



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

**Meeting #:** 23-16  
**Date:** August 24, 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

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	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
<b>2. WEST DEVELOPMENT</b>	
2.1 9:15 a.m.HM/A-23:18860 South Oval, Hamilton (Ward 1) Agent K. Armstrong Applicant R. Summerhayes Owner D. Down	5
2.2 9:20 a.m.HM/A-23:191405 Main Street West, Hamilton (Ward 1) Applicant A. Hermano Owner 3H Properties 405 Main Street W	9
2.3 9:25 a.m.HM/A-23:19225 Burlington Street West, Hamilton (Ward 2) Agent M. Pongetti Owners D. & F. Liburdi & N. De Hann	31
2.4 9:30 a.m.HM/A-23:10419 Albert Street, Hamilton (Ward 3) Agent M. Sabelli Owner P. & M. Maas	51

2.5	9:35 a.m.HM/A-23:196 97-107 Beach Boulevard, Hamilton (Ward 5)	61
	Agent T. Ritter Owners T. & G. Ritter, B. & B. Nakamura, C., K. & P. Shannon, J. & E. Townsend, D. Gill, R. Plansky	
2.6	9:40 a.m.HM/A-23:20148 Emerald Street North, Hamilton (Ward 3)	89
	Applicant S. Roberts Owner D. Mihalji & J. Lambert	
2.7	9:45 a.m.AN/A-23:194143 Woodhouse Street, Ancaster (Ward 12)	99
	Owner A. Dirani	
2.8	9:50 a.m.AN/B-23:5170 Garner Road East, Ancaster (Ward 12)	111
	Agent Fothergill Planning & Development Applicant FORA OUTDOOR LIVING Owner Ancaster Chr. Ref. Church	
2.9	9:55 a.m.DN/B-23:50105 Victoria Street / 98 Alma Street, Dundas (Ward 13)	133
	Owner D. Wilson	
2.10	B R E A K	
2.11	10:15 a.m.FL/A-23:190957 Brock Road, Flamborough (Ward 13)	149
	Agent C. MacPhail Owner J. Gulacha	
2.12	10:20 a.m.FL/A-23:193939-943 Concession 6 West, Flamborough (Ward 13)	161
	Agent K. Webster Owner P. & J. Kralt	
2.13	10:25 a.m.FL/A-23:198174 Mill Street North, Flamborough (Ward 15)	179
	Applicant Jansen Consulting – J. Jansen & S. Schaeffer Owner C. & V. Frank & H. Pyper	
2.14	10:30 a.m.FL/A-23:197506 Concession 6 East, Flamborough (Ward 15)	201
	Agent smpl Design Studio – L. Bruce Owner D. & B. Bragagnolo	

**3. EAST DEVELOPMENT**

- 3.1 10:35 a.m.HM/A-23:195119 Campbell Avenue, Hamilton (Ward 4) 227  
Applicant Acadia Design Consultants Inc. – M. Merchasin  
Owner K. LeBlanc
- 3.2 10:40 a.m.SC/A-23:10063 Third Road East, Glanbrook (Ward 9) 259  
\*WITHDRAWN\*  
Owners J. & S. Bruzzese
- 3.3 10:45 a.m.SC/A-23:189177 Green Mountain Road East, Stoney Creek (Ward 9) 279  
Agent L. Angelici  
Owner M. Pejic
- 3.4 10:50 a.m.SC/B-22:11432 Sandbeach Drive, Stoney Creek (Ward 10) 291  
Agent M. Sabelli  
Owner M. Vieira
- 3.5 10:55 a.m.SC/A-23:186711 North Service Road/105A Edgewater Drive, Stoney Creek (Ward 10) 303  
Agent De Filippis Design - J. De Filippis  
Owner Newport Yacht Club Stoney Creek Inc.
- 3.6 11:00 a.m.GL/A-23:2009075 Airport Road West, Glanbrook (Ward 11) 325  
Agent Mataj Architects Inc. – A. Mataj  
Owner 9075 Airport Hamilton Hospitality Inc. – M. Simone

**4. CLOSED****5. ADJOURNMENT**





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:188</b>	<b>SUBJECT PROPERTY:</b>	60 SOUTH OVAL, HAMILTON
<b>ZONE:</b>	C/S- 1361 (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended by By-law No. 96-109

**APPLICANTS:**      **Owner:** DOUGLAS DOWN  
                              **Agent:** KATHLEEN ARMSTRONG

The following variances are requested:

1. To permit a floor area ratio factor of 0.66 instead of the required floor area ratio factor of 0.45.

**PURPOSE & EFFECT:** To facilitate the construction of a rear yard addition to the existing single detached dwelling.

**Notes:**

- i. Variance written exactly as requested by applicant.

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:15 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**HM/A-23:188**

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

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

**PUBLIC INPUT**

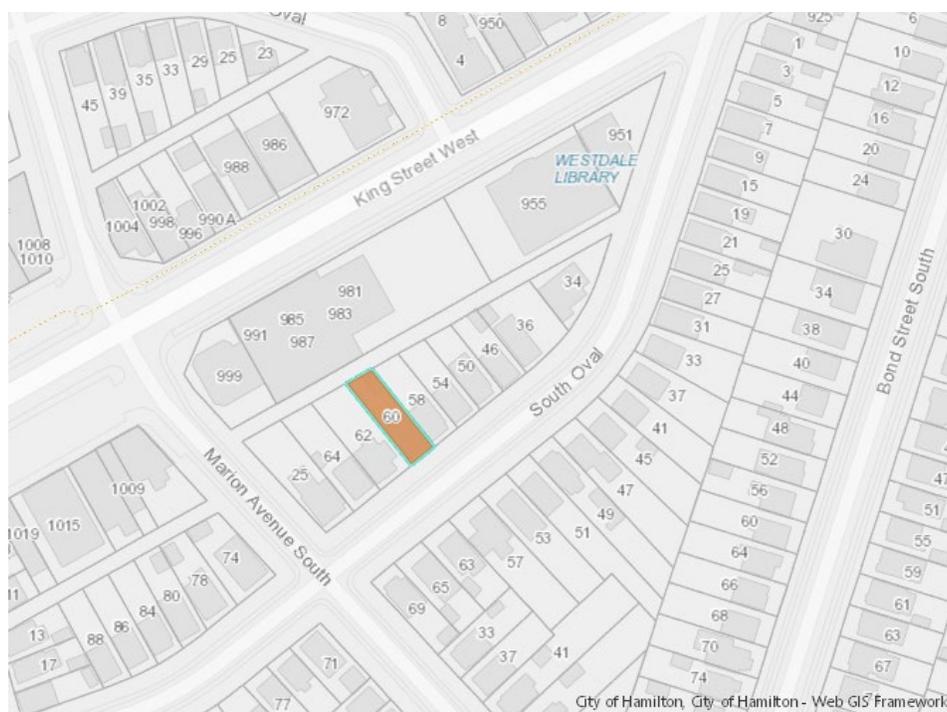
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:188, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

**HM/A-23:188**

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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



Hamilton

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**NOTICE OF PUBLIC HEARING**  
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<b>APPLICATION NO.:</b>	<b>HM/A-23:191</b>	<b>SUBJECT PROPERTY:</b>	405 MAIN STREET W, HAMILTON
<b>ZONE:</b>	C5, R1a (Mixed Use Medium Density, Low Density Residential, Small Lot)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** 3H PROPERTIES 405 MAIN STREET  
                                 **Agent:** ALFREDO HERMANO

The following variances are requested:

1. Parking shall be permitted to be located within 0.0 metres of a street line instead of the required setback of 3.0 metres from a street line.
2. A minimum aisle width of 0.0 metres shall be permitted instead of the required 6.0 metre aisle width for 90 degree parking spaces.

**PURPOSE & EFFECT:**      To facilitate the construction of a Multiple Dwelling

**Notes:**

1. The requested Variance for a reduction in parking is not required due to Section 5.7 g) i) and ii) in the Hamilton Zoning By-law No. 05-200.
2. Please be advised Minor Variance Application HM/A-22:203 for this subject property become final and binding on August 18th, 2022.

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
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HM/A-23:191

<b>TIME:</b>	<b>9:20 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
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## **PUBLIC INPUT**

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**Orally:** If you would like to speak to this item at the hearing you may do so via video link, 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-23:191, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:191



 **Subject Lands**

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

DA-22-051

**UNDERTAKING**  
 I, (We) the owner(s) of the land, hereby undertake and agree without reservation, to comply with all the content of this plan and drawing and not to vary therefrom.  
 To perform the facilities, works or matters mentioned in Section 41(1)(a) of the Planning Act shown on this plan and drawing in accordance with the conditions of approval as set out in the Letter of Approval dated \_\_\_\_\_.  
 To maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing including removal of snow from access ramps and driveways, parking and loading areas and walkways.  
 In the event that the Owner does not comply with this plan, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.  
 That the Owner agrees to physically affix the municipal number (405) or full address (405 Main Street West) to the building or on a sign in accordance with the City's Sign By-Law, in a manner that is visible from the street.  
 Prior to the start of service, the development must be free of construction debris and construction related activities.  
 To include on all offers of purchase and sale, a statement that advises the prospective purchaser:  
 That the home/business mail delivery will be from a designated Centralized Mail Box.  
 That the development is responsible for officially notifying the purchasers of the exact Centralized Mail Box location which may be utilized by Canada Post in the closing of any home sales.  
 The Owner further agrees to:  
 work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.  
 install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes  
 identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.  
 determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales offices showing specific Centralized Mail Facility locations.  
 Maps are also to be prominently displayed in the sales offices showing specific Centralized Mail Facility locations.  
 Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.  
 Acknowledgment Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSCTI). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MHSCTI Data. Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSCTI should be notified immediately (416-212-8888). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSCTI and the Registrar or Deputy Registrar of the Cemetery Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).  
 The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSCTI). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MHSCTI Data. Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSCTI should be notified immediately (416-212-8888). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSCTI and the Registrar or Deputy Registrar of the Cemetery Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).  
 The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easement(s) at no cost to Bell Canada.  
 The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.  
 The Owner is advised to contact Bell Canada at planningdevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/recommunication infrastructure needed to service the development.  
 It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.  
 If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.  
 Waste collection services to be provided by a private waste hauler.  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 Witness (signature) \_\_\_\_\_ Owner(s) (signature) \_\_\_\_\_  
 Witness (print) \_\_\_\_\_ Owner(s) (print) \_\_\_\_\_  
 Address of Witness \_\_\_\_\_

**SITE PLAN NOTES**  
 All work involved in the construction, relocation, repair or replacement of the project shall be to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.  
 Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.  
 Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.  
 All driveways from property lines for the first 7.5 m shall be within 10% maximum grades.  
 The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits/approvals normally required to complete a construction project, such as, but not limited to the following:  
 Building permit  
 Street and Water Permit  
 Road cut permits  
 Relocation of Services  
 Approved approval permits  
 Erosion Control Agreements (if Required)  
 Committee of Adjustment  
 Abandoned accesses must be removed and the curb and boulevard restored with soil at the Owner's expense to the satisfaction of the Traffic Engineering Section, Public Works Department.  
 For visibility triangles at the vehicular access points, the following notes to be provided: 3.0 metre by 3.0 metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.60 metres above the corresponding perpendicular centreline elevation of the adjacent street.  
 Proposed signage shall conform to the City's Sign and Other Devices By-law No. 10-197.  
 A minimum 4m horizontal clearance from existing OH lines shall be maintained at all times as per Alectra Utilities Standard 3-105.  
 A 1.5 metre sidewalk will be maintained during construction activity.  
 A 1.2 metre separation from city assets within the boulevard will be maintained.  
 Private waste collection shall be completed in accordance with the Waste Management Plan prepared by Civi-Lite International Inc. dated October 21, 2022, and addendum letter dated March 8, 2023.  
 SHP will add warning signs for the vehicles travelling from the underground parking as per the addendum letter dated March 8, 2023.  
 A principal entrance shall be permitted to be located within the ground floor facade that is recessed in the building and is not set back closest to the street, instead of the requirement that a minimum of one (1) principle entrance shall be provided within the ground floor facade that is set back closest to a street.  
 A loading door shall be permitted to be located in a yard abutting a street and not be screened from view by a visual barrier. Instead of the requirement that a loading door and associated loading facilities shall not be permitted in any yard abutting a street, except where screened from view by a visual barrier.  
 A transformer associated with a Multiple Dwelling shall be permitted to be located in a "D" District pursuant to Hamilton Zoning By-law No. 6593, which does not permit the use of a Multiple Dwelling.

**SITE INFORMATION**

Municipal Address:	405 Main Street West, Hamilton ON, L8P 1K5	
Property Description:	Lots 10, 18, 19 & part of Lot 11 registered plan 244 in the city of Hamilton	
Zoning Classification:	[405] CS Mixed Use Medium Density	
Lot Area:	[405] 1,451m <sup>2</sup>   15,618sf	Total = 1,683m <sup>2</sup>   18,115sf
Lot Coverage:	[405] 58%	Total = 58%
Landscape Area:	[405] 412m <sup>2</sup>   4,435sf	Total = 644m <sup>2</sup>   6,932sf
[404] 232m <sup>2</sup>   2,497sf		

**BUILDING GROSS FLOOR AREA**

FLOOR	AREA (m <sup>2</sup> )	AREA (sf)
Ground floor	750m <sup>2</sup>	8,070sf
Level 2	760m <sup>2</sup>	8,182sf
Level 3	746m <sup>2</sup>	8,099sf
Level 4	654m <sup>2</sup>	7,042sf
Level 5	665m <sup>2</sup>	7,154sf
Level 6	665m <sup>2</sup>	7,154sf
Level 7	665m <sup>2</sup>	7,154sf
<b>TOTAL</b>	<b>4,985m<sup>2</sup></b>	<b>52,782sf</b>
Underground parking	750m <sup>2</sup>	8,070sf

**UNIT INFORMATION**

Unit Count:	Units > 50m <sup>2</sup> : 7			
	Studio (market)	1 Bedroom (deep affordable)	1 Bedroom (market)	2 Bedroom (market)
Ground floor	1	8	1	0
Level 2	1	8	4	2
Level 3	0	8	5	2
Level 4	1	8	3	2
Level 5	1	7	4	2
Level 6	1	7	4	2
Level 7	1	7	4	2
<b>TOTAL</b>	<b>6 (6%)</b>	<b>63 (65%)</b>	<b>25 (26%)</b>	<b>12 (13%)</b>

**PARKING CALCULATIONS**

Required parking:	Units < 50m <sup>2</sup> : 89 x 0.3 = 26.7 = 26 Units > 50m <sup>2</sup> : 7 x 0.7 = 4.9 = 4 <b>TOTAL = 30 parking spaces</b>
Allowed reductions:	Replace 10% of parking spaces with bicycle parking (6 bicycle spaces per parking level) = 30 x 10% = 3 spaces Required Parking Reduced: 30 - 3 = 27 parking spaces
Small car spaces:	Up to 10% of parking spaces can be reduced in size to accommodate small cars (2.8m x 5.5m) = 27 x 10% = 2.7 = 2 parking spaces
Parking provided:	19 parking spaces (of which, 2 are small car spaces) Deficiency: 27 - 19 = 8 parking spaces NOTE: minor variance granted on August 17, 2022 (APPLICATION NO. HMA-22-203)

**AMENITIES CALCULATIONS**

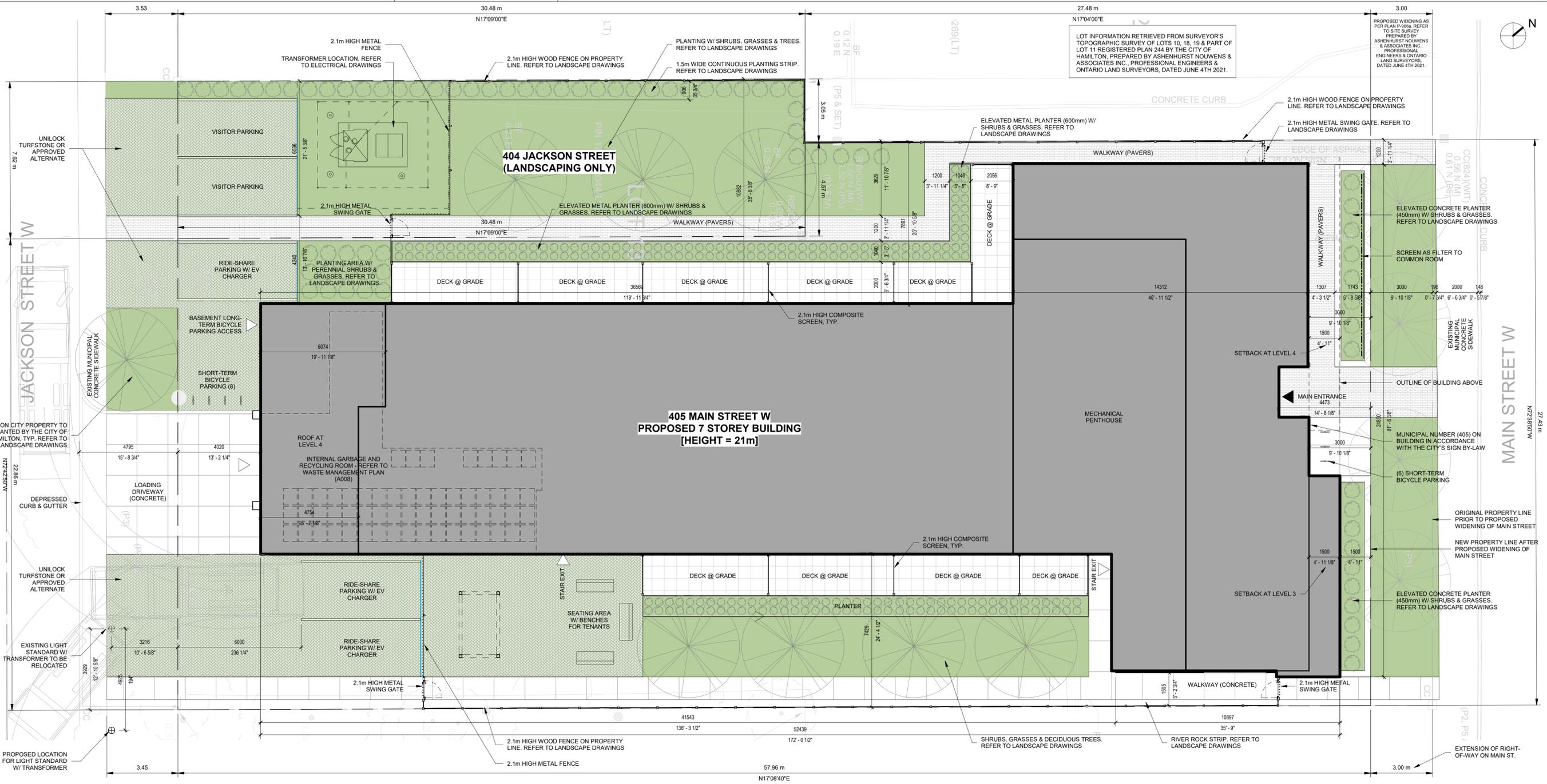
Required Amenity spaces:	Units < 50m <sup>2</sup> : 89 x 4 = 356m <sup>2</sup> [3,832sf] Units > 50m <sup>2</sup> : 7 x 6 = 42m <sup>2</sup> [452sf] <b>TOTAL = 398m<sup>2</sup> [4,284sf]</b>
Indoor Amenities	450m <sup>2</sup> [4,844sf]
Outdoor Amenities	125m <sup>2</sup> [1,345sf]
Level 2	0
Level 3	0
Level 4	0
Level 5	0
Level 6	0
Level 7	0
<b>TOTAL</b>	<b>125m<sup>2</sup> [1,345sf]</b> + <b>450m<sup>2</sup> [4,844sf]</b> = <b>575m<sup>2</sup> [6,189sf]</b>

**MINOR VARIANCE (as approved per HMA-22-203)**

VARIANCE	REQUIRED	APPROVED	PROPOSED
Minimum Finished Floor Elevation of any Dwelling	0.9m	0.0m	PROPOSED
Maximum Setback to the Portion of the Building Providing an Access Driveway to a Garage	6.0m	32.0m	30.9m
Minimum Rear Yard	7.5m	4.0m	4.0m
Minimum Façade Height	7.5m	6.7m	6.7m
Minimum Westerly Side Yard when abutting a Residential Zone	Equivalently increased for any building above 11m beyond the minimum 7.5m side yard requirement	10.88m for any portion of the building above 14.48m	10.88m
Minimum Number of Parking Spaces	27	19	19

**BICYCLE PARKING CALCULATIONS**

Required parking:	Short-term: 5 spaces Long-term: 0 spaces <b>TOTAL = 5 bicycle parking spaces</b>
Parking provided:	Short-term: 6 spaces (at grade on Main St W) + 8 spaces (at grade on Jackson Street W) = 14 spaces Long-term: 40 + 15 (required for parking spaces reduction)



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NO.	DATE	ISSUANCE
4	2022/04/11	RE-ISSUED FOR SPA
5	2022/06/03	ISSUED FOR MINOR VARIANCE APPLICATION
6	2022/06/22	ISSUED FOR PERMIT
7	2022/08/08	ISSUED FOR TENDER
8	2022/08/25	RE-ISSUED FOR PERMIT
9	2022/09/02	RE-ISSUED FOR SPA
10	2022/10/26	RE-ISSUED FOR SPA
11	2023/01/05	RE-ISSUED FOR SPA
12	2023/03/27	RE-ISSUED FOR SPA

**PROFESSIONAL STAMP:**

**CONSULTANTS**

**STRUCTURAL**  
 Kales Engineering Inc.  
 300 York Boulevard  
 Hamilton, ON L8P 3G5  
 (905) 333 9119

**MECHANICAL & ELECTRICAL**  
 CK Engineering  
 3390 South Service Road, Suite 302  
 Burlington, ON L7N 3J5  
 (905) 631 1115

**LANDSCAPE**  
 adesso design inc.  
 218 Locke St. E. 2nd floor  
 Hamilton, ON L8P 4B4  
 (905) 528 9876

**CIVIL**  
 S. Llewellyn & Associates Limited  
 3228 S. Service Rd.  
 Burlington, ON L7N 3H8  
 (905) 631 6978

**ENERGY**  
 ZON Engineering Inc.  
 300 Woodloch Street  
 Guelph, ON N1H 3W6  
 1-888-338-4363

**PROJECT:**

**3H PROPERTIES GROUP INC.**

**PROJECT ADDRESS:**  
 405 MAIN STREET WEST,  
 HAMILTON ON

**DRAWING TITLE:**  
 SITE PLAN

**DATE:** August 20, 2021  
**SCALE:** 1 : 100  
**DRAWN BY:** SJ  
**CHECKED BY:** JP  
**PROJECT NO.:** 21-08

**A001**



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NO.	ISSUANCE	DATE
3	ISSUED FOR SPA	2022/04/11
4	ISSUED FOR MINOR VARIANCE APPLICATION	2022/06/03
5	ISSUED FOR PERMIT	2022/08/22
6	ISSUED FOR TENDER	2022/08/08
7	RE-ISSUED FOR PERMIT	2022/08/25
8	RE-ISSUED FOR SPA	2022/09/02
9	ISSUED FOR ADDENDUM #09	2022/09/27
10	ISSUED FOR PRICING	2022/10/14
11	RE-ISSUED FOR SPA	2022/10/26

PROFESSIONAL STAMP:

**CONSULTANTS**

**STRUCTURAL**  
Kales Engineering Inc.  
300 York Boulevard  
Hamilton, ON L8P 3G5  
(905) 333 9119

**MECHANICAL & ELECTRICAL**  
CK Engineering  
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Burlington, ON L7N 3J5  
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**LANDSCAPE**  
adesso design inc.  
218 Locke St. S. 2nd floor  
Hamilton, ON L8P 4B4  
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S. Llewellyn & Associates Limited  
3228 S. Service Rd.  
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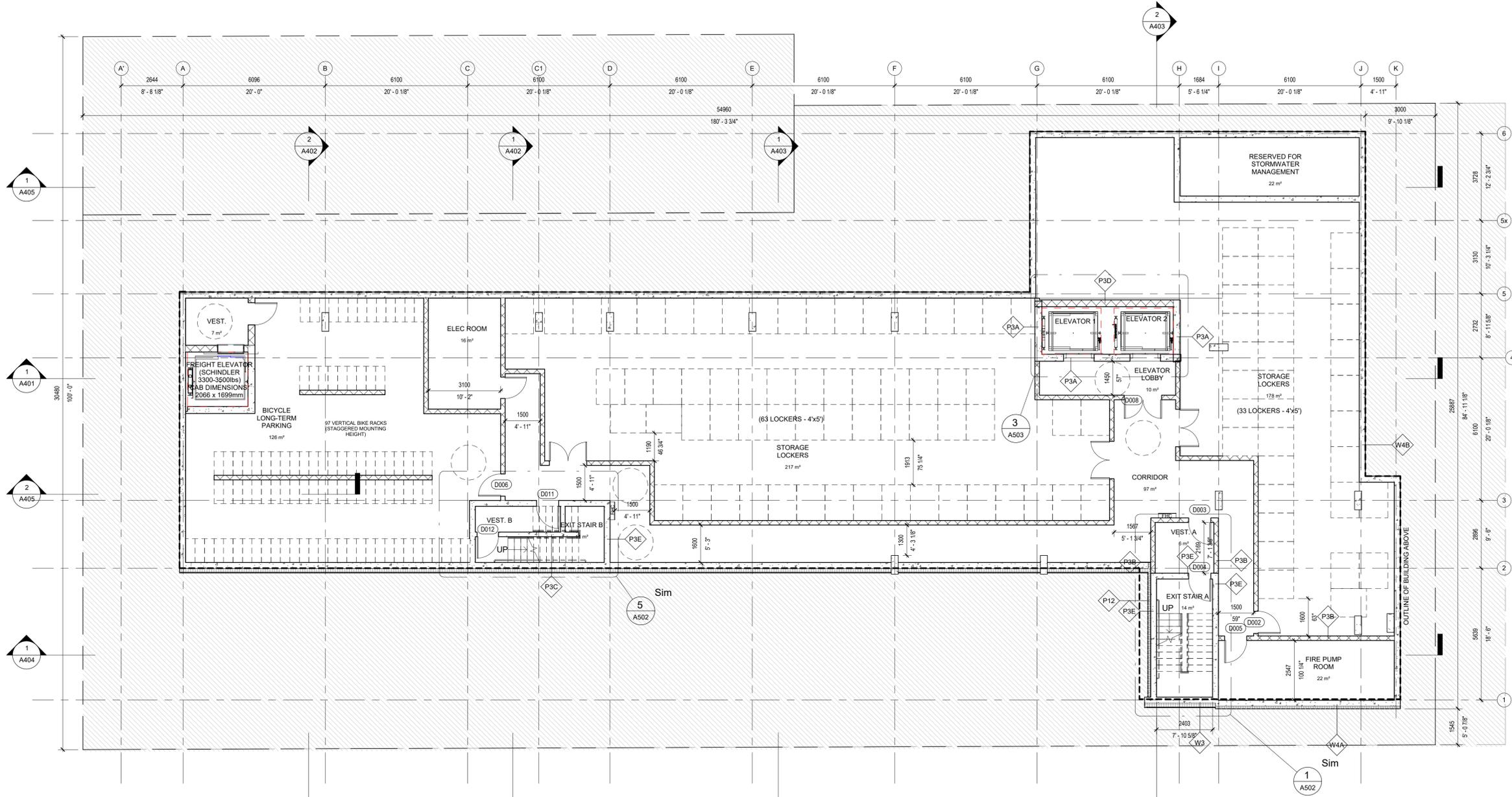
PROJECT:



PROJECT ADDRESS:  
**405 MAIN STREET WEST,  
HAMILTON ON**

DRAWINGS TITLE:  
**BASEMENT PLAN**

DATE: August 20, 2021  
SCALE: 1 : 100  
DRAWN BY: SJ  
CHECKED BY: JP  
PROJECT NO.: 21-08



**CONSTRUCTION PLANS NOTES**

1. FOR PARTITION TYPES AND DIMENSIONS INSIDE THE UNITS, REFER TO TYPOLOGIES CONSTRUCTION PLANS.
2. THIS PLAN ONLY PROVIDES OVERALL DIMENSIONS OF INTERIOR PARTITIONS. FOR FURTHER DETAILS REFER TO DETAIL PLANS OF EACH NOTED AREA.

**CONSTRUCTION NOTES**

1. G.C. to verify and provide steel stud thickness, size and spacing that is adequate for the required partitions' height. Steel stud shop drawings to be submitted by contractor with engineer's seal.
2. Stud gauge and spacing provided only as a guideline. Final sizes and spacing determined by stud wall engineer. If revision to gauge and spacing is required, G.C. to include in cost.
3. Provide acoustical seal, adequate metal gauge and other provisions as per specifications, ULC and applicable standards.
4. All exposed steel to be hot dipped galvanized.
5. All exposed gypsum board corner conditions to have corner bead (typ.).
6. Provide layer of continuous building paper dampproofing course to u/s of all interior metal stud partitions and exterior structural stud walls (typ.).
7. Seal around all mechanical penetrations with fire stop material.
8. For all fire rated walls, enclosures, shaft walls, and ceilings provide complete top-bottom, full height fire stop and smoke seal. Provide access to fire damper where required.

9. Provide fire retardant blocking in partitions for strong fastening of all wall hung millwork, shelving, equipment, fixtures, washroom accessories, etc., unless stated otherwise. Mounting heights to be confirmed with consultant where not indicated on drawings.
10. Provide adequate blocking for all signage installations.
11. All mechanical, electrical, structural and architectural components must be coordinated by the contractor. Contractor must notify architect if any interferences exist prior to installation of components.
12. Junction boxes, electrical outlet covers with tile insert to match pattern. Refer to mechanical and electrical drawing. All electrical outlets to be placed in the center of floor tiles. Coordinate also with electrical drawings (typ.). All floor junction boxes to have tile inserts to match adjacent floor pattern.
13. Coordinate location of mechanical and electrical panels with architectural drawings. Provide sufficient backer boards and blocking for panels.

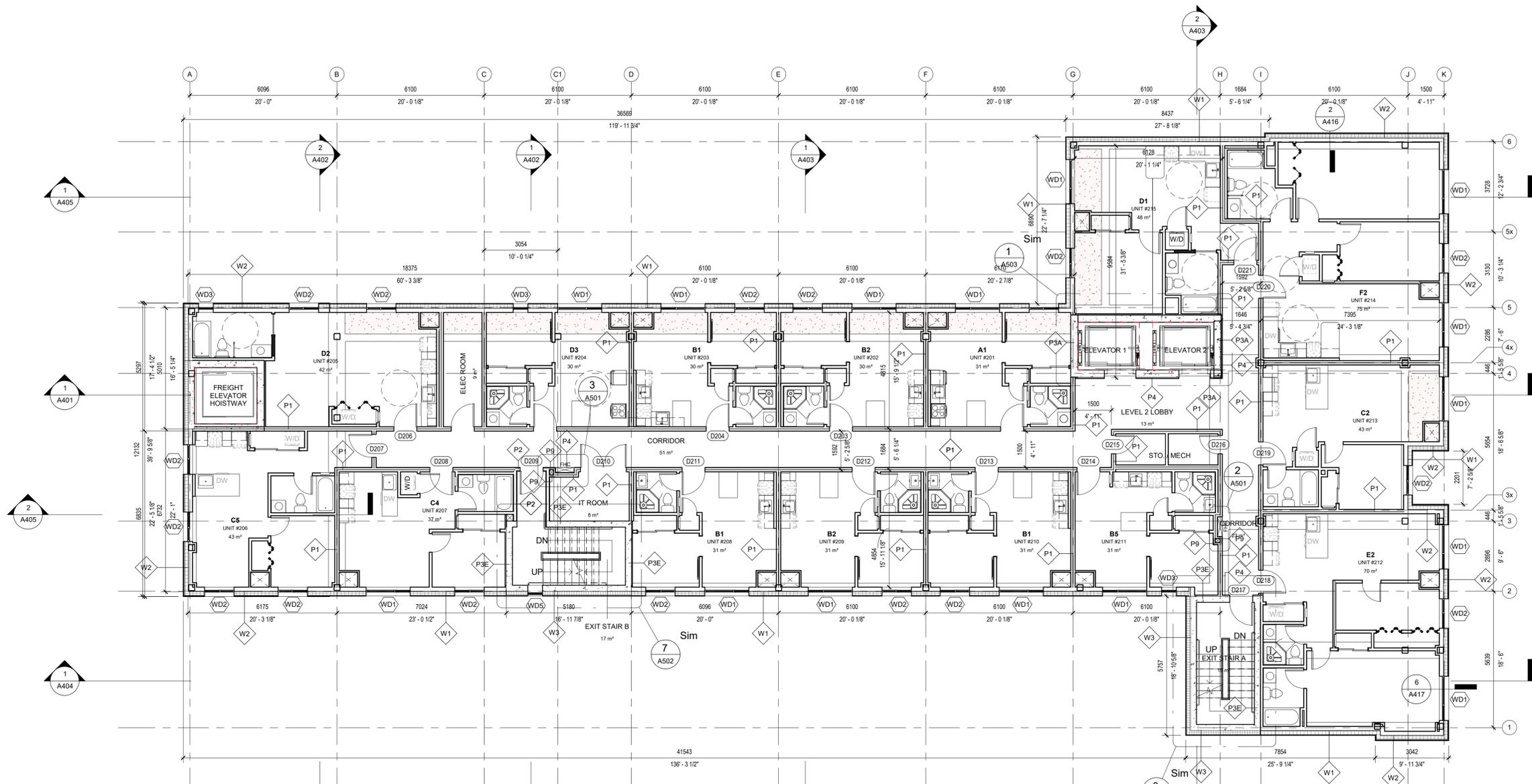
**LEGEND**

- NEW WALL/PARTITION
- NEW BUILDING/MILLWORK ELEMENT
- PARTITION TYPE (REFER TO PARTITION SCHEDULE)
- DOOR TYPE (REFER TO DOOR SCHEDULE)
- WINDOW TYPE (REFER TO WINDOW SCHEDULE)
- WALL/FLOOR FINISH (REFER TO FINISHES SCHEDULE)
- SG WASHROOM ACCESSORY (REFER TO ACCESSORIES SCHEDULE)
- ELEVATION REFERENCE
- DETAIL REFERENCE

**BASEMENT AREAS**

Name	Area	
	SQ. M.	SF
BICYCLE LONG-TERM PARKING	126 m <sup>2</sup>	1351 SF
CORRIDOR	97 m <sup>2</sup>	1041 SF
ELEC ROOM	16 m <sup>2</sup>	176 SF
ELEVATOR 1	Redundant Room	
ELEVATOR 2	14 m <sup>2</sup>	149 SF
ELEVATOR LOBBY	10 m <sup>2</sup>	110 SF
EXIT STAIR A	14 m <sup>2</sup>	154 SF
EXIT STAIR B	11 m <sup>2</sup>	116 SF
FIRE PUMP ROOM	22 m <sup>2</sup>	238 SF
RESERVED FOR STORMWATER MANAGEMENT	22 m <sup>2</sup>	236 SF
STORAGE LOCKERS	178 m <sup>2</sup>	1913 SF
STORAGE LOCKERS	217 m <sup>2</sup>	2338 SF
VEST. A	7 m <sup>2</sup>	73 SF
VEST. B	6 m <sup>2</sup>	70 SF
VEST. C	5 m <sup>2</sup>	55 SF
VEST. D	745 m <sup>2</sup>	8019 SF





**RevelHouse**  
architecture  
130 Queens Quay East Suite 922  
Toronto, Ontario M5A 0P6

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NO.	ISSUANCE	DATE
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5	ISSUED FOR TENDER	2022/08/08
6	ISSUED FOR ADDENDUM #1	2022/08/22
7	ISSUED FOR PERMIT	2022/08/25
8	ISSUED FOR SPA	2022/08/02
9	ISSUED FOR ADDENDUM #9	2022/08/27
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300 York Boulevard  
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ZON Engineering Inc.  
300 Woodloch Street  
Guelph, ON N1H 3W6  
1-888-338-4363

PROJECT:



PROJECT ADDRESS:  
405 MAIN STREET WEST,  
HAMILTON ON

DRAWING TITLE:  
LEVEL 2 FLOOR PLAN

DATE: August 20, 2021

SCALE: 1 : 100

DRAWN BY: SJ

CHECKED BY: JP

PROJECT NO.: 21-08

**CONSTRUCTION PLAN NOTES**

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**LEGEND**

- NEW WALL/PARTITION
- NEW BUILDING/MILLWORK ELEMENT
- ◆ PX PARTITION TYPE (REFER TO PARTITION SCHEDULE)
- II DOOR TYPE (REFER TO DOOR SCHEDULE)
- Wx WINDOW TYPE (REFER TO WINDOW SCHEDULE)
- Tx WALL/FLOOR FINISH (REFER TO FINISHES SCHEDULE)
- SG WASHROOM ACCESSORY (REFER TO ACCESSORIES SCHEDULE)
- 1 Ref ELEVATION REFERENCE
- 1 Ref DETAIL REFERENCE

**LEVEL 2 FLOOR AREAS**

NAME	SQ. M.	SF
BOH	9 m <sup>2</sup>	96 SF
ELEC ROOM	8 m <sup>2</sup>	81 SF
IT ROOM	6 m <sup>2</sup>	70 SF
STO. / MECH	23 m <sup>2</sup>	246 SF
CIRCULATION	51 m <sup>2</sup>	554 SF
CORRIDOR	23 m <sup>2</sup>	245 SF
ELEVATOR 1	13 m <sup>2</sup>	145 SF
ELEVATOR 2	Redundant Room	
EXIT STAIR A	15 m <sup>2</sup>	160 SF
EXIT STAIR B	17 m <sup>2</sup>	179 SF
LEVEL 2 LOBBY	133 m <sup>2</sup>	1428 SF
RESIDENTIAL (DEEP AFFORDABLE)		
1BR UNIT (DEEP AFFORDABLE)	31 m <sup>2</sup>	336 SF
1BR UNIT (DEEP AFFORDABLE)	31 m <sup>2</sup>	330 SF

**LEVEL 2 FLOOR AREAS**

NAME	SQ. M.	SF
1BR UNIT (DEEP AFFORDABLE)	31 m <sup>2</sup>	330 SF
1BR UNIT (DEEP AFFORDABLE)	31 m <sup>2</sup>	330 SF
1BR UNIT (DEEP AFFORDABLE)	30 m <sup>2</sup>	327 SF
1BR UNIT (DEEP AFFORDABLE)	30 m <sup>2</sup>	327 SF
	184 m <sup>2</sup>	1981 SF
RESIDENTIAL (MARKET)		
1BR UNIT	43 m <sup>2</sup>	458 SF
1BR UNIT	37 m <sup>2</sup>	393 SF
1BR UNIT	43 m <sup>2</sup>	468 SF
2BR UNIT	70 m <sup>2</sup>	750 SF
STUDIO UNIT	31 m <sup>2</sup>	329 SF
	223 m <sup>2</sup>	2400 SF
RESIDENTIAL (MARKET/ACCESSIBLE)		
1BR UNIT	48 m <sup>2</sup>	512 SF
1BR UNIT	30 m <sup>2</sup>	328 SF
1BR UNIT	42 m <sup>2</sup>	456 SF
2BR UNIT	75 m <sup>2</sup>	809 SF
	195 m <sup>2</sup>	2104 SF
	758 m <sup>2</sup>	8159 SF

## **APPENDIX A**

RE: 405 Main St. West, Hamilton, On. FILE NO: DP 22051

405 Main St. West, is a proposed seven story, privately funded, affordable housing apartment complex. The premier location of the proposed project, warrants consideration of a minor variance removing the requirement for below grade on site vehicle parking.

The City of Hamilton's own strategic vision is about creating a vibrant, healthy, and sustainable city where people of all ages and abilities can enjoy a good quality of life. The Urban Hamilton Official Plan (UHOP) emphasizes the importance of fundamental rights, including embracing sustainability and creating a vision for complete compact communities served by streets made for walking, cycling, and an attractive transit system. This vision is supported by policies to reduce auto dependence and limit the amount of land occupied by automobile parking. The transportation policies are deliberately interspersed with the land-use policies to emphasize the importance of considering both areas to achieve the overall vision of a compact, whole, sustainable community.

The Province of Ontario 2021 appointed a Housing Affordability Task Force to provide the government with recommendations on additional measures to address market housing supply and affordability. The report was published and identified one of the barriers to implementing affordable housing (such as this project) is the requirement for costly parking stalls even though development may not require them.

In support of the variance application, please find below, the following excerpts copied herein from “**Paradigm Transportation Solutions Limited, June 2022 Report**” -FYI:

Transit Service - Currently, HSR operates five routes adjacent to the Site:

- ▶ **Route 1 (King)** provides service seven days a week in lower Hamilton from Hamilton GO to Eastgate Square in the east. Route 1 operates with approximately six- to eight-minute headways during weekday peak hours and headways of up to 20 minutes during other service hours.
- ▶ **Route 5 (Delaware)** provides service seven days a week in east-west lower Hamilton, including Dundas, Ancaster and Stoney Creek. Route 5 operates with approximately 12-minute headways during weekday peak hours and headways up to 30 minutes during other service hours.
- ▶ **Route 7 (Locke)** provides service seven days a week in both the east-west and north-south routes servicing the south-west end of the city from then downtown. Route 7 operates with approximately 20-minute headways during

weekday peak hours and headways of up to 60 minutes during other service hours.

- ▶ **Route 10 (B Line Express)** provides weekday and Saturday service from University Plaza in the west end to Eastgate Square in the east end. Route 10 operates with approximately seven- to eight-minute headways during weekday peak hours and headways of up to 20 minutes during other service hours. Service is not provided on Sundays.
- ▶ **Route 51 (University)** provides weekday and Saturday service in an east-west direction between downtown and west Hamilton along Main Street West and King Street West. It services Hamilton GO Centre, Jackson Square and McMaster University. Route 51 is currently on hiatus until September 2022.

Transit Score is a measure of transit accessibility. It aggregates information regarding transit frequency, the density of stops and routes, and mode of service. It is used to gauge the transit accessibility of each neighbourhood. 405 Main Street West has a Transit Score of **70** and is considered "Excellent Transit," which means transit is convenient for most trips.

### **Future Rapid Transit Service**

Future transit plans for the city include the proposed Hamilton Light Rail Transit (LRT) project. The 14-kilometre route will connect McMaster University in the west end to Eastgate Square in the east, traversing King Street East in the vicinity of the subject site. The nearest stop will be approximately 510 metres northwest of the subject site at King Street East and Dundurn Street South. The proposed LRT line will likely link to GO Transit, VIA Rail services and walking and cycling trails to help provide sustainable transportation choices to residents of Hamilton.

As stated, and recognized by the city, a key transportation objective in intensification areas is to transform the primary travel mode into sustainable options (walking, cycling and transit); the provision of the LRT will provide an incentive for a reduced parking demand through a shift in the mode of travel. Albeit, the Site does not fall directly within the prescribed Transit-Oriented Corridor Zone; however, the magnitude of rapid transit's pedestrian accessibility isn't limited to the corridor in which the LRT is provided. Instead, it extends well beyond the corridor represented by a "walkshed" with a circle radius of 800 metres surrounding the rapid transit stop .

As stated previously, a future LRT stop will be within a 510-metre walk of the Site. As the transit corridor zone identifies reduced parking requirements given expected travel pattern changes, there should be some flexibility in

accommodating reduced parking requirements for the Site given the proximity to the LRT and within the prescribed walkshed.

The higher service frequency, lower travel times and longer span of service are likely to attract existing riders who may presently drive and are expected to result in newcomers to the area deferring automobile purchases. Consequently, future parking demand is expected to be lower than present when this service is operational. This provides further merit and support for a reduced parking supply as keeping consistent with the status quo for the area will likely necessitate achieving these goals.

### **Bike Share**

The City of Hamilton, in partnership with Social Bicycles (SOBI), has implemented a bike-share program. The bike-share program provides bicycles at several locations across the Downtown area for use by members of the program on a short-term rental basis. The nearest SOBI location is approximately 260 metres west of the subject site (a two-minute walk) at Main Street West and Dundurn Street South.

### **Car Share**

Car sharing refers to automobile rental services that substitute for private vehicle ownership. It makes occasional vehicle use affordable while providing an incentive to minimize driving and rely on alternative travel options as much as possible. The availability of car-share spaces on the subject site allows residents of the development and surrounding community who usually would not need a vehicle for their daily activities to be comfortable deciding not to own a vehicle.

### **Walkability**

Walk Score is a well-known (but proprietary) measure of walkability – it aggregates several data sources to provide a proxy measure of the quality of the pedestrian environment. It is utilized to gauge the walkability and destination density of each neighbourhood. 405 Main Street West has a Walk Score of **85** and is considered a "Very Walkable" location, meaning most errands can be accomplished on foot.

### **Cycling**

Bike Score is a measure of the area's ability to accommodate cyclists. A Bike Score is calculated for a given location by measuring bike infrastructure (lanes, trails, etc.), hills, destinations and road connectivity, and the number of bike

commuters. 405 Main Street West has a Bike Score of **86** and is considered "Very Bikeable," which means biking is convenient for most trips.

**Note:** The proposed design provides for easy access and egress, to and from the basement by way of single level dedicated cargo elevator, for use by cyclists, without the need to transit through the ground floor of the building.

### **4.3 Transportation Planning Context**

The transportation context includes direction provided by recently completed and ongoing planning initiatives to transform the site area. Overall, the initiatives described in the following sections seek to improve the public realm and non-auto modes of travel while appropriately accommodating intensification and new development.

#### **4.3.1 Metrolinx 2041 Transportation Plan**

Metrolinx launched the 2041 Transportation Plan in 2018, including the regional transportation plan for the Greater Toronto and Hamilton Area (GTHA). This Plan provides even more people with access to fast, frequent and reliable transit and makes it easier for travellers to use transit or travel by bike or foot. While Metrolinx authored this Plan, it was developed closely through a comprehensive public engagement strategy with over 30 GTHA municipalities (including Hamilton) to create an integrated multimodal regional transportation plan.

The Plan's primary objectives include, but are not limited to:

- Designing communities, transit stations and Mobility Hubs to support transit use and active transportation;
- Using parking demand strategies to encourage car-sharing and other modes besides the car;
- Addressing the beginning and end of a traveller's journey—the first- and last mile;
- Optimizing the use of roads and highways to support transit and goods movement; and
- Embedding design excellence, sustainability and universal access in transit planning.

As part of the 2041 Transportation Plan, the role of parking management in land use planning in that current Zoning By-laws was not doing enough to curb future developments' dependency on vehicle travel. The 2041 Transportation Plan presents an opportunity to make parking management a priority. Parking policies should coordinate off-street parking supply with transit expansion and support other alternatives to driving. As a result, a comprehensive approach to applying best practices in parking management is even more necessary today, given that on-demand services and autonomous vehicles are likely to change the demand for off-street parking.

As part of the Metrolinx 2041 Transportation Plan, parking management for the Site will positively impact and optimize the development to take full advantage

of the evolving transportation context of the area such that transit will become more accessible to area employees and visitors with the provision of the LRT.

#### **4.3.2 Transportation Master Plan**

The City's recent update to the Transportation Master Plan (TMP) in 2018 contemplated a new vision for a balanced transportation system that supports economic growth and health and safety communities.

As for parking, transportation and land use patterns coupled with effective parking management strategies can support modal choice and active modes of travel, transit-oriented development, and economic growth.

As Hamilton shifts towards a balanced approach to transportation, best practices focus on setting maximum parking standards instead of minimum parking standards to ensure parking supply is balanced with mode share targets and urban design objectives.

The Site will positively impact and optimize the development to take full advantage of the evolving transportation context of the area. Transit will become more accessible to area residents with the provision of the LRT. The Site will continue to support the strategies laid out in the TMP as the parking management strategy will contribute to a balanced transportation network.

#### **4.3.3 Transportation Demand Management (TDM)**

The City of Hamilton, in 2015, drafted the Transportation Demand Management (TDM) for Development policy that actively engages the development community to integrate Travel Demand Management (TDM) in all current and future development applications.

TDM strategies that modify travel behaviour are essential to lessening the demand for parking. In addition to Citywide initiatives to invest in transit and active transportation, reducing drive-alone trips and the following programs can support a reduced parking supply:

- Carpooling permit program and carpool matching system (current Smart Commute Program);
- Increasing car-share spaces;
- Promoting one-way car share and developing strategies around on-street parking usage of car-share vehicles;
- Increasing the number of secure bike storage lockers by reviewing underutilized space in current parking facilities;
- Increasing parking supply in areas that easily connect to rideshare or walkable paths;
- Developing a curb-side management strategy which will assist both rideshare services and Autonomous Vehicle Technology (AVT); and,
- Supporting bike share by adding revenue streams to provide funding.

The development actively engages and incorporates TDM to influence travel behaviour for residents and visitors by including on-site visitor parking and limited on-site parking. As TDM is closely linked with reducing vehicle trips, an added

benefit is the reduction and need for on-site parking. The development also includes five short-term bicycle parking spaces near the entrance of the building and ten long-term bicycle parking spaces on the basement floor.

#### **4.3.4 Provincial Policy Framework**

The Growth Plan for the Greater Golden Horseshoe (Ministry of Infrastructure, 2020) Provincial Policy Statement (MMAH, 2020) all directly call for a shift away from automobile travel and towards more sustainable forms of transportation, including transit and active transportation:

- The Growth Plan outlines that growth in population and employment will be accommodated by reducing dependence on automobiles through the support and development of mixed-use, transit-supportive, pedestrian-friendly urban environments (Ministry of Infrastructure, 2020 – Section 4.2.10);
- The Provincial Policy Statement (PPS) states that land-use patterns should "minimize the length and number of vehicle trips, and support current and future use of transit and active transportation" (MMAH, 2020 – Section 1.6.7.4);

#### **4.3.5 Ontario's Five-Year Action Plan**

Ontario's Five-Year Climate Change Action Plan was announced in June 2016 (herein referred to as "the Plan"). The Plan emphasizes the importance of addressing climate change at the municipal level. Some of the critical transportation and land-use planning actions outlined in the Plan are as follows:

- Support cycling and walking: Commuter cycling networks will be established across Ontario, targeting routes with high-commuting volumes, such as between residential communities, major transit stations and employment areas. There will be more cycling facilities in urban areas, including grade-separated routes and cycling signals. More bicycle parking will be at transit stations and provincially owned, publicly accessible facilities. Ontario will revise provincial road and highway standards to require commuter cycling infrastructure to be considered for all road and highway construction projects where it is safe and feasible. Ontario will do the same for major transit corridors.
- Reduce single-passenger vehicle trips: Ontario will grant municipalities and large private employers to implement Transportation Demand Management (TDM) Plans. The plans will help increase walking, cycling, carpooling, telecommuting and flex-work schedules, reducing fossil fuel consumption, traffic congestion and transportation emissions.
- Eliminate minimum parking requirements: Minimum parking requirements for municipal zoning bylaws will be eliminated over the next five years, especially in transit corridors and other high-density, highly walkable communities. Minimum parking requirements are a barrier to creating complete, compact, mixed-use communities. Instead, bylaws encourage bike lanes, larger sidewalks, and enhanced tree canopies.

Eliminating minimum parking requirements is not new in North America. Residential developments with lower parking requirements are being

promoted, approved, and developed in Vaughan, Toronto, Calgary, Vancouver and other cities. This shift away from providing excess residential parking highlights a changing perspective. The subject site's reduced minimum parking supply requirement would conform with Ontario's current Climate Action Plan.

#### **4.4.1 Hamilton Climate Emergency**

Hamilton's City Council has recognized the impacts of climate change in Hamilton "not only cause millions of dollars of infrastructure damage, but damages homes, businesses, and puts people at increased risk to their health and safety." The council unanimously passed a motion to declare a climate emergency on March 27, 2019, and directed staff to form a Corporate Climate Change Task Force (CCCTF). The CCCTF aims to support a culture shift, ensuring that a climate change lens is incorporated into routine work across all City departments.

Of importance are the goals of the Community Energy Plan . Specifically, the City will work toward being a net carbon-neutral community by 2050, with an interim target of reducing emissions by 50% by 2030. However, to meet the 2050 goal, the City will need to offset carbon dioxide emissions by purchasing carbon offsets or further reducing emissions.

As the climate emergency declaration is a Council priority, the importance of supporting a low carbon redevelopment project focusing on reduced vehicle trips is apparent. Meaningful change is required as soon as possible to meet the City's emissions target. If Hamilton's current emissions patterns do not decrease, the City will emit 9.6 MtCO<sub>2e</sub> by 2050, a 10% increase in GHG.

While single-occupant vehicle trips are commonly targeted in transport policies, they are only a consequence of the spatial layout and densities of the accompanying land uses. Therefore, there is merit in targeting the underlying cause of these carbon emissions rather than solely focusing on policies to reduce private vehicle use.

Parking management has an important role to play in reducing carbon emissions. In this respect, car parking is the "glue" between these facets of the land use and transport environment. In addition, car parking is a critical factor that can be targeted relatively quickly by planners and their municipal plans. The transportation sector is responsible for 23% of Canada's GHG emissions and offers tremendous opportunities for significant emissions reduction. Municipalities in Canada are lagging behind other countries in supporting zero-emission vehicles and other sustainable transportation policies. Cities need to drive a transition towards zero and low-emissions transportation modes, increase cleaner fuels, expand public transit ridership, and encourage denser, mixed-use communities to meet the City's emissions target.

Significant encouragement is needed to reduce greenhouse gas emissions related to the transportation sector to shift travel modes from single-occupant vehicles towards public transit, auto-share and active transportation.

#### **4.4.2 Ontario Housing Affordability Task Force**

The Province of Ontario in 2021 appointed a Housing Affordability Task Force to provide the government with recommendations on additional measures to address market housing supply and affordability.

In 2022, the report was published and sets out recommendations that would set a bold goal and clear direction for the province, increase density, remove exclusionary rules that prevent housing growth, prevent abuse of the appeals process, and make sure municipalities are treated as partners in this process by incentivizing success.

Of these recommendations, the report identified that municipalities require numerous studies and set rules for adding housing, many of which go well beyond the requirements of the provincial Planning Act. While some of this guidance has value for urban design, some rules are arbitrary and not supported by evidence, such as the requirement for costly parking stalls even though development may not require them.

By-laws and guidelines that preserve "neighbourhood character" often prevent smart growth and innovative development. The people suffering are primarily young, visible minorities, and marginalized. It is the perfect example of a policy that appears neutral on its surface but is discriminatory in its application.

Minimum parking requirements for each new unit are outdated municipal requirements that increase the cost of housing and are increasingly less relevant with public transit and rideshare services. Minimum parking requirements add as much as \$165,000 to the price of a new housing unit.



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	3H Properties 405 Main Stre	
<b>Applicant(s)</b>	Alfredo Hermano	
<b>Agent or Solicitor</b>		

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	405 Main St W Hamilton, ON L8P 1K5		
Assessment Roll Number	01009553070		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	244	Lot(s)	10, 18, 19
Reference Plan Number (s)		Part(s)	part of Lot 11

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:

Further reduction in below grade parking. Please see Appendix A

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

It is possible to comply, but given the location of the proposed project, an opportunity to meet provincial and local reduction in traffic replaced by bicycles and pedestrian. Please see Appendix A

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

Yes  No

If yes, please provide an explanation:

As above

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
Refer to below			
405 Main St = 57.96m /	405 Main St = 27.43m /	405 Main St = 1,451m <sup>2</sup> /	405 Main St = 26.213m /
404 Jackson St = 7.62m	404 Jackson St = 30.48m	404 Jackson St = 232m <sup>2</sup>	404 Jackson St = 15m

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
405 Main St: Wimpey's restaurant. 1 storey	North (Main St) = 0m	West (Jackson St) = 43.06m	East = 0m / West = 8.51m	
404 Jackson St: 1 storey dwelling	North = 16.1m	West (Jackson St) = 0.26m	East = 0.4m/ West = 0.44m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
405 Main St, 96 units	North (Main St) = 1.5 & 3m	West (Jackson St) = 4.02m / West = 1.2m & 7.891m	East = 1.44m & 7.5m	

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
405 Main St: Wimpey's restaurant. 1 storey	310m <sup>2</sup>	310m <sup>2</sup>	1	N/A
404 Jackson St: 1 storey dwelling	76.79m <sup>2</sup>	76.79m <sup>2</sup>	1	N/A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
405 Main St	750m <sup>2</sup>	4,905m <sup>2</sup>	7	21m

- 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.):

96 Multi-Family Affordable Housing units

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

405 Main St: Restaurant (commercial) / 404 Jackson St: residential

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 19, 2021

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

405 Main St: Restaurant (commercial) / 404 Jackson St: residential

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

405 Main St: Restaurant (commercial) / 404 Jackson St: residential

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

Unknown

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

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

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Mixed Use - Medium Density

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

Our current zoning C5 which is Commercial and Mixed used zone which conforms with the official plan.

7.6 What is the existing zoning of the subject land? C5, E298 pursuant to Zoning By-law No. 05-200

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: # HM/A-22:203

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

Yes  No

If yes, please provide the file number: DP 22051

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: 96

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

Refer to Appendix A

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:192</b>	<b>SUBJECT PROPERTY:</b>	25 BURLINGTON STREET W, HAMILTON
<b>ZONE:</b>	"D" (Urban Protected Residential – One- and Two-Family Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:**      **Owner:** DAVID LIBURDI, FEBBO LIBURDI, & NATHAN DE HAAN  
**Agent:** MICHAEL PONGETTI

The following variances are requested:

1. Zero (0) onsite parking spaces shall be provided instead of 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room as well as, and no additional parking space shall be required for either a Secondary Dwelling Unit or a Secondary Dwelling Unit - Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained required.

**PURPOSE & EFFECT:**      To facilitate the establishment of a Secondary Dwelling unit- Detached;

**Notes:**

1. It is noted that the provided plans show no parking within the existing driveway, should this variance be approved the 1.0m unobstructed path from the street line to the entrance of the Secondary Dwelling unit- Detached will be required to be provided at all times.

**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-23:192

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:25 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

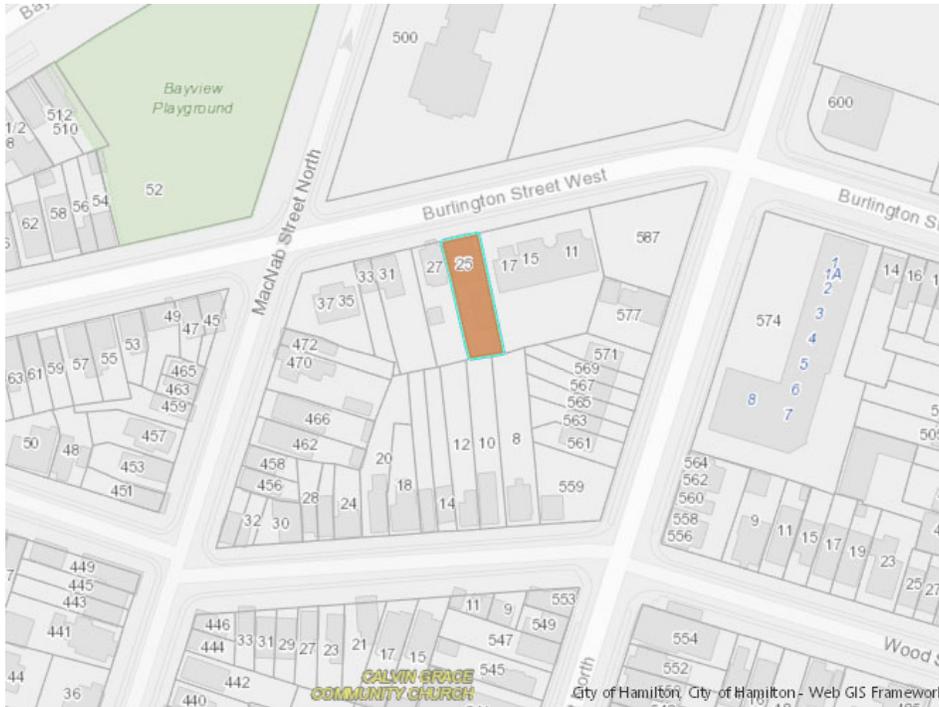
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:192, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:192



 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

# 25 BURLINGTON ST. W GARAGE CONVERSION

### GENERAL NOTES

1. ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE (O.B.C.) INCLUDING THE LATEST STANDARDS REFERENCED WITHIN.
2. DRAWINGS ARE NOT TO BE SCALED AT ANY TIME.
3. ALL DRAWINGS ARE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT.
4. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS PRIOR TO COMMENCING ANY WORK AND REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.
5. IF ANY ERRORS OR OMISSIONS ARE FOUND ON THESE DRAWINGS, THEY SHALL BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION. DRAWINGS MUST BE REVIEWED.

### DESIGN LOADS

1. GROUND SNOW (S <sub>s</sub> ) / RAIN (S <sub>r</sub> ):	1.3 kPa / 0.4 kPa
2. MAXIMUM ROOF SNOW (S):	1.44 kPa
3. ROOF DEAD LOAD (D):	1.0 kPa
4. WIND LOAD (q <sub>50</sub> ):	0.43 kPa
5. FLOOR LIVE LOAD (L):	1.9 kPa
6. FLOOR DEAD LOAD (D):	1.0 kPa
7. ATTIC LOAD (NO ACCESS/NO STORAGE)	0.5 kPa

### LUMBER NOTES

1. ALL SAWN LUMBER TO BE S.P.F. No. 2 GRADE OR BETTER AND CONFORM TO CSA-0141
2. ALL ENGINEERED BUILT UP BEAMS ARE TO BE LVL'S (GRADE 2.0x10E4 PSI) UNLESS OTHERWISE NOTED. REPLACEMENT WITH A HIGHER GRADE IS NOT ALWAYS A SUITABLE EQUIVALENT. CONTACT ENGINEER FOR EQUIVALENT.
3. PROVIDE SOLID BLOCKING BETWEEN JOISTS BELOW ALL LOAD BEARING WALLS/COLUMNS WHICH ARE PERPENDICULAR TO THE JOISTS.
4. WOOD IS NOT TO BEAR DIRECTLY ON CONCRETE/MASONRY, PROVIDE PRESSURE TREATED, POLY OR SILL GASKET BETWEEN CONCRETE/MASONRY AND WOOD SILL PLATE.
5. ALL JOISTS SHOULD HAVE A MINIMUM OF 40 mm (1-1/2") OF BEARING WITH JOIST HANGARS.
6. ALL BUILT UP BEAMS TO PROVIDE 2 ROWS OF SDS SCREWS ON E/S 1/4" x 3-1/2" LG. @12" O.C. w/ MINIMUM 3-1/2" OF BEARING.

### FOUNDATION NOTES

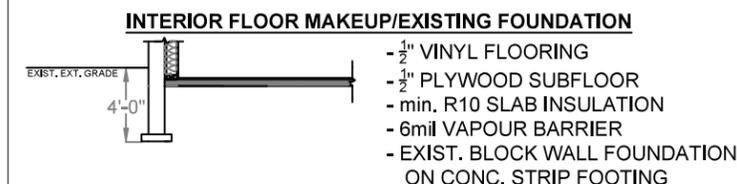
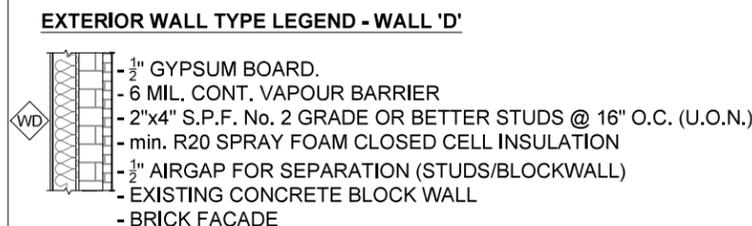
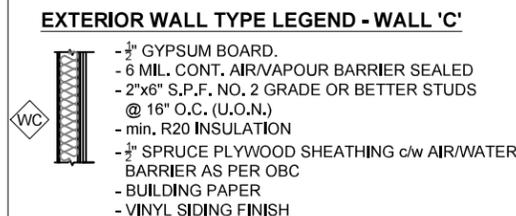
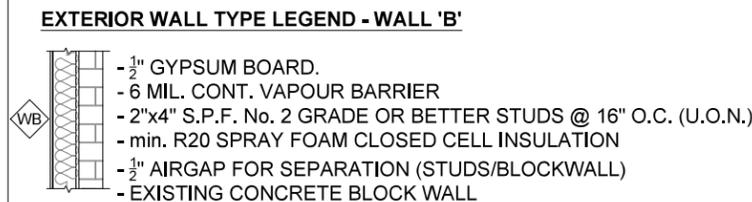
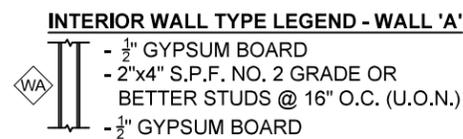
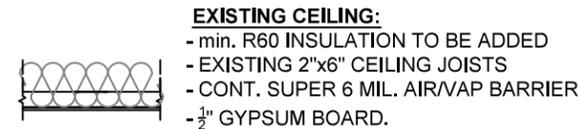
1. ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL HAVING A SAFE BEARING CAPACITY OF 3000 P.S.F.
2. PROVIDE 4'-0" MINIMUM OF FROST COVER FOR ALL EXTERIOR FOOTINGS.
3. ALL REINFORCING STEEL TO BE 400W AND SHALL CONFORM TO CSA-G30.18-M92.
4. CONCRETE TO BE MIN. 32 MPa COMPRESSIVE STRENGTH @ 28 DAYS, 5-8% AIR ENTRAINMENT.
5. END BEARING - ALL WOOD & STEEL BEAMS SHALL HAVE EVEN & LEVEL BEARING & SHALL NOT HAVE LESS THAN 3-1/2" OF BEARING AT END OF SUPPORTS AS PER O.B.C. 9.23.8.1.
6. ALL FLOOR JOISTS SHALL HAVE NO LESS THAN 1-1/2"(38mm) IN LENGTH FOR END BEARING EXCEPT WHEN SUPPORTED ON RIBBON BOARDS AS PER O.B.C. 9.23.9.1(1).

### STRUCTURAL STEEL NOTES

1. STRUCTURAL STEEL DESIGN MUST CONFORM TO CSA S16
2. STRUCTURAL STEEL W SECTIONS AND COLUMNS SHALL CONFORM TO ASTM A992 U.O.N.
3. STRUCTURAL STEEL CHANNELS, HSS, ANGLES, MUST CONFORM TO CSA G40.21, GRADE 350W U.O.N
4. ALL WELDING TO CONFORM TO C.W.B. APPROVED PROCEDURES. ALL WELDING TO BE CARRIED OUT BY WELDERS CERTIFIED BY THE C.W.B., EMPLOYED BY A FIRM CERTIFIED IN DIVISION 1 OR 2
5. ALL STRUCTURAL STEEL SHALL RECEIVE A MINIMUM OF ONE COAT OF SHOP PRIMER
6. DO NOT SPLICE OR CUT OPENING IN STRUCT. STEEL WITHOUT THE ENGINEERS APPROVAL

### CONCRETE & REINFORCING NOTES

1. ALL CONCRETE WORK SHALL CONFORM TO THE LATEST REQUIREMENTS OF CSA A23.1, A23.2 & 23.3.
2. REINFORCING SHALL CONFORM TO CSA G30.18, GRADE 400W, F<sub>y</sub>=400MPa
3. WELDED WIRE MESH AND WELDED WIRE FABRIC SHALL CONFORM TO CSA G30.5, F<sub>y</sub>=450MPa & HAVE A MINIMUM LAP OF 150mm (6") AT JOINTS U.O.N.
4. ALL REINFORCING LAP SPLICES SHALL CONFORM TO THE LATEST CSA STANDARD A23.3 & ALL BAR SPLICES TO BE CLASS 'B' TENSION U.O.N.
5. CRACK CONTROL SHOULD BE PLACED ALONG THE CENTRE OF THE LENGTH AND WIDTH OF AREA AND PLACED NO MORE THAN 14'-0" O/C. PROVIDE JOINT FILLER IN CONTROL JOINTS
6. ALL CONCRETE COVER SHALL CONFORM TO CSA A23.1 AND THE FOLLOWING BELOW U.O.N.
  - A. CONCRETE CAST AGAINST EARTH: 75mm
  - B. EXTERIOR BEAMS, SLABS, COLUMNS, PIERS AND WALLS: 40mm
  - C. INTERIOR SLABS: 25mm



#:	DATE:	DESC.

### REVISIONS

**DECC INC.**  
DESIGN|ENGINEER|CONSULT|CONSTRUCT

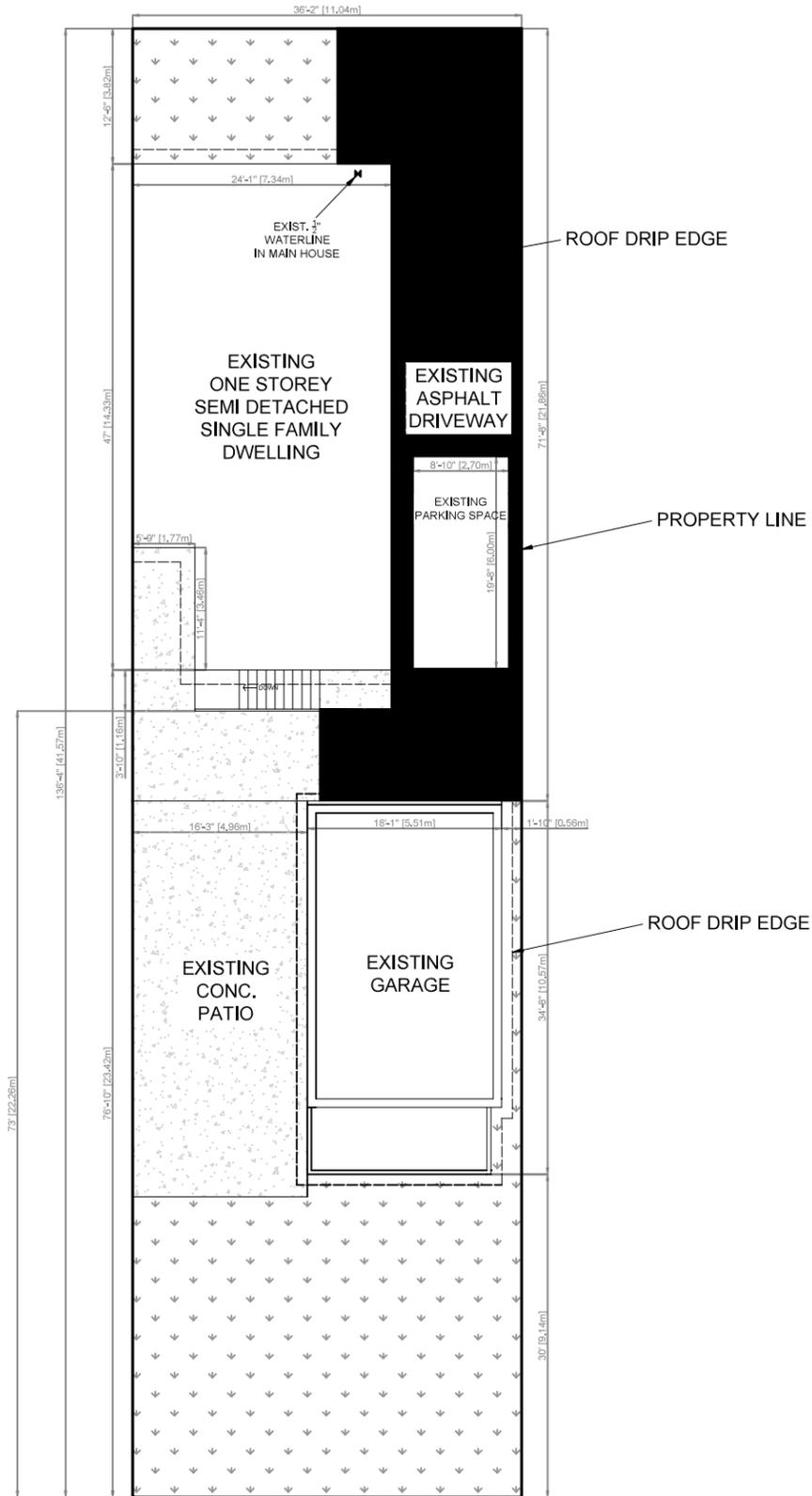
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**25 BURLINGTON ST. W  
HAMILTON, ONTARIO**

PROJECT:  
**A.D.U.  
GARAGE CONVERSION**

DWG:  
**A0.01  
GENERAL NOTES**

DATE: <b>JULY 1, 2023</b>	DRAWN BY: <b>MT</b>	DWG #: <b>1 / 10</b>
PROJECT #: <b>102</b>	CHKD BY: <b>MP</b>	

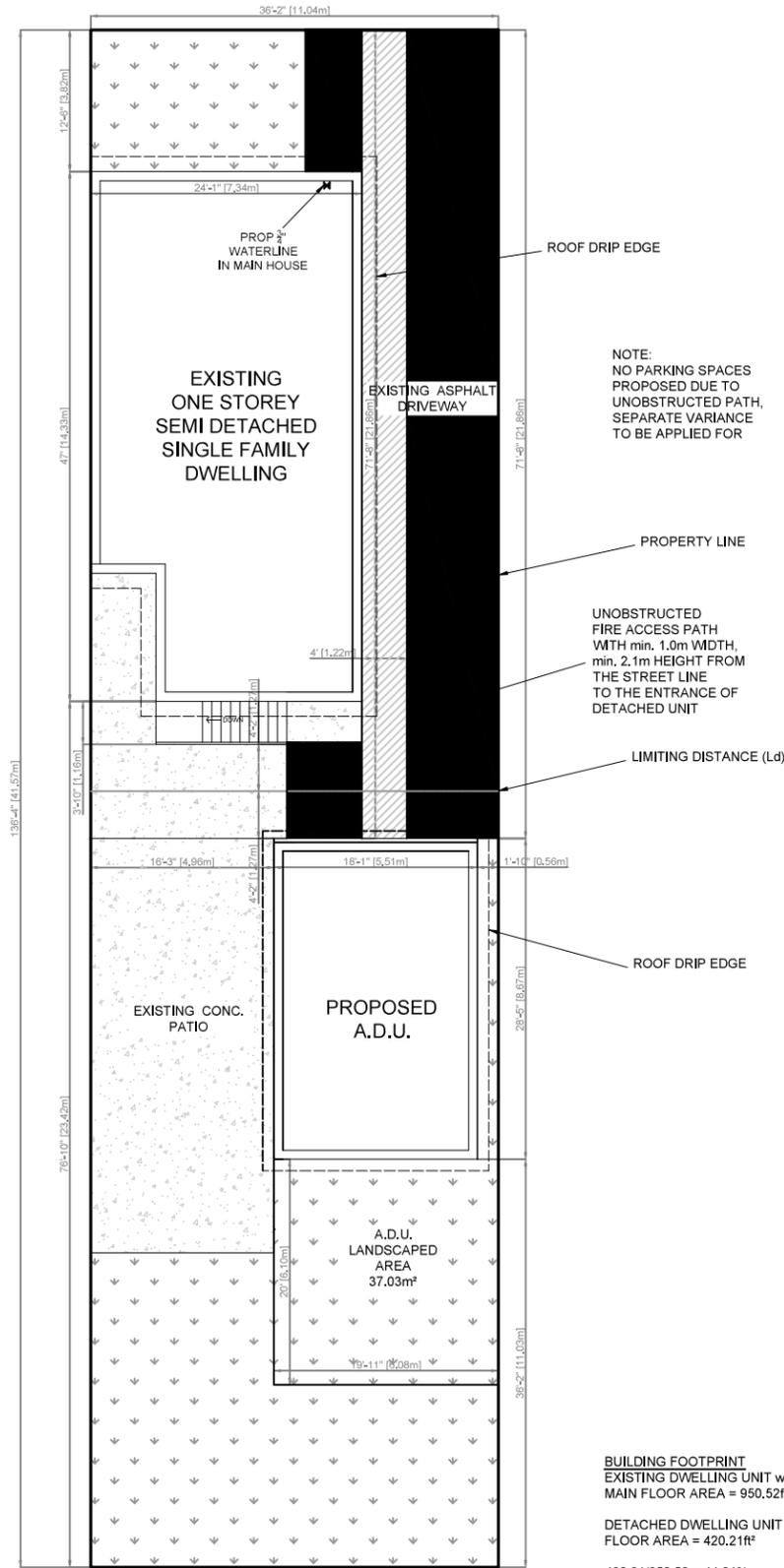
**GENERAL NOTES**  
SCALE: NTS



#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>25 BURLINGTON ST. W HAMILTON, ONTARIO</b>		
PROJECT:		
<b>A.D.U. GARAGE CONVERSION</b>		
DWG:		
<b>SP1.01 SITE PLAN EXISTING</b>		
DATE:	DRAWN BY:	DWG #:
<b>JULY 1, 2023</b>	<b>MT</b>	<b>2 / 10</b>
PROJECT #:	CHKD BY:	
<b>102</b>	<b>MP</b>	

  
**SITE PLAN**  
 SCALE:  $\frac{1}{16}'' = 1'-0''$

SPATIAL SEPARATION ANALYSIS	
<b>NORTH SIDE OF PROPOSED BUILDING</b>	
- LIMITING DISTANCE (Ld) = 4'-2" = 1.27m <sup>2</sup>	
- AREA OF BUILDING FACE = 208.35ft <sup>2</sup> = 19.36m <sup>2</sup>	
- TABLE 9.10.14.4, USING INTERPOLATION	
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 8.47%	
- AREA OF ALLOWABLE UNPROT. OPENINGS = 19.36m <sup>2</sup> x 0.0847 = 1.64m <sup>2</sup>	
- BUILDING UNPROTECTED OPENING AREA	
D1 = 17.33ft <sup>2</sup> = 1.61m <sup>2</sup>	
W3 = N/A (GLASS BLOCK)	
TOTAL = 1.61m <sup>2</sup> < 1.64m <sup>2</sup>	
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.	
<b>WEST SIDE OF PROPOSED BUILDING</b>	
- LIMITING DISTANCE (Ld) = 16'-3" = 4.96m <sup>2</sup>	
- AREA OF BUILDING FACE = 212.58ft <sup>2</sup> = 19.75m <sup>2</sup>	
- TABLE 9.10.14.4	
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 53%	
- AREA OF ALLOWABLE UNPROT. OPENINGS = 19.75m <sup>2</sup> x 0.53 = 10.47m <sup>2</sup>	
- BUILDING UNPROTECTED OPENING AREA	
W1 = 6.81ft <sup>2</sup> = 0.63m <sup>2</sup>	
W4 = 8.0ft <sup>2</sup> = 0.74m <sup>2</sup>	
TOTAL = 1.37m <sup>2</sup> < 10.47m <sup>2</sup>	
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.	
<b>EAST SIDE OF PROPOSED BUILDING</b>	
- NOT REQUIRED, NO PROPOSED OPENINGS	
<b>SOUTH SIDE OF PROPOSED BUILDING</b>	
- LIMITING DISTANCE (Ld) = 36'-2" = 11.03m <sup>2</sup>	
- AREA OF BUILDING FACE = 195.47ft <sup>2</sup> = 18.16m <sup>2</sup>	
- TABLE 9.10.14.4	
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 100%	
- AREA OF ALLOWABLE UNPROT. OPENINGS = 18.16m <sup>2</sup> x 1.00 = 18.16m <sup>2</sup>	
- BUILDING UNPROTECTED OPENING AREA	
W2 = 6.81ft <sup>2</sup> = 0.63m <sup>2</sup>	
TOTAL = 18.16m <sup>2</sup> < 18.16m <sup>2</sup>	
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.	



BUILDING FOOTPRINT  
 EXISTING DWELLING UNIT w/ S.D.U.  
 MAIN FLOOR AREA = 950.52ft<sup>2</sup>

DETACHED DWELLING UNIT  
 FLOOR AREA = 420.21ft<sup>2</sup>

420.21/950.52 = 44.21%

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



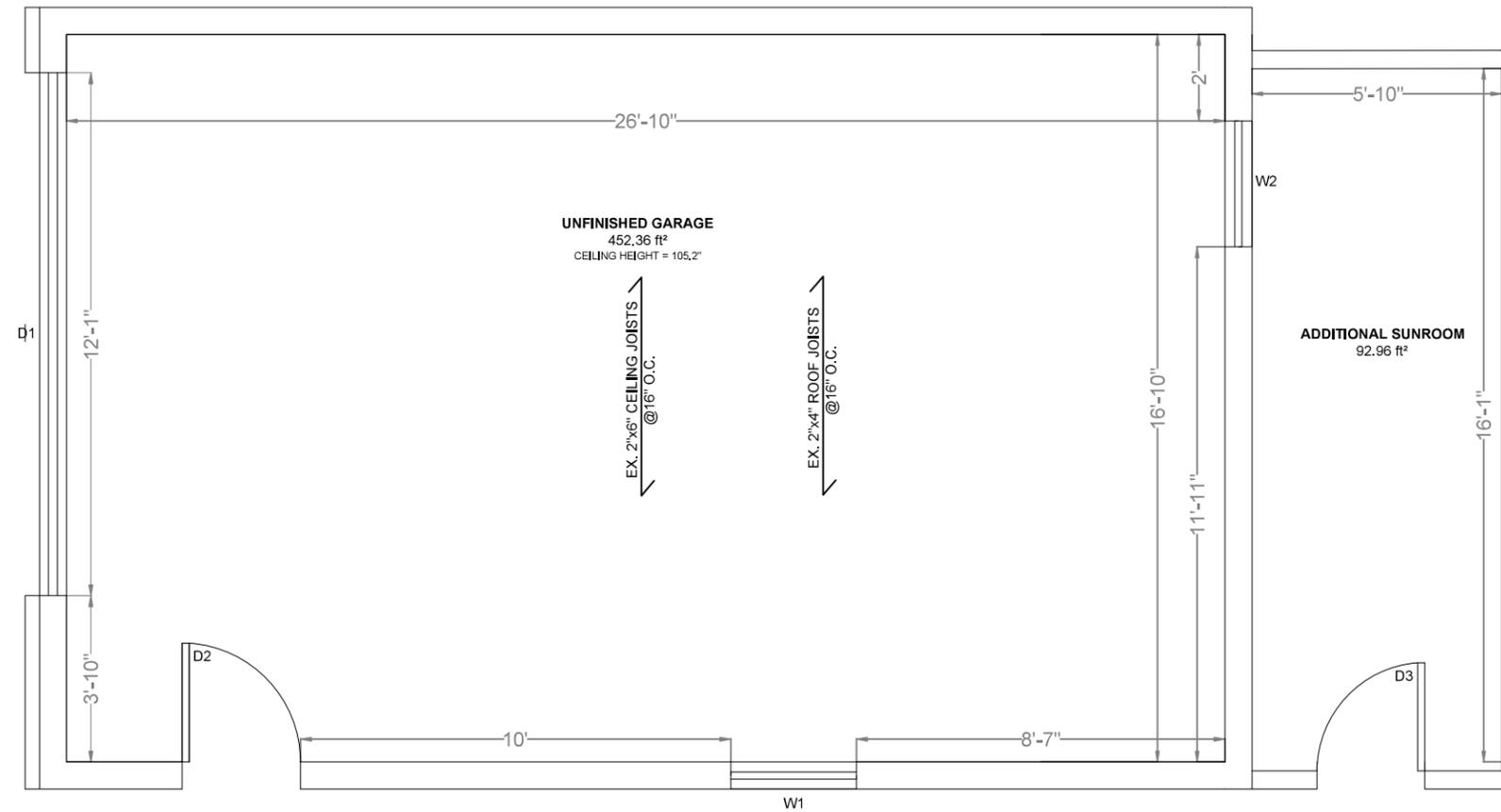
#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>25 BURLINGTON ST. W HAMILTON, ONTARIO</b>		
PROJECT:		
<b>A.D.U. GARAGE CONVERSION</b>		
DWG:		
<b>SP1.02 SITE PLAN PROPOSED</b>		
DATE:	DRAWN BY:	DWG #:
<b>JULY 1, 2023</b>	<b>MT</b>	<b>3 / 10</b>
PROJECT #:	CHKD BY:	
<b>102</b>	<b>MP</b>	

**EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
AREA APPROXIMATE**

**GARAGE AREA:  
+/- 452.36 ft<sup>2</sup>**

**WINDOW/DOOR SCHEDULE**

NO.	WIDTH	HEIGHT
D1	143"	90"
D2	33"	81"
D3	30"	78"
W1	35"	28"
W2	35"	28"



#:	DATE:	DESC.

**REVISIONS**

**DECC INC.**  
DESIGN | ENGINEER | CONSULT | CONSTRUCT

**SITE:**  
**25 BURLINGTON ST. W  
HAMILTON, ONT.**

**PROJECT:**  
**A.D.U.  
GARAGE CONVERSION**

**DWG:**  
**A1.01  
FLOOR PLAN  
EXISTING**

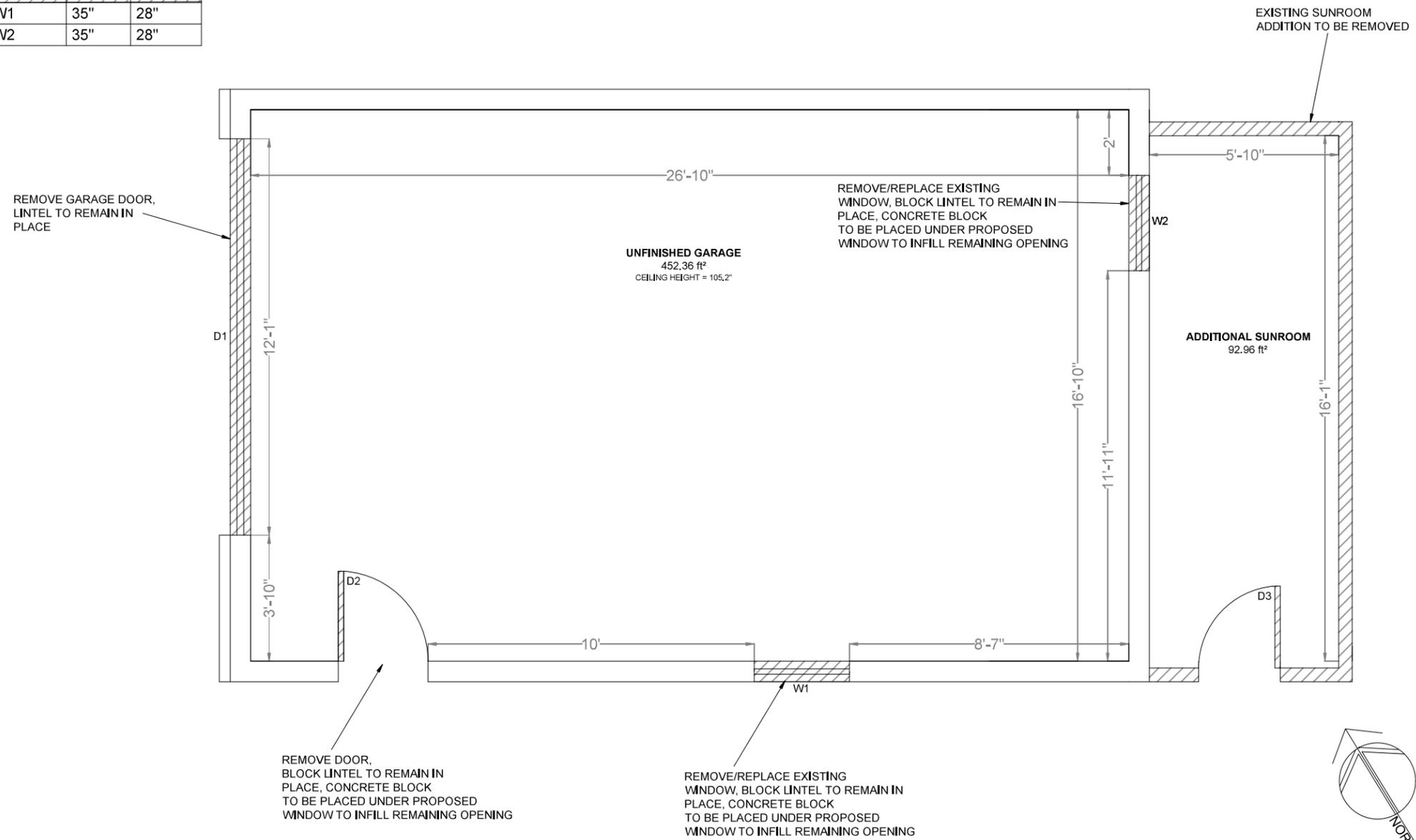
<b>DATE:</b> JULY 1, 2023	<b>DRAWN BY:</b> MT	<b>DWG #:</b> <b>4 / 10</b>
<b>PROJECT #:</b> <b>102</b>	<b>CHKD BY:</b> MP	

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

**EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
AREA APPROXIMATE**

**GARAGE AREA:  
+/- 452.36 ft<sup>2</sup>**

WINDOW/DOOR SCHEDULE		
NO.	WIDTH	HEIGHT
D1	143"	90"
D2	33"	81"
D3	30"	78"
W1	35"	28"
W2	35"	28"



#	DATE	DESC.

**REVISIONS**

**DECC INC.**  
DESIGN | ENGINEER | CONSULT | CONSTRUCT

SITE:  
**25 BURLINGTON ST. W  
HAMILTON, ONT.**

PROJECT:  
**A.D.U.  
GARAGE CONVERSION**

DWG:  
**A1.02  
FLOOR PLAN  
REMOVALS**

DATE: <b>JULY 1, 2023</b>	DRAWN BY: <b>MT</b>	DWG #: <b>5 / 10</b>
PROJECT #: <b>102</b>	CHKD BY: <b>MP</b>	

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

EXISTING FLOOR PLAN  
DIMENSIONS/CONFIGURATION  
AREA APPROXIMATE

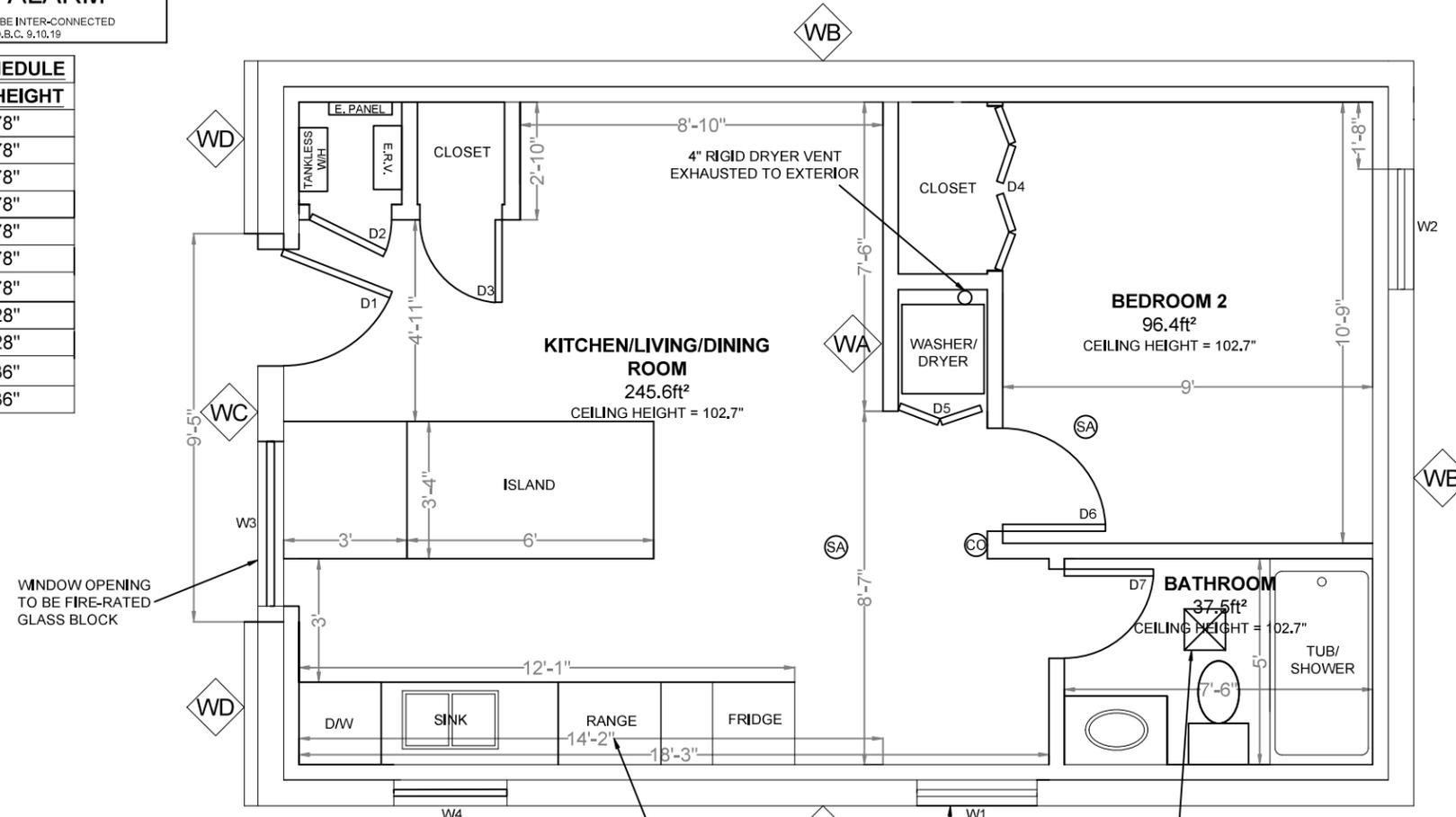
FLOOR AREA:  
+/- 420.14 ft<sup>2</sup>

**LEGEND**   
CARBON MONOXIDE ALARMS  
REQUIRED ADJACENT TO BEDROOMS  
ON EACH LEVEL AND COMPLY w/ O.B.C 9.33.4

 **SMOKE ALARM**  
ALL SMOKE DETECTORS TO BE INTER-CONNECTED  
AND COMPLY w/ O.B.C. 9.10.19

**WINDOW/DOOR SCHEDULE**

NO.	WIDTH	HEIGHT
D1- GLZD	32"	78"
D2	24"	78"
D3	24"	78"
D4 - DBL	24"	78"
D5	26"	78"
D6	30"	78"
D7	26"	78"
W1	35"	28"
W2	35"	28"
W3	48"	36"
W4	32"	36"



NOTE: ALL PLUMBING SUBJECT TO FIELD INSPECTION

NOTE: UTILITIES TO BE TRENCHED AND CONNECTED TO EXISTING DWELLING

NOTE: ALL INTERIOR WALLS NOT NOTED DIFFERENTLY SHALL BE OF WALL TYPE B CONSTRUCTION

RANGE EXHAUST FAN VENTED TO OUTSIDE AS PER O.B.C. 9.32.3.5.

BATHROOM VENTED TO EXTERIOR

BATHROOM VENTED TO EXTERIOR

NATURAL LIGHT - GLASS AREA REQUIREMENTS (O.B.C. 9.7.2.3.)			
ROOM	AREA OF ROOM	AREA OF WDN. REQ.	AREA OF WDN. PROVIDED
LIVING/KITCHEN/ DINING ROOM	245.6R²	10% = 24.56R²	W1 - 32'x24" = 5.33R² W2 - 44'x32" = 9.78R² W4 - 38'x32" = 6.29R² D1 - 20'x68" = 9.17R² TOTAL = 30.57R²
BEDROOM	96.4R²	5% = 4.82R²	W2 - 32'x24" = 5.33R²



#.	DATE:	DESC.
<b>REVISIONS</b>		

**DECC INC.**  
DESIGN | ENGINEER | CONSULT | CONSTRUCT

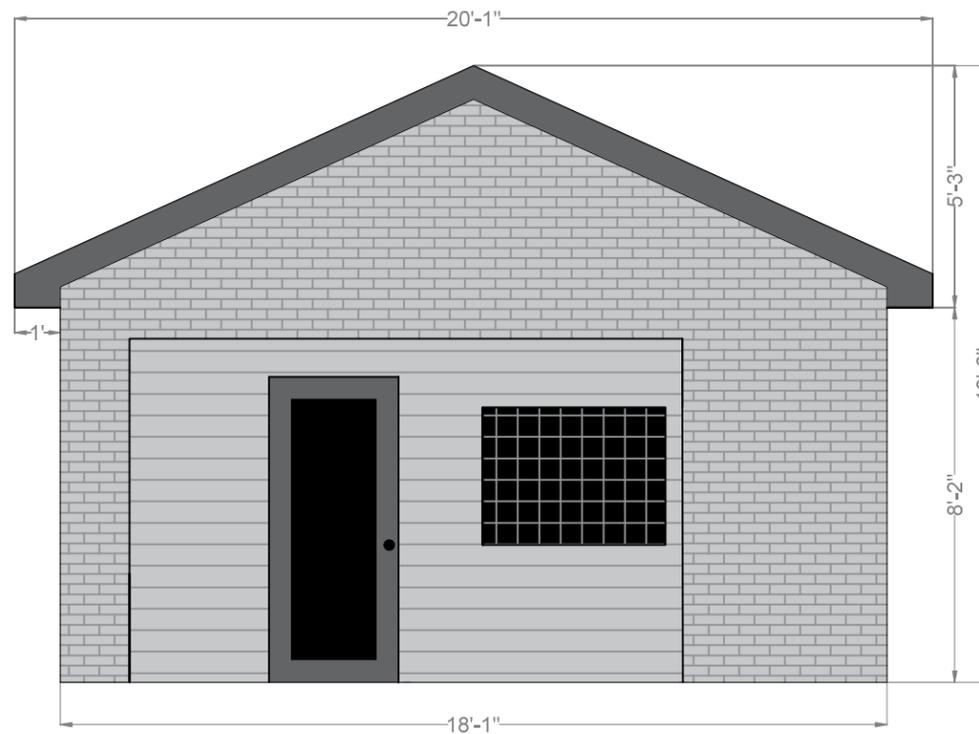
SITE:  
**25 BURLINGTON ST. W  
HAMILTON, ONT.**

PROJECT:  
**A.D.U.  
GARAGE CONVERSION**

DWG:  
**A1.03  
FLOOR PLAN  
PROPOSED**

DATE: <b>JULY 1, 2023</b>	DRAWN BY: <b>MT</b>	DWG #: <b>6 / 10</b>
PROJECT #: <b>102</b>	CHKD BY: <b>MP</b>	

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

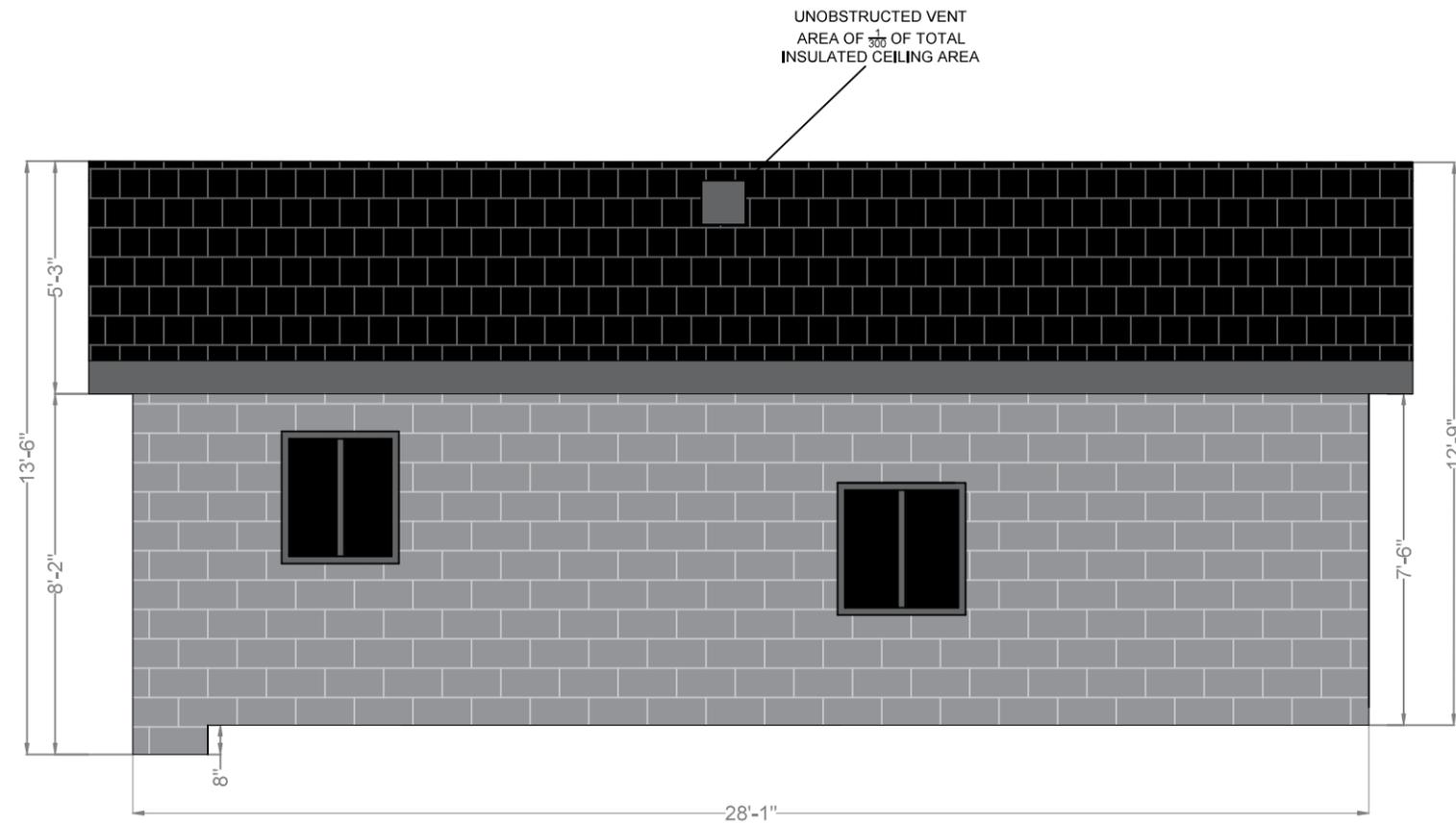


SPATIAL SEPARATION ANALYSIS
<b>NORTH SIDE OF PROPOSED BUILDING</b>
- LIMITING DISTANCE (Ld) = 4'-2" = 1.27m <sup>2</sup>
- AREA OF BUILDING FACE = 208.35ft <sup>2</sup> = 19.36m <sup>2</sup>
- TABLE 9.10.14.4. USING INTERPOLATION
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 8.47%
- AREA OF ALLOWABLE UNPROT. OPENINGS = 19.36m <sup>2</sup> x 0.0847 = 1.64m <sup>2</sup>
- BUILDING UNPROTECTED OPENING AREA
D1 = 17.33ft <sup>2</sup> = 1.61m <sup>2</sup>
W3 = N/A (GLASS BLOCK)
TOTAL = 1.61m <sup>2</sup> < 1.64m <sup>2</sup>
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.



#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>25 BURLINGTON ST. W HAMILTON, ONT.</b>		
PROJECT:		
<b>A.D.U. GARAGE CONVERSION</b>		
DWG:		
<b>A2.01 NORTH ELEVATION PLAN PROPOSED</b>		
DATE:	DRAWN BY:	DWG #:
JULY 1, 2023	MT	<b>7 / 10</b>
PROJECT #:	CHKD BY:	
<b>102</b>	MP	

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



#:	DATE:	DESC.
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**REVISIONS**

**DECC INC.**  
 DESIGN | ENGINEER | CONSULT | CONSTRUCT

SITE:  
**25 BURLINGTON ST. W  
 HAMILTON, ONT.**

PROJECT:  
**A.D.U.  
 GARAGE CONVERSION**

DWG:  
**A2.02  
 WEST ELEVATION PLAN  
 PROPOSED**

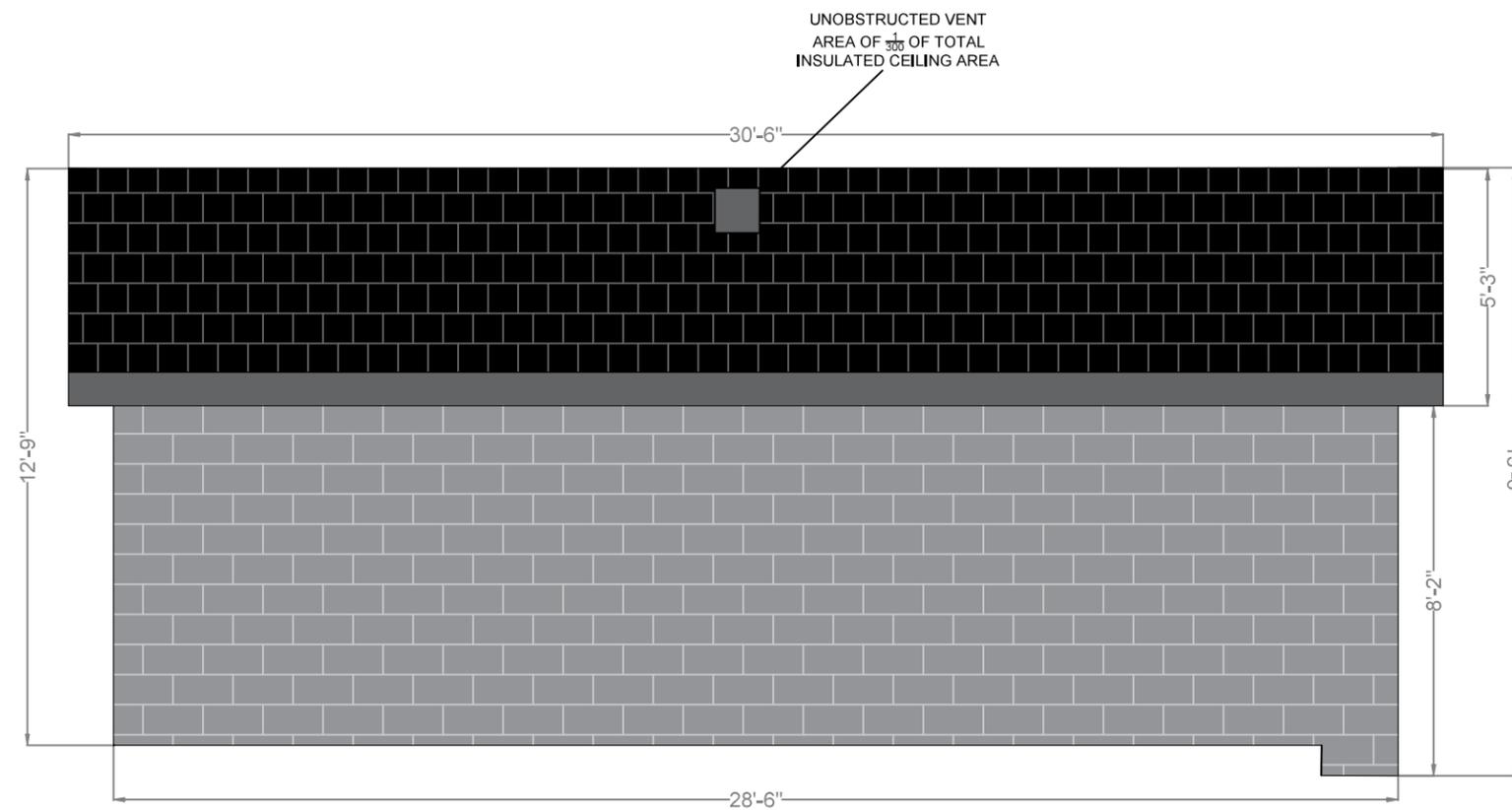
DATE: JULY 1, 2023	DRAWN BY: MT	DWG #: <b>8 / 10</b>
PROJECT #: <b>102</b>	CHKD BY: MP	

**SPATIAL SEPARATION ANALYSIS**

WEST SIDE OF PROPOSED BUILDING

- LIMITING DISTANCE (Ld) = 16'-3" = 4.96m<sup>2</sup>
- AREA OF BUILDING FACE = 212.58ft<sup>2</sup> = 19.75m<sup>2</sup>
- TABLE 9.10.14.4.
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 53%
- AREA OF ALLOWABLE UNPROT. OPENINGS = 19.75m<sup>2</sup> x 0.53 = 10.47m<sup>2</sup>
- BUILDING UNPROTECTED OPENING AREA
  - W1 = 6.81ft<sup>2</sup> = 0.63m<sup>2</sup>
  - W4 = 8.0ft<sup>2</sup> = 0.74m<sup>2</sup>
  - TOTAL = 1.37m<sup>2</sup> < 10.47m<sup>2</sup>
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.

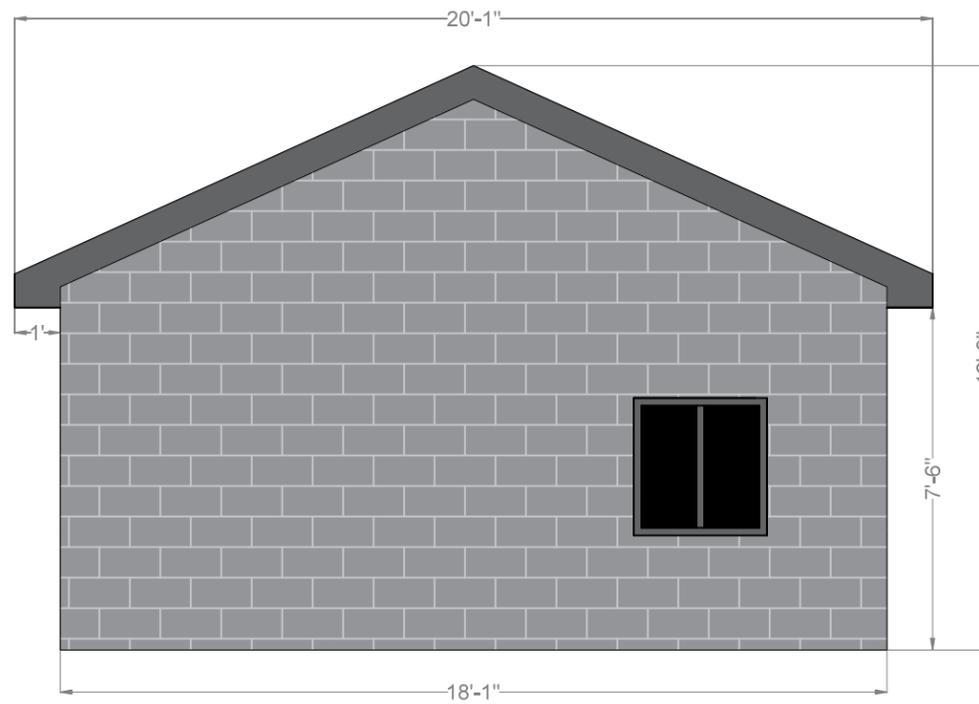
**FLOOR PLAN**  
 SCALE:  $\frac{1}{4}$ " = 1'-0"



#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>25 BURLINGTON ST. W HAMILTON, ONT.</b>		
PROJECT:		
<b>A.D.U. GARAGE CONVERSION</b>		
DWG:		
<b>A2.03 EAST ELEVATION PLAN PROPOSED</b>		
DATE:	DRAWN BY:	DWG #:
JULY 1, 2023	MT	<b>9 / 10</b>
PROJECT #:	CHKD BY:	
<b>102</b>	MP	

<b>SPATIAL SEPARATION ANALYSIS</b>
EAST SIDE OF PROPOSED BUILDING
- NOT REQUIRED, NO PROPOSED OPENINGS

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

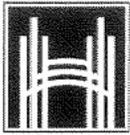


SPATIAL SEPARATION ANALYSIS
SOUTH SIDE OF PROPOSED BUILDING
- LIMITING DISTANCE (Ld) = 36'-2" = 11.03m <sup>2</sup>
- AREA OF BUILDING FACE = 195.47ft <sup>2</sup> = 18.16m <sup>2</sup>
- TABLE 9.10.14.4.
- ALLOWABLE PERCENTAGE OF UNPROT. OPENINGS = 100%
- AREA OF ALLOWABLE UNPROT. OPENINGS = 18.16m <sup>2</sup> x 1.00 = 18.16m <sup>2</sup>
- BUILDING UNPROTECTED OPENING AREA W2 = 6.81ft <sup>2</sup> = 0.63m <sup>2</sup>
TOTAL = 18.16m <sup>2</sup> < 0.63m <sup>2</sup>
- THEREFORE PROPOSED BUILDING OPENINGS CONFORM TO TABLE 9.10.14.4.



#:	DATE:	DESC.
<b>REVISIONS</b>		
<b>DECC INC.</b>		
DESIGN   ENGINEER   CONSULT   CONSTRUCT		
SITE:		
<b>25 BURLINGTON ST. W HAMILTON, ONT.</b>		
PROJECT:		
<b>A.D.U. GARAGE CONVERSION</b>		
DWG:		
<b>A2.04 SOUTH ELEVATION PLAN PROPOSED</b>		
DATE:	DRAWN BY:	DWG #:
<b>JULY 1, 2023</b>	<b>MT</b>	<b>10 / 10</b>
PROJECT #:	CHKD BY:	
<b>102</b>	<b>MP</b>	

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



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	[REDACTED]	
<b>Applicant(s)</b>		
<b>Agent or Solicitor</b>		

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent [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	25 BURLINGTON ST. WEST		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

TO PERMIT NO PARKING SPACES FOR THE DWELLINGS IN ORDER TO MEET THE UNOBSTRUCTED FIRE ACCESS PATH REQUIRED FOR AN A.D.U.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

DRIVEWAY WIDTH WILL NOT ALLOW PARKING SPACES AND THE UNOBSTRUCTED FIRE ACCESS PATH

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
11.04m	41.57m	458.91m <sup>2</sup>	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SINGLE FAMILY DWELLING	1.677m	23.42m	3.69m/0m	02/08/1970
REAR STEPS	14.33m	22.26m	1.77m/3.69m	02/08/1970
GARAGE	21.86m	9.24m	4.96m/0.56m	03/01/1990

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
A.D.U.	21.86m	11.14m	4.96m/0.56m	03/01/1990

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	99.06m <sup>2</sup>	198.12m <sup>2</sup>	1	7.9m
GARAGE	57.11m <sup>2</sup>	57.11m <sup>2</sup>	1	4.12m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
A.D.U.	47.25m <sup>2</sup>	47.25m <sup>2</sup>	1	4.12m

- 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.):

SEMI DETACHED SINGLE FAMILY DWELLING w/ DETACHED ADDITIONAL DWELLING UNIT

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

SINGLE FAMILY DWELLINGS

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

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

SEMI DETACHED SINGLE FAMILY DWELLING

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

SEMI DETACHED SINGLE FAMILY DWELLING

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

PROPERTIES EXISTANCE

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

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

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

- Yes  No

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

---

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

Yes  No

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

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

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:104</b>	<b>SUBJECT PROPERTY:</b>	19 ALBERT STREET, HAMILTON
<b>ZONE:</b>	D/S-1822 and G-3 (Urban Protected Residential - 1 & 2 Family Dwellings Etc. and Public Parking Lots)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 22-195

**APPLICANTS:**      **Owner:** MICHAEL & PATRICIA MAAS  
                                 **Agent:** MICHAEL SABELLI

The following variances are requested:

1. Accessory uses including parking, structures and other amenities located on the rear portion of the lot zoned G-3 to be used in conjunction with the proposed single family dwelling on the portion of the lands Zoned D/S-1822 shall be permitted notwithstanding that the use of a single family dwelling is not permitted in the G-3 district.
2. No landscaped area and no planting strip area shall be permitted to be maintained along the westerly and southerly lot line instead of the minimum required 1.5m wide landscaped area with a planting strip along every side lot line and rear lot line that abuts a residential district or use.

**PURPOSE & EFFECT:**      To facilitate the conversion of the existing building to a single family dwelling and to establish accessory uses including parking, structures and amenity areas on the rear portion of the lot in conjunction with the proposed single family dwelling

**Notes:**

The applicant requested a variance to permit the existing grading and drainage conditions; however, a variance is not required as it is an existing condition.

The applicant requested a variance to the building coverage for the accessory structure. However, the requested variance is not required since there is no maximum building coverage requirement in the G-3

**HM/A-23:104**

district.

No elevation plans were included in this submission for the accessory building in order to confirm compliance for the maximum permitted 4.0m height. However, the applicant has indicated that the accessory building has a height of 3.1m which conforms to the maximum permitted height.

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:30 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:104, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:104



 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

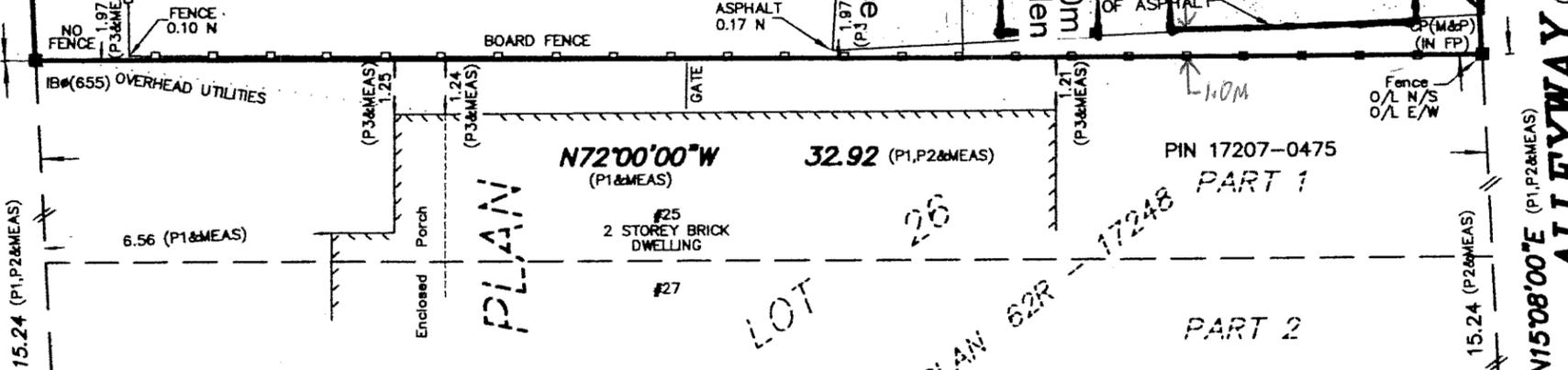
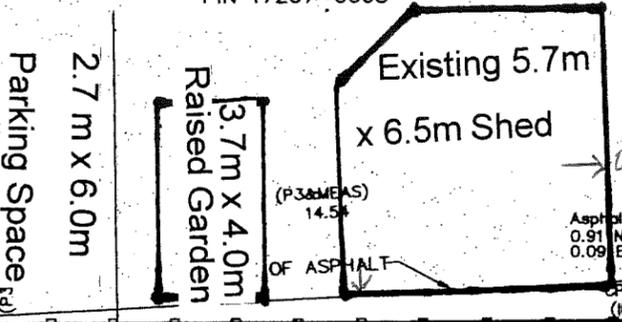
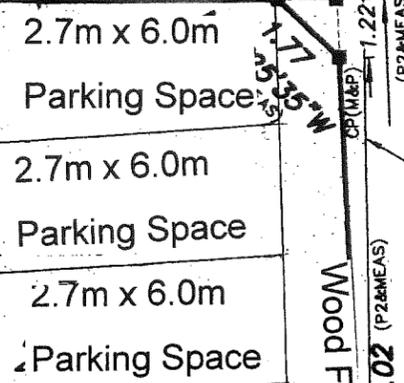
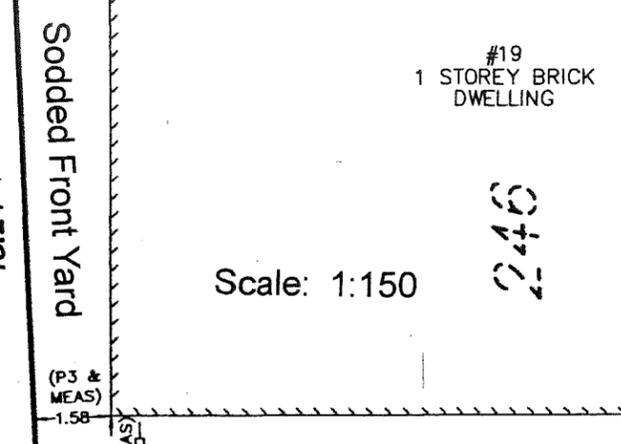
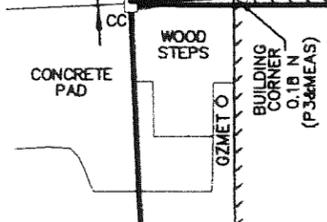
OVERHEAD UTILITIES

# ASSUMED ALLEYWAY

BROKEN ASPHALT & GRAVEL  
N72°00'00"W 32.92 (P2&MEAS)  
31.70 (P2&MEAS)

PIN 17207-0135

BROKEN ASPHALT & GRAVEL  
Wood Fence  
Asphalt 0.11 N  
Edge of Asphalt  
1.22 (P2&MEAS)  
IB(655)  
ASPHALT 0.09 N 0.57 E



# ALBERT STREET

(DEDICATED BY REGISTERED PLAN 246)  
PIN 17207-0085

(REFERENCE BEARING)  
N15°08'00"E

Sodded Front Yard  
15.24 (P1,P2&MEAS)

83.52 (P2&MEAS)

3.05 (P1&MEAS)

15.24 (P1,P2&MEAS)

45.72 (P2&MEAS)

3.66 (P2&MEAS)

SIB(655)

Scale: 1:150

246

PLAN 246

LOT 26

26

PLAN 62R-17248

PART 2

LOT 26

LOT 25

LOT 23

REGISTERED

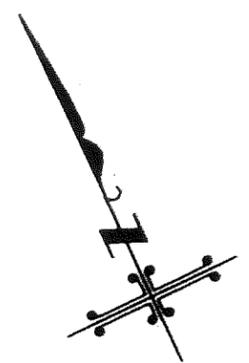
# ALLEYWAY

(DEDICATED BY REGISTERED PLAN 246)

# ALLEYWAY (3.66m Wide)

N15°08'00"E (P1,P2&MEAS)  
15.24 (P2&MEAS)  
45.72 (P2&MEAS)  
3.66 (P2&MEAS)  
IB(655)

(DEDICATED BY REGISTERED PLAN 246)  
PIN 17207-0135



NOTE  
BUILDING TIES SHOWN HEREON ARE TO



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

- 1.2 All correspondence should be sent to  Owner  Applicant  
 Agent/Solicitor
- 1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor
- 1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor
- 1.4 Request for digital copy of sign  Yes\*  No  
 If YES, provide email address where sign is to be sent \_\_\_\_\_
- 1.5 All correspondence may be sent by email  Yes\*  No  
 If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	19 ALBERT STREET		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

SEE ATTACHED SHEET

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

EXISTING ZONING IN REAR (G-3) DOES NOT PERMIT CONVERSION OF THE REAR YARD PARKING TO AMENITY SPACE.

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.24M	32.92M	501 m <sup>2</sup>	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
1 STOREY BRICK DWELLING	1.58m	14.5m	NORTH-0.16m NORTH SOUTH-1.97m	MORE THAN 50 YEARS

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
	NO	CHANGE		

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
BRICK DWELLING	214 m <sup>2</sup>	214m <sup>2</sup>	1	5M (FLAT ROOF)

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
	NO	CHANGE		

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:  
APRIL 2016

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
LEGAL NON-CONFORMING OFFICE

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:  
6 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.

PROPOSED VARIANCE IS FOR RESIDENTIAL USE

7.6 What is the existing zoning of the subject land? FRONT PORTION IS "D", REAR PORTION IS "G-3"

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:

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

Yes       No

If yes, please provide the file number:

---

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

Yes       No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:196</b>	<b>SUBJECT PROPERTY:</b>	97-107 BEACH BOULEVARD, HAMILTON
<b>ZONE:</b>	C/S-1435 and S-1822 (Urban Protected Residential and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended by By-laws No. 99-169 and 22-195

**APPLICANTS:**      **Owner:** T. & G. RITTER, R. PLANSKY, K. & P. & C. SHANNON, D. GILL, E. & J. TOWNSEND, B. & B. NAKAMURA,  
**Agent:** TIM RITTER

The following variances are requested:

1. A minimum northerly side yard width of 0.7m shall be permitted for the uncovered deck instead of the minimum 1.7m side yard width required.
2. The uncovered deck shall be permitted to be located as close as 0.0m from the rear lot line instead of the minimum 0.5m rear yard setback required.

**PURPOSE & EFFECT:**      To facilitate the construction of an uncovered deck at the rear of the existing single family dwelling.

**Notes:**

This property includes buildings known municipally as 97, 99, 101, 103, 105 and 107 Beach Blvd. which may be legally established non-conforming provided this situation has continuously existed since prior to July 25, 1950.

A portion of the lands are under Hamilton Conservation Authority.

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

**HM/A-23:196**

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:35 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

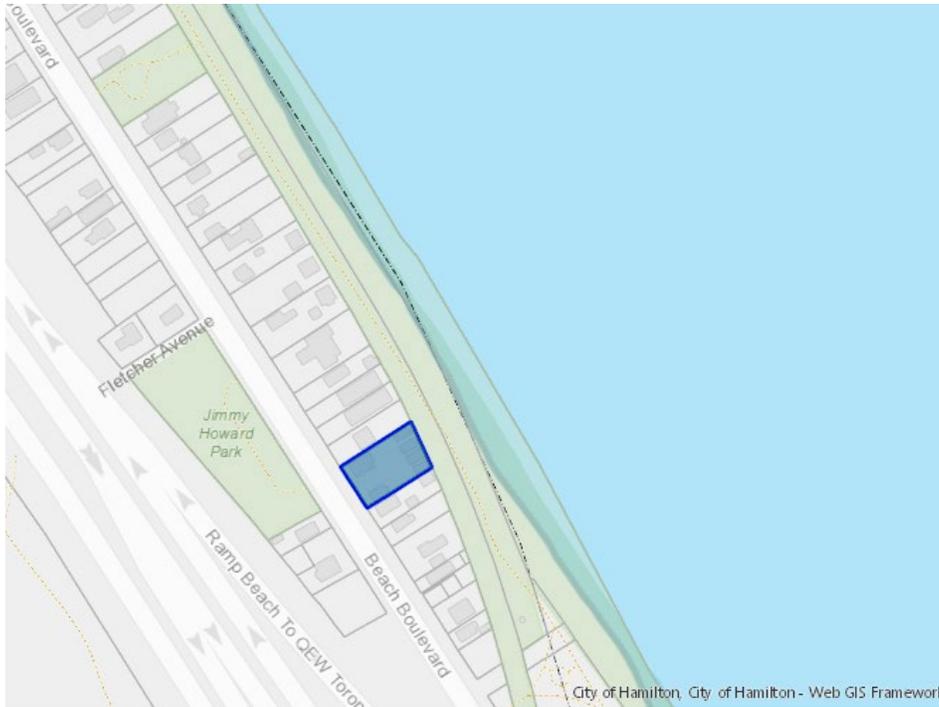
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:196, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:196



 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

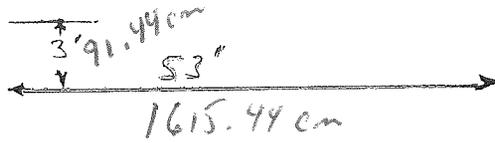
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

Path

Note: along Path just down from us, fences within 6 feet of path, a garage is Ten feet from path in one spot a hedge is Right on path at other end there are walk ways & Land scape rock Touching the path.

Fence is Steel

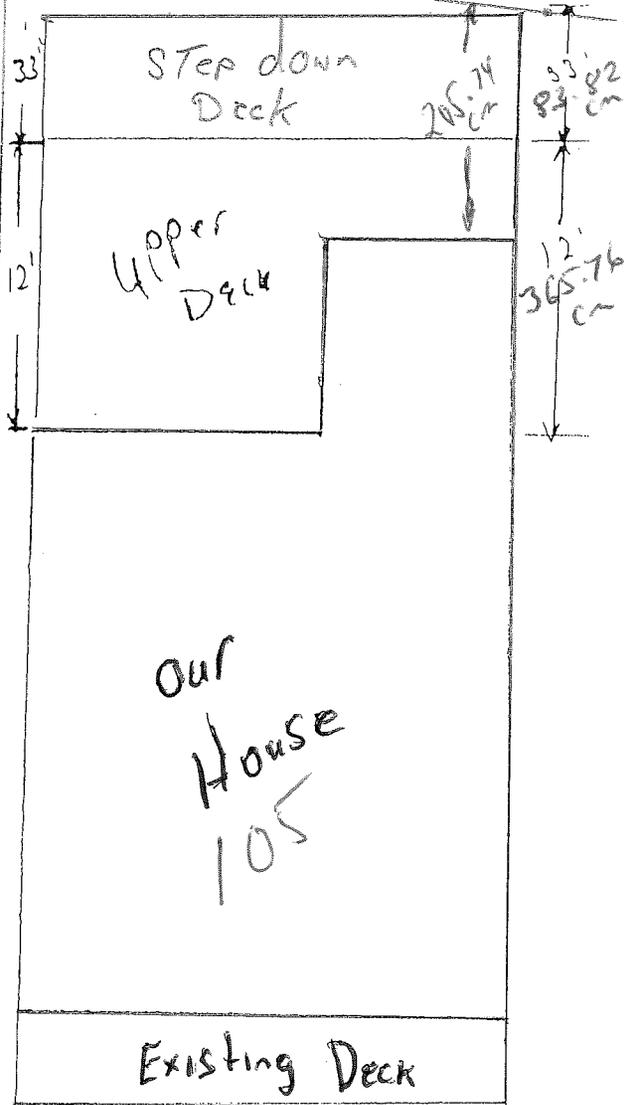
Back Patio  
concrete  
goes out  
to fence



Rear Property Line

Distance  
Between Property  
Line & Deck  
28"

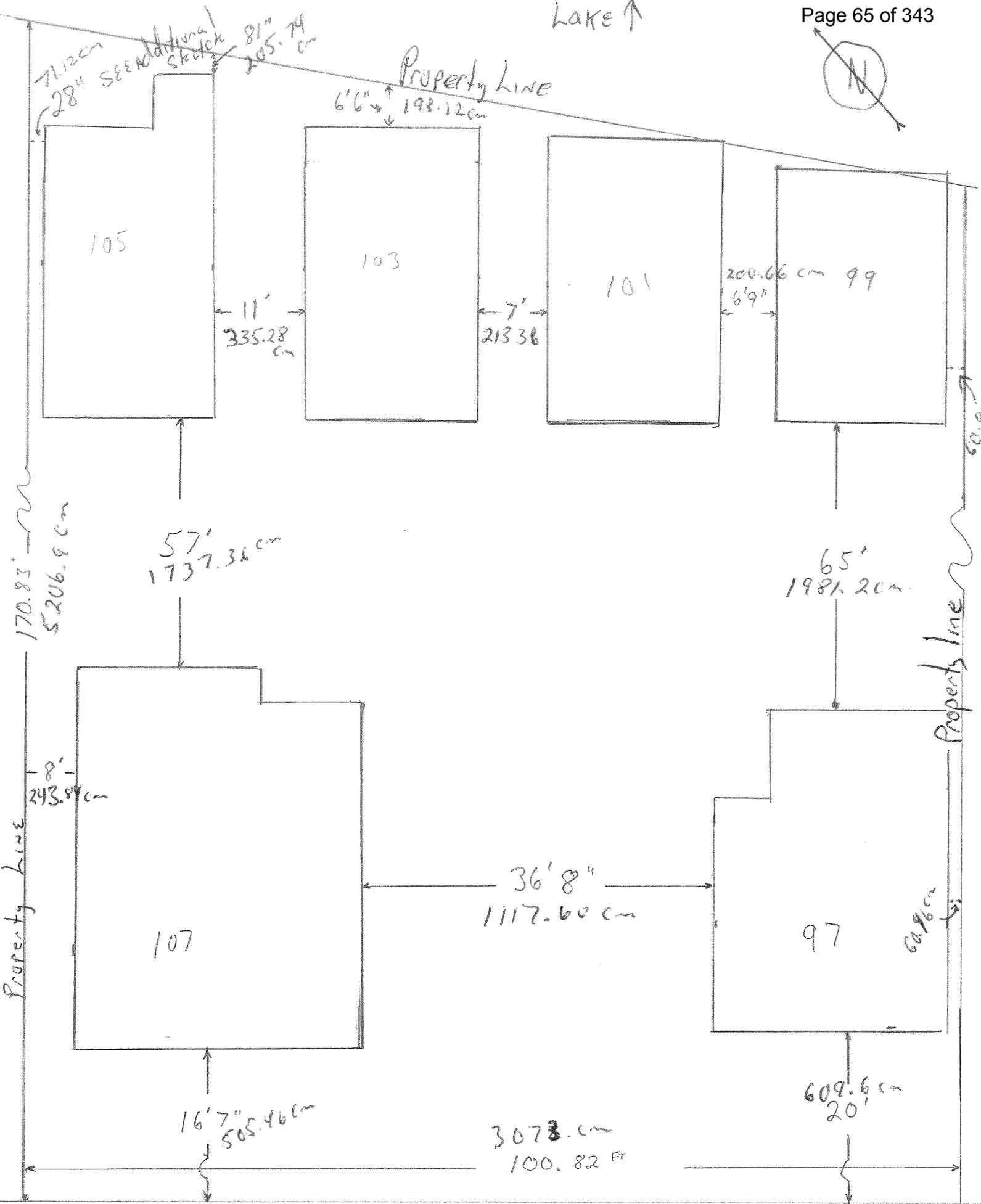
Property Line



2nd  
House

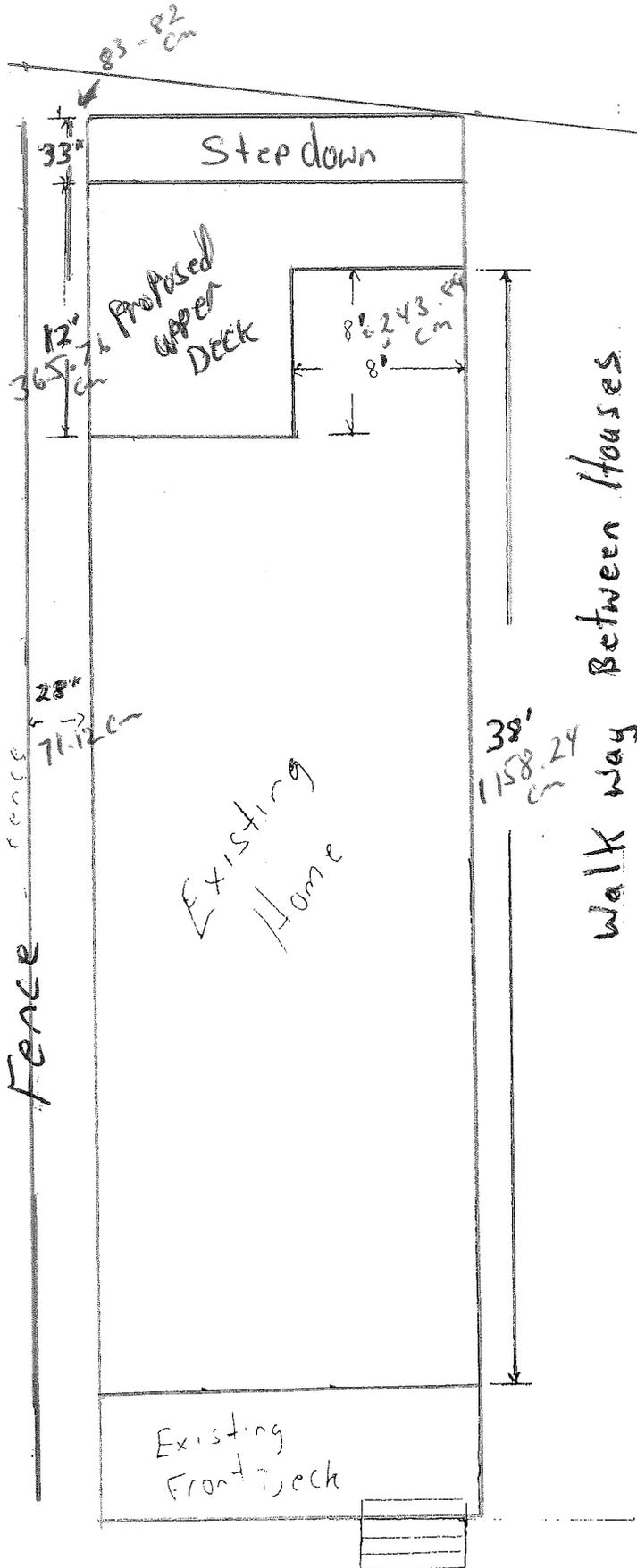
Neighbour House  
SET Back  
↓

Lake ↑



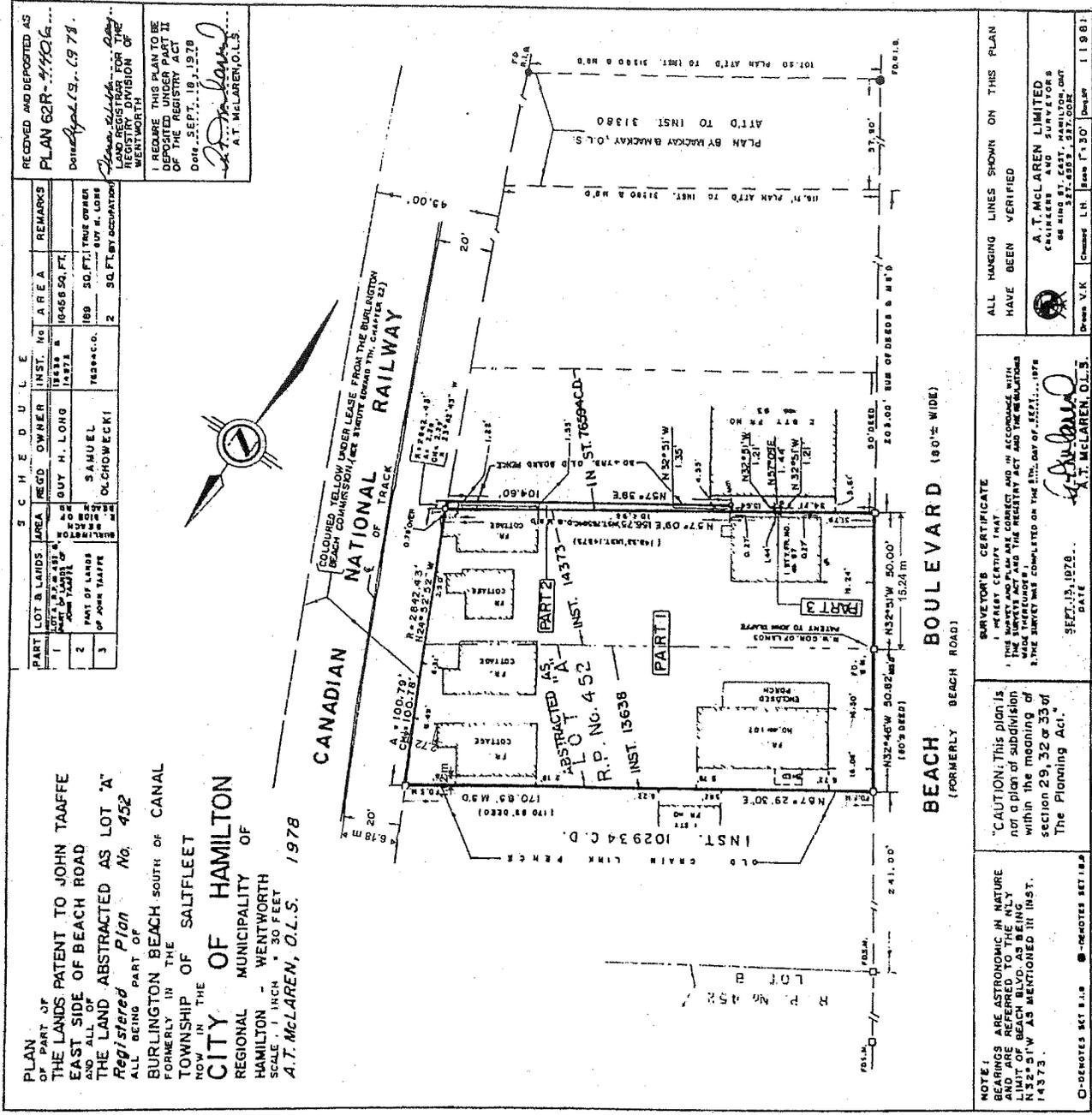
Beach Blvd. 97-107

Propose Drawings  
For Permit



Plan For 205

Plan # 105



RECORDED AND DEPOSITED AS  
**PLAN 62R-1101G**  
 Dated Sept. 19, 1978  
 LAND REGISTRATION FOR THE  
 REGISTRY DIVISION OF  
 WENTWORTH

I REQUIRE THIS PLAN TO BE  
 DEPOSITED UNDER PART II  
 OF THE REGISTRY ACT  
 Date, SEPT. 19, 1978  
 A.T. McLaren, O.L.S.

PART	LOT & LANDS	AREA	REGD. OWNER	INST. NO.	AREA	REMARKS
1	Part of Lot 1 of the plan of John Taafe	104.60	BUY H. LONG	14373	10456 SQ. FT.	
2	Part of Lot 2 of the plan of John Taafe	189	SAMUEL DUCHOWECKI	7634-CCO.	30 FT. TRAIL OTHER	BUY H. LONG
3	Part of Lot 3 of the plan of John Taafe	2			30 FT. TRAIL (COMPARISON)	

PLAN OF  
 THE LANDS PATENT TO JOHN TAAFE  
 EAST SIDE OF BEACH ROAD  
 AND ALL OF  
 THE LAND ABSTRACTED AS LOT "A"  
 Registered Plan No. 452  
 ALL BEING PART OF  
 BURLINGTON BEACH SOUTH OF CANAL  
 FORMERLY IN THE  
 TOWNSHIP OF SALT FLEET  
 NOW IN THE  
**CITY OF HAMILTON**  
 REGIONAL MUNICIPALITY OF  
 HAMILTON - WENTWORTH  
 SCALE 1 INCH = 30 FEET  
**A.T. McLAREN, O.L.S. 1978**

ALL HANGING LINES SHOWN ON THIS PLAN  
 HAVE BEEN VERIFIED

**A.T. McLAREN LIMITED**  
 SURVEYORS AND  
 ENGINEERS 410  
 COLLEGE ST. TORONTO, ONT.  
 M5T 1A5

Checked L.H. Date 11.30' Drawn I.1981

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT  
 THE BEARINGS AND DISTANCES SHOWN  
 ON THIS PLAN AND THE REGULATIONS  
 MADE THEREUNDER,  
 WERE MEASURED AND CALCULATED  
 BY ME OR UNDER MY SUPERVISION  
 ON THE 19th DAY OF SEPT., 1978

DATE  
 1978

A.T. McLaren, O.L.S.

"CAUTION: This plan is  
 not a plan of subdivision  
 within the meaning of  
 section 29, 32 or 33 of  
 The Planning Act."

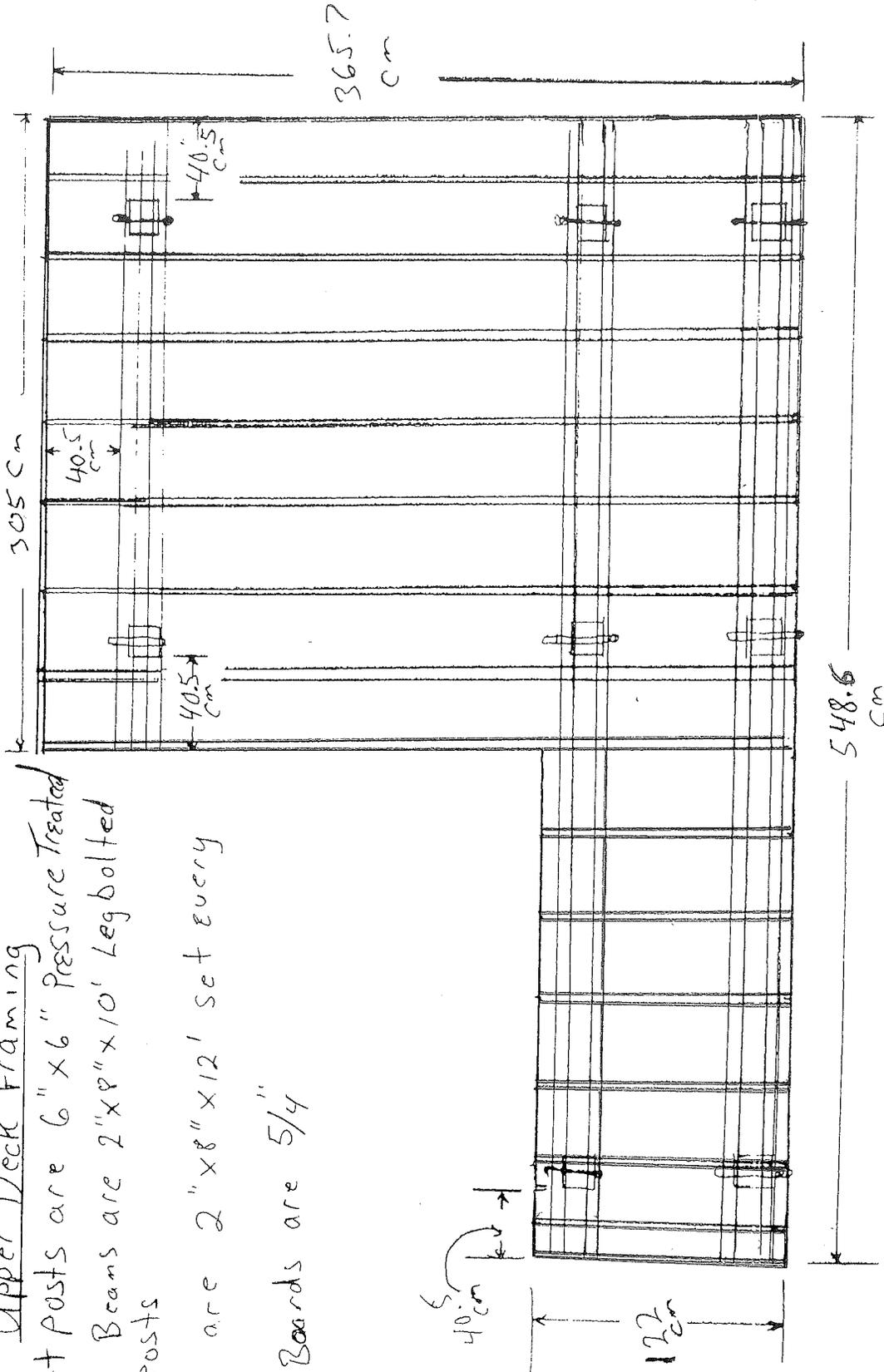
NOTE: BEARINGS ARE ASTROMERIC IN NATURE  
 AND ARE REFERRED TO THE ONLY  
 POINT OF REFERENCE BEING  
 N32°51'W AS MENTIONED IN INST.  
 14373.

O - DEMOTES SET B.L.O.    \* - DEMOTES SET B.L.P.  
 G.G.

# SURVEY OF 97 - 107 BEACH BOULEVARD TO SCAIF

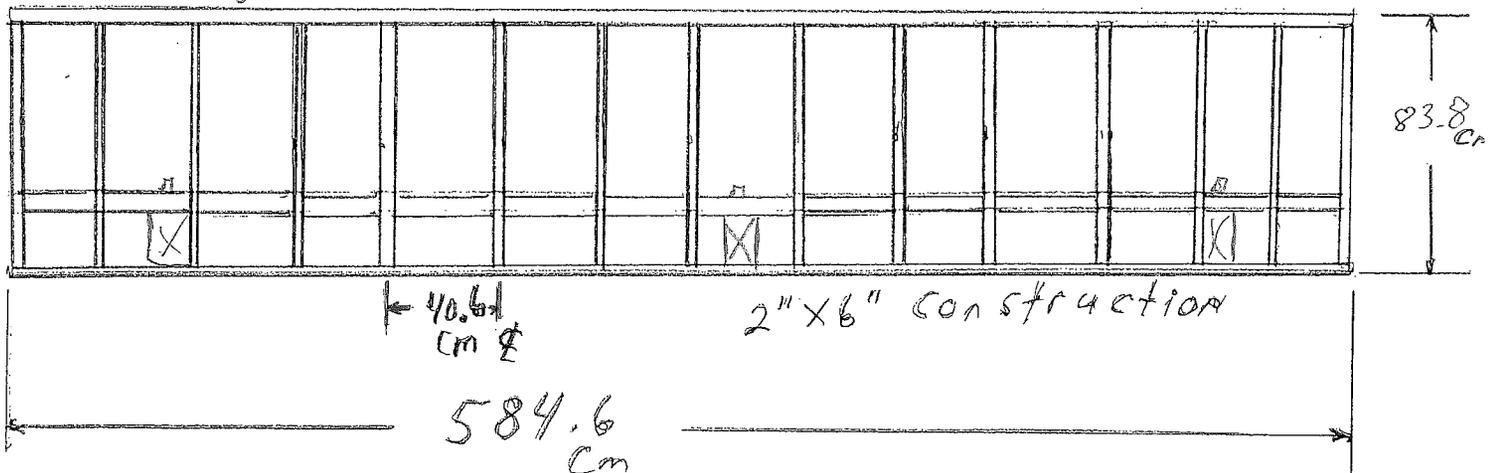
Upper Deck Framing

- Support Posts are 6" x 6" Pressure Treated
- Support Beams are 2" x 8" x 10' Legbolted Through Posts
- Joice are 2" x 8" x 12' set every 16"
- Deck Boards are 5/4"



# Step down deck

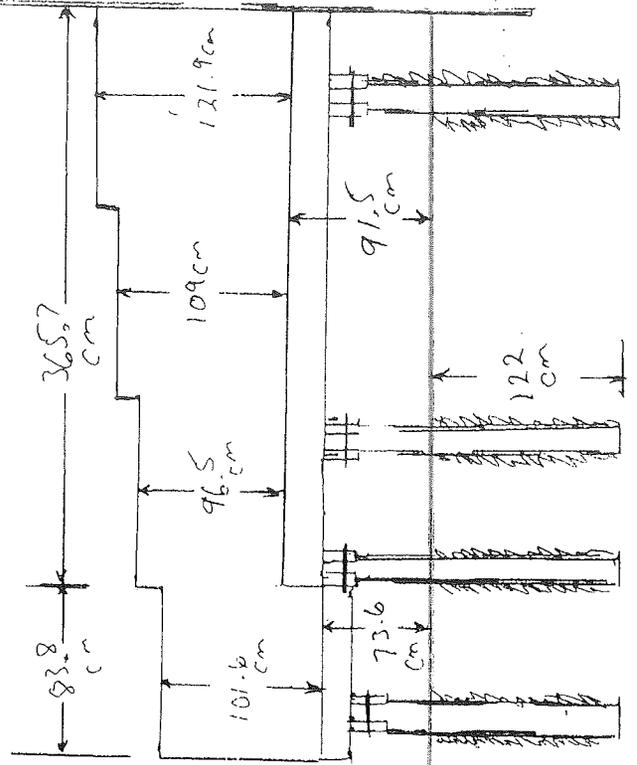
Logged into upper deck support posts



HOUSE

Deck is not attached to the House

West side Deck

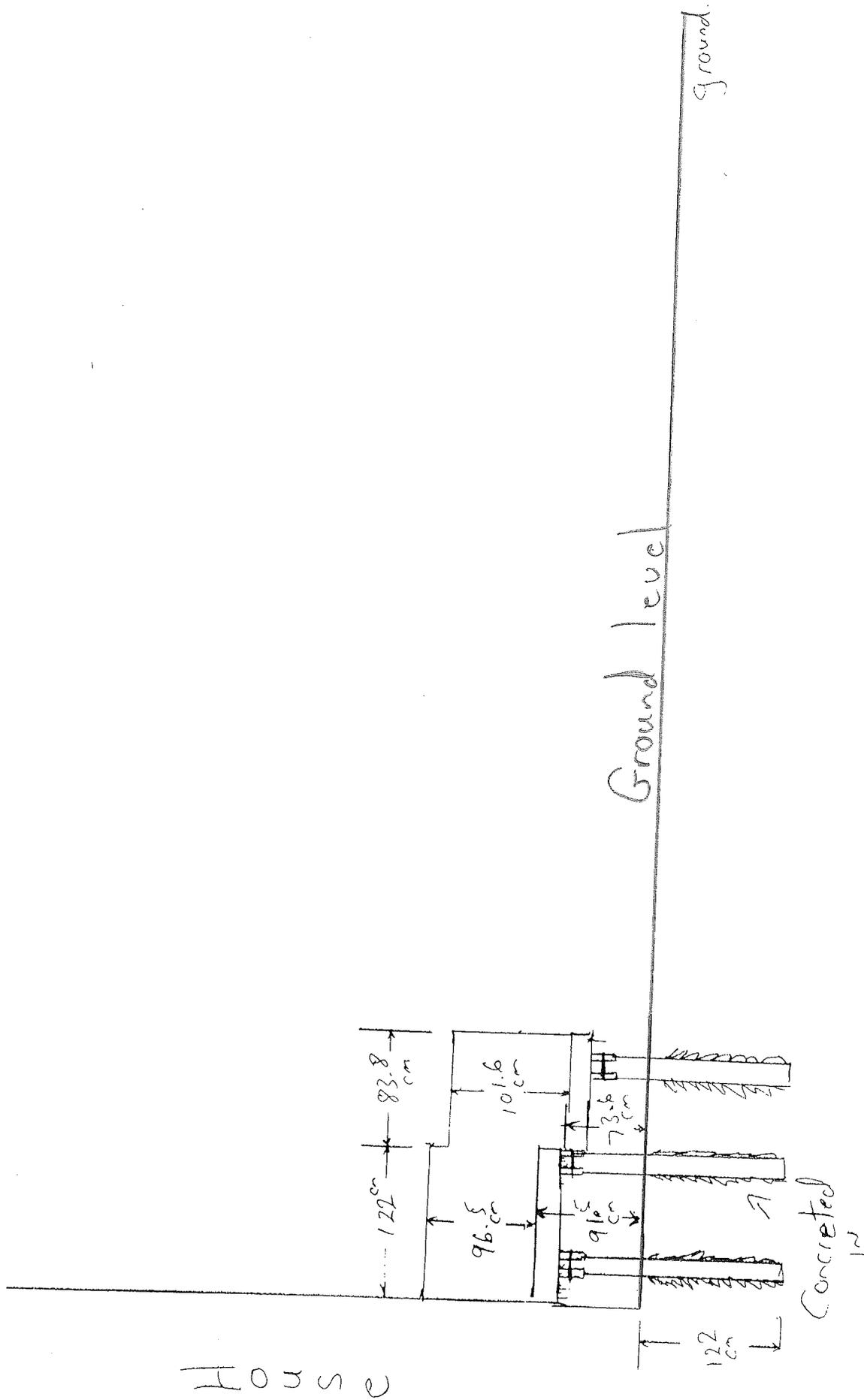


Concreted in

Ground Level

Ground

# East side Deck



Thursday July 28, 2022

To Whom it May Concern:

We'd like to express our heartbreak and confusion regarding any concerns pertaining to the deck we have built on our property located at 105 Beach Blvd., Hamilton, Ontario.

After growing up in Hamilton and spending years walking the Beach Strip admiring the homes along this path, we finally purchased this property for our retirement. At just 600sqft. We envisioned building a deck as an extension to our living space where we could easily step outside to enjoy our morning coffee, rest in the afternoon, and eat our evening meals overlooking the beauty of Lake Ontario. As you can see in the photo included, this space also allows us to entertain our grandkids, something we could not do in the small house alone.

While making this dream a reality, we were of the understanding that when the Railway was removed, this land was grandfathered to the cottages. Beyond that, we inspected the existing structures, decks, sheds, patios, etc. in the surrounding area, to insure we designed something in compliance with the community standard. We noted that the neighbours two doors down on both the left and right of our property have patios that are 20ft from the path. We also noticed some properties have fences right on the path, wooden walkways that join the path, a garage that is just 10ft away, and a house that is only 15ft from the path. Moreover, there are multiple business abutting the pathway such as Hutch's Barangas, the race track, the Community Centre, and more.

What we have designed is in no way impeding the pathway. Our deck is 23ft from the path, a greater distance than our neighbours and the observations we made on our walks. As such, we are not understanding how our deck is problematic, yet the other domains are not? It is inequitable to focus on our deck, our home, our dream, while the properties surrounding us are unaffected. We are not understanding why our vision and hard work are being scrutinized. Our intent was never to do anything wrong, only making the space to live as seniors more comfortable by adding a outside living space.

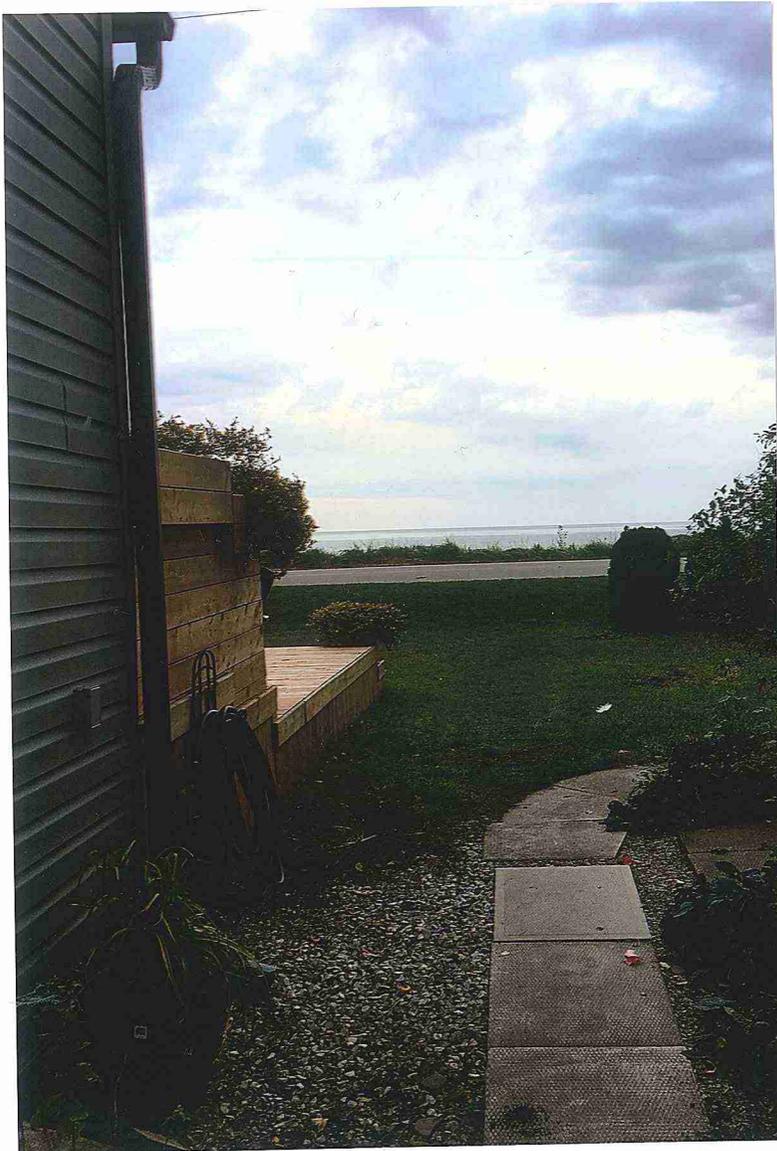
We would greatly appreciate if someone would visit our property. See our deck, see the surrounding homes, patios and structures, and then try to explain to us why we're being unjustly affected. It would not take more than a few minutes to walk this strip of the path, and see that our deck is not an obstruction or impediment to the community and pathway.

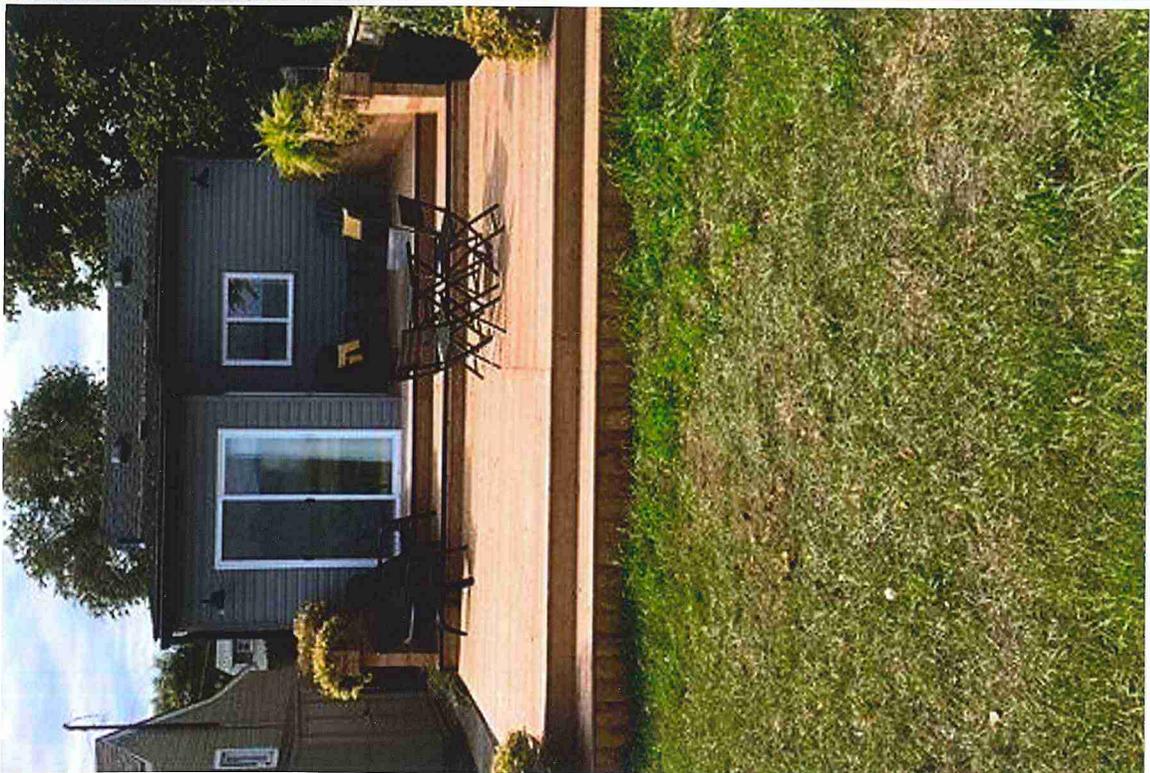
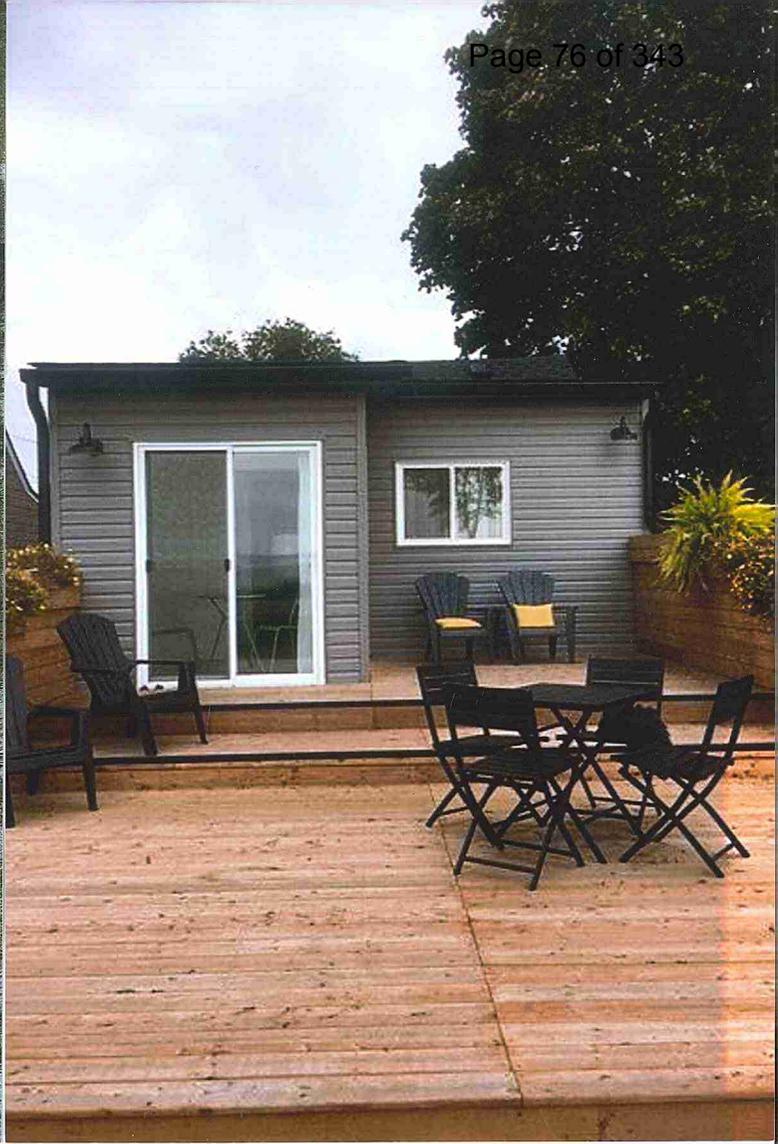
Sincerely, and much appreciated

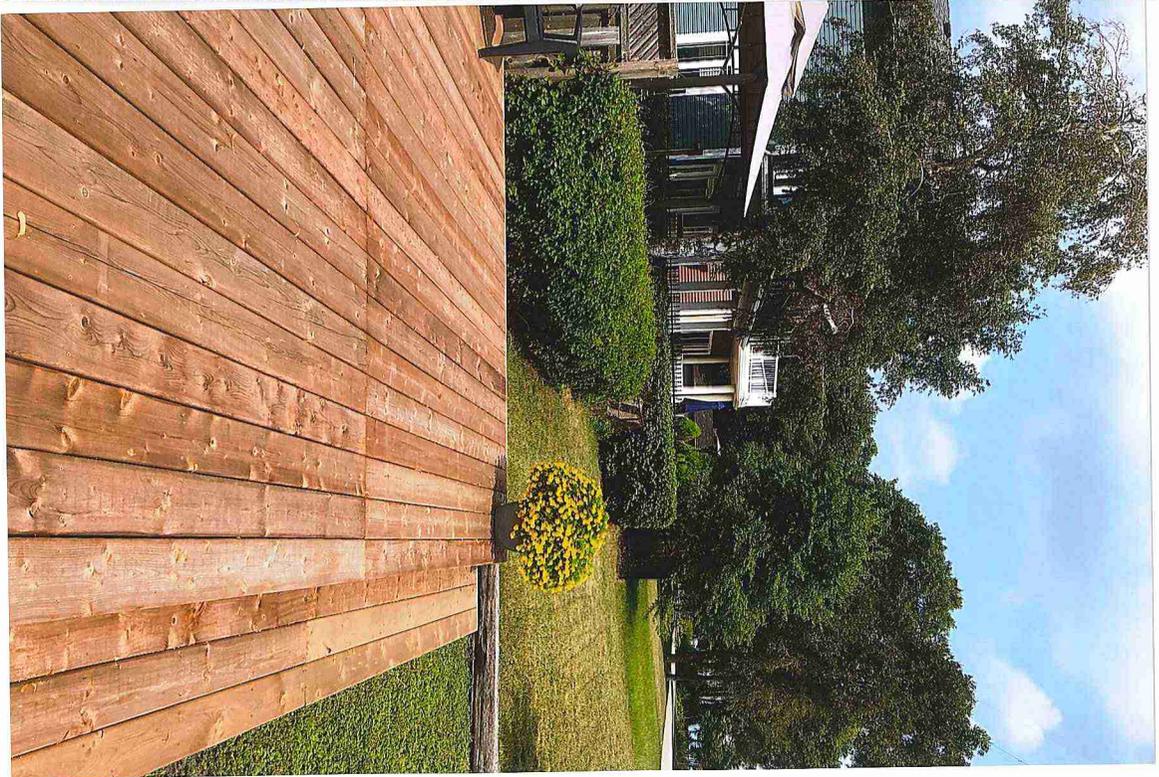
Gail and Tim Ritter



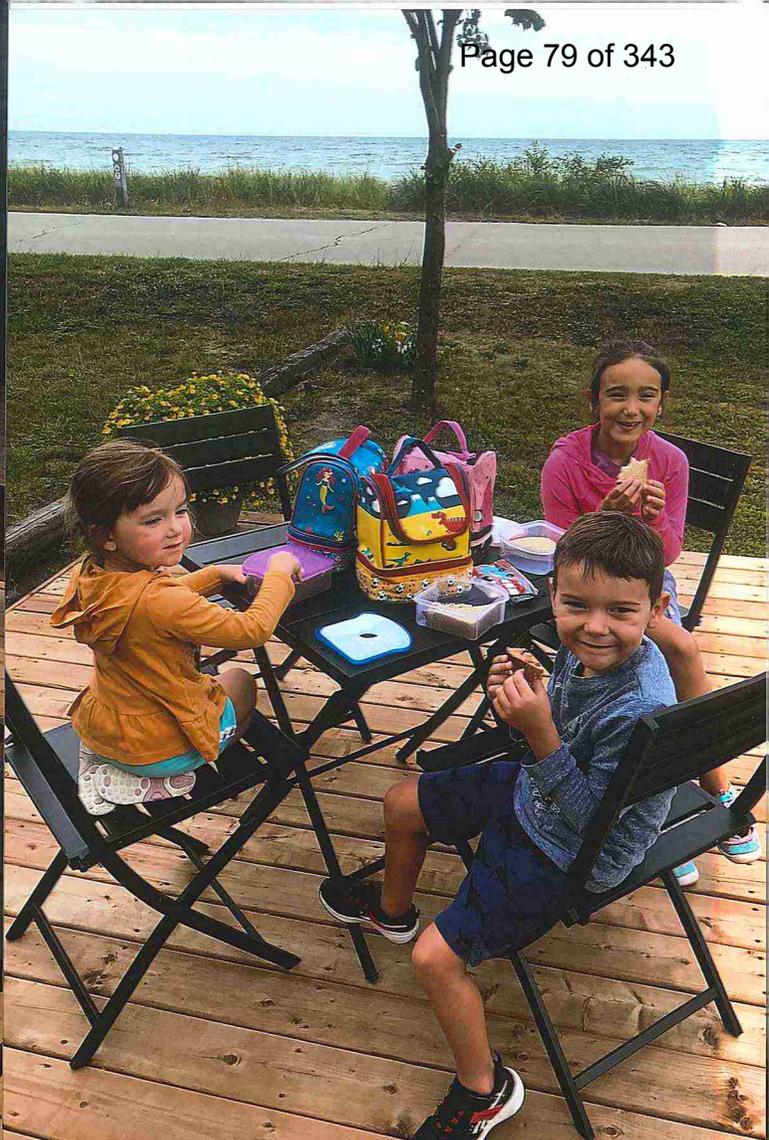














105 Beach Blvd, Hamilton, L8H6V8

[Suggest an address correction](#)



Owner Name

NAKAMURA, BRENDA  
ABRAM; NAKAMURA,  
BRADLEY; RITTER,....

[Multiple Owners](#)  
[\(See Property Details\)](#)



Last Sale

\$0  
Aug 04, 2022



Lot Size

100.82 ft    170.83 ft  
Frontage                  Depth

Measurements Available  
(See Site & Structure)



Assessed Value

\$513,000  
Based on Jan 1, 2016

Phased-In Value

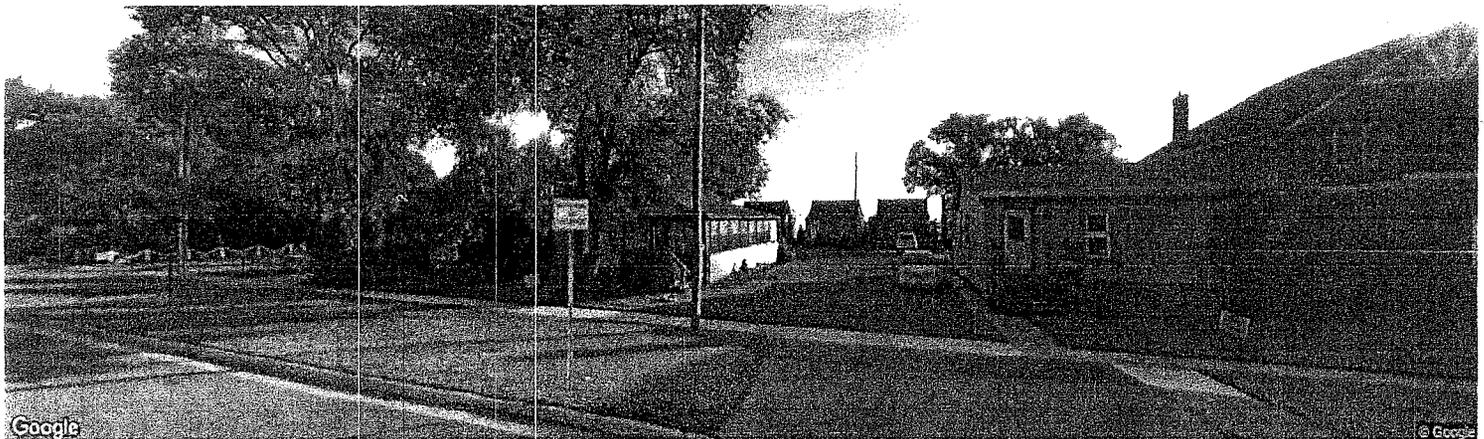
\$513,000  
2022 Tax Year

Party To: TOWNSEND, ELEANOR SELINA; TOWNSEND, JACK

Legal Description

LT A PL 452; PT BURLINGTON BEACH EAST SIDE BEACH BLVD (UNREGISTERED) BEING PTS 1, 2 & 3, 62R4406; CITY OF HAMILTON

### Property Details



GeoWarehouse Address

105 BEACH BLVD, HAMILTON, L8H6V8

Ownership Type

Freehold

Registration Type

Certified (Land Titles)

Land Registry Office

Hamilton Wentworth (62)

Land Registry Status

Active

PIN

175710089

Owner Names

NAKAMURA, BRENDA ABRAM; NAKAMURA,  
BRADLEY; RITTER, TIMOTHY ALDEN; RITTER,  
GAIL MARIE; DEBREAU, LOUIS FRANCIS;  
ABRAM NAKAMURA BRENDA; NAKAMURA,  
BRADLEY; RITTER, GAIL MARIE; RITTER,  
TIMOTHY ALDEN; SHANNON, PATRICK; GILL,  
DEBRA; SHANNON, KELLY; SHANNON,  
COLLEEN; RITTER, TIMOTHY ALDEN; RITTER,  
GAIL MARIE; ABRAM NAKAMURA, BRENDA;  
NAKAMURA, BRADLEY; TOWNSEND, ELEANOR  
SELINA; PLANSKY, RITA

Property Type

OTHER NON RES

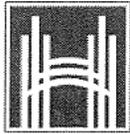
## APPENDIX "A" – 2021 Airphoto



*Hamilton Basemap, 2021 Airphoto – Accessible through Open Hamilton Interactive Maps, Base Mapping for Hamilton (<https://spatialsolutions.hamilton.ca/hamiltonmap/index.html>) This image does not represent a legal draft of survey, and is only included as a visual aid to identify the private property and parkland.*

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

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



**Hamilton**

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to  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	105 Beach Blvd (97-107 Beach Blvd)		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	452	Lot(s)	A
Reference Plan Number (s)	62R-4406	Part(s)	1

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Rear Yard set Back, From Required to 0' or 0cm

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Not enough Room at Back of House

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
30.6m or 100.82'	4/5 55m 2/5 50m or 170.88'	1606.5 m <sup>2</sup>	

17,223 FT<sup>2</sup>

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	126'	81"	28"	Early 1900's
	4145.28 cm	2468.88 cm	71.12 cm	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Deck	156'	0'	28"	Aug 2021
	4754.88 cm	0 cm	71.12 cm	

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	604 Square Feet	604 Square Feet	1	15'2"
	18,409.9 cm <sup>2</sup>	18,409.9 cm <sup>2</sup>	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Deck	201.5 Square Feet	201.5 Square Feet	2	213.4 cm W/S
	6141.72 cm <sup>2</sup>	6141.72 cm <sup>2</sup>	2	188.0 cm E/S

- 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)

There are none

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 600-700<sup>sq</sup> Homes/Cottages

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

Single Detached

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

march 2021 Closing date

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

Single Detached 600'-700' squared Cottage/Home

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

Single Detached 600'-700' squared Cottage/Home

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

100 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.

Deck Permitted to Single Attached Dwelling

7.6 What is the existing zoning of the subject land? C/S 1435, S 1822

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: 6

8.2 Number of Dwelling Units Proposed: 6

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

See attached photos

**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

Photos Attached

Letter Attached





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:201</b>	<b>SUBJECT PROPERTY:</b>	48 EMERALD STREET N, HAMILTON
<b>ZONE:</b>	R1a (Small lot Low Density Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** DAVOR MUHALJI & JERAMIE LAMBERT  
                                 **Agent:** SHANE ROBERTS

The following variances are requested:

1. To permit a side yard setback of 0.6m for the proposed Detached Garage (accessory building) instead of the minimum required side yard setback for an accessory building of 1.2m.
2. To permit an aggregate Gross Floor Area of 12% for all accessory buildings instead of the maximum required aggregate Gross Floor Area for all accessory buildings of 7.5%.

**PURPOSE & EFFECT:** To facilitate the construction of a detached garage (accessory building) in the rear yard of the single detached dwelling.

**Notes:**

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:40 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

HM/A-23:201

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## PUBLIC INPUT

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

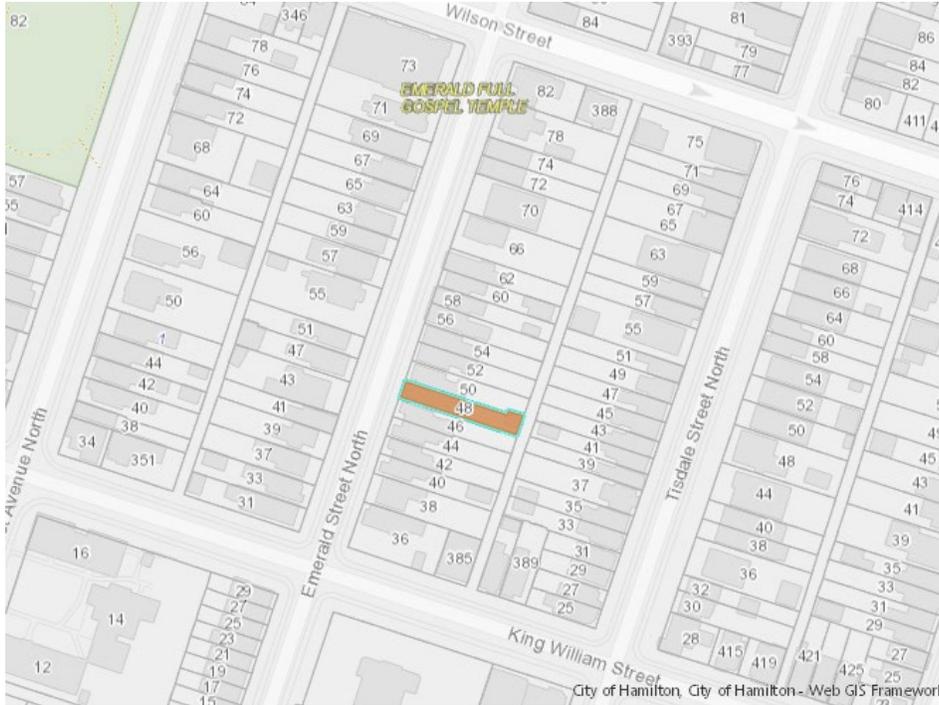
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:201, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:201



 Subject Lands

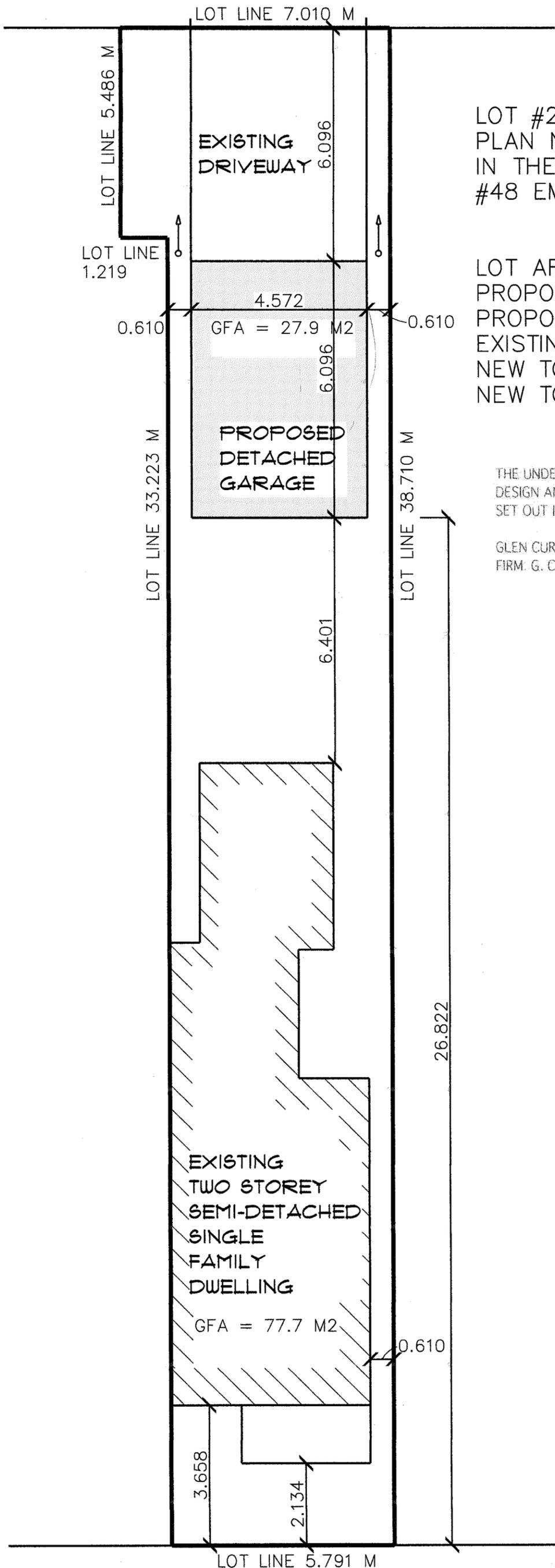
DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

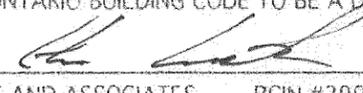
# LANEWAY



LOT #23  
 PLAN No. 125  
 IN THE CITY OF HAMILTON  
 #48 EMERALD STREET NORTH

LOT AREA = 230.9 M<sup>2</sup>  
 PROPOSED GARAGE AREA = 27.9 M<sup>2</sup>  
 PROPOSED GARAGE % LOT COVERAGE = 12%  
 EXISTING HOUSE GROSS AREA = 77.7 M<sup>2</sup>  
 NEW TOTAL GROSS AREA = 105.6 M<sup>2</sup>  
 NEW TOTAL % LOT COVERAGE = 45.7%

THE UNDER SIGNED 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.

GLEN CURNOCK  BCIN #22652  
 FIRM: G. CURNOCK AND ASSOCIATES BCIN #29985

EMERALD STREET NORTH



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			
			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 \_\_\_\_\_

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** 48 Emerald St. N.

2.1 Complete the applicable sections:

Municipal Address	48 Emerald St. W.		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot	# 23	Concession	
Registered Plan Number	125	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

Garage

Relief for accessory building lot coverage.

Relief of side yard setbacks.

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

over size - Below ideal size for functional garage.

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
21.183 M <sup>2</sup>	38.710 M	230.857 M <sup>2</sup>	16 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
DWELLING	3.658 M	18.593 M	0.610 M	1900

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ACC. BUILDING GARAGE	26.822 M	6.096 M	0.610 / 0.610	2023

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DWELLING	77.7 M <sup>2</sup>	77.7 M <sup>2</sup>	2	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ACC. BUILDING ↳ GARAGE	27.9 M <sup>2</sup>	27.9 M <sup>2</sup>	1	4.343 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.):

PERSONAL / RESIDENTIAL USE; PRIMARY DWELLING REMAINS SAME FOR ACCESSORY BUILDING

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

ALL ABUTTING PROPERTIES ARE RESIDENTIAL DWELLINGS.

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

NOV 1, 2013

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

SEMI-DETACHED SINGLE FAMILY DWELLING

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

SEMI-DETACHED SINGLE FAMILY DWELLING

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

100 YEARS

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

Rural Hamilton Official Plan designation (if applicable): Neighbourhoods

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? 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: \_\_\_\_\_

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

Yes  No

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

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

Yes  No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>AN/A-23:194</b>	<b>SUBJECT PROPERTY:</b>	143 WOODHOUSE STREET, ANCASTER
<b>ZONE:</b>	R4-612 (Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:**      **Owner:** AHMED DIRANI

The following variances are requested:

1. A minimum rear yard setback of 2.7 metres to a deck over 1.2 metres in height and over 15 square metres in area whereas the by-law requires a minimum rear yard setback of 6.0 metres.

**PURPOSE & EFFECT:**      So as to permit the construction of addition to an existing deck in the rear yard to complement the existing Single Detached Dwelling.

**Notes:**

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:45 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**AN/A-23:194**

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

**PUBLIC INPUT**

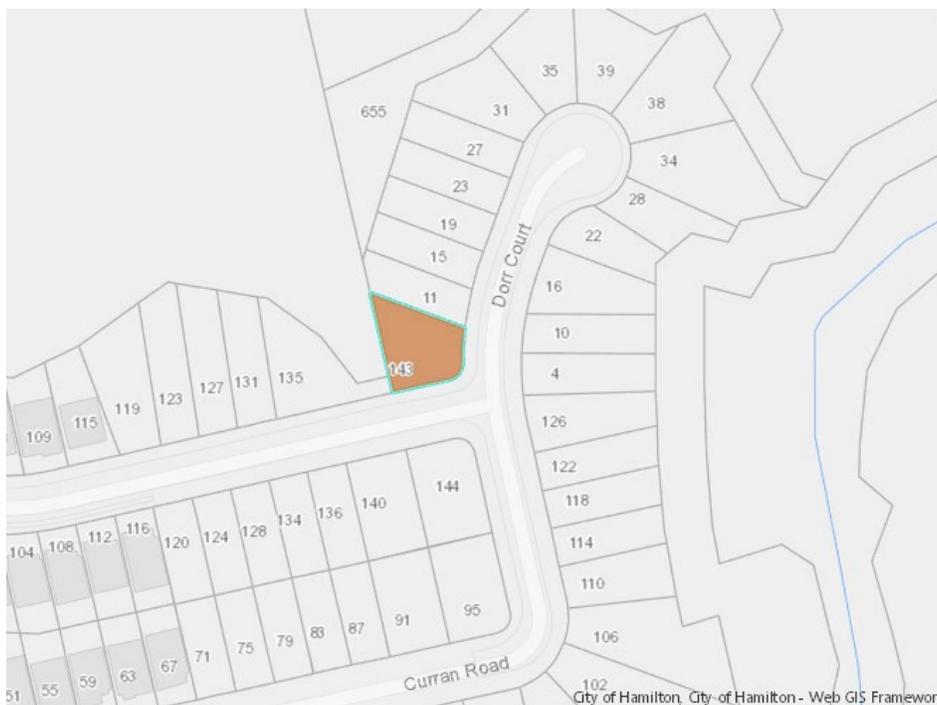
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:194, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



**AN/A-23:194**

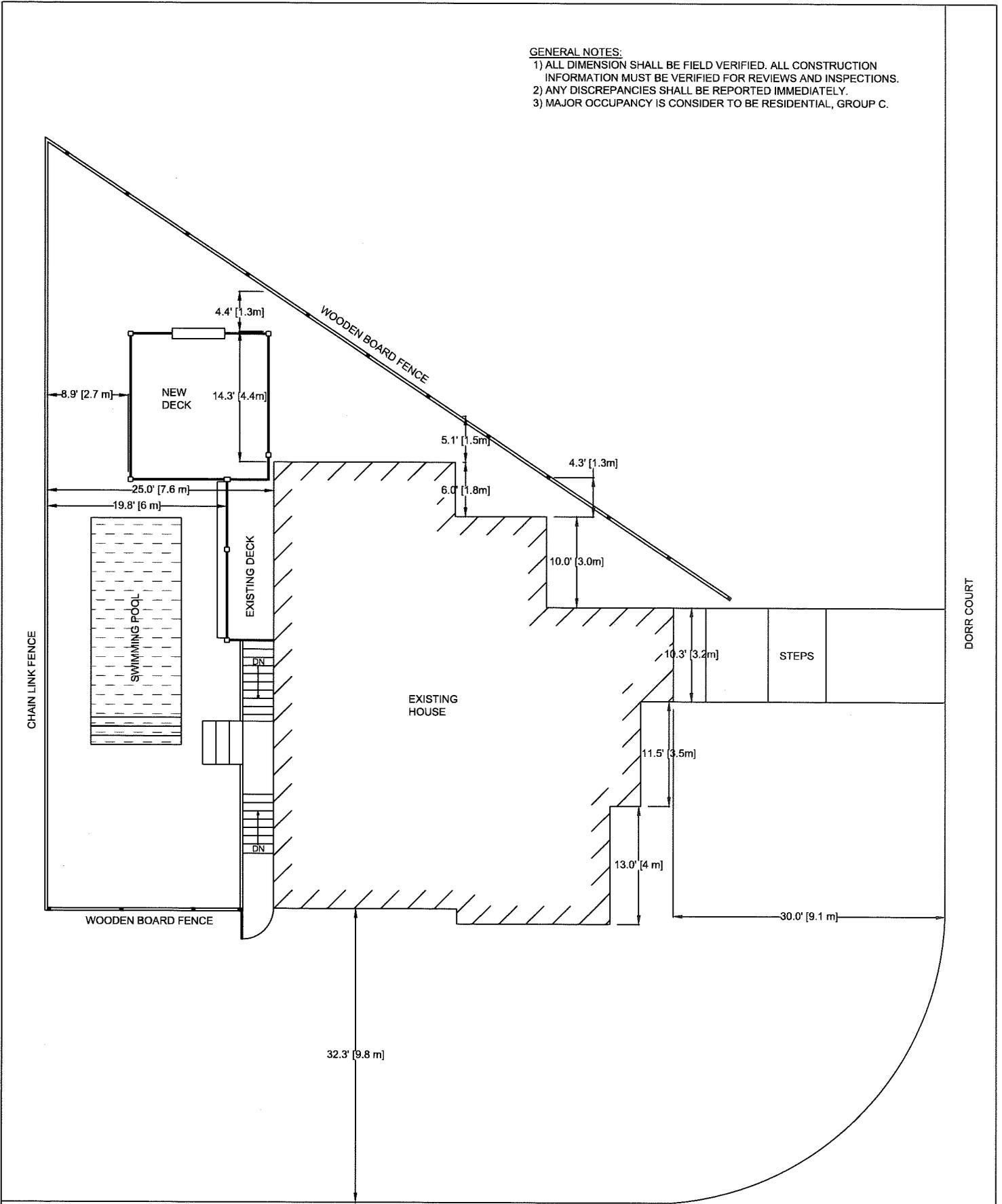
DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

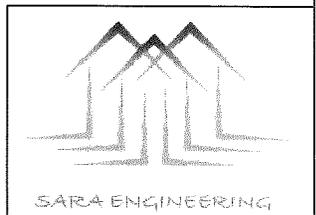
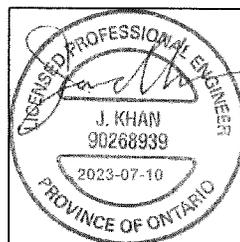
- GENERAL NOTES:**
- 1) ALL DIMENSION SHALL BE FIELD VERIFIED. ALL CONSTRUCTION INFORMATION MUST BE VERIFIED FOR REVIEWS AND INSPECTIONS.
  - 2) ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY.
  - 3) MAJOR OCCUPANCY IS CONSIDER TO BE RESIDENTIAL, GROUP C.



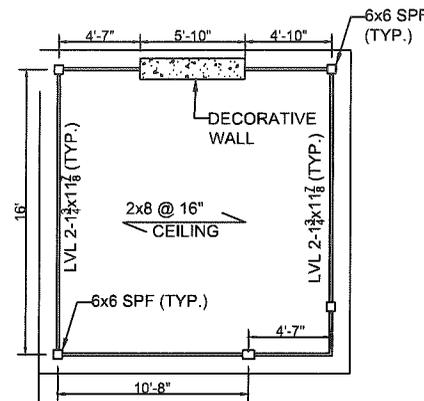
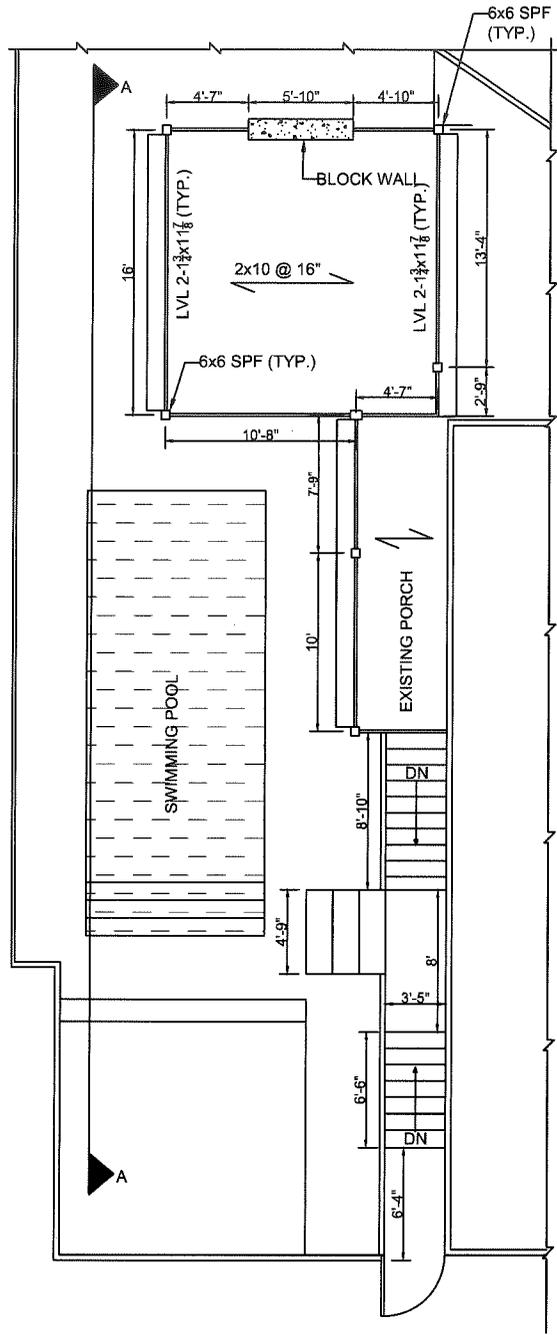
143 WOODHOUSE

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

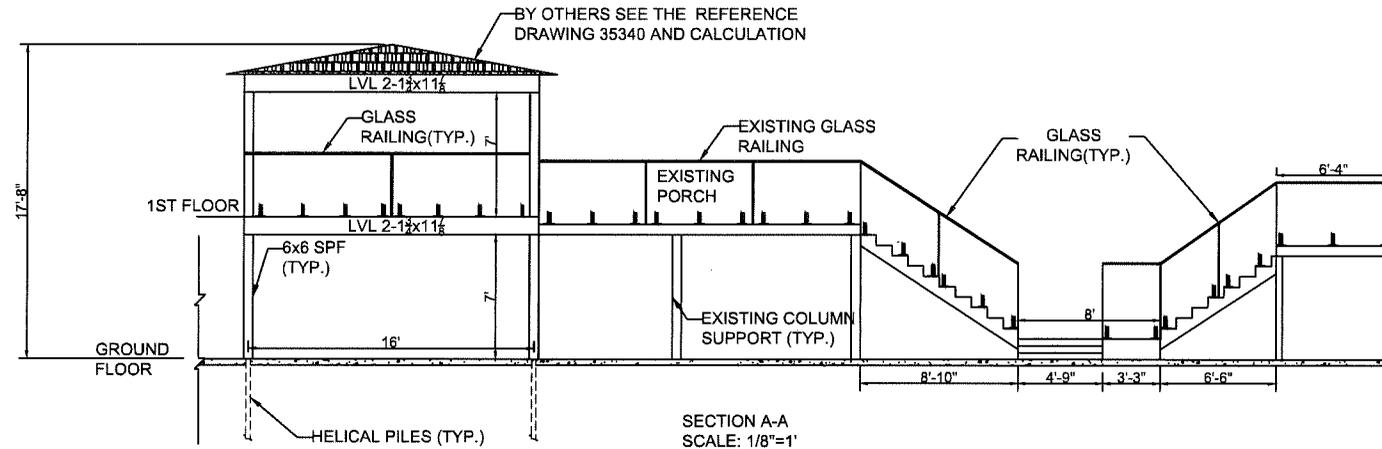
**DISCLAIMER:**  
EVERY REASONABLE EFFORTS HAS BEEN MADE TO ENSURE THAT THE STATEMENT AND INFORMATION CONTAINED IN THIS DRAWING ARE ACCURATE. SARA ENGINEERING CANNOT ASSUME RESPONSIBILITY FOR ANY ERROR OR OMISSION OR PROVIDE WARRANTY, EXPRESSED OR IMPLIED IN CONNECTION WITH THE USE OF THIS DRAWING. THE PROFESSIONAL DESIGN/JUDGMENTS EXPRESSED IN THIS DRAWING ARE BASED ON VISUAL INSPECTION ACCESSIBLE AREAS ONLY AND THE INFORMATION MADE AVAILABLE TO SARA ENGINEERING AT THE TIME OF ITS DRAWING. REASONABLE ASSUMPTIONS HAVE BEEN MADE AND ENGINEERING JUDGEMENT HAS BEEN EXERCISED WHERE APPLICABLE. SARA ENGINEERING RESERVE THE RIGHT TO AMEND OR CHANGE ANY OF THE STATEMENTS AND OR REVISE ANY ANALYSES CONTAINED IN THIS DRAWING SHOULD ADDITIONAL OR DIFFERENT INFORMATION COMES INTO LIGHT.



PROJECT No:	PROJECT:
FILE No: A2	143 Woodhouse, ON
REVIEW:	Ancaster
SCALE:	CLIENT: AHMED
AS SHOWN	DATE: 2023-07-10
	REV: 0



BACK YARD 1st FLOOR PORCH  
SCALE: 1/8" = 1'

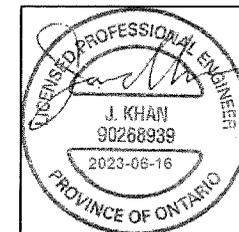
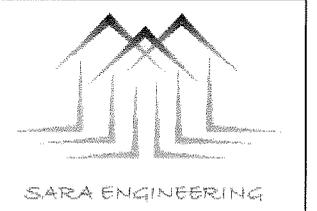


GENERAL NOTES:

- 1) ALL DIMENSION SHALL BE FIELD VERIFIED. ALL CONSTRUCTION INFORMATION MUST BE VERIFIED FOR REVIEWS AND INSPECTIONS.
- 2) ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY.
- 3) MAJOR OCCUPANCY IS CONSIDER TO BE RESIDENTIAL, GROUP C.
- 4) LVL GRADE SHALL BE 310DFb-2.0E.
- 5) ALL WOOD MATERIAL GRADE SHALL BE MIN. SPF.
- 6) FOUNDATION SUPPORT FOR COLUMNS ARE ON HELICAL PILES. SEE REFERENCE DRAWING HP PAGE 1 AND HP PAGE 2.
- 7) ALL GLASS RAILINGS MANUFACTURER ARE THE SAME AS EXISTING GLASS RAILING.
- 8) ALL GLASS RAILINGS THICKNESS IS 1/2 INCH & TEMPERED.

DISCLAIMER:

EVERY REASONABLE EFFORTS HAS BEEN MADE TO ENSURE THAT THE STATEMENT AND INFORMATION CONTAINED IN THIS DRAWING ARE ACCURATE. SARA ENGINEERING CANNOT ASSUME RESPONSIBILITY FOR ANY ERROR OR OMISSION OR PROVIDE WARRANTY, EXPRESSED OR IMPLIED IN CONNECTION WITH THE USE OF THIS DRAWING. THE PROFESSIONAL DESIGN/JUDGMENTS EXPRESSED IN THIS DRAWING ARE BASED ON VISUAL INSPECTION ACCESSIBLE AREAS ONLY AND THE INFORMATION MADE AVAILABLE TO SARA ENGINEERING AT THE TIME OF ITS DRAWING. REASONABLE ASSUMPTIONS HAVE BEEN MADE AND ENGINEERING JUDGMENT HAS BEEN EXERCISED WHERE APPLICABLE. SARA ENGINEERING RESERVE THE RIGHT TO AMEND OR CHANGE ANY OF THE STATEMENTS AND OR REVISE ANY ANALYSES CONTAINED IN THIS DRAWING SHOULD ADDITIONAL OR DIFFERENT INFORMATION COMES INTO LIGHT.



PROJECT No:	PROJECT:
FILE No: A1	143 Woodhouse, ON Ancaster
REVIEW:	CLIENT: AHMED
SCALE: AS SHOWN	DATE: 2022-06-10   REV:0





Hamilton

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

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

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

**1. APPLICANT INFORMATION**

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

- 1.2 All correspondence should be sent to  Purchaser  Applicant  Owner  Agent/Solicitor
- 1.3 Sign should be sent to  Purchaser  Applicant  Owner  Agent/Solicitor
- 1.4 Request for digital copy of sign  Yes\*  No  
 If YES, provide email address where sign is to be sent [REDACTED]
- 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	143 woodhouse st.		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Zoning require ~~7.5m~~  
I require 2.7m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Can obtain permit

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
90	100		

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
<del>House</del>				<del>June 15/22</del>

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
<del>Deck</del>		<del>7.6m</del>	1.3m	June 15/22
Deck	18m	7.6m		

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	<del>1850 sq feet</del> 167 m	<del>3150 sq feet</del> 292.64 m	2	28

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Deck	16	15		17.5

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*

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

*single detached*

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

*July 7 2018*

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

*single detach*

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

*single detach*

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

*4.5 years*

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? *residential R4-612*

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: \_\_\_\_\_

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

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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

---

---



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>AN/B-23:51</b>	<b>SUBJECT PROPERTY:</b>	70 GARNER ROAD E, ANCASTER
-------------------------	-------------------	--------------------------	-------------------------------

**APPLICANTS:**      **Owner:** ANCASTER CHRISTIAN REFORMED CHURCH C/O SIEBERT VAN HOUTEN  
**Agent:** FOTHERGILL PLANNING AND DEVELOPMENT INC. C/O ED FOTHERGILL

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land to be added to property known municipally as 591 Fiddlers Green Road, Ancaster to facilitate the construction of greenhouses.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	0 m <sup>±</sup>	78.63 m <sup>±</sup>	0.89 ha <sup>±</sup>
<b>RETAINED LANDS:</b>	83.79 m <sup>±</sup>	287.82 m <sup>±</sup>	1.92 ha <sup>±</sup>

Associated Planning Act File(s): N/A

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

**AN/B-23:51**

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

**PUBLIC INPUT**

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

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

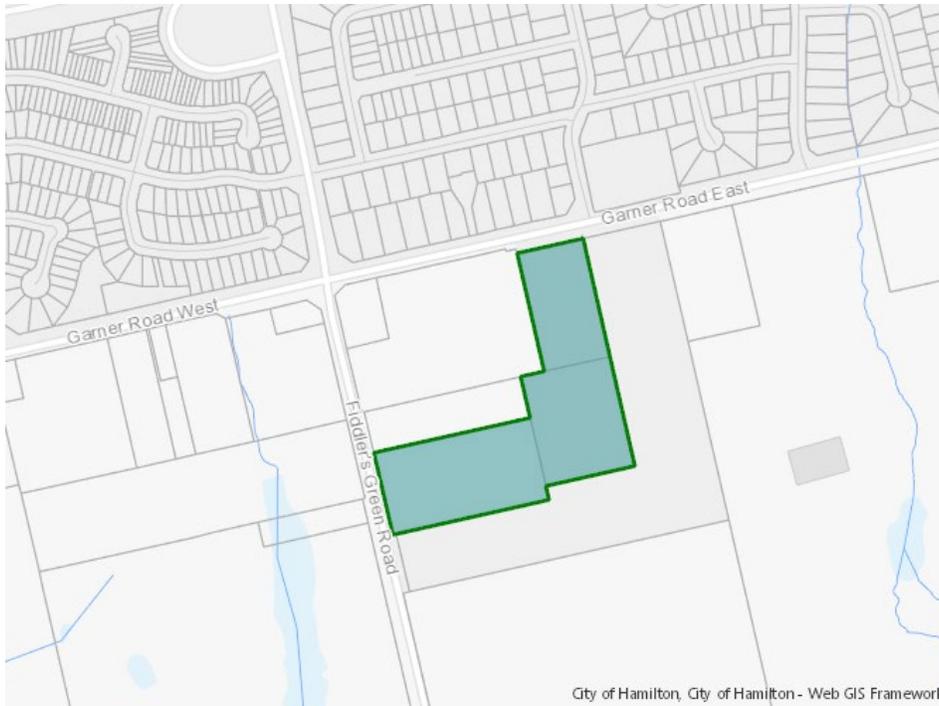
**FURTHER NOTIFICATION**

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

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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.

AN/B-23:51



 Subject Lands

DATED: August 8, 2023

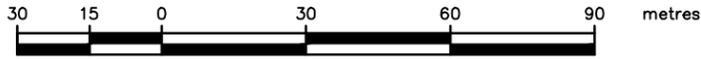
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

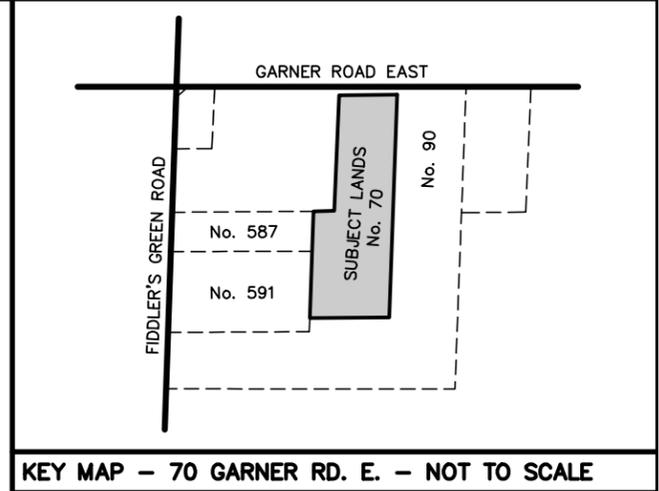
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

**SKETCH FOR SEVERANCE  
OF  
70 GARNER ROAD EAST  
CITY OF HAMILTON**

SCALE 1:1500 METRIC



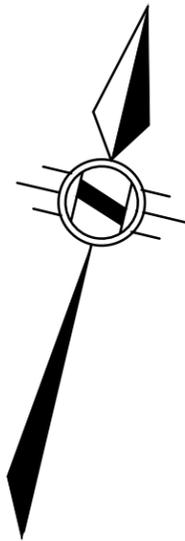
**S.D. McLAREN, O.L.S. - 2022**



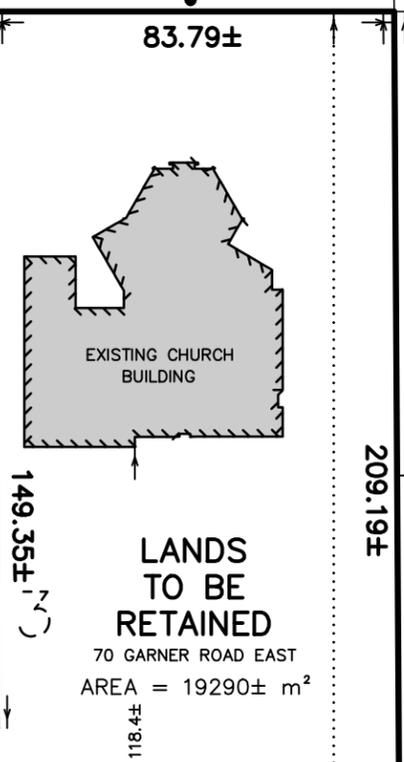
**GARNER ROAD EAST**

PIN 17413-0077(LT)

NORTH-WEST CORNER OF  
LOT 43, CONCESSION 4



PIN 17413-0002(LT)



**FIDDLER'S GREEN ROAD**

LOT 4

PIN 17413-0003(LT)

30.01±

149.35±

209.19±

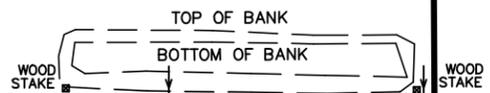
287.82±

59.86±

138.49±

78.63±

113.28±



CONCESSION  
LANDS  
TO BE MERGED  
WITH SEVERED LANDS  
591 FIDDLERS GREEN ROAD  
AREA = 20600± m²  
PIN 17413-0004(LT)

PIN 17413-0081(LT)

113.42±

LANDS  
TO BE  
SEVERED  
AREA = 8910± m²

78.63±

PIN 17413-0080(LT)

**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-21033.

JULY 13, 2022

DATE

**METRIC NOTE:**

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



**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

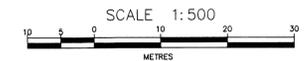
Drawn  
JM

Checked  
SDM

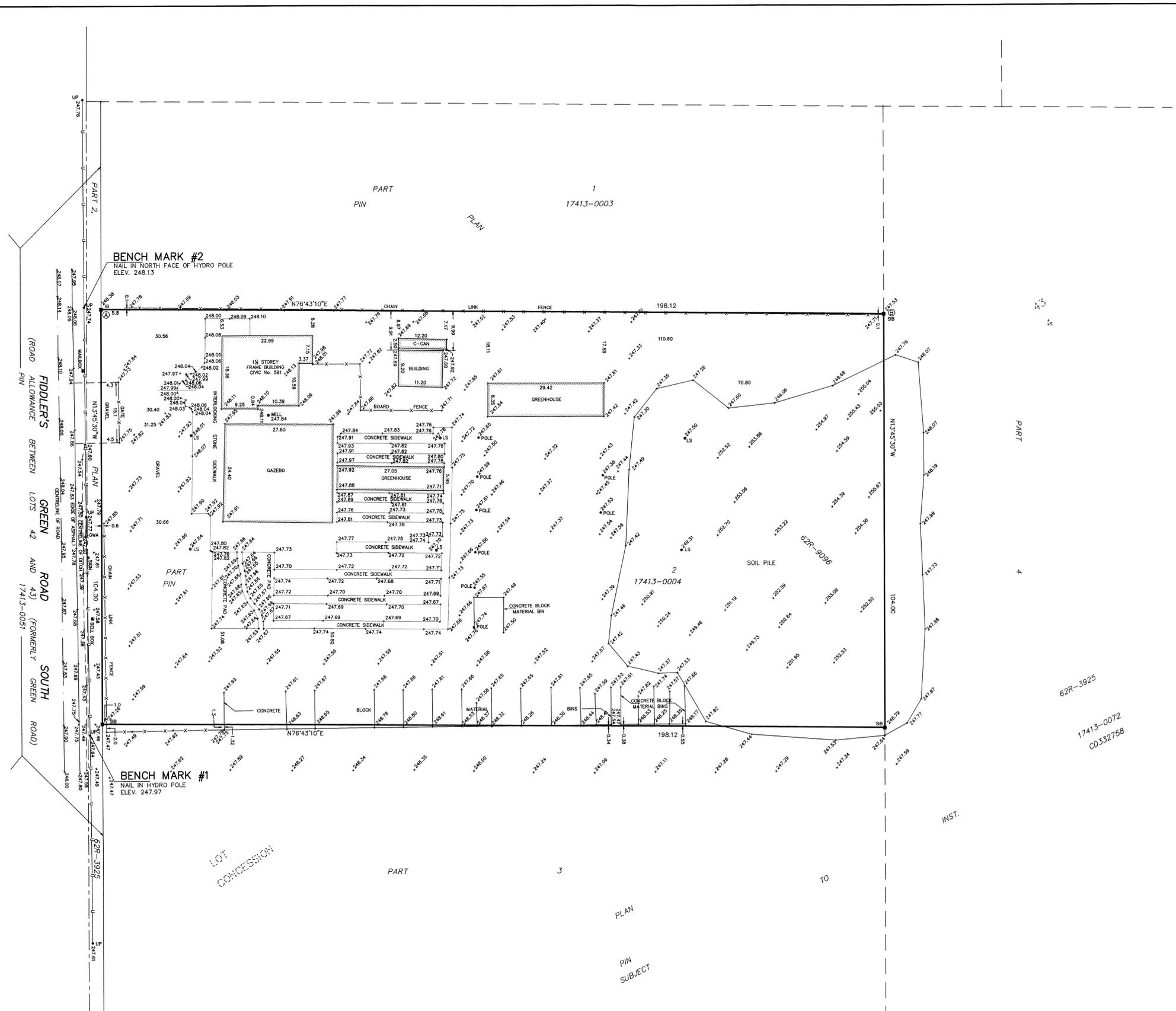
Scale  
1:1500

Dwg.No. 36643-SK

PLAN OF TOPOGRAPHICAL SURVEY OF  
PART OF LOT 43  
CONCESSION 4  
(GEOGRAPHIC TOWNSHIP OF ANCASTER)  
CITY OF HAMILTON



MacAULAY, WHITE & MUIR LTD.



LEGEND

- SIB - STANDARD IRON BAR
- IB - IRON BAR
- - PLANTED
- - FOUND, (1135)
- GWA - GUY WIRE ANCHOR
- LS - LIGHT STANDARD
- UP - UTILITY POLE
- - - OVERHEAD UTILITY LINE

METRIC

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

ELEVATIONS

ELEVATIONS ARE GEODETIC, CGVD2013, DERIVED FROM REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).

NOTE:

BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999651. ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED. ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010)		
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10.		
POINT ID	NORTHING	EASTING
A	4783505.13	582729.60
B	4783550.58	582922.40

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

MARCH 28, 2018

**MacAULAY, WHITE & MUIR LTD.**  
ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS  
440 HARRY ROAD, UNIT 2, BRANTFORD, ONTARIO, N3T 5L8  
TELEPHONE 519-752-0040 FAX 519-752-0087  
EMAIL - mwmurvey@bellnet.ca

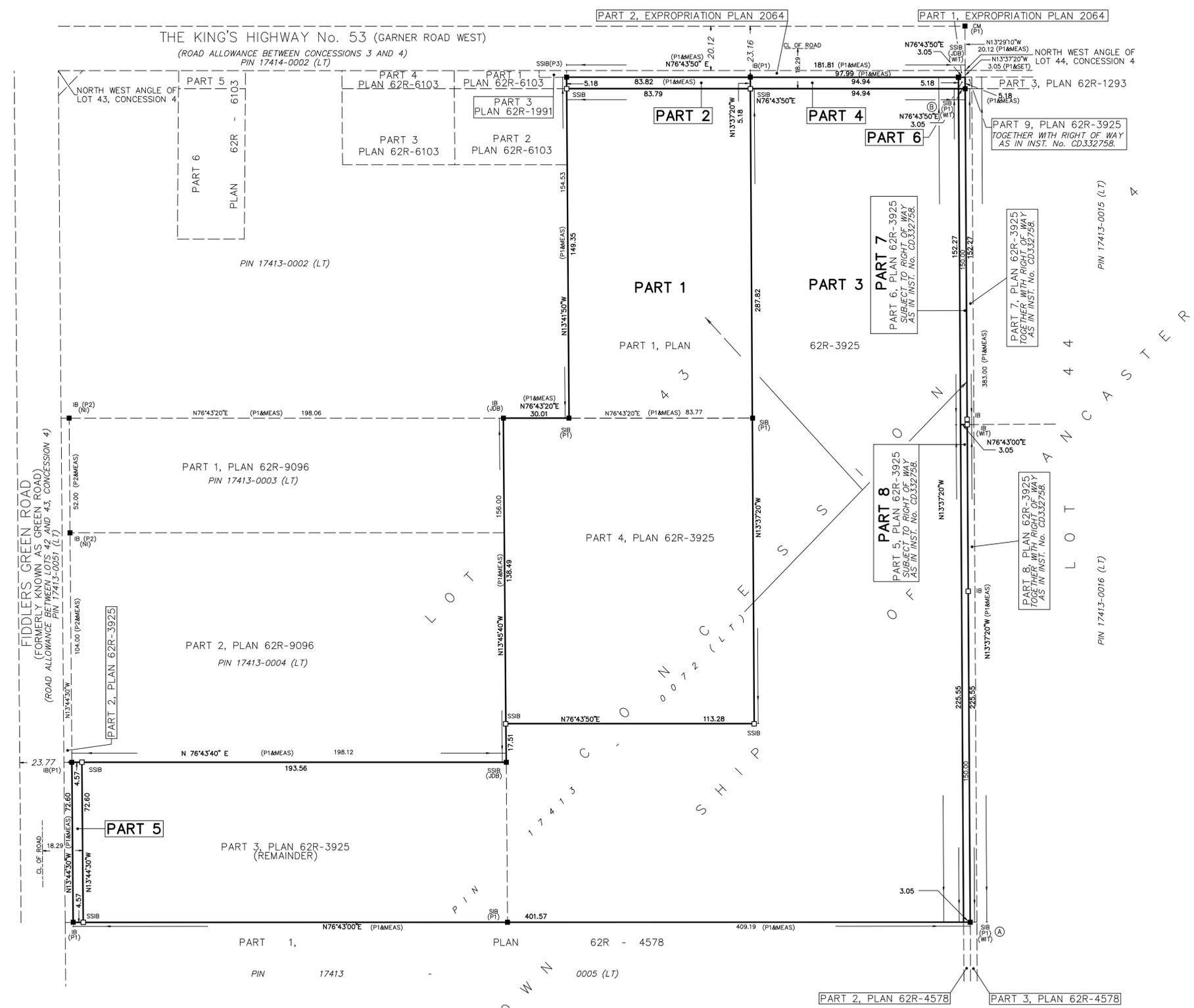
18-048



SCHEDULE				
PART	LOT	PLAN/CON	PIN	AREA sq. m.
1				28209
2				434
3				60109
4	PART OF LOT 43	CONCESSION 4	ALL OF 17413-0072 (LT)	492
5				332
6				16
7				464
8				688

PARTS 6, 7 AND 8 ARE SUBJECT TO AN EASEMENT AS IN INST. No. CD332758

**PLAN 62R-21033**  
 Received and deposited  
 November 30<sup>th</sup>, 2018  
 Jenny Mackenzie  
 Representative for the  
 Land Registrar for the  
 Land Titles Division of  
 Wentworth (No.62)



PLAN OF SURVEY OF  
**PART OF LOT 43**  
**CONCESSION 4**  
 GEOGRAPHIC TOWNSHIP OF ANCASTER  
 CITY OF HAMILTON  
 SCALE 1 : 1000  
 0 20 40 60 metres  
**J.D. BARNES LIMITED**  
**METRIC** DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000

**NOTES**  
 BEARINGS ARE UTM GRID, DERIVED FROM REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999645.

INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	583 169.66	4 793 427.65	
ORP (B)	583 080.71	4 783 794.68	

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

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SSIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WIT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
JDB	DENOTES	J.D. BARNES LIMITED
P1	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY J.D. BARNES LTD., DATED DECEMBER 15th, 2016, REF # 16-30-991-00-A
P2	DENOTES	PLAN 62R-9096
P3	DENOTES	PLAN 62R-6103

**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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON NOVEMBER 21, 2018.  
 NOVEMBER 22, 2018  
 DATE  
 SUNIL PERERA  
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2075660

**J.D. BARNES** SURVEYING MAPPING LIMITED GIS  
 LAND INFORMATION SPECIALISTS  
 401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1  
 T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY: TAB	CHECKED BY: SP	REFERENCE NO.: 16-30-991-00
FILE: G:\16-30-991\00\Drawing\6.3099100-RP.dgn	DATED: OCTOBER 22nd, 2018	PLOTTED: 11/29/2018

**Fothergill Planning & Development Inc.**

---

## **PLANNING REPORT**

**Application for Lot Line Adjustment**

**70 Garner Road  
City of Hamilton**

---

Date: July 13, 2023

Prepared for: Fora Outdoor Living

## 1.0 Introduction

This report has been prepared to provide planning support for an application for consent to allow for a lot line adjustment between a property at 70 Garner Road East and 591 Fiddlers Green Road. The intent of the application is to allow for the expansion of an existing horticultural business at Fora Outdoor Living at 519 Fiddlers Green Road to permit a greenhouse use in conjunction with the existing business, which currently contains a number of greenhouse buildings. A preliminary site plan has been included with this submission material. The plan identifies the layout of the intended use of the site and the manner in which the lands will be integrated into the existing business operation. Further details of the site layout will be confirmed through a subsequent application for site plan approval.

The land is surplus to the needs of the church. As a result, a transfer of these lands will not affect the ongoing viability of the operation of the church. With the application being a lot line adjustment, no new lots are being created.

The lands to be severed measure approximately 78 metres x 113 metres and comprise 0.89 hectares. The configuration of the parcel to be severed has been designed to ensure that appropriate drainage features which relate to the church property have been retained on the 1.9 hectare property that will continue to be owned and operated by the church.

The severed lands will be merged with the property at 519 Fiddlers Green Road. The current nursery operation, Fora Outdoor Living, has a frontage of approximately 104 metres on Fiddlers Green Road with a depth of approximately 198 metres and an area of 2.06 hectares.

## 2.0 Provincial Policy Statement (“PPS”)

Since the proposal does not create any new lots, the lot creation policies in the PPS do not apply.

The proposal is consistent with Part 1.1.3.2(a) which encourages the efficient use of land.

With the transfer of these lands to 519 Fiddlers Green Road, which is in the Rural Area, the following policies are relevant:

**“1.1.4.1      *Healthy, Integrated and Viable Rural Areas should be supported by:***

**(a)      *Building upon rural character and leveraging rural amenities and assets***

**(f)      *promoting intensification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources.***

**1.1.5.4      *Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.”***

## 3.0 Growth Plan for Greater Golden Horseshoe (2020) (“Growth Plan”)

The Growth Plan is designed to direct new growth in both the urban and rural environments. In this case, the application is a lot line adjustment and hence does not represent the traditional consideration of new growth. However, the application is generally consistent with the intent of the Growth Plan similar to the PPS to promote efficient use of land and to recognize the importance of economic activities in the Rural Area.

## 4.0 Urban Hamilton Official Plan (UHOP)

The property is within the Airport Employment Area Growth District. It is designated as Employment Area within Schedule E and Institutional within Schedule E-1 in the Official Plan. Policies for the Institutional designation are found within Volume 2 Chapter B Section 8.7.

Within the Institutional designation is the following policy:

***“8.7.2 Notwithstanding Section B.8.7.1, if the Institutional uses on lands designated “institutional” and identified as Site Specific Policy – Areas B, C and D on Map B.8-1 – Airport Employment Growth District Land Use Plan, ease to exist or are not developed for the proposed institutional uses, then Section B.8.4.5 shall apply.”***

Therefore, for the consideration of this application, policies in Section B.8.4.5 regarding the Airport Prestige Business designation are to be considered. The policies of this section of the Official Plan are implemented through the Airport Prestige District (M11) zone provisions.

The proposal complies with the intent of Official Plan policies with respect to consents within the Urban Area. Policy F.1.14.3.6 permits minor lot line adjustments, **“...provided that there is no increased fragmentation of a Core Area and the adjustments do not conflict with the intent of the policies of this Plan.”**

With the proposed severance complies with these requirements and therefore is consistent with the intent of the policies of the Official Plan in that there is no Core Area being fragmented. Since the lot line adjustment is a more efficient use of land and helps to support the existing business without creating a new lot, in my opinion, it is consistent with the intent and policies of the Official Plan and therefore meets the tests in F.1.14.3.6.

## 5.0 Rural Hamilton Official Plan (RHOP)

The horticultural operation is designated as Agriculture and is located within the Rural Area of the Rural Hamilton Official Plan. The application will not change or be impacted by the Rural Official Plan policies.

## 6.0 Zoning By-law

The lands to be severed are zoned I - Institutional with Special Number 39, which reads as follows:

*“Notwithstanding Section 8.3.1 of this By-law, on those lands zoned Major Institutional (I3) Zone, identified on Maps 1386, 1387, 1437 and 1438 of Schedule “A” – Zoning Maps and described as 70 Garner Road East, only the following uses shall be permitted only in conjunction with the place of worship:*

- a. offices for a religious organization;*
- b. conference and convention centre;*
- c. lodging house for short term accommodation in conjunction with the educational establishment;*
- d. recreation; and,*
- e. educational establishment for a religious organization.”*

Therefore, an application for rezoning will be required to an Airport Prestige Business (M11) Zone which permits greenhouses uses. This is consistent with M11 zoning on the abutting property to the south and east which is owned by Arbor Memorial.

## 7.0 Planning Opinion

This proposal represents good planning. It allows a more productive use of lands which are currently surplus to the needs of the existing church. It also allows for the expansion of a viable business on Fiddlers Green Road. Achieving these objectives is consistent with provisions in the Provincial Policy Statement, and in conformity with policies of the Provincial Growth Plan.

Given that the lands will not be used for Institutional purposes, the policies in section B.8.7.2 require that policies related to the Airport Prestige Business section of the Official Plan will apply. These policies are implemented by way of the Airport Prestige Business (M11) zone.

As a lot line adjustment, the proposal complies with the intent of the UHOP policies to permit minor lot line adjustments. It does not affect the Core Area and is consistent with the intent and policies of the Official Plan for both properties.

As noted in the sketch provided with the application, the property can be effectively used in a manner which is consistent with, and integrated with, the existing business operation on Fiddlers Green Road.

Given the Institutional zoning of the site, a rezoning will be required as a condition of severance to apply an Airport Prestige Business (M11) zone on the site to permit the proposed greenhouse use.

In summary, it is recommended the application be approved by the Committee with appropriate conditions requiring a rezoning.

Respectfully Submitted,

**FOTHERGILL PLANNING AND DEVELOPMENT INC.**

Ed Fothergill, MCIP, RPP  
President

June 13, 2023

**FPD****FOTHERGILL PLANNING & DEVELOPMENT INC.**

62 DAFFODIL CRES. • HAMILTON, ON L9K 1E1 • PHONE: (905) 577-1077 • FAX: (905) 546-0545 • E-MAIL: edf@nas.net

July 13, 2023

Committee of Adjustment  
City of Hamilton, City Hall  
71 Main St. W.  
Hamilton ON L8P 4Y6

**Re: Application for Consent for Lot Line Adjustment  
Ancaster Christian Reformed Church  
70 Garner Road East - Ancaster**

Please find enclosed an application for consent for a lot line adjustment to allow the transfer of a parcel of property currently owned by Christian Reformed Church to be added to an abutting property at 591 Fiddlers Green Road to the west.

With this application, please find enclosed the following:

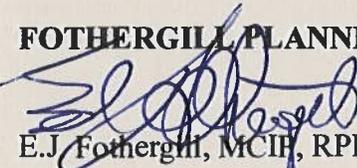
1. Completed application form signed by the owner.
2. Cheque made payable to the City of Hamilton in the amount of **\$3220**.
3. Cheque made payable to Hamilton Conservation Authority in the amount of **\$1233.96**.
4. Cheque made payable to the Grand River Conservation Authority in the amount of **\$465**.
5. Survey sketch to identify the parcels in question.
6. Reference Plan 62R-21033 to describe the lands owned by the Christian Reformed Church (Part 1)
7. Survey of property at 591 Fiddlers Green Road
8. Sketch of existing Fora Outdoor Living site and proposed addition of greenhouse buildings.
9. Planning Justification Report, dated July 13, 2023 prepared by Fothergill Planning and Development Inc.

We look forward to this application being brought forward to the first available meeting of the Committee of Adjustment.

Thank you for your assistance.

Sincerely,

**FOTHERGILL PLANNING & DEVELOPMENT INC.**



E.J. Fothergill, MCIP, RPP  
President

cc. Marty Verhey



Hamilton

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

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Purchaser*		
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 edf@nas.net

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	70 GARNER ROAD EAST		
Assessment Roll Number			
Former Municipality	ANCASTER		
Lot	43	Concession	4
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R-21033	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**

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)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

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

FORA OUTDOOR LIVING

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

FORA - 591 FIDDLERS GREEN ROAD3.4 Certificate Request for Retained Lands:  Yes\*

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

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

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

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

Identified on Sketch as:	RETAINED	SEVERED	Merged Parcel		
Type of Transfer	N/A				
Frontage	83.79	0	139 +/-		
Depth	287.82	78.63	198 +/-		
Area	1.92 ha	0.89 ha	2.06 ha		
Existing Use	Institutional	Institutional	Horticulture		
Proposed Use	Institutional	Horticulture	Horticulture		
Existing Buildings/ Structures	Church	Vacant	Horticulture		
Proposed Buildings/ Structures	None	Greenhouses	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) Employment Area and Institutional

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

SEE PLANNING JUSTIFICATION REPORT.

- 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? INSTITUTIONAL - I3(39)

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?  
 NO

- 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.

APPLICATION FOR REZONING TO CHANGE ZONING TO M11 TO BE SUBMITTED.

- 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"/>	NO
A land fill	<input type="checkbox"/>	NO
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	NO
A provincially significant wetland	<input type="checkbox"/>	NO
A provincially significant wetland within 120 metres	<input type="checkbox"/>	NO
A flood plain	<input type="checkbox"/>	NO
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	YES (FORA)
An active railway line	<input type="checkbox"/>	NO
A municipal or federal airport	<input type="checkbox"/>	NO

**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.

**PREVIOUS SEVERANCE TO ALLOW FUNERAL HOME AT 90 GARNER ROAD EAST**

- 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.

**SEE 6.1 ABOVE**

- 6.4 How long has the applicant owned the subject land?

**CHURCH 1986 AND 2004. FORA 2018**

- 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)

**SEE PLANNING JUSTIFICATION REPORT.**

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

**SEE PLANNING JUSTIFICATION REPORT.**

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

**SEE PLANNING JUSTIFICATION REPORT.**

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No      (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?  
 Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?  
 Yes  No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?  
 Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

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

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

**a) Date of construction:**

- Prior to December 16, 2004       After December 16, 2004

**b) Condition:**

- Habitable       Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- \_\_\_\_\_
- \_\_\_\_\_



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>DN/B-23:50</b>	<b>SUBJECT PROPERTY:</b>	105 VICTORIA ST & 98 ALMA ST, DUNDAS
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**APPLICANTS:**      **Owner:** DAVID WILSON

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land for a future residential building lot and the retained lands will contain the existing dwelling which is intended to remain.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (Part 3):</b>	16.76 m <sup>±</sup>	40.25 m <sup>±</sup>	2,376.6 m <sup>2±</sup>
<b>RETAINED LANDS:</b>	14 m <sup>±</sup>	39.86 m <sup>±</sup>	1,597.3 m <sup>2±</sup>

Associated Planning Act File(s): N/A

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>9:55 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

**DN/B-23:50**

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/B-23:50, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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.

DN/B-23:50



 Subject Lands

DATED: August 8, 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.



July 19, 2023

ATTN: Jamila Sheffield, Secretary-Treasurer  
City of Hamilton  
Committee of Adjustment  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

RE: 105 Victoria Street & 98 Alma Street, Dundas  
Committee of Adjustment – Consent to Sever Application

---

Dear Ms. Sheffield,

I am the owner and applicant submitting the following Consent to Sever application on my own behalf.

**Overview:**

This application for Consent to Sever, and the accompanying application for Minor Variance, are intended to rectify the inadvertent legal merging of the subject properties that occurred under The Planning Act when I purchased 105 Victoria Street in 2011 due to an oversight on the part of my then-lawyer, David Ramsbottom. I learned that the properties had legally merged when I attempted to sell 105 Victoria Street.

There is currently an approved Building Permit in place for a new Single Family Dwelling on 98 Alma Street, complete with approved Grading Plan, that was issued in 2022 (permit #22 10742 00 R9) to replace the previously existing Single Family Dwelling that was removed under permit #22 100719 00 DP; construction has not started.

**Proposed Development:**

It is proposed that the newly created lots return the merged lands to their original lot lines with the exception that the long, narrow 'pan-handle' of 98 Alma Street (noted as PART 1) be added to the 105 Victoria Street property (noted as PART 2) as shown on the accompanying Sheet C101 'Consent Sketch', thus adding 1.83m of frontage to 105 Victoria Street and correcting the previously existing & non-conforming 'Through Lot' condition of 98 Alma Street.

The application proposes the retention of the existing Single Family Dwelling on 105 Victoria Street with no changes, and moving forward with the construction of a new Single Family Dwelling on 98 Alma Street as per the currently approved Building Permit.

As shown in the attached Sheet C-102 'Zoning Chart Review of Potential Variances', neither of the proposed new lots nor the existing & approved dwellings require variances as:

- For 'The Lands to be Retained', i.e., 105 Victoria, all the non-conformities pre-exist the Dundas Zoning By-law No. 3581-86 and are thus deemed legally conforming as per Section 6.1.2, and,
- For 'The Lands to be Severed', i.e., 98 Alma Street with the new approved dwelling plans, the property & new construction is fully conforming to zoning in all respects.

**Consent Agreement & Grading Plans as Conditions of Approval:**

105 Victoria Street is an old, mature property & there are no changes to the existing lot conditions created by the severance; 98 Alma Street has already obtained an approved Grading Plan with it's Building Permit. I am essentially seeking only to return the two properties to their pre-merged boundaries, with no changes to the existing & approved lot conditions, and it would be unfair & inappropriate to impose what seems to be an unnecessary financial burden of the Consent Agreement in this case.

Thus, I request that the standard Consent Agreement and related fees, lot grading & Grading Plans not be applied as a condition of approval.

Please find the enclosed:

- Consent to Sever application with signatures (file LD\_105 Victoria\_ Severance Application\_SIGNED&commissioned);
- Sheet C-101 Consent Sketch (file LD\_105 Victoria\_ Consent Sketch); and,
- Sheet C-102 Zoning Chart Review of Potential Variances (file LD\_105 Victoria\_Zoning Chart Review).

Payment in the amount of \$3,220.00 to satisfy the Consent to Sever application fee will be made by credit card on request.

The application and all required documents have been submitted by email.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,



David Wilson  
905.869.6595  
d.wilson@builtdesign.ca

**ZONING CHART - PARTS 1 & 2 (LANDS TO BE RETAINED)**  
**SINGLE DETACHED RESIDENTIAL (R2) ZONE - DUNDAS ZONING BY-LAW No. 3581-86**

PROVISIONS	REQUIRED (R2 ZONE, SINGLE FAMILY DWELLING)	PROPOSED	COMPLIANCE
MIN. LOT FRONTAGE	15.0m	14.078m	YES (*EXISTING)
MIN. LOT AREA	450.0m <sup>2</sup>	1,597.3m <sup>2</sup>	YES
MIN. FRONT YARD	6.0m	2.96m	YES (*EXISTING)
MIN. SIDE YARD	1.2m	1.28m	YES
MIN. SIDE YARD PROVIDING ACCESS TO PARKING	3.0m	3.91m	YES
MIN. REAR YARD	7.5m	15.47m	YES
MAX. HEIGHT	10.5m	9.5m	YES
MIN. PARKING SPACES	1	1	YES
MIN. PARKING SPACE SIZE	2.7m x 6.0m	2.7m x 5.5m	YES (*EXISTING)
PARKING LOCATION	NOT IN FRONT YARD	3.12m IN FRONT YARD	YES (*EXISTING)
MIN. MANOEUVRING SPACE	6.0m	0.0m	YES (*EXISTING)
MAX. DWELLING EAVES/GUTTERS ENCROACHMENT INTO:			
• FRONT YARD	1.5m	0.47m	YES (*EXISTING)
• SIDE YARD	0.6m	0.40m	YES
MIN. DWELLING EAVES/GUTTERS SETBACK FROM FRONT LOT LINE	1.5m	2.49m	YES
MAX. UNENCLOSED PORCH ENCROACHMENT INTO FRONT YARD (INCL. EAVES & GUTTERS)	3.0m	2.19m	YES (*EXISTING)
MIN. UNENCLOSED PORCH SETBACK FROM FRONT LOT LINE (INCL. EAVES & GUTTERS)	4.0m	0.77m	YES (*EXISTING)

*\*SUBJECT TO SECTION 6.1.2 - EXCLUDING PERMITTED USES, ANY EXISTING BUILDING OR STRUCTURE THAT WAS LAWFULLY ERECTED PRIOR TO THE DATE OF PASSING OF THIS BY-LAW, AND WHICH DOES NOT SATISFY THE SPECIFIC REGULATIONS OF THE APPLICABLE ZONE, HEREOF SHALL BE DEEMED LEGAL CONFORMING*

**ZONING CHART - PART 3 (LAND TO BE SEVERED)**  
**SINGLE DETACHED RESIDENTIAL (R2) ZONE - DUNDAS ZONING BY-LAW No. 3581-86**

PROVISIONS	REQUIRED (R2 ZONE, SINGLE FAMILY DWELLING)	PROPOSED	COMPLIANCE
MIN. LOT FRONTAGE	15.0m	16.763m	YES
MIN. LOT AREA	450m <sup>2</sup>	2,376.6m <sup>2</sup>	YES
MIN. FRONT YARD	6.0m	6.0m	YES
MIN. SIDE YARD	1.2m	1.2m	YES
MIN. SIDE YARD PROVIDING ACCESS TO PARKING	3.0m	5.0m	YES
MIN. REAR YARD	7.5m	24.8m	YES
MAX. HEIGHT	10.5m	6.0m	YES
MIN. PARKING SPACES	1	1	YES
MIN. PARKING SPACE SIZE	2.7m x 6.0m	2.7m x 6.0m	YES
PARKING LOCATION	NOT IN FRONT YARD	SIDE YARD	YES
MIN. MANOEUVRING SPACE	6.0m	6.0m	YES
MAX. DWELLING EAVES/GUTTERS ENCROACHMENT INTO:			
• FRONT YARD	1.5m	0.48m	YES
• SIDE YARD	0.6m	0.46m	YES
MIN. DWELLING EAVES/GUTTERS SETBACK FROM FRONT LOT LINE	1.5m	5.52m	YES
MAX. UNCOVERED PORCH SETBACK FROM LOT LINES:			
• FRONT LOT LINE	4.0m	5.17m	YES
• SIDE LOT LINE	0.5m	1.2m	YES

**BUILT ENVIRONMENT**  
 design + consulting

105 Victoria Street :: Dundas :: L9H 2C1  
 905.869.6595 admin@builtdesign.ca

**QUALIFICATION & REGISTRATION INFORMATION**  
 THE UNDERSIGNED HAS THE QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE TO REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN SHOWN ON THIS DOCUMENT.

THIS SIGNATURE MUST BE IN RED TO BE VALID  
**D. Wilson BSc, BA(Hons), BEd, LEED GA**  
 INDIVIDUAL REGISTRATION: BCIN 38926

CONTRACT DOCUMENTS, DRAWINGS & ALL ELECTRONIC DATA ARE THE COPYRIGHT OF THE DESIGNERS & CONSULTANTS & SHALL NOT BE USED OR REPRODUCED w/o AUTHORIZATION.

105 Victoria St & 98 Alma St.,  
 Dundas, ON

No.	Description	Date

**ZONING CHART REVIEW FOR POTENTIAL VARIANCES**

Project: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Scale: 1 : 1

**C-102**



Hamilton

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
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	105 Victoria St. / 98 Alma St.		
Assessment Roll Number	25 18 260 180 28400 / 25 18 260 180 31000 0000		
Former Municipality	Dundas		
Lot	LOT 117 / LOT 130	Concession	
Registered Plan Number	Compiled Plan 1474	Lot(s)	117 & 130
Reference Plan Number (s)	62R--13212	Part(s)	2 & 3 (of Lot 130)

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

Yes  No

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

---

## 3 PURPOSE OF THE APPLICATION

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s)  | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

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

both parcels to be retained by current owner

---

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

---

### 3.4 Certificate Request for Retained Lands: Yes\*

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

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

### 4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

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

Identified on Sketch as:	Parts 1 & 2	Part 3			
Type of Transfer	N/A	N/A			
Frontage	12.25m	16.76m			
Depth	39.86m	40.25			
Area	1,597.3m <sup>2</sup>	2,376.6m <sup>2</sup>			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	Single Detached Dwelling	Single Detached Dwelling			
Proposed Buildings/ Structures	Existing dwelling to remain	Single Detached Dwelling			
Buildings/ Structures to be Removed	N/A	N/A			

\* 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): 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 a City of Hamilton Official Plan.

Lands to be severed will rectify the inadvertent merger under Section 50 of The Planning Act of previously separate residential lots as described; the previously existing residential uses of the lands will continue and thus the intent of the Urban Hamilton Official Plan will be maintained.

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

Yes  No  Unknown

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

- 5.3 What is the existing zoning of the subject land? Single-Detached Residential (R2) Zone

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

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

Yes  No  Unknown

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

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input checked="" type="checkbox"/>	Commercial (+250m)
<b>An active railway line</b>	<input checked="" type="checkbox"/>	+300m
<b>A municipal or federal airport</b>	<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.

96 Alma St, severed from 98 Alma St in 2003 by & for me, continuing residential use; sold in 2020

6.4 How long has the applicant owned the subject land?

105 Victoria St.: Dec 2011 / 98 Alma St.: 1998

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)

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

Yes       No      (Provide explanation)

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

Yes       No      (Provide explanation)

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes       No      (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes       No      (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes       No      (Provide explanation)

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

Yes       No      (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes       No      (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes       No      (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes       No      (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes       No      (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

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

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

**a) Date of construction:**

- Prior to December 16, 2004       After December 16, 2004

**b) Condition:**

- Habitable       Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>FL/A-23:190</b>	<b>SUBJECT PROPERTY:</b>	957 BROCK ROAD, FLAMBOROUGH
<b>ZONE:</b>	A2 (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** JAGROOP GULACHA  
                                 **Agent:** LISA COCKWELL

The following variances are requested:

1. A maximum aggregate Gross Floor Area of all Accessory Buildings of 548.3 square metres whereas the by-law permits a maximum of 200 square metres.

**PURPOSE & EFFECT:**      So as to permit the construction of a new accessory building in the rear yard to complement the existing Single Detached Dwelling.

**Notes:**

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:15 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**FL/A-23:190**

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:190, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



FL/A-23:190

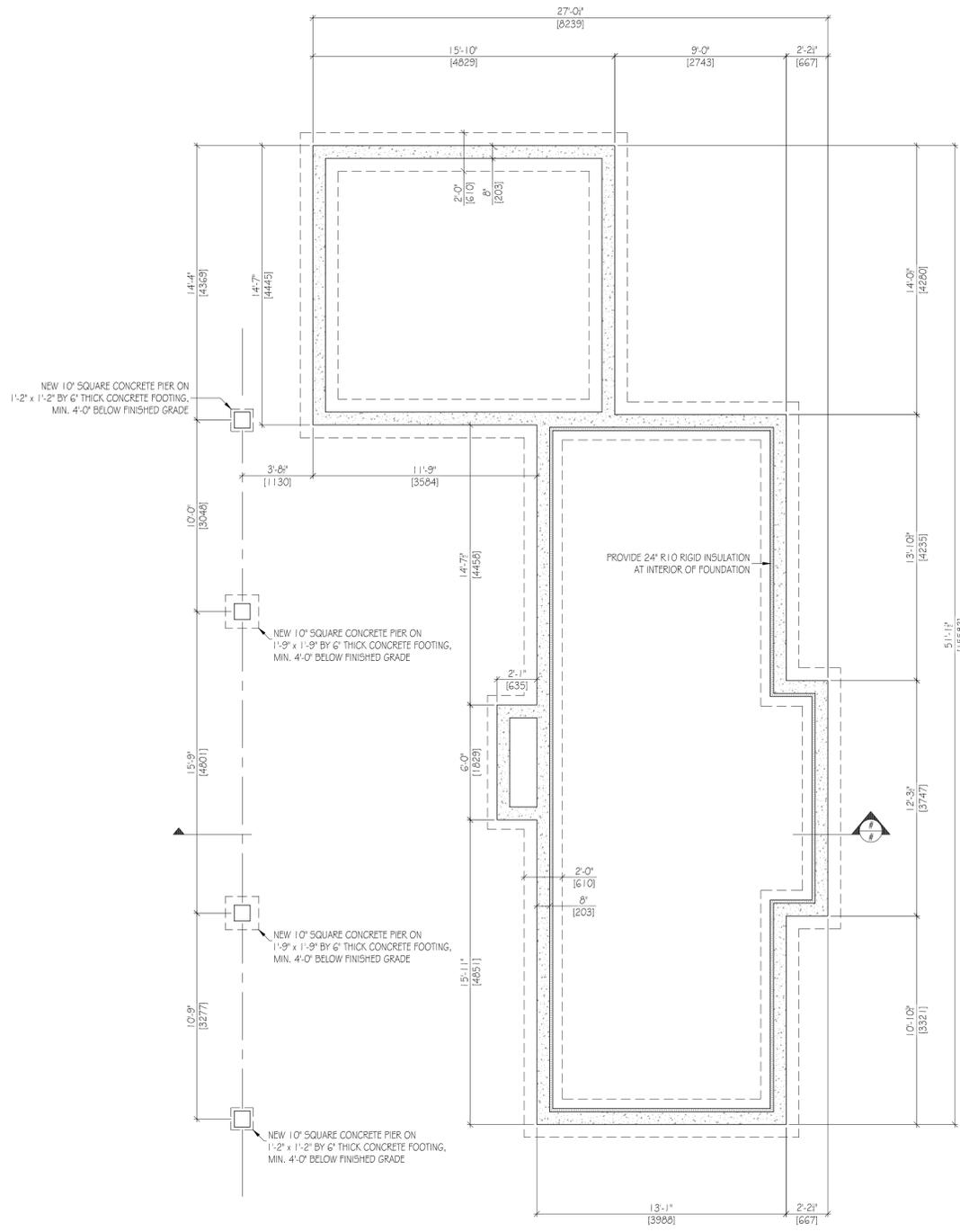
DATED: August 8, 2023

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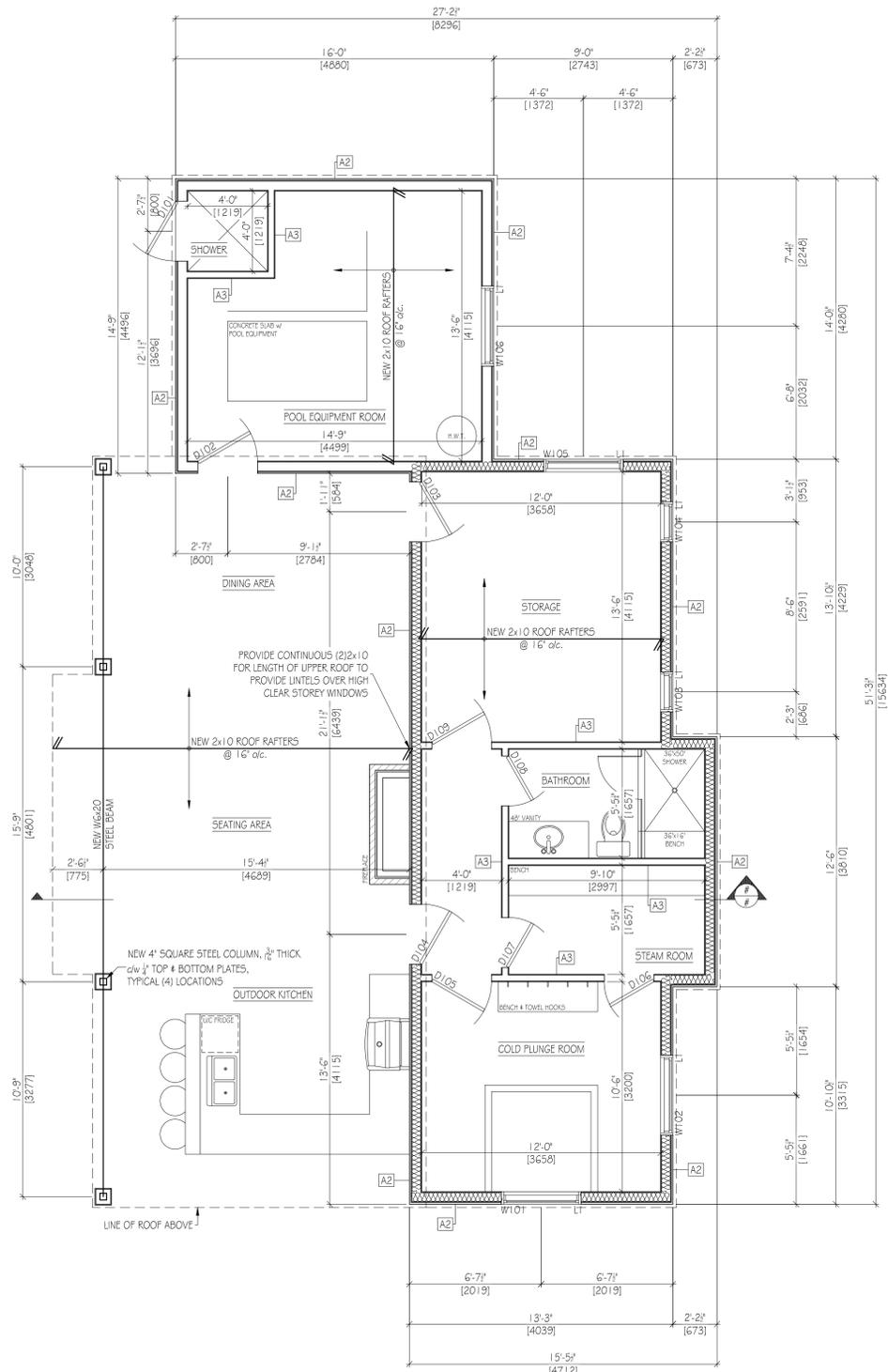
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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





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



2 PROPOSED ROOF PLAN  
4 SCALE: 1/4" = 1'-0"

**CHARLES LINSEY & ASSOCIATES LIMITED**  
37 Main Street South, Waterloo, ON L0R 2H0  
Tel: (519) 548-3607  
info@charleslinsey.com  
www.charleslinsey.com

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



CHARLES MacPHAIL  
CHARLES LINSEY & ASSOCIATES LIMITED  
BCRN# 26723  
BCRN# 41983

- DRAWING LIST**
- 1 GENERAL AND CONSTRUCTION NOTES, SCHEDULES AND SECTION
  - 2 SITE PLAN
  - 3 ELEVATIONS
  - 4 FOUNDATION & FRAMING PLAN
  - 5 PLUMBING & ROOF PLAN

- LEGEND**
- DENOTES EXISTING ASSEMBLY/FRAMING
  - TO BE REMOVED
  - EXISTING ASSEMBLY TO REMAIN
  - NEW ASSEMBLY/FRAMING
  - SA SMOKE ALARM, SEE CONST. NOTES FOR DETAILS
  - CO CARBON MONOXIDE ALARM
  - FD FLOOR DRAIN
  - EF EXHAUST FAN
  - DOOR # ASSOCIATED SCHEDULE NUMBER
  - WINDOW # ASSOCIATED SCHEDULE NUMBER

- LINTEL SCHEDULE**
- L1 (2) - 2" x 6" S-P-F
  - L2 (2) - 2" x 6" S-P-F
  - L3 (2) - 2" x 10" S-P-F
  - L4 (2) - 2" x 12" S-P-F
  - L5 (3) - 2" x 6" S-P-F
  - L6 (3) - 2" x 6" S-P-F
  - L7 (3) - 2" x 10" S-P-F
  - L8 (3) - 2" x 12" S-P-F

- ASSEMBLY SCHEDULE**
- A1 - FOUNDATION WALL
  - CF CONCRETE FOUNDATION WALL
  - A2 - EXTERIOR EIFS WALL
  - EIFS (INSTALLED AS PER MANUFACTURER'S SPECS)
  - PLYWOOD SHEATHING
  - 2x6 WOOD STUDS @ 16" o.c.
  - R22 BATT INSULATION (WHERE NOTED)
  - 6mil. FOLY VAPOUR BARRIER
  - 1/2" GYPSUM BOARD
  - A3 - INTERIOR PARTITION WALL
  - 2x4 WOOD STUDS @ 16" o.c.
  - 1/2" GYPSUM BOARD B/S
  - A4 - CONCRETE FLOOR
  - 4" CONCRETE SLAB-ON-GRADE
  - 2" RIGID INSULATION
  - 4" COARSE CLEAN GRAVEL
  - A5 - ROOF
  - 2 PLY MOD-BIT ROOF MEMBRANE
  - 1/2" PLYWOOD SHEATHING PROTECTION BOARD
  - TAPERED INSULATION
  - 1/2" PLYWOOD SHEATHING
  - 2x10 CEILING JOISTS @ 16" o.c. U.N.O.
  - MEDIUM DENSITY SPRAY FOAM INSULATION (WHERE NOTED)
  - 1/2" GYPSUM BOARD

REV	DESCRIPTION	DATE
A	FOR DISCUSSION	JAN 27/23
B	FOR DISCUSSION	APR 14/23
O	FOR BUILDING PERMIT APPLICATION	MAY 24/23

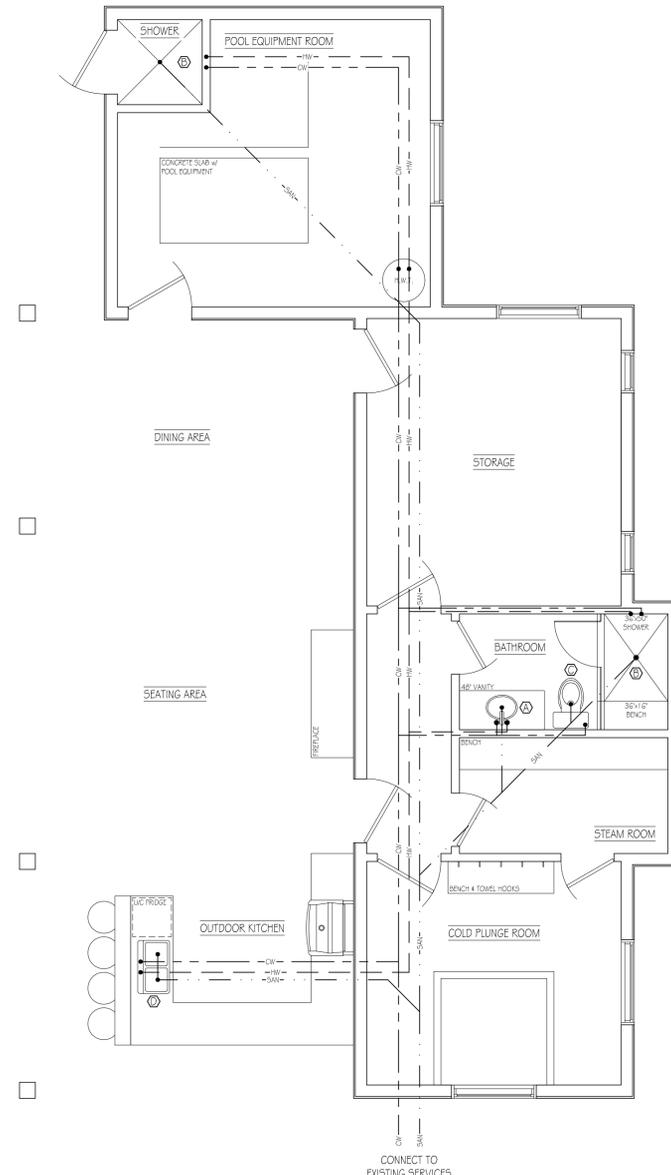
client	HOME OWNER	
project	957 BROCK ROAD FLAMBOROUGH, ONTARIO PROJECT No. 22-176	
title	FOUNDATION & FRAMING PLAN	
drawn	L.C.	checked C.M.
date	JANUARY 2023	scale 1/4" = 1'-0"
revision number	0	drawing number 4

**PLUMBING LEGEND**

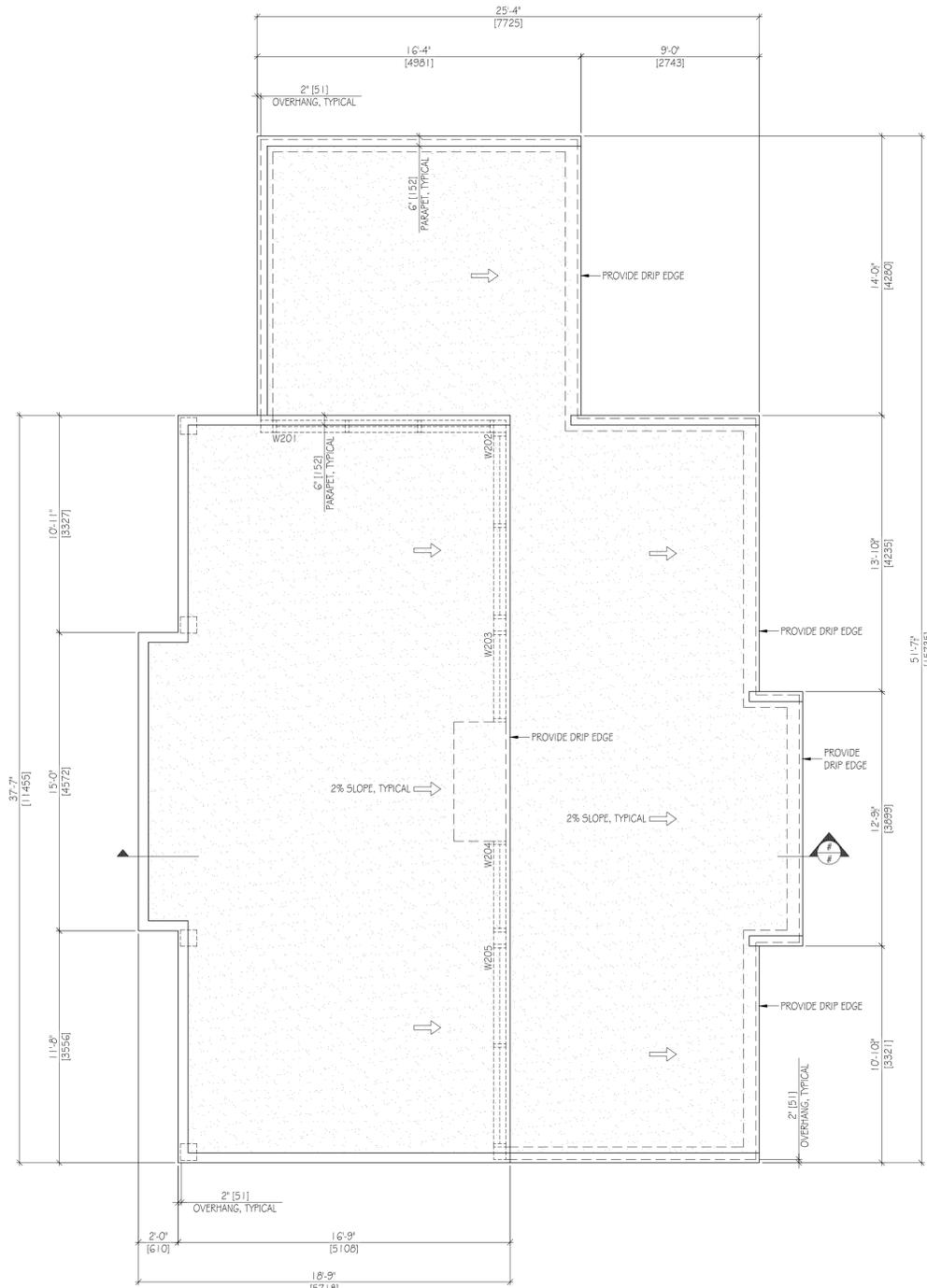
- CW - - - COLD WATER SUPPLY, SIZE AS NOTED
- HW - - - HOT WATER SUPPLY, SIZE AS NOTED
- SAN - - - SANITARY DRAIN LINE, SIZE AS NOTED
- ⊕ SINK (SINGLE) ROUGH-IN  
1/2" HOT WATER LINE WITH SHUTOFF VALVE  
1/2" COLD WATER LINE WITH SHUTOFF VALVE  
1/2" TRAPPED SANITARY LINE  
1/2" VENT PIPE
- ⊕ TUB/SHOWER ROUGH-IN  
1/2" HOT WATER LINE WITH SHUTOFF VALVE  
1/2" COLD WATER LINE WITH SHUTOFF VALVE  
1/2" TRAPPED SANITARY LINE  
1/2" VENT PIPE
- ⊕ TOILET ROUGH-IN  
1/2" COLD WATER LINE WITH SHUTOFF VALVE  
3" SANITARY LINE  
2" VENT PIPE
- ⊕ SINK (DOUBLE) ROUGH-IN  
1/2" HOT WATER LINE WITH SHUTOFF VALVE  
1/2" COLD WATER LINE WITH SHUTOFF VALVE  
1/2" TRAPPED SANITARY LINE  
1/2" VENT PIPE

**PLUMBING NOTES**

1. ALL PLUMBING MUST CONFORM TO THE PROVINCIAL BUILDING CODE, BASE BUILDING STANDARDS AND LOCAL BY-LAWS, AS APPLICABLE, TO THE SATISFACTION OF THE LOCAL AUTHORITY HAVING JURISDICTION.
2. CONTRACTOR TO OBTAIN AND PAY FOR ALL NECESSARY PERMITS PRIOR TO COMMENCEMENT OF WORK. RETAIN ALL INSPECTION CERTIFICATES, SUBMIT TO OWNER.
3. CONTRACTOR TO VERIFY LOCATIONS AND RATINGS OF FIXTURES AND MECHANICAL AND TO CO-OPERATE WITH OTHER TRADES FOR TIMELY COMPLETION OF THE PROJECT.
4. CONTRACTOR TO VERIFY MEASUREMENTS IN THE FIELD PRIOR TO EXECUTION OF WORK, AND BRING ANY DISCREPANCIES TO THE DESIGNER FOR RESOLUTION.
5. CONTRACTOR TO VISIT THE SITE TO DETERMINE EXISTING CONDITIONS, FAILURE TO DO SO SHALL NOT RELIEVE CONTRACTOR OF FULL RESPONSIBILITY FOR THE EFFECTS OF SUCH CONDITIONS ON THE WORK.
6. VERIFY ALL PLUMBING FIXTURES AND LOCATIONS WITH OWNER PRIOR TO CONSTRUCTION/INSTALLATION.
7. ALL FIXTURE ROUGH INS TO HAVE HOT WATER SUPPLY LOCATED ON LEFT SIDE.
8. VENTING SHALL BE PROVIDED AND INSTALLED AS PER OBC REQUIREMENTS.
9. PLUMBING FITTINGS SHALL BE ANCON OR APPROVED EQUAL.
10. INSTALL ANCON (SHOCK-GARD), OR EQUAL, SHOCK ABSORBERS ON ALL NEW HOT AND COLD WATER LINES SERVICING GROUPS OR INDIVIDUAL FIXTURES.
11. INSULATE COLD AND HOT WATER PIPING WITH 1" THICK INSULATION, AND STORM AND SANITARY PREMULDED GLASS-FIBRE INSULATION WITH VAPOUR PIPING WITH 1/2" THICK BARRIER JACKET. SEAL ALL JOINTS VAPOUR TIGHT. INSULATE CONTINUOUSLY THROUGH SLEEVES. DO NOT USE STAPLES.
12. PLUMBING CONTRACTOR WILL INSTALL TEMPORARY CAPS OR CLOSURES ON THE ENDS OF ALL PIPES, CONDUITS ETC. TO PREVENT THE ENTRY OF DEBRIS. ALL HOT AND COLD WATER LINES TO BE INSULATED. CONTRACTOR TO PRESSURE TEST ALL SYSTEMS THAT WILL BE UNDER POSITIVE OR NEGATIVE PRESSURE.
13. PLUMBING CONTRACTOR SHALL INSTALL CLEANOUTS AT INTERVALS NOT TO EXCEED 15 m ALONG STRAIGHT RUNS. IF THERE IS MORE THAN (1) CHANGE IN DIRECTION IN A RUN, CLEANOUTS ARE TO BE INSTALLED AT EVERY 12 m MAXIMUM. FIRST CLEANOUT TO BE INSTALLED AS CLOSE TO POINT OF DRAIN EXITING BUILDING AS POSSIBLE.
14. PLUMBING CONTRACTOR TO CONFIRM ALL CLEANOUT LOCATIONS ON SITE PRIOR TO INSTALLATION.
15. INSTALL POLISHED CHROME ESCUTCHEON PLATES ON ALL PIPES WHERE THEY PASS THROUGH WALLS OR CEILINGS IN FINISHED AREAS.
16. PROVIDE ACCESS DOORS FOR ALL CONCEALED VALVES. ACCESS DOORS TO MATCH WALL AND/OR CEILING SURFACES/COLOURS.
17. PLUMBING CONTRACTOR IS RESPONSIBLE FOR THE FINAL HOOK-UP OF ALL PLUMBING SERVICES TO ALL FIXTURES.
18. SUBMIT A 'CERTIFICATE OF GUARANTEE' OF WORKMANSHIP AND MATERIALS FOR ONE YEAR FROM THE DATE OF ACCEPTANCE.



1 PLUMBING PLAN  
5 SCALE: 1/4" = 1'-0"



2 ROOF PLAN  
5 SCALE: 1/4" = 1'-0"



**CHARLES LINSEY & ASSOCIATES LIMITED**  
 37 Inan Street South, PO Box 1479, Waterford, On L0R 2H0  
 Tel: (905) 548-7607, Info@charleslinsey.com, www.charleslinsey.com

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



CHARLES MacPHAIL, CHARLES LINSEY & ASSOCIATES LIMITED, BCRN 26723, BCIN 41983

- DRAWING LIST**
1. GENERAL AND CONSTRUCTION NOTES, SCHEDULES AND SECTION
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date	JANUARY 2023	scale 1/4" = 1'-0"
revision number	0	drawing number 5



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>		
<b>Applicant(s)</b>		
<b>Agent or Solicitor</b>		

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 lisa@charleslinsey.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	957 Brock Road		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To increase the maximum lot coverage for accessory buildings.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The existing accessory buildings on the property exceed the current minimum lot coverage.

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
398.0m	555.4m	267,678.4 m <sup>2</sup>	6.6m

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	394.9m	123.3m	232.6 & 243.0m	01/11/2005
Accessory Building A	50.3m	474.6m	152.9m & 222.1m	01/01/1950
Accessory Building B	48.9m	497.4m	216.6m & 174.3m	01/01/1980

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Building C	408.2m	130.9m	275.2m & 227.7m	09/01/2023

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	408.0m <sup>2</sup>	408.0m <sup>2</sup>	1	6.0m
Accessory Building A	355.8m <sup>2</sup>	594.0m <sup>2</sup>	2	10.5m
Accessory Building B	63.4m <sup>2</sup>	63.4m <sup>2</sup>	1	5.3m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Building C	129.2m <sup>2</sup>	129.2m <sup>2</sup>	1	4.0m

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

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

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

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

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

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

4.7 Type of access: (check appropriate box)

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

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

Residential - Single Detached Dwelling

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

Residential - Single Detached Dwelling

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

July 2016

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

Residential - Single Detached Dwelling

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

Residential - Single Detached Dwelling

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

Always

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? A2 \_\_\_\_\_

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

- Yes  No

If yes, please provide the file number: A2 \_\_\_\_\_

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

Yes  No

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

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

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>FL/A-23:193</b>	<b>SUBJECT PROPERTY:</b>	939 - 943 CONCESSION 6 W, FLAMBOROUGH
<b>ZONE:</b>	A1 (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 15-173

**APPLICANTS:**      **Owner:** PETER & JACOB KRALT  
                                 **Agent:** KEVIN WEBSTER DESIGNS INC. C/O KEVIN WEBSTER

The following variances are requested:

1. The existing Single Detached Dwellings, including the proposed addition/ alteration, shall be permitted instead of the requirement that in any zone where a single detached dwelling is permitted, no more than one such dwelling shall be erected on a lot.

**PURPOSE & EFFECT:**      So as to permit an addition to the existing Single Detached Dwelling on a lot containing two Single Detached Dwellings.

**Notes:**

- i) Be advised, there is insufficient information within Building Records to determine if the Single Detached Dwelling(s) have existed prior to the passing of Flamborough Zoning By-Law 90-145-Z on November 5, 1990 or any such applicable Zoning By-Law prior to this date. As such, an Applicable Law Review to determine the establishment of a Legal Non-Conforming Use may be required to determine if the dwellings have been legally established and existed continuously prior to the By-Law.
- ii) In addition to the above, insufficient information has been provided to determine Building Height of the proposed Second Storey Addition. Elevation drawings indicate height from finished grade to below the roof line but does not include the height of the building to its highest point; as such, height cannot be determined. Should the height of the proposed addition exceed the 10.5 metres permitted under Section 12.1.3.3 c), additional variances may be required.

FL/A-23:193

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:20 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

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

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:193, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

FL/A-23:193



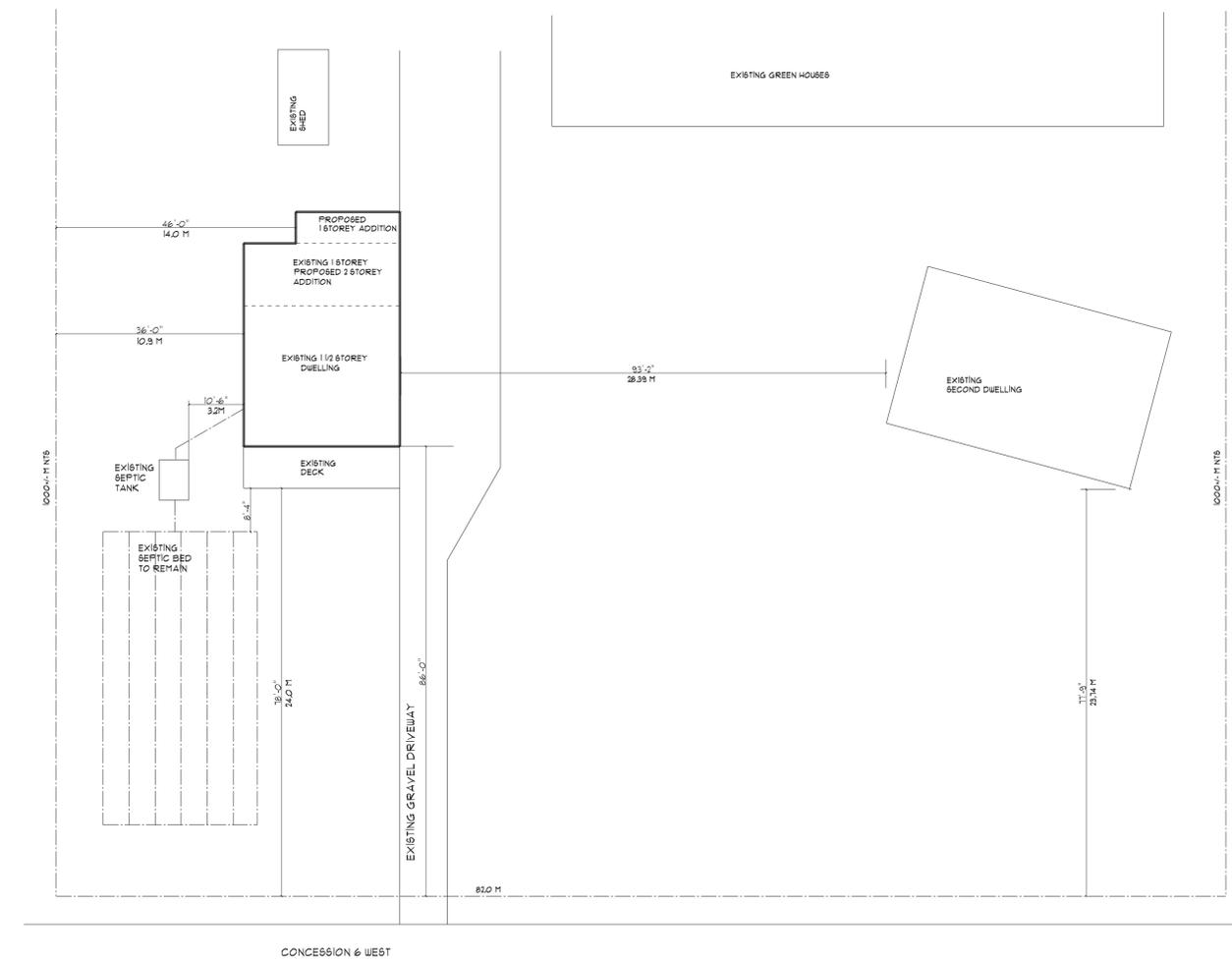
 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

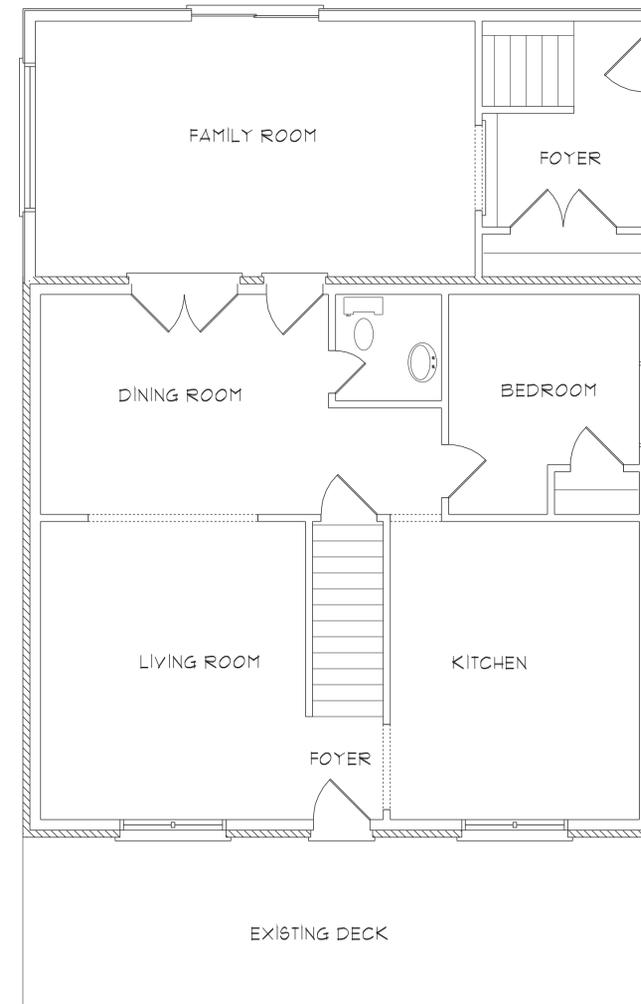


SITE PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	K.W.

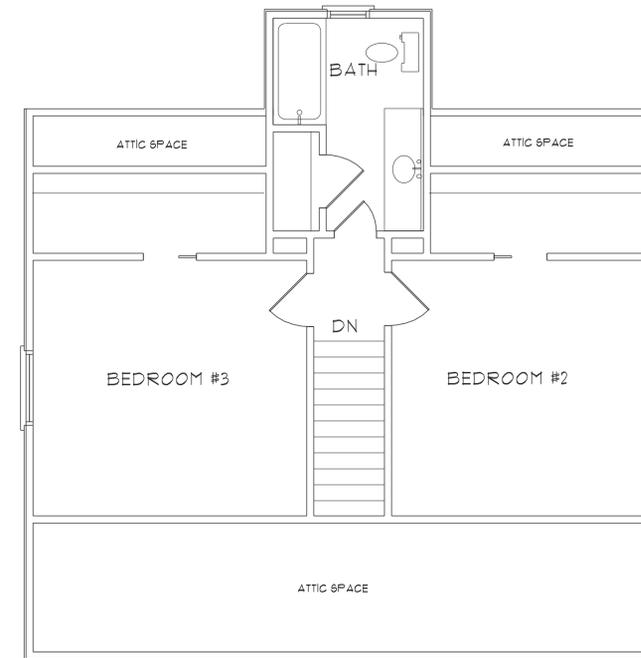
  

<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009	
PROJECT NO. 202302	DATE JAN. 2023
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.	
DRAWING: <b>SITE PLAN</b>	
DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: SP1



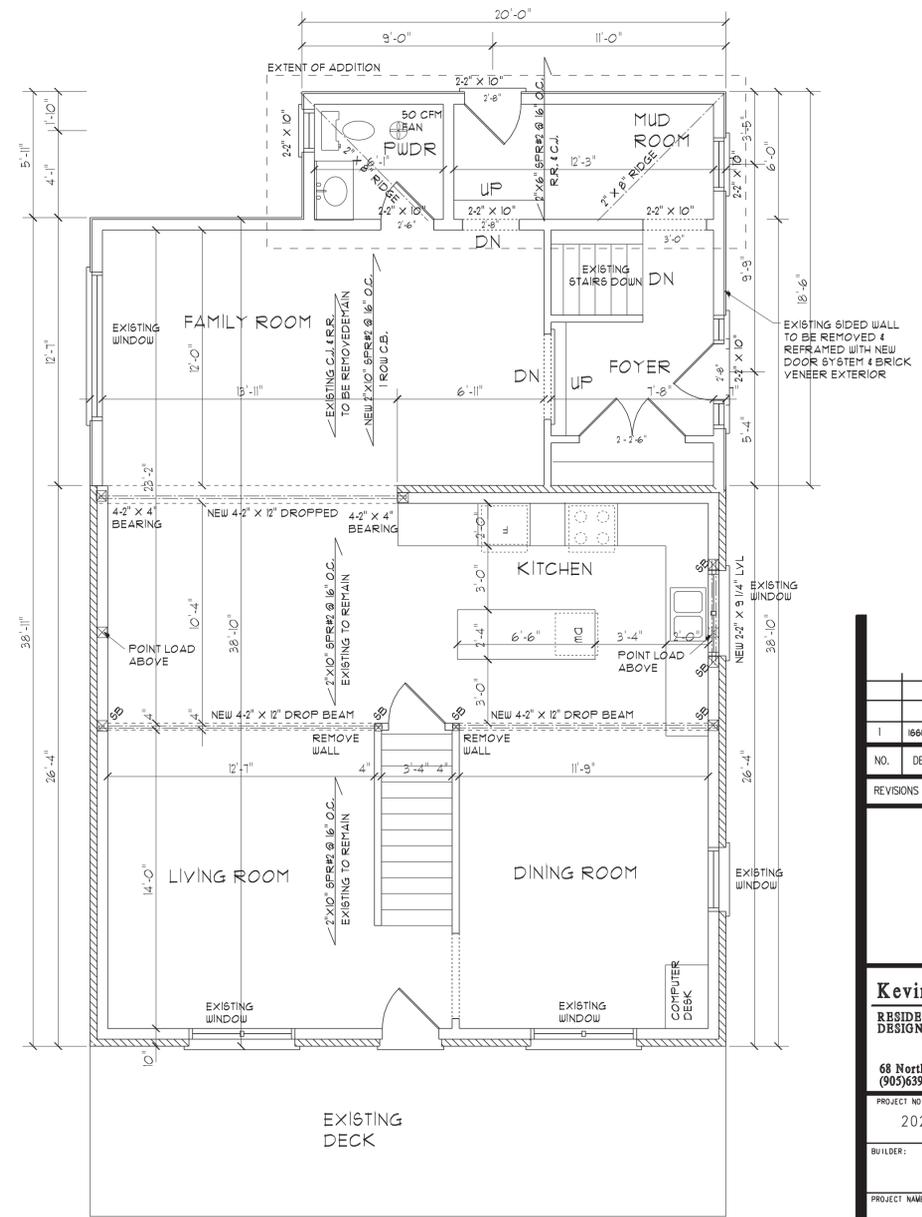
EXISTING GROUND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	K.W.
REVISIONS			
<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO.	202302	DATE:	JAN. 2023
BUILDER:			
PROJECT NAME:	KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.		
MODEL:			
DRAWING:	<b>EXISTING PLANS</b>		
DRAWN BY:	K.W.	CHECKED BY:	K.W.
SCALE:	1/4"=1'-0"	PAGE:	1



EXISTING SECOND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	K.W.
REVISIONS			
<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO.	DATE:		
202302	JAN. 2023		
BUILDER:			
PROJECT NAME:			
KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING:			
<b>EXISTING PLANS</b>			
DRAWN BY:	CHECKED BY:		
K.W.	K.W.		
SCALE:	PAGE:		
1/4"=1'-0"	2		



PROPOSED GROUND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	KW

NO.	DESCRIPTION	DATE	BY
REVISIONS			

**Kevin Webster Designs Inc.**  
 RESIDENTIAL & COMMERCIAL  
 DESIGN, DRAFTING & CONSULTING

68 North Valley Dr., Welland, Ontario L3C 7L6  
 (905)639-2009

PROJECT NO. 202302	DATE JAN. 2023
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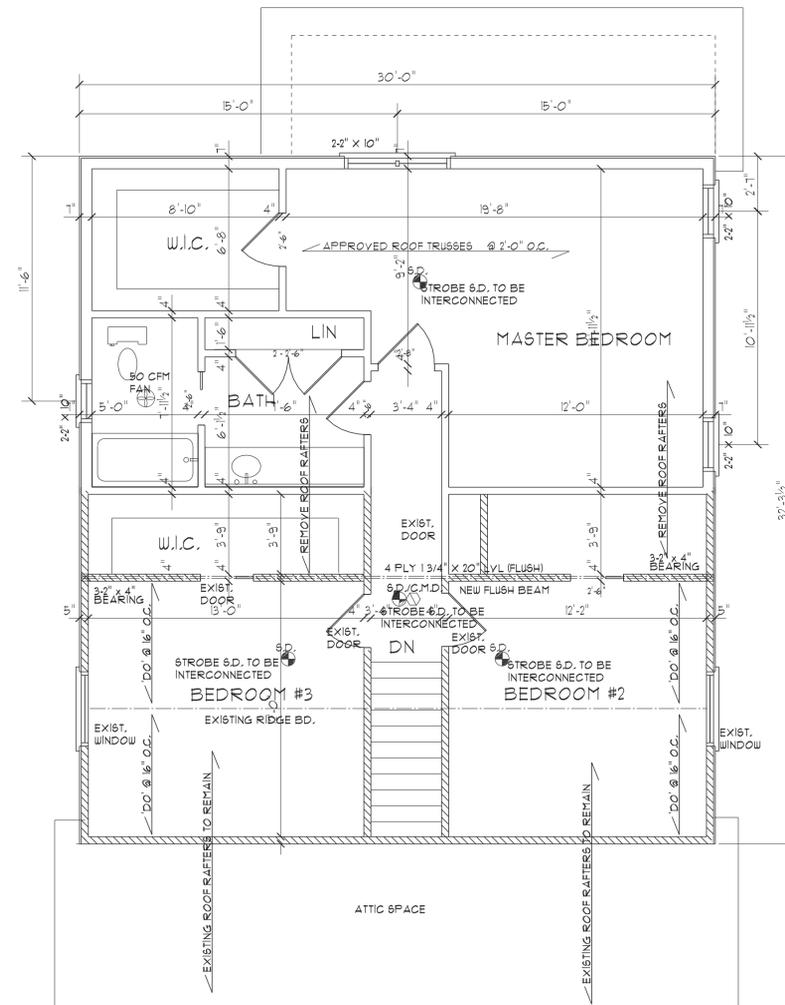
BUILDER:

PROJECT NAME:  
 KRALT RESIDENCE  
 943 CONCESSION 6 W  
 HAMILTON, ONT.

MODEL:

DRAWING:  
**PROPOSED GROUND FLOOR PLANS**

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PROPOSED SECOND FLOOR PLAN

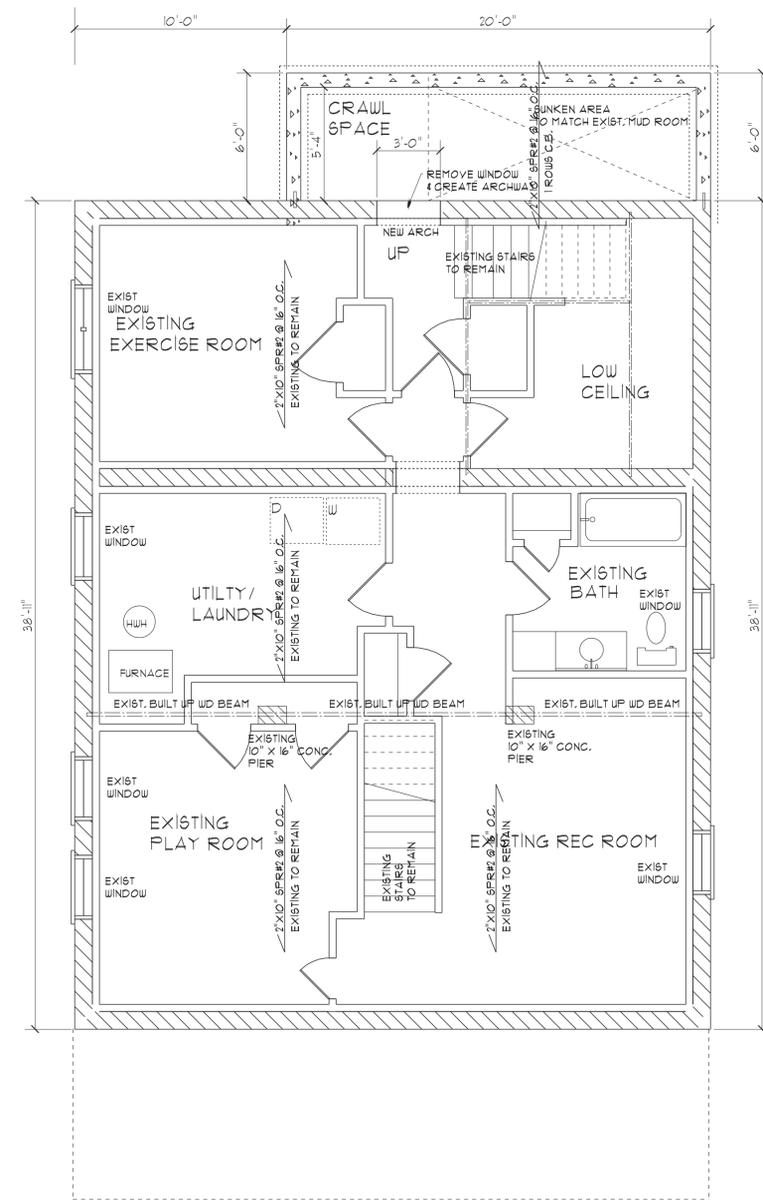
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	K.W.

REVISIONS			

<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302	DATE: JAN. 2023		
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING: <b>PROPOSED SECOND FLOOR PLANS</b>			
DRAWN BY: K.W.	CHECKED BY: K.W.		
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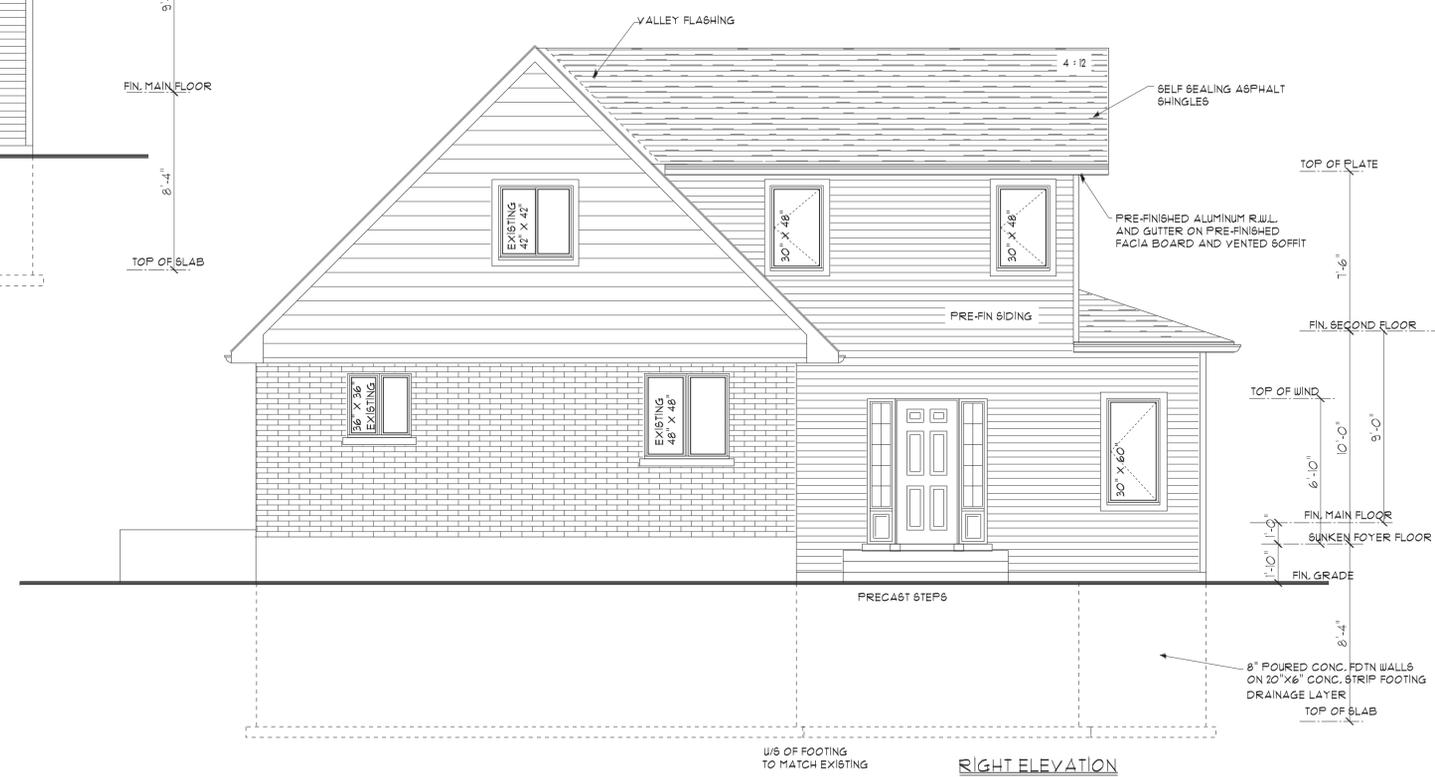
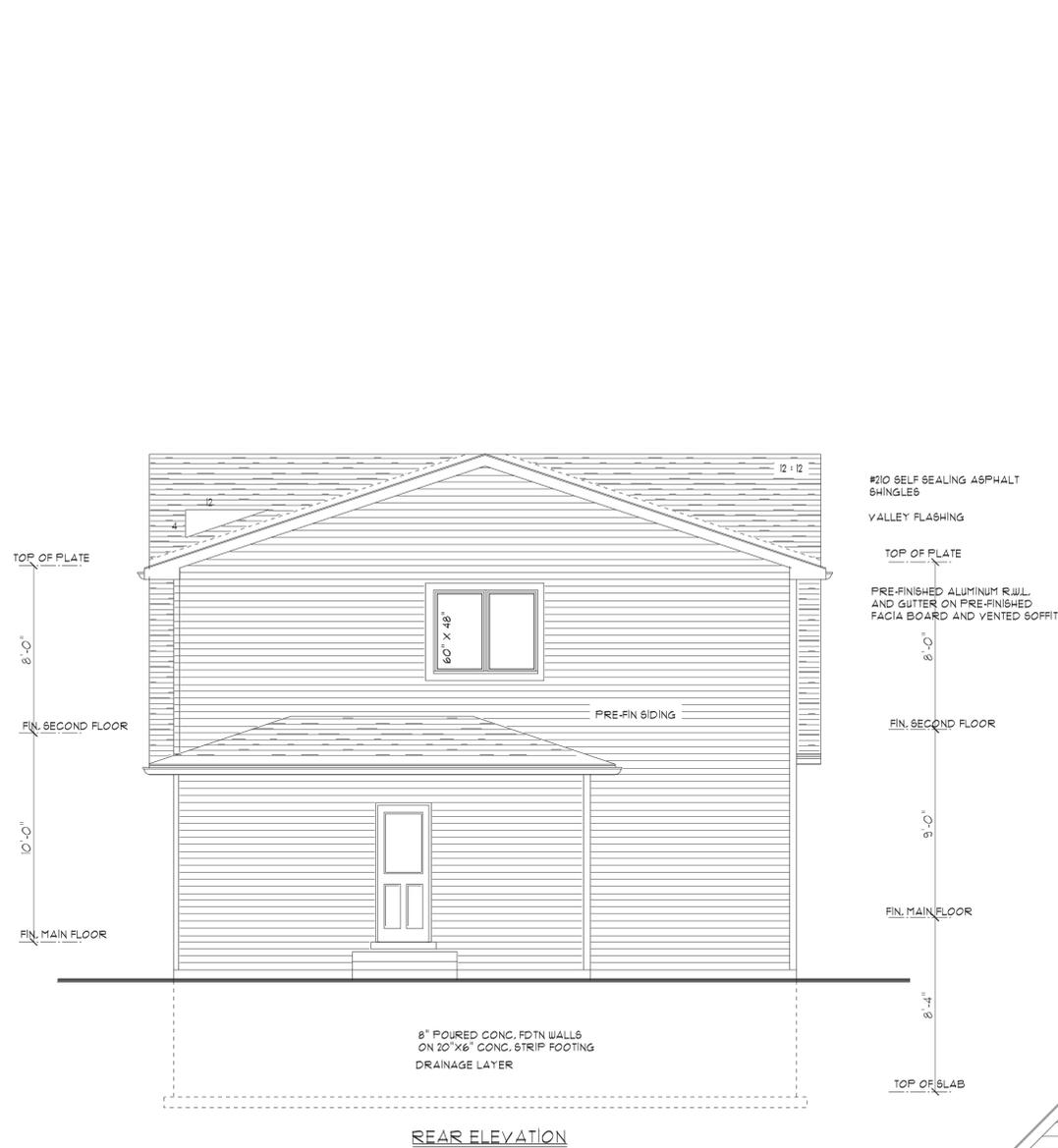


EXISTING/PROPOSED BASEMENT

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	KW

<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009	
PROJECT NO. 202302	DATE JAN. 2023
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.	
MODEL: DRAWING: <b>PROPOSED BASEMENT FLOOR PLANS</b>	
DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: 5



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	K.W.

REVISIONS

**Kevin Webster Designs Inc.**  
 RESIDENTIAL & COMMERCIAL  
 DESIGN, DRAFTING & CONSULTING  
 68 North Valley Dr., Welland, Ontario L3C 7L6  
 (905)639-2009

PROJECT NO. 202302	DATE JAN. 2023
-----------------------	-------------------

BUILDER:

PROJECT NAME:  
 KRALT RESIDENCE  
 943 CONCESSION 6 W  
 HAMILTON, ONT.

MODEL:

DRAWING:

**PROPOSED EXTERIOR ELEVATIONS**

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4" = 1'-0"	PAGE: 6

**CONSTRUCTION NOTES**  
(UNLESS OTHERWISE NOTED)  
ALL CONSTRUCTION TO CONFORM TO THE ONTARIO BUILDING CODES AND ALL OTHER CODES AND LOCAL AUTHORITIES HAVING JURISDICTION.  
ALL DIMENSIONS GIVEN FIRST IN METRIC (MM) FOLLOWED BY IMPERIAL.

**1. ROOF CONSTRUCTION**  
NO.210(30.5KG/M2) ASPHALT SHINGLES, 1/2" SPRUCE PLYWOOD SHEATHING WITH "H" CLIPS, APPROVED WOOD TRUSSES @ 24" O.C. APPROVED EAVES PROTECTION TO EXTEND 750MM BEYOND INNER FACE OF EXTERIOR WALL 2"x4" TRUSS BRACING 7'-0" O.C. AT BOTTOM CHORD, METAL EAVESTROUGH ON ALUM. FASCIA & VENTED SOFFIT, ATTIC VENTILATION 1:300 OF INSULATED CEILING AREA WITH 50% AT EAVES.

**2. FRAME WALL CONSTRUCTION**  
SIDING AS PER ELEVATION TYVEK AIR BARRIER, 2 X 6 STUDS @ 16" O.C., 1/2" PLYWOOD SHEATHING R19+R5 CI INSUL. AND VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH.

**3. BRICK VENEER CONSTRUCTION**  
4" FACE BRICK, 1" AIR SPACE, 1"x7"x22GA. METAL TIES @ 16" O.C. HORIZONTAL, 24" O.C. VERTICAL NO.15(0.7KG/M2)BLDG.PAPER, 1/2" PLYWOOD, 2"x6" STUDS 24" O.C., R19+R5 CI AND 6MIL VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH. PROVIDE WEEP HOLES @ 30" O.C. BOTTOM COURSE ONLY AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" BEHIND SHEATHING PAPER.

**4. INTERIOR STUD PARTITIONS**  
2"x4" @ 16" O.C. BEARING, 1/2" INT. DRYWALL BOTH SIDES, 2"x4" BOTTOM PLATE 2/2"x4" TOP PLATE.

**5. FOUNDATION WALL/FOOTINGS**  
8" POURED CONC. FDN. WALL BITUMINOUS DAMPROOFING AND DRAINAGE LAYER ON 20" X 6" CONTINUOUS KEYED CONC.FTG. OR AS PER SOIL REPORT. BACKFILL WITH NON-FROST SUSCEPTIBLE SOIL. C/W DRAINAGE LAYER

ALL FOOTINGS SHALL REST ON NATURAL UNDISTURBED SOIL OR COMPACTED GRANULAR FILL, WITH MIN. BEARING CAPACITY OF 1500PSF OR GREATER.

**6. 4" DIA. WEEPING TILE, 6" CRUSHED STONE OVER AND AROUND ALL FOOTINGS.**

**7. 4" 25MPA CONC. SLAB ON 5" CRUSHED STONE**

**8. FIN. FLOOR ON 5/8" SPRUCE PLYWOOD SUBFLOOR ON WD FLOOR JOISTS PROVIDE ADDITIONAL 5/8" PANEL TYPE UNDERLAY BENEATH CERAMIC TILES.**

**9. R60 ROOF INSULATION 5/8" DRYWALL FINISH.**

**10. ALL STAIRS/EXTERIOR STAIRS**  
MAX. RISE = 200(7 7/8")  
MIN. RUN = 255(10")  
MIN. TREAD = 235(9-1/4")  
MIN NOSING = 25 (1")

MIN. HEAD ROOM = 1950(6'-5")  
RAIL @ LAND = 915(3'-0")  
@ STAIR = 810(2'-8")  
MIN. WIDTH = 860(2'-10")  
FOR CURVED STAIRS  
MIN RUN = 150(6")  
MIN AVG RUN = 200(8")

**11. FIN. RAILING ON WOOD PICKET MAX. 4" BETWEEN.**

**12. 2"x4" SILL PLATE WITH 1/2" DIA. ANCHOR BOLTS 12" LONG, MIN. 4" IN CONCRETE @ 7'-10" O.C. CAULKING OR GASKET BETWEEN PLATE AND CONCRETE WALL.**

**13. FULL HEIGHT R 20 CI INSULATION 2" X 4" WOOD STUDS @ 16" O.C. 6MIL VAPOUR BARRIER FULL HEIGHT, DAMPROOF BETWEEN FOUNDATION WALL AND INSULATION WITH BUILDING PAPER**

**14. BEARING STUD PARTITION 2"x4" STUDS @ 16" O.C. 2"x4" SILL PLATES ON DAMPROOFING MATERIAL, 1/2" DIA. ANCHOR BOLTS 7'-10" O.C. ON 4" HIGH CONC. CURB ON 16"x6" CONC. FOOTING.**

**15. 3-1/2" X 0.188" PIPE COLUMN, 38"x38"x16" CONC. FTG. 9" X 5" X 1/4" TOP PLATE AND 6" X 6" X 1/4" BASE PLATE.**

**16. BEAM POCKET 8"x8" POURED CONC. NIB WALLS.**

**17. 1"x4" BOTH SIDES OF STEEL BEAM.**

**18. 4" CONC. SLAB, 5" CRUSHED STONE SLOPE TO FRONT, CONC. STRENGTH 25MPA AND WITH 5-8% AIR ENTRAINMENT.**

**19. 1/2" GYPSUM BD. ON WALLS AND CEILING BETWEEN HOUSE AND GARAGE. R24 IN WALLS, R31 IN CEILINGS. ADD VAPOUR BARRIER. TAPE AND SEAL ALL JOINTS GAS TIGHT.**

**20. DOOR GAS PROOFED WITH SELF CLOSER AND WEATHERSTRIPPING. MIN. 6" SILL.**

**21. PRECAST CONCRETE STEP.**

**22. CAPPED DRYER VENT.**

**23. ATTIC ACCESS HATCH 20"x28" WITH WEATHERSTRIPPING.**

**24. TOP OF FIREPLACE CHIMNEYS SHALL BE 915(3'-0") ABOVE HIGHEST POINT AT WHICH IT COMES IN CONTACT WITH THE ROOF AND 610(2'-0") ABOVE ROOF SURFACE WITHIN A HORIZONTAL DISTANCE OF 3050(10'-0") FROM THE CHIMNEY.**

**25. LINEN CLOSET 4 SHELVES MIN. 350(1'-2") DEEP.**

**26. WASHROOMS TO BE MECHANICALLY VENTED TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR.**

**27. JOISTS AND BEAMS TO BE STAGGERED MIN. 100MM(4") AT PARTY WALL.**

**28. U.L.C. RATED CLASS "B" VENT 610 (2'-0") HIGH FROM POINT IN CONTACT WITH ROOF FOR SLOPES UP TO 9/12 AND 1220(4'-0") FOR SLOPES GREATER THAN 9/12.**

**29. 140X140(6"x6") WOOD COL. ON METAL BASE SHOE AND 127(1/2") DIA. BOLT, 610X610X155(24"x24"x6") CONC. FTG.**

**30. STEP FOOTINGS: HORIZONTAL STEP =610MM (2'-0") MIN. VERTICAL STEP =600MM MAX. FOR FIRM SOILS AND 400MM FOR SAND AND GRAVEL.**

**31. MIN. 75MM(3") CONCRETE SLAB-ON-GRADE ON 125MM CRUSHED STONE. SLAB SHALL BE REINFORCED WITH 6X6-W2.9XW2.9 MESH AND SUCH REINFORCEMENTS SHALL BE LOCATED NEAR MID-DEPTH OF SLAB. CONC. STR. 25MPA AND WITH 5-8% AIR ENTRAINMENT.**

**32. PROVIDE 200MM(8") DEEP SOLID MASONRY UNDER ALL BEAMS.**

**33. MASONRY PARTY WALLS SHALL EXTEND TO UNDERSIDE OF ROOF DECK MIN. 1 HR. FIRE RATING.**

**34. ALL JOIST TO BE BRIDGED WITH A CONTINUOUS 19X89(1"x4") OR 38X38(2"x2") CROSS BRIDGING OR SOLID BLOCKING AT 2100(7'-0") O.C. MAX. OR 1375(4'-6") O.C. WITHIN 460(18") OF MAX. SPAN.**

**35. WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE TREATED WITH A WOOD PRESERVATIVE AND WHICH ARE SUPPORTED ON CONCRETE IN CONTACT WITH THE GROUND OR FILL SHALL BE SEPARATED FROM THE CONC.**

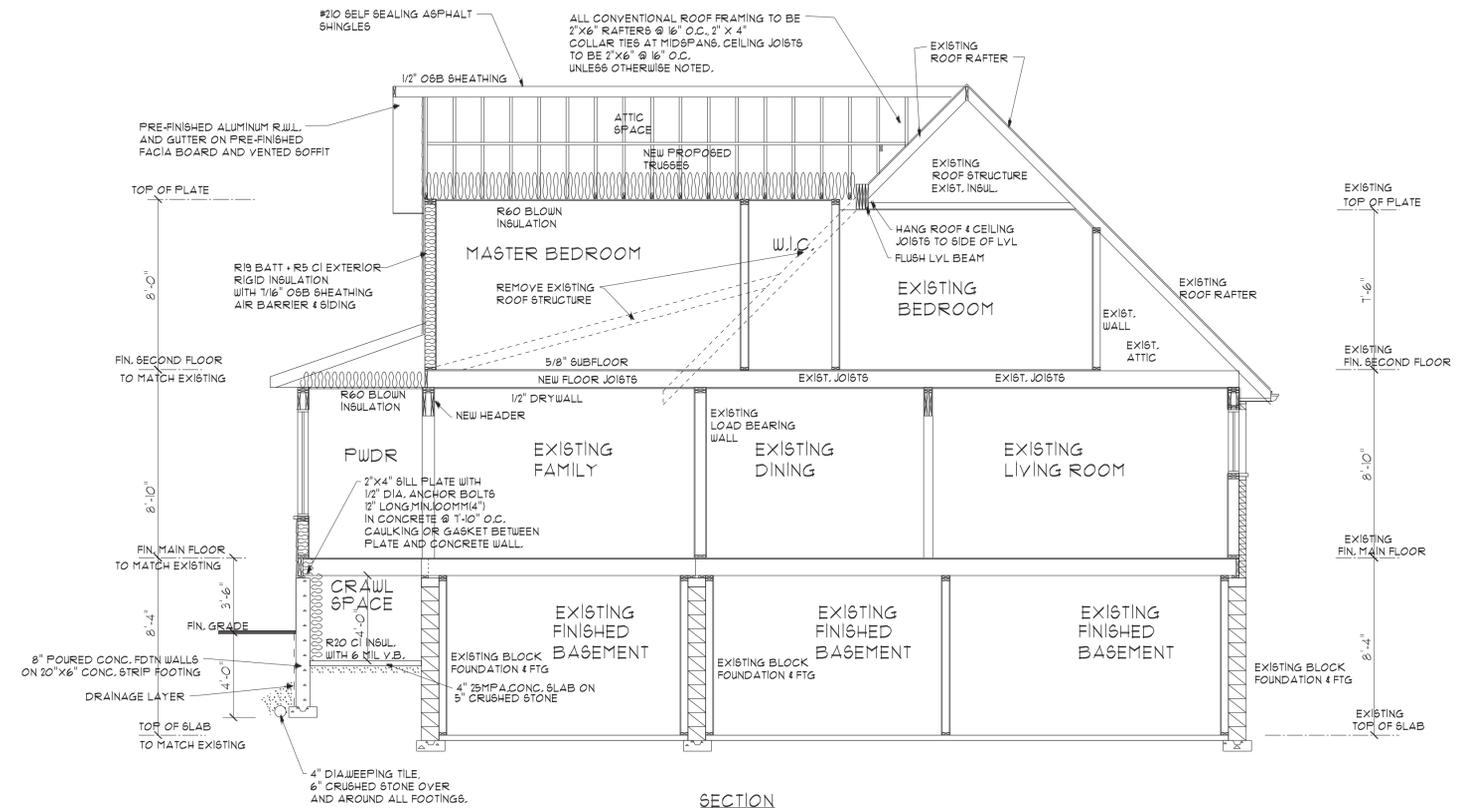
PROVIDE POLYSTYRENE GASKET DAMPROOFING BETWEEN WOOD AND CONC.

**36. PORCH SLABS ABOVE COLD CELLARS: 125(5") POURED CONC. SLAB WITH 10M BARS @ 300 O.C. EACH WAY. 610X610(24"x24") DOWELS @ 600 O.C. ANCHORED IN PERIMETER FDN. WALLS SLOPES SLAB MIN 1.5%.**

**37. WHERE THE FDN. WALL IS REDUCED IN THICKNESS TO ALLOW MASONARY FACING THE MIN. REDUCED THICKNESS SHALL NOT BE LESS THAN 90MM THICK, AND TIED TO FACING MATERIAL WITH METAL TIES SPACED 200MM O.C. HORIZONTALLY MAX. FILL SPACE BETWEEN WALL AND FACING SOLID WITH MORTAR.**

**38. ALL CONVENTIONAL ROOF FRAMING TO BE 38X140(2"x6") RAFTERS @ 400(16") O.C., 2" X 4" COLLAR TIES AT MIDSPANS. CEILING JOISTS TO BE 38X140(2"x6") @ 400(16") O.C. UNLESS OTHERWISE NOTED.**

**39. 3 - 1/2" SHEETS OF FIRE RESISTANT DRYWALL FIRE BREAK**



SECTION

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/26/23	KW

REVISIONS

**Kevin Webster Designs Inc.**  
RESIDENTIAL & COMMERCIAL  
DESIGN, DRAFTING & CONSULTING  
68 North Valley Dr., Welland, Ontario L3C 7L6  
(905)639-2009

PROJECT NO: 202302	DATE: JAN. 2023
-----------------------	--------------------

BUILDER:  
  
PROJECT NAME:  
KRALT RESIDENCE  
943 CONCESSION 6 W  
HAMILTON, ONT.

MODEL:  
  
DRAWING:

**CROSS SECTION**

DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: 7



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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	[REDACTED]	
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	943 6th Concession West, Flamborough, Ont		
Assessment Roll Number			
Former Municipality	Flamborough		
Lot		Concession	6
Registered Plan Number		Lot(s)	4
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To allow an extension to the original dwelling, for a legal non conforming property that contains 2 dwellings

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Both dwellings exist & require an addition to the original dwelling, where only 1 dwelling is allowed on the property

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

Yes

No

If yes, please provide an explanation:

The property has 2 dwellings existing on the same lot, we require an addition to the original dwelling, the property is considered legal non conforming

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
82 m	1100 m	90200 sq. m	20m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Original dwelling	24.5 m	885 m	11/61 m	01/01/1972
Second dwelling	21.0 m	902 m	59/3 m	01/01/1985
greenhouses	48.0 m	717 m	5/113 m	01/01/1975
shed	47 m	872 m	12/65 m	01/01/1995

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
original dwelling	24.5 m	883 m	11/61 m	11/01/2023
second dwelling	21.0 m	902 m	59/3 m	01/01/1985
greenhouses	48.0 m	717 m	5/113 m	01/01/1975
shed	47 m	872 m	12/65 m	01/01/1995

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
Original dwelling	116 sq m	171 sq	1 1/2	7.5 m
Second dwelling	160 sq. m	160 sq. m	1	6.0 m
greenhouses	10800 sq m	10800 sq. m	1	6.0 m
shed	20	20	1	3.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Original dwelling	128 sq m	224 sq. m	2	7.5 m
Second dwelling	160 sq m	160 sq m	1	6.0 m
greenhouses	10800 sq m	10800 sq m	1	6.0 m
shed	20	20	1	3.5 m

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

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

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

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

- 4.6 Type of sewage disposal proposed: (check appropriate box)
- publicly owned and operated sanitary sewage
- system privately owned and operated individual
- septic system other means (specify) \_\_\_\_\_
- 4.7 Type of access: (check appropriate box)
- provincial highway  right of way
- municipal road, seasonally maintained  other public road
- municipal road, maintained all year \_\_\_\_\_
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Single detached dwelling, agricultural
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
Agricultural

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:  
1972
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Single detached dwelling
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
single detached dwelling
- 7.4 Length of time the existing uses of the subject property have continued:  
Since 1972
- 7.5 What is the existing official plan designation of the subject land?
- Rural Hamilton Official Plan designation (if applicable): Agricultural
- Rural Settlement Area: A1
- Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_
- Please provide an explanation of how the application conforms with the Official Plan.  
Both dwellings are existing, require extension for growing family
- 7.6 What is the existing zoning of the subject land? A1

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

Yes  No

If yes, please provide the file number: A1

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

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

- 7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>FL/A-23:198</b>	<b>SUBJECT PROPERTY:</b>	174 MILL STREET N, FLAMBOROUGH
<b>ZONE:</b>	"R1-74" (Urban Residential (Single Detached))	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Flamborough 90-145-Z, as Amended 22-072

**APPLICANTS:**      **Owner:** CHRISTINA FRANK, VICTORIA FRANK, & HILARY PYPER  
                                 **Agent:** JANSEN CONSULTING C/O AMY SCHAEFFER

The following variances are requested:

1. One door shall be provided for an attached garage greater than 5 metres in width instead of the two garage doors required for an attached garage greater than 5 metres in width.

**PURPOSE & EFFECT:**      To facilitate the construction of a proposed 2 storey addition to an existing home, including attached garage.

**Notes:** N/A

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:25 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**FL/A-23:198**

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:198, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

FL/A-23:198



 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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

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

## PARTICIPATION PROCEDURES

### Written Submissions

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

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

### Oral Submissions

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

#### 1. Virtual Oral Submissions

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

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

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

#### 2. In person Oral Submissions

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

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

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

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF**  
**PART OF**  
**LOT 123**  
**PLAN M-5**  
**IN THE**  
**CITY OF HAMILTON**

SCALE 1 : 200

THE INTENDED PLOT SIZE OF THIS PLAN IS 740mm IN WIDTH BY 480mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)  
 MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS  
 © 2022

KNOWN AS MUNICIPAL No. 174 MILL STREET NORTH

**PART 2 - REPORT SUMMARY** (TO BE READ IN CONJUNCTION WITH PART 1)  
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - JULY 25, 2022

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:  
 - NONE

**ADDITIONAL REMARKS:**  
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES  
 - THE BOUNDARY CONFIRMED BY PLAN BA-495, INST. No. 62BA495

MacKAY, MacKAY & PETERS LIMITED grants CHRISTINA FRANK ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client"

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ASSOCIATION OF ONTARIO LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 V-40590

  
 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1028, SECTION 29(3)

**LEGEND**

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN M-5
- P2 DENOTES EXPROPRIATION PLAN 62-R-314
- P3 DENOTES PLAN BY A.T. McLAREN LIMITED DATED APRIL 27, 1988
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES ORIGIN UNKNOWN
- PROD DENOTES PRODUCTION
- DS DENOTES DOOR SILL ELEVATION
- GF DENOTES GARAGE FLOOR ELEVATION
- Q DENOTES CENTRELINE
- BF DENOTES BOARD FENCE
- CLF DENOTES CHAIN LINK FENCE
- GM DENOTES GAS METER
- WP DENOTES DECORATIVE WATER PUMP
- SRW DENOTES STONE RETAINING WALL
- WRW DENOTES WOOD RETAINING WALL
- CB DENOTES CATCH BASIN
- SAN MH DENOTES SANITARY MANHOLE
- STM MH DENOTES STORM MANHOLE
- RDS DENOTES ROAD SIGN
- WHYD DENOTES WATER FIRE HYDRANT
- OHW DENOTES OVERHEAD WIRE
- DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
- ★ DENOTES CONIFEROUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

A ROTATION OF 00°35'50" HAS BEEN APPLIED TO BEARINGS ON P2

**BENCHMARK NOTE**

CITY OF HAMILTON BENCHMARK No. 0011965U128  
 ELEVATION = 226.923 METRES (CGVD28:78 ADJUSTMENT)  
 BELL TELEPHONE BUILDING ON NORTHEAST SIDE OF MILL STREET 30 METRES NORTHWEST OF MAIN STREET (HIGHWAY NO. 5) DIRECTLY OPPOSITE WATERDOWN ALLIANCE CHURCH TABLET IN SOUTHEAST CONCRETE FOUNDATION WALL 0.36 METRES FROM SOUTHWEST CORNER 0.51 METRES BELOW BRICK

**BEARING REFERENCE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWESTERLY LIMIT OF ALBERT STREET AS SHOWN ON PLAN M-5, HAVING A BEARING OF N43°32'10"E

**SURVEYOR'S CERTIFICATE**

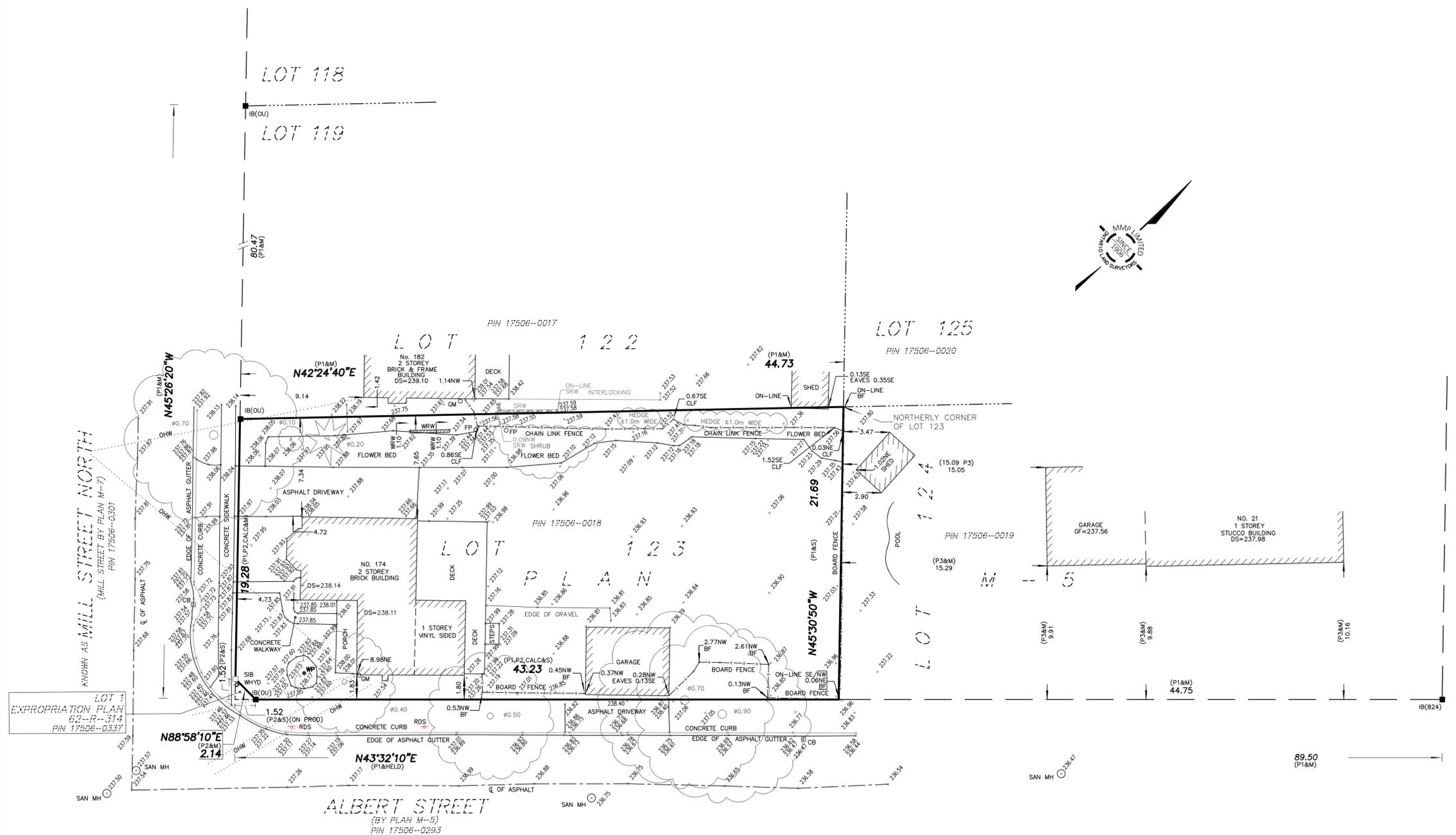
I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 7th DAY OF DECEMBER, 2022.

DECEMBER 9, 2022

DATE

  
 ASRAR SHERI  
 ONTARIO LAND SURVEYOR  
 FOR MACKAY, MACKAY & PETERS LIMITED

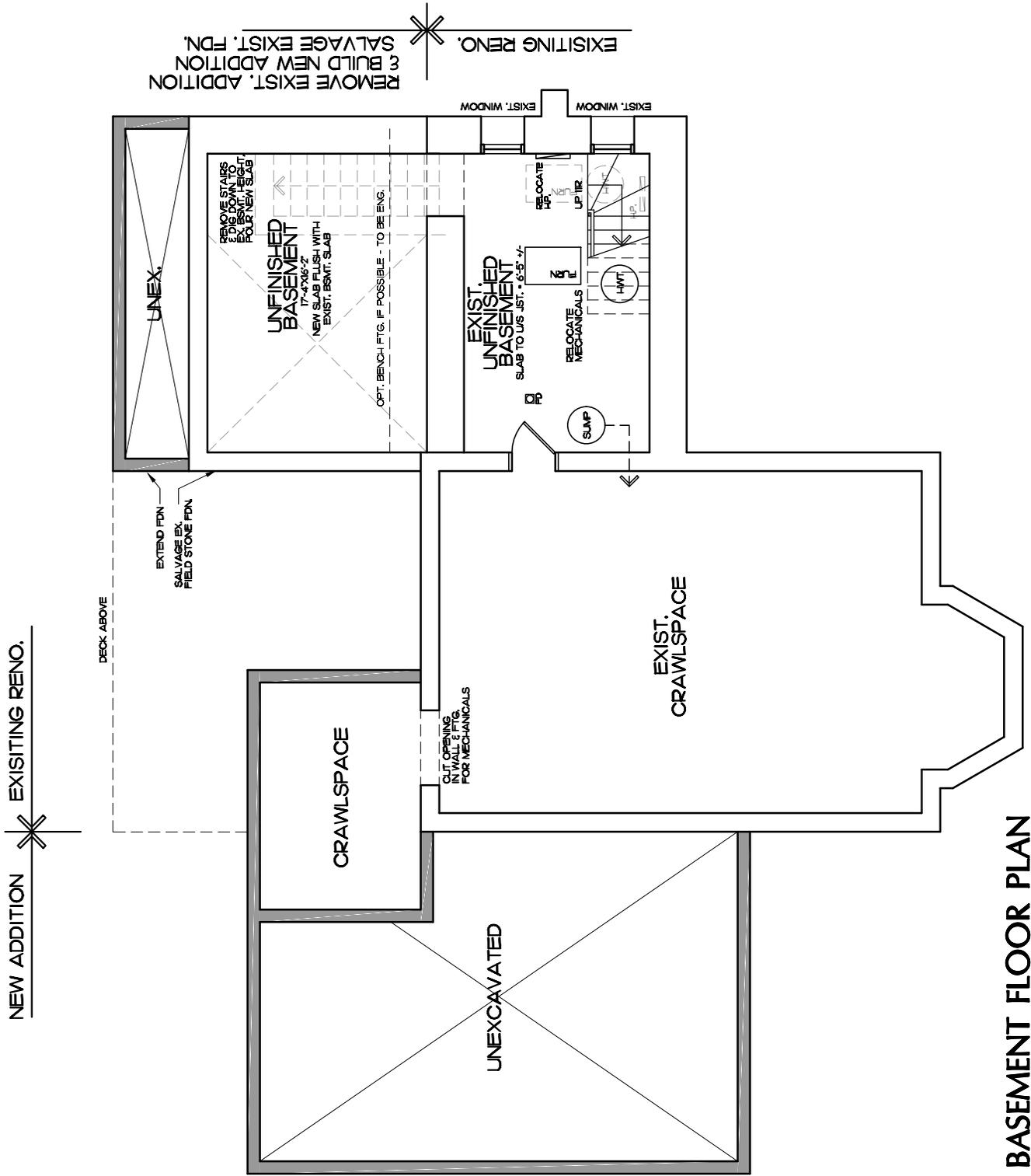
 MacKAY, MacKAY & Peters Limited LAND SURVEYORS & MAPPERS SINCE 1906	3380 South Service Road Unit 101 Burlington, ON L7N 3J5 (905) 639-1375 halton@mmplimited.com mmplimited.com	DRAWN BY: SP PARTY CHIEF: WY CHECKED BY: AB PROJECT No.: <b>22-227</b>
	E:\(62) Hamilton-Wentworth\M-PLANS\M-0005\LOT 123\22-227\22-218.dwg	
	89.50 (P1&M)	
	44.75 (P1&M)	



LOT 1 EXPROPRIATION PLAN 62-R-314 PIN 17506-0337

ALBERT STREET  
 (BY PLAN M-5)  
 PIN 17506-0293

VICTORIA STREET



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

DATE: \_\_\_\_\_

DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_

PRINT: \_\_\_\_\_

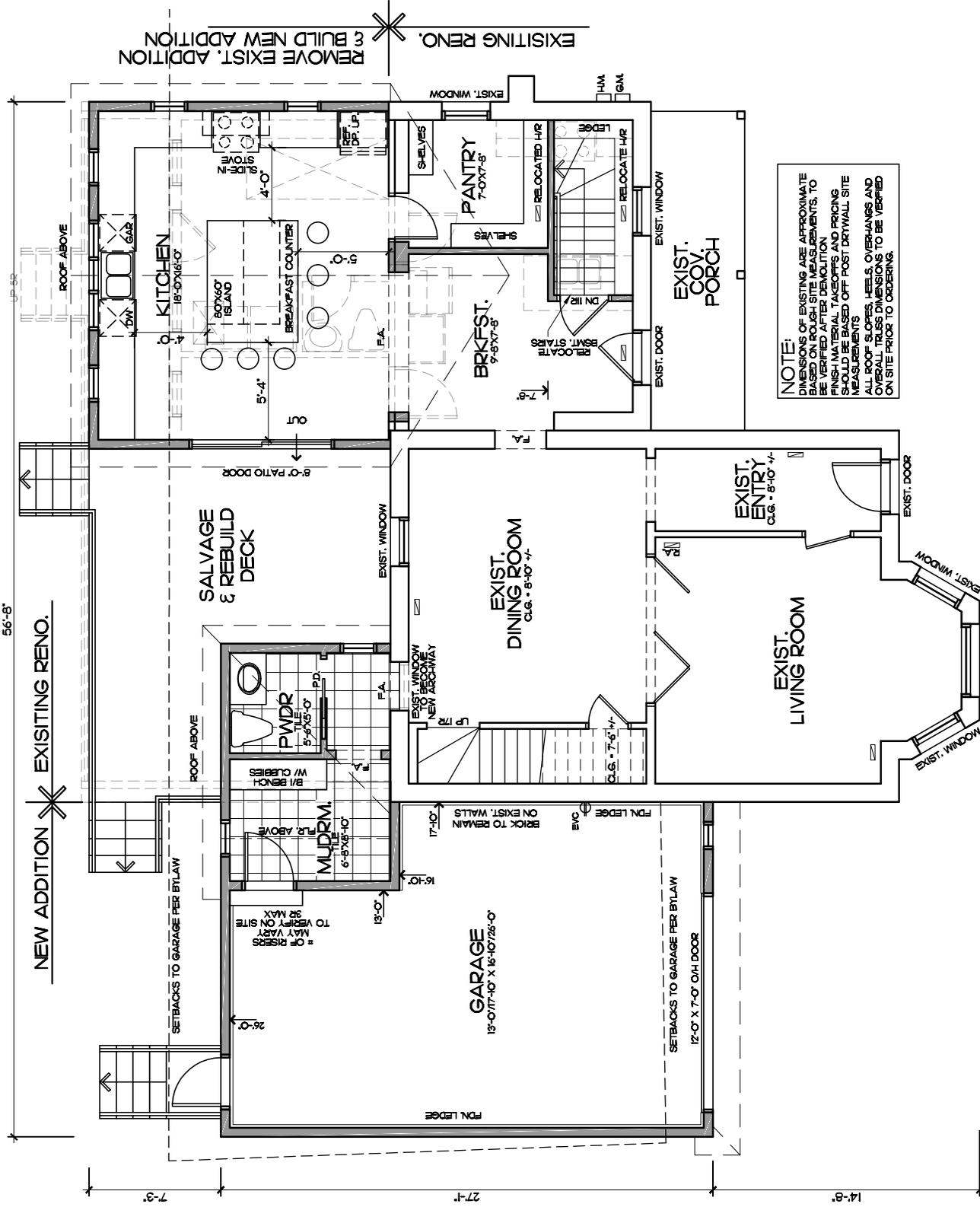
SIGN: \_\_\_\_\_



70 Main Street N., P.O. Box 38  
Campbellville, ON, L0P 1B0  
Ph. 905-854-9696  
Fax 905-854-9559  
Cell 905-815-3438  
EMAIL : jeffjansendesign@gmail.com

**OWNERS INFORMATION :**  
CHRISTINA FRANK  
174 MILL ST N  
WATERDOWN, ON

**D01**



**NOTE:**  
 DIMENSIONS OF EXISTING ARE APPROXIMATE  
 BASED ON ROUGH SITE MEASUREMENTS. TO  
 BE OBTAINED AFTER DEMOLITION AND  
 RECONSTRUCTION. ALL MEASUREMENTS  
 SHOULD BE BASED OFF POST DRYWALL SITE  
 MEASUREMENTS.  
 ALL ROOF SLOPES, HELLS, OVERHANGS AND  
 OVERALL TRUSS DIMENSIONS TO BE VERIFIED  
 ON SITE PRIOR TO ORDERING.

LOT AREA - 548.84 M2 (PROP. SEVERANCE)
LOT COVERAGE ALLOWED • 25% - 137.21 M2
EXISTING LOT COVERAGE • 20% - 110 M2 (184.7 SF)
PROPOSED LOT COVERAGE • 11.2% - 61.3 M2 (659.8 SF)
TOTAL LOT COVERAGE • 31.2% - 171.3 M2 (1844.5 SF)

**MAIN FLOOR PLAN**

SCALE : 3/16" = 1'-0"  
 NOTE: HIGH CEILING THROUGHOUT GROUND FL. ADDITION

DATE: \_\_\_\_\_

DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_

PRINT: \_\_\_\_\_

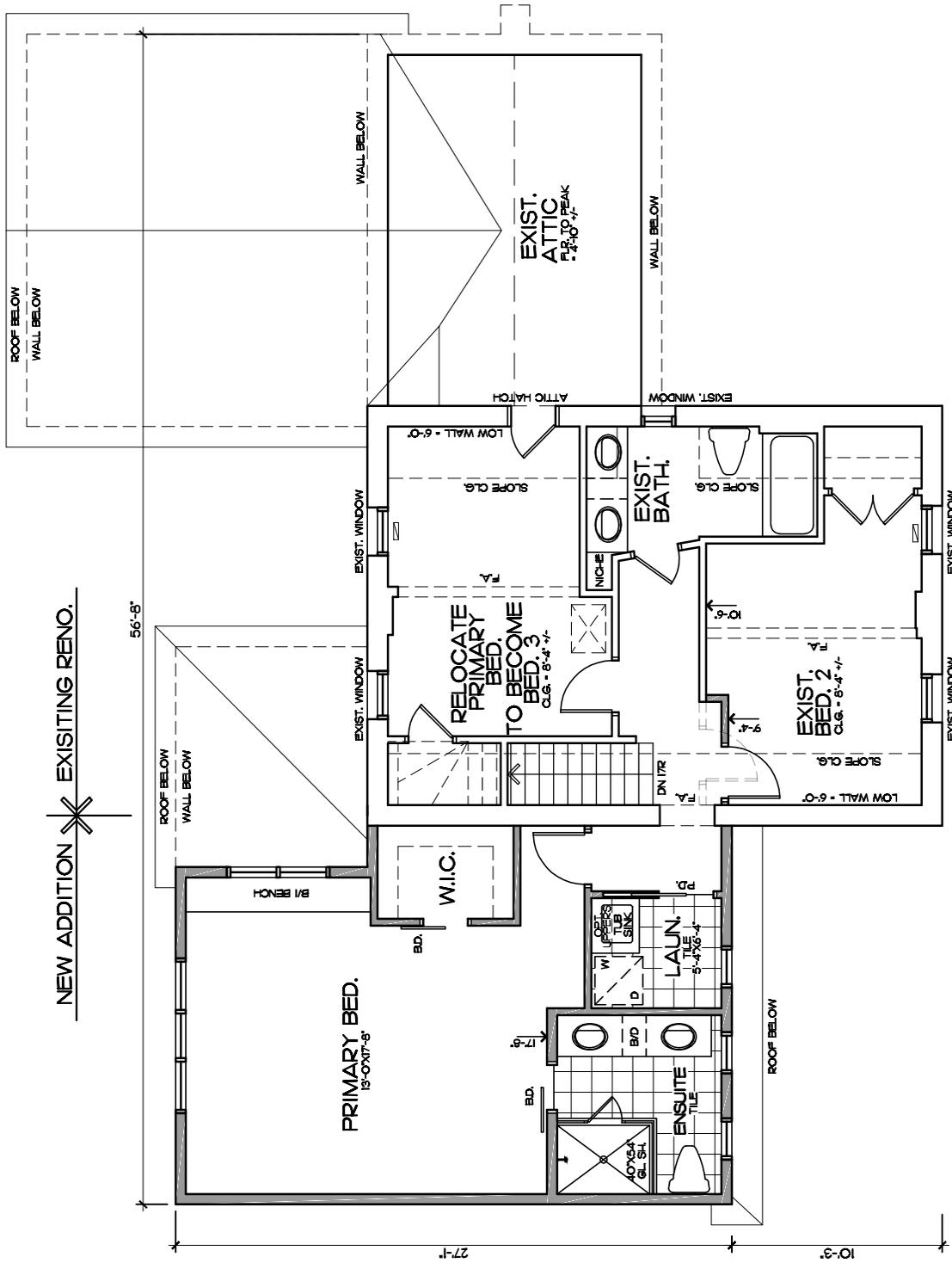
SIGN: \_\_\_\_\_



70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

**OWNERS INFORMATION :**  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

**D02**



**SEC. FLOOR PLAN**

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

ROOF, HIGHLIGHTING THROUGHOUT SECOND FL. ADDITION

DATE: \_\_\_\_\_

DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_

PRINT: \_\_\_\_\_

SIGN: \_\_\_\_\_

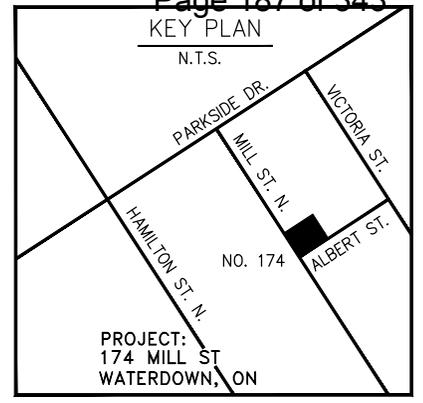


70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

**OWNERS INFORMATION :**  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

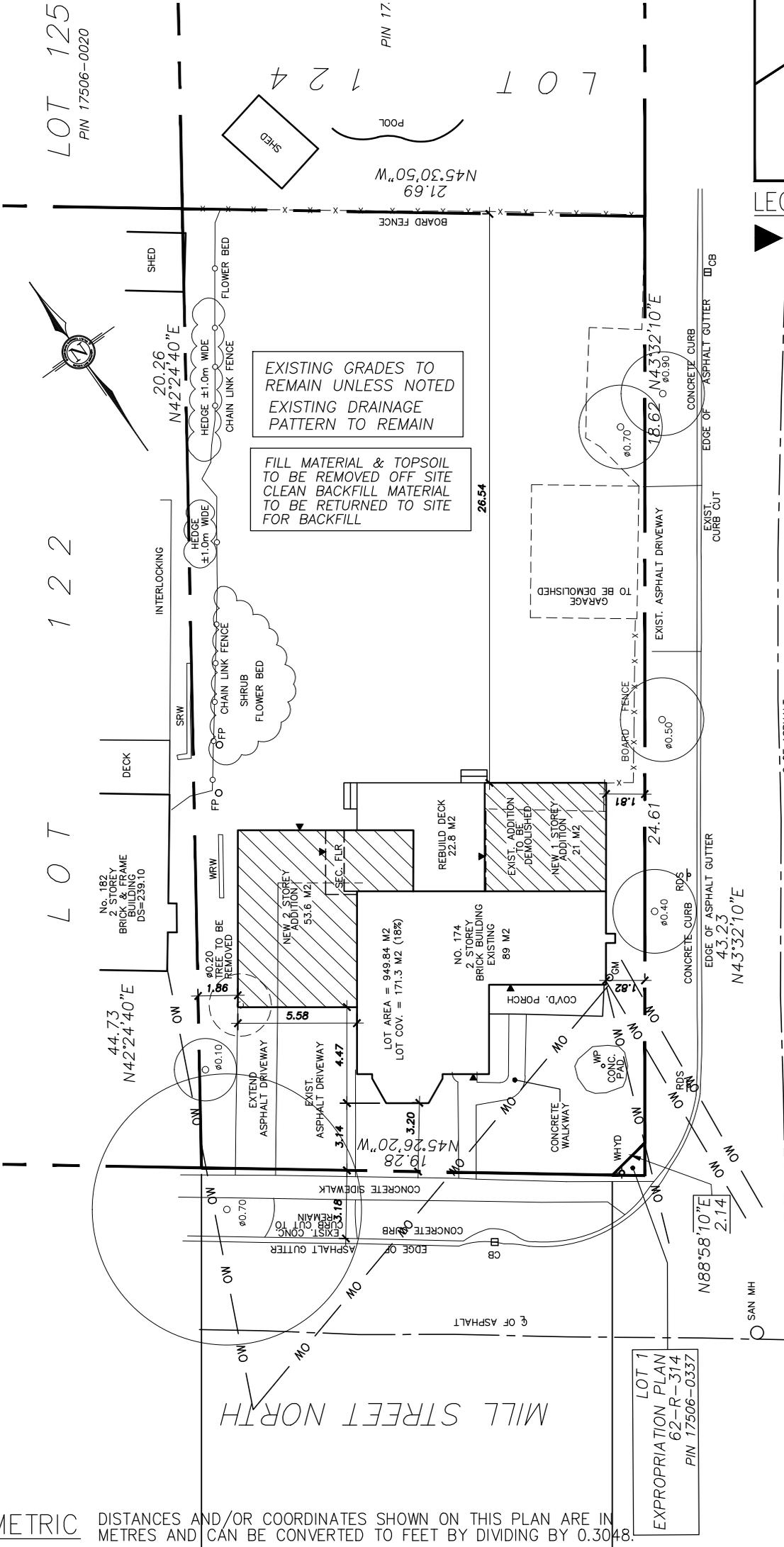
**D03**

SITE PLAN OF LOT 123  
 REGISTERED PLAN No. M-5  
 CITY OF HAMILTON



LEGEND

▲ ENTRY POINTS INTO BUILDING



ALBERT STREET

PROPOSED SITE PLAN  
 SCALE = 1:250

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

LOT 1  
 EXPROPRIATION PLAN  
 62-R-314  
 PIN 17506-0337

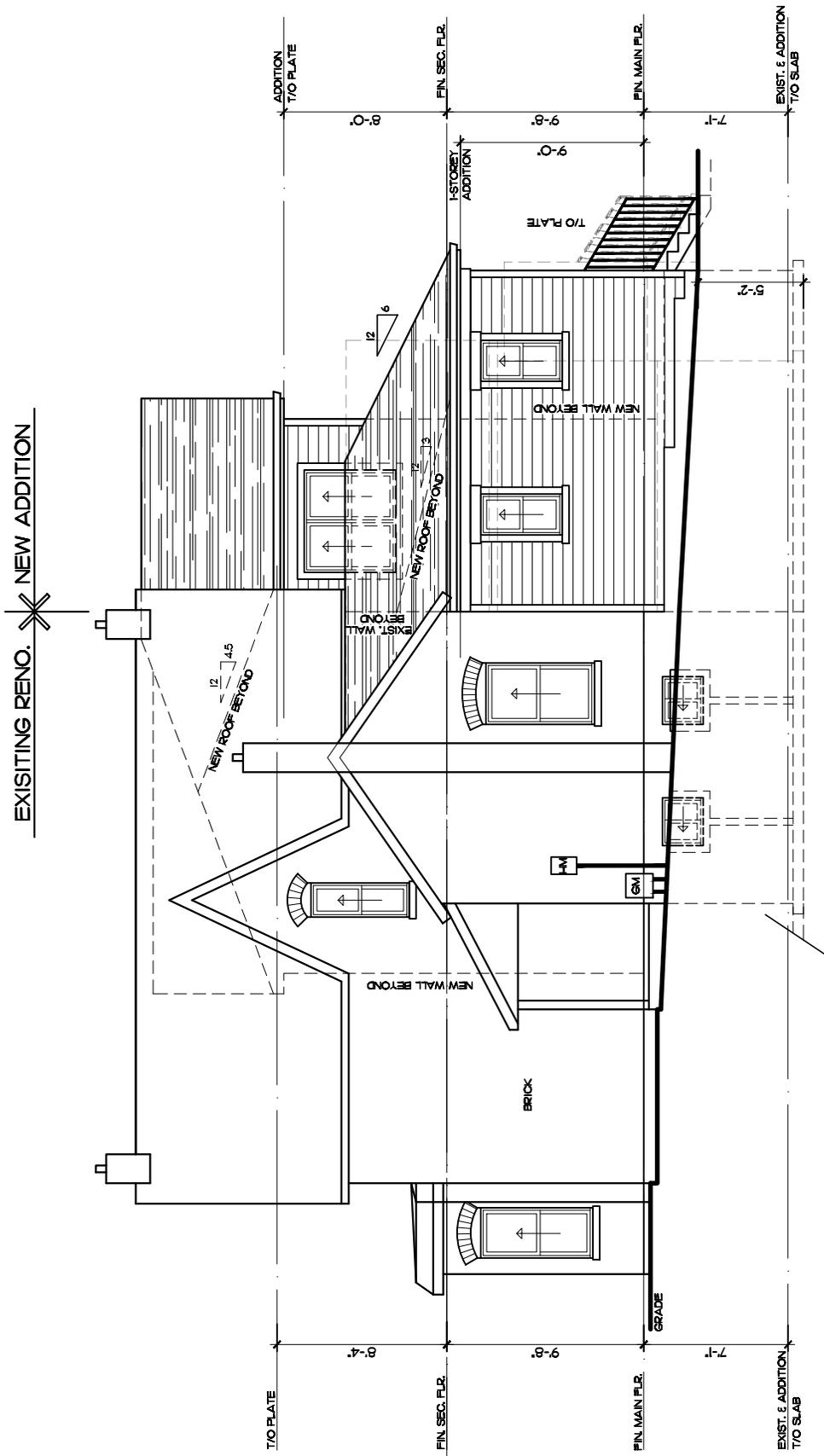


70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

D04





RIGHT ELEVATION

DATE: \_\_\_\_\_

DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_

PRINT: \_\_\_\_\_

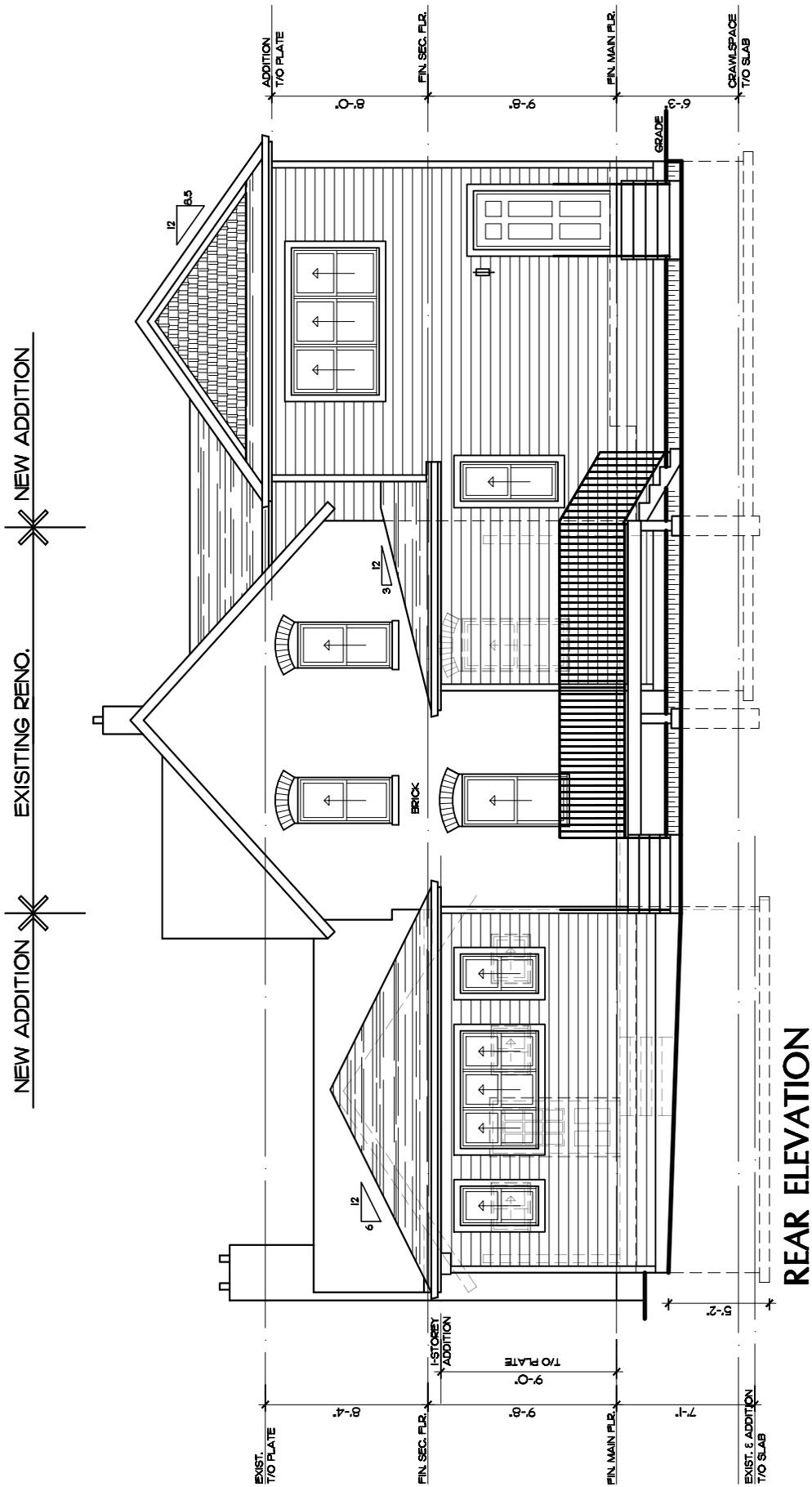
SIGN: \_\_\_\_\_



70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

D06



REAR ELEVATION

DATE: \_\_\_\_\_

DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_

PRINT: \_\_\_\_\_

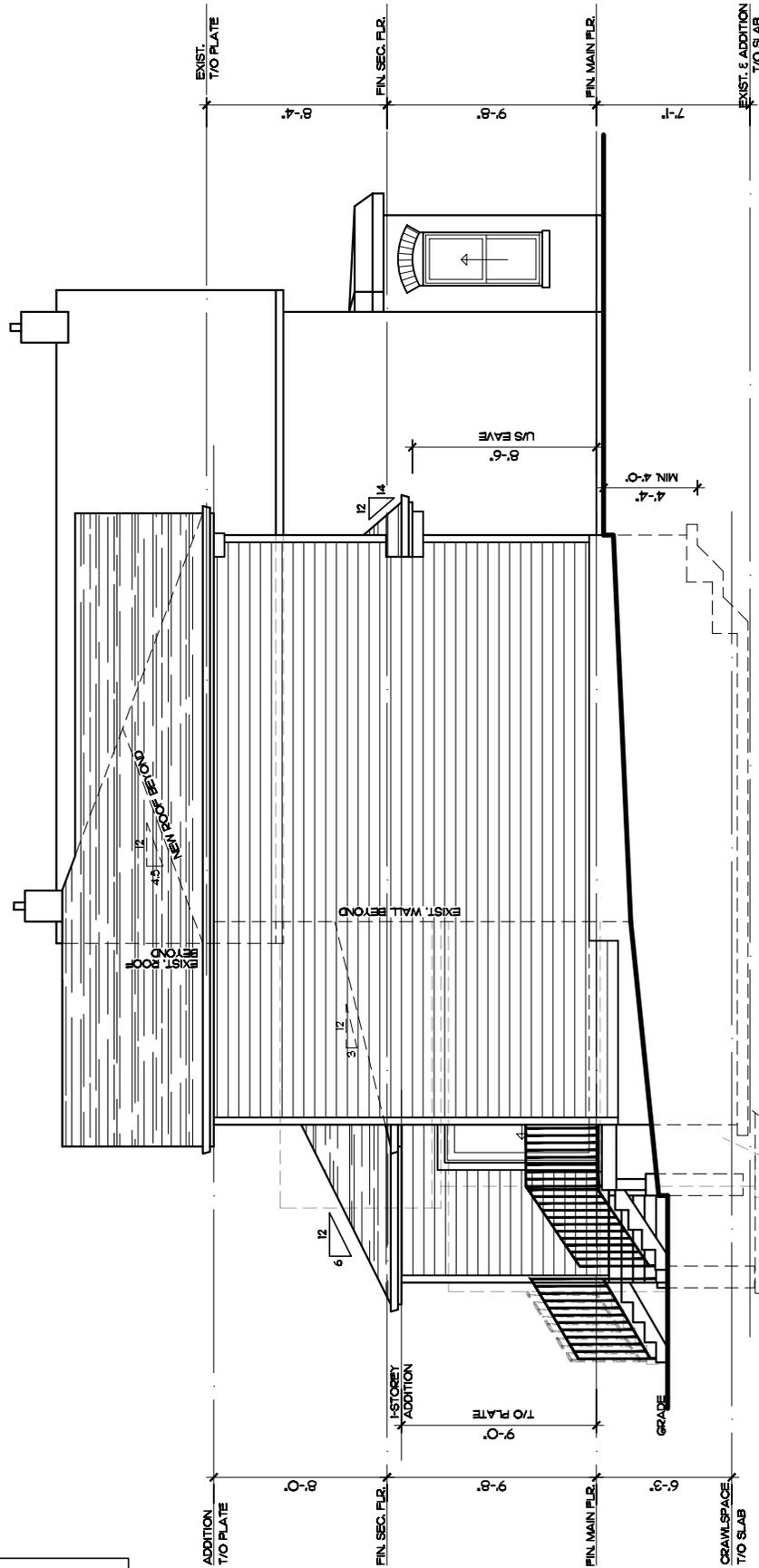
SIGN: \_\_\_\_\_



70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

D07



LEFT ELEVATION

DATE: \_\_\_\_\_  
 DESIGN DRAWINGS APPROVED BY: \_\_\_\_\_  
 PRINT: \_\_\_\_\_  
 SIGN: \_\_\_\_\_



70 Main Street N., P.O. Box 38  
 Campbellville, ON, L0P 1B0  
 Ph. 905-854-9696  
 Fax 905-854-9559  
 Cell 905-815-3438  
 EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :  
 CHRISTINA FRANK  
 174 MILL ST N  
 WATERDOWN, ON

D08



Hamilton

Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2023-027

July 10, 2023

Christina Frank & Hilary Pyper  
174 Mill Street North  
Waterdown, ON L0R 2H0

**Re: Heritage Permit Application HP2023-027:  
Construction of Additions to 174 Mill Street North, Flamborough (Ward 15)  
(Mill Street HCD, By-law No. 96-34-H)**

---

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2023-027 is approved for the designated property at 174 Mill Street North, Flamborough, located in the Mill Street Heritage Conservation District, in accordance with the submitted Heritage Permit Application for the following alterations:

- Construction of two new additions on the side (north) and rear (east) facades of the existing dwelling, including:
  - Removal of the existing one-storey gable-roofed rear addition to the east and construction of a new one-storey addition with a hip roof in the same location;
  - Construction of a new two-storey addition to the side (north) facade with a ground floor two-car garage fronting onto Mill Street North, set back from the front façade of the existing dwelling;
  - Conversion of one window on north elevation to a doorway to the new addition; and
  - Widening of driveway fronting onto Mill Street North.

Subject to the following conditions:

- a) That the final details of the windows, garage doors, siding and roofing material be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- b) That the applicant submits and receive approval for any additional planning approvals required to implement their proposal (i.e. Minor Variance);

**Re: Heritage Permit Application HP2023-027: Construction of Additions to 174 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H) - Page 2 of 2**

- c) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- d) That implementation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2025. If the alterations are not completed by July 31, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions, please feel free to contact Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext. 1291 or via email at [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Ted McMeekin, Ward 15



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)	[REDACTED]		
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	174 MILL ST. N., WATERDOWN, ON		
Assessment Roll Number	2518 303 360 32800 0000		
Former Municipality	FLAMBOROUGH		
Lot	123	Concession	
Registered Plan Number	M-5	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: FRONT YARD SETBACK: LEGAL NON-COMPLIANT DWELLING SETBACK IS 3.20M.  
 EXT. SIDE YARD SETBACK: WITHIN 20% OF THE AVERAGE FRONT YARD SETBACK OF NEAREST DWELLING  
 FOR CORNER LOT → NEAREST DWELLING FRONT YARD = 9.9M.  
 → SETBACK PROPOSED = 1.81M.  
 GARAGE DOOR: VARIANCE FOR ONE SINGLE DOOR RATHER THAN 2 (WHICH IS REQUIRED WHEN GARAGE IS GREATER THAN 5M).  
 Second Dwelling Unit  Reconstruction of Existing Dwelling

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

EXISTING HOUSE LEGAL NON-COMPLIANT + ADDITION AT REAR IS TO SEAMLESSLY CONNECT TO HOUSE TO KEEP LOOK OF HOUSE NICE FROM STREETVIEW + SO SPACE INSIDE IS USABLE.  
 GARAGE ~~DOOR~~ JOCS INSIDE, SO ONE GARAGE DOOR IS BETTER FOR PARKING PURPOSES, 2 DOORS DON'T REALLY WORK FOR DESIGN.

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

Yes  No

If yes, please provide an explanation:

EXIST. DWELLING IS LEGAL NON-COMPLIANT. SIDEYARD GREATER THAN 20% OF ADJACENT DWELLING FRONT YARD SETBACKS AND FRONT YARD SETBACK LESS THAN PERMITTED.

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
19.28M	20.26M	979.84 M2	15.12M

- 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	3.2 M	27.75 M	1.81 M + 7.38 M	<del>1897</del> 1897
SHED/GARAGE DETACHED	/	12.60 M	0.28 M + 15.93 M	1982
↳ TO BE DEMOLISHED				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
REAR ADDITION	/	26.54 M	1.81 M	TBD
GARAGE ADDITION	7.61 M	28.95 M	1.86 M	TBD
DECK	/	26.54 M	7.6 M	TBD

- 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	161.8 M <sup>2</sup>	151.3 M <sup>2</sup>	2	7.7 M
SHED/DETACHED GARAGE	31 M <sup>2</sup>	45 M <sup>2</sup>	1	5 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
REAR ADDITION	7.6 M <sup>2</sup>	7.6 M <sup>2</sup>	1	5.2 M
GARAGE ADDITION	53.6 M <sup>2</sup>	98 M <sup>2</sup>	2	7.6 M
DECK	22 M <sup>2</sup>	22 M <sup>2</sup>	1	0.8 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:

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:

ALWAYS

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) URBAN RESIDENTIAL

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

THIS LOT IS REMAINING AN URBAN RESIDENTIAL LOT AND WILL MATCH THE OTHER SINGLE FAMILY DWELLINGS IN THE AREA (LOOKS AND MASSING).

7.6 What is the existing zoning of the subject land? R1-7A

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

- Yes
- No

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

---

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

Yes  No

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

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

Yes  No N/A

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>FL/A-23:197</b>	<b>SUBJECT PROPERTY:</b>	506 CONCESSION RD. 6 E, FLAMBOROUGH
<b>ZONE:</b>	A1, P7 (Agriculture, Conservation/Hazard Lands, Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** DANIEL & BRITNEY BRAGAGNOLO  
                                 **Agent:** SMPL DESIGN STUDIO C/O LINDSEY BRUCE

The following variances are requested:

1. New accessory structures shall be permitted within a "P7" Conservation/Hazard Land, Rural Zone instead of the regulation that no new buildings or structures shall be permitted within the "P7" Conservation/ Hazard Land, Rural Zone.
2. An existing building or structure shall be permitted to be demolished and rebuilt in any location on the lot instead of the requirement that existing buildings or structures that are demolished may be rebuilt provided that the setbacks to the building or structure which had existed prior to the passing of the by-law be maintained.

**PURPOSE & EFFECT:** To construct new geothermal and septic system structures on a lot containing a Single Detached Dwelling.

**Notes:**

1. Please be advised the variances have been written as requested by the applicant.
2. Please be advised it appears a new single detached dwelling is proposed, located within the "A1" Agriculture Zone. Insufficient information was determined zoning compliance. Additional variances may be required if zoning compliance cannot be achieved.
3. A portion of the property falls under conservation management. Please contact the Halton

**FL/A-23:197**

Conservation Authority prior to any development.

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:30 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:197, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

FL/A-23:197



 Subject Lands

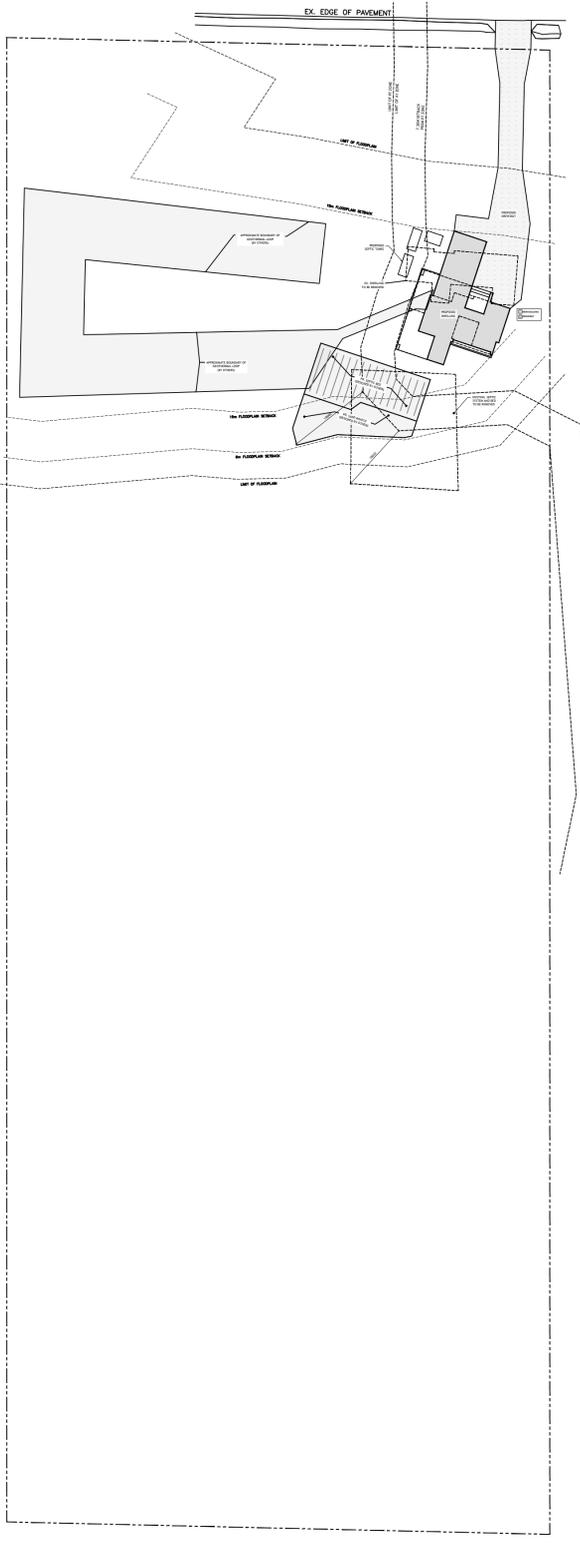
DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

CONCESSION RD. 6E



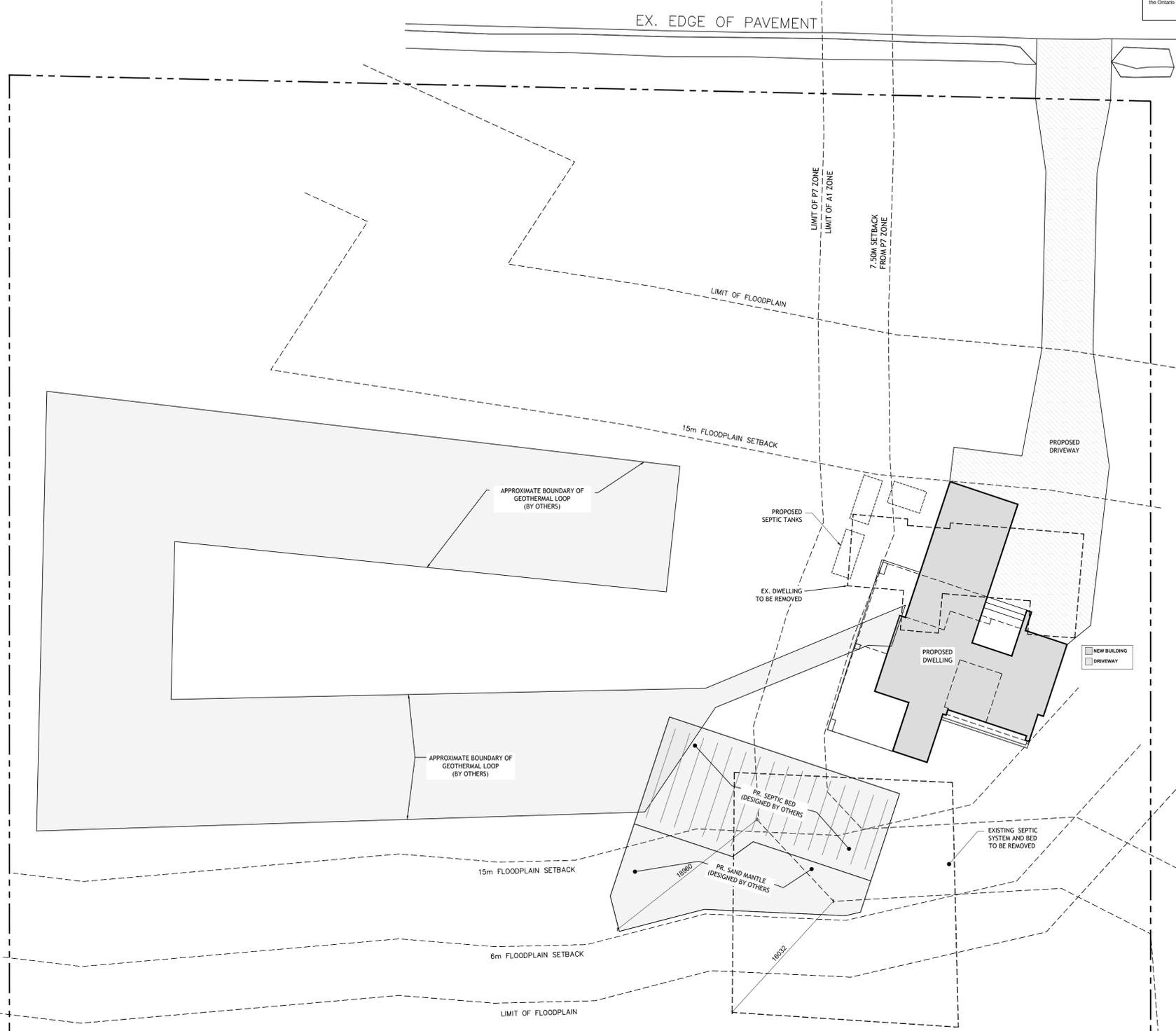
2 Boundary Plan  
Scale 1:750

SP1.01

CONCESSION RD. 6E



DO NOT SCALE DRAWINGS  
Note:  
1) Contractor to check all dimensions, specifications, and on site shall be responsible for reporting any discrepancy to the engineer and/or designer.  
2) These plans are to remain and the property of the designer and must be returned upon request. These plans must not be used in any other location without the written approval of the designer.  
3) All works to be in accordance with the Ontario Building Code.



1 Supplemental Septic Plan  
Scale 1:250

SP1.01

smp | DESIGN STUDIO

Drawing Submissions:	
Date:	Type:
2022.06.23	Engineering
2022.06.28	Updated Plans
2022.07.18	Permits
2023.05.23	R1

506 Concession Rd 6 E.  
Millgrove, Ontario

*David Shouldice*  
David Shouldice CSCO MAATO

In accordance with subsection 3.2.4. of Division C of the Building Code, I, the undersigned, and the firm is registered, in the appropriate classes/categories.  
Individual BCIN: 19618 Firm BCIN: 31829

Reviewed By	JT
Drawn By	SCJ, EH
Plot Date	

Page  
SP1.01

Proposed  
Septic Plan

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 of L.G. WOODS SURVEYING INC., is STRICTLY PROHIBITED.

---

METRIC  
 PLAN DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET  
 BY DIVIDING BY 0.3048.

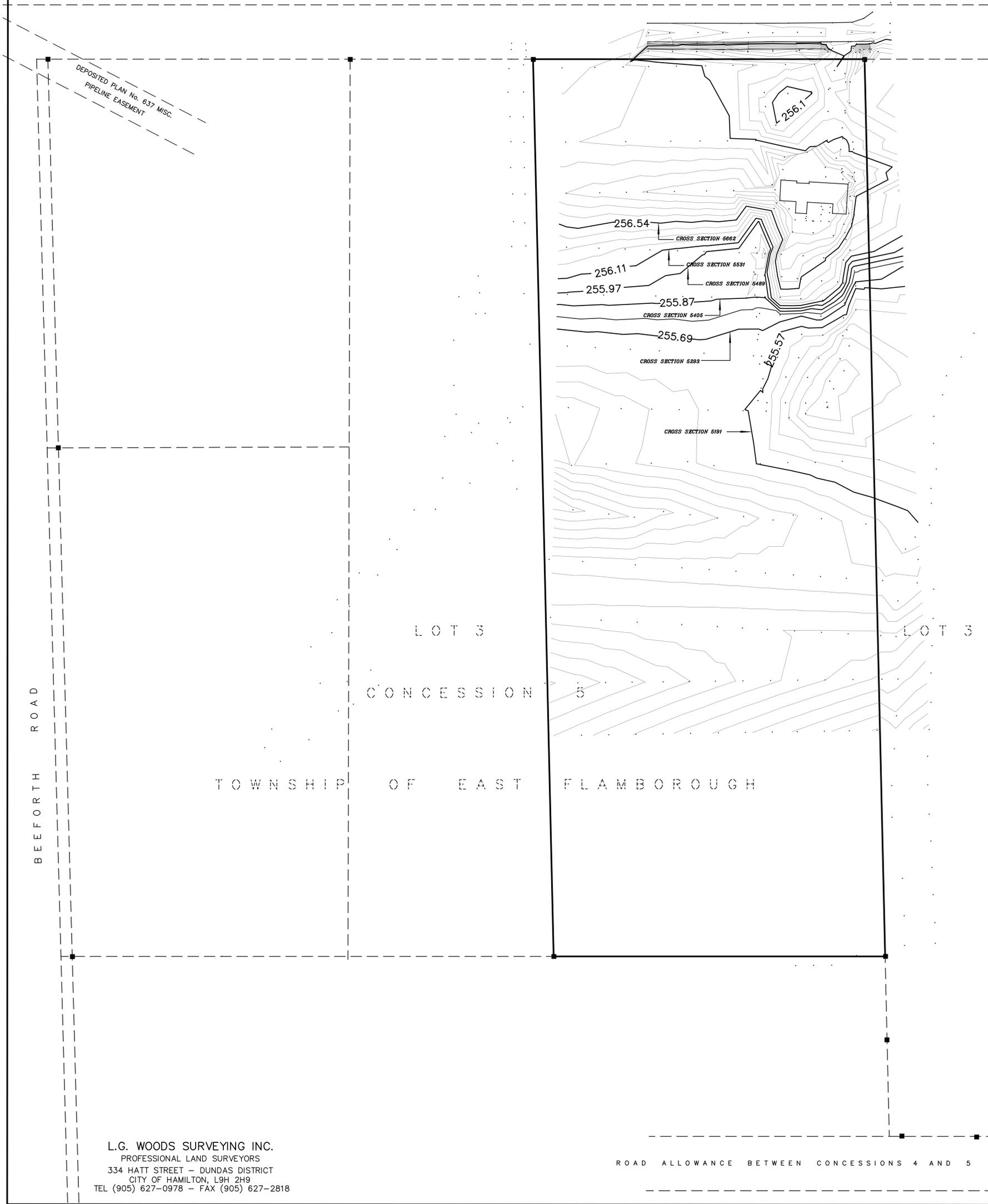
TOPOGRAPHIC SITE PLAN OF  
**PART OF LOT 3**  
**CONCESSION 5**  
 IN THE GEOGRAPHIC TOWNSHIP  
 OF EAST FLAMBOROUGH  
 IN THE  
**CITY OF HAMILTON**



SCALE 1:1000  
 0 16 32 48 metres

L.G. WOODS SURVEYING INC.  
 2021

ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6



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

July 20, 2023

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main Street West  
Hamilton, ON L8P 4Y5  
[cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**RE: Minor Variance Application – 506 Concession Rd. 6 E. Milgrove, ON L0R 1V0**

smpl Design Studio is the authorized architectural consultant for the property owner of 506 Concession Road 6 East in the City of Hamilton. We are pleased to submit this application for a Minor Variance on their behalf.

The subject lands are designated Agriculture on Schedule D, Land Use Designations, in the Rural Hamilton Official Plan. This lot is dual zoned with the majority of it residing in the Conservation / Hazard Land Rural (P7) Zone, and small portion residing in the Agriculture (A1) Zone in Hamilton's Zoning By-law 05-200. The property is furthermore regulated by Conservation Halton and Staff have been consulted on this proposal. This 4.05 ha vacant lot fronts onto Concession Road 6 East and is surrounded by similar rural residential uses. The proposed development includes demolition of the existing 1-storey dwelling and septic, and construction of a new 2-storey dwelling, reconfiguring the driveway, new septic and geothermal heating loops.

This Minor Variance application is intended to achieve relief from Hamilton's Zoning By-law 05-200 with respect to the Conservation / Hazard Land Rural (P7) Zone to permit the development of the lands for the proposed replacement septic and geothermal heating.

The following minor variances are requested. Please revise the wording of the requested variances as required.

1. To permit a replacement accessory structure (septic) that does not maintain the existing setbacks and area of the existing accessory structure (septic); and,
2. To permit a new structure (geothermal loops), whereas no new structures are permitted.

The requested relief should be viewed in the context of this dual zoned lot. The majority of this 4.05ha lot is zoned P7, while only +-0.31ha is zoned A1. There are less restrictive regulations in the A1 zone pertaining to structures, however it is not possible to locate the proposed replacement septic and geothermal heating loops fully within the lands zoned A1 as the majority of this limited space is proposed to be occupied by the replacement dwelling and reconfigured driveway.

Due to the presence of the documented floodplain of Grindstone Creek on the subject lands, Conservation Halton was consulted regarding development restrictions. The conservation authority has reviewed the development proposal and on February 2, 2023 a permit was issued for the replacement dwelling, reconfigured driveway, septic replacement and installation of geothermal loops.

The requested relief in this context is minor and will result in a form of development that is in keeping with the character of the surrounding area and will contribute to a built form that is desirable for the appropriate development of the land. Given that all other regulations of the By-law are met with this proposal, the request is consistent with the Zoning By-law, and represents a use of land that is permitted in the City's Official Plan.

As such, the proposed variances satisfy the four tests as outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the land, and meets the general intent and purpose of the Official Plan and Zoning Bylaw.

In support of our minor variance application, the following material is provided for review:

- Application Form, prepared by smpl Design Studio, dated June 28, 2023;
- Existing Survey, prepared by L.G. Woods Surveying Inc., undated;
- Site Plan, prepared by smpl Design Studio, dated May 23, 2023;
- Development Permit, prepared by Conservation Halton, dated February 2, 2023; and,
- Copy of cheque in the amount of \$3,735.00 payable to the City of Hamilton, dated June 28, 2023.

A cheque for the required Minor Variance fee was dropped off to City Hall. We look forward to working with staff in the review of this application. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Sincerely,



Lindsey Bruce  
Director of Operations  
[lindsey@smpldesignstudio.com](mailto:lindsey@smpldesignstudio.com)



Ava Barnett  
Planning Technician  
[ava@smpldesignstudio.com](mailto:ava@smpldesignstudio.com)



Planning & Watershed Management

905.336.1158 | Fax: 905.336.6684  
 2596 Britannia Road West  
 Burlington, Ontario L7P 0G3  
 conservationhalton.ca

February 2, 2023

Daniel and Britney Bragagnolo  
 506 Concession Road 6 East  
 Millgrove, ON L0R 1V0

**BY EMAIL ONLY (britneybragagnolo@gmail.com)**

To Daniel and Britney Bragagnolo:

**Re: Septic replacement and driveway reconfiguration (minor grading) within 15m of the floodplain of Grindstone Creek, and the re-construction of a dwelling and installation of new geothermal loops within 30-120m of a PSW and wetland > 2ha 506 Concession Road 6 East  
 City of Hamilton  
 CH File: RAPP-8781**

Please find enclosed **Permit No. 8415** issued in accordance with *Ontario Regulation 162/06*, for the above noted development.

Staff have reviewed the following files regarding the above noted works:

- Pages From 506 Concession Road 6 E., Drawing Set: *A0.01; A2.01; a2.02; A2.03; A2.04; A3.01* prepared by SMPL Design Studio, received by Conservation Halton November 24, 2022, stamped approved February 2, 2023; and,
- *Site and Grading Plan [2 Pages]* prepared by WestX Inc. Civil Engineering received by Conservation Halton January 17, 2023, stamped approved February 2, 2023.

Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property, 506 Concession Road 6 East, Hamilton is traversed by a tributary of Grindstone Creek and contains the flooding and erosion hazards associated with that watercourse. The property is also adjacent to the Flamborough Center Provincially Significant Wetland (PSW) Complex and contains a wetland which is greater than 2 hectares in size. CH regulates those hazards/features, plus a 15m regulatory allowance from the limit of the creek hazards and 120m from the limit of a PSW and wetlands >2 hectares in size, at this particular location. Permission is required from CH prior to undertaking any development within CH's regulated area and must meet CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06*.

The approved works involve the demolition and re-construction of a dwelling, the installation of new a geothermal loop system, the replacement of a septic system, and driveway reconfiguration (minor grading). CH reviewed a *Topographic Survey* in support of this application which delineated the extent of the flooding hazard on site. The wetland limits were not determined as part of this application as the floodplain and applicable policies are understood to be the greater hazard. The development meets Policies 2.25.2.4 and 2.39.4 of Conservation Halton's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Document*, last amended November 26, 2020.

Based on the above, this permit is approved with the following conditions:

- a. That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes.
- b. That effective sediment and erosion control measures be installed prior to starting work, maintained during construction and fully removed once all disturbed areas have been stabilized. That site conditions be monitored and that the sediment and erosion control measures be modified if site conditions warrant it.
- c. That disturbed areas be stabilized and restored immediately following the completion of construction to the satisfaction of CH.
- d. That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to *Ontario Regulation 162/06*.

**Please be sure that you read and understand all conditions listed on the enclosed Permit (and included below).** Please also note that contravention of a Permit, or the terms and conditions of a Permit, is considered an offence under Section 28(16) of the *Conservation Authorities Act*. It is your responsibility to ensure that any person working under the authority of this Permit is familiar, and complies with, the terms and conditions.

**This Permit or a copy thereof as well as all approved drawings must be available at the site. Any changes to the approved design or installation methods must be reviewed and approved by CH staff prior to their implementation. This Permit is valid two years from the date it is issued.**

Please be advised that should you have any objection to any of the conditions of the permit, you are entitled to request a hearing before the Authority, in accordance with Section 28(12) of the *Conservation Authorities Act*. A written notice of your request for a hearing must be received by staff within 30 days of the date of this letter. Please note that if a hearing has been requested, this permit approval is withdrawn until such time as the hearing results have been finalized and commencement of any site alteration must not occur until the results of the Hearing are determined.

We trust the above is of assistance in this matter. Should you require further information, please contact the undersigned at [cconnolly@hrca.on.ca](mailto:cconnolly@hrca.on.ca).

Sincerely,



Cassandra Connolly  
Regulations Officer

Encl. 2

Cc: Building Department – City of Hamilton (Permit and Drawings)  
SMPL Design Studio, Agent, [lindsey@smpldesignstudio.com](mailto:lindsey@smpldesignstudio.com) (Permit and Drawings)



2596 Britannia Road West  
 Burlington, ON L7P 0G3  
 Telephone: 905 336-1158 Fax: 905 336-6684

**PERMIT #: 8415**

**FILE #: RAPP-8781**  
**Formally: A/22/H/68**

## PERMIT

IN ACCORDANCE WITH SECTION 3 OF REGULATION 162/06, PERMISSION HAS BEEN GRANTED TO:

Owner's Name: Britney and Daniel Bragagnolo Phone: (905) 320-7200  
 Mailing Address: 506 Sixth Concession Road East, Millgrove ON L0R 1V0  
 Agent/Contractor: SMPL Design Studio Phone: (905) 599-7970  
15 Colbourne Street, Hamilton ON L8R 2G2

Property Location: 506 Sixth Concession Road East  
 in the (City, Town, Township) of: Hamilton

**This permit is for** septic replacement and driveway reconfiguration (minor grading) within 15m of the floodplain of Grindstone Creek, and the re-construction of a dwelling and installation of new geothermal loops within 30-120m of a PSW and wetland > 2ha.

**This permit is issued** on this **2<sup>nd</sup> day of February, 2023**

**Expires:** **2<sup>nd</sup> day of February, 2025**

And is subject to the following conditions:

1. That the work to be carried out in accordance with plans submitted on November 24, 2022 & January 17, 2023 and stamped APPROVED by: Cassandra Connolly, Regulations Officer
2. see reverse
3. **This permit (including drawings stamped approved by Conservation Halton) or a copy thereof, must on site and be available for inspection.**

**Conservation Halton may, at any time, withdraw any permission given under this regulation if, in the opinion of the Conservation Authority, the conditions of the permit are not complied with.**

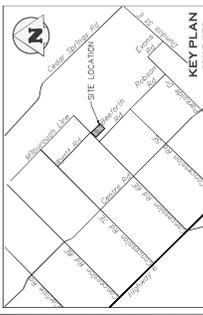
**Authorized representatives of Conservation Halton may, at any time, enter lands and buildings, to make any surveys, examinations, investigations, and inspections to ensure that the works authorized by this Permit are being carried out in accordance with the terms of this Permit.**

This permit does not preclude any approvals required by any other existing law and regulations.

Authorized by: Kellie M<sup>c</sup> Cormack on the 2<sup>nd</sup> day of February 2023  
 Kellie McCormack, MA, MCIP, RPP, Director, Planning and Regulations

2.
  - a. That Conservation Halton be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes;
  - b. That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of Conservation Halton;
  - c. That effective sediment and erosion control measures be installed prior to starting work, maintained during construction and fully removed once all disturbed areas have been stabilized. That site conditions be monitored and that the sediment and erosion control measures be modified if site conditions warrant it; and
  - d. That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by Conservation Halton, unless in conformance as per the approved plans, pursuant to Ontario Regulation 162/06.

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HALTON  
JAN 17 2023



**LEGEND**

- PROPERTY LINE
- EXISTING FENCE
- EXISTING GRADE
- PROPOSED GRADE
- PROPOSED GRADE TO MATCH EXISTING
- PROPOSED MAJOR FLOW DIRECTION
- PROPOSED GRASSED SWALE
- PROPOSED 3:1 SLOPE AND BOTTOM OF SLOPE
- BUILDING ENVELOPE
- BUILDING ROOF OVERHANG
- BUILDING ENTRANCE (PERSONNEL DOOR)
- BUILDING ENTRANCE (OVERHEAD DOOR)
- DOWNPOUT LOCATION AND DIRECTION (COMPLETE WITH SPLASH PAD)
- PROPOSED AIR CONDITIONER UNIT
- AREA TO BE DEMOLISHED WITH 500
- SUMP PUMP
- OVERLAND FLOW PATHWAY
- SILT FENCE PER OHS 219.130
- SILT FENCE PER MODIFIED SILT FENCE DETAIL
- UNIT OF FLOODPLAIN

**SURVEY NOTES:**  
DATE: APRIL 10, 2021  
BY: J. L. WOODS SURVEYING INC.  
PROJECT: 2021-001

**ADDITIONAL NOTES:**  
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LEVELS, AND DATINGS ON SITE CONSTRUCTION TO BE SURE THEY CORRESPOND TO THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN.

**DRAMAING NOTES:**  
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LEVELS, AND DATINGS ON SITE CONSTRUCTION TO BE SURE THEY CORRESPOND TO THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN.

OA	ISSUED FOR SUBMISSION (ADDED ISOTHERMAL)	2023/05/13
O	ISSUED FOR REVISION	2022/09/23
No.	ISSUE / REVISION	1111/1111/00
Project	506 CONCESSION RD 6E MILLGROVE, ON	
Design	WEST	1:200
Drawn	WEST	1:200
Checked	WEST	1:200
Scale	1:200	1:200
Sheet	1	of 2
Proj. No.	22-011	CG



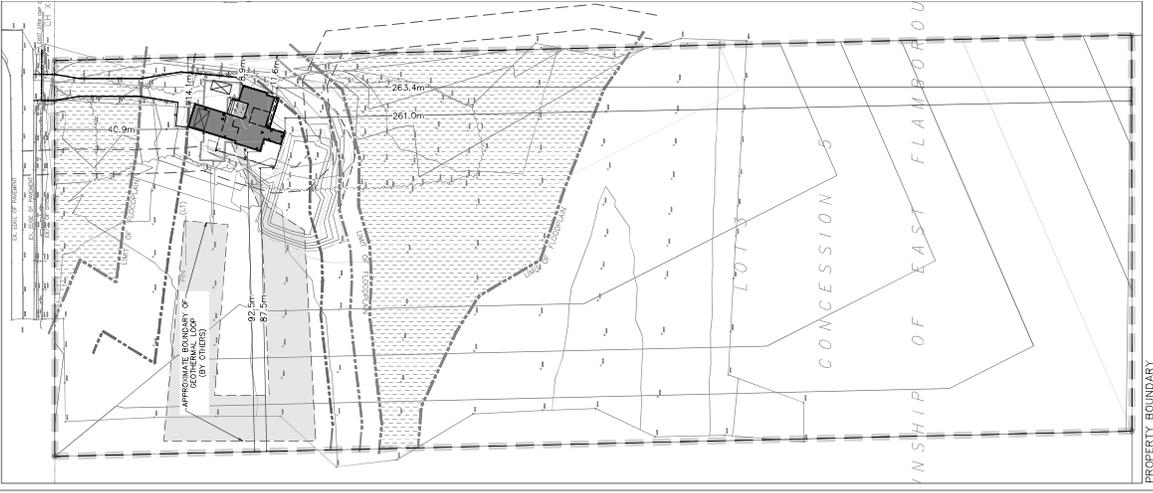
MUNICIPAL ADDRESS: 506 CONCESSION ROAD 6E  
LEGAL DESCRIPTION: PART OF LOT 3, CONCESSION 5, TOWNSHIP OF EAST FLAMBOROUGH, CITY OF HAMILTON, ZONING P7

SITE STATISTICS	BYLAW	PROPOSED
LOT WIDTH	30.0m (Min.)	122.00m
LOT AREA	4,000m <sup>2</sup> (Min.)	4,095sq
LOT COVERAGE	1.04% (419.82m <sup>2</sup> )	52.38% (EX:219.90m <sup>2</sup> )
FRONT YARD SETBACK	10.0m	40.9m
REAR YARD SETBACK	10.0m	261.0m
SIDE YARD SETBACK	7.5m	8.9m
HEIGHT (PEAK OF ROOF)	10.5m	10.41m
PARKING SPACES	-	2
AVERAGE GRADE	-	257.08

GARAGE FLOOR ELEV: 257.05m  
ROAD & ELEV: 256.76m (257.05-256.75 = 0.30m)  
THEREFORE SFE = 0.3m ABOVE ROAD &

Point No	Begin Elev. (e1)	End Elev. (e2)	Length (l)	Area (a)	Volume (v)
A - B	257.05	257.05	3.75	963.94	
B - C	257.05	257.05	3.75	963.94	
C - D	257.05	257.05	5.00	1265.25	
D - E	257.05	257.05	5.00	1265.25	
E - F	257.05	257.05	2.00	506.51	
F - G	257.05	257.05	2.00	506.51	
G - H	257.05	257.05	2.00	514.10	
H - I	257.05	257.05	2.25	578.36	
I - J	257.05	257.05	2.25	578.36	
J - K	257.05	257.05	2.25	578.36	
K - L	256.75	256.82	4.00	1027.14	
L - M	256.82	256.89	4.30	1104.28	
M - N	256.89	256.96	4.80	1235.02	
N - O	256.96	257.03	5.00	1265.25	
O - P	257.03	257.10	5.00	1265.25	
P - Q	257.10	257.17	5.00	1265.25	
Q - R	257.17	257.24	5.00	1265.25	
R - S	257.24	257.31	5.00	1265.25	
S - T	257.31	257.38	5.00	1265.25	
T - U	257.38	257.45	5.00	1265.25	
U - V	257.45	257.52	5.00	1265.25	
V - W	257.52	257.59	5.00	1265.25	
W - X	257.59	257.66	5.00	1265.25	
X - Y	257.66	257.73	5.00	1265.25	
Y - Z	257.73	257.80	5.00	1265.25	
Z - A	257.80	257.87	5.00	1265.25	
<b>Total</b>			<b>101.40</b>	<b>25692.48</b>	
<b>Average Grade</b>					<b>257.08</b>

HALTON REGION CONSERVATION AUTHORITY  
APPROVED BY: [Signature]  
DATE: 2023-02-02  
Subject to the conditions provided on PERMIT No.: 8415



**INSPECTION NOTES:**  
THE CONTRACTOR IS TO PROVIDE WESTY ENGINEERING WITH 48 HOUR NOTICE OF ANY CHANGES TO THE PLAN. WESTY ENGINEERING WILL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. WESTY ENGINEERING WILL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN. WESTY ENGINEERING WILL BE RESPONSIBLE FOR VERIFYING THE INFORMATION PROVIDED IN THIS PLAN.

1. FINAL GRADING (PRIOR TO LANDSCAPE WORKS)

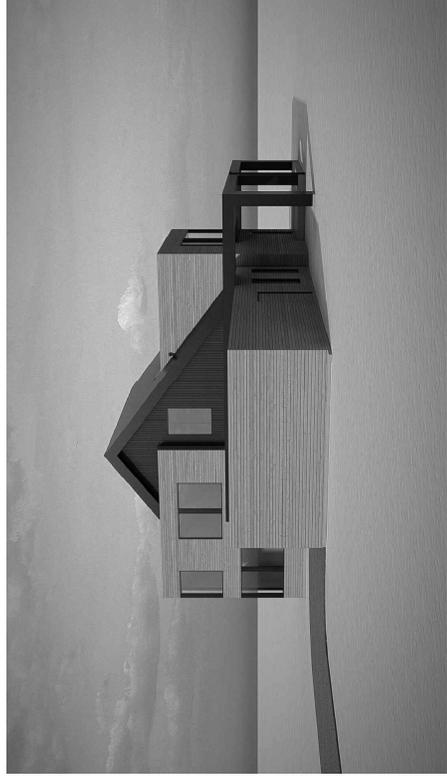


# 506 Concession Rd. 6 E., Millgrove, Ontario

## Project Description: - New Construction

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CONSTRUCTION  
HALTON  
NOV 24 2022

HALTON REGION CONSERVATION AUTHORITY  
APPROVED BY: *[Signature]*  
DATE: 2023-02-02  
Subject to the conditions provided on  
PERMIT No.: 8415



**Square Footage:**  
Basement: 3218.84 ft<sup>2</sup> 299.13 m<sup>2</sup>  
Main: 2290.53 ft<sup>2</sup> 212.80 m<sup>2</sup>  
Second: 1556.52 ft<sup>2</sup> 144.88 m<sup>2</sup>  
Garage: 897.19 ft<sup>2</sup> 83.35 m<sup>2</sup>

**Architectural Design Firm:**  
SMPL Design Studio  
Address: 15 Colbourne St.  
Hamilton, Ontario  
Postal: L8R 2G2  
Phone: 905-529-7675

**Structural Engineer:**  
Centric Engineering  
Address: 1594 N Routledge Park,  
London, Ontario  
Postal: N6H 5L6  
Phone: 519-963-9444

**HVAC Designer:**  
Pedi Enterprises Inc.  
Address: 32 Church St. Unit 308,  
Schomberg, Ontario  
Postal: L0G 1T0  
Phone: 416-594-8041



In accordance with subsection 2.4.4 of Division C of the Building Code I am qualified, and the firm is registered, in the appropriate classes/categories.  
 David Shindler CBCO MATO  
 Individual BCIN: 19818 Firm BCIN: 31829

506 Concession Rd 6 E,  
Millgrove, Ontario

**smpl DESIGN STUDIO**

Permit Information  
Date: 2022/02/02  
Approved By: [Signature]  
Type: New Construction

**DESIGN RESPONSIBILITIES**  
I hereby certify that I am a registered professional engineer in the province of Ontario and that I am qualified to prepare and seal the drawings and specifications for the proposed construction. I am not providing any services for which I am not registered or licensed.

506 Concession Rd 6 E.  
Millgrove, Ontario

**smp** DESIGN STUDIO

Client's Commission: Type: Date: Approved: Drawn: Project No:

Revised By: JT  
Drawn By: SJJ  
PWA Date:

Page  
A2.01

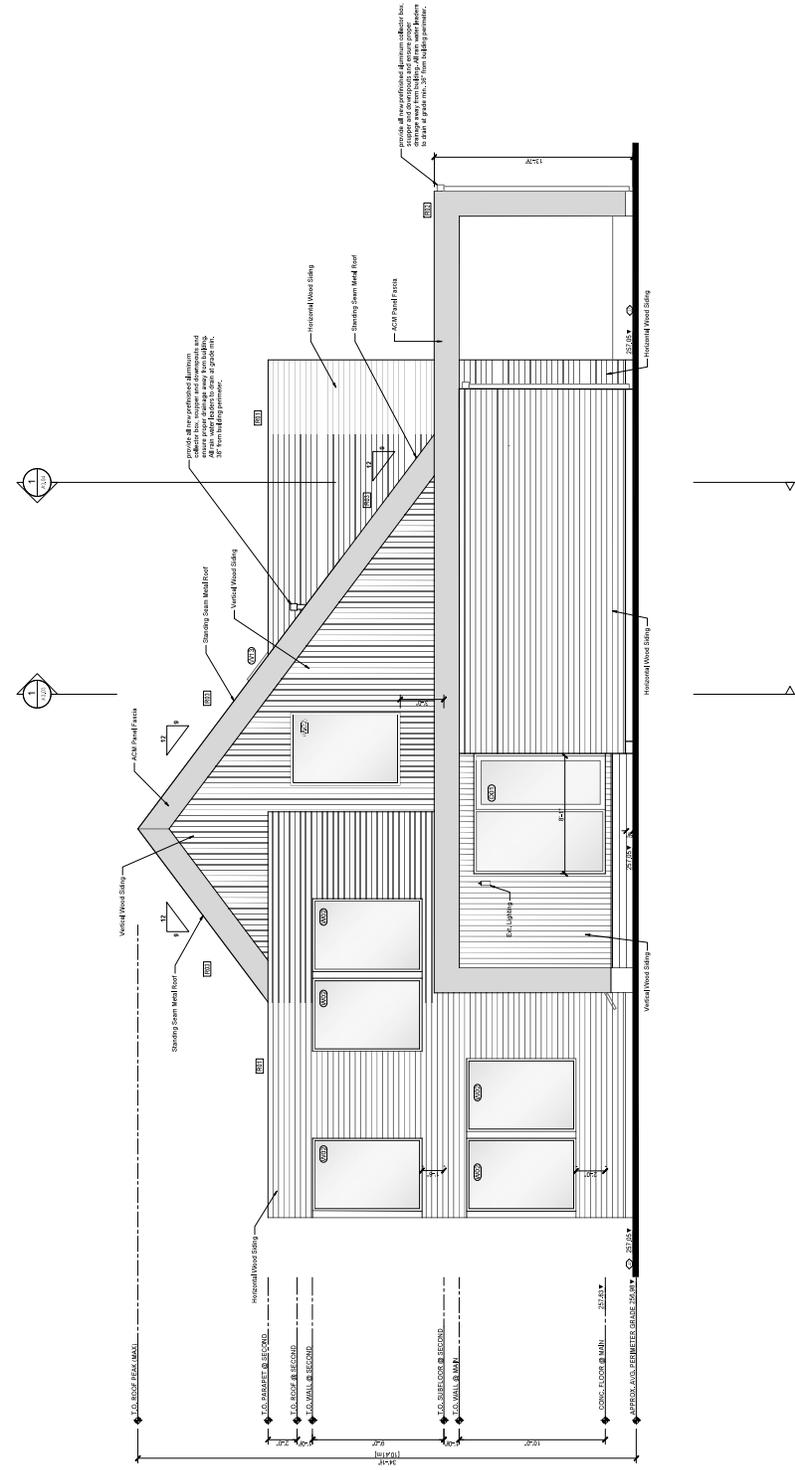
Elevation

In accordance with subsection 2.2.4 of Division C of the Building Code, I am qualified and the firm is registered, in the appropriate classes/categories.  
Individual BCIN: 19818 Firm BCIN: 31829  
Dawn Shoullice CBCO MATO

**SEAL REQUIREMENTS**  
Notes:  
1. All drawings shall be sealed by a Professional Engineer or Architect.  
2. The seal shall be placed on the drawing in the appropriate location.  
3. The seal shall be placed on the drawing in the appropriate location.  
4. The seal shall be placed on the drawing in the appropriate location.  
5. The seal shall be placed on the drawing in the appropriate location.

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HALTON  
NOV 24 2022

**HALTON REGION CONSERVATION AUTHORITY**  
APPROVED BY: [Signature]  
DATE: 2023-02-02  
Subject to the conditions provided on  
PERMIT No.: 8415



**Front Elevation**  
Scale = 1/4" = 1'-0"



506 Concession Rd 6 E.  
Millgrove, Ontario

DAVID SHOUKRA CBCC MAATO  
Firm BCIN: 31829  
Individual BCIN: 19818

In accordance with subsection 2.4 of Division C of the Building Code I am qualified, and the firm is registered, in the appropriate classes/categories.

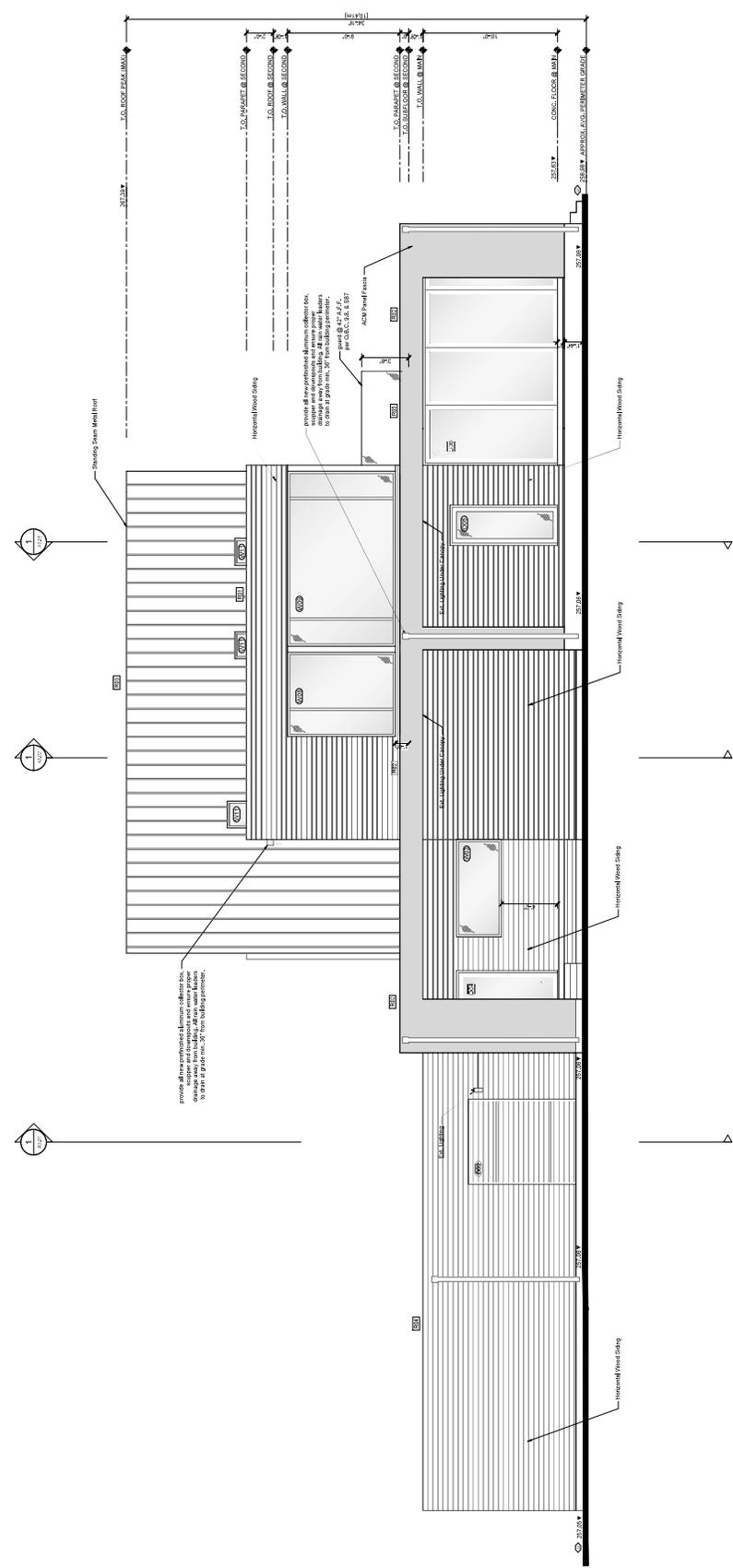
Drawn By	Type
2023/02/23	Engineering
2023/07/18	Revised

**smp** DESIGN STUDIO

RECEIVED  
CONSERVATION  
HALTOUN  
NOV 24 2022

HALTON REGION CONSERVATION AUTHORITY  
APPROVED BY: [Signature]  
DATE: 2023-02-02  
Subject to the conditions provided on  
PERMIT No.: 8415

**DESIGN RESPONSIBILITIES**  
Note: Architectural design and drawings are prepared by the architect and are subject to the approval of the Halton Region Conservation Authority. The architect is responsible for ensuring that the design complies with the applicable building code and other regulatory requirements. The architect is not responsible for the structural design or the construction of the building.



**DESIGN RESPONSIBILITIES**  
Note: Architectural design and drawings are prepared by the architect and are subject to the approval of the Halton Region Conservation Authority. The architect is responsible for ensuring that the design complies with the applicable building code and other regulatory requirements. The architect is not responsible for the structural design or the construction of the building.

506 Concession Rd 6 E.  
Millgrove, Ontario

**smp** DESIGN STUDIO

Client: 506 Concession Rd 6 E  
Date: 2023/02/23  
Type: Architecture  
Project: Millgrove

Reviewed By: JT  
Drawn By: E22  
P&I Date:

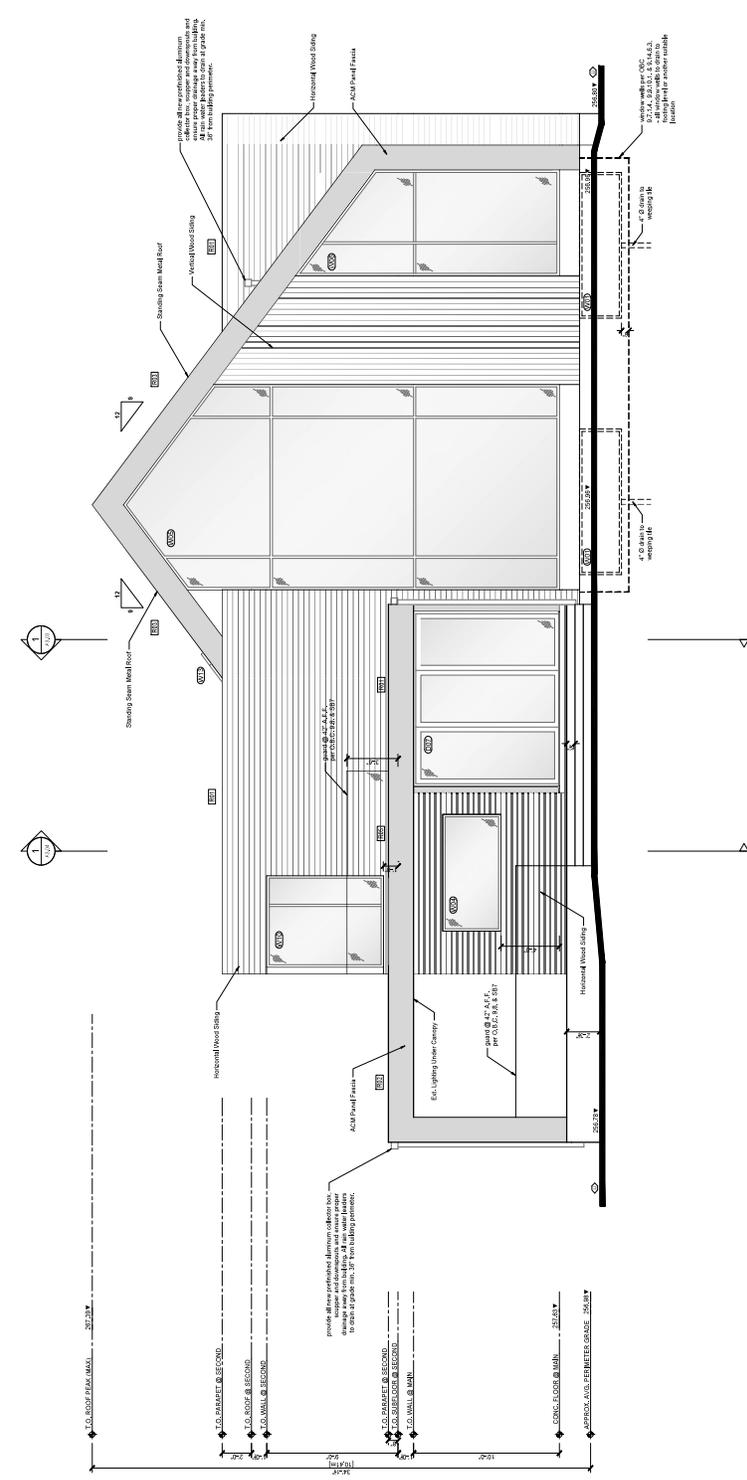
Page: A2.03

Elevation

In accordance with subsection 2.2.4 of Division C of the Building Code, I am qualified and the firm is registered in the appropriate classes/categories.  
Firm BCIN: 19818  
Individual BCIN: 19818  
David Shoulbrooke CBCO M.A.T.O.

**RECEIVED**  
CONSERVATION  
HAMILTON  
NOV 24 2022

HALTON REGION CONSERVATION AUTHORITY  
APPROVED BY: [Signature]  
DATE: 2023-02-02  
Subject to the conditions provided on PERMIT No.: 8415



Rear Elevation  
Scale: 1/4" = 1'-0"



Client/Commission:	Type:
2023-02-23	Engineering
2023-07-18	Permit

In accordance with subsection 2.24 of Division C of the Building Code, I am qualified, and the firm is registered, in the appropriate classes/categories.

Individual BCIN: 19818 Firm BCIN: 31829

DAVID SHOULDRICE CBCO MATTO

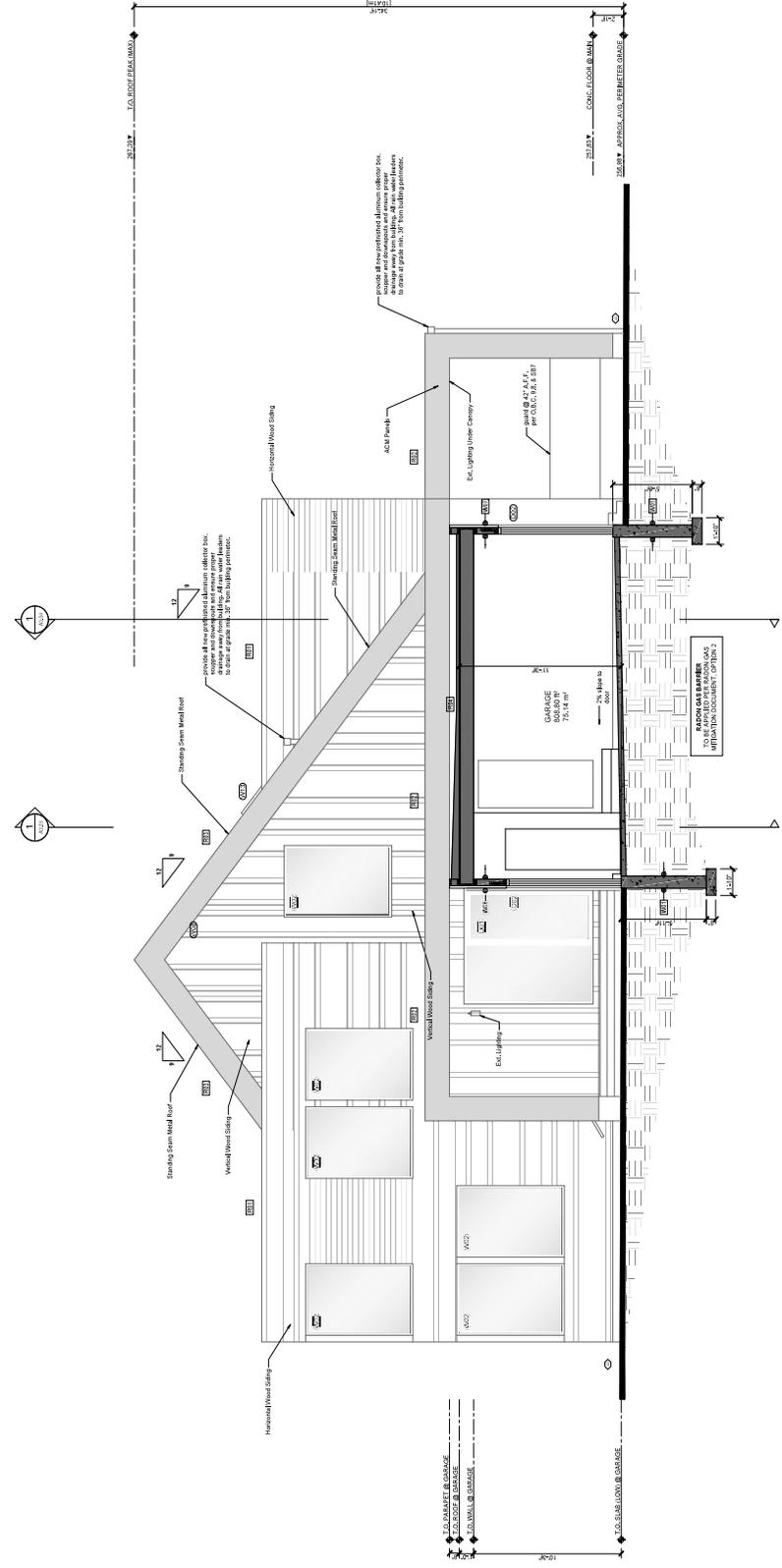
**DESIGN RESPONSIBILITIES**

As the Architectural Designer, I am responsible for the design and construction of the building. I have prepared the drawings and specifications for the building and have supervised the construction of the building. I have also provided professional engineering services for the building.

**RECEIVED**  
CONSERVATION  
HAMILTON  
NOV 24 2022

**HALTON REGION CONSERVATION AUTHORITY**

APPROVED BY: *[Signature]*  
DATE: 2023-02-02  
Subject to the conditions provided on PERMIT No.: 8415





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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	506 Concession Road 6 E Milgrove ON L0R 1V0		
Assessment Roll Number	25183035100340000000		
Former Municipality	Geographic Township of East Flamborough		
Lot	Part of Lot 3	Concession	5
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

N/A

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

- 1) To permit a replacement accessory structure (septic) that does not maintain the setbacks and area of the existing accessory structure (septic) (7.7.2.3 (iv)).
- 2) To permit a new geothermal structure, whereas no new structures are permitted (7.7.2.2 a)).

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Lot is dual zoned. It is mostly zoned P7 and a small portion is zoned A1. The new dwelling and reconfigured driveway are proposed to remain in the A1 zone, and a portion of the new septic is proposed in the A1 zone, however this area is not large enough to accommodate the entire new septic system or the proposed geothermal.

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

Yes  No

If yes, please provide an explanation:

N/A

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
122.06m	332.01m	4.05ha	20m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	44.69m	274.79m	7.13m (N)	
Septic	72.60m	232.91m	20.56m (N)	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	40.9m	261.0m	8.9m (N)	
Septic	66.76m	242.27m	26.95 (N)	
Geothermal	+33.56m	+252.28m	+9m (S)	

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	219.9m <sup>2</sup>	219.9m <sup>2</sup>	1	Unknown
Septic	612.35m <sup>2</sup>	N/A	N/A	N/A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	307.32m <sup>2</sup>	367.94	2	10.41m
Septic	464.52m <sup>2</sup>	N/A	N/A	N/A
Geothermal	+2,170.14m <sup>2</sup>	N/A	N/A	N/A

- 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 dwellings

**7 HISTORY OF THE SUBJECT LAND**

## 7.1 Date of acquisition of subject lands:

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

Single detached dwelling.

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

Single detached dwelling

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

Longstanding use.

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

Rural Hamilton Official Plan designation (if applicable): Agriculture (Schedule D)Rural Settlement Area: N/AUrban Hamilton Official Plan designation (if applicable) N/A

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

Proposal represents a use of land that is permitted in the Rural Hamilton Official Plan.

7.6 What is the existing zoning of the subject land? P7 & A1 (05-200)7.8 Has the owner previously applied for relief in respect of the subject property?  
(Zoning By-law Amendment or Minor Variance) Yes NoIf yes, please provide the file number: P7 & A1 (05-200)

---

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

Yes  No

If yes, please provide the file number: N/A

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):

Please see cover letter.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:195</b>	<b>SUBJECT PROPERTY:</b>	119 CAMPBELL AVENUE, HAMILTON
<b>ZONE:</b>	R1a (Small lot Low Density Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** KEVIN LEBLANC  
                                 **Agent:** ACADIA DESIGN CONSULTANTS C/O MAXIM MERCHASIN

The following variances are requested:

1. To permit the existing Garden Shed (accessory building) to be located in the flankage yard.
2. To permit a rear yard setback of 0.5m for the existing Garden Shed (accessory building) instead of the minimum required rear yard setback of 1.2m.
3. To permit an interior side yard setback of 0.3m for the existing Garden Shed (accessory building) instead of the minimum required interior side yard setback of 1.2m.
4. To permit a flankage yard setback of 2.7m for the existing Garden Shed (accessory building) instead of the minimum required rear yard setback of 3.0m.
5. To permit an aggregate Gross Floor Area of 9.4% for all accessory buildings instead of the maximum required aggregate Gross Floor Area for all accessory buildings of 7.5%.

**PURPOSE & EFFECT:**      To facilitate the legalization of the existing rear yard Garden Shed.

**Notes:**

- i. Be advised, in accordance with the requested variance to reduce the minimum required rear, flankage and side yards, the eaves and gutters indicated on the submitted drawings of the existing Garden Shed (accessory building) comply with the encroachment requirements under Section 4.8.
- ii. An Order to Comply, dated November 23, 2022, in regard to the existing Garden shed (accessory

**HM/A-23:195**

building) remains outstanding.

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:35 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:195, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:195



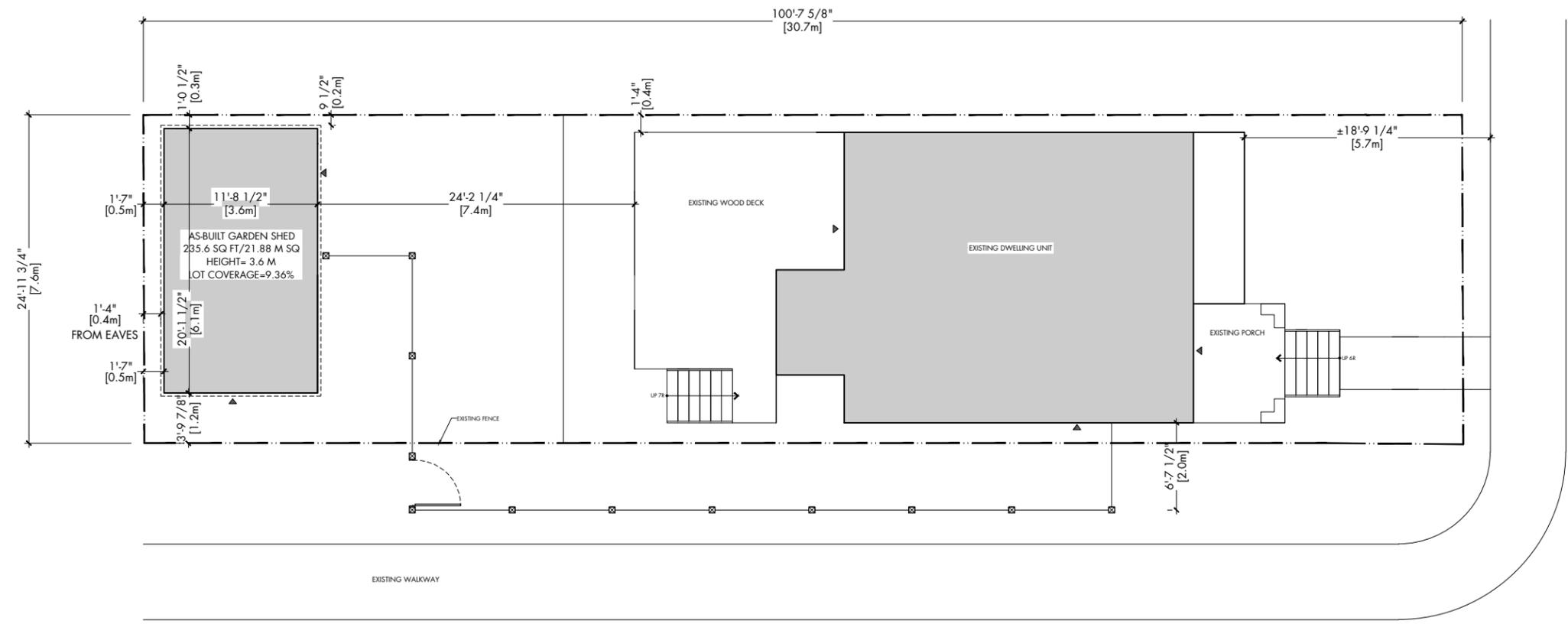
 Subject Lands

DATED: August 8, 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.



EXISTING LOT AREA IS 233.8 SQ M

CARLISLE STREET

CAMPBELL AVENUE

1 | EXISTING KEY PLAN  
A2 | NTS



**ACADIA**  
design-consultants

Phone: +1 (647) 478-9292  
Fax: +1 (877) 347-3479  
www.AcadiaDC.ca

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3	30-05-2023	ISSUED FOR PERMIT

DRAWN BY: NA      CHECKED BY: MM

**EXISTING KEY PLAN**

Drawing: **A1.01**

Scale: AS NOTED

Date: 30-05-2023

Project: 119 CAMPBELL AVE.  
GARDEN SHED

119 CAMPBELL AVENUE  
HAMILTON ONTARIO, L8H 2G1



May 30, 2023

**DO NOT SCALE**

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DRAWN BY: NA      CHECKED BY: MM

COVER PAGE

**A1**

Scale: NTS

Date: 30-05-2023

Project: 119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1

**APPROVED**

By Ross McIntosh at 12:37 pm, Jun 23, 2023

City of Hamilton  
Planning & Economic Development  
Planning Division

Examined By:      Date:

*R. McIntosh*

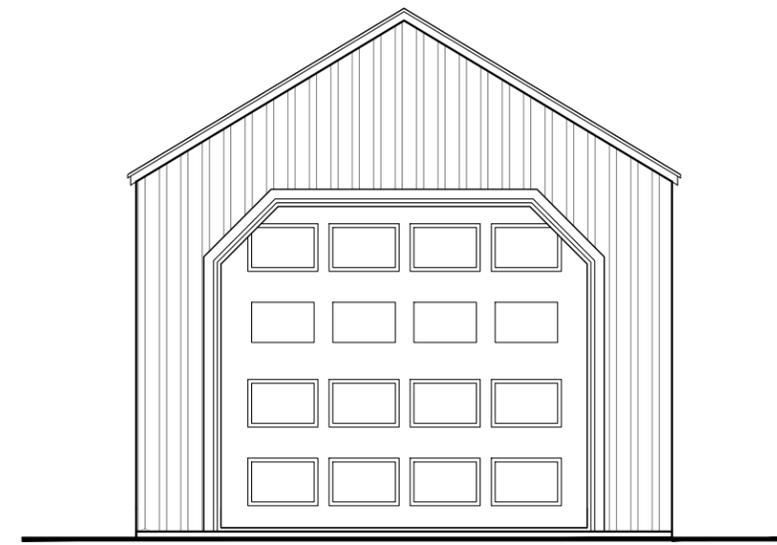
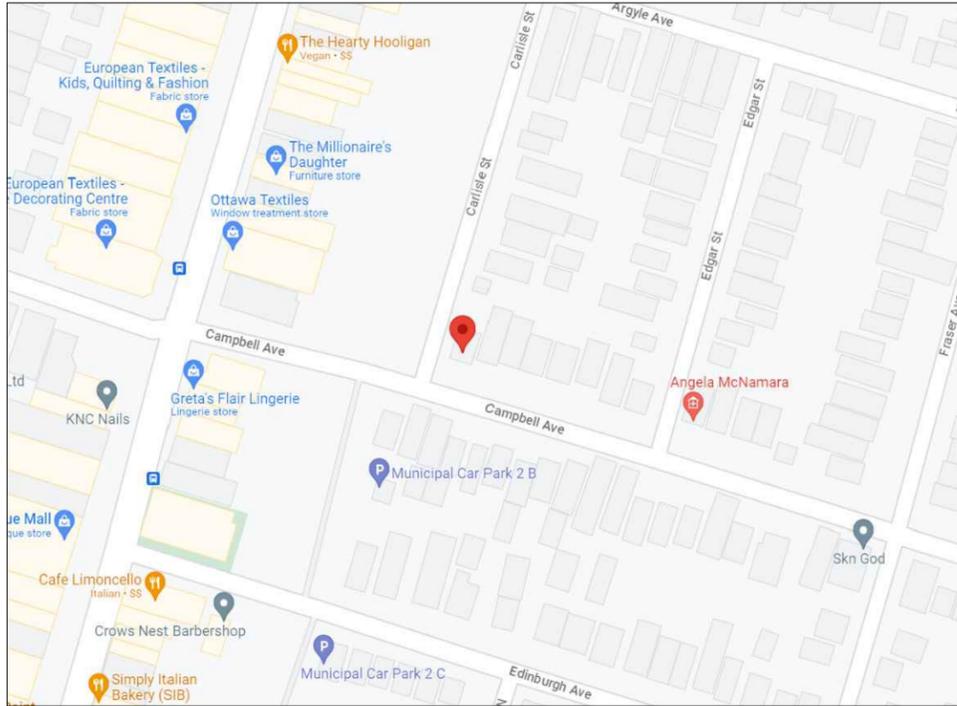
Zoning Only for Director of Planning Division

**SCOPE OF WORK**

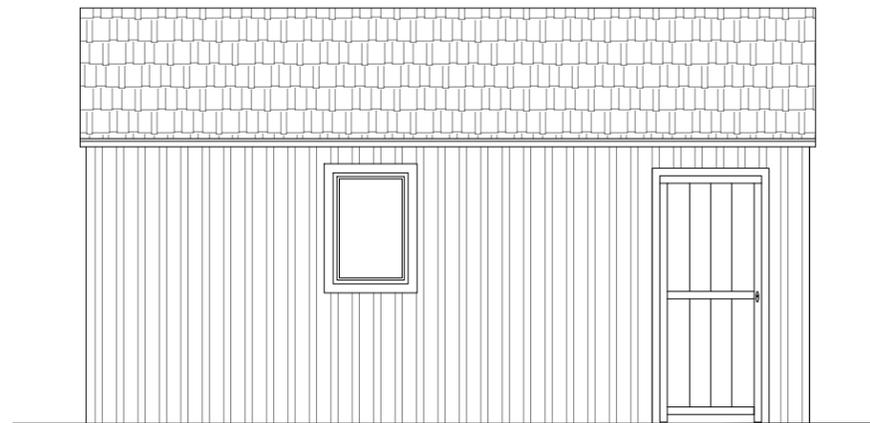
AS-BUILT GARDEN SHED

PERMIT DRAWINGS FOR AN AS-BUILT GARDEN SHED.

**KEY PLAN:** 119 CAMPBELL AVENUE, HAMILTON ON



**FRONT VIEW**



**SIDE VIEW**

**INDEX SHEET:**

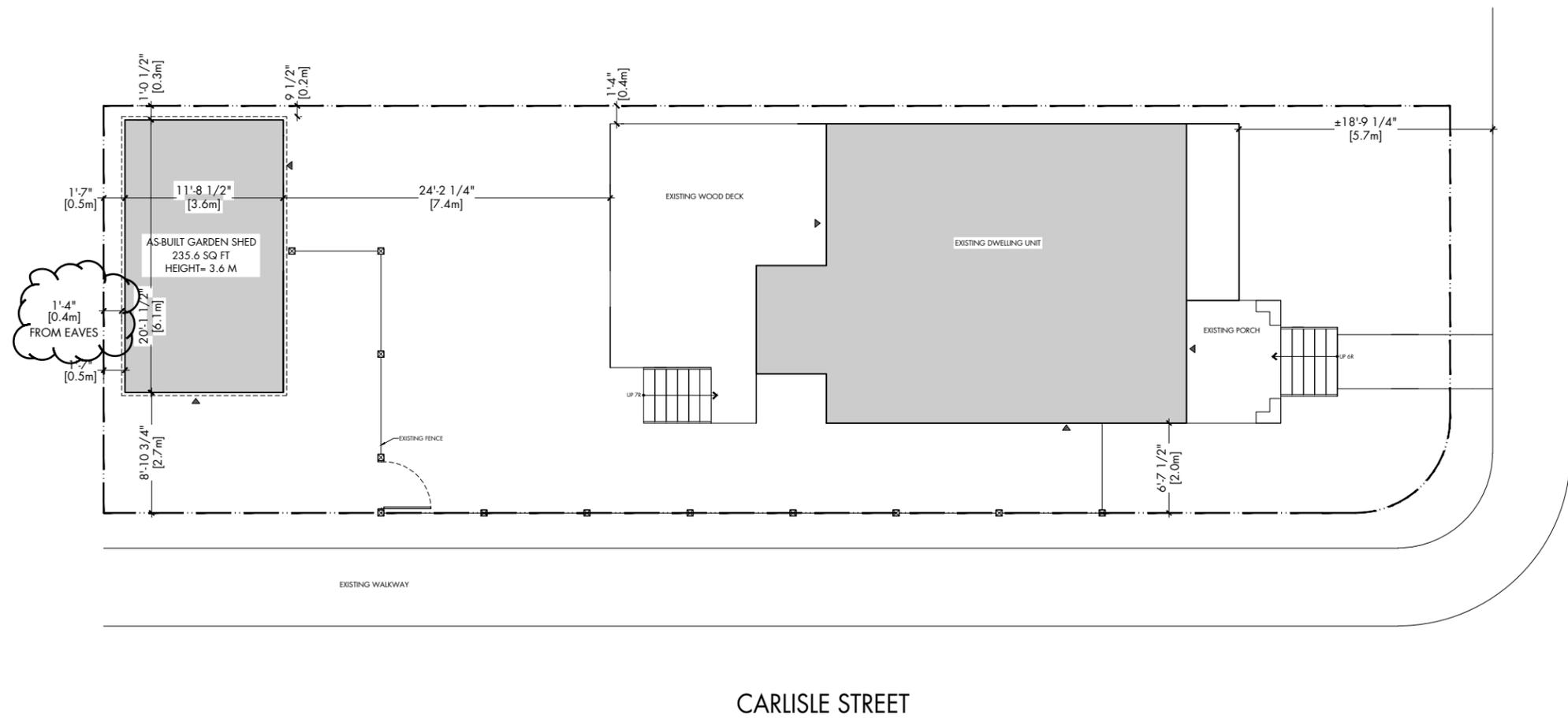
- A1 COVER PAGE
- A2 EXISTING KEY PLAN
- A3 EXISTING FLOOR PLAN
- A4 ELEVATIONS
- A5 ELEVATIONS
- A6 BUILDING SECTION

**APPROVED**  
By Ross McIntosh at 4:15 pm, Jul 18, 2023

City of Hamilton  
Planning & Economic Development  
Planning Division

Examined By: R. McIntosh Date: \_\_\_\_\_

Zoning Only for Director of Planning Division



1 | EXISTING KEY PLAN  
A2 | NTS



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DRAWN BY: NA CHECKED BY: MM

EXISTING KEY PLAN

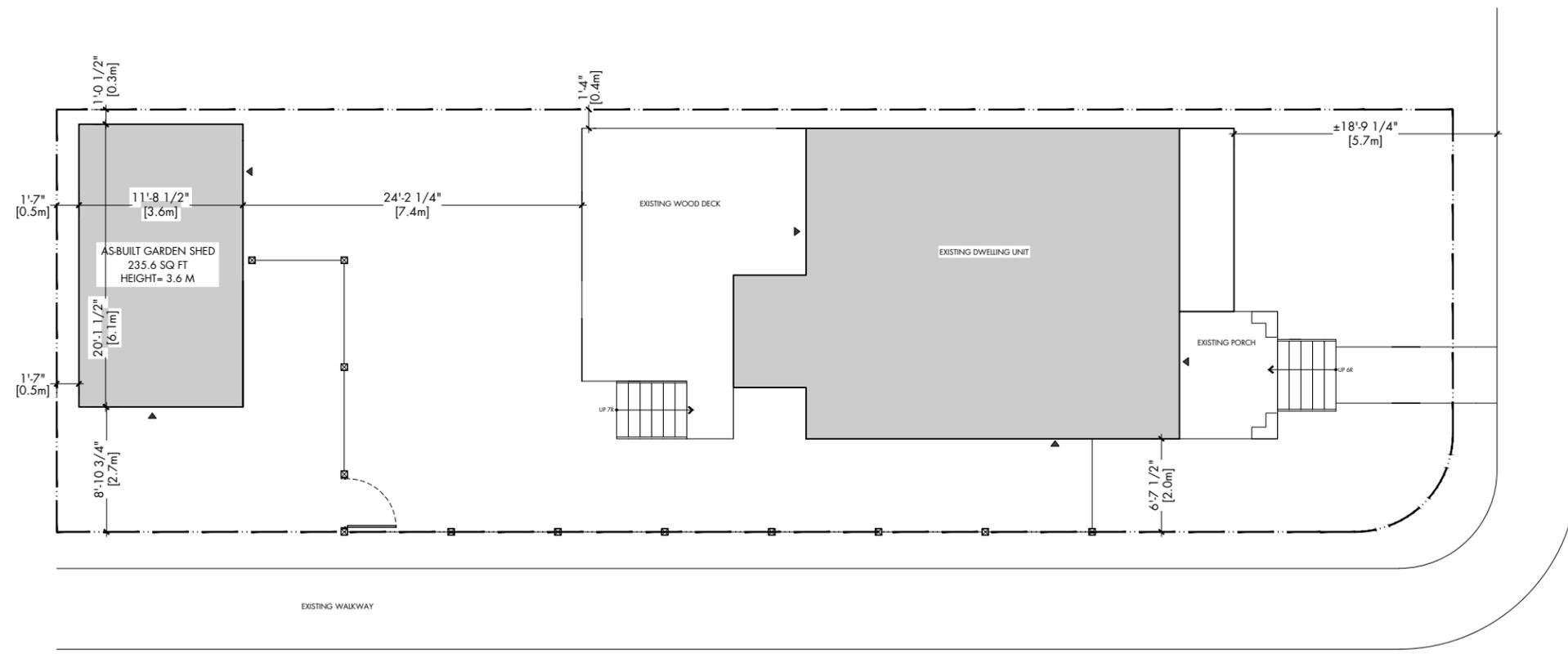
A1.01

Scale: AS NOTED

Date: 30-05-2023

Project: 119 CAMPBELL AVE. GARDEN SHED

119 CAMPBELL AVENUE  
HAMILTON ONTARIO, L8H 2G1



CAMPBELL AVENUE

CARLISLE STREET

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DRAWN BY: NA  
CHECKED BY: MM

**EXISTING KEY PLAN**

Drawing:

**A2**

Scale: NTS

Date: 30-05-2023

Project: 119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1

City of Hamilton  
 Planning & Economic Development  
 Planning Division

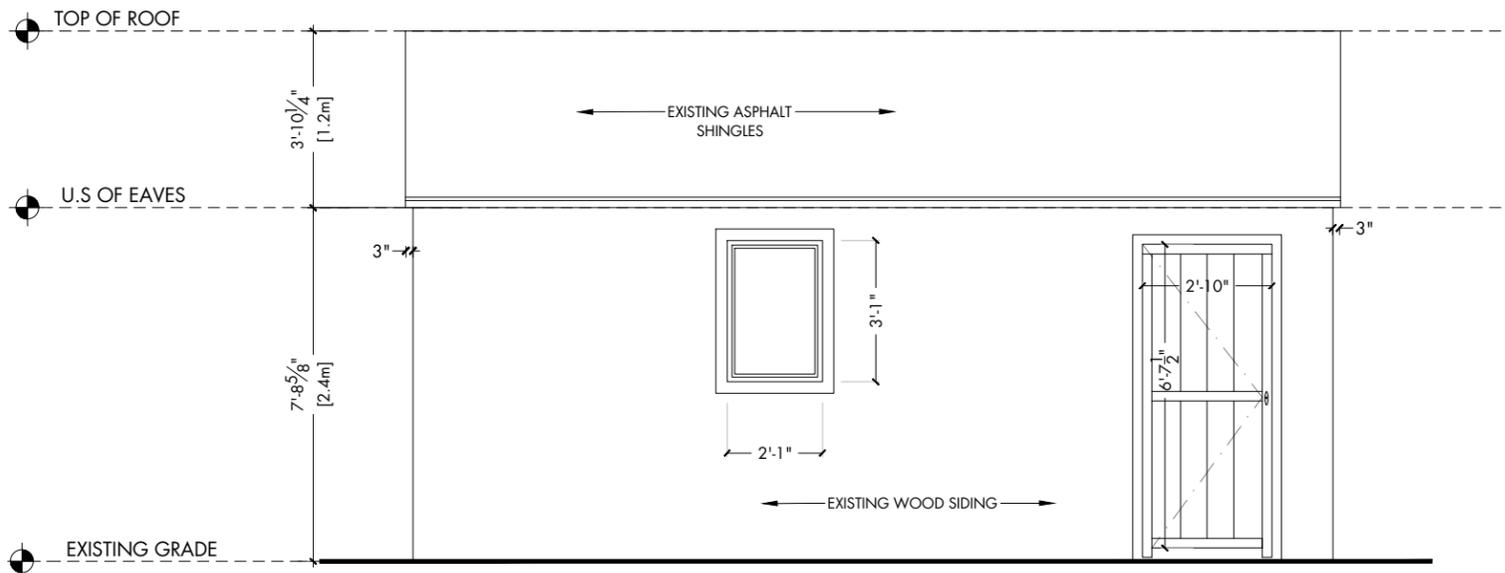
Examined By:      Date:

*R. McIntosh*

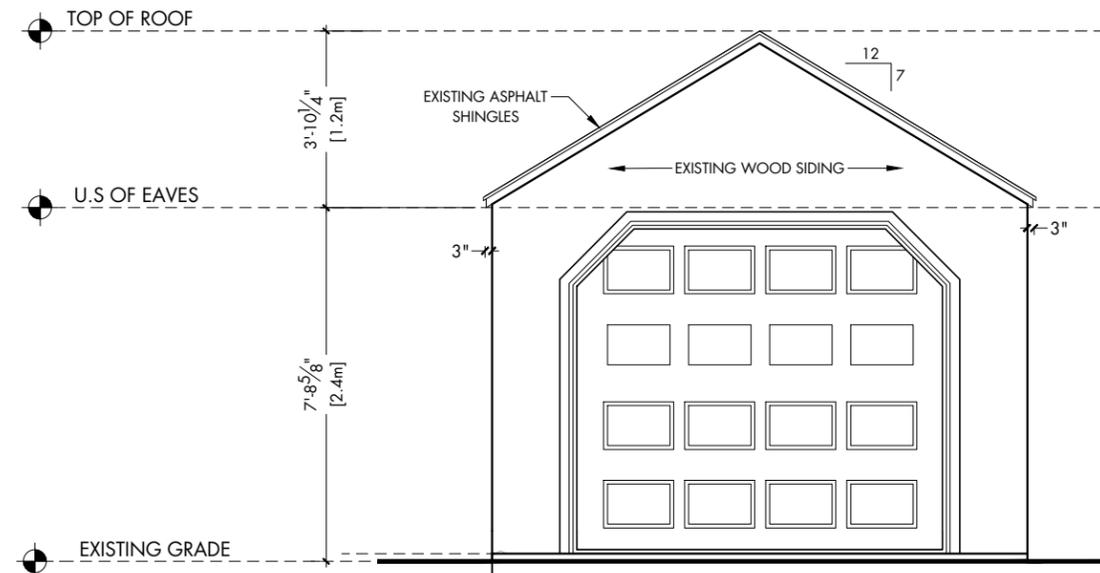
Zoning Only for Director of Planning Division

**APPROVED**

By Ross McIntosh at 4:15 pm, Jul 18, 2023



1 | SOUTH ELEVATION  
 A2.01 | 1/4"=1'-0"



2 | WEST ELEVATION  
 A2.01 | 1/4"=1'-0"

**ACADIA**  
 design-consultants  
 Phone: +1 (647) 478-9292  
 Fax: +1 (877) 347-3479  
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DRAWN BY:      CHECKED BY:  
 NA                      MM

ELEVATIONS

**A2.01**

Scale: AS NOTED

Date: 30-05-2023

Project: 119 CAMPBELL AVE.  
 GARDEN SHED

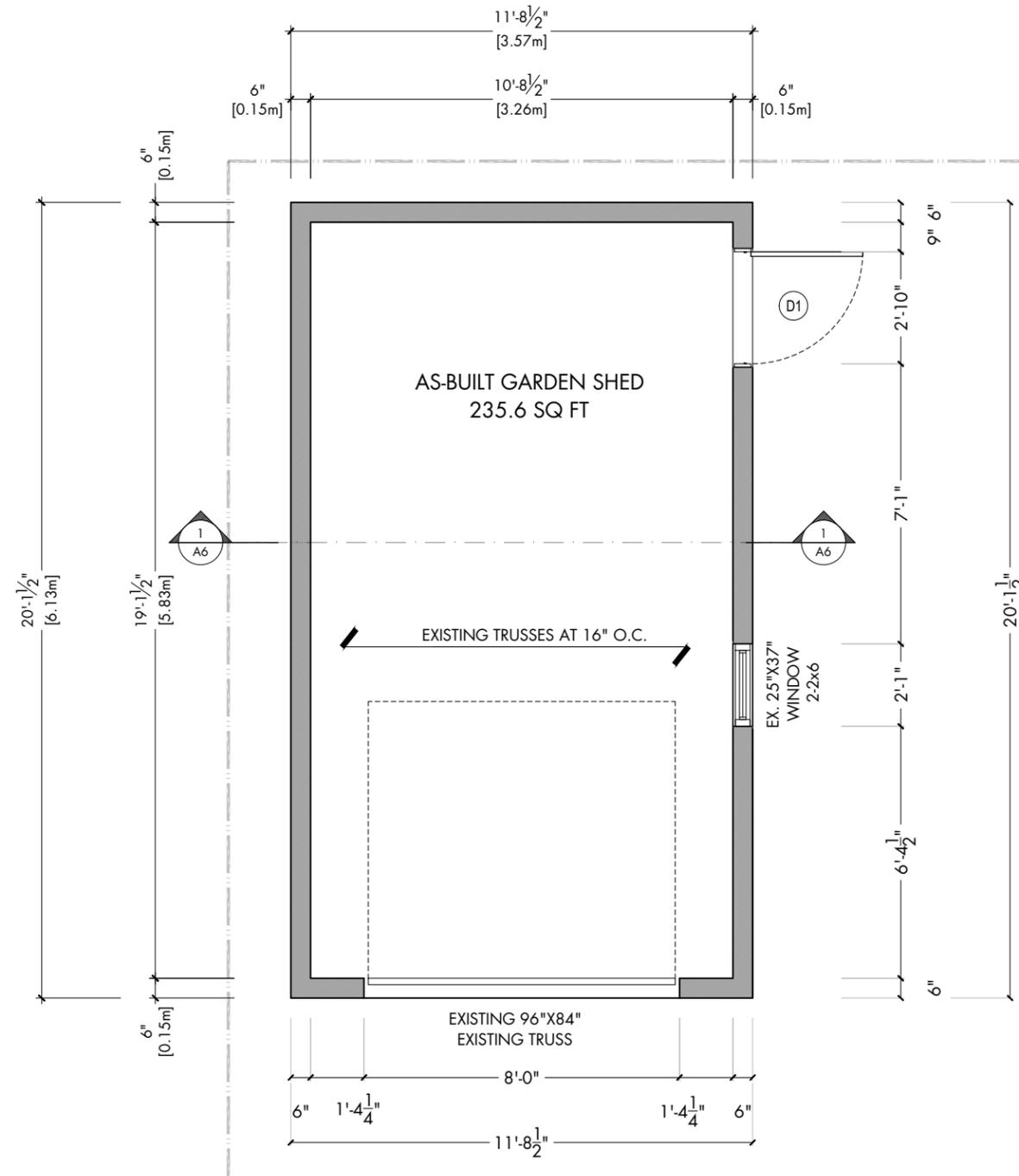
119 CAMPBELL AVENUE  
 HAMILTON ONTARIO, L8H 2G1



May 30, 2023



May 30, 2023



1 | EXISTING FLOOR PLAN  
A3 | 1/4"=1'-0"

**DO NOT SCALE**

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DRAWN BY: NA  
CHECKED BY: MM

**EXISTING FLOOR PLAN**

Drawing:

**A3**

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

Date: 30-05-2023

Project: 119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1

**WALL ASSEMBLY LEGEND:**

		<b>TYPICAL EXTERIOR WALL CONSTRUCTION:</b>
	OR	<ul style="list-style-type: none"> <li>2X4 BOTTOM PLATE</li> <li>2-2X4 TOP PLATES</li> <li>2X4 SPF STUDS AT 16" O.C.</li> <li>1/2" EXTERIOR PLYWOOD</li> <li>EXTERIOR SIDING</li> </ul>

**SYMBOL LEGEND**

	CEILING JOIST
	PROPOSED BEAM
	COLUMN WOOD & STEEL
	CEILING HT. TAG
	HIDDEN
	CONSTRUCTION NOTE

**DOOR SCHEDULE**

DOOR TAG	QTY	INT/EXT	DOOR WIDTH	HEADER SIZE	NOTES
D1	1	EXTERIOR	34"	2-2X6 SPF	WOOD DOOR

NOTE: DOOR ROUGH OPENING TO BE MIN. 1-1/2" LARGER THEN DOOR SIZE



May 30, 2023

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CHECKED BY: MM

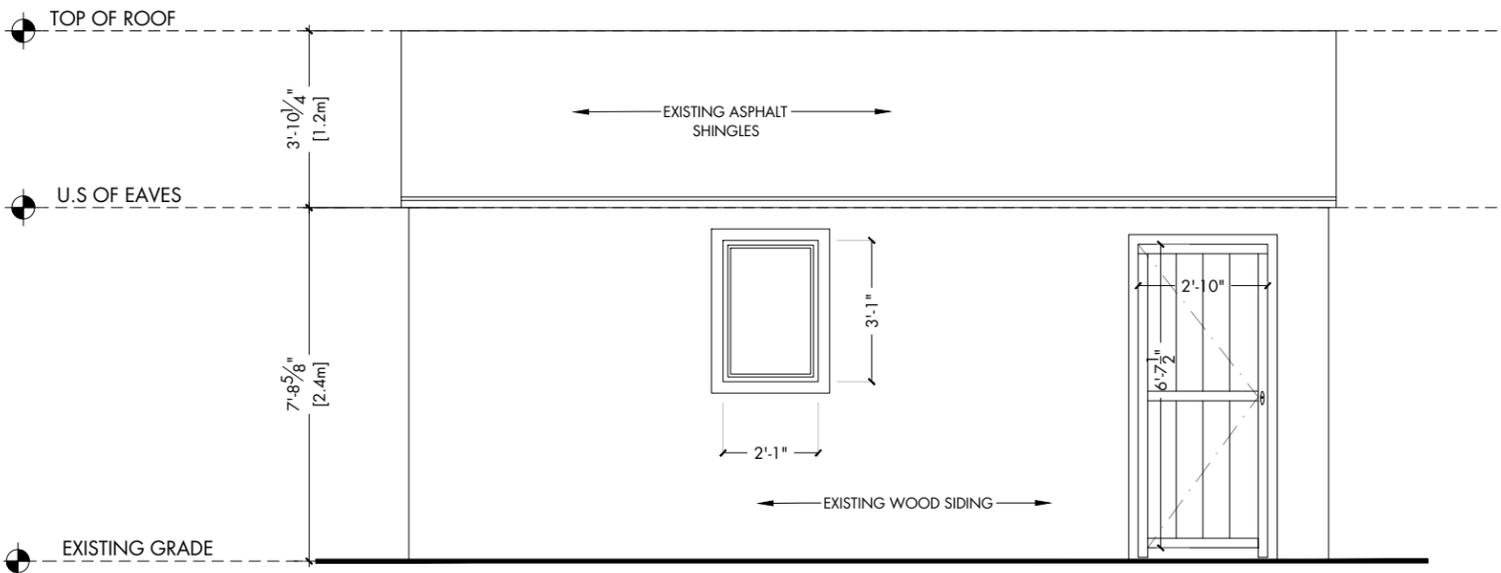
**ELEVATIONS**

**A4**

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

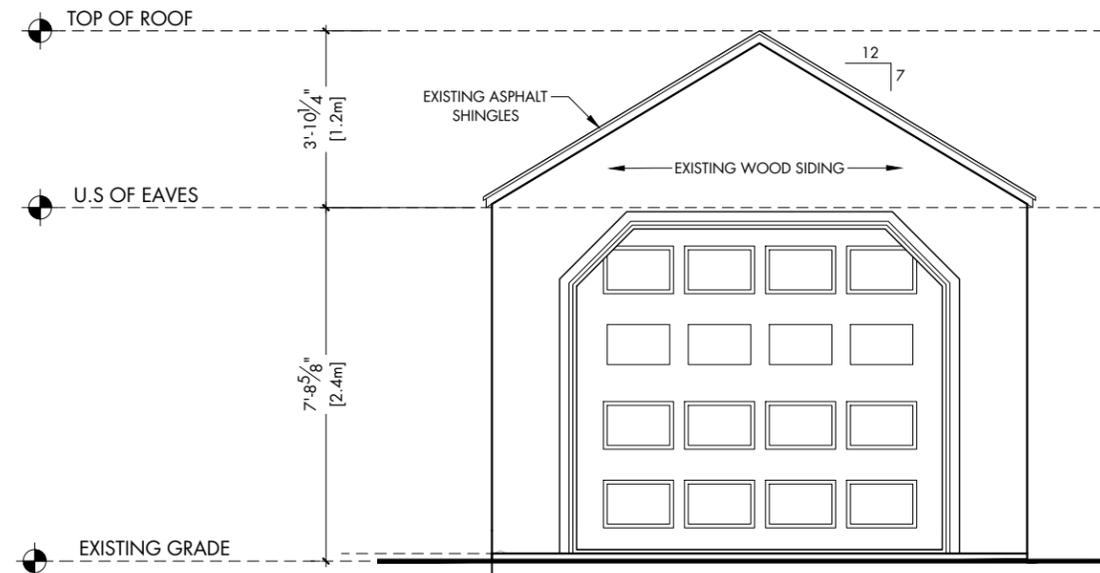
Date: 30-05-2023

Project: 119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1



1 | SOUTH ELEVATION

A4 1/4"=1'-0"

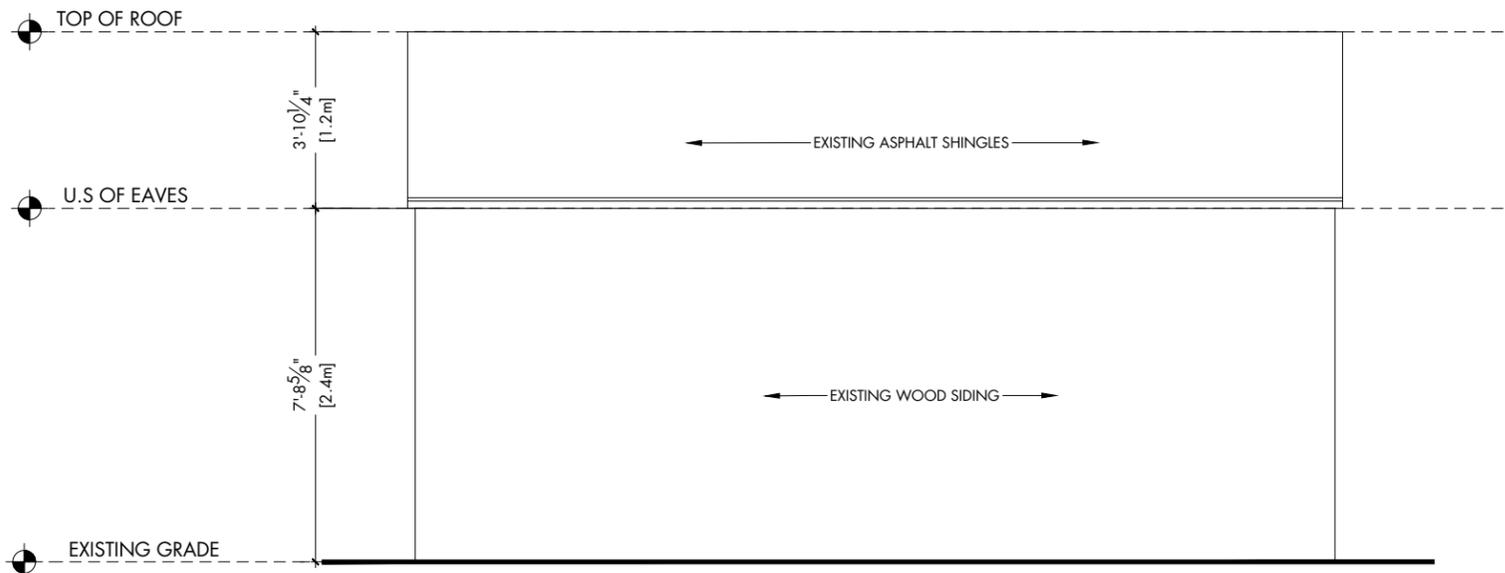


2 | WEST ELEVATION

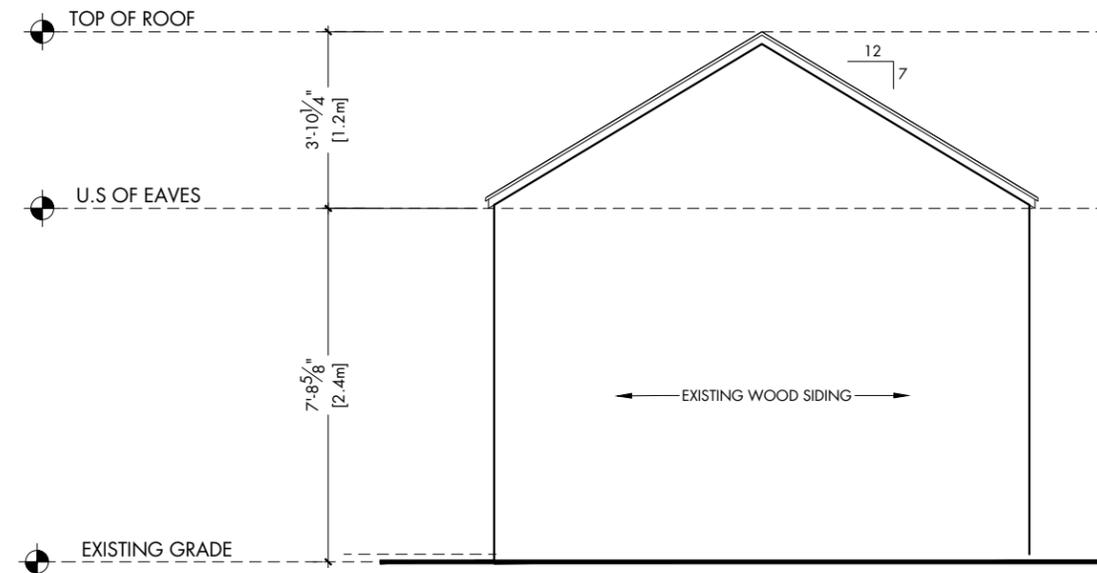
A4 1/4"=1'-0"



May 30, 2023



1 | NORTH ELEVATION  
A5 | 1/4"=1'-0"



2 | EAST ELEVATION  
A5 | 1/4"=1'-0"

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DRAWN BY: NA  
CHECKED BY: MM

**ELEVATIONS**

Drawing:

**A5**

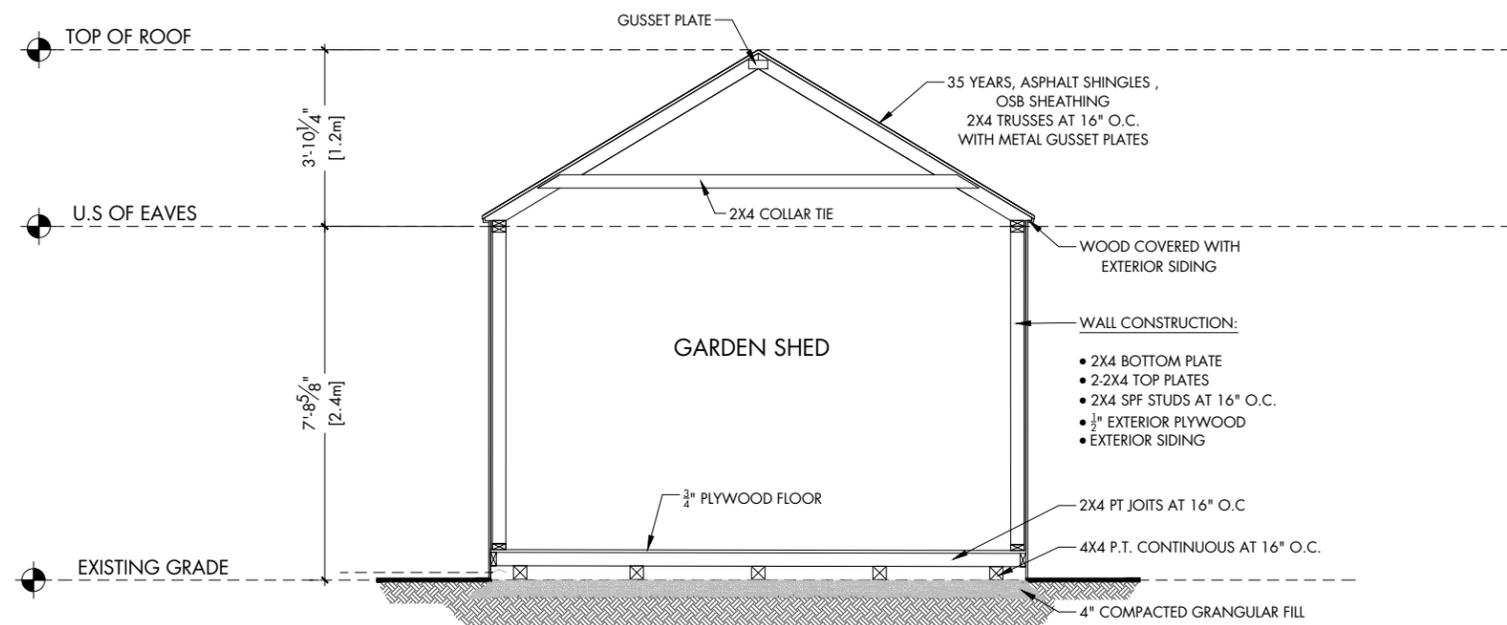
Scale: 1/4"=1'-0"

Date: 30-05-2023

Project: 119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1



May 30, 2023



1 | SECTION  
A6 | 1/4"=1'-0"

**DO NOT SCALE**

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DRAWN BY: NA      CHECKED BY: MM

**SECTION**

**A6**

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

Date: 30-05-2023

119 CAMPBELL AVENUE  
HAMILTON ONTARIO,  
L8H 2G1

## 119 Campbell Ave Hamilton Non-Conforming

3.1 Nature and extent of relief applied for:	3.2 Why it is not possible to comply with the provisions of the By-law?
Garden Shed located in Flankage Yard	b) Accessory Buildings shall not be permitted within a front or flankage yard.
0.4m from rear lot line 0.2m from interior side lot line 2.7m from flankage lot line  Eaves project 0.076m	h) Notwithstanding Subsection 4.6a), an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres. Eaves/gutters of Garden Shed are permitted to encroach a maximum distance of 2.55m from the flankage lot line.
Approx. Accessory Buildings Aggregate GFA = 9.5% Applicant shall provide Figure as well as the exact lot area (shed GFA already provided) in order to determine the exact Percentage Accessory building GFA (Refer to drawings A1.01)= 9.36% Lot Area:233.8sq.m	a) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser. Approx. Lot Area = 235 sq.m Garden Shed GFA= 21.9 sq.m
0.5m proposed setback (Building setback from Rear Lot line)	d) All accessory buildings with a Gross Floor Area greater than or equal to 18 square metres shall conform to the following regulations: i) Building Setback from a Rear Lot Line = Minimum 1.2 metres
0.3m proposed setback (Building setback from Side lot Line)	ii) Building Setback from a Side Lot Line =Minimum 1.2 metres
2.7m Proposed setback (Building setback from Flankage Lot line)	iii) Building Setback from Flankage Lot Line: 1. Except as required in a Flankage Lot Line Subsection 4.8.1.1 e), Accessory Buildings shall conform to the regulations for the principal use. [as per section 15.2.2.1(e) of Hamilton Zoning By-law 05-200] Minimum Setback from a Flankage Lot Line = 3.0m



Timothy Ritter &lt;rittertimothy44@gmail.com&gt;

---

**Fwd: 105 Beach Blvd**

1 message

---

**gail Ritter** <sinderela@live.com>  
To: Tim Ritter <rittertimothy44@gmail.com>

Fri, Jun 2, 2023 at 6:13 AM

Sent from my iPad

Begin forwarded message:

**From:** "Dent, Mike" <Mike.Dent@hamilton.ca>  
**Date:** June 1, 2023 at 12:56:05 PM EDT  
**To:** gail Ritter <sinderela@live.com>  
**Subject:** RE: 105 Beach Blvd

Hi Tim,

I spoke to my supervisor and we will keep the permit open until we can get clarity from Parks on how they will be proceeding.

Regards,

Mike Dent  
Building Inspector  
Planning and Economic Development  
Building Division, City of Hamilton  
905-546-2424x6752

-----Original Message-----

From: gail Ritter <sinderela@live.com>  
Sent: May 29, 2023 5:49 PM  
To: Dent, Mike <Mike.Dent@hamilton.ca>  
Subject: 105 Beach Blvd

Hi Mike

Hope you are doing well.

I was in at city hall today to fill out another extension for the permit.

As you know I was dealing with the encroachment for about a year and then after having my lawyer ask some questions the encroachment department say it is not there area that I need to work with the parks division.

I copied you on the email that I sent to them and they have gotten back saying they are looking into it and will advise later in June This is really weighing on my mind, I just went through cancer and had to do more treatment to help with my healing.

If you have any suggestions or can help with my extension go through it would be greatly appreciated and bring this issue to an end.

Thanks so much

Tim Ritter

Sent from my iPad





Timothy Ritter &lt;rittertimothy44@gmail.com&gt;

---

**Fwd: Encroachment Agreement and Building Permit Application at 105 Beach Blvd, Hamilton ON**

1 message

---

**gail Ritter** <sinderela@live.com>  
To: Tim Ritter <rittertimothy44@gmail.com>

Wed, Apr 5, 2023 at 7:16 PM

Sent from my iPad

Begin forwarded message:

**From:** Spencer Cuddy <spencercuddy@huntlegal.ca>  
**Date:** February 15, 2023 at 12:34:48 PM EST  
**Subject: Re: Encroachment Agreement and Building Permit Application at 105 Beach Blvd, Hamilton ON**

Thank you Cetina

We will follow up accordingly

On Wed, Feb 15, 2023 at 11:06 AM Farruggia, Cetina &lt;Cetina.Farruggia@hamilton.ca&gt; wrote:

Hello Spencer,

Thank you for your email. Upon review, can you please confirm the location of the proposed/existing encroachments?

My section only handles encroachments over road allowances. It looks like this may be referring to rear encroachments over city parkland. If that is the case then you will need to connect with parkseast@hamilton.ca for consent.

Thank you,

**Cetina Farruggia** HBSc, B.Ed., PMP*Right-of-Way Coordinator*

Geomatics and Corridor Management

Public Works Department | Engineering Services Division

City of Hamilton

100 King Street West, 2<sup>nd</sup> Floor

Hamilton, ON L8P 1A2

Tel: 905-546-2424 x5803

Email: cetina.farruggia@hamilton.ca



**From:** Spencer Cuddy <spencercuddy@huntlegal.ca>

**Sent:** Tuesday, February 14, 2023 2:36 PM

**To:** Encroachment Applications <EncroachmentApplications@hamilton.ca>

**Cc:** Timothy Ritter <rittertimothy44@gmail.com>; Gail Ritter <sinderela@live.com>

**Subject:** Encroachment Agreement and Building Permit Application at 105 Beach Blvd, Hamilton ON

Good morning,

As you may be aware, my client's the Ritters and Nakamuras are hoping for some clarity and assistance with their ongoing application. We have already discussed the matter in some detail with the building department, specifically with Corey Benn and emails with Jennifer Turcotte, Chris Atchison and Mike Dent.

We have been made aware from their department that in order for the permit to be issued, the Ritters and Nakamuras must first enter into an encroachment agreement drafted and approved with the Public Works department.

Kindly review our letter and ancillary document attached.

Please let my office and my clients know if there is some productive dialogue we can enter into to move forward accordingly.

--

Best regards,

**Spencer Cuddy BHSc., J.D.**

Hunt & Cuddy

Barristers & Solicitors

562 Maple Avenue

Burlington, ON, L7S 1M6

Phone: (905) 634-5581

Fax: (905) 634-7808

spencercuddy@huntlegal.ca

--

Best regards,



Timothy Ritter &lt;rittertimothy44@gmail.com&gt;

---

**RE: 105 Beach Blvd**

1 message

**Elizabeth Reimer** <ereimer@conservationhamilton.ca>

Fri, Jan 27, 2023 at 11:55 AM

To: Timothy Ritter &lt;rittertimothy44@gmail.com&gt;

Cc: "Turcotte, Jennifer" &lt;Jennifer.Turcotte@hamilton.ca&gt;, "Dent, Mike" &lt;Mike.Dent@hamilton.ca&gt;

Hello Tim,

HCA staff can advise that the constructed deck is in the Hamilton Conservation Authority's regulated area, and work in the regulated area requires written authorization. HCA is in the process of completing a Shoreline Management Plan for the Lake Ontario shoreline. The report is not finalized, but the draft report suggests that the asphalt trail represents the limit of the dynamic beach hazard. Site-specific studies elsewhere along the beach have suggested this as well. Therefore, HCA staff are satisfied that the deck is outside of the hazards associated with Lake Ontario.

Please note that the HCA will only issue written authorization if the legal owner of the property has provided written consent for the construction. Therefore, the portion of the deck that is outside of your property boundary will require written permission from the City of Hamilton, or will have to be removed if the City does not provide permission.

Jennifer and/or Mike, can you confirm whether the City is prepared to provide permission for the deck to remain on City property? Will a Minor Variance provide this permission, or does the City have separate agreements in place for private structures on City property?

Let me know if you have any further questions or concerns.

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](mailto:ereimer@conservationhamilton.ca)

[www.conservationhamilton.ca](http://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.

**From:** Timothy Ritter <[rittertimothy44@gmail.com](mailto:rittertimothy44@gmail.com)>  
**Sent:** Wednesday, January 25, 2023 7:40 PM  
**To:** Elizabeth Reimer <[ereimer@conservationhamilton.ca](mailto:ereimer@conservationhamilton.ca)>  
**Cc:** Turcotte, Jennifer <[Jennifer.Turcotte@hamilton.ca](mailto:Jennifer.Turcotte@hamilton.ca)>; Dent, Mike <[Mike.Dent@hamilton.ca](mailto:Mike.Dent@hamilton.ca)>  
**Subject:** Re: 105 Beach Blvd

Thanks Elizabeth for getting back to me

No the deck is not completely on our property, however I am working on getting a Minor Variance to be able to have the deck out from the house to extend the living space of the home.

Part of this Variance is getting approval from conservation that where we have the deck, is not encroaching onto the conservation area.

The deck is well back from the path and pretty well further back than every other property building and or patios along the path.

I am asking if it is ok to have the deck where it is.

Thank you again for getting back to me

Tim Ritter

On Mon, Jan 23, 2023 at 10:17 AM Elizabeth Reimer <[ereimer@conservationhamilton.ca](mailto:ereimer@conservationhamilton.ca)> wrote:

Hello Tim,

I had a quick look at the drawings you had sent in August. From the A.T. McLaren survey (dated 1978), if I am interpreting the drawing correctly, the property line is 6+ feet from the corner of the building (I can't quite read the numbers, maybe 6.49'). Can you confirm that the deck is entirely on your property? I apologize if this has already been addressed, I just don't see anything in the file here that confirms the deck location relative to the property limit.

Thanks,  
Elizabeth

**From:** Timothy Ritter <rittertimothy44@gmail.com>  
**Sent:** Saturday, January 21, 2023 1:42 PM  
**To:** Elizabeth Reimer <ereimer@conservationhamilton.ca>; Laura Stinson <lstinson@conservationhamilton.ca>  
**Cc:** Turcotte, Jennifer <Jennifer.Turcotte@hamilton.ca>; Dent, Mike <Mike.Dent@hamilton.ca>  
**Subject:** Re: 105 Beach Blvd

Good Morning

I had sent this email back in Aug 2022 asking if you could review and give me the OK that it is not impacting the environment of the beach, where I have my deck is on the highway side of the path that runs along the beach between the water edge and Beach Blvd in Hamilton

Could one of you two please get back to me

I have asked Mike for an extension on the permit and he was kind enough to allow me more time.

Would appreciate your help with this matter

Have a great weekend

Thank you in advance

Tim Ritter

105 Beach Blvd

On Mon, Aug 1, 2022 at 11:38 AM Timothy Ritter <rittertimothy44@gmail.com> wrote:

Hope you had a nice weekend

Since August of 2021 I have been waiting for confirmation that the land at 105 Beach Blvd. in Hamilton is not part of the Conservation area. I have sent multiple emails and packages, along with phone messages, but am currently in a position where I am waiting on your approval to obtain my building permit for a small deck situated 23' from the walking pathway. We understand there have been delays worldwide during this time, and hope this message finds you both well, but would appreciate hearing from either of you as soon as possible.

Please reach out to me as well copying Mike Dent

Sincerely

Timothy Ritter



# Hamilton

July 18, 2023

FILE: ALR  
FOLDER: 23-123343-01 ALR  
ATTENTION OF: Ross McIntosh  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 2077

Karen Melocotones  
364 SUPERTEST RD  
NORTH YORK, ON M3J 2M2

**Attention:**

**Re: APPLICABLE LAW REVIEW – ZONING BYLAW (Revision)**  
**Present Zoning: R1a Low Density Residential – Small Lot Zone**  
**Address: 119 CAMPBELL AVE, HAMILTON, ON**

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

**COMMENTS:**

1. The application is to facilitate the legalization of the existing rear yard Garden Shed.
2. The following comments are based on the regulations of the underlying **R1a Low Density Residential – Small Lot Zone** pursuant to the City of Hamilton Zoning By-law No. 05-200.
3. The Order to Comply for the existing Garden Shed, Folder # 22 153150 00, dated November 23, 2022, remains outstanding.
4. All new fences proposed for this development must comply with the regulations contained within Sign By-law 10-142.
5. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
6. The existing Garden Shed has been reviewed and compared to the standards of the R1a zone, as indicated in the following chart:

<b>R1a Zone – Low Density Residential (Small Lot)</b> (Section 15.2 of Hamilton Zoning By-law 05-200)			
	Required	Provided	Conforming/ Non-Conforming
<b>Section 15.2.2 – R1a Regulations</b>			
<b>Minimum Lot Area</b> [as per section 15.2.2.1(a) of Hamilton Zoning By-law 05-200]	270.0 m <sup>2</sup>	Existing SFD	<b>Conforms</b>
<b>Minimum Lot Width</b> [as per section 15.2.2.1(b) of Hamilton Zoning By-law 05-200]	9.0 m	Existing SFD	<b>Conforms</b>
<b>Minimum Setback from the Front Lot Line</b> [as per section 15.2.2.1(c) of Hamilton Zoning By-law 05-200]	3.0m	Existing SFD	<b>Conforms</b>
<b>Minimum Setback from a Side Lot Line</b> [as per section 15.2.2.1(d) of Hamilton Zoning By-law 05-200]	1.2m	Existing SFD	<b>Conforms</b>
<b>Minimum Setback from a Flankage Lot Line</b> [as per section 15.2.2.1(e) of Hamilton Zoning By-law 05-200]	3.0m	Existing SFD	<b>Conforms</b>
<b>Minimum Setback from a Rear Lot Line</b> [as per section 15.2.2.1(f) of Hamilton Zoning By-law 05-200]	7.5m	Existing SFD	<b>Conforms</b>
<b>Maximum Building Height</b> [as per section 15.2.2.1(g) of Hamilton Zoning By-law 05-200]	10.5m	Existing SFD	<b>Conforms</b>
<b>Parking</b> [as per section 15.2.2.1(h) of Hamilton Zoning By-law 05-200]	i) In accordance with the requirements of Section 5 of this By-law.  ii) Notwithstanding Section 5.6 c) i., 2 parking spaces shall be required for a Single Detached Dwellings	N/A	
<b>Accessory Buildings</b> [as per section 15.2.2.1(i) of Hamilton Zoning By-law 05-200]	In accordance with the requirements of Section 4.8 of this By-law.	See below	

## R1a Zone – Low Density Residential (Small Lot) (Section 15.2 of Hamilton Zoning By-law 05-200)

	Required	Provided	Conforming/ Non-Conforming
<b>General Provisions-</b> <i>In accordance with the requirements of Section 4 of Hamilton Zoning By-law 05-200</i>			
<b>Accessory Buildings in All Zones</b> [as per section 4.8. of Hamilton Zoning By-law 05-200]	An accessory building may only be erected or used in accordance with the following:  a) Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.	Garden Shed	<b>Conforms</b>
	b) Accessory Buildings shall not be permitted within a front or flankage yard.	Garden Shed located in Flankage Yard	<b>Non-Conforming</b> <i>Minor Variance Required</i>
	g) All Accessory Buildings shall have a maximum height of 4.5 metres.	3.6m	<b>Conforms</b>
	h) Notwithstanding Subsection 4.6a), an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres.  <b>Eaves/gutters of Garden Shed are permitted to encroach a maximum distance of 2.55m from the flankage lot line.</b>	0.4m from rear lot line 0.2m from interior side lot line 2.7m from flankage lot line  <i>Eaves project 0.076m</i>	<b>Non-Conforming</b> <i>Minor Variance Required</i>
<b>Accessory Buildings to Single Detached Dwellings</b> [as per section 4.8.1.1 of Hamilton Zoning By-law 05-200]	a) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser. <b>Approx. Lot Area = 235 sq.m</b> <b>Garden Shed GFA= 21.9 sq.m</b>	Exact Details not Provided  Approx. Accessory Buildings Aggregate GFA = 9.5%  <b>Applicant shall provide Figure as well as the exact lot area (shed GFA already provided) in order to determine the exact percentage</b>	<b>Non-Conforming</b> <i>Minor Variance Required</i>
	d) All accessory buildings with a Gross Floor Area greater than or equal to 18 square metres shall conform to the following regulations:  i) Building Setback from a Rear Lot Line = Minimum 1.2 metres	0.5m	<b>Non-Conforming</b> <i>Minor Variance Required</i>
	ii) Building Setback from a Side Lot Line =Minimum 1.2 metres	0.3m	<b>Non-Conforming</b> <i>Minor Variance Required</i>



Karen Melocotones  
364 SUPERTEST RD  
NORTH YORK, ON M3J 2M2

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

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



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			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	119 CAMPBELL AVENUE HAMILTON ON		
Assessment Roll Number	040314094000000		
Former Municipality			
Lot	23 Corner	Concession	
Registered Plan Number	395 BLK E	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:

see attached sheet.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

see attached sheet.

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
+/- 30', 9.14M	+/- 100', 30.48M	+/- 2985 Sq Ft/ 277.3 Sq	39.37 Ft, +/- 12M

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
ACCESSORY STRUCTURE	NA	0.5M	2.7M	
Dwelling Unit		5.7 M	0.4M and 2M	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
N/A	N/A	N/A	N/A	

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 Unit	630sq ft/ 58.52 M Sq	882 Sq ft/ 81.9 M Sq	2	20'-6"/6.24 M
Accessory Structure	235.658 21.895m	235.658 21.895m	1	3.6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
N/A	N/A	N/A	N/A	N/A

- 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.):  
N/A

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:

March 2021

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

SFD

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

SFD

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

Unknown

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: N/A

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? R1a- Low Density Residential (small lot)

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: R1a- Low Density Residential (small lot)

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

 Yes No

If yes, please provide the file number: N/A

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: \_\_\_\_\_

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:100</b>	<b>SUBJECT PROPERTY:</b>	63 THIRD ROAD E, STONEY CREEK
<b>ZONE:</b>	A1 (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** JASON & SABRINA BRUZZESE

The following variances are requested:

1. A maximum gross floor area of 290.0 square metres shall be permitted for all buildings accessory to a single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed a maximum gross floor area of 200 square metres.

**PURPOSE & EFFECT:**      As to permit the construction a new Single Detached Dwelling with an accessory building.

**Notes:**

1. As per Section 4.8.1.2 of Hamilton Zoning By-law 05-200 the requested variance for the maximum accessory building height is not required.
2. Please be advised accessory buildings shall not be erected prior to the erection of the principle building or structure on the lot and no more than one dwelling shall be erected on a lot.
3. All mechanical equipment shall be in accordance with Section 4.9 of the Hamilton Zoning By-law 05-200.
4. Building permit 23-109955 was issued on July 4th, 2023 for the construction of the proposed single detached dwelling. At this time the permit has not yet been closed.

**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.**

**SC/A-23:100**

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:40 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:100, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

SC/A-23:100



DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Door and Sill as per 9.10.13.15. Self-closing door shall be tight fitting & weather-stripped to provide an effective barrier against the passage of gas & exhaust fumes (where grade permits)

Provide double joists and L 3 1/2" x 3 1/2" x 1/4" above all basement exterior windows unless noted otherwise

Provide lighting of all entrances as per 9.34.2.1 of O.B.C.

For walk-out and partial walk-out lots, step concrete foundation as required for proposed grades ensuring a maximum of 4'-0" of laterally unsupported wall

Built-up posts to be min. 5 1/2" x 5 1/2" and at least as wide as the supported member O.B.C. 9.17.4.1

All Footings to be minimum 4'-0" below finished grade at all times.

Where patio/terrace door threshold is greater than 2'-0" above finished grade, provide SG-7 guard or provide blocking to prevent door from opening more than 4".

Window sizes shown are approximate. Exact rough openings to be determined by window manufacturer's specifications

Doors and Windows must be resistant to forced entry.

Provide guards (SB-7 type guards for housing and small buildings) at porch where distance from grade to top of porch is 2'-0" or greater.

Roof Space to be vented to exterior by vent area of not less than 1/300 of insulated ceiling area

No openings through guards greater than 4" O.B.C. 9.8.8.5

Provide Built-up wood stud post equal to stud depth and width of beam, at both ends of steel/wood beams unless noted otherwise

All interior stud walls to be 2"x4" unless noted otherwise. All concrete foundations to be 8" unless noted otherwise

Window wells as per 9.7.1.4, and 9.14.6.3 (O.B.C.) typical where required.

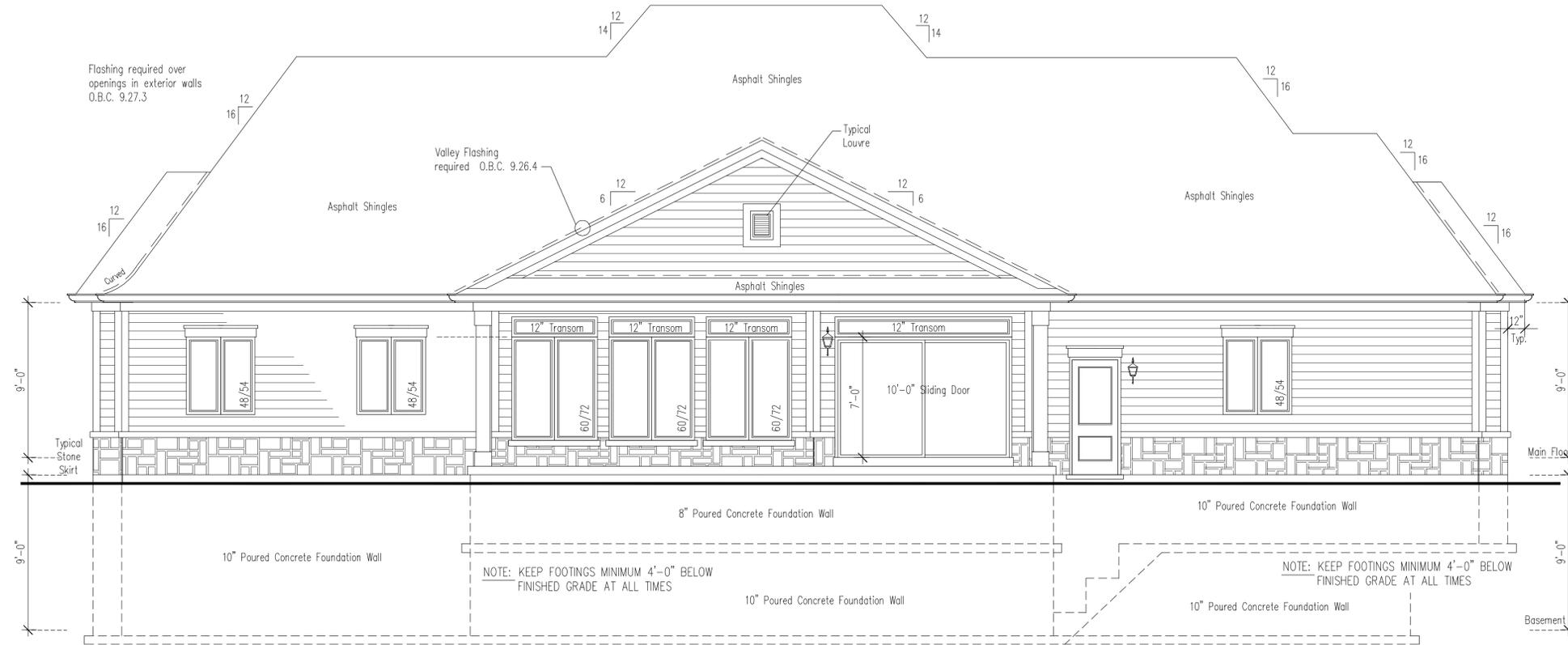
Provide minimum 2 rows of bracing where ceramic tile above. O.B.C. 9.30.6.4

All T.I. floor joists, parallel beams and trusses are to be supplied and designed by wood supplier and/or truss manufacturer

Provide double joist framing under all parallel walls above and around stairs

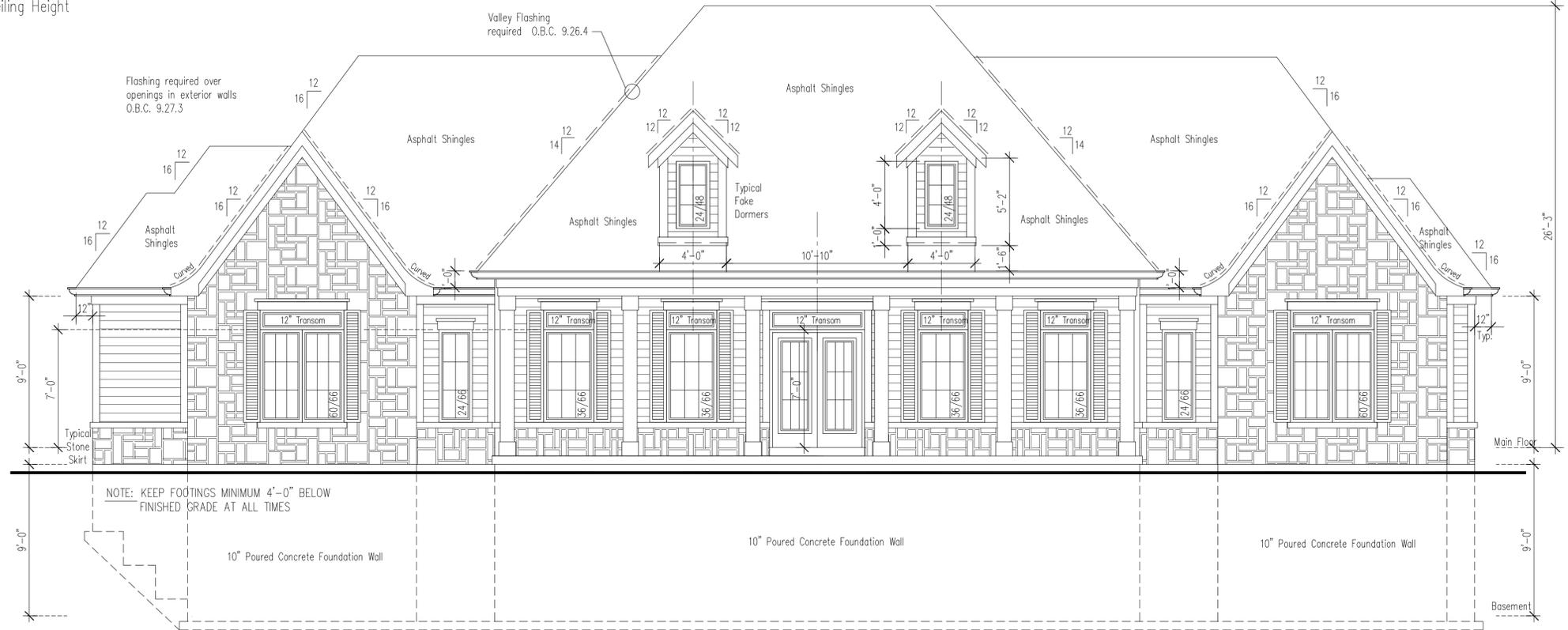
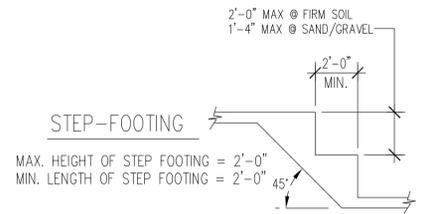
All stairs as per 9.8.3, handrails as per 9.8.7, and guards as per 9.8.8 (O.B.C.)

Construction between garage & dwelling units to be gasproof O.B.C. 9.10.9.16



**Rear Elevation**

9'-0" Main Floor Ceiling Height  
9'-0" Basement Ceiling Height



**Front Elevation**

9'-0" Main Floor Ceiling Height  
9'-0" Basement Ceiling Height

<p>PRESTIGE DESIGNS Tel: (905) 304-8340 Fax: (905) 304-8360</p>	Dwn by: <b>ROB MARINIC</b> Scale: 1/4" = 1'-0" Date: <b>November 2022</b> Proj. No.: <b>Bruz2X</b> Area: <b>3080 sq.ft.</b>	Title: <b>Custom Bungalow</b> Description: <b>Front Elevation Rear Elevation</b>	REGISTRATION 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. Name: <b>ROB MARINIC</b> B.O.B. 24456 Firm: <b>PRESTIGE DESIGNS</b> B.O.B. 29621 Signature:	Project: <b>63 Third Road East Hamilton, Ontario</b>	<b>A1</b> of 6
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Door and Sill as per 9.10.13.15. Self-closing door shall be tight fitting & weather-stripped to provide an effective barrier against the passage of gas & exhaust fumes (where grade permits)

Provide double joists and L 3 1/2" x 3 1/2" x 1/4" above all basement exterior windows unless noted otherwise

Provide lighting of all entrances as per 9.34.2.1 of O.B.C.

For walk-out and partial walk-out lots, step concrete foundation as required for proposed grades ensuring a maximum of 4'-0" of laterally unsupported wall

Built-up posts to be min. 5 1/2" x 5 1/2" and at least as wide as the supported member O.B.C. 9.17.4.1

All Footings to be minimum 4'-0" below finished grade at all times.

Where patio/terrace door threshold is greater than 2'-0" above finished grade, provide SG-7 guard or provide blocking to prevent door from opening more than 4".

Window sizes shown are approximate. Exact rough openings to be determined by window manufacturer's specifications

Doors and Windows must be resistant to forced entry.

Provide guards (SB-7 type guards for housing and small buildings) at porch where distance from grade to top of porch is 2'-0" or greater.

Roof Space to be vented to exterior by vent area of not less than 1/300 of insulated ceiling area

No openings through guards greater than 4" O.B.C. 9.8.8.5

Provide Built-up wood stud post equal to stud depth and width of beam, at both ends of steel/wood beams unless noted otherwise

All interior stud walls to be 2"x4" unless noted otherwise. All concrete foundations to be 8" unless noted otherwise

Window wells as per 9.7.1.4, and 9.14.6.3 (O.B.C.) typical where required.

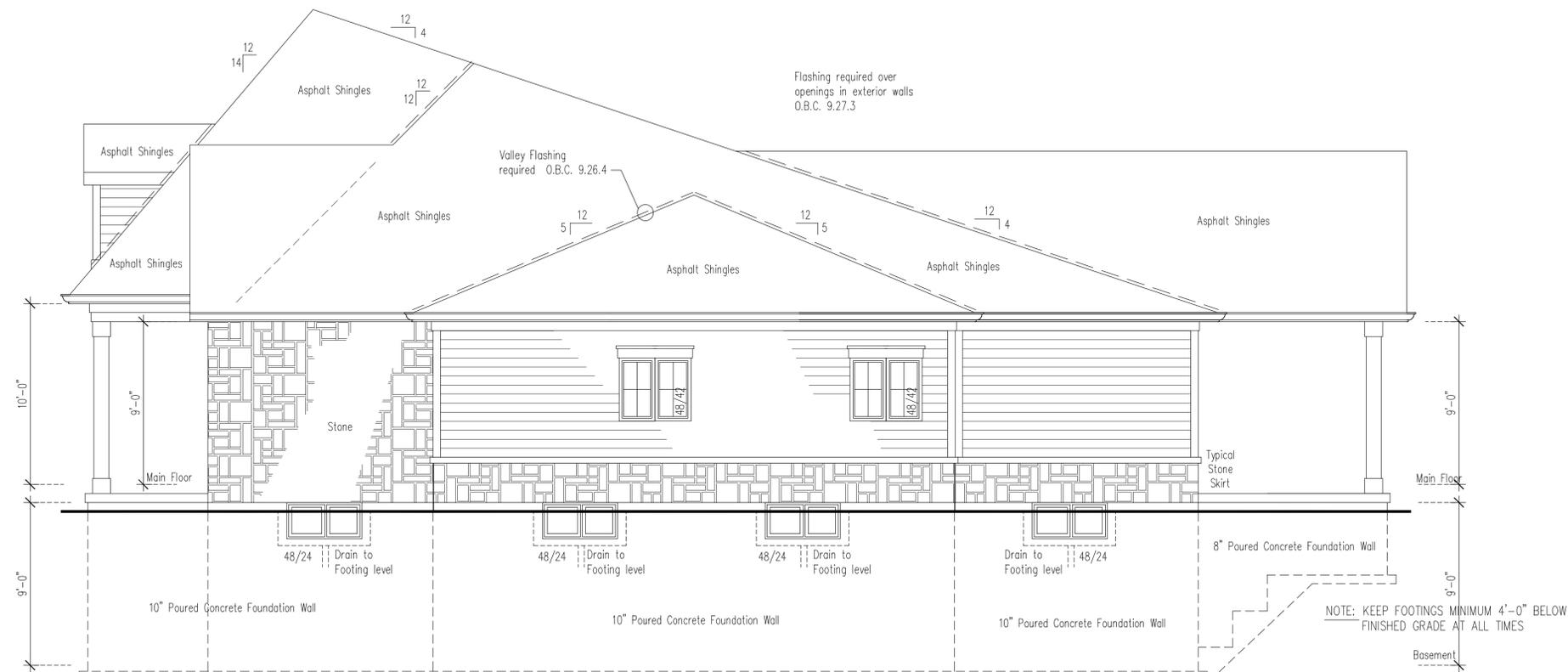
Provide minimum 2 rows of bracing where ceramic tile above. O.B.C. 9.30.6.4

All TJI floor joists, parallel beams and trusses are to be supplied and designed by wood supplier and/or truss manufacturer

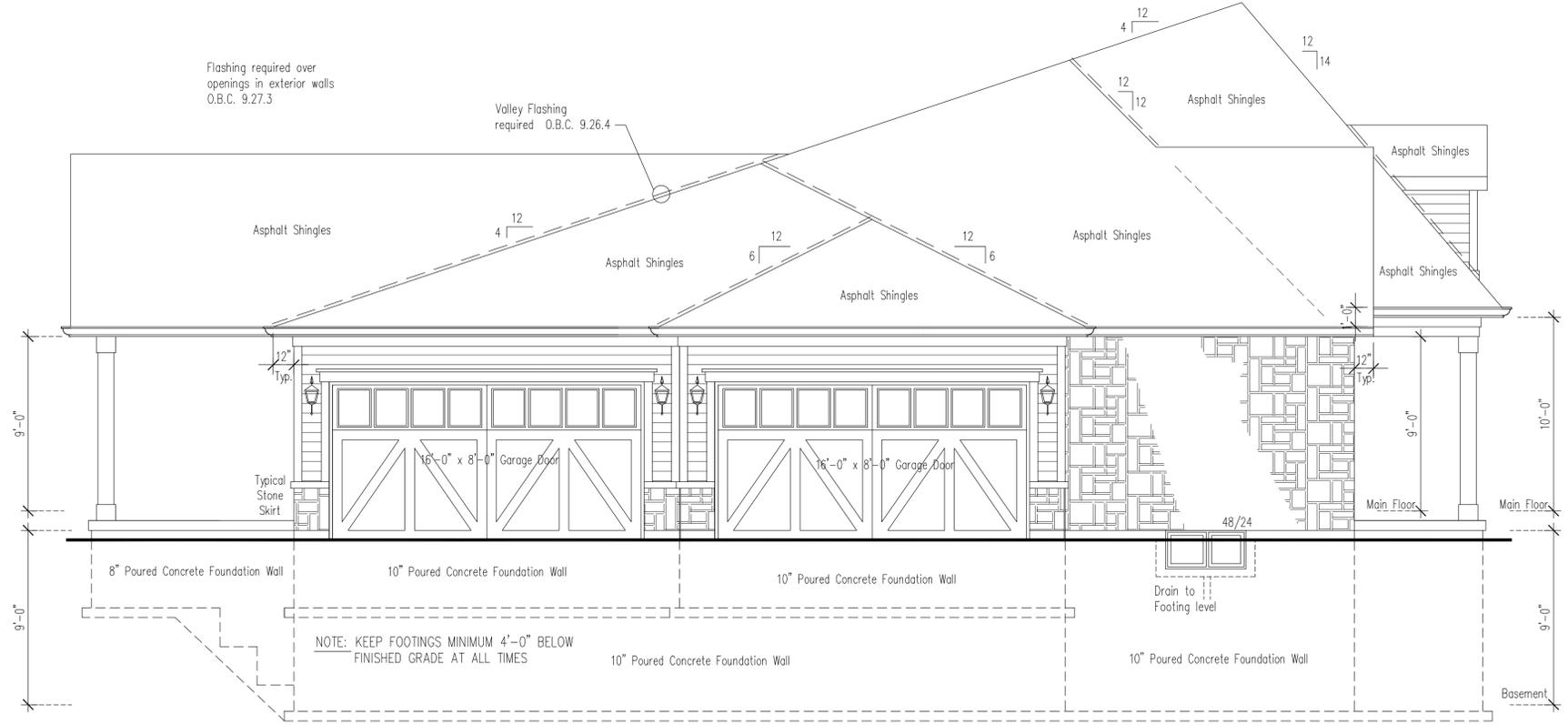
Provide double joist framing under all parallel walls above and around stairs

All stairs as per 9.8.3, handrails as per 9.8.7, and guards as per 9.8.8 (O.B.C.)

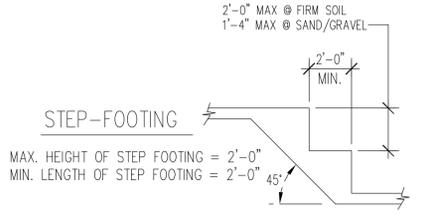
Construction between garage & dwelling units to be gasproof O.B.C. 9.10.9.16



**Right Side Elevation**  
 9'-0" Main Floor Ceiling Height  
 9'-0" Basement Ceiling Height



**Left Side Elevation**  
 9'-0" Main Floor Ceiling Height  
 9'-0" Basement Ceiling Height



 <p>PRESTIGE DESIGNS Tel: (905) 304-8340 Fax: (905) 304-8360</p>	Dwn by: <b>ROB MARINIC</b> Scale: 1/4" = 1'-0" Date: <b>November 2022</b> Proj. No.: <b>Bruz2X</b> Area: 3080 sq.ft.	Title: <b>Custom Bungalow</b> Description: <b>Left Side Elevation Right Side Elevation</b>	REGISTRATION 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. Name: <b>ROB MARINIC</b> BON: 24456 Firm: <b>PRESTIGE DESIGNS</b> BON: 29621	Project: <b>63 Third Road East Hamilton, Ontario</b>	<b>A2</b> of 6
	Signature: 				

Door and Sill as per 9.10.13.15. Self-closing door shall be tight fitting & weather-stripped to provide an effective barrier against the passage of gas & exhaust fumes (where grade permits)

Provide double joists and L 3 1/2" x 3 1/2" x 1/2" x 1/4" above all basement exterior windows unless noted otherwise

Provide lighting of all entrances as per 9.34.2.1 of O.B.C.

For walk-out and partial walk-out lots, step concrete foundation as required for proposed grades ensuring a maximum of 4'-0" of laterally unsupported wall

Built-up posts to be min. 5 1/2" x 5 1/2" and at least as wide as the supported member O.B.C. 9.17.4.1

All Footings to be minimum 4'-0" below finished grade at all times.

Where patio/terrace door threshold is greater than 2'-0" above finished grade, provide SB-7 guard or provide blocking to prevent door from opening more than 4".

Window sizes shown are approximate. Exact rough openings to be determined by window manufacturer's specifications

Doors and Windows must be resistant to forced entry.

Provide guards (SB-7 type guards for housing and small buildings) at porch where distance from grade to top of porch is 2'-0" or greater.

Roof Space to be vented to exterior by vent area of not less than 1/300 of insulated ceiling area

No openings through guards greater than 4" O.B.C. 9.8.8.5

Provide Built-up wood stud post equal to stud depth and width of beam, at both ends of steel/wood beams unless noted otherwise

All interior stud walls to be 2"x4" unless noted otherwise. All concrete foundations to be 8" unless noted otherwise

Window wells as per 9.7.1.4. and 9.14.6.3 (O.B.C.) typical where required.

Provide minimum 2 rows of bridging where ceramic tile above. O.B.C. 9.30.6.4

All T&I floor joists, parallel beams and trusses are to be supplied and designed by wood supplier and/or truss manufacturer per 9.8.8 (O.B.C.)

Provide double joist framing under all parallel walls above and around stairs

All stairs as per 9.8.3, handrails as per 9.8.7, and guards as per 9.8.8 (O.B.C.)

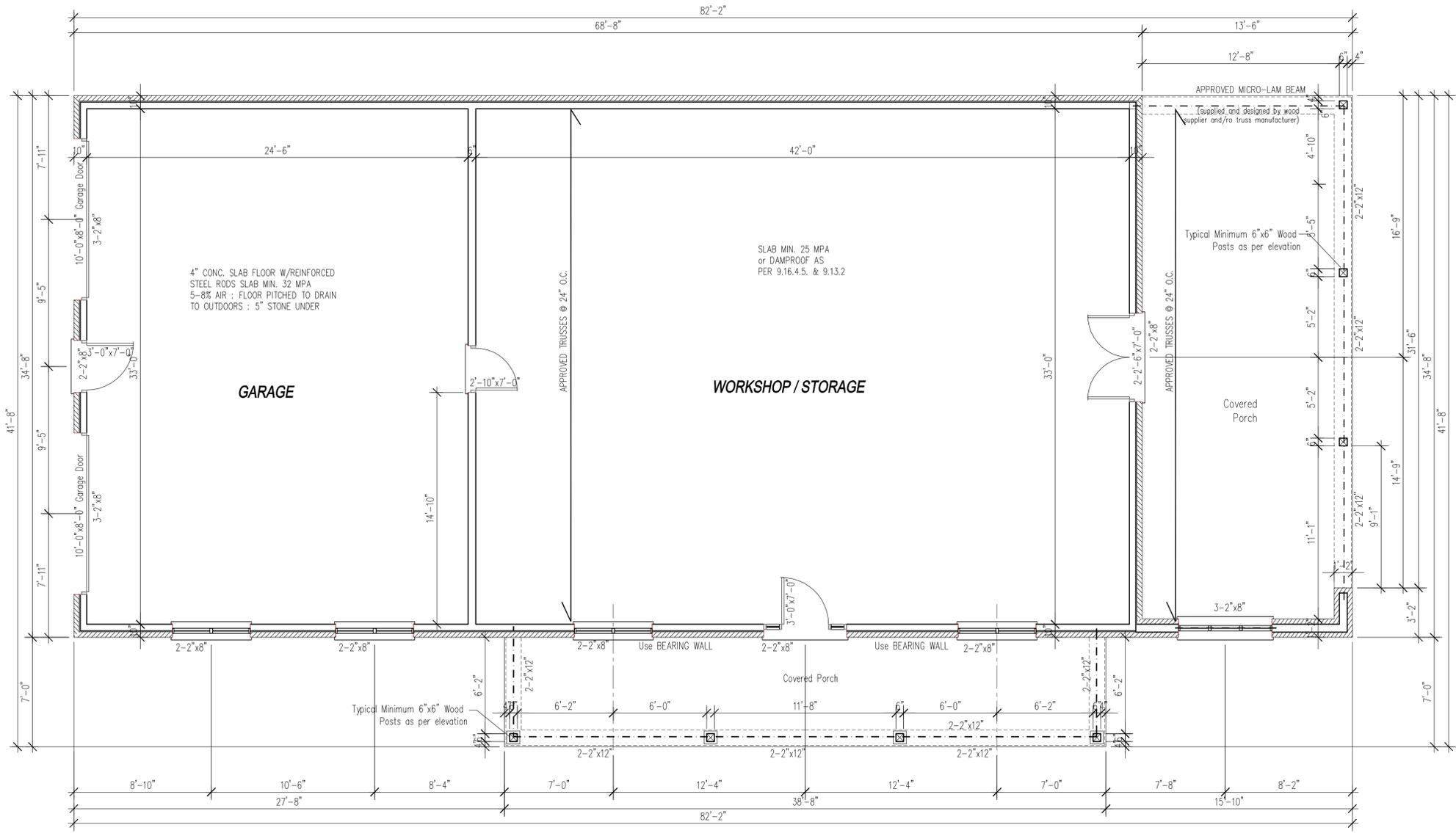
Construction between garage & dwelling units to be gasproof O.B.C. 9.10.9.16

**Max. Span WOOD LINTEL SCHEDULE** AS PER O.B.C.

LINTEL SIZE	ROOF and CEILING ONLY (4.9m)		ROOF, CEILING & 1 STOREY		ROOF, CEILING & 2 STOREYS	
	EXT. WALLS (at 5 lbs Snow Load)	INT. WALLS (at 5 lbs Snow Load)	EXT. WALLS (at 5 lbs Snow Load)	INT. WALLS (at 5 lbs Snow Load)	EXT. WALLS (at 5 lbs Snow Load)	INT. WALLS (at 5 lbs Snow Load)
2 - 2" x 4"	7' - 3"	3' - 7"	3' - 1"	2' - 10"	2' - 5"	2' - 1"
2 - 2" x 6"	11' - 5"	9' - 8"	4' - 5"	3' - 4"	4' - 1"	2' - 10"
2 - 2" x 8"	15' - 1"	12' - 8"	6' - 7"	5' - 4"	5' - 5"	3' - 5"
2 - 2" x 10"	18' - 10"	16' - 5"	8' - 1"	6' - 7"	6' - 8"	4' - 2"
2 - 2" x 12"	21' - 10"	19' - 3"	9' - 4"	7' - 7"	7' - 9"	4' - 9"

**Max. Span STEEL LINTEL SCHEDULE** Masonry Veneer AS PER O.B.C.

Vert. Leg	Horiz. Leg	Thickness	4" Stone
3 1/2"	3 1/2"	1/4"	7' - 9"
4"	3 1/2"	1/4"	8' - 1"
4 7/8"	3 1/2"	1/4"	8' - 9"
4 7/8"	3 1/2"	5/16"	10' - 10"
4 7/8"	3 1/2"	3/8"	11' - 5"
4 7/8"	3 1/2"	1/2"	12' - 11"
4 7/8"	3 1/2"	3/4"	13' - 3"
5 7/8"	3 1/2"	1/2"	13' - 5"
5 7/8"	3 1/2"	3/8"	13' - 7"
7 1/8"	4"	3/8"	14' - 1"
7 1/8"	4"	1/2"	15' - 1"



**Main Floor Plan**  
9'-0" Main Floor Ceiling Height

<p><b>PRESTIGE DESIGNS</b> Tel: (905) 304-8340 Fax: (905) 304-8360</p>	Dwn by: <b>ROB MARINIC</b> Scale: 1/4" = 1'-0" Date: <b>December 2022</b> Proj No.: <b>Bruz3X</b> Area: 1500 sq.ft.	Title: <b>Storage Shed</b>  <b>Main Floor Plan</b>	REGISTRATION 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. Name: <b>ROB MARINIC</b> BON: 24456 Firm: <b>PRESTIGE DESIGNS</b> BON: 29621 Signature:	Project: <b>63 Third Road East Hamilton, Ontario</b>	<b>A3</b> of 4
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General Notes to follow unless noted differently on floor plans. Floor Plan Notes/Numbers/Comments or Details to take precedent.

General Notes

- Notes:**
- It is the Contractor's responsibility to:
    - use figured dimensions in preference to scaling
    - verify and check all dimensions prior to and during construction
    - verify and check the dimensions of dwelling at the job site prior to ordering trusses
    - determine locations of services

- General Notes:**
- All construction shall conform to O.B.C. and local authority having jurisdiction
  - Do not scale drawings. Contractor shall verify all dimensions prior to commencing construction
  - All wood members to be construction spruce No. 2 unless noted otherwise
  - Install double joists under all parallel partitions
  - Bridge at 4'-6" o.c.
  - Air and vapour barrier to conform to section 9.25.3 and 9.25.4 of O.B.C.
  - Smoke alarms to be interconnected as per 9.10.19 of O.B.C.
  - Carbon monoxide detectors as per 9.33.4 of O.B.C.
  - Mechanical Ventilation to conform to section 9.32.3 of O.B.C.
  - Resistance to forced entry to conform to section 9.6.8 of the O.B.C.
  - Direct vent induced draft fireplace as per 9.22 of O.B.C.
  - Any deviation from approved plan must be approved by local building department
  - Sizes of all beams and lintels must be confirmed upon final truss layout
  - All brick veneer angle iron lintels to be anchored at 24" o.c. to prevent twisting
  - Step underside of foundation in accordance with approved lot grading plan
  - Keep underside of footing minimum 4'-0" below grade at all times.
  - All floors with ceramic tile to be reinforced as per 9.30.6 of O.B.C.
  - All lighting and electrical to comply with 9.34 of O.B.C.
  - Range hoods to be vented the exterior c/w non-combustible piping.
  - Attic Ventilation to comply w/ 9.32 of O.B.C.
  - Headroom under ducts and beams min. 6'-5"
  - Provide minimum R-22 in interior garage wall as per O.B.C.
  - Provide minimum R-31 insulation in floor space over garage and ensure walls and ceiling on garage side adjacent to living space are to be drywalled and sealed (gas-proofed)
  - Every floor containing bedrooms must have at least one window with an unobstructed opening with an openable portion not less than 0.35 sq.m. (3.8 sq.ft.) with no dimension less than 380 mm (15") and a sill height no more than 1 m (3'-3") above finished floor.
  - For masonry veneer installation, provide continuous flashing and weepholes every 31" o.c. maximum
  - Reserved
  - Reserved

- Basement Plan:**
- Minimum 26"x8" Continuous strip footing
  - Cold room / Cellar to include vent to exterior
  - Slab minimum 25 MPa or dampproof as per 9.13.2.7. in O.B.C.
  - Dimensioned cutouts at garage door to be 8" below top of garage floor slab
  - Allow for rain water leader and weeping tile hook-up
  - Bearing stud wall are 2"x4" (or 2"x6") @ 16" O.C. 2"x4" (2"x6") sill plate on dampproof material on 14"x6" (16"x6") concrete footing (where required)
  - Cold Room door to be insulated
  - All footings to rest on undisturbed soil, rock or compacted granular fill (9.15.3 O.B.C.) and sono/ pier type (9.15.23 O.B.C.). Builder to provide designer with soil bearing pressure.
  - Reserved

- Main Floor Plan**
- Porch to have 5" Concrete slab with reinforced steel rods
  - Minimum clear garage height is 6'-7"
  - Garage to have 4" Conc. slab floor with reinforced steel rods. Slab minimum 25 MPa 5-8% Air. Floor pitched to drain to outdoors. Min 4" slope and 5" granular base.
  - Door and sill as per 9.10.13.15 (O.B.C.) self-closing door shall be fitting and weather-stripped to provide effective barrier against passage of gas and exhaust fumes.
  - Minimum parking space is 9'-11" x 19'-8"
  - Steps at porch and garage vary according to grading plan
  - Reserved

- Second Floor Plan:**
- Minimum 3.4 sq.ft. attic access insulated and weather-stripped as per 9.19.2.1 (O.B.C.) (no dimension less than 21 1/2")
  - All Railings are minimum 3'-0" height
  - Roof space to be vented to exterior by vent area of not less than 1/300 insulated ceiling area

- Elevations:**
- Type 'B' gas vents must be installed with required clearance from combustible material
  - Roof leader shall be connected directly to storm sewer if required by local by-law
  - Where a hose bib is installed in a potable water system to supply a 1/2" or 3/4" garden hose, the hose bib shall contain integrated back siphonage preventer
  - See cross-sections for construction materials of dwelling
  - All siding to be as per 9.27 (O.B.C.)

- Exterior Insulation and finish system – synthetic stucco as per manufacturers specifications. EFS as per 9.28 of O.B.C.
- Provide lighting at all entrances as per 9.34.2.1 of O.B.C.
- Reserved

- Concrete/Foundation Notes:**
- Contractor shall check all dimensions on working drawings and report any discrepancies to Prestige Designs before proceeding with the work. Any changes, alterations or revisions must be reported to Prestige Designs before proceeding with the work.
  - All work is to be performed in accordance with the construction safety act 1980 & subsequent amendments
  - Remove all topsoil, organic and loose fill material from building area before commencing construction
  - Proof roll existing fill material. Remove any loose or softened areas beneath slab on grade before placing granular fill.
  - All footings shall bear on undisturbed soil or compacted fill with a minimum soil bearing capacity and 3000 psf of O.B.C.
  - Approved granular fill under footings and floor slabs shall be compacted in 8" layers to 98% standard proctor maximum dry density.
  - All exterior footings shall be a minimum 4'-0" below finished exterior grade to protect footings from frost action
  - All Concrete work to conform to CSA standard A23
  - Reinforcing steel shall be deformed hi-bond hard grade with a minimum yield strength of 58,000 p.s.i.
  - Basement windows over 1200mm (3'-11") wide, reinforce with 10M (No. 3) reinforcing rods extending 300mm (12") each side.
  - Bluminous dampproofing and continuous drainage layer on poured concrete walls
  - Concrete walls are 250mm (10") thick unless noted otherwise.
  - Top of all Foundation walls to be min 150mm (6") at exterior masonry or min 200mm (8") at exterior siding above final grade
  - Concrete for slabs on grade shall have a minimum 28 day compressive strength of 4,000 psi.
  - All concrete forms to be wet thoroughly before pouring concrete.
  - Do not add water to concrete. If higher slump concrete is desired, concrete supplier shall design and supply accordingly
  - Water curing of concrete is recommended
  - Use a minimum of 8" compacted layer of 3/4" clear stone under all ground-slabs.
  - Any necessary precautions shall be taken to ensure that existing footings are not disturbed or undermined in any way during excavation
  - The following minimum concrete covers for reinforcing steel shall be provided: Footings 3"; piers and walls 1 1/2" unless noted otherwise
  - Spacing of control joints in concrete slabs shall not exceed 20 feet o.c.
  - Reserved

- Roof Construction:**
- Minimum 3.4 sq.ft. attic access insulated and weather-stripped as per 9.19.2.1 (O.B.C.) (no dimension less than 21 1/2")
  - Provide eave protection from the edge of roof overhanging to not less than 900mm (2'-11") up to the roof slope to a min. 300mm (11 3/4") inside interface of exterior wall and composed of No.15 Asphalt saturated felt laid in 2 plies lapped 480mm (18 7/8") and cemented together with top cement (for pitches less than 8/12)
  - Starter strip No. 85; 4.2 kg/m (85 lb) roll roofing or roof shingles of same weight and quality as used on roof, laid with tabs facing up.
  - Hip and valley rafters to be 50mm (2") deeper than common rafters
  - Roof sheathing shall conform to 9.23.15 (O.B.C.)
  - Roof edge supports to be 38mmx38mm (2"x2") blocking minimum.
  - Wood trusses shall conform to 9.23.13.11 (O.B.C.)
  - Provide 38mmx89mm (2"x4") wall ties across joints or bottom truss chord min. 1220mm (4'-0") o.c. for roof slopes 4/12 or greater.
  - Flt Entry Roof/Terrace: Provide sloped roof to side scupper drain. Install glue down single ply non-slip membrane on 3/8" RGS plywood on sloped roof joists. Wrap membrane up and over parapet wall under prefn. alum cap. Install membrane under siding 12" min. fasten to sheathing & seal

- Trusses:**
- Truss Engineer is responsible for adequate design of truss to bearing plate connection which allows for horizontal movement at designated locations. Anchors to accept all horizontal loads, bottom chord of trusses to include a live load of 10 lbs/sq.ft.
- Stairs and Balconies:**
- Interior stair dimensions:
    - Maximum Rise – 200 mm (7 7/8")
    - Minimum Run – 250 mm (10")
    - Minimum stair headroom – 1950mm (6'-8")
    - Minimum stair width – 860mm (2'-10")
  - Exterior stair dimensions:
    - Maximum Rise – 200 mm (7 7/8")
    - Minimum Run – 250 mm (10")
    - Minimum exterior stair headroom – 2050mm (6'-9")
    - Minimum stair width – 915mm (3'-0")
    - Exterior wood stairs to be supported on concrete base or apron min. 25mm (1") above finished grade.
    - Foundations required if exterior steps have more the 2 treads and 2 risers.
  - See Wood deck detail sheet
  - Handrail:
    - 800mm (31") above stair
    - min. 800mm (31") @ intermediate landings
    - 900mm (36") at main landings
    - landing to be the same width as stairs

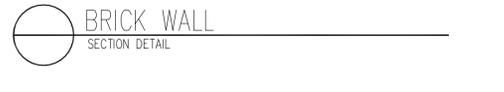
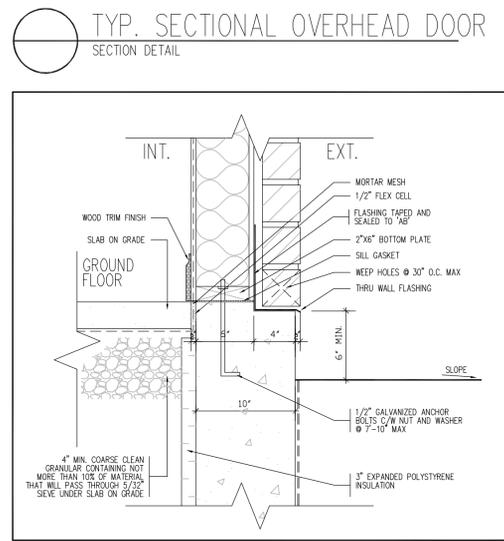
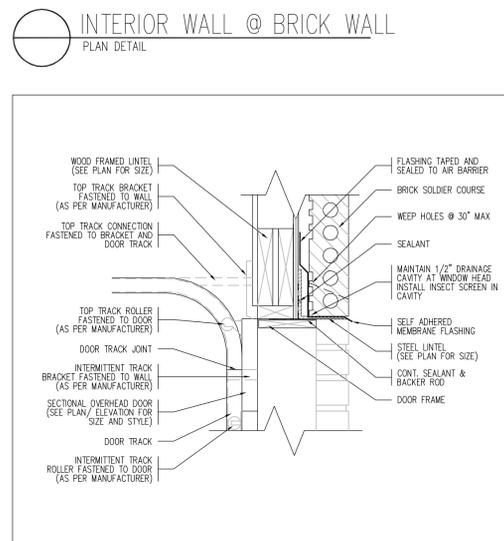
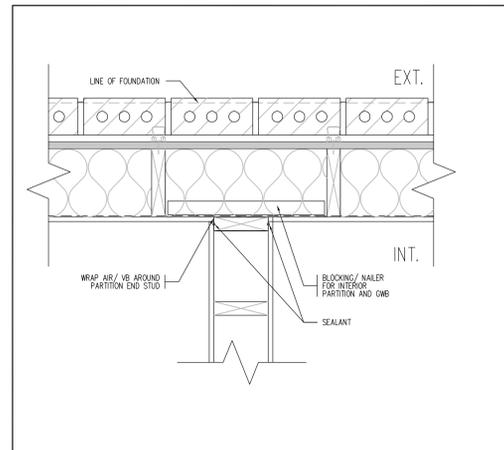
- Balcony Guards:
  - Required on balcony and porch if over 600mm (23 5/8") above finished grade.
  - Minimum guard height 1070mm (3'-6")
  - Guards to comply to OBC 9.8.8 (i)
  - Max. 100mm (4") space between vertical pickets with no horizontal members between 100mm(4") and 915mm(36") above balcony floor

- Flashing:**
- 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 roof overhang.
  - Flashing required at intersections of roofs and wall, valley and over parapet walls
  - Flashing between roof shingles and wall siding, 0.8mm (20GA) Galv. Metal 75mm (3") up behind sheathing and extend 75mm (3") horizontally

- Masonry Veneer Walls (9.20. O.B.C.)**
- Min. 70mm (2 3/4") Thickness
  - up to 11m (36'-11") Max height
  - Ties to be corrosion resistant, corrugated 7.6mm (22GA), 22mm (7/8") wide spaced 400mm (16") o/c horizontal and 600mm (24") vertical nailed to studs through the sheathing
  - Provide 25mm (1") air space between veneer and wall sheathing
  - Drain bottom of space with weep holes at 800mm (2'-7") o/c in starter course min. 150mm (6") above finished grade, 10mm (3/8") dia. holes.
  - Provide 6 mil. polyethylene flashing under starter course under weep holes and 150mm (6") up the wall, under sheathing paper
  - Max. corbel over foundation wall 13mm (1/2")

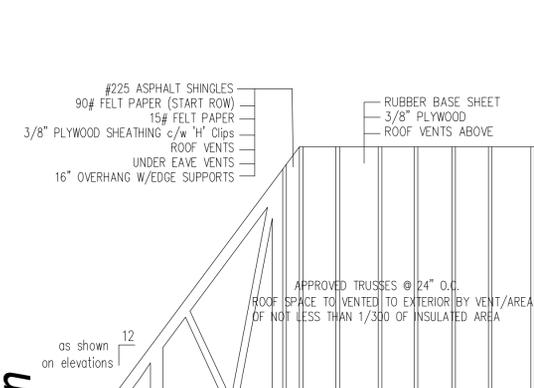
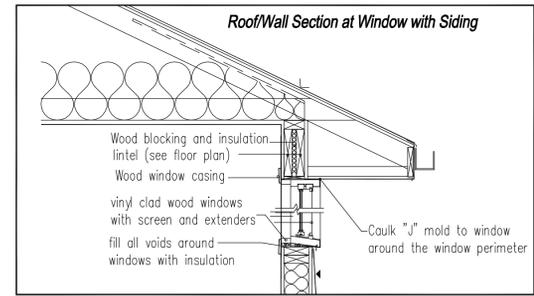
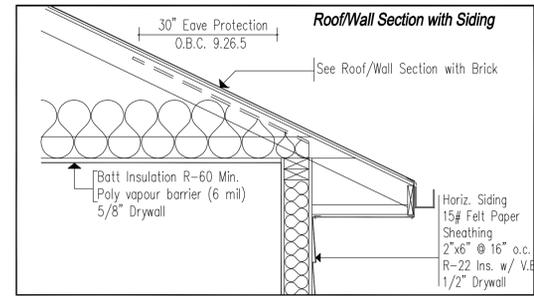
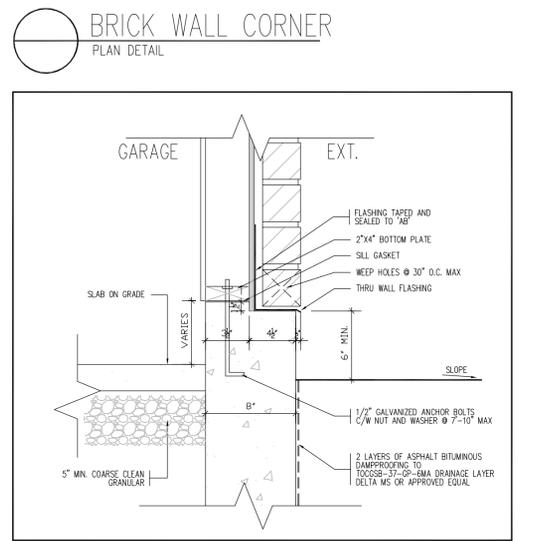
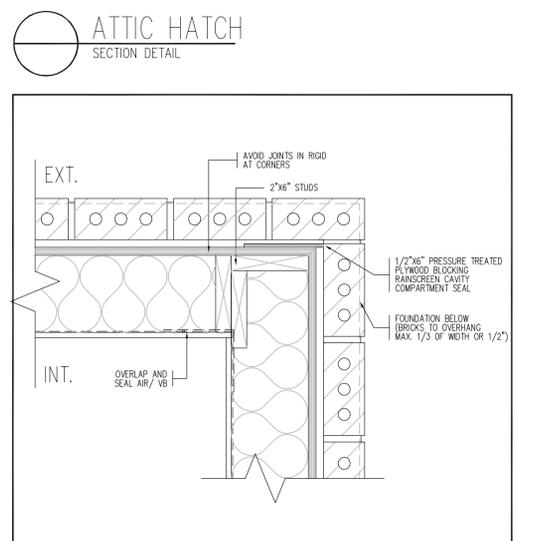
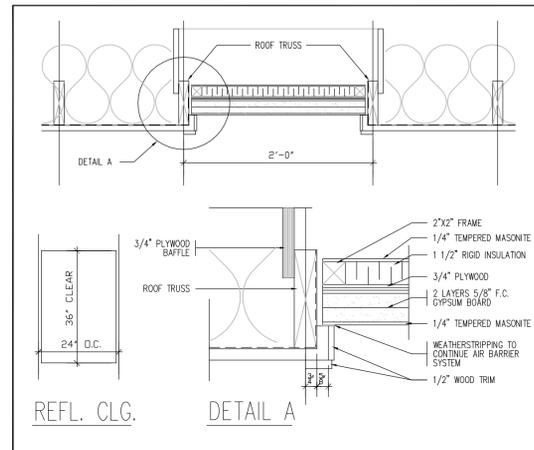
- Wood Framing Notes:**
- Steel beam and lintels shall have 3 1/2" minimum end bearing on masonry and 2 1/2" minimum bearing on steel unless indicated otherwise.
  - All beams cantilevered over a column or other support shall have a minimum of 2-3/8" thick stiffener plates each side of web unless indicated otherwise.
  - Column base plates and beam bearing plates shall be grouted with 1 1/2" non-shrink grout.
  - Shop drawings of structural steel shall be submitted to the designer for review before fabrication.
  - Welding of structural steel shall conform to the requirements of CSA standard W59 and shall be undertaken by a fabricator fully approved by the Canadian Welding Bureau to the requirements of CSA standard W47.
  - Bolted connections shall use A325 bolts, using bearing type connections.
  - Prefabricated wood trusses shall be designed in accordance with the details and design loads on the architectural drawings and/or O.B.C. requirements. Shop drawings of the roof trusses including layout of the trusses, bridging, bracing and bearing details (including hold-down clips) shall bear the stamp of registered professional engineer of the province of Ontario and shall be submitted to the builder and designer for review before fabrication.
  - All timber for wood trusses shall be kiln dried and well seasoned in order to prevent possible distortion or deformation of the trusses.
  - Nailing requirements (as per O.B.C.) shall be as follows:
    - (i) vertical studs to bottom plates: 4-3" ardx nails
    - (ii) vertical studs to top plates: 4-3 1/2" ardx nails
    - (iii) roof trusses to plates: to be designed by truss engineer
    - (iv) wind bracing (per truss): to be designed by truss engineer
    - (v) bridging (per truss): to be designed by truss engineer
    - (vi) lintels: 3 1/2" ardx nails at 12" o.c. horizontal and 4" o.c. vertical, staggered
    - (vii) wall sheathing 1 1/2" ardx nails at 8" o.c. to studs and plates

- The general contractor shall take precautions to not overload the structure during construction.
- All framing lumber to O.B.C. standards. Sizes of joints, lintels, etc. indicated on drawings specified on Plan No. 2 (unless otherwise noted)
- Lateral support – (wall supporting joists) – anchor sill plates at 2400mm (7'-10") o.c. w/ 13mm (1/2") diameter anchor bolts embedded 100mm (4") into masonry or anchored every 4th joint not resting on a plate with 4.8mmx38mm (3/16" x 1 1/2") steel joist anchors. Not required if foundation wall supports solid masonry as per 9.20.10 O.B.C.
- Lateral support – (walls parallel to joists) – bend 4.8mmx38mm (3/16" x 1 1/2") steel strap 75mm (3") into masonry and fix to 3 parallel joists or fix sill plate (anchored) to 3 rigidly connected floor joists at 2400mm (7'-10") o.c. maximum
- All joists to have bridging over interior bearing walls and beams
- Minimum sill plate 38mmx89mm (2"x4")
- Sill plate anchors to be minimum 13mm (1/2") diameter bolts embedded min. 100mm (4") into foundation walls, maximum spacing 2400mm(7'-10") o.c. as per 9.23.7 O.B.C.
- Header joists to be doubled if over 1200mm (3'-11") and not over 3200mm (10'-6")
- Trimmer joists to be double if over 800 mm (2'-7") and not over 2000mm (6'-7")
- Space floor joists at 300mm (12") o.c. for cantilevers
- Space floor joists at 300mm (12") o.c. under kitchen appliances
- Double joists under all parallel partitions
- Beams or walls of sufficient strength under all parallel bearing partitions.
- Min. 38mm (1 1/2") end bearing required for support for joists ceiling, roof joists and rafters.
- Provide Eng. metal-joist hangers for support of wood beams and joists framing into sides of wood beams, trimmers and headers when required.
- Wood stud (interior) partitions to be made up of 38mmx89mm (2"x4") spr. 400mm (16") o.c. (otherwise show differently) single bottom and double top plates.



**Max. Span WOOD LINTEL SCHEDULE** AS PER O.B.C.

LINTEL SIZE	ROOF AND CEILING ONLY (0.6m)		ROOF AND CEILING ONLY (4.9m)		ROOF, CEILING & 1 STOREY		ROOF, CEILING & 2 STOREYS	
	EXT. WALLS (9.5 kPa Snow Load)	INTERIOR BRG. WALLS	EXT. WALLS (9.5 kPa Snow Load)	INTERIOR BRG. WALLS	EXT. WALLS (9.5 kPa Snow Load)	INTERIOR BRG. WALLS	EXT. WALLS (9.5 kPa Snow Load)	INTERIOR BRG. WALLS
2 - 2" x 4"	7' - 3"	6' - 1"	3' - 7"	3' - 0"	3' - 1"	2' - 5"	2' - 10"	2' - 1"
2 - 2" x 6"	11' - 5"	9' - 8"	5' - 5"	4' - 5"	3' - 4"	3' - 4"	4' - 1"	2' - 10"
2 - 2" x 8"	15' - 1"	12' - 8"	6' - 7"	5' - 4"	5' - 5"	3' - 11"	5' - 0"	3' - 5"
2 - 2" x 10"	18' - 10"	16' - 3"	8' - 1"	6' - 7"	6' - 8"	4' - 7"	6' - 1"	4' - 2"
2 - 2" x 12"	21' - 10"	19' - 3"	9' - 4"	7' - 7"	7' - 9"	5' - 5"	6' - 11"	4' - 9"



- as shown on elevations
- 12" Typ. 22"x6" (Otherwise shown differently) Conc. Strip Footing
- NOTE: KEEP FOOTINGS MINIMUM 4'-0" BELOW FINISHED GRADE AT ALL TIMES
- 12" CRUSHED STONE ON 4" DIA. WEEPING TILE
- 3" CONCRETE SLAB  
5" CRUSHED STONE
- Grade
- 16" OVERHANG W/ EDGE SUPPORTS
- UNDER EAVE VENTS
- ROOF VENTS
- 90# FELT PAPER (START ROW)  
15# FELT PAPER  
3/8" PLYWOOD SHEATHING c/w 'H' Clips
- #225 ASPHALT SHINGLES
- RUBBER BASE SHEET  
3/8" PLYWOOD  
ROOF VENTS ABOVE
- 6 ML. VAPOUR BARRIER  
R-60 BATT INSULATION  
5/8" DRYWALL
- APPROVED TRUSSES @ 24" O.C.  
ROOF SPACE TO VENTED TO EXTERIOR BY VENT/AREA OF NOT LESS THAN 1/300 OF INSULATED AREA
- 15# FELT PAPER SHEATHING  
2"x6" STUDS @ 16" O.C.  
R-22 INSULATION W/ V.B.  
1/2" DRYWALL
- CEILING WITH ATTIC SPACE R-VALUE
- CEILING WITHOUT ATTIC SPACE R-VALUE
- EXPOSED FLOOR MIN. R-VALUE
- WALLS ABOVE GRADE MIN. R-VALUE
- BASEMENT WALLS MIN. R-VALUE
- ALL OTHER COMPONENTS TO FOLLOW ENERGY EFFICIENCY DESIGN SUMMARY FORM.
- SPACE HEATING EQUIP. MIN. AFUE
- HRV MIN. EFFICIENCY
- DOMESTIC HOT WATER HEATER
- Category **A1**
- R-60
- R31
- R31
- R22
- R20ci
- 96%
- 75%
- 0.80

**REGISTRATION 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.

Name: **ROB MARINIC** BON: 24456  
Firm: **PRESTIGE DESIGNS** BON: 29621

Project: **63 Third Road East Hamilton, Ontario**

Signature: \_\_\_\_\_

**PRESTIGE DESIGNS**

Tel: (905) 304-8340  
Fax: (905) 304-8380

Dwn by: **ROB MARINIC**

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

Date: **December 2022**

Proj. No.: **Bruz3X**

Area: **1500 sq.ft.**

Title: **Storage Shed**

Description: **Typical Notes/Details**

**A4** of 4

29



89



87



79

3rd Rd E



67

3rd Rd E

100 ft





105





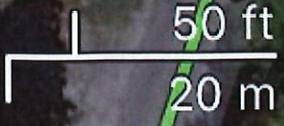
66



39

3rd Rd E

3rd Rd E



Google



Hamilton

Planning and Economic Development Department
Building Division
71 Main Street West - 3rd Floor
Hamilton, Ontario L8P 4Y5
905-546-2720
Email: building@hamilton.ca

Page 271 of 343
For Inspections Please Call:
905-546-2424 ext. 7777

BUILDING PERMIT

PERMIT NO. 23 109955 00 R9
63 THIRD RD E , STONEY CREEK
CON 8 PT LOT 19 SLT SC

Part 9 - Residential - Single Family Dwelling
Roll Number: 251800381059600000 Ward 09

This Permit is issued to:

(APPLICANT)
JASON BRUZZESE
63 THIRD ROAD E
STONEY CREEK , ON L8J 3J5
Primary: (905) 865-9050

(OWNER)
JASON BRUZZESE
63 THIRD ROAD E
STONEY CREEK , ON L8J 3J5
Primary: (905) 865-9050

(CONTRACTOR)
TO BE DETERMINED

Description of Work:

To construct a 1-storey, 286m² single family dwelling. (Custom - 4 Bedroom)
To construct a 23.9m² front covered porch and a 52.87m² rear covered porch for the single family dwelling.
To install a 32mm water service line (cistern connection).

Notes and Conditions:

Please call for inspections at the construction stages indicated on the attached letter. Where a contractor is being used for this work, a contractor's licence is required from the Parking and By-Law Services Division.
SB-12 Prescriptive Compliance Package "A1".
Radon Gas Mitigation is required. Option 2 as detailed in the attached brochure has been selected.
A separate permit is required to finish the basement.
Sump pump is required to be installed and shall discharge to grade.
Subject to Demolition Agreement (Instrument No. WE1683176).

Zoning Data: Front Yard 10m Rear Yard 10 m Side Yard 3 m Zoning A1

REVIEWED BY: Evan Inrig
Zoning

Evan Inrig
Building

NOTICE

PLANS AND DOCUMENTS

The Plans and documents, on the basis of which this Permit was issued, shall be kept on site.

REVOCAION

This permit may be revoked if it was issued on the basis of mistaken or false information or in error, or where the construction has been substantially suspended or discontinued for a period in excess of one year. This permit will be deemed to have lapsed, and will be revoked if construction has not commenced within six months of the date of issue.

CONSTRUCTION

All construction proposed and authorized, hereto, shall, in all respects, conform with the plans submitted and reviewed, the provisions of the Building Code Act and the Ontario Building Code, as amended, the Bylaws of the City of Hamilton and any other applicable law. It is the responsibility of the permit holder to ensure that the work authorized by this permit is carried out in accordance with the requirements set out, hereto.

ISSUED BY: Evan Inrig
FOR CHIEF BUILDING OFFICIAL

DATE ISSUED: July 4, 2023

CONSTRUCTION VALUE: \$1,000,000.00



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			Phone:
			E-mail:
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 \_\_\_\_\_

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	63 THIRD ROAD EAST. STONEY CREEK.		
Assessment Roll Number	00381059600		
Former Municipality	Stoney Creek.		
Lot 19	Concession	8	
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:

New construction of 289.77 m<sup>2</sup> accessory building.  
6 m. high.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Extra space required for personal workshop & storage.

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

Yes  No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
40.54 m	196.64 m	7971.78 m <sup>2</sup>	7 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SFD	19.94m	167.7m	20.85m/8.59m	2013
Garage	18.67m	170.56m	1m / 34.04m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory BLD.	66.47m	105.13	25.96 / 1.88m	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SFD	94m <sup>2</sup>	/	1	5.2m
Garage	40.7m <sup>2</sup>	/	1	3.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory BLD.	289.77m <sup>2</sup>	/	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)

cistern

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

- ditches
- other means (specify)

\_\_\_\_\_

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

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

4.7 Type of access: (check appropriate box)

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

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

single family dwelling

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

single family dwelling, farm land

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

August 26, 2022

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

single family dwelling

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

single family dwelling

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

60 years

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

Rural Hamilton Official Plan designation (if applicable): AGRICULTURAL

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? A1

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

- Yes
- No

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

---

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

Yes  No

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

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

Yes  No *N/A*

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing:   1  

8.2 Number of Dwelling Units Proposed:   1  

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:189</b>	<b>SUBJECT PROPERTY:</b>	177 GREEN MOUNTAIN ROAD E, STONEY CREEK
<b>ZONE:</b>	A1 (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 15-173

**APPLICANTS:**      **Owner:** MARKO PEJIC  
                              **Agent:** LEN ANGELICI

The following variances are requested:

1. A maximum aggregate Gross Floor Area for an Accessory Building shall be 551.87 square metres instead of the maximum required aggregate Gross Floor Area of 200.0 square metres;
2. A maximum Building Height of 9.05 metres for an Accessory Building shall be provided instead of the maximum required Building Height of 6.0 metres for an Accessory Building.

**PURPOSE & EFFECT:**      So as to permit an Accessory Building within the rear yard of an existing Single Detached Dwelling.

**Notes:**

- i. Please be advised, it is unclear if the stairwell within the proposed Accessory Building (Garage) has been included in the total gross floor area of the building. Gross Floor Area is defined within Hamilton Zoning By-Law 05-200 as follows:

*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 include any area devoted to mechanical equipment.*

As per the above definition, the Gross Floor Area of the proposed stairwell shall be included within the calculation of Aggregate Gross Floor Area required under Section 4.8.1.2 b).

SC/A-23:189

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:45 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

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

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:189, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

SC/A-23:189



 Subject Lands

DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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





PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/13/2023

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

SEAL

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

QUALIFICATION INFORMATION  
 LEONARD ANGELICI 42391  
 NAME BCIN

REGISTRATION INFORMATION  
 LEN ANGELICI DESIGN 43162  
 NAME BCIN

07/13/2023  
 DATE SIGNATURE

**Len Angelici Design**

270 SHERMAN AVE N, UNIT OF-269  
 HAMILTON, ON L8L 6N4  
 (905) 393-8868  
 info@lenangelicidesign.ca

PROJECT  
**177 GREEN MOUNTAIN RD E  
 STONEY CREEK, ON**

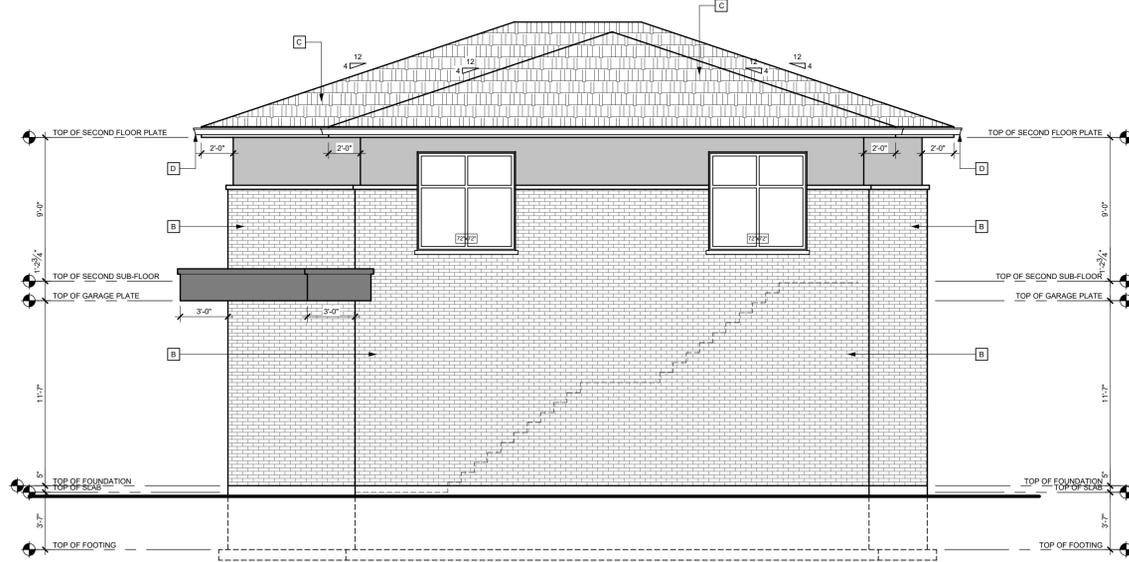
SHEET TITLE  
**ELEVATIONS**

DRAWN BY  
 L. ANGELICI  
 DATE  
 07/13/2023  
 SCALE  
 3/16"=1'-0"  
 PROJECT No.  
 23005

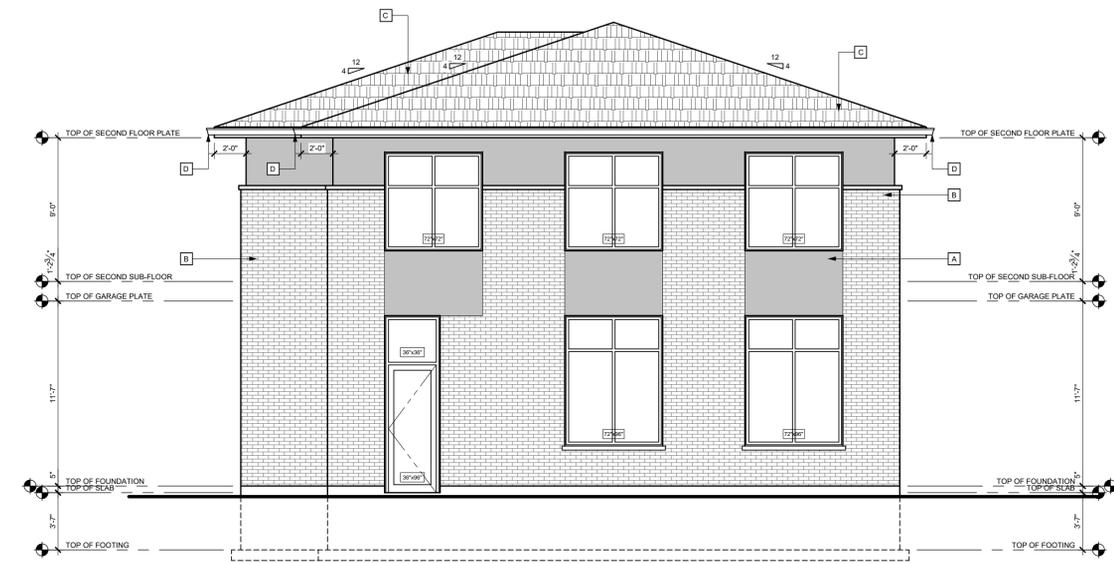
**A2**



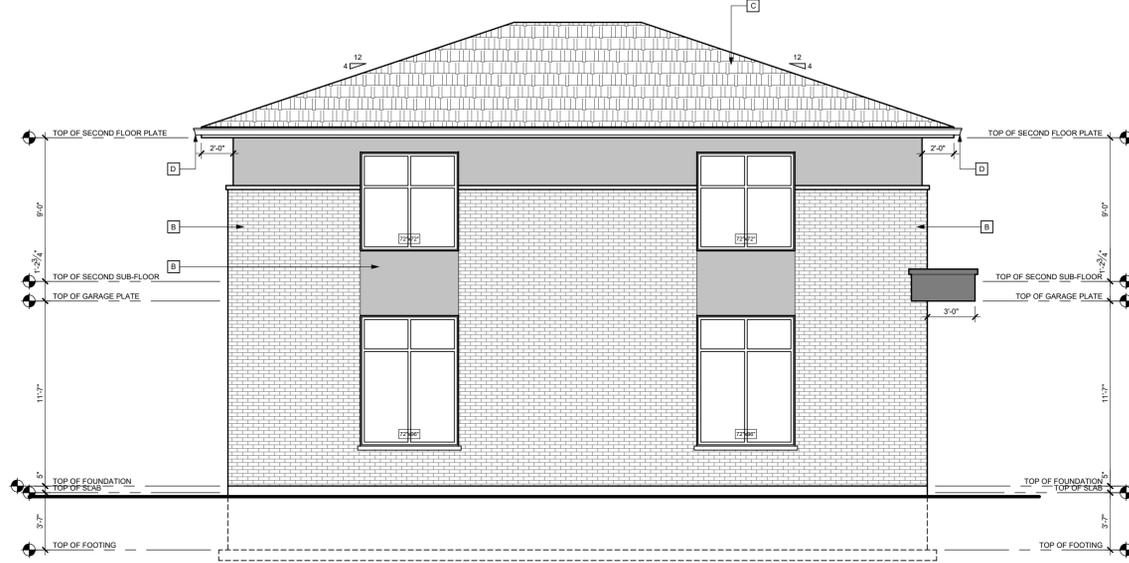
**FRONT ELEVATION**  
 SCALE: 3/16" = 1' - 0"



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



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



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

**EXTERIOR FINISH INDEX**

A	STUCCO FINISH OR SIDING
B	BRICK VENEER
C	ASPHALT SHINGLES
D	5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT



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			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  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent len@lenangelicdesign.ca

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	177 GREEN MOUNTAIN RD E		
Assessment Roll Number			
Former Municipality			
Lot	21	Concession	5
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

RELIEF FROM HEIGHT REQUIREMENT OF 6m TO PROPOSED 9.05m  
RELIEF FROM GROSS FLOOR AREA OF ALL ACCESSORY BUILDINGS REQUIREMENT OF 200m<sup>2</sup> TO PROPOSED 551.87m<sup>2</sup>

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

DESIRED CEILING HEIGHTS OF 2 STOREY GARAGE DO NOT COMPLY WITH HEIGHT REQUIREMENT  
FLOOR AREAS OF EXISTING ACCESSORY BUILDINGS ALREADY EXCEED THE REQUIRED RFA

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
23.77	170.69	4050.03m <sup>2</sup>	N/A

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	21.25		3.33m & 7.94m	N/A
SHED	37.70		3.96m & 16.51m	N/A
DETACHED GARAGE	36.40m		0.83m & 17.98m	N/A
GREENHOUSE	90.94m	49.57m	2.38m & 14.96m	N/A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED GARAGE	133.64m	23.51m	3.05m & 8.00m	N/A

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	92.88m <sup>2</sup>	92.88m <sup>2</sup>	1	N/A
SHED	13.01m <sup>2</sup>	13.01m <sup>2</sup>	1	N/A
DETACHED GARAGE	35.67m <sup>2</sup>	35.67m <sup>2</sup>	1	N/A
GREENHOUSE	193.55m <sup>2</sup>	193.55m <sup>2</sup>	1	N/A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED GARAGE	163.55m <sup>2</sup>	309.64m <sup>2</sup>	2	9.05m

- 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 DWELLINGS

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

N/A

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

SINGLE FAMILY DWELLING

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

SINGLE FAMILY DWELLING

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

SINCE CONSTRUCTION

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? A1

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

Yes

No

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

---

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

Yes  No

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

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

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/B-22:114</b>	<b>SUBJECT PROPERTY:</b>	32 SANDBEACH DRIVE, STONE CREEK
-------------------------	--------------------	--------------------------	------------------------------------

**APPLICANTS:**      **Owner:** MANUEL VIEIRA  
                              **Agent:** MICHAEL SABELLI

**PURPOSE & EFFECT:**      To sever the existing vacant lot into four parcels, Part 1, Part 2 and Part 3 are intended to be vacant residential building lots. Part 4 is intended to be added to lands to the south (known as Blocks 187, 188 and 189 for future lot creation).

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (Part 2):</b>	15.24 m <sup>±</sup>	57.91 m <sup>±</sup>	882.55 m <sup>2±</sup>
<b>SEVERED LANDS (Part 4 Lot Addition):</b>	10.5 m <sup>±</sup>	57.91 m <sup>±</sup>	608.06 m <sup>2±</sup>
<b>RETAINED LANDS (Part 1):</b>	15.24 m <sup>±</sup>	57.91 m <sup>±</sup>	882.55 m <sup>2±</sup>
<b>RETAINED LANDS (Part 3):</b>	20.21 m <sup>±</sup>	57.91 m <sup>±</sup>	1,170.36 m <sup>2±</sup>

Associated Planning Act File(s): SC/A-22:340

**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:

SC/B-22:114

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

## PUBLIC INPUT

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

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

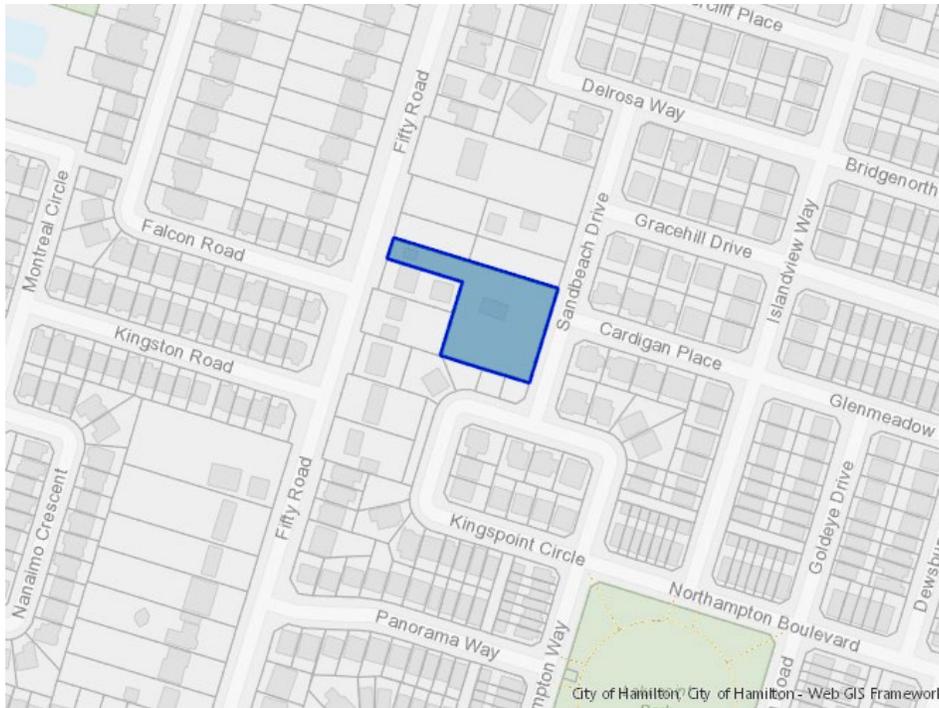
## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-22:114, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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-22:114



 Subject Lands

DATED: August 8, 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.

L O T 2

PART 1  
PLAN 62R-9370

PART 2 PLAN 62R-21386

PART 4  
PLAN 62R-21386  
P.I.N. 17370-1060 (LT)

PART 5  
PLAN 62R-21386

PART 1 PLAN 62R-21613

PART 3 PLAN 62R-21386  
P.I.N. 17370-1063 (LT)

PART 2 PLAN 62R-21613  
P.I.N. 17370-1066 (LT)

PREVIOUSLY SEVERED  
NOT PART OF APPLICATION

LANDS TO BE RETAINED  
PART 1

LANDS TO BE SEVERED  
PART 2

LANDS TO BE RETAINED  
PART 3

LANDS TO BE SEVERED  
PART 4

PART 1  
PLAN 62R-21001  
P.I.N. 17370-1056 (LT)

PART 2  
PLAN 62R-21001  
P.I.N. 17370-1058 (LT)

BLOCK 193  
REG'D PLAN 62M-987  
0.30 m. RESERVE  
P.I.N. 17370-0599 (LT)

SANDBEACH DRIVE  
(BY REGISTERED PLAN 62M-987, P.I.N. 17370-0616 (LT))

BROKEN FRONT

LOT 80  
P.I.N. 17370-0486 (LT)  
REGISTERED

LOT 79  
P.I.N. 17370-0485 (LT)

BLOCK 187  
P.I.N. 17370-0593 (LT)

BLOCK 188  
P.I.N. 17370-0594 (LT)

BLOCK 189  
P.I.N. 17370-0595 (LT)

BLOCK 190  
P.I.N. 17370-0596 (LT)

SEVERED LANDS TO BE ADDED  
KINGSPPOINT CIRCLE  
(BY REGISTERED PLAN 62M-987, P.I.N. 17370-0618 (LT))

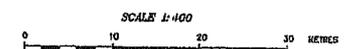
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
PLAN 62R-  
RECEIVED AND DEPOSITED  
DATE: AUGUST 18, 2021  
DATE: Aug. 25, 2021  
Bryan Jacobs  
ONTARIO LAND SURVEYOR  
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MONTROSE (IN. 62)

SCHEDULE

PART	LOT	CONCESSION/PLAN	P.I.N.
1	PART OF LOT 1	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1059 (LT)
2	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
3	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
4	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1059 (LT)
5	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1059 (LT)
6	PART OF BLOCK 193	REGISTERED PLAN 62M-987	PART OF P.I.N. 17370-0599 (LT)

PARTS 1, 2, 3, 4 & 5: COMPRISE ALL OF P.I.N. 17370-1058 (LT).  
PARTS 1, 2, 3, 4 & 5: SUBJECT TO AN EASEMENT IN CROSS AS IN INSTRUMENT No. W61336944.

PLAN OF SURVEY OF  
PART OF LOT 2  
BROKEN FRONT CONCESSION  
(GEOGRAPHIC TOWNSHIP OF SALT FLEET)  
AND  
PART OF BLOCK 193  
REGISTERED PLAN 62M-987  
CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.  
ONTARIO LAND SURVEYOR

LEGEND & NOTES:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANNED
- DENOTES STANDARD IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES WITNESS
- DENOTES ORIGIN UNKNOWN
- P1 DENOTES PLAN 62R-21001
- (835) DENOTES J.T. PETERS O.L.S.
- (912) DENOTES A.L. CLARKE O.L.S.
- (1213) DENOTES J.G. PETERS O.L.S.
- (1629) DENOTES B.A. JACOBS O.L.S.

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

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 00919723329 AND 00919723347, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997424.

SPECIFIED CONTROL POINTS (SCP): UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.E.G. 216/10.

POINT ID	NORTHING	EASTING
SCP 00919723329	4785191.063	610929.910
SCP 00919723347	4786111.748	610783.200

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

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON AUGUST 17, 2021

AUGUST 18, 2021  
DATE  
Bryan Jacobs  
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.  
162 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L8N 1L3)  
PHONE 905-521-1635 bjacobs@rogers.com

FIFTY ROAD  
(ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 2 AND 3, P.I.N. 17370-0001 (LT))

N 15° 56' 50" E

N 73° 55' 00" W (P1 & Meas)

N 15° 56' 50" E

N 73° 55' 00" W (P1 & Meas)

N 73° 55' 00" W

N 73° 55' 00" W (P1 & Meas)

N 73° 55' 00" W

N 73° 55' 00" W (P1 & Meas)

N 73° 55' 00" W

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N 73° 55' 00" W

N 73° 55' 00" W (P1 & Meas)

N 73° 55' 00" W

SCP 00919723347

SCP 00919723329

16e187-01



Hamilton

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

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Purchaser*	—	—	Phone: E-mail:
Registered Owners(s)	[REDACTED]		
Applicant(s)**			
Agent or Solicitor			

\*Purchaser must provide contact information for 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			
Assessment Roll Number	25180030/002800		
Former Municipality	SALT FLEET		
Lot	PART OF PART 102	Concession	BROKEN FRONT SALT FLEET
Registered Plan Number	-	Lot(s)	-
Reference Plan Number (s)	62R-21741	Part(s)	PART OF LOT 5

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 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)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

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

1377866 ONTARIO LIMITED

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

PART OF PART 5 ON 62R-21741

3.4 Certificate Request for Retained Lands:  Yes\*

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

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

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

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

	RETAINED	RETAINED	SEVERED	SEVERED	
Identified on Sketch as:	PART 1	PART 3	PART 2	PART 4	
Type of Transfer	CREATION OF A NEW LOT	CREATION OF A NEW LOT	CREATION OF A NEW LOT	ADDITION TO A NEW LOT	
Frontage	15.24 M	20.21 M	15.24 M	10.5 M	
Depth	57.91 M	57.91 M	57.91 M	57.91 M	
Area	882.55 m <sup>2</sup>	1,170.36 m <sup>2</sup>	882.55 m <sup>2</sup>	608.06 m <sup>2</sup>	
Existing Use	VACANT	VACANT	VACANT	VACANT	
Proposed Use	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	TO BE ADDED TO LANDS TO THE SOUTH	
Existing Buildings/ Structures	VACANT	VACANT	VACANT	VACANT	
Proposed Buildings/ Structures	SINGLE-FAMILY DWELLING	SINGLE-FAMILY DWELLING	SINGLE-FAMILY DWELLING	TO BE ADDED TO LANDS TO THE SOUTH	
Buildings/ Structures to be Removed	N/A	N/A	N/A	N/A	

\* 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" SP-  
LOW RESIDENTIAL 2B

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

SUBJECT LANDS WILL BE DEVELOPED AS LOW  
RESIDENTIAL (SINGLE-FAMILY)

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? "ND" NEIGHBOURHOOD DEVELOPMENT

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.

SC/B-22-114 AND SC/A-22-340 (BOTH APPLICATIONS TABLED)

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.

REVISED APPLICATION IS NOW CONCURRENT WITH LANDS TO BE ADDED.

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?

MORE THAN 10 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.

**7 PROVINCIAL POLICY**

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes  No (Provide explanation)

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

Yes  No (Provide explanation)

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

Yes  No (Provide explanation)

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes  No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

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

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION**

**10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

\_\_\_\_\_

**10.4 Description of farm consolidation property:**

Frontage (m):		Area (m <sup>2</sup> or ha):	
---------------	--	------------------------------	--

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

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

Frontage (m):		Area (m <sup>2</sup> or ha):	
---------------	--	------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.6 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)		Area (m <sup>2</sup> or ha): (from Section 4.1)	
----------------------------------	--	---	--

Front yard set back: \_\_\_\_\_

**10.7 Surplus farm dwelling**

a) Date of construction:

- Prior to December 16, 2004
- After December 16, 2004

b) Condition:

- Habitable
- Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- \_\_\_\_\_
- \_\_\_\_\_



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>SC/A-23:186</b>	<b>SUBJECT PROPERTY:</b>	711 NORTH SERVICE RD & 105A EDGEWATER DR, STONEY CREEK
<b>ZONE:</b>	OS (Open Space)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:**      **Owner:** NEWPORT YACHT CLUB STONEY CREEK INC.  
**Agent:** JOSEPH DE FILIPPIS

The following variances are requested:

1. To permit a minimum side yard of 2.0m for accessory buildings instead of the required minimum side yard of 15.0m.
2. To permit a minimum front yard of 12.0m for accessory buildings instead of the required minimum front yard of 15.0m.
3. To permit no minimum landscaping of lot area instead of the required minimum landscaping of 75% of lot area.

**PURPOSE & EFFECT:**      To facilitate the construction of a cabana, pool house (accessory buildings) and a swimming pool.

**Notes:**

- i. Water is not considered landscaping. Subject lands are comprised of 83.37% water and 0.24% Landscaping.

**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:

SC/A-23:186

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>10:55 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

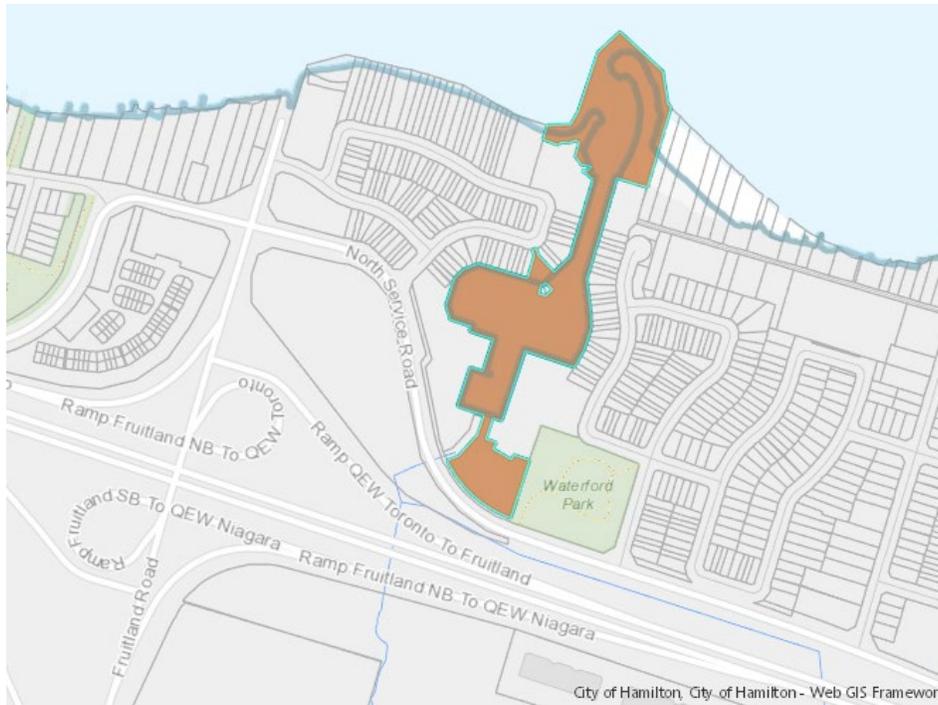
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:186, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

SC/A-23:186

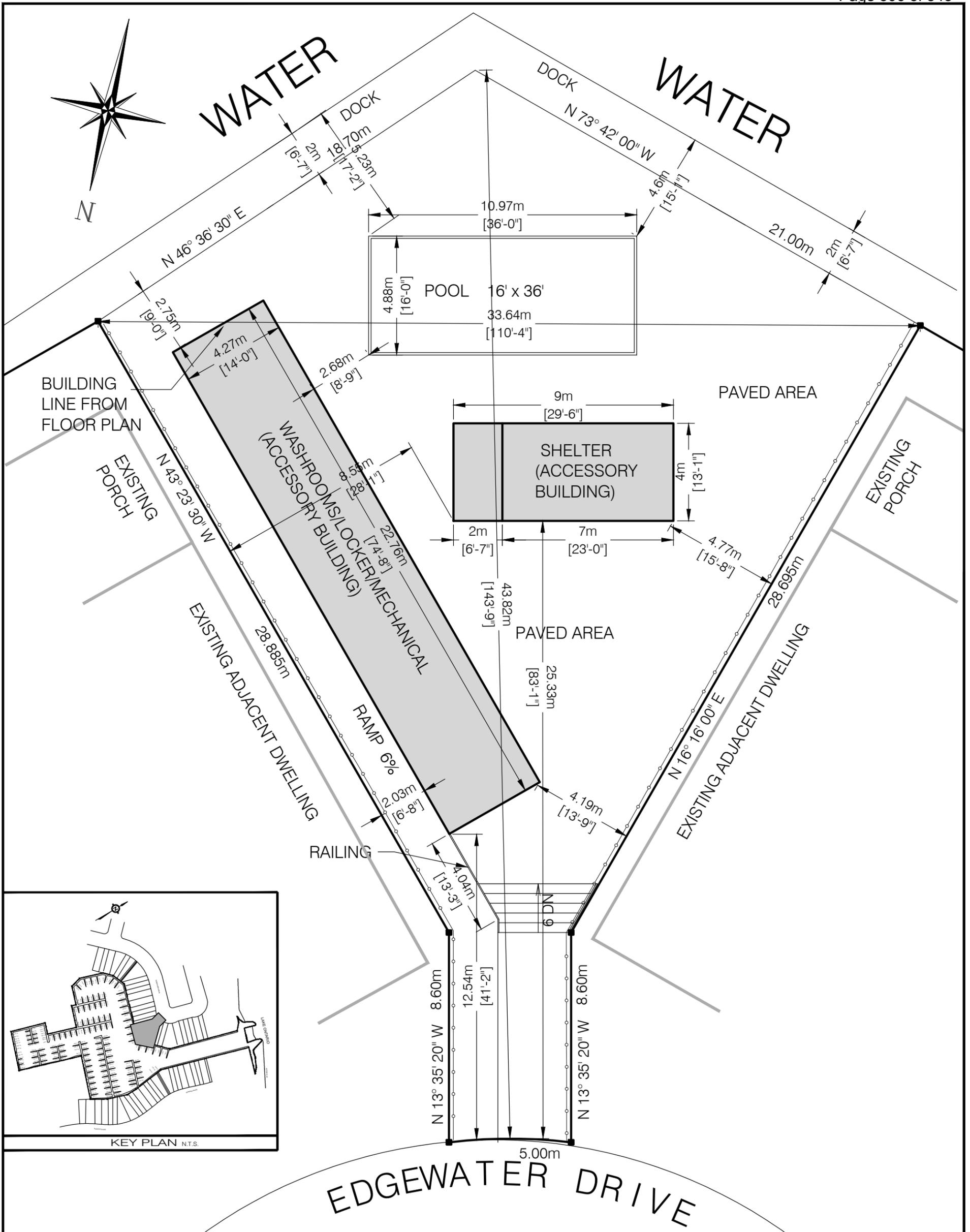


DATED: August 8, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



SITE STATISTICS (OS - 2 ZONING)				
SITE INFORMATION	EXISTING		PROPOSED	
	AREA m <sup>2</sup> (ft <sup>2</sup> )	LOT COVERAGE %	AREA m <sup>2</sup> (ft <sup>2</sup> )	LOT COVERAGE %
TOTAL LOT AREA	24261.01 (261143.34)		24261.01 (261143.34)	
WATER AREA	20215.78 (217600.85)	83.33%	20215.78 (217600.85)	83.33%
LANDSCAPING (PLANTING)	621.76 (6692.57)	2.56%	0	0%
PATIOS	0	0%	348.41 (3750.25)	1.43%
DOCKS AND WALKWAYS	3423.47 (36849.92)	14.11%	3503.51 (37711.46)	14.44%
BUILDINGS	0	0%	133.11 (1432.78)	0.55%
POOL	0	0%	60.20 (648)	0.25%

BUILDING STATISTICS	
BUILDING INFORMATION	AREA m <sup>2</sup> (ft <sup>2</sup> )
WASHROOMS/LOCKER/MECHANICAL (ACCESSORY BUILDING)	97.11 (1045.28)
SHELTER (ACCESSORY BUILDING)	36.00 (387.50)
TOTAL BUILDING AREA	133.11 (1432.78)

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

## SITE SKETCH

SCALE: 1 : 200

NOTE:  
 SITE SKETCH DETAILS A PORTION OF THE PROPERTY. REFER TO DRAWING SP-2 FOR SKETCH OF ENTIRE PROPERTY.  
 SURVEY INFORMATION TAKEN FROM J.D. BARNES LTD. JANUARY 1992 REGISTERED PLAN 62M-649 PART 183

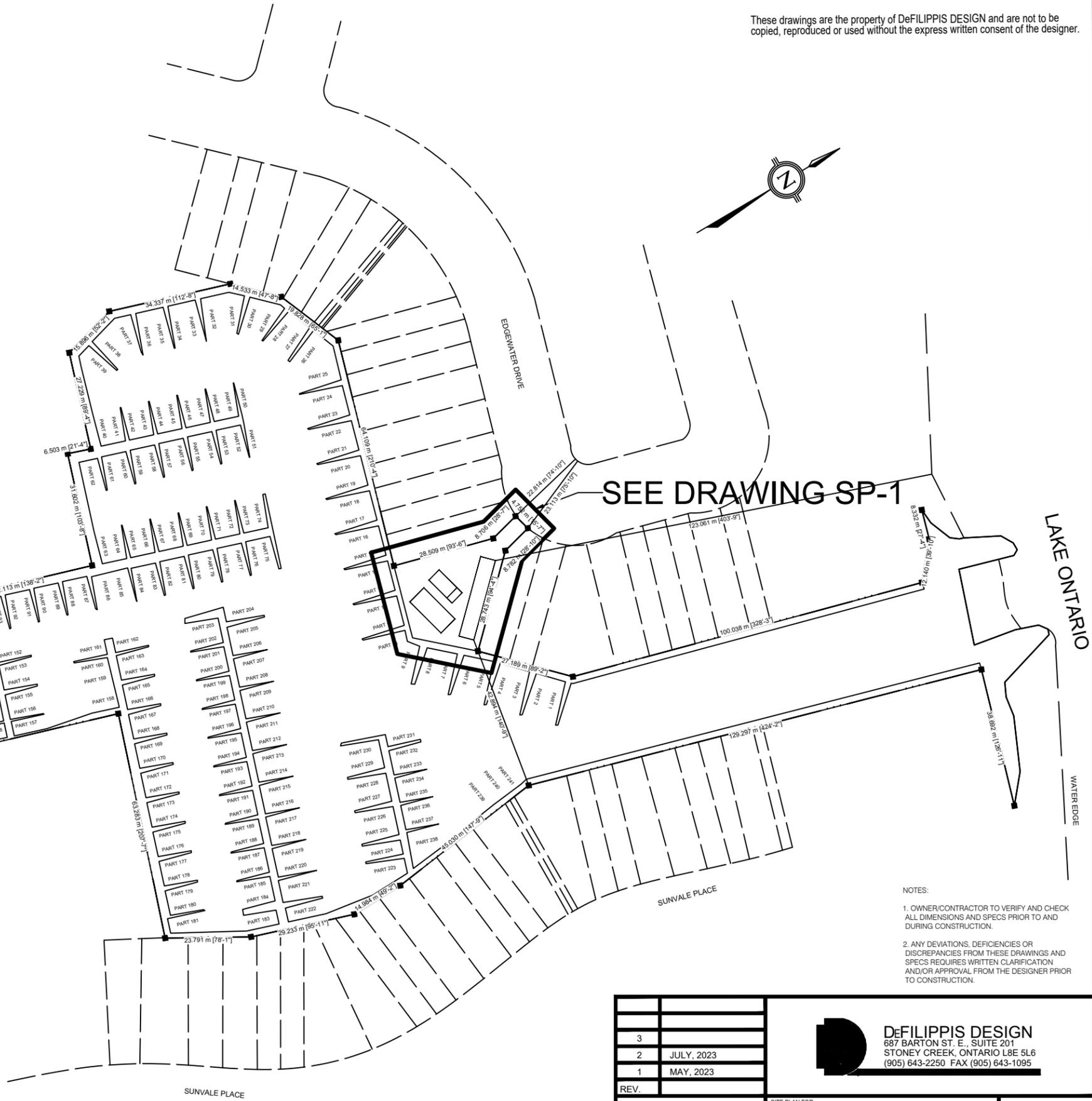
2	JULY, 2023	PROPOSED SITE PLAN FOR: <b>NEWPORT YACHT CLUB</b> 711 NORTH SERVICE RD/105A EDGEWATER DR STONE CREEK, ON
1	MAY, 2023	
REV.		<b>SITE PLAN DETAIL</b>
JOB NO.		
CHKD. BY		
DRN. BY		
DATE:	JANUARY, 2021	
SCALE:	1 : 200	
DWG NO.	SP-1	

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

SITE STATISTICS (OS - 2 ZONING)				
SITE INFORMATION	EXISTING		PROPOSED	
	AREA m <sup>2</sup> (ft <sup>2</sup> )	LOT COVERAGE %	AREA m <sup>2</sup> (ft <sup>2</sup> )	LOT COVERAGE %
TOTAL LOT AREA	24261.01 (261143.34)		24261.01 (261143.34)	
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LANDSCAPING (PLANTING)	621.76 (6692.57)	2.56%	0	0%
PATIOS	0	0%	348.41 (3750.25)	1.43%
DOCKS AND WALKWAYS	3423.47 (36849.92)	14.11%	3503.51 (37711.46)	14.44%
BUILDINGS	0	0%	133.11 (1432.78)	0.55%
POOL	0	0%	60.20 (648)	0.25%

BUILDING STATISTICS	
BUILDING INFORMATION	AREA m <sup>2</sup> (ft <sup>2</sup> )
WASHROOMS/LOCKER/MECHANICAL (ACCESSORY BUILDING)	97.11 (1045.28)
SHELTER (ACCESSORY BUILDING)	36.00 (387.50)
TOTAL BUILDING AREA	133.11(1432.78)

NOTE:  
SURVEY INFORMATION TAKEN FROM J.D. BARNES LTD. JANUARY 1992  
REGISTERED PLAN 62M-649 PART 183

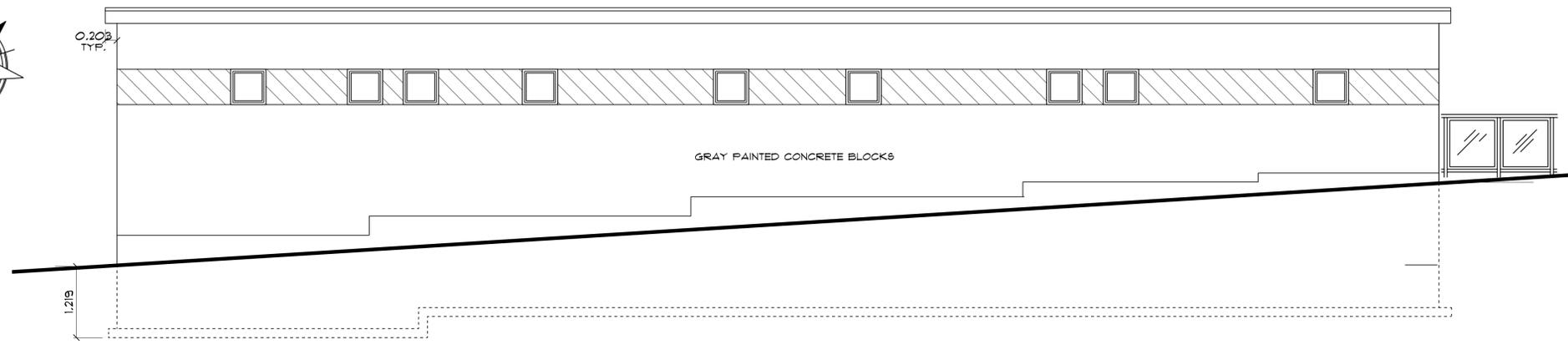
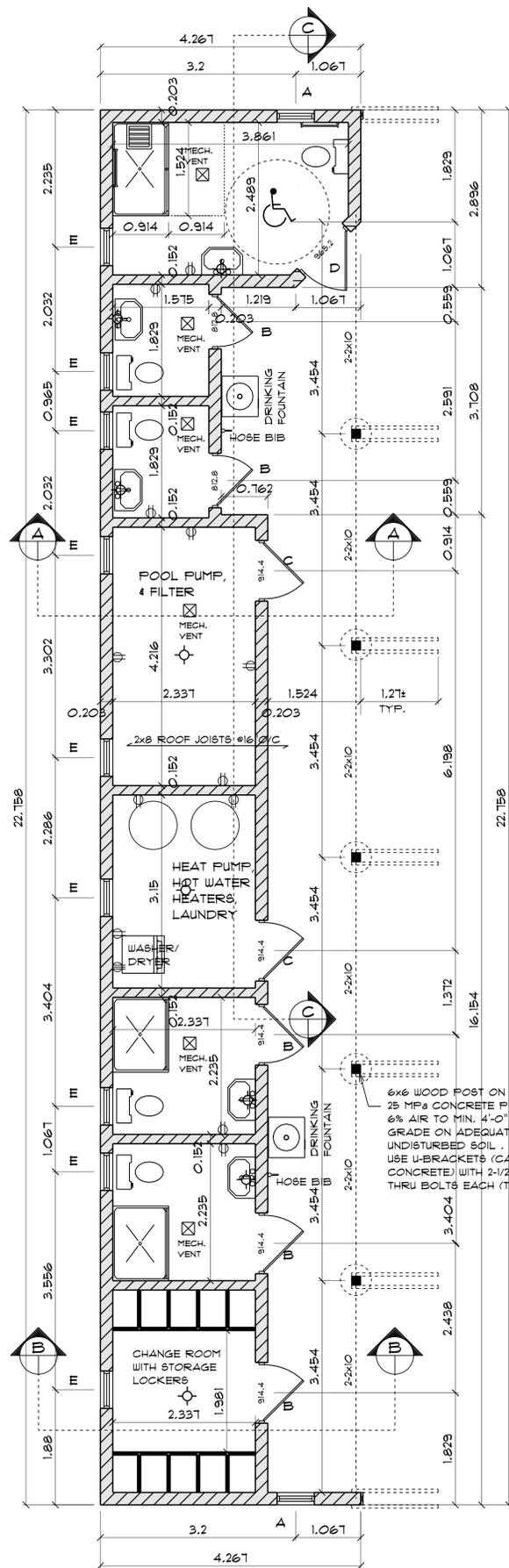


SEE DRAWING SP-1

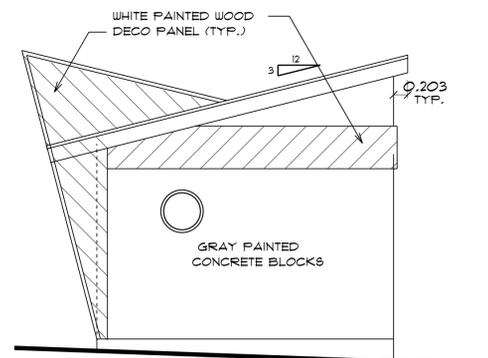
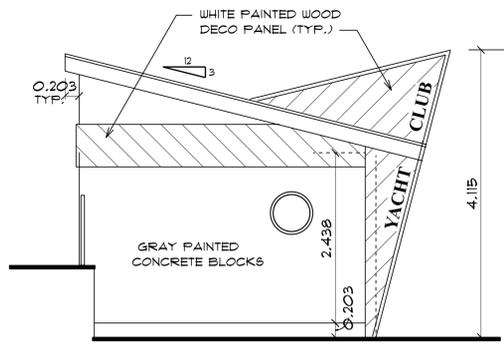
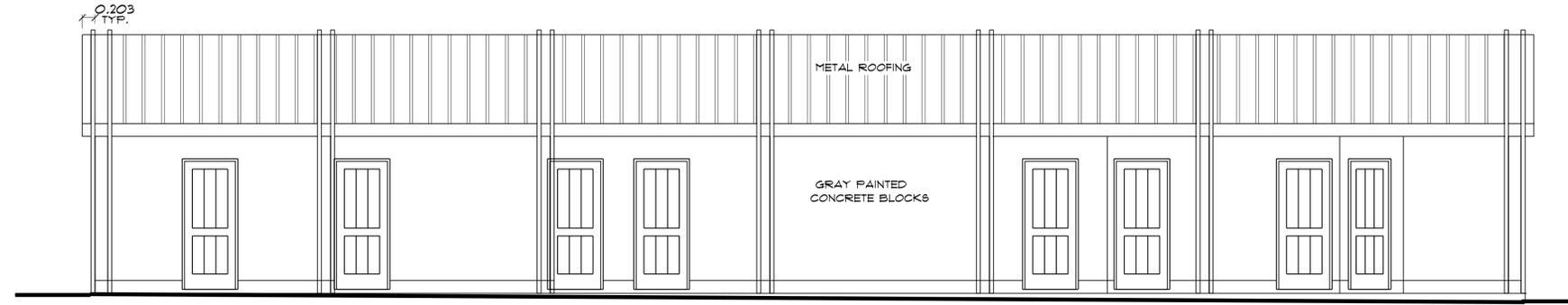
- NOTES:
- OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
  - ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

A-1 SITE PLAN  
SP-2 1:1250

3		 <b>DeFILIPPIS DESIGN</b> 887 BARTON ST. E., SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095
2	JULY, 2023	
1	MAY, 2023	
REV.		
JOB NO.		SITE PLAN FOR:
CHKD. BY		<b>NEWPORT YACHT CLUB</b>
DRN. BY		711 NORTH SERVICE RD/105A EDgewater DR
DATE: NOVEMBER, 2022		STONEY CREEK, ON
SCALE: AS NOTED		
DWG NO. SP-2		



AREA OF EXPOSED BUILDING FACE 843.1 sq. ft.  
 LIMITING DISTANCE 6'-11"  
 ALLOWABLE UNPROTECTED OPENINGS AREA (9.5%) = 80.00 sq. ft.  
 ACTUAL UNPROTECTED OPENINGS AREA 36.00 sq. ft.



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

3		 <b>DeFILIPPIS DESIGN</b> 687 BARTON STREET, SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2280 FAX (905) 643-1035
2		
1		
REV.	DATE	
JOB NO.		PROPOSED ACCESSORY BUILDING FOR: <b>NEWPORT YACHT CLUB</b> STONEY CREEK, ONTARIO
CHKD. BY		
DRN. BY		
DATE: JAN. 2021.		
SCALE: 1:50		
DWG NO. SHEET 1		

DO NOT SCALE



## Planning Rationale – Additional Information

### Project information

Newport Yacht Club is a private marina located in Stoney Creek. The Club is adding a swimming pool and wishes to build 2 accessory buildings to support the use of the pool. The first accessory building will be the WASHROOM/LOCKER/MECHANICAL accessory building and will be used to house a barrier free washroom /w shower, 2 washrooms with showers, 2 washrooms, locker room, storage, mechanical equipment. The second accessory building is the SHELTER accessory building which will be an open covered structure meant to accommodate a picnic area.

### Description of Subject Lands

The subject lands are considered to be a through lot. As per the definition of front lot line in reference to through lots in the Stoney Creek Zoning By-law 3692-92 the front lot lines are considered to be both 711 North Service Road and 105 A Edgewater Dr.

The subject lands are 24,261.01-m<sup>2</sup> in area. Approx 83% of the property is water, and 14.5% of the property are walkways and docks.

The current and future use of the subject lands is a private marina. As per the definition of Marina in the Stoney Creek Zoning By-law 3692-92 swimming pools, locker rooms, picnic areas are part of a Marina.

### Nature and extent of relief applied for (Section 3.1 from application)

1. The following minor variances are being requested:
  - i. To permit a minimum side yard of 2.0m for accessory buildings instead of the required minimum side yard of 15.0m.
  - ii. To permit no minimum landscaping of lot area instead of the required minimum landscaping of 75% of lot area.

(To note: Water is not considered landscaping. Subject lands are comprised of 83.37% water)

### Why it is not possible to comply with the provisions of the By-law? (Section 3.2 from application)

**Variance i** - To permit a minimum side yard of 2.0m for accessory buildings instead of the required minimum side yard of 15.0m.

**Variance ii** - To permit a minimum front yard of 12.0m for accessory buildings instead of the required minimum front yard of 15.0m.

This is a unique property with many adjacent properties. The property is over 83% water and 14.5% walkways and docks. There is little space on the property for the pool and accessory buildings for lockers/washrooms and picnic areas (part of the definition of a marina in the Stoney Creek zoning by-law). This small area of the property can accommodate the accessory buildings with the requested relief.

The accessory buildings have been located to position the pool as close to water's edge as possible, away from surrounding buildings on adjacent properties, in addition to acting as a visual barrier.

The requested variance to permit a minimum front yard of 12 metres for accessory buildings and minimum side yard of 2.0m for accessory buildings is minor since it consistent with the neighbouring buildings. It is considered desirable because the proposed reduction will allow accessory buildings which

meet the intended use of a marina on this unique property while also providing visual barriers from neighbouring properties.

**Variance iii** – To permit no minimum landscaping of lot area instead of the required minimum landscaping of 75% of lot area.

This unique property is over 83% water and 14.5% walkways and docks. Relief from the minimum 75% of landscaping is requested because the existing property does not meet these minimums.

This requested variance is considered minor because the existing property has only approx. 2.5% landscaping. Relief to a minimum of 0% landscaping it will have little effect on the overall makeup of the property. It is considered desirable because the proposed reduction will allow accessory buildings which meet the intended use of a marina on this unique property.

Joseph De Filippis

DeFilippis Design Inc.

A handwritten signature in black ink that reads "Joseph De Filippis". The signature is written in a cursive, flowing style.

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern	Required Study/Report
<b>Building Zoning and Engineering</b> <b>Ross McIntosh</b>	
<p><b><u>COMMENTS:</u></b></p> <ol style="list-style-type: none"> <li data-bbox="87 552 1547 657">1. This application will facilitate the construction of two (2) new accessory buildings, a swimming pool and two spa tubs for the use of the Newport Yacht Club. The proposed accessory buildings are to be used as a cabana and a pool house for washroom facilities as well as mechanical storage.</li> <li data-bbox="87 699 1547 762">2. The property is currently zone OS-2 in the Stoney Creek Zoning By-law 3692-92 and the intended use is permitted within that zone.</li> <li data-bbox="87 804 1547 867">3. <b><u>OS - 2 Newport Marina being Part of Block 2, Registered Plan 62M-649, Schedule "A", Map No. 2:</u></b>   <i>Notwithstanding the uses permitted in Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-2" by this By-law shall only be used for a private marina, excluding the dispensing of fuels and boat repairs.</i> </li> <li data-bbox="87 1056 1547 1350">4. <b><u>Front Lot Line:</u></b>             The subject lands are considered to be a through lot. As per the definition of front lot line in reference to through lots, in the Stoney Creek Zoning By-law 3692-92, the front lot lines are considered to be both 711 North Service Road and 105 A Edgewater Dr.   <i>Lot Line- Front: Means a lot line that divides a lot from a street. In the case of a through lot, both lot lines adjacent to the street shall be deemed to be the front lot line (Stoney Creek Zoning By-law 3692-92).</i> </li> <li data-bbox="87 1371 1547 1665">5. <b><u>Dual Zones:</u></b>             As the Stoney Creek Zoning By-law 3692-92 does not contain explicit regulations/interpretation respecting where a lot is divided into two (2) or more zones, the interpretation contained in Section 2.5 (f) of the Hamilton Zoning By-law 05-200 is to be used which states:   <i>"Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for each of the applicable zones."</i> </li> <li data-bbox="87 1707 1547 1770">6. Please be advised that the property is under conservation management. Please contact the Hamilton Conservation Authority prior to development.</li> </ol>	

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern	Required Study/Report		
<p>7. Construction of the proposed development is subject to the issuance of a building permit(s) from the Building Division. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.</p> <p>8. Demolition of any existing buildings are subject to the issuance of a demolition permit(s) from the Building Division.</p> <p>9. All new signs proposed for this development must comply with the regulations contained within the Hamilton Sign By-law 10-197. A building permit(s) is required for all signage.</p> <p>10. All new fencing proposed for this development must comply with the regulations contained within the Hamilton Fence By-law 10-142.</p> <p><b>11. <u>The Minor Variances that will be required to facilitate the proposed development:</u></b></p> <p><i>i. To permit a minimum side yard of 2.0m for accessory buildings instead of the required minimum side yard of 15.0m.</i></p> <p><i>ii. To permit a minimum front yard of 12.0m for accessory buildings instead of the required minimum front yard of 15.0m.</i></p> <p><i>iii. To permit no minimum landscaping of lot area instead of the required minimum landscaping of 75% of lot area. (To note: Water is not considered landscaping. Subject lands are comprised of 83.37% water and 0.24% Landscaping).</i></p> <p>12. The proposed development has been reviewed and compared to the standards of the “OS” and “OS-2” Zone as indicated in the following chart:</p>			
<p><b>OS Zone – Open Space Zone</b>  <b>(Section 11.2 of the 3692-92 Stoney Creek Zoning By-law)</b></p>			
	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Section 11.2 – OS Requirements</b>			
<b>Minimum Lot Area</b> [as per section 11.2.3 (a) of 3692-92 Stoney Creek Zoning By-law]	none	N/A	<b>Conforms</b>
<b>Minimum Lot Frontage</b> [as per section 11.2.3 (b) of 3692-92 Stoney Creek Zoning By-law]	none	N/A	<b>Conforms</b>

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern		Required Study/Report	
<b>Maximum Lot Coverage</b> [as per section 11.2.3 (c) of 3692-92 Stoney Creek Zoning By-law]	20% <u>Lot coverage:</u> <i>"The percentage of the lot covered by all buildings, but shall not include swimming pools and decks"</i>	>20%	Conforms
<b>Minimum Front Yard</b> [as per section 11.2.3 (d) of 3692-92 Stoney Creek Zoning By-law]	15m <i>Subject lands are considered a through lot. Front lot lines are both 711 North Service Road &amp; 105 A Edgewater Dr.</i>	12.54m	<b>Non-Conforming</b> <i>Minor Variance Required</i>
<b>Minimum Side yard</b> [as per section 11.2.3 (e) of 3692-92 Stoney Creek Zoning By-law]	15m	<b>Pool House: 2m</b> <b>Cabana: 4.77m</b>	<b>Non-Conforming</b> <i>Minor Variance Required</i>
<b>Minimum Rear Yard</b> [as per section 11.2.3 (f) of 3692-92 Stoney Creek Zoning By-law]	15m	N/A	Conforms
<b>Minimum Landscaping</b> [as per section 11.2.3 (g) of 3692-92 Stoney Creek Zoning By-law]	75% of lot area <u>Landscaped Open Space:</u> <i>"Any uncovered area of land including lawn and ornamental shrubs located in any yard, or in any inner or outer court, and includes paths, patios, play areas, decks or walkways but shall not include any parking spaces, parking areas, parking lots, driveways, or ramps."</i> <i>(Water is not considered part of landscaping)</i>	<b>&lt;75%</b> <b>(Property is comprised of 83.37% water and 0.24% Landscaping)</b>	<b>Non-Conforming</b> <i>Minor Variance Required</i>
<b>Outside storage</b> [as per section 11.2.3 (h) of 3692-92 Stoney Creek Zoning By-law]	No outside storage shall be permitted	No outside storage proposed	Conforms
<b>Minimum Parking Requirements</b> [as per section 11.2.3 (i) of 3692-92 Stoney Creek Zoning By-law]	Parking spaces shall be provided in accordance with section 4.10	N/A <i>No new parking proposed</i>	
<b>Regulations for Parking</b> [as per section 11.2.4 of 3692-92 Stoney Creek Zoning By-law]	No parking space or part thereof shall be located, and no land shall be used for the parking or storage of vehicles within 7.5m of any lot line	N/A <i>No new parking proposed</i>	
<b>OS-2 Newport Marina being Part of Block 2, Registered Plan 62M-649, Schedule "A", Map No. 2</b>	Notwithstanding the uses permitted in Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-2" by this By-law shall only be used for a private marina, excluding the dispensing of fuels and boat repairs.	Proposed buildings are accessory to the existing marina	Conforms

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern		Required Study/Report	
[as per section 11.2.5 of 3692-92 Stoney Creek Zoning By-law]			
	<b>By-Law Requirement</b>	<b>Provided</b>	<b>Conforming/ Non-Conforming</b>
<b>General Provisions for All Zones (Section 4 of the 3692-92 Stoney Creek Zoning By-law)</b>			
<b>Adequate Services</b> [as per section 4.4.11 of 3692-92 Stoney Creek Zoning By-law]	<p>Except for Section 4.20 – Model Homes in Draft Plans of Subdivision, no buildings or structures may be erected, used or occupied unless:</p> <p>(i) Adequate watermains, storm and sanitary sewer systems are existing or have been provided for in a binding and secured development agreement and all regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate; or</p> <p>(ii) Where such services are not required or contemplated, an approved waste disposal system and potable water supply to sustain the use of land for buildings or structures are existing or have been provided for to the satisfaction of the Chief Building Official and all regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate, and</p> <p>(iii) The dedication of lands for parkland or payment of cash-in-lieu of parkland in accordance with the City of Hamilton Parkland Dedication and Cash-in-lieu of Parkland Policy has been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate</p>	<b>Applicant to Note.</b>	
<b>Accessory Buildings and Structures (General Application)</b> [as per section 4.5.1 of 3692-92 Stoney Creek Zoning By-law]	Accessory buildings and structures shall only be located and erected in compliance with all applicable yard requirements and provisions of the zones in which the lot is located except as specifically provided elsewhere in this By-law.	See above	
<b>Storage</b> [as per section 4.12 of	Outside storage, including the outdoor display or sale of goods, materials, or motor vehicles except as permitted elsewhere in this By-law is prohibited.	Not proposed within lands used for	<b>Conforms</b>

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern		Required Study/Report	
3692-92 Stoney Creek Zoning By-law]	<p><u>Location</u></p> <p>In no case shall outside storage be located on lands specifically provided as landscaped open space, required parking or loading spaces.</p>	landscape, parking or loading	
<p><b>Special Setbacks (from top of bank of Lake Ontario Shoreline)</b></p> <p>[as per section 4.13.2 of 3692-92 Stoney Creek Zoning By-law]</p>	<p>(a) Notwithstanding any other yard provisions of this By-law, a <u>minimum yard of 7.5 metres</u> for all single detached dwellings, semi-detached dwellings or duplexes, from the top of the bank of the Lake Ontario shoreline shall be provided where lakeshore protection works have been installed in accordance with the requirements of the Province of Ontario. In no case shall shoreline protection works be constructed to an elevation of less than 78 metres Geodetic Survey of Canada unless otherwise agreed to by the Ministry of Natural Resources of the Province of Ontario, the Hamilton Region Conservation Authority and the City of Stoney Creek. A minimum yard of 30 metres shall be established for all other uses.</p> <p>(b) In circumstances where shoreline protection works are not installed, the minimum yard shall be as above or as determined in consultation with the appropriate authority, but in no case less than 100 times the average annual erosion rate for the area.</p> <p>(c) Notwithstanding clause (a) or (b) above, any accessory buildings and structures shall be located in accordance with Section 6.1.4., Accessory Buildings in Residential Zones.</p>	<p>N/A</p> <p><b>4.75m from Marina's shoreline</b></p> <p><i>(Not Lake Ontario shoreline)</i></p>	<b>Conforms</b>
<p><b>Swimming Pools and Hot Tubs</b></p> <p>[as per section 4.14.1 of 3692-92 Stoney Creek Zoning By-law]</p>	<p><u>Permitted Location:</u></p> <p>No swimming pool or hot tub shall be placed or located anywhere within the Defined Area except in accordance with the following provisions:</p> <p>(a) An outdoor swimming pool or hot tub may be located in any yard except the front yard; and</p> <p>(b) An outdoor swimming pool accessory to a permitted hotel, institutional use or commercial recreation centre, or as part of an outdoor recreation area or public park, may be located in a side or rear yard but not in the required side or rear yard and not in a front yard</p> <p><u>Yard Requirements:</u></p> <p>Above ground pool – 1.25m from the outside edge of the pool wall or deck to a lot line</p>	<p>Proposed in the rear yard</p> <p>N/A</p> <p><i>Private Marina</i></p> <p>N/A</p> <p><i>Inground pool proposed</i></p>	<b>Conforms</b>

File Number: MDA-22-119  
 Folder: 2022 132012 00 PLAN (1132526)  
 Proposal:  
 Address: 711 North Service Road, Stoney Creek

Comment/Concern		Required Study/Report	
	Inground pool – 1.25m from the water's edge to a lot line	3.94m	<b>Conforms</b>
	<p><u>Fencing Requirements:</u></p> <p><i>Outdoor swimming pools shall be enclosed with fencing in accordance with the provisions of the City of Stoney Creek Swimming Pool Fence By-Law.</i></p>		
<p><b>Mechanical and Unitary Equipment</b></p> <p>[as per section 4.16 of 3692-92 Stoney Creek Zoning By-law]</p>	<p>Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>(a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,</p> <p>(b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.</p>	<p>Pool equipment is proposed to be enclosed within the pool house. The proposed pool house has a 2m setback from the side lot line.</p>	<b>Conforms</b>
<p><b>Yard Encroachments</b></p> <p>[as per section 4.19 of 3692-92 Stoney Creek Zoning By-law]</p>	<p>Every part of any required yard shall be open and unobstructed by any structure from the ground to the sky, except for:</p> <p>(a) Sills, belt courses, cornices, chimney breasts, bay windows, decorative brick facing or pilasters, which may project into any required yard a distance of not more than 0.5 metres;</p> <p>(b) Eaves or gutters, for other than an accessory building, which may project into any required yard a distance of not more than 0.5 metres;</p> <p>(c) Eaves or gutters for accessory buildings which may project into any required yard a distance of 0.25 metres;</p>	<p>N/A</p> <p>N/A</p> <p><b>Applicant to Note.</b></p>	



**Hamilton**

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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	[REDACTED]	
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  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	711 North Service Road/105A Edgewater Drive		
Assessment Roll Number			
Former Municipality	Saltfleet		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R-11805	Part(s)	183

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:

- i. To permit a minimum side yard of 2.0m for accessory buildings instead of the required minimum side yard of 15.0m.
  - ii. To permit a minimum front yard of 12.0m for accessory buildings instead of the required minimum front yard of 15.0m.
  - iii. To permit no minimum landscaping of lot area instead of the required minimum landscaping of 75% of lot area.
- See attached for additional information.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

See attached for additional information.

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
		24261.01m <sup>2</sup>	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
		<i>None</i>		

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Building - Washrooms/Mechanical	12.54	N/A	2.03/4.19	
Accessory Building - Shelter	25.33	N/A	8.55/4.77	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
		<i>None</i>		

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Building - Washrooms/Locker/Mechanical	96.54m <sup>2</sup>	Same	1	4.1
Accessory Building - Shelter	36m <sup>2</sup>	Same	1	4.42

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.):

Marina - No change from existing.

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

Townhouse dwellings

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

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

Marina

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

Marina

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

Over 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? OS-2

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: ~~2062~~ \_\_\_\_\_

---

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

Yes  No

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

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

Yes  No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

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

Attachments:

Additional Sheets with Section 3 Information

SP-1 Site Sketch - Partial

SP-2 Site Plan

Building Floor Plans and Elevations

Zoning Compliance Review

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>GL/A-23:200</b>	<b>SUBJECT PROPERTY:</b>	9075 AIRPORT ROAD W, GLANBROOK
<b>ZONE:</b>	C6 (District Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** 9075 AIRPORT HAMILTON HOSPITALITY INC. C/O MARTIN SIMONE  
**Agent:** MATAJ ARCHITECTS INC. C/O ARTAN MATAJ

The following variances are requested:

1. A maximum height of 19.05 metres whereas the by-law permits a maximum height of 14.0 metres.
2. A minimum width of the ground floor façade of 69.4 metres whereas the by-law requires a minimum ground floor façade width of 75.27 metres.

**PURPOSE & EFFECT:**      So as to permit the construction of a new 6-storey 97 room hotel with 97 parking spaces.

**Notes:**

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

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

<b>DATE:</b>	<b>Thursday, August 24, 2023</b>
<b>TIME:</b>	<b>11:00 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

**GL/A-23:200**

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

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

**PUBLIC INPUT**

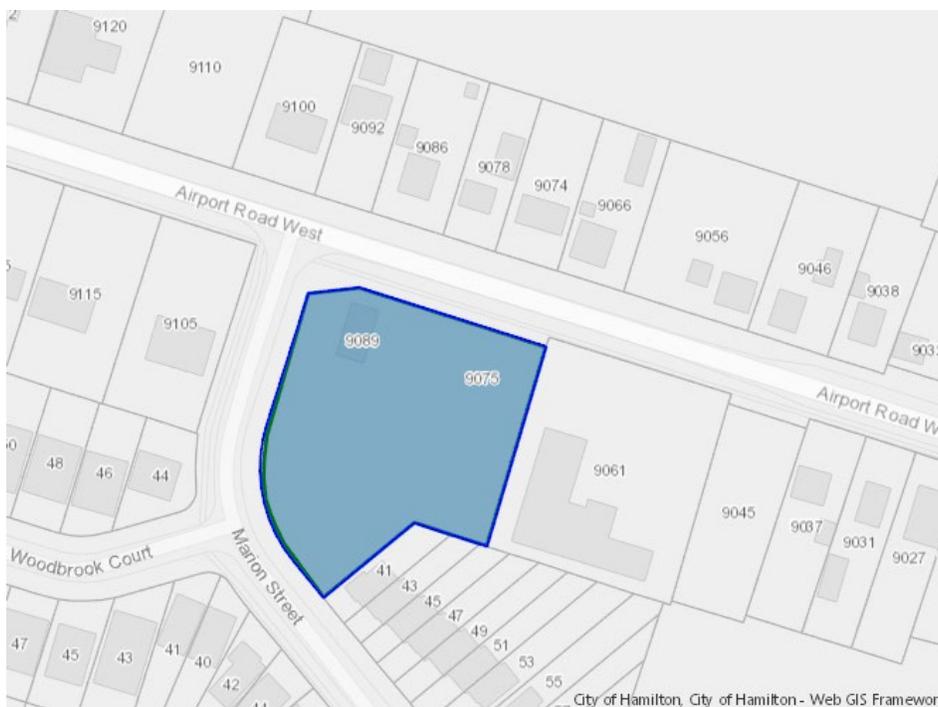
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:200, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



**GL/A-23:200**

DATED: August 8, 2023

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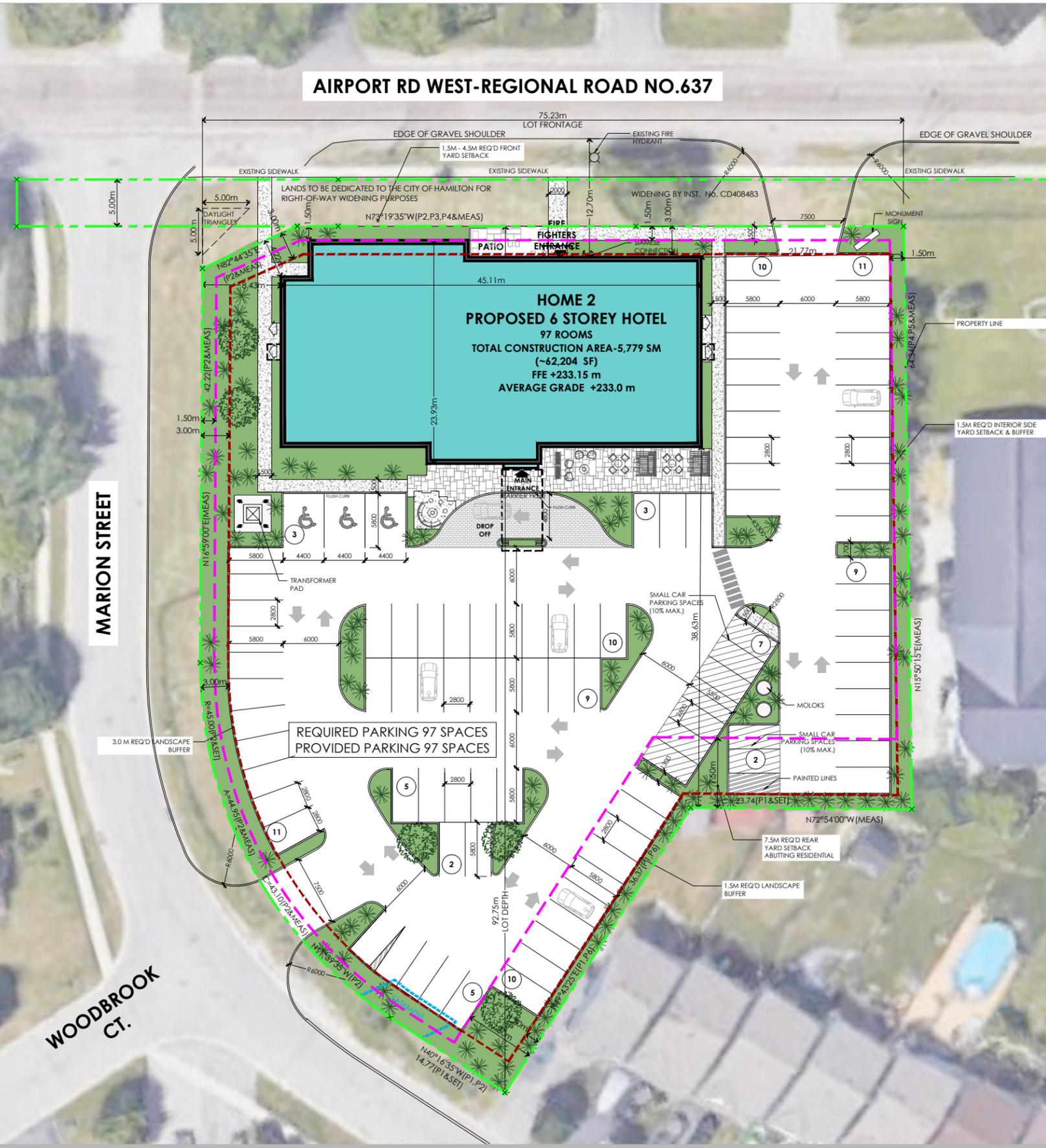
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



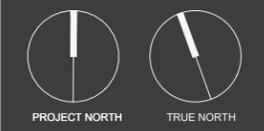
ZONING DESCRIPTION(Zoning By-law 05-200)	C6,Exception:580		
	DISTRICT COMMERCIAL		
DETAILS OF DEVELOPMENT	REQUIRED	PROPOSED	
LOT AREA (m <sup>2</sup> )	N/A	5,556	
BUILDING COVERAGE(max.)	N/A	17%	
GROSS FLOOR AREA(max.)	N/A	5,727	
BUILDING HEIGHT(max.)	14 m	19.05	
NUMBER OF PARKING SPACES	97	97	
NUMBER OF LOADING SPACES	N/A	0	
LANDSCAPED AREA(min.)	N/A	1,443	
SETBACK&BUFFER	REQUIRED(m)	PROPOSED (m)	
BUILDING SETBACK FROM A STREET LINE(AIRPORT RD)	1.5-4.5	1.5	
BUILDING SETBACK FROM A STREET LINE(MARION STREET)	1.5	8.43	
REAR YARD ABUTTING A RESIDENTIAL ZONE	MIN 7.5	38.63	
INTERIOR SIDE YARD	MIN 1.5	21.77	
PLANTING STRIP REQUIREMENTS (WHEN ABUTS A RESIDENTIAL ZONE)	MIN 1.5	1.5	
PLANTING STRIP (WHEN ABUTS A STREET)	3	3	
AREA CALCULATION	SQ M	SQ FT	%
BUILDING AREA	964	10,376	17%
LANDSCAPED AREA	1,443	15,532	26%
PAVED AREA	3,149	33,896	57%
SITE AREA	5,556	59,804	100%
PARKING CALCULATION	REQUIRED	PROPOSED	
1 PARKING FOR EACH GUEST SUITE	97	97	
<b>TOTAL(INCLUDING ACCESSIBLE PARKING)</b>	<b>97</b>	<b>97</b>	
ACCESSIBLE PARKING	REQUIRED	PROPOSED	
50-100 PARKING SPACES, MIN 4% OF THE TOTAL NUMBER OF REQUIRED PARKING			
Where the application of the parking standards in Section a) above results in a numeric fraction, fractions shall be rounded down to the nearest whole number.	3	3	
DRIVEWAYS AND AISLE REQUIREMENTS	REQ'D (MIN)	PROVIDED	
TWO-WAY PARKING AISLE @90 DEGREES PARKING	6.0	6.0	
FLOOR AREA CALCULATION	GFA(SQ M)	NON GFA(SQ M) MECH. ROOM	TOTAL(SQ M)
GROUND FLOOR	912	52	964
SECOND FLOOR	963	0	963
THIRD FLOOR	963	0	963
FOURTH FLOOR	963	0	963
FIFTH FLOOR	963	0	963
SIXTH FLOOR	963	0	963
<b>TOTAL:</b>	<b>5,727</b>	<b>52</b>	<b>5,779</b>

SITE PLAN LEGEND	
	PROPERTY LINE
	BUILDING SETBACK LINE
	LANDSCAPE BUFFER
	EASEMENT



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2\_Hamilton\5-Design\1-Site Design\1-  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT NO.: 23-005  
 ISSUE DATE: July 19, 2023

5 REVISION



# HOME 2 HAMILTON

9075 Airport Rd W, Mount Hope, ON L0R 1W0

Project Contact:  
 Artan Mataj  
 artan@matajarchitects.com  
 289-259-6269

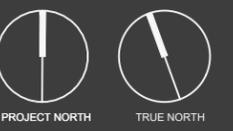
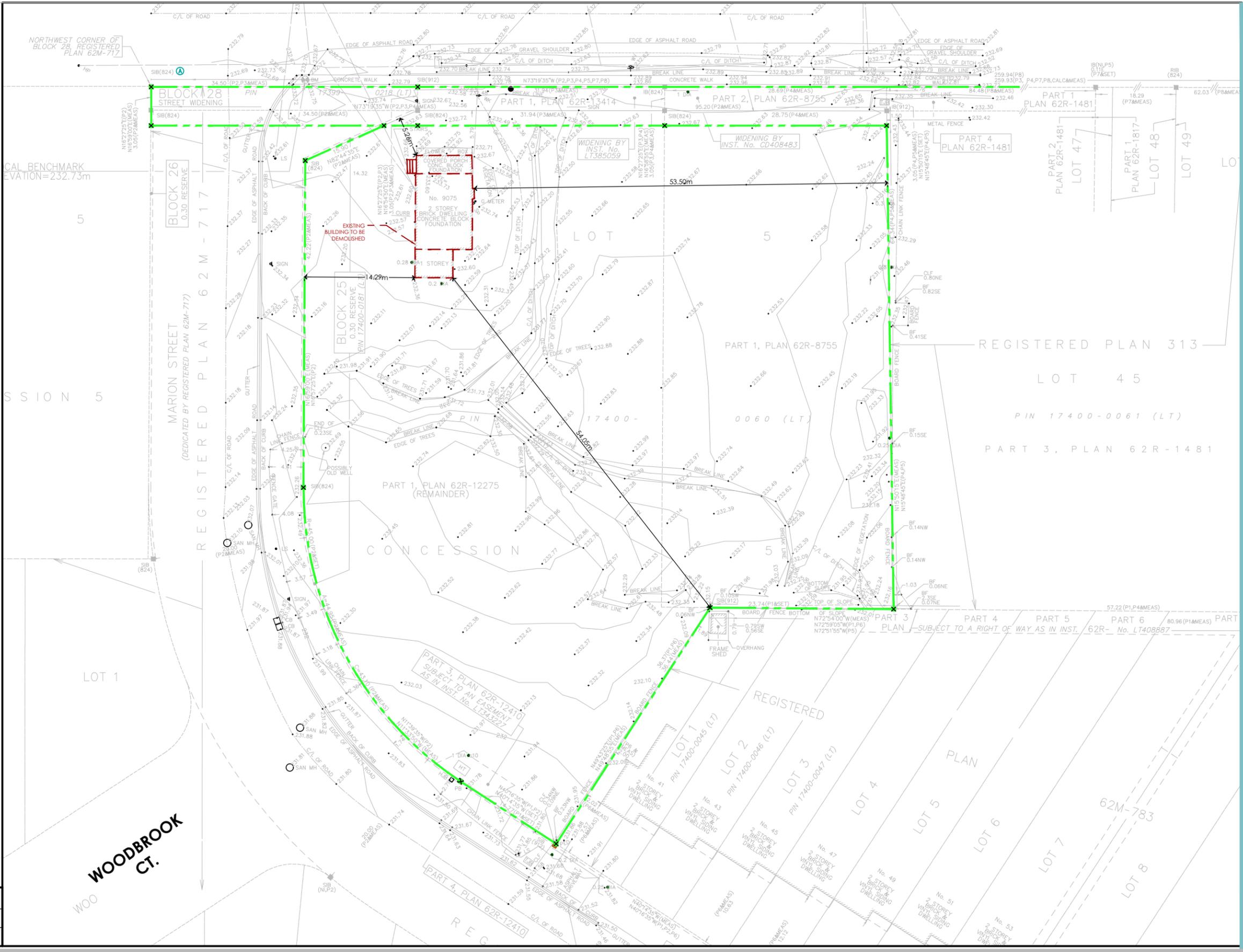


Client : Devtris Karaosian

DEMO SITE PLAN

PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\1-Site Design\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT No.: 23-005  
 ISSUE DATE: July 19, 2023

REVISION	5	SITE PLAN LEGEND
		PROPERTY LINE
		DEMOLITION LINE



**HOME 2 HAMILTON**  
 9075 Airport Rd W, Mount Hope, ON L0R 1W0

SURVEYOR'S REAL PROPERTY REPORT  
PART 1 - PLAN OF SURVEY ILLUSTRATING  
TOPOGRAPHY OF  
PART OF LOT 5  
CONCESSION 5  
(GEOGRAPHIC TOWNSHIP OF GLANFORD)  
CITY OF HAMILTON

SCALE 1 : 250

J.D. BARNES LIMITED  
© COPYRIGHT

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

PART 2 - SURVEY REPORT

- DESCRIPTION
- PART OF LOT 5, CONCESSION 5, GEOGRAPHIC TOWNSHIP OF GLANFORD, CITY OF HAMILTON, BEING ALL OF PIN 17400-0060 (LT), SUBJECT TO AN EASEMENT AS IN INST. No. LT343227.
- BOUNDARY FEATURES
- FENCES FOUND AS SHOWN ON THE FACE OF PLAN.
- ZONING COMPLIANCE
- COMPLIANCE WITH ONTARIO BUILDING CODE SETBACK REQUIREMENTS ARE NOT REFERRED BY THIS SURVEY.
- ADDITIONAL REMARKS
- PLAN PREPARED FOR: 9075 AIRPORT HAMILTON HOSPITALITY INC.

ELEVATION NOTE

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM THE MINISTRY OF NATURAL RESOURCES AND FORESTRY (COSMOS) BENCHMARKS:  
No. 00119/2010/08  
ELEVATION=238.850m  
No. 00119/2010/09  
ELEVATION=233.039m

LOCAL BENCHMARK

CUT CROSS SET ON A CONCRETE SIDEWALK AT THE SOUTHEAST CORNER OF THE INTERSECTION AIRPORT ROAD WEST AND MARION STREET, AS ILLUSTRATED ON THE FACE OF PLAN  
ELEVATION=232.73m

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).  
DISTANCES ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999964.  
FOR BEARING COMPARISONS, A ROTATION OF 0°44'05" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1, P2, P3, P4, P5, P6, P7 & P8.

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO AN URBAN ACCURACY PER SECTION 14 (2) OF O.REG. 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	587 952.29	4 778 832.92
ORP (B)	588 201.21	4 778 758.37
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		
THE RESULTANT BETWEEN ORP (A) AND ORP (B) IS 259.93 N73°19'34"E		

LEGEND

- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SIB DENOTES STANDARD IRON BAR
  - RIB DENOTES ROUND IRON BAR
  - IB DENOTES IRON BAR
  - PB DENOTES PLASTIC BAR
  - P1 DENOTES REGISTERED PLAN 62M-783
  - P2 DENOTES REGISTERED PLAN 62M-717
  - P3 DENOTES PLAN 62R-13414
  - P4 DENOTES PLAN 62R-12725
  - P5 DENOTES PLAN 62R-1481
  - P6 DENOTES PLAN 62R-19242
  - P7 DENOTES ASSOCIATES LTD., DATED OCTOBER 31, 1997 (REF. No. R-2071)
  - P8 DENOTES PLAN 62R-19242
  - MEAS DENOTES MEASURED
  - 600 DENOTES S.W. WOODS, O.L.S.
  - 824 DENOTES A.T. MCLAREN LIMITED, O.L.S.
  - 912 DENOTES A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
  - NI DENOTES NOT IDENTIFIABLE
  - OU DENOTES UNKNOWN
  - BF DENOTES BOARD FENCE
  - CLF DENOTES CHAIN LINK FENCE
- N=North / S=South / E=East / W=West  
ALL SET SSB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

TOPOGRAPHIC LEGEND

- CB DENOTES SINGLE CATCHBASIN
- HUB DENOTES HYDRO JUNCTION BOX
- G METER DENOTES GAS METER
- SP DENOTES STAND PIPE
- MH DENOTES MANHOLE
- HP DENOTES HYDRO PILE
- HT DENOTES HYDRO TRANSFORMER
- LS DENOTES LIGHT STANDARD
- TJ DENOTES TELEPHONE JUNCTION BOX
- PEP DENOTES TELEPHONE PEDESTAL
- H DENOTES FIRE HYDRANT
- WK DENOTES WATER KEYS
- WV DENOTES WATER VALVE
- BM DENOTES BENCH MARK
- OC DENOTES OVERHEAD CABLE
- SHRUB DENOTES SHRUB
- DENOTES DECIDUOUS TREE  
DIA=DIAMETER OF TRUNK IN METRES

AREA = 5,684 sq.m.  
(1.4045 acres)

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.

PRIMARY CONTOURS ARE AT 1.00m INTERVALS.  
SECONDARY CONTOURS ARE AT 0.25m INTERVALS.

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 19th DAY OF APRIL, 2023.

MAY 16, 2023  
DATE  
MONIKA BUZZAK  
ONTARIO LAND SURVEYOR



**J.D. BARNES LIMITED**  
SURVEYING MAPPING GIS  
LAND INFORMATION SPECIALISTS  
401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1  
T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY: MB CHECKED BY: SP PLOTTED: 5/16/2023 DATED: 05/15/2023



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2\_Hamilton\5-Design\3-Elevations\  
ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
PROJECT No.: 23-005  
ISSUE DATE: July 19, 2023

5  
REVISION



# HOME 2 HAMILTON

9075 Airport Rd W, Mount Hope, ON L0R 1W0

## PROPOSED FRONT ELEVATION



Project Contact:  
Artan Mataj  
artan@matajarchitects.com  
289.259.6269

Client : Devris Karaaslan

A301  
1/16"=1'-0"  
(1:200)

Project Contact:  
 Artan Mataj  
 artan@matajarchitects.com  
 289-259-6269



Client : Devris Karaaslan

PROPOSED FRONT ELEVATION WITH LEGEND

EXTERIOR FINISH SCHEDULE		
	MATERIAL/FINISH	COLOR
1	ULTRA FLAT EPS BY CORNERPOINT, METALLIC FINISH	KENDAL CHARCOAL HC-166
2	EPS BY CORNERPOINT, GEMSTONE FINISH BY DURABOND	DOLOMITE WHITE
3	ULTRA FLAT EPS BY CORNERPOINT, MATTE FINISH	KENDAL CHARCOAL HC-166
4	EPS BY CORNERPOINT, METALLIC FINISH	WHITE DOVE OC-17
4A	EPS BY CORNERPOINT, SMOOTH FINISH	WHITE DOVE OC-17
5	ILLUMINATED SIGNAGE	
6	1" EPS WITH LAMINATED GLASS FINISH	FLOWER POWER BM 398
7	LINEAR LED LIGHTING W/WHITE LENS, FLUSH MOUNTED	3000 K LED
8	EPS BY CORNERPOINT, LINEAR 3D PATTERN BY STO	HIMALAYAN TREK BM 1542
9	EPS BY CORNERPOINT, WOOD GRAIN FINISH	TIMBER TEAK
10	WALL SCONCE	
11	3x3 LED POT LIGHT	3000 K WITH WHITE RIM
12	FRAMELESS CURTAIN WALL	IRON MOUNTAIN FRAME WITH ANODIZED LOUVER
13	ACM BAND BY "SM CLADDING SOLUTIONS"	CHARCOAL
14	ACM PANELS BY "SM CLADDING SOLUTIONS"	BONE WHITE
15	SCREENS FOR ROOF TOP EQUIPMENT, CORRUGATED METAL PANEL	LIGHT GREY
16	1" LED PIN LIGHTS	3000 K WITH WHITE RIM

SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00
B	6" PROJECTION TO 'A'
C	4" RECESSED TO 'A'
D	14" PROJECTION TO 'A'
E	1" PROJECTION FROM 'A'

NOTES:  
 - REVEALS SHOWN ON THE DRAWINGS TO BE 3" SQUARE  
 - OTHER REQUIRED CONSTRUCTION JOINTS TO BE BUTT JOINTS / HAIRLINE JOINTS



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\3-Elevations\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT No.: 23-005  
 ISSUE DATE: July 19, 2023

5  
 REVISION

**HOME 2 HAMILTON**  
 9075 Airport Rd W, Mount Hope, ON L0R 1W0

**A301B**  
 1/16"=1'-0"  
 (1:200)

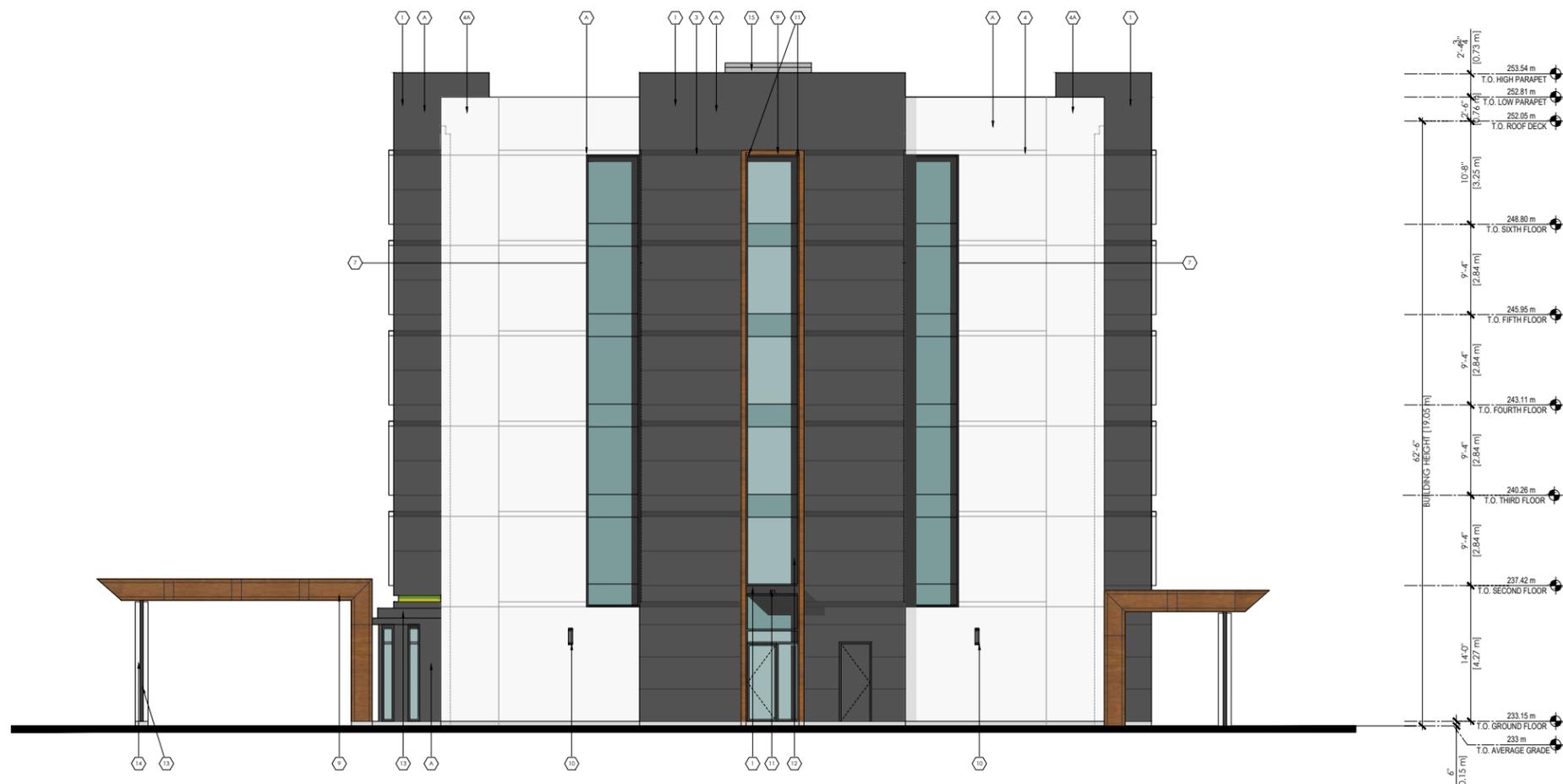
PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\3-Elevations\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT No.: 23-005  
 ISSUE DATE: JULY 19, 2023

5  
 REVISION

EXTERIOR FINISH SCHEDULE		
	MATERIAL/FINISH	COLOR
1	ULTRA FLAT EPS BY CORNERPOINT, METALLIC FINISH	KENDAL CHARCOAL HC-166
2	EPS BY CORNERPOINT, GEMSTONE FINISH BY DURABOND	DOLOMITE WHITE
3	ULTRA FLAT EPS BY CORNERPOINT, MATTE FINISH	KENDAL CHARCOAL HC-166
4	EPS BY CORNERPOINT, METALLIC FINISH	WHITE DOVE OC-17
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10	WALL SCONCE	
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SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00
B	6" PROJECTION TO 'A'
C	4" RECESSED TO 'A'
D	14" PROJECTION TO 'A'
E	1" PROJECTION FROM 'A'

NOTES:  
 - REVEALS SHOWN ON THE DRAWINGS TO BE 3" SQUARE  
 - OTHER REQUIRED CONSTRUCTION JOINTS TO BE BUTT JOINTS / HAIRLINE JOINTS



PROPOSED EAST ELEVATION



Project Contact:  
 Artan Mataj  
 artan@matajarchitects.com  
 289.259.6269

Client : Devtris Karaaslan

PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\3-Elevations\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT No.: 23-005  
 ISSUE DATE: JULY 19, 2023

5  
 REVISION

EXTERIOR FINISH SCHEDULE		
	MATERIAL/FINISH	COLOR
1	ULTRA FLAT EPS BY CORNERPOINT, METALLIC FINISH	KENDAL CHARCOAL HC-166
2	EPS BY CORNERPOINT, GEMSTONE FINISH BY DURABOND	DOLOMITE WHITE
3	ULTRA FLAT EPS BY CORNERPOINT, MATTE FINISH	KENDAL CHARCOAL HC-166
4	EPS BY CORNERPOINT, METALLIC FINISH	WHITE DOVE OC-17
4A	EPS BY CORNERPOINT, SMOOTH FINISH	WHITE DOVE OC-17
5	ILLUMINATED SIGNAGE	
6	1" EPS WITH LAMINATED GLASS FINISH	FLOWER POWER BM 398
7	LINEAR LED LIGHTING W/WHITE LENS, FLUSH MOUNTED	3000 K LED
8	EPS BY CORNERPOINT, LINEAR 3D PATTERN BY STO	HIMALAYAN TREK BM 1542
9	EPS BY CORNERPOINT, WOOD GRAIN FINISH	TIMBER TEAK
10	WALL SCONCE	
11	3x3 LED POT LIGHT	3000 K WITH WHITE RIM
12	FRAMELESS CURTAIN WALL	IRON MOUNTAIN FRAME WITH ANODIZED LOUVER
13	ACM BAND BY "SM CLADDING SOLUTIONS"	CHARCOAL
14	ACM PANELS BY "SM CLADDING SOLUTIONS"	BONE WHITE
15	SCREENS FOR ROOF TOP EQUIPMENT, CORRUGATED METAL PANEL	LIGHT GREY
16	1" LED PIN LIGHTS	3000 K WITH WHITE RIM

SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00
B	6" PROJECTION TO 'A'
C	4" RECESSED TO 'A'
D	14" PROJECTION TO 'A'
E	1" PROJECTION FROM 'A'

NOTES:  
 - REVEALS SHOWN ON THE DRAWINGS TO BE 3" SQUARE  
 - OTHER REQUIRED CONSTRUCTION JOINTS TO BE BUTT JOINTS / HAIRLINE JOINTS



PROPOSED WEST ELEVATION



Client : Devtris Karaasian

Project Contact:  
 Artan Matqaj  
 artan@matqajarchitects.com  
 289-259-6269

Project Contact:  
 Artan Mataj  
 artan@matajarchitects.com  
 289.259.6269



Client : Devris Karaaslan

PROPOSED REAR ELEVATION

A304  
 1/16"=1'-0"  
 (1:200)

EXTERIOR FINISH SCHEDULE		
	MATERIAL/FINISH	COLOR
1	ULTRA FLAT EFS BY CORNERPOINT, METALLIC FINISH	KENDAL CHARCOAL HC-166
2	EFS BY CORNERPOINT, GEMSTONE FINISH BY DURABOND	DOLOMITE WHITE
3	ULTRA FLAT EFS BY CORNERPOINT, MATTE FINISH	KENDAL CHARCOAL HC-166
4	EFS BY CORNERPOINT, METALLIC FINISH	WHITE DOVE OC-17
4A	EFS BY CORNERPOINT, SMOOTH FINISH	WHITE DOVE OC-17
5	ILLUMINATED SIGNAGE	
6	1" EFS WITH LAMINATED GLASS FINISH	FLOWER POWER BM 398
7	LINEAR LED LIGHTING W/WHITE LENS, FLUSH MOUNTED	3000 K LED
8	EFS BY CORNERPOINT, LINEAR 3D PATTERN BY STO	HIMALAYAN TREK BM 1542
9	EFS BY CORNERPOINT, WOOD GRAIN FINISH	TIMBER TEAK
10	WALL SCOFFCE	
11	3x3 LED POT LIGHT	3000 K WITH WHITE RIM
12	FRAMELESS CURTAIN WALL	IRON MOUNTAIN FRAME WITH ANODIZED LOUVER
13	ACM BAND BY "SM CLADDING SOLUTIONS"	CHARCOAL
14	ACM PANELS BY "SM CLADDING SOLUTIONS"	BONE WHITE
15	SCREENS FOR ROOF TOP EQUIPMENT, CORRUGATED METAL PANEL	LIGHT GREY
16	1" LED PIN LIGHTS	3000 K WITH WHITE RIM

SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00
B	6" PROJECTION TO 'A'
C	4" RECESSED TO 'A'
D	14" PROJECTION TO 'A'
E	1" PROJECTION FROM 'A'

NOTES:  
 - REVEALS SHOWN ON THE DRAWINGS TO BE 3" SQUARE  
 - OTHER REQUIRED CONSTRUCTION JOINTS TO BE SUIT JOINTS / HAIRLINE JOINTS



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\3-Elevations\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT No.: 23-005  
 ISSUE DATE: JULY 19, 2023

5  
 REVISION

HOME 2 HAMILTON  
 9075 Airport Rd W, Mount Hope, ON L0R 1W0



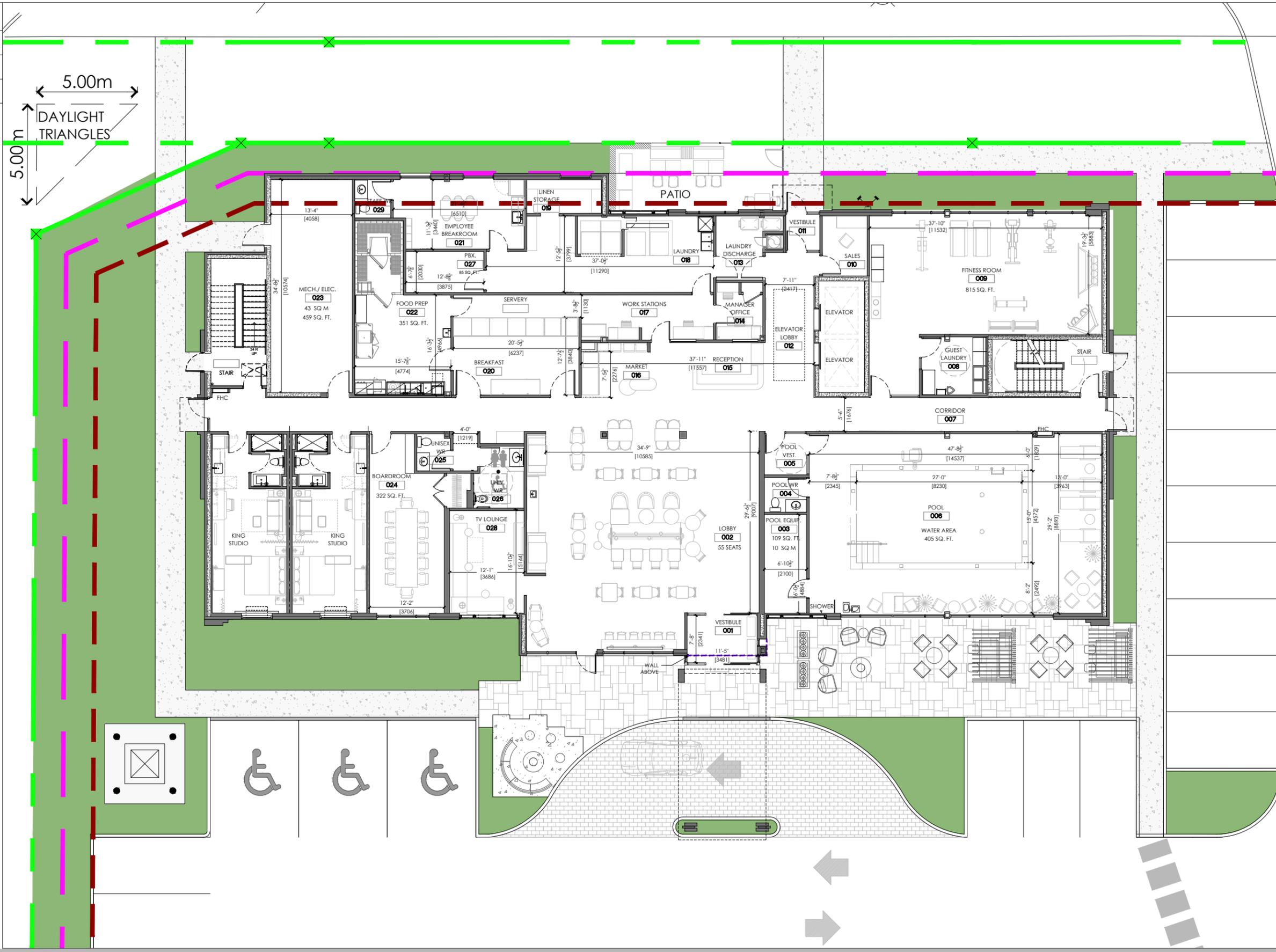
Project Contact:  
 Artan Mataj  
 artan@matajarchitects.com  
 289-259-6269



Client : Devtris Karaosian

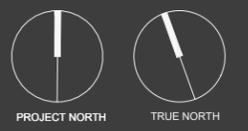
GROUND FLOOR PLAN

SITE PLAN LEGEND	
	PROPERTY LINE
	BUILDING SETBACK LINE
	LANDSCAPE BUFFER



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\2-Plans\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT NO.: 23-005  
 ISSUE DATE: July 19, 2023

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 REVISION



**HOME 2 HAMILTON**  
 9075 Airport Rd W, Mount Hope, ON L0R 1W0

A201  
 1/16"=1'-0"  
 (1:200)



TYPICAL FLOOR PLAN (2ND-6TH)

Client : Devris Karaosian

A202  
 1/16"=1'-0"  
 (1:200)

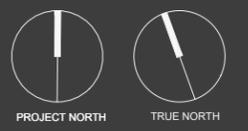
HOME2 HAMILTON ROOM MIX

	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	5TH FLOOR	6TH FLOOR	TOTAL	TOTAL	PERCENTAGE
KING STUDIO	2	10	10	10	10	10	52	54%	64%
KING ONEBEDROOM	0	1	1	1	1	1	5	5%	
KING STUDIO ACCESSIBLE	0	1	1	1	1	1	5	5%	
QUEEN QUEEN STUDIO	0	6	6	6	6	6	30	31%	36%
QUEEN QUEEN ACCESSIBLE	0	1	1	1	1	1	5	5%	
<b>TOTAL ROOM PER FLOOR</b>	<b>2</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>97</b>	<b>-</b>	<b>100%</b>
TOTAL ACCESSIBLE ROOM	0	2	2	2	2	2	10	10%	10%



PATH: S:\1. PROJECTS\2023\1. Projects\23-005\_Home2 Hamilton\5-Design\2-Plans\  
 ISSUED FOR: ISSUED FOR MINOR VARIANCE APPLICATION  
 PROJECT NO.: 23-005  
 ISSUE DATE: July 19, 2023

5  
 REVISION



HOME 2 HAMILTON  
 9075 Airport Rd W, Mount Hope, ON L0R 1W0



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

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			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  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	9075 Airport Rd West, Glanbrook, ON L0R 1W0		
Assessment Roll Number			
Former Municipality			
Lot		Concession	5
Registered Plan Number		Lot(s)	5
Reference Plan Number (s)	62R-8755, 62R-1227	Part(s)	1

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

Yes  No

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

Hydro easement on the south west corner hence no effect on site design

### 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

- Proposed Building height 19.05m while the Zoning Bylaw permits a maximum of 14 m building height

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

- Hotel Brand has a minimum number of rooms that can not be achieved on 14m building height (equivalent to 4 storeys)

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
75.23 m	92.75 m	5556 sq m	23 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
Wood construction dwelling unit	5.26 m	54.05m	14.29 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
steel, concrete	1.5 m	38.63 m	8.43 m	04/01/2024

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Wood construction dwelling unit	± 145 m <sup>2</sup>	± 290 m <sup>2</sup>	2	unknown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
steel, concrete	964 m <sup>2</sup>	5727 m <sup>2</sup>	6	19.05 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.):  
 hotel

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: 2015-08-18  
 2015-08-18

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

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

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

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) District Commercial

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

the current official plan designation is District Commercial, hotel is one of the permitted uses.

7.6 What is the existing zoning of the subject land? C6,exception 580

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: \_\_\_\_\_

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

 Yes No

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

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

 Yes No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

Development of proposed 6 storey hotel of 97 rooms

## 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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