



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

**Meeting #:** 23-05  
**Date:** March 30, 2023  
**Time:** 1:00 p.m.  
**Location:** Room 264, 2nd Floor, City Hall (hybrid) (RM)  
71 Main Street West

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

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	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
1.1 1:10 p.m.GL/A-23:163033 Binbrook Road, Glanbrook (Ward 11)  Agent UrbanSolutions Planning & Land Development Consultants Inc. – M. Johnston Owner Binbrook Heritage Developments Inc.	5
<b>2. URBAN</b>	
2.1 1:15 p.m.HM/A-23:44162 Haddon Avenue South, Hamilton (Ward 1)  Agent J. Last Owner N. Nam	19
2.2 1:20 p.m.HM/A-23:3221 Wood Street West, Hamilton (Ward 2)  Agent L. Sayegh Owners C. Brown & D. Michor	31
2.3 1:25 p.m.HM/A-23:3088 Tisdale Street South, Hamilton (Ward 3)  Agent M.I Isotti Pongetti Owner J. & M. Dupont	59

2.4	1:30 p.m.HM/A-23:39113 Hillyard Street, Hamilton (Ward 3)	95
	Owners M. Bastidas & I. Pena	
2.5	1:35 p.m.HM/A-23:021821 King Street East, Hamilton (Ward 4)	107
	Agent S. Arfa	
	Owner F. Al Dabbagh	
2.6	1:40 p.m.SC/A-23:341 Brandow Court, Hamilton (Ward 5)	133
	Agent J. Bognar	
	Owner M. Jalsevac	
2.7	1:45 p.m.HM/A-23:0649 Greenford Drive, Hamilton (Ward 5)	151
	Agent M. Raja	
	Owner S. & G. Awan	
2.8	1:50 p.m.HM/A-23:42755 Beach Boulevard, Hamilton (Ward 5)	163
	Agent Alto Mar Construction c/o M. Baccala	
	Owner N. Lundy & S. Reddam	
2.9	1:55 p.m.SC/A-23:43100 King Street West, Hamilton (Ward 5)	191
	Agent P. Tewari	
	Owner D. Rajsic	

### 3. SUBURBAN

3.1	2:00 p.m.HM/A-23:46238 East 11th Street, Hamilton (Ward 7)	207
	Agent Jarvis Design Firm	
	Owner G. & R. Spencer	
3.2	2:05 p.m.SC/B-23:0844 West Avenue, Stoney Creek (Ward 10)	229
	Owners A. & R. Franco	
3.3	2:10 p.m.SC/A-23:28394 Winona Road, Stoney Creek (Ward 10)	243
	Agent IBI Group – J. Marcus	
	Owner 2782488 Ontario Inc.	

- 3.4 2:20 p.m.GL/B-23:073334 Homestead Drive, Glanbrook (Ward 11) 259  
 Agent Gateway Management Inc. – R. Valvasori  
 Applicant – 1333664 Ontario Inc.  
 Owners J. & G. Tavormina
- 3.5 2:20 p.m.GL/A-23:253334 Homestead Drive, Glanbrook (Ward 11) 273  
 Agent Gateway Management Inc. – R. Valvasori  
 Applicant – 1333664 Ontario Inc.  
 Owners J. & G. Tavormina
- 3.6 B R E A K
- 3.7 2:40 p.m.HM/A-23:338 Wall Street, Hamilton (Ward 14) 285  
 Agent A. Bartolini  
 Owner V. DiMauro
- 3.8 2:45 p.m.AN/A-23:26336 Clarendon Drive, Ancaster (Ward 12) 297  
 Agent Parkeight Inc. – P. VandenArend  
 Owner B. Davis & J. Dooley
- 3.9 2:50 p.m.AN/A-23:40280 Wilson Street East, Ancaster (Ward 12) 313  
 Agent GSP Group Inc. – J. Liberatore  
 Owner 998071 Ontario Inc.

#### 4. RURAL

- 4.1 2:55 p.m.AN/A-23:45548 Weir Road, Ancaster (Ward 12) 341  
 Agent BNK Design & Construction – N. Borgdorff  
 Owner B. Huizinga
- 4.2 3:00 p.m.AN/A-23:362004 Governor's Road, Ancaster (Ward 12) 357  
 Agent BM Design Studio - B. McFagden  
 Owner N. Dirago
- 4.3 3:05 p.m.AN/A-23:413236 Jerseyville Road West, Ancaster (Ward 12) 369  
 Owners S. & A. Tipping

- 4.4 3:10 p.m.SC/A-23:29743 Green Mountain Road East, Stoney Creek (Ward 9) 407  
Owners V. & M. Manojlovich
- 4.5 3:15 p.m.DN/A-22:37725 Witherspoon Street, Dundas (Ward 13) 419  
Agent Carrothers & Associates - D. Carrothers  
Owner D. & J. McNeil
- 4.6 3:20 p.m.FL/A-23:38854 Concession 6 West, Flamborough (Ward 13) 439  
Owners D. & J. Carson
- 4.7 3:25 p.m.FL/A-23:371417 Centre Road, Flamborough (Ward 15) 453  
Agent K. Webster  
Owner R. Posavad
- 4.8 3:30 p.m.FL/A-23:314 Tristan Court, Flamborough (Ward 15) 465  
Agent A. Nielsen  
Owner C. Ford
- 4.9 3:35 p.m.FL/A-23:27118 Main Street North, Flamborough (Ward 15) 477  
Owner G. Page
- 4.10 3:40 p.m.FL/B-23:09191 Mill Street South, Flamborough (Ward 15) 489  
Agent M. Desrochers  
Owner H. & A. Desrochers

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>GL/A-23:16</b>	<b>SUBJECT PROPERTY:</b>	3033 BINBROOK ROAD, GLANBROOK
<b>ZONE:</b>	"C3-317" (General Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law former Township of Glanbrook 464, as Amended 21-087

**APPLICANTS:** Owner: BINBROOK HERITAGE DEVELOPMENTS INC.  
Agent: URBAN SOLUTIONS PLANNING C/O MATT JOHNSTON

The following variances are requested:

1. A maximum building height 26 metres and 7 storeys shall be provided instead of the required maximum building height of 26 metres and 6 storeys.

**PURPOSE & EFFECT:** So as to permit an increase in building height for the proposed mixed-use apartment building notwithstanding that:

**Notes:**

- i. Site Plan Application DA-17-107, which received conditional approval from the Ontario Land Tribunal on May 14, 2021, remains under review and is pending final approval. The conditionally approved plans provided within the Site Plan Application appear to have been altered to include the 7th storey addition, however the building footprint, parking, landscaping and other site requirements appear to remain the same as the original Site Plan submitted through DA-17-107. As such, the Zoning comments provided through DA-17-107 on February 1st, 2023, are still applicable regarding all setback, parking, landscaping and area requirements.
- ii. Please note, the variance has been written exactly as requested by the applicant. As per the above comment, the applicant has requested an increase to the maximum height from 6 storeys to 7 storeys, however areas of non-compliance as highlighted in the Zoning comments through DA-17-107 have not been addressed. The applicant shall confirm if the deficiencies, as indicated within the above provided Zoning comments, can be addressed through alterations to the Site Plan or if Variances are required.

**GL/A-23:16**

- iii. The following variances may be required should the plan remain as shown.
- a. Please note, as per this review and the comments provided with Site Plan resubmission for DA-17-107, the 4th storey balcony (terrace) appears to encroach into the Westerly side yard a maximum of 1.241 metres, whereas site specific zone C3-317 has varied Section 7.26 (b) in its entirety and only permits a 1.5 metre yard encroachment within the Easterly Side Yard. No amendment has been provided to address the encroachment of the 4th storey balcony (terrace) within the Westerly Side Yard. As such, a variance may be required to permit the balcony to encroach within the side yard.
  - b. Please note, as per this review and the comments provided with Site Plan resubmission for DA-17-107, the 5th storey balcony (terrace) balcony appears to be setback approximately 3 metres from the side lot line and would encroach into the Easterly side yard a maximum of 6.5 metres, whereas site specific zone C3-317 permits a maximum of 1.5m encroachment into the Westerly side yard. As such, a variance may be required to permit the balcony to encroach within the side yard.
- iv. Be advised, insufficient information provided to determine zoning requirements for the proposed Apartment building as it pertains to Minimum Building Setback from a Street Line, Maximum Building Setback from a Street Line Rear Yard, Minimum Ground Floor Façade Facing a Street, Parking/ Loading requirements and Minimum Area for a Landscaped Parking Island. Should the proposed Dwelling not be in compliance with any applicable Sections of Glanbrook Zoning By-Law 464, additional variances may be required.

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

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

<b>DATE:</b>	<b>Thursday, March 9, 2023</b>
<b>TIME:</b>	<b>2:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- 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

GL/A-23:16

**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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:16, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 **Subject Lands**

DATED: January 31, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

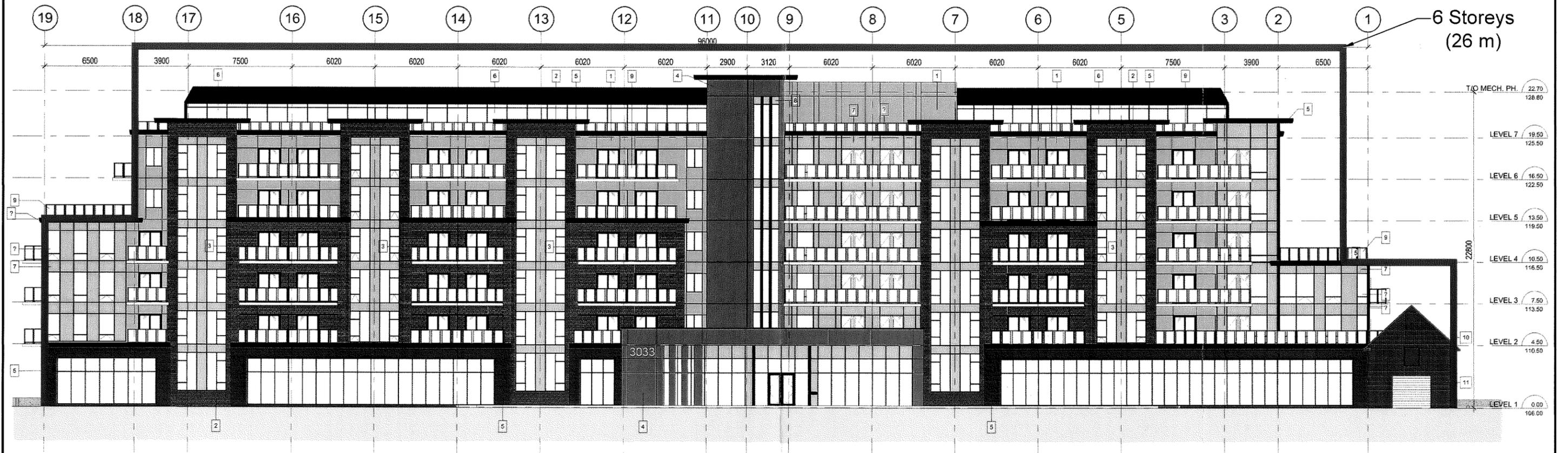
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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





MINOR VARIANCE SKETCH 2

PROPOSED VARIANCE: TO PERMIT 7 STOREYS (26 m)



1 NORTH ELEVATION  
1:150

— OLT- PL170981 APPROVED AS OF RIGHT BUILDING ENVELOPE

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT

**srm**  
ARCHITECTS INC.



**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)		
Applicant(s)		
Agent or Solicitor		

- 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	3033-3063 Binbrook Road		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot	1, Block 4	Concession 4	
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:

N/A

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### 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 refer to 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?

Please refer to 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
+/- 127.10 metres	+/- 66.80 metres	+/- 7,434.80 square metres	+/- 20.10 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: Please refer to the enclosed Survey.

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
4 Single Detached Dwellings to be demolished.				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Please refer to enclosed Minor Variance Sketches.				

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
4 Single Detached Dwellings to be demolished.				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Please refer to enclosed Minor Variance Sketches.				

- 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.):  
Mixed use building consisting of 134 residential units and 399.58 square metres of commercial area on the ground floor.

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

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**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
Unknown

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

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

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

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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) Mixed Use - Medium Density (UHOP); Mixed Use - Medium Density - Pedestrian Focused Site Specific Policy Area S in the Binbrook Village Secondary Plan

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

Please refer to Cover Letter.

7.6 What is the existing zoning of the subject land? "C3-317" General Commercial Zone in the Township of Glanbrook Zoning By-law No. 464

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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: By-law No. 21-087

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

Yes  No

If yes, please provide the file number:

N/A

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7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No N/A

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4 Single Family Dwellings

8.2 Number of Dwelling Units Proposed: 134 units contained on upper storeys

8.3 Additional Information (please include separate sheet if needed):

Please refer to the enclosed Cover Letter and Minor Variance Sketches.

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_





Hamilton

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:44</b>	<b>SUBJECT PROPERTY:</b>	162 HADDON AVENUE S, HAMILTON
<b>ZONE:</b>	"C" (Urban Protected Residential, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: NICCOLINA NAM  
Agent: AT LAST HOMES C/O JEFF LAST

The following variances are requested:

1. The proposed second storey cantilevered addition does not comply with the minimum front yard requirement of 6.0 metres according to the Zoning By-law. A minor variance is required to reduce the minimum front yard setback from 6.0 metres to 2.73 metres.

**PURPOSE & EFFECT:** To permit the construction of cantilevered second storey addition on an existing single detached dwelling.

**Notes:** N/A

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<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>1:15 p.m.</b>
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	<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>

**HM/A-23:44**

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

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**FURTHER NOTIFICATION**

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HM/A-23:44



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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Hamilton

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## PARTICIPATION PROCEDURES

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

#### 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.







**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)		
Applicant(s)		
Agent or Solicitor		

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent [REDACTED]

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	162 Haddon Ave South, Hamilton L8S 1Y1		
Assessment Roll Number	25 18 010 045 0220 0000		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	767	Lot(s)	32
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:

T/W and S/T right of way in VM184053

### 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:

Construct 2nd story addition

REDUCED SETBACK FOR FRONT YARD. MAXIMUM GROSS FLOOR AREA OF ~~2114~~<sup>2</sup> 146.04. EXISTING FRONT PORCH 6' OFF EXISTING FOUNDATION

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. + MAXIMUM GROSS FLOOR AREA IS EXCEEDED

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12.19m	29.57m	360.45 sq m	7.36m

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
1 story brick dwelling	5.93m	14.77m	2.27m	01/01/1946

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2nd floor addition	2.73m	14.77m	2.27m	01/05/2023

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
Single detached family dwelling	66.42 sq m	66.42 sq m	1	5.4m
Detach Garage	44.59 sq m	44.59 sq m	1	<del>1.8m</del> 4.2m

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2nd floor addition	66.42 sq m	146.04	2	8.38m

## 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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
August 28th, 2003

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:  
19.5 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) LOW DENSITY RES. 2

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/S-1335 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: C/S-1335 Residential

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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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-23:32</b>	<b>SUBJECT PROPERTY:</b>	21 WOOD STREET 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: CHRISTOPHER BROWN & DAVID MICHOR  
Agent: LOUIE SAYEGH

The following variances are requested:

1. A front yard depth of 0.0m shall be provided instead of the minimum required 6.0m front yard depth.
2. An uncovered porch may be located 0.0m from the front lot line whereas an uncovered porch shall be a minimum 1.5m from the front lot line.
3. A westerly side yard width of 0.0m shall be provided instead of the minimum required 1.2m side yard width.

**PURPOSE & EFFECT:** So as to permit the construction of a new front yard addition and porch, along with a new side yard addition to the existing Single-Family Dwelling.

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</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</b>

**HM/A-23:32**

	<b>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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:32, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

HM/A-23:32



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

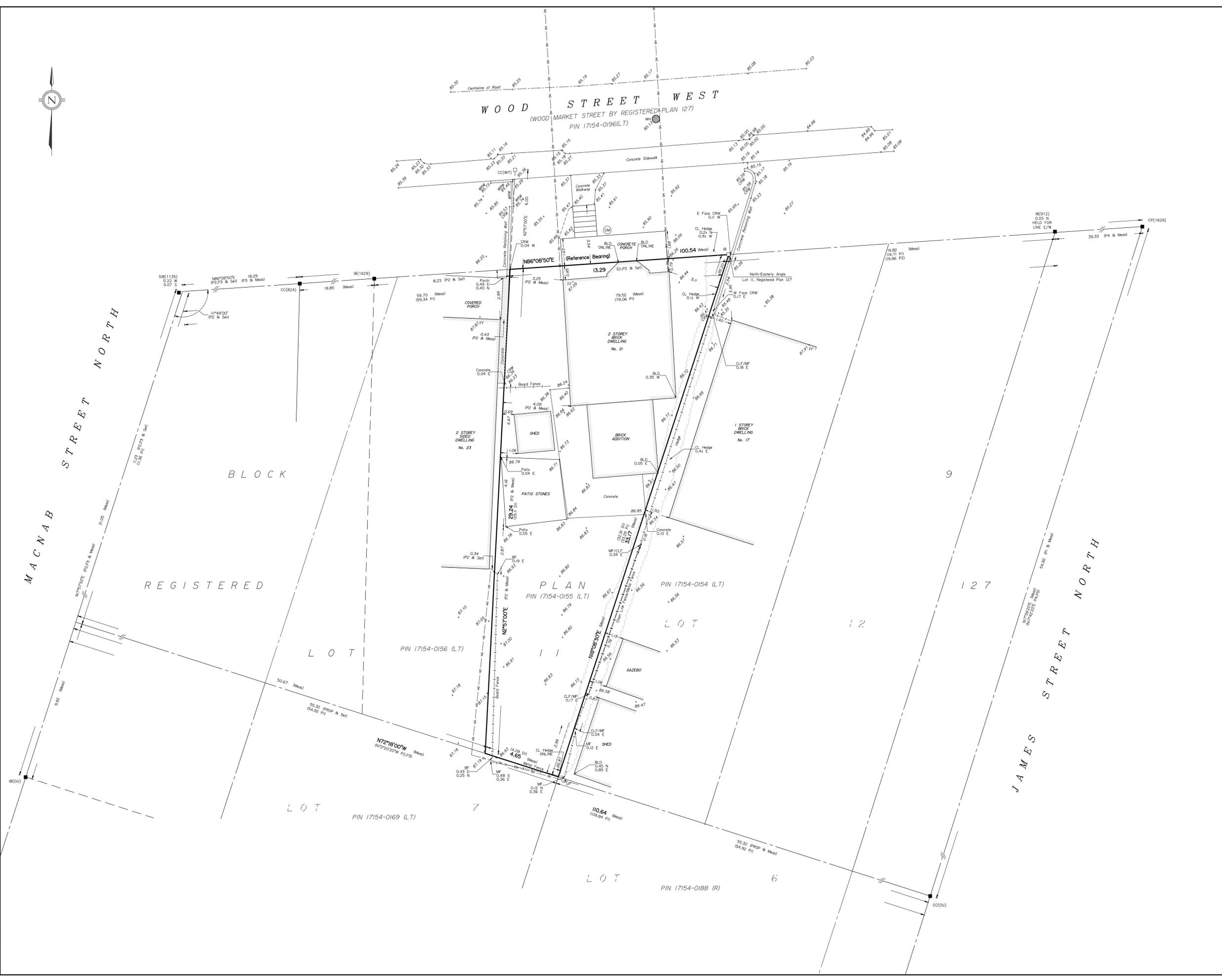
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**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1**  
**PLAN WITH TOPOGRAPHIC DETAIL**  
**PART OF LOT 11, BLOCK 9**  
**REGISTERED PLAN 127**  
**IN THE**  
**CITY OF HAMILTON**  
**SCALE & NOTES**  
 Scale 1:100

**BARICH GRENKIE SURVEYING LTD.**  
 A DIVISION OF GEOMAPLE  
 © COPYRIGHT 2022

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

**ELEVATION NOTE**  
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 00119650666 HAVING AN ELEVATION OF 85.483 m.

**BEARING NOTE**  
 BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF WOOD STREET WEST AS SHOWN ON PLAN 62R-3218 HAVING A BEARING OF N86°08'50"E.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CP	DENOTES	CONCRETE PIN
CC	DENOTES	CUT CROSS
OU	DENOTES	ORIGIN UNKNOWN
824	DENOTES	A. T. McLAREN, O.L.S.
912	DENOTES	A. J. CLARKE, O.L.S.
1135	DENOTES	L. G. WOODS, O.L.S.
1629	DENOTES	B. A. JACOBS, O.L.S.
P1	DENOTES	REGISTERED PLAN 127
P2	DENOTES	PLAN BY B. A. JACOBS, O.L.S. DATED JULY 20, 1999
P3	DENOTES	PLAN 62R-11765
P4	DENOTES	PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED JANUARY 14, 1993
P5	DENOTES	PLAN BY B. A. JACOBS, O.L.S. DATED MARCH 18, 2022
D1	DENOTES	INSTRUMENT No. VM149789
MH	DENOTES	MANHOLE
UP	DENOTES	UTILITY POLE
CRW	DENOTES	CONCRETE RETAINING WALL
WRW	DENOTES	WOOD RETAINING WALL
BF	DENOTES	BOARD FENCE
MF	DENOTES	METAL FENCE
CLF	DENOTES	CHAIN LINK FENCE
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
WT	DENOTES	WITNESS
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
GM	DENOTES	GAS METER



THIS PLAN WAS PREPARED FOR TEAM SHANE AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 2**  
**DESCRIPTION SUMMARY** - LANDS DESCRIBED IN PIN 17154-0055 (LT), PART OF LOT 11, BLOCK 9, REGISTERED PLAN 127  
**REGISTERED EASEMENTS/RIGHTS-OF-WAY** - NONE FOUND ON TITLE.  
**ADDITIONAL REMARKS** - MAKE NOTE OF THE LOCATION OF FENCES, RETAINING WALLS, CONCRETE AND BUILDINGS AS SHOWN ON THE FACE OF THE PLAN.  
**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS** - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BYLAWS

**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 SEPTEMBER 16, 2022.

SEPTEMBER 16, 2022

ERIC G. SALZER  
 O.L.S., O.L.I.P.

**Barich Grenkie**  
**Surveying Ltd.**  
 301 HWY No. 8 (DND FLOOR) STONEY CREEK, ON  
 L8G 1E8 (905) 662-6767

DWN BY: EWA  
 CHK BY: EGS  
 JOB No. 22-3002

A DIVISION OF GEOMAPLE

# RENOVATION TO: MICHOR-BROWN

21 WOOD ST W HAMILTON ON L8L 1G1

### GENERAL NOTES

- O.B.C. TO BE UNDERSTOOD AS ONTARIO BUILDING CODE 2012 LATEST EDITION AND AMENDMENTS.
- ALL STAGES OF CONSTRUCTION SHALL CONFORM WITH O.B.C.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR TO REVIEW AND VERIFY ALL DIMENSIONS PRIOR TO AND DURING CONSTRUCTION. ALL DISCREPANCIES TO BE REPORTED TO DESIGNER.
- ALL WALL & CEILINGS BETWEEN DWELLING UNIT AND GARAGE ARE TO BE GAS PROOFED AND INSULATED TO ENERGY EFFICIENCY SUMMARY
- SEE ELEVATIONS AND FLOOR PLANS FOR WALL AND CEILING HEIGHTS. ANY DISCREPANCIES ARE TO BE REPORTED TO DESIGNER.
- WOOD IN CONTACT WITH CONCRETE OR MASONRY TO BE SEPARATED WITH MINIMUM 2 MIL. POLY UNLESS OTHERWISE NOTED ON DRAWINGS.
- SMOKE AND CO DETECTORS TO BE LOCATED AT EACH LEVEL. SMOKE ALARMS LOCATED IN EACH BEDROOM AND ARE TO BE INTERCONNECTED AS PER 9.10.19, 9.33.4.
- ALL LIGHTING AND ELECTRICAL AS PER O.B.C. 9.34.
- ATTIC ACCESS TO BE INSULATED MIN. R20 AND WEATHER STRIPPED.
- WHERE CERAMIC FLOORING IS INSTALLED THE SUB-FLOOR SHALL BE REINFORCED AS PER O.B.C. 9.30.6.3.
- PROVIDE MIN. #5" HEADROOM BELOW ALL BEAMS & DUCTWORK.
- STUD WALL REINFORCEMENT SHALL BE INSTALLED IN "MAIN BATHROOMS" WITHIN A DWELLING UNIT ACCORDING TO OBC 9.5.2.3.
- BLOCKING IN WALLS - WHERE INDICATED, BLOCKING IS TO BE INSTALLED BETWEEN OR AGAINST STUDS IN THE WALLS ADJACENT TO THE TOILET, SHOWER AND/OR BATHTUB TO SUPPORT INSTALLATION OF GRAB BARS IN ACCORDANCE WITH OBC 9.5.2.3.
- BLOCKING LOCATION IN WALLS TO BE IN ACCORDANCE WITH GRAB BARS OBC 9.5.2.3.
- MECHANICAL:
  - ALL EXHAUST FANS TO BE VENTED TO EXTERIOR. EXHAUST FAN DUCT SIZE AS PER OBC 9.32 OR PART 6 (F328 STANDARD); VENTED RANGE HOODS TO BE VENTED TO EXTERIOR WITH NON-COMBUSTIBLE DUCTING
  - DRYER VENTING AS PER OBC 9.32.1.4.
  - HVAC DRAWINGS TO BE DESIGNED BY OTHERS AS PER OBC DRAWINGS TO BE PROVIDED TO TBOUMA DESIGN AND DRAFTING PRIOR TO FINALIZED WORKING DRAWINGS. DRAWINGS NOT FOR APPROVAL, JUST TO BE PROPERLY INCORPORATED INTO PLANS AND ON RECORD.
  - HRV / ERV TO BE BALANCED POST CONSTRUCTION
  - UNLESS EXEMPT BY ENERGY AUDIT, EACH DWELLING MUST HAVE A DRAIN WATER HEAT RECOVERY AS PER ENERGY EFFICIENCY PACKAGE SELECTED. ENSURE A MIN. OF (2) SHOWER DRAIN INTO ONE UNIT.
  - EVERY STOREY WHERE PLUMBING IS OR MAY BE INSTALLED INCLUDING THE BASEMENT OF HOUSE EXTEND VENTING FOR FUTURE CONNECTIONS PROVIDE A VENT PIPE AT LEAST 1 1/2" IN SIZE AS PER OBC 7.5.5.3.5 (2)
  - BACKWATER VALVE REQUIRED TO BE INSTALLED ON THE SANITARY BUILDING DRAIN AS PER OBC 7.4.6.4. (MAINLINE ADAPT-A-VALVE OR APPROVED EQUAL)
  - PROVIDE SUMP PIP AND SEALED COVER FOR DRAINAGE AS PER OBC 9.14

### DESIGNER

- REGISTRATION: NAME OF REGISTRATION FIRM TBOUMA DESIGN INC. REGISTRATION NUMBER ASSIGNED BY DIRECTOR 104857
- CONTRACTOR IS TO OBTAIN QUALIFIED DESIGNERS FOR ALL ENGINEERS STRUCTURAL MEMBERS AND SYSTEMS WHERE INDICATED DESIGNED BY OTHERS ON DRAWINGS
- DESIGNER ASSUMES NO RESPONSIBILITY FOR FAILURE OF THE CONTRACTOR OR SUB-CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THESE DRAWINGS
- SINGLE PAGES OF THESE DRAWINGS NOT TO BE READ INDEPENDENTLY OF ALL PAGES OF THE WHOLE DRAWING SET.
- CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THE WORKING DRAWING SET. ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK.
- ANY MODIFICATIONS TO THE DESIGN SHALL NOT BE MADE WITHOUT AGREEMENT BETWEEN DESIGNER AND CONTRACTOR. DOCUMENTATION SHALL BE THE ONLY FORM OF ACCEPTANCE.
- WHEN DRAWINGS ARE TO BE MODIFIED OR CHANGES ARE TO BE MADE THE BUILDING DEPARTMENT WILL BE NOTIFIED FOR PURPOSE OF REVIEW PRIOR TO CONSTRUCTION.
- UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUB-CONTRACTOR PROCEED IF THERE IS ANY UNCERTAINTY. DESIGNER SHALL BE CONTACTED.
- THE DRAWINGS THAT ARE APPROVED AND STAMPED BY THE BUILDING DEPARTMENT ARE TO BE THE ONLY TRUE DRAWINGS AND ARE TO BE ACCESSIBLE TO ALL CONTRACTORS AND SUB-CONTRACTORS AT ALL TIMES WITHIN THE JOB SITE TILL ALL WORK IS COMPLETED.

### STAIRS

STAIR TYPE	RISE		RUN		TREAD		STAIR HEAD WIDTH ROOM	
	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN
PRIVATE	7.75"	5"	14"	10"	14"	9.14"	33.75"	6.5"
PUBLIC	7"	8"	N/A	11"	N/A	11"	35.12"	6.3"

- ALL STAIR COMPONENTS TO CONFORM TO O.B.C. STANDARDS.
- MAX. NOSING = 1" UNIFORM RUN / RISE
- GUARDS:
  - MIN. HEIGHT = 36"
  - MAX. HEIGHT = 34"
  - NON-CRIMPABLE
  - NON-CLIMBABLE
- EXTERIOR GUARDS:
  - 2'-0" TO 5'-11" ABOVE FINISHED GRADE MIN. HEIGHT = 36"
  - OVER 5'-11" ABOVE GRADE MIN. HEIGHT = 42"
- ALL GUARDS TO BE CONSTRUCTED TO O.B.C. STANDARDS

### DOORS AND WINDOWS

- ALL EXTERIOR DOORS TO BE METAL INSULATED OR WOOD WITH STORM DOOR WITH WEATHER STRIPPING
- DOOR BETWEEN GARAGE AND DWELLING TO BE WEATHER STRIPPED AND GAS TIGHT EXTERIOR TYPE DOOR WITH SELF CLOSING DEVICE.
- DOOR AT COLD STORAGE TO BE EXTERIOR TYPE DOOR.
- ALL WINDOWS AND DOORS AS PER ENERGY EFFICIENCY DESIGN SUMMARY OR ATTACHED BOP BY OTHERS
- ALL EXTERIOR DOORS AND WINDOWS TO COMPLY WITH FORCED ENTRY REQUIREMENTS, O.B.C. 9.7.2.2. AND 9.7.4.
- FLOOR LEVELS CONTAINING BEDROOMS TO HAVE ONE OPERABLE WINDOW WITH A MINIMUM UNOBSTRUCTED OPEN AREA OF 3.8 SQ. FT. WITH NO DIMENSION LESS THAN 15"
- MAIN ENTRANCE DOORS TO HAVE DOOR VIEWER UNLESS TRANSPARENT GLAZING IS PROVIDED IN DOOR OR A SIDE LIGHT.
- UNDERCUT ALL DOORS TO ROOMS WITHOUT RETURN AIR INLET.
- EGRESS WINDOWS / WELLS SHALL BE AS PER OBC 9.9.10.1

### STRUCTURAL

- ALL LUMBER TO COMPLY WITH O.B.C SPECIFICATIONS AND STANDARDS.
- ALL STRUCTURAL LUMBER TO BE OF SPEC #2 OR BETTER.
- ALL PRE-ENGINEERED FLOOR AND ROOF TRUSS DESIGN AND LAYOUT TO BE DESIGNED BY OTHERS AND CONFORM TO O.B.C SPECIFICATIONS ALL DRAWINGS TO BE PROVIDED TO TBOUMA DESIGN AND DRAFTING, NOT FOR APPROVAL, JUST TO BE PROPERLY INCORPORATED INTO PLANS AND ON RECORD.
- AS NOTED ON DRAWINGS STUDS TO BE USED AS BEARING POINTS WHERE IT IS APPLICABLE.
- ALL BEAMS TO HAVE MINIMUM 3 1/2" BEARING AT BOTH ENDS BEARING TO BE CONTINUOUS TO FOUNDATION
- DOUBLE JOISTS AROUND STAIRWELL UNLESS OTHER WIDE NOTED BY PRE-ENGINEERED FLOOR DESIGNER.
- TRUSS FABRICATORS ENGINEER CERTIFIED DRAWINGS REQUIRED FOR APPROVAL BY BUILDING DEPARTMENT
- SOLID BLOCKING TO BEARING BELOW TO BE PROVIDED AT ALL GIRDER TRUSS AND BEAM LOCATIONS IN WIDTH EQUAL TO WIDTH OF BEARING POINT OVER) VERIFY WITH TRUSS DRAWINGS

### FOUNDATION

- CONTRACTOR TO VERIFY SOIL CONDITIONS PRIOR TO PLACING OF FOOTINGS. ANY ABNORMALITIES TO BE REPORTED TO DESIGNER
- STEP FOOTINGS TO BE DESIGNED AS PER O.B.C. 9.15.3.9.
  - MAX RISE SHALL NOT EXCEED 23 5/8"
  - MIN RUN SHALL NOT BE LESS THAN 23 5/8"
- ALL FOOTINGS TO BEAR ON FIRM UNDISTURBED SOIL MIN. 4'-0" BELOW FINISHED GRADE AND MIN. BEARING CAPACITY OF 75 KPa
- WALL HEIGHTS AND THICKNESS TO CONFORM TO O.B.C. 9.15.4.

### MASONRY

- ALL FLASHING TO CONFORM TO O.B.C. 9.20.13.
- ALL BRICK OR STONE SILLS TO BE FLASHED IN ACCORDANCE WITH THE O.B.C.
- ALL STEEL LINTELS FOR MASONRY TO HAVE MINIMUM 6" BEARING EACH END AND SUPPORTED BACK TO FOUNDATION
- WHERE NEW POINT LOAD(S) FROM ABOVE BEAR ON EXISTING BLOCK WALLS, FILL TOP COARSE SOLID MIN. 7 1/2" DEEP AS PER 9.15.5.2.

### ENERGY EFFICIENCY COMPLIANCE DESIGN

SB-12, TABLE 3.1.1.21. (IP) (ZONE 1)  
THERMAL PERFORMANCE REQUIREMENTS FOR ADDITIONS TO EXISTING BUILDINGS FOR HEATING OTHER THAN ELECTRIC SPACE HEATING

CEILING WITHOUT ATTIC SPACE:	R80
CEILING WITH ATTIC SPACE:	R51
EXPOSED FLOOR:	R31
WALLS ABOVE GRADE:	R19 + R6d
BASEMENT WALLS:	R20d or R12 + R10d
BELOW GRADE SLAB:	R5
EDGE OF BELOW GRADE SLAB:	R10
HEATED SLAB:	R10
WINDOWS AND SLIDING GLASS DOORS:	MAX U-VALUE 1.6 ENERGY RATING 25
SKYLIGHTS:	MAX U-VALUE 2.8
SPACE HEATING EQUIPMENT:	MIN. AFUE 90%
HRV:	MIN. SRE 75%
DOMESTIC HOT WATER HEATER:	MIN. EFF. 80%

AREA CALCULATIONS: CONFORMING TO OBC 3.1.1.1(7).  
TOTAL PROPOSED GROSS AREA OF WALLS: \_\_\_\_\_  
RATIO(%): \_\_\_\_\_

- NOTES:
- WHERE A MINIMUM R VALUE, MAXIMUM U VALUE, OR MINIMUM EFFECTIVE VALUE ARE SPECIFIED FOR A COMPONENT, THE COMPONENT ONLY NEEDS TO CONFORM TO ONE OF THE REQUIREMENTS
  - MEANS CONTINUOUS INSULATION

- 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:
  - THE BASEMENT WALL CONTAINING THE DOOR OPENING AND
  - ANY BASEMENT WALL THAT HAS AN EXPOSED WALL ABOVE THE GROUND LEVEL EXCEEDING 50% OF THAT BASEMENT WALL AREA.

### FOR HOMES OLDER THAN 5 YEARS

- THE ENERGY EFFICIENCY OF EXISTING BUILDINGS SHALL COMPLY WITH PART 11 OF DIVISION B OF THE BUILDING CODE FOR RENOVATION: SB-12, 11.1.1. ENERGY EFFICIENCY
- CONSTRUCTION MAY BE CARRIED OUT TO MAINTAIN THE EXISTING PERFORMANCE LEVEL OF ALL OR PART OF AN EXISTING BUILDING, BY THE REUSE, RELOCATION OR EXTENSION OF THE SAME OR SIMILAR MATERIALS OR COMPONENTS, TO RETAIN THE EXISTING CHARACTER, STRUCTURAL UNIQUENESS, HERITAGE VALUE, OR AESTHETIC APPEARANCE OF ALL OR PART OF THE BUILDING, IF THE CONSTRUCTION WILL NOT ADVERSELY AFFECT THE EARLY WARNING AND EVACUATION SYSTEMS, FIRE SEPARATIONS OR THE STRUCTURAL ADEQUACY OR WILL NOT CREATE AN UNHEALTHY ENVIRONMENT IN THE BUILDING, AS PER 11.3.3.1. BASIC RENOVATION (SEE APPENDIX A)
- WHERE THE FRAMING SYSTEMS ARE BEING ALTERED TO MATCH EXISTING FRAMING, LESSER AMOUNTS AND EXTENT OF INSULATION AND VAPOR BARRIER IS ACCEPTABLE. PART 11 COMPLIANCE ALTERNATIVE, TABLE 11.5.1.1.C. (CONTD), C199 - 12.2.1.1. (3)

### SIZE OF WATER PIPE

TABLE 7.6.3.4. WATER PIPE SIZING FOR BUILDINGS CONTAINING ONE OR TWO DWELLING UNITS OR ROW HOUSES WITH SEPARATE WATER SERVICES PIPES FORMING PART OF SENTENCE 7.6.3.4 (5)

SIZE OF WATER PIPE (INCHES)	WATER VELOCITY MS (1)	
	2.4	1.5
1/2"	7	4
3/4"	16	9
1"	31	18
1 1/4"	51	30

### FLOOR AREA CALCULATION

LEVEL	AREA	STATUS
BASEMENT	137.39	Existing
	72.94	New
MAIN FLOOR	363.73	Existing
SECOND FLOOR	211.43	Existing
	<b>785.49 m<sup>2</sup></b>	

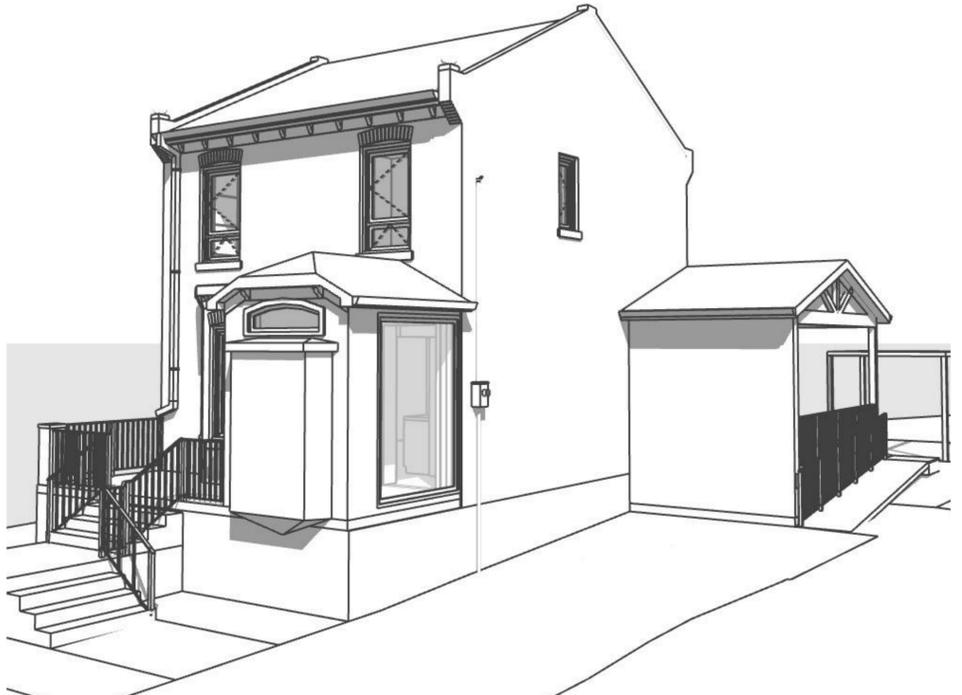
### HABITABLE ROOMS CHART

	EXISTING	PROPOSED
BASEMENT	1	1
MAIN FLOOR	1	1
SECOND FLOOR		
THIRD FLOOR		
TOTALS	1	1

THIS CHART RELATES TO THE CITY OF HAMILTONS 6593 ZONING BY-LAW FOR PARKING SPACES IN DESIGNATED URBAN AREAS. FOR EVERY 8 HABITABLE ROOMS, 2 PARKING SPACES IS REQUIRED (2.75 X 6.0M). EVERY ADDITIONAL ROOMS REQUIRED 0.5 PARKING SPACES (ROUNDED UP). PLEASE NOTE THAT A VARIANCE WILL BE REQUIRED IF THE PARKING REQUIREMENT IS NOT MET



1 PROPOSED FRONT  
SCALE: 1" = 10'  
0 5' 10' 20'



2 PROPOSED FRONT  
SCALE: 1" = 10'  
0 5' 10' 20'

### CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

NO.	REVISION	DATE
1	DESIGN 1.0	2022.07.21
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6	DESIGN 6.0	2023.01.26
7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**TITLE SHEET / GENERAL INFO**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10

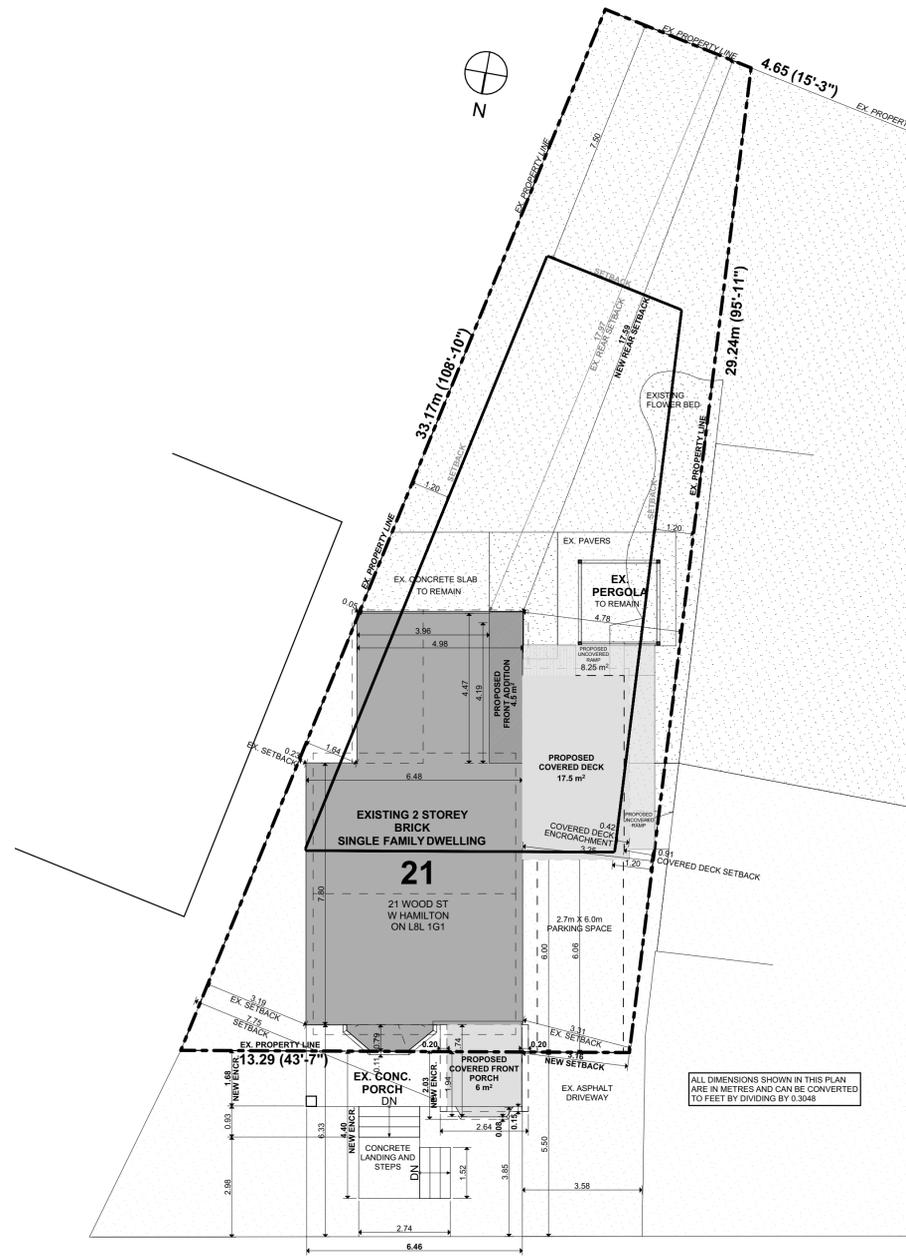
SCALE: AS NOTED

DRAWING NO:  
**A0.01**

PROJECT NO:  
TBD

**SITE PLAN LEGEND**

- EXISTING DWELLING
- NEW ADDITIONS
- COVERED PORCHES
- DECK / PATIO
- LANDSCAPE AREA
- HARDSCAPE AREA
- DRIVEWAY
- MUNICIPAL SETBACKS
- PROPERTY LINE
- EXISTING TO BE REMOVED
- HOUSE FOOTPRINT



ALL DIMENSIONS SHOWN IN THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**SITE STATS**

<b>PROJECT NAME:</b> MICHOR-BROWN				Zoning Information taken on: 2023.02.10			
<b>ADDRESS:</b> 21 WOOD ST W				Postal Code: L8L 1G1			
<b>MUNICIPALITY:</b> HAMILTON				Minor Variance # YES			
<b>BYLAW #</b>	<b>COMMUNITY</b>	<b>ZONING</b>	<b>EXCEPTION</b>	<b>D</b>			
6593	HAMILTON	ONE AND TWO FAMILY DWELLINGS	N/A	D			
<b>LOT INFO</b>				Allowable	Existing	Proposed	
LOT AREA (m²)	360 MIN.	264	AS EX.				
LOT FRONTAGE	12 MIN.	13.3	AS EX.				
LOT WIDTH (m)	12 MIN.	13.3	AS EX.				
LOT DEPTH (m)	N/A	33	AS EX.				
<b>GROSS FLOOR AREA (m²)</b>				Allowable	Existing	Proposed	
Gross Floor Area				N/A	185.90	190.58	
<b>GROUND FLOOR AREA (m²)</b>				Allowable	Existing	Proposed	
Ground Floor Area				N/A	70.05	80.73	
<b>LOT COVERAGE (%)</b>				Allowable	Existing	Proposed	
Lot Coverage				N/A	27%	31%	
<b>FLOOR AREA RATIO (%)</b>				Allowable	Existing	Proposed	
Floor Area Ratio				N/A	0.70	0.74	
<b>BUILDING HEIGHT (m)</b>				Allowable	Existing	Proposed	
Building Height				N/A	9.23	AS EX.	
<b>BUILDING DEPTH (m)</b>				Allowable	Existing	Proposed	
Building Depth				N/A	15.14	15.09	
<b>GARAGE PROJECTION (m)</b>				Allowable	Existing	Proposed	
Garage Projection				N/A	N/A	N/A	
<b>SETBACKS</b>				Allowable	Existing	Proposed	VARIANCE
FRONT (m)	6	0	9				
REAR (m)	7.5	17.97	17.59				VARIANCE
LEFT (m)	1.2	0	7.75				
RIGHT (m)	1.2	3.25	4.78				
CORNER (m)	N/A	N/A	N/A				
<b>ENCROACHMENTS</b>				Allowable	Existing	Proposed	
FRONT	1.5 MAX	0	4.4	ENC. AGR.			
REAR	1.5 MAX	N/A	N/A				
SIDE	1 MAX	N/A	N/A				
ARCHITECTURAL FEATURES (m)	0.5	N/A	N/A				
BAY WINDOW (m)	1 MAX	0	0				
COVERED DECK (m)	1 MAX	0	0.42				
DECK (m)	N/A	N/A	N/A				
<b>LANDSCAPING</b>				Allowable	Existing	Proposed	
LANDSCAPE AREA (%)	50%	25%	AS EX.				
STREET WIDTH (m)	N/A	8	AS EX.				
DRIVEWAY WIDTH (m)	N/A	N/A	N/A				
<b>PARKING</b>				Allowable	Existing	Proposed	
Parking	2	1	AS EX.				
<b>ACCESSORY BUILDINGS</b>				Allowable	Existing	Proposed	
SIZE (m²)	N/A	N/A	N/A				
HEIGHT (m)	N/A	N/A	N/A				
SIDE/REAR SETBACK (m)	N/A	N/A	N/A				
COVERAGE (%)	N/A	N/A	N/A				
<b>APPLICABLE LAW</b>				Required?			
CONSERVATION AUTHORITY				NO			
NIAGARA ESCARPMENT CONTROL (NEC)				NO			
ENVIRONMENTAL SENSITIVE AREA (ESA)				NO			
MINISTRY OF TRANSPORTATION ONTARIO PARKWAY BELT				NO			
GREENBELT PROTECTED COUNTRYSIDE				NO			
FEDERAL AIRPORT AUTHORITY				NO			
ONTARIO HERITAGE ACT				NO			
SITE ENGINEERING				NO			
EASEMENTS				NO			
MINOR VARIANCE				YES			
SITE PLAN CONTROL / EXEMPTION							



790 SHAVER RD. ANCASTER L9G 3K9 ON



**NOT FOR CONSTRUCTION**

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DRAWING:

**SITE PLAN**

PROJECT NAME:

**MICHOR-BROWN**

PROJECT ADDRESS:

21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10

SCALE:

AS NOTED

PROJECT NO:

TBD

DRAWING NO:

**SP0.01**

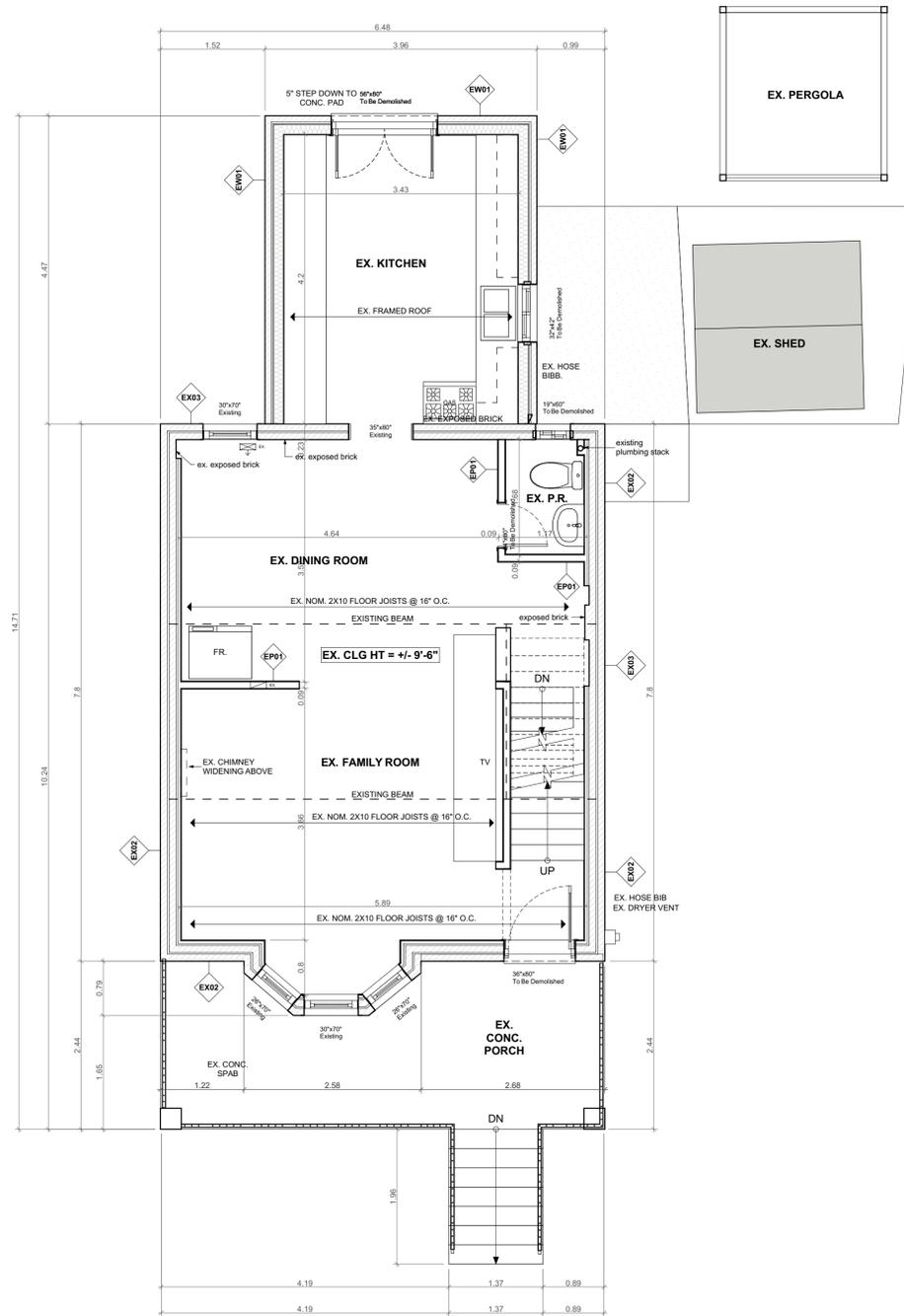
PROJECT NO:

TBD

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WOOD STREET W.





**WALL TYPES**

- ◊EW01 EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL
  - EX. BRICK VENEER
  - EX. AIR SPACE
  - EX. EXTERIOR SHEATHING
  - EX. 2X4 @ 16" O.C. LOAD BEARING WALL
  - EX. BATT INSULATION
  - EX. DRYWALL
- ◊EW02 EXISTING DOUBLE BRICK BEARING EXTERIOR WALL
  - EX. 4" SOLID MASONRY
  - EX. 1" AIR SPACE
  - EX. 4" SOLID MASONRY
  - EX. AIR SPACE
  - EX. STRAPPING
  - EX. DRYWALL
- ◊EW03 EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL
  - EX. 4" SOLID MASONRY
  - EX. 1" AIR SPACE
  - EX. 4" SOLID MASONRY
- ◊EP01 EXISTING INTERIOR WALL
  - EX. DRYWALL
  - EX. 2X4 NON LOAD BEARING WALL
  - EX. DRYWALL
- ◊W02 2X6 (R24) + VINYL SIDING
  - VINYL SIDING, INSTALL AS PER SUPPLIERS SPECS
  - BREATHER TYPE MEMBRANE OR EQUAL
  - MIN. R5 RIGID INSULATION
  - 7/16" EXTERIOR SHEATHING
  - 2X6 @ 16" O.C. EXTERIOR BEARING WALL
  - MIN. R18 INSULATION
  - 6 MIL. POLY VAPOUR BARRIER
  - 1/2" DRYWALL OR EQUAL
- ◊W04 2X6 (R24) + METAL SIDING
  - METAL SIDING, INSTALL AS PER SUPPLIERS SPECS
  - BREATHER TYPE MEMBRANE OR EQUAL
  - MIN. R5 RIGID INSULATION
  - 7/16" EXTERIOR SHEATHING
  - 2X6 @ 16" O.C. EXTERIOR BEARING WALL
  - MIN. R18 INSULATION
  - 6 MIL. POLY VAPOUR BARRIER
  - 1/2" DRYWALL OR EQUAL

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR  
CONSTRUCTION**

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7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**EXISTING MAIN FLOOR  
PLAN**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A1.02</b>
	PROJECT NO: TBD	

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

Printed: 2023-02-10 @ 4:35 PM

**WALL TYPES**

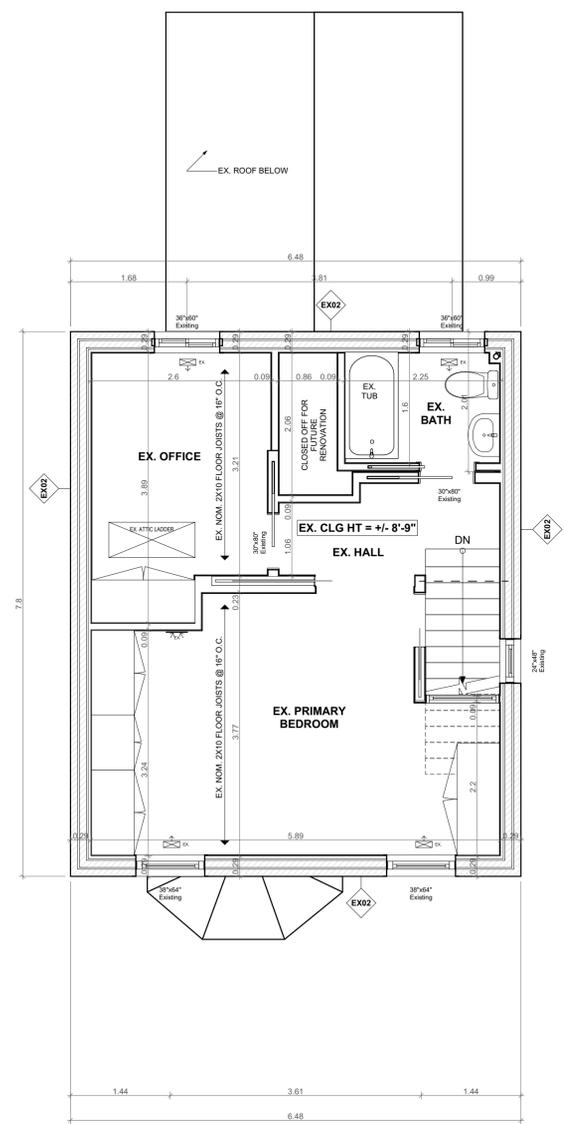
- EW01** EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL

  - EX BRICK VENEER
  - EX AIR SPACE
  - EX EXTERIOR SHEATHING
  - EX 2X4 @ 16" O.C. LOAD BEARING WALL
  - EX BATT INSULATION
  - EX DRYWALL
- EW02** EXISTING DOUBLE BRICK BEARING EXTERIOR WALL

  - EX 4" SOLID MASONRY
  - EX 1" AIR SPACE
  - EX 4" SOLID MASONRY
  - EX AIR SPACE
  - EX STRAPPING
  - EX DRYWALL
- EW03** EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL

  - EX 4" SOLID MASONRY
  - EX 1" AIR SPACE
  - EX 4" SOLID MASONRY
- EP01** EXISTING INTERIOR WALL

  - EX DRYWALL
  - EX 2X4 NON-LOAD BEARING WALL
  - EX DRYWALL



CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



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DRAWING:  
**EXISTING SECOND FLOOR PLAN**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A1.03</b>
	PROJECT NO: TBD	

**1** EXISTING SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"



**GENERAL NOTES**

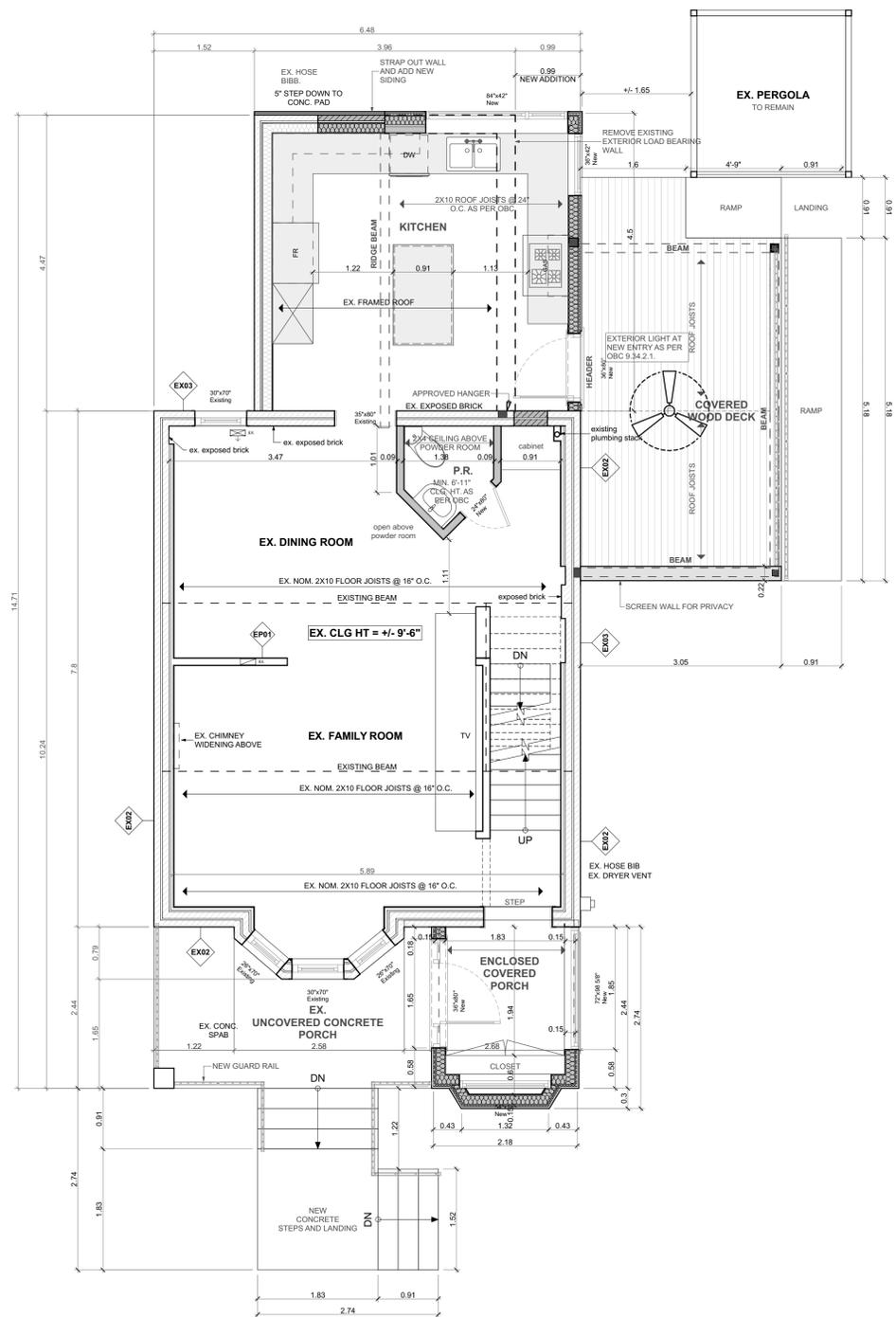
ALL CONSTRUCTION TO COMPLY WITH CURRENT EDITION OF THE ONTARIO BUILDING CODE  
 DESIGN AND LAYOUT OF ALL PRE-ENGINEERED STRUCTURAL MEMBERS FROM ROOF TRUSS SUPPLIER TO BE SUPPLIED BY MANUFACTURER PRIOR TO CONSTRUCTION  
 SOLID BLOCKING TO BEARINGS BELOW TO BE PROVIDED AT ALL GIRDER TRUSS AND BEAM LOCATIONS (MIN. WIDTH EQUAL TO WIDTH OF BEARING POINT OVER) VERIFY WITH TRUSS DRAWINGS  
 TRUSS MEMBERS SHALL NEVER BE NOTCHED, DRILLED OR CUT UNLESS NOTICING OR DRILLING HAS BEEN ACCOUNTED FOR IN THE DESIGN OF THE TRUSS  
 BEAM BEARING = MIN. 3-1/2"  
 UNTEL BEARING = MIN. 1-1/2"  
 RAFTER BEARING = MIN. 1-1/2"  
 JOISTS BEARING = MIN. 1-1/2"  
 CONTRACTOR TO CHECK AND VERIFY ALL SPECIFICATIONS AND DIMENSIONS PRIOR TO AND DURING CONSTRUCTION. ALL DISCREPANCIES TO BE REPORTED TO DESIGNER (519) 339-1493  
 PROVIDE TEMPORARY BRACING/SUPPORT FOR ALL EXISTING FLOOR JOISTS & WALLS DURING CONSTRUCTION & INSTALLATION OF NEW BEAMS & FLOOR JOISTS AS REQ. (TYP.)  
 ALL DIMENSIONS ARE TAKEN FROM THE STUD FACE UNLESS NOTED OTHERWISE  
 ELECTRICAL FACILITIES SHALL BE PROVIDED AS PER ONTARIO BUILDING CODE 0112 AS PER 9-34  
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**HVAC LEGEND**

- TOE KICK WALL SUPPLY
- TOW KICK WALL RETURN
- WALL SUPPLY
- WALL RETURN
- FLOOR SUPPLY AIR REGISTER
- FLOOR RETURN AIR REGISTER
- CLG. SUPPLY AIR REGISTER
- CLG. RETURN AIR REGISTER
- SUPPLY AIR CHASE
- RETURN AIR CHASE
- SUPPLY AIR DUCT
- RETURN AIR DUCT

**WALL TYPES**

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  - MIN. R5 RIGID INSULATION
  - 7/16" EXTERIOR SHEATHING
  - 2X6 @ 16" O.C. EXTERIOR BEARING WALL
  - MIN. R18 INSULATION
  - 6 MIL. POLY VAPOUR BARRIER
  - 1/2" DRYWALL OR EQUAL
- W04** 2X6 (R24) + METAL SIDING
  - METAL SIDING, INSTALL AS PER SUPPLIER'S SPECS
  - BREATHER TYPE MEMBRANE OR EQUAL
  - MIN. R5 RIGID INSULATION
  - 7/16" EXTERIOR SHEATHING
  - 2X6 @ 16" O.C. EXTERIOR BEARING WALL
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CONTRACTOR

790 SHAVER RD. ANCASTER  
L9G 3K9 ON

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DRAWING:  
**PROPOSED MAIN FLOOR PLAN**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
 21 WOOD ST W  
 HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A1.05</b>
PROJECT NO: TBD		

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

**GENERAL NOTES**

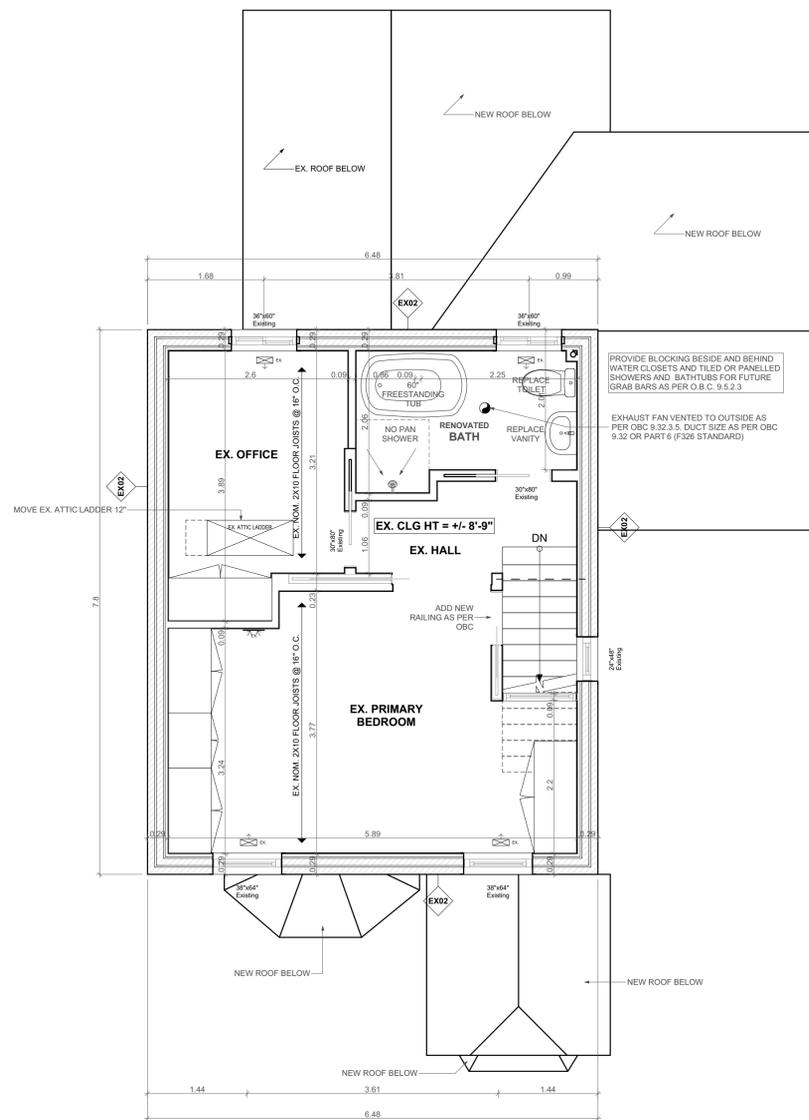
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**HVAC LEGEND**

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- TOW KICK WALL RETURN
- WALL SUPPLY
- WALL RETURN
- FLOOR SUPPLY AIR REGISTER
- FLOOR RETURN AIR REGISTER
- CLG. SUPPLY AIR REGISTER
- CLG. RETURN AIR REGISTER
- SUPPLY AIR CHASE
- RETURN AIR CHASE
- SUPPLY AIR DUCT
- RETURN AIR DUCT

**WALL TYPES**

- EW01** EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL
  - EX BRICK VENEER
  - EX AIR SPACE
  - EX EXTERIOR SHEATHING
  - EX 2X4 @ 16" O.C. LOAD BEARING WALL
  - EX BATT INSULATION
  - EX DRYWALL
- EW02** EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL
  - EX 4" SOLID MASONRY
  - EX 1" AIR SPACE
  - EX 4" SOLID MASONRY
  - EX AIR SPACE
  - EX STRAPPING
  - EX DRYWALL
- EW03** EXISTING DOUBLE WYTHE BRICK BEARING EXTERIOR WALL
  - EX 4" SOLID MASONRY
  - EX 1" AIR SPACE
  - EX 4" SOLID MASONRY
- EP01** EXISTING INTERIOR WALL
  - EX DRYWALL
  - EX 2X4 NON-LOAD BEARING WALL
  - EX DRYWALL



CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

NO.	REVISION	DATE
1	DESIGN 1.0	2022.07.21
2	DESIGN 2.0	2022.09.27
3	DESIGN 3.0	2022.10.13
4	DESIGN 4.0	2022.11.02
5	DESIGN 5.0	2022.12.07
6	DESIGN 6.0	2023.01.26
7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**PROPOSED SECOND FLOOR PLAN**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
 21 WOOD ST W  
 HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A1.06</b>
	PROJECT NO: TBD	

**1 PROPOSED SECOND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



CONTRACTOR  
  
 790 SHAVER RD. ANCASTER  
 L9G 3K9 ON



**NOT FOR CONSTRUCTION**

NO.	REVISION	DATE
1	DESIGN 1.0	2022.07.21
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6	DESIGN 6.0	2023.01.26
7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**EXISTING FRONT ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
 21 WOOD ST W  
 HAMILTON ON L8L 1G1

DATE: 2023-02-10

SCALE:  
 AS NOTED

PROJECT NO:  
 TBD

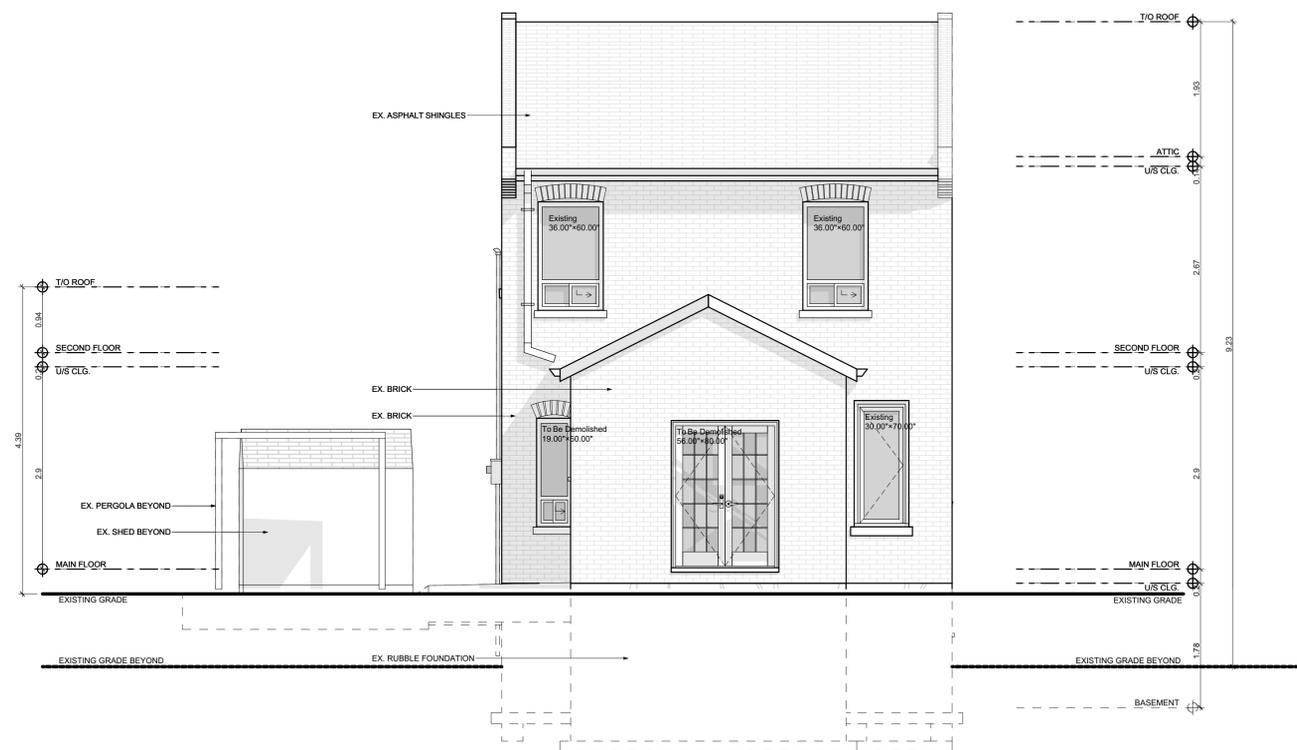
DRAWING NO:  
**A2.01**

Printed: 2023-02-10 @ 4:35 PM

1

**EXISTING FRONT ELEVATION**

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



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

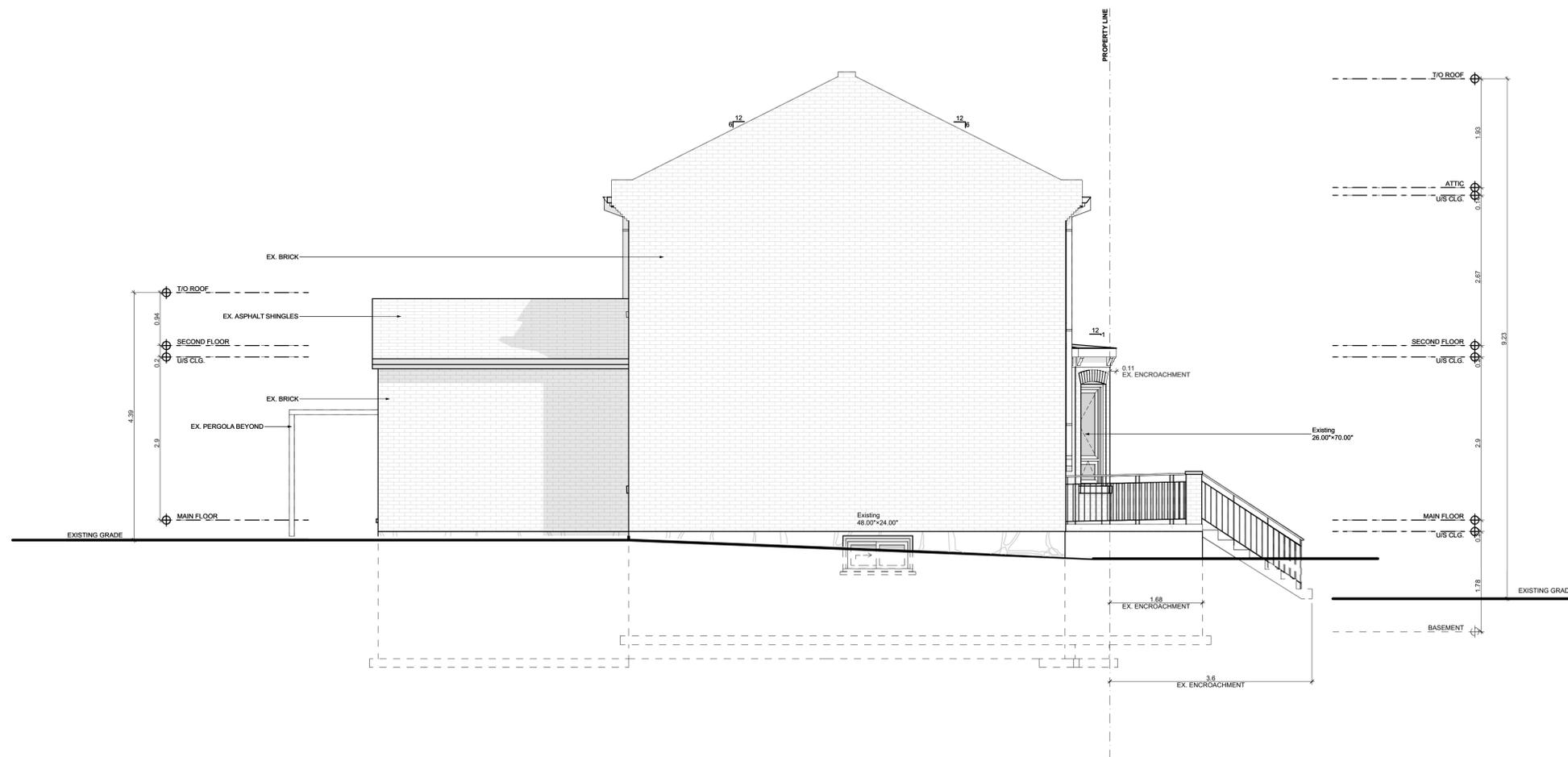
NO.	REVISION	DATE
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7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**EXISTING REAR ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.02</b>
	PROJECT NO: TBD	



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

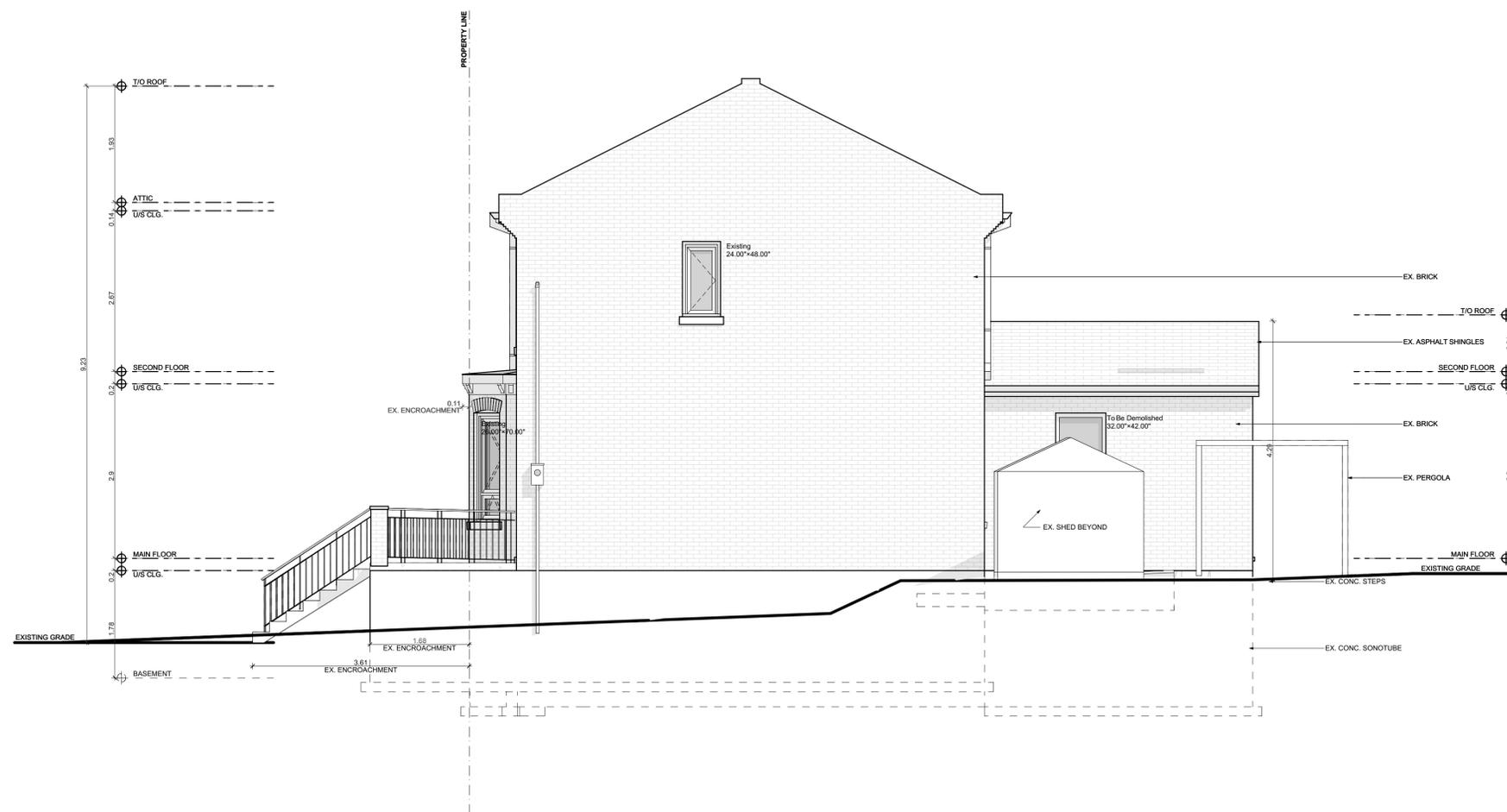
NO.	REVISION	DATE
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4	DESIGN 4.0	2022.11.02
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6	DESIGN 6.0	2023.01.26
7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**EXISTING LEFT ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.03</b>
	PROJECT NO: TBD	



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



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8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**EXISTING RIGHT ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.04</b>
	PROJECT NO: TBD	

Printed: 2023-02-10 @ 4:35 PM



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR  
CONSTRUCTION**

NO.	REVISION	DATE
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6	DESIGN 6.0	2023.01.26
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8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**PROPOSED FRONT  
ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10

SCALE:  
AS NOTED

PROJECT NO:  
TBD

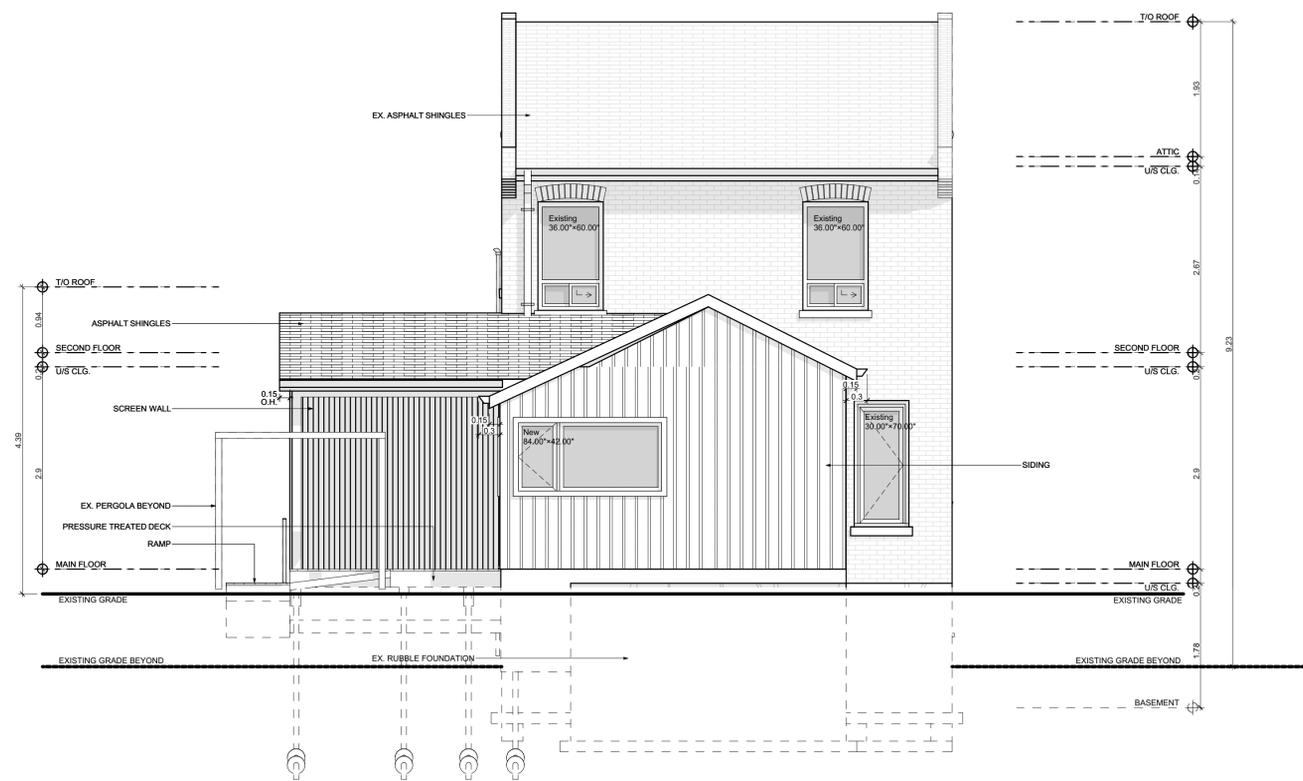
DRAWING NO:  
**A2.05**

Printed: 2023-02-10 @ 4:35 PM

1

**PROPOSED FRONT ELEVATION**

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



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



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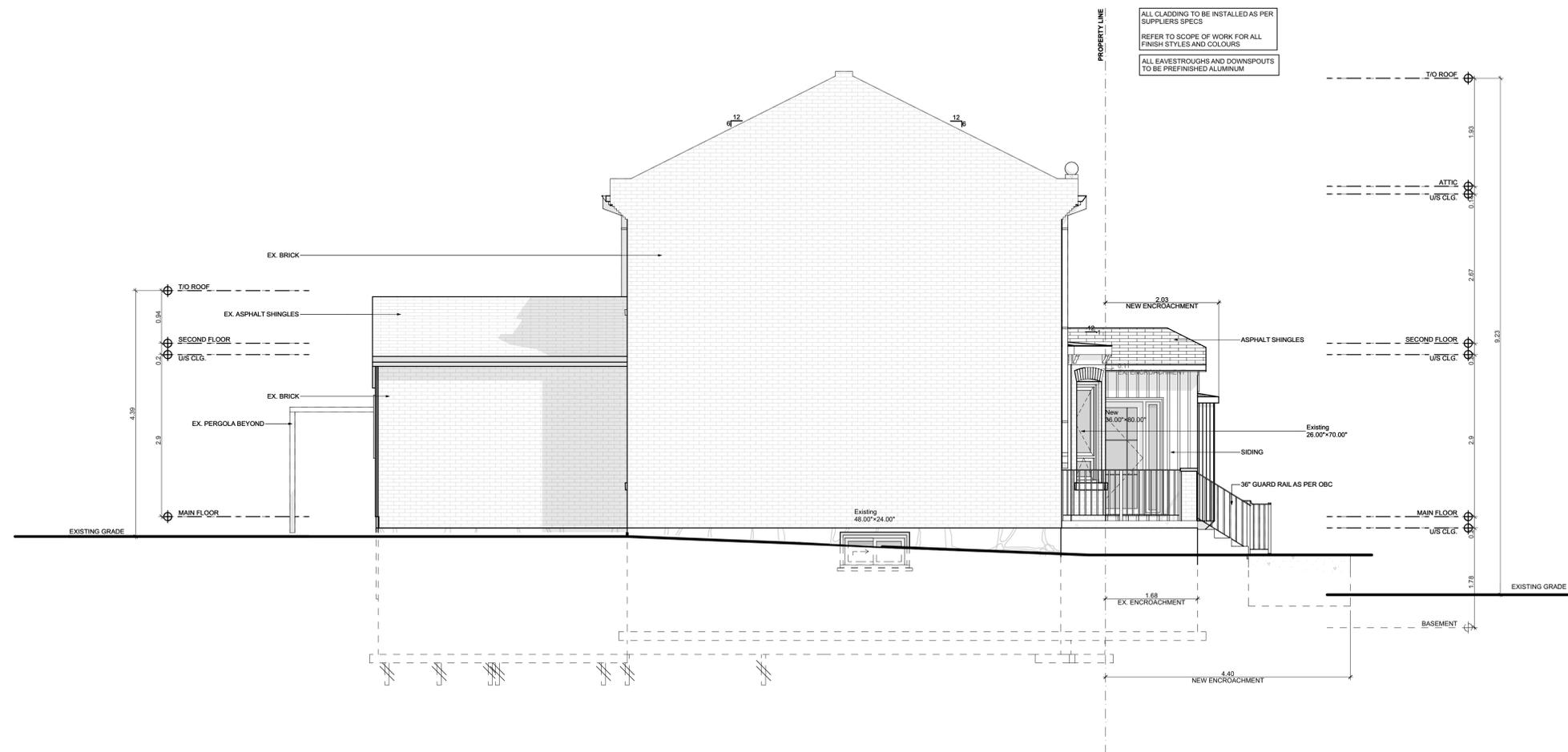
DRAWING:  
**PROPOSED REAR ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.06</b>
	PROJECT NO: TBD	

Printed: 2023-02-10 @ 4:35 PM



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

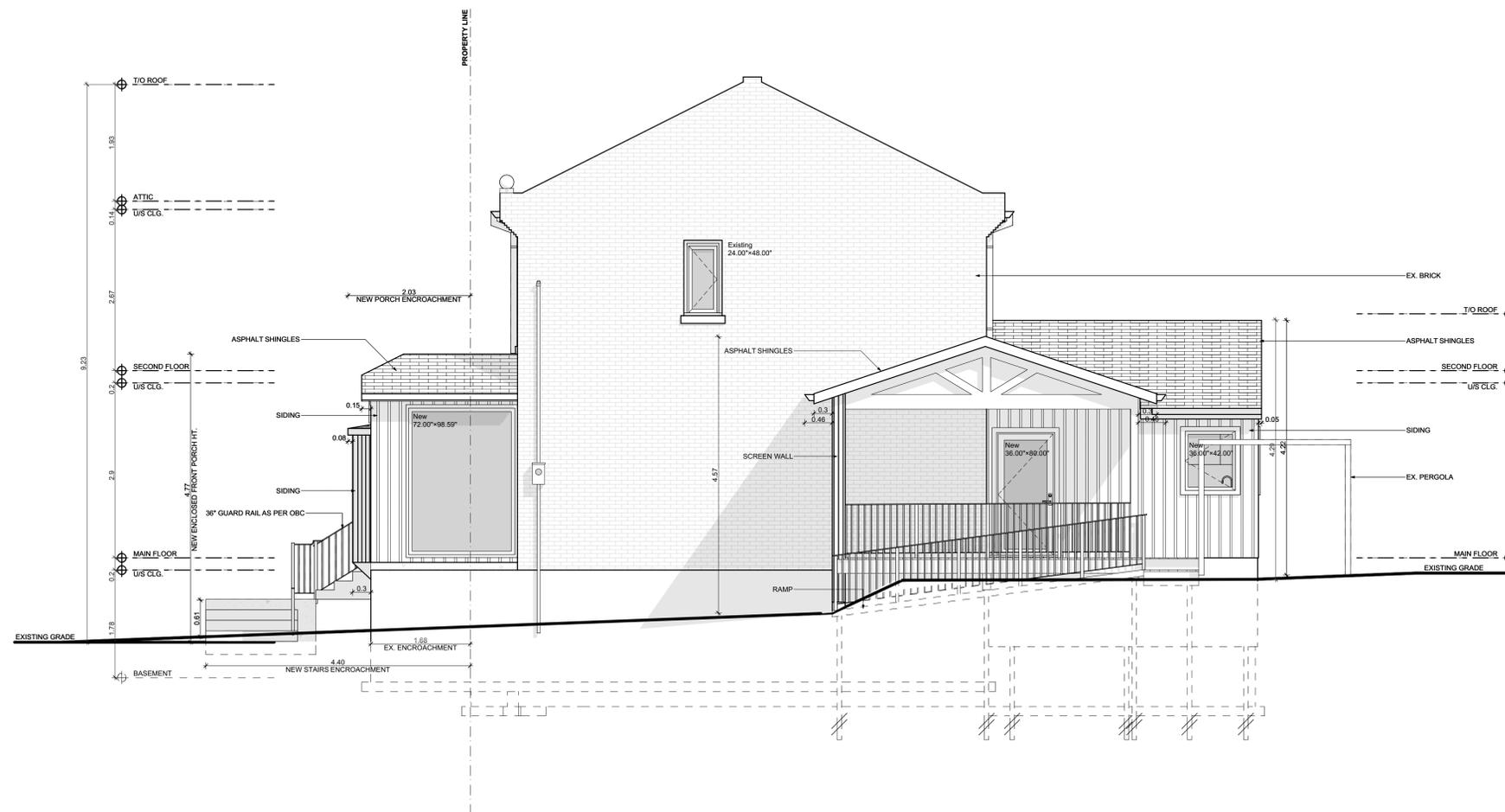
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DRAWING:  
**PROPOSED LEFT ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.07</b>
	PROJECT NO: TBD	



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

CONTRACTOR



790 SHAVER RD. ANCASTER  
L9G 3K9 ON



**NOT FOR CONSTRUCTION**

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6	DESIGN 6.0	2023.01.26
7	ISSUED FOR ENC. AGREEMENT	2023.02.10
8	ISSUED FOR MINOR VARIANCE	2023.02.10

DRAWING:  
**PROPOSED RIGHT ELEVATION**

PROJECT NAME:  
**MICHOR-BROWN**

PROJECT ADDRESS:  
21 WOOD ST W  
HAMILTON ON L8L 1G1

DATE: 2023-02-10	SCALE: AS NOTED	DRAWING NO: <b>A2.08</b>
	PROJECT NO: TBD	

Printed: 2023-02-10 @ 4:35 PM

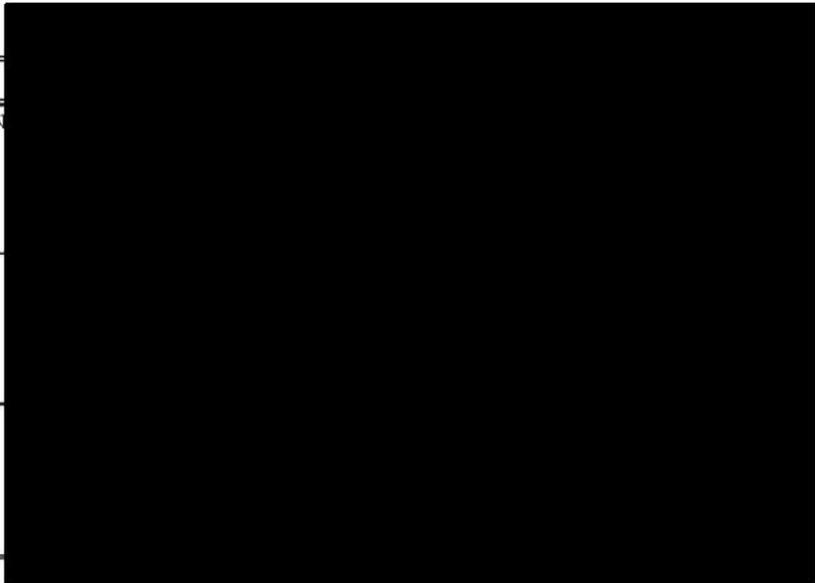


Hamilton

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

**1. APPLICANT INFORMATION**

	NAME
<b>Registered Owners(s)</b>	CHRISTOPHER JOHN BROWN  DAVID WAYNE MICHOR
<b>Applicant(s)</b>	LOUIE SAYEGH (TEAM SHANE)
<b>Agent or Solicitor</b>	LOUIE SAYEGH (TEAM SHANE)



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 louie@teamshane.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	21 WOOD ST W, HAMILTON ON L8L 1G1		
Assessment Roll Number	251802011305530		
Former Municipality	CITY OF HAMILTON		
Lot	21	Concession	
Registered Plan Number	171540155	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:

N/A

### 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 0 EXISTING NON CONFORMING FRONT SETBACK TO ACCOMODATE THE PROPOSED FRONT ENCLOSED PORCH.
- \* TO ALLOW FOR 0M EXISTING NON CONFORMING LEFT SETBACK
- \* TO ADD ANY OTHER VARIANCES TRIGGERED NOT LISTED HERE

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

THE PROPOSED FRONT ADDITION CANNOT COMPLY TO THE FRONT SETBACK REQUIREMENT DUE TO THE EXISTING NON CONFORMING SETBACKS OF THE SINGLE FAMILY DWELLING UNIT

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

Yes

No

If yes, please provide an explanation:

N/A

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
13.3	33	264	7 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
SINGLE FAMILY DWELLING UNIT	0	17.97	LEFT 0; RIGHT 3.31	1920s

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SINGLE FAMILY DWELLING UNIT	0	17.59	LEFT 0; RIGHT 3.16	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
SINGLE FAMILY DWELLING UNIT	70.05 M2	185.90 M2	2	9.23

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SINGLE FAMILY DWELLING UNIT	80.73 M2	196.58 M2	2	9.23

- 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 FAMILY DWELLING UNIT

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
SINGLE FAMILY DWELLING UNIT

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
FEB 01 2012

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY DWELLING UNIT

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY DWELLING UNIT

7.4 Length of time the existing uses of the subject property have continued:  
SINCE BUILT

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) URBAN EXPANSION AREA  
- NEIGHBORHOODS

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

7.6 What is the existing zoning of the subject land? ZONING CODE:D; 6593 FORMED HAMILTON

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: N/A

---

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

Yes       No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

N/A

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

N/A

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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13.

13.

13.

14.

force and effect as if made under oath.



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-23:30</b>	<b>SUBJECT PROPERTY:</b>	88 TISDALE STREET S, HAMILTON
<b>ZONE:</b>	"E" (Multiple Dwellings, Lodges, Clubs & Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: JEREMY & MARIA DUPONT  
Agent: DECC INC. C/O MICHAEL ISOTTI PONGETTI

The following variances are requested:

1. A minimum lot area of 160 m<sup>2</sup> shall be provided instead of the minimum required lot area of 450 m<sup>2</sup> but not less than 65 m<sup>2</sup> of lot area per dwelling unit, shall be provided and maintained for more than three dwelling units.
2. A minimum Gross Floor Area of 22.7 m<sup>2</sup> and a minimum clear height of 1.95 metres for each dwelling unit within the basement of a Multiple Dwelling shall be provided instead of the required minimum of 65 m<sup>2</sup> contained within the unit and having a minimum clear height of 2.1 m.
3. Zero (0) parking spaces shall be provided instead of the minimum required 1.25 spaces per Class A dwelling unit.
4. Zero (0) visitor parking spaces shall be provided instead of the minimum required 0.25 spaces per Class A dwelling unit.

**PURPOSE & EFFECT:** So as to the conversion of a Two-Family Dwelling (Duplex) to a four (4) unit Multiple Dwelling notwithstanding that:

**Notes:**

- i. Be advised, as per Zoning Compliance Review 22-155021, issued on January 3, 2023 as well as correspondence with the applicant, a building permit is required for the construction of the proposed Multiple Dwelling, following the completion of the current Building Permit to convert the Single-Family Dwelling to a Two-Family Dwelling (Duplex). It is noted that Building Permit 22-153901, to convert the existing single-family dwelling to contain an additional dwelling unit on the second floor

**HM/A-23:30**

was issued on February 1, 2023. The applicant shall be advised that the current Building Permit describe above shall be finalized and closed prior to the issuance and approval for a new Building Permit for the conversion of a Two-Family Dwelling to a Multiple Dwelling.

- ii. Be advised, as per the submitted floor and section plans, the Gross Floor Area and Clear Height for the proposed units in the basement do not meet the requirements of Section 19(2)(i) which requires a minimum Gross Floor Area of 65 m<sup>2</sup> contained within the unit and having a minimum clear height of 2.1 m. As such, a variance has been added to address this deficiency.
- iii. Be advised that as per the requested variance, no parking shall be required for the proposed Multiple Dwelling. Note should parking be proposed within the gravel driveway shown, this shall be clearly labeled on the site plan and any such parking space(s) and manoeuvring space shall comply with the requirements of Section 18a.

**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, March 30, 2023</b>
<b>TIME:</b>	<b>1:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for 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.

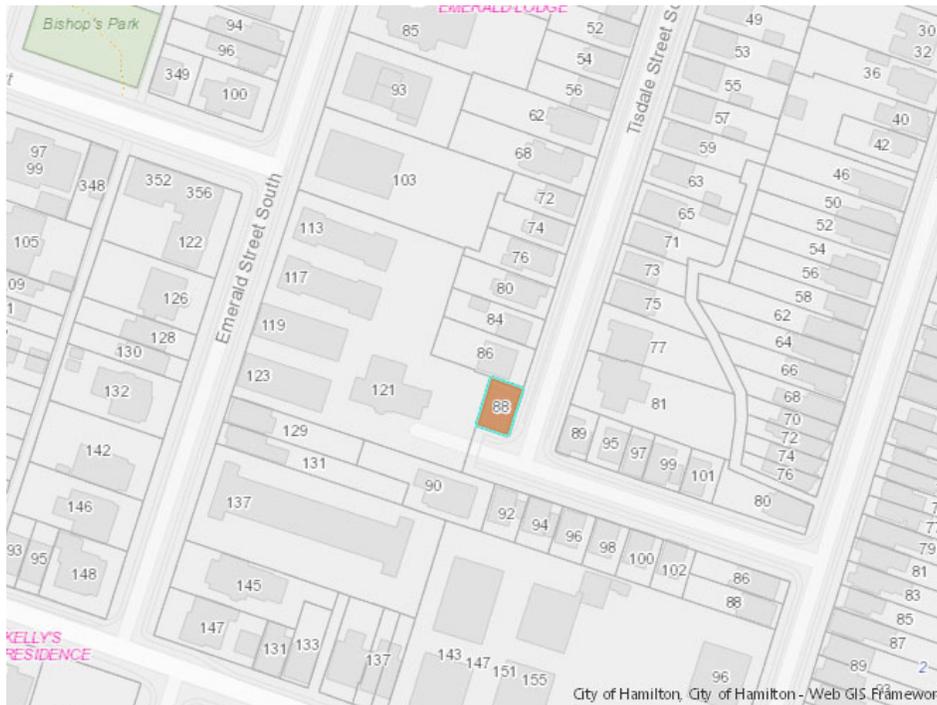
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

**HM/A-23:30**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:30, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



**Subject Lands**

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

GENERAL NOTES		MULTI UNIT DWELLING NOTES													
<p>1. ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE (O.B.C.) INCLUDING THE LATEST STANDARDS REFERENCED WITHIN.</p> <p>2. DRAWINGS ARE NOT TO BE SCALED AT ANY TIME.</p> <p>3. ALL DRAWINGS ARE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT.</p> <p>4. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS PRIOR TO COMMENCING ANY WORK AND REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.</p> <p>5. IF ANY ERRORS OR OMISSIONS ARE FOUND ON THESE DRAWINGS, THEY SHALL BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION. DRAWINGS MUST BE REVIEWED.</p>		<p><b>PROPOSED MULTI UNIT DWELLING</b></p> <ul style="list-style-type: none"> <li>- CURRENT USE - 2 UNIT DWELLING</li> <li>- PROPOSED USE - MULTI UNIT (4 UNIT) DWELLING - (1ST FLOOR UNIT 1) - (2ND FLOOR/3RD FLOOR UNIT 2) - (BASEMENT UNITS 3 &amp; 4)</li> <li>- BUILDING APPROX. 70 YEARS OLD</li> <li>- 1.1.2.6. APPLICATION OF PART 11(1)...PART 11 OF DIVISION B APPLIES TO THE DESIGN AND CONSTRUCTION OF EXISTING BUILDING, OR PARTS OF EXISTING BUILDINGS, THAT HAVE BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS</li> </ul> <p><b>ONTARIO BUILDING CODE REVIEW - PART 9:</b></p> <ul style="list-style-type: none"> <li>- SEPARATE ENTRANCES TO BE PROVIDED FOR MAIN FLOOR AND BASEMENT APARTMENT, UPPER AND LOWER APARTMENTS TO BE SEPARATED WITH A 30min. FIRE SEPARATION - W4a</li> <li>- MAIN FLOOR APT. - FRONT ENTRANCE DOOR / BASEMENT APT. - SIDE ENTRANCE DOOR</li> </ul> <p><b>9.9.10.1.(1) - EGRESS WINDOW FOR BASEMENT</b></p> <ul style="list-style-type: none"> <li>- NEW EGRESS WINDOWS TO BE INSTALLING IN BASEMENT BEDROOMS, WINDOW COMPLETELY ABOVE GRADE, WITH NO OPENING CLEARANCE LESS THAN 15-1/2" WITH UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 3.8ft²</li> </ul> <p><b>FIRE SEPARATION/FIRE RESISTANCE RATINGS AND NOTES</b></p> <ul style="list-style-type: none"> <li>- 9.10.8.1. - FIRE RESISTANCE RATINGS FOR FLOORS. TABLE 9.10.8.1. - 45min. REQ., USING PART 11 COMPLIANCE ALTERNATIVE C147 - 15min. PERMITTED (PAGE 49, DIV. B, SENTENCE (b)), - IN DETACHED HOUSES, SEMI-DETACHED HOUSES... CONTAINING NOT MORE THAN TWO DWELLING UNITS 15min. HORIZONTAL FIRE SEPARATION IS ACCEPTABLE WHERE.</li> <li>1) SMOKE ALARMS ARE INSTALLED IN EVERY DWELLING UNIT AND COMMON AREA IN CONFORMANCE WITH SUBSECTION 9.10.19., AND</li> <li>2) SMOKE ALARMS ARE INTERCONNECTED.</li> <li>*SMOKE ALARMS TO BE INSTALLED AS PER C147 NOTED ABOVE</li> </ul> <p><b>PROPOSED HORIZONTAL FIRE SEPARATION ON BASEMENT CEILING REQ. TO PROVIDE 15min. FRR (FIRE RESISTANCE RATING) - STC 50 (SOUND TRANSMISSION)</b></p> <ul style="list-style-type: none"> <li>- PROPOSING TO USE SUPPLEMENTARY STANDARD SB-3 - ASSEMBLY - F8d (PROVIDES 30min. FRR AND 50 STC RATING)</li> </ul> <p><b>PROPOSED VERTICAL FIRE SEPARATION OF 45min. IS REQ. BETWEEN SEPARATE DWELLING UNITS AS PER SECTION 9.10.9.14. &amp; 9.10.9.15. - PROPOSING TO USE PART 11 COMPLIANCE ALTERNATIVE C152 - 30min. FRR IS ACCEPTABLE.</b></p> <ul style="list-style-type: none"> <li>- VERTICAL (WALL) FIRE SEPARATION BETWEEN BASEMENT APARTMENT &amp; MAIN FLOOR APARTMENT - REQ. TO PROVIDE 30min. FRR AND STC RATING OF 50</li> <li>- PROPOSING TO USE SUPPLEMENTARY STANDARD SB-3 - W4a - (PROVIDES 1HR FRR AND 50 STC RATING)</li> </ul> <p><b>SERVICE ROOM DOOR REQ.</b></p> <ul style="list-style-type: none"> <li>- TO PROVIDE 20min. FRR AND EQUIPPED WITH SELF-CLOSING, SELF-LATCHING DEVICE.</li> </ul> <p><b>VERTICAL WALLS ADJACENT TO FOUNDATION WALL</b></p> <ul style="list-style-type: none"> <li>- TO BE CONSTRUCTED IN ACCORDANCE WITH WALL ASSEMBLY W1c - SB3 - PROVIDING 30min. FRR.</li> </ul> <p><b>9.10.13.1 - DOORS, DAMPERS, AND OTHER CLOSURES IN FIRE SEPARATIONS - 9.10.13.1</b></p> <ul style="list-style-type: none"> <li>- TABLE 9.10.13.1. FIRE PROTECTION RATING FOR CLOSURES (IN FIRE SEPARATIONS) NOT REQUIRED FOR A 15min. FIRE SEPARATION - CHART REQUIRES CLOSURES FOR FIRE SEPARATIONS REQUIRING A FRR RATING BEGINNING WITH 30min.</li> </ul> <p><b>9.10.13.13. - FIRE DAMPERS (DUCTS PENETRATING FIRE SEPARATIONS)</b></p> <ul style="list-style-type: none"> <li>- PART 11 COMPLIANCE ALTERNATIVE C167/C168 (DIVISION B - PAGE 50)</li> <li>- ...IN A BUILDING CONTAINING NOT MORE THAN 4 DWELLING UNITS, THE EXISTING HEATING OR AIR-CONDITIONING SYSTEM MAY BE ALTERED TO SERVE MORE THAN ONE DWELLING UNIT, PROVIDED SMOKE ALARMS ARE INSTALLED IN EACH DWELLING UNIT 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.</li> <li>- PROPOSING TO INSTALL THE ABOVE REQUIREMENTS THEREFORE FIRE DAMPERS WILL NOT BE REQUIRED.</li> </ul> <p><b>9.10.18.5. - SMOKE DETECTORS IN RECIRCULATING AIR HANDLING SYSTEMS</b></p> <ul style="list-style-type: none"> <li>- SMOKE DETECTOR TO BE INSTALLED IN RETURN AIR PLENUM, UPON DETECTION OF OF SMOKE FURNACE WILL SHUT DOWN</li> </ul> <p><b>9.10.19 - SMOKE ALARMS</b></p> <ul style="list-style-type: none"> <li>- SHALL BE HARD WIRED AND INTERCONNECTED (BASEMENT AND MAIN FLOOR), INSTALLED IN EVERY SLEEPING ROOM, EVERY HALLWAY ADJACENT TO SLEEPING ROOMS, EVERY LEVEL, MUST BE AUDIBLE AND VISUAL</li> </ul> <p><b>9.33.4 - CARBON MONOXIDE ALARMS</b></p> <ul style="list-style-type: none"> <li>- SHALL BE HARD WIRED AND INTERCONNECTED, INSTALLED IN EACH SUITE OF RESIDENTIAL OCCUPANCY ADJACENT TO EACH SLEEPING AREA IN THE SUITE AND IN THE SERVICE ROOM WITH FUEL BURNING APPLIANCE.</li> </ul> <p><b>PROTECTION OF WOOD/STEEL BEAMS AND COLUMNS</b></p> <ul style="list-style-type: none"> <li>- 9.10.8.3. FIRE RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES</li> <li>- (1) EXCEPT AS OTHERWISE... ALL LOADBEARING WALLS, STEEL/WOOD BEAMS, COLUMNS... IN THE STOREY IMMEDIATELY BELOW A FLOOR OR ROOF ASSEMBLY SHALL HAVE A FIRE-RESISTANCE RATING (FRR) OF NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED FLOOR OR ROOF ASSEMBLY - MINIMUM 15min. FIRE SEPARATION REQUIRED. - TO BE CONSTRUCTED WITH 2"x4" AT 16" O.C. WITH 5/8" TYPE X' DRYWALL TO PROVIDE 60min. FRR.</li> </ul> <p><b>PENETRATIONS OF FIRE SEPARATIONS AND FIRE STOPPING</b></p> <ul style="list-style-type: none"> <li>- 9.10.9.6. PENETRATION OF FIRE SEPARATIONS (1) PIPING, TUBING, DUCTS, CHIMNEYS, WIRING, CONDUIT, ELECTRICAL OUT LET BOXES, AND OTHER SIMILAR SERVICE EQUIPMENT THAT PENETRATE A REQUIRED FIRE SEPARATION SHALL BE TIGHTLY FITTED OR FIRE STOPPED TO MAINTAIN THE INTEGRITY OF THE SEPARATION</li> </ul> <p><b>9.7.2.3. - MINIMUM WINDOW AREAS (SEE CHART FOR COMPLIANCE)</b></p> <ul style="list-style-type: none"> <li>- BASEMENT WINDOW AREAS - PART 11 COMPLIANCE ALTERNATIVE C107... WINDOWS MAY BE REDUCED BY 50%</li> </ul> <p><b>9.5.1.4. - COMBINATION ROOMS</b></p> <ul style="list-style-type: none"> <li>- (1) TWO OR MORE AREAS MAY BE CONSIDERED AS A COMBINATION ROOM... - PROPOSED COMBINATION ROOM LIVING/DINING/KITCHEN</li> </ul>													
<p><b>DESIGN LOADS</b></p> <table border="1"> <tr> <td>1. GROUND SNOW (S<sub>s</sub>) / RAIN (S<sub>r</sub>):</td> <td>1.3 kPa / 0.4 kPa</td> </tr> <tr> <td>2. MAXIMUM ROOF SNOW (S):</td> <td>1.44 kPa</td> </tr> <tr> <td>3. ROOF DEAD LOAD (D):</td> <td>1.0 kPa</td> </tr> <tr> <td>4. WIND LOAD (q<sub>50</sub>):</td> <td>0.46 kPa</td> </tr> <tr> <td>5. FLOOR LIVE LOAD (L):</td> <td>1.9 kPa</td> </tr> <tr> <td>6. FLOOR DEAD LOAD (D):</td> <td>1.0 kPa</td> </tr> </table>		1. GROUND SNOW (S <sub>s</sub> ) / RAIN (S <sub>r</sub> ):	1.3 kPa / 0.4 kPa	2. MAXIMUM ROOF SNOW (S):	1.44 kPa	3. ROOF DEAD LOAD (D):	1.0 kPa	4. WIND LOAD (q <sub>50</sub> ):	0.46 kPa	5. FLOOR LIVE LOAD (L):	1.9 kPa	6. FLOOR DEAD LOAD (D):	1.0 kPa		
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5. FLOOR LIVE LOAD (L):	1.9 kPa														
6. FLOOR DEAD LOAD (D):	1.0 kPa														
<p><b>LUMBER NOTES</b></p> <ol style="list-style-type: none"> <li>ALL SAWN LUMBER TO BE S.P.F. No. 2 GRADE OR BETTER AND CONFORM TO CSA-0141</li> <li>ALL ENGINEERED BUILT UP BEAMS ARE TO BE LVL'S (GRADE 2.0x10E4 PS) UNLESS OTHERWISE NOTED. REPLACEMENT WITH A HIGHER GRADE IS NOT ALWAYS A SUITABLE EQUIVALENT. CONTACT ENGINEER FOR EQUIVALENT.</li> <li>PROVIDE SOLID BLOCKING BETWEEN JOISTS BELOW ALL LOAD BEARING WALLS/COLUMNS WHICH ARE PERPENDICULAR TO THE JOISTS.</li> <li>WOOD IS NOT TO BEAR DIRECTLY ON CONCRETE/MASONRY, PROVIDE PRESSURE TREATED, POLY OR SILL GASKET BETWEEN CONCRETE/MASONRY AND WOOD SILL PLATE.</li> <li>ALL JOISTS SHOULD HAVE A MINIMUM OF 40 mm (1-1/2") OF BEARING WITH JOIST HANGARS.</li> <li>ALL BUILT UP BEAMS TO PROVIDE 2 ROWS OF SDS SCREWS ON E/S 1/4" x 3-1/2" LG. @12" O.C. w/ MINIMUM 3-1/2" OF BEARING.</li> </ol>															
<p><b>FOUNDATION NOTES</b></p> <ol style="list-style-type: none"> <li>ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL HAVING A SAFE BEARING CAPACITY OF 3000 P.S.F.</li> <li>PROVIDE 4'-0" MINIMUM OF FROST COVER FOR ALL EXTERIOR FOOTINGS.</li> <li>ALL REINFORCING STEEL TO BE 40W AND SHALL CONFORM TO CSA-G30.18-M92.</li> <li>CONCRETE TO BE MIN. 32 MPa COMPRESSIVE STRENGTH @ 28 DAYS, 5-8% AIR ENTRAINMENT. END BEARING - ALL WOOD &amp; STEEL BEAMS SHALL HAVE EVEN &amp; LEVEL BEARING &amp; SHALL NOT HAVE LESS THAN 3-1/2" OF BEARING AT END OF SUPPORTS AS PER O.B.C. 9.23.8.1.</li> <li>ALL FLOOR JOISTS SHALL HAVE NO LESS THAN 1-1/2"(38mm) IN LENGTH FOR END BEARING EXCEPT WHEN SUPPORTED ON RIBBON BOARDS AS PER O.B.C. 9.23.9.1(1).</li> </ol>															
<p><b>STRUCTURAL STEEL NOTES</b></p> <ol style="list-style-type: none"> <li>STRUCTURAL STEEL DESIGN MUST CONFORM TO CSA S16</li> <li>STRUCTURAL STEEL W SECTIONS AND COLUMNS SHALL CONFORM TO ASTM A992 U.O.N.</li> <li>STRUCTURAL STEEL CHANNELS, HSS, ANGLES, MUST CONFORM TO CSA G40.21, GRADE 350W U.O.N</li> <li>ALL WELDING TO CONFORM TO C.W.B. APPROVED PROCEDURES. ALL WELDING TO BE CARRIED OUT BY WELDERS CERTIFIED BY THE C.W.B., EMPLOYED BY A FIRM CERTIFIED IN DIVISION 1 OR 2</li> <li>ALL STRUCTURAL STEEL SHALL RECEIVE A MINIMUM OF ONE COAT OF SHOP PRIMER DO NOT SPlice OR CUT OPENING IN STRUCT. STEEL WITHOUT THE ENGINEERS APPROVAL</li> </ol>															
<p><b>CONCRETE &amp; REINFORCING NOTES</b></p> <ol style="list-style-type: none"> <li>ALL CONCRETE WORK SHALL CONFORM TO THE LATEST REQUIREMENTS OF CSA A23.1, A23.2 &amp; 23.3.</li> <li>REINFORCING SHALL CONFORM TO CSA G30.18, GRADE 400W, F<sub>y</sub>=400MPa</li> <li>WELDED WIRE MESH AND WELDED WIRE FABRIC SHALL CONFORM TO CSA G30.5, F<sub>y</sub>=450MPa &amp; HAVE A MINIMUM LAP OF 150mm (6") AT JOINTS U.O.N.</li> <li>ALL REINFORCING LAP SPLICES SHALL CONFORM TO THE LATEST CSA STANDARD A23.3 &amp; ALL BAR SPLICES TO BE CLASS 'B' TENSION U.O.N.</li> <li>CRACK CONTROL SHOULD BE PLACED ALONG THE CENTRE OF THE LENGTH AND WIDTH OF AREA AND PLACED NO MORE THAN 14'-0" O/C, PROVIDE JOINT FILLER IN CONTROL JOINTS</li> <li>ALL CONCRETE COVER SHALL CONFORM TO CSA A23.1 AND THE FOLLOWING BELOW U.O.N.             <ul style="list-style-type: none"> <li>A. CONCRETE CAST AGAINST EARTH: 75mm</li> <li>B. EXTERIOR BEAMS, SLABS, COLUMNS, PIERS AND WALLS: 40mm</li> <li>C. INTERIOR SLABS: 25mm</li> </ul> </li> </ol>															
<p><b>STAIRS/HANDRAILS/GUARDS (TO COMPLY WITH O.B.C. 9.8.)</b></p> <ul style="list-style-type: none"> <li>- ALL INTERIOR &amp; EXTERIOR STAIRS TO CONFORM TO O.B.C. 9.8.2.</li> <li>- MIN. STAIR WIDTH TO BE 2'-10" 9.8.2.1(2).</li> <li>- ALL STAIRS TO BE UNIFORM IN RISE &amp; RUN (MIN. RISE 4-15/16" / MAX. RISE 7-7/8" MIN. RUN 8-1/4" / MAX. RUN 14")</li> <li>- NOSING TO BE 1" MAX.</li> <li>- RAILING MUST HAVE A CLEARANCE OF 2" ERGONOMIC DESIGN(9.8.7.5)</li> <li>- FIRST ATTACHMENT FOR HANDRAILS MUST BE MAX. 12" FROM EITHER END.</li> <li>- MIN. HANDRAIL HEIGHT TO BE 34". MAX. HANDRAIL HEIGHT TO BE 38"</li> <li>- CLOSED STAIRS (CLOSED WITH WALLS ON BOTH SIDES) REQUIRE RAILING ON ONE SIDE, IF STAIRS ARE WIDER THAN 43" THEN RAILINGS ARE REQUIRED ON BOTH SIDES</li> <li>- IF STAIRS ARE OPEN ON BOTH SIDES, GUARDS ARE REQUIRED BOTH SIDES OF STAIRS AND RAILING ONE SIDE. IF STAIRS ARE WIDER THAN 43" THAN HANDRAILS REQUIRED ON BOTH IN ADDITION TO GUARDS.</li> <li>- GUARDRAIL AROUND STAIR OPENING TO BE MINIMUM OF 42" IN HEIGHT, COMPLY WITH 9.8.8. AND WITHSTAND LOADING PROVIDED IN TABLE 9.8.8.2.</li> <li>- OPENINGS IN GUARD SHALL PREVENT THE PASSAGE OF A 4" OBJECT</li> </ul>		<p><b>EXTERIOR WALL (BELOW GRADE) - WALL 'A'</b></p> <ul style="list-style-type: none"> <li>- 1/2" GYPSUM BOARD.</li> <li>- min. R20 INSULATION</li> <li>- 2X4 S.P.F. NO. 2 GRADE OR BETTER STUDS @ 16" O.C. (U.O.N.)</li> <li>- EXISTING FOUNDATION WALL</li> </ul> <p><b>POT LIGHT PENETRATION INTO CEILING FIRE SEPARATION</b> F8d CEILING ASSEMBLY</p> <p><b>INTERIOR WALL - WALL 'B' - SEPARATING UNITS/Common AREAS</b> W4a-WALL ASSEMBLY-1HR FRR (30min REQ)-STC RATING OF 50</p> <ul style="list-style-type: none"> <li>- 5/8" TYPE X' DRYWALL</li> <li>- 2X4 S.P.F. NO. 2 GRADE OR BETTER STUDS @ 16" O.C.</li> <li>- ABSORPTIVE MATERIAL BETWEEN STUDS</li> <li>- 1/2" RESILIENT METAL CHANNELS SPACED 16" O.C.</li> <li>- 2 LAYERS 5/8" TYPE X' DRYWALL</li> </ul> <p><b>INTERIOR CEILING - SEPARATING UNITS</b> F8d-CEILING ASSEMBLY-30min FRR (15min REQ)-STC RATING OF 50</p> <ul style="list-style-type: none"> <li>- EX. PLYWOOD SHEATHING</li> <li>- EXISTING FLOOR JOISTS</li> <li>- ABSORPTIVE MATERIAL IN CAVITY</li> <li>- 1/2" RESILIENT METAL CHANNELS @24" O.C.</li> <li>- 5/8" TYPE X' DRYWALL</li> </ul>													



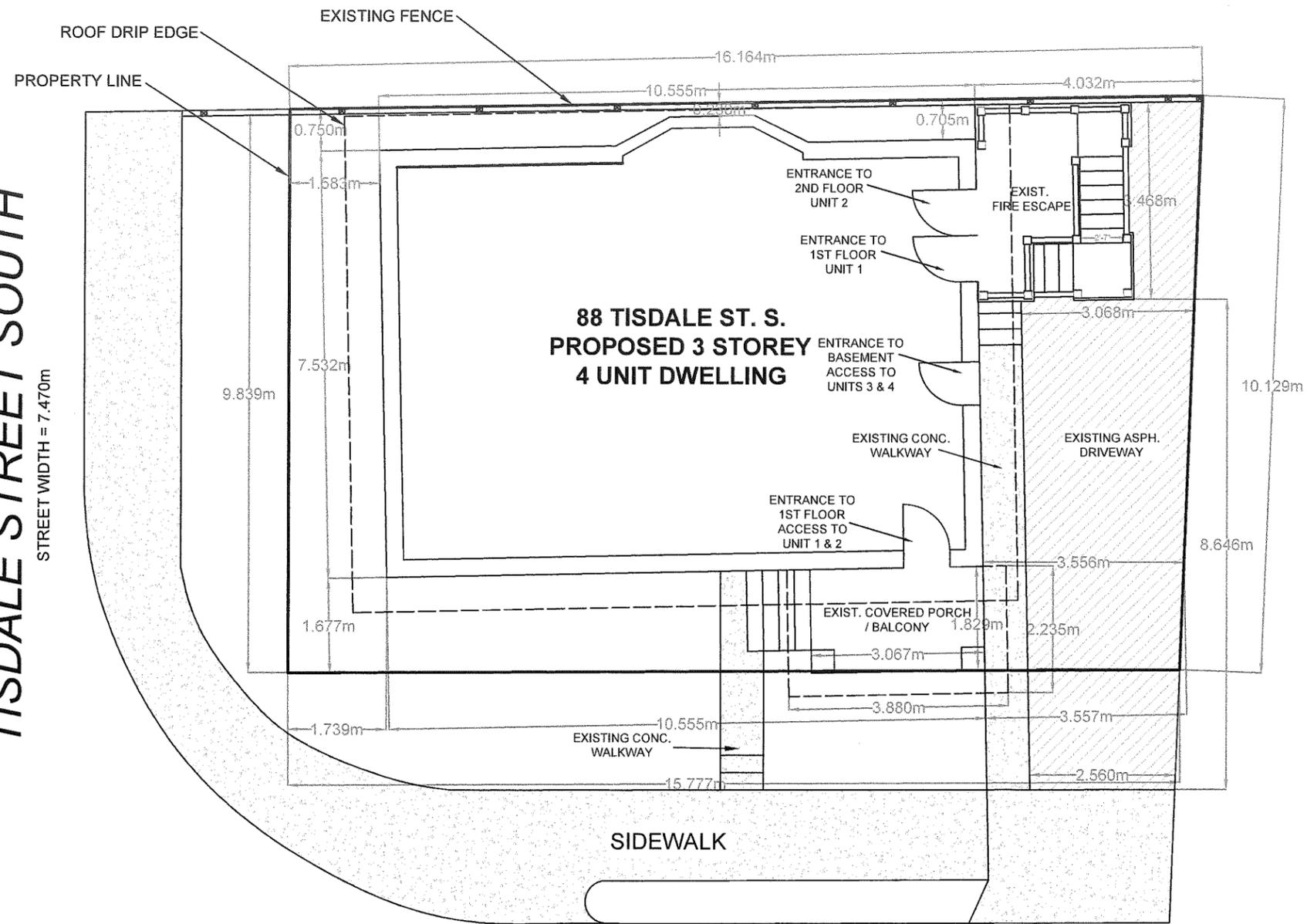
#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>88 TISDALE ST. SOUTH HAMILTON, ON.</b>		
PROJECT:		
<b>THE DUPONT STANDARD MULTI UNIT CONVERSION</b>		
DWG:		
<b>A0.01 GENERAL NOTES</b>		
DATE:	DRAWN BY:	DWG #:
FEB 13, 2023	MP	
PROJECT #:	CHKD BY:	
<b>067</b>	MP	<b>1 / 13</b>

**GENERAL NOTES**  
SCALE: NTS



**TISDALE STREET SOUTH**

STREET WIDTH = 7.470m



**TISDALE STREET SOUTH**

STREET WIDTH = 7.394m

LANDSCAPED AREA
LOT AREA = 160.1m <sup>2</sup>
LANDSCAPED AREA = 43.6m <sup>2</sup>
PERCENTAGE OF LANDSCAPED AREA = 27.2%



**SITE PLAN**  
SCALE: 1/8" = 1'-0"



#:	DATE:	DESC.
<b>REVISIONS</b>		
SITE: <b>88 TISDALE ST. SOUTH. HAMILTON, ON.</b>		
<b>THE DUPONT STANDARD MULTI-UNIT CONVERSION</b>		
<b>SP1.02 SITE PLAN PROPOSED</b>		
DATE: <b>FEB 13, 2023</b>	DRAWN BY: <b>MP</b>	DWG #: <b>3 / 13</b>
PROJECT #: <b>067</b>	CHKD BY: <b>MP</b>	

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE

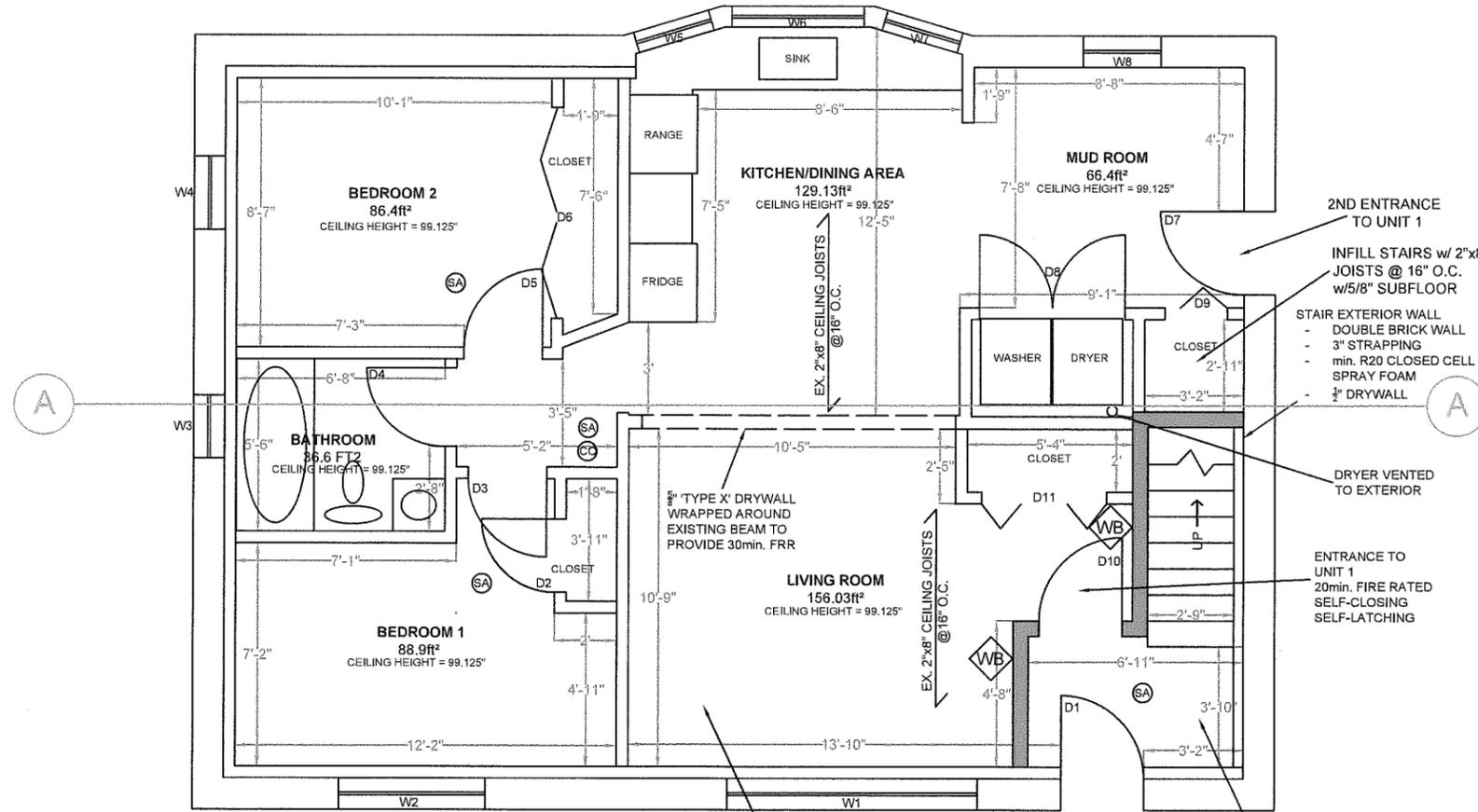
UNIT 1 - 1ST FLOOR AREA:  
+/-619.9ft<sup>2</sup>  
UNIT 1 - TOTAL AREA = 619.9ft<sup>2</sup>

**LEGEND** (EC)  
HARD WIRED INTERCONNECTED CO ALARMS  
REQUIRED ADJACENT TO BEDROOMS  
ON EACH LEVEL AND COMPLY w/ O.B.C. 9.33.4

**LEGEND** (SA)  
HARD WIRED INTERCONNECTED  
COMBINATION SMOKE/STROBE ALARMS  
ON EACH LEVEL AND COMPLY w/ O.B.C.  
9.10.19.

**WINDOW/DOOR SCHEDULE**

NO.	WIDTH	HEIGHT
W1	96"	52"
W2	56"	52"
W3	24"	36"
W4	28"	58"
W5	30"	52"
W6	51"	22"
W7	30"	52"
W8	30"	48"
D1	32"	78"
D2	28"	78"
D3	30"	78"
D4	30"	78"
D5	30"	78"
D6	DBL 36"	78"
D7	32"	78"
D8-DBL	28"	60"
D9	24"	72"
D10	32"	78"
D11-DBL	24"	78"



NOTE: ALL INTERIOR WALLS NOT DENOTED OTHERWISE  
ARE 1/2" DRYWALL/2"x4" S.P.F. STUD/1/2" DRYWALL CONSTRUCTION

UNIT 1 CEILING:  
ASSEMBLY NUMBER F8d (30min FRR)  
- SOLID WOOD JOISTS @ 16" O.C.  
- ABSORPTIVE MATERIAL IN CAVITY  
- RESILIENT CHANNELS @ 24" O.C.  
- 5/8" TYPE X DRYWALL

COMMON ENTRANCE & STAIRWELL  
CEILING:  
ASSEMBLY NUMBER F8d (30min FRR)  
- SOLID WOOD JOISTS @ 16" O.C.  
- ABSORPTIVE MATERIAL IN CAVITY  
- RESILIENT CHANNELS @ 24" O.C.  
- 5/8" TYPE X DRYWALL



**1ST FLOOR PLAN**  
SCALE: 3/16" = 1'-0"



#:	DATE:	DESC.

**REVISIONS**

SITE:  
**88 TISDALE ST. SOUTH.  
HAMILTON, ON.**

**THE DUPONT STANDARD  
MULTI UNIT CONVERSION**

**A1.01  
1ST FLOOR PLAN  
EXISTING**

DATE: FEB 13, 2022	DRAWN BY: MP	DWG #: <b>4 / 13</b>
PROJECT #: <b>067</b>	CHKD BY: MP	

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE

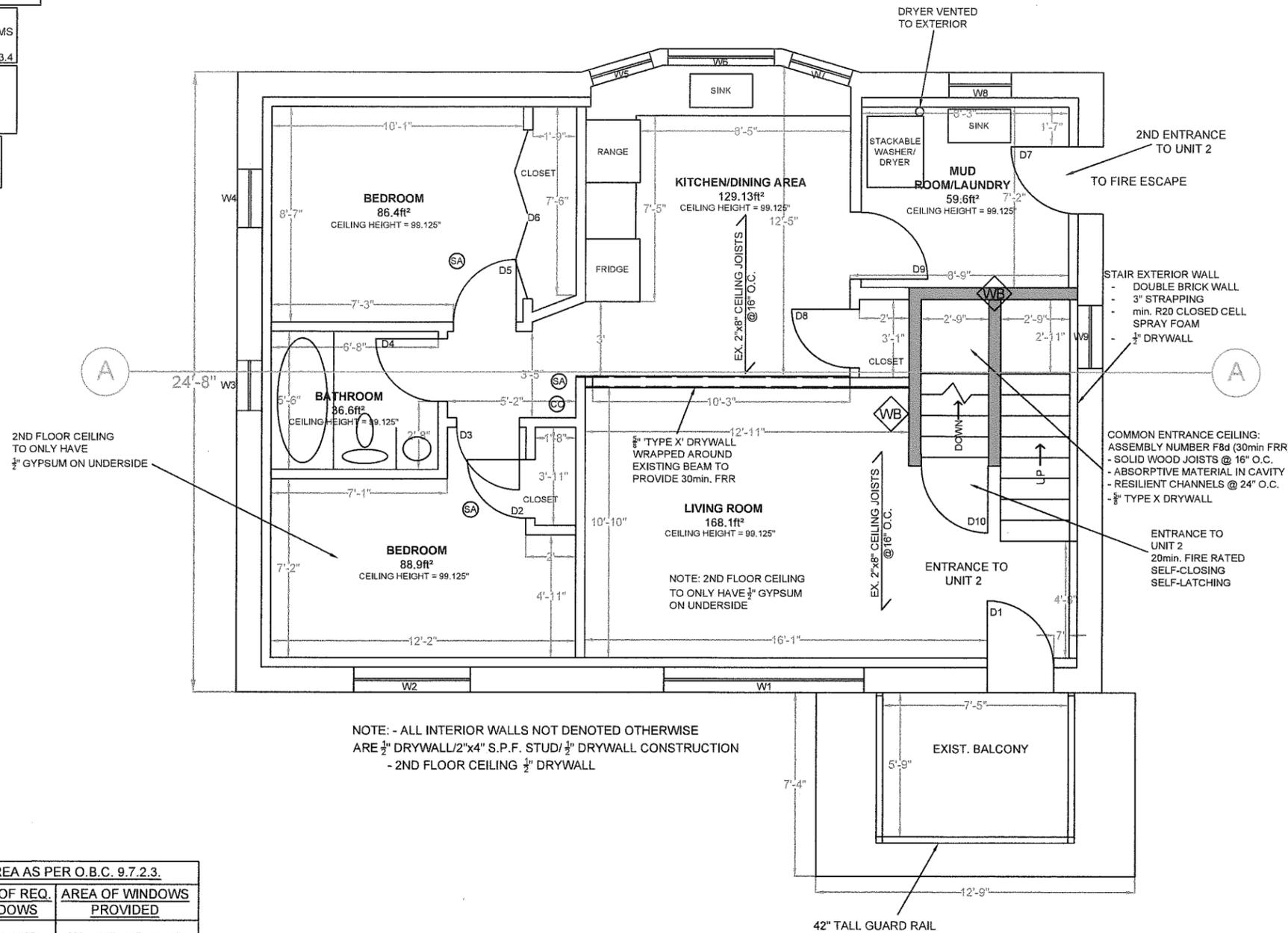
UNIT 2 - 2ND FLOOR AREA:  
+/-662.0ft<sup>2</sup>  
UNIT 2 TOTAL AREA = 1210.0ft<sup>2</sup>

**LEGEND** (CC)  
HARD WIRED INTERCONNECTED CO ALARMS  
REQUIRED ADJACENT TO BEDROOMS  
ON EACH LEVEL AND COMPLY w/ O.B.C. 9.33.4

**LEGEND** (SA)  
HARD WIRED INTERCONNECTED  
COMBINATION SMOKE/STROBE ALARMS  
ON EACH LEVEL AND COMPLY w/ O.B.C.  
9.10.19.

**WINDOW/DOOR SCHEDULE**

NO.	WIDTH	HEIGHT
W1	96"	52"
W2	56"	52"
W3	24"	36"
W4	28"	58"
W5	30"	52"
W6	51"	22"
W7	30"	52"
W8	30"	48"
D1	32"	78"
D2	28"	78"
D3	30"	78"
D4	30"	78"
D5	30"	78"
D6-DBL	36"	78"
D7	32"	78"
D8	28"	78"
D9	32"	78"
D10	32"	78"



NOTE: - ALL INTERIOR WALLS NOT DENOTED OTHERWISE  
ARE 1/2" DRYWALL/2"x4" S.P.F. STUD/1/2" DRYWALL CONSTRUCTION  
- 2ND FLOOR CEILING 1/2" DRYWALL



#:	DATE:	DESC.

**REVISIONS**

SITE:  
**88 TISDALE ST. SOUTH.  
HAMILTON, ON.**

**THE DUPONT STANDARD  
MULTI UNIT CONVERSION**

**A1.02  
2ND FLOOR PLAN  
EXISTING**

DATE: <b>FEB 13, 2022</b>	DRAWN BY: <b>MP</b>	DWG #: <b>5 / 13</b>
PROJECT #: <b>067</b>	CHKD BY: <b>MP</b>	

**CALCULATION OF GLASS AREA AS PER O.B.C. 9.7.2.3.**

ROOM TYPE	AREA OF ROOM	AREA OF REQ. WINDOWS	AREA OF WINDOWS PROVIDED
BEDROOM 1	88.9ft <sup>2</sup>	5% = 4.45ft <sup>2</sup>	W2=56"x52"=20.2ft <sup>2</sup>
BEDROOM 2	86.4ft <sup>2</sup>	5% = 4.32ft <sup>2</sup>	W4=58"x28"=11.3ft <sup>2</sup>
KITCHEN / DINING	129.13ft <sup>2</sup>	10% = 12.93ft <sup>2</sup>	W5=30"x52"=10.83ft <sup>2</sup> W6=51"x22"=7.79ft <sup>2</sup> W7=30"x52"=10.83ft <sup>2</sup> TOTAL = 29.55ft <sup>2</sup>
LIVING ROOM	168.1ft <sup>2</sup>	10% = 16.8ft <sup>2</sup>	W1=96"x52"=34.7ft <sup>2</sup>



EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE

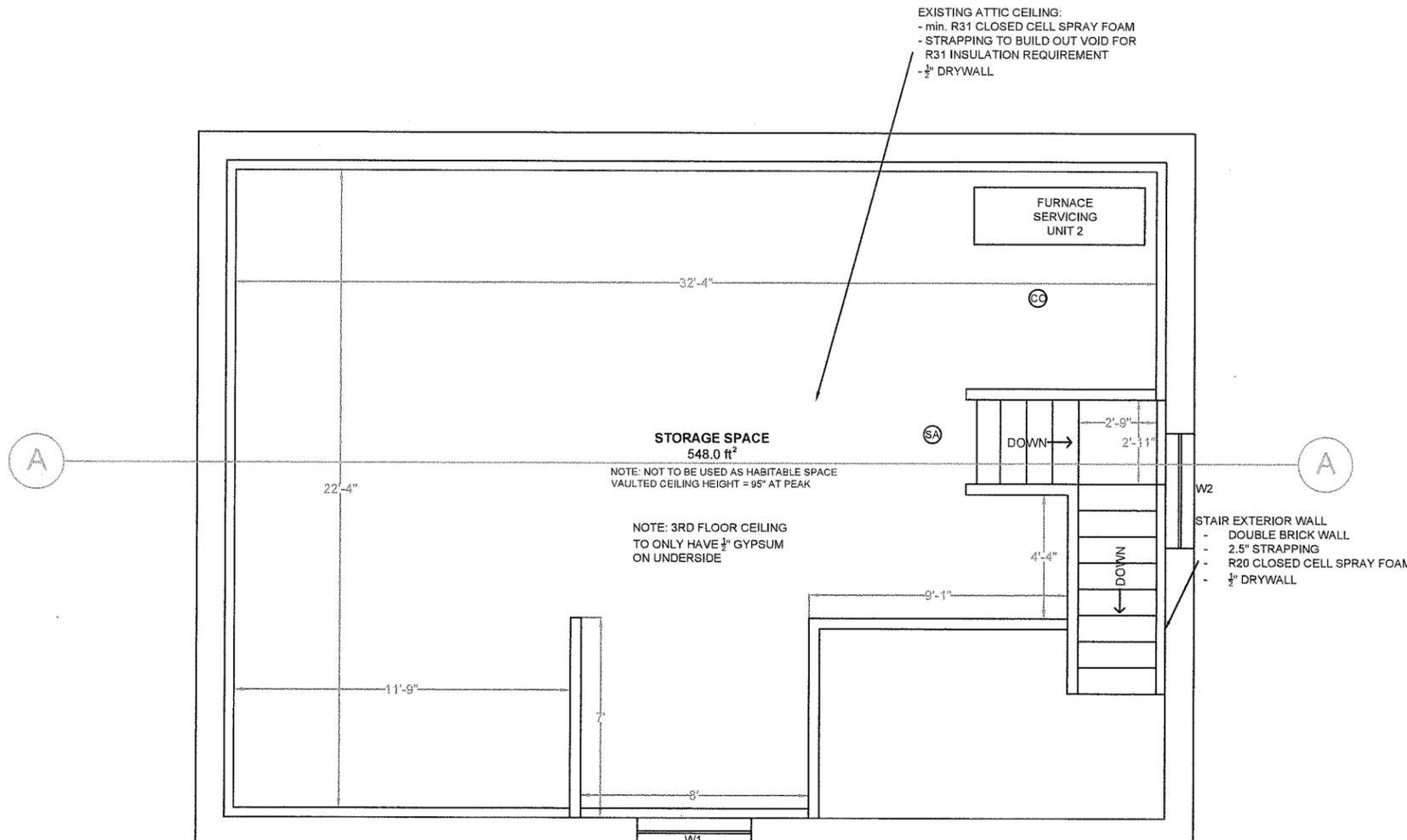
UNIT 2 - 3RD FLOOR AREA:  
+/- 548.0ft<sup>2</sup>  
UNIT 2 TOTAL AREA = 1210.0ft<sup>2</sup>

**LEGEND** (CC)  
HARD WIRED INTERCONNECTED CO ALARMS  
REQUIRED ADJACENT TO BEDROOMS  
ON EACH LEVEL AND COMPLY w/ O.B.C. 9.33.4

**LEGEND** (SA)  
HARD WIRED INTERCONNECTED  
COMBINATION SMOKE/STROBE ALARMS  
ON EACH LEVEL AND COMPLY w/ O.B.C.  
9.10.19.

**WINDOW/DOOR SCHEDULE**

NO.	WIDTH	HEIGHT
W1	48"	30"
W2	48"	30"



EXISTING ATTIC CEILING:  
- min. R31 CLOSED CELL SPRAY FOAM  
- STRAPPING TO BUILD OUT VOID FOR  
R31 INSULATION REQUIREMENT  
- 1/2" DRYWALL

STAIR EXTERIOR WALL  
- DOUBLE BRICK WALL  
- 2.5" STRAPPING  
- R20 CLOSED CELL SPRAY FOAM  
- 1/2" DRYWALL

NOTE: - ALL INTERIOR WALLS NOT DENOTED OTHERWISE  
ARE 1/2" DRYWALL/2"x4" S.P.F. STUD/1/2" DRYWALL CONSTRUCTION  
- 3RD FLOOR CEILING TO BE OF 1/2" DRYWALL



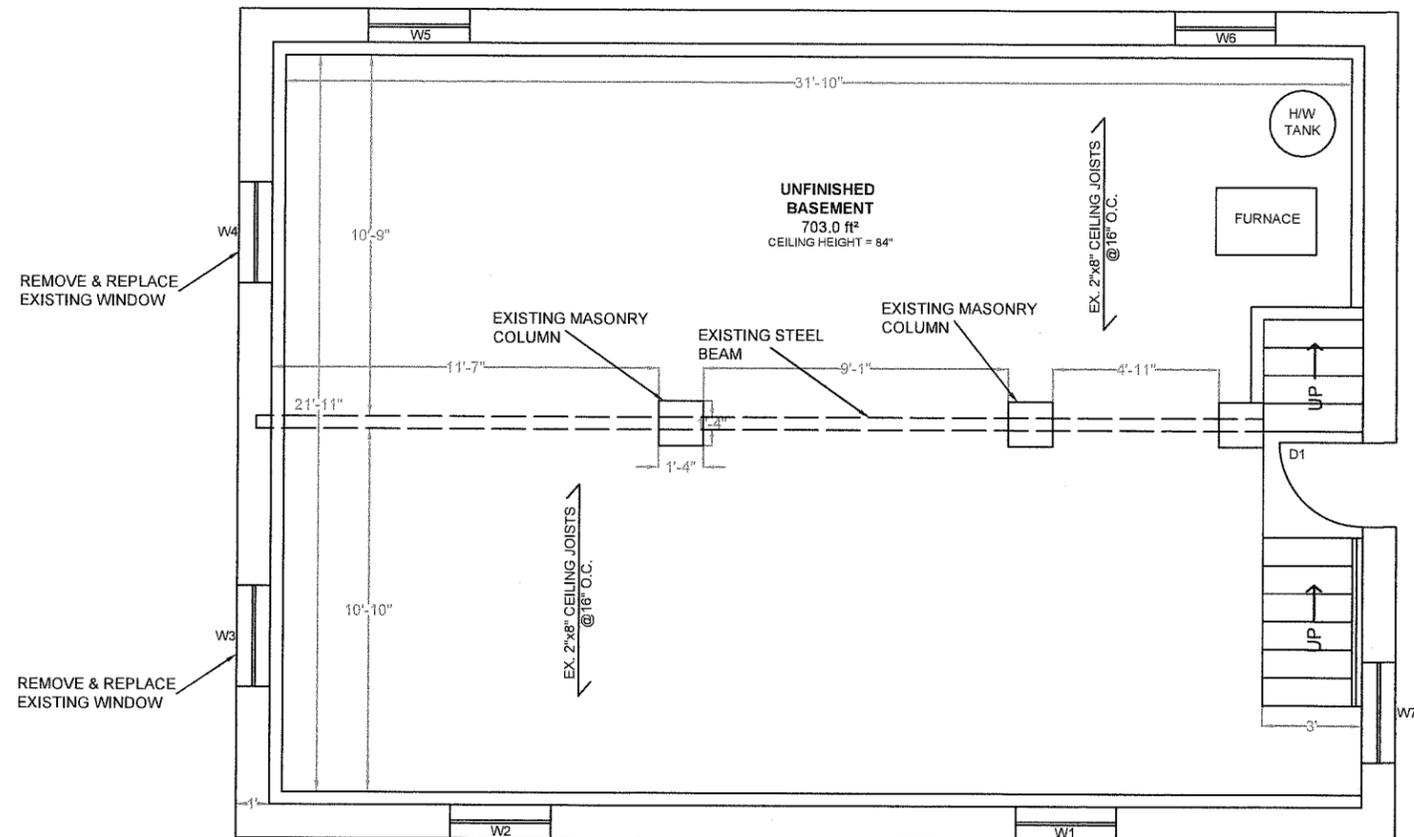
#:	DATE:	DESC.
<b>REVISIONS</b>		
SITE: <b>88 TISDALE ST. SOUTH. HAMILTON, ON.</b>		
<b>THE DUPONT STANDARD MULTI UNIT CONVERSION</b>		
<b>A1.03 3RD FLOOR PLAN EXISTING</b>		
DATE: FEB 13, 2022	DRAWN BY: MP	DWG #: 6 / 13
PROJECT #: 067	CHKD BY: MP	

**3RD FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE

BASEMENT FLOOR AREA:  
+/- 703 ft<sup>2</sup>

WINDOW/DOOR SCHEDULE		
NO.	WIDTH	HEIGHT
W1	36"	24"
W2	36"	24"
W3	36"	24"
W4	36"	24"
W5	36"	24"
W6	36"	24"
W7	36"	24"
D1	30"	76"



#:	DATE:	DESC.
<b>REVISIONS</b>		
SITE: <b>88 TISDALE ST. SOUTH. HAMILTON, ON.</b>		
<b>THE DUPONT STANDARD MULTI UNIT CONVERSION</b>		
<b>A1.04 BASEMENT FLOOR PLAN EXISTING</b>		
DATE: FEB 13, 2022	DRAWN BY: MP	DWG #: 7 / 13
PROJECT #: 067	CHKD BY: MP	

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



EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE



#:	DATE:	DESC.

**REVISIONS**

SITE:  
**88 TISDALE ST. SOUTH.  
HAMILTON, ON.**

**THE DUPONT STANDARD  
MULTI-UNIT CONVERSION**

**A2.01  
WEST ELEVATION PLAN**

DATE: FEB 13, 2023	DRAWN BY: MP	DWG #: 9 / 13
PROJECT #: 067	CHKD BY: MP	

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

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE



#	DATE	DESC.

**REVISIONS**

SITE:  
**88 TISDALE ST. SOUTH.  
HAMILTON, ON.**

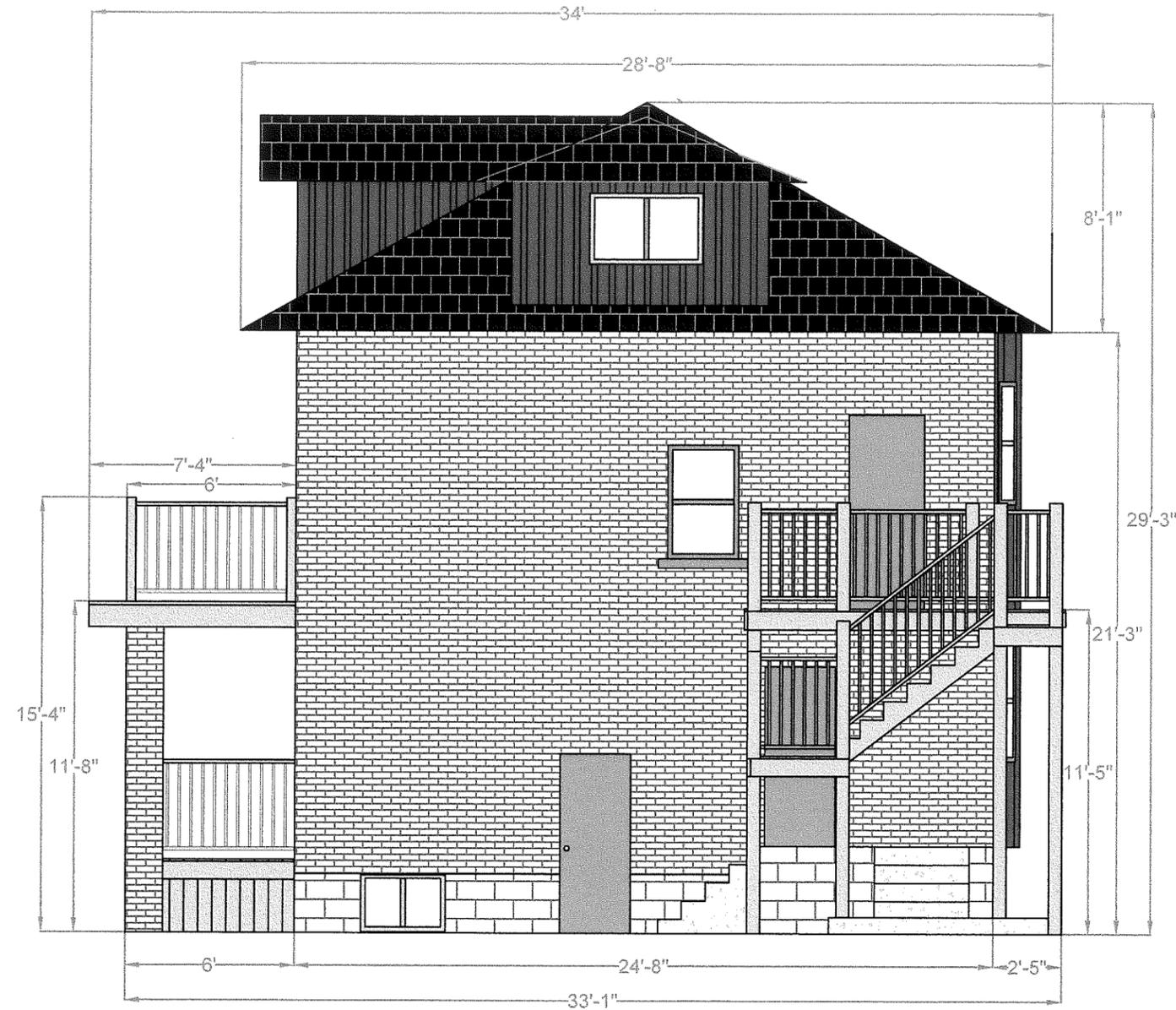
**THE DUPONT STANDARD  
MULTI-UNIT CONVERSION**

**A2.02  
EAST ELEVATION PLAN**

DATE: <b>FEB 13, 2023</b>	DRAWN BY: <b>MP</b>	DWG #: <b>10 / 13</b>
PROJECT #: <b>067</b>	CHKD BY: <b>MP</b>	

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

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE




#:	DATE:	DESC.
REVISIONS		

SITE:  
**88 TISDALE ST. SOUTH.  
HAMILTON, ON.**

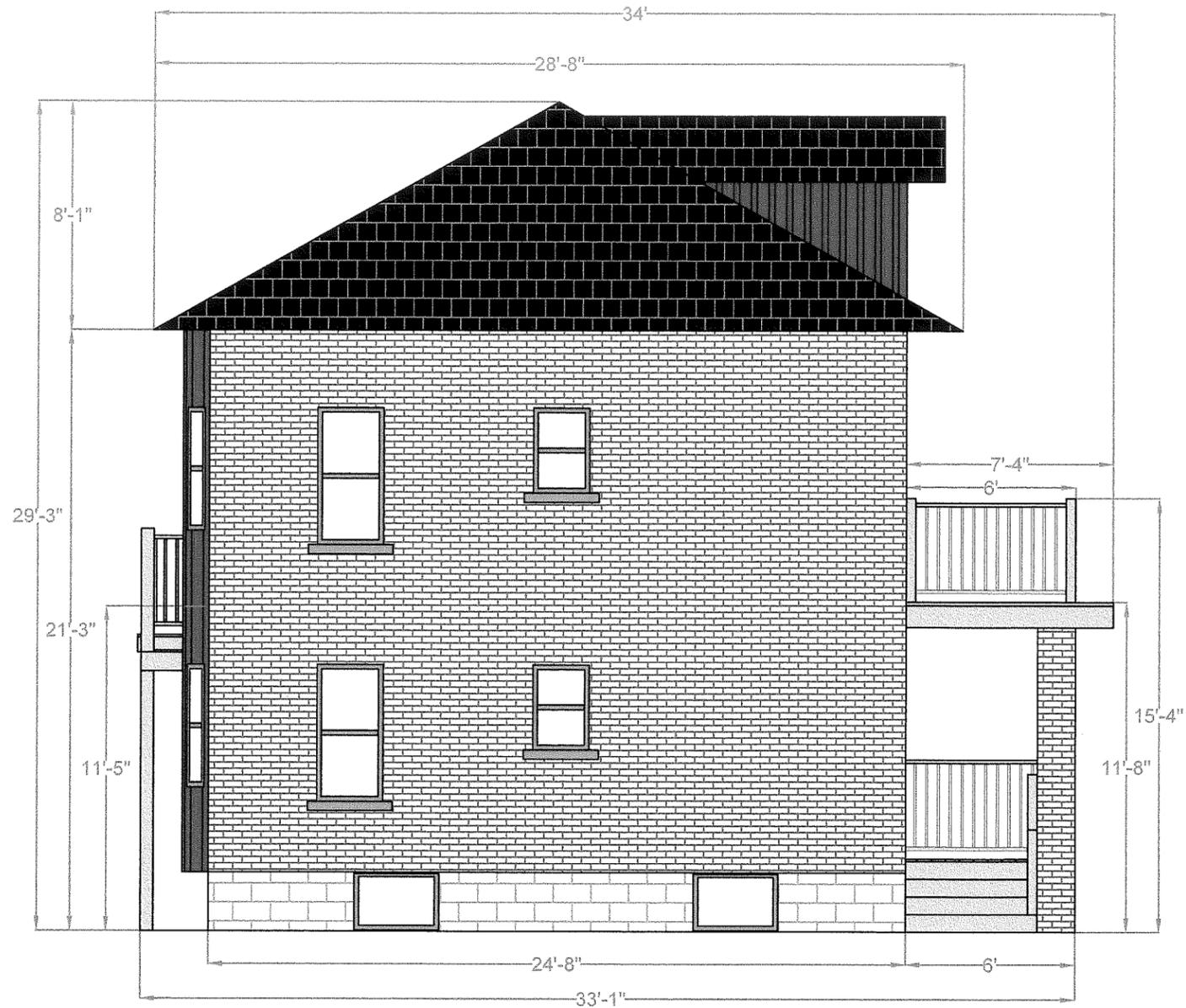
**THE DUPONT STANDARD  
MULTI-UNIT CONVERSION**

**A2.03  
NORTH ELEVATION PLAN**

DATE: FEB 13, 2023	DRAWN BY: MP	DWG #: <b>11 / 13</b>
PROJECT #: <b>067</b>	CHKD BY: MP	

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

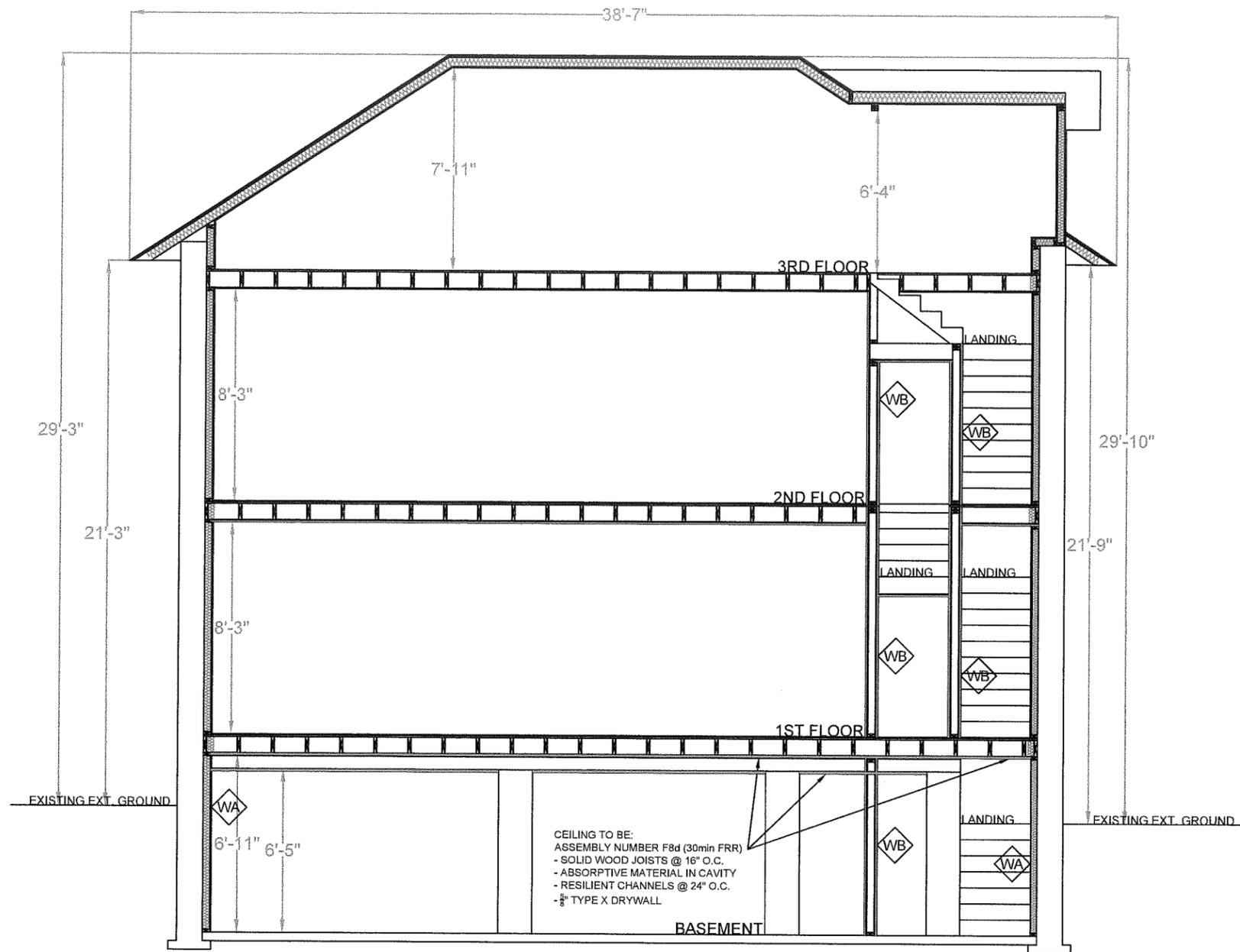
EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE



#:	DATE:	DESC.
<b>REVISIONS</b>		
SITE: <b>88 TISDALE ST. SOUTH. HAMILTON, ON.</b>		
<b>A2.04 SOUTH ELEVATION PLAN</b>		
DATE: FEB 13, 2023	DRAWN BY: MP	DWG #: 12 / 13
PROJECT #: <b>067</b>	CHKD BY: MP	

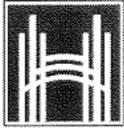
**ELEVATION PLAN**  
SCALE: 3/16" = 1'-0"

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
IS APPROXIMATE



#	DATE	DESC.
<b>REVISIONS</b>		
SITE: <b>88 TISDALE ST. SOUTH. HAMILTON, ON.</b>		
<b>THE DUPONT STANDARD MULTI UNIT CONVERSION</b>		
<b>A2.05 CROSS SECTION A FIRE SEPARATIONS</b>		
DATE: FEB 13, 2023	DRAWN BY: MP	DWG #: 13 / 13
PROJECT #: <b>067</b>	CHKD BY: MP	

**ELEVATION PLAN**  
SCALE: 3/16" = 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
Registered Owners(s)	JEREMY DUPONT MARIA DUPONT
Applicant(s)	MICHAEL ISOTTI PONGETTI
Agent or Solicitor	MICHAEL ISOTTI PONGETTI

- 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 MIKE@DECC-INC.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 be sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	88 TISDALE STREET SOUTH		
Assessment Roll Number	251803020405690		
Former Municipality	HAMILTON		
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:

TO PERMIT A MINIMUM LOT AREA OF 160m<sup>2</sup> INSTEAD OF THE REQ. 450M<sup>2</sup>, TO PERMIT ZERO (0) PARKING SPACES FOR FOUR DWELLING UNITS INSTEAD OF THE REQ. 1.25 PER CLASS A DWELLING UNIT AND TO PERMIT ZERO VISITOR PARKING SPACES INSTEAD OF THE REQ. 0.25 PER CLASS A DWELLING UNIT

*3rd & 4th*

~~Second~~ Dwelling Unit

Reconstruction of Existing Dwelling

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

LOT SIZE IS SET AND NO ADDITIONAL ROOM TO CREATE THE REQUIRED PARKING SPACES

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
1.677m	9.839m	160.06m <sup>2</sup>	7.394m/7.470m

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
TWO UNIT DWELLING	1.677m	.230m	1.583m/3.556m	03/01/1940

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
FOUR UNIT DWELLING	1.677m	.230m	1.583m/3.556m	03/01/1940

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
FIRE ESCAPE	9.6m <sup>2</sup>	9.6m <sup>2</sup>	2	4.63m
COVERED PORCH / BALCONY	5.6m <sup>2</sup>	8.7m <sup>2</sup>	2	4.63m

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.):

FOUR UNIT DWELLING

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

MULTI UNIT (8 UNIT) DWELLING

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

DECEMBER 1, 2022

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

DUPLEX. DOWNGRADED TO A SINGLE DETACHED FOR A SHORT PERIOD, PERMIT CURRENTLY OPEN FOR DUPLEX.

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

DUPLEX 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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) NO SUBSTANTIAL CHANGES

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

USE IS PERMITTED

7.6 What is the existing zoning of the subject land? E

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

- Yes
- No

If yes, please provide the file number: \_\_\_\_\_

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No N/A

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 4

8.3 Additional Information (please include separate sheet if needed):

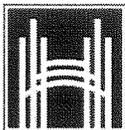
## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-



Hamilton

January 3, 2022

FILE: ALR  
 FOLDER: 22-155021 ALR  
 ATTENTION OF: Liam Tapp  
 TELEPHONE NO: (905) 546-2424  
 EXTENSION: 6884

Michael Isotti Pongetti  
 229 Locke Street South  
 Hamilton, ON L8P 4B8

**Re: ZONING COMPLIANCE REVIEW**  
**Present Zoning: E (Multiple Dwellings, Lodges, Clubs, Etc.)**  
**Address: 88 Tisdale Street South, HAMILTON**

A Zoning Compliance Review has been completed and the following comments are provided.

**COMMENTS:**

1. The applicant is proposing to convert a Two Family Dwelling (Duplex) to a four (4) unit Multiple Dwelling. The applicant is proposing the conversion to a Multiple Dwelling will commence after a subsequent building permit (22-153901 000 00) has been completed to Convert the existing Single Family Dwelling to a Two Family Dwelling (Duplex).
2. Our records indicate that the recognized use is a Single Family Dwelling within Hamilton Zoning By-Law 6593. The proposed use of a Multiple Dwelling is permitted within the E district (Multiple Dwellings, Lodges, Clubs, Etc.). A Multiple Dwelling is defined in Hamilton Zoning By-Law 6593 as follows:

**Dwelling, Multiple** - shall mean a building comprising four or more self-contained Class A dwelling units, whether or not a private garage or any other accessory building is attached except a building comprising a Townhouse Dwelling or a Maisonette Dwelling;

Be advised, Building Permit 22-138077 000 00 issued on September 22, 2022 to complete interior and exterior alterations to the single family dwelling was finalized on November 29, 2022. It is noted that the work was required to later convert the Single Family Dwelling to a Three Family Dwelling, however as per Building Permit 22-153901 000 00, the applicant proposes to convert the existing Single Family Dwelling to contain an additional Dwelling Unit (Duplex). As such, this application shall be based on the proposed Two Family Dwelling (Duplex) being Converted to a four (4) unit Multiple Dwelling.

As per Section 19. (2), any dwelling within an "E" District (Multiple Dwellings, Lodges, Clubs, Etc.) may be converted to provide two dwelling units or more, subject to additional requirements as provided under Section 19.(2) of Hamilton Zoning By-Law 6593.

In addition to the above comment, all parking has been compared and reviewed to the requirements of section 18A. It appears the parking space shown on the submitted site plan may have existed at the time the dwelling was erected, prior to the passing of Hamilton Zoning By-Law 6593 on July 25, 1950.

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

No parking was required for a Single Family or Two Family Dwelling prior to the passing of the By-law which would also not require the parking space to meet any parking standards, however the proposed conversion of the existing Single Family Dwelling to a Multiple Dwelling requires the space to comply with the current standards. As such, any deficiencies found through this review of the existing parking spaces will require a subsequent application for Minor Variance with the Committee of Adjustment.

3. This is a corner lot. With reference to "front lot line" shall mean either of the boundary lines along a street at the option of the owner, provided that where one of such boundary lines along a street is chosen as the front lot line, the other shall be considered as a side lot line. It appears as per previous reviews, that the front lot line for this property is considered to be the Eastern lot line adjacent to Tisdale Street South. The Southern lot line adjacent to Tisdale Street South shall be considered the side lot line.
4. Please note, as per the review provided below, should the alteration of the current site plan not be possible the following variances are required to permit the Conversion of the Single Family Dwelling/ proposed Duplex to a Multiple Dwelling:
  - a. To permit a minimum lot area of 160.1 m<sup>2</sup> instead of the required minimum lot area of 450 m<sup>2</sup>
  - b. To permit one (1) parking space for four (4) dwelling units in a Multiple Dwelling instead of the required 1.25 spaces per Class A dwelling unit
  - c. To permit zero (0) visitor parking spaces instead of the required 0.25 spaces per Class A dwelling unit
  - d. To permit a parking space with a width of 2.439 metres and length of 6 metres instead of the required parking space width of 2.7 metres and length of 6.0 metres
  - e. To permit a driveway access width of 2.439 metres instead of the minimum required width of 2.8 metres.
5. Construction of the proposed Conversion of the existing Single Detached Dwelling or the anticipated Two Family Dwelling (Duplex) to a Multiple Dwelling is subject to the issuance of a building permit in the normal manner.
6. All new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.
7. The designer shall ensure that the fire access route conforms to The Ontario Building Code.
8. The proposed development has been reviewed and compared to the standards of the E district as indicated in the following chart:

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Section 11 of Hamilton Zoning By-law 6593</b>			

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Maximum Building Height</b> Section 11.(2)(ii)	Except as provided in clause (iii), no building or structure for any other use shall exceed eight storeys or 26.0 metres (85.30 feet) in height;	Existing	Deemed to Comply
<b>Minimum Setback from the Front Lot Line</b> Section 11.(3)(i)(b)	<p>for all other buildings or structures a front yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, but no such front yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 7.5 metres (24.61 feet), provided that with respect to said other buildings and structures, where a front yard abuts upon a street of a width of less than 20.0 metres (65.62 feet), the required depth shall be increased by half of the difference between the actual width of the street and 20.0 metres (65.62 feet);</p> <p>Provided, however, that where a deeper front yard is required for any lot in another district on the same side of the street between two intersecting streets, the front yard shall be increased in depth of what would have been required had the front yard required by this section been in such other district;</p>	Existing	Deemed to Comply
<b>Minimum Setback from a Side Lot Line</b> Section 11.(3)(ii)(b)	<p>for every other building or structure, along each side lot line a side yard of a width of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building by its length, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres (4.92 feet), and need not have a width of more than 9.0 metres (29.53 feet), but plus 3.0 metres (9.84 feet) where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less than 4.5 metres (14.76 feet) and need not have a width of</p>	Existing	Deemed to Comply

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>more than 13.5 metres (44.29 feet);</p> <p>Provided that with respect to said other buildings and structures, where a side lot line is a street line, the side yard on that side shall have a width of at least 3.0 metres (9.84 feet), and need not have a width of more than 7.5 metres (24.61 feet); and that where a side lot line is the street line of a street less than 20.0 metres (65.62 feet) wide, the required width of the side yard on that side shall be increased by half of the difference between the actual width of the street and 20.0 metres (65.62 feet);</p>		
<p><b>Minimum Setback from the Rear Lot Line</b> Section 11.(3)(iii)(b)</p>	<p>for every other building or structure, a rear yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the rear yard, but no such rear yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 13.5 metres (44.29 feet); plus 3.0 metres (9.84 feet) where any balcony, sunroom or any window of a habitable room does overlook such rear yard, but no such rear yard need have a depth of more than 13.5 metres (44.29 feet);</p>	Existing	Deemed to Comply
<p><b>Minimum Lot Area</b> Section 11.(5)(iii)</p>	450.0 square metres (4,843.92 square feet);	<p>160.1 m<sup>2</sup></p> <p><b>See Review of 19.(2)(v)</b></p>	Does not Comply
<p><b>Minimum Lot Width</b> Section 11.(5)(iii)</p>	a width of at least 15.0 metres (49.21 feet)	Existing	Conforms

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Floor Area Ratio</b> Section 11.(5)	No building or structure in an "E" District shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 1.7.	Existing	Deemed to Comply
<b>Landscaped Area</b> Section 11.(6)	For every building or structure there shall be provided and maintained on the same lot within the district an amount not less than 25% of the area of the lot on which the building or structure is situate, as landscaped area.	Existing (27.2%)	Conforms
<b>Section 18 of Hamilton Zoning By-law 6593</b>			
<b>Encroachment on Yards</b> Section 18.(3)(vi)(b)	A canopy, cornice, eave or gutter may project,  (i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet);	Existing	Deemed to Comply
	(ii) into a required rear yard not more than 1.5 metre (4.92 feet);	Existing	Deemed to Comply
	(iii) into a required side yard not more than one-half of its width, or 1.0 metre (3.28 feet), whichever is the lesser;	Existing	Deemed to Comply
<b>Encroachment on Yards</b> Section 18.(3)(vi)(c)	An open fire escape or open stairway may project  (i) into a required rear yard not more than 1.0 metre (3.28 feet); or	Existing	Deemed to Comply
	(ii) into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser;	Existing	Deemed to Comply
<b>Encroachment on Yards</b> Section 18.(3)(vi)(cc)	A bay, balcony or dormer may project  (i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet);	Existing	Deemed to Comply
	(ii) into a required rear yard not more than 1.0 metre (3.28 feet);	Existing	Deemed to Comply

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	or (iii) into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser,	Existing	Deemed to Comply
<b>Encroachment on Yards</b> Section 18.(3)(vi)(d)	A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres (9.84 feet), and every such projecting porch shall be distant at least 1.5 metres (4.92 feet) from the front lot line	Existing	Deemed to Comply
<b>Supplementary Accessory Building Requirements And Modifications</b> Section 18.(4)(v)	Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:  (a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,	Not Indicated  <b>Note: Any existing Air condition or pump be located on the property shall be clear indicated and labelled as to setbacks.</b>  <b>Should any new Mechanical or Unitary equipment be proposed, the requirements of 18(4)(v) shall apply</b>	N/A
	(b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.	Not Indicated  <b>Note: Any existing Air condition or pump be located on the property shall be clear indicated and labelled as to setbacks.</b>  <b>Should any new Mechanical or Unitary equipment be proposed, the requirements of 18(4)(v) shall apply</b>	N/A
<b>Section 18A of Hamilton Zoning By-law 6593</b>			
<b>Required Parking</b> Section 18A.(1) (a)	Except as otherwise provided, for every building or structure and use identified in this Section, there shall be provided and maintained within each district on the same lot on which one or	1 parking space provided	Does not Comply

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>more buildings are erected, altered, extended or enlarged,</p> <p>(a) not less than the number of parking spaces at the ratio mentioned in column 2 for the corresponding use mentioned in paragraphs numbered 1, 2, 3 and 4 of column 1 of Table 1,</p> <p>Table 1</p> <p>Multiple Dwelling - 1.25 spaces per Class A dwelling unit</p> <p>1.25 x 4 = 5 required parking spaces</p>		
<p><b>Required Visitor Parking Section 18A.(1)(b)</b></p>	<p>not less than the number of parking spaces exclusively for visitors at the ratio mentioned in column 2 for the corresponding residential use mentioned in column 1 of Table 2, as already included in the minimum number of required parking spaces for residential uses mentioned in Table 1,</p> <p>Table 2 Visitor Parking Multipl Dwelling not in area "A" or "B" of Schedule H – 0.25 of a space per Class A dwelling unit</p> <p>1 visitor parking space required</p>	0 provided	<b>Does not Comply</b>
<p><b>Minimum Required Manoeuvring Space for Parking Areas Section 18A.(1)(f)</b></p>	<p>manoeuvring space abutting upon and accessory to each required parking space, having an aisle width mentioned in column 2 of Table 6 for each parking space having a parking angle mentioned in column 1,</p>	Parking Space abuts Tisdale Street South	<b>N/A</b>
<p><b>Parking Space Dimension Section 18A.(7)</b></p>	<p>Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long.</p>	2.439 m x 6.098 m	<b>Does not Comply</b>
<p><b>Parking, Loading and Manoeuvring Space Section 18A.(9)</b></p>	<p>Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located.</p>	<p>One Parking Space located on lot</p> <p><b>See review of section 19.(2)(vi)(3) for manoeuvring requirements</b></p> <p><b>Note: Should additional parking be proposed,</b></p>	<b>Conforms</b>

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
		manoeuvring space shall be provided on site	
<b>Access to Parking</b> <b>Section 18A.(21)</b>	All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways,  (a) located on the lot; or  (b) located partly on the lot in the case of a mutual driveway; or  (c) by means of a right of way.	Access located on lot	<b>Conforms</b>
<b>Unobstructed Manoeuvring Space</b> <b>Section 18A.(22)</b>	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.	Manoeuvring space provided off site and unobstructed	<b>Conforms</b>
<b>Access Width to Parking</b> <b>Section 18A.(24)</b>	Every parking area for a use where,  (a) there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres;	2.439 m provided	<b>Does not Comply</b>
<b>Parking Surface Material</b> <b>Section 18A.(30)</b>	Except as provided in subsection 31, a permanent durable and dustless surface that is graded, drained, and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway.	Asphalt	<b>Conforms</b>

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Section 19 of Hamilton Zoning By-law 6593</b>			
<p><b>"DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts</b> Section 19.(2)</p>	<p>Notwithstanding anything contained in this By-Law, any dwelling in a "DE" (Low Density Multiple Dwellings), "DE-2" (Multiple Dwellings), "DE-3" (Multiple Dwellings), "E" (Multiple Dwellings, Lodges, Clubs, etc.), "E-1" (Multiple Dwellings, Lodges, Clubs, etc.), "E-2" (Multiple Dwellings) and "E-3" (High Density Multiple Dwellings) Districts may be converted to provide two dwelling units or more, provided all the following requirements are complied with:</p> <p>(i) each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1m (6.9 ft.), but excluding the area of any porch, verandah or other such space which cannot lawfully be used as living quarters;</p>	<p>Insufficient Information Provided</p> <p><b>Note: Floor plans for proposed dwelling units shall be required to determine minimum floor area for each unit</b></p>	<p><b>Unable to Determine Compliance</b></p>
	<p>(ii) except as permitted in clause (iii), the external appearance and character of the dwelling shall be preserved;</p>	<p>Existing Structure to remain, unaltered</p>	<p><b>Conforms</b></p>
	<p>(iii) there shall be no outside stairway other than an exterior exit;</p>	<p>Exterior exit provided</p>	<p><b>Conforms</b></p>
	<p>(iv) the yard requirements of the applicable zoning district in which the residential building is located shall apply to any extensions or enlargements;</p>	<p>No Extensions or enlargements shown</p> <p><b>See Review of yard requirements above</b></p>	<p><b>Conforms</b></p>
	<p>(v) the following lot area requirements shall apply:</p> <p>(1) a minimum lot area of 270m<sup>2</sup> shall be provided and maintained for one to three dwelling units;</p>	<p>160.1 m<sup>2</sup></p>	<p><b>Does not Comply</b></p>

Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	(2) a minimum lot area of 450m <sup>2</sup> , but not less than 65m <sup>2</sup> of lot area per dwelling unit, shall be provided and maintained for more than three dwelling units;		
	<p>(vi) parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:</p> <p>Location</p> <p>(1) it may be located in a required front yard provided that the area for parking, manoeuvring and access driveway shall not occupy more than 50% of the gross area of the front yard;</p> <p>(2) not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials;</p> <p>(3) manoeuvring for the parking space may be permitted off-site; and,</p> <p>(4) where a side yard abuts a street line, not less than 50% of the gross area of the side yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials.</p>	<p>See Review of Section 18A for additional parking requirements.</p> <p>(1) Does not appear to exceed 50% of the gross area of the front yard</p> <p>(2) Appears to be provided</p> <p>(3) off site-parking will be required for one space</p> <p>(4) side yard abutting Tisdale Street South appears to consist of only landscaping</p> <p><b>Note: Applicant shall provide front yard landscaping and driveway area within required front yard to confirm location requirements</b></p>	<p><b>Appears to Comply</b></p>
	(vii) For the purposes of clause 19(2)(vi), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending	Applicant shall note 19.(2)(vii)	

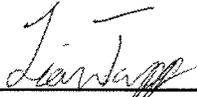
Zoning Compliance Review  
88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>from the side lot line to side lot line but subtracting:</p> <ul style="list-style-type: none"> <li>(i) unenclosed entrance porches;</li> <li>(ii) vestibules;</li> <li>(iii) ramps;</li> <li>(iv) front steps;</li> <li>(v) chimneys;</li> <li>(vi) bay windows;</li> <li>(vii) ornamental projections;</li> <li>(viii) terraces;</li> <li>(ix) platforms; and,</li> <li>(x) a walkway between the front entrance of the principle building and the front lot line or driveway with a maximum width of 0.6m.</li> </ul>		
	<p>(viii) For purposes of clause 19(2)(vi)(4), the gross area of the side yard shall be calculated as the area between the side lot line and a principle dwelling and the area extending from the front yard to the rear yard subtracting:</p> <ul style="list-style-type: none"> <li>(i) unenclosed entrance porches;</li> <li>(ii) vestibules;</li> <li>(iii) ramps;</li> <li>(iv) side steps;</li> <li>(v) chimneys;</li> <li>(vi) bay windows;</li> <li>(vii) ornamental projections;</li> <li>(viii) terraces;</li> <li>(ix) platforms;</li> <li>(x) alcoves;</li> <li>(xi) stairwells; and,</li> <li>(xii) a walkway located in the side yard between the area extending from the front yard to the rear yard of the principle dwelling with a maximum width of 0.6m.</li> </ul>	Side yard appears to be entirely landscaping	N/A
	<p>(ix) Notwithstanding clause 19(2)(vi), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:</p> <ul style="list-style-type: none"> <li>(i) a driveway between the front entrance of the garage and the</li> </ul>	Front lot line is not curved	N/A

Zoning Compliance Review  
 88 Tisdale Street South, Hamilton

Hamilton Zoning By-Law 05-200 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	front lot line with maximum width of:  (1) 3.0m for each door of a one, two or three car garage; or;  (2) 5.5m for a double door of a two car garage; and,  (ii) a walkway between the front entrance of the principle dwelling and the front lot line or driveway with a maximum width of 0.6m,  provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel, pavers or other similar materials.		

Yours truly



\_\_\_\_\_  
 for the Manager of Zoning and Committee of Adjustment





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-23:39</b>	<b>SUBJECT PROPERTY:</b>	113 HILLYARD STREET, HAMILTON
<b>ZONE:</b>	"M5, 375" (General Industrial Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 10-128

**APPLICANTS:** Owner: MAURICIO BASTIDAS & ISABEL PENA

The following variances are requested:

1. The stairs forming part of the front porch shall be permitted to encroach up to 100% of the required front yard instead of the maximum permitted 50% or 1.5 m, whichever is the lesser;

**PURPOSE & EFFECT:** To construct new stairs attached to the existing front porch of the existing dwelling and install a front yard parking pad:

**Notes:**

- i. The submitted site plan does not clearly identify the front property line. As such, the variance for stair encroachment has been written to capture necessary zoning relief broadly.
- ii. If the stairs will encroach within the municipal boulevard, an Encroachment Agreement with the Public Works Department may be required. Please contact [encroachment@hamilton.ca](mailto:encroachment@hamilton.ca) for further information.
- iii. A Residential Boulevard Parking Agreement with the Hamilton Municipal Parking Authority may be required for the parking space shown within the Hillyard Street road allowance. As this parking space is predominately located off of the lot, it does not constitute a parking space for zoning purposes.

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

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

HM/A-23:39

<b>DATE:</b>	<b>Thursday, March 30, 2023</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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:39, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

HM/A-23:39



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

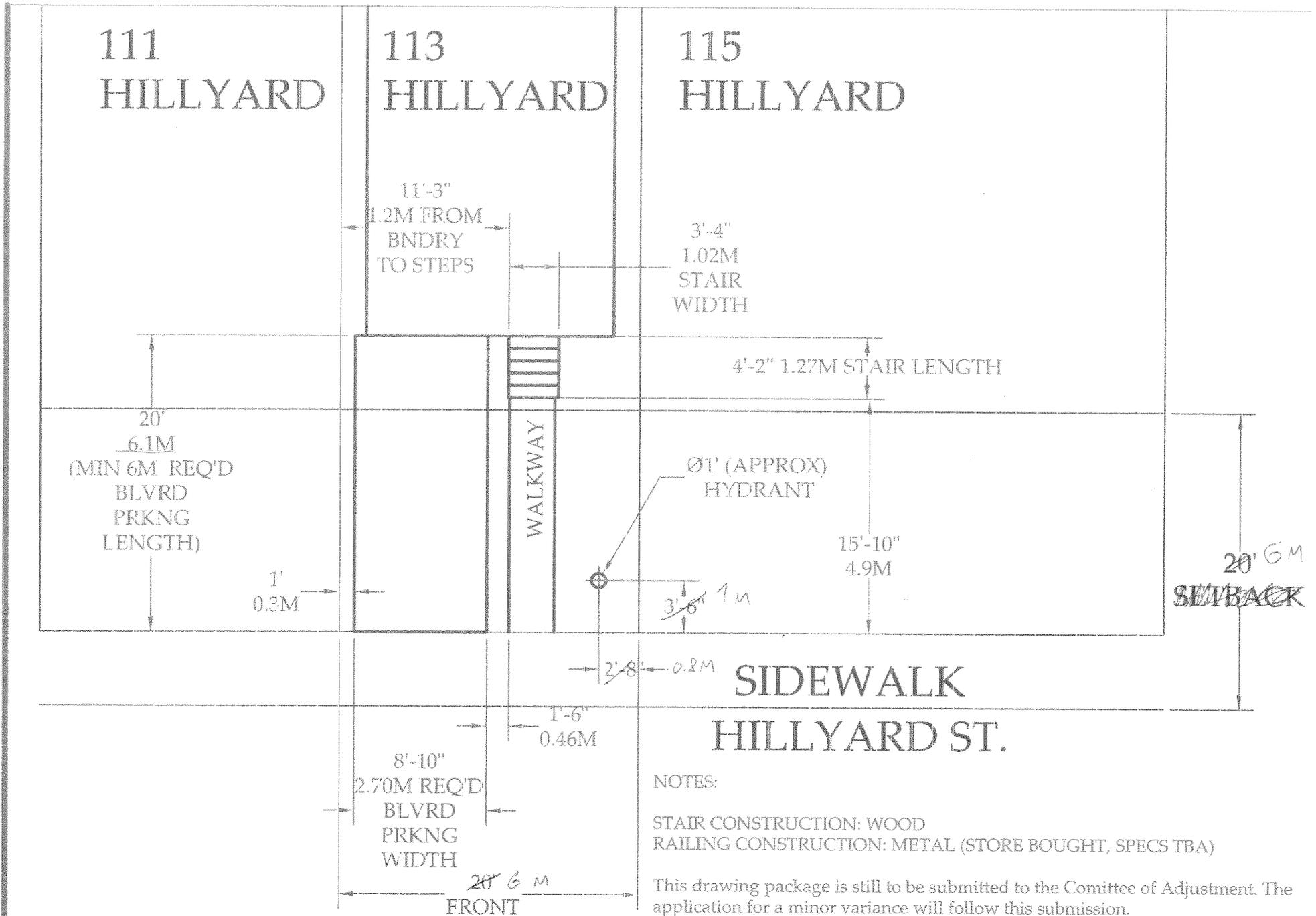
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

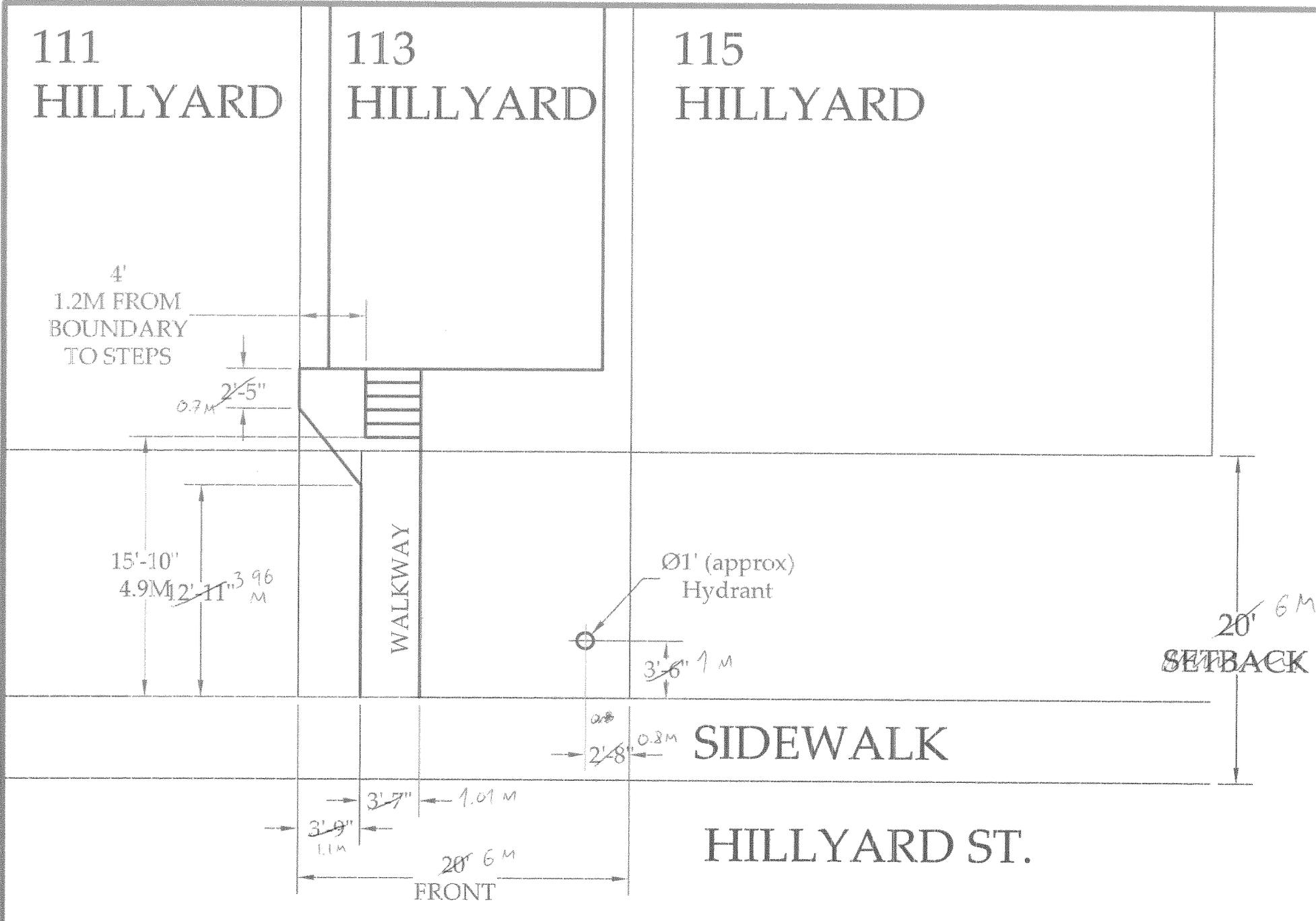
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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



MB-BM Design - 113 Hillyard St.	PROPOSAL	Sheet: 2/2	Date: 12/20/2022
Designed by: MB		Scale: NTS	Drawing No.:



MB-BM Design - 113 Hillyard St.	CURRENT STATE	Sheet: 1/2	Date: 12/20/2022
Designed by: MB		Scale: NTS	Drawing No.:

Committee of Adjustment,

My name is Mauricio Bastidas. I reside at 113 Hillyard Street, and have for the past two years.

My mother lives with me. She is a senior citizen whom struggles with degenerative osteoarthritis. Since we moved to this house she has struggled walking home after I cannot find parking nearby. We both work, and since I'm the only driver, my mother depends on me driving her around for errands, medical appointments, and assignments. This application for boulevard parking would greatly improve our lives.

Please find the proposed drawings, application form, and signature pages attached to this cover letter.

Thank you very much,

Mauricio Bastidas

113 Hillyard St.

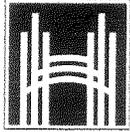
3.1 Exemption 375 prevents me from building a boulevard parking spot, and needs to be approved by the committee of adjustment.

**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 A MINOR VARIANCE/PERMISSION**

UNDER SECTION 45 OF THE *PLANNING ACT* 1.

**APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	Mauricio Bastidas / Isabel Cristina Pena	
Applicant(s)	Mauricio Bastidas / Isabel Cristina Pena	
Agent or Solicitor		

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

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent:

[REDACTED]

No

1.5 All correspondence may be sent by email  Yes\*

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.

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:

---

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

Yes

No

If yes, please provide the file number:

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes

No

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

## **8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing:

8.2 Number of Dwelling Units Proposed:

8.3 Additional Information (please include separate sheet if needed):



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-23:02</b>	<b>SUBJECT PROPERTY:</b>	1821 KING STREET E, HAMILTON
<b>ZONE:</b>	"C2" (Neighbourhood Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: F. Al Dabbagh  
Agent: S. Arfa

The following variances are requested:

1. A minimum setback of 0.59m shall be provided from Cameron Avenue South instead of the minimum setback of 1.5m required from a street.
2. A maximum setback of 5.5m shall be permitted from King Street East whereas the By-law permits a maximum 3.0m building setback from a street.
3. A 0.6m wide Planting Strip shall be provided abutting a Residential Zone instead of the minimum required 1.5m wide Planting Strip.
4. Parking spaces and associated aisles shall be located 0.0m from a street line (along Cameron Avenue South) whereas the by-law requires parking spaces and aisles to be located a minimum 3.0m from a street line.
5. No planting strip shall be provided between the street line and the parking lot instead of the minimum required 3.0m wide Planting Strip.
6. A minimum aisle width of 4.8m shall be provided abutting each parking space instead of the minimum required 6.0m wide aisle width.
7. Six (6) parking spaces shall be provided instead of the minimum required nine (9) parking spaces.

**PURPOSE & EFFECT:** To permit the construction of a new two (2) storey rear yard addition along

**HM/A-23:02**

with a second storey addition onto the existing one (1) storey commercial building.

**Notes:**

- i. These lands are subject to Site Plan Control.
- ii. This building is intended as a Medical Clinic (Dental Office) use on the ground floor along with two (2) dwelling units located on the second floor.

**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, March 30, 2023</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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:02, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written

**HM/A-23:02**

request with the Secretary-Treasurer 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.



**Subject Lands**

DATED: March 14, 2023

---

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

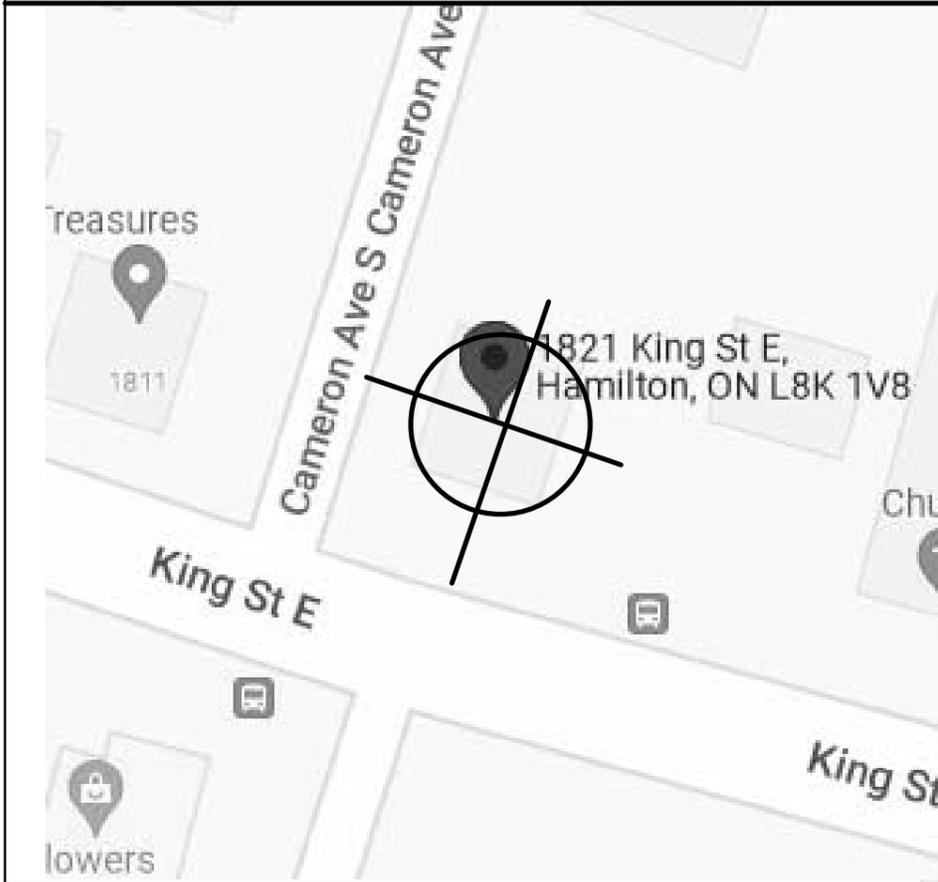
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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.



# CITY OF HAMILTON



**GENERAL NOTES:**  
 All construction to adhere to these plans and spec's and to conform to the ontario code and all other applicable codes and authorities having jurisdiction. general contractor shall check and verify all dimintions and reports all errors and ommisions before proceeding with the work.

**QUALIFICATION INFORMATION**



NAME: SAHAR ARFA      FIRM NAME: ARFA DESIGN INC  
 BCIN: 107072      BCIN: 110518

I review and take responsibility for the design work on behalf of Arfa design inc registered under subsection 3.2.4 of devision c of the building code.in the appropriate classes categories

## ARFA DESIGN INC

**DESIGNER:** SAHAR ARFA  
**E:** SAHAR@ARFADESIGN.CA  
**D:** 416-8804280



<b>SCOPE OF WORK</b>	<ul style="list-style-type: none"> <li>• PROPOSED ADDITION ON BASEMENT, FIRST FLOOR ABD PROPOSED SECOND FLOOR</li> <li>• PROPOSED DENTAL OFFICE ON FIRST FLOOR</li> <li>• PROPOSED TWO RESIDENTIAL UNITS ON SECOND FLOOR</li> </ul>
<b>ADDRESS</b>	1821 King St E, Hamilton, ON L8K 1V8

**PROJECT NAME**  
 1821 KING STE

**DRAWING NAME**  
 COVER SHEET

**A00**  
 SCALE



**GENERAL NOTES:**  
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 BCIN 107072  
 FIRM NAME ARFA DESIGN INC  
 BCIN 110518

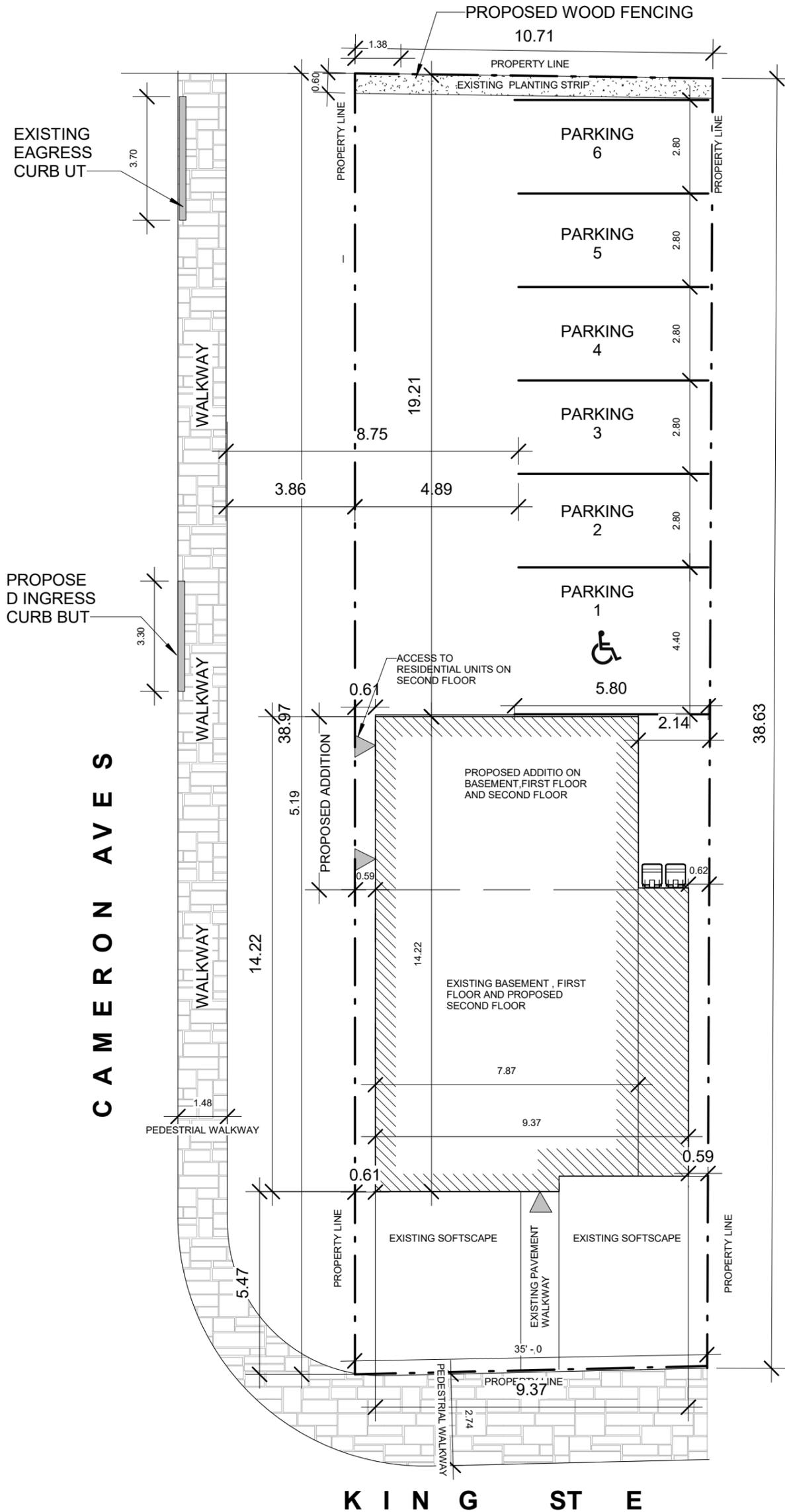
I review and take responsibility for the design work on behalf of Arfa design inc registered under subsection 3.2.4 of division c of the building code in the appropriate classes categories



**PROJECT NAME**  
 1821 KING STE

**DRAWING NAME**  
 SITE PLAN

**A01**  
 SCALE 1 : 140



**LOT STATISTIC**

DESCRIPTION	SQM
LOT AREA	412
EXISTING BASEMENT AREA	95.08
EXISTING FIRST FLOOR AREA	83.45
PROPOSED FIRST FLOOR	123.80
PROPOSED SECOND FLOOR AREA	110.90
USE OF FIRST FLOOR	DENTAL OFFICE
USE OF 2ND FLOOR	TWO RESIDENTIAL UNIT
PROPOSED PARKING LOT	6 SPOT
PROPOSED HEIGHT	7.67 M
	ACCESS TO THE BUILDING

**SITE PLAN**



**GENERAL NOTES:**

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**PROJECT NAME**

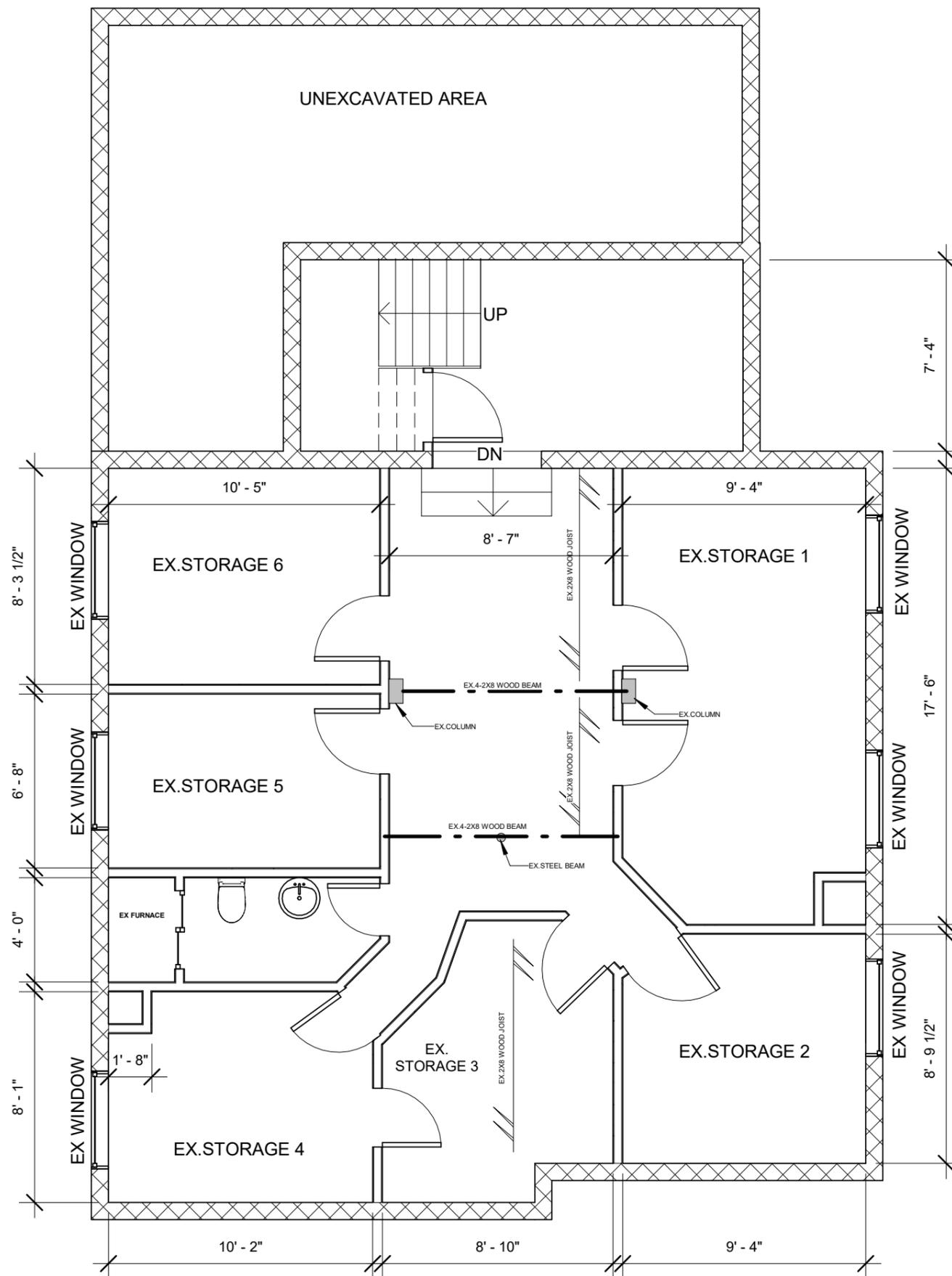
1821 KING STE

**DRAWING NAME**

BASEMENT

**A02**

SCALE 1 : 60



**BASEMENT PLAN**

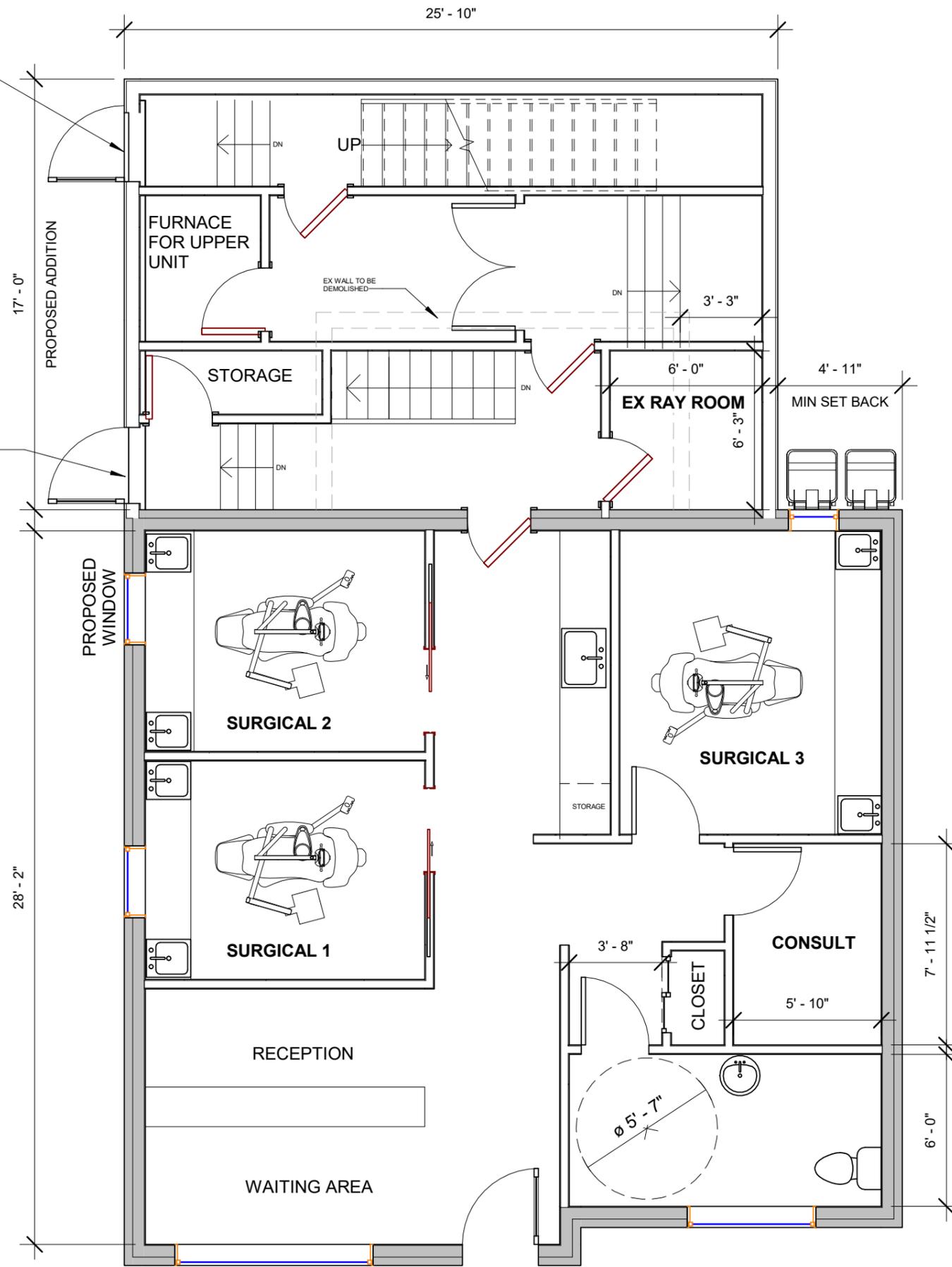


**LEGEND**

	NEW WALL
	EXISTING WALL TO REMAIN

ACCESS TO RESIDENTIAL UNITS ABOVE

ACCESS TO DENTAL OFFICE



**PROPOSED FIRST FLOOR**

**GENERAL NOTES:**

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 BCIN 107072 BCIN 110518

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**PROJECT NAME**

1821 KING STE

**DRAWING NAME**

PROPOSED FIRST FLOOR

**A03**

SCALE 1 : 60



**GENERAL NOTES:**  
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**QUALIFICATION INFORMATION**



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 BCIN: 107072      BCIN: 110518

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**PROJECT NAME**

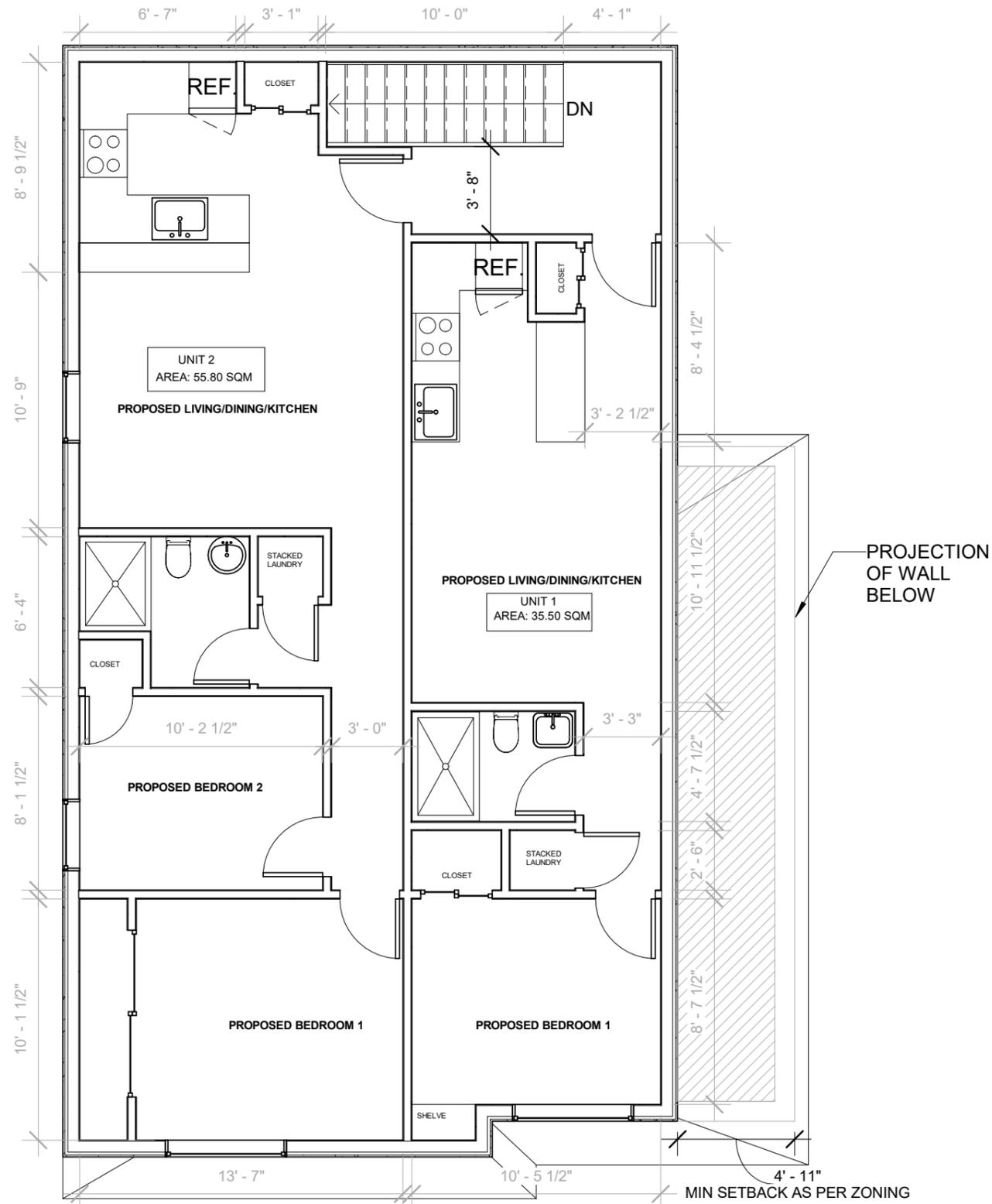
1821 KING STE

**DRAWING NAME**

SECOND FLOOR

**A04**

SCALE: 1 : 70



**PROPOSED SECOND FLOOR**



**GENERAL NOTES:**  
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**PROJECT NAME**

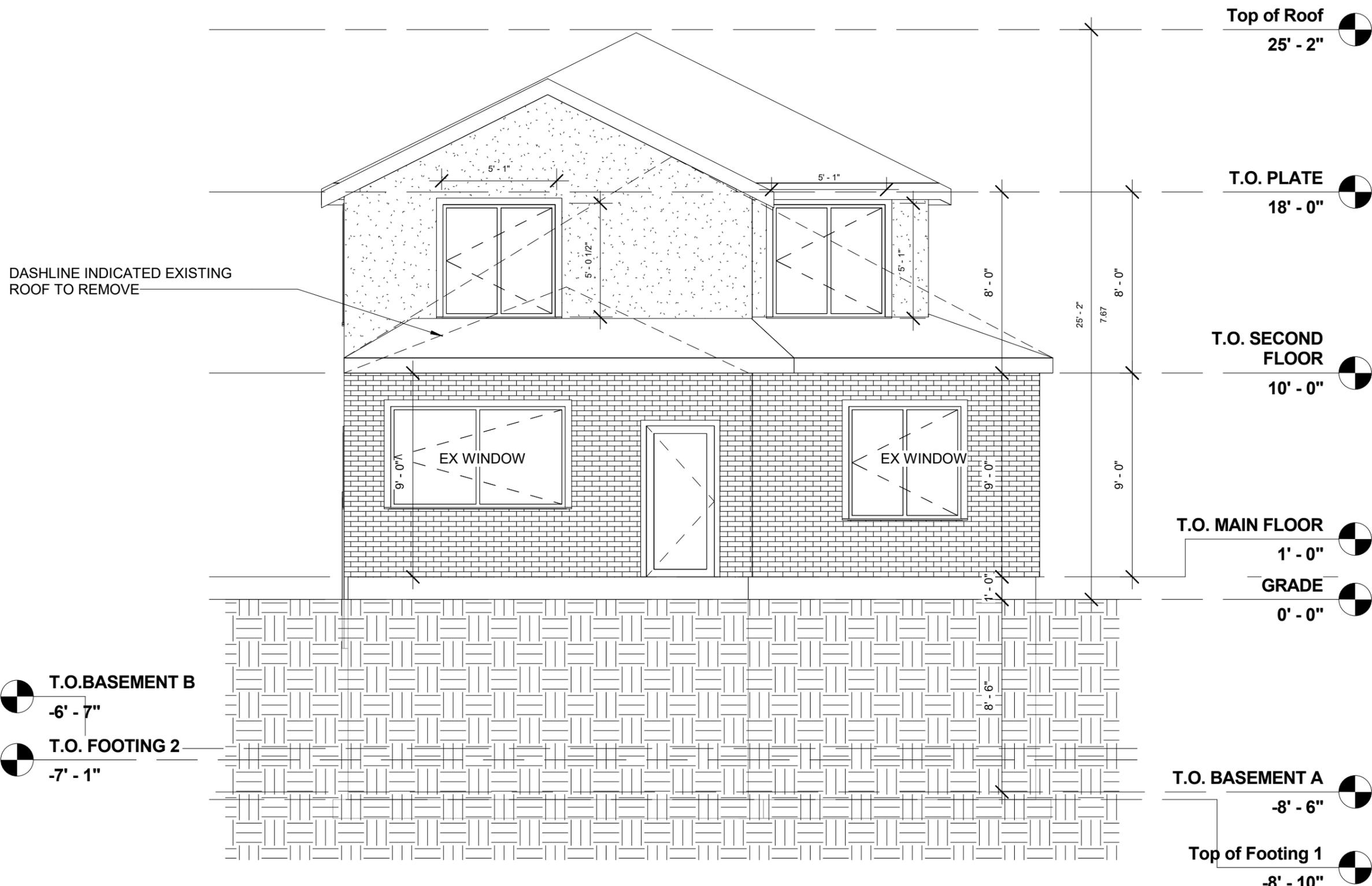
1821 KING STE

**DRAWING NAME**

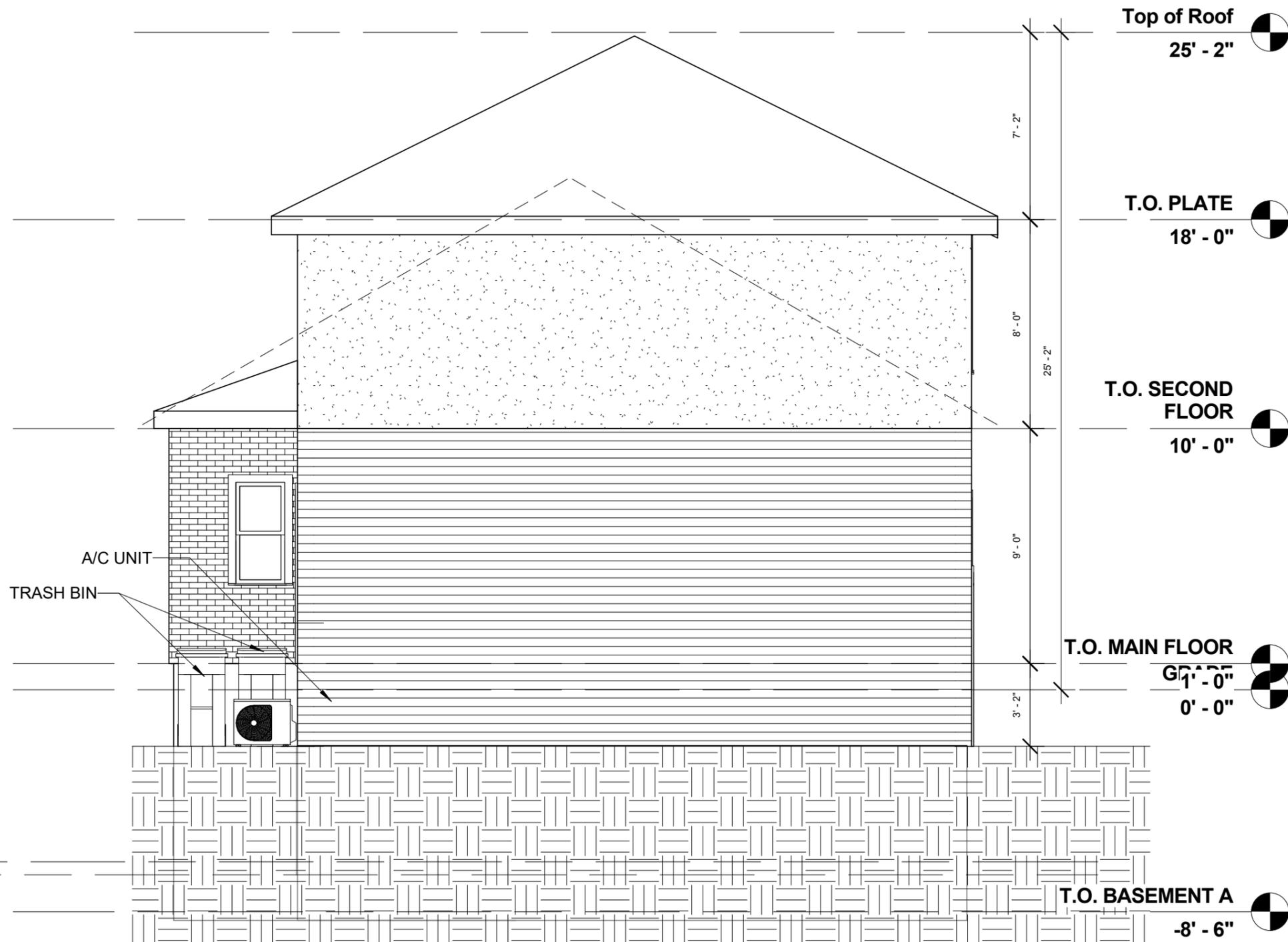
FRONT ELEVATION

A05

SCALE 1 : 55



**FRONT ELEVATION**



**REAR ELEVATION**

**GENERAL NOTES:**

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PROJECT NAME

1821 KING STE

DRAWING NAME

REAR ELEVATION

A06

SCALE 1 : 55



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**QUALIFICATION INFORMATION**



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 BCIN 107072 BCIN 110518

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**PROJECT NAME**

1821 KING STE

**DRAWING NAME**

WEST ELEVATION

A07

SCALE 1 : 70



**WEST ELEVATION**



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**PROJECT NAME**

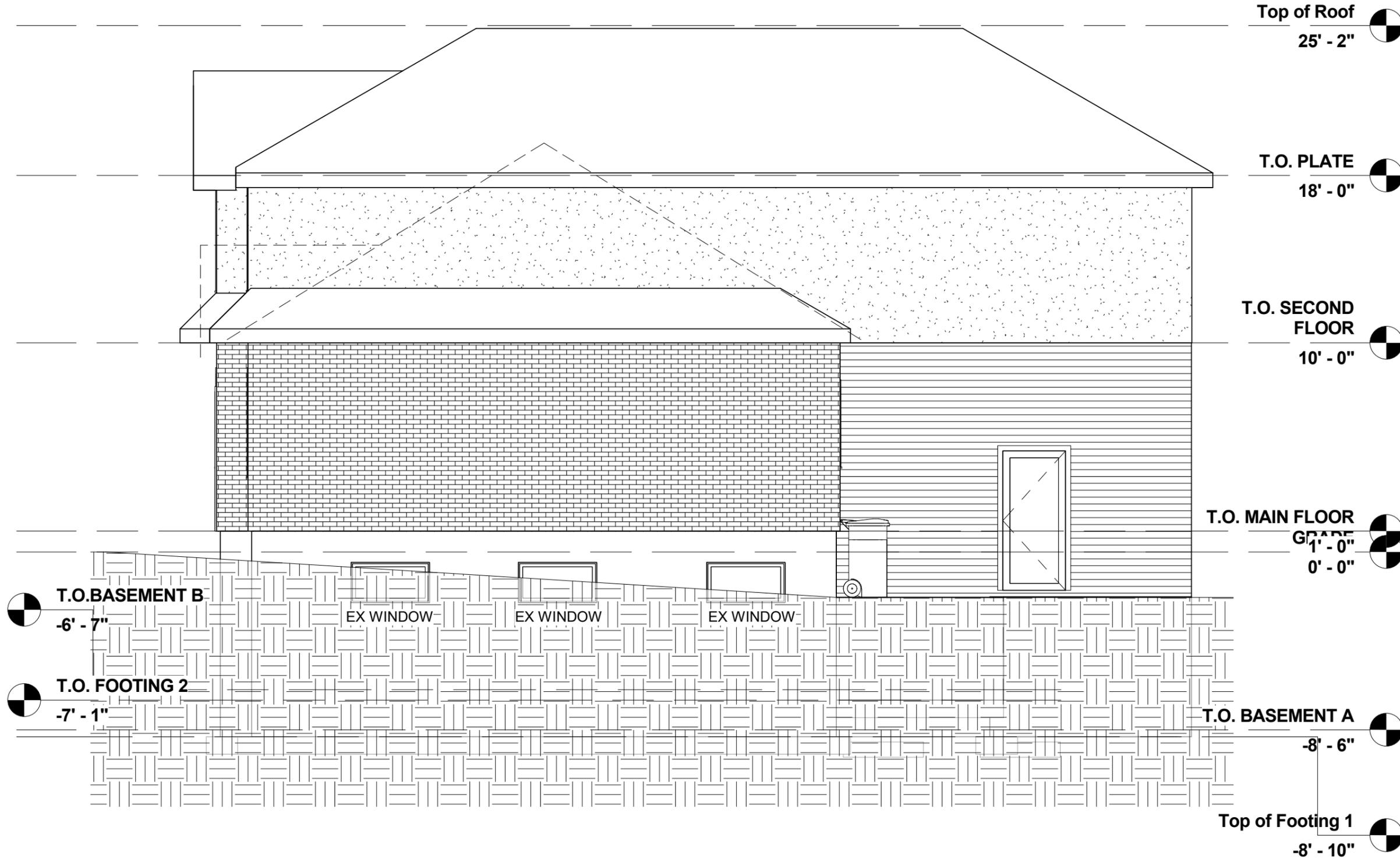
1821 KING STE

**DRAWING NAME**

EAST ELEVATION

A08

SCALE 1 : 60



**EAST ELEVATION**



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**QUALIFICATION INFORMATION**

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 FIRM NAME ARFA DESIGN INC  
 BCIN 110518  
 BCIN 107072

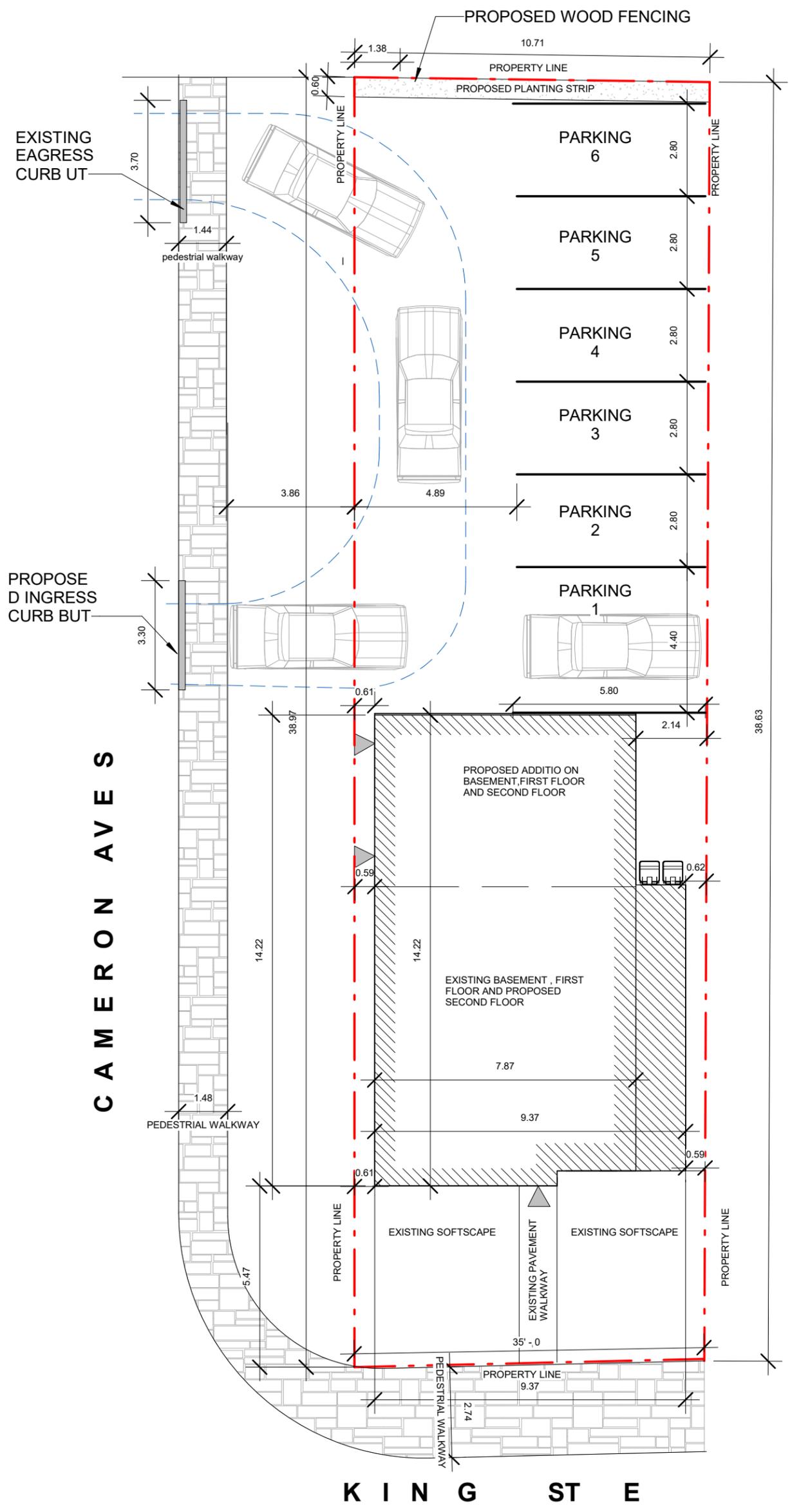
I review and take responsibility for the design work on behalf of Arfa design inc registered under subsection 3.2.4 of division c of the building code in the appropriate classes categories



**PROJECT NAME**  
 1821 KING STE

**DRAWING NAME**  
 SITE PLAN

**A01**  
 SCALE 1 : 140



**LOT STATISTIC**

DESCRIPTION	SQM
LOT AREA	412
EXISTING BASEMENT AREA	95.08
EXISTING FIRST FLOOR AREA	83.45
PROPOSED FIRST FLOOR	123.80
PROPOSED SECOND FLOOR AREA	110.90
USE OF FIRST FLOOR	DENTAL OFFICE
USE OF 2ND FLOOR	TWO RESIDENTIAL UNIT
PROPOSED PARKING LOT	6 SPOT
PROPOSED HEIGHT	7.67 M
	ACCESS TO THE BUILDING

**SITE PLAN**





# Hamilton

September 19, 2022

FILE:  
FOLDER: 22-141341-00 ALR  
ATTENTION OF: William Campbell  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 6754-

Sahar Arfa  
191 SAINT GEORGE ST  
TORONTO, ON M5R 2M6

**Attention:**

**Re: APPLICABLE LAW REVIEW – ZONING BYLAW**  
**Present Zoning:**  
**Address: 1821 KING ST E HAMILTON, ON**

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

**COMMENTS:**

1. This applicant is proposing the construction of a ground level rear yard addition, and a second storey addition, to establish a dental office, as well as two residential units, at the municipal address 1821 King St E.
2. The indented uses are permitted under the C2 Neighbourhood Commercial Zone
3. This is a corner lot. Based on “front lot line” as defined, the lot line adjacent to King St E is considered the front lot line for the purposes of this review
4. Please note that any future submissions should include façade width dimensions to determine compliance for section 10.2.3 i) “Built form for new development”
5. Encroachment details have not been provided, any proposed encroachments shall conform to section 4.6 of Hamilton Zoning By-law 05-200
6. Be advised, building height, and grade is defined under Hamilton Zoning By-law as follows;

***Building Height-***

*Shall mean the vertical distance from **grade** to the uppermost point of the building but not including any mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney, smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a flagpole, display sign, ornamental figure, parapet, bell tower or other similar*

structure. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such required yard at that point closest to the building and the horizontal extension of the uppermost point of the building.

**Grade-**

Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls

7. The proposed construction has been compared to the standards of the C2 Neighbourhood Commercial Zone regulations in the following chart;

	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Section 10.2– C2 Requirements</b>			
<b>Building Setback from a Street Line</b> [as per section 10.2.3(a) of Hamilton Zoning By-law 05-200]	i) Minimum 1.5 metres; ii) Maximum 3.0 metres, except where a visibility triangle shall be required for a driveway access; and, iii) Section 10.2.3a)ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.2.3i) ii) and iii).	Proposed addition appears to be setback greater than 3.0m from King Street E	<b>Appears non-conforming</b>  <i>may be deemed to conform as details for section 10.2.3i) ii)</i>
<b>Minimum Rear Yard</b> [as per section 10.2.3(b) of Hamilton Zoning By-law 05-200]	i) 6.0 metres; and, ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.	Details not provided, appears to be greater than 7.5m	<b>Appears to conform</b>
<b>Minimum Interior Side Yard</b> [as per section 10.2.3(c) of Hamilton Zoning By-law 05-200]	i) 1.5 metres; and, ii) 3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use.	Proposed addition setback $1.49\text{m} + 0.58\text{m} = 2.07\text{m}$ As per 0.58m setback from property line to existing building, plus 1.49m “min setback” shown on proposed first floor drawing	<b>Conforms</b>
<b>Maximum Height</b> [as per section 10.2.3(d) of Hamilton Zoning By-law 05-200]	11.0 metres.	7.67m from “grade”	<b>Appears to conform</b>  <i>Applicant should confirm that building height is provided based on the definition</i>

	Required By By-Law	Provided	Conforming/ Non-Conforming
			<i>of Building height, and grade</i>
<b>Maximum Lot Area</b> [as per section 10.2.3(e) of Hamilton Zoning By-law 05-200]	5,000.0 square metres.	lot area 412m <sup>2</sup> as per lot statistics chart	<b>Conforms</b>
<b>Built form for New Development</b> [as per section 10.2.3(i) of Hamilton Zoning By-law 05-200]	In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:  i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.	No rooftop mechanical equipment proposed	<b>N/A</b>
	ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line	Corner lot	<b>N/A</b>
	iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.  10.66m front lot line+ 38.96m flankage lot line = 49.62m  50% of 49.62m= 24.81m minimum combined façade	Façade details not provided	<b>Unable to determine compliance</b>
	iv) In addition to Section 10.2.3i), ii) and iii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.	Access driveway details not provided	<b>Unable to determine compliance</b>
	vi) No parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front lot line and the flankage lot line	No parking provided between the front lot line and the building or flankage lot line and the building  Based on site plan provided	<b>conforms</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>vii) A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> <li>1. within the ground floor façade that is set back closest to a street; and,</li> <li>2. shall be accessible from the building façade with direct access from the public sidewalk.</li> </ol>	<p>Access for the proposed residential units, and dental office provided at the west side of the building, fronting onto Cameron Avenue S.</p> <p>West side of the building is setback closest to a street</p>	<b>Conforms</b>
	viii) A walkway shall be permitted in a Planting Strip where required by the By-law.	Planting strip details not provided	<b>Unable to determine compliance</b>
<b>Planting Strip Requirements</b> [as per section 10.2.3(j) of Hamilton Zoning By-law 05-200]	Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.	<p>Rear lot line abuts residential zone</p> <p>Planting strip details not provided</p>	<b>Unable to determine compliance</b>
<b>Visual Barrier Requirement</b> [as per section 10.2.3(k) of Hamilton Zoning By-law 05-200]	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	<p>Rear lot line abuts residential zone</p> <p>Visual barrier details not provided</p>	<b>Unable to determine compliance</b>
<b>Outdoor Storage</b> [as per section 10.2.3(l) of Hamilton Zoning By-law 05-200]	<ol style="list-style-type: none"> <li>i) No outdoor storage of goods, materials, or equipment shall be permitted.</li> <li>ii) Notwithstanding Section 10.2.3i), the display of goods or materials for retail purposes accessory to a retail use shall only be permitted in a front or flankage yard.</li> </ol>	Outdoor storage does not appear to be proposed	<b>N/A</b>
<b>Parking -</b> <i>In accordance with the requirements of Section 5 of Hamilton Zoning By-law 05-200</i>			
<b>Parking location</b> [as per section 5.1 a) i) of Hamilton Zoning By-law 05-200]	Required parking facilities shall be located on the same lot as the use requiring the parking	<p>“Existing Site Plan” indicates all parking is located on site</p> <p>GIS air photo shows a parking spot outside of the property line</p>	<p><b>Appears non-conforming</b></p> <p><i>Applicant to confirm parking space locations</i></p>
<b>Parking Location</b>	Unless otherwise regulated in this	Setbacks to Cameron	<b>Unable to</b>

	<b>Required By By-Law</b>	<b>Provided</b>	<b>Conforming/ Non-Conforming</b>
[as per section 5.1 a) v) of Hamilton Zoning By-law 05-200]	<p>By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:</p> <p>a) Shall not be located within 3.0 metres of a street line,</p> <p>b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle, except for that portion of a lot line abutting the Red Hill Valley Parkway and the Lincoln Alexander Parkway; and,</p> <p>c) Where a Planting Strip is provided, as per b) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.</p>	Avenue S street line not provided	<b>determine compliance</b>
<b>Parking space size</b> [as per section 5.2 b) i) of Hamilton Zoning By-law 05-200]	<p>Unless permitted by another regulation in this By-law, parking space sizes shall be:</p> <p>i) Minimum 2.8 metres in width and 5.8 metres in length</p>	Details not provided	<b>Unable to determine compliance</b>
<b>Ingress and Egress</b> [as per section 5.2 c) of Hamilton Zoning By-law 05-200]	All required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.	Details regarding access point to parking not provided, means of ingress and egress not provided	<b>Unable to determine compliance</b>
<b>Barrier free parking</b> [as per section 5.2 f) of Hamilton Zoning By-law 05-200]	Notwithstanding Subsection b) herein, in the case of a barrier free parking, each parking space shall have a minimum width of 4.4 metres and a minimum length of 5.8 metres	Barrier free parking details not provided	<b>Unable to determine compliance</b>
<b>Aisle width</b>	90 degree parking, 6.0m aisle	Aisle width details not	<b>Unable to</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
[as per section 5.2 i) of Hamilton Zoning By-law 05-200]	width required	provided	determine compliance
<b>Required parking</b> [as per section 5.6 c) i) of Hamilton Zoning By-law 05-200]	Medical clinic- 1 space for each 16.0 Square metres of gross floor area 123m <sup>2</sup> / 16m <sup>2</sup> = 7.6 spaces 7 spaces required Dwelling unit- 1 space per unit 9 total spaces required	7 spaces provided	<b>Non-conforming</b>

8. Sign details have not been provided, all signage shall conform to Hamilton Sign By-law 10-197
9. Fencing details have not been provided, all fencing shall conform to Hamilton Fence By-law 10-142
10. Construction of the proposed additions are subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
11. The designer shall ensure that the fire access route conforms to the Ontario Building Code
12. This review is based on the plans submitted with the application

Yours truly

*William Campbell*

---

for the Manager of Zoning and Committee of Adjustment



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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	FIRAS AL DABBAGH	
<b>Applicant(s)</b>	SAHAR ARFA	
<b>Agent or Solicitor</b>	SAHAR ARFA	

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 SAHAR@ARFADESIGN.CA

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	1821 King St E Hamilton, ON L8K 1V8		
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:

we are extending the first floor in the back the use of first floor is dental office. and also w

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

WE CANNOT PROVIDE ENOUGH PARKING SPOT

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
10.66	38.76	412	

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
ONE STOREY BUNGALOW OFFICE	5.22	21.87	0.59/ 0.62	N/A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
TWO STOREY PROPOSAL ADDITION	5.22	19.20	2.14/0.6	MAY 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
ONE STOREY OFFICE BUNGALOW	94.13	83.45	1	5.96

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
FIRST FLOOR DENTAL OFFICE	FIRST FLOOR 123.80	109.139		7.67
PROPOSED SECOND FLOOR RESIDENTIAL	SECOND FLLOOR 110.90	107.63		
		TOTAL: 216.76		
			TOTAL STOREY: 2	

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)
- 

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)
- 

- 4.6 Type of sewage disposal proposed: (check appropriate box)

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

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
 DENTAL OFFICE ON FIRST FLOOR AND TWO RESIDENTIAL UNIT ON SECOND FLOOR

---

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:

N/A

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

OFFICE

---

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

OFFICE

---

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

N/A

---

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? C2

---

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

Yes  No

If yes, please provide the file number:

---

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

Yes  No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 2

8.3 Additional Information (please include separate sheet if needed):



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:34</b>	<b>SUBJECT PROPERTY:</b>	1 BRANDOW COURT, STONEY CREEK
<b>ZONE:</b>	"R2" (Single Residential Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Owner: MICHAEL JALSEVAC  
Agent: JENNY BOGNAR

The following variances are requested:

1. The accessory building shall be permitted to be located in the front yard and 4.38 m from the front lot line, whereas an accessory building is permitted in any yard except the front yard and must be a minimum distance of 8 m from the front lot line.

**PURPOSE & EFFECT:** To construct an accessory building (shed) in the front yard of the existing dwelling:

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**SC/A-23:34**

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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:34, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

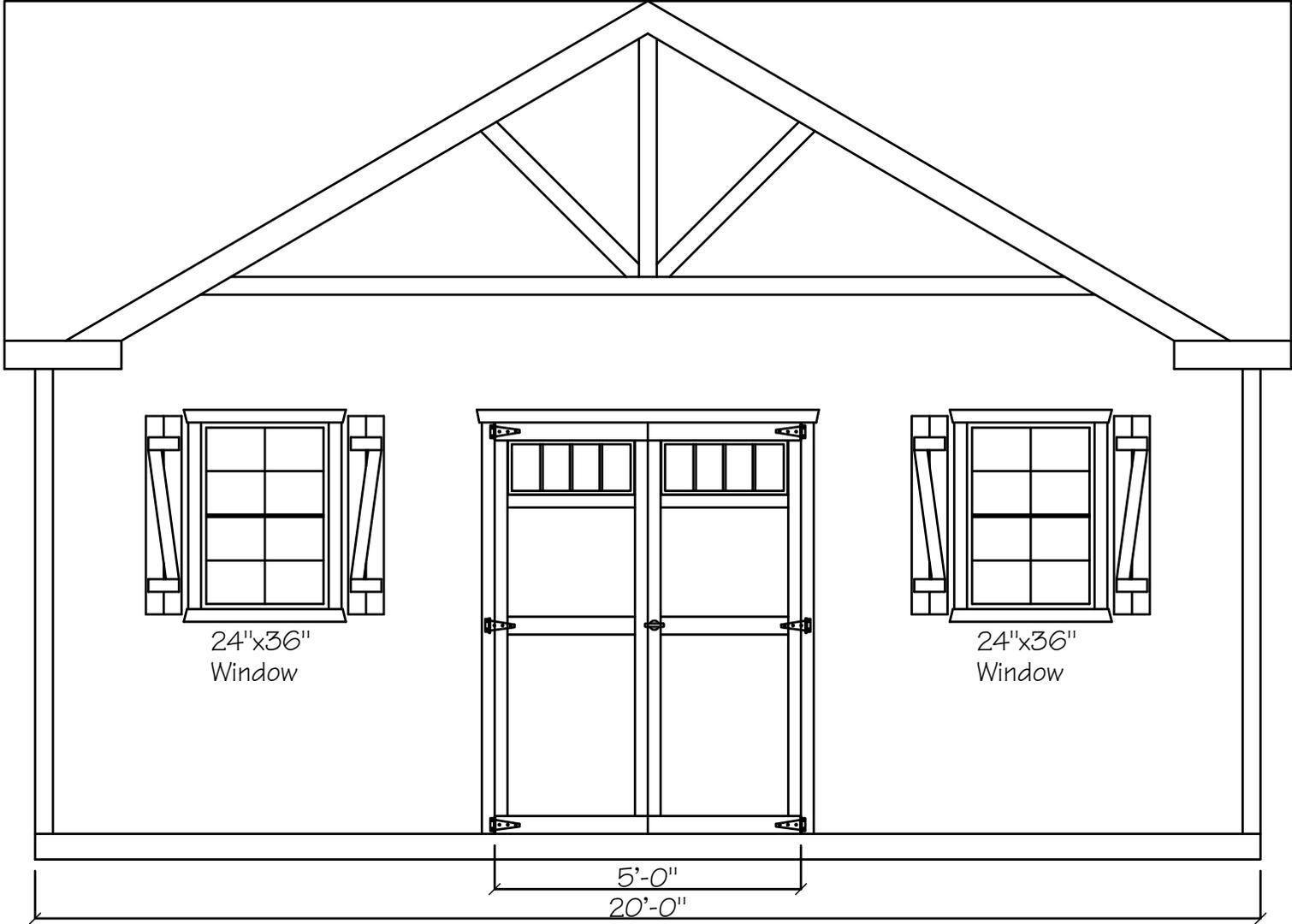
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

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

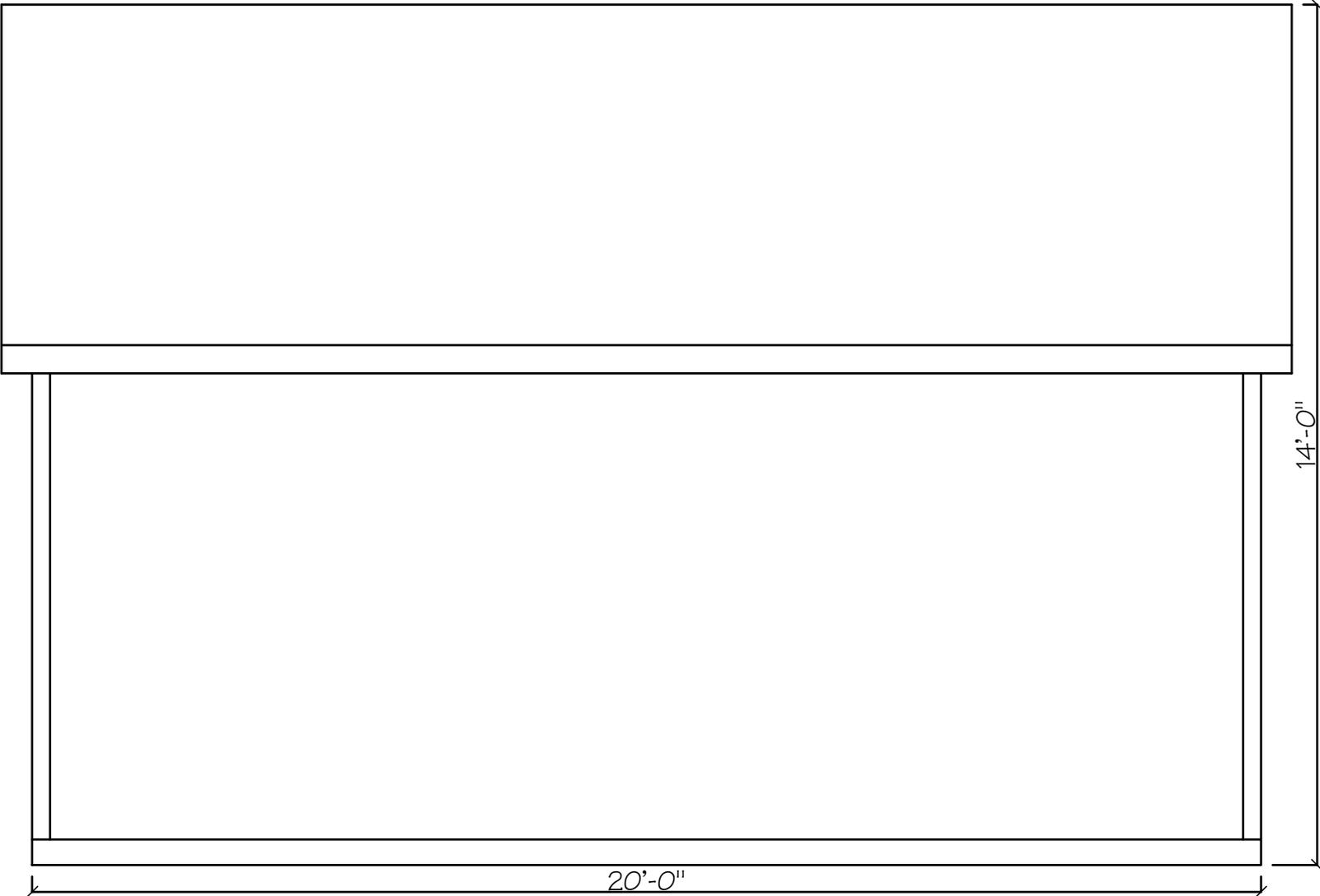


Front



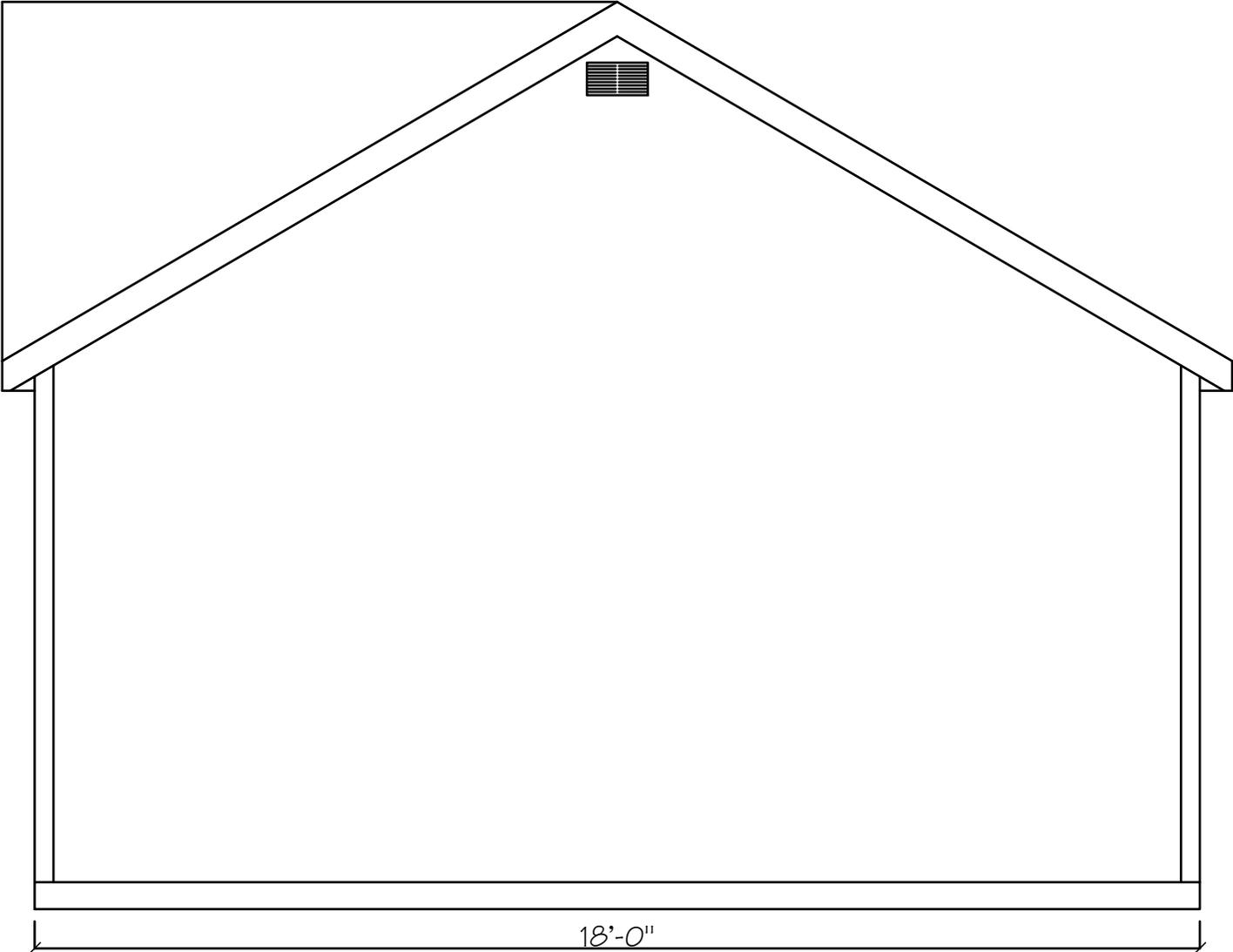
Detail Drawing

Back



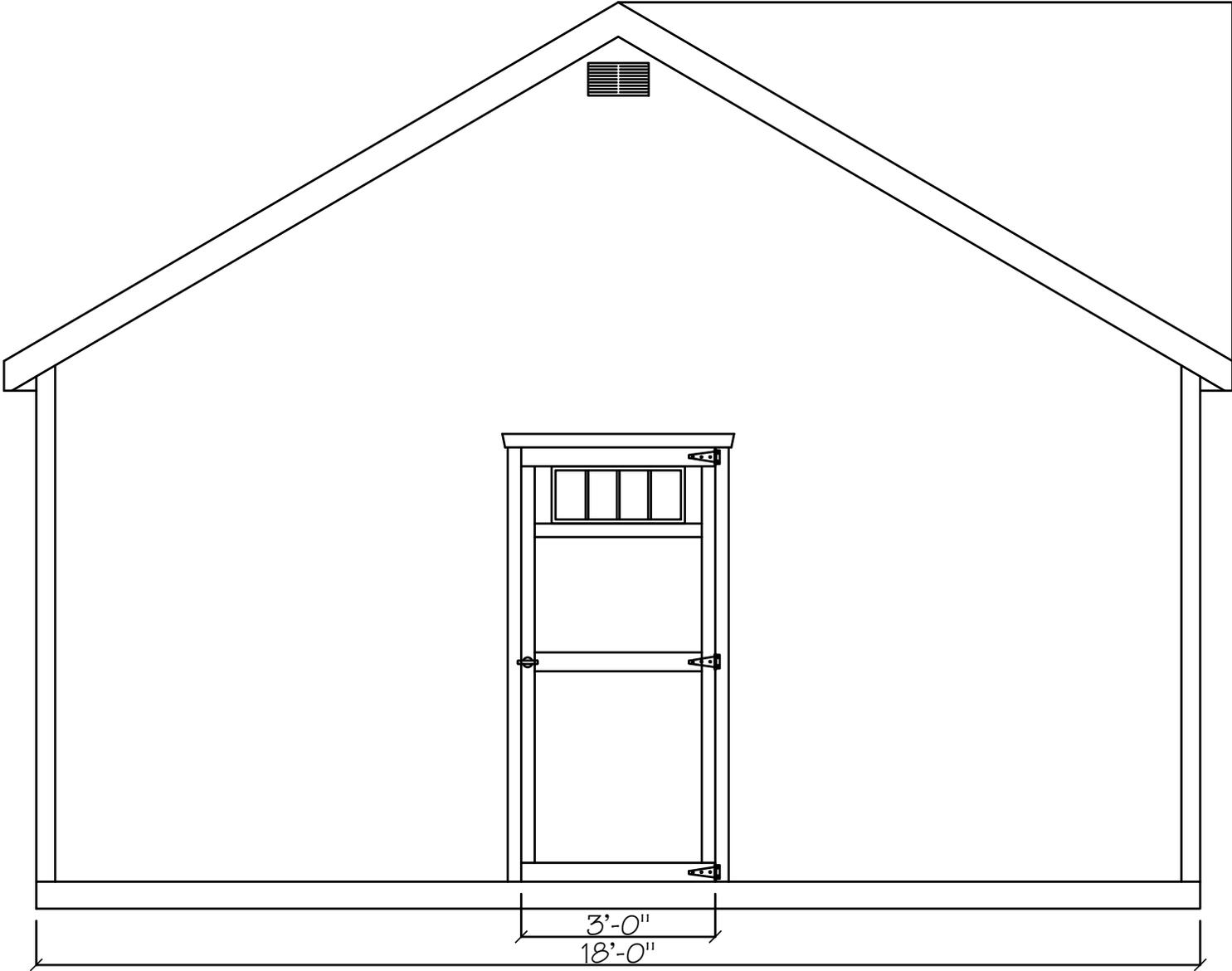
Detail Drawing

Right



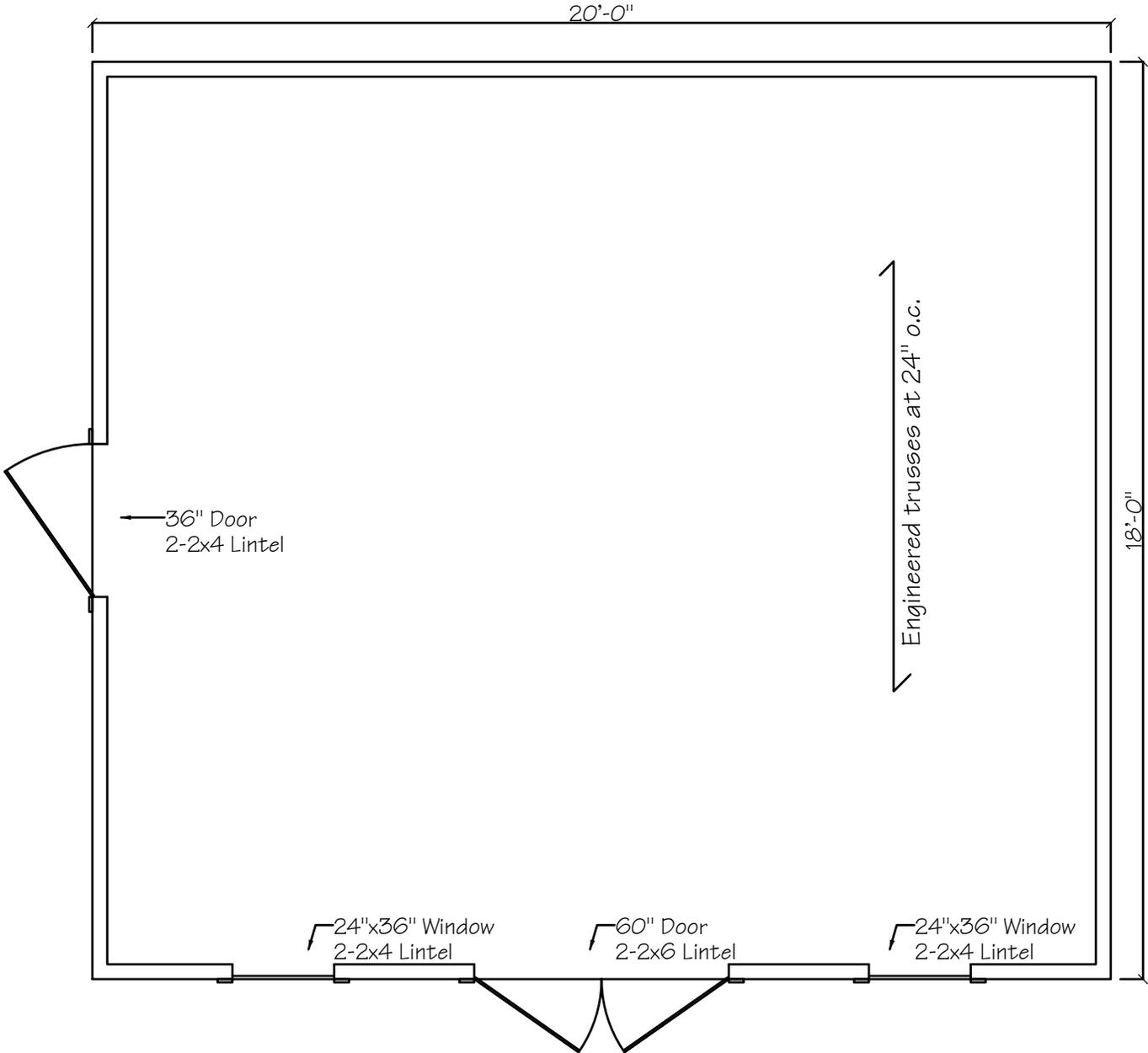
Detail Drawing

Left



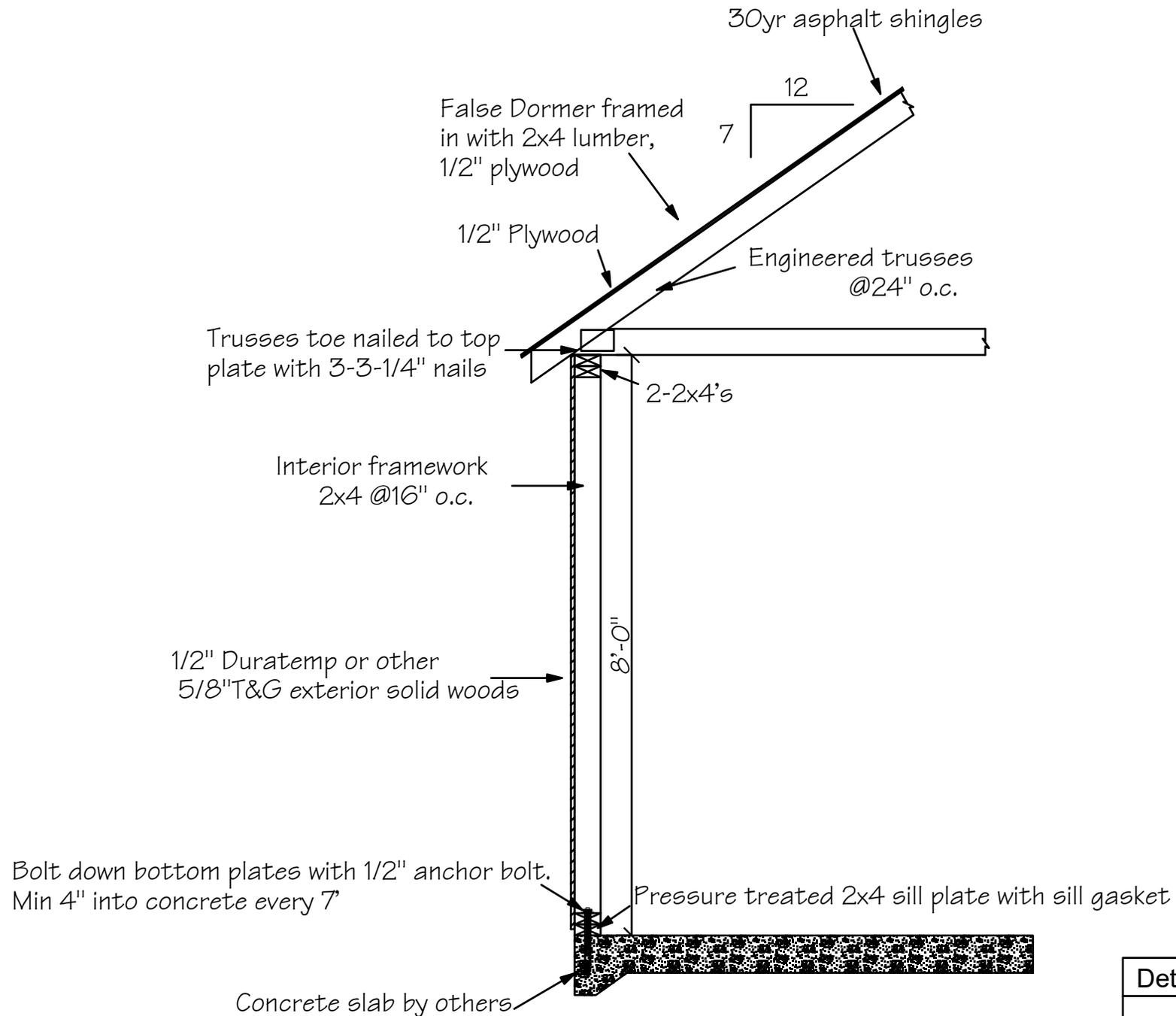
Detail Drawing

# Floor Plan



Detail Drawing

# Cross Section



Detail Drawing



**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>			

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

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	1 Brandow Court, Stoney Creek ON		
Assessment Roll Number			
Former Municipality	Stoney Creek		
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:

To allow an accessory building in the front yard, setback to front lot line of 4.38m.

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.

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 m.	34.86 m.	531.27 sq. m.	18.5 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
Single Family Dwelling	13.52 m.	6.40 m.	1.22 m./6.40 m.	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Shed	4.38 m.	n/a	3.05 m./6.71 m.	05/01/2023

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
Single Family Dwelling	110.18 sq. m.	110.18 sq. m.	1	n/a

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Shed	33.45 sq. m.	33.45 sq. m.	1	4.27 m.

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

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

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
 SFD

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
 October 29th, 2010

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

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

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

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? R2

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

- Yes  No

If yes, please provide the file number: R2

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-

## Minor Variance Supplementary Information

### 1 Brandow Court, Stoney Creek

We are kindly requesting a variance to build a 33.45 sq. m. shed in the front yard of 1 Brandow Court with a 4.38m setback to the front lot line instead of the required 8.0m.

By zoning's definition, the east lot line of Brandow Court is considered to be the front lot line, even though the front of the dwelling faces the south lot line of Brandow Court.

The existing dwelling is situated closer to the north west corner of the lot, leaving the only useable yard area for a shed to be in the "front" or east side of the lot. There is very little setback on both the west and north yards and to try to put a shed in the south yard would detract from the main dwelling and ruin it's curb appeal.

The east portion of the lot is the logical spot for the shed and will not appear out of place as this area appears to be the side yard to anyone passing by. The home owner would also like to build a 6' high fence around the shed area to give themselves some more private amenity space.

A setback of 4.38m. has been maintained between the shed and the lot line. This street also has a wider than normal boulevard giving a 9.99m. from the shed to the road.

The shed is situated far enough back from the south side of Brandow Court as to not impede the corner sight triangle.

Given all these factors above, we feel these variances are minor in nature.

The intention of this bylaw of not allowing accessory buildings in the front yard, is to deter people from putting a structure in the front yard of a normal interior lot, which would could block the main dwelling and in turn take character away from it and the surrounding streetscape. As this lot is not a normal interior lot, nor a normal corner lot, we feel this proposal meets the intention of the bylaw.

We kindly ask for your consideration and thought on this matter.





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-23:06</b>	<b>SUBJECT PROPERTY:</b>	49 GREENFORD DRIVE, 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 67-144, 10661 & 10662

**APPLICANTS:**      Owner: S. & G. Awan  
                             Agent: Architect Caprija Corporation – M. Raja

The following variances are requested:

1. A minimum rear lot line setback of 0.94 m shall be permitted for the Detached Secondary Dwelling Unit instead of the minimum required 1.2 m rear lot line setback.
2. The landscape strips within each required side yard adjacent to the Detached Secondary Dwelling Unit shall not be required to be provided.
3. The Detached Secondary Dwelling Unit shall be permitted to be located 1.22 m from the northerly flankage lot line, which is closer than the principal dwelling’s flankage lot line setback of 4 m, instead of being required to be located further from the flankage street than the principal dwelling.
4. The 1.0m wide unobstructed path leading from a street line to the entrance of the Detached Secondary Dwelling Unit shall not be required to be provided.
5. The Detached Secondary Dwelling Unit shall be located 7.42 m from the principal dwelling instead of the minimum required separation distance of 7.50 m.
6. A total lot coverage for all accessory buildings equal to 33.62% of the lot area shall be permitted instead of the maximum permitted 25% of the lot area.
7. A minimum landscaped area of 12.0 sq m shall not be required to be provided within the rear yard.

**HM/A-23:06**

**PURPOSE & EFFECT:** To facilitate the construction of an addition to the existing detached accessory building in the rear yard, which will contain a Detached Secondary Dwelling Unit:

**Notes:**

i. This review is based upon the site plan submitted and the statistics included therein. As full plans (floor plans and elevations) of all existing and proposed buildings have not been submitted and the site plan does not include all necessary details, this zoning review is incomplete and additional variances may be required in future. This review is based upon the following design requirements being implemented:

- All lawfully established parking spaces shall be maintained unaltered and no new parking spaces shall be established;
- All existing driveways shall remain unaltered;
- The Detached Secondary Dwelling Unit shall contain no more than two (2) bedrooms;
- Any eave of the Detached Secondary Dwelling Unit shall project no more than 0.3 m from the rear wall or north side wall
- The Detached Secondary Dwelling Unit shall not exceed 6 m in height and shall not include balconies or rooftop patios
- The gross floor area, as defined, of the Detached Secondary Dwelling Unit shall not exceed 75 sq m

If the proposal deviates from any of the above design aspects, additional variances may be required. Additional review will be required in future due to incompleteness in the submission, which may result in additional variances.

- ii. With respect to lot coverage, the variance has been written as requested by the applicant. However, please note that the maximum permitted lot coverage of 25% of the lot area is for all accessory buildings, and not all buildings. Sufficient information has not been provided to accurately determine the lot coverage of all accessory buildings. As such, this variance may not be required.
- iii. With respect to the required unobstructed path leading from a street line to the entrance of the Detached Secondary Dwelling Unit, this has not been shown in the site plan. Additionally, building entrance locations for the Detached Secondary Dwelling Unit have not been identified. As such, a variance has been identified for not providing the required path. The required path may not traverse or occupy portions of a driveway without approval of a variance permitting this.
- iv. With respect to landscaping, the site plan does not identify proposed landscaped areas or surface materials in the rear yard. Aerial photography appears to indicate significant hard surfaced areas within the rear yard, including within the required side yards adjacent to the Detached Secondary Dwelling Unit. Please note that a swimming pool does not constitute landscaped area.
- v. Please note that the north arrow in the site plan is inaccurate and should be corrected in future submissions. Additionally, the street abutting the northerly flankage lot line is Neil Avenue and not Greenford Drive.

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

**HM/A-23:06**

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</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</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.

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**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:06, you must submit a written request to [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.

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HM/A-23:06



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

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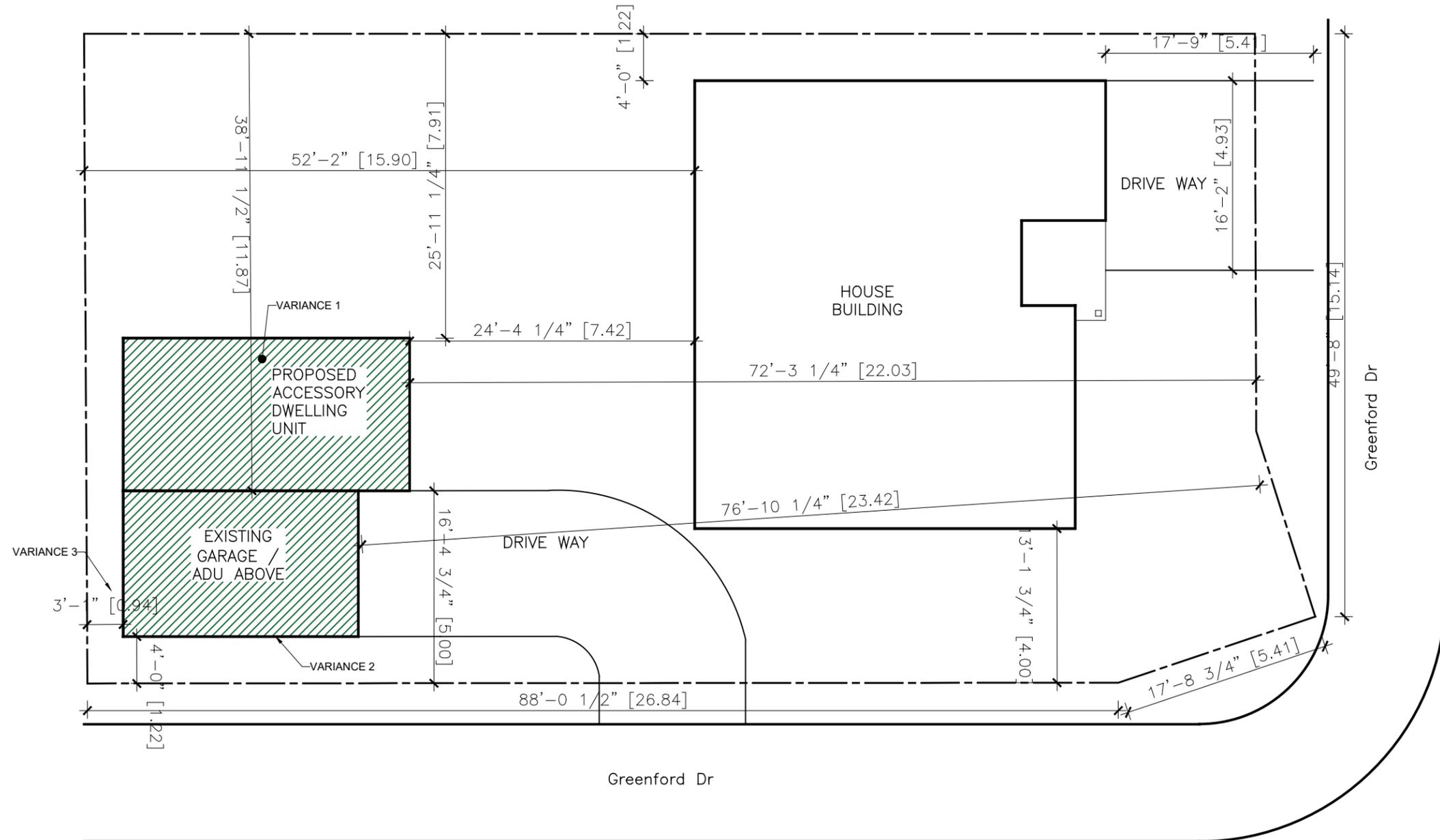
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

# ACCESSORY DWELLING UNIT

49 Greenford Dr, Hamilton, ON L8G 2G6



Area Statement		
BUILDING AREA	1238	1238
GARAGE AREA	249.36	249.36
ADU		320
TOTAL AREA	1487.36	1807.36
SITE AREA	5549.92	5549.92
PERCENTAGE	26.80%	32.56%



ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE DESIGNER.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

DRAWINGS NOT TO BE SCALED AND REPRODUCED.

ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

THESE DRAWINGS ARE PREPARED ONLY FOR MENTIONED BELOW APPROVAL, NOT TO BE USED FOR ANY OTHER PURPOSE AND CONSTRUCTION

1	ISSUED FOR MINOR VARIANCE	DEC. 2022
No.	ISSUED	DATE

STRUCTURE/MEP ENGINEER:

ARCHITECT **MAZHAR RAJA**

**CAPRIJA CORPORATION**  
 Architecture, Construction and  
 Project Management Consultants  
 1465 CLARK BLVD., MILTON, L9T 6M5  
 Tel: 647 693 6108, 647 969 9595  
 CAPRIJA Email: info@caprija.com; Web: www.caprija.com

CLIENT  
**49 Greenford Dr, Hamilton, ON  
 L8G 2G6**

PROJECT  
**ACCESSORY DWELLING UNIT**

DRAWING  
**SITE PLAN**

PROJECT NO	<b>222090</b>
DRAWN	SH
PLOTTED DATE	DEC. 20, 2022
SCALE	AS NOTED
CHECKED	MR



DWG. NO. **A1**

**1** SITE PLAN  
 A1 SCALE: 3/32"=1'-0"



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

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent info@caprija.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	49 Greenford Dr, Hamilton, ON L8G 2G6		
Assessment Roll Number	050441070600000		
Former Municipality			
Lot	25	Concession	
Registered Plan Number	PLAN 1304	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:

N/A

### 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) Relief for lot coverage to 33.62% is requested where as permitted lot coverage is 25%.
- 2) Relief to build ADU over the existing detached garage which is not aligned with the house building. Setback of garage is 1.22m and the house setback is 3.56m. Relief for 2.34m for setback is
- 3) Relief for rear setback 0.94m (same as existing garage) where as required is 1.2m

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

It is not possible to build ADU-Detached otherwise.  
The garage is already built and same footing and first floor structure can be used for ADU on the side and on second floor.  
The new addition would be aligned with the existing garage.

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
15.14	26.84	406.36	

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
Main House Building	5.41	15.90	1.22, 4.0	01/01/1995
Garage	23.42	0.94	11.87, 1.22	01/01/2010

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Dwelling Unit	22.03	0.94	7.91, 1.22	05/01/2023

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
Main House Building	114.97	172.45	2	9
Garage	23.17	23.17	1	4

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Dwelling Unit	29.27	75	2	6

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Residential - Two Unit Dwelling

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

Residential

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2012

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:

30 years (approx.)

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.

It's all residential area and the proposed use is the same. Further, the proposed ADU is supporting the target of increased density of the urban areas.

7.6 What is the existing zoning of the subject land? Un-known \_\_\_\_\_

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: Un-known \_\_\_\_\_

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

8.3 Additional Information (please include separate sheet if needed):

The proposed use, Two Unit Dwelling, will help to increase the density in urban area.

Year of the construction is estimated.





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-23:42</b>	<b>SUBJECT PROPERTY:</b>	755 BEACH BOULEVARD, HAMILTON
<b>ZONE:</b>	"C/S-1435 & C-1822" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 99-169 & 22-195

**APPLICANTS:** Owner: SCOTT REDDAM & NANCY LUNDY  
Agent: ALTO MAR CONSTRUCTION GROUP C/O MIKE BACCALA

The following variances are requested:

1. A balcony shall be permitted to be located as close as 0.0m from the rear lot line instead of the minimum 1.1m setback required.

**PURPOSE & EFFECT:** To facilitate the reconstruction of two (2) balconies at the rear of the existing single-family dwelling.

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</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 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-23:42**

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)
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**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:42, you must submit a written request to [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.

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DATED: March 14, 2023

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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Hamilton

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PROPERTY LINE

DECK

2.11m

2.63m

1.52m

0.5m

EXISTING DECK  
TO BE REBUILT -

EXISTING  
HOUSE

MAIN FLR 6'-10" x 24'-10"  
2ND FLR 10'-10" x 24'-10"

21.03  
(69'-0")

GARAGE

755 BEACH BLVD

51.48m PROJECT LINE

7.57m  
(24'-10")

9.68m

BEACH BLVD



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION  
 Required unless design is exempt under DIV. C 3.2.5.1 of the building code  
 Richard Weatherston *Richard Weatherston* 24787  
 NAME SIGNATURE BCR

REGISTRATION INFORMATION  
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code  
 R.C. CAD SERVICE INC. 29747  
 FIRM NAME BCR

APPROVED HANDRAIL AS PER SB-7

NEW 2"x8"@16"C/C OR 2-2"x8"@12  
 C/W 5/8" T&G PLYWOOD  
 TRIM BACK EXISTING  
 ENG. FLOOR SYSTEM  
 APPROVED WATERPROOF  
 MEMBRANE  
 2% SLOPE TO EXTERIOR

NEW  
 3-2"x12" BEAM

R-31 SPRAY  
 FOAM INSUL'N

EXISTING  
 STUD WALL WITH BRICK

EXIST. INSUL'N

EXISTING

ENGINEERED FLOOR SYSTEM

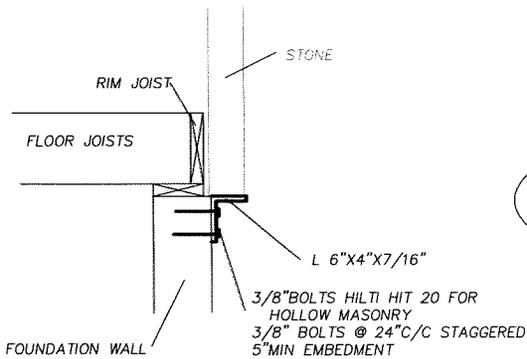
NEW STEEL BEAM  
 SUPPORTING ENGINEERED FLOOR  
 AND NEW 2"x8" FLOOR  
 SEE DETAIL PAGE 2

STUD WALL WITH BRICK

EXISTING 8" P.C. FDN WALL

GRADE

SCOPE OF WORK  
 PROVIDE SUPPORT FOR BRICK ON FIRST  
 AND SECOND FLOOR  
 PROVIDE WAERPROOFING ON SECOND FLOOR  
 DECK AND REPLACE DECK.



STONE SUPPORT ANGLE DETAIL

NEW ANGLE DETAIL  
 SUPPORTING STONE  
 SEE DETAIL PAGE 5



STAMP DATED SEPT 9, 2022  
 FOR ANGLE DETAIL

# Section PROPOSED

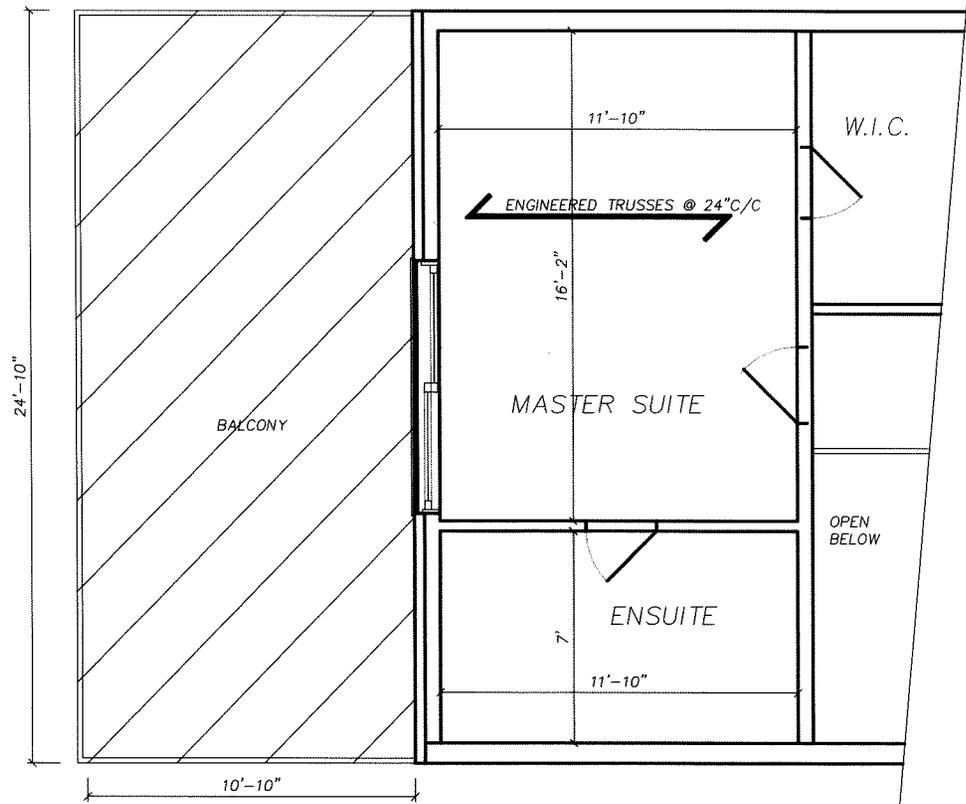
\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

3720 JUNE 22

4

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

SCALE 1/4" = 1'-0"



The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**QUALIFICATION INFORMATION**  
 Required unless design is exempt under DIV. C 3.2.5.1 of the building code  
 Richard Weatherston *Richard Weatherston* 24787  
 NAME SIGNATURE BCIN

**REGISTRATION INFORMATION**  
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code  
 R.G. CAD SERVICE INC. 29747  
 FIRM NAME BCIN

# Second Floor Plan

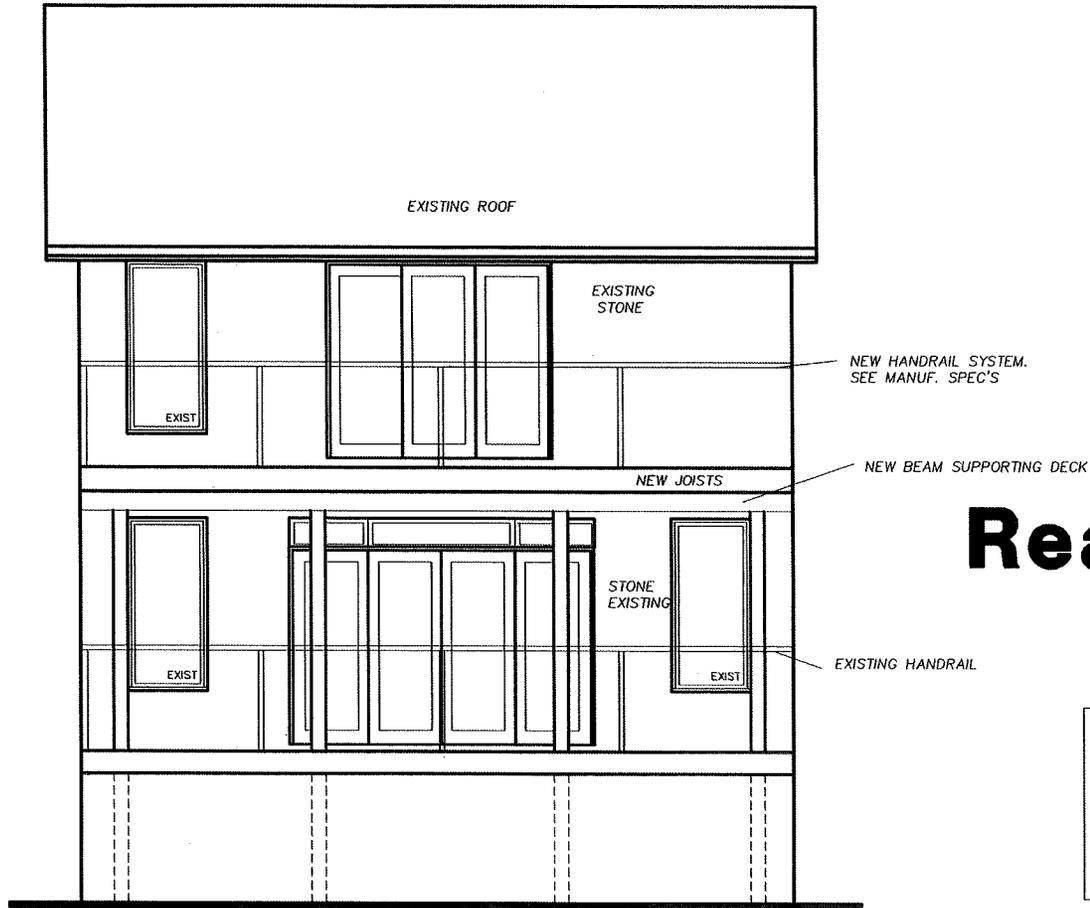
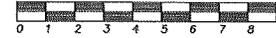
3720 JUNE.22

**3**

\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

SCALE 1/4" = 1'-0"



*Sep. 24/02*  
*Richard*

# Rear Elevation

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**QUALIFICATION INFORMATION**  
Required unless design is exempt under DIV. C 3.2.5.1 of the building code

Richard Weatherston *Richard Weatherston* 24787  
NAME SIGNATURE BCN

**REGISTRATION INFORMATION**  
Required unless design is exempt under DIV. C 3.2.4.1 of the building code

R.G. CAD SERVICE INC. 29747  
FIRM NAME BCN

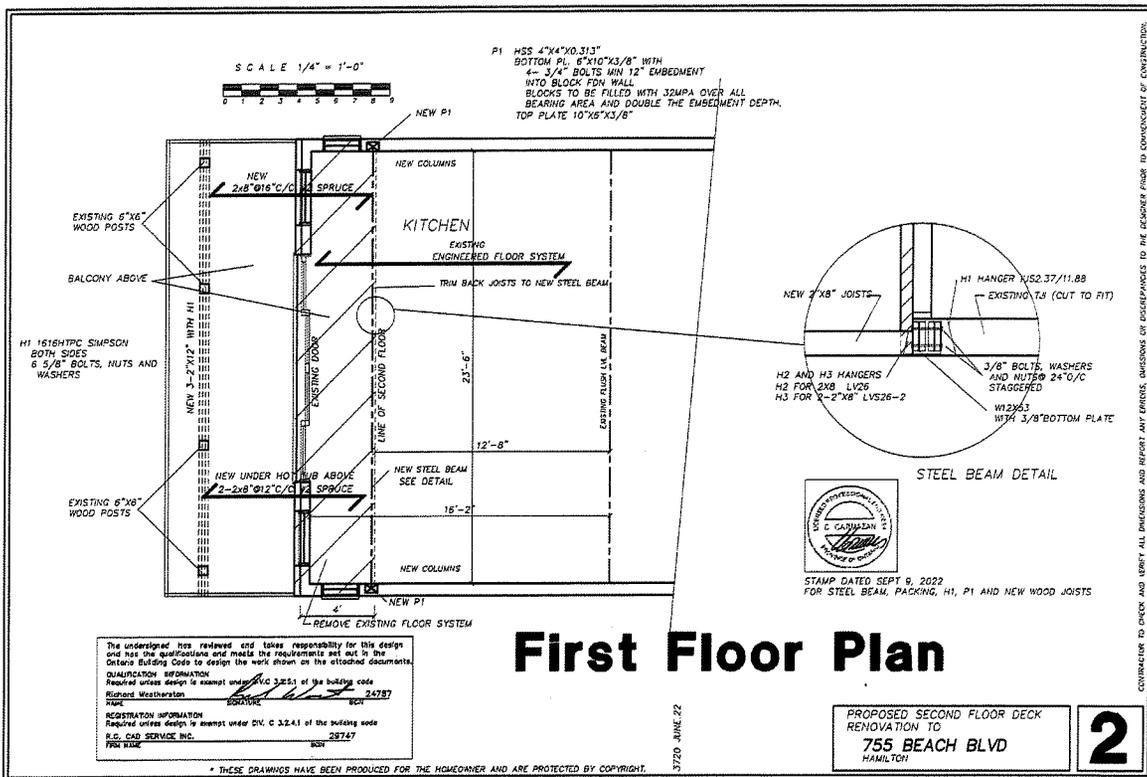
\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

3720 AUG.22

PROPOSED SECOND FLOOR DECK  
RENOVATION TO  
**755 BEACH BOULEVARD**  
HAMILTON

**1**

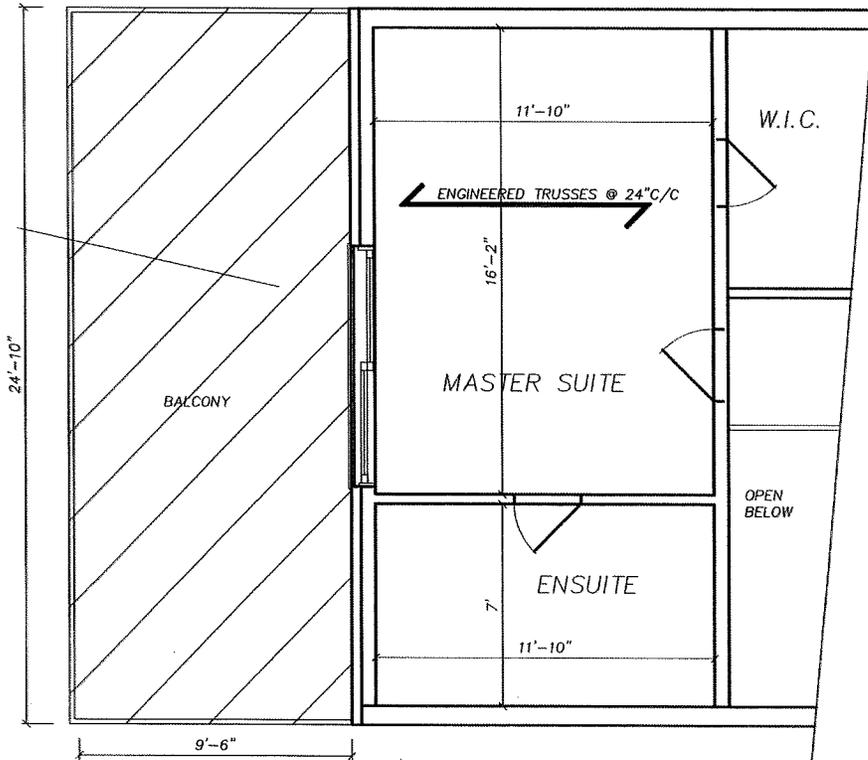
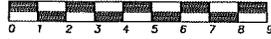
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



Sept 2022

*[Handwritten signature]*

SCALE 1/4" = 1'-0"



*Sept 20/22*  
*Becky B.*

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION  
 Required unless design is exempt under DIV. C 3.2.5.1 of the building code  
 Richard Weatherston  
 NAME SIGNATURE BCIN 24787

REGISTRATION INFORMATION  
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code  
 R.G. CAD SERVICE INC.  
 FIRM NAME BCIN 29747

# Second Floor Plan

3720 JUNE.22

**3**

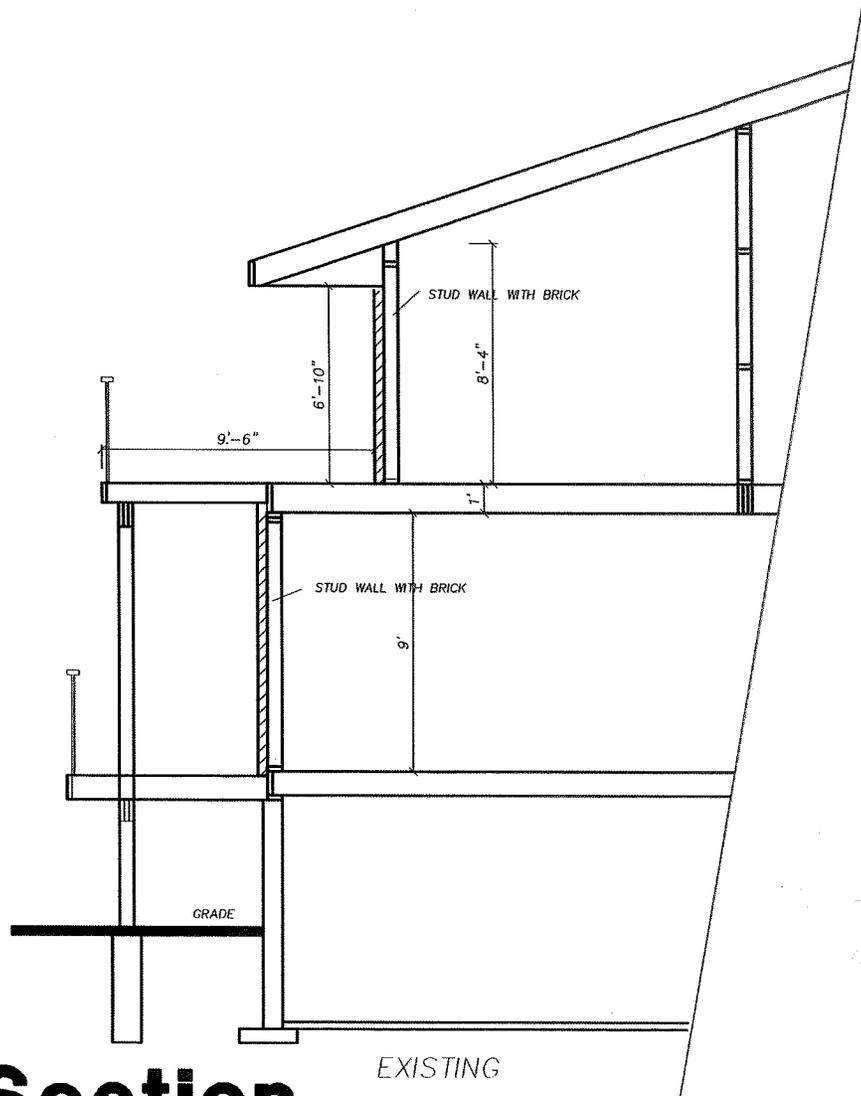
\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION  
Required unless design is exempt under DIV. C 3.2.5.1 of the building code  
Richard Weatherston  
NAME SIGNATURE BCN 24787

REGISTRATION INFORMATION  
Required unless design is exempt under DIV. C 3.2.4.1 of the building code  
R.G. CAD SERVICE INC.  
FIRM NAME BCN 29747



*Sept. 22/02*  
*Richard Weatherston*

# Section

EXISTING

\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

3720 JUNE.22

**4**

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

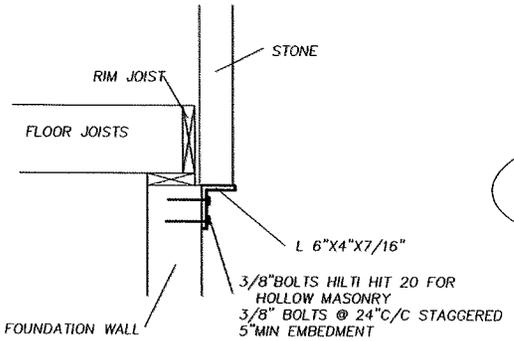
The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**QUALIFICATION INFORMATION**  
 Required unless design is exempt under DIV. C 3.2.5.1 of the building code  
 Richard Weatherston *[Signature]* 24787  
 NAME SIGNATURE BCIN

**REGISTRATION INFORMATION**  
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code  
 R.G. CAD SERVICE INC. 29747  
 FIRM NAME BCIN



**SCOPE OF WORK**  
 PROVIDE SUPPORT FOR BRICK ON FIRST AND SECOND FLOOR  
 PROVIDE WAERPROOFING ON SECOND FLOOR DECK AND REPLACE DECK.

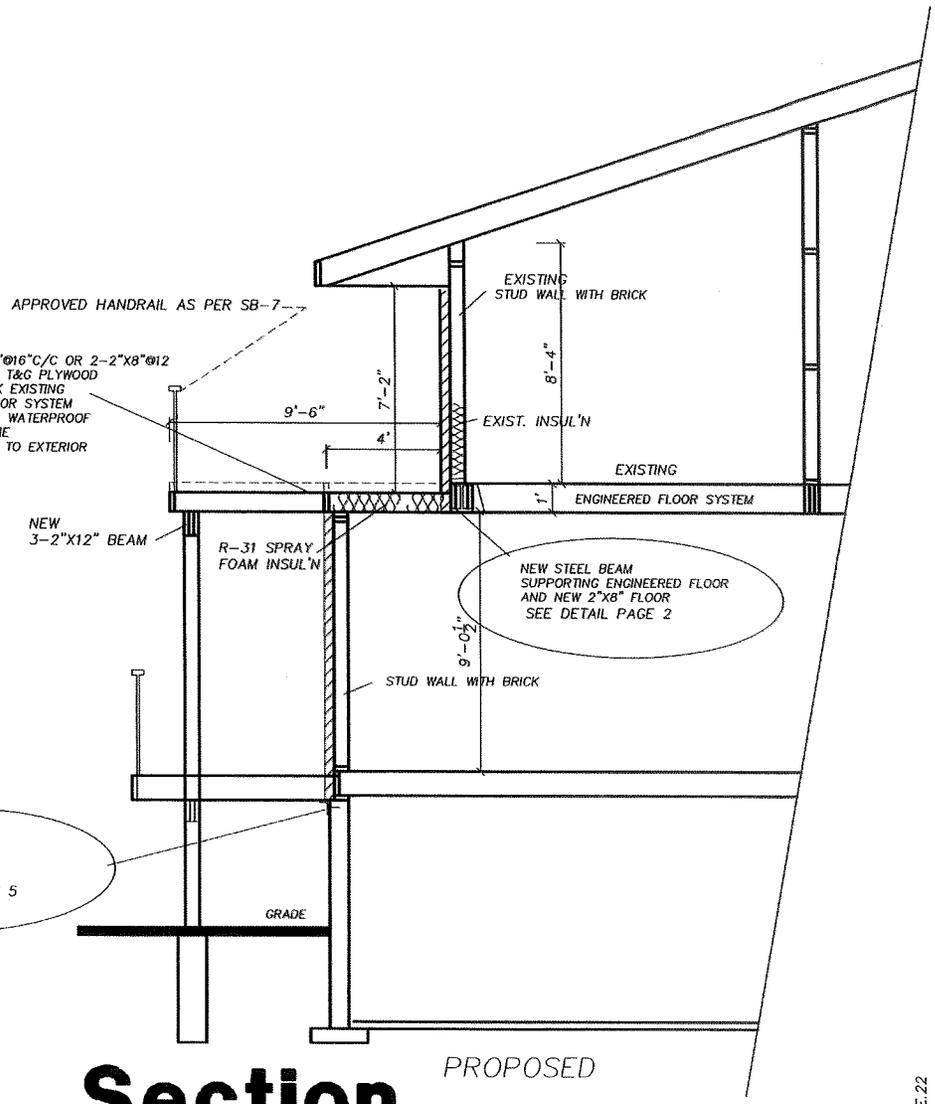


STONE SUPPORT ANGLE DETAIL

NEW ANGLE DETAIL SUPPORTING STONE  
 SEE DETAIL PAGE 5



STAMP DATED SEPT 9, 2022 FOR ANGLE DETAIL



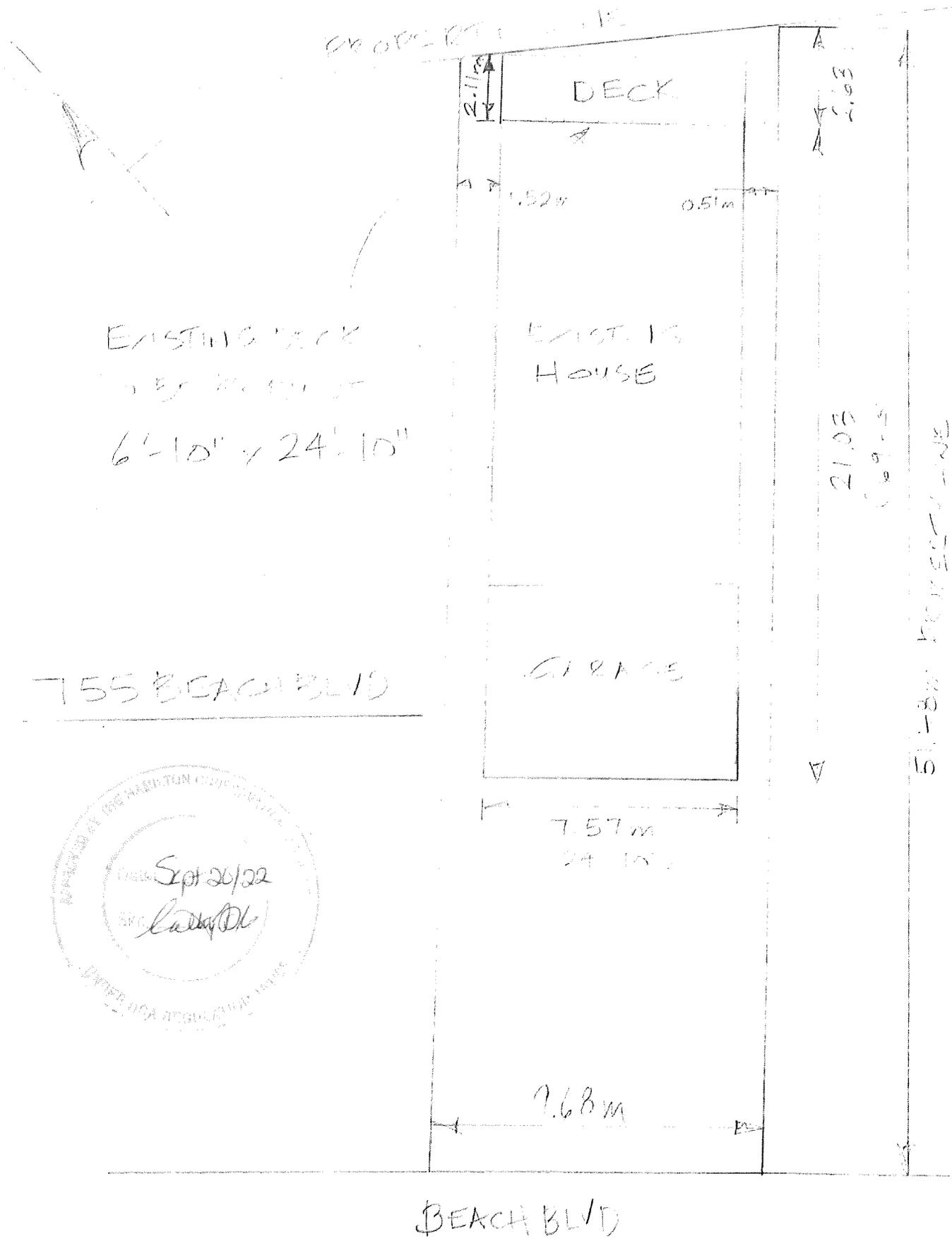
**Section** PROPOSED

\* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

3720 JUNE 22



CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.







A Healthy Watershed for Everyone

**BY E-MAIL**

September 20, 2022

GC-HAM

Nancy Lundy and Scott Reddam  
755 Beach Blvd.  
Hamilton, ON L8H 6Y5

Dear Nancy and Scott:

---

**RE: Letter of Permission for the Re-Construction of First and Second Storey Additions to an Existing Single-Family Residence**

**Location: 755 Beach Boulevard, Hamilton  
PLAN 319 PT LOT 8, HAMILTON**

---

Staff of the Hamilton Conservation Authority (HCA) have reviewed the above-noted development including the Site Survey (Barich Grenkie Surveying Ltd. dated July 9, 2015, dated February 16, 2016), Rear Elevation (Drawing 1, dated August 2022), First Floor Plan (Drawing 2, stamp date September 9, 2022), Second Floor Plan (Drawing 3, dated June 2022), Section (Drawing 4, dated June 2022) and Section (Drawing 5, stamp date September 9, 2022), prepared by RG CAD Service Inc. (attached).

The subject property is affected by the HCA pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* due to the proximity of Lake Ontario and its potential flooding and erosion hazards. However, the project is located outside of the flooding and erosion hazards associated with Lake Ontario. Therefore, please accept this correspondence as written permission for the proposed re-construction of first and second storey additions to an existing residence on land regulated by HCA. The HCA has no objection to the issuance of a permit by the municipality.

If you have any questions regarding the above, please contact me at ext. 132.

  
\_\_\_\_\_  
Cathy Plosz  
Senior Planner

September 20, 2022  
Date.

Encl. approved site plan and drawings

c.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by e-mail)  
Mike Baccala, Alto Mar Construction Group (by email).

Front Council

PAS Checklist												Permit #								
Address: 755 Beach Blvd												Payee: <input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Contractor <input type="checkbox"/> Other								
Municipality: Hamilton												Payment type: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Visa <input type="checkbox"/> MC <input type="checkbox"/> Debit								
Zone: C/S-1443				Bylaw				Choose an item.				Intake By:		Date:						
Lot Type: <input checked="" type="checkbox"/> Interior <input type="checkbox"/> Corner <input type="checkbox"/> Through <input type="checkbox"/> Other												Reviewed by:		Date:						
Is there an order on this property?												Y <input type="checkbox"/>		If Yes-Folder #						
												N <input type="checkbox"/>								
Does the permit application include all construction from the order?												Y <input type="checkbox"/>		If No: what is not included						
												N <input type="checkbox"/>								
Is there a surcharge?												Y <input type="checkbox"/>		If Yes: %Surcharge						
												N <input type="checkbox"/>								
Did you Email the Enforcement Inspector												Y <input type="checkbox"/>		Email sent to:						
												N <input type="checkbox"/>								
TYPE OF PERMIT	Location Front, Side, Rear		Lot Coverage		Interior Side Yard		Exterior Side Yard		Front Yard		Rear Yard		Height A.G./ Max Height		Limiting Distance		Guards		Pool Type:	
	Max.	Proposed	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed		
Porch																			On Ground:	
Deck			0.5							0.5									In Ground:	
Acc.Bld																				
Pool														0.6m					Above Ground:	
Int.Reno-Flr			Habitable Rooms (#)		# of Parking Spaces			Ceiling Height				Gross Floor Area		Insulation		Stat Dec	2nd Kitchen Letter	Notes:		
Basement finish not permitted in 464 - Glanbrook Zones RM3-002 / RM3-162 or 6593 S-1436			Existing	Proposed	Existing	Required	Proposed	Req. U/S Joists	Prop. U/S Joists	Req./U/S Rm/Dur	Ex/In Rm/Dur			50-12	>5ys					
<b>APPLICABLE LAWS:</b>			Y	N					Y	N					Y	N				
Committee of Adjustment							Ontario Heritage Act				W.H.P.A (Form/Memo req.)						Schedule 1			
Encroachment Agreements							NEC				ESA (Memo req.)						Other:			
Ministry of Transportation							Conservation Authority				Grading Open						Other:			
Additional information:																				
Intake by:					Date:					Reviewed by:					Date:					

**RE: 755 Beach Boulevard**

Stewart, Meghan <Meghan.Stewart@hamilton.ca>

Fri 11/11/2022 8:23 AM

To: mike.altomar.ca <mike@altomar.ca>

Cc: McDonald, Andrea <Andrea.McDonald@hamilton.ca>; Lalli, Robert <Robert.Lalli@hamilton.ca>

Hi Mike,

I apologize for the delay in my response. I have circulated to Park Operations staff and we have no comments or concerns.

Thank you,

Meghan

----- Original message -----

From: "mike.altomar.ca" <mike@altomar.ca>

Date: 2022-11-11 07:55 (GMT-05:00)

To: "Stewart, Meghan" <Meghan.Stewart@hamilton.ca>

Subject: Re: 755 Beach Boulevard

Good Morning Meghan

Sorry some time has lapsed on this, we are pretty much ready to apply for the minor variance, is there an update to this from Parks/Recreation end?

thanks, Mike

Regards,

Mike Baccala

Alto Mar Construction Group

**ALTO MAR**   
**Construction Group**

---

**From:** Stewart, Meghan <Meghan.Stewart@hamilton.ca>

**Sent:** Monday, October 17, 2022 4:03 PM

**To:** mike.altomar.ca <mike@altomar.ca>

**Subject:** RE: 755 Beach Boulevard

Yep, that's perfect.

Thanks,

Meghan

----- Original message -----

From: "mike altomar.ca" <mike@altomar.ca>  
Date: 2022-10-17 15:45 (GMT-05:00)  
To: "Stewart, Meghan" <Meghan.Stewart@hamilton.ca>  
Subject: Re: 755 Beach Boulevard

Thanks Meghan

We received the building permit to remove the existing decks as we need access to the existing exterior walls at the back to repair major structural defects.

We will be applying for a minor variance to rebuild the deck as it was to the property line, the deck is about 4ft off grade and there are no stairs leading down to city property nor will there be any should the minor variance be awarded. I will forward you a picture as it is currently to give you a visual. The planning department indicated that I should contact every authority prior to the minor variance in order to help this get approved. The owners are not looking to have stairs off the deck. If the deck is not allowed to the property line it would be a very small deck.

Good for clarification?

Regards,

Mike Baccala  
Alto Mar Construction Group

**ALTO MAR**  
**Construction Group**

---

**From:** Stewart, Meghan <Meghan.Stewart@hamilton.ca>  
**Sent:** Monday, October 17, 2022 3:29 PM  
**To:** mike altomar.ca <mike@altomar.ca>  
**Subject:** RE: 755 Beach Boulevard

Hi Mike,

Thank you for the information. Just so I am super clear: there is an existing deck in the location as indicated in the drawing provided that you would like to rebuild and have formally approved through a variance or building permit process? Sorry, we don't typically act as the approval body in this capacity so I want to ensure that I am understanding.

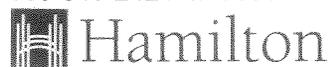
What I will do in the meantime is circulate to our Park Operations group and request their feedback. I think the biggest question everyone will have is will allowing the deck to be in the proposed location require access through City property.

If you could let me know, I would appreciate it.

Thanks,

**Meghan Stewart**  
Supervisor  
Landscape Architectural Services  
Environmental Services

Public Works  
905-546-2424 Ext.5653



*The City of Hamilton encourages physical distancing, wearing a mask in an enclosed public space, and increased handwashing. Learn more about the City's response to COVID-19 [hamilton.ca/coronavirus](https://hamilton.ca/coronavirus)*

**From:** mike altomar.ca <mike@altomar.ca>  
**Sent:** October 17, 2022 3:10 PM  
**To:** Stewart, Meghan <Meghan.Stewart@hamilton.ca>  
**Cc:** nancy.lundy@icloud.com  
**Subject:** Re: 755 Beach Boulevard

Good Afternoon Meghan

Thank you for your email. Please find the answers attached. If you require any additional information please do not hesitate to contact me.

*The site plan provided indicates an existing deck to be rebuilt: Do the dimensions shown represent the existing or the proposed deck? The site plan dimensions are for the existing deck*

*And I see that they want the deck (assuming that what they are showing is the proposed) to be built right up to the property line – is that correct? Yes this is correct*

Regards,

Mike Baccala  
Alto Mar Construction Group

**ALTO MAR**   
**Construction Group**

---

**From:** Stewart, Meghan <Meghan.Stewart@hamilton.ca>  
**Sent:** Thursday, October 13, 2022 1:20 PM  
**To:** mike altomar.ca <mike@altomar.ca>  
**Subject:** RE: 755 Beach Boulevard

Hi Mike,

This inquiry was passed to me for review and follow up. I have a couple of questions that would help clarify the request.

The site plan provided indicates an existing deck to be rebuilt: Do the dimensions shown represent the existing or the proposed deck? And I see that they want the deck (assuming that what they are showing is the proposed) to be built right up to the property line – is that correct?

Once I hear back from you, I will bring this to our Park Operations group for discussion.

Thanks,

**Meghan Stewart**  
Supervisor

Landscape Architectural Services  
Environmental Services  
Public Works  
905-546-2424 Ext.5653



*The City of Hamilton encourages physical distancing, wearing a mask in an enclosed public space, and increased handwashing. Learn more about the City's response to COVID-19 [hamilton.ca/coronavirus](https://hamilton.ca/coronavirus)*

**From:** "mike altomar.ca" <[mike@altomar.ca](mailto:mike@altomar.ca)>  
**Date:** September 27, 2022 at 9:34:05 AM EDT  
**To:** "Lalli, Robert" <[Robert.Lalli@hamilton.ca](mailto:Robert.Lalli@hamilton.ca)>  
**Subject:** 755 Beach Boulevard

Good Afternoon Rob

Pleasure speaking with you,

In regards to this project. The owners purchased the home approx. 2 years ago. They started having leak issues into the main floor with a deck above the kitchen and with all the repairs completed, the leaks became worse.

When I reviewed the home I noticed that the exterior wall stone was supported on steel angles bolted to the wood exterior studs on the mainfloor and secondfloor exterior walls and many other structural deficiencies that need to be corrected.

Upon many visits to the building department and receiving copies of the building permit and variance on file from the previous owner/builder, it was realized that the exterior decks were built without permits and final occupancy given at some point.

In order to correct all these issues, we are removing the decks, removing the exterior stone , installing engineered steel beam and posts and an angle iron detail for the main floor and re-doing all the finishes associated (decking, rail, interior finishes that are affected)

Due to the fact that the exterior deck was built without a permit and to some extent contravenes the bylaw for proximity to the rear lot line, we have to apply for a minor variance to allow the deck to be re-built in the exact location as the homeowners purchased the home with them already built.

We have applied for a building permit to complete all the structural repairs which needs to be done asap as the walls are pulling away from the house, however in the course of trying to figure out how to proceed with the minor variance with the decks I was advised to receive approvals to help with hopefully an approval to allow the house decks to be rebuilt. I have received approval from the conservation authority (the approvals were handed in with the building permit) and I was told to have the parks and recreation look at this (however with much time spent I could not locate this department)

We have a new land survey being worked on and should have it within another week. Please find attached the approvals from HCA and the drawings which will be used for the minor variance, we are not altering any grades.

any help would be much appreciated, let me know if there's any questions or added info needed, thanks again.

Regards,

Mike Baccala  
Alto Mar Construction Group

# **ALTO MAR** **Construction Group**

755 Beach Boulevard  
Hamilton, Ontario  
L8H 6Y5

To Whom It May Concern;

Please take note that the existing properties along Beach Boulevard all have rear yard structures in very close proximity to the rear lot line. By allowing the deck to be built as per the application, it will not interfere with any Landscape of the land as the house is set back far back from the asphalt path along the lake. Please take note of the attached photo.

Regards,

Mike Baccala  
Alto Mar Construction Group



Municipal Address	755 BEACH BLVD		
Assessment Roll Number	05051302410		
Former Municipality	HAMILTON, ONTARIO · HAMILTON WENTWORTH		
Lot	LOT 8	Concession	
Registered Plan Number	317	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:

ALLOW EXISTING MAIN FLOOR AND SECOND FLOOR DECK TO BE RE-BUILT TO THE REAR PROPERTY LINE. CURRENT BYLAW REQUIRES 0.50 m DISTANCE FROM PROPERTY LINE TO OUTSIDE OF DECK

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

DUE TO THE CLOSE PROXIMITY OF THE REAR OF THE HOUSE TO THE PROPERTY LINE IT MAKES THE DECK VERY SMALL IN DEPTH.

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
9.68 m	50.94 m	493.10 m <sup>2</sup>	

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 FAMILY HOME	27.81 m	2.11m Front North E	N - 1.52 m	2008
		2.64 BACK NE	S - 0.80 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
PRESSURE TREATED DECK		ON LOT LINE	N - 1.52 m	
			S - 0.80 m	

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 FAMILY HOME	90 m <sup>2</sup>	229.01	3	10.0 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

4.4 Type of water supply: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)
- 

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)
- 

4.6 Type of sewage disposal proposed: (check appropriate box)

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

- 4.7 Type of access: (check appropriate box)
- provincial highway
  - municipal road, seasonally maintained
  - municipal road, maintained all year
- right of way
  - other public road
- 

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
SINGLE FAMILY RESIDENCE

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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands: AUGUST 4, 2021

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY RESIDENCE

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY RESIDENCE

7.4 Length of time the existing uses of the subject property have continued:  
AUG 4, 2021 TO PRESENT

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? C/S - 1443

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

Yes       No

If yes, please provide the file number:

---

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

Yes  No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

8.3 Additional Information (please include separate sheet if needed):

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_





Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

### NOTICE OF PUBLIC HEARING Minor Variance

---

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:43</b>	<b>SUBJECT PROPERTY:</b>	100 KING STREET W, STONEY CREEK L8G 1J1
<b>ZONE:</b>	"C2 & 579" (Neighbourhood Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 17-240

**APPLICANTS:** Owner: SCOUT CAFÉ C/O DEJAN RAJSIC  
Agent: PREM TEWARI

The following variances are requested:

1. A minimum interior side yard of 2.1 metres shall be provided instead of the minimum required interior side yard of 3 metres for a lot abutting a Residential or Institutional Zone or lot containing a residential use.
2. Parking spaces, driveways, stacking lanes and aisles between the building façade and the front lot line and the flankage lot line shall be provided instead of the requirement that no parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front lot line and the flankage lot line.
3. A 0.9 metre setback shall be provided for parking spaces and aisles abutting a street line instead of the required 3.0 metre setback for parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street
4. No Planting Strip shall be provided between the street line and parking spaces or aisles instead of the required 3.0 metre planting strip required between the street line and the said parking spaces or aisles.
5. A minimum of 17 parking spaces shall be provided instead of the required 38 parking spaces for the Restaurant use.
6. A 3.65 m access aisle for 0-degree parking spaces shall be provided instead of the minimum required 3.7 metres for 0-degree parking spaces.

**SC/A-23:43**

7. A 4.93 m access aisle for 90-degree parking spaces shall be provided instead of the minimum required 6.0 metres for 90-degree parking spaces.

**PURPOSE & EFFECT:** So as to permit an addition in the side yard of the existing Restaurant and construction of a shed in the rear yard notwithstanding that:

**Notes:**

- i. As per the definition for Front Lot Line, as it relates to a Through Lot, the applicant shall determine which lot line shall be the front lot line. The applicant has not specifically addressed the intended Front Lot Line however it is noted as per Minor Site Plan application, MDA – 12 – 248 as well as per the Site Plan of the current submission that the front lot line for this property is considered to be the lot line abutting Faircourt Drive.
- ii. Be advised, previously approved Minor Variance SC/A-14:345, granted on February 5th, 2015, and as provided as supplemental information by the applicant with the current submission, is no longer applicable to the lands as per the changing of the previous GC (General Commercial Zone under Stoney Creek Zoning By-law 3692-92 to the current C2, 579 Zone under Hamilton Zoning By-Law 05-200.
- iii. Insufficient Information has been provided regarding the height of the proposed addition. Be advised, as per Section 10.2.3 d), the permitted height shall not exceed a maximum of 11.0 metres. Should the proposed addition to the building exceed the maximum requirement, additional variances may be required.
- iv. Note, no mechanical equipment has been shown on the rooftop of the proposed building. Should rooftop mechanical equipment be proposed Section 10.2.3 i) i) shall apply and this equipment shall be screened from view from all abutting street lines. In addition, should rooftop mechanical equipment be proposed, the requirements of Section 10.2.3 a) iii) shall apply. Should the proposed rooftop mechanical equipment not meet the requirements of section 10.2.3 a) iii) and 10.2.3 i) i), additional variances may be required.
- v. Note, the proposed 'Shed' has been reviewed under Section 4.8 and 4.8.3 iii) as an Accessory Structure, however it is unclear as to the nature and extent of the proposed shed as it related to access from the existing building. The applicant has indicated the shed to be used for storage purposes, however as per the site plan provided, a main entrance appears to be shown within the proposed shed. Should any entrance or access be proposed between the proposed shed and the principle use, the shed may be considered to form part of the principle building and will be subjected to the requirements of Section 10.2.3.
- vi. Be advised, the location of the proposed parallel parking spaces do not meet the requirements of Section 10.2.3 i) vi) which requires that no parking, driveways, stacking lanes and aisles be permitted between the building façade and the front lot line and the flankage lot line. As such, a variance have been added to address this deficiency.
- vii. Be advised, the proposed parallel parking spaces do not meet the requirements of Section 5.1 v) a) & b) which requires parking spaces and access aisles to be 3.0 metres from a street line and any such parking space shall have a 3.0 metre planting strip between the street line and said parking spaces or aisles. As such, variances have been added to address these deficiencies.

**SC/A-23:43**

- viii. Be advised, the site plan provided indicates an alteration to the existing parking lot and parking space amount. As per the approved Minor Site Plan application, MDA- 12-248, and Building Permit 15-110448, the approved plans for the Restaurant indicate a total of 16 parking spaces and the existing parking spaces have been deemed to comply as they relate to Section 5.2 b) i) and f). The current proposed plan indicates one of the parking spaces (shown as “cancelled parking spot”) to be removed and replaced with a parallel parking space within the front yard to retain the existing parking count of 16 parking spaces. It is noted that only one additional parallel parking space has been provided for the proposed addition, where 8 spaces are required.

In addition to the above comments regarding existing parking lot configuration, due to the alteration of the existing parking space and addition of the two new parallel parking spaces, the existing aisles widths have been reviewed to the current standards of Section 5.2 i) for both 0-degree parking and 90-degree parking. The following comments have been provided to address these changes.

- ix. Be advised, the proposed number of parking spaces do not meet the requirements of Section 5.6 c) iv) which requires one (1) parking space for each 8.0 square metres of the Restaurant use. As such, a variance has been added to address this deficiency.
- x. Be advised, the proposed aisle widths do not meet the requirements of Section 5.2 i) for 0 degree and 90-degree parking spaces, which requires access aisles for 0-degree parking spaces to be 3.7 metres in width and for 90-degree parking spaces to be 6.0 metres in width. As such, variances have been added to address these deficiencies.

**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, March 30, 2023</b>
<b>TIME:</b>	<b>1:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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- 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

SC/A-23:43

**PUBLIC INPUT**

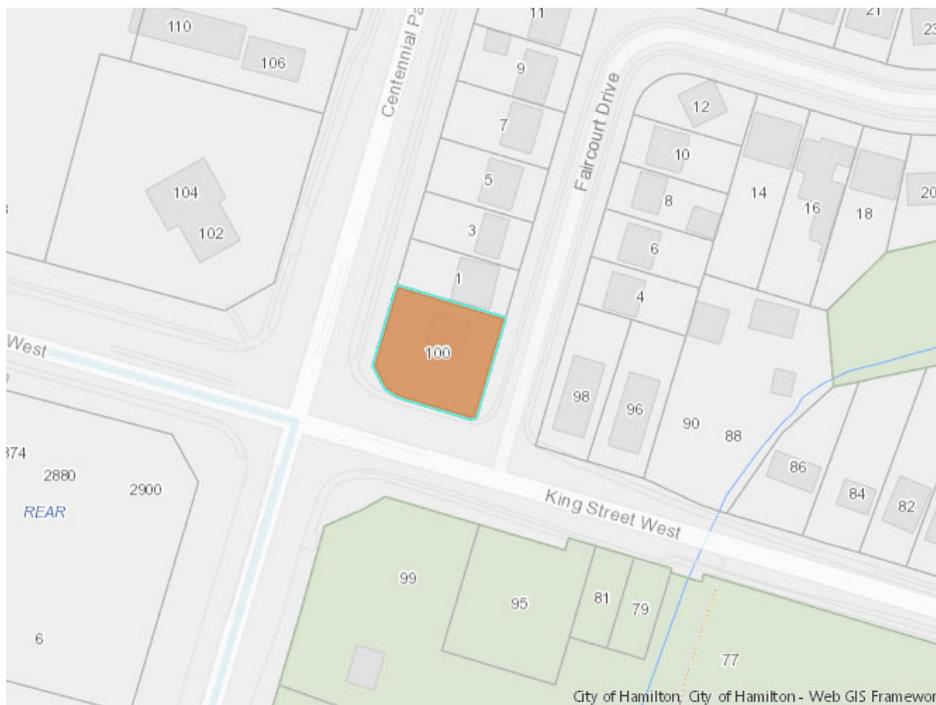
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:43, you must submit a written request to [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.

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DATED: March 14, 2023

---

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.**

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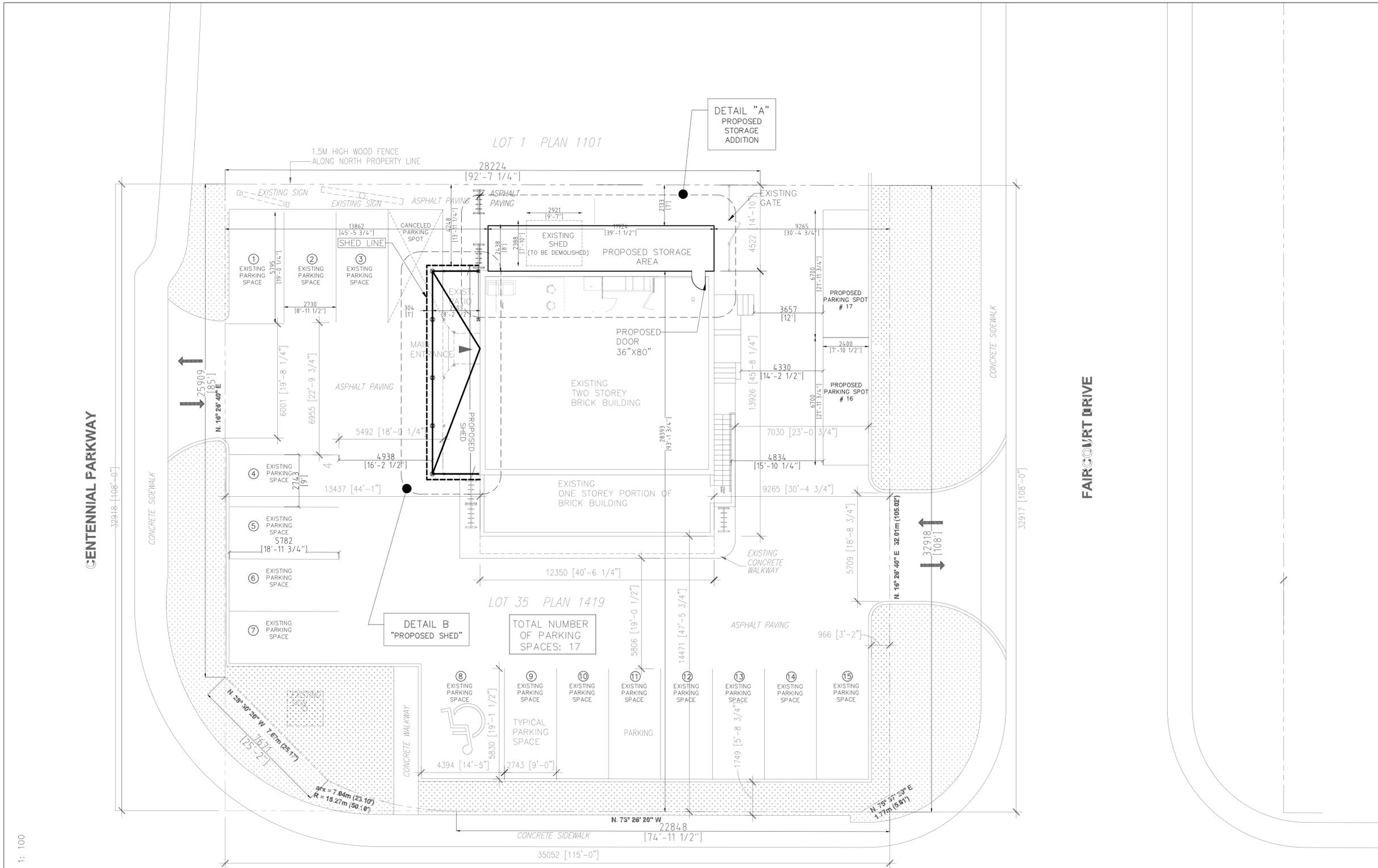
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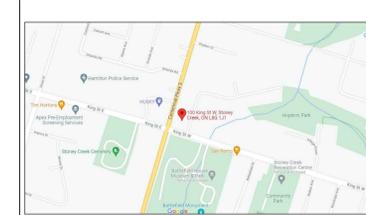
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Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure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



SHEET 24"x36" - PRINTING SCALE 1: 100



KEY PLAN



No.	DATE	BY	REVISIONS
1	19-12-2022	P.T.	AS PER CITY COMMENTS

References

Approvals	Field Notes
	Bell <input type="checkbox"/> Hydro <input type="checkbox"/> Gas <input type="checkbox"/> Cable <input type="checkbox"/> Traf. <input type="checkbox"/> Water <input type="checkbox"/> Stamp



IDM (2005) CONSULTANTS INC.

5325 HARVESTER ROAD  
BURLINGTON, ONTARIO  
L7L 5K4

MUNICIPALITY:

CITY OF HAMILTON

PROJECT NAME:

SCOUT CAFE - RENOVATION  
100 KING STREET WEST - STONEY CREEK

DATE:	DRAWING TITLE:
SHEET NO. SP101	SCALE 1: 100

SITE STATISTICS						
ZONING	LOT NO.	PLAN NO.	LOT AREA	LOT FRONTAGE	LOT DEPTH	
GC	PART OF LOT 35	1419	1,126.39 m <sup>2</sup> (12,123 SF)	32.318 m (108.00 FT)	35.051 m (115.00 FT)	
DESCRIPTION	EXISTING	ADDITION	TOTAL	% ALLOWED	% SETBACKS	EXISTING REQUIRED
LOT COVERAGE	175.69 m <sup>2</sup> (1,891 SF)	29.07 m <sup>2</sup> (313 SF)	204.76 m <sup>2</sup> (2,204 SF)	18.2	561.70 m <sup>2</sup> (6,046 SF)	50.0
GROSS FLOOR AREA	236.55 m <sup>2</sup> (2,546 SF)	69.03 m <sup>2</sup> (743 SF)	305.58 m <sup>2</sup> (3,289 SF)	27.1	561.70 m <sup>2</sup> (6,046 SF)	50.0
LANDSCAPED AREA	104.71 m <sup>2</sup> (1,127 SF)		104.71 m <sup>2</sup> (1,127 SF)	9.3	112.61 m <sup>2</sup> (1,212 SF)	10.0
NO. OF STORIES HEIGHT	2		2			
PATIO AREA	15.40 m <sup>2</sup> (166 SF)	38.65 m <sup>2</sup> (416 SF)	54.05 m <sup>2</sup> (582 SF)			

**LEGEND**

- EXISTING LANDSCAPED AREA ON PROPERTY
- EXISTING LANDSCAPED AREA ON MUNICIPAL PROPERTY
- ACCESSIBLE PARKING SPACE
- DIRECTION OF TRAFFIC

**NOTE:**  
ALL EXISTING LANDSCAPE AREAS TO REMAIN UNCHANGED

**IDM (2005) Consultants Inc.**

To: C of A committee Members

The site was granted variances in regards to various set backs, parking requirements and the size of the parking spots. The committee decision is attached herewith for your reference.

The Committee had granted a setback of 1.10 m from the northern property line and our set back is 2.13 m. We had not requested for any other variance. However, the City staff has recommended other variances as well. We are not sure why we have to go through these variances when the approved northerly set back is less than what we need to build a storage unit.

Respectfully Submitted

*Prem Tewari*

Prem Tewari



**Hamilton**

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

**COMMITTEE OF ADJUSTMENT**  
**DECISION OF THE COMMITTEE**

**APPLICATION NO. SC/A-14:345**  
**SUBMISSION NO. A-345/14**

**IN THE MATTER OF** The Planning Act, R.S.O., 1990, c.P. 13, as amended and of the Zoning By-Law No. 3692-92, of the City of Hamilton (formerly Stoney Creek), Sections 4, 8.1, 8.3.

**AND IN THE MATTER OF** the Premises known as Municipal number 100 King St. W., formerly in the City of Stoney Creek, now in the City of Hamilton and in a "GC" (**General Commercial**) district;

**AND IN THE MATTER OF AN APPLICATION, AS AMENDED**, by the agent Plethovalent Architecture (Dusan Stupar) on behalf of the owner Miroslav Rajsic, for relief from the provisions of the Zoning By-Law No. 3692-92, under Section 45 of The Planning Act, R.S.O. 1990, c. P. 13, so as to permit an existing and proposed roof-top outdoor patio on the existing one storey portion of the 2 storey brick building (commercial building) for a 108 seat restaurant notwithstanding that:

1. The outdoor patio located on the westerly rear yard abutting Centennial Parkway and the proposed roof-top outdoor patio located on the flankage yard abutting King Street are not permitted;
2. A minimum of 18 parking spaces shall be provided on site instead of the minimum required 27 parking spaces;
3. A minimum parking size width of 2.74 m shall be provided instead of the minimum required parking size width of 2.75 m;
4. A minimum parking size width of 4.3 m shall be provided for the physically challenged instead of the minimum required parking size width of 4.4 m;
5. A minimum landscaped strip of 0.9 m shall be maintained on the easterly lot line abutting Faircourt Drive instead of the minimum required landscaped strip adjacent to a street of 6.0;
6. A minimum landscaped strip of 1.7 m shall be maintained on the southerly lot line abutting King Street instead of the minimum required landscaped strip adjacent to a street of 6.0 m;
7. A minimum landscaped strip of 0.0 m shall be maintained on the westerly lot line abutting Centennial Parkway instead of the minimum required landscaped strip adjacent to a street of 6.0 m;
8. A minimum landscaped strip of 0.0 m shall be maintained on the northerly lot line abutting residential zone instead of the minimum required landscaped strip abutting any other zone other than Commercial of Industrial of 6.0 m;
9. To permit the existing concrete walkway to be located within the existing landscaped strip on the southerly lot line abutting King Street whereas the By-Law states that the landscaped strip shall be devoted solely to the growing of grass, ornamental shrubs or trees;
10. To permit an existing accessory structure to be located 1.1 m from the northerly side yard abutting residential zone instead of the minimum required of 4.5 m from any residential zone;

SC/A-14:345  
Decision  
Page 2

Notes:

- i) Except as provided in Subsection C ii) below, no outdoor patio restaurant shall be permitted on a lot where any lot line abuts a residential zone or where such lot is separated from a residential zone by a laneway; and,
- ii) Where only the rear lot line abuts a residential zone or the lot is separated from the residential zone by a laneway, an outdoor patio restaurant shall only be permitted in the front yard. The existing outdoor patio is located in the rear yard and the flankage yard. In addition to the above, the outdoor patio restaurant shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.

**THE DECISION OF THE COMMITTEE IS:**

That the variances, as set out in paragraph three above, are **GRANTED** for the following reasons:

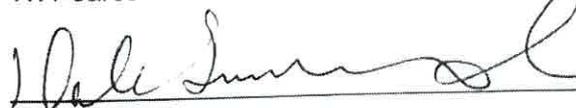
1. The Committee, having regard to the evidence, is of the opinion that the relief granted is of a minor nature.
2. The relief granted is desirable for the appropriate development of the land and building and is not inconsistent with the general intent and purpose of the By-law and the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee, having regard to the evidence, is satisfied that there will be no adverse impact on any of the neighbouring lands.

**DATED AT HAMILTON** this 5th day of February, 2015.

  
M. Dudzic (Chairman)

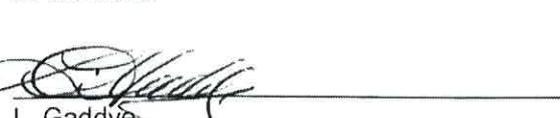
  
I. Dunlop

  
W. Pearce

  
B. Smith

  
D. Drury

  
D. Serwatak

  
L. Gaddy

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS **February 25th, 2015**.

**This decision is not final and binding unless otherwise noted.**

**NOTE:**

1. **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



Hamilton

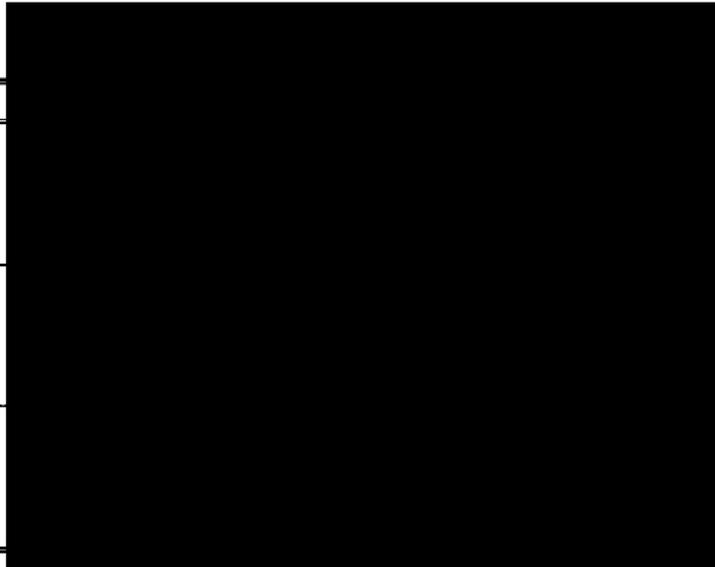
**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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
Registered Owners(s)	DEJAN RAJSIC
Applicant(s)	PREM TEWARI
Agent or Solicitor	



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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent prem\_tewari@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	100 KING STREET WEST, STONEY CREEK, HAMILTON		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot	Part of Lot 35	Concession	
Registered Plan Number	1419	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:

- Additional storage area (container) to the existing building.
- Additional shed in front of existing building.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

A rear yard setback of 2.13 m instead of the minimum required 7.5 m  
A total of 17 parking spaces will be provided instead of the minimum required 38 parking spaces  
A minimum drive aisle width of 4.93 m abutting parking space 4 instead of the minimum required width of 6 m  
A minimum drive aisle width of 3.65 m abutting parking space 17 instead of the minimum required width of 3.7 m

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
35.051m	32.918m	1,126.39 sq.m.	21.50m

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
Main Building	14.471m	4.522m	13.437 / 9.265 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Main Building+storage	14.471m	2.13m	13.437 / 9.265m	07/01/2023

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
Main Building		305.58 sq.m	one	4.50m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Main building+storage		334.68 sq.m.	one	4.50m

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)  
 \_\_\_\_\_

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)  
 \_\_\_\_\_

4.6 Type of sewage disposal proposed: (check appropriate box)

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

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

RESTAURANT

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

RESIDENTIAL

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

2001

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

COMMERCIAL - RESTAURANT

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

COMMERCIAL - RESTAURANT

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

30 YRS+

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) Commercial

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

7.6 What is the existing zoning of the subject land? SC/A-14:345 & SC/A-19:197

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: SC/A-14:345 & SC/A-19:197

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

8.3 Additional Information (please include separate sheet if needed):

**11 COMPLETE APPLICATION REQUIREMENTS**

**11.1 All Applications**

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

**11.4 Other Information Deemed Necessary**

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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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-23:46</b>	<b>SUBJECT PROPERTY:</b>	238 EAST 11TH STREET, HAMILTON
<b>ZONE:</b>	"C/S-1822" (Urban Protected Residential, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 22-195

**APPLICANTS:** Owner: GLENN & RHONDA SPENCER  
Agent: JARVIS DESIGN FIRM C/O QUINTON JARVIS

The following variances are requested:

1. The addition shall be permitted to be located 3.76 m from the rear lot line instead of the minimum required 7.5 m:

**PURPOSE & EFFECT:** To construct a one-storey rear addition to the existing dwelling:

**Notes:**

- i. Pursuant to Building Permit 20 173088, issued December 4, 2020, for the construction of porches in the east side yard, the northerly lot line abutting Brucedale Avenue East is deemed to be the front lot line.
- ii. Please note that the lot boundary is inaccurately shown in the site plan submitted, as it includes the municipal boulevard abutting the east lot line as part of 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, March 30, 2023</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>

**HM/A-23:46**

	<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>

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HM/A-23:46



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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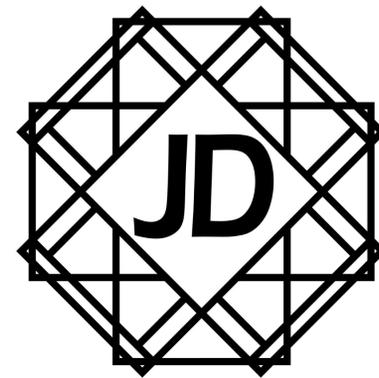
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**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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.

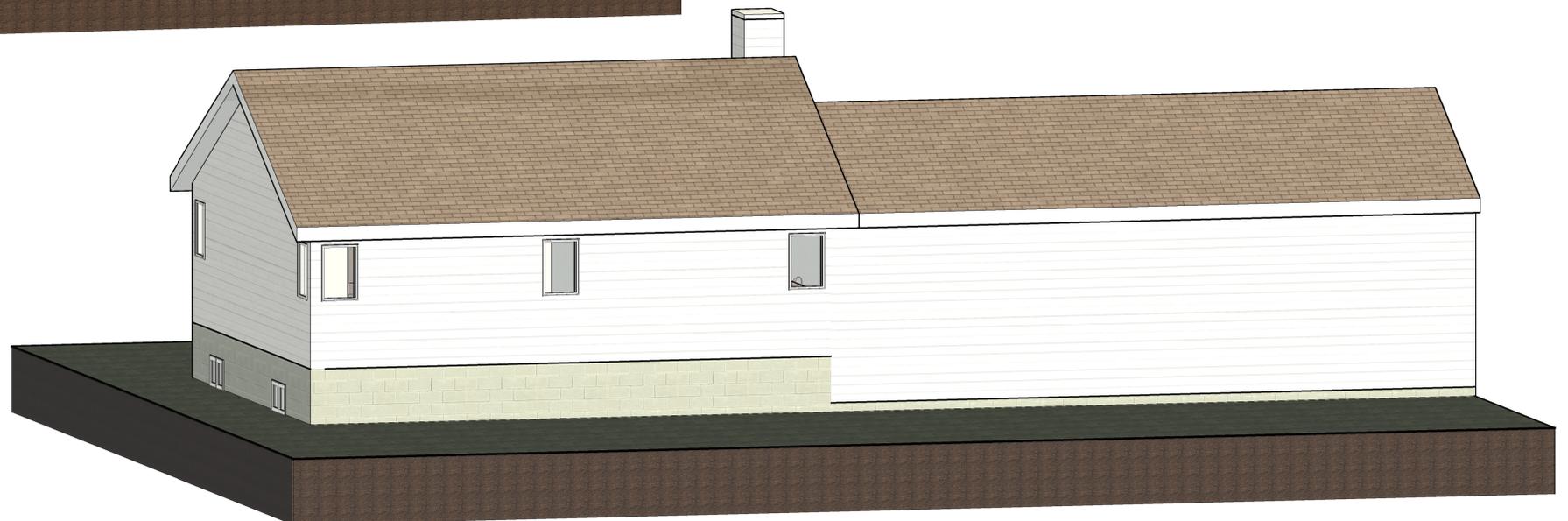
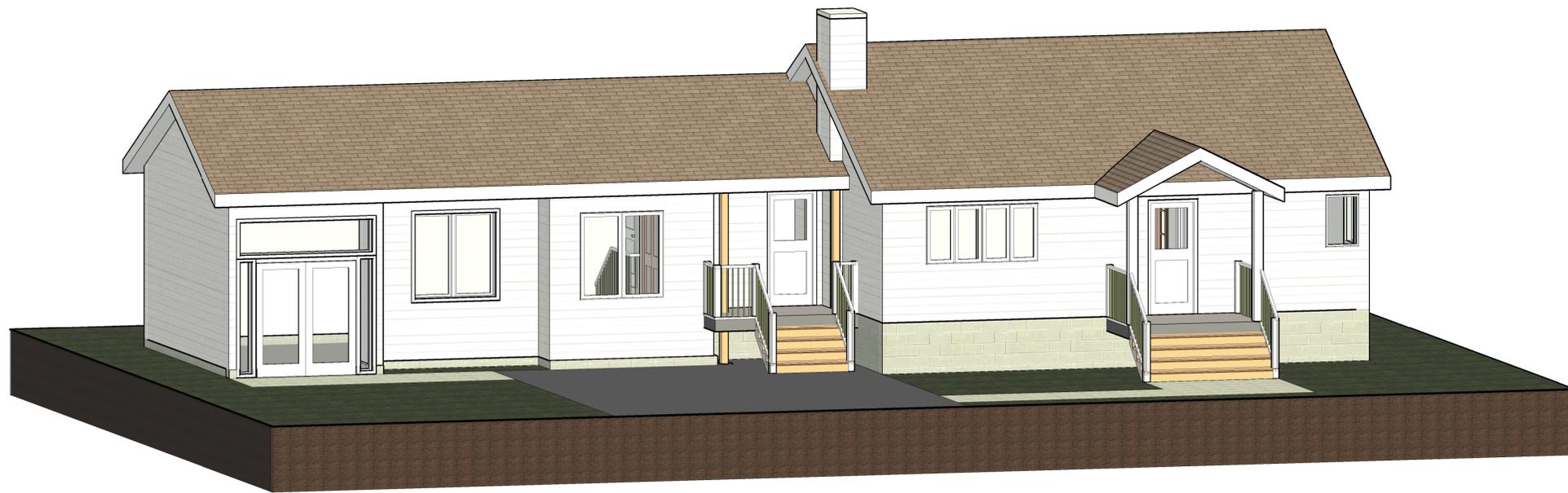
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

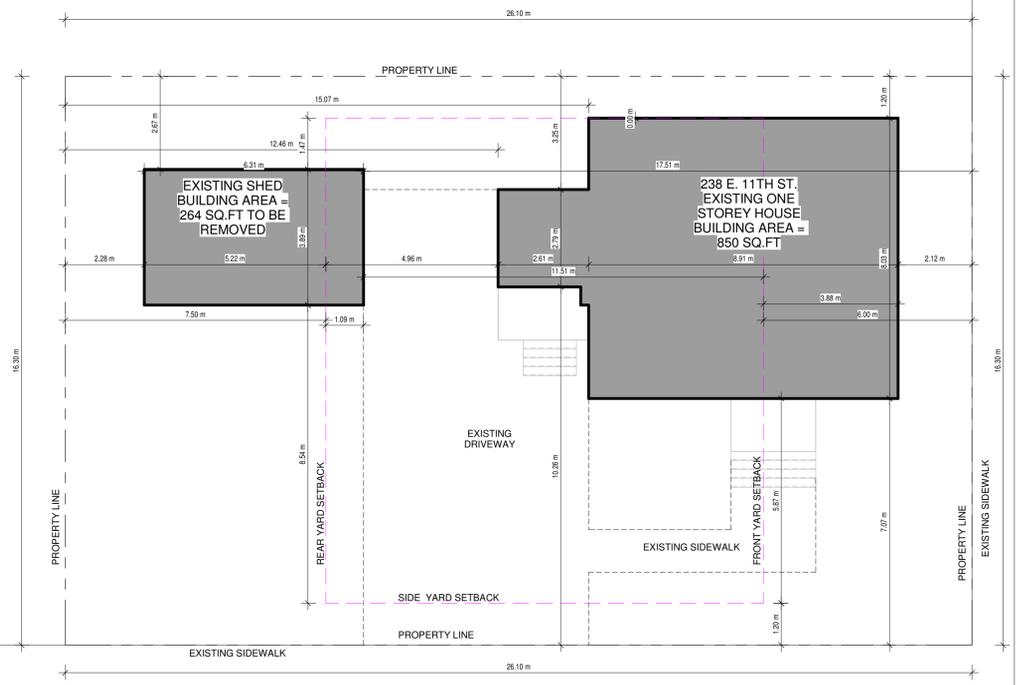


JARVIS DESIGN FIRM

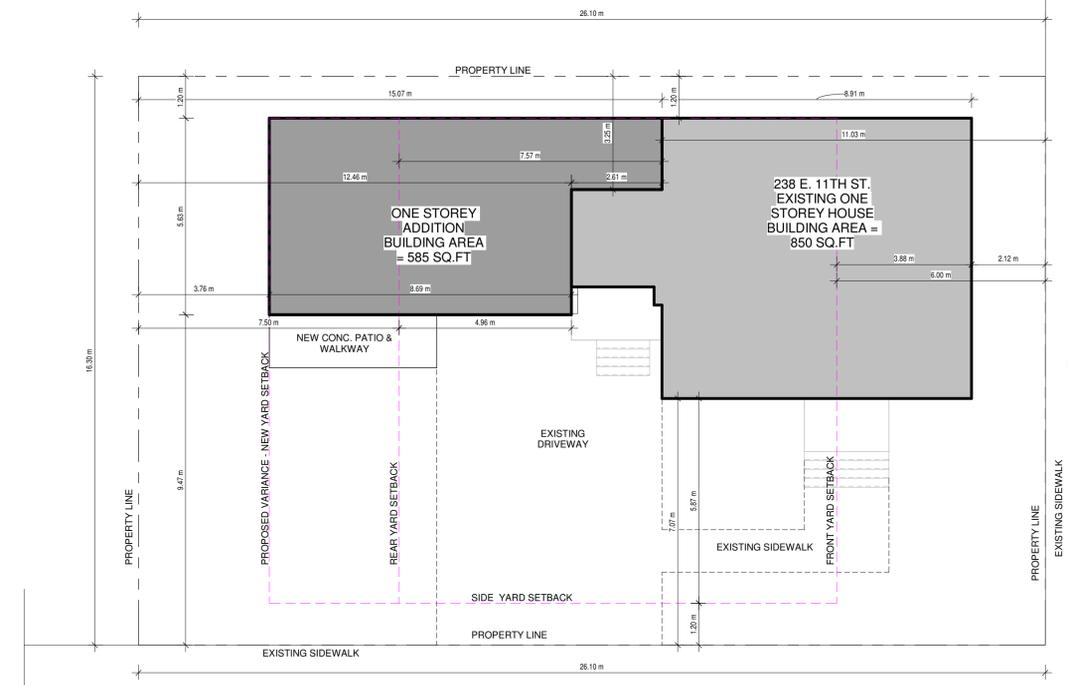
# ADDITION

## 238 E. 11TH ST. HAMILTON, ON

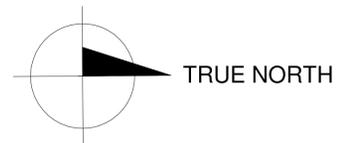




1 INFORMAL SITE PLAN (EXIST.)  
A0.01 1/8" = 1'-0"



2 INFORMAL SITE PLAN (NEW)  
A0.01 1/8" = 1'-0"



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 JARVIS DESIGN FIRM	ADDITION	INFORMAL SITE PLAN
	238 E. 11TH ST. HAMILTON, ON	Project Number: N/A Date: FEBRUARY 22, 2023 Drawn by: QJ Checked by: SA
		Sheet No. <b>A0.01</b> Scale: 1/8" = 1'-0"

**GENERAL ELEVATION SPECIFICATIONS/NOTES:**

1. ALL EXTERIOR FINISHES DETAILS/COLORS/STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
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4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
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**1 EAST ELEVATION (EXISTING)**  
A1.01 1/4" = 1'-0"



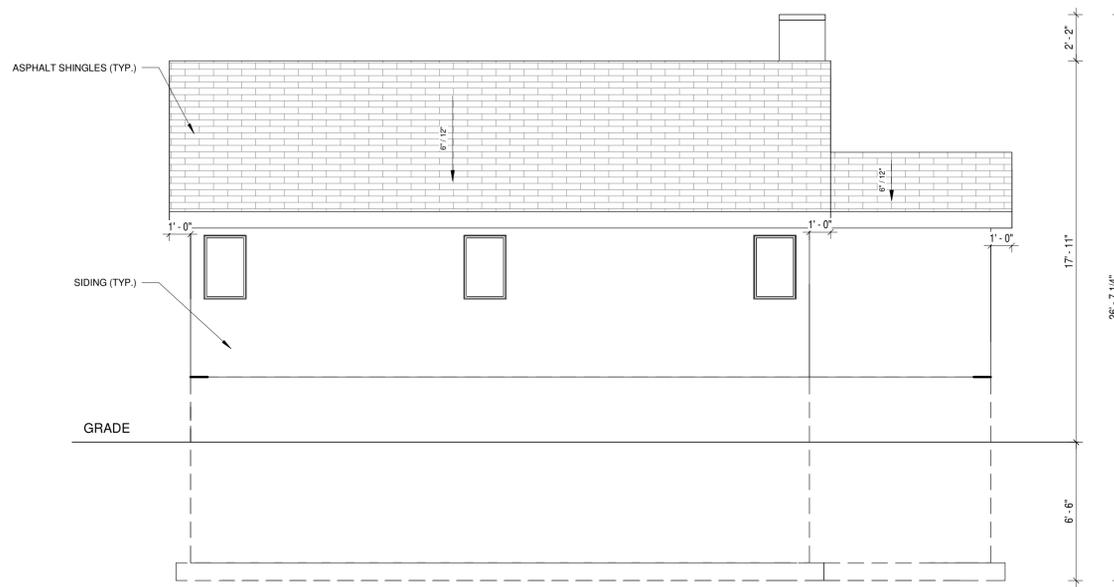
**2 EAST ELEVATION (NEW)**  
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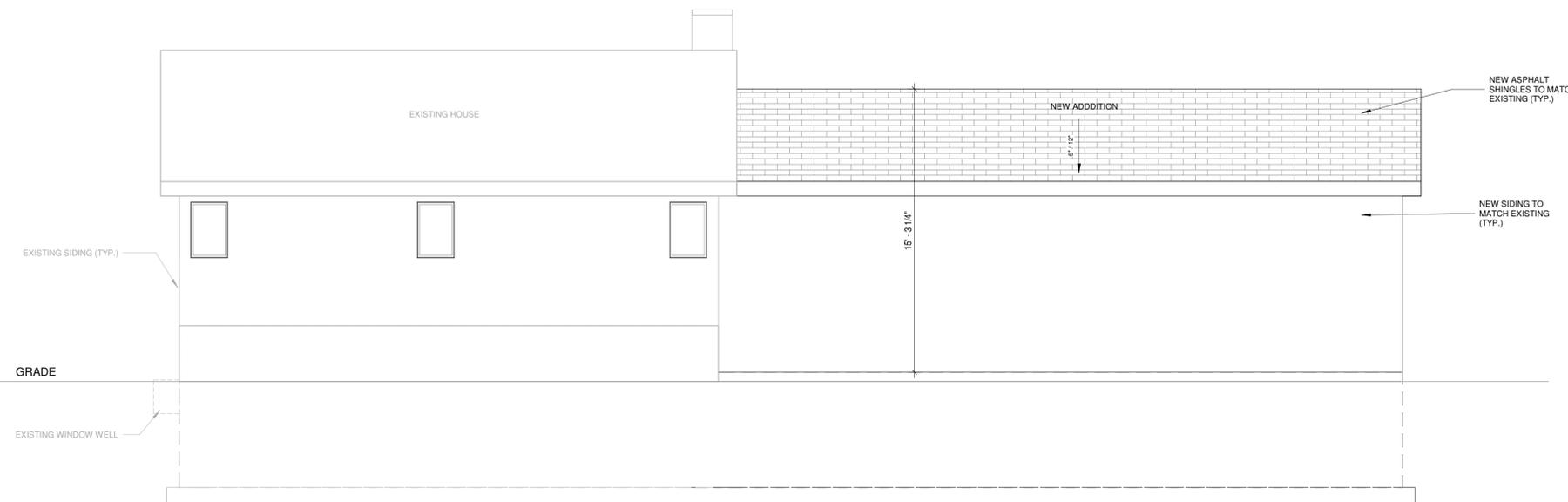
 JARVIS DESIGN FIRM	ADDITION	ELEVATIONS
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Sheet No. Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA Scale 1/4" = 1'-0"

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**3 WEST ELEVATION (EXISTING)**  
A1.02 1/4" = 1'-0"



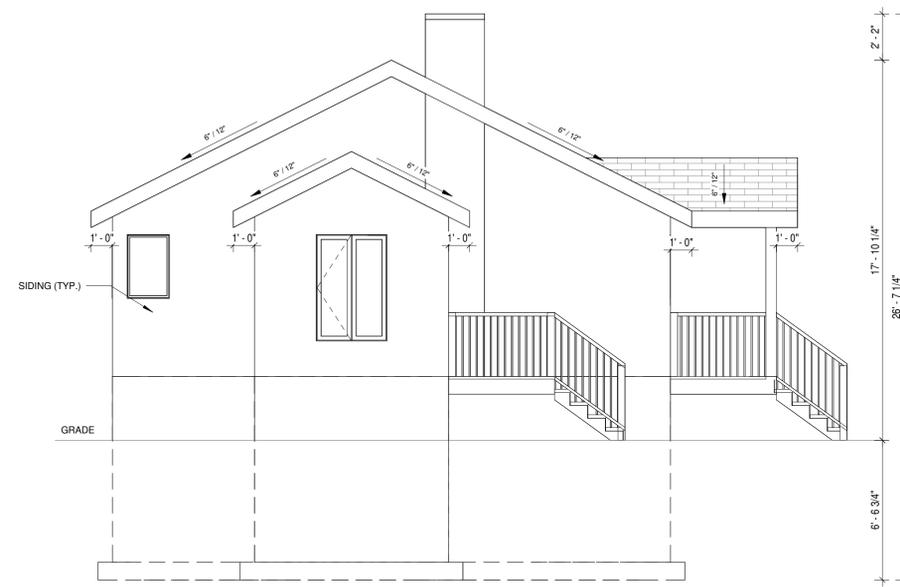
**4 WEST ELEVATION (NEW)**  
A1.02 1/4" = 1'-0"

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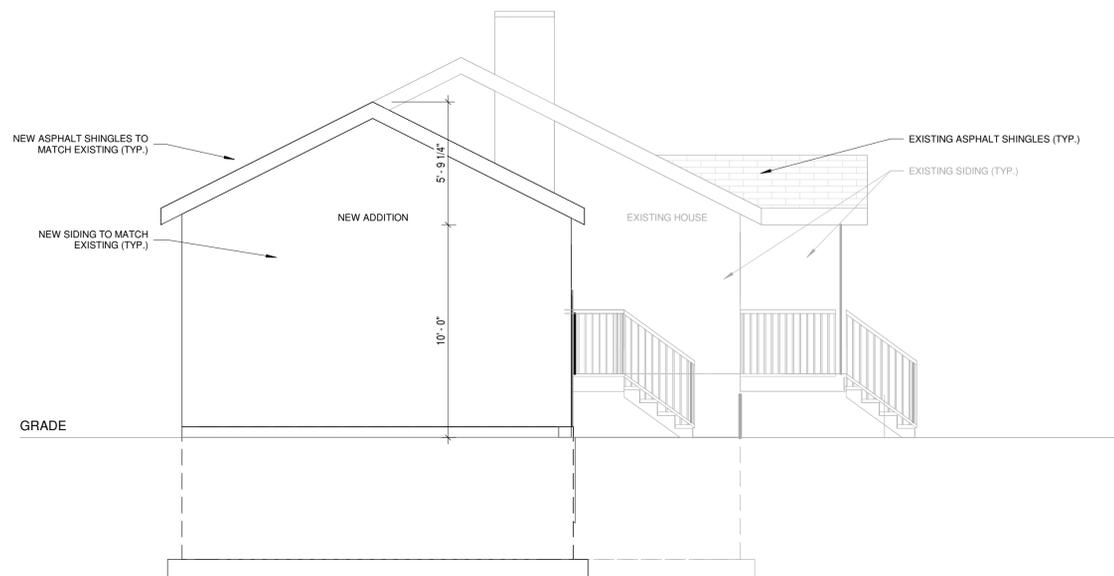
 JARVIS DESIGN FIRM	ADDITION	ELEVATIONS
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA

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**5 REAR ELEVATION (EXISTING)**  
A1.03 1/4" = 1'-0"



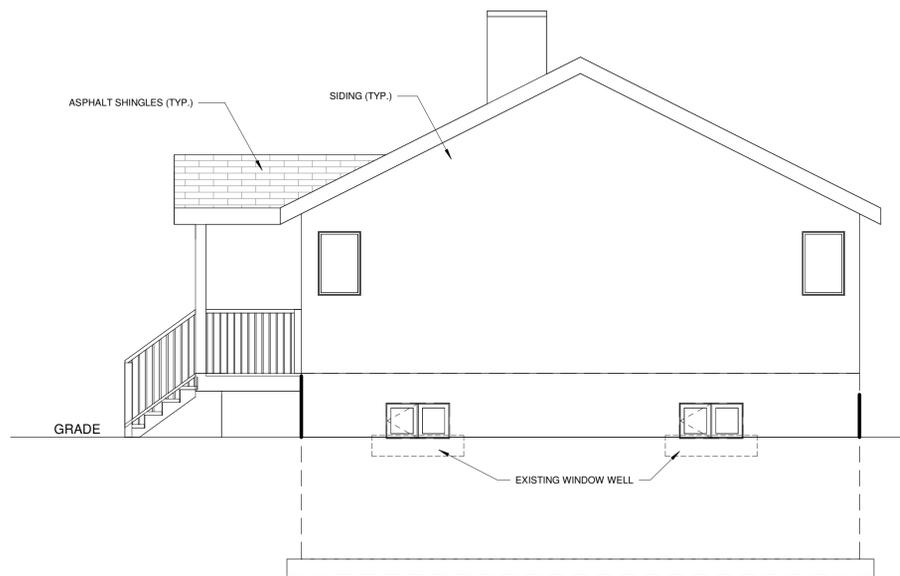
**6 REAR ELEVATION (NEW)**  
A1.03 1/4" = 1'-0"

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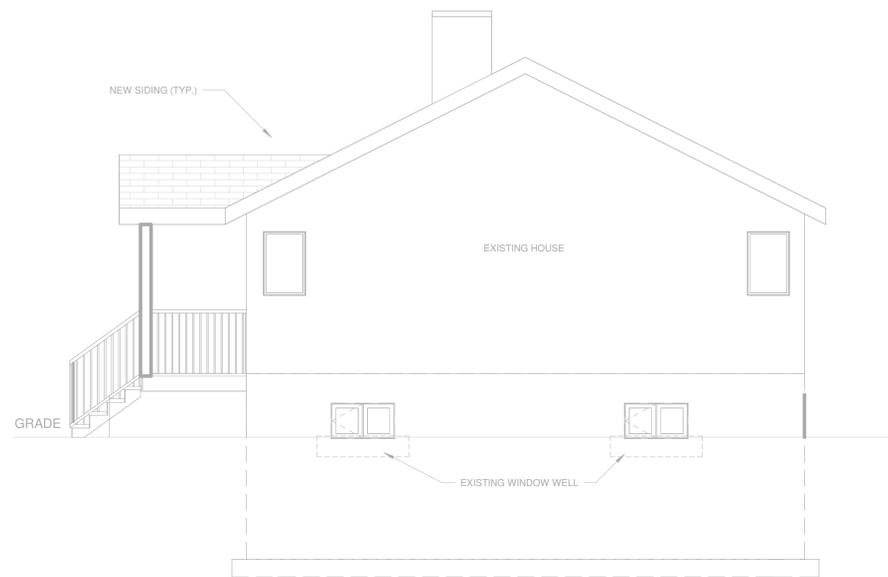
 JARVIS DESIGN FIRM	ADDITION	ELEVATIONS
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA

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**7 FRONT ELEVATION (EXISTING)**  
A1.04 1/4" = 1'-0"

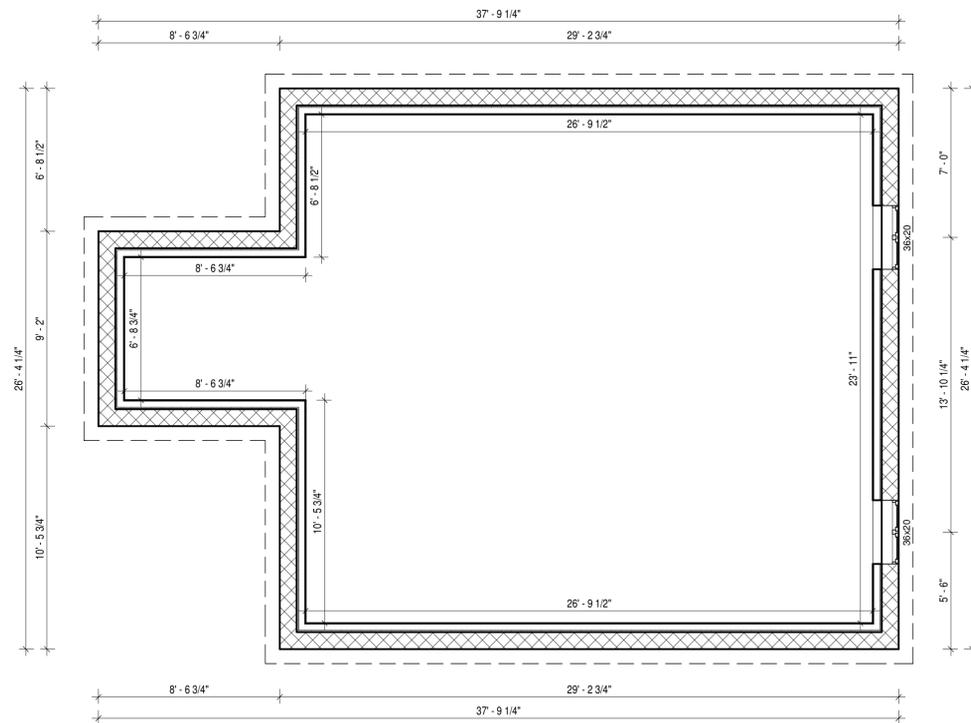


**8 FRONT ELEVATION (NEW)**  
A1.04 1/4" = 1'-0"

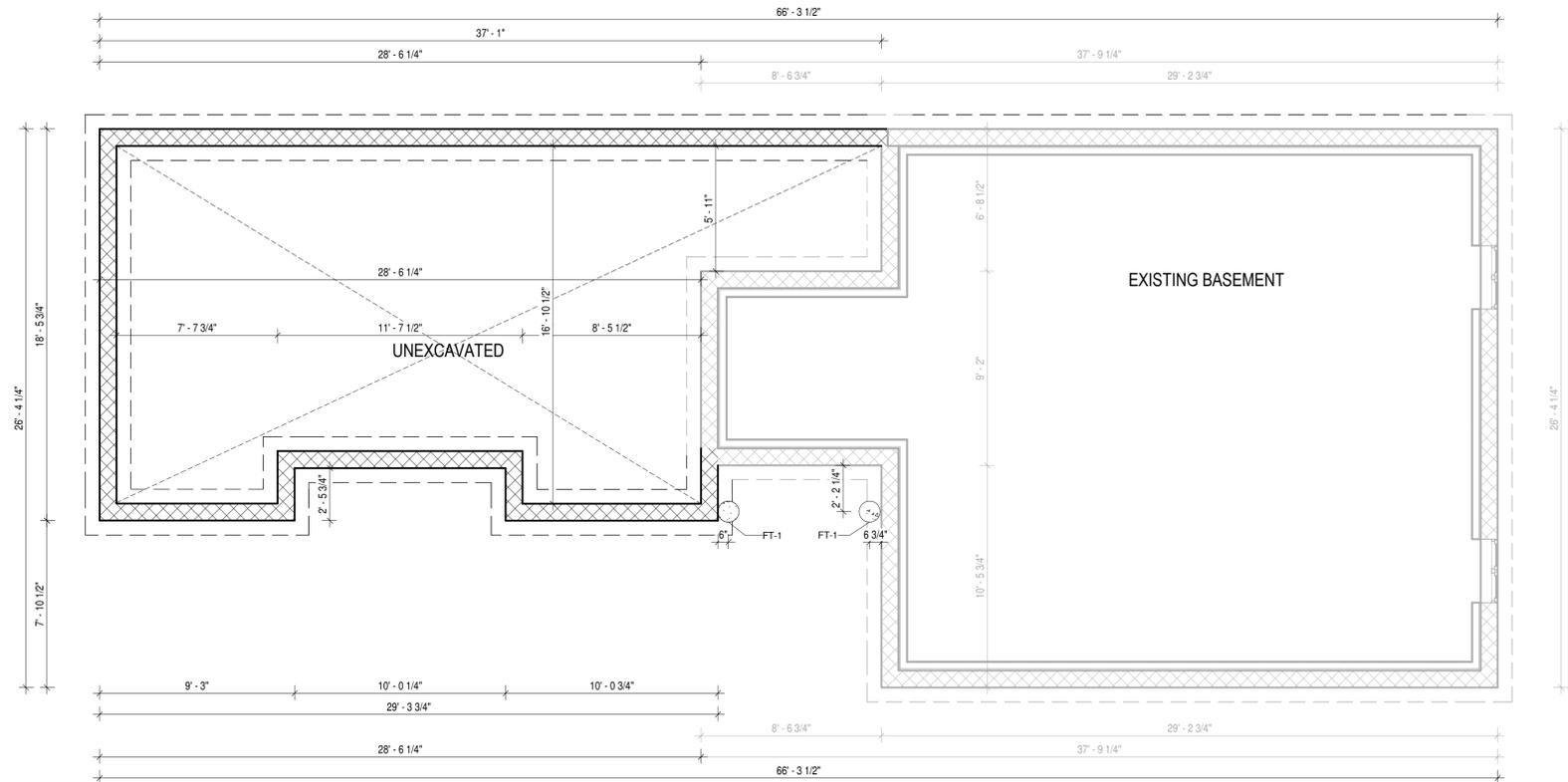
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 JARVIS DESIGN FIRM	ADDITION	ELEVATIONS
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA



1 EXIST. BASEMENT FLOORPLAN  
A2.01 1/4" = 1'-0"

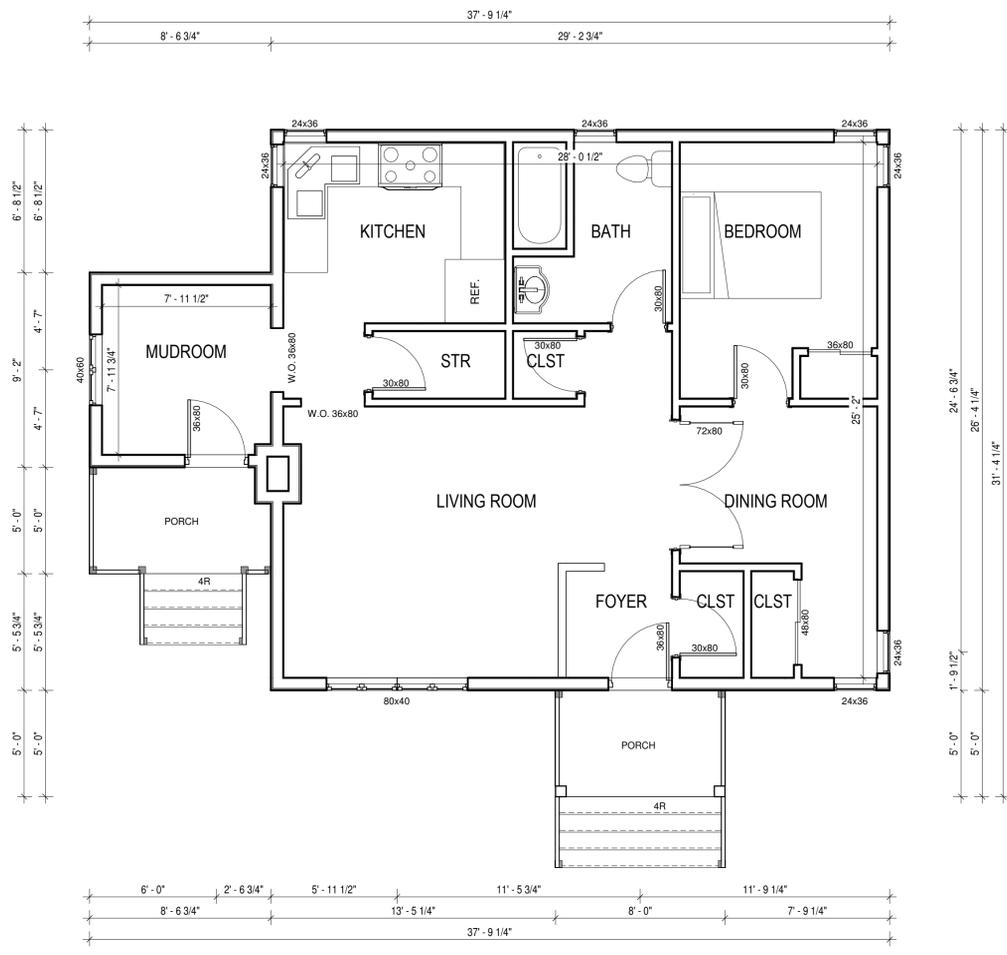


2 NEW BASEMENT FLOOR PLAN  
A2.01 1/4" = 1'-0"

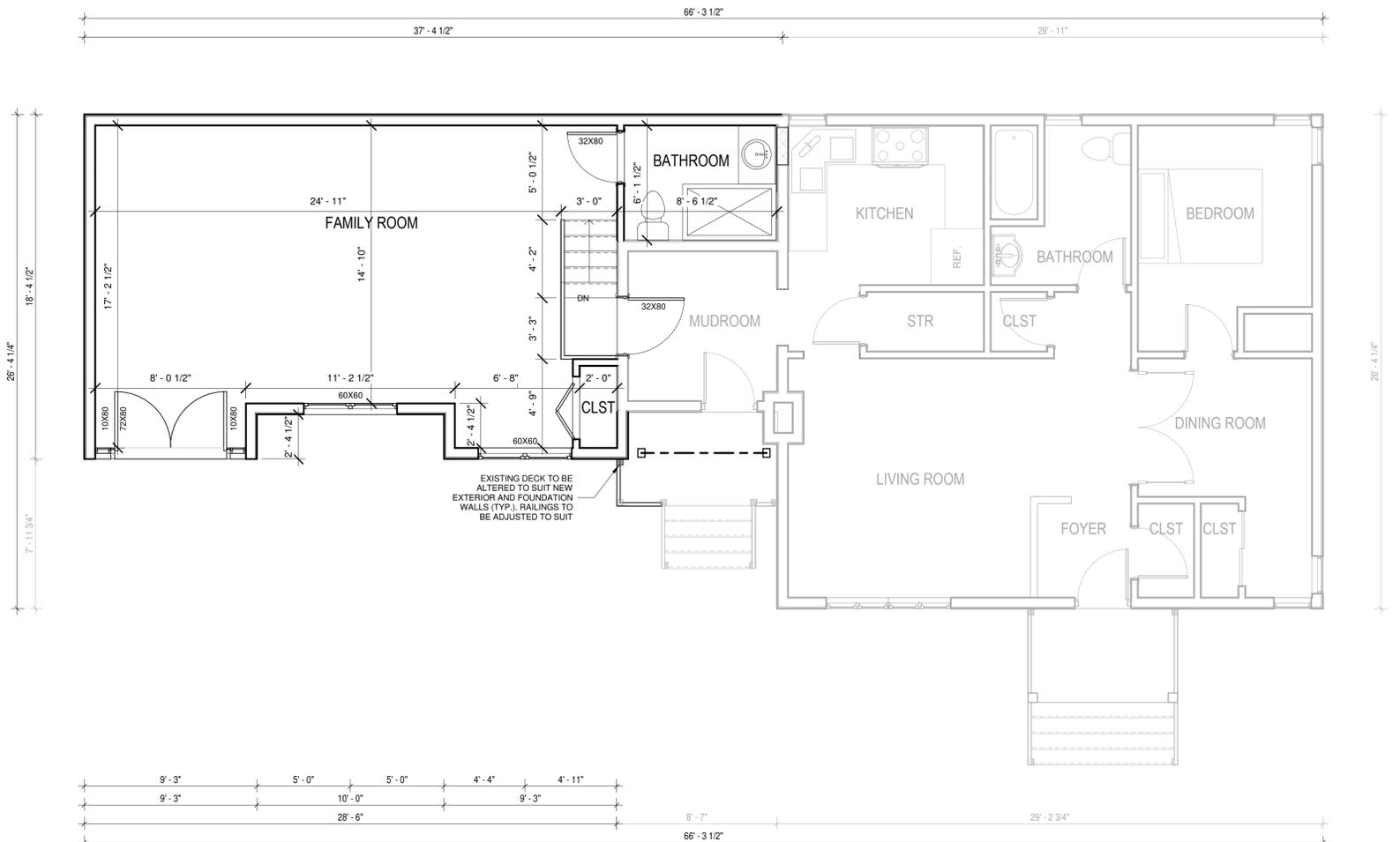
CONCRETE FOOTING LEGEND	
TAG	DESCRIPTION
FT-1	12" DIA, 4'-0" DEEP FROM OUTSIDE GRADE LEVEL SONO TUBE CONCRETE PIER WITH 25MPA CONCRETE TO BE SUPPORTED ON UNDISTURBED SOIL WITH MINIMUM BEARING CAPACITY OF 75 KPA.

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 JARVIS DESIGN FIRM	ADDITION	BASEMENT FLOOR PLAN
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA



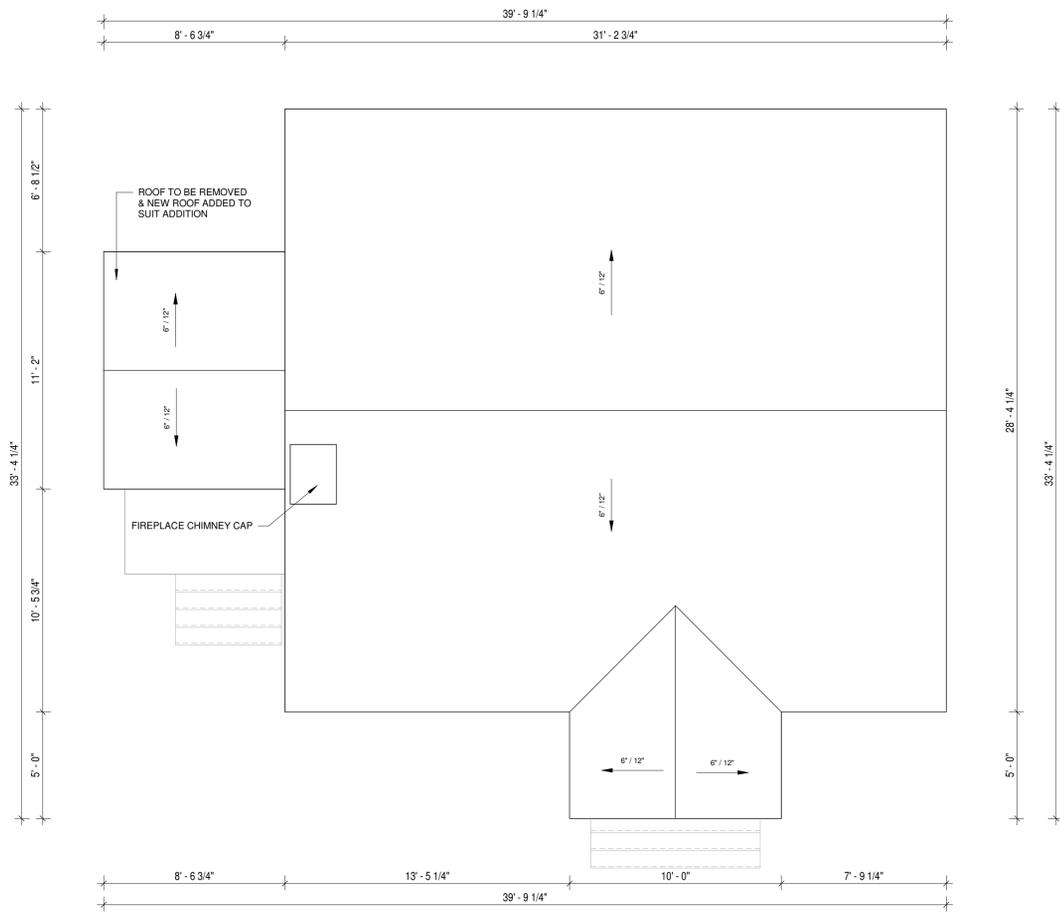
1 EXISTING MAIN FLOORPLAN  
A2.02 1/4" = 1'-0"



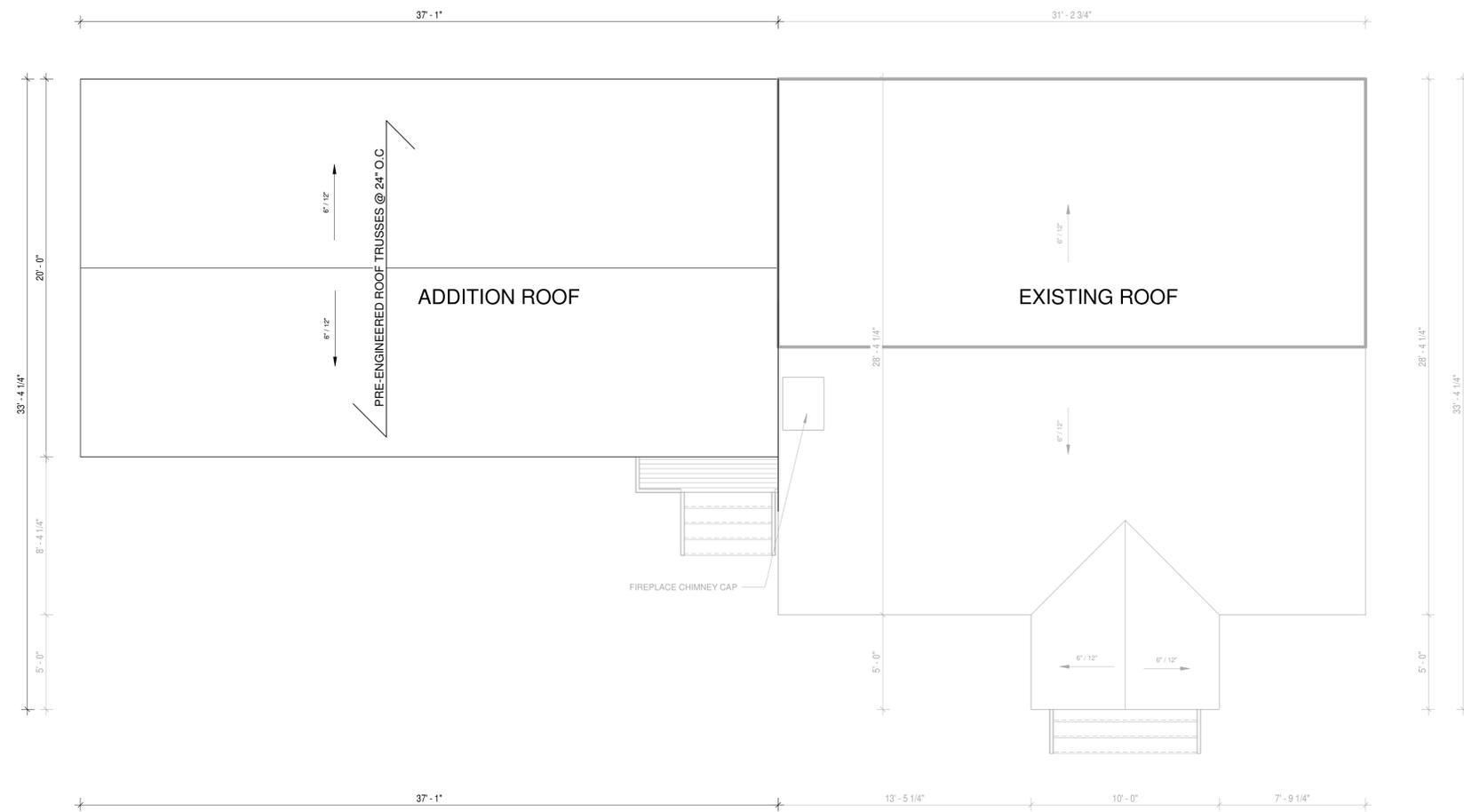
2 NEW MAIN FLOORPLAN  
A2.02 1/4" = 1'-0"

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 JARVIS DESIGN FIRM	ADDITION	MAIN FLOOR PLAN
	238 E. 11TH ST. HAMILTON, ON	Project Number: N/A Date: FEBRUARY 22, 2023 Drawn by: QJ Checked by: SA



1 EXISTING ROOF PLAN  
A2.03 1/4" = 1'-0"



2 NEW ROOF PLAN  
A2.03 1/4" = 1'-0"

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 JARVIS DESIGN FIRM	ADDITION	ROOF PLAN
	238 E. 11TH ST. HAMILTON, ON	Project Number N/A Date FEBRUARY 22, 2023 Drawn by QJ Checked by SA



**Hamilton**

Planning and Economic  
Development Department  
Planning Division  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5  
P: 905.546.2424 x 2719  
F: 905.546.4202

# ZONING COMPLIANCE REVIEW AND ADMINISTRATION

**NOTE: FEES ARE NON-REFUNDABLE**

## APPLICATION TYPE

- Applicable Law Review
- Committee of Adjustment – Clearance of Zoning Conditions – List the application number and condition numbers you wish to clear:
- \_\_\_\_\_
- Determination of a Legally Established Non-Conforming Use
- In Support of a Zoning By-law Amendment Application
- In Support of a Minor Variance Application
- In Support of a Building Permit Application

## Project Location

Municipal Number:	Street Name:	Street Type: (Rd, St, Ave)	Street Direction:(N, S, E, W)
Unit #:	Lot #:	Community: Ancaster <input type="checkbox"/> Dundas <input type="checkbox"/> Flamborough <input type="checkbox"/> Glanbrook <input type="checkbox"/> Hamilton-Proper <input type="checkbox"/> Stoney Creek <input type="checkbox"/>	
Legal Description (optional):			

## Applicant Information

Applicant Name:			
Mailing Address:		City	Postal Code
Phone Number:	Fax Number:	Email Address:	
Applicant Signature: _____			Date:
<b>PLEASE NOTE: ALLOW FOR A 15 BUSINESS DAY REVIEW PERIOD</b>			

## Description of Development/Construction/Use

Proposed Use:
Project Description/ Scope of Work:

## FOR OFFICE USE ONLY

Receipt Number:	Payment Type:	Folder Number:	Date Received:	Deemed Complete:	Staff Initials:
-----------------	---------------	----------------	----------------	------------------	-----------------

The personal information collected on this form will be used to contact you for the administration of performing record searches as authorized under the *Municipal Act, 2001, section 227*. If you have any questions regarding the collection of the information, please contact 905.546.2720.

## ZONING COMPLIANCE REVIEW – SUBMISSION REQUIREMENTS

### APPLICABLE LAW REVIEW / APPLICATIONS IN SUPPORT OF A BUILDING PERMIT OR MINOR VARIANCE APPLICATION:

An application for Applicable Law Review/in support of a Minor Variance Application shall contain two (2) copies of a scaled and properly dimensioned site plan and two (2) copies of elevation drawings; the site plan shall indicate the parking layout, landscape areas, fencing, buildings and other structures. Floor plans may also be required.

The proposed or existing development or construction project made under this application will be limited to the review for Zoning By-law compliance only. The review will be based entirely on the information, details and plans provided by the applicant. This application does not substitute the requirement of obtaining a building permit in the normal manner for the proposed development or construction project.

A Zoning Examiner will review the application to determine compliance or conformity with the applicable Zoning By-law.

### COMMITTEE OF ADJUSTMENT – CLEARANCE OF CONDITIONS:

An application for Committee of Adjustment – Clearance of Zoning Conditions shall contain the following information:

- A survey prepared by an Ontario Land Surveyor (O.L.S.) showing the following information, where applicable: lot area and lot frontage of both the lands to be conveyed and the lands to be retained; location of all buildings and structures in relation to the newly created lot lines on both the lands to be conveyed and the lands to be retained; the total lot coverage on both the lands to be conveyed and the lands to be retained; and the location of all parking spaces on both the lands to be conveyed and the lands to be retained
- A copy of the Notice of Decision for the subject property, including the conditions. On the front of this application form, please ensure that you have indicated the application number and which condition number(s) you wish to clear.

### DETERMINATION OF A LEGALLY ESTABLISHED NON-CONFORMING USE:

Establishing entitlement to a legal non-conforming use protection is afforded under Section 34(9)(a) of the Planning Act. The establishment of legal non-conforming use requires that the use *existed*, was *lawfully* used and *continues* to be used for that purpose. The legal non-conforming use protection remains an exemption to the application of the law and must be established by the party asserting it, that being you the landowner.

The first requirement is that a real, bona fide use is made of the land by the owner seeking the non-conforming use exemption. The use must be evident at the outset when the use is established. There is no specific rule regarding the type of evidence required. However, a landowner contending an entitlement to the statutory legal non-conforming use protection is expected to provide independent cogent evidence of the existence of the non-conforming use.

The second requirement in establishing a valid non-conformity for purposes of the statutory exemption requires evidence that the land, building or structure was lawfully used for such prohibited purpose on the day of the passing of the by-law. More specifically, at the time the non-conforming use was originally established, the non-conforming use complied with all of the zoning by-law provisions or applicable legislation in effect on that date. The issuance of a building permit typically satisfies this requirement.

Accordingly, in addition to other supporting documents you deem appropriate, to support your assertion and enjoy the statutory rights to a legal non-conforming use the following documents and evidence are acceptable:

#### Primary Documents

- Building permit
- Local tax records - (*residential (and # of units) vs non-residential tax rates*)
- Assessment records - (*MPAC property code class*)
- Site specific Council decision
- Site specific legal ruling
- Municipal Licences (*where required*)
- Corporate Search/Documents - (*date of business formation, address reference*)
- Business tax records (*for continuance*)
- Business transaction receipts/records - (*for continuance*)
- Other Applicable legislative approvals (NEC, MTO, MOE, MNR, etc.) - (*where applicable*)

#### Secondary Documents

- Vernon Directory listings
- Third-party affidavits
- Dated photographs,
- Advertisements
- Newspaper articles
- Leases/Rental agreements
- MLS listings
- Construction receipts where a building permit was not required

### ZONING COMPLIANCE REVIEW APPLICATIONS SUBMITTED IN SUPPORT OF A ZONING BY-LAW AMENDMENT

Submission requirements are outlined in the Zoning Compliance Review Terms of Reference found at:

<https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines>



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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

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	238 E 11th Street, Hamilton, ON, L9A 3T7		
Assessment Roll Number	251807081103330		
Former Municipality	Hamilton, 6593 Former Hamilton		
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:

Proposed Addition will surpass rear setback dimension

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Setbacks for property do not create much opportunity for enlarging the existing building therefore owner is proposing to surpass setbacks to suit +/-55m<sup>2</sup> addition.

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
16.15m	26.10m	421.5m <sup>2</sup>	11.5m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing House	6.0m	7.5m	1.2m	
Existing House Dist. from Lot Lines	2.12m	12.46m	1.2m	
Existing Shed	6.0m	7.5m	1.2m	
Existing Shed Dist. from Lot Lines	17.51m	2.28m	2.52m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
One Storey Addition	6.0m	7.5m	1.2m	
One Storey Addition Dist. from Lot Lines	11.03m	3.75m	1.2m	

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
One Storey House	80m <sup>2</sup>	160m <sup>2</sup>	1	5.67m
Shed	24.55m <sup>2</sup>	24.55m <sup>2</sup>	1	4.37m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
One Storey House	80m <sup>2</sup>	160m <sup>2</sup>	1	5.67m
One Storey Addition	55m <sup>2</sup>	55m <sup>2</sup>	1	4.6m

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

## 4.6 Type of sewage disposal proposed: (check appropriate box)

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

## 4.7 Type of access: (check appropriate box)

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

## 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single Detached Dwelling

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

Low Density Residential

**7 HISTORY OF THE SUBJECT LAND**

## 7.1 Date of acquisition of subject lands:

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

Single 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: Same use since built

## 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): UnknownRural Settlement Area: UnknownUrban Hamilton Official Plan designation (if applicable) Unknown

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

7.6 What is the existing zoning of the subject land? Urban protected 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: \_\_\_\_\_

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-





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-23:08</b>	<b>SUBJECT PROPERTY:</b>	44 WEST AVENUE, STONEY CREEK
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**APPLICANTS:** Owner: ADONI & ANITA FRANCO

**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>	15.01 m <sup>±</sup>	42.71 m <sup>±</sup>	640.53 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	15 m <sup>±</sup>	42.71 m <sup>±</sup>	683.34 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, March 30, 2023</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>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

**SC/B-23:08**

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-23:08, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

SC/B-23:08


 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

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.



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.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

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

### Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.





**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	
Purchaser*			Phone: E-mail:
Registered Owners(s)			
Applicant(s)**			
Agent or Solicitor			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.

\*\* 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	44 West Ave Stony Creek		
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**

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:

Adriano Franco

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*

P2 P1

Identified on Sketch as:	P2	P1			
Type of Transfer	N/A	new lot			
Frontage	15 m	15.01 m			
Depth	42.71 m	42.71 m			
Area	683.34 m <sup>2</sup>	640.53 m <sup>2</sup>			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	one house				
Proposed Buildings/ Structures	one house per lot	one house			
Buildings/ Structures to be Removed	existing house	existing house			

\* 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.

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? \_\_\_\_\_

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)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	none
A land fill	<input type="checkbox"/>	none
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	none
A provincially significant wetland	<input type="checkbox"/>	unknown
A provincially significant wetland within 120 metres	<input type="checkbox"/>	unknown
A flood plain	<input type="checkbox"/>	unknown
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	unknown
An active railway line	<input type="checkbox"/>	✓ 200 M
A municipal or federal airport	<input type="checkbox"/>	none

**6 HISTORY OF THE SUBJECT LAND**

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

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

---

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

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

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

---

- 6.4 How long has the applicant owned the subject land?

one year

---

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

If YES, describe the lands below or attach a separate page.

11 John Murray St Stoney Creek

---

**7 PROVINCIAL POLICY**

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?  
 Yes       No      (Provide explanation)
- 

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

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

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No      (Provide explanation)
-

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION**

## 10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

## 10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

## 10.3 Rural Hamilton Official Plan Designation(s)

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

## 10.4 Description of farm consolidation property:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

## 10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

## 10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	-------------------------------------------------

Front yard set back: \_\_\_\_\_

## a) Date of construction:

Prior to December 16, 2004

After December 16, 2004

## b) Condition:

Habitable

Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:28</b>	<b>SUBJECT PROPERTY:</b>	394 WINONA ROAD, STONEY CREEK
<b>ZONE:</b>	"C6, Exception 727" (District Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: 2782488 ONTARIO INC.  
Agent: IBI GROUP C/O JARED MARCUS

The following variances are requested:

1. A maximum 17.27m setback from a street line shall be permitted instead of the required maximum 4.5 metres from a street line.
2. A minimum 1.4 metre rear yard shall be permitted instead of the required minimum 6.0 metre rear yard.
3. Parking, stacking lanes, or aisle shall be permitted to be located between the building façade and the front and flankage lot line. Instead of the requirement that no parking, stacking lanes or aisles shall be located between the front façade and front and flankage lot line.
4. No principle entrance shall be provided within the ground floor façade that is setback closest to a street and no direct access to the public sidewalk shall be required. Instead of the requirement that one principle entrance shall be located within the ground floor façade setback closest to the street and have direct access from the public sidewalk.
5. An accessory building (vacuums) shall be permitted within the front or flankage yard instead of the requirement that no accessory building shall be located within a front or flankage yard.

**PURPOSE & EFFECT:** To permit the construction of a new motor vehicle washing establishment.

**Notes:**

1. Please be advised as per a previous interpretation Railway Street is not a public Right-of-Way. As

**SC/A-23:28**

such, the subject lands cannot be considered “Corner Lot” in accordance with the definition in the Zoning By-law.

**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, March 30, 2023</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:

- 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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:28, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

SC/A-23:28



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

GENERAL NOTES:

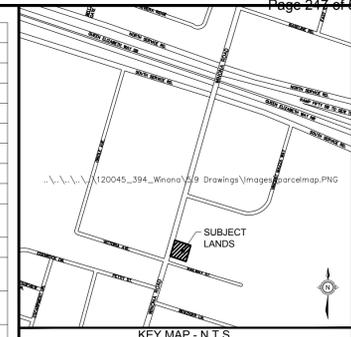
1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE 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 PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - ROAD CUT PERMITS
  - APPROACH APPROVAL PERMITS
  - COMMITTEE OF ADJUSTMENT
  - BUILDING PERMITS
  - SEWER PERMITS
  - RELOCATION OF SERVICES
  - ENCROACHMENT AGREEMENTS (IF REQUIRED)

UTILITY NOTES:

- 1) THE OWNER/APPLICANT TO CONTACT ALECTRA UTILITIES ENGINEERING DESIGN DEPARTMENT AT 905-521-4907.
- 2) RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES SHALL BE AT THE OWNER'S EXPENSE. PLEASE CONTACT ALECTRA UTILITIES TO FACILITATE THIS.
- 3) DEVELOPERS SHALL BE RESPONSIBLE FOR THE COST OF CIVIL WORK ASSOCIATED WITH DUCT STRUCTURES, TRANSFORMER FOUNDATIONS, AND ALL RELATED DISTRIBUTION EQUIPMENT.
- 4) DEVELOPER TO ACQUIRE AN EASEMENT, IF REQUIRED.
- 5) CALL BEFORE YOU DIG - ARRANGE FOR UNDERGROUND HYDRO CABLE LOCATE(S) BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL AT 1-800-400-2255.

ZONING DETAILS

CURRENT ZONING	C6-727 - DISTRICT COMMERCIAL WITH SPECIAL EXCEPTION		
PERMITTED USES	MOTOR VEHICLE SERVICE STATION & WASHING ESTABLISHMENT		
PROVISIONS	REQUIRED	PROVIDED	VARIANCE
BUILDING SETBACK FROM A STREET LINE	MINIMUM 1.5m	17.27m	NO
	MAXIMUM 4.5m	17.27m	YES
MINIMUM REAR YARD	6.0m	1.44m	YES
MINIMUM INTERIOR SIDE YARD	1.5m	5.33m	NO
MAXIMUM HEIGHT	14.0m	3.66m	NO
MAXIMUM GROSS FLOOR AREA FOR INDIVIDUAL COMMERCIAL USE	10,000.0m <sup>2</sup>	±152m <sup>2</sup>	NO
BUILT FORM FOR NEW DEVELOPMENT			
MIN. WIDTH OF GROUND FLOOR FACADE	40% = 23.16m x 40% = 9.26m	19.49m = 84.1%	NO
NO PARKING/AISLE BETWEEN FACADE AND STREET LINE	NOT PERMITTED	PROVIDED	YES
MIN. OF ONE PRINCIPLE ENTRANCE ACCESSIBLE FROM STREET	REQUIRED	NOT PROVIDED	YES
PARKING REQUIREMENTS			
MIN. NUMBER OF PARKING SPACES ±152m <sup>2</sup> GFA	1/30.0m <sup>2</sup> and 2/BAY = 11 SPACES	12 SPACES	NO
3 MANUAL BAYS			
BARRIER FREE PARKING	1 SPACE	1 SPACE	NO
PARKING SETBACK TO A STREET LINE	3.0m	WINONA ROAD = 4.67m	NO
PLANTING STRIP ABUTTING A STREET LINE	3.0m	WINONA ROAD = 3.0m	NO
SHORT TERM BICYCLE PARKING	5 SPACES	6 SPACES	NO
ACCESSORY BUILDINGS			
LOCATION WITHIN A FRONT OR FLANKAGE YARD	NOT PERMITTED	PROPOSED	YES
MAX. HEIGHT	4.5m	<4.5m	NO
MAX. GFA	18m <sup>2</sup>	3.3m <sup>2</sup>	NO
MIN. YARD SETBACK			
FRONT YARD:	NOT PERMITTED	4.92m	YES
REAR YARD:	0.6m	30.31m	NO
SIDE YARD:	0.6m	6.46m	NO
FLANKAGE YARD	1.5m	N/A	NO



LEGEND

Symbol	Description
(Symbol)	Subject Lands



NOT FOR CONSTRUCTION

SOURCE: TOPOGRAPHIC SURVEY COMPLETED BY A.J. CLARKE AND ASSOCIATES LTD. DATED 2019-12-10.

ARCHITECTURAL BUILDING DESIGN AND SITE LAYOUT OBTAINED FROM CHARLES LINSEY & ASSOCIATES DWG No. 20-168, DATED JUNE 2021.

BENCHMARK: MONUMENT No. 07720100036 RIB WITH BRASS CAP

MONUMENT IS LOCATED AT THE EAST SIDE OF MAHONY PARK, ~90.0m NORTH OF THE CENTRE LINE OF BAYTON STREET EAST, ~15.0m NORTH OF THE CENTRE LINE OF GOGGIN AVENUE AND ~16.0m WEST OF THE CENTRE LINE OF ADELINE AVENUE.

ELEVATION = 86.893 CGVD 28

SCALE: 1:125 (m)

DESIGN BY: CHARLES LINSEY CHECKED BY: T. TUCKER  
 DRAWN BY: J. MARCUS DATE: 2021-08-10

NO.	DATE	BY	DESCRIPTION
3	2023-02-10	JM	MINOR VARIANCE APPLICATION
2	2022-06-28	JM	SECOND SITE PLAN SUBMISSION
1	2021-08-10	JM	FIRST SITE PLAN SUBMISSION

DRAWING ISSUE RECORD

NO.	DATE	BY	DESCRIPTION

APPROVALS

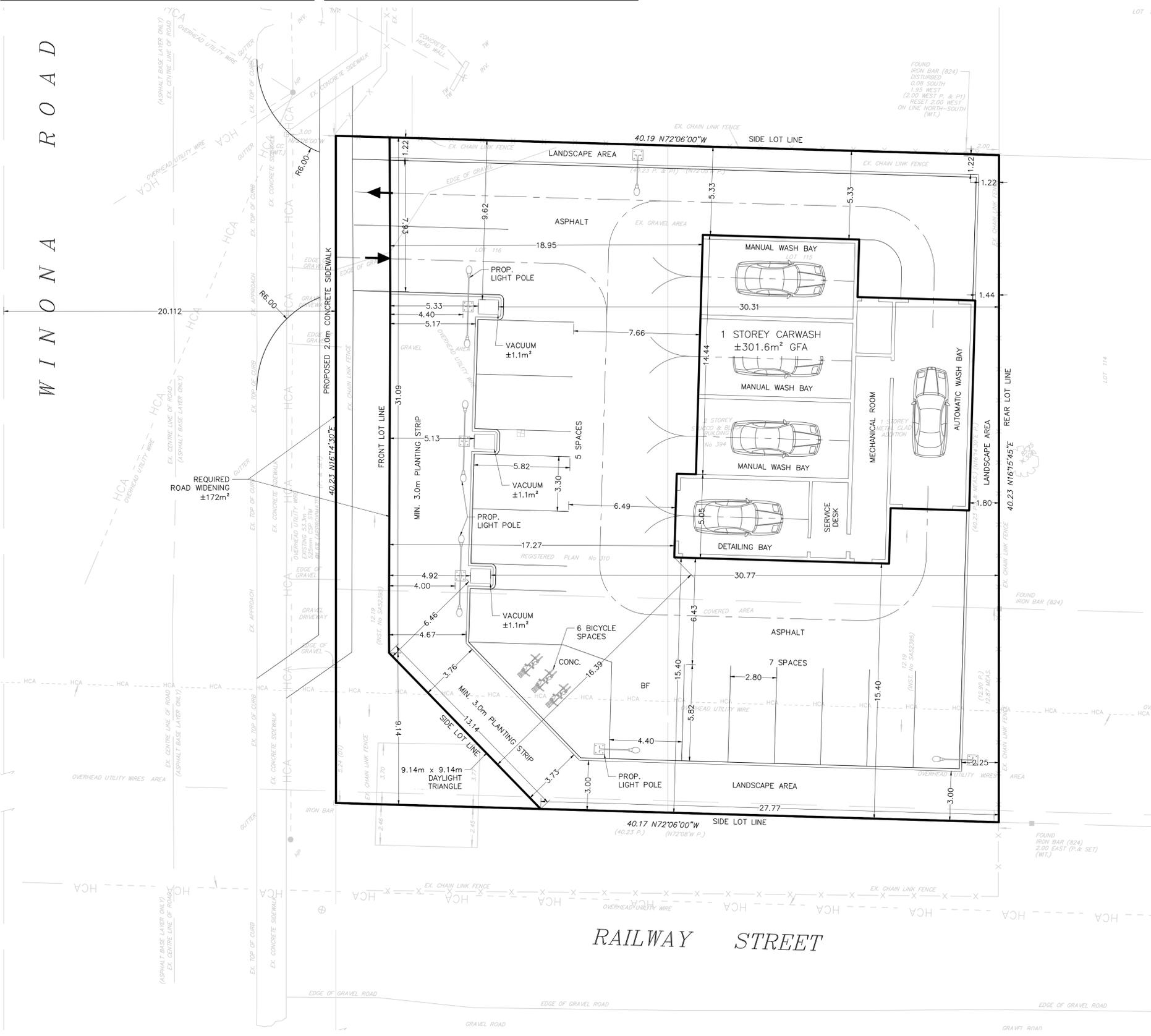
**IBI GROUP**  
 200 East Wing-360 James Street North  
 Hamilton ON L8L 1H5 Canada  
 tel 905 546 1010 fax 905 546 1011  
 ibigroup.com

2782488 ONTARIO INC.

PROPOSED CAR WASH  
 394 WINONA ROAD  
 STONEY CREEK, ON

SITE PLAN  
 DA-21-155

FILE NUMBER: 133197 SHEET NUMBER: SP1



UNDERTAKING

RE: 394 Winona Road, Stoney Creek  
 File No. DA-21-155

We, 2782488 Ontario Inc., the owner of the land, hereby undertake and agree without reservation,

- To comply with all the content of this plan and drawing and not to vary therefrom;
- To perform the facilities, works or matters mentioned in Section 41 (7)(a) of The Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated \_\_\_\_\_, 2022;
- 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;
- In the event that the Owner does not comply with the plan dated \_\_\_\_\_, 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.
- "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)."

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022

Witness (signature) \_\_\_\_\_ Owner(s) (signature) \_\_\_\_\_  
 Witness (print) \_\_\_\_\_ Owner(s) (print) \_\_\_\_\_  
 Address of Witness \_\_\_\_\_

VINCE MAZZA WAY  
(FORMERLY SOUTH SERVICE ROAD STREET NAME CHANGED BY BY-LAW No 14-188, REGD. AS WE986403)

PART 4  
REGISTERED PLAN No 1754 MISC.  
(P-2113-299)



LOT 92

SURVEYOR'S REAL PROPERTY REPORT  
PART 1

PLAN OF SURVEY OF  
LOTS 115 & 116 - VILLAGE OF ONTARIO  
REGISTERED PLAN No. 310  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:150

0 5 10 metres

NICHOLAS P. MUTH O.L.S.

LOT 91  
REGISTERED PLAN No 310

CITY OF HAMILTON  
BENCH MARK  
MONUMENT No 07720100036  
RIB WITH BRASS CAP  
MONUMENT IS LOCATED AT THE EAST SIDE OF MAHONY PARK, ~90.0m NORTH OF THE CENTRE LINE OF BARTON STREET EAST, ~15.0m NORTH OF THE CENTRE LINE OF COOGAN AVENUE AND ~16.0m WEST OF THE CENTRE LINE OF ADELINE AVENUE.  
ELEVATION = 86.893 CGVD 28

LEGEND:  
CB DENOTES CATCH BASIN  
CU DENOTES UTILITY POLE  
HW DENOTES INVERT ELEVATION  
SM DENOTES STORM MANHOLE  
TOC DENOTES TOP OF CONCRETE CURB  
TMC DENOTES TOP OF METAL CURB  
TWP DENOTES TOP OF WALL  
100# DENOTES 100MM DIA. TREE  
DIA. DENOTES DIAMETER

SURVEYOR'S REAL PROPERTY REPORT  
PART 1 T-2785

PART 2  
- PARCEL IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT No SA52395  
- PLEASE REFER TO THE PLAN FOR SPECIFIC LOCATION OF FENCES

THIS REPORT WAS PREPARED FOR  
JVM INC.

NOTE:  
ALL TIES TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED

LOT 101  
REGISTERED PLAN No 310

PART 1 PLAN 62R-17620  
PIN 17368 - 0654

LOT 108  
LOT 107

LOT 116  
LOT 115

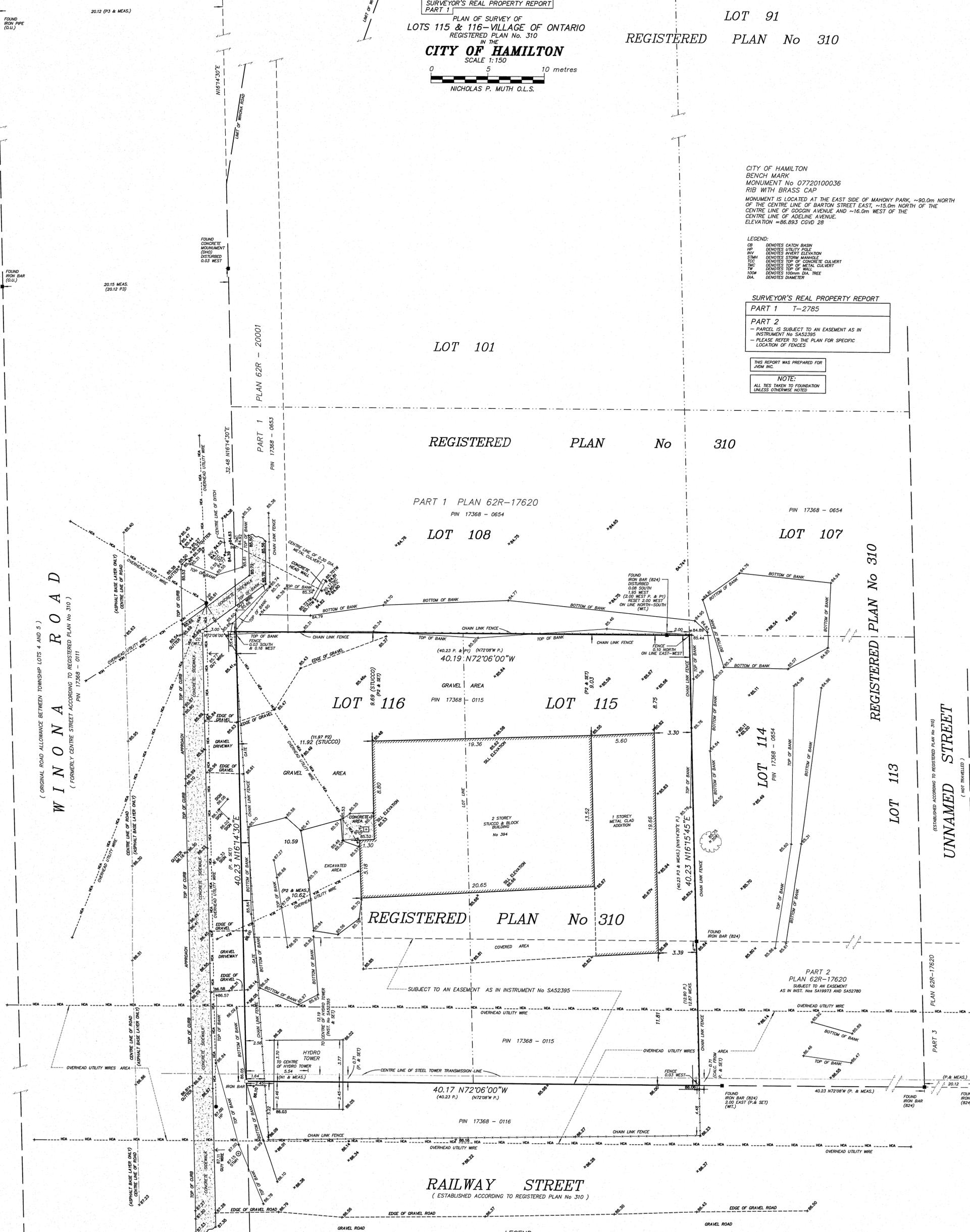
REGISTERED PLAN No 310

PART 2  
PLAN 62R-17620  
SUBJECT TO AN EASEMENT AS IN INSTRUMENT No SA52395  
AS IN INSTR. Nos SA19973 AND SA52780

RAILWAY STREET  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 310)

WINONA ROAD  
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 4 AND 5)  
(FORMERLY CENTRE STREET ACCORDING TO REGISTERED PLAN No 310)  
PIN 17368 - 0111

REGISTERED PLAN No 310  
LOT 113  
UNNAMED STREET  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 310)  
(NOT TRAVELLED)



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2075330

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1929, 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  
2. THE SURVEY WAS COMPLETED ON THE 21st DAY OF NOVEMBER 2018

JANUARY 22, 2019  
DATE

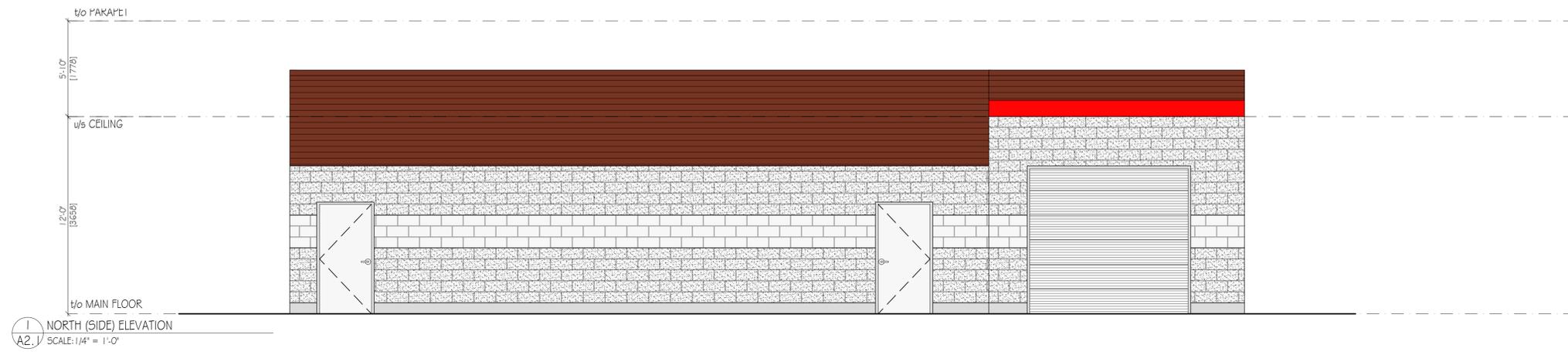
NICHOLAS P. MUTH  
ONTARIO LAND SURVEYOR

LEGEND:  
SIGN THIS DENOTES A SURVEY MONUMENT PLANTED  
CB DENOTES CATCH BASIN  
CU DENOTES UTILITY POLE  
HW DENOTES INVERT ELEVATION  
SM DENOTES STORM MANHOLE  
TOC DENOTES TOP OF CONCRETE CURB  
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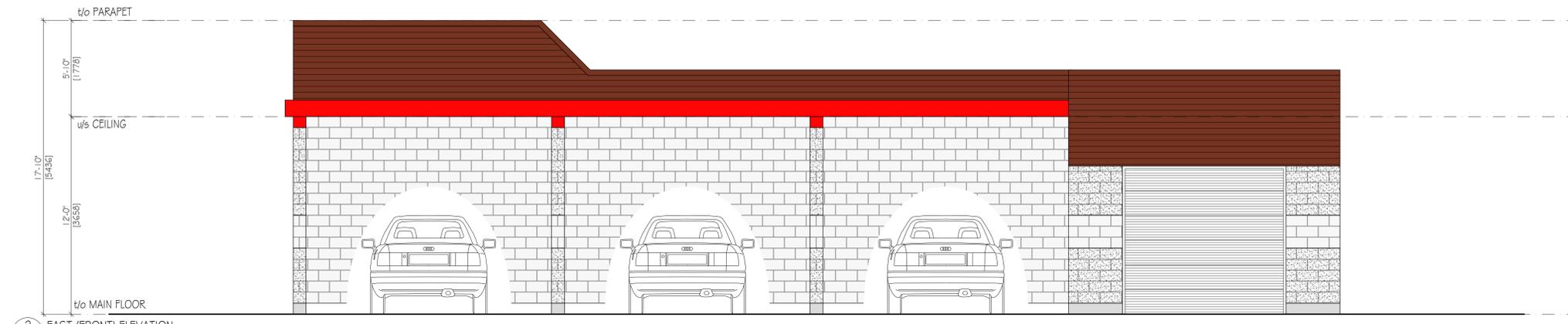
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DIA. DENOTES DIAMETER

NOTE:  
A. J. CLARKE & ASSOCIATES LTD. is not liable for any 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.

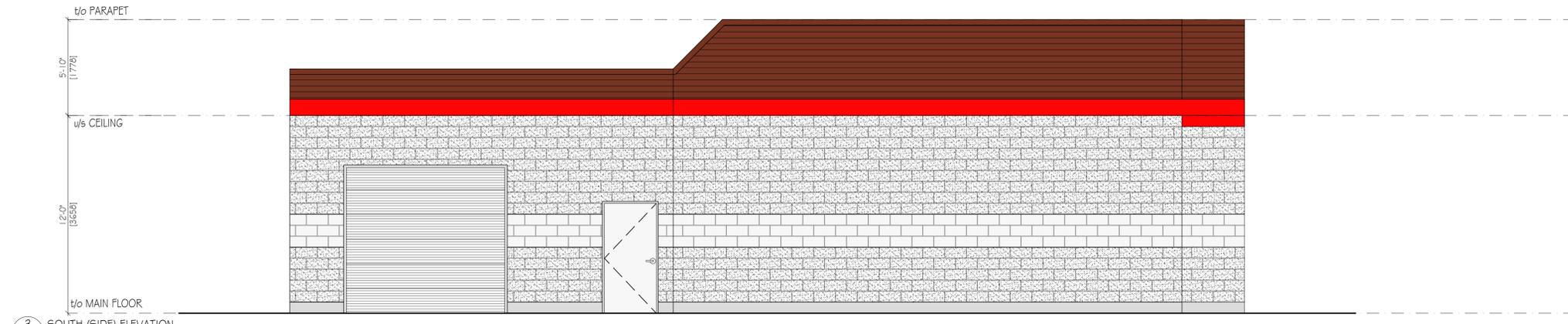
**A. J. Clarke and Associates Ltd.**  
SURVEYORS • PLANNERS • ENGINEERS  
25 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-8761 FAX 905-528-2289  
email: ajc@ajclarke.com



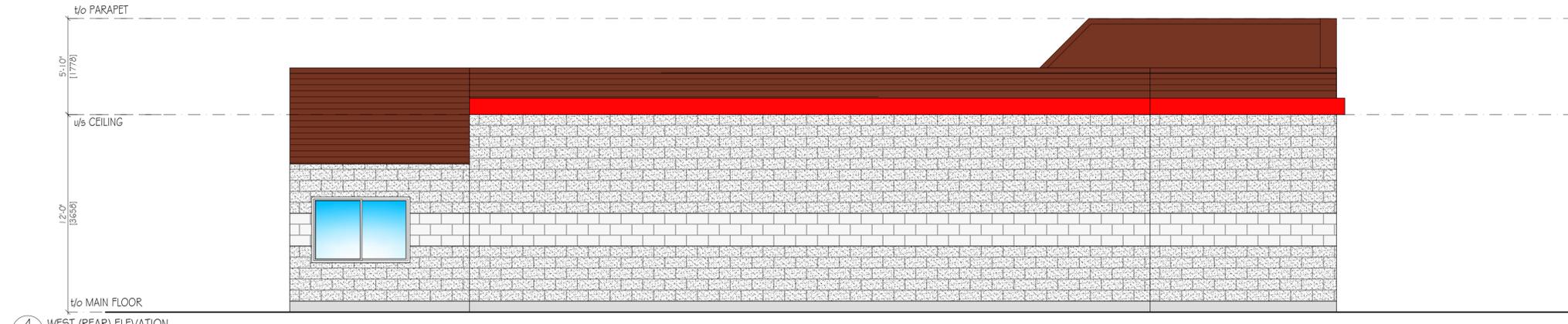
1 NORTH (SIDE) ELEVATION  
A2.1 SCALE: 1/4" = 1'-0"



2 EAST (FRONT) ELEVATION  
A2.1 SCALE: 1/4" = 1'-0"



3 SOUTH (SIDE) ELEVATION  
A2.1 SCALE: 1/4" = 1'-0"



4 WEST (REAR) ELEVATION  
A2.1 SCALE: 1/4" = 1'-0"

**CHARLES LINSEY & ASSOCIATES LIMITED**  
 37 Main Street South, PO Box 1479, Waterdown, On L0R 2H0  
 Tel: (905) 548-7507, info@charleslinsey.com, www.charleslinsey.com

Note: The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on this document.



CHARLES MacPHAIL, CHARLES LINSEY & ASSOCIATES LIMITED, BCIN# 29723, BCINF 41983

**CLADDING/FINISH SCHEDULE**

FOUNDATION	MANUFACTURER: T.B.D. PRODUCT: HORIZONTAL SIDING COLOUR: FAUX WOOD
FOUNDATION	MANUFACTURER: T.B.D. PRODUCT: PREPAINTED METAL COLOUR: RED
CLADDING	MANUFACTURER: T.B.D. PRODUCT: SPLIT FACE BLOCK COLOUR: WHITE
CLADDING	MANUFACTURER: T.B.D. PRODUCT: CONCRETE BLOCK COLOUR: WHITE

REV./DESCRIPTION	DATE
A FOR DISCUSSION	MAR 8/21
B FOR DISCUSSION	APR 12/21
C FOR DISCUSSION	MAY 06/21
D FOR DISCUSSION	JUN 02/21
E FIRST SITE PLAN SUBMISSION	AUG 12/21
F SECOND SITE PLAN SUBMISSION	APR 22/22
G GENERAL REVISIONS	APR 29/22
H GENERAL REVISIONS	MAY 24/22
J THIRD SITE PLAN SUBMISSION	AUG 12/22

client	2782488 ONTARIO Inc.		
project	394 WINONA ROAD STONE CREEK, ONTARIO PROJECT No. 20-168		
title	BUILDING ELEVATIONS		
drawn	A.M.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	J	drawing number	A2.1

February 10, 2023

Ms. Jamila Sheffield, ACST  
Secretary Treasurer-Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**394 WINONA ROAD, STONEY CREEK  
MINOR VARIANCE APPLICATION**

On behalf the property owners, 2782488 Ontario Inc., we are pleased to submit a Minor Variance application for the above noted property.

The proposed applications would facilitate Site Plan application DA-21-155 and supports the creation of a carwash facility with three manual carwash bays, one automatic carwash bay and one detailing bay. The building will also include a small mechanical room, as well as washrooms and waiting area.

In support of the applications please find enclosed the following information:

- One (1) digital copy of the completed Minor Variance application form;
- One (1) digital copy of the Site Plan drawing;
- One (1) digital copy of the Building Elevation drawing;
- One (1) digital copy of the Survey Plan; and,
- One (1) copy of the Planning Opinion memo supporting the proposed variances.

Please note that the application review fee will be submitted under separate cover.

Should you require any additional information please do not hesitate to contact the undersigned.

Yours truly,  
**Arcadis IBI Group**



Jared Marcus, CPT  
Associate, Manager – Planning

Cc: 2782488 Ontario Inc.

394 Winona Road, Stoney Creek Minor Variance List

1. S.10.6.3(a)(ii): To permit a maximum building setback from street line of 17.5m, whereas 4.5m is required;
2. S.10.6.3(b): To permit a minimum rear yard of 1.4m, whereas 6.0m is required;
3. S.10.6.3(g)(vi): To permit parking, stacking lanes, or aisles to be located between a building façade and the front and flankage lot line;
4. S.10.6.3(g)(vii): That no principal entrance shall be provided within the ground floor façade, and no direct access to the public sidewalk is required;
5. S.4.8(b): To permit an Accessory Building (Vacuums) to be located within front yard; and,
6. S.4.8.3(a): To permit an Accessory Building to be located 4.9m from a front lot line.

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

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	394 Winona Road		
Assessment Roll Number	251800311008200		
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number	310	Lot(s)	115 & 116
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:

---

Inst. SA52395 - Hydro One easement

### 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 Minor Variance list.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The zoning regulations do not envision a use without a public space. The building cannot

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
40.23m	40.19m	1,616sq.m	20m

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
2 storey block building	10.62m	3.30m	9.03m & 11.81m	unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 storey carwash	17.27m	1.44m	5.33m & 15.40m	

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
2 storey block building	383sq.m	656sq.m	2	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
1 storey car wash	289sq.m	2789sq.m	1	3.66m

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.):  
 Commercial - Car Wash
- 

- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 North and East - Commercial - Big Box Store and vacant land; South - Hydro One corridor and CN Rail; West - Winona Road.
- 

**7 HISTORY OF THE SUBJECT LAND**

- 7.1 Date of acquisition of subject lands:  
 2020
- 

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

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

- 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) District Commercial - Special Policy Area "E"

Please provide an explanation of how the application conforms with the Official Plan.  
 Please see attached Planning Opinion memo.

- 7.6 What is the existing zoning of the subject land? District Commercial (C6, 727)
- 

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

Yes       No

If yes, please provide the file number:

---

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

Yes  No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: None

8.2 Number of Dwelling Units Proposed: None

8.3 Additional Information (please include separate sheet if needed):

Applicant proposes a 1-storey car wash facility with one automatic bay, three manual bays, and a detailing bay. Proposal is subject to Site Plan application DA-21-155, conditional approval has not yet been issued.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_





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>GL/B-23:07</b>	<b>SUBJECT PROPERTY:</b>	3334 HOMESTEAD DRIVE, GLANBROOK
-------------------------	-------------------	--------------------------	------------------------------------

**APPLICANTS:** Owner: JOEL & GINA TAVORMINA  
Agent: GATEWAY MANAGEMENT INC. C/O RIANNA VALVASORI  
Applicant/Purchaser: 1333664 Ontario Inc. MIKEVALVASORI

**PURPOSE & EFFECT:** To permit the conveyance of a vacant parcel of land for residential development and to retain a parcel of land for residential development.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	15.54 m <sup>±</sup>	63.38 m <sup>±</sup>	985.24 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	15.54 m <sup>±</sup>	63.38 m <sup>±</sup>	985.24 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): GL/A-23:25

**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, March 30, 2023</b>
<b>TIME:</b>	<b>2:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>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)

**GL/B-23:07**

- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**PUBLIC INPUT**

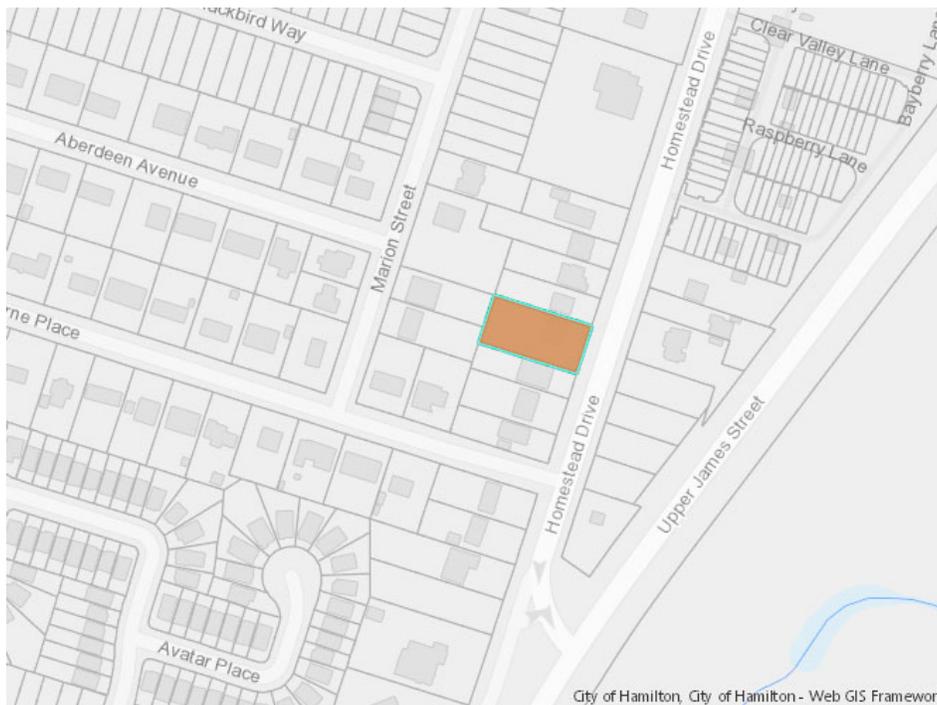
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/B-23:07, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

**Subject Lands**

DATED: March 14, 2023

---

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.

**GL/B-23:07**

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.



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.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

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

### Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

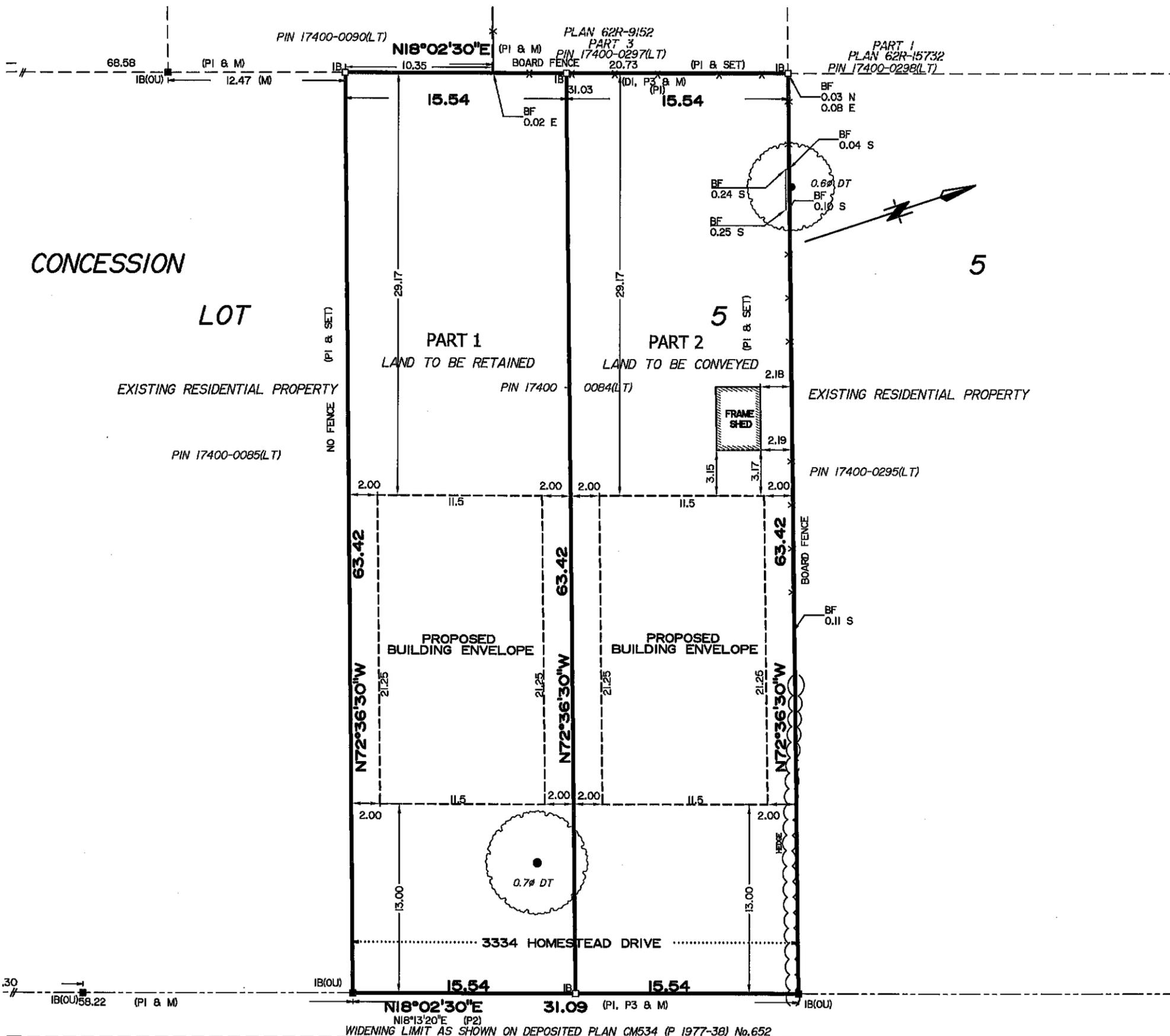
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

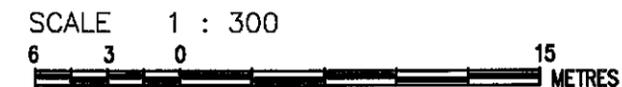
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.





SEVERANCE SKETCH OF  
**PART OF LOT 5, CONCESSION 5**  
**GEOGRAPHIC TOWNSHIP OF GLANFORD**  
 IN THE  
**CITY OF HAMILTON**



**ASHENHURST NOUWENS & ASSOCIATES INC.**  
 COPYRIGHT 2021 ©

ZONING: ER	PROPOSED		
SITE STATISTICS	BYLAW	PART 1	PART 2
LOT FRONTAGE	22.5 m	15.5 m*	15.5 m*
LOT AREA	1390 m <sup>2</sup>	985.0 m <sup>2</sup> *	985.0 m <sup>2</sup> *
FRONT YARD SETBACK	9.0 m	13.0 m	13.0 m
REAR YARD SETBACK	10.7 m	29.7 m	29.7.7 m
SIDE YARD SETBACK 1	1.8 m	2.0 m	2.0 m
SIDE YARD SETBACK 2	1.8 m	2.0 m	2.0 m
LOT COVERAGE	25%	25%	25%

\* VARIANCES

**LEGEND**

BF DENOTES BOARD FENCE  
 DT DENOTES DECIDUOUS TREE

**METRIC NOTE**

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

**NOTE**

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

**CAUTION**

THIS IS NOT A PLAN OF SURVEY AND SHOULD BE USED ONLY FOR THE PURPOSE IN THE TITLE

DATE

HARRY KALANTZAKOS  
 ONTARIO LAND SURVEYOR

**ASHENHURST NOUWENS & ASSOCIATES INC.**  
 PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS  
 225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1



TELEPHONE: (905) 529-6316  
 (905) 529-4314  
 FAX: (905) 529-6651

e-mail: [anl@AshenhurstNouwens.com](mailto:anl@AshenhurstNouwens.com)

DRAWN BY M.S.	CALC'D BY W.S.	CHK'D BY H.K.	FILE No. 21--115 SKETCH
------------------	-------------------	------------------	----------------------------

**HOMESTEAD DRIVE** (FORMERLY THE KING'S HIGHWAY No.6)  
 (ROAD ALLOWANCE BETWEEN LOTS 5 AND 6)  
 (ALSO KNOWN AS REGIONAL ROAD No.652 AND THE PORT DOVER PLANK ROAD)  
 PIN 17400-014(I) T)

CONCESSION

LOT

EXISTING RESIDENTIAL PROPERTY

PIN 17400-0085(LT)

NO FENCE (P1 & SET)

PART 1  
 LAND TO BE RETAINED

PIN 17400-0084(LT)

PART 2  
 LAND TO BE CONVEYED

EXISTING RESIDENTIAL PROPERTY

PIN 17400-0295(LT)

5

BOARD FENCE

BF 0.11 s

0.7m DT

BF 0.03 N  
0.08 E

BF 0.04 S

BF 0.24 S  
0.25 S

DT 0.6m

BF 0.10 S

BF 0.02 E

IB(OU) 58.22 (P1 & M)

IB(OU) 12.47 (M)

IB(OU) 68.58 (P1 & M)

IB(OU) 10.35 (P1 & M)

IB(OU) 31.03 (P1, P3 & M)

IB(OU) 31.09 (P1, P3 & M)

IB(OU) 31.03 (P1, P3 & M)



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>	1333664 Ontario Inc.	
<b>Registered Owners(s)</b>	Joel Charles Tavormina & Gina Maroula Tavormina	
<b>Applicant(s)**</b>	1333664 Ontario Inc.	
<b>Agent or Solicitor</b>	Gateway Management Inc.	

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

\*\* 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 [REDACTED]

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	3334 Homestead Drive, Mount Hope, Ontario, L0R 1W0		
Assessment Roll Number	90251009400		
Former Municipality	Glanford		
Lot	5	Concession	5
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:

Easement in favour of Union Gas across the frontage of 40 feet in depth

## 3 PURPOSE OF THE APPLICATION

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

- creation of a new lot(s)  concurrent new lot(s)  
 addition to a lot  a lease  
 an easement  a correction of title  
 validation of title (must also complete section 8)  a charge  
 cancellation (must also complete section 9)  
 creation of a new non-farm parcel (must also complete section 10)  
 ( i.e. a lot containing a surplus farm dwelling  
 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:

N/A

### 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:					
Type of Transfer	N/A				
Frontage	15.54m	15.54			
Depth	63.38	63.38			
Area	985.23m <sup>2</sup>	985.23m <sup>2</sup>			
Existing Use	Vacant Land	Shed on property			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	None	Shed			
Proposed Buildings/ Structures	Detached home	Detached Home			
Buildings/ Structures to be Removed	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)

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

Proposed use of subject lands will be residential which is permitted in the neighbourhoods designation

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?

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)
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"/>	

### 6 HISTORY OF THE SUBJECT LAND

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

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

GLB-21:15

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

This is a resubmission of a consent application, scheduled to lapse on April 8th, 2023 and conditions will not be completed by then  
Same proposal

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

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

- 6.4 How long has the applicant owned the subject land?

Lands to be transferred to the purchaser on March 30th, 2023.

- 6.5 Does the applicant own any other land in the City?       Yes       No  
If YES, describe the lands below or attach a separate page.

Unknown

### 7 PROVINCIAL POLICY

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?  
 Yes       No      (Provide explanation)

Proposal includes residential development which is consistent with Planning Act policies

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

Yes,

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

Yes, subject lands is within built boundary where growth is to occur

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No      (Provide explanation)

N/A

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes  No (Provide explanation)

N/A

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

Subject lands are within the urban boundary

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

N/A

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

Conditions cannot be cleared within the lapse date of April 8th, 2023.

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address	Cross out		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

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

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

**10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	-------------------------------------------------

Front yard set back: \_\_\_\_\_

**a) Date of construction:**

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

**b) Condition:**

- Habitable       Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-



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>GL/A-23:25</b>	<b>SUBJECT PROPERTY:</b>	3334 HOMESTEAD DR., GLANBROOK, ON
<b>ZONE:</b>	"ER" (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Township of Glanbrook 464, as Amended

**APPLICANTS:** Owner: J. & G. TAVORMINA  
Agent: GATEWAY MANAGEMENT INC. C/O RIANNA VALVASORI

The following variances are requested:

Lands to be retained (Part 1 of R-Plan 0902):

1. To permit a minimum lot width of 15.5 meters whereas 22.5 meters is required.
2. To permit a minimum lot area of 985m<sup>2</sup> whereas 1390 m<sup>2</sup> is required.

Lands to be Conveyed (Part 2 of R-Plan 0902):

1. To permit a lot width of 15.5 meters whereas 22.5 meters is required.
2. To permit a lot area of 985m<sup>2</sup> whereas 1390 m<sup>2</sup> is required.
3. To permit an accessory structure ("shed"), to remain on the conveyed lands when no main use/building has been established.

**PURPOSE & EFFECT:** To create two separate lots in accordance with land severance application GL/B-23:07.

**Notes:**

- I. These variances requested of this application, GL/A-23:25, are necessary to facilitate lands severance application GL/B-23:07.
- II. There is an active file in place for 3334 Homestead Drive (File No. GL/B-21:15) that is set to lapse on April 8th, 2023.

**GL/A-23:25**

**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, March 30, 2023</b>
<b>TIME:</b>	<b>2:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <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.

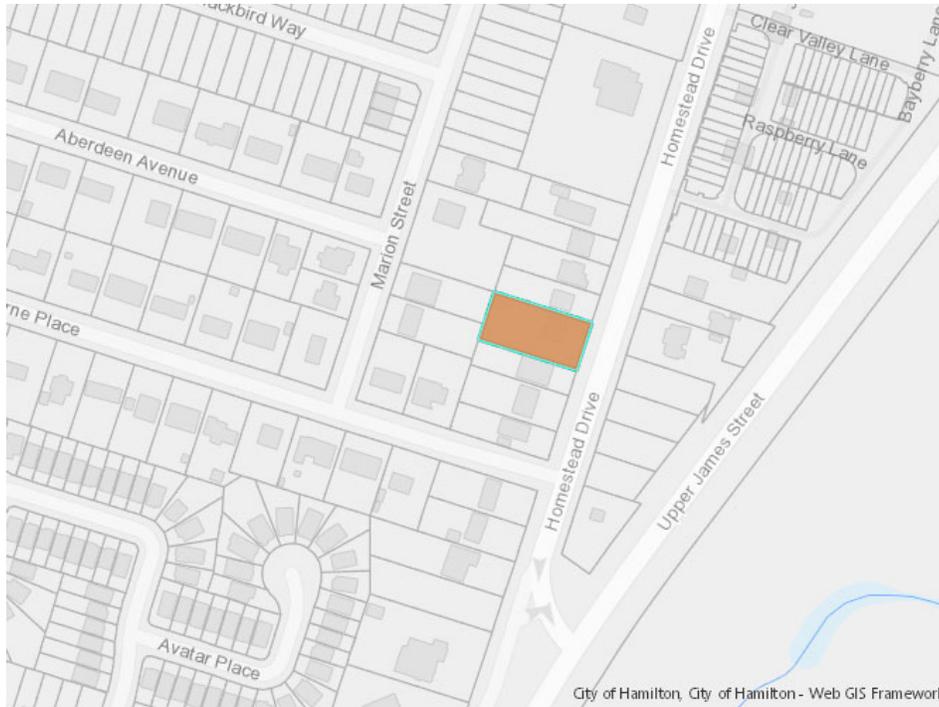
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:25, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

GL/A-23:25



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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





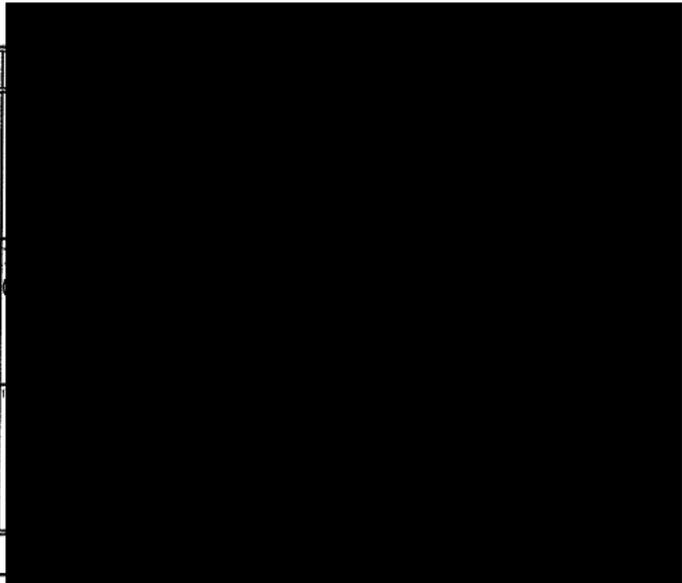
**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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>NAME</b>
<b>Registered Owners(s)</b>	Joel Charles Tavormina, Gina Maroula Tavormina
<b>Applicant(s)</b>	1333664 Ontario Inc.
<b>Agent or Solicitor</b>	Gateway Management Inc.



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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

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	3334 Homestead Drive, Hamilton, Ontario, L0R 1W0		
Assessment Roll Number	90251009400		
Former Municipality	Glanford		
Lot	5	Concession	5
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:

Easement in favour of Union Gas across the frontage of the subject lands to 40 feet

**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. Frontage - to permit a minimum frontage of 15.25m
2. Lot Area - to permit a minimum lot area of 975m<sup>2</sup>

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Frontage and lot area cannot conform if severed

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
31.09m	63.38m	1970m <sup>2</sup>	

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
None	N.A	N.A	N.A	N.A
None	N.A	N.A	N.A	N.A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single detached home (stands to be retained)	13.0m	29.7	2	04/04/2024
Single detached home (stands to be retained)	13.0m	29.7	2	04/04/2024

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
None	N.A	N.A	N.A	N.A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single detached dwelling	TBD	TBD	2	TBD
Single detached dwelling	TBD	TBD	2	TBD

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

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

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Two proposed lots, each able to accommodate a single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
Single detached homes and townhouse dwelling units

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
Purchaser to close March 30th, 2023

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 (demolished)

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

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.  
Proposed residential is permitted within neighbourhoods designation

7.6 What is the existing zoning of the subject land? Existing Residential (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: \_\_\_\_\_

---

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

 Yes No

If yes, please provide the file number:

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

 Yes No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing:

8.2 Number of Dwelling Units Proposed:

8.3 Additional Information (please include separate sheet if needed):

We have re-applied for severance as the outstanding conditions are not feasible to complete before the lapse date on April 8th, 2023. The variances we are applying for apply to the frontage and area.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-





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-23:33</b>	<b>SUBJECT PROPERTY:</b>	8 WALL STREET, HAMILTON
<b>ZONE:</b>	"C/S-1822" (Urban Protected Residential, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 22-195

**APPLICANTS:** Owner: VINCENT DIMAURO  
Agent: ANTHONY BARTOLINI

The following variances are requested:

1. The in-ground swimming pool shall be permitted to be located 1.65 m from the front lot line abutting Darlington Drive instead of the minimum required 6 m;
2. The pool equipment shall be permitted to be located 0.61 m from the street line abutting Darlington Drive instead of the minimum required 3 m; and,
3. A minimum of 30% of the gross area of the front yard will be landscaped area instead of the minimum required 50%.

**PURPOSE & EFFECT:** To construct an in-ground swimming pool in the front yard of the existing dwelling:

**Notes:**

- i. The submitted application included a request for relief concerning the height of a fence. It does not appear that this restriction derives from a zoning by-law, and instead appears to be a requirement from the City's Fence By-law 10-142. The Committee of Adjustment does not have authority to grant relief from the Fence By-law. Municipal Law Enforcement staff administer the City's Fence By-law and can provide direction with obtaining any relief or exception from any Fence By-law requirement.
- ii. The variance identified respecting front yard landscaped area includes an approximate percentage, as figures for the front yard area and the surface elements therein have not been included in the site plan.

HM/A-23:33

**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, March 30, 2023</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>
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**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## **FURTHER NOTIFICATION**

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HM/A-23:33



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	Vincent DiMauro	
Applicant(s)		
Agent or Solicitor	Anthony Bartolini	

- 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	8 Wall St, Hamilton, ON L9C 2R7		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	M-29	Lot(s)	30
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:

Inground pool located in the front yard abutting Wall Street.  
6FT Tall Wood fence located 5.189m setback from the street line.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

6 ft tall wood fence - 0.211m closer to the street line then permitted & an inground pool located in the front yard.

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
65' or 19.81m	110' or 33.52m	6834.6SQFT or 634.9sqm	+/- 28' or 8.534m

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
House	30'-7" or 9.32m		7'-9" or 2.362m	1970

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Inground Pool	1.647M		2.684M & 4.838M	

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
House			1	N/A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Inground Pool	43.1SQM			

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.):  
Residential

\_\_\_\_\_

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

\_\_\_\_\_

**7 HISTORY OF THE SUBJECT LAND**

- 7.1 Date of acquisition of subject lands:  
1970

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

- 7.4 Length of time the existing uses of the subject property have continued:  
since 1970

\_\_\_\_\_

- 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: Hamilton

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? Part 9 - 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:

---

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

Yes       No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing:      1

8.2 Number of Dwelling Units Proposed:      1

8.3 Additional Information (please include separate sheet if needed):

Review Coordinators Response to Permit submission file 22 150546 000 00 R9

1. Although the house is orientated towards Wall St. This does not appear to be the front property line. a minimum rear yard depth of 7.5m is required which cannot be provided if Wall St was the front property line. As such, The front property line is on Darlington Dr, which places the proposed pool in the front yard which is not permitted. A minor Variance will be required for the placement of the pool in this location (x1355 or cofa@hamilton.ca -RA

2.No fence meeting the height requirements of a pool enclosure can be within 5.4m of the street line, as it will block visibility at the corner. -RA

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_





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-23:26</b>	<b>SUBJECT PROPERTY:</b>	336 CLARENDON DRIVE, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:** Owner: BRADLEY DAVIS & JESSICA DOOLEY  
Agent: PARKEIGHT INC. C/O PETE VANDENAREND

The following variances are requested:

1. To permit a minimum rear yard setback of 7.5 metres instead of the required minimum of 30 percent of the lot depth (12.37 metres).
2. To permit parking spaces located within a private residential garage to have a minimum width of 3 metres instead of the required minimum width of 3.5 metres.

**PURPOSE & EFFECT:** To permit the construction of one (1) new Detached Dwelling.

**Notes:**

1. Insufficient information has been provided in order to determine lot frontage as per the definition in the Ancaster Zoning By-law 87-57. Therefore, compliance in regard to the proposed front yard and side yard setback cannot be determined. Further variances will be required if compliance cannot be achieved.
2. Insufficient information has been provided in order to determine compliance for the proposed parking lot coverage and surface material. Further variances will be required if compliance cannot be achieved.
3. Insufficient information has been provided in order to determine compliance for the proposed mechanical and unitary equipment. Further variances will be required if compliance cannot be achieved.

**AN/A-23:26**

4. Please be advised a Water, Sanitary and Storm easement is currently located on the property abutting the west property 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, March 30, 2023</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:

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**PUBLIC INPUT**

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

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**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:26, you must submit a written request to [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.

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AN/A-23:26



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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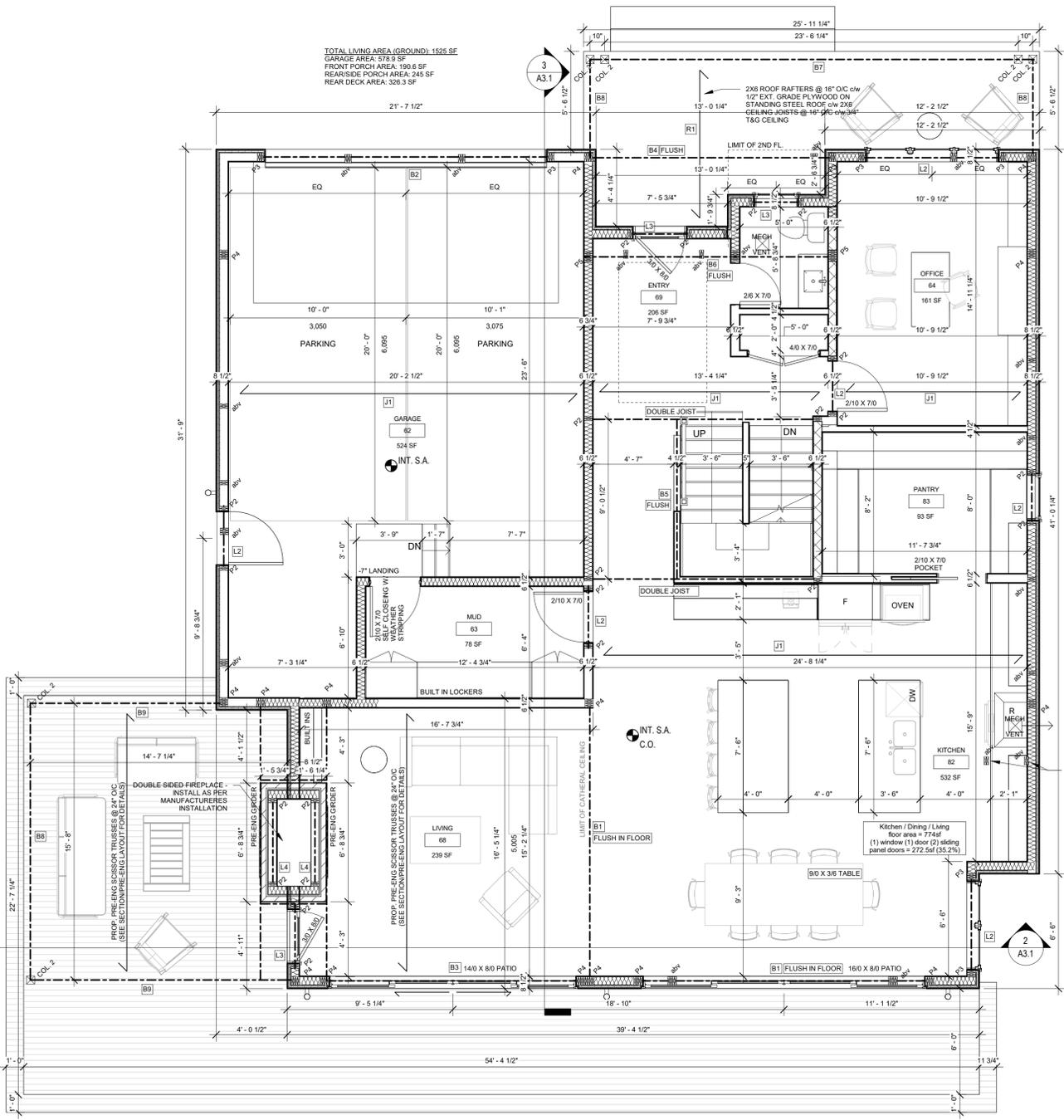
#### 2. In person Oral Submissions

**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.**

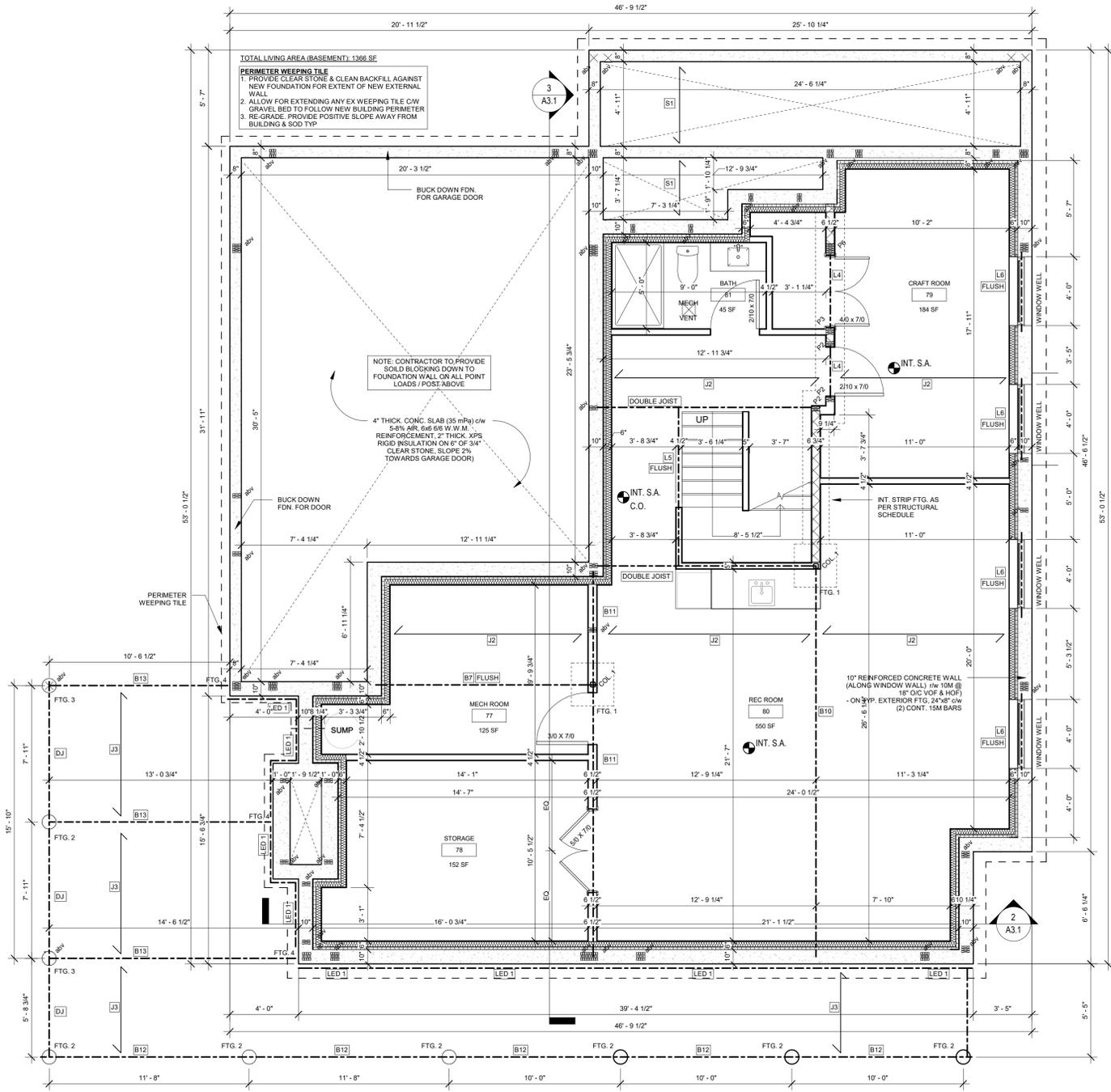
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1 LVL1 PROP. PLAN  
1/4" = 1'-0"



2 LVL0 PROP. PLAN  
1/4" = 1'-0"

**PARK EIGHT**  
**ENG//ARCH**

**DAVIS - DOOLEY RESIDENCE**  
336 CLARENDON DRIVE ANCASTER

Project No. 22028

Revisions	

Notes



Scale 1/4" = 1'-0"

**PROP. LVL1 & BASEMENT**

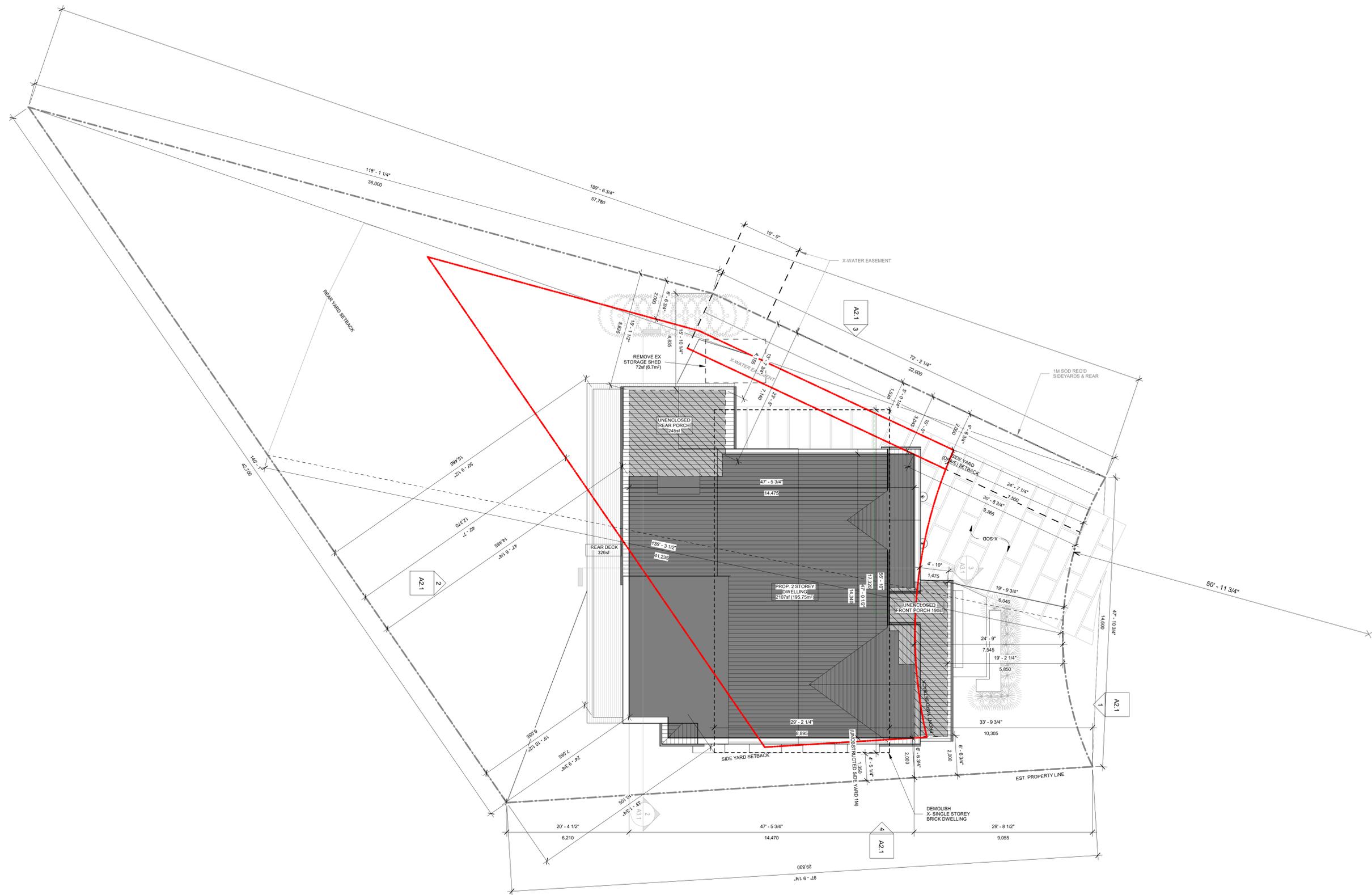
**A1.1**











SITE PLAN LEGEND		SITE STATISTICS		LOT AREA CALCULATION:	
[Symbol]	EX DRIVEWAY // HARDSCAPING	ZONING DESIGNATION = ER	PERMITTED	PROVIDED	LOT AREA: 10,757.75 SF
[Symbol]	PROPOSED BUILDING	LOT AREA	692m² minimum	699.43m² UNCHANGED	LOT COVERAGE INCLUDING BLDG., PORCH, AND DECKS: 2847.16 SF
[Symbol]	UNENCLOSED COVERED PORCH OR DECK	LOT FRONTAGE	18m minimum	14.6m UNCHANGED	TOTAL LOT COVERAGE 26.4% < 35% OK
		FRONT YARD SETBACK	5m	7.5m	
		SIDE YARD SETBACKS	2m	2m / 3.0m UNCHANGED	
		REAR YARD SETBACK	12.37m	7.565m	
		BUILDING HEIGHT	7.5m	9.5m (31'-2")	
		LOT COVERAGE	MAX 35% (\$1650m²)	26.4%	
			FOR 1 OR 2 STOREY		



**PARK EIGHT**  
**ENG//ARCH**

**DAVIS - DOOLEY RESIDENCE**  
338 CLARENDON DRIVE ANCASTER

Project No. 22028

Revisions

1	2023/01/19
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Notes

Scale 1/8" = 1'-0"

**SITE PLAN**

**SP1.1**

Sheet No. ©2021

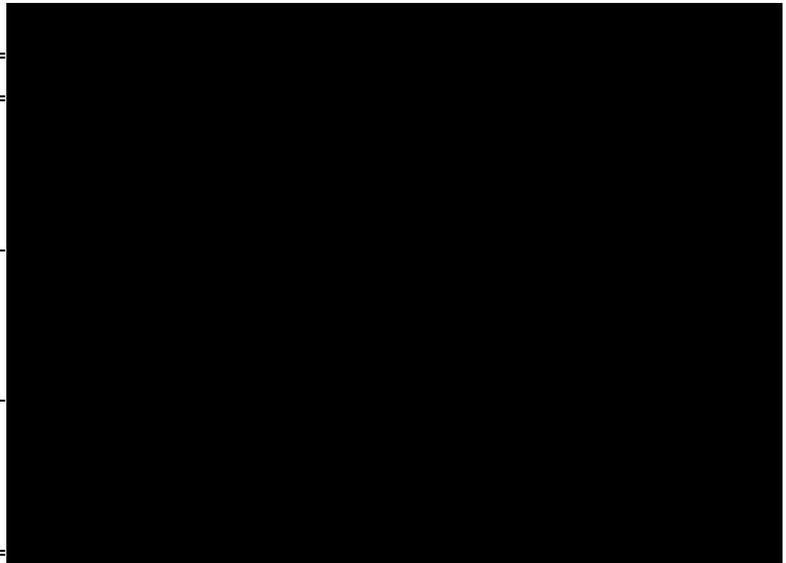


Hamilton

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

**1. APPLICANT INFORMATION**

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



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 pete@parkeight.ca

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	336 Clarendon Dr, Ancaster, ON L9G 2Y8		
Assessment Roll Number			
Former Municipality	Ancaster		
Lot	11	Concession	
Registered Plan Number	1105	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:

---

Subject to 3.05m ex water easement toward the north-west of lot ref. no. HL49998

### 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
14.6m	41.235m	999.43m <sup>2</sup>	8.5m

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
Dwelling	10.305m	10.105m	1.35 / 1.53	±1960's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	7.545m	7.5m	2m / 3.05m	-

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
Dwelling	1258sf [154m <sup>2</sup> ]	2516sf [308m <sup>2</sup> ]	2	±18'-0" [5.5m]
Storage Shed	6.7m <sup>2</sup>	-	1	±8'-0" [2.4m]

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	2107sf [195.7m <sup>2</sup> ]	3925sf [1196.3m <sup>2</sup> ]	2	< 9.5m (max)

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)
- 

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)
- 

- 4.6 Type of sewage disposal proposed: (check appropriate box)

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

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
 Single detached Dwelling (unchanged)

---

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

---

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

January 30th, 2019

---

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

Residential

---

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

Residential

---

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

60+ 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? ER Existing Residential - Ancaster

---

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

Yes  No

If yes, please provide the file number:

---

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

Yes  No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_



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-23:40</b>	<b>SUBJECT PROPERTY:</b>	280 WILSON STREET E, ANCASTER
<b>ZONE:</b>	“C5a Exception: 643” (Mixed Use Medium Density – Pedestrian Focus)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: 998071 ONTARIO INC. C/O GEOFF WALKER  
Agent: GSP GROUP INC. C/O JOSEPH LIBERATORE

The following variances are requested:

1. Reduction in the minimum required height of the first storey of the building from 3.6m to 3m;
2. Eliminate the need for a site-specific parking regulation for the Site (i.e., require the standard C5a parking requirements of Zoning By-law 05-200 to apply);
3. Eliminate 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m.

**PURPOSE & EFFECT:** To facilitate the development of six, 3-storey block townhouse dwelling units behind the existing 2.5 storey mixed use building.

**Notes:**

- i. Variances have been written exactly as requested by the applicant. Please note that this application for minor variances is required for conditional approval of site plan application DA-20-014 . However, as per the letter of conditional approval for the site plan, dated April 27, 2020 , the minor variances are no longer required. As noted in the Applicant’s Planning Justification Brief dated , the proposed development has been modified.
- ii. Please be advised these variances are required to facilitate the site plan application DA-20-014.

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

**AN/A-23:40**

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</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>
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AN/A-23:40



DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

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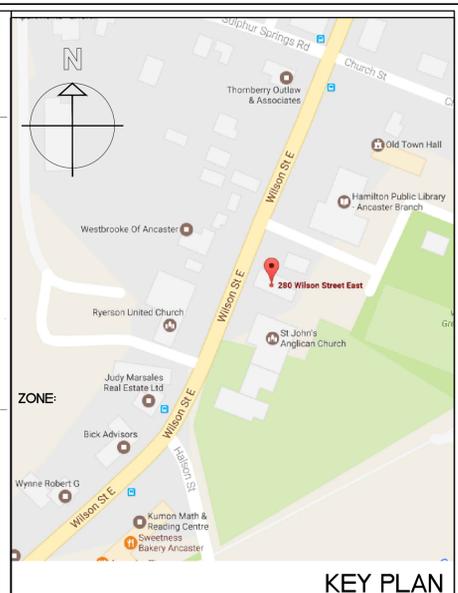
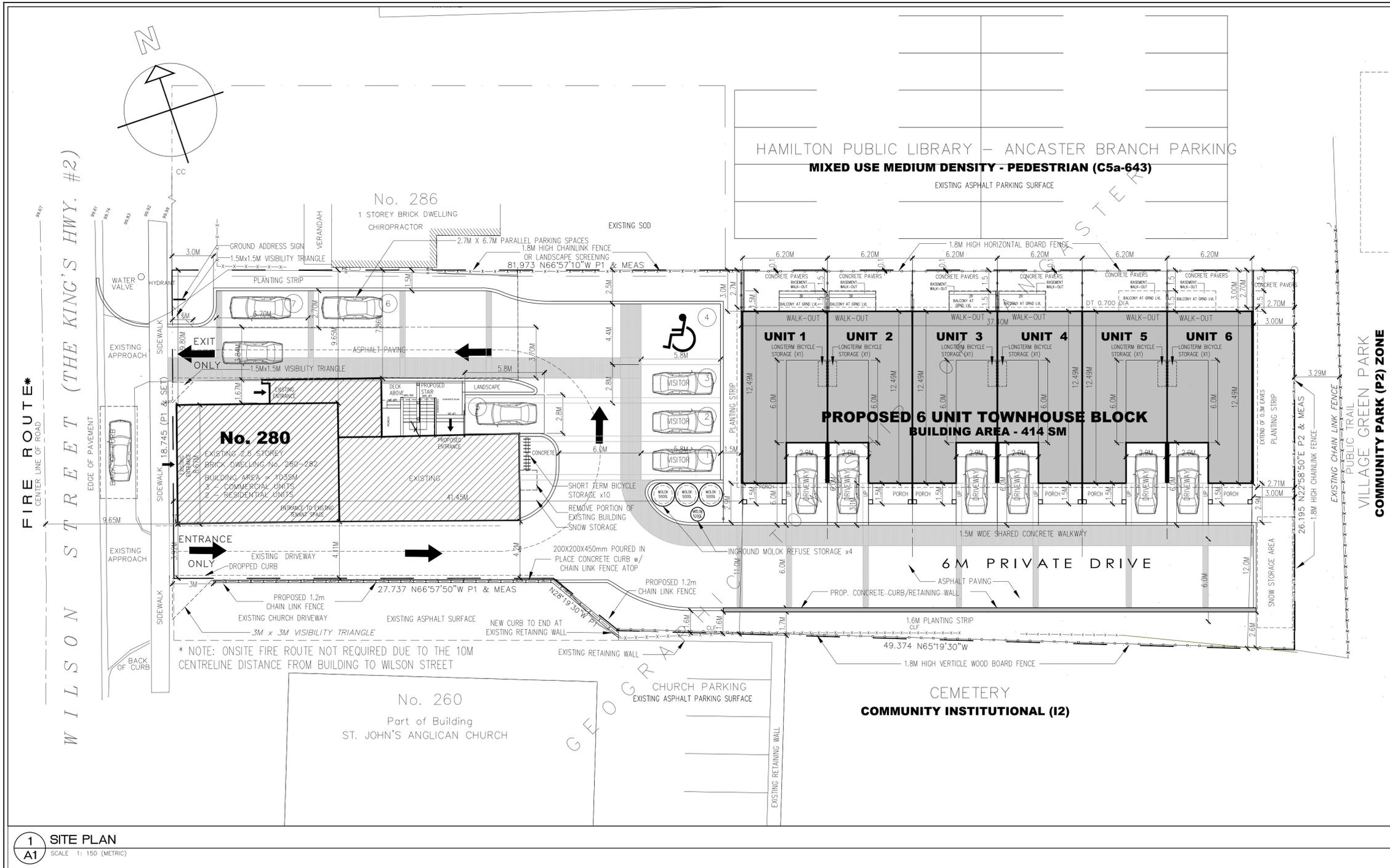
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**KEY PLAN**  
 ANCASTER HERITAGE DISTRICT  
 LEGAL DESCRIPTION:  
 TOPOGRAPHIC SURVEY OF  
**PART OF LOT 45**  
**CONCESSION 2**  
 IN THE GEOGRAPHIC  
**TOWNSHIP OF ANCASTER**  
 NOW IN THE  
**TOWN OF ANCASTER**

**SITE STATISTICS**

Regulations	By-law 05-200 "C5a, 643" Zone	Proposed	Complies (✓/✗)
Permitted uses	10.5a.1 Office, Retail, Special Exception 643 d) Multiple Dwelling Units	1 existing mixed-use Bldg. (office/commercial/2 multiple dwellings) + 6 multiple dwellings	✓
Lot Area (min)	NA	0.2065 ha	NA
Lot Frontage (min)	NA	18.75m	NA
Front Yard	Special Exception 643 e) For Multiple Dwelling: Min. 12 m from front lot line	0m (existing)	✓
Side Yard (min)	Special Exception 643 e) ii) And Figure 1, Schedule B 2.4 m, 2.6 m and 2.96 m (south)	3.0 m (north) and 11.0 m (south)	✓
Rear Yard (min)	Special Exception 643 e) i) 3.0 m	3.0m	✓
Height (max)	Special Exception 643 e) iii) 14.3m	14.3 m	✓
First Floor Height (min)	10.5a.3.h.x) 3.8m	2.75 m	X
Parking: Office	Special Exception 643 e) i) 0 where < 450 gfa = 0	0	✓
Parking: Multiple Dwelling	Special Exception 643 c) ii) 1.7 spaces/dwelling unit	8	X
Parking: visitor	Special Exception 643 h) 0.25 spaces/dwelling unit	5	✓
Parking: Barrier Free	5.5 a) 0-49 units: 1 space	1	✓
Short Term Bicycle Parking	5.10 c) 5 + 5 = 10	10	✓
Long Term Bicycle Parking	5.7 a) i) 0.5 x 8 = 4	6	✓
Planting Strips	1.5m: south prop. line	1.6m	✓
Visual Barrier	Visual barrier along south property line	1.8m Ornamental Fence	X

**1 SITE PLAN**  
 SCALE: 1:150 (METRIC)

**NOTES ON A SITE PLAN:**

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT EH EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:  
 -BUILDING PERMIT -SEWER AND WATER PERMIT  
 -ROAD CUT PERMIT -RELOCATION OF SERVICES  
 -APPROACH APPROVAL PERMITS -ENCROACHMENT AGREEMENTS (IF REQUIRED)  
 -COMMITTEE OF ADJUSTMENT
- ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE GEOMATICS AND CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:  
 8. WITHOUT SETTING A PRECEDENT 1.5 METER BY 1.5 METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM EIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.  
 9. PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN BY-LAW NO. 10-197.  
 10. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.

11. AS CURRENTLY PROPOSED, THE SUBJECT PROPERTY IS INELIGIBLE FOR MUNICIPAL WASTE COLLECTION AS OUTLINED IN THE CITY OF HAMILTON'S SOLID WASTE MANAGEMENT BY-LAW 20-221. A PRIVATE WASTE HAULER MAY BE REQUIRED SHOULD SEPARATE COLLECTION OF RECYCLABLE PAPERS, ORGANIC WASTE, AND GARBAGE CANNOT BE PROVIDED AS PER MUNICIPAL REQUIREMENTS.

**ARCHEOLOGICAL ACKNOWLEDGEMENT:**

GIVEN THAT MECHANICAL TRENCHING WAS NOT FEASIBLE IN THE SOUTHEASTERN PART OF THE PROPERTY, IT IS RECOMMENDED THAT ARCHAEOLOGICAL MONITORING BE CONDUCTED DURING CONSTRUCTION AS PER SECTION 3.3.3 STANDARD 4 OF THE S&GS (MTC 2011:55 -56). MONITORING IS REQUIRED TO ENSURE THAT NO BURIALS OR DEEPLY BURIED ARCHAEOLOGICAL MATERIALS ARE PRESENT WITHIN THE REMAINDER OF A 10 M BUFFER AROUND THE KNOWN LIMITS OF THE ADJACENT CEMETERY (MAP 15 -MAP 16).

ALL CONSTRUCTION ACTIVITIES IN THE CONSTRAINED AREA ADJACENT TO THE ST. JOHN'S ANGLICAN CHURCHYARD MUST BE MONITORED BY A LICENSED ARCHAEOLOGIST. SPECIFICALLY, AN ARCHAEOLOGIST MUST BE PRESENT ONSITE DURING CONSTRUCTION ACTIVITIES ALONG THE SOUTHERN PROPERTY BOUNDARY TO CONFIRM THAT NO DEEPLY BURIED ARCHAEOLOGICAL MATERIALS AND/OR EVIDENCE OF BURIALS ARE ENCOUNTERED.

IF DEEPLY BURIED ARCHAEOLOGICAL MATERIALS AND/OR EVIDENCE OF BURIALS ARE ENCOUNTERED, ALL CONSTRUCTION ACTIVITIES MUST CEASE IN THE AREA OF CONCERN UNTIL SUCH TIME THAT FULL ARCHAEOLOGICAL MITIGATION OF THE IDENTIFIED ARCHAEOLOGICAL MATERIALS AND/OR BURIALS CAN BE UNDERTAKEN. IF ANY BURIAL FEATURES (GRAVE SHAFTS OR COFFIN IMPRESSIONS) ARE ENCOUNTERED, THEY MUST BE FULLY DOCUMENTED AND MAPPED IN ORDER TO SATISFY THE REQUIREMENTS AND OBJECTIVES SET OUT IN THE FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002, SECTION 174 OF ONTARIO REGULATION 30/11 AS WELL AS SECTION 4.2.1 STANDARD 9 AND SECTION 4.2.2 STANDARD 7 OF THE S&GS (MTC 2011:76 -77). IF DIRECTED BY THE REGISTRAR, FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002, BAO, A SAMPLE OF GRAVES MAY BE EXPLORED TO DETERMINE IF THEY STILL CONTAIN HUMAN REMAINS, AS REQUIRED BY TABLE 4.1 OF THE S&GS (MTC 2011:85). EXCAVATIONS MUST BE EXTENDED A MINIMUM OF 10 M BEYOND THE OUTERMOST BURIAL FEATURE (IF ANY SUCH FEATURES ARE IDENTIFIED)."

OWNERS SIGNATURE: \_\_\_\_\_

UNDERTAKING: RE: 280 WILSON ST EAST, ANCASTER. FILE NO. DA-22-124

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

- TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
- TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED \_\_\_\_\_;
- 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;
- IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED \_\_\_\_\_, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.
- THE OWNER ACKNOWLEDGES AND AGREES TO CONVEY ANY EASEMENT(S) AS DEEMED NECESSARY BY BELL CANADA TO SERVICE THIS NEW DEVELOPMENT. THE OWNER FURTHER AGREES AND ACKNOWLEDGES TO CONVEY SUCH EASEMENTS AT NO COST TO BELL CANADA. THE OWNER AGREES THAT SHOULD ANY CONFLICT ARISE WITH EXISTING BELL CANADA FACILITIES WHERE A CURRENT AND VALID EASEMENT EXISTS WITHIN THE SUBJECT AREA, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY SUCH FACILITIES OR EASEMENTS AT THEIR OWN COST.
- SHOULD THE PROPOSED SITE PLAN IMPACT ENBRIDGE GAS INC. (UNION GAS) SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE ACCORDING TO THE NEW PROPERTY BOUNDARIES. ANY SERVICE RELOCATION REQUIRED WOULD BE AT THE COST OF THE PROPERTY OWNER.
- THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER OR FULL ADDRESS TO THE BUILDINGS OR ON A SIGN IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE STREET.
- THAT THE OWNER AGREES TO ESTABLISH ALL NOISE MITIGATION MEASURES IDENTIFIED IN THE ENVIRONMENTAL NOISE STUDY;
- THAT THE OWNER AGREES TO INCLUDE ALL NOISE WARNING CLAUSES ON TITLE AND IN ALL OFFERS AND AGREEMENTS OF PURCHASE AND SALE OR LEASE FOR ALL RESIDENTIAL UNITS.
- IF NECESSARY, THE OWNER SHALL INCLUDE THE FOLLOWING WARNING CLAUSE ON TITLE AND IN ALL OTHERS AND AGREEMENTS OF PURCHASE AND SALE OR LEASE FOR ALL UNITS: "PURCHASERS / TENANTS ARE ADVISED THAT THE SUBJECT PROPERTY IS NOT ELIGIBLE FOR MUNICIPAL WASTE COLLECTION SERVICES AND THE WASTE COLLECTION SERVICE WILL BE PROVIDED BY A PRIVATE WASTE HAULER.
- THE OWNER SHALL COMPLETE TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING OF THE CITY OF HAMILTON AND CANADA POST:  
 A) INCLUDE ON ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASER:  
 i) THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAIL BOX.  
 ii) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAIL BOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.  
 B) THE OWNER FURTHER AGREES TO:  
 i) WORK WITH CANADA POST TO DETERMINE AND PROVIDE TEMPORARY SUITABLE CENTRALIZED MAIL BOX LOCATIONS WHICH MAY BE UTILIZED BY CANADA POST UNTIL THE CURBS, BOULEVARDS AND SIDEWALKS ARE IN PLACE IN THE REMAINDER OF THE SUBDIVISION.  
 ii) INSTALL A CONCRETE PAD IN ACCORDANCE WITH THE REQUIREMENTS OF AND IN LOCATIONS TO BE APPROVED BY CANADA POST TO FACILITATE THE PLACEMENT OF COMMUNITY MAIL BOXES.  
 iii) IDENTIFY THE PADS ABOVE ON THE ENGINEERING SERVICES DRAWINGS. SAID PADS ARE TO BE POURED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITHIN EACH PHASE OF THE PLAN OF SUBDIVISION.  
 iv) DETERMINE THE LOCATION OF ALL CENTRALIZED MAIL RECEIVING FACILITIES IN CO-OPERATION WITH CANADA POST AND TO INDICATE THE LOCATION OF THE CENTRALIZED MAIL FACILITIES ON APPROPRIATE MAPS, INFORMATION BOARDS AND PLANS. MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICE(S) SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS.  
 C) CANADA POST'S MULTI-UNIT POLICY, WHICH REQUIRES THAT THE OWNER/DEVELOPER PROVIDE THE CENTRALIZED MAIL FACILITY ( LOCK BOX ASSEMBLY) AT THEIR OWN EXPENSE ( LESS THAN 100 UNITS WILL REQUIRE A FRONT LOADING LOCK BOX ASSEMBLY & MORE THAN 100 UNITS WILL REQUIRE A REAR LOADING LOCK BOX ASSEMBLY WHICH WILL REQUIRE A MAIL ROOM ) WILL BE IN AFFECT FOR BUILDINGS AND COMPLEXES WITH A COMMON LOBBY, COMMON INDOOR OR SHELTERED SPACE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022

WITNESS (SIGNATURE) \_\_\_\_\_ OWNERS(S) (SIGNATURE) \_\_\_\_\_ (SEAL)  
 WITNESS (PRINT) \_\_\_\_\_ OWNERS(S) (PRINT) \_\_\_\_\_ (SEAL)  
 ADDRESS OF WITNESS \_\_\_\_\_

**LINTACK ARCHITECTS**  
 INCORPORATED  
 244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3  
 T: 905.522.6165 • F: 905.522.2209 • E: info@lntack.com  
 www.lntack.com

FOR MINOR VARIANCE APPLICATION  
 ONTARIO ASSOCIATION OF ARCHITECTS  
 RICHARD F. LINTACK  
 LICENCE 4148

This drawing must not be scaled.  
 General Contractor shall verify all dimensions, columns and levels prior to commencement of the work.  
 All errors and omissions are to be reported immediately to the architect.

No.	Revisions	Date
1.0	CITY COMMENTS	09.27.22
2.0	CITY COMMENTS	11.30.22
3.0	CURB & FENCE	02.01.23
3.0	MINOR VARIANCE	08.12.23
1.0	SITE PLAN APPROVAL	07.04.22
No.	Issue	Date

PROPOSED TOWNHOUSE DEVELOPMENT  
**280 WILSON STREET EAST**  
**998071 ONTARIO INC.**  
 280 WILSON STREET EAST  
 ANCASTER, ONTARIO

job no. 21.014  
 dwg. file 280WILSON  
 dwn. by JD  
 scale AS NOTED  
 date JUNE 2022  
 dwg. title  
**SITE PLAN**  
 dwg. A1

**NOT FOR CONSTRUCTION**





SHAPING GREAT COMMUNITIES

February 24, 2023

File No. 16053

Jamila Sheffield  
 Secretary-Treasurer  
 City of Hamilton  
 Committee of Adjustment  
 71 Main Street West, 5th Floor  
 Hamilton, ON  
 L8P 4Y5

Dear Ms. Sheffield:

**RE: 280 WILSON STREET EAST, ANCASTER  
 MINOR VARIANCE APPLICATION**

---

GSP Group is pleased to submit on behalf of the owners, an application for Minor Variance to vary the site-specific parking rate, minimum first storey height and visual barrier length requirement on the Site to allow for the construction of six (6) block townhouse dwelling units. Please be advised that the Fee Payment of **\$3,735.00**, as noted in this Cover Letter, has been provided to Committee of Adjustment staff at the 5<sup>th</sup> Floor Planning Counter at City Hall in an envelope addressed to the attention of Ms. Jamila Sheffield.

In support of the Minor Variance application, the following information is provided:

1. A cheque in the amount of \$3,735.00 representing the City's application 2023 fee for Minor Variance;
2. One (1) copy of the Minor Variance application form;
3. One (1) copy of the Survey Plan, prepared by L.G. Woods Surveying Inc. dated June 29, 2013;
4. One (1) copy of the Site Plan, prepared by Lintack Architects Incorporated dated February 1, 2023;
5. One (1) copy of the Elevation Plans, prepared by Lintack Architects Incorporated dated February 13, 2023; and,
6. One (1) copy of the Planning Justification Brief, prepared by GSP Group Inc. dated February 2023.

Should you have any questions or require any additional information, please do not hesitate to contact me at 226-243-7433 or via email at [jliberatore@gspgroup.ca](mailto:jliberatore@gspgroup.ca).

Yours truly  
**GSP Group Inc.**

A handwritten signature in black ink, appearing to read 'Joseph M. Liberatore', is written over a faint, larger version of the same signature.

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

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

# Planning Justification Brief

## **280 WILSON STREET EAST CITY OF HAMILTON**

Application for Minor Variance

February 2023

**Prepared for:**

998071 Ontario Inc.  
208 Brookview Court  
Ancaster ON L8L 5G8

**Prepared by:**

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

Project No. 16053



# 1. INTRODUCTION

## 1.1 Purpose of Application

This Planning Justification Brief has been prepared in support of an application for Minor Variance related to 280 Wilson Street East (the “Site”). The owner proposes to construct six 3-storey multiple dwellings in block townhouse form to the rear of the existing 2.5-storey mixed use building on the Site. Variances are required to permit a reduced parking rate, first storey height and visual barrier requirement than those permitted in the site-specific Medium Density – Mixed Use Pedestrian Focused C5a, Exception 643 Zone of Zoning By-law 05-200.

## 1.2 Site Overview

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

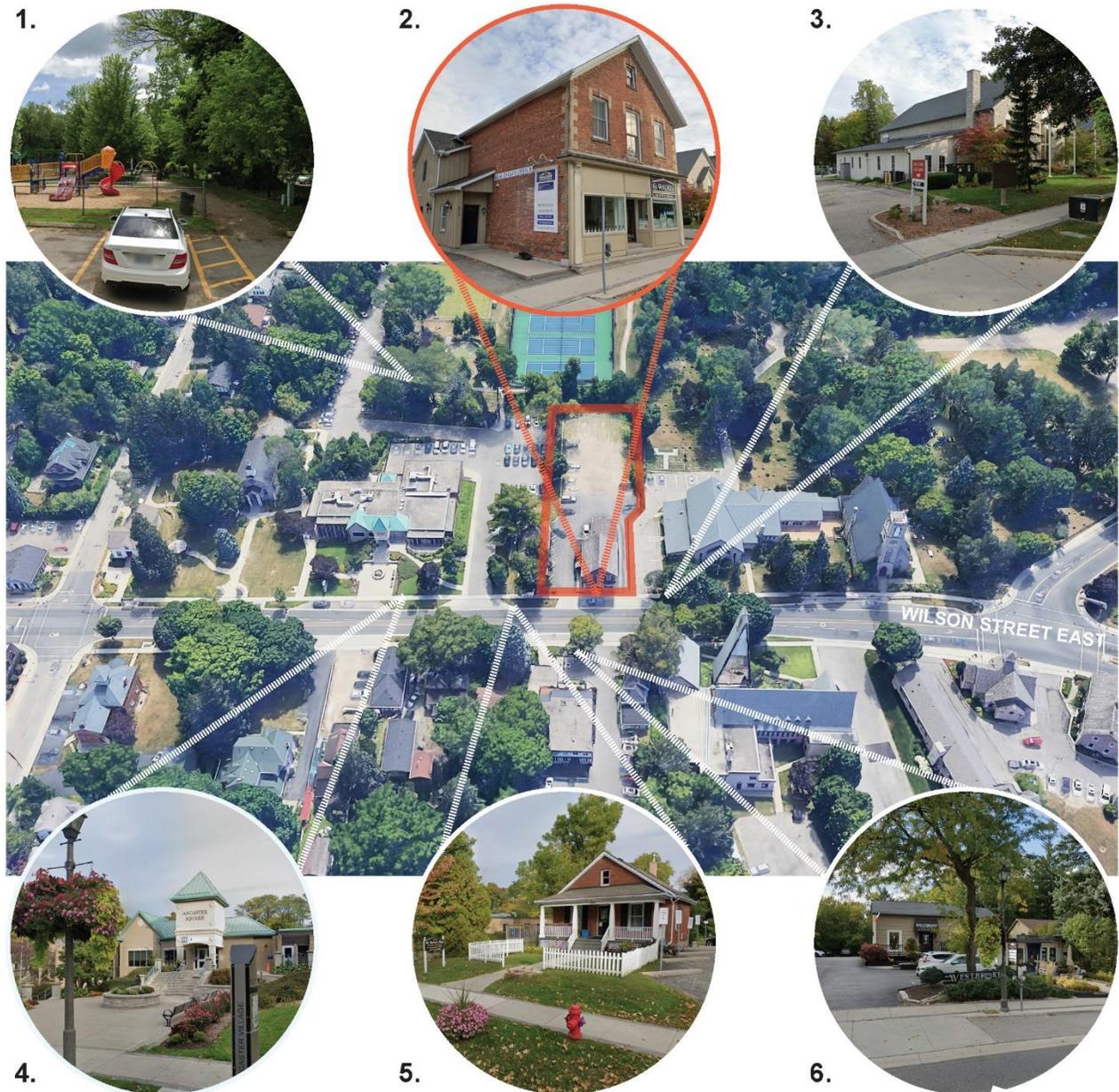


**Figure 1:** Site Location (Source: City of Hamilton Interactive Mapping)

The Site has an area of  $\pm 2,065\text{m}^2$ , a depth of  $\pm 91.97\text{m}$  and a frontage of  $\pm 18.755\text{m}$  along Wilson Street East. The property currently contains a two and a half storey mixed use building containing two (2) multiple dwelling units and three (3) commercial units. The existing mixed use building is proposed to remain with the existing vehicle accesses to be reconstructed as part of the construction of the proposed six (6) new multiple dwelling units in a block townhouse form.

Lands adjacent to the Site (**Figure 2 – Image 2**) include:

- North: Office and Community Centre/Library Uses (**Figure 2 – Images 4 & 5**)
- East: Park and Community Recreational Uses (**Figure 2 – Image 1**)
- South: Place of Worship and Cemetery Uses (**Figure 2 – Image 3**); and
- West: Wilson Street East and Commercial Uses (**Figure 2 – Image 6**).



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



### 1.3 Proposed Development

The proposed development is an update to conditionally approved Site Plan Application DA-20-014, which previously contemplated 18 residential units in a 3-storey apartment building, shown on **Figure 3**. The Owner now proposes to construct six, 3-storey block townhouse dwelling units behind the existing 2.5 storey mixed use building, as illustrated in **Figure 4**.

## 2. Requested Minor Variances

The Site is currently zoned in a site specific Medium Density – Mixed Use Pedestrian Focused “C5a, 643” Zone in City of Hamilton Comprehensive Zoning By-law 05-200. The proposed townhouses are a permitted form of development; however, to permit the development as proposed in **Figure 4**, the following variances are required to the “C5a, 643” zoning regulations:

1. reduction in the minimum required height of the first storey of the building from 3.6m to 3m;
2. eliminate the need for a site specific parking regulation for the Site (i.e., require the standard C5a parking requirements of Zoning By-law 05-200 to apply); and,
3. eliminate 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m.

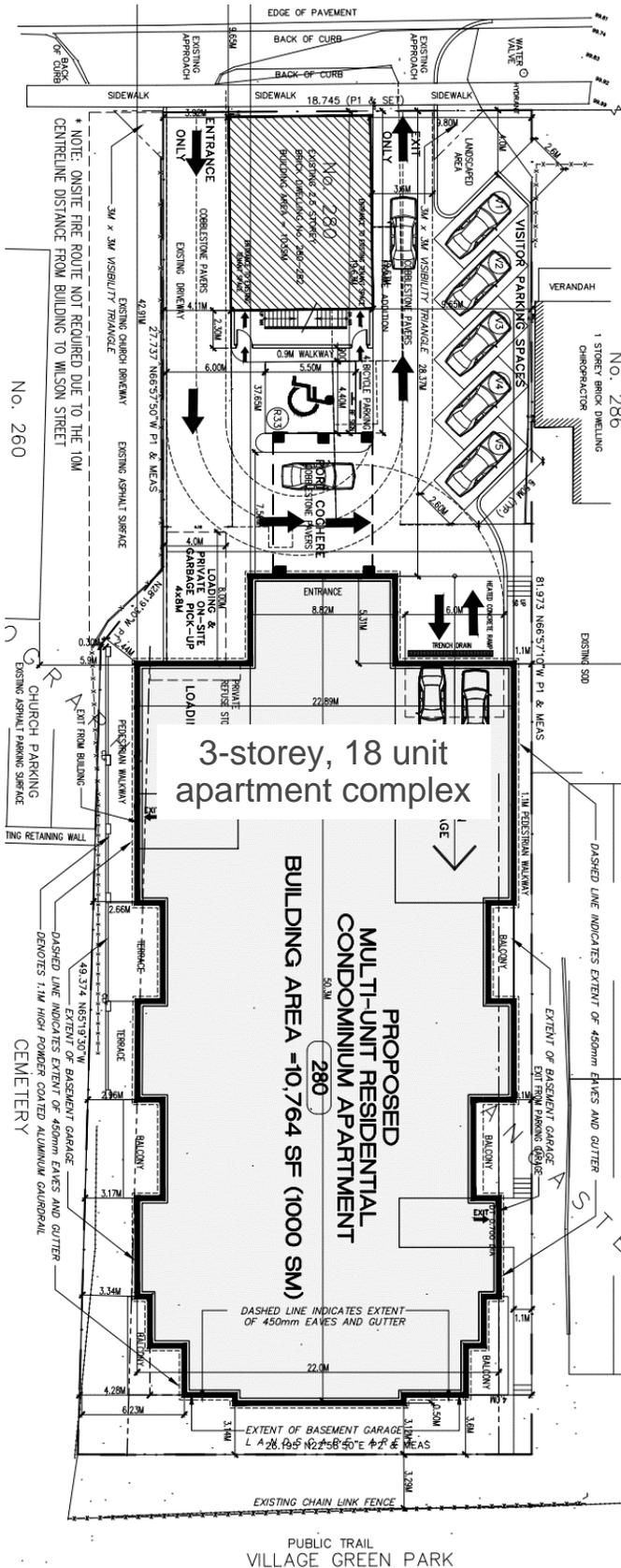
## 3. Four Tests of Minor Variance

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*” and provided the following four tests are met:

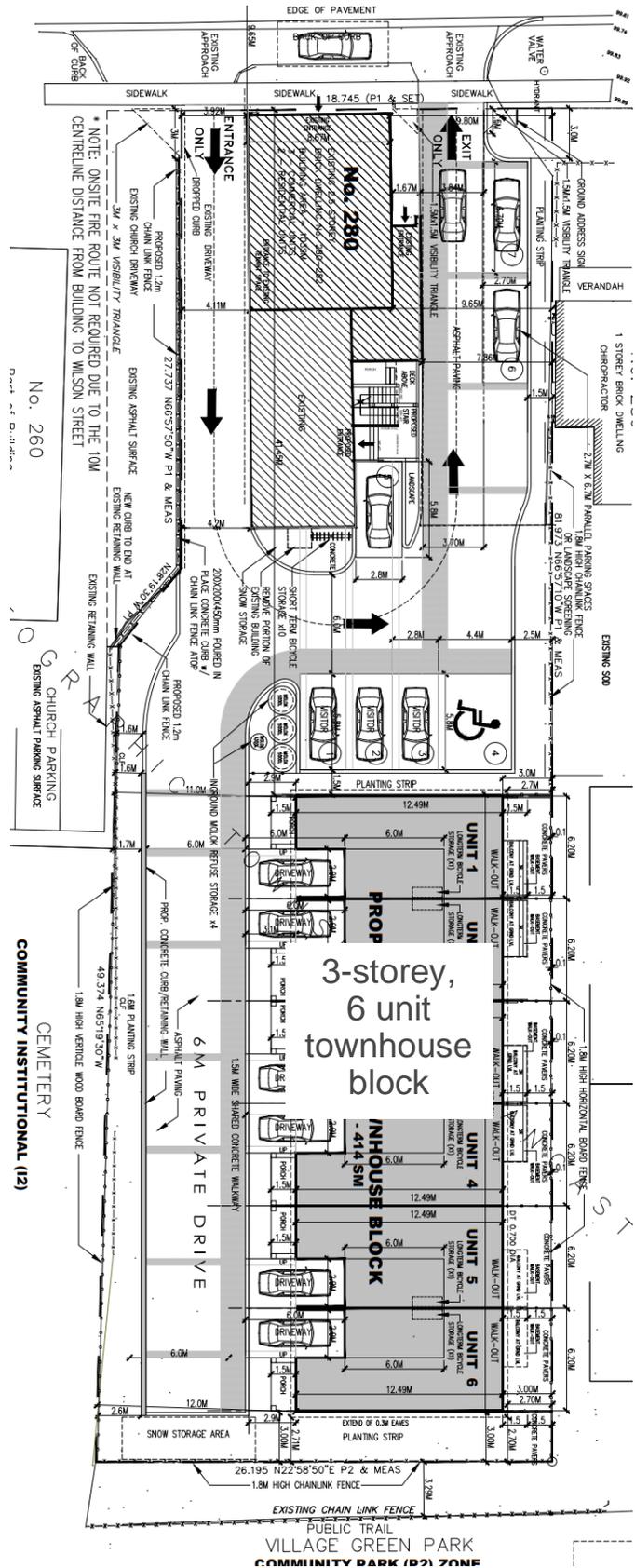
1. Do the Minor Variances maintain the general intent and purpose of the Official Plan;
2. Do the Minor Variances maintain the general intent and purpose of the Zoning By-law;
3. Are the Minor Variances desirable and appropriate for the lands; and
4. Are the requested variances minor in nature.

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

**Figure 3: Original Development Concept**  
(Source: DeSimone Architect Inc., 2020)



**Figure 4: Proposed Development**  
(Source: Lintack Architects Inc., 2023)



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

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

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

#### 3.1.1 **Variance 1: Reduction in height of the first storey from 3.6m to 3m**

The Site is located within a “Mixed Use Medium Density” designation, which is pursuant to Schedule E Urban Structure of the UHOP. Per UHOP Policy E.4.6, the Mixed Use Medium Density designation is intended to:

*“permit a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale and to increase the proportion of multiple storey, mixed use buildings that have retail and service commercial uses at grade.”*

The emphasis on encouraging the construction of mixed use buildings in favour of singularly residential developments is noted in UHOP Policy E.6.15 that states:

*“Although residential development is permitted and encouraged, it is not the intent of the Plan for the Mixed Use - Medium Density designated areas to lose the planned retail and service commercial function set out in this Plan.”*

Furthermore, UHOP Policy E.4.6.17 states that:

*“Areas designated Mixed Use - Medium Density are intended to develop in a compact urban form with a streetscape design and building arrangement that supports pedestrian use and circulation and create vibrant people places.”*

These Policies are both achieved through the proposed reduction in required first storey height by:

- a) Focusing the reduced height to only the proposed new six (6) multiple dwellings (block townhouses) within the Ancaster Community Node and not the street-facing part of the existing mixed use building;
- b) Creating no visual impact to the mixed use character of Wilson Street East, where commercial uses are commonly located at-grade and generally have taller floors (3.6m or greater) than the residential floors located above; and,
- c) Proposing the reduced height to be located in only the new building that will consequently have no impact on the retail and service commercial function of the existing mixed use building.

The UHOP provides specific criteria against which intensification proposals are to be evaluated against. These criterion deal with neighbourhood character, compatibility, infrastructure and transportation capacity and providing a range of dwelling types and tenures (UHOP Volume 1, Policy B.2.4.1.4). The proposed Minor Variance for the reduced first storey height meets the intent and purpose of the criteria.

The proposed block of townhouses delivers a context sensitive response to the city-wide intensification objectives by providing a building mass that provides a first storey height that is contextually relevant. (refer to **Figure 5**). The proposed first storey height is more in keeping with first floor heights of existing residential uses within the surrounding Village Core area of the Ancaster Wilson Street Secondary Plan area than a first storey height of 3.6m.



**Figure 5:** South Elevation – Minor Variance Sketch (Source: Lintack Architects Inc., 2023 & GSP Group Inc., 2023)

Based on the foregoing, the general intent and purpose of the Official Plan will continue to be maintained with the requested reduction in first storey height from 3.6m to 3m as proposed. In conjunction with the analysis above, the intent is generally met since it is proposed in an area slated for intensification, maintains a development scale and massing that is compatible with the existing neighbourhood character, and provides no visual impact to the existing mixed use streetscape along Wilson Street East.

### 3.1.2 Variance 2: Application of standard C5a parking regulations for C5a Zone (i.e., elimination of a site specific parking requirements)

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

As directed by AWSSP Policy B.2.8.14.1, the 2011 Ancaster Transportation Master Plan (ATMP), recommends and supports a reduction in required parking. Per the ATMP, excessive parking supply was generally discouraged and the intent was to have the parking reviewed through zoning updates. In 2017 the City amended the parking requirements associated with the new C5a zone to include less restrictive parking rates for mixed use developments. The requested variance is to apply the new C5a zone parking rates to the proposed development in conformity with the AWSSP.

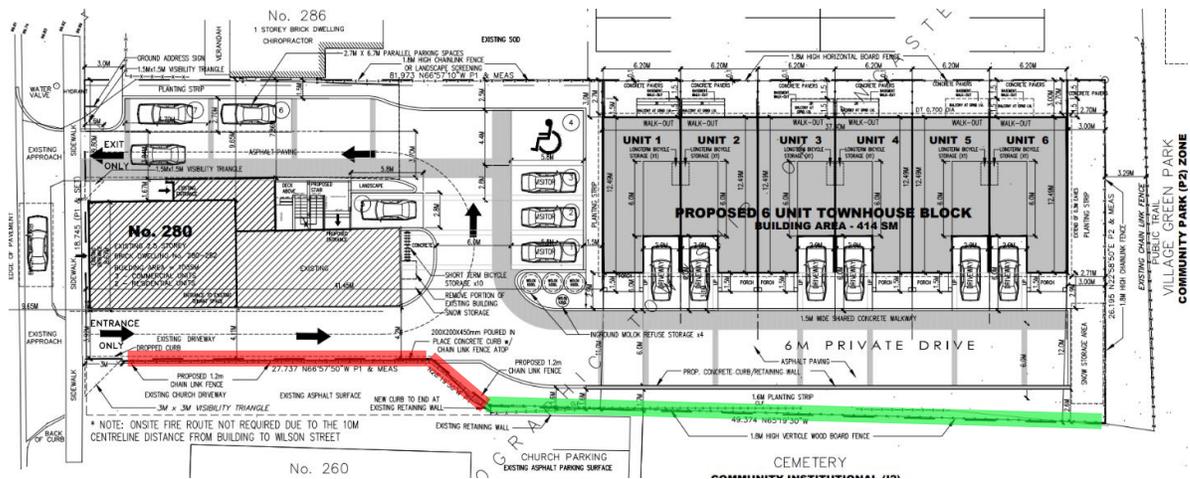
Based on the foregoing, the general intent and purpose of the Official Plan (Ancaster Wilson Street Secondary Plan) will continue to be maintained through the elimination of the site-specific parking regulations and applying the standard C5a Zone parking regulations. The Site is located within an intensification area that is contemplated as a walkable, transit accessible community.

### 3.1.3 Variance 3: Reduction of 31.2m from the front half of the required visual barrier

The purpose of this variance is to address the visual barrier required along the entirety of the south lot line (illustrated in both **red** and **green** in **Figure 6**) that abuts the church (an Institutional Zone). The requested variance is to reduce the length of the solid board fence (visual barrier) for the first / front 34m of the southern lot line and permit a chain link fence instead – which is what is currently in place (illustrate in red in **Figure 6**). The rear 49m will include a solid board fence (visual barrier) as required by the By-law, combined with a 1.6m planting strip along the rear portion of the lot line, where the new construction is slated to occur (illustrated in green in **Figure 6**).

The Ancaster Wilson Street Secondary Plan contains Urban Design policy B.2.8.12.1.h) which specifies that:

*“Mixed use and commercial development or redevelopment shall provide a buffer, such as landscaped areas, for adjacent sensitive land uses.”*



**Figure 6:** Extent of Visual Barrier Variance Sketch Source: Lintack Architects Inc., 2023)

While the new construction proposed is not mixed use, the general intent of this policy is to require buffering as a form of separation from adjacent sensitive uses. For the Site, the adjacent use to the south is a place of worship (St. John's Anglican Church) and an associated cemetery. The existing condition along this lot line presently does not have a visual barrier, but a chain link fence. This condition is proposed to be improved through future site works with the adjacent church.

With regard to the new construction, a 1.8 vertical wood board visual barrier is proposed in the impacted areas (noted in green on **Figure 6**), which interfaces the cemetery. This is being provided where the new building construction is proposed. As the location of the proposed townhouses is at higher elevation than the adjacent cemetery, landscape plantings are proposed within a 1.5m planting strip to provide additional screening.

Based on the foregoing, the general intent and purpose of the Official Plan will continue to be maintained with the requested reduction of 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m as proposed, measured from the east end of the site, westerly. The remainder of the lot line will include a chain link fence.

### 3.2 *Do the requested variances maintain the general intent and purpose of the Zoning By-law?*

#### 3.2.1 Variance 1: Reduction in height of the first storey from 3.6m to 3m

Generally, the purpose and intent of establishing a first storey height requirement is to ensure that properties developed in the Mixed Use - Medium Density Pedestrian Focus Zone have a public realm facing at-grade storey that is differentiated from the remainder of the building. This first storey is intended to be designed with a character that is generally commercial-oriented with a slightly taller height than heights that are more typical of residential developments.

In this case, the proposed townhouses do not directly front Wilson Street; rather, the existing 2.5-storey building to be retained will continue to front the street. Further, the existing building has a first floor height that is less than 3.6m.

The provision that this variance relates to is one that applies city-wide to all C5a Zones, and is not specific to the Village Core of Ancaster. The first floor heights that currently predominate the area along Wilson Street East – including the existing building at the front of the Site - were largely established prior to the creation of the C5a Zone in 2017 and are observed to have heights that are 3.6m or less.

In this case, the purpose and general intent of the first storey height provision will be maintained, as the area that this specific variance is proposed to be applied will not impact the commercial viability of the existing mixed use portion of the Site. It will also not impact the existing streetscape along Wilson Street East or any other surrounding streets since the proposed new construction is situated to the rear of the Site.

Therefore, the new first storey height of the proposed block townhouse will not be visible from Wilson Street East. On this basis, the requested first storey height reduction will meet the intent and purpose of the Zoning By-law.

### 3.2.2 Variance 2: Application of standard C5a parking regulations for C5a Zone (i.e., elimination of a site specific parking requirements)

The purpose of a minimum number of parking spaces per dwelling unit is to ensure enough parking spaces are provided that off-set transportation impacts of the future residents of the proposed development. Eliminating the required site-specific parking rate of 1.7 spaces per unit, to allow the C5a Zone parking rates will allow the Site to be comprehensively redeveloped. The parking is now modified as:

	Existing Parking Ratio	C5a Parking Ratio (min.)	C5a Parking Ratio (max.)
Townhouse Block	1.7 per unit (x 6 units) = 10.2	0.3 per unit (x 3 Units) = 0.9 0.7 per unit (x 3 units) = 2.1	1.25 per unit (x 6 units) = 7.5
Apartment above Commercial uses	1.7 per unit (x 2 units) = 3.4	0.3 per unit (x 2 Units) = 0.6	0.3 per unit (x 2 Units) = 0.6
Total Required	13.6 spaces	3.6 Spaces	8.1
Total Provided	12	12	12

When the Site was initially submitted for rezoning in 2017, it was subject to the dated Ancaster Zoning By-law's parking requirement of 2.66 parking spaces per unit. Through the rezoning process, the parking requirements were reduced to 1.7 spaces per unit. On this basis, 32 residential parking spaces were required for the 18 units previously proposed.

Following the rezoning of the site, the City's new C5a zoning and parking regulations of Zoning by-law 05-200 came into force and effect. These parking regulations, applicable to the majority of the lands along Wilson Street East within the Community Node and zoned C5a, require less parking; specifically, 0.3 spaces per unit (for units 1 to 3 that are greater than 50m<sup>2</sup> in size) and 0.7 spaces per unit (for units 4 to 14 that are greater than 50m<sup>2</sup> in size).

Based on the 6 townhouse units proposed in addition to the 2 units that exist within the mixed use building, this would equate to a minimum of 3 required parking spaces and a maximum of 8 required parking spaces. The applicant is proposing 1 parking space per unit, which is a ratio still greater than the C5a zone's minimum parking requirements, yet consistent with the maximum permitted parking for the C5a Zone.

Therefore, the general intent and purpose of the Zoning By-law will continue to be maintained with the requested elimination of the site-specific parking regulations and implementation of the C5a Zone parking regulations.

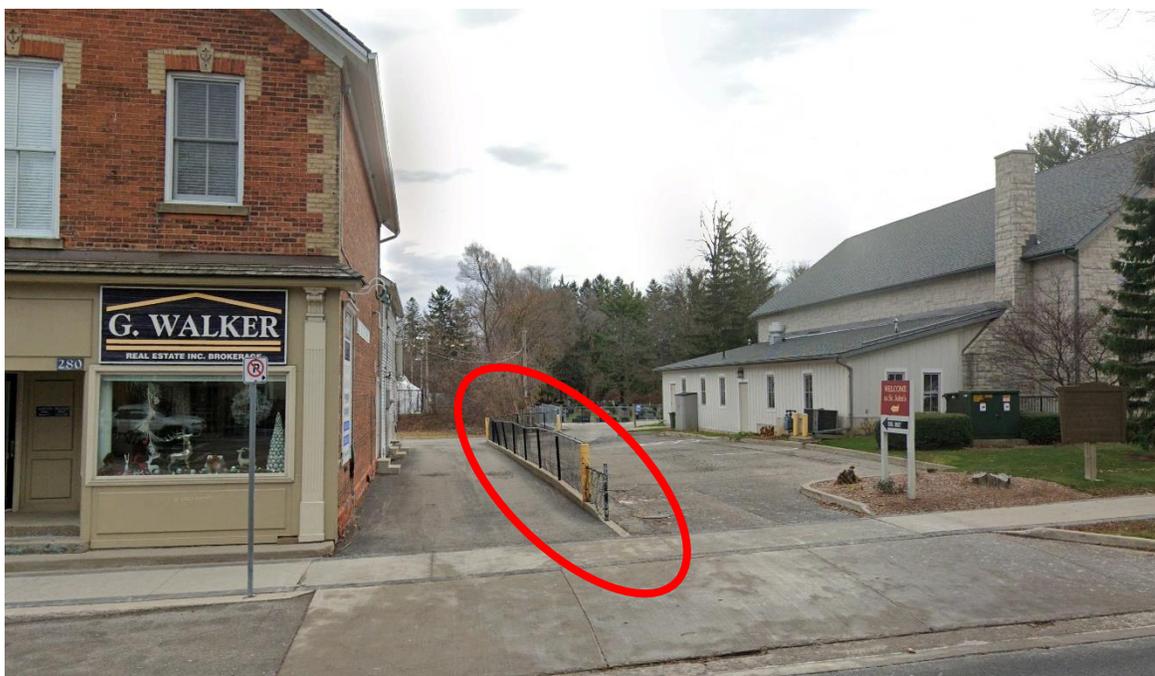
### 3.2.3 Variance 3: Reduction of 31.2m from the front half of the required visual barrier

Generally, the purpose and intent of requiring a visual barrier along a lot line that abuts a "*Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone*" is to ensure that there is visual screening from new development in a Mixed Use - Medium Density (C5a) Zone and adjacent sensitive uses in one of the above-noted Zones.

The Site abuts an Institutional Zone to the south and requires a visual barrier along the majority of the lot line (excluding the first 3m of the front lot line). None of the Site's other lot lines require a visual barrier.

As identified previously in **Figure 6**, the remaining 31.2m of the lot line that is not proposed to have a visual barrier is adjacent to an existing mixed use building that is proposed to remain and currently has a chain link fence, as illustrated in **Figure 7**. This existing condition will be improved through the construction of a *new* curb and chain link fence, which, when finished, will visually appear the same as its current state.

On this basis, and the fact that the proposed new development will be buffered from the adjacent Institutional Zone with a visual barrier and a planting strip, the requested reduction of 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m as proposed, measured from the east end of the site, westerly will meet the intent and purpose of the Zoning By-law.



**Figure 7:** Southern Lot Line Chain Link Fence Existing Condition  
(Source: Google Earth Imagery, 2022)

### 3.3 *Are the Minor Variances desirable and appropriate for the lands?*

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

#### 3.3.1 **Variance 1: Reduction in height of the first storey from 3.6m to 3m**

The variance to allow for a reduction to the required minimum first storey height from 3.6m to 3m is desirable on the basis that the requested variance is proposed wholly within the proposed new multiple dwelling block townhouses. In addition, the reduction in first storey height allows a standard that is compatible with other low-rise residential built forms in the surrounding Community Node. Therefore, the reduction in the required minimum first storey height from 3.6m to 3m is considered desirable and appropriate.

#### 3.3.2 **Variance 2: Application of standard C5a parking regulations for C5a Zone (i.e., elimination of a site specific parking requirements)**

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

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

Therefore, the requested elimination of the site-specific parking regulations and implementation of the C5a Zone parking regulations is considered desirable and appropriate for the lands.

### **3.3.3 Variance 3: Reduction of 31.2m from the front half of the required visual barrier**

The variance to allow for a reduced visual barrier from 80.2m to 49m is desirable on the basis that the requested variance is not related to the new proposed construction, but is related to the condition of the Site that adjacent to the existing mixed use building and the access drive aisle. Despite the variance, the adjacent place of worship and cemetery will be visually screened through a barrier and landscape plantings in a planting strip from the proposed new construction of the 6 townhouses. To minimize visual impact, the proposed townhouses are set back 11m from the south lot line, where the by-law allows them to be within 2.96m of the adjacent Institutional Zone to the south.

In addition, the reduced length of the visual barrier will not impact visibility where the existing vehicular access points are located for the Site and the adjacent place of worship. This has the effect of creating an “open” experience to the space on both the neighbouring lands to the south and the Site that allows visibility to be maintained and the elimination of visual obstructions which may deter potential crime or a vehicular collision when both properties are accessed.

Therefore, the requested reduction of 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m as proposed, measured from the east end of the site, westerly is considered desirable and appropriate.

## **3.4 Are the requested variances minor in nature?**

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

### **3.4.1 Variance 1: Reduction in height of the first storey from 3.6m to 3m**

The reduced minimum first storey height can be accommodated on the Site and is proposed in a location that will have minimum impact to the surrounding area. Specifically, this means that no impact to the Site’s Wilson Street East streetscape will be observed as a result of

implementing this proposed standard. Additionally, no impact to the commercial viability of the first floor of the existing mixed use building will occur as the proposed standard is intended to apply specifically to the block townhouse units.

Therefore, the requested reduction in the required minimum first storey height from 3.6m to 3m is considered minor in nature.

#### **3.4.2 Variance 2: Application of standard C5a parking regulations for C5a Zone (i.e., elimination of a site specific parking requirements)**

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

The standard required parking for the C5a Zone, would require a *minimum* of 3 parking spaces and a maximum of 8 parking spaces for the existing and proposed residential uses. The applicant is proposing to provide one parking space for each townhouse use in each of their respective driveways as shown in the Site Plan (**Figure 4**). An additional 2 parking spaces are provided adjacent to the existing building for the existing residential apartments, and the remaining 5 parking spaces will service the commercial uses and visitors to the site. Accordingly, compliance to the C5a parking requirements will ensure that sufficient parking is available on site. The requested elimination of site specific parking provisions supports the policy noted in Section 4.1 of this Brief.

Therefore, the requested application of the C5a Zone parking requirements of By-law 05-200 is considered minor in nature.

#### **3.4.3 Variance 3: Reduction of 31.2m from the front half of the required visual barrier**

The reduced length of the visual barrier will not inhibit the proposed visual screening from the proposed new construction of the 6 multiple dwelling block townhouse units. This variance applies specifically to the area shown previously in **Figures 6 and 7**, which as noted previously, will be provided new curbing and chain link fencing along the remainder of the southern lot line.

Negative impacts of this variance are not anticipated, as the proposed condition will allow the visual site lines of the vehicular accesses to be preserved. The impact of this variance will have minimal visual difference from the current condition, with a chain link fence and curb, both of which are proposed to be reconstructed. Additionally, it will also improve upon the existing condition of the part of the Site that directly interfaces the church parking lot, as noted in Section 3.2.3 of this Brief.

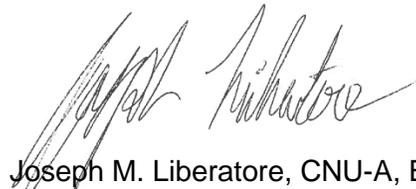
Therefore, the requested reduction of 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m as proposed, measured from the east end of the site, westerly is considered minor in nature.

## 4. RECOMMENDATIONS

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

Respectfully submitted,

**GSP Group Inc.**



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

P:\16053-Walker G Real Estate-280 Wilson St. E., Ancaster\reports\2023 Minor Variance Planning Brief\PJB\_February 2023 FINAL.docx



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
<b>Registered Owners(s)</b>	998071 Ontario Inc.
<b>Applicant(s)</b>	GSP Group Inc. c/o Joseph M. Liberatore
<b>Agent or Solicitor</b>	

1.2 All correspondence should be sent to

Purchaser  
 Applicant

Owner  
 Agent/Solicitor

1.3 Sign should be sent to

Purchaser  
 Applicant

Owner  
 AgentSolicitor

1.4 Request for digital copy of sign

Yes\*     No

If YES, provide email address where sign is to be sent [jliberatore@gspgroup.ca](mailto:jliberatore@gspgroup.ca)

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	280 Wilson Street East		
Assessment Roll Number	25181402500040000000		
Former Municipality	Ancaster		
Lot	PT of LT 15	Concession	2
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:

1. reduction in the minimum required height of the first storey of the building from 3.6m to 3m;
2. eliminate the need for a site specific parking regulation for the Site (i.e., require the standard C5a parking requirements of Zoning By-law 05-200 to apply); and,
3. eliminate 31.2m from the front half of the required visual barrier along the southern lot line abutting an Institutional Zone from 80.2m to 49m.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Refer to Planning Justification Brief.

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
18.75m	91.97m	0.2065ha	±19.5m

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
Mixed Use	0.3m	55.3m	7.86m, 3.92m	01/01/1870

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Multiple Dwelling	41.45m	3m	3m	

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
Mixed Use	74.57m <sup>2</sup>	103m <sup>2</sup>	2.5	

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Multiple Dwelling			3.5	14.3m

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)  
 \_\_\_\_\_

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)  
 \_\_\_\_\_

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Mixed Use Building (as existing), and 6 Multiple Dwellings (block Townhouse Form)

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

Church, Cemetary, Library, Park

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1992

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

Mixed Use

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

Mixed Use

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

±50 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) Mixed Use - Medium Density - Pedestrian  
Focus

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

Refer to Planning Justification Brief.

7.6 What is the existing zoning of the subject land? C5a, 643 Zone

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: C5a, 643 Zone

---

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

 Yes No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

 Yes No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 6

8.3 Additional Information (please include separate sheet if needed):

Refer to Planning Justification Brief.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-



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-23:45</b>	<b>SUBJECT PROPERTY:</b>	548 WEIR ROAD, ANCASTER
<b>ZONE:</b>	"A1 & P7" (Agriculture & Conservation-Hazard Land – Rural P7 Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: BILL HUIZINGA  
Agent: BNK DESIGN AND CONSTRUCTION C/O NICK BORGDORFF

The following variances are requested:

1. The aggregate Gross Floor area of all Accessory buildings shall not exceed 280.0m<sup>2</sup>, whereas the zoning by-law states that the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 200.0m<sup>2</sup>.

**PURPOSE & EFFECT:** To facilitate the construction of an accessory building (private garage) for the existing dwelling.

**Notes:**

The Gross Floor Area calculation shall mean the aggregate horizontal area measured from the exterior faces of the exterior wall of all floor of a building but not including any area devoted to mechanical equipment. The applicant shall confirm that the variance requested for the Gross Floor Area is correct. Based on the submitted plans, it appears that the proposed structure has more than one floor.

The elevation drawing provided does not show the height dimension from grade as defined in the Zoning By-law. Therefore, the applicant shall ensure compliance with the maximum permitted height; otherwise further variances may be required.

No part of the proposed accessory building (private garage) shall be used as a dwelling unit; otherwise, further variances shall be required.

**AN/A-23:45**

**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, March 30, 2023</b>
<b>TIME:</b>	<b>2:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

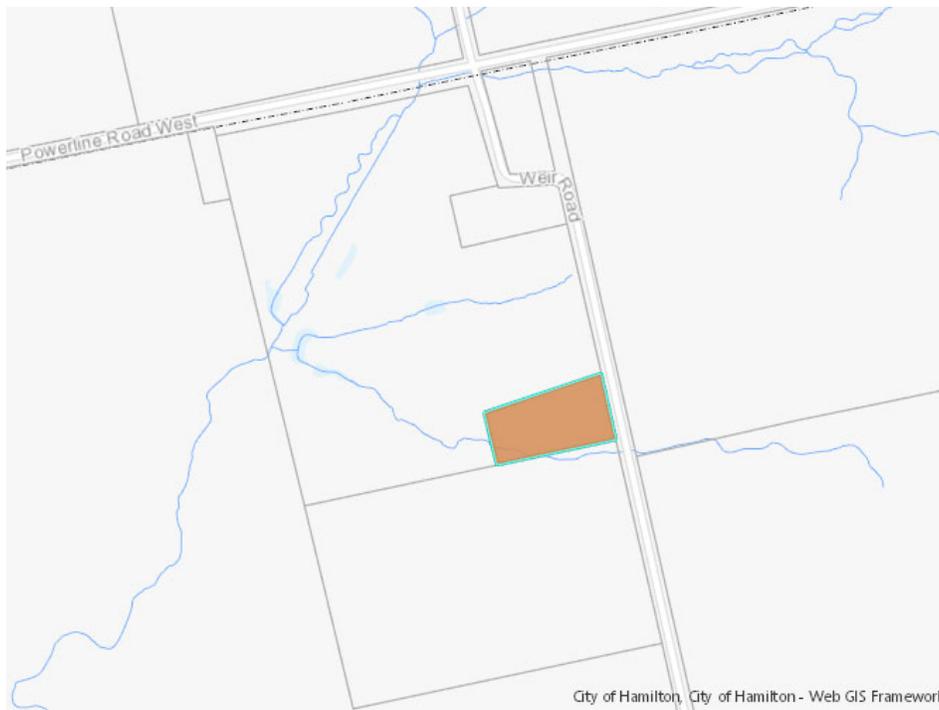
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:45, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

AN/A-23:45



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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## 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.

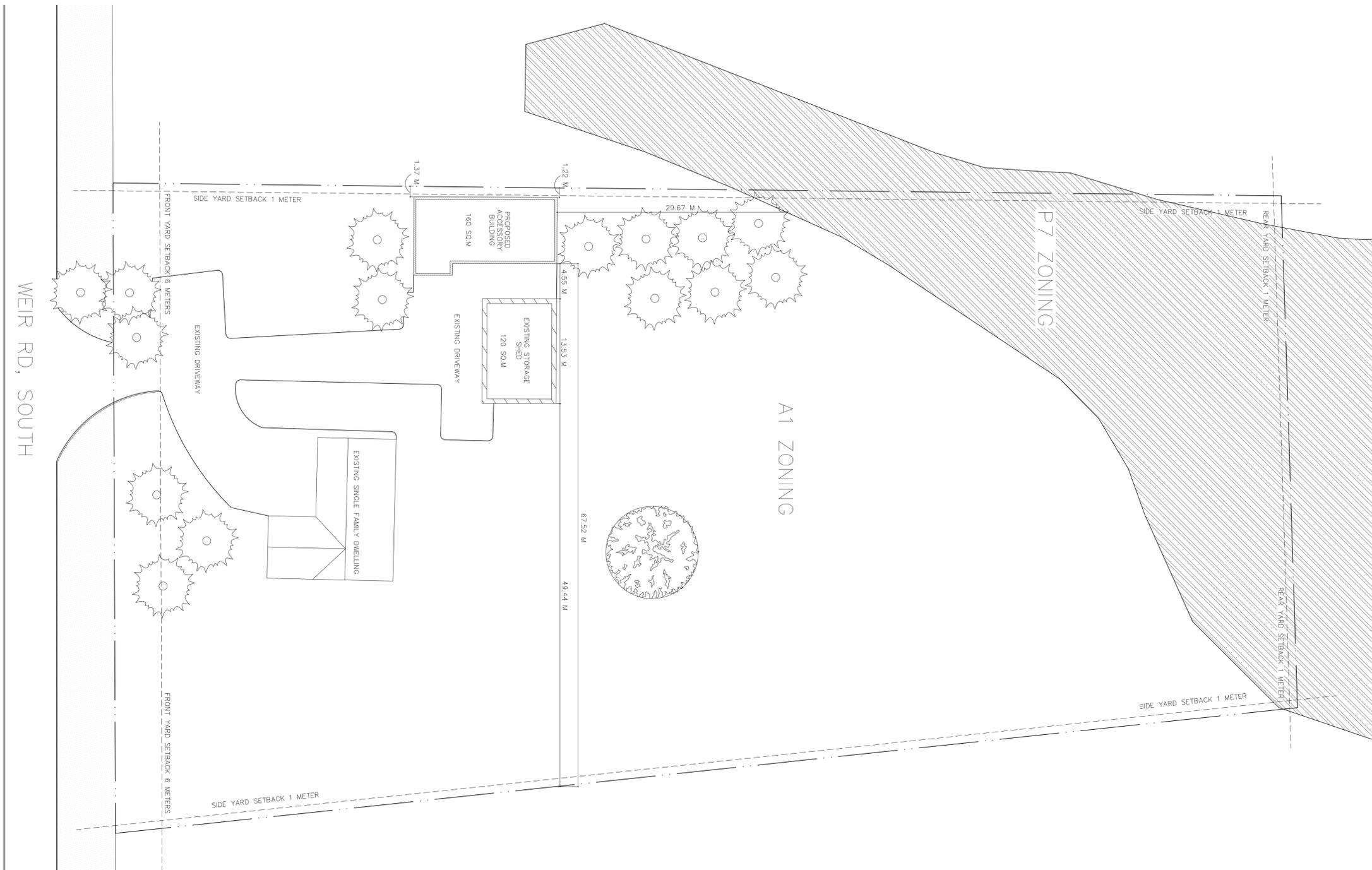
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 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.**

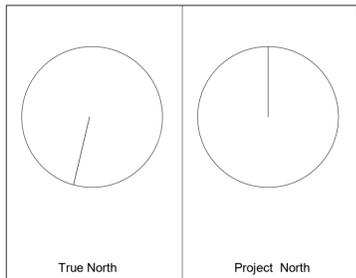
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



WEIR RD, SOUTH

**1** Site  
1: 250



- GENERAL NOTES
1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
  2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
  3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
  4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
  5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT  
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

*Nick Borgdorff*

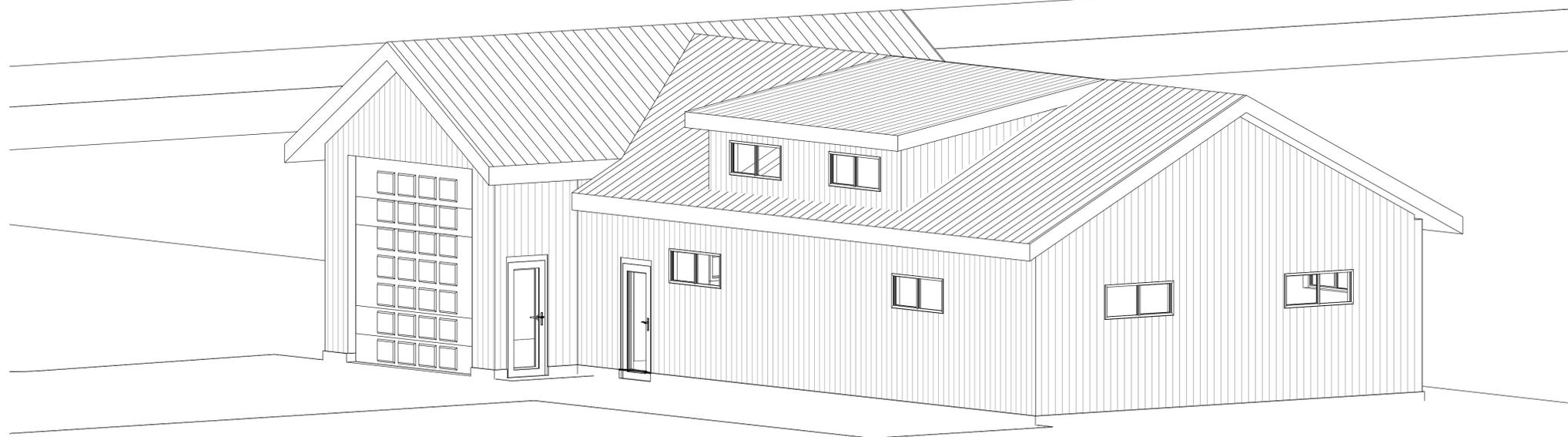
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**SITE PLAN**



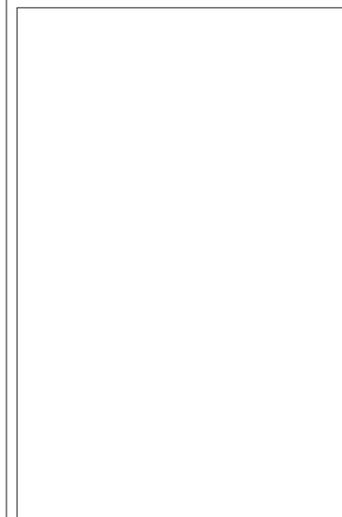
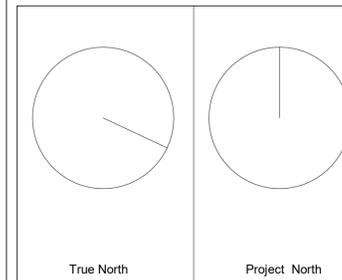
DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/24/23
DRAWING NUMBER A000	SCALE (@ A1) As indicated
REV 001	



1 Perspective 1



2 Perspective 2



GENERAL NOTES

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NAME: NICK BORGDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT  
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

*Nick Borgdorff*

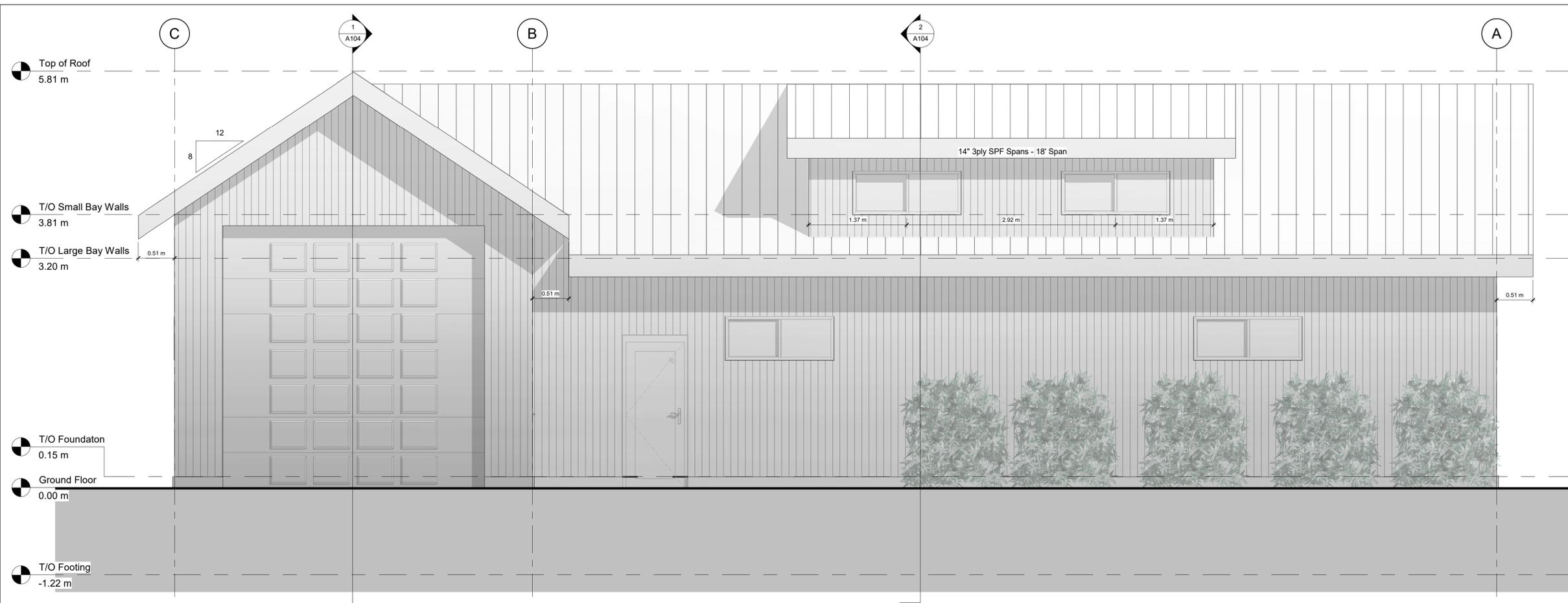
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Perspective Views



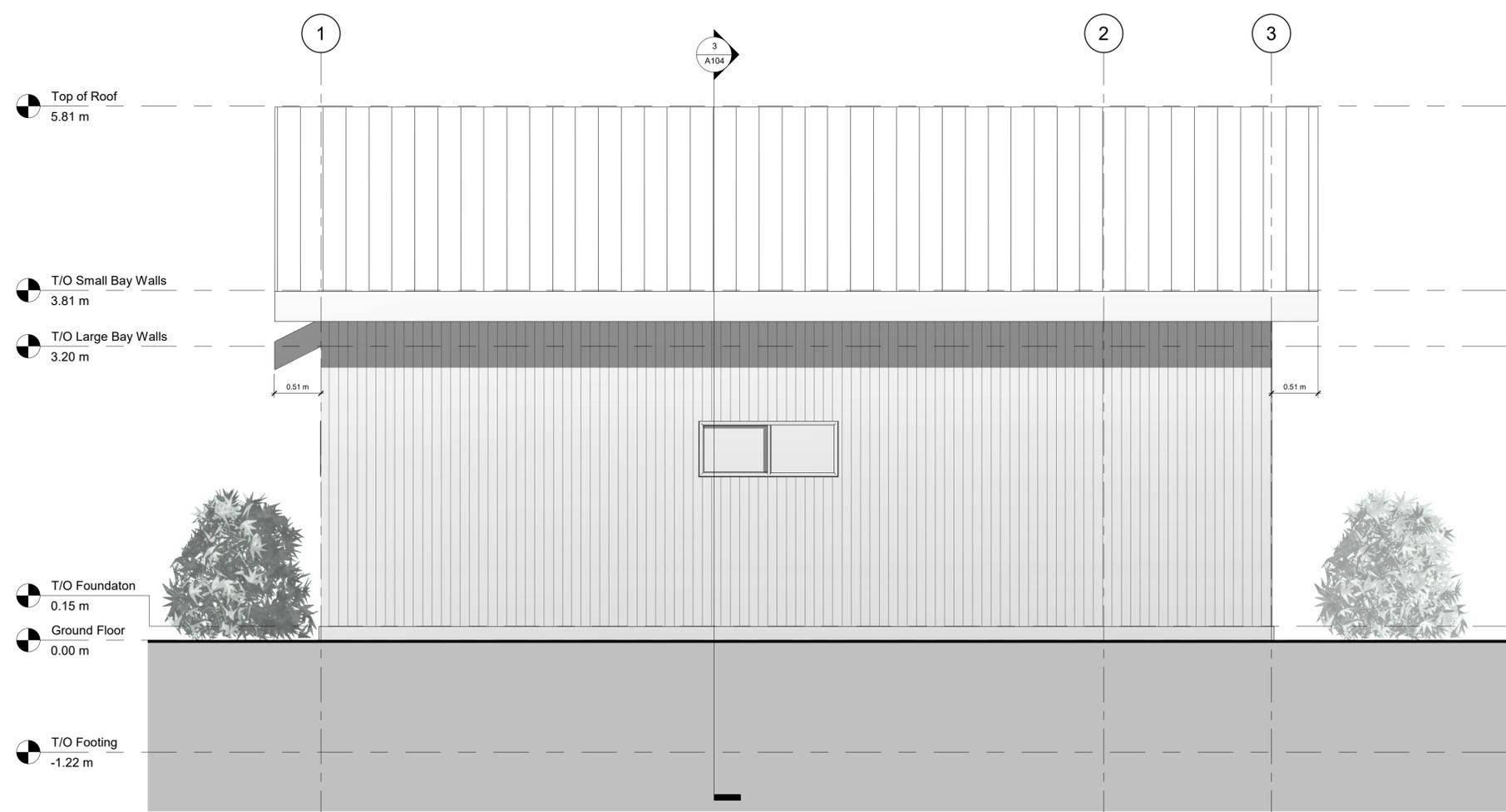
DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
	SCALE (@ A1)

DRAWING NUMBER A100	REV 001
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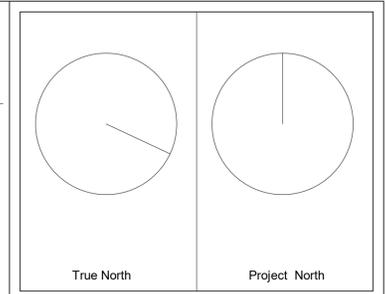




**1 N Elevation**  
1 : 32



**2 E Elevation**  
1 : 32



- GENERAL NOTES**
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NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT  
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

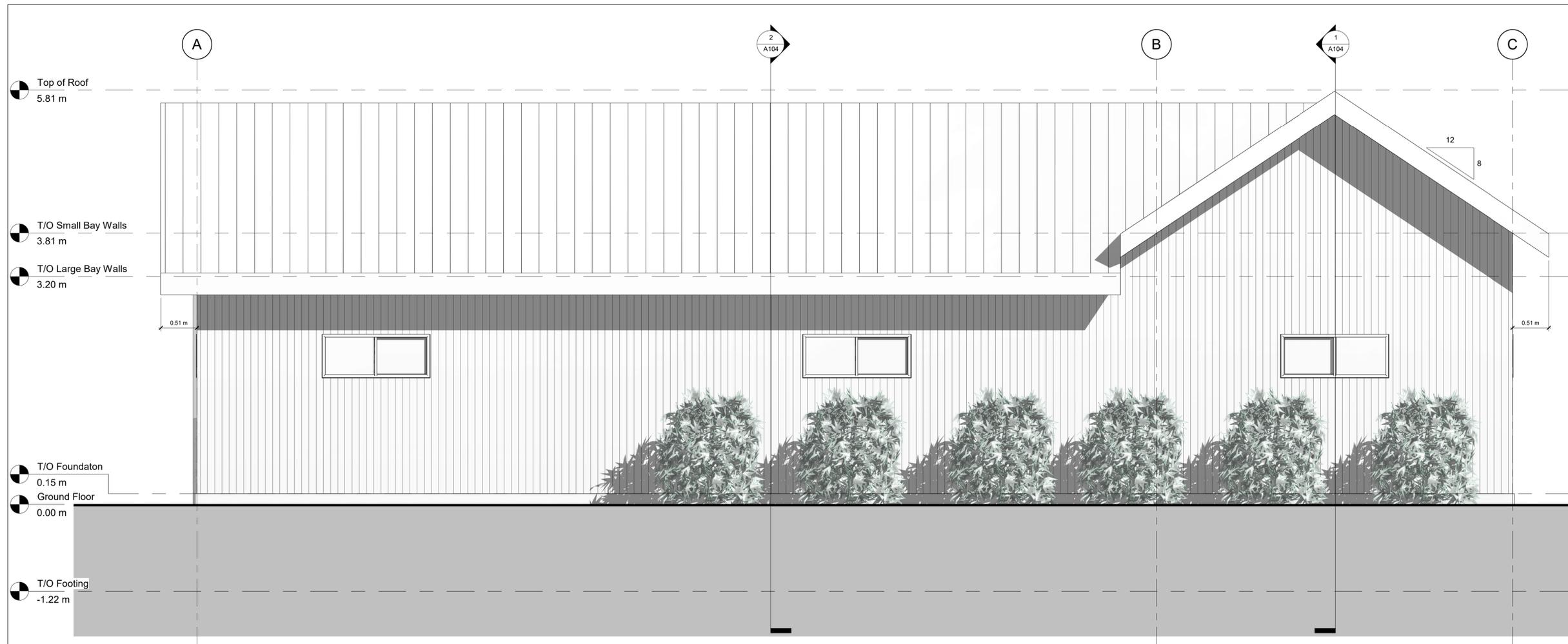
*Nick Borgdorff*

TITLE  
**NORTH & EAST ELEVATIONS**



DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/07
	SCALE (@ A1) 3/8" = 1'-0"

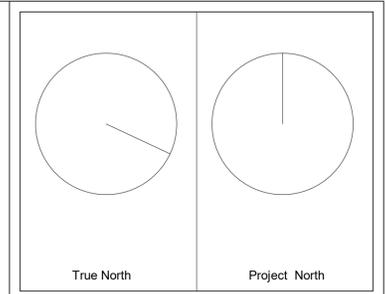
DRAWING NUMBER A102	REV 001
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**1 S Elevation**  
1 : 32



**2 W Elevation**  
1 : 32



- GENERAL NOTES
1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
  2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
  3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
  4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
  5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT  
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

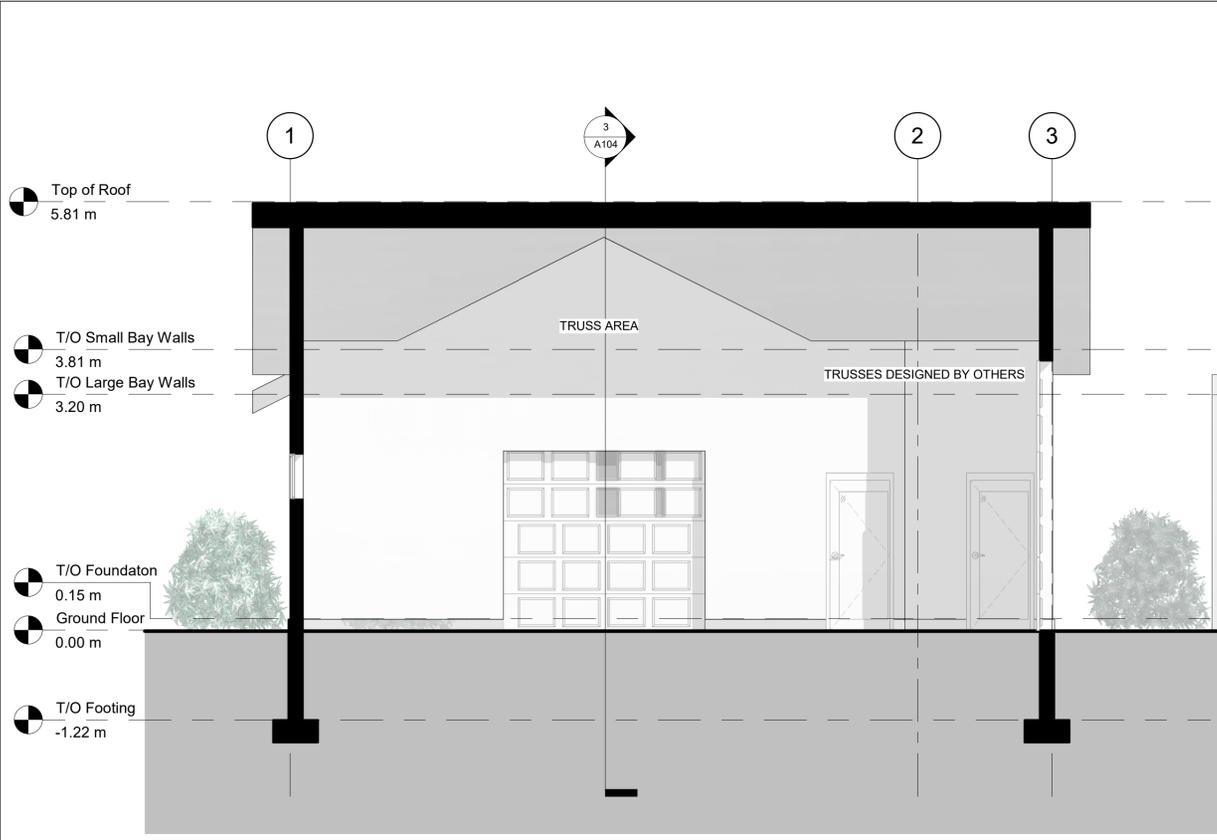
*Nick Borgdorff*

TITLE  
SOUTH & WEST ELEVATIONS

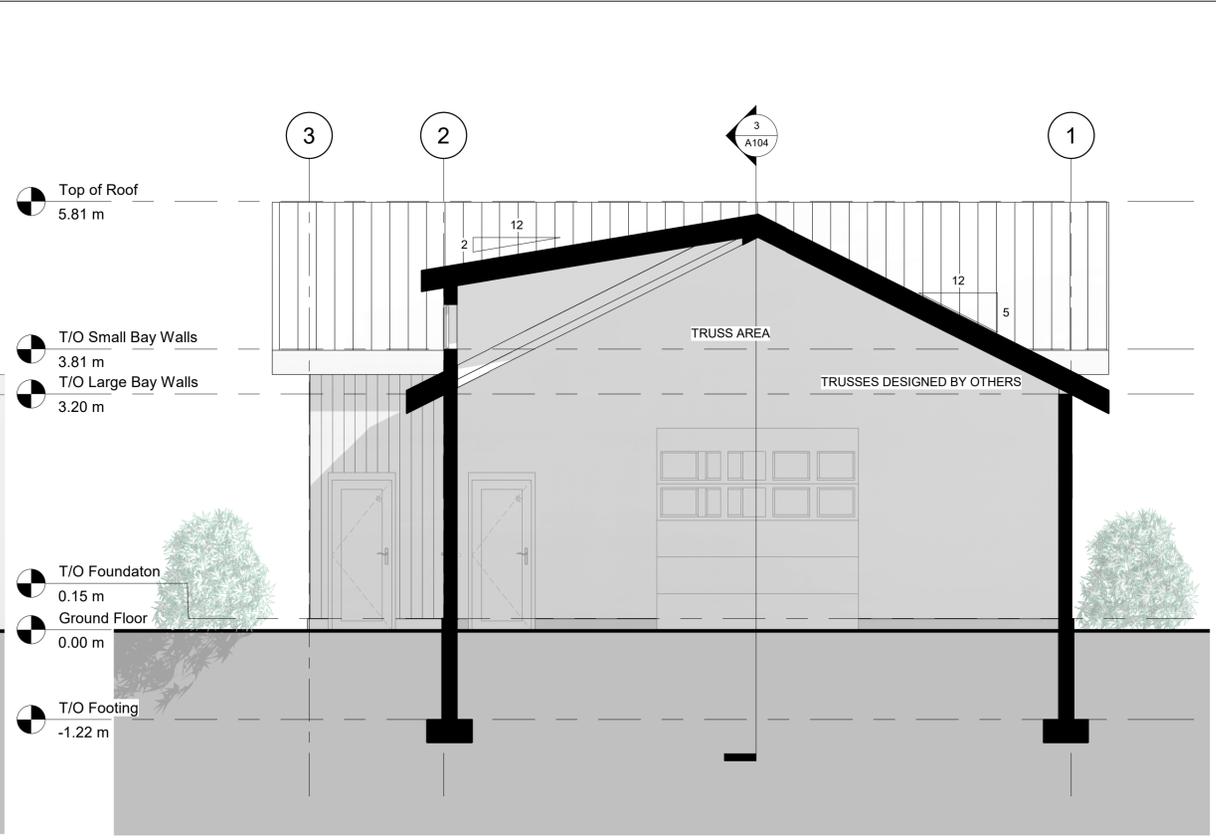


DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
	SCALE (@ A1) 1 : 32

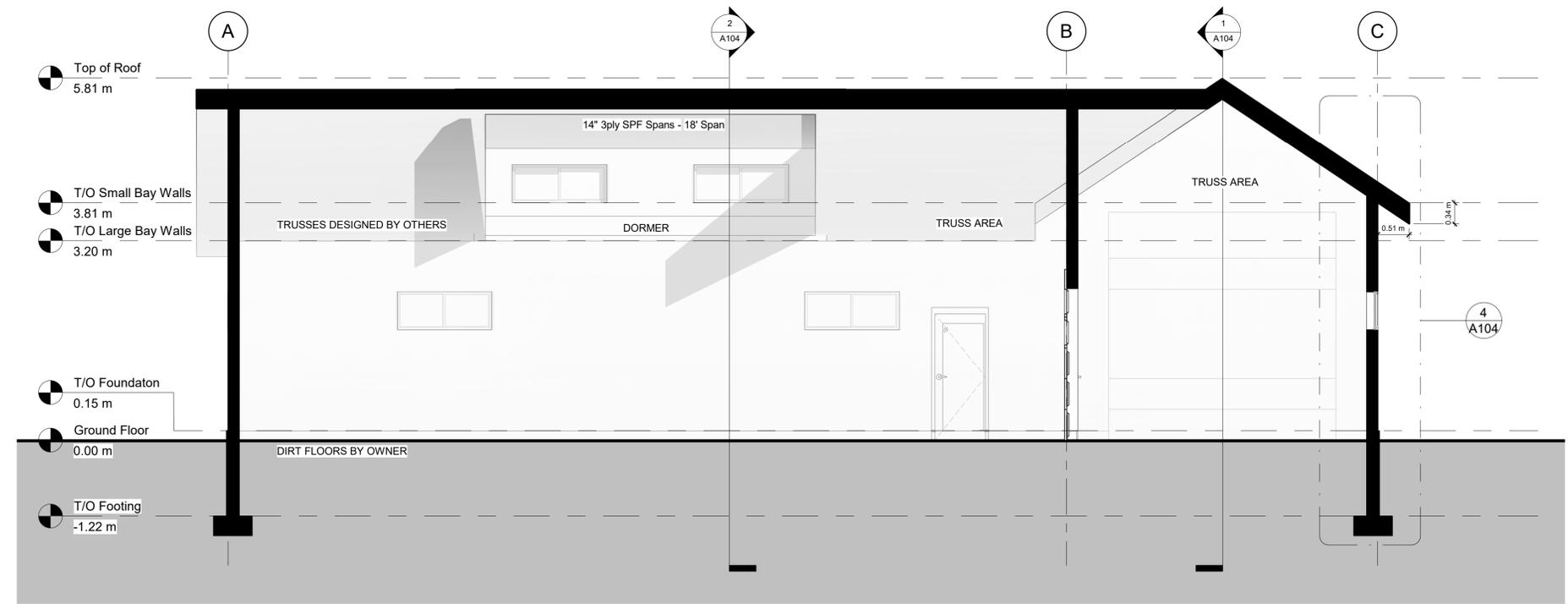
DRAWING NUMBER A103	REV 001
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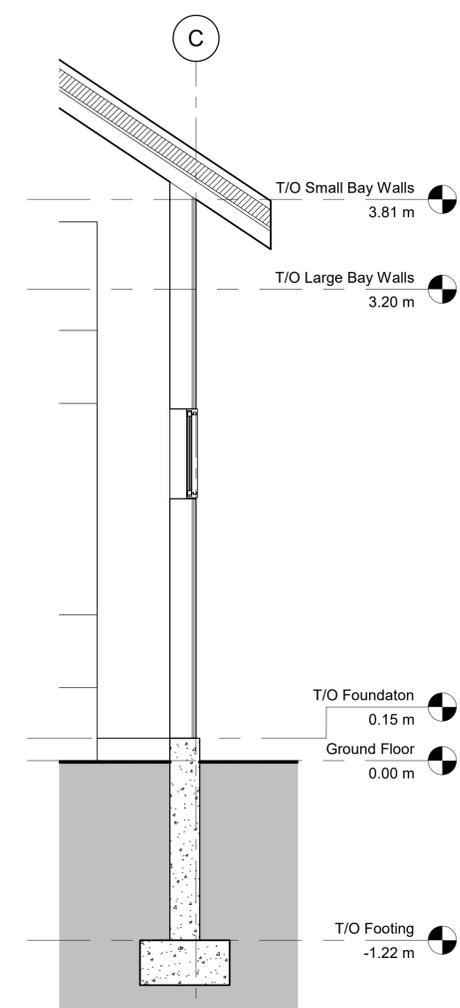
**1 Section One**  
1 : 48



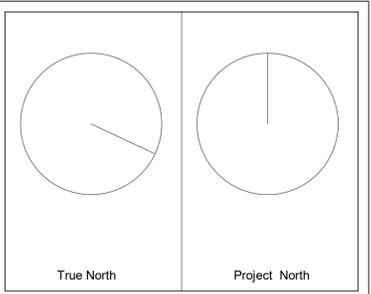
**2 Section Two**  
1 : 48



**3 Section Three**  
1 : 48



**4 Wall Section**  
1 : 24



**GENERAL NOTES**

1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT  
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

*Nick Borgendorff*

TITLE  
Sections



DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
DRAWING NUMBER A104	SCALE (@ A1) As indicated
	REV 001



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>	Bill Huizinga	
<b>Applicant(s)</b>	BNK Design and Construction	
<b>Agent or Solicitor</b>		

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent [REDACTED]

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	548 Weir Rd, South, Hamilton, ON		
Assessment Roll Number			
Former Municipality	Lynden		
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:

To build an Accessory structure that exceed lot coverage by-law.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

With the addition to the accessory structure, we exceed the lot coverage square footage by-law. However, due to the size of the lot, the maintenance is essential. we would use this non insulated, dirt floor storage for larger machinery. in addition, although we exceed the coverage based on square footage, we are well below the 5% by-law for A1 Zone.

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
83.99 Meters	151.86 Meters	11392.22 Sq.Meters	6.59 Meters

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 Dwelling	19.68 Meters	115.18 Meters	32.71 Meters & 28.84 Meters	
Storage	47.52 Meters	94.39 Meters	49.16 Meters & 14.35 Meters	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Structure	38.81 Meters	93.46 Meters	1.22 Meters & 28.8 Meters	07/21/2023

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
Single Dwelling	235 Sq. Meters	235 Sq. Meters	1	4.78 Meters
Storage	120 Sq. Meters	120 Sq. Meters	1	4.34 Meters

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Structure	160 Sq. Meters	160 Sq. Meters	1	5.81 Meters

- 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 and open area

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
single detached dwelling with sections of agriculture lands

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
single detached dwelling with sections of agriculture lands

7.4 Length of time the existing uses of the subject property have continued:  
As long as we were able to determine

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: Lynden

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

In order to preserve and maintain existing land we will need this accessory structure. By developing this non insulated structure we are in no way overbearing the subjected land.

7.6 What is the existing zoning of the subject land? A1 Zoning

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: A1 Zoning

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

 Yes No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

 Yes No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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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-23:36</b>	<b>SUBJECT PROPERTY:</b>	2004 GOVERNOR'S ROAD, ANCASTER
<b>ZONE:</b>	"S1" (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: NICHOLAS DIRAGO  
Agent: BM DESIGN STUDIO INC. C/O BENJAMIN MCFAGDEN

The following variances are requested:

1. An aggregate gross floor area for accessory building of 115.57m<sup>2</sup> shall be permitted instead of the maximum aggregate gross floor area for accessory buildings of 45m<sup>2</sup> permitted.

**PURPOSE & EFFECT:** To permit the construction of a new 102.2m<sup>2</sup> accessory building.

**Notes:**

1. It is noted the existing shed on the property has a GFA of 13.37m<sup>2</sup>
2. Height of the proposed accessory structure is noted as 4.39m, maximum permitted building height for an accessory structure is 4.5m. The applicant shall ensure that the height of the building has been measured from grade as defined in the zoning By-law; otherwise, additional variances may be required.

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</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</b>

**AN/A-23:36**

	<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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:36, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

AN/A-23:36



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

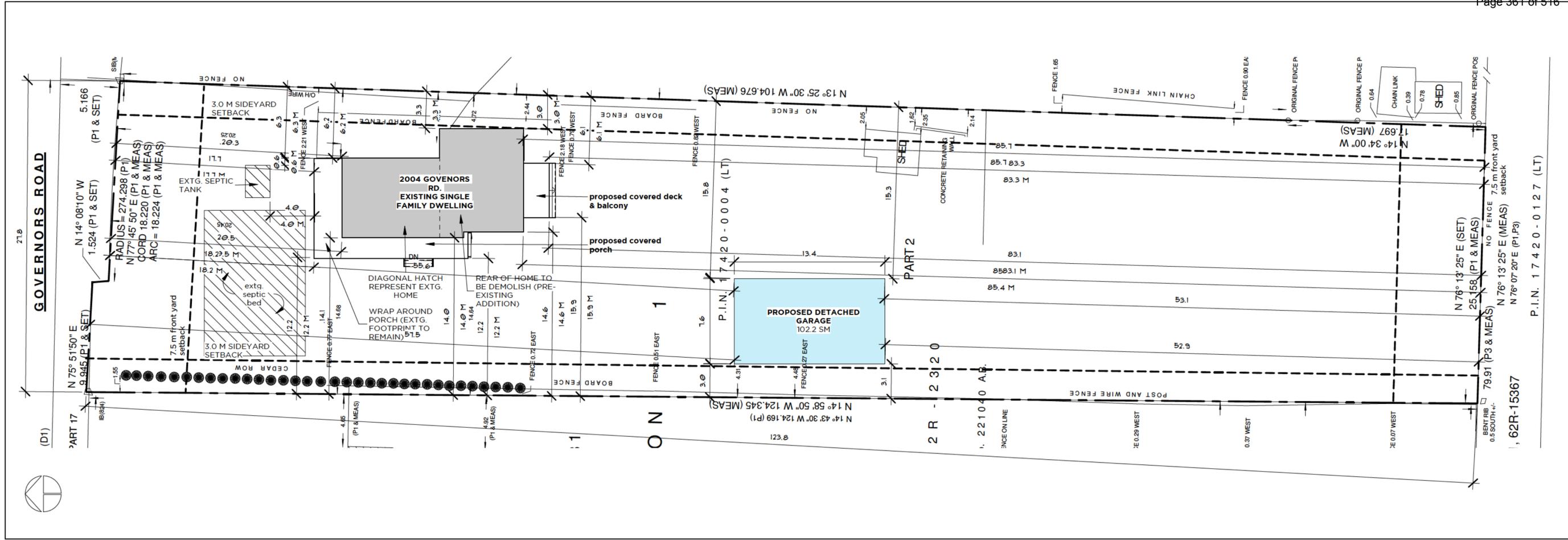
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

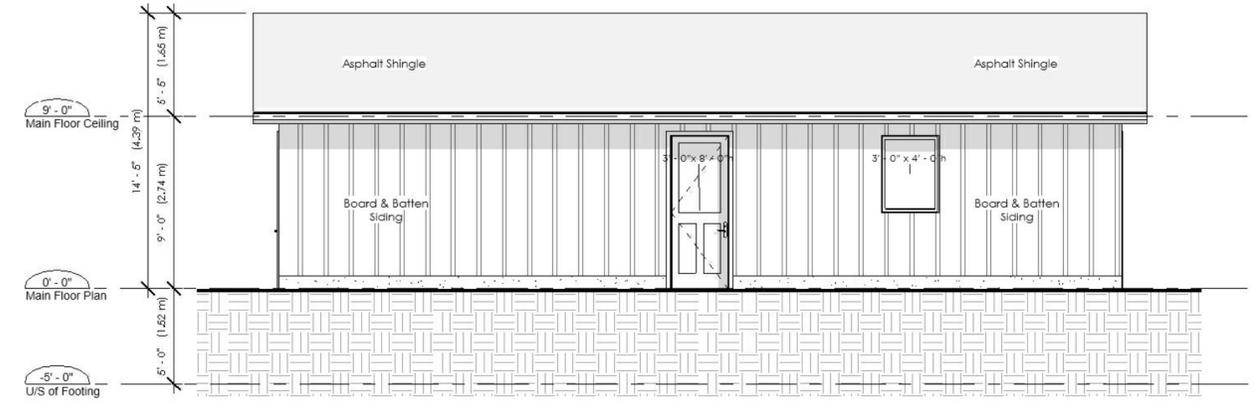
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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

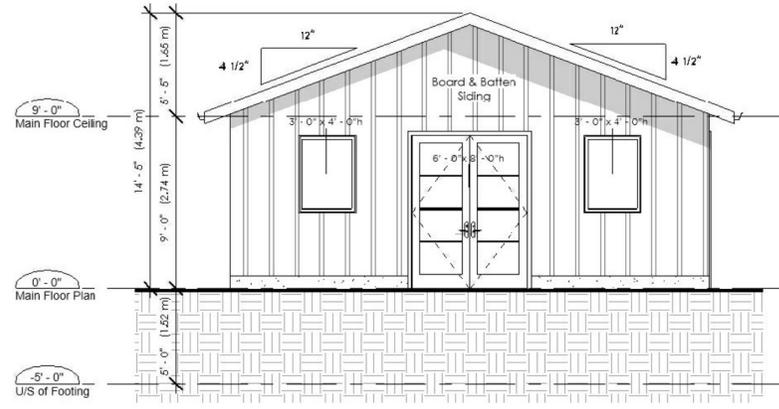
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



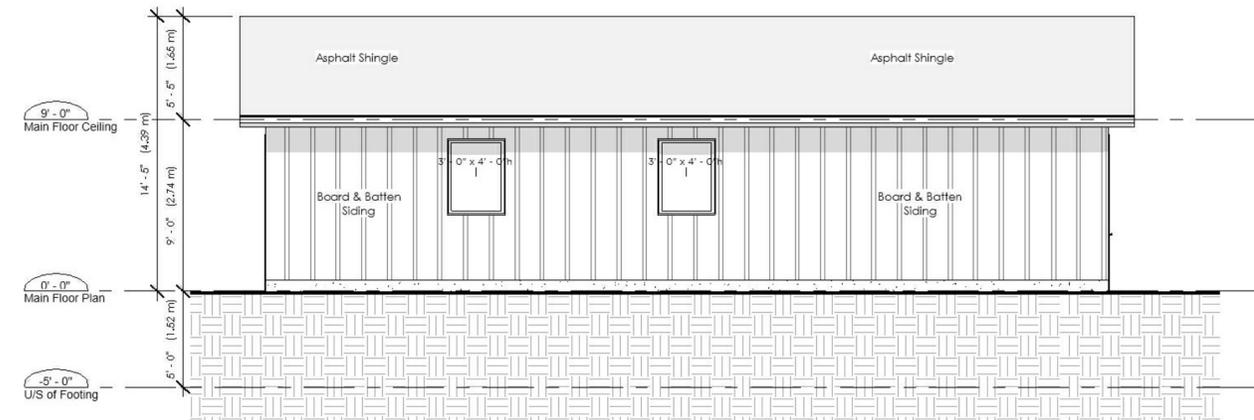
1 Site  
1:240



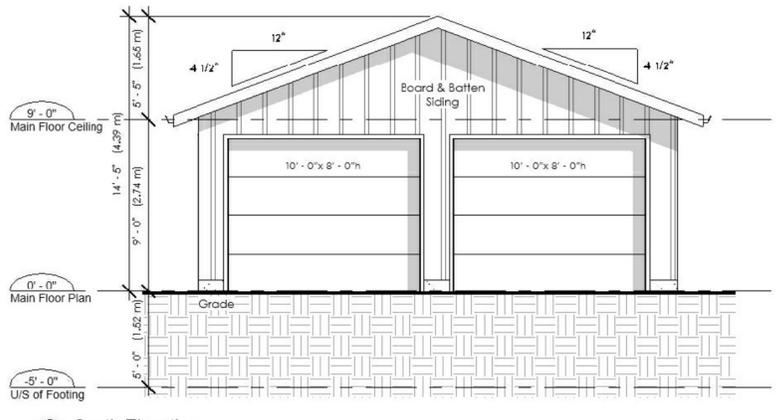
4 West Elevation  
3/16" = 1'-0"



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



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



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

NO.	DATE	REVISION

PROJECT  
Custom Addition  
**Copetown Custom Addition**

2004 Governors Rd. Copetown, OH

DRAWING NAME  
**Site Plan**

DATE 2023-05-21 11:40:06 PM	CHECKED BY 
SCALE AS SHOWN	PROJECT NO. GOV1
FILE GOV1	DRAWING NO. SP-1

**BM ARCHITECTURAL DESIGN**

EMAIL: [BEU@BMARCHITECTURALDESIGN.COM](mailto:BEU@BMARCHITECTURALDESIGN.COM)  
PHONE: 513.721.4465



Hamilton

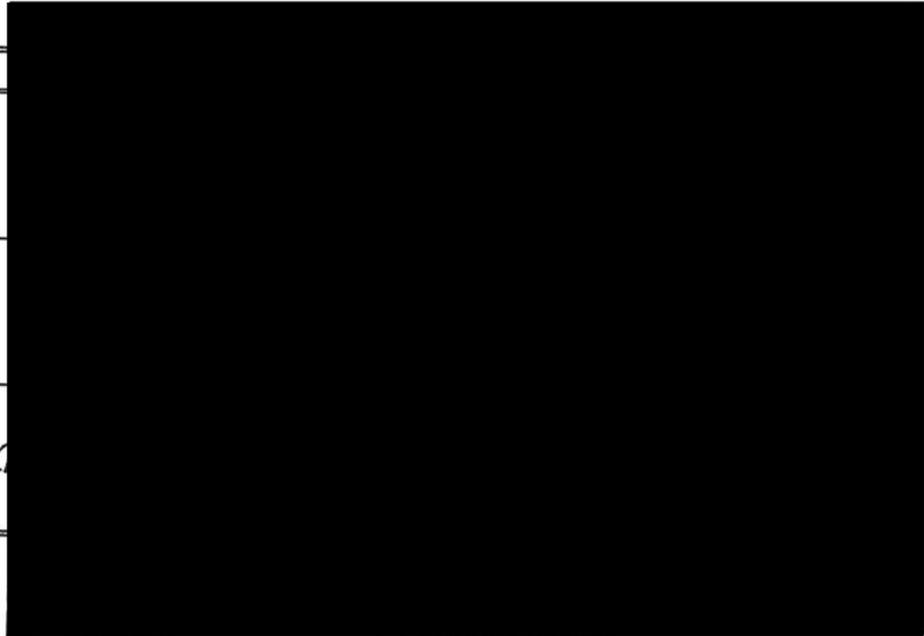
**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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
Registered Owners(s)	Nicholas Dirago
Applicant(s)	Nicholas Dirago
Agent or Solicitor	Ben McFadden BM design studios



1.2 All correspondence should be sent to

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 nick@paintinghamilton.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	2004 Governors Road, Copetown, ON, L0R1J0		
Assessment Roll Number			
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

MPAC Roll #: 2518 140 120 00800

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:

Size of accessory garage on existing property (1100 s.f.) of 2004 Governors Road.

*102.2 m<sup>2</sup>*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The minimum size is too small for the general use of the garage structure and does not meet the needs of the property.

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
<i>27.8m</i>	<i>123.8m</i>	<i>3,216.4 m<sup>2</sup></i>	<i>8.5m</i>

- 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
<i>Single detached home</i>	<i>20.3 m</i>	<i>85.7 m</i>	<i>3 m</i>	<i>1930<sup>s</sup></i>

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
<i>Detached garage</i>	<i>55.6 m</i>	<i>53 m</i>	<i>3 m</i>	<i>2023</i>

- 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
<i>Single detached home</i>	<i>130 m<sup>2</sup></i>	<i>260 m<sup>2</sup></i>	<i>2</i>	<i>9.8 m</i>

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
<i>Detached garage</i>	<i>102.2 m<sup>2</sup></i>	<i>102.2 m<sup>2</sup></i>	<i>1</i>	<i>4.39 m</i>

- 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 unit
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
- Single detached dwelling unit (east neighbour) and convenient store/house (west neighbour)

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- March 2017
- 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:
- 70 plus 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.
- Intensify the use of urban/rural properties*

- 7.6 What is the existing zoning of the subject land? S1
- 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: S1

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

Proposed detached accessory garage of <sup>102.2 m<sup>2</sup></sup> 1,100 square feet (refer to drawings attached for full dimensions). Structure to be located south west of existing house (see site plan attached) and to be 4.39 meters in height.

The proposed detached accessory garage will be used for vehicle storage and gardening equipment and materials. The size allowed is too small for the use and recreation of the property and we are asking for a minor variance to building the garage at 1,100 square feet to provide enough space for the planned use.

<sup>102.2 m<sup>2</sup></sup>

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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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-23:41</b>	<b>SUBJECT PROPERTY:</b>	3236 JERSEYVILLE ROAD W, ANCASTER
<b>ZONE:</b>	"A1" (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: SCOTT AND ANNE-MARIE TIPPING

The following variances are requested:

1. Accessory buildings shall be permitted to be located within the front yard instead of the requirement no accessory buildings or structures shall be located within a front yard.
2. A maximum accessory building height of 7.0m shall be permitted instead of the existing 6.0m maximum accessory building height required.
3. A maximum aggregate gross floor area of 324.7m<sup>2</sup> shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling in an A1 zone shall not exceed a maximum aggregate floor area of 200m<sup>2</sup>.

**PURPOSE & EFFECT:** To permit the construction of a proposed 62.4m<sup>2</sup> accessory building;

**Notes:**

1. Applicant to note section 4.8 f) of Hamilton zoning by-law 05-200, which states the following;  
  
Except as permitted in Subsection 4.18 a), an Accessory Building shall not be erected prior to the erection of the principal building or structure on the lot.
2. It is unclear if building height is provided as defined in Hamilton Zoning By-law 05-200. The applicant shall ensure that the height of the building has been measured from grade as defined in the zoning By-law; otherwise, additional variances may be required.

**AN/A-23:41**

**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, March 30, 2023</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.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:41, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

AN/A-23:41



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

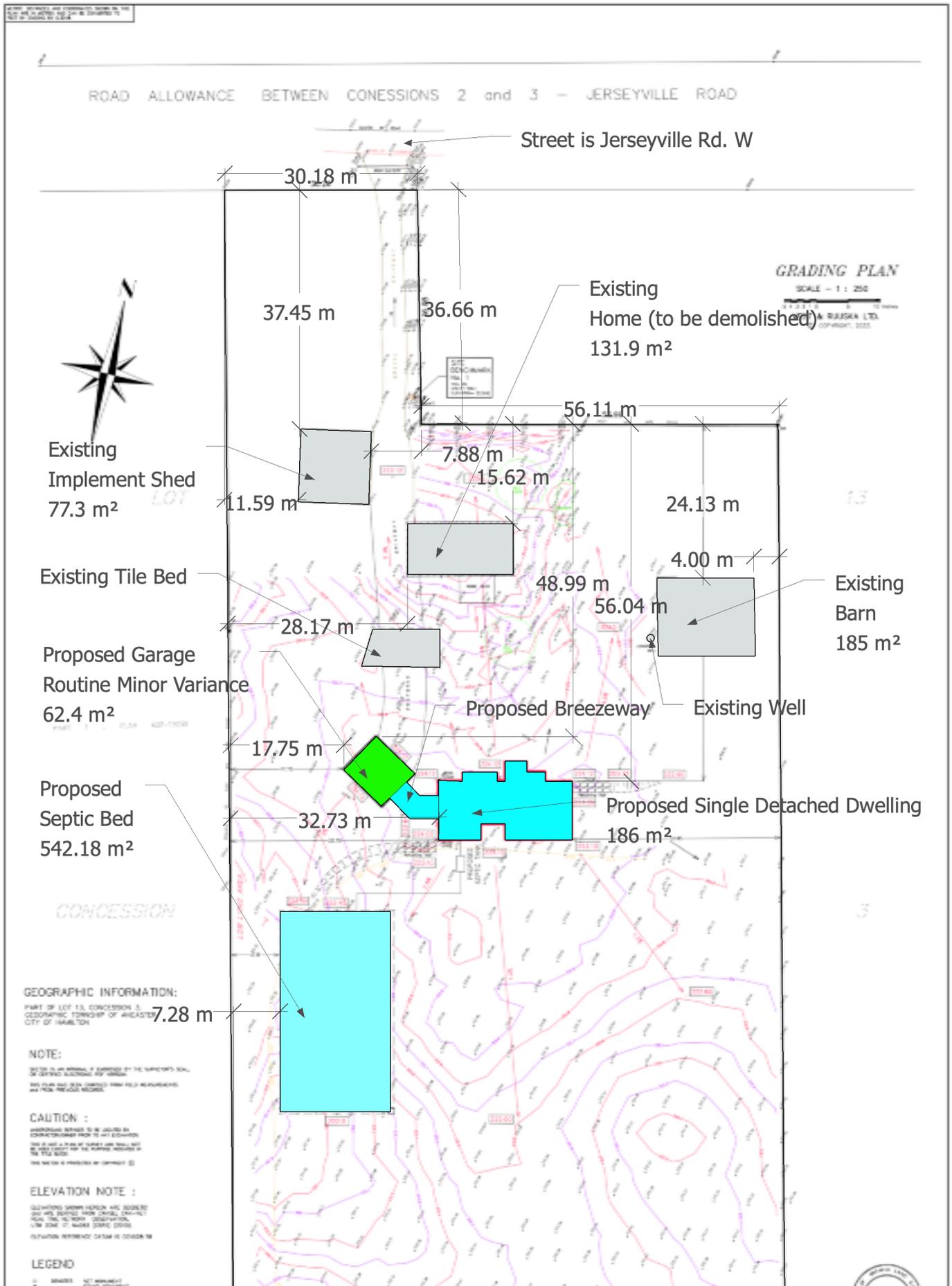
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



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

# ROAD ALLOWANCE BETWEEN CONCESSIONS 2 and 3 - JERSEYVILLE ROAD

## GRADING PLAN

SCALE - 1 : 250

5 4 3 2 1 0 5 10 Metres

WEST & RUUSKA LTD.

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LOT

13

PART 1 PLAN 62R-19232

CONCESSION

### GEOGRAPHIC INFORMATION:

PART OF LOT 13, CONCESSION 3,  
GEOGRAPHIC TOWNSHIP OF ANCASTER  
CITY OF HAMILTON

### NOTE:

SKETCH IS AN ORIGINAL IF EMBOSSED BY THE SURVEYOR'S SEAL OR CERTIFIED ELECTRONIC PDF VERSION.

THIS PLAN HAS BEEN COMPILED FROM FIELD MEASUREMENTS AND FROM PREVIOUS RECORDS.

### CAUTION :

UNDERGROUND SERVICES TO BE LOCATED BY CONTRACTOR/OWNER PRIOR TO ANY EXCAVATION.

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

THIS SKETCH IS PROTECTED BY COPYRIGHT ©

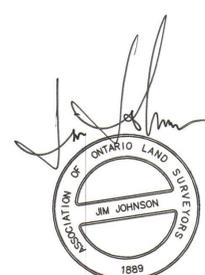
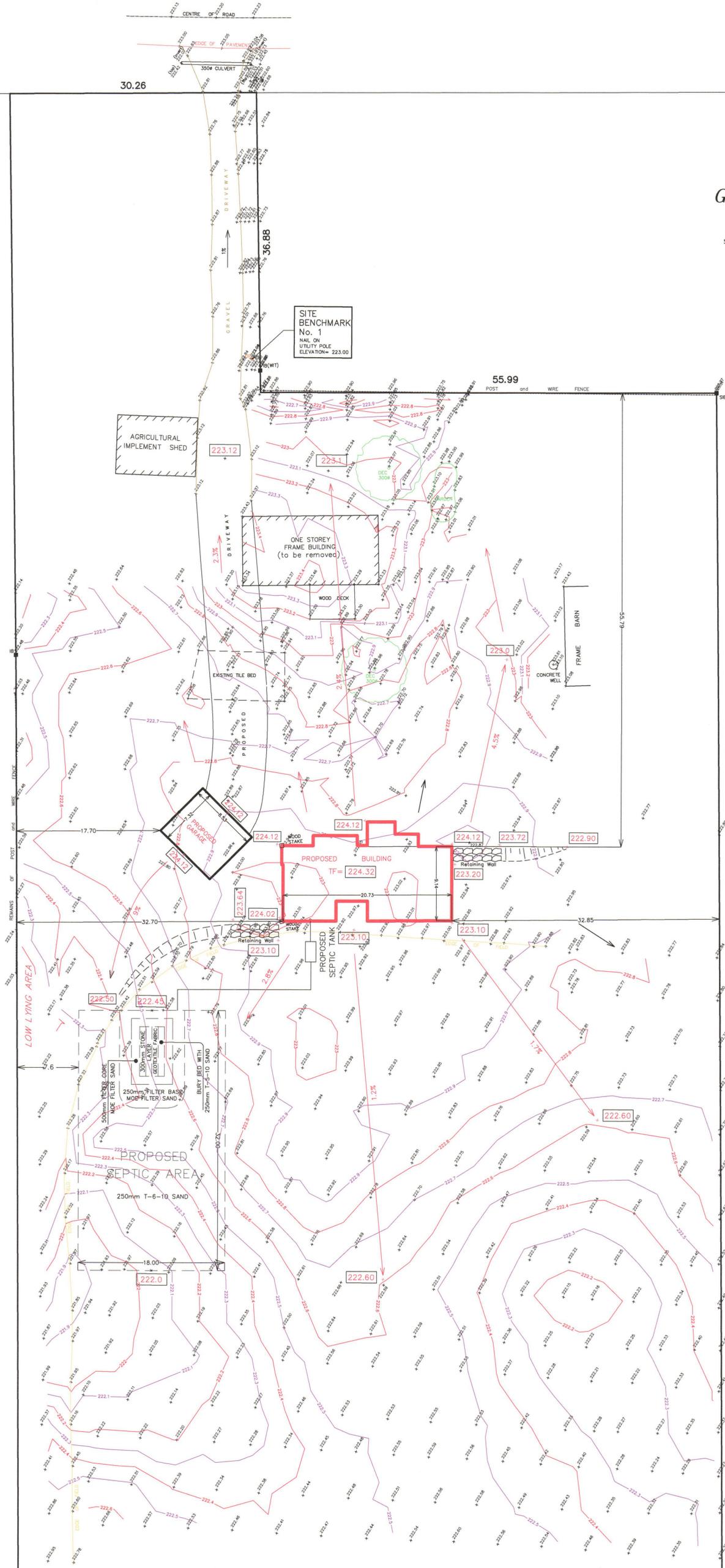
### ELEVATION NOTE :

ELEVATIONS SHOWN HEREON ARE GEODETIC and ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION UTM ZONE 17, NAD83 (CSRS) (2010).

ELEVATION REFERENCE DATUM IS CGVD28:78

### LEGEND

SYMBOL	DENOTES	SET
□	DENOTES	SET MONUMENT
•	•	FOUND MONUMENT
IB	•	IRON BAR
IBB	•	ROUND IRON BAR
SIB	•	STANDARD IRON BAR
SSIB	•	SHORT STANDARD IRON BAR
UP	•	UTILITY POLE
DEC	•	DECIDUOUS TREE
Ø	•	DIAMETER (millimetres)
→	→	PROPOSED SWALE
→	→	GENERAL DRAINAGE
TF	TF	TOP OF FOUNDATION ELEVATION
UF	UF	UNDERSIDE OF FOOTING ELEVATION
FF	FF	FINISHED FLOOR ELEVATION
208.00	208.00	ACTUAL FIELD ELEVATION
208.00	208.00	DESIGN ELEVATION



**WEST & RUUSKA LTD.**  
Land Surveyors  
17 NELSON STREET, BRANTFORD, ONTARIO, N3T 2M6  
Telephone (519)752-8641  
DRAWN BY: Ted S. KUTYLAK, CST, CEF

Date: 14 February, 2023.

P220081



147 Norpark Ave.
Mount Forest, ON N0G 2L0
Phone (519) 323-3336
Fax (519) 323-3382

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GENERAL CONTRACTOR
Precise Projects
11 Four Winds Place
Dundas, ON L9H 3Y1
Phone (905) 512-0078
Contact Rick Wiersma
Cell (905) 807-7094

# ANNE-MARIE & SCOTT TIPPING

3236 JERSEYVILLE RD W, JERSEYVILLE, ON

PROJECT SQUARE FOOTAGE
BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT
SECOND FLOOR - 0 SQFT

NO.	ISSUED FOR	DATE	BY
01	CLIENT REVIEW	22DEC2021	LM
02	CLIENT REVIEW	11FEB2022	LM
03	CLIENT REVIEW	28FEB2022	LM
04	WINDOW & DOOR QUOTE	22MAR2022	LM
05	CLIENT REVIEW	22APR2022	LM
06	CLIENT REVIEW	03MAY2022	LM
07	FOUNDATION LAYOUT	05MAY2022	LM
08	WINDOW & DOOR QUOTE	02JUNE2022	LM
09	ENGINEERING	19AUG2022	LM
10	ENGINEERING	29SEPT2022	LM
11	FINAL ENGINEERING	05OCT2022	LM
12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

PROJECT NO: 21-233
PROJECT FILE:
Tipping-21233.pln
DRAWN BY: LAURA MACHAN
SCALE: 1" = 1'-0"
DATE: January 17, 2023

SHEET TITLE
COVER SHEET

# A-001

SHEET 1 OF 25

### Issued

COVER SHEET & GENERAL INFO	
A-001	COVER SHEET <input checked="" type="checkbox"/>

PLANS	
A-101	FOUNDATION LAYOUT <input checked="" type="checkbox"/>
A-102	FOUNDATION PLAN <input checked="" type="checkbox"/>
A-103	BASEMENT PLAN <input checked="" type="checkbox"/>
A-104	1st FLOOR FRAMING PLAN <input checked="" type="checkbox"/>
A-105	1st FLOOR PLAN <input checked="" type="checkbox"/>
A-106	2nd FLOOR FRAMING PLAN <input type="checkbox"/>
A-107	2nd FLOOR PLAN <input type="checkbox"/>
A-108	ROOF PLAN <input checked="" type="checkbox"/>

ELEVATIONS	
A-201	ELEVATIONS <input checked="" type="checkbox"/>
A-202	ELEVATIONS <input checked="" type="checkbox"/>

SECTIONS	
A-301	SECTIONS <input checked="" type="checkbox"/>
A-302	SECTIONS <input checked="" type="checkbox"/>
A-303	SECTIONS <input checked="" type="checkbox"/>

DETAILS	
A-401	DETAILS <input checked="" type="checkbox"/>

SCHEDULES	
A-501	R.O. SCHEDULES <input checked="" type="checkbox"/>
A-502	WINDOW SCHEDULE <input checked="" type="checkbox"/>
A-503	WINDOW SCHEDULE <input checked="" type="checkbox"/>
A-504	EXTERIOR DOOR SCHEDULE <input checked="" type="checkbox"/>
A-505	INTERIOR DOOR SCHEDULE <input checked="" type="checkbox"/>
A-506	FINISH SCHEDULE <input type="checkbox"/>
A-507	ROOM SCHEDULE <input type="checkbox"/>

ELECTRICAL SHEETS	
E-101	BASEMENT ELECTRICAL <input type="checkbox"/>
E-102	FIRST FLOOR ELECTRICAL <input type="checkbox"/>
E-103	SECOND FLOOR ELECTRICAL <input type="checkbox"/>



TACOMA ENGINEERS
Firm BCIN: 29604
The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below:
[ ] Building Structural
[ ] Complex Buildings
[ ] Large Buildings
[ ] Small Buildings
Signature: Brandon Martin
Designer: Brandon Martin
Designer BCIN: 34596
Date: January 17, 2023
BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG

ZONE 1 - COMPLIANCE PACKAGE 'A3' [OBC SB-12 TABLE 3.1.1.2.A.]			
COMPONENT	NOMINAL	EFFECTIVE	
CEILING WITH ATTIC SPACE (MIN. R-VALUE)	50	49.23	
CEILING WITHOUT ATTIC SPACE (MIN. R-VALUE)	31	27.65	
EXPLODED FLOOR (MIN. R-VALUE)	35	32.02	
WALLS ABOVE GRADE (MIN. R-VALUE)	14 + 7.5ci	18.62	
BASEMENT WALLS (MIN. R-VALUE)	20ci	21.12	
BELOW GRADE SLAB ENTIRE SURFACE > 600mm BELOW GRADE (MIN. R-VALUE)	-	-	
HEATED SLAB or SLAB ≤ 600mm BELOW GRADE (MIN. R-VALUE)	10	11.13	
EDGE OF BELOW GRADE SLAB ≤ 600mm BELOW GRADE (MIN. R-VALUE)	10	-	
WINDOWS & SLIDING GLASS DOORS (MIN. U-VALUE)	0.21	-	
SKYLIGHTS (MIN. U-VALUE)	0.49	-	
SPACE HEATING EQUIPMENT (MIN. AFUE)	94%	-	
HRV (MIN. SRE)	81%	-	
DOMESTIC WATER HEATER (MIN. EF)	0.67	-	

AREA OF GLAZED OPENINGS IN EXTERIOR WALLS:

EXPOSING BUILDING FACE:	2,844 sq.ft.
UNPROTECTED OPENINGS:	434 sq.ft.
UNPROTECTED OPENINGS %:	15.3 %

# TIPPING RESIDENCE

### BUILDING CODE NOTES:

- GENERAL NOTES:
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2012 ONTARIO BUILDING CODE.
  - WHERE THERE ARE DISCREPANCIES ON THE DRAWINGS AND THE OBC DO NOT AGREE, THE MOST STRINGENT CONDITIONS SHALL APPLY.
  - CONTRACTOR TO VERIFY CONDITIONS AND MEASUREMENTS AT THE SITE AND REPORT TO THE DESIGNER ANY DISCREPANCIES OR CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE PROJECT BEFORE PROCEEDING WITH THE WORK.
  - CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

- MECHANICAL & ELECTRICAL SERVICES:
- MECHANICAL AND ELECTRICAL SERVICES SHALL BE LOCATED ON SITE BY OTHERS. CLEARANCES AND INSTALLATION SHALL BE AS PER LOCAL CODE REQUIREMENTS.
  - GENERAL CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PROPER FUNCTION OF PLUMBING HVAC AND ELECTRICAL SYSTEMS.
  - FLOOR DRAIN SHALL BE PROVIDED IN BASEMENT (WHERE SHOWN), CONNECTION AS PER LOCAL CODES.
  - WHERE GRAVITY DRAINAGE IS NOT PRACTICAL, PROVIDE A COVERED SLUMP PIT WITH AN AUTOMATIC PUMP FOR DISCHARGING WATER INTO SEWER. DRAINAGE DITCH OR DRY WELL, SLUMP PIT SHALL HAVE A CHILD PROOF LID.

- ALARMS AND DETECTORS:
- SMOKE ALARMS SHALL BE INSTALLED SO THAT THERE IS AT LEAST ONE SMOKE ALARM ON EACH FLOOR LEVEL, INCLUDING BASEMENTS.
  - A SMOKE ALARM SHALL BE INSTALLED IN EVERY BEDROOM (SLEEPING ROOM) AND IN A LOCATION BETWEEN SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, SMOKE ALARM TO BE LOCATED IN THE HALLWAY.
  - SMOKE ALARMS TO HAVE VISUAL AND AUDIBLE SIGNALING COMPONENT.
  - A CARBON MONOXIDE DETECTOR SHALL BE INSTALLED ADJACENT TO EACH SLEEPING AREA AND ON EACH LEVEL THAT CONTAINS A SLEEPING AREA.
  - ALARMS AND DETECTORS SHALL BE PERMANENTLY CONNECTED TO AN ELECTRICAL CIRCUIT AND BE INTERCONNECTED SO THAT THE ACTIVATION OF ONE ALARM OR DETECTOR WILL CAUSE ALL ALARMS AND DETECTORS WITHIN THE DWELLING UNIT TO SOUND.

- GUARDS:
- GUARDS SHALL BE PROVIDED WHEN THE DIFFERENCE IN ELEVATION IS MORE THAN 24" BETWEEN THE WALKING SURFACE AND ADJACENT SURFACE. AT ALL INTERIOR STAIRS MORE THAN 2 RISERS AND AT ALL LANDINGS OR FLOOR LEVELS AROUND THE STAIRWELL THAT ARE NOT PROTECTED BY A WALL.
  - GUARDS TO BE MINIMUM 42" HIGH, EXCEPT FOR WHERE EXTERIOR WALKING SURFACE AND ADJACENT GROUND LEVEL IS NOT GREATER THAN 6"-11" OR WHERE GUARDS ARE WITHIN DWELLING UNIT GUARDS MAY BE 36" HIGH.

- STAIRS:
- RISE TO BE MINIMUM 5" TO MAXIMUM 7" 7/8".
  - RUN TO BE MINIMUM 9" TO MAXIMUM 14".
  - TREAD TO BE MINIMUM 9 1/4" TO MAXIMUM 14".
  - NOSES TO BE MAXIMUM 1".
  - STAIR WIDTH TO BE MINIMUM 2'-10".
  - HEADROOM CLEARANCE TO BE MINIMUM 6'-5".
  - HANDRAIL HEIGHT TO BE MINIMUM 2'-10" TO MAXIMUM 3'-2".
  - GUARD RAIL TO BE MINIMUM 35 1/2" HIGH.

- ABOVE GRADE MASONRY:
- TIES FOR MASONRY VENEER SHALL HAVE A MAXIMUM SPACING AS PER ONE OF THE FOLLOWING:
    - 400 O/C VERTICAL AND 800 O/C HORIZONTAL
    - 600 O/C VERTICAL AND 600 O/C HORIZONTAL
    - 800 O/C VERTICAL AND 400 O/C HORIZONTAL
  - MASONRY VENEER TIES AND FASTENERS TO BE CORROSION-RESISTANT. TIES SHALL BE FASTENED TO WALL STUDS.
  - WEEP HOLES TO BE PROVIDED AT THE BOTTOM COURSE OF THE CAVITY AND OVER WINDOWS & DOORS, NO MORE THAN 32" APART.
  - A TROUGH WALL FLASHING TO BE INSTALLED BENEATH WEEP HOLES.

- BATHROOMS:
- PROVIDE MOISTURE RESISTANT DRYWALL TO PERIMETER OF INTERIOR BATHROOM WALLS AND CEILING.
  - IN MAIN BATHROOM, STUD WALLS ADJACENT TO WATER CLOSET, SHOWERS OR BATHTUBS TO BE REINFORCED WITH SOLID 2X8 BLOCKING TO PERMIT FUTURE INSTALLATION OF GRAB BARS.

- ROOF VENTING:
- ROOF TO BE EQUALLY VENTILATED BETWEEN SOFFIT AND TOP OF ROOF SPACE WITH VENTED SOFFITS, ROOF OR GABLE VENTS.
  - ATTICS OR ROOF SPACES TO BE VENTED A MINIMUM 1/300 OF INSULATED ROOF AREA. WHERE ROOF SLOPE IS LESS THAN 1 IN 6 OR CONSTRUCTED WITH ROOF JOISTS, THE REQUIRED VENTING SHALL BE MINIMUM 1/150 OF INSULATED ROOF AREA.
  - INSTALL RAFTER VENTS AT EAVE BETWEEN EVERY RAFTER / TRUSS.

- GARAGE:
- WHERE THERE IS AN ATTACHED GARAGE, PROVIDE AIR BARRIER SYSTEM IN WALL(S) AND CEILING(S) BETWEEN LIVING AREAS AND THE GARAGE TO PROVIDE AN EFFECTIVE BARRIER TO GAS AND EXHAUST FUMES.
  - DOOR BETWEEN GARAGE AND THE HOUSE TO BE TIGHT-FITTING, WEATHER-STRIPPED AND BE PROVIDED WITH A SELF-CLOSING DEVICE.

- FOUNDATION DRAINAGE:
- PROVIDE TROWEL OR ROLL APPLIED DAMPPROOFING ON EXTERIOR CONCRETE FOUNDATION WALLS THAT CONTAIN A BASEMENT.
  - FOR FOUNDATION WALLS CONTAINING A BASEMENT PROVIDE RIGID PLASTIC DRAINAGE BOARD FROM GRADE TO WEEPING TILE. FASTEN SYSTEM AS PER MANUFACTURERS INSTRUCTIONS COMPLETE WITH TERMINATION BAR AT THE TOP.
  - DRAINAGE SHALL BE PROVIDED AT THE BOTTOM OF EVERY FOUNDATION WALL THAT CONTAINS THE BUILDING INTERIOR. INSTALL PERIMETER WEEPING TILE, MINIMUM 4" DIAMETER CWI MINIMUM 6" STONE COVER TOP AND SIDES.
  - DRAIN WEEPING TILE TO COVERED (CHILDPROOF & SEALED) SLUMP BASIN LOCATED AS NOTED ON THE DRAWINGS OR TO AN EXISTING SLUMP PIT. PROVIDE SUBMERSIBLE PUMP TO DISCHARGE WATER INTO SEWER, DRAINAGE DITCH OR DRY WELL.
  - PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.

- HVAC:
- IF A MECHANICAL HEATING (AND POSSIBLY COOLING) SYSTEM IS REQUIRED, HEATING AND COOLING SYSTEMS SHALL BE DESIGNED BY OTHERS AND PROVIDED FOR THE CITY OR MUNICIPALITY WHEN REQUIRED.
  - OTHERS AND PROVIDE FOR THE CITY OR MUNICIPALITY WHEN REQUIRED.
  - PROVIDE MIN. 50 CFM EXHAUST FANS VENTED TO THE EXTERIOR IN ALL WASHROOMS, AND IN THE KITCHEN.
  - IN LAUNDRY ROOMS, ENSURE DRYER IS VENTED TO THE EXTERIOR. USE ONLY STRAIGHT RUN DUCT WORK, NOT FLEX DUCT. MINIMIZE LONG RUNS AND ELBOWS IN EXHAUST FANS. EXCESSIVELY LONG RUNS WILL BE REQUIRED AN IN-LINE BOOSTER FAN.
  - DO NOT EXHAUST ANY EXHAUST FANS INTO THE ATTIC SPACE. ALL EXHAUST FANS SHALL EXTEND WITHIN THE FLOOR STRUCTURE OR BELOW THE STRUCTURE WITHIN A BULKHEAD TO THE EXTERIOR WALL. TERMINATE WITH AN APPROVED VENT COVER THAT WILL NOT PERMIT VERMIN FROM ENTERING THE BUILDING.

- ELECTRICAL:
- ALL ELECTRICAL WORK SHALL COMPLY WITH THE CANADIAN ELECTRICAL CODE AND THE ELECTRICAL SAFETY AUTHORITY.
  - CONTRACTOR SHALL APPLY FOR AND OBTAIN AN ELECTRICAL PERMIT FROM THE ELECTRICAL SAFETY AUTHORITY.
  - ALL ROOMS SHALL HAVE CEILING MOUNTED LIGHTS CONTROLLED WITH AT LEAST ONE SWITCH.
  - AN EXTERIOR LIGHT SWITCH SHALL BE PROVIDED AT EVERY ENTRANCE.
  - STAIRS SHALL BE LIGHTED AND CONTROLLED BY A THREE-WAY SWITCH AT THE TOP AND BOTTOM OF STAIRS EXCEEDING 3 RISERS.
  - RECEPTACLES SHALL BE LOCATED ALONG THE WALLS ACCORDING TO THE REQUIREMENTS OF THE CANADIAN ELECTRICAL CODE.
  - THE ELECTRICAL CONTRACTOR SHALL WORK WITH THE OWNER IN SELECTING THE APPROPRIATE LOCATION FOR LIGHT FIXTURES AND SWITCHES.
  - THE ELECTRICAL CONTRACTOR SHALL WORK WITH THE OWNER TO PICK ALL FIXTURES TO BE USED.
  - PROVIDE OWNER WITH FINAL CERTIFICATE OF APPROVAL FROM THE ELECTRICAL SAFETY AUTHORITY AT THE COMPLETION OF THE FINAL ELECTRICAL INSPECTION.

### STRUCTURAL NOTES:

- GENERAL NOTES:
- UNLESS NOTED OTHERWISE ON THE DRAWINGS, THE FOLLOWING NOTES SHALL GOVERN.
  - ALL WORK ON THIS PROJECT SHALL CONFORM TO THE 2012 ONTARIO BUILDING CODE (OBC 2012/2020), ANY LOCAL REGULATIONS AND BYLAWS, AND THE 2012 OCCUPATIONAL HEALTH AND SAFETY ACT (OHSA) FOR CONSTRUCTION PROJECTS. ALL CODES AND STANDARDS SHALL BE THOSE REFERENCED IN OBC 2012/2020.
  - READ THESE DRAWINGS IN CONJUNCTION WITH ALL RELATED CONTRACT DOCUMENTS AND MECHANICAL AND ELECTRICAL DRAWINGS.
  - IF ANY STRUCTURAL DISCREPANCIES ON THE DRAWINGS EXIST, THE MOST STRINGENT SHALL APPLY.
  - THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND MEASUREMENTS AT THE SITE AND REPORT TO THE DESIGNER ANY DISCREPANCIES OR UNSATISFACTORY CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE PROJECT BEFORE PROCEEDING WITH THE WORK.
  - DRAWINGS ARE NOT TO BE SCALED.
  - THE CONTRACTOR SHALL MAKE ADEQUATE PROVISION FOR CONSTRUCTION LOADS AND TEMPORARY BRACING TO KEEP STRUCTURE PLUMB AND IN TRUE ALIGNMENT AT ALL PHASES OF CONSTRUCTION. ANY BRACING MEMBERS SHOWN ON THE DRAWINGS ARE REQUIRED FOR THE FINISHED STRUCTURE AND MAY NOT BE SUFFICIENT FOR ERECTION PURPOSES.
  - ALL DISCREPANCIES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION IMMEDIATELY. NO CHANGES SHALL BE MADE WITHOUT THE ENGINEERS APPROVAL.
  - CONTACT TACOMA ENGINEERS FOR CONSTRUCTION REVIEWS AS REQUIRED BY THE LOCAL BUILDING DEPARTMENT.

- DESIGN LOADS:
- DESIGN LOADS ARE UNFACTORED UNLESS NOTED OTHERWISE.
    - CLIMATIC DESIGN DATA (JERSEYVILLE, ONTARIO):
      - S<sub>s</sub> = 1.5 kPa
      - S<sub>r</sub> = 0.4 kPa
      - S<sub>t</sub> = 0.46 kPa
      - ROOF (SNOW) = 1.23 kPa
      - C. ROOF (DEAD) = 0.75 kPa
      - D. FLOOR (LIVE) = 1.9 kPa
      - FLOOR (DEAD) = 0.5 kPa
    - FOUNDATIONS TO BEAR DIRECTLY ON MATERIAL SUITABLE FOR 75 KPa (1500 psf) BEARING PRESSURE, UNLESS NOTED OTHERWISE.
    - ALL GUARDS SHALL CONFORM TO OBC 9.8.8. AND SUPPLEMENTARY STANDARD SB-7.

- FOUNDATIONS:
- SOIL BEARING CAPACITY ON SITE TO BE VERIFIED BY LOCAL BUILDING DEPARTMENT OR GEOTECHNICAL ENGINEER PRIOR TO THE PLACING OF FOUNDATIONS. ANY NON-CONFORMANCE WITH THE SPECIFIED MINIMUM CAPACITIES MUST BE IMMEDIATELY REPORTED TO THE STRUCTURAL ENGINEER.
  - FOOTINGS TO BEAR DIRECTLY ON UNDISTURBED NATIVE SOILS OR APPROVED ENGINEERED FILL SUITABLE FOR MINIMUM DESIGN BEARING PRESSURES.
  - ENSURE FOUNDATION WALLS ARE Laterally SUPPORTED BEFORE BACKFILLING.
  - PLACE FOOTINGS WHICH ARE EXPOSED TO FREEZING WEATHER A MINIMUM OF 48" BELOW FINISHED GRADE UNLESS SPECIFIED OTHERWISE.
  - SOFT AREAS UNCOVERED DURING EXCAVATION SHALL BE SUB-EXCAVATED TO SOUND MATERIAL AND FILLED WITH CLEAN, FREE DRAINING GRANULAR SOIL COMPACTED TO 100% STANDARD PROCTOR DRY DENSITY (SPDD).
  - DO NOT EXCEED A RISE OF 7 IN A RUN OF 10 IN THE LINE OF SLOPE BETWEEN ADJACENT FOOTING EXCAVATIONS OR ALONG STEPPED FOOTINGS. USE STEPS NOT EXCEEDING 24" IN HEIGHT AND NOT LESS THAN 24" IN LENGTH.
  - SHOULD UNDERGROUND WATER BE ENCOUNTERED, PROVIDE DEWATERING FACILITIES TO KEEP WATER LEVEL BELOW FOOTINGS AND POUR AN ADDITIONAL 3" LAYER OF LEAN CONCRETE UNDER ALL FOOTINGS.
  - FOUNDATION WALLS TO BE CONNECTED TO STRIP FOOTINGS WITH SHEAR KEY OR 15M DOWELS X 16" LONG AT 4'-0" O.C. WITH 4" EMBEDMENT INTO FOOTING. U.N.O.
  - PROTECT SOIL FROM FREEZING ADJACENT TO AND BELOW ALL FOOTINGS.
  - BACKFILL AGAINST FOUNDATION WALL IN SUCH A MANNER THAT THE LEVEL OF BACKFILLING ON ONE SIDE OF THE WALL IS NEVER MORE THAN 18" DIFFERENT FROM THE LEVEL ON THE LOWER SIDE OF THE WALL, EXCEPT WHERE TEMPORARY SUPPORT FOR THE WALL IS PROVIDED OR WALLS ARE DESIGNED FOR SUCH UNEVEN PRESSURES.
  - LOCATE ALL FOOTINGS AND PIERS CENTRALLY UNDER COLUMNS AND WALLS UNLESS NOTED OTHERWISE.
  - FOUNDATION WALLS TO BE KEPT MOIST DURING THE FIRST THREE DAYS OF CURING.
  - WHERE FOUNDATION WALL THICKNESS IS REDUCED AT TOP OF WALL TO ALLOW FOR STONE LEDGE, THE REDUCTION IN THICKNESS SHALL COMPLY WITH OBC 2012 9.15.4.7.

- CONCRETE AND REINFORCING STEEL:
- ALL CONCRETE SHALL CONFORM TO OBC 9.3.1. AND ALL FOOTINGS AND FOUNDATIONS SHALL CONFORM TO OBC 9.15 U.N.O. ON THE DRAWINGS.
  - THE MINIMUM 28 DAY COMPRESSIVE STRENGTH OF CONCRETE SHALL BE:
    - 20 MPa FOR FOOTINGS, WALLS AND BEAMS
    - 25 MPa FOR FLOOR SLABS
    - 32 MPa FOR EXTERIOR REINFORCED SLABS WITH 5% AIR ENTRAINMENT
  - MAINTAIN THE FOLLOWING CLEAR CONCRETE COVER TO REINFORCEMENT (U.N.O.):
    - A) 40 mm (1.57") FOR CONCRETE PLACED IN FORMWORK FOR 15M OR SMALLER BARS.
    - B) 50 mm (2") FOR CONCRETE PLACED IN FORMWORK FOR 20M OR LARGER BARS.
    - C) 65 mm (2.57") FOR SLAB ON GRADE, TOP OF SLAB TO TOP LAYER OF STEEL.
    - D) 75 mm (3") FOR CONCRETE PLACED AGAINST THE EARTH (BOTTOM OF FOOTINGS).CHAIRS SHALL BE USED TO MAINTAIN THE SPECIFIED CONCRETE COVER.
  - USE HIGH FREQUENCY VIBRATION TO PLACE ALL CONCRETE.
  - ALL CONCRETE SHALL BE KEPT MOIST DURING THE FIRST THREE DAYS OF CURING.
  - TAKE ADEQUATE MEASURES TO PROTECT CONCRETE FROM EXPOSURE TO FREEZING TEMPERATURES AT LEAST SEVEN DAYS AFTER CONCRETE PLACEMENT.
  - REBAR TO BE DEFORMED BARS WITH A YIELD STRENGTH OF 400 MPa.
  - LAP LENGTH FOR 10M BARS IS 16" AND THE LAP LENGTH FOR 15M BARS IS 24".

- STRUCTURAL FRAMING:
- ALL WOOD FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23. U.N.O. ON THE DRAWINGS.
  - WOOD TRUSSES AND MANUFACTURED FRAMING MEMBERS ARE TO BE DESIGNED & CERTIFIED BY A PROFESSIONAL ENGINEER FOR THE LOADS AND CONDITIONS INDICATED ON THE DRAWINGS. REFER TO TRUSS MANUFACTURER'S DRAWINGS FOR UPLIFT CLIPS. PROVIDE ADEQUATE BEARING SURFACE FOR THE TRUSS BEARING LOADS.
  - 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 TACOMA ENGINEERS OTHER THAN AS SPECIFIED BY OBC 9.23.5.
  - ENGINEERED LUMBER (T.L. LV, PSL, LSL) MAY BE DRILLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND DETAILS.
  - THICKNESS AND TYPE OF SUB-FLOOR, ROOF SHEATHING AND WALL SHEATHING SHALL CONFORM TO OBC 9.23.14, 9.23.16, AND 9.23.16 RESPECTIVELY.
  - USE PRESSURE TREATED LUMBER (CWPB APPROVED) OR APPLY SUITABLE WOOD PRESERVATIVE TO ALL WOOD IN CONTACT WITH SOIL.
  - WOOD IS NOT PERMITTED TO BEAR DIRECTLY ON MASONRY OR CONCRETE WITHOUT PROTECTION. PROVIDE EITHER PRESSURE TREATED LUMBER, SUITABLE WOOD PRESERVATIVE OR 6 MIL (0.152mm) POLYETHYLENE SHEET.
  - SOLID HORIZONTAL BRIDGING SHALL BE PROVIDED AT 1200mm (4'-0") O.C. IN THE FIRST TWO JOIST SPACES ADJACENT TO THE EXTERIOR WALLS. BRIDGING SHALL BE ATTACHED TO THE EXTERIOR WALL TO PROVIDE LATERAL STABILITY.
  - USE JOIST HANGERS WHERE FRAMING MEMBERS CONNECT INTO THE SIDES OF SUPPORTING MEMBERS.
  - ALL STEEL CONNECTORS (UPLIFT CLIPS, BRACKETS IS, JOIST HANGERS etc.) SHALL BE SWIMSON STRONG THE CONNECTORS UNLESS NOTED OTHERWISE. FASTEN AS PER THE MANUFACTURER'S SPECIFICATIONS ASSUMING MAXIMUM NAILING U.N.O. TYPICAL BEAM HANGERS REQUIRE 16G NAILS (3" LONG).
  - ALL NAILS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE TO BE ACO APPROVED, HOT DIP GALVANIZED (TO CSA-G164) OR STAINLESS STEEL.
  - FOR SOLID AND BUILT UP MEMBERS (TRUSSES, BEAMS, LIFTLIJS) 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 FOUNDATIONS.
  - ALL BUILT-UP WOOD BEAMS TO BE FASTENED TOGETHER WITH THREE 3" COMMON NAILS AT 8" O.C. FOR EVERY PLY AND EACH BUILT-UP WOOD POST TO BE CONNECTED WITH TWO 3" COMMON NAILS AT 8" O.C. UNLESS NOTED OTHERWISE.
  - PROVIDE SOLID BLOCKING OR MECHANICAL CONNECTIONS AT THE TOP AND BOTTOMS OF BEAMS AT BEARING POINTS TO PREVENT MOVEMENT OR ROTATION.
  - ALL MANUFACTURED WOOD PRODUCTS (LVIs, LSLs, PSLs, TJs) TO BE USED IN DRY SERVICE CONDITIONS ONLY. WHERE MANUFACTURED WOOD PRODUCTS ARE LOCATED OUTDOORS, PROVIDE SUITABLE CLADDING TO PROTECT FROM THE ELEMENTS AND ALLOW FOR DRYING.

- STRUCTURAL STEEL FRAMING:
- STRUCTURAL STEEL BEAMS AND CHANNELS SHALL BE GRADE 350W (CAN/CSA G40.21).
  - H.S.S. SHALL BE GRADE 350W (CLASS C) (CAN/CSA G40.21).
  - STEEL ANGLES SHALL BE GRADE 300W (CAN/CSA G40.21).
  - STEEL PLATES SHALL BE GRADE 250W (CAN/CSA G40.21).
  - BOLTED CONNECTIONS SHALL BE MADE USING GRADE A307 BOLTS.
  - LATERALLY SUPPORT DROPPED STEEL BEAMS BY PRE-DRILLING FLANGES FOR 1/2" BOLTS TO WOOD NAILERS WITH 9/16" HOLES STAGGERED AT 24" O.C.

- MASONRY (CONCRETE BLOCK):
- MASONRY SHALL CONFORM TO CAN/CSA S304.1 "DESIGN OF MASONRY STRUCTURES" AND CAN/CSA A-371 "MASONRY CONSTRUCTION FOR BUILDINGS".
  - PROTECT ALL WORK FROM FROST DAMAGE IN ACCORDANCE WITH RECOMMENDED PRACTICES AS PUBLISHED BY THE INTERNATIONAL MASONRY ALL WEATHER COUNCIL. NO MASONRY WORK SHALL BE PERMITTED WITH TEMPERATURES BELOW 5 DEGREES CELSIUS UNLESS PROVISIONS ARE MADE FOR HEATING THE MATERIALS.
  - CONCRETE BLOCKS SHALL BE REGULAR WEIGHT, 50% SOLID, WITH A MINIMUM 10 MPa COMPRESSIVE STRENGTH.
  - GROUT SHALL CONFORM TO CAN/CSA A-775. 28 DAY GROUT STRENGTH SHALL BE 10 MPa (MINIMUM) FOR FINE GROUT AND 12.5 MPa (MINIMUM) FOR COARSE GROUT UNLESS NOTED OTHERWISE.
  - FILLING OF BLOCK UNITS WITH MORTAR INSTEAD OF GROUT IS NOT ACCEPTABLE.
  - MORTAR SHALL CONFORM TO CAN/CSA A-179. MORTAR SHALL BE TYPE "S" WITH A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 8.5 MPa.
  - FINE GROUT SHALL BE USED UNLESS NOTED OTHERWISE. STANDARD MIXTURE FOR FINE GROUT IS 1 PART PORTLAND CEMENT AND 3 PARTS SAND.
  - REINFORCE ALL MASONRY WITH 3.6MM (9 ga.) LADDER TYPE WIRE REINFORCING AT 600mm (24") O.C. EXCEPT WHERE NOTED OTHERWISE. FULL OVERLAP AT ALL WALL INTERSECTIONS AND CORNERS. LAP STRAIGHT RUNS WITH 300mm (12") OVERLAP.

- HEAVY TIMBER NOTES:
- WOOD FRAMING DESIGN AND CONSTRUCTION SHALL CONFORM TO CAN/CSA-O86 "ENGINEERING DESIGN IN WOOD".
  - SAWN TIMBER SHALL BE NORTHERN NO.2 OR BETTER AS DEFINED IN THE CAN/CSA-O86, UNLESS NOTED OTHERWISE. ALL UNGRADED TIMBER IS ASSUMED TO BE NO.2 GRADE.
  - ALL TIMBER SIZES ARE ACTUAL SIZES (EX. 8x10 IS 8.0" BY 10.0").
  - TIMBER SHALL NOT BE NOTCHED OR DRILLED IN THE FIELD WITHOUT PERMISSION OF TACOMA ENGINEERS.

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**GENERAL CONTRACTOR**

**Precise Projects**  
 11 Four Winds Place  
 Dundas, ON L9H 3Y1  
 Phone (905) 512-0078  
 Contact Rick Wiersma  
 Cell (905) 807-7094

**ANNE-MARIE & SCOTT TIPPING**

3236 JERSEYVILLE RD W,  
 JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**

BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
 FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
 SECOND FLOOR - 0 SQFT

NO.	ISSUED FOR	DATE	BY
01	CLIENT REVIEW	22DEC2021	LM
02	CLIENT REVIEW	11FEB2022	LM
03	CLIENT REVIEW	28FEB2022	LM
04	WINDOW & DOOR QUOTE	22MAR2022	LM
05	CLIENT REVIEW	22APR2022	LM
06	CLIENT REVIEW	03MAY2022	LM
07	FOUNDATION LAYOUT	05MAY2022	LM
08	WINDOW & DOOR QUOTE	02JUNE2022	LM
09	ENGINEERING	19AUG2022	LM
10	ENGINEERING	28SEP2022	LM
11	FINAL ENGINEERING	05OCT2022	LM
12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

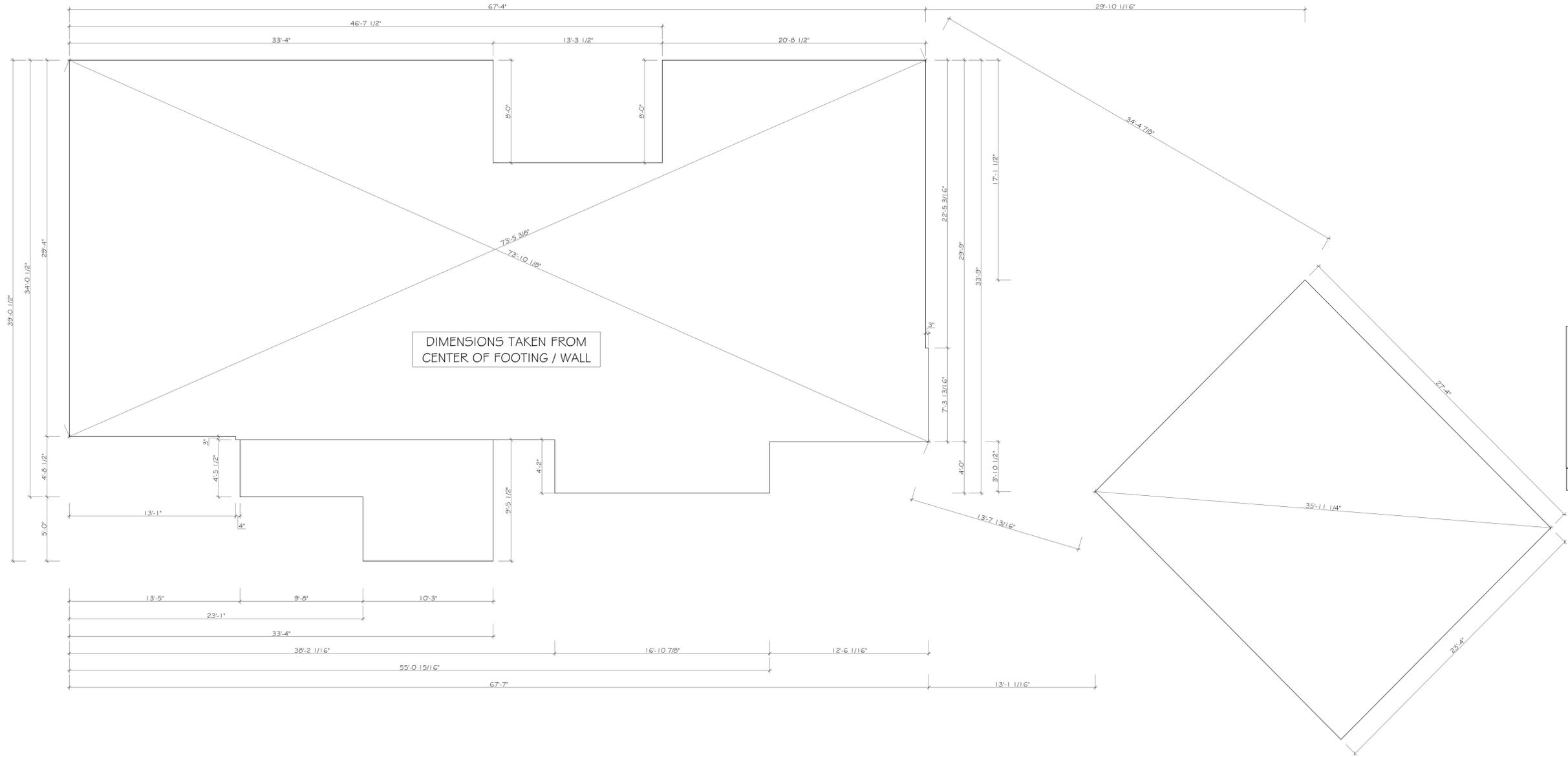
**TACOMA ENGINEERS**  
 Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural  
 Complex Buildings  
 Large Buildings  
 Small Building

Signature: *Brandon Martin*  
 Designer BCIN: 34596  
 Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY.  
 STRUCTURAL DESIGN BY P.ENG



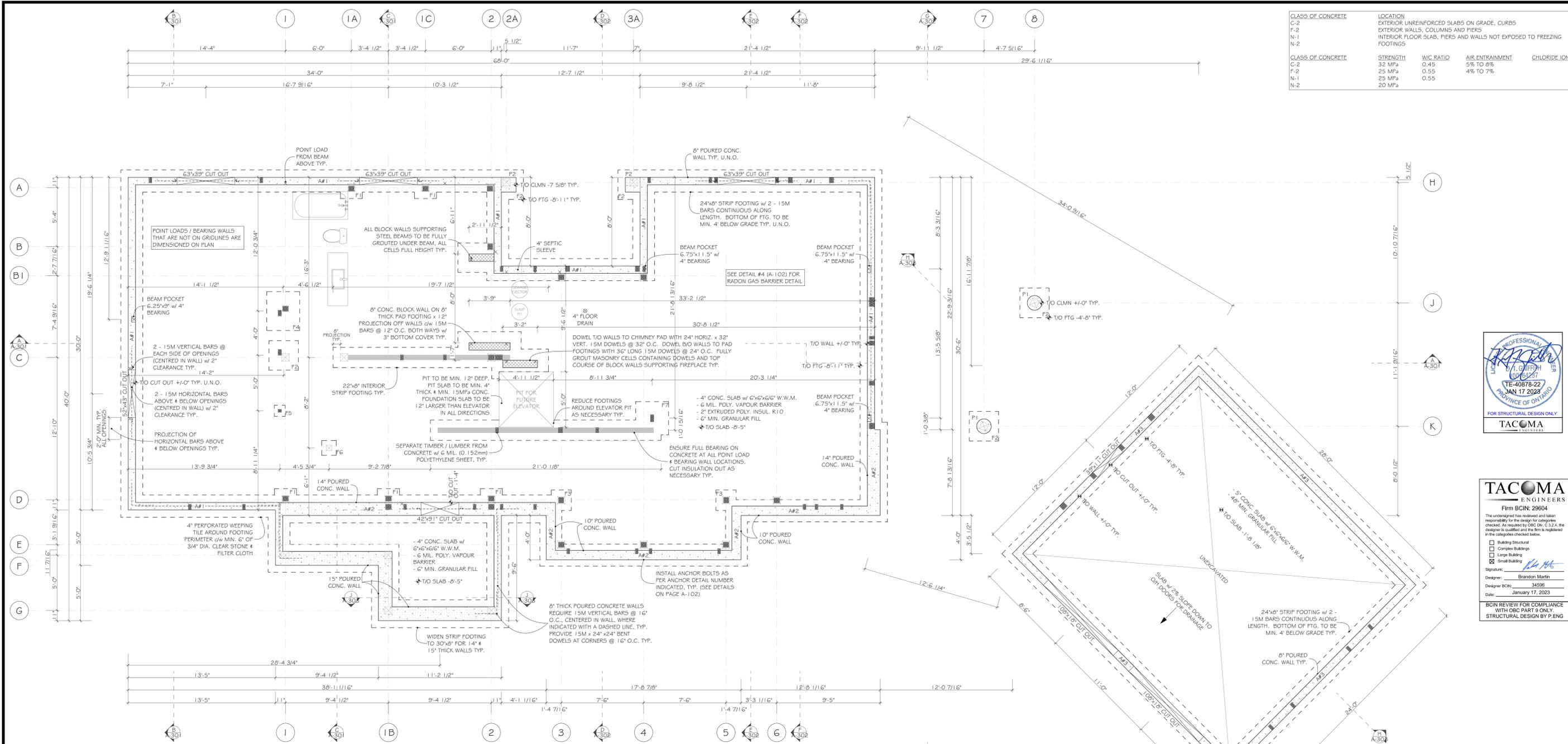
**P-1 FOUNDATION LAYOUT**  
 SCALE: 1/4" = 1'-0"

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PROJECT NO: 21-233  
 PROJECT FILE:  
 Tipping-21233.pln  
 DRAWN BY: LAURA MACHAN  
 SCALE: 1/4" = 1'-0"  
 DATE: January 17, 2023

SHEET TITLE  
**FOUNDATION LAYOUT**

**A-101**  
 SHEET 2 OF 25



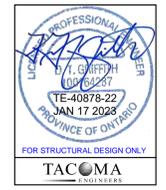
CLASS OF CONCRETE	LOCATION	STRENGTH	W/C RATIO	AIR ENTRAINMENT	CHLORIDE ION
C-2	EXTERIOR UNREINFORCED SLABS ON GRADE, CURBS	32 MPa	0.45	5% TO 8%	
F-2	EXTERIOR WALLS, COLUMNS AND PIERS	25 MPa	0.55	4% TO 7%	
N-1	INTERIOR FLOOR SLAB, PIERS AND WALLS NOT EXPOSED TO FREEZING FOOTINGS	25 MPa	0.55		
N-2		20 MPa			



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**GENERAL CONTRACTOR**  
  
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Firm BCIN: 29604

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Building Structural  
 Complex Buildings  
 Large Buildings  
 Small Buildings

Signature: *Brandon Martin*  
Designer: Brandon Martin  
Designer BCIN: 34596  
Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG

**ANNE-MARIE & SCOTT TIPPING**  
3236 JERSEYVILLE RD W,  
JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**  
BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
SECOND FLOOR - 1,0 SQFT

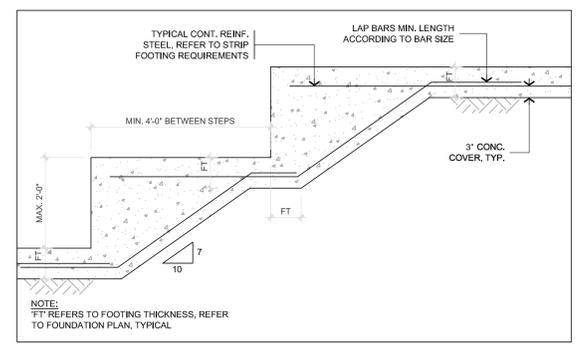
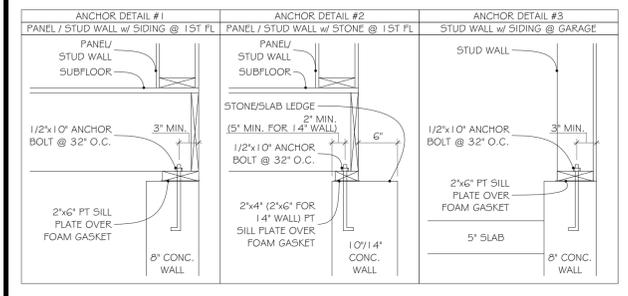
NO.	ISSUED FOR	DATE	BY
01	CLIENT REVIEW	22DEC2021	LM
02	CLIENT REVIEW	11FEB2022	LM
03	CLIENT REVIEW	28FEB2022	LM
04	WINDOW & DOOR QUOTE	22MAR2022	LM
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10	ENGINEERING	28SEPT2022	LM
11	FINAL ENGINEERING	05OCT2022	LM
12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

PROJECT NO: 21-233  
PROJECT FILE: Tipping-21233.pln  
DRAWN BY: LAURA MACHAN  
SCALE: 1/4" = 1'-0", 1" = 1'-0"  
DATE: January 17, 2023

**FOUNDATION PLAN**

**A-102**

SHEET 3 OF 25

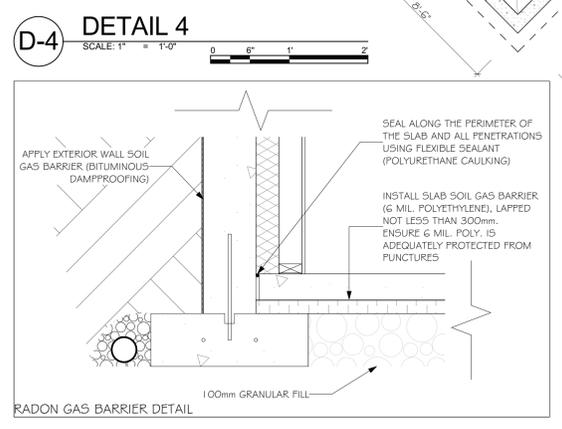


**FOOTING CHART:**

F1	24"x24"x8" CONCRETE PAD FOOTING
F2	32"x32"x8" CONCRETE PAD FOOTING
F3	22"x22"x8" CONCRETE PAD FOOTING
F4	36"x42"x13" CONCRETE PAD FOOTING
F5	12"x12"x8" CONCRETE PAD FOOTING
F6	16"x16"x8" CONCRETE PAD FOOTING
F7	36"x36"x8" CONCRETE PAD FOOTING <i>dw</i> 15M BARS @ 12" O.C. BOTH WAYS w/ 3" BOTTOM COVER (6 BARS TOTAL)

**PIER CHART:**

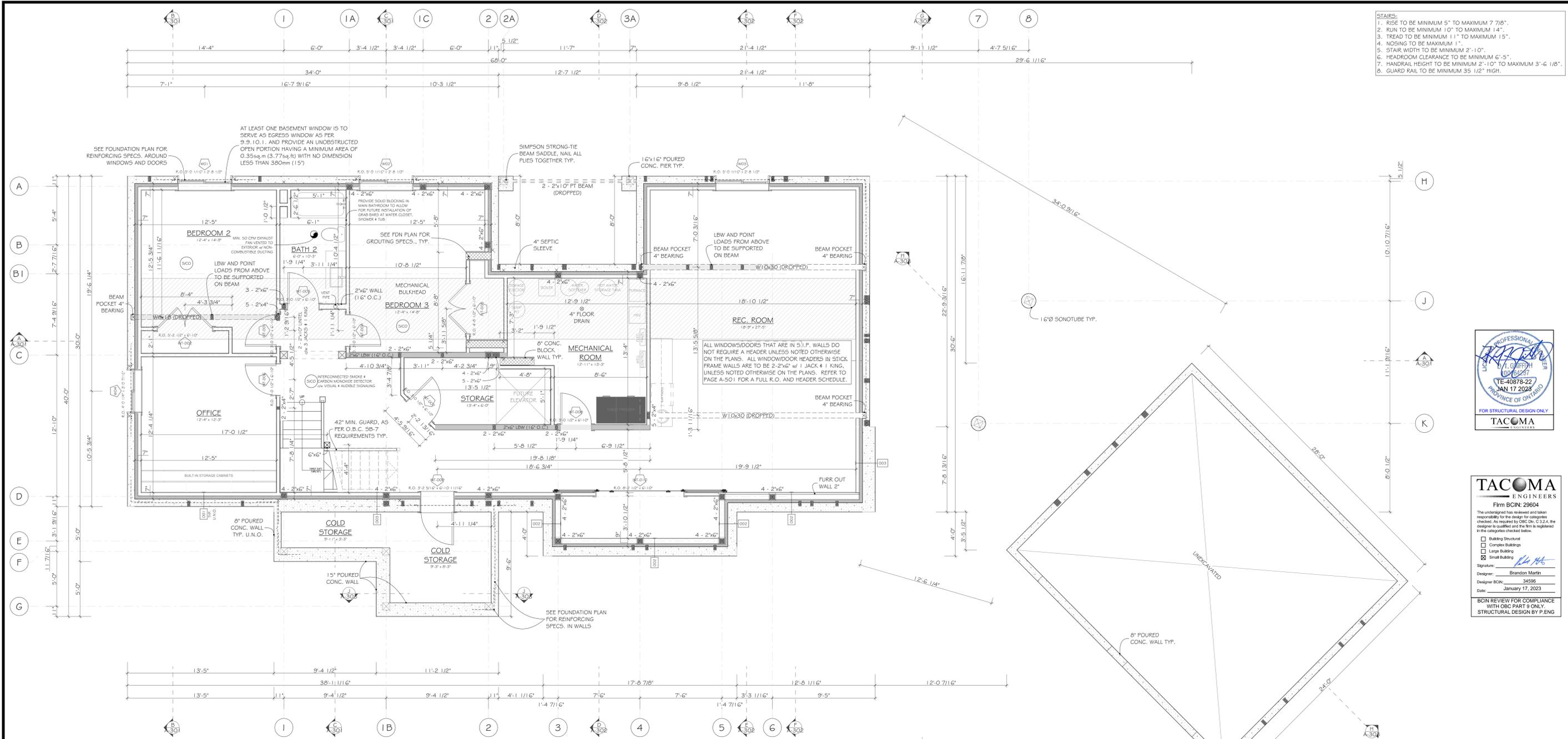
P1	16" Ø CONC. SONOTUBE w/ 2 - 15M VERTICAL BARS, HOOK 12" INTO FOOTING
P2	16"x16" POURED CONC. PIER w/ 2 - 15M VERTICAL BARS, HOOK 12" INTO FOOTING



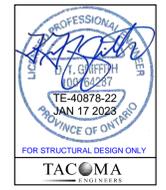
- NOTES:**
- ALL DIMENSIONS TAKEN FROM OUTSIDE OF FOUNDATION WALL.
  - ALL ELEVATIONS TAKEN FROM TOP OF FOUNDATION WALL +/-0.
  - ALL FOOTINGS TO BE MIN. 4" BELOW GRADE TO ENSURE PROPER FROST COVER.
  - FOUNDATION WALLS TO BE CONNECTED TO STRIP FOOTING WITH SHEAR KEY OR 15M DOWELS x 16" LONG @ 4'-0" O.C. WITH 4" EMBEDMENT INTO FOOTING.
  - ALL CONCRETE SHALL CONFORM TO OBC SECTION 9.3.1. ALL FOUNDATIONS TO BE BUILT IN ACCORDANCE WITH OBC SECTION 9.1.5 OR APPROVED BY A PROFESSIONAL ENGINEER PRIOR TO CONSTRUCTION.
  - CONTRACTOR IS RESPONSIBLE TO ENSURE PROPER VOIDS IN FOUNDATION TO ALLOW FOR REQUIRED UTILITIES AND MECHANICAL PRIOR TO POURING OF CONCRETE.
  - TOP OF FOUNDATION WALL TO HAVE 1/2" DIA. GALV. ANCHOR BOLTS @ 32" O.C. (MAX) FOR SILL PLATE.
  - FOR POURED WALLS, APPLY 2 COATS OF ASPHALT DAMPPROOFING AND APPROVED DRAINAGE LAYER TO ALL BELOW GRADE FOUNDATION WALLS.
  - FOR ICF WALLS, APPLY ICF DAMPPROOFING / WATERPROOFING MEMBRANE TO BELOW GRADE WALLS AS PER MANUFACTURERS SPECS. APPLY ICF PARGE COAT TO ABOVE GRADE WALLS AS PER MANUFACTURERS SPECS.
  - STEP FOOTINGS AS PER DETAIL ON PAGE A-102.
  - PROVIDE 3" CONCRETE COVER TO U/S OF REINFORCING STEEL PLACED AGAINST SOIL, U.N.O.
  - FOOTINGS TO BE FOUNDED ON SOILS WITH A MIN. 75kPa (1500psf) BEARING CAPACITY.

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**P-2 FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



**STAIRS:**  
 1. RISE TO BE MINIMUM 5" TO MAXIMUM 7 7/8".  
 2. RUN TO BE MINIMUM 10" TO MAXIMUM 14".  
 3. TREAD TO BE MINIMUM 11" TO MAXIMUM 15".  
 4. NOSING TO BE MAXIMUM 1".  
 5. STAIR WIDTH TO BE MINIMUM 2'-10".  
 6. HEADROOM CLEARANCE TO BE MINIMUM 6'-5".  
 7. HANDRAIL HEIGHT TO BE MINIMUM 2'-10" TO MAXIMUM 3'-6 1/8".  
 8. GUARD RAIL TO BE MINIMUM 35 1/2" HIGH.



**TACOMA ENGINEERS**  
 Firm BCIN: 29604  
 The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC, C.S.A. 2.3.2.4, the designer is qualified and the firm is registered in the categories checked below.  
 Building Structural  
 Complex Buildings  
 Large Building  
 Small Building  
 Signature: *Brandon Martin*  
 Designer: Brandon Martin  
 Designer BCIN: 34596  
 Date: January 17, 2023  
 BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG

**WALL TYPES:**

<p>001</p> <p>DRAINAGE LAYER DAMP-PROOFING 8" POURED CONCRETE WALL 3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei 2"x4" STUD WALL (16" O.C.), SPACED OFF WALL 3.5" 1/2" GYPSUM BOARD</p>	<p>004</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) TYVEK 6 1/2" STRUCTURAL INSULATED PANEL R23.3d (**BY SUPPLIER, INSULSPAN) 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	<p>007</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) STONE SILL 4" FULL STONE w/ TIES @ MAX. 24" HORZ. &amp; 20" VERT. w/ #6 x 2" LONG WOOD SCREW (ACQ) FASTENERS 1" AIR SPACE TAR PAPER TYVEK or TAPE INSULATION JOINTS MIN. R7.5 CONTINUOUS INSULATION 7/16" OSB SHEATHING 2"x6" STUD WALL (16" O.C.) MIN. R14 INSULATION 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	<p>009</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) TYVEK 7/16" OSB SHEATHING 2"x6" STUD WALL (16" O.C.) 1/2" GYPSUM BOARD</p>
<p>002</p> <p>DRAINAGE LAYER DAMP-PROOFING 10" POURED CONCRETE WALL 3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei 2"x6" STUD WALL (16" O.C.), SPACED OFF WALL 3.5" 1/2" GYPSUM BOARD</p>	<p>005</p> <p>4" FULL STONE w/ TIES @ MAX. 24" HORZ. &amp; 20" VERT. w/ #6 x 2" LONG WOOD SCREW (ACQ) FASTENERS 1" AIR SPACE TAR PAPER TYVEK 6 1/2" STRUCTURAL INSULATED PANEL R23.3d (**BY SUPPLIER, INSULSPAN) 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) TYVEK or TAPE INSULATION JOINTS MIN. R7.5 CONTINUOUS INSULATION 7/16" OSB SHEATHING 2"x6" STUD WALL (16" O.C.) MIN. R14 INSULATION 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	
<p>003</p> <p>DRAINAGE LAYER DAMP-PROOFING 14" POURED CONCRETE WALL 3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei 2"x4" STUD WALL (16" O.C.), SPACED OFF WALL 3.5" 1/2" GYPSUM BOARD</p>	<p>006</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) TYVEK or TAPE INSULATION JOINTS MIN. R7.5 CONTINUOUS INSULATION 7/16" OSB SHEATHING 2"x6" STUD WALL (16" O.C.) MIN. R14 INSULATION 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING 1"x4" STRAPPING (24" O.C.) TYVEK or TAPE INSULATION JOINTS MIN. R7.5 CONTINUOUS INSULATION 7/16" OSB SHEATHING 2"x6" STUD WALL (16" O.C.) MIN. R14 INSULATION 6 MIL. POLY. VAPOUR BARRIER 1/2" GYPSUM BOARD</p>	

**NOTES:**

- ALL DIMENSIONS TAKEN FROM OUTSIDE OF STUD ON CONVENTIONALLY FRAMED WALLS. DIMENSIONS TAKEN FROM OUTSIDE OF SHEATHING ON S.I.P. WALL LOCATIONS.
- ALL WINDOW/DOORS THAT ARE IN S.I.P. WALLS DO NOT REQUIRE A HEADER UNLESS NOTED OTHERWISE ON THE PLANS. ALL WINDOW/DOOR HEADERS IN STICK FRAME WALLS ARE TO BE 2"x6" w/ 1 JACK & 1 KING, UNLESS NOTED OTHERWISE ON THE PLANS. REFER TO PAGE A-501 FOR A FULL R.O. AND HEADER SCHEDULE.
- ALL INT. WALLS 2"x4" STUDS (16" O.C.) w/ 1/2" GYPSUM BOARD, UNLESS OTHERWISE INDICATED.
- ALL PLUMBING WORK TO BE COMPLETED AS PER OBC 9.3.1.
- ALL MECHANICAL WORK TO BE COMPLETED AS PER OBC 9.32 & 9.33.
- ALL ELECTRICAL WORK TO BE COMPLETED AS PER OBC 9.34.
- STAIRS & GUARDRAILS/HANDRAILS AS PER ONTARIO BUILDING CODE 9.8. & 9.8-7 DETAILS.
- PROVIDE BLOCKING IN BATHROOM WALLS FOR FUTURE GRAB BAR SUPPORT. SEE DETAIL ON PAGE A-202.
- EXHAUST FAN VENTED TO EXTERIOR w/ NON-COMBUSTIBLE DUCTING.
- AIR/VAPOUR BARRIER AS PER DETAILS ON PAGE A-202.
- CONTRACTOR TO ENSURE THAT ALL FIREPLACES ARE INSTALLED TO MANUFACTURERS INSTRUCTIONS AND IN COMPLIANCE WITH CURRENT OBC REGULATIONS 9.2.1 & 9.2.2 TO MAINTAIN REQUIRED CLEARANCES.
- ALL LUMBER TO BE SPF No. 1/No. 2 OR BETTER, UNLESS NOTED OTHERWISE.
- ALL STEEL BEAMS AND HSS TO BE 350W.
- ALL STEEL PLATES TO BE A36.
- ALL STEEL BEAMS TO HAVE 2x BEARING PLATE ATTACHED ALONG FULL LENGTH OF TOP FLANGE WITH POWDER-ACTUATED NAILS (2" RED HEADS OR EQUIVALENT) AT 6" O.C. STAGGERED SIDE TO SIDE, 2" FROM EDGE OF PLATE.
- PROVIDE PROTECTION BETWEEN WOOD AND CONCRETE (6 MIL. POLY).
- STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
- STRUCTURAL INSULATED PANEL (S.I.P.) ROOFWALL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN DELIVERED VIA PINE RIDGE TIMBERFRAME. SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
- ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.

**P-3 BASEMENT PLAN**  
 SCALE: 1/4" = 1'-0"



147 Norpark Ave.  
 Mount Forest, ON N0G 2L0  
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**GENERAL CONTRACTOR**  
 Precise Projects  
 11 Four Winds Place  
 Dundas, ON L9H 3Y1  
 Phone (905) 512-0078  
 Contact Rick Wiersma  
 Cell (905) 807-7094

**ANNE-MARIE & SCOTT TIPPING**  
 3236 JERSEYVILLE RD W,  
 JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**  
 BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
 FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
 SECOND FLOOR - 0 SQFT

NO.	ISSUED FOR	DATE	BY
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03	CLIENT REVIEW	28FEB2022	LM
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12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

**PROJECT NO:** 21-233  
**PROJECT FILE:**  
 Tipping-21233.ph  
**DRAWN BY:** LAURA MACHAN  
**SCALE:** 1/4" = 1'-0"  
**DATE:** January 17, 2023

**SHEET TITLE**

**BASEMENT PLAN**

**A-103**

SHEET 4 OF 25

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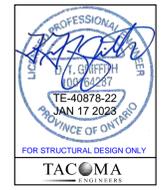


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SECOND FLOOR - 0 SQFT

**TACOMA ENGINEERS**  
Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural  
 Complex Buildings  
 Large Buildings  
 Small Buildings

Signature: *Brandon Martin*  
Designer: Brandon Martin  
Designer BCIN: 34596  
Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG.

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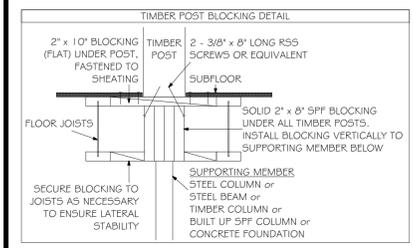
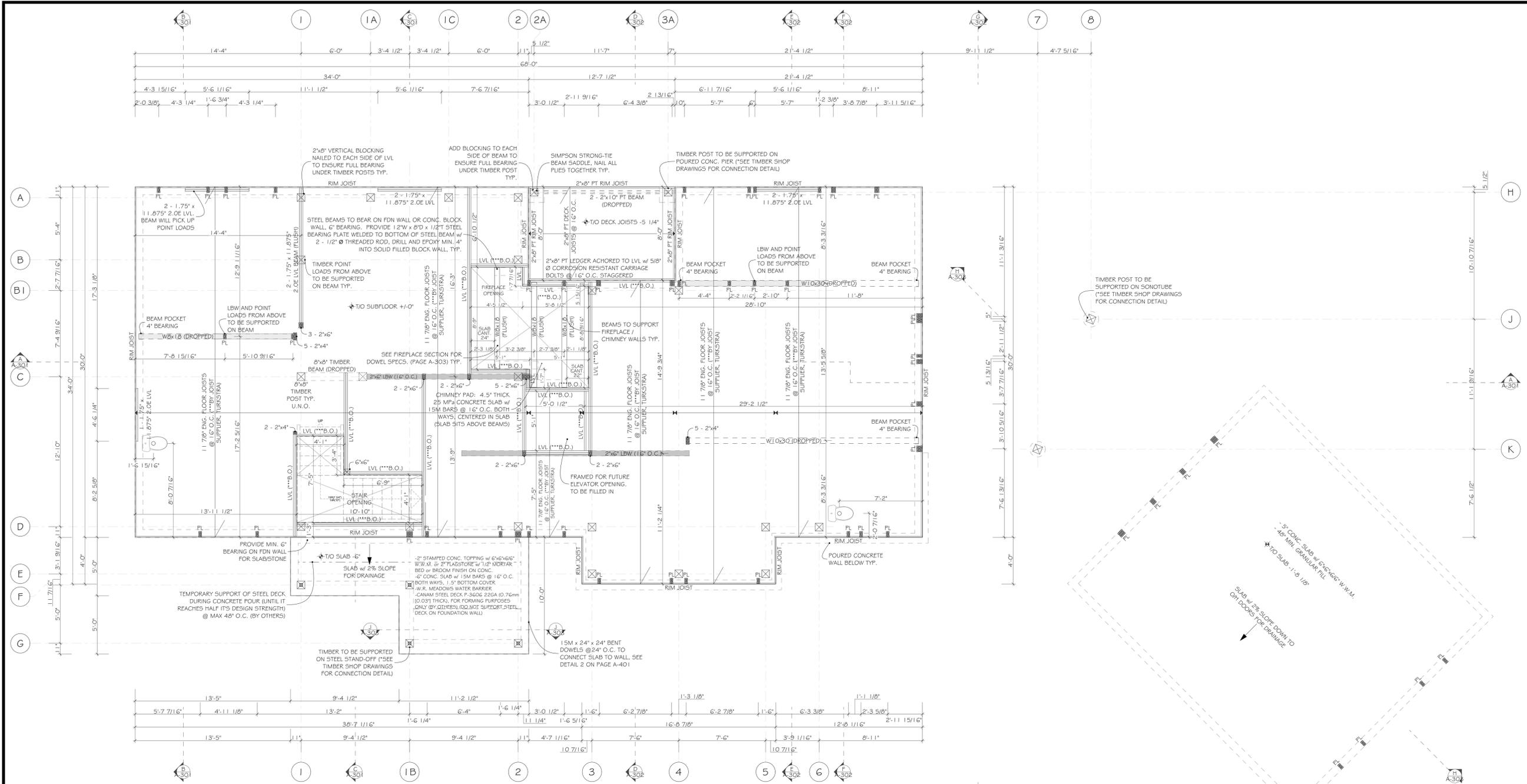
**PROJECT NO:** 21-233  
**PROJECT FILE:** Tipping-21233.pln  
**DRAWN BY:** LAURA MACHAN  
**SCALE:** 1/4" = 1'-0"  
**DATE:** January 17, 2023

**SHEET TITLE**

1st FLOOR FRAMING PLAN

**A-104**

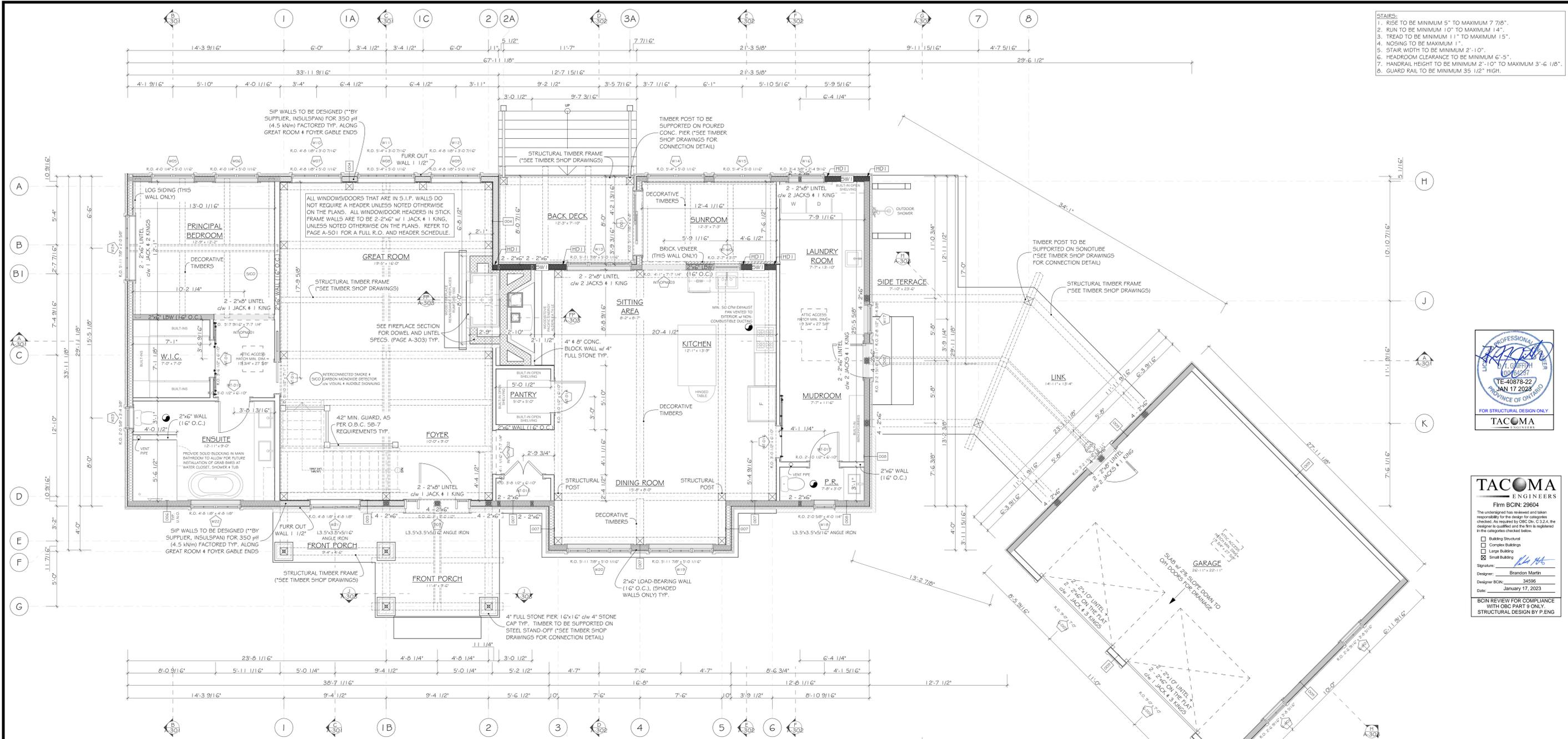
SHEET 5 OF 25



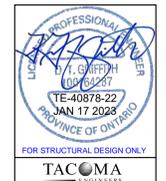
- NOTES:**
- FLOOR FRAMING PLAN TO BE DESIGNED BY SUPPLIER. REFER TO THEIR DRAWINGS FOR LAYOUT. PINE RIDGE DRAWINGS TAKE PRIORITY OVER FLOOR FRAMING DRAWINGS FOR DIMENSIONS AND OPENINGS.
  - ALL DIMENSIONS TAKEN FROM OUTSIDE OF RIM JOIST.
  - RIM JOIST TO BE INSULATED WITH CLOSED CELL SPFRAY FOAM (R7.5 MIN.) AND ADEQUATELY FIRE PROOFED WITH ROUFL (R14 MIN.).
  - SUBFLOOR GLUED & SCREWED (CONT. SPAN).
  - 2" x 8" BLOCKING AT ALL POST AND POINT LOAD LOCATIONS, RUN GRAIN VERTICAL UNLESS NOTED OTHERWISE. AS PER DETAIL ON PAGE A-104.
  - DO NOT SCREW SUBFLOOR INTO BLOCKING UNDER POSTS.
  - PL = POINT LOAD FROM ABOVE.
  - "ICE & WATER" SHIELD ADHERED TO RIM BOARD AT PORCH & DECK LOCATIONS.
  - ALL LUMBER TO BE SPF No. 1/No. 2 OR BETTER, UNLESS NOTED OTHERWISE.
  - ALL STEEL BEAMS AND HSS TO BE 350W.
  - ALL STEEL PLATES TO BE A36.
  - ALL STEEL BEAMS TO HAVE 2x BEARING PLATE ATTACHED ALONG FULL LENGTH OF TOP FLANGE WITH POWDER-ACTUATED NAILS (2" RED HEADS OR EQUIVALENT) AT 8" O.C. STAGGERED SIDE TO SIDE, 2" FROM EDGE OF PLATE.
  - ALL STEEL BEAM POCKETS TO BE GROUTED SOLID 4w 3/8" STEEL PLATE.
  - STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
  - STRUCTURAL INSULATED PANEL (S.I.P.) ROOFWALL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN DELIVERED VIA PINE RIDGE TIMBERFRAME. SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
  - ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.

**P-4 FIRST FLOOR FRAMING PLAN**  
SCALE: 1/4" = 1'-0"

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- STAIRS:**
1. RISE TO BE MINIMUM 5" TO MAXIMUM 7 7/8"
  2. RUN TO BE MINIMUM 10" TO MAXIMUM 14"
  3. TREAD TO BE MINIMUM 11" TO MAXIMUM 15"
  4. NOSING TO BE MAXIMUM 1"
  5. STAIR WIDTH TO BE MINIMUM 2'-10"
  6. HEADROOM CLEARANCE TO BE MINIMUM 6'-5"
  7. HANDRAIL HEIGHT TO BE MINIMUM 2'-10" TO MAXIMUM 3'-6 1/8"
  8. GUARD RAIL TO BE MINIMUM 35 1/2" HIGH.



**TACOMA ENGINEERS**  
 Firm BCIN: 29604  
 The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural  
 Complex Buildings  
 Large Buildings  
 Small Buildings

Signature: *Brandon Martin*  
 Designer: Brandon Martin  
 Designer BCIN: 34596  
 Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG



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 3236 JERSEYVILLE RD W,  
 JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**  
 BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
 FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
 SECOND FLOOR - 0 SQFT

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14	PERMIT	17JAN2023	LM

**PROJECT NO:** 21-233  
**PROJECT FILE:** Tipping-21233.ph  
**DRAWN BY:** LAURA MACHAN  
**SCALE:** 1/4" = 1'-0"  
**DATE:** January 17, 2023

**SHEET TITLE**  
 1st FLOOR PLAN  
**A-105**  
 SHEET 6 OF 25

**WALL TYPES:**

<p>001</p> <p>DRAINAGE LAYER                  DAMPROOFING                  8" POURED CONCRETE WALL                  3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei                  2x4" STUD WALL (16" O.C.), SPACED OFF WALL 3.5"                  1/2" GYPSUM BOARD</p>	<p>004</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK                  6 1/2" STRUCTURAL INSULATED PANEL R23.3d (**BY SUPPLIER, INSULSPAN)                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>007</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  STONE SILL                  4" FULL STONE w/ TIES @ MAX. 24" HORZ. &amp; 20" VERT. w/ #6 x 2" LONG WOOD SCREW (ACC) FASTENERS                  1" AIR SPACE                  TAR PAPER                  TYVEK or TAPE INSULATION JOINTS                  MIN. R7.5 CONTINUOUS INSULATION                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  MIN. R14 INSULATION                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>009</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  1/2" GYPSUM BOARD</p>
<p>002</p> <p>DRAINAGE LAYER                  DAMPROOFING                  10" POURED CONCRETE WALL                  3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei                  2x6" STUD WALL (16" O.C.), SPACED OFF WALL 3.5"                  1/2" GYPSUM BOARD</p>	<p>005</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK or TAPE INSULATION JOINTS                  MIN. R7.5 CONTINUOUS INSULATION                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  MIN. R14 INSULATION                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK or TAPE INSULATION JOINTS                  MIN. R7.5 CONTINUOUS INSULATION                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  MIN. R14 INSULATION                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>006</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK                  6 1/2" STRUCTURAL INSULATED PANEL R23.3d (**BY SUPPLIER, INSULSPAN)                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>
<p>003</p> <p>DRAINAGE LAYER                  DAMPROOFING                  14" POURED CONCRETE WALL                  3.5" CLOSED CELL SPRAY FOAM INSULATION MIN. R20ei                  2x4" STUD WALL (16" O.C.), SPACED OFF WALL 3.5"                  1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK or TAPE INSULATION JOINTS                  MIN. R7.5 CONTINUOUS INSULATION                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  MIN. R14 INSULATION                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK or TAPE INSULATION JOINTS                  MIN. R7.5 CONTINUOUS INSULATION                  7/16" OSB SHEATHING                  2x6" STUD WALL (16" O.C.)                  MIN. R14 INSULATION                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>	<p>008</p> <p>BOARD &amp; BATTEN SIDING                  1x4" STRAPPING (24" O.C.)                  TYVEK                  6 1/2" STRUCTURAL INSULATED PANEL R23.3d (**BY SUPPLIER, INSULSPAN)                  6 MIL. POLY. VAPOUR BARRIER                  1/2" GYPSUM BOARD</p>

**SHEARWALL HOLD-DOWN SCHEDULE:**

MARK	NOTES
HDI	3 - 2x6" STUD AT EACH END OF ALL SHEAR WALL SEGMENTS w/ 5/16" HDU2-5052.5 HOLD-DOWNS c/w 8 - 2 1/2" LONG SDS SCREWS AND 1/2" Ø THREADED ROD DRILLED AND EPOXIED WITH HILTI HIT-HY-200 w/ 8" EMBEDMENT OR WELDED TO STEEL BEAM WHERE APPLICABLE

**SHEARWALL SCHEDULE:**

MARK	SHEATHING	EDGE NAILING	INTERIOR NAILING	BLOCKING
SW1	7/16" OSB/PLYWOOD ON ONE SIDE OF STUDS	2 1/2" AIR NAILS @ 12" Ø @ 6" O.C. MAX. ON PERIMETER	2 1/2" AIR NAILS @ 12" Ø @ 12" O.C. MAX. ON STUDS	SOLID BLOCKING BETWEEN STUDS AT ALL PANEL EDGES

- NOTES:**
1. PERIMETER MEANS AROUND THE INDIVIDUAL OSB PANEL EDGES WHERE NAILING TO STUD OR 2x EDGE BLOCKING. ALL OSB PANEL JOINTS MUST BE BLOCKED TO MATCH WALL FLOOR SIZE TO FACILITATE PERIMETER NAILING.
  2. DO NOT OVERDRIVE NAILS INTO OSB PANELS. NAILS CAN ONLY BE OVERDRIVEN 1/16".

**P-5 FIRST FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

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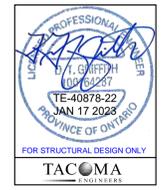
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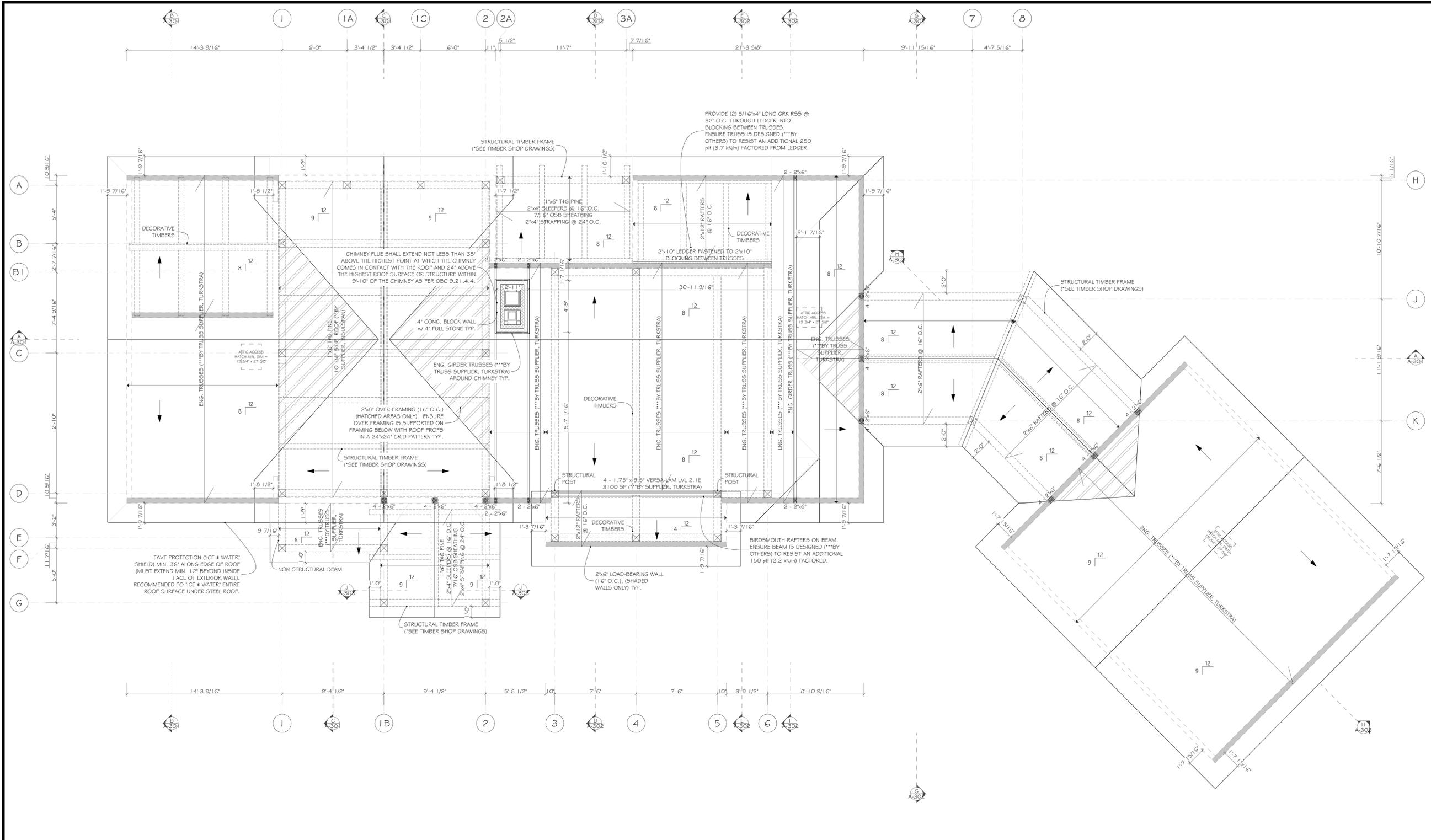
**TACOMA ENGINEERS**  
Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural  
 Complex Buildings  
 Large Buildings  
 Small Buildings

Signature: *Brandon Martin*  
Designer BCIN: 34596  
Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG



- NOTES:
- ALL DIMENSIONS TAKEN FROM OUTSIDE OF STUD ON CONVENTIONALLY FRAMED WALLS. DIMENSIONS TAKEN FROM OUTSIDE OF SHEATHING ON S.I.P. WALL LOCATIONS.
  - "ICE & WATER" SHIELD ADHERED TO SHEATHING FIRST 36" ON ALL ROOF EDGES.
  - CORROSION RESISTANT DRIP EDGE ON ALL ROOF EDGES.
  - "ICE & WATER" SHIELD ADHERED TO SHEATHING AT ALL ROOF AND WALL INTERSECTIONS, 18" EACH WAY.
  - "ICE & WATER" SHIELD 36" ON EACH SIDE OF VALLEY, 24" METAL VALLEY FLASHING.
  - "ICE & WATER" SHIELD ON ENTIRE ROOF SURFACE OF ROOF PITCHES 5/12 AND LESS, AND UP 72" OF ADJACENT ROOF.
  - ALL LUMBER TO BE SPP No. 1/2 OR BETTER.
  - STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
  - STRUCTURAL INSULATED PANEL (S.I.P.) ROOF/WALL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN (DELIVERED VIA PINE RIDGE TIMBERFRAME). SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
  - ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.

**P-8 ROOF PLAN**  
SCALE: 1/4" = 1'-0"

PROJECT NO: 21-233  
PROJECT FILE:  
Tipping-21233.ph  
DRAWN BY: LAURA MACHAN  
SCALE: 1/4" = 1'-0"  
DATE: January 17, 2023

SHEET TITLE  
**ROOF PLAN**

**A-108**  
SHEET 9 OF 25

Y:\2022\SIGNED PROJECTS\21-233 Tipping (Precise)\Construction\ArchCAD\Tipping-21233.ph



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Precise Projects  
11 Four Winds Place  
Dundas, ON L9H 3Y1  
Phone (905) 512-0078  
Contact Rick Wiersma  
Cell (905) 807-7094

**ANNE-MARIE & SCOTT TIPPING**  
3236 JERSEYVILLE RD W,  
JERSEYVILLE, ON

PROJECT SQUARE FOOTAGE  
BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
SECOND FLOOR - 0 SQFT

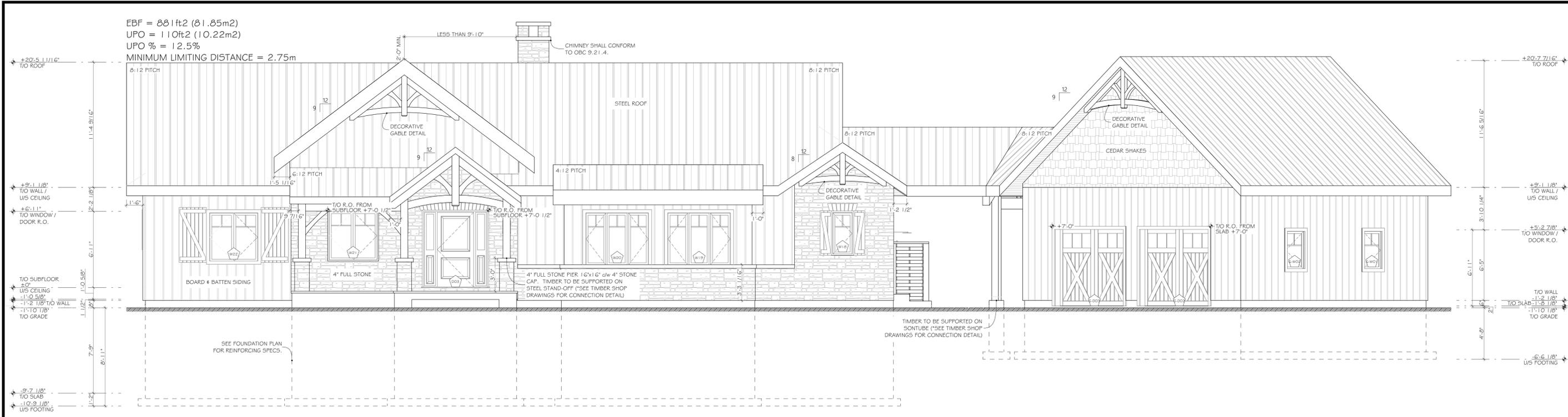
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01	CLIENT REVIEW	22DEC2021	LM
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03	CLIENT REVIEW	28FEB2022	LM
04	WINDOW & DOOR QUOTE	22MAR2022	LM
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06	CLIENT REVIEW	03MAY2022	LM
07	FOUNDATION LAYOUT	05MAY2022	LM
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11	FINAL ENGINEERING	05OCT2022	LM
12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

PROJECT NO: 21-233  
PROJECT FILE:  
Tipping-21233.pln  
DRAWN BY: LAURA MACHAN  
SCALE: 1/4" = 1'-0"  
DATE: January 17, 2023

SHEET TITLE  
**ELEVATIONS**

**A-201**

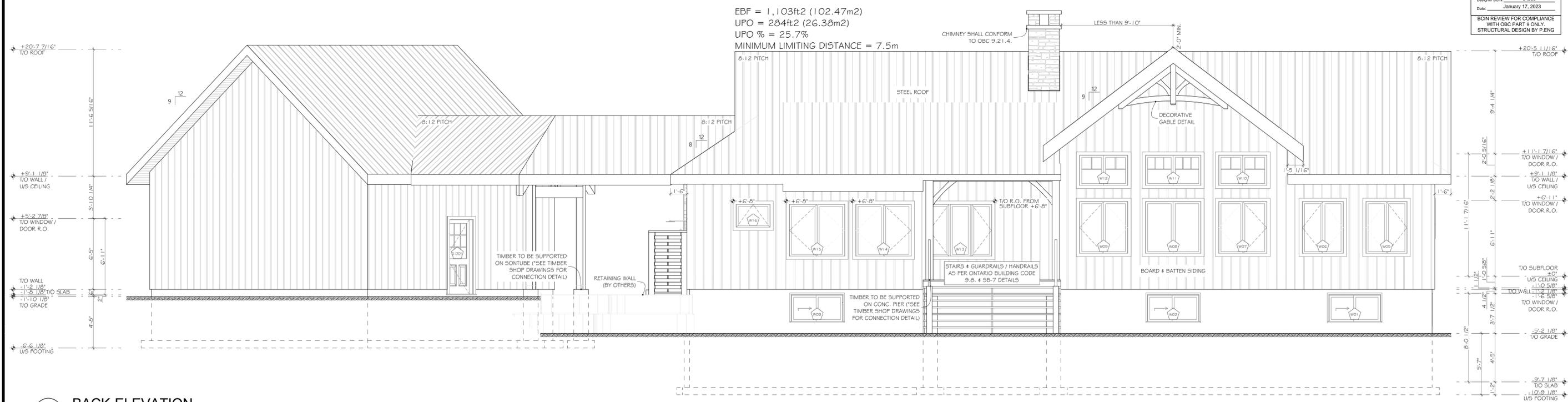
SHEET 10 OF 25



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



**TACOMA ENGINEERS**  
Firm BCIN: 29604  
The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.4, the designer is qualified and the firm is registered in the categories checked below.  
 Building Structural  
 Complex Buildings  
 Large Building  
 Small Building  
Signature: *Brandon Marth*  
Designer: Brandon Marth  
34596  
Date: January 17, 2023  
BCIN REVIEW FOR COMPLIANCE WITH OSC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG



**E-2 BACK ELEVATION**  
SCALE: 1/4" = 1'-0"

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Cell (905) 807-7094

**ANNE-MARIE & SCOTT TIPPING**  
3236 JERSEYVILLE RD W,  
JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**  
BASEMENT - 2,041 SQFT (EXCLUDES CLOSET STORAGE)  
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
SECOND FLOOR - 0 SQFT

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12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

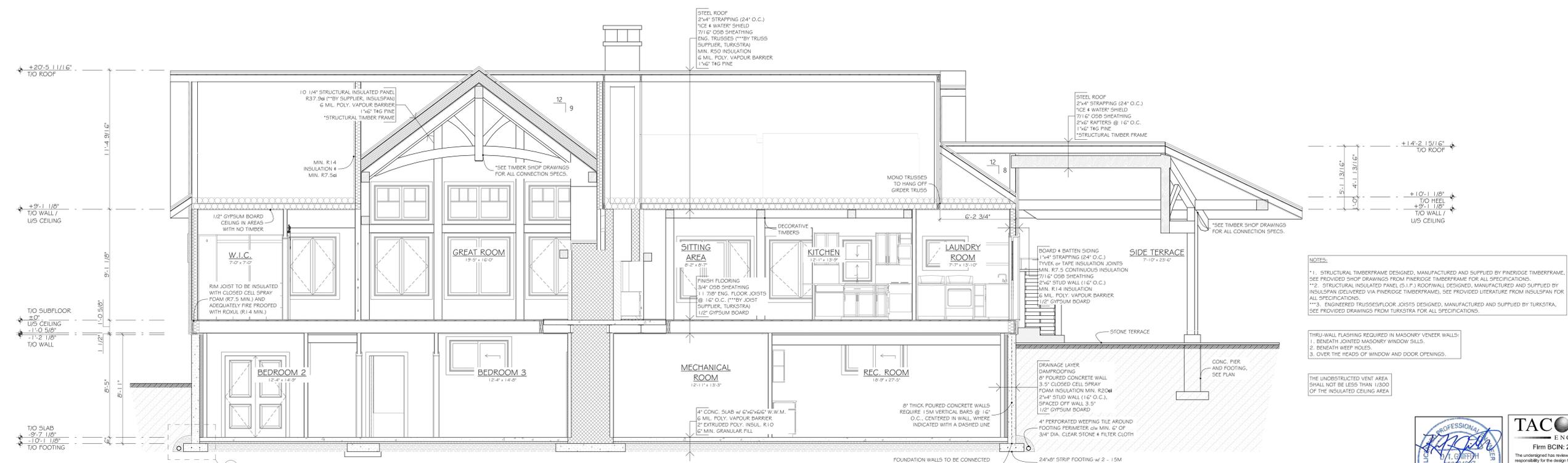
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**PROJECT FILE:** Tipping-21233.ph  
**DRAWN BY:** LAURA MACHAN  
**SCALE:** 1/4" = 1'-0"  
**DATE:** January 17, 2023

**SHEET TITLE**

SECTIONS

**A-301**

SHEET 12 OF 25

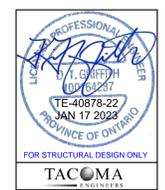


**S-A SECTION A**  
SCALE: 1/4" = 1'-0"

- NOTES:**
1. STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
  2. STRUCTURAL INSULATED PANEL (S.I.P.) ROOFWALL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN (DELIVERED VIA PINE RIDGE TIMBERFRAME). SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
  3. ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.

- THRU-WALL FLASHING REQUIRED IN MASONRY VENEER WALLS:**
1. BENEATH JOINTED MASONRY WINDOW SILLS.
  2. BENEATH WEEP HOLES.
  3. OVER THE HEADS OF WINDOW AND DOOR OPENINGS.

THE UNOBSTRUCTED VENT AREA SHALL NOT BE LESS THAN 1/300 OF THE INSULATED CEILING AREA

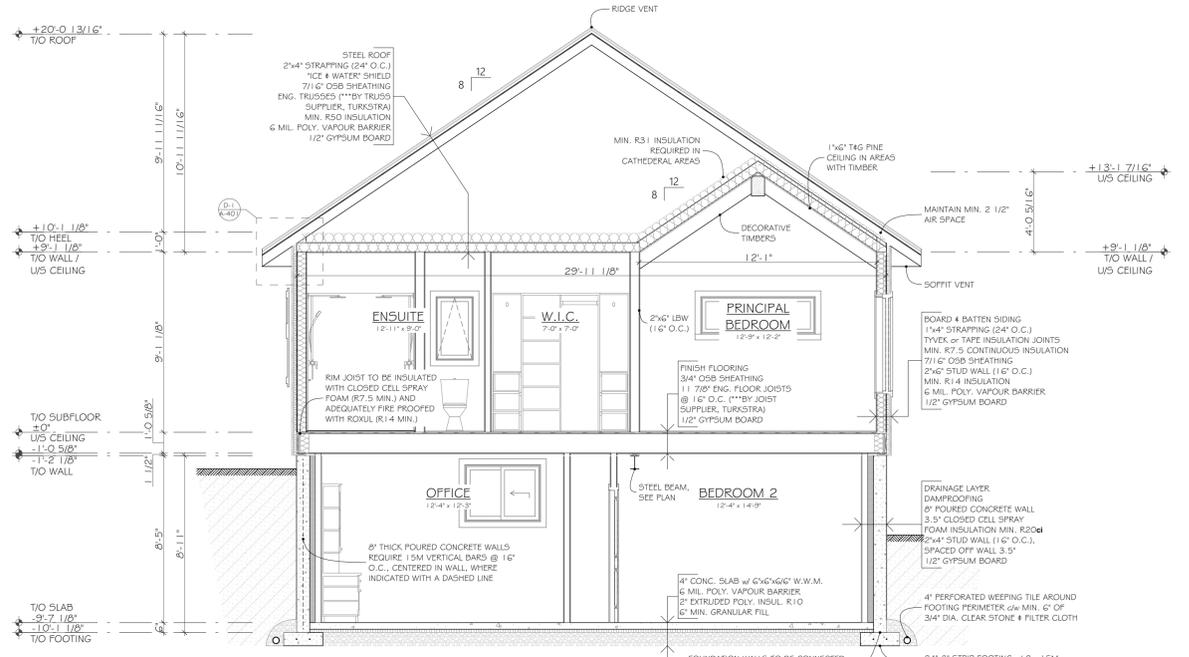


**TACOMA ENGINEERS**  
Firm BCIN: 29604  
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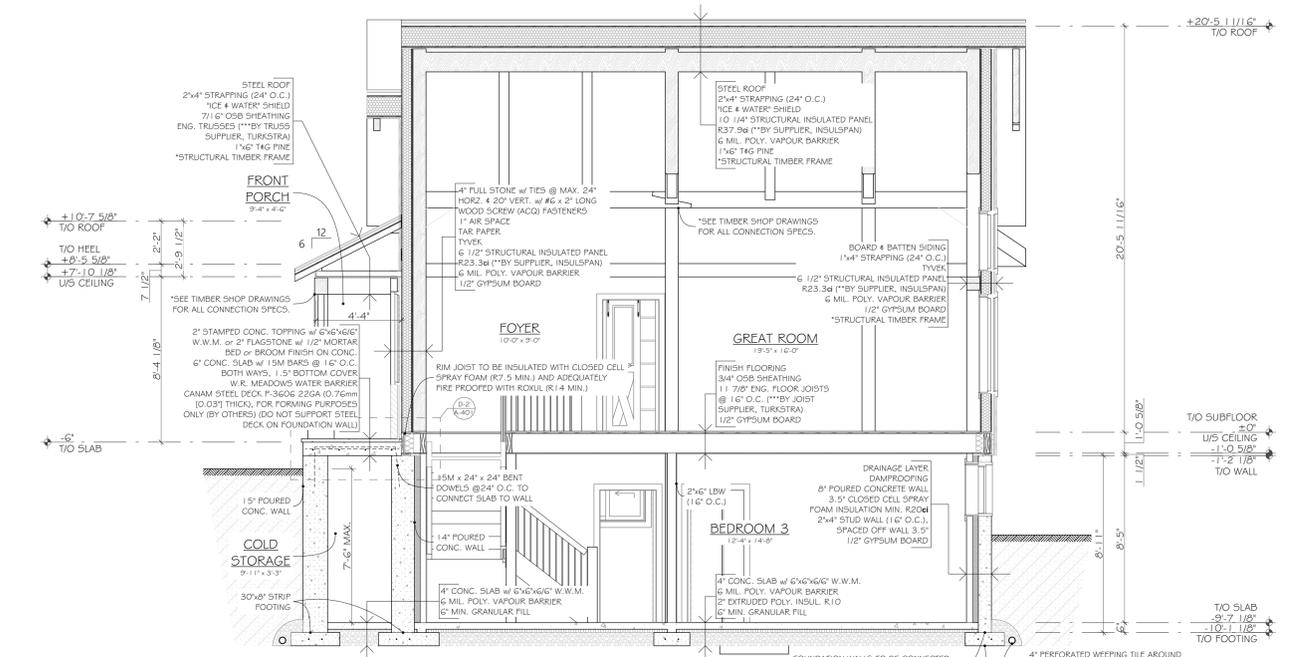
Building Structural  
 Complex Buildings  
 Large Building  
 Small Building

Signature: *Brandon Martin*  
Designer: Brandon Martin  
Designer BCIN: 34586  
Date: January 17, 2023

BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY  
STRUCTURAL DESIGN BY P. ENG.



**S-B SECTION B**  
SCALE: 1/4" = 1'-0"



**S-C SECTION C**  
SCALE: 1/4" = 1'-0"

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**Precise Projects**  
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Dundas, ON L9H 3Y1  
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Contact Rick Wiersma  
Cell (905) 807-7094

**ANNE-MARIE & SCOTT TIPPING**  
3236 JERSEYVILLE RD W,  
JERSEYVILLE, ON

**PROJECT SQUARE FOOTAGE**  
BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
SECOND FLOOR - 0 SQFT

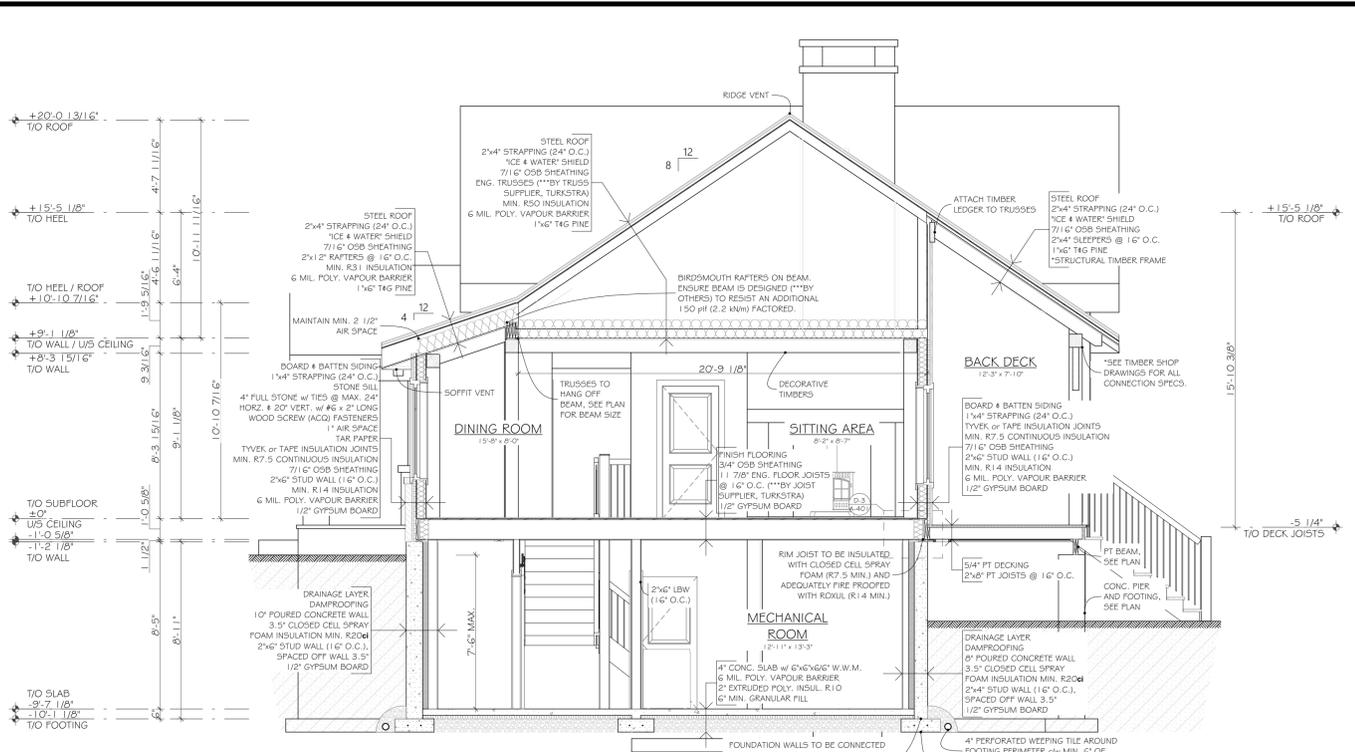
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12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

**PROJECT NO:** 21-233  
**PROJECT FILE:** Tipping-21233.ph  
**DRAWN BY:** LAURA MACHAN  
**SCALE:** 1/4" = 1'-0"  
**DATE:** January 17, 2023

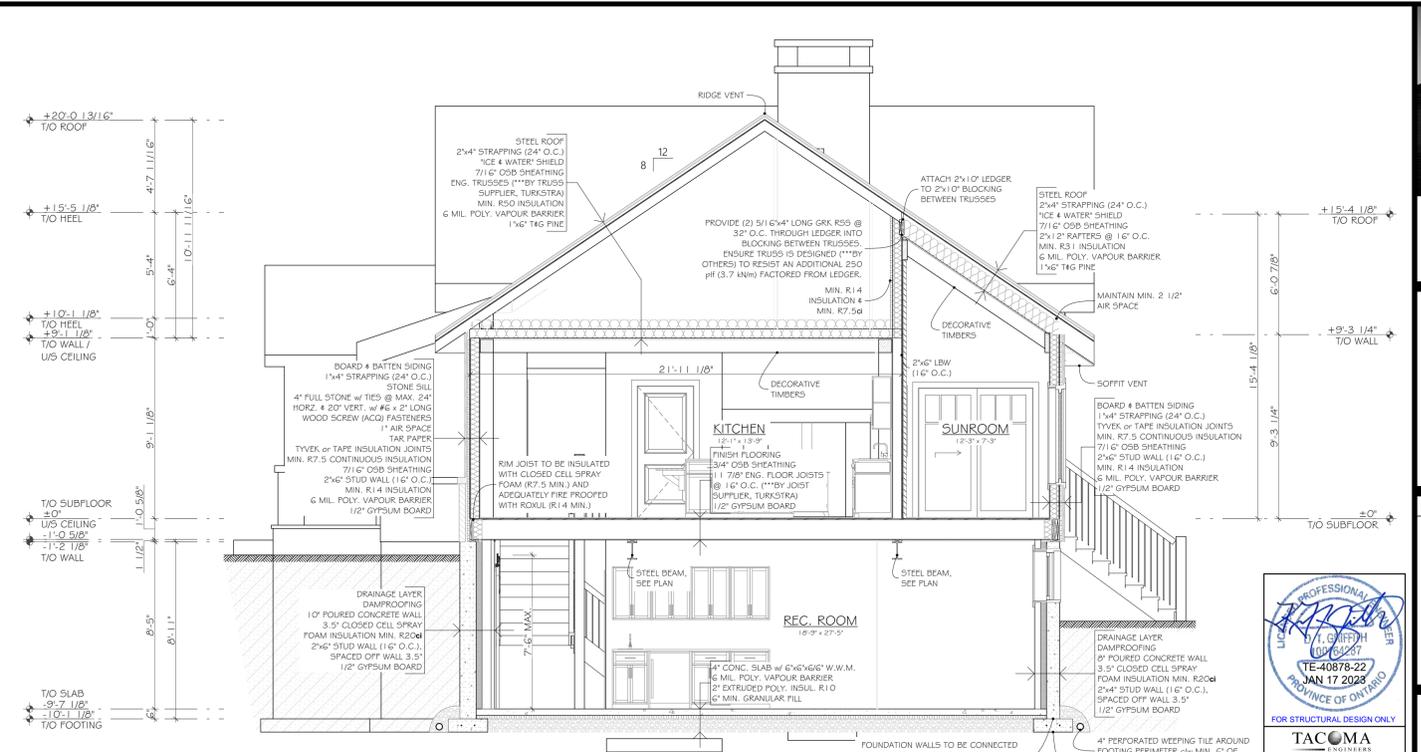
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SECTIONS

**A-302**

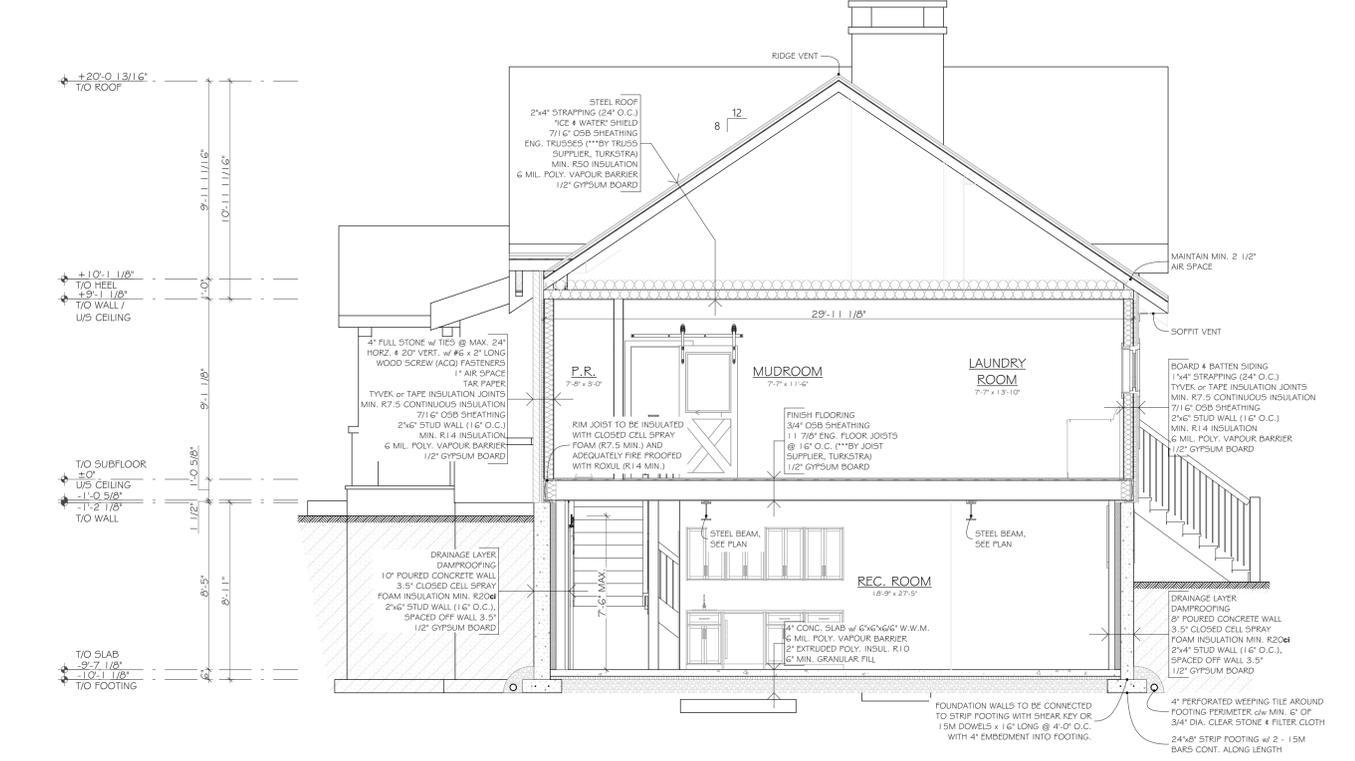
SHEET 13 OF 25



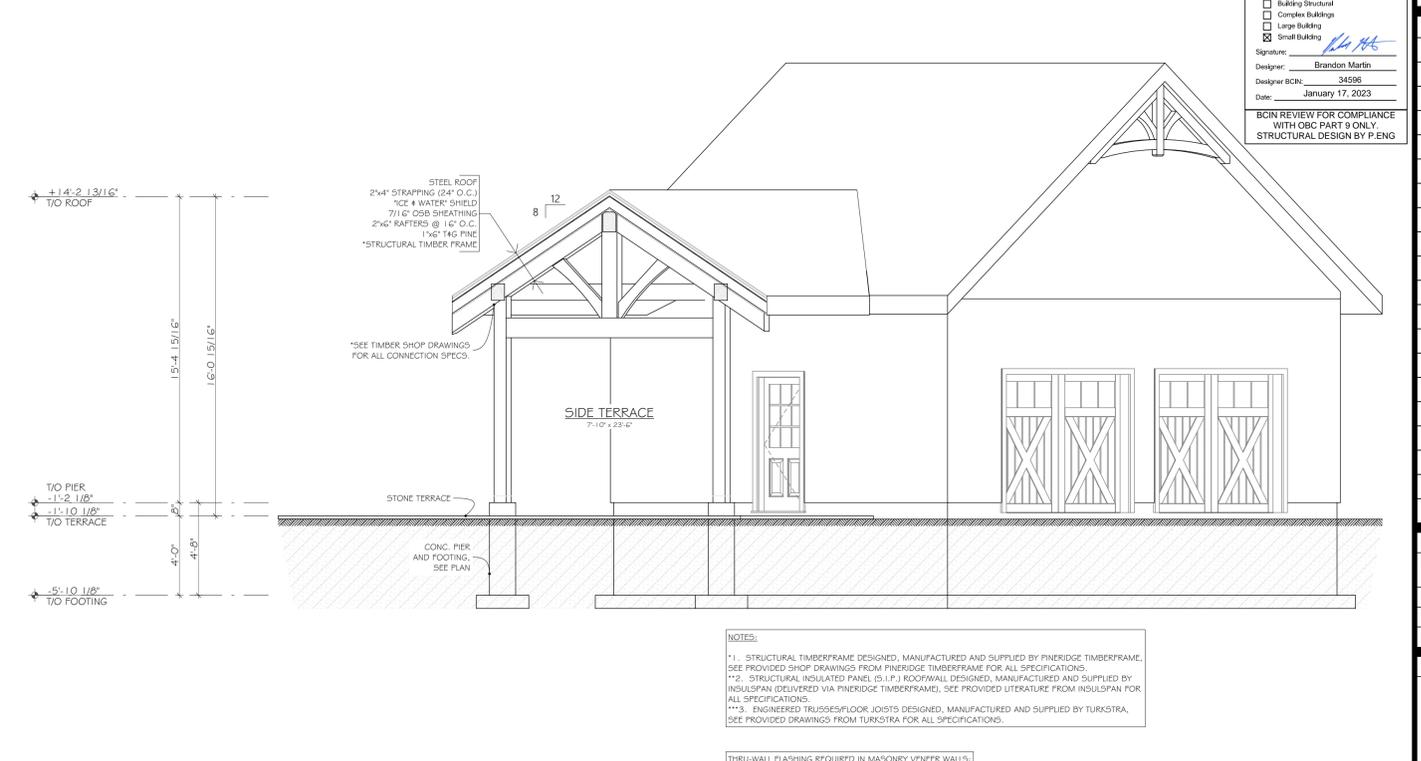
**S-D SECTION D**  
SCALE: 1/4" = 1'-0"



**S-E SECTION E**  
SCALE: 1/4" = 1'-0"



**S-F SECTION F**  
SCALE: 1/4" = 1'-0"



**S-G SECTION G**  
SCALE: 1/4" = 1'-0"

- NOTES:**
- 1. STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
  - 2. STRUCTURAL INSULATED PANEL IS I.P. ROOF/PANEL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN (DELIVERED VIA PINE RIDGE TIMBERFRAME). SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
  - 3. ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.

THRU-WALL FLASHING REQUIRED IN MASONRY VENEER WALLS.  
1. BENEATH JOINTED MASONRY WINDOW SILLS.  
2. BENEATH WEEP HOLES.  
3. OVER THE HEADS OF WINDOW AND DOOR OPENINGS.

THE UNOBSTRUCTED VENT AREA SHALL NOT BE LESS THAN 1/500 OF THE INSULATED CEILING AREA.

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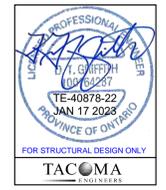


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GENERAL CONTRACTOR

Precise Projects  
11 Four Winds Place  
Dundas, ON L9H 3Y1  
Phone (905) 512-0078  
Contact Rick Wiersma  
Cell (905) 807-7094



ANNE-MARIE & SCOTT TIPPING  
3236 JERSEYVILLE RD W,  
JERSEYVILLE, ON

PROJECT SQUARE FOOTAGE  
BASEMENT - 2,041 SQFT (EXCLUDES COLD STORAGE)  
FIRST FLOOR - 2,006 SQFT GARAGE - 672 SQFT  
SECOND FLOOR - 0 SQFT

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07	FOUNDATION LAYOUT	05MAY2022	LM
08	WINDOW & DOOR QUOTE	02JUN2022	LM
09	ENGINEERING	19AUG2022	LM
10	ENGINEERING	28SEP2022	LM
11	FINAL ENGINEERING	05OCT2022	LM
12	PERMIT	13OCT2022	LM
13	FOUNDATION AND PERMIT DRAWING REVISIONS	06JAN2023	LM
14	PERMIT	17JAN2023	LM

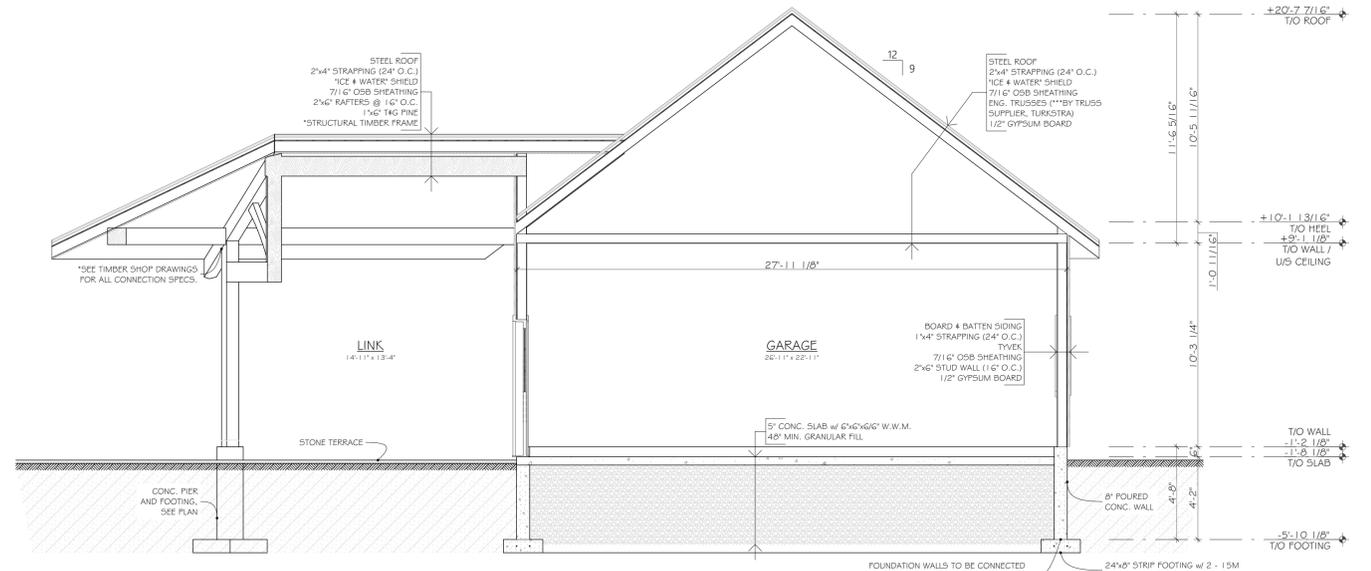
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DRAWN BY: LAURA MACHAN  
SCALE: 1/4" = 1'-0", 1/2" = 1'-0"  
DATE: January 17, 2023

SHEET TITLE

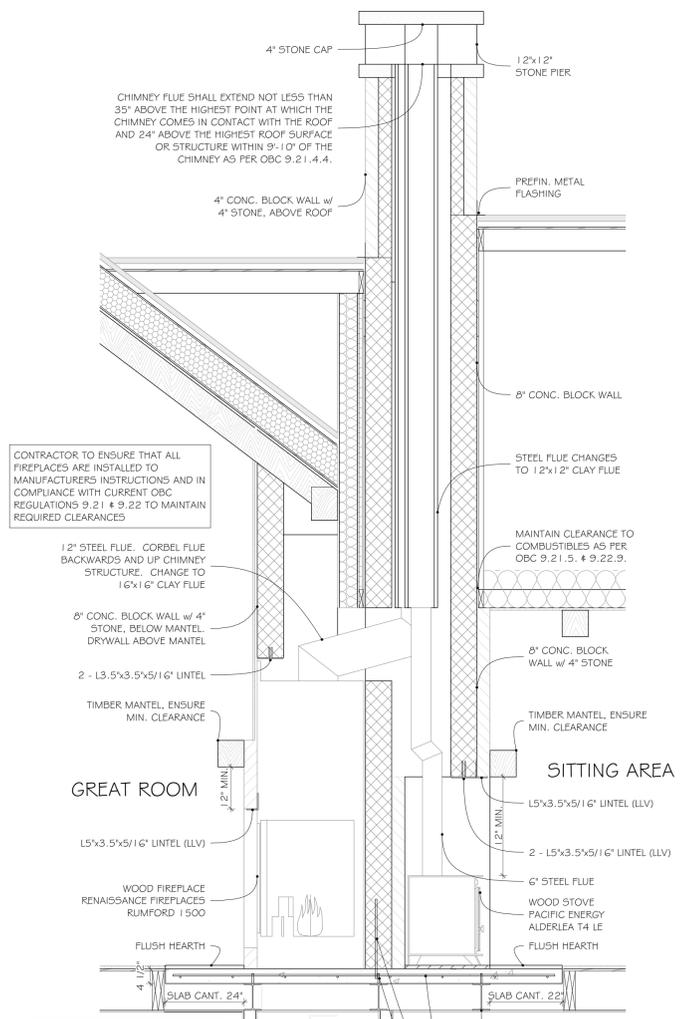
SECTIONS

A-303

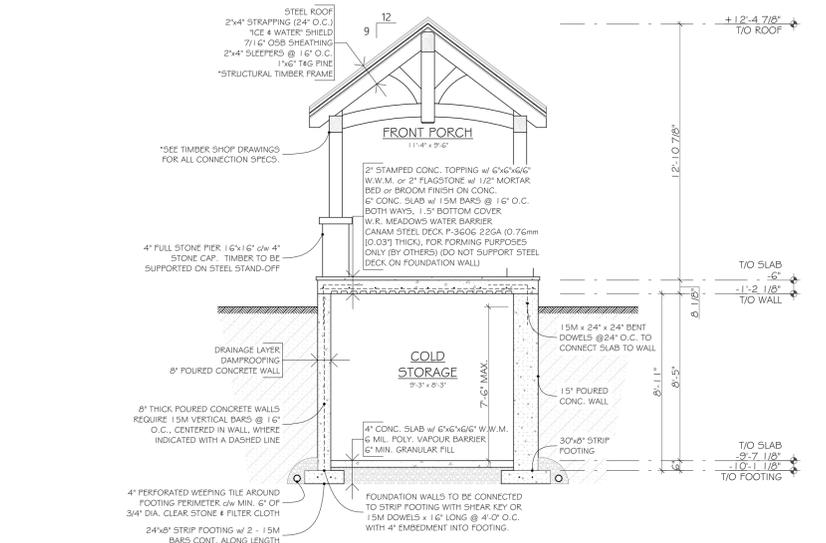
SHEET 14 OF 25



**S-H SECTION H**  
SCALE: 1/4" = 1'-0"



**FP FIREPLACE SECTION**  
SCALE: 1/2" = 1'-0"



**S-J SECTION J**  
SCALE: 1/4" = 1'-0"

- NOTES:
1. STRUCTURAL TIMBERFRAME DESIGNED, MANUFACTURED AND SUPPLIED BY PINE RIDGE TIMBERFRAME. SEE PROVIDED SHOP DRAWINGS FROM PINE RIDGE TIMBERFRAME FOR ALL SPECIFICATIONS.
  2. STRUCTURAL INSULATED PANEL (SIP) ROOFWALL DESIGNED, MANUFACTURED AND SUPPLIED BY INSULSPAN (DELIVERED VIA PINE RIDGE TIMBERFRAME). SEE PROVIDED LITERATURE FROM INSULSPAN FOR ALL SPECIFICATIONS.
  3. ENGINEERED TRUSSES/FLOOR JOISTS DESIGNED, MANUFACTURED AND SUPPLIED BY TURKSTRA. SEE PROVIDED DRAWINGS FROM TURKSTRA FOR ALL SPECIFICATIONS.
- THRU-WALL FLASHING REQUIRED IN MASONRY VENER WALLS:  
1. BENEATH JOINTED MASONRY WINDOW SILLS.  
2. BENEATH WEEP HOLES.  
3. OVER THE HEADS OF WINDOW AND DOOR OPENINGS.
- THE UNOBSTRUCTED VENT AREA SHALL NOT BE LESS THAN 1/500 OF THE INSULATED CEILING AREA.

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JERSEYVILLE, ON

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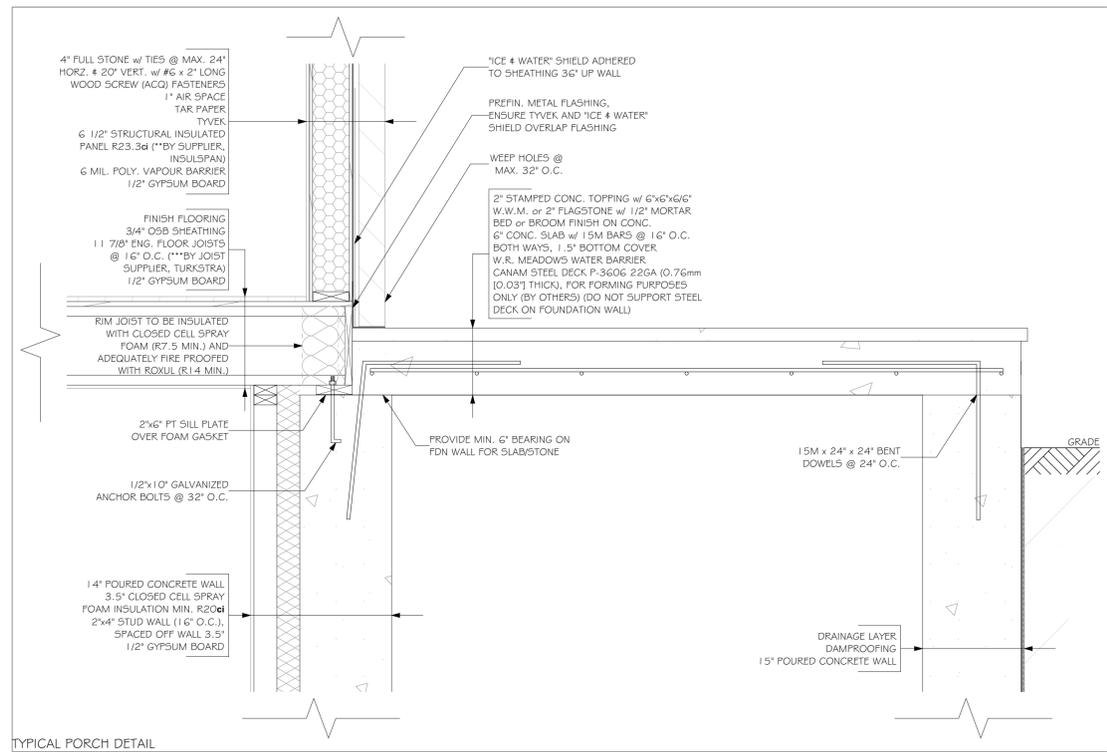
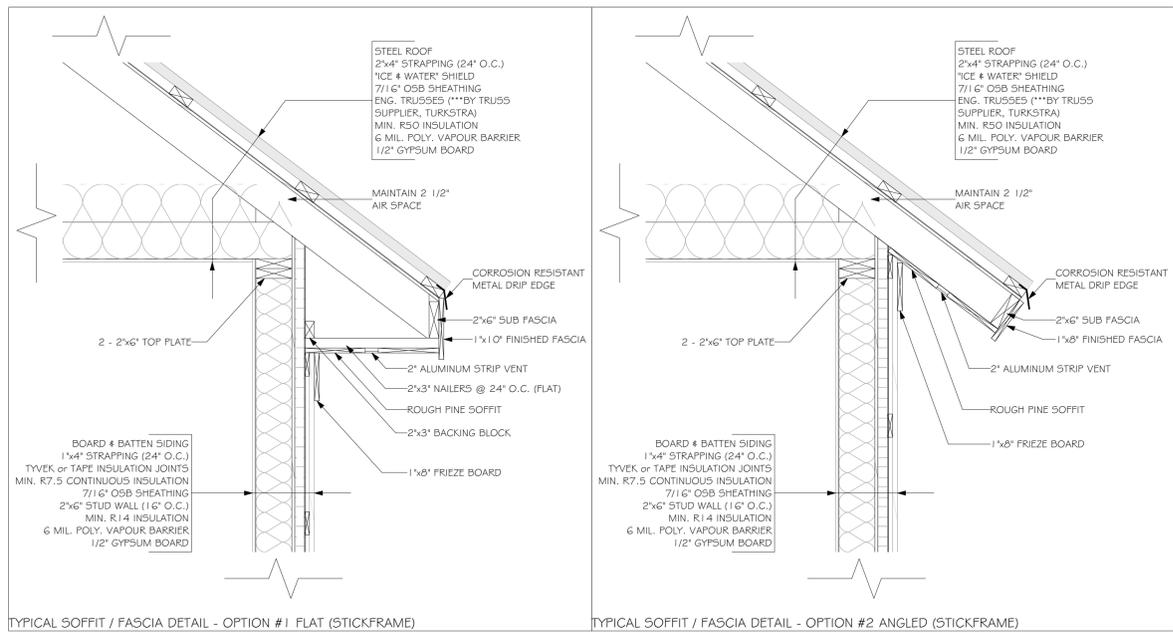
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PROJECT FILE:  
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DRAWN BY: LAURA MACHAN  
SCALE: 1" = 1'-0"  
DATE: January 17, 2023

SHEET TITLE

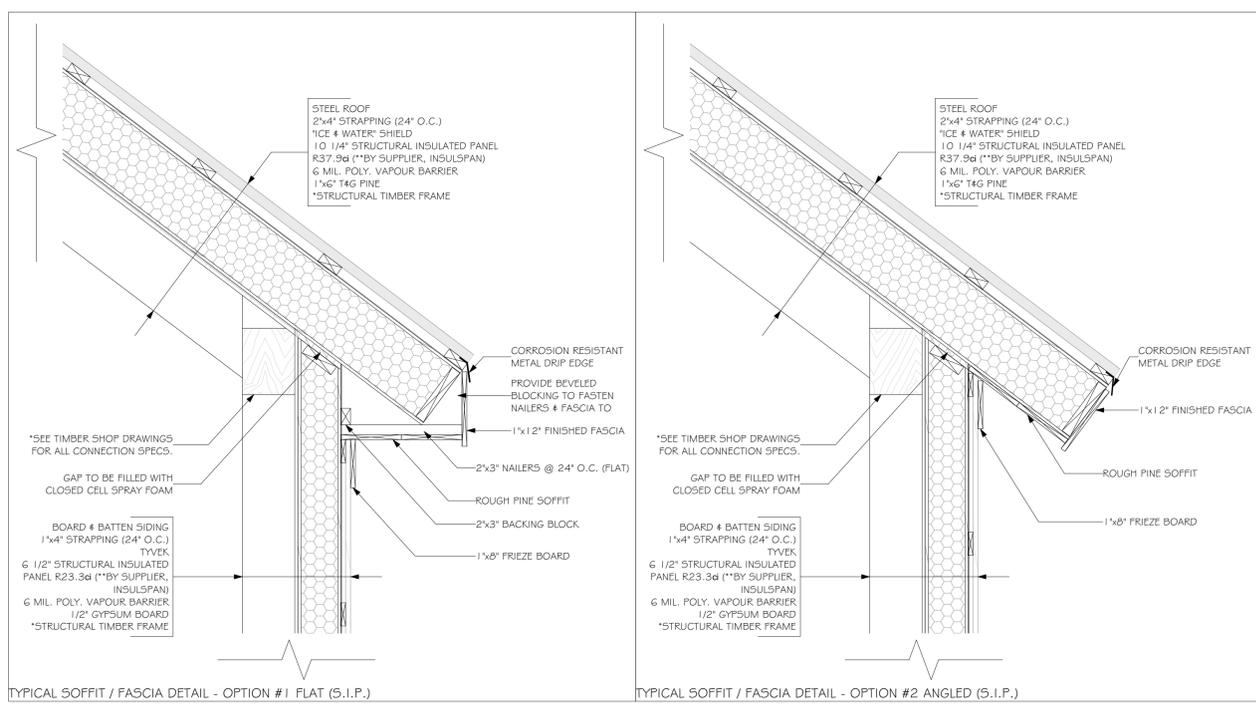
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**A-401**

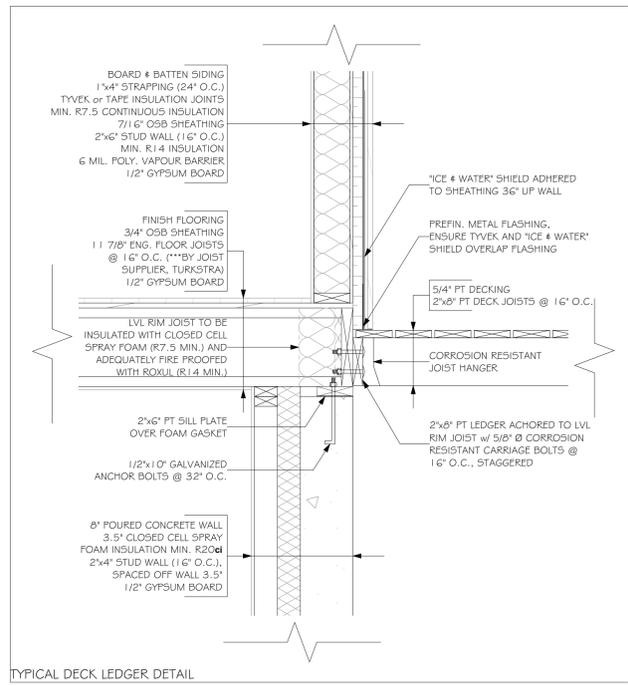
SHEET 15 OF 25



**D-2 DETAIL 2**  
SCALE: 1" = 1'-0"



**D-1 DETAIL 1**  
SCALE: 1" = 1'-0"



**D-3 DETAIL 3**  
SCALE: 1" = 1'-0"



**TACOMA ENGINEERS**  
Firm BCIN: 29604  
The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.1.4, the designer is qualified and the firm is registered in the categories checked below.  
 Building Structural  
 Complex Buildings  
 Large Building  
 Small Building  
 Signature: *Brandon Martin*  
 Designer: Brandon Martin  
 Designer BCIN: 34596  
 Date: January 17, 2023  
 BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY  
 STRUCTURAL DESIGN BY P:ENG

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PROJECT NO: 21-233  
PROJECT FILE:  
Tipping-21233.pln  
DRAWN BY: LAURA MACHAN  
SCALE: 1/8"=1'-0"  
DATE: January 17, 2023

SHEET TITLE

R.O. SCHEDULES

**A-501**

SHEET 16 OF 25

ID	STOREY	ROOM NAME	UNIT SIZE	TYPE	OPERATION/HINGE	EXTERIOR VIEW	JAMB	SCREEN	BRICK MOLD	NOTES
D01	FIRST FLOOR PLAN	SUNROOM	5'-10 7/8"×6'-7 1/2"	PATIO	SLIDER - FIXED-RIGHT TO LEFT		6 9/16"	YES	-	-
D02	FIRST FLOOR PLAN	MUDROOM	3'-1 15/16"×6'-10 1/2"	FIBERGLASS INSULATED	IN-SWING - RIGHT		6 9/16"	-	-	-
D03	FIRST FLOOR PLAN	FOYER	6'-0"×7'-0"	WOOD	IN-SWING - LEFT		6 9/16"	-	YES	SIDELITES - 16"
G-D01	FIRST FLOOR PLAN	GARAGE	3'-1 15/16"×6'-10 1/2"	FIBERGLASS	IN-SWING - LEFT		6 9/16"	-	-	-
G-D02	FIRST FLOOR PLAN	GARAGE	9'-0"×7'-0"	STEEL	ROLL-UP		-	-	-	-
G-D03	FIRST FLOOR PLAN	GARAGE	9'-0"×7'-0"	STEEL	ROLL-UP		-	-	-	-

ID	STOREY	ROOM NAME	UNIT SIZE	TYPE	OPERATION/HINGE	EXTERIOR VIEW	NOTES
INT-D01	BASEMENT PLAN	BEDROOM 2	2'-10"×6'-8"	WOOD	IN-SWING - LEFT		-
INT-D02	BASEMENT PLAN	BEDROOM 2	5'-0"×6'-8"	WOOD	OUT-SWING - LEFT-RIGHT		-
INT-D03	BASEMENT PLAN	BATHROOM 2	2'-10"×6'-8"	WOOD	IN-SWING - LEFT		-
INT-D04	BASEMENT PLAN	BEDROOM 3	2'-10"×6'-8"	WOOD	IN-SWING - RIGHT		-
INT-D05	BASEMENT PLAN	BEDROOM 3	4'-6"×6'-8"	WOOD	OUT-SWING - LEFT-RIGHT		-
INT-D06	BASEMENT PLAN	OFFICE	2'-10"×6'-8"	WOOD	IN-SWING - RIGHT		-
INT-D07	BASEMENT PLAN	STORAGE	2'-10"×6'-8"	WOOD	IN-SWING - LEFT		-
INT-D08	BASEMENT PLAN	MECHANICAL ROOM	2'-10"×6'-8"	WOOD	IN-SWING - LEFT		-
INT-D09	BASEMENT PLAN	COLD STORAGE	3'-1 5/16"×6'-10 3/16"	STEEL INSULATED	IN-SWING - LEFT		-
INT-D10	BASEMENT PLAN	REC. ROOM	8'-0"×6'-8"	WOOD	SLIDING BARN - LEFT-RIGHT		-
INT-D11	FIRST FLOOR PLAN	PRINCIPAL BEDROOM	2'-10"×6'-8"	WOOD	POCKET - RIGHT		-
INT-D12	FIRST FLOOR PLAN	W.I.C.	3'-4"×6'-8"	WOOD	SLIDING BARN - LEFT-RIGHT		-
INT-D13	FIRST FLOOR PLAN	ENSUITE	2'-10"×6'-8"	WOOD	IN-SWING - RIGHT		-
INT-D14	FIRST FLOOR PLAN	PANTRY	2'-10"×6'-8"	WOOD	OUT-SWING - RIGHT		-
INT-D15	FIRST FLOOR PLAN	FOYER	3'-6"×6'-8"	WOOD	OUT-SWING - LEFT-RIGHT		-
INT-D16	FIRST FLOOR PLAN	MUDROOM	2'-10"×6'-8"	WOOD	SLIDING BARN - RIGHT		-
INT-D17	FIRST FLOOR PLAN	POWDER ROOM	2'-8"×6'-8"	WOOD	OUT-SWING - LEFT		-
INT-OPNG01	FIRST FLOOR PLAN	PRINCIPAL BEDROOM	5'-6 9/16"×7'-6"	-	-		-
INT-OPNG02	FIRST FLOOR PLAN	FOYER	4'-0 1/16"×7'-6"	-	-		-
INT-OPNG03	FIRST FLOOR PLAN	SUNROOM	4'-1"×7'-6"	-	-		-

ID	STOREY	ROOM NAME	EXTERIOR VIEW	R.O. SIZE	HEADER	JACK / KING STUDS	STONE LINTEL
D01	FIRST FLOOR PLAN	SUNROOM		5'-11 7/8"×6'-8"	2 - 2"x6"	1 JACK & 1 KING	-
D02	FIRST FLOOR PLAN	MUDROOM		3'-2 15/16"×6'-11"	2 - 2"x6"	2 JACKS & 1 KING	-
D03	FIRST FLOOR PLAN	FOYER		6'-1"×7'-0 1/2"	2 - 2"x8"	1 JACK & 1 KING	L3.5"x3.5"x5/16"
G-D01	FIRST FLOOR PLAN	GARAGE		3'-2 15/16"×6'-11"	2 - 2"x8"	2 JACKS & 1 KING	-
G-D02	FIRST FLOOR PLAN	GARAGE		9'-0"×7'-0"	2 - 2"x10" + 2 - 2"x6" ON THE FLAT	1 JACK & 3 KINGS	-
G-D03	FIRST FLOOR PLAN	GARAGE		9'-0"×7'-0"	2 - 2"x10" + 2 - 2"x6" ON THE FLAT	1 JACK & 3 KINGS	-

ID	STOREY	ROOM NAME	EXTERIOR VIEW	R.O. SIZE	HEADER	JACK / KING STUDS
INT-D01	BASEMENT PLAN	BEDROOM 2		3'-0 1/2"×6'-10"	2 - 2"x10"	3 JACKS & 1 KING
INT-D02	BASEMENT PLAN	BEDROOM 2		5'-2 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D03	BASEMENT PLAN	BATHROOM 2		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D04	BASEMENT PLAN	BEDROOM 3		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D05	BASEMENT PLAN	BEDROOM 3		4'-8 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D06	BASEMENT PLAN	OFFICE		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D07	BASEMENT PLAN	STORAGE		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D08	BASEMENT PLAN	MECHANICAL ROOM		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D09	BASEMENT PLAN	COLD STORAGE		3'-2 5/16"×6'-10 11/16"	2 - 2"x6"	1 JACK & 1 KING
INT-D10	BASEMENT PLAN	REC. ROOM		8'-2 1/2"×6'-10"	2 - 2"x6"	1 JACK & 2 KINGS
INT-D11	FIRST FLOOR PLAN	PRINCIPAL BEDROOM		5'-10 1/2"×7'-1"	2 - 2"x6"	1 JACK & 1 KING
INT-D12	FIRST FLOOR PLAN	W.I.C.		3'-6 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D13	FIRST FLOOR PLAN	ENSUITE		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D14	FIRST FLOOR PLAN	PANTRY		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D15	FIRST FLOOR PLAN	FOYER		3'-8 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D16	FIRST FLOOR PLAN	MUDROOM		3'-0 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-D17	FIRST FLOOR PLAN	POWDER ROOM		2'-10 1/2"×6'-10"	2 - 2"x6"	1 JACK & 1 KING
INT-OPNG01	FIRST FLOOR PLAN	PRINCIPAL BEDROOM		5'-7 9/16"×7'-7 1/4"	2 - 2"x8"	1 JACK & 1 KING
INT-OPNG02	FIRST FLOOR PLAN	FOYER		4'-1 1/16"×7'-7 1/4"	2 - 2"x6"	1 JACK & 1 KING
INT-OPNG03	FIRST FLOOR PLAN	SUNROOM		4'-1"×7'-7 1/4"	2 - 2"x6"	1 JACK & 1 KING

ID	STOREY	ROOM NAME	EXTERIOR VIEW	R.O. SIZE	HEADER	JACK / KING STUDS	STONE LINTEL
G-W01	FIRST FLOOR PLAN	GARAGE		2'-6 9/16"×3'-8 5/16"	2 - 2"x6"	1 JACK & 1 KING	-
G-W02	FIRST FLOOR PLAN	GARAGE		2'-6 9/16"×3'-8 5/16"	2 - 2"x6"	1 JACK & 1 KING	-
INT-W01	FIRST FLOOR PLAN	KITCHEN		2'-7"×3'-7"	2 - 2"x6"	1 JACK & 1 KING	-
W01	BASEMENT PLAN	BEDROOM 2		5'-0 1/16"×2'-8 1/2"	-	-	-
W02	BASEMENT PLAN	BEDROOM 3		5'-0 1/16"×2'-8 1/2"	-	-	-
W03	BASEMENT PLAN	REC. ROOM		5'-0 1/16"×2'-8 1/2"	-	-	-
W04	BASEMENT PLAN	OFFICE		4'-0 1/4"×3'-0 7/16"	-	-	-
W05	FIRST FLOOR PLAN	PRINCIPAL BEDROOM		4'-0 1/4"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W06	FIRST FLOOR PLAN	PRINCIPAL BEDROOM		4'-0 1/4"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W07	FIRST FLOOR PLAN	GREAT ROOM		4'-8 1/8"×5'-0 1/16"	-	-	-
W08	FIRST FLOOR PLAN	GREAT ROOM		5'-4"×5'-0 1/16"	-	-	-
W09	FIRST FLOOR PLAN	GREAT ROOM		4'-8 1/8"×5'-0 1/16"	-	-	-
W10	FIRST FLOOR PLAN	GREAT ROOM		4'-8 1/8"×3'-0 7/16"	-	-	-
W11	FIRST FLOOR PLAN	GREAT ROOM		5'-4"×3'-0 7/16"	-	-	-
W12	FIRST FLOOR PLAN	GREAT ROOM		4'-8 1/8"×3'-0 7/16"	-	-	-
W13	FIRST FLOOR PLAN	SITTING AREA		5'-11 7/8"×5'-0 1/16"	2 - 2"x8"	2 JACKS & 1 KING	-
W14	FIRST FLOOR PLAN	SUNROOM		5'-4"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W15	FIRST FLOOR PLAN	SUNROOM		5'-4"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W16	FIRST FLOOR PLAN	LAUNDRY ROOM		3'-4 3/8"×2'-4 9/16"	2 - 2"x8"	2 JACKS & 1 KING	-
W17	FIRST FLOOR PLAN	LAUNDRY ROOM		2'-8 1/2"×3'-4 3/8"	2 - 2"x6"	1 JACK & 1 KING	-
W18	FIRST FLOOR PLAN	POWDER ROOM		2'-0 5/8"×4'-0 1/4"	2 - 2"x6"	1 JACK & 1 KING	L3.5"x3.5"x5/16"
W19	FIRST FLOOR PLAN	DINING ROOM		5'-11 7/8"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W20	FIRST FLOOR PLAN	DINING ROOM		5'-11 7/8"×5'-0 1/16"	2 - 2"x6"	1 JACK & 1 KING	-
W21	FIRST FLOOR PLAN	STAIRWELL		4'-8 1/8"×4'-8 1/8"	-	-	L3.5"x3.5"x5/16"
W22	FIRST FLOOR PLAN	ENSUITE		4'-8 1/8"×4'-8 1/8"	2 - 2"x6"	1 JACK & 1 KING	-
W23	FIRST FLOOR PLAN	ENSUITE		2'-0 5/8"×3'-4 3/8"	2 - 2"x6"	1 JACK & 1 KING	-
W24	FIRST FLOOR PLAN	PRINCIPAL BEDROOM		5'-11 7/8"×2'-0 5/8"	2 - 2"x6"	1 JACK & 2 KINGS	-

**TACOMA ENGINEERS**  
Firm BCIN: 29604  
The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C.3.2.1, the designer is qualified and the firm is registered in the categories checked below.  
 Building Structural  
 Large Building  
 Small Building  
Signature:   
Designer: Brandon Martin  
Designer BCIN: 34596  
Date: January 17, 2023  
BCIN REVIEW FOR COMPLIANCE WITH OBC PART 9 ONLY. STRUCTURAL DESIGN BY P.ENG

ID	STOREY	ROOM NAME	UNIT SIZE	TYPE	OPERATION / HINGE	EXTERIOR VIEW	JAMB	SCREEN	BRICK MOLD	NOTES
G-W01	FIRST FLOOR PLAN	GARAGE	2'-5 9/16"×3'-7 5/16"	CASEMENT	RIGHT		4 9/16"	YES	-	-
G-W02	FIRST FLOOR PLAN	GARAGE	2'-5 9/16"×3'-7 5/16"	CASEMENT	LEFT		4 9/16"	YES	-	-
INT-W01	FIRST FLOOR PLAN	KITCHEN	2'-6"×3'-6"	DOUBLE HUNG	UP/DOWN		4 9/16"	YES	-	-
W01	BASEMENT PLAN	BEDROOM 2	4'-11 1/16"×2'-7 1/2"	SLIDER	LEFT TO RIGHT-FIXED		4 9/16"	YES	YES	-
W02	BASEMENT PLAN	BEDROOM 3	4'-11 1/16"×2'-7 1/2"	SLIDER	LEFT TO RIGHT-FIXED		4 9/16"	YES	YES	-
W03	BASEMENT PLAN	REC. ROOM	4'-11 1/16"×2'-7 1/2"	SLIDER	LEFT TO RIGHT-FIXED		4 9/16"	YES	YES	-
W04	BASEMENT PLAN	OFFICE	3'-11 1/4"×2'-11 7/16"	SLIDER	LEFT TO RIGHT-FIXED		4 9/16"	YES	YES	-
W05	FIRST FLOOR PLAN	PRINCIPAL BEDROOM	3'-11 1/4"×4'-11 1/16"	CASEMENT	FIXED-RIGHT		4 9/16"	YES	-	-
W06	FIRST FLOOR PLAN	PRINCIPAL BEDROOM	3'-11 1/4"×4'-11 1/16"	CASEMENT	LEFT-FIXED		4 9/16"	YES	-	-
W07	FIRST FLOOR PLAN	GREAT ROOM	4'-7 1/8"×4'-11 1/16"	CASEMENT	FIXED-RIGHT		4 9/16"	YES	-	-
W08	FIRST FLOOR PLAN	GREAT ROOM	5'-3"×4'-11 1/16"	CASEMENT	FIXED-FIXED		4 9/16"	-	-	-
W09	FIRST FLOOR PLAN	GREAT ROOM	4'-7 1/8"×4'-11 1/16"	CASEMENT	LEFT-FIXED		4 9/16"	YES	-	-
W10	FIRST FLOOR PLAN	GREAT ROOM	4'-7 1/8"×2'-11 7/16"	CASEMENT	FIXED-FIXED		4 9/16"	-	-	-
W11	FIRST FLOOR PLAN	GREAT ROOM	5'-3"×2'-11 7/16"	CASEMENT	FIXED-FIXED		4 9/16"	-	-	-
W12	FIRST FLOOR PLAN	GREAT ROOM	4'-7 1/8"×2'-11 7/16"	CASEMENT	FIXED-FIXED		4 9/16"	-	-	-
W13	FIRST FLOOR PLAN	SITTING AREA	5'-10 7/8"×4'-11 1/16"	CASEMENT	LEFT-FIXED-RIGHT		4 9/16"	YES	-	-
W14	FIRST FLOOR PLAN	SUNROOM	5'-3"×4'-11 1/16"	CASEMENT	FIXED-RIGHT		4 9/16"	YES	-	-
W15	FIRST FLOOR PLAN	SUNROOM	5'-3"×4'-11 1/16"	CASEMENT	LEFT-FIXED		4 9/16"	YES	-	-
W16	FIRST FLOOR PLAN	LAUNDRY ROOM	3'-3 3/8"×2'-3 9/16"	AWNING	TOP		4 9/16"	YES	-	-
W17	FIRST FLOOR PLAN	LAUNDRY ROOM	2'-7 1/2"×3'-3 3/8"	CASEMENT	LEFT		4 9/16"	YES	-	-
W18	FIRST FLOOR PLAN	POWDER ROOM	1'-11 5/8"×3'-11 1/4"	CASEMENT	RIGHT		4 9/16"	YES	YES	-
W19	FIRST FLOOR PLAN	DINING ROOM	5'-10 7/8"×4'-11 1/16"	CASEMENT	LEFT-FIXED-RIGHT		4 9/16"	YES	-	-
W20	FIRST FLOOR PLAN	DINING ROOM	5'-10 7/8"×4'-11 1/16"	CASEMENT	LEFT-FIXED-RIGHT		4 9/16"	YES	-	-
W21	FIRST FLOOR PLAN	STAIRWELL	4'-7 1/8"×4'-7 1/8"	CASEMENT	FIXED-RIGHT		4 9/16"	YES	YES	-
W22	FIRST FLOOR PLAN	ENSUITE	4'-7 1/8"×4'-7 1/8"	CASEMENT	LEFT-FIXED		4 9/16"	YES	-	-
W23	FIRST FLOOR PLAN	ENSUITE	1'-11 5/8"×3'-3 3/8"	AWNING	TOP		4 9/16"	YES	-	-
W24	FIRST FLOOR PLAN	PRINCIPAL BEDROOM	5'-10 7/8"×1'-11 5/8"	CASEMENT	FIXED		4 9/16"	-	-	-

DESIGN STANDARDS

- (a) ONTARIO BUILDING CODE 2012 r2020
- (b) CAN/CSA O86 ENGINEERING DESIGN IN WOOD.

LOADS

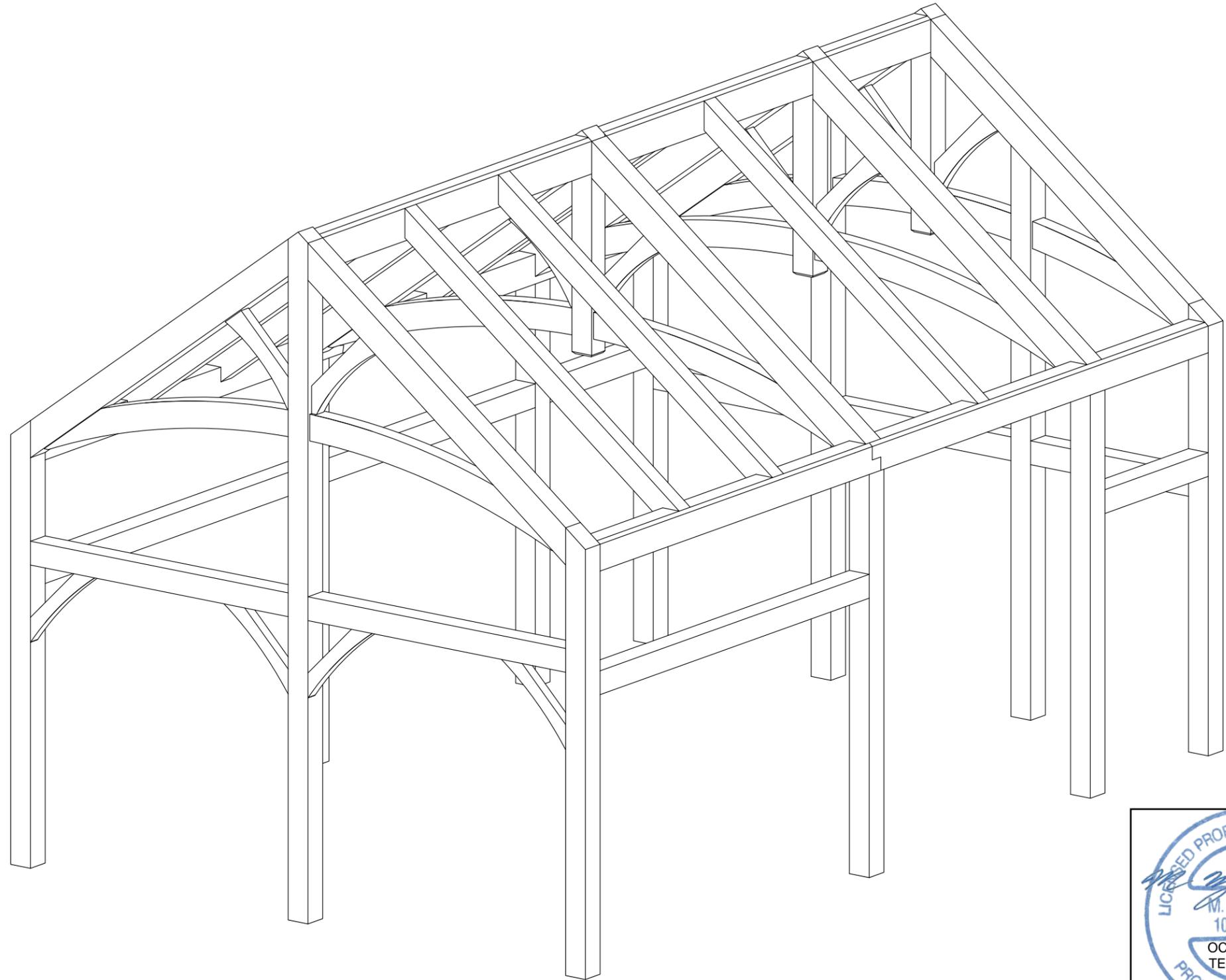
ROOF LIVE LOAD	25.7 PSF
ROOF DEAD LOAD	15.7 PSF

GENERAL NOTES & SPECIFICATIONS

1. ALL DESIGN AND WORKMANSHIP ON THIS PROJECT SHALL MEET THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS (INCLUDING LATEST AMENDMENTS) AND OTHER LOCAL AUTHORITIES HAVING JURISDICTION.
3. ALL DIMENSIONS SHALL BE VERIFIED ON THE JOB. READ THE STRUCTURAL DRAWINGS AND SPECIFICATIONS WITH THE ARCHITECTURAL DRAWINGS AND SPECIFICATIONS. REPORT ANY DISCREPANCIES TO THE ENGINEER PROMPTLY AND BEFORE CONSTRUCTION.
4. DO NOT SCALE DRAWINGS AND USE ONLY THOSE DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". REMOVE EXISTING DRAWINGS FROM SITE, ON RECEIPT OF NEW REVISIONS.
5. ALL SHOP DRAWINGS TO BE SUBMITTED FOR REVIEW.
6. ANCHOR BOLTS AND LAG SCREWS TO BE GRADE A307
7. H.S.S. SHALL BE GRADE 350W AND STEEL PLATE SHALL BE A36 MIN.

GENERAL WOOD & PRE-ENGINEERED WOOD NOTES

1. UNLESS OTHERWISE NOTED ON THE DRAWINGS ALL TIMBERS SHALL BE NORTHERN PINE No. 2.
2. APPROPRIATE CARE MUST BE TAKEN TO AVOID DAMAGE TO ALL TIMBER SECTIONS, FROM IMPACT AND WEATHER BY PROTECTING MATERIALS DURING STORAGE, HANDLING, ERECTION, FITTING AND CONNECTING.
3. ALLOWANCES MUST BE MADE FOR ANTICIPATED SHRINKAGE OF THE WOOD TIMBERS BASED ON THE MOISTURE CONTENT AT TIME OF ASSEMBLY.
4. ALL PEGS USED IN CONNECTIONS SHALL BE AIR DRIED HARDWOOD (OAK) WITH AS CLEAR GRAIN AS POSSIBLE. PEGS SHOULD BE STORED IN A COOL DRY PLACE TO CONTROL SHRINKAGE OR SWELLING.



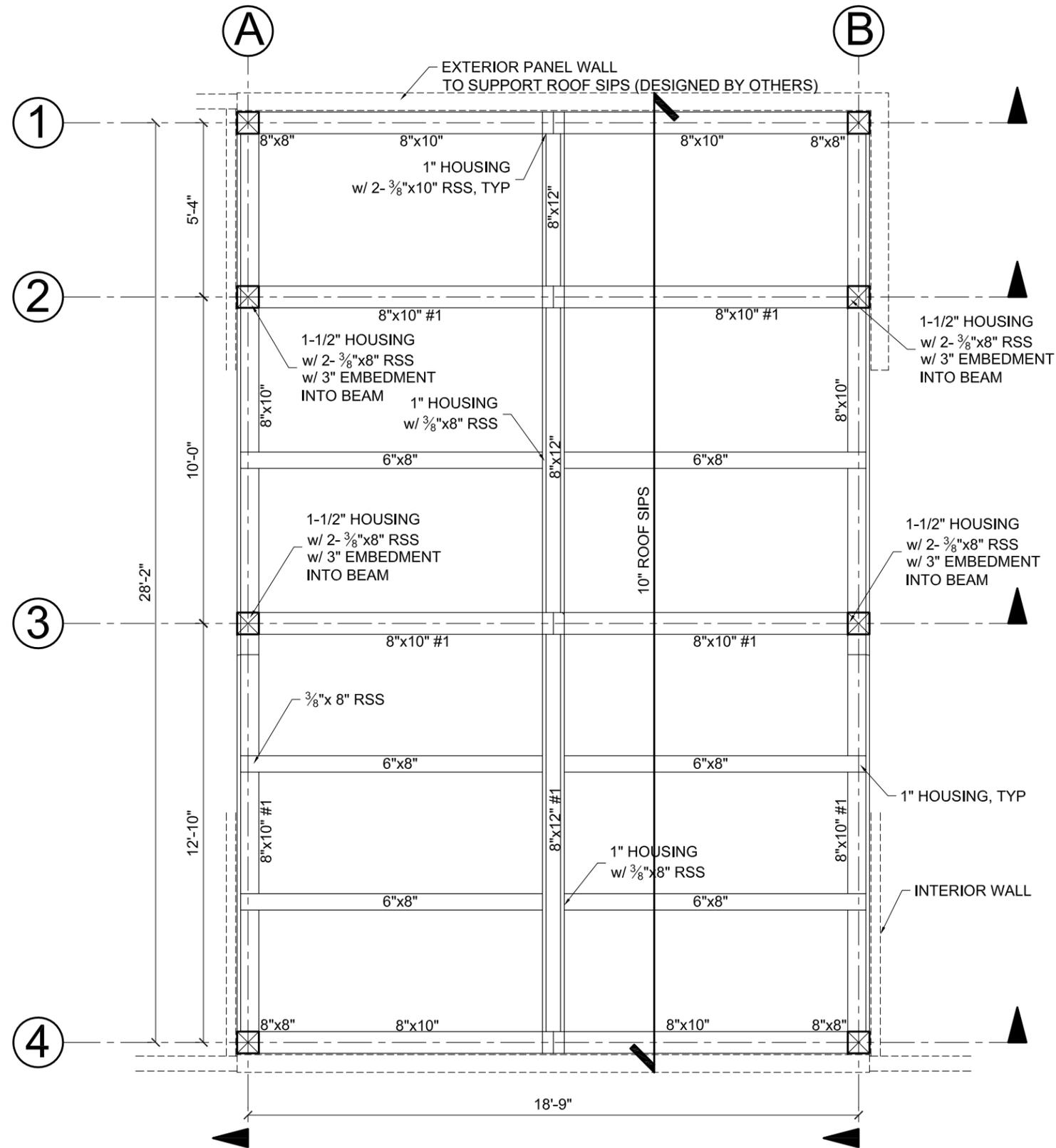
147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0  
PHONE 519-323-3336  
FAX 519-323-3382

**TIPPING RESIDENCE**  
3236 Jerseyville Rd W, Jerseyville, Ontario

3D VIEW

NTS

S1



ROOF PLAN

All timbers are to be full dimension Pine No.2 or better, U.N.O.

LICENCED PROFESSIONAL ENGINEER  
*M. S. Zwart*  
 M. S. ZWART  
 100502999  
 OCT 13 2022  
 TE-40878-22  
 PROVINCE OF ONTARIO  
 STRUCTURAL DESIGN ONLY  
**TACOMA**  
 ENGINEERS



147 NORPARK AVE.  
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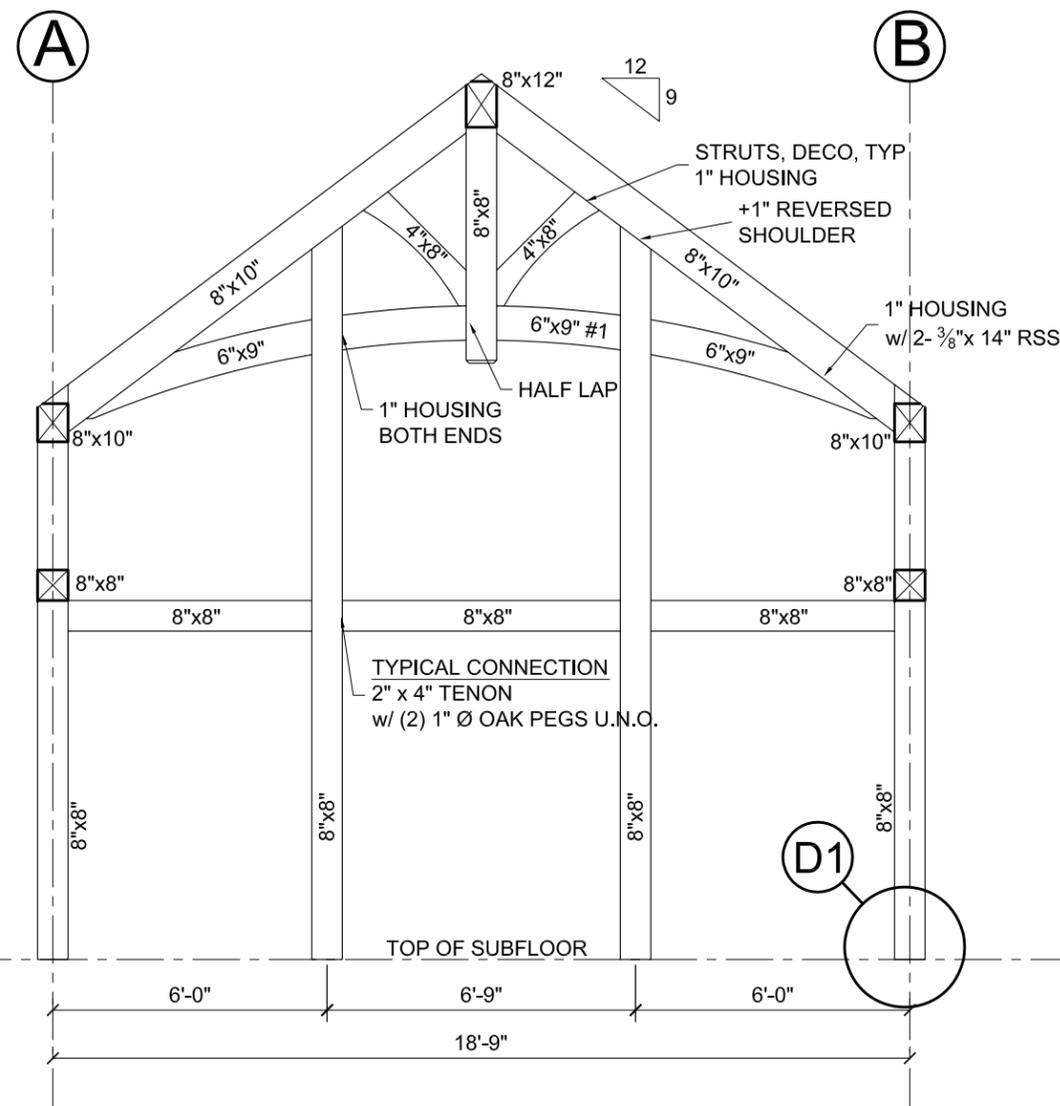
TIPPING RESIDENCE

3236 Jerseyville Rd W, Jerseyville, Ontario

ROOF PLAN

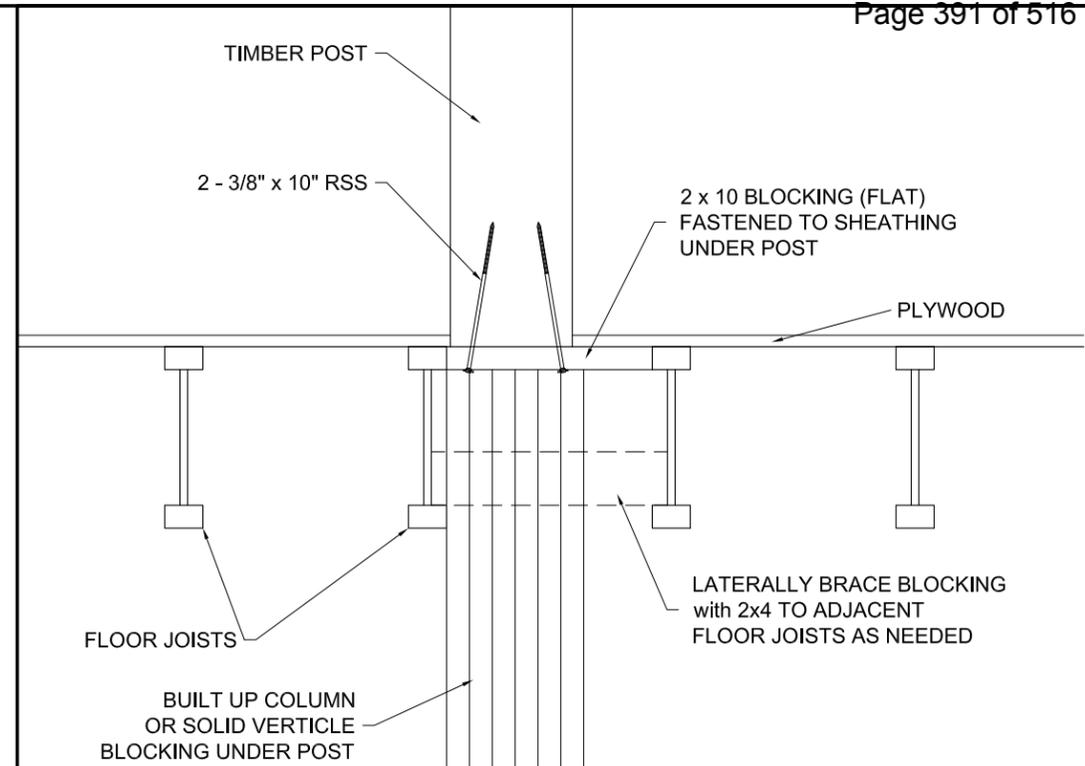
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S2

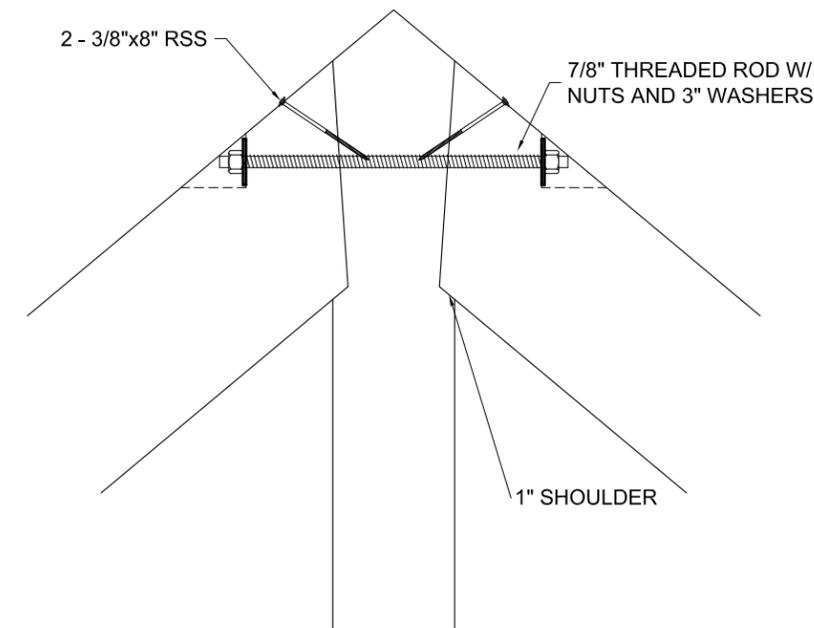


SECTION @ GRIDLINE 1

All timbers are to be full dimension Pine No.2 or better, U.N.O.



TYPICAL POST BLOCKING DETAIL - D1



DETAIL D2



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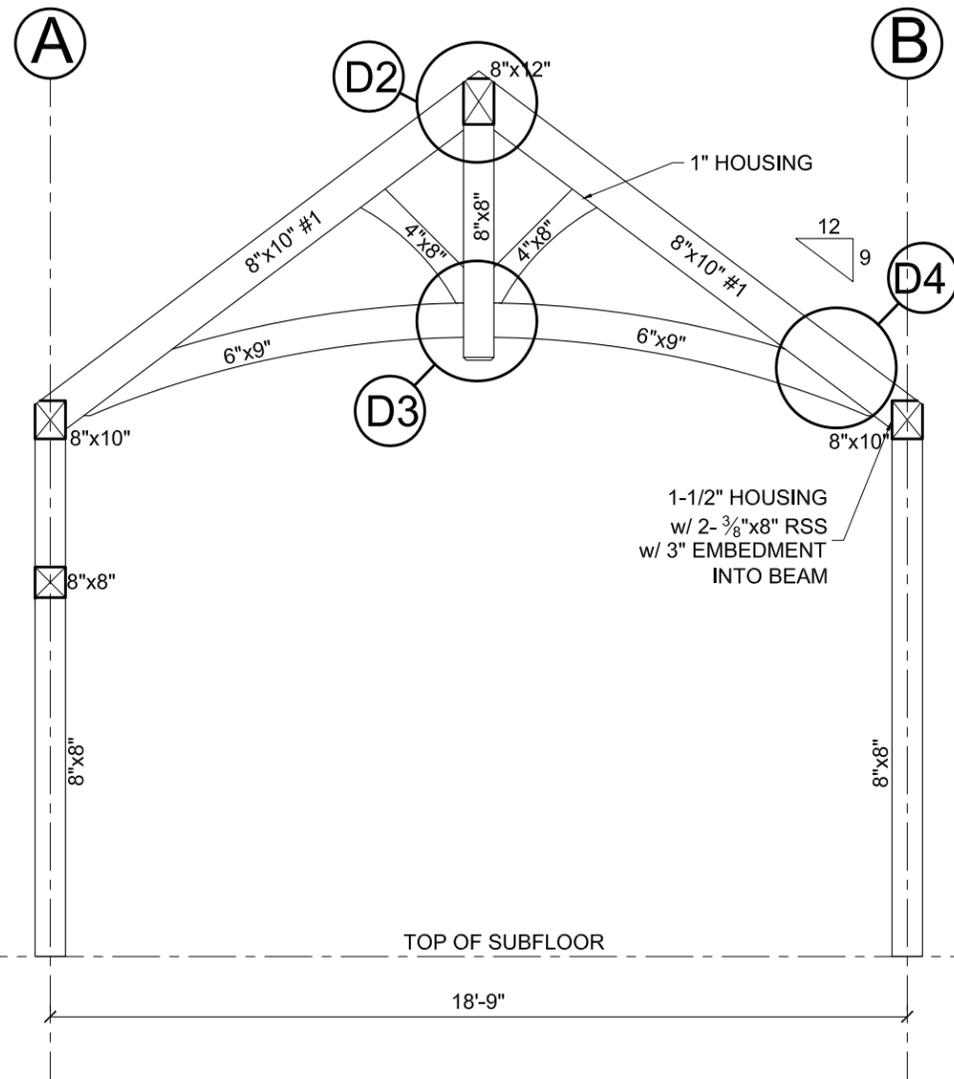
TIPPING RESIDENCE

3236 Jerseyville Rd W, Jerseyville, Ontario

SECTION & DETAIL

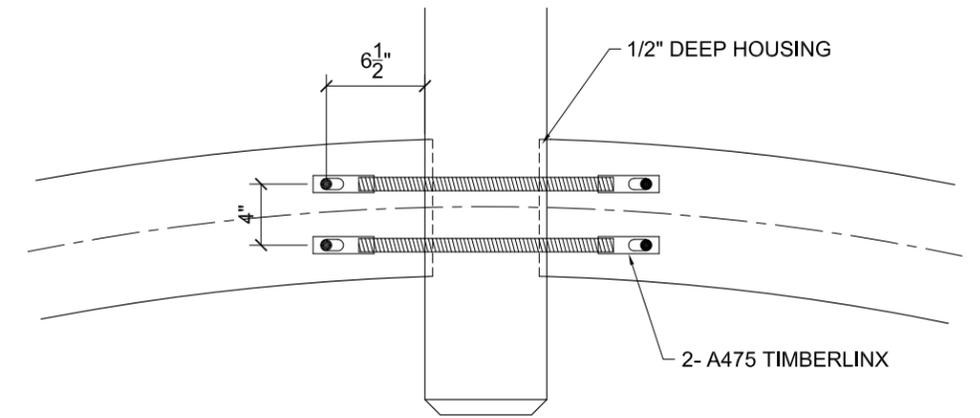
1/4" = 1'-0"

S3

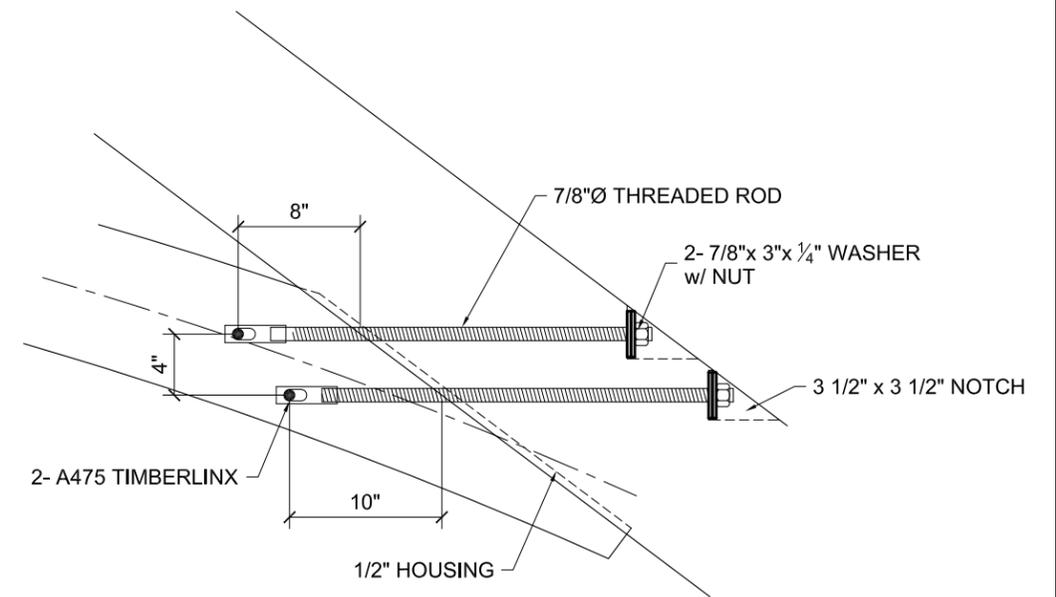


SECTION @ GRIDLINE 2

All timbers are to be full dimension Pine No.2 or better, U.N.O.



DETAIL D3



DETAIL D4



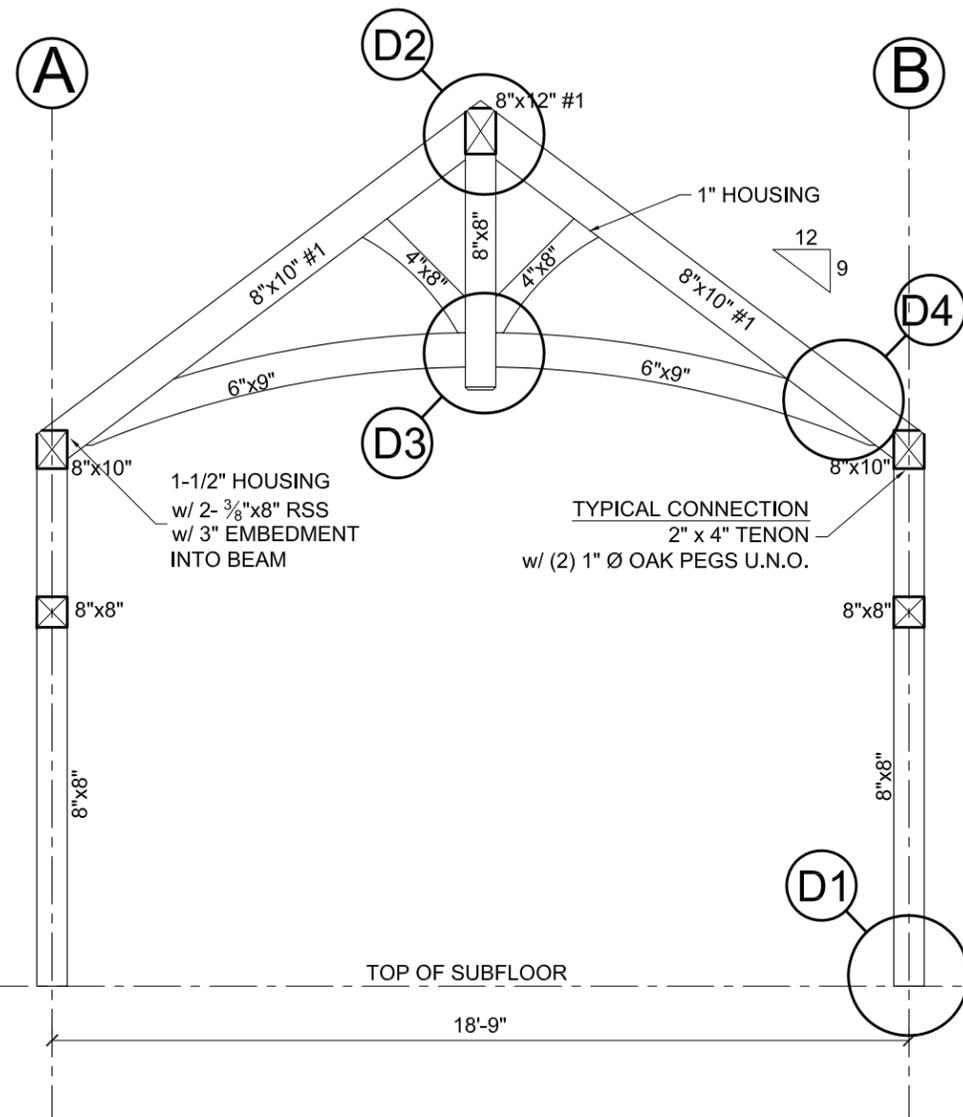
147 NORPARK AVE.  
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TIPPING RESIDENCE  
3236 Jerseyville Rd W, Jerseyville, Ontario

SECTION & DETAIL

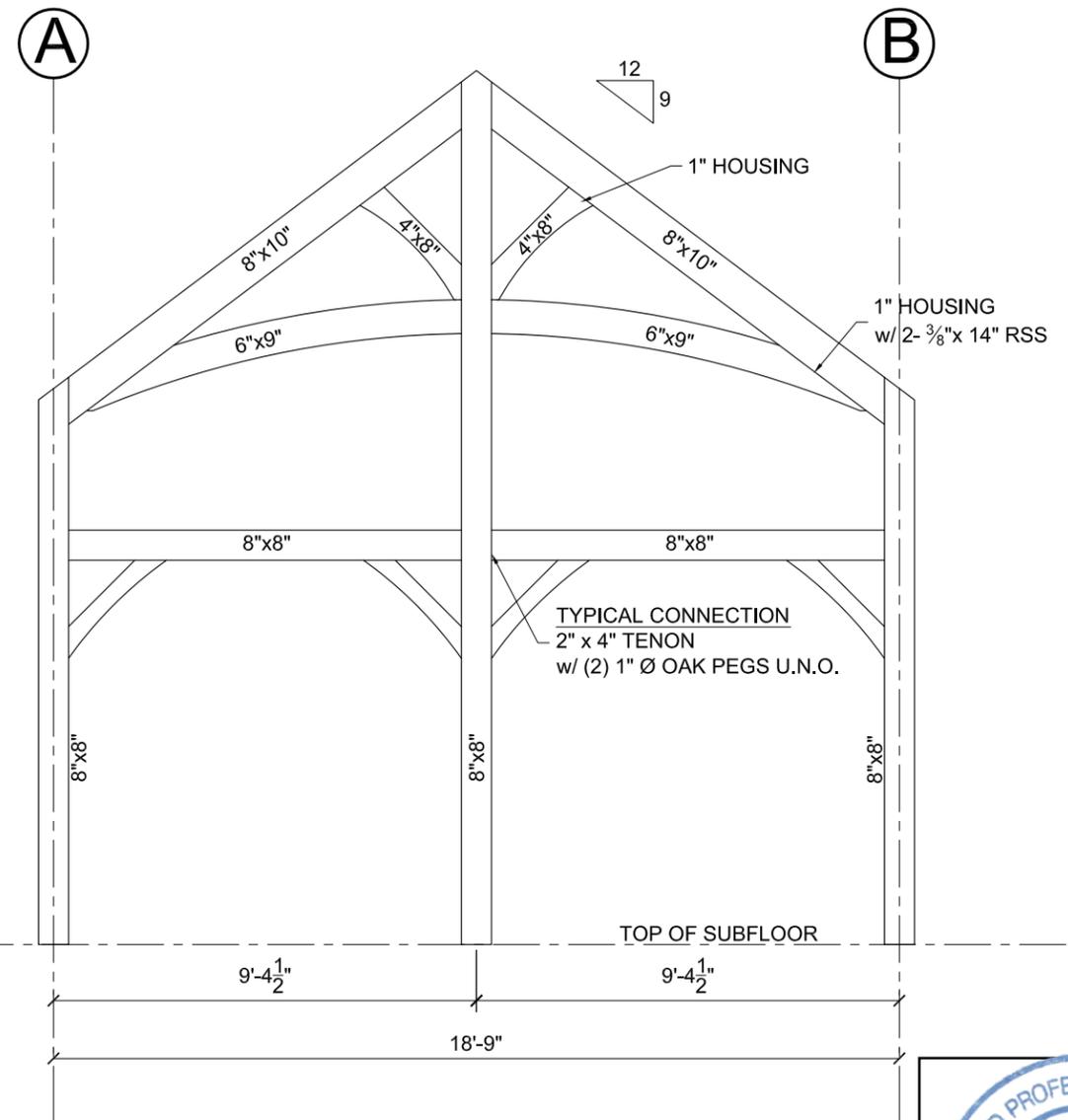
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S4



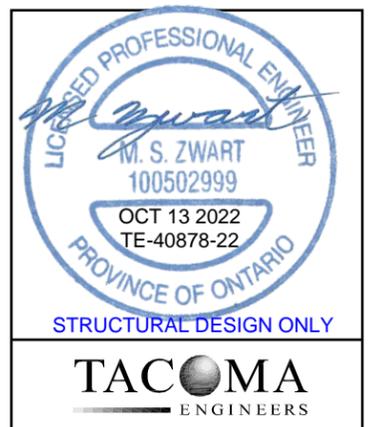
SECTION @ GRIDLINE 3

All timbers are to be full dimension Pine No.2 or better, U.N.O.



SECTION @ GRIDLINE 4

All timbers are to be full dimension Pine No.2 or better, U.N.O.



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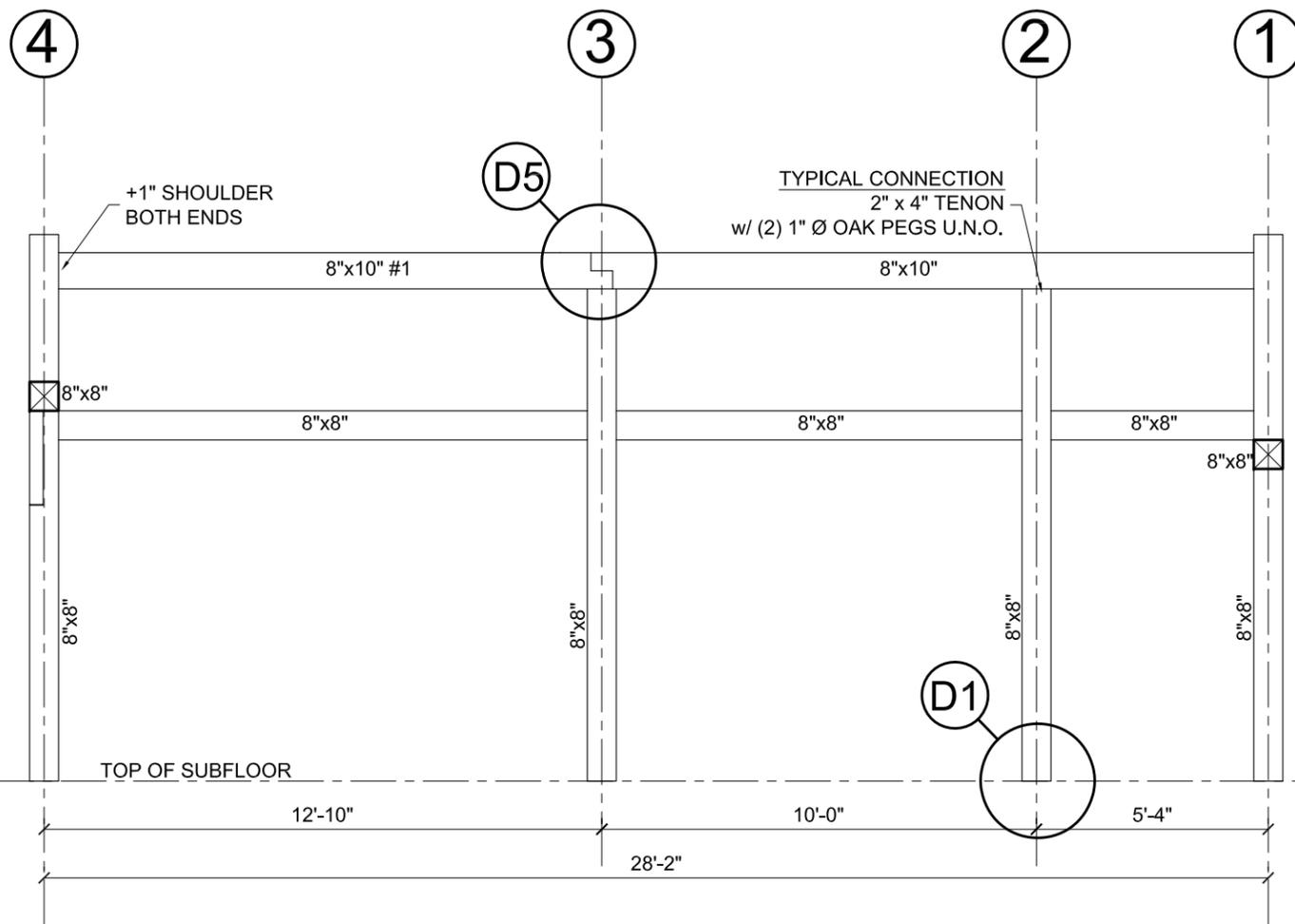
# TIPPING RESIDENCE

3236 Jerseyville Rd W, Jerseyville, Ontario

SECTIONS

1/4" = 1'-0"

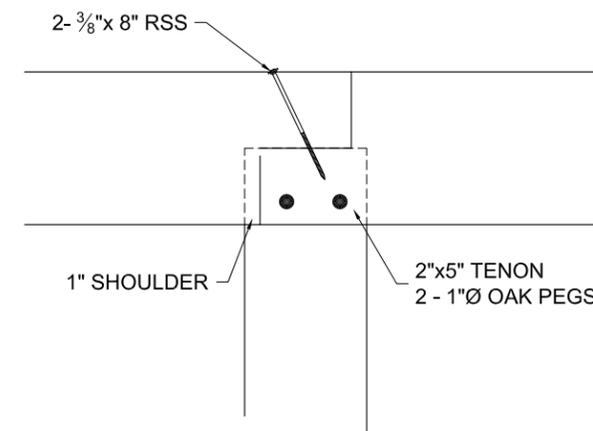
S5



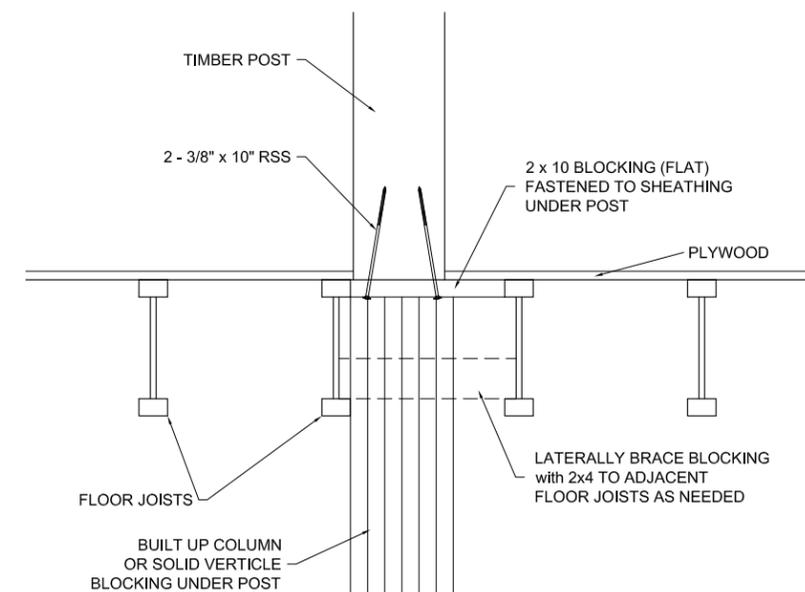
**SECTION @ GRIDLINE A**

All timbers are to be full dimension Pine No.2 or better, U.N.O.

**TYPICAL CONNECTION**  
2" x 4" TENON  
w/ (2) 1" Ø OAK PEGS U.N.O.



**DETAIL D5**



**TYPICAL POST BLOCKING DETAIL - D1**



147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0  
PHONE 519-323-3336  
FAX 519-323-3382

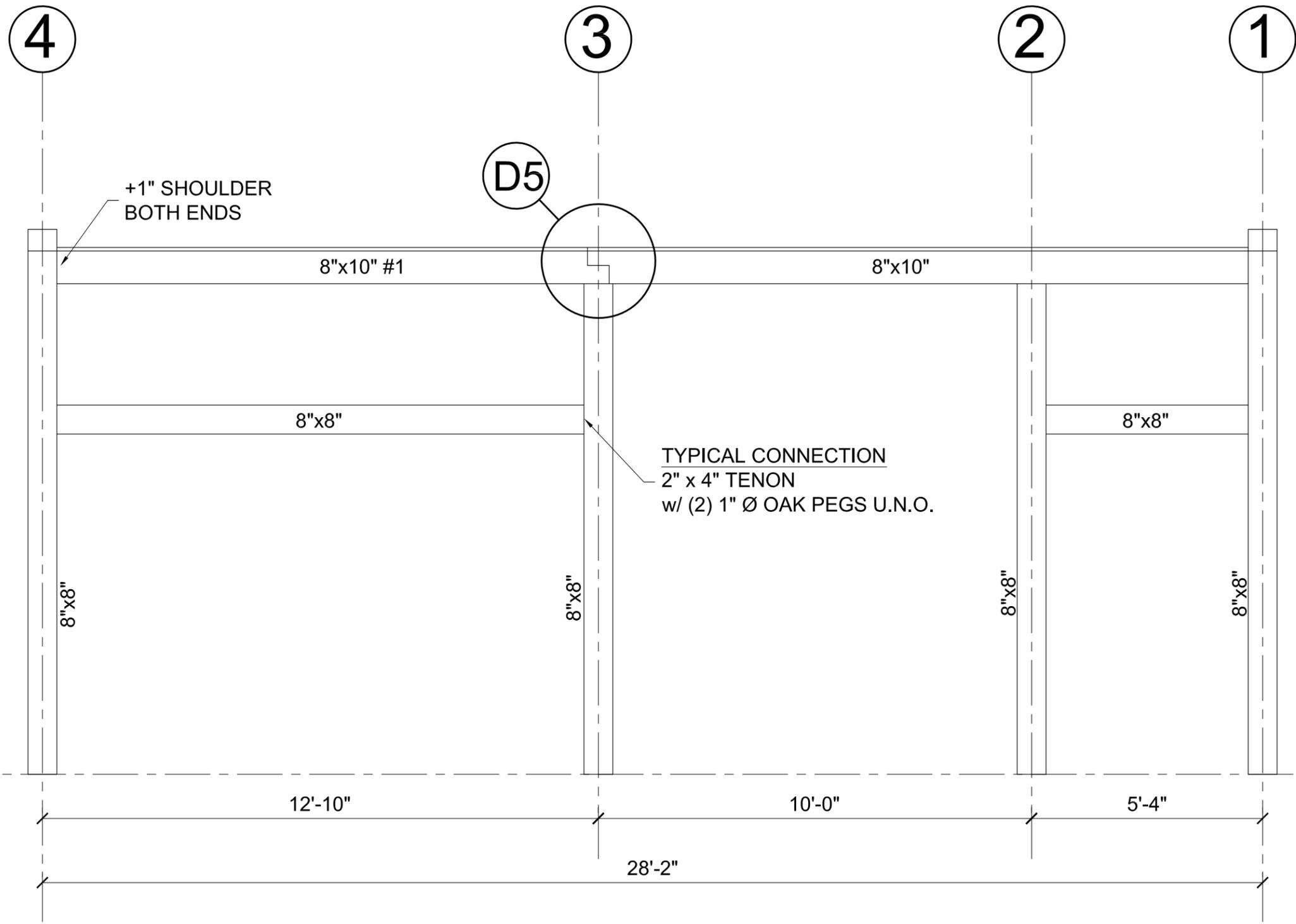
**TIPPING RESIDENCE**

3236 Jerseyville Rd W, Jerseyville, Ontario

SECTION & DETAIL

1/4" = 1'-0"

**S6**



**SECTION @ GRIDLINE B**

All timbers are to be full dimension Pine No.2 or better, U.N.O.

LICENCED PROFESSIONAL ENGINEER  
 M. S. ZWART  
 100502999  
 OCT 13 2022  
 TE-40878-22  
 PROVINCE OF ONTARIO  
 STRUCTURAL DESIGN ONLY  
**TACOMA**  
 ENGINEERS



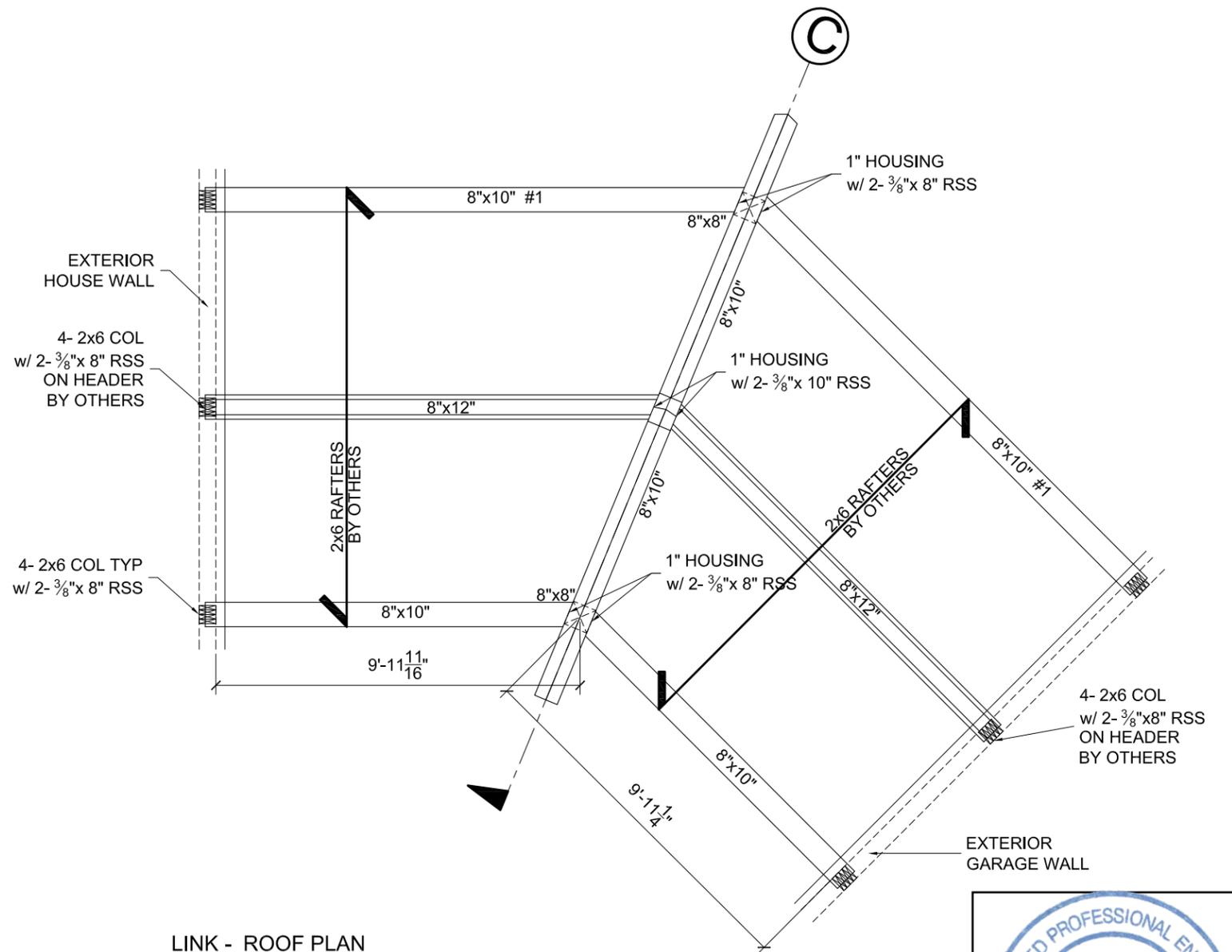
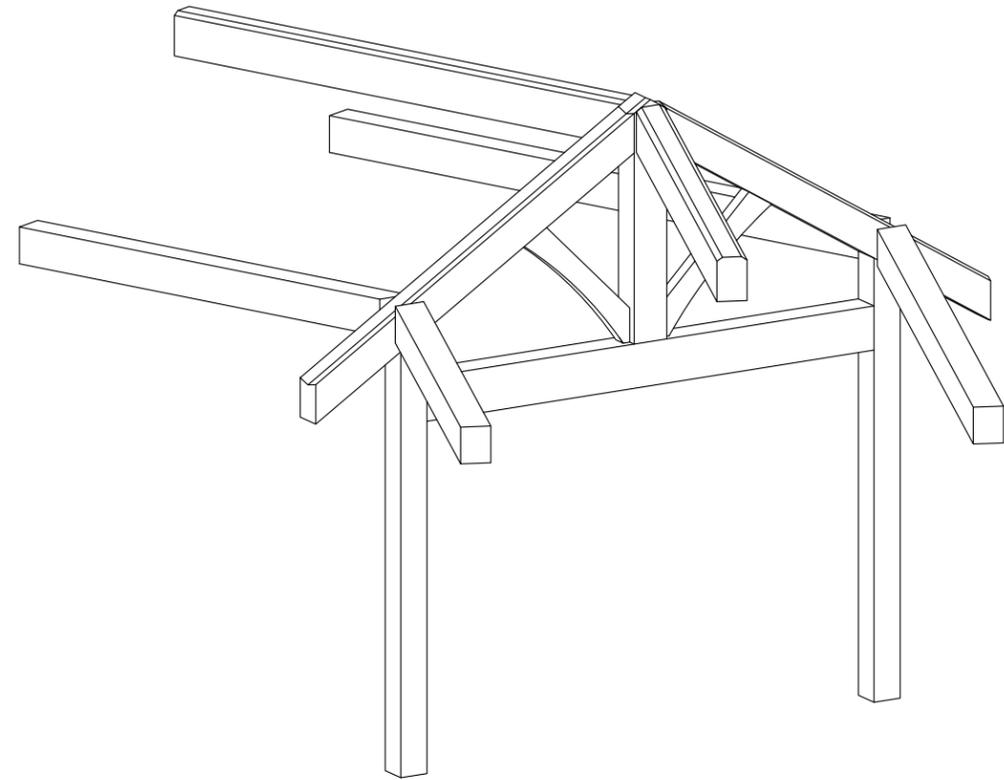
147 NORPARK AVE.  
 MOUNT FOREST, ONTARIO  
 N0G 2L0  
 PHONE 519-323-3336  
 FAX 519-323-3382

**TIPPING RESIDENCE**  
 3236 Jerseyville Rd W, Jerseyville, Ontario

SECTION

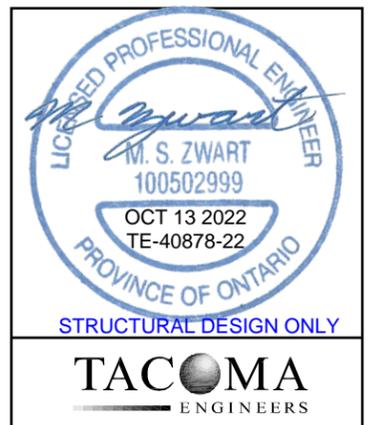
3/8" = 1'-0"

**S7**



LINK - ROOF PLAN

All timbers are to be full dimension Pine No.2 or better, U.N.O.



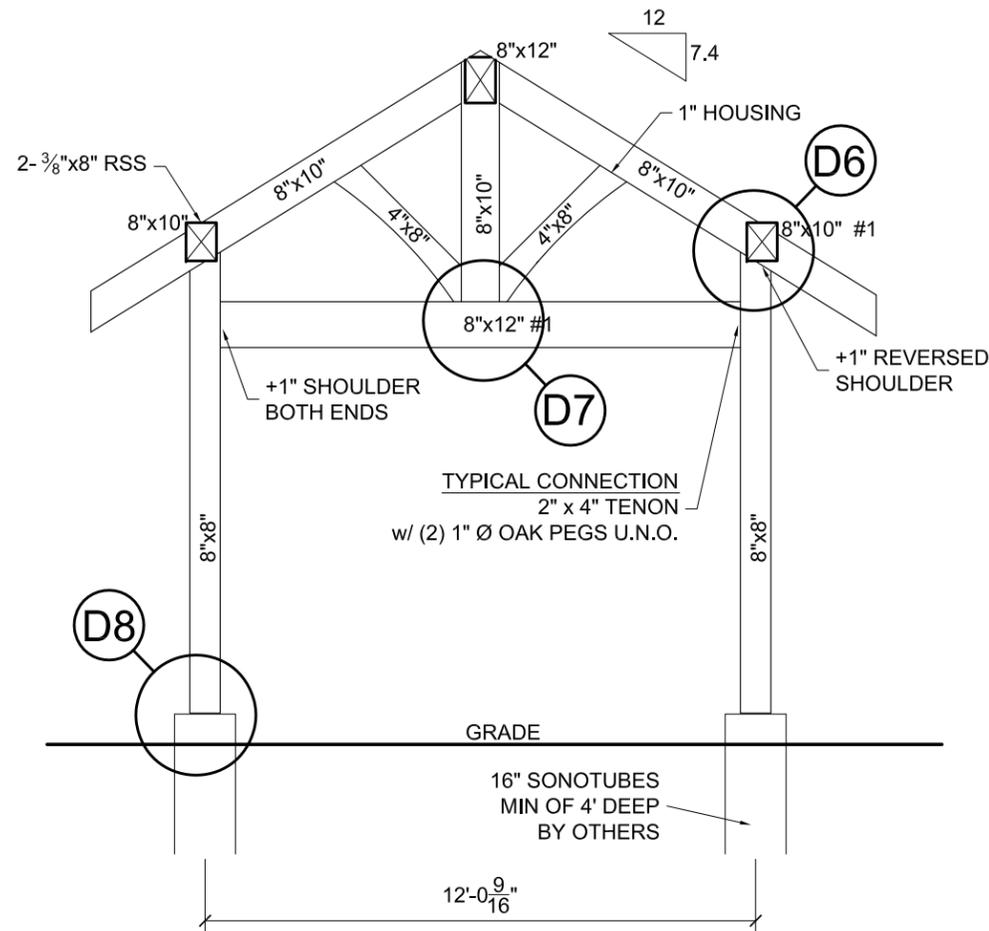
147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0  
PHONE 519-323-3336  
FAX 519-323-3382

TIPPING RESIDENCE  
3236 Jerseyville Rd W, Jerseyville, Ontario

LINK - ROOF PLAN

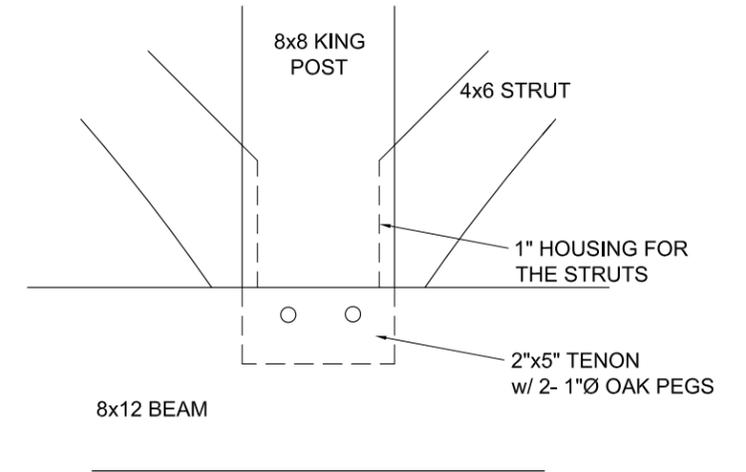
1/4" = 1'-0"

S8

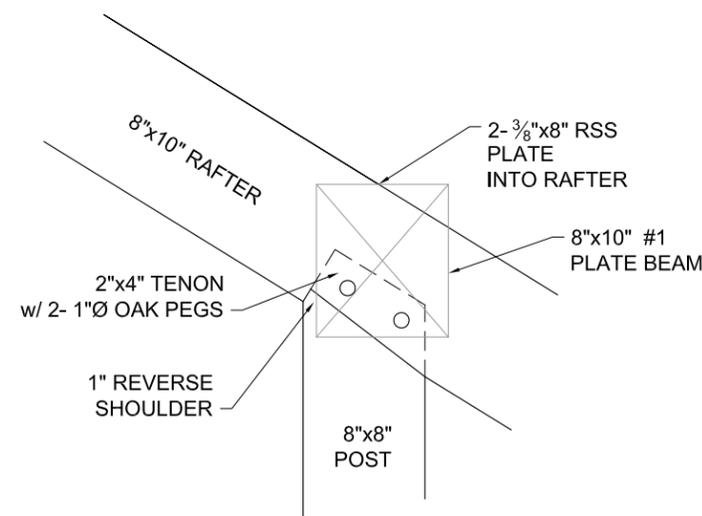


**LINK - SECTION @ GRIDLINE C**

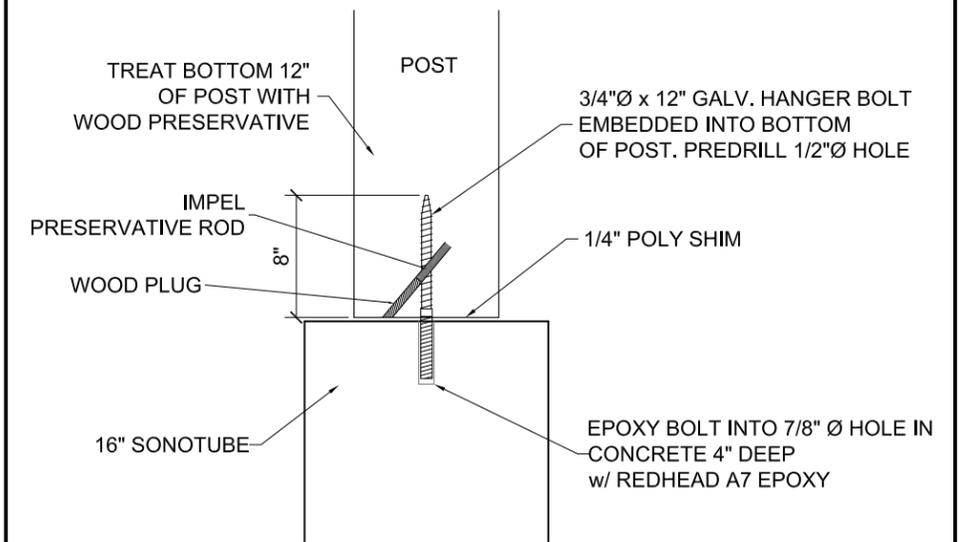
All timbers are to be full dimension Pine No.2 or better, U.N.O.



**DETAIL D7**



**DETAIL D6**



**DETAIL D8**



147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0  
PHONE 519-323-3336  
FAX 519-323-3382

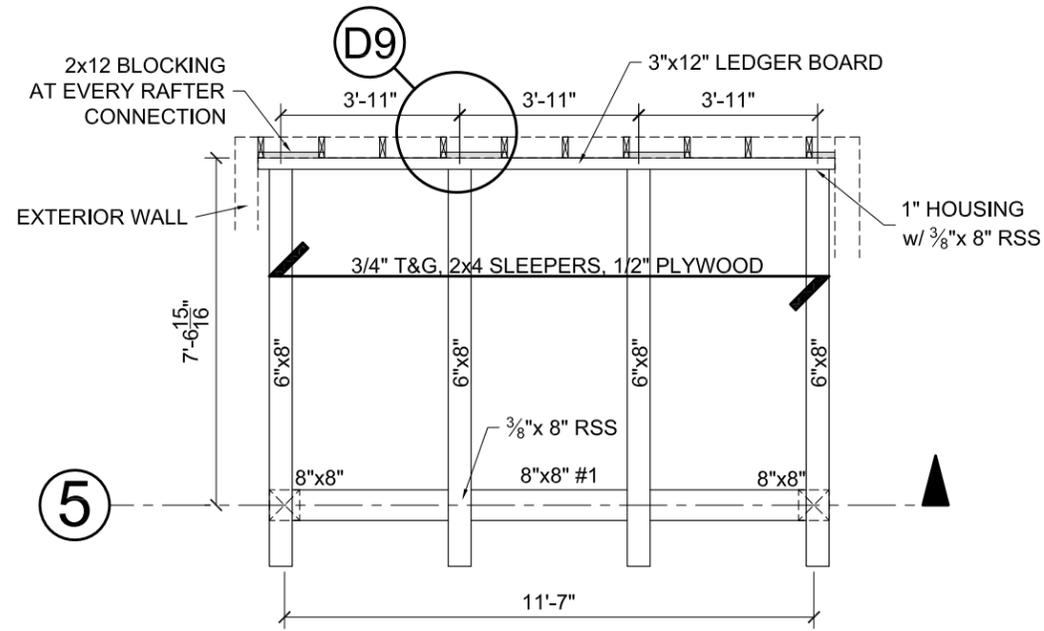
**TIPPING RESIDENCE**

3236 Jerseyville Rd W, Jerseyville, Ontario

LINK- SECTION & DETAILS

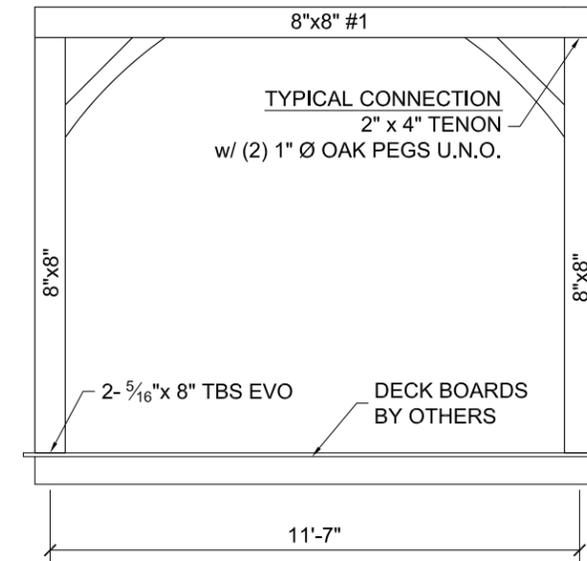
1/4" = 1'-0"

**S9**



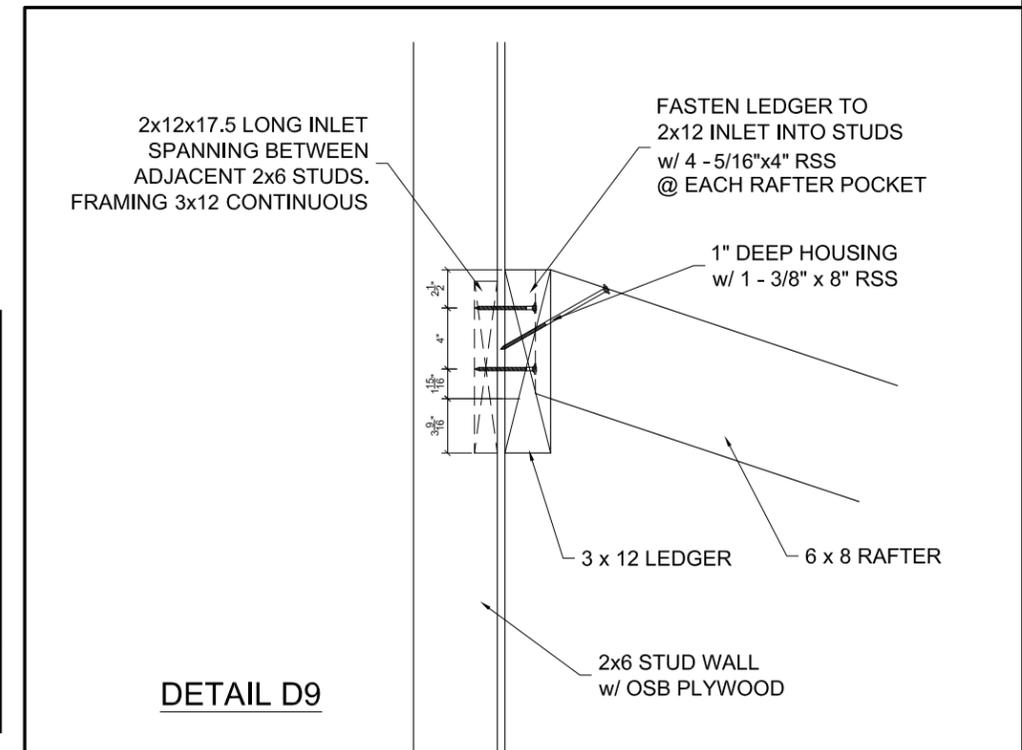
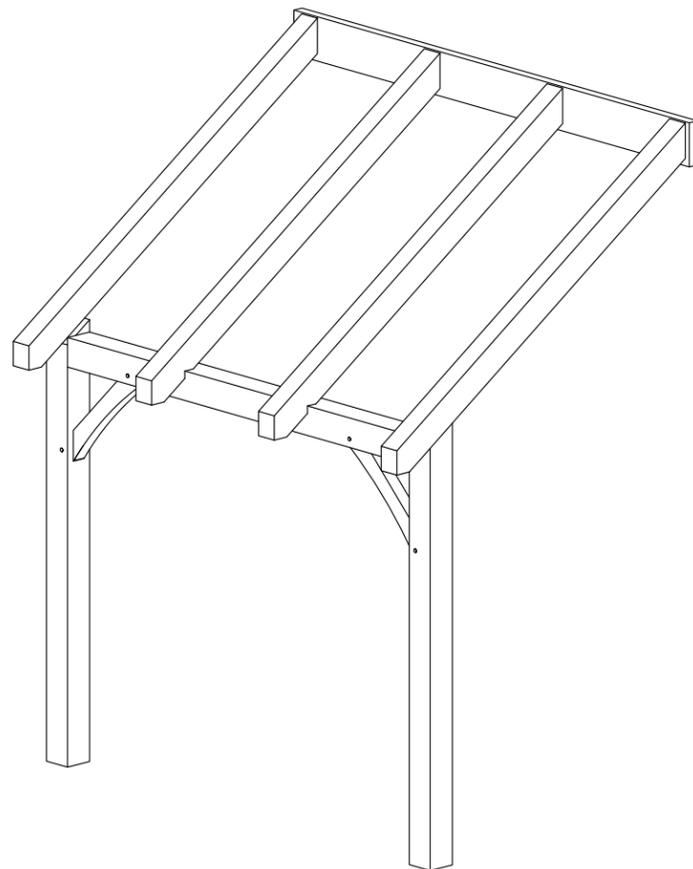
**BACK DECK - ROOF PLAN**

All timbers are to be full dimension Pine No.2 or better, U.N.O.



**SECTION @ GRIDLINE 5**

All timbers are to be full dimension Pine No.2 or better, U.N.O.



147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0

PHONE 519-323-3336  
FAX 519-323-3382

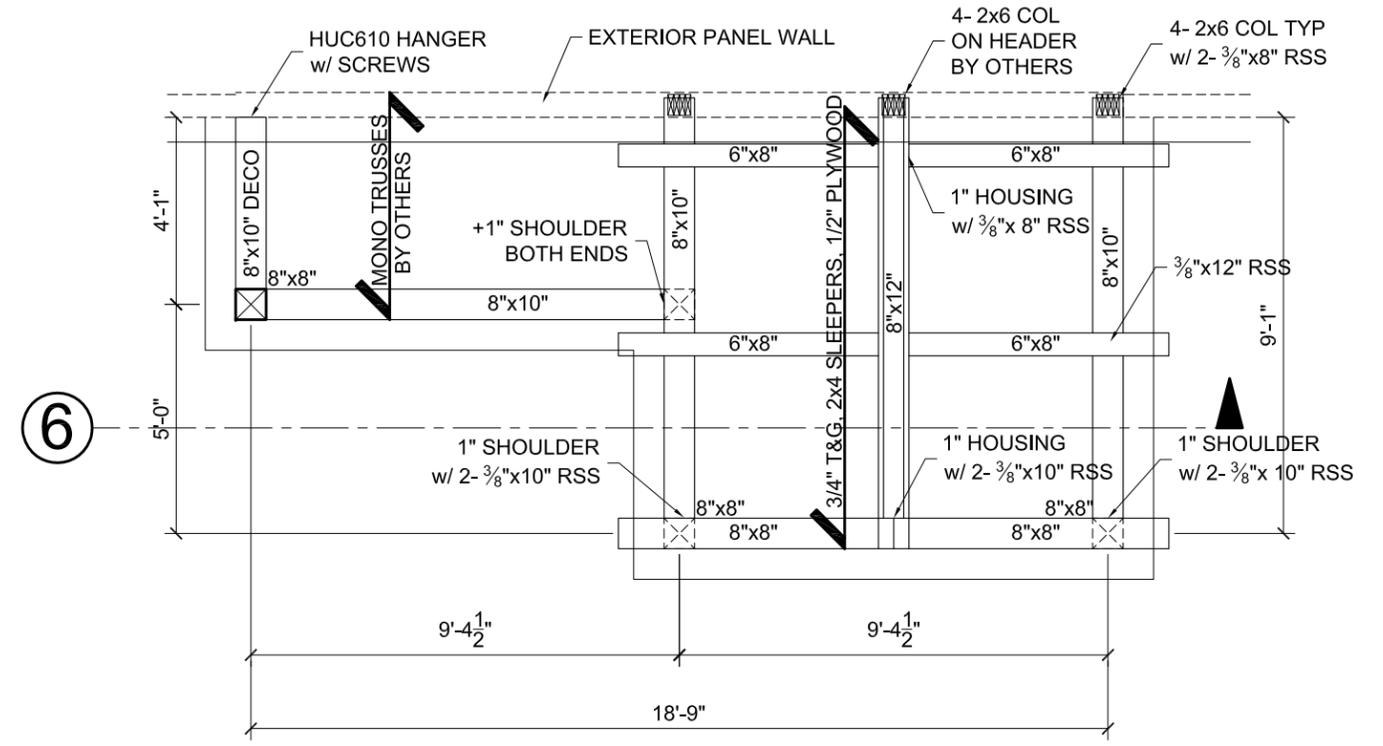
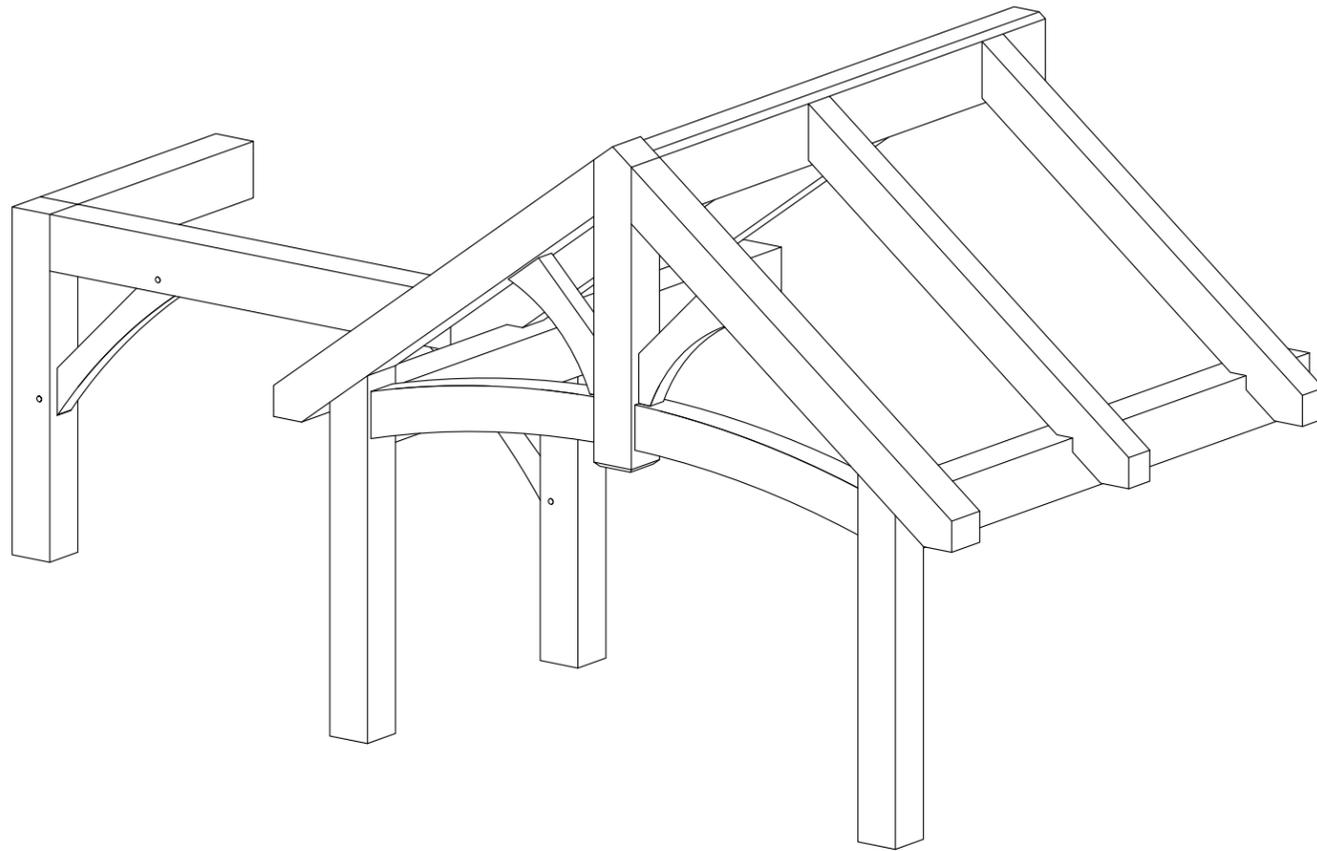
**TIPPING RESIDENCE**

3236 Jerseyville Rd W, Jerseyville, Ontario

BACK DECK

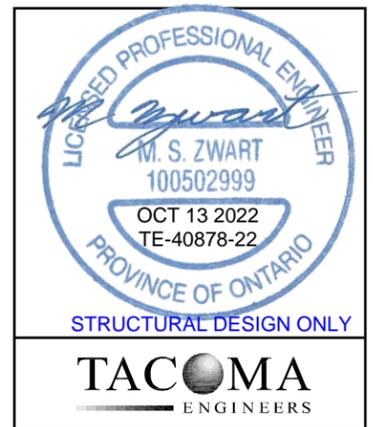
1/4" = 1'-0"

**\$10**



**FRONT PORCH - ROOF PLAN**

All timbers are to be full dimension Pine No.2 or better, U.N.O.

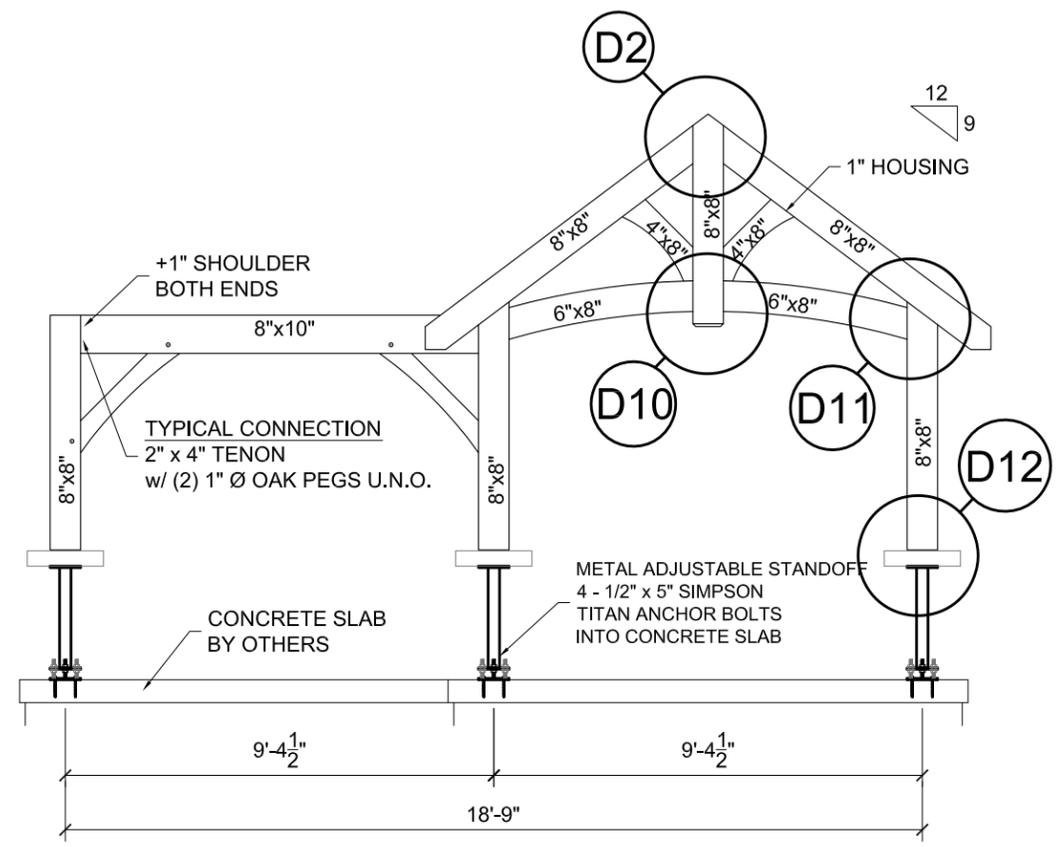


147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0

PHONE 519-323-3336  
FAX 519-323-3382

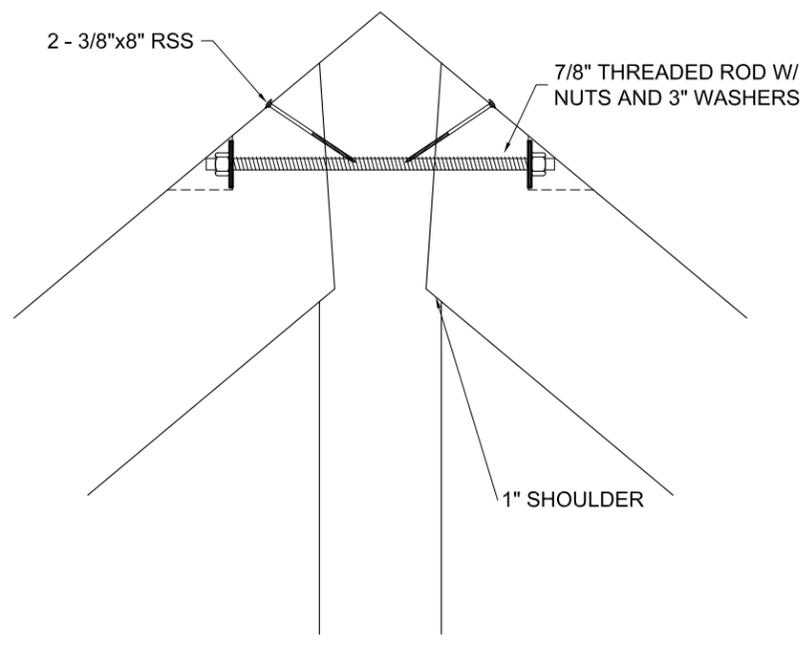
**TIPPING RESIDENCE**  
3236 Jerseyville Rd W, Jerseyville, Ontario

FRONT PORCH - ROOF PLAN	S11
1/4" = 1'-0"	

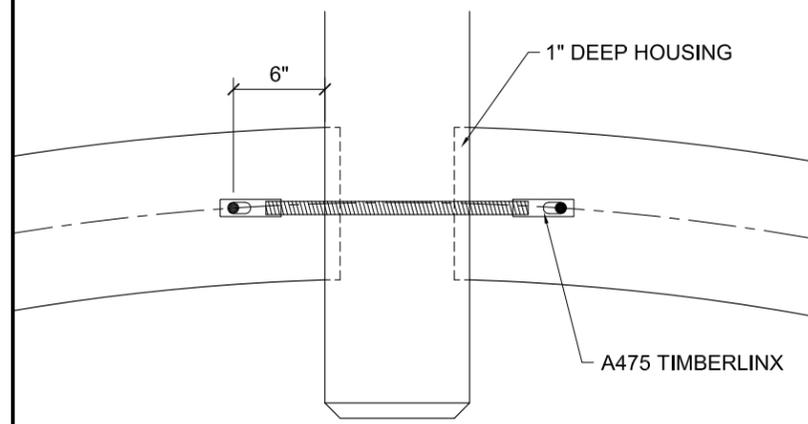


**SECTION @ GRIDLINE 6**

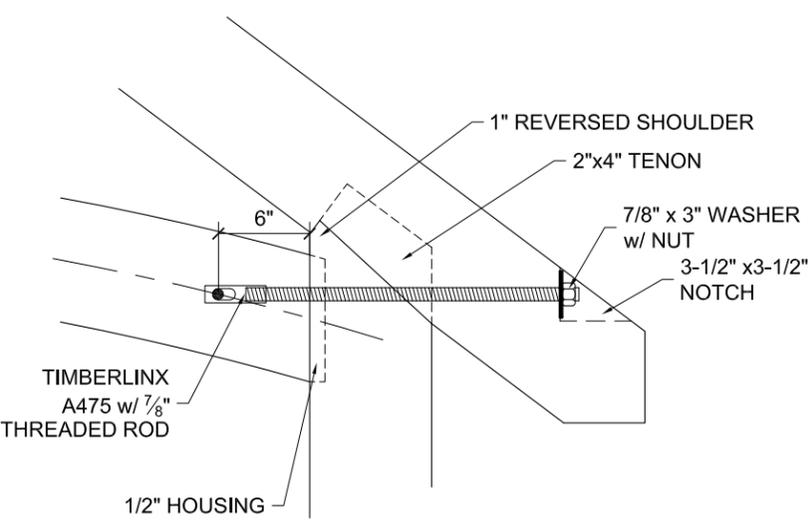
All timbers are to be full dimension Pine No.2 or better, U.N.O.



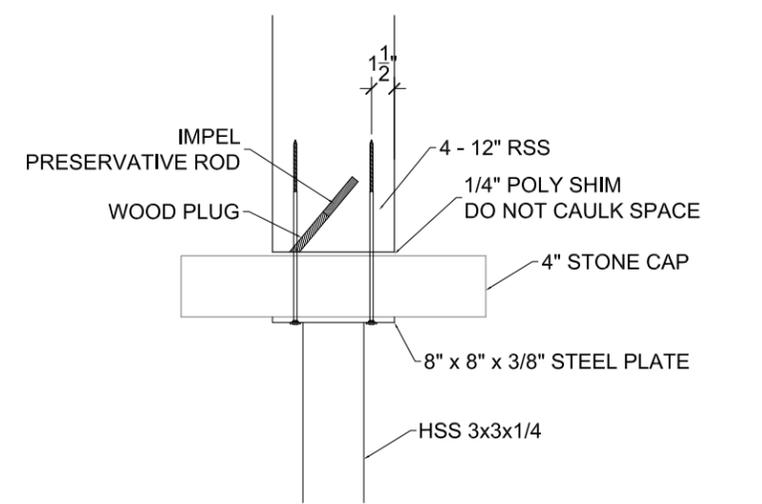
**DETAIL D2**



**DETAIL D10**



**DETAIL 11**



**DETAIL D12**



147 NORPARK AVE.  
MOUNT FOREST, ONTARIO  
N0G 2L0  
PHONE 519-323-3336  
FAX 519-323-3382

**TIPPING RESIDENCE**  
3236 Jerseyville Rd W, Jerseyville, Ontario

FRONT PORCH
1/4" = 1'-0"

**S12**



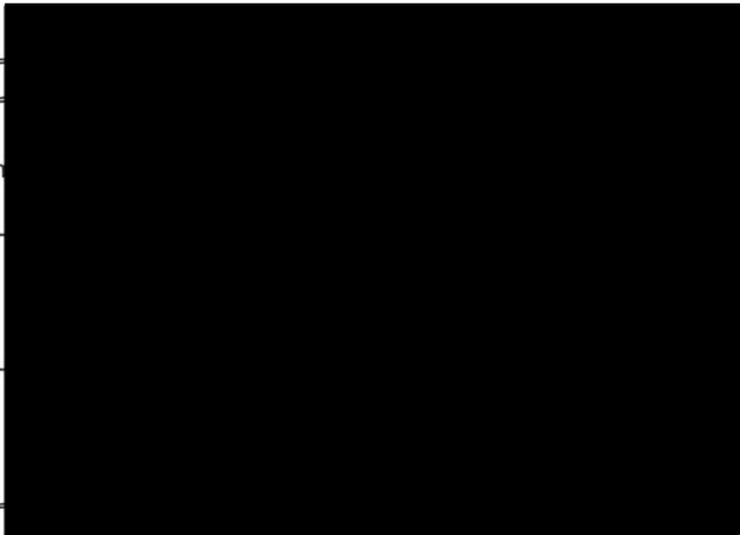
**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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
<b>Registered Owners(s)</b>	Scott & Anne-Marie Tipping
<b>Applicant(s)</b>	Scott Tipping
<b>Agent or Solicitor</b>	Scott Tipping



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 stipping30@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	3236 Jerseyville Rd. W. Hamilton, ON L0R 1R0		
Assessment Roll Number			
Former Municipality			
Lot	13	Concession	3
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:

Our new build home and accessory building (garage) are connected via an open breezeway which requires routine minor variance according to our City contacts. The accessory building includes a variance as the foundation corner of the garage is 7.2 m closer to road than home foundation. Also, the accessory structure is ~1 m higher than the allowable accessory building height (6 m) under by-law 05-200 4.8.1.2. The total height above grade 6.96 m for the accessory structure (garage). The two check-boxes below do not apply.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The design of the home and garage was intended to be permitted as single dwelling. The building department stated that an open breezeway requires we apply for the garage as an accessory structure. To meet the requirements under 05-200 4.8.1.2 would require significant costs to redesign and relocate structures. A routine minor variance is a practical approach as discussed with City officials at the planning department.

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
~30.26 m (On Street)	~1.08 km	~9.5 ha	~7.5 m (Total Width)

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
Implement Shed (Farm Use)	~37.45 m	+100 m	~7.88 m	10/01/2004
Home (To be demolished)	~15.62 m	+100 m	~28.17 m	12/01/2003
Barn	~24.13 m	+100 m	~4.00 m	01/01/1920

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Proposed Home	56.04 m	+100 m	32.7 m	12/01/2023
Proposed Garage	48.99 m	+100 m	17.7 m	12/01/2023

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
Implement Shed (Farm Use)	~77.3 sqm	~77.3 sqm	1	TBD < 6m
Home (To be demolished)	~131.9 sqm	~131.9 sqm	1	TBD < 6m
Barn	~185 sqm	~370 sqm	2	TBD ~ 8m

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Proposed Home	186 sqm	186 sqm	1	6.90 m
Proposed Garage	62.4 sqm	62.4 sqm	1	6.96 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) Septic
- 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 and agricultural use

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- Current property owners acquisition approx. May 2009
- 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. 20 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.
- N/A
- 7.6 What is the existing zoning of the subject land? A1
- 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: A1 <-- This section is N/A

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

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  Yes  No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

The existing dwelling is to be demolished.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:29</b>	<b>SUBJECT PROPERTY:</b>	743 GREEN MOUNTAIN E STONEY CREEK, L8G 2Z8
<b>ZONE:</b>	"A1" (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 15-173

**APPLICANTS:** Owner: VASO AND MELISSA MANOJLOVICH

The following variances are requested:

1. A maximum gross floor area of 295 m<sup>2</sup> shall be provided instead of the maximum required aggregate Gross Floor Area of all Accessory Buildings which shall not exceed 200 square metres, or 5% lot coverage (122.95 m<sup>2</sup>), whichever is the lesser.

**PURPOSE & EFFECT:** So as to permit an addition to the existing accessory building to the existing single detached dwelling notwithstanding that:

**Notes:**

- i. Note, as per previously approved Minor Variance applicant, SC/A-22:98, a maximum building height of 7.9 metres shall be provided instead of the maximum building height of 6.0 metres for an accessory building. As such, a variance is not required to permit the height of the proposed addition.

**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, March 30, 2023</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>

SC/A-23:29

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## PUBLIC INPUT

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

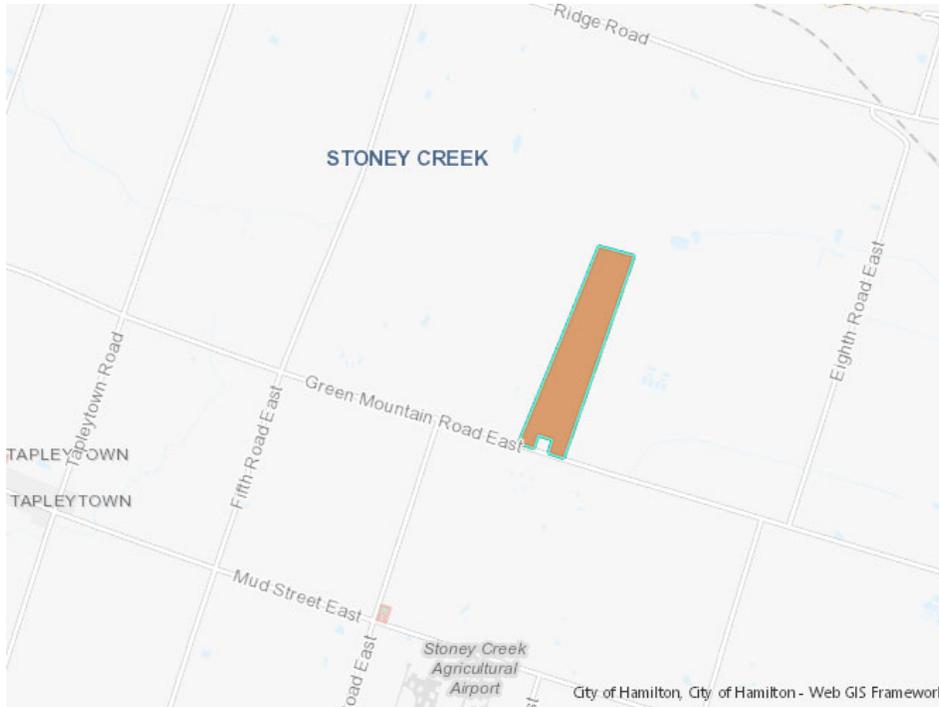
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:29, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

SC/A-23:29



 Subject Lands

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

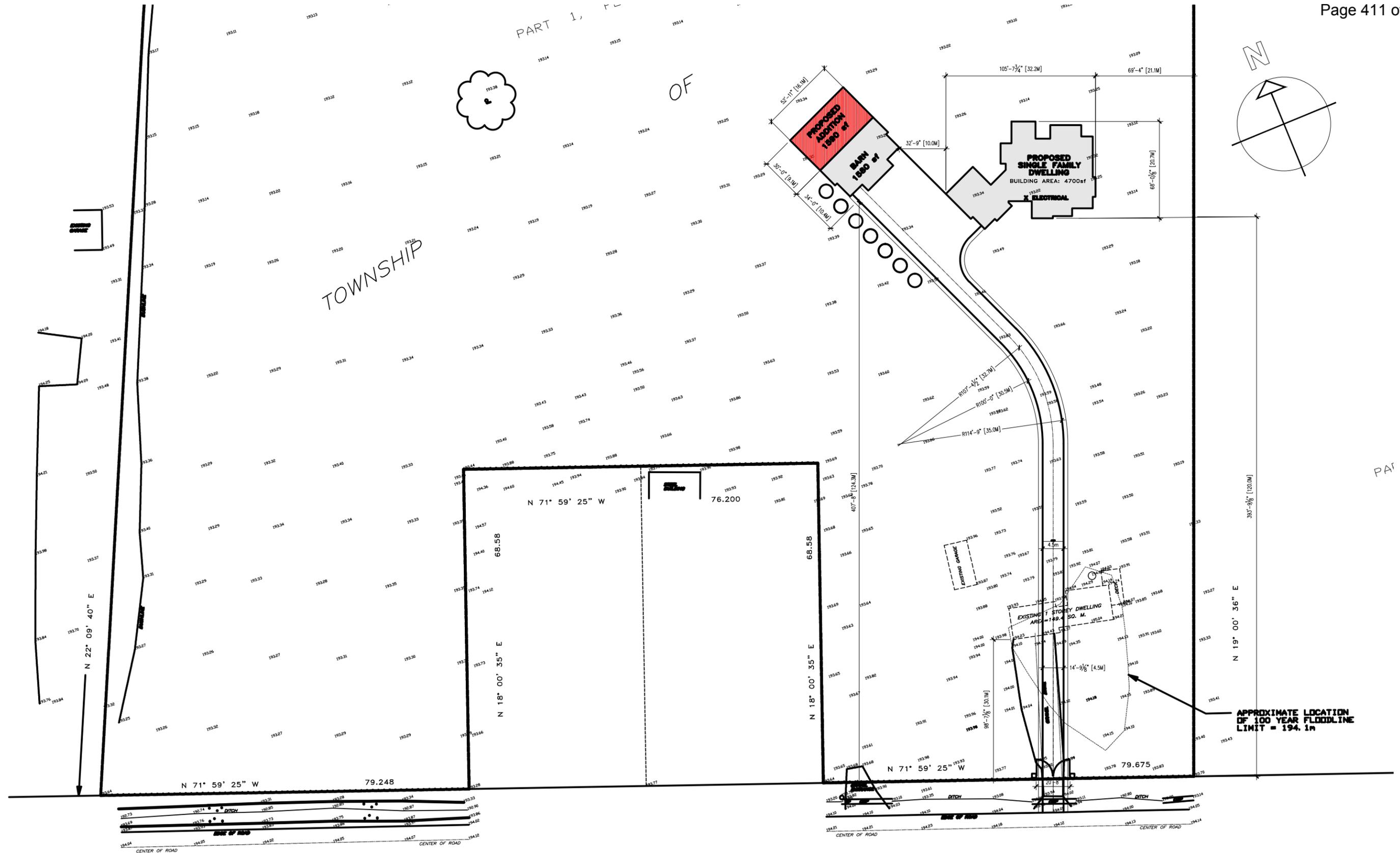
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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



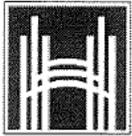
TOPOGRAPHIC SKETCH OF  
 PART OF LOT 11, CONCESSION 5  
 TOWNSHIP OF SALTFLEET  
 IN THE  
 CITY OF HAMILTON  
 REGIONAL MUNICIPALITY OF NIAGARA

**GREEN MOUNTAIN ROAD**  
 ( ROAD ALLOWANCE BETWEEN CONCESSIONS 4 AND 5 )



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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			
			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 [REDACTED]
- 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	743 GREEN MOUNTAIN RD E		
Assessment Roll Number	0035102100000000		
Former Municipality	<del>743 GREEN MOUNTAIN</del>		
Lot	11	Concession	
Registered Plan Number	CONS PT	Lot(s)	62R687
Reference Plan Number (s)		Part(s)	1

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:

Our Building being built (machinery storage)

Second Dwelling Unit NA  Reconstruction of Existing Dwelling

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

SIZE

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
521.40 FT	3500 FT	52.45 AC	

158.92 m 1066.8 m 21.23 HA

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
OUT BUILD	152.4 M	914.4 M	68.58	Spring

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Machinery Storage	500 ft	3000 ft	250 ft	Spring
	152.49	914.4	68.58	

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
HOUSE	362.22 m <sup>2</sup>		2	10.67 M
OUTBUILDING	139.35 m <sup>2</sup>		2	10.67 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
addition to out building	1500 sq ft	139.36 M <sup>2</sup>	1	7.62 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.):

---

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:

2010

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

single dwelling

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

house

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

1 year.

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

Rural Hamilton Official Plan designation (if applicable): specificity crop

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? A1

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

- Yes
- No

If yes, please provide the file number:

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

If yes, please provide the file number:

---

- 7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing:

1 family

8.2 Number of Dwelling Units Proposed:

\_\_\_\_\_

8.3 Additional Information (please include separate sheet if needed):

Please call Scott Peck at  
 HAMILTON CONSERVATION. He is aware  
 of the proposal second variance.

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_



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-22:377</b>	<b>SUBJECT PROPERTY:</b>	25 WITHERSPOON STREET, DUNDAS
<b>ZONE:</b>	"R2" (Single Detached Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Dundas 3581-86, as Amended

**APPLICANTS:** Owner: DUNCAN MCNEIL  
Agent: CARROTHERS & ASSOCIATES C/O NATALIYA YATSENKO

The following variances are requested:

1. A minimum interior side yard of 1.26 metres instead of the requirement that one side of an interior lot upon which there is no garage or carport shall have a minimum setback of 5.0 metres.
2. The unenclosed front porch shall be permitted to be a distance of 3.1 metres from the front lot line instead of the requirement that every such porch projection shall be distant at least 4.0 metres from the front lot line.

**PURPOSE & EFFECT:** To permit the construction of an unenclosed front porch and addition to an existing single detached dwelling.

**Notes:**

1. Upon approval of variance #1, the request of a variance for the proposed addition canopy and porch encroachment into the required side yard would no longer be required.
2. Upon approval of variance #2, the request of a variances for the proposed porch roof into the front yard would no longer be required.
3. The Dundas Zoning By-law 3581-86 permits eaves and gutters to project not more than one-half of its width, or 1.0 metres, whichever is lesser. Insufficient information has been provided for the East portion of the addition in order to determine zoning compliance. Further variances will be required if compliance cannot be achieved.
4. The Dundas Zoning By-law 3581-86 requires residential buildings to have a minimum of 50%

**DN/A-22:377**

landscaped area within the front yard. Insufficient information has been provided in order to determine zoning compliance. Further variances will be required if compliance cannot be achieved.

5. Insufficient information has been provided in order to determine zoning compliance for any proposed fencing. Further variances will be required if compliance cannot be achieved.
6. Insufficient information has been provided in order to determine zoning compliance for any proposed mechanical and unitary equipment. Further variances will be required if compliance cannot be achieved.
7. Please be advised it does not appear recladding of the existing building is proposed. However, if recladding of any portion of the existing building is proposed is shall be in conformity with Section 6.6 of the Dundas Zoning By-law 5381-86.

**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, March 30, 2023</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.

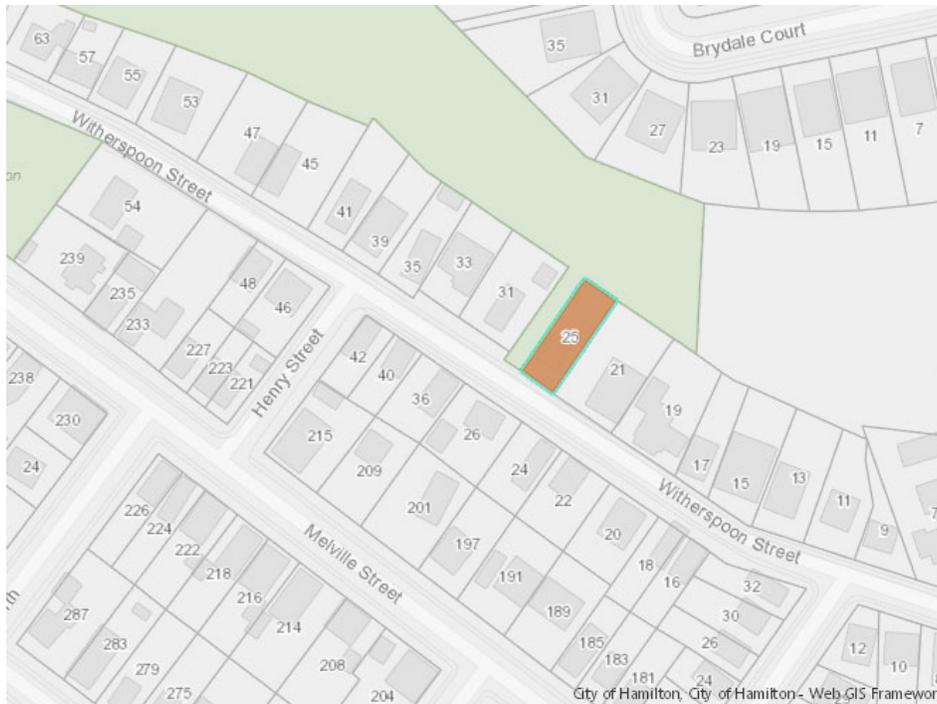
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

DN/A-22:377

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/A-22:377, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 **Subject Lands**

DATED: March 14, 2023

---

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 27  
REGISTRAR'S COMPILED PLAN 1474  
IN THE  
CITY OF HAMILTON

SCALE 1:100 METRIC



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

SURVEYOR'S REAL PROPERTY REPORT  
(PART 2)

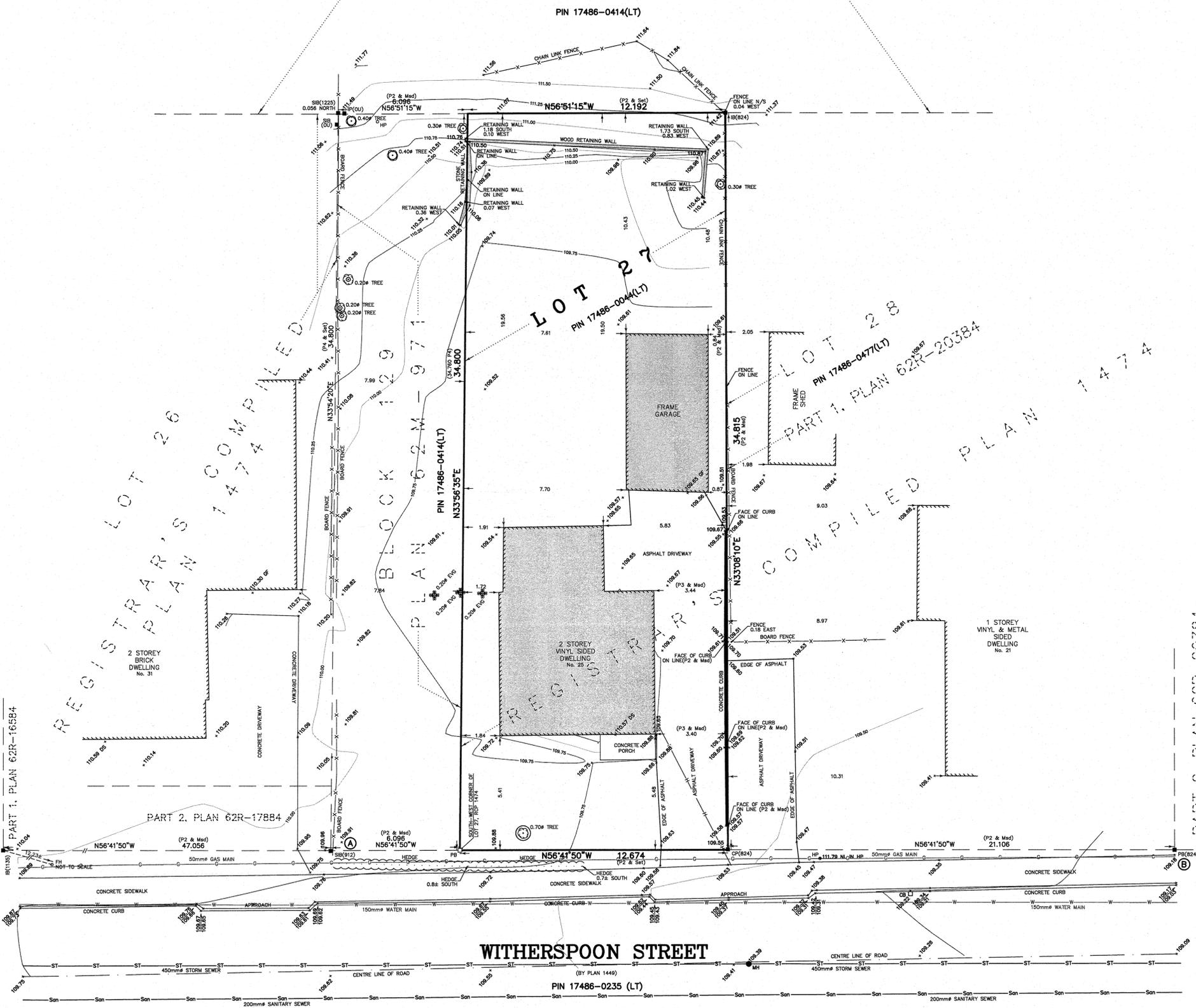
LOT 27, REGISTRAR'S COMPILED PLAN 1474 IS NOT SUBJECT TO ANY EASEMENTS.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS PLAN WAS PREPARED FOR DUNCAN AND JENNIFER McNEILL



BLOCK 129  
PLAN 62M-971



WITHERSPOON STREET

PIN 17486-0235 (LT)

- LEGEND**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - IRON BAR
  - STANDARD IRON BAR
  - ▨ PLASTIC BAR
  - ▧ CONCRETE PIN
  - IRON PIPE
  - CONCRETE PIN
  - A.T. McLAREN LTD
  - A.L. CLARKE AND ASSOCIATES LTD.
  - L.G. WOODS SURVEYING INC.
  - DAVID B. SEARLES SURVEYING LTD.
  - ORIGIN UNKNOWN
  - REGISTRAR'S COMPILED PLAN 1474
  - PLAN 62R-20384
  - PLAN BY A.T. McLAREN LTD. DATED NOVEMBER 15, 2015, FILE NO. 34790
  - PLAN 62M-971
  - CATCH BASIN
  - DOOR SILL
  - FIRE HYDRANT
  - EVERGREEN
  - HYDRO PILE
  - GARAGE FLOOR
  - MANHOLE

**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 0.999674824

**BENCHMARK:**  
MONUMENT 00819708641  
  
TWO STOREY FRAME HOUSE NO. 2 WITH STONE CHIP SIDING ON THE NORTH SIDE OF HWY 8, 0.6 KM WEST OF THE POST OFFICE IN THE TOWN OF DUNDAS, 17.0 M NORTH OF THE CENTERLINE OF HWY 8 AND 18.8 M WEST OF CENTERLINE OF NAPIER ST. TABLET IS SET HORIZONTALLY IN SOUTH FACE OF CONCRETE FOUNDATION, 0.46 M WEST OF S.E. CORNER AND 15 CM BELOW SIDING.  
ELEVATION: 109.952 metres CGVD-1928:1978

**NOTE:**  
UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE DERIVED FROM THE CITY OF HAMILTON PUBLIC WORKS DEPARTMENT DRAWING No. 08-H-04 (PAGE 2 OF 3)  
  
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION  
  
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

**SITE BENCH MARK**  
OUT CROSS  
ELEV. = 109.51

**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	NORTHING	EASTING
ORP @	4791423.894	584083.374
ORP @	4791402.099	584081.724

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

**SURVEYOR'S CERTIFICATE**

1. I CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 15TH DAY OF SEPTEMBER, 2022

DATE: 15SEP22

ROB A. McLAREN, O.I.S.

© R.A. McLAREN, O.I.S. - 2022. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF R.A. McLAREN, O.I.S.

**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS

66 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

# PRIVATE RESIDENCE

## INTERIOR RENOVATION AND ADDITION

25 WITHERSPOON STREET, HAMILTON, ON. L9H 2C4

RE-ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:



EXISTING FRONT ELEVATION (FOR REFERENCE ONLY):

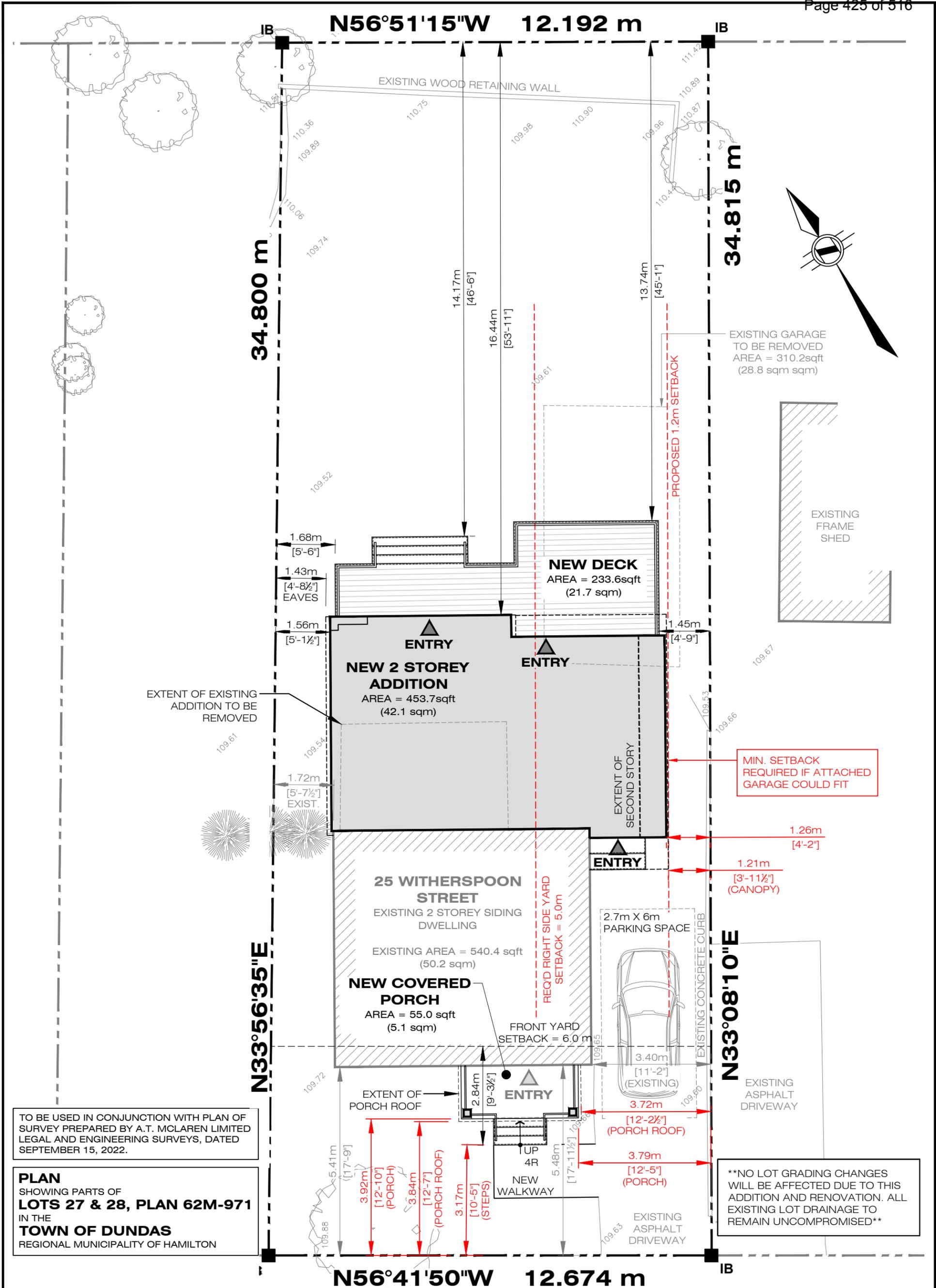
ZONING AND PROPERTY STATISTICS		
ADDRESS:	25 WITHERSPOON STREET, DUNDAS, ON.	
ZONING:	R2	
	BY-LAW:	EXISTING:
MIN. LOT AREA:	450.0 m <sup>2</sup>	433.0 m <sup>2</sup>
MIN. LOT FRONTAGE:	15.0 m	12.6 m
REQUIRED PARKING SPACES:	1.0	1.0

SETBACKS	BY-LAW:	PROPOSED:
FRONT YARD TO HOUSE	6.0 m	(EXIST.) 5.41 m
FRONT YARD TO PORCH	4.0 m	**3.17 m
FRONT YARD PORCH PROJECTION	3.0 m	3.84 m
REAR YARD TO ADDITION	7.5 m	16.44 m
LEFT SIDE TO HOUSE	1.2 m	(EXIST.) 1.72 m
LEFT SIDE TO ADDITION	1.2 m	1.56 m
LEFT SIDE TO EAVES	0.6 m	1.43 m
RIGHT SIDE TO HOUSE	5.0m	** (EXIST.) 3.40m
RIGHT SIDE TO PORCH	5.0 m	** 3.79 m
RIGHT SIDE TO PORCH ROOF	5.0 m	** 3.72 m
RIGHT SIDE TO ADDITION	5.0 m	**1.26 m
RIGHT SIDE TO ADDITION CANOPY	4.0 m	**1.21m
MAX HEIGHT	10.5 m	8.02 m
**UPDATED VARIANCES REQUIRED		



NEW FRONT ELEVATION (FOR REFERENCE ONLY):

<h3>RE-ISSUED FOR COMMITTEE OF ADJUSTMENT</h3>	Project Name: <b>PRIVATE RESIDENCE</b> INTERIOR RENOVATION AND ADDITION 25 WITHERSPOON ST HAMILTON, ON L9H 2C4	Drawn By: Checked By: Scale: Date: FEB 2023 Project No. 2022-63															
	Sheet Title: <b>COVER PAGE AND ZONING</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 15%;">Date:</th> <th style="width: 80%;">Issue/Revision</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>10 FEB/23</td> <td>RE-ISSUED FOR CofA</td> </tr> <tr> <td>3</td> <td>17 NOV/22</td> <td>ISSUED FOR CofA</td> </tr> <tr> <td>2</td> <td>17 NOV/22</td> <td>ISSUED FOR REVIEW</td> </tr> <tr> <td>1</td> <td>08 NOV/22</td> <td>ISSUED FOR REVIEW</td> </tr> </tbody> </table>	No.	Date:	Issue/Revision	4	10 FEB/23	RE-ISSUED FOR CofA	3	17 NOV/22	ISSUED FOR CofA	2	17 NOV/22	ISSUED FOR REVIEW	1	08 NOV/22	ISSUED FOR REVIEW
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4	10 FEB/23	RE-ISSUED FOR CofA															
3	17 NOV/22	ISSUED FOR CofA															
2	17 NOV/22	ISSUED FOR REVIEW															
1	08 NOV/22	ISSUED FOR REVIEW															



TO BE USED IN CONJUNCTION WITH PLAN OF SURVEY PREPARED BY A.T. MCLAREN LIMITED LEGAL AND ENGINEERING SURVEYS, DATED SEPTEMBER 15, 2022.

**PLAN**  
SHOWING PARTS OF  
**LOTS 27 & 28, PLAN 62M-971**  
IN THE  
**TOWN OF DUNDAS**  
REGIONAL MUNICIPALITY OF HAMILTON

MIN. SETBACK  
REQUIRED IF ATTACHED  
GARAGE COULD FIT

**\*\*NO LOT GRADING CHANGES  
WILL BE AFFECTED DUE TO THIS  
ADDITION AND RENOVATION. ALL  
EXISTING LOT DRAINAGE TO  
REMAIN UNCOMPROMISED\*\***

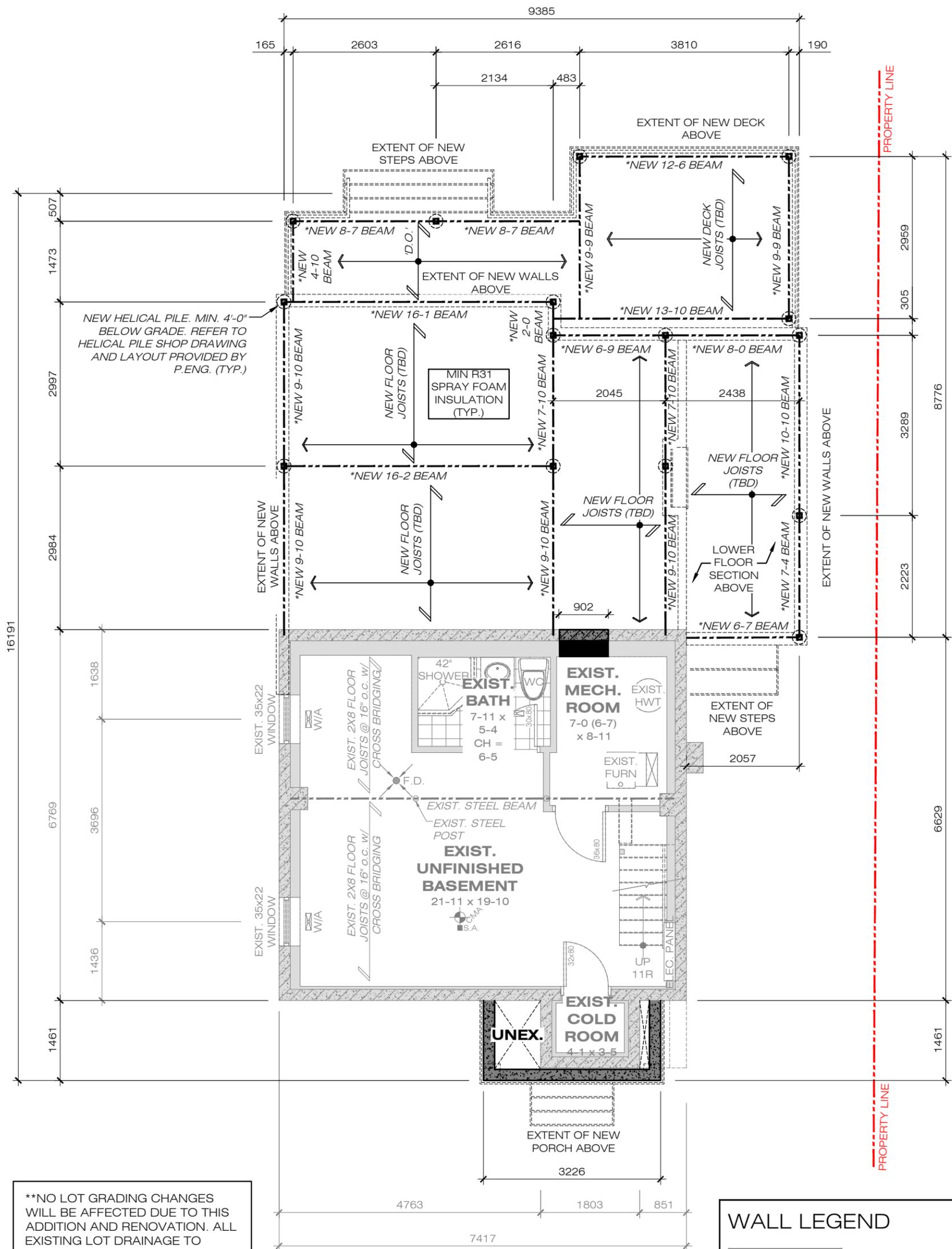
**RE-ISSUED FOR  
COMMITTEE OF ADJUSTMENT**

Project Name:  
**PRIVATE RESIDENCE  
INTERIOR RENOVATION  
AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

Sheet Title:  
**SITE PLAN**

No.	Date:	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CoA
3	17 NOV/22	ISSUED FOR CoA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Checked By:	
Scale:	1:100
Date:	FEB 2023
Project No.:	2022-63
<b>A2</b>	



**\*\*NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED\*\***

**BASEMENT / FOUNDATION PLAN**

EXISTING AREA = 566.1 sqft (52.6 sqm)

CEILING HEIGHT = 6'-10" U.N.O.  
HABITABLE ROOMS = 0

WALL LEGEND	
	EXISTING FOUNDATION WALLS TO REMAIN
	NEW FOUNDATION WALLS
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	EXISTING WALLS TO BE REMOVED

**RE-ISSUED FOR COMMITTEE OF ADJUSTMENT**

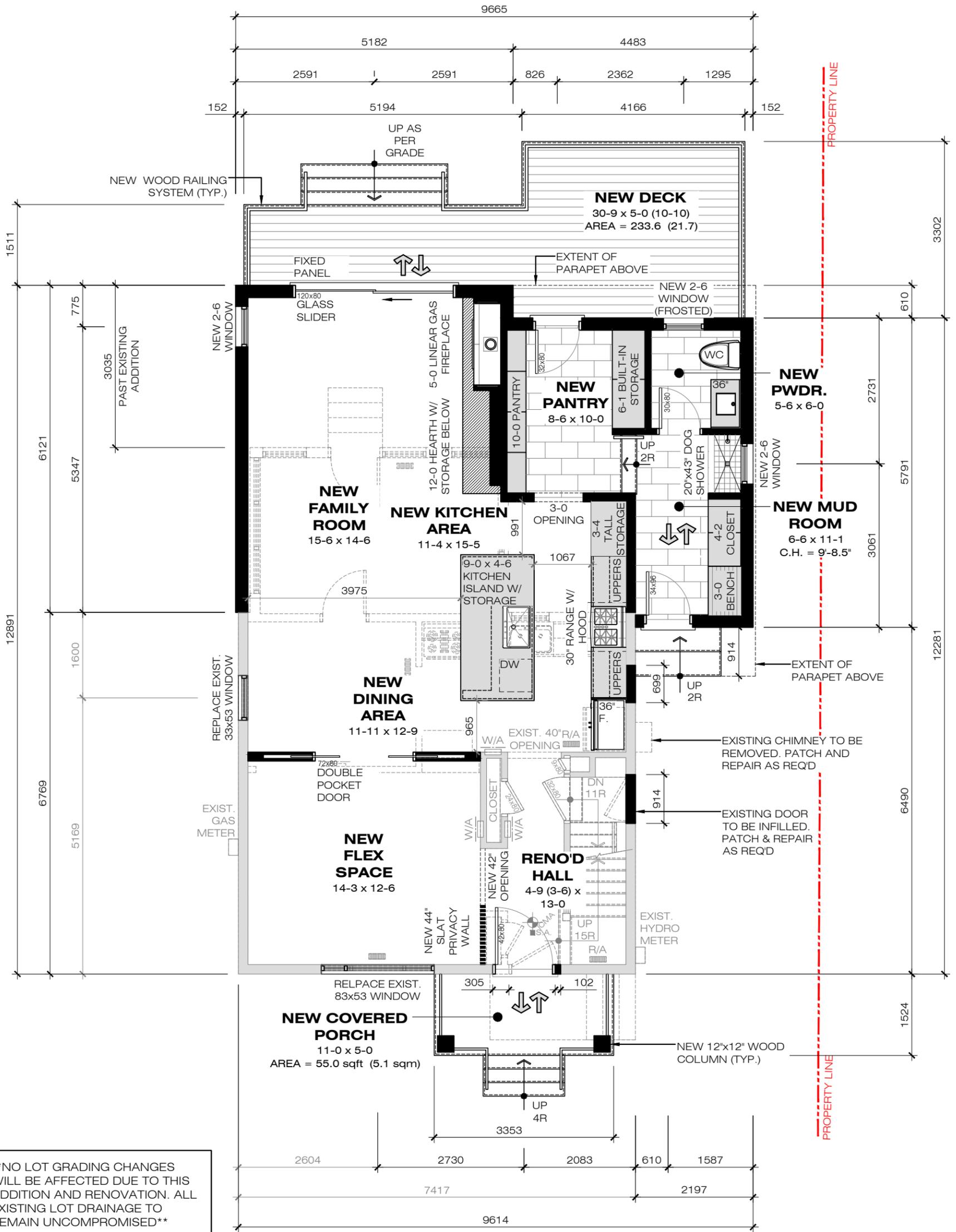
Project Name:  
**PRIVATE RESIDENCE INTERIOR RENOVATION AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

Sheet Title:  
**BASEMENT FLOOR PLAN**

No.	Date:	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CofA
3	17 NOV/22	ISSUED FOR CofA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	FEB 2023
Project No.:	2022-63

**A3**



**\*\*NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED\*\***

**MAIN FLOOR**  
 EXISTING AREA = 702.5 sqft (65.3 sqm)  
 ADDITION AREA = 453.7 sqft (42.1 sqm)  
 NEW TOTAL AREA = 1156.2 sqft (107.4 sqm)  
 FOOTPRINT = 1479.6 sq.ft (137.5 sqm)  
 CEILING HEIGHT = 7-10" UNO.  
 HABITABLE ROOMS = 4

**WALL LEGEND**

	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING WALLS TO BE REMOVED

**RE-ISSUED FOR COMMITTEE OF ADJUSTMENT**

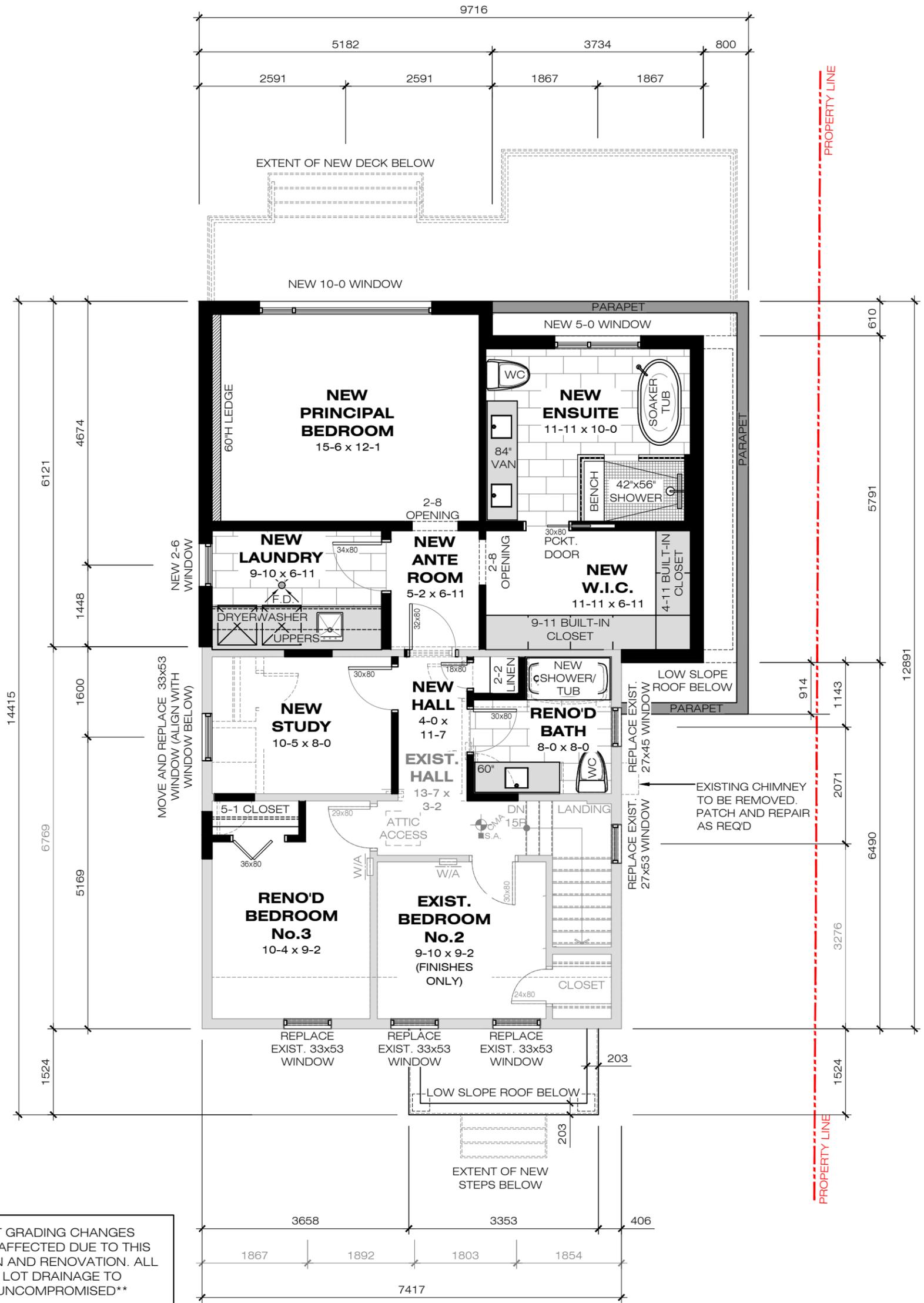
Project Name:  
**PRIVATE RESIDENCE INTERIOR RENOVATION AND ADDITION**  
 25 WITHERSPOON ST  
 HAMILTON, ON L9H 2C4

Sheet Title:  
**MAIN FLOOR PLAN**

No.	Date:	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CoFA
3	17 NOV/22	ISSUED FOR CoFA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	FEB 2023
Project No.:	2022-63

**A4**



**SECOND FLOOR PLAN**  
 EXISTING AREA = 540.4 sqft (50.2 sqm)  
 ADDITION AREA = 567.3 sqft (52.7 sqm)  
 NEW TOTAL AREA = 1107.7 sqft (102.9 sqm)  
 CEILING HEIGHT = 7'-10"  
 HABITABLE ROOMS = 4

**WALL LEGEND**

	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING WALLS TO BE REMOVED

**RE-ISSUED FOR COMMITTEE OF ADJUSTMENT**

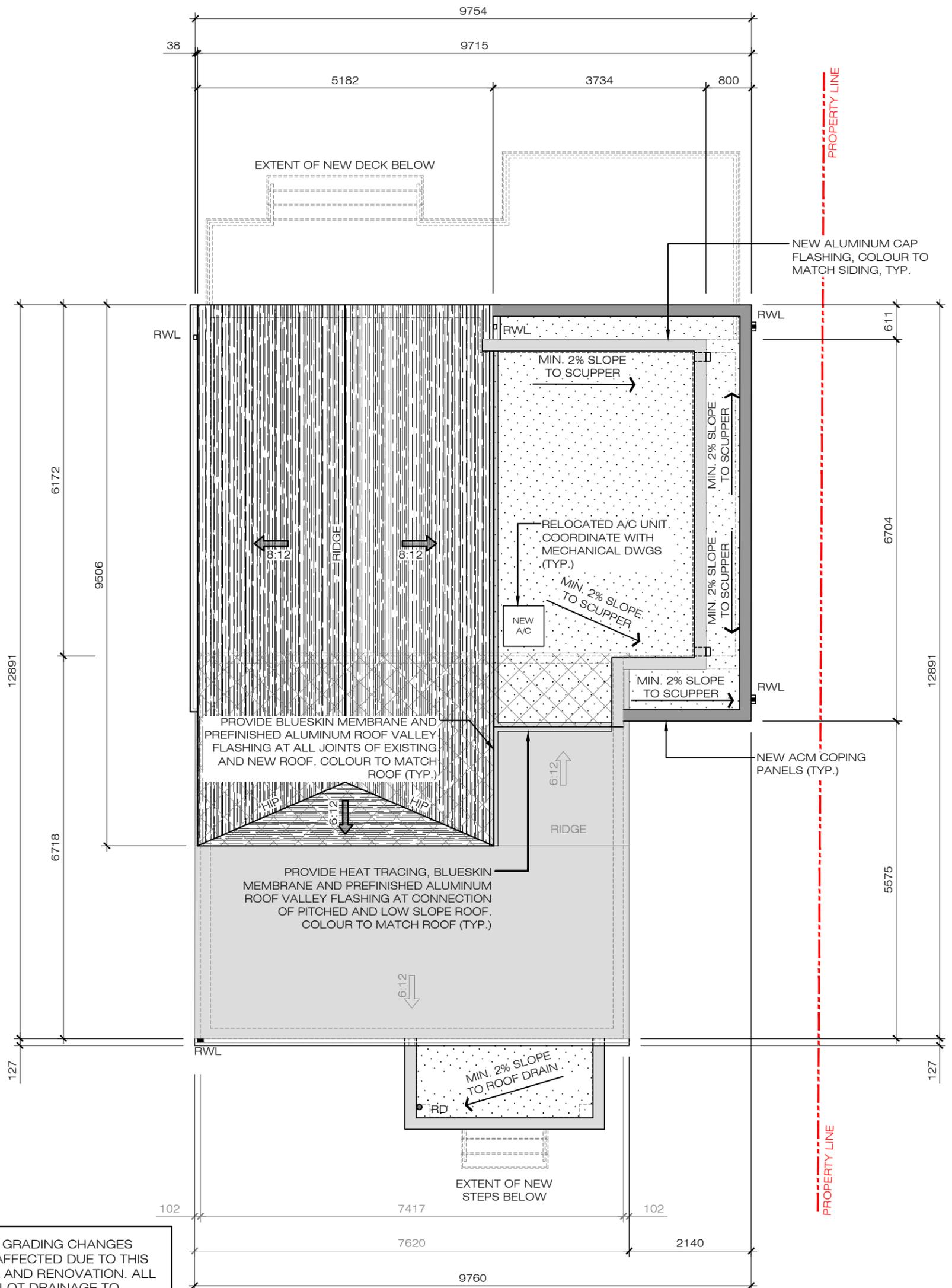
Project Name:  
**PRIVATE RESIDENCE INTERIOR RENOVATION AND ADDITION**  
 25 WITHERSPOON ST  
 HAMILTON, ON L9H 2C4

Sheet Title:  
**SECOND FLOOR PLAN**

No.	Date:	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CofA
3	17 NOV/22	ISSUED FOR CofA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	FEB 2023
Project No.:	2022-63

**A5**



**\*\*NO LOT GRADING CHANGES WILL BE AFFECTED DUE TO THIS ADDITION AND RENOVATION. ALL EXISTING LOT DRAINAGE TO REMAIN UNCOMPROMISED\*\***

**ROOF PLAN**

ROOF HATCH LEGEND	
	NEW LOW SLOPE ROOF
	NEW ASPHALT SINGLES
	EXISTING ASPHALT SHINGLES
	DENOTES OVERFRAMING

**RE-ISSUED FOR COMMITTEE OF ADJUSTMENT**

Project Name:  
**PRIVATE RESIDENCE INTERIOR RENOVATION AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

Sheet Title:  
**ROOF FLOOR PLAN**

No.	Date:	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CoFA
3	17 NOV/22	ISSUED FOR CoFA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	FEB 2023
Project No.:	2022-63

**A6**

**RE-ISSUED FOR  
COMMITTEE OF ADJUSTMENT**



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



**FRONT ELEVATION**

Project Name:  
**PRIVATE RESIDENCE  
INTERIOR RENOVATION  
AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

No.	Date	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CMA
3	17 NOV/22	ISSUED FOR CMA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

Drawn By: \_\_\_\_\_  
Checked By: \_\_\_\_\_  
Scale: 1:75  
Date: FEB 2023  
Project No: 2022-63

A7

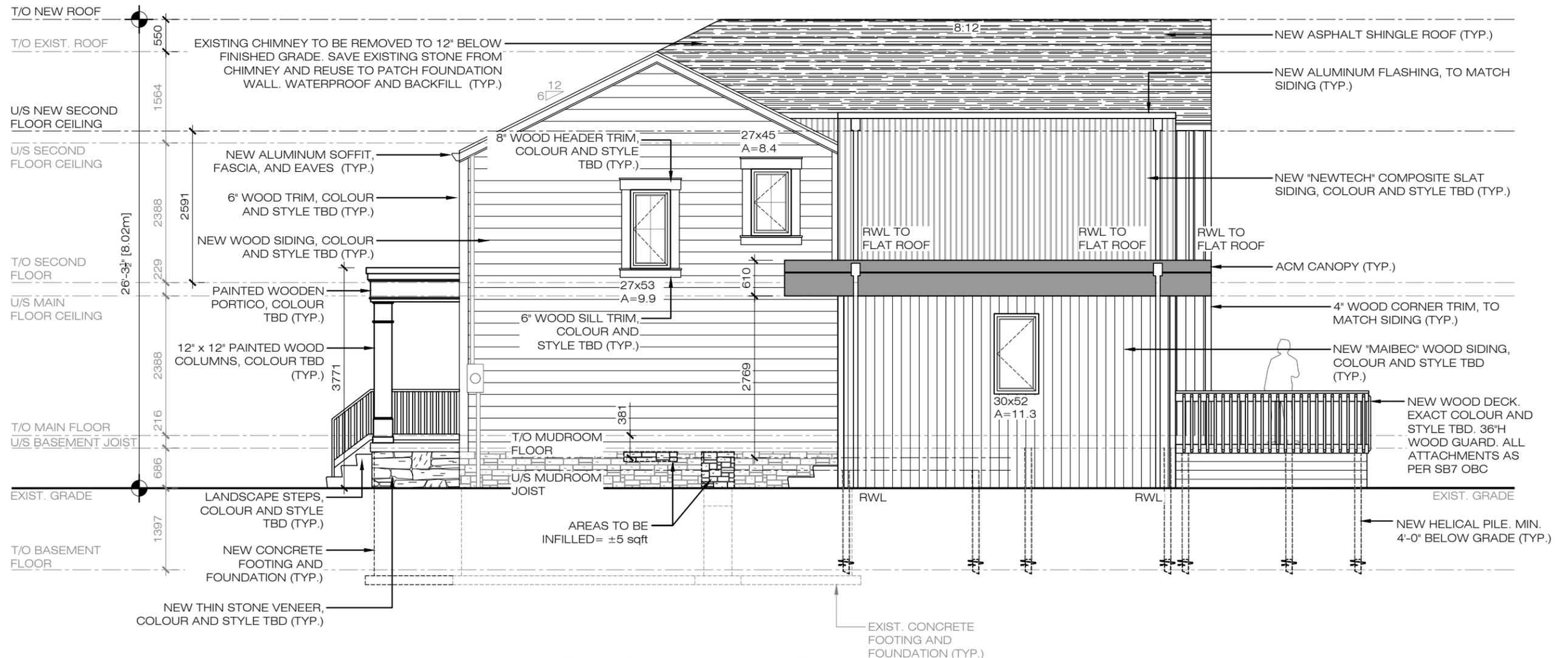
**RE-ISSUED FOR  
COMMITTEE OF ADJUSTMENT**



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



**RIGHT SIDE ELEVATION**

**RIGHT SIDE ELEVATION**

Project Name:  
**PRIVATE RESIDENCE  
INTERIOR RENOVATION  
AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

No.	Date	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CMA
3	17 NOV/22	ISSUED FOR CMA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

**A8**

Drawn By:  
Checked By:  
Scale: 1:75  
Date: FEB 2023  
Project No: 2022-63

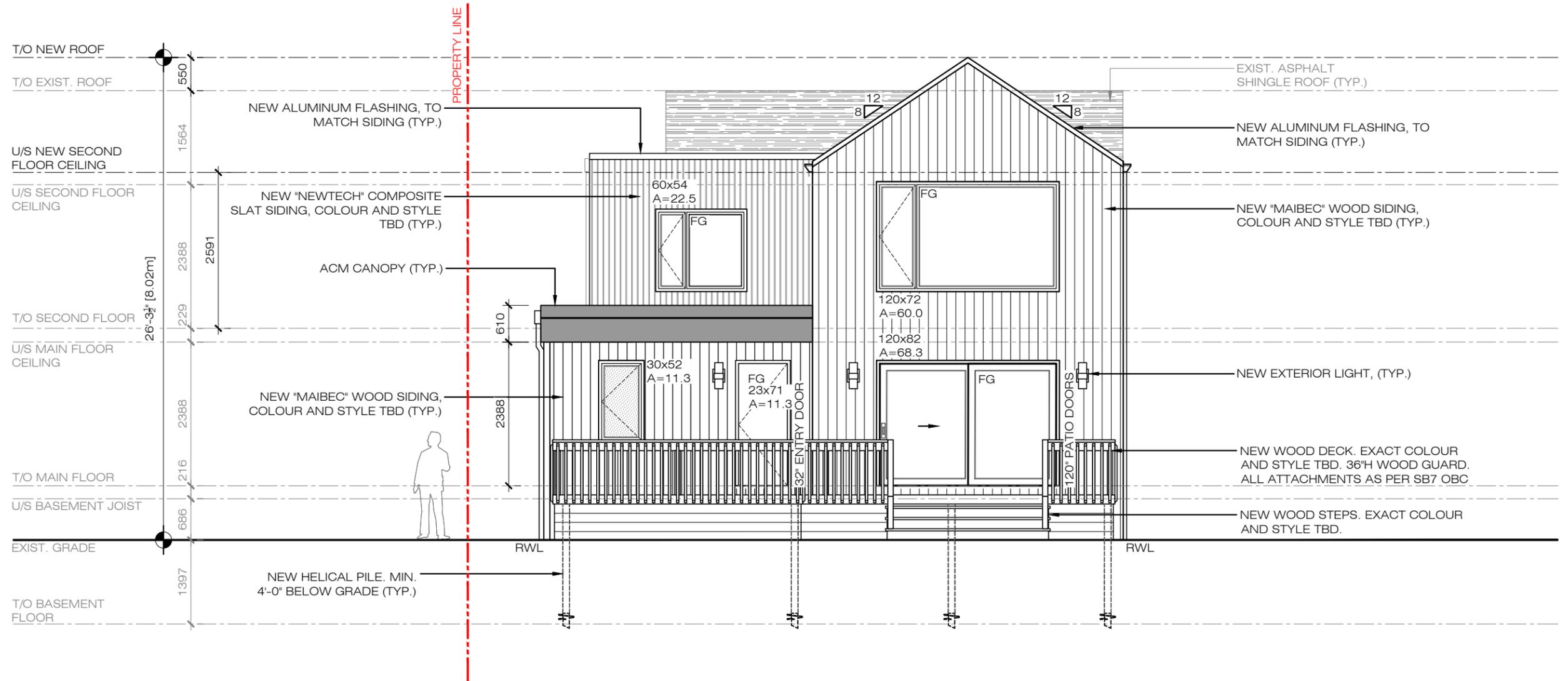
**RE-ISSUED FOR  
COMMITTEE OF ADJUSTMENT**



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



**REAR ELEVATION**

Project Name:  
**PRIVATE RESIDENCE  
INTERIOR RENOVATION  
AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

Sheet Title:  
**REAR ELEVATION**

No.	Date	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CMA
3	17 NOV/22	ISSUED FOR CMA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

**A9**

Drawn By:  
Checked By:  
Scale: 1:75  
Date: FEB 2023  
Project No: 2022-63

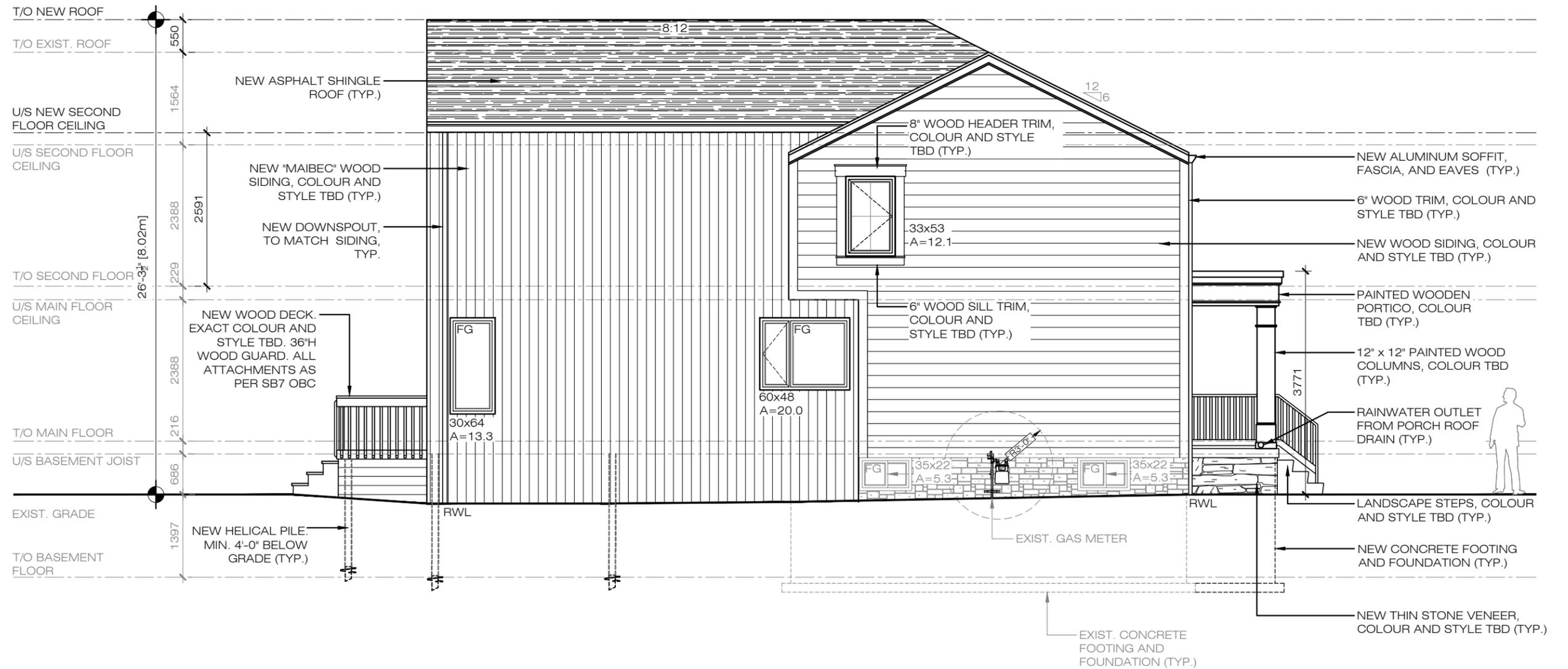
**RE-ISSUED FOR  
COMMITTEE OF ADJUSTMENT**



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



EXTERIOR ELEVATION : (FOR REFERENCE ONLY)



**LEFT SIDE ELEVATION**

**LEFT SIDE ELEVATION**

Project Name:  
**PRIVATE RESIDENCE  
INTERIOR RENOVATION  
AND ADDITION**  
25 WITHERSPOON ST  
HAMILTON, ON L9H 2C4

No.	Date	Issue/Revision
4	10 FEB/23	RE-ISSUED FOR CMA
3	17 NOV/22	ISSUED FOR CMA
2	17 NOV/22	ISSUED FOR REVIEW
1	08 NOV/22	ISSUED FOR REVIEW

**A10**

Drawn By:  
Checked By:  
Scale: 1:75  
Date: FEB 2023  
Project No: 2022-63

# CARROTHERS + ASSOCIATES

ARCHITECTURAL DESIGN + INTERIORS

**CARROTHERS AND ASSOCIATES INC.**

505 York Boulevard, Unit 3  
HAMILTON, ONTARIO L8R 3K4

P: 905-574-1504

To: Hamilton Committee of Adjustment

Re: DN/A-22:377 - 25 Witherspoon Street, Dundas ON

February 13, 2023

To Whom it May Concern;

Included in this resubmission is a set of plans that have been revised after tabling our application during the hearing on January 19, 2023. These following plans have been adjusted to pull in the side of the addition from the previously requested 0.56m to a new 1.21m. These plans have also been reviewed by City Planning staff. This new setback is keeping in character with the neighbourhood (if an attached garage was able to be fit on the property, it's required setback would be 1.2m, the same we are proposing). We have also removed the balcony on the second floor which was causing privacy concerns from the neighbour. The front porch has been left as per the previous submission as it was agreed by staff and the neighbour that this variance was in keeping with the character of the neighbourhood.

We believe that the revised design helps accommodate all concerns and meets the intent of the Planning Act and are considered minor in nature.

Regards,



David Carrothers | Owner | Principal  
905.574.1504 ext.1  
dcarrothers@carrothersandassociates.com



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>	Duncan and Jennifer McNeil		Phone:
<b>Applicant(s)</b>	Nataliya Yatsenko of Carrothers and Associates		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	25 Witherspoon St		
Assessment Roll Number			
Former Municipality	Dundas		
Lot		Concession	
Registered Plan Number	62M-971	Lot(s)	27 and 28
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:

Proposed 3.17m front yard porch setback where 4.0m is permitted.

Proposed 0.56m right yard addition setback where 5.0 is permitted.

Proposed 3.72m right yard porch setback where 5.0m is permitted.

Proposed 2.43m right yard balcony projection where 1.5m is permitted.

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

Please see attached 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
12.60m	34.81m	430m <sup>2</sup>	n/a

- 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 family detached dwelling
- 

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

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:  
 July 12, 2022
- 

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

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

- 7.4 Length of time the existing uses of the subject property have continued:  
 Home built in 1949
- 

- 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) Neighborhoods

---

Please provide an explanation of how the application conforms with the Official Plan.  
 Renovation of an existing single family detached dwelling in existing neighborhood.

- 7.6 What is the existing zoning of the subject land? R2
- 

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

Yes  No

If yes, please provide the file number:

---

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

Yes  No

If yes, please provide the file number:

---

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):



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-23:38</b>	<b>SUBJECT PROPERTY:</b>	854 CONCESSION 6 W, FLAMBOROUGH
<b>ZONE:</b>	"A2" (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: DAVID & JILL CARSON

The following variances are requested:

1. A maximum building height of 6.5m shall be permitted instead of the maximum 6.0m height permitted.
2. The aggregate Gross Floor area of all Accessory buildings shall not exceed 223.0m<sup>2</sup>, whereas the zoning by-law states that the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 200.0m<sup>2</sup>.

**PURPOSE & EFFECT:** To facilitate the construction of an accessory building (private hobby shop) for the existing dwelling.

**Notes:**

The elevation drawing provided does not show the height dimension from grade as defined in the Zoning By-law. Therefore, the applicant shall ensure that the requested height variance is correct; otherwise, further variances may be required.

No part of the proposed accessory building (private hobby shop) shall be used as a dwelling unit; otherwise, further variances shall be required.

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

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

FL/A-23:38

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>3:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

**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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:38, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

FL/A-23:38



 **Subject Lands**

DATED: March 14, 2023

---

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.

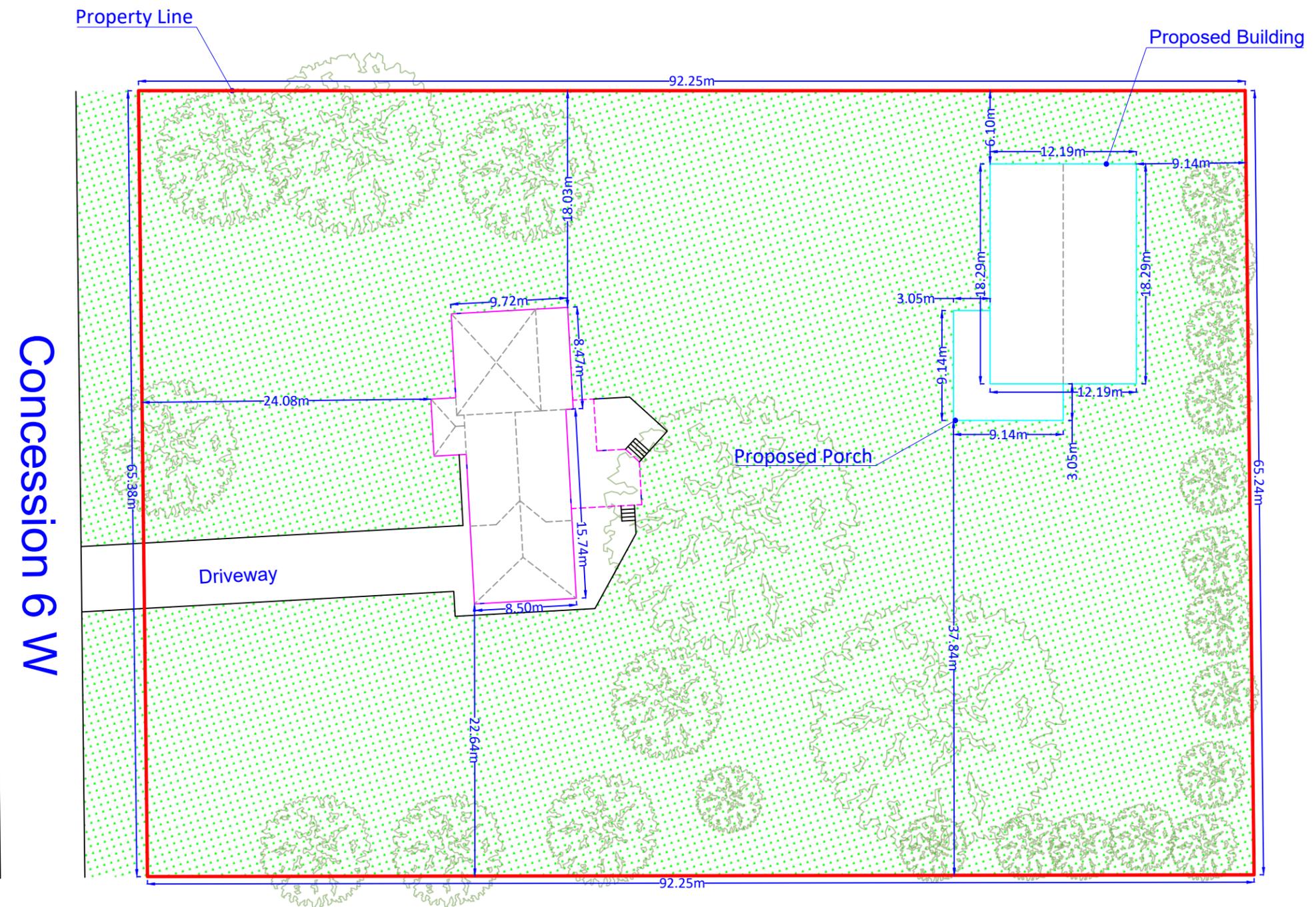
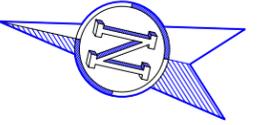
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 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.

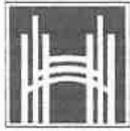
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



Concession 6 W



854 Concession 6 W  
Hamilton, ON L0R 1V0  
Scale: 1:400



Hamilton

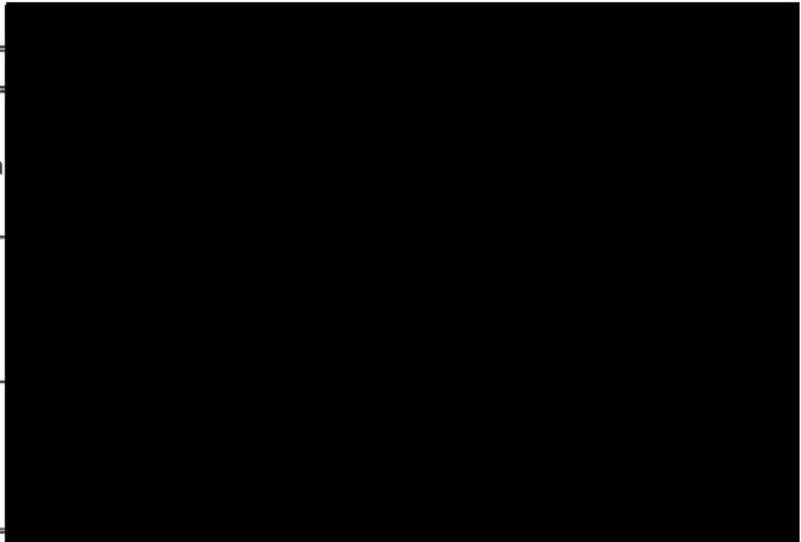
**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

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
<b>Registered Owners(s)</b>	David Carson / Jill Carson
<b>Applicant(s)</b>	Same as above
<b>Agent or Solicitor</b>	



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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent hnbasementworx@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	854 Concession Rd 6 West, Millgrove, Ontario		
Assessment Roll Number	302510026000000		
Former Municipality	West Flamborough		
Lot	6	Concession	5
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:

Construction of an accessory building (hobby shop):

A. Peak height of roof is over height by 0.4 m

B. Lot coverage is 22.9 m<sup>2</sup> oversized

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

A. Minimum ceiling height of 3.6m is required for installation & use of automotive hoist

B. Extra storage required for additional hobby vehicles/parts storage

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
65.3m	92.25m	6024m <sup>2</sup>	9.1

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 Family Dwelling	24 m	58.5 m	18m / 22.6m	05/30/1971

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Small Building (Hobby Shop)	71m	9.1 m	6.1/37.8 m	05/15/2023

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
Single Family Dwelling	76.2 m <sup>2</sup>	232.8 m <sup>2</sup>	3	5.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Small Building (Hobby Shop)	222.9 m <sup>2</sup>	222.9 m <sup>2</sup>	1	6.4m

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) Septic tank & leaching bed
- 4.7 Type of access: (check appropriate box)
- provincial highway  right of way
- municipal road, seasonally maintained  other public road
- municipal road, maintained all year
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
- Single family dwelling
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
- Single family dwellings

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- May 1996
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- Single Family Dwelling
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- Single Family Dwelling
- 7.4 Length of time the existing uses of the subject property have continued:
- Since purchase
- 7.5 What is the existing official plan designation of the subject land?
- Rural Hamilton Official Plan designation (if applicable): Rural
- 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? Single Family Dwelling
- 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: Single Family Dwelling

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for **Minor Variance**
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-

12

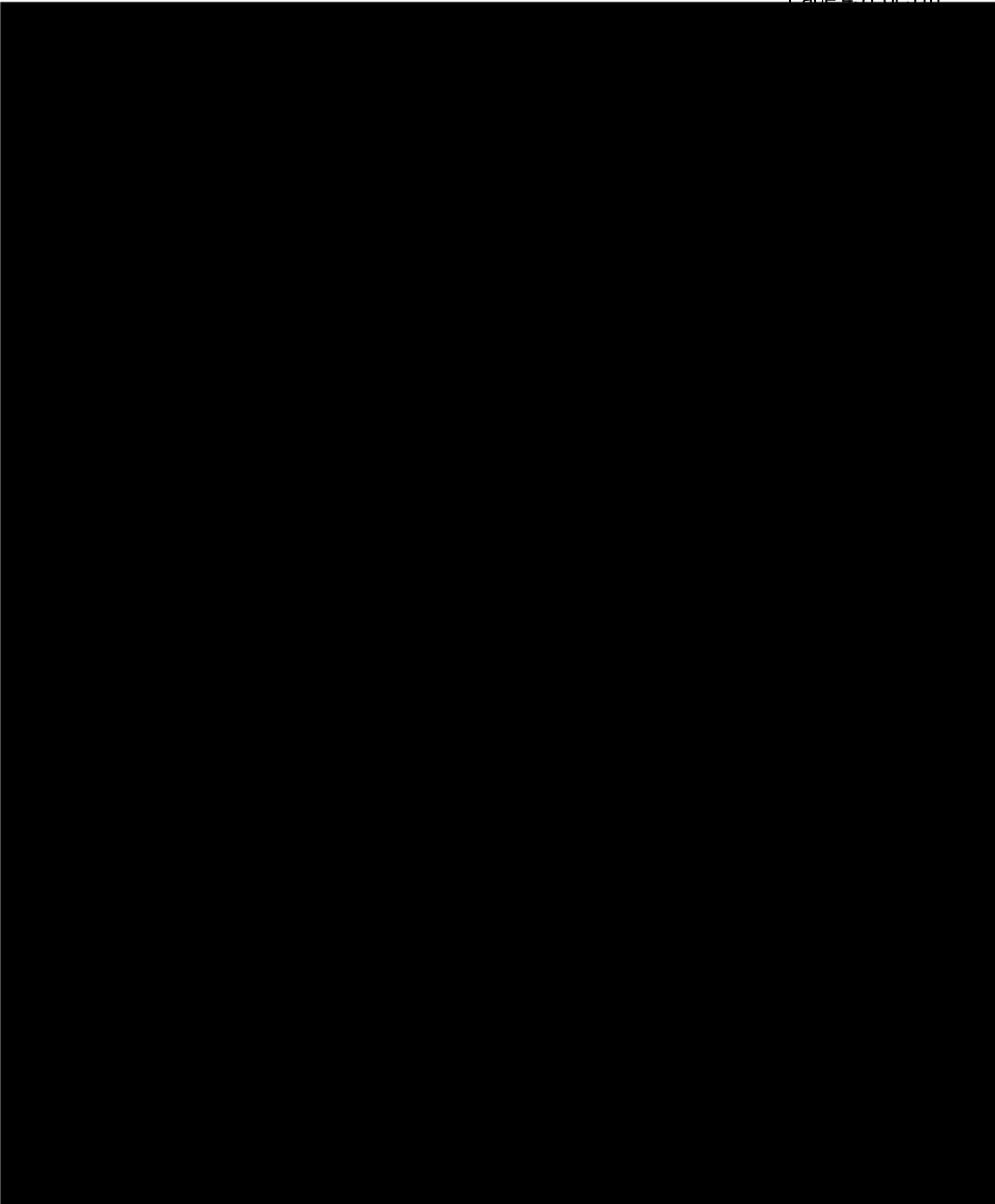
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Hamilton

**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-23:37</b>	<b>SUBJECT PROPERTY:</b>	1417 CENTRE ROAD, FLAMBOROUGH
<b>ZONE:</b>	“S1” (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: ROB POSAVAD  
Agent: KEVIN WEBSTER DESIGNS INC.

The following variances are requested:

1. The proposed height 8.13 metres for the accessory building exceeds the maximum of 4.5 metres according to the By-law. A minor variance is required to increase the maximum height from 4.5 metres to 8.13 metres.
2. The proposed area of the accessory building does not comply with the 45.0 square metres maximum requirement of the Zoning By-law. A minor variance is required to increase the maximum aggregate gross floor area from 45.0 square metres to 71.35 square metres.

**PURPOSE & EFFECT:** To permit the construction of an accessory building to complement an existing single detached dwelling.

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>3:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

FL/A-23:37

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## PUBLIC INPUT

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

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

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:37, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

FL/A-23:37



DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

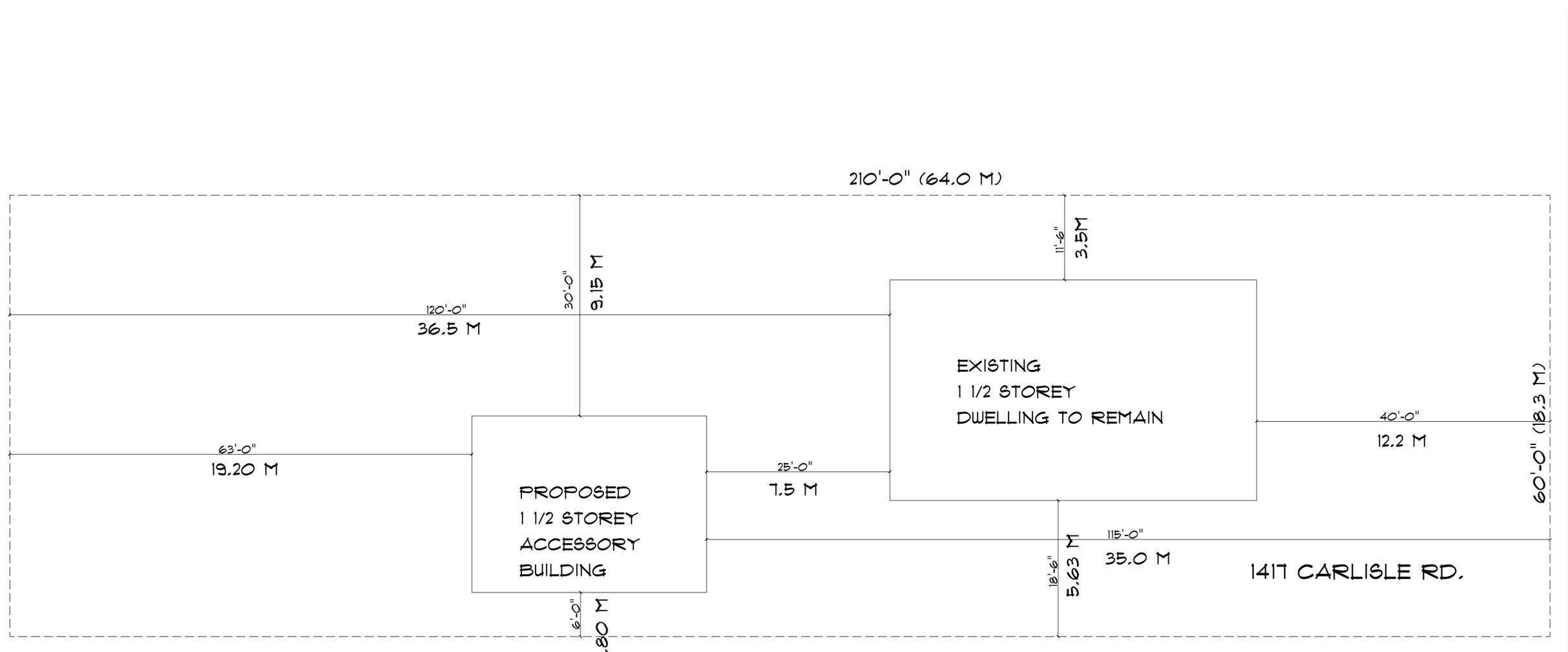
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

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

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

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

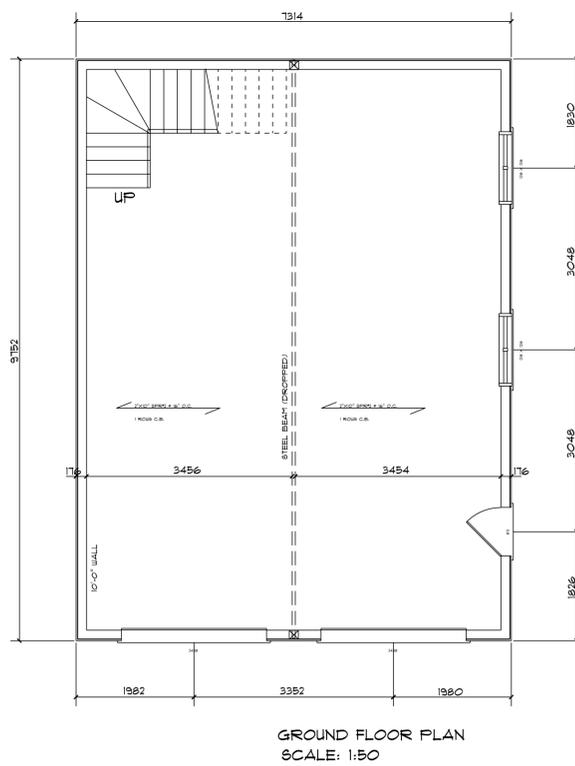
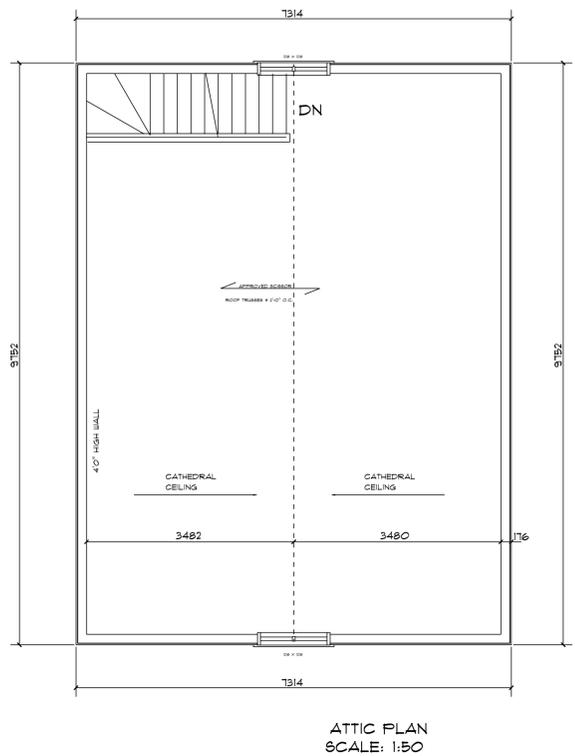
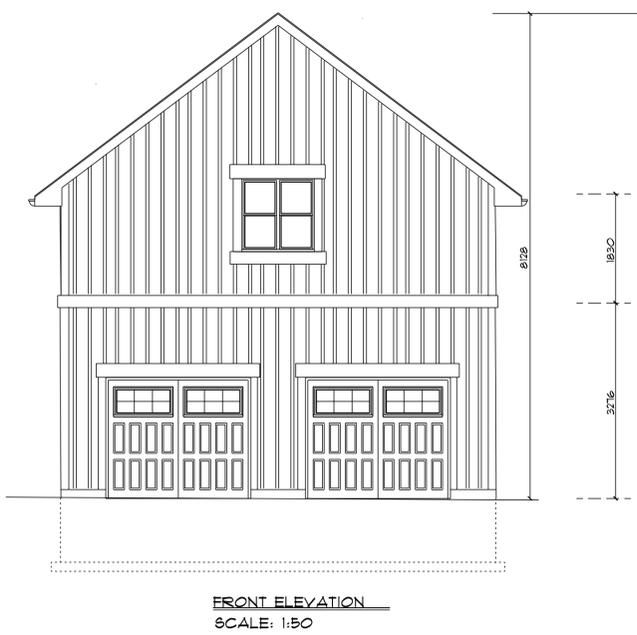
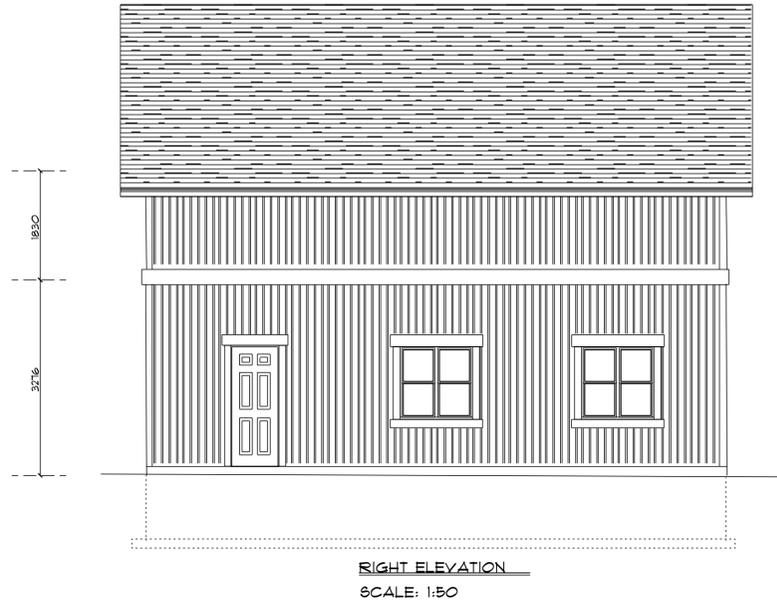
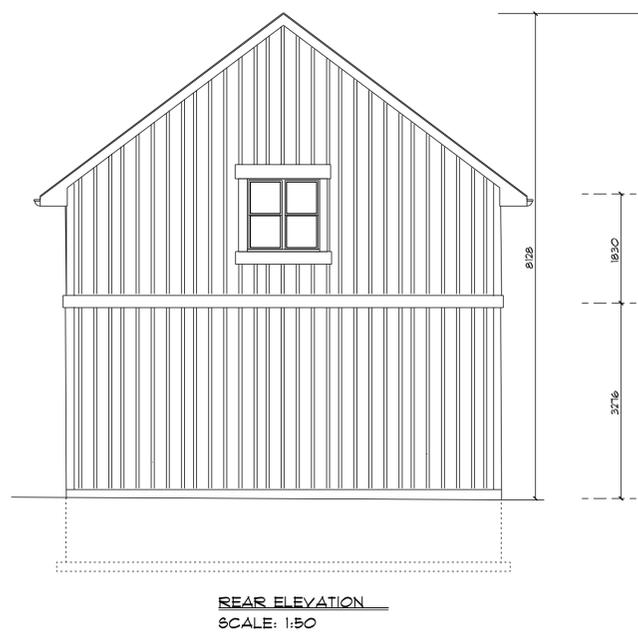


**SITE PLAN**  
SCALE: 1:100

SITE STATS:  
 LOT AREA: 1,107.54 SQ. M  
 LOT COVERAGE: EXISTING: 12.6% 139.35 SQ. M PROPOSED: 19.02% 210.70 SQ. M

CENTRE RD.

Project: POSAVAD ACC. BUILDING 1417 CENTRE RD. CARLISLE, ONT	BCIN Stamp	Kevin Webster Designs Inc.		SCALE: 0.1240" = 1'-0"	PAGE: 2
		68 North Valley Dr. Welland, Ont. L3C 7L6 kevin@kwdesigns.ca 905-639-2009		DRAWN BY:	DATE:



Project:	FOSAYAD ACC. BUILDING 1417 CENTRE RD. CARLISLE, ONT	
	Kevin Webster Designs Inc. 68 North Valley Dr. Welland, Ont. L3C 7L6 kevin@kwdesigns.ca 905-639-2009	
BCIN Stamp		
SCALE: 1/8" = 1'-0"	DRAWN BY: KW	PAGE: 1
	DATE: FEB 2023	



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>	Rob Posavad	
<b>Applicant(s)</b>	Kevin Webster	
<b>Agent or Solicitor</b>	Kevin Webster	

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

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	1417 Centre Rd. Carlisle, Ont. L0R 1H1		
Assessment Roll Number			
Former Municipality	Flamborough		
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:

1. Require 71.35 sq m area instead of allowed 45 sq. m maximum.
2. Require 8.13 m height instead of allowed 4.5 m maximum height

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Do to the amount of storage required, the larger space is needed.

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
18.3 m	64.0 m	1170.5 sq. m	20m

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
Dwelling	12.3 m	42.0 m	3.5/6.6 m	01/01/1960

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Building	35.0 m	19.2 m	1.8/9.1 m	06/01/2023
Exist. Dwelling	12.3 m	42 m	3.5/6.6 m	01/01/1960

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
Dwelling	120 sq m	180 sq m	1 1/2	8.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Building	71.35 sq. m	142.7 sq. m	1 1/2	8.12 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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
2000

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 built 1960+/-

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: Settlement Residential

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.  
Is in keeping of the neighbour hood, is minor in nature.

7.6 What is the existing zoning of the subject land? S1

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

- Yes
- No

If yes, please provide the file number: \_\_\_\_\_

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

If yes, please provide the file number: \_\_\_\_\_

- 7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):  
Existing dwelling will remain as is.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- \_\_\_\_\_
- \_\_\_\_\_



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-23:31</b>	<b>SUBJECT PROPERTY:</b>	4 TRISTAN COURT, FLAMBOROUGH
<b>ZONE:</b>	"R1" (Urban Residential (Single Detached))	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

**APPLICANTS:** Owner: COURTNEY FORD  
Agent: ALANA NIELSEN

The following variances are requested:

1. A maximum lot coverage of 28.2% shall be permitted instead of the maximum 25.0% lot coverage permitted.

**PURPOSE & EFFECT:** To facilitate the construction of two (2) one storey additions to the existing dwelling.

**Notes:**

The zoning By-law permits a maximum height of 11.0m. The proposal appears to conform to the maximum permitted height; however, no elevation plans were provided. Therefore, the applicant shall ensure that compliance with the maximum permitted height is achieved; otherwise, 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, March 30, 2023</b>
<b>TIME:</b>	<b>3:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

FL/A-23:31

	<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>

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## FURTHER NOTIFICATION

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FL/A-23:31



 **Subject Lands**

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

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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

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

#### 2. In person Oral Submissions

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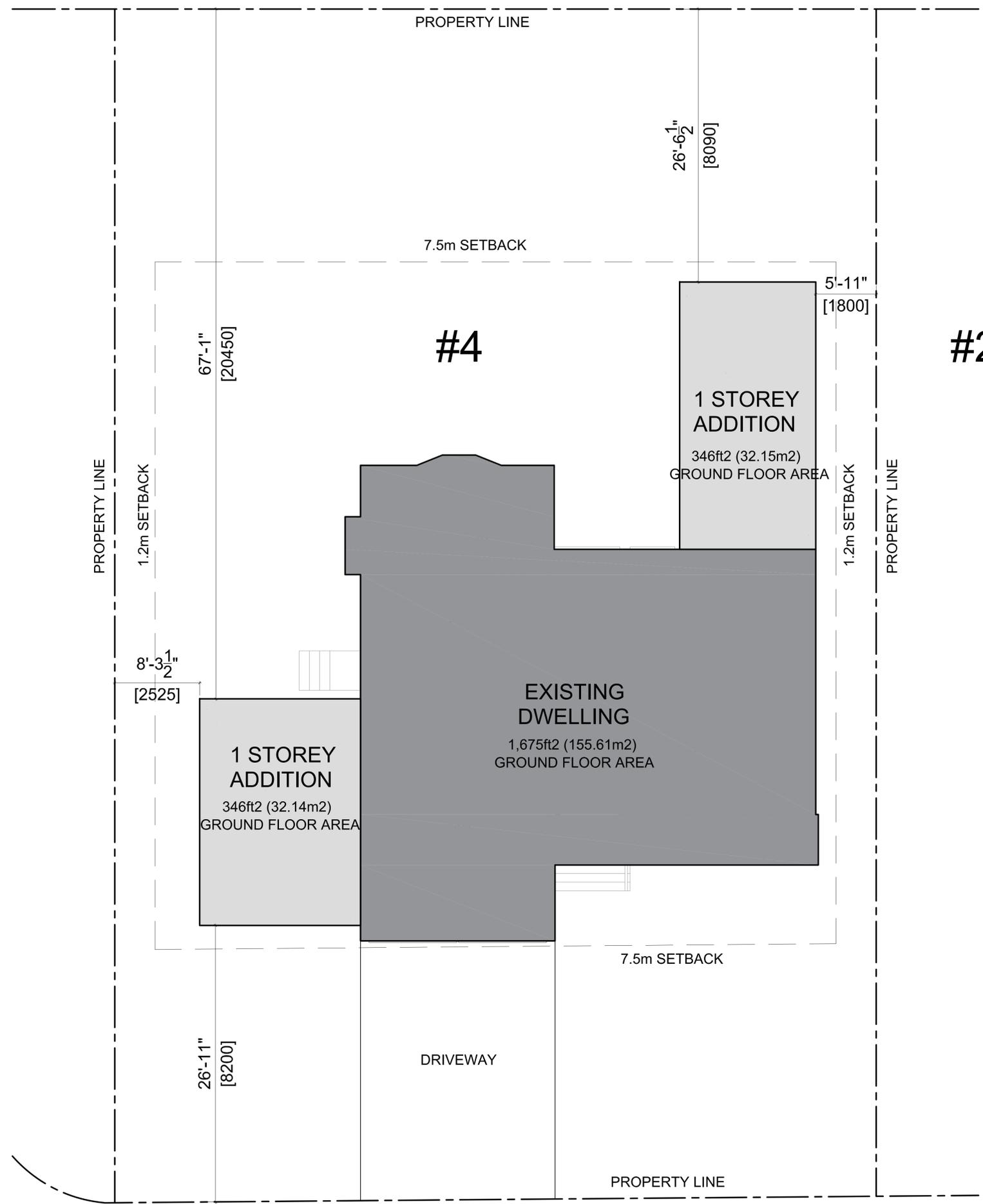
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

SITE STATISTICS	
ZONING	R1
LOT SIZE	8,609ft <sup>2</sup> (779.8m <sup>2</sup> )
LOT COVERAGE	
ALLOWABLE	25% = 2,152ft <sup>2</sup> (199.9m <sup>2</sup> )
EXISTING	20% = 1,675ft <sup>2</sup> (155.61m <sup>2</sup> )
PROPOSED STUDY	4% = 346ft <sup>2</sup> (32m <sup>2</sup> )
PROPOSED GARAGE	4% = 346ft <sup>2</sup> (32m <sup>2</sup> )
TOTAL	28% = 2,367ft <sup>2</sup> (219.9m <sup>2</sup> )

#6

#4

#2



TRISTAN COURT



ALITE DESIGNS

T : (416) 432-7606  
E : ALANA@ALITEDESIGNS.CA

**Proposed Additions**

Ford Residence  
4 Tristan Court

Site Plan

Project number 2239-0102

Date January 17, 2023

Drawn by A. NIELSEN

Checked by A. NIELSEN

**A001**

Scale 3/16" = 1'-0"



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME
<b>Registered Owners(s)</b>	
<b>Applicant(s)</b>	
<b>Agent or Solicitor</b>	

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

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	4 Tristan Court		
Assessment Roll Number			
Former Municipality	Waterdown		
Lot	7	Concession	3
Registered Plan Number	62 M - 604	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:

Adding a 1 storey addition to the existing Dwelling.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The proposed additions comply with all by-law requirements except the lot coverage. The lot size is substantially wider than the existing house and the homeowners require additional living and storage 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
<del>22.66</del> 22.66	35.195	799m <sup>2</sup>	20.02

*AM*

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
Dwelling	7.65	13.22	6.86 / 1.8	04/06/1989

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 Storey Dwelling	8.20	8.09	2.525 / 1.8	07/01/2023

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
Dwelling	155.61m <sup>2</sup>	248.124m <sup>2</sup>	2	7.56

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	219.9m <sup>2</sup>	312.414m <sup>2</sup>	2	7.56

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single 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:

2022

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:

34 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? R1 \_\_\_\_\_

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: R1 \_\_\_\_\_

---

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-





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-23:27</b>	<b>SUBJECT PROPERTY:</b>	118 MAIN ST N, WATERDOWN, L0R 2H0
<b>ZONE:</b>	"R5" (Core Area Residential Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

**APPLICANTS:** Owner: GLENN PAGE

The following variances are requested:

1. 0% of the front yard shall be landscaped open space instead of the minimum 50% landscaped open space required.
2. 2.8m minimum setback from a street line for Mechanical equipment in a required front yard shall be permitted instead of the minimum 3.0m setback for mechanical equipment in a required front yard required.

**PURPOSE & EFFECT:** To permit the existing conditions on the lands known municipally as 118 Main Street N Flamborough.

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>3:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

FL/A-23:27

	<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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:27, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.

FL/A-23:27



 Subject Lands

DATED: March 14, 2023

---

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

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## 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 SHOWING TOPOGRAPHY OF**  
**LOT 43**  
**PLAN M-8**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1 : 200

0 5 10 20 metres  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 550mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)  
**MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS**  
 © 2022

**KNOWN AS MUNICIPAL No. 118 MAIN STREET NORTH**

**PART 2 - REPORT SUMMARY** (TO BE READ IN CONJUNCTION WITH PART 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - MAY 2, 2022

**REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
 - NONE

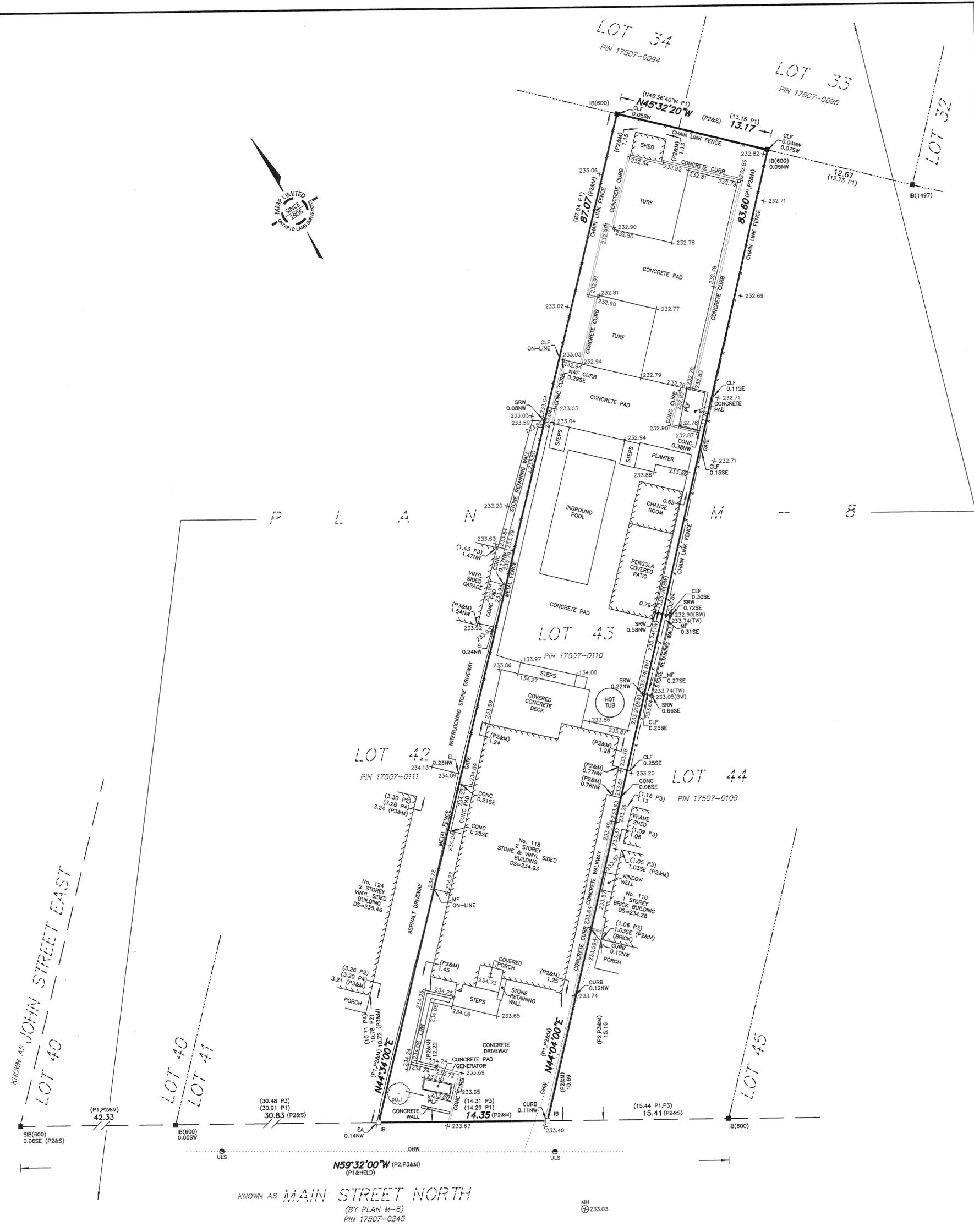
**ADDITIONAL REMARKS:**  
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

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

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

**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
**PLAN SUBMISSION FORM**  
**V-31538**

  
 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3)



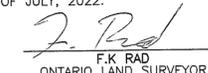
- LEGEND**
- DENOTES A SURVEY MONUMENT FOUND
  - DENOTES A SURVEY MONUMENT PLANTED
  - SIB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - P1 DENOTES PLAN M-8
  - P2 DENOTES PLAN BY MMP LIMITED DATED JUNE 25, 2020 (19-105-AB)
  - P3 DENOTES PLAN BY GREATER TORONTO ACRES SURVEYING INC. DATED JANUARY 5, 2018
  - P4 DENOTES PLAN BY A.T. McLAREN DATED MAY 15, 2017
  - PIN DENOTES PROPERTY IDENTIFICATION NUMBER
  - DS DENOTES DOOR SILL
  - SRW DENOTES STONE RETAINING WALL
  - CRW DENOTES CONCRETE RETAINING WALL
  - CONC DENOTES CONCRETE
  - EI DENOTES EDGE OF INTERLOCK
  - EA DENOTES EDGE OF ASPHALT
  - CLF DENOTES CHAIN LINK FENCE
  - MF DENOTES METAL FENCE
  - PLF DENOTES PLASTIC FENCE
  - NWF DENOTES NORTHWEST FACE
  - ULS DENOTES UTILITY LIGHT STANDARD
  - OHW DENOTES OVERHEAD WIRE
  - MH DENOTES MANHOLE
  - (TW) DENOTES TOP OF WALL
  - (BW) DENOTES BOTTOM OF WALL
  - PLF DENOTES PLASTIC FENCE
  - DENOTES DECIDUOUS TREE SCALED TO TRUNK DIAMETER TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

**BENCHMARK NOTE**  
 BENCHMARK No. 0011965U128  
 ELEVATION = 226.923 METRES (CGVD28:78 ADJUSTMENT)  
 BENCHMARK IS ON BELL TELEPHONE BUILDING ON NORTHEAST SIDE OF MILL STREET 30 METRES NORTHWEST OF MAIN STREET (HIGHWAY No. 5) DIRECTLY OPPOSITE WATERDOWN ALLIANCE CHURCH, TABLET IN SOUTHEAST CONCRETE FOUNDATION WALL 0.36 METRES FROM SOUTHWEST CORNER 0.51 METRES BELOW BRICK

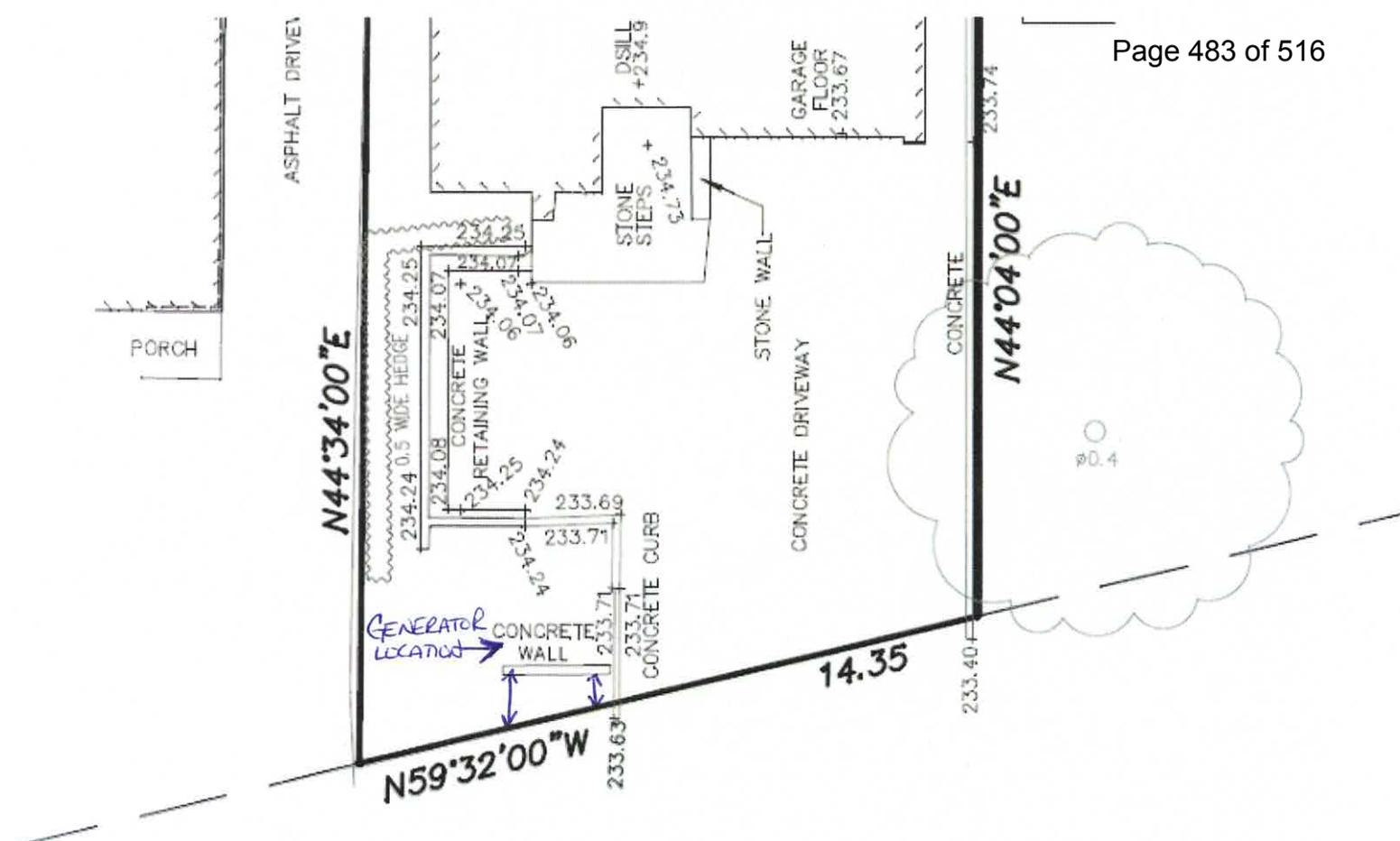
**BEARING REFERENCE**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEASTERLY LIMIT OF MAIN STREET NORTH AS SHOWN ON PLAN M-8 HAVING A BEARING OF N59°32'00"W

**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 22nd DAY OF JULY, 2022.

August 19, 2022  
 DATE  
  
 F.K. RAD  
 ONTARIO LAND SURVEYOR  
 FOR MACKAY, MACKAY & PETERS LIMITED

 MacKAY, MacKAY & Peters Limited LAND SURVEYORS & MAPPERS SINCE 1906	3380 South Service Road Unit 101 Burlington, ON L7N 3J5 (905) 639-1375 halton@mmplimited.com mmplimited.com	DRAWN BY: G.S. PARTY CHIEF: F.K. CHECKED BY: F.K. PROJECT No.: 22-118
	E:\(62) Hamilton-Wentworth\M-PLANS\M-0008\LOT 43\22-118\22-118.dwg	
	233.03 MH	
	KNOWN AS MAIN STREET NORTH (BY PLAN M-8) PIN 17507-0245	





KNOWN AS MAIN STREET NORTH  
 (BY PLAN M-08)  
 PIN 17507-0245

MV\_118 MAIN ST N - SKETCH 1



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

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

**APPLICATION FOR 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)	Glenn Page		
Applicant(s)*			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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

- 3. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
 Mortgagee - RBC Bank,

MV-118 MAIN ST NORTH - APPLICATION

**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:  
*SECTION 5.12.1(d) - to accept the interlocking stone be considered as green space/ soft scape*  
*SECTION 5.2.3(e) - to accept the generator distance of 6 inches difference between planned vs build.*
- Secondary Dwelling Unit       Reconstruction of Existing Dwelling
5. Why it is not possible to comply with the provisions of the By-law?  
*GREENSPACE WAS DESIGNED BY A HAMILTON BASED LANDSCAPE COMPANY AND COMPLIED WITH PREVIOUS BYLAWS AT THE TIME OF APPROVAL. 6 INCH DIFFERENCE BETWEEN DESIGN O BUILLS AND WE ASK FOR LEIENCY FOR THE MINOR DIFFERENCE*
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**):  
*118 MAIN ST NORTH, WATERDOWN, ON*  
*PLAN M-8 LOT 43.*
7. PREVIOUS USE OF PROPERTY
- Residential       Industrial       Commercial   
Agricultural       Vacant       Other
- Other \_\_\_\_\_
- 8.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes       No       Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes       No       Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes       No       Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes       No       Unknown
- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes       No       Unknown
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes       No       Unknown
- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
Yes       No       Unknown
- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes       No       Unknown

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

Yes  No  Unknown

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

Lawyers review

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

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

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

JUNE 18, 2021  
Date

  
Signature Property Owner(s)

Glenn Page  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 14.63m  
Depth \_\_\_\_\_  
Area \_\_\_\_\_  
Width of street \_\_\_\_\_

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

Existing: \_

Proposed .

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

Existing:

Proposed:

13. Date of acquisition of subject lands: JUNE 2019.

14. Date of construction of all buildings and structures on subject lands: OCT 2019.

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

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

17. Length of time the existing uses of the subject property have continued:  
CURRENT OWNER 14 MTHS

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

Water	<input checked="" type="checkbox"/>	Connected	<input type="checkbox"/>
Sanitary Sewer	<input checked="" type="checkbox"/>	Connected	<input type="checkbox"/>
Storm Sewers	<input checked="" type="checkbox"/>		

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

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

FLAMBOROUGH ZONING BY-LAW SECTION 5.2.3(e) - 50% green/open space  
FLAMBOROUGH ZONING BY-LAW SECTION 5.12.1(d) - mechanical equip set back 3m.

21. Has the owner previously applied for relief in respect of the subject property?

Yes  No

If the answer is yes, describe briefly.

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

Yes  No

23. Additional Information

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





Hamilton

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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-23:09</b>	<b>SUBJECT PROPERTY:</b>	191 & 193 MILL STREET S, FLAMBOROUGH
-------------------------	-------------------	--------------------------	-----------------------------------------

**APPLICANTS:** Owner: ANDRE & HELEN DESROCHERS  
Agent: MIKE DESROCHERS

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land containing a single detached dwelling and to retain a parcel of land containing a single detached dwelling.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (193 Mill Street South):</b>	7.39 m <sup>±</sup>	29.30 m <sup>±</sup>	0.19 ha <sup>±</sup>
<b>RETAINED LANDS (191 Mill Street South):</b>	17.75 m <sup>±</sup>	54.77 m <sup>±</sup>	0.21 ha <sup>±</sup>

Associated Planning Act File(s): N/A

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

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

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>3:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

**FL/B-23:09**

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

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**PUBLIC INPUT**

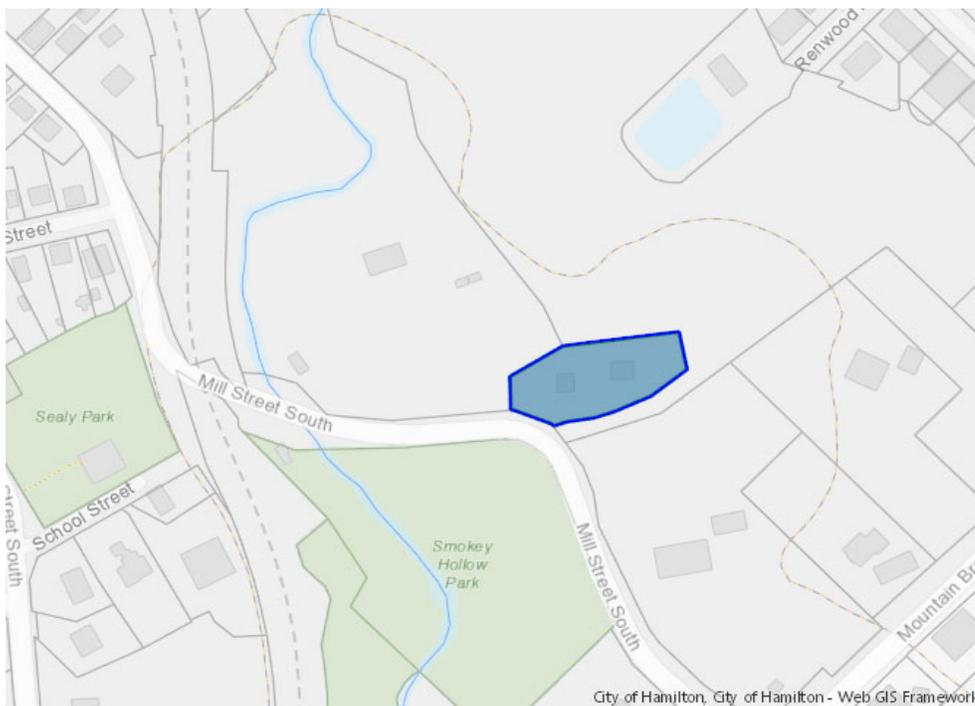
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**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/B-23:09, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



**FL/B-23:09**

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.

DATED: March 14, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



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

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Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

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

### Oral Submissions During the Virtual Meeting

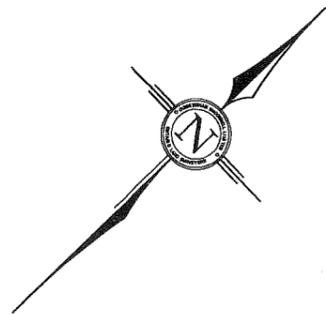
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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.

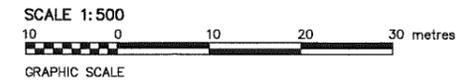
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.



HOUSE SKETCH SHOWING PROPOSED PARCEL OF  
PART OF BLOCKS 29 & 35  
REGISTERED PLAN NO. 355  
NOW IN THE  
CITY OF HAMILTON



CUNNINGHAM McCONNELL LIMITED  
ONTARIO LAND SURVEYOR

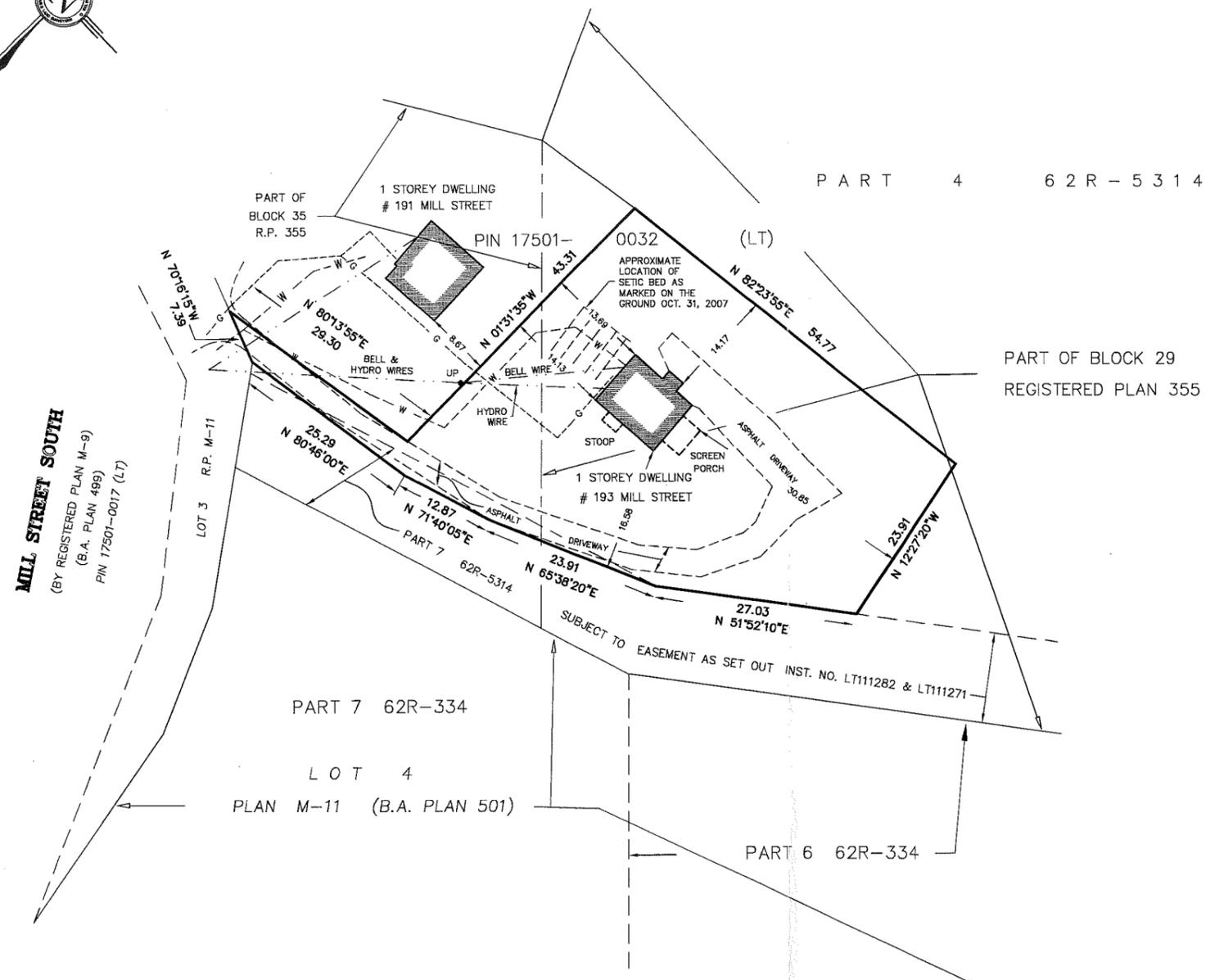
**METRIC**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**LEGEND**  
--- G --- DENOTES BURIED GAS SERVICE  
--- W --- DENOTES BURIED WATER SERVICE  
UP DENOTES UTILITY POLE

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT THE FIELD WORK SHOWN HEREON WAS  
COMPLETED ON FEBRUARY 11, 2009.

DATE: FEBRUARY 11, 2009

THOMAS J. PACKOWSKI  
ONTARIO LAND SURVEYOR



(PROPOSED PARCEL IS SUBJECT TO WATER RIGHT AS IN WT2033 AND SUCH RIGHTS AS IN AB98633)

**CUNNINGHAM McCONNELL LIMITED**

ONTARIO LAND SURVEYORS  
205 MAIN STREET MILTON, ONTARIO L9T 1N7  
PHONE (905) 878-6672  
FAX (905) 878-6672  
EMAIL ADDRESS: cml@primus.ca  
1200 SPEERS ROAD, UNIT 38 OAKVILLE, ONTARIO L6L 2X4  
PHONE (905) 845-3497  
FAX (905) 845-3519  
EMAIL ADDRESS: cmlols@cogeco.net  
O.L.S. FILE # 07-3874-5



HOUSE SKETCH SHOWING PROPOSED PARCEL OF  
**PART OF BLOCKS 29 & 35**  
**REGISTERED PLAN NO. 355**  
NOW IN THE  
**CITY OF HAMILTON**

SCALE 1:500  
10 0 10 20 30 metres

GRAPHIC SCALE  
**CUNNINGHAM McCONNELL LIMITED**  
ONTARIO LAND SURVEYOR

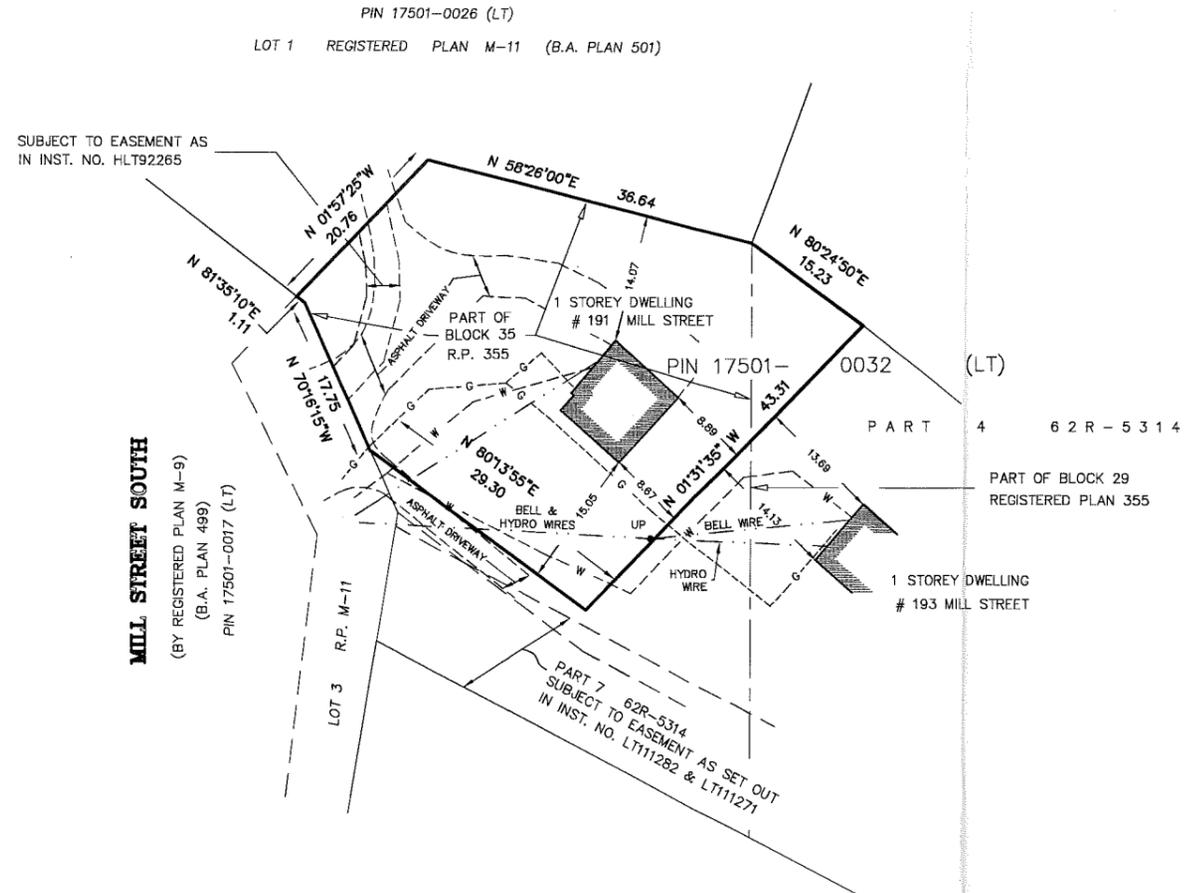
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FAX (905) 845-3519  
EMAIL ADDRESS: cmlols@cogeco.net  
O.L.S. FILE # 07-3874-6



# Hamilton

April 5, 2022

Andrej Obradovic  
Niagara Escarpment Commission  
232 Guelph Street  
Georgetown, ON L7G 4B1

Dear Mr. Obradovic,

Re: Request for Comments  
NEC Development Permit Application  
W/R/2021-2021/416  
191 & 193 Mill Street South  
(Former) Town of Waterdown, City of Hamilton

---

The applicant is proposing to construct the following on an existing 0.4 ha (1.1 ac) lot:

To sever a ± 0.19 ha (0.48 ac) lot from the existing 0.4 ha (0.99 ac) lot, with a retained lot of 0.21ha (0.52 ac), and to demolish the existing dwellings and construct a new one and a half storey ± 204.4 sq m (2,200 sq ft) dwelling on the severed lot and to construct a one and a half storey ± 260.1 sq m (2,800 sq ft) dwelling and a one and a half storey ± 65 sq m (700 sq ft) accessory building (detached garage) on the retained lot.

### Urban Hamilton Official Plan

The subject lands are designated “Open Space” in Schedule “D” Urban Land Use Designations. The following policy, amongst others, applies:

“E2.8 The Major Open Space system identified on Schedule E – Urban Structure includes the predominant natural and open space features that form part of a continuous system throughout the urban area. These features are comprised of the Niagara Escarpment and associated environmentally significant areas, the Red Hill Valley, Cootes Paradise, and Waterfront areas including, the West Harbour Area and the Waterfront Trail, Confederation Park, and the Hamilton Beach Recreational Trail.

### Function

E2.8.1 The Major Open Space system provides for a variety of passive and active recreational opportunities for residents and visitors to the City.

E2.8.2 The Major Open Space system is not the urban area a natural heritage system, although some of its features shall also form part of the natural heritage system. Schedule B – Natural Heritage System delineates the Natural Heritage System.”

“C1.1.1 “Any development within the Niagara Escarpment Plan Area, as shown on Schedule A – Provincial Plans, shall meet the requirements of this Plan and the Niagara Escarpment Plan, and the Parkland, Open Space and Trails policies of the Greenbelt Plan. Where there is discrepancy between this Plan and the Niagara Escarpment Plan, and the Parkland, Open Space and Trails policies of the Greenbelt Plan, the most restrictive policies will prevail.”

The Open Space designation in the Urban Hamilton Official Plan does not contemplate lot creation for new residential development. Planning staff understand that there are currently two detached dwellings located on the property and defer to the Niagara Escarpment Commission on whether the continued use is supported under the Niagara Escarpment Plan. If the Niagara Escarpment Commission’s interpretation is that a Niagara Escarpment Plan Amendment is required to allow the proposal, Planning staff will also require the applicant submit a Rural Hamilton Official Plan amendment in order to ensure alignment between the NEP and RHOP.

#### *Consent Application*

Planning staff note that a Consent application to the City of Hamilton Committee of Adjustment to facilitate the proposed severance. City staff may have additional comments and conditions for that application.

#### Flamborough Zoning By-law 90-145-Z

The property is zoned Parkway Belt Open Space (O1) to which the proposed use does not comply.

The ‘O1’ zone, requires a minimum lot frontage of 30.0m and a minimum lot area of 2,000.0m<sup>2</sup>. The minimum required lot frontage cannot be met for both the severed and the retained lot. The minimum required lot area can only be met for the retained lot.

#### Archaeology:

The subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential:

- 1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- 2) Along historic transportation routes;

- 3) In the vicinity of distinctive or unusual landforms; and,
  - 4) In areas of pioneer EuroCanadian settlement.
- 1) These criteria define the property as having archaeological potential. Accordingly, Section 2.10 of the *Niagara Escarpment Plan* states:
- 1) *Development shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources are conserved.*
  - 2) *Where proposed development is likely to impact cultural heritage resources or areas of archaeological potential, the proponent shall undertake a heritage impact assessment and/or archaeological assessment. The proponent must demonstrate that heritage attributes will be conserved through implementation of proposed mitigative measures and/or alternative development approaches.*

If this application is approved, the NEC must attach a condition to the approval as follows:

**“Condition:** That the proponent shall carry out an archaeological assessment of those areas subject to this application, including new structures, associated driveway and any associated landscape alterations or soil disturbance, in addition to any areas impacted by the installation of services, such as water, electricity, septic beds or ground-source heat pumps. The proponent shall mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances should take place on the subject property prior to the approval of the Director of Planning, the Niagara Escarpment Commission, and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) confirming that all archaeological resource concerns have met licensing and resource conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the MHSTCI.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).”

(CR 2022-01-12)

#### Built Heritage:

The subject property is listed as a non-designated property on the City of Hamilton’s Municipal Heritage Register (“the Register”) and was surveyed in 2020 as part of the Waterdown Village Built Heritage Inventory. It is part of the Village of Waterdown Cultural Heritage Landscape. As a non-designated property on the Register, interim protection from demolition is provided and **the property owner must provide Council with 60-days notice of intent to demolish or remove a building or structure on property.**

Additionally, the property is *adjacent* to the following non-designated properties included in the City's Register:

- 265 Mill Street South;
- 345 Mountain Brow Road;
- 183 Mill Street South;
- 181 Mill Street South; and,
- 150 Mill Street South.

Accordingly, the following sections of the Urban Hamilton Official Plan, Volume 1, apply:

- B.3.4.1.3 “Ensure that all new *development, site alterations*, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or *adjacent cultural heritage resources*.” and,
- B.3.4.2.1(g) “Ensure the conservation and protection of *cultural heritage resources* in planning and development matters subject to the *Planning Act* either through appropriate planning and design measures or as conditions of development approvals.”
- B.3.4.2.1(h) “Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and *cultural heritage landscapes*, by encouraging those land uses, *development* and *site alteration* activities that protect, maintain and enhance these areas within the City.”

The applicant proposes to sever a  $\pm 0.19$  ha (0.48 ac) lot from the existing 0.4 ha (0.99 ac) lot, with a retained lot of 0.21 ha (0.52 ac), and to demolish the existing dwellings and construct a new one and a half storey  $\pm 204.4$  sq m (2,200 sq ft) dwelling on the severed lot and to construct a one and a half storey  $\pm 260.1$  sq m (2,800 sq ft) dwelling and a one and a half storey  $\pm 65$  sq m (700 sq ft) accessory building (detached garage) on the retained lot.

Staff are of the opinion that the subject application may affect the heritage attributes of the Registered heritage property. As such, if this application is approved, the NEC must attach a condition to the approval as follows:

- 1) That the applicant submit and implement a Cultural Heritage Impact Assessment to the satisfaction and approval of the Manager of Development Planning, Heritage and Design prior to any approval.

**Cultural Heritage Impact Assessments (CHIA)** are used to evaluate potential development and site alteration of cultural heritage resources and demonstrate how the heritage attributes of the on-site and adjacent heritage resources will be conserved through mitigative measures and/or alternative development approaches as required.

CHIA reports shall be prepared in conformity with the City's Heritage Impact Assessment guidelines and shall be submitted for review by Planning staff and the Hamilton Municipal

Heritage Committee prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.

The Heritage Impact Assessment will also be forwarded to the Policy and Design Working Group of the Hamilton Municipal Heritage Committee for their review and comment prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.

Any recommendations for alternatives or mitigative measures coming out of the Cultural Heritage Impact Assessment shall be included as conditions of future development applications.

#### Development Engineering Approvals:

1. Provided that existing drainage conditions on the property are being maintained with the proposal, Development Engineering Approvals has no major concerns/further comments from a grading and drainage perspective.

2. For the information of the applicant, future applications with the City of Hamilton will require the proponent to apply for a severance application and consent agreement for the proposed severed and retained properties.

#### **Source Water Protection Comments:**

Given the application states that the proposal will fully connect to municipal water/sewer services and that the property falls within the urban boundary, we have no comments. Should you have any questions please contact me at 905-546-2424 x2365 or by e-mail at [tu.vu@hamilton.ca](mailto:tu.vu@hamilton.ca).

#### Forestry

There are no Municipal Tree Assets located on site; therefore, Tree Management will not be required.

No Landscape Plan required.

We encourage you to forward a complete copy of our comments to the applicant and should you or the Applicant require clarification or technical assistance, please do not hesitate to contact me at (905) 546- 2424 Ext. 7375.

#### Natural Heritage:

The subject properties are located within the boundaries of the Urban Hamilton Official Plan (UHOP). Based on Schedule B (Natural Heritage System), Core Areas have been identified adjacent to the subject property. These Core Areas have been identified as Grindstone Valley Environmentally Significant Area (ESA), Grindstone Creek Area of Natural and

Scientific Interest (ANSI), Significant Woodland and watercourse. The watercourse is also regulated by Conservation Halton (CH).

As per policy C.2.3 of the UHOP, any development or site alteration within or adjacent to Core Areas shall not negatively impact their environmental features or ecological functions. Since the area has been previously disturbed by the existing homes, it is anticipated that the proposed development will not further negatively impact the City's Natural Heritage System.

It is important to note that a portion of 191 Mill Street South is located within the CH's regulated area. It is advised that the applicant contact CH to determine if there would be any further requirements (i.e. permits).

**Tree Resources:** Based on aerial photograph interpretation, trees have been identified within the subject properties. The City recognizes the importance of trees and woodlands to the health and quality of life in the community and encourages the protection and restoration of trees (policy C.2.11.1). Trees will be impacted from the proposed demolition of existing structures as well as the proposed new development.

A Tree Protection Plan (TPP), identifying the species, condition, number of trees removed, and tree protection measures has not been provided with this application.

To ensure that existing tree cover is maintained, 1 for 1 compensation is required for the removal of any private tree (10 cm DBH or greater). This compensation is typically identified on a Landscape Plan. A Landscape Plan has not been provided with this application.

If a Development Permit is issued, the following conditions are required:

- Condition #1: ***Prior to the issuance of Development Permit by the Niagara Escarpment Commission, the applicant shall submit for the approval of the City of Hamilton, Manager of Development Planning, a Tree Protection Plan. This Plan is to be prepared by a recognized tree management professional (i.e. certified arborist, registered professional forester or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010).***
- Condition #2: ***Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the applicant shall submit for the approval of the City of Hamilton, Manager of Development Planning, a Landscape Plan prepared by a qualified Landscape Architect. This Plan shall show the location of trees required to compensate for the loss of tree cover.***

### Zoning

1. The subject property falls within the Niagara Escarpment Commission's Development Control Area. As such, the Niagara Escarpment Commission regulates development

and provisions contained within the former Flamborough Zoning By-law 90-145z do not apply to said portion of the lands.

2. The following comments are based on the regulations of the (O1) zone. Please note that these comments are provided for information purposes only for the portion of the lands within the Niagara Escarpment Commission's Development Control Area.
3. The applicant proposes to sever a ± 0.19 ha lot from the existing 0.4 ha lot, with a retained lot of 0.21ha. The proposal will also include the demolition of the existing dwellings following with the construction of a new one and a half storey ± 204.4 sq m dwelling on the severed lot and the construction of a one and a half storey ± 260.1 sq m dwelling including a one and a half storey ± 65 sq m accessory building (private detached garage) on the retained lot.
4. The 'O1' zone, requires a minimum lot frontage of 30.0m and a minimum lot area of 2000.0m<sup>2</sup>. The minimum required lot frontage cannot be met for both the severed and the retained lot. The minimum required lot area can only be met for the retained lot.
5. Please note that single detached dwellings are not permitted under the underlying 'O1' (Parkway Belt Open Space) zone.
6. In addition, to item #4 above, the 'O1' (Parkway Belt Open Space) Zone, is subject to the following regulations:

<b>(Flamborough Zoning By-law 90-145z) - Section 24</b>	<b>Required</b>	<b>Provided</b>	<b>Conforms/ Non-conforming</b>
<b>Maximum building height</b> <i>As per Section 24.2 (c)</i>	11.0m	No details	<b>Unable to determine compliance</b>
<b>Maximum lot coverage</b> <i>As per Section 24.2 (d)</i>	10.0%	No details provided	<b>Unable to determine compliance</b>
<b>Minimum Front Yard</b> <i>As per Section 24.2 (e)</i>	15.0m	No details provided	<b>Unable to determine compliance</b>
<b>Minimum Rear Yard</b> <i>As per Section 24.2 (f)</i>	7.5m	No details provided	<b>Unable to determine compliance</b>
<b>Minimum interior Side Yard</b> <i>As per Section 24.2 (g)</i>	7.5m	No details provided	<b>Unable to determine compliance</b>
<b>Minimum Exterior Side Yard</b> <i>As per Section 24.2 (h)</i>	15.0m	No details provided	<b>Unable to determine compliance</b>
<b>Minimum Landscaping Open space</b> <i>As per Section 24.2 (i)</i>	No minimum		<b>N/A</b>
<b>Parking</b> <i>As per Section 5.21.1</i>	A minimum of one (1) parking space shall be provided for a single detached dwelling.	No details provided	<b>Unable to determine compliance</b>
<b>Accessory buildings – Section 5.2.</b>			

<b>(Flamborough Zoning By-law 90-145z) - Section 24</b>	<b>Required</b>	<b>Provided</b>	<b>Conforms/ Non-conforming</b>
<b>Maximum Height</b> <i>As per Section 5.2.2</i>	No accessory building or structure shall exceed 4.6 metres in height subject to the provisions of subsection 5.9.	No details provided	<b>Unable to determine compliance</b>
<b>Location in relation to a front yard</b> <i>As per Section 5.2.3 (a)</i>	No accessory building or structure shall be permitted within a required front yard or a required exterior side yard	No details provided	<b>Unable to determine compliance</b>
<b>Location in relation to a side or rear lot line</b> <i>As per Section 5.2.3 (b)</i>	No accessory building or structure shall be located within 1 metre of an interior side lot line or rear lot line, except for a jointly owned double garage which may be across a mutual side lot line;	No details provided	<b>Unable to determine compliance</b>
<b>Maximum lot coverage</b> <i>As per Section 5.2.4</i>	The total lot coverage of all accessory buildings or structures on a lot, except for swimming pools, shall not exceed 5 percent of the lot area. The lot coverage of all accessory buildings or structures shall be included within the total lot coverage on any lot.	No details provided	<b>Unable to determine compliance</b>

7. This property is included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest as a non-designated property. Council requires 60 days' notice of any intention to demolish or remove any building or structure on the property.
8. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
9. Demolition of the existing buildings is subject to the issuance of demolition permits in the normal manner.
10. The lands are subject to Site Plan control.
11. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
12. All new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.
13. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

### Conclusion

Based on the above comments staff are supportive of the NEC Development Permit being issued and recommends that the application be approved with conditions.

### CONDITIONS:

1. If determined to be necessary by the Manager, Development Planning, the owner shall submit and receive final and binding approval of an Urban Official Plan Amendment for the subject lands to the satisfaction of the Manager, Development Planning.
2. To the satisfaction of the Manager of Heritage & Urban Design, the following is required:

That the proponent shall carry out an archaeological assessment of those areas subject to this application, including new structures, associated driveway and any associated landscape alterations or soil disturbance, in addition to any areas impacted by the installation of services, such as water, electricity, septic beds or ground-source heat pumps. The proponent shall mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances should take place on the subject property prior to the approval of the Director of Planning, the Niagara Escarpment Commission, and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) confirming that all archaeological resource concerns have met licensing and resource conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the MHSTCI.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).

3. To the satisfaction of the Manager of Heritage & Urban Design, the following is required:
 

That the applicant submits and implement a Cultural Heritage Impact Assessment prior to any approval.

4. To the satisfaction of the Manager of Heritage & Urban Design, the following is required:
  - ***Prior to the issuance of Development Permit by the Niagara Escarpment Commission, the applicant shall submit for the approval of the City of Hamilton, Manager of Development Planning, a Tree Protection Plan. This Plan is to be prepared by a recognized tree management professional (i.e. certified arborist, registered professional forester or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010).***
  - ***Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the applicant shall submit for the approval of the City of Hamilton, Manager of Development Planning, a Landscape Plan prepared by a qualified Landscape Architect. This Plan shall show the location of trees required to compensate for the loss of tree cover.***

If you have any questions regarding the above comments, please contact Morgan Gowans at 905 546 2424 Ext. 5865 or [Morgan.Gowans@hamilton.ca](mailto:Morgan.Gowans@hamilton.ca)

Regards,

A handwritten signature in black ink, appearing to read "Charlie Toman". The signature is fluid and cursive, with the first name "Charlie" and last name "Toman" clearly distinguishable.

Charlie Toman, MCIP, RPP  
Senior Project Manager  
Development Planning,

**Ministry of Citizenship and Multiculturalism (MCM)**

Archaeology Program Unit  
Heritage Branch  
Citizenship, Inclusion and Heritage Division  
5th Floor, 400 University Ave.  
Toronto ON M7A 2R9  
Tel.: (416) 414-7787  
Email: Jessica.Marr@ontario.ca

**Ministère des Affaires civiques et du Multiculturalisme (MCM)**

Unité des programme d'archéologie  
Direction du patrimoine  
Division de la citoyenneté, de l'inclusion et du patrimoine  
5e étage, 400 ave. University  
Toronto ON M7A 2R9  
Tél. : (416) 414-7787  
Email: Jessica.Marr@ontario.ca



Oct 28, 2022

Shane McCartney (P321)  
Earthworks Archaeological Services  
162 Catharine Hamilton ON L8N 2J8

**RE: Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 2 Archaeological Assessment 191 & 193 Mill Street South Part of Blocks 29 & 35, Registered Plan 335 Part of Lot 6, Concession 3 Geographic Township of East Flamborough City of Hamilton ", Dated Oct 27, 2022, Filed with MCM Toronto Office on N/A, MCM Project Information Form Number P321-0380-2022, MCM File Number 0016776**

Dear Mr. McCartney:

The above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18, has been entered into the Ontario Public Register of Archaeological Reports without technical review.<sup>1</sup>

Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require further information, please do not hesitate to send your inquiry to [Archaeology@Ontario.ca](mailto:Archaeology@Ontario.ca)

cc. Archaeology Licensing Officer  
Michael Desrochers, Michael Desrochers  
Morgan Gowans, City of Hamilton

<sup>1</sup>In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.



# Stage 1 Archaeological Assessment

191 & 193 Mill Street South  
Part of Blocks 29 & 35, Registered Plan 335  
Part of Lot 6, Concession 3  
Geographic Township of East Flamborough  
City of Hamilton

Prepared for:  
Michael Desrochers  
193 Mill Street  
Hamilton, Ontario  
L0R 2H0

**Licensee: Michael Golloher**  
**PIF: P1037-0157-2022**  
**Original Report**



**Earthworks**  
ARCHAEOLOGICAL SERVICES INC.

Earthworks Archaeological Services Inc.  
2365 Watts Road,  
Haliburton, Ontario  
K0M 1S0

July 13, 2022



## Stage 2 Archaeological Assessment

191 & 193 Mill Street South  
Part of Blocks 29 & 35, Registered Plan 335  
Part of Lot 6, Concession 3  
Geographic Township of East Flamborough  
City of Hamilton

Prepared for:  
Michael Desrochers  
193 Mill Street  
Hamilton, Ontario  
L0R 2H0

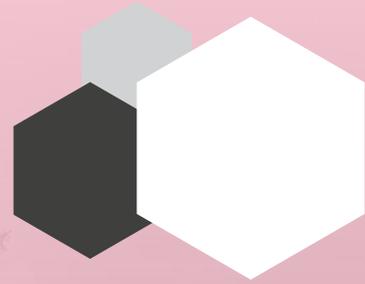
**Licensee: Shane McCartney**  
**PIF: P321-0380-2022**  
**Original Report**



**Earthworks**  
ARCHAEOLOGICAL SERVICES INC.

Earthworks Archaeological Services Inc.  
2365 Watts Road,  
Haliburton, Ontario  
K0M 1S0

October 27, 2022



# BRIGHT PAST

Heritage Consulting Inc.

August 2022

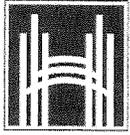
## **Cultural Heritage Impact Assessment**

**191 and 193 Mill Street South  
Waterdown (City of Hamilton)**

**Prepared for Mike Desrochers**

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

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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	
Purchaser*			Phone: E-mail:
Registered Owners(s)	Andre' and Helen Desrochers		
Applicant(s)**			
Agent or Solicitor	Mike Desrochers		

\*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	191 and 193 Mill St S Waterdown LOR-240		
Assessment Roll Number	30331009500		
Former Municipality	Hamilton Wentworth		
Lot	29+35	Concession	
Registered Plan Number	62R18447	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:

See drawings HLT 92265 LT111282 LT111271  
WT 2033 LT104820

**3 PURPOSE OF THE APPLICATION**

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

- creation of a new lot(s)
- addition to a lot
- an easement
- validation of title (must also complete section 8)
- cancellation (must also complete section 9)
- creation of a new non-farm parcel (must also complete section 10)  
 ( i.e. a lot containing a surplus farm dwelling  
 resulting from a farm consolidation)
- concurrent new lot(s)
- a lease
- a correction of title
- a charge

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

Michael L Desrochers

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*
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Identified on Sketch as:	191 Mill Street S	193 Mill St S			
Type of Transfer	N/A				
Frontage	unknown	unknown	17.75	7.39	
Depth	54.77	29.30			
Area					
Existing Use	Residential	Residential			
Proposed Use	Approx 2H7	approx 2H7			
Existing Buildings/ Structures	See Drawing	See Drawing			
Proposed Buildings/ Structures	1 house	1 house (outbuilding)			
Buildings/ Structures to be Removed	1 house	1 house			

\* 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) Open Space

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

*Planning has already approved with conditions*

- 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? 01

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)
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"/>	✓ 200
A municipal or federal airport	<input type="checkbox"/>	

**6 HISTORY OF THE SUBJECT LAND**

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

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

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- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
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- 6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  
 Yes       No

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

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- 6.4 How long has the applicant owned the subject land?

3 years

- 6.5 Does the applicant own any other land in the City?       Yes       No  
 If YES, describe the lands below or attach a separate page.
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**7 PROVINCIAL POLICY**

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?  
 Yes       No      (Provide explanation)
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- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)
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- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)
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- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No      (Provide explanation)

NEC was approved

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

NA

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

NA

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

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

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

**10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)**

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
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Front yard set back: \_\_\_\_\_

a) Date of construction:

Prior to December 16, 2004

After December 16, 2004

b) Condition:

Habitable

Non-Habitable

**11 COMPLETE APPLICATION REQUIREMENTS**

## 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

~~11.2~~ Validation of Title

- NA
- All information documents in Section 11.1
  - Detailed history of why a Validation of Title is required
  - All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

~~11.3~~ Cancellation

- NA
- All information documents in Section 11.1
  - Detailed history of when the previous consent took place.
  - All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

## 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

Cultural Heritage Impact Study

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