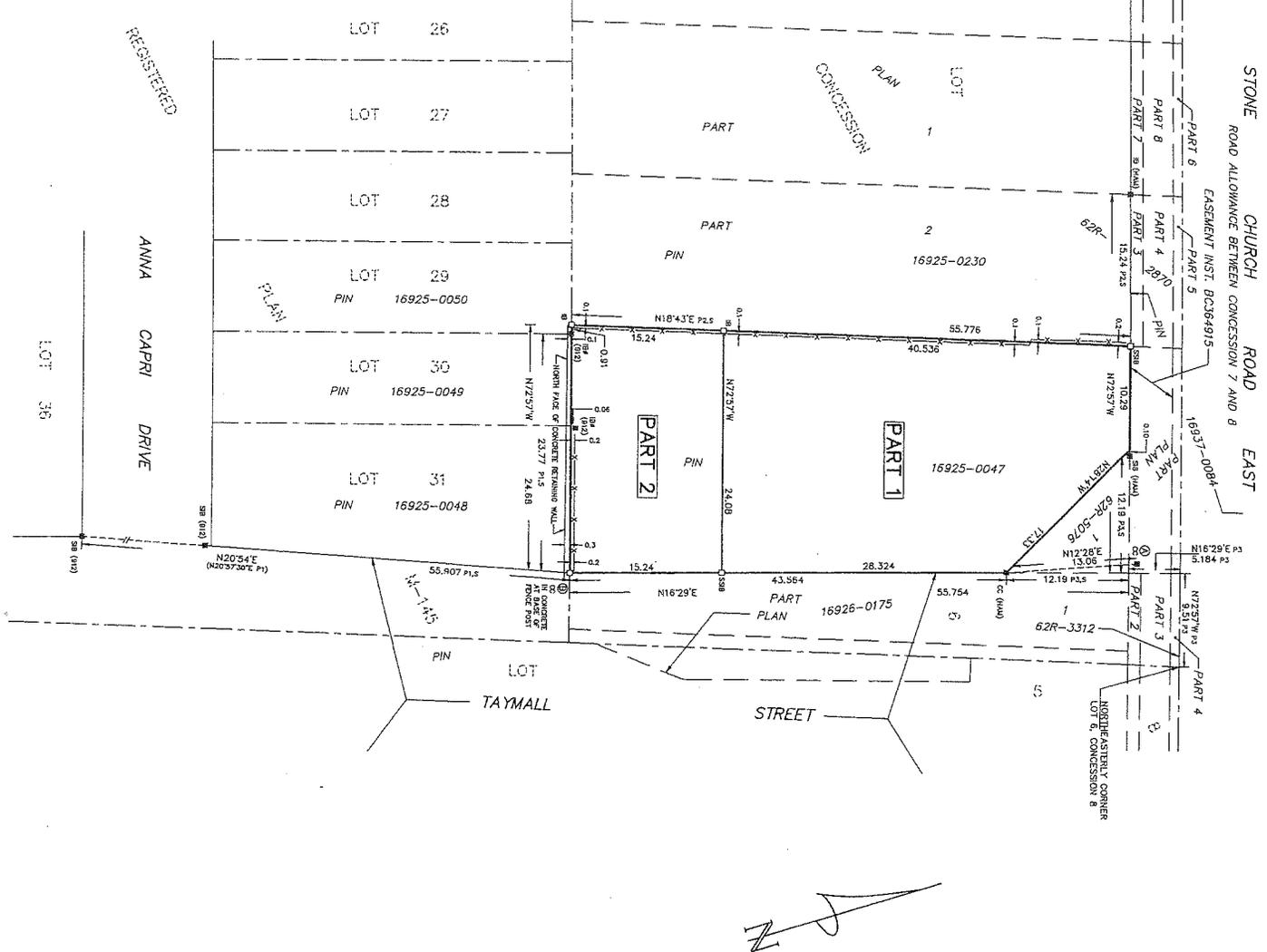
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

METRIC DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**LEGEND**  
 SIB - STANDARD IRON BAR  
 SSB - SHORT STANDARD IRON BAR  
 IB - IRON BARS  
 CP - CONCRETE PIN  
 P - PLANTED  
 R - ROUND  
 WIT - WITNESS  
 S - SET  
 P1 - REGISTERED PLAN M-145  
 P2 - 62R-2570  
 P3 - 62R-5076  
 -X- - BOARD FENCE

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 62R-28870	
DATE MAY 16, 2018		RECEIVED AND DEPOSITED	
DATE MAY 18, 2018		DIVISION OF MORTGAGE (RM 82)	
REPRESENTATIVE FOR THE LAND TITLES DIVISION OF MORTGAGE (RM 82) K. W. STELL ROBERT V.			
PARTS SCHEDULE			
PART	LOT	CONCESSION	AREA IN HECTARES
1	6	16925-0047	0.087
2			0.037
PARTS 1 AND 2 COMPRISE ALL OF PIN 16925-0047.			

PLAN OF SURVEY OF PART OF LOT 6 CONCESSION 8 CITY OF HAMILTON (GEOGRAPHIC TOWNSHIP OF BARTON) SCALE 1:300

MCCALLUM, WHITE & MUIR LTD.

**NOTE:**  
 BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS 1 AND 9 BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010) FOR BEARING COMPARISONS, A ROTATION OF 0.38 COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLAN M-145, PLAN 62R-3312. PLAN DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999972. ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED. ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.

GRS83 REFERENCE POINT (GPR), UTM ZONE 17, NAD83 (CSRS) (2010) CO-ORDINATES TO UTM ACCURACY PER SECTION 14(2) OF THE SURVEY ACT	POINT ID	NORTHING	EASTING
A	472665.96	503732.7	
B	4726641.28	503738.60	

CO-ORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

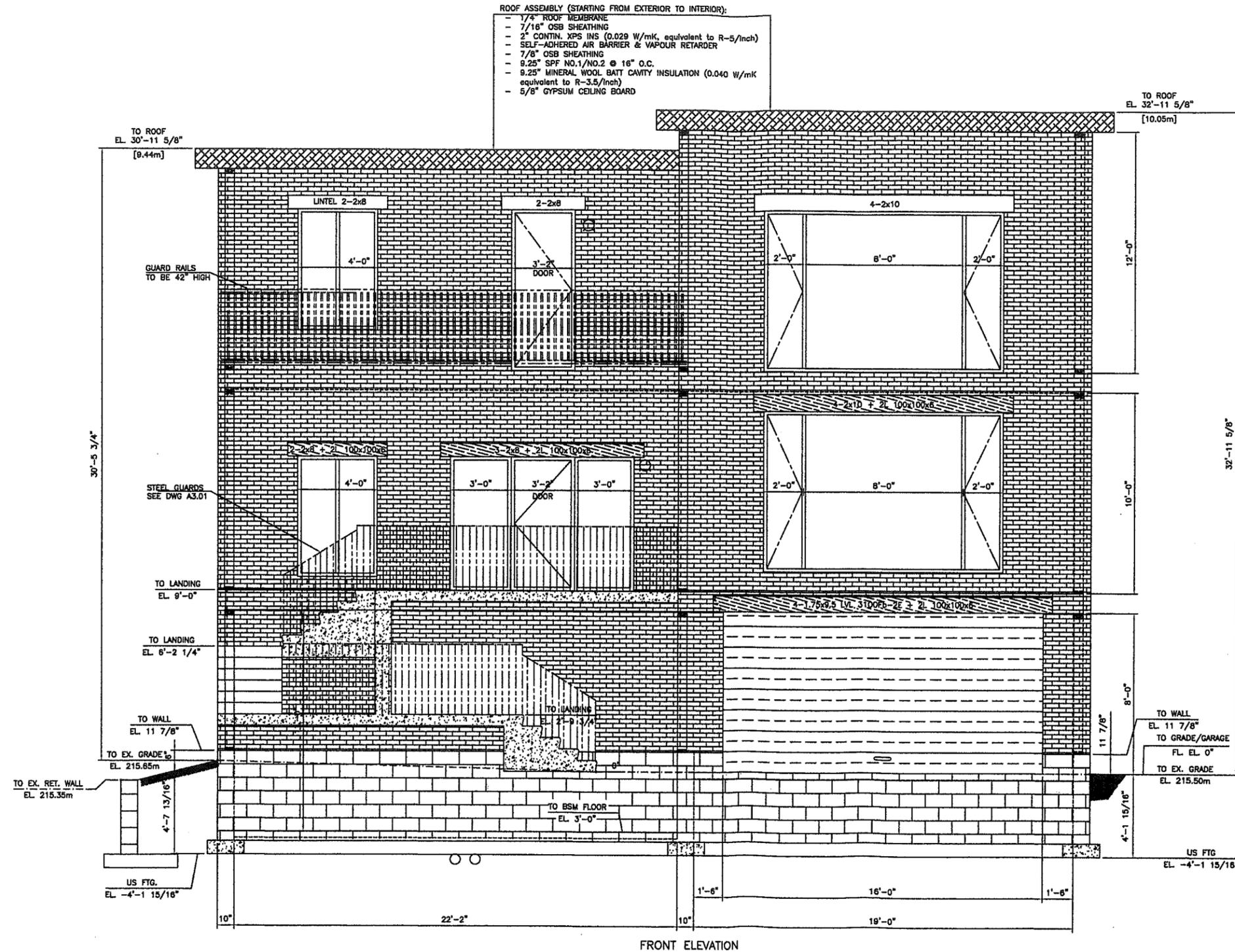
**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE REGULATIONS MADE UNDER THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THE LAND TITLES ACT
- THE SURVEY WAS COMPLETED ON THE 17th DAY OF NOVEMBER, 2017.

MAY 16, 2018

*[Signature]*  
 ONTARIO LAND SURVEYOR

**MCCALLUM, WHITE & MUIR LTD.**  
 ONTARIO LAND SURVEYORS  
 17-232



FRONT ELEVATION

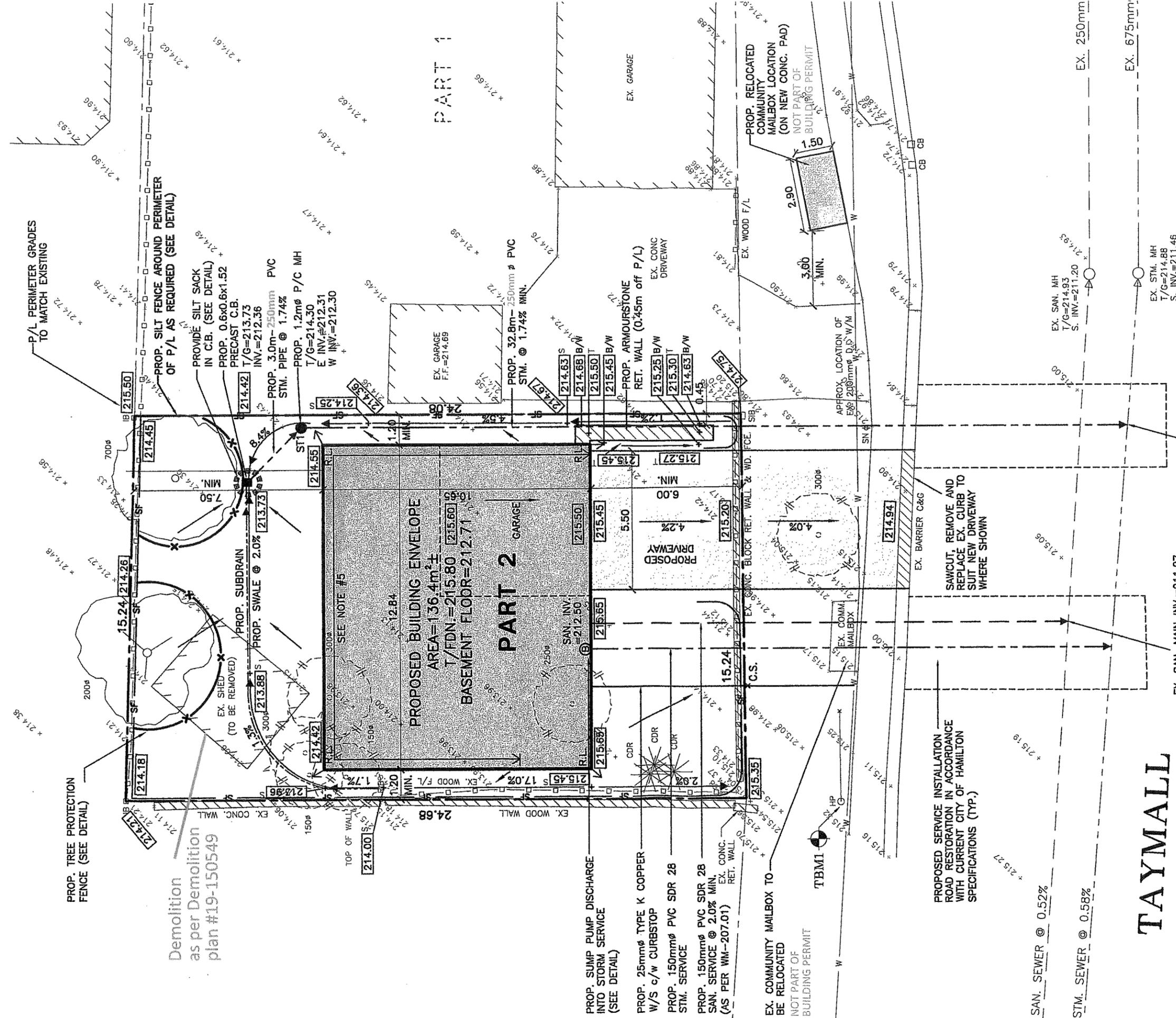
EXPOSING BUILDING FACE	
LIMITING DISTANCE	18m (TO CENTER OF STREET)
BUILDING FACE AREA	125.8m <sup>2</sup>
MAXIMUM AGGREGATE AREA OF UNPROTECTED OPENING	92%
AREA OF UNPROTECTED OPENING	38.8m <sup>2</sup>
AGGREGATE AREA OF UNPROTECTED OPENING (%)	30.8%
CONFORMING TABLE 9.10.14.4	YES
LIMITING DISTANCE	LIMITING DISTANCE

- GENERAL NOTES:**
1. THE CONTRACTOR IS RESPONSIBLE FOR CHECKING AND VERIFYING ALL CONDITIONS AND DIMENSIONS, IN CASE OF ANY DISCREPANCIES TO BE REPORTED TO THE OWNER.
  2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS AND BY-LAWS.
  3. ADDITIONAL DRAWING MAY BE ISSUED FOR CLARIFICATION, TO ASSIST PROPER EXECUTION OF WORK. SUCH DRAWINGS SHALL HAVE THE SAME MEANING AND INTENT AS IF THEY WERE INCLUDED WITH THE PLANS IN CONTRACT DOCUMENTS.
  4. DO NOT SCALE DRAWINGS
  5. THIS DRAWING SHOULD NOT BE USED OR COPIED WITHOUT AUTHORIZATION OF DESIGNER
  6. THIS REPRODUCTION SHALL NOT BE ALTERED

**LAND PLANNING RESOURCE GROUP LTD**  
 975 Stone Church Rd East  
 Hamilton, Ontario  
 L9B 1A8

**SINGLE FAMILY RESIDENCE**  
 975 Stone Church Rd East  
 Hamilton, Ontario  
 L9B 1A8

**FRONT ELEVATION**  
 2021-05-21 12 5-210421  
 R.A. D.H. J.T. S2 01



Demolition  
as per Demolition  
plan #19-150549

# TAYMALL STREET

BACK YARD SHALL MEAN THE LESSER OF THE DISTANCE  
BY-LAW OR 6M

THE BACK YARD ADJACENT TO THE BUILDING FOR A DISTANCE  
3M YARD SHALL BE 5%, EXCEPT AS SET OUT IN ITEMS BELOW

EX. SAN. MAIN INV.=211.27  
PROP. SAN. SERV. INV.=211.50

EX. STM. MAIN INV.=211.49  
PROP. STM. INV.=211.75

EX. STM. MH  
T/G=214.88  
S. INV.=211.46

e. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING  
WALLS SHALL BE PLACED ON THE HIGHER LANDS

f. THE 5% RESTRICTION DOES NOT PRECLUDE RETAINING WALLS IN THE REQUIRED

ROOFWATER LEADERS  
ALL ROOFWATER LEADERS SHA  
OR LANDSCAPED AREAS A MIN

PROPOSED SERVICE INSTALLATION  
ROAD RESTORATION IN ACCORDANCE  
WITH CURRENT CITY OF HAMILTON  
SPECIFICATIONS (TYP.)

SAN. SEWER @ 0.52%

STM. SEWER @ 0.58%

EX. 250mm

EX. 675mm

EX. 250mm

EX. 675mm

EX. 250mm

EX. 675mm



NORTH AND WEST SIDE OF LOT WITH GENTLE SLOPE AND RAGE 871 of 402  
76 MAP 4





QUESTION 3.1 CONTINUED:

ACCORDING TO A SUBSECTION OF BYLAW 6593, A SPECIFIC GUIDING THAT DATE'S BACK TO THE 1950'S, DEFINES A "HOUSE STORY" BY GROUND COVERAGE OF THE BASEMENT.

I HAVE ATTEMPTED TO WORK WITH THE PLANNERS IN BUILDING DEPT. BUT THE STATE THERE IS NO FLEXIBILITY (FOR NOW).

THIS IS A NEW LOT THAT WAS APPROVED IN (BY MINOR VARIANCE IN A SEVERANCE) IN 2020. ITS AN "INFILL LOT" AND CAME WITH SITE SPECIFIC CONDITIONS DUE TO THE ADJACENT PROPERTY HAVING A "RETAINER WALL" OF 5' HIGH CONSTRUCTED WITH THE DEVELOPMENT OF A SUBDIVISION IN 1986. (SEE DIAGRAM A AND B)

THIS RETAINER WALL, REQUIRES THAT A CATCH BASIN BE INSTALLED IN THE REAR OF THE PROPERTY TO ASSURE NO WATER DRAINOFF FROM ALL LOTS ALONG TAYMALL AND STONECHURCH PROXIMITY DID NOT GET LAND LOCKED.

THE GRADING PLAN ~~IS~~ APPROVED BY THE CITY OF HAMILTON SET THE GUIDELINES IN PLACE FOR OUR DESIGN. (SEE DIAGRAM #C) IT WAS ONLY AFTER A SUBMISSION FOR A PERMIT WAS THIS ISSUE RAISED.

OUR DESIGN, OF OUR HOME IS A "FLAT ROOF" AND WE MEET ALL HEIGHT RESTRICTIONS AND WILL FIT WELL WITH EXISTING HOMES. WE HAVE NO CHOICE BUT TO HAVE A WALKOUT BASEMENT ACCORDING TO THE GRADING PLAN AND WE BELIEVE IT'S VERY "UNFAIR" TO BE LAYED AND PAY AN EXTRA \$4000 TO MEET AN OUTDATED BYLAW FROM THE 1950'S.

YOUR SUPPORT IS GREATLY APPRECIATED.

To : Committee of Adjustment

Date: March 4-2022

Appendix A

Application For Minor Variance

Property: 10 Taymall Street Hamilton

Background :

This lot was severed in Dec-2020 through the Committee of Adjustment . In October 2021 I submitted a set of blue prints to the Building Department, for approval. In the first review the plans examiner identified that the "Basement Story" did not meet Bylaw - 6593, due to the fact that the ground coverage around the basement did not meet a minimum of 50% ( it actual has 47% ) . This subsection pertains to a policy written in the 1950's and there is no acceptance other then the 50 % ,or above .

The property is an infill lot and had set ground conditions to consider for storm water, in order to get the required approval of the severance. The City Engineering Department had approved a grading plan, that requires a "catch basin " to be located in the back corner of the lot , in order to drain , water runoff from the rear yards of Stone Church . As a result the new home design must be a walkout design, and cannot bring in any fill to the rear of the lot . In the 6 years ive owned the property, not water has ever drained onto this lot .

The new home is a contemporary design (2 story ) with a flat roof and will fit in well into the neighborhood and meet all height restrictions .

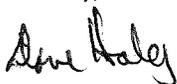
We are requesting a minor variance to allow for the small discrepancy on the earth ground coverage of the basement ( 3% ) to allow for the setbacks to be approved as per the pre-approved grading plan.

We are also asking for this application to be considered a minor request and pay the "Routine Fee " of \$625 rather than the full \$3600 .

We are requesting a credit for the processing of this application, as the outdated subsection to bylaw 6593 has no relevance and is obsolete.

As a minimum were asking that building controls should have some kind of flexibility to process an approval under this subsection, based on " site specific work " approved by their engineering department on the small discrepancy (3 % ) . Risk level should be allowed into their decision making at a minimum level.

Sincerely,



Dave Haley



Hamilton

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)	DAVE HALEY	[REDACTED]	
Applicant(s)			Phone: SAME
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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 HALEYWOOD@hotmail.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	10 TAYMALL STREET HAMILTON		
Assessment Roll Number			
Former Municipality	BARTON		
Lot		Concession	
Registered Plan Number	62R-20870-PART 2	Lot(s)	
Reference Plan Number (s)	See Surveyor-ATTACHED	Part(s)	2

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: APPLYING FOR SET-BACK AMENDMENT AS OUR HOUSE DESIGN (STANDARD TWO STOREY) IS CONSIDERED A THREE STOREY UNDER BYLAW 6593 BECAUSE THE BASEMENT IS A WALKOUT, WHERE, DUE TO THE AVERAGE GROUND COVER ON THE FOUNDATION WALLS NOT EXCEEDING 50%. (OUR COVER IS ACTUALLY 47% CONTINUATION ON PAGE #1

Second Dwelling Unit  Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?

WE ARE NOT ABLE TO ACHIEVE AN AVERAGE GROUND COVER AROUND OUR WALKOUT INDEED NOT DUE TO A PROPOSED GRADING PLAN TO PROTECT STORM WATER RUNOFF. WE ACHIEVE 47% COVER WITH OUR DESIGN.

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
15.24 METRES	24.08 METRES	365.76 SQ. METRES	20.1 METRES

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
Empty Lot	—	—	—	—

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family Home Two Storey - with walkout Basement	8.07 <del>met</del> met	7.5 met.	1.20 m	SOON AS POSSIBLE

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
NOT APPLICABLE				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SINGLE FAMILY HOME Two Storey - see Concept Plan	Basement. <del>147</del> 147 SQ.M	294 SQ.M.	Two Storeys	To Walkout - 10.9m First Two Floors - 6.1m

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 AND SEMI-DETACHED.

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
2016

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
EMPTY YARD.

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
EMPTY YARD.

7.4 Length of time the existing uses of the subject property have continued:  
TWO YEARS.

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) ZONED.

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? C

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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>SC/B-22:104</b>	<b>SUBJECT PROPERTY:</b>	188 Fruitland Rd, Stoney Creek
-------------------------	--------------------	--------------------------	--------------------------------

**APPLICANTS:** Owner: Fruitland Property Group Inc & Ascension Properties Inc  
Agent: A.J. Clarke & Associates Ltd – Franz Kloibhofer  
Applicant: Warm Homes – Nik Miskovic

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to be added to property known municipally as 669 Highway No.8. The existing rear garage will be demolished to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	N/A m <sup>±</sup>	83.45 m <sup>±</sup>	487.46 m <sup>2</sup> ±
<b>RETAINED LANDS:</b>	12.13 m <sup>±</sup>	39.66 m <sup>±</sup>	1,0441.21 m <sup>2</sup> ±

Associated Planning Act File(s): SC/B-22:105

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**SC/B-22:104**

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: November 1, 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-22:104**

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

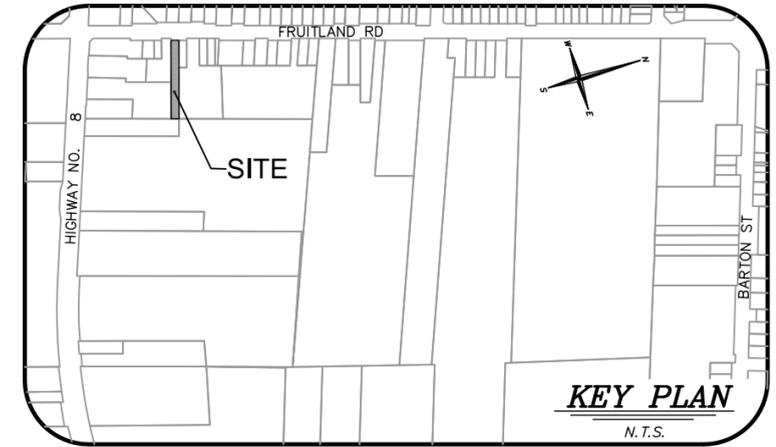
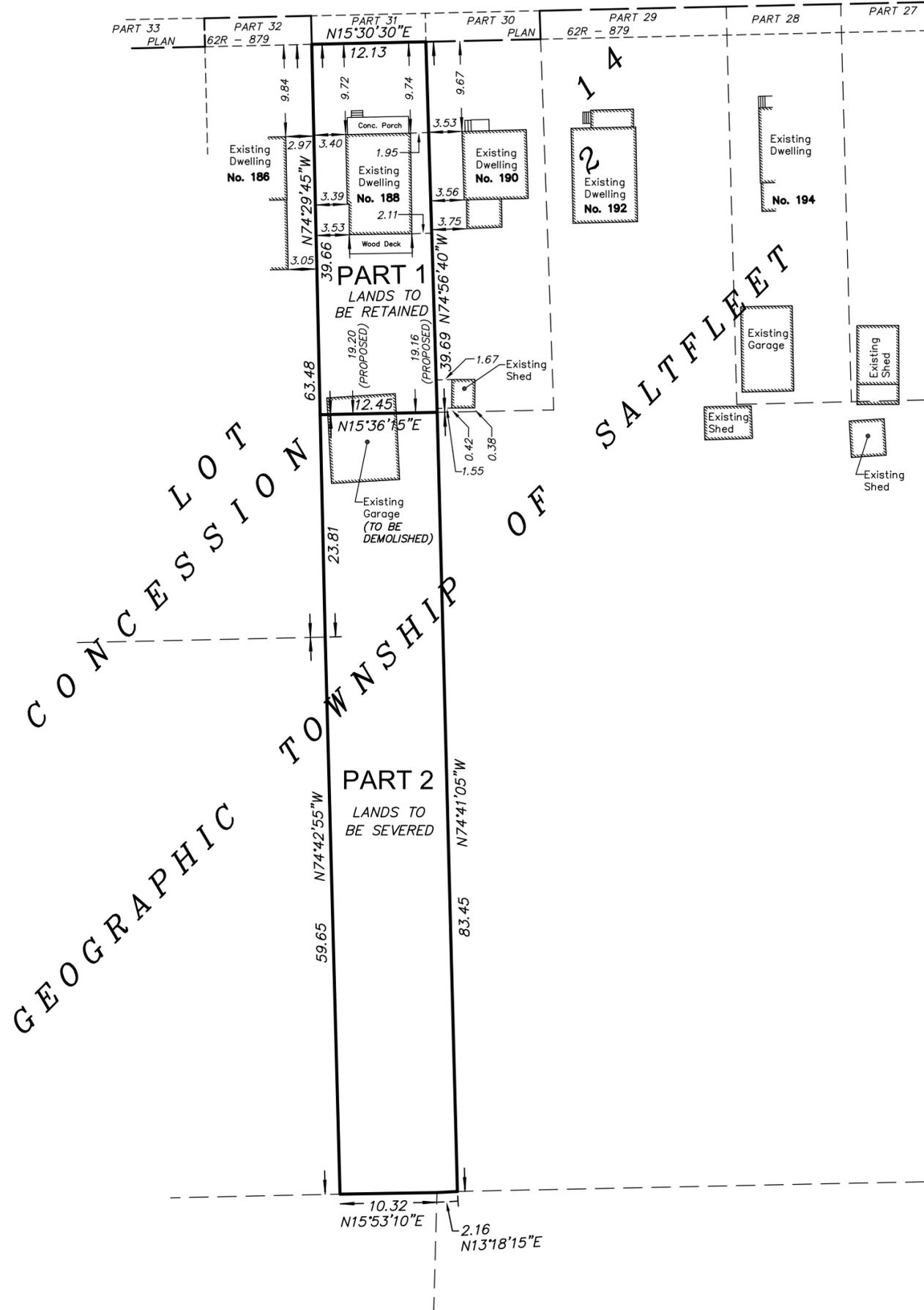
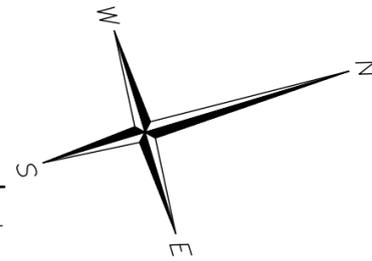
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

E-18757

FRUITLAND ROAD



SKETCH FOR CONSENT TO SEVER  
**188 FRUITLAND ROAD**  
**CITY OF HAMILTON**

SCALE 1:500

THE ABOVE NOTED LANDS ARE  
 PART OF LOT 14  
 CONCESSION 2  
 GEOGRAPHIC TOWNSHIP OF SALT FLEET

**METRIC:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES:**  
 REFER TO SURVEY BY A.J. CLARKE & ASSOCIATES LTD. DATED  
 MAY 20, 2022 (FILE T-3386)  
 THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL  
 COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION  
 TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT  
 OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

**CONSENT SCHEDULE:**

PART 1 (LANDS TO BE RETAINED)	AREA= 487.46m <sup>2</sup>
PART 2 (PROPOSED SEVERANCE)	AREA= 1,044.21m <sup>2</sup>

**CAUTION:**  
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE  
 USED FOR TRANSACTION OR MORTGAGE PURPOSES.

\_\_\_\_\_  
 DATE  
 MAY 26, 2022

\_\_\_\_\_  
 NICHOLAS P. MUTH  
 ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
 SURVEYORS • PLANNERS • ENGINEERS  
 25 MAIN STREET WEST, SUITE 300  
 HAMILTON, ONTARIO, L8P 1H1  
 TEL. 905-528-8761 FAX 905-528-2289  
 email: [ajc@ajclarke.com](mailto:ajc@ajclarke.com)

E-18757

H:\Jobs\N-to-S\Saltfleet\COND\LOT14\188-192 Fruitland Road (228008D)\CURRENT\E-18757.dwg



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development  
City Hall 5<sup>th</sup> Floor  
71 Main St W, Hamilton, ON L8P 4Y5

October 12, 2022

Attn: Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment (email: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca))

**Re: 188 and 192 Fruitland Road, Stoney Creek – Severance Application Submission**

Dear Madam:

A.J Clarke and Associates Ltd. has been retained by the Warm Homes, care of Nik Miskovic, for the purposes of submitting the enclosed Severance Application Submission. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form for 188 Fruitland Road;
- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form for 192 Fruitland Road;
- One (1) cheque in the amount of \$5,970.00 representing the required application fees for both severance applications;
- One (1) cheque in the amount of \$845 to the Hamilton Conservation Authority representing the required Minor Review Fees;
- One (1) electronic copy of the Topographic Survey, dated May 20, 2022, depicting the subject lands.
- One (1) electronic copy of the Severance Sketch for 188 Fruitland Road (E-18757)
- One (1) electronic copy of the Severance Sketch for 192 Fruitland Road (E-18756)

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan and are further designated as “Low Density Residential 2” and “Low Density Residential 3” as per Map B.7.4-1 of the Fruitland-Winona Secondary Plan. The subject lands are zoned “RR – Rural Residential” Zone and the proposed lands to be severed from 192 Fruitland Road are zoned “AS – Agriculture Specialty” in the City of Stoney Creek Zoning By-law 3692-92. The lands are currently occupied by one single-detached dwelling each and several accessory buildings. The detached garage belonging to 188 Fruitland Road is set to be demolished as are the frame sheds in the proposed severed lands at 192 Fruitland Road.

The owners of 669 Highway No. 8, the adjacent property, have purchased the subject lands. The purpose and intent of the proposal is to merge the severed parts proposed with the lands at 669 Highway No. 8 for the purpose of future residential land development while retaining the existing single detached dwellings fronting onto Fruitland Road.



The resultant lots will be as follows:

### 192 Fruitland Road

	Area	Frontage
Part 1	839 m <sup>2</sup>	19.8m
Part 2 (to be merged)	5744.64 m <sup>2</sup>	N/A

### 188 Fruitland Road

	Area	Frontage
Part 1	1,044m <sup>2</sup>	12.1m
Part 2 (to be merged)	5744.64 m <sup>2</sup>	N/A

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available Development Review Team date. If you have any questions or require additional information, please do not hesitate to contact this office.

Yours truly,

Ryan Ferrari MCIP, RPP  
 Planner  
 A.J Clarke and Associates Ltd.

Copy: Nik Miskovic  
[nik@warmhomes.ca](mailto:nik@warmhomes.ca)



Hamilton

**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR CONSENT TO SEVER LAND**  
**UNDER SECTION 53 OF THE *PLANNING ACT***

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

**1 APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			Phone:
			E-mail:
<b>Registered Owners(s)</b>	Fruitland Property Group Inc. (99.999%) & Ascension Properties Inc. (0.001%)		
<b>Applicant(s)**</b>	Warm Homes c/o Nik Miskovic		
<b>Agent or Solicitor</b>	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.3 All correspondence should be sent to  Purchaser  Owner  Agent/Solicitor  
 Applicant

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Stoney Creek	Lot 14	Concession 2	Former Township Saltfleet
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 188 Fruitland Road	Assessment Roll N°.		

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

### 3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

creation of a new lot  
 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:

Fruitland Property Group Inc.

3.3 If a lot addition, identify the lands to which the parcel will be added:

669 Highway No.8

### 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed (lease, easement, charge etc.):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
n/a	83.45	487.46 m <sup>2</sup>

Existing Use of Property to be severed:

Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_

Industrial  
 Agricultural-Related

Commercial  
 Vacant

Proposed Use of Property to be severed:

Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_

Industrial  
 Agricultural-Related

Commercial  
 Vacant

Building(s) or Structure(s):

Existing: Single detached dwelling with detached garage

Proposed: future residential development

Existing structures to be removed: garage in rear

Type of access: (check appropriate box)

provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year

right of way  
 other public road

Type of water supply proposed: (check appropriate box)

publicly owned and operated piped water system  
 privately owned and operated individual well

lake or other water body  
 other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify)

#### 4.2 Description of land intended to be Retained (remainder):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
12.13 m	39.66	1,0441.21 m <sup>2</sup>

Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: single detached dwelling

Proposed: single detached dwelling - no change

Existing structures to be removed: garage in rear

Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year
- right of way  
 other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify)

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify)

#### 4.3 Other Services: (check if the service is available)

- electricity     telephone     school bussing     garbage collection

### 5 CURRENT LAND USE

#### 5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) UHOP: "Neighbourhoods", 2ndary Plan: "Low Density Res. 2 & 3" \_\_\_\_\_

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

Fruitland-Winona Secondary Plan states the area is planned to accommodate an estimated population of approximately 15,400 people, at a density of 70 persons/jobs per hectare. New residential development on severed lands will Strengthen Existing Neighbourhoods, while creating a safe, functional, attractive and distinguishable community with a mix of housing types in a more compact form allowing for higher densities without impeding views of the escarpment

## 5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "RR - Rural Residential"

---

## 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"/>	0 metres (abutting lands)
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"/>	70-105 m: "GC" - HVAC sales, hair salon, post office
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

\*Complete MDS Data Sheet if applicable

## 6 PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown





Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>SC/B-22:105</b>	<b>SUBJECT PROPERTY:</b>	192 Fruitland Rd, Stoney Creek
-------------------------	--------------------	--------------------------	--------------------------------

**APPLICANTS:** Owner: Fruitland Property Group Inc  
Agent: A.J. Clarke & Associates Ltd – Franz Kloibhofer  
Applicant: Warm Homes – Nik Miskovic

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to be added to property known municipally as 669 Highway No.8. The existing two frame sheds will be demolished to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	N/A m <sup>±</sup>	83.76 m <sup>±</sup>	5,744.64 m <sup>2±</sup>
<b>RETAINED LANDS:</b>	19.85 m <sup>±</sup>	42.75 m <sup>±</sup>	839.34 m <sup>2±</sup>

Associated Planning Act File(s): SC/B-22:104

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Thursday, November 17, 2022</b>
<b>TIME:</b>	<b>3:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**SC/B-22:105**

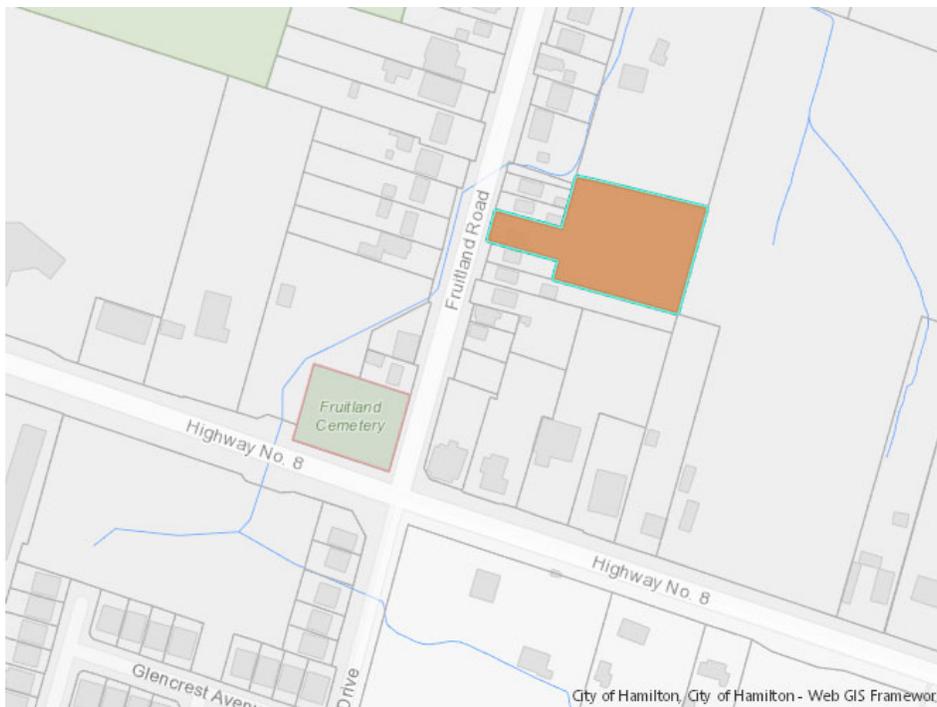
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: November 1, 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-22:105**

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

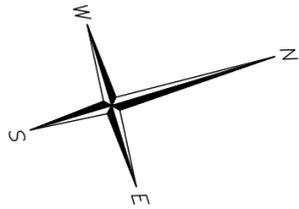
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

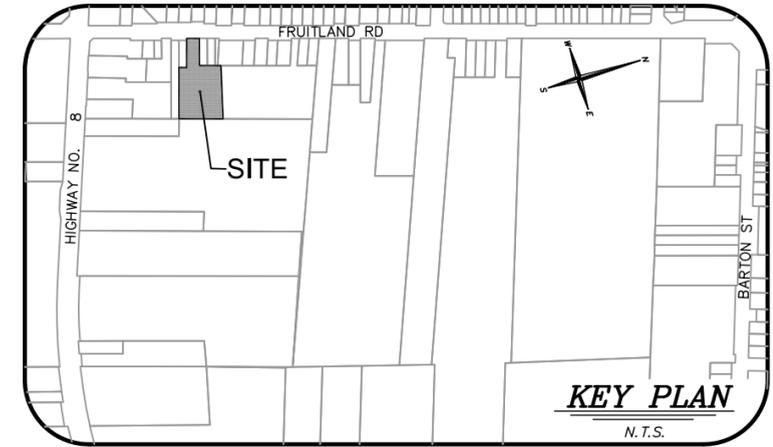
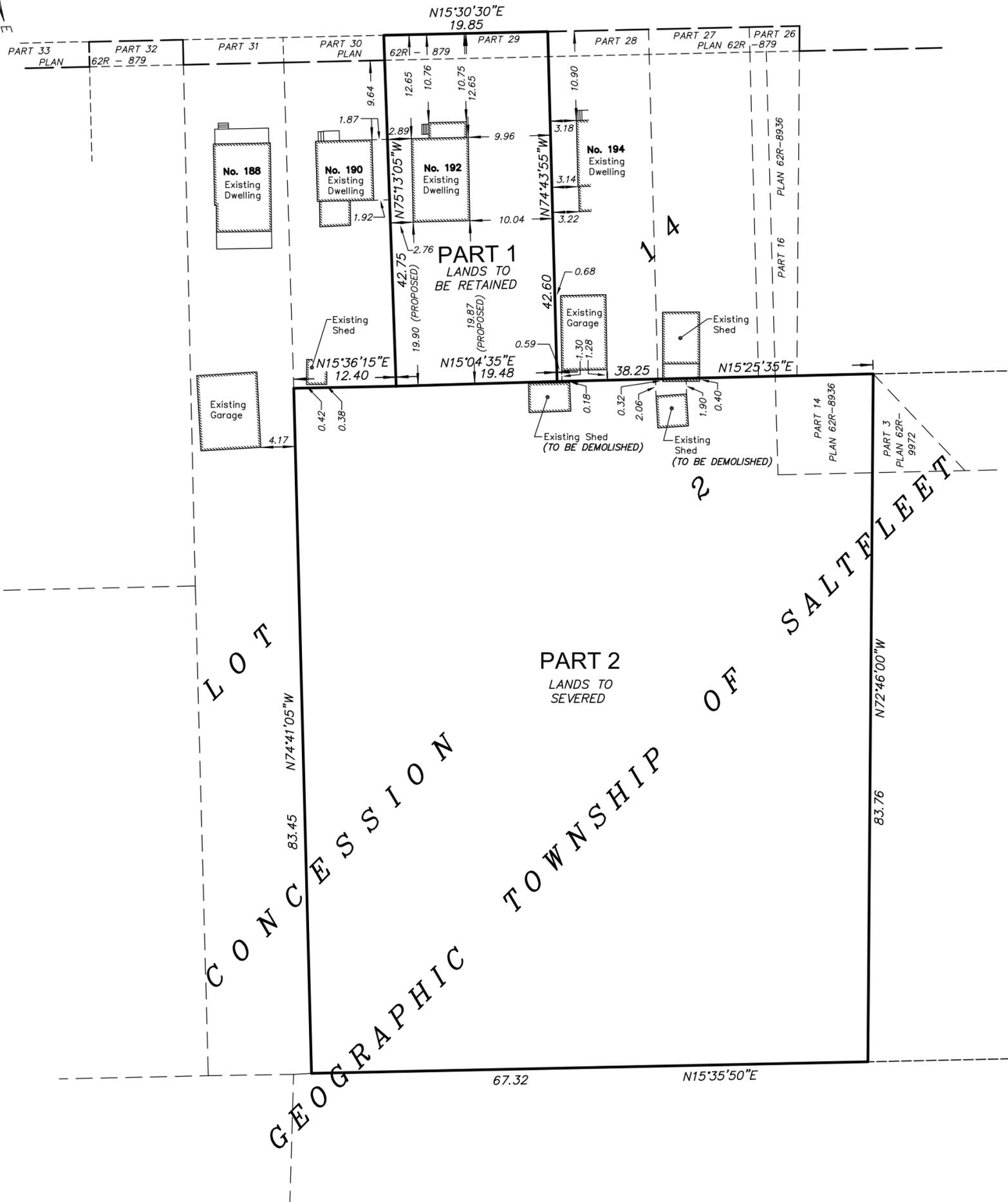
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

E-18756



# FRUITLAND ROAD



SKETCH FOR CONSENT TO SEVER  
**192 FRUITLAND ROAD**  
 CITY OF HAMILTON

SCALE 1:500

THE ABOVE NOTED LANDS ARE  
 PART OF LOT 14  
 CONCESSION 2  
 GEOGRAPHIC TOWNSHIP OF SALTFLEET

**METRIC:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES:**  
 REFER TO SURVEY BY A.J. CLARKE & ASSOCIATES LTD. DATED  
 MAY 20, 2022 (FILE T-3386)  
 THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL  
 COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION  
 TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT  
 OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

**CONSENT SCHEDULE:**

PART 1 (LANDS TO BE RETAINED)	AREA= 839.34m <sup>2</sup>
PART 2 (PROPOSED SEVERANCE)	AREA= 5,744.64m <sup>2</sup>

**CAUTION:**  
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE  
 USED FOR TRANSACTION OR MORTGAGE PURPOSES.

MAY 26, 2022  
 DATE

NICHOLAS P. MUTH  
 ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
 SURVEYORS • PLANNERS • ENGINEERS  
 25 MAIN STREET WEST, SUITE 300  
 HAMILTON, ONTARIO, L8P 1H1  
 TEL. 905-528-8761 FAX 905-528-2289  
 email: ajc@ajclarke.com

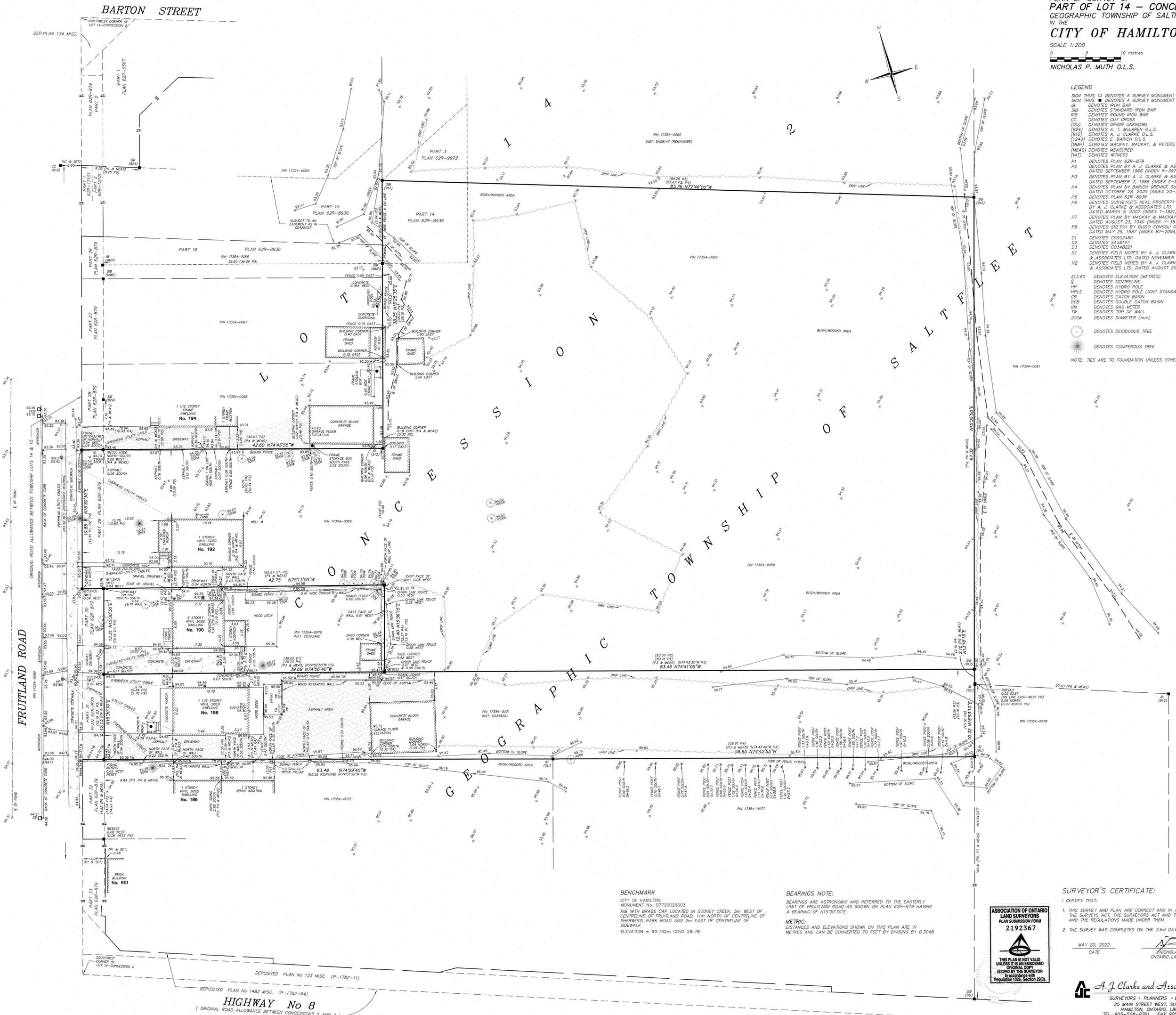
E-18756

H:\Jobs\N-ro-S\Site\18756\CONDO\LOT14\188-192 Fruitland Road (228009D)\CURRENT\E-18756.dwg

PLAN OF SURVEY OF  
PART OF LOT 14 - CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF SALTFL EET  
IN THE  
CITY OF HAMILTON

SCALE 1:200  
0 5 10 metres  
NICHOLAS P. MUTH O.L.S.

- LEGEND**
- SN THUS □ DENOTES A SURVEY MONUMENT PLANTED
  - SN THUS ■ DENOTES A SURVEY MONUMENT FOUND
  - IB DENOTES IRON BAR
  - SB DENOTES STANDARD IRON BAR
  - PIB DENOTES PIVOT IRON BAR
  - CC DENOTES CUT CROSS
  - (OU) DENOTES ORIGIN UNKNOWN
  - (S24) DENOTES S. T. McLAREN O.L.S.
  - (912) DENOTES A. J. CLARKE O.L.S.
  - (1243) DENOTES E. BARICH O.L.S.
  - (MMP) DENOTES MACKAY, MACKAY, & PETERS O.L.S.
  - (MEAS) DENOTES MEASURED
  - (WT) DENOTES WITNESS
  - P1 DENOTES PLAN 62R-879
  - P2 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED SEPTEMBER 1988 (INDEX R-397)
  - P3 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED SEPTEMBER 7, 1988 (INDEX E-8802)
  - P4 DENOTES PLAN BY BARICH GRENNIE SURVEYING LTD. DATED OCTOBER 28, 2020 (INDEX 20-2702)
  - P5 DENOTES PLAN 62R-8936
  - P6 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. J. CLARKE & ASSOCIATES LTD. DATED MARCH 9, 2007 (INDEX T-1821)
  - P7 DENOTES PLAN BY MACKAY & MACKAY O.L.S. DATED AUGUST 23, 1940 (INDEX T-3974)
  - P8 DENOTES SKETCH BY GUIDO CONSOLI O.L.S. DATED MAY 29, 1987 (INDEX 87-209A)
  - D1 DENOTES CD502480
  - D2 DENOTES S458147
  - D3 DENOTES CD348221
  - N1 DENOTES FIELD NOTES BY A. J. CLARKE & ASSOCIATES LTD. DATED NOVEMBER 6, 2006
  - N2 DENOTES FIELD NOTES BY A. J. CLARKE & ASSOCIATES LTD. DATED AUGUST 20, 1998
  - 213.80 DENOTES ELEVATION (METRES)
  - DENOTES CENTRELINE
  - HP DENOTES HYDRO POLE
  - HPLS DENOTES HYDRO POLE LIGHT STANDARD
  - CB DENOTES CATCH BASIN
  - DCB DENOTES DOUBLE CATCH BASIN
  - GM DENOTES GAS METER
  - TW DENOTES TOP OF WALL
  - 200# DENOTES DIAMETER (mm)
  - DENOTES DECIDUOUS TREE
  - DENOTES CONIFEROUS TREE
- NOTE: TIES ARE TO FOUNDATION UNLESS OTHERWISE NOTED



**BENCHMARK**  
CITY OF HAMILTON  
MONUMENT No. 07720020003  
RIB WITH BRASS CAP LOCATED IN STONEY CREEK, 5m WEST OF CENTRELINE OF FRUITLAND ROAD, 11m NORTH OF CENTRELINE OF SHERWOOD PARK ROAD AND 2m EAST OF CENTRELINE OF SIDEWALK  
ELEVATION = 90.742m CGVD 28:78

**BEARINGS NOTE:**  
BEARINGS ARE ASTROMONIC AND REFERRED TO THE EASTERLY LIMIT OF FRUITLAND ROAD AS SHOWN ON PLAN 62R-879 HAVING A BEARING OF N15°30'30"E.  
**METRIC:**  
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE:**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 23rd DAY MARCH OF 2022.  
MAY 20, 2022  
DATE  
NICHOLAS P. MUTH  
ONTARIO LAND SURVEYOR



**A. J. Clarke and Associates Ltd.**  
SURVEYORS • PLANNERS • ENGINEERS  
25 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-8761 FAX 905-528-2289  
email: ajc@ajclarke.com

*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development  
City Hall 5<sup>th</sup> Floor  
71 Main St W, Hamilton, ON L8P 4Y5

October 12, 2022

Attn: Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment (email: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca))

**Re: 188 and 192 Fruitland Road, Stoney Creek – Severance Application Submission**

---

Dear Madam:

A.J Clarke and Associates Ltd. has been retained by the Warm Homes, care of Nik Miskovic, for the purposes of submitting the enclosed Severance Application Submission. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form for 188 Fruitland Road;
- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form for 192 Fruitland Road;
- One (1) cheque in the amount of \$5,970.00 representing the required application fees for both severance applications;
- One (1) cheque in the amount of \$845 to the Hamilton Conservation Authority representing the required Minor Review Fees;
- One (1) electronic copy of the Topographic Survey, dated May 20, 2022, depicting the subject lands.
- One (1) electronic copy of the Severance Sketch for 188 Fruitland Road (E-18757)
- One (1) electronic copy of the Severance Sketch for 192 Fruitland Road (E-18756)

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan and are further designated as “Low Density Residential 2” and “Low Density Residential 3” as per Map B.7.4-1 of the Fruitland-Winona Secondary Plan. The subject lands are zoned “RR – Rural Residential” Zone and the proposed lands to be severed from 192 Fruitland Road are zoned “AS – Agriculture Specialty” in the City of Stoney Creek Zoning By-law 3692-92. The lands are currently occupied by one single-detached dwelling each and several accessory buildings. The detached garage belonging to 188 Fruitland Road is set to be demolished as are the frame sheds in the proposed severed lands at 192 Fruitland Road.

The owners of 669 Highway No. 8, the adjacent property, have purchased the subject lands. The purpose and intent of the proposal is to merge the severed parts proposed with the lands at 669 Highway No. 8 for the purpose of future residential land development while retaining the existing single detached dwellings fronting onto Fruitland Road.



The resultant lots will be as follows:

### 192 Fruitland Road

	Area	Frontage
Part 1	839 m <sup>2</sup>	19.8m
Part 2 (to be merged)	5744.64 m <sup>2</sup>	N/A

### 188 Fruitland Road

	Area	Frontage
Part 1	1,044m <sup>2</sup>	12.1m
Part 2 (to be merged)	5744.64 m <sup>2</sup>	N/A

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available Development Review Team date. If you have any questions or require additional information, please do not hesitate to contact this office.

Yours truly,

Ryan Ferrari MCIP, RPP  
 Planner  
 A.J Clarke and Associates Ltd.

Copy: Nik Miskovic  
[nik@warmhomes.ca](mailto:nik@warmhomes.ca)



Hamilton

**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR CONSENT TO SEVER LAND**  
**UNDER SECTION 53 OF THE *PLANNING ACT***

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

**1 APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			<b>Phone:</b>
			<b>E-mail:</b>
<b>Registered Owners(s)</b>	Fruitland Property Group Inc.		
<b>Applicant(s)**</b>	Warm Homes c/o Nik Miskovic		
<b>Agent or Solicitor</b>	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.3 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Stoney Creek	Lot Pt Lot 14	Concession 2	Former Township Saltfleet
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 192 Fruitland Road	Assessment Roll N°.		

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

### 3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot  
 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:

Fruitland Property Group Inc.

3.3 If a lot addition, identify the lands to which the parcel will be added:

669 Highway No. 8

### 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed (lease, easement, charge etc.):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
n/a	83.76	5,744.64 sq m

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: two frame sheds

Proposed: future residential development

Existing structures to be removed: two frame sheds

Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year
- right of way  
 other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
19.85 m	42.75 m	839.34 sq m

Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (**O. Reg. 786/21**)

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Proposed Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related
- Commercial  
 Vacant

Building(s) or Structure(s):

Existing: single detached dwelling

Proposed: existing single detached dwelling - no change

Existing structures to be removed: none

Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year
- right of way  
 other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify)

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify)

4.3 Other Services: (check if the service is available)

- electricity     telephone     school bussing     garbage collection

**5 CURRENT LAND USE**

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) UHOP: "Neighbourhoods", 2ndary Plan: "Low Density Res. 2 & 3" \_\_\_\_\_

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

Fruitland-Winona Secondary Plan states the area is planned to accommodate an estimated population of approximately 15,400 people, at a density of 70 persons/jobs per hectare. New residential development on severed lands will Strengthen Existing Neighbourhoods, while creating a safe, functional, attractive and distinguishable community with a mix of housing types in a more compact form allowing for higher densities without impeding views of the escarpment

## 5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? "RR - Rural Residential" and "AS - Agriculture Specialty" as per City of Stoney Creek Zoning By-law 3692-92

## 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"/>	0 metres (abutting lands)
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"/>	95-125 m: "GC" - HVAC sales, hair salon, post office
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

\*Complete MDS Data Sheet if applicable

## 6 PREVIOUS USE OF PROPERTY

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No       Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No       Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No       Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown