



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 23-06
Date: April 6, 2023
Time: 9:00 a.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

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

| | Pages |
|--|--------------|
| 1. PREVIOUSLY TABLED | |
| 2. URBAN | |
| 2.1 9:15 a.m.HM/B-23:12248-250 Hughson Street North & 48 Barton Street East, Hamilton (Ward 2) | 5 |
| Agent W. Taylor Owner Friscolanti Funeral Chapel Ltd. - R. Cameron | |
| 2.2 9:20 a.m.HM/A-23:356 Edward Street, Hamilton (Ward 3) | 21 |
| Owners J. & M. Russell | |
| 2.3 9:25 a.m.HM/A-23:4778 Norway Avenue, Hamilton (Ward 3) | 33 |
| Applicants E. Geroche & P. Diaque Owner Raise The Roof Properties Inc. | |
| 2.4 9:30 a.m.HM/A-23:5518 Tom Street, Hamilton (Ward 3) | 49 |
| Agent S. Costa Owner A. Schneider | |
| 2.5 9:35 a.m.HM/A-23:038 Clare Avenue, Hamilton (Ward 5) | 61 |
| Owner P. Redding | |

3. SUBURBAN

- 3.1 9:40 a.m.HM/B-23:10416 Mohawk Road East, Hamilton (Ward 7) 73
Agent Webb Planning Consultants
Owner Roman Catholic Episcopal Corporation of the Diocese of Hamilton
in Ontario
- 3.2 9:40 a.m.HM/B-23:11420 Mohawk Road East, Hamilton (Ward 7) 91
Agent Webb Planning Consultants
Owner Hamilton Wentworth Catholic District Schoolboard
- 3.3 9:45 a.m.SC/A-19:32812 Lakeside Drive, Hamilton (Ward 10) 109
Agent R. Al-Rawi
Owner O. Sloley
- 3.4 9:50 a.m.SC/B-23:1312 Shadowdale Drive, Stoney Creek (Ward 10) 135
Owners G. & N. Mackay
- 3.5 9:50 a.m.SC/A-23:5612 Shadowdale Drive, Stoney Creek (Ward 10) 149
Owners G. & N. Mackay
- 3.6 B R E A K
- 3.7 10:10 a.m.AN/A-23:533 Blacksmith Court, Ancaster (Ward 12) 161
Owner M. & L. Rosato
- 3.8 10:15 a.m.AN/A-23:51107 Cumming Court, Ancaster (Ward 12) 181
Agent Virtual Creations – E. Canton
Owner G. & V. Puess
- 3.9 10:20 a.m.GL/A-22:187102 Spalding Drive, Glanbrook (Ward 11) 199
Owner R. & S. Craig

4. RURAL

- 4.1 10:30 a.m.DN/A-23:5221 McKay Court, Dundas (Ward 13) 219
Agent Park Eight Inc. – B. Wybenga
Owner J. St-Denis & S. Meyerson

4.2 10:35 a.m.FL/B-20:4613 Herbert Place, Flamborough (Ward 13)

235

Agent AJ Lakatos Planning Consultant – J. Lakatos
Owners D. Suykens

4.3 10:40 a.m.FL/A-23:549 Herbert Place, Flamborough (Ward 13)

267

Owners P. & T. Dayananda

5. **CLOSED**

6. **ADJOURNMENT**



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------|--------------------------|--|
| APPLICATION NO.: | HM/B-23:12 | SUBJECT PROPERTY: | 248-250 HUGHSON ST N, & 48 BARTON ST E, HAMILTON |
|-------------------------|-------------------|--------------------------|--|

APPLICANTS: Owner: FRISCOLANTI FUNERAL CHAPEL C/O ROD CAMERON
Agent: WESTX C/O WESLEY TAYLOR

PURPOSE & EFFECT: To permit the conveyance of two parcels of land each containing an existing dwelling as shown on the attached sketch, and to retain a parcel of land for parking use.

| | Frontage | Depth | Area |
|--|-----------------------|-----------------------|---------------------------------|
| SEVERED LANDS (250 Hughson St N): | 7.885 m [±] | 30.12 m [±] | 235 m ² [±] |
| SEVERED LANDS (248 Hughson St N): | 7.366 m [±] | 30.073 m [±] | 221 m ² [±] |
| RETAINED LANDS (Asphalt Parking): | 14.940 m [±] | 30.60 m [±] | 456 m ² [±] |

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:

| | |
|---------------|---|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:15 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

HM/B-23:12

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

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

PUBLIC INPUT

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

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

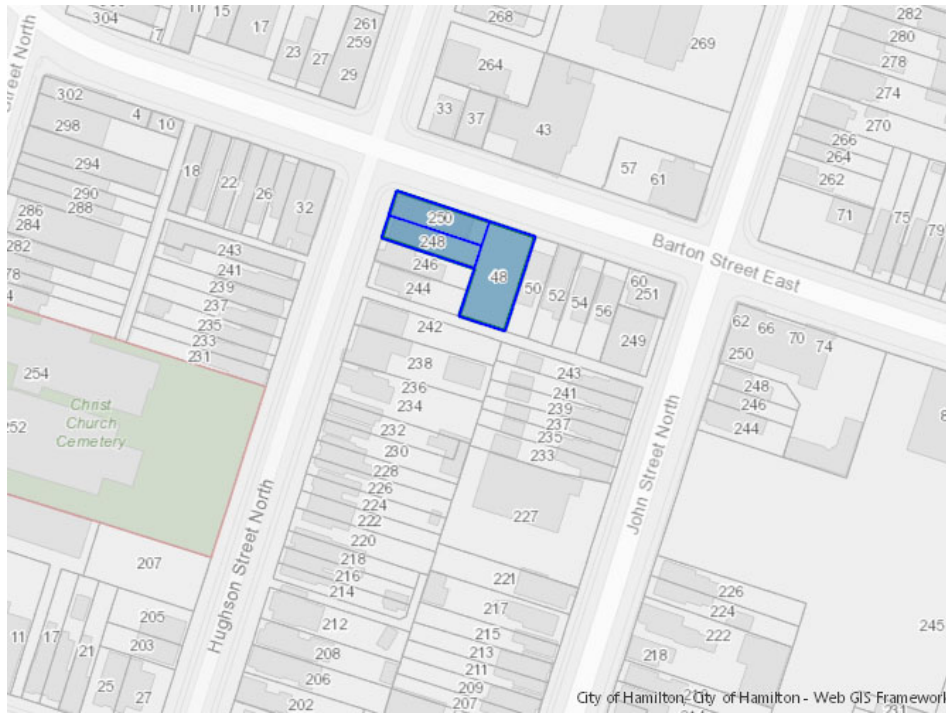
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/B-23:12, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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.

HM/B-23:12



 Subject Lands

DATED: March 21, 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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

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 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 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 PART OF
LOTS 5 & 6
 AND ALL OF
LOT 4
JOHN STINSON SURVEY (UNREGISTERED)
 IN THE
CITY OF HAMILTON

SCALE 1:150 METRIC



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

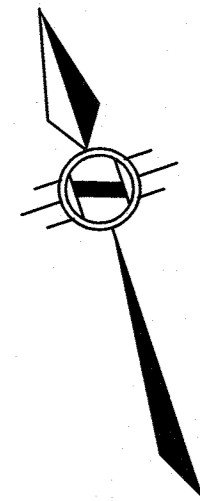
BARTON STREET EAST

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2)

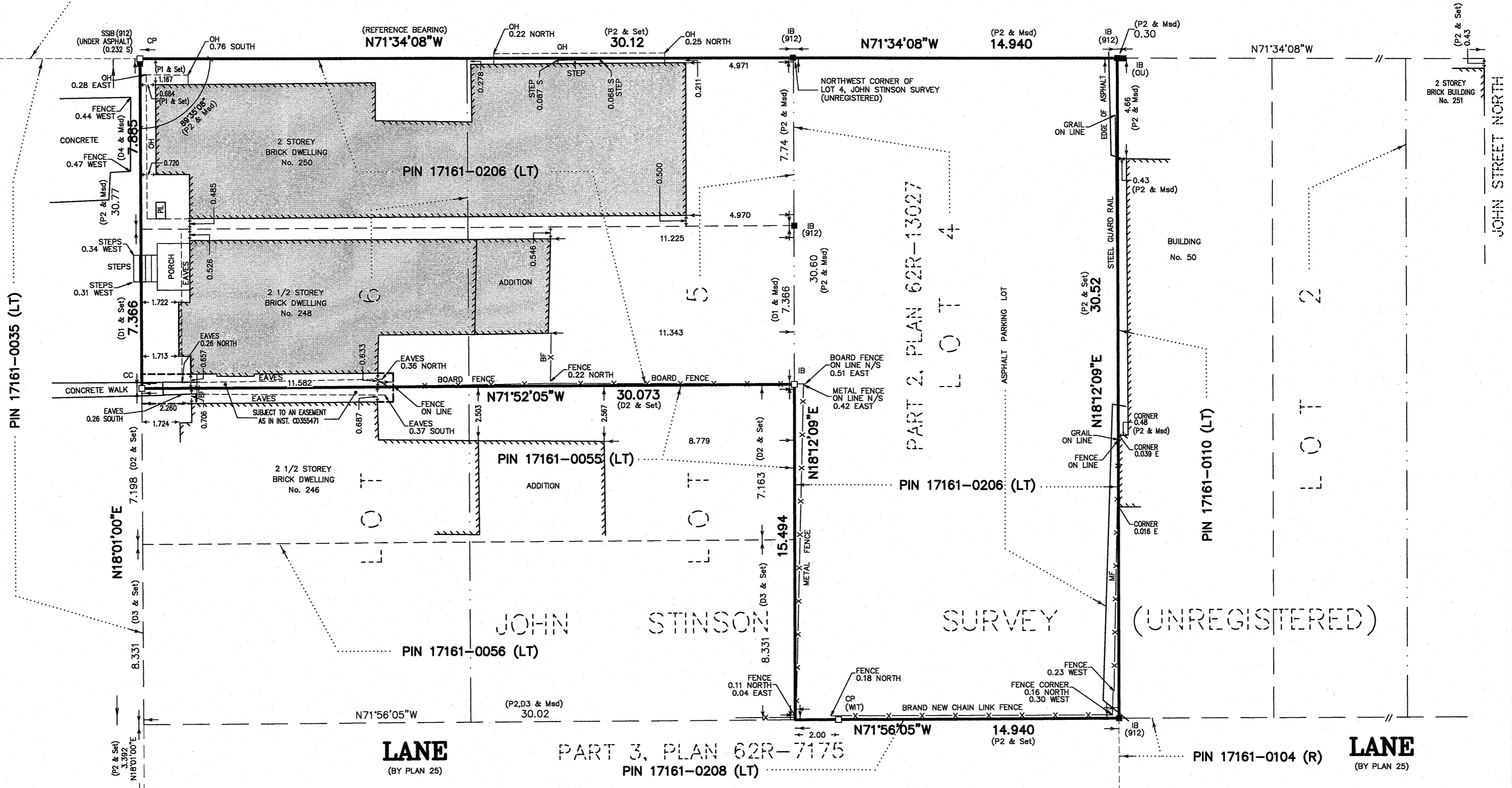
PIN 17159-0196 (LT)

SURVEYOR'S REAL PROPERTY REPORT (PART 2)

ALL OF LOT 4, PART OF LOTS 5 & 6
 JOHN STINSON SURVEY (UNREGISTERED)
 BLOCK BETWEEN JOHN ST., HUGHSON ST. BARTON ST.
 & ROBERT ST. SUBJECT TO AN EASEMENT AS IN
 INST. VM271435
 AS ILLUSTRATED ON THE PLAN.
 THIS PLAN DOES NOT CERTIFY COMPLIANCE
 WITH ZONING BY-LAWS.
 THIS PLAN WAS PREPARED FOR
 WESTX INC



HUGHSON STREET NORTH
 (BY JAMES HUGHSON SURVEY, UNREGISTERED)
 (BY EBENEZER STINSON SURVEY, UNREGISTERED)



LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- CC CUT CROSS
- SSIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- 824 A.T. McLAREN, O.L.S.
- 912 A.J. CLARKE, O.L.S.
- 1243 E. BARICH, O.L.S.
- OU ORIGIN UNKNOWN
- MEASURED
- P1 PLAN BY A.J. CLARKE, O.L.S. DATED JULY 8, 1987
- P2 PLAN 62R-13027
- D1 INST. CD355471
- D2 INST. AB252203
- D3 INST. AB47041
- D4 INST. CD333924
- PIL PILLAR
- BF BOARD FENCE
- MF METAL FENCE
- OH OVERHANG
- GRAIL GUARD RAIL
- // NOT TO SCALE

METRIC NOTE:

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

BEARING NOTE:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF BARTON STREET EAST AS SHOWN ON PLAN 62R-13027 AS BEING N71°34'08"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 1ST DAY OF DECEMBER, 2022

DATE 7 DEC 2022

R.A. McLaren
 ROB A. McLAREN, O.L.S.

© R.A. McLAREN, O.L.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.L.S.

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

248 AND 250 HUGHSON ST N & 48 BARTON STREET E.

Purpose for Land Severance Application



WestX Inc.
2023.03.05

Dear City of Hamilton,

On behalf of my client, Friscolanti Funeral Chapel Ltd., we are applying for a consent to sever land in the City of Hamilton. The clients currently own three properties located at 248 Hughson Street North, 250 Hughson Street North, and 48 Barton Street East. These three properties have been merged on title. The clients are looking to sell the existing houses at 248 Hughson Street North and 250 Hughson Street North, and retain the parking lot at 43 Barton Street East. To achieve this, we understand that we need to establish the three lots as individual lots again. Photo's and descriptions of the three properties have been included in Appendix A, and as required, we have included a legal boundary survey completed by A.T. McLaren Limited with our application. This survey provides detailed information about the existing property boundary lines.

We appreciate your attention to this matter and look forward to hearing from you soon regarding our application.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Wesley Taylor". The signature is written in a cursive, flowing style.

Wesley Taylor, P.Eng

WestX Inc.

wesley@westx.engineering

www.westx.engineering

Appendix A

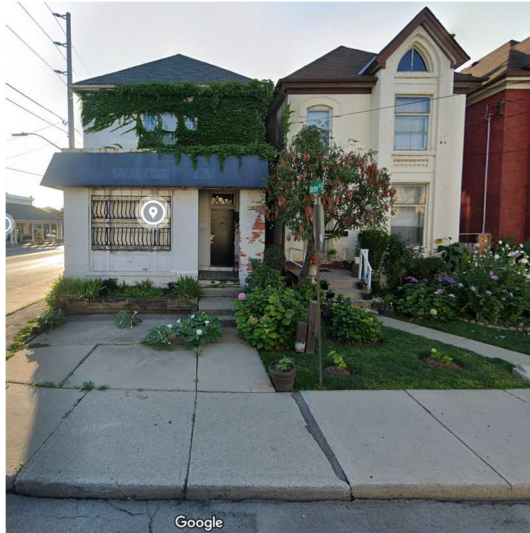


Figure 1

Left house (blue): 250 Hughson Street North Hamilton. Lot to be severed to its original property lines and sold.

Right house (yellow): 248 Hughson Street North Hamilton. Lot to be severed to its original property lines and sold.



Figure 2

43 Barton Street East. Existing parking lot to be retained by owners.

Committee of AdjustmentCity Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

Hamilton

**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

| | NAME | MAILING ADDRESS | |
|-----------------------------|------|-----------------|----------------|
| 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 [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 | 248 and 250 Hughson Street North and 48 Barton Street East Hamilton | | |
| Assessment Roll Number | | | |
| Former Municipality | Hamilton | | |
| Lot | | Concession | |
| Registered Plan Number | Unregistered | Lot(s) | 4,5,6 |
| Reference Plan Number (s) | 62R-13027 | Part(s) | Part 2 |

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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) (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:

Two parcels will be listed for sale once separated into individual lots.

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, m² or ha), attach additional sheets as necessary.

| | Retained (remainder) | Parcel 1 | Parcel 2 | Parcel 3* | Parcel 4* |
|--|-------------------------|----------|----------|-----------|-----------|
| | | | | | |

| | | | | | |
|-------------------------------------|-----------------|----------------|----------------|--|--|
| Identified on Sketch as: | Asphalt Parking | 250 Hughson St | 248 Hughson St | | |
| Type of Transfer | N/A | | | | |
| Frontage | 14.940 | 7.885 | 7.366 | | |
| Depth | 30.60 | 30.12 | 30.073 | | |
| Area | 456m2 | 235m3 | 221m2 | | |
| Existing Use | Parking Lot | Single House | Single House | | |
| Proposed Use | Parking Lot | Single House | Single House | | |
| Existing Buildings/ Structures | none | Single House | Single House | | |
| Proposed Buildings/ Structures | none | none | none | | |
| Buildings/ Structures to be Removed | none | none | none | | |

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

b) Type of water supply proposed: (check appropriate box)

publicly owned and operated piped water system

privately owned and operated individual well

lake or other water body

other means (specify)

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

publicly owned and operated sanitary sewage system

privately owned and operated individual septic system

other means (specify) _____

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

electricity

telephone

school bussing

garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Community Shopping And Commerci

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

The property consists of 3 existing lots that have been merged on title. The application is to separate the three lots to individual lots so that two can be sold (248 & 250 Hughson Street N), and one retained (48 Barton Street E).

- 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? H

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 checked="" type="checkbox"/> | West Harbour Go Stati |
| 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.

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?

In excess of 25 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.

The company also owns land across Barton Street at 43 Barton St E, ON L8L 2V7 where they operate a funeral home.

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)

All existing land uses are proposed to remain.

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

Yes No (Provide explanation)

All existing land uses are proposed to remain.

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

All existing land uses are proposed to remain.

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)

Site appears to be outside of the PBWP subject lands

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

Site appears to be outside of the Greenbelt

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes No (Provide explanation)

The area is designated a "Corridors of Gradual Change" in the Hamilton West Harbour Plan

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) | |

0.3 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.

0.4 Description of farm consolidation property:

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

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

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

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

0.6 Existing Land Use: _____ Proposed Land Use: _____

0.7 Description of surplus dwelling lands proposed to be severed:

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

Front yard set back: _____

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|---|--------------------------|---|
| APPLICATION NO.: | HM/A-23:35 | SUBJECT PROPERTY: | 6 EDWARD STREET, HAMILTON |
| ZONE: | "R1a" (Low Density Residential – Small Lot) | ZONING BY-LAW: | Zoning By-law City of Hamilton 05-200, as Amended |

APPLICANTS: Owner: JOSEPH & MIRANDA RUSSELL

The following variances are requested:

1. A minimum side yard of 0.60m shall be provided instead of a minimum side yard of 1.2m.
2. A maximum gross floor area of 51.0m² for the additional dwelling unit-detached shall be provided instead of the requirement that, "Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.2."
3. A maximum ground floor area of 75.0m² for the additional dwelling unit-detached shall be provided instead of the requirement that, "In addition to Section 4.33.2 (j), the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres."

PURPOSE & EFFECT: To facilitate the conversion and expansion of the existing accessory structure (one storey garage) to an additional dwelling unit- detached with a garage.

Notes:

- i) The site plan submitted is lacking detail to determine all necessary variances.
- ii) Please be advised the difference between Gross Floor Area and Ground Floor Area.

Gross Floor Area: Shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any cellar or floor area having a ceiling height of 2.0 metres or less or devoted exclusively to parking) within all buildings on a lot but shall not

HM/A-23:35

include any area devoted to mechanical equipment. (Hamilton Zoning By-law 05-200 Definition)

Ground Floor Area: Shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of a building with no deductions. (Zoning Division Definition)

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:20 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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

PUBLIC INPUT

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

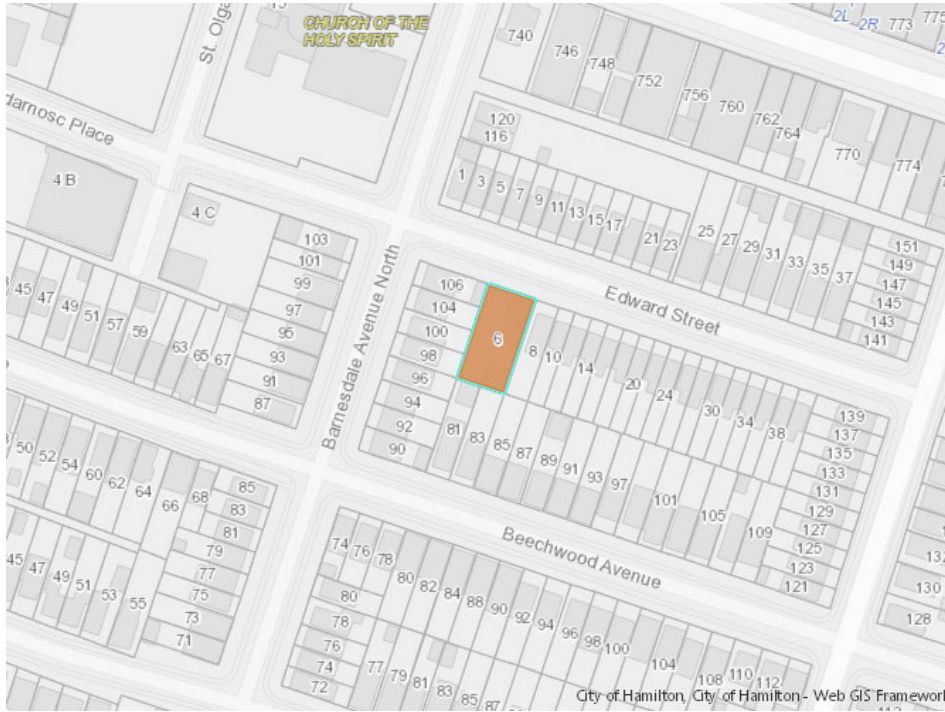
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:35, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:35



 Subject Lands

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

1. Virtual Oral Submissions

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

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

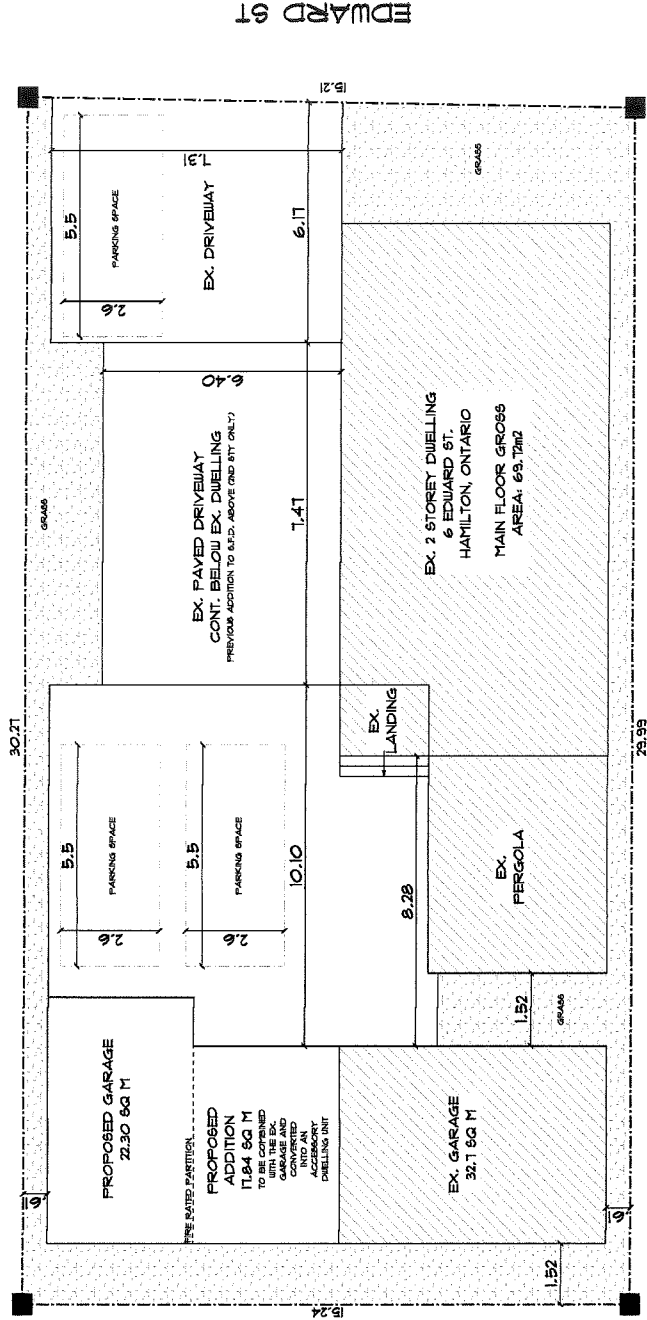
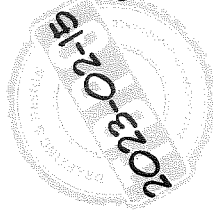
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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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 PLAN
SCALE: 1" = 10'-0"

ALL CODE REFERENCES REFER TO O.B.C. 2012 DIVISION 'B'
DO NOT SCALE DRAWINGS

| | |
|---|----------------------|
| I AM A MEMBER OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS AND ARCHITECTS OF ONTARIO (A.P.E.A.O.) AND I AM A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT IN THE PROVINCE OF ONTARIO. I HAVE BEEN ISSUED A PROFESSIONAL ENGINEER OR ARCHITECT LICENSE BY THE ENGINEERING COUNCIL OF ONTARIO (E.C.O.) OR THE ARCHITECTS ASSOCIATION OF ONTARIO (A.A.O.) AND I AM CURRENTLY IN GOOD STANDING WITH THE E.C.O. OR A.A.O. I HAVE BEEN ISSUED A PROFESSIONAL ENGINEER OR ARCHITECT LICENSE BY THE ENGINEERING COUNCIL OF ONTARIO (E.C.O.) OR THE ARCHITECTS ASSOCIATION OF ONTARIO (A.A.O.) AND I AM CURRENTLY IN GOOD STANDING WITH THE E.C.O. OR A.A.O. I HAVE BEEN ISSUED A PROFESSIONAL ENGINEER OR ARCHITECT LICENSE BY THE ENGINEERING COUNCIL OF ONTARIO (E.C.O.) OR THE ARCHITECTS ASSOCIATION OF ONTARIO (A.A.O.) AND I AM CURRENTLY IN GOOD STANDING WITH THE E.C.O. OR A.A.O. | 4073 4073 4073 |
|---|----------------------|

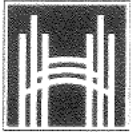
NOTE:
 1) Contractor to check all dimensions, specifications, etc. on site and shall be responsible for reporting any discrepancies to the engineer and/or designer.
 2) All works to be in accordance with the ONTARIO BUILDING CODE

S-1

GARAGE CONVERSION & EXTENSION

6 EDWARD ST., HAMILTON, ONTARIO

220 Broad St. E. Unit 6 Dunnville, ON N1A 1G2 PH 289.308.6442 Info@TheBuildingPermitGuy.ca



Hamilton

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

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

1. APPLICANT INFORMATION

| | NAME | MAILING ADDRESS |
|----------------------|------|-----------------|
| Registered Owners(s) | | |
| Applicant(s) | | |
| 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 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 | 6 EDWARD STREET HAMILTON ONTARIO L8L 2V4 | | |
| Assessment Roll Number | | | |
| Former Municipality | | | |
| Lot | | Concession | |
| Registered Plan Number | | Lot(s) 270 / 271 | |
| 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:

*Converting + adding to existing garage into a secondary dwelling for 1n laws.
Also adding an attached garage for use of primary dwelling.*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

*Bylaw requires maximum of 70% gross floor area of primary dwelling = 525.35sq ft
Would like to have more floor space = 48.77sq 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 |
|--------------|---------------------|-------------|-----------------|
| 15.21m | 29.99m L - 30.27m R | 464.52 sq m | 18m |

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 |
|-------------------|--------------------|-------------------|------------------------|----------------------|
| Detached garage | 23.74m | 1.52m | left .61m right 15.85m | April 2010 |
| primary dwelling | 4.50 m | 14.68 m | left .29m right 1.9m | 1920/2020 |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|---|-------------------------------|-------------------|----------------------|----------------------|
| secondary Dwelling Unit / attached garage | (SDU) 23.74m garage 22.52m | 1.52m 1.52m | left .61m right .61m | 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 |
|-------------------|-------------------|------------------|-------------------|--------|
| Detached garage | 32.70 sq.m | 32.70 sq.m | 1 | 3.51 m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------------|-------------------|------------------|-------------------|--------|
| Secondary Dwelling Unit | 50.54 sq.m | 50.54 sq.m | 1 | 3.51 m |
| attached garage | 22.30 sq.m | 22.30 sq.m | 1 | 3.86 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.):

Secondary dwelling Unit with attached garage for use of primary dwelling

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

Single detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

16 years

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:

1920 (103+ 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) *neighbourhood*

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

7.6 What is the existing zoning of the subject land? *R1A*

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: 2

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|---|--------------------------|---|
| APPLICATION NO.: | HM/A-23:47 | SUBJECT PROPERTY: | 78 NORWAY AVENUE, HAMILTON |
| ZONE: | "R1a" (Low Density Residential – Small Lot) | ZONING BY-LAW: | Zoning By-law City of Hamilton 05-200, as Amended |

APPLICANTS: Owner: ELAINE GEROCHE & PAOLO DIAQUE
Agent: Raise the Roof Properties Inc.

The following variances are requested:

1. A required parking spaces shall be located a minimum of 1.2 metres from a streetline instead of the required minimum of 5.8 metres from the streetline.
2. A minimum parking space width of 2.6 metres shall be permitted instead of the required minimum parking space width of 2.8 metres.
3. An access driveway shall be permitted to be located partially on the lot with a minimum width of 2.6 metres. Instead of the requirement that the access driveway shall be located on the lot and have a minimum width on 3.0 metres.

PURPOSE & EFFECT: To permit the construction a new additional dwelling unit within an existing single detached dwelling.

Notes:

1. Insufficient information was provided in order to determine zoning compliance for the front yard landscaped area. Additional variances may be required if compliance cannot be achieved.

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

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

HM/A-23:47

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:25 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
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FURTHER NOTIFICATION

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HM/A-23:47



 Subject Lands

DATED: March 21, 2023

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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Hamilton

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

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

E-mail: cofa@hamilton.ca

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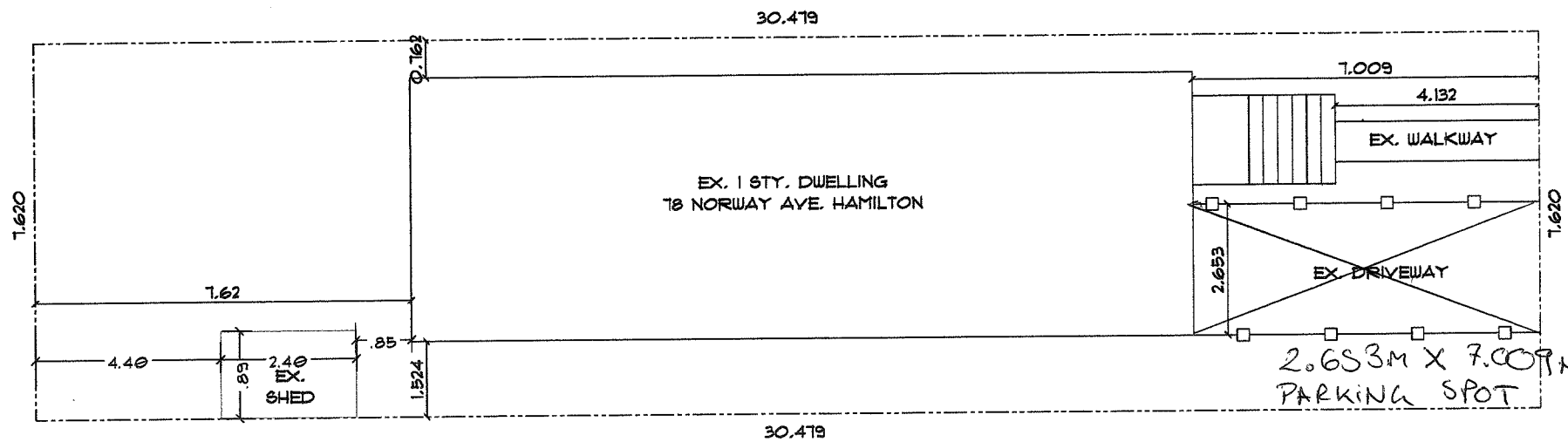
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ALL CODE REFERENCES REFER
TO O.B.C. 2012 DIVISION 'B'

DO NOT SCALE DRAWINGS

NOTE:

- 1) Contractor to check all dimensions, specifications, ect. on site and shall be responsible for reporting any discrepancy to the engineer and/ or designer.
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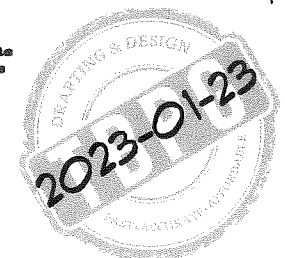
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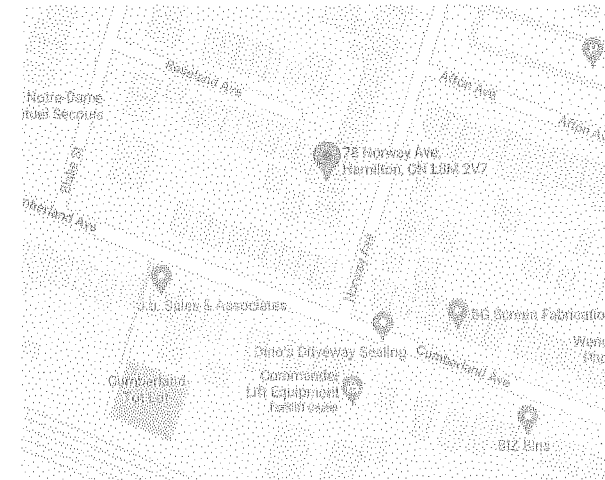
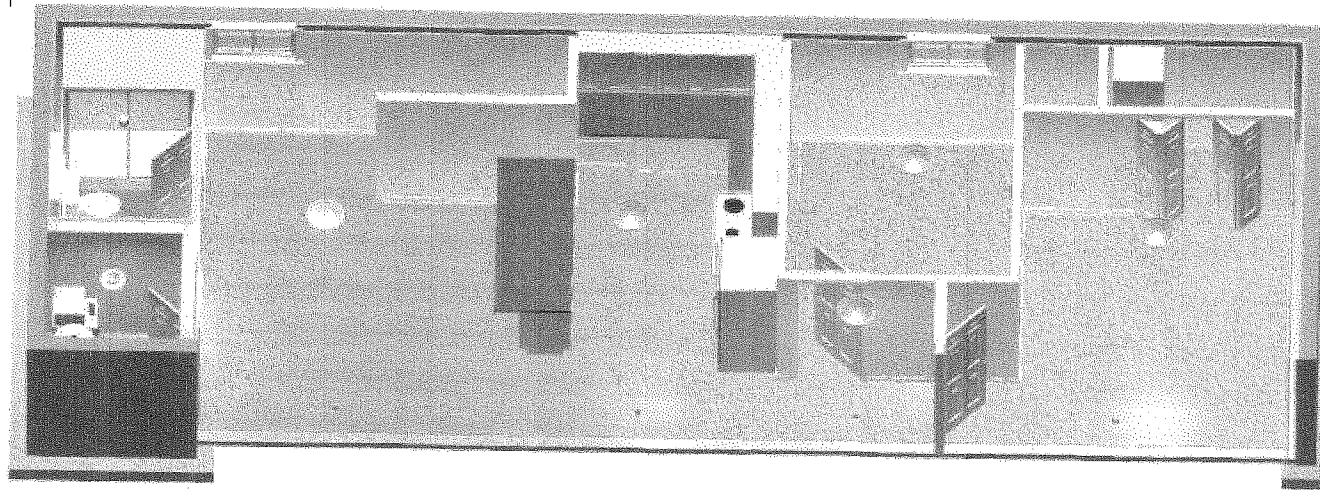
SCALE: 1:100

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.
 QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C - 3.1.6.1. OF THE 2006 ONTARIO BUILDING CODE.
 JOHN BARNHART 41773
 REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C - 3.1.6.1. OF THE 2006 ONTARIO BUILDING CODE THE BUILDING PERMIT OFFICE.
 103362
 BCN

SITE PLAN

78 NORWAY AVE, HAMILTON, ONTARIO L8M 2V7





GENERAL NOTES

All construction shall conform to the 2012 Ontario Building Code (OBC) and other applicable codes and authorities having jurisdiction. Unless noted otherwise, the code references are from 2012 OBC, O.Reg. 332/12 Division - B, Part 9. The OBC can be accessed online at: www.e-laws.gov.on.ca/html/regs/english/elaws_regs_060350_e.htm

BUILDING STRUCTURE:

Unless noted otherwise Lumber and Wood Products shall conform to Subsection 9.3.2. Built-up wood columns shall conform to Sentence 9.1.4.2.(2). All members shall be so framed, anchored, fastened, tied and braced so as to provide the necessary strength and rigidity. See Article 9.23.2.1.

DOORS, WINDOWS, SKYLIGHTS AND INTERIOR FINISHES:

Rooms and spaces shall conform to Sections 9.5. For new doors sidelights and windows resistance to forced entry see Subsections 9.7.5.2. Flame spread rating shall not exceed lBO on walls and ceilings. "Doors between garages and dwelling units shall be tight fitting, weatherstripped and have a self-closing device conforming to Sentences 9.10.13.15.(1) and (2). Waterproof finish shall be provided on water resistant backing, around showers and bathtubs as per Articles 9.29.2. and 9.29.10.4. Concealed flashing beneath window sills or sills to be provides with an outward slope - 9.21.3.8. All Caulking to comply with Subsection 9.21.4. All Skylights to conform to standards reference under Subsection 9.7.4.2. When ceramic tile is set in a mortar bed the bed shall be not less than 32mm (1 1/4 in.) thick. A 50mm by 50mm (2 in. by 2 in.) galvanized wire mesh shall be placed in the mortar bed and asphalt sheathing paper, felt or polyethylene film shall be applied under the mortar bed when the mortar is applied over wooden subfloors. See Articles 9.30.6. 4 9.23.14. Except for bathrooms or water-closet rooms, finished rooms shall be provided with a minimum 0.28 m² (3 ft²) unobstructed openable ventilation area to the outdoors where such rooms are not ventilated mechanically. See Subsection 9.32.2. and Table 9.32.2.1. All glass shower stalls will conform to Article 9.6.1. - Safety glass for shower stalls. Walls with tile finishes shall conform to Subsection 9.29.10 "Wall Tile Finish" and all drywall finishes shall comply with Subsection 9.29.10. for "Gypsum Board Finish (Taped Joints)".

FLOORS AND WALLS:
All floors in residential occupancies to be finished and or water resistant as per Articles 9.30.1.1 and 9.30.1.2. and all wall tile finish to comply to Subsection 9.29.10. All gypsum wall board and installation to comply with Subsection 9.29.5. Gypsum Board Finish (Taped Joints). Interior walls and ceiling finishes to comply with Subsection 9.29.

BEDROOM WINDOWS:

Bedrooms shall have a minimum unobstructed window glass area of 5% of area served as per Sentence 9.7.2.3.(1). Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom shall have at least one outside window which is openable from inside, with an unobstructed open portion having a minimum area of 0.35m² (3.8 ft²) with no dimension less than 380 (15.3 in.), and capable of maintaining the required opening without the need for additional support. See Articles 9.9.10.1. Provide a 1000mm (3ft.3in.) high x 550mm (1ft.10in.) wide window opening with a sill at the maximum 1000mm (3ft.3in.) above the floor and maximum 1.0m (3ft.) above the ground where it is necessary to travel down more than one storey to reach an exit door from that storey. See Sentence 9.9.3.1.(2).

FIRE PROTECTION FOR GAS, PROPANE AND ELECTRIC RANGES:

All fire protection for gas, propane and electric ranges to conform to Article 9.10.22.

MATERIALS AND EQUIPMENT:

A "T" FITTING SHALL NOT BE USED IN A DRAINAGE SYSTEM EXCEPT TO CONNECT A VENT PIPE. A CROSS FITTING SHALL NOT BE USED IN A DRAINAGE SYSTEM NO "Y" DOUBLE "T", DOUBLE "T" OR DOUBLE WASTE FITTINGS SHALL BE INSTALLED IN A NOMINALLY HORIZONTAL SOIL OR WASTE PIPE.

DRAINAGE SYSTEM:

A CLEANOUT FITTING SHALL BE PROVIDED ON THE UPSTREAM SIDE AND DIRECTLY OVER EVERY RUNNING TRAP, WHERE THERE IS A CHANGE OF DIRECTION GREATER THAN 45 DEGREES IN A SANITARY BUILDING DRAIN OR SANITARY BUILDING SEWER, A CLEANOUT SHALL BE INSTALLED AT EACH CHANGE IN DIRECTION. SANITARY UNITS, BATHTUBS AND SHOWER BATHS NOT TO BE INSTALLED ADJACENT TO WALL AND FLOOR SURFACES THAT ARE PERVIOUS TO WATER.

EVERY TRAP SHALL BE VENTED:

EVERY SANITARY BUILDING DRAIN SHALL TERMINATE AT ITS UPSTREAM END IN A STACK OF AT LEAST 3 INCHES IN SIZE. A STACK SHALL BE A SOIL STACK IF ONE IS AVAILABLE AND MAY BE A VENT STACK OR WASTE STACK THAT PROVIDES AT LEAST 3 INCHES STACK VENT AND THAT GOES TO OPEN AIR ABOVE THE ROOF, EITHER DIRECTLY, OR THROUGH A HEADER. THE MIN. SIZE OF THE VENT PIPE FOR A SANITARY SEWAGE PUMP OR TANK, OR DILUTION TANK SHALL BE ONE SIZE SMALLER THAN THE SIZE OF THE LARGEST BRANCH OR FIXTURE DRAIN DRAINING TO THE PUMP OR TANK. AIR ADMITTANCE VALVES SHALL ONLY BE USED IN BUILDINGS UNDERGOING RENOVATION AND INSTALLATIONS WHERE CONNECTION TO A VENT MAY NOT BE PRACTICAL. INSTALLED AIR ADMITTANCE VALVES SHALL BE ACCESSIBLE AND LOCATED IN A SPACE THAT ALLOWS AIR TO ENTER THE VALVE.

POTABLE WATER:

EVERY POTABLE WATER SYSTEM SHALL BE CAPABLE OF WITHSTANDING WITHOUT LEAKAGE A WATER PRESSURE THAT IS AT LEAST 1000kPa (145psi) FOR AT LEAST 1 HOUR OR WITHSTANDING FOR AT LEAST 2 HOURS WITHOUT A DROP IN PRESSURE, AN AIR PRESSURE THAT IS AT LEAST 100kPa (10psi). EVERY FIXTURE SUPPLIED WITH SEPARATE HOT AND COLD WATER CONTROLS SHALL HAVE THE HOT WATER CONTROL ON THE LEFT AND THE COLD ON THE RIGHT. EVERY WATER PIPE THAT SUPPLIES A HOT WATER TANK, PRESSURE VESSEL, PLUMBING APPLIANCE OR WATER USING DEVICE SHALL BE PROVIDED WITH A SHUTOFF VALVE LOCATED CLOSE TO THE TANK, PRESSURE VESSEL, PLUMBING APPLIANCE OR WATER USING DEVICE. NO WATER SYSTEM BETWEEN THE POINT OF CONNECTION WITH THE WATER SERVICE PIPE OR THE WATER METER AND THE FIRST BRANCH THAT SUPPLIES A WATER HEATER SHALL BE LESS THAN 3/4" IN SIZE. EVERY WATER SERVICE PIPE SHALL NOT BE LESS THAN 3/4" IN TRADE SIZE.

HOT WATER TEMP. CONTROL:

SHOWER VALVES SHALL BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES. A PRESSURE BALANCED OR THERMOSTATIC MIXING VALVE SHALL NOT BE REQUIRED FOR SHOWERS WHERE THE HOT WATER SUPPLY FOR SHOWERS ARE CONTROLLED BY A MASTER THERMOSTATIC MIXING VALVE. PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES SHALL BE DESIGNED SUCH THAT THE OUTLET TEMPERATURE DOES NOT EXCEED 49°C (120°F)

SMOKE ALARMS AND CARBON MONOXIDE ALARMS:

Smoke Alarms conforming to CAN/ULC -5531, "Smoke Alarms" shall be installed in each dwelling unit and in each sleeping room. Smoke alarms shall be installed as per 9.10.19. The locations shall comply with 9.10.19.3. Smoke alarms are to be connected to an electrical circuit and interconnected so that the activation of one alarm will cause all alarms within the dwelling unit to sound as per 9.10.19.5. Carbon monoxide detection conforming to subsection 6.2.12. and/or subsection 9.33.4. shall be installed.

ELECTRICAL:

Electrical facilities shall conform to Section 9.34. Electrical outlets in dwelling units to conform to Article 9.34.2.2.

STAIRS (INTERIOR/EXTERIOR):

At least 1 stair between each floor level within a dwelling unit, and exterior stairs serving a single dwelling unit except required exit stairs, shall have a width of not less than 860mm (2ft.10in.). See Sentence 9.8.2.1.(2). Minimum height over stairs and landings within dwelling units shall be 1.95m (6ft.5in.). See Sentences 9.8.2.2.(1) + 9.8.6.4.(1). All stairs serving a single dwelling unit must meet uniform loading design requirements of 1.9 kPa.

Interior/Exterior stairs in single dwelling units

| | Max.(mm) | Min.(mm) |
|-------------|----------------|----------------|
| Rise | 200 (7-7/8 in) | 125 (4-7/8 in) |
| Run | 355 (14 in.) | 255 (10 in) |
| Tread Depth | 355 (14 in.) | 235 (9-1/4in.) |

STAIRS (INTERIOR/EXTERIOR): continued....

Curved stairs shall have an average run of not less than 200mm (7-7/8 in.) and a minimum run of 150mm (5-7/8 in.) as per Sentence 9.8.4.4.(2). Height of handrails on stairs/ramps shall be 865mm (2ft.10in.) minimum and 965mm (3ft.2in.) maximum as per Sentence 9.8.7.4.(2). Height of handrails on landings (where guards are required) shall be 1070mm (3ft.6in.) maximum as per Sentence 9.8.7.4.(3). Guards for flights of steps, except in required exit stairs, shall be not less than 900mm (2ft.11in.) high as per Sentence 9.8.9.3.(4).

FIRE RATED SEPERATIONS

- REQUIRED RATED CEILING ASSEMBLY SHALL BE NEW F8D PER SB-3 UNLESS OTHERWISE NOTED
- REQUIRED RATED WALL ASSEMBLY SHALL BE NEW W4A PER SB-3 UNLESS OTHERWISE NOTED
- FIRE SEPERATION TO BE SEALED WITH HILT OF 660 OR EQ. APPROVED FIRE RATED CAULKING
- ALL RECESSED LIGHTS AND OTHER PENETRATIONS THROUGH A RATED ASSEMBLY SHALL CONFORM TO THE DETAIL BELOW

MISCELLANEOUS:

All glass shower & bath enclosures to meet requirements of Article 9.6.1. Stud wall reinforcing required in all Bathrooms as per 9.3.2.3.

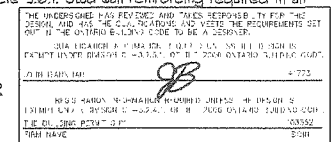
ALL CODE REFERENCES REFER TO O.B.C. 2012 DIVISION 'B'

DO NOT SCALE DRAWINGS

NOTE:

- 1) Contractor to check all dimensions, specifications, ect. on site and shall be responsible for reporting any discrepancy to the engineer and/ or designer.
- 2) All works to be in accordance with the ONTARIO BUILDING CODE.



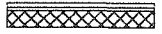


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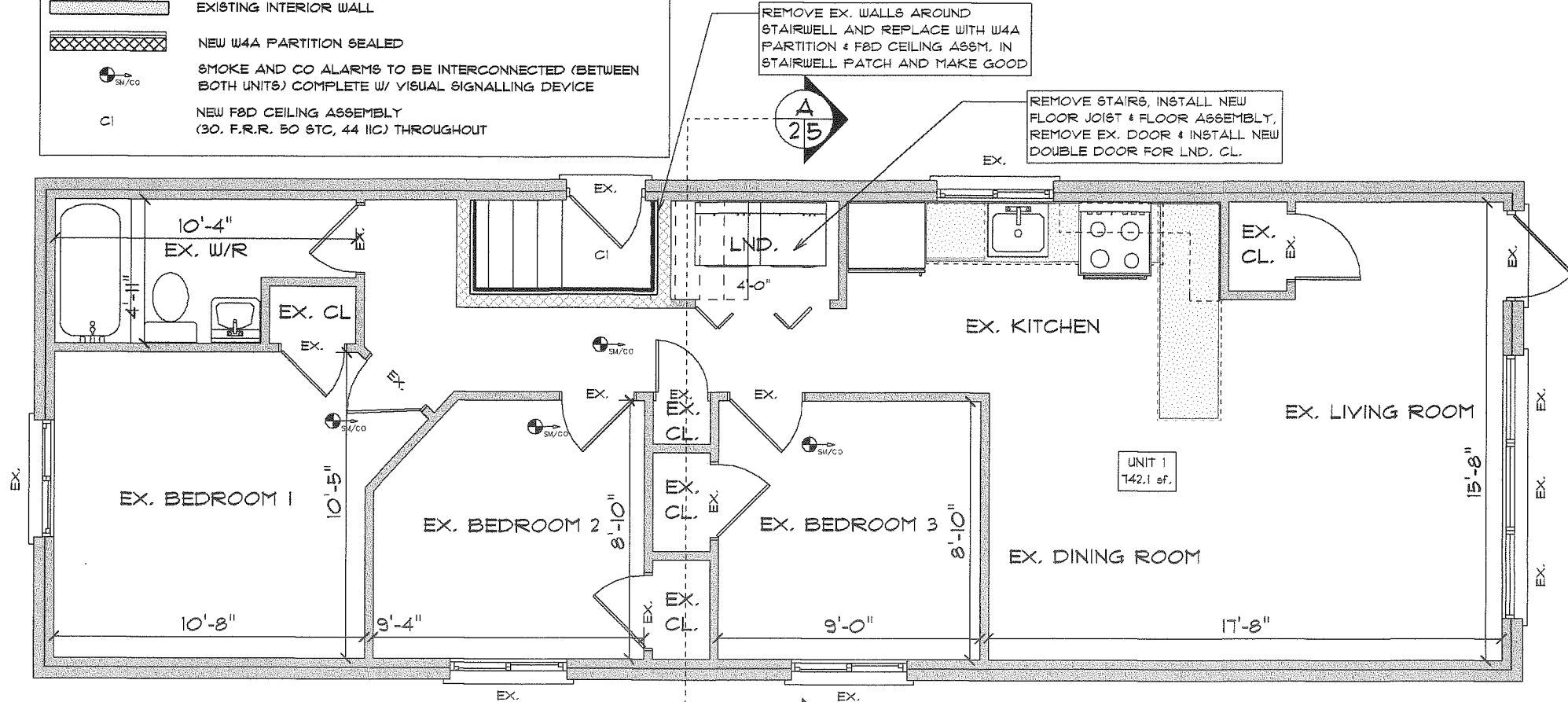


ACCESSORY DWELLING UNIT

78 NORWAY AVE, HAMILTON, ONTARIO

DRAWING LEGEND

-  EXISTING EXTERIOR WALL TO REMAIN (NO CHANGES PROPOSED)
-  EXISTING INTERIOR WALL
-  NEW W4A PARTITION SEALED
-  SMOKE AND CO ALARMS TO BE INTERCONNECTED (BETWEEN BOTH UNITS) COMPLETE W/ VISUAL SIGNALLING DEVICE
-  NEW F&D CEILING ASSEMBLY (30. F.R.R. 50 STC, 44 IIC) THROUGHOUT



MAIN FLOOR
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 BE A DESIGNER.
 QUALIFICATION INFORMATION, REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C-3.2.5.1. OF THE 2020 ONTARIO BUILDING CODE.
 JOHN BARNHART 41773
 REGISTRATION NUMBER (FOR REGISTERED) UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C-3.2.5.1. OF THE ONTARIO BUILDING CODE.
 THE BUILDING PERMIT GUY 103362
 *FIRM NAME BCI.

ALL CODE REFERENCES REFER TO O.B.C. 2012 DIVISION 'B'

DO NOT SCALE DRAWINGS

NOTE:

- 1) Contractor to check all dimensions, specifications, ect. on site and shall be responsible for reporting any discrepancy to the engineer and/ or designer.
- 2) All works to be in accordance with the ONTARIO BUILDING CODE.

A-2



ACCESSORY DWELLING UNIT
78 NORWAY AVE, HAMILTON, ONTARIO



INSTALL NEW 47"X30" EGRESS WINDOW
 NEW 3"X3"X1/4" STEEL LINTEL & 2-2X8
 GALV. STEEL WINDOW WELL AS REQ'D

EX. DWELLING

47" X 30"

U/S CEILING

GRADE

6'-8"

T/O SLAB

REMOVE EX. GARAGE DOOR & TOOTH IN NEW
 CMU WALL TO MATCH EX. ADD DIMPLE WRAP
 OR EQ. FND WRAP TO NEW WALL AND
 BACKFILL TO MATCH EX. GRADE

FRONT ELEVATION

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

ALL CODE REFERENCES REFER
 TO O.B.C. 2012 DIVISION 'B'

DO NOT SCALE DRAWINGS

NOTE:

- 1) Contractor to check all dimensions, specifications, ect. on site and shall be responsible for reporting any discrepancy to the engineer and/ or designer.
- 2) All works to be in accordance with the ONTARIO BUILDING CODE.

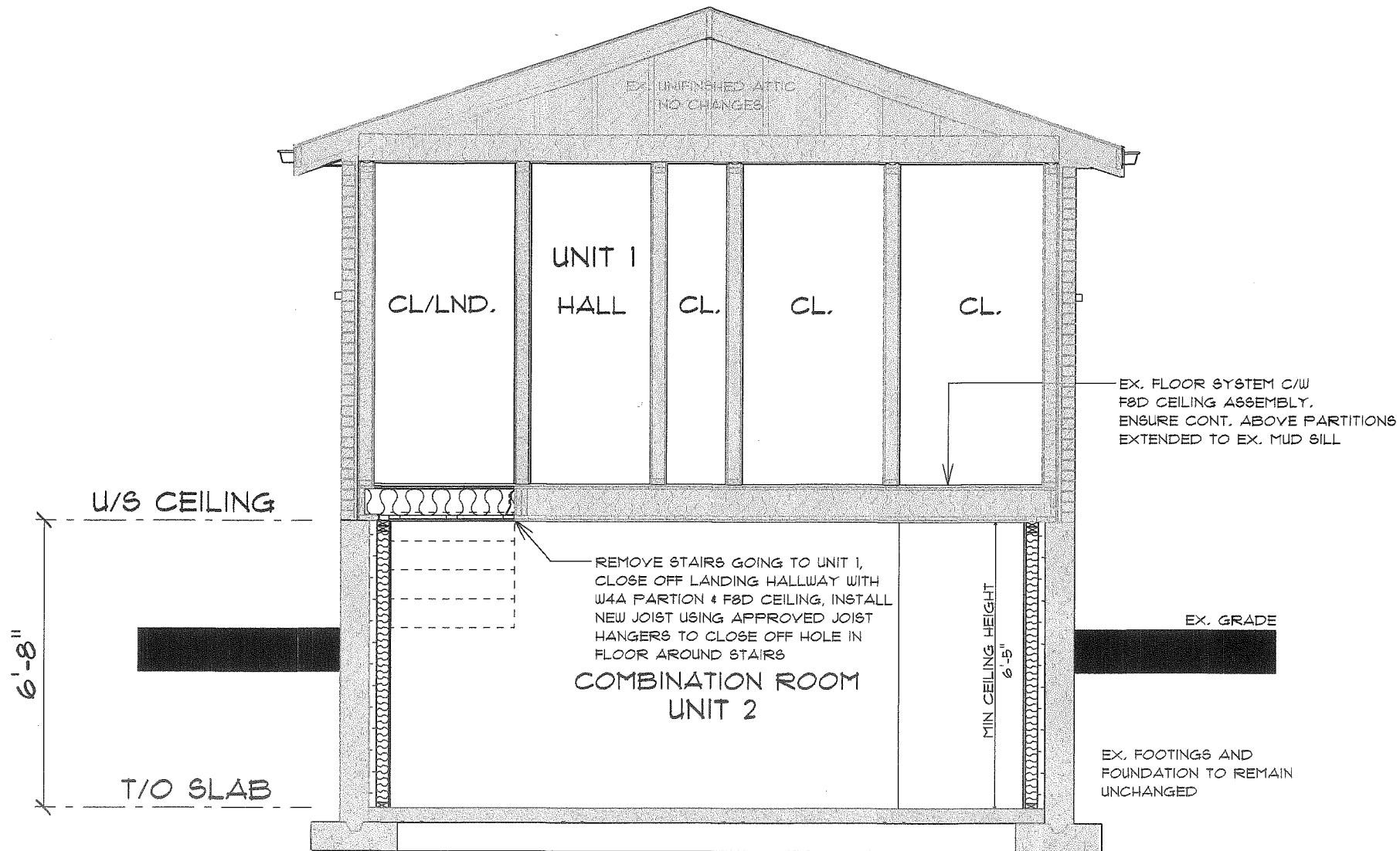
A-3

| | |
|--|-------|
| THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND FOR THE QUALIFICATIONS AND NECESSARY REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER. | |
| QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C - 3.2.2.1. OF THE 2006 ONTARIO BUILDING CODE. | |
| JOHN BAYLHART | 4773 |
| REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C - 3.2.2.1. OF THE 2006 ONTARIO BUILDING CODE. | |
| THE BUILDING PERMIT OFFICER | 63352 |
| FIRM NAME | BDP |



ACCESSORY DWELLING UNIT

78 NORWAY AVE, HAMILTON, ONTARIO



CROSS SECTION A
SCALE: 3/8" = 1'-0"

THE DESIGNER HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE CAPABILITY AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.
 QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION 2 - 2.2.2.4. OF THE 2009 ONTARIO BUILDING CODE.
 JOHN BASHAWAY 4-775
 REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION 2 - 2.2.2.4. OF THE 2009 ONTARIO BUILDING CODE.
 THE BUILDING PERMIT GUY 1-833-922-6222
 FIRM NAME EACH

ALL CODE REFERENCES REFER TO O.B.C. 2012 DIVISION 'B'

DO NOT SCALE DRAWINGS

NOTE:

- 1) Contractor to check all dimensions, specifications, ect. on site and shall be responsible for reporting any discrepancy to the engineer and/ or designer.
- 2) All works to be in accordance with the ONTARIO BUILDING CODE.

A-5



ACCESSORY DWELLING UNIT

78 NORWAY AVE, HAMILTON, ONTARIO



Hamilton

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

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

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

1. APPLICANT INFORMATION

| | NAME | 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 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 | 78 NORWAY AVE. HAMILTON, ON L8M 2V7 | | |
| Assessment Roll Number | 2S180302S206280 | | |
| Former Municipality | | | |
| Lot | LOT 7 | Concession | |
| Registered Plan Number | REG COMP PLAN 1494 | 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:

RELOCATE PARKING FROM UNDERGROUND GARAGE TO EXISTING DRIVEWAY AND REDUCE LAND SCAPING

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

NOT ALLOWED TO ADD PARKING IN FRONT AREA.

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

Yes

No

(DRIVEWAY)

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 |
|--------------|-----------|----------|-----------------|
| SEE ATTACHED | SITE PLAN | | |

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 | 7.009 m | 7.62 m | 1.524m 0.762m | 1972 |
| SHED | 23.68m | 4.40m | 6.7m | - |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| HOUSE | 7.009 m | 7.62 m | 1.524m 0.762m | 1972 |
| SHED | 23.68 m | 4.40m | 6.7m | - |
| | | | | |
| | | | | |

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 | 84.5439 m ² | 84.5439 m ² | 1 | 5.842m |
| SHED | 2.136 m ² | 2.136 m ² | 1 | 1.66 m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|------------------------|------------------------|-------------------|---------|
| HOUSE | 84.5439 m ² | 84.5439 m ² | 1 | 5.842 m |
| SHED | 2.136 m ² | 2.136 m ² | 1 | 1.66 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.):

SECONDARY DWELLING UNIT

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:

NOVEMBER 15, 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:

NOVEMBER 15, 2022

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) _____ Neighbourhoods

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

Residential Use

7.6 What is the existing zoning of the subject land? _____ R1A

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: 2

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|---|--------------------------|--|
| APPLICATION NO.: | HM/A-23:55 | SUBJECT PROPERTY: | 18 TOM STREET, HAMILTON |
| ZONE: | "D" (Urban Protected Residential One- and Two-Family Dwellings) | ZONING BY-LAW: | Zoning By-law former City of Hamilton 6593, as Amended |

APPLICANTS: Owner: ALYSSA SCHNEIDER
Agent: SANTIAGO COSTA

The following variances are requested:

1. Accessory buildings shall be permitted to be located within the front yard and be as close as 0.0m to the westerly side lot line, and 1.779m from the front lot line instead of the requirement no accessory buildings or structures shall be located within a front yard.
2. The front yard landscaped area shall be a minimum of 39.2% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

PURPOSE & EFFECT: To permit the construction of a shed;

Notes:

1. Height details for the proposed shed not provided. It is noted that the maximum height permitted for accessory buildings is 4.0m. should the proposed shed exceed 4.0m in height, additional variances will be required.

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

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

HM/A-23:55

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:30 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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

PUBLIC INPUT

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

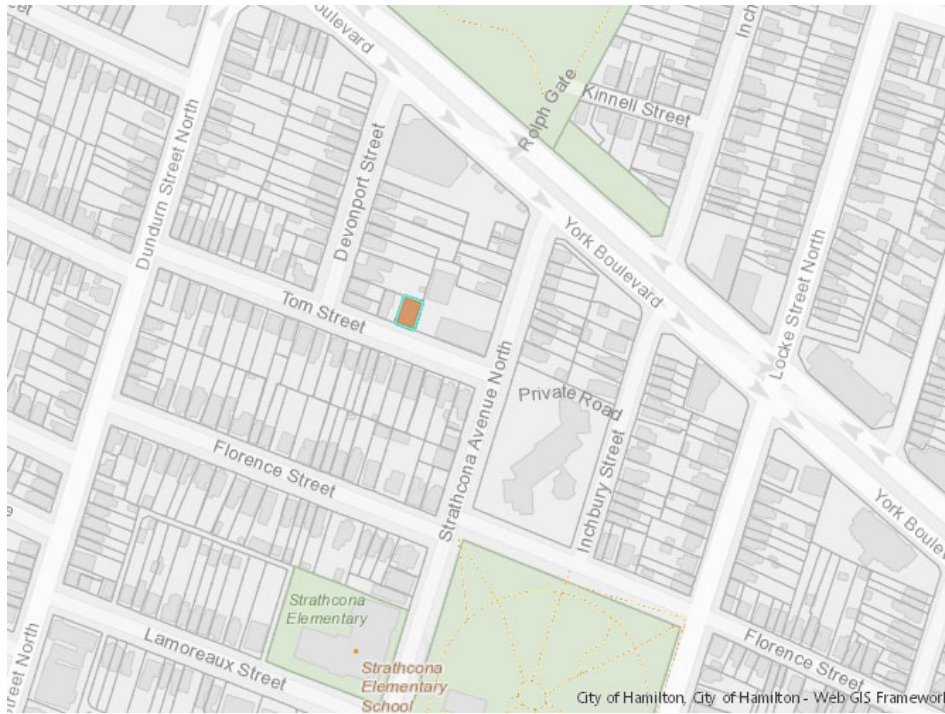
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:55, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:55



 Subject Lands

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

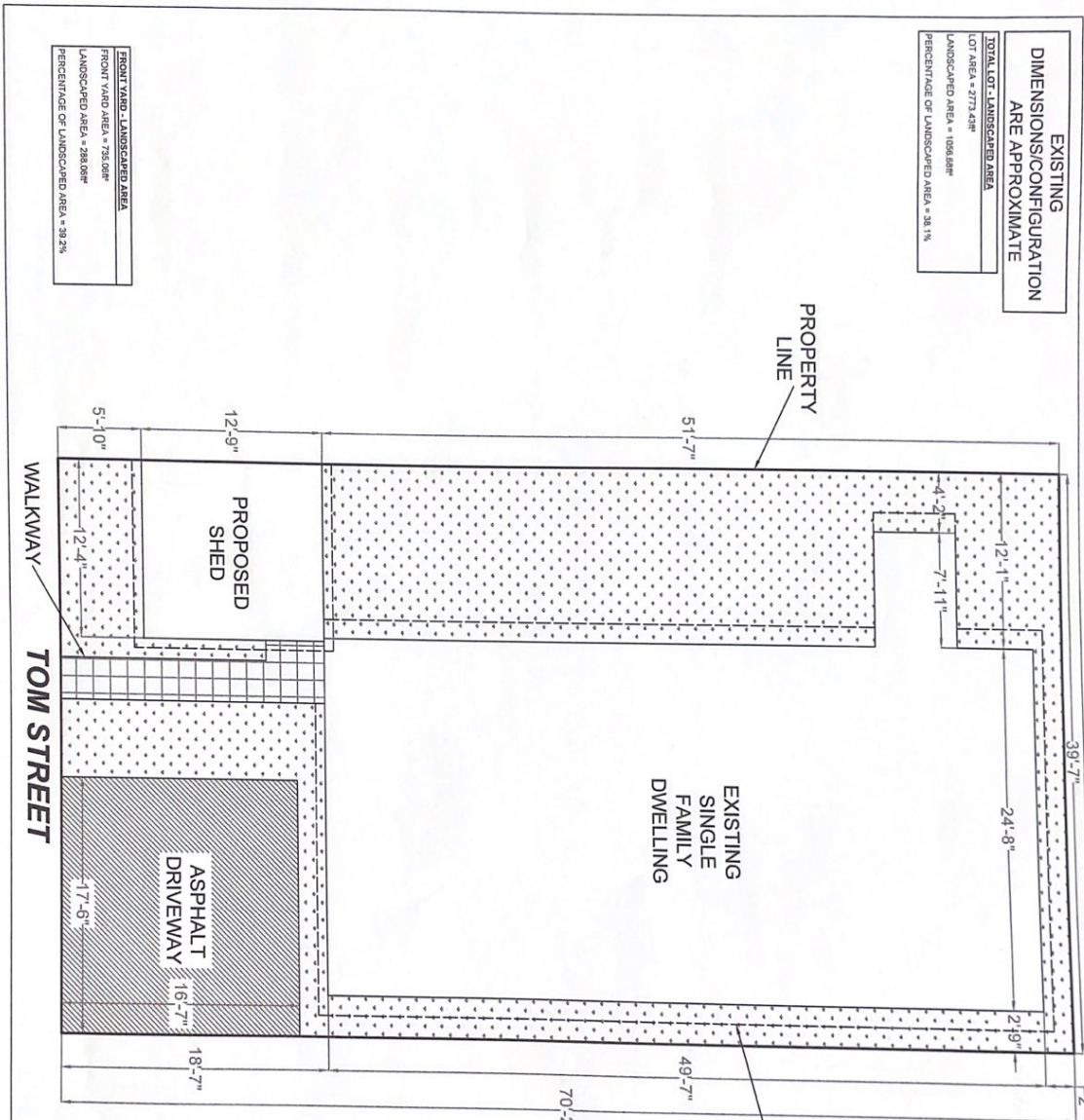
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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



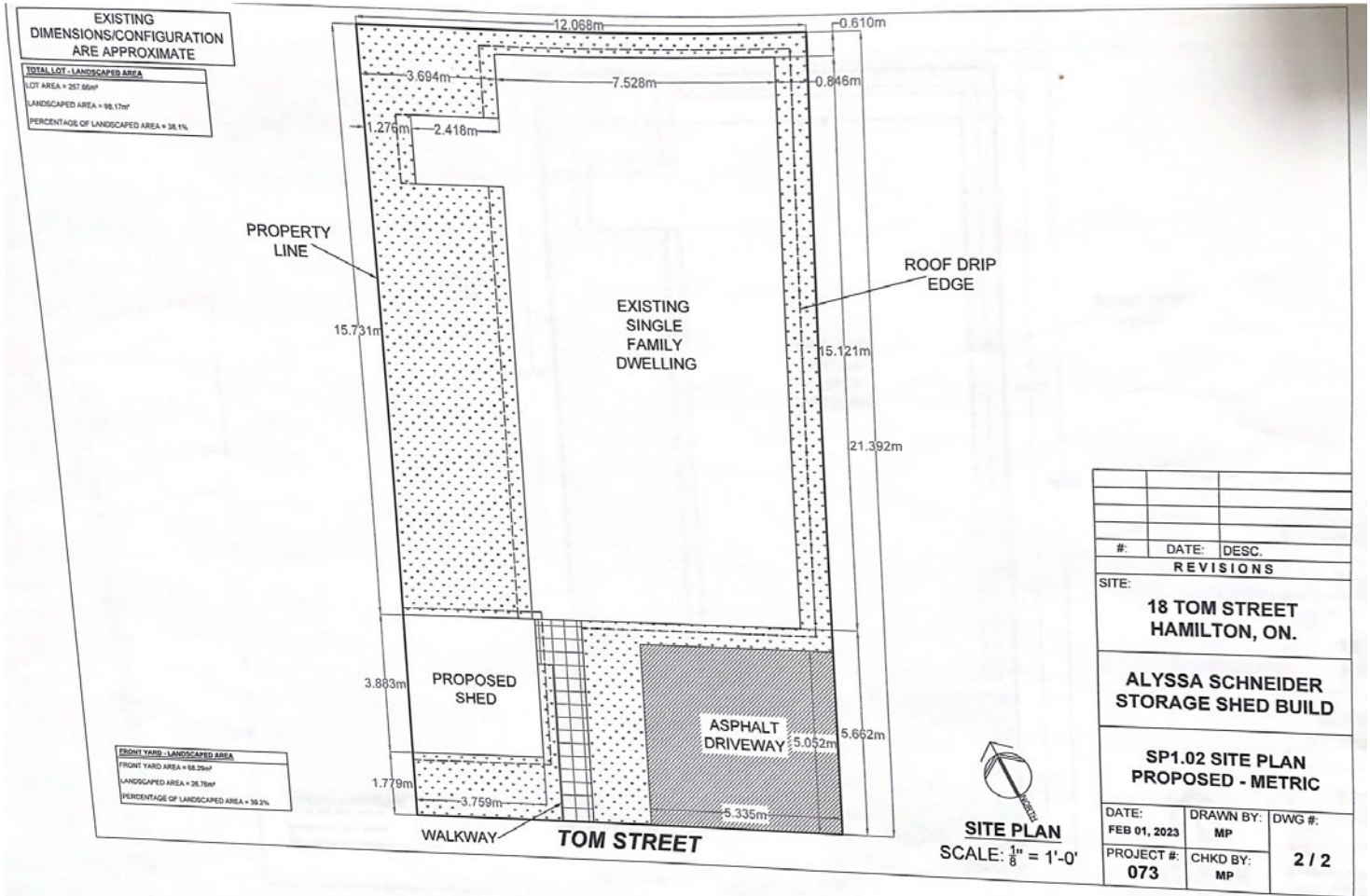
EXISTING DIMENSIONS/CONFIGURATION ARE APPROXIMATE

TOTAL LOT - LANDSCAPED AREA
 LOT AREA = 2773.48ft²
 LANDSCAPED AREA = 1066.68ft²
 PERCENTAGE OF LANDSCAPED AREA = 38.1%

FRONT YARD LANDSCAPED AREA
 FRONT YARD AREA = 753.06ft²
 LANDSCAPED AREA = 288.05ft²
 PERCENTAGE OF LANDSCAPED AREA = 39.2%

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

| | | | |
|---|-----------|--------|-------|
| SITE: 18 TOM STREET HAMILTON, ON. | | | |
| ALYSSA SCHNEIDER STORAGE SHED BUILD | | | |
| SP1.01 SITE PLAN PROPOSED | | | |
| DATE: | DRAWN BY: | DWG #: | |
| FEB 01, 2023 | MP | | |
| PROJECT #: | CHKD BY: | | |
| 073 | MP | | 1 / 2 |



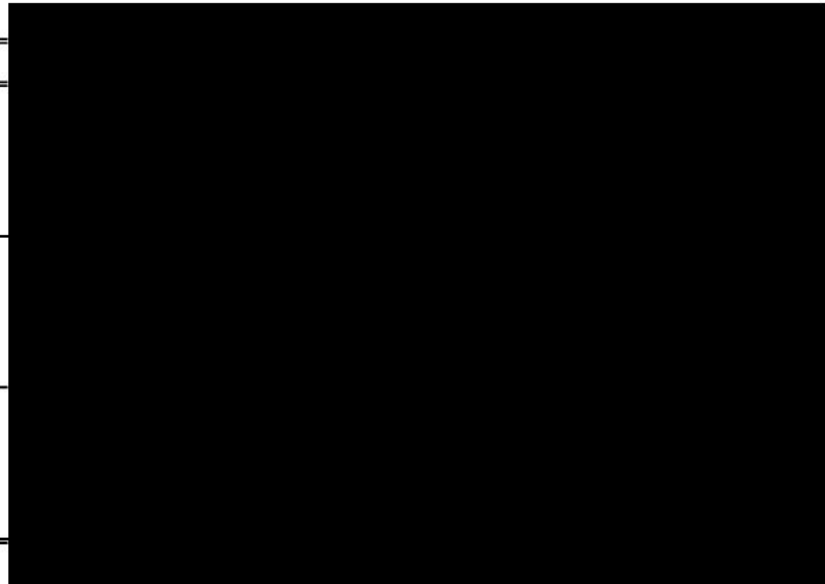
| # | DATE | DESC. |
|--|-----------|--------|
| REVISIONS | | |
| SITE: | | |
| 18 TOM STREET HAMILTON, ON. | | |
| ALYSSA SCHNEIDER STORAGE SHED BUILD | | |
| SP1.02 SITE PLAN PROPOSED - METRIC | | |
| DATE: | DRAWN BY: | DWG #: |
| FEB 01, 2023 | MP | |
| PROJECT #: | CHKD BY: | |
| 073 | MP | 2 / 2 |



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

1. APPLICANT INFORMATION

| | NAME |
|-----------------------------|-----------------------|
| Registered Owners(s) | Alyssa Schneider |
| Applicant(s) | |
| Agent or Solicitor | Santiago Hernan Costa |



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 housesinc2020@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 | 18 Tom St Hamilton, ON L8R 1X3 | | |
| Assessment Roll Number | | | |
| Former Municipality | | | |
| Lot | 51 | Concession | |
| Registered Plan Number | PL41 | 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 use more than 50% of the gross area of the front yard. To keep property in current state. The Minor Variance is related to the construction of a shed.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

50% or more of the front yard is in use.

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 257.66 m ² | Width of Street |
| 39'-7" 12.068m | 70'2" 21.392 m | 2773.43ft ² | 22 ft wide 6.7056 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 | 18' - 7" 5.662m | 2' 0.610m | 12'- 1", 2' - 9" 3.694 m, 0.846m | 1920s |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|-------------------------|----------------------|
| Shed | 5'-10" 1.779m | 51'-7" 15.731m | 0, 26'-8" 0m, 8.128m | 06/14/2022 |
| | | | | |
| | | | | |

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 | 1600 sq ft 148.64486 sq m | N/A | 1 | 17ft 5.1816 m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|---------------------------|-------------------|---------------|
| Shed | N/A | 1036 sq ft 96.247549 sq m | 1 | 11 ft 3.3528m |
| | | | | |
| | | | | |

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

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

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

- ditches
- other means (specify)

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

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

Single family detached dwelling

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

Church, Single family residence

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

July 4, 2014

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:

Year

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? I1 - Neighbourhood Institutional

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: ~~I1 - Neighbourhood Institutional~~

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
-
-



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|--|--------------------------|--|
| APPLICATION NO.: | HM/A-23:03 | SUBJECT PROPERTY: | 8 CLARE AVENUE, HAMILTON |
| ZONE: | "C/S-1436b & C/S-1822" (Urban Protected Residential – Beach Boulevard Bayside) | ZONING BY-LAW: | Zoning By-law former City of Hamilton 6593, as Amended 99-170 & 19-277 |

APPLICANTS: Owner: PETER REDDING

The following variances are requested:

1. A minimum side yard of 0.46m shall be provided instead of a minimum side yard of 1.7m.
2. A minimum rear yard of 3.0m shall be provided instead of a minimum rear yard of 4.5m.

PURPOSE & EFFECT: To permit the development of a detached garage.

Notes:

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

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

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

| | |
|---------------|---|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:35 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for |

HM/A-23:03

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

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

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

PUBLIC INPUT

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

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

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:03, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:03



 Subject Lands

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

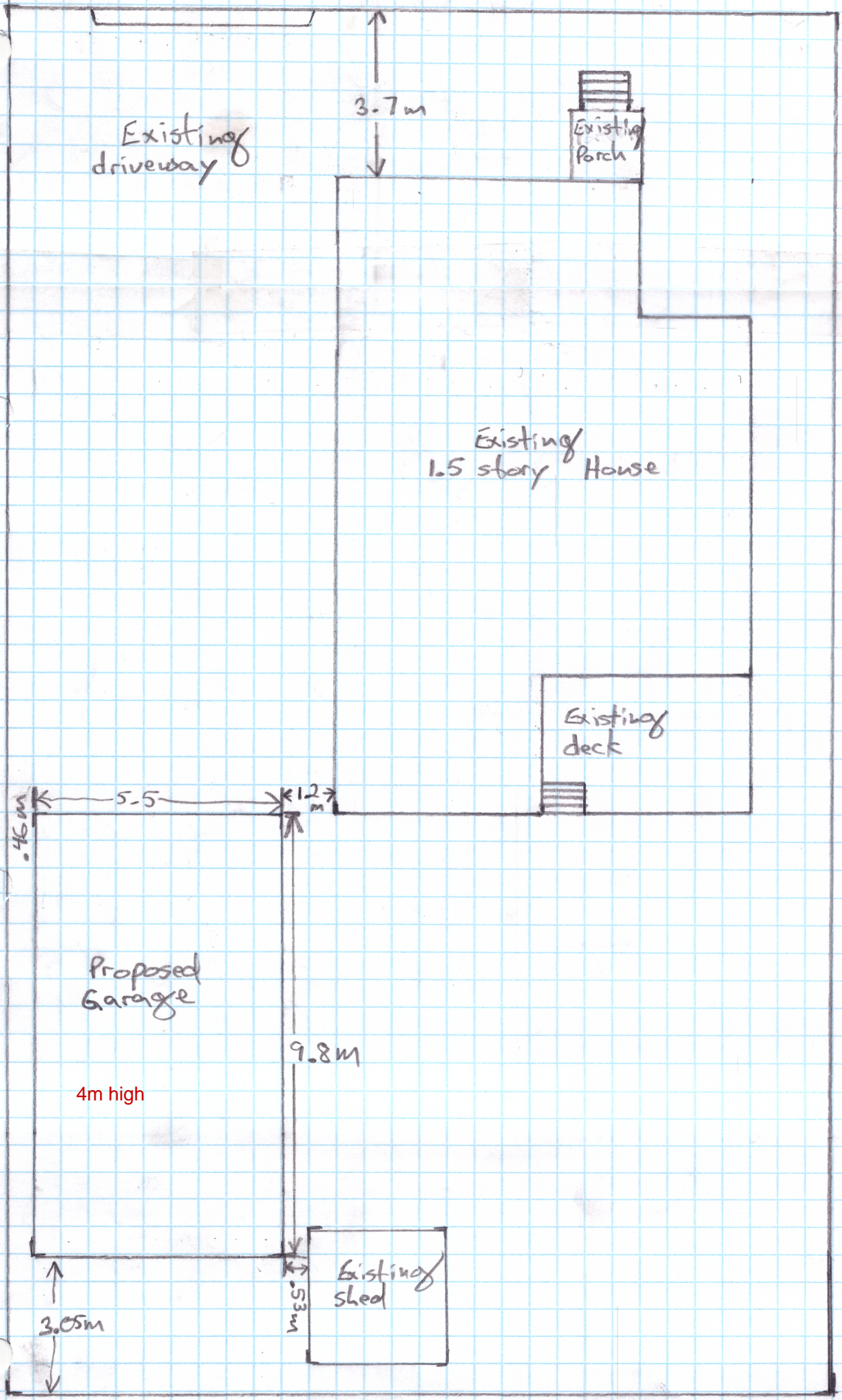
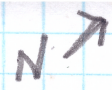
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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





Hamilton

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

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

APPLICATION FOR 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 | | | 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 | 8 Clare Ave | | |
| Assessment Roll Number | 05051105830 | | |
| Former Municipality | Hamilton Beach | | |
| Lot | 110,109 | Concession | |
| Registered Plan Number | 62R-20495 | 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 have the side lot and rear lot setbacks changed from 1.7m to .46m and 4.5m to 3.05

Second Dwelling Unit Reconstruction of Existing Dwelling

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

It will put the proposed garage in an undesirable location.

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 |
|--------------|-----------|-----------|-----------------|
| 18.29m | 30.48m | 557.48sqm | 7.3 |

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 | 3.66m | 13.71m | 7.37m | 1940 |
| Garden Shed | 27.4m | .2 m | 7.37m | 2009 |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| Garage | 16.46m | 3m | .46m | 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 |
|-------------------|----------------------|----------------------|-------------------|--------|
| House | 108.23m ² | 108.23m ² | 1.5 | 6.45m |
| Garden shed | 9.3m ² | 9.3m ² | 1 | 2.7m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|--------------------|--------------------|-------------------|--------|
| Garage | 53.9m ² | 53.9m ² | 1 | 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)
-

- 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.):
Add a storage garage
-

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

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
April 7, 2017
-

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

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

- 7.4 Length of time the existing uses of the subject property have continued:
30+ 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? C/S-1436b
-

- 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: 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
- _____
- _____



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------|--------------------------|--------------------------------|
| APPLICATION NO.: | HM/B-23:10 | SUBJECT PROPERTY: | 416 MOHAWK ROAD E, HAMILTON |
|-------------------------|-------------------|--------------------------|--------------------------------|

APPLICANTS: Owner: ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF HAMILTON
Agent: WEBB PLANNING CONSULTANTS C/O JAMES WEBB

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 420 Mohawk Road East, Hamilton.

| | Frontage | Depth | Area |
|------------------------|---------------------|---------------------|----------------------------------|
| SEVERED LANDS: | 34.5 m [±] | 79.2 m [±] | 2732 m ² [±] |
| RETAINED LANDS: | 40.1 m [±] | 79.2 m [±] | 3183 m ² [±] |

Associated Planning Act File(s): HM/B-23:11

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

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

| | |
|---------------|---|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:40 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

- Visit www.hamilton.ca/committeeofadjustment

HM/B-23:10

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

PUBLIC INPUT

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

Orally: If you would like to speak to this item at the hearing you may do so via video link 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 HM/B-23:10, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: March 21, 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.

HM/B-23:10

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

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 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 or by phone at 905-546-2424 ext. 4221.

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

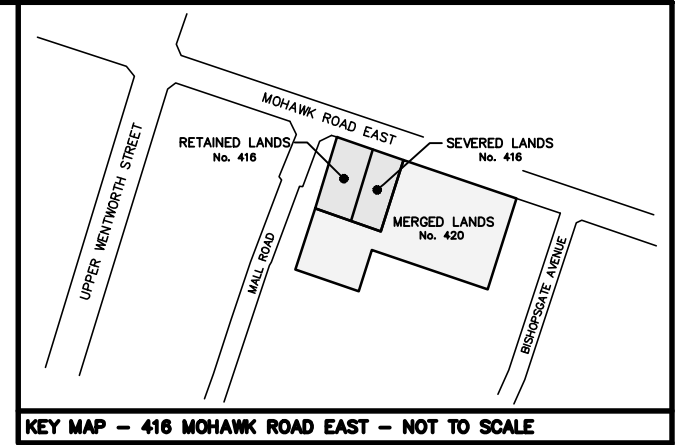
SKETCH FOR SEVERANCE
OF
416 & 420 MOHAWK ROAD
CITY OF HAMILTON

SCALE 1:1000 METRIC



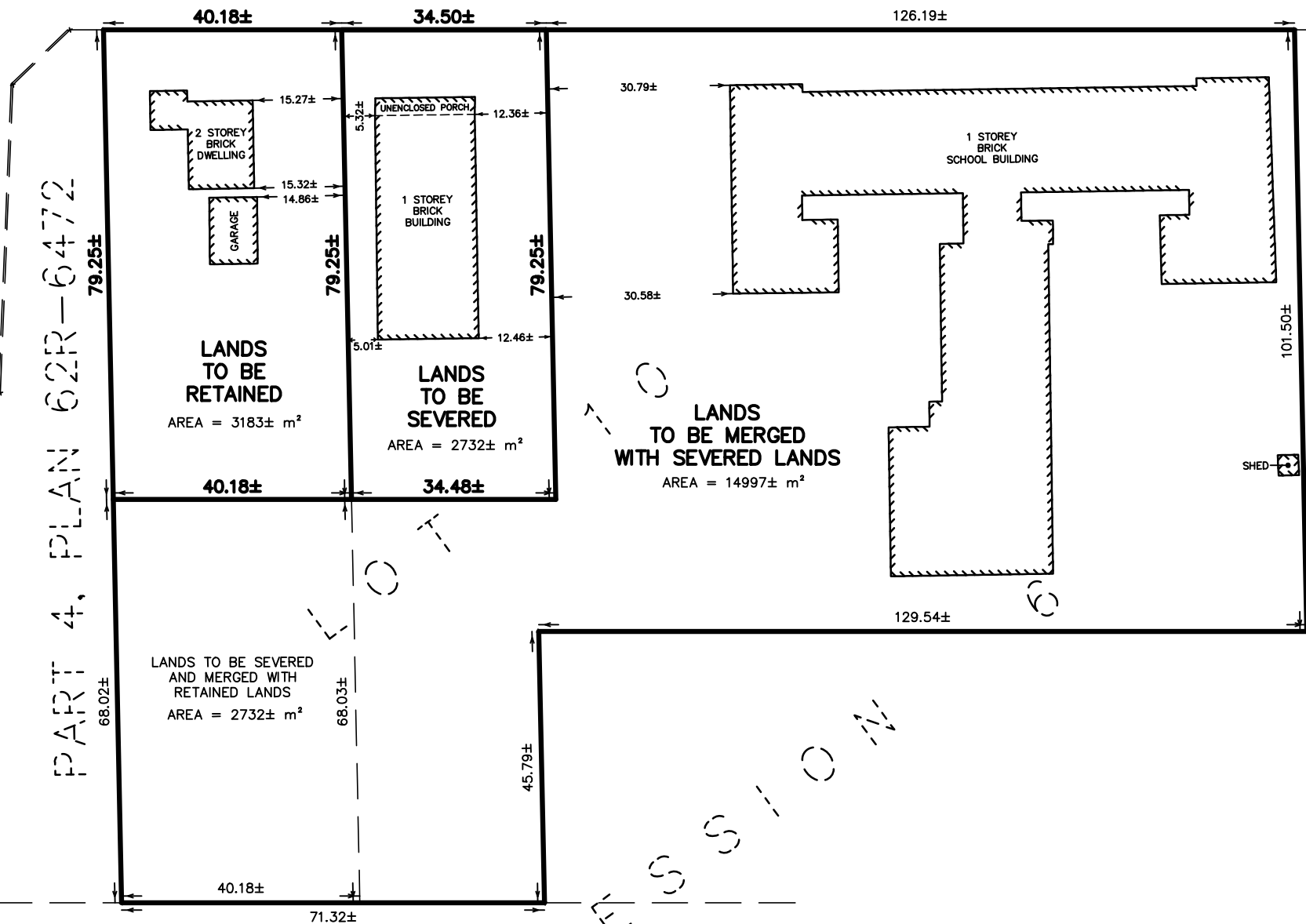
S.D. McLAREN, O.L.S. - 2022

MOHAWK ROAD EAST



KEY MAP - 416 MOHAWK ROAD EAST - NOT TO SCALE

MALL ROAD



COMMISSION

CAUTION

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 ©

DIMENSIONS NOTE

DIMENSIONS SHOWN ON THIS SKETCH ARE DERIVED FROM PLAN 62R-16678.

SKETCH 1 OF 2

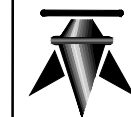
| No. | DESCRIPTION | DATE | BY |
|-----|------------------|-----------|----|
| 2 | ADDED AREAS | FEB 28/23 | JC |
| 1 | ADD BUILDINGS | OCT 11/22 | JM |
| | ORIGINAL DRAWING | AUG 19/22 | JM |

REVISIONS

METRIC NOTE:

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

AUGUST 19, 2022
 DATE



A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

| | | | |
|-------------|----------------|-----------------|-------------------|
| Drawn JM | Checked RAM | Scale 1:1000 | Dwg.No. 37080-SK1 |
|-------------|----------------|-----------------|-------------------|



March 7, 2023

City of Hamilton
 Committee of Adjustment
 71 Main Street West
 Hamilton ON L8P 4Y5

Attention: Ms. Jamila Sheffield,
 Secretary Treasurer

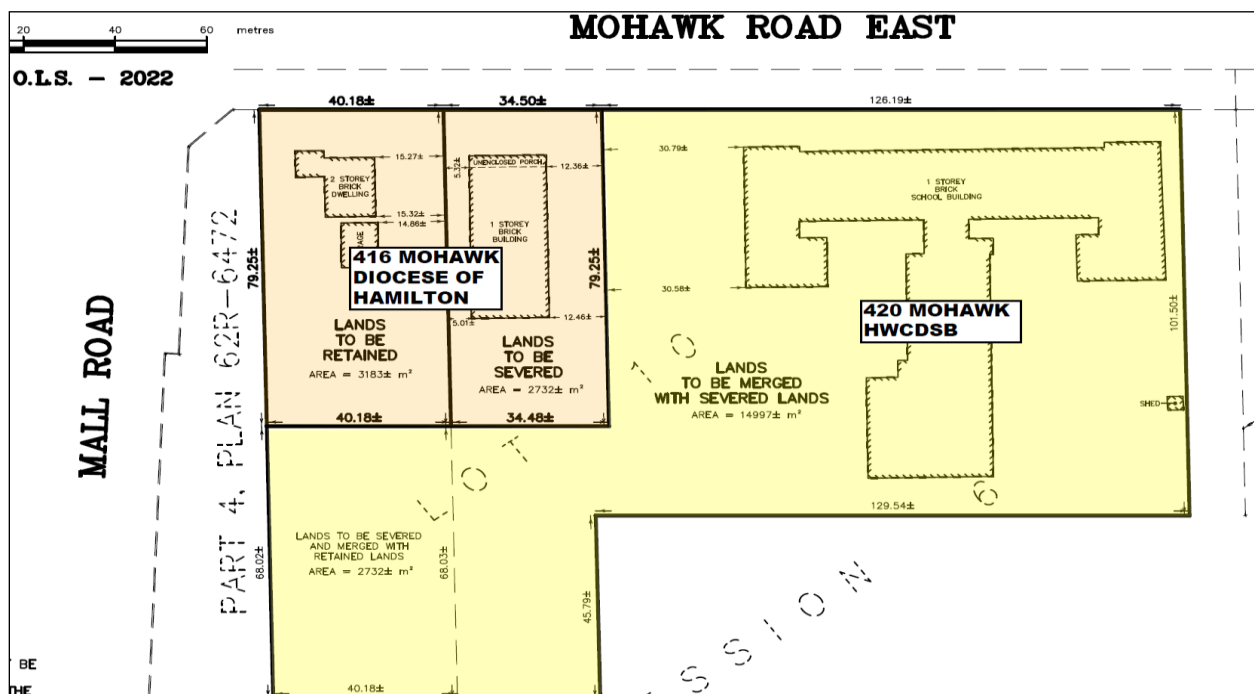
Dear Ms. Sheffield,

Re: Application for Consent -Reciprocal Lot Additions
 416 & 420 Mohawk Road East, City of Hamilton

WEBB Planning Consultants are retained by the Hamilton Wentworth Catholic District School Board and the Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario to process applications for Consent that will facilitate a reciprocal land exchange between these two abutting properties.

The following figure illustrates the current configuration of the properties with respective ownership as:

- 416 Mohawk Rd. E. - Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario (The Diocese)
- 420 Mohawk Rd. E. – Hamilton Wentworth Catholic District School Board (HWCD SB)

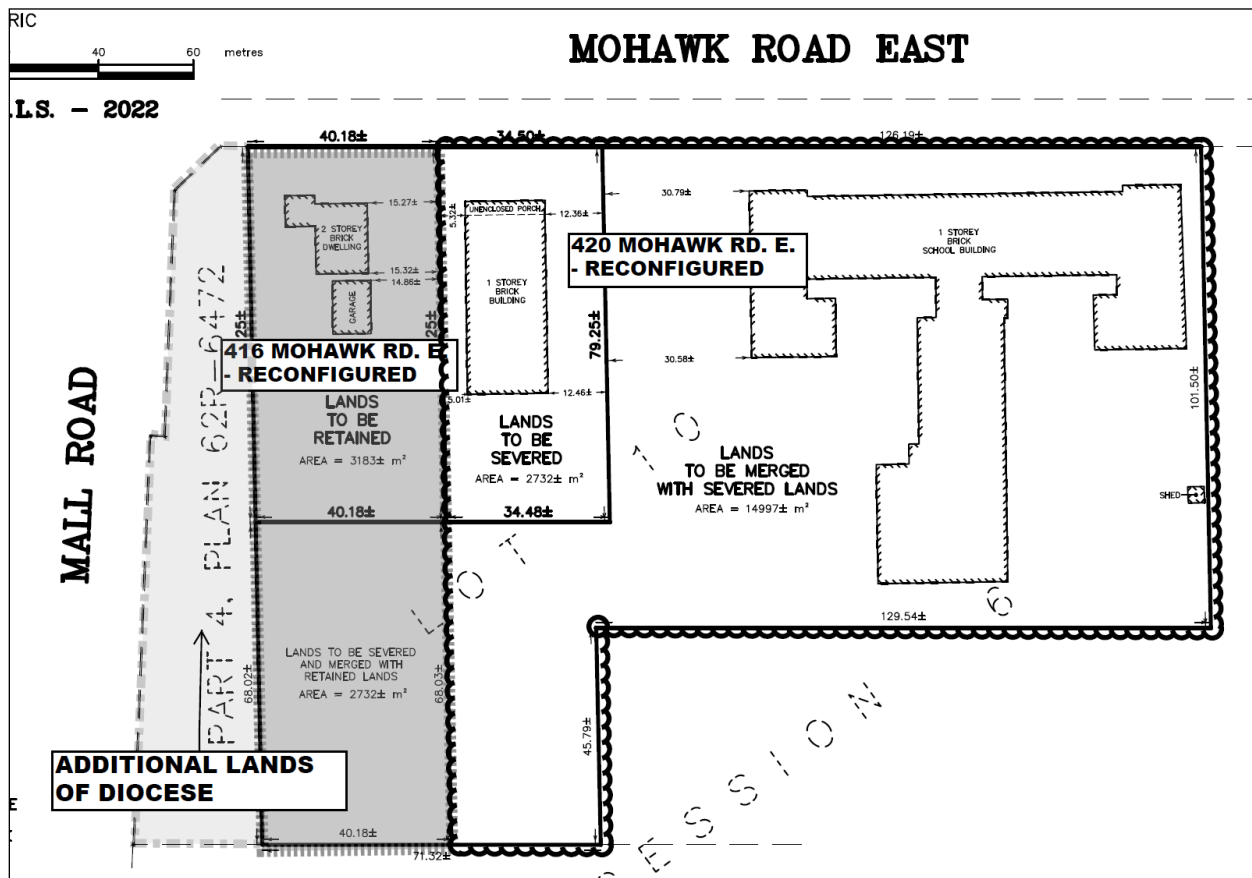


Attn.: Ms. Jamila Sheffield
 Re: 416 & 420 Mohawk Road East

March 7, 2023
 Page 2

The two Applications will facilitate the reconfiguration of the two properties through the severance and merger of parcels having an equal land area, the intent being the opportunity to strategically optimize the lands for their intended use.

The following Figure illustrates the outcome of the reciprocal land exchange and the boundaries of two resulting reconfigured properties.



The purpose of the Consent Applications is to regularize the shape of the current property owned by the HWCDSB for its continued use as the Our Lady Of Lourdes Catholic Elementary School. The parcel that is to be severed from the Diocese parcel will be merged with the established Elementary School parcel, providing added street frontage along Mohawk Road which can be better utilized for school purposes included site access for bus drop off and automobile parking and maneuvering areas.

The parcel that is to be severed and merged with the School Board property is presently occupied by the former St. Catherine of Siena Roman Catholic Church. The Diocese has established that the property is surplus and the existing single storey church is to be demolished. The Diocese has initiated the necessary approvals to obtain permission for the demolition. Subject to timing of the demolition it is anticipated that the Conditional Approval

of the Consent Application may include a Condition of Approval to be satisfied in advance of final Approval that requires demolition to be completed.

Conversely, the HWCDSB will sever the south-west portion of their parcel, lands that are presently underutilized and generally separated from the primary activity areas of the school property. The severed parcel will be merged the remaining parcel of the Diocese that fronts onto Mohawk Road East, this assembled parcel will subsequently be merged with the abutting parcel owned by the Diocese having significant flankage along the abutting municipal street - Mall Road. The intent of the Diocese will be to then market the consolidated parcel as illustrated by the above Figure as lands having enhanced opportunities for future redevelopment.

The proposed severance has been considered having regard for the matters outlined in Section 51(24) of the Planning Act. It is our opinion that a Plan of Subdivision is not required for proper and orderly development of the lands. The intended uses generally conform to the Urban Hamilton Official Plan, full municipal services are available, there are no conflicts with natural or cultural resources, or hazards. It is our opinion that the proposal is consistent with the relevant sections of the Planning Act.

Policies for the Division of Land are outlined in Section F.1.14 of the Urban Hamilton Official Plan (UHOP). However, there are no guiding policies that apply given the context of this proposal wherein the subject Applications do not propose to create new lots, instead facilitate a reciprocal land exchange between two abutting parcels. The proposed severances do however maintain the general purpose and intent of the Policies for Land Division for lands within the Neighbourhoods designation as the reconfigured parcels will maintain compliance with the Zoning By-law, the lands are fully serviced by municipal water and wastewater systems, and the lots will have frontage onto public roads.

On the basis of the above discussion, it is our opinion that the proposed Applications for Consent conforms to the applicable Lot Division Policies of the UHOP.

In keeping with the City's requirements for the processing of Applications for Consent, this cover letter and the following materials are provided in support of the proposal:

- Application for Consent – 416 Mohawk Road East;
- Application for Consent – 420 Mohawk Road East ;
- Separate Application Fees – paid via Cheque and Credit Card;
- Sketch Plans illustrating proposed parcels to be severed, merged and retained.

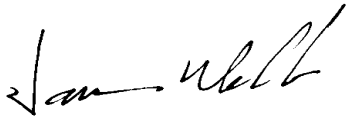
Attn.: Ms. Jamila Sheffield
Re: 416 & 420 Mohawk Road East

March 7, 2023
Page 4

We trust that you will find the enclosed materials complete and suitable for the purpose of processing these Applications. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read "James Webb", written in a cursive style.

James Webb, MCIP, RPP

cc: HWCDSB – Vince Ramelli
Diocese of Hamilton – Jim Long



Hamilton

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

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

APPLICATION FOR CONSENT TO SEVER LAND
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) | [REDACTED] | | |
| Applicant(s)** | | | |
| Agent or Solicitor | | | |

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** 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 | 416 Mohawk Road East | | |
| Assessment Roll Number | | | |
| Former Municipality | City of 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

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

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" 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) (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:

Hamilton Wentworth Catholic District School Board

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

420 Mohawk Road East

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, m² or ha), attach additional sheets as necessary.

| | Retained (remainder) | Parcel 1 | Parcel 2 | Parcel 3* | Parcel 4* |
|--|-------------------------|----------|----------|-----------|-----------|
| | | | | | |

| | | | | | |
|-------------------------------------|--------------------------|---------------|--|--|--|
| Identified on Sketch as: | retained lands | to be severed | | | |
| Type of Transfer | N/A | | | | |
| Frontage | 40.1 | 34.5 | | | |
| Depth | 79.2 | 79.2 | | | |
| Area | 3183 m2 | 2732 m2 | | | |
| Existing Use | Institutional | Institutional | | | |
| Proposed Use | TBD | TBD | | | |
| Existing Buildings/ Structures | 2 st dwelling and garage | 1 st church | | | |
| Proposed Buildings/ Structures | TBD | TBD | | | |
| Buildings/ Structures to be Removed | none | 1 St church | | | |

* 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.

Application facilitates a land swap between School Board and Diocese that will enable more efficient use of two properties that provide community services to surrounding neighbourhoods and surplus property of the Diocese that is proposed for redevelopment

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? "I1" - Neighbourhood Institutional Zone

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

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

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

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

| Use or Feature | On the Subject Land | Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance) |
|---|--------------------------|---|
| 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.

- 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?

November 1958

- 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.
-

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)

PPS - Lands within designated settlement area, full municipal services available, application will facilitate more efficient use of 420 Mohawk for continued public service facility and optimized parcel for redevelopment at a location that is transit supportive and supports active transportation

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

Yes, see above

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

Property appropriate location to focus growth as within settlement area and built boundary of City, supports continued growth of surrounding neighbourhoods with continued use of public service facility and optimized redevelopment parcel, supports complete communities by adding to diverse mix of uses at a location with convenient access to range of transportation options, no natural or cultural heritage conflicts.

- 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 ² 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 ² 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 ² 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------|--------------------------|--------------------------------|
| APPLICATION NO.: | HM/B-23:11 | SUBJECT PROPERTY: | 420 MOHAWK ROAD E, HAMILTON |
|-------------------------|-------------------|--------------------------|--------------------------------|

APPLICANTS: Owner: HAMILTON WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD
Agent: WEBB PLANNING CONSULTANTS C/O JAMES WEBB

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 416 Mohawk Road East, Hamilton.

| | Frontage | Depth | Area |
|------------------------|-----------------------|----------------------|-----------------------|
| SEVERED LANDS: | N/A m [±] | 40.1 m [±] | 2732 m ² ± |
| RETAINED LANDS: | 160.69 m [±] | 147.2 m [±] | 1.497 ha [±] |

Associated Planning Act File(s): HM/B-23:10

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

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

| | |
|---------------|---|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:40 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca

HM/B-23:11

- 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.

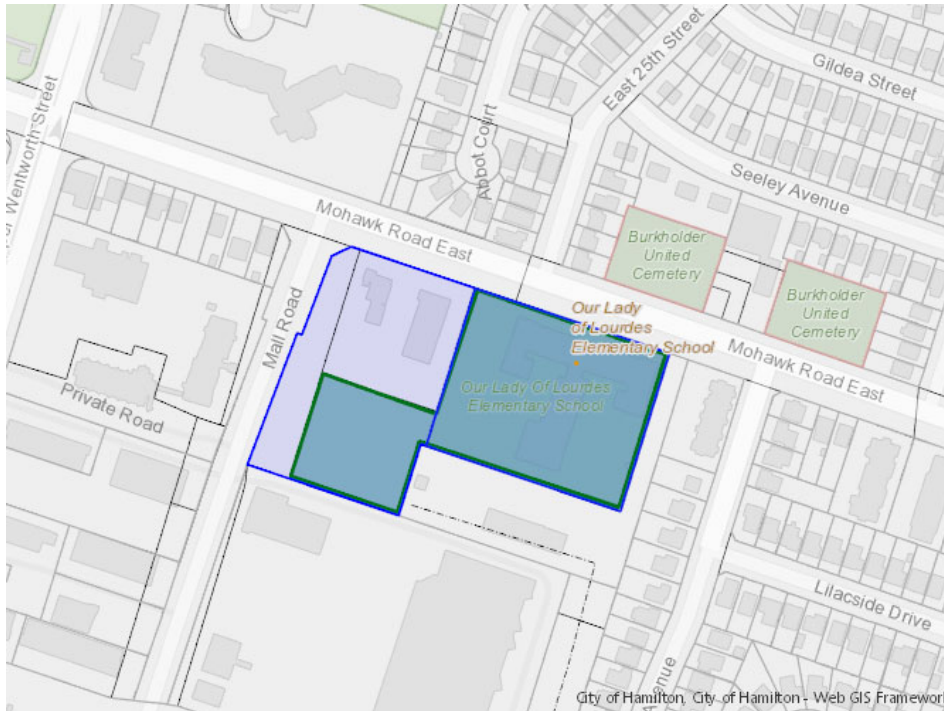
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/B-23:11, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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.

HM/B-23:11



 **Subject Lands**

DATED: March 21, 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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

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 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 or by phone at 905-546-2424 ext. 4221.

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

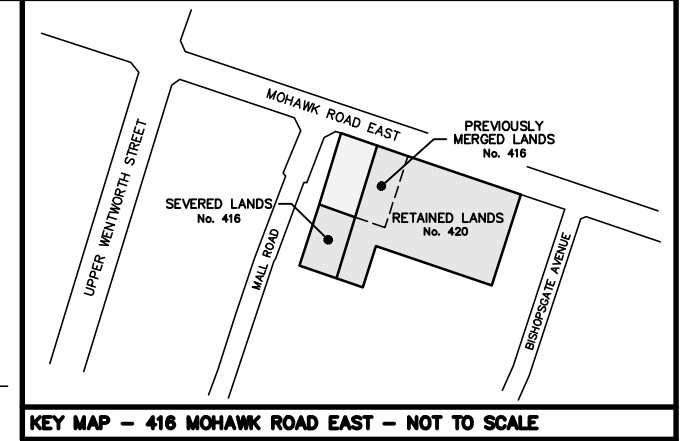
**SKETCH FOR SEVERANCE
OF
416 & 420 MOHAWK ROAD
CITY OF HAMILTON**

SCALE 1:1000 METRIC

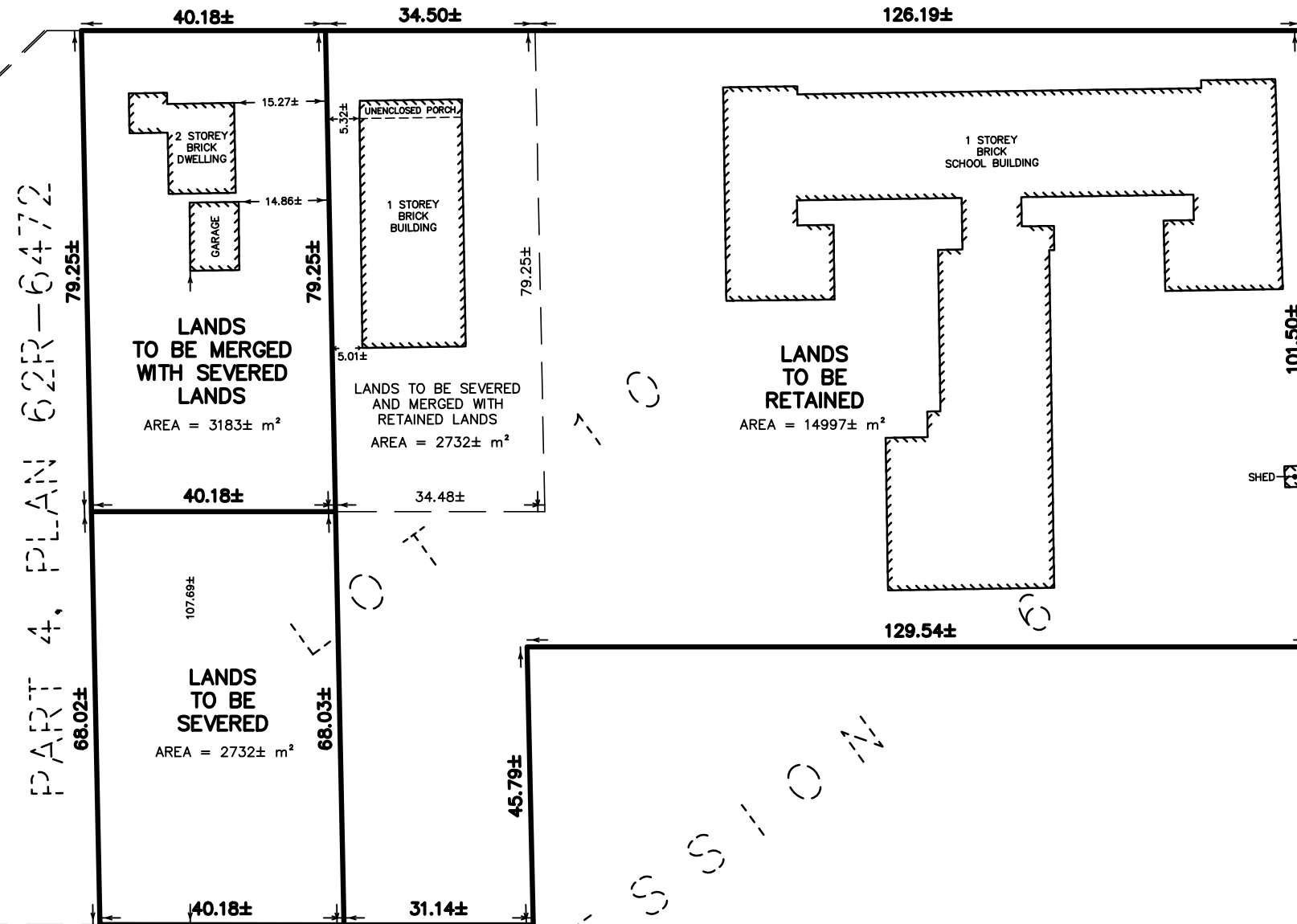


S.D. McLAREN, O.L.S. - 2022

MOHAWK ROAD EAST



MALL ROAD



PART 4, PLAN 62R-6472

COMMISSION

CAUTION

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DIMENSIONS NOTE

DIMENSIONS SHOWN ON THIS SKETCH ARE DERIVED FROM PLAN 62R-16678.

SKETCH 2 OF 2

| No. | DESCRIPTION | DATE | BY |
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| 2 | ADDED AREAS | FEB 28/23 | JC |
| 1 | ADD BUILDINGS | OCT 11/22 | JM |
| | ORIGINAL DRAWING | AUG 19/22 | JM |

REVISIONS



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

METRIC NOTE:

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

AUGUST 19, 2022
DATE

| | | | |
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March 7, 2023

City of Hamilton
 Committee of Adjustment
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 Secretary Treasurer

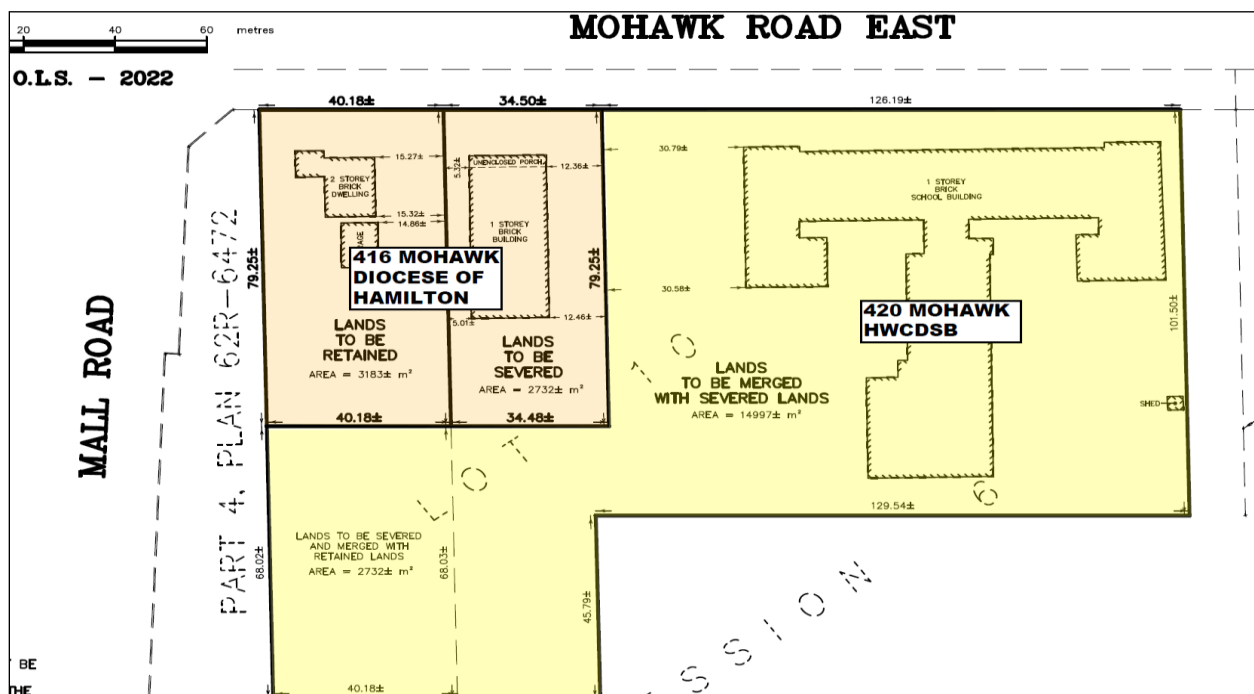
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WEBB Planning Consultants are retained by the Hamilton Wentworth Catholic District School Board and the Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario to process applications for Consent that will facilitate a reciprocal land exchange between these two abutting properties.

The following figure illustrates the current configuration of the properties with respective ownership as:

- 416 Mohawk Rd. E. - Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario (The Diocese)
- 420 Mohawk Rd. E. – Hamilton Wentworth Catholic District School Board (HWCD SB)

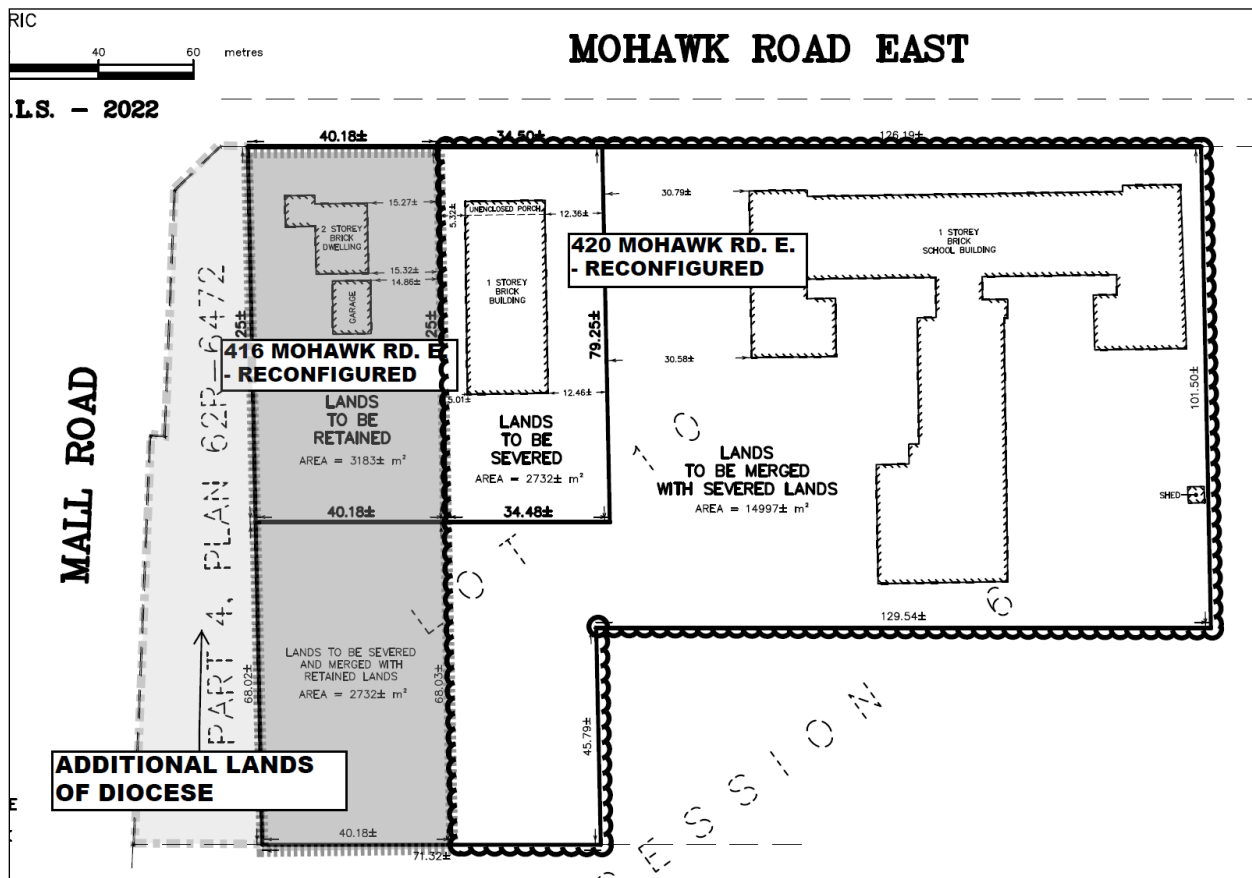


Attn.: Ms. Jamila Sheffield
 Re: 416 & 420 Mohawk Road East

March 7, 2023
 Page 2

The two Applications will facilitate the reconfiguration of the two properties through the severance and merger of parcels having an equal land area, the intent being the opportunity to strategically optimize the lands for their intended use.

The following Figure illustrates the outcome of the reciprocal land exchange and the boundaries of two resulting reconfigured properties.



The purpose of the Consent Applications is to regularize the shape of the current property owned by the HWCDSB for its continued use as the Our Lady Of Lourdes Catholic Elementary School. The parcel that is to be severed from the Diocese parcel will be merged with the established Elementary School parcel, providing added street frontage along Mohawk Road which can be better utilized for school purposes included site access for bus drop off and automobile parking and maneuvering areas.

The parcel that is to be severed and merged with the School Board property is presently occupied by the former St. Catherine of Siena Roman Catholic Church. The Diocese has established that the property is surplus and the existing single storey church is to be demolished. The Diocese has initiated the necessary approvals to obtain permission for the demolition. Subject to timing of the demolition it is anticipated that the Conditional Approval

of the Consent Application may include a Condition of Approval to be satisfied in advance of final Approval that requires demolition to be completed.

Conversely, the HWCDSB will sever the south-west portion of their parcel, lands that are presently underutilized and generally separated from the primary activity areas of the school property. The severed parcel will be merged the remaining parcel of the Diocese that fronts onto Mohawk Road East, this assembled parcel will subsequently be merged with the abutting parcel owned by the Diocese having significant flankage along the abutting municipal street - Mall Road. The intent of the Diocese will be to then market the consolidated parcel as illustrated by the above Figure as lands having enhanced opportunities for future redevelopment.

The proposed severance has been considered having regard for the matters outlined in Section 51(24) of the Planning Act. It is our opinion that a Plan of Subdivision is not required for proper and orderly development of the lands. The intended uses generally conform to the Urban Hamilton Official Plan, full municipal services are available, there are no conflicts with natural or cultural resources, or hazards. It is our opinion that the proposal is consistent with the relevant sections of the Planning Act.

Policies for the Division of Land are outlined in Section F.1.14 of the Urban Hamilton Official Plan (UHOP). However, there are no guiding policies that apply given the context of this proposal wherein the subject Applications do not propose to create new lots, instead facilitate a reciprocal land exchange between two abutting parcels. The proposed severances do however maintain the general purpose and intent of the Policies for Land Division for lands within the Neighbourhoods designation as the reconfigured parcels will maintain compliance with the Zoning By-law, the lands are fully serviced by municipal water and wastewater systems, and the lots will have frontage onto public roads.

On the basis of the above discussion, it is our opinion that the proposed Applications for Consent conforms to the applicable Lot Division Policies of the UHOP.

In keeping with the City's requirements for the processing of Applications for Consent, this cover letter and the following materials are provided in support of the proposal:

- Application for Consent – 416 Mohawk Road East;
- Application for Consent – 420 Mohawk Road East ;
- Separate Application Fees – paid via Cheque and Credit Card;
- Sketch Plans illustrating proposed parcels to be severed, merged and retained.

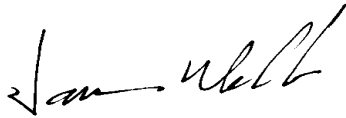
Attn.: Ms. Jamila Sheffield
Re: 416 & 420 Mohawk Road East

March 7, 2023
Page 4

We trust that you will find the enclosed materials complete and suitable for the purpose of processing these Applications. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read "James Webb", written in a cursive style.

James Webb, MCIP, RPP

cc: HWCDSB – Vince Ramelli
Diocese of Hamilton – Jim Long



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

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

**APPLICATION FOR CONSENT TO SEVER LAND
 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) | [REDACTED] | | |
| Applicant(s)** | | | |
| Agent or Solicitor | | | |
| | | | |

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** 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 | 420 Mohawk Road East | | |
| Assessment Roll Number | | | |
| Former Municipality | City of 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

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

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" 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) (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:

Roman Catholic Episcopal Corporation of the Diocese of Hamilton

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

416 Mohawk Road East

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, m² or ha), attach additional sheets as necessary.

| | Retained (remainder) | Parcel 1 | Parcel 2 | Parcel 3* | Parcel 4* |
|--|-------------------------|----------|----------|-----------|-----------|
| | | | | | |

| | | | | | |
|-------------------------------------|-----------------|---------------|--|--|--|
| Identified on Sketch as: | retained lands | to be severed | | | |
| Type of Transfer | N/A | | | | |
| Frontage | 160.69 m | Nil | | | |
| Depth | 147.2 | 40.1 | | | |
| Area | 1.497 ha | 2732 m2 | | | |
| Existing Use | element. school | vacant | | | |
| Proposed Use | TBD | TBD | | | |
| Existing Buildings/ Structures | 1 st brick bld | vacant | | | |
| Proposed Buildings/ Structures | none | TBD | | | |
| 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.

Application facilitates a land swap between School Board and Diocese that will enable more efficient use of two properties that provide community services to surrounding neighbourhoods

- 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? "I1" - Neighbourhood Institutional Zone

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

- 5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?
 Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

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

| Use or Feature | On the Subject Land | Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance) |
|---|--------------------------|---|
| 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.

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?

April 1958

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.

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)

PPS - Lands within designated settlement area, full municipal services available, application will facilitate more efficient use of 420 Mohawk for continued public service facility and optimized parcel for redevelopment at a location that is transit supportive and supports active transportation

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

Yes No (Provide explanation)

Yes, see above

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

Property appropriate location to focus growth as within settlement area and built boundary of City, supports continued growth of surrounding neighbourhoods with continued use of public service facility and optimized redevelopment parcel, supports complete communities by adding to diverse mix of uses at a location with convenient access to range of transportation options, no natural or cultural heritage conflicts

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 ² 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 ² 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 ² 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|---------------------------|--------------------------|---|
| APPLICATION NO.: | SC/A-19:328 | SUBJECT PROPERTY: | 12 LAKESIDE DRIVE, STONEY CREEK |
| ZONE: | "R2" (Single Residential) | ZONING BY-LAW: | Zoning By-law former City of Stoney Creek 3692-92, as Amended |

APPLICANTS: Owner: ORION SLOLEY
Agent: PROFESSIONAL FLOOR PLANS INC. C/O RAED AL-RAWI

The following variances are requested:

1. The dwelling shall be permitted to be located 0.34 m from the east side lot line instead of the minimum required east side yard setback of 1.25 m;
2. The dwelling shall be permitted to be located 0 m from the rear lot line instead of the minimum required rear yard setback of 7.5 m;
3. The dwelling shall be permitted to be located 0 m from the top of bank of the Lake Ontario shoreline instead of the minimum required setback of 7.5 m;
4. The eaves and gutters of the dwelling shall be permitted to encroach the full width of the east side yard, up to the maximum 0.77 m, instead of the maximum encroachment of 0.5 m.; and
5. The dwelling shall be permitted a lot coverage of 44.3% of the lot area (173.79 sq m) instead of the maximum permitted lot coverage of 40% (156.84 sq m).

PURPOSE & EFFECT: To recognize additions to the existing single detached dwelling:

Notes:

- i. This property is located entirely within an area regulated by the Hamilton Conservation Authority and this agency has issued a permit for repair and reinforcement of an existing shorewall. As such, the minimum required setback from the top of bank of the Lake Ontario shoreline is 7.5 m, pursuant

SC/A-19:328

to Section 4.13.2 (a) of Stoney Creek Zoning By-law 3692-92;

- ii. With respect to Variance 1, concerning the east side yard setback, the required setback has been identified as 1.25 m, contrary to the application submission noting 1 m, since the east side addition includes building portions other than an attached garage, which require relief from the minimum setback of 1.25 m;
- iii. With respect to Variances 2 and 3, concerning rear yard setback and top of bank setback respectively, since the site plan does not clearly identify the rear lot line or top of bank, and does not include a dimension from either limit to the nearest portion of the dwelling, a variance for 0 m setback has been identified for each required setback. The applicant may provide a revised site plan clearly identifying these limits and setbacks to clarify the relief required. If clarifying top of bank, please include confirmation from the Hamilton Conservation Authority regarding its location;
- iv. With respect to Variance 4, concerning eave projection, relief for encroaching the full east side yard has been identified since the eave projection is not dimensioned in the plans and gutters are not shown. If the eaves and gutters project no more than 0.5 m from the east side wall of the dwelling, then this variance is not required. Please note that a variance from the Zoning By-law does not constitute permission for an eave or gutter to encroach into adjacent private property. Any encroachment into private property may require a private encroachment agreement; and
- v. With respect to Variance 5, concerning lot coverage, this variance has been written as submitted in the original application. However, the figures are not reflective of the figures and percentages for lot area and lot coverage in the plans submitted. The plans note a coverage of 38.5% of the lot area. As such, this variance may not be required.

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:45 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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

SC/A-19:328**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.

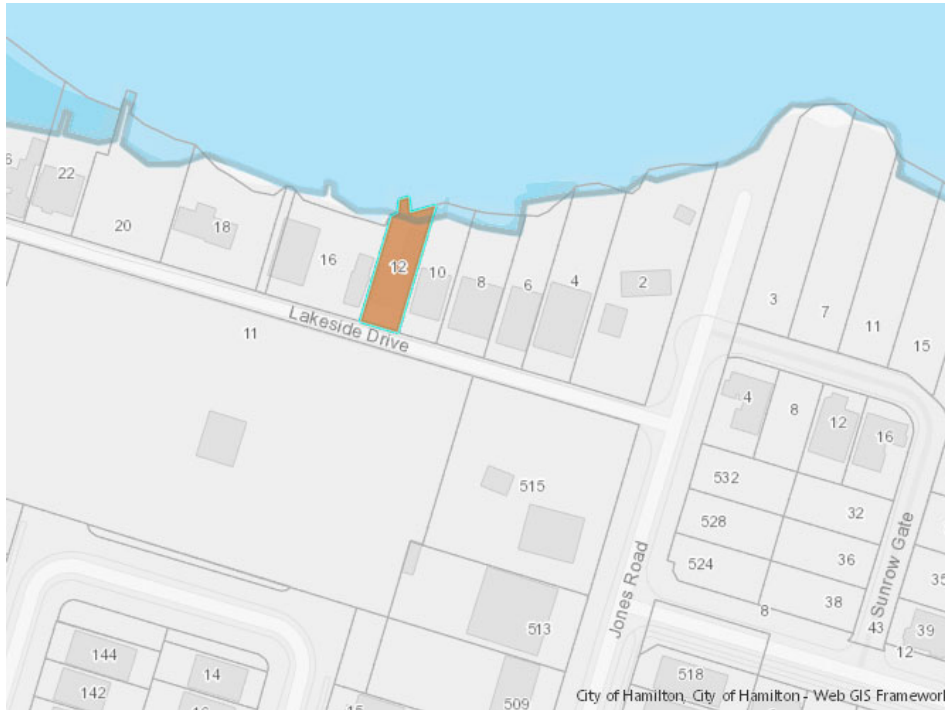
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-19:328, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

SC/A-19:328



 Subject Lands

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

2. In person Oral Submissions

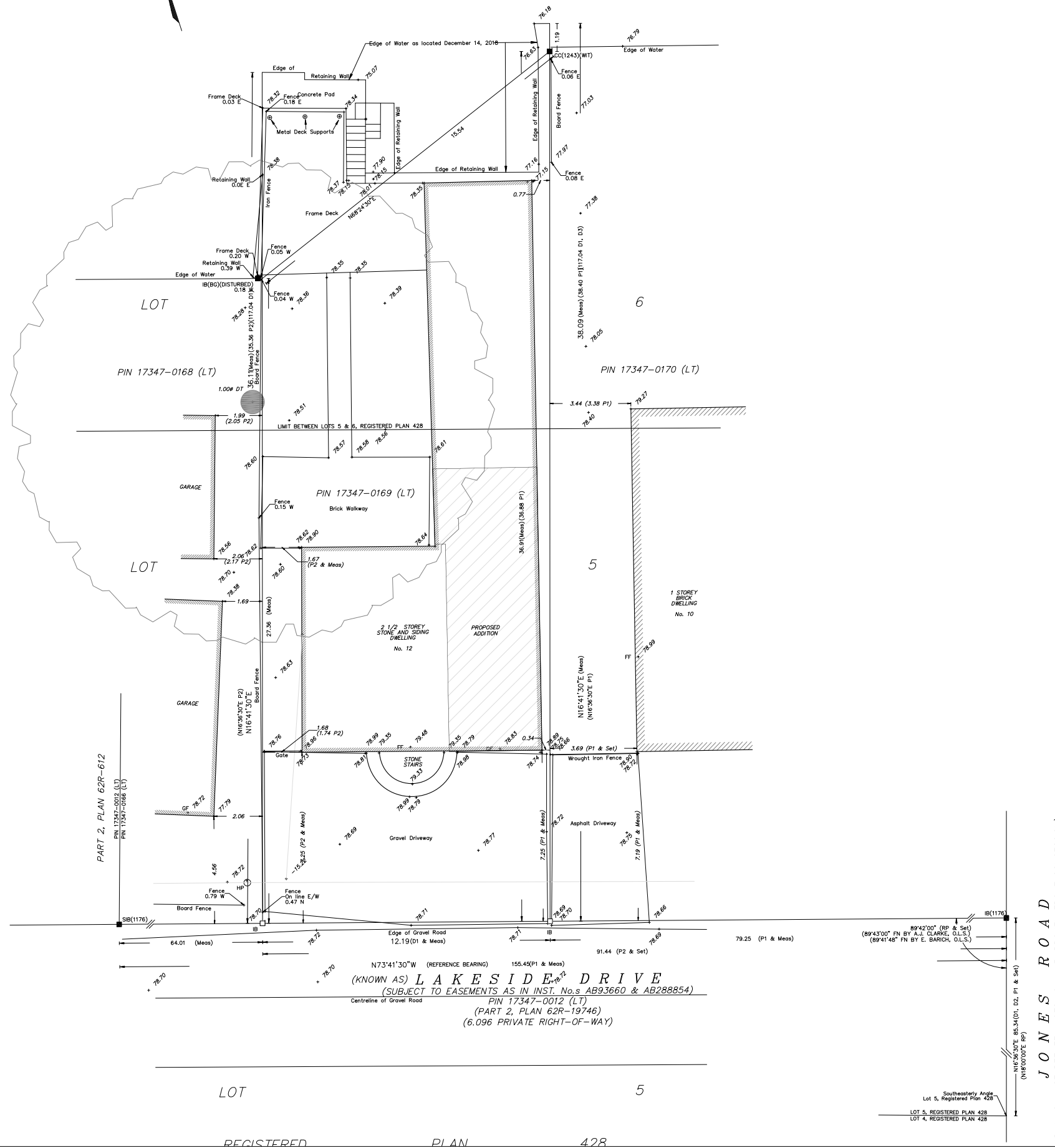
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

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



L A K E O N T A R I O



SITE PLAN
SCALE 1:200

REGISTERED PLAN 428

KEY PLAN



| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |
|------|-----------------------------|------------------|
| REV. | DESCRIPTION | DATE |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Sloley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.
5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

DWG TITLE: SITE PLAN

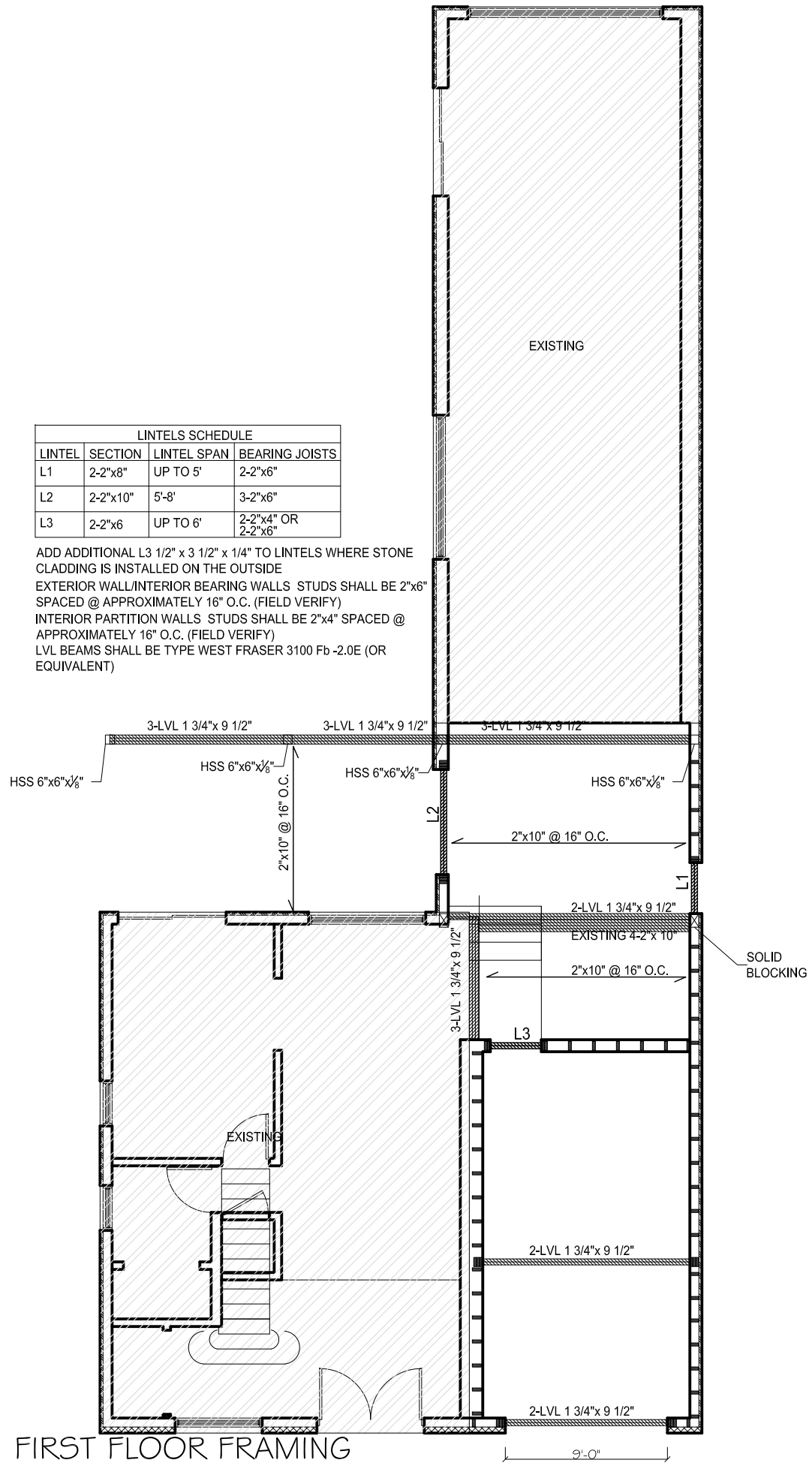
SHEET: SP1.01
SCALE: 1/200

DRAWN: Zainab Khudair
DATE: Apr. 8th, 2019

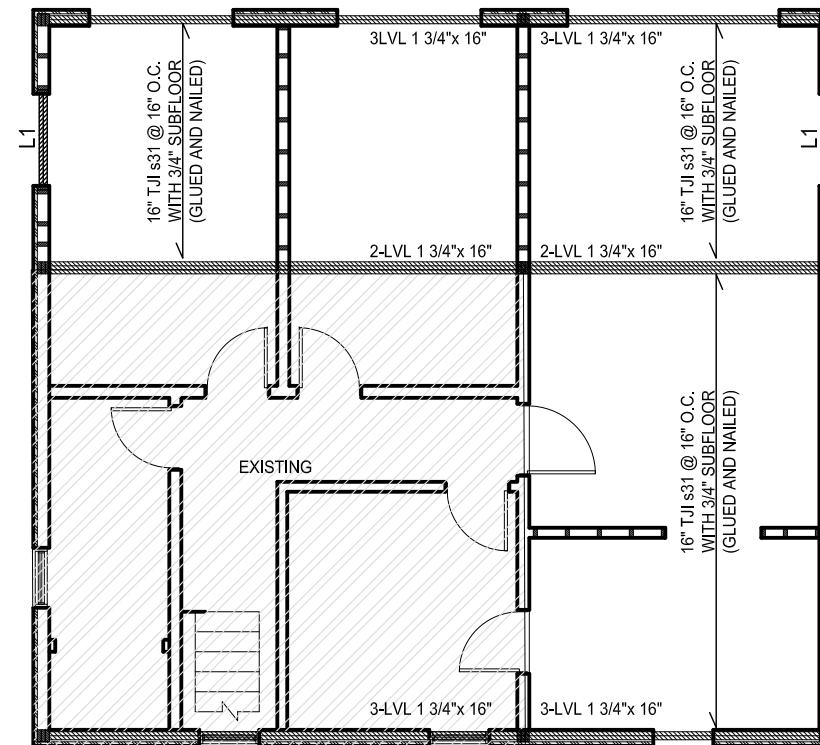
JONES ROAD
AD ALLOWANCE BETWEEN LOTS 12 & 13, BROKEN FRONT CONCESSION

| LINTELS SCHEDULE | | | |
|------------------|----------|-------------|--------------------|
| LINTEL | SECTION | LINTEL SPAN | BEARING JOISTS |
| L1 | 2-2"x8" | UP TO 5' | 2-2"x6" |
| L2 | 2-2"x10" | 5'-8" | 3-2"x6" |
| L3 | 2-2"x6" | UP TO 6' | 2-2"x4" OR 2-2"x6" |

ADD ADDITIONAL L3 1/2" x 3 1/2" x 1/4" TO LINTELS WHERE STONE CLADDING IS INSTALLED ON THE OUTSIDE
 EXTERIOR WALL/INTERIOR BEARING WALLS STUDS SHALL BE 2"x6" SPACED @ APPROXIMATELY 16" O.C. (FIELD VERIFY)
 INTERIOR PARTITION WALLS STUDS SHALL BE 2"x4" SPACED @ APPROXIMATELY 16" O.C. (FIELD VERIFY)
 LVL BEAMS SHALL BE TYPE WEST FRASER 3100 Fb -2.0E (OR EQUIVALENT)



FIRST FLOOR FRAMING
 SCALE 1/8" = 1'-0"



SECOND FLOOR FRAMING
 SCALE 1/8" = 1'-0"

KEY PLAN



| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |
|------|-----------------------------|------------------|
| REV. | DESCRIPTION | DATE |

PROJECT:
 12 Lakeside Dr., Stoney Creek

CLIENT: Orion Stoley
 CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

PFP 5147 Preservation Circle,
 Mississauga, ON, L5M7T4
PROFESSIONAL FLOORPLANS www.profloorplans.ca

DWG TITLE: FIRST & SECOND FLOOR FRAMING

| | |
|--------------------------|-------------------------|
| SHEET: F4.01 | SCALE: 1/8" = 1'-0" |
| DRAWN: Zainab Khudair | DATE: Apr. 8th, 2019 |

CITY OF HAMILTON ZONING BY-LAW

| | BY LAW | PROPOSED |
|--|-----------------|---------------------|
| ZONING | R2 | DETACHED DWELLING |
| LOT AREA | 460.0 m2 MIN. | 412.7 m2 (EXISTING) |
| LOT FRONTAGE | 15.00 m | 12.19 m (EXISTING) |
| MIN. FRONT YARD | 6.00 m | 7.25 m (EXISTING) |
| MIN. EXTERIOR SIDE YARD | 3.00 m | N.A. |
| MIN. INTERIOR SIDE YARD | 1.25 m, 1.00 m | 1.67 m, 0.34 m |
| MIN. REAR YARD | 7.50 m | 6.70 m (EXISTING) |
| MAXIMUM HEIGHT | 11.00 m | 9.50 m |
| BUILDING AREA | | |
| FIRST FLOOR AREA | | 137.30 m2 |
| SECOND FLOOR AREA | | 95.21 m2 |
| TOTAL | | 232.51 m2 |
| LOWER LEVEL (UNFINISHED BASEMENT AREA) | | 53.21 m2 |
| FRONT COVERED PORCH | | 0.00 m2 |
| GARAGE | | 21.72 m2 |
| TOTAL COVERAGE AREA | | 159.02 m2 |
| LOT COVERAGE | 40% (165.08 m2) | 38.5 % |
| PARKING SPACES (MIN.) | 2 | 2 |

GENERAL DEMOLITION NOTES

- DISPOSE OF REMOVED ITEMS IN A LAWFUL MANNER IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MUNICIPALITY HAVING JURISDICTION
- ALL EXISTING WALLS AND ITEMS TO BE REMOVED ARE SHOWN DASHED.
- OWNER TO HAVE RIGHT TO FIRST REFUSAL OF ALL ITEMS REMOVED. ALL REMOVED ITEM SHALL BE DISPOSED OF AS PER NOTE No. 1.
- COORDINATE WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS ALL RELATED COMPONENTS OF DEMOLITION, MODIFICATION AND NEW INSTALLATION.
- SAWCUT AND REMOVE THE EXISTING SLAB ON GRADE TO FACILITATE ANY BURIED MECHANICAL AND/OR ELECTRICAL ITEMS PATCH AND MAKE GOOD SLAB ON GRADE AFTER NEW SERVICES ARE IN PLACE. COORDINATE WITH MECHANICAL AND ELECTRICAL DRAWINGS.
- REMOVE, RELOCATE AND/OR REROUTE ALL MECHANICAL AND ELECTRICAL SERVICES AND CONNECTIONS AS REQUIRED TO ACCOMMODATE DEMOLITION OR AS NECESSARY AS ARE SUIT OF DEMOLITION.
- SUPPLY AND INSTALL NECESSARY SHORING AND/OR BRACING AS REQUIRED FOR TEMPORARY SUPPORT OF EXISTING STRUCTURE. COORDINATE WITH A STRUCTURAL ENGINEER AS REQUIRED.
- ENSURE ALL FLOOR AREAS ARE FREE OF HAZARDOUS AFTER DEMOLITION IS COMPLETE. LEVEL PATCH, FILL AND GRIND FLOOR AS REQUIRED TO ACHIEVE A SMOOTH SANITARY SURFACE READY TO RECEIVE FLOOR FINISH.
- CARE SHALL BE TAKEN TO MINIMIZE DAMAGE TO EXISTING AS BUILT WALLS, SURFACES AND FINISHES TO REMAIN.
- PROTECT SALVAGED AND/OR ITEMS TO REMAIN FROM DAMAGE. PROVIDE ADEQUATE COVERINGS AND/OR STORAGE AS REQUIRED.
- EXISTING EXIT SIGNAGE, FIRE ALARM SYSTEM AND EMERGENCY LIGHTING TO BE LEFT IN OPERATION DURING DEMOLITION AND DURATION OF CONTRACT OR UNTIL NEW INSTALLED.
- SUPPLY AND MAINTAIN ON A DAILY BASIS ALL INTERIOR AND EXTERIOR TEMPORARY COVERINGS, FENCING, TARPING, HOARDING, FLOOR PLATES, SIGNAGE AND OTHER SEPARATIONS REQUIRED TO MAINTAIN THE SAFETY OF THE PUBLIC DURING WORK OF THIS CONTRACT. COORDINATE THESE PROTECTIVE MEASURES WITH THE OWNER. REMOVE AND/OR DISPOSE OF ALL FROM SITE AFTER COMPLETION OF WORK OF THIS CONTRACT.
- MAINTAIN A CLEAN, SAFE AND ORDERLY SITE AT ALL TIMES.
- COORDINATE WITH OWNER THE STAGING AREAS FOR SITE TRAILER AND MATERIALS STORAGE.
- COORDINATE WITH OWNER AREAS FOR WASTE BIN LOCATION. SUPPLY AND MAINTAIN PROTECTIVE MEASURES TO ENSURE THE PUBLICS SAFETY.
- COORDINATE WITH THE OWNER ANY STAGING OF WORK AND/OR DISRUPTION OF PARKING AND TRAFFIC FLOWS.
- SHOULD MATERIAL RESEMBLING SPRAY OR TROWEL APPLIED ASBESTOS OR OTHER TOXIC OR HAZARDOUS MATERIALS BE ENCOUNTERED IN THE COURSE OF DEMOLITION, STOP WORK, TAKE PREVENTATIVE MEASURES AND NOTIFY ARCHITECT AND/OR OWNER IMMEDIATELY. DO NOT PROCEED UNTIL WRITTEN INSTRUCTIONS HAVE BEEN RECEIVED.
- THE DRAWINGS INDICATE THE PHYSICAL DIMENSIONS, EXISTING LEVELS AND SIMILAR ITEMS BEING INDICATED WHERE KNOWN. ALL INFORMATION RELATIVE TO EXISTING SHE CONDITIONS IS OFFERED TO ASSIST THE CONTRACTOR IN EVALUATION OF THE WORK, BUT WITH NO SPECIFIC REPRESENTATION EITHER EXPRESSED OR IMPLIED, AS TO COMPLETENESS OR ACCURACY.

FIRM NAME: PROFESSIONAL FLOOR PLANS INC.

NAME OF PROJECT: DETACHED DWELLING

LOCATION:
12 LAKESIDE DR., STONEY CREEK

| ITEM | ONTARIO BUILDING CODE DATA MATRIX PARTS 3 & 9 | | | | OBC SECTION REFERENCE | | | |
|---------------------------|---|---|-----------|---|--|--|--|-------------------------------|
| 1 | PROJECT DESCRIPTION: <input type="checkbox"/> NEW <input checked="" type="checkbox"/> ADDITION <input type="checkbox"/> CHANGE OF USE <input checked="" type="checkbox"/> ALTERATION | | | | <input type="checkbox"/> PART 3 2.1.1 [A] 3.2.2.43 [A] | | <input checked="" type="checkbox"/> PART 9 2.1.1 9.10.1.3. | |
| 2 | MAJOR OCCUPANCY(S): GROUP C | | | | 3.1.2.1.(1) | | 9.10.2. | |
| 3 | BUILDING AREA: 165.08 M2 (1,776.91 SQ.FT) | | | | 1.4.1.2. [A] | | 1.4.1.2. [A] | |
| 4 | GROSS AREA: 260.29 M2 (2,801.74 SQ.FT) | | | | 1.4.1.2. [A] | | 1.4.1.2. [A] | |
| 5 | NUMBER OF STOREYS: ABOVE GRADE: 2 BELOW GRADE: 1 | | | | 3.2.1.1. & 1.1.3.2 [A] | | 1.4.1.2. [A] & 9.10.4 | |
| 6 | NUMBER OF STREETS/FIRE FIGHTER ACCESS: 1 | | | | 3.2.2.10. & 3.2.5. | | 9.10.20. | |
| 7 | BUILDING CLASSIFICATION: C | | | | 3.2.2.20.-83 | | 9.10.2. | |
| 8 | SPRINKLER SYSTEM PROPOSED: <input type="checkbox"/> ENTIRE BUILDING <input type="checkbox"/> SELECTED COMPARTMENTS <input type="checkbox"/> SELECTED FLOOR AREAS <input type="checkbox"/> BASEMENT <input type="checkbox"/> IN LIEU OF ROOF RATING <input checked="" type="checkbox"/> NOT REQUIRED | | | | 3.2.2.20.-83 3.2.1.5. 3.2.2.17. INDEX | | 9.10.8.2. INDEX | |
| 9 | STANDPIPE REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | 3.2.5.9 | | N/A | |
| 10 | FIRE ALARM REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | 3.2.4. | | 9.10.19. | |
| 11 | WATER SERVICE/SUPPLY IS ADEQUATE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | | | 3.2.5.7. | | N/A | |
| 12 | HIGH BUILDING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | 3.2.6. | | N/A | |
| 13 | CONSTRUCTION RESTRICTIONS <input type="checkbox"/> COMBUSTIBLE <input type="checkbox"/> NON-COMBUSTIBLE <input checked="" type="checkbox"/> BOTH ACTUAL CONSTRUCTION <input type="checkbox"/> COMBUSTIBLE <input type="checkbox"/> NON-COMBUSTIBLE <input checked="" type="checkbox"/> BOTH | | | | 3.2.2.20.-83 | | 9.10.6. | |
| 14 | MEZZANINE(S) AREA: N/A | | | | 3.2.1.1.(3)-(8) | | 9.10.4.1. | |
| 15 | OCCUPANT LOAD BASED ON <input checked="" type="checkbox"/> TWO PERSONS/SLEEPING ROOM No. OF SLEEPING ROOMS = 3 OCCUPANCY GROUP C LOAD 6 PERSONS | | | | 3.1.17. 3.7. | | 9.9.1.3. | |
| 16 | BARRIER-FREE DESIGN <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | 3.8. | | 9.5.2. | |
| 17 | HAZARDOUS SUBSTANCES <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | 3.3.1.2. & 3.3.1.19. | | 9.10.1.3.(4) | |
| 18 | REQUIRED FIRE RESISTANCE RATING (FRR) | HORIZONTAL ASSEMBLIES | | LISTED DESIGN No. OR DESCRIPTION (SG-2) | | 3.2.2.20.-83 & 3.2.1.4. 9.10.8. & 9.10.9. | | |
| FRR (HOURS) | | SG-2 | | | | | | |
| FLOORS | | 45 MIN | - | | | | | |
| ROOF | | N/A | - | | | | | |
| MEZZANINE | | N/A | - | | | | | |
| FFR OF SUPPORTING MEMBERS | | LISTED DESIGN No. OR DESCRIPTION (SG-2) | | | | | | |
| FLOORS | 45 MIN | SG-2 | | | | | | |
| ROOF | N/A | - | | | | | | |
| MEZZANINE | N/A | - | | | | | | |
| 19 | SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS | | | | 3.2.3. | 9.10.14. | 9.10.15. | |
| | WALL | AREA OF EBF (SQ.M.) | L.D. (M.) | L/H OR H/L | PERMITTED MAX. % OF OPENINGS | PROPOSED % OF OPENINGS | PERMITTED MAX. % OF GLAZED OPENINGS | PROPOSED % OF GLAZED OPENINGS |
| EAST | FRONT | 55.50 | 10.40 | - | 100.00 | 24.10 | 100.00 | 5.31 |
| WEST | REAR | 90.20 | >12.00 | - | 100.00 | 23.27 | 100.00 | 23.27 |
| NORTH | RIGHT | 107.72 | 0.56 | - | 0.00 | 1.61 | 0.00 | 1.61 |
| SOUTH | LEFT | 63.04 | 1.67 | - | 8.37 | 4.18 | 8.37 | 4.18 |
| SOUTH | LEFT | 32.57 | 7.00 | - | 48.35 | 28.87 | 48.35 | 28.87 |
| 20 | OTHER - DESCRIBE: | | | | | | | |

KEY PLAN



| REV. | DESCRIPTION | DATE |
|------|-----------------------------|------------------|
| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Stoley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.



DWG TITLE:
GENERAL NOTES & BUILDING MATRIX

SHEET: A0.02 SCALE: N.T.S

DRAWN: Zainab Khudair DATE: Apr. 8th, 2019

TRUSSES:

FLOOR TRUSS MANUFACTURER SHALL DESIGN AND PROVIDE TRUSSES TO HAVE A MAXIMUM DEFLECTION OF 3/8" FOR SPANS GREATER THAN 16'-0" AND L/480 FOR SPANS UNDER 16'-0"
 TRUSS MANUFACTURER SHALL BE RESPONSIBLE FOR ALL TRUSS DESIGNS INCLUDING GIRDERS, HANGERS, BEARING SEATS AND ANCHORS FOR TRUSSES. TRUSS FRAMING SHOWN ON PLANS IS FOR GENERAL REFERENCE AND TO INDICATE BEARING LOCATIONS. MANUFACTURER SHALL NOTIFY ARCHITECT IF ADDITIONAL BEARING POINTS AND/OR WALLS ARE NEEDED PRIOR TO FABRICATION AND ERECTION.
 ALL ROOF TRUSSES SHALL BE BRACED PER MANUFACTURER'S RECOMMENDATIONS AND AS REQUIRED ON DRAWINGS.

INSULATION NOTE:
 PROVIDE INSULATION AS REQUIRED TO MEET CURRENT OBC CODE SEE ENERGY CALCULATIONS FOR INSULATION R-VALUES.

FRAMING MATERIALS :

BEARING WALLS:
 EXTERIOR: 8'-1 1/8" PLATE HEIGHT OR LESS: 2X4 SPRUCE-PINE-FIR #2 KD OR BETTER
 9'-1 1/8" PLATE HEIGHT OR LESS: 2X4 SPRUCE-PINE-FIR #1 KD OR BETTER.
 16'-1 1/8" PLATE HEIGHT OR LESS: 2X6 HEM-FIR #2 KD OR BETTER.

INTERIOR: BEARING WALLS- SPRUCE-PINE-FIR #2 KD OR BETTER NON-BEARING WALLS- SPRUCE-PINE-FIR. KILN DRIED, STUD GRADE OR BETTER.
 HEADER: HEM-FIR #2 KD OR BETTER; FIBER BENDING STRESS=850 P.S. (SINGLE MEMBER) ELASTICITY MODULUS=1,300,000 P.S.I.
 JOIST AND RAFTERS: HEM-FIR #2 KD OR BETTER; FIBER BENDING STRESS= 1.075 P.S.I. (REPETITIVE MEMBER) ELASTICITY MODULUS=1,300,000 P.S.I.
 FURRING: SPRUCE-PINE-FIR KILN DRIED, NO.3 OR BETTER.

BEARING WALLS:
 PROVIDE 2X4 SOLID BLOCKING AT 16" O.C. ON 2X4 LEDGER BOARDS BETWEEN HEADER JOISTS (SEE DRAWINGS FOR SIZE OF MEMBER) UNDER ALL BEARING PARTITIONS PARALLEL TO FLOOR FRAMING DIRECTION.
 PROVIDE SOLID BLOCKING UNDER ALL POINT LOAD CONDITIONS CONTINUOUS TO SOLID BEARING AT HEADERS OR FOUNDATION.
 PROVIDE SOLID BLOCKING BETWEEN JOIST UNDER ALL BEARING WALLS PERPENDICULAR TO FRAMING DIRECTION.

WALL FRAMING:
 STUDS IN ALL WALLS SHALL BE SPACED AT 16" O.C. UNLESS OTHERWISE NOTED.
 EXTERIOR WOOD FRAME WALLS OVER 9'-2" IN HEIGHT SHALL BE OF MINIMUM 2X6 CONSTRUCTION. ALL STUDS SHALL BE CONTINUOUS FROM FLOOR TO UNDERSIDE OF FLOOR OR ROOF FRAMING ABOVE. SEE FRAMING MATERIALS FOR MINIMUM STUD SIZES AND GRADES.
 ALL STRUCTURAL MULLIONS TO HAVE MINIMUM DOUBLE STUD CONSTRUCTION CONTINUOUS FROM FLOOR TO UNDERSIDE OF FLOOR FRAMING ABOVE. WINDOW TRANSOM HEADERS SHALL SPAN BETWEEN CONTINUOUS STUDS WITH FLUSH HANGER BRACKETS AS REQUIRED.

PROVIDE CONTINUOUS WALL STUDS FROM FLOOR TO UNDERSIDE OF ROOF FRAMING AT ALL SLOPED CEILING CONDITIONS. (BALOON FRAMING)
 LOWER LEVEL (BASEMENT) EXTERIOR FRAME WALLS SHALL BE MINIMUM 2X6 FRAMING @16" O.C. WITH PRESSURE TREATED BASE PLATE. INTERIOR LEVEL BEARING WALLS SHALL BE 2X6 FRAMING @16" O.C. WHEN CARRYING (2) FLOORS OR MORE.

WALL SHEATHING:
 STRUCTURAL GRADE FOR LATERAL BRACING OF EXTERIOR WALL LOADING. WHEN NON-STRUCTURAL SHEATHING IS USED PROVIDE LET-IN DIAGONAL BRACING OR OTHER APPROVED TYPE OF BRACING AT ALL EXTERIOR CORNERS OF STRUCTURE.

ROOFING:
 ASPHALT SHINGLES SHALL BE SECURED TO THE ROOF WITH NOT LESS THAN (4) FASTENERS PER STRIP SHINGLE, OR NOT LESS THAN (2) FASTENERS PER INDIVIDUAL SHINGLE. SHINGLE HEADLAP SHALL NOT BE LESS THAN 2 INCHES (15 MM).

ROOF PENETRATIONS:
 ALL PLUMBING, MECHANICAL VENT STACKS AND FURNACE FLUES SHALL BE OFFSET TO REAR ROOF LINES. FURNACE FLUES SHALL COMPLY WITH CODE FOR MAXIMUM SLOPE AND NUMBER OF TURNS ALLOWED FOR OFFSETS.

ATTIC ACCESS:
 A READILY-ACCESSIBLE OPENING NOT LESS THAN 22"x30" SHALL BE PROVIDED TO ANY ATTIC AREA HAVING A CLEAR HEIGHT OF OVER 30".

STAIRS:
 ALL STAIRS SHALL CONFORM TO CODE FOR ALLOWABLE RISER HEIGHT AND TREAD DEPTH, (MINIMUM 10" TREADS AND MAXIMUM 7 3/4" RISERS IN SINGLE FAMILY DWELLINGS). NOSING PROFILE SHALL BE CONSTRUCTED AS REQUIRED BY CODE.
 HANDRAIL TO HAVE A DIAMETER SIZE OF 1 1/2" MIN. 2" MAX.
 ALL HANDRAILS SHALL BE LOCATED AT A HEIGHT OF 34" MIN. AND 38" MAX. ABOVE NOSE OF TREAD. THE SIZE AND SHAPE OF HANDRAILS SHALL CONFORM TO CURRENT CODE REQUIREMENTS.

GUARD RAIL:
 BALUSTERS SHALL BE SPACED SO THAT A SPHERE WITH A DIAMETER OF 4" CANNOT PASS THROUGH ANY OPENING.
 TOP OF GUARD RAILS AT STAIRS TO SERVE AS HANDRAIL SHALL BE A MIN. OF 36" HIGH TO A MAX. OF 42" HIGH. ALL OTHER GUARD RAILS SHALL BE A MIN. OF 42" HIGH (OR 36" HIGH IN SINGLE FAMILY DWELLING).

WINDOWS AND GLAZING:
 A MINIMUM OF ONE (1) WINDOW IN EACH SLEEPING AREA SHALL MEETS EMERGENCY EGRESS REQUIREMENTS. WINDOW CONTRACTOR SHALL PROVIDE EGRESS HARDWARE NECESSARY TO ALLOW WINDOWS TO MEET APPLICABLE EGRESS REQUIREMENTS

PROVIDE FLASHING AT ALL WINDOW/DOOR HEAD, JAMB AND SILL CONDITIONS. PROVIDE THE APPROPRIATE SAFETY GLASS (IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES) FOR ALL HAZARDOUS LOCATIONS LISTED BELOW:

- A) GLAZING IN FIXED AND SLIDING PANELS OF SLIDING TYPE DOORS (PATIO AND MALL TYPE).
- B) GLAZING IN STORM DOORS.
- C) GLAZING IN ALL UNFRAMED SWINGING DOORS.
- D) GLAZING IN SHOWER AND BATHTUB DOORS AND ENCLOSURES.

PROPOSED VENT AREA: TO BE CALCULATED PER MANUFACTURE RECOMMENDATIONS

VENT AREA:
 VENT AREA RATIO 1:150

INSULATION:
 PROVIDE AND INSTALL BUILDING INSULATION FOR COMPLIANCE TO CURRENT ENERGY CODE REQUIREMENTS.
 PROVIDE RIGID INSULATION AT ALL EXPOSED PERIMETER SLAB ON GRADE CONDITIONS AS REQUIRED TO MEET CURRENT ENERGY CODE REQUIREMENTS.
 PROVIDE INSULATION AT ALL BOND CONDITIONS-SEE INSULATION NOTE.
 PROVIDE INSULATION AROUND ALL SKYLIGHT SHAFTS-SEE INSULATION NOTE.
 THERMAL BATT AND BLANKET INSULATION SHALL HAVE A VAPOR BARRIER, WITH A PERM RATING OF 1 OR LESS APPLIED TO THE INTERIOR FACE.
 INSULATION SHALL BE INSTALLED IN SUCH A MANNER AS TO ALLOW FREE AIR FLOW FROM THE SOFFIT TO THE ROOF/ATTIC SPACE.
 VENTILATION OF CONCEALED ROOF SPACES SHALL BE MAINTAINED.

GARAGE SEPARATIONS:
 PRIVATE GARAGES ATTACHED SIDE BY SIDE TO HABITABLE ROOMS SHALL BE COMPLETELY SEPARATED FROM THE INTERIOR SPACES BY FIRE PARTITIONS AND FLOOR/CEILING ASSEMBLIES WHICH ARE CONSTRUCTED WITH NOT LESS THAN A 1-HOUR FIRE RESISTANCE RATING. (SEE DETAILS)

- ELECTRICAL:**
- 1) MAINTAIN SEPARATION AT SERVICE-GAS & ELECTRICAL TO BE 36" APART. (METERS)
 - 2) ASSURE MECHANICAL & ELECTRICAL SYSTEMS, MAINTAIN SEPERATION-WIRE & DUCTS, WIRE & PLUMBING 2" MINIMUM.
 - 3) MAINTAIN SEPARATION OF OUTLETS IN PARTY WALLS, I.E. BACK TO BACK OUTLETS AND PROVIDE FOR FIRE SAFETY WITH RATED BOXES AND FIRE PROTECTIVE PADS (SUCH AS 3-M).
 - 4) 20 AMP CIRCUITS FOR KITCHEN, LAUNDRY, & TOILETS.
 - 5) GFI CIRCUITS FOR KITCHEN & TOILET OUTLETS.
 - 6) ASSURE PROPER CIRCUITS FOR FOR SEPARATE CIRCUIT ITEMS, SUCH AS SUMP, FURNACE, ETC.
 - 7) 3 WIRE MULTI-BRANCH CIRCUITS TO HAVE COMMON TRIP BREAKERS.

- PLUMBING:**
- 1) SUMP PUMP-TERMINATE TO AN APPROVED LOCATION
 - 2) INSTALL AUTOMATIC TRAP PRIMERS DEEP SEAL TRAPS TO ALL FLOOR/HUB OUTLET DRAINS. PRIMERS TO INACCESSIBLE FLOOR DRAINS. (LAUNDRY AND/OR CONDENSATE 1002.4)
 - 3) SANITARY SUMPS/EJECTORS INSTALL AND VENT TO CODE REQUIREMENTS
 - 4) INSTALL BACKWATER VALVES PER CODE REQUIREMENTS.
 - 5) ALL WORK SUBJECT TO FIELD VERIFICATION AND APPROVAL.

- MECHANICAL:**
- 1) PROVIDE APPROPRIATE GAS SHUT OFF TO FIREPLACES.
 - 2) BE AWARE OF ISSUES REGARDING VENT TERMINATION.
 - 3) CONSIDER ALL ISSUES IN REFERENCE TO FIRE-STOPPING.
 - 4) ALL WORK MUST BE VERIFIED.

GENERAL NOTES :
 THESE NOTES ARE FOR GENERAL REFERENCE. WHERE CONFLICTS EXIST BETWEEN THESE NOTES AND CURRENT CODES THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL.

THIS STRUCTURE IS DESIGNED IN ACCORDANCE WITH THE CURRENT 2015 OBC BUILDING CODE. ALL CONSTRUCTION MUST CONFORM TO ALL REQUIREMENTS OF THE CURRENT CODE.

MATERIALS OR CONSTRUCTION PROCEDURES WHICH ARE PROHIBITED BY LAW OR SHALL CAUSE A HARMFUL EFFECT TO THE NATURAL ENVIRONMENT OR TO THE HEALTH OF ANY PERSON ON THE SITE DURING CONSTRUCTION AND/OR DURING OCCUPANCY SHALL NOT BE USED IN THIS PROJECT.

ALL TRADES SHALL CONFORM WITH ALL APPLICABLE FEDERAL, PROVENCE, AND LOCAL CODES, RULES AND REGULATIONS. IN CASE OF CONFLICT, THE MOST STRINGENT REQUIREMENTS SHALL APPLY.

DIMENSIONS OF INTERIOR WALLS ON PLANS SHALL BE 5" (ROUGH STUD DIMENSIONS) UNLESS OTHERWISE INDICATED.

ALL EXTERIOR WALLS AND INTERIOR BEARING WALLS 10' HIGH AND HIGHER MUST BE CONSTRUCTED OF 2" X 6" OR 2" X 8" STUDS AT 16" O.C. THIS SHALL BE CONSTRUED AS TO INCLUDE THE GARAGE WALLS. FIRESTOP BETWEEN THE STUDS AT THE 8' LINE.

DO NOT DRILL HOLES IN MICRO-LAM BEAMS UNLESS APPROVED BY THE MANUFACTURER OR ENGINEER.

APPROVED FIRESTOP MATERIAL REQUIRED FOR ALL DROPS AND FLOOR-CEILING PENETRATIONS.

APPROVED HARDWIRE SMOKE DETECTOR REQUIRED ON EACH FLOOR AND IN EACH BEDROOM WITH BATTERY BACKUP (INTERCONNECTED) AS PER CODE

STEPS REQUIRED AT ACTIVE DOORS PER CODE.

ALL SAFETY GLAZING CODE REQUIREMENTS MUST BE MET.

PROVIDE ATTIC ACCESS OF 22" X 30" MINIMUM AS REQUIRED.

HAND/GUARD RAILS REQUIRED ON ALL STAIRS WITH MORE THAN 3 RISERS AS PER CODE.

PROVIDE 2'-8" WIDE DOORS TO ALL ROOMS GREATER THAN 9 S.F. AND 3'-0" WIDE DOOR AT MAIN ENTRANCE AS PER CODE

ALL BATHS TO HAVE EXHAUST FAN TO EXTERIOR AS PER CODE.

ALL SHOWER, TUB DOORS AND GLAZING TO BE TEMPERED GLASS AS PER CODE.

PROVIDE EMERGENCY ESCAPE WINDOWS PER CODE IN BEDROOMS.

ELECTRICAL WORK SHALL BE DONE AS PER CODE.

KEY PLAN



| 01 | BUILDING PERMIT APPLICATION | July 29th, 2019 |
|------|-----------------------------|-----------------|
| REV. | DESCRIPTION | DATE |

PROJECT:
 12 Lakeside Dr., Stoney Creek

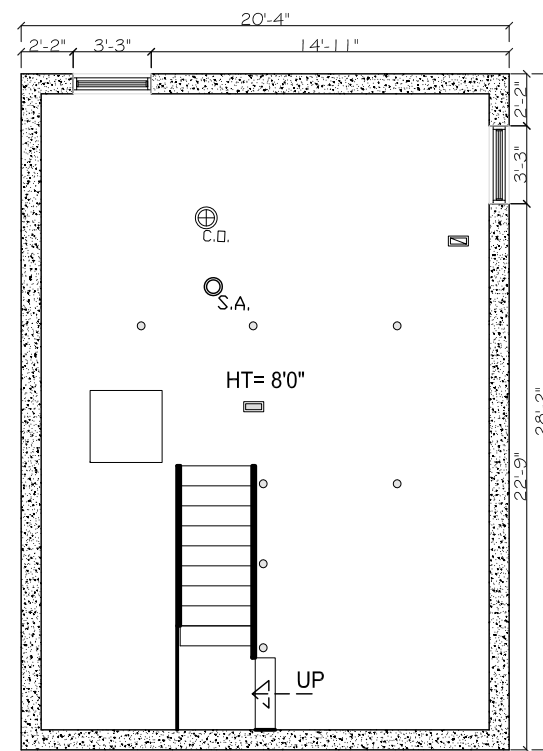
CLIENT: Orion Sloley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

PFP
PROFESSIONAL FLOORPLANS
 5147 Preservation Circle,
 Mississauga, ON, L5M7T4
 www.proffloorplans.ca

DWG TITLE:
 GENERAL NOTES-2

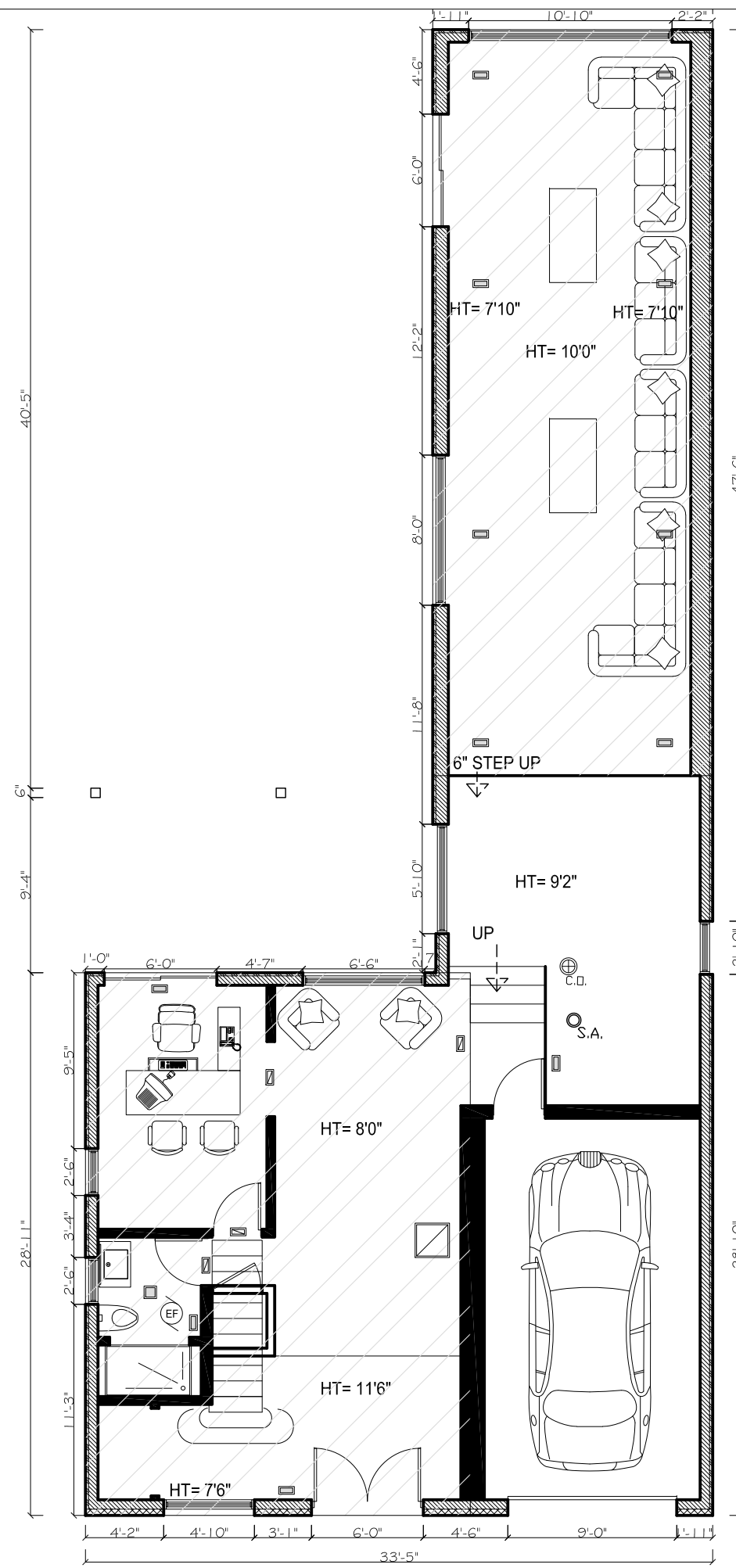
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| SHEET: A0.03 | SCALE: N.T.S |
| DRAWN: Zainab Khudair | DATE: Apr. 14th, 2019 |



*NO CHANGES TO BASEMENT FLOOR

BASEMENT FLOOR PLAN

SCALE 1/8" = 1'-0"














FIRST FLOOR PLAN

SCALE 1/8" = 1'-0"

KEY PLAN

LEGEND

-  CONCRETE WALL
-  DRY WALL WITH EXTERIOR CLADDING
-  DRYWALL
-  FLOOR JOIST
-  S.A. INTER-CONNECTED SMOKE ALARM WITH STROBE
-  C.O. INTER-CONNECTED CARBON MONOXIDE ALARM WITH STROBE
-  RAIN WATER LEADER
-  EXHAUST FAN
-  FLOOR DRAIN
-  SUPPLY DIFFUSER
-  RETURN GRILL

| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |
|------|-----------------------------|------------------|
| REV. | DESCRIPTION | DATE |

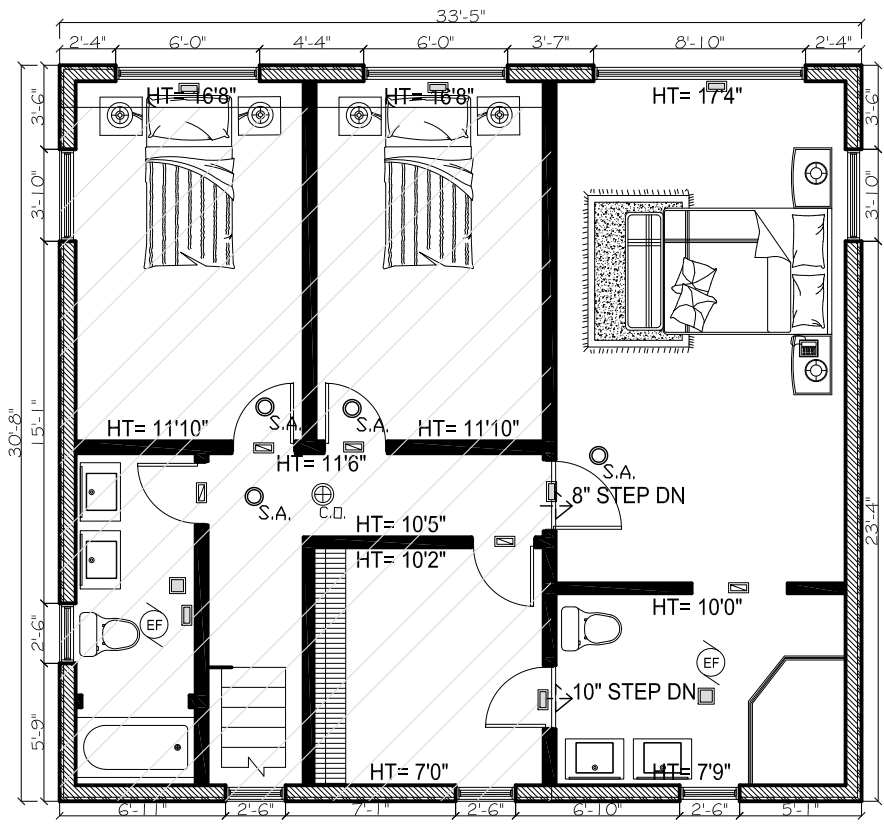
PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Sloley
CONSULTANT: PROFESSIONAL FLOOR PLANS INC.



DWG TITLE: BASEMENT & FIRST FLOOR PLAN

| | |
|--------------------------|-------------------------|
| SHEET: A1.01 | SCALE: 1/8" = 1'-0" |
| DRAWN: Zainab Khudair | DATE: Apr. 8th, 2019 |



SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"

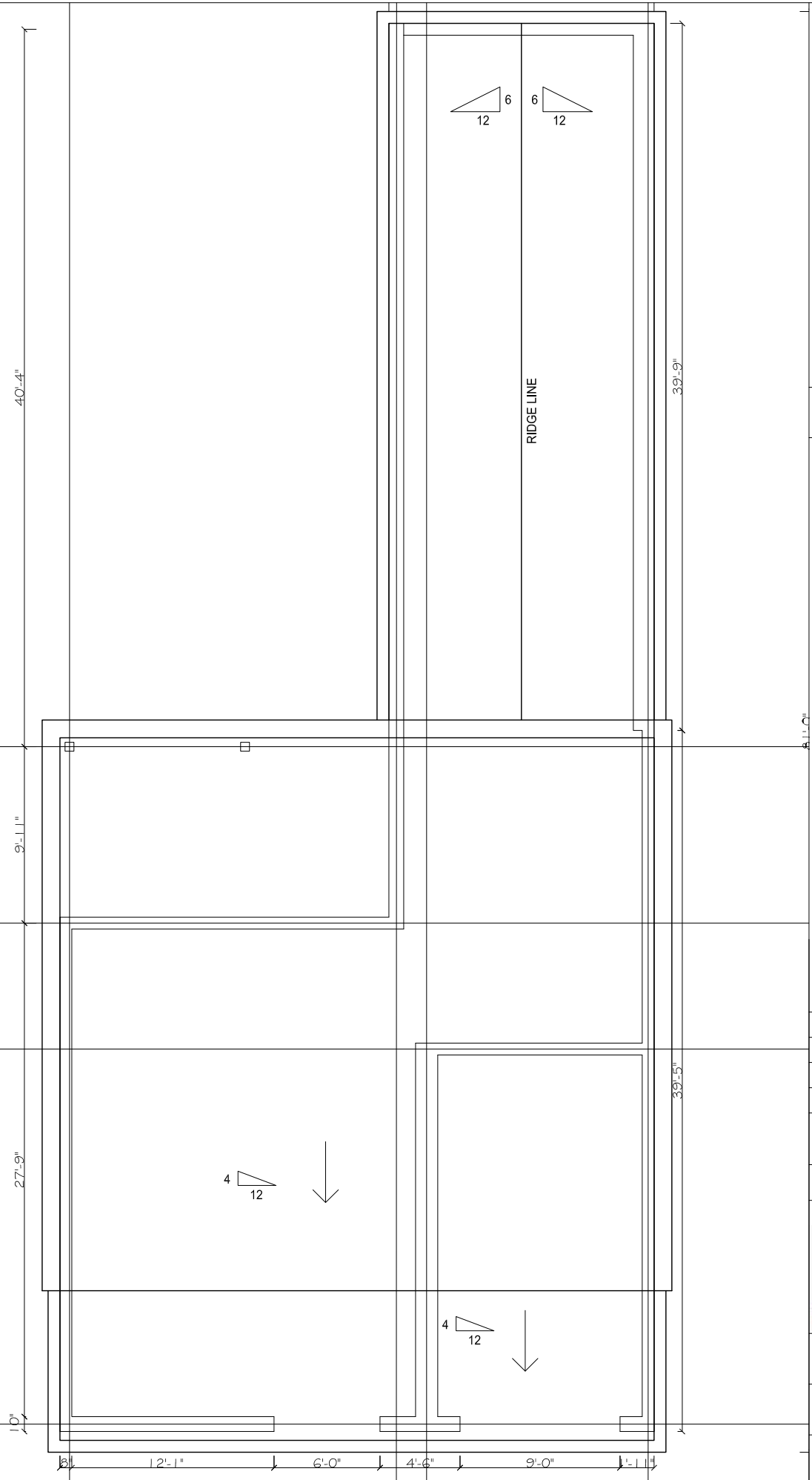
(A)

(B)

(C)

(D)

ROOF PLAN
SCALE 1/8" = 1'-0"



KEY PLAN

- LEGEND**
- CONCRETE WALL
 - DRY WALL WITH EXTERIOR CLADDING
 - DRYWALL
 - FLOOR JOIST
 - INTER-CONNECTED SMOKE ALARM WITH STROBE
 - INTER-CONNECTED CARBON MONOXIDE ALARM WITH STROBE
 - RAIN WATER LEADER
 - EXHAUST FAN
 - FLOOR DRAIN
 - SUPPLY DIFFUSER
 - RETURN GRILL



| REV. | DESCRIPTION | DATE |
|------|-----------------------------|------------------|
| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Sloyer

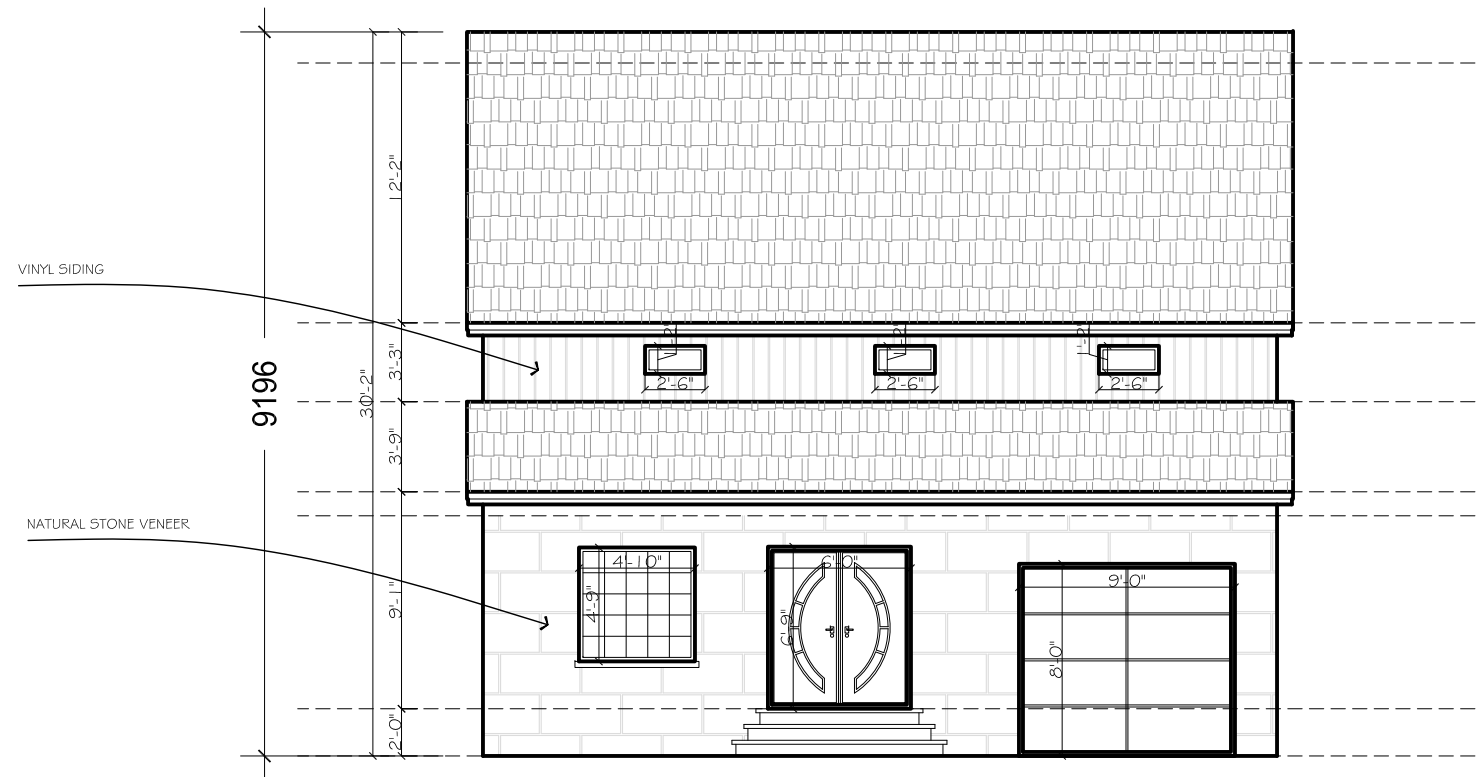
CONSULTANT: PROFESSIONAL FLOOR PLANS INC.
5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

PROFESSIONAL FLOOR PLANS

DWG TITLE:
SECOND FLOOR & ROOF PLAN

SHEET: A1.02
SCALE: 1/8" = 1'-0"

DRAWN: Zainab Khudair
DATE: Apr. 8th, 2019



FRONT ELEVATION
SCALE 1/8"=1'-0"



REAR ELEVATION
SCALE 1/8"=1'-0"

KEY PLAN



| REV. | DESCRIPTION | DATE |
|------|-----------------------------|------------------|
| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Stoley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

PFP
PROFESSIONAL FLOORPLANS
5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

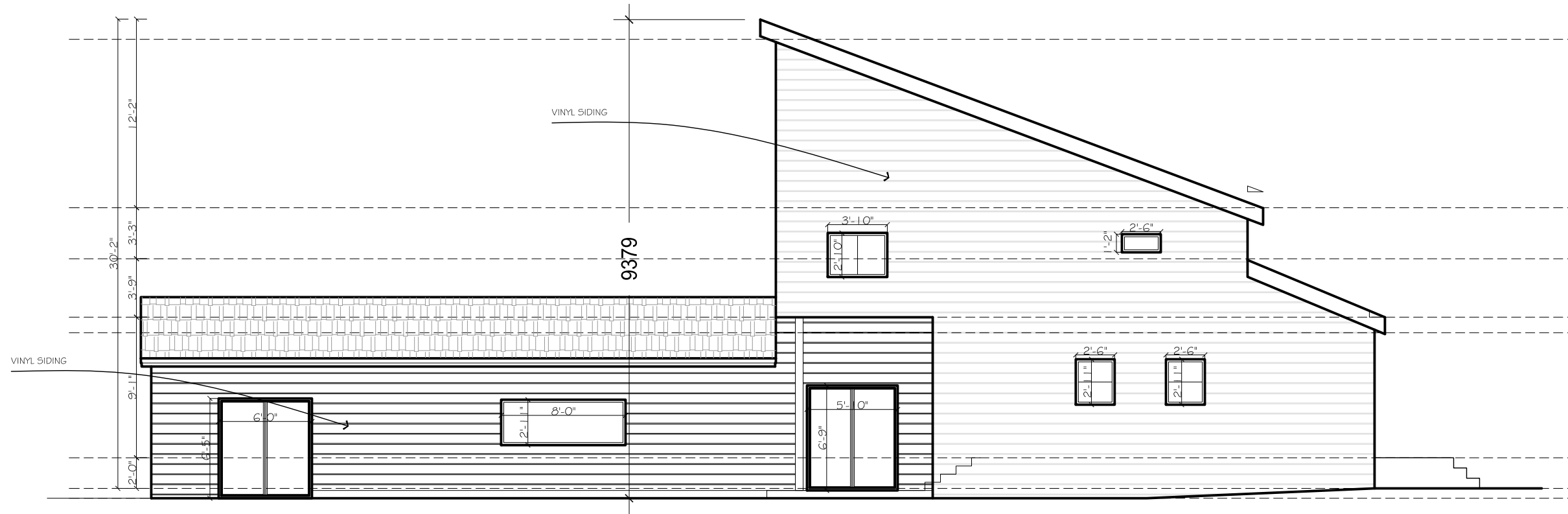
DWG TITLE:
FRONT & REAR ELEVATIONS

SHEET:
A2.01

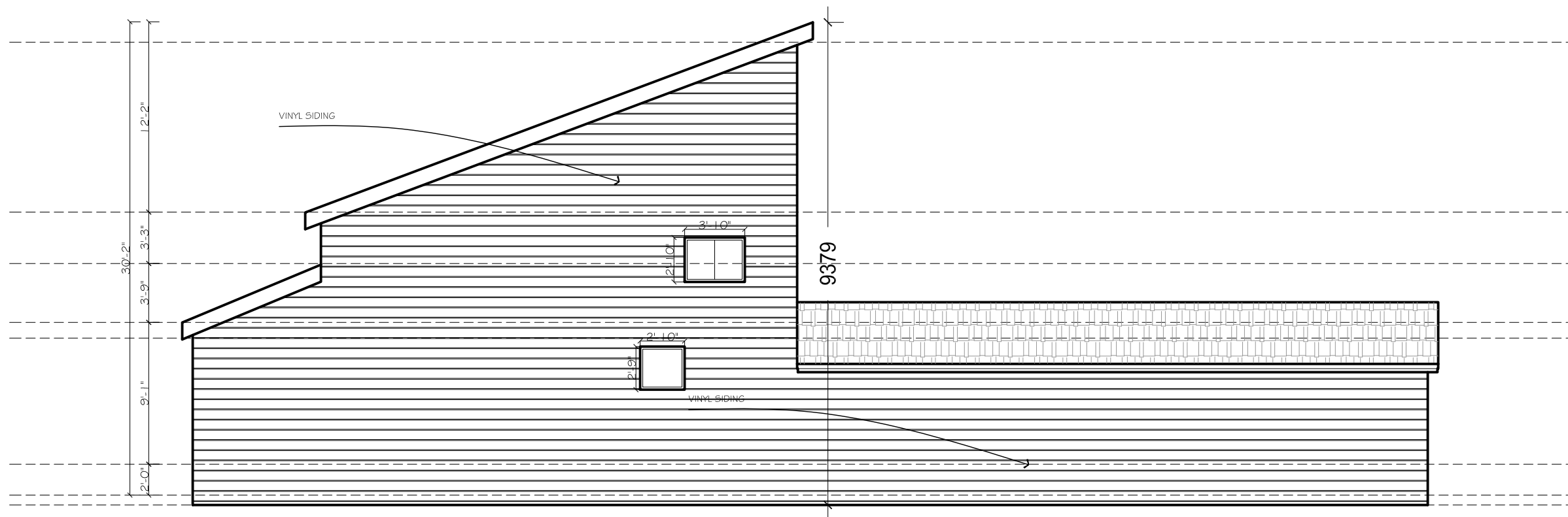
SCALE:
1/8"=1'-0"

DRAWN:
Zainab Khudair

DATE:
Apr. 8th, 2019



WEST ELEVATION
SCALE 1/8"=1'-0"



EAST ELEVATION
SCALE 1/8"=1'-0"

KEY PLAN



| REV. | DESCRIPTION | DATE |
|------|-----------------------------|------------------|
| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |

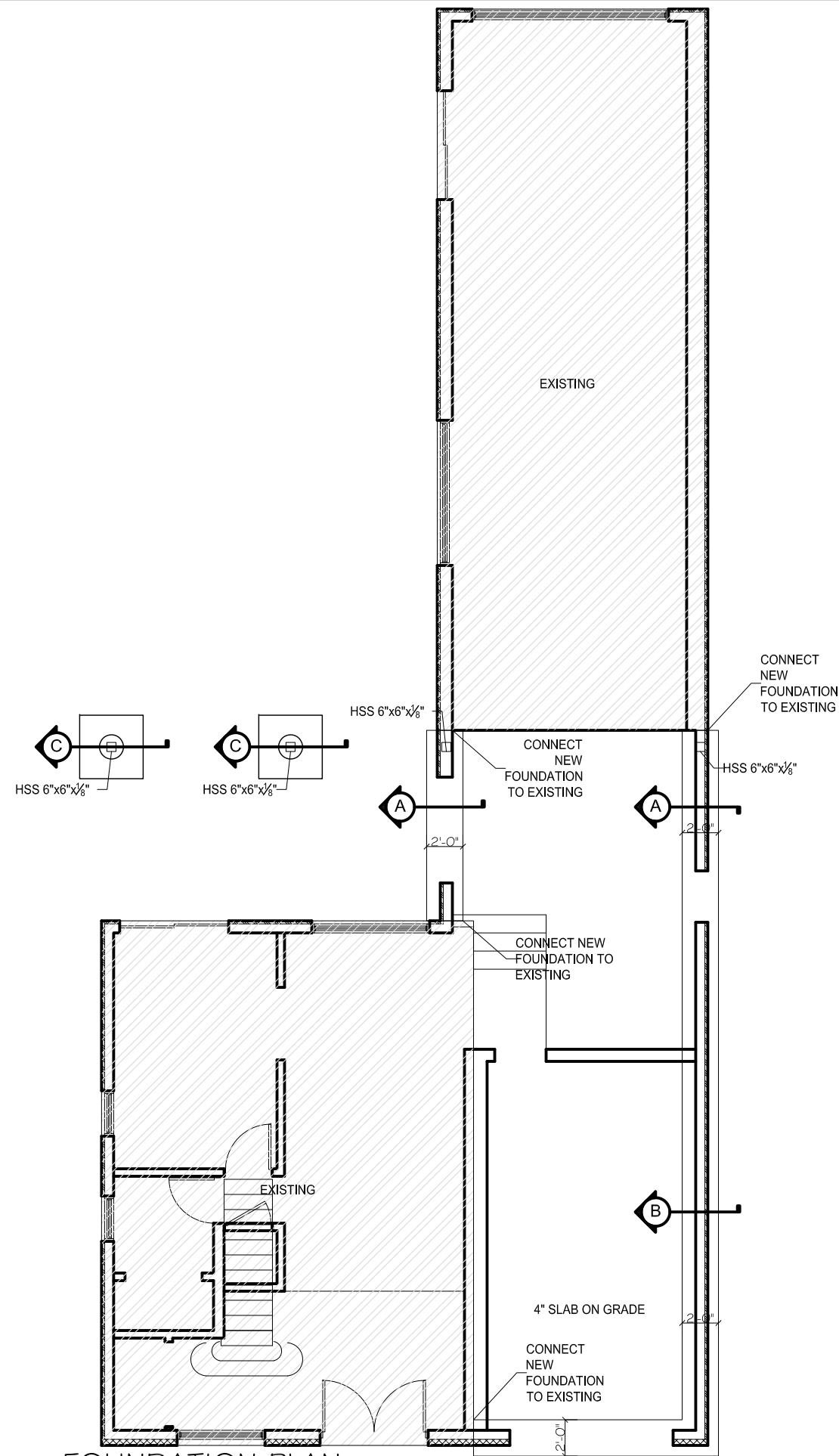
PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Sloley
CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

PFP
PROFESSIONAL FLOORPLANS
5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

DWG TITLE: WEST & EAST ELEVATIONS

| | |
|--------------------------|-------------------------|
| SHEET: A2.02 | SCALE: 1/8"=1'-0" |
| DRAWN: Zainab Khudair | DATE: Apr. 8th, 2019 |



FOUNDATION PLAN
SCALE 1/8" = 1'-0"

KEY PLAN



| REV. | DESCRIPTION | DATE |
|------|-----------------------------|------------------|
| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Soley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

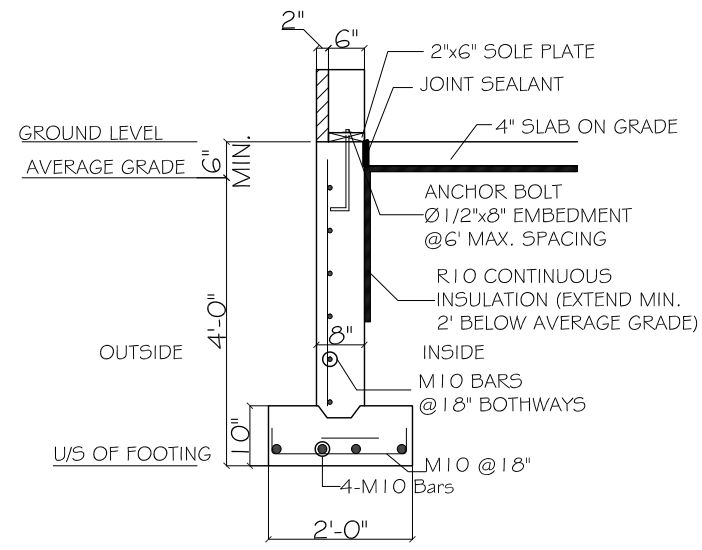
PFP 5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

PROFESSIONAL FLOORPLANS

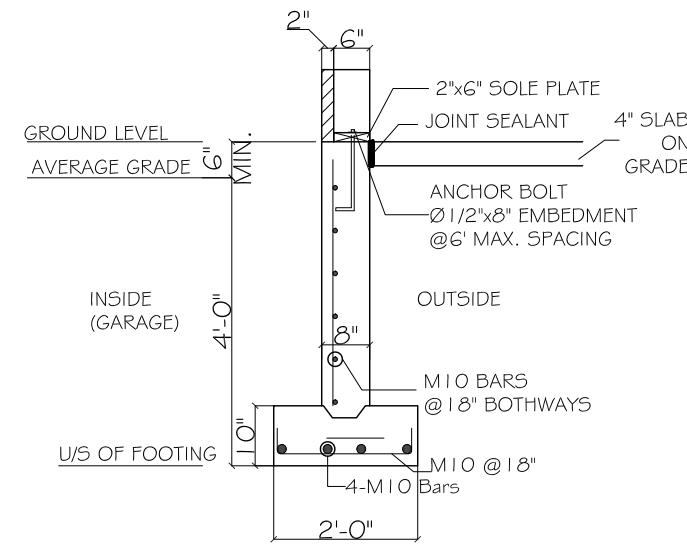
DWG TITLE:
FOUNDATION PLAN

SHEET: F1.01 SCALE: 1/8" = 1'-0"

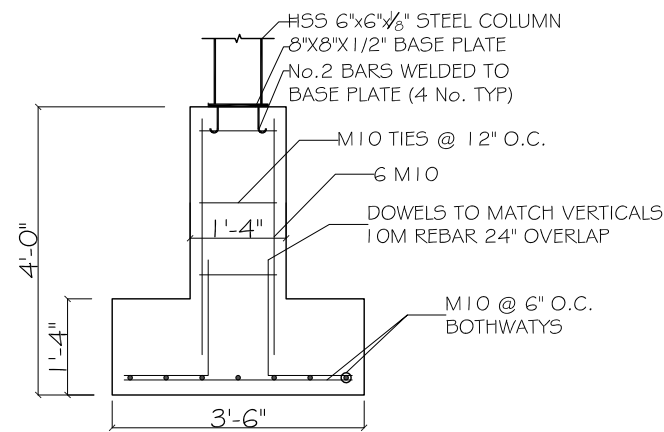
DRAWN: Zainab Khudair DATE: Apr. 8th, 2019



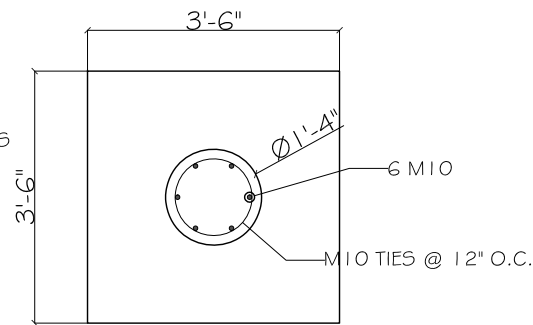
SECTION A-A



SECTION B-B



SECTION C-C



COLUMN FOUNDATION PLAN VIEW

FOUNDATION SECTIONS

SCALE 3/8" = 1'-0"

KEY PLAN



| 01 | BUILDING PERMIT APPLICATION | Jul., 29th, 2019 |
|------|-----------------------------|------------------|
| REV. | DESCRIPTION | DATE |

PROJECT:
12 Lakeside Dr., Stoney Creek

CLIENT: Orion Stoley

CONSULTANT: PROFESSIONAL FLOOR PLANS INC.

PFP 5147 Preservation Circle,
Mississauga, ON, L5M7T4
www.proffloorplans.ca

PROFESSIONAL FLOORPLANS

DWG TITLE:
FOUNDATION SECTIONS

SHEET: F4.01 SCALE: 3/8" = 1'-0"

DRAWN: Zainab Khudair DATE: Apr. 8th, 2019

raed@profloorplans.ca

From: Orion@osdynamics.com
Sent: Monday, November 7, 2022 11:42 AM
To: raed@profloorplans.ca
Cc: zainab@profloorplans.ca; osloley@hotmail.com
Subject: FW: Follow up to site visit at 12 Lakeside Dr

Follow Up Flag: Follow up
Flag Status: Flagged

Here is a copy of the close off emails.

Orion Sloley

Co-founder & CEO
 O.S.Dynamics Inc.
 (416) 878-8840
orion@osdynamics.com
www.OSDynamics.com

From: Orion@osdynamics.com <Orion@osdynamics.com>
Sent: Friday, December 3, 2021 11:46 AM
To: 'Elizabeth Reimer' <ereimer@conservationhamilton.ca>
Cc: bahar@ahydtech.ca
Subject: RE: Follow up to site visit at 12 Lakeside Dr

Hello Elizabeth,

Just wanted to give you an update on the shorewall based on the recommendations from the last visit.

- 1: As suggested, we have **cut in control points at regular intervals** with adequate spacing to prevent random cracking of the pad. (See picture below).
- 2: As suggested we have **filled the large gaps between the concrete block** revetment and the poured concrete pad/slab to prevent ice formation in the voids. (See picture below).
- 3: We are also keeping an eye on the armour stones (doing very well) and we will fill any gaps that may develop to ensure that the concrete revetment is protected.

I also wanted to say thank you as this shorewall with the continuous surface proved its value during the last week long storms where our home and foundation were protected from the lake and crashing waves compared to the past.

Picture showing new cut control points, concrete filled gaps and stable armour stones after several major storms:



Please let me know if you have any questions.

Thank you

Orion Sloley, MCSD

Co-founder & CEO
O-S-Dynamics Inc.
(416) 878-8840
orion@osdynamics.com
www.OSDynamics.com

From: Elizabeth Reimer <ereimer@conservationhamilton.ca>
Sent: Tuesday, November 2, 2021 2:52 PM
To: Orion@osdynamics.com; bahar@ahydtech.ca
Subject: Follow up to site visit at 12 Lakeside Dr

Hello Orion and Bahar,

Thank you for meeting with us on site at the property at 12 Lakeside Dr on October 15 to discuss the progress on the shorewall to date. Based on our site visit, we offer the following:

- HCA staff observed that the key stones used for the concrete block revetment are smaller than the 4-6 ton armour stones recommended in the designs approved by the HCA. The smaller stones may become dislodged over time. The shorewall condition must be monitored over

time, and any gaps that develop must be filled in order to maintain the capacity of the wall to protect the wall from scour and increase the lifespan of the concrete revetment.

- The wall has a gap between the concrete block revetment and the poured concrete pad/slab. The gap runs the length of the wall next to the concrete blocks. This gap must be filled to prevent ice formation in the voids, which could lead to cracking.
- Control points should be cut at regular intervals with adequate spacing to prevent random cracking of the pad.
- The approved plans indicate a beveled corner at the northwest corner of the wall, while the wall was constructed with a 90° angle at the corner. While the more sharply-angled corner is inherently weaker, the HCA has no objection to this modification of the design.
- Additional stone is recommended at the corner to protect this point from scour and erosion to maintain the integrity of the wall.
- The steps indicated on the plan were not constructed. The HCA is supportive of this design change, as the integrity of the shorewall is improved with a continuous surface, not interrupted by a steps.

Please advise if/when the deficiencies (filling the gap, cutting control points, supplementing toe stone at the corner) have been addressed. If you have any questions or concerns, feel free to call or email.

Regards,

Elizabeth Reimer

Conservation Planner

Hamilton Conservation Authority

838 Mineral Springs Road, P.O. Box 81067

Ancaster, ON L9G 4X1

Phone: 905-525-2181 Ext. 165

Email: ereimer@conservationhamilton.ca

www.conservationhamilton.ca



A Healthy Watershed for Everyone

The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.



Hamilton
Conservation
Authority

A Healthy Watershed for Everyone

838 Mineral Springs Road, PO Box 81067
Ancaster, Ontario L9G 4X1
Telephone: 905-648-4427 Fax: 905-648-4622

PERMIT

Nº 2020-41

ISSUED UNDER THE CONSERVATION AUTHORITIES ACT, PURSUANT TO ONTARIO REGULATION 161/06 – HAMILTON CONSERVATION AUTHORITY DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES REGULATION.

Permission has been granted to: **Orion Sloley**

Phone: **647-400-3007**

Mailing Address: **12 Lakeside Drive, Stoney Creek, ON L8E 5C2**

Location: **in a regulated area of the Lake Ontario shoreline, in the City of Hamilton**

For the: **alteration of a shoreline consisting of the re-enforcement/repair of an existing shorewall and to recognize completion of additions and renovations to an existing residence in a regulated area of the Lake Ontario shoreline at 12 Lakeside Drive, Part Lot 13, Broken Front Concession, in the City of Hamilton (former City of Stoney Creek)**

on the above property during the period **June 26, 2020 to June 26, 2022** subject to the following conditions.



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 [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 | 12 Lakeside Dr., Stoney Creek, ON, L8E 5C2 | | |
| Assessment Roll Number | 003030086000000 | | |
| Former Municipality | Stoney Creek | | |
| Lot | | Concession | |
| Registered Plan Number | 428 | Lot(s) | 5, 6 |
| 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:

Interior side yard of 0.34, rear yard of 1.09, total coverage of 44.3%

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 and dimensions are limited. Existing building

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 |
|--------------|----------------|-------------|-----------------|
| 12.19 m | 27.36m, 36.10m | 392.09 sq.m | 6.1m (Unpaved) |

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 existing detached dwelling | 7.25 m | 1.09 m | 1.67 m, 0.34 m | More than 50 years |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------------------------|--------------------|-------------------|--------------------|----------------------|
| 2 Storey existing detached dwelling | 7.25 m | 1.09 m | 1.67 m, 0.34 m | More than 50 years |
| | | | | |
| | | | | |

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 existing detached dwelling | 137.3 sq.m | 232.51 sq.m | 2 | 9.38 m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------------------------|-------------------|------------------|-------------------|--------|
| 2 Storey existing detached dwelling | 137.3 sq.m | 232.51 sq.m | 2 | 9.38 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:
 September 14th, 2007

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:
 More than 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) Rural Residential (Neighbourhoods)

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:

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------|--------------------------|-------------------------------------|
| APPLICATION NO.: | SC/B-23:13 | SUBJECT PROPERTY: | 12 SHADOWDALE DRIVE, STONE CREEK |
|-------------------------|-------------------|--------------------------|-------------------------------------|

APPLICANTS: Owner: GEORGE & NADA MACKAY

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained.

| | Frontage | Depth | Area |
|------------------------|----------------------|-----------------------|-------------------------------------|
| SEVERED LANDS: | 4.5 m [±] | 256.74 m [±] | 6060.51 m ² [±] |
| RETAINED LANDS: | 19.45 m [±] | 58.5 m [±] | 1172.5 m ² [±] |

Associated Planning Act File(s): SC/A-23:56

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:50 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca

SC/B-23:13

- 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-23:13, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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.

SC/B-23:13



 Subject Lands

DATED: March 21, 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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

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.**

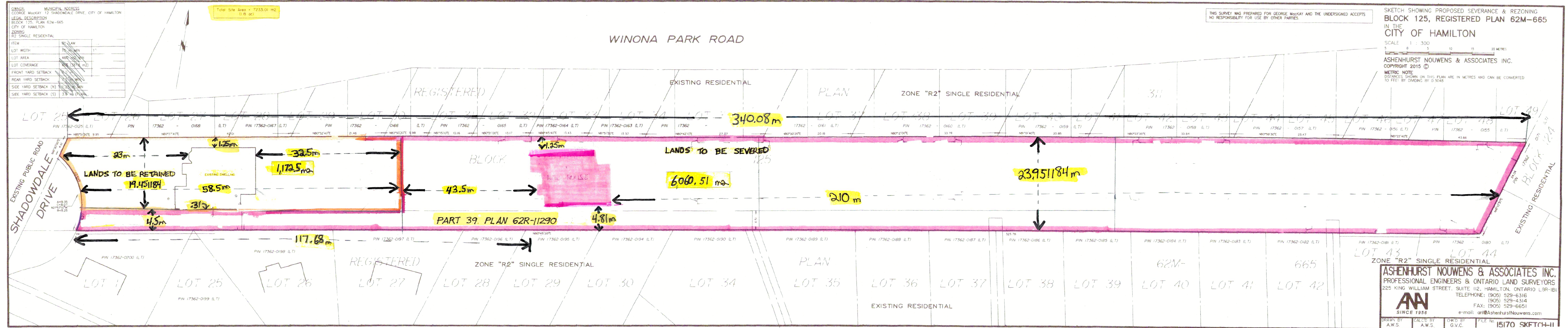
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing 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 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.

340.08 = 115.76



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

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



**APPLICATION FOR CONSENT TO SEVER LAND
 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

george@hdshowroom.com

| | NAME | MAILING ADDRESS | |
|----------------------|------|-----------------|---------|
| Purchaser* | | | Phone: |
| | | | E-mail: |
| Registered Owners(s) | | | |
| Applicant(s)** | | | |
| Agent or Solicitor | | | |

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** 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 | 12 Shadowdale Dr Stoney Creek, Ont L8E 5Z4 | | |
| Assessment Roll Number | 00302008795 | | |
| Former Municipality | Stoney Creek | | |
| Lot | Block 125 | Concession | |
| Registered Plan Number | 2518003020087 ¹⁵ | Lot(s) | |
| Reference Plan Number (s) | 62R-11290 | Part(s) | 44, 45 & 58 |

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:

Storm sewer part 39, plan 62R-11290

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) (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:

Nada Mackay

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, m² or ha), attach additional sheets as necessary.

| | Retained (remainder) | Parcel 1 | Parcel 2 | Parcel 3* | Parcel 4* |
|--|-------------------------|----------|----------|-----------|-----------|
| | | | | | |

| Identified on Sketch as: | Lands to be retained | Lands to be Severed | | | |
|-------------------------------------|--------------------------------------|---------------------|--|--|--|
| Type of Transfer | N/A | | | | |
| Frontage | 19.451184 | 4.5 | | | |
| Depth | 58.5 | 256.74 | | | |
| Area | 1172.5 | 6060.51 | | | |
| Existing Use | Single Family Home | Single Family Home | | | |
| Proposed Use | Single Family Home | Single Family Home | | | |
| Existing Buildings/ Structures | Existing Family Dwelling will remain | | | | |
| Proposed Buildings/ Structures | | Single Family Home | | | |
| Buildings/ Structures to be Removed | | | | | |

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

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

b) Type of water supply proposed: (check appropriate box)

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

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

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

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

- electricity
 telephone
 school bussing
 garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Contemplating Residential use in neighbourhood

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? R2

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"/> | N/A |
| A land fill | <input type="checkbox"/> | N/A |
| A sewage treatment plant or waste stabilization plant | <input type="checkbox"/> | N/A |
| A provincially significant wetland | <input type="checkbox"/> | N/A |
| A provincially significant wetland within 120 metres | <input type="checkbox"/> | N/A |
| A flood plain | <input type="checkbox"/> | N/A |
| An industrial or commercial use, and specify the use(s) | <input type="checkbox"/> | N/A |
| An active railway line | <input type="checkbox"/> | N/A |
| A municipal or federal airport | <input type="checkbox"/> | N/A |

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?

June 11, 2004

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.

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)

Property is well-suited in a suburban area where land infill is needed

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

Yes No (Provide explanation)

Evaluated benefits out weigh any possible negative impact

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

This would improve the infrastructure to the area

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 ² 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 ² 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 ² 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-----------------------------|--------------------------|---|
| APPLICATION NO.: | SC/A-23:56 | SUBJECT PROPERTY: | 12 SHADOWDALE DRIVE, STONE CREEK |
| ZONE: | "R2" (Single Residential 2) | ZONING BY-LAW: | Zoning By-law former City of Stoney Creek 3692-92, as Amended |

APPLICANTS: Owner: GEORGE AND NADA MACKAY

The following variances are requested:

Lot to be Retained

1. A minimum side yard setback of 0.31 metres shall be provided instead of the minimum required 1 metre side yard.

Lot to be Conveyed

1. A minimum frontage of 4.5 metres shall be provided instead of the minimum required 15 metre frontage onto a street.

PURPOSE & EFFECT: So as to permit the severance of the existing lot of a Single Detached Dwelling and lot to be created for a proposed Single Detached Dwelling notwithstanding that:

Notes:

- i) This application shall be heard in conjunction with Consent application SC/B-23:13.
- ii) Be advised, insufficient information was provided on the site plan to determine the frontage for the lot to be retained (existing Single Detached Dwelling). As per the definition of Front Lot Line and Frontage under Section 3 of Stoney Creek Zoning By- Law 3692-92, the following definitions apply:

Lot Line Front - Means a lot line that divides a lot from a street

And;

SC/A-23:56

Lot Frontage - Where the front lot line is not a straight line the lot frontage is to be determined by measuring the distance of a straight line joining the two points where the side lot lines intersect the front lot line, but this paragraph does not apply to a corner lot;

As such, should the lot frontage as defined above not meet the required 15.0 metres as per Section 6.3.3 b), additional variance may be required.

- iii) In addition to the above comment, insufficient information was provided on the site plan to determine the frontage for the lot to be conveyed (proposed Single Detached Dwelling). It has been noted that a measurement of 4.5 metres has been provided between the two side lot lines which adjoin the front lot line, however this measurement does not appear to reflect the required measurement for Frontage as per the definition above. As such, a variance has been provided as requested by the applicant for the 4.5 metres as shown on the submitted site plan, however should the lot frontage be less than the 4.5 metres as shown, additional variances may be required.
- iv) Be advised, insufficient information was provided on the site plan to determine the projection of the eaves/ gutters on the existing Single Detached Dwelling to the newly created Southerly Lot Line. An encroachment agreement and maintenance easement may be required for any portion of the footings or eaves that may encroach beyond the side lot line and must be properly registered on title.
- v) Be advised, Insufficient Information was provided to determine the parking requirements for both the lot to be retained and the lot to be conveyed. Should the parking for both properties not meet the requirements of Section 4.10 and 6.1.8 relating to Parking space location, size, access and number (note, 2 parking spaces are required for each Single Detached Dwelling), additional variances may be required.

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 9:50 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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

SC/A-23:56

PUBLIC INPUT

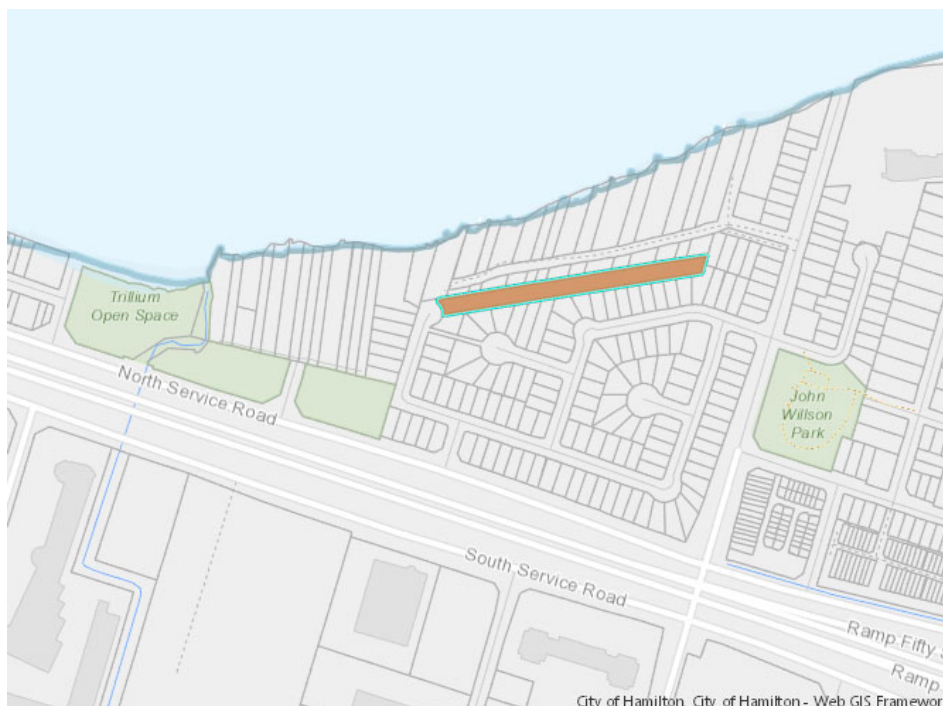
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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-23:56, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

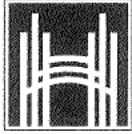
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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

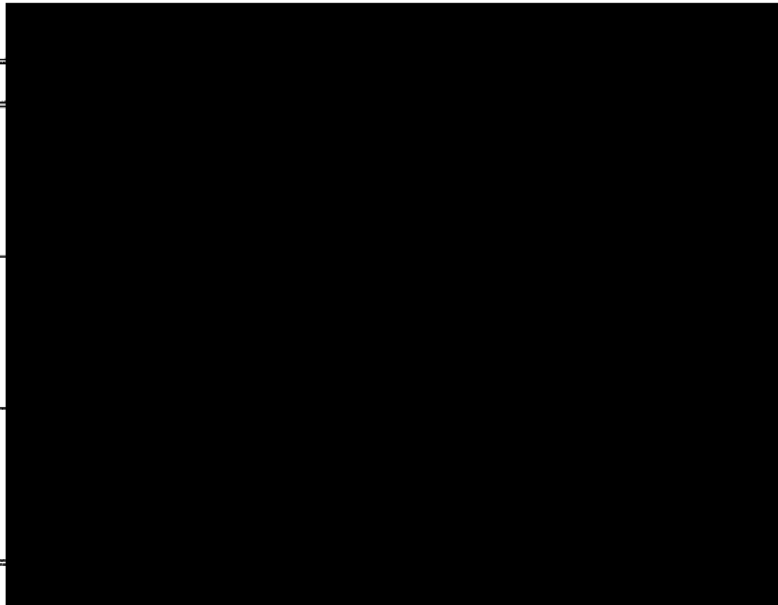


Hamilton

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

1. APPLICANT INFORMATION

| | NAME |
|-----------------------------|----------------------|
| Registered Owners(s) | George & Nada Mackay |
| Applicant(s) | George & Nada Mackay |
| 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 george@hdshowroom.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 | 12 Shadowdale Dr Stoney Creek, Ont L8E 5Z4 | | |
| Assessment Roll Number | 00302008795 | | |
| Former Municipality | Stoney Creek | | |
| Lot | Block 125 | Concession | |
| Registered Plan Number | 251800302008795 | Lot(s) | |
| Reference Plan Number (s) | 62R-11290 | Part(s) | 44, 45+58 |

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:

Storm Sewer Part 39, Plan 62R-11290

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 frontage to the severed lands. 2. Reduction in side yard set back for the existing dwelling on the retained lands.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Lot configuration/placement of structure limits ability to provide sufficient space for access. Lot Configuration is unique (1000 by 78 ft)

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

Yes

No

If yes, please provide an explanation:

plus any additional variances to 0.31 meters on south side

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| Lot Frontage | Lot Depth | Lot Area | Width of Street |
|--------------|-------------|----------|------------------|
| 23.95 meters | 1125 meters | .73 HA | Approx 12 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 Family Home | 23 Meters | 32.5 Meters | 1.25 & .31 Meters | 2004 |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|--------------------|--------------------|-------------------|--------------------|----------------------|
| Single Family Home | 117.68 Meters | 210 Meters | 1.25 & 4.81 Meters | |
| | | | | |
| | | | | |

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|--------------------|-------------------|------------------|-------------------|--------|
| Single Family Home | 1800 Sq Ft | 2900 Sq FT | 2 Storey | 20 Ft. |
| | 167.2255 | 269.4188 | | 9.144 |
| | Square | Square | | 50 |
| | meters | meters | | meters |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|--------------------|-------------------|------------------|-------------------|--------|
| Single Family Home | 3000 sq ft | 3600 sq ft | 1 storey | 20 Ft. |
| | 278.7091 | 334.4509 | | |
| | Square | Square | | 6.096 |
| | meters | meters | | 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 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:

2004

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 19 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) Neighbourhoods

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

Residential use in neighbourhood

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: 2

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|------------------------|--------------------------|---|
| APPLICATION NO.: | AN/A-23:53 | SUBJECT PROPERTY: | 3 BLACKSMITH COURT, ANCASTER |
| ZONE: | "R3-461" (Residential) | ZONING BY-LAW: | Zoning By-law former Town of Ancaster 87-57, as Amended |

APPLICANTS: Owner: MATTHEW ROSATO

The following variances are requested:

1. A minimum side yard of 3.7m shall be provided abutting a street whereas a minimum side yard of 5.5m is required.

PURPOSE & EFFECT: To permit the construction of an addition in the side yard of the existing Single Detached Dwelling.

Notes: N/A

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:10 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

AN/A-23:53

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

PUBLIC INPUT

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

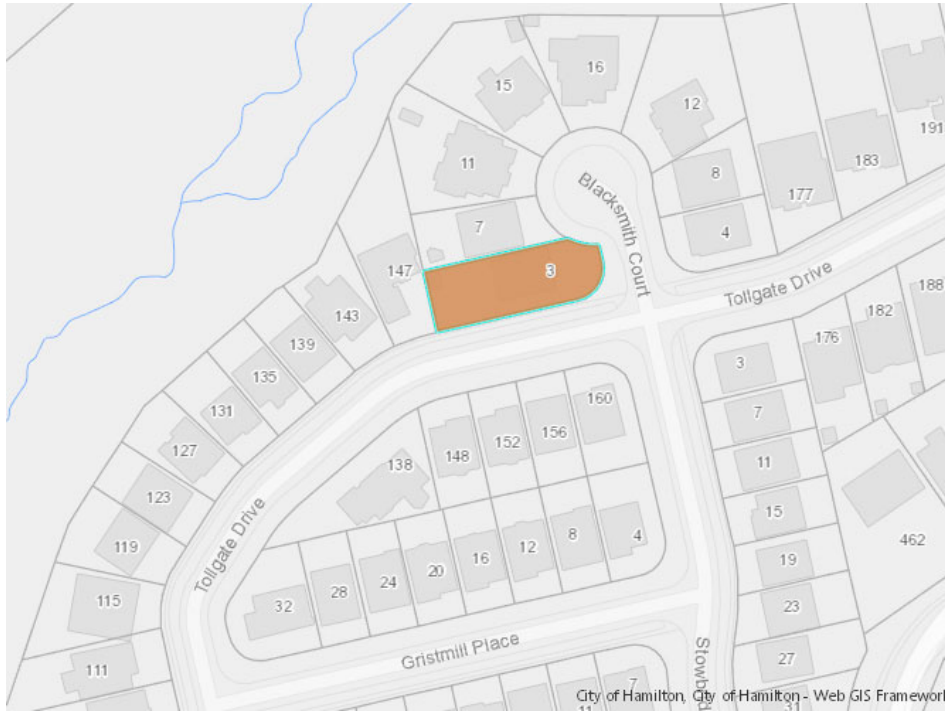
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FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:53, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

AN/A-23:53



 Subject Lands

DATED: March 21, 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

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

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

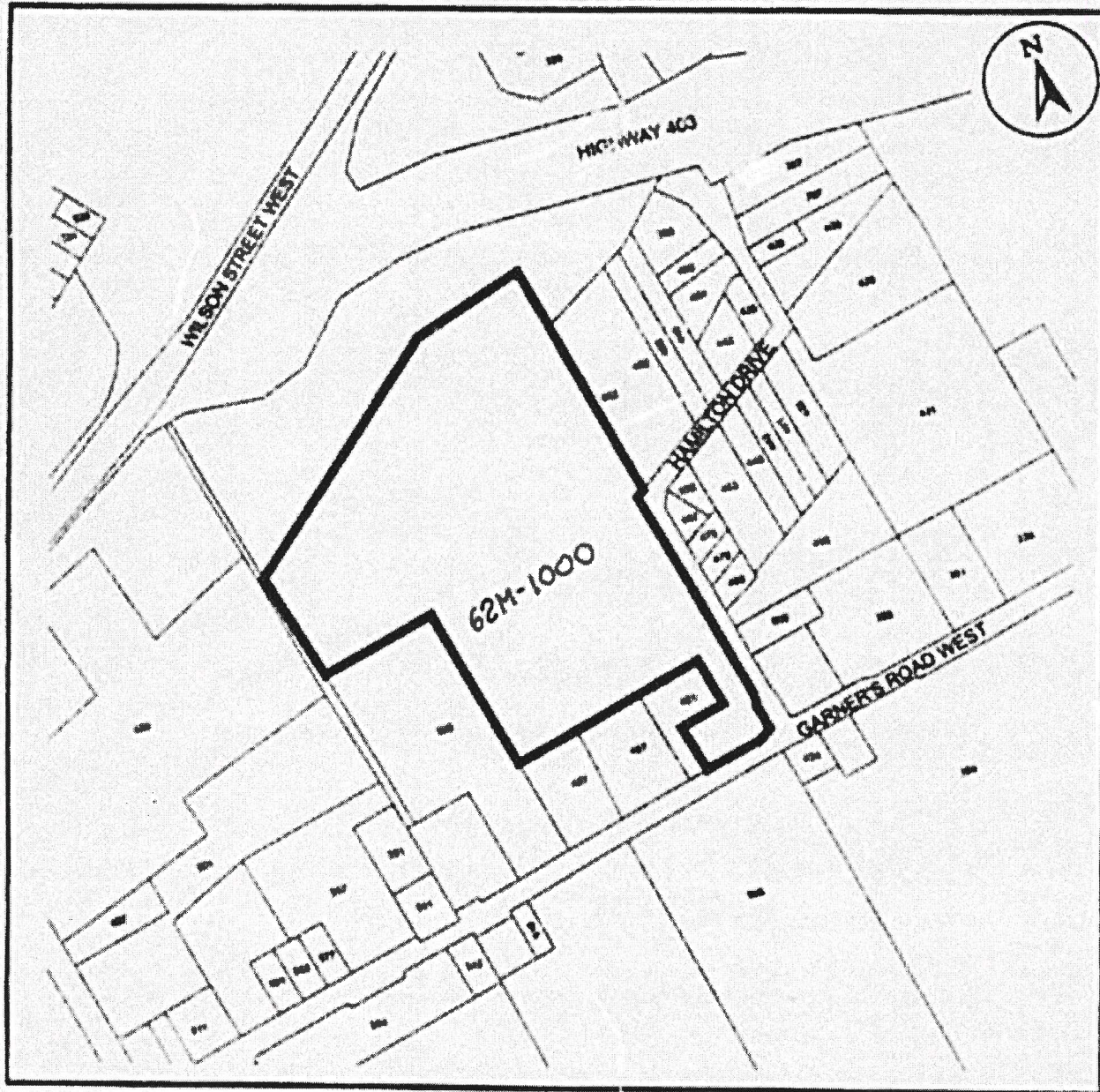
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

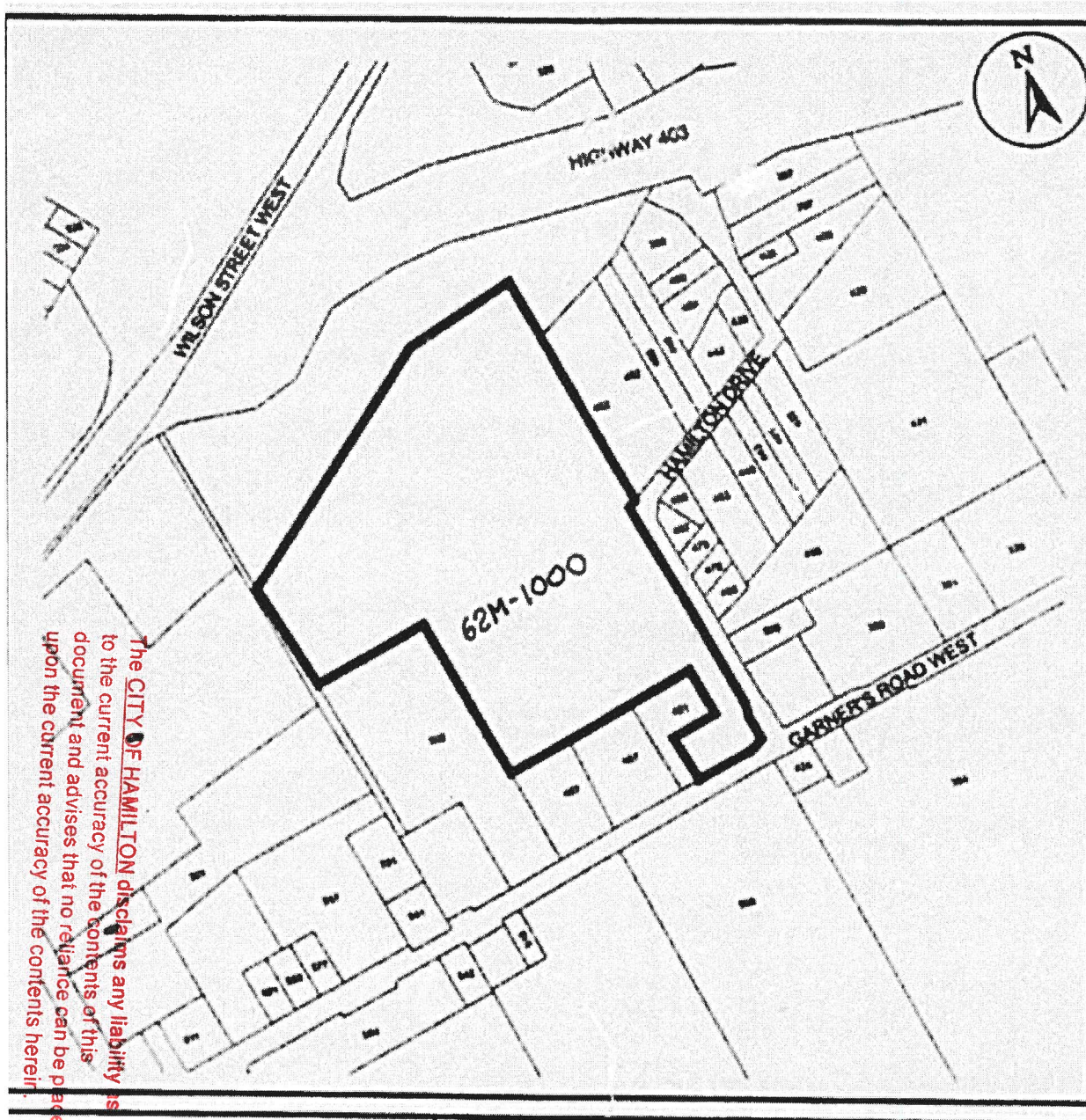
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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



| | | |
|---|--|--|
| <p>Site of the Application</p> <p>City of Hamilton</p> | <p>PLANNING AND DEVELOPMENT DEPARTMENT</p> <p>Location Map</p> <p> Subject Property 62M-1000</p> | <p>Hamilton</p> <p>File Number 62M-1000</p> <p>Date March 9, 2004</p> <p>Technician SL</p> <p>Map Not to Scale</p> |
|---|--|--|

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



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SITE AND GRADING PLAN
OF
LOT 25
PLAN 62M-1000
IN THE
CITY OF HAMILTON

SCALE: 1:200 metres



S.D. McLAREN, O.L.S. - 2007

LOT AREA = 1003.5m²
 LOT COVERAGE = 21.1%

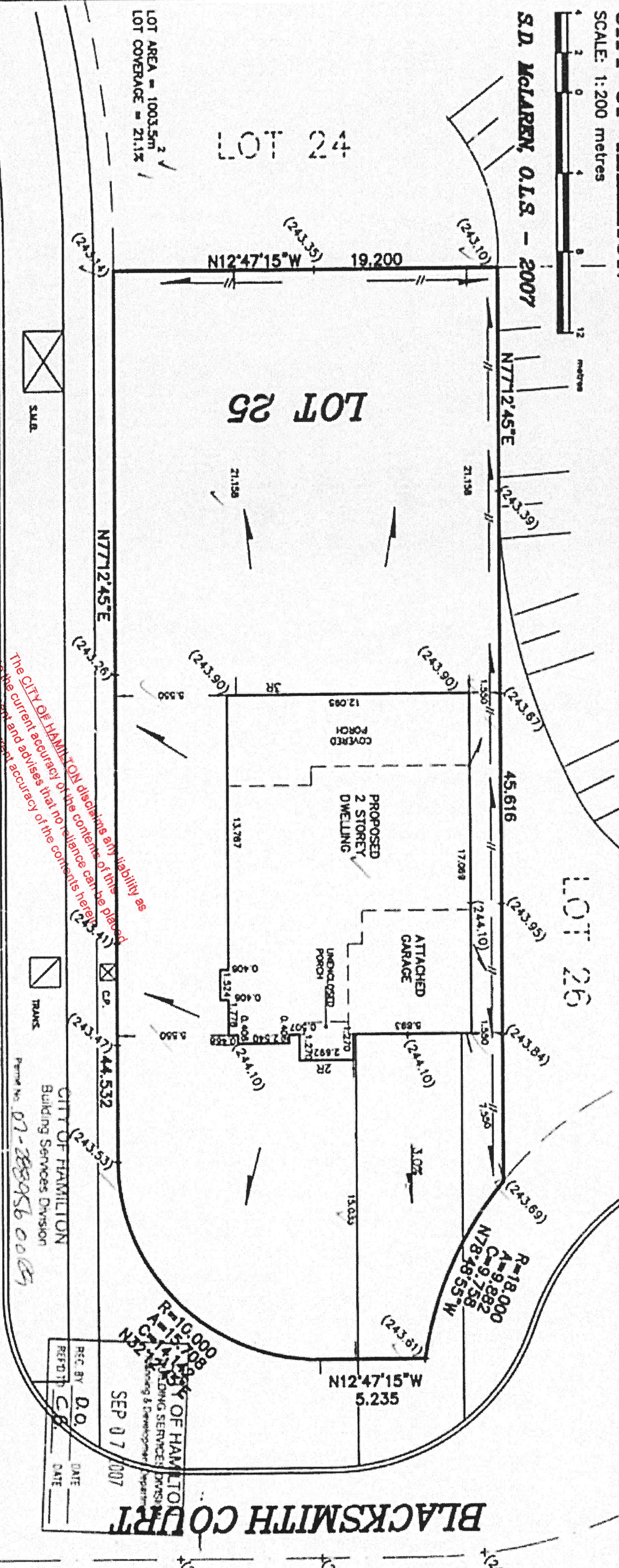
LOT 24

LOT 25

LOT 26

NOTES:
 U/S FOOTINGS TO BE MINIMUM OF 1.2m BELOW FINISHED GRADE
 BUILDER TO VERIFY ELEVATION OF SERVICE CONNECTIONS PRIOR TO BASEMENT EXCAVATION TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED FOR GRAVITY SERVICES.

BENCH MARK:
 CONCRETE OVERPASS CARRYING HWY 2 OVER HWY 403 EASTBOUND, 1.8m EAST OF INTERSECTION OF HWY 2 AND 53 AT DUFF'S CORNERS, TABLET IN SDE OF SOUTH COPING OF WEST ABUTMENT, 14.1m SOUTH OF CENTRELINE, 76cm FROM SOUTHWEST CORNER AND 15cm BELOW TOP, ESTABLISHED BY MINISTRY OF TRANSPORTATION AND COMMUNICATIONS.



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

TOLLGATE

DRIVE

BLACKSMITH COURT

LEGEND:
 000.00 DENOTES EXISTING ELEVATION (000.00)
 PROPOSED ELEVATION
 DIRECTION OF FLOW
 PROPOSED SWALE
 RISER
 REVERSED DIMENSION

PROPOSED HOUSE ELEVATIONS:
 GARAGE FLOOR = 244.10
 MUD ROOM = 244.20
 FIRST FLOOR = 244.60
 BASEMENT FLOOR = 241.98
 U/S OF FOOTING = 241.75

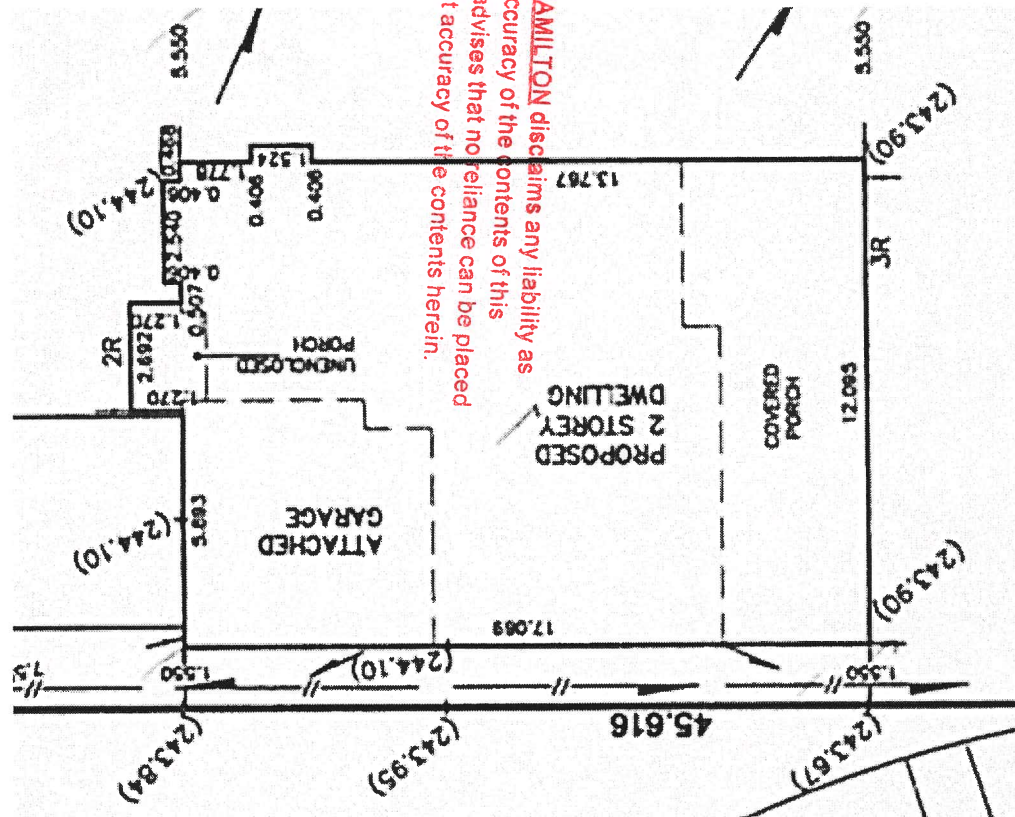
METRIC NOTE
 DISTANCES SHOWN IN THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

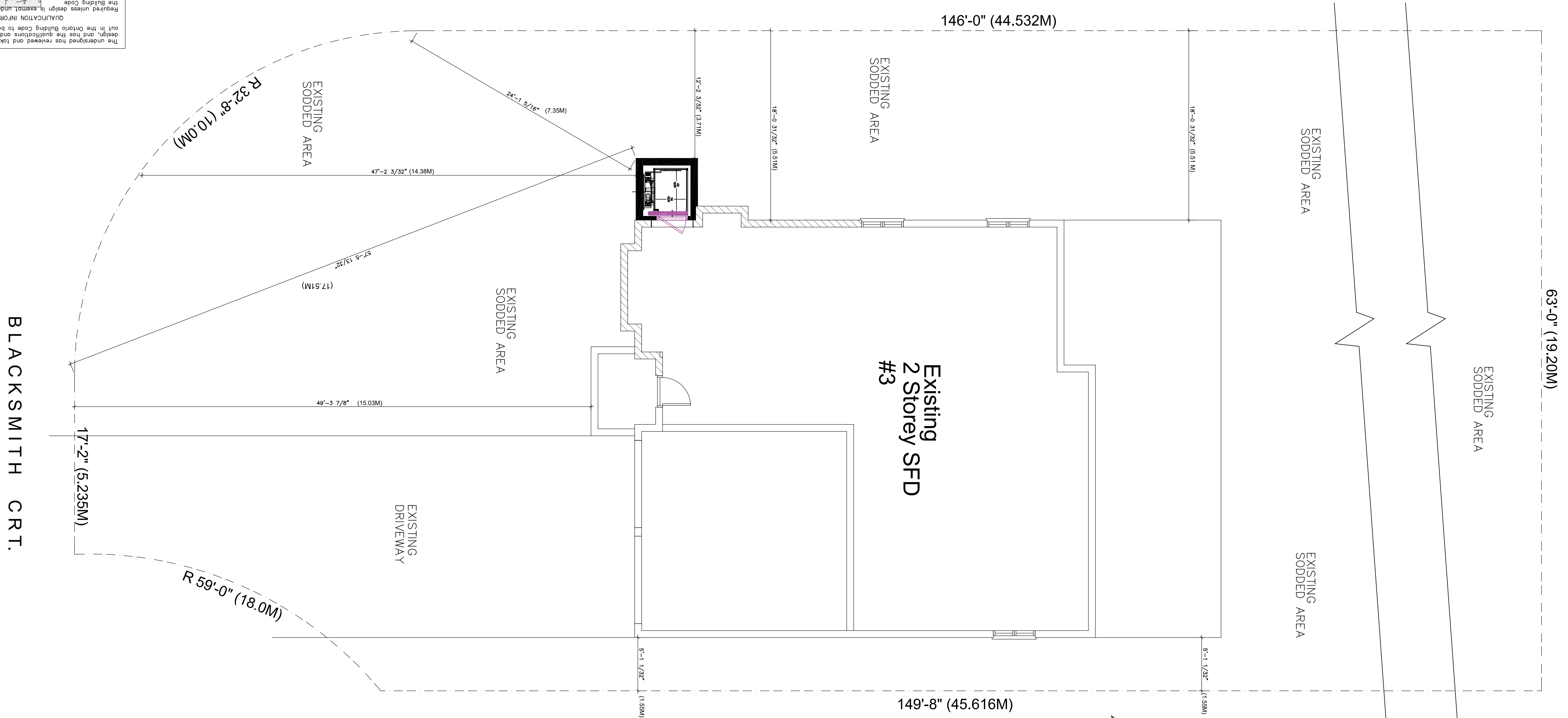
SEPTEMBER 6, 2007.
 S.D. McLAREN, O.L.S.

A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYORS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 577-8598 FAX (905) 577-0032

THE OWNER AND/OR CONTRACTOR SHALL OBTAIN WITH THE DRAWING BUILDING CODE AND ALL APPLICABLE REGULATIONS. THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED BY THE CITY OF HAMILTON BUILDING SERVICES DIVISION. PERMIT NO. 07-285956-0005

REC BY: D.O. DATE: _____
 REF'D TO: C.B. DATE: _____
 SEP 07 2007





DO NOT SCALE DRAWINGS

REGISTRATION INFORMATION
 Name: MAURO FORMINATO
 Signature: [Signature]
 BCIN: 15084
 Required unless design is exempt under Div. C, Article 3.2.5.1 of the Building Code
 QUALIFICATION INFORMATION
 The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
 Date: 10.29.22
 Job Number: 102522
 Firm Name: UNIQUE DESIGNS INC
 BCIN: 31090

Drawn By: [Name]
 Scale: 3/16"=1'-0"
A0

ROSATO RESIDENCE
 3 BLACKSMITH CRT., ANCASTER, ONT.

UNIQUE DESIGNS INC.
 ELEVATOR ADDITION

PLOT PLAN

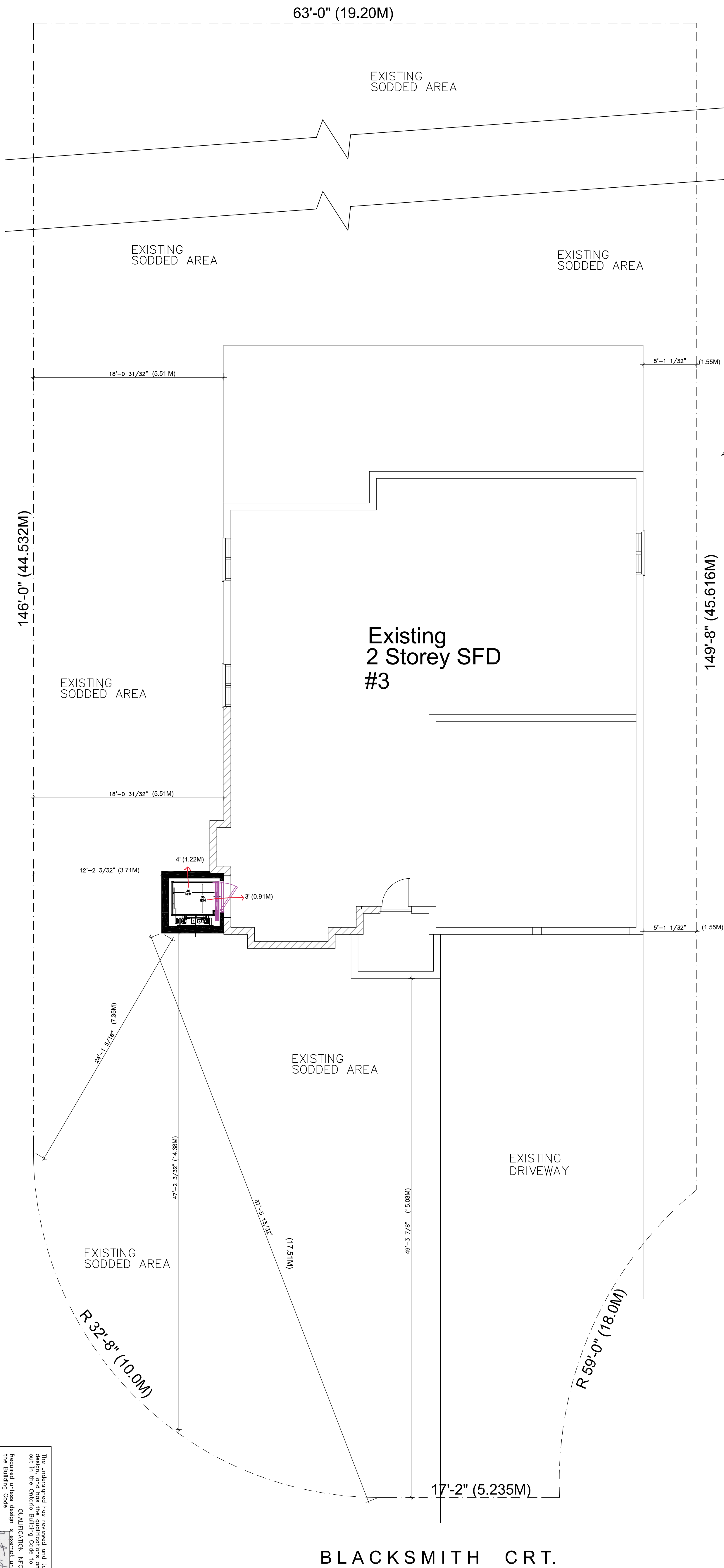
NOTE:
 UNDESIGNED SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 THIS PLAN IS A PRELIMINARY DESIGN AND DOES NOT REPRESENT A CONTRACT. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROPERTY AND TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
 THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

SITE STATISTICS

MUNICIPAL ADDRESS
 3 BLACKSMITH CRT.
 ANCASTER, ONT.
 BUILDING CLASSIFICATION
 RESIDENTIAL : R3-461
 EXISTING AT DWELLING
 SIDE YARD (CORNER) (6.5M MIN. / 21'-4")
 SIDE YARD (INSIDE) (1.55M MIN. / 5'-1")
 FRONT YARD (15.0M MIN. / 49'-3")
 REAR YARD (N/A)
 BLDG HEIGHT (10.5M MAX.)
 LOT AREA: 999.83 SQ. M. (10762.00 SQ FT)

LOT COVERAGE
 LOT COVERAGE 35.0% MAX LOT COVERAGE
 LOT AREA 999.83 SQ.M (10762.00 SQ.FT)
 EXISTING DWELLING 212.2 SQ.M (2284.00 SQ.FT)
 PROPOSED ADDITION 3.25 SQ.M (35.00 SQ.FT)
 EXISTING LOT COVERAGE 21.2% EXISTING
 MAX LOT COVERAGE 349.94 SQ.M (3766.70 SQ. FT)
 TOTAL PROPOSED 21.5% EXISTING

| No. | DATE | DESCRIPTION |
|-----|----------|-------------------|
| 1. | 11.29.22 | ISSUED FOR PERMIT |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |



NOTE:
ALL PROPOSED RAIN WATER LEADERS TO DISCHARGE ANY RAIN WATER ON PROPERTY OR EXISTING SWALES. NO WATER IS TO BE DRAINED ON TO ADJACENT PROPERTIES OR HIGHWAYS OR DRIVEWAYS.

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

SITE STATISTICS

MUNICIPAL ADDRESS
3 BLACKSMITH CRT.
ANCASTER, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL : R3-461

EXISTING AT DWELLING
SIDE YARD (CORNER) (6.5M MIN. / 21'-4")
SIDE YARD (INSIDE) (1.55M MIN / 5'-1")
FRONT YARD (15.0M MIN / 49'-3")
REAR YARD (N/A)
BLDG HEIGHT (10.5M MAX.)
LOT AREA: 999.83. SQ. M. (10762.00 SQ FT)

LOT COVERAGE

| | |
|-----------------------|------------------------------|
| LOT COVERAGE | 35.0% MAX LOT COVERAGE |
| LOT AREA | 999.83 SQ.M (10762.00 SQ.FT) |
| EXISTING DWELLING | 212.2 SQ.M (2284.00 SQ.FT) |
| PROPOSED ADDITION | 3.25 SQ.M (35.00 SQ.FT) |
| EXISTING LOT COVERAGE | 21.2% EXISTING |
| MAX LOT COVERAGE | 349.94 SQ.M (3766.70 SQ. FT) |
| TOTAL PROPOSED | 21.5% EXISTING |

DO NOT SCALE DRAWINGS

The undersigned has reviewed and takes responsibility for this design and one has the qualifications and meets the requirements set out in the Ontario Building Code Act, 1992, and the Building Code Act, 1992, and the Building Code Act, 1992, and the Building Code Act, 1992.

MAURO FORTINATO
Name
15084
BOON
Signature
10/29/22
Date
REGISTRATION INFORMATION
Required unless design is exempt under Div. C, Article 3.2.4.1 of the Building Code
UNIQUE DESIGNS INC.
Firm Name
31090
BOON

Drawn By
10/29/22
Date
10/29/22
Job Number
102522

Scale
3/16"=1'-0"

A0

ROSATO RESIDENCE

3 BLACKSMITH CRT.,
ANCASTER, ONT.

UNIQUE DESIGNS INC.

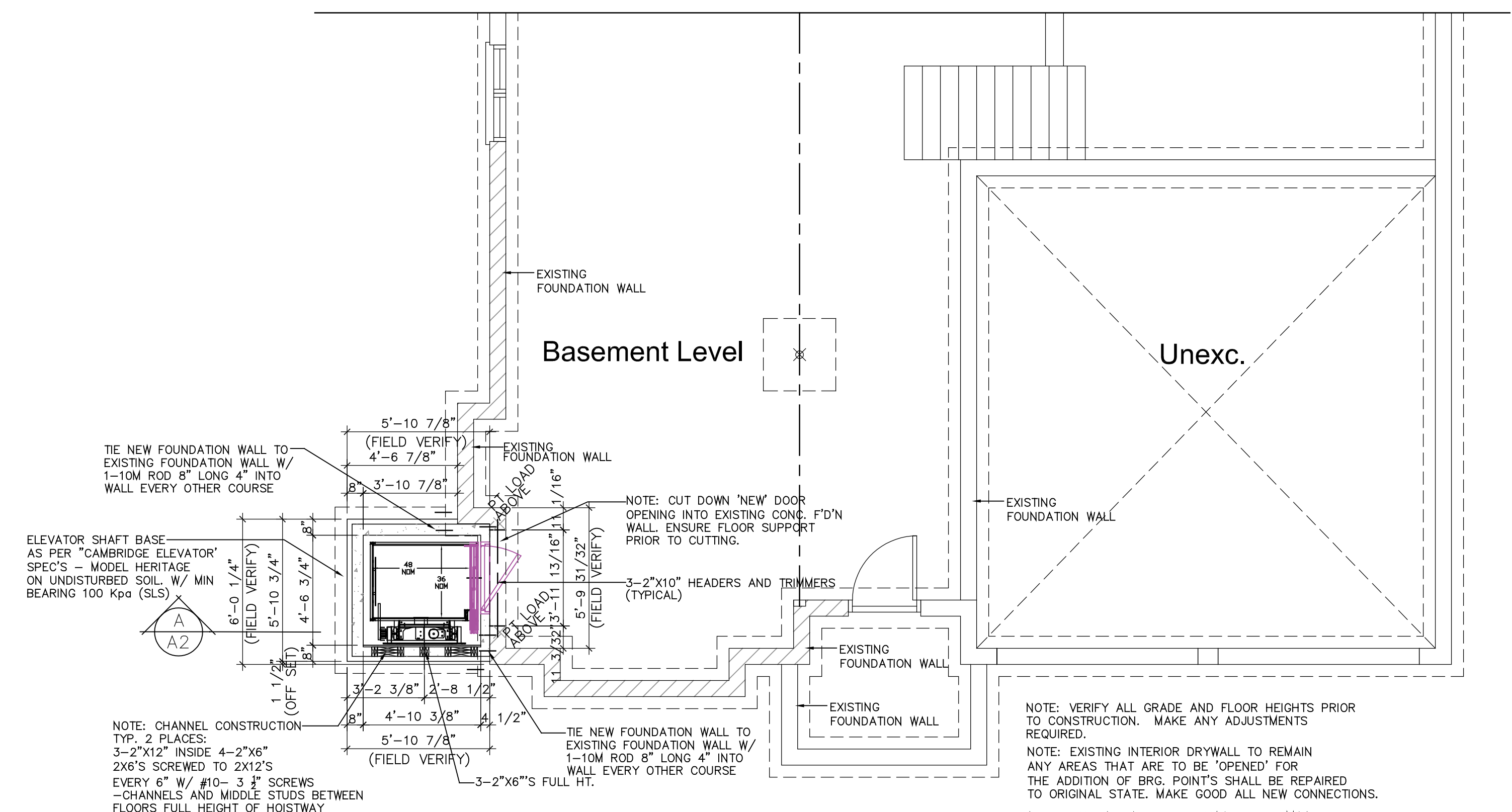
ELEVATOR ADDITION

PLOT PLAN

| No. | DATE | DESCRIPTION |
|-----|----------|-------------------|
| 1. | 11.29.22 | ISSUED FOR PERMIT |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
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| 8. | | |

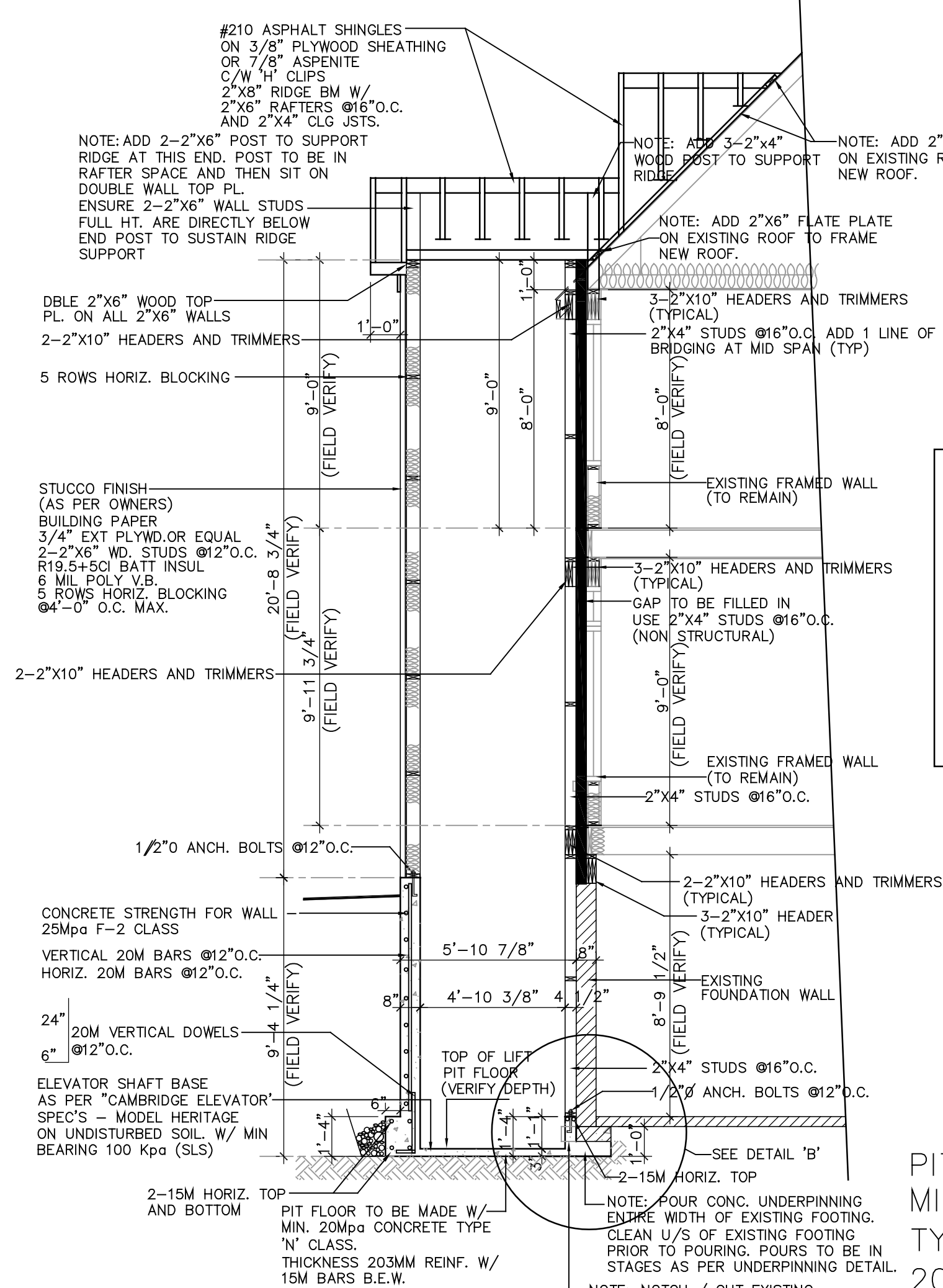
THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.



EXISTING FOUNDATION PLAN

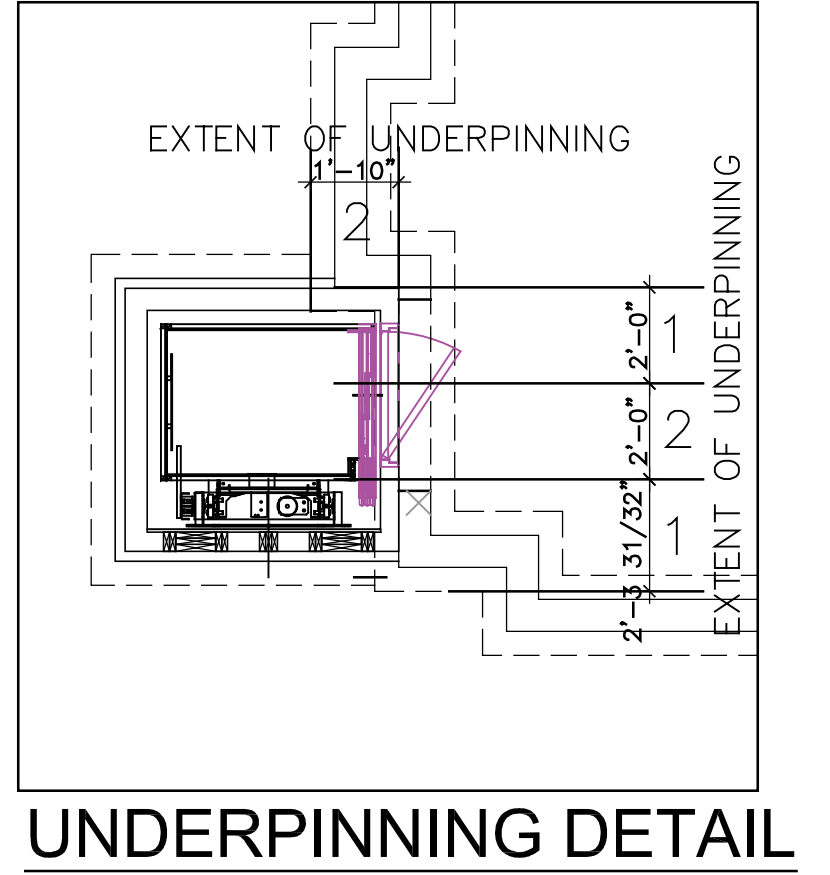
NOTE: SUPPORT EXISTING FLOOR/CEILING WHEN INSTALLING NEW BEAM AND HEADERS.
 NOTE: BLOCKING TO BE PROVIDED UNDER ALL JOIST SPACES BELOW BEARING POINTS.
 NOTE: WHEN CUTTING EXISTING FLOOR TO INSTALL 'NEW' PAD AND FOOTING ENSURE ALL BURIED UTILITIES HAVE BEEN MARKED/ SHUT OFF.



TYPICAL SECTION THRU - HOISTWAY

PIT FLOOR TO BE MADE W/ MIN. 20MPa CONCRETE TYPE 'N' CLASS. THICKNESS 203MM REINF. W/ 15M BARS B.E.W.

DETAIL 'B'



UNDERPINNING DETAIL

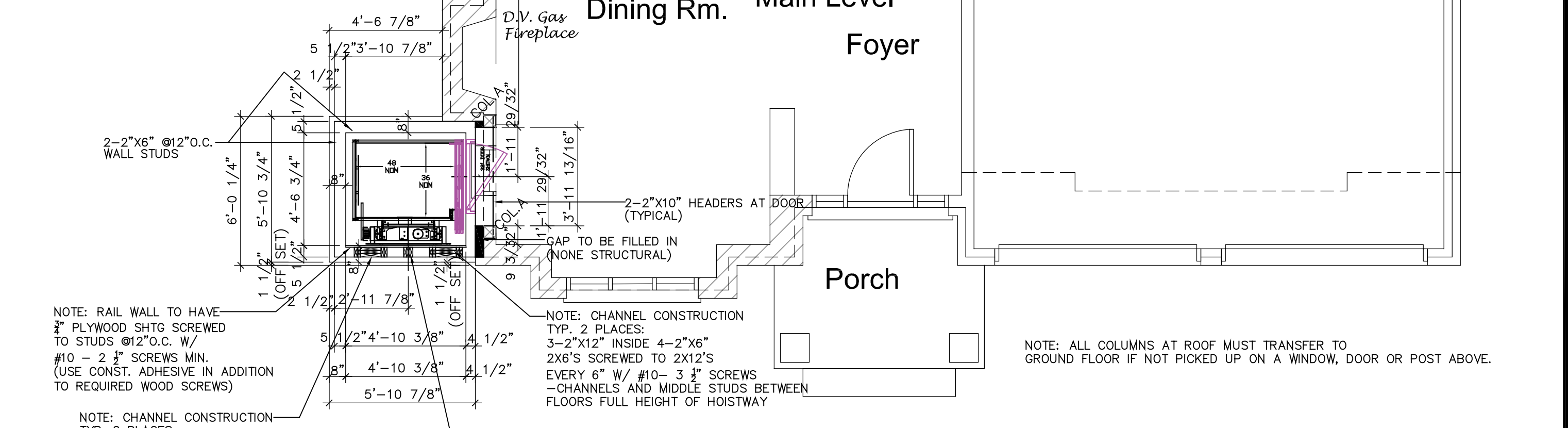
NOTE: POUR CONC. UNDERPINNING ENTIRE WIDTH OF EXISTING FOOTING. CLEAN U/S OF EXISTING FOOTING PRIOR TO POURING. POURS TO BE IN STAGES AS PER UNDERPINNING DETAIL.

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

USE ONLY WHERE 'LVL.'S ARE NOT SPECIFIED

WOOD LINTEL LEGEND

| |
|--|
| FOR WOOD OPENINGS : |
| 44" OR LESS USE 2/2"x8" |
| 66" OR LESS USE 2/2"x10" |
| 88" OR LESS USE 2/2"x12" |
| PROVIDE INSUL. BETWEEN HEADERS IF POSSIBLE |



EXISTING FIRST FLOOR PLAN

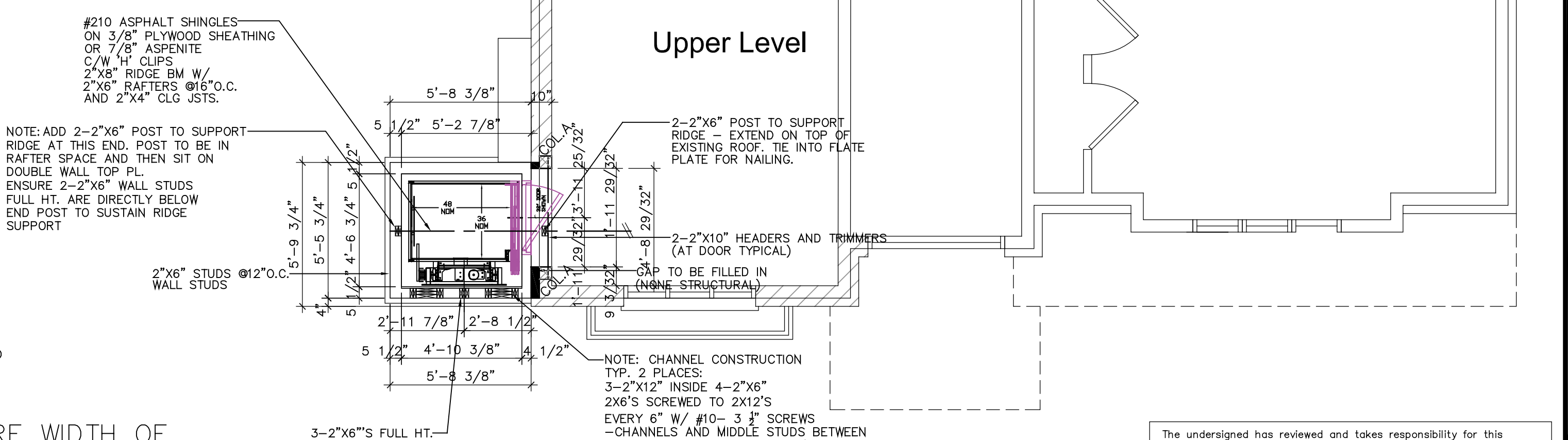
NOTE: SUPPORT EXISTING FLOOR/CEILING WHEN INSTALLING NEW BEAM AND HEADERS.
 COL 'A' - 3-2"x6" STUDS (TO SUPPORT LOADS - ENSURE SOLID BRG)

| DOOR LEGEND | GENERAL NOTES: | FLOOR PLAN DIMENSIONS : |
|------------------|--------------------------|--|
| 1 1'8" x 6'8" | SMOKE ALARMS : | ALL DIMENSIONS ON FLOOR PLANS |
| 2 2'0" x 6'8" | NOTE ALL SMOKE ALARMS | ARE FROM NOMINAL STUD FACE TO WITH-IN A SINGLE DWELLING UNIT |
| 3 2'4" x 6'8" | SHALL BE INTERCONNECTED. | NOMINAL STUD FACE OR FACE OF EXTERIOR FINISH MATERIAL. |
| 4 2'6" x 6'8" | | |
| 5 2'8" x 6'8" | | |
| 6 3'0" x 6'8" | | |
| 7 SLIDERS TO FIT | | |

NOTE: CAMBRIDGE ELEVATORS IS TO ENSURE THE DRAWINGS FOR THE 'HERITAGE' ELEVATOR SHOWN MEETS OR EXCEEDS ALL SPECIFICATIONS REQUIRED. PLEASE REVIEW AND PROVIDE ANY CONCERNS OR ISSUES OR DESIGN CHANGES REQUIRED TO UNIQUE DESIGNS INC.

NOTE: FOR DIMENSIONS OF RAIL WALL IN REGARDS TO WOOD DIMENSIONING REFER TO CAMBRIDGE ELEVATOR SHOP DRAWINGS FOR THIS INFO. NOT SHOWN ON DRAWINGS TO ENSURE FRAMING CONTRACTOR REVIEWS ELEVATOR SHOPS

NOTE: FOR WALL RAIL BRACKET REFER TO REGULAR AND MINI RAIL BRACKET GEOMETRY PER CAMBRIDGE SHOP.



EXISTING SECOND FLOOR PLAN

NOTE: SUPPORT EXISTING FLOOR/CEILING WHEN INSTALLING NEW BEAM AND HEADERS.
 COL 'A' - 3-2"x6" STUDS (TO SUPPORT LOADS - ENSURE SOLID BRG)

DO NOT SCALE DRAWINGS

| No. | DATE | DESCRIPTION |
|-----|----------|----------------------------|
| 1. | 11.29.22 | ISSUED FOR PERMIT |
| 2. | 02.10.23 | REVISED/ ISSUED FOR PERMIT |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |

THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE PRIOR TO ANY WORK. ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
 THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

UNIQUE DESIGNS INC.



ELEVATOR ADDITION

ROSATO RESIDENCE
 3 BLACKSMITH CRT., ANCASTER, ONT.

| | |
|------------|------------|
| Drawn By | Scale |
| Date: | 1/4"=1'-0" |
| Job Number | A2 |
| 102522 | |

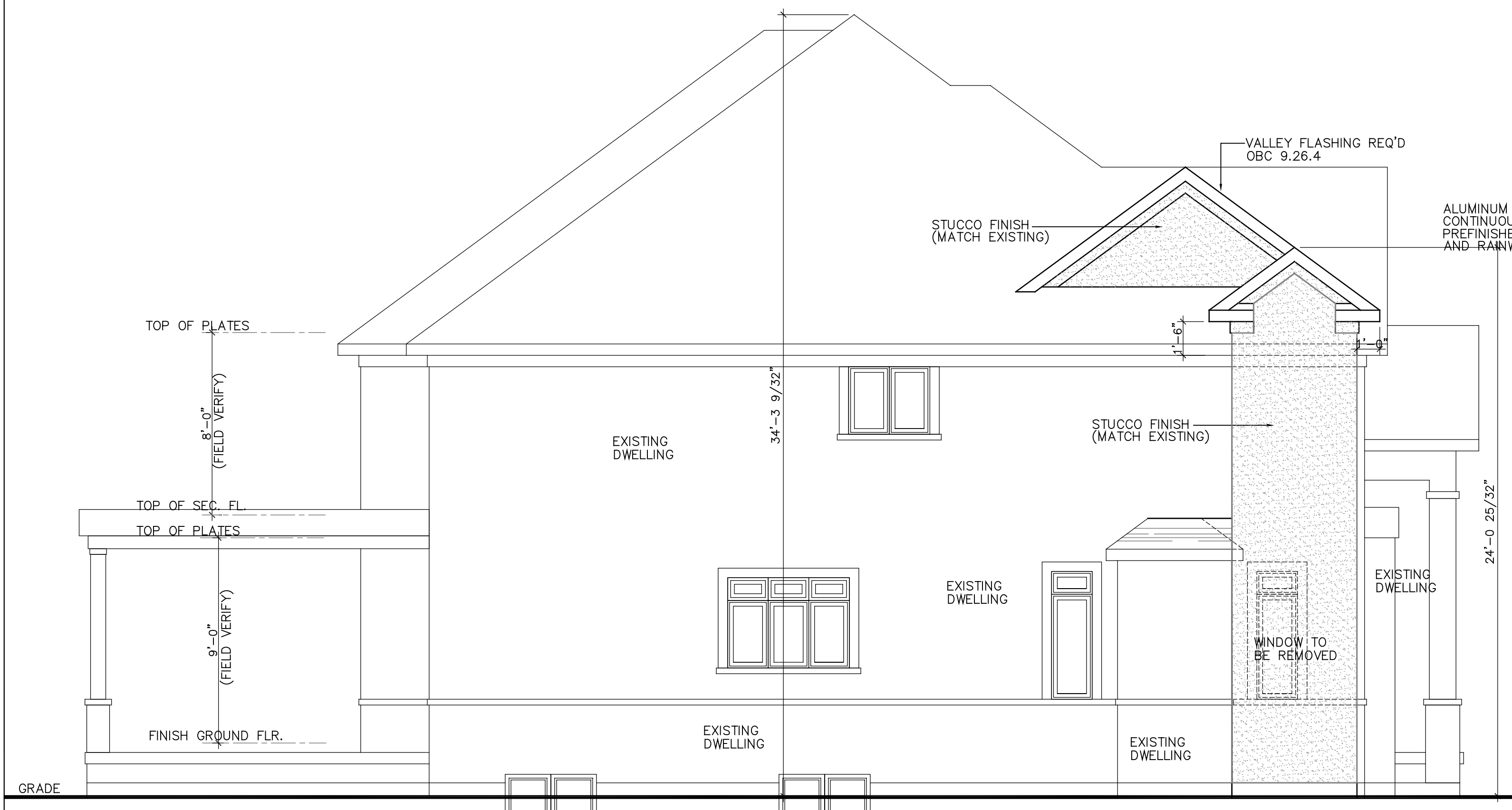
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
 Required unless design is exempt under Div. C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO 15084 BCN
 Name Signature

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

UNIQUE DESIGNS INC 31090 BCN
 Firm Name



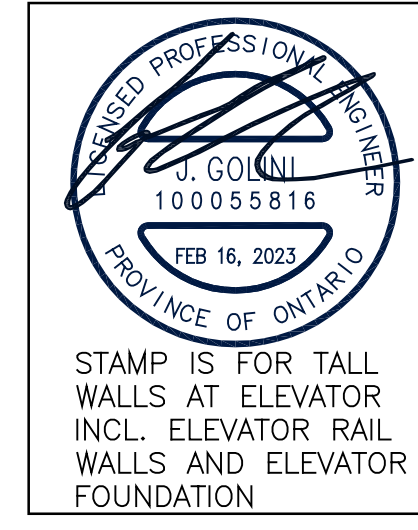
LEFT SIDE ELEVATION



FRONT ELEVATION

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

NOTE: CAMBRIDGE ELEVATORS IS TO ENSURE THE DRAWINGS FOR THE 'HERITAGE' ELEVATOR SHOWN MEETS OR EXCEEDS ALL SPECIFICATIONS REQUIRED. PLEASE REVIEW AND PROVIDE ANY CONCERNS OR ISSUES OR DESIGN CHANGES REQUIRED TO UNIQUE DESIGNS INC.



GENERAL SPECIFICATION

GENERAL NOTES

ALL CONSTRUCTION TO MEET OR EXCEED ONTARIO BUILDING CODE LATEST ADDITION (2012).
 SITE VERIFY WHEN ADDING ON TO OR REMOVING FROM AN EXISTING BUILDING THAT ALL EXISTING OR NEW STRUCTURAL COMPONENTS ARE CAPABLE OF WITHSTANDING THE STRUCTURAL LOADS IMPOSED, AND REPORT ANY DISCREPANCIES AND/OR DEFICIENCIES TO THE DESIGNER.
 ENSURE THAT ALL CONSTRUCTION, MATERIALS, METHODS OF INSTALLATION, AND BRACING COMPLY WITH REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION. MAKE GOOD ALL DISTURBED OR DAMAGED DURING CONSTRUCTION WHETHER SHOWN ON THE DRAWINGS OR NOT.
 REPORT ANY CONTEMPLATED DEVIATIONS FROM THE APPROVED DRAWINGS OR SPECIFICATIONS TO THE DESIGNER PRIOR TO MAKING ANY CHANGES.
 PROVIDE CUTTING, PATCHING AND REMEDIAL WORK IN ORDER TO ENSURE PARTS OF THE WORK COME TOGETHER PROPERLY.
 TEMPORARY BRACING TO BE USED WHEREVER NECESSARY TO WITHSTAND ALL LOADS DURING ERECTION AND SUBSEQUENT CONSTRUCTION.

CONCRETE FOOTINGS, FOUNDATION WALLS & SLABS

CONCRETE FOOTINGS TO REST ON UNDISTURBED SOIL CAPABLE OF SUSSTAINING A LOAD OF 2000 LBS. PER SQUARE FOOT MINIMUM 4'-0" BELOW GRADE.
 FOOTINGS TO CONFORM TO O.B.C. SECTION 9.15.
 STEPPED FOOTINGS MAX. 2'-0" HORIZONTAL AND VERTICAL STEP 2/3 HORIZONTAL STEP TO MAX. 5'-0".
 FOUNDATION WALLS TO BE MIN. 10" THICK UNLESS OTHERWISE NOTED.
 ALL FOUNDATION WALLS TO EXTEND MIN. 6" ABOVE GRADE.
 HABITABLE ROOMS ON CONCRETE SLABS TO BE DAMPROOFED WITH 6 MIL POLY VAPOUR BARRIER.

WOOD FRAMING

ALL FRAMMING LUMBER TO O.B.C. STANDARDS. ALL FRAMMING LUMBER INDICATED ON DRAWINGS TO BE S.P.F. No.2 UNLESS OTHERWISE SPECIFIED.
 BEAMS TO HAVE MIN. BEARING OF 3 1/2".
 LATERAL SUPPORT - WALLS SUPPORTING JOISTS, ANCHOR SILL PLATE WITH 1/2" DIA. ANCHOR BOLTS MAX. 7'-10" O.C. EMBEDDED 4" INTO MASONRY OR ANCHORED EVERY 4TH JOIST NOT RESTING ON A PLATE WITH 3/16" x 1 1/2" STEEL JOIST ANCHORS.
 LATERAL SUPPORT - WALLS PARALLEL TO JOISTS, BEND 3/16" x 1 1/2" STEEL STRAP 3" INTO MASONRY AND FIX TO 3 PARALLEL JOISTS OR FIX SILL PLATE TO 3 RIGIDLY CONNECTED FLOOR JOISTS AT 7'-10" MAX.
 ALL JOISTS TO HAVE BRIDGING OVER INTERIOR BEARING WALLS AND BEAMS.
 MIN. SILL PLATE 2"x6".
 SILL PLATES ANCHORS TO BE MIN. 1/2" DIA. BOLTS EMBEDDED 4" INTO FOUNDATION WALLS.
 SPACE FLOOR JOISTS AT 12" O.C. FOR CANTILEVERS.
 MIN. 1 1/2" END BEARING REQUIRED FOR FLOOR JOISTS, CEILING JOISTS, ROOF JOISTS AND RAFTERS.
 PROVIDE METAL JOIST HANGERS FOR SUPPORT OF JOISTS FRAMING INTO SIDES OF WOOD BEAMS, HEADER AND TRIMMER JOISTS WHEN REQUIRED.

ROOF CONSTRUCTION

1. ALL ROOF TRUSSES MUST BE DESIGNED AND FABRICATED IN ACCORDANCE WITH O.B.C./N.B.C. PART 4.
 2. TRUSS SUPPLIER SHALL SUPPLY ALL NECESSARY PLANS INCLUDING PLACING DRAWING SHOWING LOCATION, LOADING, ALLOWABLE STRESSES, TEMPORARY AND PERMANENT BRACINGS AND SHALL BEAR THE SEAL OF PROFESSIONAL ENGINEER LICENCED AND INSURED TO PRACTICE IN THE PROVINCE OF ONTARIO. TRUSS DRAWINGS MUST BE SUBMITTED TO THE DESIGNER & THE CHIEF BUILDING OFFICIAL FOR APPROVAL AND TO VERIFY ALL BEAM AND LINTEL SIZES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 3. HIP AND VALLEY RAFTERS TO BE 2" DEEPER THAN COMMON RAFTERS.
 4. ROOF EDGE SUPPORTS TO BE MIN. 2"x2" BLOCKING.
 5. PROVIDE 1"x4" CONTINUOUS TRUSS BRIDGING AT 7'-0" O.C. MAXIMUM.
 6. PROVIDE 2"x4" WALL TIES ACROSS JOISTS OR BOTTOM TRUSS CORDS AT MIN. 4'-0" O.C. FOR ROOF SLOPES 4/12 OR GREATER.

FLASHING

1. FLASHING IS REQUIRED UNDER ALL JOINTED SILLS AND OVERHEADS OF WINDOWS AND DOORS IN EXTERIOR WALLS IF DISTANCE BELOW EAVE IS MORE THAN 1/4 OF THE ROOF OVERHANG.
 2. CHIMNEY FLASHING IS REQUIRED AT INTERSECTION WITH ROOF. FLASH OVER A CHIMNEY SADDLE WHEN WIDTH OF CHIMNEY EXCEEDS 1'-6".
 3. FLASHING REQUIRED AT INTERSECTION OF ROOFS AND WALL, VALLEYS, AND OVER PARAPET WALLS.
 4. FLASHING BETWEEN ROOF SHINGLES AND WALL SIDING TO BE 20ga. GALV. METAL AND TO EXTEND 3" VERTICALLY & HORIZONTALLY.

HEATING

1. HEATING DESIGN HAS BEEN LOCATED AS A SUGGESTED GUIDE ONLY. INSTALLATION AND DESIGN IS TO BE AS PER THE ONTARIO BUILDING CODE, PART 6. HEATING PLANS AND HEAT LOSS/HEAT GAIN CALCULATIONS ARE TO BE SUBMITTED TO THE LOCAL BUILDING OFFICIAL AND THE DESIGNER FOR REVIEW AND APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

CEILING JOISTS

| JOIST SIZE | JOIST SPACING |
|------------|-----------------------|
| 12" o.c. | 16" o.c. 24" o.c. |
| 2x4 | 10'-2" 9'-3" 8'-1" |
| 2x6 | 16'-0" 14'-7" 12'-9" |
| 2x8 | 21'-1" 19'-2" 16'-9" |
| 2x10 | 28'-11" 24'-8" 21'-4" |

ROOF SHEATHING

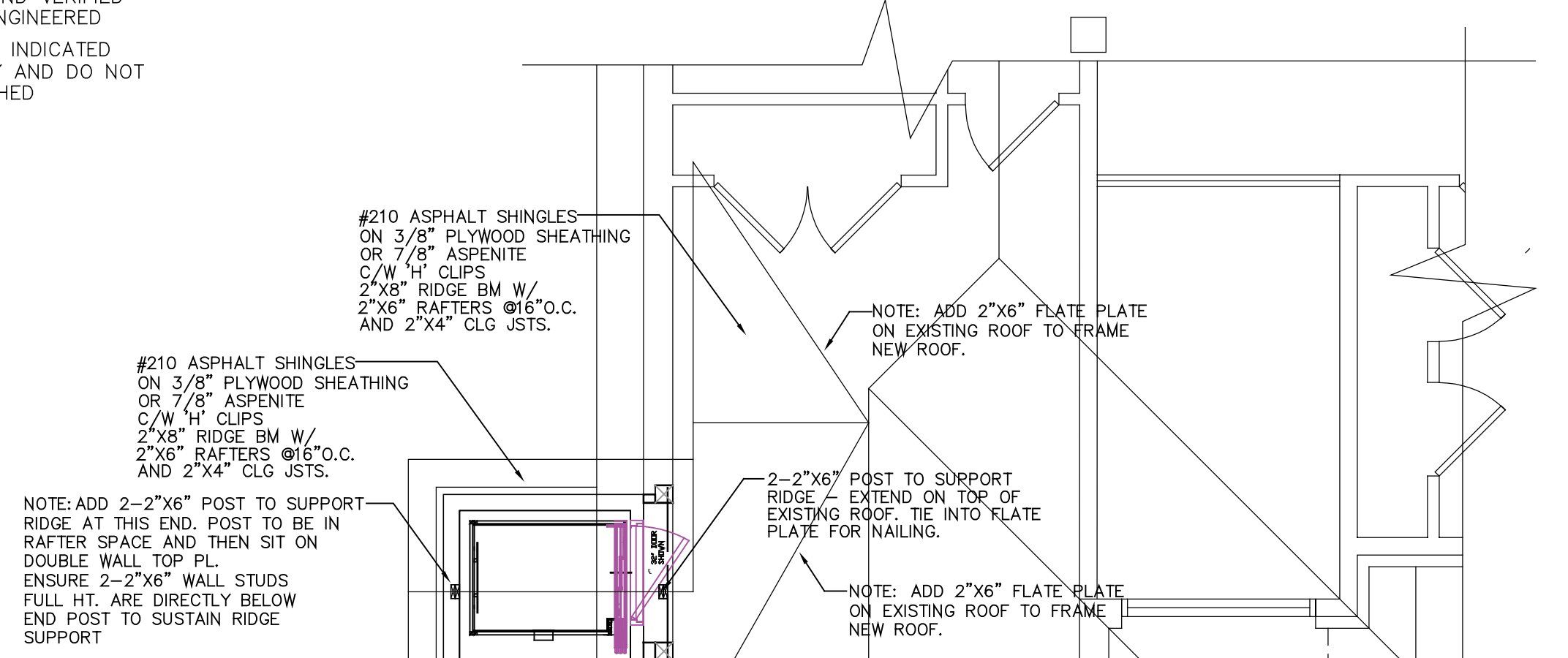
| ROOF FRAMING | ROOF SHEATHING UNSUPPORTED EDGES | ROOF SHEATHING TONGUE & GROOVE, 'H'-CLIPS OR OTHER EDGE SUPPORT |
|--------------|--|---|
| 12" o.c. | 5/8" PLYWOOD, WAFER BD. OR 11/16" LUMBER | 5/16" PLYWOOD, 3/8" WAFER BD. OR 11/16" LUMBER |
| 16" o.c. | 5/8" PLYWOOD, 7/16" WAFER BD. OR 11/16" LUMBER | 5/16" PLYWOOD, 3/8" WAFER BD. OR 11/16" LUMBER |
| 24" o.c. | 1/2" PLYWOOD OR 3/4" LUMBER | 3/8" PLYWOOD, 7/16" WAFER BD. OR 3/4" LUMBER |

ROOF JOISTS (WHERE CEILING IS INSTALLED)

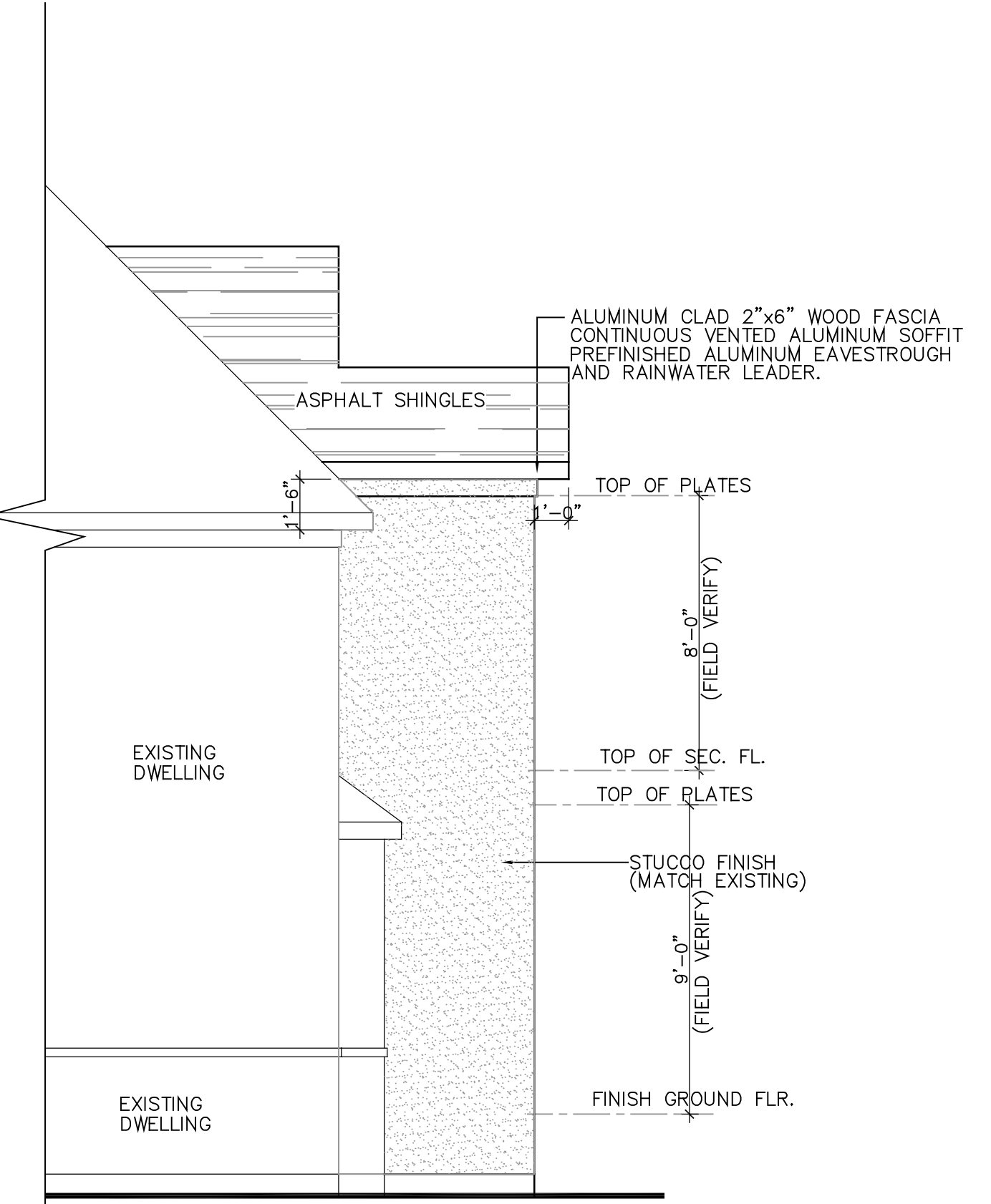
| JOIST SIZE | MAXIMUM CLEAR SPAN | | | MAXIMUM CLEAR SPAN | | |
|---------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | ROOF SNOW LOAD 21 PSF | ROOF SNOW LOAD 31 PSF | ROOF SNOW LOAD 31 PSF | ROOF SNOW LOAD 21 PSF | ROOF SNOW LOAD 31 PSF | ROOF SNOW LOAD 31 PSF |
| JOIST SPACING | 12" o.c. | 16" o.c. | 24" o.c. | 12" o.c. | 16" o.c. | 24" o.c. |
| 2x4 | 8'-1" | 7'-4" | 7'-1" | 6'-5" | 6'-5" | 5'-7" |
| 2x6 | 12'-9" | 11'-6" | 10'-1" | 11'-1" | 10'-1" | 8'-9" |
| 2x8 | 16'-9" | 15'-2" | 13'-3" | 14'-7" | 13'-3" | 11'-7" |

ROOF RAFTERS (WHERE NO CEILING IS INSTALLED)

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



PARTIAL - ROOF PLAN



PART - REAR ELEVATION

EXIST. TO 'NEW' F'D'N CONNECTION DETAIL

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
 QUALIFICATION INFORMATION
 Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code
 MAURO FORTUNATO
 Name Signature 15084 BCN
 REGISTRATION INFORMATION
 Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code
 UNIQUE DESIGNS INC
 Firm Name 31090 BCN

| No. | DATE | DESCRIPTION |
|-----|----------|---------------------------|
| 1. | 11.29.22 | ISSUED FOR PERMIT |
| 2. | 02.10.23 | REVISED/ISSUED FOR PERMIT |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |

THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOINTS. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
 THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

| No. | DATE | DESCRIPTION |
|-----|----------|---------------------------|
| 1. | 11.29.22 | ISSUED FOR PERMIT |
| 2. | 02.10.23 | REVISED/ISSUED FOR PERMIT |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |

UNIQUE DESIGNS INC.



ELEVATIONS

ELEVATOR ADDITION

ROSATO RESIDENCE
 3 BLACKSMITH CRT.,
 ANCASTER, ONT.

| | |
|------------|------------|
| Drawn By | Scale |
| Date: | 1/4"=1'-0" |
| Job Number | A1 |
| 102522 | |

DO NOT SCALE DRAWINGS



Hamilton

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

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

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

1. APPLICANT INFORMATION

| | NAME | MAILING ADDRESS | |
|----------------------|------|-----------------|---------|
| Registered Owners(s) | | | |
| Applicant(s) | | | |
| Agent or Solicitor | | | Phone: |
| | | | E-mail: |

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 | 3 Blacksmith Ct. Ancaster Ontario L9G 5C8 | | |
| Assessment Roll Number | Ward 12 | | |
| Former Municipality | ANC | | |
| Lot | 25 | Concession | |
| Registered Plan Number | 62M-1000 | 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:

The relief is requested for the installation of a 3-stop pediatric elevator for a dependant child age 8. The child has Cerebral Palsy, uses aids to walk and is unable to climb or descend stairs. The proposed pediatric elevator is to be installed in a bump-out addition on the side-yard of the property. The location is optimal, as the top stop lands directly in child's bedroom and is the only location the elevator can be installed without major structural changes to the home. The elevator will allow access to all floors of the home.

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 for the property at 3 Blacksmith Ct. is indeed "R3-461" for a side lot line abutting a street a minimum side yard setback of 5.5m is required. The bump-out does not meet these requirements.

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 |
|--------------------|-----------|--------------------------|-----------------|
| 15.0M MIN / 49'-3" | | 999.83 sq.M. /10762.00 s | |

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

Existing:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|---------------------------------|--------------------|-------------------|--------------------|----------------------|
| Single Detached Family Dwelling | 49'-3 7/8" | 69'4 1/2" | 18'-2 1/2 | 09/18/2007 |
| | 14.84M | 20.92M | 5.42M | |
| | 15.03M | 21.15M | 5.55M | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------------------|--------------------|-------------------|--------------------|----------------------|
| Addition - Pediatric Elevator | 49'-3 7/8" | 69'4 1/2" | 12'-2 3/32" | 05/01/2023 |
| | 14.84M | 20.92M | 3.60M | |
| | 15.03M | 21.15M | 3.71M | |
| | | | | |

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 | 1764 sq. ft | 3242 sq. ft | 2 | 34'-0" +- to ridge |
| | 163.88 sq. M | 301.19 sq. M | | 10.36 M |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|--------------------------|-------------------|------------------|-------------------|--------------------|
| addition to existing sfd | 31 sq. ft | 62 sq. ft | 2 | 24'-0" +- to ridge |
| | 2.88 sq. M | 5.75 sq. M | | 7.32 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.):

Residential - Single detached Family Dwelling

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

Residential - Single detached Family Dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Aug 2013

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

residential, single detached.

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

single detached, residential

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

+15 years

7.5 What is the existing official plan designation of the subject land? Neighborhood.

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighborhood.

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

Continuing residential use

7.6 What is the existing zoning of the subject land? Residential 3, R3-461

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-----------------------------|--------------------------|---|
| APPLICATION NO.: | AN/A-23:51 | SUBJECT PROPERTY: | 107 CUMMING COURT, ANCASTER |
| ZONE: | “ER” (Existing Residential) | ZONING BY-LAW: | Zoning By-law former Town of Ancaster 87-57, as Amended |

APPLICANTS: Owner: GERHARD PUESS
Agent: VIRTUAL CREATIONS INC. C/O ERIC CANTON

The following variances are requested:

1. The proposed front yard setback of 6.95 metres to the attached garage does not comply with the minimum front yard setback of 8.87 metres. A minor variance is required to reduce the minimum front yard setback from 8.87 metres to 6.95 metres.
2. The proposed rear yard setback of 1.75 metres to the attached garage does not comply with the minimum rear yard setback of 7.5 metres. A minor variance is required to reduce the rear yard setback from 7.5 metres to 1.75 metres.

PURPOSE & EFFECT: To permit the construction of an attached garage to the existing detached dwelling.

Notes: N/A

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:15 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |

AN/A-23:51

| | |
|--|---|
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |
|--|---|

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

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

PUBLIC INPUT

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

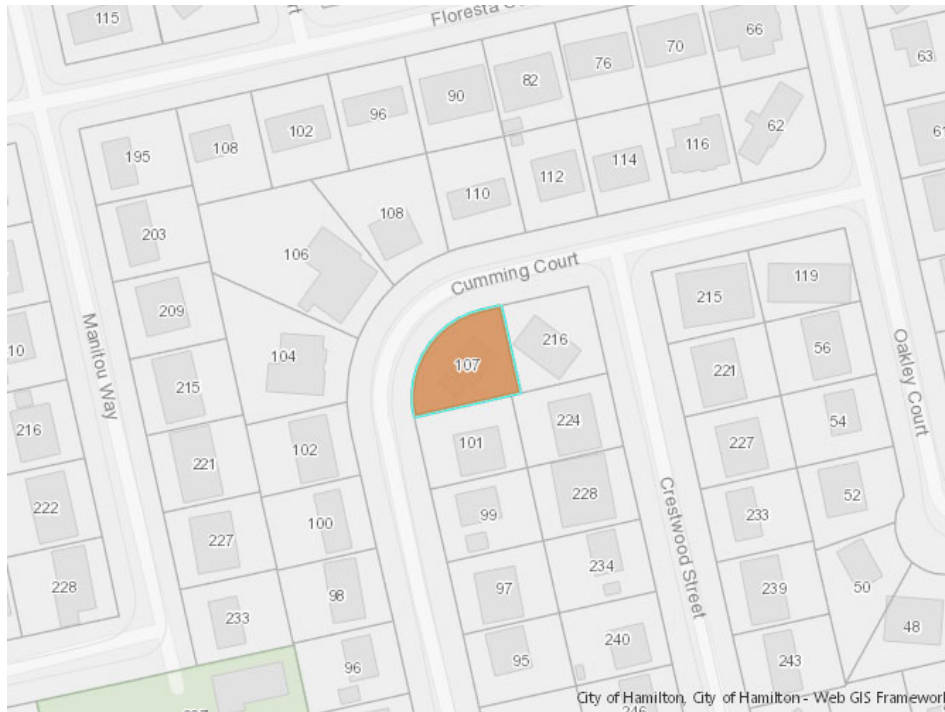
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:51, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

ANA-23:51



DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

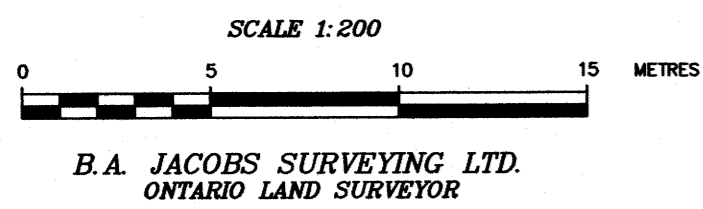
2. In person Oral Submissions

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

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

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

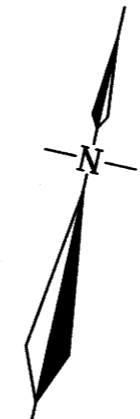
SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF
LOT 40
REGISTERED PLAN 927
CITY OF HAMILTON



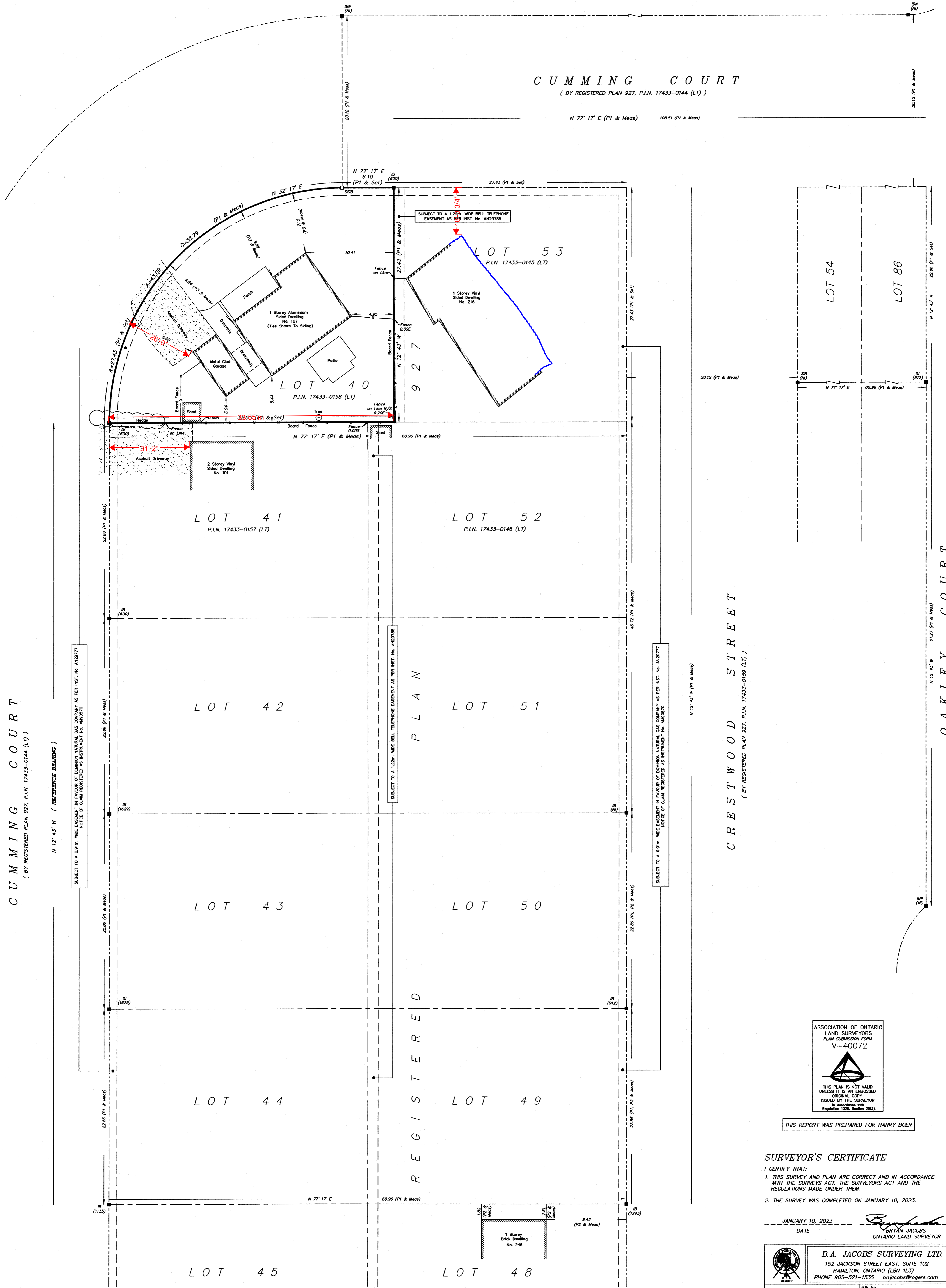
METRIC NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
EASTERLY LIMIT OF CUMMING COURT AS SHOWN ON
REGISTERED PLAN 927, HAVING A BEARING OF N 12° 43' W.

- LEGEND:
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SB DENOTES STANDARD IRON BAR
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB# DENOTES ROUND IRON BAR
 - IB DENOTES IRON BAR
 - (NI) DENOTES NOT IDENTIFIABLE
 - P1 DENOTES REGISTERED PLAN 927
 - P2 DENOTES PLAN BY A.J. CLARKE LTD. (FILE: E-10578)
 - P3 DENOTES PLAN BY S.W. WOODS O.L.S. (FILE: A-3711)
 - (600) DENOTES S.W. WOODS O.L.S.
 - (912) DENOTES A.J. CLARKE O.L.S.
 - (1135) DENOTES L.G. WOODS O.L.S.
 - (1243) DENOTES ED BARICH O.L.S.



| | |
|--|---|
| SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY | |
| DESCRIPTION OF LAND | BEING ALL OF LOT 40, REGISTERED PLAN 927, KNOWN AS MUNICIPAL No. 107 CUMMING COURT, (ANCASTER) CITY OF HAMILTON |
| REGISTERED EASEMENTS AND/OR RIGHTS OF WAY | THE WESTERLY AND NORTHERLY 0.91m. OF THE PROPERTY IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT No. AN2977, NOTICE OF CLAIM REGISTERED AS INSTRUMENT No. W90570. |
| BOUNDARY FEATURES | NOTE THE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY. |
| COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS | NOT CERTIFIED BY THIS REPORT |



CRESTWOOD STREET
(BY REGISTERED PLAN 927, P.I.N. 17433-0159 (LT.))

OAKLEY COURT



THIS REPORT WAS PREPARED FOR HARRY BOER

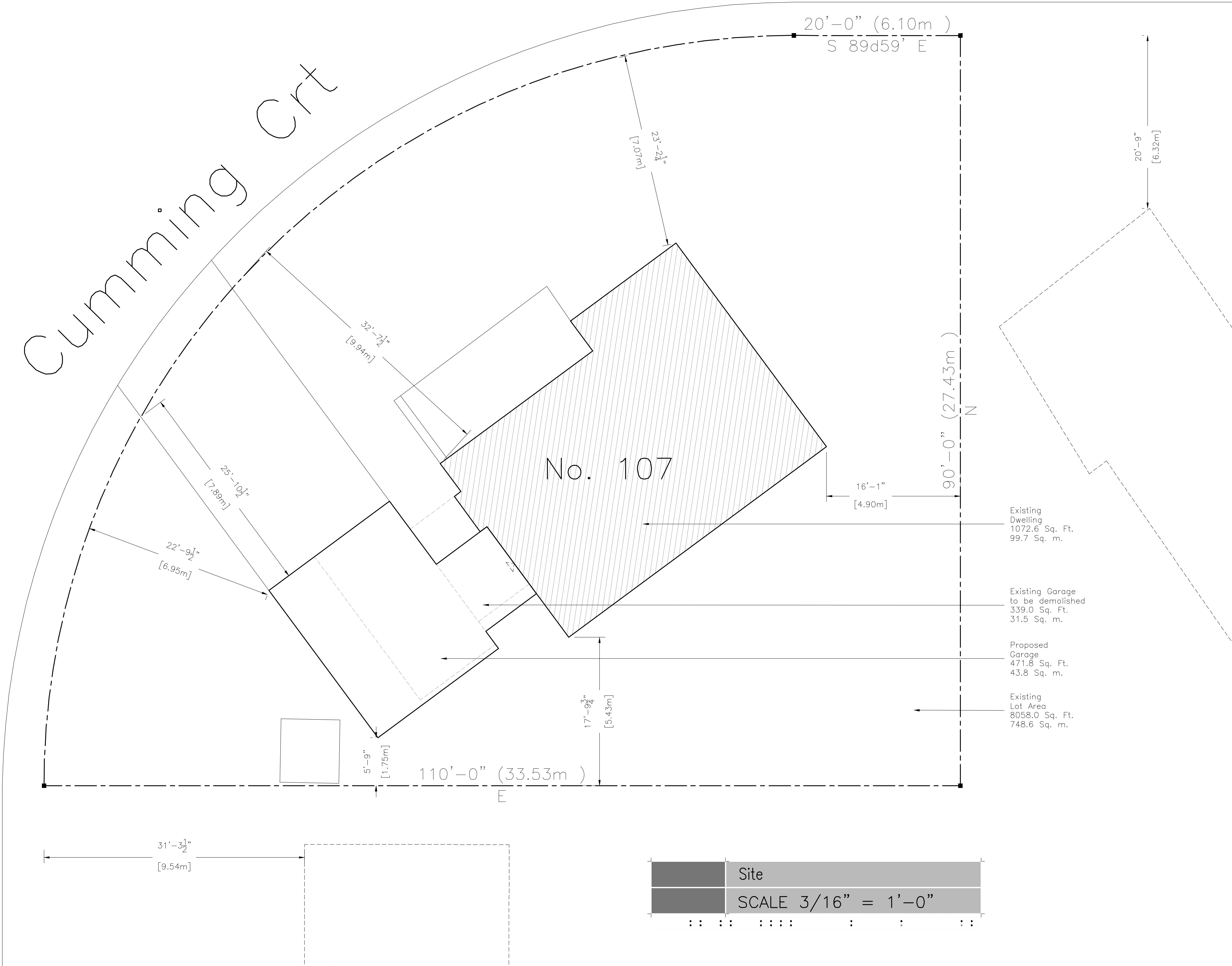
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JANUARY 10, 2023.

JANUARY 10, 2023
DATE
BRYAN JACOBS
ONTARIO LAND SURVEYOR

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

© - COPYRIGHT JOB No. 22e65

Cumming Crt



- Existing Dwelling
1072.6 Sq. Ft.
99.7 Sq. m.
- Existing Garage
to be demolished
339.0 Sq. Ft.
31.5 Sq. m.
- Proposed
Garage
471.8 Sq. Ft.
43.8 Sq. m.
- Existing
Lot Area
8058.0 Sq. Ft.
748.6 Sq. m.

Site
SCALE 3/16" = 1'-0"

VIRTUAL CREATIONS INC. PROJECT: 107 Cumming Court, Ancaster Ontario
 (905) 481-1153 BCIN No. 28844 Client: 121588 Ontario Limited
 CLASSIFICATION: SMALL BUILDINGS
 ORIGINAL SIGNATURE: WWW.VCINC.CA
 ERIC CANTON BCIN#25155

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE DESIGNER WILL ATTEMPT TO VISIT THE SITE TO VERIFY THE EXISTING CONDITIONS AND TO DETERMINE THE LOCATION OF EXISTING SERVICES. VIRTUAL CREATIONS INC. WILL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROPOSED STRUCTURE. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC. OR PURCHASED THROUGH VIRTUAL CREATIONS INC. DIRECTLY.

ISSUED: Mar 02 2023

CONTRACT

SP1-0

PROJECT INFORMATION

Project Information:

2022-037

107 Cumming Court, Ancaster Ontario

ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE ONTARIO BUILDING CODE REGULATIONS

This drawing set has been prepared under the

O. Reg 332/12
Ontario Building Code 1992
Amendment Jan 1 2020

CONSTRUCTION NOTES:
1. ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE 2022 ONTARIO BUILDING CODE REGULATIONS.
2. ALL DIMENSIONS GIVEN FIRST IN METRIC AND FOLLOWED BY IMPERIAL.

| | | | |
|----|-----------------------|------------|------|
| 1. | Issued to Consultants | 2021.04.20 | E.C. |
|----|-----------------------|------------|------|

Virtual Creations Inc. – Energy Efficiency for Housing SB-12 (2017) ZONE 1 <92

| COMPLIANCE PACKAGE Package A1 Table 3.1.1.2.A (IP) 3.1.1.2.A(IP) | COMPONENTS | | | | | | | |
|---|------------|-----------|---------------|-----------------|-----------------------|----------|-----------------|--------------------------|
| | Attic | Cathedral | Exposed Floor | Walls | Continuous Insulation | Basement | Slab Horizontal | Edge of Slab |
| | R60 | R31 | R31 | R22 | R5 | R20 ci | --- | |
| | | Skylights | Windows | Glazing Upgrade | Space Heating | HRV | Hot Water | Gray water heat recovery |
| | R6 | .49 | 25er | | 96% | 75% | .8 | 42% |

BUILDING INFORMATION

Area Calculations

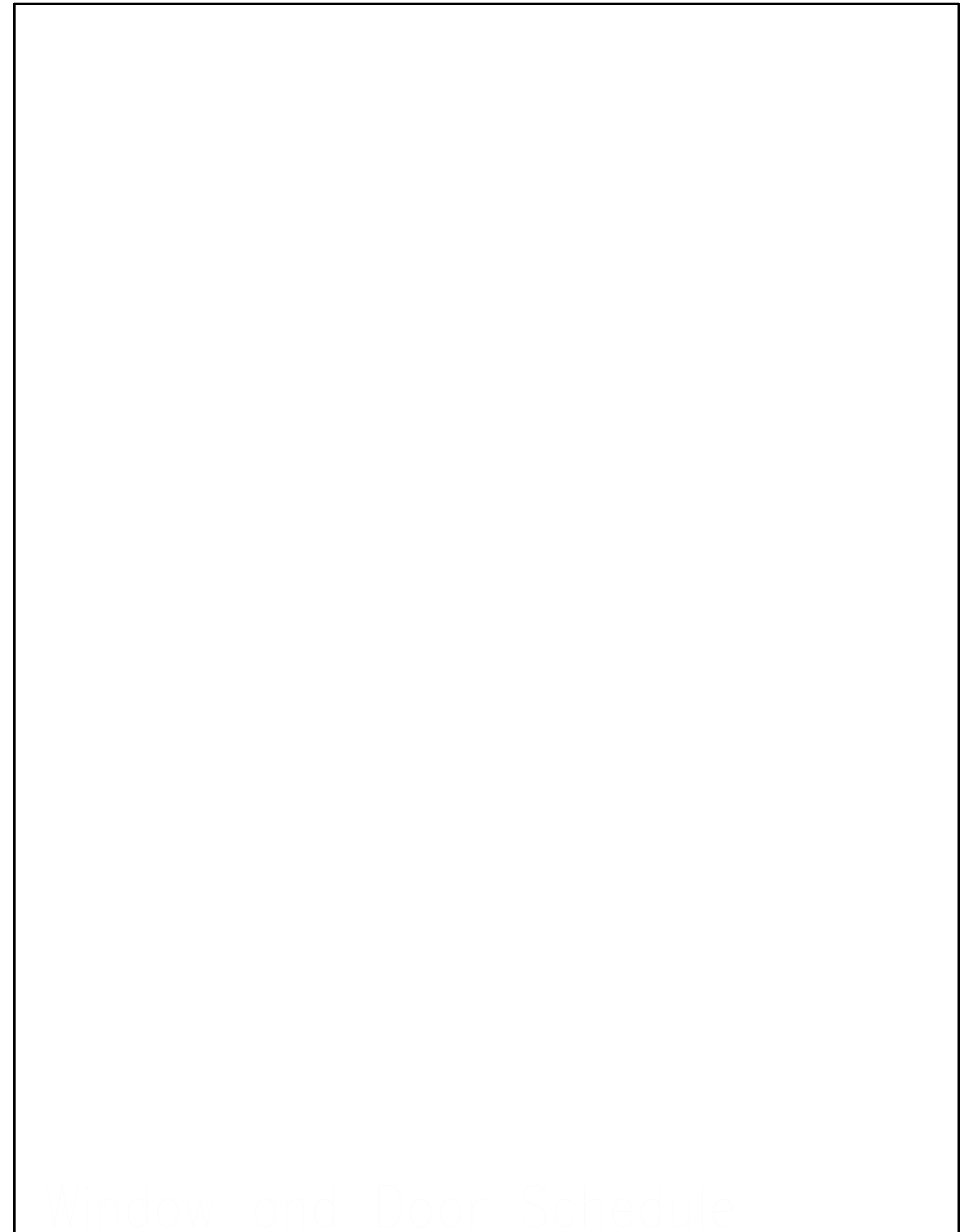
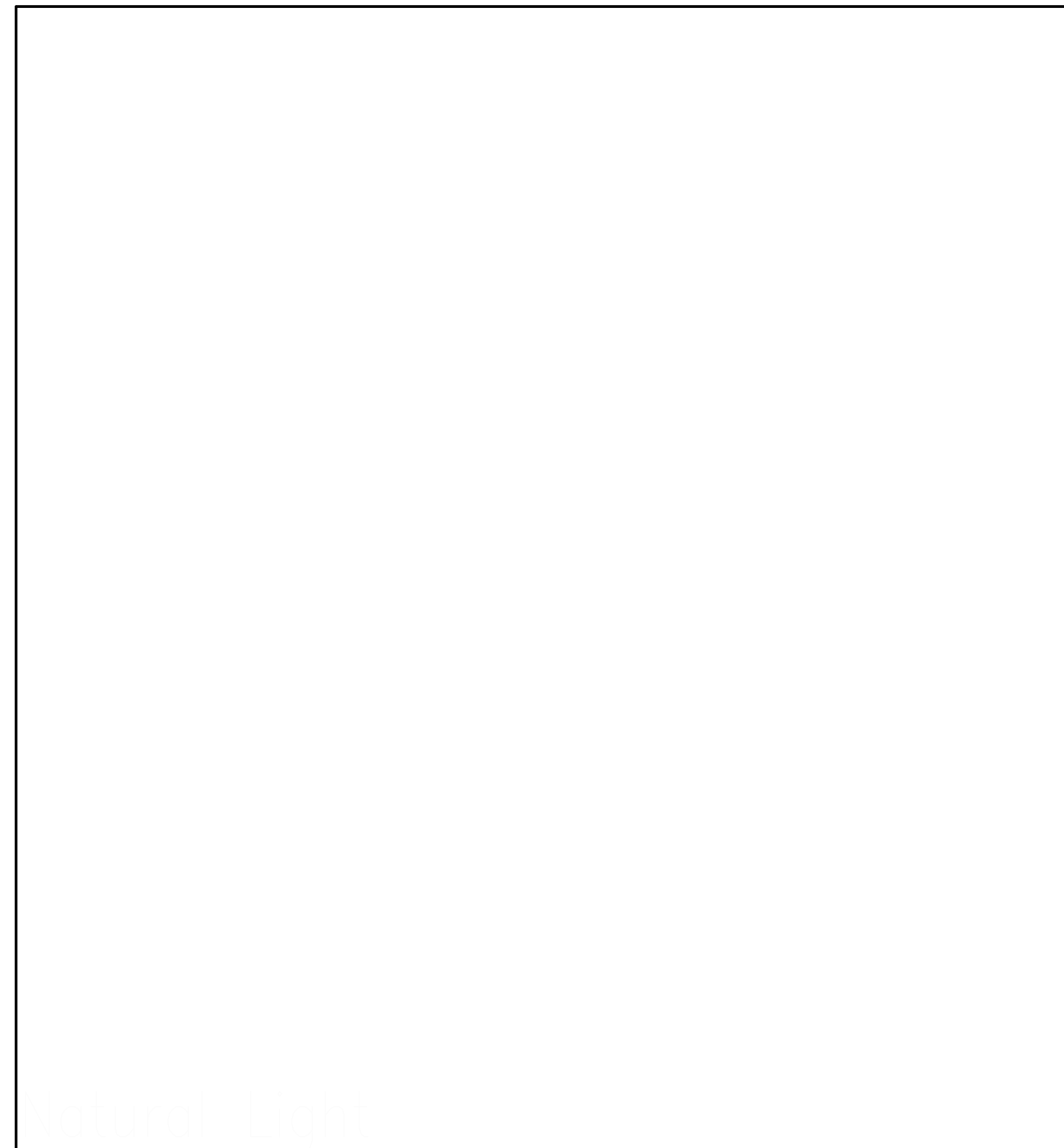
| | |
|---------------------------|---------------------------------|
| Total Building Area | 1544.47 Sq. Ft. (143.48 Sq. m.) |
| Existing Foundation Area | 1072.63 Sq. Ft. (99.65 Sq. m.) |
| Proposed Foundation Area | 471.84 Sq. Ft. (43.83 Sq. m.) |
| Existing First Floor Area | 1072.63 Sq. Ft. (99.65 Sq. m.) |
| Proposed Garage Area | 471.84 Sq. Ft. (43.83 Sq. m.) |

| | | | | |
|----|--|-----|-----|--|
| 1 | Bathroom group* with 6 LPF flush tank | N/A | 3.6 | |
| 2 | Bathroom group* with greater than 6 LPF flush | N/A | 6 | |
| 3 | Bathtub with or without shower head | 1/2 | 1.4 | |
| 4 | Clothes washer | 1/2 | 1.4 | |
| 5 | Dishwasher, domestic | 3/8 | 1.4 | |
| 6 | Hose bibb (1/2") | 1/2 | 2.5 | |
| 7 | Lavatory | 3/8 | 0.7 | |
| 8 | Shower head | 1/2 | 1.4 | |
| 9 | Shower, spray, multi-head, fixture unit per head | ** | 1.4 | |
| 10 | Sink, bar | 3/8 | 1 | |
| 11 | Sink, kitchen, domestic | 3/8 | 1.4 | |
| 12 | Sink, laundry (1 or 2 compartments) | 3/8 | 1.4 | |
| 13 | Water closet, 6 LPF or less with flush tank | 3/8 | 2.2 | |
| 14 | Other: | | | |

BUILDING INFORMATION

Metric to Imperial Steel Beam Converting

| Metric | Imperial | Metric | Imperial | Metric | Imperial | Metric | Imperial | Metric | Imperial |
|---------|----------|---------|----------|---------|----------|---------|----------|---------|----------|
| W150x22 | W6x15 | W200x27 | W8x18 | W250x22 | W10x15 | W310x39 | W12x26 | W360x57 | W14x38 |
| W150x30 | W6x20 | W200x31 | W8x21 | W250x33 | W10x22 | W310x60 | W12x40 | | |
| W150x37 | W6x25 | W200x36 | W8x24 | W250x38 | W10x29 | W310x67 | W12x45 | | |
| | | W200x42 | W8x28 | | | | | | |
| | | W200x46 | W8x31 | | | | | | |
| | | W200x59 | W8x40 | | | | | | |



Designed By:

VIRTUAL CREATIONS INC.

ARCHITECTURAL CONSULTING SERVICES (905) 481 1153

PROJECT: 107 Cumming Court, Ancaster Ontario

PROJEC T NO: 2022-037

INC. BCIN No. 28844

(905) 481 1153

Client: 1215888 Ontario Limited

Classification: Original Signature: **WWW.VCINC.CA**

ERIC CANTON BCIN#25135

ISSUED: Mar 02 2023

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE DESIGNER WILL MAKE THE NECESSARY REVISIONS TO THE DRAWINGS TO REFLECT THE ACTUAL CONDITIONS OF THE BUILDING. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

CONTRACT

NOTE TO FRAMERS:

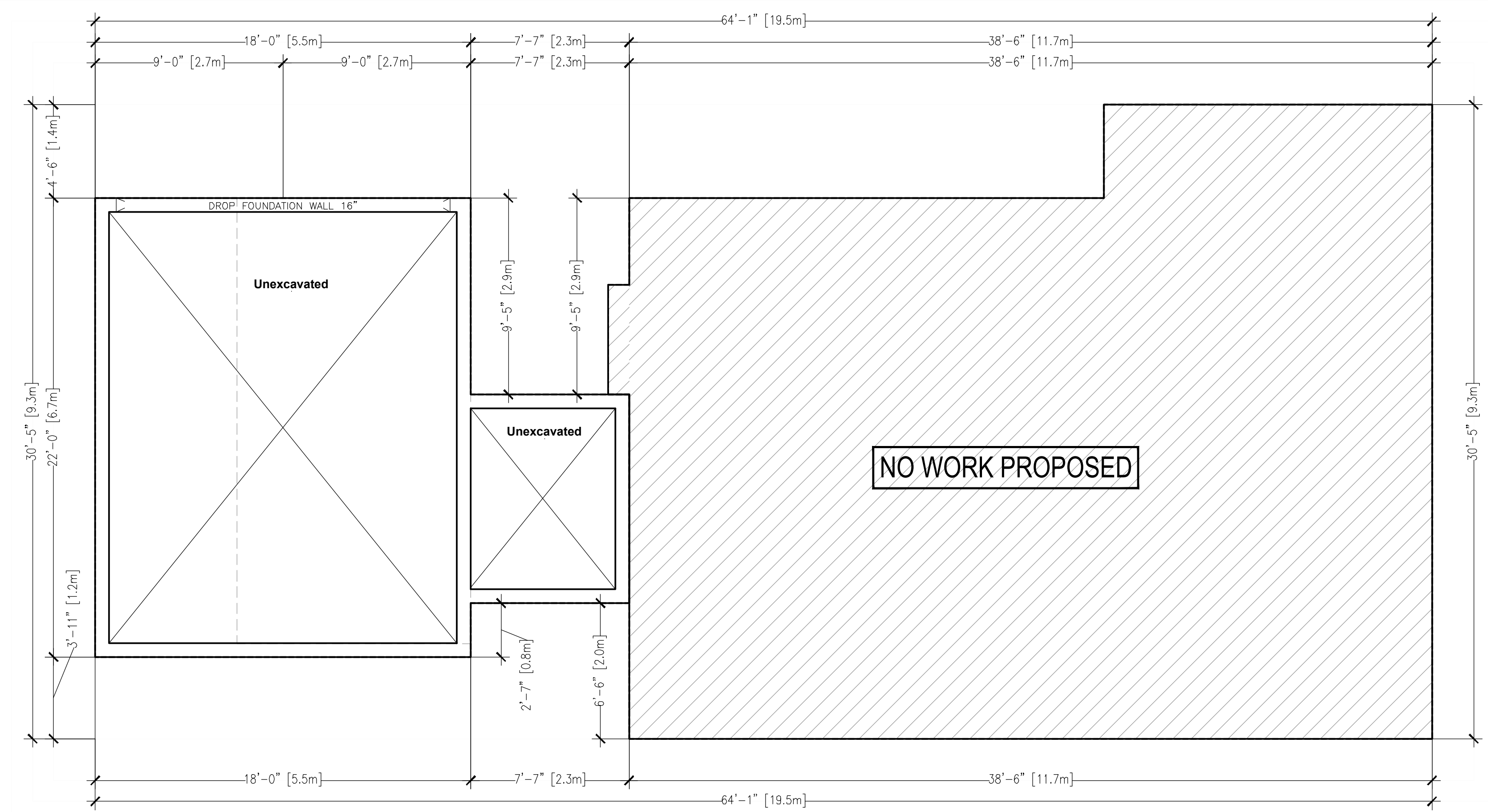
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1.905.481.1153



NOTE TO TRUSS MANUFACTURE:

2019.11.27 - Manufactured Items and Materials

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DIMENSION NOTE:

2019.12.05 - There are different ways of dimension architectural floors, what follows is an explanation of the why interior walls are dimensioned as 4" or 6" vs other methods.

Some Architectural drawings chose to dimension the rough wood stud framing. However this would create a lot fractioned dimensions on the plans and would require the framer to account for the 1/2" drywall material in some conditions like bathroom tubs and stair wells.

Some Architectural drawings chose to dimension the finished wall thickness. However this would create a lot fractioned dimensions as well.

These Architectural set of drawings chose to dimension interior walls to a round 4" or 6" dimension. We feel this is the cleanest dimension as they do not have fractions, and at most produce a 1/4" error which isn't typically an issue. Further we full appreciate that we can not ask trades in the field to measure to 1/4" accuracies nor to we assume that as built construction could hold those tolerances.

OBC 9.10.19.3 - Smoke Alarms
(Renovations Only)

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Electrical Safety Authority

Doing electrical work? A notification must be filed with the Electrical Safety Authority. Hiring someone to do electrical contractor.

It's the law.

For more information go to www.essafe.com or call 1-877-372-7233

Part 4 Loads used

20lb Dead Load
40lb Live Load (interior)
50lb Live Load (exterior)
32lb Snow Load
10lb Wind Load

Deflection limits

L/425 Floors (interior)
L/360 Floors (exterior)

Commitment to General Review

To plans examiner, please indicate here if a commitment to general review will be required for any item submitted here on this sheet

Yes No

Notes: Engineering Drawings

These drawings shall be read in association with the engineering floor joist and specifications as well as the engineering truss layout and specification.

9.9.10.1 Egress from Bedrooms

Basement Ceiling

Unobstructed open portion having a min area of 3,768 sq. ft. (min 15'x33" example) with no dimension less than 15"

Window must be operable without tools from the interior

Sill height is NOT a requirement as per 9.9.10.1(2)

Basement Floor

Where this window opens into a window well a clearance of not less than 22" shall be provided in front of the window to the exterior.

One window in the basement must comply with these requirements as there is not a door on the same floor level as the bedroom which provides direct access to the exterior.

Basement Note:

This unit has a finished basement, see other drawings sheet "Foundation Plan (Basement)" for more information like interior wall framing.

Foundation Floor Plan
SCALE 1/4" = 1'-0"

VIRTUAL CREATIONS INC. PROJECT: 107 Cumming Court, Ancaster Ontario
PROJECT No: 2022-037
Client: 121588 Ontario Limited
Classification: _____
BCIN No. 28844
ERIC CANTON BCIN#25135

SMALL BUILDINGS
Original Signature: _____
WWW.VCINC.CA

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ISSUED: Mar 02 2023

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MUST

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Part 4 Loads used

- 20lb Dead Load
- 40lb Live Load (interior)
- 50lb Live Load (exterior)
- 32lb Snow Load
- 10lb Wind Load

Deflection limits

- L/425 Floors (interior)
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Commitment to General Review

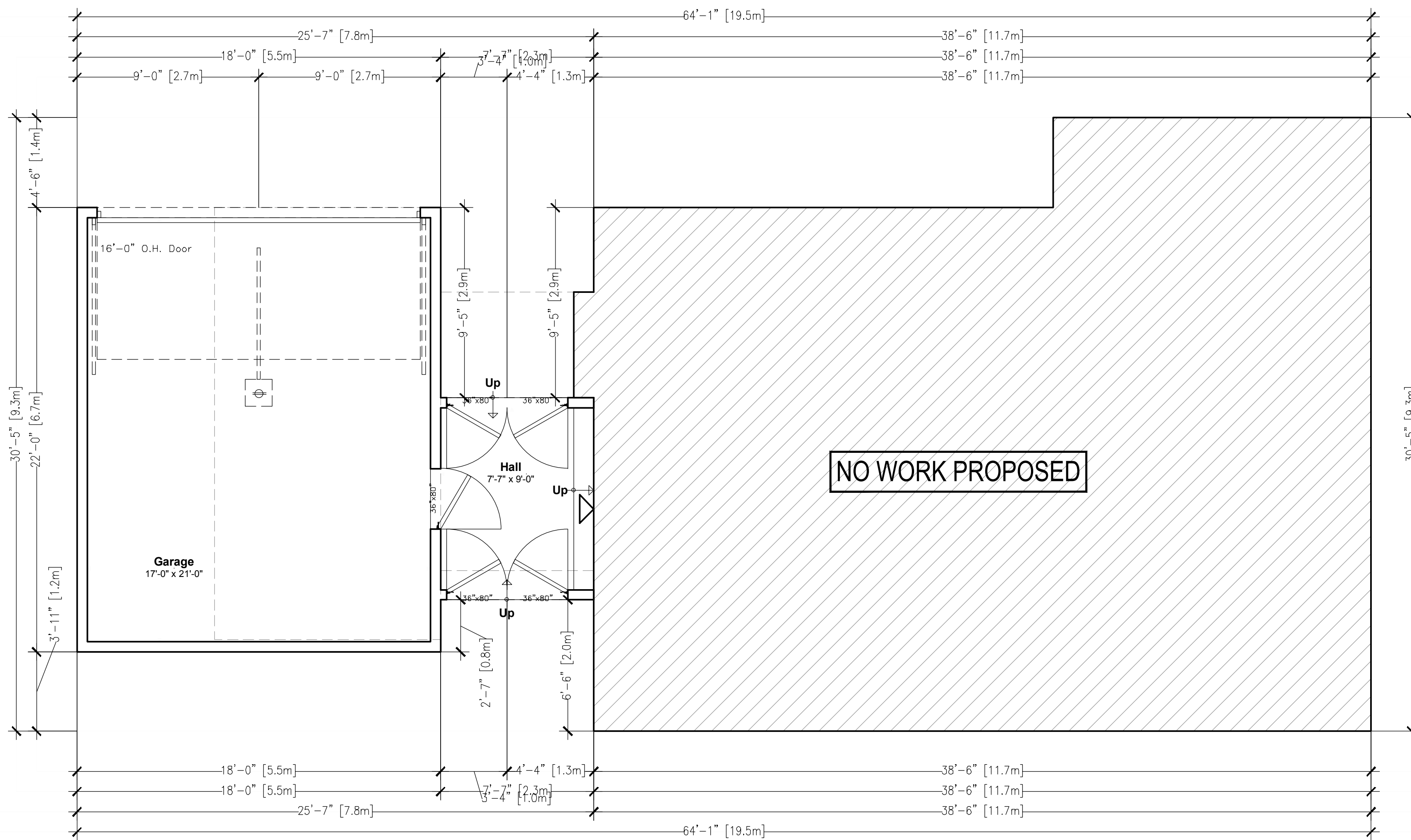
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Yes

No

Notes: Engineering Drawings

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First Floor Plan
SCALE 1/4" = 1'-0"

VIRTUAL CREATIONS INC.
 PROJECT: 107 Cumming Court, Ancaster Ontario
 PROJECT No: 2022-037
 (905) 481 1153 BCIN No. **28844**
 Client: 1215588 Ontario Limited
 Classification: **28844**
 ERIC CANTON BCIN#25135
 WWW.VCINC.CA
 Original Signature: _____
 ISSUED: Mar 02 2023

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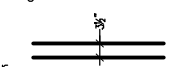
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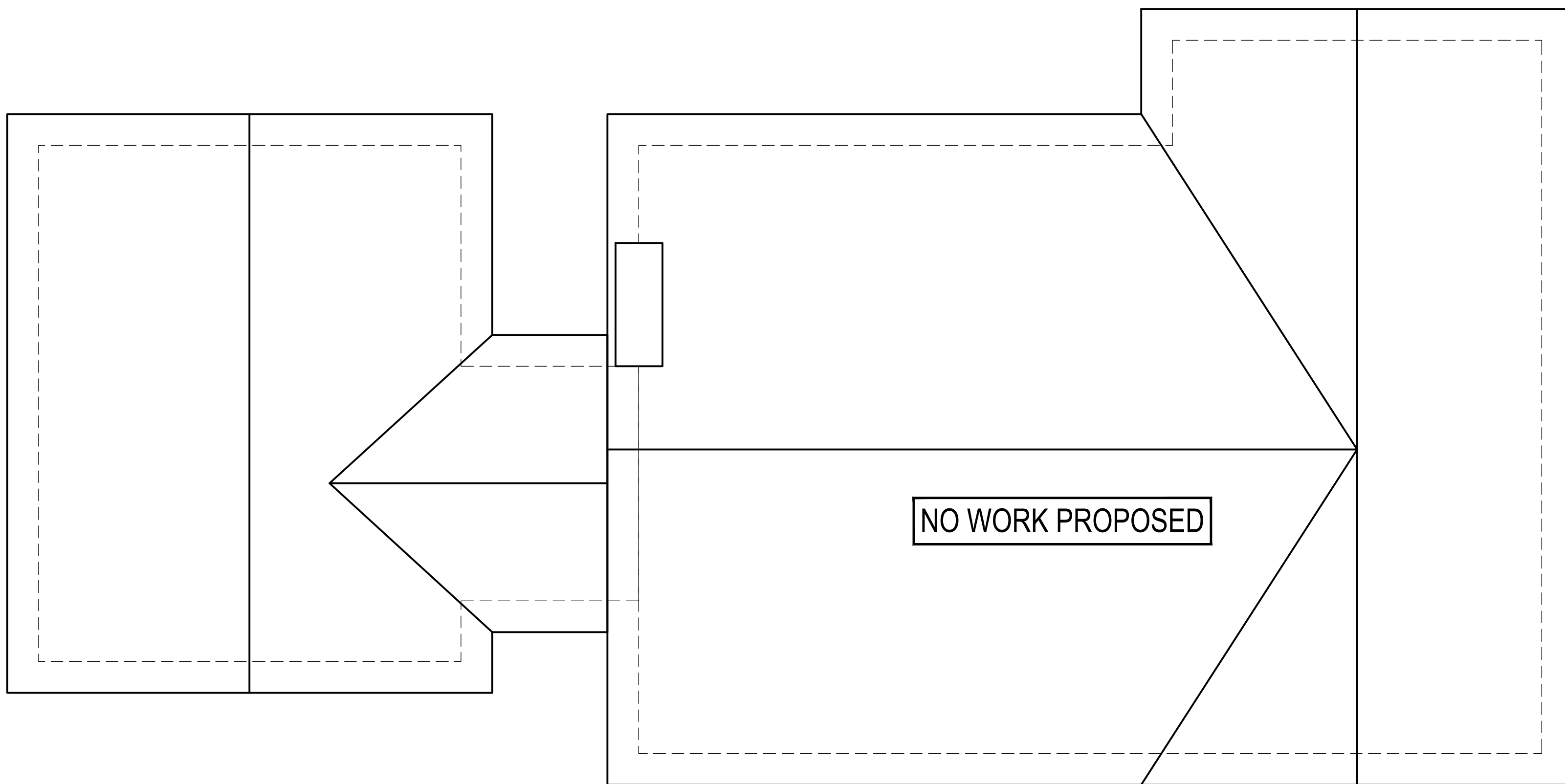
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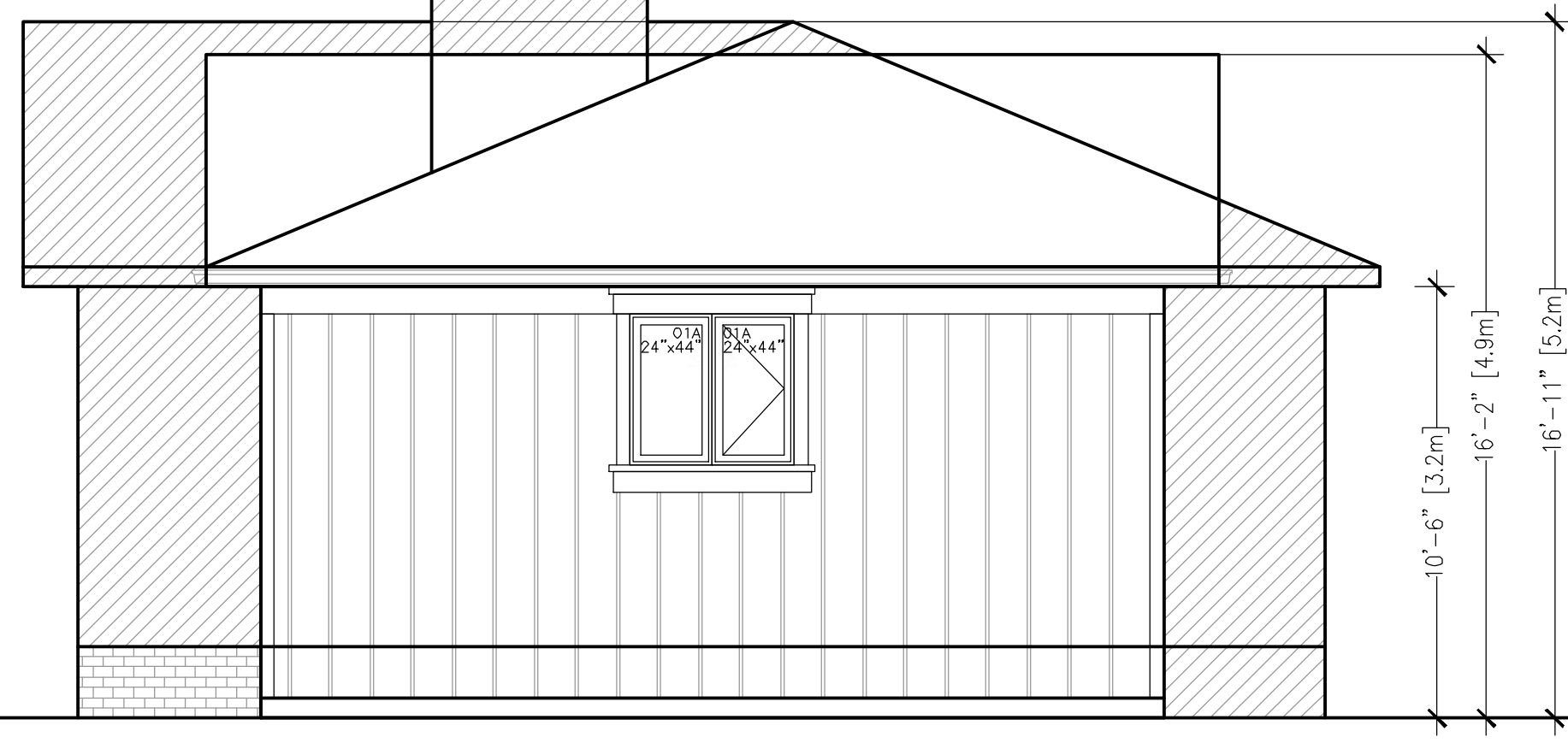
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Roof Plan
 SCALE 1/4" = 1'-0"

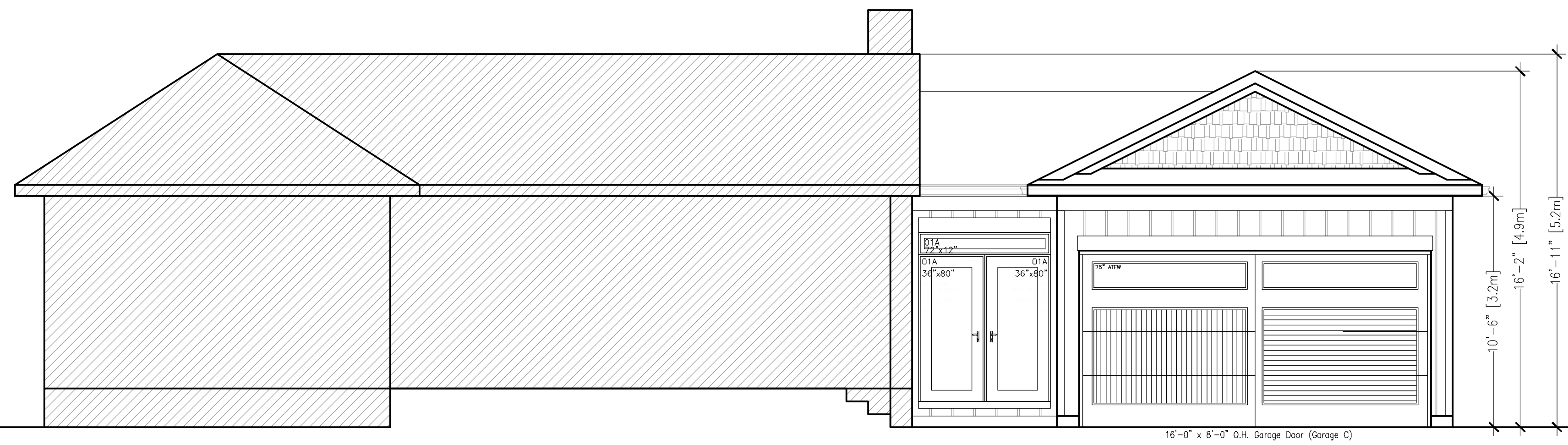
VIRTUAL CREATIONS INC.
 (905) 481 1153
 PROJECT:107 Cumming Court, Ancaster Ontario
 PROJECT No:2022-287
 BCIN No. **28844**
 Client: **ERIC CANTON BCIN#25135**
 Classification: _____
 Original Signature: _____
WWW.VCINC.CA

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Right Side Elevation
SCALE 1/4" = 1'-0"



Front Elevation
SCALE 1/4" = 1'-0"

VIRTUAL CREATIONS INC. PROJECT No. 2022-037
 (905) 481-1153 BCIN No. **28844** Client: **SMALL BUILDINGS**
 ERIC CANTON BCIN#25135 Original Signature: _____

PROJECT: 107 Cumming Court, Ancaster, Ontario

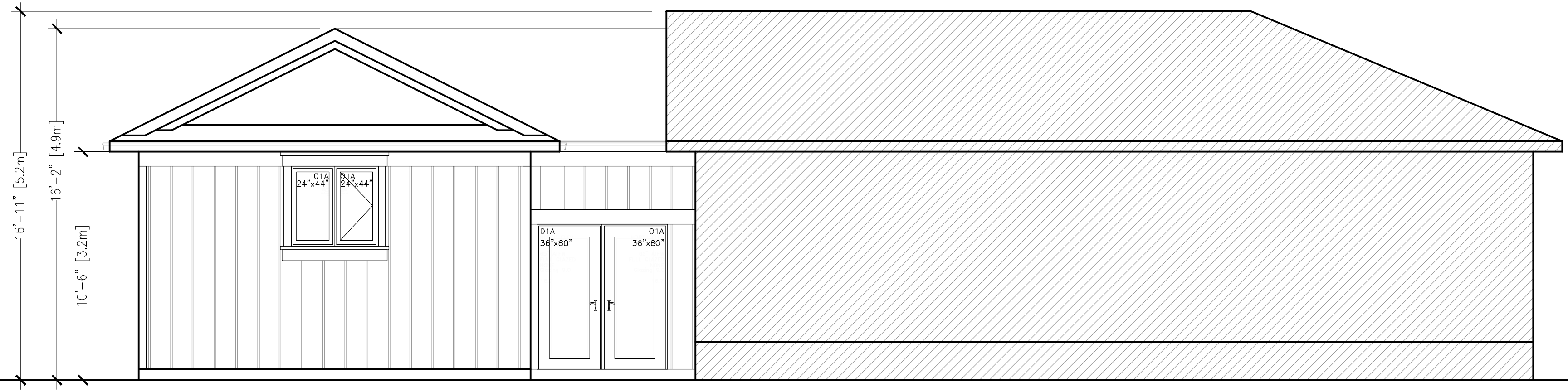
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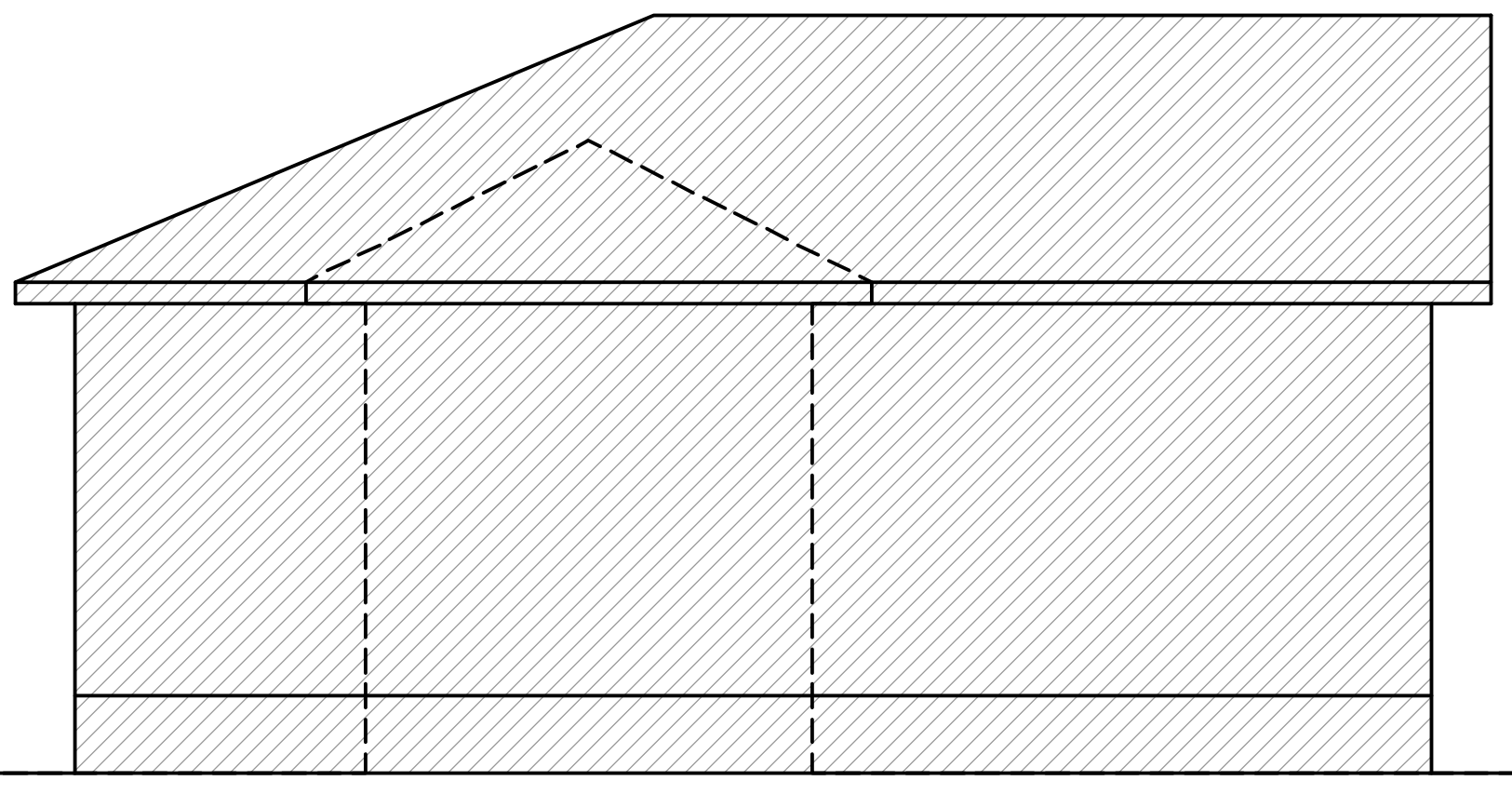
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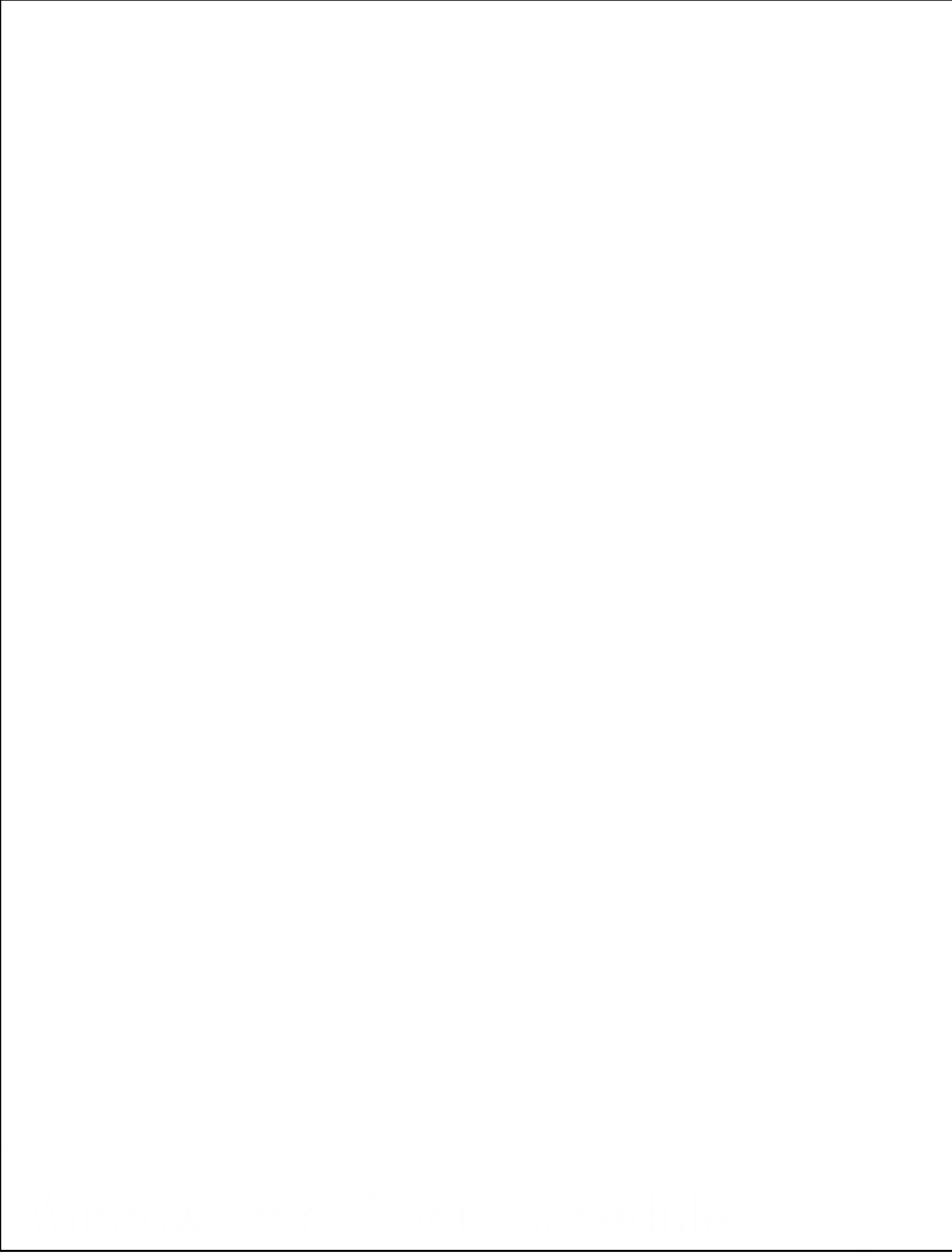
CONTRACT



Rear Elevation
SCALE 1/4" = 1'-0"



Left Side Elevation
SCALE 1/4" = 1'-0"



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Hamilton

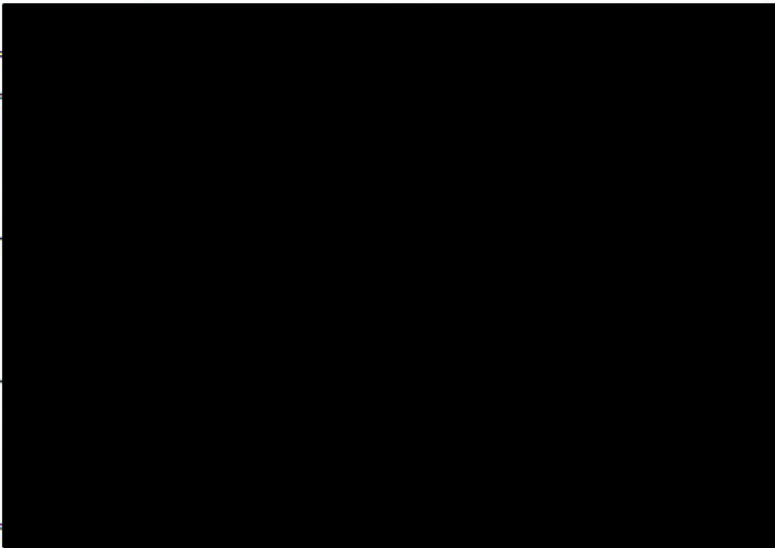
Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

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

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

1. APPLICANT INFORMATION

| | NAME |
|----------------------|-------------------------------------|
| Registered Owners(s) | Valerie and Gerhard Pves |
| Applicant(s) | Virtual Creations Inc (Eric Canton) |
| Agent or Solicitor | Virtual Creations Inc |



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 | 107 Cumming Court | | |
| Assessment Roll Number | | | |
| Former Municipality | Ancaster | | |
| 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 rear yard of 1.75m where as the bylaw requires 7.5m

To permit a front yard of 6.95m where as the bylaw requires 8.24m (average of two neighboring properties or 7.5m in the case where the average is not used.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The lot is an odd shape and due the definite of "front lot line" a small portion of the curved frontage is deemed the "front" which is con-try to how the house was designed in 1950 and how it is situated on the lot.

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

Yes

No

If yes, please provide an explanation:

The existing home's rear right corner is only 5.43m from the rear lot line.

The existing home's front right corner is 7.07m from the front lot line?

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| Lot Frontage | Lot Depth | Lot Area | Width of Street |
|--------------|-----------|-------------------|-----------------|
| 6.1m | 27.43m | 748m ² | 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 |
|------------------------|--------------------|-------------------|--------------------|----------------------|
| See attached plot plan | | | | |
| HOUSE | 7.13 | 5.07 | 5.03/ | 1950 |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|------------------------|--------------------|-------------------|--------------------|----------------------|
| See attached plot plan | | | | |
| ATTACHED GARAGE | 7.13 | 1.39 | 7.17 | Proposed |
| | | | | |
| | | | | |

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|------------------------|-------------------|------------------|-------------------|--------|
| See attached Plot Plan | | | | |
| DETACHED | | | | |
| GARAGE | 25.31 | 25.31 | 1 | 6m |
| HOUSE | 99.7 | 99.7 | 1 | 6m |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|------------------------|-------------------|------------------|-------------------|--------|
| See attached plot plan | | | | |
| HOUSE | 99.7 | 99.7 | 1 | 6m |
| ATTACHED GARAGE | 43.8 | 43.8 | 1 | 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.):
 Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2021

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

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

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): Residential

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

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

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

APPLICANTS: Owner: ROBERT CRAIG

The following variances are requested:

1. A side yard setback of 3.0m shall be provided instead of the minimum required side yard setback of 5.4m;
2. A rear yard setback of 2.0m shall be provided instead of the minimum required rear yard setback of 10.7m;
3. A maximum gross floor area for all accessory buildings on the lot shall be 159.0m² instead of the maximum gross floor area of 40.0m² permitted for all accessory buildings.
4. A maximum building height of 6.4m shall be provided for an accessory building instead of the maximum permitted building height of 4.5m.

PURPOSE & EFFECT: To permit the construction of a new accessory building in the rear yard of the existing single detached dwelling.

Notes:

1. Please be advised that accessory buildings having a gross floor area greater than 12.0m² shall not be located in any minimum required rear or side yard. As such, variances #1 and #2 have been included to permit the intended location of the proposed accessory building.
2. Eaves and gutters associated with an accessory building are permitted to project into a minimum required setback no more than 30cm. Details have not been provided in order to confirm zoning compliance at this time. Further variances may be required if compliance cannot be achieved.

GL/A-22:187

3. As elevation plans have not been provided, Variance #4 has been written as requested by the applicant. The applicant shall ensure that height has been measured in accordance with the definition of Building Height as defined by Glanbrook Zoning By-law 464.

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

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

| | |
|---------------|---|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:20 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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- 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-22:187, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

GL/A-22:187



DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

1. Virtual Oral Submissions

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

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

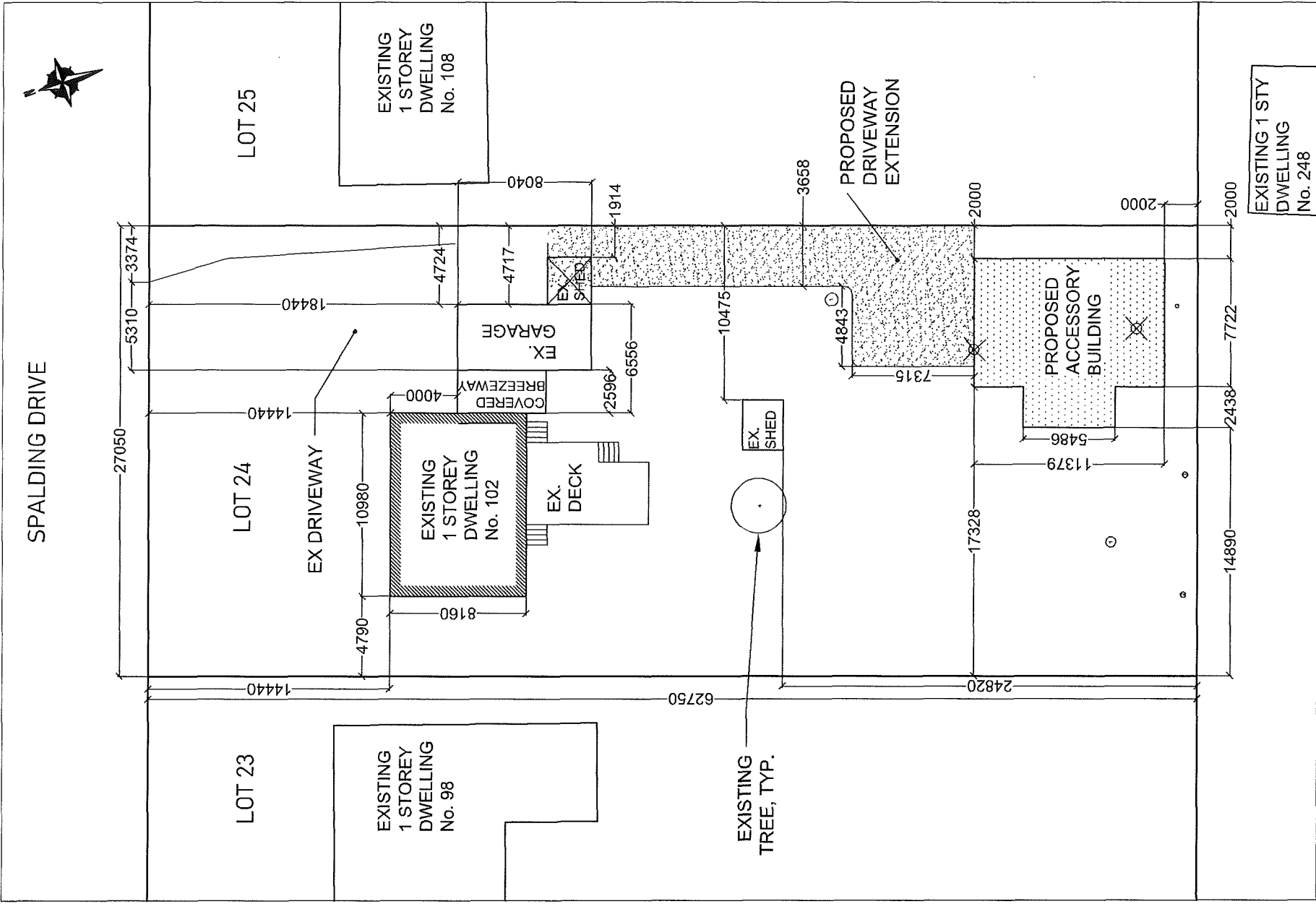
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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



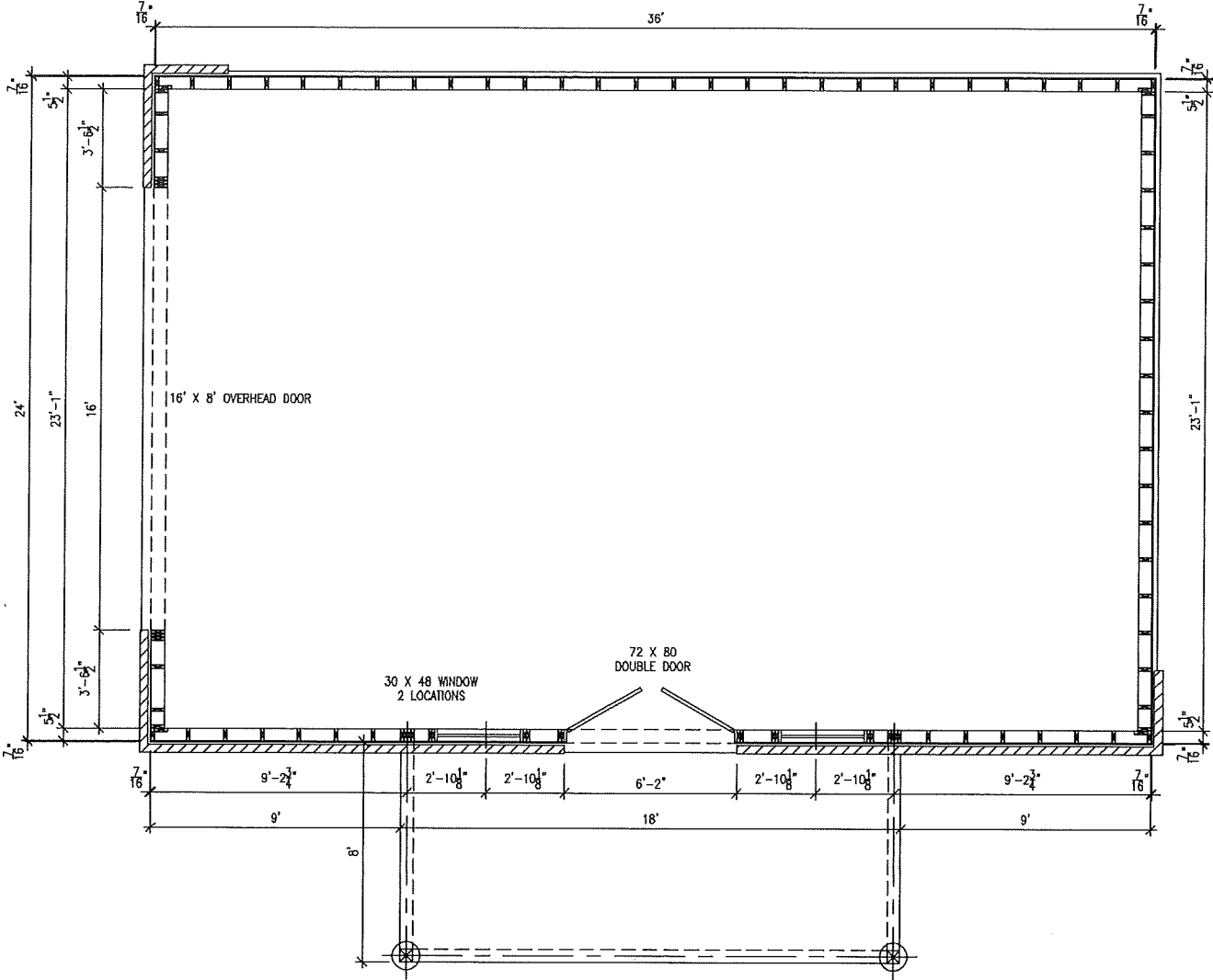
| LOT No. | PLAN No. | LOT AREA | LOT FRONTAGE | LOT DEPTH |
|---------|----------|-----------------------|--------------|-----------|
| 24 | 940 | 1697.39m ² | 27.05m | 62.75m |

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

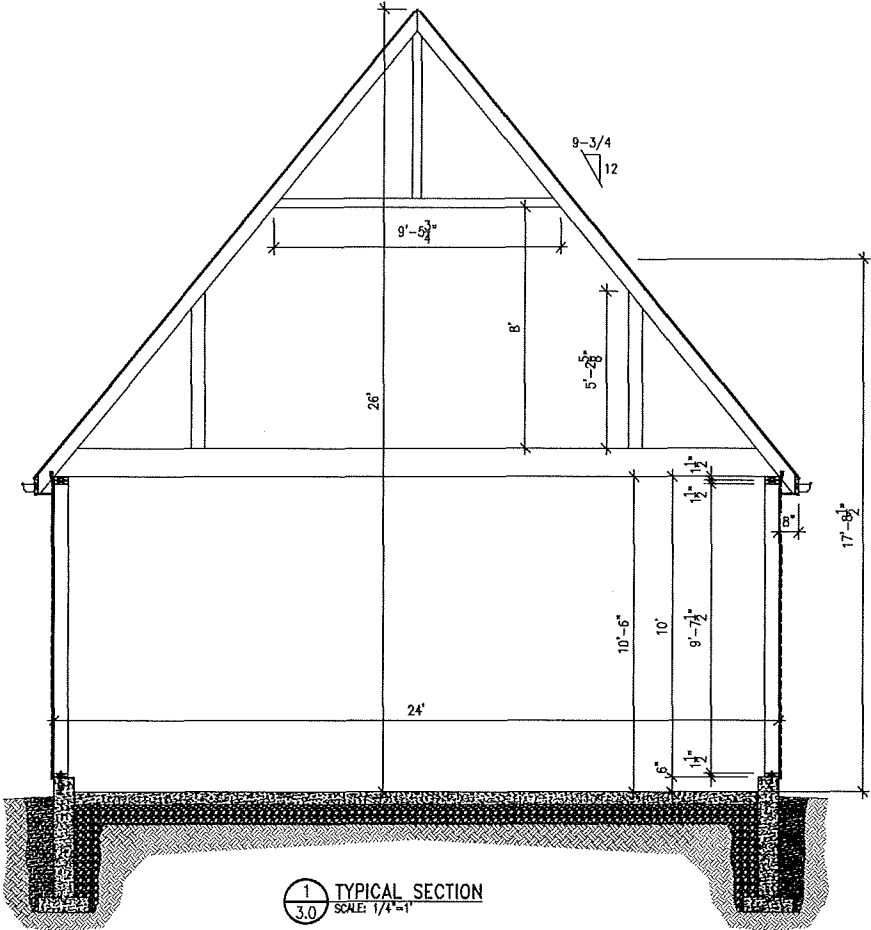
| 102 SPALDING DRIVE - PROPOSED ACCESSORY BUILDING | |
|--|---------|
| EXISTING 1 STY DWELLING No. 248 | |
| Notice: 1. All units in millimetres or U.M.G. | |
| SITE PLAN | DWG No. |
| | RC.01 |

APR. 25, 2022 JAPPL FOR MINOR VARIANCE

CONSTRUCTION

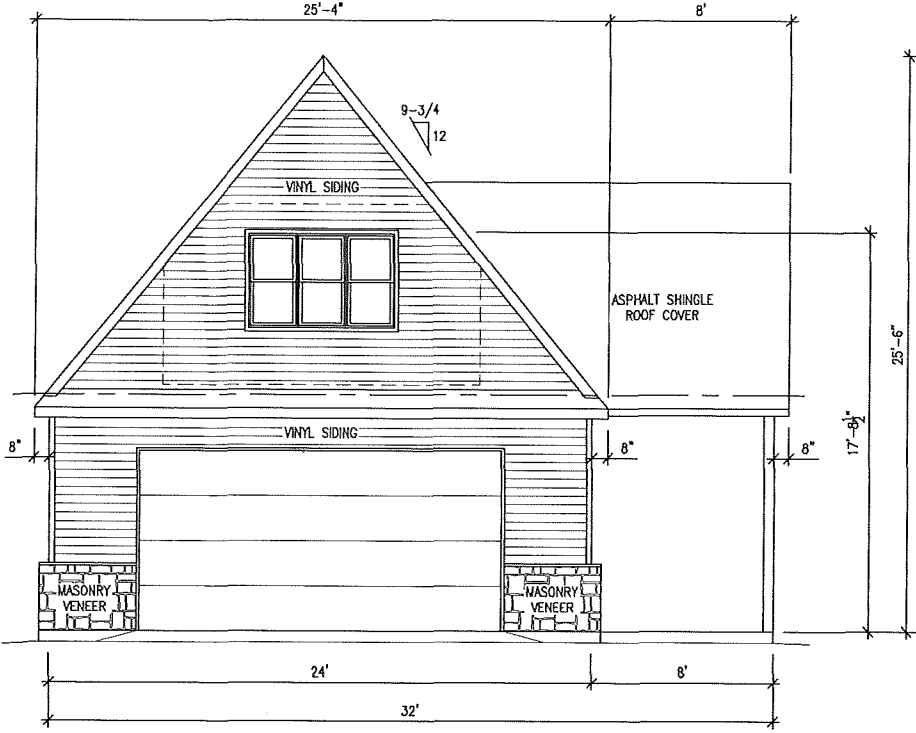


ROBERT CRAIG
 24' x 36' ACCESSORY BUILDING
 GROUND FLOOR WALL FRAMING PLAN
 DATE 1 2020
 2.0

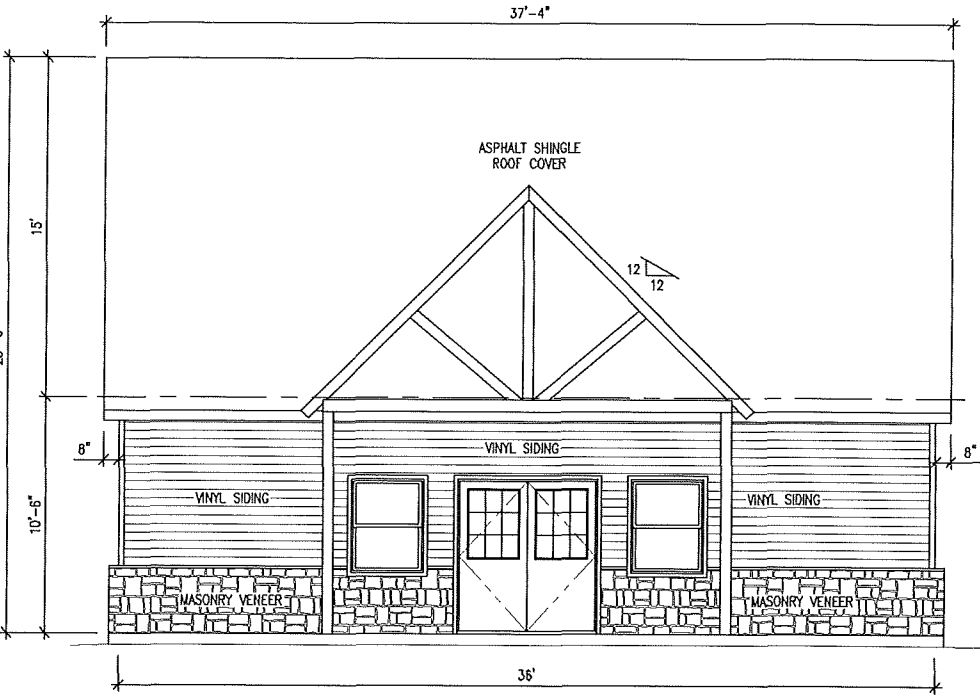


1 TYPICAL SECTION
SCALE: 1/4"=1'

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
TYPICAL SECTION
DATE 1/2020
3.0

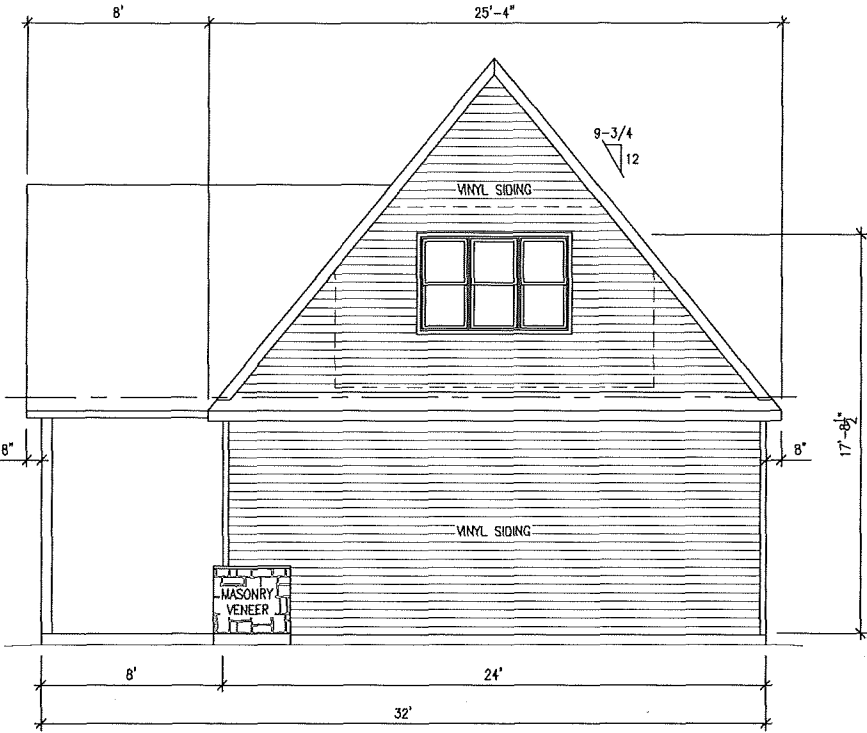


1 FRONT ELEVATION
SCALE: 3/16"=1'

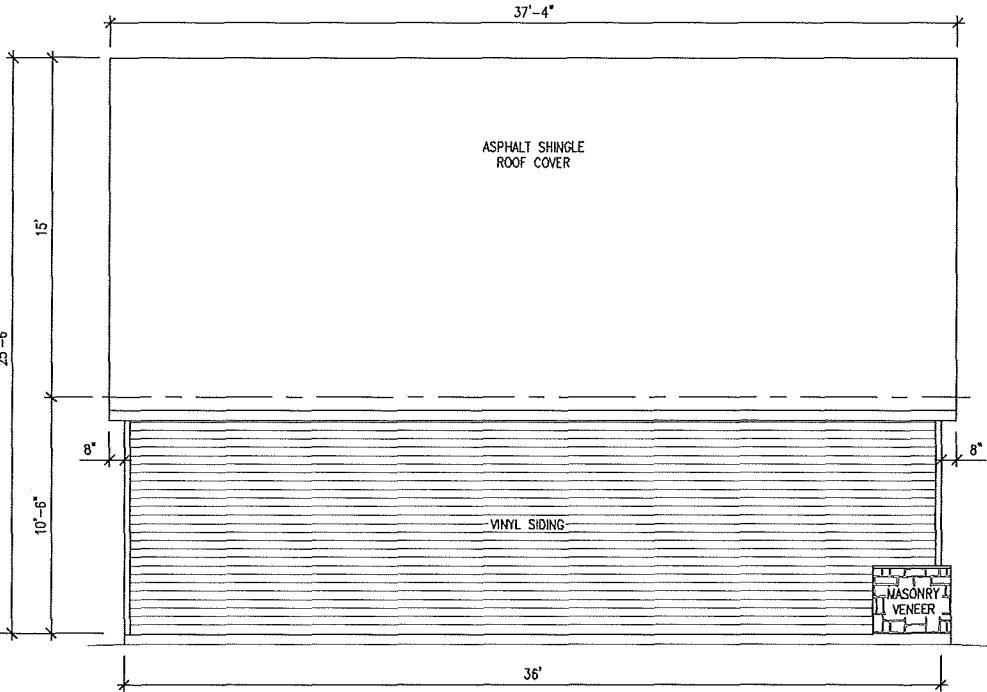


2 RIGHT SIDE ELEVATION
SCALE: 3/16"=1'

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

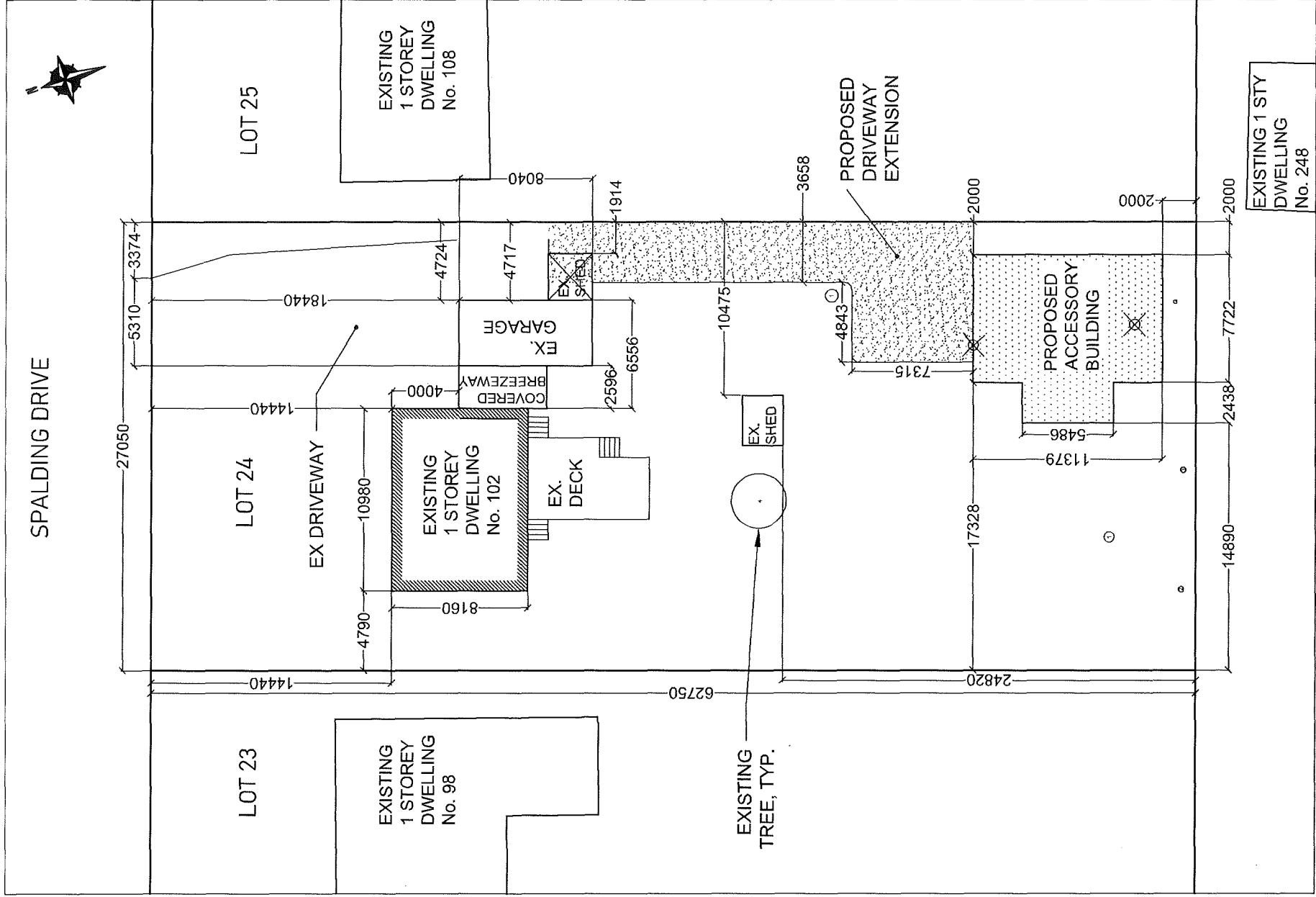


1 REAR ELEVATION
SCALE: 3/16"=1'



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

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



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

| LOT No. | PLAN No. | LOT AREA | LOT FRONTAGE | LOT DEPTH |
|---------|----------|-----------------------|--------------|-----------|
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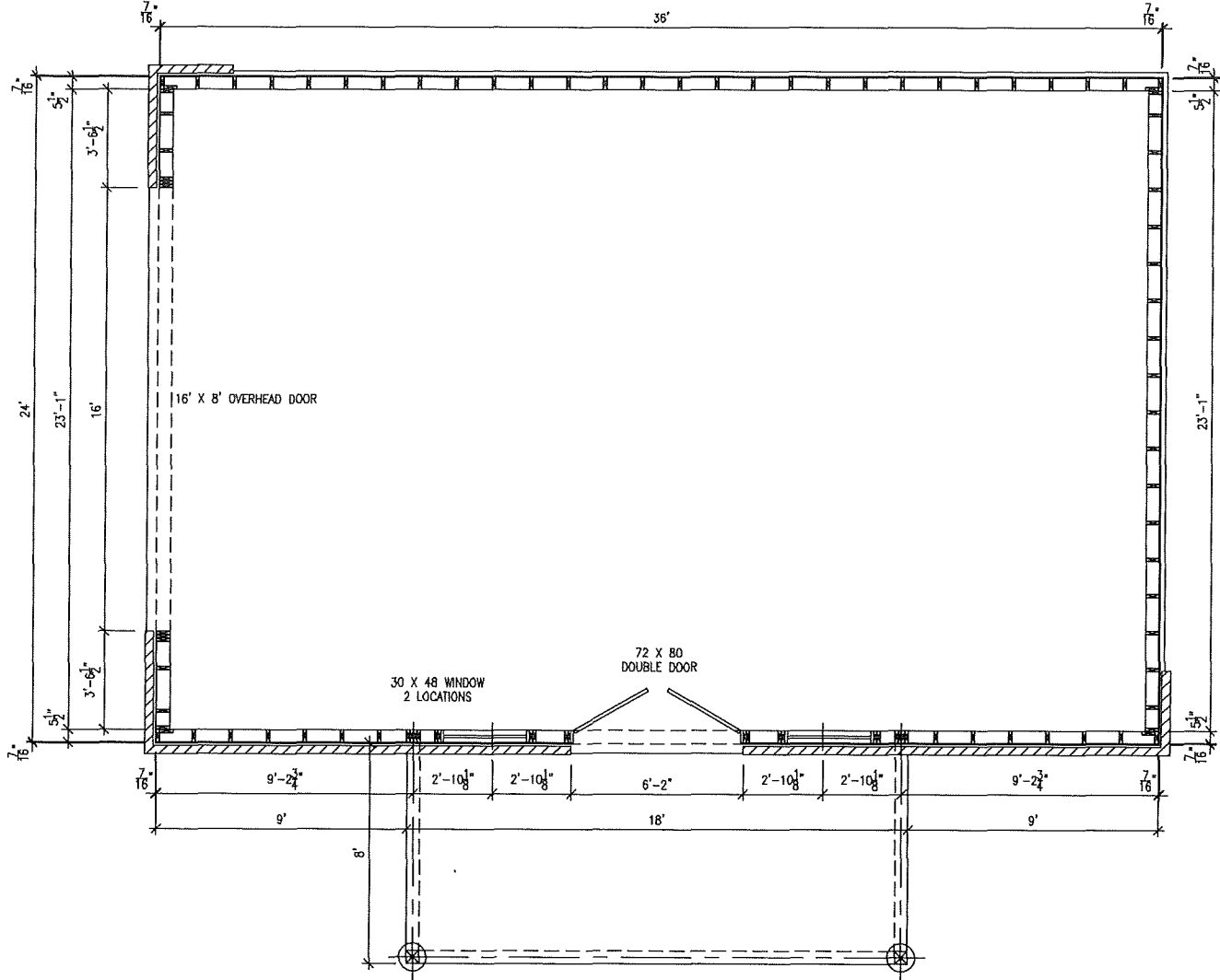
102 SPALDING DRIVE - PROPOSED ACCESSORY BUILDING

SITE PLAN

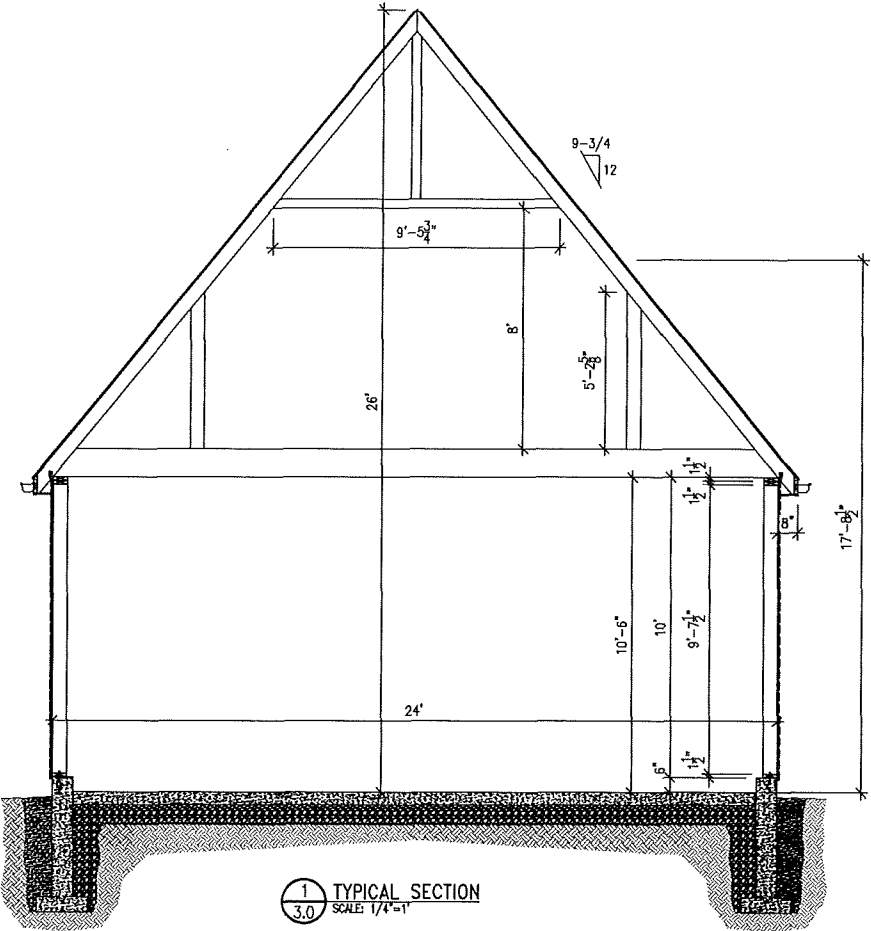
Notes:
 1. All units in millimetres (mm).

DWG No. RC.01

APR. 25, 2022. [APPL. FOR MINOR VARIANCE]

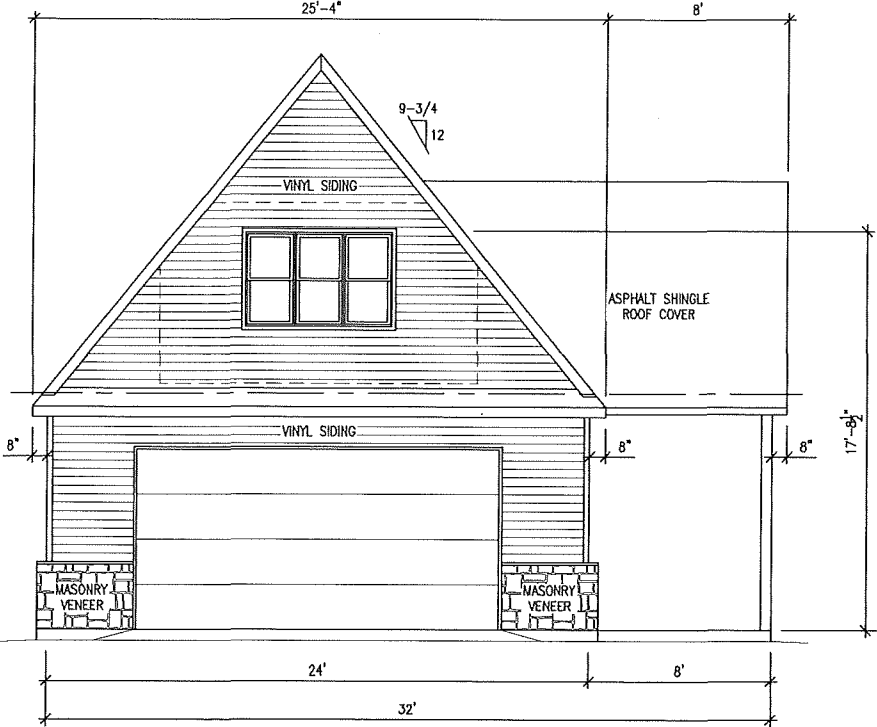


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 GROUND FLOOR WALL FRAMING PLAN
 DATE 1 2020
 2.0

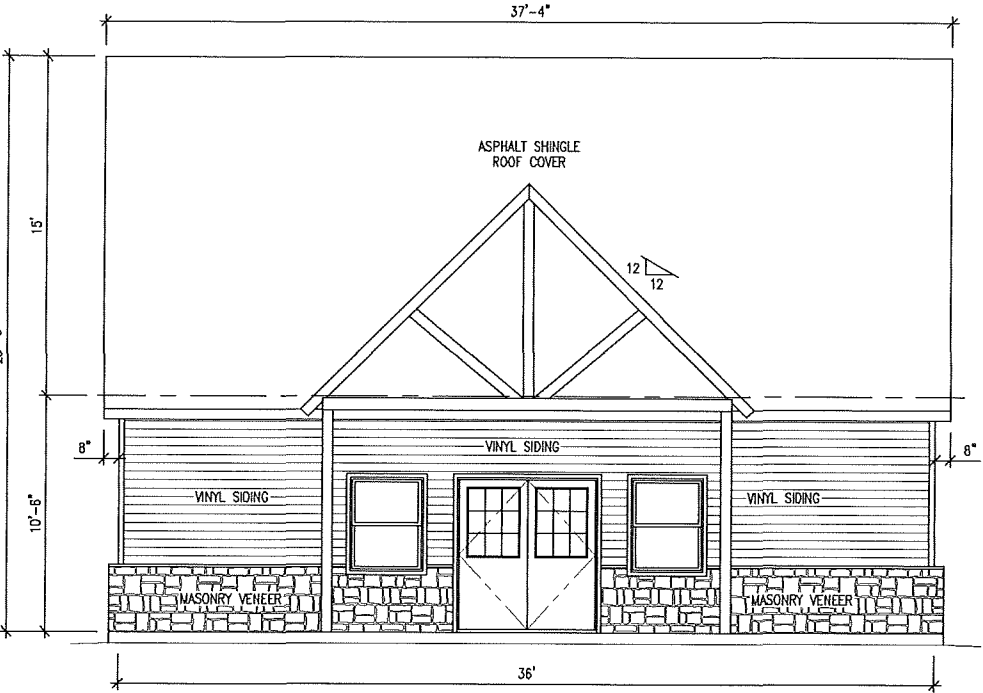


1 TYPICAL SECTION
3.0 SCALE 1/4"=1'

ROBERT CRAIG
24' x 36' ACCESSORY BUILDING
TYPICAL SECTION
DATE 1 2020
3.0

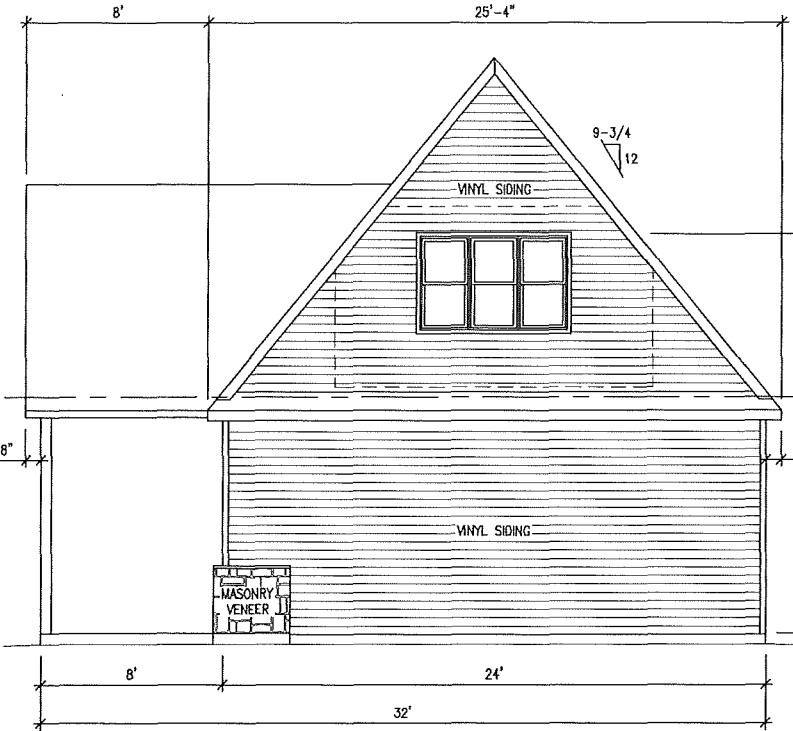


1 FRONT ELEVATION
SCALE: 3/16"=1'

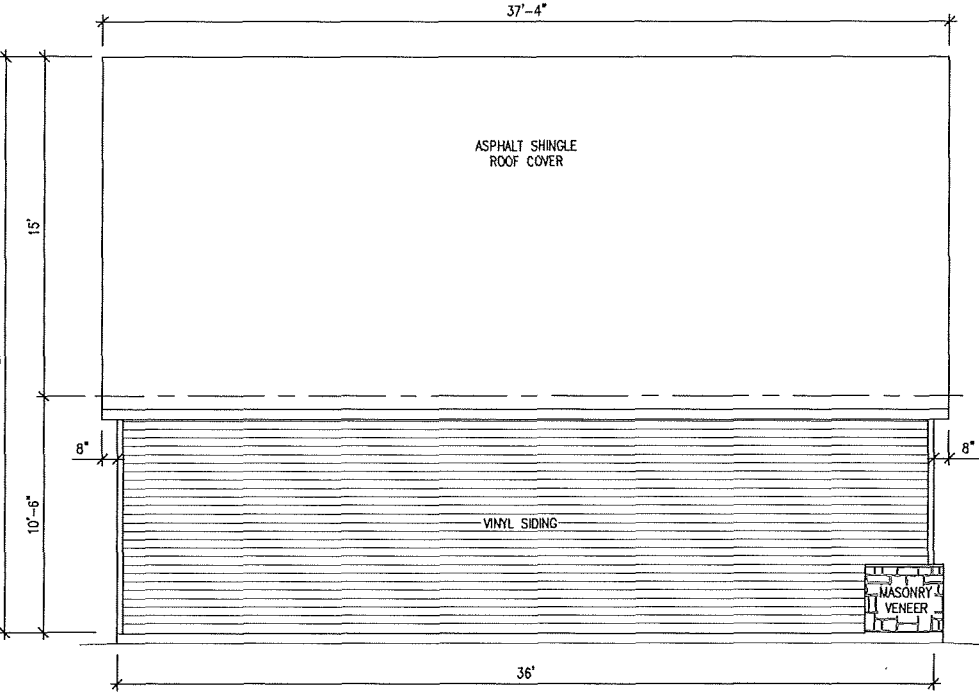


2 RIGHT SIDE ELEVATION
SCALE: 3/16"=1'

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



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



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

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



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

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

APPLICATION FOR A MINOR VARIANCE

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

The Planning Act

Application for Minor Variance or for Permission

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

| 1, 2 | NAME | MAILING ADDRESS | |
|----------------------|------|-----------------|---------|
| Registered Owners(s) | | | |
| Applicant(s)* | | | |
| Agent or Solicitor | | | E-mail: |

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

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

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

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

4. Nature and extent of relief applied for:

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

Second Dwelling Unit Reconstruction of Existing Dwelling

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

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

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

102 Spalding Drive, Hamilton, ON, L9B 1H5

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

- 8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Existing:

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

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

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

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

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

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

Proposed:

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

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

Existing:

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

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

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

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

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

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

Proposed:

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

13. Date of acquisition of subject lands:
March 31, 2014
14. Date of construction of all buildings and structures on subject lands:
House-1955, Plastic Shed-2010, Deck- 2015, Wooden Shed- 2019
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family
17. Length of time the existing uses of the subject property have continued:
67 years
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected No
Storm Sewers No
19. Present Official Plan/Secondary Plan provisions applying to the land:
The lands are designated as "Neighbourhoods" where section E.2.6.7 of the Urban
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Ontario Land Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Ontario Land Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

Schedule "A"
Description of Lands



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|------------------------------------|--------------------------|---|
| APPLICATION NO.: | DN/A-23:52 | SUBJECT PROPERTY: | 21 MCKAY COURT, DUNDAS |
| ZONE: | "R2" (Single Detached Residential) | ZONING BY-LAW: | Zoning By-law former Town of Dundas 3581-86, as Amended |

APPLICANTS: Owner: JASON ST-DENIS
Agent: PARK EIGHT INC. C/O BRENT WYBENGA

The following variances are requested:

1. A minimum westerly side yard of 0.9m shall be permitted instead of the minimum 5.0m side yard required.
2. An open stairway shall be permitted to project the entire width of the westerly side yard and therefore may be located as close as 0.0m from the westerly side lot line whereas the zoning By-law permits an open stairway to project into a required side yard not more than one-third of its width or 1.5m whichever is the lesser.

PURPOSE & EFFECT: To facilitate the construction of a southerly side addition and open stairway to the existing single detached dwelling.

Notes:

The elevation plans provided do not show the height dimension from grade to the uppermost point of the building. Therefore, the applicant shall ensure that the maximum permitted 10.5m is not exceeded; otherwise, further variances shall be required.

Eaves and gutters are permitted to project into a side yard a maximum of one-half of its width or 1.0m whichever is lesser. Details regarding the eave projection were not shown on the submitted plans from which to determine compliance. Therefore, the applicant shall ensure compliance can be achieved; 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.

DN/A-23:52

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:30 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
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DN/A-23:52



 Subject Lands

DATED: March 21, 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

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

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

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

2. In person Oral Submissions

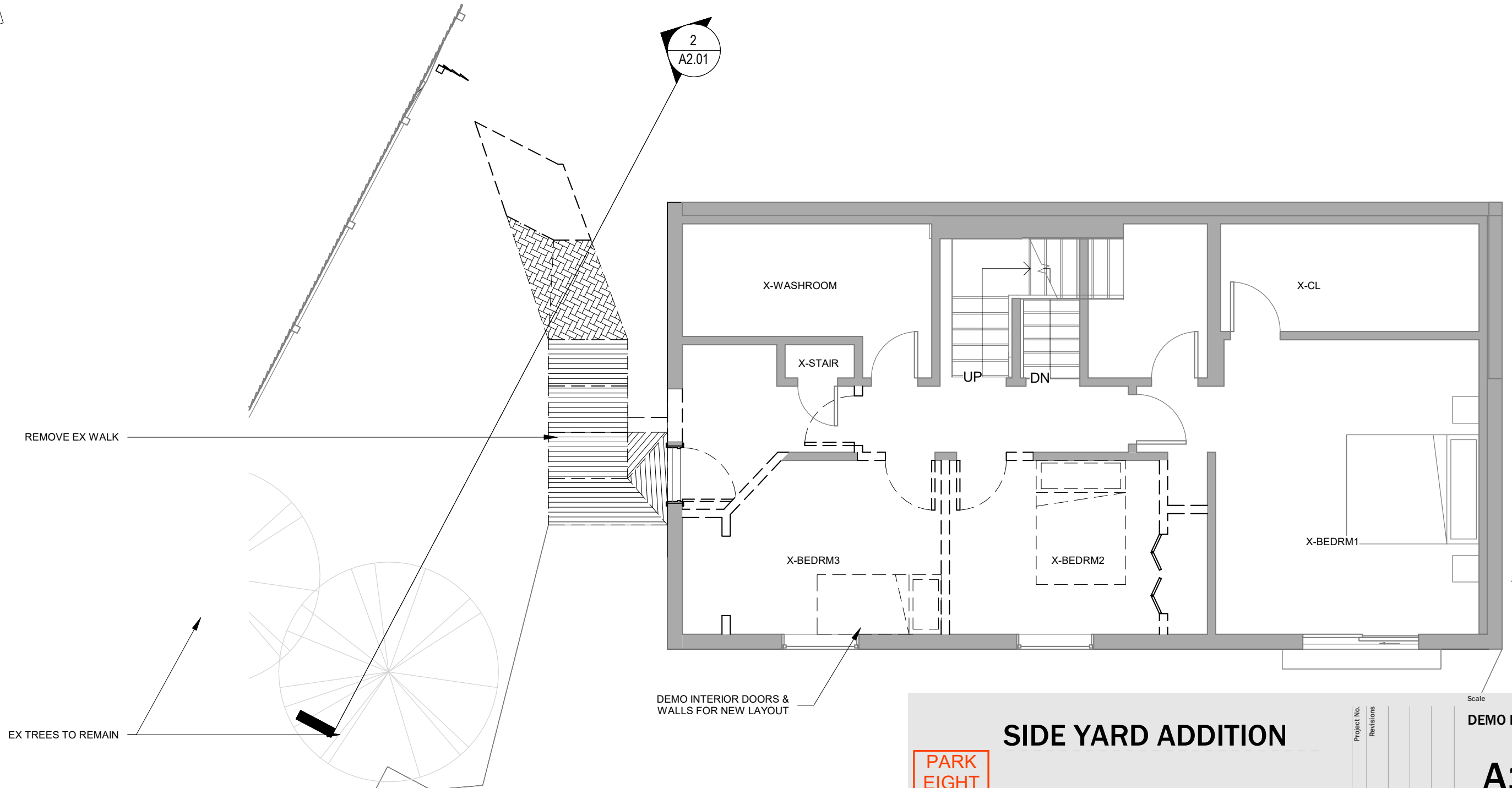
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

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

A2.01
3

2
A2.01



REMOVE EX WALK

EX TREES TO REMAIN

DEMO INTERIOR DOORS &
WALLS FOR NEW LAYOUT

TRUE

1 DEMO. - GRADE
3/16" = 1'-0"

**PARK
EIGHT**
ENG // ARCH

SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

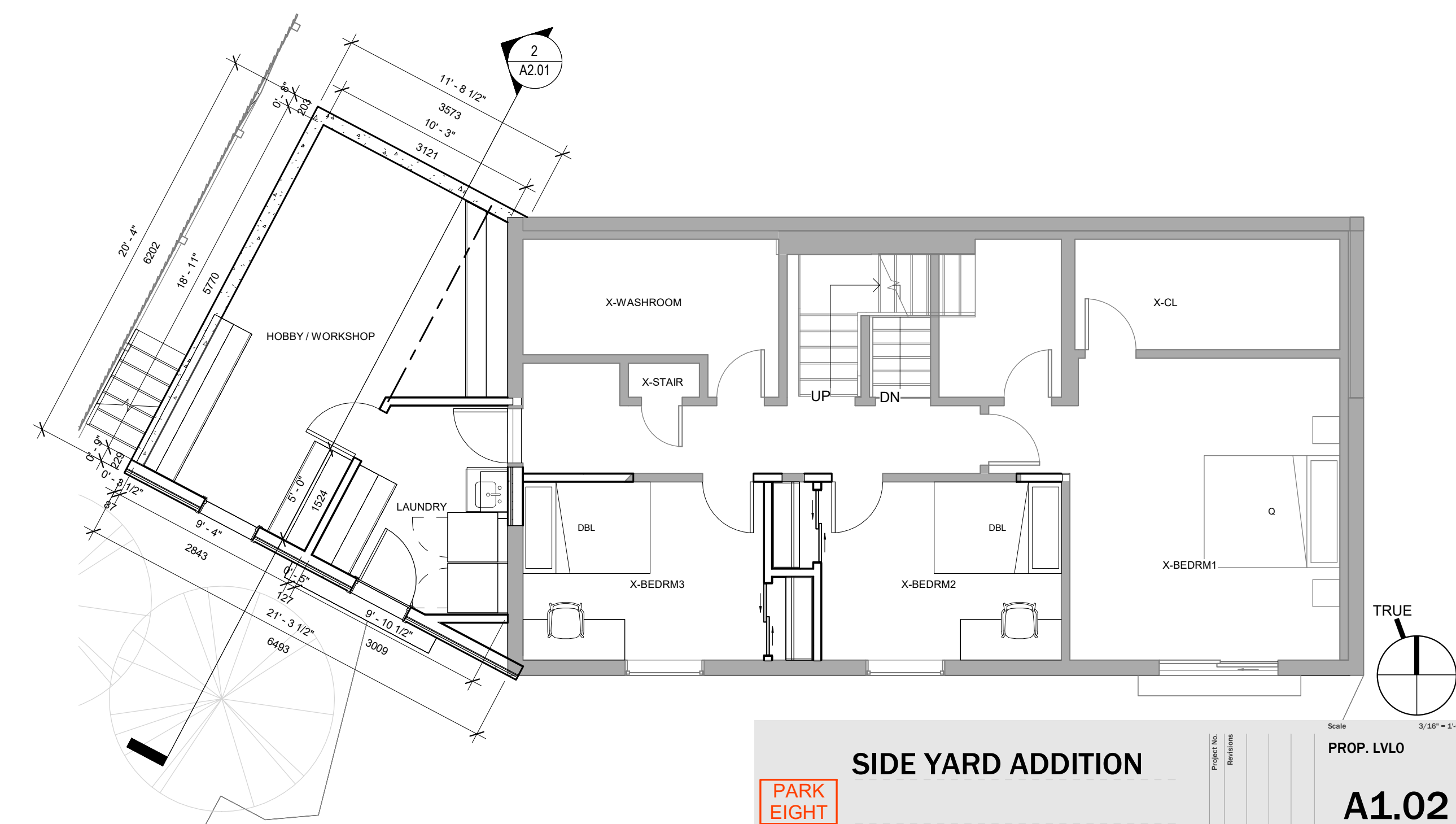
Project No.
21777
Revisions

Scale 3/16" = 1'-0"

DEMO PLAN - LVLO

A1.01

Sheet No. ©2021



1 PROP. - GRADE
3/16" = 1'-0"



SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

| | |
|-------------|-------|
| Project No. | 21777 |
| Revisions | |

Scale 3/16" = 1'-0"

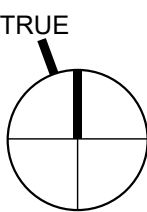
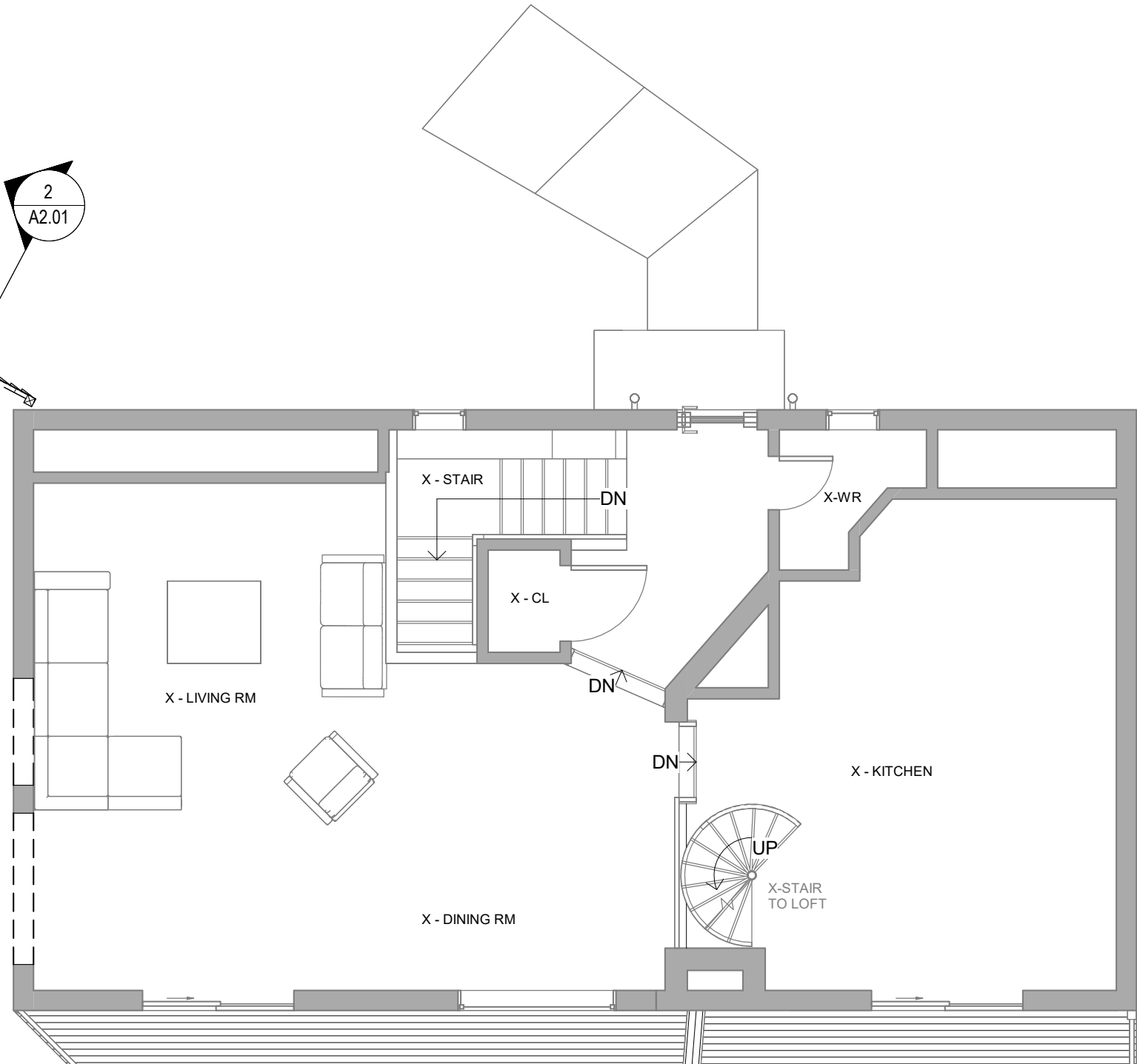
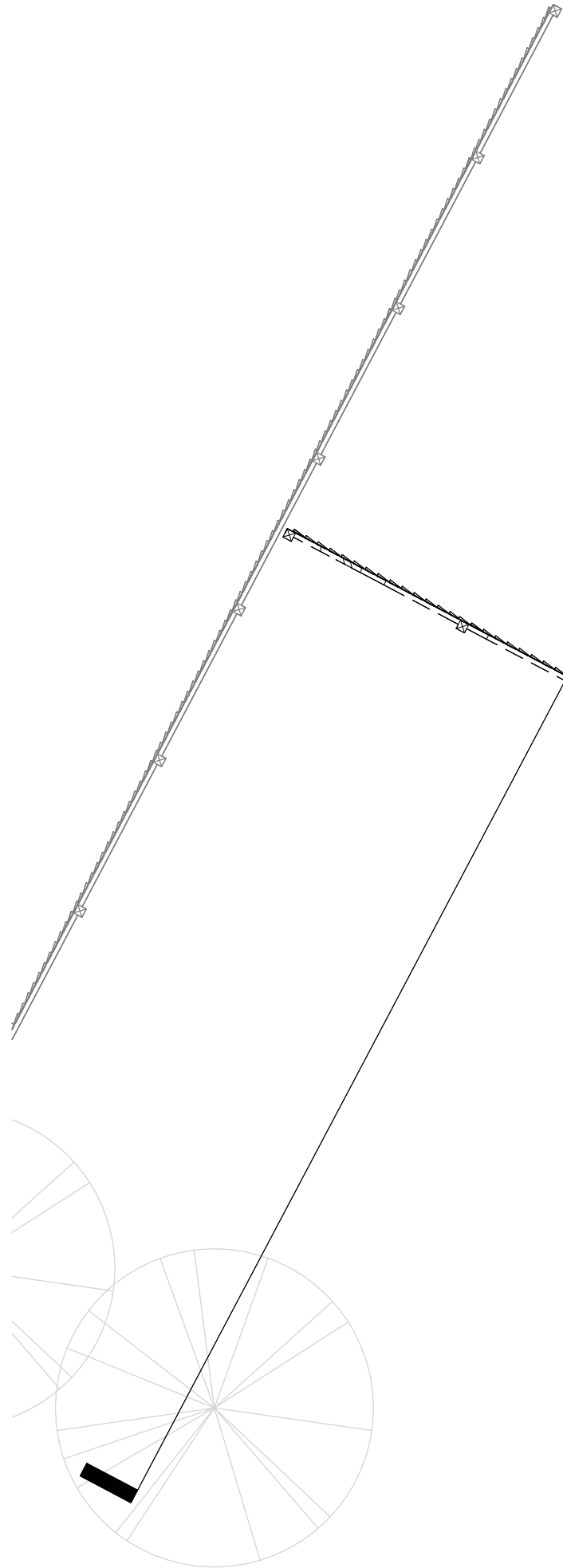
PROP. LVLO

A1.02

Sheet No. ©2021

A2.01
3

2
A2.01



1 DEMO. - FLOOR 1
3/16" = 1'-0"

PARK EIGHT
ENG // ARCH

SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

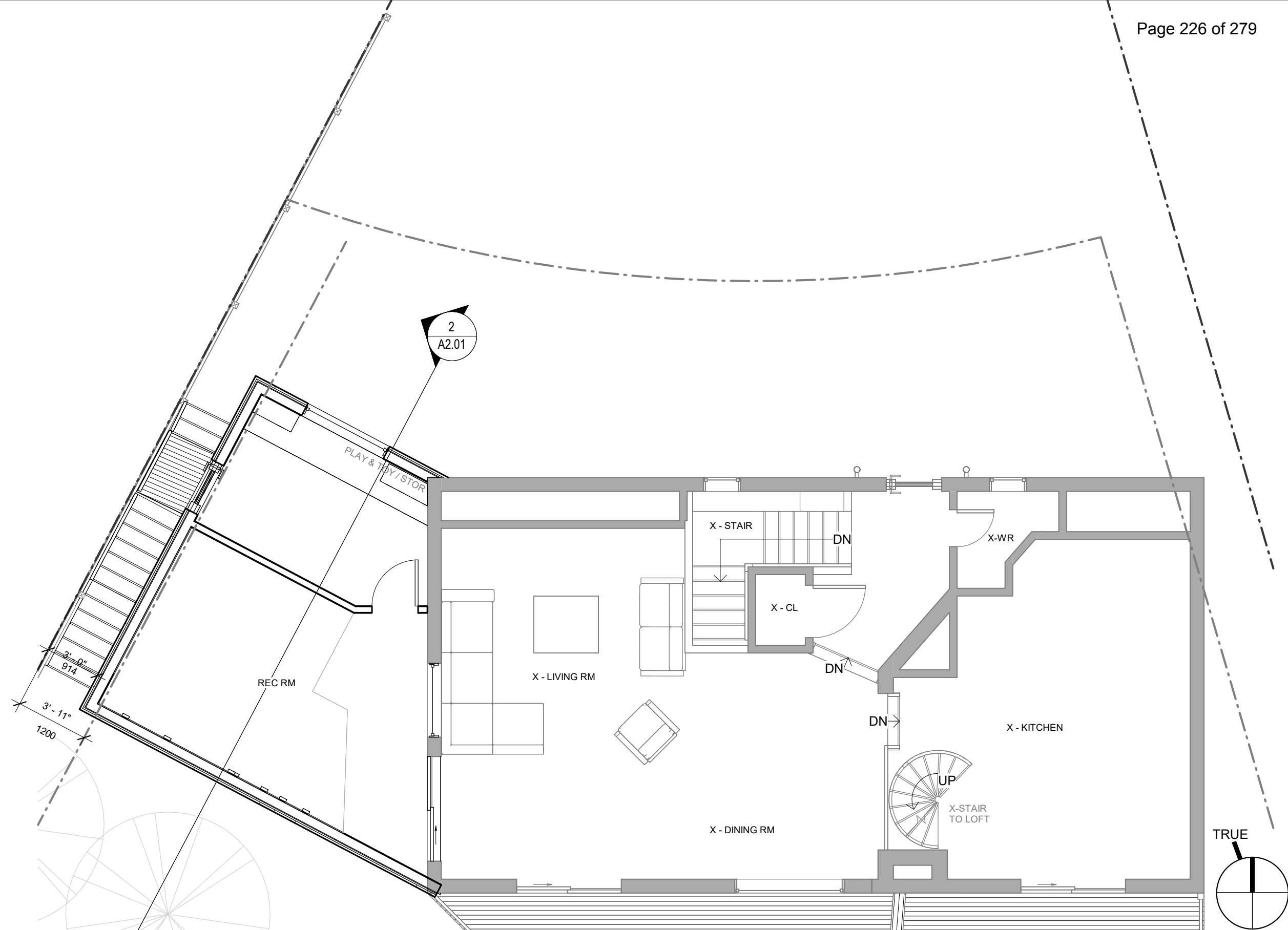
Project No.
Revisions
21777

Scale 3/16" = 1'-0"

DEMO PLAN - LVL1

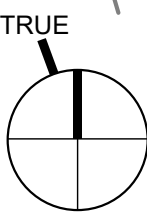
A1.03

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① LVL1 PROP.
3/16" = 1'-0"

2
A2.01



PARK EIGHT
ENG // ARCH

SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

| | |
|-------------|-------|
| Project No. | 21777 |
| Revisions | |

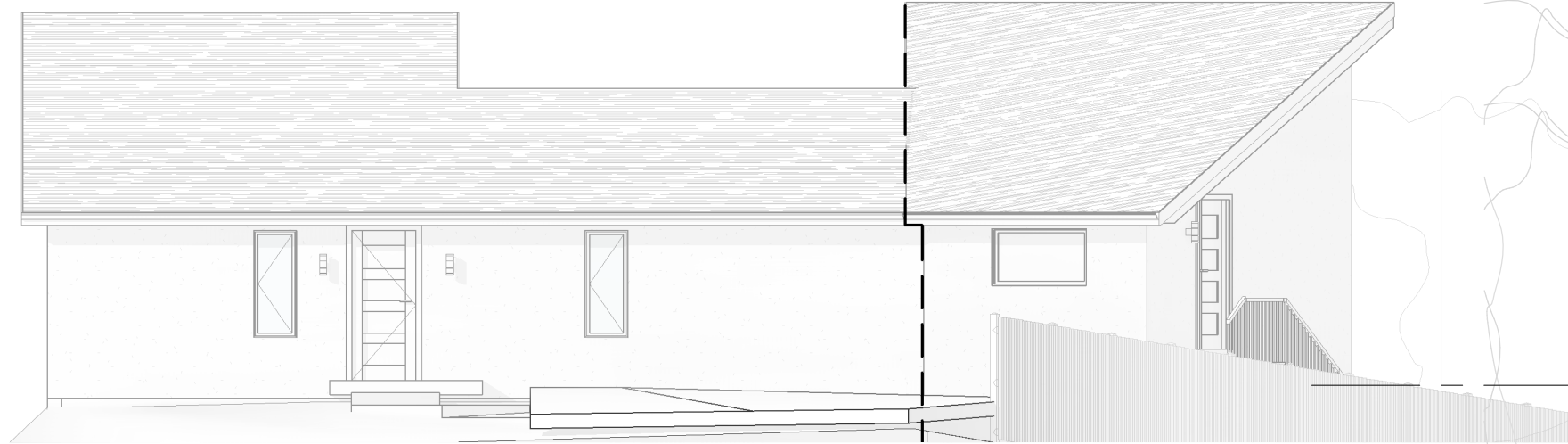
Scale 3/16" = 1'-0"

PROP. LVL1

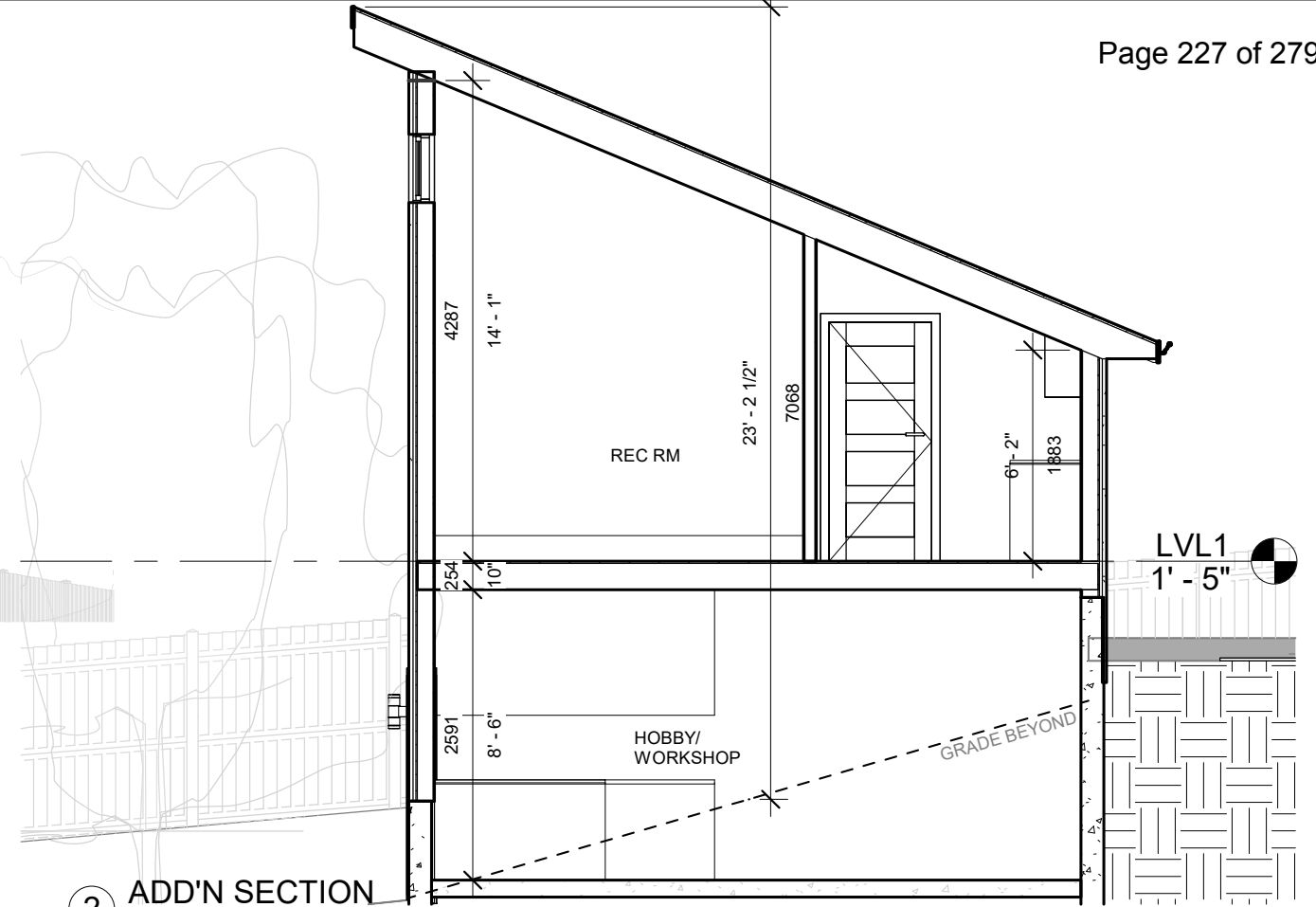
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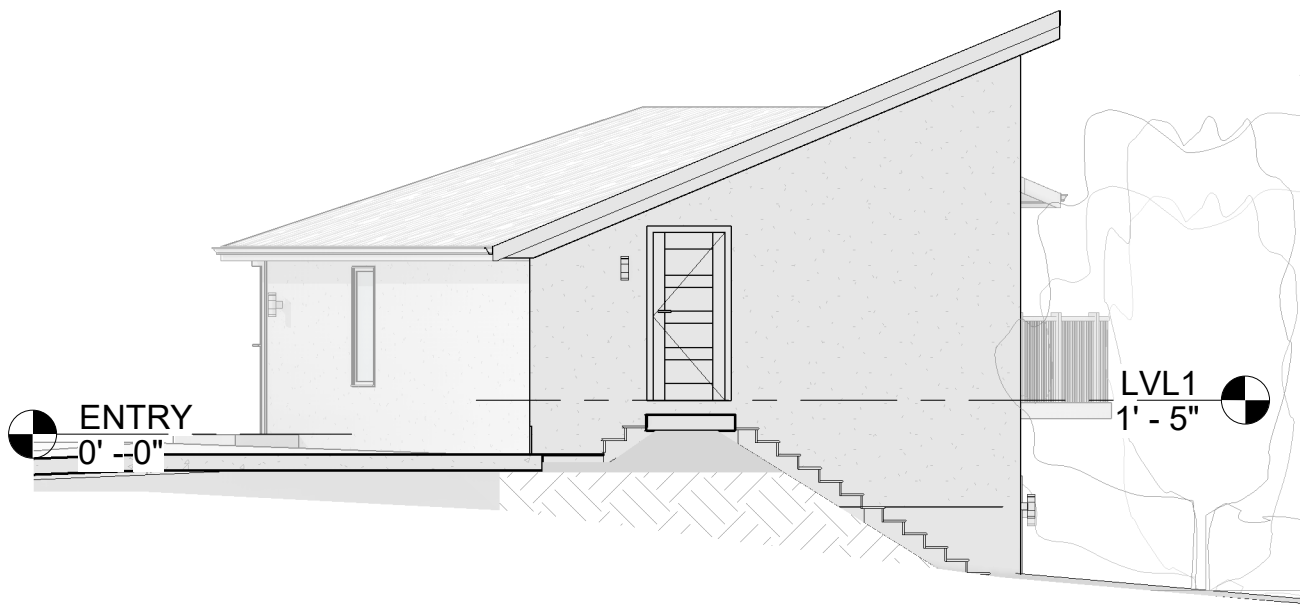
EXISTING ← PROP. ADDITION



1 FRONT ELEVATION PROPOSED
1/8" = 1'-0"



2 ADD'N SECTION
3/16" = 1'-0"

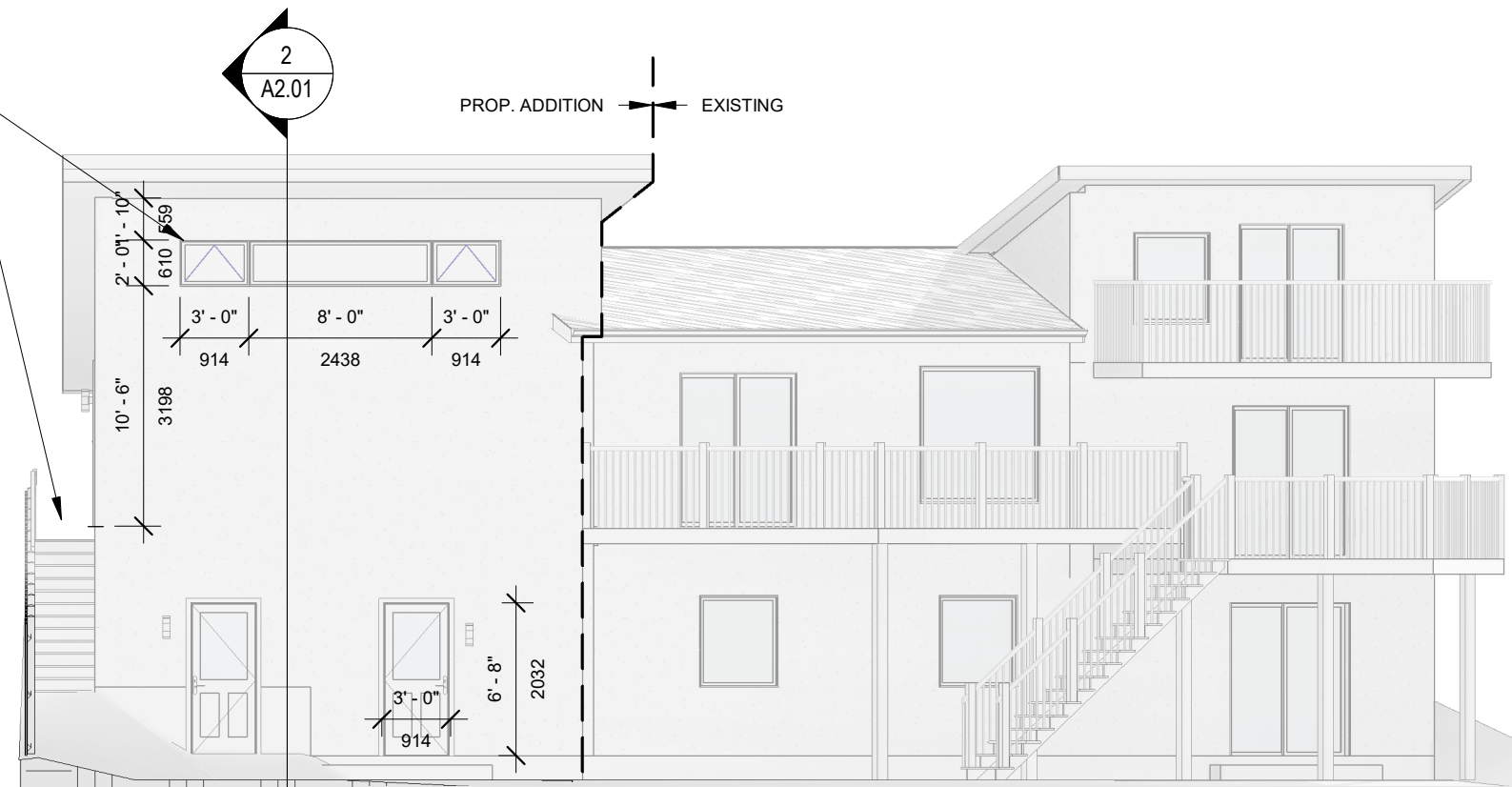


3 EAST EXTR ELEVATION
1/8" = 1'-0"

TRANSOM WINDOWS ABOVE

ACCESS TO BASEMENT GARAGE / WORKSHOP

PROP. ADDITION ← EXISTING



4 REAR ELEVATION
1/8" = 1'-0"

PARK EIGHT
ENG // ARCH

SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

Scale As Indicated

EXTERIOR ELEVATIONS

A2.01

Project No. 21777
Revisions

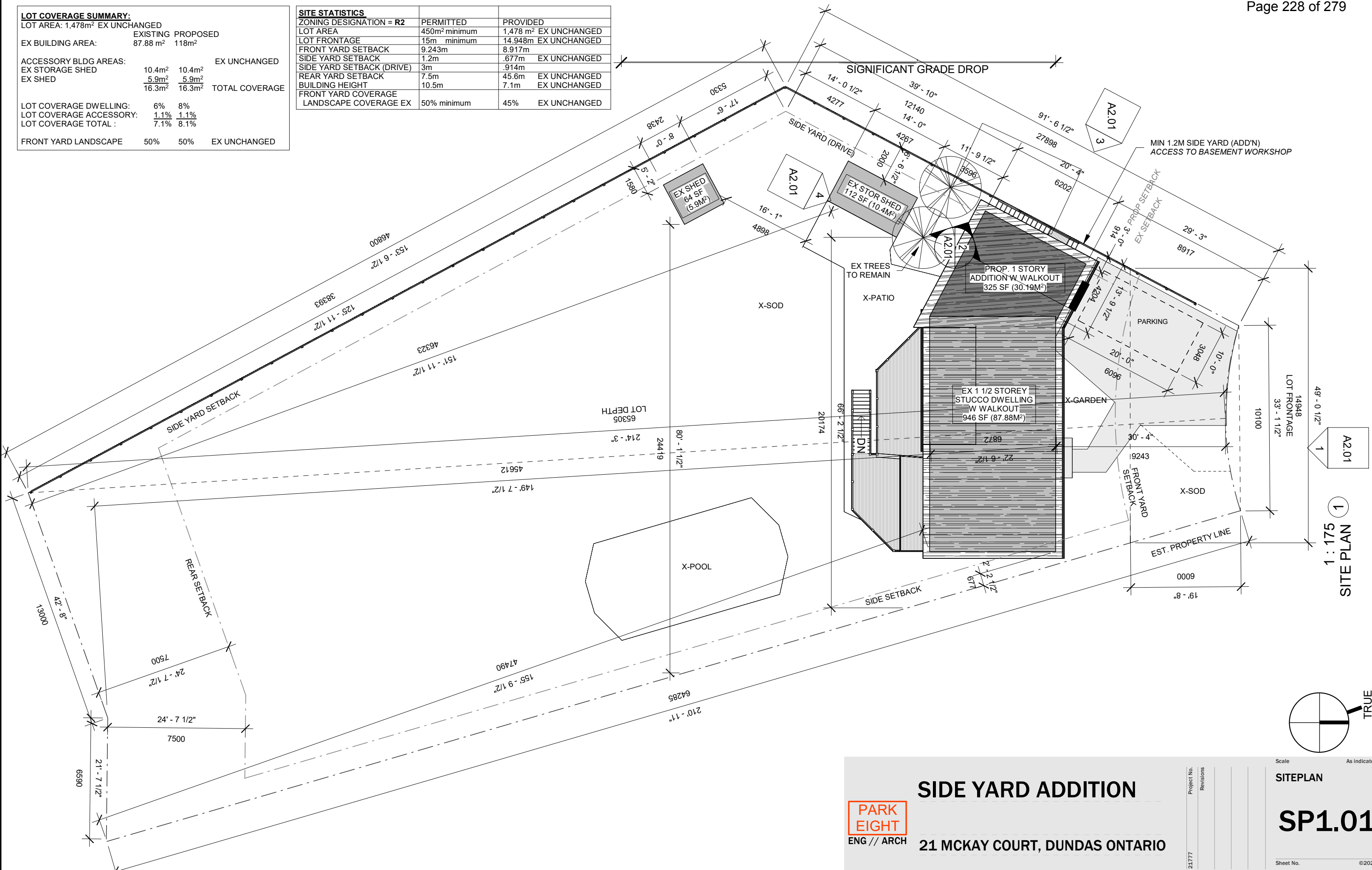
Sheet No. ©2021

LOT COVERAGE SUMMARY:

| | | |
|-------------------------|----------------------------------|----------------------------|
| LOT AREA: | 1,478m ² EX UNCHANGED | |
| EX BUILDING AREA: | EXISTING 87.88 m ² | PROPOSED 118m ² |
| ACCESSORY BLDG AREAS: | EX UNCHANGED | |
| EX STORAGE SHED | 10.4m ² | 10.4m ² |
| EX SHED | 5.9m ² | 5.9m ² |
| | 16.3m ² | 16.3m ² |
| | TOTAL COVERAGE | |
| LOT COVERAGE DWELLING: | 6% | 8% |
| LOT COVERAGE ACCESSORY: | 1.1% | 1.1% |
| LOT COVERAGE TOTAL : | 7.1% | 8.1% |
| FRONT YARD LANDSCAPE | 50% | 50% |
| | EX UNCHANGED | |

SITE STATISTICS

| | | |
|---------------------------|---------------------------|-----------------------------------|
| ZONING DESIGNATION = R2 | PERMITTED | PROVIDED |
| LOT AREA | 450m ² minimum | 1,478 m ² EX UNCHANGED |
| LOT FRONTAGE | 15m minimum | 14.948m EX UNCHANGED |
| FRONT YARD SETBACK | 9.243m | 8.917m |
| SIDE YARD SETBACK | 1.2m | .677m EX UNCHANGED |
| SIDE YARD SETBACK (DRIVE) | 3m | .914m |
| REAR YARD SETBACK | 7.5m | 45.6m EX UNCHANGED |
| BUILDING HEIGHT | 10.5m | 7.1m EX UNCHANGED |
| FRONT YARD COVERAGE | | |
| LANDSCAPE COVERAGE EX | 50% minimum | 45% EX UNCHANGED |



PARK EIGHT
ENG // ARCH

SIDE YARD ADDITION

21 MCKAY COURT, DUNDAS ONTARIO

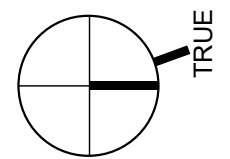
Scale: As Indicated

SITEPLAN

SP1.01

Sheet No. ©2021

| | |
|---|---|
| <p>Project No. 21777</p> <p>Revisions</p> | <p>Project No. 21777</p> <p>Revisions</p> |
|---|---|



A2.01
 1
 NPLAN PLATS
 571 : 1



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 | 21 McKay Court, Dundas Ont. L9H 6P1 | | |
| Assessment Roll Number | | | |
| Former Municipality | Dundas | | |
| 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:

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 |
|--------------|-----------|---------------------|-----------------|
| 14.948m | 65,305m | 1,478m ² | 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 | 9.243m [30' 4"] | 45.612m [149' 7-1/2"] | .677 [2' 2-1/2"]/ 4.2 [13'-9"] | ±1960's |
| Storage Shed | 18.715m [61' 5"] | 4.277m [14'-0"] | 2m [6'-6 1/2"]/ 20.17[66'-2"] | - |
| Shed | 27.88m [91' 6"] | 38.4m [126'] | 1.58m [5' 2"]/ 24.4[80'] | - |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-----------------------|---------------------------------|----------------------|
| Dwelling | 8.9m [29'-3"] | 45.612m [149' 7-1/2"] | .677 [2' 2-1/2"]/ .914 [3'-0"] | - |
| Storage Shed | 18.715m [61' 5"] | 4.277m [14'-0"] | 2m [6'-6 1/2"]/ 20.17 [66'-2"] | unchanged |
| Shed | 27.88m [91' 6"] | 38.4m [126'] | 1.58m [5' 2"]/ 24.4 [80'] | unchanged |
| | | | | |

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 | 87.88m2 [946sf] | 205m2 [2208sf] | 1 1/2 | ±7.1m [23' 4"] |
| Storage Shed | 10.4m2 [112sf] | - | 1 | ±2.7m [9'-0"] |
| Shed | 5.9m2 [63.5sf] | - | 1 | ±2.44m [8'-0"] |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|-------------------------|
| Dwelling | 118m2 [2107sf] | 265m2 [2852sf] | 1 1/2 | ±7.1m [23' 4"] match ex |
| Storage Shed | 10.4m2 [112sf] | - | 1 | unchanged |
| Shed | 5.9m2 [63.5sf] | - | 1 | unchanged |
| | | | | |

- 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 (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:
 December 2013

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:
 40+ 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? R2 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------|--------------------------|--------------------------------------|
| APPLICATION NO.: | FL/B-20:46 | SUBJECT PROPERTY: | 13 HERBERT PLACE, FLAMBOROUGH |
|-------------------------|-------------------|--------------------------|--------------------------------------|

APPLICANTS: Owner: DRAGANA ANNA SUYKENS
Agent: AJ LAKATOS PLANNING CONSULTANT C/O JOE LAKATOS

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained.

| | Frontage | Depth | Area |
|------------------------|----------------------|---------------------|------------------------------------|
| SEVERED LANDS: | 84.74 m [±] | 92.7 m [±] | 0.85 ha [±] |
| RETAINED LANDS: | 40.39 m [±] | 92.7 m [±] | 4425.4 m ² [±] |

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:

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:35 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

FL/B-20:46

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

PUBLIC INPUT

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

Orally: If you would like to speak to this item at the hearing you may do so via video link 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-20:46, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

FL/B-20:46



DATED: March 21, 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.

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

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 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 or by phone at 905-546-2424 ext. 4221.

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

PLAN OF SURVEY OF
LOT 1
PLAN 62M-883
 IN THE
CITY OF HAMILTON



L.G. WOODS SURVEYING INC.
 2017



BEARING NOTE:
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF BLOCK 22, PLAN 62M-883 AS N77°24'00"E

- LEGEND:**
- DENOTES PLANTED MONUMENT
 - DENOTES FOUND MONUMENT
 - C.C. DENOTES CUT CROSS
 - IB DENOTES IRON BAR
 - IB# DENOTES ROUND IRON BAR
 - O/U DENOTES ORIGIN UNKNOWN
 - P1 DENOTES PLAN 62M-883
 - P2 DENOTES PLAN 62R-16741
 - 824 DENOTES A.T. MCLAREN OLS
 - 1243 DENOTES E. BARICH OLS

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R-
RECEIVED AND DEPOSITED

DATE:

DATE:

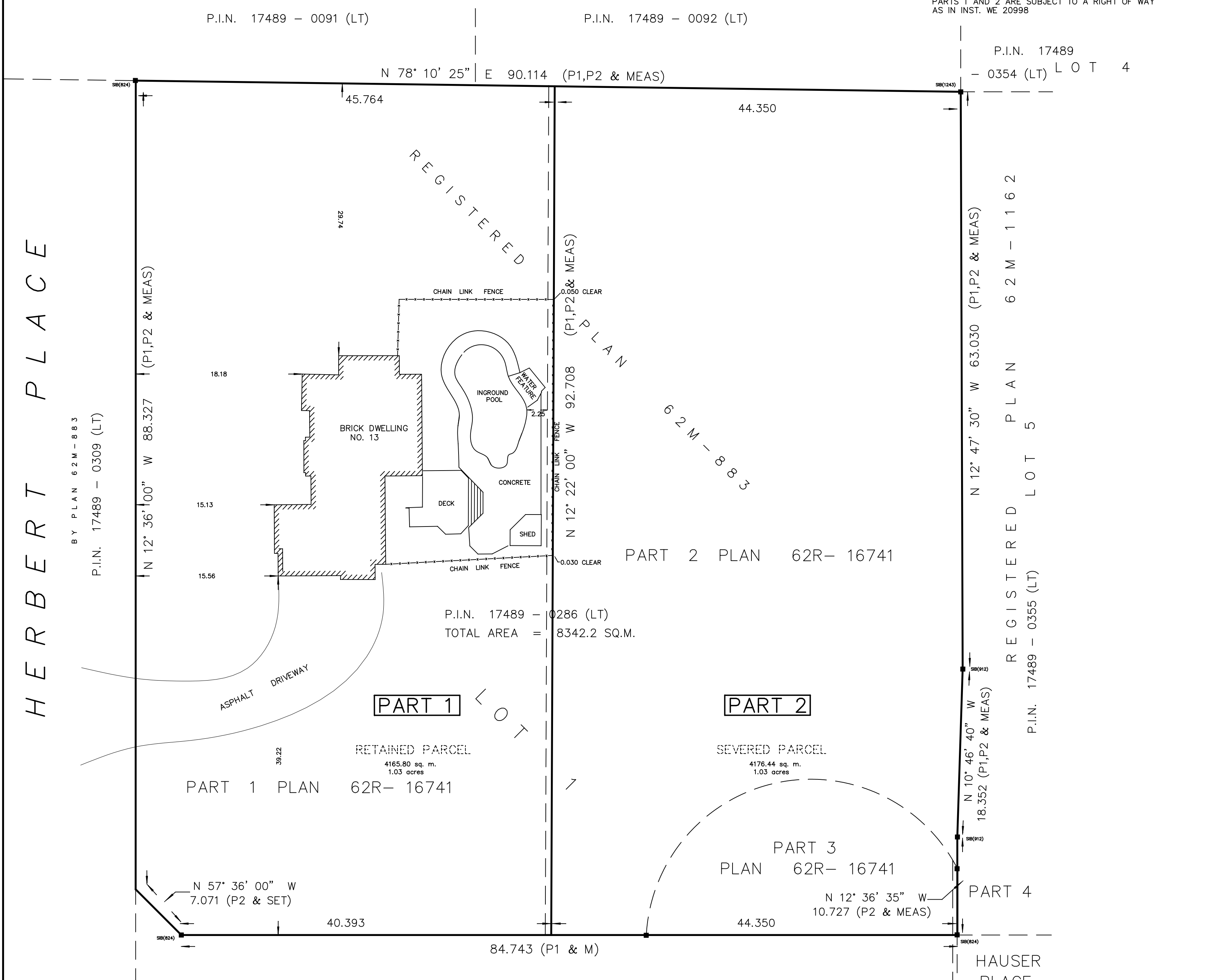
E.G. SALZER O.L.S.

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (62)

SCHEDULE

| PART | LOT | CON/PLAN | P.I.N. | AREA |
|------|---------------|--------------|------------------------|------------------------------|
| 1 | PART OF LOT 1 | PLAN 62M-883 | ALL OF 17489-0286 (LT) | 4426.40 sq. m. 1.09 acres |
| 2 | | | | 4116.58 sq. m. 1.01 acres |

PARTS 1 AND 2 ARE SUBJECT TO A RIGHT OF WAY AS IN INST. WE 20998



I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON

REFERENCE BEARING N 77° 24' 00" E

BLOCK 22 BY PLAN 62M-883

P.I.N. 17489 - 0307 (LT)

DATE: _____ E.G. SALZER, O.L.S., O.L.I.P.

L.G. WOODS SURVEYING INC.
 PROFESSIONAL LAND SURVEYORS
 334 HATT STREET - DUNDAS DISTRICT
 CITY OF HAMILTON, L9H 2H9
 TEL (905) 627-0978 - FAX (905) 627-2818

Planning Justification Brief Consent to Sever

13 Herbert Place, City of Hamilton (Greensville)

Prepared by:

AJ Lakatos Planning Consultant

1006-190 Macdonell Street, Guelph, ON, N1H 0A9

July 2020

Planning Justification Brief

13 Herbert Place, City of Hamilton (Greensville)

1. Introduction

A.J. Lakatos Planning Consultant has been retained by the landowner and applicant to prepare a Planning Justification Brief for a Consent to Sever application, for lands referred to as 13 Herbert Place in the Rural Settlement Area of Greensville, in the City of Hamilton. The purpose of the Consent to Sever is to create one (1) new lot that conforms to the regulations of the Settlement Residential (S1) Zone to facilitate a single detached dwelling. Note that the proposed lot creation was approved by Committee of Adjustment with a final and binding decision on April 30th, 2009. However, the applicable Conditions to of Consent were not cleared and as such, the decision has lapsed.

The following Planning Justification Brief provides a general overview of the subject lands, a detailed description of the development proposal, and an overview of the pertinent planning framework applicable to the subject lands.

1.1 Description of Subject Lands

13 Herbert Place is located in the Greensville settlement area within the former municipality of Flamborough, now the City of Hamilton.

13 Herbert Place is a corner lot legally described as Lot 1 of Registered Plan No. 62M-883 in the City of Hamilton ("subject lands"). The subject lands have a total lot area of approximately 0.85 hectares (2.1 acres) with an approximate lot frontage of 88.33 metres on Herbert Place and a depth of 84.74 metres on Hauser Place. The subject lands are occupied by one (1) single detached dwelling, an inground pool and accessory buildings located in the rear yard. The dwelling is accessed by one (1) driveway from Herbert Place.

The subject lands are located within a rural residential subdivision that is made up of large single detached estate lots with lot sizes ranging from approximately 2,800 square metres to 4,500 square metres. The neighbourhood is generally zoned Settlement Residential (S1) Zone (**refer to Figure 1 - Location Map**).

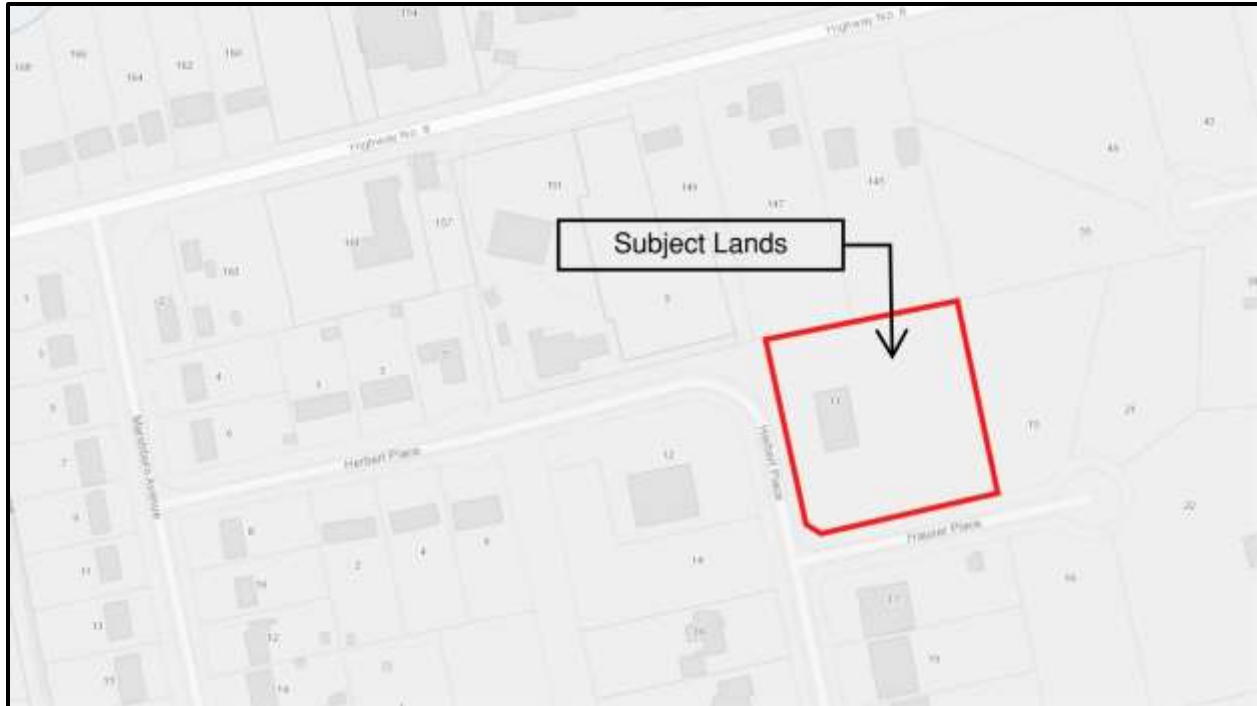


Figure 1: Location of Subject Lands – 13 Herbert Place, City of Hamilton (Greenville)

2. Proposed Development

The proposed Consent to Sever is to create a new lot that conforms to the regulations of the Settlement Residential (S1) Zone of the City of Hamilton Zoning By-law No. 05-200 to facilitate the construction of a single detached dwelling. The retained lot is intended to maintain the existing lot frontage of 88.327 metres on Herbert Place with a proposed lot depth of 40.39 metres and a total lot area of 1.09 acres. The existing dwelling, driveway and inground pool including landscaping is to be maintained. The severed lot is proposed to have 44.35 metres of frontage onto Hauser Place with a proposed lot depth of 92.71 metres and a total lot area of 1.01 acres (**Refer to Appendix A - Consent Sketch**). Driveway access is proposed to be from Hauser Place. There is an intent to purchase agreement between the landowner and a potential purchaser. The intended dwelling to be constructed is a one-storey 3-bedroom dwelling (**refer to Appendix B - Intent to Purchase with Proposed House Plan**).

A subsequent Building Permit application is required to facilitate the construction of a single detached dwelling. The Building Permit application will review the proposed dwelling in conjunction with the Ontario Building Code (OBC).

3. Planning Framework

This section reviews the planning documents applicable to the subject lands, which includes the Planning Act, Provincial Policy Statement, 2020, Places to Grow - Growth Plan for the Greater Golden Horseshoe 2019, the Rural Hamilton Official Plan including the Greensville Rural Settlement Area Plan and the City of Hamilton Zoning By-law No. 05-200.

3.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (“PPS”) came into effect on May 1, 2020 as a policy-led regulating document that provides direction on provincial interest related to managing land use planning and development. The subject lands are located within an existing “Rural Settlement Area” known as Greensville, within the municipal limits of the City of Hamilton. The proposal has been reviewed with respect to the Provincial Policy Statement (PPS).

Rural settlement areas are to be supported by an appropriate range and mix of housing (1.1.4.1.c). The proposed consent will establish an estate residential lot appropriate for a single detached dwelling that is compatible with the existing lot fabric of the established and planned neighbourhood. The proposed single detached house will be supported by private services, that have capacity to accommodate the proposed functional servicing requirements (1.1.4.1.e). The proposed consent will provide minor growth in the form of a new single detached lot that can accommodate a single detached dwelling with a built form that respects the rural residential lot character in the area with appropriate building height, scale, setbacks and landscaping (1.1.4.2, 1.1.4.3).

The proposed lot will be serviced by private sewage and a private well, which is standard to this neighbourhood. The proposed lot area can accommodate private services and will not impact the environment or human health and safety. Please refer to the submitted Hydrogeological Report for further detail (1.6.6.3, 1.6.6.4).

The subject lands do not have significant natural heritage or cultural heritage resources, as such these important Provincial resources will not be adversely impacted by the proposed lot creation (2.1, 2.6). A Hydrogeological Report has been prepared by a qualified professional to ensure water resources are protected, most notably groundwater, by the construction and installation of private services for the purposes of servicing a single detached dwelling. The report concludes that the lot severance is not likely to have an impact on the ground water resource (2.2). The proposed lot creation is outside of natural or human made hazard lands, therefore public health and safety is not impacted (3.1, 3.2).

The proposed lot creation is **consistent** with the *Provincial Policy Statement, 2020*.

3.4 Rural Hamilton Official Plan

The subject lands are within the Rural Hamilton Official Plan (RHOP). The RHOP has been in force and effect as of March 7, 2012. The RHOP, Volume 1 designates the subject lands “Rural Settlement Area”. Further, the RHOP, Volume 2, Flamborough Rural Settlement Area Plans designates the subject lands “Settlement Residential” (Volume 2: Map 8a).

Volume 1, Chapter D, Section 5.0 states Rural Settlement Areas are where development has clustered in a small scale with the intent of being residential in nature with service centres that serve the immediate community. Greensville is one of nineteen Rural Settlement Area within the City of Hamilton’s rural area.

Volume 2, Chapter A, Section 3.5, Greensville Rural Settlement Area Plan, outlines the general development policies and Settlement Residential policies. The proposed lot creation will establish a lot that is suitable for a single detached dwelling that will be integrated and compatible with the existing community with a similar lotting pattern and size (A.3.5.3.1, A.3.5.3.2). The proposed lot is a minor infill lot that meets required Settlement Area (S1) Zoning facilitated through a Consent to Sever application to sever lands from a lot of record within a registered plan of subdivision (A.3.5.3.3, A.3.5.3.4). The subject lands are not identified as having natural heritage features on-site or within proximity and are designated Settlement Residential. Applicable policies are reviewed below (A.3.5.3.5, A.3.5.3.6).

A Hydrogeology Report has been prepared to review potential impacts to ground water the proposed private sanitary and water services may have. The report considers the surrounding lands and development and concluded that the proposed severance can be supported by private services without adverse impacts to ground water quality or quantity (A.3.5.5.1). The proposed lot severance will facilitate a proposed three-bedroom bungalow single detached dwelling (A.3.5.5.3). The proposed infill lot is proposed to be facilitated through consent and it will not interfere with existing or future development as existing public right-of-ways are established (A.3.5.5.4). The proposed consent is appropriate to establish one (1) lot as it’s intent for a single detached dwelling on private services meets the policies of the RHOP (A.3.5.5.6). The proposed lot has a lot width and area that can accommodate setbacks and landscape area to facilitate a single detached house that is consistent with the surrounding lot fabric and built form. The proposed development will have respect to the existing neighbourhood character to be integrated and compatible (A.3.5.5.7).

The proposed single detached dwelling will be serviced by private water supply and private sewage disposal systems (A.3.5.13.2, A.3.5.13.3) supported by a Hydrogeological Report prepared by a qualified professional which concludes the proposed severance, dwelling and private services will not impact the ground water supplies’ quantity or quality (A.3.5.13.4).

The proposed consent to create a single detached lot serviced by private services **conforms** to the RHOP.

3.5 The City of Hamilton Zoning By-law No. 05-200

The Comprehensive City of Hamilton Zoning By-law No. 05-200 (ZBL 05-200), as amended, has been in force and effect as of May 25, 2005. The Rural Zones have been in force and effect of as July 10, 2015.

ZBL 05-200 zones the subject lands Settlement Residential (S1) Zone. The S1 Zone permits a single detached dwelling. As such, the proposed intent of the lot creation for a single detached dwelling is permitted.

The following chart outlines the required regulations for a single detached dwelling in the S1 Zone, in comparison to the proposed lot.

| Settlement Residential (S1) Zone | Required | Proposed | Conformity Yes/No |
|----------------------------------|-----------------------|-----------------------|-------------------|
| Minimum Lot Area | 0.4 hectares | 0.41 hectares | Yes |
| Minimum Lot Width | 30.0 metres | 44.35 metres | Yes |
| Minimum Rear Yard | 7.5 metres | 7.5 metres | Yes |
| Maximum Building Height | 10.5 metres | 10.5 metres | Yes |
| Accessory Buildings | Section 4.8 and 4.8.1 | Section 4.8 and 4.8.1 | Yes |
| Parking | 2 spaces/dwelling | 2 spaces/dwelling | Yes |

The proposed lot, facilitated through consent, **complies** to the Settlement Residential (S1) Zone of Zoning By-law No. 05-200.

4.0 Planning Rationale

The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

1. The proposal is consistent with the Provincial Policy Statement Rural Settlement Area policies and natural and cultural heritage resources will be protected;
2. The proposal conforms to the Rural Hamilton Official Plan which permits infill single detached lots through consent subject to being compatible with the existing character of the area and able to accommodate private services without impacting ground water quality and quantity, proven through a Hydrogeological Report;
3. The proposed lot creation will comply to the single detached dwelling regulations of the Settlement Residential (S1) Zone of Zoning By-law No. 05-200.

5.0 Conclusion

In conclusion, the proposed lot creation facilitated through consent is appropriate for the subject lands, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,
A.J. Lakatos Planning Consultant



Mr. Joe Lakatos MCIP, RPP

TECHNICAL SUMMARY

PML REF.: 17HX016 13 Herbert Place, Hamilton, Ontario

December 16, 2022

BACKGROUND

- Peto MacCallum Ltd. (PML) was retained by Mr. Luke Hewitt to undertake a Hydrogeological Investigation to define the subsurface soil and groundwater conditions at the 13 Herbert Place in Hamilton (Dundas), Ontario, and based on this to provide an assessment of the capability for on-Site treatment of domestic sewage, mitigation of the nutrient loading from the sewage treatment system and the offsite impact of infiltration of septic effluent on the ground water resource in the area. An evaluation of the feasibility of developing a potable water supply for the severed lot was also included in the terms of reference.
- The subject property is 0.84 acres in size and is currently occupied by a single family detached 3-bedroom dwelling. The Owners are proposing to sever the property into two equal sized lots of 0.42 hectares each, with the existing dwelling to be retained on the one lot, and a new 3-bedroom single family dwelling to be constructed on the severed lot.
- Both lots will be serviced by private water supply wells and private sewage treatment systems

SITE SETTING

- The Subject property is located in the southern area of the Greensville Rural Settlement Area, Hamilton, Ontario
- The local Herbert Place/Marshboro Avenue neighbourhood comprises 20 lots ranging in size between 0.17 hectare and 0.42 hectares with an average size of 0.29 hectares.
- All lots in the neighbourhood are serviced by private wells and private sewage treatment systems
- **The proposed severed lot size of 0.42 hectares would be the largest lot size in the Herbert Place/Marshboro Avenue neighbourhood.**

BASIS FOR TECHNICAL ASSESSMENT

- The assessment of the nitrate loading from infiltration of effluent from the sewage treatment system was conducted in accordance with the following documents:
 - Procedure D-5-4 – Technical Guideline for Individual ON Site Sewage Systems: Water Quality Impact Assessment (MOEED April 1996)
 - Hydrogeological Technical Information Requirements for Land Development Chapter 4, Section 4.5 (MOEE April 1995)
 - Guidelines of hydrogeological Studies and Technical Standards for Private services (City of Hamilton, November 2013)
- The MOEE D-5-4 Technical Guideline has a three-step process for assessing ground water impact potential:
 - Step 1: Lot Size Considerations - Where the proposed development has average lot sizes of 1 hectare or more, then it is assumed that attenuative processes within a one-hectare lot will be sufficient to reduce the nitrate-nitrogen to an acceptable concentration in ground water below adjacent properties. This Site does not satisfy this minimum lot size requirement.

TECHNICAL SUMMARY

PML REF.: 17HX016 13 Herbert Place, Hamilton, Ontario

December 16, 2022

-
- Step 2: System Isolation Considerations – Where proposed lot sizes are less than one hectare the risk to ground water must be assessed. Under Step 2, where the assessor can demonstrate that the sewage effluent will be hydrogeologically isolated from existing or potential water supply aquifers, then the development will normally be considered low risk to ground water. The Site hydrogeologic setting does not satisfy this condition.
 - Step 3: Contaminant Attenuation – If the development does not meet Step 1 or Step 2, then contaminant attenuation must be assessed. Since the site does not satisfy Step 1 or 2, contaminant attenuation must be considered. The D-5-4 Guideline allows for two options for assessing contaminant attenuation.
 - 1. **Monitoring-Based Assessments** – The D-5-4 Guideline recognizes that contaminant attenuation is a complex process and is very much site-specific. The attenuation processes are complex and difficult to accurately model. Therefore, the D-5-4 Guideline allows for consideration of empirical information to help predict the impact of the proposed development. This empirical information comes from **actual monitoring data** from a similar site.
 - 2. **Predictive Assessment** – The predictive assessment assumes a nitrate loading of $40 \text{ mg/L} \times \text{effluent flow} / (\text{Flow} + \text{Infiltration})$
 - Nitrate in septic effluent is attenuated by dilution with infiltrating surface water and water discharged into the septic bed as well as ground water seepage from the upstream to the downstream side of the property (Ground water flux). It is noted that the nitrate dilution from ground water flux was not considered and therefore nitrate loading assessment is considered **conservative**.
 - Given the proposed lot size of 0.42 hectares, the predictive assessment method was utilized as required by the City of Hamilton Guideline. **It is noted that the City of Hamilton Guidelines do not provide for the option of monitoring-based assessments as allowed for in the MOEE D-5-4 Guideline.**

PREDICTIVE ASSESSMENT AND MONITORING RESULTS

- The water surplus for the site was calculated using the widely accepted Thornthwaite and Mather procedure with input of the Environment Canada 20 Year Canadian Climate Normals (1981 to 2010) for the closest weather station located (Millgrove Station), located about 6 km northwest of the Site. The calculated water surplus is 388.2 mm/year.
- The actual site-specific infiltration factor was assessed using the Hydrogeological Technical Information Requirements for Land Development Chapter 4, Section 4.5 (MOEE April 1995) which considers topography, soil type and vegetative cover. An **infiltration factor of 0.6** was determined which results in an annual infiltration rate of 232.9 mm/year (water surplus x infiltration factor).
- It is noted that the infiltration factor of 0.6 was selected in accordance with the MOEE Hydrogeological Technical Information Requirements for Land Development Applications, April 1995, Table 2. As stated in the MOEE guide, Chapter 4, Subsection 4.5 ***“The infiltration factors***

TECHNICAL SUMMARY

PML REF.: 17HX016 13 Herbert Place, Hamilton, Ontario

December 16, 2022

shown on Table 2 are based on a hydrologic analysis that was designed for assessing peak runoff for storm water management purposes. This provides a worst case scenario with respect to runoff and is conservative in estimating the amount of ground water recharge.”

- The City of Hamilton Peer Reviewer, Cambium, has indicated that, in their opinion, the infiltration should be less than 200 mm/year, citing the Tier 3 Water Budget and Local Risk Assessment Report (Earthfx, 2017); however, although on a more regional basis the Tier 3 Water Budget may estimate average infiltration rates less than 200 mm/year, it is notable that there are bands of higher recharge rates in the vicinity of the Site which are consistent with the infiltration calculated by PML.
- The predictive assessment estimates that the nitrate concentration at the down gradient property line for a 0.42-hectare parcel of land would be 13.1 mg/L which exceeds the regulatory requirement of 10 mg/L; however, it is important to note that the predictive assessment is acknowledged to be conservative.
- Notwithstanding the predictive assessment, PML has over 30 years of periodic nitrate concentration in ground water monitoring data within the Herbert Place/Marshboro Avenue/Kew Court / Oak Avenue neighbourhood. This includes 38 measurements at 13 different properties, all serviced by private wells and private sewage treatment systems. The measured nitrate concentrations in the ground water from these 38 measurements range between <0.01 mg/L to **a maximum of 7.62 mg/L (which is below the provincial standard)** with an average concentration of about 1.7 mg/L. This empirical data confirms that the predictive assessment is indeed conservative and underestimates the actual Nitrate attenuation in the local area.
- Notwithstanding the fact that the empirical data for much smaller lot sizes in the area indicate that conventional sewage treatment systems are effective in attenuating the nitrate concentrations to levels below the provincial standard, the Owners have agreed to utilize an advance treatment system which has been demonstrated to **reduce nitrate loading in sewage effluent by over 50%**. This level of denitrification is more than sufficient to meet the provincial water quality standard of 10 mg/L as determined by the predictive assessment even when using the conservative infiltration inputs of less than 200 mm/year as suggested by Cambium.
- The installation of an advance treatment system requires that the Owner of the system enter into a maintenance contract with the manufacturer in order to assure that the system operates as intended.
- The commitment of the Owner to install and maintain an advanced treatment system provides an extra factor of safety which is protective of the ground water quality.
- In addition, the Owner has **agreed to carryout monitoring to verify that consistent denitrification is maintained**. The Owner has further agreed to share monitoring data with the City of Hamilton.



**HYDROGEOLOGICAL INVESTIGATION
13 HERBERT PLACE
HAMILTON (DUNDAS), ONTARIO**
for
MR. LUKE HEWITT

PETO MacCALLUM LTD.
45 BURFORD ROAD
HAMILTON, ONTARIO
L8E 3C6
Phone: (905) 561-2231
Fax: (905) 561-6366
Email: hamilton@petomaccallum.com

Distribution:
1 cc: Mr. Luke Hewitt (via email)
1 cc: AJ Lakatos Planning Consultant (via email)
1 cc: PML Hamilton

PML Ref.: 17HX016
Report: 1 (Revised)
April 2021

Nancy Smith
 15 Bold Street
 Hamilton Ontario Canada L8P 1T3
 Receptionist 905 529 3476 (905 LAW-FIRM)
 Facsimile 905 529 3663
 nsmith@tmalaw.ca

VIA EMAIL

March 6, 2023

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

Attn: Secretary-Treasurer, Committee of Adjustment

Dear Madam:

**Re: RE-SCHEDULE/RESUBMISSION REQUEST
 CONSENT APPLICATION FL/B-20:46
 13 HERBERT PLACE**

HEARING DATE: April 6, 2023
APPLICANT: Dragana Anna Jovic Suykens
LEGAL COUNSEL: Nancy Smith Professional Corporation

THE PROPERTY

13 Herbert Place is in the rural settlement area of Greensville, City of Hamilton. The property is a corner lot legally described as Lot 1 of Registered Plan No. 62M-883. The total lot area is approximately 0.85 hectares (2.1 acres) with an approximate lot frontage of 88.33 metres on Herbert Place and a depth of 84.74 metres on Hasuer Place. The subject lands have one (1) single detached dwelling, an inground pool and an accessory building.

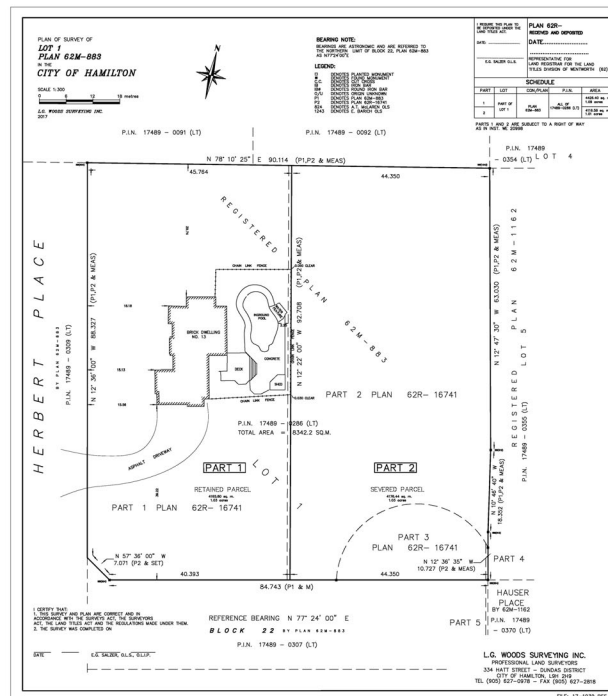


Figure 1: Location of Subject Lands – 13 Herbert Place, City of Hamilton (Greensville)

NANCY SMITH PROFESSIONAL CORPORATION
 TURKSTRA MAZZA ASSOCIATES, LAWYERS

THE PROPOSAL

The purpose of the Consent Application is to create one (1) new lot that conforms to the Settlement Residential (S1) Zone to facilitate a single detached dwelling. The retained lot is intended to maintain the existing lot frontage on Herbert Place. The severed lot is proposed to have 44.35 metres frontage onto Hauser Place.



THE APPLICATION HISTORY

Consent Approved

In 2009, the Committee approved a Consent subject to conditions. The conditions lapsed.

New Application

On July 30, 2020, this Application was submitted with:

- Planning Justification Report (attached)
- March 7, 2019 – Drinking Water Source Protection Restricted Land Use Submission Form submitted to City of Hamilton (“City”)
- April 30, 2019 - Hydrogeological Investigation by Peto Maccallum Ltd. (“PML”)

NANCY SMITH PROFESSIONAL CORPORATION
TURKSTRA MAZZA ASSOCIATES, LAWYERS

- May 31, 2019 – Cambrium Inc. (“CI”) provide comments letter to City on Hydrogeological Investigation
- August 21, 2019 – PML respond to CI comment letter
- Oct 10, 2019 – CI provide follow-up comments
- March 31, 2020 – PML provide response letter

Peer Review

After the Application was submitted, a peer review of PML’s work was conducted by CI on August 11, 2020.

City Staff Recommends Approval

On October 1, 2020, City Staff recommended approval of the Application subject to conditions. One of the conditions was:

That the Owner submits a Geotechnical and Hydrogeological Report(s) to demonstrate that of the proposed lot size can support the residential development from water supply and wastewater disposal point of view to the satisfaction of the Source Water Protection Section staff and the Manager of the Engineering Approvals Section. [underlining added]

Source Water Protection Opposition

The Applicant decided that the Source Water Protection Opposition should be addressed before proceeding to a Committee Hearing. To leave it as a condition would have this Opposition unresolved with no opportunity for resolution by an independent adjudicator i.e. the Committee. Therefore, on April 20, 2021, at the Applicant’s request, the Application was tabled.

UPDATED HYDROGEOLOGICAL WORK

The Applicant has prepared additional hydrogeological work in order to satisfy the Source Water Protection Opposition:

- April 22, 2021 – Updated Hydrogeological Report prepared by PML (attached)
- December 16, 2022 – Technical Summary (attached)
Together, “updated Hydrogeological Reports”.

APPLICATION SHOULD BE APPROVEDPlanning Act Test

Subsection 51(24) sets out the test for a Consent. The only portions of the test that appear to be in issue are highlighted:

(24) In considering a draft plan of subdivision [here, a Consent)] regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2; ["o – protection of public health and safety"]
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*.

NO RISK TO PUBLIC HEALTH AND SAFETY

The key question here, in layman's terms, is: will lot creation produce nitrate levels in the groundwater that will pose an unacceptable risk to another's well water supply?

The answer is no.

The technical studies to answer the key question are based on the Updated Hydrological Reports based on standard guidelines used province-wide. These are not site specific. The result in applying these generic guidelines in this case is that the nitrate levels exceed the guidelines.

The Updated Hydrological Reports go further than the generic analysis however. They conclude that:

- The predictive assessment component of the province-wide guidelines assessment is conservative;
- Actual groundwater assessments (38 at 13 different properties) confirms that the predictive assessment is indeed conservative. It significantly underestimates the actual nitrate levels within the Herbert Place/Marshboro Avenue/Kew Court / Oak Avenue neighbourhood. Actual levels are well below the guidelines.

PROPOSED CONDITIONS PROTECT THE PUBLIC – AN ABUNDANCE OF CAUTION

Given the foregoing, based on a reasonable application of the guidelines, there is minimal risk that lot creation will produce unacceptable nitrate levels that would affect another's well water supply.

Notwithstanding, and out of an abundance of caution, the Applicant has agreed to the following conditions of approval:

1. On the retained and severed lot, the applicant/owner shall **install an advanced treatment septic system** with a treatment unit quality of effluent accordant with the former proposed amended Ontario Building Code (Change Number S-B-08-06-06) Table 8.6.2.2.C being on Level of Treatment (Column 1) of N-1 and a Nitrogen Reduction (Column 3) of no less than 50%.
2. Upon installation of the advanced treatment system, the applicant/owner shall contact the City of Hamilton and have the system inspected by the Manager of Development Engineering Approval Section.
3. The applicant/owner shall submit, at their own expense, an inspection and maintenance report within six (6) months following installation of the advanced treatment system, with a copy of the inspection results provided to the Chief Building Inspector for the City of Hamilton.

4. The applicant/owner shall complete a Water Supply Assessment to the satisfaction of the Source Protection Planning, Public Works, Hamilton Water, City of Hamilton.

ADVANCED TREATMENT SEPTIC SYSTEM

The installation of an advance treatment septic system has been demonstrated to reduce nitrate loading in sewage effluent by over 50%.

It is understood that the Building Code has not yet caught up with the science in recognizing advance treatment septic systems for the purposes of nitrate abatement (it is recognized in the Code for other purposes). This is irrelevant to your decision-making. The use of this system is an extra factor of safety. It is not, as outlined above, required.

Advance treatment septic systems have been approved on other sites in the City of Hamilton to address nitrate abatement issues. Using this system in this case as an extra safety factor is not novel.

CONCLUSION

This Application meets the *Planning Act* test and represents good planning. Infill lots are playing a vital and important role in addressing our Province's housing crisis. Lot creation in this case is safe and will not pose an unacceptable risk to others.

Yours truly,



Nancy Smith
ns/l



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

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

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

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

Office Use Only

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

1 APPLICANT INFORMATION

1.1, 1.2

| | NAME | ADDRESS | PHONE/FAX |
|----------------------|------|---------|-----------|
| Registered Owners(s) | | | |
| Applicant(s)* | | | |
| Agent or Solicitor | | | |

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

| | | | |
|---|-------------|--------------------|--|
| 2.1 Area Municipality City of Hamilton | Lot | Concession | Former Township Flamborough (Greenville) |
| Registered Plan N°. 62M-883 | Lot(s) 1 | Reference Plan N°. | Part(s) |
| Municipal Address 13 Herbert Place | | | Assessment Roll N°. |

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

Yes No

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

3 PURPOSE OF THE APPLICATION

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

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

- creation of a new lot
 addition to a lot
 an easement

Other: a charge
 a lease
 a correction of title

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

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

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

Daryl and Gayle Lewis of 40 Marshboro Ave, City of Hamilton (Dundas)

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION4.1 Description of land intended to be **Severed**:

| Frontage (m) | Depth (m) | Area (m ² or ha) |
|--------------|-----------|-----------------------------|
| 84.74m | 92.7m | 0.85ha (2.1ac) |

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Lands to be severed are vacant.

Proposed: Single detached dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

| Frontage (m) | Depth (m) | Area (m ² or ha) |
|--------------|-----------|-----------------------------|
| 40.39m | 92.7m | 4425.4 sq.m |

Existing Use of Property to be retained:

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

| | | |
|--|--------------------------|--|
| 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 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

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

7 PROVINCIAL POLICY

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

- Yes No

Refer to Planning Justification Brief.

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

Refer to Planning Justification Brief.

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

Refer to Planning Justification Brief.

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

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

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

- f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

- g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

| | |
|--|---|
| Frontage (m): (from Section 4.1) 44.35m | Area (m ² or ha): (from in Section 4.1) 4116.58 sq.m. |
|--|---|

Existing Land Use: vacant Proposed Land Use: Residential

b) Lands to be Retained:

| | |
|--|---|
| Frontage (m): (from Section 4.2) 40.39m | Area (m ² or ha): (from Section 4.2) 4426.4 sq.m. |
|--|---|

Existing Land Use: Residential Proposed Land Use: Residential

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

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

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

Front yard set back: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

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

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

Front yard set back: _____

d) Surplus farm dwelling date of construction:

 Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

 Habitable Non-Habitable

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

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

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

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

Refer to Planning Justification Brief and
Hydrogeological report and comment responses.

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

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

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

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

| | | | |
|-------------------------|-------------------------------|--------------------------|---|
| APPLICATION NO.: | FL/A-23:54 | SUBJECT PROPERTY: | 9 HERBERT PLACE, FLAMBOROUGH |
| ZONE: | "S1" (Settlement Residential) | ZONING BY-LAW: | Zoning By-law City of Hamilton 05-200, as Amended |

APPLICANTS: Owner: PRIYANKARA & THUSHARI DAYANANDA

The following variances are requested:

1. A maximum accessory building height of 6.8 metres shall be permitted instead of the required maximum height of 4.5 metres.

PURPOSE & EFFECT: To permit the construction of a new single detached dwelling unit and two new accessory buildings (detached garage and shed).

Notes:

1. Please be advised an accessory building shall not be erected prior to the erection of the principle building or structure on the lot.
2. Insufficient information was provided in order to determine compliance for the future shed. Additional variances may be required if compliance cannot be achieved.
3. Insufficient information was provided in order to determine zoning compliance for the minimum landscaped area located within the front yard.
4. Insufficient information was provided in order to determine zoning compliance for the proposed parking. Additional variances may be required if compliance cannot be achieved.
5. All mechanical and unitary equipment shall be in compliance with the regulations of Section 4.9 in the Hamilton Zoning By-law 05-200.
6. All adequate services shall be in compliance with the regulations of Section 4.22 in the Hamilton Zoning By-law 05-200.

FL/A-23:54

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

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

| | |
|---------------|--|
| DATE: | Thursday, April 6, 2023 |
| TIME: | 10:40 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

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

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

PUBLIC INPUT

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

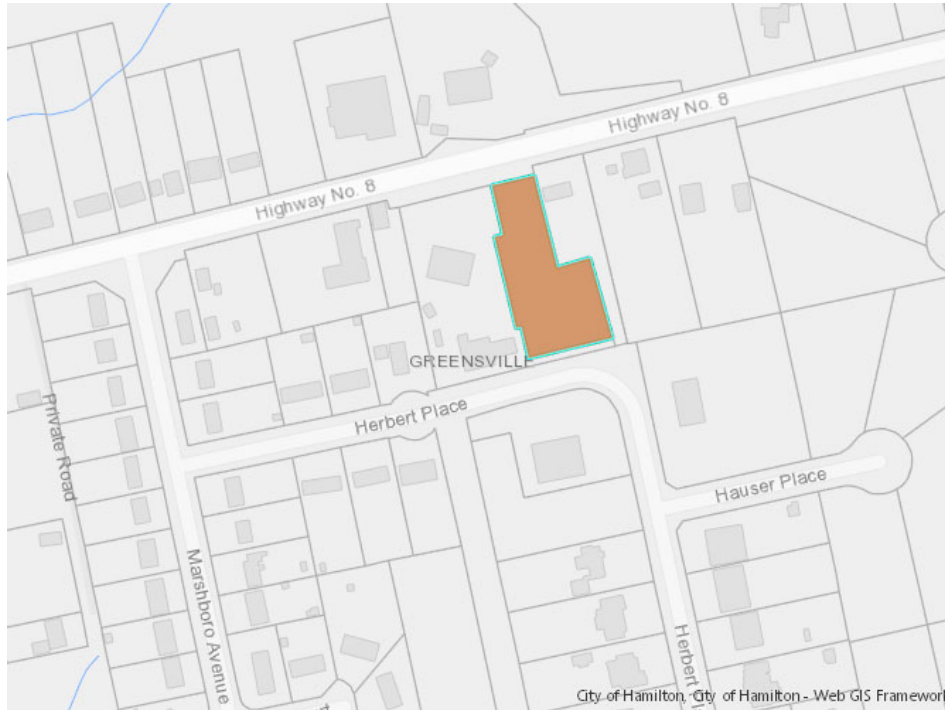
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:54, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

FL/A-23:54



 Subject Lands

DATED: March 21, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

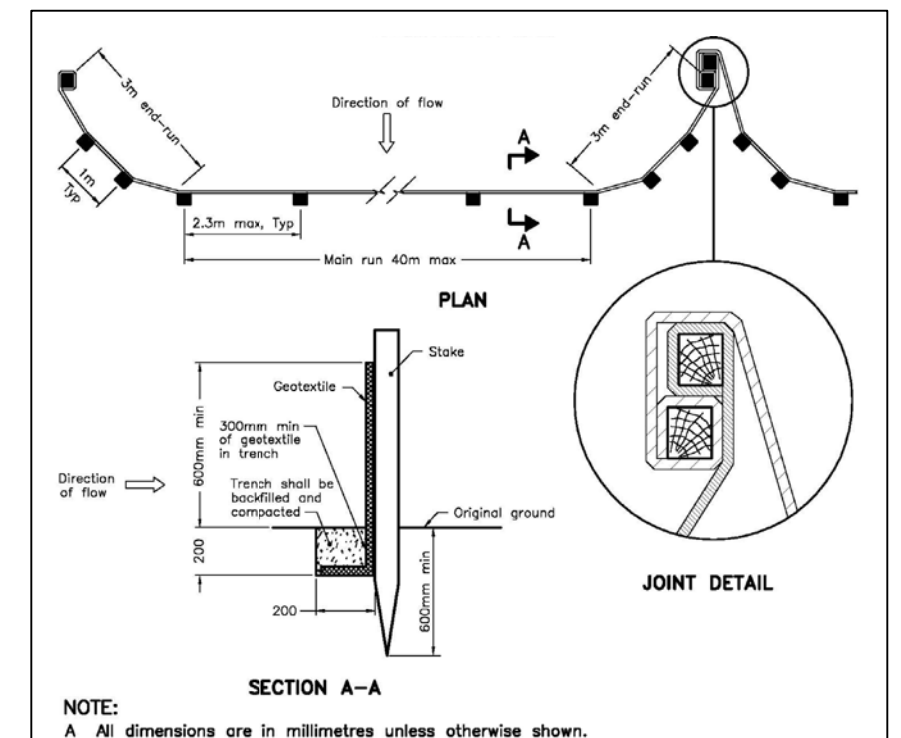
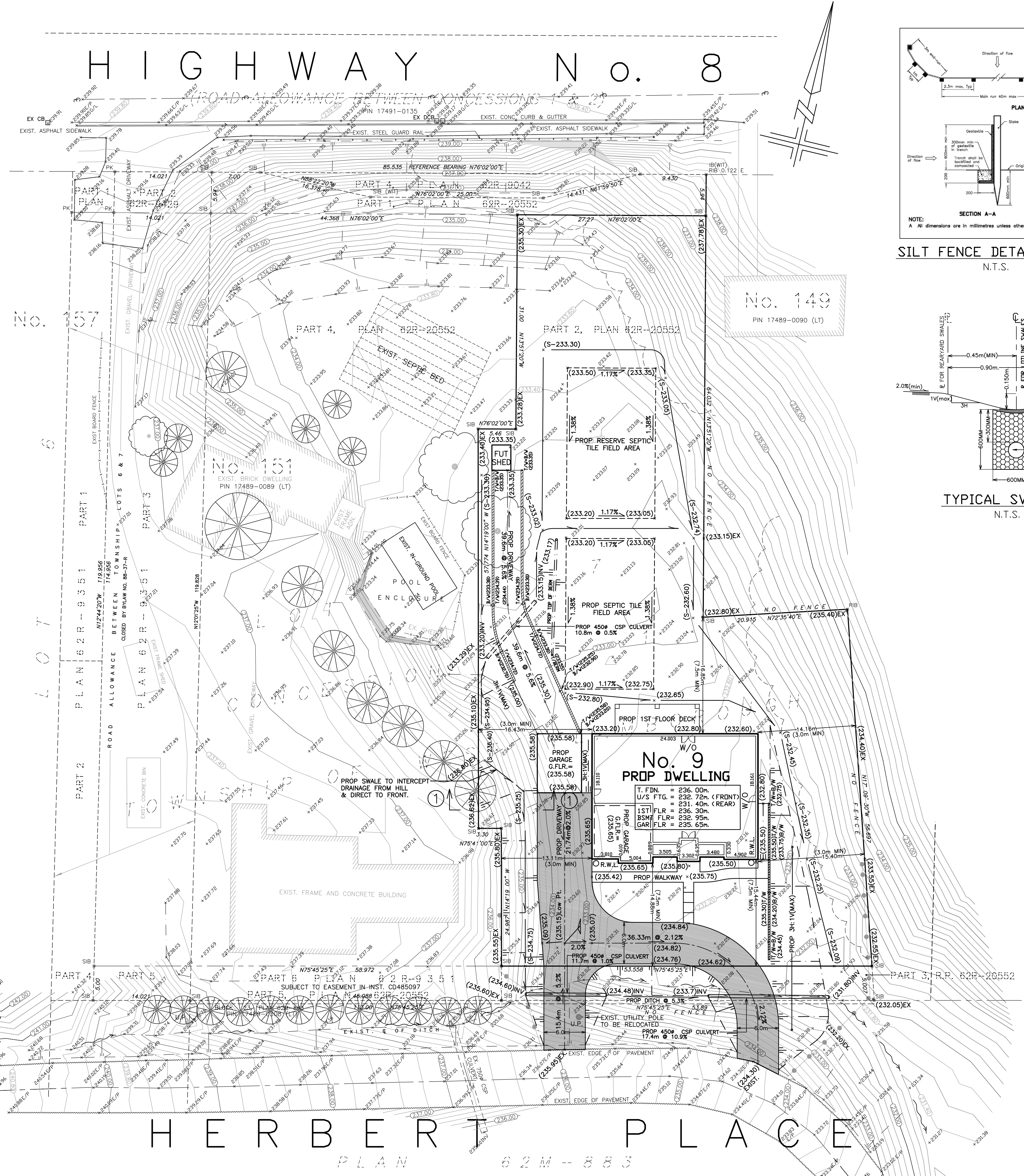
2. In person Oral Submissions

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

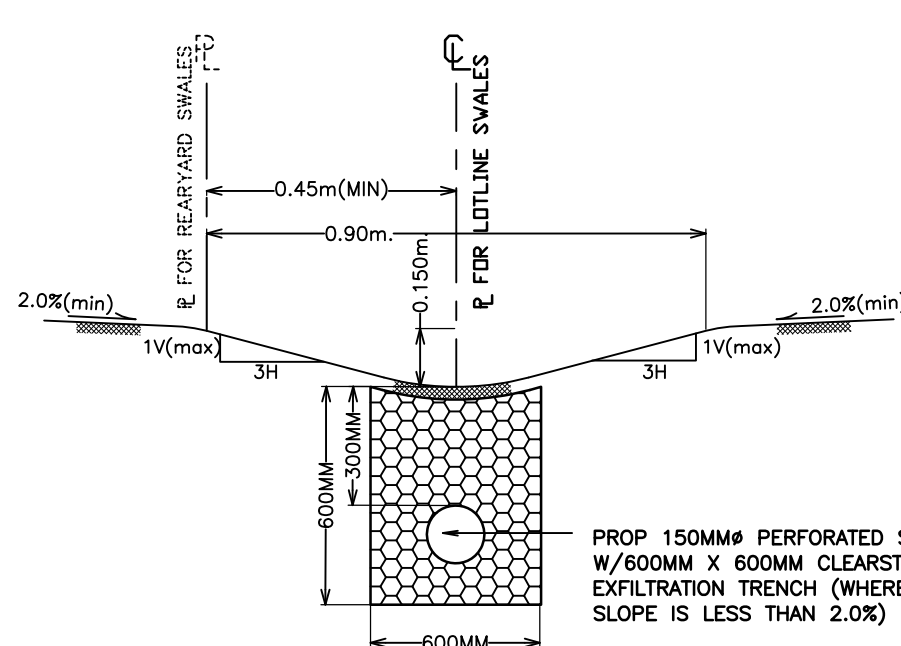
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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

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



SILT FENCE DETAIL (OPSD 219.110) N.T.S.



TYPICAL SWALE DETAIL N.T.S.

LOT GRADING NOTES:

GENERAL GRADING NOTES

- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SODDED SLOPES (MIN. 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED.
- ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45M OFF THE PROPERTY LINE. ALL WALLS 1.0M OR HIGHER SHALL BE DESIGNED BY A P.E.N.G.
- SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150MM ABOVE THE PROPOSED SIDEYARD SWALES.
- RETAINING WALLS 0.6M IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
- SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33% GRADE (3:1 SLOPES).
- WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED PROVIDED A 150MM SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET. (WITH A MINIMUM 0.3M COVER OVER THE SUB-DRAIN), OR OTHER MITIGATION MEASURES.
- MINIMUM GRADE FOR WRAP-AROUND SWALE IN THE BACKYARD SHALL BE 1.0%.
- UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED AS A STRAIGHT LINE.
- TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150MM (MIN) ABOVE FINISHED GRADE.
- DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2.0% AND NOT MORE THAN 7.0% REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED.
- GARAGE FLOOR ELEV. TO BE SET MINIMUM 0.3M HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
- ALL FILL PLACED ON THE REAR OF THE LOT SHALL BE COMPACTED TO A MINIMUM OF 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIALS SHALL BE PLACED IN LAYERS NOT EXCEEDING 300MM LIFTS.
- FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS AND PROTECTION SCHEMATICS, ETC., REFER TO "TREE PROTECTION PLAN".
- LOT GRADING FOR ALL LOTS IN THE SUBDIVISION SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE CITY, SHALL RESULT IN NON ACCEPTANCE OF THE SUBDIVISION BY THE CITY.
- IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
- DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2M FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.

BACKYARD GRADING NOTES

- DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY-LAW OR 5.0M.
- THE MAXIMUM SLOPE IN THE BACK YARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACK YARD SHALL BE 5.0%, EXCEPT AS SET OUT IN TERMS BELOW.
- THE 5.0% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT.
- WHERE THE 5.0% RESTRICTION ON THE BACKYARD GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3M.
- GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
- THE 5.0% RESTRICTION DOES NOT PRECLUDE RETAINING WALLS IN THE REQUIRED BACKYARDS PROVIDING THE TERRACES ARE MAINTAINED TO THE 5.0% GRADE AS SET OUT IN ITEM D) ABOVE. THE INTENTION OF THIS PROVISION IS TO PROVIDE FLEXIBILITY OF HOUSE CONSTRUCTION.
- THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS, OUTSIDE THE AREA DEFINED IN a) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (MINIMUM 3H:1V).

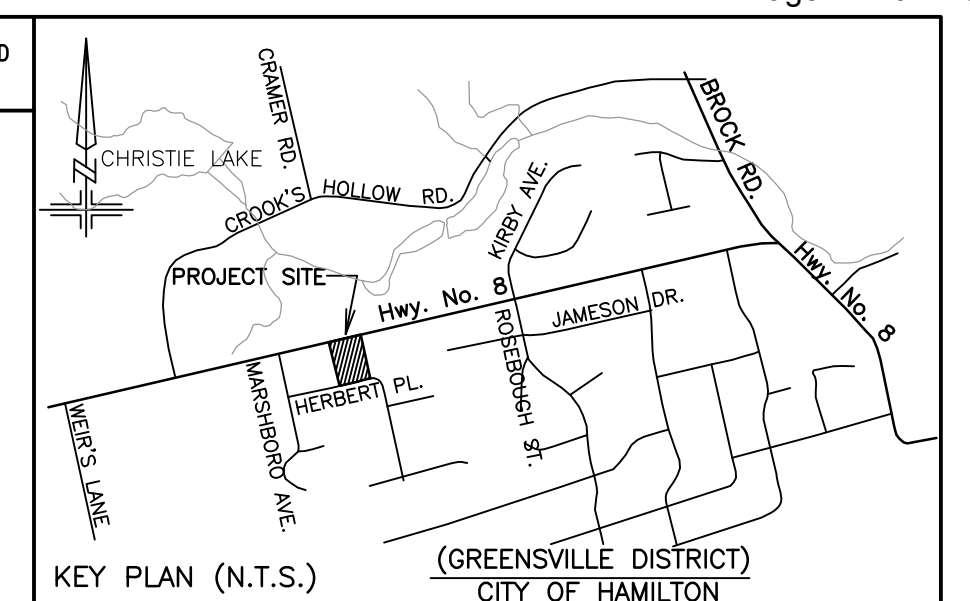
ROOFWATER LEADERS

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

SUMP PUMPS

SUMP PUMPS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE.

RETAINING WALL NOTE:
 PROPOSED RETAINING WALLS WITH HEIGHT GREATER THAN 1.0M TO BE DESIGNED & DETAILED BY QUALIFIED PROFESSIONAL STRUCTURAL ENGINEER. SAFETY GUARDS TO BE INSTALLED WHERE WALL HEIGHT EXCEEDS 0.6M PER OBC.



KEY PLAN (N.T.S.) (GREENSVILLE DISTRICT) CITY OF HAMILTON

- NOTES**
- BENCHMARK: ELEVATIONS ARE GEODETIC AND ARE REFERRED TO SOKKIA POWERNET NETWORK AND CORRECTED TO NAD 83 BY ONTARIO GEOID MODEL. EXISTING GROUND ELEVATIONS AS SURVEYED BY L.G. WOODS SURVEYING INC. DURING OCTOBER 2016 (FILE NO. 14-2770).
 - BOUNDARIES AS PER REGISTERED PLAN 62R-20552.

LEGEND

| | |
|--------------|---|
| (226.00) | DEMOTES PROPOSED FINISHED GROUND ELEVATION IN CONFORMITY WITH THE APPROVED SITE GRADING PLAN FOR SEVERANCE NO. FL/B-11-81, I.E. DRAWING # E-1302 BY SIDNEY W WOODS ENGINEERING (2011) INC., DATED FEB. 08 2017. |
| x 223.00 | DEMOTES EXISTING GROUND ELEVATIONS AS SURVEYED BY L.G.WOODS SURVEYING INC. DURING OCTOBER 2016. |
| (226.00) | DEMOTES EXISTING GROUND CONTOUR |
| (226.00) | DEMOTES PROPOSED FINISHED GROUND ELEVATION AT FRONT/REAR APRON OF DWELLING |
| (S-226.00) | DEMOTES PROPOSED SWALE ELEVATION |
| 1/7=(219.20) | DEMOTES PROPOSED TOP OF FOUNDATION ELEVATION |
| ⊕ | DEMOTES EXISTING WATER SERVICE SHUTOFF VALVE |
| U.P. | DEMOTES EXISTING UTILITY POLE |
| — | DEMOTES PROPOSED SWALE |
| — | DEMOTES PROPOSED DIRECTION OF SURFACE DRAINAGE |
| — | DEMOTES EXIST. WIRE OR CHAINLINK FENCE |
| — | DEMOTES EXISTING CENTRELINE OF DITCH |
| — | DEMOTES EXISTING STREET LIGHT STANDARD |
| ○ | DEMOTES EXISTING DECIDUOUS TREE |
| ○ | DEMOTES EXISTING DECIDUOUS TREE TO BE REMOVED |
| ○ | DEMOTES EXIST. CONIFEROUS TREE |
| R.W.L. ○ | DEMOTES PROPOSED RAINWATER LEADER DOWN PIPE |
| HYD | DEMOTES EXISTING FIRE HYDRANT |
| — | DEMOTES PROPOSED 3H:1V(MAX) SLOPE |
| — | DEMOTES TOP OF EXISTING SLOPE |
| ● | DEMOTES PROP SILT CONTROL FENCE PER OPSD 219.110 |
| — | PROP DRIVEWAY |
| — | DEMOTES FIRE ROUTE |
| — | DEMOTES BASEMENT WALK OUT DOORWAY |
| — | DEMOTES PROPOSED REINFORCED CONCRETE RETAINING WALL OR APPROVED EQUAL, WITH 1.2M(MIN) HIGH SAFETY RAILING WHERE WALL HEIGHT EXCEEDS 0.6M. (SEE NOTE) |

| NO | DATE | BY | REVISION |
|----|------------|------|---|
| 2. | JAN. 25'23 | D.J. | RE-DESIGN PROPOSED DRIVEWAY & FRONTYARD GRADING. |
| 1. | JULY 31'22 | D.J. | ADD EXTERNAL GARAGE AND REARYARD SHED & DRIVEWAY, REVISED GRADING ACCORDINGLY. ADD WALKWAY ACROSS FRONT OF PROP DWELLING. SHOW RAINWATER LEADERS AT FRONT OF PROP DWELLING. |

SCALE: 1:300

DATE: JANUARY 2022

REF.

SEAL: LICENSED PROFESSIONAL ENGINEER D.P. JOYCE, Jan. 25, 2023, PROVINCE OF ONTARIO

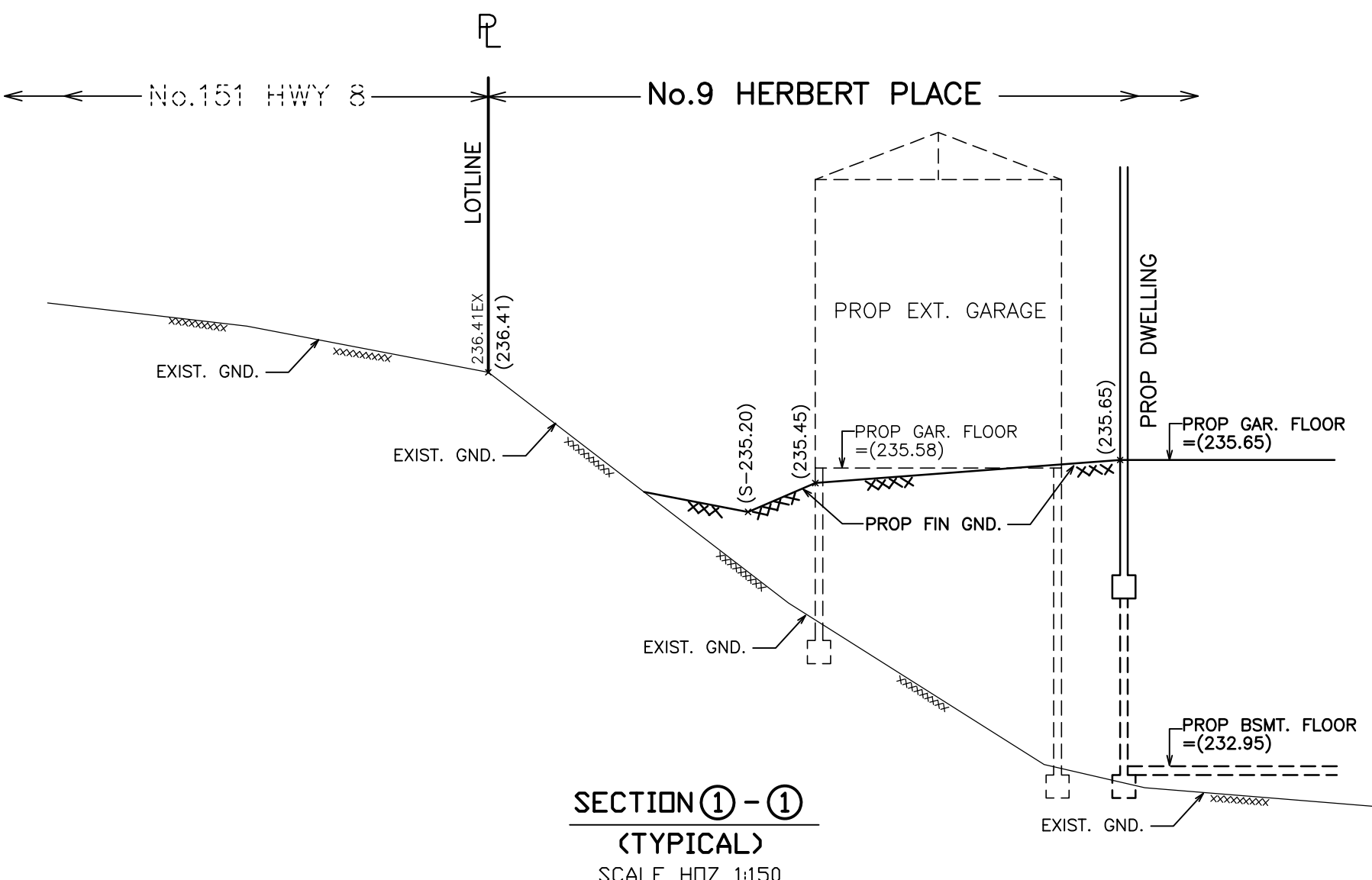
CONSULTANT: SIDNEY W. WOODS ENGINEERING (2011) INC. 334 HATT ST., DUNDAS, ON L9H 2H9 (905)627-0775

MUNICIPALITY: CITY OF HAMILTON

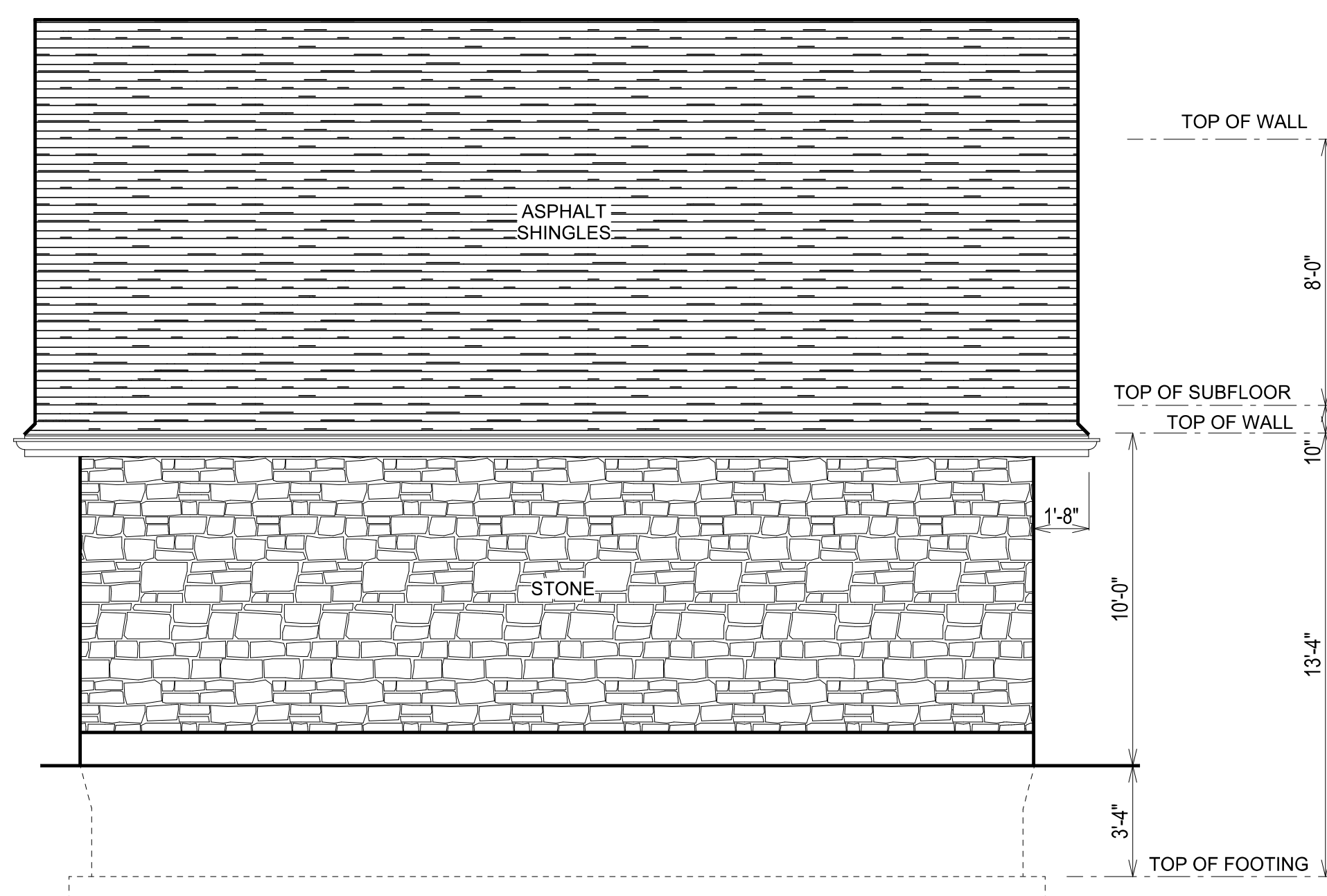
OWNER: MR. & MRS. DAYANANDA (9 HERBERT PLACE, GREENSVILLE ON L9H 5E1)

TITLE: SITE & GRADING PLAN (TO ACCOMPANY BUILDING PERMIT APPLICATION)

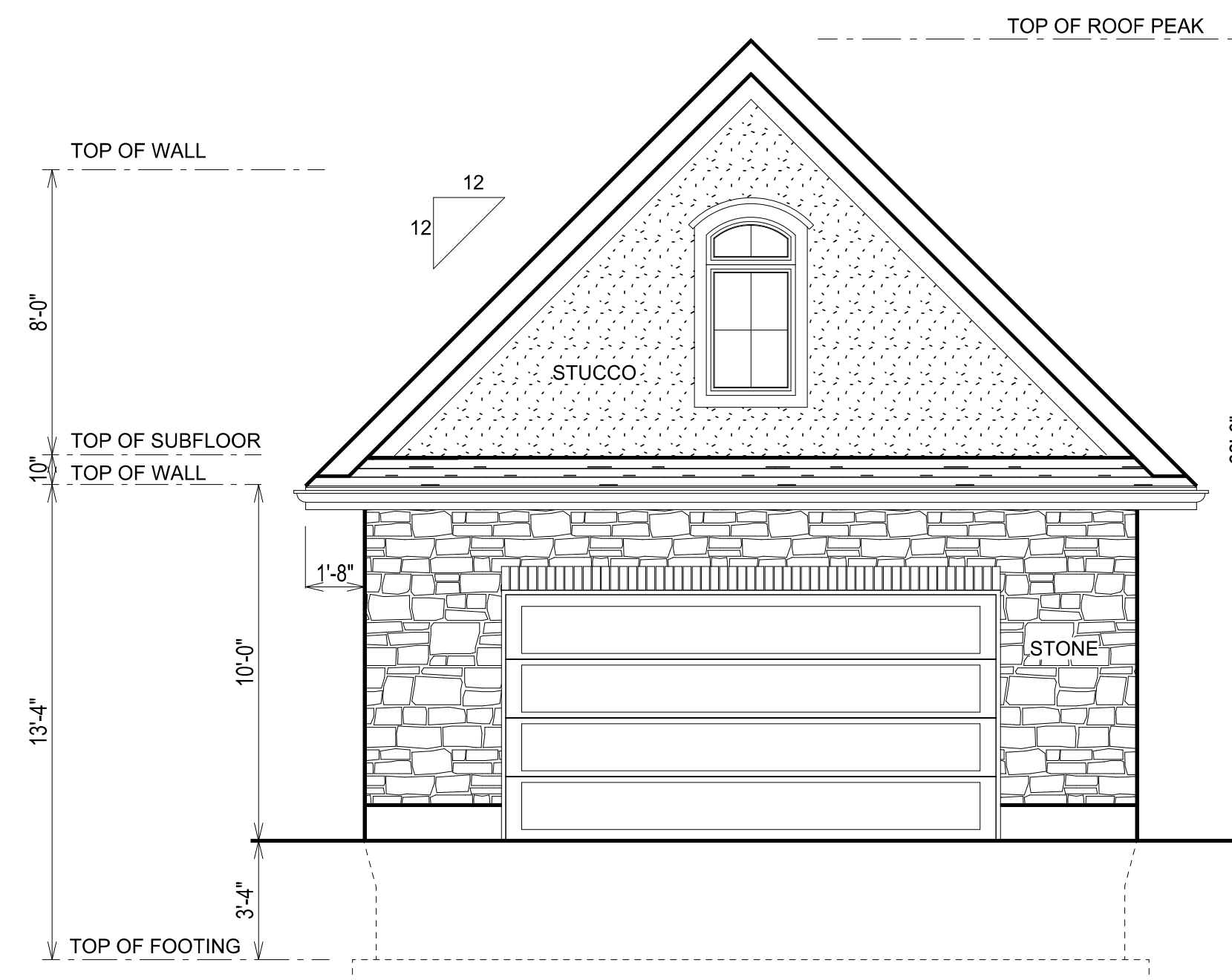
PROJECT: NO.9 HERBERT PLACE GREENSVILLE (PART 2 OF R.P. 62R-20552) PROPOSED SINGLE-FAMILY DWELLING



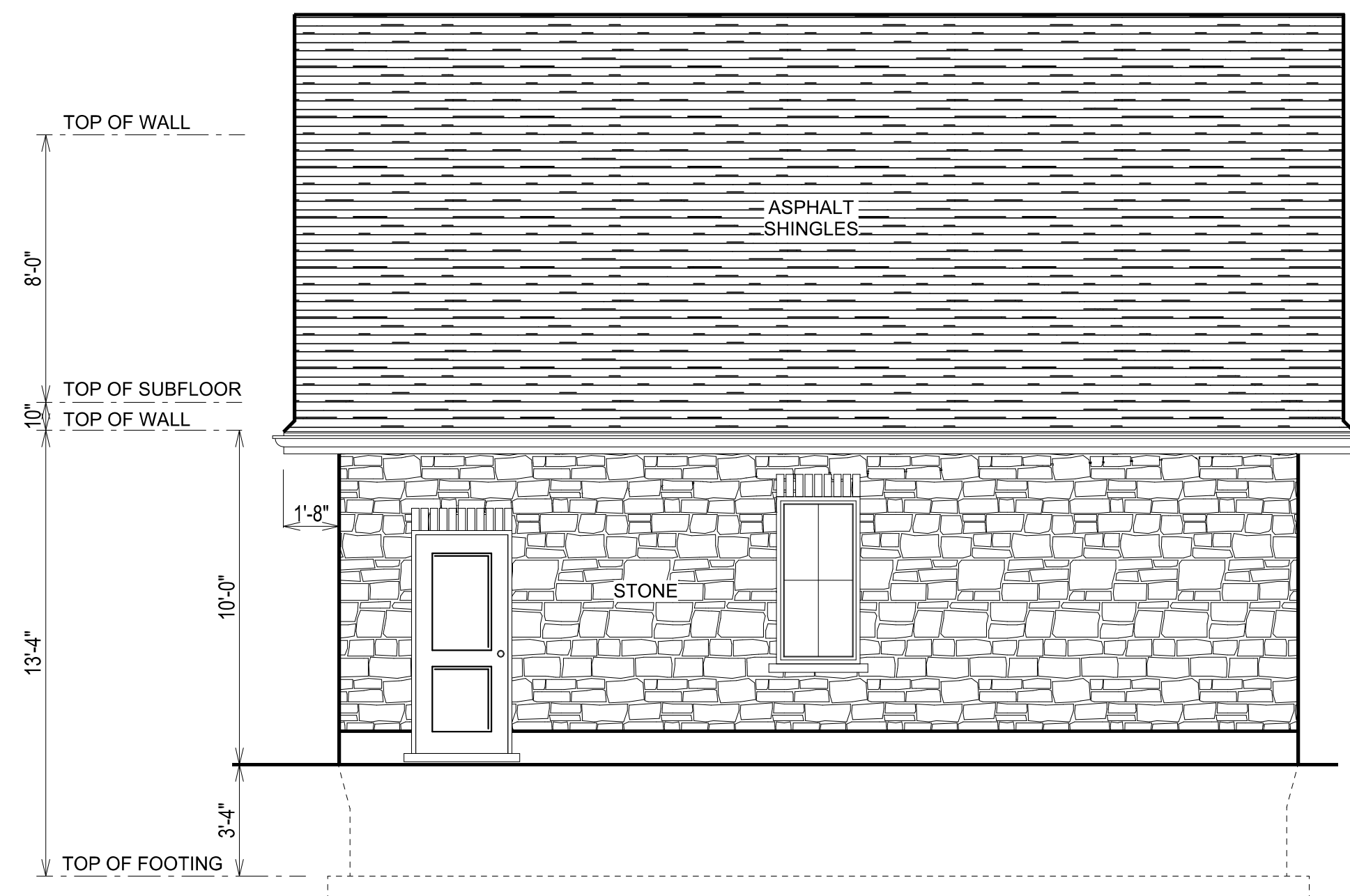
SECTION 1-1 (TYPICAL) SCALE HDZ 1:150 VER 1:50



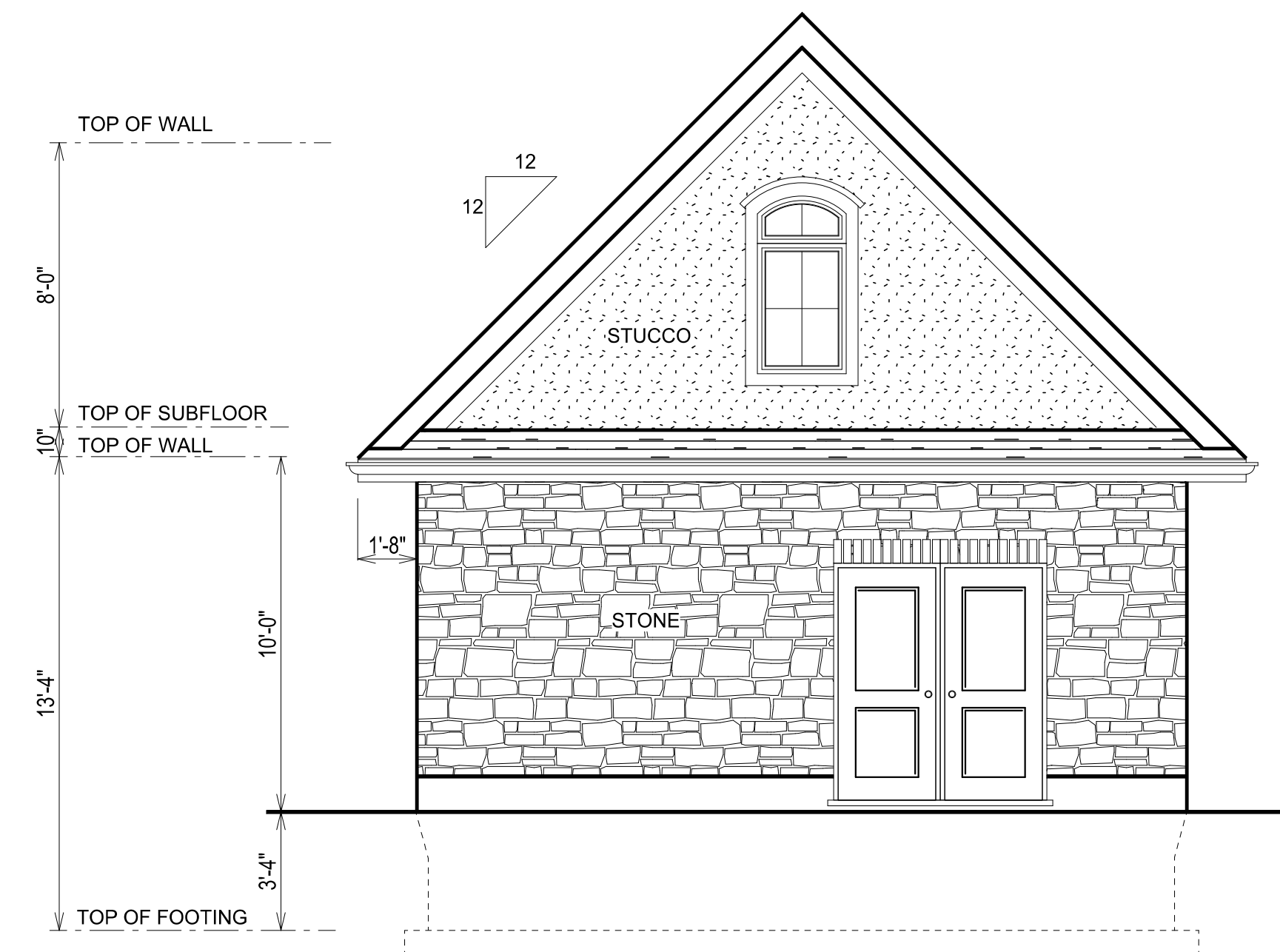
LEFT ELEVATION 1/4"=1'0"



FRONT ELEVATION 1/4"=1'0"



RIGHT ELEVATION 1/4"=1'0"



REAR ELEVATION 1/4"=1'0"

STANDARD NOTES:

THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

CANADIAN HOME DESIGNS IS NOT RESPONSIBLE FOR ALL PRE-ENGINEERED STRUCTURES FOR THIS BUILDING. SEE PRE-ENGINEERED SHOP DRAWINGS FOR PROPER CONSTRUCTION.

ALL CONSTRUCTION AND MATERIALS MUST COMPLY TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.

SPECIFIC NOTES:



CANADIAN HOME DESIGNS

289.895.9671

WWW.CANADIANHOMEDESIGNS.COM

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 3.2.4.1.5 of the building code

Clint Excell

NAME

SIGNATURE

36446

BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.1.5 of the building code

Canadian Home Designs

NAME

37238

BCIN

JOB NUMBER:

GR287-22

PROJECT :

GARAGE

GROSS FLOOR AREA

21'0" x 28'0"

LOCATION:

TITLE:

ELEVATIONS

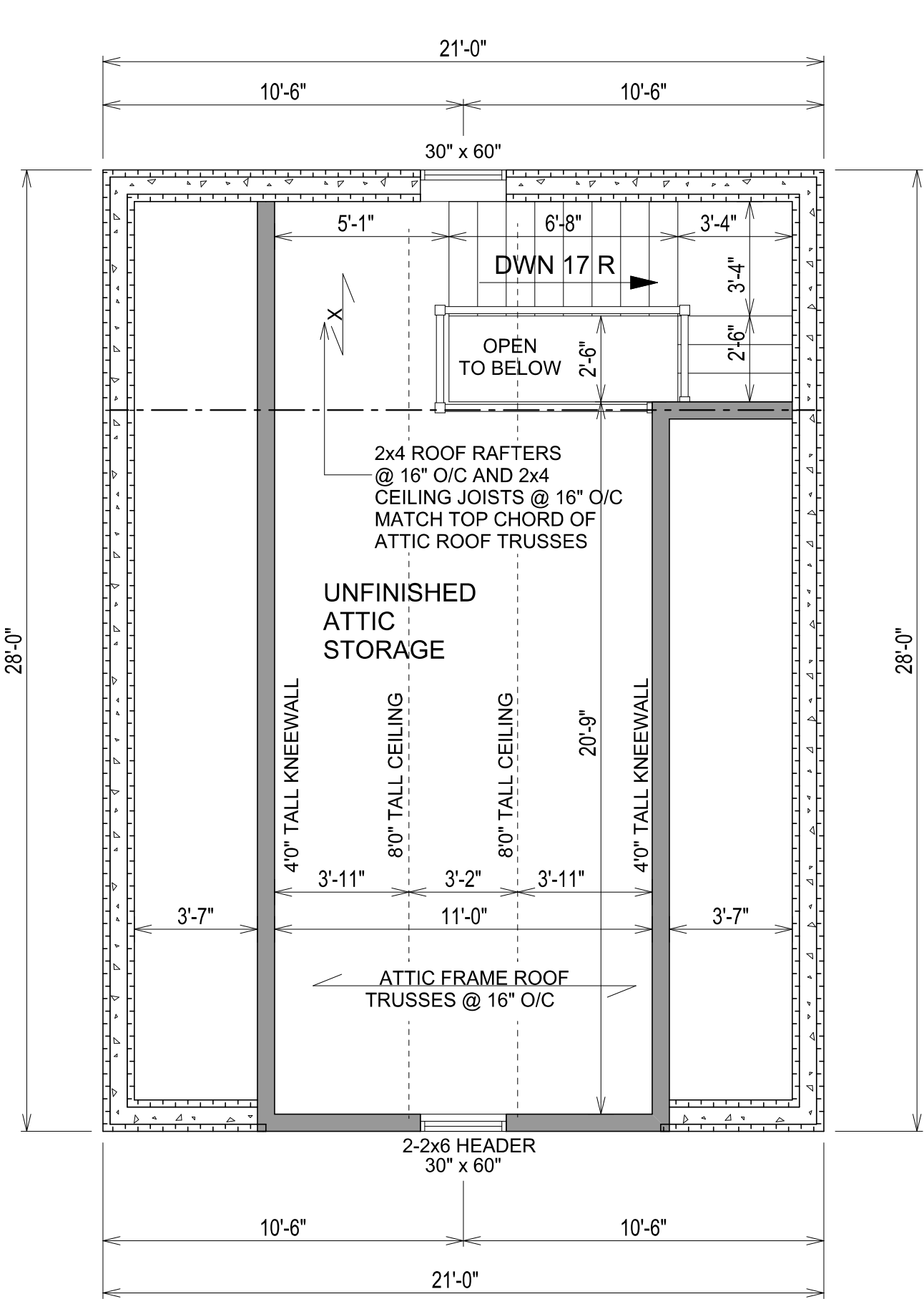
DATE :

JAN 2023

PAGE:

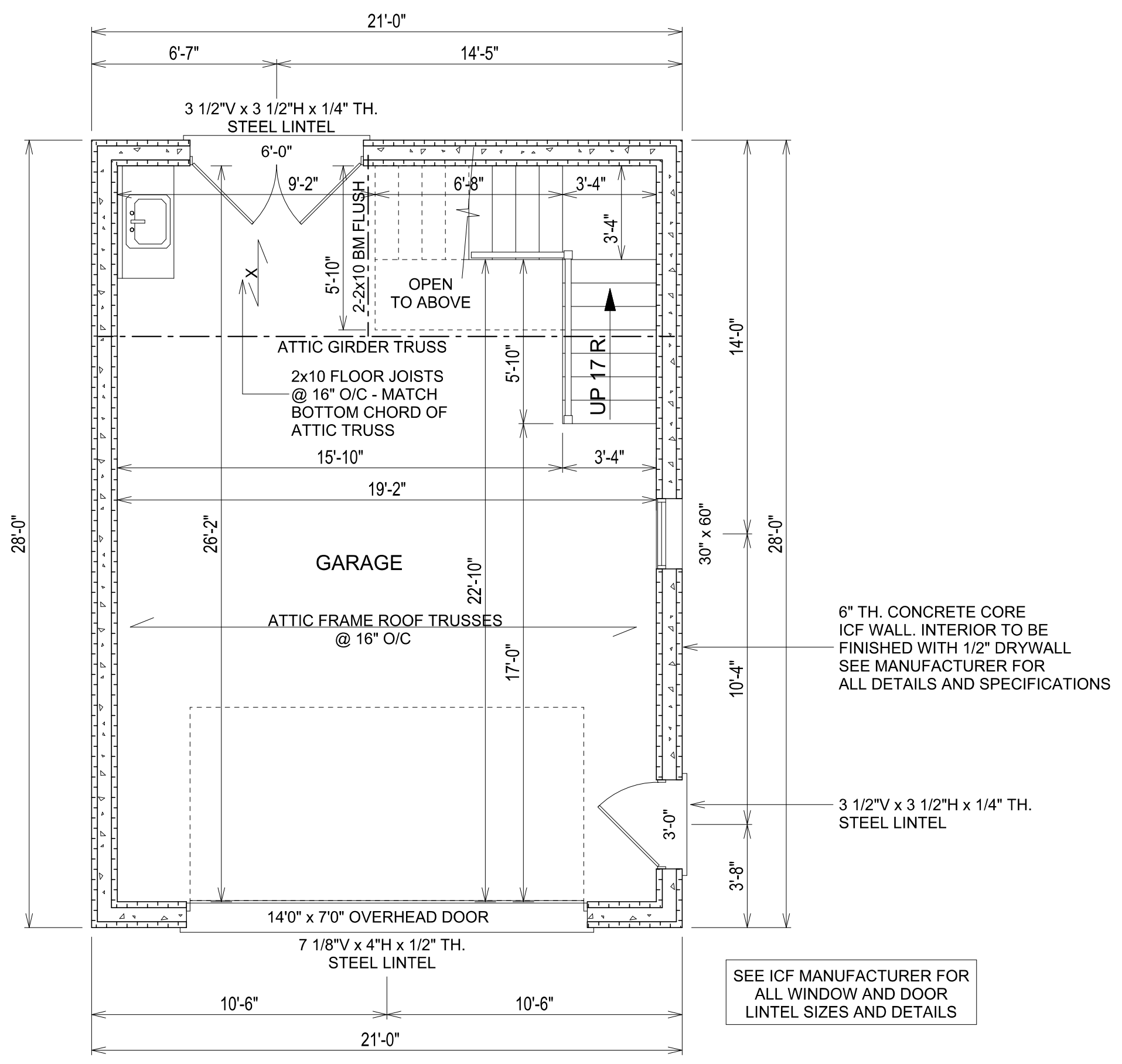
1

2



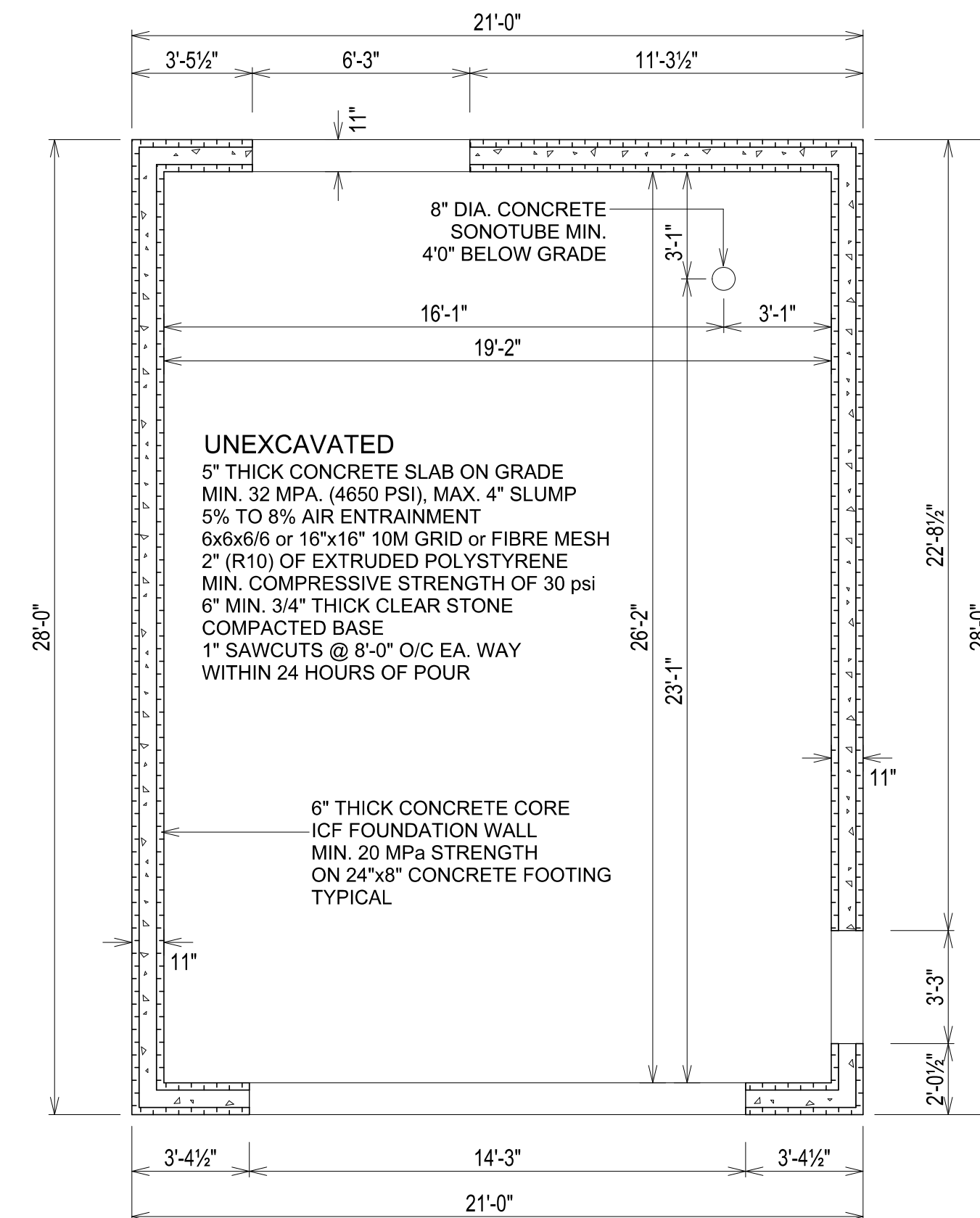
STORAGE PLAN 1/4"=1'0"

SEE ICF MANUFACTURER FOR ALL WINDOW AND DOOR LINTEL SIZES AND DETAILS

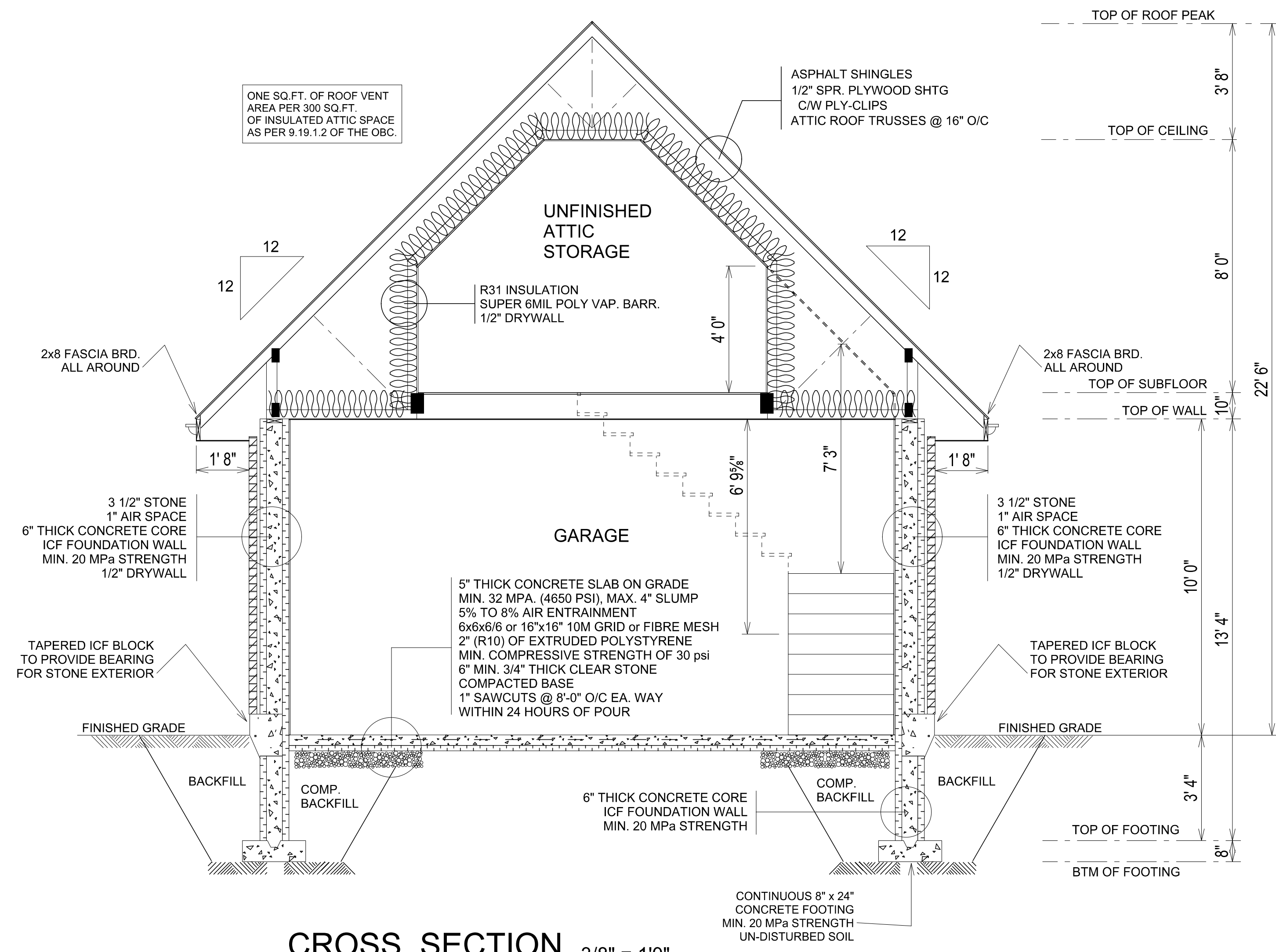


FLOOR PLAN 1/4"=1'0"

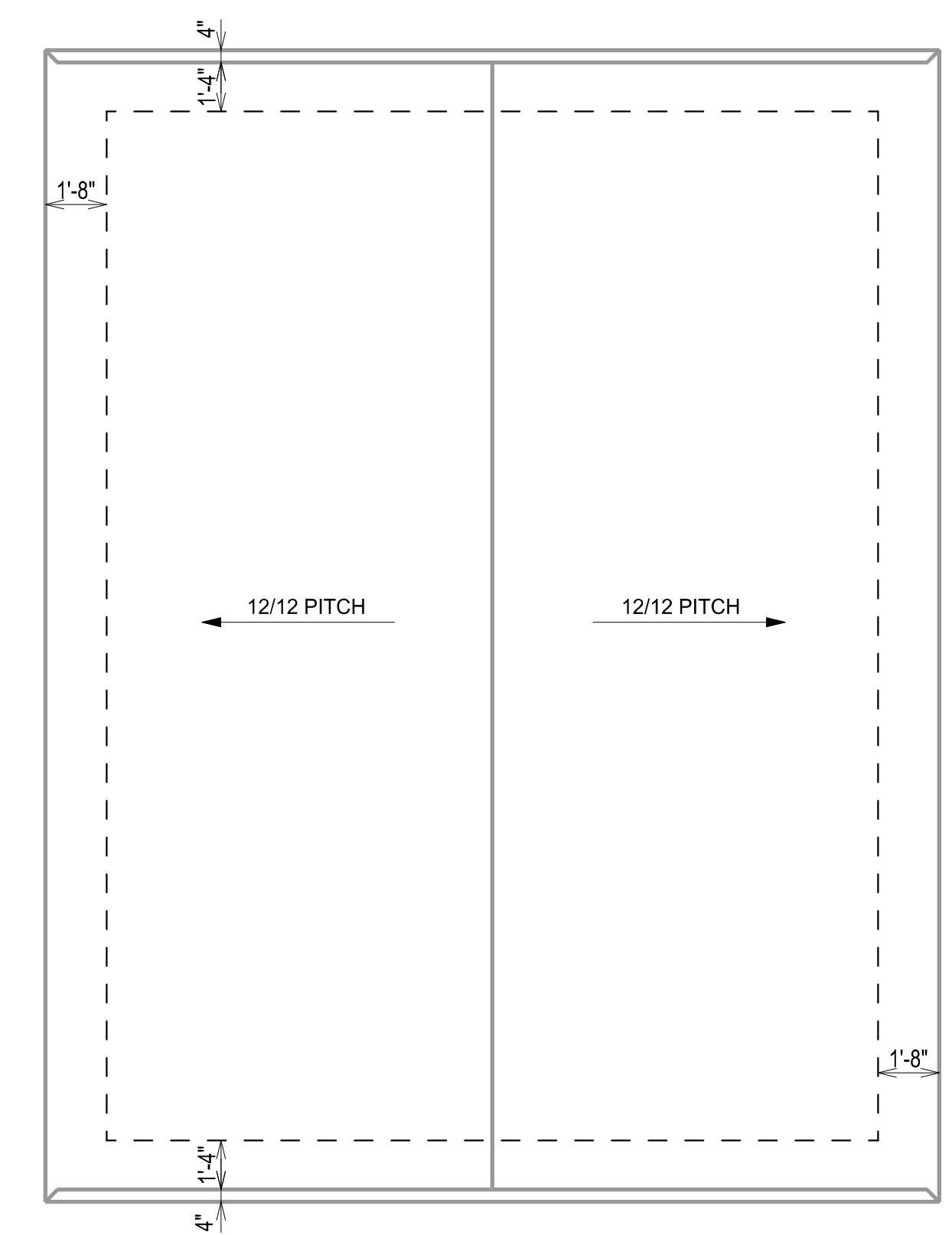
SEE ICF MANUFACTURER FOR ALL WINDOW AND DOOR LINTEL SIZES AND DETAILS



FOUNDATION PLAN 1/4"=1'0"



CROSS SECTION 3/8"=1'0"



ROOF PLAN 1/4"=1'0"

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ALL CONSTRUCTION AND MATERIALS MUST COMPLY TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.

SPECIFIC NOTES:

UNEXCAVATED
5" THICK CONCRETE SLAB ON GRADE
MIN. 32 MPa (4650 PSI), MAX. 4" SLUMP
5% TO 8% AIR ENTRAINMENT
6x6x6 or 16"x16" 10M GRID or FIBRE MESH
2" (R10) OF EXTRUDED POLYSTYRENE
MIN. COMPRESSIVE STRENGTH OF 30 psi
6" MIN. 3/4" THICK CLEAR STONE
COMPACTED BASE
1" SAWCUTS @ 8'-0" O/C EA. WAY
WITHIN 24 HOURS OF POUR

6" THICK CONCRETE CORE ICF FOUNDATION WALL
MIN. 20 MPa STRENGTH
ON 24"x8" CONCRETE FOOTING
TYPICAL



289.895.9671
WWW.CANADIANHOMEDESIGNS.COM

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION

Required unless design is exempt under 3.2.4.1 of the building code

NAME: Clint Excell

SIGNATURE: [Signature]

36446

BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.5.1. of the building code

NAME: Canadian Home Designs

37238

BCIN

JOB NUMBER: GR287-22

PROJECT: GARAGE

GROSS FLOOR AREA: 21'0" x 28'0"

LOCATION:

TITLE: AS NOTED

DATE: JAN 2023

PAGE: 2

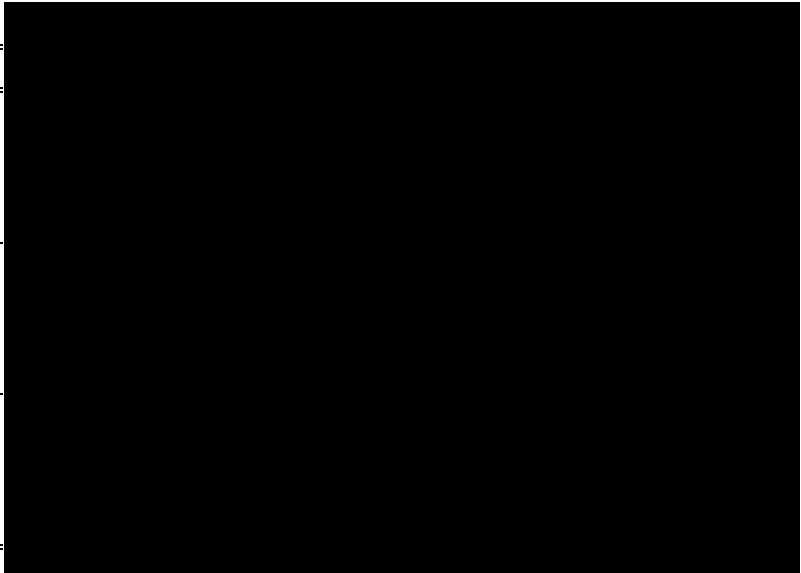


Hamilton

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 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 | 9 Herbert PL | | |
| Assessment Roll Number | 302110602100000 | | |
| Former Municipality | | | |
| Lot | 7RP62R20552 | Concession | |
| Registered Plan Number | | Lot(s) | 7RP62R20552 |
| Reference Plan Number (s) | | Part(s) | 2 |

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

One and half storey garage- with attic trusses with ground coverage of 54.62m

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The roof has attic trusses which are taller than the 4.5m

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 |
|--------------|-----------|----------|-----------------|
| 53.89m | 120.729m | 4459,24m | 9m |

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 | | | | |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| Garage | +14.88m | +16.85m | +5m | |
| House | 14.88m | 16.85m | 13.11m | |
| | | | | |
| | | | | |

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 | | | | |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|---------|
| Garage | 54.6269m | 83.2410m | 11/2 | 6.8580m |
| House | 345.5993m | 426.9824m | 11/2 | 9.7536m |
| | | | | |
| | | | | |

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

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

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

- ditches
- other means (specify)
- _____

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

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

Single family dwelling

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

Single family dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 25th 2017

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

Vacant lot

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

Currently a vacant lot-Application for building permit for a single family residence

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

5 years

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

Rural Hamilton Official Plan designation (if applicable): Neighbourhood

Rural Settlement Area: Neighbourhood

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? S1 settlement 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: S1 settlement residential

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: FL/B-11:81

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: 1

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

We are planning on building a house(does not need a variance) and a detached garage with attic trusses so we have extra space and the roof lines match with the house to be built.

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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