



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

**Meeting #:** 23-18  
**Date:** September 21, 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-23:22695 Inchbury Street, Hamilton (Ward 1) Agent C. MacPhail Applicant G. Day Owner C. Morrison & E. Brandeis	5
2.2 9:25 a.m.HM/A-23:225169 MacAulay Street East, Hamilton (Ward 2) Applicant R&R Designs Owner N. Star Investments Inc.	15
2.3 9:30 a.m.HM/A-23:220203 Bold Street, Hamilton (Ward 2) Applicant T. Venema Owner C. Schrock	27
2.4 9:35 a.m.HM/A-23:224825 Cannon Street East, Hamilton (Ward 3) Applicant J. Bognar Owner F. Alkhalil	45

2.5	9:40 a.m.HM/A-23:228154 Beach Road, Hamilton (Ward 3)	65
	Applicant A. Makur Owner A. Usman	
2.6	9:45 a.m.FL/A-23:23199 Mountsberg Road, Flamborough (Ward 15)	83
	Agent Harrison Architecture Inc. Owner T. Reed & A. Sidsworth	
2.7	9:50 a.m.FL/A-23:16699 Concession 7 East, Flamborough (Ward 15)	99
	Owners A. & C. Bradshaw	

### 3. EAST DEVELOPMENT

3.1	9:55 a.m.GL/A-23:1445288 Dickenson Road East, Glanbrook (Ward 11)	141
	J. & B. Turcotte, W. & S. Muir	
3.2	10:00 a.m.SC/B-23:521330-1336 Highway No. 8, Stoney Creek (Ward 10)	151
	Owners M. & G. Coker	
3.3	10:05 a.m.SC/A-23:22133 Sidney Crescent, Stoney Creek (Ward 9)	173
	Owners L. Dragusha & M. Bushi	
3.4	10:10 a.m.HM/B-23:22311 Rymal Road East, Hamilton (Ward 7)	187
	Agent Metropolitan Consulting Inc. Applicant S. Khan Owner S. Aquino	
3.5	10:15 a.m.HM/A-23:22799 Robson Crescent, Hamilton (Ward 6)	199
	Owner G. Iyer	
3.6	10:20 a.m.HM/B-22:34170 Eleanor Avenue, Hamilton (Ward 6)	209
	Agent M. Sabelli Owner M. Agostino Tedesco	
3.7	10:25 a.m.HM/A-23:230304 Vansitmart Avenue, Hamilton (Ward 4)	223
	Owners S. Dallaire & Y. LaCroix	



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-23:226</b>	<b>SUBJECT PROPERTY:</b>	95 INCHBURY STREET, HAMILTON
<b>ZONE:</b>	D (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:**      **Owner:** CRAIG MORRISON & ELIZABETH BRANDEIS  
                                 **Agent:** GRAHAM DAY

The following variances are requested:

1. A roofed-over, unenclosed porch shall be 0.0m from the front lot line whereas the by-law requires a roofed-over unenclosed porch to be at least 1.5m from the front lot line.

**PURPOSE & EFFECT:**      So as to permit the construction of a new unenclosed porch in the front yard of the existing Single Family 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, September 21, 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-23:226**

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-23:226, 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-23:226

DATED: September 5, 2023

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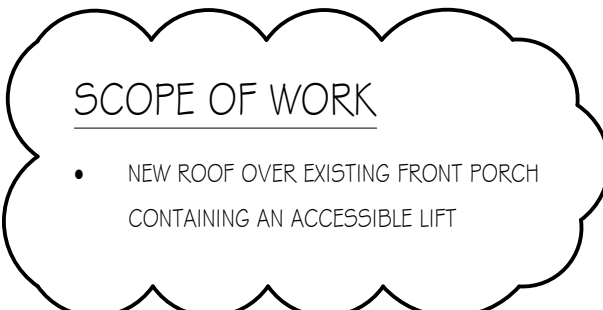
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



# DRAWINGS FOR A ROOF OVER AN EXISTING PORCH WITH AN ACCESSIBLE LIFT TO A SINGLE FAMILY DWELLING

## 95 INCHBURY STREET HAMILTON, ONTARIO



### 1 GENERAL NOTES

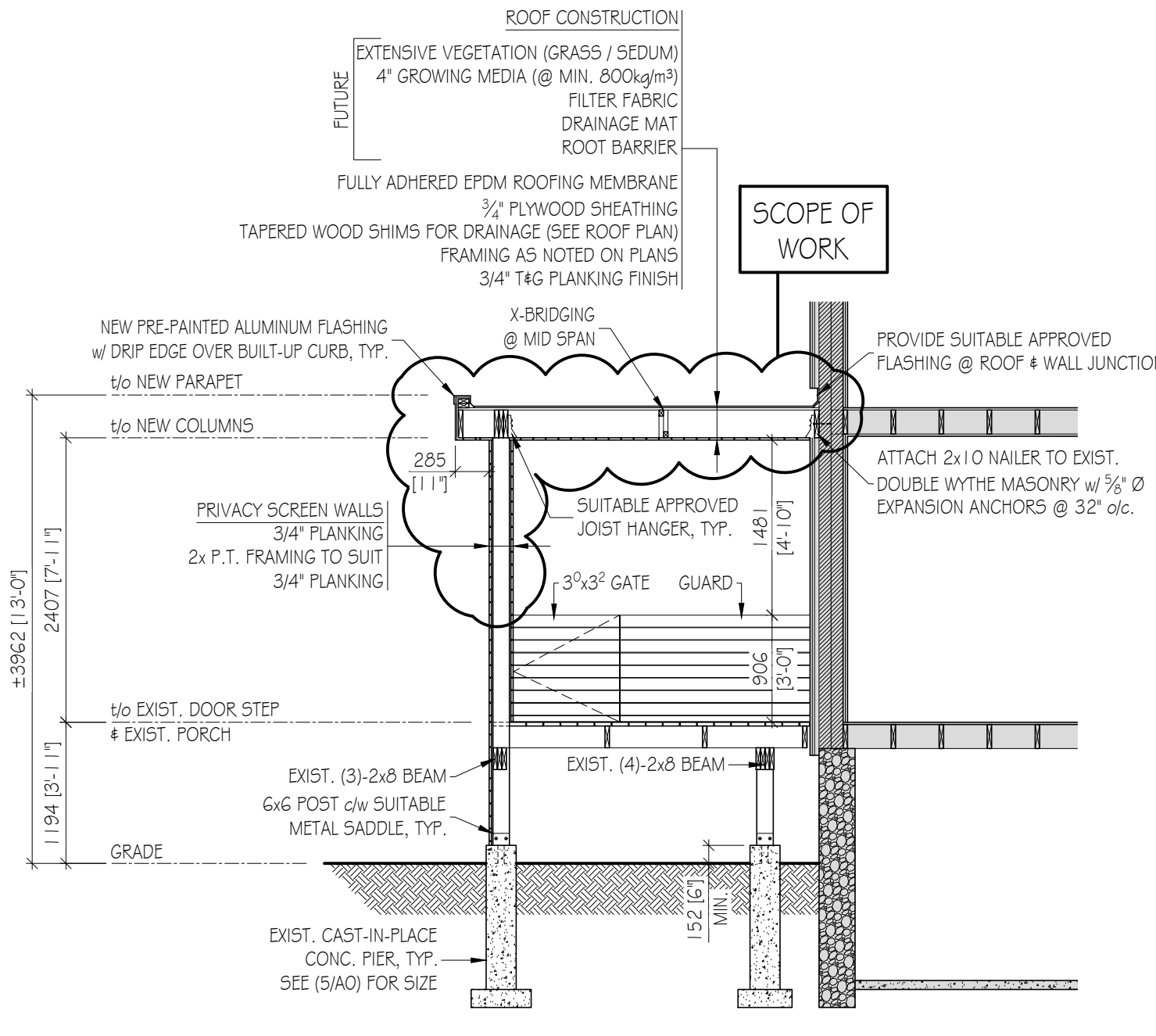
1. ALL CONSTRUCTION TO COMPLY WITH THE 2012 ONTARIO BUILDING CODE, AS AMENDED, AND ALL APPLICABLE LOCAL AND MUNICIPAL BY-LAWS AND REGULATIONS.
2. THESE DRAWINGS DO NOT INCLUDE ANY ELECTRICAL WORK THAT MAY BE REQUIRED.
3. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL WORK ON SITE WITH OTHER SUBCONTRACTORS TO PREVENT CONFLICTS.
4. PRIOR TO THE START OF THE WORK, THE CONTRACTOR IS RESPONSIBLE FOR MAKING ARRANGEMENTS WITH THE CONSULTANT FOR THEIR REVIEW AS PER THE CONSULTANT'S REQUIREMENTS.
5. FOR PROJECTS THAT REQUIRE DEMOLITION AND/OR RENOVATION WORK THE GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND EXISTING CONSTRUCTION. SHOULD A DISCREPANCY BE FOUND THE CONTRACTOR IS TO REPORT THEIR FINDINGS TO THE DESIGNER BEFORE PROCEEDING.
6. PRIOR TO THE START OF THE WORK, THE CONTRACTOR IS RESPONSIBLE FOR MAKING ARRANGEMENTS TO OBTAIN LOCATES FOR ALL UTILITIES THAT MAY BE IN THE AREA OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES DURING CONSTRUCTION OR DUE TO ITS CONSTRUCTION ACTIVITIES.
7. THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AND NOTIFY THE DESIGNER OF ANY CONTEMPLATED DEVIATIONS FROM THESE DRAWINGS TO SUIT SITE CONDITIONS PRIOR TO MAKING CHANGES.
8. ANY PROPOSED DEVIATION FROM THESE DRAWINGS THAT WOULD BE CONSIDERED A MATERIAL CHANGE SHALL BE SUBMITTED TO THE DESIGNER FOR REVIEW AND APPROVAL, AND THEN TO THE AUTHORITY HAVING JURISDICTION FOR REVIEW AND APPROVAL, PRIOR TO THE CHANGES BEING CARRIED OUT.
9. REQUIRED INSPECTIONS BY THE AUTHORITIES HAVING JURISDICTION TO BE ARRANGED BY THE CONTRACTOR. ALL INSPECTIONS TO BE CARRIED OUT, AND THE CONSTRUCTION APPROVED, BEFORE PROCEEDING TO THE NEXT STAGE.
10. ACCESS TO EXITS AND STAIRWAYS SHALL BE MAINTAINED FREE OF DEBRIS AND ACCESSIBLE AT ALL TIMES.
11. POSITIVE DRAINAGE SHALL BE PROVIDED THROUGHOUT THE SITE AT ALL TIMES DURING THE CONSTRUCTION.
12. UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. THE CONTRACTOR IS TO PROVIDE ALL NECESSARY BRACING AND SHORING REQUIRED FOR STRESSES AND INSTABILITY OCCURRING FROM ANY CAUSE DURING CONSTRUCTION. THE CONTRACTOR SHALL ACCEPT FULL RESPONSIBILITY FOR ALL SUCH MEASURES. IT WILL ALSO BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING SHORING SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THE WORK.
13. ALL DESIGN, DETAILING, CONSTRUCTION, AND SHORING MUST CONFORM TO THE PRESENT ONTARIO BUILDING CODE, OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS. LATEST ADDITION. ALL ASSOCIATED COSTS FOR THE DESIGN SUPPLY AND INSTALLATION OF TEMPORARY SHORING ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
14. REVIEW OF SHOP DRAWINGS BY THE DESIGNER IS ONLY TO ASSESS THAT SUBMITTED SHOP DRAWINGS REFLECT THE INTENT OF THE DESIGN.
15. REVIEW BY THE CONSULTANT SHALL NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY FOR SEEING THAT THE WORK IS COMPLETE, ACCURATE, AND IN CONFORMITY WITH THE DRAWINGS AND SPECIFICATIONS.
16. ALL AREAS SHOWN ON PLAN WHICH ARE DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION OR BETTER. GRASSSED AREAS SHALL BE RESTORED WITH NEW SOD ON MINIMUM 6" OF TOP SOIL.
17. ALL DEBRIS SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF.
18. TYPICAL DETAILS SHALL BE USED WHERE SPECIFIC DETAILS ARE NOT SHOWN ON THE DRAWINGS.

### 2 CONSTRUCTION NOTES

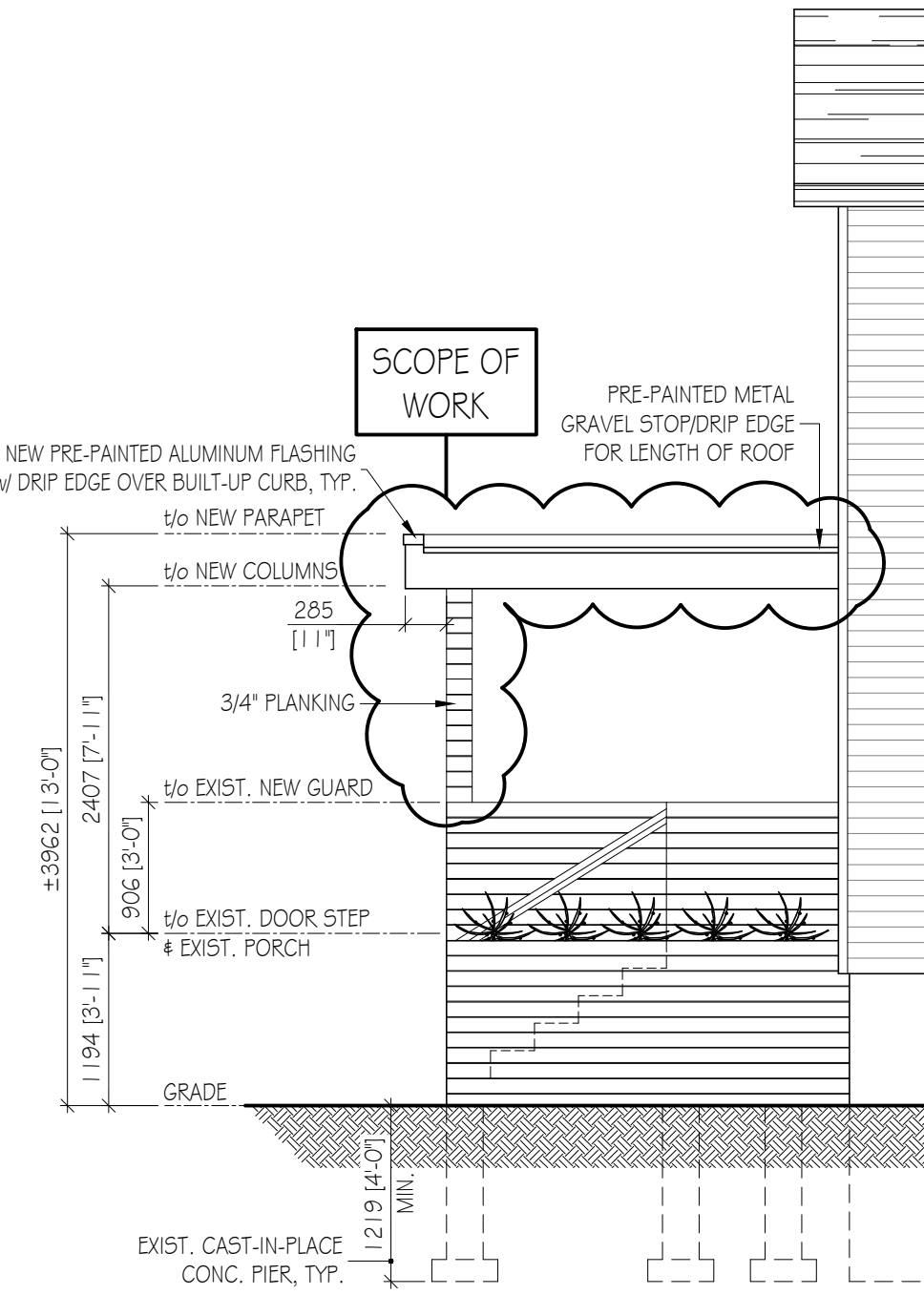
1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT ANY NECESSARY SHORING OR TEMPORARY SUPPORTS THAT MAY BE REQUIRED ARE INSTALLED PRIOR TO THE START OF ANY WORK.
2. NEW FOOTINGS TO BEAR ON UNDISTURBED SOILS WITH A MINIMUM BEARING CAPACITY OF: 100 kPa (51.5) 150 kPa (U15)
3. ALL CONCRETE IN ACCORDANCE WITH CSA A23.1:19A23.2:19 CONCRETE MATERIALS AND METHODS OF CONCRETE CONSTRUCTION TEST METHODS AND STANDARD PRACTICES FOR CONCRETE.
4. PLACEMENT AND CURING OF CONCRETE UNDER HOT WEATHER (MORE THAN 27°C) AS PER CLAUSE 7.5 "ENVIRONMENTAL PROTECTION" OF CANCSA-A23.1:19/23.2:19.
5. SUPPLY AND PLACE CONCRETE IN ACCORDANCE WITH TABLE 1, THIS PAGE.
6. CONTRACTOR TO PROVIDE STEEL SHOP DRAWINGS TO DESIGNER FOR REVIEW AND APPROVAL PRIOR TO ANY FABRICATION.
7. STRUCTURAL STEEL ROLLED SHAPES # HSS TO MEET THE REQUIREMENTS OF CANCSA G40.2 1-04, GRADE 350W. STEEL PLATES TO BE GRADE 300W.
8. FABRICATION AND ERECTION SHALL BE IN COMPLIANCE WITH CSA S16.01 WELDING TO BE PERFORMED BY A COMPANY CERTIFIED TO CSA W47.1 IN EITHER DIVISION 1 OR DIVISION 2. ALL WELDING TO CSA W59-03.
9. STRUCTURAL STEEL TO BE PRIMED, PAINTED, OR OTHERWISE PROTECTED FROM CORROSION.
10. WHERE NOT INDICATED ON DRAWINGS, MINIMUM CONCRETE COVER FOR REINFORCING STEEL SHALL BE AS FOLLOWS:
  - 10.1. ALL STEEL NOT CAST IN FORMS PERMANENTLY AGAINST EARTH OR ROCK AND IN NON-CORROSIVE ENVIRONMENTS, COVER TO BE 75 mm (3").
  - 10.2. ALL STEEL CAST IN FORMS SHALL CONFORM TO TABLE 2, THIS PAGE.
11. SEE DRAWINGS FOR ADDITIONAL NOTES.

LOCATION	MIN COMPRESSIVE STRENGTH (f <sub>ck</sub> ) AT 28 DAYS (Mpa) (PSI)	SUMP (mm) (in)	EXPOSURE CLASS	AIR CONTENT (%)
FND. WALL (STRIP) FOOTING AND SPREAD FOOTINGS	25 (3500)	80 ± 30 (3 ± 1)	R-1	0
FND. WALLS, PILES, ABOVE GRADE WALLS RETAINING WALLS	35 (5000)	80 ± 30 (3 ± 1)	R-2	5 - 8
SIDEWALK/CURBS PAVING SLABS, EXTERIOR CONC.	35 (5000)	40 ± 20 (1 1/2 ± 1)	C-2	5 - 8
HOUSEKEEPING PADS	25 (3500)	80 ± 30 (3 ± 1)	N	0
NON-SHRINKABLE GROUT	30	AS PER MANUF. RECOMM.	N	0
LEAN MIX CONCRETE	8 (1000)	80 ± 30 (3 ± 1)	N	0
TOPPING	25 (3500)	50 ± 25 (2 ± 1)	N	0

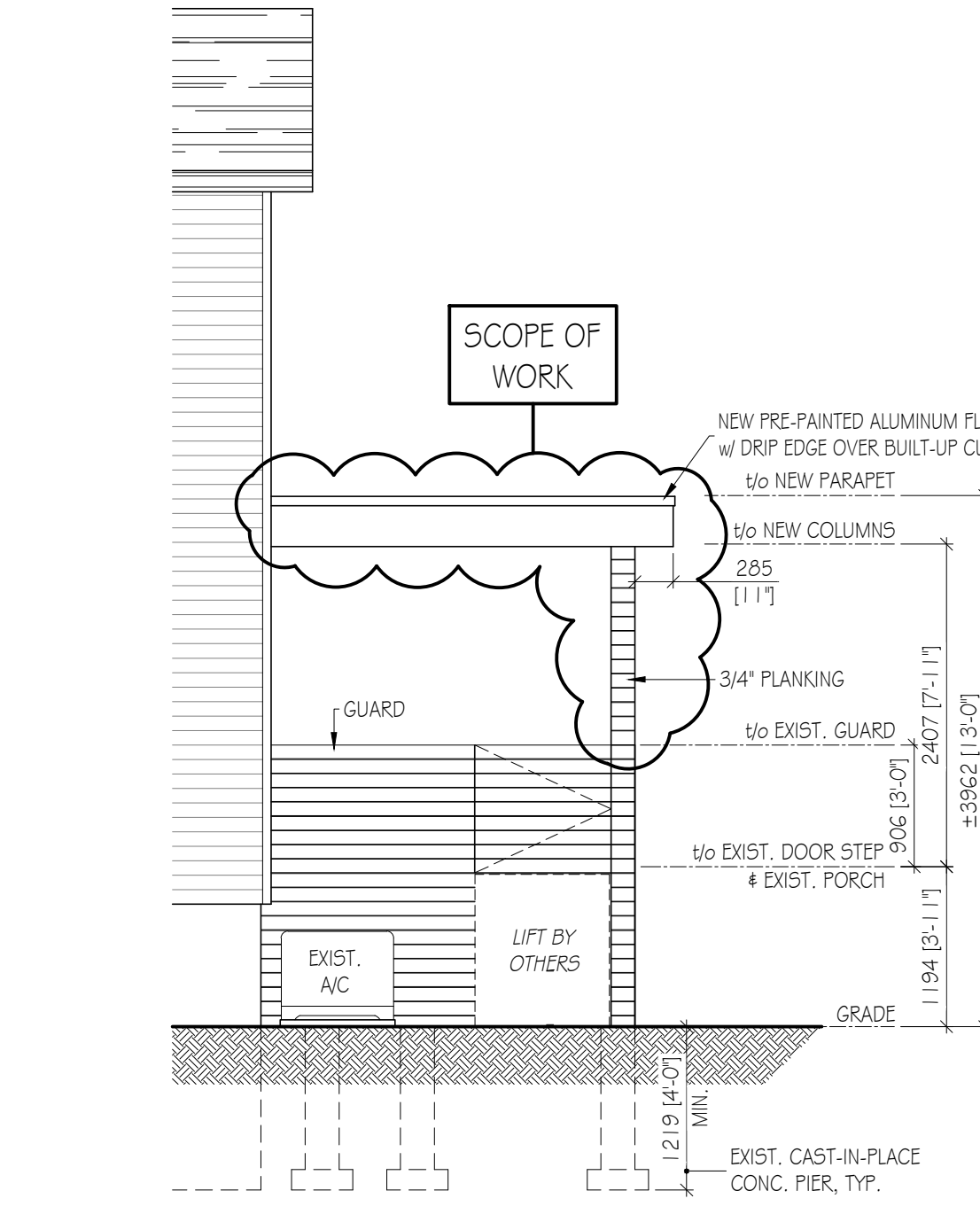
STRUCTURAL ELEMENT	COVER (mm) (in)	STRUCTURAL ELEMENT	COVER (mm) (in)
CONCRETE POURED IN FORMS BUT EXPOSED TO WEATHER OR EARTH	50(2")	CONCRETE NOT EXPOSED TO WEATHER OR EARTH	25(1")
BARS LARGER THAN 1.5M	50(2")	SLABS AND WALLS	25(1")
BARS 1.5M AND SMALLER	38(1 1/2")	BEAMS AND GIRDERS	38(1 1/2")
PTS. & OTHER ELEMENTS POURED AGAINST EARTH	75(3")	COLUMNS MAIN STEEL	50(2")



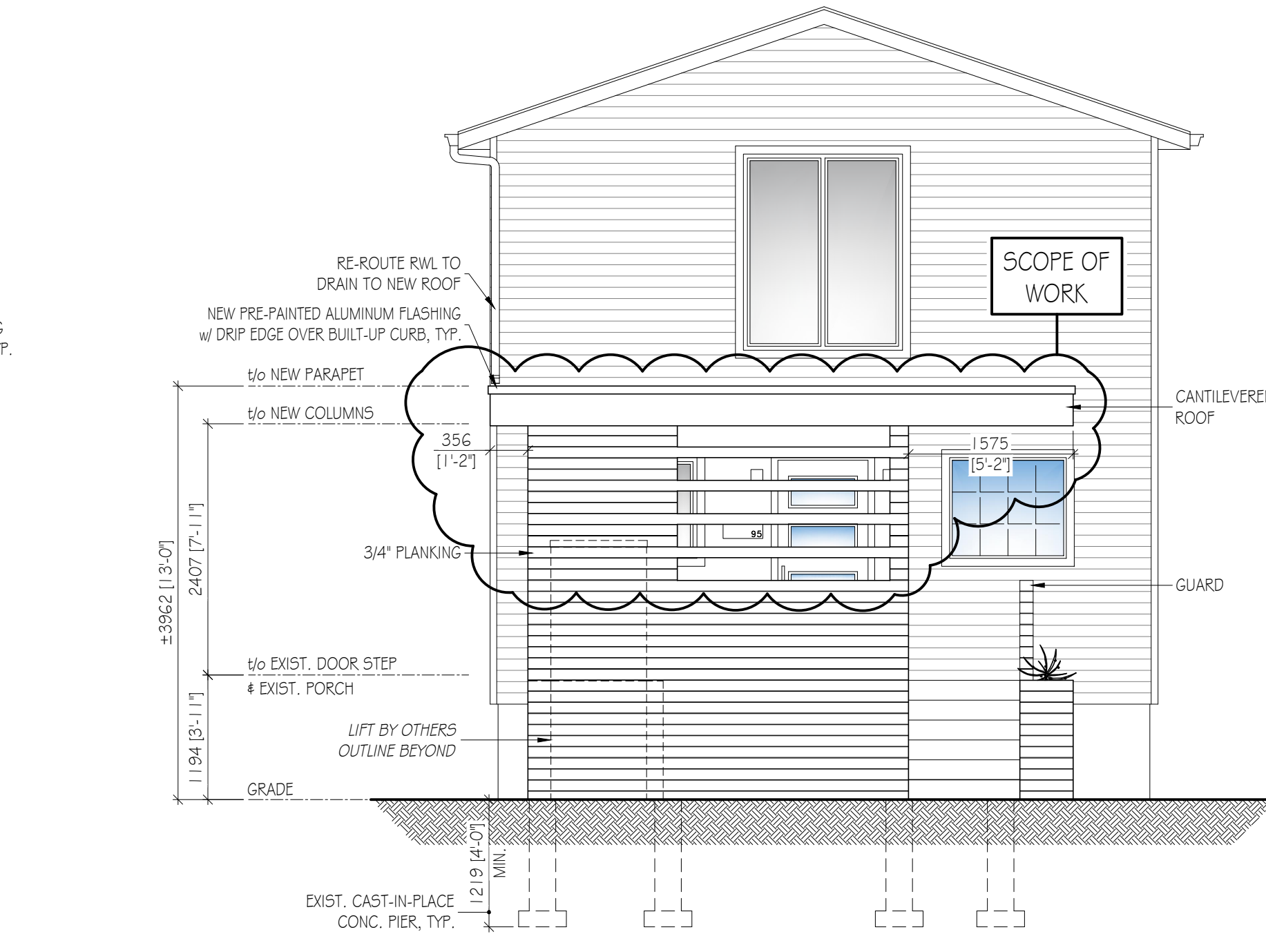
8 CROSS SECTION SCALE: 1:50



9 SIDE (NORTH) ELEVATION SCALE: 1:50

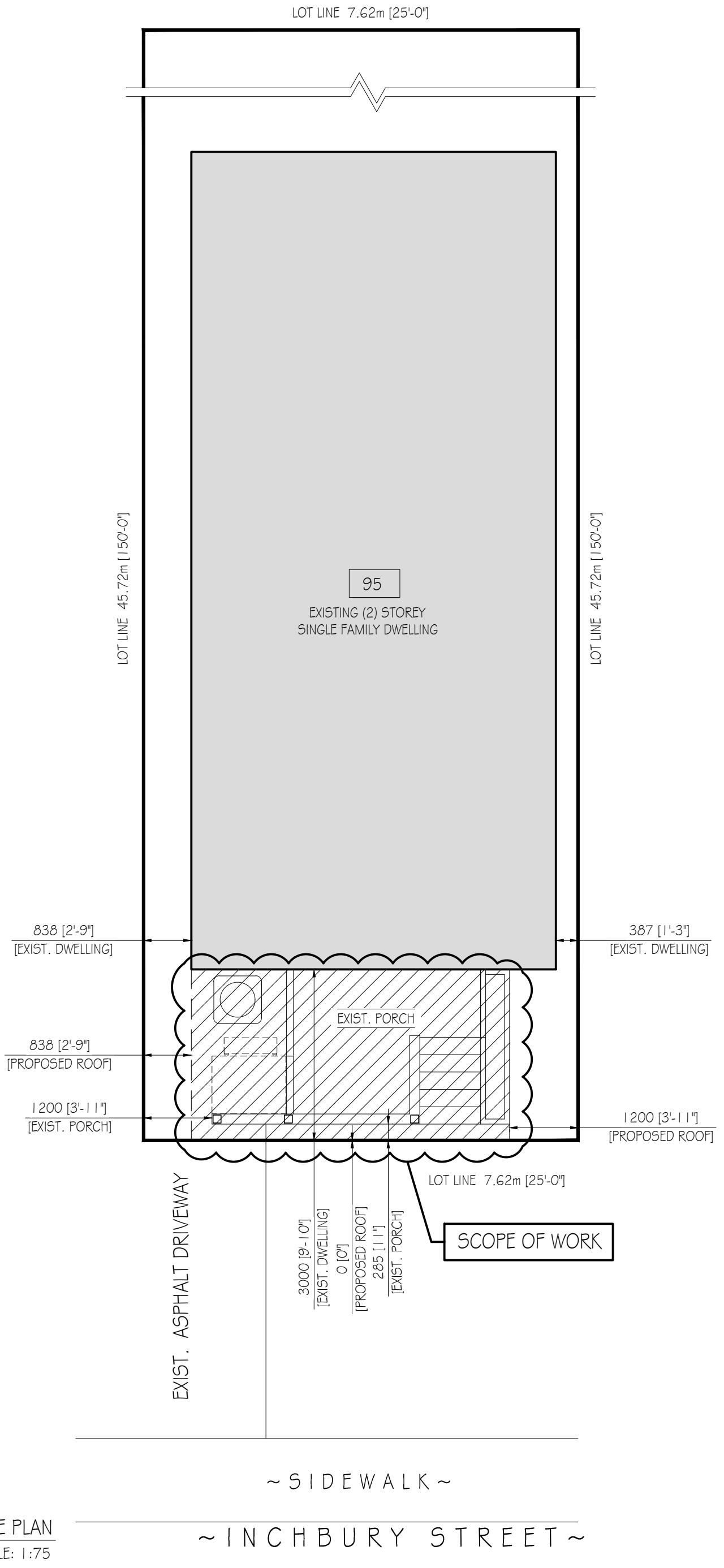


10 SIDE (SOUTH) ELEVATION SCALE: 1:50

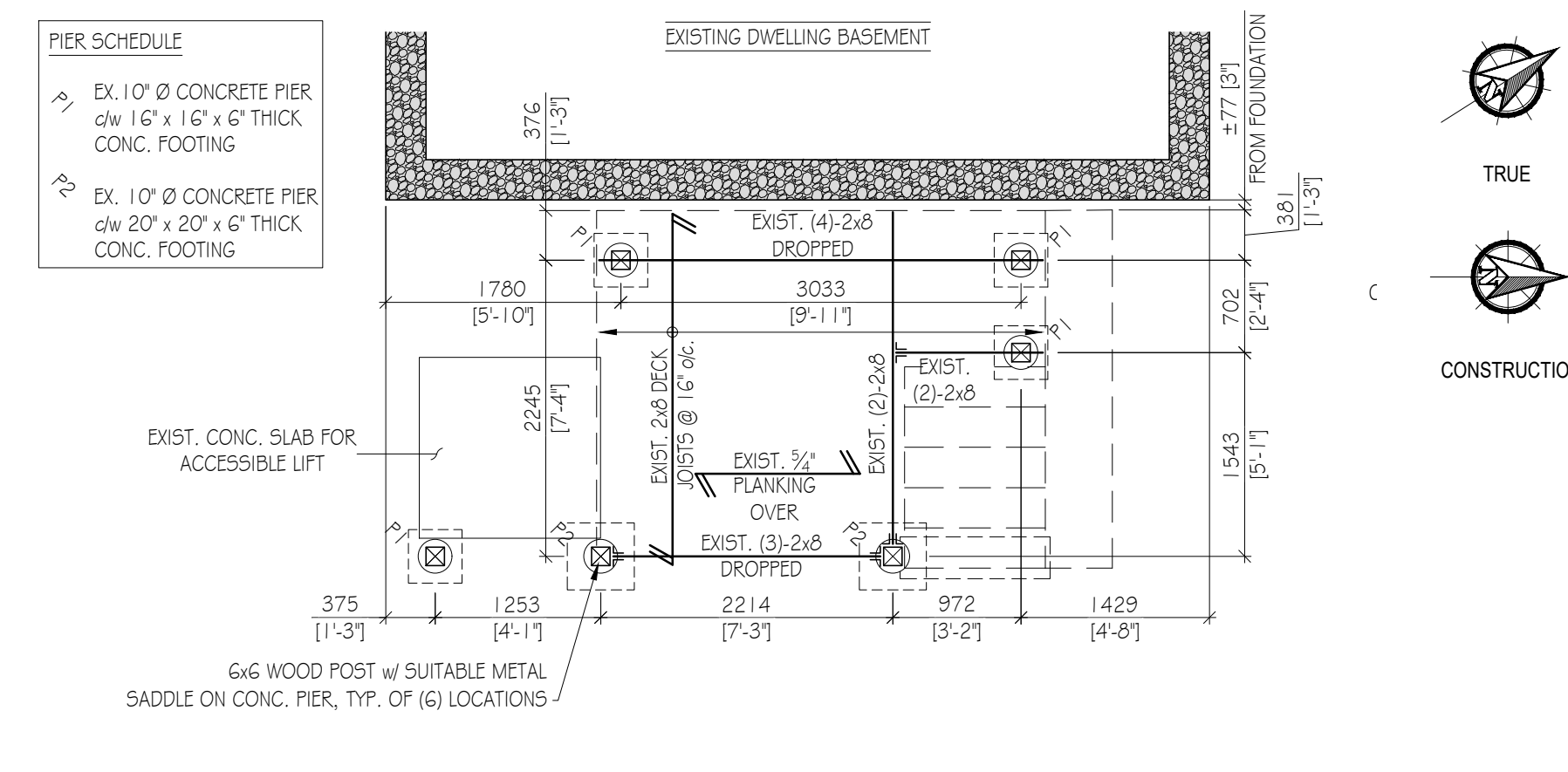


11 FRONT (EAST) ELEVATION SCALE: 1:50

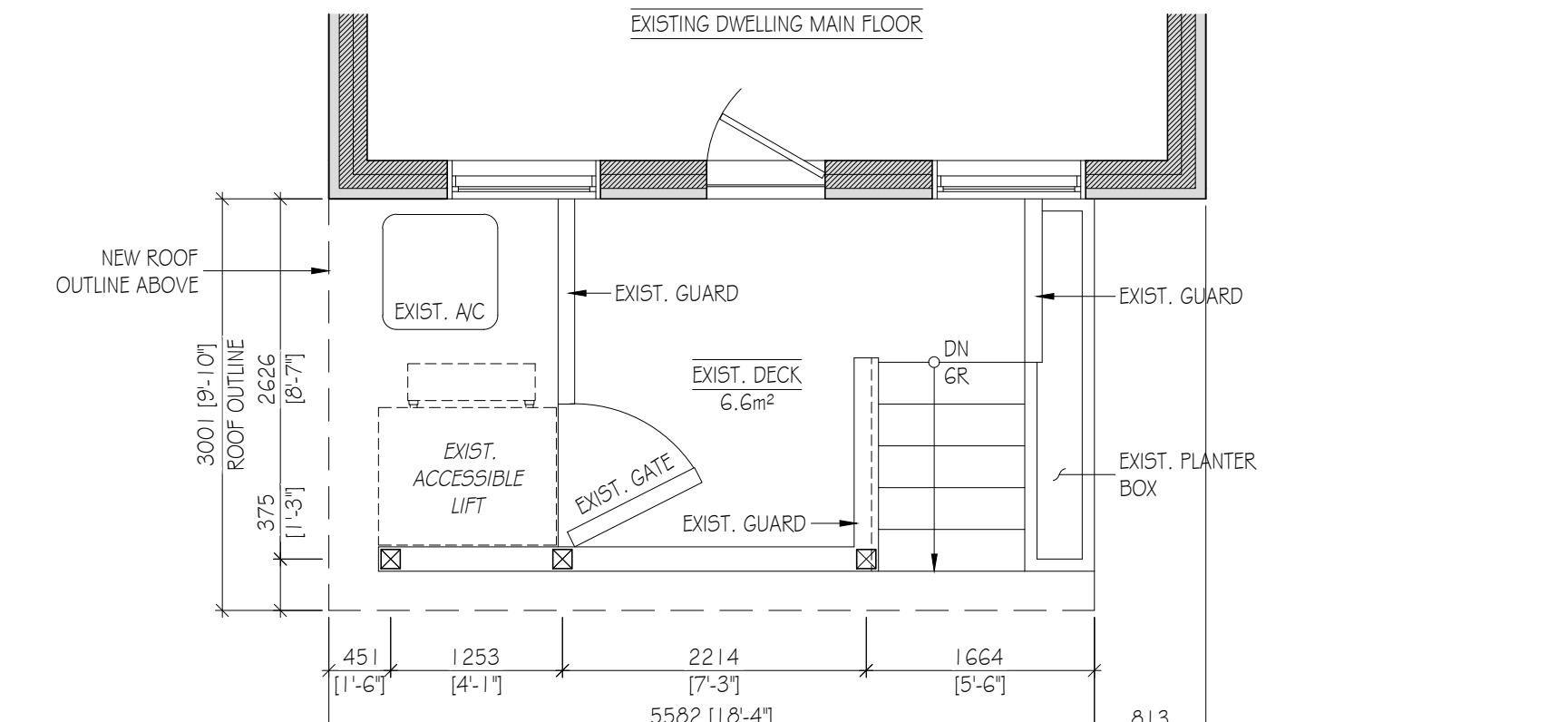
4 SITE PLAN SCALE: 1:75



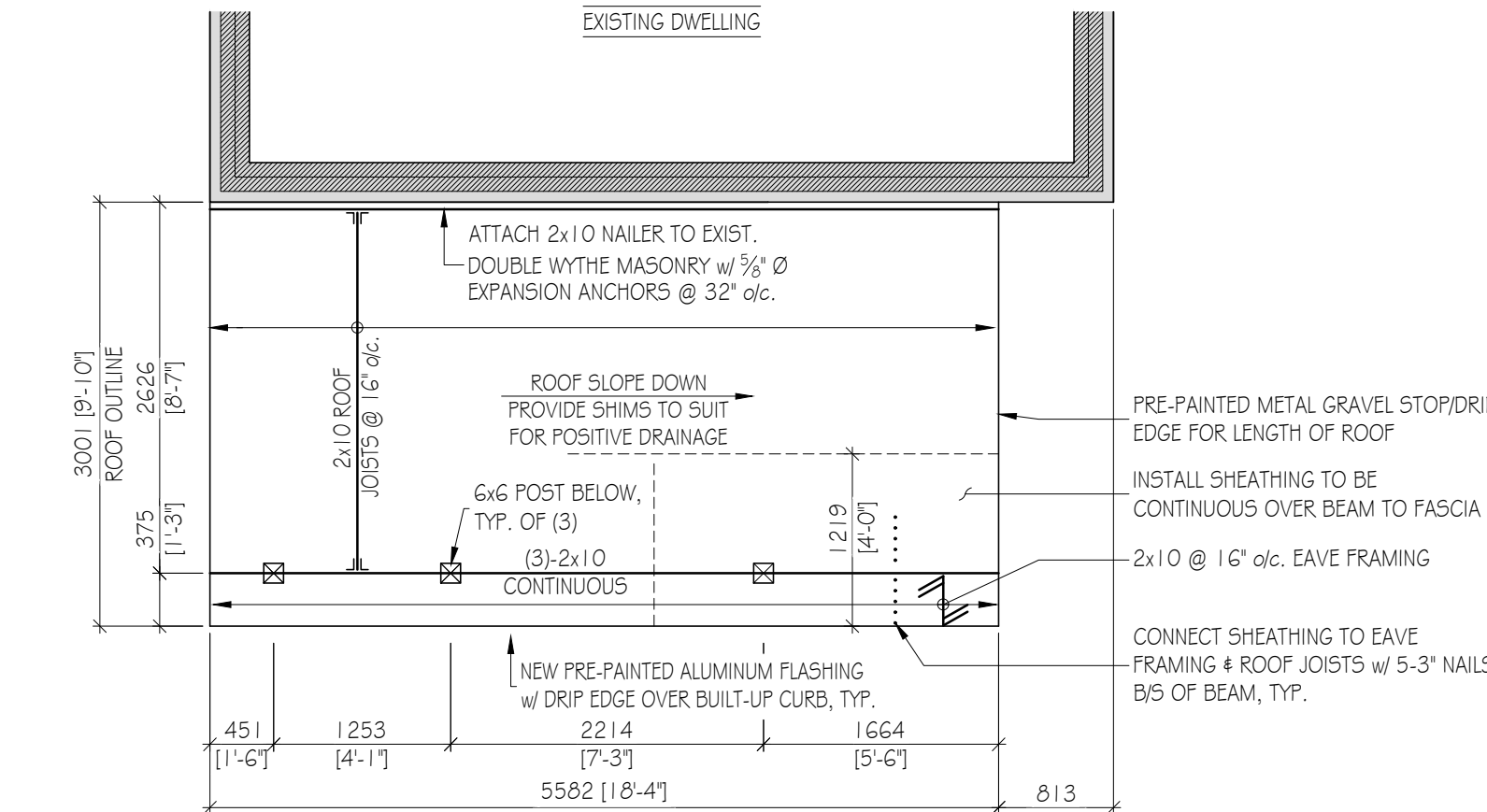
6 FOUNDATION PLAN w/ DECK FRAMING ABOVE SCALE: 1:50



7 DECK FINISH PLAN SCALE: 1:50



5 EXIST. / DEMO. DECK PLAN SCALE: 1:50



LEGEND  
 --- EXISTING ASSEMBLY / CONSTR. TO REMAIN

#### TYPICAL NOTES

- STAIRS (AS PER O.B.C. 9.8.8)
- RISE - MIN. 4", MAX. 7"
  - RUN - MIN. 1'0", MAX. 1'4"
- HANDRAILS (AS PER O.B.C. 9.8.7)
- MIN. 2'-10" HIGH, MAX. 3'-6" HIGH
  - OPENINGS BETWEEN PICKETS TO BE LESS THAN 4"
- GUARDS (AS PER O.B.C. 9.8.8)
- MIN. 2'-11" HIGH, U.N.D.
  - OPENINGS BETWEEN PICKETS TO BE LESS THAN 4"

REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	AUG. 3/23

client	HOME OWNER
project	95 INCHBURY STREET HAMILTON, ONTARIO PROJECT No. 23-086
title	SCOPE OF WORK. GENERAL & CONSTRUCTION NOTES. SITE PLAN. ELEVATIONS, PLANS & CROSS SECTION
drawn	G.D.
checked	C.M.
date	JUNE 2023
scale	AS NOTED
revision number	0
drawing number	AO





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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	CRAIG MORRISON & ELIZABETH BRANDEIS	
<b>Applicant(s)</b>	GRAHAM DAY	
<b>Agent or Solicitor</b>	CHARLES MacPHAIL	

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	95 INCHBURY STREET		
Assessment Roll Number	PT LT 52, PL 228 , AS IN VM133032		
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:

PROPOSED 0.285m FRONT SETBACK FROM THE PERMITTED 6m FOR ENCLOSED DECK, PROPOSED 0.0m FRONT SETBACK FROM THE PERMITTED 4.5m FOR THE ROOF

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 DWELLING SITS AT 3m FROM THE PERMITTED 6m, THEREFORE ANYTHING PROPOSED INFRONT DOES NOT COMPLY

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
7.62	45.72	348.39	20



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	33	0.84 & 0.39	
FRONT DECK	0.285	N/A	1.2 & 1.2	09/01/2023

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ENCLOSED FRONT DECK	0.285	N/A	1.2 & 1.2	09/01/2023
ROOF OVER DECK	0	N/A	0.84 & 1.2	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	75	150	2	7.5
FRONT DECK	6.6	6.6	1	1.19

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ENCLOSED FRONT DECK	6.6	6.6	1	1.19
ROOF OVER DECK	N/A	N/A	N/A	3.96

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

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

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

- ditches
- other means (specify)



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

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

4.7 Type of access: (check appropriate box)

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

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

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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
JANUARY 2020

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:  
~

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) D

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

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

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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:225</b>	<b>SUBJECT PROPERTY:</b>	169 MACAULAY STREET E, HAMILTON
<b>ZONE:</b>	D (Urban Protected Residential - 1 & 2 Family Dwellings Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended by By-law No. 94-39

**APPLICANTS:**      **Owner:** N.STAR INVESTMENTS INC.  
                                 **Agent:** R&R DESIGNS C/O RICHIE KHANNA

The following variances are requested:

1. A minimum lot width of 14.1m shall be permitted instead of the minimum 18.0m lot width required for semi-detached dwelling.
2. No onsite manoeuvring shall be provided for the parking spaces located within the private garage and within the front yard instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.
3. The accessibility to the parking space within the private garage may be obstructed by another vehicle whereas the By-law requires an unobstructed access driveway to the parking space.
4. Two (2) parking spaces shall be permitted within the front yard whereas no part of the required parking area in a residential district shall be located in a required front yard.

**PURPOSE & EFFECT:**      To facilitate the construction of a semi-detached dwelling on the subject lands.

**Notes:**

The applicant shall ensure that a minimum access driveway having a width of 2.8m shall be maintained; otherwise, further variances shall be required.

The applicant shall ensure that the finished floor level of the garage shall be at a minimum of 0.3m

**HM/A-23:225**

above grade; otherwise, further variance shall be required.

The zoning By-law permits an eave or gutter encroachment into a required side yard not more than one half of its width or 1.0m whichever is the lesser. The applicant shall ensure compliance with the maximum permitted encroachment; otherwise, further variances shall be required.

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

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

<b>DATE:</b>	<b>Thursday, September 21, 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-23:225, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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HM/A-23:225



 Subject Lands

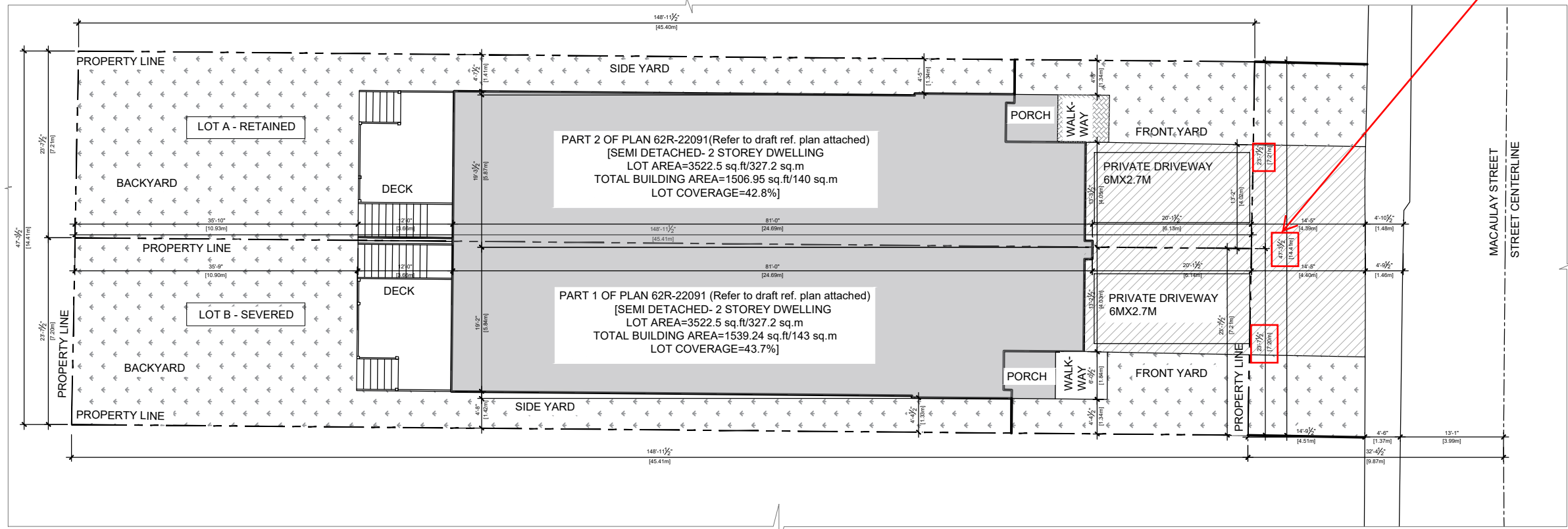
DATED: September 5, 2023

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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.

Minor Variance is being applied for not able to comply with Minimum lot width. Required is 18m and we have 14.41 hence request relief



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

SITE STATISTICS			
ZONE	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
LOT AREA	540 sq.m	327.2 m <sup>2</sup>	327.2 m <sup>2</sup>
FRONTAGE	18m	23'-7 1/2" (7.21m)	23'-7 1/2" (7.20m)
DEPTH	N/A	148'-11 1/2" (45.40m)	148'-11 1/2" (45.41m)
WARD	N/A	2	2
ZONING CODE	D	D	D
PARALLEL	N/A	N/A	N/A
PARENT BY-LAW	6593 FORMER HAMILTON	6593 FORMER HAMILTON	6593 FORMER HAMILTON
FRONT YARD LANDSCAPING	NO REQUIREMENT	42%	42%
PARKING	N/A	2 SPOT	2 SPOT

SITE STATISTICS			
BUILDING SETBACKS			
--	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
FRONT	MIN. 6.0 m	20'-1 1/2" (6.13 m)	20'-1 1/2" (6.14 m)
REAR	MIN. 7.5 m	35'-10" (10.93m)	35'-9" (10.90m)
SIDE WEST	MIN. 1.2 m	0'-0" (0.00m)	4'-8" (1.42 m)
SIDE EAST	MIN. 1.2 m	4'-7 1/2" (1.41 m)	0'-0" (0.00m)
LOT COVERAGE	-	42.8%	43.7%

SITE STATISTICS			
BUILDING STATISTICS			
--	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
HEIGHT	45'-11" (14.0 m) MAX.	34'-2 1/2" (10.43 m)	34'-2 1/2" (10.43 m)
WIDTH	N/A	19'-3 1/2" (5.87 m)	19'-2 1/2" (5.85 m)
DEPTH	N/A	81'-0" (24.69m)	81'-0" (24.69m)
# OF STOREYS	3	2	2
GROSS AREA	N/A	2529.98 SQ.FT(235.04m <sup>2</sup> )	2529.98 SQ.FT(235.04m <sup>2</sup> )
BASEMENT AREA	N/A	1124.21 SQ.FT(104.44 m <sup>2</sup> )	1124.21 SQ.FT(104.44 m <sup>2</sup> )
GROUND FLOOR AREA	N/A	1189.77 SQ.FT(110.53m <sup>2</sup> )	1189.77 SQ.FT(110.53m <sup>2</sup> )
FAMILY ROOM FLOOR AREA	N/A	191.44 SQ.FT(17.79m <sup>2</sup> )	191.44 SQ.FT(17.79m <sup>2</sup> )
SECOND FLOOR AREA	N/A	1148.77 SQ.FT(106.72m <sup>2</sup> )	1148.77 SQ.FT(106.72m <sup>2</sup> )
TOTAL FLOOR AREA EXCEPT BASEMENT	N/A	2529.98 SQ.FT(235.04m <sup>2</sup> )	2529.98 SQ.FT(235.04m <sup>2</sup> )

ARCHITECT/ENGINEER

**R&R DESIGNS**  
 92 Stapleton Ave.  
 Hamilton, ON L8H 3N6  
 Tel: 905.547-8668  
 Richie Khanna  
 richie@r-rdesigns.net  
 www.r-rdesigns.net

REVISIONS		
NO.	DESCRIPTION	DATE
1	PERMIT	21-04-23

PROJECT #. 2022-RR27

DRAWN BY: O.L. L.Z.  
 REVIEWED BY: R.K  
 DATE:

PROJECT NAME

MACAULAY ST'S HOUSE

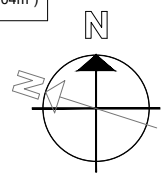
ADDRESS:

169 MACAULAY ST E,  
 HAMILTON, ON L8L 3X5

SHEET NAME

PROPOSED SITE PLAN

SHEET NO. **SP1.01**





**PLAN 62R-22091**

Received and deposited

March 23<sup>rd</sup>, 2023

Silva Prantera

Representative for the  
Land Registrar for the  
Land Titles Division of  
Wentworth (No.62)

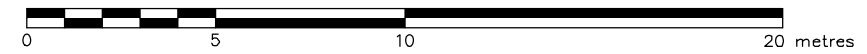


**SCHEDULE**

PART	LOT	PLAN	ALL OF PIN
1	LOT 11	REGISTERED PLAN 71	17157-0093
2			

PLAN OF SURVEY OF  
ALL OF  
**LOT 11**  
REGISTERED PLAN 71  
IN THE  
**CITY OF HAMILTON**

SCALE 1 : 200



THE INTENDED PLOT SIZE OF THIS PLAN IS 540 mm IN WIDTH BY 475 mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

MackKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS - 2023

METRIC DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**INTEGRATION DATA**

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0)  
COORDINATES ARE TO AN URBAN ACCURACY PER SECTION 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
A	4791344.34	592858.11
B	4791365.35	592786.99

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

**BEARING REFERENCE**

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 ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99971639

A ROTATION OF 1°32'40" HAS BEEN APPLIED TO BEARINGS ON P1, P2, P3 & P4

**LEGEND**

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN 62R-16026
- P2 DENOTES PLAN BY MMP LIMITED, DATED NOVEMBER 1, 2019 (19-236)
- P3 DENOTES PLAN BY GUIDO CONSOLI SURVEYING DATED FEBRUARY 23, 1988
- P4 DENOTES REGISTERED PLAN 71
- P5 DENOTES PLAN 62R-14573
- C1 DENOTES CALCULATED FROM P3 & P5
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- OU DENOTES ORIGIN UNKNONWN

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 24th DAY OF FEBRUARY, 2023.

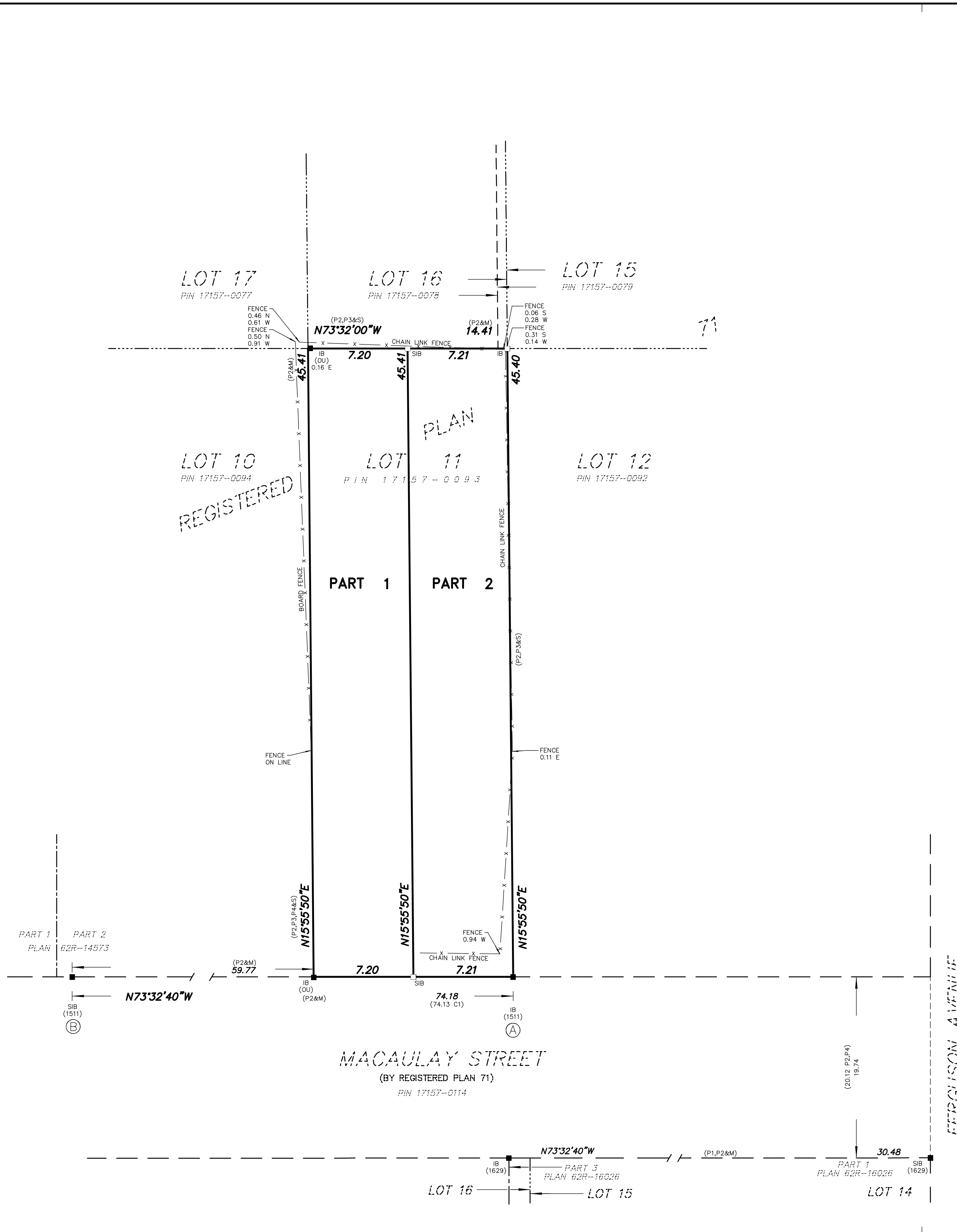
MARCH 14, 2023  
DATE

*[Signature]*  
ROY C. MAYO  
ONTARIO LAND SURVEYOR  
FOR MACKAY, MACKAY AND PETERS LIMITED

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-45757

E:\(62) Hamilton-Wentworth\Registered Plans\RP0071\LOT 11\22-295\22-295-R.dwg

 MackKAY, 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: A.S.
		PARTY CHIEF: N.C.
		CHECKED BY: <i>[Signature]</i>
		PROJECT No.: 22-295-R





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

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

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

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

Yes No

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

### 3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

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

Yes

No

Unknown

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot coverage of Part 2 = 42.8% Lot Coverage of part 1 = 43.7%

Lot Frontage	Lot Depth	Lot Area	Width of Street

4.2 Location of all buildings and structures on or proposed for the subject lands:  
 (Specify distance from side, rear and front lot lines)  
 Refer to sheet no. SP1.01 & SP1.02

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Existing:

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

Proposed:

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

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

lake or other water body  
 other means (specify)

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

ditches  
 other means (specify)

- 4.6 Type of sewage disposal proposed: (check appropriate box)  
 publicly owned and operated sanitary sewage  
 system privately owned and operated individual  
 septic system other means (specify)
- 4.7 Type of access: (check appropriate box)  
 provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year  
 right of way  
 other public road
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.4 Length of time the existing uses of the subject property have continued:
- 7.5 What is the existing official plan designation of the subject land?  
 Rural Hamilton Official Plan designation (if applicable):  
 Rural Settlement Area:  
 Urban Hamilton Official Plan designation (if applicable)  
 Please provide an explanation of how the application conforms with the Official Plan.

- 7.6 What is the existing zoning of the subject land? D
- 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 storey single family dwelling

8.2 Number of Dwelling Units Proposed: 2 storeys semi-detached dwelling (part 1 & part 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-23:220</b>	<b>SUBJECT PROPERTY:</b>	203 BOLD STREET, HAMILTON
<b>ZONE:</b>	E-3 (High Density Multiple Dwellings)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:**      **Owner:** CANDICE SCHROCK  
                                 **Agent:** TRAVIS VENEMA

The following variances are requested:

1. A minimum of 1 parking space shall be permitted for a single family dwelling instead of the required 3 parking spaces.

**PURPOSE & EFFECT:** To facilitate the construction of an addition and rear uncovered porch (deck) to an existing Single Family Dwelling.

**Notes:**

1. Requested Variance for the proposed addition and uncovered porch (deck) interior side yard setback is not required due to Policy ZON-041.
2. Variance #1 was calculated as per the minimum parking requirement for a single family dwelling. *“2 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 shall be provided.”*

The proposed addition results in 10 habitable rooms, resulting in a required 3 parking spaces.

**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-23:220

<b>DATE:</b>	<b>Thursday, September 21, 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>
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## **FURTHER NOTIFICATION**

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HM/A-23:220



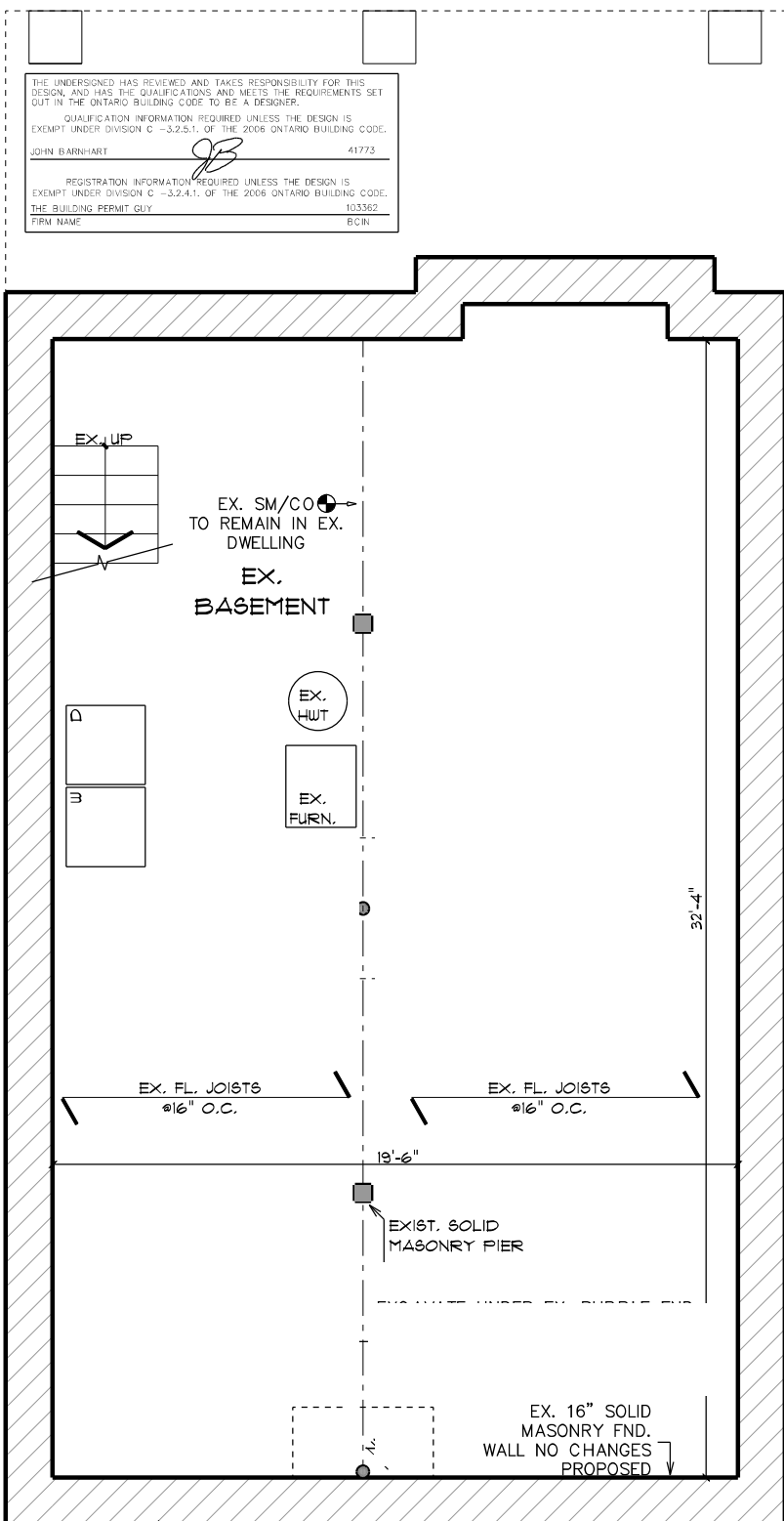
 Subject Lands

DATED: September 5, 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**

**STUD WALL REINFORCEMENT:**  
 Provide stud wall reinforcement in main bathroom conforming to Article 9.5.2.3 for the installation of grab bars.

**DOORS, WINDOWS, SKYLIGHTS AND INTERIOR FINISHES:**  
 Rooms and spaces shall conform to Sections 9.5.  
 For new doors sidelights and windows resistance to forced entry see Subsections 9.7.5.2.  
 Flame spread rating shall not exceed 150 on walls and ceilings.  
 Waterproof finish shall be provided on water resistant backing, around showers and bathtubs as per Articles 9.29.2. and 9.29.10.4.  
 Concealed flashing beneath window sills or sills to be provides with an outward slope – 9.27.3.8.  
 All Caulking to comply with Subsection 9.27.4.  
 When ceramic tile is set in a mortar bed the bed shall be not less than 32mm (3/4" in.) thick. A 50mm by 50mm (2in. by 2in.) galvanized wire mesh shall be placed in the mortar bed and asphalt sheathing paper, felt or polyethylene film shall be applied under the mortar bed when the mortar is applied over wooden subfloors.  
 See Article 9.30.6. & 9.23.14.  
 Except for bathrooms or water-closet rooms, finished rooms shall be provided with a minimum 0.28 m2 (3 ft2) unobstructed openable ventilation area to the outdoors where such rooms are not ventilated mechanically. See Subsection 9.32.2. and Table 9.32.2.1.  
 All glass shower stalls will conform to Article 9.6.1. – Safety glass for shower stalls.  
 Walls with tile finishes shall conform to Subsection 9.29.10 "Wall Tile Finish" and all drywall finishes shall comply with Subsection 9.29.10. for 'Gypsum Board Finish (Taped Joints).

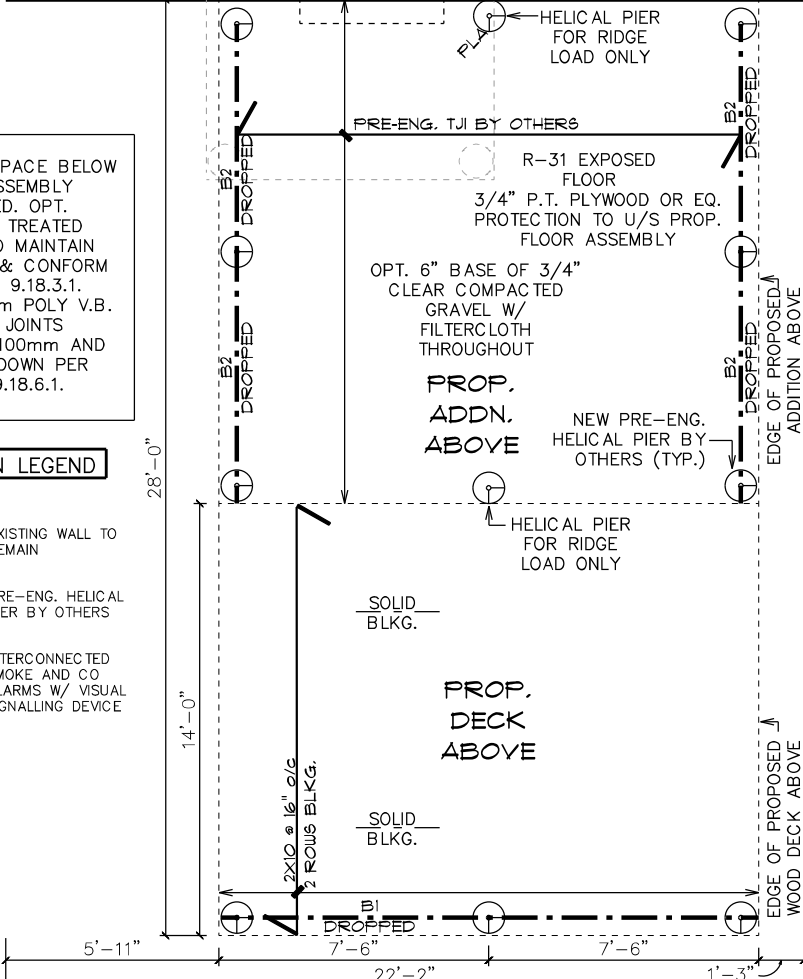
**SMOKE ALARMS AND CARBON MONOXIDE ALARMS:**  
 Smoke Alarms conforming to CAN/ULC –S531 , "Smoke Alarms" shall be installed in each dwelling unit and in each sleeping room. Smoke alarms shall be installed as per 9.10.19.  
 The locations shall comply with 9.10.19.3. Smoke alarms are to be connected to an electrical circuit and interconnected so that the activation of one alarm will cause all alarms within the dwelling unit to sound as per 9.10.19.5. Carbon monoxide detection conforming to subsection 6.2.12. and/or subsection 9.33.4. shall be installed.

**FIRE PROTECTION FOR GAS, PROPANE AND ELECTRIC RANGES:**  
 All fire protection for gas, propane and electric ranges to conform to Article 9.10.22.

OPEN CRAWLSPACE BELOW FLOOR ASSEMBLY UNHEATED. OPT. PRESSURE TREATED SKIRTING TO MAINTAIN VENTILATION & CONFORM W/ O.B.C. 9.18.3.1. PROVIDE 10mm POLY V.B. ENSURE JOINTS LAPPED MIN.100mm AND WEIGHTED DOWN PER O.B.C. 9.18.6.1.

**FLOOR PLAN LEGEND**

- EXISTING WALL TO REMAIN
- PRE-ENG. HELICAL PIER BY OTHERS
- INTERCONNECTED SMOKE AND CO ALARMS W/ VISUAL SIGNALLING DEVICE



POST/COL SCHEDULE	
P1 2-2X6	P4 H88 3.5"X3.5"X.25 BRG.
P2 3-2X6	PL. 6"X5/8"X10" + (2)
P3 4-2X6	5/8" DIA. A.B.

BEAM SCHEDULE	
B1 2-2x10 SPF	B5 W10X49 STEEL. BEAM.
B2 3-2x10 SPF	
B3 4-2x10 SPF	
B4 PRE-ENG LVL BY OTHERS	

CONCRETE FOOTINGS	
F1 48"X48"X16" DEEP C/W 6-15M BARS EA. WAY	

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

**DO NOT SCALE DRAWINGS**

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

**A-1**



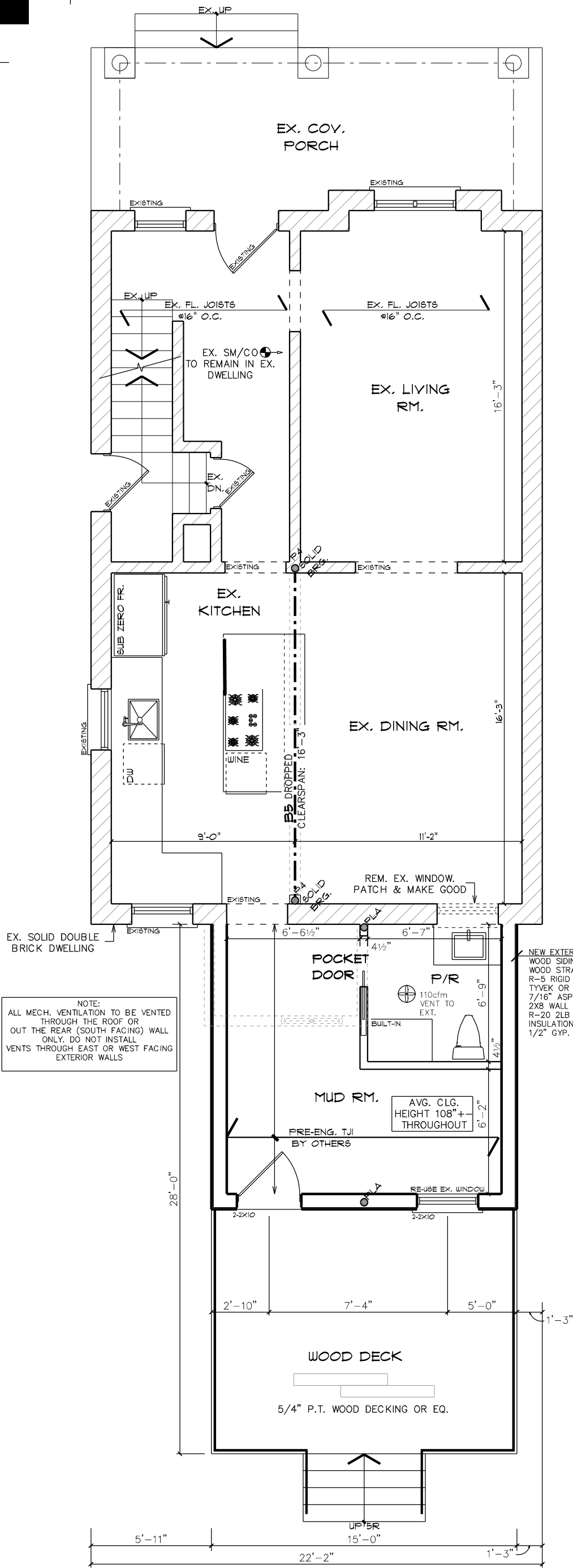
**FOUNDATION PLAN**  
 NO CHANGES PROPOSED TO EXISTING FOUNDATION  
 ESA TO PROVIDE FINAL SIGN OFF ON ALL ELECTRICAL INSTALLATIONS

SPANS GIVEN FOR HELICAL PIERS TO BE TAKEN AS MAXIMUM AND SHALL NOT BE INCREASED UNLESS SEALED BY A PROFESSIONAL ENGINEER LICENSED IN THE PROVINCE OF ONTARIO AND APPROVED BY THE LOCAL AUTHORITY HAVING JURISDICTION

**RENOVATION AND ADDITION**

203 BOLD ST. HAMILTON, ON.

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



MAIN FLOOR PLAN

NOTE:  
ALL MECH. VENTILATION TO BE VENTED THROUGH THE ROOF OR OUT THE REAR (SOUTH FACING) WALL ONLY. DO NOT INSTALL VENTS THROUGH EAST OR WEST FACING EXTERIOR WALLS

NEW EXTERIOR WALL ASSEMBLY:  
WOOD SIDING OR EQ.  
WOOD STRAPPING  
R-5 RIGID INSULATION  
TYVEK OR EQ. AIR BARRIER  
7/16" ASPENITE SHEATHING  
2X8 WALL STUDS @16" o/c  
R-20 2LB CLOSED CELL INSULATION  
1/2" GYP.

NOTE: FOR EAST FACING WALL, INSTALL 2 LAYERS OF 5/8" TYPE-X GYP. ON INTERIOR WALL SURFACE. ALL OTHER WALLS PROVIDE 1 LAYER OF 1/2" GYP ON INTERIOR

FLOOR PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW 2X4 PARTITION WALL WITH 1/2" GYPSUM EACH SIDE.
- NEW 2X6 EXTERIOR WALL WITH HORIZ. WOOD SIDING
- INTERCONNECTED SMOKE AND CO ALARMS W/ VISUAL SIGNALING DEVICE

POST/COL SCHEDULE	
P1 2-2X6	P4 H88 3.5"X3.5"X.25 BRG.
P2 3-2X6	PL. 6"X5/8"X10" + (2)
P3 4-2X6	5/8" DIA. A.B.

BEAM SCHEDULE	
B1 2-2X10 SPF	B5 W10X49 STEEL. BEAM.
B2 3-2X10 SPF	
B3 4-2X10 SPF	
B4 PRE-ENG LVL BY OTHERS	

CONCRETE FOOTINGS
F1 48"X48"X16" DEEP C/W 6-15M BARS EA. WAY

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.5.1. OF THE 2006 ONTARIO BUILDING CODE.

JOHN BARNHART 41773

REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.4.1. OF THE 2006 ONTARIO BUILDING CODE.

THE BUILDING PERMIT GUY 103362

FIRM NAME BCN

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

DO NOT SCALE DRAWINGS

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A-2

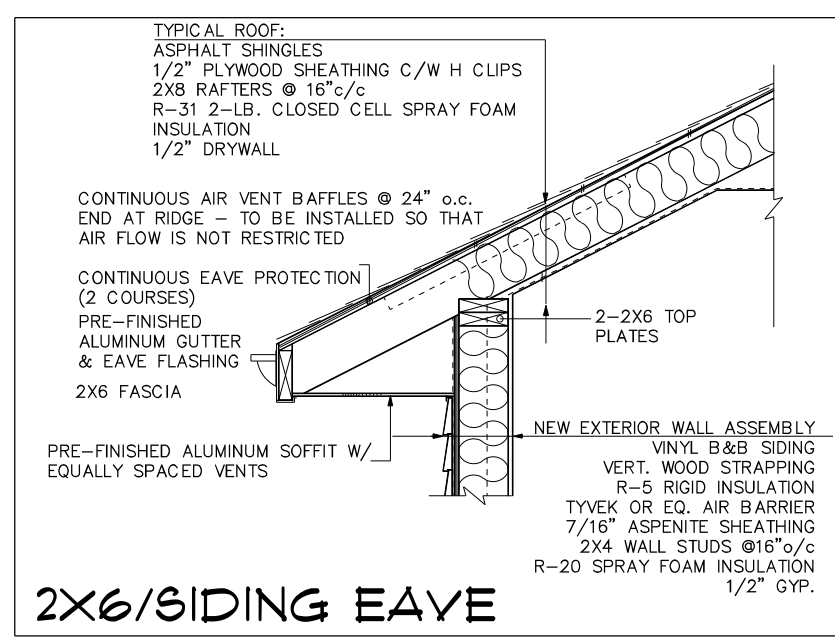
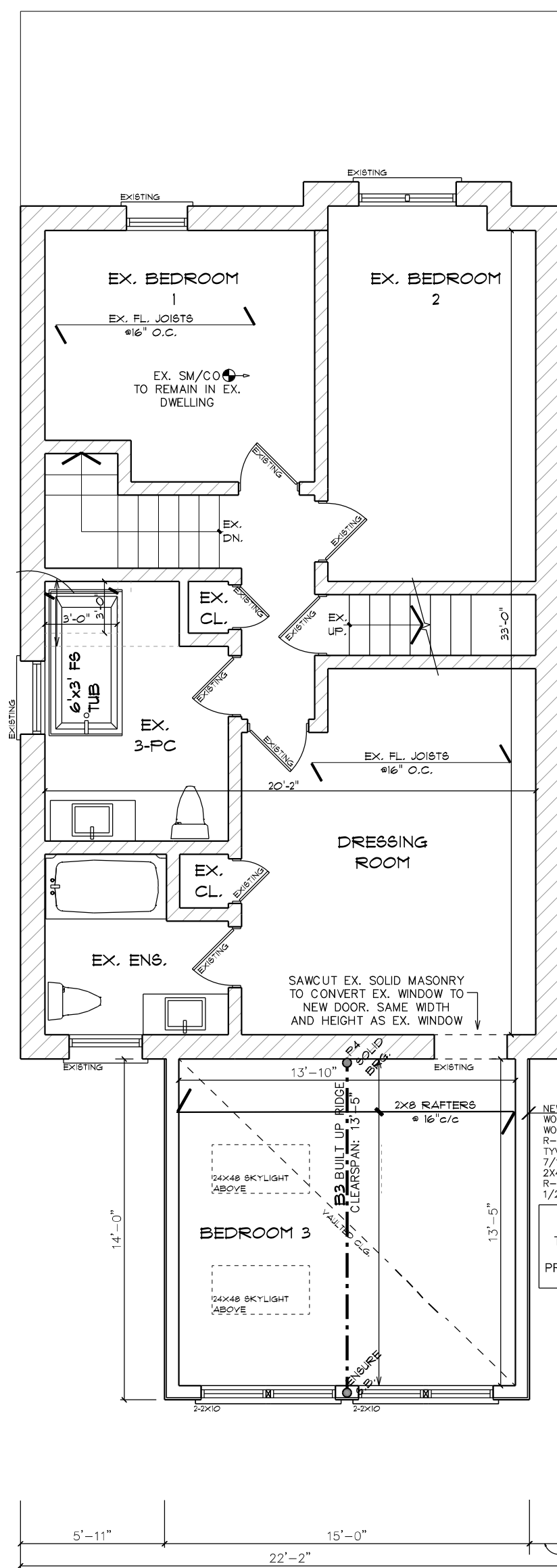


SCALE: 3/16" = 1'-0"

# RENOVATION AND ADDITION

203 BOLD ST. HAMILTON, ON.





**FLOOR PLAN LEGEND**

- EXISTING WALL TO REMAIN
- NEW 2X4 PARTITION WALL WITH 1/2" GYPSUM EACH SIDE.
- NEW 2X6 EXTERIOR WALL WITH HORIZ. WOOD SIDING
- INTERCONNECTED SMOKE AND CO ALARMS W/ VISUAL SIGNALLING DEVICE

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P3 4-2x6	5/8" DIA. A.B.
BEAM SCHEDULE	
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B3 4-2x10 SPF	
B4 PRE-ENG LVL BY OTHERS	
CONCRETE FOOTINGS	
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 JOHN BARRHART 41773  
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 THE BUILDING PERMIT GUY 103362  
 FIRM NAME BCN

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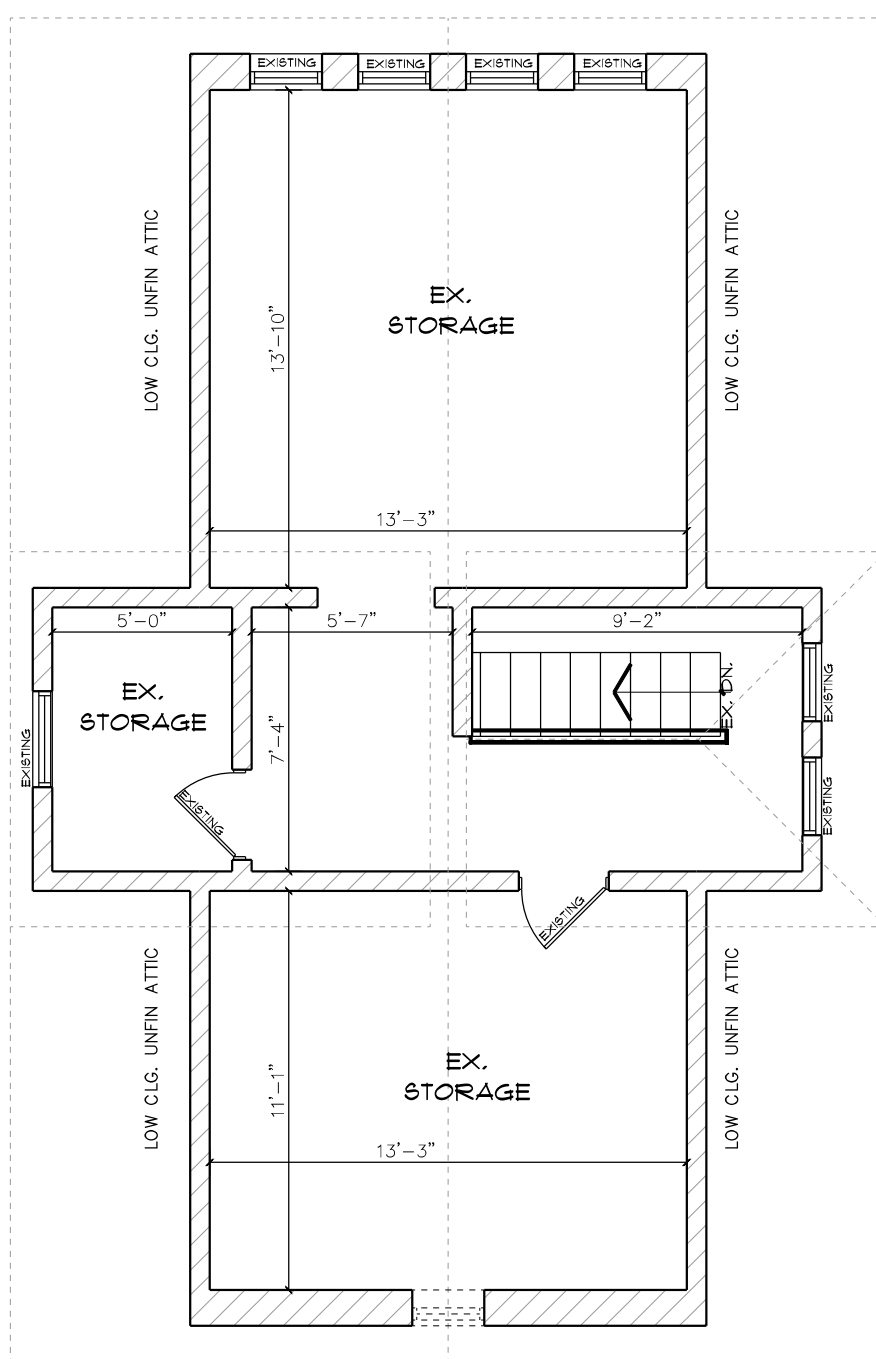
**A-3**



**RENOVATION AND ADDITION**

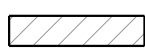



203 BOLD ST. HAMILTON, ON.

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



THIRD FLOOR PLAN

FLOOR PLAN LEGEND

-  EXISTING WALL TO REMAIN
-  NEW 2X4 PARTITION WALL WITH 1/2" GYPSUM EACH SIDE.
-  NEW 2X6 EXTERIOR WALL WITH HORIZ. WOOD SIDING
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 THE BUILDING PERMIT GUY 103362  
 TPGV NAME: BCGM

- NOTE:**
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A-4



# RENOVATION AND ADDITION

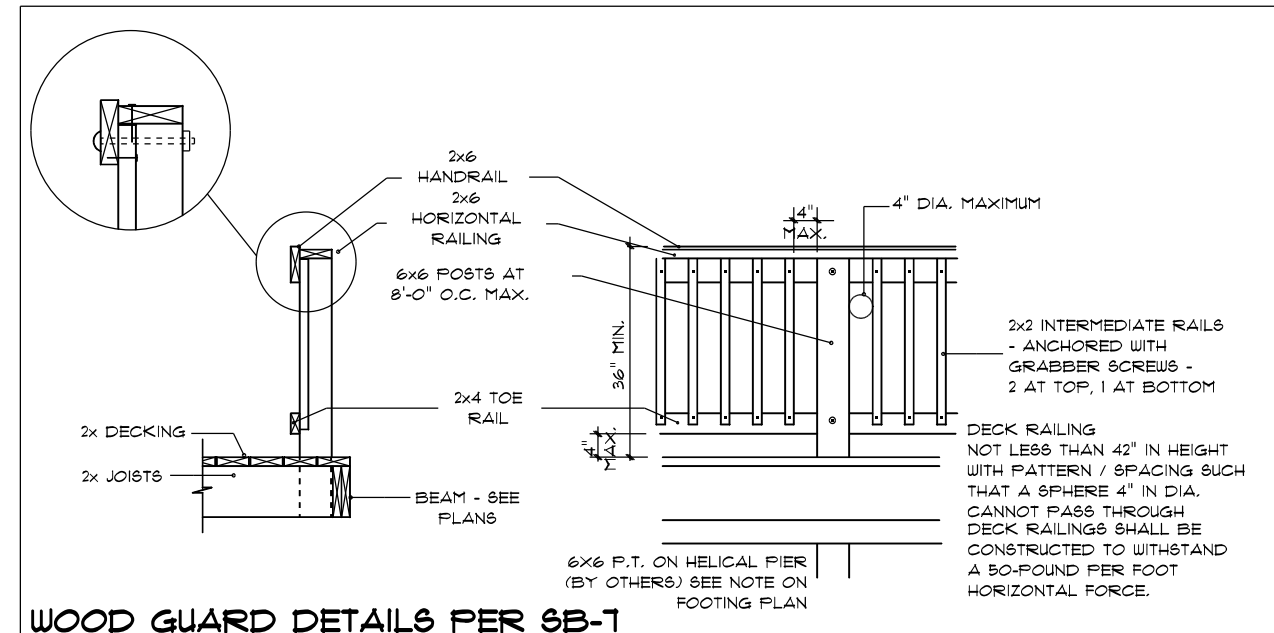
203 BOLD ST. HAMILTON, ON.

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



REAR ELEVATION

PRE-ENG. GUARD SHOWN FOR CLARITY. CONTRACTOR TO CHOOSE STYLE



WOOD GUARD DETAILS PER SB-7

ALL WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE TREATED AND WHICH ARE SUPPORTED ON CONCRETE IN CONTACT WITH GROUND OR FILL SHALL BE SEPARATED FROM THE CONCRETE BY MIN. 5mil POLYETHYLENE OR TYPE 5 ROLL ROOFING AS PER OBC. 9.23.2.3.(1) & (2)

NOTE: ALL BEAM SPANS LISTED ARE NOT TO BE INCREASED WITHOUT WRITTEN APPROVAL FROM THE DESIGNER OR P-ENG. DESIGN.

**GUARDS:**  
Guards shall conform to Subsection 9.8.8.  
Guards shall be designed to resist the loads specified in Table 9.8.8.2. See Sentence 9.8.8.2.(1).  
Glass in guards to conform to MMAH Supplementary Standard SB-13.

**BUILDING STRUCTURE:**  
Unless noted otherwise Lumber and Wood Products shall conform to Subsection 9.3.2. Built-up wood columns shall conform to Sentence 9.17.4.2.(2). All members shall be so framed, anchored, fastened, tied and braced so as to provide the necessary strength and rigidity. See Article 9.23.2.1.

**BUILDING STRUCTURE CONT...**  
Columns shall be securely fastened to the beam to prevent lateral movement. Anchorage of exterior columns and posts shall conform to Article 9.23.6.2. Provide adequate level bearing for all beams at the end supports as per Article 9.23.8.1. Posts supporting beams shall be provided with continuous solid support to the footing. Nailing/bolting patterns for built-up wood beams shall conform to Sentences 9.23.8.3.(1) and (8).

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THE BUILDING PERMIT GUY 103362  
FIRM NAME BCIN

# RENOVATION AND ADDITION

203 BOLD ST. HAMILTON, ON.

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


A5





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JOHN BARNHART  41773

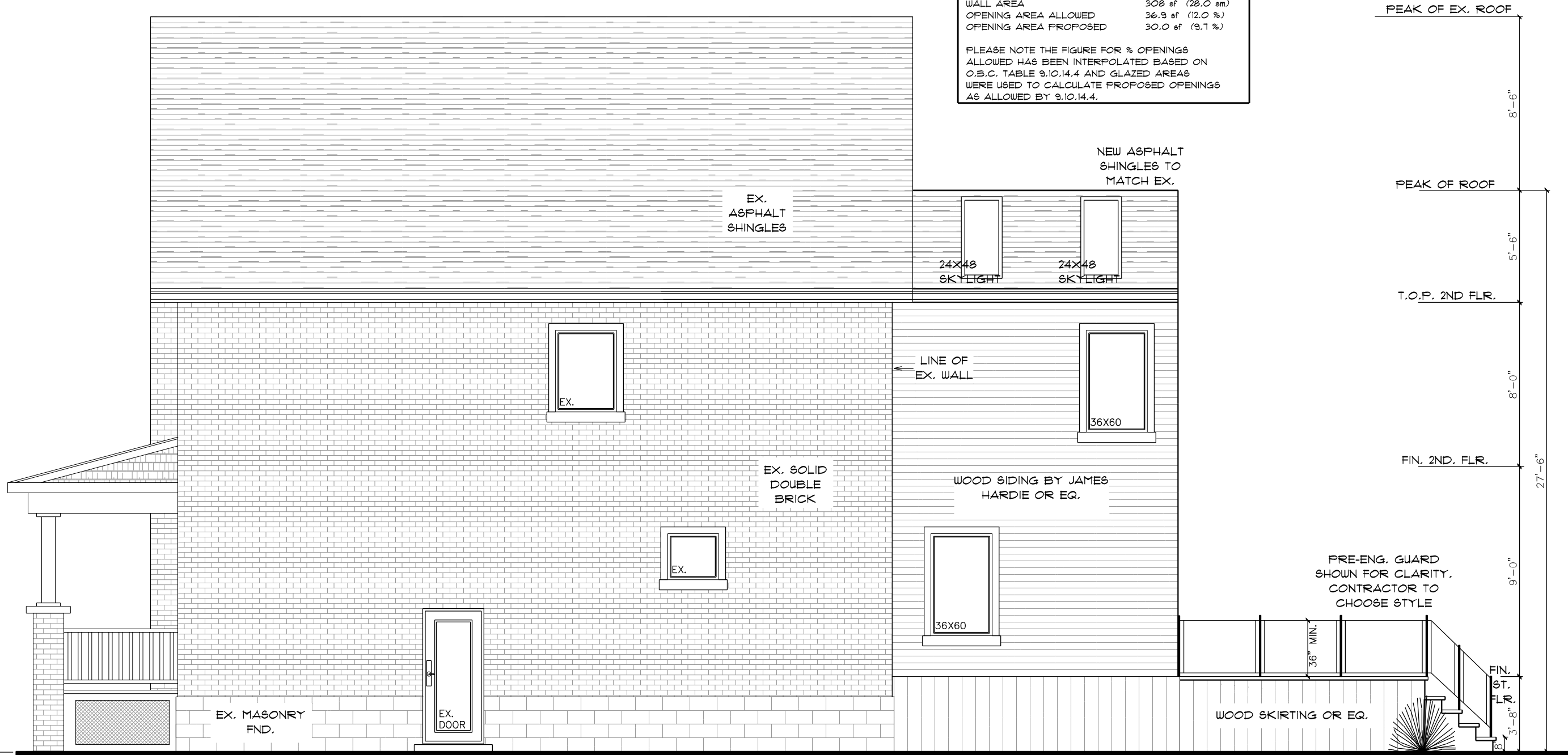
REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIVISION C -3.2.4.1. OF THE 2006 ONTARIO BUILDING CODE.

THE BUILDING PERMIT GUY 103362

FIRM NAME BCIN

UNPROTECTED OPENING CALCULATIONS	
LIMITING DISTANCE	1.7m
WALL AREA	308 sf (28.0 sm)
OPENING AREA ALLOWED	36.9 sf (12.0 %)
OPENING AREA PROPOSED	30.0 sf (9.7 %)

PLEASE NOTE THE FIGURE FOR % OPENINGS ALLOWED HAS BEEN INTERPOLATED BASED ON O.B.C. TABLE 9.10.14.4 AND GLAZED AREAS WERE USED TO CALCULATE PROPOSED OPENINGS AS ALLOWED BY 9.10.14.4.



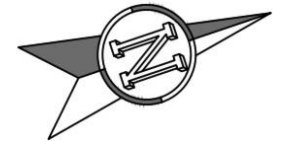
WEST ELEVATION  
**A-6**

**RENOVATION AND ADDITION**

203 BOLD ST. HAMILTON, ON.

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





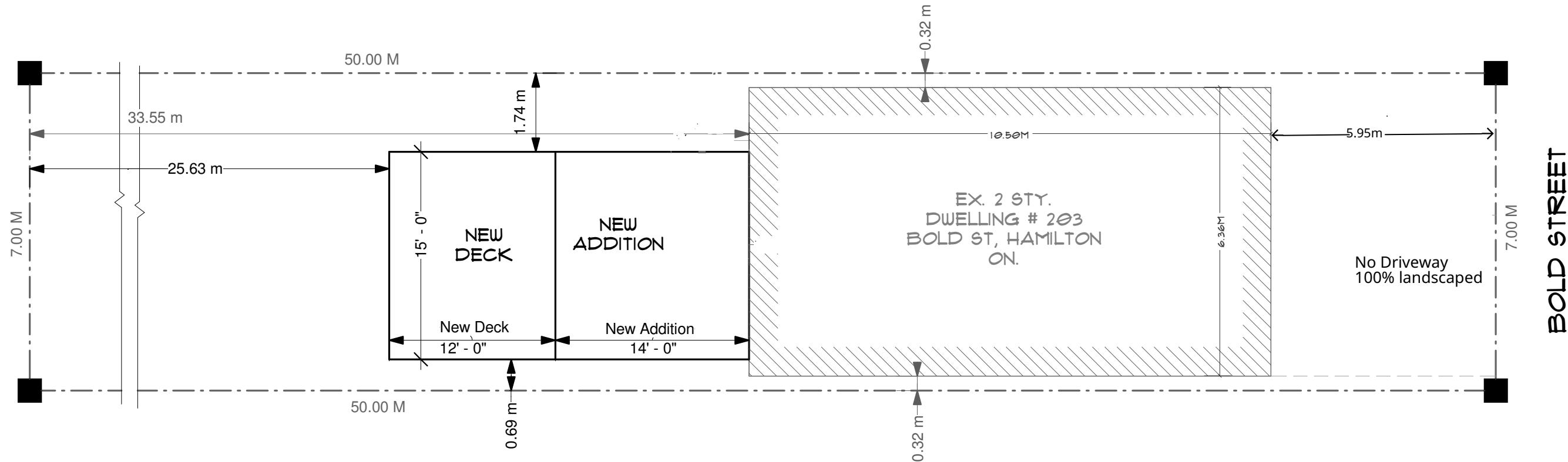
<b>Zoning:</b> E-3	<b>Lot Area:</b> 350m <sup>2</sup>	<b>Lot Frontage:</b> 7m	<b>Lot Depth:</b> 50m
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Description	Existing	Addition	Total	%	Allowed %
Lot coverage	66.78 m <sup>2</sup>	19.5 m <sup>2</sup>	86.28 m <sup>2</sup>	25%	60%
Gross Floor Area	133.56 m <sup>2</sup>	39 m <sup>2</sup>	172 m <sup>2</sup>	38%	170%
Landscaped Area	241.22 m <sup>2</sup>	-39 m <sup>2</sup>	202.22 m <sup>2</sup>	57%	40%
No. of Stories	2	2			
Height	10.2 m	8.38 m			
Width	6.36 m	4.6 m			
Depth	10.5 m	4.5 m			
Parking	42 m <sup>2</sup>	N/A			

Setbacks	Existing	Proposed
Front Yard	3 m	3 m
Rear Yard	33.5 m	25.63 m
Side Yard East	0.32 m	0.69 m
Side Yard West	0.32 m	1.74 m



SEE SITE KEY PLAN FOR ADJACENT PROPERTIES

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JOHN BARNHART *JB* 41773

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THE BUILDING PERMIT GUY 103362  
FIRM NAME BCIN

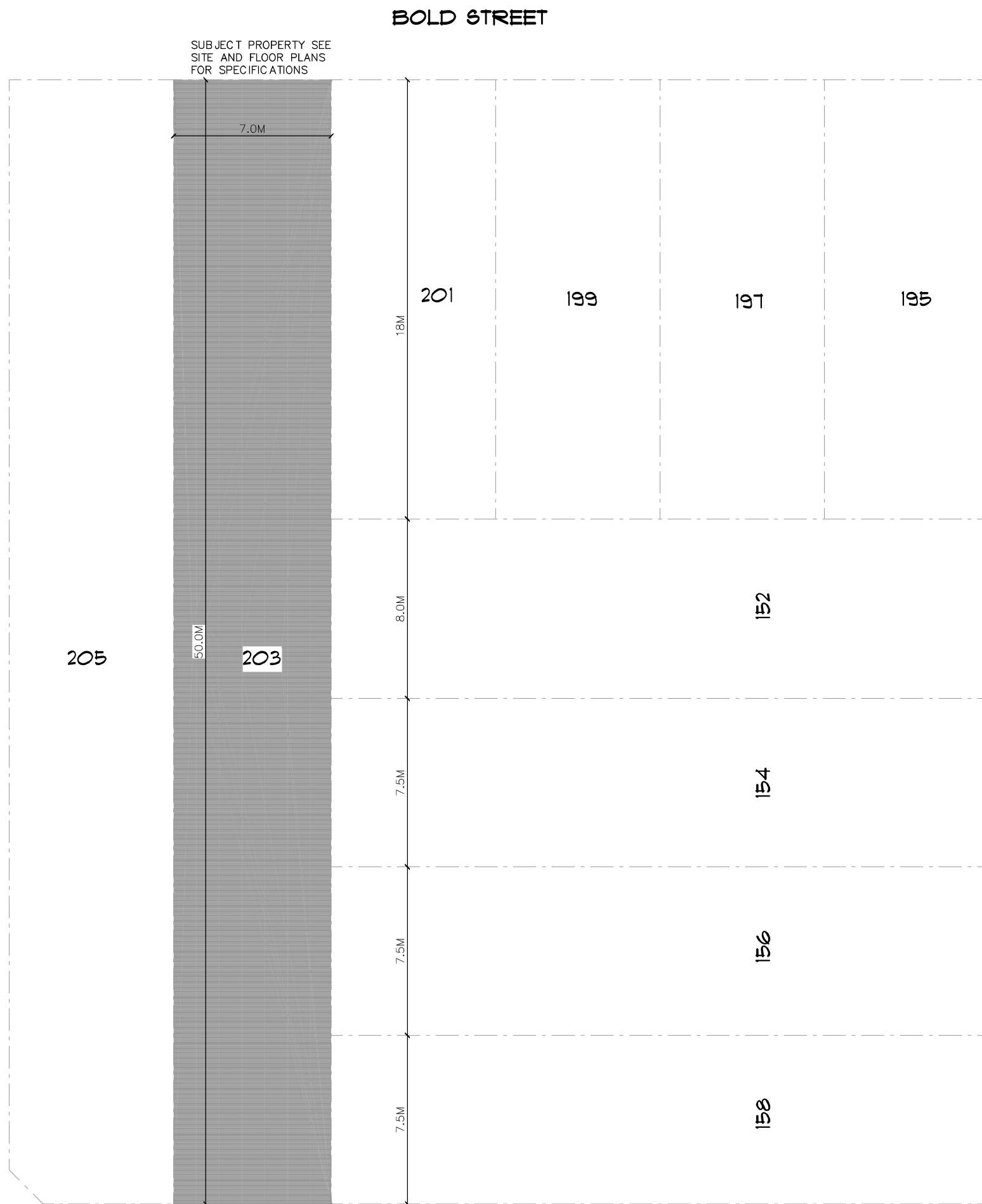
S-1



# RENOVATION AND ADDITION

203 BOLD ST. HAMILTON, ON.

DO NOT SCALE DRAWINGS



SUBJECT PROPERTY SEE SITE AND FLOOR PLANS FOR SPECIFICATIONS

SITE KEY PLAN

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 FIRM NAME BCIN

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

DO NOT SCALE DRAWINGS

NOTE:

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

S-2



# RENOVATION AND ADDITION

203 BOLD ST. HAMILTON, ON.



**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>	Candice Schrock	
<b>Applicant(s)</b>	Travis Venema	
<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 travisvenema@vencorenovations.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	203 Bold St Hamilton ON, L8P 1V7		
Assessment Roll Number	02013350070		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	256	Lot(s)	217
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:

East wall of addition and Deck to be built with a set back of 0.69m from current property line as opposed to the Required 1.5 M set back for side yard as per Section 11C 2b

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Addition would be too small for the desired purpose

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
7m	50	350m <sup>2</sup>	8m

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

## Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family Home	3m	33.5	E-0.32m W-0.32m	07/02/1910

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single family home with addition	3m	25.63m	E-0.69 W- 1.74	10/10/2023

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

## Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single family Home	66.78m <sup>2</sup>	133.56m <sup>2</sup>	2	10.2m

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Addition	19.5m <sup>2</sup>	39m <sup>2</sup>	2	8.38m

## 4.4 Type of water supply: (check appropriate box)

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

- lake or other water body  
 other means (specify)

## 4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

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

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

4.7 Type of access: (check appropriate box)

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

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

Single Detached dwelling

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

Single Detached dwelling/ duplex

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

2019

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:

113 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.

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

---

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

 Yes No

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

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

 Yes No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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



## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:224</b>	<b>SUBJECT PROPERTY:</b>	825 CANNON STREET E, HAMILTON
<b>ZONE:</b>	R1a (Low Density Residential – Small Lot)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** FIRAS ALKHALIL  
                                 **Agent:** JENNY BOGNAR

The following variances are requested:

1. To permit a 0.46 metre side yard setback to the second storey addition whereas the by-law requires a minimum 1.2 metres.
2. To permit a 0.61 metre rear yard setback to the second storey addition whereas the by-law requires a minimum of 1.2 metres.
3. To permit a maximum gross floor area of 16.78%, or 46.57 square metres whereas the by-law permits a maximum of 10%, or 27.75 square metres of the gross floor area.
4. To permit a maximum gross floor area of 93.14 sq. metres whereas the by-law permits a maximum of 75 square metres.
5. To permit maximum building height of 6.35 metres whereas the by-law permits a maximum height of 6.0 metres.
6. To permit a minimum setback of 4.52 metres between the main dwelling and the secondary dwelling unit – detached whereas the by-law requires a minimum of 7.5 metres.

**PURPOSE & EFFECT:** To permit the construction of an Additional Dwelling Unit – Detached in the rear yard by converting the existing garage and adding a second storey.

**Notes:**

HM/A-23:224

**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, September 21, 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-23:224, 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-23:224



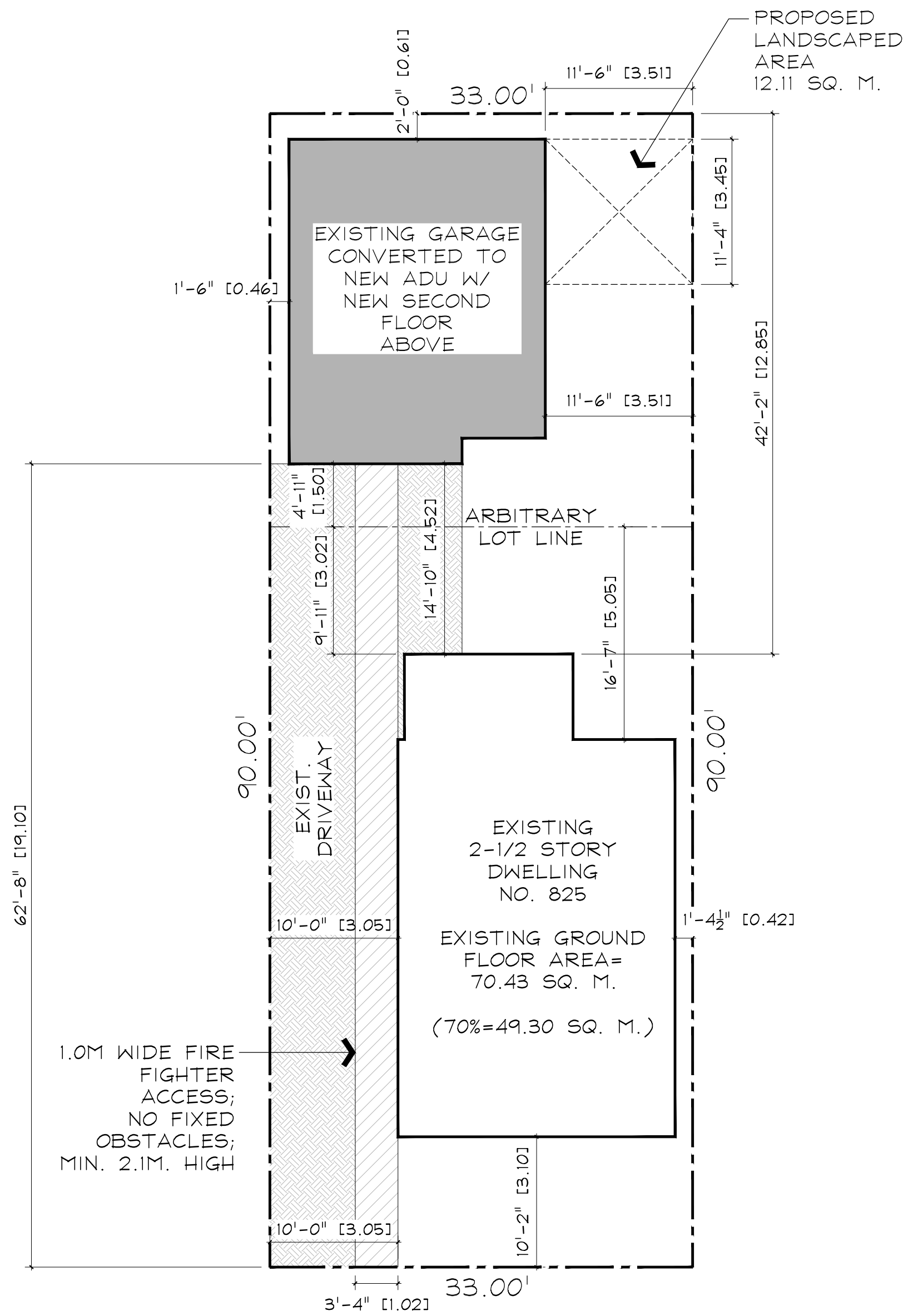
 Subject Lands

DATED: September 5, 2023

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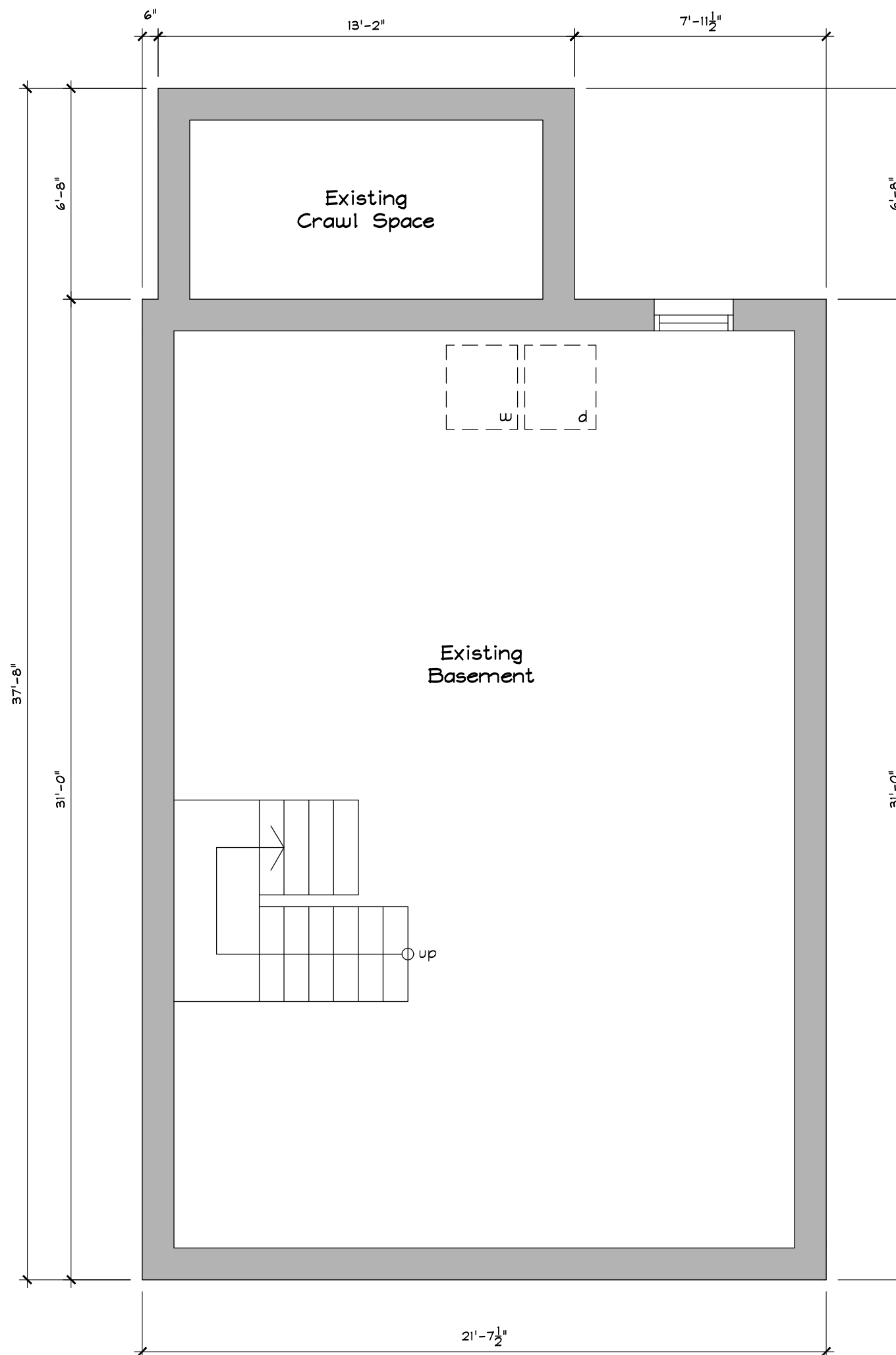
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



CANNON STREET EAST

LOT AREA: 2970.00 SQ. FT. (275.92 SQ. M.)  
 ACCESSORY BUILDING COVERAGE: 46.57 SQ. M. = 16.88%



2 MAIN DWELLING BASEMENT PLAN  
 A1 1/4" = 1'-0"

1 SITE PLAN  
 A1 1:100

THE AIKHALIL RESIDENCE  
 825 CANNON STREET EAST  
 HAMILTON, ON  
 L8L 2H3

**drafting + design**

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

PRELIMINARY - FOR MINOR VARIANCE  
 08.12.23 signature required  
 Jennifer Bognar reviews and takes responsibility for the design work described in this document  
 firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
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08/17/23	ISSUED FOR MV

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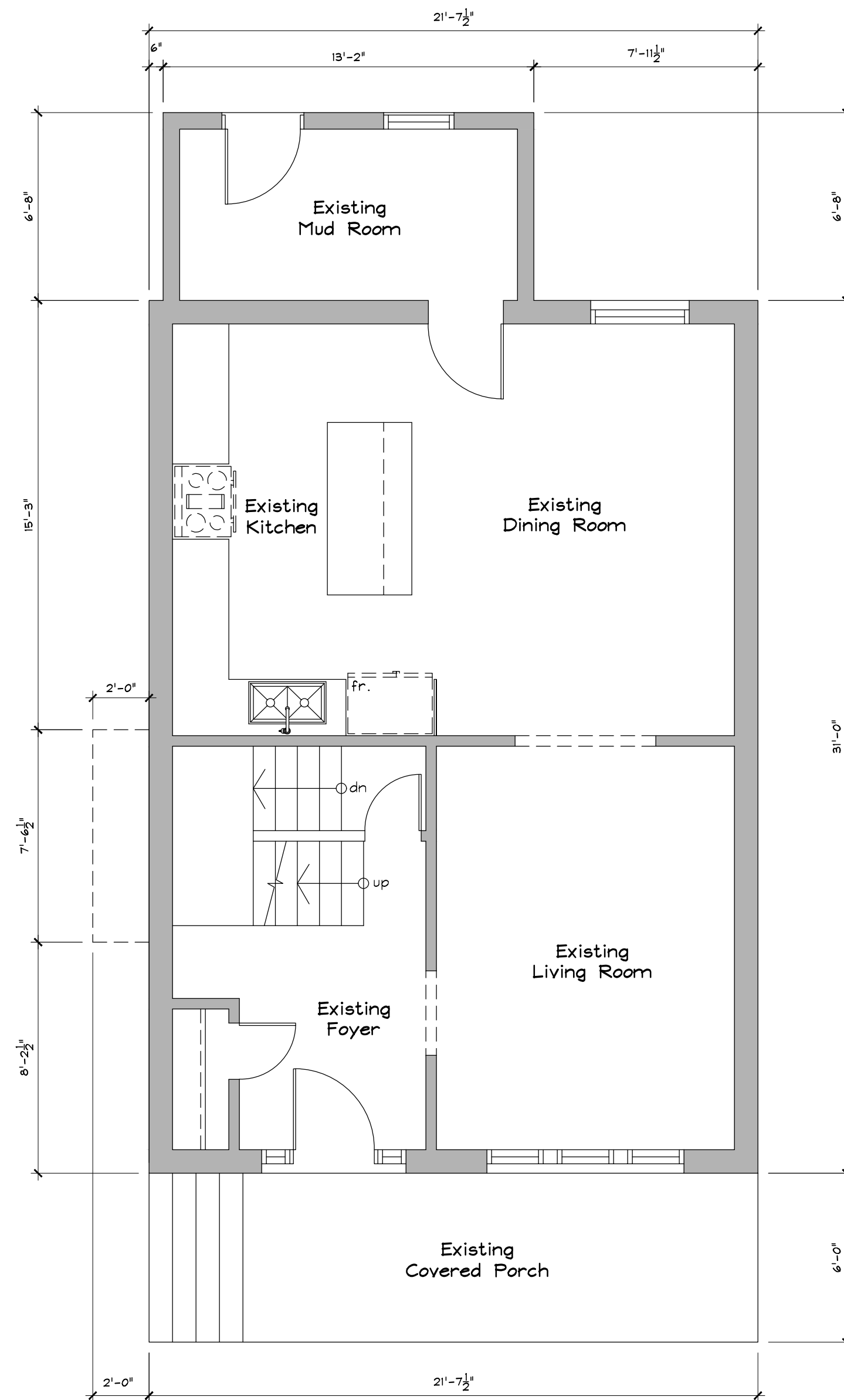
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SITE PLAN & MAIN DWELLING BASEMENT PLAN

SHEET  
**A1**  
 9



Main Dwelling First Floor Area: 758.15 sq. ft. (70.43 sq. m.)

1 MAIN DWELLING FIRST FLOOR PLAN  
A2 1/4" = 1'-0"

THE AIKHALIL  
RESIDENCE  
825 CANNON STREET EAST  
HAMILTON, ON  
L8L 2H3

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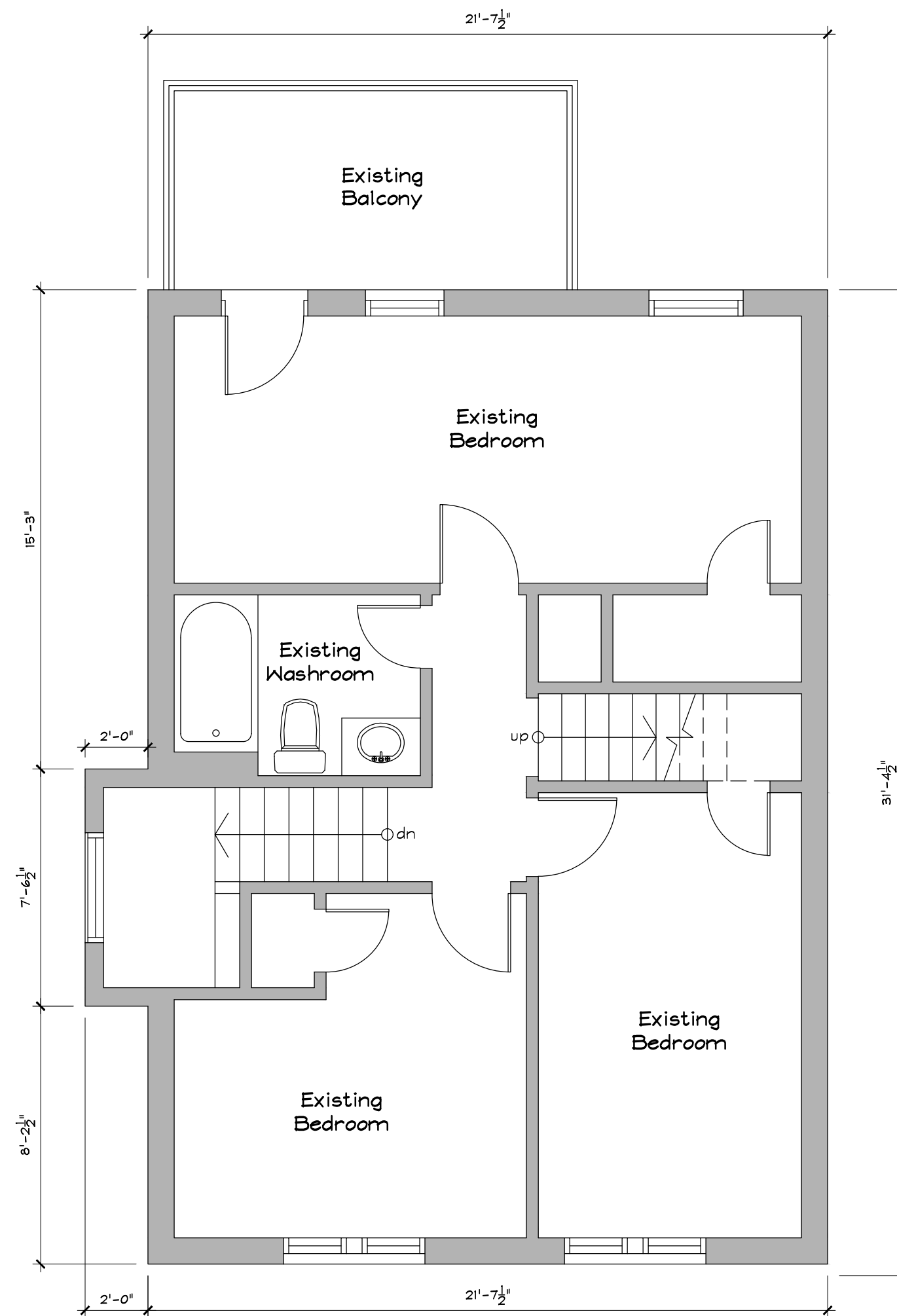
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MAIN DWELLING  
FIRST FLOOR PLAN

SHEET  
**A2**  
OF 9



Main Dwelling Second Floor Area: 685.46 sq. ft. (63.68 sq. m.)

1 MAIN DWELLING SECOND FLOOR PLAN  
A3 1/4" = 1'-0"

THE AIKHALIL RESIDENCE  
825 CANNON STREET EAST  
HAMILTON, ON  
L8L 2H3

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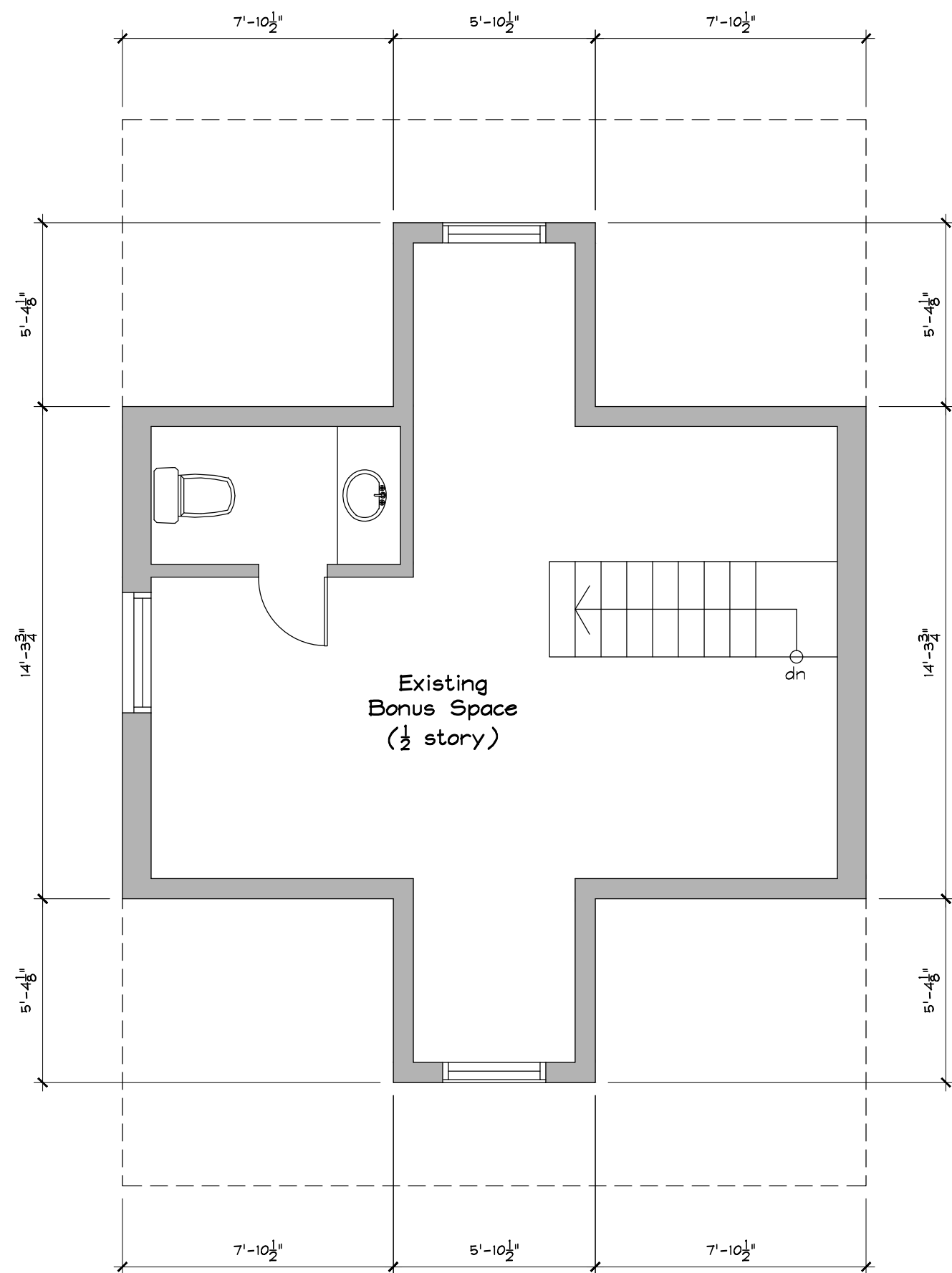
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MAIN DWELLING  
SECOND FLOOR PLAN

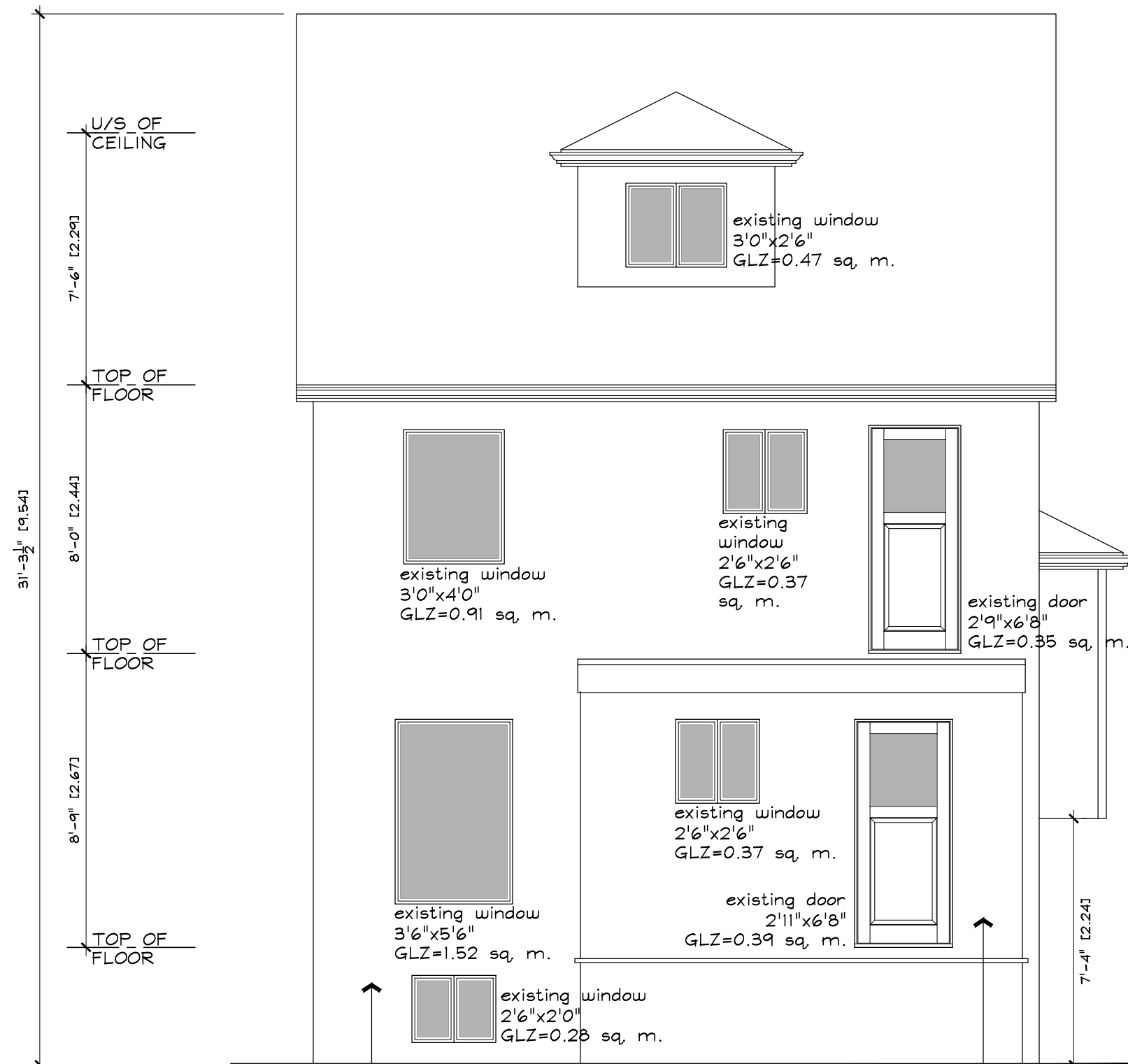
SHEET  
**A3**  
OF 9





Main Dwelling Half Floor Area: 372.26 sq. ft. (34.58 sq. m.)

1 MAIN DWELLING HALF STORY FLOOR PLAN  
A4 1/4" = 1'-0"



L.D. CALCULATION

FULL WALL AREA = 43.77 sq. m.

INDVL. WALL AREA = 30.21 sq. m.

SETBACK = 5.05 m.

ALLOWABLE % = 28.0%

PROP. OPENINGS = 3.91 sq. m. = 12.94%

INDVL. WALL AREA = 13.56 sq. m.

SETBACK = 3.02 m.

ALLOWABLE % = 18.0%

PROP. OPENINGS = 0.76 sq. m. = 5.60%

2 MAIN DWELLING REAR ELEVATION  
A4 1/4" = 1'-0"

THE AIKHALIL RESIDENCE  
825 CANNON STREET EAST  
HAMILTON, ON  
L8L 2H3

**drafting + design**

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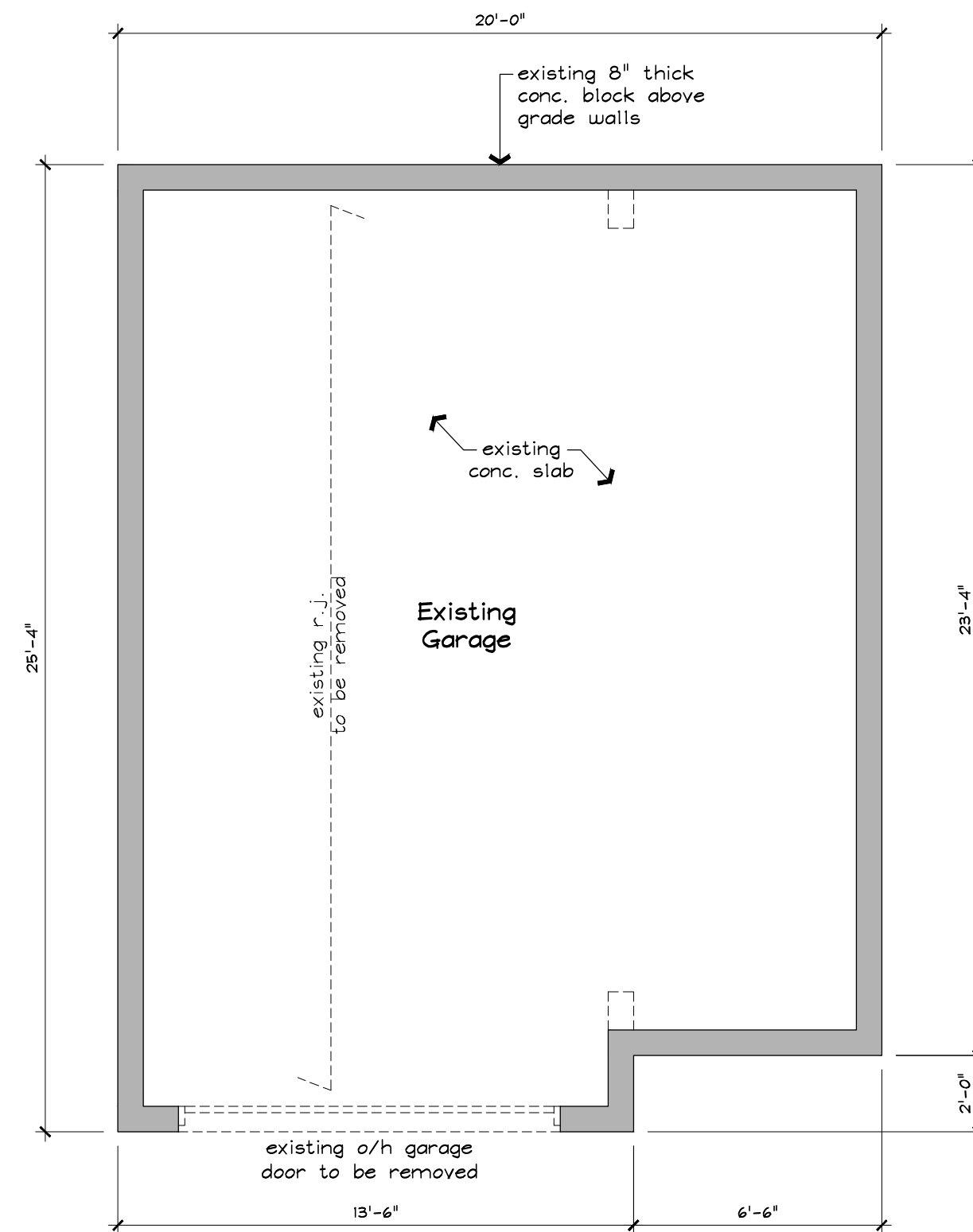
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MAIN DWELLING  
HALF STORY FLOOR PLAN &  
MAIN DWELLING REAR ELEVATION

SHEET  
A4 9



1 EXISTING GARAGE FLOOR PLAN  
 A5 1/4" = 1'-0"

THE AIKHALIL  
 RESIDENCE  
 825 CANNON STREET EAST  
 HAMILTON, ON  
 L8L 2H3

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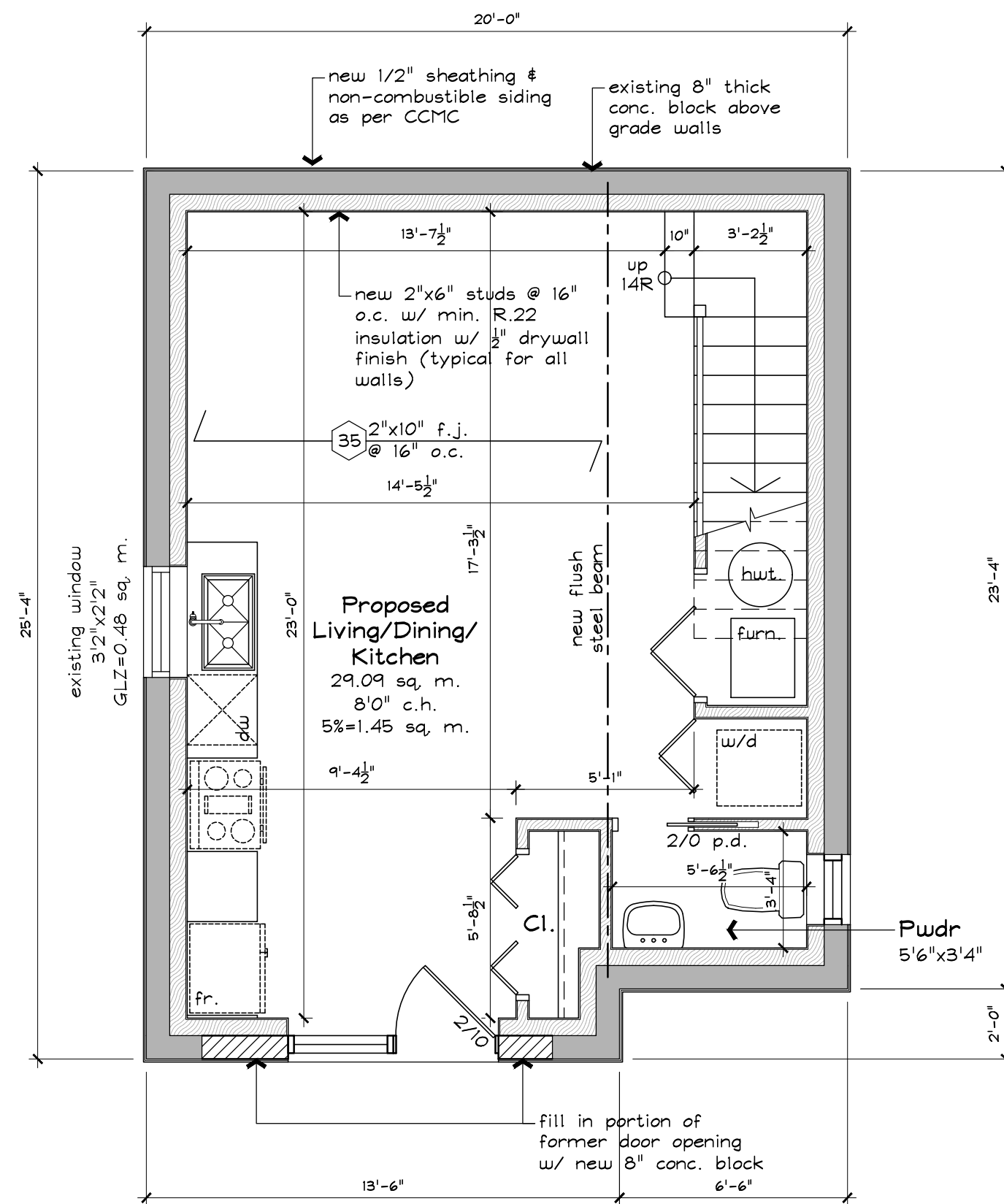
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EXISTING GARAGE  
 FLOOR PLAN

SHEET  
**A5**  
 OF 9



Existing Ground Floor Area: 501.25 sq. ft. (46.57 sq. m.)  
(including new exterior finish)

1 PROPOSED SDU FIRST FLOOR PLAN  
A6 1/4" = 1'-0"

THE AIKHALIL  
RESIDENCE  
825 CANNON STREET EAST  
HAMILTON, ON  
L8L 2H3

**drafting + design**

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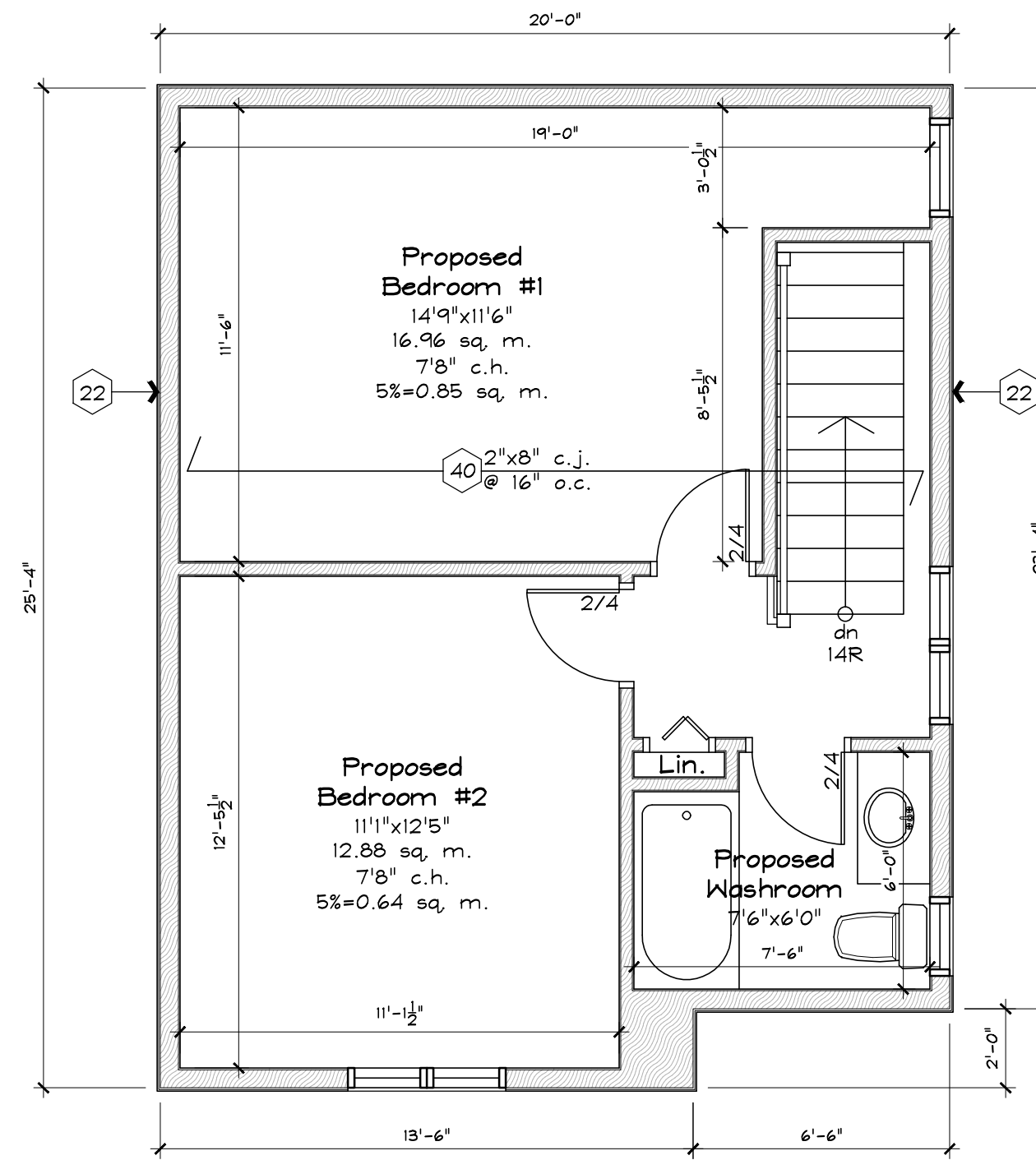
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PROPOSED SDU  
FIRST FLOOR PLAN



Proposed Second Floor Area: 501.25 sq. ft. (46.57 sq. m.)

1 PROPOSED SDU SECOND FLOOR PLAN  
 A7 1/4" = 1'-0"

**THE AIKHALIL RESIDENCE**  
 825 CANNON STREET EAST  
 HAMILTON, ON  
 L8L 2H3

**drafting + design**

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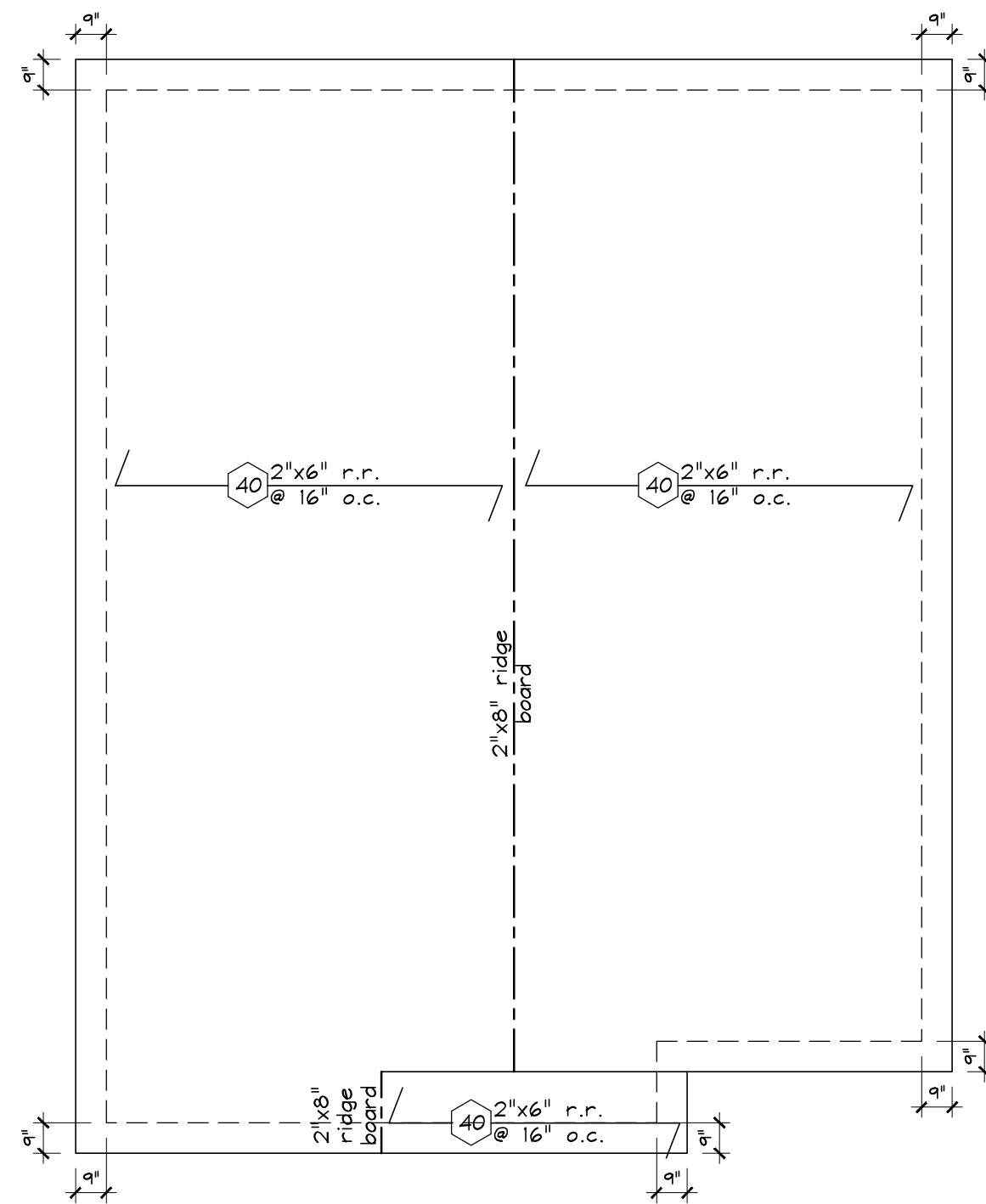
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**PROPOSED SDU SECOND FLOOR PLAN**

SHEET **A7** OF 9



1 PROPOSED SDU ROOF PLAN  
 A8 1/4" = 1'-0"

THE AIKHALIL  
 RESIDENCE  
 825 CANNON STREET EAST  
 HAMILTON, ON  
 L8L 2H3

**drafting + design**

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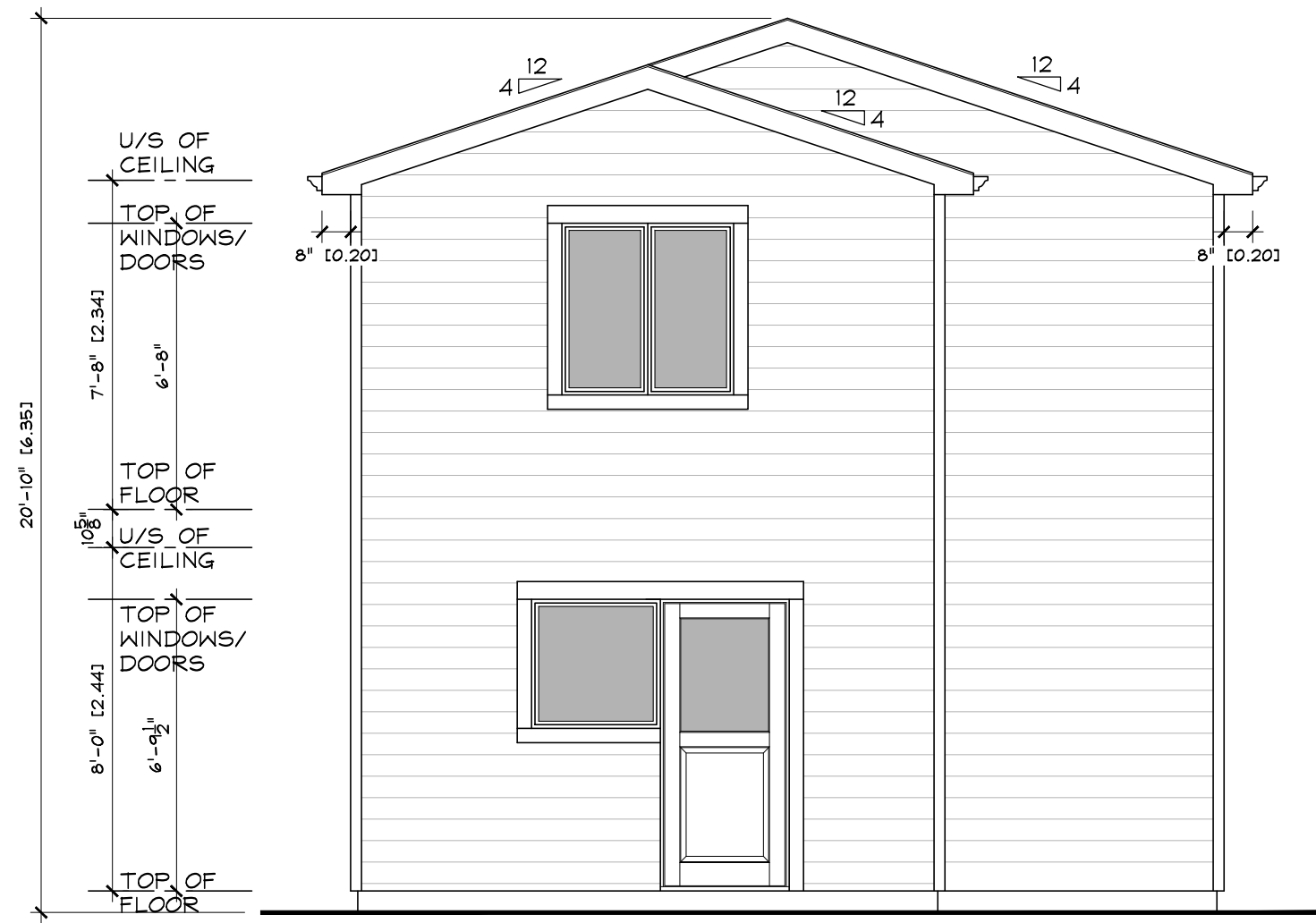
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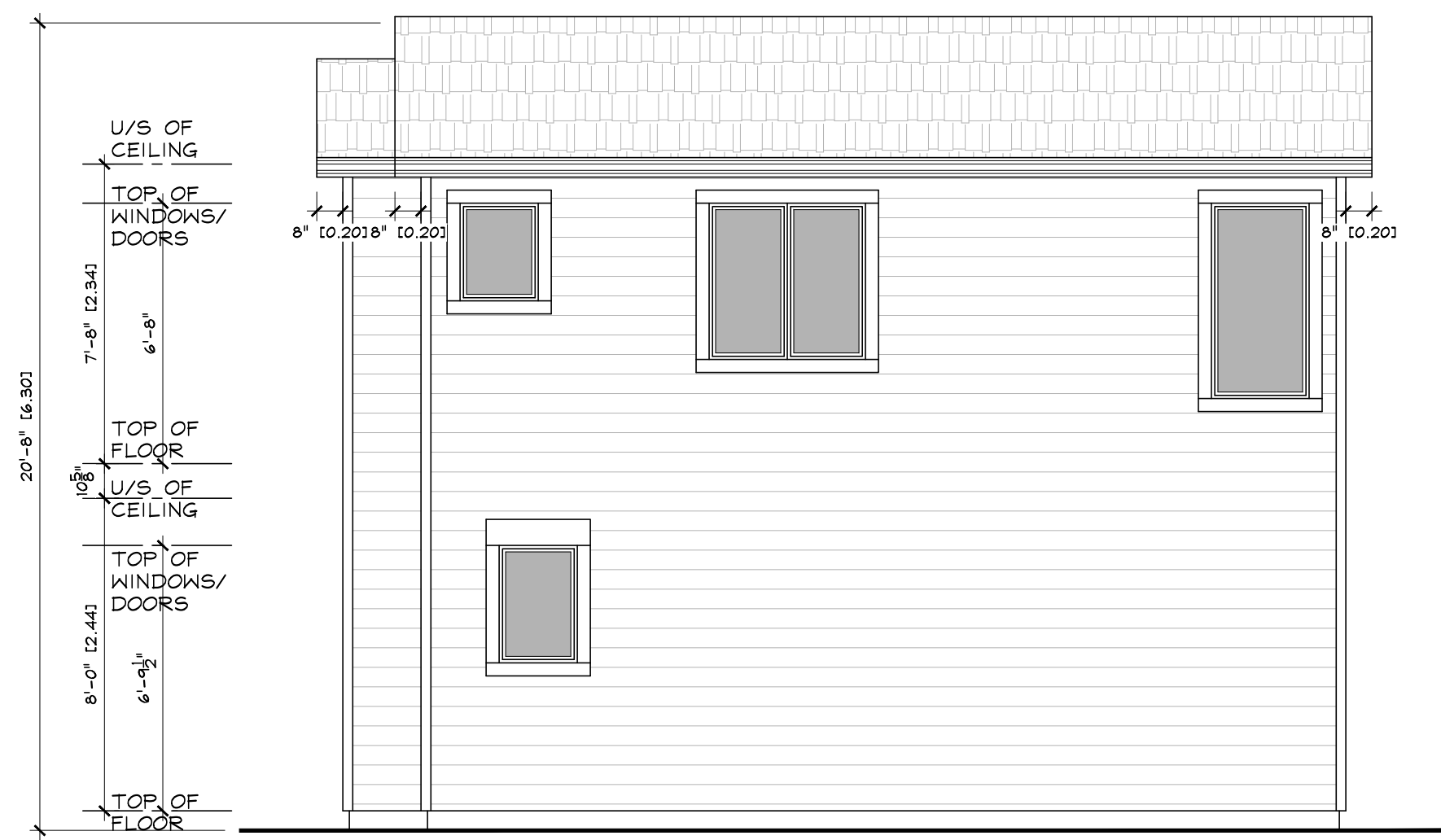
PROPOSED SDU  
 ROOF PLAN

SHEET  
**A8**  
 OF 9



**L.D. CALCULATION**

WALL AREA = 31.57sq. m.  
 SETBACK = 1.50 m.  
 ALLOWABLE % = 8.0%  
 PROP. OPENINGS = 2.30 sq. m. = 7.29%

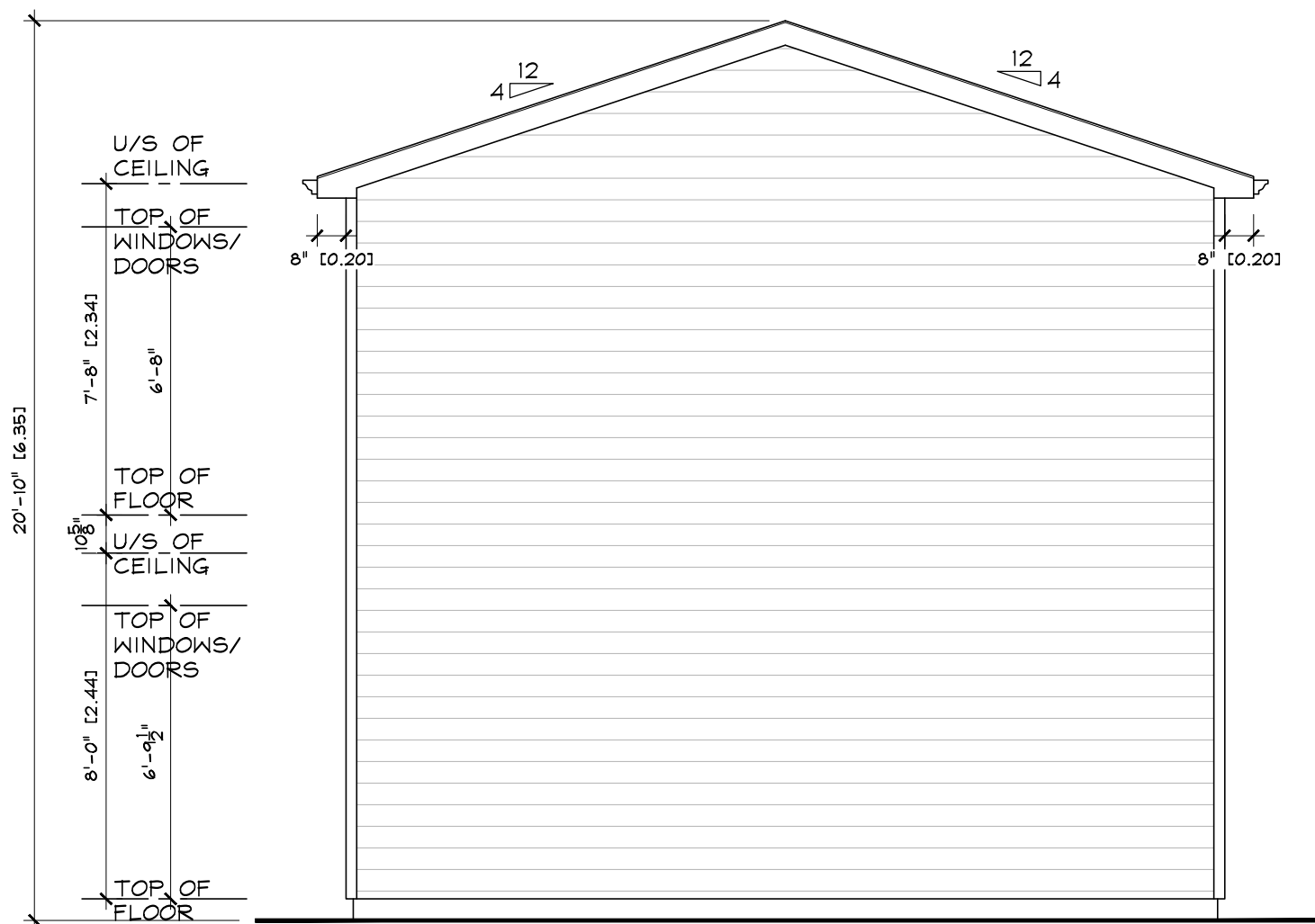


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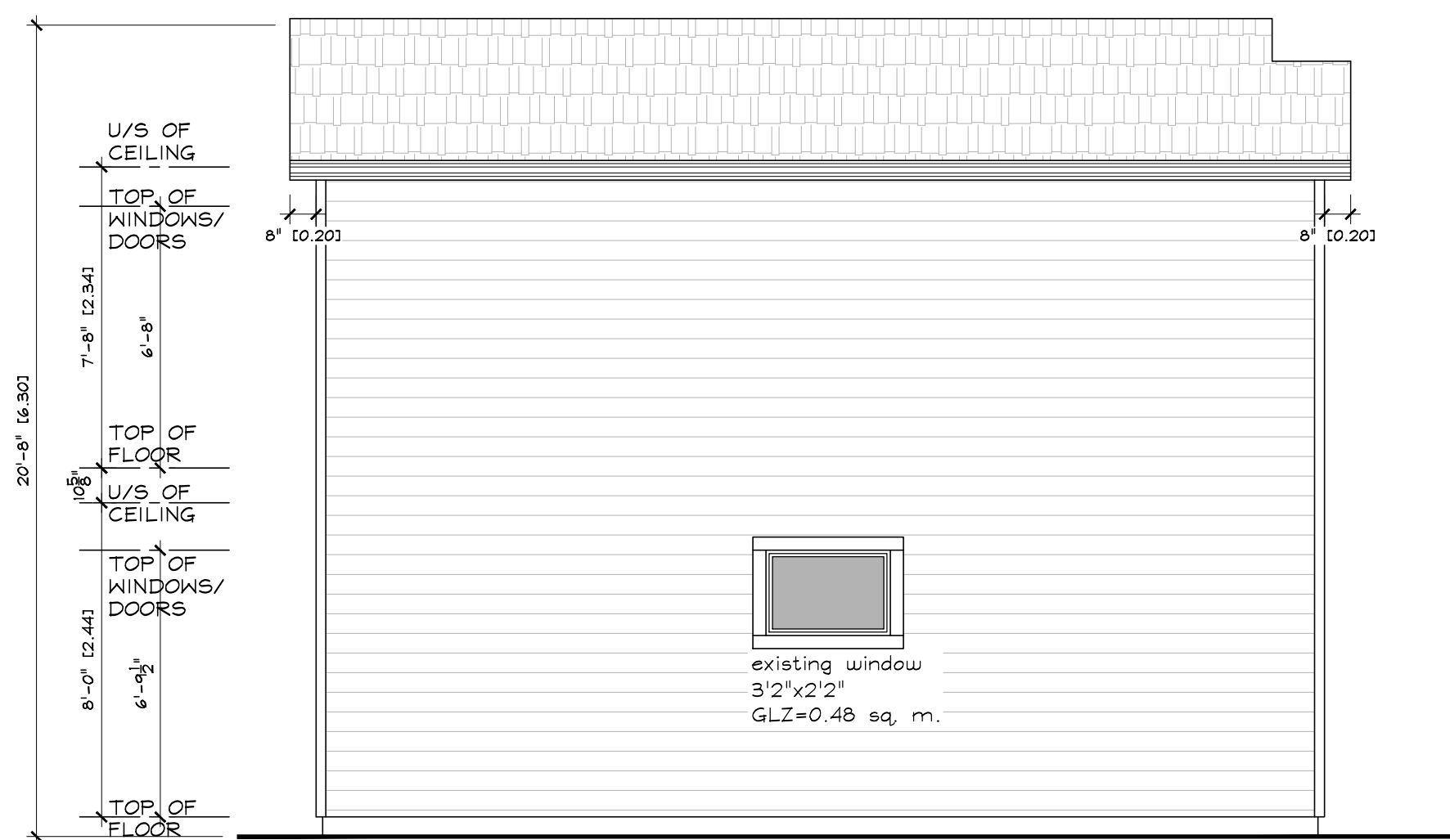
WALL AREA = 39.85 sq. m.  
 SETBACK = 3.51 m.  
 ALLOWABLE % = 23.0%  
 PROP. OPENINGS = 2.82 sq. m. = 7.08%

1 PROPOSED SDU FRONT ELEVATION  
 A9 1/4" = 1'-0"

2 PROPOSED SDU RIGHT SIDE ELEVATION  
 A9 1/4" = 1'-0"



3 PROPOSED SDU REAR ELEVATION  
 A9 1/4" = 1'-0"



4 PROPOSED SDU LEFT SIDE ELEVATION  
 A9 1/4" = 1'-0"

THE AIKHALIL  
 RESIDENCE  
 825 CANNON STREET EAST  
 HAMILTON, ON  
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PROPOSED SDU  
 ELEVATIONS





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)	Firas Alkhalil	
Applicant(s)	Jenny Bognar	
Agent or Solicitor	As per applicant	

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	825 Cannon Street East		
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:

See attached

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

See attached

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

Yes  No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
10.06m.	27.43 m.	275.92 sq. m.	18.5 m. approx.

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	3.10 m.	12.85 m.	0.42 m./3.05 m.	
Garage	n/a	0.61 m.	3.51 m./0.46 m.	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	70.43 sq. m.	168.69 sq. m.	2.5	9.54 m.
Garage	45.86 sq. m.	n/a	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Existing Garage into Detached SDU	45.86 sq. m.	92.43 sq. m.	2	6.25 m.

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

- lake or other water body  
 other means (specify)

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

- ditches  
 other means (specify)



- 4.6 Type of sewage disposal proposed: (check appropriate box)
- publicly owned and operated sanitary sewage
- system privately owned and operated individual
- septic system other means (specify) \_\_\_\_\_
- 4.7 Type of access: (check appropriate box)
- provincial highway  right of way
- municipal road, seasonally maintained  other public road
- municipal road, maintained all year \_\_\_\_\_
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Single family 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: SEP-04-2019
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SFD
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SFD
- 7.4 Length of time the existing uses of the subject property have continued:  
Always

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

Rural Hamilton Official Plan designation (if applicable): Neighborhoods

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: HM/A-21:49

---

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
- 
-

## Minor Variance Application

### 825 Cannon Street East

To Whom It May Concern,

We are requesting a number of variances to facilitate an addition to an existing accessory building to create a Detached SDU.

Variances required:

1. To permit a 0.46m. left side yard setback instead of the required 1.2m. to the new second floor addition on the existing first floor structure.
2. To permit a 0.61m. rear yard setback instead of the required 1.2m. to the new second floor addition on the existing first floor structure.
3. To permit a 46.57 sq. m. addition to the existing structure instead of the allowable max. of 10% of the existing gross floor area.
4. To permit a gross floor area of 93.14 sq. m. instead of the allowable maximum of 75 sq. m.
5. To permit a 6.35m. building height instead of the allowable 6.0m. max.
6. To permit a 4.52m. setback between the existing main dwelling and the detached SDU instead of the minimum of 7.5m.

The home owners are a lovely family that immigrated to Canada in recent years. They have a large extended family that live with them and they are in need of more space. They would like to make better use of the existing accessory building, that is currently in need of repairs, and provide a dwelling unit for some of the family.

While we realize there are a number of variances, we feel they are minor in nature and are accommodating a lot of existing conditions/situations.

Variance #1 & #2 – To simplify construction we are proposing to build the second floor on the same footprint as the existing dwelling, there for matching the existing building setbacks. We feel these variances are minor in nature as they are not making the existing setbacks worse. Also, as both these walls are closer to the lot line than 1.2m., by code, we cannot have any windows on these sides. We feel that this will help avoid any negative impact on the privacy of any of the neighbouring properties.

Variance #3 & #4 – To provide enough space for a 2 bedroom unit, we are proposing to build the second floor the same size as the existing first floor. There for, our addition is over the 10% addition allowed and also produces a gross floor area of 93.14 sq. m. instead of the allowable 75 sq. m. We feel that this size addition is imperative to make this project work as an SDU for this family. We feel that this building still looks secondary in comparison to the large 2-1/2 storey main dwelling, which is the intent of the regulations.

Variance #5 – In order to provide the required ceiling heights on both levels as well as an acceptable slope on the roof, we require a variance of 6.35m. for overall height instead of the maximum of 6.0m. We feel this is a very minor request and will barely be a noticeable difference from the allowable. This

building will also still be minor in height in comparison to the main dwelling which sits at 9.54m. in height.

Variance #6 – We require a variance to allow only 4.52m. between the SDU and the main dwelling instead of the required 7.5m. min. This dimension is to accommodate where the existing building sits now. The addition is not protruding any farther than the existing building and we still have plenty of access room between the two buildings to access the rear yard and amenity space.

We feel that all these variances are minor in nature and meet the intent of the bylaw which is to allow intensification for families such as these. Almost all of the homes in this area are 2-1/2 story dwellings so we feel this building will not overshadow any of these houses, nor will it stick out in a negative way. We look forward to making better use of this property and this run down building that will help increase property values for all.

We kindly request your time and thoughtful consideration on these variances.



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-23:228</b>	<b>SUBJECT PROPERTY:</b>	154 BEACH ROAD, HAMILTON
<b>ZONE:</b>	M6 (Light Industrial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** ABDULLAH USMAN  
                              **Agent:** ALAM MAKUR

The following variances are requested:

1. A minimum side yard setback of 0.43 metres to the second storey addition shall be provided whereas the by-law requires a minimum side yard setback of 0.6 metres.
2. A maximum encroachment of 0.41 metres for the eastern eaves and gutters shall be provided whereas the by-law permits a maximum encroachment of 0.30 metres.
3. A maximum encroachment of 0.25 metres for the eastern eaves and gutters shall be provided whereas the by-law permits a maximum encroachment of 0.21 metres.
4. A maximum gross floor area of all accessory buildings of 46.25 square metres, or 19.77% shall be provided whereas the by-law permits a maximum gross floor area of 17.55 square metres, or 7.5%.
5. A minimum rear yard setback of 0.3 metres to the accessory building shall be provided whereas the by-law requires a minimum rear yard setback of 1.2 metres.
6. A minimum side yard setback of 0.43 metres to the accessory building shall be provided whereas the by-law requires a minimum side yard setback of 1.2 metres.
7. A minimum vehicle entrance setback of 0.73 metres to the proposed detached garage shall be provided whereas the by-law requires a minimum setback of 6.0 metres from the street line.
8. A minimum parking space size of 3.05 metres in width shall be provided whereas the by-law requires a minimum width of 3.1 metres.

**HM/A-23:228**

**PURPOSE & EFFECT:** So as to permit the construction of an addition to the single detached dwelling and new 2-car garage.

**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, September 21, 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>
	<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-23:228, 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-23:228



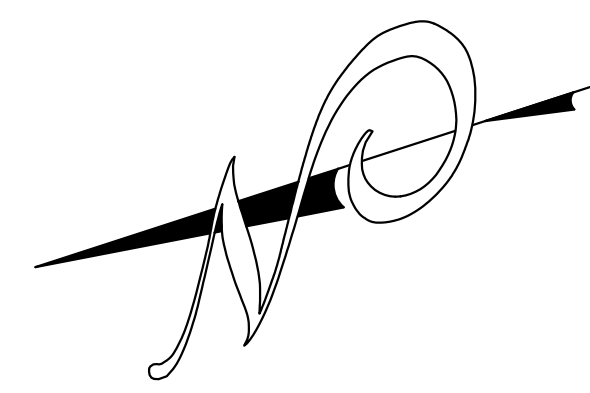
 Subject Lands

DATED: September 5, 2023

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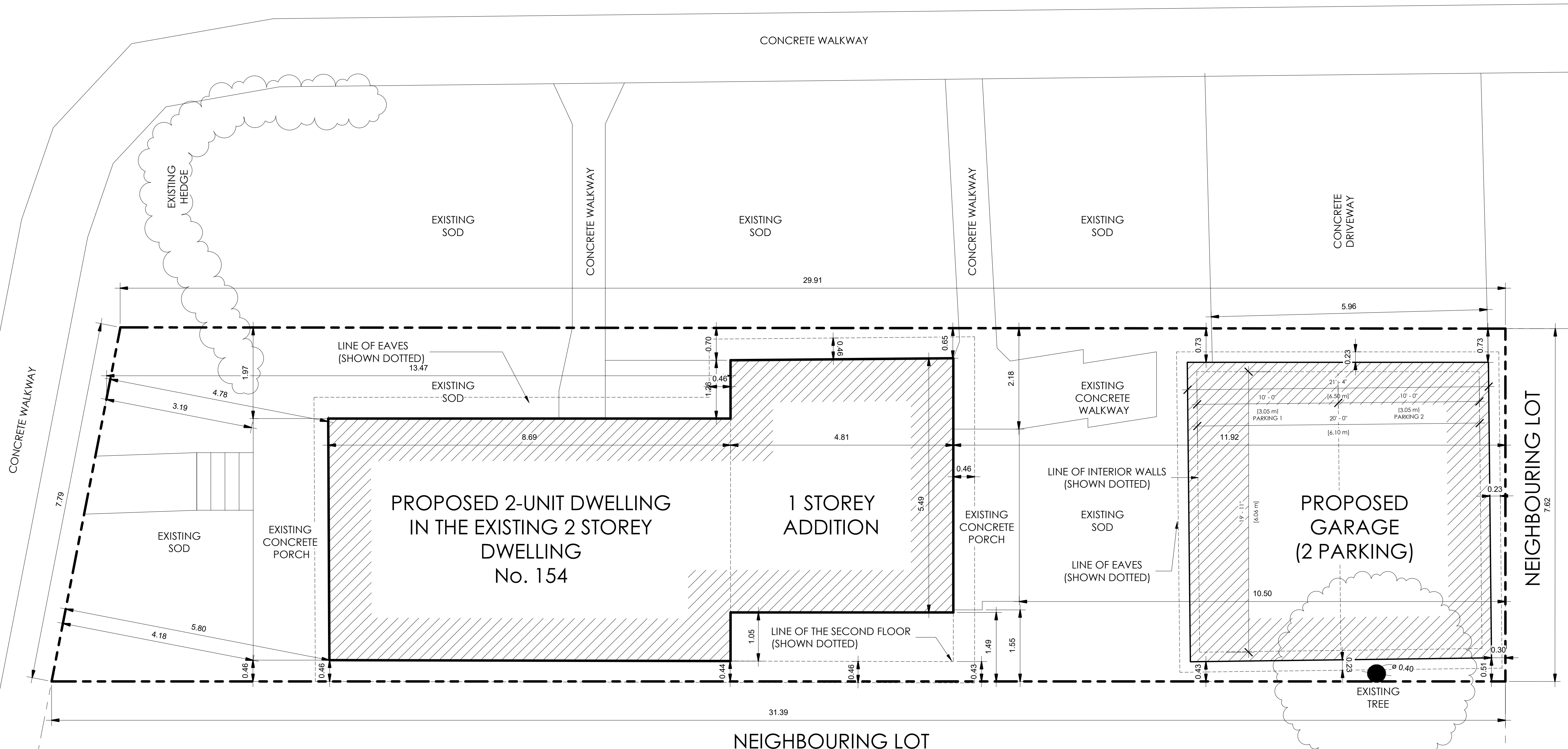
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



# LYNDHURST STREET

BEACH ROAD



NEIGHBOURING LOT

NEIGHBOURING LOT

**SITE STATS**  
ZONING CATEGORY : #M6 (LIGHT INDUSTRIAL)

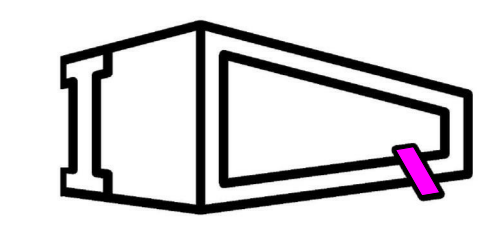
	EXISTING	PROPOSED	TOTAL
LOT AREA	233.96 m <sup>2</sup>	-	233.96 m <sup>2</sup>
BUILDING FOOTPRINT	71.21 m <sup>2</sup>	5.10 m <sup>2</sup>	76.22 m <sup>2</sup>
NEW DETACHED GARAGE	NONE	41.78 m <sup>2</sup>	41.78 m <sup>2</sup>
<b>GFA CALCULATIONS</b>			
GROUND FLOOR	71.21 m <sup>2</sup>	-	71.21 m <sup>2</sup>
SECOND FLOOR	45.12 m <sup>2</sup>	31.39 m <sup>2</sup>	76.22 m <sup>2</sup>
<b>DWELLING HEIGHT</b>			
DWELLING HEIGHT	8.86 m	-	8.86 m
GARAGE HEIGHT	-	3.99 m	3.99 m
<b>SETBACKS (DWELLING)</b>			
NORTH (Front)	4.78 m	-	-
EAST	0.65 m	-	-
SOUTH (Rear)	11.92 m	-	-
WEST	0.44 m	0.43 m	-
<b>SETBACKS (DETACHED GARAGE)</b>			
NORTH	-	23.44 m	-
EAST	-	0.73 m	-
SOUTH	-	0.30 m	-
WEST	-	0.43 m	-

1 SITE PLAN  
1 : 50

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE DESIGNER. DRAWINGS ARE NOT TO BE SCALED.

**GENERAL CONSTRUCTION NOTES**

All construction to comply with requirements of the Ontario Building Code (OBC) - Latest edition.  
 - These notes are included as minimum requirements  
 - Notes appearing on Architectural or Structural drawings shall supersede these notes.  
 - Report discrepancies immediately.



**INTEQUA**  
ARCHITECTURAL + INTERIOR

159 QUEBEC AVENUE,  
TORONTO, ONTARIO M6P 2T9  
TEL: (647) 740-5825  
E: intequa@gmail.com

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under 3.2.5.1. of the Building Code

Alam Makur 109095  
 NAME SIGNATURE BCIN  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under 3.2.4.1. of the Building Code  
 FIRM NAME BCIN

Project: **REAR ADDITION**

Address: **154 Beach Road, Hamilton**

Drawing Title: **SITE PLAN**

File Application #

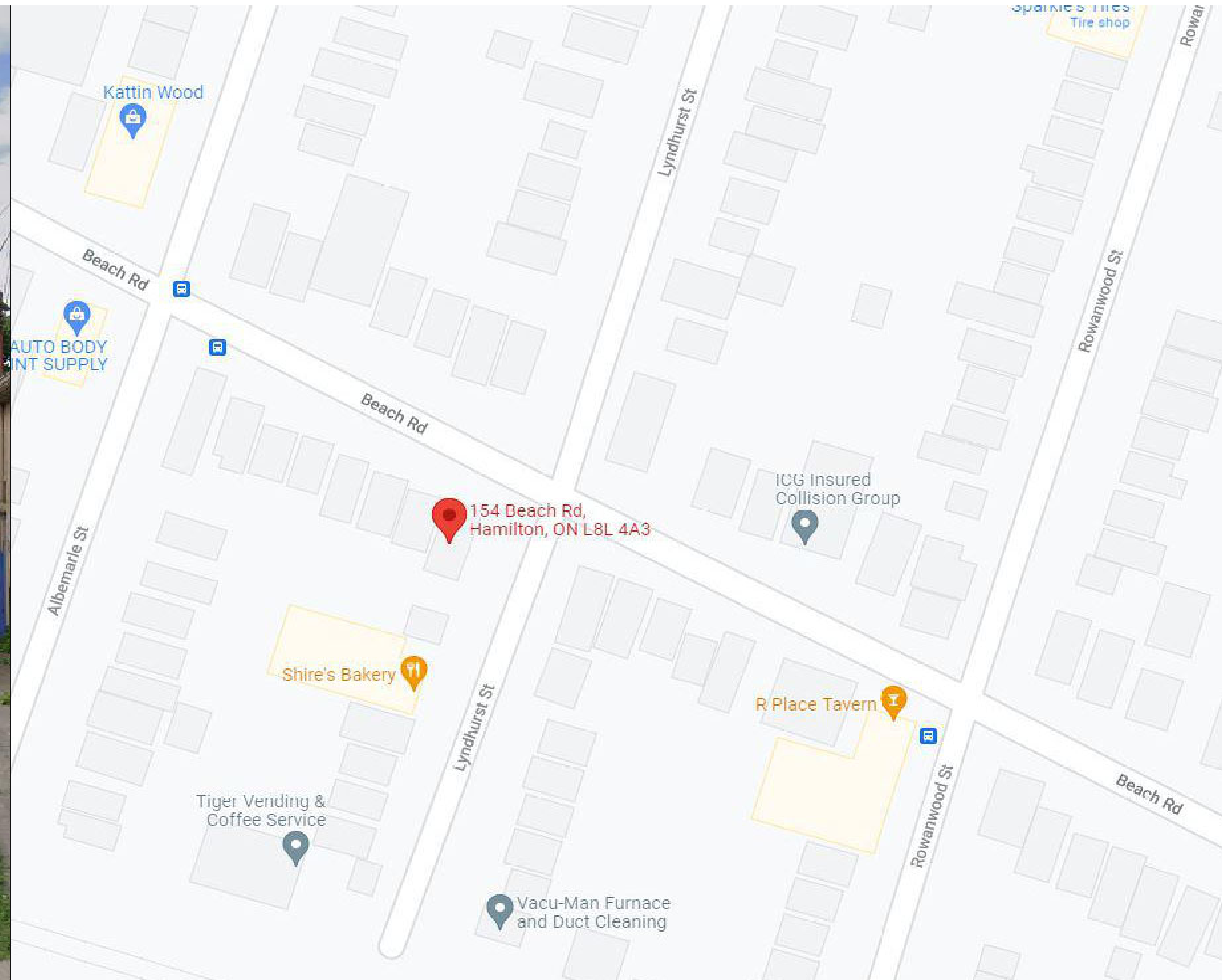
Scale: 1 : 50

Date: August 28, 2023

Project number: 230301

**SP1.01**





INDEX	
Number	Sheet Name
A-00	COVER PAGE
A-01	SURVEY
A-02	SITE PLAN
A-03	EXT. BASEMENT PLAN
A-03.1	EXT. MAIN & SECOND FLOOR PLANS
A-04	PROP. BASEMENT & MAIN FLOOR PLAN
A-05	PROP. SECOND FLOOR & ROOF PLANS
A-06	EXTERIOR ELEVATION
A-07	EXTERIOR ELEVATION
A-08	STAIR SECTION
A-09	SECTION & WALL SECTION
A-10	SCHEDULES
AN-01	GENERAL & CONSTRUCTION NOTES
S-01	DEMOLITION PLANS
S-02	MAIN & SECOND FLOOR FRAMING PLANS
S-03	ROOF FRAMING PLAN & DETAILS



**ADDITION**  
**154 BEACH RD**  
**HAMILTON, ON L8L 4A3**

REVISION:

No.	Description	Date

**NOTES**

- THE DRAWINGS SHALL NOT BE SCALED.
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**ADDITION**  
**ELI INVESTMENT**  
**154 BEACH RD**  
**HAMILTON, ON L8L 4A3**

COVER PAGE

Project number 22 R 100 - 25  
 Date 2022.02.07



888.236.5555 | 416.463.5393 | 905.821.0728  
 INFO@YEJSTUDIO.COM  
 WWW.YEJSTUDIO.COM

**ADDITION**

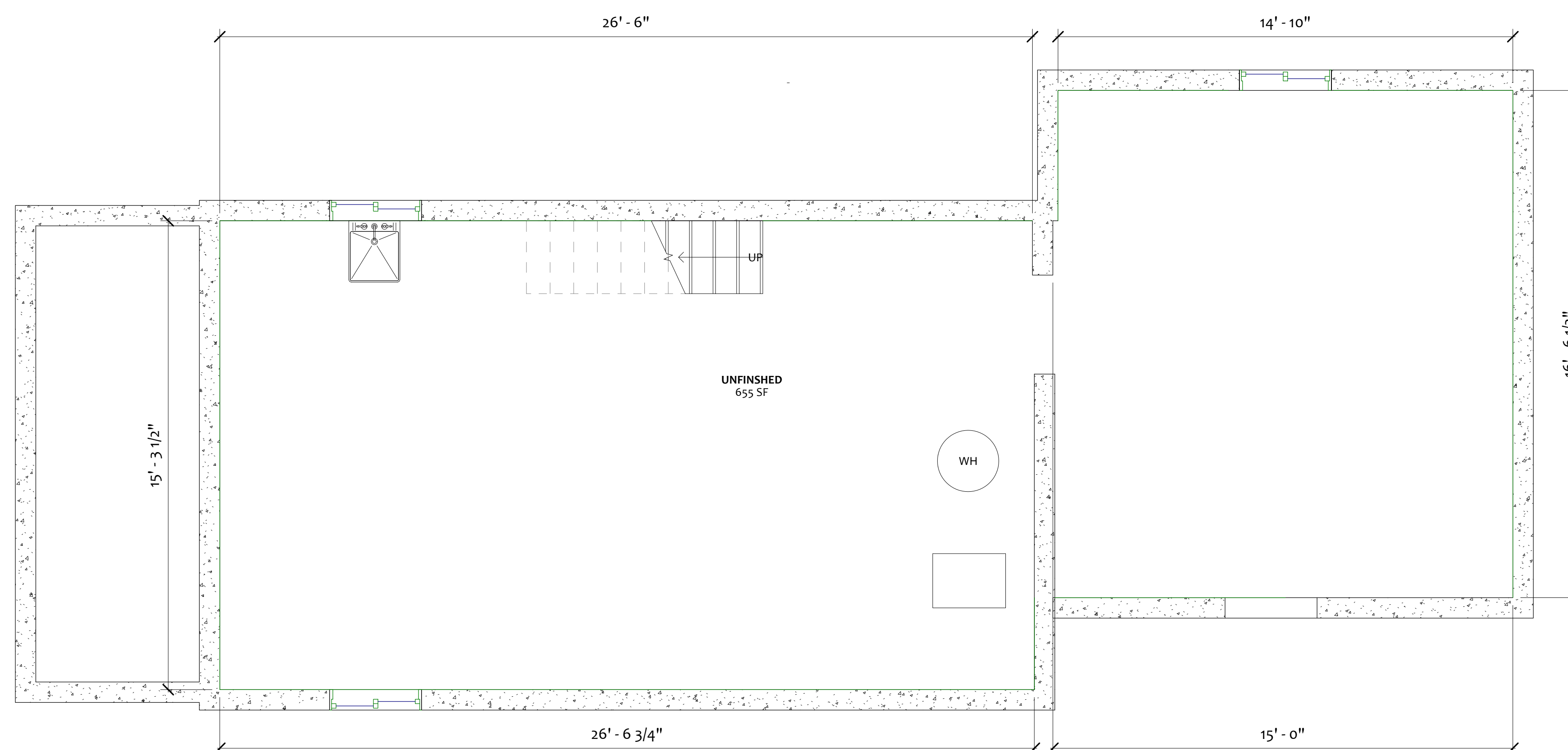
**154 BEACH RD  
 HAMILTON, ON L8L 4A3**

REVISION:

No.	Description	Date

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**EXT. BASEMENT PLAN**

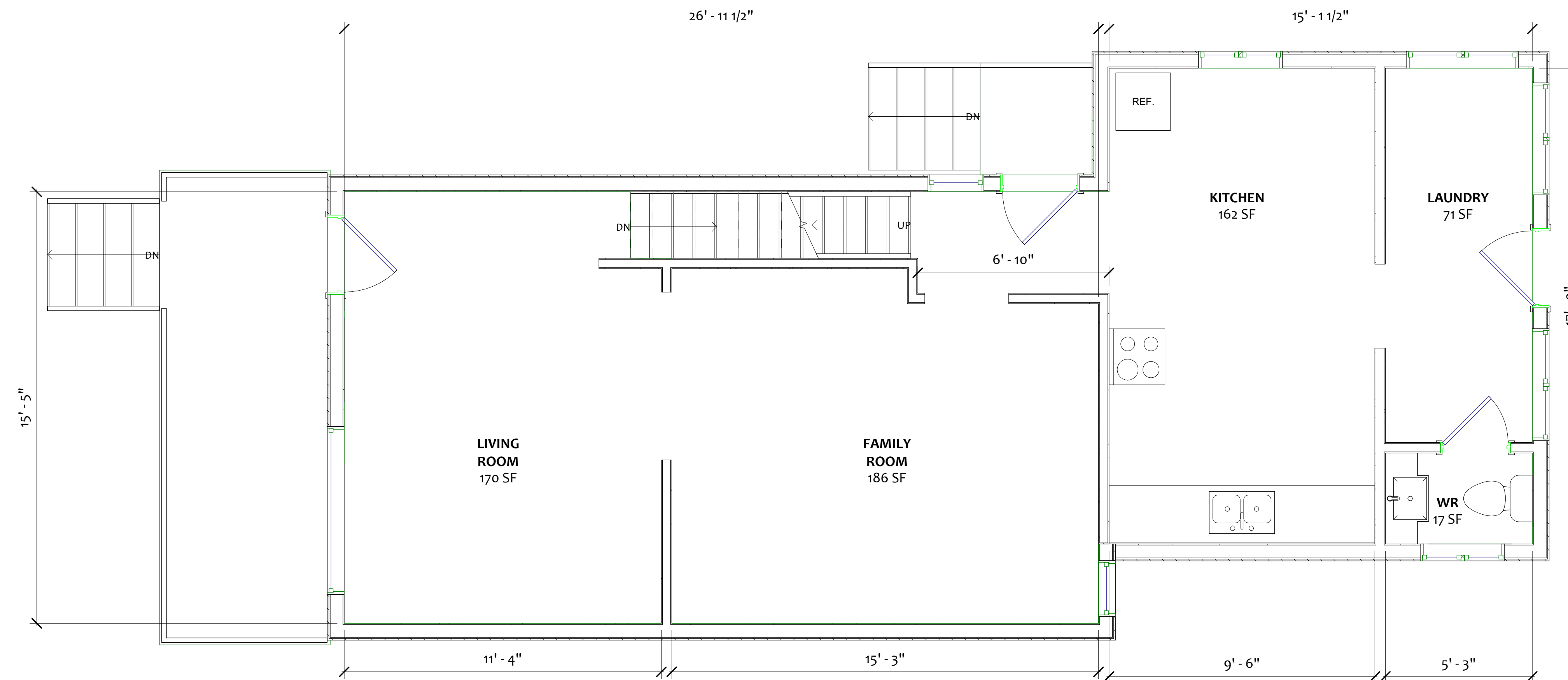
Project number 22 R 100 - 25

Date 2022.02.07

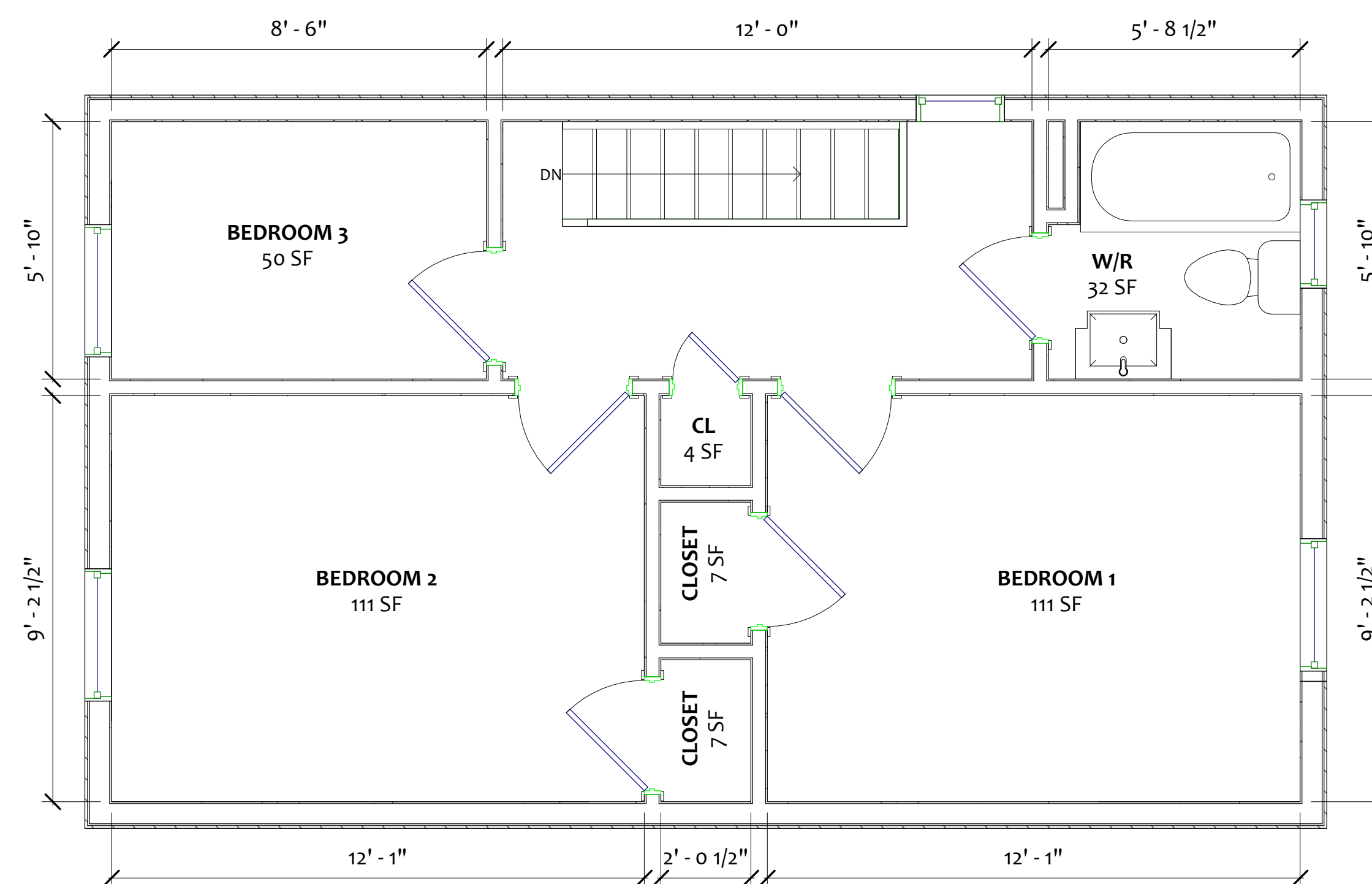
**A-03**

Drawn by D.A.  
 Scale 3/8" = 1'-0"





**1 Ex. MAIN FLOOR**  
A-03.1 3/8" = 1'-0"



**2 Ex. SECOND FLOOR**  
A-03.1 3/8" = 1'-0"

**ADDITION**

154 BEACH RD  
HAMILTON, ON L8L 4A3

REVISION:

No.	Description	Date

NOTES

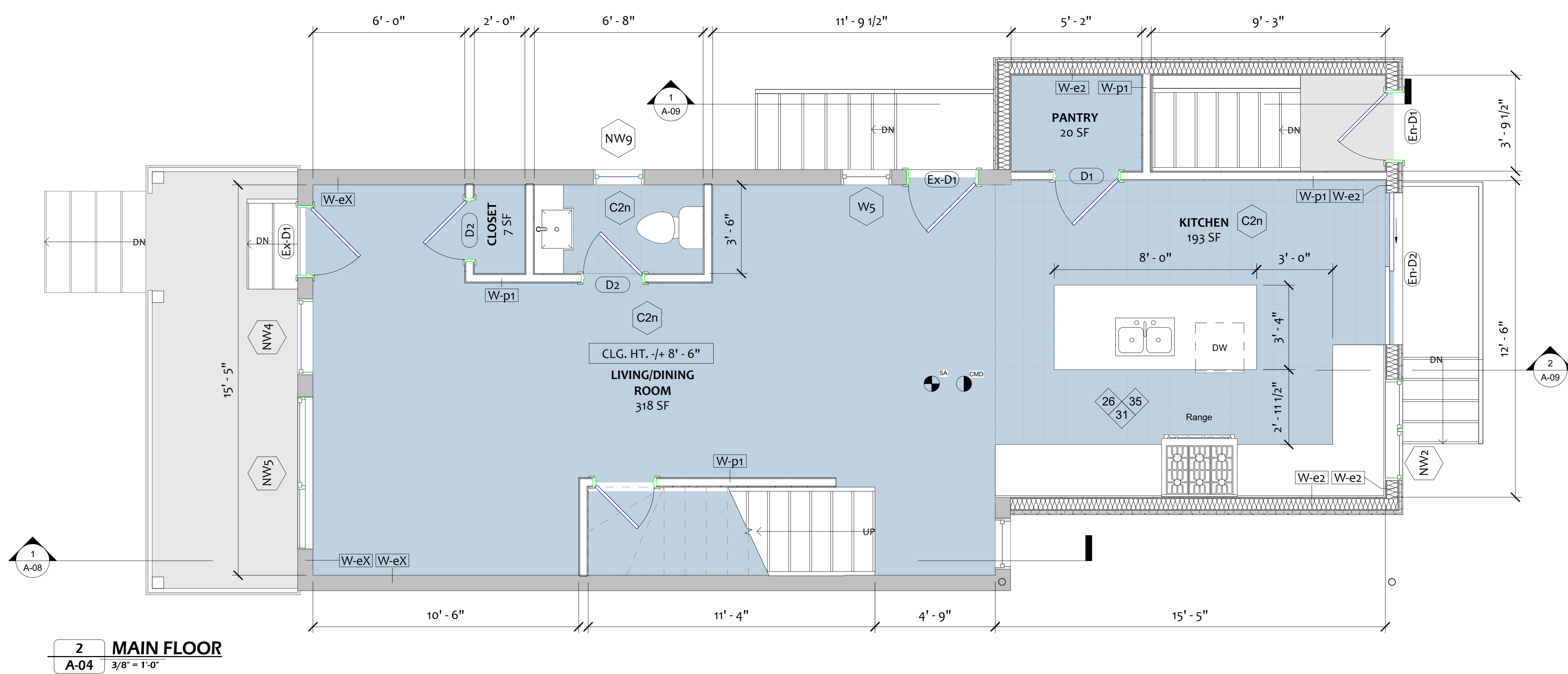
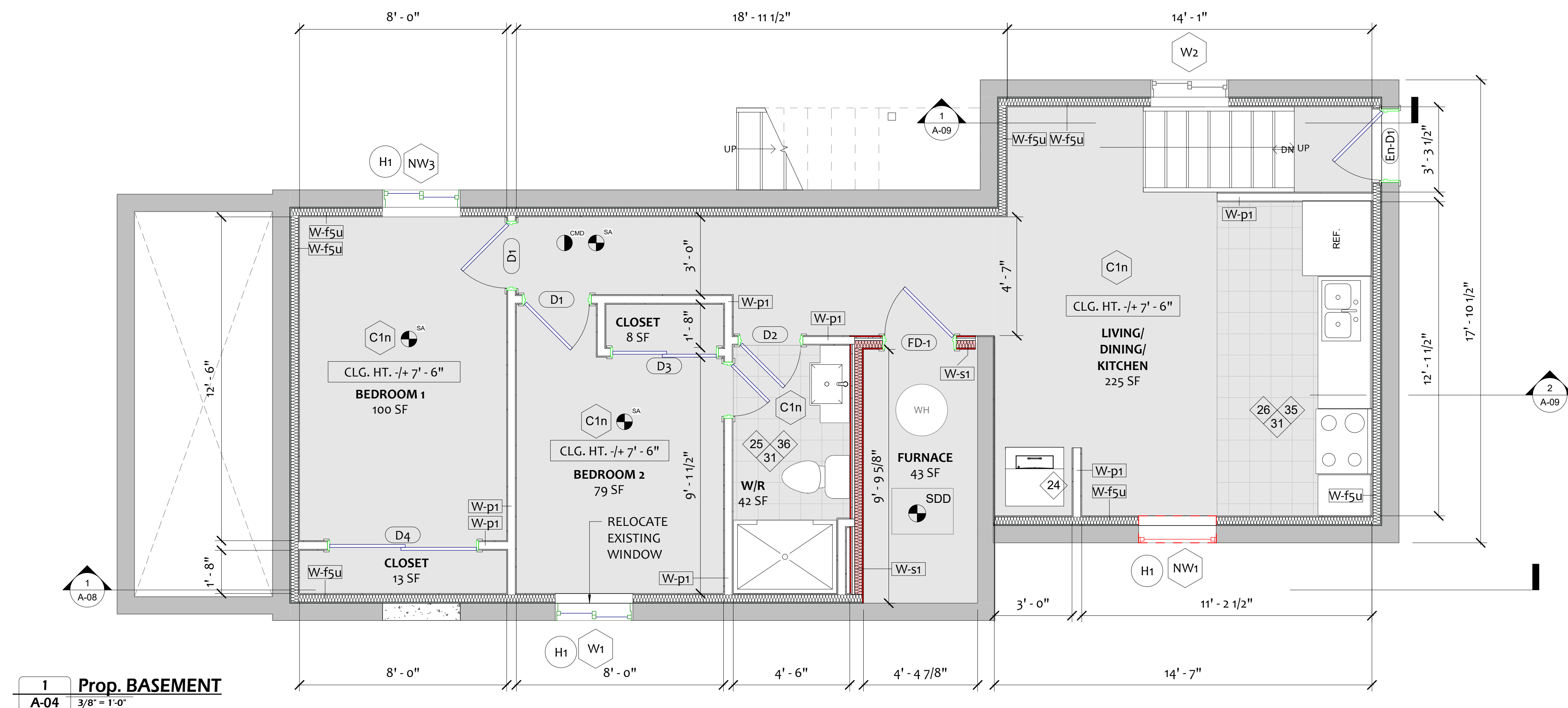
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**EXT. MAIN & SECOND FLOOR PLANS**

Project number 22 R 100 - 25  
Date 2022.02.07

**A-03.1**

Drawn by Author  
Scale 3/8" = 1'-0"



**ADDITION**  
154 BEACH RD  
HAMILTON, ON L8L 4A3

REVISION:

No.	Description	Date

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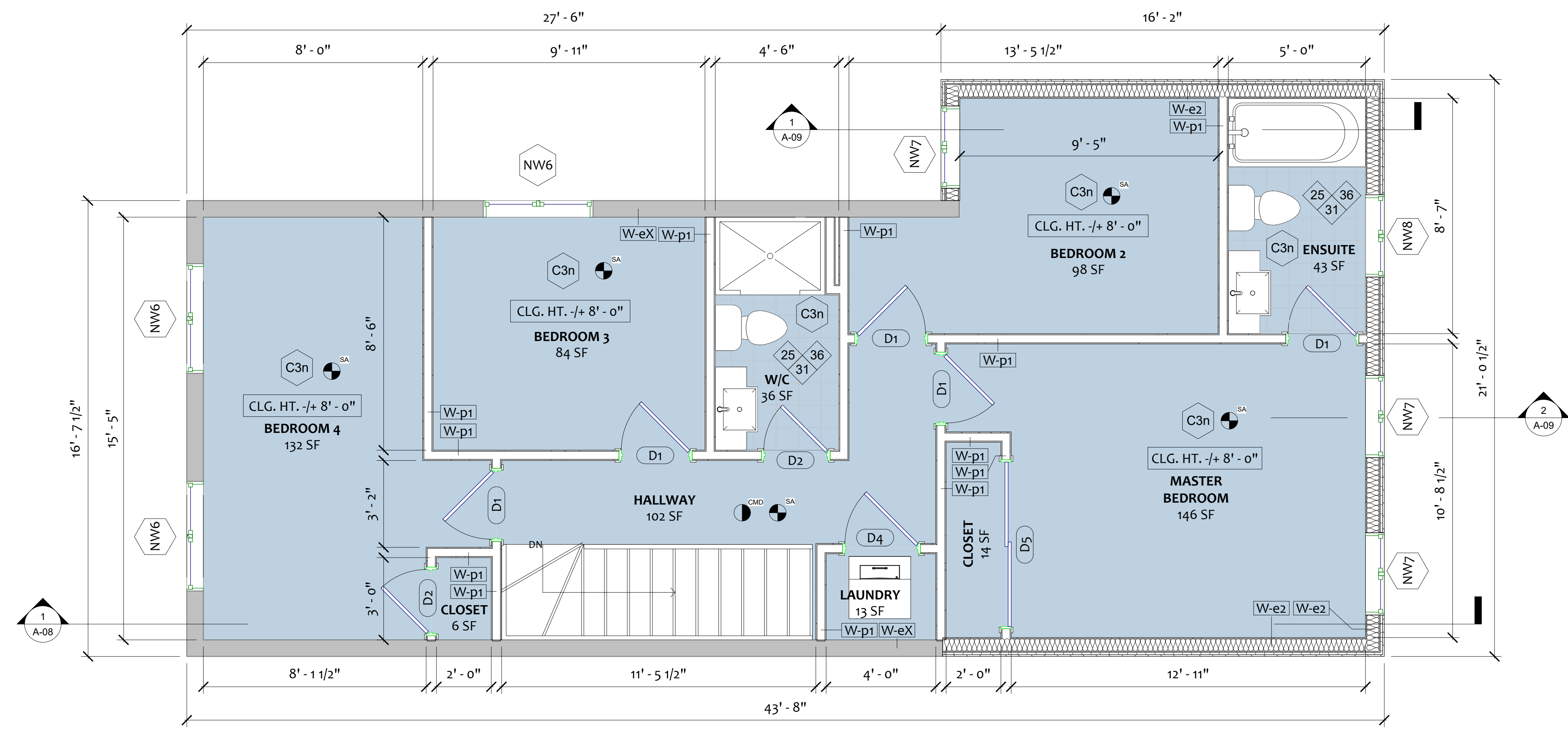
**PROP. BASEMENT & MAIN FLOOR PLAN**

Project number 22 R 100 - 25  
Date 2022.02.07

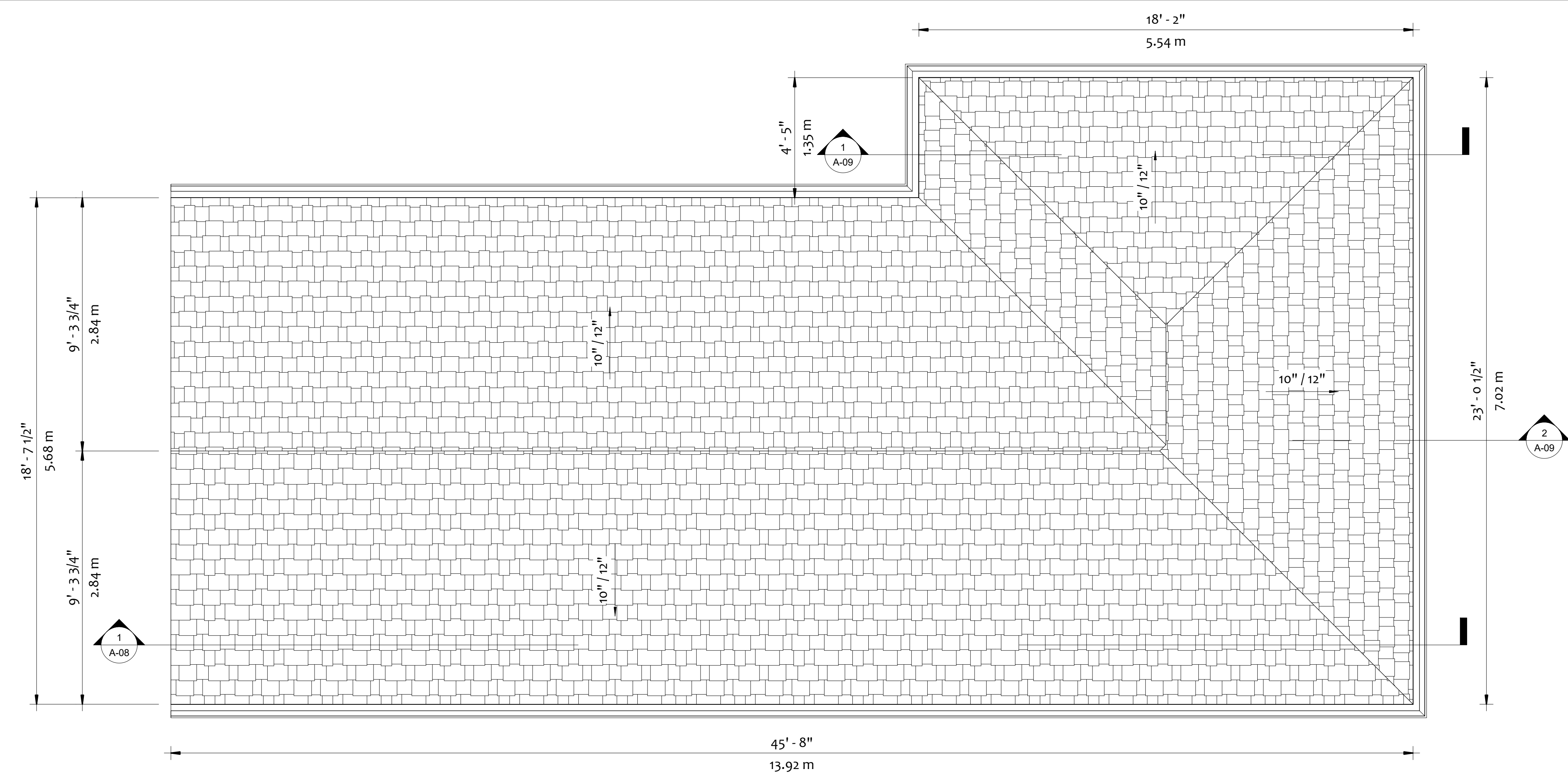
**A-04**

Drawn by A.H.  
Scale 3/8" = 1'-0"





**2 SECOND FLOOR**  
A-05 3/8" = 1'-0"



**ADDITION**  
154 BEACH RD  
HAMILTON, ON L8L 4A3

REVISION:

No.	Description	Date

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**PROP. SECOND FLOOR & ROOF PLANS**

Project number 22 R 100 - 25  
Date 2022.02.07

**A-05**

Drawn by A.H.  
Scale 3/8" = 1'-0"

**ADDITION**

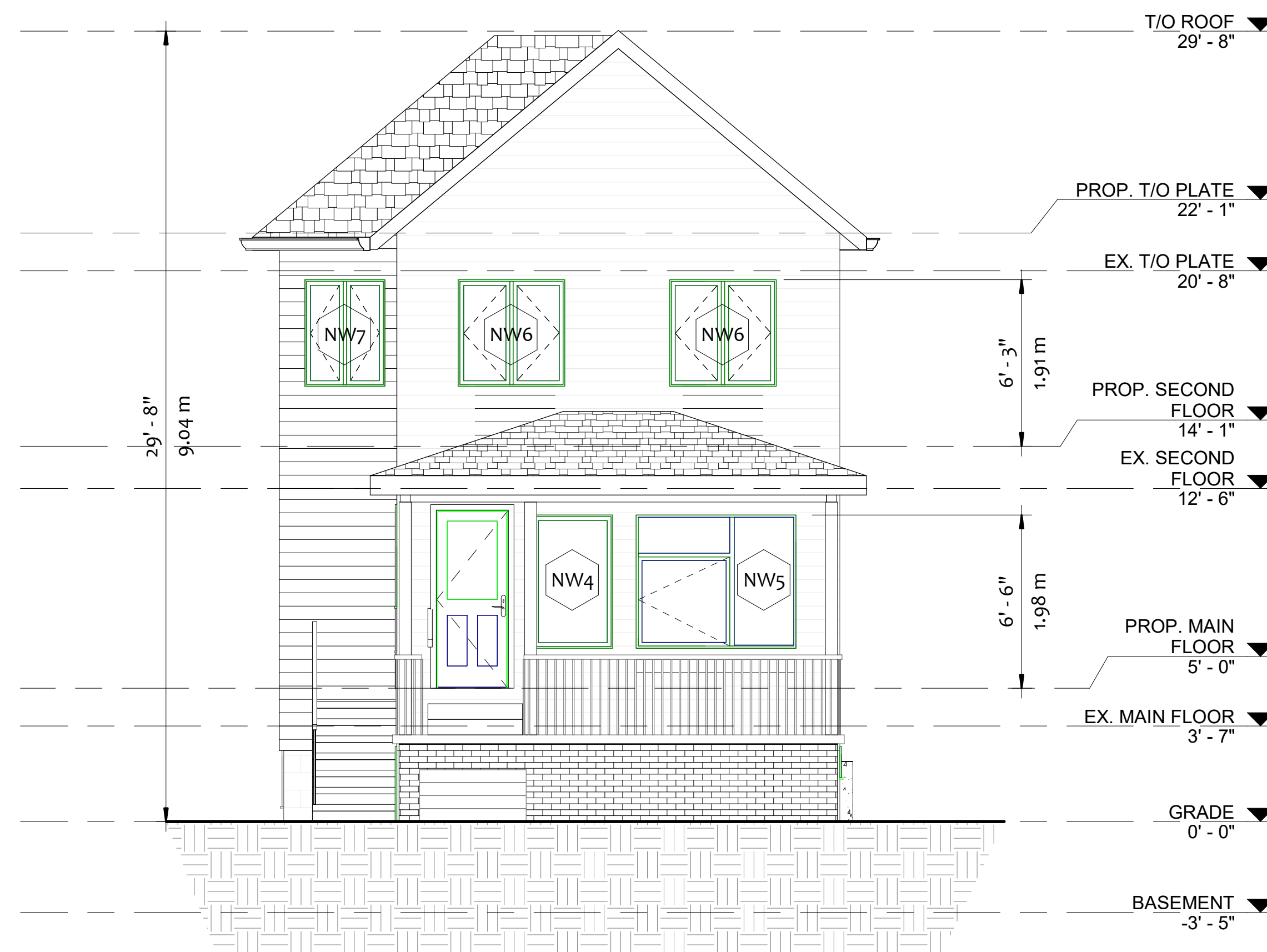
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**1 NORTH ELEVATION**  
A-06 1/4" = 1'-0"



**2 EAST ELEVATION**  
A-06 1/4" = 1'-0"

**EXTERIOR ELEVATION**

Project number 22 R 100 - 25  
Date 2022.02.07

**A-06**

Drawn by A.H.  
Scale 1/4" = 1'-0"



**ADDITION**  
 154 BEACH RD  
 HAMILTON, ON L8L 4A3

REVISION:

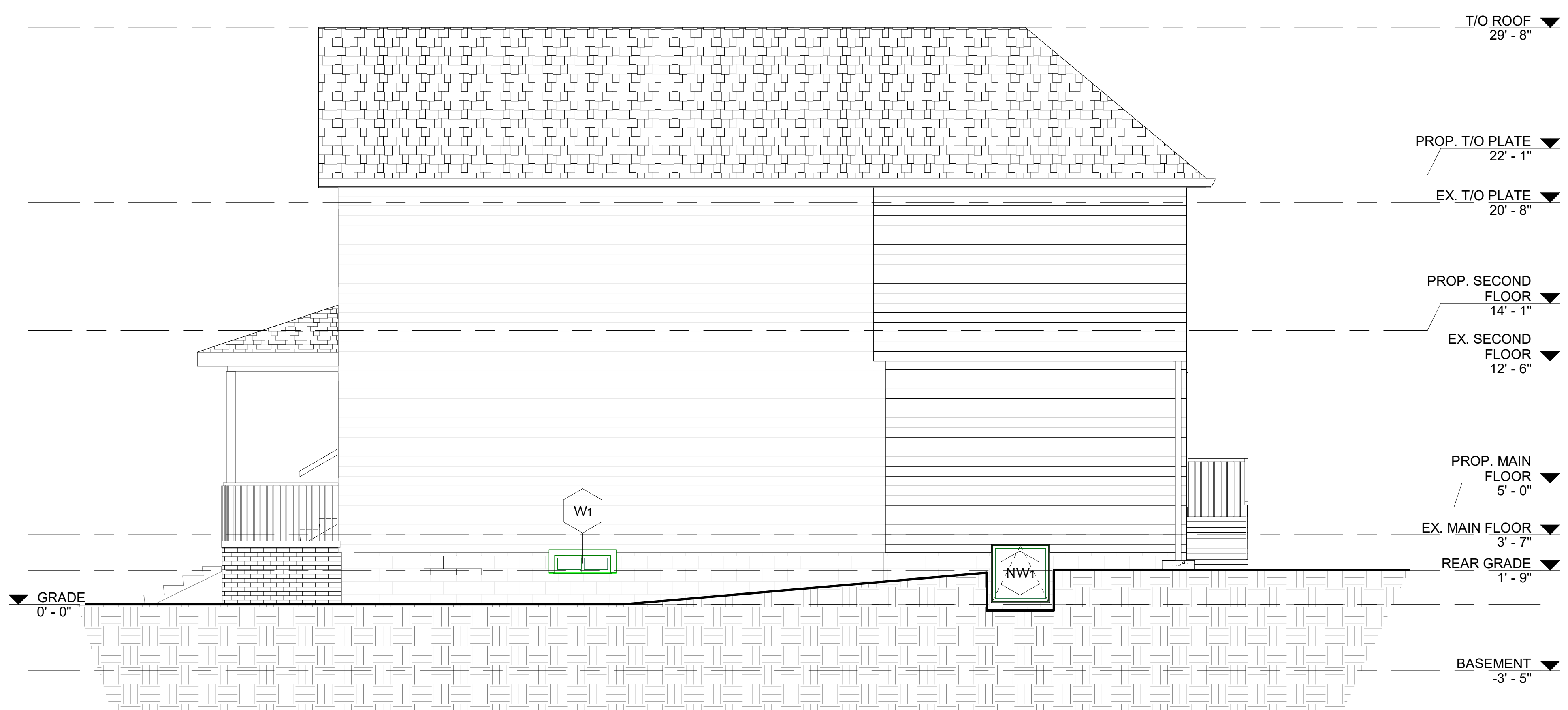
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**1 SOUTH ELEVATION**  
 A-07 1/4" = 1'-0"



**2 WEST ELEVATION**  
 A-07 1/4" = 1'-0"

**EXTERIOR ELEVATION**

Project number 22 R 100 - 25  
 Date 2022.02.07

**A-07**

Drawn by Author  
 Scale 1/4" = 1'-0"



# INTEQUA DESIGNS INC.

**Licensed Architectural Designer**

159 Quebec Ave  
Toronto, On M6P 2T9  
(647) 740-5825

**Email:** [intequa@gmail.com](mailto:intequa@gmail.com)

TO WHOM IT MAY CONCERN

August 16, 2023

**Project Address:** 154 BEACH RD, HAMILTON, ON

## List of Variances:

<b><u>Item:</u></b>	<b><u>Required:</u></b>	<b><u>Requested:</u></b>
1. Minimum Side Yard (West)	0.44 m	0.43 m
2. Accessory Building - Maximum Coverage	7.5 % (17.55 sq m)	19.77 % (46.25 sq m)
3. Accessory Buildings – Rear Yard Setback (East)	1.2 m	0.3 m
4. Accessory Buildings – Side Yard Setback (West)	1.3 m	0.43 m
5. Accessory Buildings – Flankage Setback	6.0 m	0.73 m
6. Eave Encroachment (West)	0.22 m	0.46 m
7. Eave Encroachment (East)	0.3 m	0.46 m
8. Parking – Location (Width)	3.8 m	6.4 m



Alam Makur

**INTEQUA DESIGNS INC.**



Hamilton

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	Abdullah Usman	[REDACTED]
<b>Applicant(s)</b>	Alam Makur	
<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 intequa@gmail.com

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	154 Beach Road, Hamilton		
Assessment Roll Number			
Former Municipality			
Lot	88	Concession	1
Registered Plan Number	465	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:

Please see attached List of Variances

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Most of the item we are requesting a relief from are existing

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
7.79 m	30.68	233.96	



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	4.78 m	12.05 m	0.44 m (West) + 2.08 m (East)	01/01/1980

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
One second second storey addition	13.47 m	12.05	1.49 m (West) + 0.65 m (East)	01/04/2021
Detached garage	23.44 m	0.30	0.43 m (West) + 0.73 m (East)	01/04/2021

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	71.21 SQ. M.	115.59 SQ. M.	2	8.86 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Family Dwelling+Addition	71.21 SQ. M.	146.78 SQ. M.	2	8.86 m
Detached garage	50.57	50.57	1	3.99

- 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 with an accessory dwelling unit in the basmement

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:  
2020

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:  
+/- 43 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.

Most of the applied for minor variance are minor in nature

7.6 What is the existing zoning of the subject land? M6

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

Yes

No

If yes, please provide the file number: M6

---

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):

We are adding a second storey addition to the exiting dwelling, renovate the basement to include a new accessory dwelling and create a two-car garage at the rear of the property.

## 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-23:231</b>	<b>SUBJECT PROPERTY:</b>	99 MOUNTSBERG ROAD, FLAMBOROUGH
<b>ZONE:</b>	A2 (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** TONY REED & ADRIENNE SIDSWORTH  
**Agent:** HARRISON ARCHITECTURE INC. C/O CHRIS HARRISON

The following variances are requested:

1. Accessory buildings shall be permitted to be located within the front yard instead of the requirement no accessory buildings or structures shall be located within a front yard
2. An accessory building height of 7.1m shall be permitted instead of the maximum 6.0m building height for buildings accessory to a single detached dwelling in an A1 or A2 zone.

**PURPOSE & EFFECT:**      To permit the construction of a new detached garage

**Notes:**

1. It is noted that for the purposes of this review, the proposed “barn” as well as “equipment shed” have been considered to be part of an agriculture use. Should it be determined that no agriculture use exists on the property, further variances will be required
2. Buildings relating to agriculture uses are subject to the regulations of section 12.2.3.1

**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, September 21, 2023</b>
<b>TIME:</b>	<b>9:45 a.m.</b>

FL/A-23:231

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

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

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

## PUBLIC INPUT

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

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

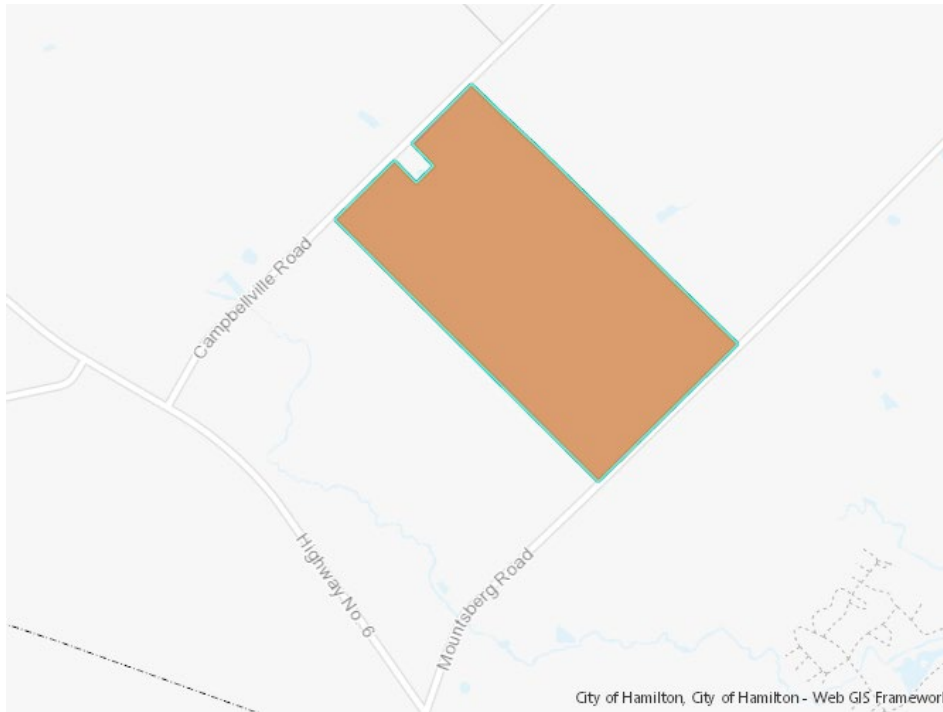
## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:231, 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-23:231



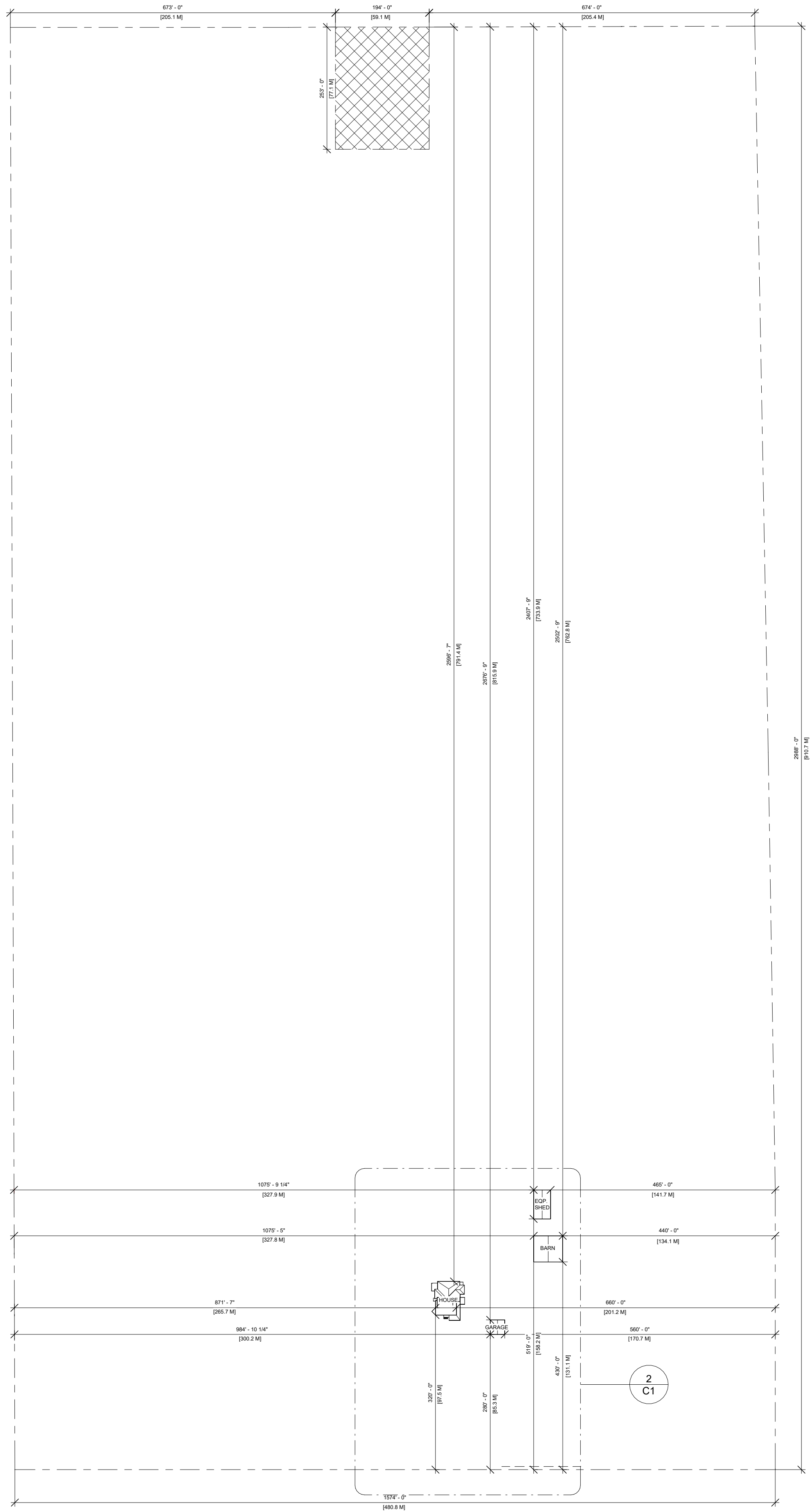
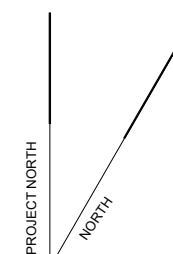
 Subject Lands

DATED: September 5, 2023

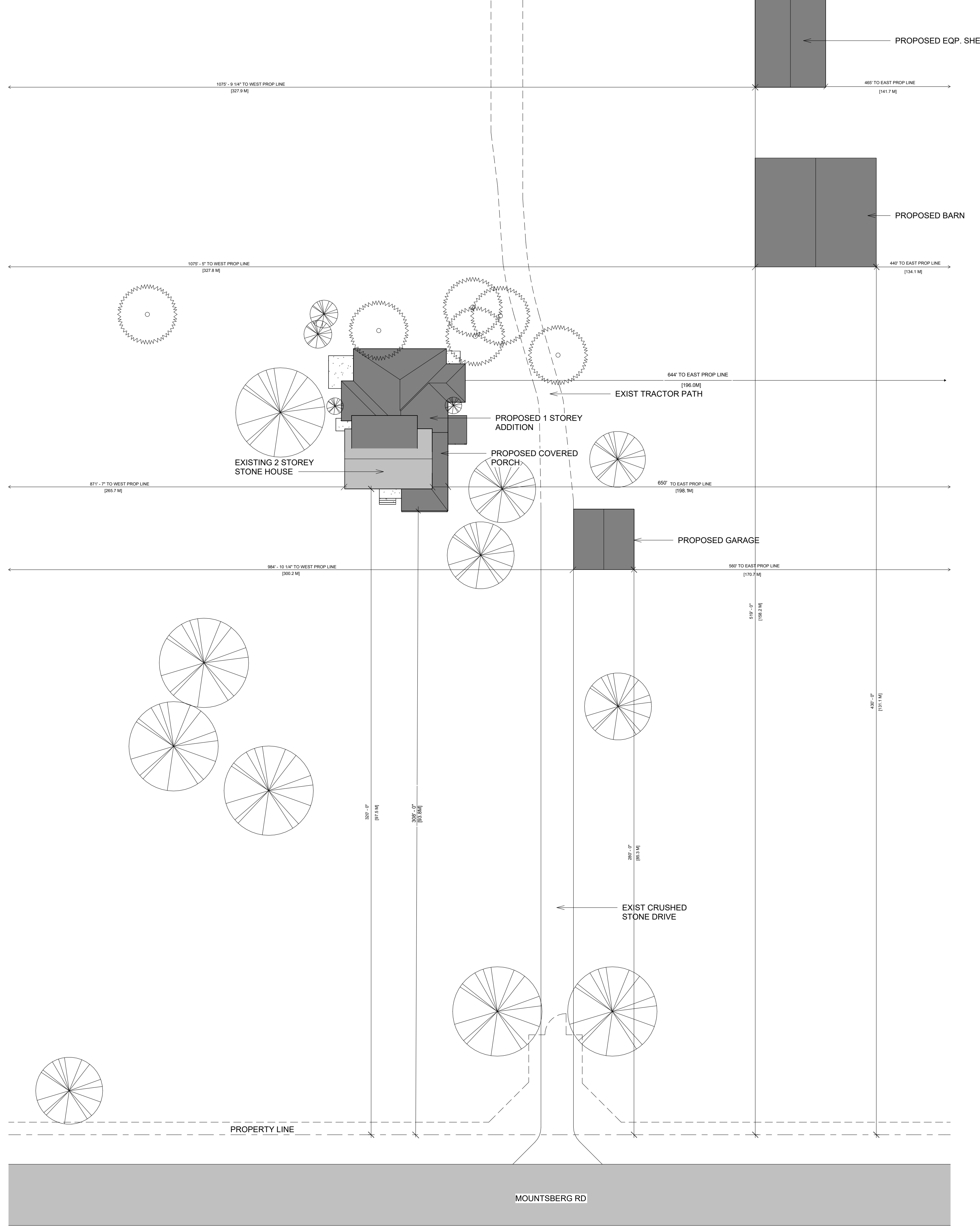
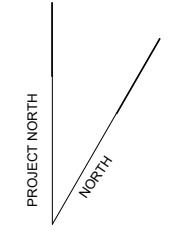
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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 Site Plan  
1" = 160'-0"



2 Partial Site Plan  
1" = 30'-0"

Revisions:

No.	Description	Date
Revision Schedule		

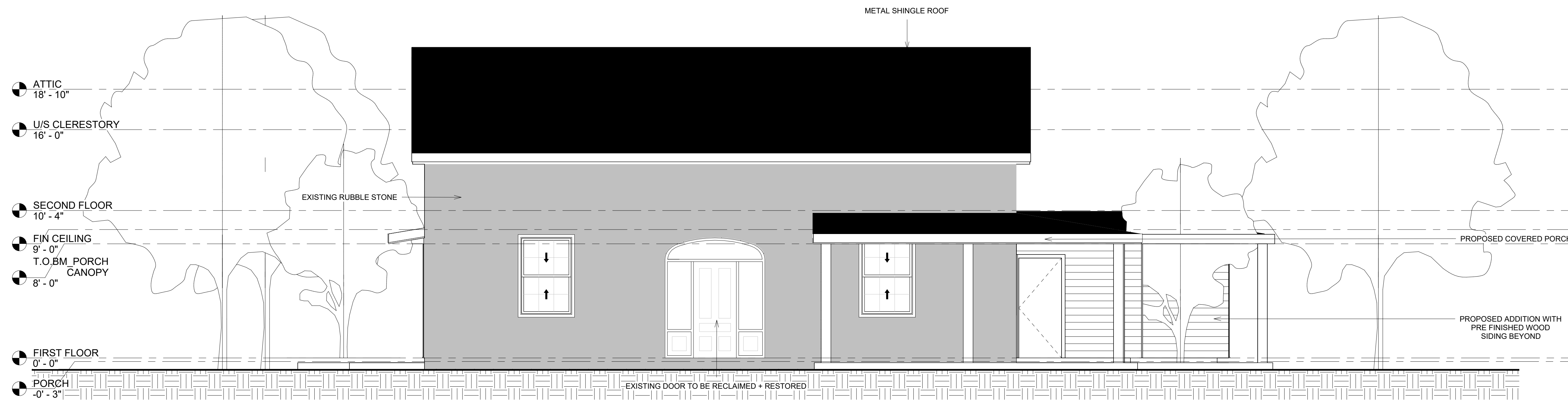
THESE DRAWINGS ARE FOR REPRESENTATION PURPOSES ONLY. ALL DIMENSIONS AND ELEVATIONS MUST BE VERIFIED ON SITE.

**harrisonarchitecture**  
Inc  
6 ANCASTER ST. E.  
DUNDAS, ON  
L9H 4k3

Project No. 23.01  
**99 MOUNTSBERG**  
**ADDN+RENOVNS**  
Drawing Title:

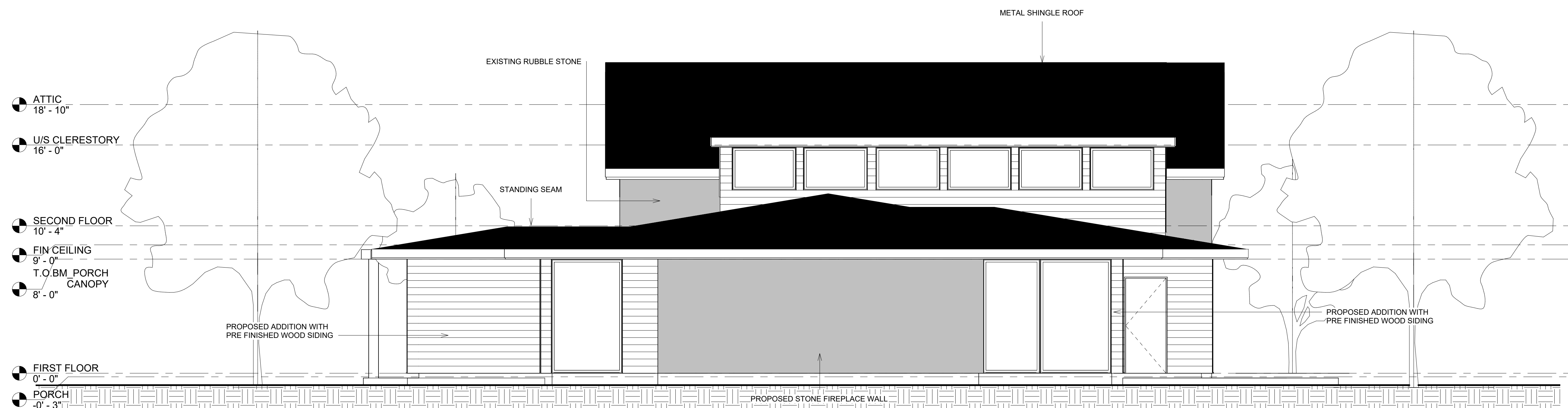
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Scale:	As indicated	Checked By:	Checker

C1



1 South  
1/4" = 1'-0"

Revisions:



2 North  
1/4" = 1'-0"

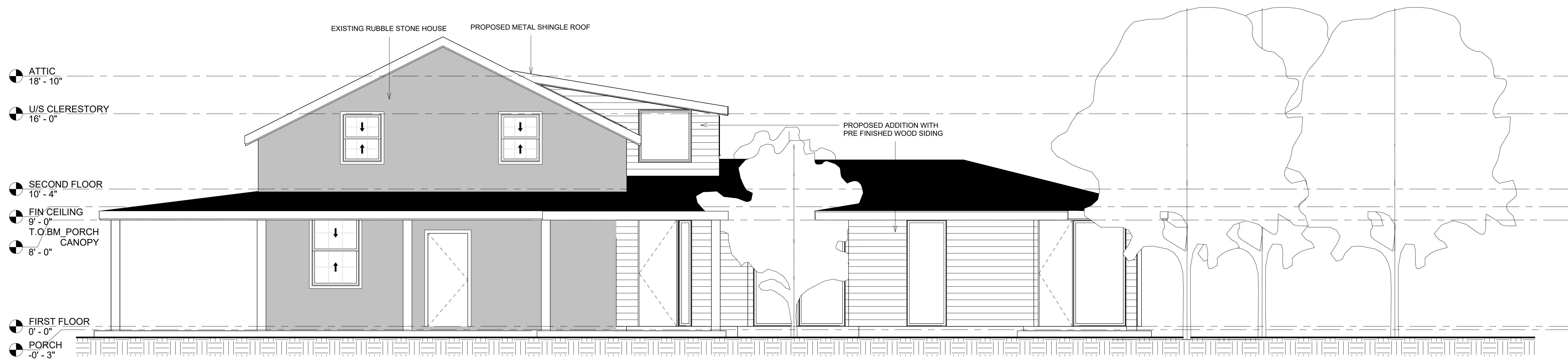
No.	Description	Date
Revision Schedule		

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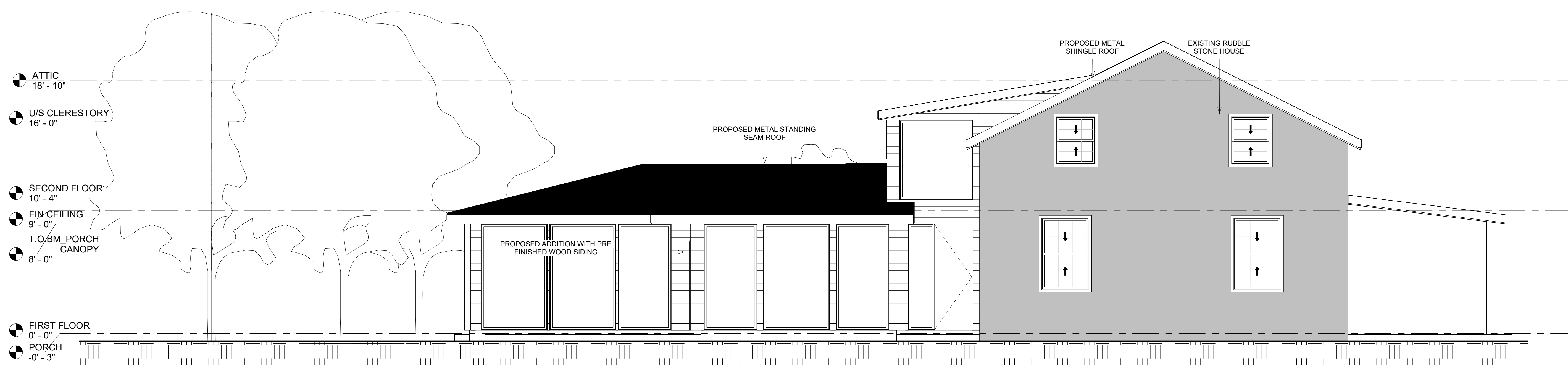
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99 MOUNTSBERG  
ADDN+RENOVNS  
Drawing Title:

Date:	07/09/02	Drawn By:	Author
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1 East  
1/4" = 1'-0"

Revisions:



2 West  
1/4" = 1'-0"

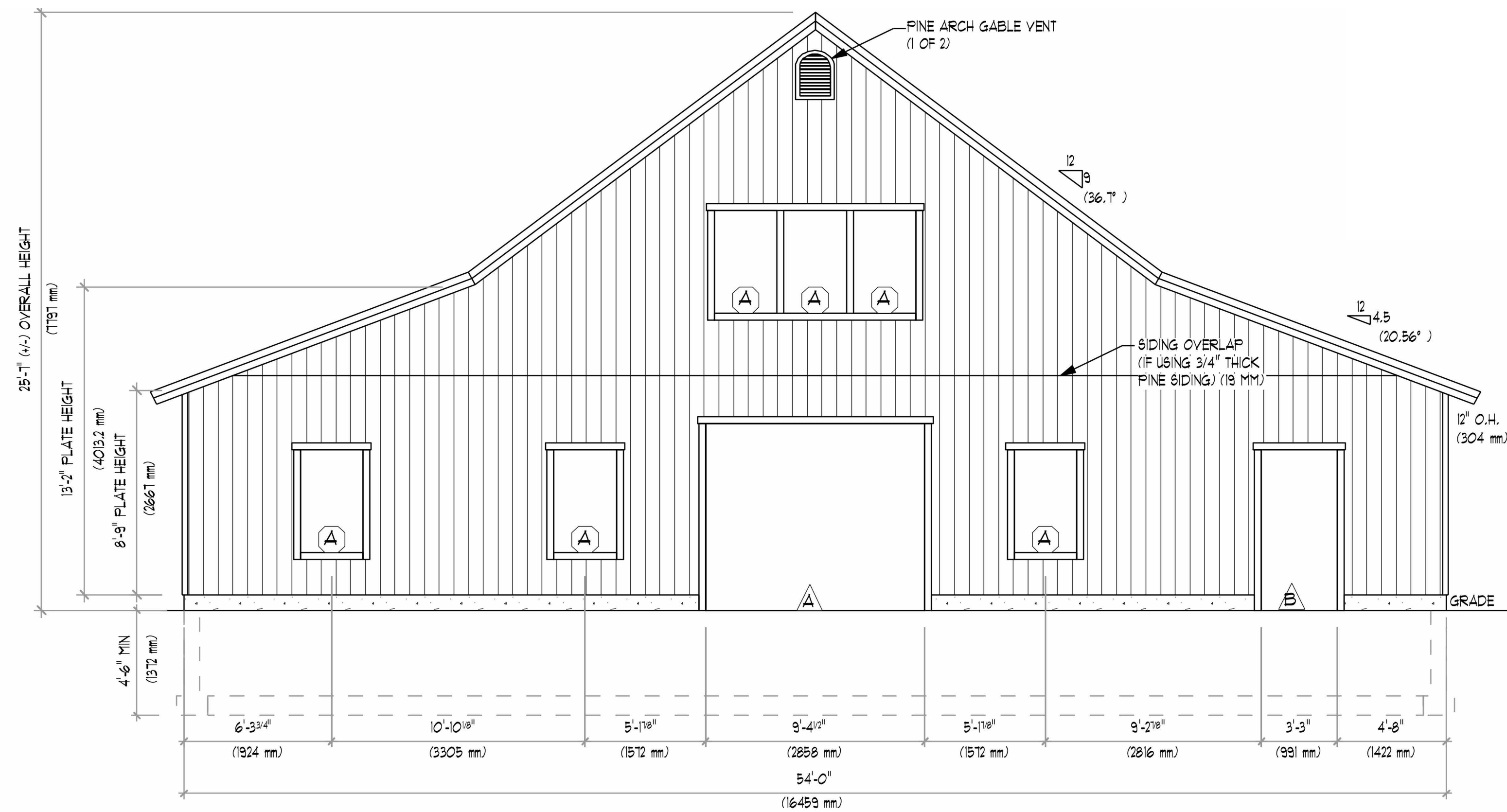
No.	Description	Date
Revision Schedule		

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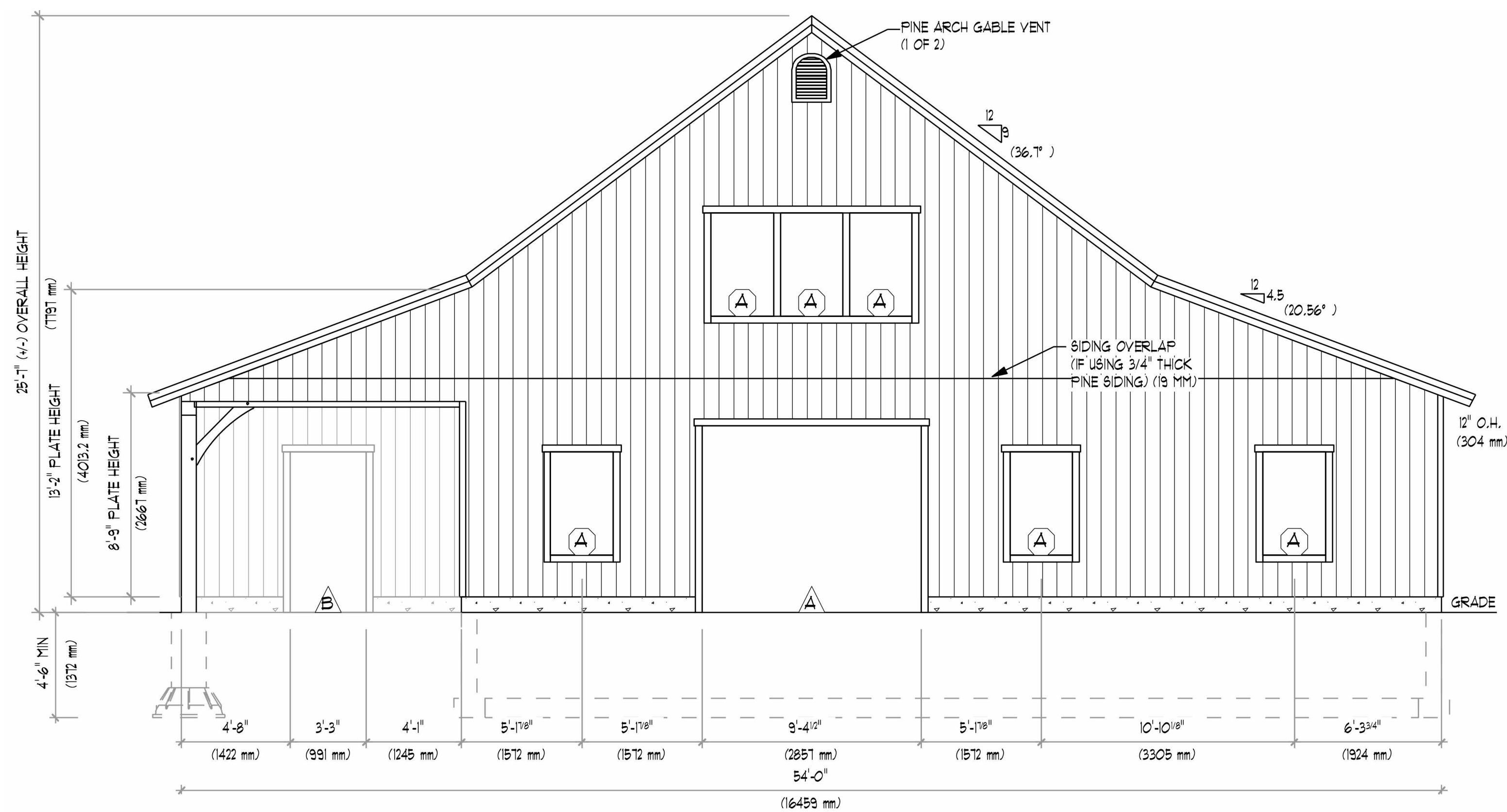
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L9H 4k3

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99 MOUNTSBERG  
ADDN+RENOVNS  
Drawing Title:

Date:	07/09/02	Drawn By:	Author
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**1** BARN FRONT ELEVATION  
1/4" = 1'-0"



**2** BARN BACK ELEVATION  
1/4" = 1'-0"

Revisions:

No.	Description	Date
Revision Schedule		

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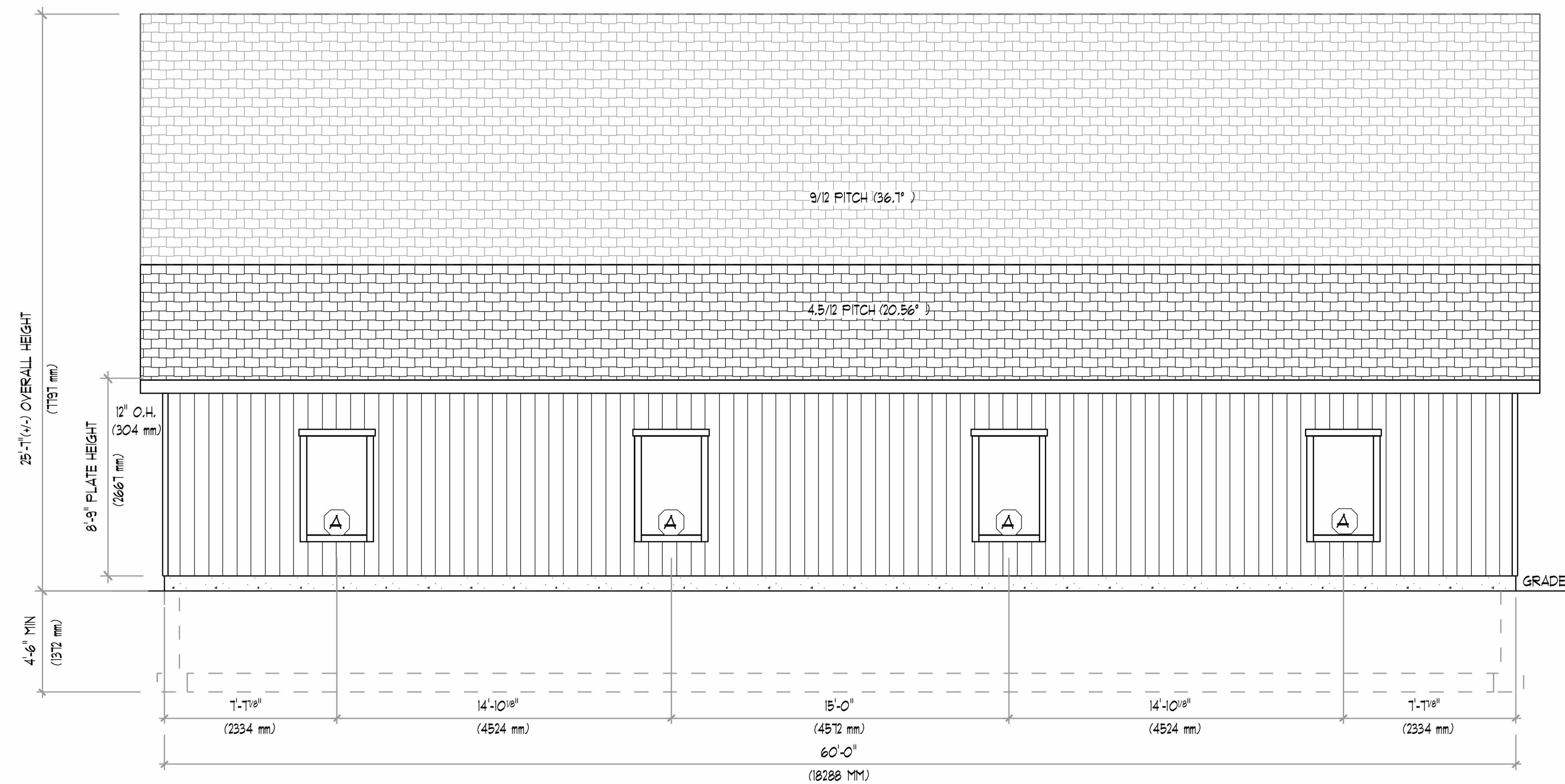
**harrisonarchitecture**  
Inc

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DUNDAS, ON  
L9H 4k3

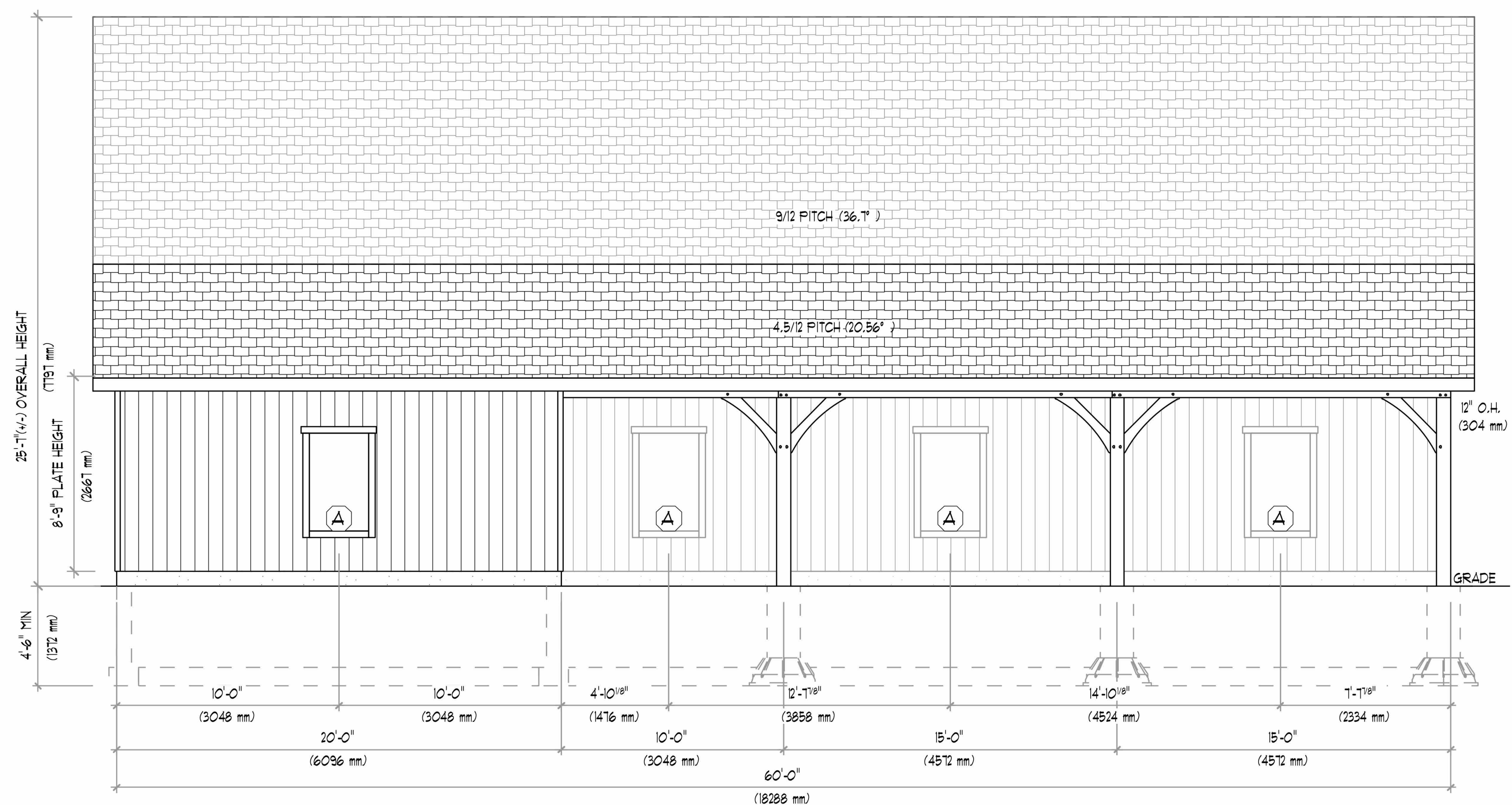
Project No. 23.01  
99 MOUNTSBERG  
ADDN+RENOVNS

Drawing Title:

Date:	07/09/02	Drawn By:	Author
Scale:	1/4" = 1'-0"	Checked By:	Checker



1 BARN LEFT ELEVATION  
1/4" = 1'-0"



2 BARN RIGHT ELEVATION  
1/4" = 1'-0"

Revisions:

No.	Description	Date
Revision Schedule		

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**harrisonarchitecture**  
Inc

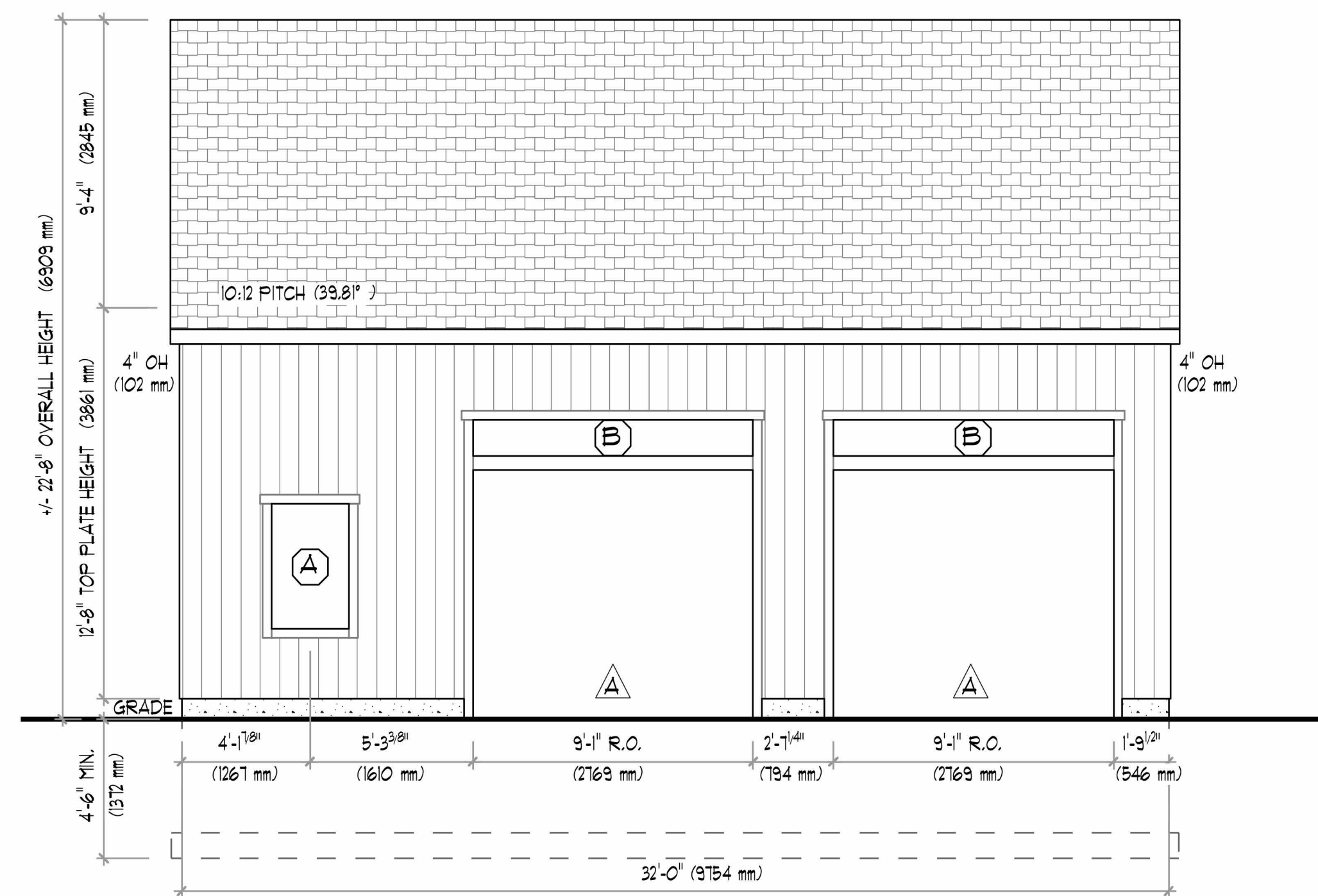
6 ANCASTER ST. E.  
DUNDAS, ON  
L9H 4k3

Project No. 23.01  
99 MOUNTSBERG  
ADDN+RENOVNS

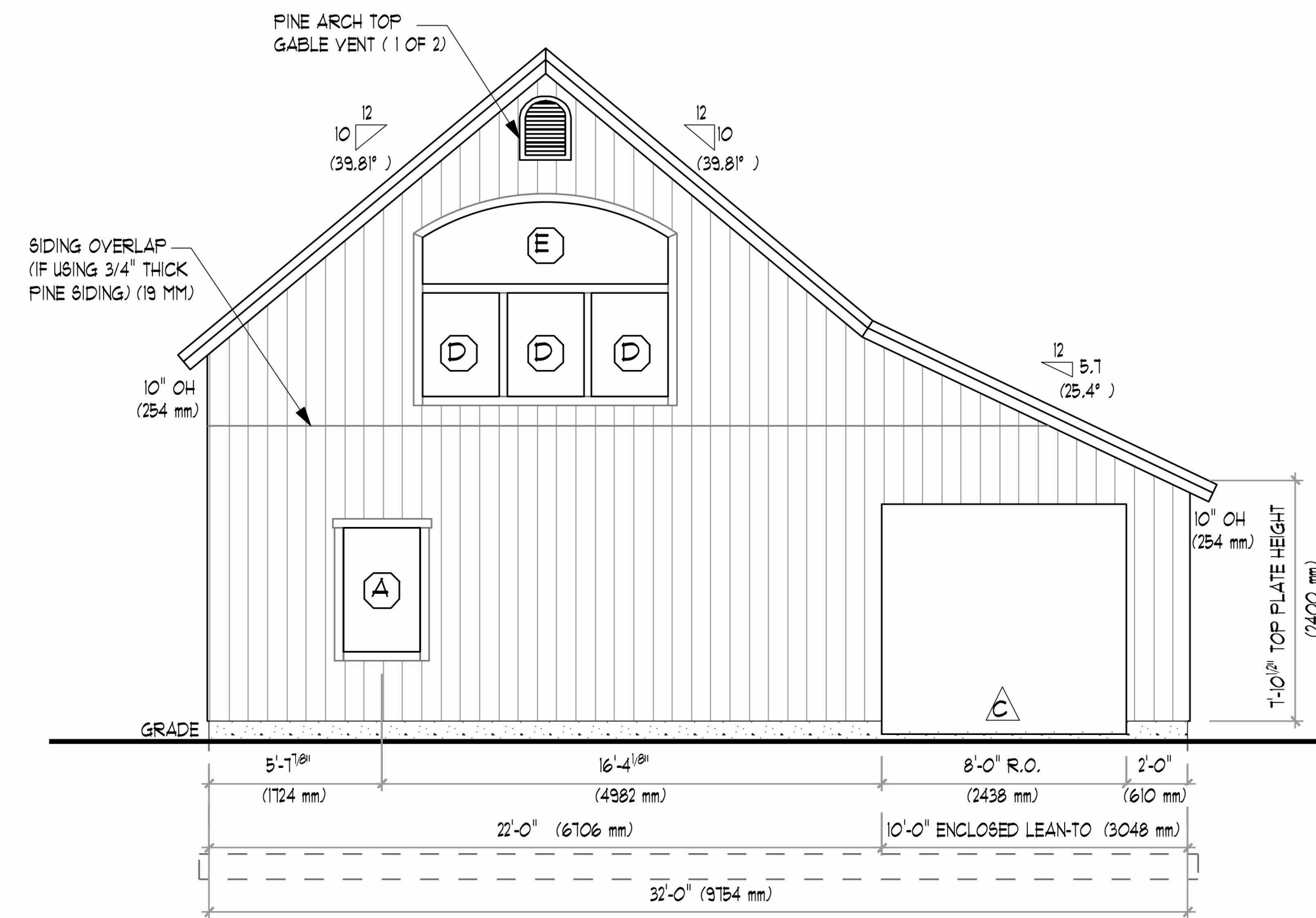
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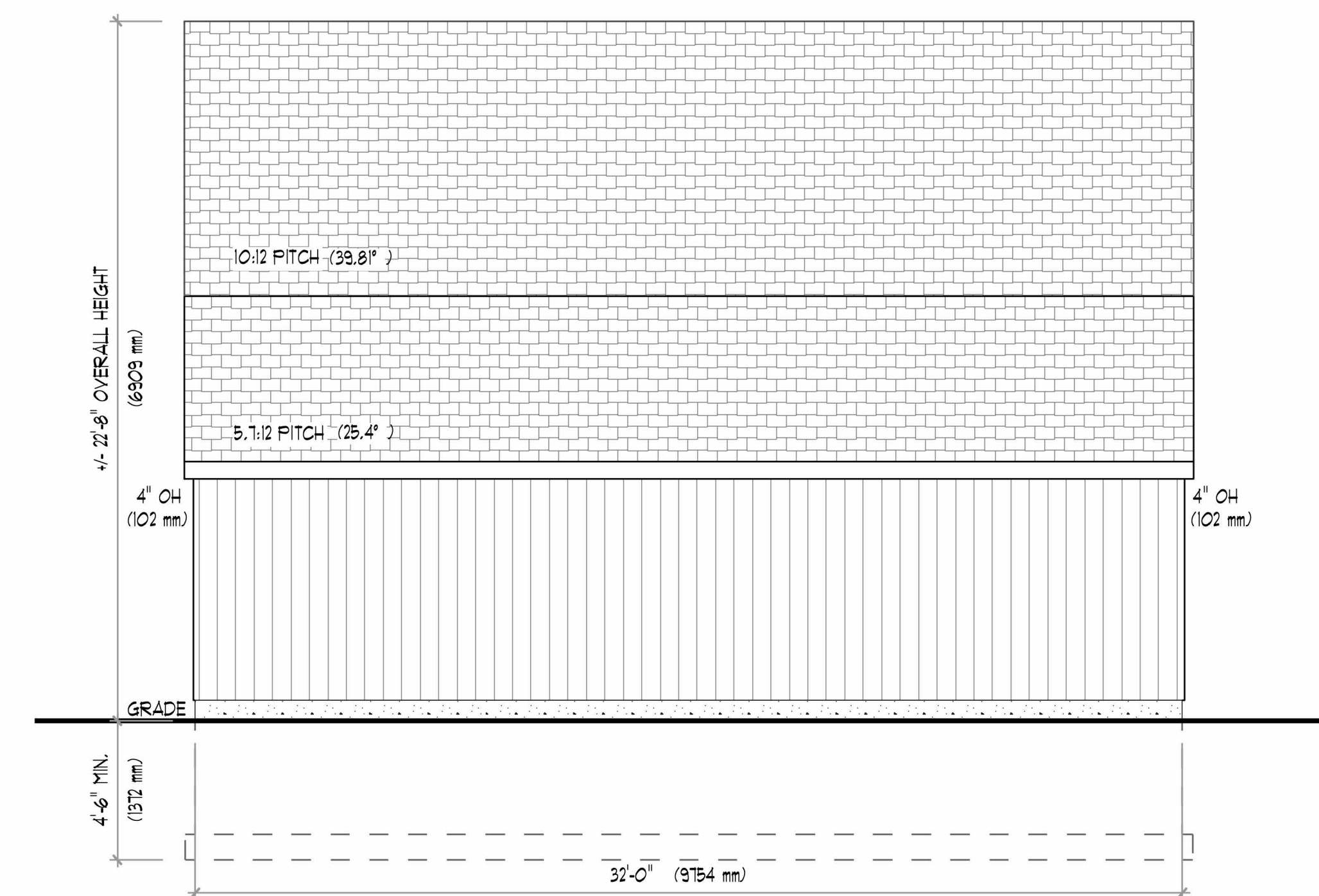




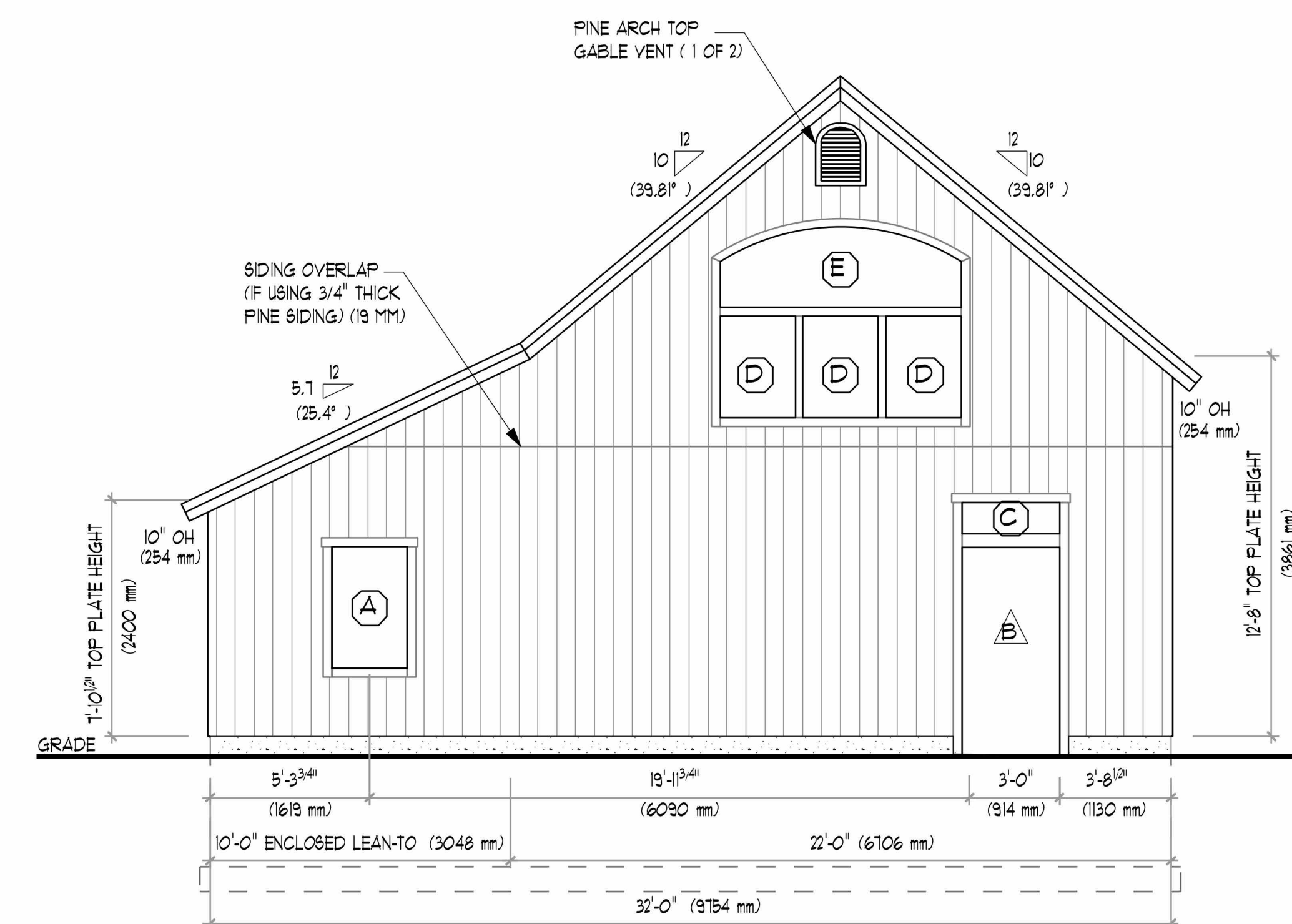
**1 GARAGE FRONT ELEVATION**  
1/4" = 1'-0"



**3 GARAGE RIGHT ELEVATION**  
1/4" = 1'-0"



**2 GARAGE BACK ELEVATION**  
1/4" = 1'-0"



**4 GARAGE LEFT ELEVATION**  
1/4" = 1'-0"

Revisions:

No.	Description	Date
Revision Schedule		

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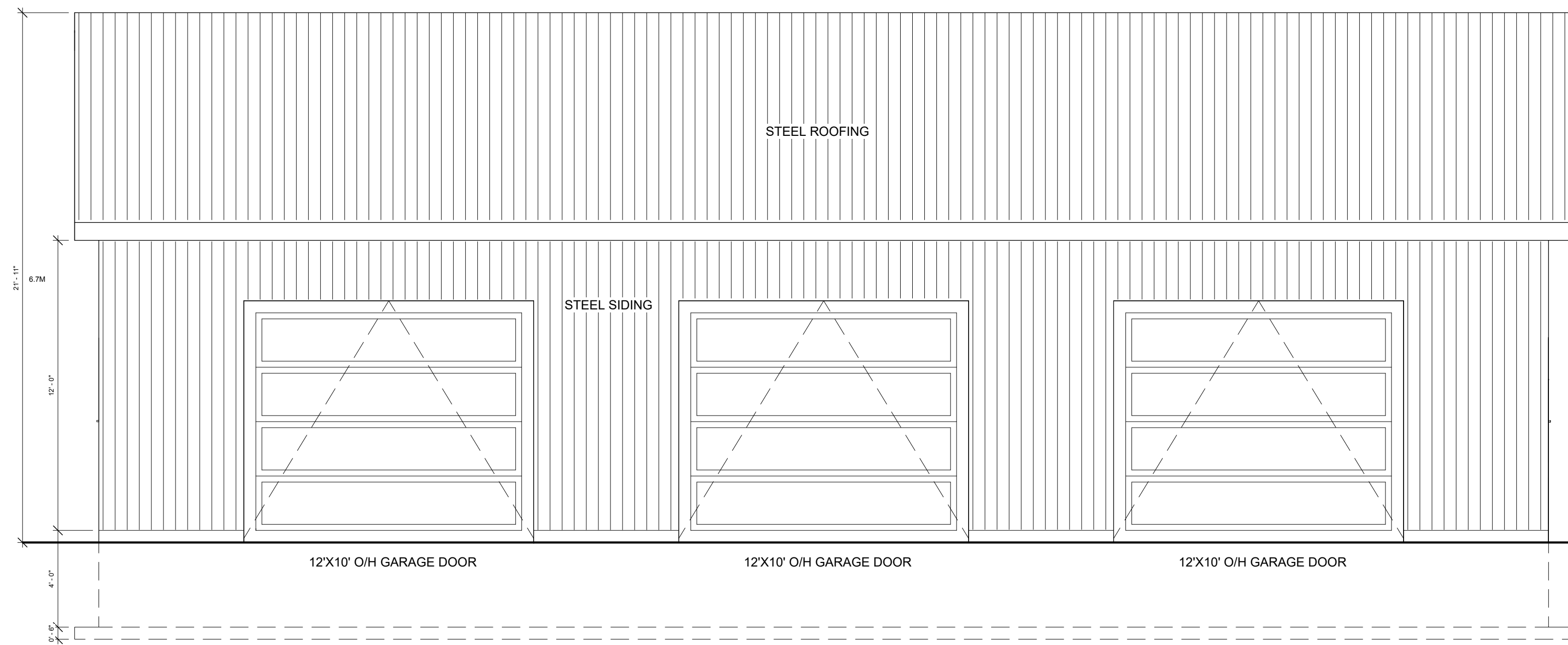
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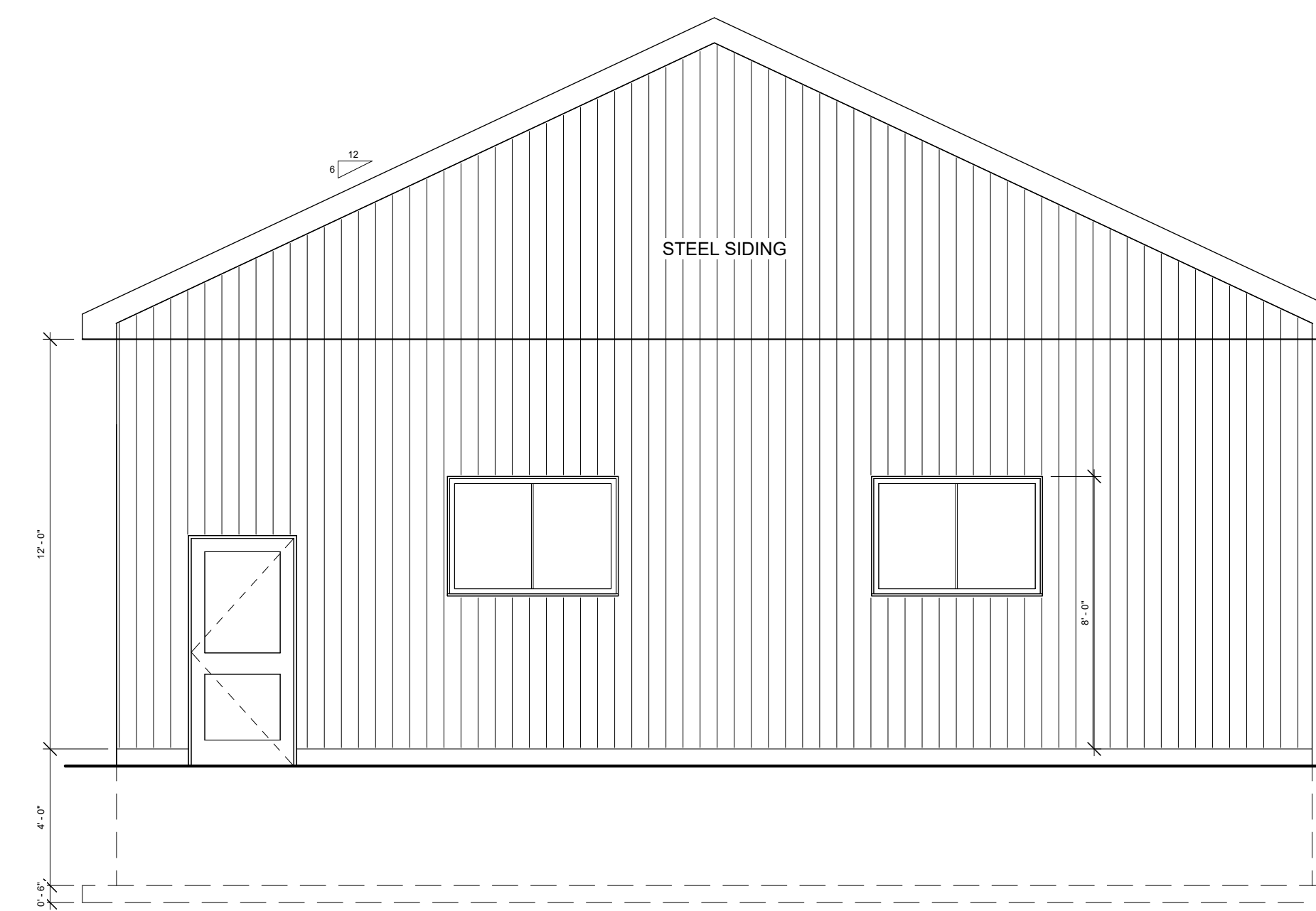
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ADDN+RENOVNS

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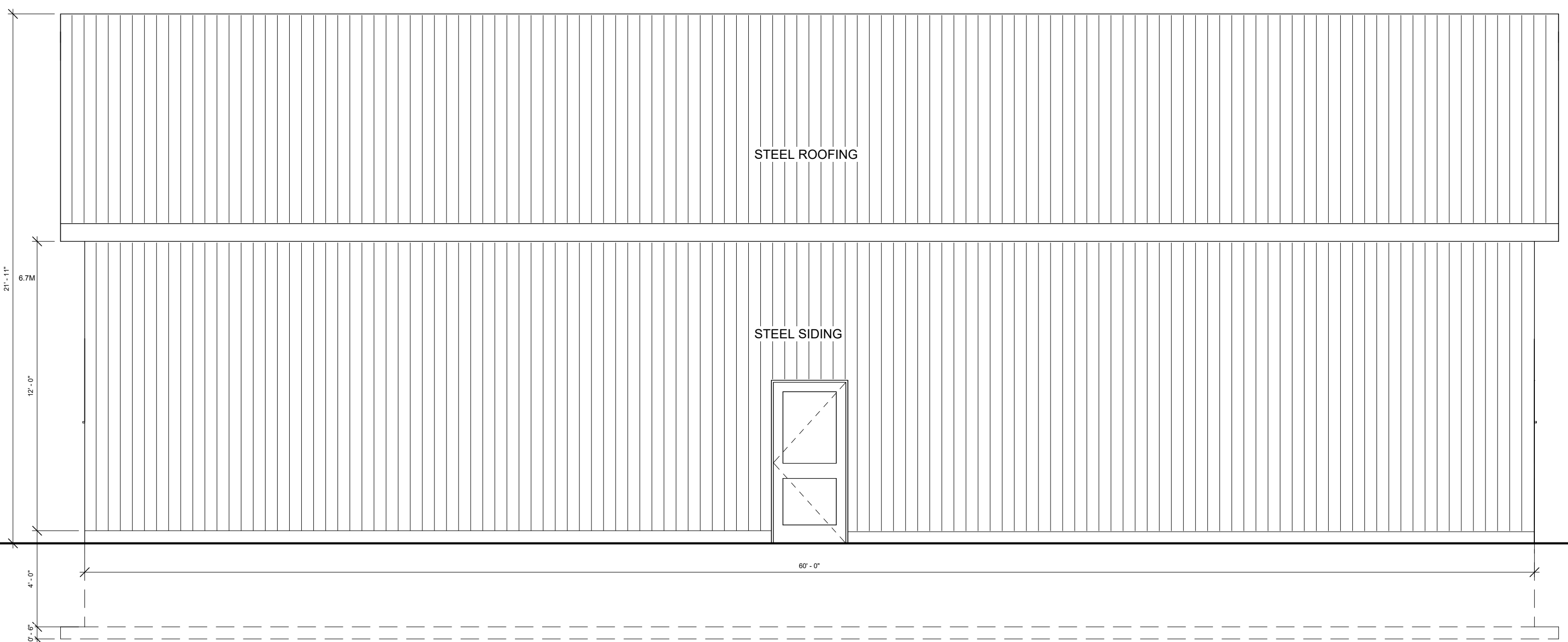
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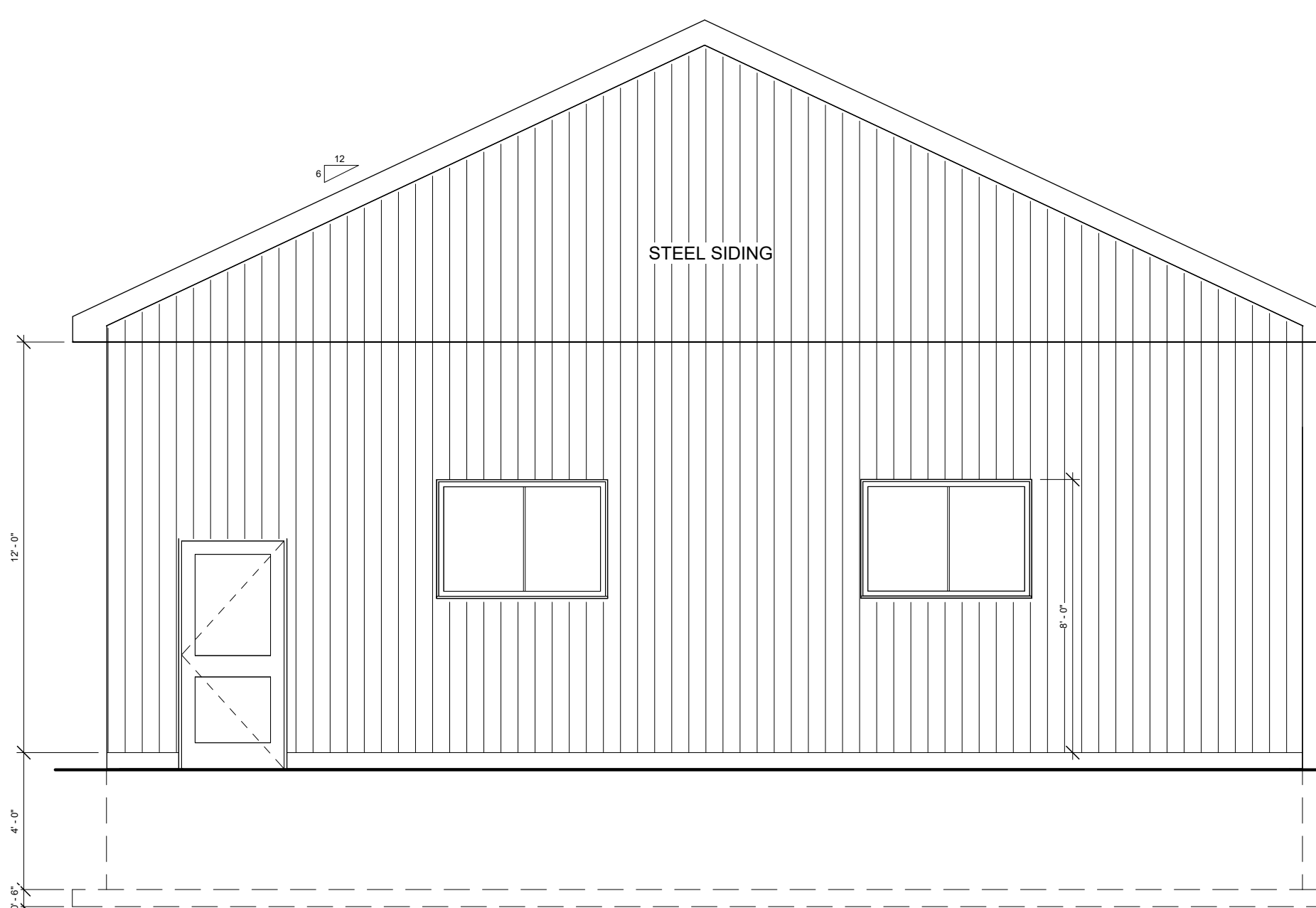
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1/4" = 1'-0"



**3** EQP. SHED RIGHT ELEVATION  
1/4" = 1'-0"



**2** EQP. SHED BACK ELEVATION  
1/4" = 1'-0"



**4** EQP. SHED LEFT ELEVATION  
1/4" = 1'-0"

Revisions:

No.	Description	Date
Revision Schedule		

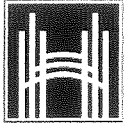
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L9H 4k3

Project No. 23.01  
99 MOUNTSBERG  
ADDN+RENOVNS  
Drawing Title:

Date:	07/09/02	Drawn By:	Author
Scale:	1/4" = 1'-0"	Checked By:	Checker



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>	Tony Reed Adrienne Sidsworth	
<b>Applicant(s)</b>	Tony Reed Adrienne Sidsworth	
<b>Agent or Solicitor</b>	harrisonarchitecture inc	

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	99 Mountsberg Rd		
Assessment Roll Number	303970252		
Former Municipality	Flamborough		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

### 3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

location of new Garage within front yard setback  
height of Garage, Barn and Equipment Shed  
*GFA FOR ACCESSORY STRUCTURES*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

the 3 proposed accessory structures are pre manufactured and come as indicated on the elevations

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

Yes

No

If yes, please provide an explanation:

*NIA 45(1)*

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
480.8M	910.7M	43.4Ha	8M

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	97.5M	791.4M	201.2[east]265.7[west]	1860

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage	85.3M	815.9M	170.7M[east]300.2M[west]	pending
Barn	131.1M	762.8M	134.1M[east]327.8M[west]	pending
Equipment Shed	158.2M	733.9M	141.7M[east]327.9M[west]	pending

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	106.9M2	213.8M2	2	7.2M

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Garage	95.13M2	160.5M2	2	7.1M
Barn	301.1M2	426.52M2	2	8.0
Equipment Shed	195.1M2	195.1M2	1	6.9M

## 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+outbuildings

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:  
2023

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

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

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

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

Rural Hamilton Official Plan designation (if applicable): RURAL

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) N/A

Please provide an explanation of how the application conforms with the Official Plan.  
new owners plan to occupy the existing house and use the site for recreation(hobby

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: \_\_\_\_\_



---

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

Yes  No

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

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

Yes  No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing:

8.2 Number of Dwelling Units Proposed:

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>FL/A-23:166</b>	<b>SUBJECT PROPERTY:</b>	99 7TH CON ROAD E, FLAMBOROUGH
<b>ZONE:</b>	A1 (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** ANDREW & CHERYL BRADSHAW

The following variances are requested:

1. To permit a minimum front yard setback of 5.85m instead of the required minimum front yard setback of 10.0m.

**PURPOSE & EFFECT:**      To facilitate a one storey addition to a single family 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, September 21, 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>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**FL/A-23:166**

- 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-23:166, 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**

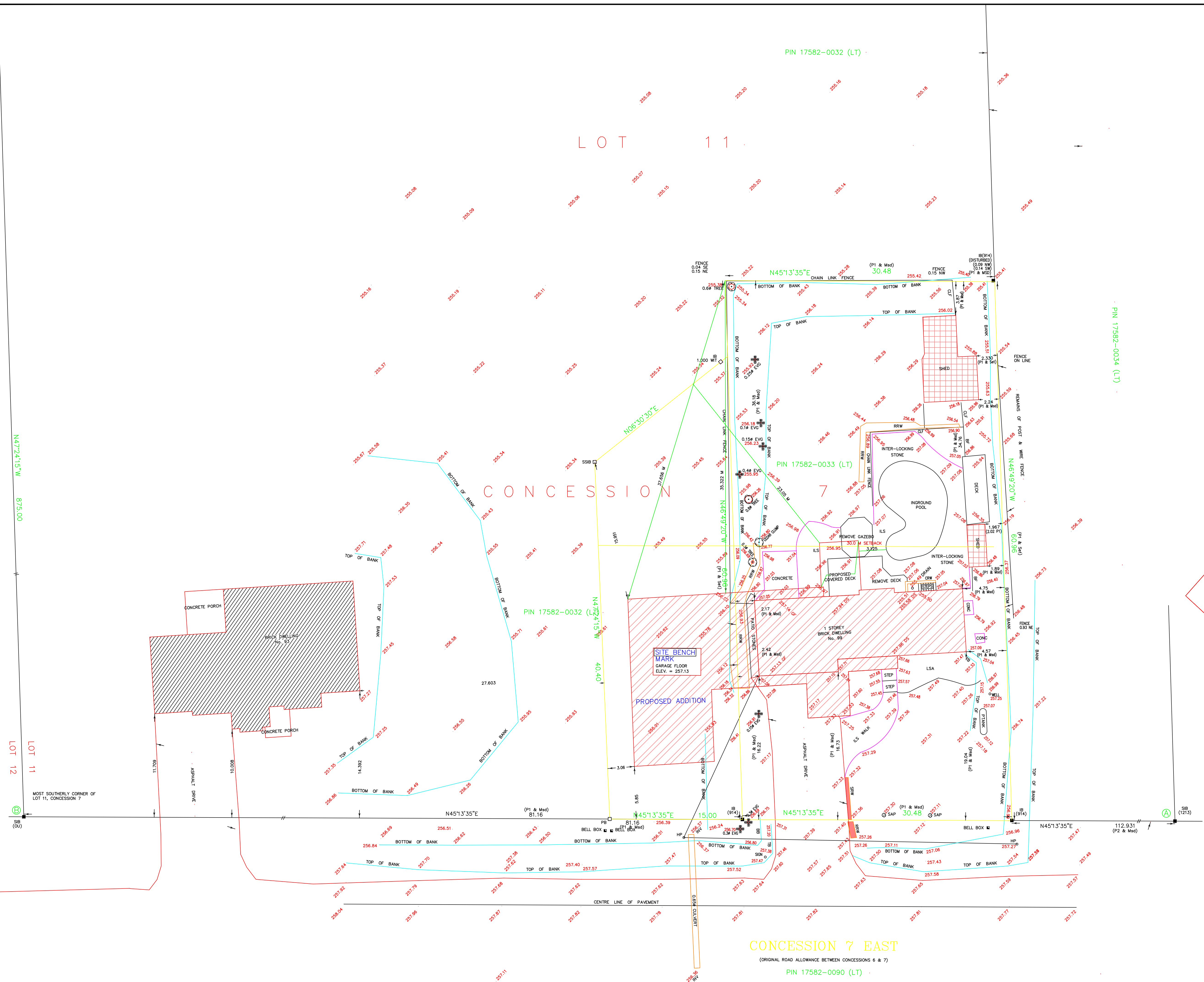
**FL/A-23:166**

DATED: September 5, 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.



**CONCESSION 7 EAST**  
 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 6 & 7)  
 PIN 17582-0090 (LT)

PROJECT NO.	202152	PREPARED BY	KW
DATE	NOV / 2021	DRAWING	DETAILS AND CONSTRUCTION NOTES
PAGE NO.	17	PROJECT NAME	67 HUXLEY AVE N HAMILTON, ONT. L8H 4P5

REVISIONS	NO.	DESCRIPTION	DATE	BY
	01		08/17/2021	JK
	02			
	03			
	04			
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THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS SET OF PLANS AND SPECIFICATIONS. THE UNDERSIGNED HAS SET OUT IN THE CHAIN LINK FENCE TO BE A BOUNDARY.

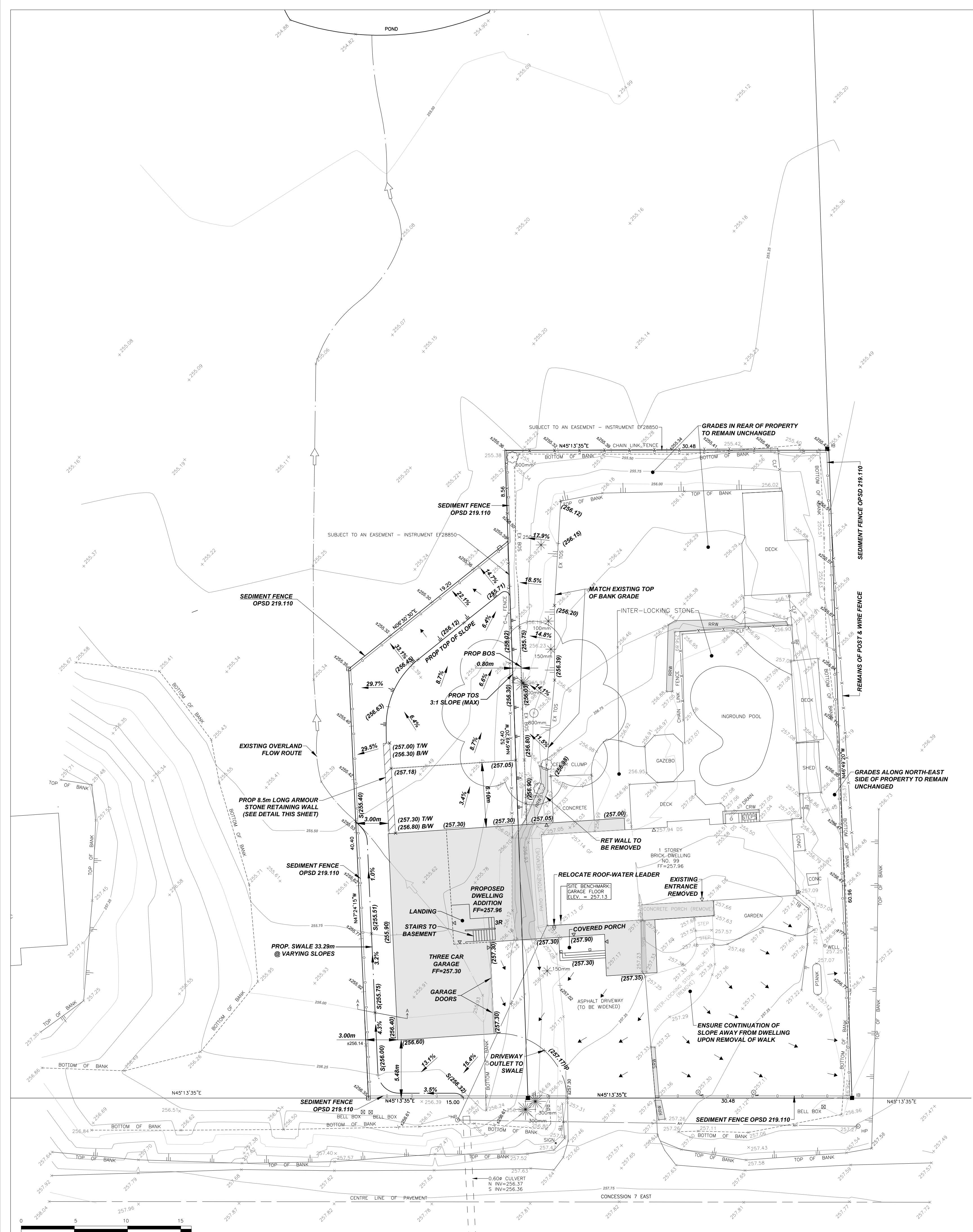
DATE: 11/11/2021  
 TIME: 10:00 AM  
 NAME: KEVIN WEBSTER  
 TITLE: CIVIL ENGINEER

DATE: 11/11/2021  
 TIME: 10:00 AM  
 NAME: KEVIN WEBSTER  
 TITLE: CIVIL ENGINEER

68 NORTH VALLEY DR.  
 WELAND, ONT  
 L3C 7L6  
 905.639.2909  
 kevin@kwdesigns.ca

**KEVIN WEBSTER**  
 DESIGNS INC.





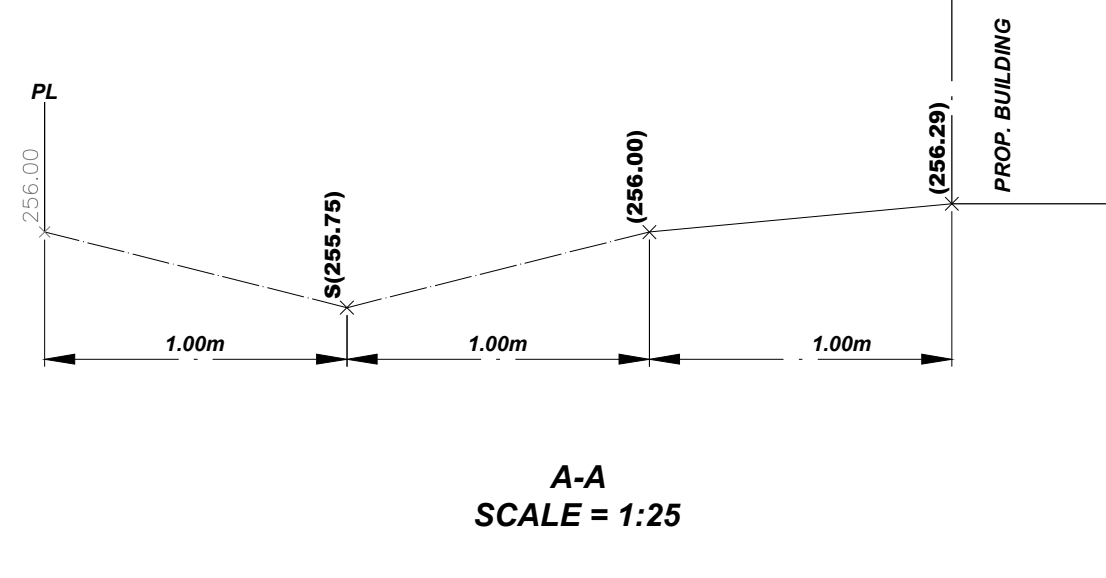
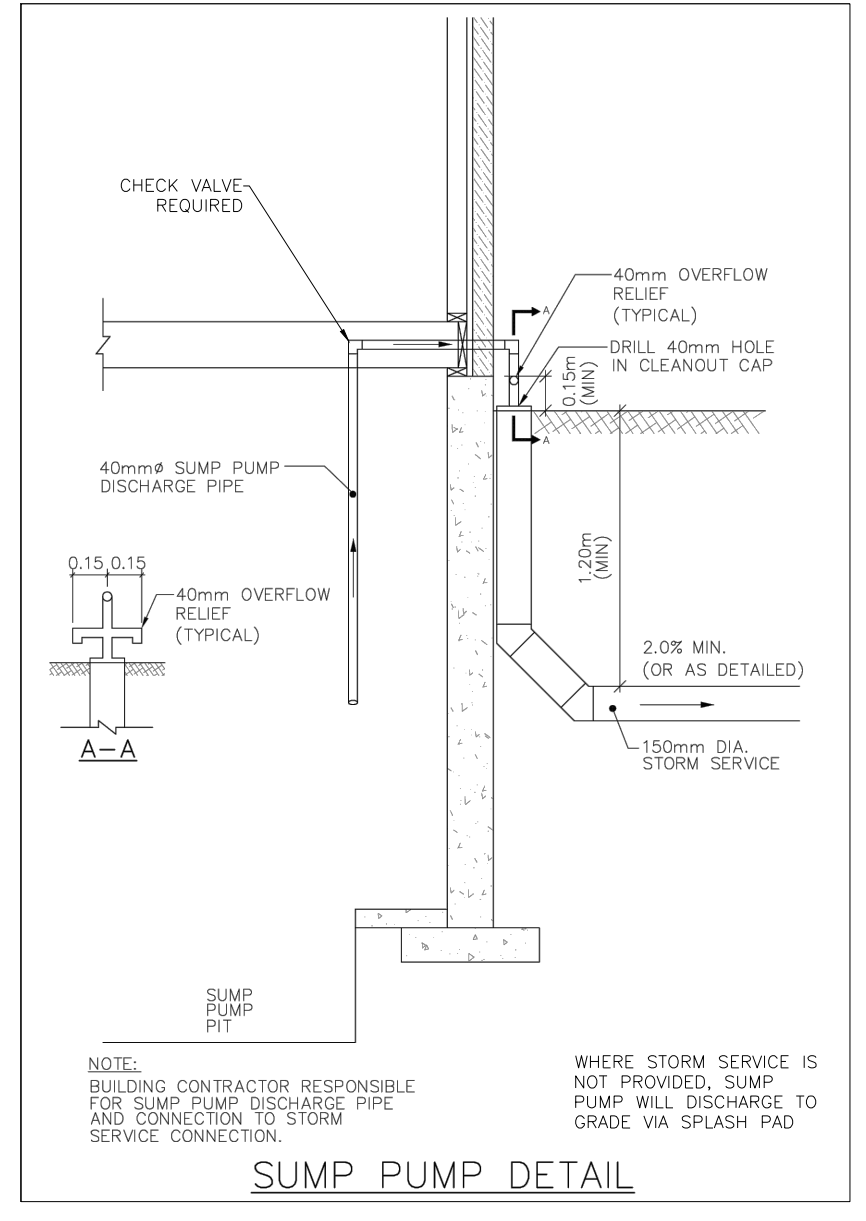
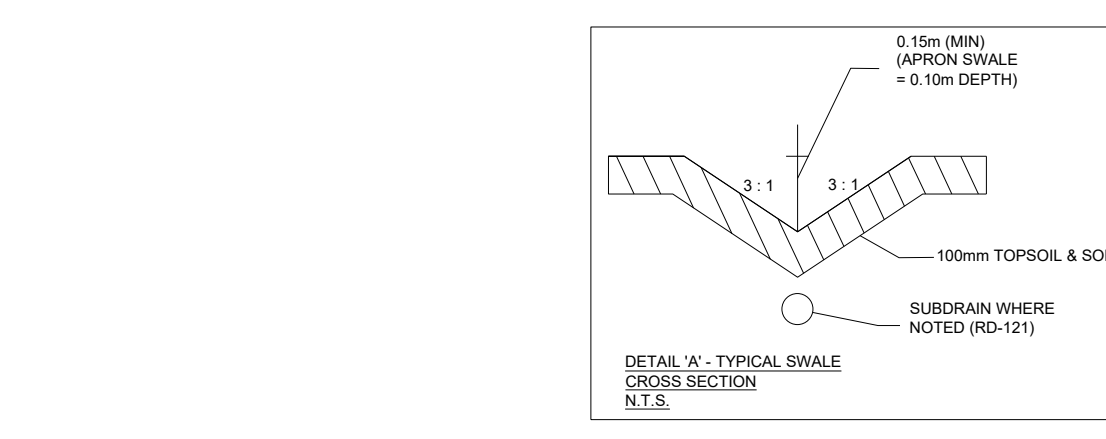
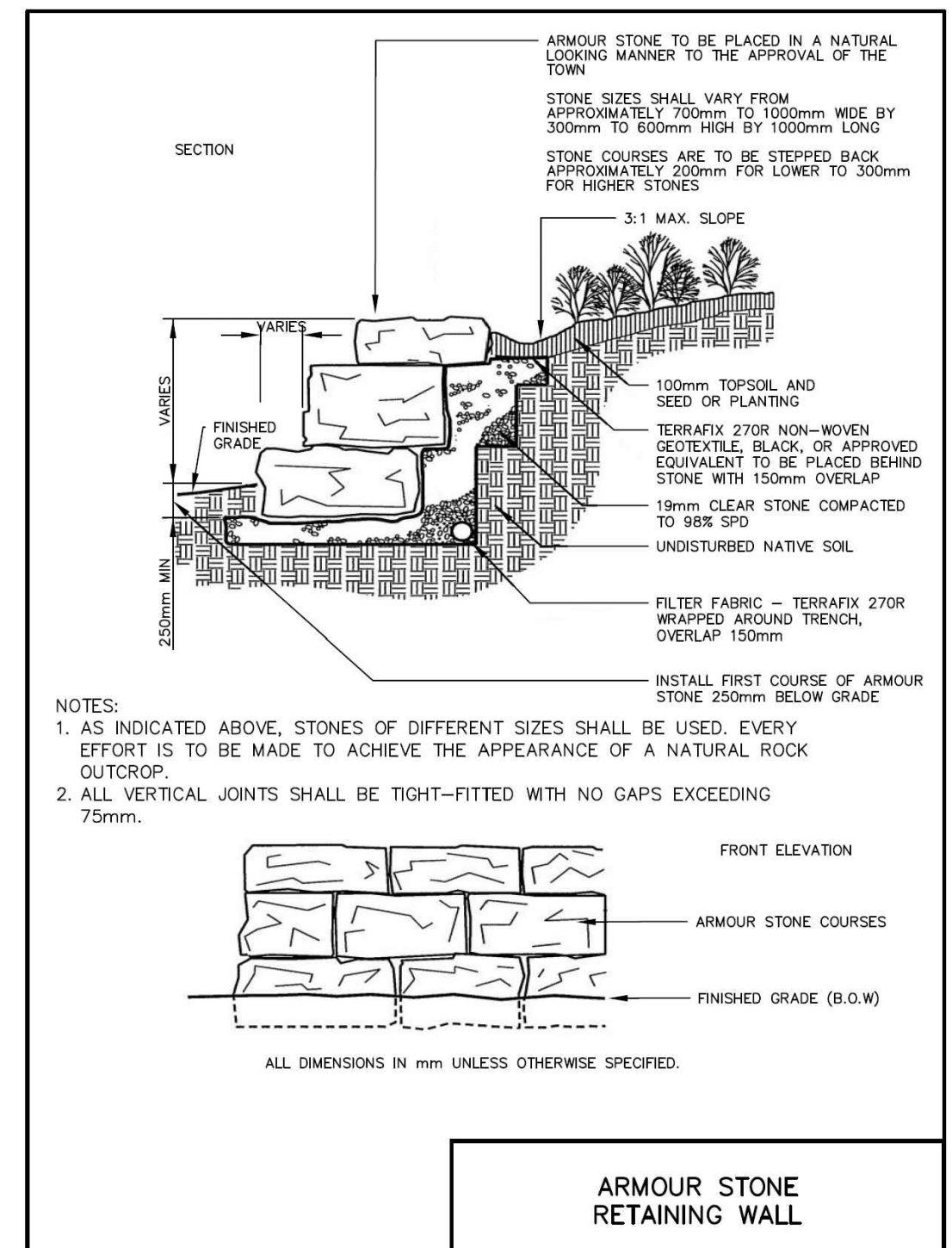
**LEGEND**

- ×100.50 EXISTING ELEVATION
- ×±100.50 EXISTING ELEVATION (CALCULATED)
- ×(100.00) PROPOSED ELEVATION
- (100.00) PROPOSED APRON ELEVATION
- ×S(100.00) PROPOSED SWALE ELEVATION
- PROPOSED DOWNSPOUT
- PROPOSED DOWNSPOUT
- PROPOSED SWALE
- PROPOSED SILT FENCE
- PROPOSED ENTRANCE LOCATION
- △ PROPOSED ENTRANCE LOCATION

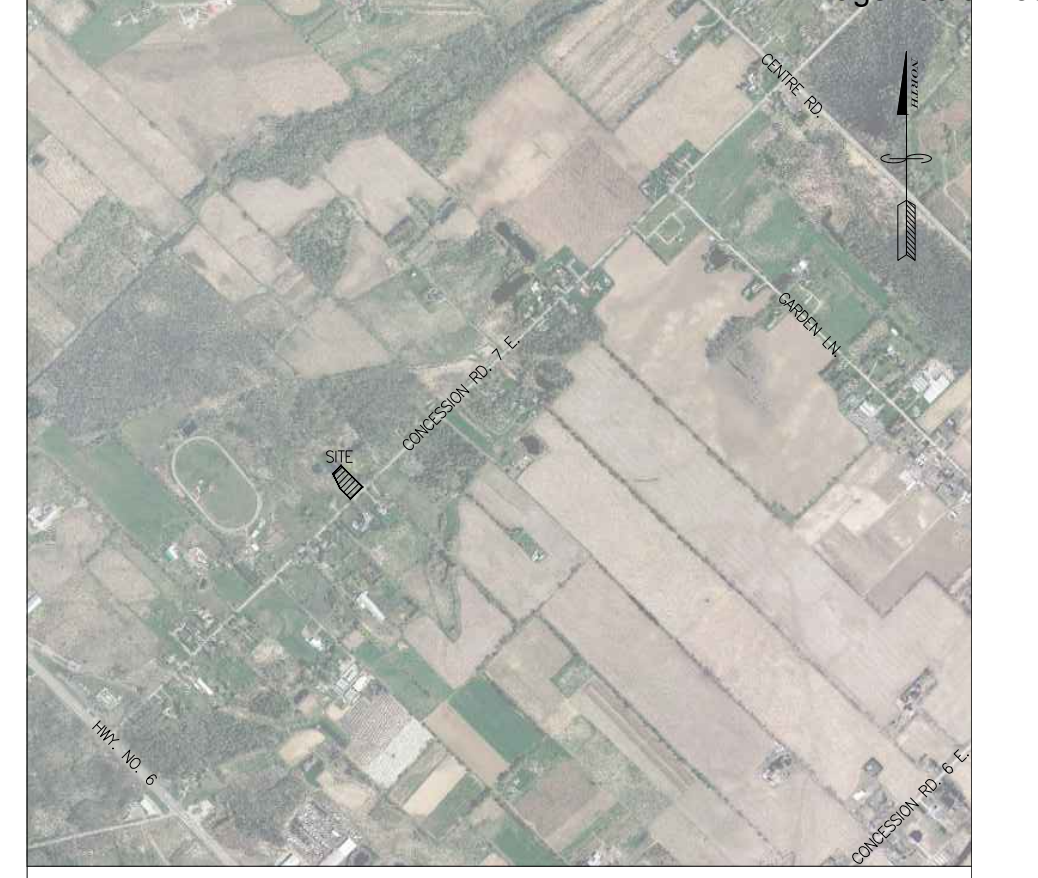
- GENERAL GRADING NOTES:**
1. MATCH EXISTING GRADE AT PROPERTY / DEVELOPMENT LIMITS WITH SLOPED SLOPES OF MAXIMUM 3:1 AND/OR RETAINING WALLS AS SPECIFIED.
  2. SLOPES OF SWALES FOR BOTH "BACK-TO-FRONT" AND "SPILT" DRAINAGE SHALL BE NO LESS THAN 2.0% AND NO GREATER THAN 3.3% (3:1).
  3. MINIMUM GRADE FOR APRON "WRAP-AROUND" SWALE AT THE REAR OF THE UNIT SHALL BE 1.0%.
  4. WHEN MATCHING TO EXISTING GRADE AT THE LIMITS OF THE DEVELOPMENT / PROPERTY WHERE 2.0% SLOPE CANNOT BE REASONABLY ACHIEVED A 1.0% GRADE IS PERMITTED PROVIDED A 150mm SUB-DRAIN IS INSTALLED WITH THE SWALE AS PER RD-121 AND CONNECTED TO A SUITABLE OUTLET.
  5. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2.0% AND SHALL NOT BE MORE THAN 7.0%. REVERSED SLOPED DRIVEWAYS ARE NOT ALLOWED FOR ANY NEW CONSTRUCTION.
  6. GARAGE FLOOR ELEVATION SHALL BE SET A MINIMUM OF 0.30m HIGHER THAN THE BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
  7. THE TOP OF FOUNDATION WALL FOR THE DWELLING UNIT SHALL BE A MINIMUM 150mm (6") ABOVE FINISHED GRADE.
  8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS SHALL BE GRADED AS A STRAIGHT LINE.
  9. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE PROPERTY / DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER, OTHERWISE RETAINING WALLS MUST BE USED.
  10. ALL RETAINING WALLS SHALL BE PLACED A MINIMUM 0.45M FROM PROPERTY LINES.
  11. ANY WALL OF GREATER HEIGHT THAN 1.0M MUST BE DESIGNED BY A PROFESSIONAL ENGINEER.
  12. TOP OF RETAINING WALL ELEVATIONS SHALL BE SET A MINIMUM OF 150mm ABOVE THE PROPOSED SIDE-YARD SWALES.
  13. RETAINING WALLS 0.60m AND HIGHER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. SUCH FENCES OR GUARD RAILS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
  14. ALL FILL COMPACTED ON THE LOT(S) SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY A GEOTECHNICAL ENGINEER). MATERIALS SHALL BE PLACED IN LIFTS NOT EXCEEDING 300mm DEPTH.
  15. FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS, AND PROTECTION SCHEMATICS REFER TO THE TREE PROTECTION PLAN (IF APPLICABLE).

- BACKYARD GRADING NOTES:**
1. "REQUIRED BACKYARD" SHALL BE A MINIMUM OF 6.0 METRES UNLESS OTHERWISE DEFINED IN THE APPLICABLE ZONING BY-LAW.
  2. THE MAXIMUM SLOPE IN THE BACKYARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACKYARD SHALL BE 5% EXCEPT FOR SIDE OR REAR YARD SWALES AND RETAINING WALLS.
  3. WHERE THE 5% RESTRICTION ON THE BACKYARD'S GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN ADJACENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND BACK OF THE LOT.
  4. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
  5. THE 5% RESTRICTION DOES NOT PRECLUDE RETAINING WALLS IN THE REQUIRED BACKYARD PROVIDING THE TERRACES ARE MAINTAINED TO THE 5% GRADE AS SET OUT ABOVE. THE INTENTION OF THIS PROVISION IS TO PROVIDE FOR FLEXIBILITY OF HOUSE CONSTRUCTION.
  6. BACK TO FRONT DRAINAGE SHALL ONLY BE PERMITTED WHERE THE COMBINED SIDE YARD SETBACK IS 2.0m OR MORE, PROVIDING A MINIMUM OF 2.0m BETWEEN FOUNDATION WALLS FOR DRAINAGE SWALES. A 1.2m SETBACK IS REQUIRED ON THE GARAGE SIDE OF THE LOT.

- SILTATION AND EROSION CONTROL NOTES:**
1. SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED ON THE PLAN ACCORDING TO OPSD 219.110 (SEE DETAIL ON THIS SHEET).
  2. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL EVENT TO THE SATISFACTION OF THE CITY OF HAMILTON.
  3. CATCH BASIN SEDIMENT CONTROL DEVICES SHALL BE SITSBACK BY ACF ENVIRONMENTAL, OR APPROVED EQUIVALENT, TO BE PLACED AS PER THE MANUFACTURER'S RECOMMENDATIONS (IF APPLICABLE).
  4. ADDITIONAL SILTATION CONTROL MEASURES MAY BE REQUIRED AS PER FIELD CONDITIONS AS DETERMINED BY THE CITY.



- ROOFWATER LEADERS**
- ROOFWATER LEADERS FOR ALL LOTS SHALL DRAIN ONTO THE GROUND VIA CONCRETE SPLASH PADS, AND THEN TO GRASSED AREAS AT LEAST 0.60m FROM THE DWELLING FACE.
- FOUNDATION DRAINS**
- WEEPING TILES SHALL DRAIN TO SUMP PIT AND BE PUMPED TO STORM SEWER VIA PUMP SUMP WITH BACK-FLOW PREVENTOR (SEE DETAIL). MIN 1/2 HP PUMP WITH BACK-UP POWER REQUIRED.
- NOTES:**
1. LOCATIONS UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
  2. ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.



**KEY PLAN** N.T.S.

**BENCHMARK NOTE:**  
ELEVATION = 255.620m (CGVD-1928:1978)  
MONUMENT: 0011975U105

BRIDGE OVER BRONTE CREEK, ALONG CENTRE ROAD, 0.2km SOUTHWEST OF INTERSECTION WITH CARLISLE ROAD. TABLET IN TOP OF SOUTHEAST CONCRETE ABUTMENT, 57cm NORTHWEST AND 392cm SOUTHWEST OF EAST CORNER OF BRIDGE, SLIGHTLY BELOW ROAD LEVEL.

**SITE BENCHMARK:**  
ELEVATION = 257.13m  
GARAGE FLOOR OF 99 CONCESSION RD 7 EAST.

- GENERAL NOTES:**
1. TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
  2. ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
  3. CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMANS, PRIVATE DRAINS AND WATER SERVICES, GAS MAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS ETC AT START OF CONSTRUCTION.

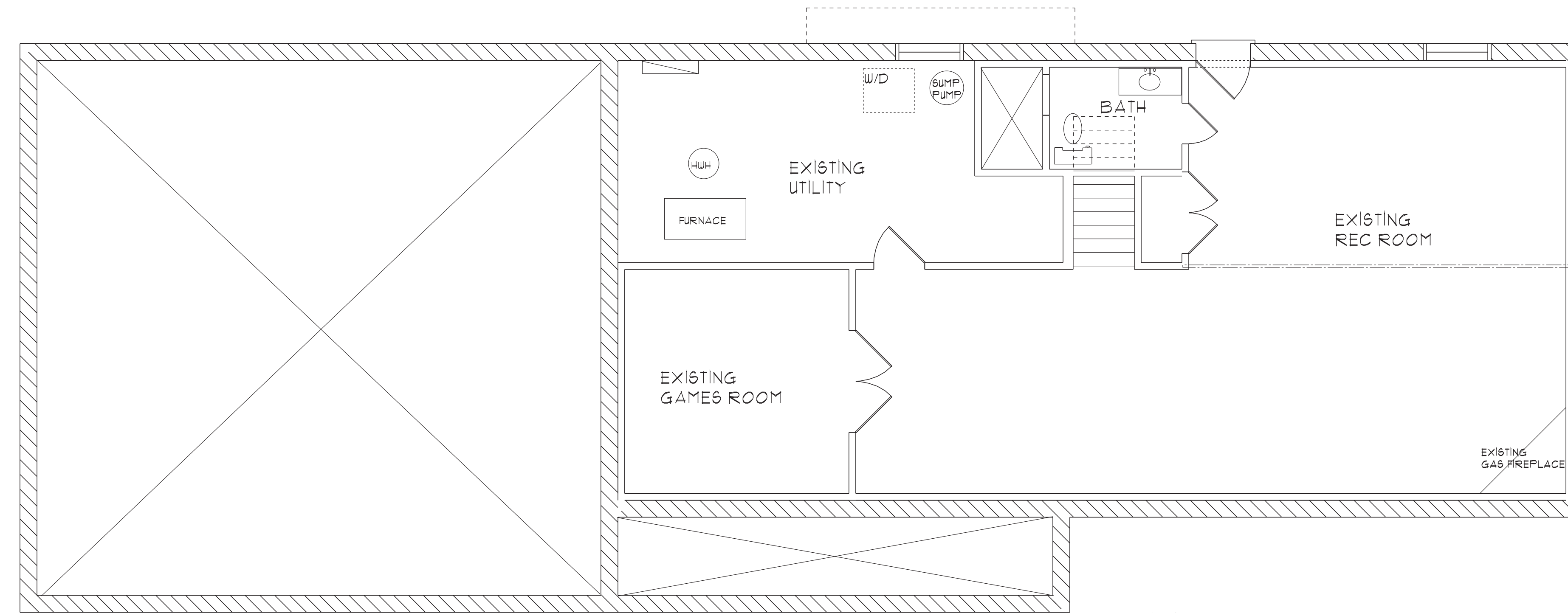
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2	2023-07-04	REVISED REARYARD GRADING
1	2023-06-27	REVISED REARYARD GRADING
0	2023-05-31	FIRST SUBMISSION

REVISIONS

**LandSmith** ENGINEERING & CONSULTING LTD.  
1059 UPPER JAMES STREET, SUITE 207  
HAMILTON, ON L9C 3A6  
ANDREW@LANDSMITHC.COM  
289-309-3632

CLIENT:	ANDREW BRADSHAW
MUNICIPALITY:	CITY OF HAMILTON
PROJECT NAME:	99 CONCESSION 7 EAST
TITLE:	SITE GRADING PLAN
SCALE:	1:200
DATE:	2023-07-04
CHECKED BY:	AS
DESIGNED BY:	BC
DWG No:	23016BRA
SHEET No:	G1





EXISTING BASEMENT PLAN



EXISTING GROUND FLOOR PLAN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	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. 202312	DATE MAY 2023
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BUILDER:

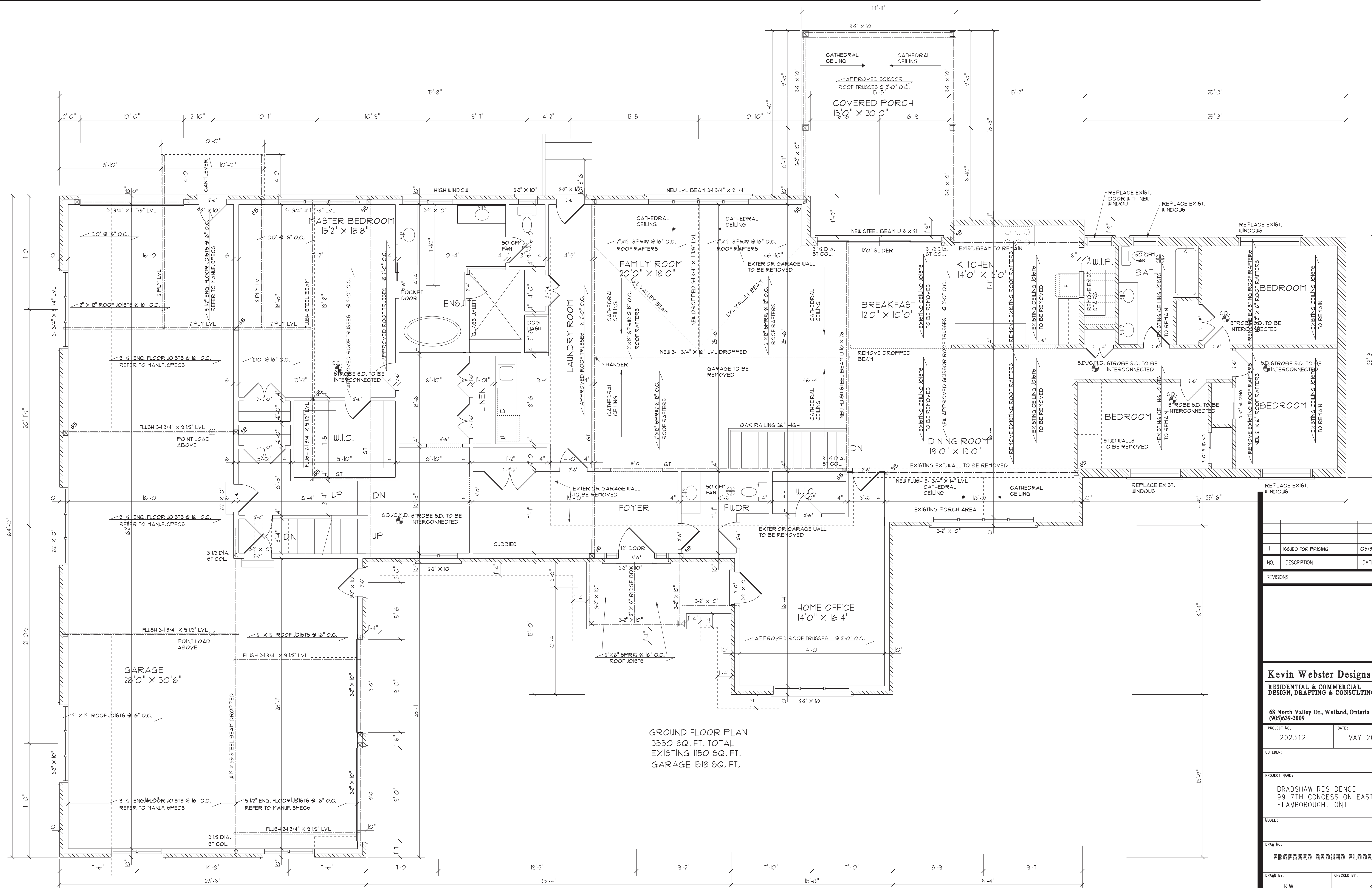
PROJECT NAME:  
BRADSHAW RESIDENCE  
99 7TH CONCESSION EAST  
FLAMBOROUGH, ONT

MODEL:

DRAWING:  
**EXISTING PLANS**

DRAWN BY: K.W.	CHECKED BY: K.W.
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SCALE: 1/4"=1'-0"	PAGE: 1
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GROUND FLOOR PLAN  
 3550 SQ. FT. TOTAL  
 EXISTING 1150 SQ. FT.  
 GARAGE 1518 SQ. FT.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW

REVISIONS

**Kevin Webster Designs Inc.**  
 RESIDENTIAL & COMMERCIAL  
 DESIGN, DRAFTING & CONSULTING  
 68 North Valley Dr., Welland, Ontario L3C 7L6  
 (905)639-2009

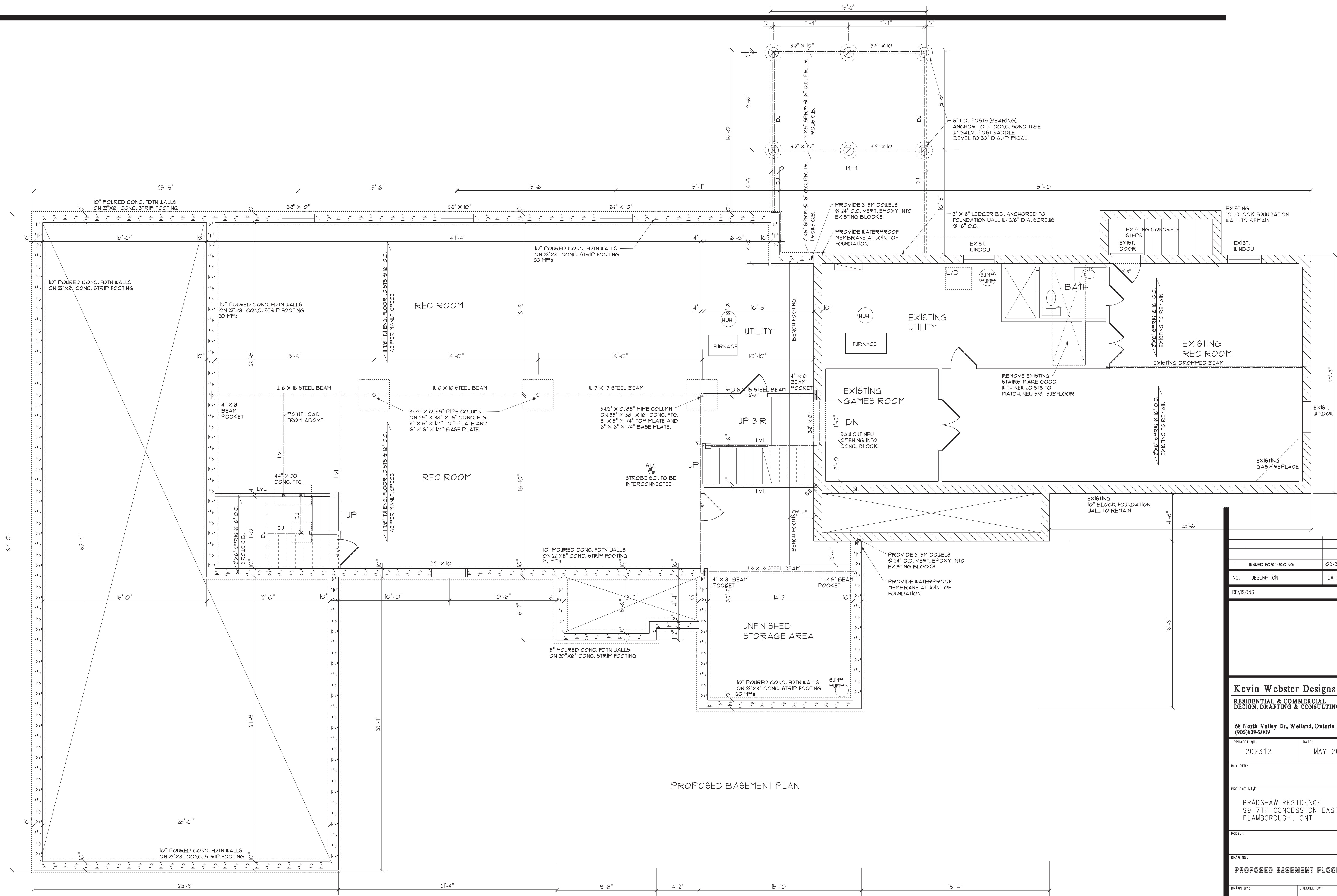
PROJECT NO.: 202312  
 DATE: MAY 2023

BUILDER:  
 PROJECT NAME:  
 BRADSHAW RESIDENCE  
 99 7TH CONCESSION EAST  
 FLAMBOROUGH, ONT

MODEL:  
 DRAWING:  
**PROPOSED GROUND FLOOR PLAN**

DRAWN BY: K.W.  
 CHECKED BY: K.W.  
 SCALE: 1/4"=1'-0"  
 PAGE: 2





PROPOSED BASEMENT PLAN

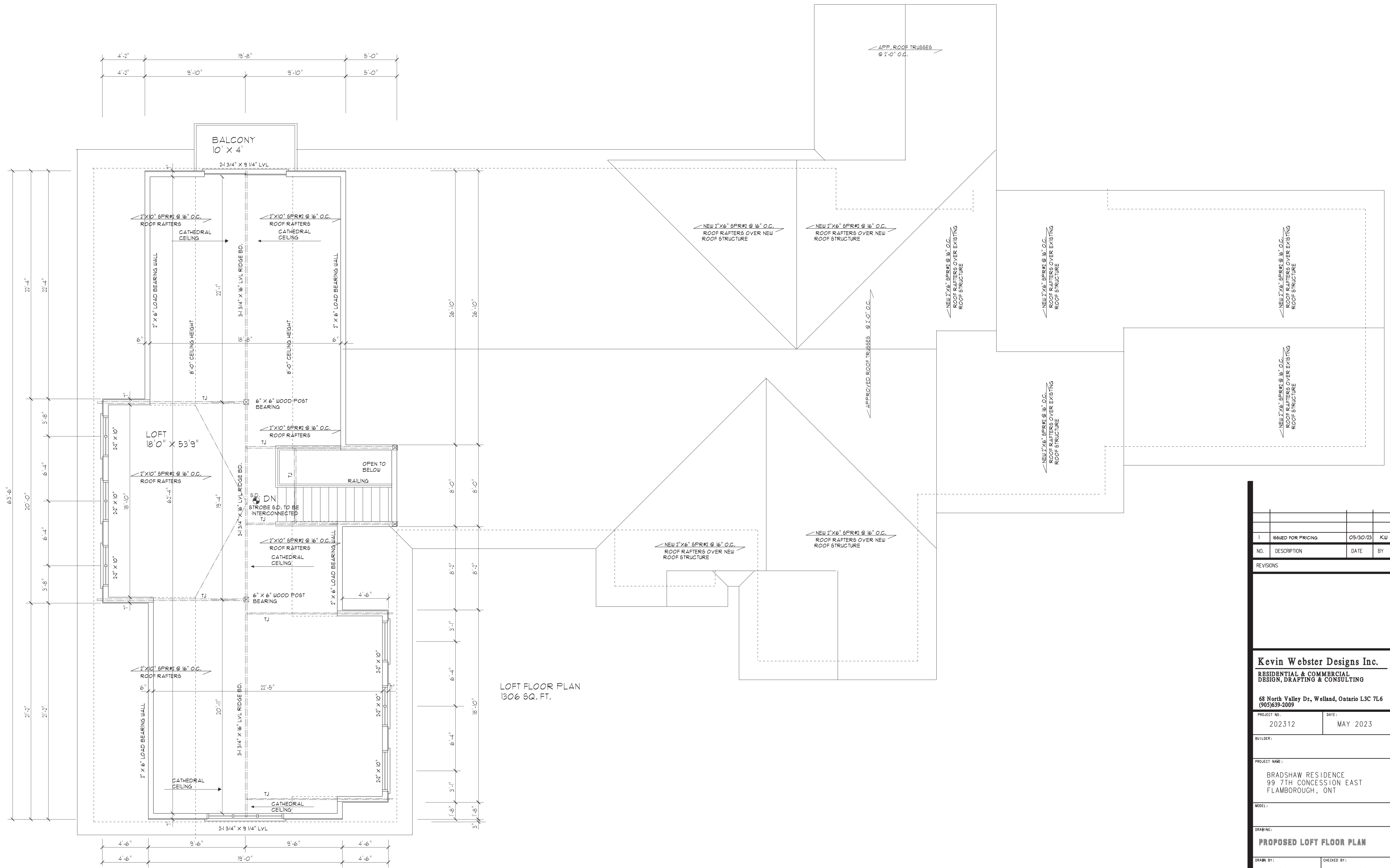
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW

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. 202312	DATE MAY 2023
BUILDER:	
PROJECT NAME: BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT	
MODEL:	
DRAWING: <b>PROPOSED BASEMENT FLOOR PLAN</b>	
DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: 3



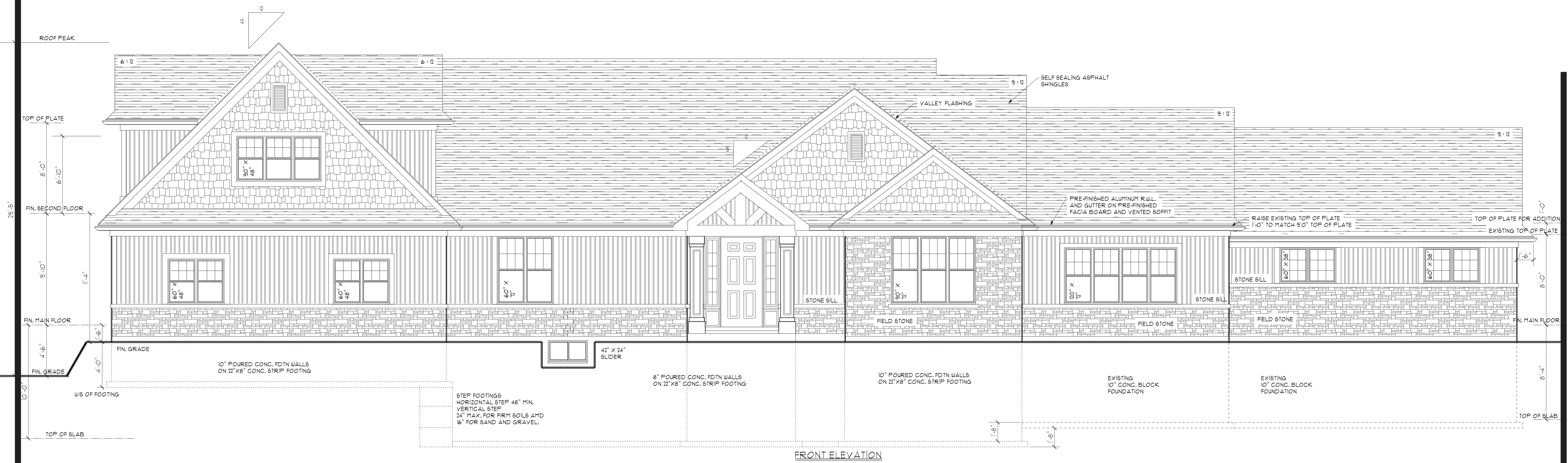
LOFT FLOOR PLAN  
1306 SQ. FT.

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW

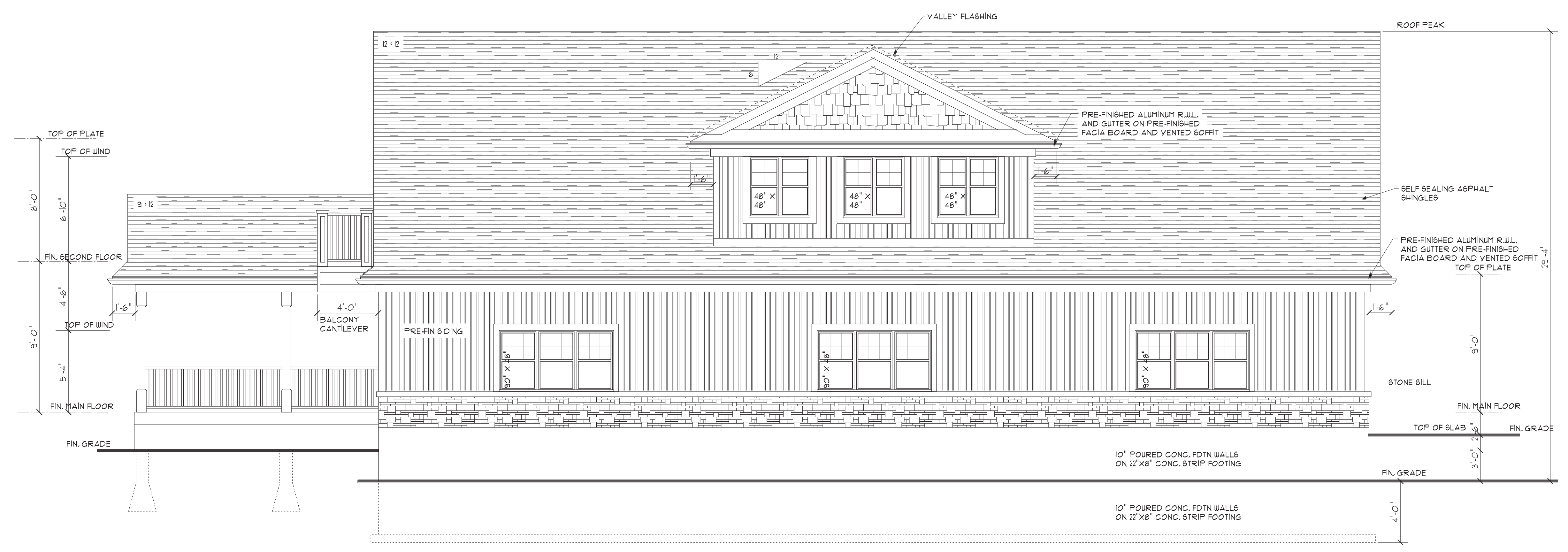
  

<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009	
PROJECT NO:	DATE:
202312	MAY 2023
BUILDER:	
PROJECT NAME:	
BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT	
MODEL:	
DRAWING:	
<b>PROPOSED LOFT FLOOR PLAN</b>	
DRAWN BY:	CHECKED BY:
K.W.	K.W.
SCALE:	PAGE:
1/4" = 1'-0"	4





FRONT ELEVATION

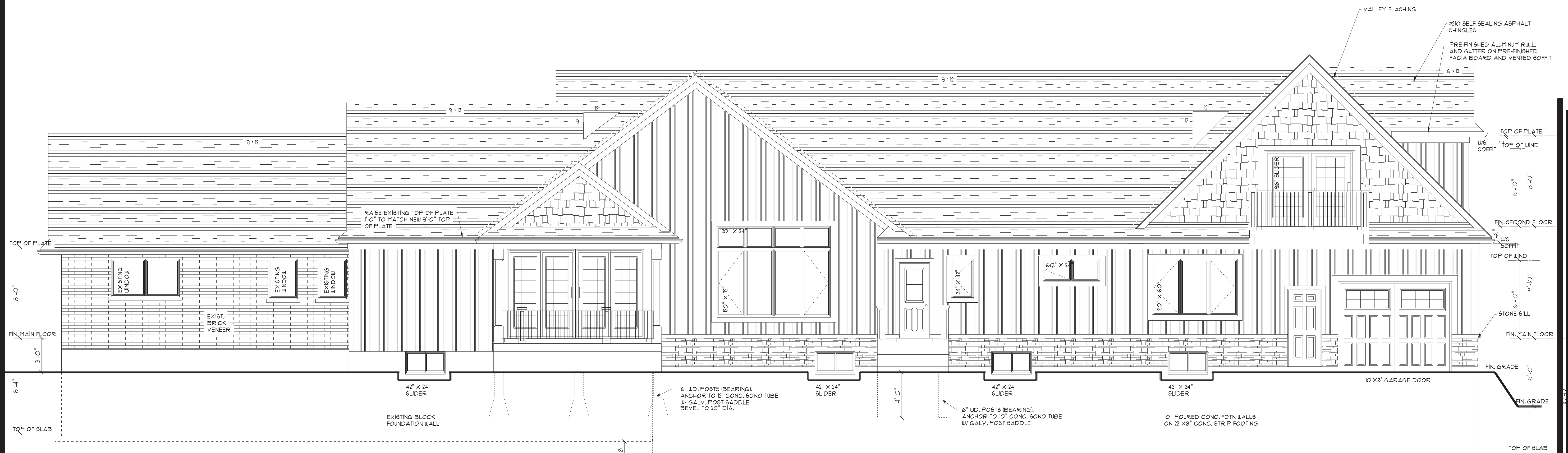


LEFT ELEVATION

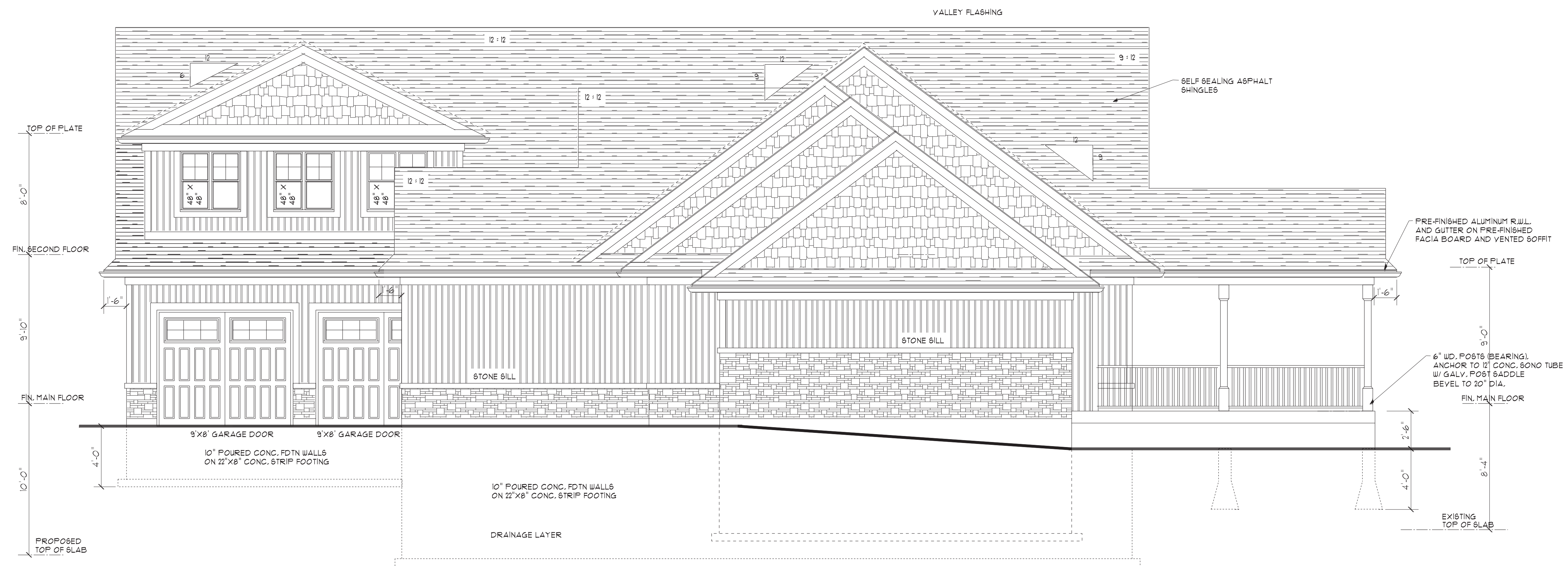
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW

<b>Kevin Webster Designs Inc.</b> RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr., Welland, Ontario L3C 7L6 (905)639-2009	
PROJECT NO. 202312	DATE MAY 2023
PROJECT NAME: BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT	
MODEL: DRAWING: <b>FRONT &amp; LEFT ELEVATIONS</b>	
DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: 5



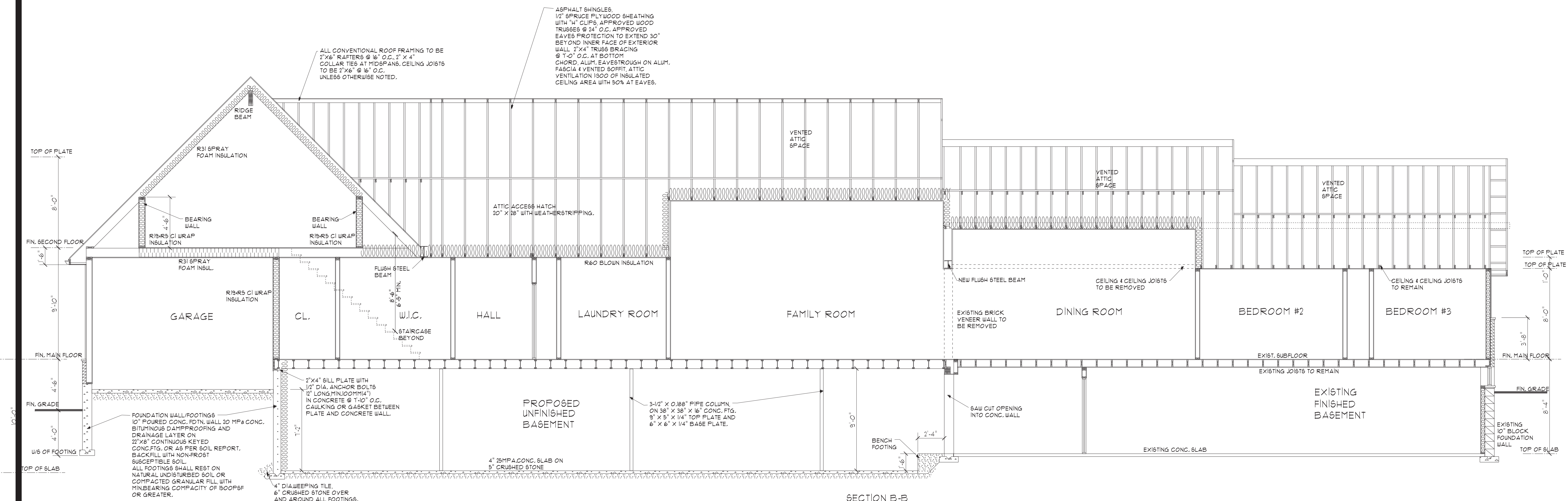
REAR ELEVATION



RIGHT ELEVATION

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW
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.	202312	DATE:	MAY 2023
BUILDER:			
PROJECT NAME:	BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT		
MODEL:			
DRAWING:	REAR & RIGHT ELEVATIONS		
DRAWN BY:	K.W.	CHECKED BY:	K.W.
SCALE:	1/4"=1'-0"	PAGE:	6





NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PRICING	05/30/23	KW

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. 202312	DATE MAY 2023
BUILDER:	
PROJECT NAME: BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT	
MODEL:	
DRAWING: <b>CROSS SECTIONS</b>	
DRAWN BY: K.W.	CHECKED BY: K.W.
SCALE: 1/4"=1'-0"	PAGE: 7



**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 SPRAY FOAM WITH R5 CI WRAP 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 16" O.C., R19 SPRAY FOAM + R5 CI WRAP 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**  
10" POURED CONC. FDN. WALL 20 MPa BITUMINOUS DAMPROOFING AND DRAINAGE LAYER ON 22" X 8" 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.**

**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. IN 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, 610X610(155(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. 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.**

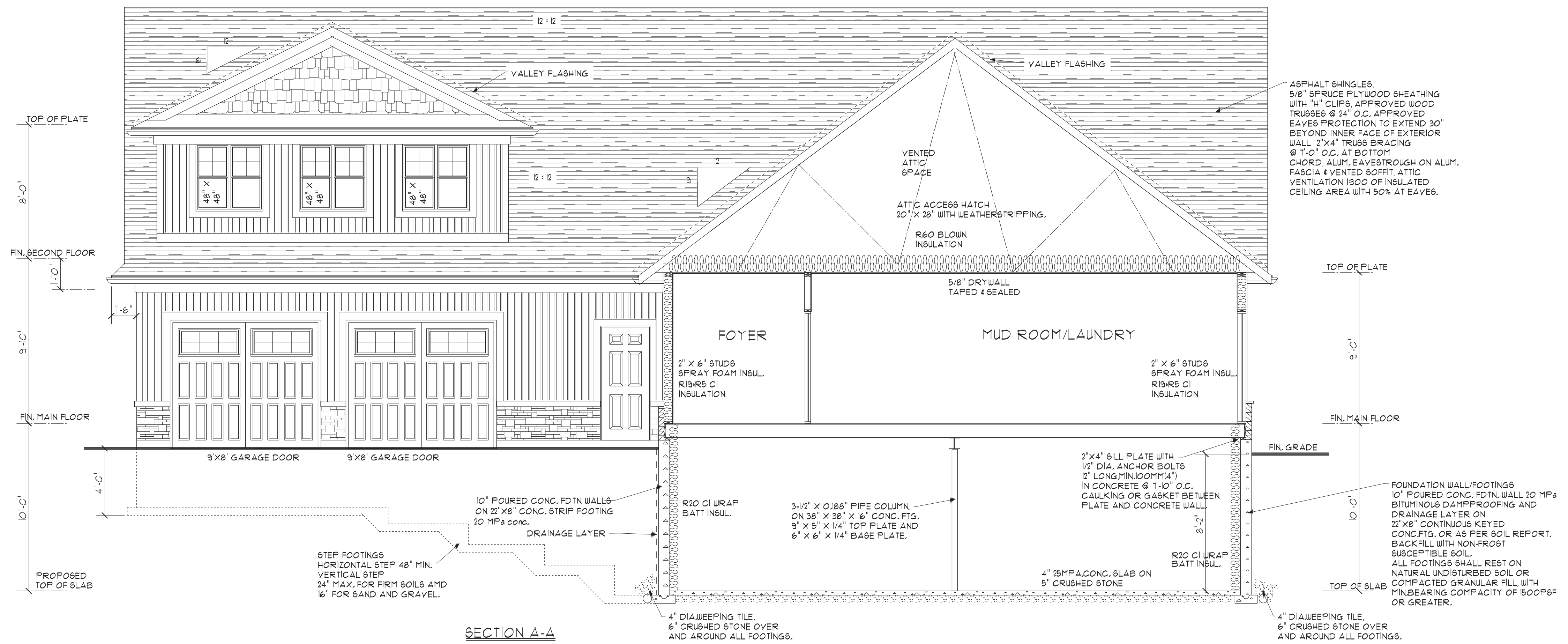
PROVIDE POLYSTYRENE GASKET DAMPROOFING BETWEEN WOOD AND CONC.

**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 MASONRY 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**



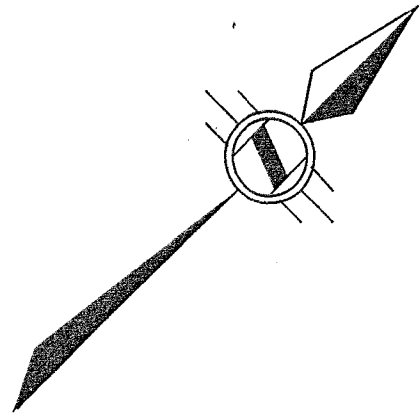
SECTION A-A

I 166UED FOR PRICING				05/30/23	KW
NO.	DESCRIPTION	DATE	BY		
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:			
202312		MAY 2023			
BUILDER:					
PROJECT NAME:					
BRADSHAW RESIDENCE 99 7TH CONCESSION EAST FLAMBOROUGH, ONT					
MODEL:					
DRAWING:					
CROSS SECTIONS					
DRAWN BY:		CHECKED BY:			
K.W.		K.W.			
SCALE:		PAGE:			
1/4"=1'-0"		8			

**PLAN OF SURVEY**  
OF PART OF  
**LOT 11**  
**CONCESSION 7**  
GEOGRAPHIC  
**TOWNSHIP OF EAST FLAMBOROUGH**  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:200 METRIC



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



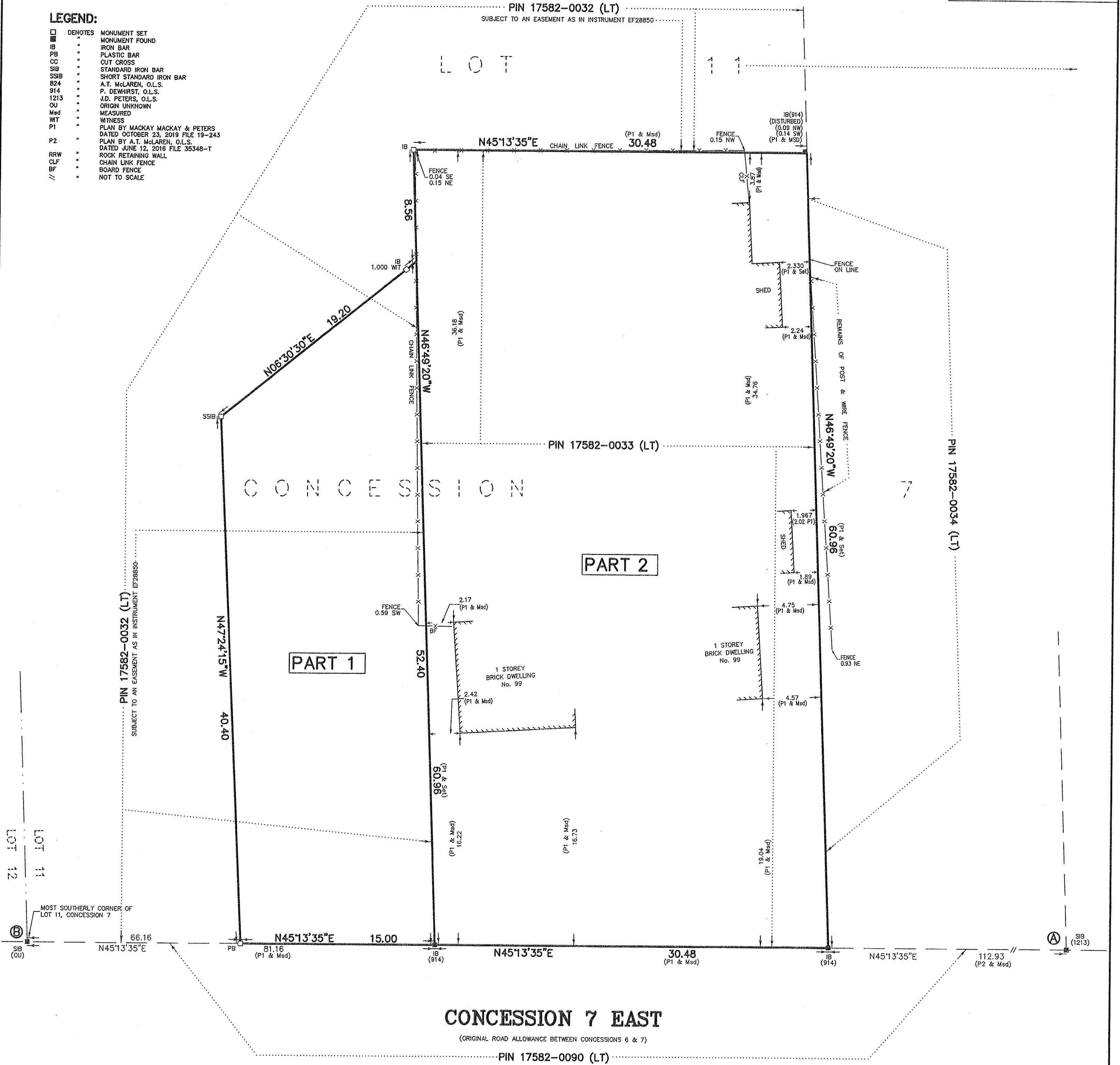
SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1	PART OF LOT 11	CONCESSION 7	PART OF P.I.N. 17582-0032 (LT)
2			ALL OF P.I.N. 17582-0033 (LT)

PART 1 IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT EF28850

**PLAN 62 R-21983**  
RECEIVED AND DEPOSITED  
Date 21ST OCT '22  
*OYELAMI.A*  
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)  
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
Date 27 OCT 22  
*R.A. McLAREN*  
ROB A. McLAREN, O.L.S.

**LEGEND:**

- DENOTES MONUMENT SET
- IB MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- CC CUT CROSS
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- B24 A.T. McLAREN, O.L.S.
- 914 P. DEWHIRST, O.L.S.
- 1213 J.D. PETERS, O.L.S.
- OU ORIGIN UNKNOWN
- Msd MEASURED
- WT WITNESS
- P1 PLAN BY MACKAY MACKAY & PETERS DATED OCTOBER 23, 2019 FILE 19-243
- P2 PLAN BY A.T. McLAREN, O.L.S. DATED JUNE 12, 2016 FILE 35348-T
- RRW ROCK RETAINING WALL
- CLF CHAIN LINK FENCE
- BF BOARD FENCE
- // NOT TO SCALE



**BEARING NOTE:**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999651229

**BEARING COMPARISON**  
FOR BEARING COMPARISONS A ROTATION OF 0°39'05\"/>

**INTEGRATION DATA**

POINT ID	NORTHING	EASTING
ORP @	4801438.000	583894.145
ORP @	4801280.883	583734.777

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

**METRIC NOTE:**

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

**SURVEYOR'S CERTIFICATE**

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 THE 14th DAY OF OCTOBER, 2022

27 OCT 22  
DATE

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



**A.T. McLaren**  
LEGAL AND ENGINEERING SURVEYS

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

**Schedule 1: Designer Information**

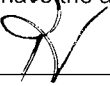
Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

<b>A. Project Information</b>			
Building number, street name <b>99 7<sup>th</sup> Concession East, Flamborough</b>		Unit no.	Lot/con.
Municipality <b>Hamilton</b>	Postal code	Plan number/ other description	
<b>B. Individual who reviews and takes responsibility for design activities</b>			
Name <b>Peter Vanderboom</b>		Firm <b>Alpha Ex</b>	
Street address <b>1431 Wilson Street West</b>		Unit no.	Lot/con.
Municipality <b>Ancaster</b>	Postal code <b>LOR 1R0</b>	Province <b>ON</b>	E-mail <b>office.alphaex@gmail.com</b>
Telephone number <b>(905) 304-7114</b>	Fax number <b>( )</b>	Cell number <b>(905) 971-0833</b>	
<b>C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]</b>			
House	HVAC – House	Building Structural	
Small Buildings	Building Services	Plumbing – House	
Large Buildings	Detection, Lighting and Power	Plumbing – All Buildings	
Complex Buildings	Fire Protection	<input checked="" type="checkbox"/>	On-site Sewage Systems
Description of designer's work  <b>Prepare design for new class-4 on-site sewage system to service proposed SFD.</b>			
<b>D. Declaration of Designer</b>			
I <u>Peter Vanderboom</u> declare that (choose one as appropriate):  (print name)			
<input checked="" type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: <u>40181</u> Firm BCIN: <u>40434</u>			
I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code. Individual BCIN: _____ Basis for exemption from registration: _____			
The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. I have submitted this application with the knowledge and consent of the firm.			
_____		_____	
Date		Signature of Designer	

**NOTE:**

- For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c) of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
- Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

## Schedule 2: Sewage System Installer Information

<b>A. Project Information</b>			
Building number, street name <b>99 7<sup>th</sup> Concession East, Flamborough</b>		Unit number	Lot/con.
Municipality <b>Hamilton</b>	Postal code	Plan number/ other description	
<b>B. Sewage system installer</b>			
Is the installer of the sewage system engaged in the business of constructing on-site, installing, repairing, servicing, cleaning or emptying sewage systems, in accordance with Building Code Article 3.3.1.1, Division C?			
<input checked="" type="checkbox"/> Yes (Continue to Section C)		<input type="checkbox"/> No (Continue to Section E)	
		Installer unknown at time of application (Continue to Section E)	
<b>C. Registered installer information (where answer to B is "Yes")</b>			
Name <b>Alpha Ex</b>		BCIN <b>40434</b>	
Street address <b>1431 Wilson St West</b>		Unit number	Lot/con.
Municipality <b>Ancaster</b>	Postal code <b>L0R 1R0</b>	Province <b>ON</b>	E-mail <b>office.alphaex@gmail.com</b>
Telephone number <b>(905) 304-7114</b>	Fax (    )	Cell number <b>(905) 971-0833</b>	
<b>D. Qualified supervisor information (where answer to section B is "Yes")</b>			
Name of qualified supervisor(s)  <b>Peter Vanderboom</b>		Building Code Identification Number (BCIN)  <b>40181</b>	
<b>E. Declaration of Applicant:</b>			
I _____ declare that:			
(print name)			
<input checked="" type="checkbox"/> I am the applicant for the permit to construct the sewage system. If the installer is unknown at time of application, I shall submit a new Schedule 2 prior to construction when the installer is known;			
<u>OR</u>			
I am the holder of the permit to construct the sewage system, and am submitting a new Schedule 2, now that the installer is known.			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.			
<u>July 12/2023</u>			
Date		Signature of applicant	

99 7TH (CONCESSION) EAST  
FLAMBOROUGH

DESIGN CALCULATIONS  
FOR CLASS 2, 4 & 5 ON-SITE SEWAGE SYSTEM

Owner:	Designer: <i>ICIN</i> <i>PETE VANDERBROOK 40181</i>	Installer: <i>ALPHA EX</i>
		BCIN Number: <i>40484</i>

STEP 1

DAILY SEWAGE FLOW (Based on Hydraulic Loads for Fixtures, Floor Area, and Number of Bedrooms)

Plumbing Fixture Description	Existing Number of Fixtures	Proposed Number of Fixtures	Total x Fixture Units Value = Number of Fixture Units		
Bathroom group (toilet, sink, bathtub)		<i>3</i>		<i>6</i>	<i>18</i>
Toilet (alone)	<i>1</i>	<i>1</i>		<i>4</i>	<i>4</i>
Washbasin		<i>3</i>		<i>1.5</i>	<i>4.5</i>
Bathtub or Shower		<i>2</i>		<i>1.5</i>	<i>3</i>
Kitchen Sink(s)	<i>N/A</i>	<i>1</i>		<i>1.5</i>	<i>1.5</i>
Bar Sink				<i>1.5</i>	
Dishwasher	<i>1</i>	<i>1</i>		<i>1.5</i>	<i>1.5</i>
Washing Machine	<i>1</i>	<i>1</i>		<i>1.5</i>	<i>1.5</i>
Bidet				<i>1</i>	
Laundry Tub		<i>1</i>		<i>1.5</i>	<i>1.5</i>
Other:					
<b>Total Fixture Units</b>					<i>35.5</i>

Proposed: ( <i>451</i> m <sup>2</sup> ) ( <i>4856</i> ft <sup>2</sup> )
Existing: (        m <sup>2</sup> ) (        ft <sup>2</sup> )
<b>Total Finished Floor Area Excluding Area of Finished Basement</b> <i>451</i> m <sup>2</sup> ft <sup>2</sup> (Multiply m <sup>2</sup> x 10.764 = ft <sup>2</sup> )

From the chart below, please calculate the expected daily sewage flow for your proposed building, and mark the total in the space provided. For non-residential occupancies see Table 8.2.1.3 B O.B.C.

Residential Occupancy	Existing	Q in Litres	Calculations
1 Bedroom		750	
2 Bedrooms		1100	
3 Bedrooms		1600	
4 Bedrooms	<i>4</i>	2000	<i>2000</i>
5 Bedrooms		2500	
<b>Additional Flow for:</b>			
Each Bedroom over 5		500	
Floor Space for each 10m <sup>2</sup> over 200 m <sup>2</sup> up to 400 m <sup>2</sup>	<i>20</i>	100	<i>2000</i>
Floor Space for each 10m <sup>2</sup> over 400 m <sup>2</sup> up to 600 m <sup>2</sup>	<i>6</i>	75	<i>450</i>
Floor Space for each 10m <sup>2</sup> over 600 m <sup>2</sup> OR*		50	
Each fixture unit over 20 fixture units total	<i>15.5</i>	50	<i>775</i>
<b>TOTAL</b>			<i>4450</i>

\*NOTE: Where you need to do multiple calculations, signified by the "OR" in the table, do the calculation for daily sewage flow based on bedrooms and floor space first, then fixture units, and use the larger of the two calculations.

<b>Other Occupancy (Table 8.2.1.3 (B))</b>			
Establishment Type:	Occupant Load	Volume (Litres)	Calculations

**EXPECTED DAILY DESIGN SEWAGE FLOW (Q):**   *4450*   Litres  
(Use Q for the following calculations)



99 TTH CONCESSION EAST - FLAUBOROUGH

DAILY DESIGN FLOW Q = 4450 L/DAY

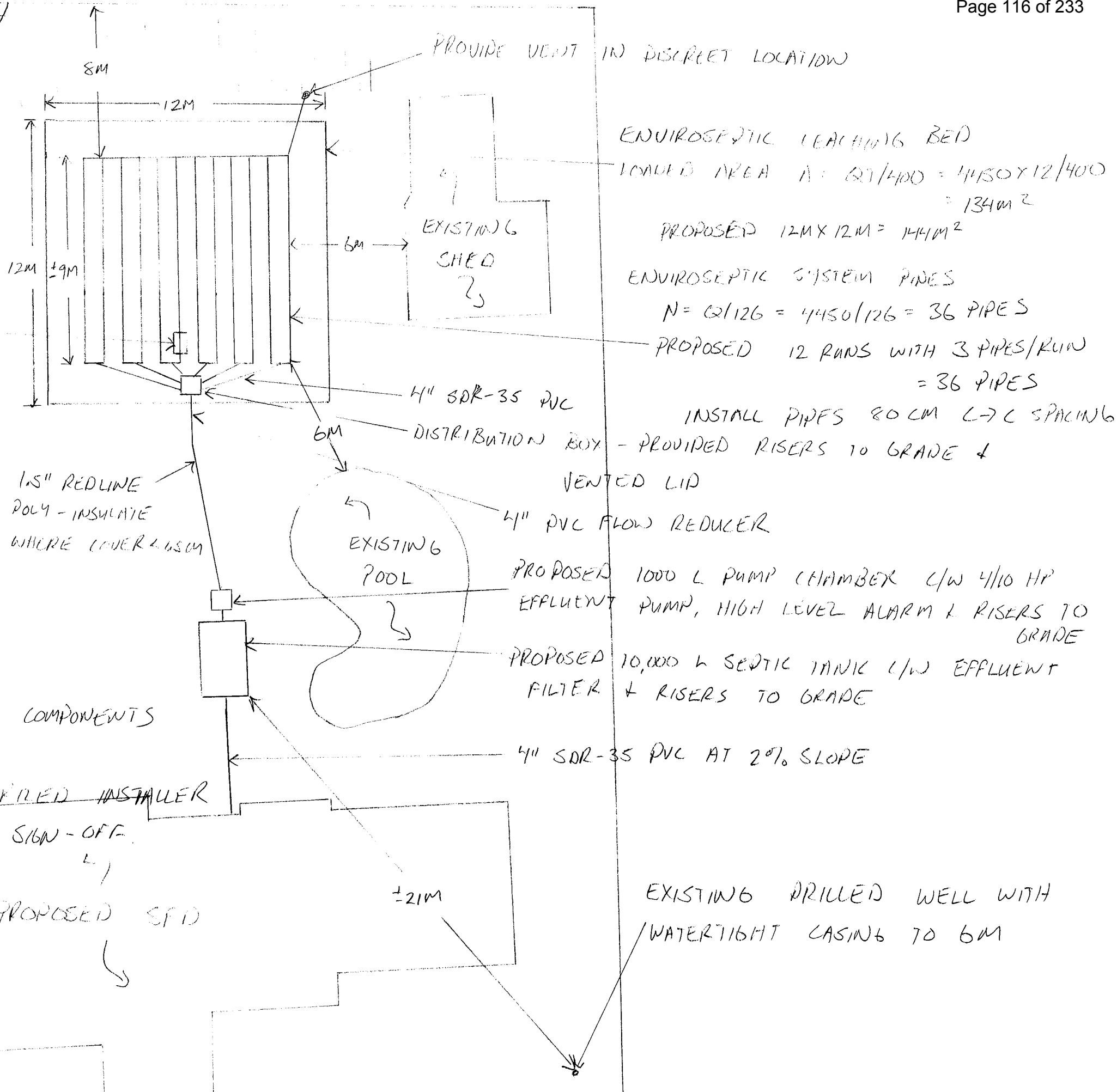
PERC TIME T = 12 MIN/CM

DESIGN BY ALPHA EX BCIN 40154

PETE VANDERBOOM BCIN 40181

N

SAMPLING  
DEVICE



ENVIROSEPTIC LEACHING BED  
LOADED AREA A:  $Q/T/400 = 4450 \times 12 / 400 = 134 m^2$

PROPOSED  $12M \times 12M = 144 m^2$

ENVIROSEPTIC SYSTEM PIPES  
 $N = Q/126 = 4450/126 = 36$  PIPES

PROPOSED 12 RUNS WITH 3 PIPES/RUN  
= 36 PIPES

INSTALL PIPES 80 CM C-C SPACING  
DISTRIBUTION BOX - PROVIDED RISERS TO GRADE & VENTED LID

PROPOSED 1000 L PUMP CHAMBER C/W 4/10 HP EFFLUENT PUMP, HIGH LEVEL ALARM & RISERS TO GRADE

PROPOSED 10,000 L SEPTIC TANK C/W EFFLUENT FILTER & RISERS TO GRADE

4" SDR-35 PVC AT 2% SLOPE

EXISTING DRILLED WELL WITH WATERTIGHT CASING TO 6M

\* PROVIDE 14 GAUGE TRACER WIRE ON ALL COMPONENTS AS REQUIRED

\* INSTALLER MUST BE ENVIROSEPTIC AUTHORIZED INSTALLER

NO SUBSTITUTIONS WITHOUT DESIGNER SIGN-OFF.

PROPOSED SFD

99 7TH CONCESSION EAST, FLAMBOROUGH

ENVIROSEPTIC CROSS SECTION, TYPICAL

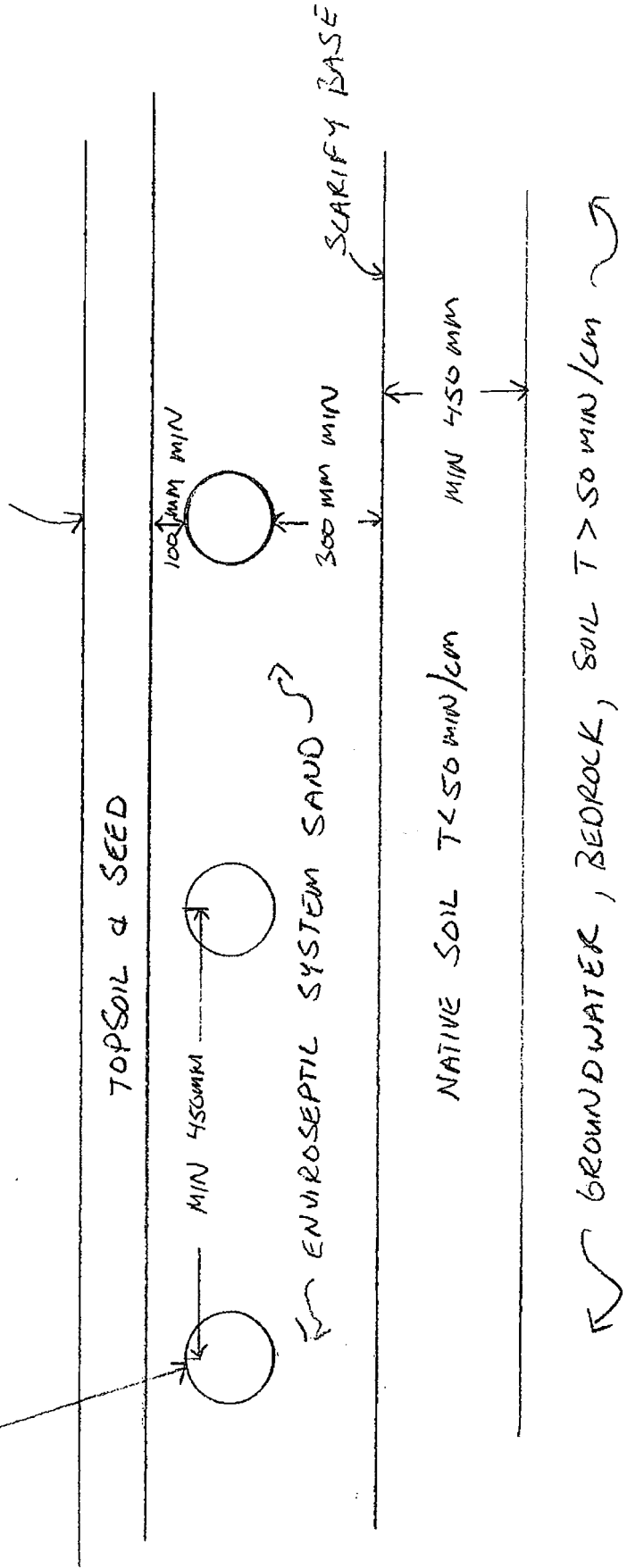
DESIGN BY ALPHA EX BUN 40434

PETE VANDERBOM BUN 40181



ENVIROSEPTIC PIPES

SLOPE SURFACE TO  
ENSURE DRAINAGE AWAY  
FROM LEACHING BED



GROUNDWATER, BEDROCK, SOIL T > 50 MIN/CM

# Winona Concrete & Pipe Products Ltd.

489 Main Street West, Grimsby, Ontario L3M 1T4  
 Ph. 905-945-8515 Email: info@winonaconcrete.com Fax. 905-945-1149  
 Southern Ontario Toll Free 800-361-8515

## Concrete Septic Tank (Trickle)



Date : July 10, 2013

Model : 100T-PL20

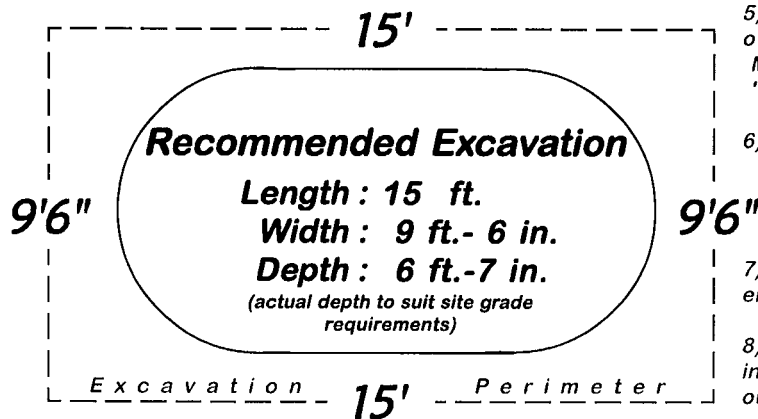
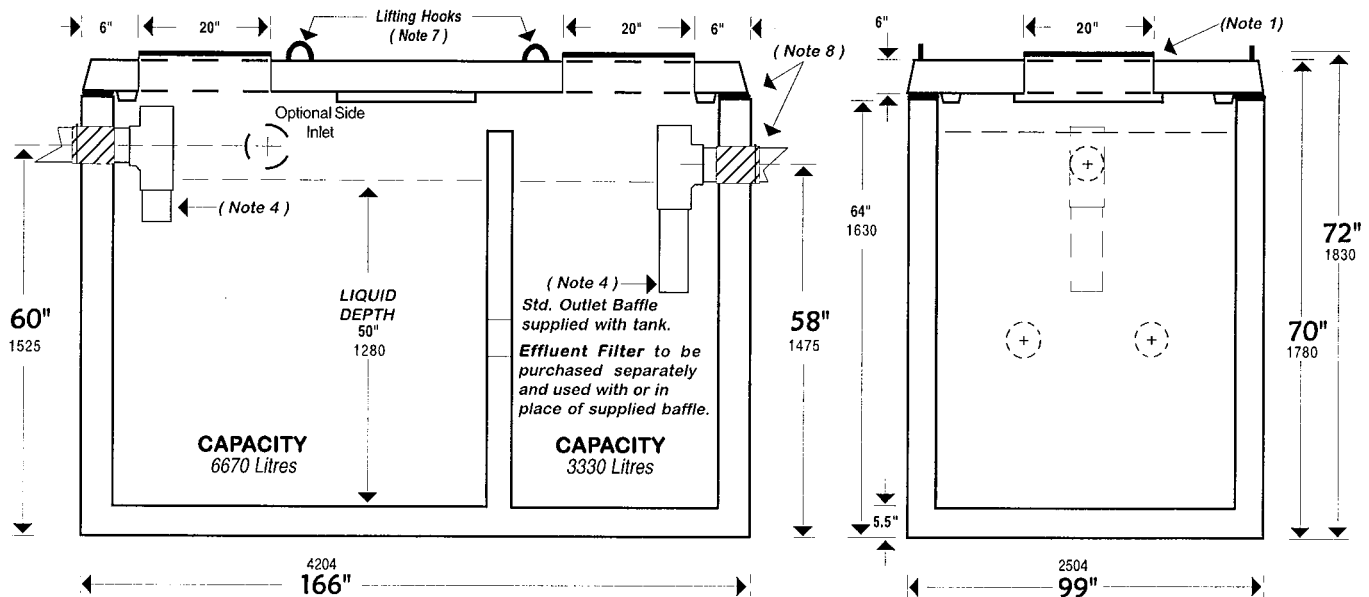
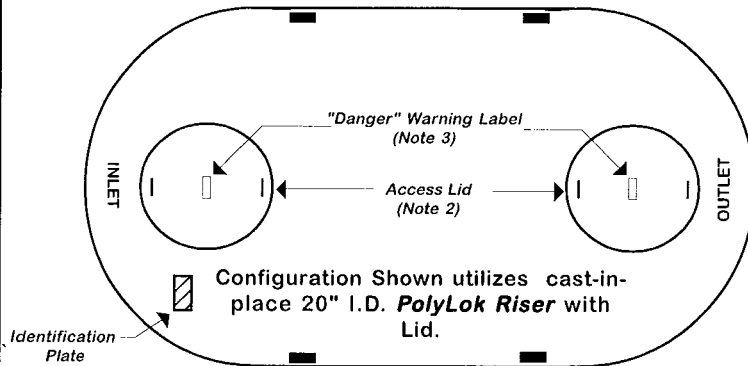
Capacity: 10,000 litres (2200 Gal)

### Product Information ...

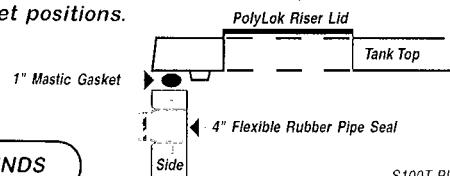
- 1) **POLYLOK ACCESS RISERS** (20" or 24" dia.) cast-in place. Additional 6"/12" high gasketed sections may be added to suit.
- 2) **POLYLOK RISER LID** fastened to riser section with (6) stainless hex head self tappers ( supplied )
- 3) **"DANGER" WARNING LABEL** (English / French) shown on lid surface.
- 4) **INLET / OUTLET BAFFLES** are 4" PVC-BDS Fittings / Pipe, fabricated & supplied with tank for contractor to affix on to end of soil pipe entering tank through 4" flexible rubber boot.

**NEW - Effective Jan.2007:** An Effluent Filter must be installed at outlet. Various styles available upon request.

Drawings are dimensional (not necessarily to scale) with unit of measure in millimeters unless noted otherwise.



- 5) Cement is Portland Type 10 &/or 30 unless noted otherwise.  
 Minimum 28-day Concrete Strength: 32 MPa "NON-SUL". Not suitable for sulphate soils
- 6) Steel Reinforcing as follows:  
 Top & Bottom ..... 10 mm  
 Sides ..... 10 mm  
 Partition ..... 4x4 6/6 WW mesh
- 7) 1/2" Galvanized Wire Rope Lifting Hooks (4) embedded vertically 24" down into side walls.
- 8) Detail view below showing typical Top - Side interface and use of flexible Pipe Boot at inlet & outlet positions.



9) Design Burial Depth (cover) .....1000 mm  
 Not intended for use in areas of vehicular traffic loading.  
 "AGINP" Above ground installation not permitted

www.winonaconcrete.com

**DRY WEIGHT 24,400 POUNDS**

S100T-PL20 13.07.10

# Winona Concrete & Pipe Products Ltd.

489 Main Street West, Grimsby, Ontario L3M 1T4  
 Ph. 905-945-8515 Email: info@winonaconcrete.com Fax. 905-945-1149  
 Southern Ontario Toll Free 800-361-8515



Certified  
Std. B66-10

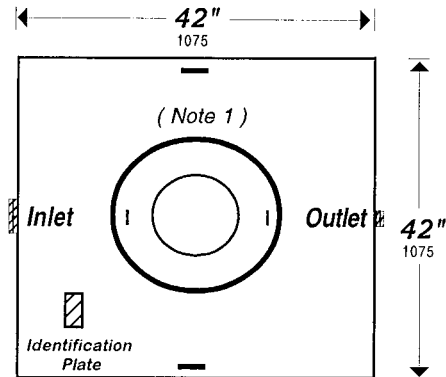
## Concrete Effluent / Pump Tank

Date: July 10, 2013  
 Model: **PC10EP-PL20**  
 Capacity: 1000 litres (220 gal)

Drawings are dimensional (not necessarily to scale)  
 with unit of measure in millimeters unless otherwise noted.

### Product Information ...

Configuration Shown utilizes cast-in-place  
 20" I.D. x 10" high PolyLok Riser with Lid.



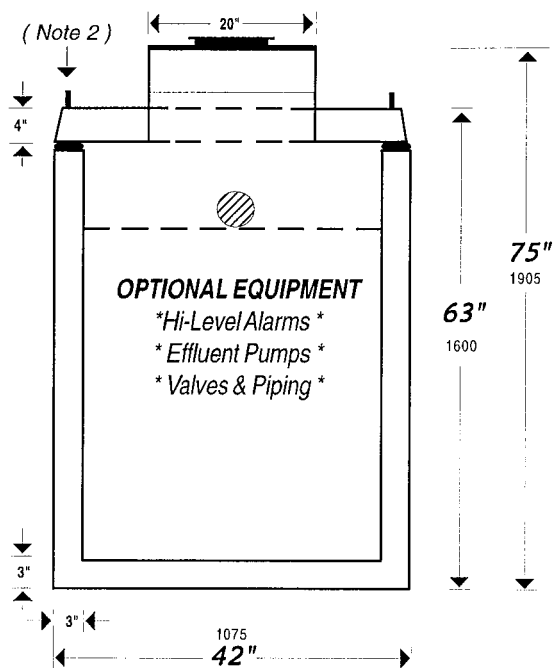
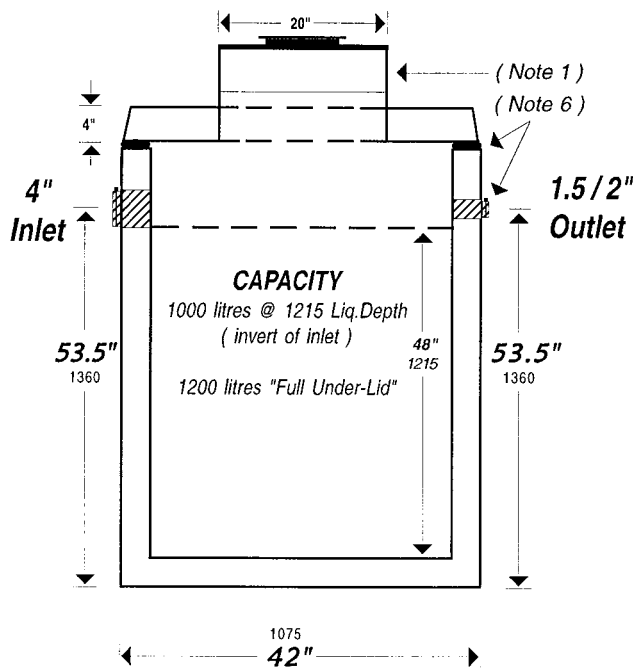
1a) **PolyLok Riser** ( 20" or 24" dia., plastic ) comprised of one section cast-in place and second (upper) section assembled with Gasket and SS screws.

1b) For **At or Above Grade** riser installation, additional 6" or 12" high riser sections c/w Gasket & SS screws may be added to suit.

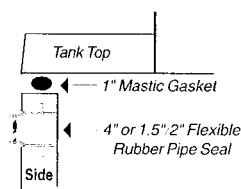
1c) **PolyLok Access Lid w/Carbon Vent** fastened to upper riser section with gasket & stainless hex head self-tappers. Lifting handles (2) are recessed into lid surface.

1d) "**DANGER**" Warning Label (English & French) is shown on lid surface.

2) 1/4" galvanized wire rope lifting hooks embedded vertically 24" down into side walls, extending 3" above top surface.



6) Detail view showing typical Top - Side interface with use of mastic gasket & flexible pipe seal.  
 Inlet / outlet positions sized per 4" DWV @ inlet & combination 1.5" x 2" DWV @ outlet.



3) Steel Reinforcing as follows:  
 Top, Bottom & Sides ..... 10 mm

4a) Cement is Portland Type 10 &/or 30 unless noted otherwise.

4b) Minimum 28-day Concrete Strength: 32 MPa

4c) "NON-SUL". Not suitable for sulphate soils

4d) Concrete Water-to-Cement Ratio 0.45:1 or less

5a) Max Design Burial Depth (Cover) ..... 1500 mm

5b) "AGINP" Above ground installation not permitted

**E3 Laboratories Inc.**

SS#4, 360 York Rd., Unit 10, Niagara-on-the-Lake, Ontario L0S 1J0

Email: info@e3labs.ca

Tel: (905) 641-9000, Fax: (905) 641-9001

**CERTIFICATE OF ANALYSIS**

Alpha Excavation &amp; Contracting Inc.

Olivia Arstall

1431 Wilson St. W.

Ancaster

L0R 1R0

Tel: 905-304-7114

Fax:

Email: office@alphaex.ca

Work Order No.:2647295

Received : 2023-05-09

PO Number:

Reported: 2023-05-25

Project Name:

Chain of Custody No.: 2647295

Client Sample ID	Sample		Parameter	Result	Unit	RDL	Date Analyzed	Method
	Date	Lab ID						
99 Concession 7 Millgrove	2023-05-05	757637	T Time	See	Attached		2023-05-15	Subcontracted

Reported by:

Dawn Howard, B.Sc. Laboratory Coordinator, on behalf of  
 Nilou Ghazi, Ph.D., P.Eng., Laboratory Manager

Page 1 of 1

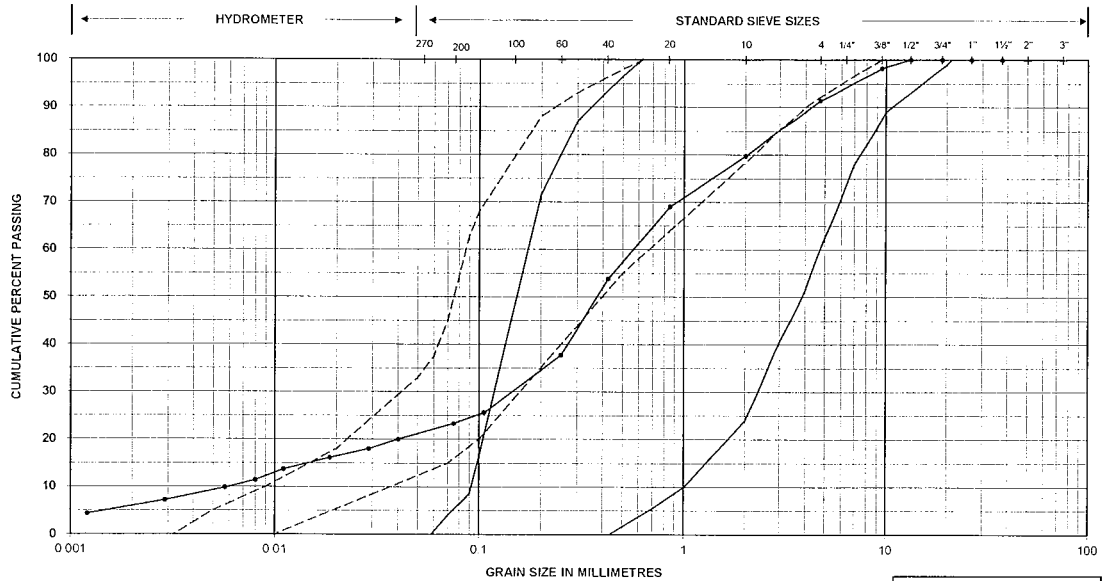
All work has been performed using accepted testing methodologies, except where otherwise agreed to by the client in writing. Our total liability in connection with this work shall be limited to the amount paid by the client.

Results relate only to items tested as received.





**PARTICLE SIZE DISTRIBUTION** LS702/ASTM D422



Unified Classification System			GRAVEL	9 %
SILT AND CLAY	SAND	GRAVEL	SAND	68 %
..... sm envelope T = 8 - 20 min/cm	Estimated T = 12 min/cm		SILT	18 %
..... sp envelope T = 2 - 8 min/cm			CLAY	5 %

Project Name: E3 Laboratories Project No.: 111-53143-00 (2639003)  
 Location ID.: 99 Concession Sample No./Depth: 757637

Sieve Size	% Passing Coarse	Sieve Size	% Passing Fine	Hydrometer (mm)	% Passing
37.5 mm	100.0	2.00 mm	79.80	0.040	20.0
26.5 mm	100.0	0.850 mm	69.0	0.019	16.1
19.0 mm	100.0	0.425 mm	53.9	0.008	11.4
13.2 mm	100.0	0.250 mm	37.7	0.003	7.1
9.50 mm	98.2	0.106 mm	25.6	0.000	4.3
4.75 mm	91.4	0.075 mm	23.3		

Note: More information is available upon request. Tested by PM Reviewed by Harun Rashid Date 15-May-23

777 Bay Street, 12<sup>th</sup> Floor  
Toronto, Ontario, M5G 2E5

777, rue Bay, 12<sup>e</sup> étage  
Toronto (Ontario) M5G 2E5

T: 416 585 4234  
W: [www.ontario.ca/buildingcode/](http://www.ontario.ca/buildingcode/)

T: 416 585 4234  
W: [www.ontario.ca/bulldingcode/](http://www.ontario.ca/bulldingcode/)



## **BMEC AUTHORIZATION: 18-05-386 ENVIRO-SEPTIC® SYSTEM**

**Date of Authorization:** September 27, 2018  
**Date of Expiry<sup>1</sup>:** September 27, 2023

### **1. Applicant**

Presby Environmental Inc  
143 Airport Road  
Whitefield, NH  
USA, 03598

Tel: 800 473-5298  
Fax: 603 837-9864  
Web: [www.presbyenvironmental.com](http://www.presbyenvironmental.com)

### **2. Manufacturing Facility**

*Pipes*  
Presby Environmental Inc.  
143 Airport Road, Whitefield, NH  
USA, 03598

*Engineering and Design*  
Make-Way Environmental Technologies Inc.  
PO Box 1869 Exeter, ON, N0M 1S7  
  
Tel: 866 625-3929  
Fax: 519 235-0570  
Web: [www.makeway.ca](http://www.makeway.ca)

DBO Expert Inc.  
501, Chemin Giroux  
Sherbrooke, PQ, J1C 0J8

Tel: 866 440-4975  
Fax: 819 846-2135  
Web: [www.enviro-septic.com](http://www.enviro-septic.com)

<sup>1</sup> This Authorization expires on the date shown. It is the responsibility of Authorization holders to make a complete application considering the time for review and complexity of the new application.

### 3. Authorization

The Enviro-Septic® System is a combined treatment and dispersal system. The Enviro-Septic® System is comprised of a septic tank, an effluent filter, distribution box, Advanced Enviro-Septic® pipes, sampling device, and Enviro-Septic® system sand. The Enviro-Septic® System can be installed in-ground, partially raised, or fully raised.

Additional descriptive information is provided in documents supplied by the Applicant listed in Appendix A.

Reports and assessments provided by the Applicant demonstrate that if Enviro-Septic® System is manufactured, designed, constructed, installed, and maintained in accordance with the manufacturer's instructions and limitations, and the specific terms and conditions stated in this authorization, the use of Enviro-Septic® System shall be deemed to not be a contravention of Division B, Section 8.6. "Class 4 Sewage System" and Section 8.7. Leaching Beds" of Division B of the Building Code.

All other requirements pertaining to the manufacturing, design, construction, installation and maintenance are subject to the requirements of the Building Code, and subject to the following terms and conditions contained in 4 and 5 below:

### 4. Specific Terms and Conditions

#### 1.0 General Requirements

- 1.1. This Authorization is valid only for Presby Environmental Inc.'s Enviro-Septic® System.
- 1.2. This authorization is valid only for use by Make-Way Environmental Technologies Inc. and DBO Expert Inc.

#### 2.0 Definitions

- 2.1. Raised or Partially Raised means a sewage system in which any part of the system is above the natural ground elevation.
- 2.2. Vertical Separation means the depth of unsaturated soil below the system, as measured from the bottom of the system sand of the Enviro-Septic System, to a limiting layer such as a high groundwater table, bedrock, or soil with a percolation time (T) greater than 50 min/cm.
- 2.3. Enviro-Septic® System Sand is defined in section 4.6.2. of this Authorization.

#### 3.0 Installation Requirements

- 3.1. The Enviro-Septic® System shall be installed as per the manufacturer's installation instructions as found in the "Enviro-Septic® System Design and Installation Manual for the Province of Ontario" Version 4.0 dated September 2018.

- 3.2. No person shall operate the Enviro-Septic® System unless the person has entered into an agreement whereby the servicing and maintenance of the Enviro-Septic® System and its related components will be carried out by a person who is authorized by the manufacturer to service and maintain the Enviro-Septic® System and who:

#### *Inspection*

- 3.2.1. Conduct and record at least once during every twelve (12) month period, an inspection and servicing, as specified by the Applicant, Presby Environmental Inc. the "Enviro-Septic® System: Design and Installation Manual - Province of Ontario", Version 4.0 dated September 2018.

#### *Testing*

- 3.2.2. Every person operating an Enviro-Septic® System that is designed and constructed to produce effluent, as described in Table 3.2.2. below, shall take a sample of the effluent to determine whether it complies with maximum levels contained in Table 3.2.2., below:

Table 3.2.2.

<b>Parameter</b>	<b>Effluent Quality Maximum concentration based on 30 day averages</b>	<b>Effluent Quality compliance with a single grab sample</b>
CBOD <sub>5</sub> (mg/L)	10	20
Suspended Solids(mg/L)	10	20
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>

- 3.2.2.1. if a single grab sample is taken to demonstrate compliance with the values in Table 3.2.2. above, the results from a single grab sample shall not exceed the maximum concentrations listed in Column 3, above.
- 3.2.2.2. if the results of a sample do not comply with Table 3.2.2., then the Principal Authority shall be informed by the operator (home owner), and the course of action to remedy the problem shall be identified.
- 3.2.2.2.1. subsequent sampling results, submitted to the Principal Authority, within six (6) months of the first non-compliant sample, must demonstrate the problem has been rectified.
- 3.2.3. All sampling results shall be promptly submitted to the person operating (home owner) the Enviro-Septic® System, and the Principal Authority.
- 3.2.3.1. once during the first twelve (12) months after the Enviro-Septic® System is put into use, and
- 3.2.3.2. thereafter, at least ten (10) months and not more than eighteen (18) months after the previous sampling has been completed

3.3. Make-Way Environmental Technologies Inc. shall retain records of the sampling test results for each Enviro-Septic® System received pursuant to the terms and conditions set out in 3.2. above, for a period of ten (10) years and shall promptly forward copies of those records to the Principal Authority, when requested.

#### 4.0 System Requirements

4.1. The Enviro-Septic System Components; there are five (5) main components to the Enviro-Septic System®. They are:

- 4.1.1. The septic tank;
- 4.1.2. The effluent filter;
- 4.1.3. The distribution device;
- 4.1.4. The Advanced Enviro-Septic® pipe;
- 4.1.5. The Enviro-Septic® System Sand.

4.2. The Septic Tank - The Enviro-Septic System® is designed to receive septic tank effluent for treatment and dispersal. All raw sewage will enter into a septic tank sized in accordance with Article 8.2.2.3. of Division B, of the Building Code.

4.3. The Effluent Filter - An effluent filter, meeting the requirements of Article 8.6.2.1. of Division B of the Building Code, shall be connected to the outlet of the septic tank.

4.4. The Distribution Device - The distribution device may be a distribution box and equalizer, a combination of distribution valve and distribution box, or a low pressure distribution system.

4.5. The Advanced Enviro-Septic® Pipe

4.5.1. The Advanced Enviro-Septic® Pipe consists of:

- 4.5.1.1. A 300 mm diameter, high-density plastic pipe, which is corrugated and perforated; skimmer tabs extend into the pipe at the point of each perforation,
- 4.5.1.2. A dense mat of coarse, randomly oriented plastic fibres surrounding the outside of the pipe,
- 4.5.1.3. A Bio-Accelerator™ geo-textile fabric layer, which partially covers the fibres on the lower half of the pipes, located between the pipe and the plastic fibres, and
- 4.5.1.4. The outer layer of non-woven geo-textile fabric that holds the other components in place and provides a protected surface on which the biomat develops.

4.5.2. A row of Advanced Enviro-Septic® pipe is a combination of a single offset adaptor, Advanced Enviro-Septic® pipes, couplings, and double offset adaptor.

- 4.5.2.1. Each row of Advanced Enviro-Septic® pipe is fed with a PVC pipe through the opening of a single offset adaptor in the top position,
- 4.5.2.2. each row of the Advanced Enviro-Septic® pipe is completed with a piezometer or a horizontal pipe leading to a piezometer through the bottom opening of a double offset adaptor,



- 4.5.2.3. each row of the Advanced Enviro-Septic® pipe is completed with a vent or an aeration pipe leading to a vent through the top opening of a double offset adaptor, and
- 4.5.2.4. the minimum equivalent length of any row is 6.1 m of Advanced Enviro-Septic® pipe and the maximum length is 30 m.

#### 4.6. The Enviro-Septic® System Sand and Imported Sand

- 4.6.1. All Enviro-Septic® System configurations require Enviro-Septic® System Sand to surround the Advanced Enviro-Septic® pipe, herein after called system sand and shall be a minimum of:

- 4.6.1.1. 300 mm below the Advanced Enviro-Septic® pipes,
- 4.6.1.2. 75 mm beside each of the Advanced Enviro-Septic® pipes,
- 4.6.1.3. 75 mm from the ends of the Advanced Enviro-Septic® pipes, and
- 4.6.1.4. 100 mm above the Advanced Enviro-Septic® pipe.

- 4.6.2. The Enviro-Septic® System Sand must meet all of the following requirements:

- 4.6.2.1. Effective diameter of between 0.20 and 0.50 mm,
- 4.6.2.2. Uniformity of Coefficient (Cu) less than or equal to 4.5,
- 4.6.2.3. less than 3% of the material smaller than 80 µm, and
- 4.6.2.4. less than 20% of material larger than 2.5. mm
- 4.6.2.5. Following installation of the system sand for each row of Advanced Enviro-Septic® pipe, imported sand or system sand must be used to fill in the area between the rows of Advanced Enviro-Septic® pipe (c/w system sand as per above item 4.6.1.), to cover the complete dispersal surface / contact area. The thickness of imported sand / system, sand between the rows of Advanced Enviro-Septic® pipes / system sand shall be a minimum of 700 mm.
- 4.6.2.6. The imported sand must meet all the following requirements:
  - 4.6.2.6.1. A percolation time of between 6 and 10 min/cm.
  - 4.6.2.6.2. Not have more than 5% fines passing through a 0.0074 mm (no.200) sieve.
- 4.6.3. For each Enviro-Septic® project, the system installer is to receive a copy of both the sieve analysis and system sand analyzer results, and these results are to be available upon request to the Principal Authority and the operator (homeowner).

## 5.0 Design

### 5.1. Vertical Separation

- 5.1.1. The percolation time (T) of the natural soil shall determine the minimum vertical distance from the bottom of the Enviro-Septic® System Sand to the high ground water table, bedrock or soil with a percolation time (T) less than 1 min/cm or greater than 50 min/cm:
  - 5.1.1.1. if T is less than or equal to 6 min/cm, or greater than 50 min/cm, then the vertical separation distance shall be at least 600 mm, or

- 5.1.1.2. if T is greater than 6 cm/min, or less than or equal to 50 cm/min, then the vertical separation shall be at least 450 mm

## 5.2. Number of Advanced Enviro-Septic® Pipes Required

5.2.1. This step applies to all options for the Enviro-Septic® System. Each 3050 mm section of the Advanced Enviro-Septic® pipe has the capacity to treat 126 L of wastewater per day, or 41.3 L per metre of pipe. Therefore, the number of Advanced Enviro-Septic® pipes required is determined by:

- 5.2.1.1. The formula to determine the number of Advanced Enviro-Septic® pipes (NAES) required is:  $NAES = Q/126$ .
- 5.2.1.2. The number of Advanced Enviro-Septic® pipes obtained must be rounded up at all times.

## 5.3. Pipe Spacing Requirements

5.3.1. The Advanced Enviro-Septic® pipes shall be spaced using the following criteria:

- 5.3.1.1. Centre to centre spacing is the horizontal distance from the centre of one Enviro-Septic® row to the centre of the adjacent row. The minimum centre to centre spacing is 450 mm,
- 5.3.1.2. Lateral Extension Distance is the distance filled with additional sand material extending from the centre of the last lateral row to the side of the Enviro-Septic® System. The minimum lateral extension is 450 mm, and
- 5.3.1.3. End Extension Distance is the distance filled with additional sand material extended from the end of a row to the side of the Enviro-Septic® System, the minimum end extension distance is 300 mm.

## 5.4. Dispersal Surface (DS) – In-ground, partially raised, or above ground

5.4.1. The area (m<sup>2</sup>) to be covered by the system sand/imported sand in the Enviro-Septic® System shall be equal to or larger than the area determined by the formula  $DS = QT/400$ , in which the T is the percolation time (T) in min/cm of the native soil – to a maximum of 50 min/cm, and Q is the total daily design sewage flow in (L).

5.4.2. In all Enviro-Septic® System designs, the minimum spacing requirement of 5.3. above shall be met.

5.4.3. Where the area determined using  $QT/400$  is larger than that required by the minimum spacing required by 5.3. above, the Advanced Enviro-Septic® pipes shall be evenly spaced over the entire area of the dispersal surface.

5.4.4. The dispersal surface shall have the long dimension perpendicular to the direction in which effluent entering the soil will move horizontally.

5.5. The Enviro-Septic® System shall be designed, installed, operated, and maintained using these criteria:

5.5.1. The system sand shall extend a minimum of 300 mm around the

perimeter of the Advanced Enviro-Septic® Pipe, for systems on ground sloping 10% or less.

- 5.5.2. The system sand shall extend a minimum of 300 mm on three (3) sides and 1200 mm beyond the Advanced Enviro-Septic® pipe on the down-slope side, for systems on ground sloping greater than 10%.
- 5.5.3. No system shall be installed in an area in which the original ground has a slope in excess of 25%.
- 5.5.4. Enviro-Septic® System rows shall be laid level, of equal lengths, and not greater than 30 m in any one row.
- 5.5.5. All pump systems shall use differential venting.
- 5.5.6. Except when used with a "Low Pressure Distribution System", all Enviro-Septic® Systems that have a pump must use a velocity reducer.
- 5.5.7. Venting - Enviro-Septic® Systems shall have a venting system, which is connected to the end of each row of Advanced Enviro-Septic® pipe, and
  - 5.5.7.1. the entry vent must be at least 3000 mm lower than the exit vent,
  - 5.5.7.2. not less than 2000 mm above the ground,
  - 5.5.7.3. not less than 1000 mm above and not less than 3500 mm in any other direction from every other air inlet, openable window, or door, and
  - 5.5.7.4. a minimum of one (1) vent is required for every 300 m of Advanced Enviro-Septic® pipe.
- 5.5.8. The Enviro-Septic® System shall have a sampling device for the purpose of sampling the effluent at the bottom of the system sand.
- 5.5.9. The site shall be protected from erosion by proper grading, mulching, seeding, and runoff control.
- 5.5.10. The Advanced Enviro-Septic® pipes, measured from the centre of the pipes, shall meet the set back requirements outlined in Article 8.2.1.4. of Division B, of the Building Code.
- 5.5.11. No reduction in size of the Enviro-Septic® System is permitted with the use of treatment device beyond that of a septic tank.
- 5.5.12. The Enviro-Septic® System shall comply with the requirements of Article 8.7.2.2. of Division B of Ontario's 2012 Building Code effective January 1, 2018

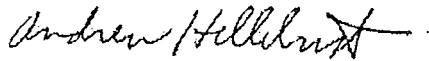
## 5. General Conditions

1. The use of the Enviro-Septic® System as described in Section 3. and the Specific Terms and Conditions set out in Section 4 must comply with:
  - (a) the *Building Code Act, 1992*, (the "Act") as amended or re-enacted,
  - (b) except as specifically authorized herein, the Building Code as amended or remade, and
  - (c) all other applicable legislation.
  
2. A copy of this Authorization shall accompany each application for a building permit and shall be maintained on the site of the construction with the building permit.
  
3. The Applicant specified in Section 1. shall promptly notify the BMEC of:
  - (a) the failure of the Applicant to comply with any of the Specific Terms and Conditions set out in Section 4,
  - (b) the failure of the material, system or building design that is the subject matter of this Authorization to
    - (i) comply with any of the Specific Terms and Conditions set out in Section 4, or
    - (ii) provide a satisfactory level of performance in situ, or
  - (c) the occurrence of any of the events described in General Conditions 5.4.(a), (b), (e) or (f).
  
4. The BMEC may amend or revoke this Authorization at any time on its own initiative, or at the request of the Applicant specified in Section 1. Without restricting the foregoing, the BMEC may amend or revoke this Authorization where it determines that:
  - (a) any change has been made to:
    - (i) the name of the Applicant specified in Section 1,
    - (ii) the address or other contact name information of the Applicant specified in Section 1,
    - (iii) the ownership of the Applicant specified in Section 1,
    - (iv) the manufacturing facilities specified in Section 2,
    - (v) the material, system, or building design that is the subject matter of this Authorization, or
    - (vi) a test method relevant to this Authorization,
  - (b) the Applicant has failed to comply with any of the terms and conditions set out in this Authorization,
  - (c) in the opinion of the BMEC, the use of the material, system or building design authorized herein provides an unsatisfactory level of performance in situ,
  - (d) in the opinion of the BMEC, amendment or revocation of the Authorization is appropriate on the basis of potential danger to public health and safety,

- (e) the Act or Building Code has been amended, re-enacted or remade in a manner relevant to this Authorization,
- (f) this Authorization was issued on mistaken, false or incorrect information, or
- (g) a revision of an editorial nature is appropriate.

Dated at Toronto this September 27, 2018

**BUILDING MATERIALS EVALUATION COMMISSION**



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Andrew Hellebust

Vice Chair, Building Materials Evaluation Commission

ENCLOSURES: APPENDIX A - SUPPORTING INFORMATION



## Appendix A – Supporting Information

The following is a list of the documents that were submitted and reviewed, but were not limited to:

1. Letter from Gunnell Engineering to the BMEC, Subject: Application for New Envrio-Septic® system BMEC Authorization #08-03-340, dated March 26, 2018;
2. BMEC Application Form dated March 23, 2018 and signed by Bert Knip;
3. Envrio-Septic® Wastewater Treatment System – BNQ Bench Test results;
4. Makeway Environmental Technologies Inc., Ontario Testing Summary, 4 pages;
5. BNQ Certificate of Conformity #890, dated October 6, 2008;
6. Bureau De Normalisation Du Quebec "NQ 3680-910/2000-06-16 M1 (2004-09-10) Wastewater Treatment – Stand Alone Wastewater Treatment System for Isolated Dwellings", Performance Evaluation Report of Annex A, dated July 2006.
7. Bureau De Normalisation Du Quebec "NQ 3680-910/2000-0616 M1 (2004-09-10) Wastewater Treatment – Stand Alone Wastewater Treatment System for Isolated Dwellings", Reliability and Performance Evaluation Report of Annex B, dated February 2007;
8. Presby Environmental, Inc. Technical Bulletin Advanced Enviro-Septic Receievs NSF-40 Certification, 1 page, dated October 1, 2009;
9. Manufacturer's Literature, Make-way Environmental Technologies Inc. "Enviro-Septic® System: Design and Installation Manual Province of Ontario", dated September 2018;
10. Manufacturer's Literature, Make-way Environmental Technologies Inc. "Ontario Home Owner's User Guide – Enviro-Septic System", dated April 01, 2018;
11. Manufacturer's Literature, Make-way Environmental Technologies Inc. "Enviro-Septic System – Installation Summary", dated April 2018, 2 pages;
12. Make-way Environmental Technologies Inc. Service Inspection Agreement, not dated;
13. Draft BMEC Authorization provided by manufacturer, 10 pages;
14. DBO Expert Inc. Power Point Presentation, presented April 26, 2018;

15. Letter with attachment from Gunnell Engineering Ltd. to the BMEC, Subject: BMEC Application 2018-01- Enviro-Septic® System Supplementary Information, dated May 22, 2018;
16. Letter from DBO Expert to the BMEC, Subject: BMEC Application 2018-01: The Enviro-Septic System, dated June 29, 2018;
17. Chowdhry, N. A., Domestic sewage treatment by underdrained filter systems, December 1974.

To Whom it May Concern,

Thank you for taking the time to review this application. We originally applied for this variance asking for a 5.0 meter front setback, which was recommended in the original application to be denied. We tabled the application and spoke with the city to make sure we could meet the needs and requirements for all parties and to be able to proceed in accordance with all recommendations. We spoke with Morgan Gowans, who commented on the original application, and advised us that the city would be comfortable with a 5.85 meter setback, which we are happy to accommodate in our amended application.

We have been working diligently to make this home and property work for our growing family with two young kids, meeting regularly with the city to ensure that we work as much as we can to be in alignment with the city's broader vision. We have spent the last 2 years on a consent application to purchased property from our neighbours and have increased our lot size as much as possible, so we have actually brought our lot size from its original size, closer to the city's current vision for rural properties. Our current 900 square foot home is situated closer to the road than neighbouring houses, and in respect of Conservation Halton, we have reached an understanding to build mostly forward or sideways on our addition, rather than backward toward the protected lands. To fit our garage and workshop onto the space, with room to turn into the driveway, this requires us to build forward toward the road for the garage space.

We are happy to be able to make accommodations as the city requires and are pleased to reapply for this minor variance after reaching an agreement with the city. We are happy to call Hamilton our home, and to continue to be active members of this community.

Thank you for your consideration.

Andrew & Cheryl Bradshaw  
99 Concession 7 E  
Millgrove ON L8B1T7  
647-504-6934



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

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

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

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

Yes No

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

### 3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

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

Yes

No

If yes, please provide an explanation:

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Existing:

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

Proposed:

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

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

lake or other water body  
 other means (specify)

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

ditches  
 other means (specify)



- 4.6 Type of sewage disposal proposed: (check appropriate box)  
 publicly owned and operated sanitary sewage  
 system privately owned and operated individual  
 septic system other means (specify)
- 4.7 Type of access: (check appropriate box)  
 provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year  
 right of way  
 other public road
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.4 Length of time the existing uses of the subject property have continued:
- 7.5 What is the existing official plan designation of the subject land?  
 Rural Hamilton Official Plan designation (if applicable):  
 Rural Settlement Area:  
 Urban Hamilton Official Plan designation (if applicable)  
 Please provide an explanation of how the application conforms with the Official Plan.
- 7.6 What is the existing zoning of the subject land?
- 7.8 Has the owner previously applied for relief in respect of the subject property?  
 (Zoning By-law Amendment or Minor Variance)  
 Yes No  
 If yes, please provide the file number:

---

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

Yes

No

If yes, please provide the file number:

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

Yes

No

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

## **8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing:

8.2 Number of Dwelling Units Proposed:

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

Application Fee

Site Sketch

Complete Application form

Signatures Sheet

### 11.4 Other Information Deemed Necessary

Cover Letter/Planning Justification Report

Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance

Minimum Distance Separation Formulae (data sheet available upon request)

Hydrogeological Assessment

Septic Assessment

Archeological Assessment

Noise Study

Parking Study





Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>GL/A-23:144</b>	<b>SUBJECT PROPERTY:</b>	5288 DICKENSON ROAD, GLANBROOK
<b>ZONE:</b>	"A2" (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 15-173

**APPLICANTS:**      **Owner:** JEREMY & BRITTANI TURCOTTE / WAYNE & SANTINA MUIR

The following variances are requested:

1. A maximum 6.5% lot coverage for an Accessory Building shall be provided instead of the maximum 200 square metres, or 5% lot coverage of all Accessory Buildings.

**PURPOSE & EFFECT:**      So as to permit an accessory structure (greenhouse) within the rear yard of an existing single detached dwelling notwithstanding that:

**Notes:**

- i. Be advised, the plans provided do not include a Survey and the Site Plan provided cannot be determined for accuracy regarding the property boundary, lot area, or applicable setbacks to the proposed Accessory Building. All calculations determined through review of the submitted Site Sketch are an approximation and may not accurately reflect actual conditions. Please note that due to insufficient details provided regarding the proposed development a complete review could not be conducted for zoning By-law compliance.
- ii. The variances have been written exactly as requested by the applicant. Please be advised, further to the review of the proposed Accessory Dwelling the requested relief to maximum lot coverage may not be sufficient to meet compliance standards. As such, should the proposed greenhouse exceed the request 6.5% lot coverage, additional variances may be required.

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

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

GL/A-23:144

<b>DATE:</b>	<b>Thursday, September 21, 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>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

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

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

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:144, 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-23:144



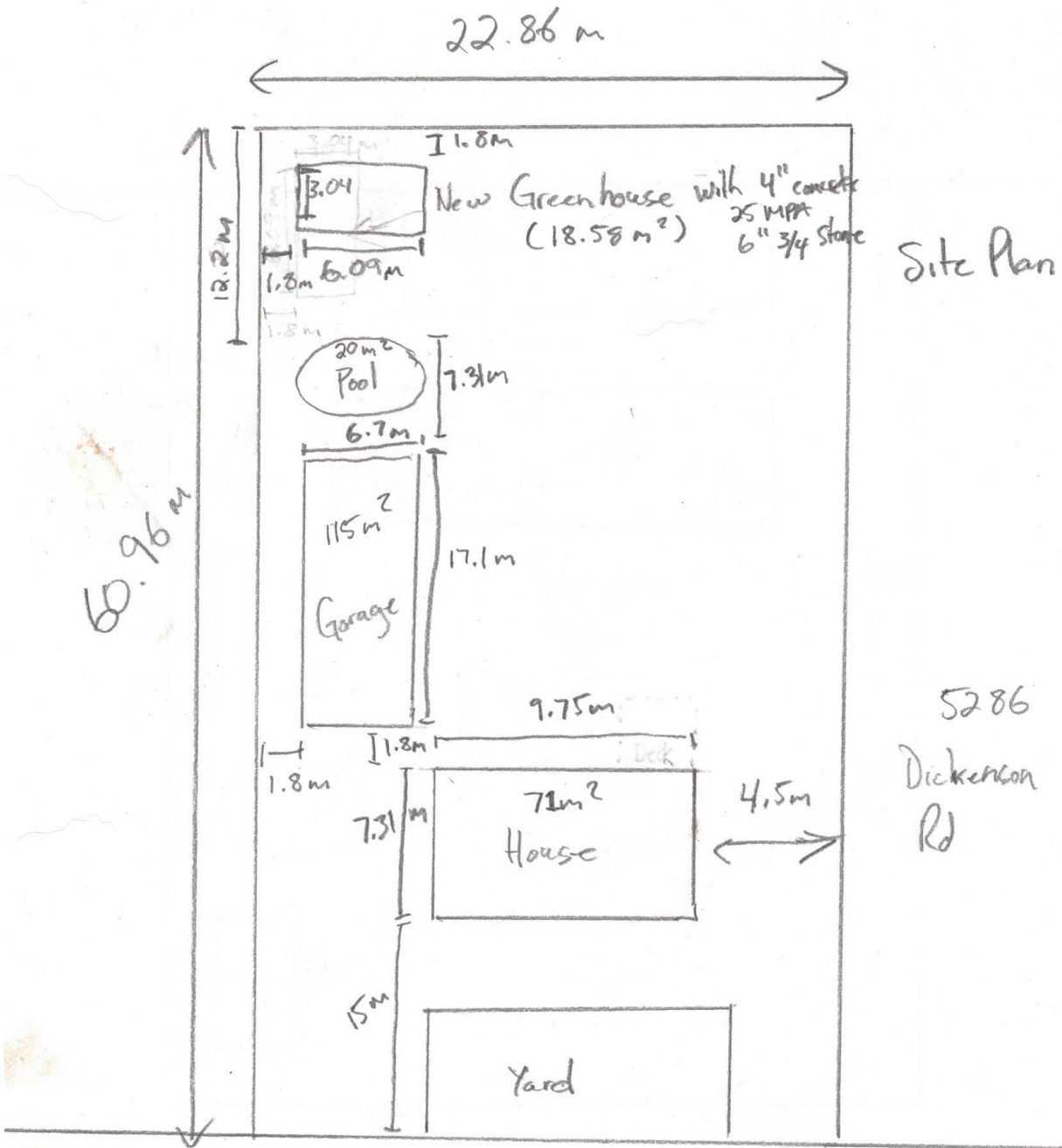
 Subject Lands

DATED: September 5, 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

5286  
Dickenson  
Rd

SPO1 5288 Dickenson Rd<sup>E</sup>



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			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	5288 Dickenson Rd E Hannon L0R 1P0		
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:

Our garage is our 5% of additional structure, however we want a greenhouse for reducing our impact/draw on local food supply and to eat healthier/save on grocery bill. The variance is to increase from 5%. The greenhouse is 200 sqft.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

We are already at our 5%. We would like to be at approx 6.5% by my calculations. An additional 200sqft.

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
22.86m	60.96m	1393.54qm	pp 7.31m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage	30.48m	15.24m	1.8m	N/A
House	23.16	30.48m	7.62m	01/01/1956

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Greenhouse	53.03m	1.8m	1.8m	05/10/2023

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Garage	102.19sqm	102.19sqm	1	0.92m
House	73.02sqm	73.02sqm	1	5.4m

Proposed

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Greenhouse	18.58sqm	18.58sqm	1	3.04m

- 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:

↳ April 16 2017

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

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

7.4 Length of time the existing uses of the subject property have continued:  
 67 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/commercial/agricultural

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: Residential/commercial/agricultural



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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: \_\_\_\_\_

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**  
**Consent/Land Severance**

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

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

<b>APPLICATION NO.:</b>	<b>SC/B-23:52</b>	<b>SUBJECT PROPERTY:</b>	Property between lands known as 1330 and 1336 Highway No. 8, Stoney Creek
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**APPLICANTS:**      **Owner:** GEORGE & MELINDA COKER

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land to be added to property known municipally as 1330 Highway 8, Stoney Creek.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (Area B to be added to Area C):</b>	1.433 m <sup>±</sup>	60.990 m <sup>±</sup>	0.0087 ha <sup>±</sup>
<b>RETAINED LANDS (Area A):</b>	21.727 m <sup>±</sup>	60.990 m <sup>±</sup>	0.1325 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, September 21, 2023</b>
<b>TIME:</b>	<b>10:00 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> <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:

**SC/B-23:52**

- 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.

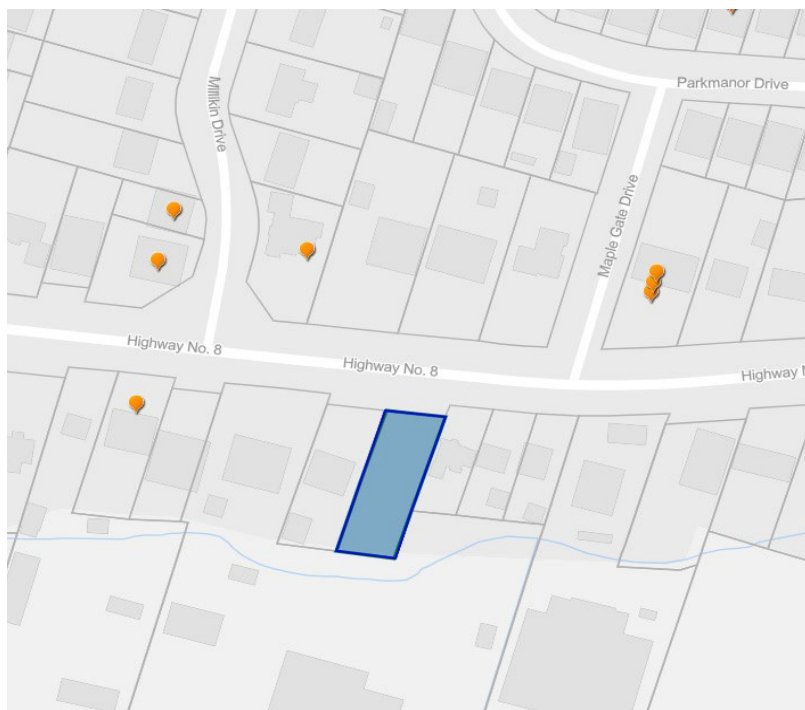
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-23:52, 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.



 **Subject Lands**

**SC/B-23:52**

DATED: September 5, 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.

Annotations (pink) have been added by the landowner on July 31, 2023.

<p>I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT</p> <p>DATED: <u>JANUARY 26 1990</u></p> <p><i>J. David Peters</i> J. DAVID PETERS, O.L.S.</p>		<p><b>PLAN 62 R -</b></p> <p>RECEIVED AND DEPOSITED</p> <p>DATED: _____</p> <p>FOR THE REGISTRY LAND REGISTRAR DIVISION OF WENTWORTH (MFG2)</p>	
SCHEDULE			
PART	LOCATION	INSTRUMENT	AREA
1	PART OF LOTS 3 & 4, CON. 2	INST. N <sup>o</sup> 58357 AB (REM.)	1,373.71 m <sup>2</sup>
2	TOWNSHIP OF SALT FLEET		1,351.95 m <sup>2</sup>

(Therefore Part 1 is reduced by Area B and becomes Area A, and Part 2 in increased by Area B to become Area C)

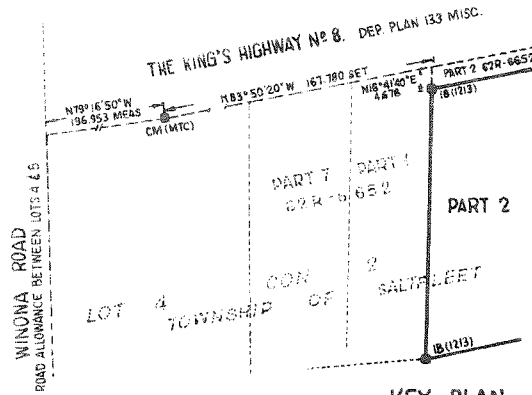
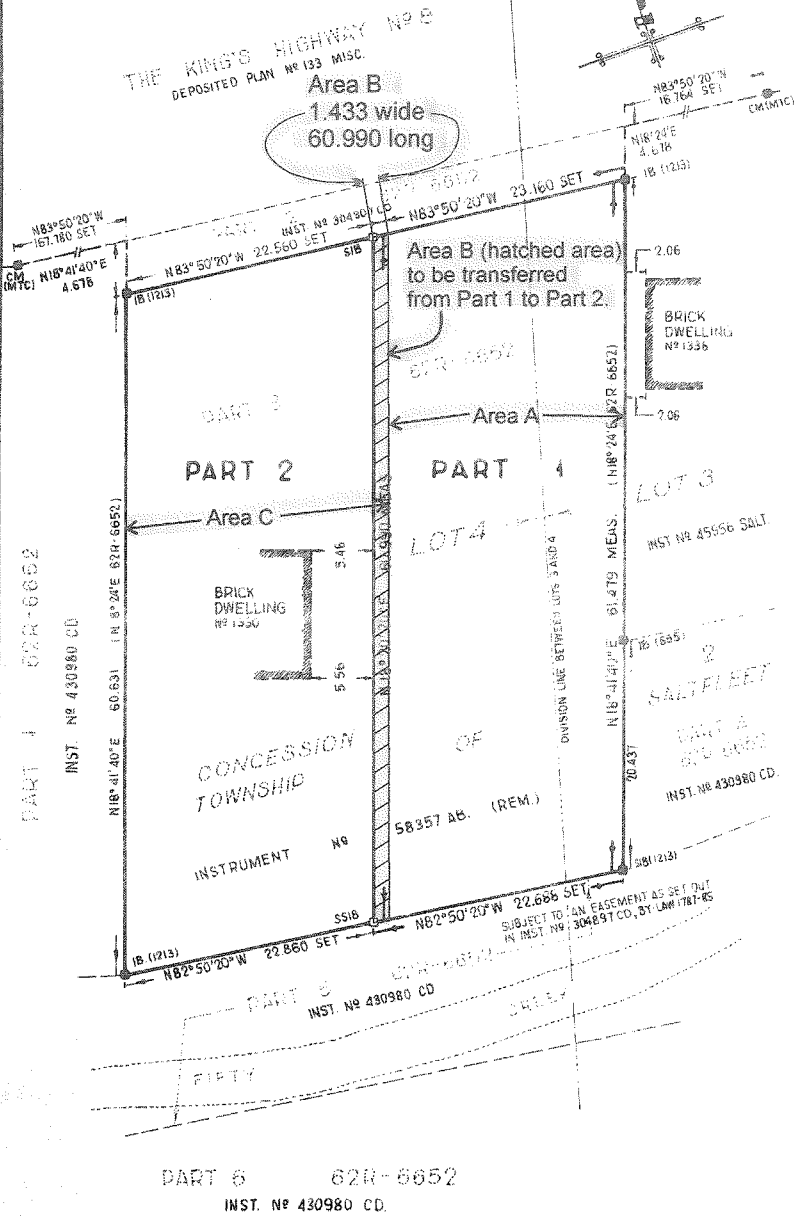
**PLAN OF SURVEY**  
OF  
**PART OF LOTS 3 AND 4**  
CONCESSION 2  
IN THE GEOGRAPHIC  
TOWNSHIP OF SALT FLEET  
NOW IN THE  
**CITY OF STONEY CREEK**  
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH



J. DAVID PETERS, O.L.S.  
1990

**NOTE:**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERN LIMIT OF HIGHWAY N<sup>o</sup> 8 ON A COURSE OF N83°50'20"W AS SHOWN ON PLAN N<sup>o</sup> 133 MISC.

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



- NOTE:**  
(MTC) DENOTES MIN. OF TRANS. & COMM.  
(1218) DENOTES J. DAVID PETERS, O.L.S.  
SIGN — DENOTES AN IRON BAR PLANTED  
SIGN — DENOTES AN IRON BAR FOUND  
C.C. DENOTES A CUT CROSS  
S.I.B. DENOTES A 0.254 SQUARE IRON BAR  
I.B. DENOTES A 0.015 SQUARE IRON BAR  
I.S. DENOTES A 0.015 ROUND IRON BAR  
WIT DENOTES WITNESS  
C.M. DENOTES A CONC. MONUMENT  
(665) DENOTES J.T. PETERS, O.L.S.

**CAUTION:**  
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

**SURVEYOR'S CERTIFICATE**

1. I CERTIFY THAT  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER  
2. THE SURVEY WAS COMPLETED ON THE 22<sup>ND</sup> DAY OF JAN. 1990.  
HAMILTON-ONT. JANUARY 26-1990

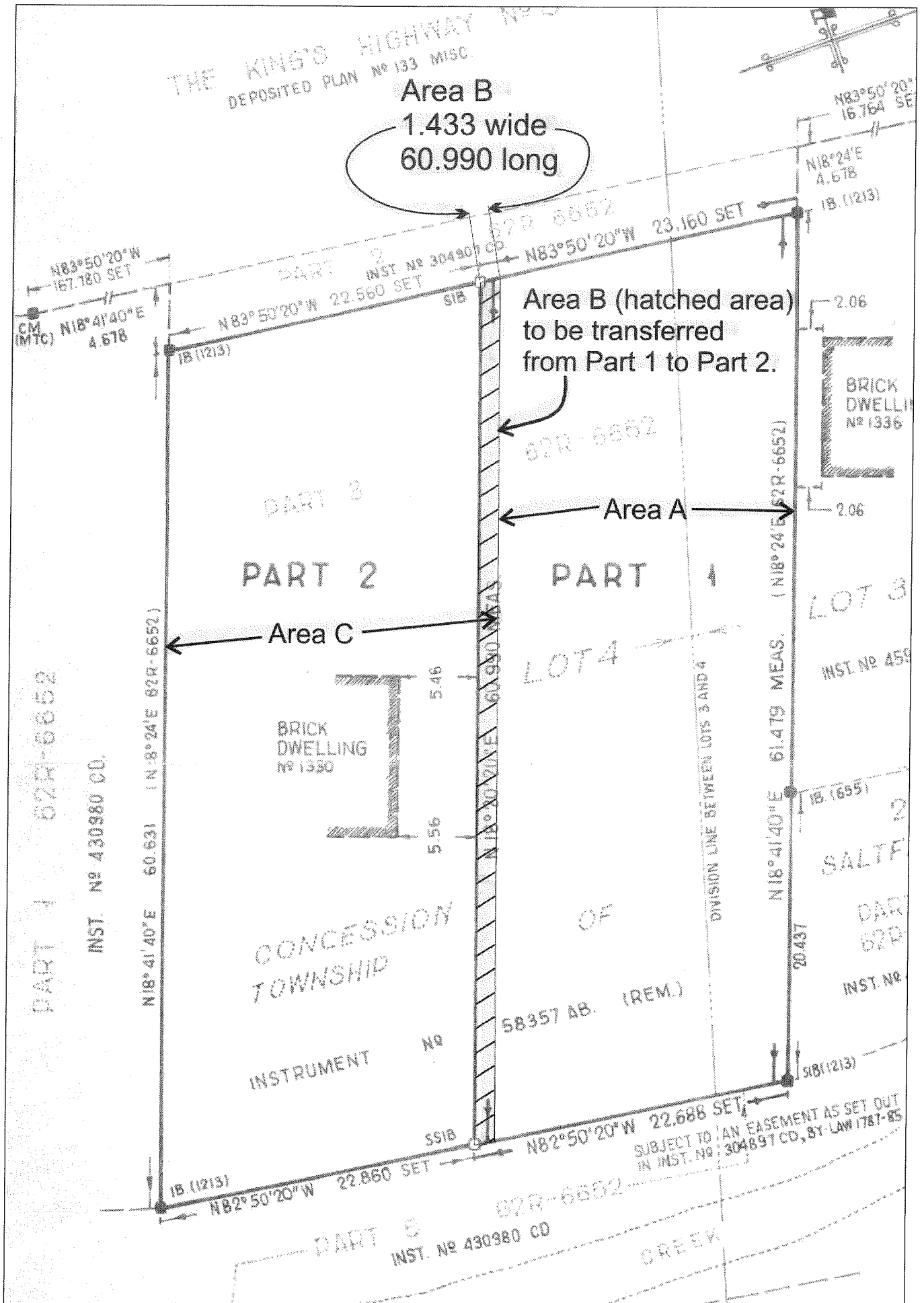
*J. David Peters*  
J. DAVID PETERS  
ONTARIO LAND SURVEYOR

**MACKAY, MACKAY & PETERS LIMITED**

ONTARIO LAND SURVEYORS  
ESTABLISHED 1906  
SUITE 606 UNION GAS BUILDING  
20 HUGHSON STREET SOUTH  
HAMILTON - ONTARIO L8N 2A1  
TELEPHONE: (416) 586-7471

PLAN NO **Y-21813-A**





LRO # 62 Transfer By Personal Representative  
The applicant(s) hereby applies to the Land Registrar.

Received as WE1597126 on 2022 04 11 at 13:04  
yyyy mm dd Page 1 of 3

### Properties

PIN 17365 - 0193 LT Interest/Estate Fee Simple  
Description PT LTS 3 & 4, CON 2 SALT FLEET, PART 1, 62R11175; DESCRIPTION MAY NOT BE ACCEPTABLE IN FUTURE AS IN VM57548; STONEY CREEK CITY OF HAMILTON  
Address HAMILTON

### Consideration

Consideration \$0.00

### Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name COKER, NELLIE  
Address for Service c/o 1330 Highway 8, Stoney Creek,  
Ontario, L8E 5K6

This document is not authorized under Power of Attorney by this party.

This transaction is not subject to any writs of execution. Execution search(s) completed on 2022/04/11. Clear execution Number(s) #44789868-2929227B against, COKER, NELLIE.. I Murray R. Mazza confirm the appropriate party(ies) were searched.

### Transferee(s)

#### Capacity

#### Share

Name	COKER, GEORGE ALFRED	Joint Tenants
Date of Birth	1953 07 27	
Address for Service	82 Pleasant Avenue, Dundas, Ontario, L9H 5K6	
Name	COKER, MELINDA	Joint Tenants
Date of Birth	1957 05 12	
Address for Service	1330 Highway 8, Stoney Creek, Ontario, L8E 5K6	

### Statements

The personal representative has the authority to transfer the land under the terms of the will, if any, the Estates Administration Act and the Succession Law Reform Act.

Title to the land is not subject to spousal rights under the Family Law Act

The debts of the deceased are paid in full

No consents are required for this transfer

### Signed By

Murray Raymond Joseph Mazza	426 Highway #8, Unit 1 Stoney Creek L8G 1G2	acting for Transferor(s)	Signed	2022 04 11
-----------------------------	---	-----------------------------	--------	------------

Tel 905-561-1444  
Fax 905-664-2873

I am the solicitor for the transferor(s) and the transferee(s) and this transfer is being completed in accordance with my professional standards.

I have the authority to sign and register the document on behalf of all parties to the document.

Murray Raymond Joseph Mazza	426 Highway #8, Unit 1 Stoney Creek L8G 1G2	acting for Transferee(s)	Signed	2022 04 11
-----------------------------	---	-----------------------------	--------	------------

Tel 905-561-1444  
Fax 905-664-2873

I am the solicitor for the transferor(s) and the transferee(s) and this transfer is being completed in accordance with my professional standards.

I have the authority to sign and register the document on behalf of all parties to the document.

### Submitted By

MURRAY MAZZA LAW OFFICE

426 Highway #8, Unit 1  
Stoney Creek  
L8G 1G2

2022 04 11

Tel 905-561-1444  
Fax 905-664-2873

LRO # 62 Transfer By Personal Representative  
The applicant(s) hereby applies to the Land Registrar.

Received as WE1597126 on 2022 04 11 at 13:04  
yyyy mm dd Page 2 of 3

**Fees/Taxes/Payment**

Statutory Registration Fee	\$66.30
Provincial Land Transfer Tax	\$0.00
Total Paid	\$66.30

**File Number**

Transferor Client File Number :	320411
Transferee Client File Number :	322065

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 17365 - 0193 PT LTS 3 & 4, CON 2 SALTFLLEET , PART 1 , 62R11175 ; DESCRIPTION MAY NOT BE ACCEPTABLE IN FUTURE AS IN VM57548 ; STONEY CREEK CITY OF HAMILTON

BY: COKER, NELLIE  
 TO: COKER, GEORGE ALFRED Joint Tenants  
 COKER, MELINDA Joint Tenants

## 1. COKER, GEORGE ALFRED AND COKER, MELINDA

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;  
 (b) A trustee named in the above-described conveyance to whom the land is being conveyed;  
 (c) A transferee named in the above-described conveyance;  
 (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_\_ described in paragraph(s) ( ) above.  
 (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for \_\_\_\_\_ described in paragraph(s) ( ) above.  
 (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.

## 3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	\$0.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	\$0.00
(ii) Given Back to Vendor	\$0.00
(c) Property transferred in exchange (detail below)	\$0.00
(d) Fair market value of the land(s)	\$0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	\$0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	\$0.00
(h) VALUE OF ALL CHATTELS -Items of tangible personal property	\$0.00
(i) Other considerations for transaction not included in (g) or (h) above	\$0.00
(j) Total consideration	\$0.00

## 4.

Explanation for nominal considerations:  
 a) estate to beneficiary

## 5. The land is not subject to an encumbrance

## 6. Other remarks and explanations, if necessary.

- The information prescribed for purposes of section 5.0.1 of the Land Transfer Tax Act is not required to be provided for this conveyance.
- The transferee(s) has read and considered the definitions of "designated land", "foreign corporation", "foreign entity", "foreign national", "Greater Golden Horseshoe Region", "specified region", "spouse" and "taxable trustee" as set out in subsection 1(1) of the Land Transfer Tax Act and O. Reg 182/17. The transferee(s) declare that this conveyance is not subject to additional tax as set out in subsection 2(2.1) of the Act because:
- (c) The transferee(s) is not a "foreign entity" or a "taxable trustee".
- The transferee(s) declare that they will keep at their place of residence in Ontario (or at their principal place of business in Ontario) such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act for a period of at least seven years.
- The transferee(s) agree that they or the designated custodian will provide such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act, to the Ministry of Finance upon request.

**PROPERTY Information Record**

A. Nature of Instrument: Transfer By Personal Representative  
 LRO 62 Registration No. WE1597126 Date: 2022/04/11

B. Property(s): PIN 17365 - 0193 Address HAMILTON Assessment -  
 Roll No

C. Address for Service: 82 Pleasant Avenue, Dundas, Ontario, L9H 5K6  
 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6

D. (i) Last Conveyance(s): PIN 17365 - 0193 Registration No. VM57548  
 (ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes  No  Not known

E. Tax Statements Prepared By: Murray Raymond Joseph Mazza  
 426 Highway #8, Unit 1  
 Stoney Creek L8G 1G2

LRO # 62 Transmission By Personal  
 Representative-Land  
 The applicant(s) hereby applies to the Land Registrar.

Received as WE1597117 on 2022 04 11 at 12:46

yyyy mm dd Page 1 of 1

### Properties

PIN 17365 - 0193 LT  
 Description PT LTS 3 & 4, CON 2 SALT FLEET, PART 1, 62R11175; DESCRIPTION MAY NOT BE ACCEPTABLE IN FUTURE AS IN VM57548; STONEY CREEK CITY OF HAMILTON  
 Address HAMILTON

### Deceased(s)

Name COKER, NELLIE  
 Address for Service c/o 1330 Highway 8, Stoney Creek,  
 Ontario, L8E 5K6  
 Date of death was 2020/11/24

### Applicant(s)

Capacity Share

Name COKER, GEORGE ALFRED Estate Trustee With A Will  
 Address for Service 82 Pleasant Avenue, Dundas, Ontario, L9H 5K6

The applicant is entitled to be the owner by law, as Estate Trustee of the estate of the deceased owner.  
 This document is not authorized under Power of Attorney by this party.

This transaction is not subject to any writs of execution. Execution search(s) completed on 2022/04/11. Clear execution number(s) #44789868-2929227B against, COKER, NELLIE.. I Murray R. Mazza confirm the appropriate party(ies) were searched.

Name COKER, MELINDA Estate Trustee With A Will  
 Address for Service 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6

The applicant is entitled to be the owner by law, as Estate Trustee of the estate of the deceased owner.  
 This document is not authorized under Power of Attorney by this party.

This transaction is not subject to any writs of execution. Execution search(s) completed on 2022/04/11. Clear execution number(s) #44789868-2929227B against, COKER, NELLIE.. I Murray R. Mazza confirm the appropriate party(ies) were searched.

### Statements

The debts of the deceased are paid in full  
 The applicant is appointed as Estate Trustee with a will by Ontario Superior Court Court, under file number 02670/21, dated 2021/03/26 and is still in full force and effect.

### Signed By

Murray Raymond Joseph Mazza 426 Highway #8, Unit 1 acting for Signed 2022 04 11  
 Stoney Creek Applicant(s)  
 L8G 1G2

Tel 905-561-1444  
 Fax 905-664-2873

I have the authority to sign and register the document on behalf of the Applicant(s).

### Submitted By

MURRAY MAZZA LAW OFFICE 426 Highway #8, Unit 1 2022 04 11  
 Stoney Creek  
 L8G 1G2

Tel 905-561-1444  
 Fax 905-664-2873

### Fees/Taxes/Payment

Statutory Registration Fee \$66.30  
 Total Paid \$66.30

### File Number

Deceased Client File Number : 320411  
 Applicant Client File Number : 322065

**ACKNOWLEDGEMENT AND DIRECTION**

**TO:** Murray Raymond Joseph Mazza  
(Insert lawyer's name)

**AND TO:** MURRAY MAZZA LAW OFFICE  
(Insert firm name)

**RE:** TRANSMISSION APPLICATION - Coker, Vacant Lot, 0 Highway 8, Stoney ("the transaction")  
Creek, File No. 322065  
(Insert brief description of transaction)

**This will confirm that:**

- I/We have reviewed the information set out in this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Ontario as the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, \_\_\_\_\_, am the spouse of \_\_\_\_\_, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to indicate my consent on all the Documents for which it is required.

**DESCRIPTION OF ELECTRONIC DOCUMENTS**

The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- A Transfer of the land described above.
- A Charge of the land described above.
- Other documents set out in Schedule "B" attached hereto.

Dated at Hamilton, this 6<sup>th</sup> day of April, 2022.

**WITNESS**

(As to all signatures, if required)



George Alfred Coker  
GEORGE ALFRED COKER

Melinda Coker  
MELINDA COKER

\_\_\_\_\_  
\_\_\_\_\_



LRO # 62 Transmission By Personal  
Representative-Land

In preparation on 2022 03 16 at 11:45

This document has not been submitted and may be incomplete.

yyyy mm dd Page 1 of 1

### Properties

**PIN** 17365 - 0193 LT  
**Description** PT LTS 3 & 4, CON 2 SALT FLEET, PART 1, 62R11175; DESCRIPTION MAY NOT BE ACCEPTABLE IN FUTURE AS IN VM57548; STONEY CREEK CITY OF HAMILTON

### Deceased(s)

**Name** COKER, NELLIE  
Acting as an individual  
**Address for Service** c/o 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6  
Date of death was 2020/11/24

### Applicant(s)

**Capacity**

**Share**

**Name** GEORGE ALFRED COKER  
Acting as an individual  
**Address for Service** 82 Pleasant Avenue, Dundas, Ontario, L9H 5K6

Estate Trustee With A Will

The applicant is entitled to be the owner by law, as Estate Trustee of the estate of the deceased owner.  
This document is not authorized under Power of Attorney by this party.  
This transaction is not subject to any writs of execution. Execution search(s) completed on . Clear execution number(s) . I Murray R. Mazza confirm the appropriate party(ies) were searched.

**Name** MELINDA COKER  
Acting as an individual  
**Address for Service** 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6

Estate Trustee With A Will

The applicant is entitled to be the owner by law, as Estate Trustee of the estate of the deceased owner.  
This document is not authorized under Power of Attorney by this party.  
This transaction is not subject to any writs of execution. Execution search(s) completed on . Clear execution number(s) . I Murray R. Mazza confirm the appropriate party(ies) were searched.

### Statements

The debts of the deceased are paid in full  
The applicant is appointed as Estate Trustee with a will by Ontario Superior Court Court, under file number 02670/21, dated 2021/03/26 and is still in full force and effect.

### File Number

**Deceased Client File Number :** 320411  
**Applicant Client File Number :** 322065

**ACKNOWLEDGEMENT AND DIRECTION**

**TO:** Murray Raymond Joseph Mazza  
(Insert lawyer's name)

**AND TO:** MURRAY MAZZA LAW OFFICE  
(Insert firm name)

**RE:** TRANSFER - Coker, Vacant Lot, 0 Highway 8, Stoney Creek, File No. 322065 ("the transaction")  
(Insert brief description of transaction)

**This will confirm that:**

- I/We have reviewed the information set out in this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Ontario as the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, \_\_\_\_\_, am the spouse of \_\_\_\_\_, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to indicate my consent on all the Documents for which it is required.

**DESCRIPTION OF ELECTRONIC DOCUMENTS**

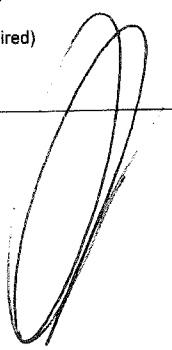
The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- A Transfer of the land described above.
- A Charge of the land described above.
- Other documents set out in Schedule "B" attached hereto.

Dated at Kingston, this 6th day of June, 2022

**WITNESS**

(As to all signatures, if required)



George Alfred Coker  
GEORGE ALFRED COKER

Melinda Coker  
MELINDA COKER

\_\_\_\_\_  
\_\_\_\_\_

LRO # 62 Transfer By Personal Representative

In preparation on 2022 03 16 at 11:40

This document has not been submitted and may be incomplete.

yyyy mm dd Page 1 of 1

**Properties**

*PIN* 17365 - 0193 LT *Interest/Estate* Fee Simple  
*Description* PT LTS 3 & 4, CON 2 SALTFLEET , PART 1 , 62R11175 ; DESCRIPTION MAY NOT BE  
 ACCEPTABLE IN FUTURE AS IN VM57548 ; STONEY CREEK CITY OF HAMILTON

**Consideration***Consideration* \$0.00**Transferor(s)**

The transferor(s) hereby transfers the land to the transferee(s).

*Name* COKER, NELLIE  
 Acting as an individual  
*Address for Service* c/o 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6

This document is not authorized under Power of Attorney by this party.

This transaction is not subject to any writs of execution. Execution search(s) completed on . Clear execution Number(s) . I Murray R.  
 Mazza confirm the appropriate party(ies) were searched.

**Transferee(s)***Capacity**Share*

*Name* GEORGE ALFRED COKER *Capacity* Joint Tenants  
 Acting as an individual  
*Date of Birth* 1953 07 27  
*Address for Service* 82 Pleasant Avenue, Dundas, Ontario, L9H 5K6

*Name* MELINDA COKER *Capacity* Joint Tenants  
 Acting as an individual  
*Date of Birth* 1957 05 12  
*Address for Service* 1330 Highway 8, Stoney Creek, Ontario, L8E 5K6

**Statements**

The personal representative has the authority to transfer the land under the terms of the will, if any, the Estates Administration Act and the Succession Law Reform Act.

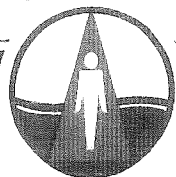
Title to the land is not subject to spousal rights under the Family Law Act

The debts of the deceased are paid in full

No consents are required for this transfer

**Calculated Taxes***Provincial Land Transfer Tax* \$0.00**File Number**

*Transferor Client File Number* : 320411  
*Transferee Client File Number* : 322065



## Hamilton Region Conservation Authority

July 14, 1997

SC/F&amp;C/97/14

George and Nellie Coker  
1330 Highway No. 8  
Winona, Ontario  
L8E 5K6

Dear Mr. &amp; Mrs. Coker:

**Re: Permit Application SC\F&C\97\14**  
**1330 Highway No. 8, City of Stoney Creek**

Staff of the Hamilton Region Conservation Authority have reviewed the above noted application and offer the following information for your consideration.

Based on the survey showing geodetic elevations submitted with the application, Authority staff have determined that the subject property is not located within the regulatory floodplain of Watercourse No. 12. As such, a permit from this agency is not required for development on the subject property.

You submitted a \$400 cheque with your application to cover the permit administration fee and the Authority cashed this cheque. In this regard, please find attached a refund cheque in the amount of \$400 from the Hamilton Region Conservation Authority.

Should you have any questions regarding this matter, please contact Mr. Scott Peck, Environmental Planner, at (905)648-4427, ext. 132.

Sincerely,

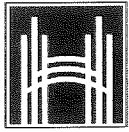
A handwritten signature in black ink, appearing to read "B. Scott Konkle".

B. Scott Konkle, O.A.L.A.  
Director of Watershed Planning and Engineering.

TSP/tsp

pc: L. Thomas, HRCA





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*	NA	
Registered Owners(s)	M. Coker/G.A. Coker	
Applicant(s)**	Melinda Coker George A. Coker	
Agent or Solicitor	NA	

\*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 [bballmelc@gmail.com](mailto:bballmelc@gmail.com)

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

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

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1330 Hwy 8, Stoney Creek, ON, L8E 5K6 (recipient of land transfer)		
Assessment Roll Number	25 18 003 210 14350 0000		
Former Municipality	City of Stoney Creek		
Lot	3 & 4	Concession	2
Registered Plan Number	NA	Lot(s)	3 & 4
Reference Plan Number (s)	NA	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

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:

Melinda Coker

---

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

1330 Hwy 8, Stoney Creek, ON, L8E 5K6 Roll 003210143000000

---

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:	Area A	Area B	Area C		
Type of Transfer	N/A				
Frontage	21.727	1.433	23.993		
Depth	60.990	60.990	60.990		
Area	0.1325 ha	0.0087 ha	0.1463		
Existing Use	Vacant lot	lawn	residential lot		
Proposed Use	Vacant lot	lawn	residential lot		
Existing Buildings/ Structures	None	None	1 house 1 garage		
Proposed Buildings/ Structures	None	None	None		
Buildings/ Structures to be Removed	None	None	None		

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

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

publicly owned and operated piped water system

privately owned and operated individual well

lake or other water body

other means (specify) \_\_\_\_\_

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

publicly owned and operated sanitary sewage system

privately owned and operated individual septic system

other means (specify) \_\_\_\_\_

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

electricity

telephone

school bussing

garbage collection

### 5 CURRENT LAND USE

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

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

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

Urban Hamilton Official Plan designation (if applicable) Low density residential ( Fruitland/Winona

*Secondary Plan*

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

There will be no change in land use, zoning, or number of individual properties. Also no change to existing easements or access to adjoining properties or easements.

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

Yes  No  Unknown

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

5.3 What is the existing zoning of the subject land? R1 Single Family residential

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

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

Yes  No  Unknown

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

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	Greenhouse 44 m S on adjacent property
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.

NA

---

- 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?  
 since April 11, 2022.
- 

- 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.

Melinda Coker owns 1330 Hwy 8, Stoney Creek, ON, L8E 5K6  
 George Alfred Coker owns 82 Pleasant Ave., Dundas, ON, L9H 3T4

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## 7 PROVINCIAL POLICY

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?  
 Yes       No      (Provide explanation)

Simple lot reconfiguration. A 1.433 m wide (60.990 m long) section of land is proposed to be removed from one lot and added to the adjacent lot. No changes to adjacent lands or access to lands will occur.

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

Simple lot reconfiguration. A 1.433 m wide (60.990 m long) section of land is proposed to be removed from one lot and added to the adjacent lot. No changes to adjacent lands or access to lands will occur.

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

Simple lot reconfiguration. A 1.433 m wide (60.990 m long) section of land is proposed to be removed from one lot and added to the adjacent lot. No changes to adjacent lands or access to lands will occur.

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

While the lot is within the NEC land (border is along Hwy 8 at front of lot), it is also within the urban boundary and not in NEC development control.

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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)

Previous owner was the present owners' mother, and who is deceased.

8.2 Does the current owner have any interest in any abutting land?  
 Yes  No (Provide explanation and details on plan)

Melinda Coker owns 1330 Hwy 8, which will be the recipient of the land transfer.

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)  
 We don't think it needs validation. We have the deed in our names.

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?  
 Yes  No (Provide explanation)

Previous owner is deceased

9.2 Does the current owner have any interest in any abutting land?  
 Yes  No (Provide explanation and details on plan)

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

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

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

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

**10.2 Location of farm consolidation property:**

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

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

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

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

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

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

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

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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-23:221</b>	<b>SUBJECT PROPERTY:</b>	33 SIDNEY CRESCENT, STONEY CREEK
<b>ZONE:</b>	"R3" (Single Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:**      **Owner:** LUTFI DRAGUSHA & MENDUHIJE BUSHI

The following variances are requested:

1. An unenclosed porch (covered deck) shall be permitted to encroach a maximum of 5.5 metres into a required rear yard instead of the required maximum encroachment of 4.0 metres into a required rear yard;
2. A maximum lot coverage of 49.2% shall be provided instead of the required maximum 40% lot coverage.

**PURPOSE & EFFECT:**      So as to permit an unenclosed porch (covered deck) within the rear yard notwithstanding that:

**Notes:**

- i) Please note, as it pertains to maximum lot coverage, total building area has been determined based on building area provided on Plan of Survey Plan 62M-977 and the site sketch submitted. The applicant has requested relief from required lot coverage however a specific percentage has not been indicated. As such, the following calculation is provided to determine total lot coverage required for the proposed unenclosed porch (covered deck):

Principle Dwelling = 164.791 m<sup>2</sup> as per measurements provided on Plan 62M-977

Existing Shed = 13.3225 m<sup>2</sup> as per Site Sketch

Proposed Unenclosed Porch = 23.8928m<sup>2</sup> as per Site Sketch/ roofing diagram

Total Building Area/ Lot Coverage = 202.0063m<sup>2</sup> (49.15%)

**SC/A-23:221**

Variance #2 has been provided in the event there are some minor discrepancies related to actual deck area/ coverage.

- ii) In addition to the above, the applicant has also request relief from required side yard setbacks for the proposed unenclosed porch. It is noted through review that the proposed unenclosed porch does not encroach into the side yard and as such a variance would not be required. The applicant shall notify Staff should there be a specific side yard setback request based on site conditions not illustrated through the Site Sketch provided.
- iii) Be advised, insufficient Information has been provided to determine the encroachment requirements for the eaves of the proposed covered deck. A roofing diagram has been provided with the submitted application, however insufficient information has been provided to determine if the eaves extend beyond the proposed deck surface. As such, should the eaves extend beyond the deck and into the required rear yard in excess of the 0.5 metres permitted, additional variances may be required.

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

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

<b>DATE:</b>	<b>Thursday, September 21, 2023</b>
<b>TIME:</b>	<b>10:05 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.

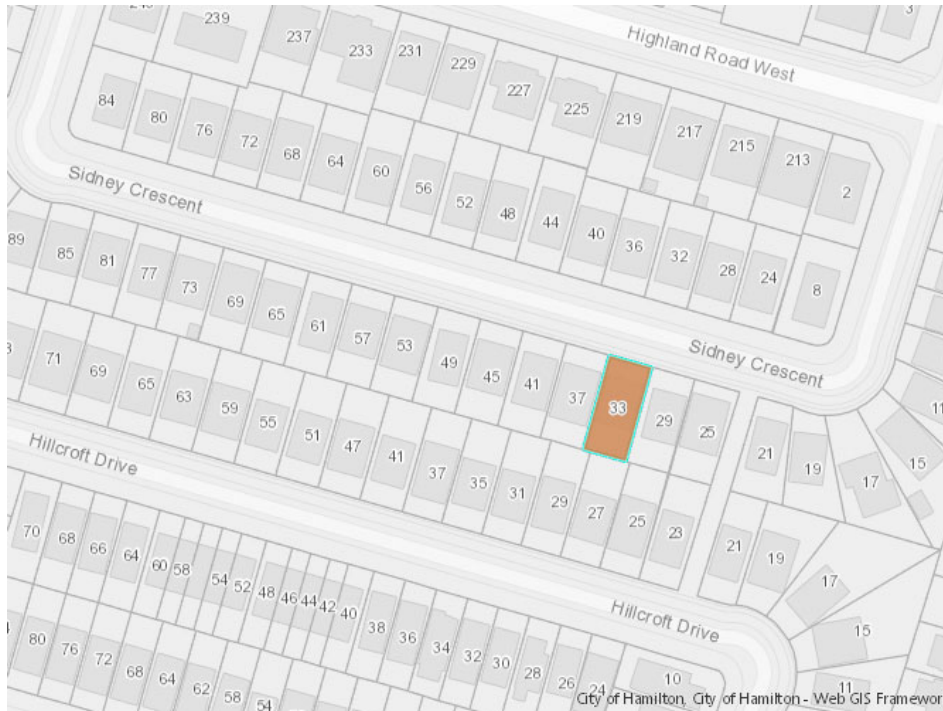
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

SC/A-23:221

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:221, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

**Subject Lands**

DATED: September 5, 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.

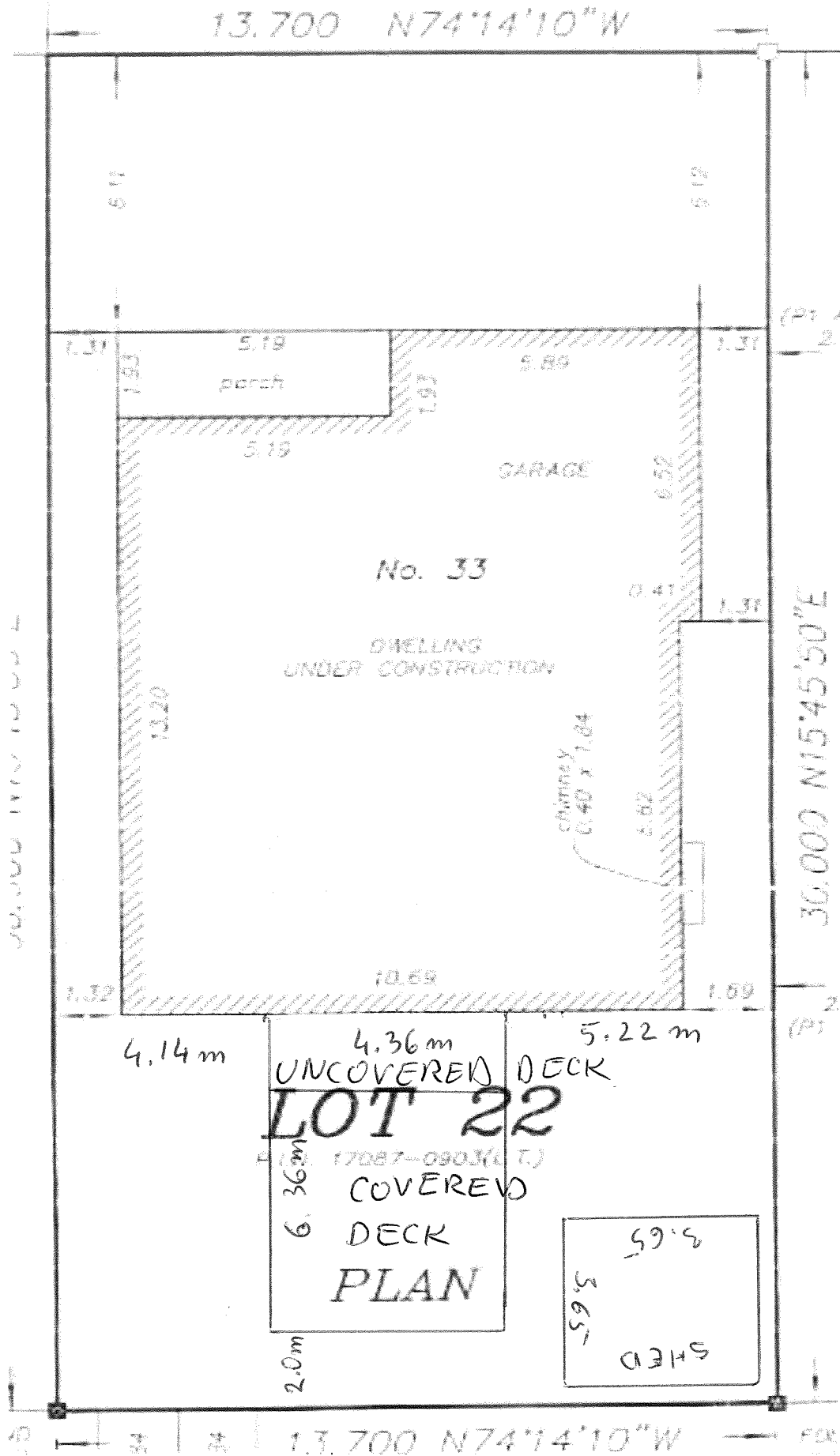
#### 2. In person Oral Submissions

**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.

33 SIDNEY CRESCENT  
STONEY CREEK



13.700 N74°14'10" W

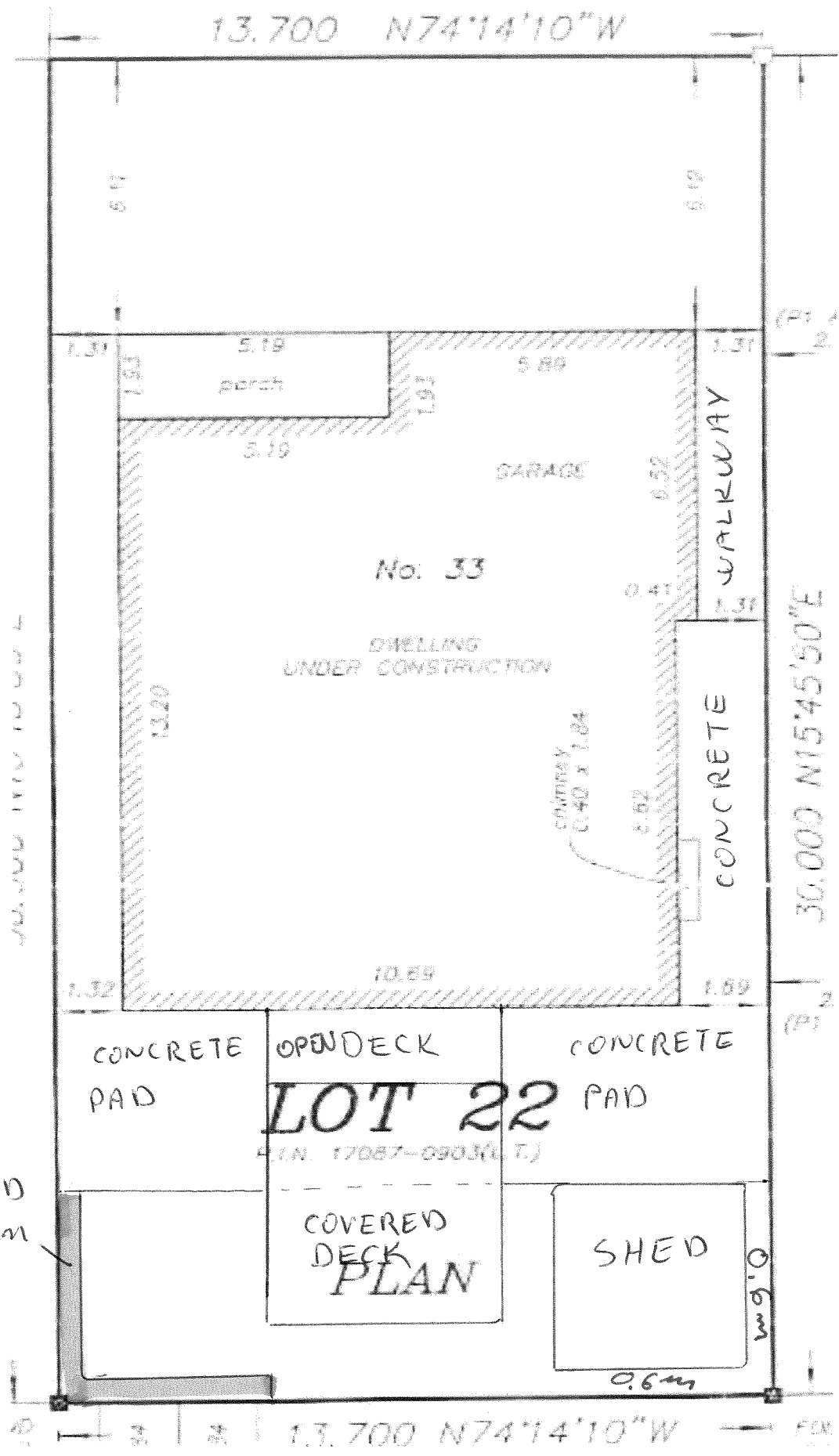
30.000 N15°45'50" E

**LOT 22**  
COVERED DECK  
**PLAN**

5.65  
5.95  
SHED

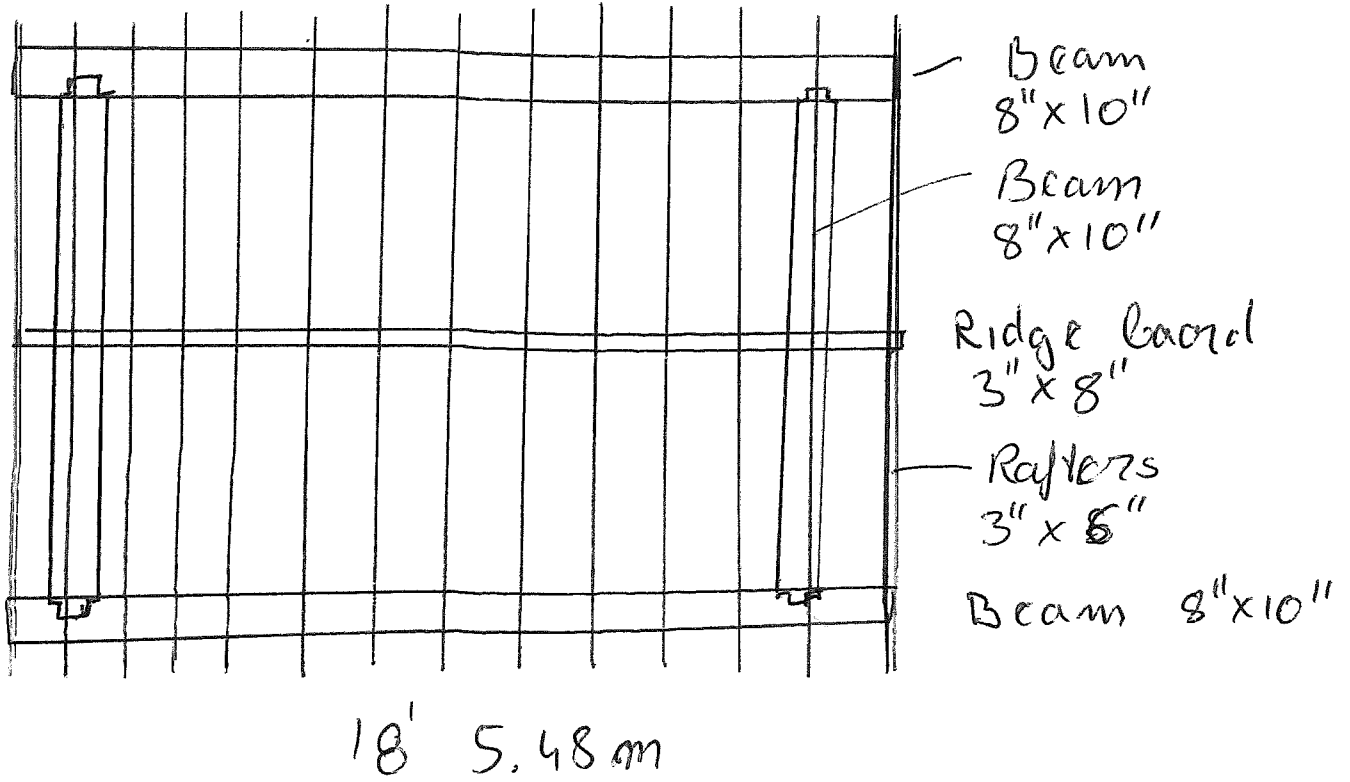
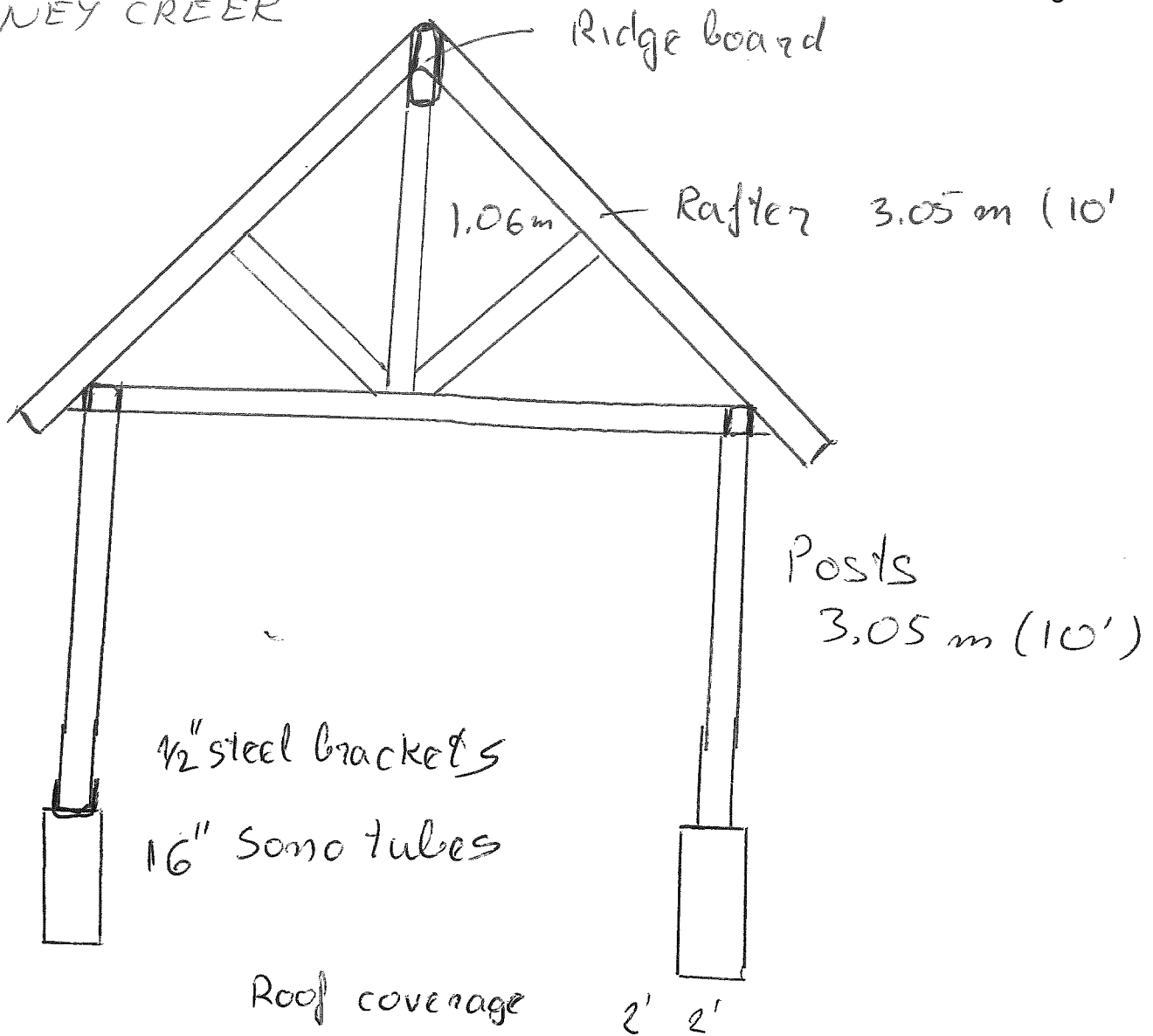
13.700 N74°14'10" W

ROAD 33 SIDNEY CRESSENT  
STONEY CREEK





33 SIDNEY CRESCENT  
STONEY CREEK





Hamilton

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

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

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

**1. APPLICANT INFORMATION**

	NAME		
Registered Owners(s)	LUTFI DRAGUS MENDUHIJE BUSH		
Applicant(s)	LUTFI DRAGUS MENDUHIJE BUSH		
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**

2.1 Complete the applicable sections:

Municipal Address	33 SIDNEY CRESCENT		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	62M-977	Lot(s) 22	
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 covered deck on rear yard and require relief from lot coverage, side and rear yard set back

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The house already covers over 39% of 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
13.70 m	30m	404.6741m <sup>2</sup>	4.5m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	5.12 m	8.76 m	1.31	2009
Shed		0.6 m	0.6	N/A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Covered deck	21.25 m	2.00 m	4.14 m	2021

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	161	161.74	2	
Shed		13.3	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Covered deck		40.45 m <sup>2</sup>	1	4.7 m

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

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

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

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

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

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

4.7 Type of access: (check appropriate box)

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

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

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: 2009

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

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

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

N/A

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

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

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

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOOD

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

7.6 What is the existing zoning of the subject land? R 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: 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>HM/B-23:22</b>	<b>SUBJECT PROPERTY:</b>	<b>311 RYMAL ROAD E, HAMILTON</b>
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**APPLICANTS:**      **Owner:** SALVATORE AQUINO  
**Agent:** SADDIQUE KHAN

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land into four new lots, each new lot will contain half of a single detached dwelling, and to retain a parcel of land containing an existing single detached dwelling and garage to remain.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>RETAINED LANDS:</b>	18.24 m <sup>±</sup>	40.28 m <sup>±</sup>	734.71 m <sup>2</sup> ±
<b>SEVERED LANDS (Unit 1):</b>	7.81 m <sup>±</sup>	40.28 m <sup>±</sup>	314.59 m <sup>2</sup> ±
<b>SEVERED LANDS (Unit 2):</b>	7.81 m <sup>±</sup>	40.28 m <sup>±</sup>	314.59 m <sup>2</sup> ±
<b>SEVERED LANDS (Unit 3):</b>	6.06 m <sup>±</sup>	40.28 m <sup>±</sup>	244.1 m <sup>2</sup> ±
<b>SEVERED LANDS (Unit 4):</b>	6.06 m <sup>±</sup>	40.28 m <sup>±</sup>	275.82 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, September 21, 2023</b>
<b>TIME:</b>	<b>10:10 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

HM/B-23:22

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

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- 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 HM/B-23:22, 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.

HM/B-23:22



 Subject Lands

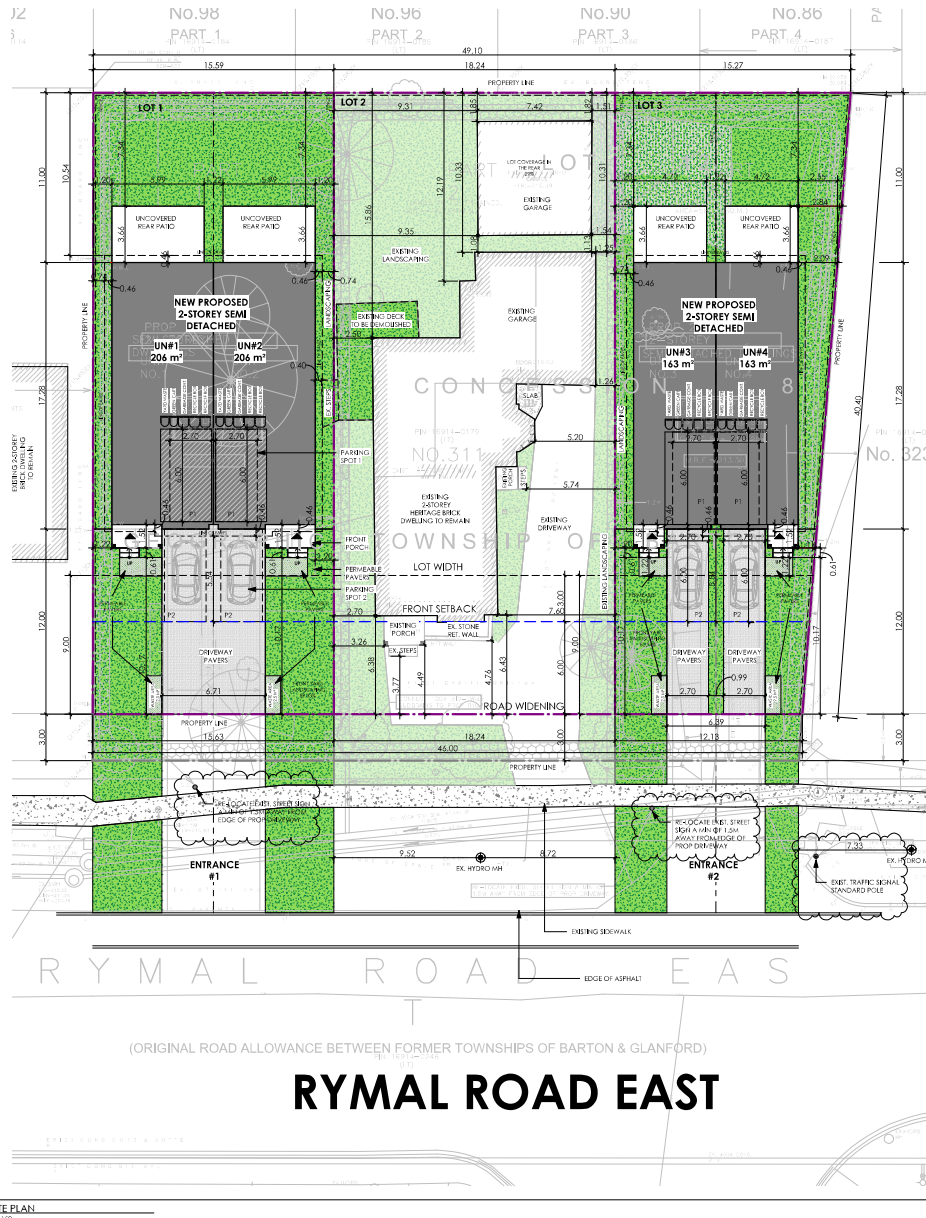
DATED: September 5, 2023

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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.

ARCH.D - 24' X 36'



311 RYMAL ROAD EAST  
CURRENT ZONING DESIGNATION "R DISTRICT"  
ZONING DESCRIPTION -SUBURBAN AGRICULTURE AND RESIDENTIAL

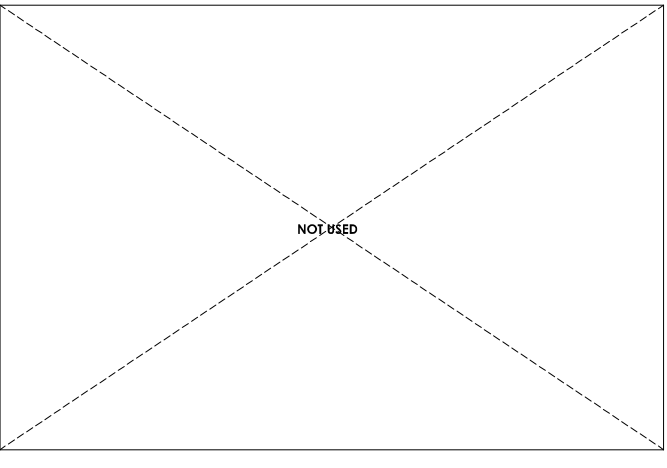
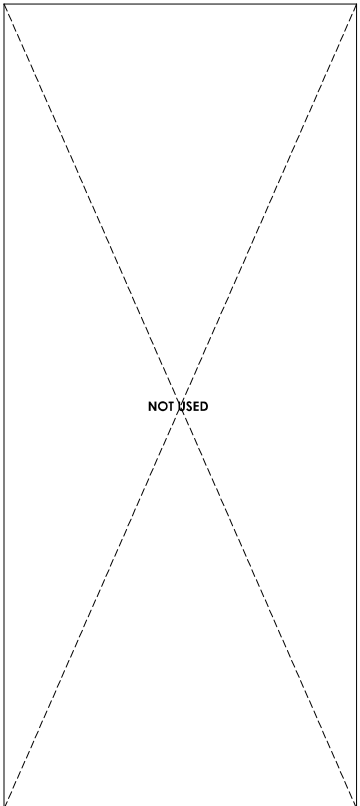
SCOPE: TO CREATE TWO NEW LOTS FOR SEMI-DETACHED HOMES (ONE SEMI-DETACHED DWELLING ON EACH LOT (1 & 3))  
ZONING BY-LAW AMENDMENT REQUIRED TOTAL 4 - UNITS

SITE STATISTICS LOT-1			REQ	PROVIDED
LOT AREA P1 = 628.50M <sup>2</sup>				
UNIT 1 TOTAL GFA 204M <sup>2</sup>				
UNIT 2 TOTAL GFA 204M <sup>2</sup>				
REAR YARD SET BACK	7.5M	11M		
SIDE YARD SET BACK	1.2M	1.2M & 1.2M		
FRONT YARD SET BACK	6.0M	12M		
RIGHT A WAY (RYMAL RD E)	3M	3M		
PARKING STALL SIZE	2.7M X 8.8M X 2	2.7M X 8.8M X 2		
BUILDING HEIGHT	15.07M	15.07M		
BUILDING LENGTH	7.50M	12.20M		
LOT WIDTH (FM DEPTH)	18.00M	15.63M		
FRONT YARD LANDSCAPE	50%	58.74%		

SITE STATISTICS LOT-2			REQ	PROVIDED
LOT AREA P1 = 734.46M <sup>2</sup>				
FRONT WIDTH (FM DEPTH) 18.00M				
FRONT YARD LANDSCAPE 50%				

SITE STATISTICS LOT-3			REQ	PROVIDED
LOT AREA P1 = 551.19M <sup>2</sup>				
UNIT 1 TOTAL GFA 163 M <sup>2</sup>				
UNIT 2 TOTAL GFA 163 M <sup>2</sup>				
REAR YARD SET BACK	7.5M	11M		
SIDE YARD SET BACK	1.2M	1.2M & 1.2M		
FRONT YARD SET BACK	6.0M	12M		
RIGHT A WAY (RYMAL RD E)	3M	3M		
PARKING STALL SIZE	2.7M X 8.8M X 2	2.7M X 8.8M X 2		
BUILDING HEIGHT	15.07M	15.07M		
BUILDING LENGTH	7.50M	12.20M		
FRONT WIDTH (FM DEPTH)	18.00M	12.83M		
FRONT YARD LANDSCAPE	50%	52.94%		

NOTE: The developer is responsible for all waste removal up until the time that municipal collection services are initiated.



ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ON HAND BUILDING CODE.  
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.  
CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE REPRODUCED OR USED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

**OWNERS INFORMATION:**

**LEGEND:**

**REVISIONS**

#	DATE	REMARKS
01	2023 03 14	ISSUED FOR ZONING

**ARCHITECT:**



**SEALS:**



**PROJECT TITLE**

SEMI DETACHED HOMES

311 RYMAL ROAD EAST, HAMILTON, ONTARIO

**DRAWING TITLE**

SITE PLAN

**DRAWN BY**

DS-IM

**SCALE**

1 : 150

**DATE**

JULY 2022

**CHECKED BY**

FL

**PROJECT NUMBER**

21-543

**DRAWING NUMBER**

A-1.1

SITE PLAN  
A-1.1

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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			

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

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

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

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No  
If YES, provide email address where sign is to be sent \_\_\_\_\_

1.5 All correspondence may be sent by email  Yes\*  No  
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.



**2. LOCATION OF SUBJECT LAND**

## 2.1 Complete the applicable sections:

Municipal Address	311 Rymal Rd East Hamilton L9B 1C3		
Assessment Roll Number	251807085100160		
Former Municipality	Hamilton		
Lot	Pt Lot 12	Concession	8
Registered Plan Number	62R10931	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

---

**3 PURPOSE OF THE APPLICATION**

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

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

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

---

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

---

3.4 Certificate Request for Retained Lands:  Yes\*

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

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

## 4.1 Description of subject land:

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

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

Identified on Sketch as:	Existing 2 Storey	new Proposed 2	new Proposed 2	new Proposed 2	new Proposed 2
Type of Transfer	N/A	n/a			
Frontage	18.24m	7.81m	7.81m	6.06m	6.06m
Depth	40.28	40.28m	40.28m	40.28m	40.28m
Area	734.71m	314.59m	314.59m	244.1m	275.82m
Existing Use	Residential	Residential	Residential	Residential	Residential
Proposed Use	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling
Proposed Buildings/ Structures	n/a	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling
Buildings/ Structures to be Removed	n/a	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): N/A

Rural Settlement Area: N/A



Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (Secondary Corridor)

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

The Owner has already applied for zoning change under Application# ZAR-22-052

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? Suburban Agriculture & Residential

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

**6 HISTORY OF THE SUBJECT LAND**

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes  No  Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

N/A

---

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

---

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.

N/A

---

6.4 How long has the applicant owned the subject land?

November 2007

---

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.

N/A

---

**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)

Intensification in an existing Urban Area.

---

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

Yes  No (Provide explanation)

Intensification in an existing Urban Area.

---

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

Yes  No (Provide explanation)

Intensification in an existing Urban Area.

---

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

Yes  No (Provide explanation)

---

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

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

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

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?  
 Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?  
 Yes  No (Provide explanation and details on plan)

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

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?  
 Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?  
 Yes  No (Provide explanation and details on plan)

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



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

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

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

**10.2 Location of farm consolidation property:**

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

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

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

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <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

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Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

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

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

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

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

<b>APPLICATION NO.:</b>	<b>HM/A-23:227</b>	<b>SUBJECT PROPERTY:</b>	99 ROBSON CRESCENT, HAMILTON
<b>ZONE:</b>	R1 (Low Density Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 22-197

**APPLICANTS:**      **Owner:** GANESH IYER

The following variances are requested:

1. A minimum side yard setback of 0.6 metres shall be provided instead of the minimum required side yard setback of 1.2 metres.

**PURPOSE & EFFECT:**      So as to permit a reduced side yard setback for the proposed car port notwithstanding that:

**Notes:**

- i) Please note, insufficient information has been provided on the site plan to determine the projection of eaves troughs and gutters for the proposed carport. As per Section 4.6 a) of Hamilton Zoning By-Law 05-200, a maximum projection of 0.3 metres is permitted to project into the required 0.6 metres side yard. Should any proposed Eaves or Gutters exceed the permitted projection into the required side yard, additional variances may be required.

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

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

<b>DATE:</b>	<b>Thursday, September 21, 2023</b>
<b>TIME:</b>	<b>10:05 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</b>

HM/A-23:227

	<b>details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

## PUBLIC INPUT

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

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

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:227, 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-23:227



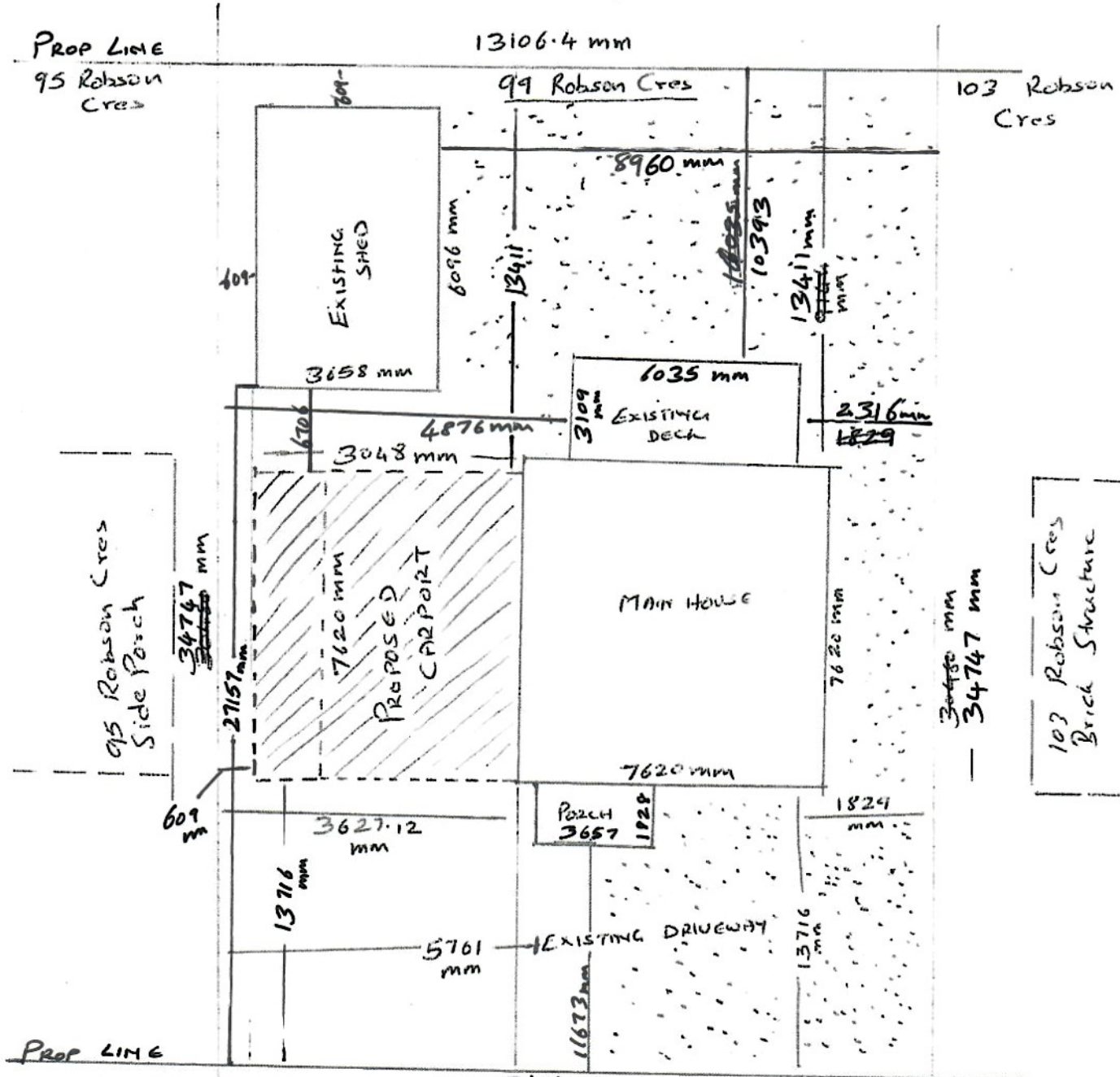
 Subject Lands

DATED: September 5, 2023

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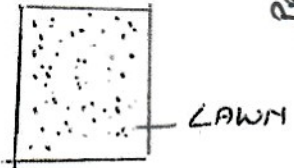
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



Robson Crescent

	EXISTING SETBACK	PROPOSED SETBACK
FRONT	13716	13716
REAR	<del>9144</del> 13411	<del>9144</del> 13411
DRIVEWAY SIDE	3627.12	3048
RIGHT SIDE	1829	1829





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)	Ganesh Iyer	[REDACTED]
Applicant(s)	Ganesh Iyer	
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 ganesh\_i83@yahoo.com

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:



Municipal Address	99 Robson Cres Hamilton L8W 1V6		
Assessment Roll Number	070691065400000		
Former Municipality	Hamilton		
Lot	41	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:

Relief applied for reducing the setback from the driveway side of the property line from 1 meter to 0.6096 Meter to put the posts for a car port

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Total width available for car port with existing setback is 2.66 Meters. Total width of the car is 2.20 Meters with mirrors folded which does not leave enough space to open the door and get out of the car and with the mirrors folded will become difficult to park. Hence the application of minor variance.

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
13.1064 mtr	30.48 mtr	399.483 sq mtr	20.1168



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
Brick house	13716 mm	9144 mm	3627.12 mm and 1829 mm	06/01/1977
Detached Shed	23774 mm	610 mm	8839.2 mm	11/03/1978

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Car Port attached to side of house	13716 mm	9144 mm	610 mm	09/15/2023

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Brick House	51.08 sq mtrs	58.99 sq mtrs	2	6 mtrs
Private Shed	17.5 sq mtrs	20 sq mtrs	1	3 mtrs

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Car Port	23 sq mtrs	23 sq mtrs	1	3.2 mtrs

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)

NA

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

NA

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) NA

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.):  
Car Port

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:

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

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

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

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

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

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

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

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

7.6 What is the existing zoning of the subject land? R1

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

Yes

No

If yes, please provide the file number: R1

---

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

 Yes No

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

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

 Yes No

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

## 8 ADDITIONAL INFORMATION

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

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**  
**Consent/Land Severance**

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

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

<b>APPLICATION NO.:</b>	<b>HM/B-22:34</b>	<b>SUBJECT PROPERTY:</b>	170 ELEANOR AVENUE, HAMILTON
-------------------------	-------------------	--------------------------	---------------------------------

**APPLICANTS:**      **Owner:** MARIA AGOSTINO-TEDESCO  
                              **Agent:** MICHAEL SABELLI

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land for residential purposes and to retain two parcels of land for residential purposes. Existing dwelling and part of existing garage to remain on Retained Part 1.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>RETAINED LANDS (Part 1):</b>	16.76 m <sup>±</sup>	37.94 m <sup>±</sup>	722.13 m <sup>2±</sup>
<b>SEVERED LANDS (Part 2):</b>	12.19 m <sup>±</sup>	30.48 m <sup>±</sup>	371.61 m <sup>2±</sup>
<b>RETAINED LANDS (Part 1):</b>	12.19 m <sup>±</sup>	30.48 m <sup>±</sup>	371.61 m <sup>2±</sup>

Associated Planning Act File(s): HM/B-22:35 and HM/A-22:147

**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, September 21, 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>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

**HM/B-22:34**

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

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

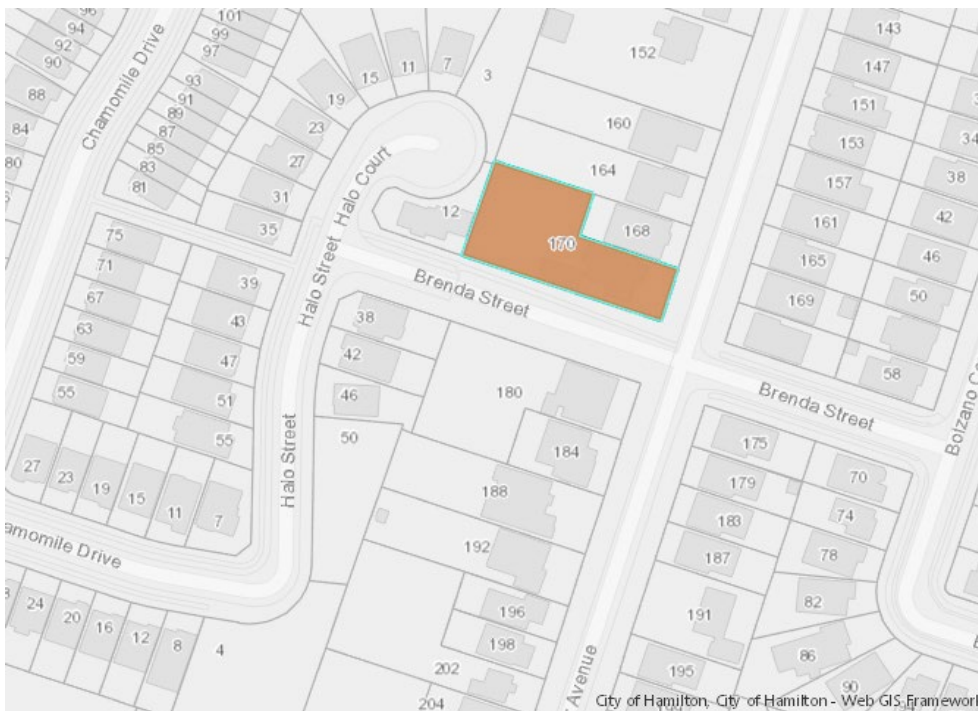
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**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 HM/B-22:34, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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



 Subject Lands



**HM/B-22:34**

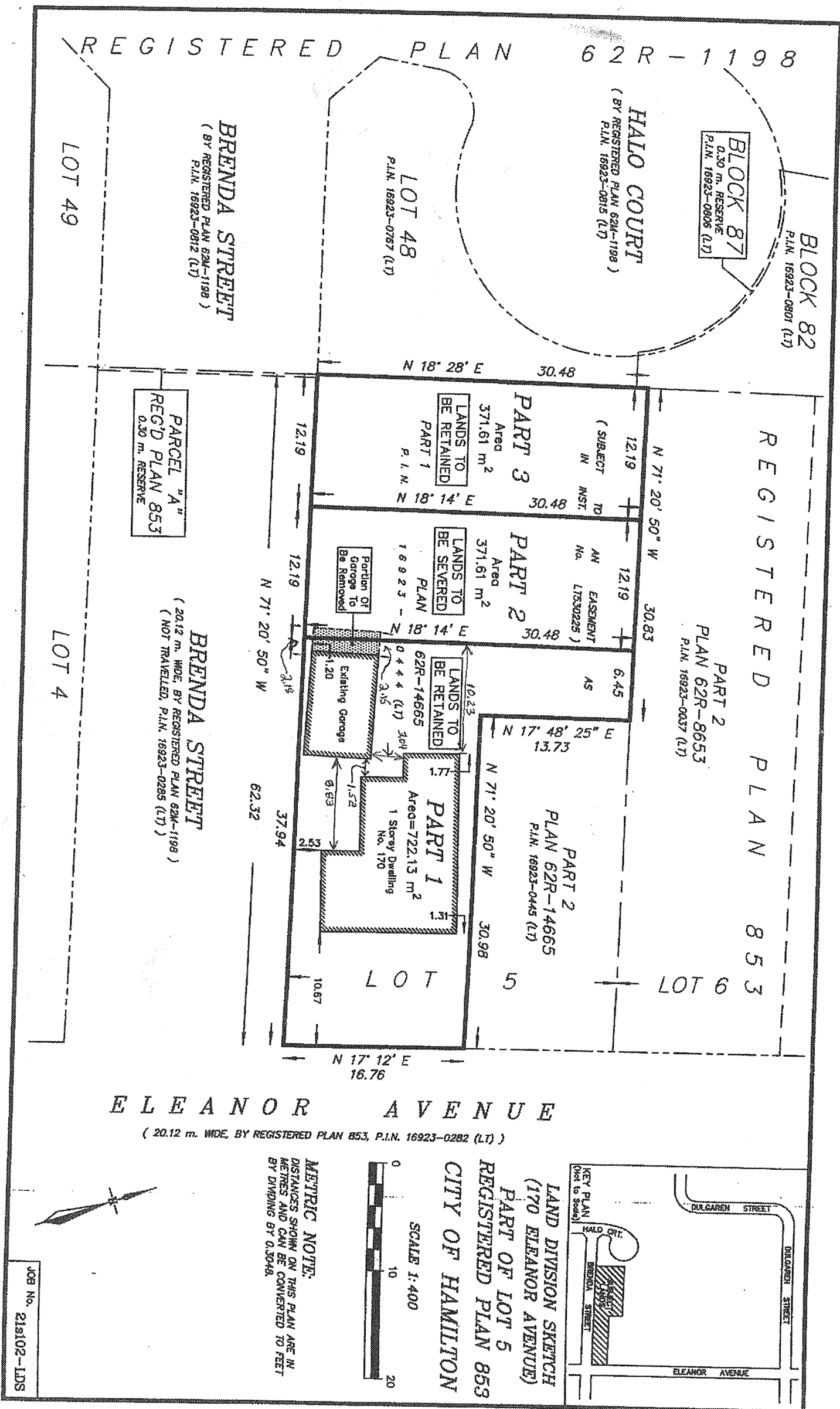
DATED: September 5, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

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



## MEMORANDUM

**To:** Committee of Adjustment  
City of Hamilton

**From:** Michael P. Sabelli. C.E.T.

**Subject:** 170 Eleanor Avenue  
Severance Applications HM/B-22:34  
And HM/B-22:45

**Date:** August 21, 2023

A revision to the previously tabled applications HM/B-22:34 and HM/B-22:35 at 170 Eleanor Avenue is requested.

The revision requests a severance of 2 lots, shown as Part 2 and Part 3 on the attached plan as opposed to the previously tabled applications which requested a severance of 3 lots.

Please schedule these applications on the next available meeting agenda.

Thank you.  
Michael P. Sabelli, C.E.T.



Hamilton

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

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

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

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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## 1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			Phone:
			E-mail:
Registered Owners(s)	MARIA AGOSTINO TRDESCO		
Applicant(s)**	SAME AS AGENT		
Agent or Solicitor	MICHAEL P. SABELLI		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)

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

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

## 2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality HAMILTON	Lot —	Concession —	Former Township —
Registered Plan N°. 853	Lot(s) PART OF LOT 5	Reference Plan N°. —	Part(s) —
Municipal Address 170 ELEANOR AVENUE, HAMILTON	Assessment Roll N°.		

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

Yes  No

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

**3 PURPOSE OF THE APPLICATION**

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

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> addition to a lot                | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement                      | <input type="checkbox"/> a correction of title |

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

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot  | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a correction of title |
|   | <input type="checkbox"/> an easement           |

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

—

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

—

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

4.1 Description of land intended to be Severed (lease, easement, charge etc.):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
30.83	30.48	944.71 m <sup>2</sup>

Existing Use of Property to be severed:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Residential                            | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial        |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input checked="" type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____                  |   |  |

Proposed Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Building(s) or Structure(s):

Existing: #170 E. LEANOR AVENUE - 1 STOREY DWELLING (PRT 1)

Proposed: FUTURE RESIDENTIAL LOTS (PARTS 2, 3 & 4)

Existing structures to be removed: GARAGE

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body    |
| <input type="checkbox"/> privately owned and operated individual well              | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

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

4.2 Description of land intended to be Retained (remainder):

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
PART 1 - 16.76m	PART 1 - 30.95m	520.61 m <sup>2</sup>

Certificate Request for Retained Lands:  Yes\*

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

Existing Use of Property to be retained:

- Residential (PART 1)
- Agriculture (includes a farm dwelling)
- Other (specify)
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Proposed Use of Property to be retained:

- Residential (PART 1)
- Agriculture (includes a farm dwelling)
- Other (specify)
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Building(s) or Structure(s):

Existing: PART 1 - 1 STOREY DWELLING

Proposed: VACANT

Existing structures to be removed: GARAGE - PART 1 AND PART 2

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year (PART 1)
- Right of way
- other public road

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable):

Urban Hamilton Official Plan designation (if applicable): RESIDENTIAL

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

CREATION OF RESIDENTIAL LOTS,  
SHOWN AS PARTS 2, 3 AND 4 ON ATTACHED  
SKETCH



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

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

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

\*Complete MDS Data Sheet if applicable

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

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

6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes  No  Unknown

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

PREVIOUS OWNER

6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached?  
 Yes  No

**7 PROVINCIAL POLICY**

7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes  No

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes  No

e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes  No

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

Yes  No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes  No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes  No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?  
 Yes  No

If yes, does this application conform with the Greenbelt Plan?  
 Yes  No (Provide Explanation)

**8 HISTORY OF THE SUBJECT LAND**

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?  
 Yes  No  Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

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8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  Yes  No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?

Since April 29 1998

8.5 Does the applicant own any other land in the City?  Yes  No  
If YES, describe the lands in "11 - Other Information" or attach a separate page.

**9 OTHER APPLICATIONS**

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?  Yes  No  Unknown

If YES, and if known, specify file number and status of the application.

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

If YES, and if known, specify file number and status of the application(s).

File number \_\_\_\_\_ Status SUBMITTED VARIANCE APPLICATION

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

- Agricultural  Rural  Specialty Crop
- Mineral Aggregate Resource Extraction  Open Space  Utilities
- Rural Settlement Area (specify) \_\_\_\_\_

Settlement Area Designation

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

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**10.2 Type of Application** (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
  - Agricultural Related Severance or Lot Addition
  - Rural Resource-based Commercial Severance or Lot Addition
  - Rural Institutional Severance or Lot Addition
  - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
  - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

**10.3 Description of Lands**

a) Lands to be Severed:

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

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

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

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

**10.4 Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

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

d) Description of surplus dwelling lands proposed to be severed:

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

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

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

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

**10.5 Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

\_\_\_\_\_

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

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

c) Description of surplus dwelling lands intended to be severed:

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

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

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

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

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

**12 ACKNOWLEDGEMENT CLAUSE**

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

April 11/2022  
Date

*M. G. G. G.*  
Signature of Owner







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-23:230</b>	<b>SUBJECT PROPERTY:</b>	304 VANSITMART AVENUE, HAMILTON
<b>ZONE:</b>	R1 (Low Density Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** SEBASTIEN DALLAIRE & YVES LACROIX

The following variances are requested:

1. To permit a flankage lot line setback of 0.0m for the patio steps instead of the required maximum setback of 1.5 metres, or half the required yard, whichever is lesser.

**PURPOSE & EFFECT:** To facilitate the reconstruction and extension of porch steps on the West Side (Brunswick St) of the existing detached dwelling

**Notes:**

- i. The existing detached dwelling is setback 0.6095m from the flankage lot line (Brunswick St.).
- ii. The existing patio steps encroach 1.0795m over the property line on the ROW of Brunswick St.
- iii. An Encroachment Agreement shall be required.

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

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

<b>DATE:</b>	<b>Thursday, September 21, 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</b>

**HM/A-23:230**

	<b>details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

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

**PUBLIC INPUT**

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

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

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:230, 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-23:230



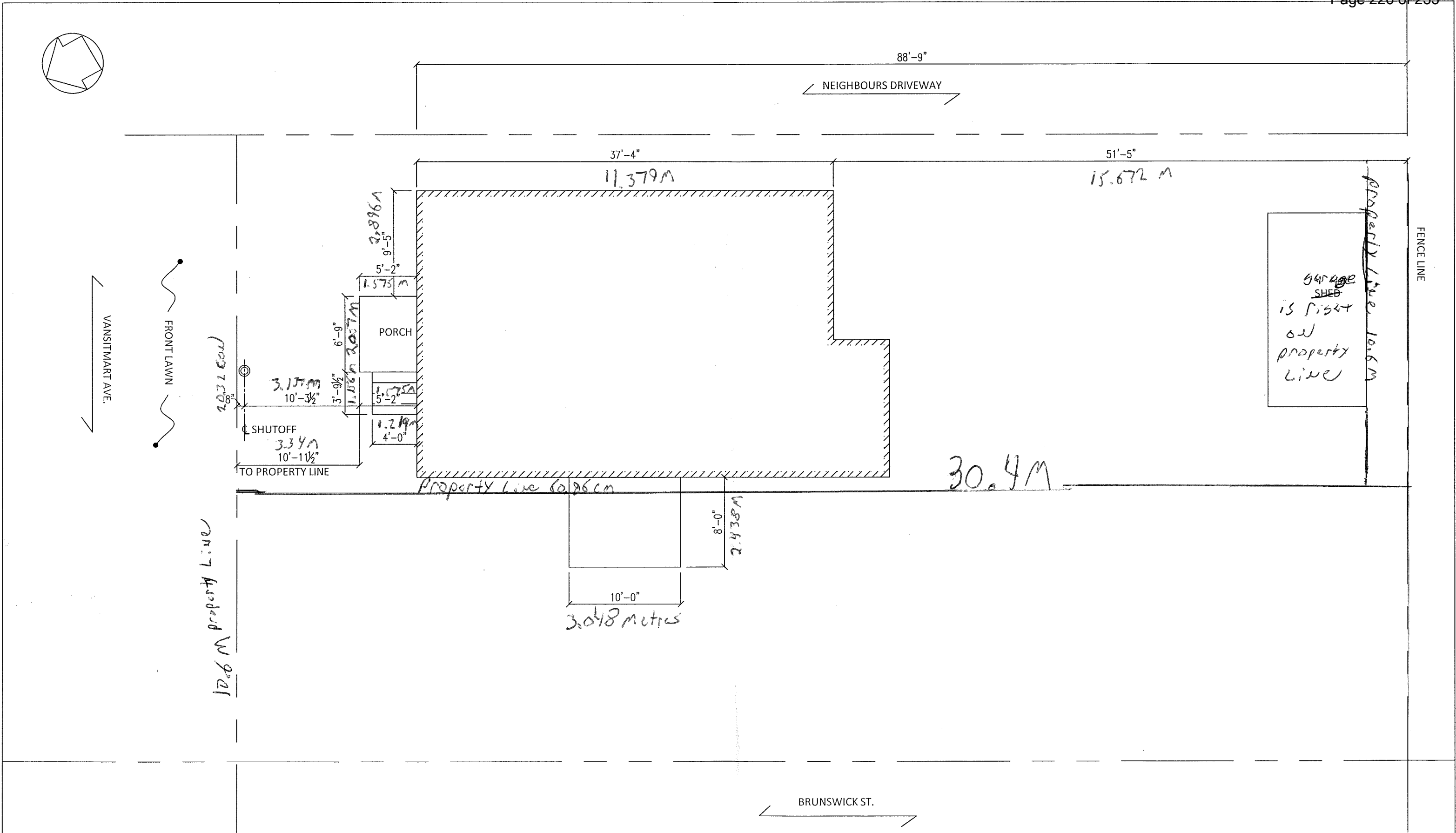
 Subject Lands

DATED: September 5, 2023

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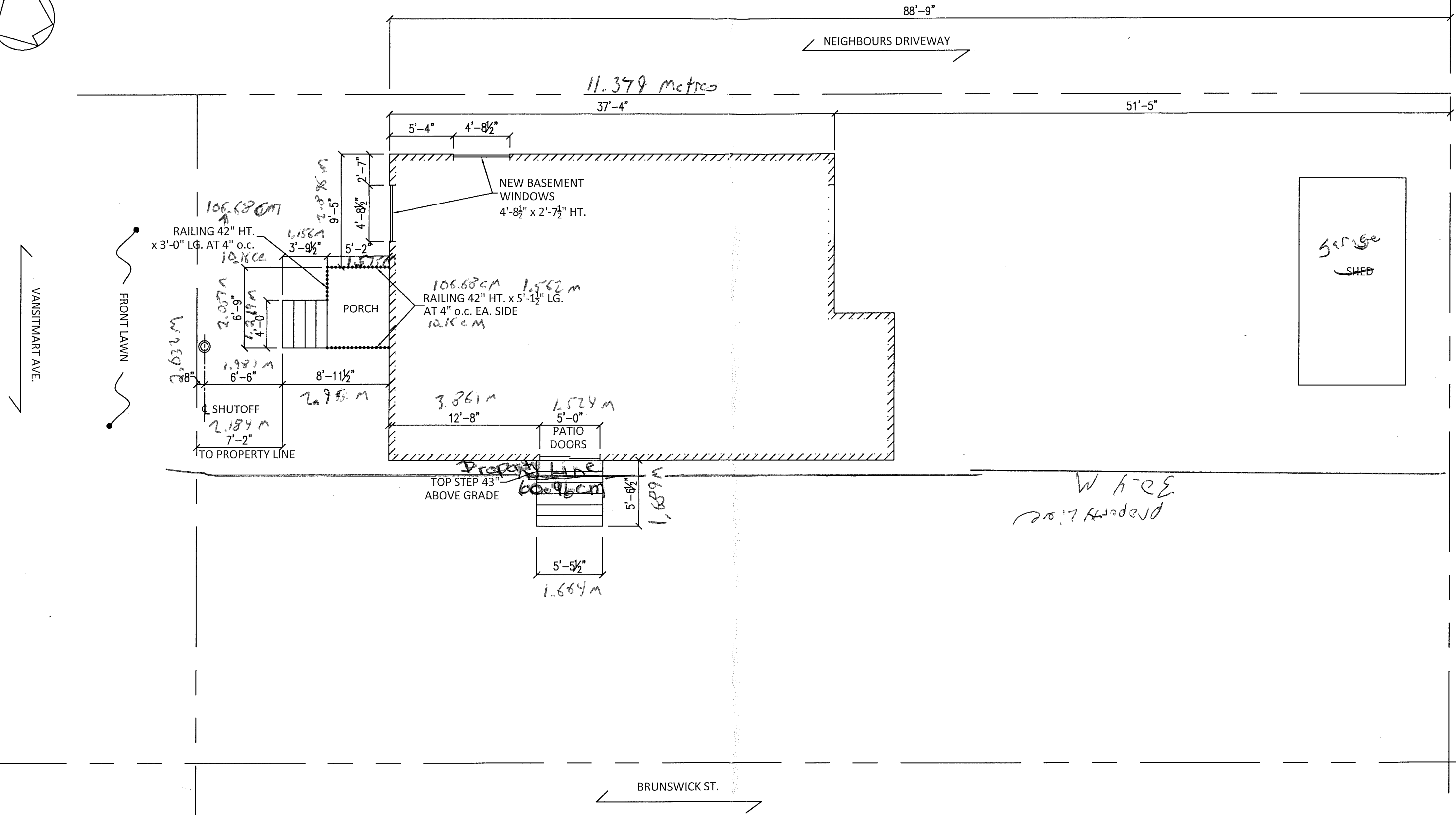
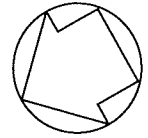
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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.



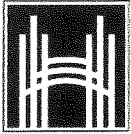
PRIOR TO RENOVATIONS

1	2023.02.13	PROPERTY BEFORE STAIRS MOVED	304 VANSITMART AVE., HAMILTON, ON.	
No.	DATE	DESCRIPTION	DATE: 2023.02.13	SCALE: 1/8"=1'-0"



**AFTER STAIRS MOVED**

No.	DATE	DESCRIPTION	DATE: 2023.02.13	SCALE: 1/8"=1'-0"
2	2023.03.28	WINDOWS, RAILING & SIDE STAIRS ADDED		
1	2023.02.13	PROPERTY AFTER STAIRS MOVED	304 VANSITMART AVE., HAMILTON, ON.	



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)	Sebastien Dallaire Yves Lacroix	
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 Seabass370@hotmail.com

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

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

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:



Municipal Address	304 Varsitymart Ave Hamilton, Ont.		
Assessment Roll Number	2518050491017000000		
Former Municipality			
Lot	208	Concession	Ward 4
Registered Plan Number	593	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 move front stairs to face the front of street (north).  
Steps needed on west side in front of existing patio doors. Allow steps to encroach 0 meters from side property line. (W)  
 Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The property line is 60.96 cm from house. The steps on the existing patio doors go 107.95 cm over the property line.

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

Yes

No

If yes, please provide an explanation:

The patio door exit was on the home when we purchased it. There was an enclosure which was w 3.048 m by L 2.438 m. It was full of mould in the ceiling and causing rain to come in to the dining room where it joined the home. It had to be removed.

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

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
10.668 m	30.48 meters	325.161 square meters	20 M

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single dwelling	5m 2cm	11m 2cm	60.96 cm	1951
N Stairs	3.36 m		1.96	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
W Stairs	8m 5cm	20m 2cm	<del>0</del> <del>1.96</del> m	
N Stairs	20.96m	27.52 m	3 m.	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	148 m		1	

Proposed:

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

4.4 Type of water supply: (check appropriate box)

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

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

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
- swales

- ditches
- other means (specify)

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

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

4.7 Type of access: (check appropriate box)

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

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

*single detached dwelling*

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

*single detached dwelling*

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

*January 15, 2016*

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

*single dwelling*

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

*single dwelling*

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

*1950s?*

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) *Nieglhoods*

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*

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:   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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