



City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #: 24-13
Date: July 23, 2024
Time: 1:00 p.m.
Location: Council Chambers
Hamilton City Hall
71 Main Street West

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

	Pages
1. Previously Tabled	
2. East Development	
2.1 1:15 p.m. HM/A-22:294 735 Beach Boulevard, Hamilton (Ward 5) Agent Barich Grenkie Surveying Ltd. -J. Hribljan Owner A. & K. White	5
2.2 1:20 p.m.A-24:10661-63 King Street West, Stoney Creek (Ward 5) Agent A.J. Clark & Associates – L. Doherty Owner 61-63 King St. Hamilton Ltd.	23
2.3 1:25 p.m.A-24:137820 Rymal Road East, Hamilton (Ward 6) Agent Arcadis – J. Marcus Owner 820 Rymal Inc. – N. Paikin	59
2.4 1:30 p.m.A-24:138352 East 34 Street, Hamilton (Ward 7) Owners N. Sacchetti & G. Liota	79

2.5 1:35 p.m.A-24:144121 Whitefish Crescent, Stoney Creek (Ward 10) 93
 Agent UrbanSolutions Planning & Development – C. Thompson
 Owner Fifty Road Inc. – P. DeSantis

2.6 1:40 p.m.B-24:203751 Hwy No. 6, Glanbrook (Ward 11) 109
 Applicant N. Nassar
 Owner 1000380972 Ontario Ltd.

3. West Development

3.1 1:45 p.m.HM/A-24:429 Westbourne Road, Hamilton (Ward 1) 125
 Applicant J. DiDonato & S. Oppermann
 Owner B.U. Inc.

3.2 1:50 p.m.A-24:14735 Homewood Avenue, Hamilton (Ward 1) 143
 Applicant Park Eight Inc. – P. VandenArend
 Owner M. Nieuwland

3.3 1:55 p.m.A-24:1451110 Cannon Street East, Hamilton (Ward 3) 157
 Agent M. Fedchyshak
 Owner 1000873872 Ontario Inc.

3.4 B R E A K

3.5 2:15 p.m.A-24.13635 Citation Crescent, Ancaster (Ward 12) 187
 Agent The Deck Yard – S. Allen
 Applicant All In One Landscaping – L. Waxman
 Owner L. & H. Wunsche

3.6 2:20 p.m.A-24:15051 Peer Court, Ancaster (Ward 12) 207
 Agent G. Poticary & C. Roberts
 Owners S. Baldeo & D. Sharma

3.7 2:25 p.m. A-24:80262 Springbrook Avenue, Ancaster (Ward 12) 229
 Applicant K. Shah
 Owner M. Ali

- 3.8 2:30 p.m.A-24:139178 Hatt Street, Dundas (Ward 13) 245
Applicant T. Goral
Owner S. Hunt
- 3.9 2:35 p.m.A-24:1427 Grandview Court, Dundas (Ward 13) 259
Agent Spucewood Homes Limited
Owner C. Yoshimoto
- 3.10 2:40 p.m.A-24:14856 Baldwin Street, Dundas (Ward 13) 271
Applicant Park Eight Inc. – P. VandenArend
Owner A. & A. Gumbinger
- 3.11 2:45 p.m.A-24:14956 York Road, Dundas (Ward 13) 289
Agent SvN Architects & Planners Inc. – S. McIntosh
Applicant H. Shoan
Owner 56 York Rd Inc.
- 3.12 2:50 p.m.A-24:64261 Highway 5 West, Flamborough (Ward 13) 319
Owner ANMR West Inc.
- 3.13 2:55 p.m.A-24:146101 Westfield Crescent, Flamborough (Ward 15) 335
Applicant M. Shah
Owner Z. Ahmad

4. Closed

5. Adjournment



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-22:294	SUBJECT PROPERTY:	735 Beach Boulevard, Hamilton
ZONE:	"C" (Urban Protected Residential and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 99-169

APPLICANTS: Owner: Amanda & Kevin White
Agent: Barich Grenkie Surveying Ltd. (Julianna Hribljan,)

The following variances are requested:

1. A rear yard setback of 3.14 metres to the principle dwelling shall be provided instead of the required rear yard setback of 7.5 metres.
2. A rear yard setback of 0.09 metres to the deck shall be provided instead of the required 4.5 metres.
3. A side yard setback of 1.43 metres shall be provided instead of the required side yard setback of 1.7 metres.

PURPOSE & EFFECT: To permit the construction of a ½ storey addition on the existing Single-Family Dwelling notwithstanding that:

Notes:

- i. Insufficient information has been provided on the submitted site plan to determine the setback of the proposed deck in the rear yard to the rear lot line. Calculations using the submitted elevations have determined a setback from the rear lot line to the edge of the deck to be 0.09 metres where a setback of 4.5 metres is permitted as per Zoning By-Law amendment 99-169 Section 2 a). As such, a variance has been provided to address this. Be advised, should the deck be setback more than 0.09 metres to the rear lot line, additional variances may be required.
- ii. Should the variance be approved to permit a reduced side and rear yard, the eaves/ gutter as proposed shall comply with Section 18(3)(vi)(b) of Hamilton Zoning By-Law 6593.

HM/A-22:294

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-22:294, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

HM/A-22:294



DATED: July 4, 2024

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca**PARTICIPATION PROCEDURES****Written Submissions**

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

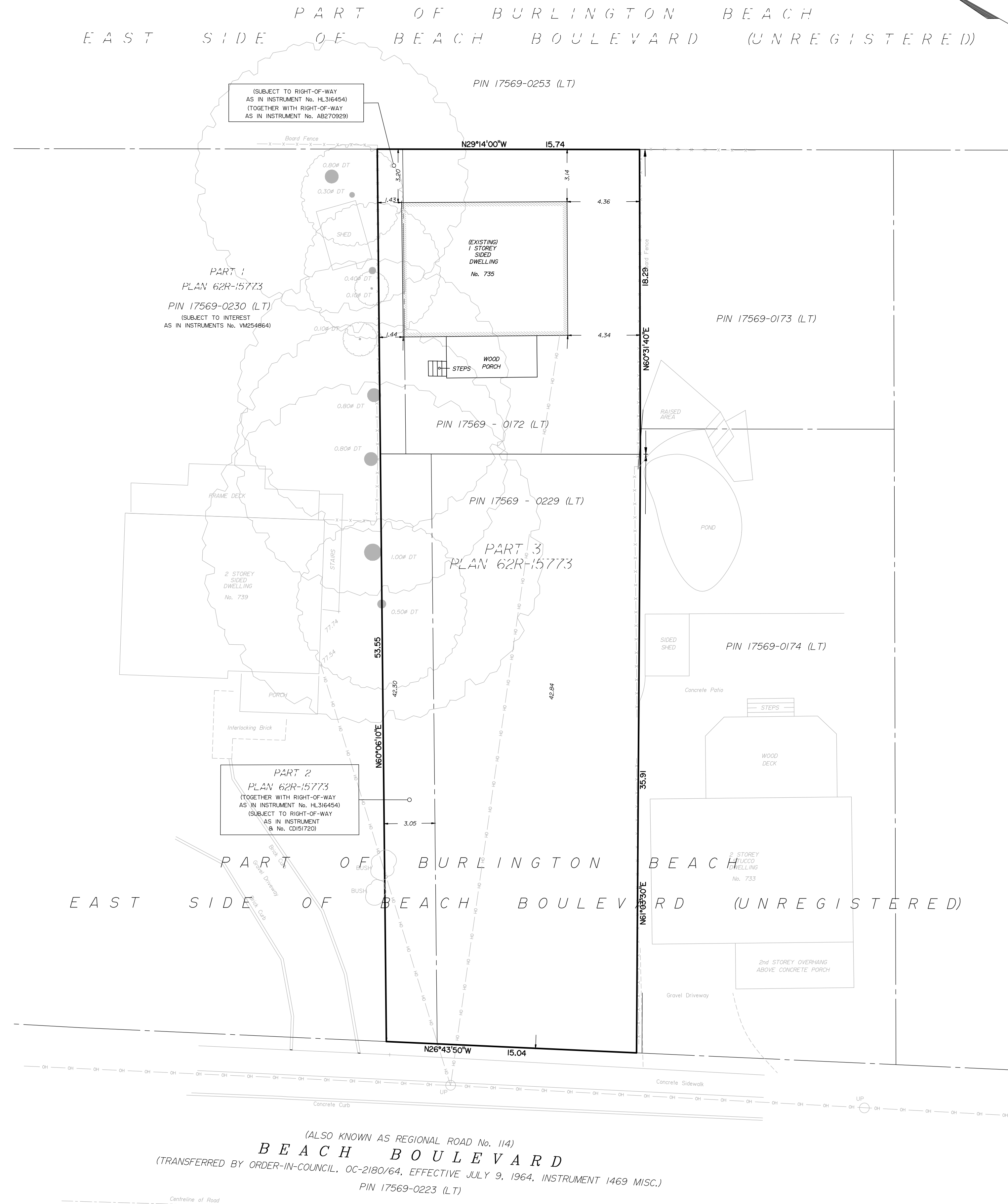
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 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.

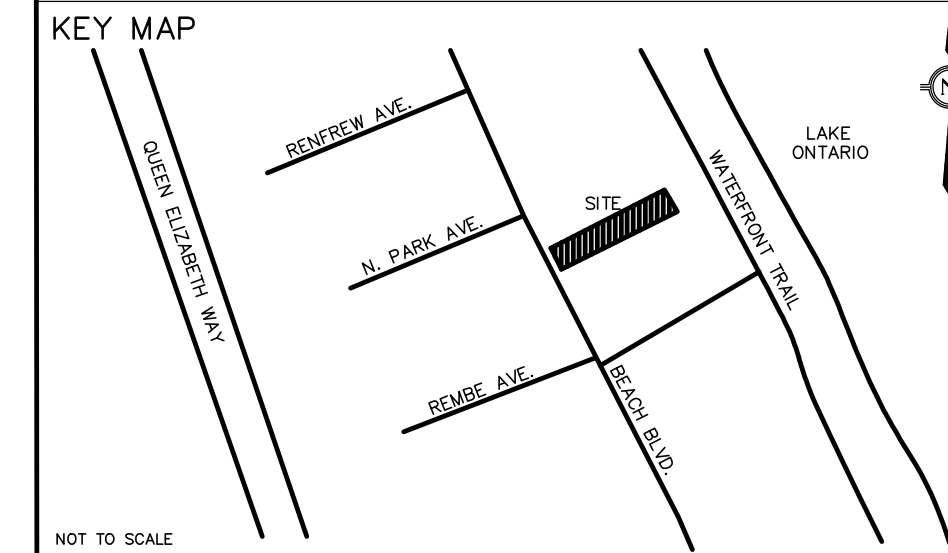
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

MUNICIPAL ADDRESS		
735 BEACH BLVD. HAMILTON		
LEGAL DESCRIPTION		
PART OF BURLINGTON BEACH, EAST SIDE OF BEACH BOULEVARD (UNREGISTERED) CITY OF HAMILTON		
ZONING		
C/S-1435		
SITE STATISTICS	BYLAW	PROPOSED
LOT AREA	N/A	831.41 m ² (EX)
FRONT YARD SETBACK	6.0 m	42.30 m
REAR YARD SETBACK	4.5 m	3.14 m*
SIDE YARD SETBACK (NORTH)	1.7 m	1.43 m*
SIDE YARD SETBACK (SOUTH)	1.7 m	4.34 m
HEIGHT(PEAK OF ROOF)	11.0 m	6.27 m
LOT FRONTAGE	12.0 m	15.04 m (EX)
LOT COVERAGE	N/A	9.60%

* REQUIRES A MINOR VARIANCE WITH THE CITY OF HAMILTON



(ALSO KNOWN AS REGIONAL ROAD No. 114)
BEACH BOULEVARD
(TRANSFERRED BY ORDER-IN-COUNCIL, 0C-2180/64, EFFECTIVE JULY 9, 1964, INSTRUMENT 1469 MISC.)
PIN 17569-0223 (LT)



ADDRESS: 735 BEACH BLVD., HAMILTON

SITE PLAN FOR MINOR VARIANCE OF
PART OF BURLINGTON BEACH EAST SIDE OF BEACH BOULEVARD (UNREGISTERED)
GEOGRAPHIC TOWNSHIP OF SALT FLEET
IN THE
CITY OF HAMILTON

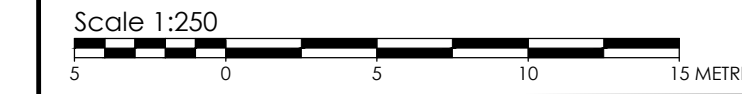
BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2022

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

- LEGEND**
- DT DENOTES DECIDUOUS TREE
 - DT DENOTES SUBJECT LANDS BOUNDARY
 - DENOTES DEED LINE
 - DENOTES LOT LINE
 - x-x- DENOTES FENCE LINE
 - N-E-S-W DENOTES NORTH-EAST-SOUTH-WEST
 - DENOTES DOWN SPOUT WITH SPLASH PAD

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0011965U130 HAVING AN ELEVATION OF 76.487 m.

0	02/17/2022	JMH	ISSUED FOR REVIEW
NO.	DATE	BY	REVISIONS
DESIGN	JMH	CHK'D	GRCH DATE
DRAWN	JMH	CHK'D	GRCH FEBRUARY 17, 2022



APPROVALS

STAMP

Barich Grenkie Surveying Ltd.
297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON L9G 6E2 (905) 662-6757
A DIVISION OF GEOMAPLE

DWN BY: JMH
CHK BY: GRCH
JOB No. 21-2819

CLIENT
KEVIN AND AMANDA WHITE

PROJECT NAME
**PROPOSED GARAGE
735 BEACH BOULEVARD, HAMILTON**

TITLE
SITE PLAN

PROJECT No. 21-2819 DRAWING No. 21-2819 SGP

Item	Ontario Building Code Data Matrix Parts 3 & 9				OBC Reference						
					References are to Division B unless noted (A) for Division A or (C) for Division C.						
1	Project description: <input type="checkbox"/> New <input type="checkbox"/> Part 11 <input type="checkbox"/> Part 3 <input checked="" type="checkbox"/> Part 9 PROPOSED RENOVATION <input checked="" type="checkbox"/> Addition 11.1 to 11.4 1.1.2.(A) 1.1.2.(A), 9.10.1.3 <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Alteration 1.1.2.7. (A) 1.1.2.7. (A)										
2	Major Occupancy(s) GROUP C				3.1.2.1.(1)	9.10.2					
3	Building Area (m ²) Existing: 74.94m ² New: 45.44m ² Total: 120.38m ²				1.4.1.2.(A)	1.4.1.2.(A)					
4	Gross Area Floor Area: 120.83m ²				1.4.1.2.(A)	1.4.1.2.(A)					
5	Number of Storeys Above Grade: 1.5 Below Grade: 1				3.2.1.1 &	9.10.4. &					
6	Number of Streets/Fire Fighter Access: 1 street				3.2.2.10 & 3.2.5.	9.10.20					
7	Building Classification C - Residential occupancies				3.2.2.20-83	9.10.2					
8	Sprinkler System Proposed <input type="checkbox"/> entire building <input type="checkbox"/> selected compartments <input type="checkbox"/> selected floor areas <input type="checkbox"/> basement <input type="checkbox"/> in lieu of roof rating <input checked="" type="checkbox"/> not required				3.2.2.20-83 3.2.1.5 3.2.1.17 INDEX	9.10.8.2. INDEX					
9	Standpipe Required <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No				3.2.9	N/A					
10	Fire Alarm Required <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes No				3.2.4	9.10.18.					
11	Water Service/Supply is Adequate <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				3.2.5.7	N/A					
12	High Building <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No				3.2.6.	N/A					
13	Permitted Construction <input type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible <input checked="" type="checkbox"/> Both Actual Construction <input type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible <input checked="" type="checkbox"/> Both				3.2.2.20-83	9.10.6.					
14	Mezzanine(s) Area m ² N/A				3.2.1.1.(3)-(8)	9.10.4.1.					
15	Occupant load based on <input type="checkbox"/> m ² /person <input checked="" type="checkbox"/> design of building <input type="checkbox"/> As Noted Occupancy <u>C</u> Load <u>6</u> persons				3.1.17	9.9.1.3.					
16	Barrier-free Design <input type="checkbox"/> Yes <input type="checkbox"/> No(Explain) <input checked="" type="checkbox"/> N/A				3.8	9.5.2					
17	Hazardous Substances <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				3.3.1.2. & 3.3.1.19	9.10.1.3(4)					
18	Required Fire Resistance Rating (FRR)	Horizontal Assemblies FFR		Listed Design No. of Description (SG-2)	3.2.2.20-83 & 3.2.1.4	9.10.8 9.10.9					
		Floors	N/A				N/A				
		Roof	N/A				N/A				
		Mezzanine		N/A			N/A				
		FFR of Supporting Members		Listed Design No. of Description (SG-2)							
		Floors	N/A				N/A				
		Roof	N/A				N/A				
Mezzanine	N/A	N/A									
19	Spatial Separation - Construction of Exterior Walls				3.2.3	9.10.14					
	Wall	Area of EBF (m ²)	L.D. (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings	FFR (Hours)	Listed Design or	Comb. Const.	Comb. Const. Nonc. Cladding	Non-comb. Const.
	FRONT	35.1	37.7	N/A	100%	10%	N/A	N/A	YES	-	-
	REAR	56.4	4.55	N/A	28%	26.1%	N/A	N/A	YES	-	-
	LEFT	42.32	1.5	N/A	7%	0%	N/A	N/A	YES	-	-
	RIGHT	42.32	4.2	N/A	32%	19.6%	N/A	N/A	YES	-	-

ZONING REQUIREMENTS			
	REQ'D/PERMITTED UNDER ZONING BY-LAW	EXISTING	PROPOSED
ZONING DESIGNATION	RESIDENTIAL	DISTRICT "C"	N/A
MIN. SIDE YARD SETBACK	0.45 M (1.48 FT)	1.5M (4.92 FT)	1.5M (4.92 FT)
MIN. REAR YARD SETBACK	0.45 M (1.48 FT)	4.55M (14.9 FT)	1.96M (6.43 FT)
MAX BUILDING HEIGHT	11 M(36.09 FT)	6.3M (20.58 FT)	6.3M (20.58 FT)
MAX. REAR YARD AND SIDE YARD COMBINED COVERAGE	MAX 30% COVERAGE = (830.94m ² *0.3) = 249.28m ²	91.94m ² (989.63 SQ. FT)	113.31m ² (1219.7 SQ. FT)


GLAZING CALCULATIONS

EXISTING BUILDING FACE:	145.26m ²
EXISTING GLAZING:	16.6m ²
% EX. GLAZING COVERAGE:	11.4%
PROPOSED BUILDING FACE:	176.14m ²
PROPOSED GLAZING:	20.63m ²
% PROPOSED GLAZING COVERAGE:	11.7%

PLOT DATE: 2021/06/09 6:21 PM

No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

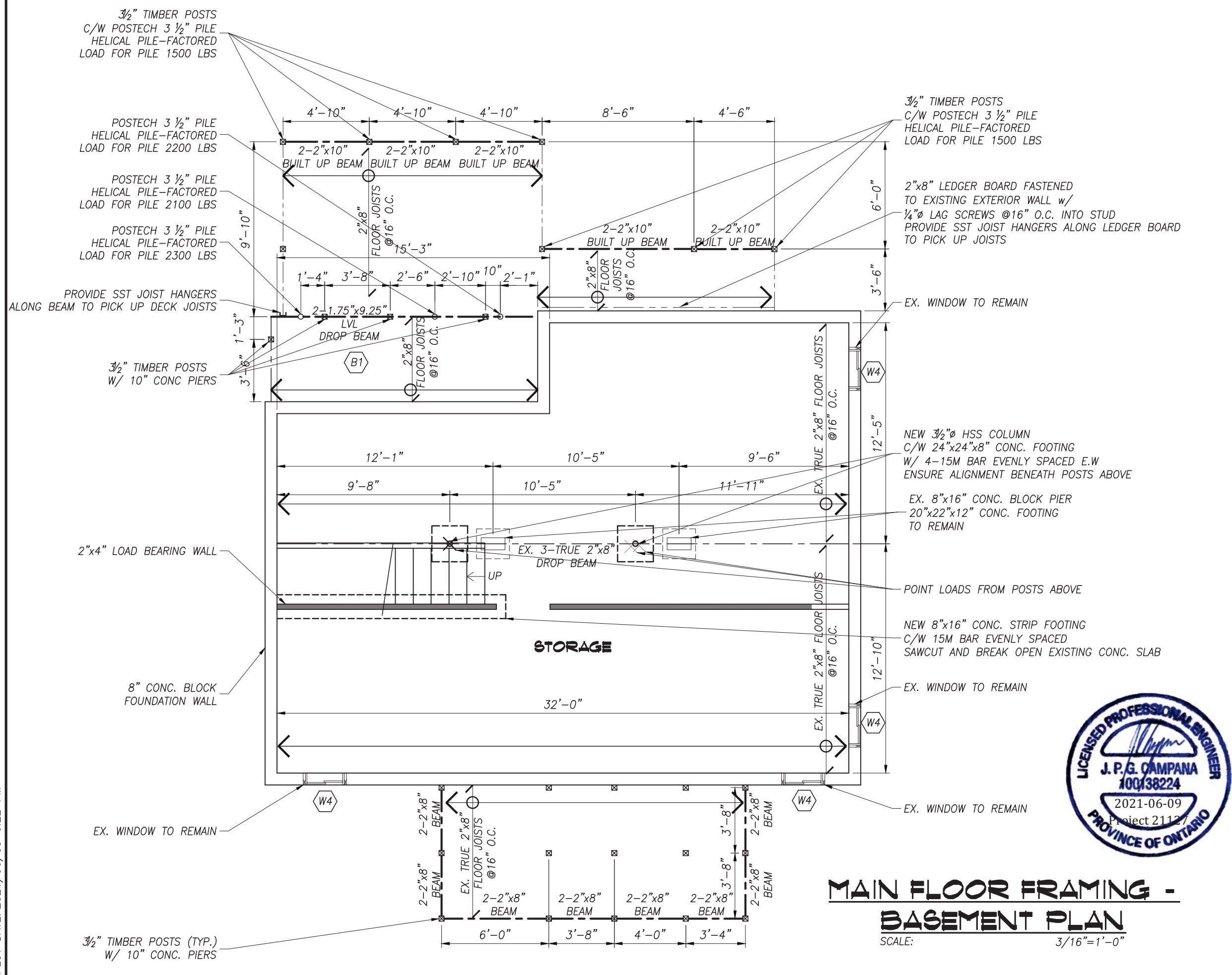
INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD
HAMILTON ONTARIO

GENERAL NOTES

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S0.02
PROJECT No. 21127	CHECKED BY J.P.C.	





EXISTING FRAMING SHOWN IS ASSUMED BASED ON SITE REVIEW. CONTRACTOR TO EXPOSE EXISTING STRUCTURE AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

PROVIDE TEMPORARY SHORING TO JOISTS ABOVE PRIOR TO ANY REMOVALS

EXTEND ALL POSTS TO BEAMS/FOUNDATION WALLS BELOW OR BLOCK AS REQUIRED

No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON ONTARIO

MAIN FLOOR FRAMING - BASEMENT PLAN

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S1.01
PROJECT No. 21127	CHECKED BY J.P.C.	



MAIN FLOOR FRAMING - BASEMENT PLAN

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

PLOT DATE: 2021/06/09 6:22 PM

WINDOW SCHEDULE:

- W1 - EX. 55"x50" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W2 - EX. 43"x30" WINDOW TO BE INFILLED
EX. HEADER TO BE REMOVED
- W3 - EX. 55"x30" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W4 - EX. 43"x20" WINDOW TO REMAIN
EX. HEADER ADEQUATE TO REMAIN
- W5 - EX. 35"x27" WINDOW REMOVED
REPLACED W/ NEW 35"x27" WINDOW
NEW 2-2"x8" HEADER
- W6 - NEW 43"x48" WINDOW
NEW 2-2"x8" HEADER
- W7 - NEW 33"x22" WINDOW
NEW 2-2"x8" HEADER
- W8 - EX. 53"x95" WINDOW REMOVED
EX. HEADER TO BE REMOVED
- W9 - EX. 16"x16" WINDOW TO BE INFILLED
EX. HEADER TO BE REMOVED
- W10 - EX. 63"x146" WINDOW REMOVED
REPLACED W/ 48"x72" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28

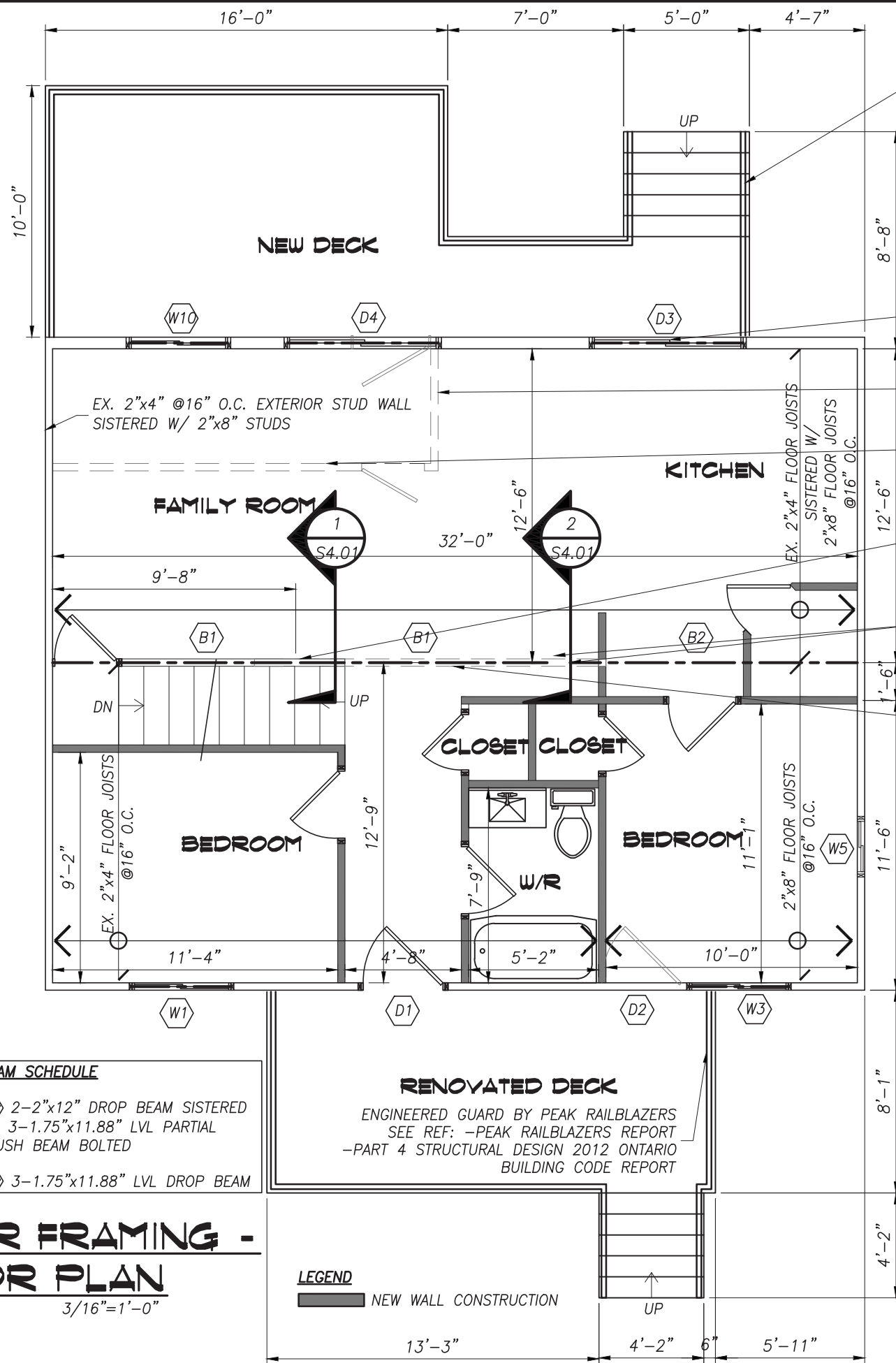
DOOR SCHEDULE:

- D1 - NEW 48"x84" DOOR
NEW 2-2"x8" HEADER
- D2 - EX. 36"x84" DOOR TO BE INFILLED
EX. LINTEL TO BE REMOVED
- D3 - NEW 70"x80" SLIDING DOOR
NEW 2-2"x8" HEADER
- D4 - EX. 36"x84" DOOR REMOVED
REPLACED W/ NEW 70"x80" SLIDING DOOR
NEW 2-2"x8" HEADER TO SUIT NEW OPENING
- D5 - NEW 60"x60" SLIDING DOOR
NEW 2-2"x8" HEADER

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28

BEAM SCHEDULE

- B1 2-2"x12" DROP BEAM SISTERED
W/ 3-1.75"x11.88" LVL PARTIAL
FLUSH BEAM BOLTED
- B2 3-1.75"x11.88" LVL DROP BEAM



ENGINEERED GUARD BY PEAK RAILBLAZERS
SEE REF: -PEAK RAILBLAZERS REPORT
-PART 4 STRUCTURAL DESIGN 2012
BUILDING CODE REPORT

EX. WINDOW TO BE REMOVED
NEW 70"x80" SLIDING DOOR C/W
2-2"x8" HEADER TO SUIT OPENING

EX. NON LOAD BEARING WALL
TO BE REMOVED

EX. LOAD BEARING WALL
TO BE REMOVED

3-2"x4" BUILT UP POST
PROVIDE SOLID BLOCKING BELOW

5-2"x4" BUILT UP POST
PROVIDE SOLID BLOCKING TO BEAM BELOW

EX. LOAD BEARING WALL
TO BE REMOVED

DESIGN LOADING:

MAIN FLOOR:
DEAD LOAD = 15 psf
LIVE LOAD = 40 psf

SECOND FLOOR:
DEAD LOAD = 15 psf
LIVE LOAD = 40 psf

ROOF LOAD (HAMILTON BELOW
ESCARPMENT EAST OF HWY 403)

Ss = 27.2 psf
Sr = 8.4 psf



NOTE: GUARD DESIGN TO MEET OR EXCEED 4.1.5.14(C) OF THE O.B.C.

(1) THE MINIMUM SPECIFIED HORIZONTAL LOAD APPLIED INWARD OR OUTWARD AT THE MINIMUM REQUIRED HEIGHT OF EVERY REQUIRED GUARD SHALL BE,

(C) 0.75KN/M OR A CONCENTRATED LOAD OF 1.0KN APPLIED AT ANY POINT, WHICHEVER GOVERNS FOR LOCATIONS OTHER THAN THOSE DESCRIBED IN CLAUSES (A) AND (B).

No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON ONTARIO

SECOND FLOOR FRAMING - MAIN FLOOR PLAN

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S1.02
PROJECT No. 21127	CHECKED BY J.P.C.	

SECOND FLOOR FRAMING - MAIN FLOOR PLAN

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

LEGEND
NEW WALL CONSTRUCTION

PLOT DATE: 2021/06/09 6:22 PM

WINDOW SCHEDULE:

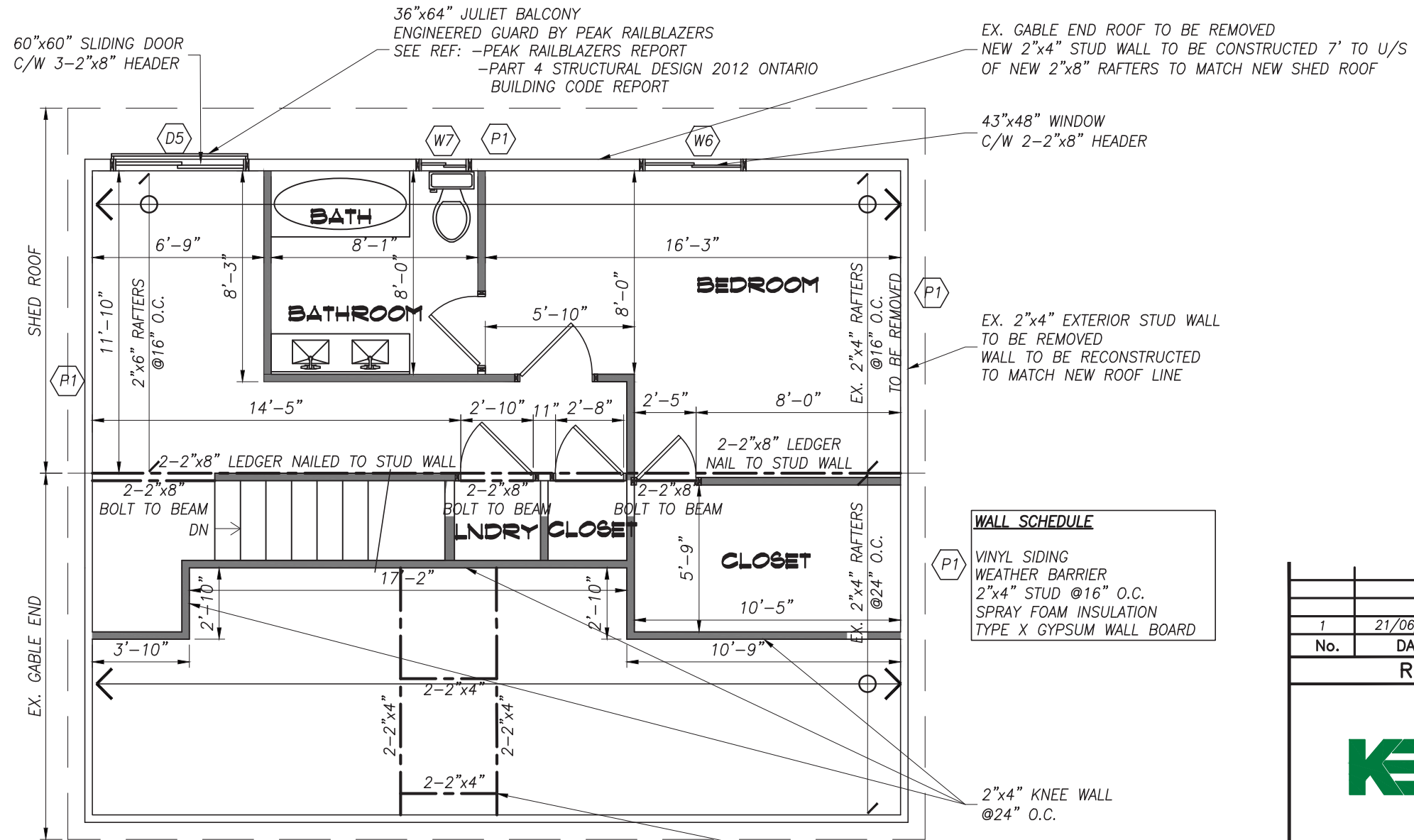
- W1 - EX. 55"x50" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W2 - EX. 43"x30" WINDOW TO BE INFILLED
EX. HEADER TO BE REMOVED
- W3 - EX. 55"x30" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W4 - EX. 43"x20" WINDOW TO REMAIN
EX. HEADER ADEQUATE TO REMAIN
- W5 - EX. 35"x27" WINDOW REMOVED
REPLACED W/ NEW 35"x27" WINDOW
NEW 2-2"x8" HEADER
- W6 - NEW 43"x48" WINDOW
NEW 2-2"x8" HEADER
- W7 - NEW 33"x22" WINDOW
NEW 2-2"x8" HEADER
- W8 - EX. 53"x95" WINDOW REMOVED
EX. HEADER TO BE REMOVED
- W9 - EX. 16"x16" WINDOW TO BE INFILLED
EX. HEADER TO BE REMOVED
- W10 - EX. 63"x146" WINDOW REMOVED
REPLACED W/ 48"x72" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28

DOOR SCHEDULE:

- D1 - NEW 48"x84" DOOR
NEW 2-2"x8" HEADER
- D2 - EX. 36"x84" DOOR TO BE INFILLED
EX. LINTEL TO BE REMOVED
- D3 - NEW 70"x80" SLIDING DOOR
NEW 2-2"x8" HEADER
- D4 - EX. 36"x84" DOOR REMOVED
REPLACED W/ NEW 70"x80" SLIDING DOOR
NEW 2-2"x8" HEADER TO SUIT NEW OPENING
- D5 - NEW 60"x60" SLIDING DOOR
NEW 2-2"x8" HEADER

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28



LEGEND

NEW WALL CONSTRUCTION

ROOF FRAMING PLAN

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

WALL SCHEDULE

VINYL SIDING
WEATHER BARRIER
2"x4" STUD @16" O.C.
SPRAY FOAM INSULATION
TYPE X GYPSUM WALL BOARD



No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON

ONTARIO

ROOF FRAMING PLAN

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S1.03
PROJECT No. 21127	CHECKED BY J.P.C.	

PLOT DATE: 2021/06/09 6:22 PM

WINDOW SCHEDULE:

- W1 - EX. 55"x50" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W2 - EX. 43"x30" WINDOW TO BE INFILLED
EX. HEADER TO BE REMOVED
- W3 - EX. 55"x30" WINDOW REMOVED
REPLACED W/ 45"x30" WINDOW
NEW 2-2"x8" HEADER TO SUIT OPENING
- W4 - EX. 43"x20" WINDOW TO REMAIN
EX. HEADER ADEQUATE TO REMAIN
- W5 - EX. 35"x27" WINDOW REMOVED
REPLACED W/ NEW 35"x27" WINDOW
NEW 2-2"x8" HEADER
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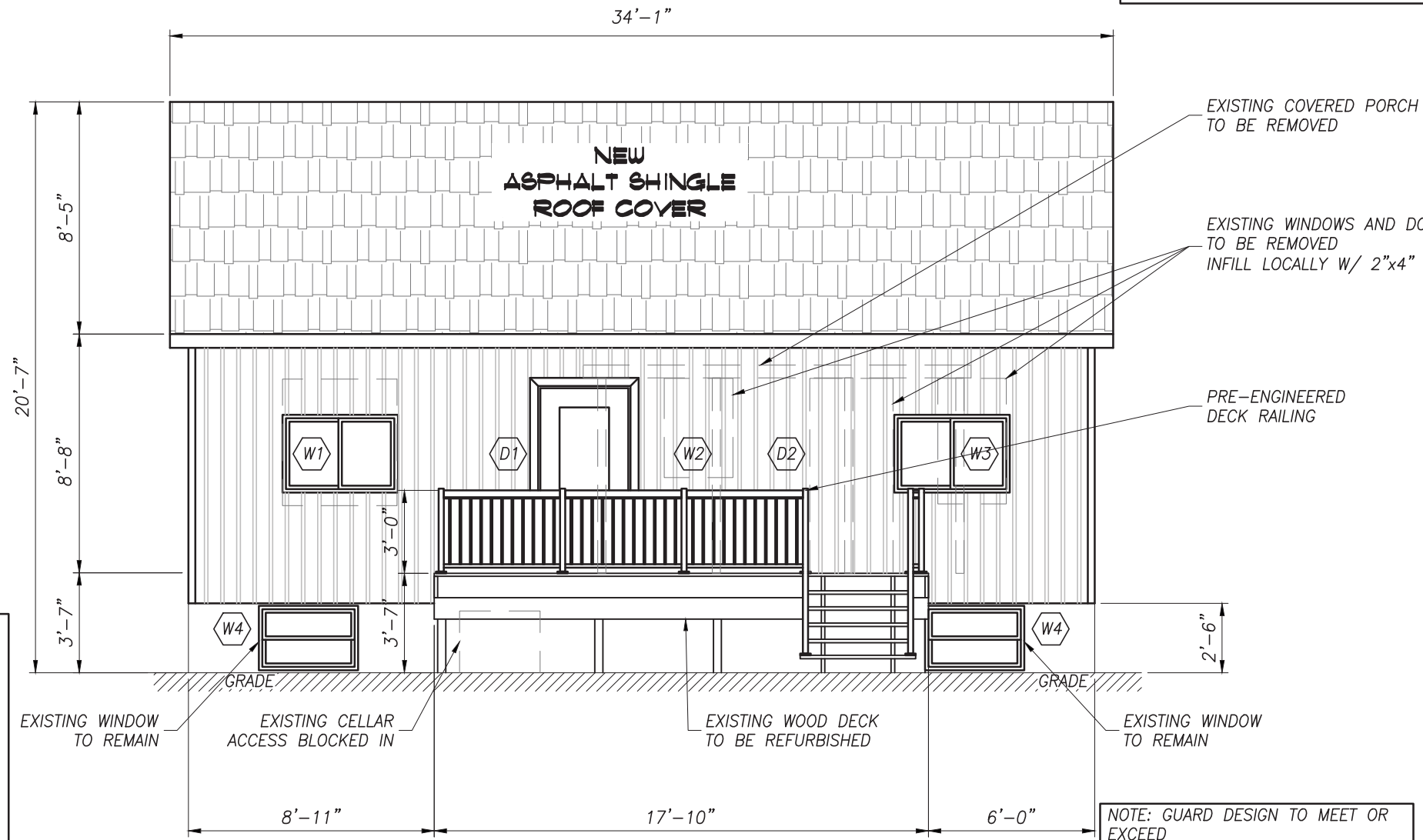
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- D1 - NEW 48"x84" DOOR
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EX. LINTEL TO BE REMOVED
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- D4 - EX. 36"x84" DOOR REMOVED
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- D5 - NEW 60"x60" SLIDING DOOR
NEW 2-2"x8" HEADER

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28

GLAZING CALCULATIONS

EXISTING BUILDING FACE:	145.26m ²
EXISTING GLAZING:	16.6m ²
% EX. GLAZING COVERAGE:	11.4%
PROPOSED BUILDING FACE:	176.14m ²
PROPOSED GLAZING:	20.63m ²
% PROPOSED GLAZING COVERAGE:	11.7%



FRONT ELEVATION

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

NOTE: GUARD DESIGN TO MEET OR EXCEED 4.1.5.14(C) OF THE O.B.C.

(1) THE MINIMUM SPECIFIED HORIZONTAL LOAD APPLIED INWARD OR OUTWARD AT THE MINIMUM REQUIRED HEIGHT OF EVERY REQUIRED GUARD SHALL BE,

(C) 0.75KN/M OR A CONCENTRATED LOAD OF 1.0KN APPLIED AT ANY POINT, WHICHEVER GOVERNS FOR LOCATIONS OTHER THAN THOSE DESCRIBED IN CLAUSES (A) AND (B).



No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

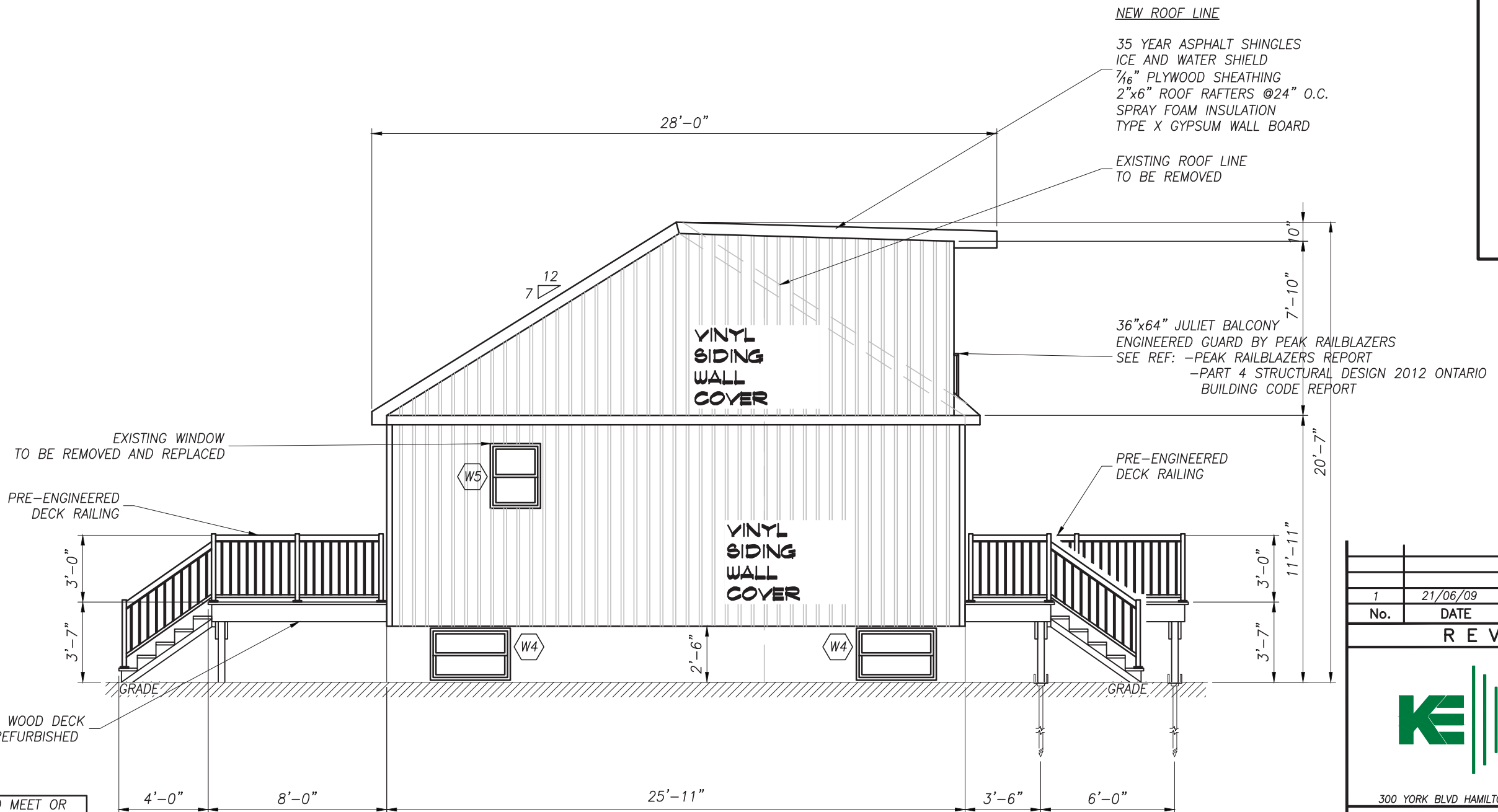
735 BEACH BOULEVARD

HAMILTON

ONTARIO

FRONT ELEVATION

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S2.01
PROJECT No. 21127	CHECKED BY J.P.C.	



NEW ROOF LINE
 35 YEAR ASPHALT SHINGLES
 ICE AND WATER SHIELD
 7/16" PLYWOOD SHEATHING
 2"x6" ROOF RAFTERS @24" O.C.
 SPRAY FOAM INSULATION
 TYPE X GYPSUM WALL BOARD

EXISTING ROOF LINE
 TO BE REMOVED

36"x64" JULIET BALCONY
 ENGINEERED GUARD BY PEAK RAILBLAZERS
 SEE REF: -PEAK RAILBLAZERS REPORT
 -PART 4 STRUCTURAL DESIGN 2012 ONTARIO
 BUILDING CODE REPORT

EXISTING WINDOW
 TO BE REMOVED AND REPLACED

PRE-ENGINEERED
 DECK RAILING

PRE-ENGINEERED
 DECK RAILING

EXISTING WOOD DECK
 TO BE REFURBISHED

NOTE: GUARD DESIGN TO MEET OR EXCEED 4.1.5.14(C) OF THE O.B.C.

(1) THE MINIMUM SPECIFIED HORIZONTAL LOAD APPLIED INWARD OR OUTWARD AT THE MINIMUM REQUIRED HEIGHT OF EVERY REQUIRED GUARD SHALL BE,

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RIGHT ELEVATION

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



No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON

ONTARIO

LEFT ELEVATION

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S2.02
PROJECT No. 21127	CHECKED BY J.P.C.	

PLOT DATE: 2021/06/09 6:23 PM

WINDOW SCHEDULE:

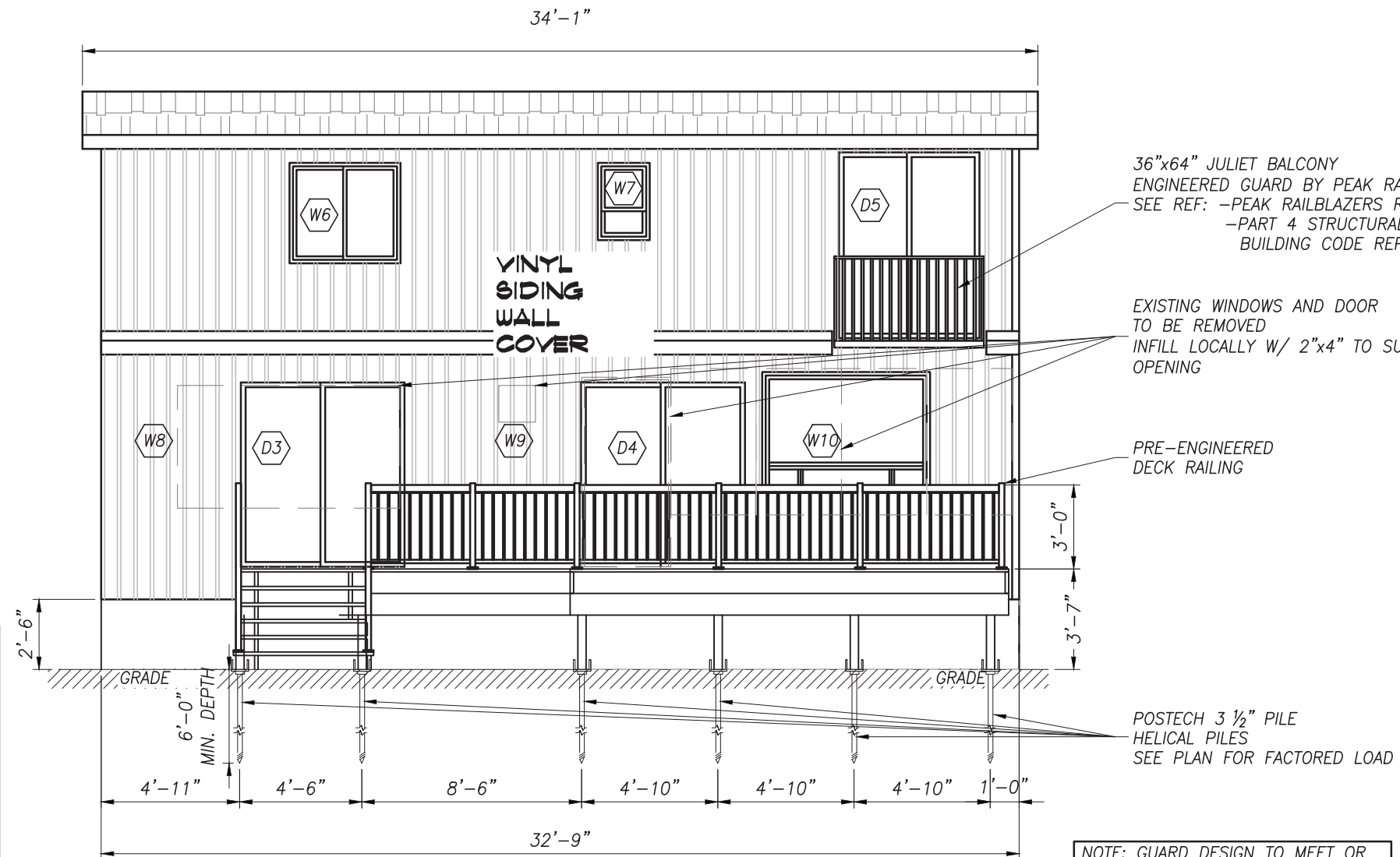
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REPLACED W/ 48"x72" WINDOW
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NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28

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NEW 2-2"x8" HEADER

NOTE: NEW WINDOWS AND SLIDING GLASS DOOR TO HAVE MAX U-VALUE OF 0.28



REAR ELEVATION

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

NOTE: GUARD DESIGN TO MEET OR EXCEED 4.1.5.14(C) OF THE O.B.C.

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No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON

ONTARIO

REAR ELEVATION

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S2.03
PROJECT No. 21127	CHECKED BY J.P.C.	

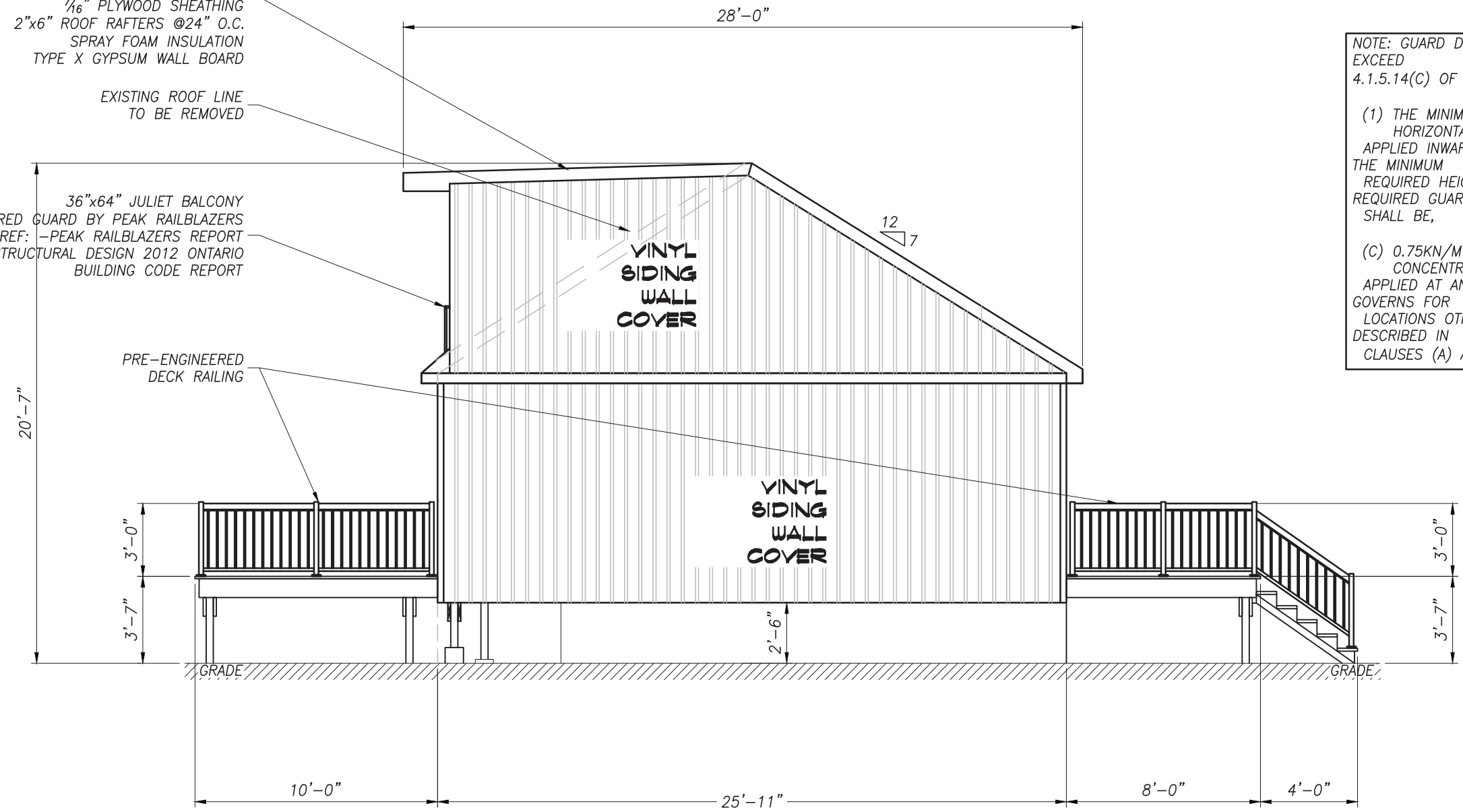
NEW ROOF LINE
 35 YEAR ASPHALT SHINGLES
 ICE AND WATER SHIELD
 7/16" PLYWOOD SHEATHING
 2"x6" ROOF RAFTERS @24" O.C.
 SPRAY FOAM INSULATION
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EXISTING ROOF LINE
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36"x64" JULIET BALCONY
 ENGINEERED GUARD BY PEAK RAILBLAZERS
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LEFT ELEVATION

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



No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

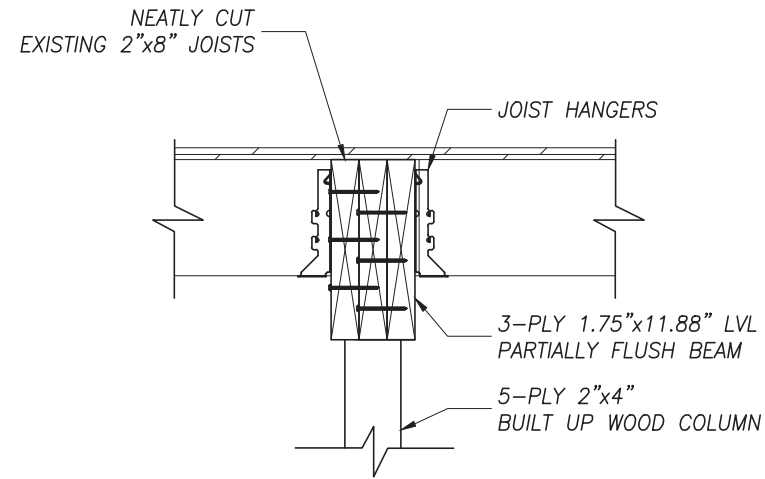
HAMILTON

ONTARIO

RIGHT ELEVATION

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S2.04
PROJECT No. 21127	CHECKED BY J.P.C.	

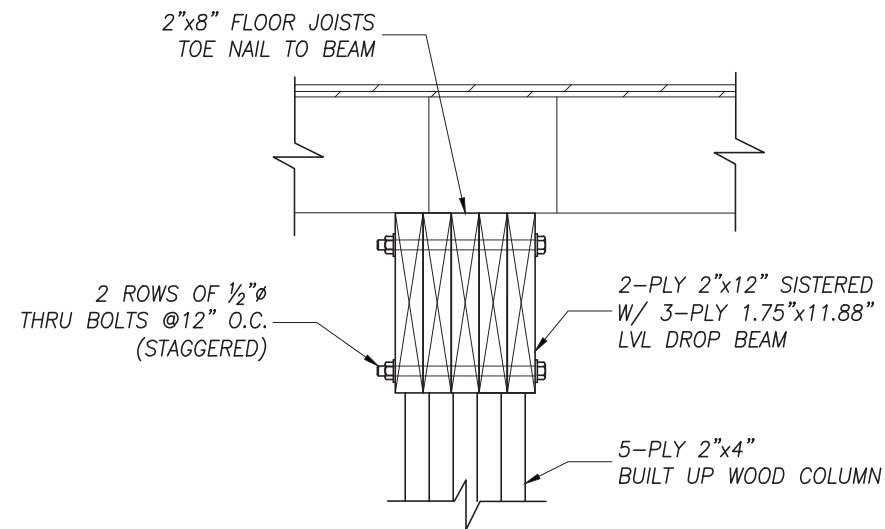
PLOT DATE: 2021/06/09 6:23 PM



PARTIALLY FLUSH BEAM DETAIL

SCALE:

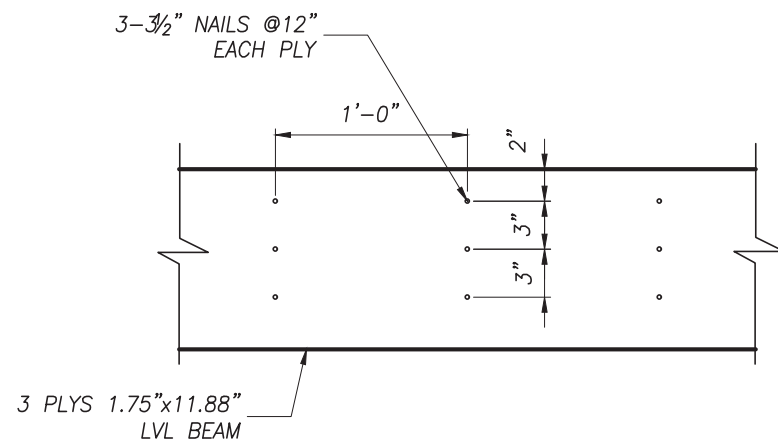
1"=1'-0"



DROP BEAM DETAIL

SCALE:

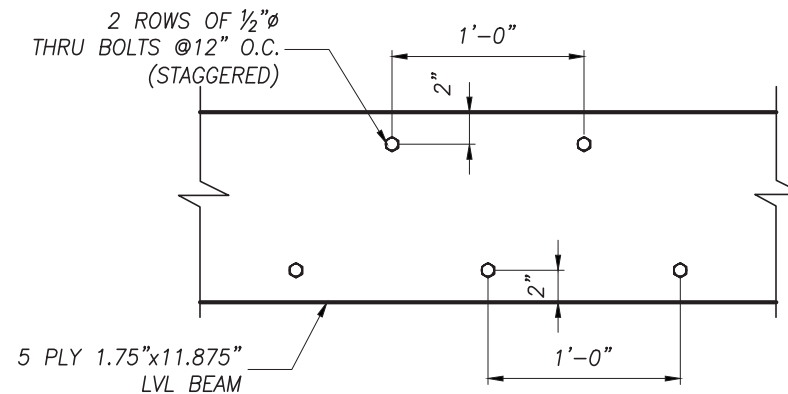
1"=1'-0"



BEAM NAILING PATTERN

SCALE:

1"=1'-0"



BEAM BOLTING PATTERN

SCALE:

1"=1'-0"

No.	DATE	REVISION
1	21/06/09	ISSUED FOR PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

INTERIOR/EXTERIOR HOME RENOVATION

735 BEACH BOULEVARD

HAMILTON

ONTARIO

SECTIONS

DATE JUNE 2021	DRAWN BY JD	DRAWING No. S4.01
PROJECT No. 21127	CHECKED BY J.P.C.	



PLOT DATE: 2021/06/09 6:24 PM



Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE

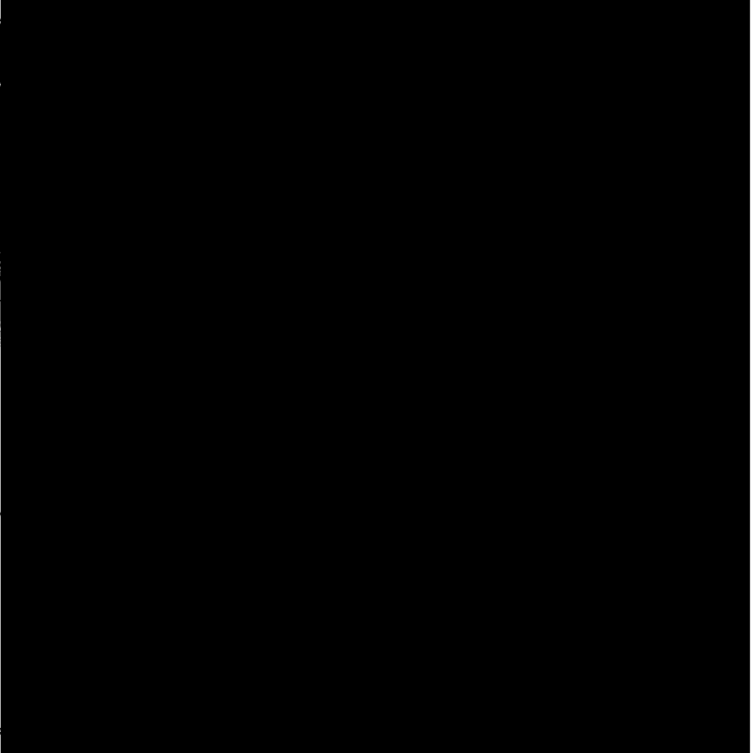
FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME
Registered Owners(s)	Amanda & Kevin White
Applicant(s)*	Julianna Hribljan Barich Grenkie Surveying Ltd.
Agent or Solicitor	Julianna Hribljan Barich Grenkie Surveying Ltd.



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

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

Mortgage for the property is with: CIBC 1273 Barton St. E. Hamilton, ON. L8H 2V4

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

4. Nature and extent of relief applied for:

The existing dwelling has had a 1/2 storey addition and would need the following minor variances:
 rear yard setback - 3.14 m
 side yard setback - 1.43 m

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing dwelling did not comply with the zoning by-law, previously to work being done on it. The owners have added a second storey to the house. By keeping inline with the first floor of the house the second floor does not meet the minimum setbacks.

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

Part of Burlington Beach East Side of Beach Boulevard (Unregistered)

735 Beach Boulevard, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Information was provided by client.

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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



10. Dimensions of lands affected:

Frontage	15.04 m	_____
Depth	53.55 m	_____
Area	828.31 m	_____
Width of street	13.12 m	_____

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

Existing:_____

1.5 Storey Sided Dwelling
 Gross floor area: 79.69 m²
 Width: 9.80 m Length: 8.08 m Height:

Proposed

1.5 Storey Sided Dwelling
 Gross floor area: 79.69 m²
 Width: 9.80 m Length: 8.08 m Height:

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

Existing:_____

Front Yard Setback: 42.30 m
 Rear Yard Setback: 3.14 m
 Side Yard Setback (North): 1.43 m
 Side Yard Setback (South): 4.34 m

Proposed:

For the 1/2 Storey Addition:
 Rear Yard Setback: 3.14 m
 Side Yard Setback (North): 1.43 m
 Side Yard Setback (South): 4.34 m

13. Date of acquisition of subject lands:
March 2020
-
14. Date of construction of all buildings and structures on subject lands:
The dwelling - originally constructed in 1950. July 2020 the 1/2 storey was built.
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family dwelling
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family dwellings on all abutting properties.
-
17. Length of time the existing uses of the subject property have continued:
70+ years
-
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:

Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

C/S-1435
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
- If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A.24.106	SUBJECT PROPERTY:	61-63 King Street West, Stoney Creek
ZONE:	"C5a" (Mixed Use Medium Density – Pedestrian Focus)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: 61-63 King St. Hamilton Ltd. c/o Pamak Azizi-Moghaddam
Agent: Liam Doherty RPP, A.J. Clarke and Associates

The following variances are requested:

1. The front lot line shall be the lot line abutting King Street West, whereas the definition of Front Lot Line indicates that with reference to a corner lot, Front Lot Line shall mean the shorter of the lot lines abutting the street;
2. A maximum building height of 23.25 metres shall be permitted, instead of the maximum permitted building of 22.0 metres;
3. A minimum setback of 12.0 metres to the rear lot line for any portion of a building exceeding 22.0 metres in height, and a minimum setback of 16.0 metres to the rear lot line for an enclosed rooftop amenity area and/or a rooftop mechanical room, shall be permitted; and,
4. A minimum setback of 0.0 metres to a stairwell designed to provide access to a rooftop amenity area from the exterior walls of the storey directly beneath shall be permitted.

PURPOSE & EFFECT: So as to permit the development of a seven (7) storey Dwelling Unit, Mixed Use, notwithstanding:

Notes:

- i. These variances are necessary to facilitate Site Plan Application No. DA-23-032 and have been written exactly as requested by the applicant;
- ii. A 3.0 metre road widening along King Street West is proposed; and,

A.24.106

- iii. Please be advised an encroachment agreement is required to permit the proposed balcony's that encroach into the future King Street West Right of Way.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, written comments must be received no later than noon July 19, 2024

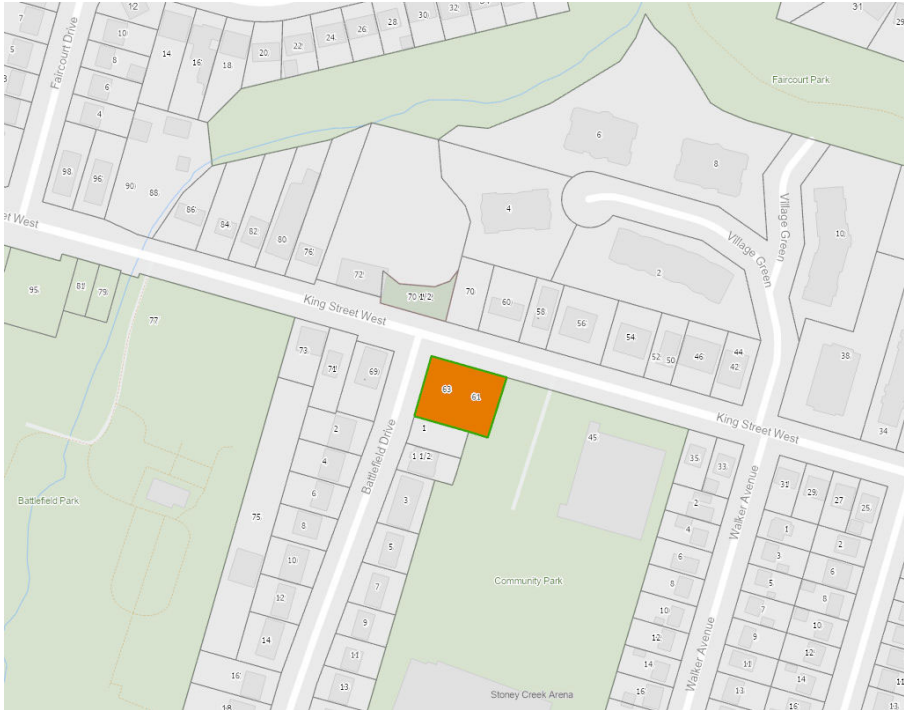
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A.24.106, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A.24.106



 **Subject Lands**

DATED: July 4, 2024

**Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment**

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-977-1654.

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.

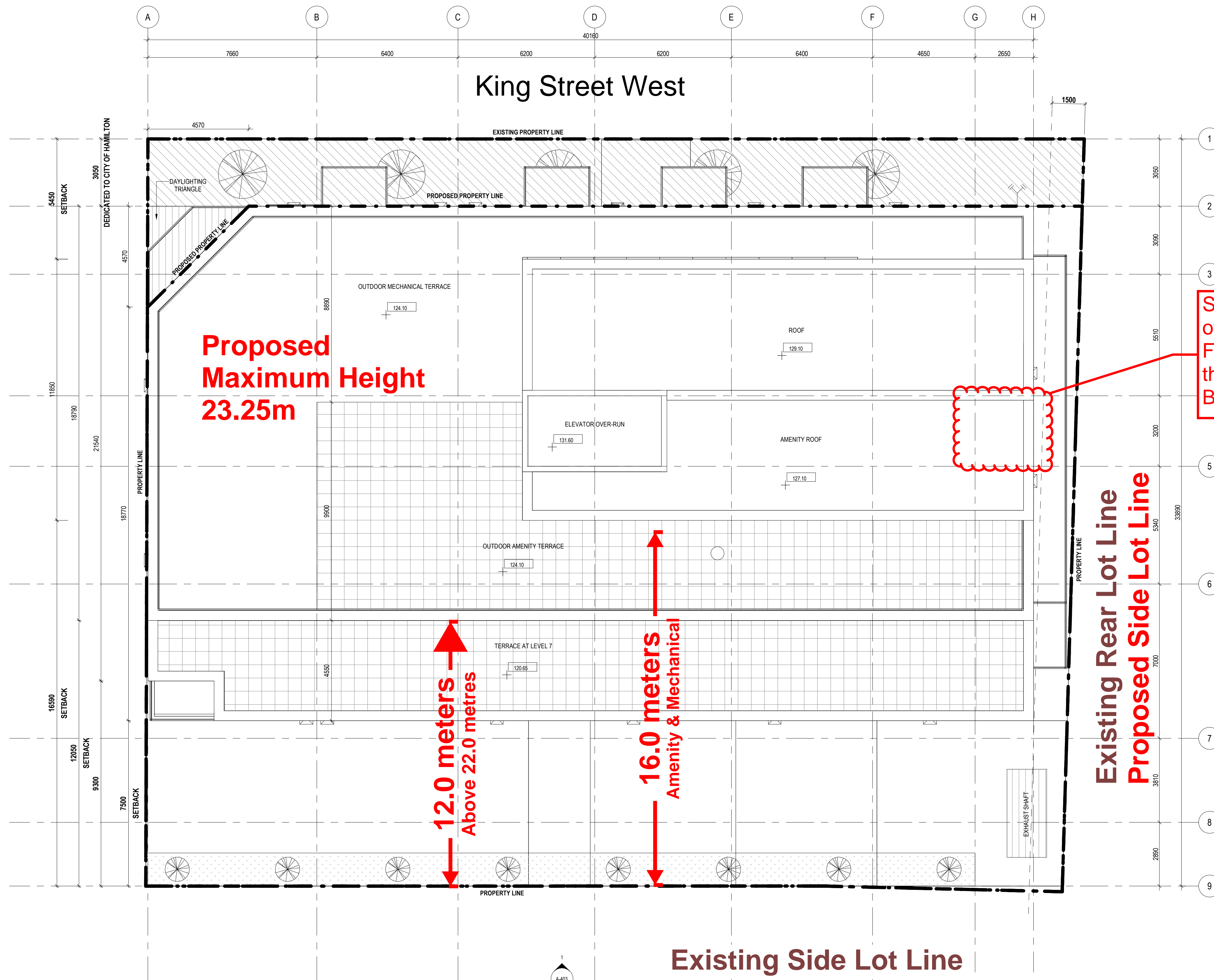
Requested Minor Variances Per Conditional Approved Site Plan DA-23-032

Existing Flankage Lot Line
Proposed Front Lot Line

Existing Front Lot Line
Proposed Flankage Side Lot Line

Battlefield Drive

King Street West



Stairwell Setback of 0.0 meters From the Wall of the Storey Directly Beneath.

DEDICATED LAND TO THE CITY OF HAMILTON

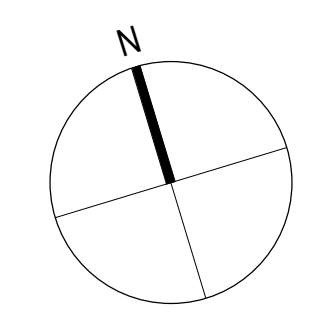
4	2023 12 13	ISSUED FOR ZONING REVIEW
3	2023 06 02	ISSUED FOR REVISED SPA
2	2022 12 21	ISSUED FOR SPA
1	2022 03 29	ISSUED FOR PRE CONSULTATION WITH CITY

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PROJECT:
61-63 KING STREET WEST
61-63 KING STREET WEST, STONEY CREEK, HAMILTON, ON

CLIENT:



SCALE: 1 : 100
DATE: NOVEMBER 21

TITLE: Site Plan

PROJECT NO. 21-103
A-209

**SURVEYOR'S REAL PROPERTY REPORT OF
PART 1:
PLAN OF PART OF LOT 26
CONCESSION 4
AND PART OF PARCEL "A"
REGISTERED PLAN 1010
CITY OF HAMILTON
(TOWNSHIP OF SALTFLLEET)**

SCALE = 1 : 200

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

A. AZIZ SURVEYORS INC., O.L.S.

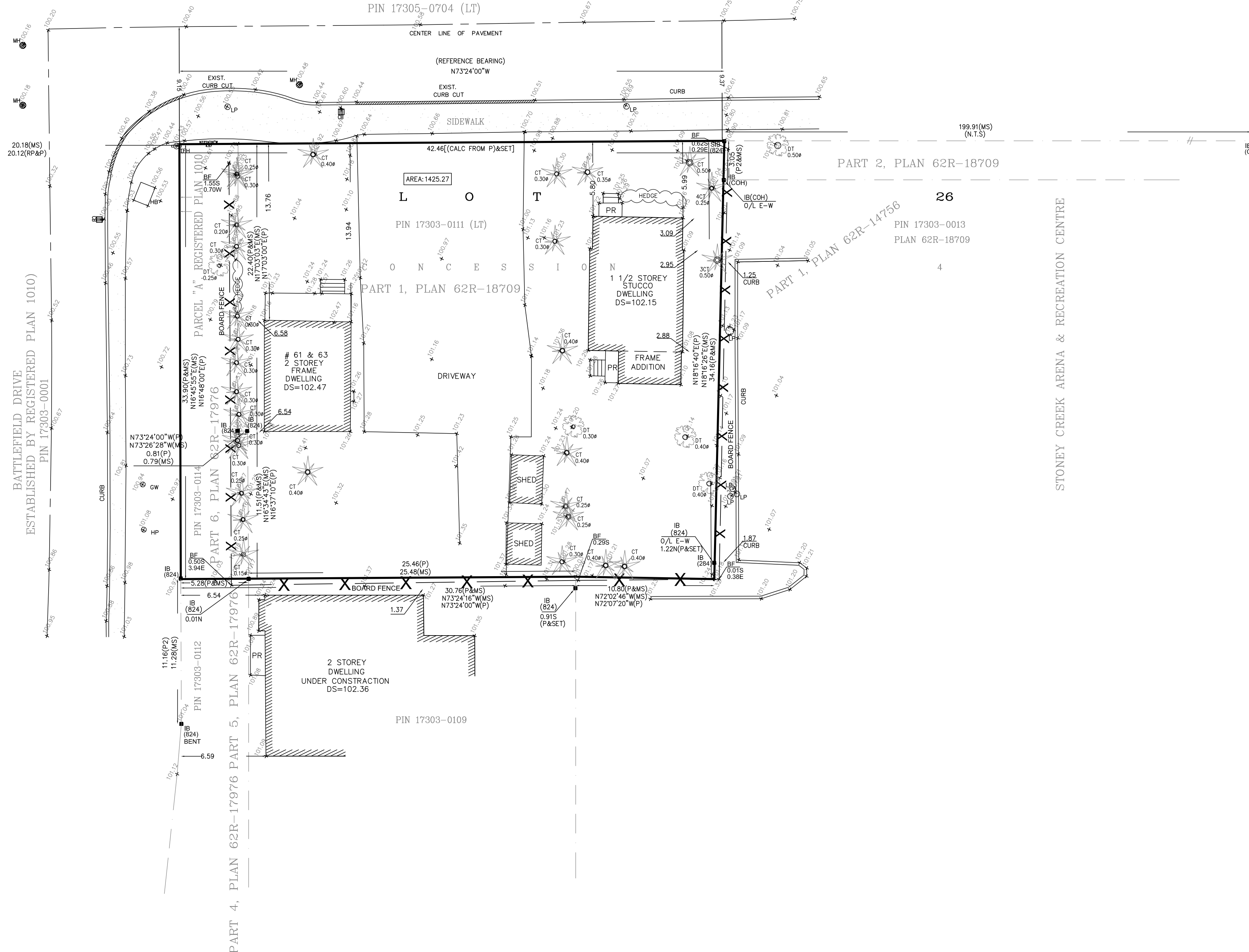
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KING STREET WEST

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSION 3& 4)

PIN 17305-0704 (LT)



**PART 2:
REPORT**

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

BOUNDARIES
PART OF LOT 26, CONCESSION 4 AND PART OF PARCEL "A", REGISTERED PLAN 1010

TITLE SEARCH INDICATES
NO EASEMENTS OR RIGHT OF WAYS REGISTERED ON TITLE.

ZONING
NO INVESTIGATION WITH RESPECT TO MUNICIPAL ZONING BY LAW HAS BEEN MADE FOR THE SUBJECT PROPERTY (PROPERTIES).

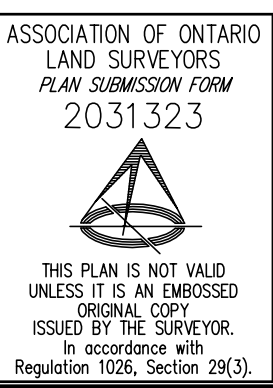
ENCROACHMENTS
PLEASE NOTE THE POSITION OF THE FENCES IN RELATION TO THE SOUTHERLY, EASTERLY & WESTERLY BOUNDARIES; THEY ARE LOCATED OVER THE SUBJECT BOUNDARIES TO THE EXTENT SHOWN ON THE PLAN.

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED FROM THE SOUTHERLY LIMIT OF KING STREET WEST HAVING A BEARING OF N73°24'00"W AS SHOWN ON REGISTERED PLAN 62R-17976

GEODETIC
ELEVATIONS SHOWN GEODETIC DRIVEN FROM CITY OF MARKHAM BENCH MARK #768483, ELEVATION 202.96M

<p>LEGEND:</p> <ul style="list-style-type: none"> ■ DENOTES SURVEY MONUMENT FOUND □ DENOTES IRON BAR SB - STANDARD IRON BAR N.E.S.W. - NORTH, EAST, SOUTH, WEST BF - BOARD FENCE RP - REGISTERED PLAN 1010 P - PLAN 62R-17976 P1 - PLAN 62R-14756 P2 - PLAN 62R-18709 C&J - CONSULIA JACOBS SURVEYING LTD. O.L.S. COH - CITY OF HAMILTON 824 - A.T.MOLAREN O.L.S. DS - DOOR SILL 	<ul style="list-style-type: none"> IB - DENOTES IRON BAR MH - MANHOLE HB - HYDRO BOX LP - LAMPPOST PRIVATE CB - CATCH BASIN HP - HYDRO POLE GW - GAS WIRE TH - TOP OF FIRE HYDRANT PR - PORCH N.T.S. - NOT TO SCALE OU - ORIGIN UNKNOWN MS - MEASURED DT - DECIDUOUS TREE CT - CONIFEROUS TREE OT - DECIDUOUS TREE TRUNK OC - CONIFEROUS TREE TRUNK
--	---

STONEY CREEK ARENA & RECREATION CENTRE



ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2031323

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

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 06th DAY OF OCTOBER, 2017

DATE: OCTOBER 12, 2017
A. ABDELSHAHID
ONTARIO LAND SURVEYOR

A. AZIZ SURVEYORS INC
ONTARIO LAND SURVEYORS
120 NEWKIRK ROAD #31, RICHMOND HILL, ONT. L4C-9S7
Tel. (905) 237-8224 Fax: (416) 477-5465
Website: M-Azizsurveyors.ca
E-Mail: aziz@m-azizsurveyors.ca

PROJECT NUMBER	PROJECT
17-393	61 & 63 KING STREET WEST (SR-PR)
DRAWN BY	CHECKED BY
S.H	A.A



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

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

April 3, 2024

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (*email: Jamila.Sheffield@hamilton.ca*)

**Re: Minor Variance Application Submission
(Condition of Approval Special #1, per Site Plan Approval DA-23-032)
61-63 King Street West, Stoney Creek, Ward 5**

A.J Clarke and Associates Ltd. is retained by the owners of 61-63 King Street West, Stoney Creek, to act as planning consultant and agent for their project, a proposed 7-storey mixed-use condominium with retail space on the ground floor and residential units located above.

A Site Plan Approval Application was submitted on December 12, 2022. A Development Review Team meeting was held on March 1, 2023. Conditional Approval was issued on October 24, 2023. Special Condition #1 is as follows:

"PRIOR TO THE SUBMISSION FOR BUILDING PLAN REVIEW

1. *That the Applicant / Owner apply for and receive final approval of a Minor Variance application from the Committee of Adjustment to the satisfaction of the City's Manager of Heritage and Urban Design for the following minorvariances:*
 - a. *To permit 1.5 m minimum read yard, whereas Zoning-By-law 05-200 requires a 7.5m.*
 - b. *To permit 28.0 m building height, whereas Zoning-By-law 05-200 requires a 22.0m.*
 - c. *To permit a 1.5 m yard encroachment for a balcony, whereas Zoning-By- law 05-200 permits a maximum 1.0 m encroachment.*
 - d. *To permit no planting strip between the street line and an at grade parking space, whereas Zoning-By-law 05-200 requires a minimum 3.0 metre planting strip.*
 - e. *To permit 52 parking spaces, whereas Zoning-By-law 05-200 requires 58 parking spaces.*
 - f. *To permit an at grade parking space to be located less than 3 m from Battlefield Drive, whereas Zoning-By 05-200 does not permit parking spaces within 3.0 m of a street line."*

This application seeks to satisfy this condition. This submission package includes the following materials:

- This Cover Letter and Planning Justification Brief
- Site Sketch
- Completed Signed Minor Variance Application Form

Payment of the application fee will be made by the Applicant and Owner, Pamak Azizi-Moghaddam P. Eng. He can be contacted by phone: (416) 902-4800 or by email: pamakam@gmail.com.

The subject lands have an approximate net area of 1,285.4 square metres and are currently occupied by two existing single detached dwellings. The subject lands have a net frontage of ±30.85 metres on Battlefield and a depth of ±42.46 metres flanking King Street West.



The intent is to remove the dwelling units and redevelop the parcels with a 7-storey mixed use building.

Required Variances

The subject lands are Mixed Use Medium Density – Pedestrian Focus (C5a) Zone in the City of Hamilton Zoning Bylaw 02-500, which permits only commercial uses at-grade and residential, commercial and limited institutional uses on the upper floors.

The intent is to develop the site with a mixed-use building with commercial space on the ground floor and residential units above. The proposed design is not in conformity with the zone regulations. The design of the project has been revised to address the red-line comments on the Conditionally Approved Site Plan. As such the list of required variances does not match exactly the list of required variances in the text of the Conditional Site Plan Approval Letter.

The project will require the following variances:

- 1) To deem the King Street West street line as the Front Lot Line for the purposes of applying zoning provisions.
- 2) To permit 23.25 metres maximum building height, whereas Zoning-By-law 05-200 permits 22.0 metres.
- 3) To require a minimum setback of 12.0 metres from the rear lot line for any portion of a building exceeding 22.0 meters in height and a minimum setback of 16.0 metres from the rear lot line for an enclosed rooftop amenity area and/or a rooftop mechanical room.
- 4) To permit a minimum setback of 0.0 metres to a stairwell designed to provide access to a rooftop amenity area from the exterior walls of the storey directly beneath.

Four Tests

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Does the proposed variance maintain the intent and purpose of the Urban Hamilton Official Plan?

The subject site is designated “Community Node” on Schedule E Urban Structure and “Neighbourhoods” on Schedule E-1 Urban Land Use Designations in the Urban Hamilton Official Plan. It is designated as “Mixed Use - Medium Density - Pedestrian Focus” on Map B.7.2-1 Old Town Secondary Plan Land Use Plan.

E.2.3.3 Community Nodes

2.3.3.9 *The built form shall largely be in medium and low rise, mixed use buildings. Along the commercial and mixed use streets, single use commercial buildings shall be permitted along with residential housing forms on the periphery of the Nodes. However, the intent of this Plan is to increase the proportion of multiple storey, mixed use buildings that have retail and service commercial uses at grade.*



The proposed height variance will facilitate a seven-storey building. Policy E.2.3.3.9 directs that the built form includes medium-rise buildings which are four- to twelve-storeys in height. As shown in the image below, the subject lands are located in proximity to mass transit bus stops, with one located abutting the subject lands to the east for eastbound transit, and one located directly across from the subject lands for westbound transit.

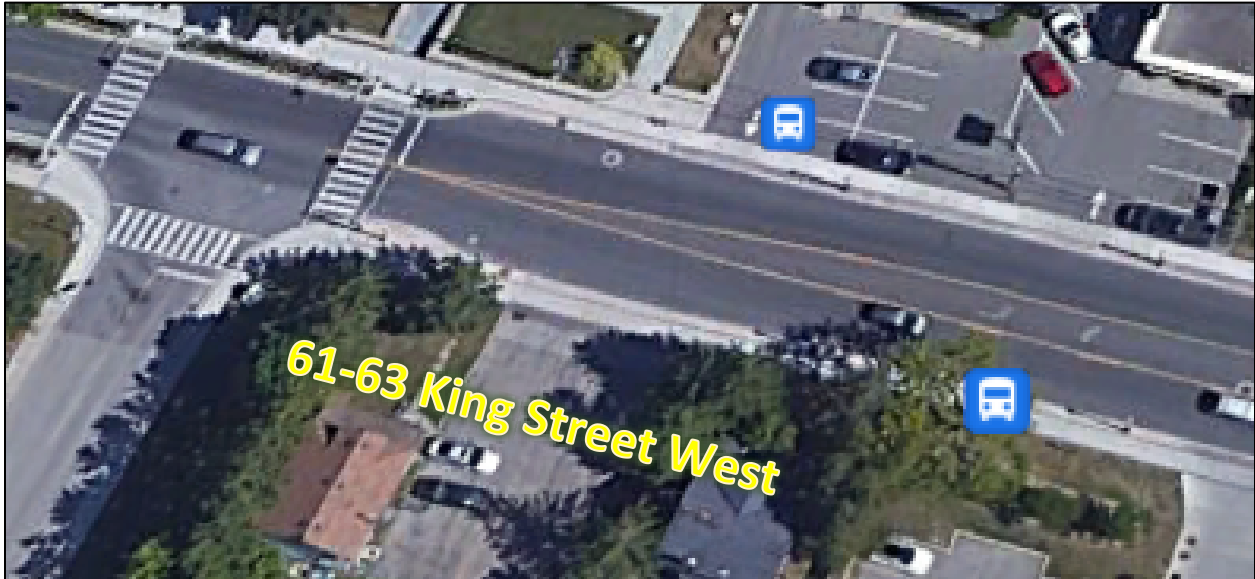


Figure 1: Aerial of Site Showing Transit Stops

E.3.0 NEIGHBOURHOODS DESIGNATION

3.5.8 For medium density residential uses, the maximum height shall be six storeys, but the height may be increased to 12 storeys without an amendment to this Plan, provided the Applicant demonstrates that: (OPA 167)

- a) the development shall provide for a mix of unit sizes to accommodate a range of household sizes and income levels, to be implemented through the Zoning By-law; (OPA 167)
- c) the development shall not unduly overshadow or block light on adjacent sensitive land uses the public realm and outdoor private amenity areas; (OPA 167)
- d) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and, (OPA 167)
- e) buildings are stepped back from the street to minimize the height appearance from the street, where necessary. (OPA 167)

The variances are to facilitate a seven-storey design that includes a mix of dwelling unit sizes. The rear of the building, as per the Site Plan Approval, is stepped back to the adjacent Neighbourhood areas and the rooftop mechanicals are stepped back from the street.

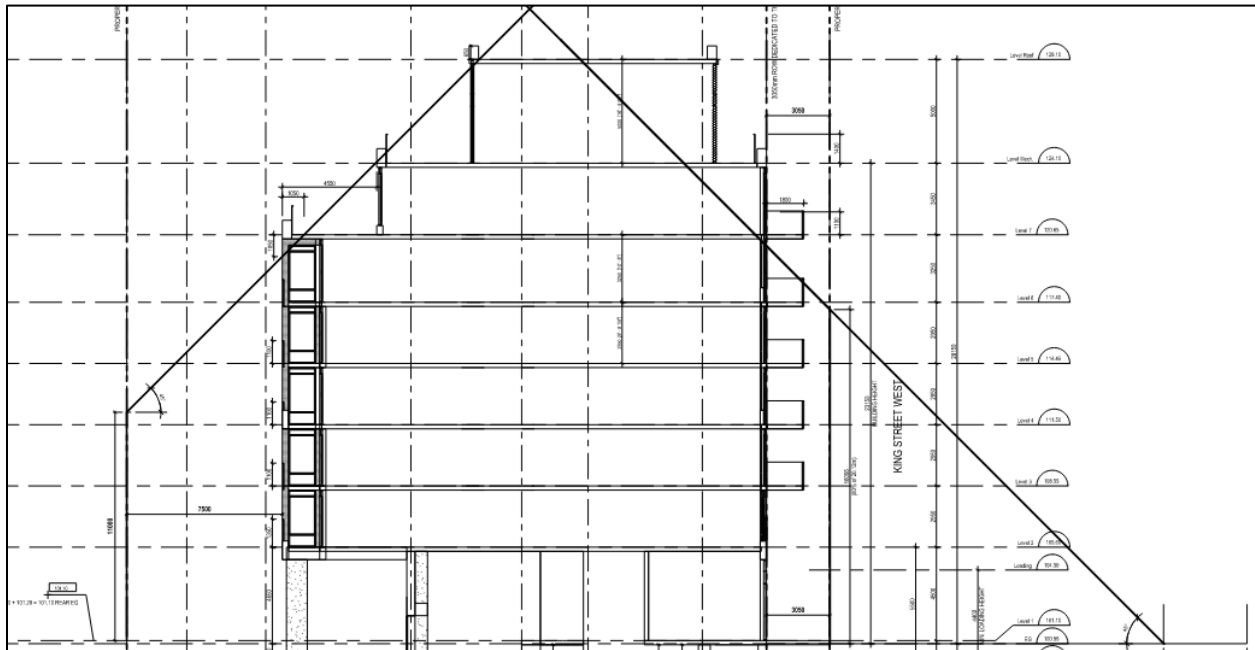


Figure 2: View of Eastern Elevation with King Street West on the right.

Policy Vol. 2 – B.7.2.4.2 b) makes the policies of Vol. 1 – E.4.3 apply to the subject lands.

E.4.3 Pedestrian Focus Streets

4.3.4 *In addition to the policies of the specific Commercial and Mixed-Use designations, the following policies shall apply to pedestrian focus streets:*

- a) A minimum of 75% of the block face located between two roads shall be developed with buildings.*
- b) Buildings shall be built up to the streetline and parking, driveways or lanes shall not be permitted between the buildings and the street, except as set out in E.4.3.4 g).*
- c) Each building or store front shall face onto the pedestrian focus street with the main entrance of each building or store and substantial fenestration facing on to the street.*
- e) On-street parking shall be provided where feasible and appropriate.*
- f) A minimum height of two storeys shall be encouraged.*
- k) New buildings shall be encouraged to have awnings, canopies, arcades, or front porches to provide weather protection.*

The approved Site Plan and the proposed design conform to these policies. King Street West, the flankage lot line, is the Pedestrian Focus Street.

- The proposed building provides 40.2 meters of façade along the 42.2 metre street line.
- The commercial units and the residential lobby all front to King Street West.
- The access point is from Battlefield Drive, facilitating street parking on King Street West.
- The front façade is 7 storeys, with the mechanical penthouse pulled back.
- 3.05 metres of land is being dedicated to the City allowing for a wide pedestrian realm.
- Balconies are proposed to encroach (with permission) into the road widening dedication to animate the pedestrian realm.

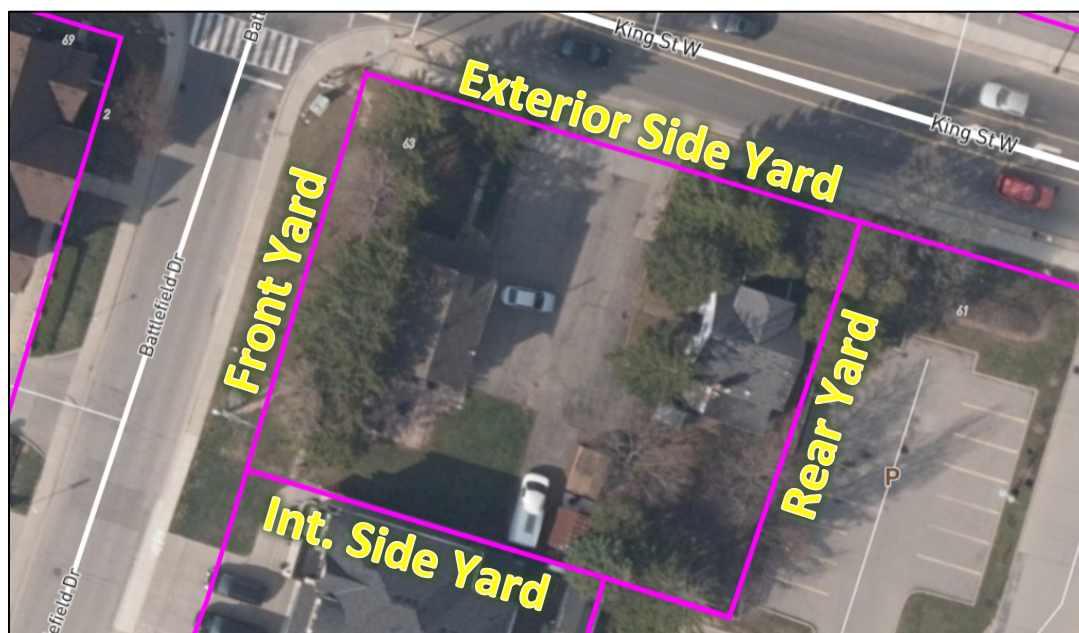


The required variances, and the development facilitated by them, maintain the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the Zoning By-law?

The subject lands are Mixed Use Medium Density – Pedestrian Focus (C5a) Zone in the City of Hamilton Zoning Bylaw 02-500. *“The C5a Zone is typically located along pedestrian oriented streets where permitted commercial and residential uses create an active and vibrant pedestrian realm. Built form consists of buildings with only commercial uses at-grade and residential, commercial and limited institutional uses on the upper floors to encourage a pedestrian and transit-supportive environment. The range of permitted commercial uses along with their built form, are intended to meet the needs of residents and visitors while creating an inviting pedestrian environment.”*

The intent and purpose of the by-law designation C5a is to regulate development as it relates to the Pedestrian Oriented Street, in this case being King Street West. The definitions of the by-law define the King Street West street-line as the flank/ side yard lot line and the eastern lot line (abutting the community centre parking lot) the rear lot line.



The deeming of the King Street West street-line as the front lot line will allow the zone provisions to function as intended.

The intent and purpose of the Maximum Height provision is to conform to the Official Plan policies that require buildings above 6 storeys to meet design criteria. This purpose has been satisfied through the Site Plan Approval process. In the Approved with Conditions design, the top of the 7th Floor, the highest occupied floor, will be 23.15 metres high. The maximum height in C5a is 22.0 metres. The 7th Floor will be 1.15 metres above the height limit. The roof of the amenity area will be 26.15 metres above and the roof of the mechanical penthouse will be 28.0 metres above the base in accordance with the zoning by-law.

The addition of a rear-yard stepback for the 7th floor will protect the angular plane to the property to the south and regulate the approved building massing as per the site plan approval.



View of Building from the South-East.

The zoning by-law has a provision specific to prevent potential significant overlook to the neighbouring parcels from an Enclosed Rooftop Amenity Area and the stairwell used to access it. The design of the building places a stairwell on the eastern side of the structure, abutting the parking lot of the community centre. However, the central elevator is intended to be the main access to the rooftop amenity area. Allowing the stairwell/emergency access to be close to the edge of the building will not create a notable overlook issue to the neighbour.

The required variances maintain the intent and purpose of Zoning By-Law 05-200.

3. Are the proposed variances appropriate for the development of the subject lands?

The variance will allow the development to fulfill its designated purpose, being a mixed-use mid-rise residential building on a pedestrian-focused corridor with access to nearby mass transit stops. The variances do not diminish the consideration given to neighbouring properties nor the benefit of development to the King Street West streetscape. The facilitated development will provide for an identified need, attainable housing, in a pedestrian and transit supportive location.

The required variances are appropriate and necessary for the proper development of the subject lands.

4. Are the proposed variances minor in nature?

The deeming the King Street West street-line as the Front Lot Line is in keeping with the desired development of King Street West.

The height provision is for an additional 1.25 metres, of which is subject to a greater setback of 12 meters from the rear lot line for the 7th floor. This is a minor increase to the 22-metre-high building envelope. The rooftop enclosed amenity area and rooftop mechanical room are subject to an additional setback of 16 metres to further protect the low density uses to the south from overlook and shadowing.

The variance to allow the stairwell to rise up to the roof level with a setback of 0.6 metres maintaining the floorplate of the whole structure is a minor expansion and allows for orderly architecture.



61-63 King Street West, Stoney Creek, Hamilton
Cover Letter – Minor Variance Application

A. J. Clarke & Associates Ltd.
April 3, 2024

The required variances are minor in nature and will have no perceived negative impacts on the character of the neighbourhood.

Conclusion

As such, the subject land is appropriate for the redevelopment of as proposed and has sufficient regard for the matters listed under Section 2 of the *Planning Act*, represents good planning and should be approved.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,


M. Liam Doherty, MCIP, RPP
Senior Planner
A. J. Clarke and Associates Ltd.





Appendix A: Zoning Conformity Report Issues Not Addressed

An Applicable Law Review, report 23-317126-00 ALR prepared by Alyssa Vaccari, was issued on January 16th 2024. Some of the items noted as ‘non-conforming’ have been addressed indirectly. Some were simply due to poor detailing on the architectural drawing set submitted for review.

Maximum Rear Yard, Rear Yard Encroachments: Addressed by deeming the King Street West street line as the front line for zoning purposes.

Rooftop Amenity Area Height: The Amenity Area has a separate and lower roof than the Mechanical Penthouse. The Amenity Area is less than 3.0 metres above the uppermost point of the building. The elevation drawing did not include a separate measurement for the amenity area roof.

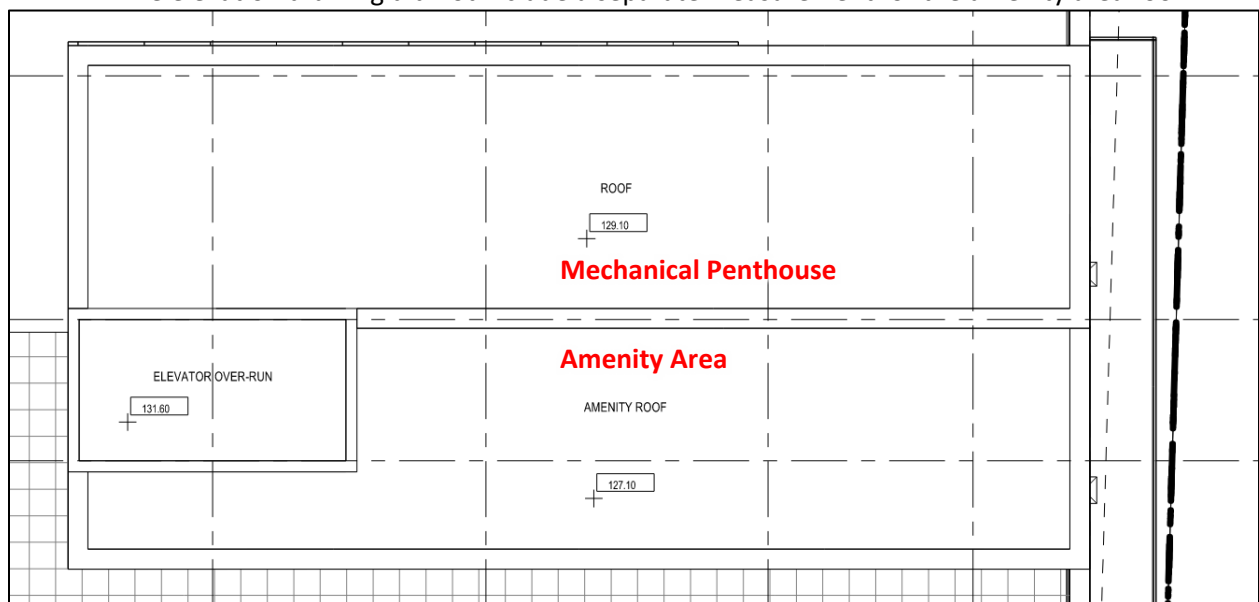


Figure 3: From Sheet A-209

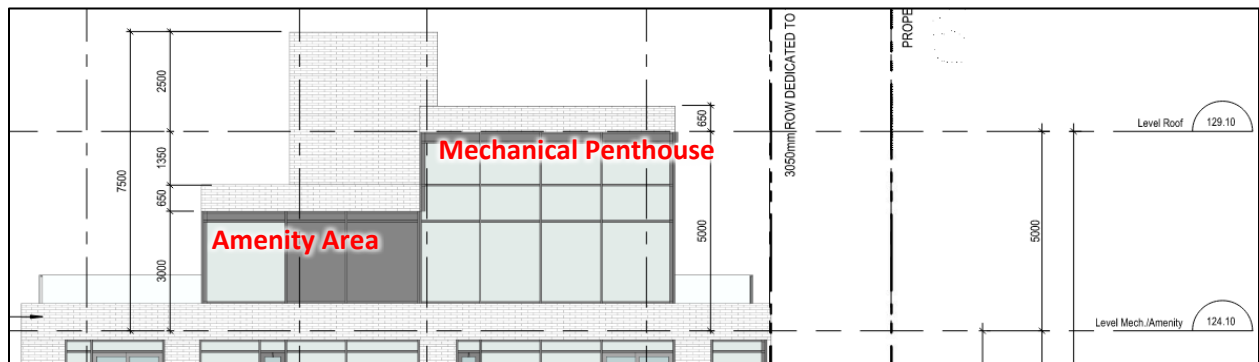


Figure 4: From Sheet A-404



Planting Strip Between the Street Line and a Parking Space: The architectural plans did not hatch and label the planting strip between the street line and the first parking space. The approved layout has the first parking space 4.73m back from the property line.

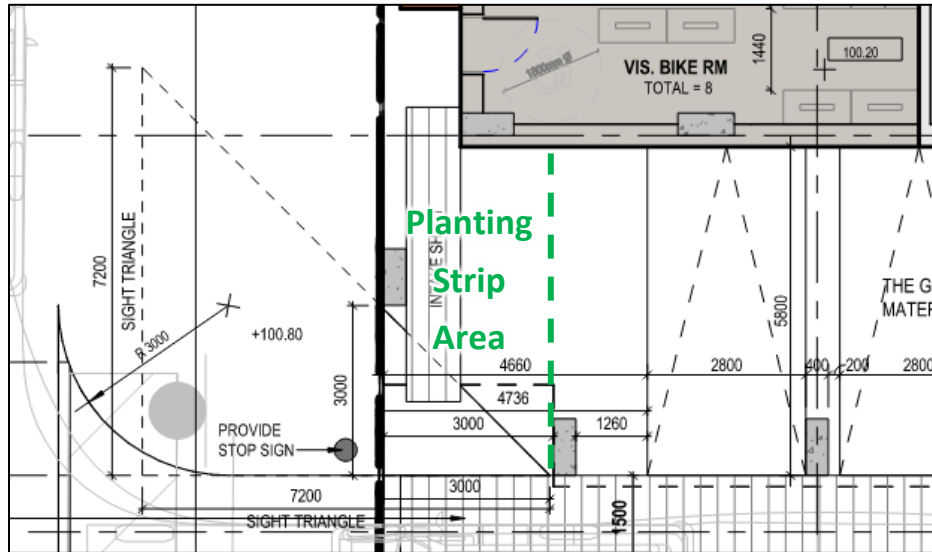


Figure 5: From Sheet A-203

Barrier Free Parking Space: The architectural drawings show the space as a 2.8 metres space and a 1.6 metre access aisle, rather than simply a 4.4 metres barrier-free parking space. The development will provide full sized barrier free parking spaces.

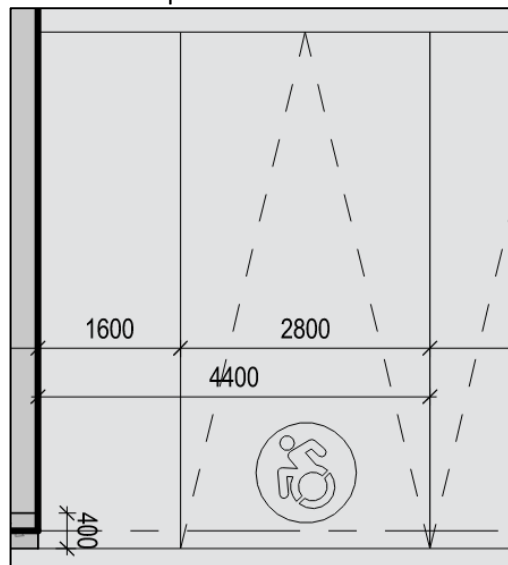


Figure 6: From Sheet A-202



Driveway Width: The architectural drawings have the entrance drive as 4.7 metres of asphalt and 1.5 metres of paving stones. The zoning reviewer interpreted this as being a 1.5 metres sidewalk. The development will have a 6.2 metre wide driveway width.

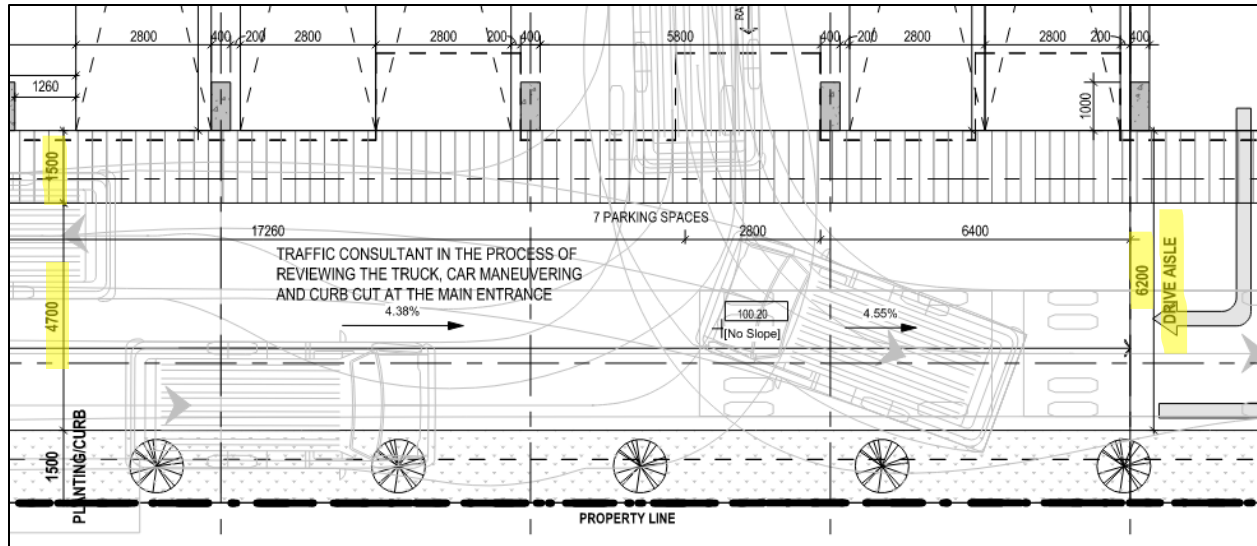


Figure 7: From Sheet A-203



Hamilton

April 3rd, 2024

FILE: ALR
 FOLDER: 23-317126-01 ALR
 ATTENTION OF: Alyssa Vaccari
 TELEPHONE NO: (905) 546-2424
 EXTENSION: 2356-

30 LONGHOPE PLACE
 TORONTO, ON M2J 1Y2

Attention:

Re: **APPLICABLE LAW REVIEW – ZONING BYLAW**
Present Zoning: C5a
Address: 61 KING ST W STONEY CREEK, ON

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

COMMENTS:

1. The applicant is proposing to demolish the existing buildings and structures on site to construct a dwelling unit, mixed use. Containing 247.71 square metres of ground floor retail space, 66 residential units and 51 below and above grade parking spaces.
2. The proposed use of a dwelling unit, mixed use with ground floor retail is permitted within the current “C5a” Mixed Use Medium Density – Pedestrian Focus Zone, within the Hamilton Zoning By-law 05-200.
3. Please be advised Site Plan Application DA-23-032 is associated with the proposed development.
4. This is a corner lot. For zoning purposes, the shorter lot line abutting a street is considered the Front Lot Line. As such, the following review is based on the lot line along Battlefield Drive being the Front Lot Line.
5. A 3.0 metre road widening along King Street West is proposed.
6. Please be advised an encroachment agreement is required to permit the proposed balcony's that encroach into the future King Street West Right of Way.
7. A demolition permit will be required in the normal manner for the existing buildings.

8. Construction of the proposed development is subject to the issuance of building permits from the Building Division. Be advised that Ontario Building Code regulations may required specific setbacks and construction types.
9. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
10. All new fences proposed for this development must comply with the regulation contained within the Fence By-law 10-142.
11. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
12. The proposed development has been reviewed and compared to the standards of the C5a Zone, as indicated in the following chart:

C5a Zone – Mixed Use Medium Density – Pedestrian Focus (Section 10.5a of Hamilton Zoning By-law 05-200)

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 10.5a– C5a Requirements			
Maximum Building Setback from a Street Line [as per section 10.5a.3(a) of Hamilton Zoning By-law 05-200]	i) 3.0 metres for the first storey, but except where a visibility triangle is required for a driveway setback; ii) Notwithstanding Section 10.5a.3i), 6.0 metres for that portion of a building providing an access driveway to a parking garage; and, iii) Section 10.5a.3ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.5a.3 h)ii) and iii).	Battlefield Drive: 0.3m King Street West: 0.0m N/A Please note	Conforms Conforms N/A
Minimum Rear Yard [as per section 10.5a.3(b) of Hamilton Zoning By-law 05-200]	7.5 metres.	1.5m	Non-Conforming
Minimum Side Yard [as per section	7.5 metres abutting a Residential or Institutional Zone or lot containing a	Side Yard Setback	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
10.5a.3(c) of Hamilton Zoning By-law 05-200]	residential use.	(South): 7.5m	
Building Height [as per section 10.5a.3(d) of Hamilton Zoning By-law 05-200]	i) Minimum 7.5 metre façade height for any portion of a building along a street line;	+23m	Conforms
	ii) Maximum 22.0 metres; and,	23.1m without enclosed mechanical/amenity rooftop area 28.1m with the enclosed mechanical/amenity rooftop area.	Non-conforming
	iii) In addition to Section 10.5a.3i), and notwithstanding Section 10.5a.3ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5a.3b) and c) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.	This property does not abut a residential or institutional zone.	N/A
	iv) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations: A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath; B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior	The floor area of Indoor Amenity Area, access areas at the Mech. Level is shown to be less than 10% of the floor beneath. Appears to be 0m, stair landing to access rooftop amenity 0m from the exterior wall	Non-Conforming <i>As such, the Amenity Area at the Mech. Level is to be included in the calculation of Building height as reviewed above.</i>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	walls of the storey directly beneath; and, C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.	3m	Conforms
Maximum Gross Floor Area for Office Use [as per section 10.5a.3(e) of Hamilton Zoning By-law 05-200]	2,500.0 square metres.	Not proposed	N/A
Maximum Gross Floor Area for Commercial Recreation [as per section 10.5a.3(f) of Hamilton Zoning By-law 05-200]	2,500.0 square metres.	Not proposed	N/A
Maximum Gross Floor Area for Microbrewery [as per section 10.5a.3(g) of Hamilton Zoning By-law 05-200]	700.0 square metres.	Not proposed	N/A
Built form for New Development [as per section 10.5a.3(h) of Hamilton Zoning By-law 05-200]	In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law: i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street. ii) For an interior lot or through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot line. iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street. Calculation: 42.4 + 30.8 = 73.2	Proposed within the building in a mechanical penthouse N/A 58.8m	Conforms N/A Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>50 x 73.2 / 100 = 36.6m</p> <p>iv) In addition to Section 10.5a.3i), ii) and iii), the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.</p> <p>v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.</p> <p>vi) A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> 1. within the ground floor façade that is set back closest to a street; and, 2. shall be accessible from the building façade with direct access from the public sidewalk. <p>vii) A walkway shall be permitted in a Planting Strip where required by the By-law.</p> <p>viii) Notwithstanding Section 10.5a.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.</p> <p>ix) A minimum of 60% of the area of the ground floor façade facing the street shall be composed of doors and windows.</p> <p>x) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.</p>	<p>Please note</p> <p>No parking, stacking lanes or aisles are proposed between the building façade and front lot line.</p> <p>A minimum of one principle entrance is provided on the ground floor façade that is setback the closest to the street. Which is accessible to the sidewalk</p> <p>Please note</p> <p>Please note</p> <p>Appears to be all doors and windows as per elevations.</p> <p>4.5m first storey height</p>	<p>Conforms</p> <p>Conforms</p> <p>Appears to conform</p> <p>NOTE: Confirmation required</p> <p>Conforms</p>
Planting Strip Requirements [as per section 10.5a.3(i) of Hamilton	Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.5 metre wide Planting Strip shall be provided and	Does not abut a residential or institutional zone.	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
Zoning By-law 05-200]	maintained.		
Visual Barrier Requirement [as per section 10.5a.3(j) of Hamilton Zoning By-law 05-200]	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	Does not abut a residential, downtown or institutional zone.	N/A
Outdoor Storage [as per section 10.5a.3(k) of Hamilton Zoning By-law 05-200]	i) No outdoor storage of goods, materials, or equipment shall be permitted; and, ii) Notwithstanding Section 10.5a.3i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	No outdoor storage is proposed	N/A
Minimum Amenity Area for Dwelling Unit, Mixed Use [as per section 10.5a.3(k) of Hamilton Zoning By-law 05-200]	On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided: i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and, ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area. Calculation: i) As per floor plans no dwelling units are proposed to be less than 50m ² ii) 66 x 6 = 396.0m ² iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air.	795m ² of into and outdoor amenity space. Outdoor amenity is above the surface and exposed to air/light.	Conforms
General Provision – Section 4			
<i>(In accordance with the applicable regulations of Section in the Hamilton Zoning By-law 05-200)</i>			
Frontage on a Street [as per section 4.3 of Hamilton Zoning By-law 05-200]	a) No lot shall have built upon it a building for any purpose in any zone unless the lot abuts a street for a minimum of 4.5 metres. Provided, however, that where a lot is separated from a street by land owned by the City	Abuts the street for more than 4.5m	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
	or the Province of Ontario which land is held by such public agency for future road widening purposes or as a 0.3 metre reserve, a building may be erected upon such lot if registered rights-of-way giving access to a street have been granted and such access scheme is part of a Development Agreement pursuant to the Planning Act.		
Permitted Yard Encroachments [as per section 4.6 of Hamilton Zoning By-law 05-200]	a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;	Does not appear to be proposed	N/A
	b) A fire escape or exterior staircase may encroach into a required side or rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;	Not proposed	N/A
	c) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance;	Please note	
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;	Encroaches 6m into rear yard.	Non-conforming
	e) A balcony may encroach into any required yard to a maximum of 1.0 metres, except into a required side yard of not more than one-third of its width or 1.0 metres, whichever is the lesser; and,	7.5m into the required rear yard.	Non-conforming
	f) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.6 metres, or half the distance of the required yard, whichever is the lesser. No such feature shall have a width	Not proposed	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>greater than 3.0 metres.</p> <p>g) An existing building may encroach, or further encroach, into a required yard to a maximum of 0.15 metres for the purpose of recladding the building.</p>	Proposed new building	N/A
<p>Mechanical and Unitary Equipment [as per section 4.9 of Hamilton Zoning By-law 05-200]</p>	<p>Hot boxes, air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,</p> <p>b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.</p>	<p>Mechanical equipment located within the building in a mechanical penthouse.</p> <p>Gas meter located above 1.5m from rear lot line</p>	Conforms
<p>Regulations for Consolidated Lot Development [as per section 4.16 of Hamilton Zoning By-law 05-200]</p>	<p>a) Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with.</p> <p>b) Where a comprehensive condominium plan of subdivision has received draft plan approval, as well as any required site plan approval, and where registration of the plan is intended to occur in phases and/or stages, the lands to which the draft approved plan of condominium is to be located, shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall condominium plan, not to internal lot lines resulting from the registration of any condominium phase.</p>		
<p>Parking and Loading Regulations – Section 5</p> <p><i>(In accordance with the applicable regulations of Section 5 in the Hamilton Zoning By-law 05-200)</i></p>			
<p>Location [as per section 5.1 of Hamilton Zoning By-law 05-200]</p>	<p>a) All Uses</p> <p>i) Required parking facilities shall be located on the same lot as the use requiring the parking.</p>	Located on the lot	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>v) Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:</p> <p>a) Shall not be located within 3.0 metres of a street line,</p> <p>b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle, except for that portion of a lot line abutting the Red Hill Valley Parkway and the Lincoln Alexander Parkway; and,</p> <p>c) Where a Planting Strip is provided, as per b) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.</p>	<p>4.2m</p> <p>Does not appear to be proposed</p> <p>Not proposed</p>	<p>Conforms</p> <p>Non-conforming</p>
<p>Design Standards [as per section 5.2 of Hamilton Zoning By-law 05-200]</p>	<p>b) Unless permitted by another regulation in this By-law, parking space sizes shall be:</p> <p>i) Minimum 2.8 metres in width and 5.8 metres in length;</p> <p>ii) Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres for each wall, column, or obstruction;</p> <p>iii) Notwithstanding Subsection ii), an additional 0.3 metres shall not be required provided:</p> <p>1. the maximum length of the wall, column or any other obstruction shall not exceed 1.15 metres;</p> <p>2. the wall, column or any other obstruction is located at the front, rear, or</p>	<p>2.8 x 5.8m</p> <p>Not provided within the parking space</p> <p>1.0m long</p> <p>Located at front/rear</p>	<p>Conforms</p> <p>Conforms</p> <p>NOTE: please see below, as per iii) the additional 0.3m is not required.</p> <p>Conforms</p> <p>Conforms</p>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>both ends of the parking space; and,</p> <p>3. the wall, column or any other obstruction does not project more than 0.15 metres into the width of the parking space.</p> <p>vi) Notwithstanding Subsection i) herein, where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only; and,</p> <p>vii) Notwithstanding Subsection b) ii) and iii), light standards, including the base, located at the intersection of 4 parking spaces shall not be considered as an obstruction</p> <p>c) All required parking shall be provided as follows:</p> <p>i) With adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except that the accessibility to a maximum of one of the required parking spaces for a single detached dwelling may be obstructed by another motor vehicle.</p> <p>ii) Shall be arranged so as to not interfere with normal public use of the street or laneway;</p> <p>iii) Shall be accessed by means of an access driveway:</p> <p>1. Located on the lot; or, 2 . Located party on the lot in the case of a mutual driveway; or,</p> <p>3. By means of a Right-of-Way.</p>	<p>Does not project into parking space</p> <p>Not propsoed</p> <p>Please note</p> <p>Adequate ingress and egress is provided without the necessity of moving another vehicle.</p> <p>Does not appear to interfere with the normal public use of the street.</p> <p>Located on the lot</p>	<p>Conforms</p> <p>N/A</p> <p>Conforms</p> <p>Conforms</p> <p>Conforms</p>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>iv) Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only</p> <p>f) Notwithstanding Subsection b) herein, in the case of a barrier free parking, each parking space shall have a minimum width of 4.4 metres and a minimum length of 5.8 metres.</p> <p>i) Minimum Aisle: 90° spaces = 6.0m</p>	<p>Provided in a forward motion</p> <p>2.8m x 5.8m</p> <p>Underground Aisle: 6.0m</p> <p>Above ground Aisle: 4.7m</p>	<p>Conforms</p> <p>Non-conforming</p> <p>NOTE: the additional space adjacent shall be included in the parking space with</p> <p>Conforms</p> <p>Non-conforming</p>
<p>Location of Loading Facilities [as per section 5.2.1 of Hamilton Zoning By-law 05-200]</p>	<p>a) Shall not be permitted within a Front Yard;</p> <p>b) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,</p> <p>c) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	<p>Any proposed loading shall be in accordance with this Section (Section 5.2.1)</p>	
<p>Barrier Free Parking [as per section 5.5 of Hamilton Zoning By-law 05-200]</p>	1-49: minimum 1 space	2 spaces	Conforms
<p>Parking Schedule [as per section 5.6 c) of Hamilton Zoning By-law 05-200]</p>	<p>Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones):</p> <p>i) Dwelling Units less than 50m² in gross floor area – 0.3 per unit</p> <p>ii) Dwelling Units greater than 50m² in gross floor area –</p> <p>1-3 Units: min 0.3 per unit/max 1.25 per unit</p>	51 spaces provided (includes 2 barrier free spaces)	<p>Conforms</p> <p>NOTE: 5 spaces are reduced due to the provided long term bicycle parking.</p>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>4-14 Units: min 0.7 per unit/max 1.25 per unit</p> <p>15-50 Units: min 0.85 per unit/max 1.25 per unit</p> <p>51+ Units: min 1 per unit/max 1.25 per unit.</p> <p>Calculation:</p> <p>As per floor plans submitted, no dwelling units are proposed below 50m²</p> <p>Minimum:</p> <p>3 x 0.3 = 0.9 spaces</p> <p>11 x 0.7 = 7.7 = 7 spaces</p> <p>36 x 0.85 = 30.6 = 30 Spaces</p> <p>16 x 1 = 16</p> <p>Total Minimum Required Parking – 53.9 = 53 spaces</p> <p>Maximum:</p> <p>66 x 1.25 = 82.5 = Maximum 82 spaces permitted.</p> <p>Retail within a Commercial and Mixed Use Zone:</p> <p>i) 0 where a use is less than 450.0 square metres in gross floor area;</p> <p>ii) 1 for each 17.0 square metres any gross floor area between 450.0 square metres and 4,000.0 square metres; and,</p> <p>iii) 1 for each 50.0 square metres of gross floor area greater than 4,000.0 square metres.</p> <p>Calculation:</p> <p>All proposed retail spaces are below 450m² therefore no parking is required for the retail portion of this use.</p>		

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>Pursuant to Subsection 5.7(g)(i), motor vehicle parking spaces may be reduced by one (1) motor vehicle space for every five (5) additional/excess long term bicycle spaces provided (to a maximum of 10% of the original motor vehicle parking requirement.</p> <p>*10% of 53 spaces = 5.3 spaces Therefore, a maximum of 5 spaces may be provided in the form of additional long term spaces – per 5.7(g)(i).</p>		
<p>Bicycle Parking [as per section 5.7 of Hamilton Zoning By-law 05-200]</p>	<p>a) Locational Requirements</p> <p>i) Long-term Bicycle Parking Space shall be located in a secure enclosed bicycle parking area.</p> <p>ii) Short-term Bicycle Parking Space shall be located within a bicycle parking area at grade.</p> <p>c) In the Downtown (D1), (D2) and (D5) Zones, Transit Oriented Corridor Zones and Commercial and Mixed Use Zones short-term bicycle parking shall be provided in each and every building in the minimum quantity specified in accordance with the following requirements:</p> <p>Residential – min 5 short term spaces</p> <p>Commercial: No required short-term spaces (as GFA is less than 450sqm)</p> <p>e) Notwithstanding Section b) and in addition to c) above, in the Downtown (D1), (D2), and (D5) Zones, Transit Oriented Corridor Zones long-term bicycle parking shall be provided in the minimum quantity specified in accordance with the following requirements:</p> <p>Residential: 0.5 spaces per unit = Minimum 33 long term spaces.</p> <p>Commercial: No required long term</p>	<p>Located in a secure enclosed area</p> <p>Located a grade</p> <p>8 short term spaces proposed</p>	<p>Conforms</p> <p>Conforms</p> <p>Conforms</p>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	spaces (as GFA is less than 450sqm) PLUS In lieu of 2 deficient parking spaces, an addition 25 long term bicycle parking spaces are required to be provided. Therefore a minimum total of 58 long term bicycle parking spaces are required to be provided.	66 long term spaces provided	Conforms

Yours truly



for the Manager of Zoning & Committee of Adjustment

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



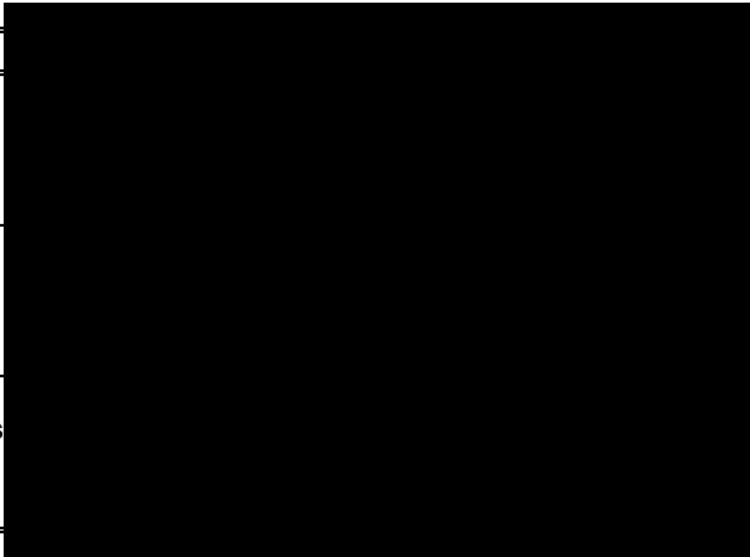
Hamilton

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

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	61-63 King St. Hamilton Ltd
Applicant(s)	Same.
Agent or Solicitor	Liam Doherty RPP, A. J. Clarke and Associates



1.2 Primary contact

- Applicant
 Owner
 Agent/Solicitor

1.3 Sign should be sent to

- Applicant
 Owner
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes*
 No

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

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.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	61 & 63 King Street West, Stoney Creek		
Assessment Roll Number	251800349039000		
Former Municipality	Stoney Creek		
Lot	Part 1, Part of Lot 26	Concession	4, Saltfleet
Registered Plan Number	1010	Lot(s)	Part of Parcel "A"
Reference Plan Number (s)		Part(s)	

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

- 1) To deem the King Street West street line as the Front Lot Line for the purposes of applying zoning provisions.
- 2) To permit 23.25 metres maximum building height, whereas Zoning-By-law 05-200 permits 22.0 metres.
- 3) To require a minimum setback of 12.0 metres from the rear lot line for any portion of a building exceeding 22.0 metres in height and a minimum setback of 16.0 metres from the rear lot line for an enclosed rooftop amenity area and/or a rooftop mechanical room.
- 4) To permit a minimum setback of 0.6 metres to a stairwell designed to provide access to a rooftop amenity area from the exterior walls of the storey directly beneath.

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

The definition of Front Lot Line does not correspond with the intent of the Official Plan. The Zoning By-law does not contain the conditional allowances for greater height in the Official Plan. The stairwell needs to be at the side of the building for fire safety reasons.

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
33.8	42.5	0.1428 ha	20.1

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached dwelling	13.76	11.45	6.57 - 28.66	Pre 1950
Detached dwelling	5.80	15.05	2.95 - 31.79	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed use 7 mid-rise tower	0.30 m	1.50 m	0.00 & 7.50 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
Detached Dwelling	57.52	115.04	2	
Detached Dwelling	88.23	128	1.5	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Mid-rise tower	900 msq	5953 msq	7 Storeys + Mechanical	23.15 m + Mechanical

- 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.):

One (1) mixed use development with commercial at grade and residential units above.

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

Single detached dwelling, Community Centre & Arena.

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)

Two Single detached dwellings.

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

Two Single detached dwellings.

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

70 years+

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

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

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods/Community Nod

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

Please see cover letter.

7.6 What is the existing zoning of the subject land? Mixed Use Med Den – Ped. Focus (C5a)

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 66

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

The project is the subject of Site Plan Approval application DA-23-032 which received Conditional Approval on October 24, 2023. Approval of necessary minor variances is Special Condition #1.

The third requested variance, the additional rear yard setbacks, are not required for the project but are simply to ensure that the building massing approved by the Site Plan team is maintained.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:137	SUBJECT PROPERTY:	820 Rymal Road East, Hamilton
ZONE:	"RT-30 / S-1752" (Street Townhouse)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: 820 Rymal Inc. c/o Natasha Paikin
Agent: Arcadis c/o Jared Marcus

The following variances are requested:

1. A minimum rear yard depth of 4.6m shall be permitted instead of the minimum 7.5m rear yard required.
2. A minimum side yard width of 1.6m shall be permitted for Unit 8 instead of the minimum 2.0m side yard required for a street townhouse dwelling not exceed two storeys in height.
3. An open stairway may project a maximum of 1.2m into a required rear yard for units 1 to 8 instead of the maximum 1.1m open stairway projection permitted.

PURPOSE & EFFECT: To facilitate the construction of fourteen two storey townhouse dwellings.

Notes:

The variances are necessary to facilitate Site Plan Control Application DA-18-123.

Previous Committee of Adjustment Decision HM/A-23:313, permitted a reduced side yard of 1.1m and 0.9m to units 9 and 14 as well as permitted a maximum open stair encroachment of 1.1m.

A storage area is shown within each of the private garages. The applicant shall ensure that a minimum clear parking space size of 2.7m x 6.0m is maintained for each of private garages; otherwise, further variances shall be required.

The applicant shall ensure that required visitor parking is clearly marked and **maintained for visitors; otherwise, further variances shall be required.**

A-24:137

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

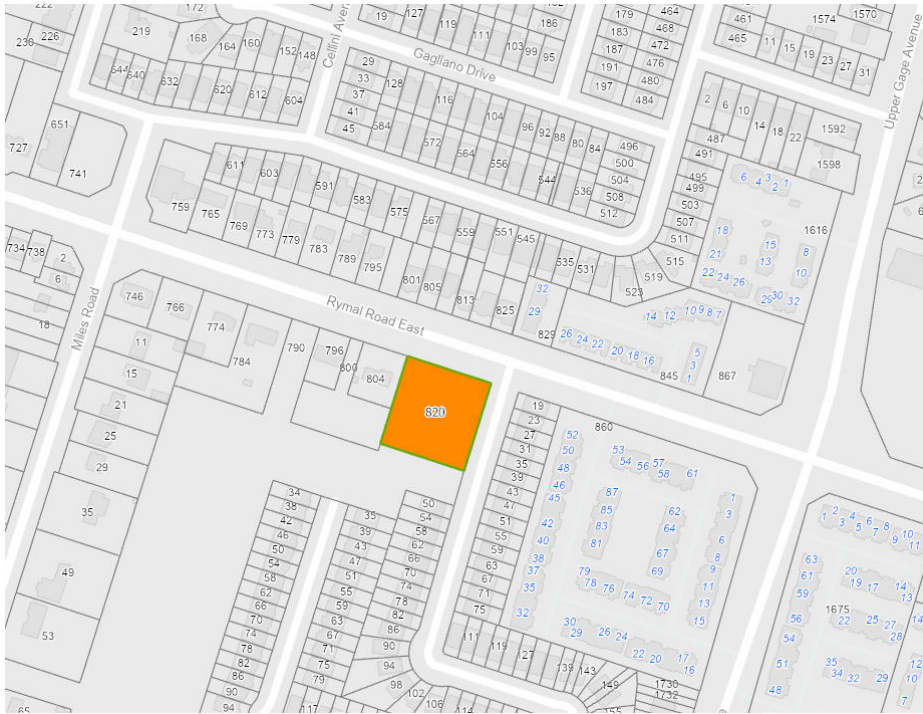
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:137, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:137



 Subject Lands

DATED: July 4, 2024

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca**PARTICIPATION PROCEDURES****Written Submissions**

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

FORMER CITY OF HAMILTON ZONING BY-LAW		
RT-30/S1752	REQUIRED	PROVIDED
MAXIMUM BUILDING HEIGHT	3 STOREYS (11.0m)	2 STOREYS 10.60m
FRONT YARD	3.0 m [BY-LAW 17-218]	3.30 m
REAR YARD	7.5 m	4.67 m
SIDE YARD ABUTTING A WALL THAT IS NOT A PARTY WALL, ALONG EACH SIDE LOT LINE [(4) (c), (d)]	(4) (c) (ii) 2.0 m FOR A 2 STOREY STREET TOWNHOUSE DWELLING A MINIMUM SIDE YARD OF 1.1 m SHALL BE PERMITTED FOR UNIT #9 AND A MINIMUM SIDE YARD OF 0.9 m SHALL BE PERMITTED FOR UNIT #14 [HM/A-23:313]	2.0 m (UNIT 1) 1.71 m (UNIT 8) 1.20 m (UNIT 9)* 1.02 m (UNIT 14)*
SIDE YARD FROM HYPOTENUSE OF THE DAYLIGHT TRIANGLE	(4) (d) (i) 3.0 m FOR EACH DWELLING UNIT FOR WHICH A GARAGE OR CARPORT IS NOT PROVIDED AS EITHER ATTACHED TO OR AS AN INTEGRAL PART OF THE STREET TOWNHOUSE	N/A
DISTANCE BETWEEN BUILDINGS	NOT EXCEEDING 2 STOREY IN HEIGHT, OF NOT LESS THAN 3.5 m	21.88 m
LOT AREA	161 m ² [BY-LAW 17-218]	161.0 m ²
LOT WIDTH	5.95 m [BY-LAW 17-218]	5.95 m
MAX. DWELLING UNITS PER BUILDING	8 DWELLING UNITS	8
ENCROACHMENTS		
CANOPY, CORNICE, EAVES OR GUTTER	i) INTO A REQUIRED FRONT YARD: NO MORE THAN 1.5 m PROVIDED THAT NO SUCH PROJECTION SHALL BE CLOSER TO A STREET LINE THAN 1.5 m ii) INTO A REQUIRED REAR YARD: NOT MORE THAN 1.5 m iii) INTO A REQUIRED SIDE YARD: NOT MORE THAN 1/2 OF ITS WIDTH, OR 1.0 m, WHICH EVER IS THE LESSER	i) 0.6 m ii) 0.12 m iii) 0.3 m
AN OPEN FIRE SCAPE OR OPEN STAIRWAY MAY PROJECT	AN OPEN STAIRWAY MAY PROJECT A MAXIMUM OF 1.1 m INTO A REQUIRED YARD. [HM/A-23:313]	1.2 m*
ROOFED OVER OR SCREENED BUT OTHERWISE UNENCLOSED PORCH AT THE FIRST STOREY, INCLUDING EAVES AND GUTTERS	MAY PROJECT INTO A REQUIRED FRONT YARD OR REAR YARD: NO MORE THAN 3.0 m AND EVERY SUCH PROJECTING PORCH SHALL BE DISTANT AT LEAST 1.5 m FROM THE FRONT LOT LINE	0.63 m
THE ENCLOSURE OF SUCH A PORCH TO THE FOLLOWING EXTENT SHALL NOT BE DEEMED ENCLOSURE FOR THE PURPOSE OF THIS SECTION	i) THE PORCH MAY HAVE A SOLID GUARD AROUND THE PERIMETER OF THE PORCH NOT MORE THAN 1.0 m IN HEIGHT MEASURED FROM THE FLOOR OF THE PORCH ii) THE ROOF MAY BE SUPPORTED ON COLUMNS OR PIERS HAVING MAXIMUM WIDTH OF 0.5 m iii) THE BEAM, LINTEL OR CROWN OF AN ARCH SHALL BE NO MORE THAN 0.3 m IN DEPTH iv) THE MINIMUM DISTANCE BETWEEN PIERS OR COLUMNS SHALL BE 1.0 m AND IN THE CASE OF ARCHES, THE ARCHES SHALL HAVE A MINIMUM CLEAR WIDTH OF 1.0 m	i) N/A ii) AS REQUIRED iii) N/A iv) AS REQUIRED
MAXIMUM NUMBER OF DWELLING UNITS	14 UNITS	14 UNITS
DRIVEWAYS ALONG RYMAL ROAD EAST	SHALL NOT BE PERMITTED	NONE PROPOSED
PARKING REQUIREMENTS		
MINIMUM NUMBER OF SPACES REQUIRED	1 SPACE PER UNIT [BY-LAW 17-218]	2 SPACES PER UNIT
MINIMUM VISITOR PARKING SPACES	7 PARKING SPACES [BY-LAW 17-218]	7 SPACES
MINIMUM PARKING SPACE SIZE	2.7 m X 6.0 m A MINIMUM PARKING SPACE SIZE HAVING A LENGTH OF 5.8 m SHALL BE PERMITTED FOR THE SURFACE VISITOR PARKING LABELED 1 TO 5 ON THE SITE PLAN [HM/A-23:313]	2.7 m X 6.0 m 2.8 m X 5.8 m (SPACES 1 TO 5)*
MANEUVERING SPACE	PROVIDED AND MAINTAINED ON THE COMMON ELEMENT ROAD [BY-LAW 17-218] ALL REQUIRED PARKING SPACES AND MANEUVERING SPACES SHALL HAVE ACCESS BY MEANS OF ONE OR MORE ACCESS DRIVEWAYS: A) LOCATED ON THE LOT B) LOCATED PARTLY ON THE LOT IN THE CASE OF A MUTUAL DRIVEWAY, OR, C) BY MEANS OF A RIGHT OF WAY PARKING SPACE WITHIN THE GARAGE MAY BE OBSTRUCTED BY ANOTHER PARKING SPACE PROVIDED ON THE ACCESS DRIVEWAY [BY-LAW 17-218]	AS REQUIRED RIGHT-OF-WAY AS REQUIRED
VISITOR PARKING	EACH SPACE SHALL: A) BE MAINTAINED FOR EXCLUSIVE USE OF VISITORS B) HAVE A SIGN APPURTENANT THERETO LEGIBLY MARKED THAT THE SPACE IS FOR EXCLUSIVE USE OF VISITORS C) BE MAINTAINED READILY ACCESSIBLE TO VISITORS AND FREE AND CLEAR OF ALL OBSTRUCTIONS EVERY DRIVEWAY SHALL PROVIDE EASY ACCESS FROM A HIGHWAY TO THE PARKING AREA TO WHICH THE ACCESS DRIVEWAY IS ACCESSORY EVERY PARKING AREA WHERE THERE ARE FIVE OR LESS PARKING SPACES SHALL HAVE NOT LESS THAN ONE ACCESS DRIVEWAY OR MUTUAL DRIVEWAY HAVING A WIDTH OF AT LEAST 2.8 m THE PARKING AREA SHALL BE PERMITTED TO BE LOCATED A MINIMUM DISTANCE OF 1.0 m FROM THE ADJOINING WESTERLY RESIDENTIAL DISTRICT [HM/A-23:313]	AS REQUIRED AS REQUIRED 3.1 m WESTERLY ACCESS DRIVEWAY: 1.03 m*
DRIVEWAY AND PARKING LOCATION	THE PORTION OF THE PARKING AREA LOCATED WITHIN 3.0 m OF THE ADJOINING RESIDENTIAL DISTRICT SHALL BE PERMITTED TO MAINTAIN A SETBACK OF 1.5 m FROM THE RYMAL ROAD STREET LINE WHEREAS THE ZONING BY-LAW REQUIRES A SETBACK OF 12.0 m FROM THE STREET LINE FOR A PARKING AREA WITHIN 3.0M OF THE "A" RESIDENTIAL DISTRICT. [HM/A-23:313] A PLANTING STRIP SHALL NOT BE REQUIRED BETWEEN THE PARKING AREA AND THE ABUTTING WESTERLY AND SOUTHERLY RESIDENTIAL DISTRICTS WHEREAS THE ZONING BY-LAW REQUIRES A PLANTING STRIP TO BE PROVIDED AND MAINTAINED BETWEEN EVERY PARKING AREA AND AN ABUTTING RESIDENTIAL DISTRICT. [HM/A-23:313] b) BETWEEN THE BOUNDARY OF THE LOADING AREA AND THE RESIDENTIAL DISTRICT AN AREA LANDSCAPED WITH A PLANTING STRIP; AND c) A VISUAL BARRIER ALONG THE BOUNDARY OF THE LOT ABUTTING THE RESIDENTIAL DISTRICT NOT LESS THAN 1.2 m IN HEIGHT AND NOT GREATER THAN 2.0 m IN HEIGHT. THE ACCESS DRIVEWAY SHALL BE PERMITTED TO BE LOCATED AS CLOSE AS 1.0 m FROM THE WESTERLY RESIDENTIAL DISTRICT. [HM/A-23:313]	SETBACK FROM RYMAL ROAD EAST: 1.55 m* NO PLANTING STRIP PROVIDED* N/A 1.83 m HEIGHT BOARD FENCE PROPOSED 1.03 m*
ATTACHED GARAGE/PARKING SPACE	WHERE A PARKING SPACE FOR A TOWNHOUSE IS COVERED AND ATTACHED TO OR ENCLOSED WITHIN A DWELLING UNIT, THE ENTRANCE TO THE PARKING SPACE SHALL BE LOCATED NOT LESS THAN 6.0 m FROM THE ENTRANCE TO THE INDIVIDUAL DRIVEWAY	6.0m
SURFACE MATERIAL	A PERMANENT DURABLE AND DUSTLESS SURFACE THAT IS GRADED, DRAINED, AND PAVED WITH CONCRETE OR ASPHALT OF A COMBINATION OF CONCRETE AND ASPHALT SHALL BE PROVIDED AND MAINTAINED FOR EVERY PARKING AREAS, MANEUVERING SPACE, LOADING SPACE AND ACCESS DRIVEWAY.	AS REQUIRED
*REGULATIONS AMENDED THROUGH APPLICATION HM/A-23:313		

UNDERTAKING

820 RYMAL ROAD EAST, HAMILTON FILE NO: DA-18-123

I, (WE), **820 RYMAL INC.**, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

(A) TO COMPLY WITH ALL THE CONTENTS OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWINGS IN ACCORDANCE WITH THE CONDITIONS AS APPROVED BY THE CITY OF HAMILTON LETTER DATED JULY 31, 2018;

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(b) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVALS OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS, AND WALKWAYS;

(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED FEBRUARY 5, 2024, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

(E) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER (E.G. 824) OR FULL ADDRESS (E.G. 824 RYMAL ROAD EAST) TO EACH BUILDING OR ON A SIGN NEAR THE DRIVEWAY ENTRANCE IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE STREET.

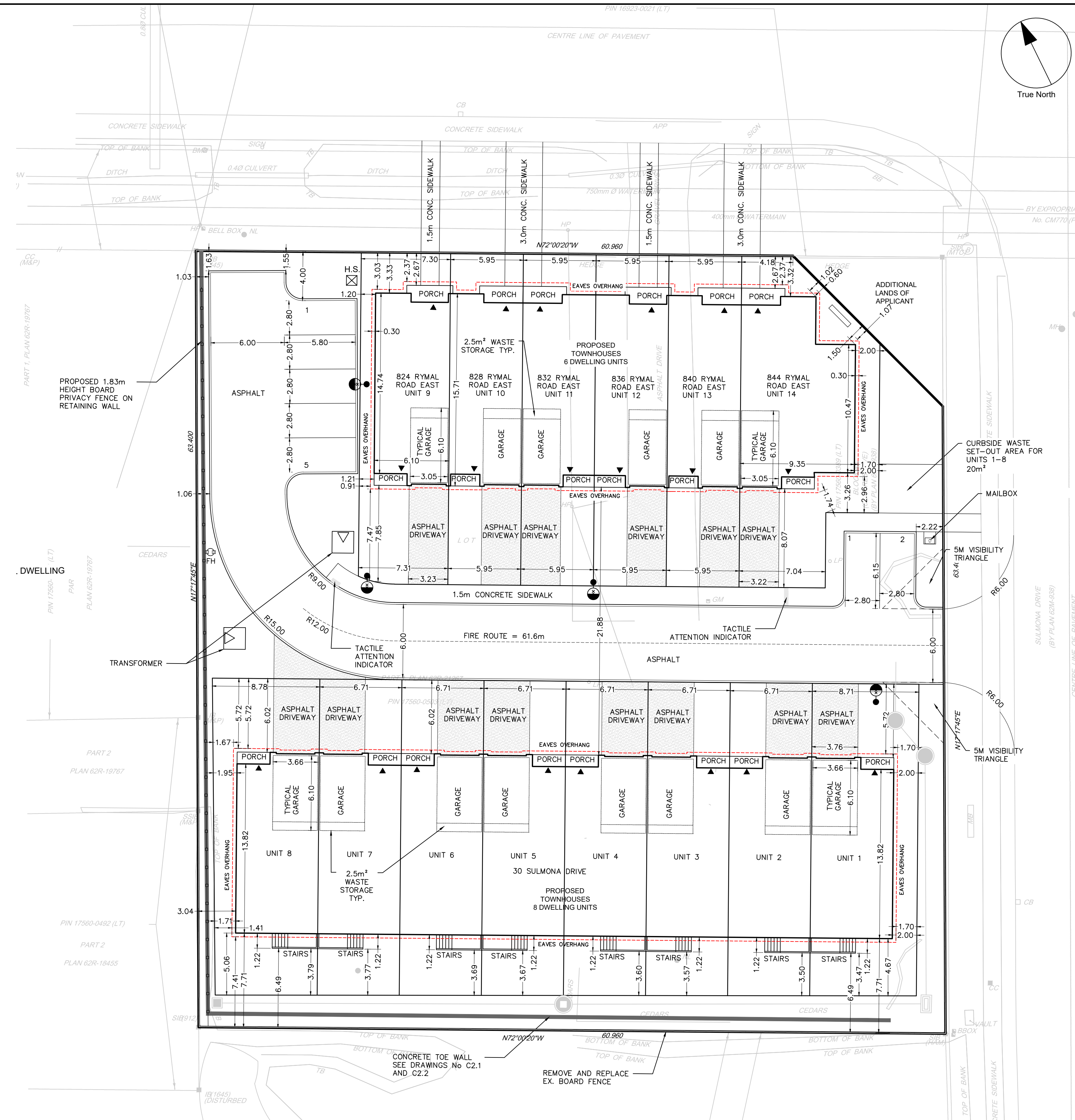
(F) THAT THE OWNER AGREES TO AFFIX ADDRESS PLAQUES TO EACH INTERNAL UNIT, INDICATING THE MUNICIPAL NUMBER OR FULL ADDRESS INCLUDING THE MAILING ADDRESS UNIT NUMBER IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, TO THE SATISFACTION OF THE DIRECTOR, GROWTH MANAGEMENT & CHIEF DEVELOPMENT ENGINEER IN A MANNER SUCH AS 824 RYMAL ROAD EAST OR 30 SULMONA DRIVE - UNIT 2 OR 30-UNIT 2).

(G) WARNING CLAUSES: THE FOLLOWING WARNING CLAUSES SHALL BE INCLUDED WITHIN ALL OFFERS AND AGREEMENTS OF PURCHASE AND SALE OR LEASE, FOR THE PROPOSED UNITS AS FOLLOWS:

ALL UNITS:
"PURCHASERS/TENANTS ARE ADVISED THAT SOUND LEVELS DUE TO INCREASING ROAD TRAFFIC MAY OCCASIONALLY INTERFERE WITH SOME ACTIVITIES OF THE DWELLING OCCUPANTS AS THE SOUND LEVELS EXCEED THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."

UNITS 1-8:
"THIS DWELLING UNIT HAS BEEN DESIGNED WITH THE PROVISION FOR ADDING CENTRAL AIR CONDITIONING AT THE OCCUPANTS DISCRETION. INSTALLATION OF CENTRAL AIR CONDITIONING BY THE OCCUPANT IN LOW AND MEDIUM DENSITY DEVELOPMENTS WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING THAT THE INTERIOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."

UNITS 9-14:
"THIS DWELLING HAVE BEEN SUPPLIED WITH A CENTRAL AIR CONDITIONING SYSTEM WHICH WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, AND THEREBY ENSURING THAT THE INTERIOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."



- GENERAL NOTES:**
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 - MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 m UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
 - THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - COMMITTEE OF ADJUSTMENT
 - SEWER AND WATER PERMITS
 - RELOCATION OF SERVICES
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
 - FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE MUST BE PROVIDED:
 - 5 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH A MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHTS OF 0.7 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE OF THE ADJACENT STREET.
 - PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-197
 - LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
 - ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY'S FENCE BY-LAW NO. 10-142
 - THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER AT THE FRONT ENTRANCE WITH EITHER THE MUNICIPAL NUMBER OR FULL ADDRESS IN A MANNER THAT IS VISIBLE FROM THE STREET.
 - ENBRIDGE GAS INC., OPERATING AS UNION GAS, HAS SERVICES LINES RUNNING IN THE AREA WHICH MAY OR MAY NOT BE IMPACTED BY THE PROPOSED DEVELOPMENT. SHOULD THE PROPOSED DEVELOPMENT IMPACT THESE SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE. ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER. CALL BEFORE YOU DIG, ARRANGE FOR UNDERGROUND UTILITY LOCATES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL @ 1-800-400-2255

CLIENT
820 RYMAL INC.
3170 HARVESTER RD. BURLINGTON

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Arcadis Professional Services (Canada) Inc.
A member of Arcadis

ISSUES

No.	DESCRIPTION	DATE
1	REVISED SITE PLAN SUBMISSION	2023-08-08
2	2nd SITE PLAN SUBMISSION	2024-02-05

NOT FOR CONSTRUCTION

KEY PLAN

SITE

BENCHMARK
ELEVATIONS SHOWN ARE REFERRED TO THE CITY OF HAMILTON CONTROL MONUMENT NO. 0772009003 ON THE INTERSECTION OF RYMAL ROAD EAST AND SULMONA DRIVE

SOURCE
BUILDING DESIGN AND LAYOUT OBTAINED FROM PRESTIGE DESIGNS, DWG NO. A1 & A2, DATED JANUARY 2023.
TOPOGRAPHIC AND SURVEY INFORMATION OBTAINED FROM MTE OLS LTD., DWG NO. 38599-200-SR1, DATED OCTOBER 3, 2013.

PROJECT
MYSTIQUE
820 RYMAL ROAD EAST, HAMILTON, ON

SCALE
3 1 0 2 4 8
1:200 (m)

PROJECT NO:
137511

DRAWN BY:
M. ROJAS

PROJECT MGR:
J. MARCUS

CHECKED BY:
J. MARCUS

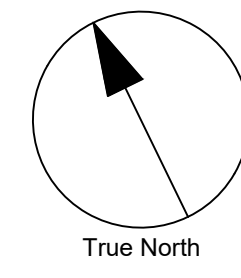
APPROVED BY:
M. CROUGH

SHEET TITLE
SITE PLAN
DA-18-123

SHEET NUMBER
SP 1.0

ISSUE
1

File Location: \\1137511_820_Rymal_Ro07_0_Production\02_Design\17_Plan\17_SitePlan\17_SitePlan.dwg Last Saved: May 22, 2024, by macarena.rojas Product: Thursday, May 23, 2024, 11:50:00 PM by Jared Marcus



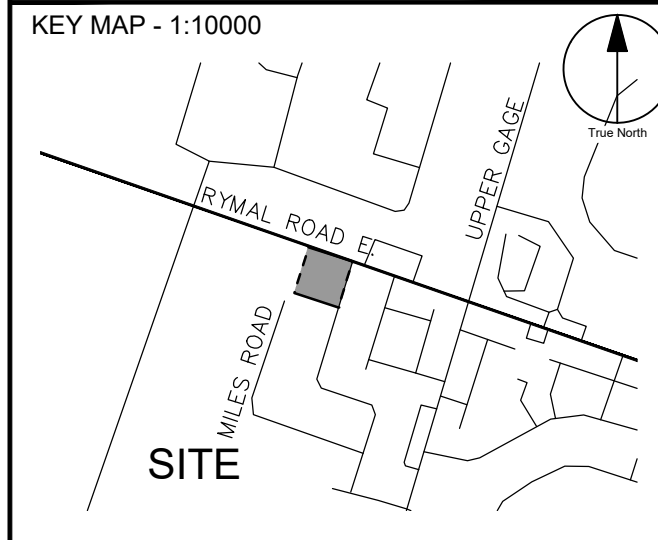
DRAFT PLAN OF COMMON ELEMENT CONDOMINIUM

PART OF LOT 11, CONCESSION 1 GEOGRAPHIC TOWNSHIP OF GLANFORD, HAMILTON

LAND USE SCHEDULE			
BLOCKS/LOTS	DESCRIPTION	AREA (ha)	# UNITS
15	COMMON ELEMENT	0.122	0
TOTAL		0.122	0

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Arcadis Professional Services (Canada) Inc.
is a part of Arcadis



INFORMATION REQUIRED
UNDER SECTION 51 (17) OF THE PLANNING ACT, R.S.O. 1990, c.P.13 AS AMENDED
(a) - AS SHOWN
(b) - AS SHOWN
(c) - AS SHOWN
(d) - AS LISTED BELOW
(e) - AS SHOWN
(f) - AS SHOWN
(g) - AS SHOWN
(h) - MUNICIPAL WATER
(i) - FINE SANDY LOAM
(j) - AS SHOWN
(k) - MUNICIPAL SANITARY AND STORM SEWERS
(l) - NONE

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

SIGNED
Robert McLaren, O.L.S.
A.T. McLaren Limited

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS PLAN BY ARCADIS, IN DRAFT FORM.

SIGNED
Natasha Paikin
820 Rymal Inc.

BENCHMARK
ELEVATIONS SHOWN ARE REFERRED TOT THE CITY OF HAMILTON CONTROL MONUMENT No. 0772009003 ON THE INTERSECTION OF RYMAL ROAD EAST AND SULMONA DRIVE

SOURCE
BUILDING DESIGN AND LAYOUT OBTAINED FROM PRESTIGE DESIGNS, DWG No. A1 & A2, DATED JANUARY 2023.
TOPOGRAPHIC AND SURVEY INFORMATION OBTAINED FROM MTE OLS LTD., DWG No. 38599-200-SR1, DATED OCTOBER 3, 2013.

No.	DESCRIPTION	DATE
01	CEC SUBMISSION	2024-01-10

DRAWING ISSUE RECORD	

APPROVALS

360 James Street North - Suite 200
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
www.arcadis.com

SCALE 1:200 (m)

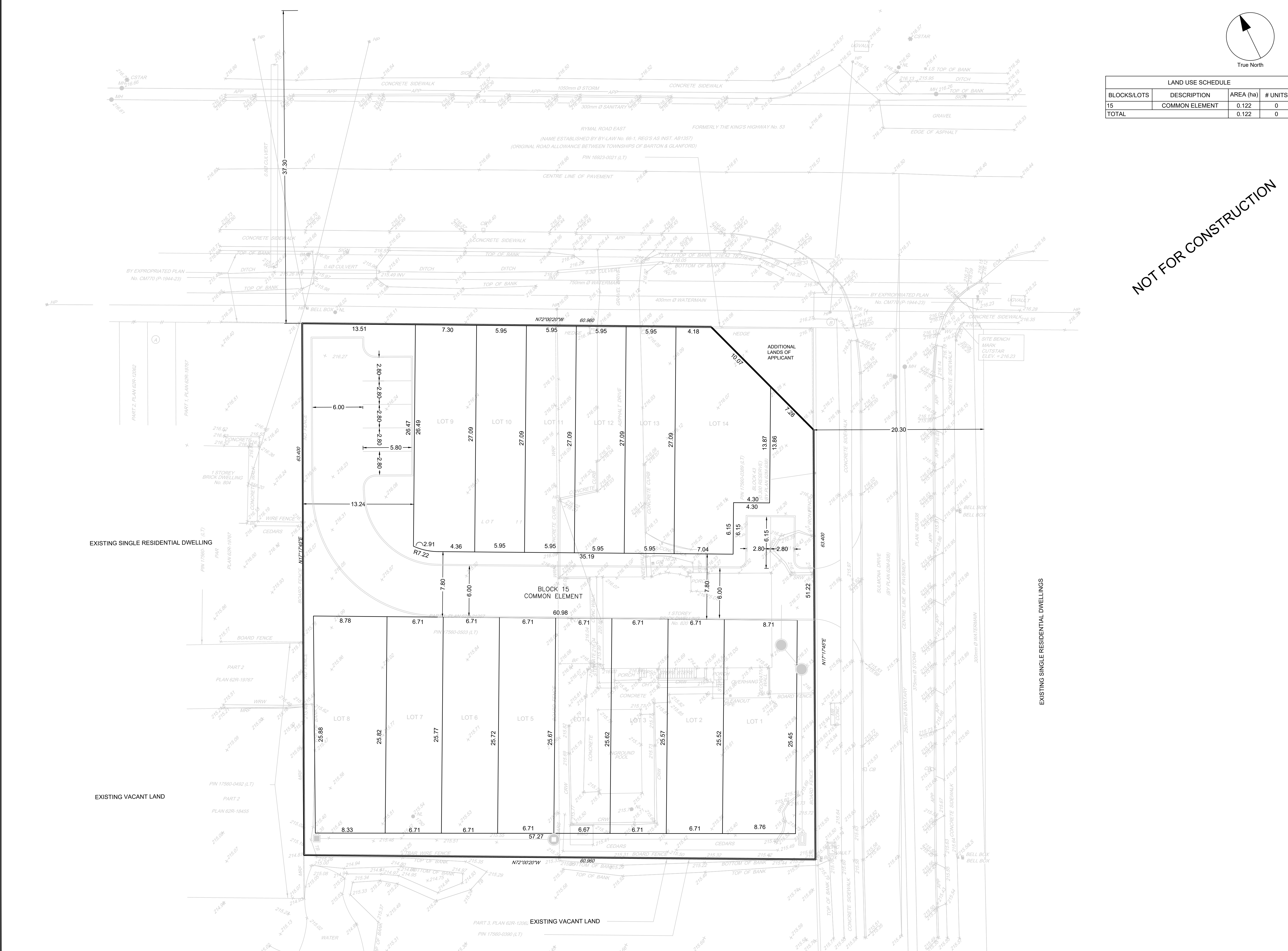
PROJECT NO:
137511

DRAWN BY: M. ROJAS	CHECKED BY: J. MARCUS
PROJECT MGR: J. MARCUS	APPROVED BY: M. CROUGH

SHEET TITLE
**820 RYMAL ROAD EAST
HAMILTON, ON**

SHEET NUMBER DPC 1.0	ISSUE 0
--------------------------------	-------------------

NOT FOR CONSTRUCTION



EXISTING SINGLE RESIDENTIAL DWELLINGS

EXISTING SINGLE RESIDENTIAL DWELLING

EXISTING VACANT LAND

EXISTING VACANT LAND

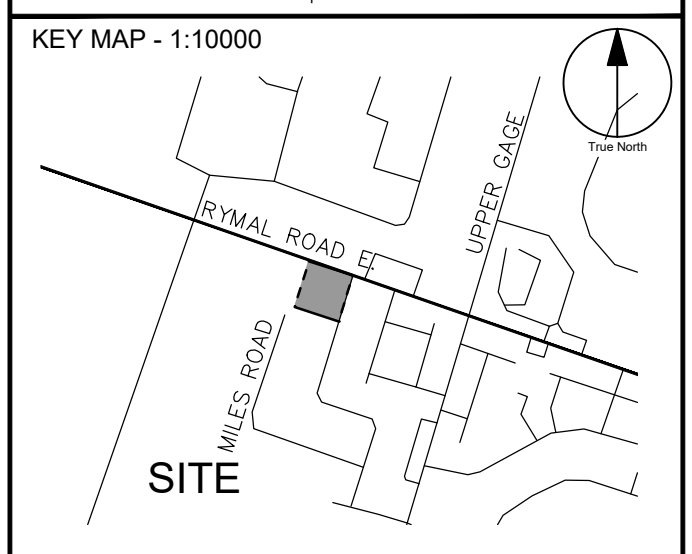
File Location: \\1137511_820_Rymal_Ro7_0_Producon\7_03_Design\17_Planning\Sheets\137511SP.dwg Last Saved: May 22, 2024, 15:04:17 by Macarena Rojas

DRAFT PLAN OF SUBDIVISION

PART OF LOT 11, CONCESSION 1 GEOGRAPHIC TOWNSHIP OF GLANFORD, HAMILTON

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Arcadis Professional Services (Canada) Inc.
is a part of Arcadis



INFORMATION REQUIRED
UNDER SECTION 51 (17) OF THE PLANNING ACT, R.S.O. 1990, c.P.13 AS AMENDED
(a) - AS SHOWN
(b) - AS SHOWN
(c) - AS SHOWN
(d) - AS LISTED BELOW
(e) - AS SHOWN
(f) - AS SHOWN
(g) - AS SHOWN
(h) - MUNICIPAL WATER
(i) - FINE SANDY LOAM
(j) - AS SHOWN
(k) - MUNICIPAL SANITARY AND STORM SEWERS
(l) - NONE

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

SIGNED
Robert McLaren, O.L.S.
A.T. McLaren Limited

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS PLAN BY ARCADIS, IN DRAFT FORM.

SIGNED
Natasha Paikin
820 Rymal Inc.

BENCHMARK
ELEVATIONS SHOWN ARE REFERRED TOT THE CITY OF HAMILTON CONTROL MONUMENT No. 0772009003 ON THE INTERSECTION OF RYMAL ROAD EAST AND SULMONA DRIVE

BUILDING DESIGN AND LAYOUT OBTAINED FROM PRESTIGE DESIGNS, DWG No. A1 & A2, DATED JANUARY 2023.

TOPOGRAPHIC AND SURVEY INFORMATION OBTAINED FROM MTE OLS LTD., DWG No. 38999-200-SR1, DATED OCTOBER 3, 2013.

01	DPS SUBMISSION	2024-01-10
No.	DESCRIPTION	DATE

DRAWING ISSUE RECORD

APPROVALS

360 James Street North - Suite 200
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
www.arcadis.com

SCALE 1:200 (m)

PROJECT NO:
137511

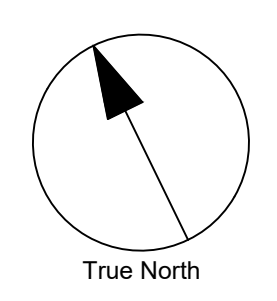
DRAWN BY: M. ROJAS	CHECKED BY: J. MARCUS
PROJECT MGR: J. MARCUS	APPROVED BY: M. CROUGH

SHEET TITLE
820 RYMAL ROAD EAST
HAMILTON, ON

SHEET NUMBER	ISSUE
DPS 1.0	0

LAND USE SCHEDULE

BLOCKS/LOTS	DESCRIPTION	AREA (ha)	# UNITS
1-14	TOWNHOUSES	0.257	14
15	COMMON ELEMENT	0.122	0
TOTAL		0.379	14



NOT FOR CONSTRUCTION



File Location: I:\137511_820_Rymal_Roof_0_Productions\03_Design\17_Planning\Sheets\137511SP.dwg Last Saved: May 22, 2024, 15:05:56 by Macarena Rojas

Arcadis Inc.
360 James Street North – Suite 200
Hamilton
Ontario L8L 1H5
Canada
Phone: 905-546-1010 ext. 63139
www.arcadis.com



Ms. Jamila Sheffield, ACST
Secretary Treasurer, Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Subject: 820 Rymal Road East, Hamilton – DA-18-123 – Minor Variance Application
Date: May 23, 2024

Dear Ms. Sheffield,

On behalf of our client, 820 Rymal Inc., we are pleased to submit a Minor Variance application in support of the above noted development. The subject lands are conditionally approved through Site Plan Control application DA-18-123 to permit the development of 14 two-storey townhouse dwellings on a private condominium road, and the proposed variances will implement that approval. The development is also subject to conditionally approved Draft Plan of Subdivision and Draft Plan of Common Element Condominium applications which will implement the desired tenure of the development. The application seeks to permit the following variances:

1. A minimum rear yard setback of 4.6 m shall be provided, whereas the Zoning By-law requires a minimum rear yard setback of 7.5 m; and,
2. A minimum side yard setback of 1.65 m for Unit 8 shall be provided, whereas the Zoning By-law requires a minimum side yard setback of 2.0 m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height.
3. A maximum stairway encroachment of 1.2 m for Units 1 to 8 shall be provided, whereas the Zoning By-law requires the stairway to project a maximum of 1.1 m into the rear yard.

In support of the Minor Variance application please find enclosed the following information:

- A digital copy of the completed Minor Variance application form;
- A digital copy of the Site Plan, Draft Plan of Subdivision, and Draft Plan of Condominium drawings; and,
- A digital copy of the Planning opinion memo.

Please note that the required application review fee was delivered via cheque number 89 on Friday May 17, 2024.

Should you require any additional information please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Jared Marcus", written over a white background.

Jared Marcus, CPT
Associate – Manager, Planning



Chair and Members of Committee of Adjustment c/o Ms. Jamila Sheffield
 Secretary – Treasurer, Committee of Adjustment
 City of Hamilton
 71 Main Street West – 5th Floor
 Hamilton ON, L8P 4Y5

Arcadis Professional Services
 (Canada) Inc.
 360 James Street North
 Suite 200
 Hamilton, Ontario L8L 1H5
 Canada
 Phone: 905 546 1010
www.arcadis.com

Date: May 23, 2023

Our Ref: 137511

Subject: 820 RYMAL ROAD EAST, HAMILTON – MINOR VARIANCE APPLICATION

Dear Ms. Sheffield,

Arcadis Professional Services (Canada) Inc. (“Arcadis”) is the authorized planning agent for 820 Rymal Inc., who is the owner of lands municipally known as 820 Rymal Road East in the City of Hamilton. The Owner acquired the above noted property in March 2022. While the Owner’s vision is similar to the originally approved development for the subject site, File: DA-18-123, which consists of 14 two-storey townhouse dwellings on a private condominium road, there have been some notable changes to the site design that were undertaken to address technical comments from City departments; namely, the removal of the right in, right out driveway access from Rymal Road East, and changes to the parking orientation. A revised Site Plan application was submitted on September 6th, 2023, and is still under review. A previous Minor Variance application was submitted on December 9, 2023, and variances for side yard setback, yard encroachment, parking stall size, and parking setbacks were granted by the Committee of Adjustment on January 18, 2024 (HM/A-23:313).

Since then, an issue associated with the location of common site servicing infrastructure has been identified and the preferred approach to deal with the issue is to create a new common element area along the southerly lot line. This changes areas which were previously proposed as part of the individual lots and would change to common element areas of the associated condominium. The result is a technical change to the location of the rear lot line of the townhouse properties, but which doesn’t change the actual location of the proposed townhouse dwellings. resulted in the identification of two variances related to the rear and side yard setbacks.

1.0 SITE LOCATION AND CONTEXT

The subject site is municipally known as 820 Rymal Road East, Hamilton and is located at the southwest corner of the intersection at Rymal Road East and Sulmona Drive, as illustrated in **Figure 1**. The subject site is legally described as Part of Lot 11, Concession 1 Glanford, Part 1 ON 62R21267, within the City of Hamilton. Currently, the subject site has an approximate lot area of 3,881 square metres (0.39 hectares), a frontage of 61.09 metres along Rymal Road East, and a lot depth of 63.54 metres. The subject site is currently vacant as the previously existing single-storey single detached dwelling was demolished. Please refer to **Figure 2** for a Google Streetview image looking south towards the subject site.

Ms. Jamila Sheffield
City of Hamilton
May 23, 2024



Figure 1: Aerial image of subject site, retrieved from GeoWarehouse



Figure 2: View of the subject site looking south from Rymal Road East, retrieved from GoogleMaps

Ms. Jamila Sheffield
 City of Hamilton
 May 23, 2024

2.0 PROPOSED MINOR VARIANCES

The subject site is zoned Street – Townhouse (RT-30/S-1752) as per the City of Hamilton Zoning By-law 6593. The subject site is designated as Neighbourhoods within Schedule E-1” Urban Land use Designations of the Urban Hamilton Official Plan. The variances being applied for, made under Section 45 (1) of the *Planning Act*, are as follows:

1. A minimum rear yard setback of 4.6 m shall be provided, whereas the Zoning By-law requires a minimum rear yard setback of 7.5 m; and,
2. A minimum side yard setback of 1.65 m for Unit 8 shall be provided, whereas the Zoning By-law requires a minimum side yard setback of 2.0 m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height.
3. A maximum stairway encroachment of 1.2 m for Units 1 to 8 shall be provided, whereas the Zoning By-law requires the stairway to project a maximum of 1.1 m into the rear yard.

Planning Act Section 45 (1) Compliance

Section 45 (1) of the *Planning Act* permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

2.1 Variance 1: Minimum Rear Yard Setback

The current zoning requires a minimum rear yard setback of 7.5 m. The proposed development requires a variance to permit a minimum rear yard setback of 4.6 m.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. The rear yard variance reflects a change to the internal ownership lines within the proposed development which will see the future Condominium Corporation own part of the space between the townhouse dwellings and the southerly lot line, and does not reflect a change in the location of the townhouse dwellings relative to the southerly property lot line. There will not be any impact on the existing character of the neighbourhood and no adverse impact will be created to the adjacent lands to the south. It is our opinion that the requested minor variance can be considered minor.

2. Is the variance desirable and appropriate?

The variance does not propose to alter the location of the proposed townhouse dwellings relative to their position shown in the conditionally approved Site Plan, and there will still be a physical separation of 7.7m from the southerly property line. The requested variance is desirable and appropriate as it provides sufficient space for landscaping and outdoor amenity space.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent and purpose of the applicable Official Plan policies is to ensure that there is adequate outdoor amenity space. The location of the proposed townhouse dwellings will not be modified from the

Ms. Jamila Sheffield
 City of Hamilton
 May 23, 2024

conditionally approved Site Plan and there will still be 7.7m of space between the dwellings and the southerly lot line. The proposed variance reflects a change to the proposed internal ownership lines and not a physical reduction of the available open space. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The general intent and purpose of the minimum rear yard setback is to ensure the adequate separation between buildings on separate properties and to provide sufficient space for landscaping or amenity space at the rear of the lot. The proposed variance reflects a change to the internal ownership lines, and the physical separation of the proposed townhouse dwellings is not proposed to change. Therefore, sufficient open space will be maintained between the townhouse dwellings and the southerly lot line. It is our opinion that the proposed variance does meet the general intent and purpose of the Zoning By-law.

Variance 2: Minimum Side Yard

The current zoning requires a minimum side yard setback of 2.0 m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height. The proposed development requires a variance to permit a decreased minimum side yard setback of 1.65 m for Unit 8.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. Similar to the rear yard variance, the side yard variance reflects a change to the internal ownership lines within the proposed development which will see the future Condominium Corporation own part of the space between the townhouse dwelling and the westerly lot line and does not reflect a change in the location of the townhouse dwellings relative to the westerly property lot line. It is our opinion that the requested minor variance to the minimum side yard setback is minor in nature, as it does not impact the existing character of the neighbourhood and it is not expected to cause any adverse impact to the adjacent lands to the east and west.

2. Is the variance desirable and appropriate?

The requested variance is desirable and appropriate as it permits for the most efficient layout and utilization of the subject lands and is compatible with the existing neighbourhood and current and future built form. The adjacent properties contain low density residential dwellings. Even though a reduced yard is requested, Unit 8 will still be separated from the adjacent residential property to the west by 3.0m. Therefore, the requested variance will not result in privacy and overlook concerns or create any adverse impact to the adjacent uses.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The variance meets the general intent of the Official Plan. The variance will permit the townhouse, which is a permitted use that is compatible with the surrounding residential uses.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The intent of the side yard setback is to ensure there is sufficient space between land uses to ensure there are no adverse impacts between adjacent land uses. While the proposed variance requests a reduced side yard setback to reflect the change in internal ownership lines, the actual separation from the townhouse dwelling to the westerly lot line will still be 3m. The proposed variance can be considered to meet the general intent of the Zoning By-law, as the reduced minimum side yard setback does not create any adverse impact with the existing adjacent land uses.

Variance 3: Maximum Stairway Encroachment

Ms. Jamila Sheffield
City of Hamilton
May 23, 2024

The current zoning requires the stairway to project a maximum of 1.1 m into the rear yard. The proposed development requires a variance to permit the stairway to encroach a maximum of 1.2 m into the rear yard of Units 1 to 8. Under file HM/A-23:313 a previous variance to permit the 1.1m encroachment was approved.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. Due to the aforementioned change to internal lot lines, the exterior staircase associated with Unit 1 can no longer meet the permitted encroachment. As described above, there is no change to the location of the proposed townhouse dwellings; however, the new lot line separating the common elements area and private ownership means that the proposed exterior staircase will encroach further into the proposed rear yard. It is our opinion that the requested minor variance is minor in nature, as it does not reflect an actual increase in the encroachment relative to the southerly lot line, does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent lands.

2. Is the variance desirable and appropriate?

As described above, there is no change to the proposed physical location of exterior staircase, and therefore the requested variance continues to provide sufficient space for landscaping and outdoor amenity space while maintaining an adequate setback from the rear lot line. The variance is also compatible with the existing neighbourhood and current and future built form and can be considered desirable and appropriate.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent and purpose of the applicable Official Plan policies is to ensure that there is adequate outdoor amenity space. There is no change to the location or size of the proposed exterior staircase, and there will continue to be adequate space between the building and the southerly lot line. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The general intent and purpose of the maximum rear yard encroachment of stairways is to ensure that the proposed development provides an adequate setback from the rear lot line as well as landscaping and outdoor amenity space. The increased maximum rear yard encroachment of the staircase reflects a change to the internal ownership lines and the relationship between the new lot line and the staircase. There is no change to the size of the exterior staircase and the variance will not result in any adverse impacts to the adjacent residential uses. The proposed variance also provides adequate landscaping and outdoor amenity space for the southern townhouse building containing Units 1 to 8. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Zoning By-law.

Ms. Jamila Sheffield
City of Hamilton
May 23, 2024

2.2 CONCLUSION

Based on our review of the proposed variances and the planning justifications provided for each in the foregoing sections, it is our opinion that the proposed variances should be approved. Each proposed variance has regard for both the policies of the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law 05-200. As previously analyzed, the impact of each of the requested variances would be minor. Each variance outlined in this letter meets the four tests for a minor variance as prescribed under Section 45(1) of the *Planning Act*.

Should you have any questions, or wish to discuss further, please do not hesitate to contact the undersigned.

Sincerely,
Arcadis Professional Services (Canada) Inc.



Jared Marcus, CPT
Associate – Manager, Planning



Isabelle Ilagan
Planner

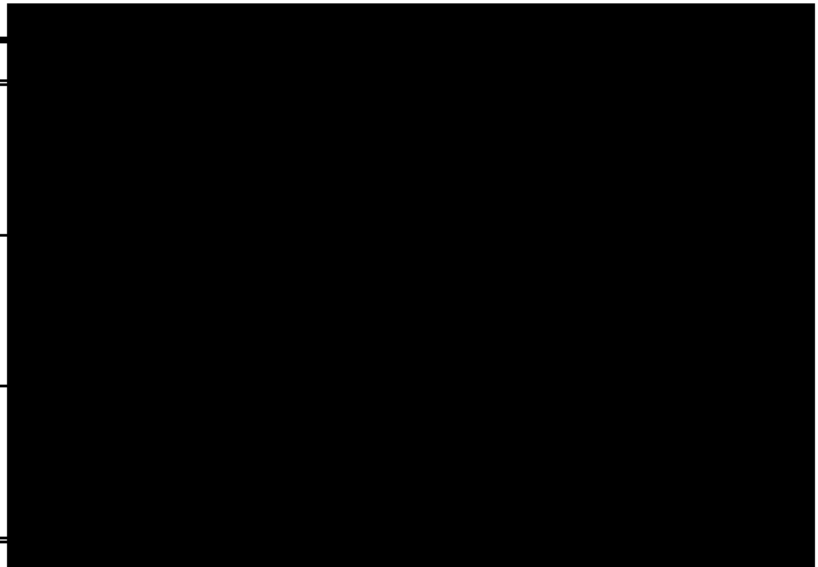


Hamilton

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

1. APPLICANT INFORMATION

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



1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

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

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.

1.6 Payment type In person Cheque



*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	820 Rymal Road East, Hamilton		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	PT LT 11	Concession	CON 1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R21267	Part(s)	PART 1

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Please refer to the Planning Memo prepared by Arcadis for additional details.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

1. A minimum rear yard setback of 4.6 m shall be provided, whereas the Zoning By-law requires a minimum rear yard setback of 7.5 m
2. A minimum side yard setback of 1.65 m for Unit 8 shall be provided, whereas the Zoning By-law requires a minimum side yard setback of 2.0m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height
3. A maximum stairway encroachment of 1.2 m for Units 1 to 8 shall be provided, whereas the Zoning By-law requires the stairway to project a maximum of 1.1 m into the rear yard

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
61.09 m along Rymal Rd	63.54 m	3,881 sq m (0.39 ha)	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

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
North townhouse	3.32 m	N/A	1.20 m (Unit 9) & 1.02 m (Unit 14)	
South townhouse	6.02 m	4.67 m	2.0 m (Unit 1) & 1.71 m (Unit 8)	

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
North townhouse	568.5 sq.m	1,137.1 sq.m	2	10.60 m
South townhouse	769.6 sq.m	1,539.3 sq.m	2	10.60 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.):

Two (2) two-storey townhouse buildings (8 townhouse dwelling units each, 14 total)

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

Single detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

March 16, 2022

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

Single detached dwelling

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

Vacant

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

Vacant for less than 1 year

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to Planning Memo prepared by Arcadis.

7.6 What is the existing zoning of the subject land? RT-30/S-1752

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-23:313

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 16

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

Please refer to Planning Memo prepared by Arcadis.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:138	SUBJECT PROPERTY:	352 East 34 Street, Hamilton
ZONE:	"R1" (Low Density Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Nick Sacchetti and Giuseppina (Josie) Liota

The following variances are requested:

1. To permit an aggregate gross floor area for all accessory buildings of 50.18 square metres whereas all accessory buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser.
2. To permit a minimum setback from the rear lot line of 0.61 metres whereas a minimum of 1.2 metres is required for an accessory building.
3. To permit a minimum setback from the side lot line of 0.61 metres whereas a minimum of 1.2 metres is required for an accessory building.

PURPOSE & EFFECT: To facilitate the construction of an accessory building (detached garage).

Notes: N/A

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-24:138

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

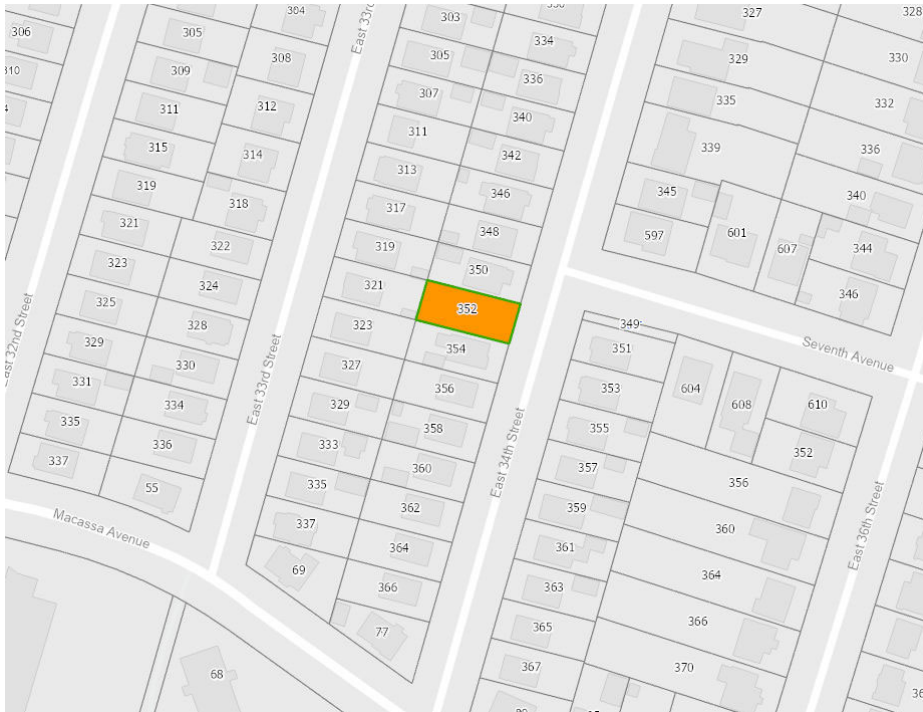
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:138, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:138



 **Subject Lands**

DATED: July 4, 2024

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca**PARTICIPATION PROCEDURES****Written Submissions**

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

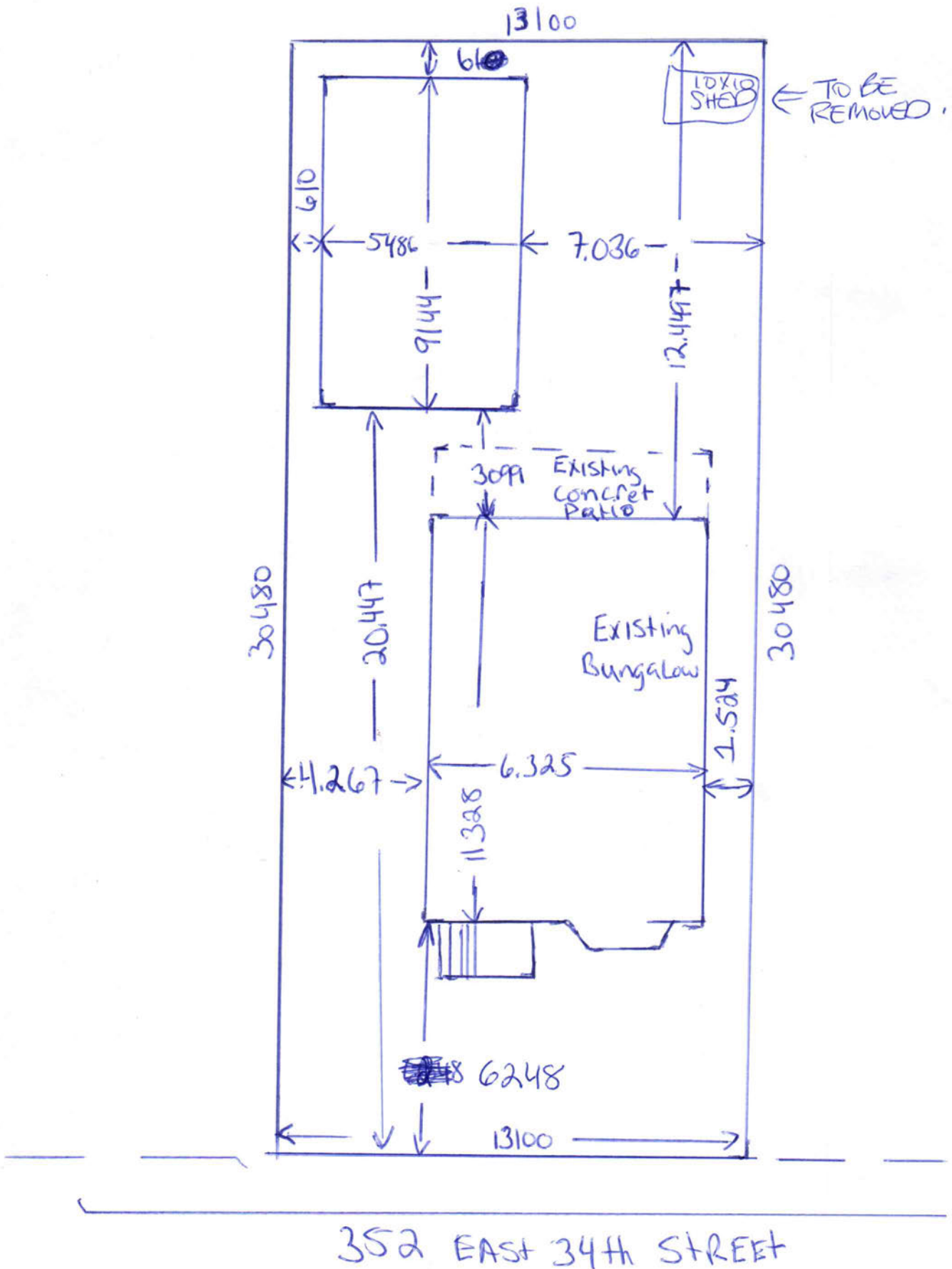
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

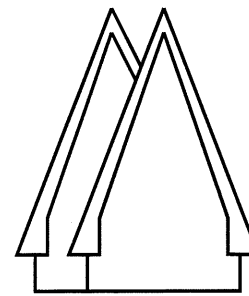
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



PROPOSED ACCESSORY GARAGE
352 EAST 34th STREET
HAMILTON, Ontario

List of Drawings:

- SP1.01 – SITE PLAN
- A1.01 – FLOOR PLAN, SECTION
- A2.01 – ELEVATIONS



established
1983

SAGITTARIUS

design & drafting

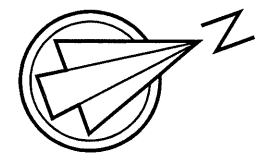
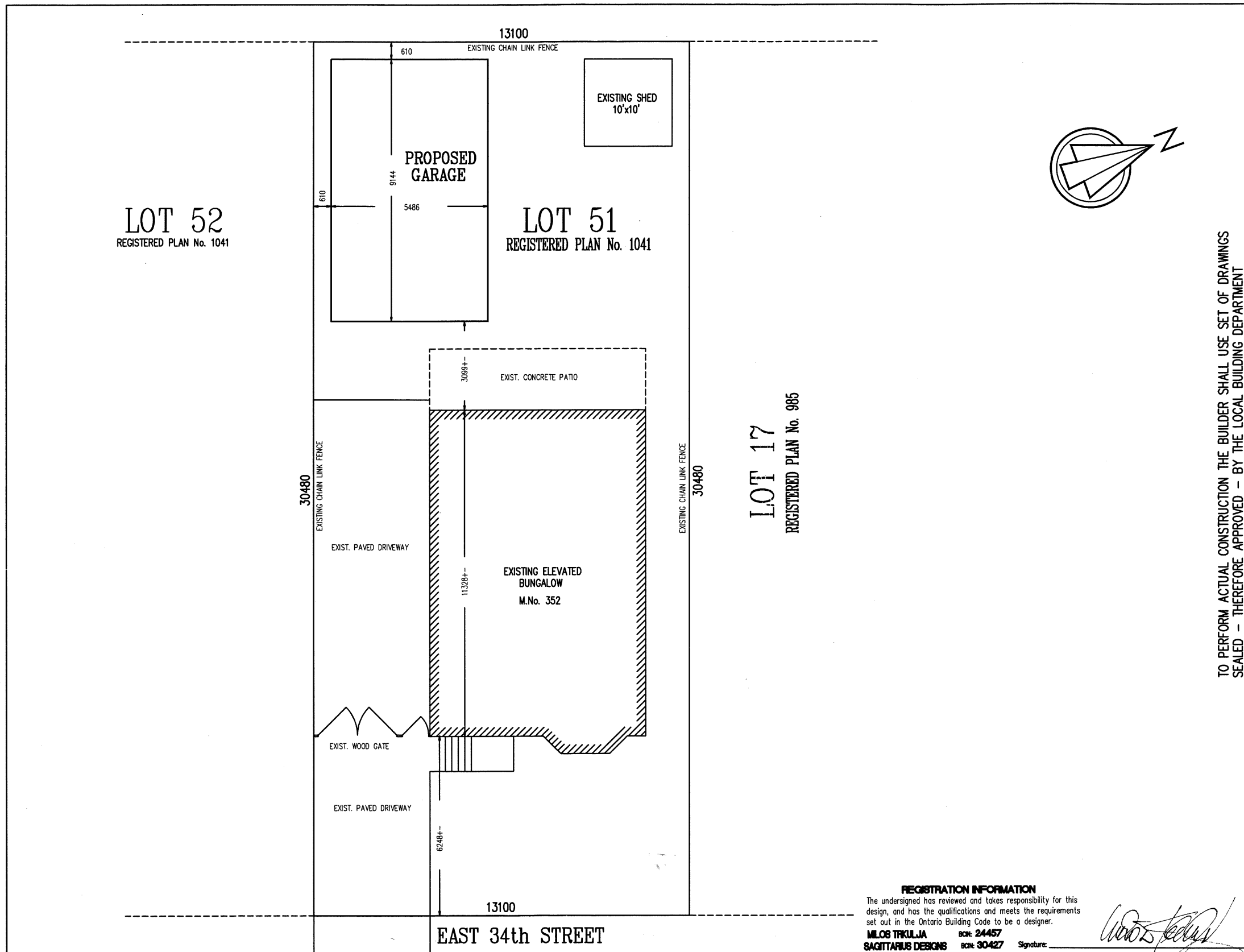
99 HANOVER PLACE

HAMILTON, ONTARIO

L8K – 5X7

Phone: (905) 573-9839

e-mail: milos1129@yahoo.ca



SAGITTARIUS
 design & drafting
 99 HANOVER PLACE
 HAMILTON, ONTARIO
 L8K - 5X7
 Phone: (905) 573-9839
 FAX: (905) 538-0587
 e-mail: milos1129@yahoo.ca

established 1983

- GENERAL NOTES:**
1. ALL CONSTRUCTION SHALL CONFORM TO THE O.B.C. AND LOCAL AUTHORITY HAVING JURISDICTION.
 2. DO NOT SCALE DRAWINGS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO COMMENCING CONSTRUCTION.
 3. ALL WOOD MEMBERS TO BE CONSTRUCTION SPRUCE No.2, UNLESS NOTED OTHERWISE.
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 5. RESISTANCE TO FORCED ENTRY TO CONFORM TO SECTION 9.6.8. OF THE O.B.C.
 6. ANY DEVIATION FROM APPROVED PLAN MUST BE APPROVED BY LOCAL BUILDING DEPARTMENT.
 7. SIZES OF ALL BEAMS AND LINTELS MUST BE CONFIRMED UPON FINAL TRUSS LAY OUT.
 8. ALL WORKS SHALL BE PERFORMED BY QUALIFIED AND LICENCED CONTRACTORS
 9. ALL CONCRETE MATERIALS AND WORKMANSHIP TO SCA A23.1, 2 & 3.

SITE PLAN DETAILS:
 LEGAL DESCRIPTION:
 LOT 51, REG'D PLAN 1041
 CITY OF HAMILTON
 LOT AREA: 399.29 sq.m.
 EXIST. HOUSE FOOTPRINT: 86.96 sq.m.
 EXIST. SHED FOOTPRINT: 9.29 sq.m.
 PROPOSED GARAGE FOOTPRINT: 50.18 sq.m.
 PROPOSED LOT COVERAGE: 36.67%
 PROPOSED GARAGE ROOF HEIGHT: (4.45m)

NOTE: THIS SITE PLAN IS BASED ON A COPY OF A SURVEY PLAN BY MacKAY, MacKAY & PETERS LIMITED. COPY IS DATED APRIL 25, 1991

**PROPOSED ACCESSORY GARAGE
 352 EAST 34th STREET
 HAMILTON, Ontario**

SITE PLAN

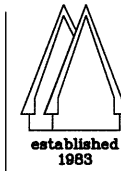
DATE:	MAY 5, 2024
SCALE:	1:150
DWG BY:	M.T.
FILE:	2412

DWG No.
SP1.01

REGISTRATION INFORMATION
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
MILOS TRKULJA BOX: 24457
 SAGITTARIUS DESIGNS BOX: 30427 Signature: *Milos Trkulja*

NOT ISSUED FOR CONSTRUCTION UNTIL SIGNED AND DATED

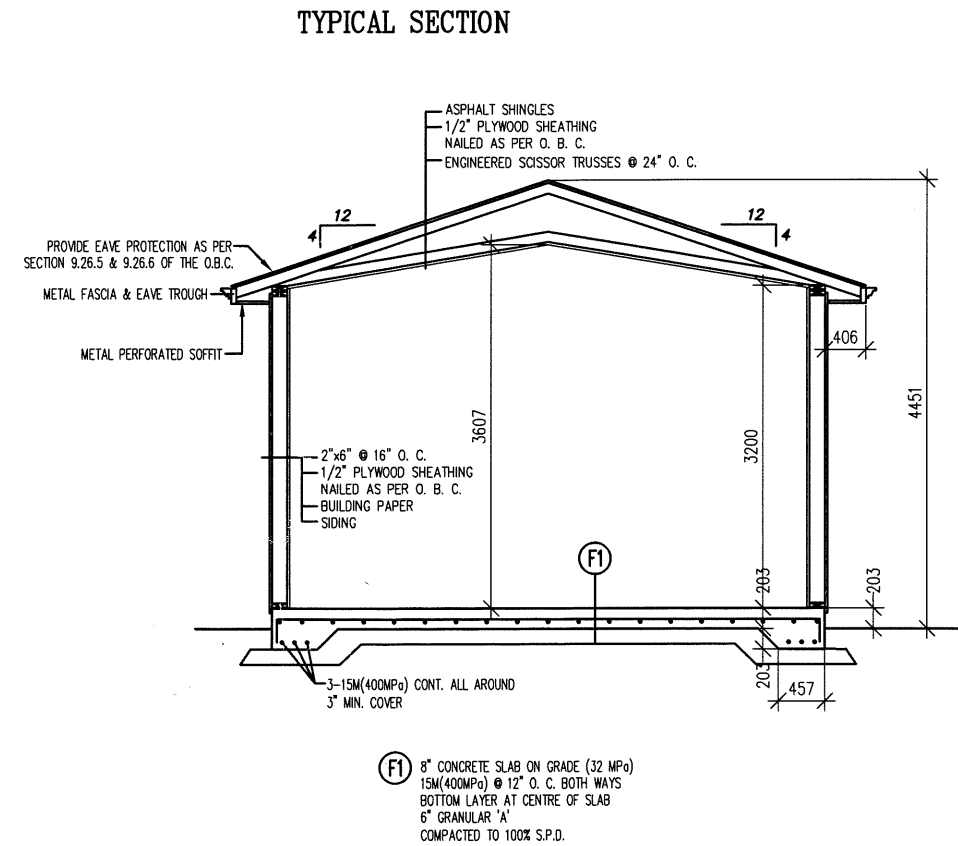
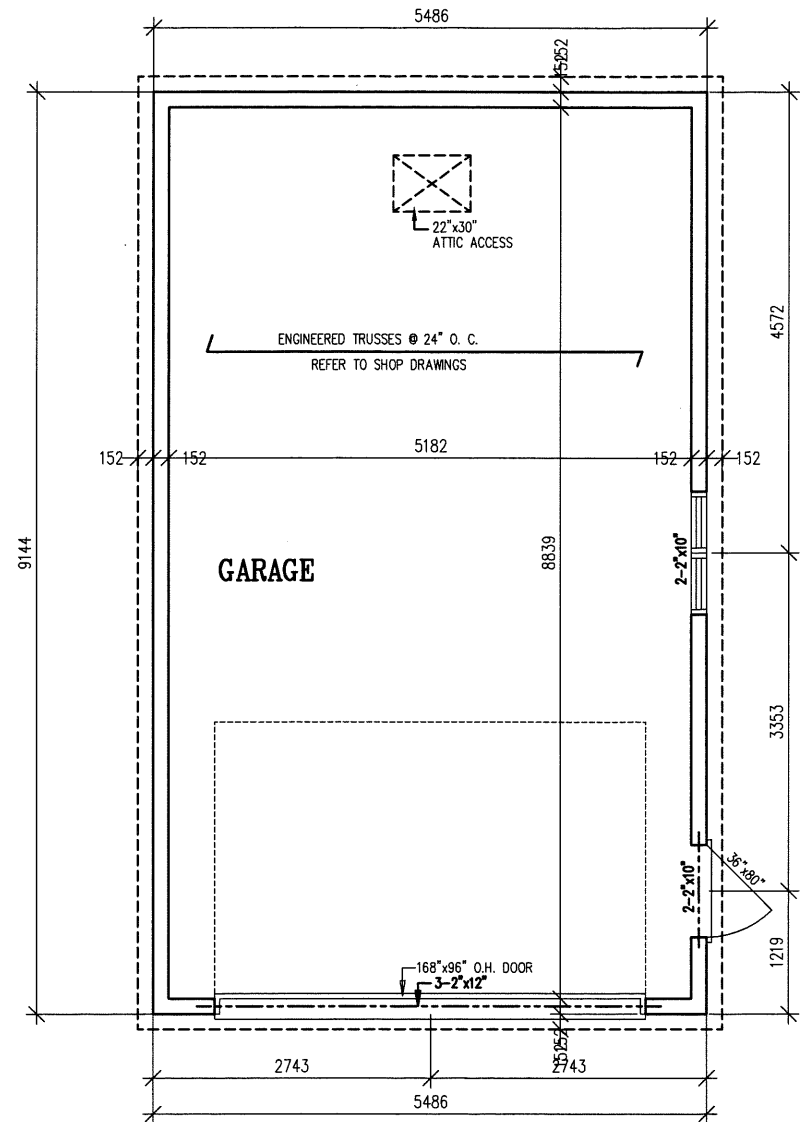
TO PERFORM ACTUAL CONSTRUCTION THE BUILDER SHALL USE SET OF DRAWINGS SEALED - THEREFORE APPROVED - BY THE LOCAL BUILDING DEPARTMENT



SAGITTARIUS
 design & drafting
 99 HANOVER PLACE
 HAMILTON, ONTARIO
 L8K - 5X7
 Phone: (905) 573-9839
 FAX: (905) 538-0587
 e-mail: milos1129@yahoo.ca

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PROPOSED ACCESSORY GARAGE
 352 EAST 34th STREET
 HAMILTON, Ontario

FLOOR PLAN / SECTION

DATE:	MAY 5, 2024
SCALE:	1:75
DWG BY:	M.T.
FILE:	2412

DWG No.

A1.01

NOT ISSUED FOR CONSTRUCTION
 UNTIL SIGNED AND DATED

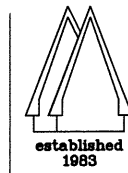
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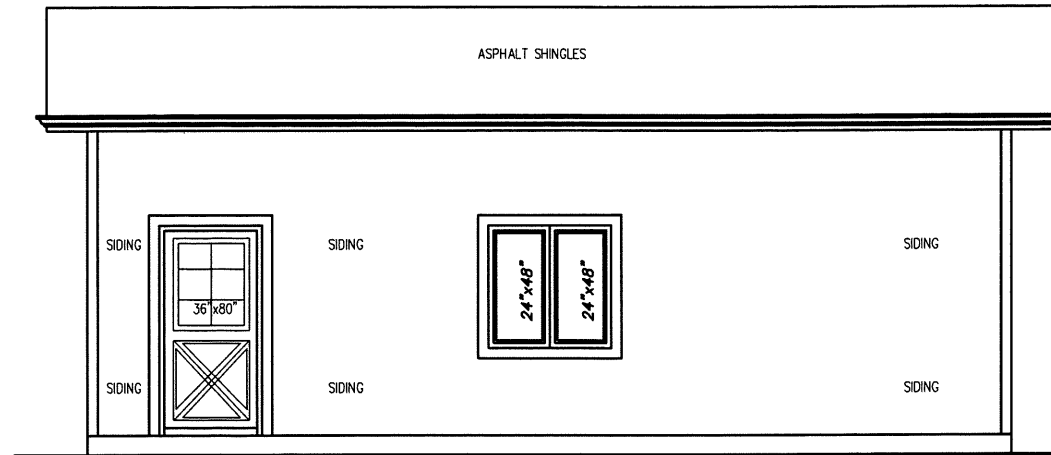
MILOS TRKULJA BON: 24457
SAGITTARIUS DESIGNS BON: 30427 Signature: _____



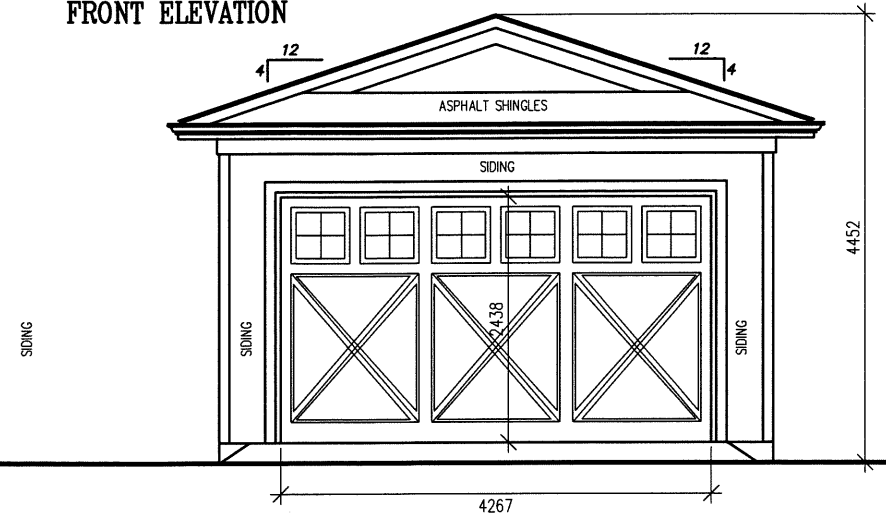


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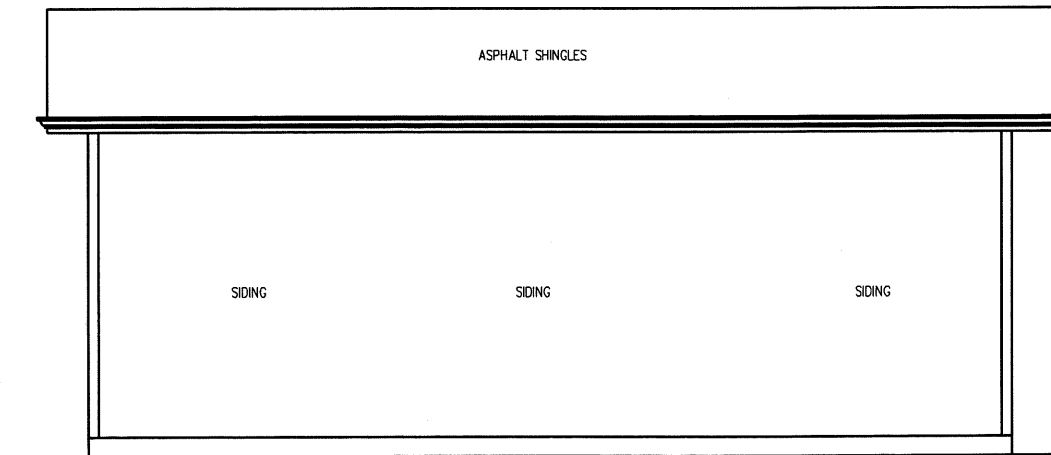
RIGHT SIDE ELEVATION



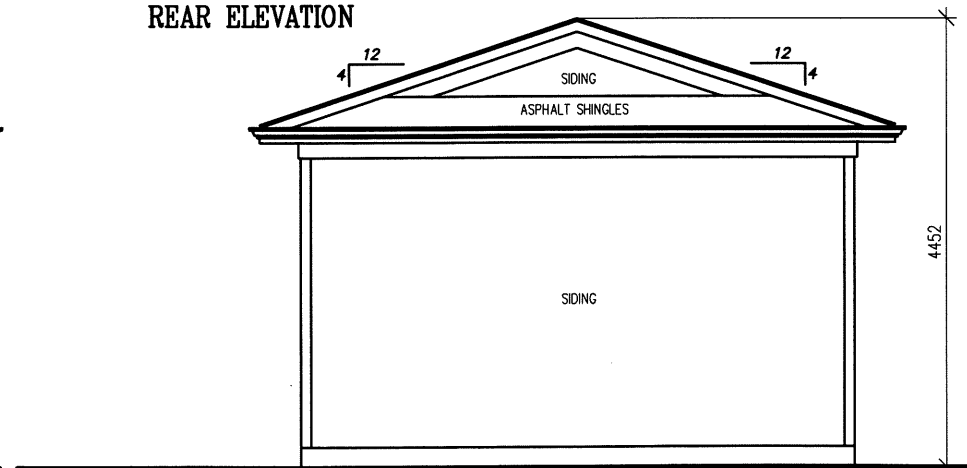
FRONT ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION



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PROPOSED ACCESSORY GARAGE
 352 EAST 34th STREET
 HAMILTON, Ontario

ELEVATIONS

DATE:	MAY 5, 2024
SCALE:	1:75
DWG BY:	M.T.
FILE:	2412

DWG No.

A2.01

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SAGITTARIUS DESIGNS BCN: 30427 Signature: _____



NOT ISSUED FOR CONSTRUCTION UNTIL SIGNED AND DATED

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

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



Hamilton

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

1. APPLICANT INFORMATION

NAME	
Registered Owners(s)	Nick Sacchetti Giuseppina Liota (Josie)
Applicant(s)	Same as above
Agent or Solicitor	
	Phone:
	E-mail:

1.2 Primary contact Applicant Owner
 Agent/Solicitor

1.3 Sign should be sent to Applicant Owner
 Agent/Solicitor

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent [Redacted]

1.5 All correspondence may be sent by email Yes* No

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

1.6 Payment type In person Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	352 East 34st		
Assessment Roll Number	070632004900000		
Former Municipality	Hamilton, ON. L8V 3X3.		
Lot	51	Concession	
Registered Plan Number	1041	Lot(s)	
Reference Plan Number (s)	N/A	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: *Accessory Garage*
Side yard - South - 0.61m From 1.2m Required
Rear yard - 0.61 " " "
Lot coverage - 50.18m² From required 29.95m² (7.5% of Lot Area)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

*There would not be an adequate access to the garage.
 The proposed garage must accommodate my pick-up truck.*

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
13.10 m	30.48 m	399.30 m ²	20.12 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: Bungalow

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Brick 1 story Dwelling Bungalow	6.248	12.497	L/S 1.524 R/S 4.267	1955.
	6.248	12.497	L/S 1.524 R/S 4.267	
			R/S 4.267	

Proposed: Garage

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Garage	L/S 20.447 R/S 30.99	6.10 6.10	L/S 7.036 R/S 6.10	
			R/S 6.10	

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

Existing: Bungalow

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Brick 1 story Dwelling Bungalow	83.613 +- +-	86.96 sq.m	1	7.925

Proposed: Garage

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Garage	50.0747 +- +-	50.18 sq.m	1	4.452

- 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: 2006.

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

Single detached dwelling

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

Single detached dwelling

7.4 Length of time the existing uses of the subject property have continued: Since 1955

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: Residential / Neighbourhoods

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? R-1, 05-200 By-Law

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

- Yes No

If yes, please provide the file number: _____



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:144	SUBJECT PROPERTY:	121 Whitefish Crescent, Stoney Creek
ZONE:	"R3 / RR" (Single Residential – Three / Rural Residential)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner: Fifty Road Inc. c/o Peter DeSantis
Agent: UrbanSolutions Planning & Development c/o Curtis Thompson

The following variances are requested:

1. An unenclosed porch and deck may project 4.5 metres into a required rear yard instead of the maximum 4.0 metre encroachment permitted.

PURPOSE & EFFECT: To facilitate the establishment of a rear yard deck;

Notes:

1. Variance written as requested by the applicant.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:144

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

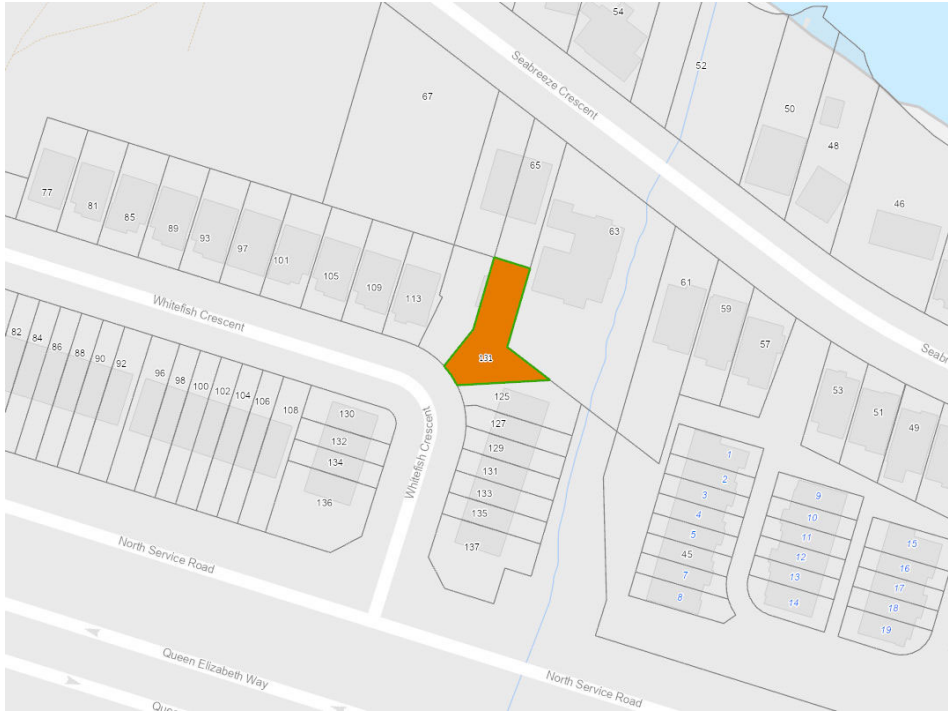
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:144, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:144



 Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

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SITE AND GRADING PLAN
 OF PART OF
LOTS 16 & 17
REGISTERED PLAN 635
 AND ALL OF
BLOCK 12
PLAN 62M-1042
 IN THE
CITY OF HAMILTON
 SCALE: 1:200 metres

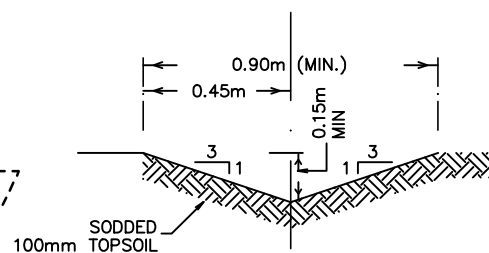


S.D. McLAREN, O.L.S. - 2024

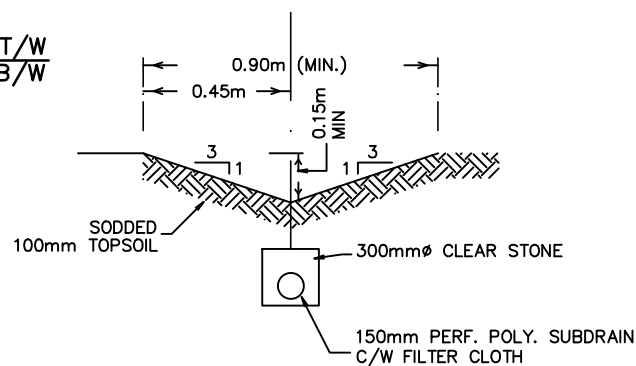
BENCHMARK NOTE:

MONUMENT 0011975U228
 Township: HAMILTON-WENTWORTH DEEP BENCH
 MARK IN MANHOLE AT WINONA HIGH SCHOOL,
 ALONG LEWIS ROAD AT BARTON STREET, IN FRONT
 LAWN 28.3 M WEST OF CENTRE LINE OF LEWIS
 ROAD, 15.5 M NORTH OF EAST CORNER OF SCHOOL,
 12.2 M SOUTHWEST OF CENTRE LINE OF PARKING
 LOT ENTRANCE, 12.8 M SOUTHEAST OF FLAG POLE.
 ELEVATION: 88.001 metres CGVD-1928:1978

**TYPICAL SWALE SECTION
 (NOT TO SCALE)**



**SWALE SECTION
 (WITH SUB-DRAIN)**



METRIC NOTE

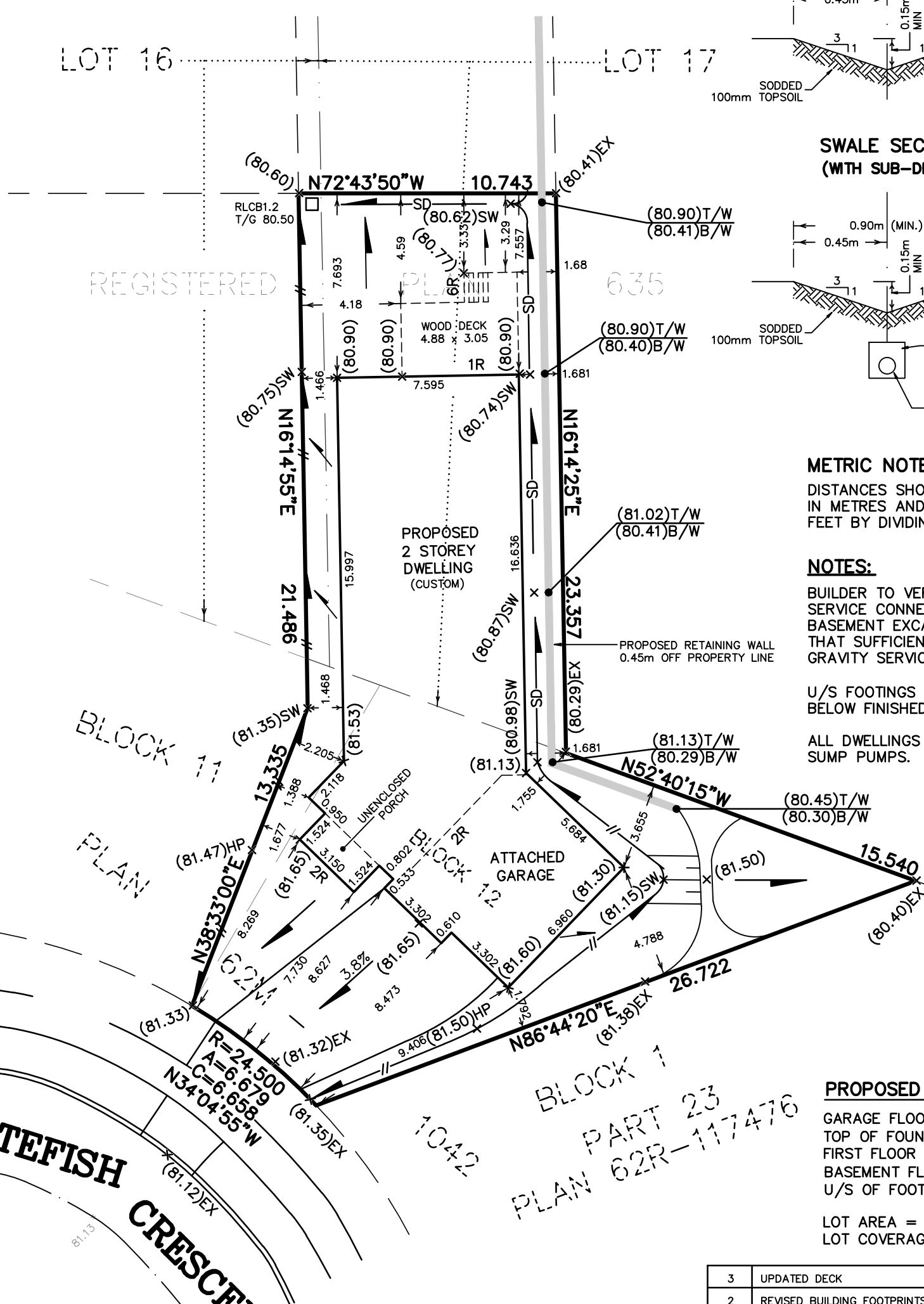
DISTANCES SHOWN ON THIS PLAN ARE
 IN METRES AND CAN BE CONVERTED TO
 FEET BY DIVIDING BY 0.3048

NOTES:

BUILDER TO VERIFY ELEVATION OF
 SERVICE CONNECTIONS PRIOR TO
 BASEMENT EXCAVATION TO CONFIRM
 THAT SUFFICIENT FALL IS PROVIDED FOR
 GRAVITY SERVICES.

U/S FOOTINGS TO BE MINIMUM OF 1.2m
 BELOW FINISHED GRADE.

ALL DWELLINGS TO BE EQUIPPED WITH
 SUMP PUMPS.



PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 81.65
 TOP OF FOUNDATION = 81.80
 FIRST FLOOR = 82.10
 BASEMENT FLOOR = 79.26
 U/S OF FOOTING = 79.02
 LOT AREA = 506.3m²
 LOT COVERAGE = 39.6%

LEGEND:

- 000.00 DENOTES EXISTING ELEVATION
- (000.00) " PROPOSED ELEVATION
- " DIRECTION OF FLOW
- // " PROPOSED SWALE
- SD- " PROPOSED SWALE WITH SUBDRAIN
- R " RISER
- * " REVISED DIMENSION
- (S) " SUMP PUMP

FEBRUARY 23, 2024
 DATE

S.D. McLaren
 S.D. McLAREN, O.L.S.

No.	DESCRIPTION	DATE	DR.
3	UPDATED DECK	FEBRUARY 23, 2024	KB
2	REVISED BUILDING FOOTPRINTS	SEPTEMBER 19, 2022	KB
1	INITIAL DRAWING	AUGUST 10, 2021	KB

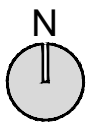
REVISIONS

BUILDING B



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

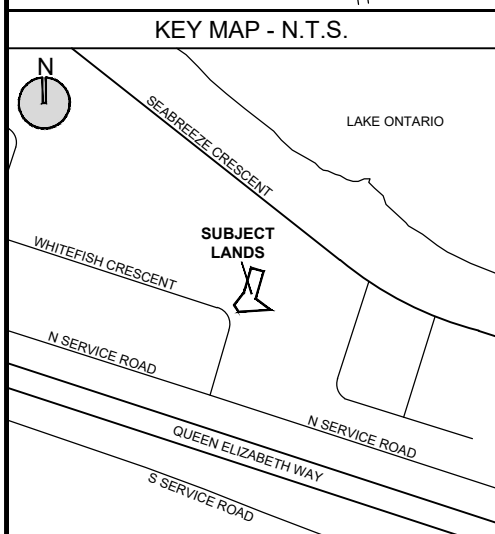
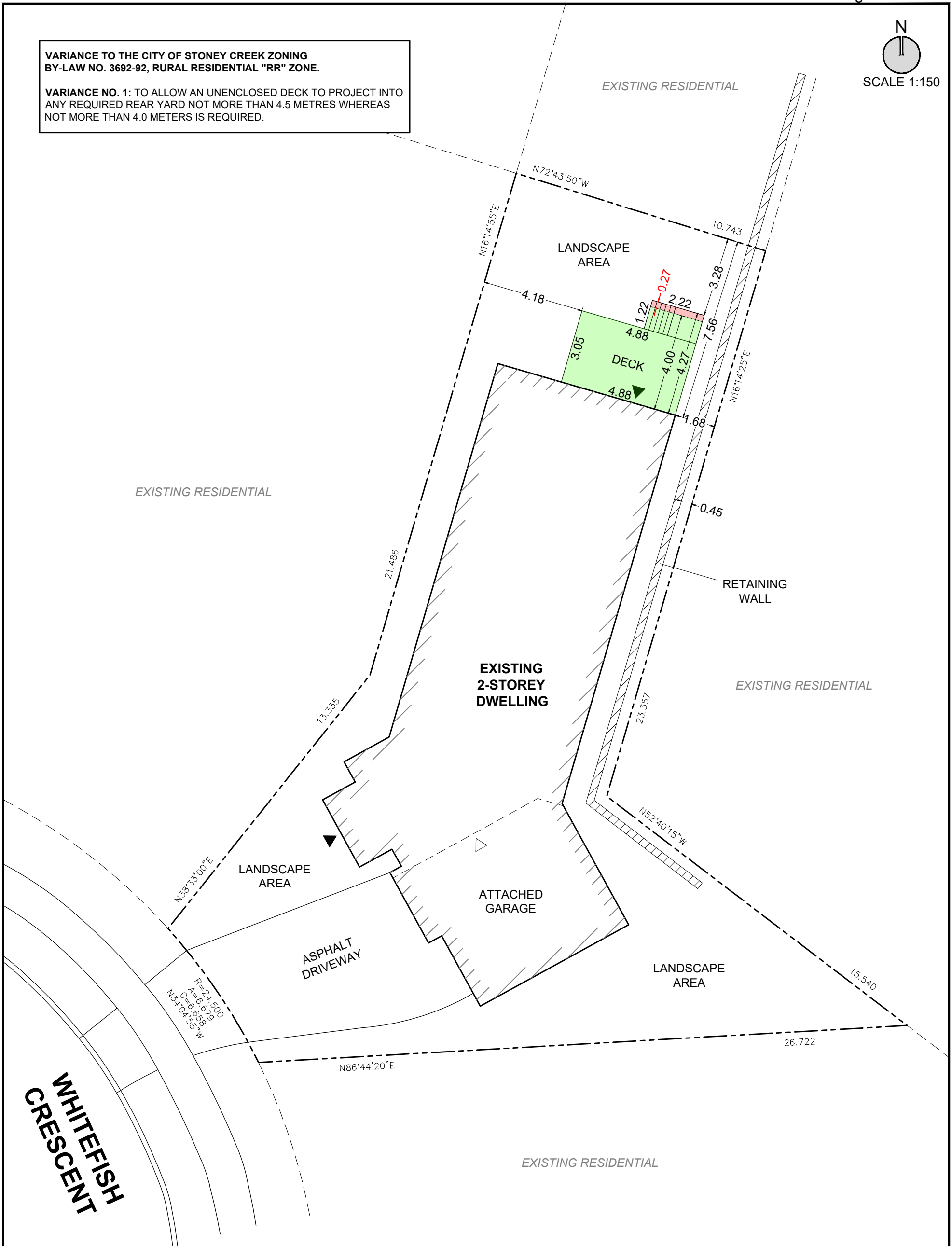
Drawn KB Checked SDM Scale 1:200 Dwg.No. 36663-B



SCALE 1:150

VARIANCE TO THE CITY OF STONEY CREEK ZONING BY-LAW NO. 3692-92, RURAL RESIDENTIAL "RR" ZONE.

VARIANCE NO. 1: TO ALLOW AN UNENCLOSED DECK TO PROJECT INTO ANY REQUIRED REAR YARD NOT MORE THAN 4.5 METRES WHEREAS NOT MORE THAN 4.0 METERS IS REQUIRED.



LEGEND:

- SUBJECT LANDS
- ▨ EXISTING DWELLING
- PORTION OF EXISTING DECK THAT CONFORMS TO ZONING
- PORTION OF EXISTING DECK THAT REQUIRES MINOR VARIANCE
- ▲ ENTRANCE

SCALE 1:150
METRES

PREPARED BY:

URBANSOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

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

TITLE: MINOR VARIANCE SKETCH	
PROJECT: 121 WHITEFISH CRESCENT STONEY CREEK	
CLIENT: PETER DESANTIS INC.	
DESIGN BY: S. ERICKSON	CHECKED BY: M. JOHNSTON
DRAWN BY: S. ERICKSON	DATE: MAY 13, 2024
U/S FILE NUMBER: 503-24	SHEET NUMBER: 1

2024-06-03

U/S File: 503-24

[Via Email & Delivery]

Attn. Jamila Sheffield
Secretary-Treasurer of Committee of Adjustment
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

RE: *Minor Variance Application*
121 Whitefish Crescent, Stoney Creek, ON

Urban Solutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by the owner of 121 Whitefish Crescent to assist with finalizing development approvals on a recently constructed house.

The proposal consists of an uncovered rear deck which serves the existing, but newly built, single detached dwelling. See attached *Site Sketch* (dated 2024.05.13) for illustration.

The subject lot was recently created through a series of consent and Minor Variance Applications to assemble land in accordance with the land use policy framework. Subsequently, a new detached dwelling was constructed on the property in accordance with the Zoning By-law. However, the rear deck was erected larger than that which was originally approved by the City and now exceeds the maximum permitted rear yard encroachment.

This Application would allow for a 3 m x 4.88 m (10'x16') uncovered rear deck to exist along with the associated stairs and landing. The area of contravention is solely focused on the steps to ground level and its correlated landing. (See Figure 1) The purpose of this stair & landing location is to not obstruct a rear basement window, the outdoor condensing unit, and to preserve the unobstructed usability of the rear deck amenity space.

Consequently, the Minor Variance Application seeks relief from the City of Stoney Creek Zoning By-law No. 3692-92, as amended. These are outlined as follows:



Figure 1: Rear Yard & deck of 121 Whitefish Cr

1. **Section 4.19.1** (Yard Encroachments)

(d) Maximum permitted encroachment of an unenclosed deck into a required rear yard

Permitted = 4.0 m

Proposed = 4.5 m

Four (4) Tests of Planning Act

The Committee of Adjustment, under Section 45 (1) of the Act, may grant a minor variance to the provisions of a Zoning By-law, if in their opinion, the application satisfies all (four) of the following considerations:

1. Does it maintain the general intent & purpose of the Official Plan?

The subject lands are designated 'Neighbourhoods' on [Schedule E-1](#) of the Official Plan. They have further split designations within the *Urban Lakeshore Area Secondary Plan*. According to [Map B.7.3-1](#), the southern part is designated 'Low Density Residential 3-c' whereas the northern part is 'Low Density Residential 2b'. Single detached dwellings are a permitted use within this designation, as well as ancillary uses stipulated by the enforcing By-laws.

The primary deck footprint and elevation comply with the Zoning By-law. The variance is associated strictly with the stairs to ground level and its corresponding landing. The requested variance objectively meets the general purpose and intent of the Official Plan as there are no adverse privacy or drainage impacts apparent with the marginally increased encroachment.

2. Does it maintain the general intent & purpose of the Zoning By-law?

The subject lands have split zoning classifications given their historic lot fabric and development. The southern part, (originally Blocks 11-12 of Plan 62M-1042) are zoned 'R3' (Single Residential 3) whereas the northern part is zoned 'RR' (Rural Residential). The geographic extents of the deck are within the latter (RR) Zone.

The intent of the maximum permitted yard encroachment is first dependent upon its relationship to the corresponding Zone's required yard setbacks. In this case, the required rear yard setback is 7.5 m, while an unenclosed deck may encroach into the rear yard not more than 4 m. This scenario provides an effective setback between the rear lot line and hypothetical deck of 3.5 m. The default encroachment provision allows some prescribed design flexibility for among other things, attached outdoor amenity structures (porches, decks, balconies) and protruding architectural design elements.

The proposed deck encroachment of 4.5 m maintains over 3 m (10') to the rear lot line which is adequate to convey normal storm drainage events without adversely impacting neighbouring lands. A *Grading Plan* has been prepared which demonstrate the drainage routes around the proposed deck that utilize an existing approved rear yard catch basin. The rear yard open amenity space is abundantly intact. There are no apparent privacy issues being caused given the deck landing's elevation and location.

Therefore, the proposed minor variance is considered to satisfy the purpose and intent of the Zoning By-law.

3. Is it minor in nature?

The proposed deck encroachment is associated with a 6-step stair and its corresponding landing, not the primary 3 m x 4.88 m (10'x16') deck structure. The location of the stair and landing preserve daylight into an existing basement window, avoid the A/C condensing unit, maintain ample landscaped open space for drainage, leisure, and privacy amongst neighbours.

The proposed variance is considered minor in nature.

4. Is it desirable for the development or use of the land?

The requested variance will allow for a more practical, and useful deck to improve the outdoor amenity space offered on the subject land. The increased encroachment will still maintain adequate privacy amongst neighbours, rear yard utility, and drainage.

Overall, the proposed variance satisfies the *four tests* outlined in the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this *Application*, the following is enclosed:

- *Minor Variance Application* (x1)
- Cheque for **\$ 705** payable to the City of Hamilton
- *Site Sketch* (2024.05.13)

We trust this submission is in order; however, please contact the undersigned if there are questions.

Respectfully,



Curtis Thompson, MCIP, RPP, B.URPI
Senior Planner

Copied: Peter DeSantis – Owner
Matt Johnston – UrbanSolutions

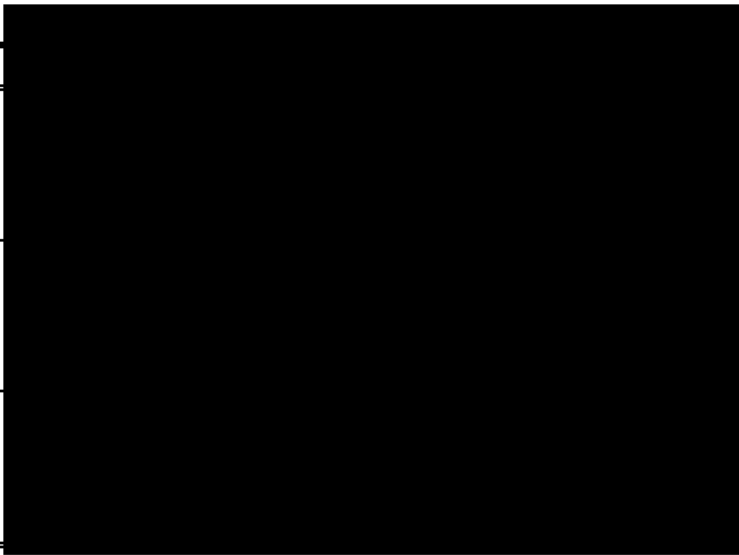


Hamilton

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Fifty Road Inc. (c/o Peter DeSantis)
Applicant(s)	
Agent or Solicitor	UrbanSolutions Planning & Development (c/o Curtis Thompson)



1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner 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.

1.6 Payment type In person Credit over phone* Cheque

 *Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	121 Whitefish Crescent		
Assessment Roll Number			
Former Municipality	Township of Saltfleet / Stoney Creek		
Lot		Concession	
Registered Plan Number	62M-1042	Lot(s)	Block 12
Reference Plan Number (s)	635	Part(s)	Lots 16-17

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:

Instrument No. WE348084 - Grading easement in gross

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:

S. 4.19.1 (Yard Encroachments)

(d) Request an unenclosed deck to encroach into a required rear yard a maximum of 4.5 m, whereas 4 m is permitted.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Refer to Cover Letter

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

Yes

No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
See Site Plan			

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached Dwelling	See Site Plan			

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Uncovered Deck	See Site Plan			

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Detached Dwelling	See Site Plan			

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Uncovered deck	See Site Plan			

- 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.):
Detached dwelling and uncovered rear deck
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Detached dwelling

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
Unknown
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Residential
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Residential
- 7.4 Length of time the existing uses of the subject property have continued:
Unknown
- 7.5 What is the existing official plan designation of the subject land?
- Rural Hamilton Official Plan designation (if applicable): _____
- Rural Settlement Area: _____
- Urban Hamilton Official Plan designation (if applicable) Neighbourhoods+LDR 3c/LDR 2b
- Please provide an explanation of how the application conforms with the Official Plan.
See Cover Letter

- 7.6 What is the existing zoning of the subject land? R3 and RR
- 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: R3 and RR

-
- 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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	B-24:20	SUBJECT PROPERTY:	3751 Highway No.6, Glanbrook
-------------------------	----------------	--------------------------	------------------------------

APPLICANTS: Owner: 1000380972 Ontario Ltd.
Agent: Nabeel Nassar

PURPOSE & EFFECT: To permit the conveyance of two parcels of land for residential use and to retain a vacant parcel of land. Existing structures (including dwelling) to remain on Land 1, existing barn on Land 2 to be removed.

	Frontage	Depth	Area
SEVERED LANDS 1 (Land 1):	N/A m [±]	varies m [±]	1.13 ha [±]
SEVERED LANDS 2 (Land 2):	N/A m [±]	91 m [±]	0.28 ha [±]
RETAINED LANDS:	22.8 m [±]	470 m [±]	10.66 ha [±]

Associated Planning Act File(s): N/A

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:40 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

B-24:20

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

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

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, written comments must be received no later than noon **July 19, 2024**

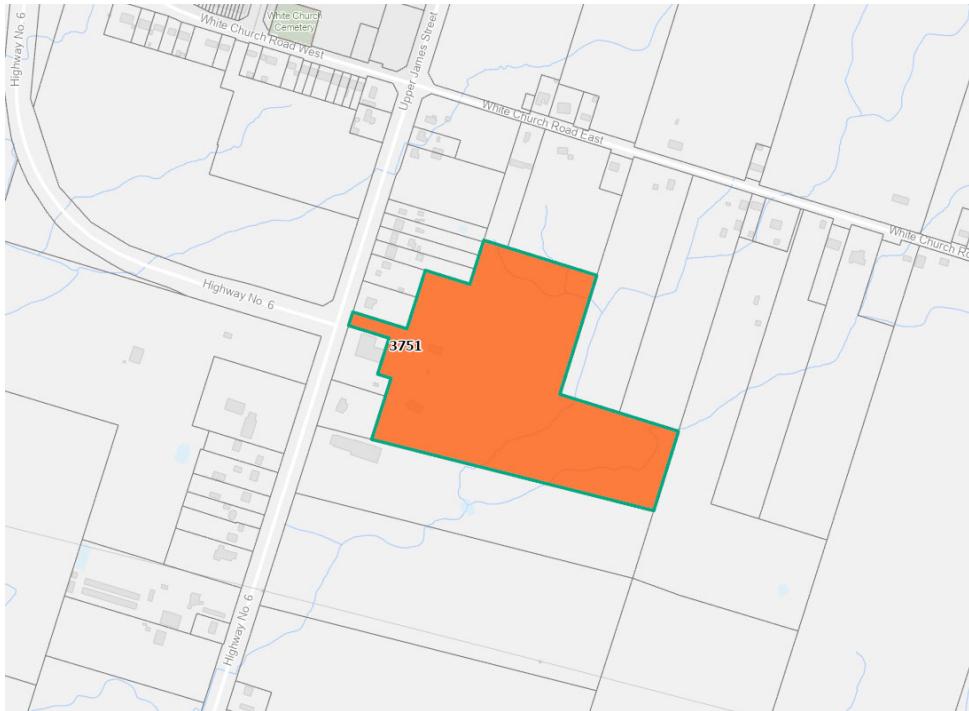
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **July 22, 2024**


FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:20, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided the Notice of Decision of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

B-24:20



 **Subject Lands**

DATED: July 4, 2024

**Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment**

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

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

POINT ID	NORTHING	EASTING
A	477712.811	587751.711
B	4776792.141	588238.745

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

SURVEYOR'S REAL PROPERTY REPORT
 PART 1 - PLAN OF SURVEY OF
 PART OF LOT 6, CONCESSION 6
 FORMERLY IN THE TOWNSHIP OF GLANFORD
 NOW IN THE TOWNSHIP OF HAMILTON WENTWORTH
 REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH
 SCALE 1:750 (SCALE IN METRES)

BENCHMARK NOTE
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY OF HAMILTON BENCHMARK No.75U185 HAVING AN ELEVATION OF 207.719 M. DATUM: CGVD28-78. LOCATED AT HIGHWAY No. 6 DOUBLE CONCRETE BOX CULVERT OVER WELAND RIVER, AT NORTHWEST CORNER OF INTERSECTION WITH CHIFFEWA ROAD, TABLET IN TOP OF NORTHWEST END, 21 CM SOUTHWEST AND 79 CM SOUTHWEST OF NORTH CORNER OF CULVERT, 1 M BELOW ROAD LEVEL.

THIS REPORT WAS PREPARED FOR 1000380972 ONTARIO INC. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

- PART 2 (SURVEY REPORT)**
- REGISTERED EASEMENTS AND/OR RIGHT OF WAYS: SUBJECT TO EASEMENT AS IN INST. No. WE1221444.
 - ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE FENCES AROUND THE WESTERLY LIMITS OF THE SUBJECT PROPERTY. NOTE THE LOCATION OF THE OVERHEAD WIRE.
 - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

LEGEND

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- SSB DENOTES STANDARD IRON BAR
- SSSB DENOTES SHORT STANDARD IRON BAR
- PSIB DENOTES PLASTIC STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN 62R-1894
- P2 DENOTES PLAN 62R-15665
- P3 DENOTES PLAN 62R-2589
- D DENOTES INST. No. G0433832
- CAL'D DENOTES CALCULATED FROM P1 & D
- CAL'D2 DENOTES CALCULATED FROM P1 & P2
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- M DENOTES MEASURED
- N.S.E.W DENOTES NORTH, SOUTH, EAST, WEST
- W.F. DENOTES WIRE FENCE
- C.L.F. DENOTES CHAIN LINK FENCE
- NI DENOTES NOT IDENTIFIABLE
- 824 DENOTES A. T. MCLAREN LTD., O.L.S.
- 912 DENOTES A. J. CLARKE & ASSOCIATES LTD., O.L.S.
- D.S. DENOTES DOOR SILL ELEVATION AT ENTRY
- O.H.W. DENOTES OVERHEAD WIRE
- C.S.P. DENOTES CORRUGATED STEEL PIPE
- INV. DENOTES INVERT ELEVATION
- T.O.B. DENOTES TOP OF BANK
- B.O.B. DENOTES BOTTOM OF BANK
- B.R.W. DENOTES BRICK RETAINING WALL
- STU. DENOTES THE TAKEN FROM STUCCO
- ⊙_{F.A.} DENOTES FIRE HYDRANT
- ⊙_{M.H.} DENOTES MANHOLE
- ⊙_{U.P.} DENOTES UTILITY POLE
- ⊙_{T.L.} DENOTES TRIPICE LIGHT
- ⊙_{P.A.} DENOTES POLE ANCHOR
- ⊙_{W.V.} DENOTES WATER VALVE
- ⊙_{C.B.} DENOTES CATCH BASIN
- DENOTES CONIFEROUS TREE
- DENOTES DECIDUOUS TREE

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE. BEARINGS SHOWN HEREON ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A & B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD 83.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 1st DAY OF NOVEMBER, 2023

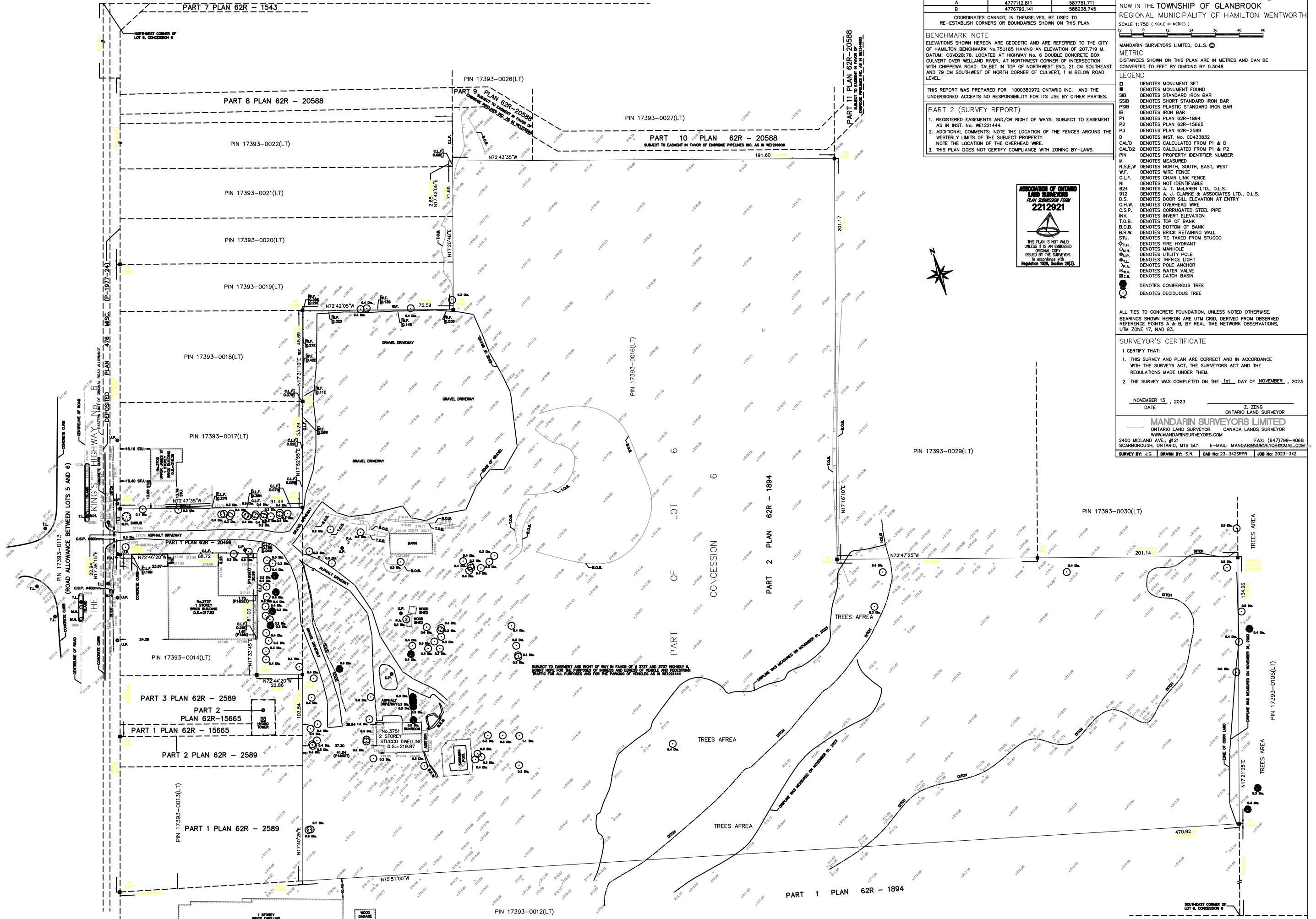
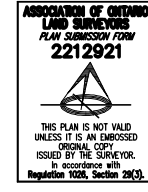
NOVEMBER 13, 2023
 DATE

Z. ZENG
 ONTARIO LAND SURVEYOR

MANDARIN SURVEYORS LIMITED
 ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR
 WWW.MANDARINSURVEYORS.COM

2400 MIDLAND AVE., #121 SCARBOROUGH, ONTARIO, M1S 5C1
 FAX: (647)799-4066
 E-MAIL: MANDARINSURVEYOR@GMAIL.COM

SURVEY BY: J.G. DRAWN BY: S.N. CAD No: 23-3425RPR JOB No: 2023-342



SUBJECT TO EASEMENT AND RIGHT OF WAY IN FAVOR OF 3727 AND 3727 HIGHWAY A. ROADWAY FOR THE PURPOSES OF TRAVEL AND CARRYING OF VEHICLES AND PROFESSIONAL TRAFFIC FOR ALL PURPOSES AND FOR THE PARKING OF VEHICLES AS IN WE1221444


POPULUS WAS MEASURED ON NOVEMBER 01, 2023

POPULUS WAS MEASURED ON NOVEMBER 01, 2023

ROAD ALLOWANCE BETWEEN CONCESSIONS 6 & 7

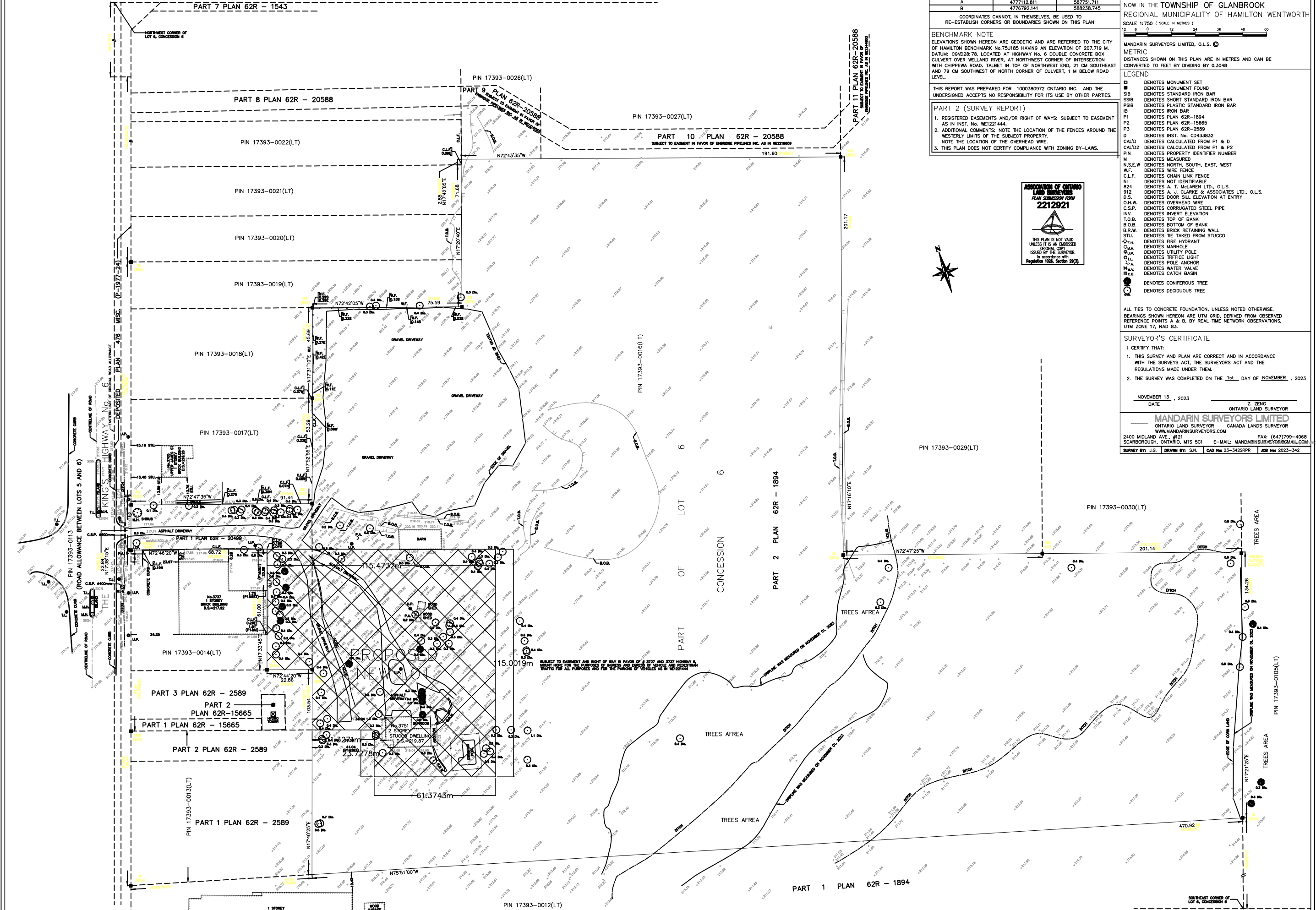
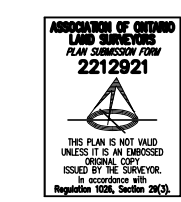
SPECIFIED CONTROL POINTS (SCP's)		
U.T.M. ZONE 17, NAD83 (CSRS)		
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10		
POINT ID	NORTHING	EASTING
A	4777112.811	587751.711
B	4776792.141	588238.745

BENCHMARK NOTE
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MANDARIN SURVEYORS LIMITED, O.L.S. 
METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

THIS REPORT WAS PREPARED FOR 1000380972 ONTARIO INC. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

PART 2 (SURVEY REPORT)
1. REGISTERED EASEMENTS AND/OR RIGHT OF WAYS: SUBJECT TO EASEMENT AS IN INST. No. WE1221444.
2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE FENCES AROUND THE WESTERLY LIMITS OF THE SUBJECT PROPERTY.
NOTE THE LOCATION OF THE OVERHEAD WIRE.
3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.



ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.
BEARINGS SHOWN HEREON ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A & B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD 83.

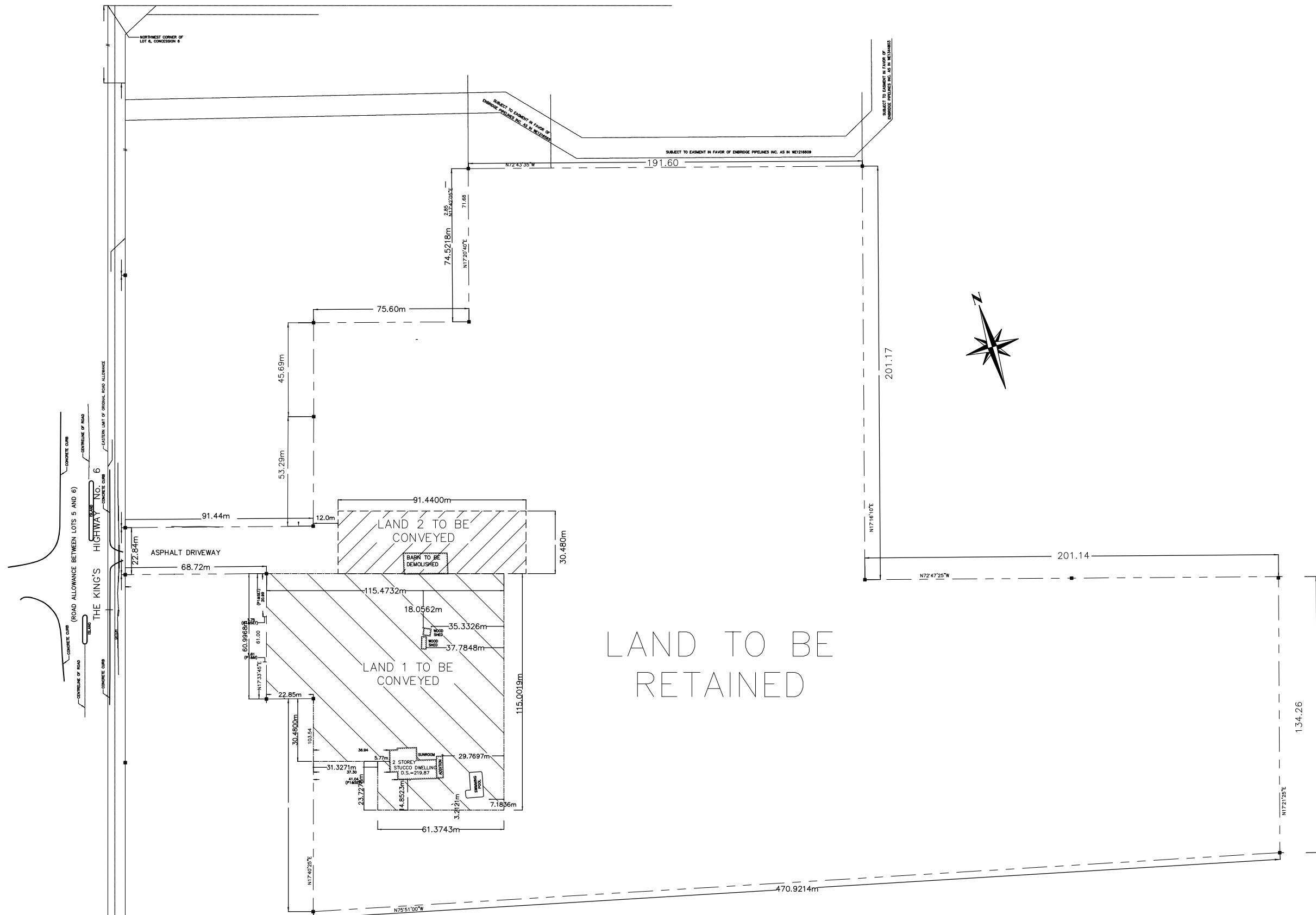
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 1st DAY OF NOVEMBER, 2023.

NOVEMBER 13, 2023
DATE
Z. ZENG
ONTARIO LAND SURVEYOR

MANDARIN SURVEYORS LIMITED
ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR
WWW.MANDARINSURVEYORS.COM
2400 MIDLAND AVE. #121 FAX: (647) 799-4068
SCARBOROUGH, ONTARIO, M1S 5C1 E-MAIL: MANDARINSURVEYOR@GMAIL.COM
SURVEY BY: J.G. | DRAWN BY: S.N. | CAD No: 23-342SRPR | JOB No: 2023-342

WHITE REGIONAL ROAD No. 22
CHURCH ROAD



SITE PLAN

SCALE:1:2000

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All designs, concepts, and other information shown on this drawing are for use on this project only, and shall not be used otherwise without written permission.

REVISIONS	
DATE	DESCRIPTION
1 MAY 11 2024	ISSUE FOR REVIEW

LEGENDS

NASSAR ENGINEERING
CONSULTANT ENGINEERS

55 ROSS AVE.
Hamilton, Ontario
Canada L8W 2M9
Tel. 905-581-0629
Fax. 905-378-2906
Email: nabeel@nassarengineering.com

APPLICATION FOR CONSENT TO SEVER LAND
3751 Highway No. 6,
Glanbrook - Glanbrook

SITE PLAN	
DRAWN BY: N.N.	SCALE: AS NOTED
CHECK BY: N.N.	DATE: MAY 11, 2024
CAD FILE: 178-23	A0.00



Hamilton

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

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

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

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

1. APPLICANT INFORMATION

	NAME	
Purchaser*		
Registered Owners(s)	1000380972 ONTARIO LTD	
Applicant(s)**	NABEEL NASSAR	
Agent or Solicitor		
		Phone:
		E-mail:

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

** Owner's authorisation required if the applicant is not the owner or purchaser.

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

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

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email Yes* No
 If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3751 Highway No. 6, Glanbrook - Glanbrook		
Assessment Roll Number			
Former Municipality	Township of Glanford		
Lot	Part of 6	Concession	6
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R-1894	Part(s)	2 & 3

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:

Registered Easement and/or Right of ways as in Instrument No. WE1221444.

3 PURPOSE OF THE APPLICATION

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

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

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

N/A

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

N/A

3.4 Certificate Request for Retained Lands: Yes*

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

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

Identified on Sketch as:					
Type of Transfer	N/A	NEW	NEW		
Frontage	22.84				
Depth	470.91	115.00	91.44		
Area	10.66 ha	1.131ha	0.28 ha		
Existing Use	Residential	Residential	Vacant		
Proposed Use	Vacant	Residential	Vacant		
Existing Buildings/ Structures		2 Storey Dwelling	one story barn		
Proposed Buildings/ Structures		Existing Dwelling			
Buildings/ Structures to be Removed			one story barn		

* 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): Agricultural

Rural Settlement Area: Agricultural

Urban Hamilton Official Plan designation (if applicable) _____

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

- 5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?
 Yes No Unknown

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

- 5.3 What is the existing zoning of the subject land? A2

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)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes No Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

6.4 How long has the applicant owned the subject land?

14 Years

6.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands below or attach a separate page.

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

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

Yes No (Provide explanation)

The development will maintain the existing detached house which will remain connected to existing municipal services

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

Yes No (Provide explanation)

The property is an appropriate location for growth and intensification. The development will connect to and make efficient use of existing municipal services.

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)

N/A

9 ADDITIONAL INFORMATION - CANCELLATION

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

Yes No (Provide explanation)

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

Yes No (Provide explanation and details on plan)

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

N/A

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

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

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

10.2 Location of farm consolidation property:

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

10.3 Rural Hamilton Official Plan Designation(s)

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

10.4 Description of farm consolidation property:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

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

Front yard set back: _____

a) Date of construction:

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

b) Condition:

- Habitable Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	HM/A-24:42	SUBJECT PROPERTY:	9 Westbourne Road, Hamilton
ZONE:	"C/S-1335, C/S-1335a, C/S-1804" (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 21-020

APPLICANTS: Owner: B.U. Inc
Agent: Joe DiDonato and Sven Oppermann

The following variances are requested:

1. Notwithstanding Section 4(3)(a) and in addition to Section 9 (1), a maximum 124.0 square metre building containing a second dwelling unit and shed shall be permitted on the same lot as a single family dwelling instead of notwithstanding Section 4(3)(a) and in addition to Section 9 (1), a maximum 89.0 square metre building containing a second dwelling unit and shed shall be permitted on the same lot as a single family dwelling

PURPOSE & EFFECT: To facilitate the addition of 4 bedrooms to an existing detached dwelling unit.

Notes:

1. It is noted that the principal dwelling on site exceeds the size of the accessory dwelling.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

HM/A-24:42

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-24:42, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

HM/A-24:42



 Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

Authority: Item 6, Planning Committee
Report 21-003 (PED21039)
CM: February 24, 2021
Ward: 1

Bill No. 020

CITY OF HAMILTON
BY-LAW NO. 21-020

**To Amend Zoning By-law No. 6593 (Hamilton), as amended,
Respecting Lands Located at 9 Westbourne Road, Hamilton**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 21-003 of the Planning Committee, at its meeting held on the 24th day of February, 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W45 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended as follows:
 - a) By changing the zoning from the "C/S-1335", "C/S-1335a" and "C/S-1788" (Urban Protected Residential, Etc.) District, Modified, to the "C/S-1335", "C/S-1335a" and "C/S-1804" (Urban Protected Residential, Etc.) District, Modified;

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "C" (Urban Protected Residential, Etc.) District provisions as contained in

il

To Amend Zoning By-law No. 6593 (Hamilton), as amended,
Respecting Lands Located at 9 Westbourne Road, Hamilton

Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

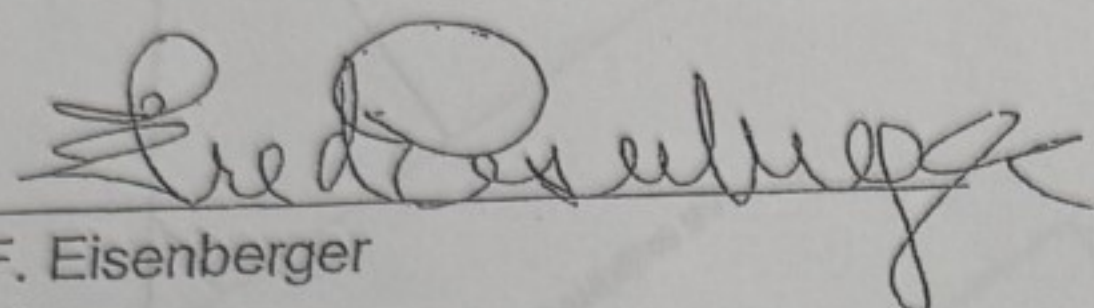
- a) That notwithstanding Section 4(3)(a) and in addition to Section 9 (1), a maximum 89.0 square metre building containing a second dwelling unit and shed shall be permitted on the same lot as a single family dwelling.
 - b) That notwithstanding Section 9 (3) (ii), a side yard of a width of at least 1.2 metres shall be provided, except for a second dwelling unit for which a northerly side yard width of at least 0.7 metres shall be required,
↳ + 35' = 124 m²
 - c) That notwithstanding Section 9 (3) (iii), a rear yard of a depth of 7.5 metres shall be provided, except for a second dwelling unit for which a rear yard of a depth of 0.8 metres shall be required.
 - d) That notwithstanding Section 18.A (1) (f) no manoeuvring shall be required for parking spaces located within the front yard.
 - e) That notwithstanding Subsection 18A(1)(a), for a second dwelling unit one parking space shall be provided.
 - f) That a minimum distance of 2.9 metres from the rear face of a principal dwelling shall be required.
 - g) A maximum one driveway shall be permitted for each lot containing a second dwelling unit.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C/S-1335", "C/S-1335a", and "C/S-1804" District provisions, subject to the special requirements in Section 2 of this By-law.
 4. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1804.
 5. That Sheet No. W45 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1804.
 6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

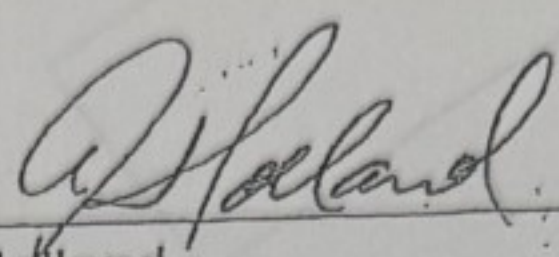
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To Amend Zoning By-law No. 6593 (Hamilton), as amended,
Respecting Lands Located at 9 Westbourne Road, Hamilton

Page 3 of 4

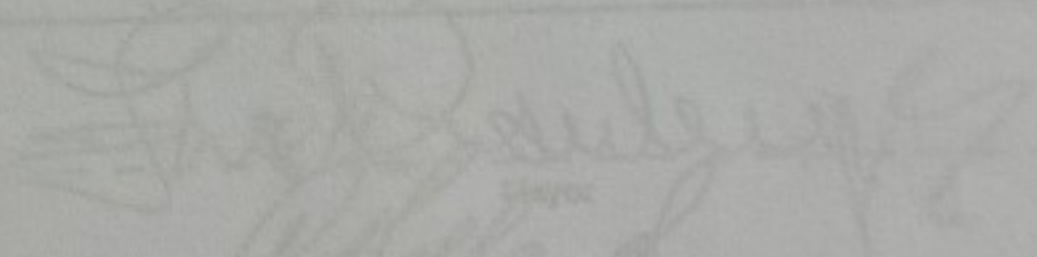
PASSED this 24th day of February, 2021.


F. Eisenberger
Mayor


A. Holland
City Clerk

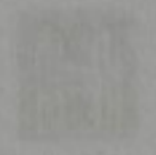
ZAS-20-003

This is Schedule "A" to By-law No. 6593
Passed the 24th day of Feb 2021

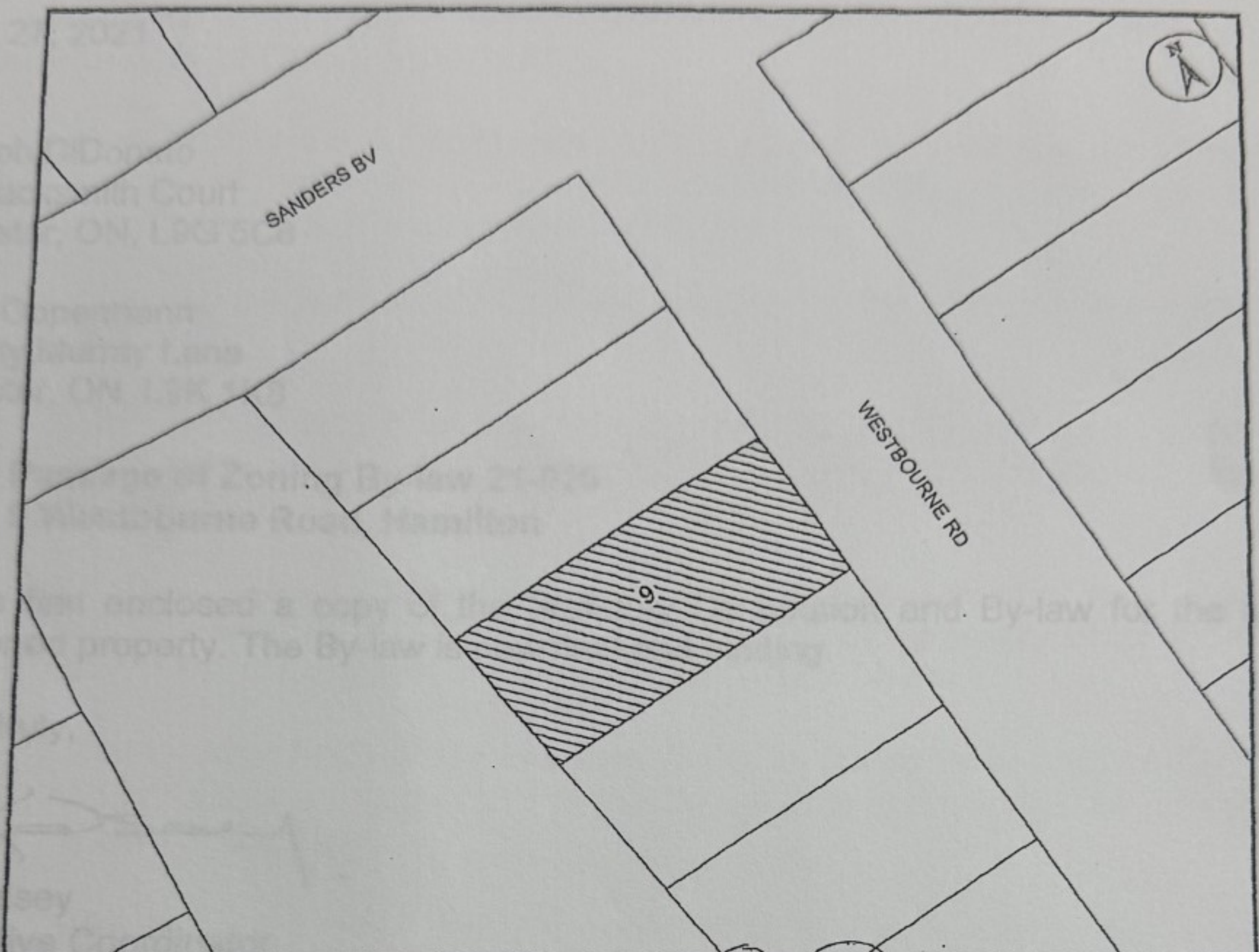

A. Holland

Schedule "A"
Map forming Part of
By-law No. 21-070
to Amend By-law No. 6593

Subject Property:
9 Westbourne Road, Hamilton
 Change to Zoning Area: "C6-1200", "C6-1200A" and "C6-1200B" (Urban Professional Residential, Etc.)
 District Number: 1000 "C6-1200", "C6-1200A" and "C6-1200B" (Urban Professional Residential, Etc.)
 District Name: 1000

City of Hamilton 240 St. John St. Hamilton, Ontario L8N 2K5 416-325-3300	City of Hamilton 240 St. John St. Hamilton, Ontario L8N 2K5 416-325-3300	
--	--	--

To Amend Zoning By-law No. 6593 (Hamilton), as amended,
Respecting Lands Located at 9 Westbourne Road, Hamilton



This is Schedule "A" to By-law No. 21-020
 Passed the 24 day of FEB, 2021

[Signature]
 Mayor
[Signature]
 Clerk

Schedule "A"

Map forming Part of
By-law No. 21-020

to Amend By-law No. 6593

Subject Property
9 Westbourne Road, Hamilton

Change in Zoning from the "C/S-1335", "C/S-1335a" and "C/S-1788" (Urban Protected Residential, Etc.) District Modified, to the "C/S-1335", "C/S-1335a" and "C/S-1804" (Urban Protected Residential, Etc.) District, Modified

Scale: N.T.S	File Name/Number: ZAS-20-003	
Date: February 1, 2021	Planner/Technician: DB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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City Hall, 71 Main Street West
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

IN THE MATTER OF By-law No. 21-020
AND IN THE MATTER
of the Planning Act, R.S.O. 1990
9 Westbourne Road, Hamilton

City Clerk's Office
Phone: 905.546-2424 ext 4605 Fax: 905.546-2095
Email: Lisa.kelsey@hamilton.ca

Hamilton

April 27, 2021

Joseph DiDonato
15 Blacksmith Court
Ancaster, ON, L9G 5C8

Sven Oppermann
44 Kitty Murray Lane
Ancaster, ON, L9K 1K8

**Re: Passage of Zoning By-law 21-020
9 Westbourne Road, Hamilton**

Please find enclosed a copy of the Statutory Declaration and By-law for the above-mentioned property. The By-law is now final and binding.

Yours truly,

Lisa Kelsey
Legislative Coordinator
Planning Committee

Attachments

Copies to:

- Steve Robichaud
- Zeltite Race
- Nada Belair
- Christine Newbold
- David Janaszek
- Lynne Cunningham
- June Christy

ZAS-20-003

ZAS-20-003

Use of the
of the City of Hamilton,
Ontario, Canada
Expires June 12, 2021

15

DOMINION OF CANADA)
 Province of Ontario)
)
)
)

IN THE MATTER OF By-law No. 21-020
 AND IN THE MATTER OF Section 34(22)
 of the *Planning Act*, R.S.O. 1990, c. P.13.
 9 Westbourne Road, Hamilton

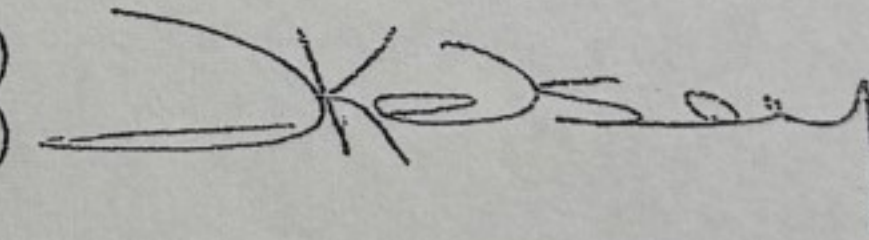
TO WIT:

I, Lisa Kelsey, Legislative Coordinator, City Clerk's Office, of the City of Hamilton, DO SOLEMNLY DECLARE:

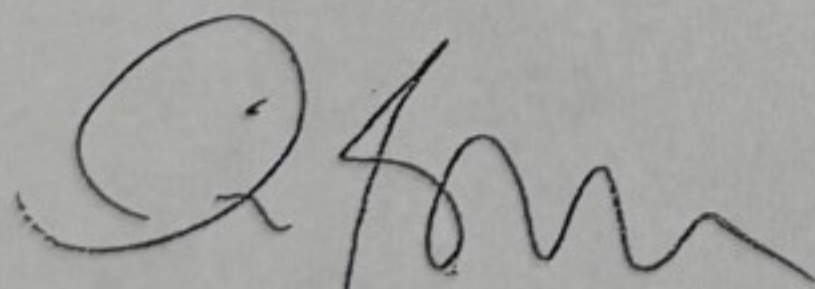
1. That Notice of a Public Meeting for the purpose of informing the public in respect of the proposed Zoning By-law amendment was given on the 29th day of January, 2021 as prescribed by law.
2. That By-law Number 21-020 was passed on the 24th day of February, 2021.
3. That written Notice of the Passing of the said By-law was given in accordance with Section 34(18) of the *Planning Act* on the 8th day of March, 2021.
4. That no Notice of Appeal was filed under Section 34(19) of the *Planning Act* on or before the 28th day of March, 2021, being twenty days from the day of the notice given of the passing of the said By-law.
5. That Section 24(2) of the *Planning Act* does not apply in that the Council did not adopt an amendment to the Official Plan and said By-law conforms to the Official Plan.
6. That, in accordance with Section 34(21) of the *Planning Act*, I verily believe that the By-law is deemed to come into force on the day it was passed.

AND I MAKE THIS solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the City of Hamilton

)
) 

this 27th day of April, 2021


 A Commissioner, etc.

ZAS-20-003
 Lisa Barroso,
 a Commissioner, etc.,
 Province of Ontario, for the City of Hamilton.
 Expires June 12, 2021.



Hamilton

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

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	B.V. Inc.		
Applicant(s)	Joe DiDonato Sven Oppermann		
Agent or Solicitor			
			E-mail:

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

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



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.

1.6 Payment type In person Credit over phone*



_____ must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	9 Westbourne Rd., Hamilton		
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:

Add 4 bedrooms to upstairs and staircase on main level.

 Second Dwelling Unit

 Reconstruction of Existing Dwelling

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

Second story covers same footprint so no new encumbrances on lot

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

 Yes

 No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.24 m	33.95 m	517.40 m ²	10 m.

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family	Rear N/A	0.73 m	0.65 m / 5.77 m	June / 2023
Single Family	front 6.10 m	12.23 m	2.99 m / 3.65 m	1956

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
Single Family	rear 89 m ²	35 124 m ²	2	7.92 m
Single Family	front 103 m ²	103 m ²	1	6 m

Proposed:

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

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

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

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

- ditches
- other means (specify)

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

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

4.7 Type of access: (check appropriate box)

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

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

single 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:

Dec. / 2013

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:

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

7.6 What is the existing zoning of the subject land? *c/s-1335, c/s-1335a, cs-1804*

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 2

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee *paid 02/12/24*
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:147	SUBJECT PROPERTY:	35 Homewood Avenue, Hamilton
ZONE:	"R1a" (Low Density Residential – Small Lot)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Mark Nieuwland
Agent: Park Eight Inc. c/o Pete VandenArend

The following variances are requested:

1. A maximum building height of 5.3m shall be permitted instead of the maximum 4.5m permitted for accessory buildings.
2. A maximum lot coverage of 45.0m² shall be permitted for the proposed accessory building whereas the zoning By-law states that the aggregate gross floor area of all accessory buildings shall not exceed 45.0m² or 7.5% total lot coverage whichever is the lesser.
3. A minimum setback of 0.9m shall be permitted from a side lot line instead of the minimum 1.2m setback required from a side lot line.
4. A minimum setback of 0.9m shall be permitted from a rear lot line instead of the minimum 1.2m setback required from a rear lot line.

Additional Variances to By-law No. 24-052 (Not Final & Binding).

5. No Electric Vehicle parking spaces shall be permitted to be maintained whereas the zoning By-law requires a minimum of 100.0% of the parking spaces provided for a single detached dwelling to be maintained as electric vehicle parking.

PURPOSE & EFFECT: To facilitate the construction of an accessory building (private garage) for the existing single detached dwelling.

A-24:147**Notes:**

The applicant shall ensure that the eave/gutter projection does not exceed the maximum permitted 0.45m into a required yard; otherwise, further variances shall be required.

The applicant shall ensure that a minimum access driveway width of 2.7m is maintained; otherwise, further variance shall be required.

The applicant shall ensure that the driveway width shall not exceed the lot width or 8.0m whichever, is the lesser; 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:

DATE:	Tuesday, July 23, 2024
TIME:	1:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeefadadjustment

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

- Visit www.hamilton.ca/committeefadadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

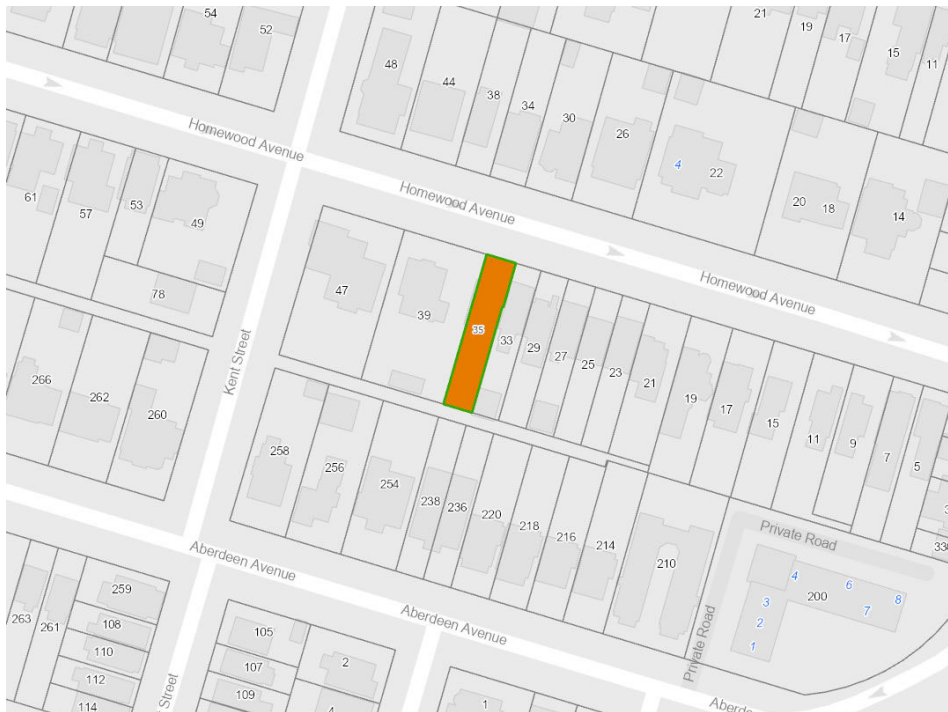
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:147, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:147

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

**Subject Lands**

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

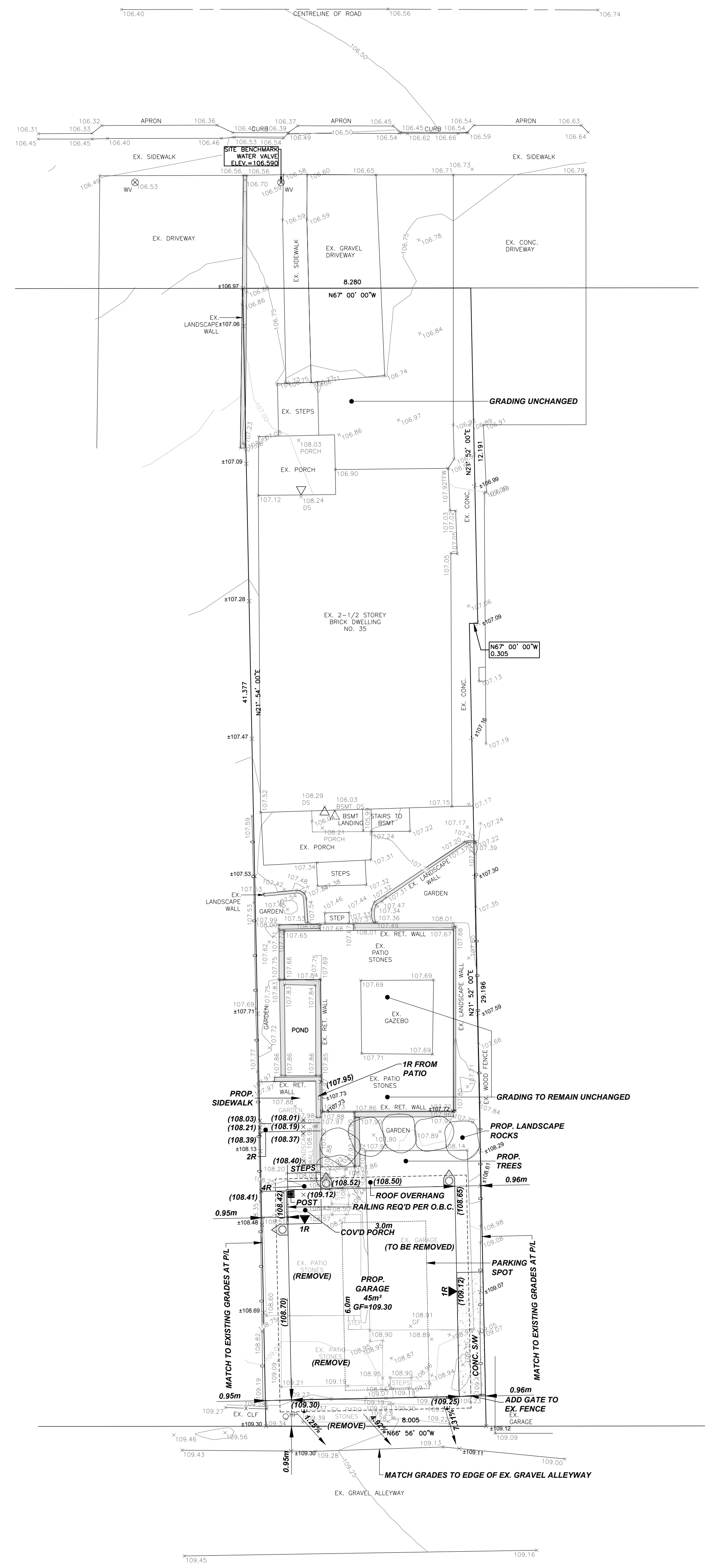
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.



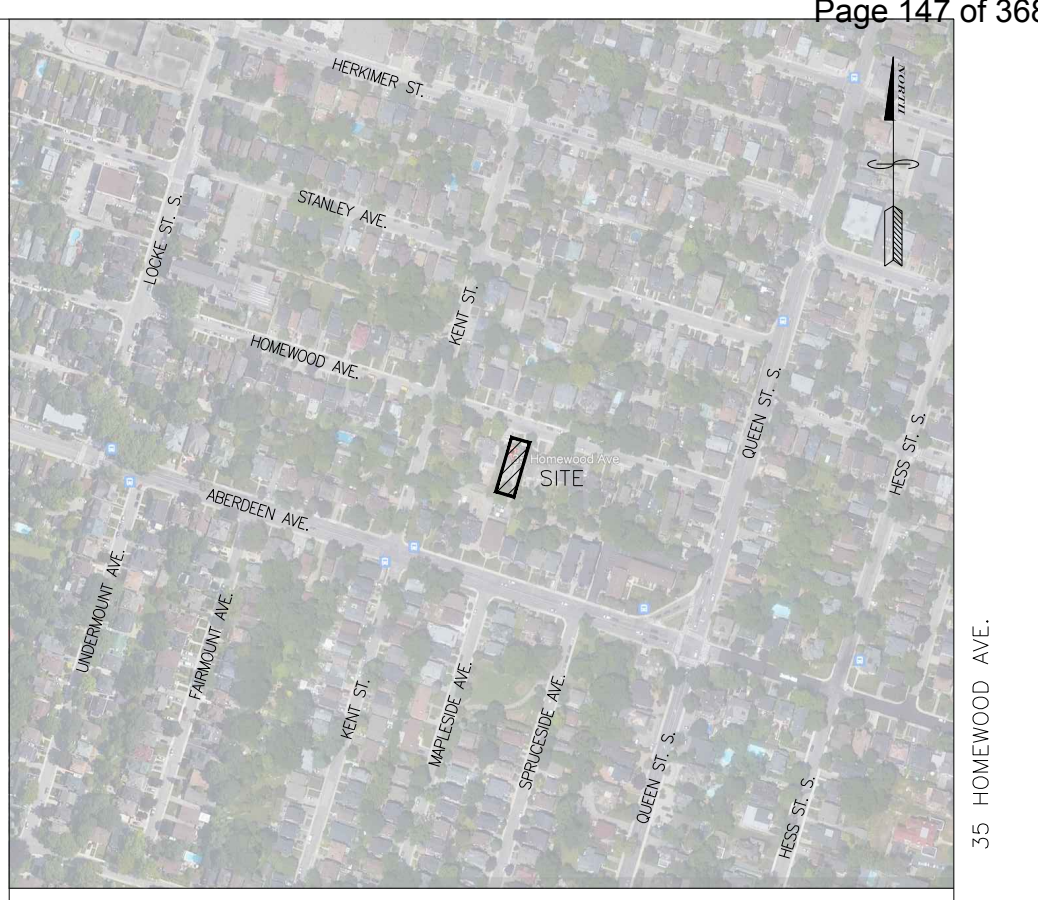
LEGEND

- × 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 SWALE
- PROPOSED SILT FENCE
- △ EXISTING 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 "SPLIT" 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 LOT 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 1.5% 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 CONTRACTED 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 BACKYARDS PROVIDED 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 ORANGE 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 SILENCED BY NOT 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.



KEY PLAN N.T.S.

BENCHMARK NOTE:
 ELEVATION = 106.813 (CGVD-1928.78)
 MONUMENT: 0011965U651
 HOUSE NO. 181 HERKIMER STREET, AT SOUTHWEST CORNER OF QUEEN STREET SOUTH, PLATE IN EAST BRICK WALL NEAR NORTHEAST CORNER.

SITE BENCHMARK:
 ELEVATION = 106.590m
 WATER VALVE AS INDICATED ON PLAN.

- 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.

NO:	DATE:	DESCRIPTION:
0	2024-05-15	FIRST SUBMISSION

REVISIONS

NO:	DATE:	DESCRIPTION:

SEAL

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

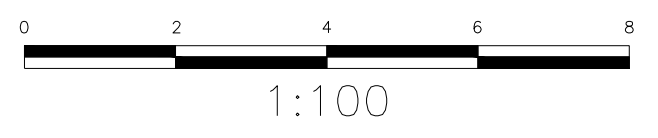
CLIENT: PARK EIGHT

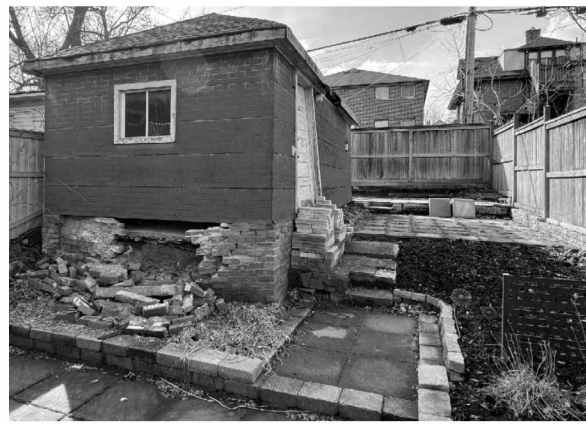
MUNICIPALITY: CITY OF HAMILTON

PROJECT NAME: 35 HOMEWOOD AVE.

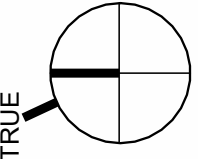
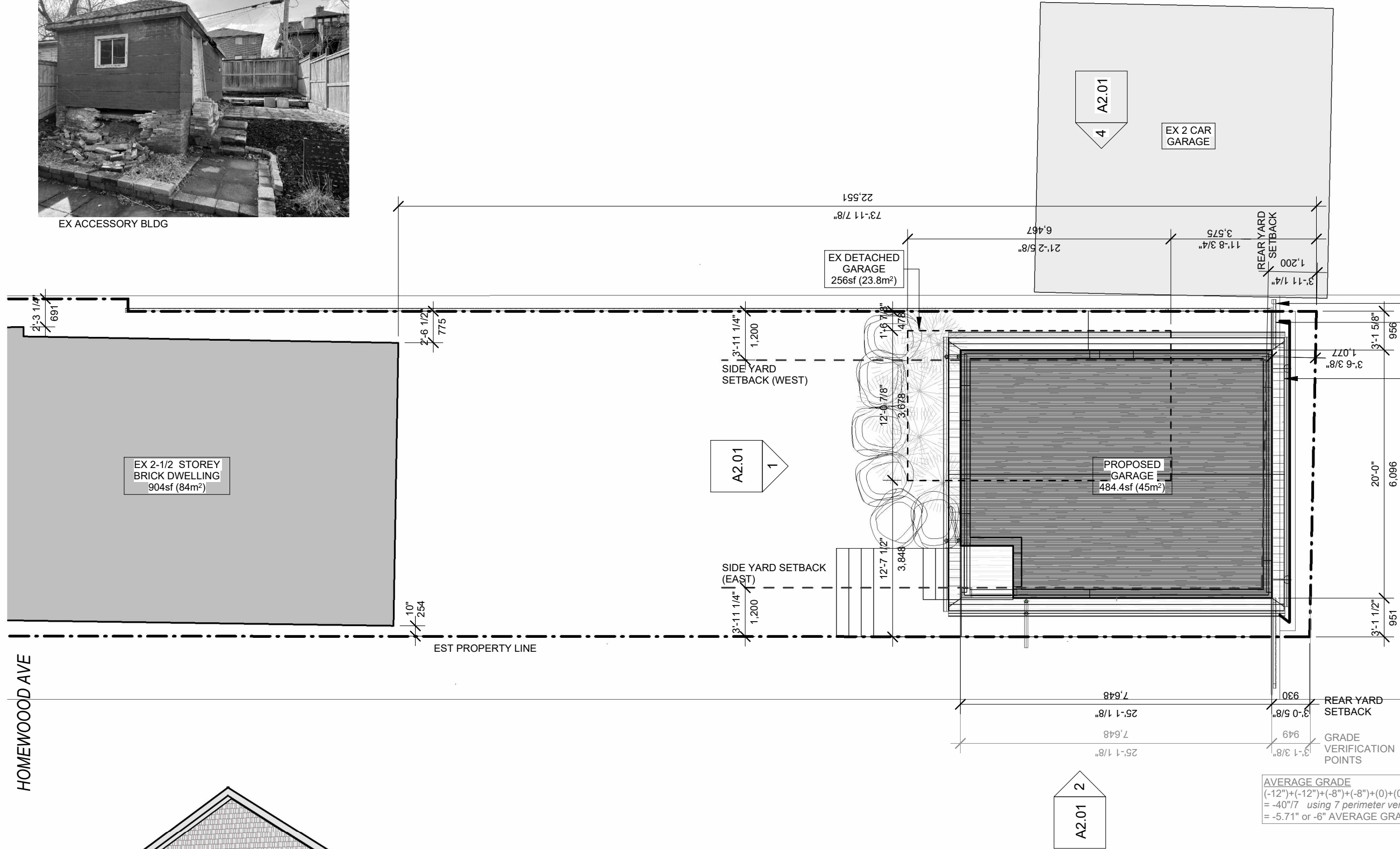
TITLE: SITE GRADING PLAN

SCALE: 1:100	DATE: 2024-04-12
CHECKED BY: AS	DESIGNED BY: BC
DWG No: 24018PRK	SHEET No: GP



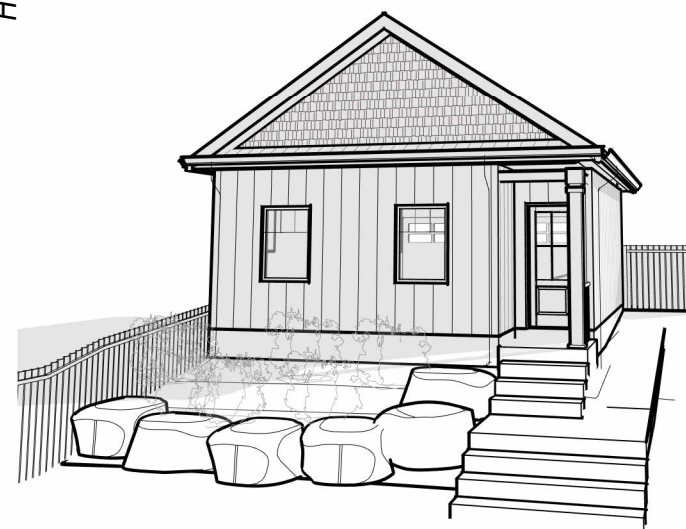


EX ACCESSORY BLDG



HOMewood AVE

EX GRAVEL ALLEYWAY



SITE PLAN LEGEND

- EX BUILDING
- EX BUILDING
- PROPOSED ADDITIONS

SITE STATISTICS
ZONING DESIGNATION = R1a LOW DENSITY RESIDENTIAL 05-200

	PERMITTED	PROVIDED	
LOT AREA	270m ² minimum	344.4m ²	UNCHANGED
LOT FRONTAGE	9m minimum	8.28m	UNCHANGED
FRONT YARD SETBACK	6m when front access	32.79m	
SIDE YARD SETBACKS	1.2m	.951m / .956m	
REAR YARD SETBACK	1.2m	.930m	
BUILDING HEIGHT	4m	5.3m	

[*] Denotes existing condition

LOT COVERAGE SUMMARY:
LOT AREA: 344.4m² EX UNCHANGED

	EXISTING	PROPOSED	EX UNCHANGED
EX BUILDING AREA:	84m ²	84m ²	EX UNCHANGED
ACCESSORY BLDG AREAS:			
DETACHED GARAGE	23.8m ²	45m ²	
	107.8m ²	129m ²	TOTAL COVERAGE
LOT COVERAGE DWELLING:	24.4%	24.4%	EX UNCHANGED
LOT COVERAGE ACCESSORY:	6.9%	13%	
LOT COVERAGE TOTAL :	31.3%	37.4%	6.1% increase in lot coverage



**ACCESSORY BLDG
RE-BUILD**
35 HOMEWOOD AVE, HAMILTON

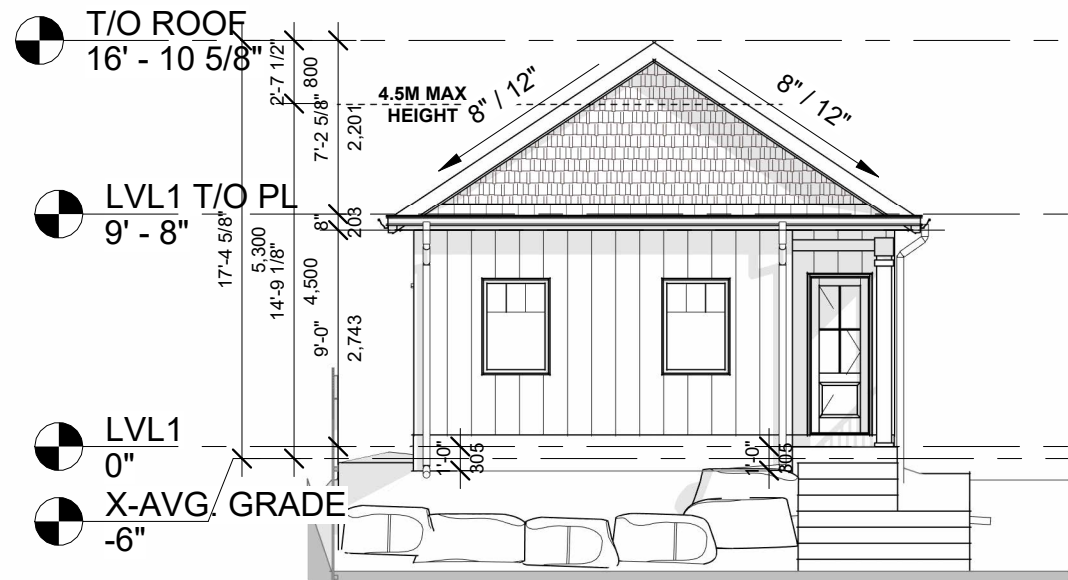
Project No. 24011
Revisions

Scale As indicated

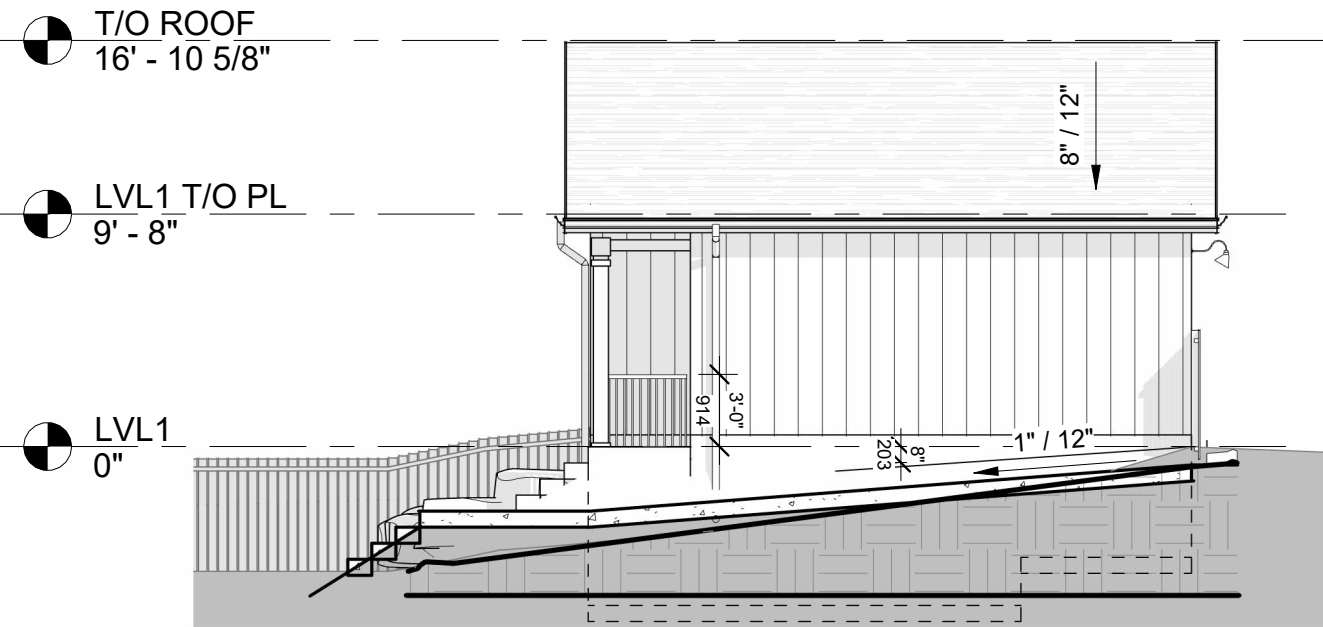
SITE PLAN

SP1.01

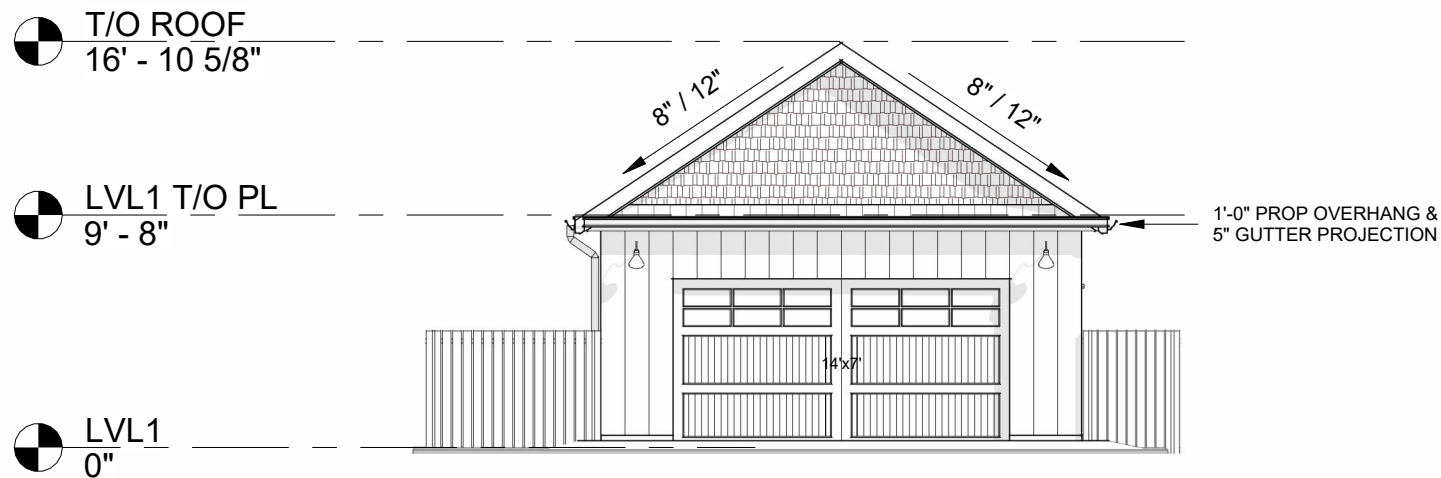
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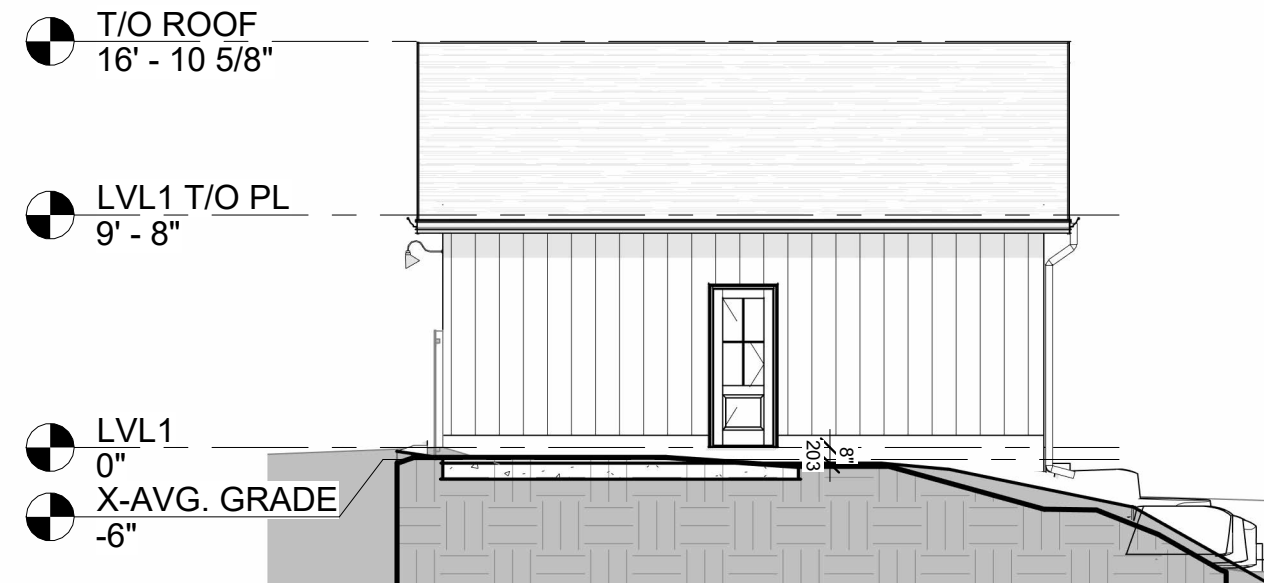
① EXTR ELEV FRONT
1/8" = 1'-0"



② EXTR ELEV SIDE (EAST)
1/8" = 1'-0"



③ EXTR ELEV REAR
1/8" = 1'-0"



④ EXTR ELEV SIDE (SOUTH)
1/8" = 1'-0"

PARK
EIGHT
ENG // ARCH

ACCESSORY BLDG
RE-BUILD
35 HOMEWOOD AVE, HAMILTON

Project No. 24011

Revisions

Scale 1/8" = 1'-0"

ELEVATIONS

A2.01

Sheet No. ©2021



Hamilton

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

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Mark Nieuwland		
Applicant(s)	Park Eight inc care of Pete VandenArend		
Agent or Solicitor			
			E-mail:

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

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

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

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent

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	35 Homewood Ave, Hamilton, ON L8P 2M1		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	12	Concession	
Registered Plan Number	187	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes No

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

N/A

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Relief from;

- Acc Bldg size to lot area 7.5%

- Max height /

- Side & Rear yard setbacks

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Consistent with surrounding homes along shared alleyway, clients wish to build garage which is comparable to established 2-car garages in the area. **Size:** Req'd <45m² - 7.5% lot size 270sf/ Proposed <45m² 484.4sf

Height: Req'd 4.5m/ Proposed 5.3m **Setbacks:** Req'd **Side yard** 1.2m Proposed .950m [3'-1"] **Rear yard** 1.2m Req'd .950 Proposed

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

Yes No

If yes, please provide an explanation:

N/A Ex use legal and recognized

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
8.28m	41.37m	334.4m ²	8.5m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Ex Dwelling	6.53m	22.55m	.254m/.775m	±1950's
Ex Garage	31.33m	3.57m	.478m/3.85m	±1950's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Ex Dwelling				unchanged
Prop Garage	32.79m	.930m	.951/.956	

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
Ex Dwelling	904sf [84m ²]	2260sf [210m ²]	2-1/2	±34'-6" [10.5m]
Ex Garage	6.7m ²	-	1	±13'-2" [4m]

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Prop Garage	484.4sf [45m ²]	484.4sf [45m ²]	1	17'-5" [5.3m]

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

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

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

- ditches
 other means (specify)
-

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

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

4.7 Type of access: (check appropriate box)

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

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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
 April 17, 2021

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

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

7.4 Length of time the existing uses of the subject property have continued:
 120+ 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) Neighborhoods

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

*Proposed scope is scaled reasonably, fits within the community context without changing the use, occupancy or original charm of the home.
 This accessory building re-build improves usefulness for the homeowners, while staying withing neighborhood precedent.*

7.6 What is the existing zoning of the subject land? R1a LOW DENSITY 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:

HM/A-07:158 Application was for dormers on East & West of dwelling

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

Yes No

If yes, please provide the file number:

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

Yes No

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

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- √ Application Fee *Will be paid w credit card upon receipt*
- √ Site Sketch
- √ Complete Application form
- √ Signatures Sheet

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:145	SUBJECT PROPERTY:	1110 Cannon Street East, Hamilton
ZONE:	"C2" (Neighbourhood Commercial)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: 1000873872 Ontario Inc. Signing Authority: Damon Joo
Agent: Max Fedchyshak

The following variances are requested:

1. A dwelling unit(s) mixed use shall be permitted on the ground floor of an existing commercial building instead of dwellings unit(s) mixed use shall only be permitted above the ground floor level.

PURPOSE & EFFECT: To facilitate the establishment of 3 residential units in an existing commercial building;

Notes:

1. It is noted that variances for parking were requested, and deemed not required as the existing parking area is to continue without change.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	1:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:145

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:145, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:145



 **Subject Lands**

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

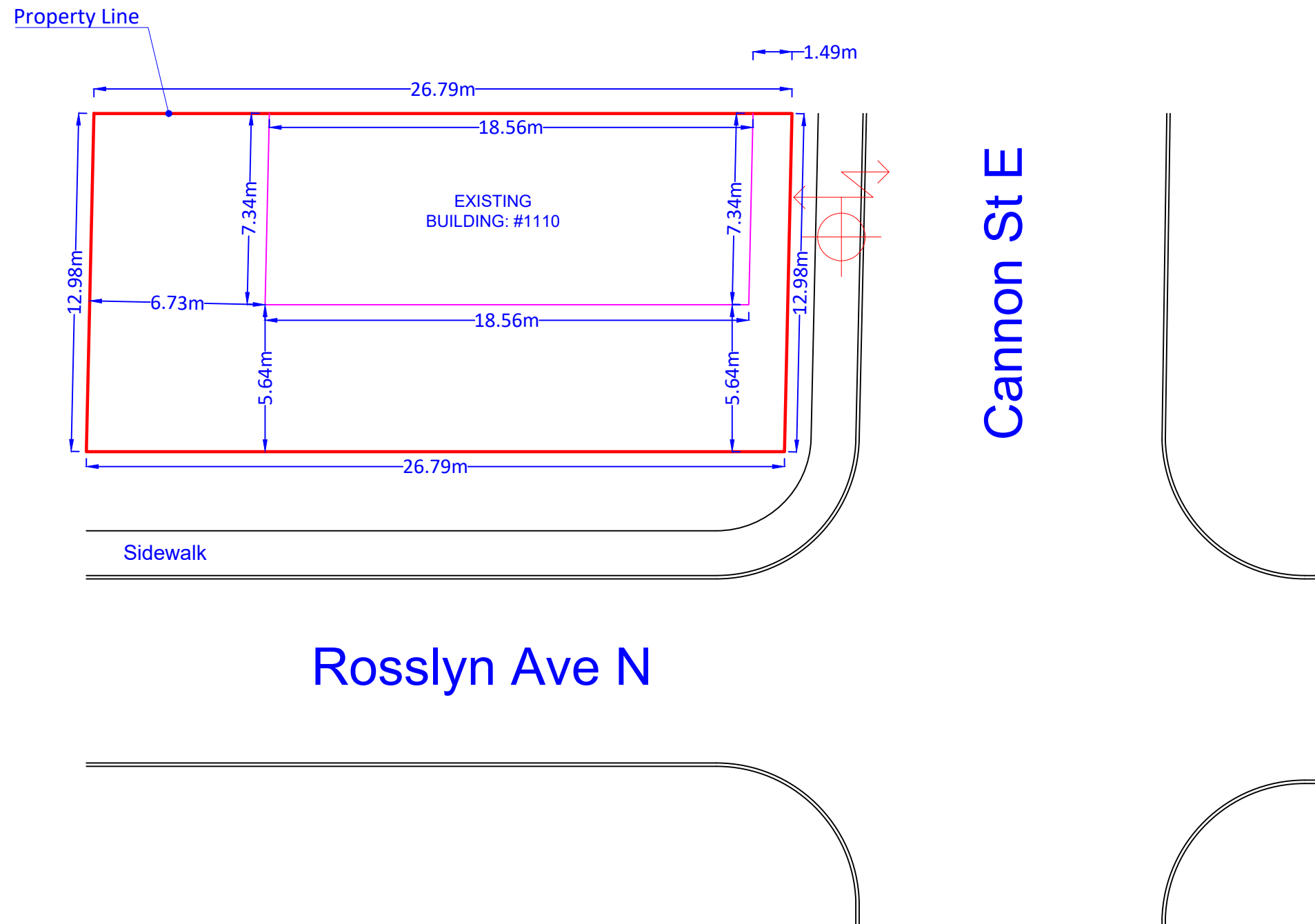
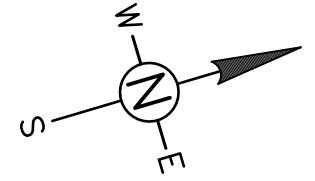
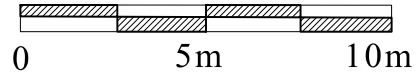
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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

SITE PLAN



ADDRESS: 1110 Cannon St E
 Hamilton, ON L8L 2J6
 Scale: 1:200

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.



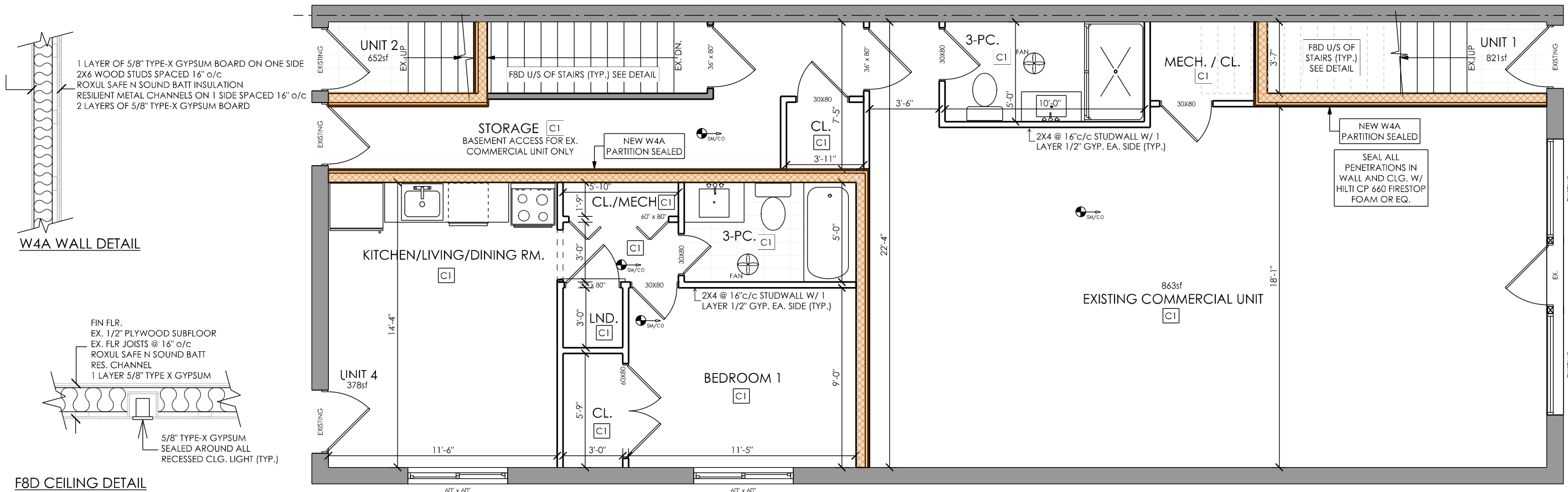
TBPG
DRAFTING & DESIGN
220 BROAD STREET EAST
DUNNVILLE, ON, N1A 1G2
INFO@THEBUILDINGPERMITGUY.CA

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO ACT AS A DESIGNER.
QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE:
JOHN BARNHART 41773
THE BUILDING PERMIT GUY 103362 BC/IN

JOO
CONVERSION
1110 CANNON ST. EAST, HAMILTON, ON.

DRAWN BY:
J. BARNHART

A-1



PROPOSED MAIN FLOOR DESIGN
SCALE: 3/16" = 1'-0"

- GENERAL NOTES**
- THESE DOCUMENTS ARE NOT TO BE SCALED. THE DESIGN AND DOCUMENTS REMAIN THE PROPERTY OF "THE BUILDING PERMIT GUY" AND ARE PROTECTED BY LAW. THEY MAY NOT BE ALTERED, ISSUED, OR REPRODUCED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF THE DESIGNER AND "TBPG". ALL DOCUMENTS ARE TO BE USED FOR THE CONSTRUCTION PROPOSED. ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR THE CONSTRUCTION PROPOSED. ANY DEVIATIONS FROM THESE PLANS AND DETAILS WILL REQUIRE REVISED DRAWINGS AND CLEARANCE BY THE BUILDING DEPARTMENT. CONTRACTOR TO SITE VERIFY ANY AND ALL DETAILS AND DIMENSIONS AND REPORT ANY AND ALL DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING WITH THAT RELATED PORTION OF THE WORK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND FOR MAKING ARRANGEMENTS FOR ALL REQUIRED INSPECTIONS. ALL CONSTRUCTION & MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE. ANY CHANGES TO DESIGN OR USE OF OTHER BUILDING MATERIALS SHALL BE APPROVED BY THE DESIGNER AND/OR APPROVED BY THE ENGINEER IF REQUIRED. IF DURING THE COURSE OF THE WORK UNKNOWN CONDITIONS ARE DISCOVERED WHICH WOULD NOT BE REASONABLY ASSUMED TO HAVE BEEN PRESENT OR ANTICIPATED, THE CONTRACTOR SHALL NOTIFY THE DESIGNER.
- ALL DIMENSIONS ARE IMPERIAL, UNLESS OTHERWISE NOTED.
- WOOD LINTELS/HEADERS**
ALL LINTELS SUPPORTING TRUSS SPANS THAT EXCEED 32'-0" OF SUPPORTED TRUSS LENGTH ARE TO BE PRE-ENGINEERED LVL HEADERS PER O.B.C. 9.23.12.
- WOOD BEAMS AND LUMBER**
· ALL LUMBER AND WOOD PRODUCTS SHALL CONFORM TO 9.3.2.
· BUILT UP WOOD COLUMNS SHALL CONFORM WITH 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.
· COLUMNS SHALL BE SECURELY FASTENED TO BEAMS TO PREVENT LATERAL MOVEMENT. ANCHORAGE OF EXTERIOR COLUMNS AND POSTS SHALL CONFORM WITH O.B.C. 9.23.6.2
· PROVIDE ADEQUATE LEVEL BEARING FOR ALL BEAMS AT THE END SUPPORTS PER O.B.C. 9.23.8.1.
- ACCESS**
- ACCESS TO SERVICES**
· EQUIPMENT REQUIRING SERVICES SUCH AS PLUMBING CLEANOUTS, TRAPS, AND BURNERS LOCATED IN CRAWLSPACES SHALL BE PROVIDED WITH AN ACCESS WAY WITH A HEIGHT OF NOT LESS THAN 24" AND 36" WIDE AND/OR THE WIDTH OF THE EQUIPMENT TO BE SERVICED.
- STAIRS**
ALL INTERIOR AND EXTERIOR STAIRS TO CONFORM WITH O.B.C. 9.8.2.
· MIN STAIR WIDTH TO BE 2'-10" PER O.B.C. 9.8.2.1.(2).
· ALL STAIRS TO BE UNIFORM IN RISE AND RUN
· MIN. RISE = 4 7/8" MAX RISE = 7 7/8"
· MIN. RUN = 12" MAX RUN = 14"
- DRAWING LEGEND**
- EXISTING SMOKE/CO DETECTORS TO REMAIN. NO CHANGES PROPOSED
 - EXISTING WALL AS NOTED ON PLAN TO REMAIN
 - F8D CEILING ASSEMBLY EX. FIN. FLOOR EX. 1X4 TIMBER SHEATHING EX. 2X10 TIMBER FLOOR JOISTS @ 16"o/c ROXUL SAFE N SOUND BATT RESILIENT METAL CHANNEL @ 16" o/c 1 LAYER 5/8" TYPE - X GYP.
 - NEW WALL AS NOTED ON PLAN
 - NEW W4A PARTITION 1 HR F.R.R. & 51 stc. 1 LAYER OF 5/8" TYPE - X GYP. EX. 2X6 TIMBER STUDS @ 16" o/c 89mm ABSORPTIVE MATERIAL RESILIENT CHANNEL @ 16"o/c 2 LAYERS OF 5/8" TYPE-X GYP. ALL JOINTS MUDDED AND TAPED

- GUARDS**
· ALL HANDRAILS AND GUARDS TO BE INSTALLED PER O.B.C. SB-1 HANDRAILS PER O.B.C. 9.8.7.
· IF STAIRS ARE OPEN ON BOTH SIDES OF STAIRS, GUARDS ARE REQUIRED ON ONE SIDE. IF STAIR WIDTH EXCEEDS 43" RAILINGS ARE REQUIRED ON BOTH SIDES IN ADDITION TO GUARDS.
· STAIRS WITH WALLS ON BOTH SIDES REQUIRE A HANDRAIL ON ONE SIDE. IF THE STAIR WIDTH EXCEEDS 3'-7" RAILINGS ARE REQUIRED ON BOTH SIDES OF THE STAIRS.
· EXTERIOR GUARDS AS PER O.B.C. 9.8.8.1.
· MIN. RAILING HEIGHT TO BE 36" IF DECK HEIGHT IS LESS THAN 5'-11" ABOVE GRADE.
· MIN. RAILING HEIGHT TO BE 42" IF DECK HEIGHT IS MORE THAN 5'-11" ABOVE GRADE.
· NO GUARD REQUIRED FOR DECKS LESS THAN 24" ABOVE GRADE.
- INSULATION/VENTILATION & WEATHERPROOFING**
· INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 6mil POLY IS SUFFICIENT FOR FIBERGLASS TYPE INSULATIONS.
· DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE AND SEALANT.
· CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR.
· WEATHER STRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR.
· EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR.
- DOORS & WINDOWS**
· EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST 1 WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 3.8 ft2 WITH NO DIMENSION LESS THAN 15" AND IS OPENABLE WITHOUT THE USE OF TOOLS OR SPECIALIZED KNOWLEDGE.
· EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 6'-7" FROM GRADE SHALL BE CONSTRUCTED TO RESIST ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.
· THE PRINCIPAL ENTRY DOOR SHALL HAVE A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.
- SMOKE ALARMS & DETECTORS**
· SHALL BE INSTALLED ON ANY STOREY OF A DWELLING UNIT THAT CONTAINS SLEEPING ROOMS PER O.B.C. 9.10.19.3.
· IN EACH SLEEPING ROOM.
· IN A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY.
· ALL SMOKE ALARMS ARE TO BE INTERCONNECTED AND PROVIDED WITH 7 DAYS OF BATTERY BACKUP PER O.B.C. 9.10.19.
· CO DETECTOR SHALL BE INSTALLED AS PER O.B.C. 9.33.4.2. WHICH STATES: UNITS SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT LEVEL 2'-11" OR MORE ABOVE AN ADJACENT LEVEL.

- LIGHTING / ELECTRICAL**
- LIGHTING**
· CONFIRM ALL PLACEMENT OF OUTLETS, SWITCHES AND LIGHT FIXTURES WITH HOME OWNER PRIOR TO INSTALLATION.
· PROVIDE AN EXTERIOR LIGHT AT ALL EXITS.
· AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE AS PER O.B.C. 9.34.2.1.
· A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, BATHROOM, VESTIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECEPTACLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOMS AND LIVING ROOMS.
· STAIRS SHALL BE LIGHTED. AND EXCEPT WHERE SERVING AN UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS.
· BASEMENTS REQUIRE A LIGHT FOR EACH 323 ft2, CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS.
· EVERY STAIR WAY GREATER THAN 4 RISERS IN A DWELLING UNIT SHALL BE LIGHTED AND CONTROLLED WITH A 3 WAY SWITCH PER O.B.C. 9.34.2.3.
- PLUMBING NOTES**
· ALL PLUMBING TO BE COMPLETED AS PER O.B.C. 9.31. AND PART 7.
· ALL THERMOSTATICALLY CONTROLLED MIXING VALVES SHALL BE PROVIDED FOR ALL FAUCETS OR WATER HEATER SOURCE.
· PRESSURE BALANCED OR THERMOSTATICALLY CONTROLLED MIXING VALVES SHALL BE PROVIDED FOR ALL SHOWER UNITS PER O.B.C. 7.6.5.2.
· A FLOOR DRAIN SHALL BE INSTALLED IN THE BASEMENT, AND CONNECTED TO THE SANITARY SEWER WHERE GRAVITY DRAINAGE IS POSSIBLE. IN OTHER CASES IT SHALL CONNECT TO A STORM DRAINAGE SYSTEM, DITCH OR DRY WELL.
- ELECTRICAL**
· ALL ELECTRICAL TO CONFORM WITH O.B.C. 9.34. AND BE COMPLETED AND INSPECTED AS PER E.S.A.
- MECHANICAL VENTILATION**
· PROVIDE MECHANICAL VENTILATION SYSTEMS PER O.B.C. 9.32.
· EXHAUST FANS TO CONFORM TO PART 6 O.B.C.
· SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL CAPACITY OF ALL KITCHEN, BATHROOM AND OTHER EXHAUSTS, LESS THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED CAPACITY.
· ALL EXHAUST FANS SHALL BE DIRECTLY VENTED TO THE OUTDOORS.
· A HEAT RECOVERY VENTILATOR MAY BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AN HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLIANCES ARE INSTALLED.
· SUPPLEMENTARY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONTAMINATION FROM EXHAUST OUTLETS.

- SCOPE OF PROJECT**
- RATED CEILING ASSEMBLY SHALL BE NEW F8D PER SB-3 UNLESS OTHERWISE NOTED
 - RATED WALL ASSEMBLY SHALL BE NEW W4A PER SB-3 UNLESS OTHERWISE NOTED
 - FIRE SEPERATION ON ALL HORIZONTAL SURFACES SEPERATING UNITS INCLUDING UNDERSIDE OF STAIRS.
 - ALL PENETRATIONS TO BE SEALED WITH HILTI CP 660 OR EQ. APPROVED FIRE RATED CAULKING.
 - ALL RECESSED LIGHTING SHALL BE SEALED AND PROTECTED WITH TYPE-X GYPSUM. SEE DETAIL
 - EX. GAS FURNACE TO REMAIN FOR MAIN FLOOR ONLY.
 - NO CHANGES TO EX. MAIN FLOOR RETAIL OCCUPANCY
 - SMOKE AND CO ALARMS TO BE INTERCONNECTED WITH VISUAL SIGNALLING DEVICE.
 - INSTALL APPROVED FIRE DAMPERS HARDWIRED WHERE A VENTILATION DUCT PENETRATES A RATED WALL OR CEILING

THE BUILDING PERMIT GUY DRAFTING & DESIGN



TBPG
 DRAFTING & DESIGN
 220 BROAD STREET EAST
 DUNNVILLE, ON. N1A 1G2
 289.308.6442
 INFO@THEBUILDINGPERMITGUY.CA

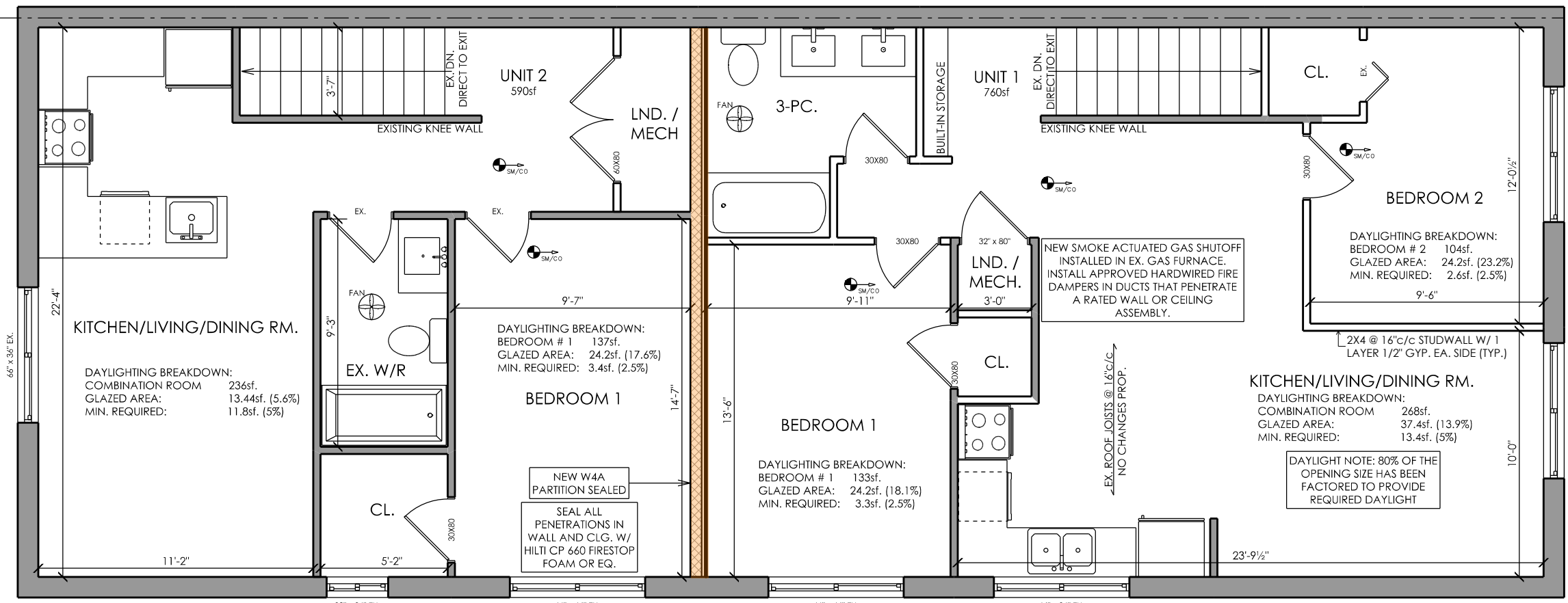
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QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE:
 JOHN BARNHART 41773
 THE BUILDING PERMIT GUY 103362
 FIRM NAME BCIN

JOO
 CONVERSION
 1110 CANNON ST. EAST, HAMILTON, ON.

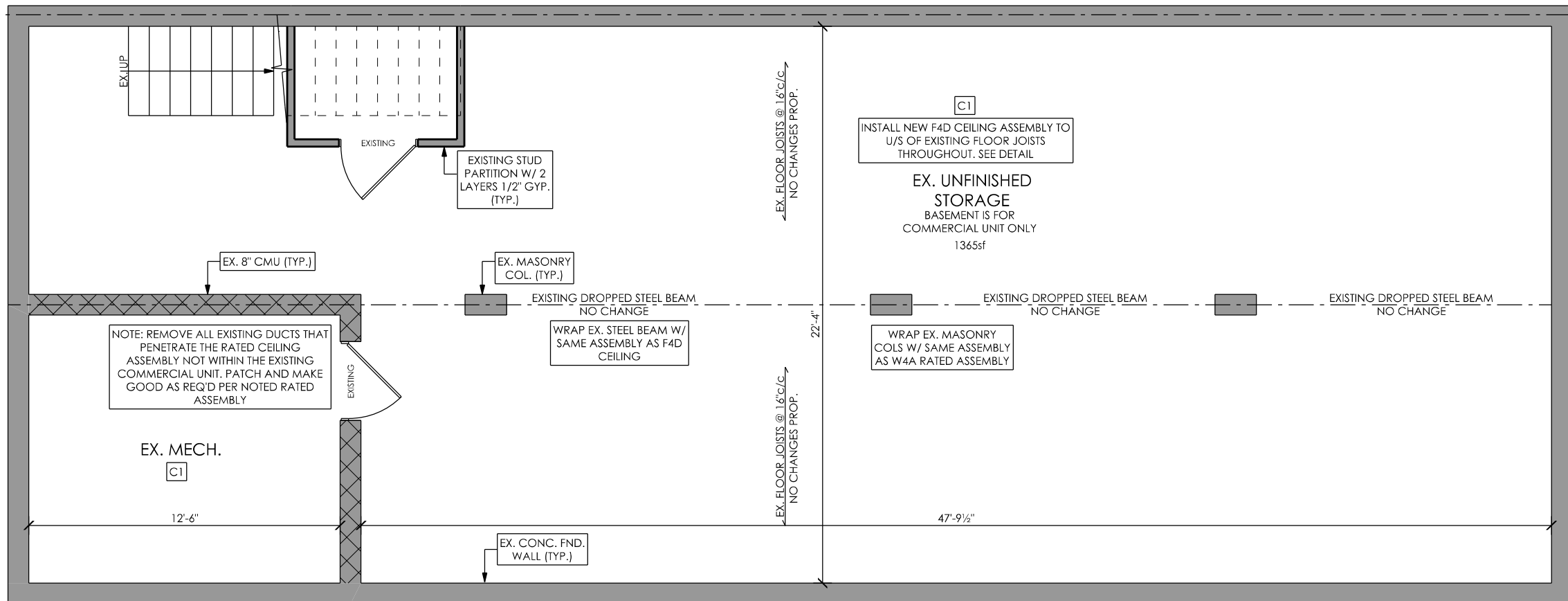
DRAWN BY: J. BARNHART

A-2



PROPOSED 2ND FLOOR PLAN

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



EXISTING BASEMENT FLOOR PLAN

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

CANNON STREET

THE BUILDING PERMIT GUY DRAFTING & DESIGN



TBP G
 DRAFTING & DESIGN
 228 BROAD STREET EAST
 DUNNVILLE, ON, N1A 1G2
 289.308.6442
 INFO@THEBUILDINGPERMITGUY.CA

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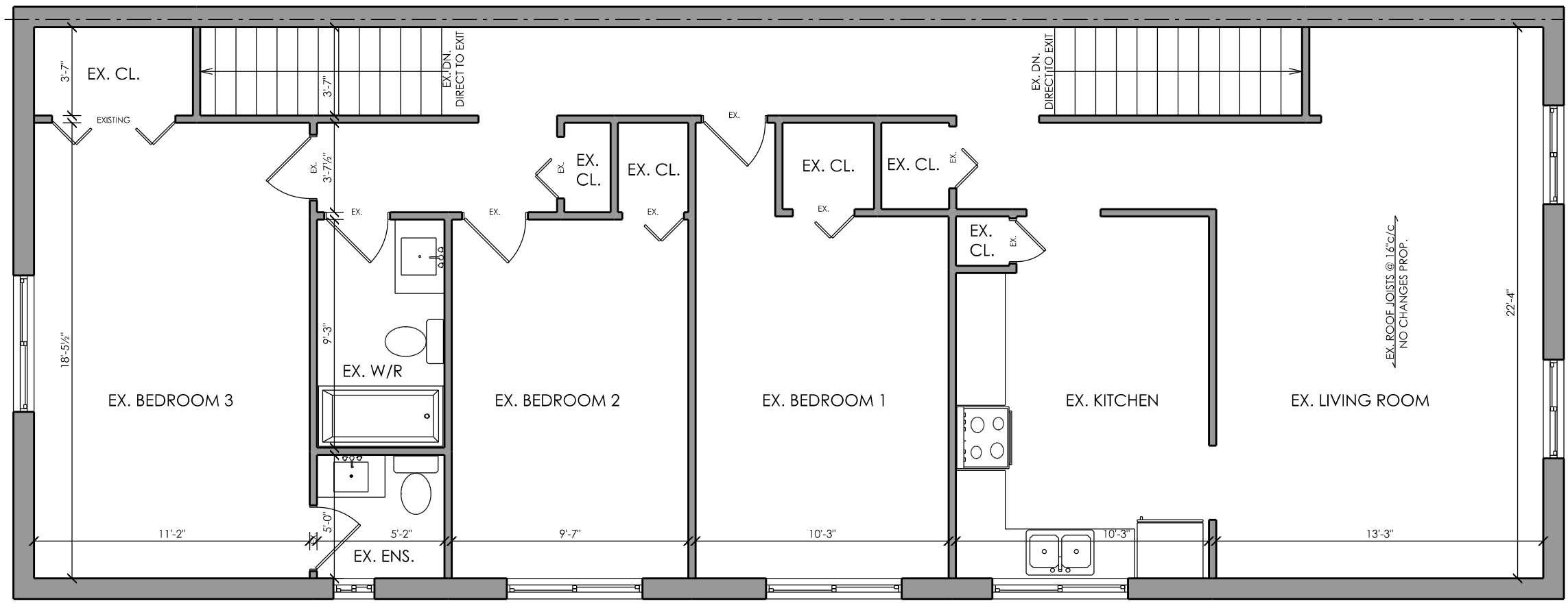
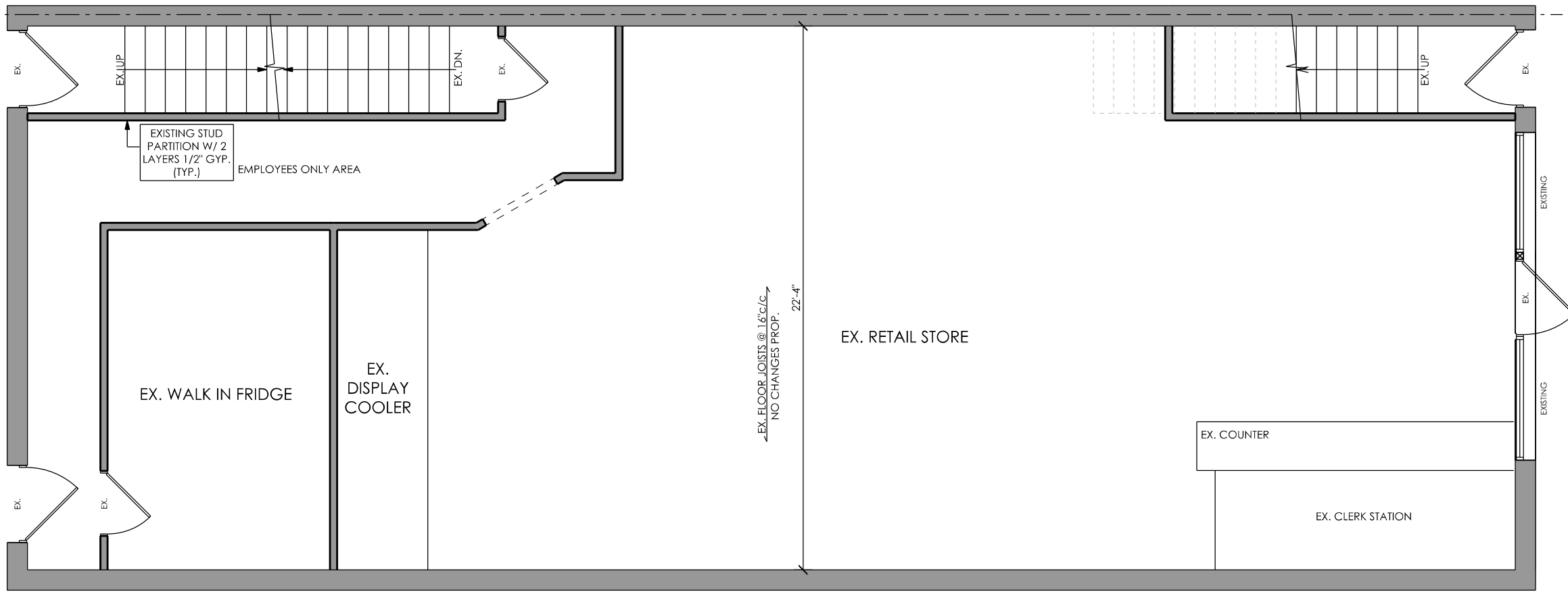
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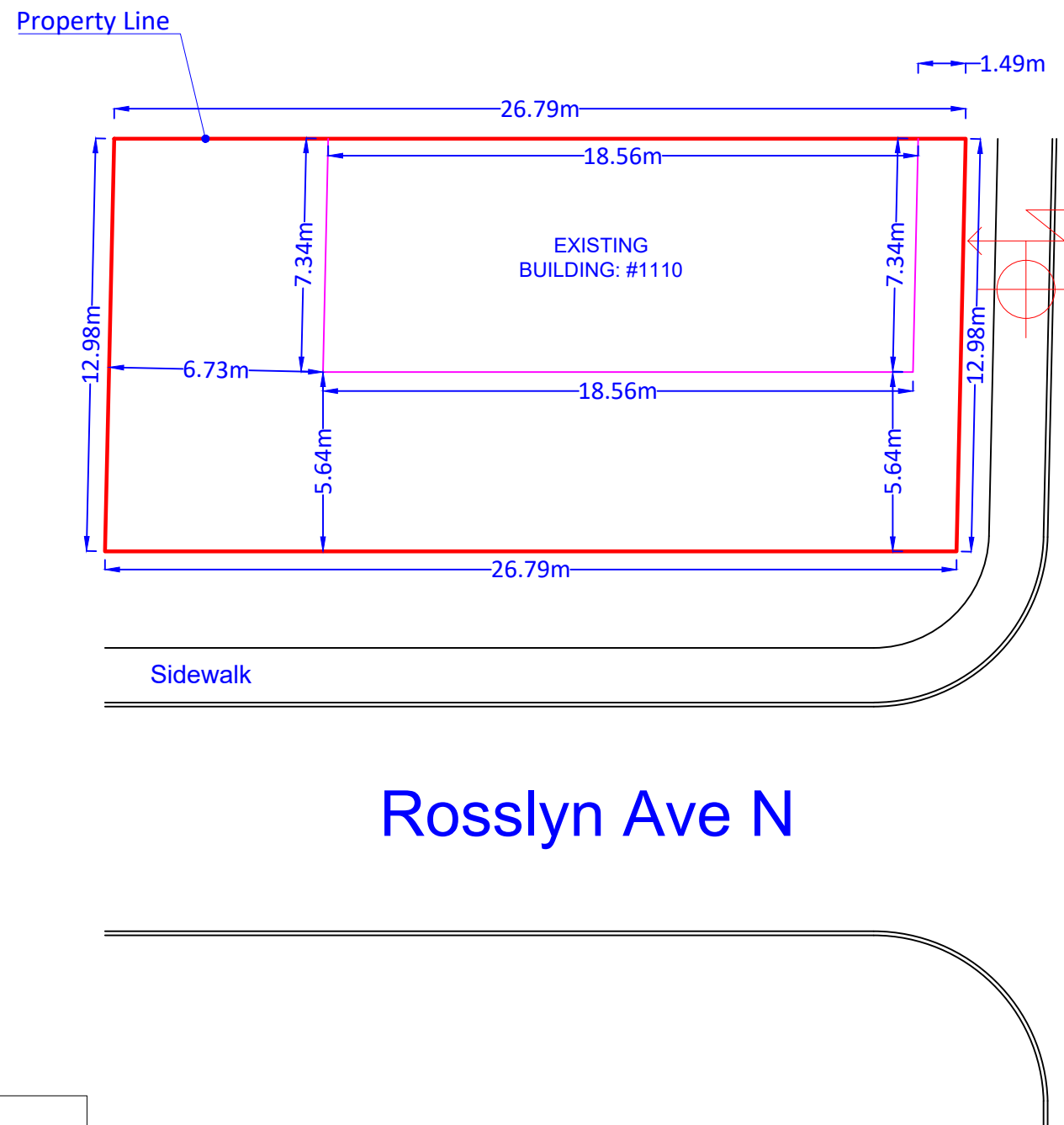
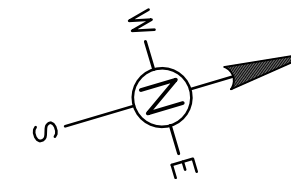
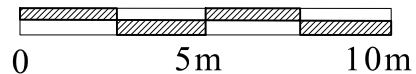
A-3

THE BUILDING PERMIT GUY DRAFTING & DESIGN



CANNON STREET

SITE PLAN



ADDRESS: 1110 Cannon St E
 Hamilton, ON L8L 2J6
 Scale: 1:200

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE

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TBPG
 DRAFTING & DESIGN

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 DUNNVILLE, ON, N1A 1G2
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QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE:
 JOHN BARNHART 41773

THE BUILDING PERMIT GUY 103362 BCIN
 FIRM NAME

JOO

CONVERSION

1110 CANNON ST. EAST, HAMILTON, ON.

DRAWN BY: J. BARNHART

S-1

THE BUILDING PERMIT GUY DRAFTING & DESIGN



June 3, 2024

Jamila Sheffield
Secretary Treasurer
Committee of Adjustment
Hamilton City Hall
71 Main St. W, 5th Floor
Hamilton, ON
L8P 4Y5

RE: 1110 Cannon Street East – Application for Minor Variance

Dear Ms. Sheffield,

NPG Planning Solutions Inc. has been retained by Damon Joo to provide independent professional planning advice regarding an application for Minor Variance (the “Application”) to facilitate the construction of 3 residential units within the existing building on the lands municipally known as 1110 Cannon Street East, City of Hamilton. The Subject Lands currently contain a two-storey mixed-use building with a commercial unit on the ground floor and one (1) residential unit on the second floor. Approval of the proposed Application would permit two (2) residential units on the second floor and one (1) residential unit on the first floor, located to the rear of the existing commercial use. A total of six (6) parking spaces are provided for both uses to the east of the building, accessed via Rosslyn Avenue North.

The Subject Lands have an area of approximately 348 square metres, and a frontage of 12.98 metres on Cannon Street and 26.79 metres on Rosslyn Avenue. There is an existing commercial building on the Subject Lands. The application does not seek any exterior site works – only interior renovations are proposed. The Lands are designated as Neighbourhoods in the City’s Official Plan and zoned Neighbourhood Commercial (C2) Zone.

The Application requests the following variances:

1. Permit a residential unit on the ground floor in conjunction with ground floor commercial uses (Section 10.2.1.1 of Zoning By-law).
2. Access to parking areas may be provided directly from a public road (Section 5.2.4 of Zoning By-law).

Included as part of this submission are as follows:

1. Minor Variance Application Form;
2. Site Plan Drawing, Architectural Elevations and Floor Plans;
3. Planning Letter addressing the requested Variances;
4. City of Hamilton Standard Minor Variance Application Fee: \$3,900

1.0 Neighbourhood Context

The Subject Lands are located in the Urban Boundary and Built-Up Area of the City of Hamilton and are designated Neighbourhoods on *Schedule E-1 - Urban Land Use Designations* of the City's Official Plan (City's OP). The lands are located at the intersection of Cannon Street East (a Collector Road according to *Schedule C – Functional Road Classification* of the City's OP) and Rosslyn Avenue in an area comprised of a blend of commercial and residential uses with commercial uses being prevalent on the Cannon Street streetscape. Furthermore, Cannon Street East contains a paved cycling lane, and the Subject Lands are located in proximity to numerous existing transit stops and a planned LRT Station Major Transit Station Areas and a Priority Transit Corridor according to *Appendix B – Major Transportation Facilities and Routes* of the City's OP.

Adjacent land uses consist of neighbourhood commercial uses to the north and west, and residential uses to the south and east.

2.0 Proposed Variance and Analysis of Four Tests

Section 45(1) of the *Planning Act* provides that:

The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained. R.S.O. 1990, c. P.13, s. 45 (1); 2006, c. 23, s. 18 (1); 2009, c. 33, Sched. 21, s. 10 (11).

The following is an analysis of the Application for Minor Variance in relation to the four tests for Minor Variance relating to the lands located at 1110 Cannon Street East.

Variance 1: Permit a residential unit on the ground floor (Section 10.2.1.1 of ZBL)

Proposed:	Dwelling Unit on the ground floor in conjunction with ground floor commercial uses.
Required:	A Dwelling Unit(s), Mixed Use shall only be permitted above the ground floor.

Table 1: 4 Part Test Analysis Table – Variance to permit a residential unit on the ground floor

Test	Analysis
1. Is the requested variance minor in nature?	<p>A primary consideration in determining whether a variance application is minor is determining the degree of adverse impact that may occur if the variance is granted. If the variance does not result in an unacceptable adverse impact on the neighbours, then it is likely to be minor in nature.</p> <p>The ground floor commercial space will be retained to maintain easy access for commercial uses in the neighbourhood. Access to the residential unit will be from the rear of the building and the unit will be completely separate from the commercial use. The requested variance will not have an impact on the overall character of the existing neighbourhood, nor will it change the existing situation with regards to privacy as no exterior site alteration is proposed. No adverse impacts associated with permitting a ground floor residential unit are anticipated on neighbouring properties.</p>
2. Is the requested variance desirable for the appropriate development or use of the land, building, or structure?	<p>The requested variance is desirable for the appropriate development of the land as it will allow for the creation of additional dwelling units in an existing structure that is suitable to accommodate the increased density. Furthermore, the proposed ground floor residential unit will be located behind the existing ground-floor commercial space to maintain the commercial nature of the Cannon Street East streetscape and will promote appropriate mixed-use intensification. As such, the requested variance is desirable for the appropriate development of the land.</p>
3. Does the requested variance maintain the general intent and purposes of the By-law?	<p>The intent and purpose of the City's Zoning By-law with respect to prohibiting residential units on the ground floor is to maintain the commercial nature of the Cannon Street East streetscape. The proposed ground floor residential unit will be situated behind the existing commercial portion of the building to maintain the existing commercial nature of the Cannon Street frontage. As such, the requested variance would maintain the general intent and purpose of the By-law.</p>

Test	Analysis
<p>4. Does the requested variance maintain the general intent and purpose of the Official Plan?</p>	<p>The Official Plan intends to permit a mix of housing units in areas with access to a range of commercial uses with transit connectivity. The proposed variance satisfies this intent.</p> <p>The Official Plan also intends to mitigate conflict between adjoining uses and maintain a consistent streetscape. The general intent and purpose of the Official Plan is maintained as the requested variance facilitates the development of a ground-floor residential dwelling unit that will be located behind the existing commercial unit, and as such will not hinder the commercial nature of the Cannon Street streetscape.</p>

Variance 2: Permit access to parking directly from a public road (Section 5.2.4 Access Requirement of ZBL)

Proposed: Access to all parking may be provided directly from a public road
 Required: Access to all parking shall be provided by an access driveway located on the lot

Table 2: 4 Part Test Analysis Table – Variance to permit the access to a parking area from a public road

Test	Analysis
<p>1. Is the requested variance minor in nature?</p>	<p>The requested variance is minor in nature as the parking area is currently accessed directly from the public road without the prevalence of any issues. Parking access from the public road has not interfered with the normal use of the street.</p>
<p>2. Is the requested variance desirable for the appropriate development or use of the land, building, or structure?</p>	<p>The requested variance is desirable for the appropriate development of the land as it will allow for continued access to the parking areas on the Subject Lands.</p> <p>The site has sufficient room for more than the six (6) parking spaces required within the ZBL when vehicles are parked perpendicularly to the building and to the rear of the building (see Image 1 and 2 in Appendix A). It is important to note that the parking spaces will not encroach into the municipally owned lands. As such, the variance can be considered desirable for the appropriate development of the land.</p>
<p>3. Does the requested variance maintain the general intent and</p>	<p>The intent of the provision of the access aisle being located on a lot is to ensure that adequate space exists to access the parking spots on-site without safety concerns within the</p>

Test	Analysis
purposes of the By-law?	public right-of-way. Existing access to parking on the Subject Lands is provided directly from a public road and will continue in its as-existing state - approval of the variance will not result in any additional safety concerns.
4. Does the requested variance maintain the general intent and purpose of the Official Plan?	The general intent of the Official Plan is maintained as the requested variance will facilitate the creation of additional residential (mixed-use) dwelling units with sufficient access and parking provided.

3.0 Conclusion

This letter provides planning justification for the approval of the variances requested for 1110 Cannon Street East in Hamilton. As assessed above, the Application complies with Section 45(1) of the *Planning Act*, as the variances are minor in nature, appropriate for the development of the Subject Lands, and maintain the general intent and purpose of both the Zoning By-law and the Official Plan.

Please provide notice of all meetings and decisions regarding the variance to the undersigned.

Brief prepared by:



Dan Banatkiewicz
Planner
NPG Planning Solutions Inc.



Max Fedchyshak, MCIP, RPP
Intermediate Planner
NPG Planning Solutions Inc.

Appendix A – Site Images



Image 1 - View from southeast corner of the Subject Lands along the frontage on Rosslyn Avenue North looking northwest.



Image 2 - View from southeast corner of the Subject Lands looking west along the existing wood board fence at the rear of the Subject Lands.



Image 3 – View from the intersection of Cannon Street East and Rosslyn Avenue North looking southwest along the Rosslyn Avenue North frontage of the Subject Lands.



Image 4 – View from the intersection of Cannon Street East and Rosslyn Avenue North looking west along the Cannon Street East frontage of the Subject Lands



Image 5 - View of dedicated bicycle lane on Cannon Street East from the intersection of Cannon Street East and Kensington Avenue North looking east towards the Subject Lands



Image 6 - View from northeast corner of the Subject Lands looking northeast towards the existing commercial buildings across Cannon Street East



Image 7 – View looking northeast along Cannon Street East



Image 8 – View from Rosslyn Avenue North frontage looking west towards the existing parking on-site



Image 9 – View looking south towards the Subject Lands from across Cannon Street East



Hamilton

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

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

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	1000873872 Ontario Inc. Signing authority: Damon Joo
Applicant(s)	
Agent or Solicitor	Max Fedchyshak

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

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

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.

1.6 Payment type In person Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1110 Cannon Street East		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	Part of Lots 391, 392, 393
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 refer to the attached Planning Letter.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to the attached Planning Letter.

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12.98m (Cannon Street)	26.79m	348 square metres	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed Use	1.49m (Cannon Street)	6.73m	5.64m (to Rosslyn Ave) 0m (to 1108 Cannon Street)	Unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
As-existing	As-existing	As-existing	As-existing	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Mixed-use	Approx 136.23sqm	Approx 272.5 sqm	2	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
As existing	As-existing	As-existing	2	

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

- lake or other water body
 other means (specify)

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

- ditches
 other means (specify)

- 4.6 Type of sewage disposal proposed: (check appropriate box)
- publicly owned and operated sanitary sewage
 system privately owned and operated individual
 septic system other means (specify) _____
- 4.7 Type of access: (check appropriate box)
- provincial highway right of way
 municipal road, seasonally maintained other public road
 municipal road, maintained all year _____
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Mixed-use. The existing commercial portion is to be maintained, one (1) residential unit is proposed on the ground floor and two (2) units on the second floor.
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Commercial, Single Detached Dwellings.

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
May 2024
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Mixed-use. Ground floor commercial with residential above.
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Mixed-use. Ground floor commercial with residential above.
- 7.4 Length of time the existing uses of the subject property have continued:
Unknown.
- 7.5 What is the existing official plan designation of the subject land?
Rural Hamilton Official Plan designation (if applicable): _____
Rural Settlement Area: _____
Urban Hamilton Official Plan designation (if applicable) Neighbourhoods.
- Please provide an explanation of how the application conforms with the Official Plan.
Please refer to attached Planning Letter.
- 7.6 What is the existing zoning of the subject land? Neighbourhood Commercial (C2)

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

Yes No

If yes, please provide the file number: _____

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

Yes

No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 3

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

Existing Mixed-use building featuring ground floor commercial uses and one residential unit above. Variance is proposed to permit residential uses on ground floor while retaining commercial use along Cannon Street frontage. A variance is also proposed to permit parking access directly from a public road (existing situation)

Please see Planning Letter prepared by NPG Planning Solutions for more information.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:136	SUBJECT PROPERTY:	35 Citation Crescent, Ancaster
ZONE:	R3 - 329 (Residential 3 Zone)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended by By-law No. 89-69

APPLICANTS: Owner: Lars and Helen Wunsche
Applicant: Lucas Waxman – All in One Landscaping
Agent: Stephanie Allen – The Deck Yard

The following variances are requested:

1. An Accessory Building shall be located 0.9 metres from an interior side yard instead of the requirement that an Accessory Building shall not be located in any minimum side yard.
2. An Accessory Building shall be located 1.09 metres from an interior side yard instead of the requirement that an Accessory Building in excess of 12 square metres ground floor area shall not be located in any minimum rear yard.

PURPOSE & EFFECT: So as to permit the construction of an Accessory Building in the rear yard notwithstanding that:

Notes:

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-24:136

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

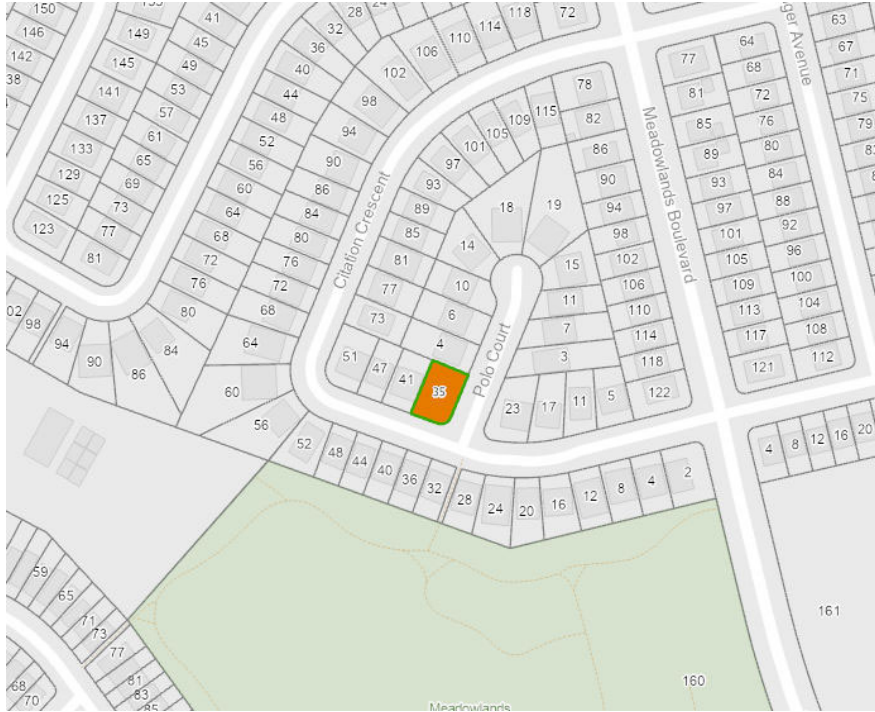
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:136, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:136



 **Subject Lands**

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

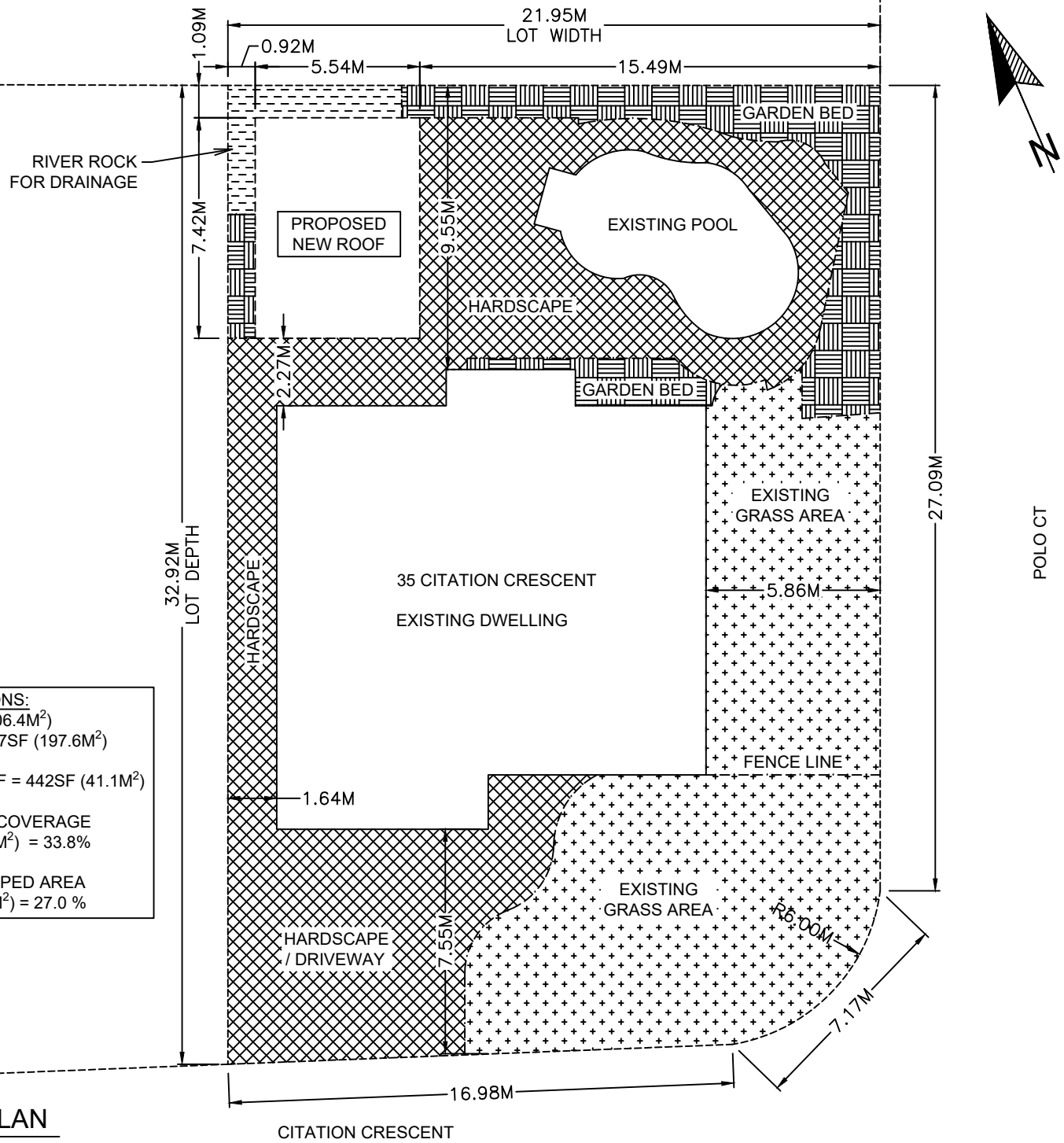
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

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LOT CALCULATIONS:
 LOT = 7,604SF (706.4M²)
 DWELLING = 2,127SF (197.6M²)
 PROPOSED ROOF = 442SF (41.1M²)
 PROPOSED LOT COVERAGE = 2,569 SF (238.7M²) = 33.8%
 TOTAL HARDSCAPED AREA = 2052 SF (190.6M²) = 27.0 %

1 SITE PLAN
 SCALE 1:200

419 Ofield Road South
 Dundas, On L9H 5E2
 1-888-985-8116 orders@decks.ca

Project Name:
ALL IN ONE LANDSCAPING

Project Address:
**35 CITATION CRES
 ANCASTER, ON
 L9K 1H8**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.
 Name: Stephanie Allen
 BCIN #: 108509
 Signature: *[Handwritten Signature]*

Drawn By:
STEPHANIE ALLEN

Date:
APRIL 11, 2024

SP101

GENERAL NOTES

- ① A MINIMUM LIVE LOAD OF 1.9 kPA APPLIED IN ALL LOCATIONS
- ② THE PRESCRIBED SNOW LOAD FOR SELECTED ONTARIO LOCATIONS IS INDICATED IN TABLE 1.2 IN SUPPLEMENTARY GUIDELINE SB-1 OF THE ONTARIO BUILDING CODE. THE SNOW LOAD SHALL BE APPLIED AS THE MINIMUM LIVE LOAD WHERE IT IS GREATER THAN 1.9 kPA
- ③ LUMBER NO. 2 SPF OR BETTER TO BE USED ALONG WITH CORROSION RESISTANT SPIRAL NAILS OR SCREWS
- ④ CANTILEVERED JOISTS AND BEAMS ARE LIMITED TO 1/6 THE MEMBERS LENGTH
- ⑤ CONCRETE PIERS SHALL BEAR ON UNDISTURBED SOIL. THE BEARING CAPACITY OF THE SOIL SHALL BE DETERMINED PRIOR TO CONSTRUCTION
- ⑥ HELICAL PILES SHALL CONFORM TO MANUFACTURER'S SPECIFICATIONS AND BE INSTALLED BY CERTIFIED INSTALLER. HELICAL CONFORMITY REPORT TO BE RECEIVED FROM INSTALLER/ENGINEER.
- ⑦ JOISTS SPANNING MORE THAN 6'-0" TO HAVE BRIDGING AT LEAST EVERY 6'-0"
- ⑧ MAXIMUM BEAM & JOIST CANTILEVERS:
 - 2"X6" MEMBERS = NOT PERMITTED
 - 2"X8" MEMBERS = 1'-4"
 - 2"X10" MEMBERS = 2'-0"
 - 2"X12" MEMBERS = 2'-0"
- ⑨ MINIMUM BEARING FOR BEAMS & JOISTS:
 - MIN. BEAM BEARING = 3/2"
 - MIN. JOIST BEARING = 1 1/2"
- ⑩ INSTALLATION OF MANUFACTURED LOW MAINTENANCE DECK BOARDS TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS
- ⑪ INSTALLATION OF PRE-FABRICATED COMPONENTS (RAILING SYSTEMS, ETC.) TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS

- ⑫ EXTERIOR STAIRS:
 - MIN. RISE = 4 7/8"
 - MAX. RISE = 7 7/8"
 - MIN. RUN = 10"
 - MAX. RUN = 14"
 - MIN. WIDTH = 34"
 - MIN. HEADROOM = 6'-5"
 - ⑬ EXTERIOR GUARDS:
 - DECK TO GRADE > 5'-11" = 3'-6" HEIGHT
 - DECK TO GRADE < 5'-11" = 3'-0" HEIGHT
 - STAIRS = 3'-0" HEIGHT
 - MAX. BETWEEN PICKETS = 4"
- NO MEMBER OR ATTACHMENT BETWEEN 5 1/2" - 3'-0" HIGH SHALL FACILITATE CLIMBING



419 Ofield Road South
Dundas, On L9H 5E2

1-888-985-8116 orders@decks.ca

Project Name:

**ALL IN ONE
LANDSCAPING**

Project Address:

**35 CITATION CRES
ANCASTER, ON
L9K 1H8**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.

Name: Stephanie Allen
BCIN #: 108509

Signature:

Drawn By:

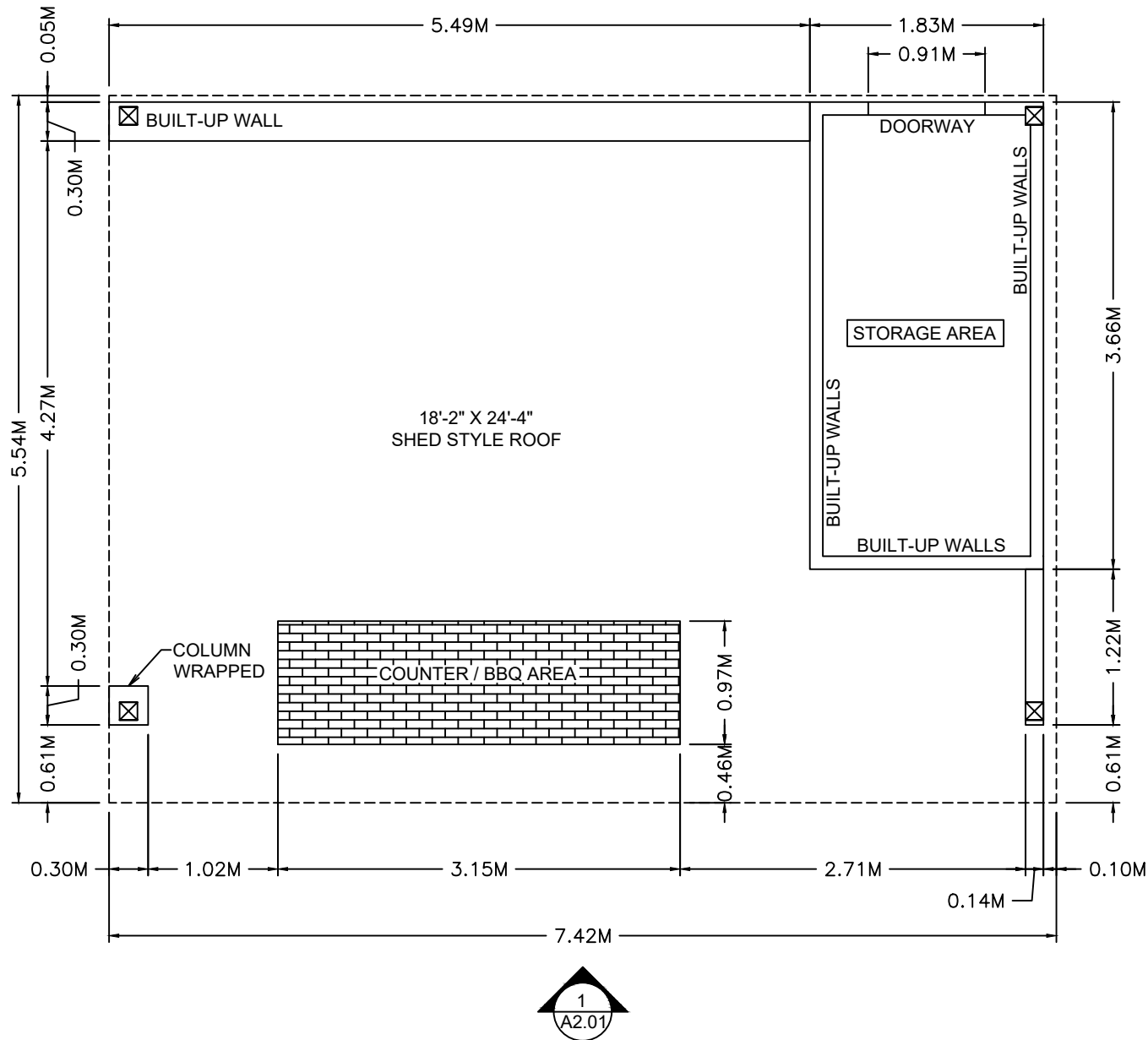
**STEPHANIE
ALLEN**

Date:

APRIL 11, 2024

A001

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1 ROOF FLOOR PLAN
SCALE 1:50

<p>☒ 6"X6" P.T. POSTS</p>	<p>Date: APRIL 11, 2024</p>	<p>A101</p>
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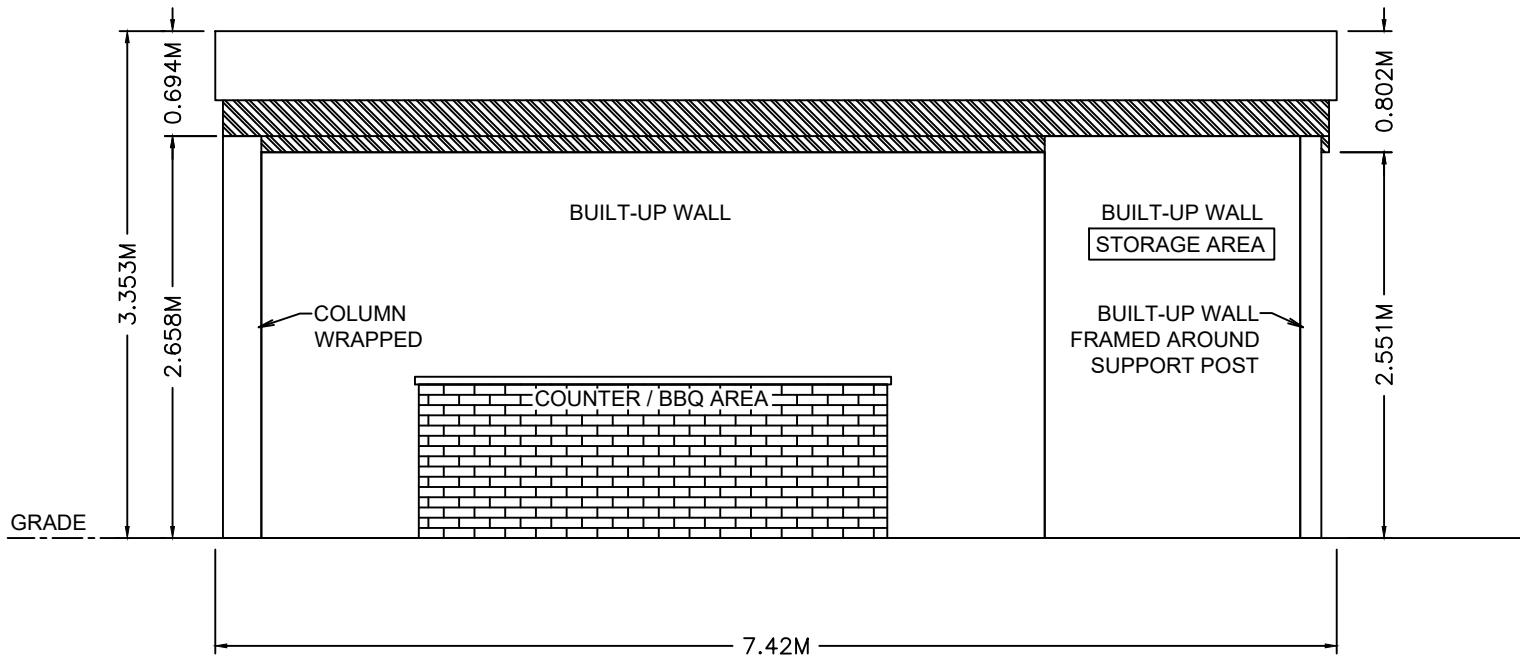
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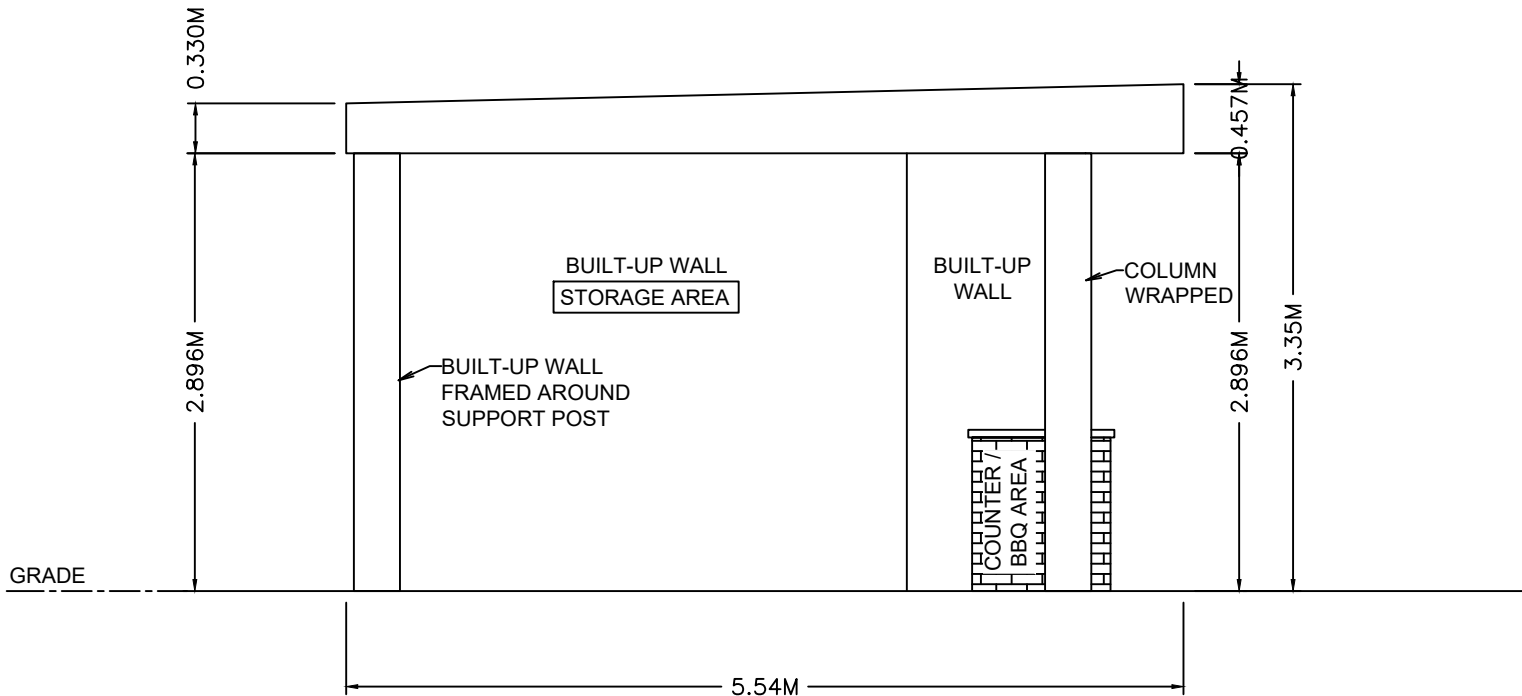
**STEPHANIE
ALLEN**

Date:

APRIL 11, 2024

A201

1 ROOF FRONT ELEVATION
SCALE 1:50



419 Ofield Road South
Dundas, On L9H 5E2

1-888-985-8116 orders@decks.ca

Project Name:
**ALL IN ONE
LANDSCAPING**

Project Address:
**35 CITATION CRES
ANCASTER, ON
L9K 1H8**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.

Name: Stephanie Allen
BCIN #: 108509

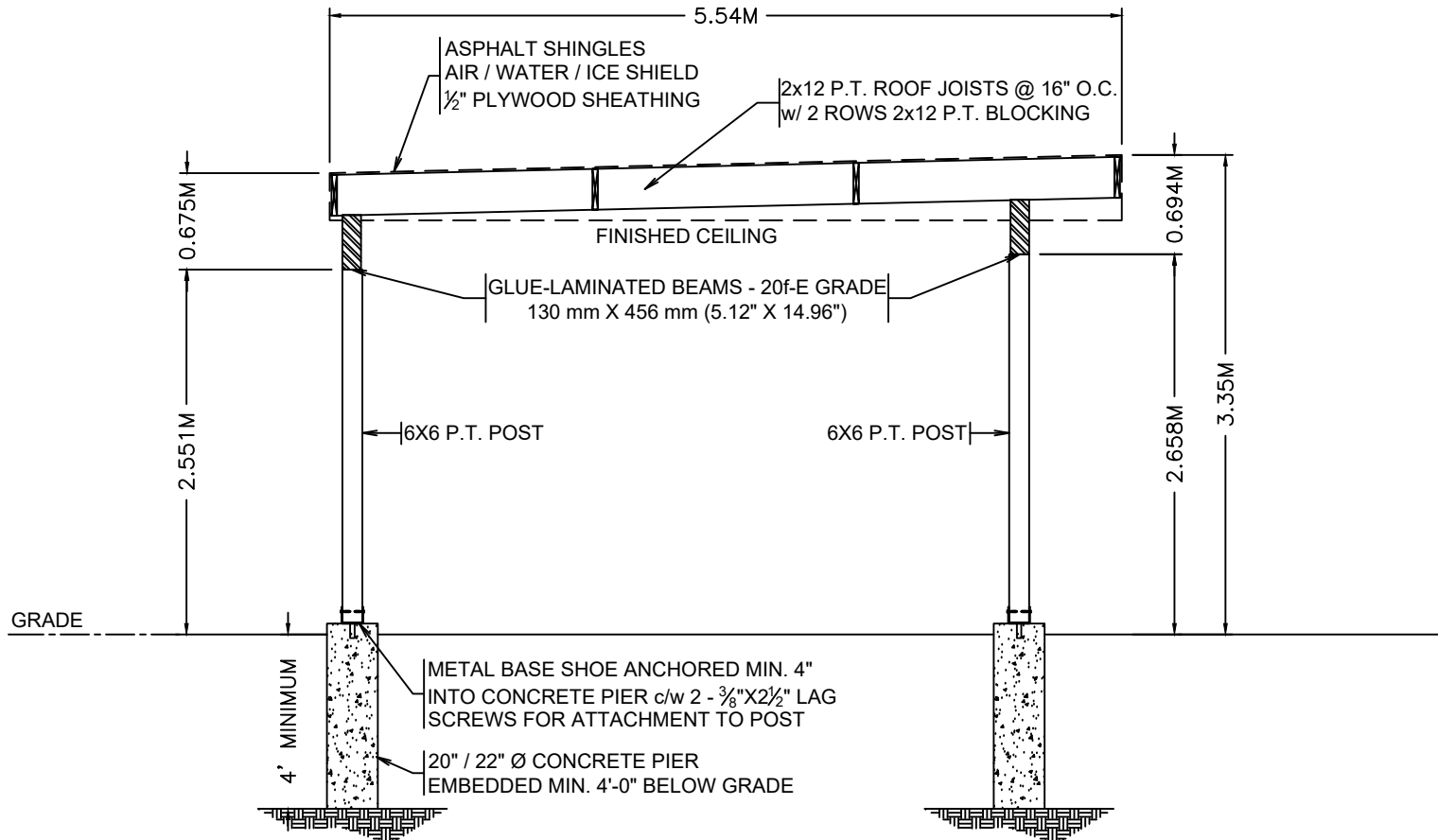
Signature: *[Handwritten Signature]*

Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

A202

1 ROOF SIDE ELEVATION
SCALE 1:50



1 ROOF CROSS SECTION
SCALE 1:50



419 Ofield Road South
Dundas, On L9H 5E2

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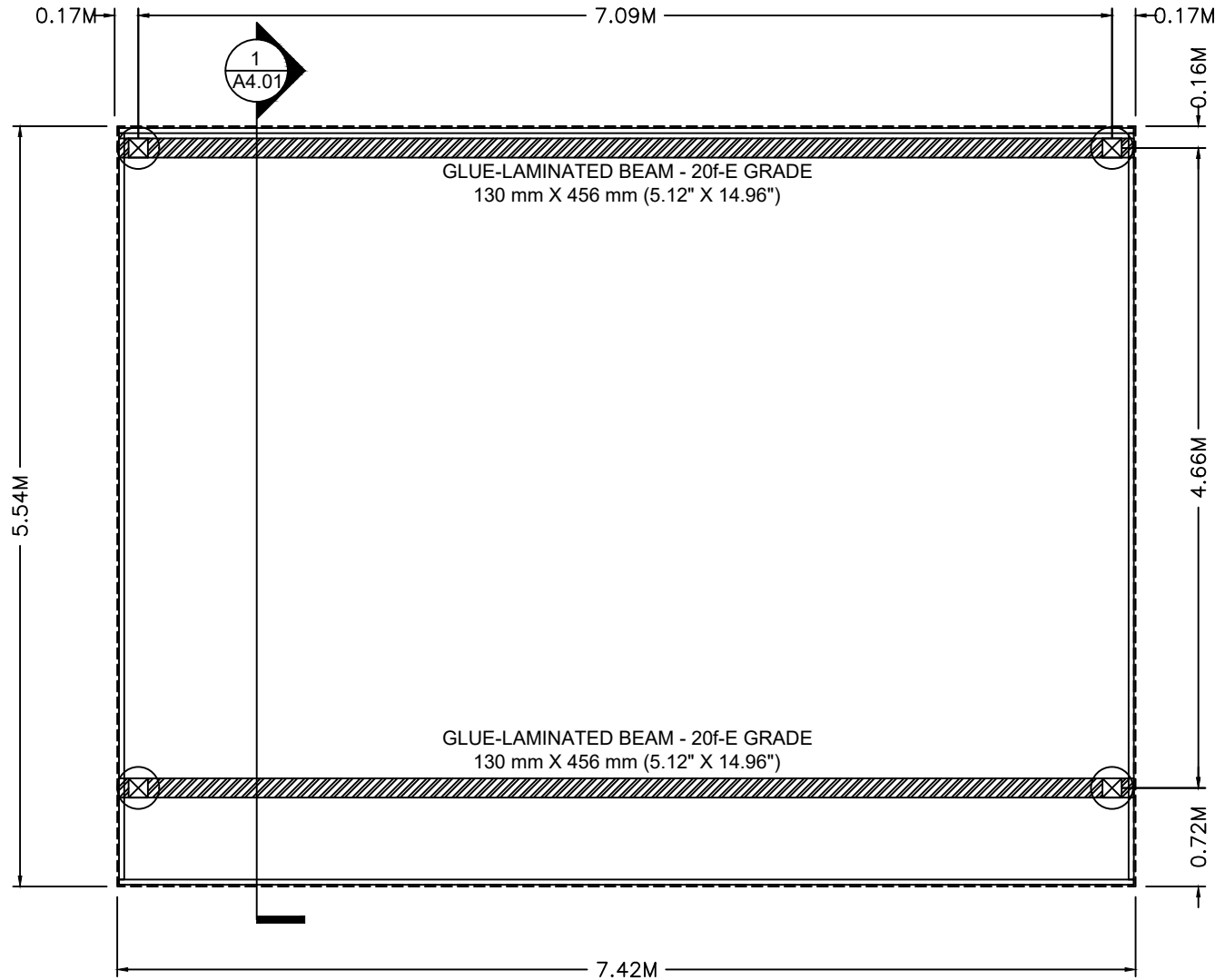
Drawn By:

**STEPHANIE
ALLEN**

Date:

APRIL 11, 2024

A401



419 Ofield Road South
 Dundas, On L9H 5E2
 1-888-985-8116 orders@decks.ca

Project Name:
**ALL IN ONE
 LANDSCAPING**

Project Address:
**35 CITATION CRES
 ANCASTER, ON
 L9K 1H8**

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 Name: Stephanie Allen
 BCIN #: 108509
 Signature: *[Handwritten Signature]*

Drawn By:
**STEPHANIE
 ALLEN**

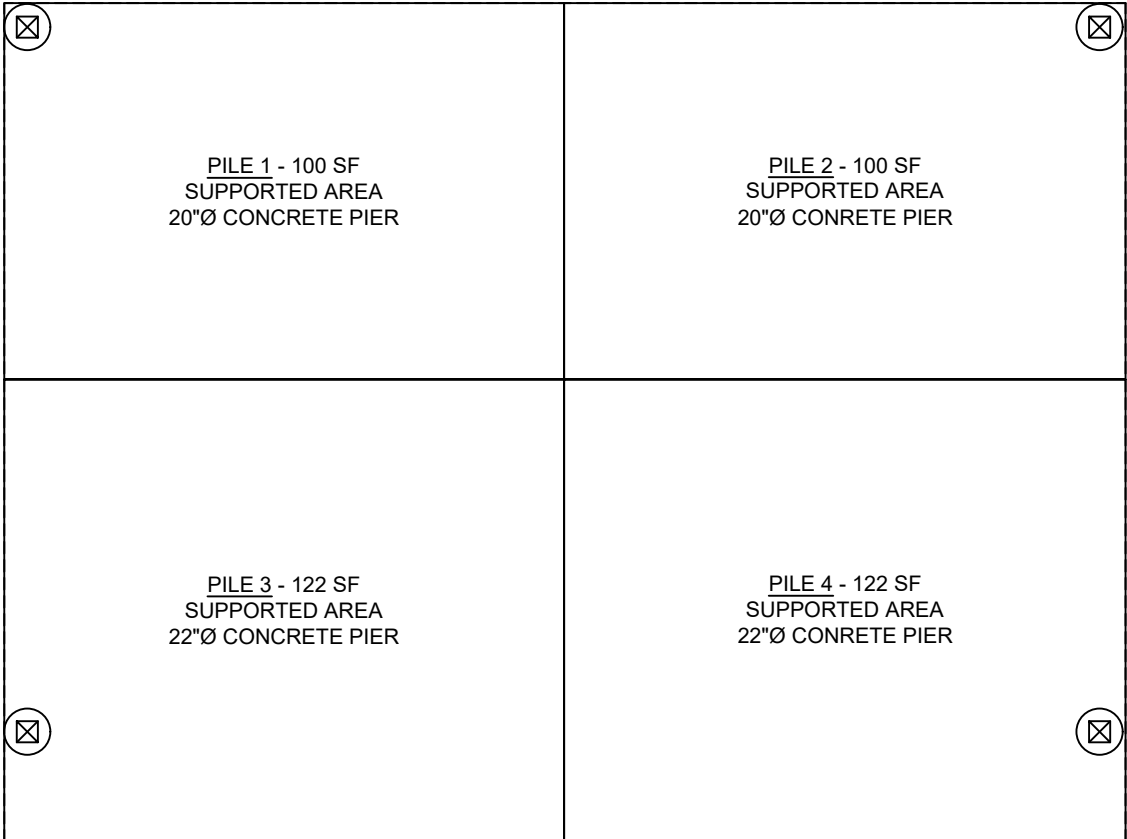
Date:
APRIL 11, 2024

1 ROOF FOUNDATION PLAN
 SCALE 1:50

⊗ 6"X6" P.T. POST ON
 20" / 22" Ø CONCRETE PIER

10
 E1

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419 Ofield Road South
Dundas, On L9H 5E2

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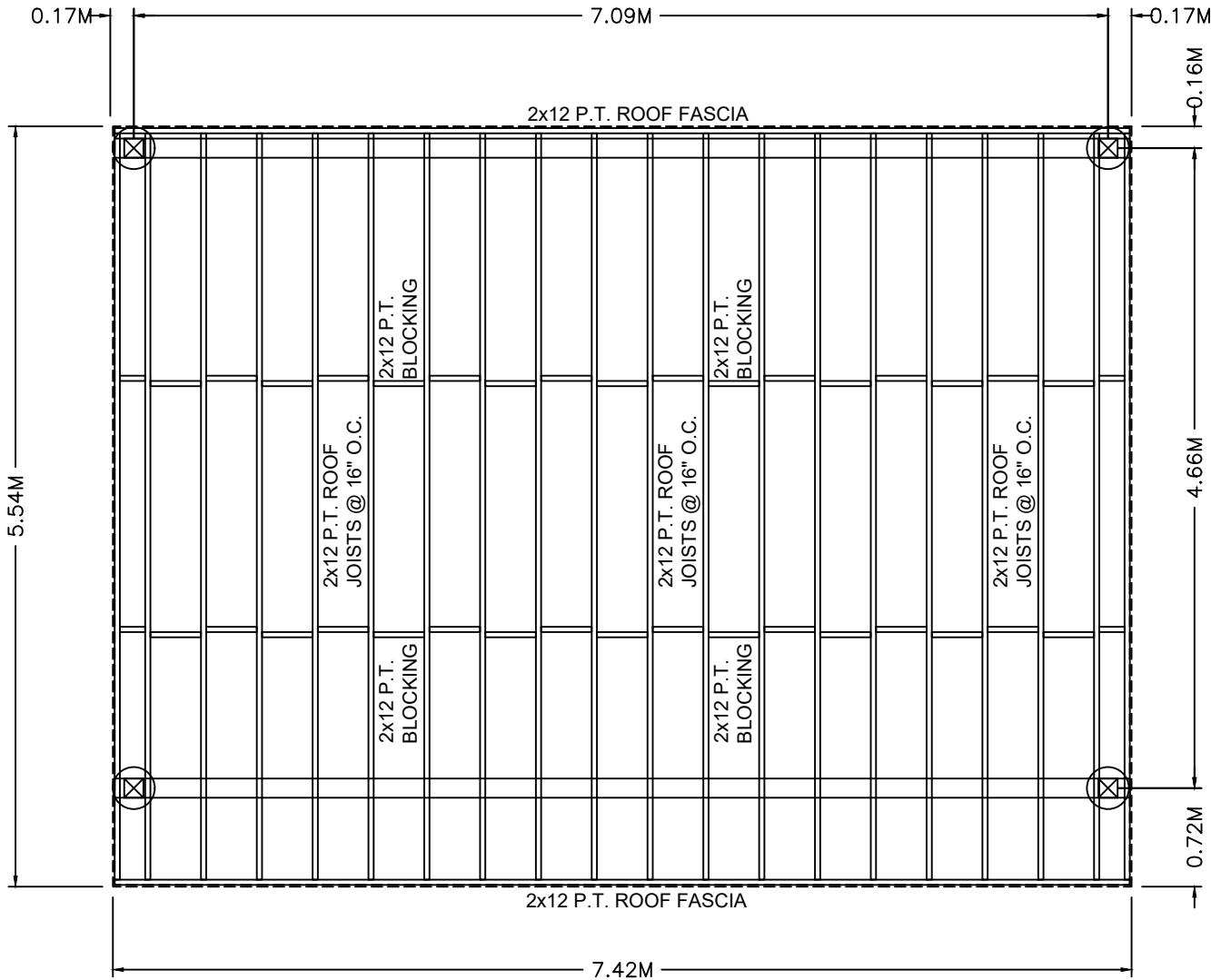
Date:
APRIL 11, 2024

E2

1 ROOF FOOTING PLAN
SCALE 1:50

**6"X6" P.T. POST ON
20" / 22" Ø CONCRETE PIER**

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1 ROOF SUBSTRUCTURE PLAN
SCALE 1:50

6"X6" P.T. POST ON
20" / 22" Ø CONCRETE PIER

419 Ofield Road South
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Project Name:
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I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.
Name: Stephanie Allen
BCIN #: 108509
Signature: *Stephanie Allen*

Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

1015

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

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



Hamilton

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Lars + Helen Wunsche Wunsche
Applicant(s)	Lucas Waxman All in One Landscaping lucas@allinonelandscaping.ca
Agent or Solicitor	Stephanie Allen The Deck Yard

1.2 Primary contact

- Applicant
 Owner
 Agent/Solicitor

1.3 Sign should be sent to

- Applicant
 Owner
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes*
 No

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

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.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

_____ *Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	35 Citation Cres, Ancaster, On L9K 1H8		
Assessment Roll Number			
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Construction of an accessory structure in the rear yard. 7.42M x 5.54M Shed style roof structure, with privacy walls and storage area. Adjacent to existing in ground pool.

Variances Requested: From Zoning By-Law No. 87-57, Section 11.3 "R3" Zone
A new rear yard setback of 1.1 meters, and new interior side yard setback of 0.9 meters.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Roof structure is sized appropriately to be a functional space. Proposal has roof structure away from house and pool to provide ample accessibility room around, while being in line with the pool for functionality. Small rear lot size combined with required setbacks would not allow for a usable sized structure.

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
24.7M	32.9m	706.4m ²	8.8m

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 Dwelling	7.6M	9.6M	1.6M INT / 5.9M EXT	1994

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Roof Structure	24.2M	1.1M	0.9M INT / 15.5M EXT	04/19/2024

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Family Dwelling	197.6M2	395.2M2	2	APPROX. 8M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Roof Structure	41.1M2	41.1M2	1	3.4M

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

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

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

- ditches
- other means (specify)

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

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

4.7 Type of access: (check appropriate box)

- provincial highway 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, Detached

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: January 3, 2007

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

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

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

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.

Accessory structure is not over-sized, fits with existing rear yard accessory structures in yards with pools existing in surrounding neighbourhood.

7.6 What is the existing zoning of the subject land? R3

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:150	SUBJECT PROPERTY:	51 Peer Court, Ancaster
ZONE:	"R4-592" (Residential 4)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: Sashendra Baldeo and Divya Sharma
Agent: Greg Poticary and Charleigh Roberts

The following variances are requested:

1. To permit a deck over 1.2 metres in height (and associated steps) to have a setback to the rear lot line of 2.6 metres instead of 6.0 metres required.

PURPOSE & EFFECT: To permit the construction a deck (22.3m²) with associated steps in the rear yard of an existing single detached dwelling.

Notes: N/A

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

A-24:150

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:150, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:150



 Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

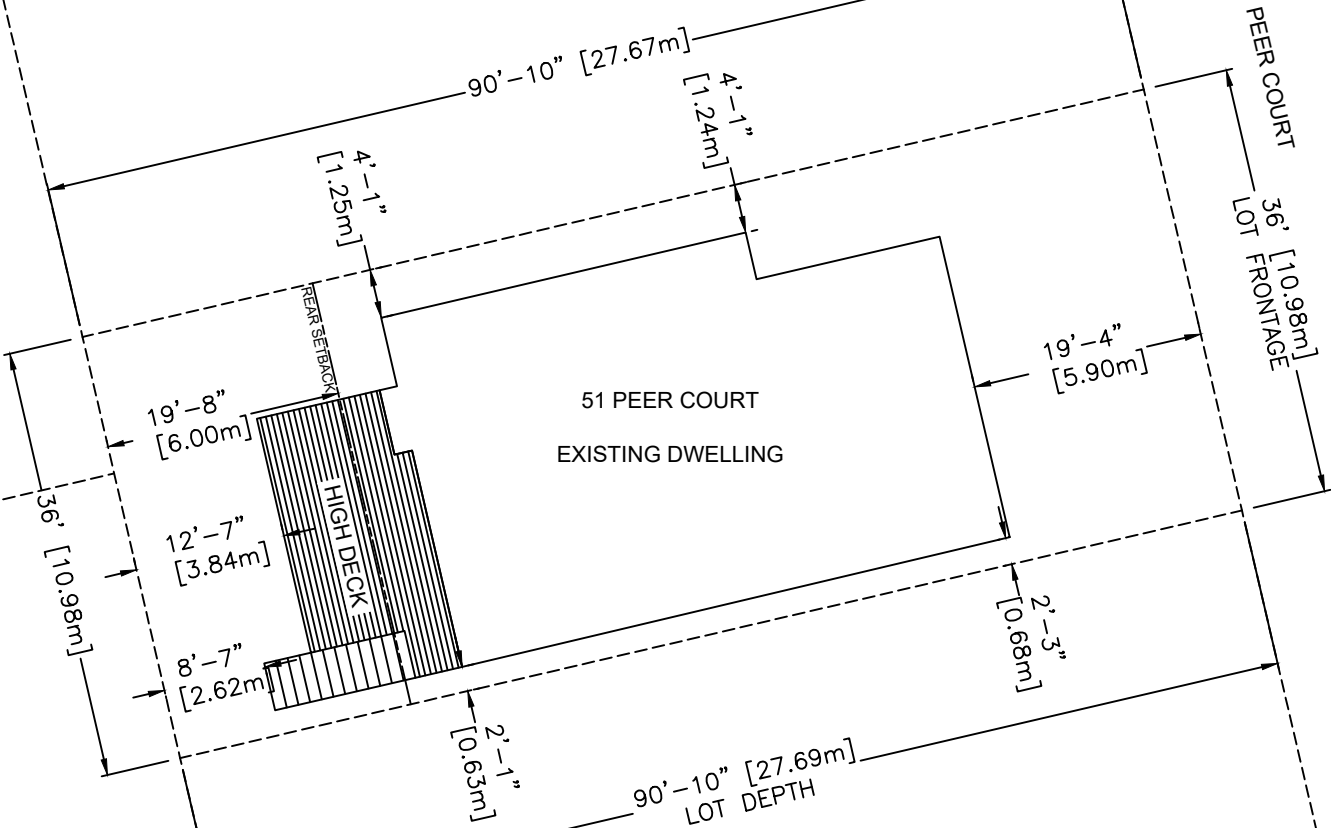
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

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

Hickory Dickory Decks
 Head Office
 115 Dundas St W
 Dundas, On L9H 7L6
 905-689-4774
 hddoffice@gmail.com

Project Name:
SHAWN BALDEO

Project Address:
**51 PEER COURT
 ANCASTER, ON
 L9K 0C5**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.
 Name: Brad Arnold
 BCIN #: 24758
 Signature:

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024


SP101

GENERAL NOTES

- ① A MINIMUM LIVE LOAD OF 1.9 kPA APPLIED IN ALL LOCATIONS
- ② THE PRESCRIBED SNOW LOAD FOR SELECTED ONTARIO LOCATIONS IS INDICATED IN TABLE 1.2 IN SUPPLEMENTARY GUIDELINE SB-1 OF THE ONTARIO BUILDING CODE. THE SNOW LOAD SHALL BE APPLIED AS THE MINIMUM LIVE LOAD WHERE IT IS GREATER THAN 1.9 kPA
- ③ LUMBER NO. 2 SPF OR BETTER TO BE USED ALONG WITH CORROSION RESISTANT SPIRAL NAILS OR SCREWS
- ④ CANTILEVERED JOISTS AND BEAMS ARE LIMITED TO 1/6 THE MEMBERS LENGTH
- ⑤ CONCRETE PIERS SHALL BEAR ON UNDISTURBED SOIL. THE BEARING CAPACITY OF THE SOIL SHALL BE DETERMINED PRIOR TO CONSTRUCTION
- ⑥ HELICAL PILES SHALL CONFORM TO MANUFACTURER'S SPECIFICATIONS AND BE INSTALLED BY CERTIFIED INSTALLER. HELICAL CONFORMITY REPORT TO BE RECEIVED FROM INSTALLER/ENGINEER.
- ⑦ JOISTS SPANNING MORE THAN 6'-0" TO HAVE BRIDGING AT LEAST EVERY 6'-0"
- ⑧ MAXIMUM BEAM & JOIST CANTILEVERS:
 - 2"X6" MEMBERS = NOT PERMITTED
 - 2"X8" MEMBERS = 1'-4"
 - 2"X10" MEMBERS = 2'-0"
 - 2"X12" MEMBERS = 2'-0"
- ⑨ MINIMUM BEARING FOR BEAMS & JOISTS:
 - MIN. BEAM BEARING = 3½"
 - MIN. JOIST BEARING = 1½"
- ⑩ INSTALLATION OF MANUFACTURED LOW MAINTENANCE DECK BOARDS TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS
- ⑪ INSTALLATION OF PRE-FABRICATED COMPONENTS (RAILING SYSTEMS, ETC.) TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS

- ⑫ EXTERIOR STAIRS:
 - MIN. RISE = 4⅞"
 - MAX. RISE = 7⅞"
 - MIN. RUN = 10"
 - MAX. RUN = 14"
 - MIN. WIDTH = 34"
 - MIN. HEADROOM = 6'-5"
 - ⑬ EXTERIOR GUARDS:
 - DECK TO GRADE > 5'-11" = 3'-6" HEIGHT
 - DECK TO GRADE < 5'-11" = 3'-0" HEIGHT
 - STAIRS = 3'-0" HEIGHT
 - MAX. BETWEEN PICKETS = 4"
- NO MEMBER OR ATTACHMENT BETWEEN 5½" - 3'-0" HIGH SHALL FACILITATE CLIMBING

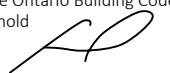
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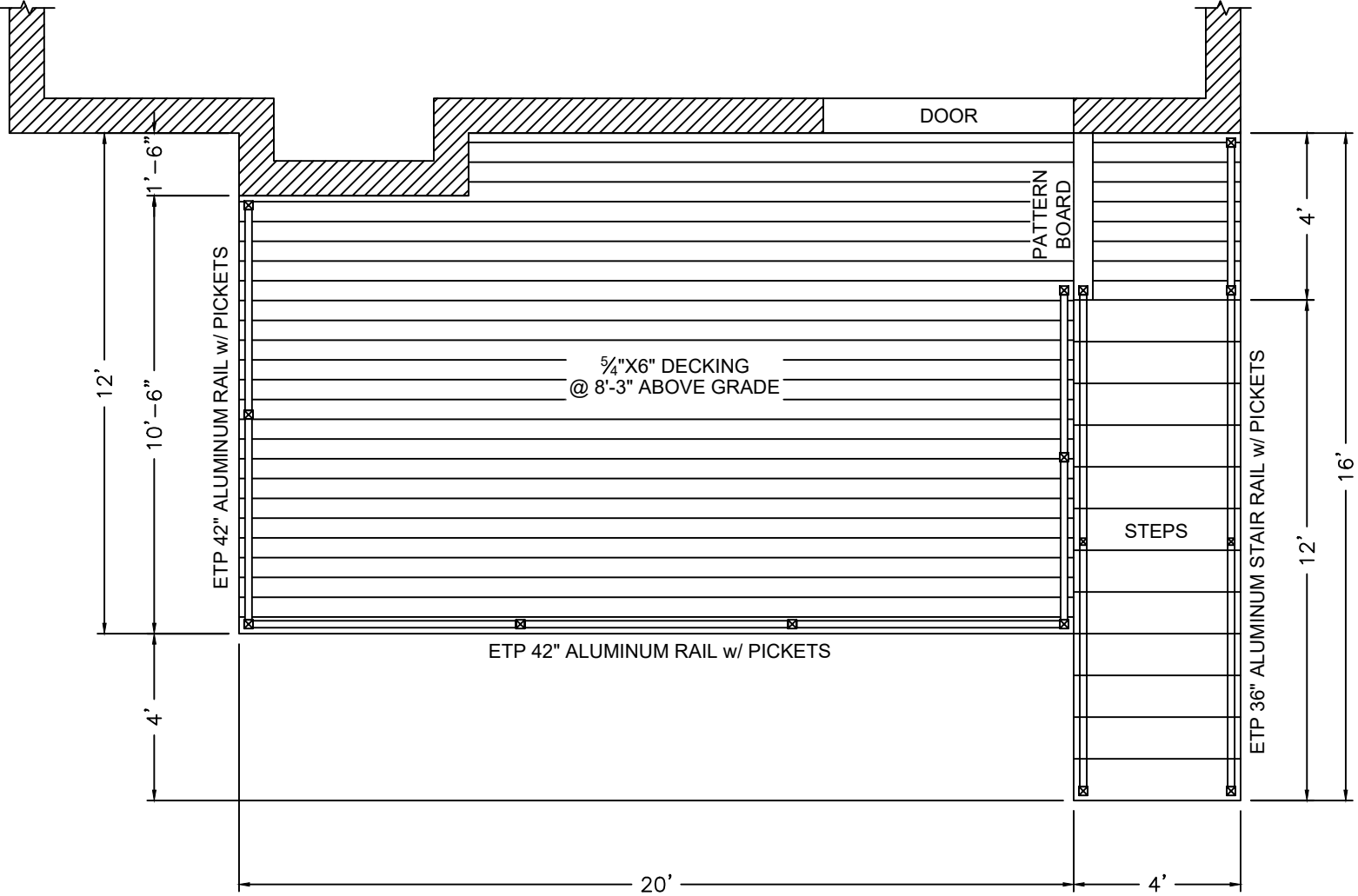
Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A001

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 BCIN #: 24758
 Signature:

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A101

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

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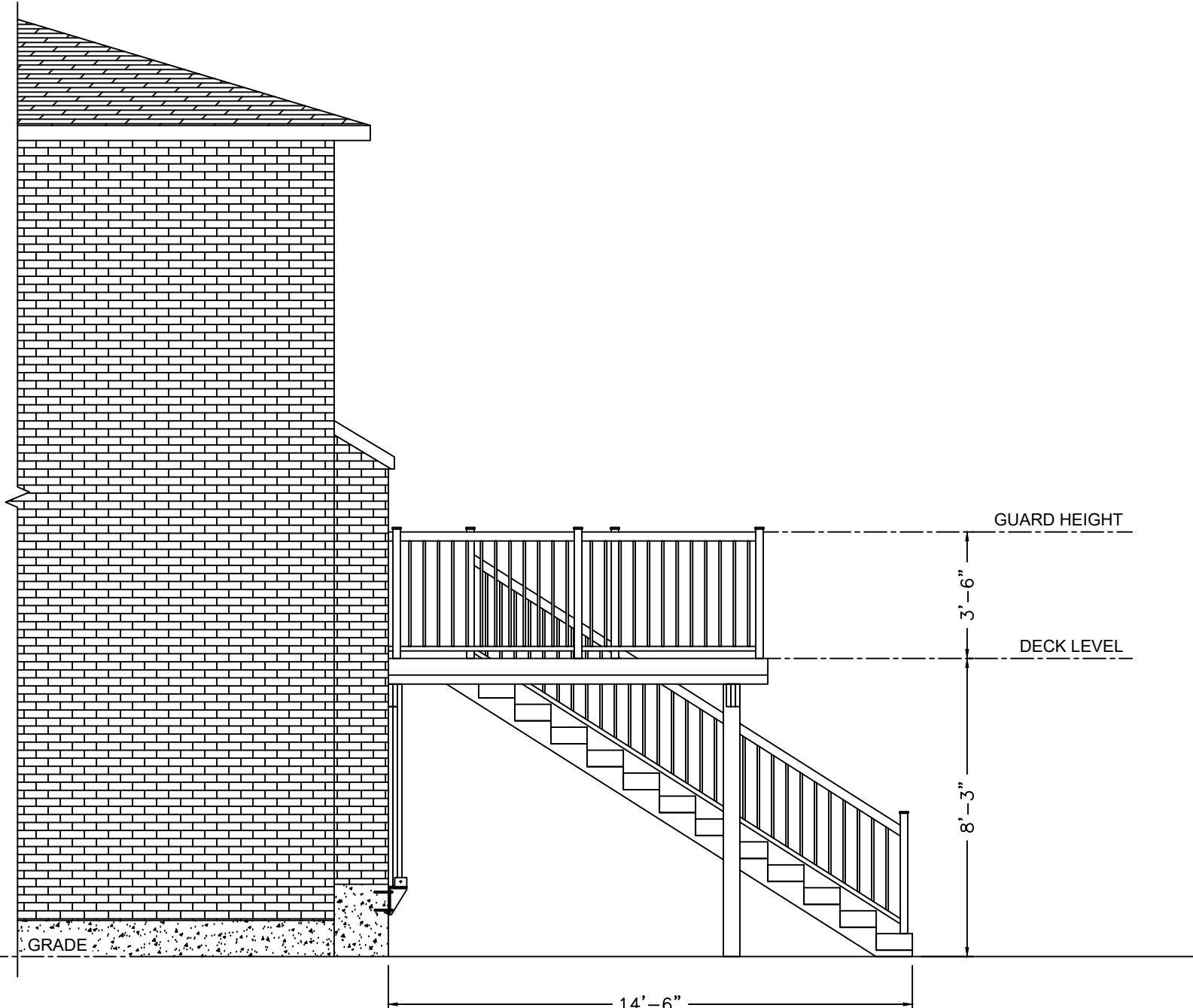
Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A201

1 DECK FRONT ELEVATION
 SCALE: 1/4" = 1' - 0"

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1 DECK SOUTH SIDE ELEVATION
 SCALE: 1/4" = 1' - 0"

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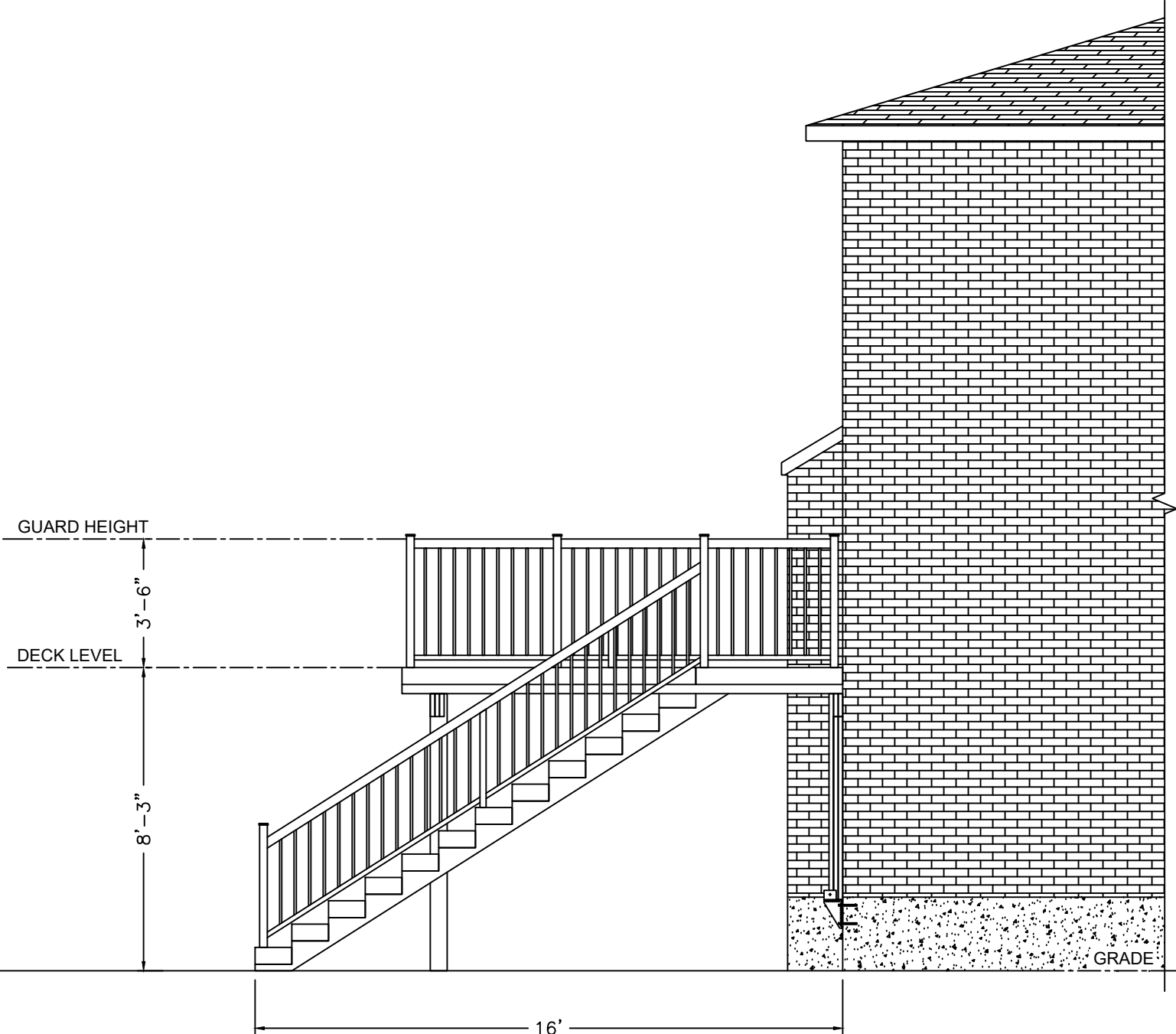
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 BCIN #: 24758
 Signature:


Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A201




1 DECK NORTH SIDE ELEVATION
 SCALE: 1/4" = 1' - 0"

Hickory Dickory Decks

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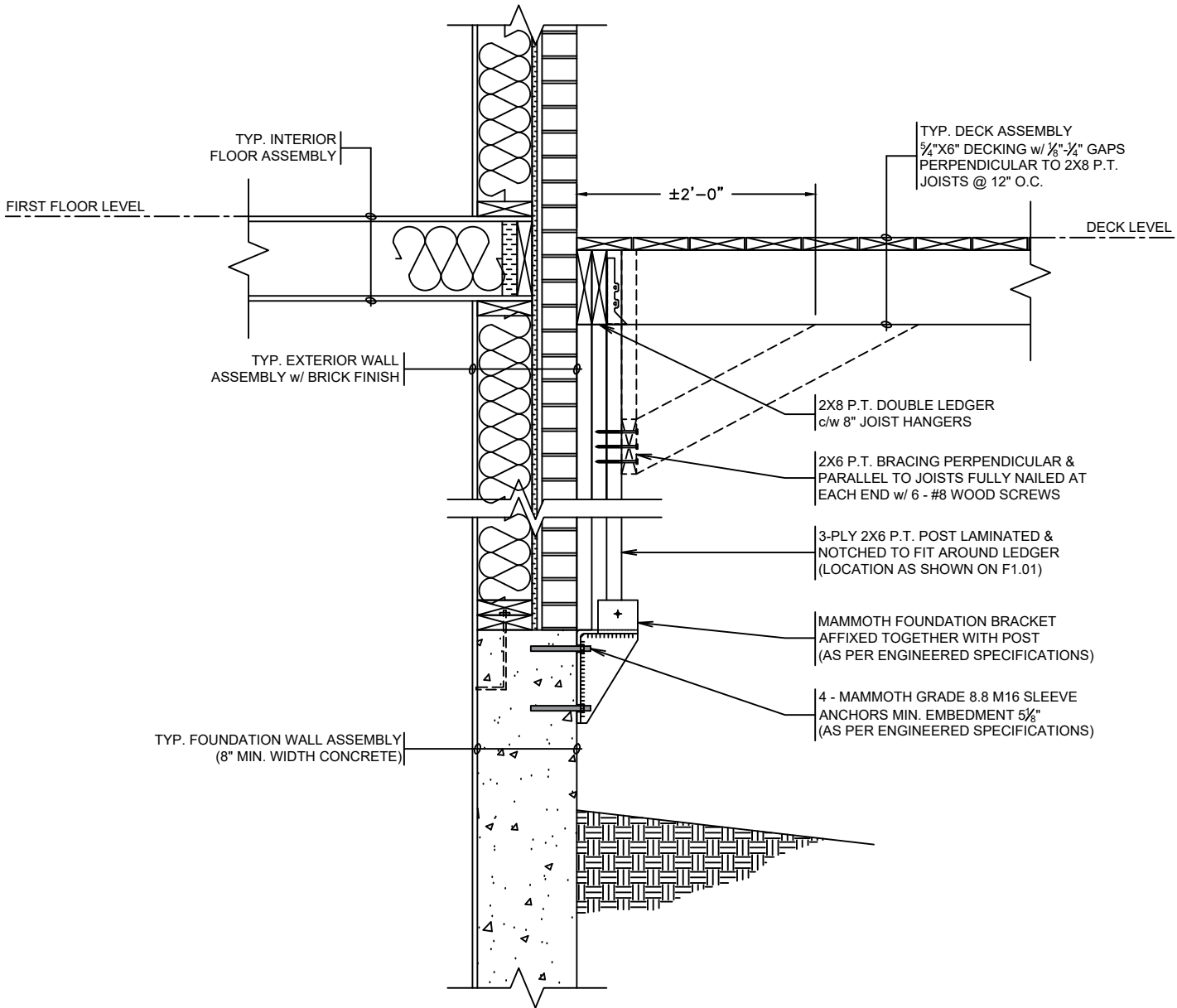
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 BCIN #: 24758
 Signature: 

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A201

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1 DECK STRUCTURAL ATTACHMENT
 SCALE: 3/4" = 1' - 0"

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 Dundas, On L9H 7L6
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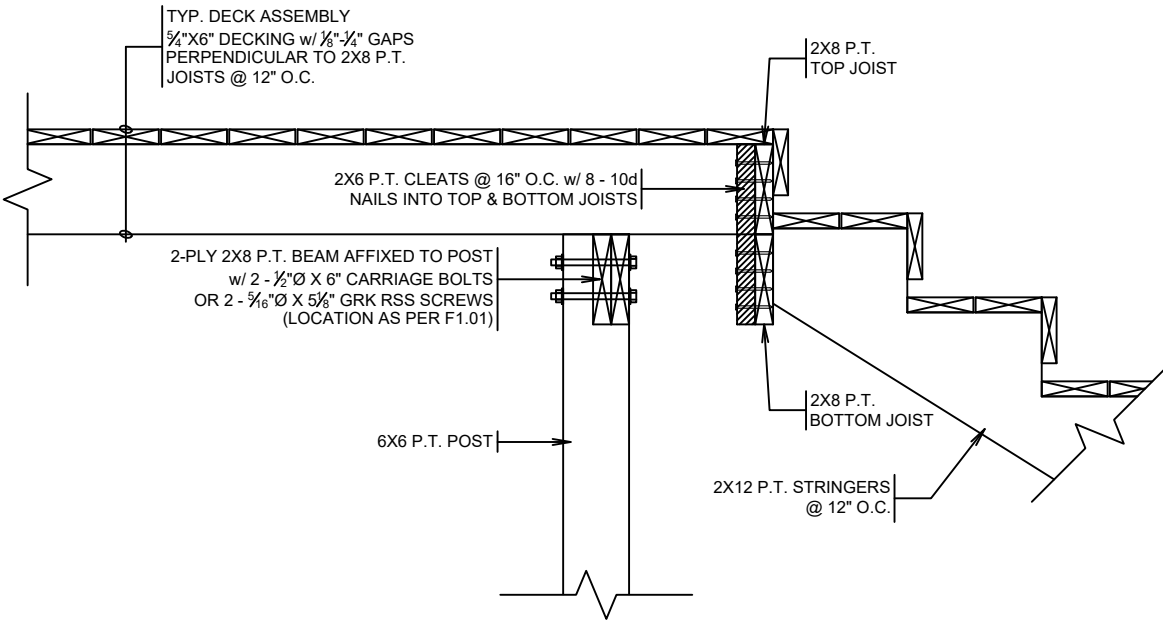
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 Name: Brad Arnold
 BCIN #: 24758
 Signature: *BA*

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A301

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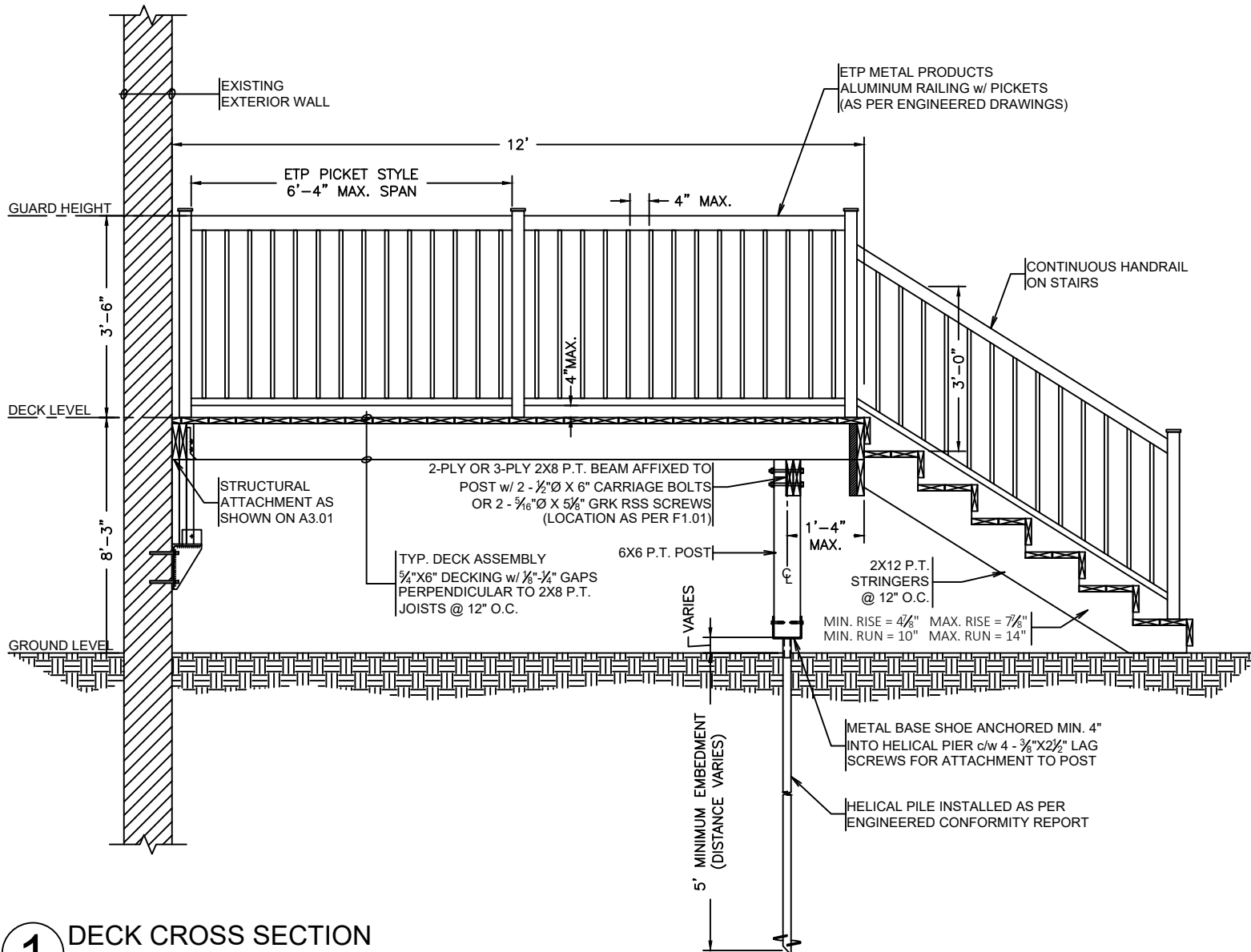
Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024


A302

1 DECK STAIR ATTACHMENT
 SCALE: 3/4" = 1' - 0"

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

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 hddoffice@gmail.com

Project Name:
SHAWN BALDEO

Project Address:
**51 PEER COURT
 ANCASTER, ON
 L9K 0C5**

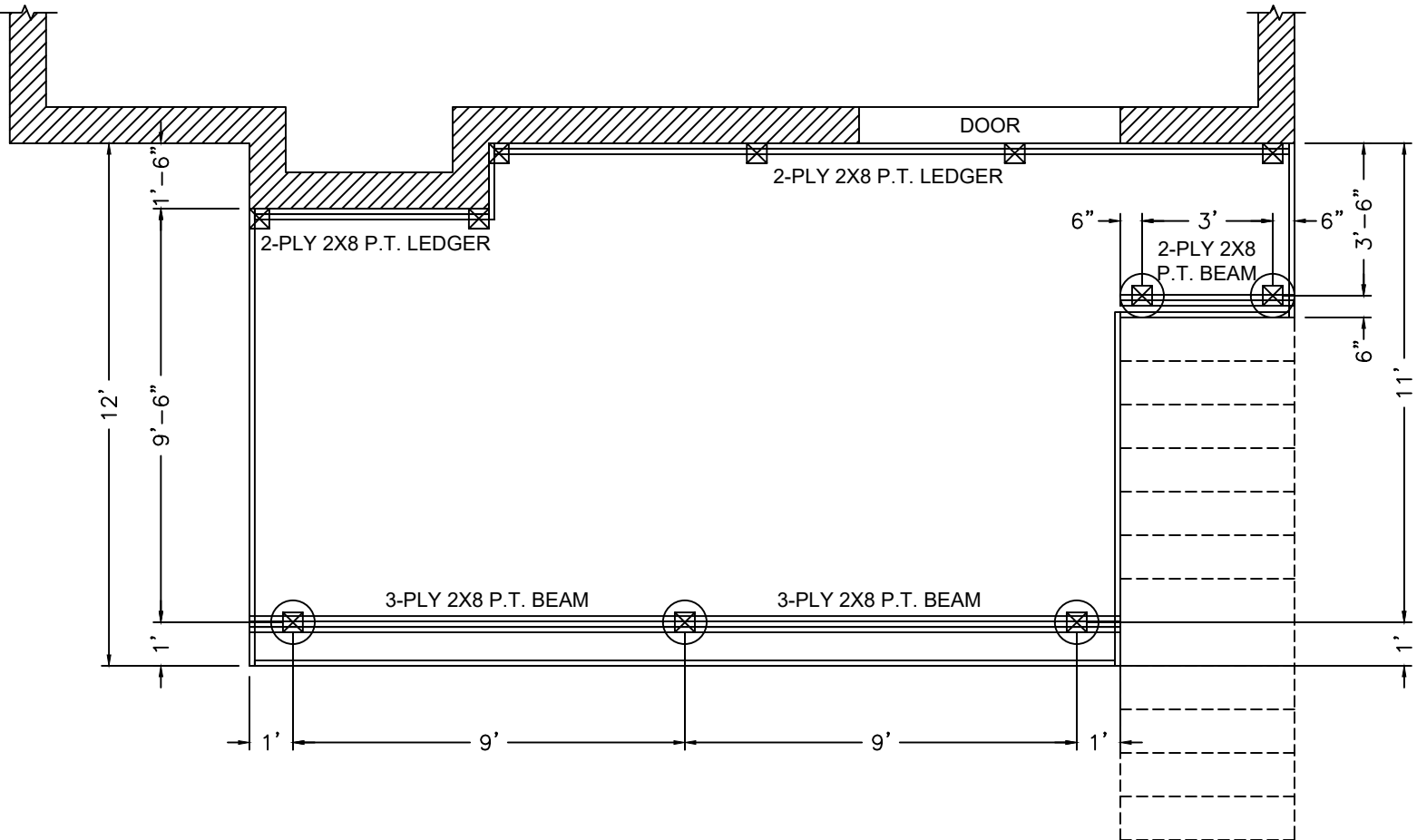
I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.
 Name: Brad Arnold
 BCIN #: 24758
 Signature: 

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

A401

COPYRIGHT 2023 HICKORY DICKORY DECKS



Hickory Dickory Decks
 Head Office
 115 Dundas St W
 Dundas, On L9H 7L6
 905-689-4774
 hddoffice@gmail.com

Project Name:
SHAWN BALDEO

Project Address:
**51 PEER COURT
 ANCASTER, ON
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 Name: Brad Arnold
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 Signature:

3-PLY 2X6 P.T. POSTS ON ENG. FOUNDATION BRACKETS

Drawn By:
STEPHANIE ALLEN

101

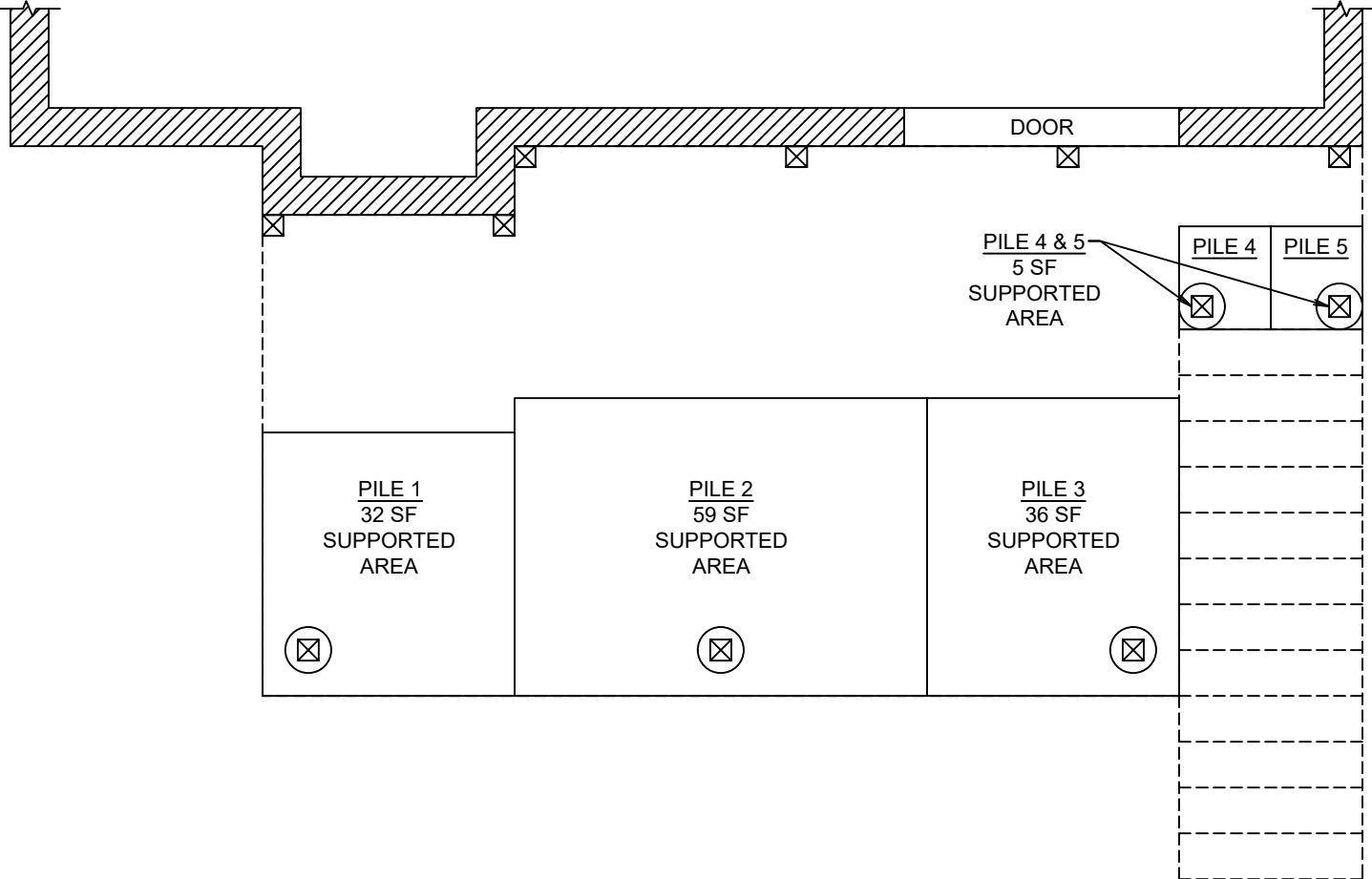
6X6 P.T. POSTS ON HELICAL PILES (AS PER ENGINEERING)


Date:
MAY 16, 2024

E101

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


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 Dundas, On L9H 7L6
 905-689-4774
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Project Name:
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**51 PEER COURT
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 BCIN #: 24758
 Signature: 

3-PLY 2X6 P.T. POSTS ON ENG. FOUNDATION BRACKETS

Drawn By:
STEPHANIE ALLEN

101

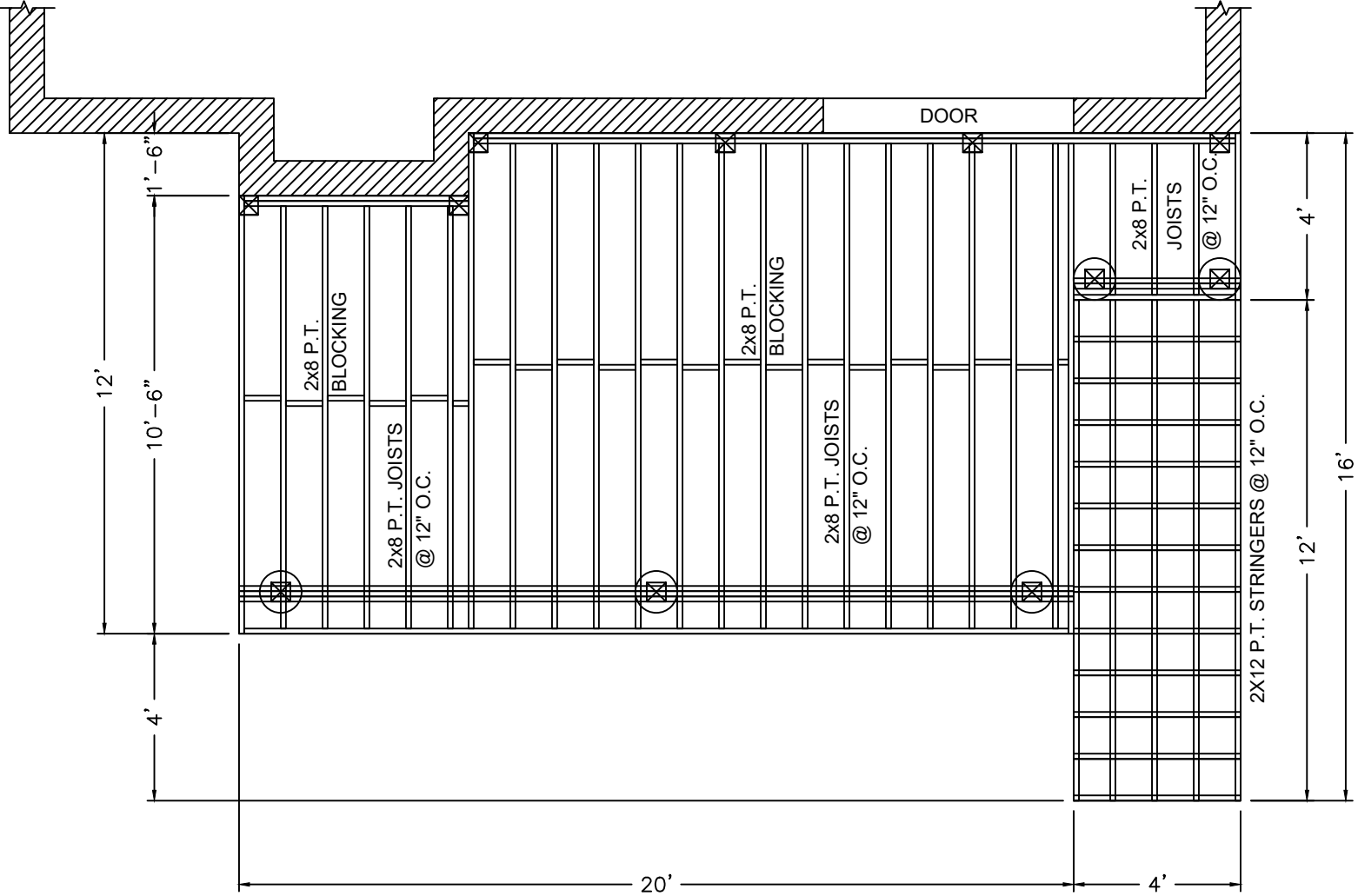
6X6 P.T. POSTS ON HELICAL PILES (AS PER ENGINEERING)


Date:
MAY 16, 2024

F201

1 DECK FOOTING PLAN
 SCALE: 1/4" = 1' - 0"


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 Head Office
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 Dundas, On L9H 7L6
 905-689-4774
 hddoffice@gmail.com

Project Name:
SHAWN BALDEO

Project Address:
**51 PEER COURT
 ANCASTER, ON
 L9K 0C5**

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 BCIN #: 24758
 Signature: 

3-PLY 2X6 P.T. POSTS ON ENG. FOUNDATION BRACKETS

6X6 P.T. POSTS ON HELICAL PILES (AS PER ENGINEERING)

Drawn By:
STEPHANIE ALLEN

Date:
MAY 16, 2024

101
S101

1 DECK SUBSTRUCTURE PLAN
 SCALE: 1/4" = 1' - 0"



Hamilton

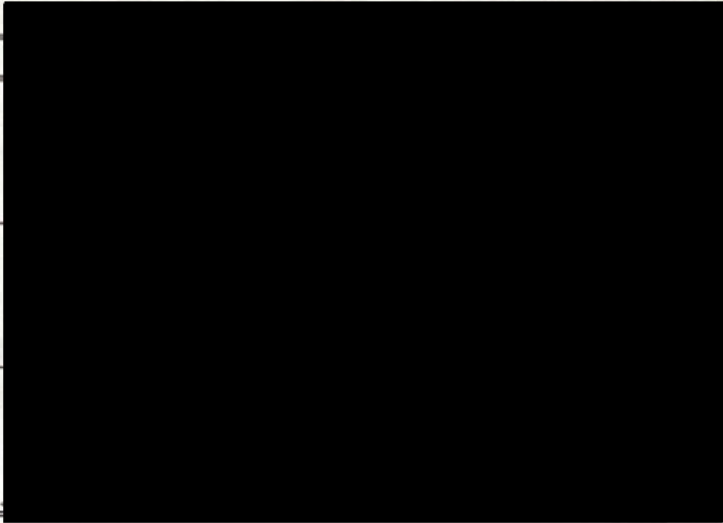
Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

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

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Sashendra Baldeo Divya Sharma
Applicant(s)	Sashendra Baldeo Divya Sharma
Agent or Solicitor	GREG POTTICARY / CHARLEIGH ROBERTS



1.2 Primary contact

- Applicant
 Owner
 Agent/Solicitor

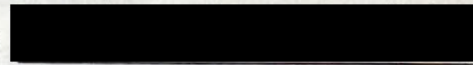
1.3 Sign should be sent to

- Applicant
 Owner
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes*
 No

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



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.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	51 PETER COURT, ANCASTER ON. L9K 0C5		
Assessment Roll Number			
Former Municipality	ANCASTER ON.		
Lot	198	Concession	
Registered Plan Number	624-1135	Lot(s)	198
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:

WOULD LIKE TO CONSTRUCT A DECK THAT ENCLOSES ON REAR SETBACK LIMIT OF 6m. WOULD LIKE TO BE 3.84m FROM REAR LOT LINE.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

THE PROPOSED DECK WOULD ONLY BE ABLE TO EXTEND 1.4m ACCORDING TO CURRENT ZONING LIMIT.

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
10.98m	27.69m	304m ²	UNSURE

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	5.9m	7.5m	1.25m, 0.68m	2010

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DECK	21.6m	3.84m	2.8m, 0.63m	AUGUST, 2024

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	Aprx. 1250sqft (116m ²)	116m ²	2	2.8m 2.8m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Deck	Aprx. 240sqft 22.30 m ²	226 sqft (21m ²)	1	2.51m

- 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 DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 23, 2020

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

Single Detached Home

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

Single Detached Home

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

4 years

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) LOW DENSITY RESIDENTIAL 2a

↳ CONFORMS TO AREA & SITE SPECIFIC POLICY.

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

IT IS SINGLE DETACHED DWELLING AND WITH OUR DECK WE WON'T BE INFRINGING ON (10M) LOT FRONTAGE.

** INTERACTIVE ZONING MAP COULD NOT*

7.6 What is the existing zoning of the subject land?

~~FIND ADDRESS~~

R4-592 ANCASTER 87-57 BY-LAW

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0 Just a Deck

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:80	SUBJECT PROPERTY:	262 Springbrook Ave, Ancaster
ZONE:	"R4-598" (Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: Mohamoud Ali
Applicant: Ketul Shah

The following variances are requested:

1. A minimum northerly side yard of 0.0m shall be permitted instead of the minimum 1.2m side yard required.
2. A minimum rear yard of 4.2m shall be permitted to the deck structure and a minimum rear yard of 2.4m shall be permitted to the associated stair structure instead of the minimum 7.5m rear yard required.

PURPOSE & EFFECT: To facilitate the construction of a two-storey rear deck addition to the existing single detached dwelling.

Notes:

Staff have previously interpreted that a roofed-over deck at the rear of a dwelling is considered as part of the principle building and is therefore subject to the principle building regulations but not including lot coverage.

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

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

DATE:	Tuesday, July 2, 2024
TIME:	2:25 p.m.

A-24:80

PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:80, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:80



Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

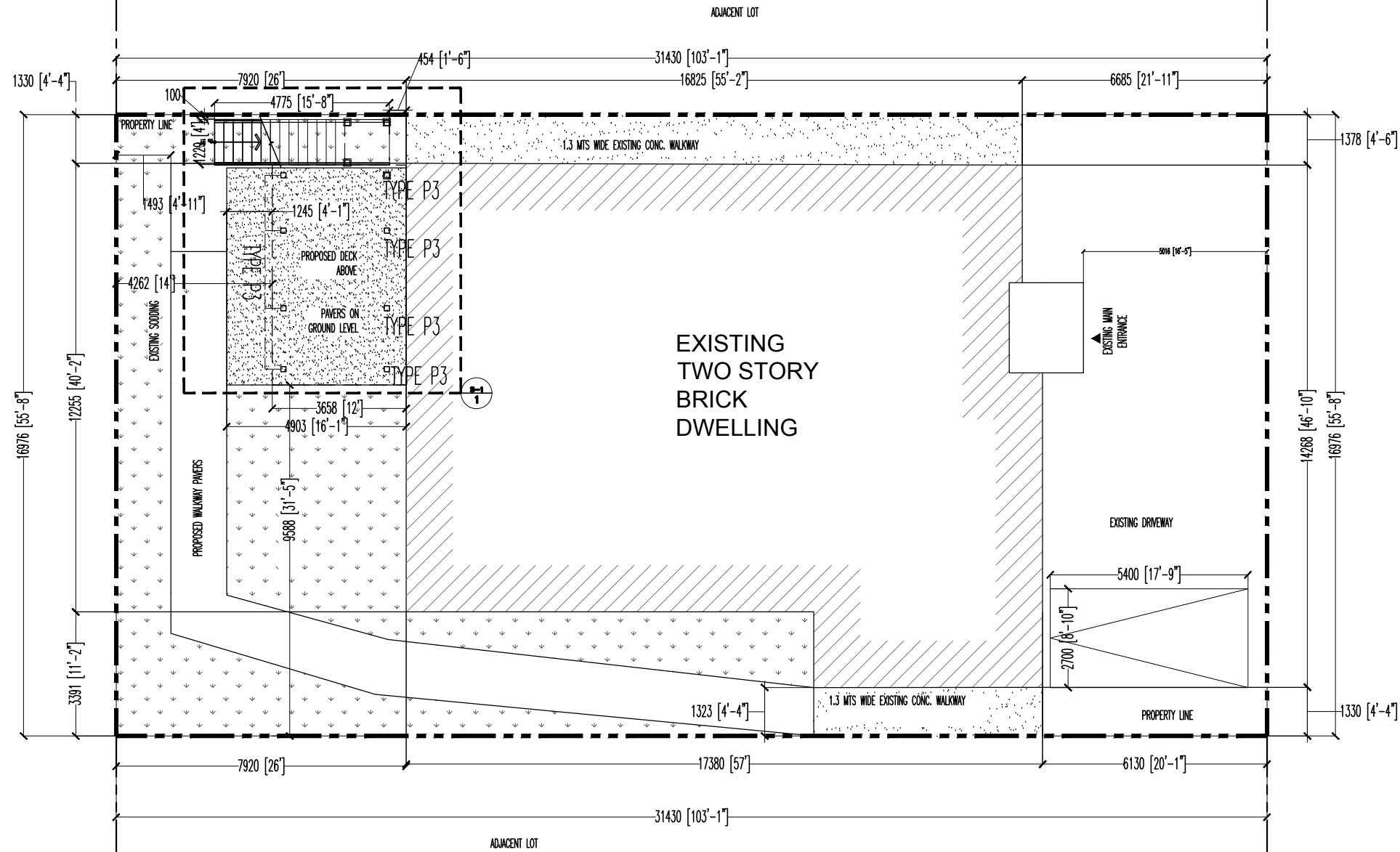
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-977-1654.

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.



S P R I N G B R O O K A V E



ASSUMED SOIL BEARING CAPACITY 75KPA, G.C. TO VERIFY,
 HELICAL PILE MANUFACTURER TO SPECIFY THE PILE TYPE AND SIZE.

TYPE P2 - 20 kN
 TYPE P3 - 40 kN

05.		
04.		
03.		
02.		
01.		
NO.	ISSUED FOR	DATE

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

SITE PLAN

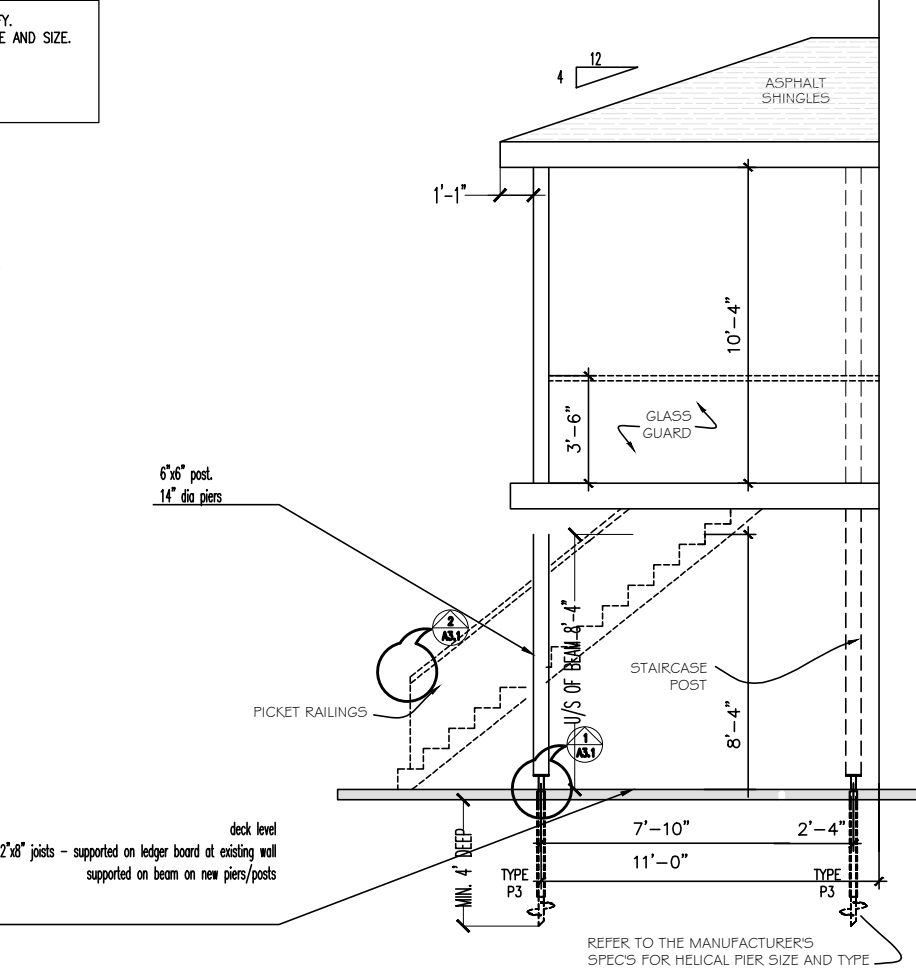
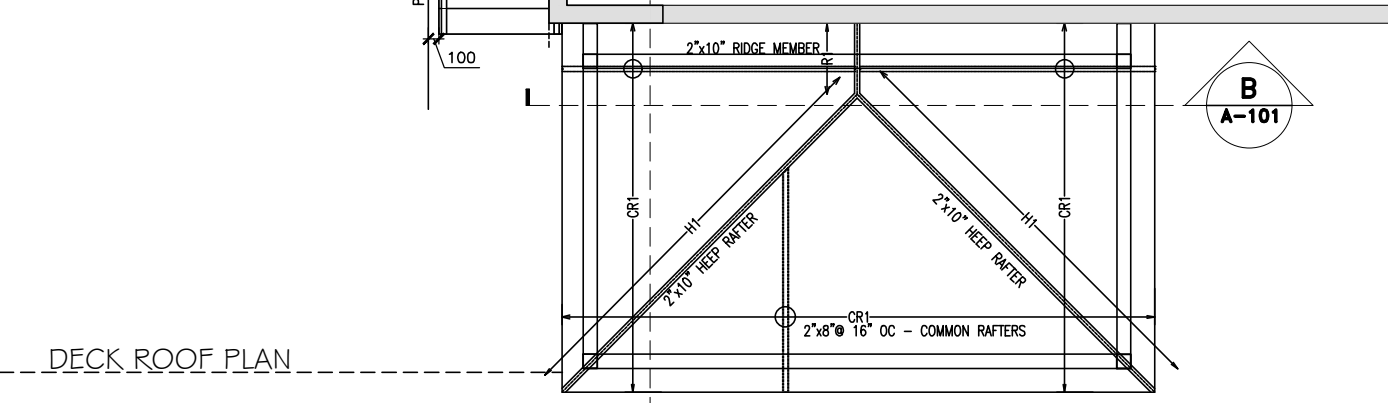
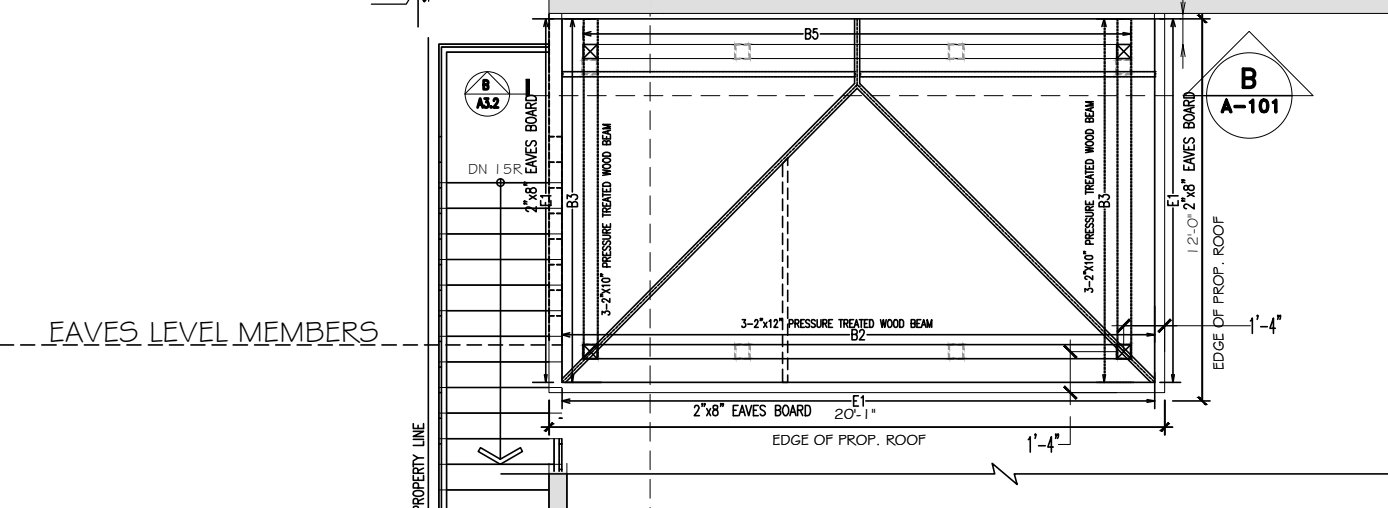
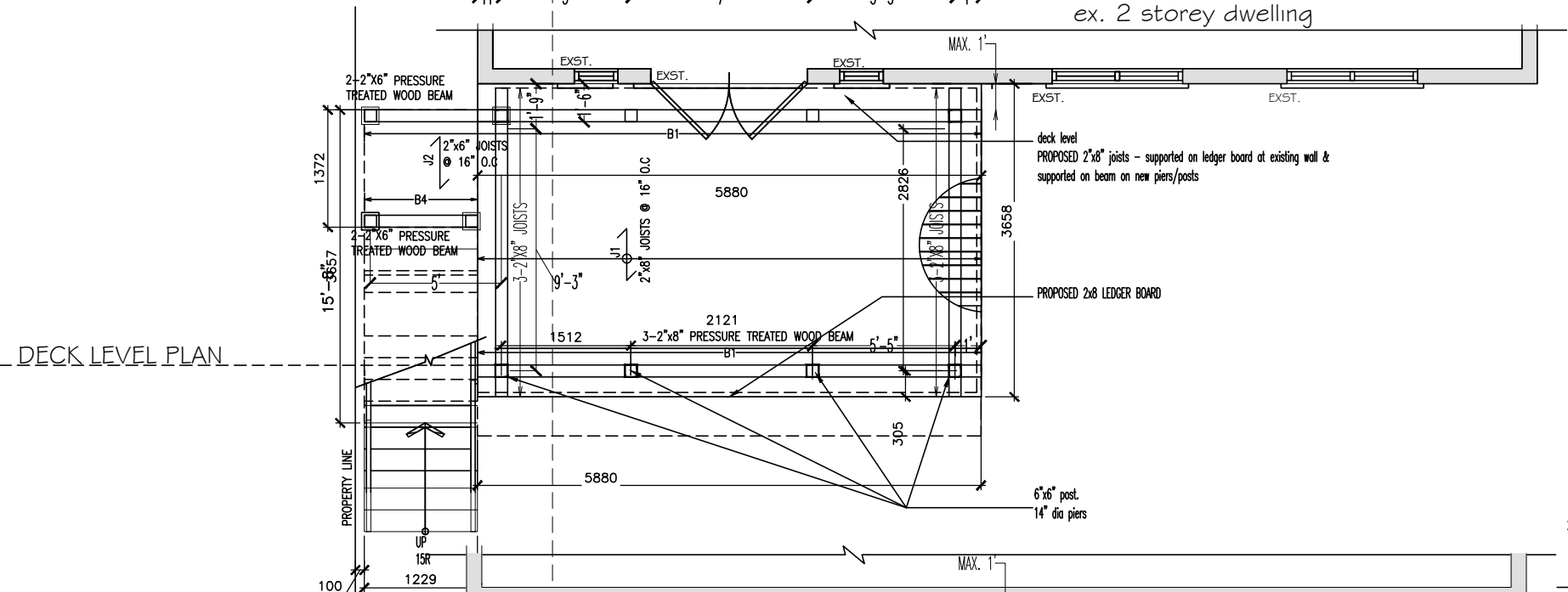
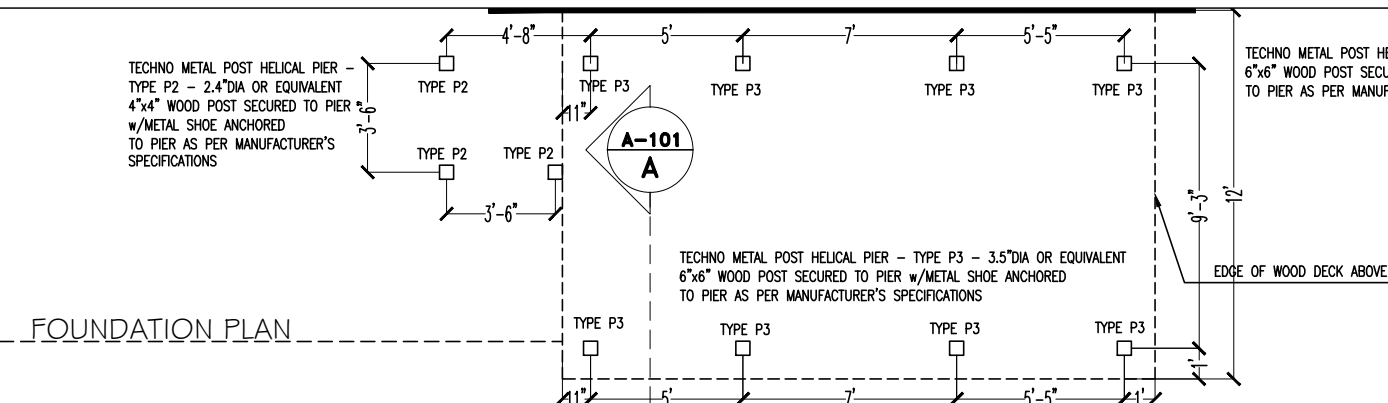
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NOTE:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
- ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
- ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

PROJECT NO. -	DRAWN BY K.S.
DRAWING NO.	

SP - 1.2



TECHNO METAL POST HELICAL PIER - TYPE P3 - 3.5"DIA OR EQUIVALENT + 6"x6" WOOD POST
 TECHNO METAL POST HELICAL PIER - TYPE P2 - 2.4"DIA OR EQUIVALENT + 4"x4" WOOD POST

DECK MATERIAL	
TYPE P3	TECHNO METAL POST HELICAL PIER - TYPE P3 - 3.5"DIA OR EQUIVALENT 6"x6" WOOD POST SECURED TO PIER w/METAL SHOE ANCHORED TO PIER AS PER MANUFACTURER'S SPECIFICATIONS
TYPE P2	TECHNO METAL POST HELICAL PIER - TYPE P2 - 2.4"DIA OR EQUIVALENT 4"x4" WOOD POST SECURED TO PIER w/METAL SHOE ANCHORED TO PIER AS PER MANUFACTURER'S SPECIFICATIONS
B1	3-2"x8" PRESSURE TREATED WOOD BEAM
B2	3-2"x12" PRESSURE TREATED WOOD BEAM
B3	3-2"x10" PRESSURE TREATED WOOD BEAM
B4	2-2"x6" PRESSURE TREATED WOOD BEAM
B5	(3)-2x12
J1	2"x8" JOISTS @ 16" O.C
J2	2"x6" JOISTS @ 16" O.C
L1	2"x8" LEDGER BOARD LAG BOLTED
CR1	2"x8" @ 16" OC - COMMON RAFTERS
H1	2"x10" HEEP RAFTER
R1	2"x10" RIDGE MEMBER
E1	2"x8" EAVES BOARD
D1	1"x6" COMPOSITE DECKING, 1/4" GAP PERPENDICULAR TO JOIST FRAMING

05.		
04.		
03.		
02.		
01.		
NO.	ISSUED FOR	DATE

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

FOUNDATION & ROOF PLAN, SECTION

SCALE: 1:75

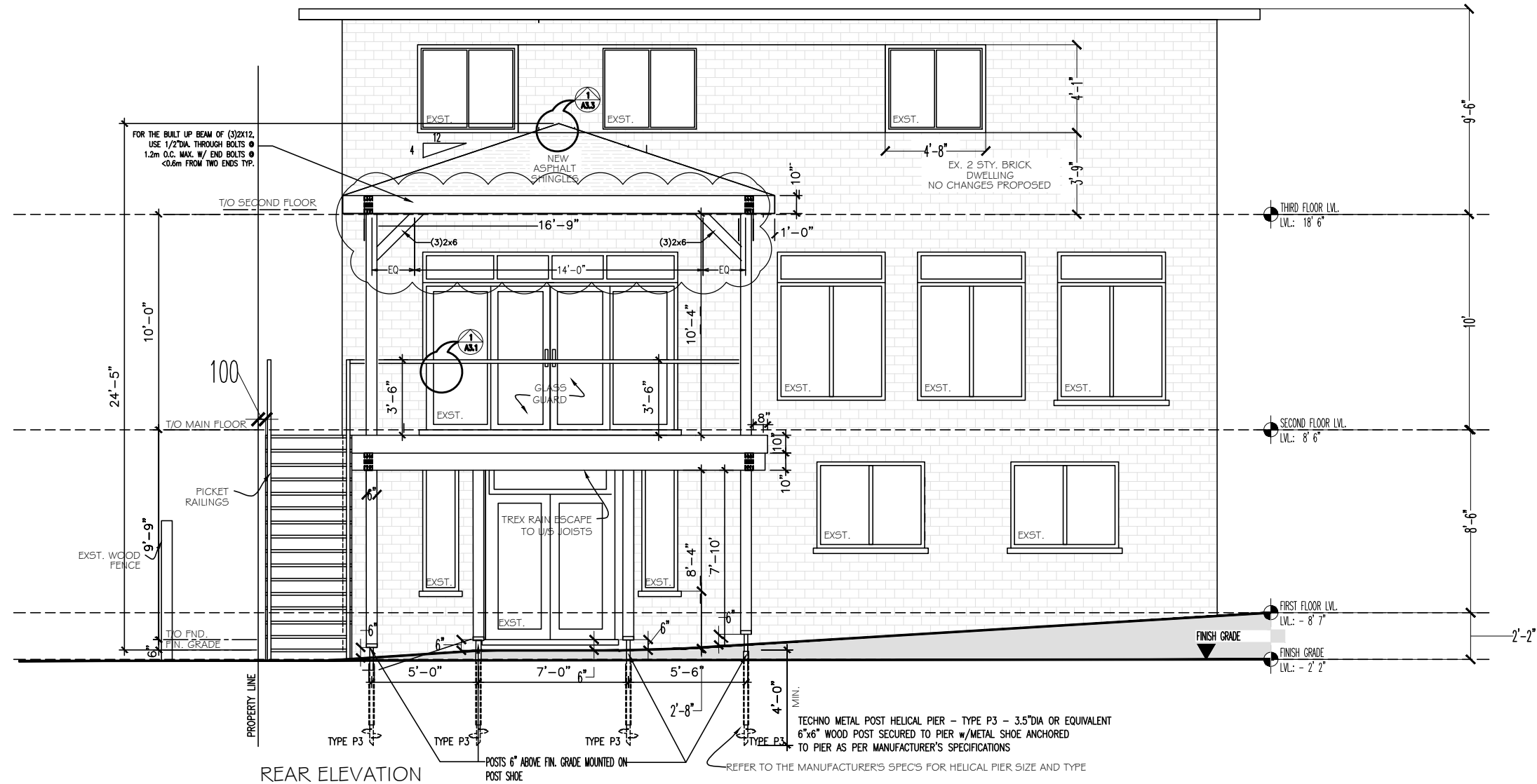
NOTE:
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PROJECT NO. -
 DATE OCT 2022

DRAWN BY K.S.
 CHECKED BY A.K.

DRAWING NO.

S - 1



05.		
04.		
03.		
02.		
01.		
NO.	ISSUED FOR	DATE

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

EXISTING ELEVATION

1:75

NOTE:

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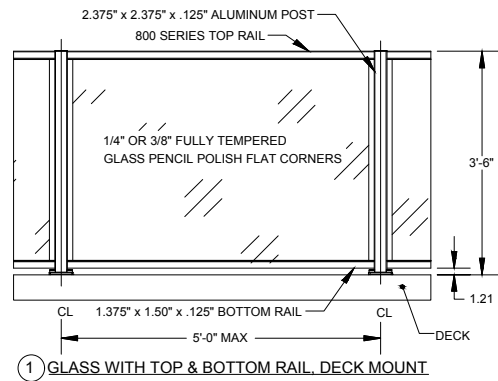
A
BC

A. DETAIL NO.
 B. LOCATION SHEET
 C. DETAILED ON

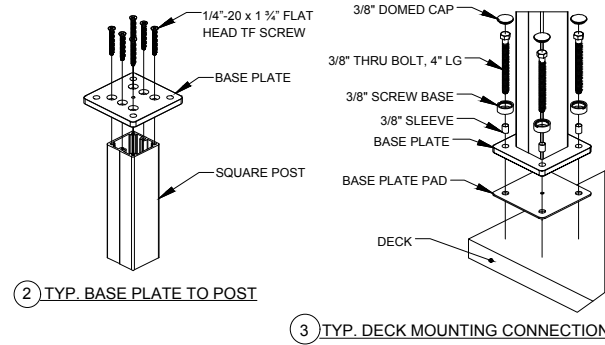
PROJECT NO. -
 DATE OCT 2022
 DRAWN BY K.S.
 CHECKED BY A.K.

DRAWING NO.

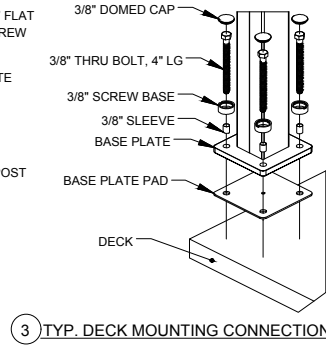
S - 2



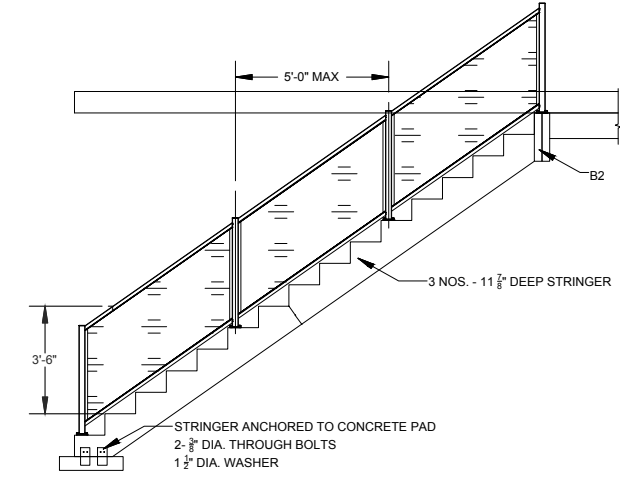
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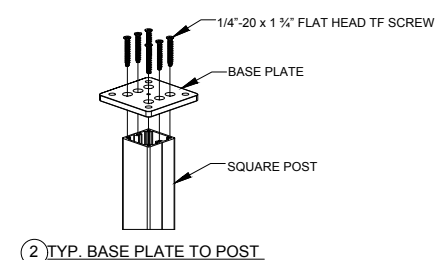
2 TYP. BASE PLATE TO POST



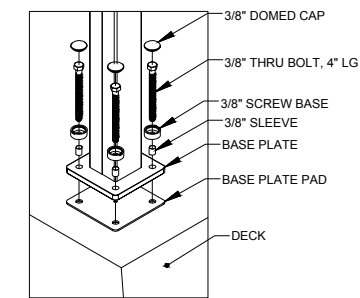
3 TYP. DECK MOUNTING CONNECTION



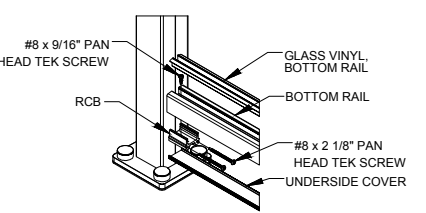
1 GLASS WITH TOP & BOTTOM RAIL, DECK MOUNT, STAIR GUARD



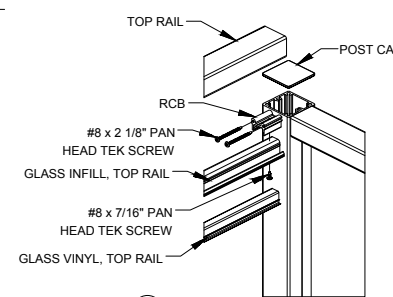
2 TYP. BASE PLATE TO POST



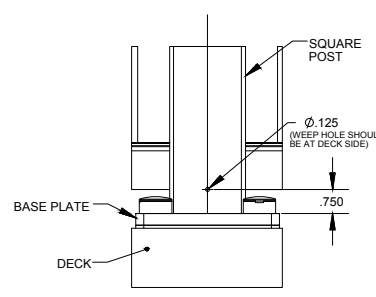
3 TYP. DECK MOUNTING CONNECTION



4 TYP. BOTTOM RAIL CONNECTION



5 TYP. TOP RAIL CONNECTION

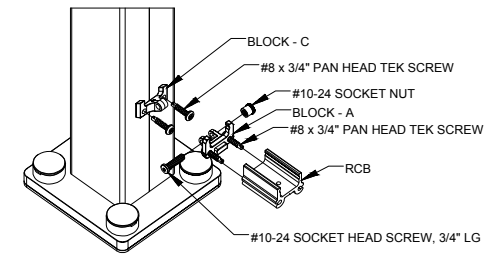


6 TYP. WEEP HOLE

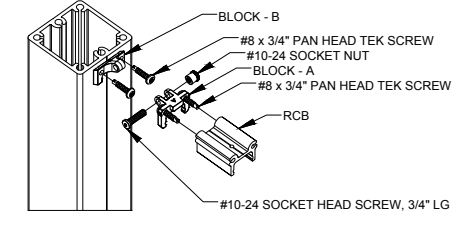
- NOTES:
1. DIMENSIONS SHOWN - INCHES [MM].
 2. MACHINED SURFACES TO BE 6.3µIN MAX.
 3. PART TO BE FREE OF BURRS AND SHARP EDGES.
 4. ALL MATERIAL TO BE CLEAN, DEGREASED AND FREE OF ALL IMPURITIES.
 5. ANY CHANGE MUST BE AUTHORIZED BY AN ENGINEER.

01 GLASS RAIL DETAIL
 SCALE: NTS

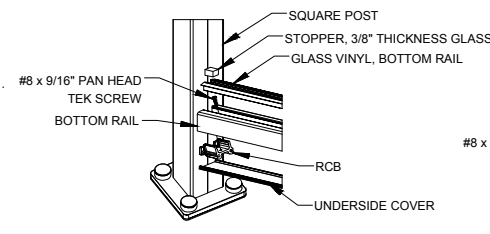
02 STAIR DETAIL
 SCALE: NTS



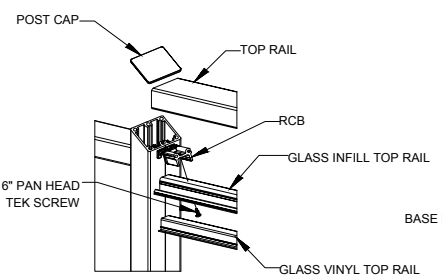
4 TYP. BOTTOM HINGE JOINT CONNECTION



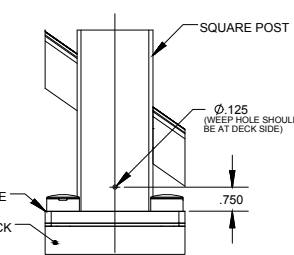
5 TYP. TOP HINGE JOINT CONNECTION



6 TYP. BOTTOM RAIL CONNECTION
 SCALE 1: 8



7 TYP. TOP RAIL CONNECTION
 SCALE 1: 8



8 TYP. WEEP HOLE

- NOTES:
1. DIMENSIONS SHOWN - INCHES [MM].
 2. MACHINED SURFACES TO BE 6.3µIN MAX.
 3. PART TO BE FREE OF BURRS AND SHARP EDGES.
 4. ALL MATERIAL TO BE CLEAN, DEGREASED AND FREE OF ALL IMPURITIES.
 5. ANY CHANGE MUST BE AUTHORIZED BY AN ENGINEER.

03 JOINERY DETAIL
 SCALE: NTS

05.		
04.		
03.		
02.		
01.	-	-
NO.	ISSUED FOR	DATE

PROJECT
WOOD DECK ADDITION
 262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

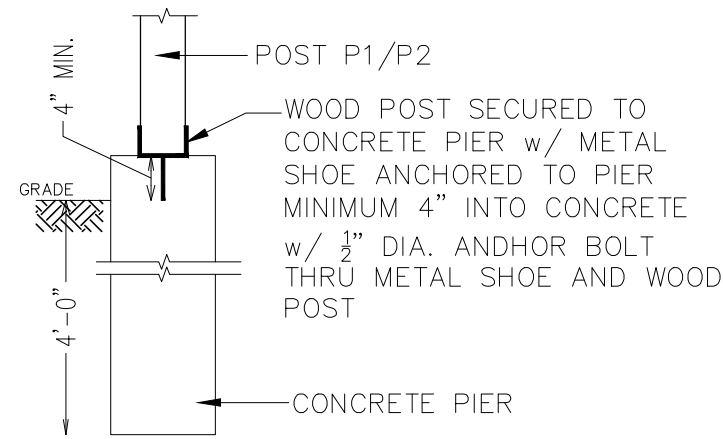
DETAILS

NOTE:
 - DO NOT SCALE DRAWINGS.
 - ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
 - ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
 - ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

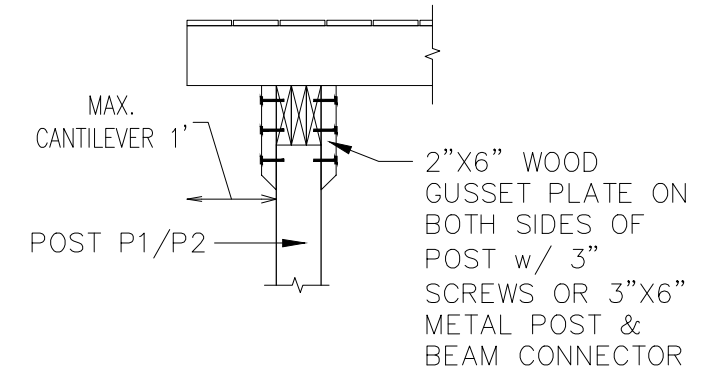
A BC	A. DETAIL NO.
	B. LOCATION SHEET
	C. DETAILED ON

PROJECT NO. -	DRAWN BY	K.S.
DATE	OCT 2022	CHECKED BY
DRAWING NO.		

A 3.1

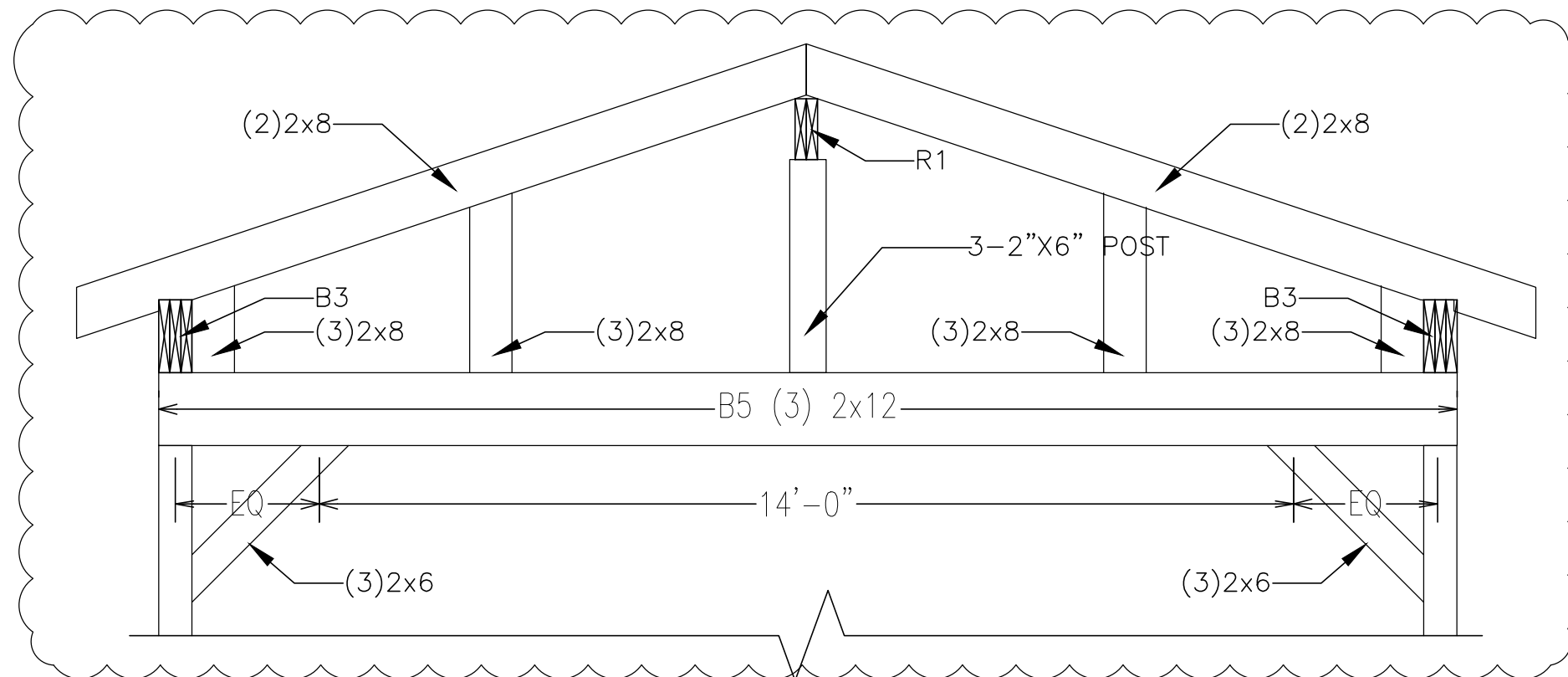


2/A3.2 PIER TO POST CONNECTION



3/A3.2 BEAM TO POST CONNECTION

05.		
04.		
03.		
02.		
01.	-	-
NO.	ISSUED FOR	DATE



SECTION - B

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

DETAILS

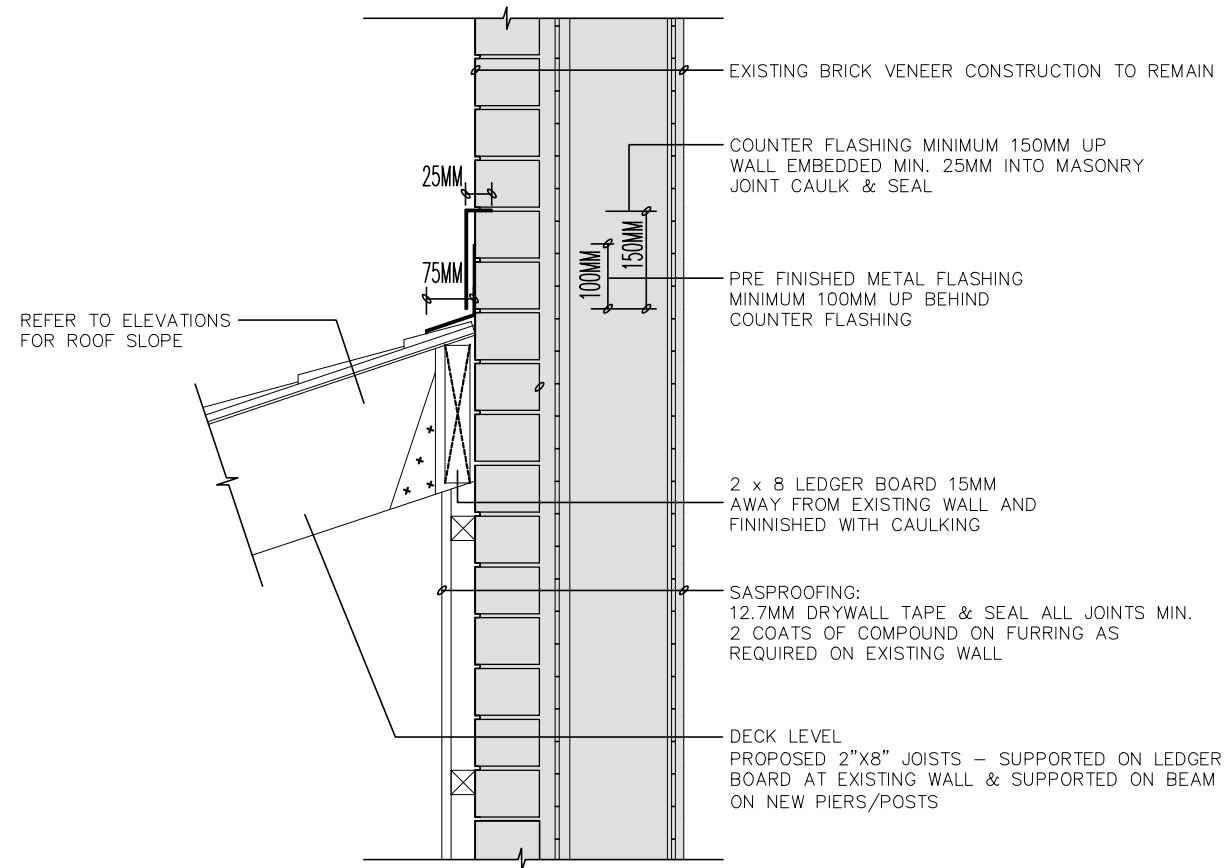
NOTE:
 - DO NOT SCALE DRAWINGS.
 - ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
 - ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
 - ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

A	A. DETAIL NO.
BC	B. LOCATION SHEET
	C. DETAILED ON

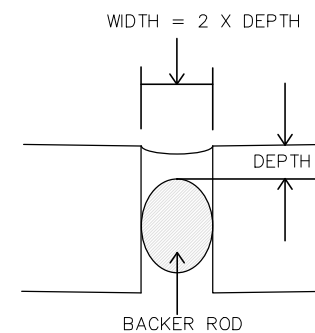
PROJECT NO. -	DRAWN BY K.S.
DATE OCT 2022	CHECKED BY A.K.

DRAWING NO.

A 3.2



1/A3.3 ROOF JOIST CONNECTION DETAIL



CAULKING DETAIL

05.		
04.		
03.		
02.		
01.	-	-
NO.	ISSUED FOR	DATE

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE
 ANCASTER, ON L9K 1R4
 CANADA

DRAWING TITLE

DETAILS

NOTE:
 - DO NOT SCALE DRAWINGS.
 - ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
 - ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
 - ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

A A. DETAIL NO.
BC B. LOCATION SHEET
 C. DETAILED ON

PROJECT NO. - DRAWN BY K.S.
 DATE OCT 2022 CHECKED BY A.K.

DRAWING NO.

A-3.3



Hamilton

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

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

1. APPLICANT INFORMATION

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

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

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

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

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent _____

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	262 Springbrook Ave, Ancaster, Ontario		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	1	Concession	
Registered Plan Number	62M-1246	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:

Please refer to the additional page 1 attached.

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:

Sideyard setback for the deck stair

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

As built condition

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
16976mm	31430mm	533.55m ²	Existing to remain

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Two storey brick building	5080 mm	7920 mm	1310 mm	nov 2020

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Three storey brick building	5080 mm	7920 mm	1310 mm	nov 2020
Wood deck stair	n/a	2688 mm	100 mm	proposed

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Three storey brick building	221.4m2 (existing to remain)	664.2m2 (existing to remain)	3	existing to remain

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Three storey brick building	221.4m2 (existing to remain)	221.4m2 (existing to remain)	3	existing to remain
Wood Deck	n/a	27.9 m2	2	7595 mm

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

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

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

- ditches
 other means (specify)
-

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

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

4.7 Type of access: (check appropriate box)

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

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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
 Nov 2020

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

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:
 2

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

Rural Hamilton Official Plan designation (if applicable): 62M-1246

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? R4-598 Residential 4

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

Yes No

If yes, please provide the file number:

AN/A-23:01

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: n/a

8.2 Number of Dwelling Units Proposed: n/a

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:139	SUBJECT PROPERTY:	178 Hatt Street, Dundas
ZONE:	"C5" (Mixed Use Medium Density)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Sandra Hunt
Agent: Tomasz Goral

The following variances are requested:

1. To permit a aggregate Gross Floor Area of all Accessory Buildings shall be 32.87m² (9.7%) lot coverage instead of 7.5% lot coverage required.
2. To permit a building setback from a rear lot line for a accessory structure greater then 18m² to be 0.61m instead of 1.2 meters required.
3. To permit a building setback from a side lot line for a accessory structure greater then 18m² to be 0.61m instead of 1.2 meters required.

PURPOSE & EFFECT: To permit the construction a garage (32.87m²) accessory to a existing Single Detached Dwelling.

Notes:

- i) As per zoning policy ZON-020 the garage does not constitute a expansion of a legally established non-conforming use.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:30 p.m.

A-24:139

PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:139, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:139



Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

THIS DRAWING IS THE PROPERTY OF GORAL DESIGN AND ENGINEERING INC. AND IS NOT TO BE REPRODUCED, COPIED, REPRODUCED, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC. CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.

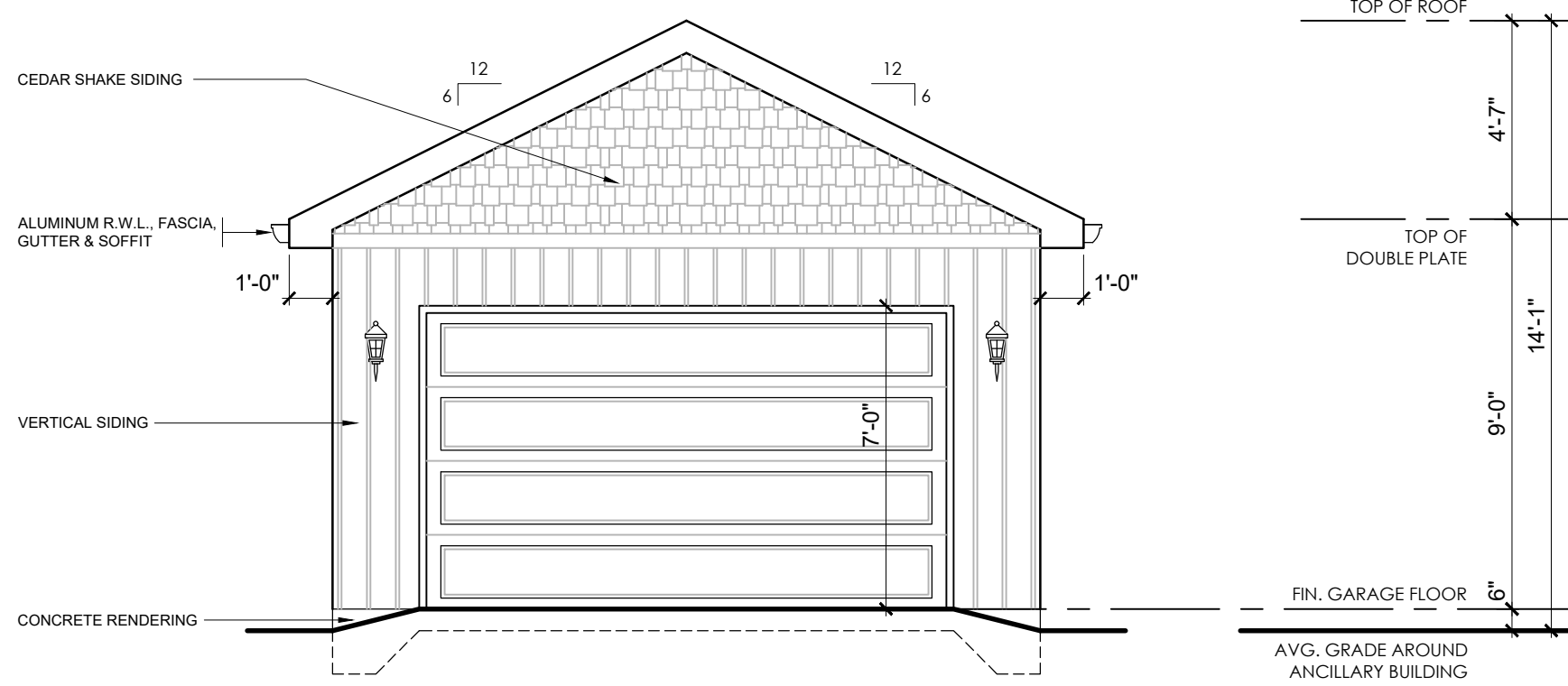
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION. THE CONTRACTOR WORKING FROM DRAWINGS NOT SPECIFICALLY MARKED "FOR PERMIT CONSTRUCTION" MUST ASSUME FULL RESPONSIBILITY AND BEAR COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM THEIR WORK.

THIS DRAWING, AS AN INSTRUMENT OF SERVICE IS PROVIDED BY AND IS THE PROPERTY OF THE DESIGNER 'GORAL DESIGN' AND ENGINEER 'ON FILE'. THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION.

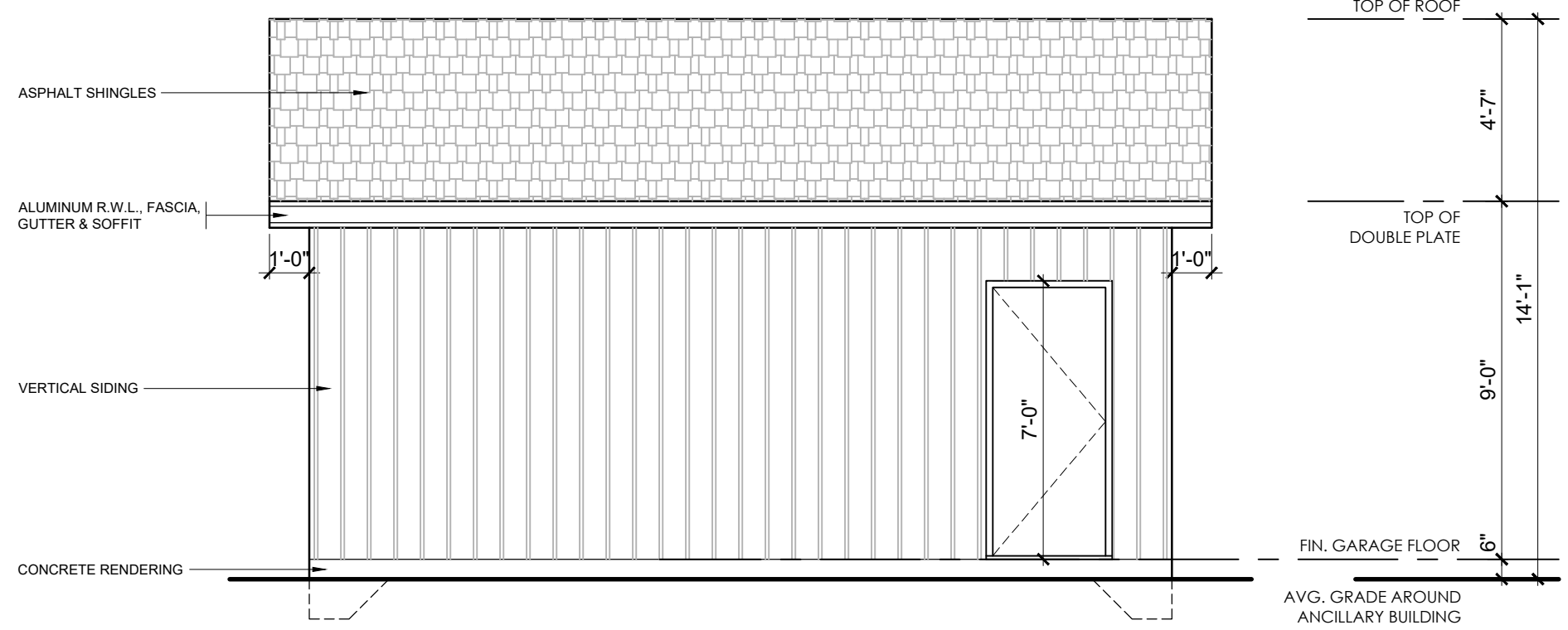
THESE DRAWINGS HAVE BEEN PREPARED FOR BUILDING PERMIT PURPOSES ONLY. THE DESIGNER AND ENGINEER ARE NOT RESPONSIBLE FOR GENERAL REVIEW DURING CONSTRUCTION UNLESS A SEPARATE AGREEMENT IS MADE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL EXISTING AND ASSUMED STRUCTURAL CONDITIONS. IN THE EVENT THAT THE CONTRACTOR FINDS A DISCREPANCY WITH THE APPROVED PERMIT CONSTRUCTION DRAWINGS AND/OR THE ASSUMED CONDITIONS, THE CONTRACTOR SHALL NOTIFY THE OWNER OF THE PROJECT AND/OR THE APPROPRIATE CONTRACTED CONSULTANTS WHO ARE RESPONSIBLE FOR GENERAL REVIEW DURING CONSTRUCTION. THE DESIGNER AND THE ENGINEER WHO HAVE SEALED THESE DRAWINGS ARE NOT RESPONSIBLE FOR GENERAL REVIEW DURING CONSTRUCTION.

THE AS-BUILT INFORMATION PROVIDED IN THESE DRAWINGS IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS ARE CALCULATED FROM ON-SITE OBSERVATIONS REPRESENTING EXISTING CONDITIONS. THE INFORMATION PROVIDED MUST BE CONFIRMED PRIOR TO CONSTRUCTION. ENLARGEMENT OR ALTERATION OF ANY PART, OR IN WHOLE OF THE EXISTING BUILDING, THE OWNER OF THE PROPERTY WILL NOT HOLD THE DESIGNER AND ENGINEER LIABLE FOR THE WORK DONE BY OTHERS.

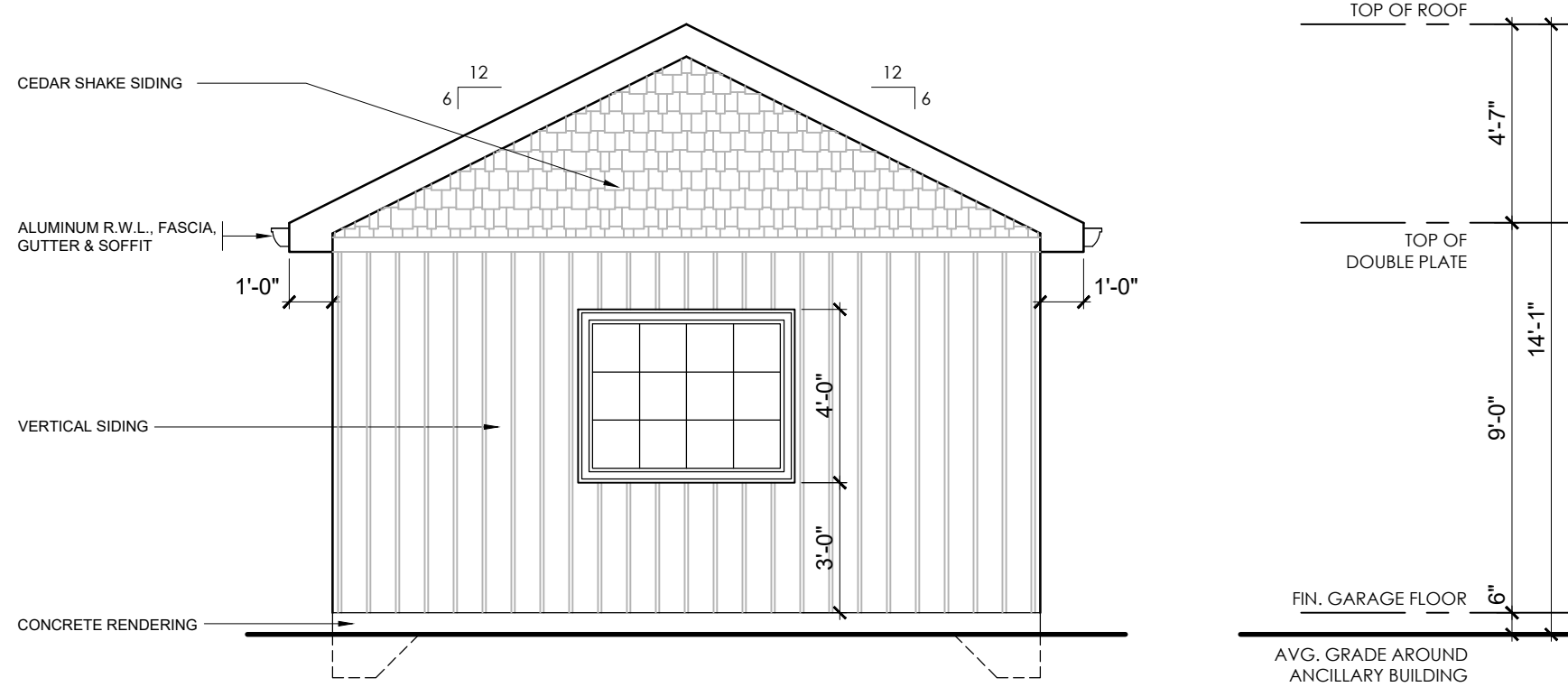
No.	DATE	SUBMISSION	ISSUED BY
1.	22 FEB 2024	ISSUED FOR PERMIT	TG



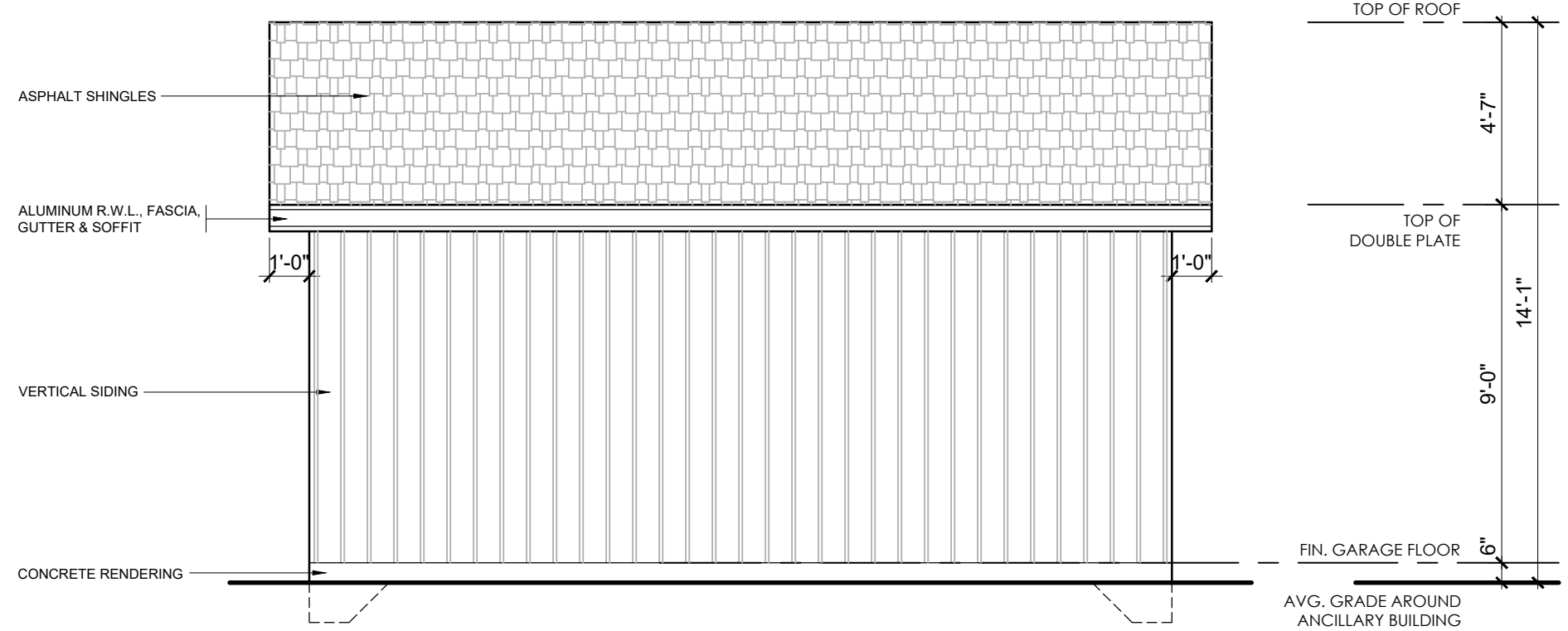
SOUTH (REAR) ELEVATION



EAST (LEFT SIDE) ELEVATION



NORTH (FRONT) ELEVATION



WEST (RIGHT SIDE) ELEVATION



DRAWING TITLE
ELEVATIONS

HATT RESIDENCE
478 HATT STREET
DUNDAS, ONT., L9H 5G3

DRAWN BY
TG

CHECKED BY

SCALE
1/4" = 1'-0"

DATE
15 JAN 2024

PROJECT NUMBER
2413

DRAWING NUMBER

A-3.1



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

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

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

1. APPLICANT INFORMATION

	NAME	
Registered Owners(s)	SANDRA HUNT	
Applicant(s)	TOMASZ GORAL	
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	178 Hatt St		
Assessment Roll Number	26012023400		
Former Municipality	Hamilton		
Lot	43	Concession	
Registered Plan Number	14431	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:

DEMO EXISTING DETTACHED GARAGE AND BUILT NEW DETTACHED GARAGE
ASKING FOR REAR AND SIDE SETBACK OF 0.61 m
ASKING FOR GARAGE COVERAGE OF 32.97 sq.m.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

WOULD LIKE TO BUILD WITH SAME SETBACKS

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
9.19	36.58	339.01	

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
DETTACHED GARAGE	30.02	-0.03	0.05	
SFD	2.62	20.54	0.07	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETTACHED GARAGE	29.37	0.61	0.61	

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
DETTACHED GARAGE	28	28	1	5.5
SFD	86	95	2	4

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETTACHED GARAGE	32.87	32.87	1	4.29

4.4 Type of water supply: (check appropriate box)

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

- lake or other water body
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

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

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
APRIL 2023
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
1848
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
1848
- 7.4 Length of time the existing uses of the subject property have continued:
1848
- 7.5 What is the existing official plan designation of the subject land?
- Rural Hamilton Official Plan designation (if applicable): _____
- Rural Settlement Area: _____
- Urban Hamilton Official Plan designation (if applicable) Mixed Use - Medium Density
- Please provide an explanation of how the application conforms with the Official Plan.

- 7.6 What is the existing zoning of the subject land? C5
- 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: C5

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

Yes No

If yes, please provide the file number: _____

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

Yes No

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

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: _____

8.2 Number of Dwelling Units Proposed: _____

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:142	SUBJECT PROPERTY:	7 Grandview Court, Dundas
ZONE:	"S1" (Settlement Residential Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Christa Yoshimoto
Agent: Sprucewood Homes Limited

The following variances are requested:

1. A minimum side yard setback of 1.85 metres shall be permitted instead of the required minimum side yard setback of 3.0 metres.

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

Notes:

1. Insufficient information was provided to determine zoning conformity for encroachments, front yard landscaping and parking. Additional variances may be required if compliance cannot be achieved.
2. Please be advised the property is subject to By-law 24-052 (Parking), which is not yet final and binding. Insufficient information was provided to review the proposed development against the requirements in By-law 24-052.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-24:142

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:142, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:142



 Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

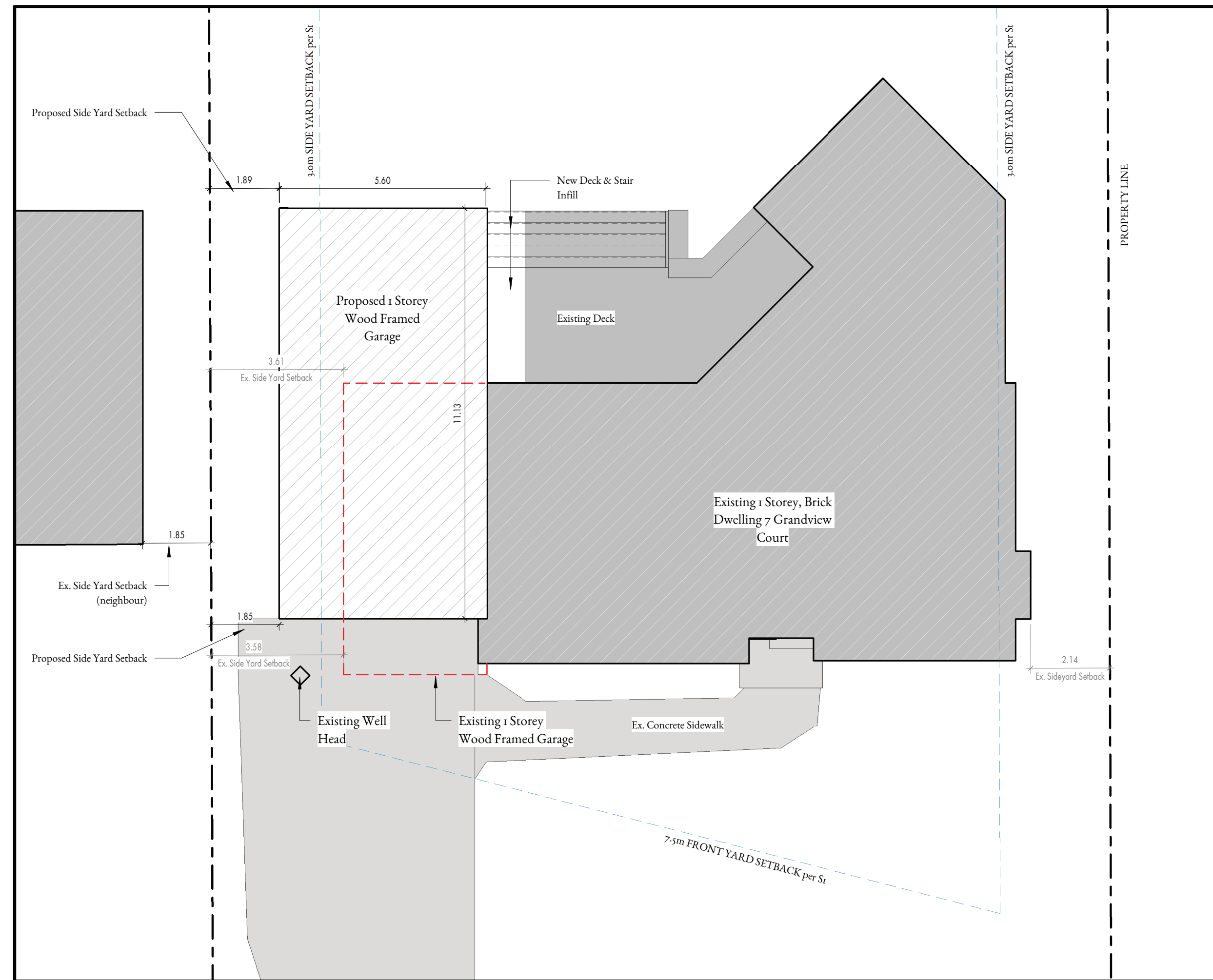
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

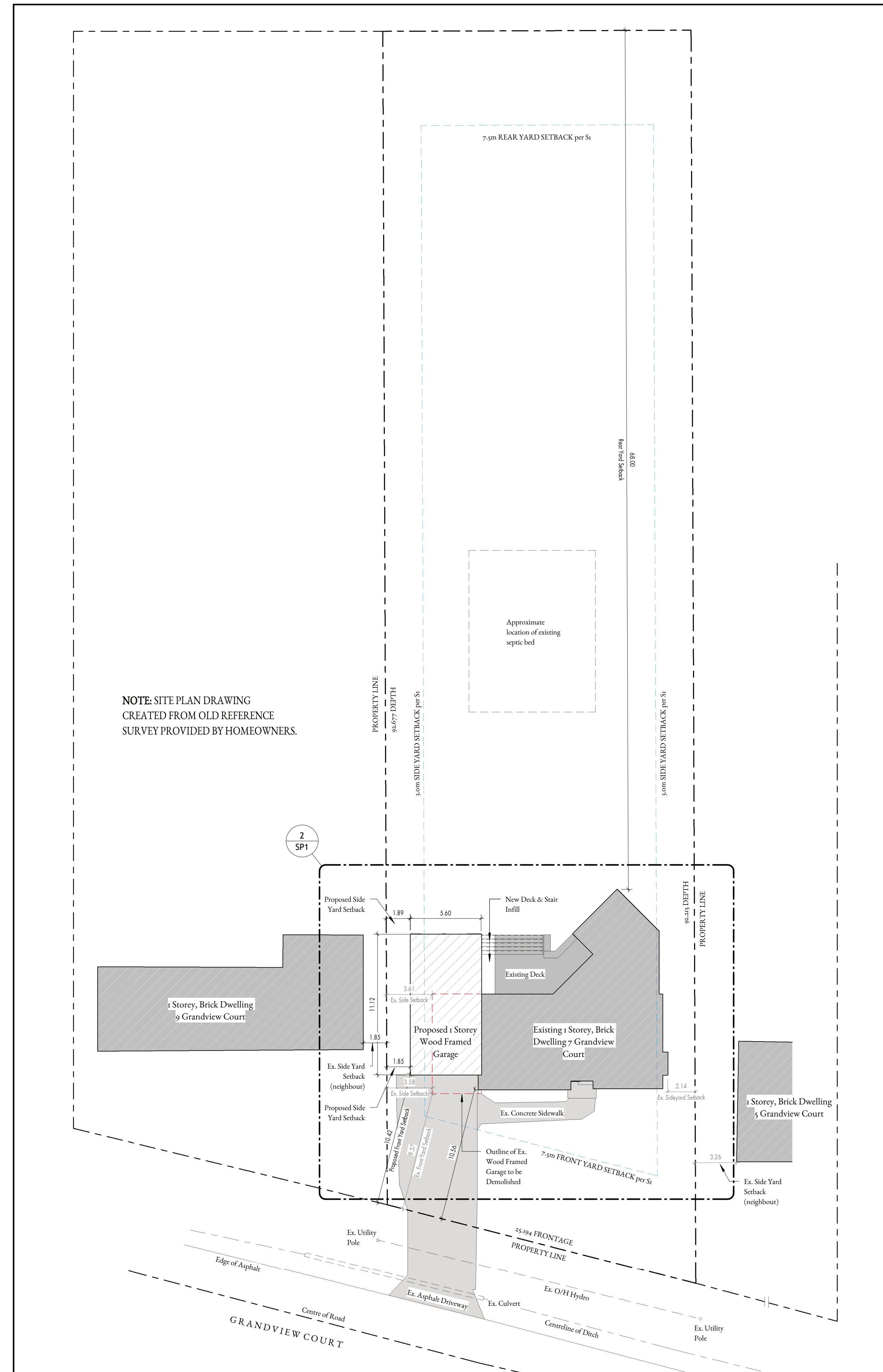
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.

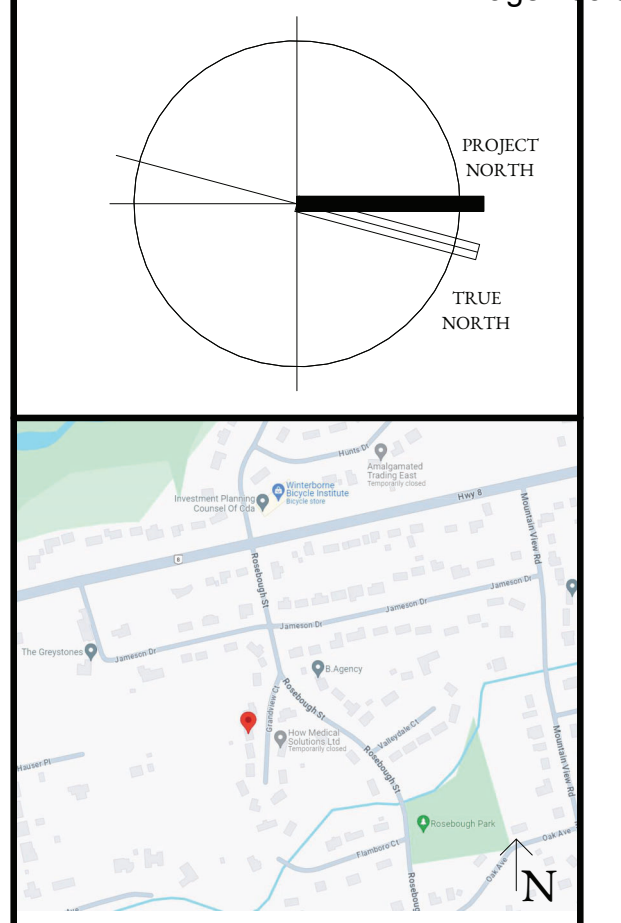


2
SP1 Enlarged Area of Work
SCALE: 1:100

ZONING	LOT NO:	PLAN NO:	LOT AREA:		LOT FRONTAGE:	LOT DEPTH:		
S-1	7	-	2,342.15 SQ.M.		25.194 m	92.677 m / 92.215 m		
DESCRIPTION	EXISTING	%	MAX	%	SETBACKS	REQUIRED	EXISTING	PROPOSED
LOT COVERAGE ⁽¹⁾	178.59 m ²	7.5	-	-	FRONT YARD	7.5m	9.37m	10.42m
					REAR YARD	7.5m	68.0m	-
FLOOR AREA ⁽²⁾	Ground Floor	146.79 m ²			SIDE YARD (NORTH)	3.0m	2.14m	-
	Proposed Garage	54.75 m ²			SIDE YARD (SOUTH)	3.0m	3.58m	1.85m
	TOTAL	201.54 m ²	8.6	-				
(1) COVERAGE CALCULATION INCLUDES COVERED PORCHES		NO. OF STOREYS			BUILDING HEIGHT	10.5m Maximum	5.1m	-
(2) GROSS FLOOR AREA CALCULATION DOES NOT INCLUDE OPEN TO BELOW AREAS		MAX	-	EXISTING				



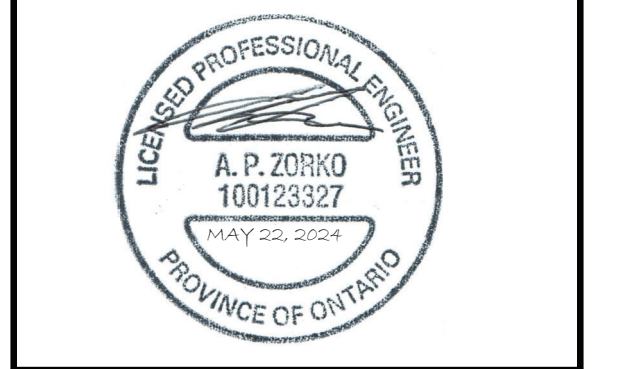
1
SP1 Proposed Site Plan
SCALE: 1:200



KEY PLAN

NO.	DESCRIPTION	DATE
1	Issued for Minor Variance	24/05/24

DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE CONSULTANT'S BEFORE PROCEEDING WITH THE WORK. THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE CONSULTANT.



GARAGE RECONSTRUCTION TO 7 GRANDVIEW COURT
7 Grandview Court
Hamilton, ON

LEGAL DESCRIPTION

Proposed Site Plan



SCALE	PROJECT
As indicated	23041
DATE	
MAY 2024	
DRAWN	DRAWING
BCM	SP1
CHECKED	
AZ	
PRINT DATE	
2024-05-21 2:07:59 PM	

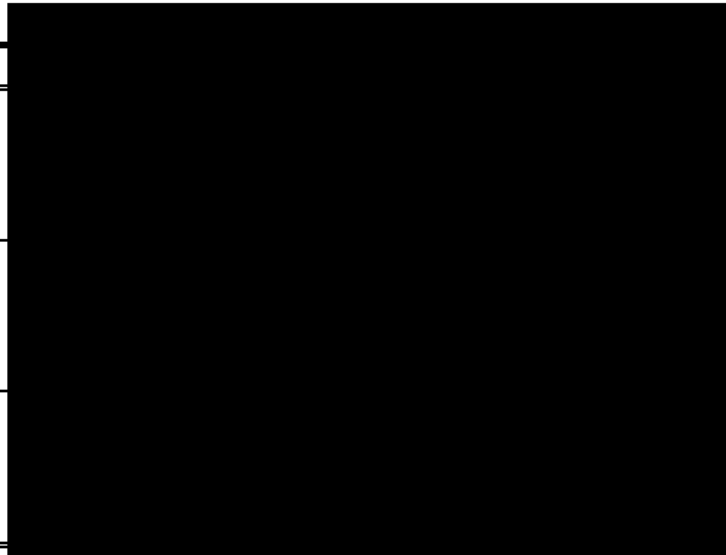


Hamilton

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Christa Yoshimoto
Applicant(s)	Sprucewood Homes Limited
Agent or Solicitor	Sprucewood Homes Limited



1.2 Primary contact Applicant Owner
 Agent/Solicitor

1.3 Sign should be sent to Applicant Owner
 Agent/Solicitor

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent

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.

1.6 Payment type In person Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	7 Grandview Ct, Hamilton, ON		
Assessment Roll Number			
Former Municipality			
Lot	63	Concession	
Registered Plan Number	1131	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:

Reduction of the side yard setback to 1.85m for the purpose of reconstructing an attached garage.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The Homeowners are requesting to match the (legal, non-conforming) side yard setback of the south neighbour at 9 Grandview Ct. to allow for a modest increase in gross floor area of the proposed attached garage.

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
25.194m	99.215m/ 92.677m	2,342.15 sq.m.	Approximately 6.9m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached Dwelling	9.37m	68.0m	2.14m/ 3.58m	01/01/1954

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached Dwelling	10.42m	68.0m	1.85m	09/01/2024

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached Dwelling	146.79 sq.m	146.79 sq.m	1	5.1m
Attached Garage	31.8 sq.m	31.8 sq.m	1	4.2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached Dwelling	146.79 sq.m	146.79 sq.m	1	5.1m
Attached Garage	54.75 sq.m	54.75 sq.m	1	4.5m

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

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

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

- ditches
- other means (specify)

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

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

Single Detached Dwelling

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

Single Detached Dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

01/07/2019

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:

70 years

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

Rural Hamilton Official Plan designation (if applicable): Settlement Residential

Rural Settlement Area: Greensville Rural Settlement Area

Urban Hamilton Official Plan designation (if applicable) Not Applicable

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

A minor increase in GFA for an attached garage for a single family detached dwelling.

7.6 What is the existing zoning of the subject land? S-1 Rural

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: S-1 Rural

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:148	SUBJECT PROPERTY:	54 Baldwin Street, Dundas
ZONE:	"R1 & R2" (Residential Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200 & Zoning By-law former Town of Dundas 3581-86, as Amended

APPLICANTS: Owner: Andrew Gumbinger & Amanda Green Gumbinger
Agent: Park Eight Inc. c/o Pete VandenArend

The following variances are requested:

Dundas Zoning By-law 3581-86

1. A minimum side yard of 0.8 metres shall be permitted instead of the required minimum side yard of 1.2 metres.
2. A minimum side yard of 2.4 metres on one side shall be permitted instead of the required minimum side yard of 5.0 metres on one side of an interior lot upon which there is no garage or carport.

Hamilton Zoning By-law 05-200

1. A minimum setback from a side lot line of 0.8 metres shall be permitted instead of the required minimum setback from a side lot line of 1.2 metres.

PURPOSE & EFFECT: To facilitate the construction of an addition to an existing single detached dwelling for the use of an additional dwelling unit.

Notes:

Dundas Zoning By-law 5381-86

1. Insufficient information was provided to determine zoning conformity for canopy and unenclosed porch encroachments and front yard landscaping. Additional variances may be required if compliance cannot be achieved.

A-24:148

Hamilton Zoning By-law 05-200

1. Insufficient information was provided to determine zoning conformity for canopy and porch encroachments and landscaped area. Additional variances may be required if compliance cannot be achieved.
2. Please be advised the property falls under the Hamilton Conservation Authority.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

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

A-24:148

 Subject Lands



DATED: July 4, 2024

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.



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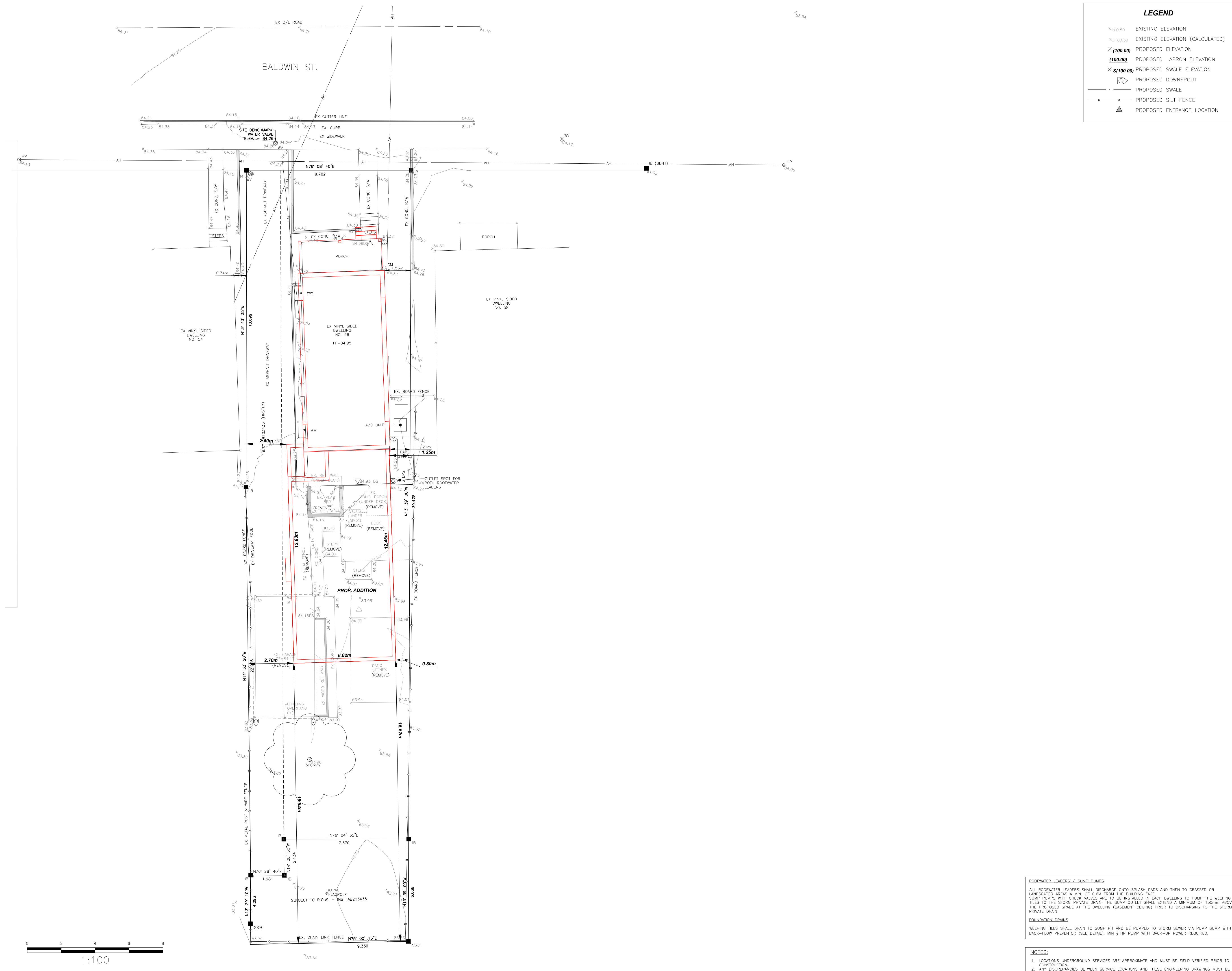
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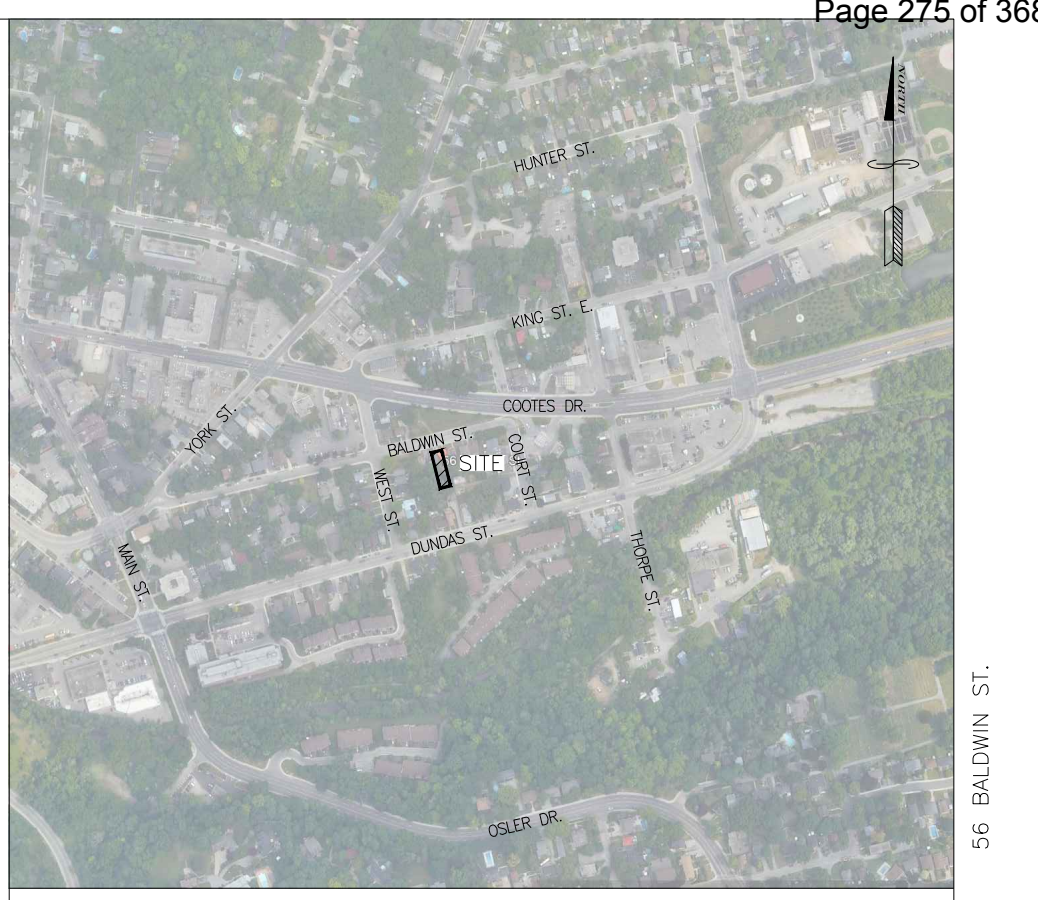
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LEGEND

- ×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 SWALE
- PROPOSED SILT FENCE
- △ PROPOSED ENTRANCE LOCATION



KEY PLAN N.T.S.

BENCHMARK NOTE:
 ELEVATION = 77.855 (COVID28:78)
 MONUMENT: 0011975U005

HAMILTON-WENTWORTH FILTRATION PLANT AT TOWN WORKS DEPARTMENT, NO. 135 KING STREET EAST, TABLE IN SOUTHWEST FOUNDATION OF SMALL SQUARE BUILDING, BETWEEN ROUND CONCRETE RECEPTION WELLS, 61.0 M EAST OF CENTRE LINE OF EAST STREET, 61.0 M NORTH OF CENTRE LINE OF KING STREET, 33 CM FROM MOST SOUTHERLY CORNER, 12 CM BELOW BRICKWORK.

SITE BENCHMARK:
 ELEVATION = 84.260

WATER VALVE WITHIN SIDEWALK FRONTING THE DRIVEWAY OF 56 BALDWIN ST. INDICATED ON PLAN.

- GENERAL NOTES:**
- TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
 - ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
 - 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.

NO.	DATE:	DESCRIPTION:
0	2024-04-30	SUBMISSION FOR COORDINATION

REVISIONS

SEAL

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

CLIENT: PARK EIGHT

MUNICIPALITY: CITY OF HAMILTON

PROJECT NAME: 56 BALDWIN ST.

TITLE: GRADING PLAN

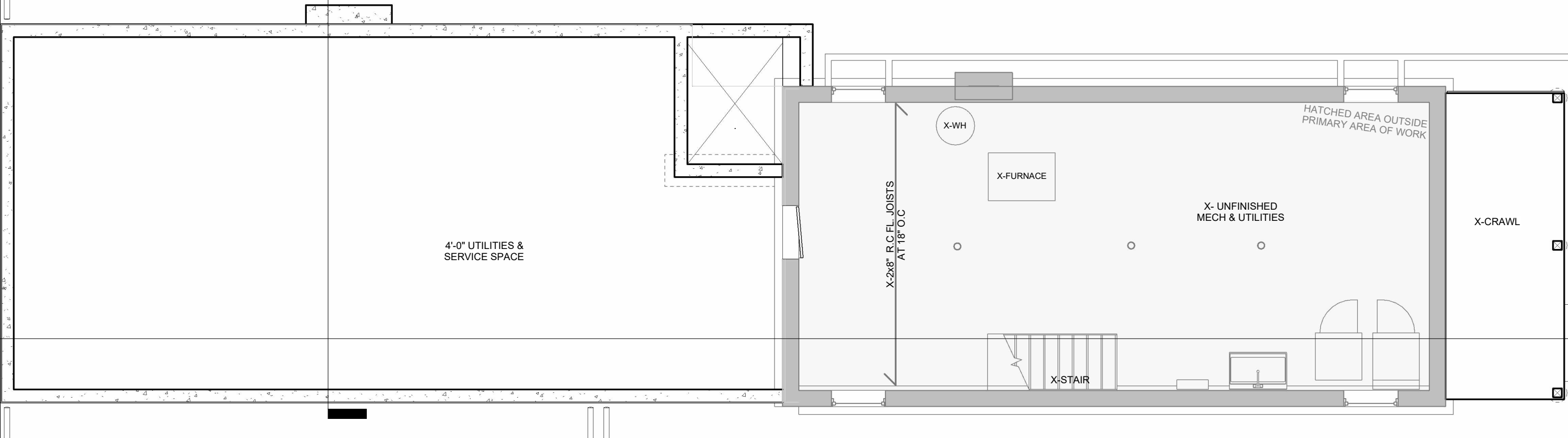
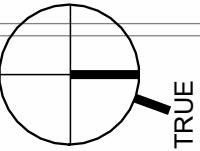
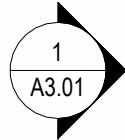
SCALE: 1:100	DATE: 2024-04-22
CHECKED BY: AS	DESIGNED BY: BC
DWG No: 24019PRK	SHEET No: G1

ROOFWATER LEADERS / SUMP PUMPS
 ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE.
 SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEeping TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM OF 150mm ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

FOUNDATION DRAINS
 WEeping TILES SHALL DRAIN TO SUMP BY 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:

- LOCATIONS UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.



① LVL0 PROP
3/16" = 1'-0"

YY/MM/DD

**PARK
EIGHT**
ENG // ARCH

**INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS**

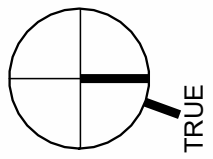
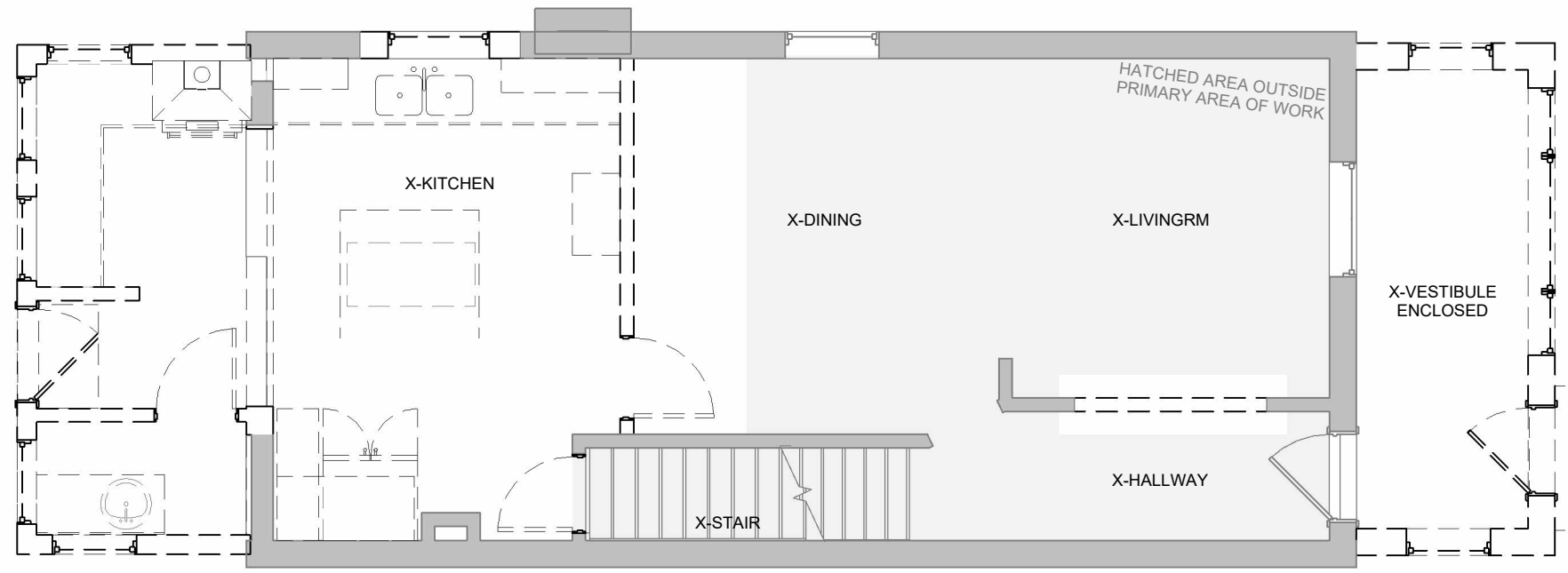
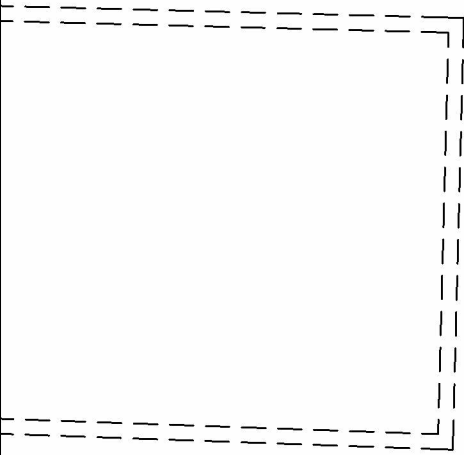
Project No. 24009
Revisions
1

Scale 3/16" = 1'-0"

FLOOR PLAN

A1.02

Sheet No. ©2021



**PARK
EIGHT**
ENG // ARCH

**INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS**

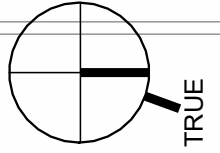
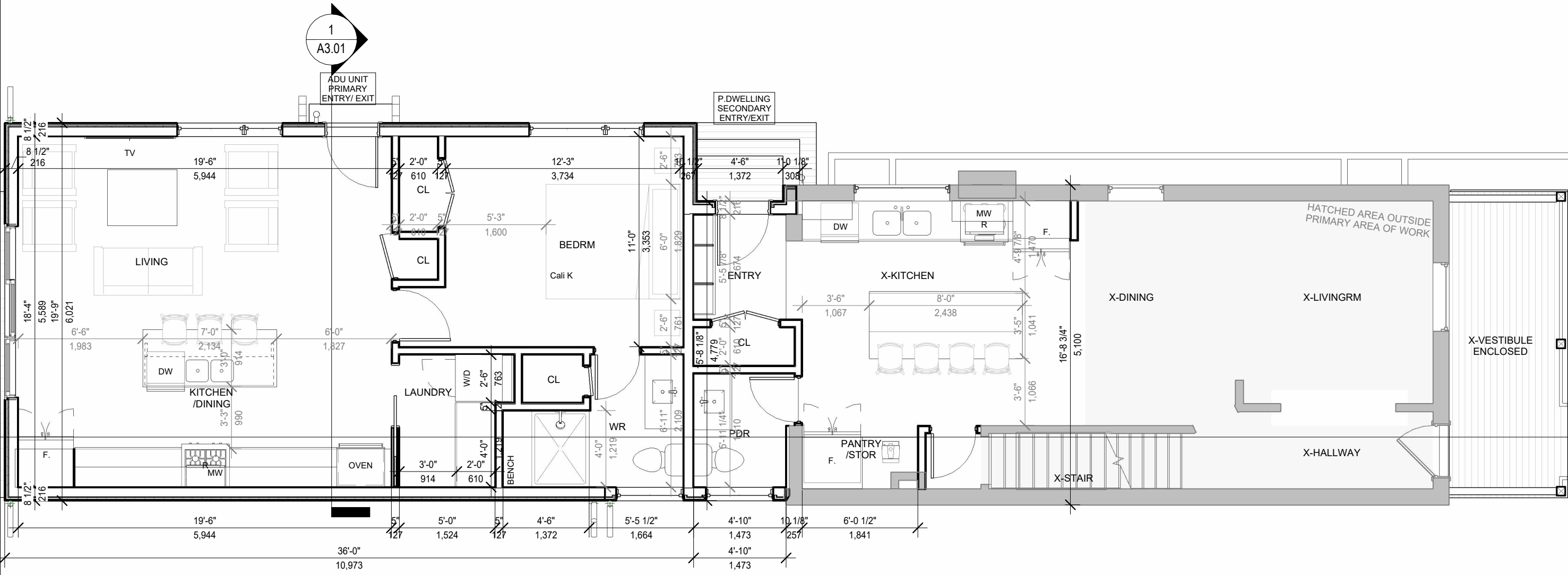
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Revisions
Scale 3/16" = 1'-0"

YY/MM/DD

FLOOR PLAN

A1.11

① LVL1 DEMO
3/16" = 1'-0"



PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions
Scale 3/16" = 1'-0"

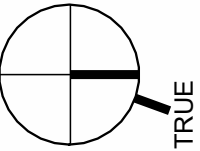
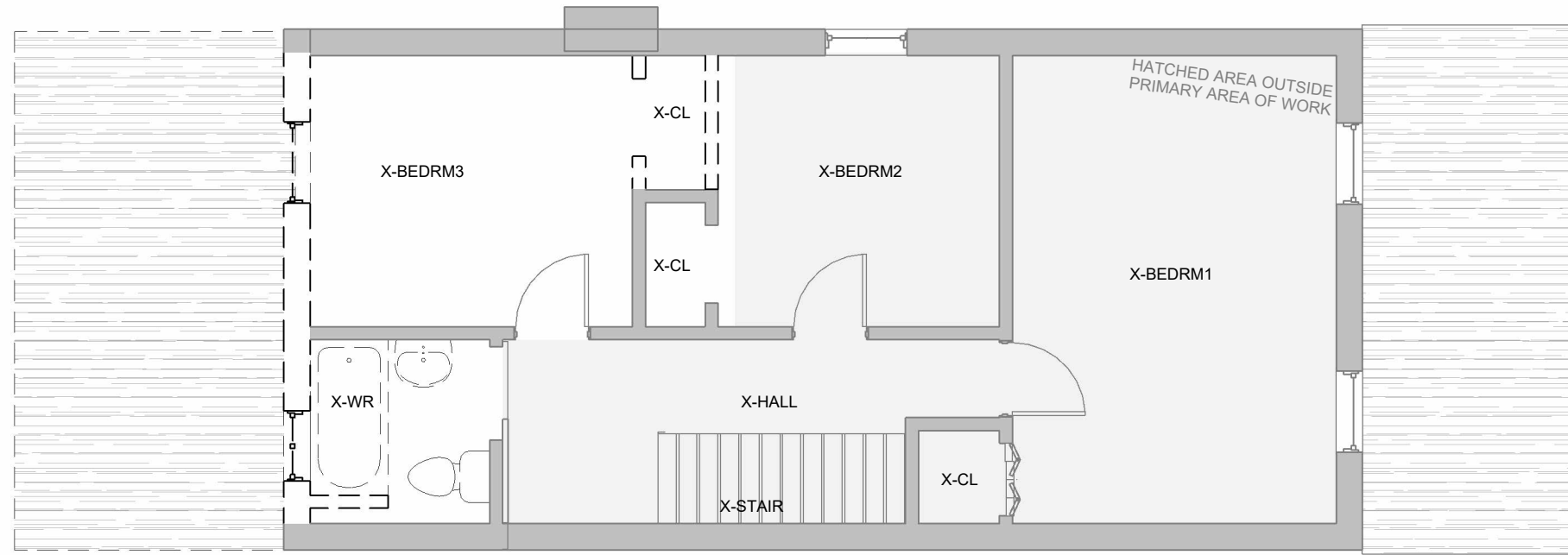
FLOOR PLAN

A1.12

Sheet No. ©2021

① LVL1 PROP
3/16" = 1'-0"

YY/MM/DD



**PARK
EIGHT**
ENG // ARCH

**INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS**

Project No. 24009

Revisions

Scale 3/16" = 1'-0"

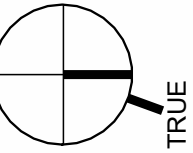
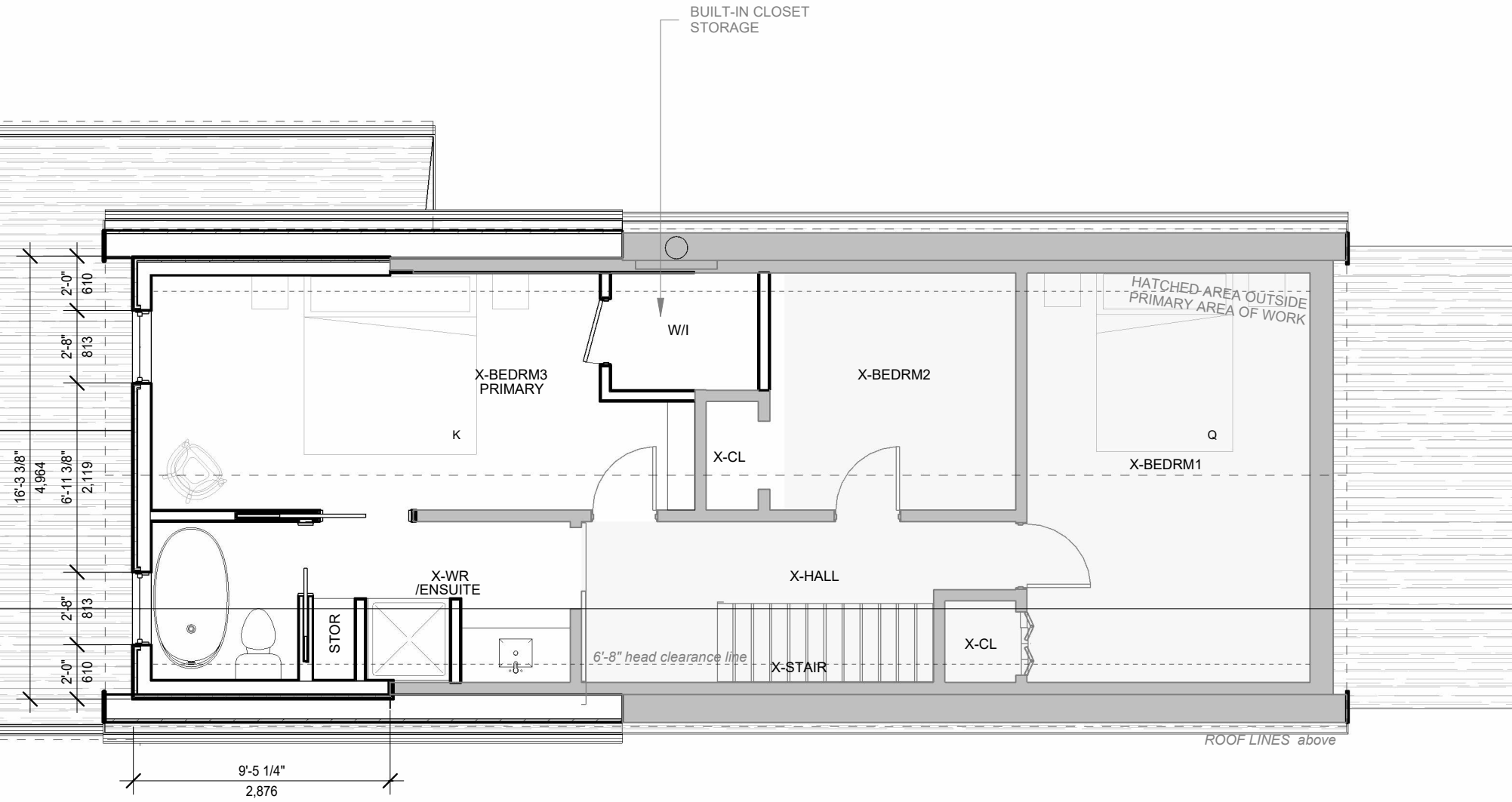
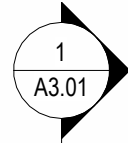
FLOOR PLAN

A1.21

Sheet No. ©2021

① LVL2 DEMO
3/16" = 1'-0"

YY/MM/DD



PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009

Revisions

Scale 3/16" = 1'-0"

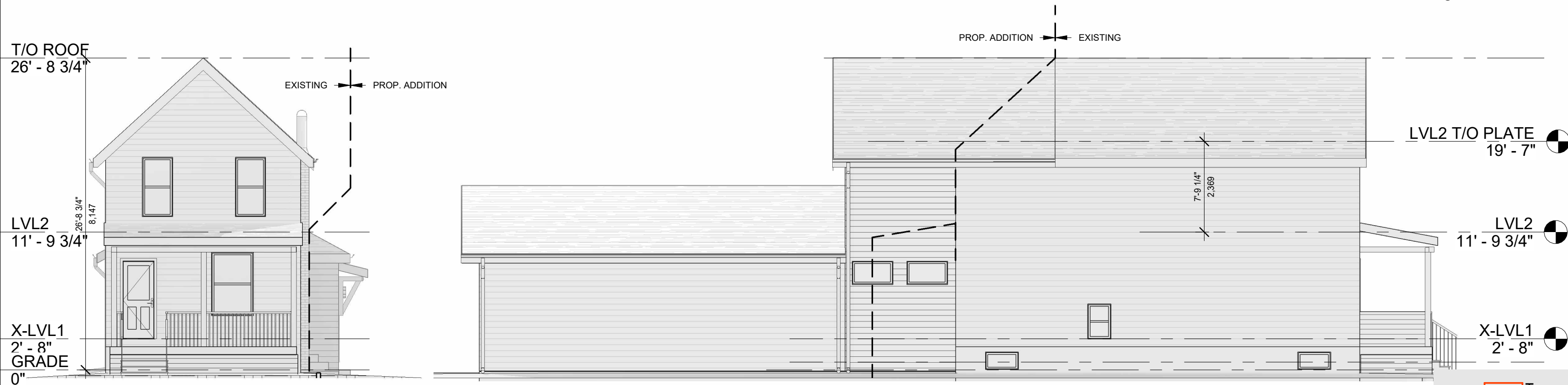
FLOOR PLAN

A1.22

Sheet No. ©2021

① LVL2 PROP
3/16" = 1'-0"

YY/MM/DD



① FRONT ELEVATION
1/8" = 1'-0"

② SIDE ELEVATION
1/8" = 1'-0"

YY/MM/DD

PARK EIGHT
ENG // ARCH



③ SIDE (DRIVE) ELEVATION
1/8" = 1'-0"

④ REAR ELEVATION
1/8" = 1'-0"

PROP 11-1/4" OVERHANG C/W
4" GUTTER PROJECTION TYP
<2'-0" MAX PERMITTED
≤ 1'-3 1/4" PROPOSED
= 1'-0" CLEAR OF PROP. LINE

T/O ROOF
26' - 8 3/4"

PROP. LINE (ANGLED)
AT NEAREST CORNER
OF PROP. ADU

PROP. LINE (ANGLED)
AT FURTHEST
CORNER OF EX
DWELLING

PROVIDE EAVES
TROUGH DRAIN
AWAY FROM BLDG
TO SATISFACTION OF
GRADING & LOCAL
AUTHORITY

LVL1
8"
GRADE
0"

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

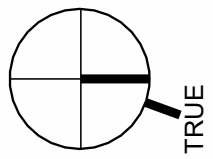
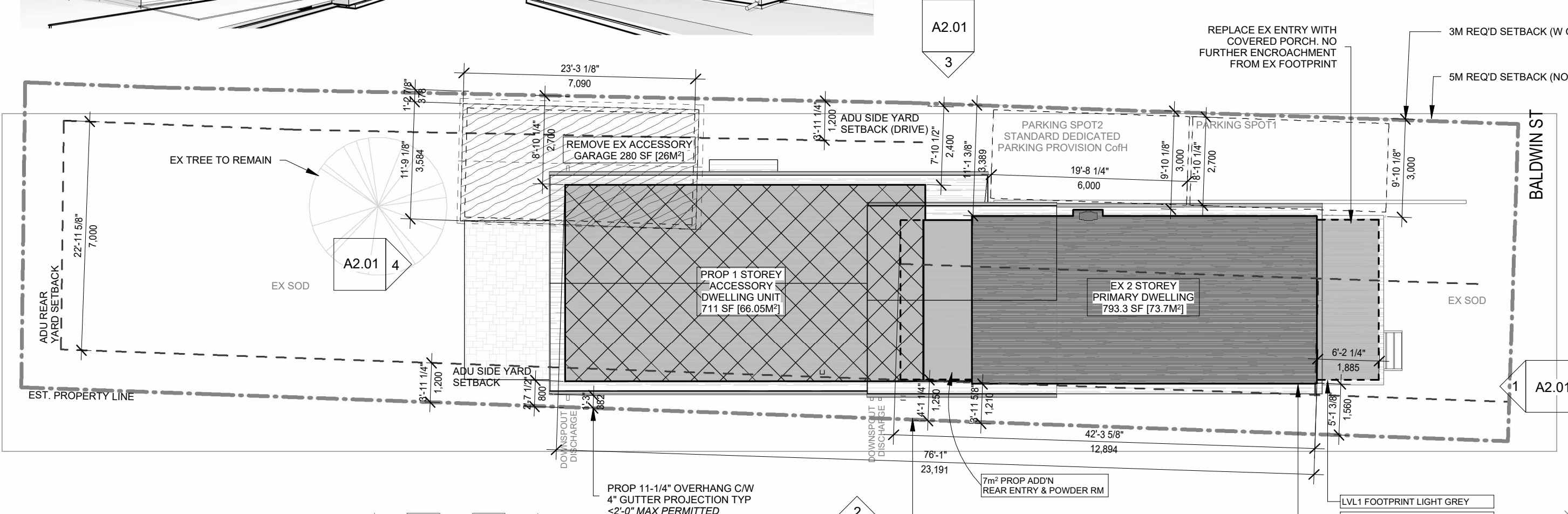
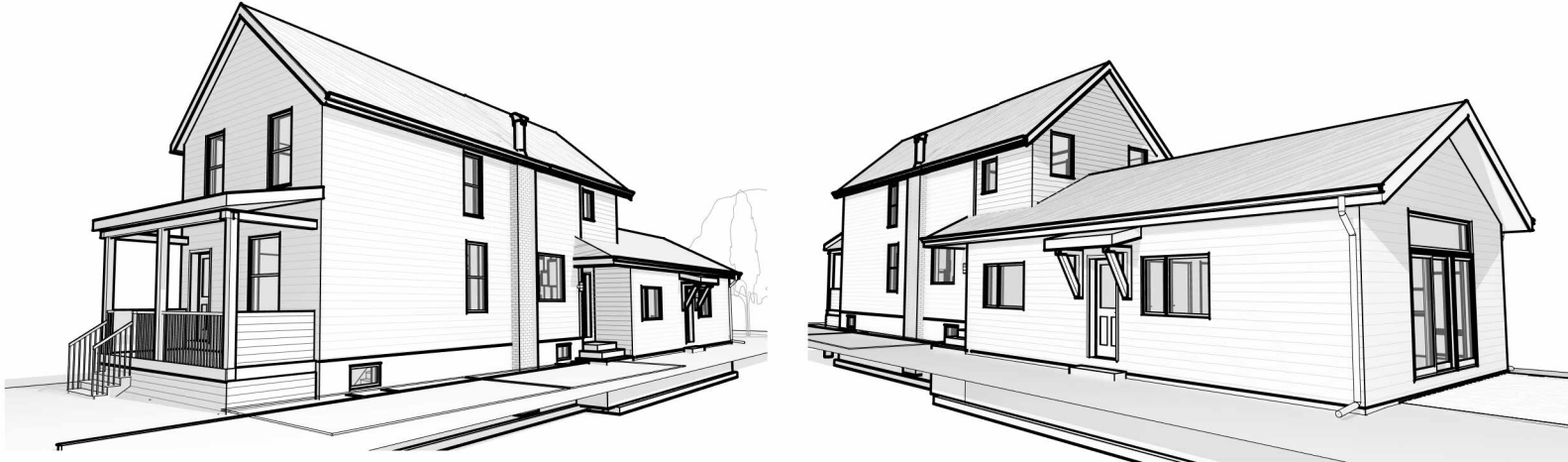
Project No. 24009
Revisions
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Scale 1/8" = 1'-0"

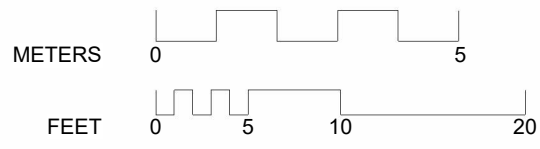
EXTERIOR ELEVATIONS

A2.01

Sheet No. ©2021



1 SITE PLAN
1 : 125



- SITE PLAN LEGEND**
- EX DRIVEWAY / HARDSCAPING
 - EX BUILDING
 - REPLACE EX ENTRY WITH UNENCLOSED COVERED PORCH OR DECK
 - PROPOSED ADDITIONS
 - DEMO EX ACCESSORY STRUCTURES

SITE STATISTICS

ZONING DESIGNATION = R2 SINGLE DETACHED RESIDENTIAL [DUNDAS]
22-134 ADU DUNDAS
HAMILTON OFFICIAL PLAN = DUNDAS COMMUNITY NODE

	PERMITTED	PROVIDED	
LOT AREA	450m ² minimum	436m ²	EX UNCHANGED
LOT FRONTAGE	6m minimum	9.7m	EX UNCHANGED ✓
FRONT YARD SETBACK	3m	4.0m	EX UNCHANGED ✓
SIDE YARD SETBACKS	1.2m/5m	.8m/ 2.4m	
REAR YARD SETBACK	7.5m	16.425m	✓
BUILDING HEIGHT	10.5m	±8.147m	✓

[*] Denotes existing condition

LOT COVERAGE SUMMARY:

	EXISTING	PROPOSED	
LOT AREA:	436m ² [4,693sf]	EX UNCHANGED	
EX BUILDING AREA:	73.7m ²	53.8m ²	(-19.9m ² REMOVED EX REAR ADD'N & CONVERT ENCLOSED VESTIBULE TO OPEN FRONT PORCH)
PRIMARY ADD'N:	7m ²		REAR ENTRY & POWDER RM (1.47x4.78)
PROPOSED ADU:	66.06m ²	66.06m ²	(6.021m x 10.973m = 66.06m ²)
	73.7m²	126.86m²	[1,365.5sf] TOTAL BLDG FOOTPRINT
LVL2	53.8m ²	68.1m ²	(4.964m x 2.876m = 14.3m ²)
	127.5m²	195m²	[2,099sf] GROSS BLDG AREA
ACCESSORY BLDG	26m ²	0m ²	
	99.7m²	126.86m²	ALL BLDGS TOTAL LOT COVERAGE
LOT COVERAGE DWELLING:	16.9%	13.9%	EX PLUS REAR ENTRY ADD'N
LOT COVERAGE ADDITION:		15.1%	ADU ADDITION
LOT COVERAGE ACCESSORY:	6%	0%	ACCESSORY BLDGS
LOT COVERAGE TOTAL :	22.9%	29%	LOT COVERAGE ALL BLDGS (6.1% DIFF)

PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions 1
Scale As indicated
SITE PLAN
SP1.01
Sheet No. ©2021



Hamilton

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

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Andrew Gumbinger & Amanda Green Gumbinger		
Applicant(s)	Park Eight inc care of Pete VandenArend		
Agent or Solicitor		Phone:	
		E-mail:	

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

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

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

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent [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	56 Baldwin St, Hamilton, ON L9H 1A8		
Assessment Roll Number			
Former Municipality	Dundas		
Lot	7	Concession	
Registered Plan Number	1465	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes No

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

N/A

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Relief from;

- Side & Rear yard setbacks

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Narrow Dundas lots make it challenging to comply with both side yard setbacks especially when the lot is skewed from original dwelling. Client is proposing in-law ADU addition toward rear aligned to original home that allows for grading & drainage, retains ex parking & allows for maximum backyard access. **Setbacks;** Req'd Side yard 1.2m/ 5m (no garage) Proposed .8m/ 2.4m

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

Yes No

If yes, please provide an explanation:

N/A Ex use legal and recognized

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
9.702m	45.697m	436 m2	8.5m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Ex Dwelling	4.01m	26.723m	1.088m/ 3.099m	±1950's
Ex Acc Bldg Garage	25.192m	13.416m	.378m/ 5.5m	±1950's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
P.Dwelling w internal ADU	5.895m	16.425	.8m/ 2.4m	Proposed

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Ex Dwelling	793.3sf [73.7m ²]	1372sf [127.5m ²]	2	±26' 8 3/4" [8.147m]
Ex Garage	26m ² [280sf]	-	1	±10' [3.05m]

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
P.Dwelling w internal ADU	1365.5sf [126.86m ²]	2,099sf [195m ²]	unchanged	unchanged

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

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

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

- ditches
 other means (specify)
-

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

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

4.7 Type of access: (check appropriate box)

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

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

Single detached Dwelling with internal Accessory Dwelling Unit

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

Single detached Dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 2015

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

Residential

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

Residential

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

±75 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) Dundas Community Node

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

The proposed in-law Accessory Dwelling Unit meets the vision of Dundas Community Node as outlined in the Hamilton Official Plan. Proposed addition promotes gradual intensification and aids in providing a wider range of housing needs current & future. Proposed scope is scaled reasonably, fits within the community context without changing the use, occupancy or original charm of the home.

7.6 What is the existing zoning of the subject land? R2 SINGLE DETACHED RESIDENTIAL

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

Yes No

If yes, please provide the file number:

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

Yes No

If yes, please provide the file number:

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

Yes No

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

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- √ Application Fee *Will be paid w credit card upon receipt*
- √ Site Sketch
- √ Complete Application form
- √ Signatures Sheet

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING **Minor Variance**

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:149	SUBJECT PROPERTY:	56 York Road, Dundas
ZONE:	"RM2" (Low Density Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law former Town of Dundas 3581-86, as Amended

APPLICANTS: Owner: 56 York Rd Inc.
Applicant: Harpreet Shoan
Agent: SvN Architects & Planners Inc (Sandy McIntosh)

The following variances are requested:

1. A minimum Northerly Side Yard setback of 1.7 metres shall be permitted instead of the minimum 4.5 metre Minimum Side Yard.
2. A minimum Northerly Side Yard setback of 2.5 metres shall be permitted instead of the minimum 4.5 metre Minimum Side Yard.
3. A Maximum Building Height of 13.15 metres shall be permitted instead of the Maximum Building Height of 10.5 metres.
4. Three (3) Parking Spaces shall be permitted within the Front Yard instead of the requirement that Parking Spaces shall not be located in the Front Yard of an apartment building development site.

PURPOSE & EFFECT: So as to permit the construction of an Apartment Building notwithstanding that:

Notes:

- i) Please note, a previous Minor Variance application DN/A-19:406 was approved for the following variances and remains applicable to the subject property:
 1. A minimum lot area of 1339.0m² shall be permitted instead of the minimum 1380.0m² lot area required.

A-24:149

2. A minimum lot frontage of 22.7m shall be permitted instead of the minimum 30.0m lot frontage required.
3. No onsite loading space shall be permitted instead of the minimum one (1) loading space required.
4. The roofed-over unenclosed porches shall be permitted to be located as close as 3.0m from the southerly side lot line instead of the minimum 4.5m setback required.

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:149, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:149

 **Subject Lands**



DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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

SURVEYOR'S REAL PROPERTY REPORT
PART 1

PLAN OF
LOT 2-REGISTRAR'S COMPILED PLAN No. 1387
CITY OF HAMILTON
SCALE 1:200

0 5 10 metres
G. G. ALDWORTH O.L.S.

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN R-3919

PART 2
-THERE ARE NO EASEMENTS OR RIGHTS OF WAY ASSOCIATED WITH THIS PROPERTY
-A PORTION OF THE ASPHALT DRIVEWAY ASSOCIATED WITH THE LANDS TO THE SOUTH IS LOCATED ONTO THE SUBJECT LANDS BY A MAXIMUM OF 0.02 m
-A PORTION OF THE FRAME SUEZ ASSOCIATED WITH THE LANDS TO THE NORTH IS LOCATED ONTO THE SUBJECT LANDS BY A MAXIMUM OF 0.10 m
-REFER TO THE PLAN FOR THE SPECIFIC LOCATION OF FENCES
-NOTE THE PRESENCE OF OVERHEAD UTILITIES SERVING THE SUBJECT LANDS

THIS REPORT WAS PREPARED FOR
D. B. HOMES
TIES ARE TAKEN TO BRICK UNLESS OTHERWISE NOTED
(FR) DENOTES TIE TO FRAME
(AL) DENOTES TIE TO ALUMINUM SIDING
(ST) DENOTES TIE TO STUCCO

BENCH MARK.
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO THE HORIZONTAL CONTROL MONUMENT No. 07720100049. LOCATION: ROUND IRON BAR WITH BRASS CAP IS LOCATED AT THE EAST SIDE OF BAY FRONT PARK, 85 m WEST OF THE CENTRE LINE OF BAY STREET NORTH AND 22 m SOUTHWEST OF THE CENTRE LINE OF HARBOUR FRONT DRIVE. ELEVATION 85.277 m.

LEGEND
SAMH DENOTES SANITARY MANHOLE
STMH DENOTES STORM MANHOLE
GW DENOTES GUY WIRE
200# DENOTES GAS VALVE
○ DENOTES DECIDUOUS TREE
⊗ DENOTES CONIFEROUS TREE

BEARINGS ARE ASTRONOMIC AND REFERRED TO THE SOUTHEASTERN LIMIT OF YORK STREET AS SHOWN ON PLAN 62R-8085 HAVING A BEARING OF N22°56'E

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

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13th DAY OF NOVEMBER 2017

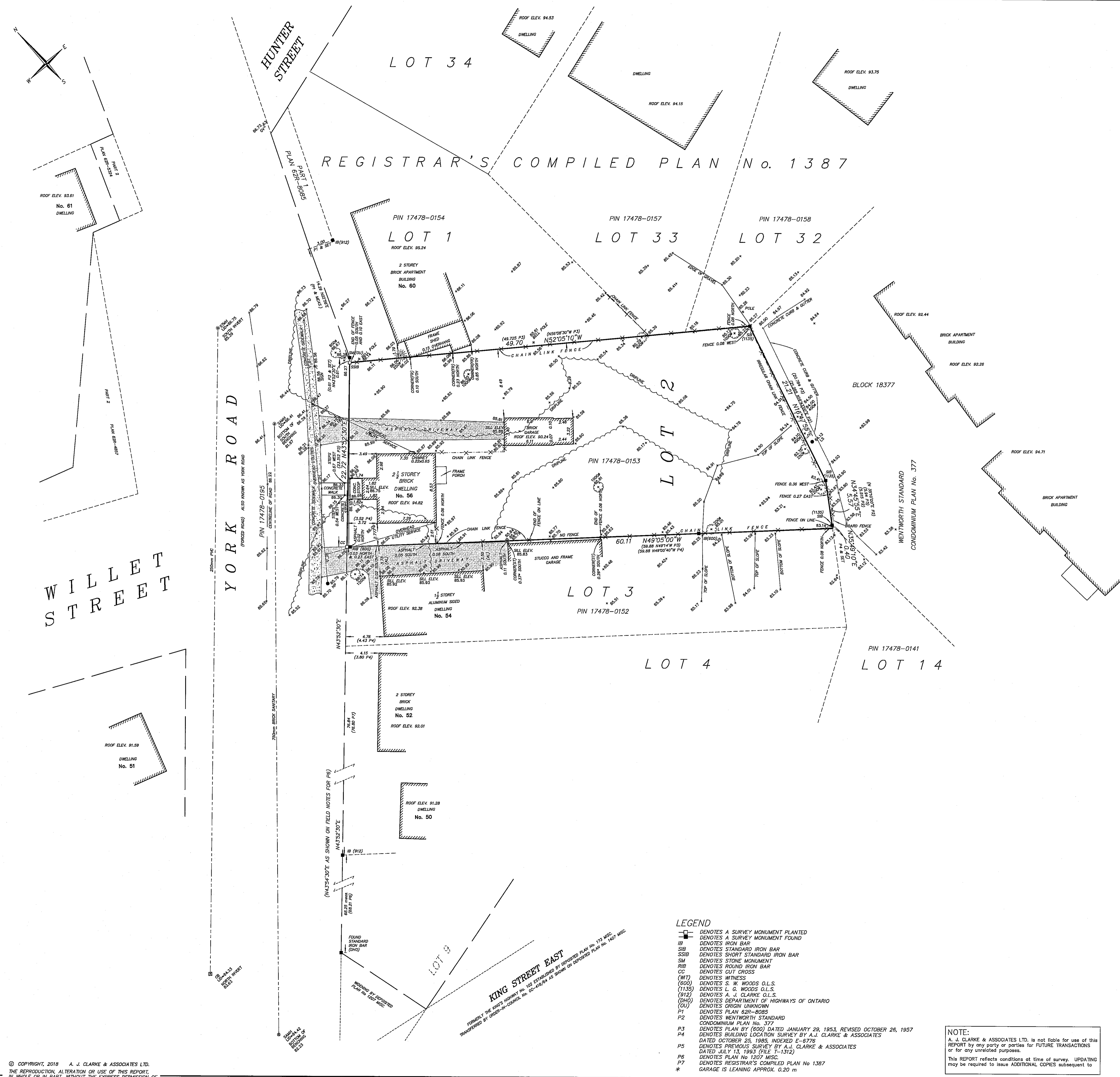
JANUARY 30, 2018
DATE
G. G. ALDWORTH
ONTARIO LAND SURVEYOR

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

NOTE:
A. J. CLARKE & ASSOCIATES LTD. IS NOT LIABLE FOR USE OF THIS REPORT BY ANY PARTY OR PARTIES FOR FUTURE TRANSACTIONS OR FOR ANY UNRELATED PURPOSES.
THIS REPORT REFLECTS CONDITIONS AT TIME OF SURVEY. UPDATING MAY BE REQUIRED TO ISSUE ADDITIONAL COPIES SUBSEQUENT TO

LEGEND
□ DENOTES A SURVEY MONUMENT PLANTED
□ DENOTES A SURVEY MONUMENT FOUND
IB DENOTES IRON BAR
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
SM DENOTES STONE MONUMENT
RIB DENOTES ROUND IRON BAR
CC DENOTES CUT CROSS
(WT) DENOTES WITNESS
(600) DENOTES S. W. WOODS O.L.S.
(1135) DENOTES L. G. WOODS O.L.S.
(912) DENOTES A. J. CLARKE O.L.S.
(OHQ) DENOTES DEPARTMENT OF HIGHWAYS OF ONTARIO
(OU) DENOTES ORIGIN UNKNOWN
P1 DENOTES PLAN 62R-8085
P2 DENOTES WENTWORTH STANDARD CONDOMINIUM PLAN No. 377
P3 DENOTES PLAN BY (600) DATED JANUARY 29, 1953, REVISED OCTOBER 26, 1957
P4 DENOTES BUILDING LOCATION SURVEY BY A.J. CLARKE & ASSOCIATES DATED OCTOBER 25, 1985, INDEXED E-5776
P5 DENOTES PREVIOUS SURVEY BY A.J. CLARKE & ASSOCIATES DATED JULY 13, 1993 (FILE T-1312)
P6 DENOTES PLAN No 1207 MISC.
P7 DENOTES REGISTRAR'S COMPILED PLAN No 1387
* GARAGE IS LEANING APPROX. 0.20 m

KING STREET EAST
FORMERLY THE KING'S HIGHWAY No. 10 ESTABLISHED BY DEPOSED PLAN No. 173 MISC. TRANSFERRED BY 608R-02-COMPL. No. 52-4878 AS SHOWN ON DEPOSED PLAN No. 1427 MISC.



T-2607

18: 18m Plan R-3919 (1387) LDP/2018, June 28, 2017, 25 York Road, T-2607 (10/20/2018) 18-25072-009

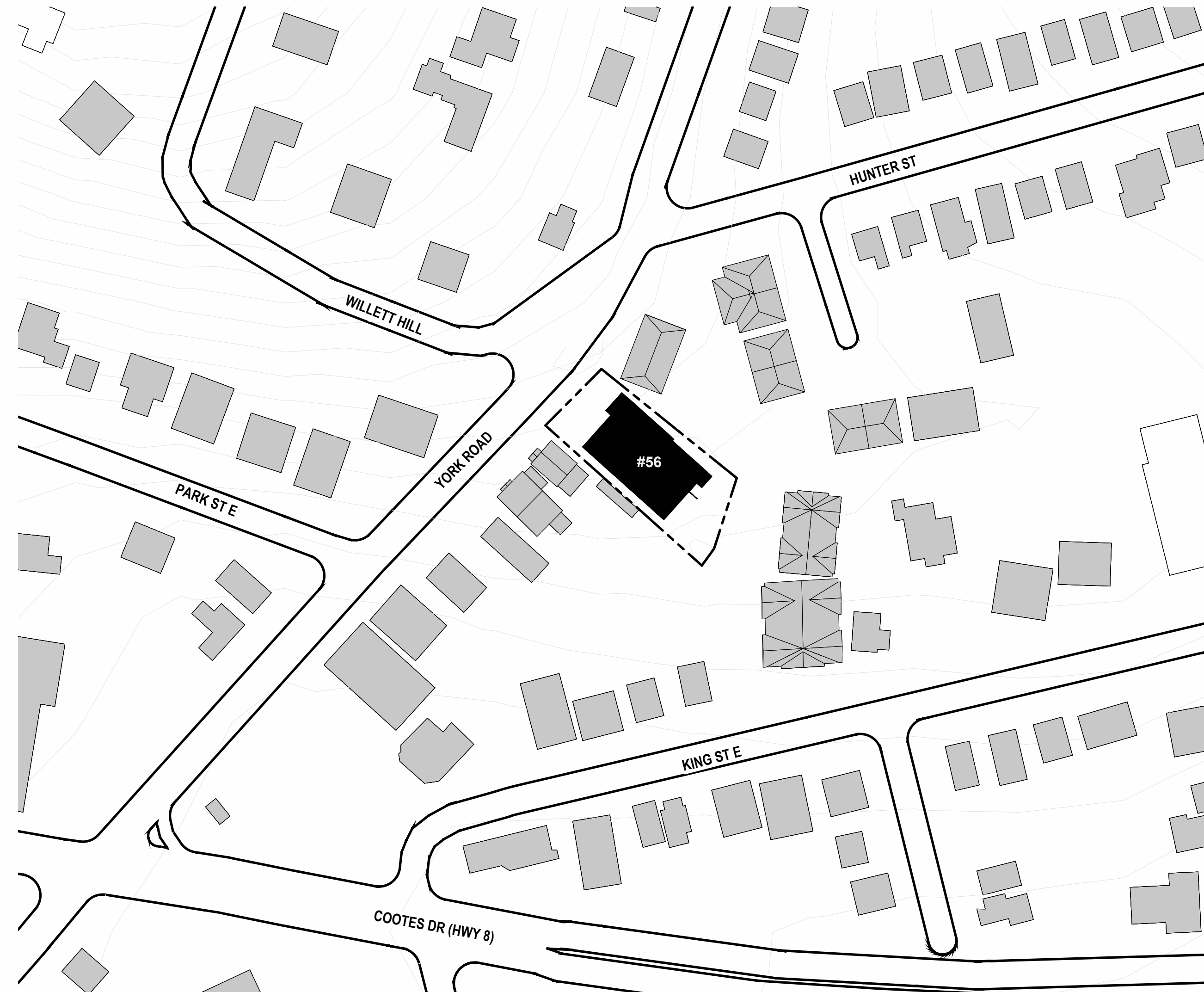
56 York Rd: 10-Unit Residential Infill

56 York Road, Hamilton, ON L9H 1L4

MINOR VARIANCE DRAWING SET



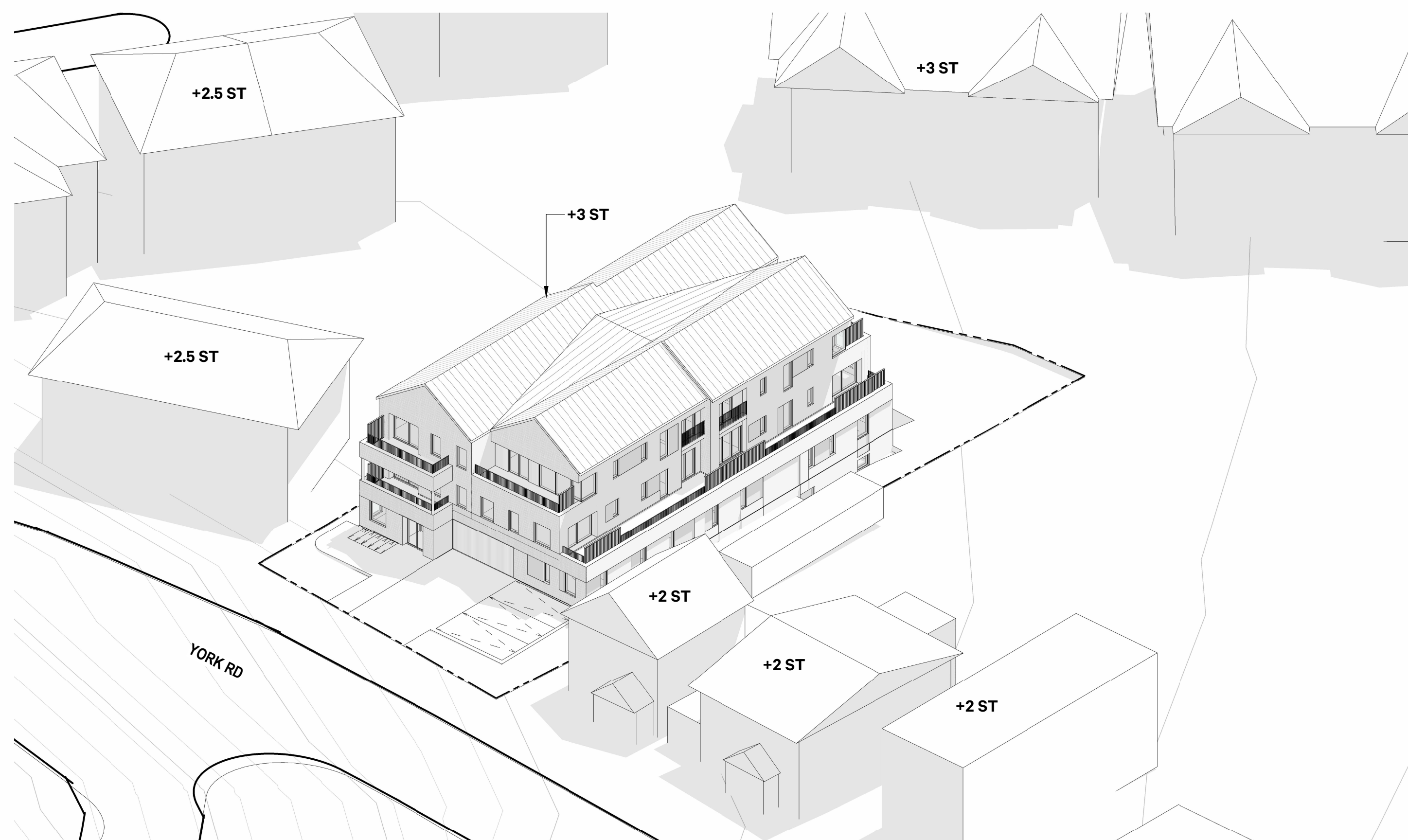
FRONT PERSPECTIVE VIEW FROM YORK RD



1 CONTEXT PLAN
A0.01 1:1000

Sheet List

Sheet Number	Sheet Name
A0 - GENERAL	
A0.01	Cover Sheet
SP1.00	Survey
SP1.02	Site Plan
A1 - FLOOR PLANS	
A1.01	Basement Floor Plan
A1.02	Ground Floor Plan
A1.03	Second Floor Plan
A1.04	Third Floor Plan
A1.05	Roof Plan
A2 - ELEVATIONS	
A2.01	Elevations - North & South
A2.02	Elevations - East & West



AXO VIEW FROM SOUTH-WEST

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NOTES

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01	24-01-29	ISSUED FOR ZONING REVIEW
02	24-05-30	ISSUED FOR MINOR VARIANCE



10-Unit Residential Infill
56 York Road, Hamilton, ON
L9H 1L4

High Margin Capital

Cover Sheet

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:24 AM

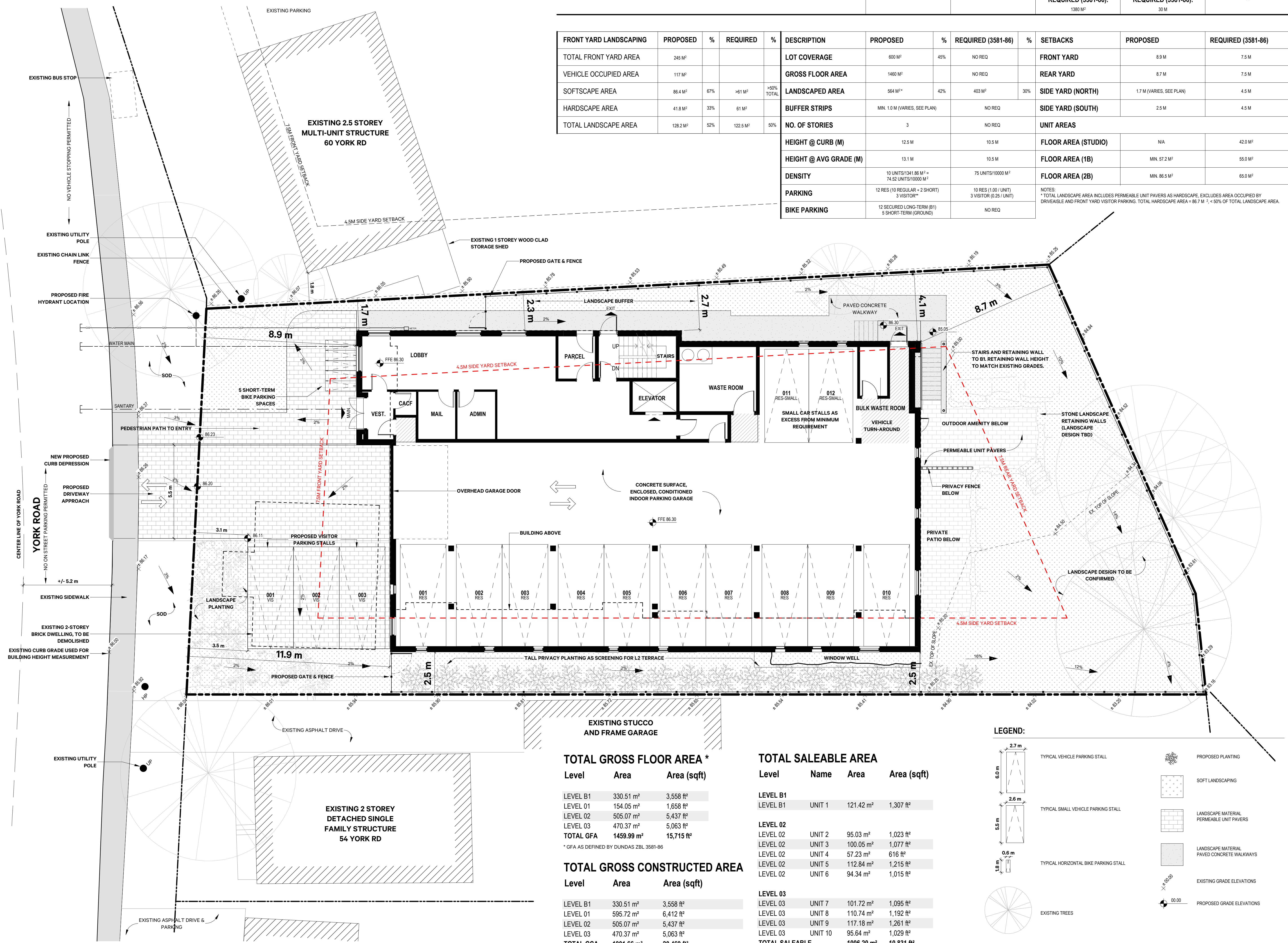
A0.01

ZONING (3581-86): RM2	LOT NO: LOT 2	PLAN NO: NO. 1387	LOT AREA: 1341.86 M ² REQUIRED (3581-86): 1380 M ²	LOT FRONTAGE: 22.7 M REQUIRED (3581-86): 30 M	LOT DEPTH: MIN. 49.70 M MAX. 60.11 M
--------------------------	------------------	----------------------	---	--	--

FRONT YARD LANDSCAPING	PROPOSED	%	REQUIRED	%	DESCRIPTION	PROPOSED	%	REQUIRED (3581-86)	%	SETBACKS	PROPOSED	REQUIRED (3581-86)
TOTAL FRONT YARD AREA	245 M ²				LOT COVERAGE	600 M ²	45%	NO REQ		FRONT YARD	8.9 M	7.5 M
VEHICLE OCCUPIED AREA	117 M ²				GROSS FLOOR AREA	1460 M ²		NO REQ		REAR YARD	8.7 M	7.5 M
SOFTSCAPE AREA	86.4 M ²	67%	>61 M ²	>50% TOTAL	LANDSCAPED AREA	564 M ² *	42%	403 M ²	30%	SIDE YARD (NORTH)	1.7 M (VARIES, SEE PLAN)	4.5 M
HARDSCAPE AREA	41.8 M ²	33%	61 M ²		BUFFER STRIPS	MIN. 1.0 M (VARIES, SEE PLAN)		NO REQ		SIDE YARD (SOUTH)	2.5 M	4.5 M
TOTAL LANDSCAPE AREA	128.2 M ²	52%	122.5 M ²	50%	NO. OF STORIES	3		NO REQ		UNIT AREAS		
					HEIGHT @ CURB (M)	12.5 M		10.5 M		FLOOR AREA (STUDIO)	N/A	42.0 M ²
					HEIGHT @ AVG GRADE (M)	13.1 M		10.5 M		FLOOR AREA (1B)	MIN. 57.2 M ²	55.0 M ²
					DENSITY	10 UNITS/1341.86 M ² = 74.52 UNITS/10000 M ²		75 UNITS/10000 M ²		FLOOR AREA (2B)	MIN. 86.5 M ²	65.0 M ²
					PARKING	12 RES (10 REGULAR + 2 SHORT) 3 VISITOR**		10 RES (1.00 / UNIT) 3 VISITOR (0.25 / UNIT)		NOTES: * TOTAL LANDSCAPE AREA INCLUDES PERMEABLE UNIT PAVERS AS HARDSCAPE, EXCLUDES AREA OCCUPIED BY DRIVEABLE AND FRONT YARD VISITOR PARKINGS. TOTAL HARDSCAPE AREA = 86.7 M ² = 1 - 50% OF TOTAL LANDSCAPE AREA.		
					BIKE PARKING	12 SECURED LONG-TERM (B1) 5 SHORT-TERM (GROUND)		NO REQ				

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- NOTES**
- EXISTING PROPERTY LINE INFORMATION AND EXISTING SITE GRADING INFORMATION FROM FIELD SURVEY BY A.J. CLARKE AND ASSOCIATES LTD. DATED JANUARY 30, 2018.
 - SITE SERVICING LOCATIONS AND STORMWATER MANAGEMENT APPROACH INDICATIVE ONLY. TO BE VERIFIED BY CIVIL DESIGNERS AT LATER DATE.
 - SITE GRADING, DRAINAGE AND SERVICING PLANS BY CIVIL DESIGNERS TO FOLLOW AT LATER DATE.
 - LANDSCAPE DESIGN AND PLANS TO FOLLOW AT A LATER DATE.



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TOTAL GROSS FLOOR AREA *

Level	Area	Area (sqft)
LEVEL B1	330.51 m ²	3,558 ft ²
LEVEL 01	154.05 m ²	1,658 ft ²
LEVEL 02	505.07 m ²	5,437 ft ²
LEVEL 03	470.37 m ²	5,063 ft ²
TOTAL GFA	1459.99 m²	15,715 ft²

* GFA AS DEFINED BY DUNDAS ZBL 3581-86

TOTAL GROSS CONSTRUCTED AREA

Level	Area	Area (sqft)
LEVEL B1	330.51 m ²	3,558 ft ²
LEVEL 01	595.72 m ²	6,412 ft ²
LEVEL 02	505.07 m ²	5,437 ft ²
LEVEL 03	470.37 m ²	5,063 ft ²
TOTAL GCA	1901.66 m²	20,469 ft²

TOTAL SALEABLE AREA

Level	Name	Area	Area (sqft)
LEVEL B1	UNIT 1	121.42 m ²	1,307 ft ²
LEVEL 02	UNIT 2	95.03 m ²	1,023 ft ²
LEVEL 02	UNIT 3	100.05 m ²	1,077 ft ²
LEVEL 02	UNIT 4	57.23 m ²	616 ft ²
LEVEL 02	UNIT 5	112.84 m ²	1,215 ft ²
LEVEL 02	UNIT 6	94.34 m ²	1,015 ft ²
LEVEL 03	UNIT 7	101.72 m ²	1,095 ft ²
LEVEL 03	UNIT 8	110.74 m ²	1,192 ft ²
LEVEL 03	UNIT 9	117.18 m ²	1,261 ft ²
LEVEL 03	UNIT 10	95.64 m ²	1,029 ft ²
TOTAL SALEABLE		1006.20 m²	10,831 ft²

LEGEND:

- TYPICAL VEHICLE PARKING STALL
- TYPICAL SMALL VEHICLE PARKING STALL
- TYPICAL HORIZONTAL BIKE PARKING STALL
- EXISTING TREES
- PROPOSED PLANTING
- SOFT LANDSCAPING
- LANDSCAPE MATERIAL PERMEABLE UNIT PAVERS
- LANDSCAPE MATERIAL PAVED CONCRETE WALKWAYS
- EXISTING GRADE ELEVATIONS
- PROPOSED GRADE ELEVATIONS

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10-Unit Residential Infill
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High Margin Capital

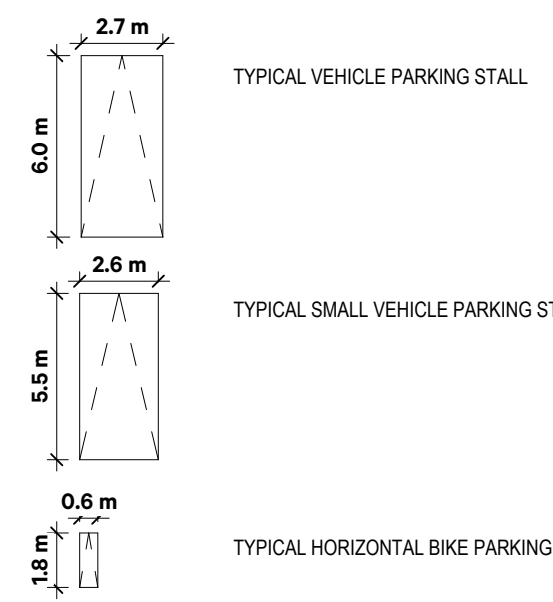
Site Plan

PROJECT: 4247 DRAWN: SH/CL
SCALE: As Indicated CHECKED: SM/BL
DATE: 2024.05.30 PLOTTED: 5/30/2024 11:42:25 AM

SP1.02

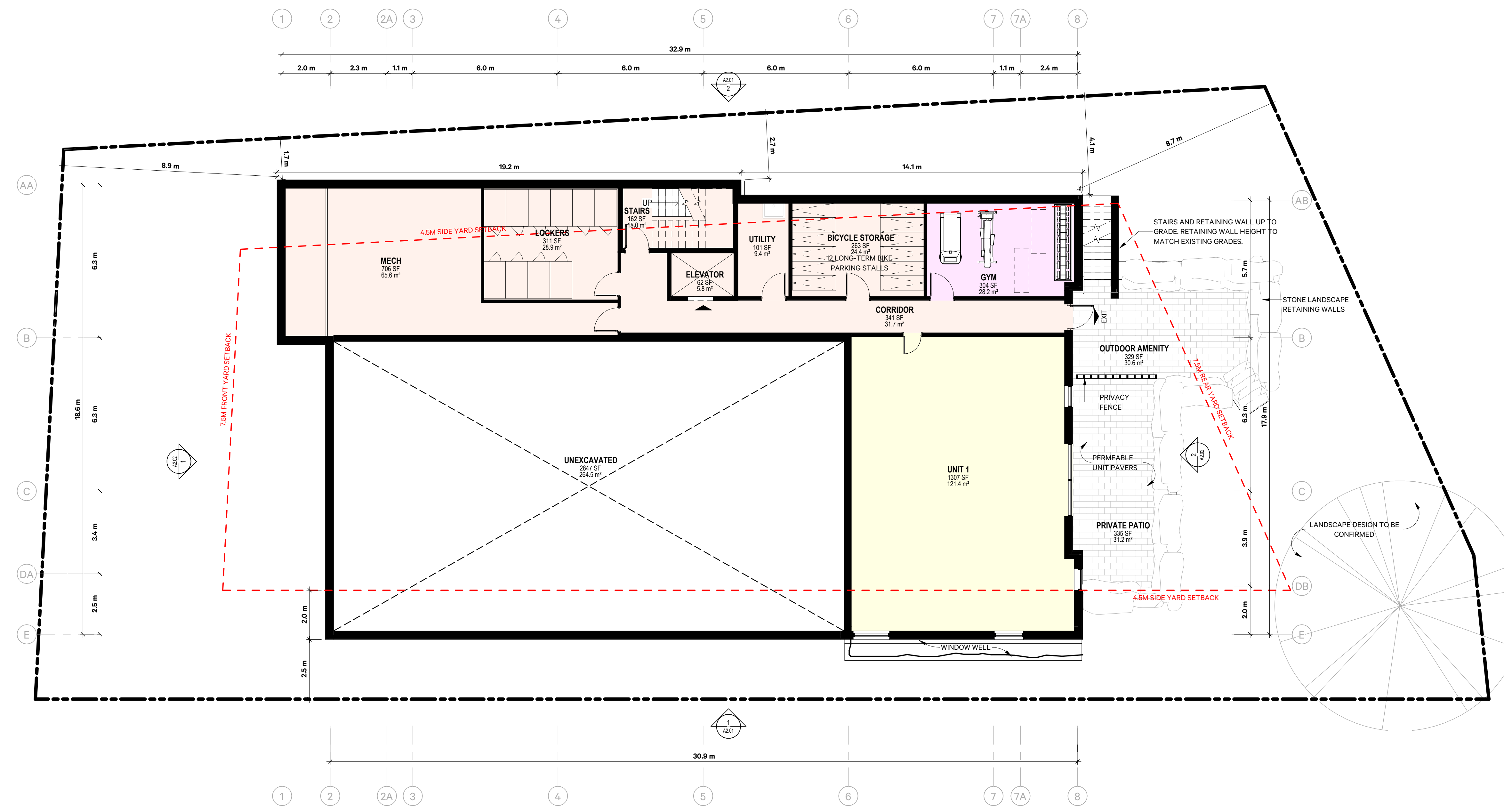
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- RESIDENTIAL GFA
- RENTABLE / SALEABLE RESIDENTIAL GFA
- INDOOR AMENITY (RESIDENTIAL GFA)

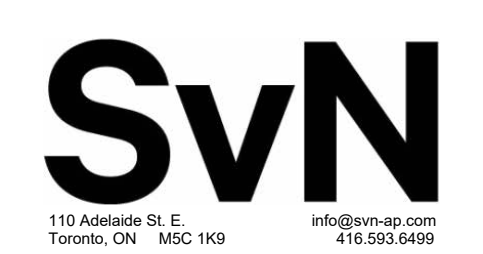


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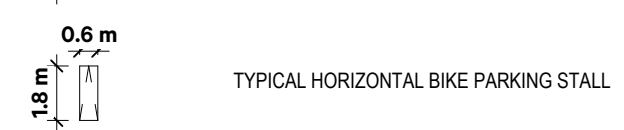
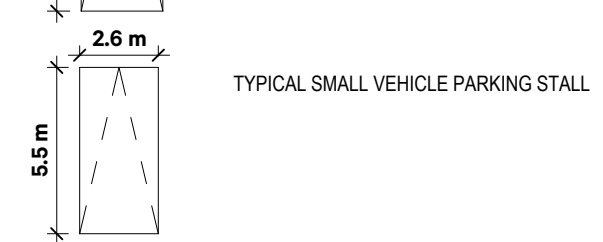
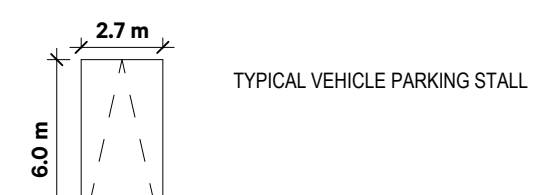
Basement Floor Plan

PROJECT	4247	DRAWN	SH/CZ
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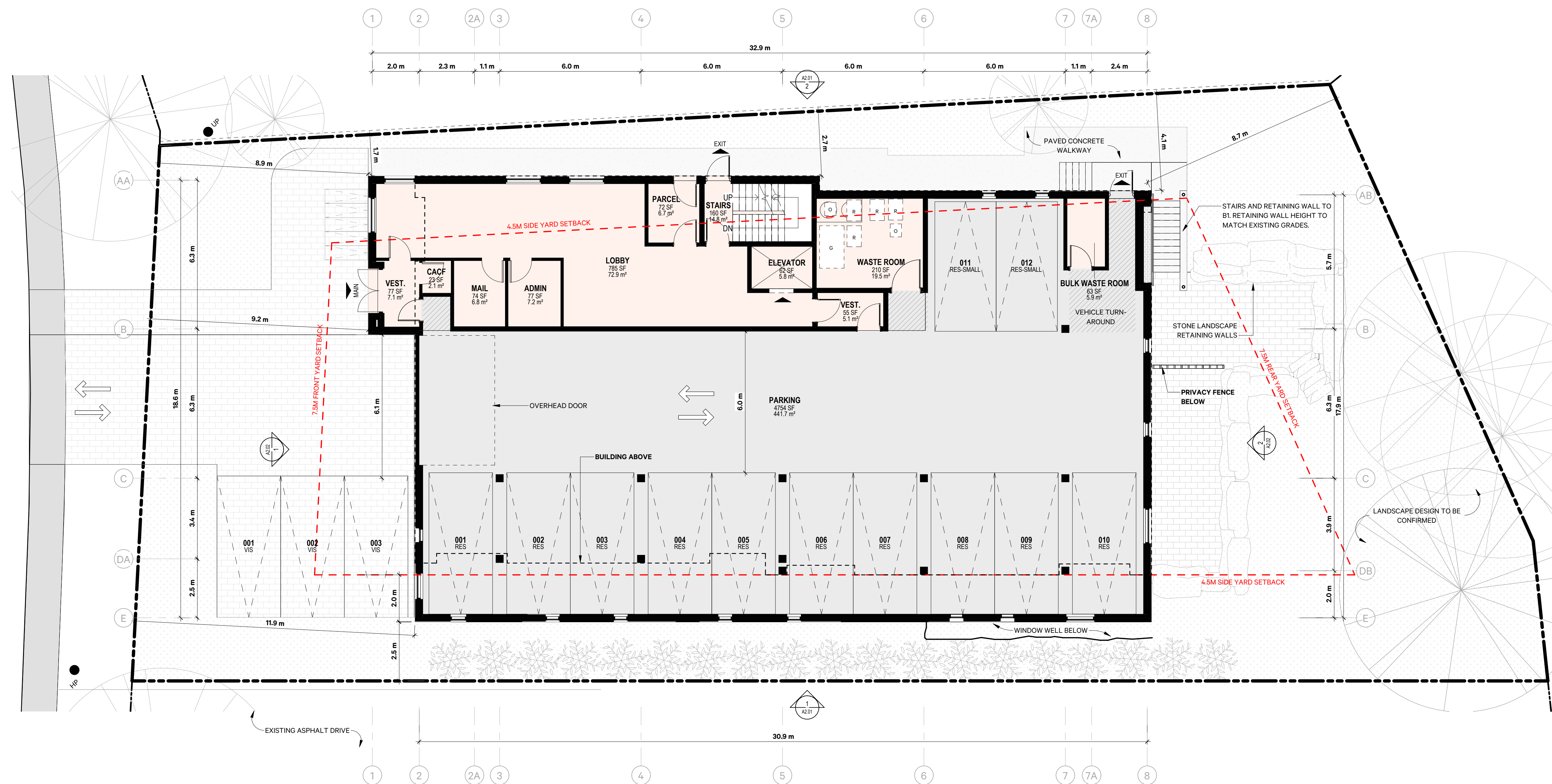
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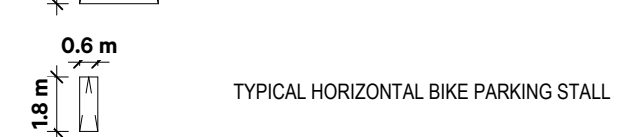
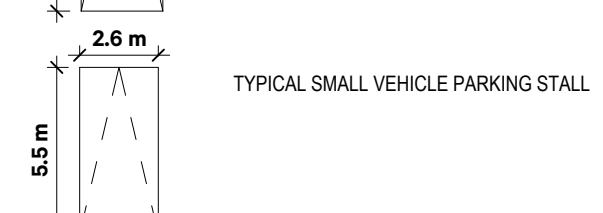
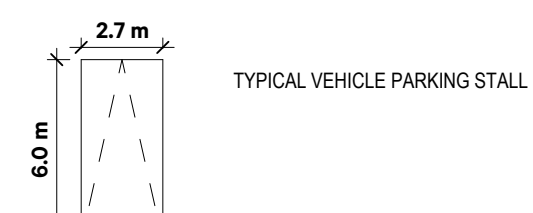
Ground Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:26 AM

A1.02

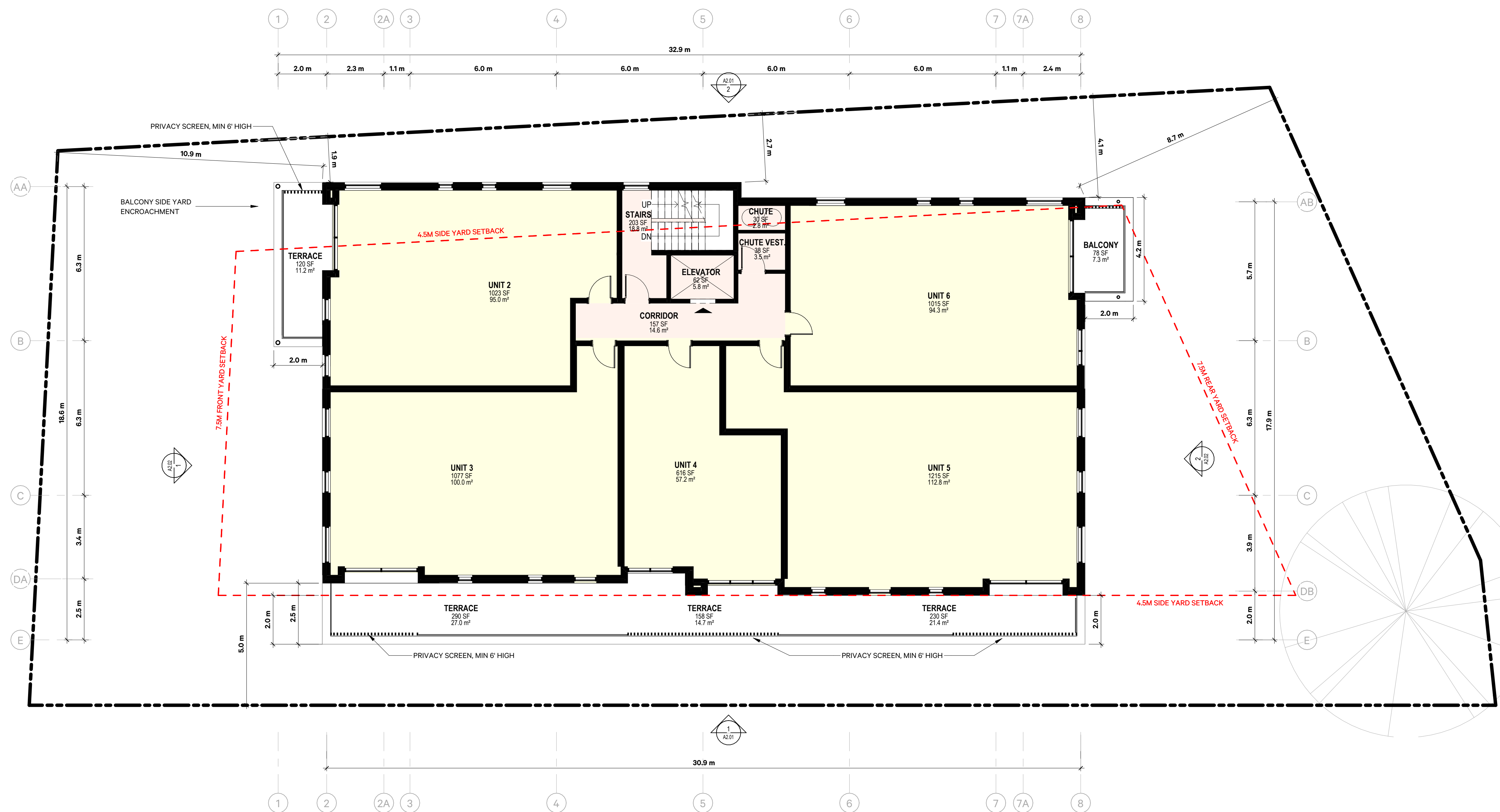
LEGEND:

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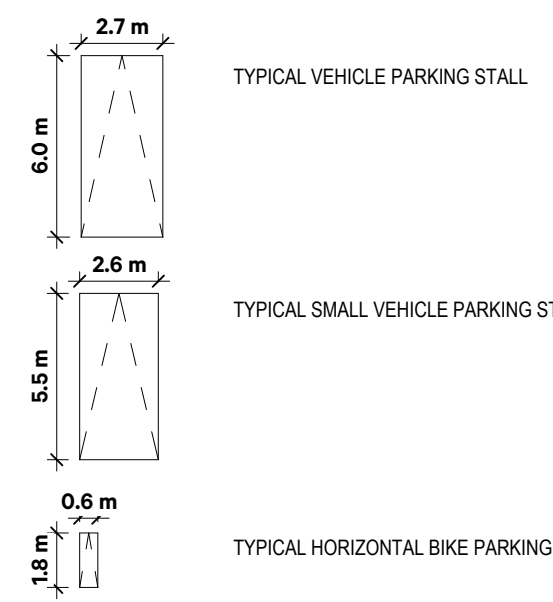
Second Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:26 AM

A1.03

LEGEND:

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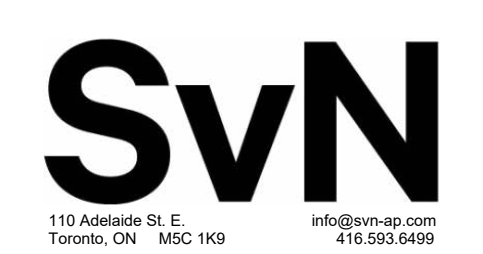
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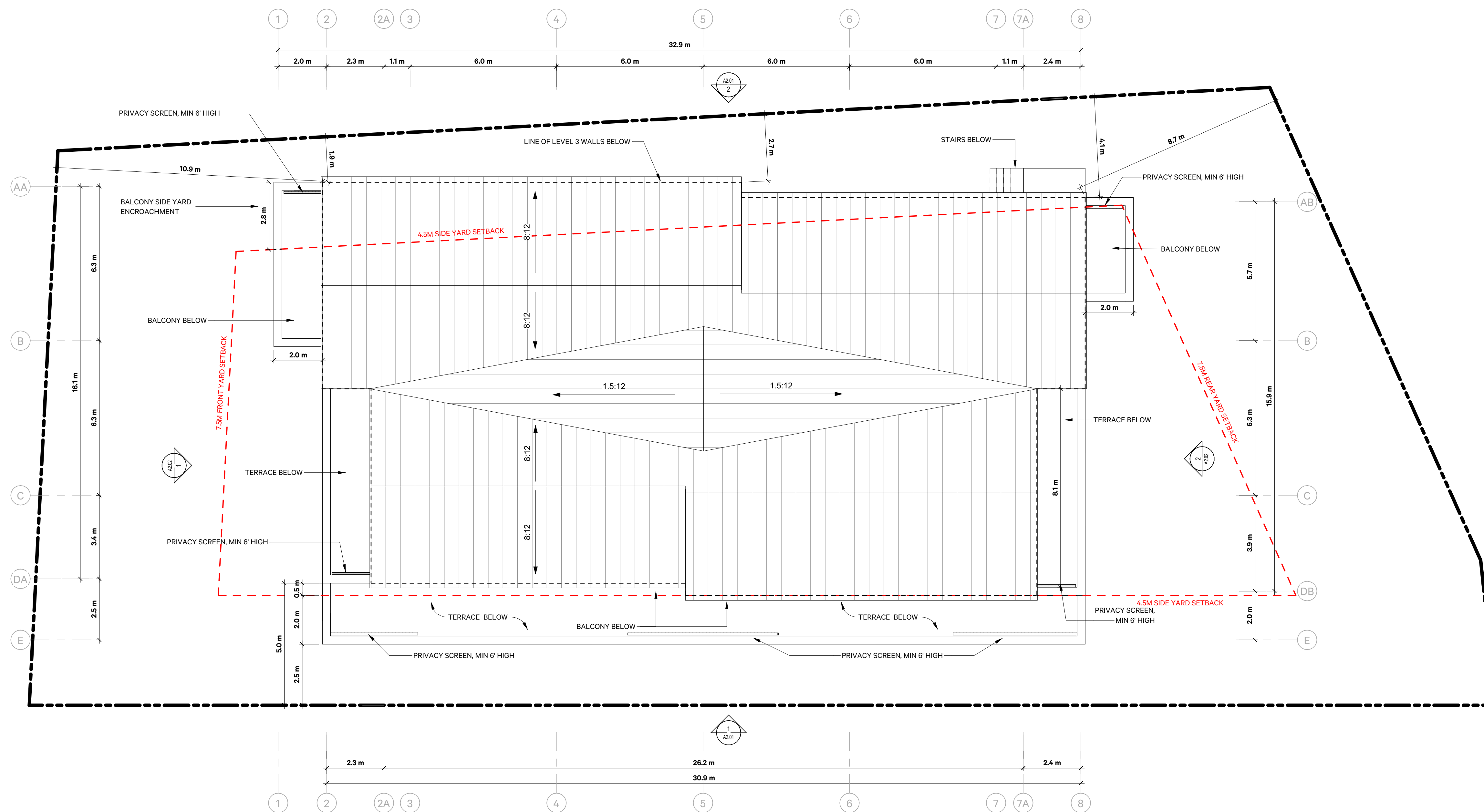
Third Floor Plan

PROJECT	4247	DRAWN	SH/CZ
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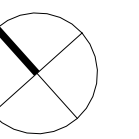
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High Margin Capital

Roof Plan



PROJECT	42417	DRAWN	SH/CZ
SCALE	1:100	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:27 AM

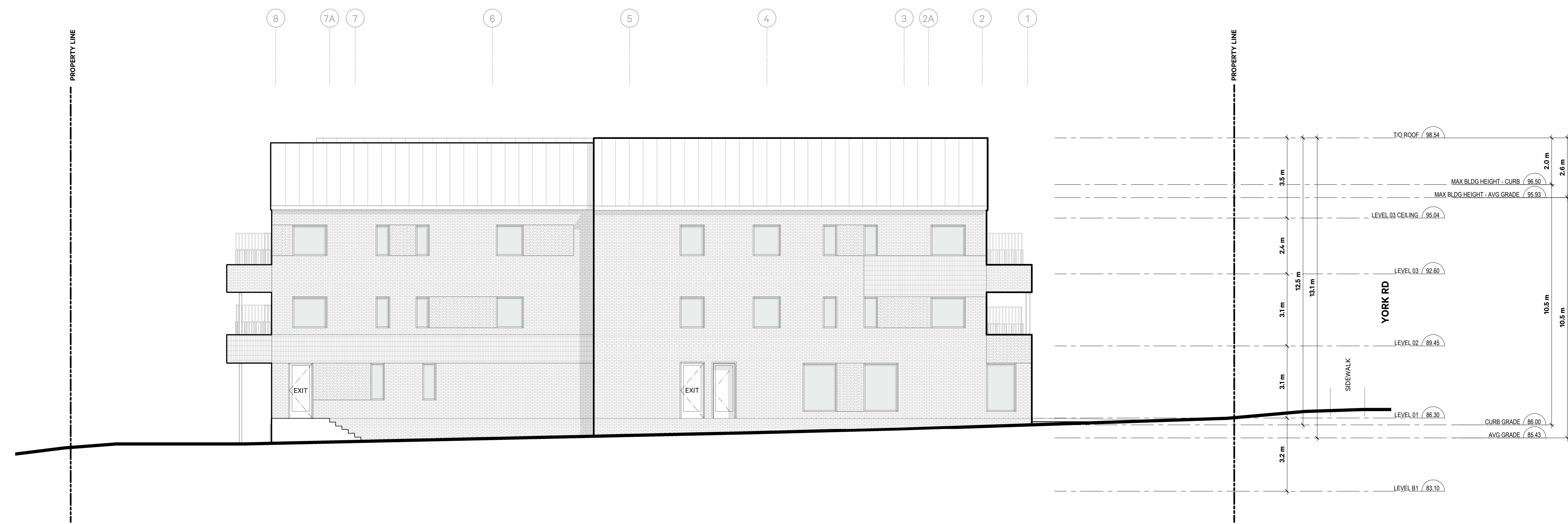
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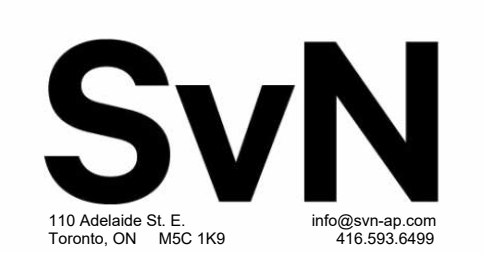


1 South Elevation
 A2.01 1:100



2 North Elevation
 A2.01 1:100

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10-Unit Residential Infill
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Elevations - North & South

PROJECT	42417	DRAWN	SH/CZ
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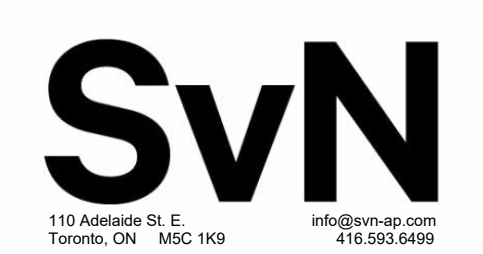


1 West Elevation
A2.02 1:100



2 East Elevation
A2.02 1:100

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Elevations - East & West

PROJECT	42417	DRAWN	SH/CZ
SCALE	1:100	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:43:01 AM

A2.02



June 3, 2024

Committee of Adjustment
Planning and Development Division
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

**RE: 56 York Road, Dundas
Application for Minor Variance**

On behalf of High Margin Capital, SvN Architects + Planners (SvN) is pleased to submit the enclosed Minor Variance Application for the property municipally known as 56 York Road (the “site”) located within the community of Dundas.

The property has been subject to previous development approvals to permit infill residential development. The current development concept proposed on the site is for a low-rise apartment building with a height of approximately 12.5 metres (3-storeys) and a gross floor area of 1,460 square metres. A total of 10 units are proposed within the building. Private and secure residence parking is to be accommodated at grade-level within the building. Short-term Visitor parking is proposed at grade in front of the building. These parking spaces are to be differentiated from the drive aisle with landscape permeable paving and adequately screened from the street with attractive planting. A total of 12 long-term and 5 short-term bicycle parking spaces are also proposed. The development concept includes a landscaped area of 564 square metres and landscape buffer strips along the north and south edges of the property. These landscaped buffer strips intend to maintain privacy and compatibility between the proposed development and the surrounding low-rise residential uses.

The site is currently zoned as Medium Density Multiple Dwelling Zone (RM2) as per the Dundas By-law 3581-86 (the “Zoning By-law”), which permits the residential infill development on the site. The purpose of the RM2 zone is to provide for medium density residential development in the form of apartments. The site is also designated Neighbourhoods as per Schedule E-1 in the Urban Hamilton Official Plan (2023). Official Plan policies outlined for Neighbourhoods permit development applications for residential intensification which shall be reviewed in consideration with the local context (2.7.7). Sections B.2.4 – Residential Intensification and E3.0 – Neighbourhoods Designation provide policies which establish expectations for proposed residential infill intensification in Neighbourhoods. These policies state that residential infill applications will be evaluated for criteria such as maintaining compatibility with adjacent land uses, applying transitions in height and density to adjacent residential buildings, providing amenity space, and the ability to respect and maintain or enhance streetscape patterns. The proposed development aligns with the criteria outlined for residential infill intensification and reflects the planning objectives of Neighbourhoods described in the Official Plan by introducing a low-rise apartment building which maintains compatibility with the surrounding low-rise residential context, while also enhancing the public realm with adequate softscaping and an appropriately massed building that frames the streetscape.

2.0 PROPOSED MINOR VARIANCES

It is our opinion the proposed variances are minor, appropriate, and satisfy the four tests under Section 45(1) of the Planning Act which states that the variances are minor in nature, desirable for the appropriate development or use of the land, and maintain the general intent and purpose of the Zoning By-law and the Official Plan. The following section outlines each of the requested variances and how they meet the four tests. Variances have been grouped where applicable to minimize repetition in describing / satisfying the four tests.

Variance #1: Reduced Side Yard Setbacks

A request for reduced side yard setbacks at the ground floor level is required to efficiently accommodate the ground floor program space required within the building envelope, including: the main entry, elevator and stair; a minimum of 10 resident parking spaces, vehicle access and maneuvering space, plus waste storage.

- A 1.7 metre proposed side yard setback at the north east corner of the building is closest the proposed development approaches the north property line.
- A consistent side yard setback of 2.5 metre is proposed along the south building facade at the ground floor level.

Although reduced to 1.7 metres at it's closest point to the north property line the setback will allow for a proposed privacy fence, access walk-way and landscape buffer. Extending east to the rear of the building, the irregular shaped property allows for a side yard setback of 4.1 metres at the rear north east corner of the building.

A setback of 2.5 metres is provided on the south side yard at the ground floor level which does not depart significantly from the permitted setback of 4.5 metres at the side yard outlined in the Zoning By-law. The setback accommodates the required parkings spaces, vehicle circulation, the main building entry, elevator & stair core plus waste storage at the ground floor level within the proposed development. The second and third storeys are to step back an additional 2 metres, meeting the 4.5 metres setback from the south property line above the 1st storey.



Figure Above: West (Front) Elevation



Balconies are only to be located on the west and east elevations facing York Road and the rear yard to manage overlook concerns for adjacent properties to the south and north. Architectural screen elements at balconies further minimize potential overlook concerns. Similarly, the second storey patio terrace facing south above the ground floor parking level will include be screened by all-season landscaping elements, including trees and shrubs plus architectural screen elements.

In each case the reduced side yard setback provides separation from the adjacent property without a significant reduction of the 4.5 metre Zoning By-law requirement.

Each reduced side yard setback maintains the ability to provide an appropriate separation and privacy from the adjacent residential properties, aligning with the objectives for residential infill intensification outlined in the Official Plan. Landscaped areas, trees, and shrubs along the perimeter of the site also contribute to maintaining privacy between properties. Overall, the reduced side yard setbacks help contribute to accommodating a greater number of units in a low-rise apartment building on the site, which adds much needed housing to a stable Neighbourhood designated area and aligns with the planning objectives outlined in the Official Plan for Neighbourhoods.

Variance #2: Maximum Building Height

A request for increasing the building height is required to align the proposed development with modern building standards that satisfy Ontario Building Code structural and thermal requirements, and to facilitate the delivery of a concealed elevator that provides accessibility to all levels of the building.

- An additional 2 metre height increase allowance is requested.

Building 3-storeys to modern standards satisfying current Ontario Building Code structural and thermal construction requirements, is challenging within the 10.5 metre height as outlined in Zoning By-law 3581-85. The proposed modest increase, allowing for an additional 2 metres in building height to 12.5 metres, does not depart significantly from the permitted height in the Zoning By-law and facilitates the of the proposed building which includes a thoughtfully designed sloped-roof. The sloped roof attic space will also intentionally conceal an elevator to provide accessibility to each level of the building.

The existing 2-1/2 storey brick dwelling is approximately 8.5 metres high and is to be removed to allow for new construction. The client and architect consultant team are proposing a new brick-clad 3-storey structure with a similar gable end inspired roof and building form, drawing inspiration from the traditional brick structures and homes typical of older historic Dundas neighbourhood fabric.

The property abutting the site to the north is an existing multi-residential (1950-1960s), 2-1/2 storey brick building which has 2 full storeys above grade and one partially above grade basement level. There are no openings on the south facing facade. The building is approx 10.4 metres in height. For comparison, the proposed roof eaves at 56 York Road are proposed at a sympathetic 9.6 metre height, measured from the curb.



Image Above: Existing 2-1/2 storey brick dwelling at 56 York Rd.



Image Above: Adjacent existing multi-residential 2-1/2 storey brick building at #60 York Rd

Two older (1960s) 3-1/2 storey brick multi-residential buildings (#89 and #99 York Road) are approximately 10.5 metres in height and were constructed at a time when current construction concerns did not need to be considered, including: energy efficiency (insulation), accessibility (elevator), and structural (wood framing / carbon footprint). The proposed modest request for increased height from 10.5 to 12.5 metres (3-storeys above grade) does not depart significantly from the existing Zoning By-law maximum height and facilitates modern construction and design demands for a modest scaled multi-residential infill development. This housing development will be built to a high standard and the design, form and character is both desirable, complimentary and appropriate within the surrounding community context.



Preliminary design studies recognize the size of the site and the project goals confirm and limit the development to a maximum of 10 residential suites and 3-storeys. The Official Plan does not provide a height limit for residential infill intensification in Neighbourhoods, and permits apartment buildings that are compact and low in scale. Overall, the proposed building height is in conformity with the principles outlined in the Official Plan.

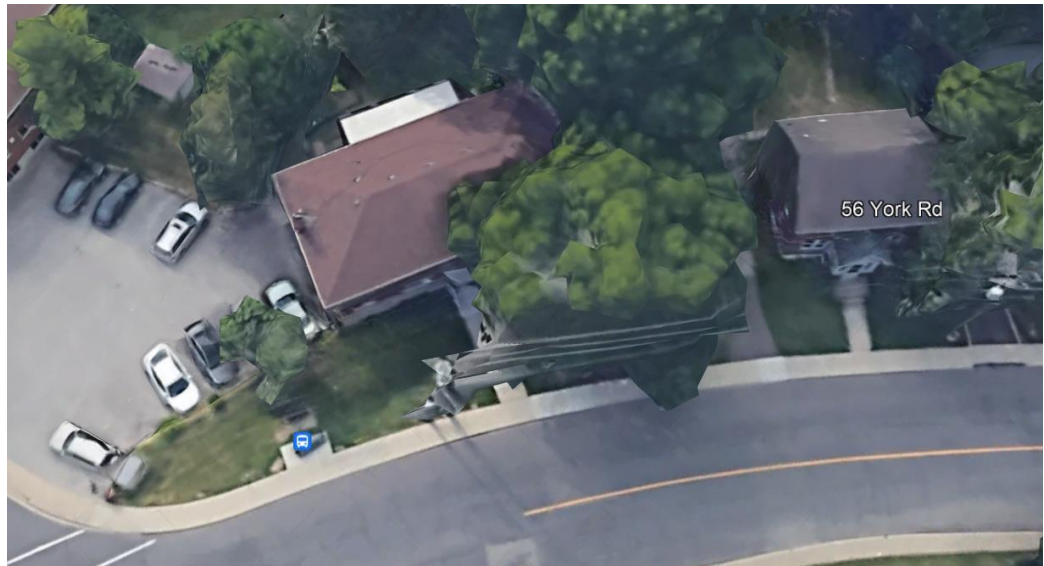
Variance #3: Front Yard Visitor Parking

The proposed 10 residential unit development requires a minimum of 10 resident parking spaces and 3 visitor parking spaces to be provided on site as outlined in the applicable Zoning By-law. The proposed development is able to accommodate the private resident parking spaces within the building. Site constraints and building design informed the strategy to accommodate visitor spaces on site outside of the building envelope.

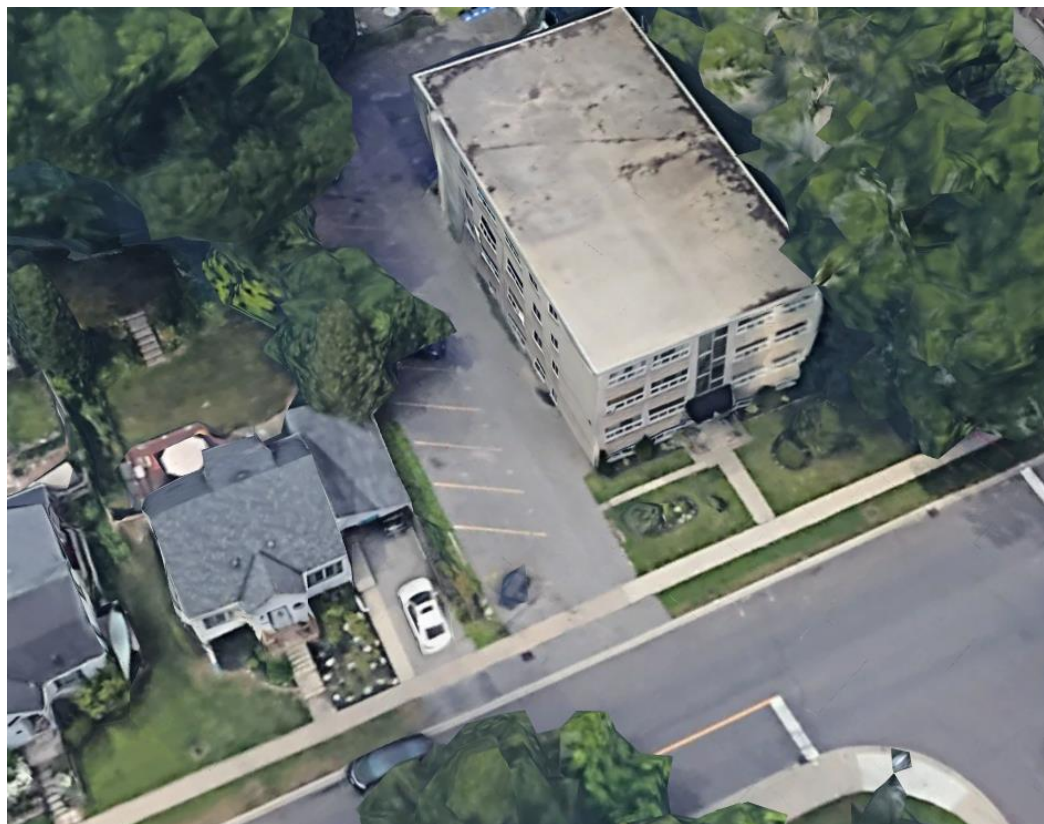
- A variance requesting to allow 3 (Visitor) parking spaces off the driveway in front of the building is proposed.

York Road does not allow on street parking between King Street East to the south and Hunter Street to the north. The proposed front yard parking provides safe off-street pick-up, drop-off, delivery and temporary short term Visitor parking only and minimizes traffic disruption along York Road.

The site allows for the proposed development and building design to be appropriately set back from the street and the front (west) property line. The front yard space is able to accommodate driveway access, landscape area percentage requirements and short term Visitor parking spaces. The Visitor parking spaces are to be constructed with permeable paving. A 3 metre landscape planting buffer zone between the property line and the front yard parking provides an appropriate screen for the short term parking. A sod covered boulevard space between the property line and the sidewalk further extends the landscape separation of the Visitor parking spaces from the street. The landscape planting, permeable pavers contribute to meeting sustainability objectives outlined in the Official Plan. Overall, the proposed visitor parking spaces in the front yard of the site do not depart significantly from the provisions in the Zoning By-law and existing adjacent property non-conforming examples of front yard parking. Appropriate landscape planting will serve to enhance the streetscape environment and serve as a traffic calming measure, which aligns with the objectives of public realm improvement outlined in the Official Plan.



Images Above: #60 York Rd - Existing front yard parking

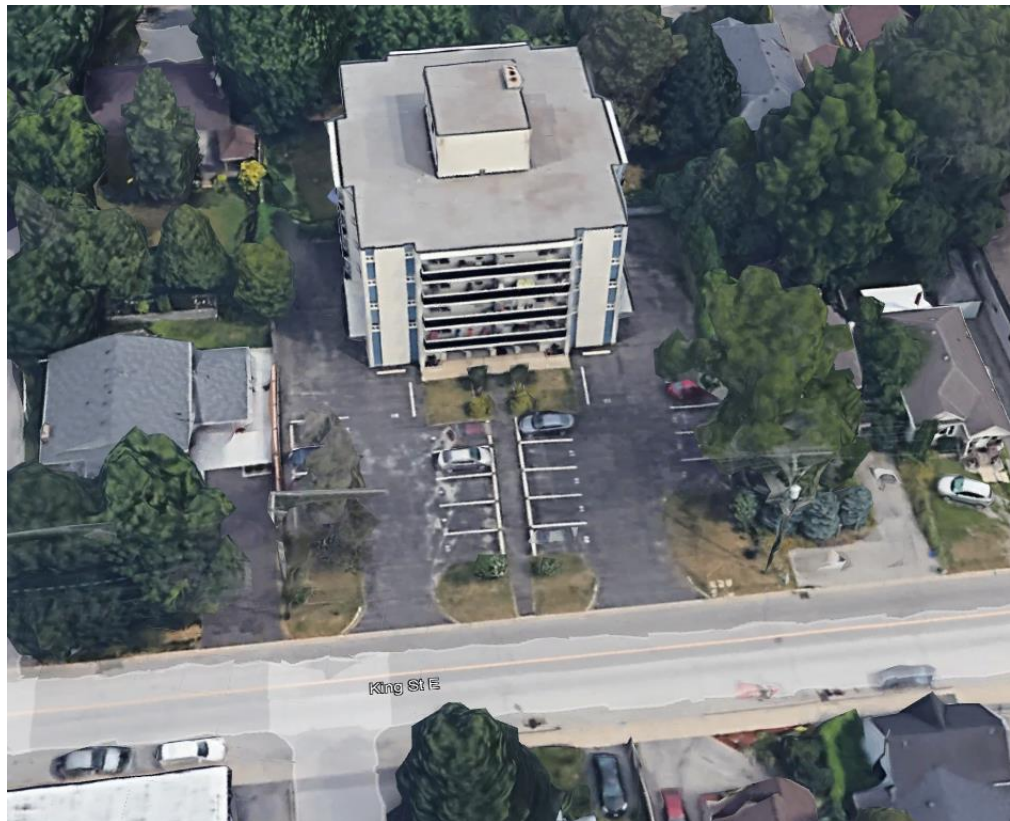


Images Above: #89 York Rd - Existing front yard parking



Images Above: #99 York Rd - Existing front yard parking

Other existing Multi-Residential Apartment buildings with Front Yard parking in the neighbourhood



Images Above: 101 King St E., Dundas – Existing Front Yard Parking



3.0 LIST OF SUBMISSION MATERIALS

The following materials prepared by SvN Architects + Planners are submitted in support of this Minor Variance application:

- Cover Letter
- Application for Minor Variance
- Existing Site Surveyor Drawing;
- Simplified Site Sketch (11x17)
- Architectural Schematic Design Drawings, including:
 - A0.01 Cover Sheet
 - SP1.02 - Site Plan
 - A1.01 – Basement Floor Plan
 - A1.02 – Ground Floor Plan
 - A1.03 – Second Floor Plan
 - A1.04 – Third Floor Plan
 - A1.05 – Roof Plan
 - A2.01 – Elevations – North & South
 - A2.02 – Elevations – East & West

4.0 CONCLUSION

The variances outlined in this letter are minor in nature, desirable residential development, and maintain the general intent of the Zoning By-law and Official Plan. The proposed development on the site contributes to meeting planning and design objectives for residential infill intensification in Neighbourhoods. The proposed low-rise apartment building also intensifies the site with a compact built form which appropriately frames the streetscape and maintains compatibility with surrounding low-rise residential uses. Potential privacy impacts are mitigated through the provision of architectural screening elements and soft landscaping, which serves to also benefit the enhancement of the public realm and contribute to sustainability objectives.

Yours very truly,

Aaron Budd, Principal
SvN Architects + Planners

cc. Sandy McIntosh (SvN)
Hary Shoan (High Margin Capital)



Hamilton

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	56 York Rd Inc
Applicant(s)	Harpreet Shoan
Agent or Solicitor	SvN Architects & Planners Inc (Sandy McIntosh)

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

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

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.

1.6 Payment type In person Credit over phone* Cheque _____

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	56 York Rd		
Assessment Roll Number	251826024010800		
Former Municipality	Dundas		
Lot	2	Concession	
Registered Plan Number	1387	Lot(s)	
Reference Plan Number (s)	3919	Part(s)	

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

SEE ATTACHED COVER LETTER

Second Dwelling Unit Reconstruction of Existing Dwelling

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

SEE ATTACHED COVER LETTER

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
22.72 M	60.11 M	1342 M2	18 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
EXISTING GARAGE (DEMOLISHED)	19 M	27 M	8.5 M	
EXISTING DWELLING (TO BE DEMOLISHED)	1.75 M	47 M	2.6 M	01/01/1924

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
MULTI-UNIT RESIDENTIAL	8.9 M	8.7 M	N-1.7M S-2.5M	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXISTING GARAGE (DEMOLISHED)	29 M2	29 M2	1	4.5 M
EXISTING DWELLING (TO BE DEMOLISHED)	67 M2	134 M2	2.5	9 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
MULTI-UNIT RESIDENTIAL	600 M2	1460 M2	3	12.5 M

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

- lake or other water body
 other means (specify)

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

- ditches
 other means (specify)

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

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

MULTI-UNIT RESIDENTIAL

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

MULTI-UNIT RESIDENTIAL AND SINGLE FAMILY DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2018

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:

INDEFINITE

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.

SEE ATTACHED COVER LETTER

7.6 What is the existing zoning of the subject land? RM2 (DUNDAS 3581-86)

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 10

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

SEE ATTACHED COVER LETTER

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:64	SUBJECT PROPERTY:	261 Highway 5 West, Flamborough
ZONE:	"E1/S-283" (Existing Rural Commercial)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: ANMR West Inc.

The following variances are requested:

1. To permit a dine-in restaurant whereas only a /take-out restaurant with a drive through facility is permitted.

PURPOSE & EFFECT: To facilitate the use of a dine-in restaurant.

Notes: N/A

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment

A-24:64

- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

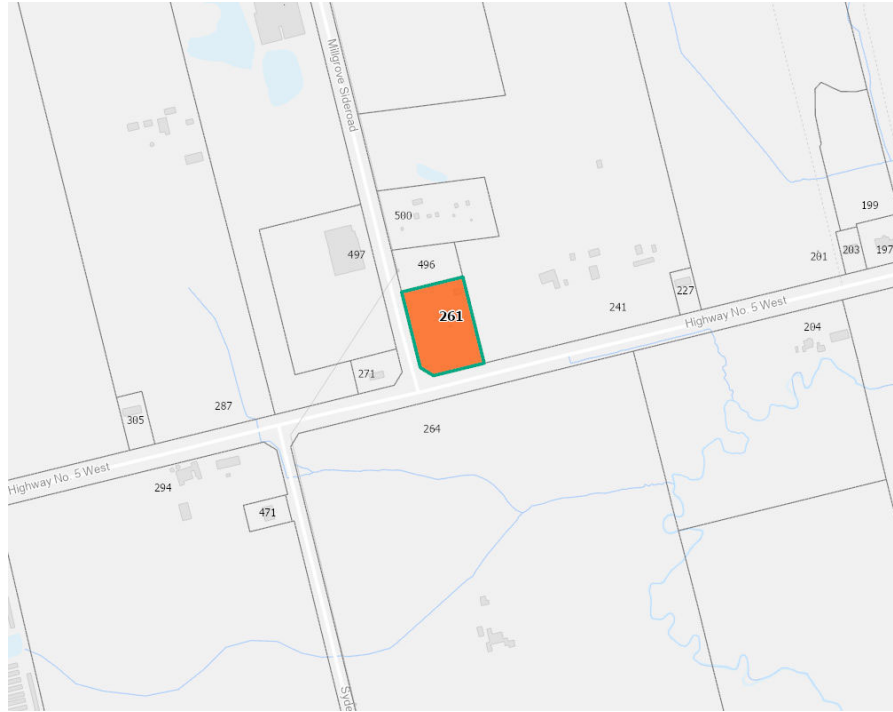
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:64, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:64



 Subject Lands

DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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.

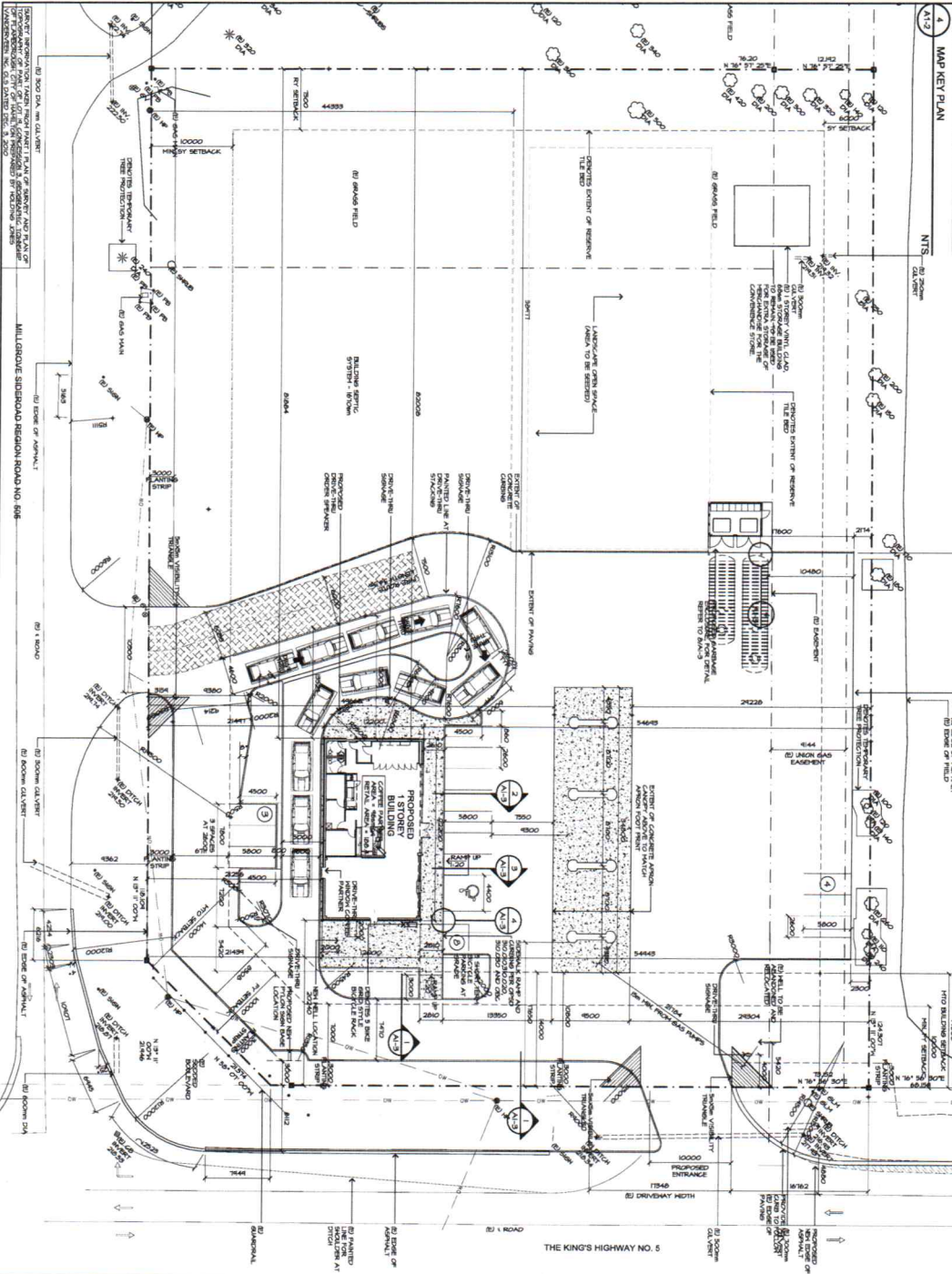
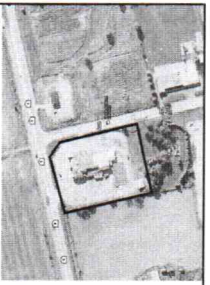
IDENTIFICATION NO. 2010-0398
FILE NO.

(a) Local, state and federal laws, codes and regulations shall be observed in the execution of the project.
(b) The applicant shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
(c) The applicant shall be responsible for obtaining all necessary easements and rights-of-way from the appropriate agencies.
(d) The applicant shall be responsible for obtaining all necessary utility easements and rights-of-way from the appropriate agencies.
(e) The applicant shall be responsible for obtaining all necessary environmental permits and approvals from the appropriate agencies.
(f) The applicant shall be responsible for obtaining all necessary zoning and land use permits and approvals from the appropriate agencies.
(g) The applicant shall be responsible for obtaining all necessary fire and life safety permits and approvals from the appropriate agencies.
(h) The applicant shall be responsible for obtaining all necessary health and safety permits and approvals from the appropriate agencies.
(i) The applicant shall be responsible for obtaining all necessary traffic and circulation permits and approvals from the appropriate agencies.
(j) The applicant shall be responsible for obtaining all necessary signage permits and approvals from the appropriate agencies.
(k) The applicant shall be responsible for obtaining all necessary utility relocation permits and approvals from the appropriate agencies.
(l) The applicant shall be responsible for obtaining all necessary construction permits and approvals from the appropriate agencies.
(m) The applicant shall be responsible for obtaining all necessary occupancy permits and approvals from the appropriate agencies.
(n) The applicant shall be responsible for obtaining all necessary record drawings from the appropriate agencies.
(o) The applicant shall be responsible for obtaining all necessary final approvals from the appropriate agencies.

1. LETTER OF UNDERTAKINGS
Accepted by the City of Mississauga on _____ day of _____, 20____
City of Mississauga
City Engineer
City Clerk

2. GENERAL NOTES
1. THE PROPOSED DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA ZONING BY-LAW AND ALL APPLICABLE REGULATIONS.
2. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA BUILDING BY-LAW AND ALL APPLICABLE REGULATIONS.
3. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA FIRE AND LIFE SAFETY BY-LAW AND ALL APPLICABLE REGULATIONS.
4. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA HEALTH AND SAFETY BY-LAW AND ALL APPLICABLE REGULATIONS.
5. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA TRAFFIC AND CIRCULATION BY-LAW AND ALL APPLICABLE REGULATIONS.
6. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA SIGNAGE BY-LAW AND ALL APPLICABLE REGULATIONS.
7. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA UTILITY BY-LAW AND ALL APPLICABLE REGULATIONS.
8. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA CONSTRUCTION BY-LAW AND ALL APPLICABLE REGULATIONS.
9. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA OCCUPANCY BY-LAW AND ALL APPLICABLE REGULATIONS.
10. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA RECORD DRAWING BY-LAW AND ALL APPLICABLE REGULATIONS.
11. THE DEVELOPMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MISSISSAUGA FINAL APPROVALS BY-LAW AND ALL APPLICABLE REGULATIONS.

ITEM NUMBER	DESCRIPTION	REQUIREMENT	PROVIDED/NOT PROVIDED
1	PERMITS	1.1. ZONING PERMIT	1.1.1. ZONING PERMIT
2	PERMITS	2.1. BUILDING PERMIT	2.1.1. BUILDING PERMIT
3	PERMITS	3.1. FIRE AND LIFE SAFETY PERMIT	3.1.1. FIRE AND LIFE SAFETY PERMIT
4	PERMITS	4.1. HEALTH AND SAFETY PERMIT	4.1.1. HEALTH AND SAFETY PERMIT
5	PERMITS	5.1. TRAFFIC AND CIRCULATION PERMIT	5.1.1. TRAFFIC AND CIRCULATION PERMIT
6	PERMITS	6.1. SIGNAGE PERMIT	6.1.1. SIGNAGE PERMIT
7	PERMITS	7.1. UTILITY PERMIT	7.1.1. UTILITY PERMIT
8	PERMITS	8.1. CONSTRUCTION PERMIT	8.1.1. CONSTRUCTION PERMIT
9	PERMITS	9.1. OCCUPANCY PERMIT	9.1.1. OCCUPANCY PERMIT
10	PERMITS	10.1. RECORD DRAWING PERMIT	10.1.1. RECORD DRAWING PERMIT
11	PERMITS	11.1. FINAL APPROVALS PERMIT	11.1.1. FINAL APPROVALS PERMIT



PETRO
PROPOSED GAS STATION

201 HOBART STREET
MISSISSAUGA, ONTARIO
L4X 1L2

Client: **COVAT**

Scale: 1:250

SITE PLAN

DA-11-189

Project No: 2010-0398

Sheet: A1/2

Revision Record

No.	Description	Date
10	RE-Submission FOR SH	03.23.15
9	RE-Submission FOR SH	02.26.15
8	RE-Submission FOR SH	02.13.15
7	RE-Submission FOR SH	01.11.15
6	RE-Submission FOR SH	02.13.15
5	RE-Submission FOR SH	02.13.15
4	RE-Submission FOR SH	02.13.15
3	RE-Submission FOR SH	02.13.15
2	RE-Submission FOR SH	02.13.15
1	RE-Submission FOR SH	02.13.15

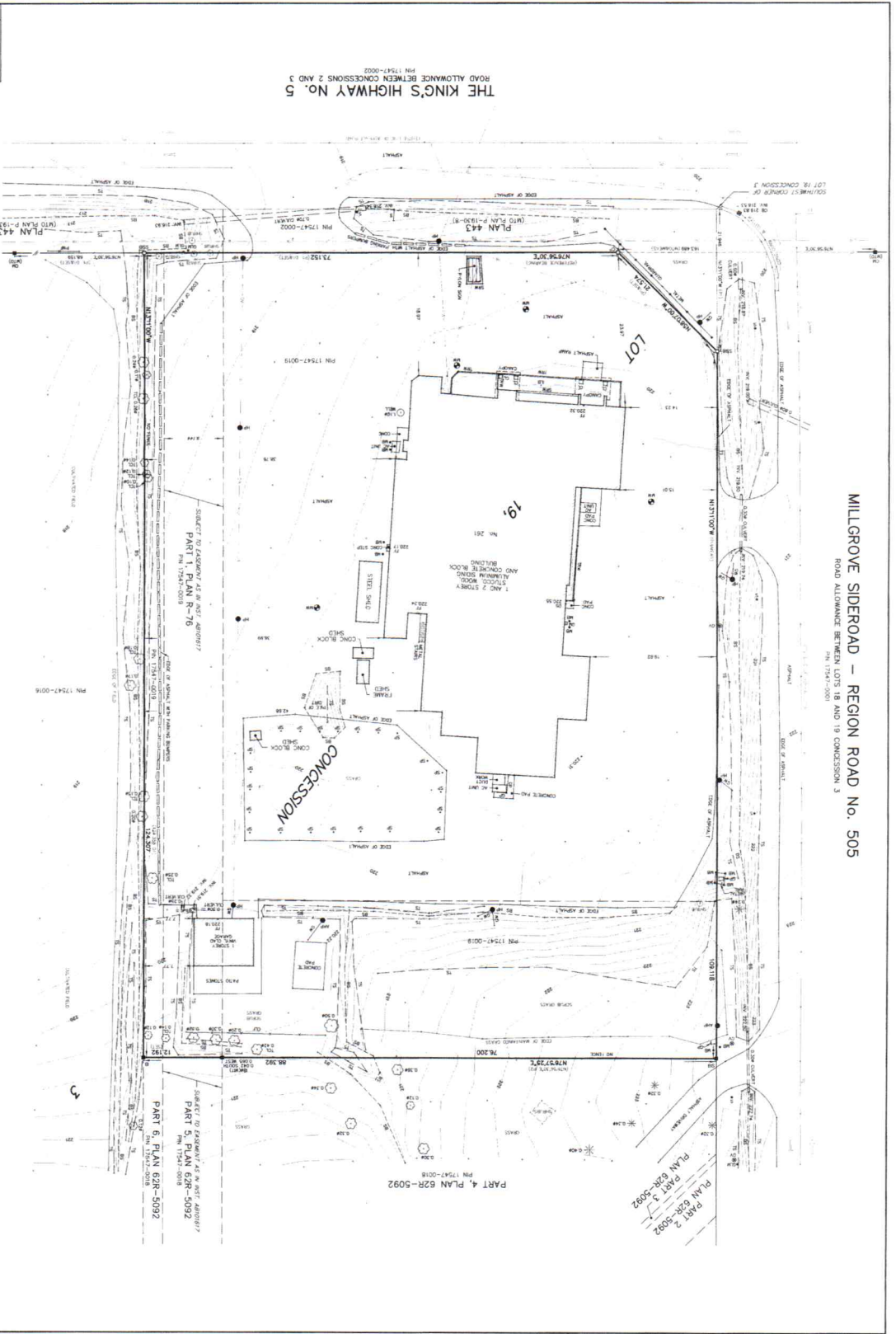
Issue Record

No.	Description	Date
1	Issue Record	02.13.15

the recipient may be able to
access your information. If
this email has been sent to
you in error, please advise
the sender of the error and
immediately delete this
message.

MILLGROVE SIDEROAD - REGION ROAD NO. 505
ROAD ALLOWANCE BETWEEN LOTS 18 AND 19 CONCESSION 3
PIN 17547-0001

THE KING'S HIGHWAY No. 5
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3
PIN 17547-0002



SCALE: 1:500
DRAWN BY: J.Y.
CHECKED BY: C.V./Y.Y.
JOB NO.: 10-2091-SURV & TOPO
HOLDING JONES VANDERBEEK INC.
ONTARIO LAND SURVEYORS
1700 LANCASTER ROAD, SUITE 1002
HAMMONTON, ON L4M 3Z6
PHONE: 905-880-0001, 416-443-3000
FAX: 905-880-0002

THIS SURVEYOR'S REAL PROPERTY REPORT WAS PREPARED IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.
DATE: DECEMBER 03, 2010
ON-THE-SPOT SURVEY
LAND SURVEYORS
1791844
ASSOCIATION OF ONTARIO LAND SURVEYORS

SURVEYOR'S CERTIFICATE
I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON DECEMBER 03, 2010.
DATE: DECEMBER 03, 2010
ON-THE-SPOT SURVEY
LAND SURVEYORS
1791844
ASSOCIATION OF ONTARIO LAND SURVEYORS

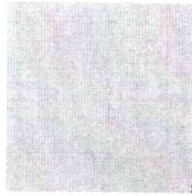
- DECEMBER 03, 2010
- ON-THE-SPOT SURVEY
- LAND SURVEYORS
- 1791844
- ASSOCIATION OF ONTARIO LAND SURVEYORS

NOTES (PLAN OF SURVEY)
STAKES ARE ESTABLISHED AND ARE REFERRED TO THE NORTHERN LIMIT OF THE NORTH CONCESSION NO. 5. STAKES ON PLAN AND (NOT SHOWN) ARE HAVING A BEARING OF N75°56'30"E.

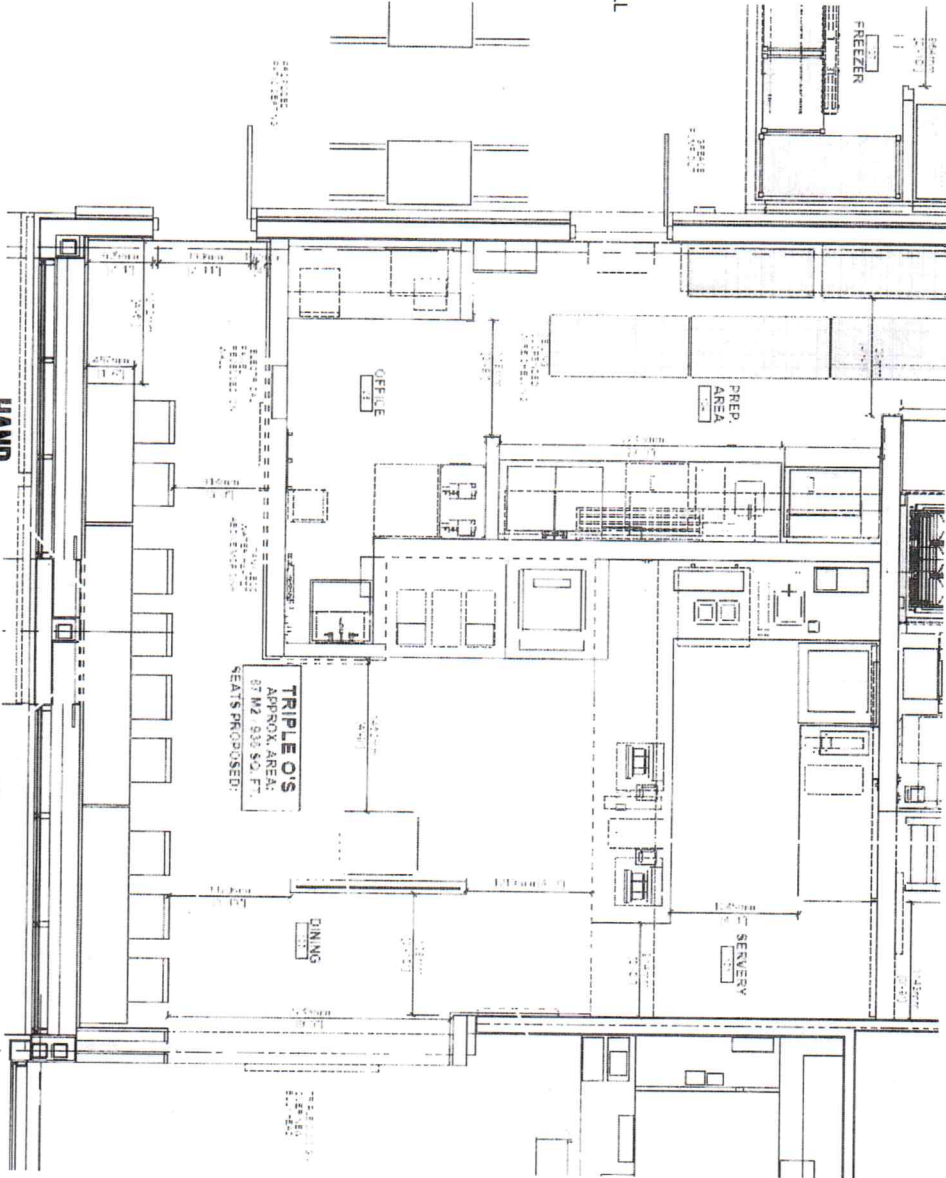
NOTES (PLAN OF TOPOGRAPHY)
ELEVATIONS ARE GCETTED AND ARE REFERRED TO AN ELEVATION OF 222.87 METERS.

PART 2 - REPORT
SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY
AND
PLAN OF TOPOGRAPHY OF
PART OF LOT 19, CONCESSION 3
(GEOGRAPHIC TOWNSHIP OF FLAMBOURGH)
CITY OF HAMILTON
HOLDING JONES VANDERBEEK INC.
ONTARIO LAND SURVEYORS
SCALE: 1:500
METRIC
DISTANCES SHOWN ON
THIS PLAN ARE IN METERS
AND CAN BE CONVERTED
TO FEET BY DIVIDING BY
0.3048

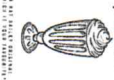
WATERMARK VINYL ON WALL
BY THE POP MACHINE



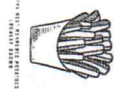
BURGERS • FRIES • SHAKES



SHAKES
22" x 42"
(TO BE INSTALLED 48"
ABOVE FLOOR FINISH)



FRIES
22" x 42"
(TO BE INSTALLED 48"
ABOVE FLOOR FINISH)



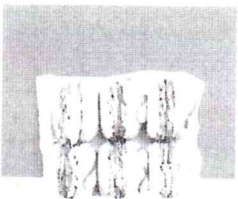
GAB
OP Pa. siding
long Fax with Fran
261 HWY 5 WEST
FLAMBOROUGH, ON
(DUNDAS)
WALL MURALS



BURGERS AND BAGS
3 x 4'



BURGER
22" x 42"
(TO BE INSTALLED 48" ABOVE
FLOOR FINISH)



BURGER TRAY (HORIZONTAL)
W/ EXTENDED TOP AND BOTTOM
10'-4" x 8' (TO BE CONFIRMED
ON SITE)



SP1.00

16/01/2022

Scale: AS INDICATED

Final Date: APRIL 19, 2022

Program Date: DEC. 2022

Project No: 2022-88

Drawn By: M.M.

Checked By: I.G.

Project Name: TRIPLE O'S

Site Plan

ISSUES/REVISION TABLE

No.	Date	Description
1	16/01/2022	ISSUES/REVISION TABLE
2	16/01/2022	ISSUES/REVISION TABLE
3	16/01/2022	ISSUES/REVISION TABLE
4	16/01/2022	ISSUES/REVISION TABLE
5	16/01/2022	ISSUES/REVISION TABLE
6	16/01/2022	ISSUES/REVISION TABLE
7	16/01/2022	ISSUES/REVISION TABLE

CREATIVE STRUCTURES

111 Tamilton Building Drive

Unit 10, 111 Tamilton Building Drive

Phone: 08 933 3333

Website: www.creativestructures.com.au

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Phone: 08 933 3333

Website: www.creativestructures.com.au

1 SITE PLAN
SCALE=N.T.S.

3 DT MENU BOARD DETAILED VIEW
SCALE=N.T.S.

2 KEY PLAN
SCALE=N.T.S.

6 CONCRETE BOLLARD
SCALE=N.T.S.

7 MENU BOARD DETAILS
SCALE=N.T.S.

DRIVE THROUGH AND SITE SIGNAGE

QTY	DESCRIPTION	INSTALLER	STATUS	NOTES
1	TRIPLE O'S	TRIPLE O'S	N	
2	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
3	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
4	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
5	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
6	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
7	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
8	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
9	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
10	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
11	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
12	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
13	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
14	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
15	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
16	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
17	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
18	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
19	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	
20	DRIVE THROUGH SIGNAGE	TRIPLE O'S	N	

DRIVE THROUGH AND SITE SIGNAGE

9 Primary Monument Sign

5 DIRECTIONAL SIGNAGE
SCALE=N.T.S.

4 SPECIAL ORDER SIGN
SCALE=N.T.S.



Hamilton

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

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

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

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	ANMR west inc		
Applicant(s)			
Agent or Solicitor		E-mail:	
		Phone:	
		E-mail:	

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

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

1.4 Request for digital copy of sign Yes* No

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

1.5 All correspondence may be sent by email Yes* No

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

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	261 HIGHWAY SW		
Assessment Roll Number	302330500000000		
Former Municipality			
Lot	19	Concession	3
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

To Add Dinein

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Existing AS Takeout and Pickup Zoning

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

MH Yes

No

If yes, please provide an explanation:

To Allow Dinein

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
290 feet	363 feet	117520 SF. 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
one Floor Building	21 meter	54.6 meter	20.2 Meter 80.00 meter	Jun 2019

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
one floor Building	2800 SF 271.4 meter	271.4 meter	one floor	4.6 meters

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) By WATERLOO BioFilter Co.

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.):

GAS STATION and RESTAURANT.

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

FARMS

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)

RETAIL / RESTAURANT.

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

GAS STATION & RESTAURANT.

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 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? RURAL Commercial Zone E1

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

- Yes
- No

If yes, please provide the file number: _____

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

 Yes No

If yes, please provide the file number: _____

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

 Yes No

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

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:146	SUBJECT PROPERTY:	101 Westfield Crescent, Flamborough
ZONE:	"R1-64" (Urban Residential Single Detached)	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owner: Zain Ahmad
 Agent: Malav Shah

The following variances are requested:

1. To permit tandem parking for the parking space located in the attached garage and the space located on the driveway whereas tandem parking is not permitted.

PURPOSE & EFFECT: To facilitate the development of an additional dwelling unit.

Notes: N/A

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

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

DATE:	Tuesday, July 23, 2024
TIME:	2:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

A-24:146

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon July 19, 2024

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, registration to participate virtually must be received no later than noon July 22, 2024

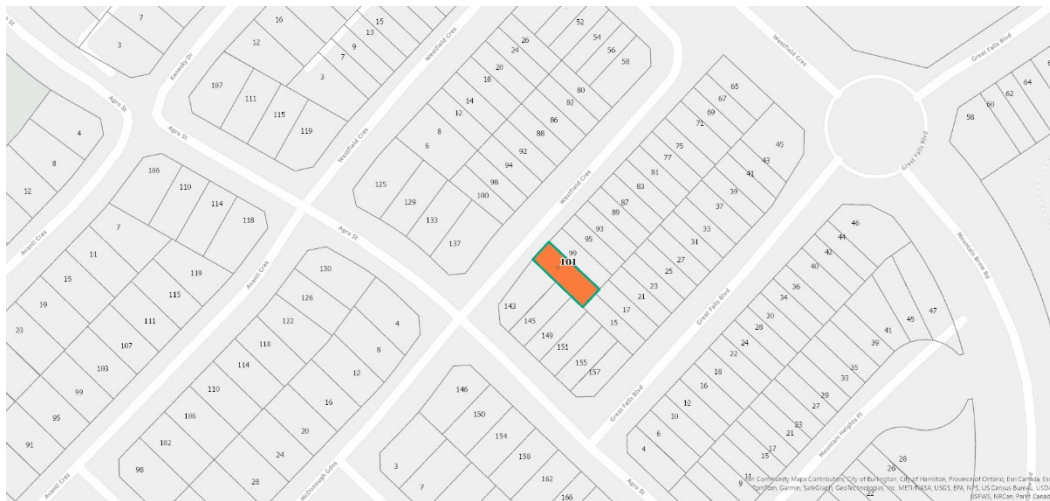
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:146, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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

A-24:146

 Subject Lands



DATED: July 4, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

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

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

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

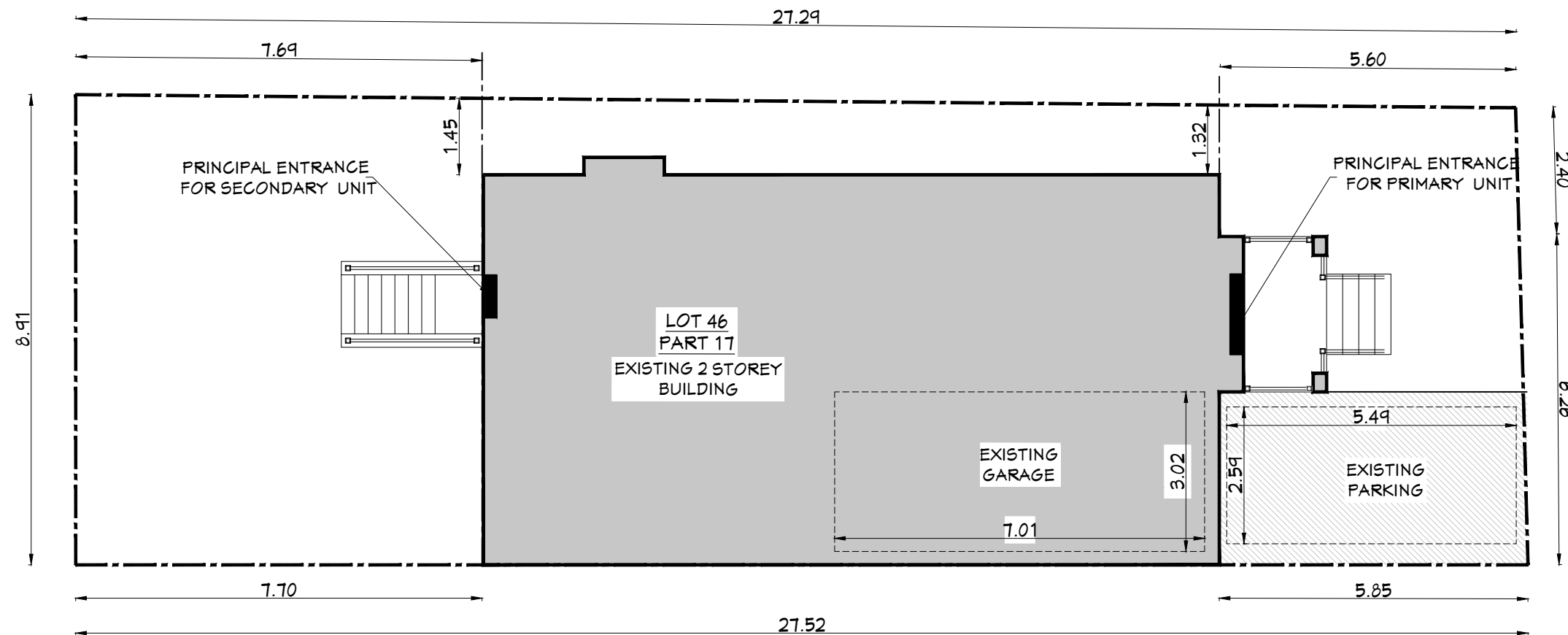
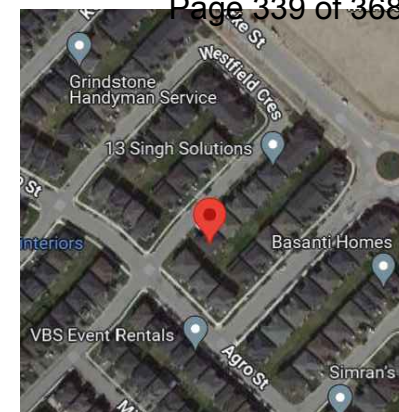
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

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



SITE LAYOUT
(SCALE : 1/16" = 1'-0")

SITE STATISTICS

BASEMENT GFA	: 792.30 SQFT
MAIN FLOOR	: 1003.86 SQFT
SECOND FLOOR	: 900.46 SQFT

TITLE
101 WESTFIELD CRES, ON
SITE PLAN

PROJECT INFORMATION
PROJECT NO: **24-080**
CUSTOMER: **ZAIN AHMAD**
PROJECT: **101 WESTFIELD CRES**

DESIGNER INFORMATION

BY	ENGINEER STAMPS
BPP	
TITLE	
SCALE	1/16" = 1'-0"
REV	DATE
0	2024.04.30
1	
2	--
ENGINEER	MS
DRAFTED BY	SM
CHECKED BY	--

ALL DRAWINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS PERMIT. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

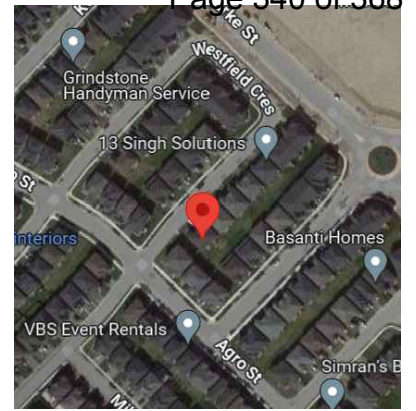
SHEET **A104**
REV **00**

688 Hespeler Road, Unit 2B-5
Cambridge, ON, Canada, N1R8N7
M: 647-770-2466 O: 405-566-4690
Email: info@blueprintspermit.com
Website: www.blueprintspermit.com



101 WESTFIELD CRESCENT, ON SECOND UNIT DWELLING (BELOW GRADE ENTRANCE FROM REAR YARD)

DRAWING INDEX	
SHEET	DESCRIPTION
A101	COVER PAGE
A102	LEGEND & SCHEDULES
A103	GENERAL NOTES
A104	SITE PLAN
A105	EXISTING BASEMENT
A106	PROPOSED BASEMENT
A107	EXISTING FIRST FLOOR
A108	PROPOSED FIRST FLOOR
A109	EXISTING SECOND FLOOR
A110	RIGHT SIDE ELEVATION
A111	EGRESS WINDOW DETAIL
A112	WALKOUT PLAN
A113	SECTION AA
A114	SECTION BB
A115	GUARDRAIL DETAILS AND NOTES



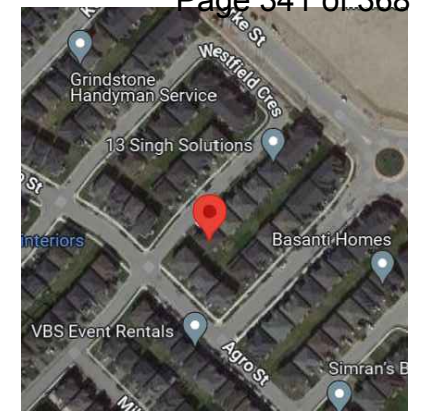
TITLE
**101 WESTFIELD CRES, ON
COVER PAGE**

PROJECT INFORMATION
PROJECT NO: 24-080
CUSTOMER: ZAIN AHMAD
PROJECT: 101 WESTFIELD CRES

DESIGNER INFORMATION	ENGINEER STAMPS
BY: BPP	
TITLE: N.T.S.	
SCALE: N.T.S.	
REV: 0 DATE: 2024.04.30	
1	
2	
ENGINEER: MS	
DRAFTED BY: SM	
CHECKED BY: --	

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CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER.
UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

SHEET: A101	
REV: 00	
688 Hespeler Road, Unit 2B-5 Cambridge, ON, Canada, N1R8N7 M: 647-770-2966 O: 905-566-9690 Email: info@blueprintspermit.com Website: www.blueprintspermit.com	



DOOR SCHEDULE

TAG	DOOR TYPE				
	FLUSH	FRR	SLIDING	DBL DOOR	EXTERIOR
D24					
D26	1				
D30					
D32	3	2			1
D48			1		
D60					

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY ALL THE DIMENSIONS, SITE CONDITION AND ELEVATIONS WITH THE ARCHITECTURAL DRAWINGS AND RESOLVE ANY DISCREPANCIES WITH THE ENGINEER PRIOR TO START OF THE WORK.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH PART 9 AND 4 OF THE ONTARIO BUILDING CODE 2012, AND THE CITY BYLAWS AND STANDARDS.
3. IT IS ASSUMED THAT ALL THE WORK DEPICTED WILL BE PERFORMED BY AN EXPERIENCED CONTRACTOR AND/OR WORKMEN HAVING WORKING KNOWLEDGE OF THE APPLICABLE CODE, STANDARDS, INSURANCE REQUIREMENTS OF INDUSTRY ACCEPTED STANDARD, AS NOT EVERY CONDITION OR ELEMENT IS (OR CAN BE) EXPLICITLY SHOWN ON THESE DRAWINGS.
4. BY COMMENCING THE CONSTRUCTION OF A BUILDING FROM THESE DRAWINGS, THE OWNER AND/OR BUILDER ACKNOWLEDGE THAT THE GENERAL NOTES HAVE BEEN UNDERSTOOD.

- EXHAUST
- SPRINKLER
- SUPPLY VENT
- RETURN GRILLE
- LIGHT FIXTURE
- POT LIGHT
- 30 MIN FRR
- EXISTING WALL
- NEW WALL
- DEMOLISHED WALL
- 9.10.19 LOCATION OF PROPOSED INTERCONNECTED SMOKE ALARMS & CARBON MONOXIDE ALARMS (CONNECTED TO A DUCT TYPE SMOKE DETECTOR)
- DUCT TYPE SMOKE DETECTOR
- EXISTING CONC. WALL
2"X4 STUDS @24 O.C. WALL
W/ 6MIL POLY
R-EXISTING BATT EXISTING INSULATION
6MIL VAPOR BARRIER
1/2" GYPSUM BOARD
- INTERIOR DRYWALL PARTITION
1/2" GYP. BOARD
2"X4 SPRUCE STUD @16 O.C.
1/2" GYPSUM BOARD
- PROVIDE 45 MIN. F.R.R. AND 53 STC TO NEW WALL TABLE-1 AS PER SB-3(W4d) 38 mmx89mm WOOD STUDS SPACED 600mm O.C., TWO LAYERS OF 12.7 mm TYPE X GYPSUM BOARD ON RESILIENT METAL CHANNELSIDE AND ONE LAYER OF 12.7 mm TYPE X GYPSUM BOARD ON OTHER SIDE MIN. 89 mm ABSORPTIVE MATERIAL REQ'D
- PROVIDE 30 MIN. F.R.R AND 50 STC FOR THE CEILING WITH FOLLOWING SPECIFICATIONS TABLE-2 AS PER SB-3 (F8d) ABSORPTIVE MATERIAL BETWEEN EXISTING JOISTS, RESILIENT METAL CHANNELS SPACED 600mm O.C. ONE LAYER OF 15.9mm TYPE X GYPSUM BOARD ON CEILING SIDE.
- DUPLEX RECEPTACLE OUTLET
- SINGLE POLE SWITCH
- 3 WAY SWITCH AT TOP AND BOTTOM OF THE STAIR TO A LIGHT FIXTURE
- DOOR SIZE 24" W X 80" H
- DOOR SIZE 26" W X 80" H
- DOOR SIZE 30" W X 80" H
- DOOR SIZE 32" W X 80" H
- DOOR SIZE 34" W X 80" H
- DOOR SIZE 36" W X 80" H
- SLIDING DOOR SIZE 60" W X 80" H
- COLUMN - 15 MIN FIRE RESISTING RATING
- EMERGENCY LIGHT
- EXTERIOR LIGHT
- 20 MIN FIRE RATED LOCKABLE & SELF-CLOSING DOOR
- UNDERSIDE & CEILING OF STAIRS - FIRE RATING 1 LAYER 5/8" TYPE X GYP. BOARD
- DIRECTION OF FILTER CHANGE
- WATER METER
- PLUMBING STACK

TITLE
**101 WESTFIELD CRES, ON
LEGEND & GENERAL NOTES**

PROJECT INFORMATION
PROJECT NO: 24-080
CUSTOMER: ZAIN AHMAD
PROJECT: 101 WESTFIELD CRES

DESIGNER INFORMATION
BY: BPP
ENGINEER STAMPS:

TITLE	N.T.S.
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0	2024.04.30
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2	--
ENGINEER	MS
DRAFTED BY	SM
CHECKED BY	--

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CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER.
UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

SHEET: A102
REV: 00

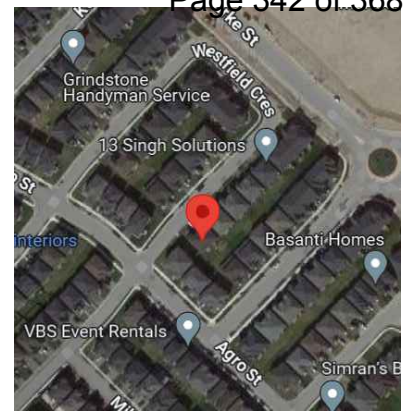
688 Hespeler Road, Unit 2B-5
Cambridge, ON, Canada, N1R8N7
M: 647-770-2966 O: 905-566-9690
Email: info@blueprintspermit.com
Website: www.blueprintspermit.com

GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ONTARIO • BUILDING CODE, O.REG. 332/12; AND ANY CONSTRUCTION CHANGES MADE THAT ARE NOT A PART OF THE ISSUED REVIEWED PERMIT DRAWINGS WILL REQUIRE AN ADDITIONAL REVISION PERMIT.
- EXCEPT FOR PERMITTED OPENINGS SUCH AS TIGHTLY FITTER ELECTRICAL OUTLET BOXES, CERTAIN DUCT; FIRE SEPARATION SHALL BE CONTINUOUS TO ANOTHER FIRE SEPARATION, EXTERIOR WALL OR ROOF.
- DOORS IN A FIRE SEPARATION MUST BE 20 MINUTE RATED OR BE 45mm SOLID CORE WOOD DOORS WITH A SELF CLOSING DEVICE. UNRATED WOOD DOOR FRAMES MUST BE A MINIMUM OF 38mm THICK. DOOR FRAME INSTALLATION MUST BE SMOKE TIGHT.
- FIRE BLOCKS SHALL BE PROVIDED AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES IN INTERIOR COVED CEILINGS, DROP CEILINGS AND SOFFITS WHERE THE EXPOSED CONSTRUCTION MATERIALS WITHIN THE CONCEALED SPACES HAVE A SURFACE FLAME-SPREAD RATING GREATER THAN 25.
- EXCEPT FOR BATHROOMS, PUBLIC CORRIDORS AND EXITS, INTERIOR WALL AND CEILING FINISHES SHALL HAVE A SURFACE FLAME SPREAD RATING OF NOT MORE THAN 150.
- NEW SPRINKLERS IN THE FURNACE ROOM MUST BE INSTALLED IN ACCORDANCE WITH THEIR LISTING, SPRINKLER PIPING SHALL BE A RESIDENTIAL FULL FLOW-THROUGH SYSTEM CONSISTING OF MIN. 3/4" COPPER OF PEX SUPPLY PIPE AND FITTINGS.
- SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND IN CONFORMANCE WITH CAN/ULC-S553, "INSTALLATION OF SMOKE ALARMS". SMOKE SHALL INCLUDE A VISUAL SIGNALING COMPONENT AND BE HARDWIRED AND INTERCONNECTED IN ACCORDANCE WITH THE REVIEWED DRAWINGS. SMOKE ALARMS SHALL HAVE BATTERY BACKUP POWER CAPABLE OF LASTING FOR 7 DAYS WHILE IN THE NORMAL CONDITION, FOLLOWED BY 4M MINUTES OF ALARM SIGNALING.
- BATTERY POWERED EMERGENCY LIGHTING UNITS CONFORMING TO CSA C22.2 NO. 14. EMERGENCY LIGHTING EQUIPMENT SHALL BE PROVIDED IN ALL COMMON MEANS OF ESCAPE.
- PROVIDE CARBON MONOXIDE ALARMS CONFORMING TO CAN/CSA-6.19,"RESIDENTIAL CARBON MONOXIDE ALARMING DEVICES" ADJACENT TO EACH SLEEPING AREA WITHIN EACH DWELLING UNIT. CARBON MONOXIDE ALARMS MAY BE HARDWIRED BATTERY OPERATED OR THE TYPE THAT CAN BE PLUGGED INTO AN ELECTRICAL OUTLET.
- WHERE NEW CONSTRUCTION COULD RESTRICT THE SUPPLY OF COMBUSTION AIR OF ANY EXISTING FUEL-FIRE APPLIANCE, AN ADEQUATE COMBUSTION AIR SUPPLY SHALL BE PROVIDED TO ENSURE PROPER COMBUSTION AND SAFE OPERATION OF THE FURNACE AND/OR SERVICE WATER SUPPLY.
- PROVISIONS SHALL BE MADE FOR RETURN-AIR FROM ALL ROOMS BY LEAVING GAPS BENEATH DOORS, USING LOUVERED DOORS OR INSTALLING RETURN-AIR INLETS SHALL NOT BE INSTALLED IN AN ENCLOSED ROOM OR CRAWL SPACE THAT PROVIDES COMBUSTION AIR TO THE FURNACE OR SERVICE WATER HEATER.
- NATURAL VENTILATION FOR LIVING ROOM, DINING ROOM, BEDROOMS AND KITCHEN MUST BE PROVIDED BY MEANS OF AN OPENABLE WINDOW AREA OF 0.28M2 PER ROOM OR COMBINATION OF ROOMS. NATURAL VENTILATION FOR BATHROOMS OR WATER CLOSET ROOMS MUST BE PROVIDED BY MEANS OF AN OPENABLE WINDOW AREA OF 0.09M2. WHERE A ROOM OR SPACE IS NOT PROVIDED WITH NATURAL VENTILATION, MECHANICAL VENTILATION SHALL BE PROVIDED. EXHAUST FANS SHALL DISCHARGE DIRECTLY TO THE EXTERIOR.
- ELECTRICAL WORK MUST BE INSPECTED BY THE ELCTRICAL SAFETY AUTHORITY.

NOTES

- MINIMUM HEADROOM : 6'5" (1950mm)
- MIN. 30 MIN. FIRE SEPARATION FOR ALL CEILINGS
- TWO SPRINKLERS REQUIRED IN THE FURNACE ROOM
- INSTALL MECHANICAL VENTILATION AS PER OBC DIV B 9.32.1.3(3) REQ'S.
- EXHAUST FAN SHALL DISCHARGE DIRECTLY TO OUTSIDE.
- RETURN AIR FROM A DWELLING UNIT SHALL NOT BE RECIRCULATED TO ANY OTHER DWELLING UNIT - 6.2.4.7 (10).
- EXIT STAIR IS TO BE PROTECTED FROM FIRE EXPOSURE.



PLUMBING NOTES

- ONLY A LICENSED, INSURED, CERTIFIED PLUMBER SHALL BE USED FOR THE WORK.
- THE MAXIMUM HOT WATER TEMPERATURE SUPPLIED TO FIXTURES IN RESIDENTIAL OCCUPANCIES SHALL NOT EXCEED 49° C(120° F) AS PER OBC ARTICLE 7.6.5.1.
- DISHWASHERS AND CLOTHES WASHERS ARE EXEMPT FROM THIS REQUIREMENT.
- ALL THERMOSTATIC MIXING VALVES SHALL CONFORM TO CAN/CSA-B125,"PLUMBING FIXTURES" AND SHALL BE LABELED ACCORDINGLY.
- ALL SOLDER JOINTS MUST BE LEAD FREE AND MEET ALL REGULATORY REQUIREMENTS.
- ALL SANITARY PIPING TO HAVE CLEANOUTS TO SUIT OBC & PLUMBING CODES.
- SUPPLY AND INSTALL CLEAN OUTS WHETHER SHOWN OR NOT, AS REQUIRED BY CODE OR BY AUTHORITIES HAVING JURSDICTION ON SANITARY DRAINS.
- VENT ALL SANITARY FIXTURES AS REQUIRED BY THE ONTARIO BUILDING CODE.
- PROVIDE ONE PIECE CHROME PLATE ESCUTCHEONS ON ALL PIPING PASSING INTO EXPOSED AREAS.
- REFER TO OBC 2012 DIV. B 9.23.5 FOR NOTCHING AND DRILLING OF WOOD STRUCTURAL MEMBERS.

TITLE
101 WESTFIELD CRES, ON
GENERAL NOTES

PROJECT INFORMATION	
PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

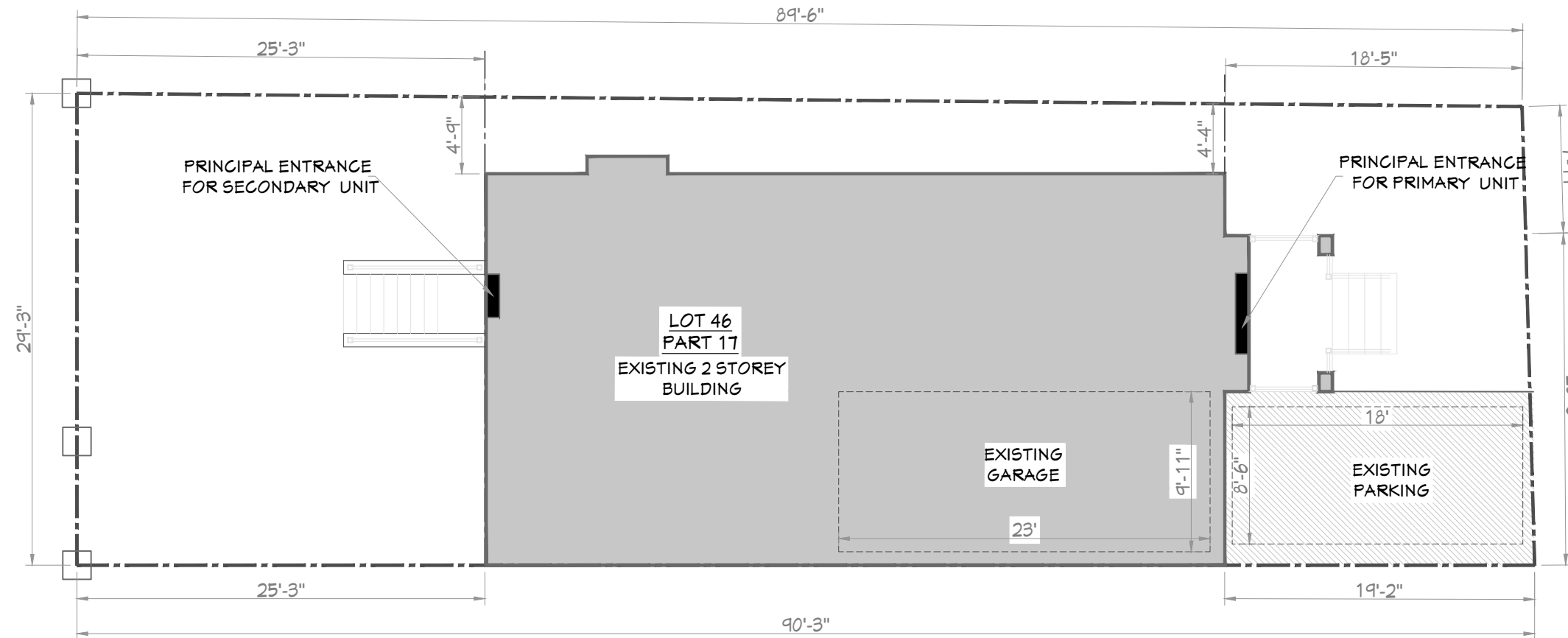
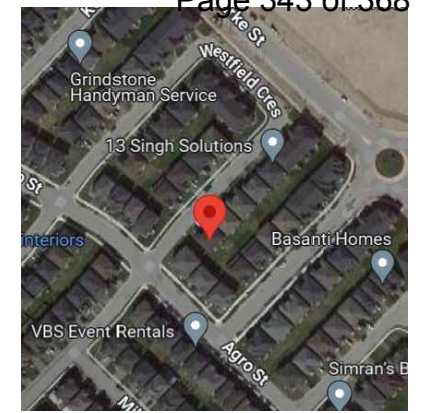
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SITE LAYOUT
(SCALE : 1/16" = 1'-0")

SITE STATISTICS

BASEMENT GFA	: 792.30 SQFT
MAIN FLOOR	: 1003.86 SQFT
SECOND FLOOR	: 900.46 SQFT

TITLE
101 WESTFIELD CRES, ON
SITE PLAN

PROJECT INFORMATION
PROJECT NO: **24-080**
CUSTOMER: **ZAIN AHMAD**
PROJECT: **101 WESTFIELD CRES**

DESIGNER INFORMATION

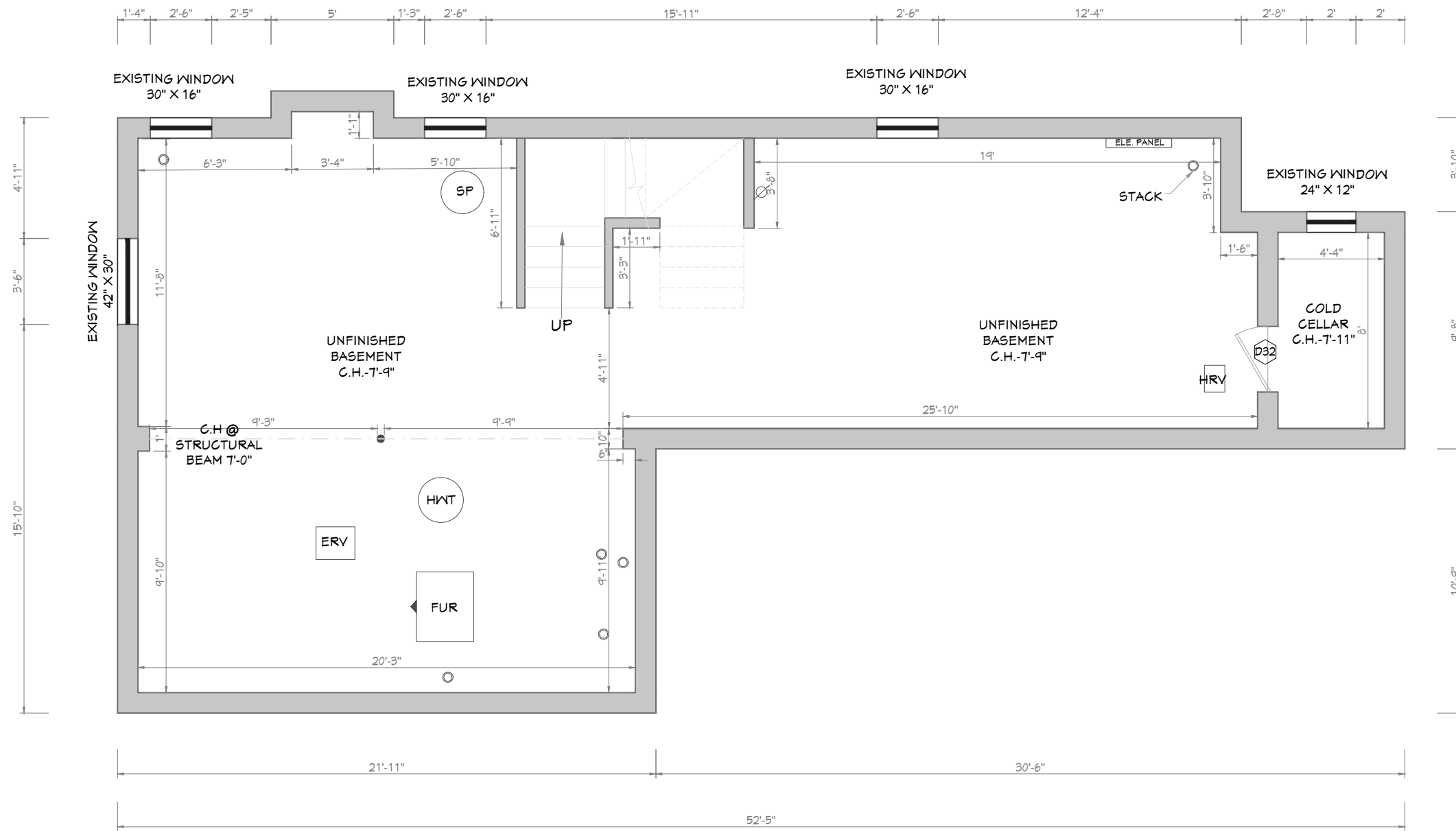
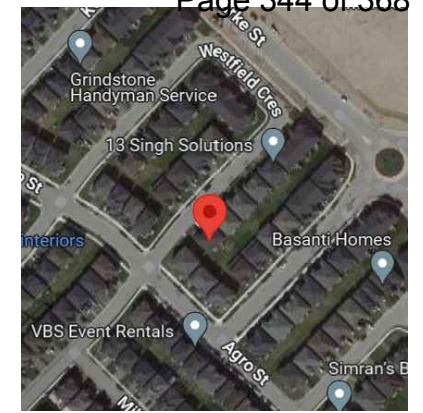
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TITLE	BPP
SCALE	1/16" = 1'-0"
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LEGEND :

	EXISTING WALLS
	FIRE RATED WALLS
	NEW WALLS
	EXISTING TO BE REMOVED
	EXISTING COLUMNS

EXISTING BASEMENT
(SCALE : 3/16" = 1'-0")

TITLE
101 WESTFIELD CRES, ON
EXISTING BASEMENT

PROJECT INFORMATION	
PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

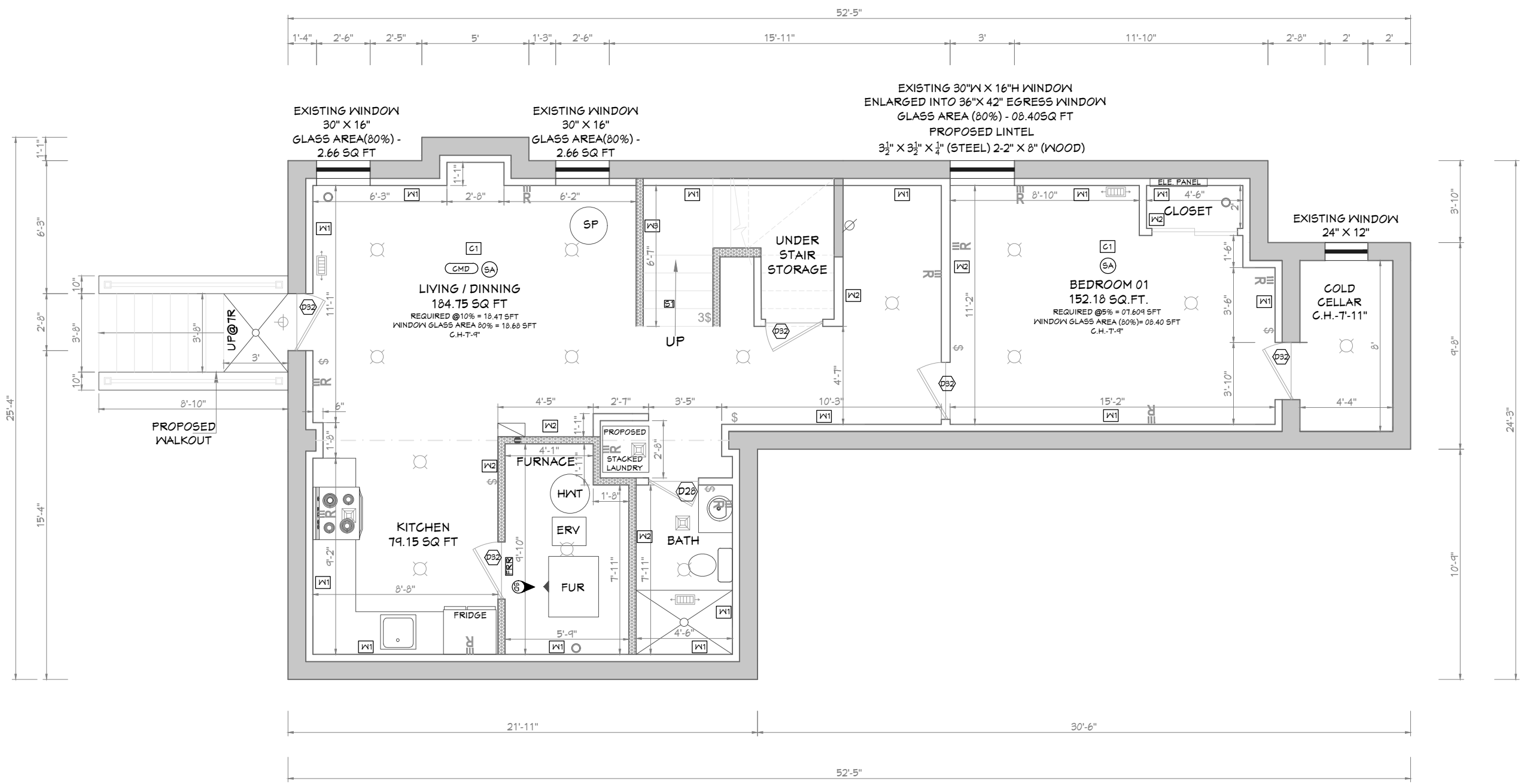
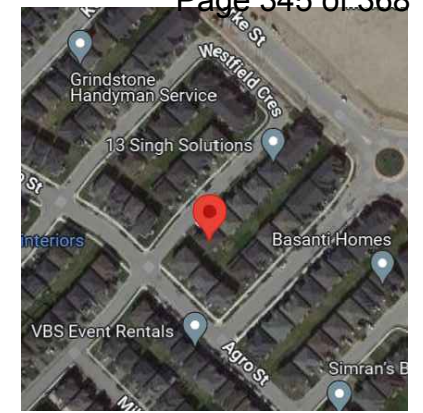
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BY	BPP
TITLE	
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SHEET	A105	
REV	00	

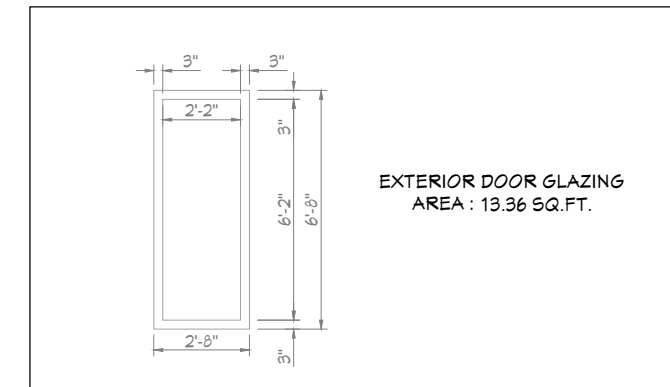
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LEGEND :

- EXISTING WALLS
- FIRE RATED WALLS
- NEW WALLS
- EXISTING TO BE REMOVED
- EXISTING COLUMNS

PROPOSED BASEMENT
(SCALE : 3/16" = 1'-0")



TITLE
**101 WESTFIELD CRES, ON
PROPOSED BASEMENT**

PROJECT INFORMATION

PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

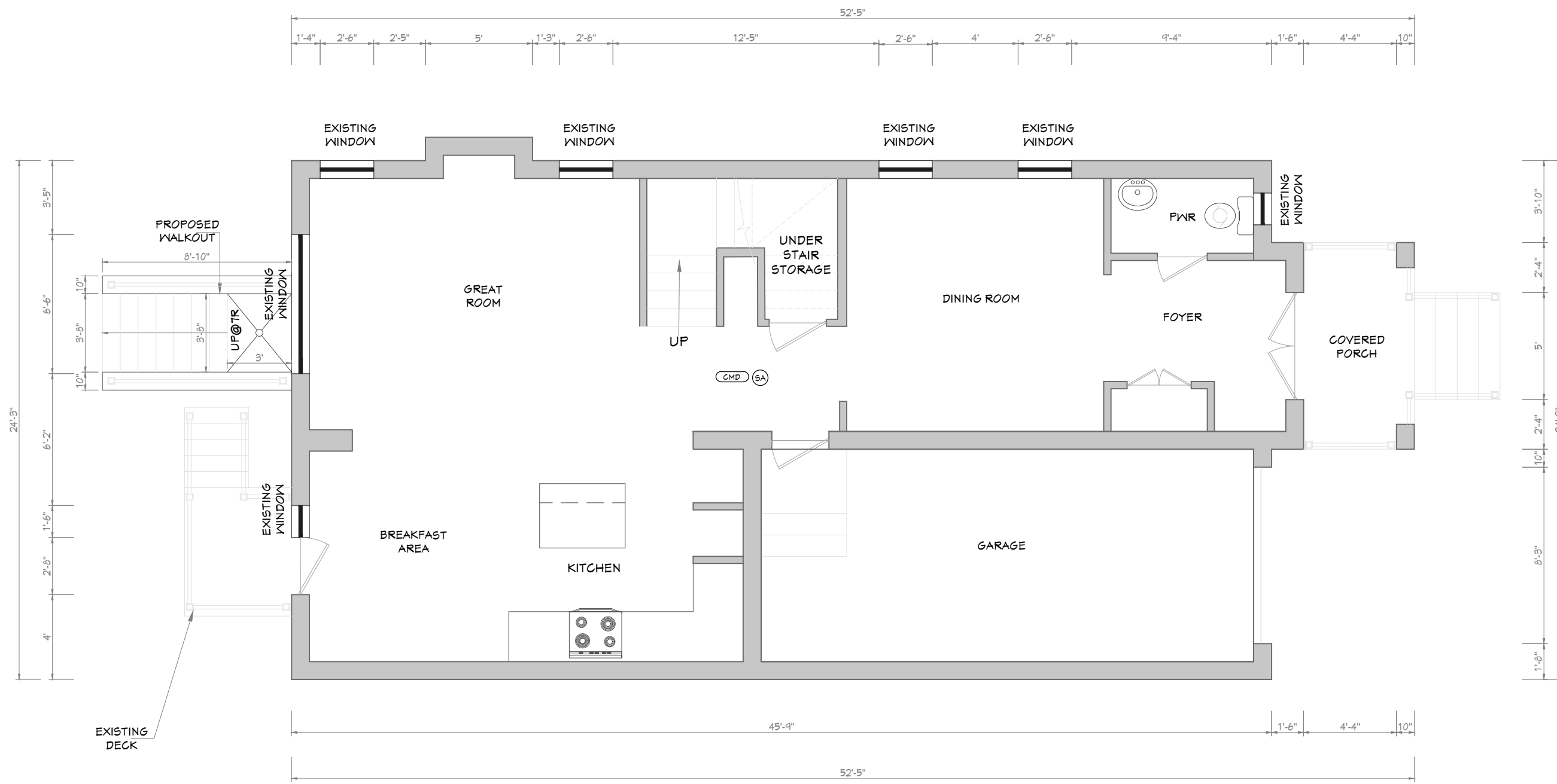
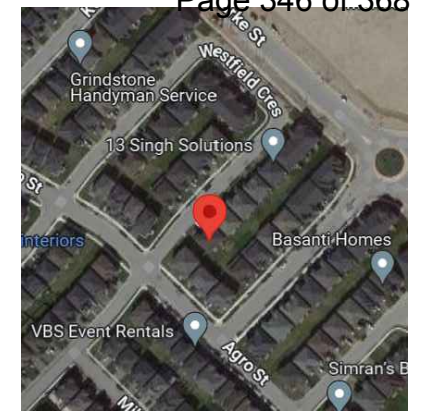
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BY	BPP
TITLE	BPP
SCALE	3/16" = 1'-0"
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ENGINEER	MS
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TITLE
101 WESTFIELD CRES, ON
EXISTING FIRST FLOOR

PROJECT INFORMATION

PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

DESIGNER INFORMATION

BY	BPP
TITLE	
SCALE	3/16" = 1'-0"
REV	DATE
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ENGINEER	MS
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SHEET	A107
REV	00

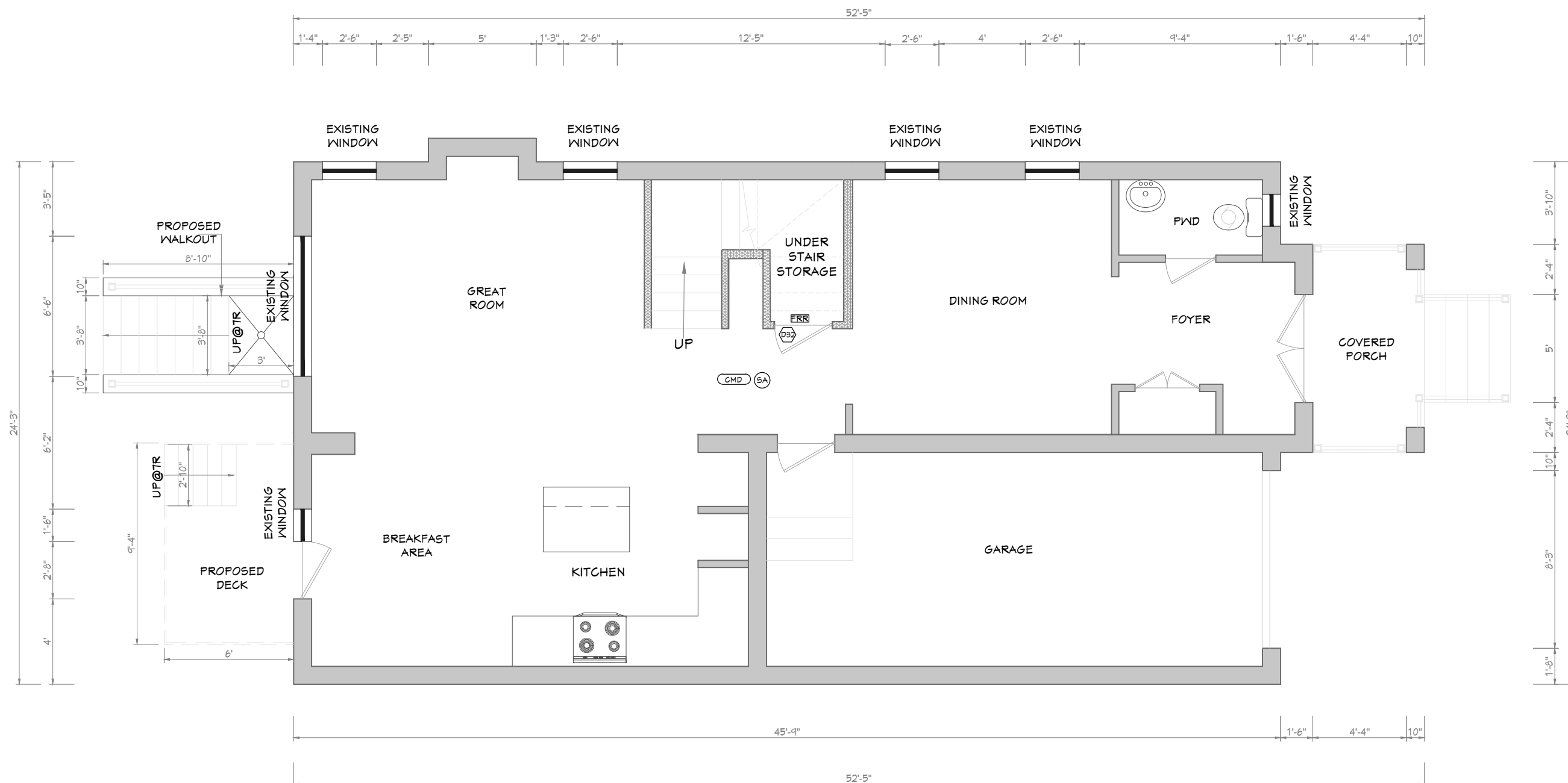
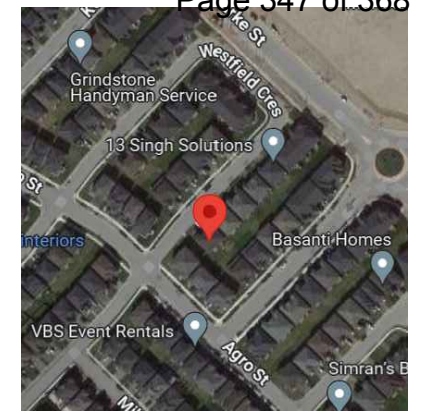


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LEGEND :

	EXISTING WALLS
	FIRE RATED WALLS
	NEW WALLS
	EXISTING TO BE REMOVED
	EXISTING COLUMNS

EXISTING FIRST FLOOR
 (SCALE : 3/16" = 1'-0")



LEGEND :

- EXISTING WALLS
- FIRE RATED WALLS
- NEW WALLS
- EXISTING TO BE REMOVED
- EXISTING COLUMNS

PROPOSED FIRST FLOOR
(SCALE : 3/16" = 1'-0")

TITLE
101 WESTFIELD CRES, ON
PROPOSED FIRST FLOOR

PROJECT INFORMATION	
PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

DESIGNER INFORMATION	
BY	BPP
ENGINEER STAMPS	
TITLE	BPP
SCALE	3/16" = 1'-0"
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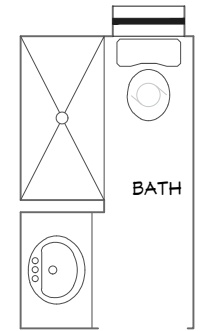
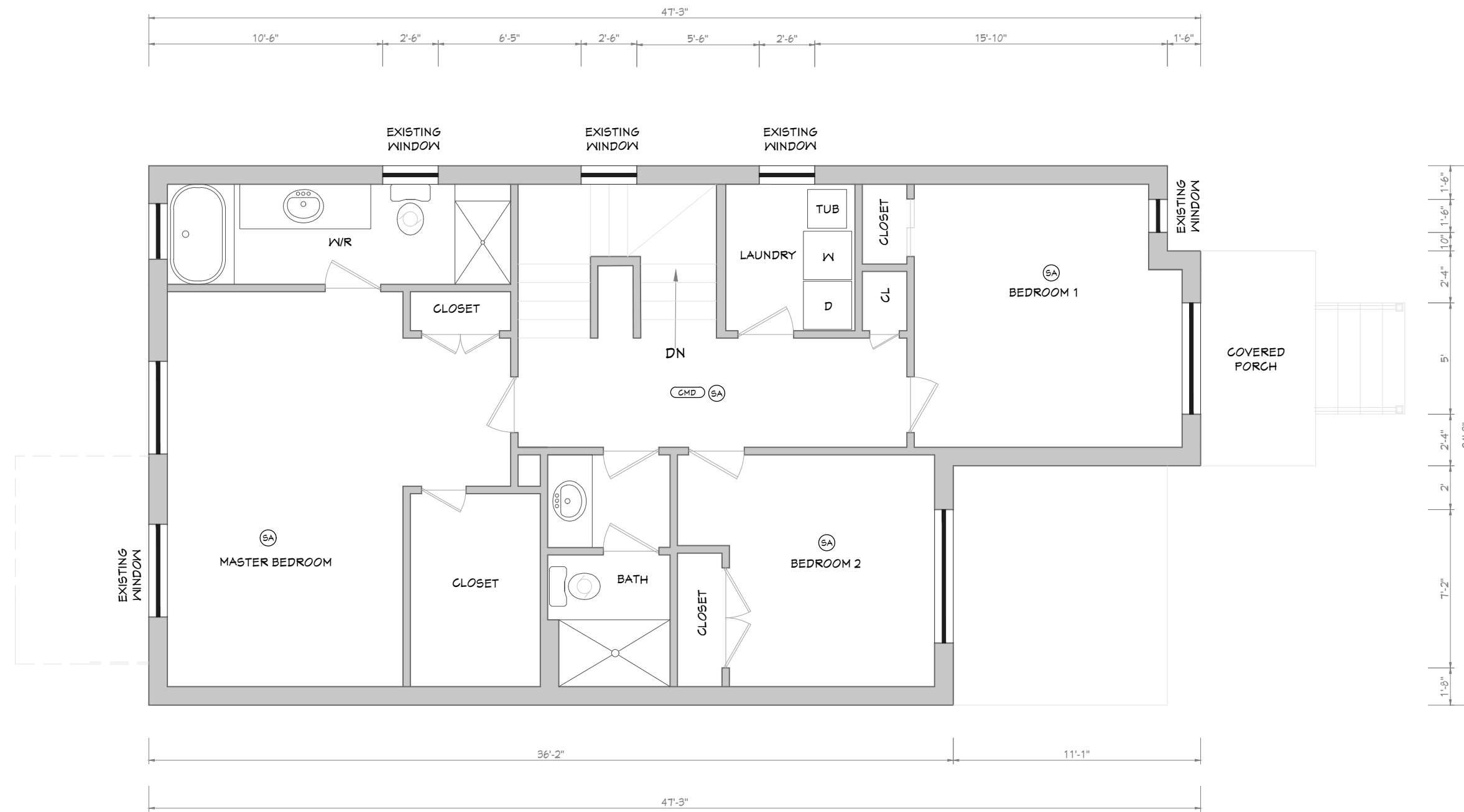
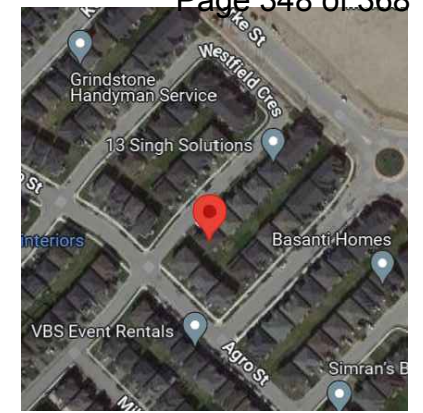


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TITLE
**101 WESTFIELD CRES, ON
 EXISTING SECOND FLOOR**

PROJECT INFORMATION
 PROJECT NO: **24-080**
 CUSTOMER: **ZAIN AHMAD**
 PROJECT: **101 WESTFIELD CRES**

DESIGNER INFORMATION

BY	ENGINEER STAMPS
BPP	
TITLE	
SCALE	3/16" = 1'-0"
REV	DATE
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SHEET **A109**
 REV **00**

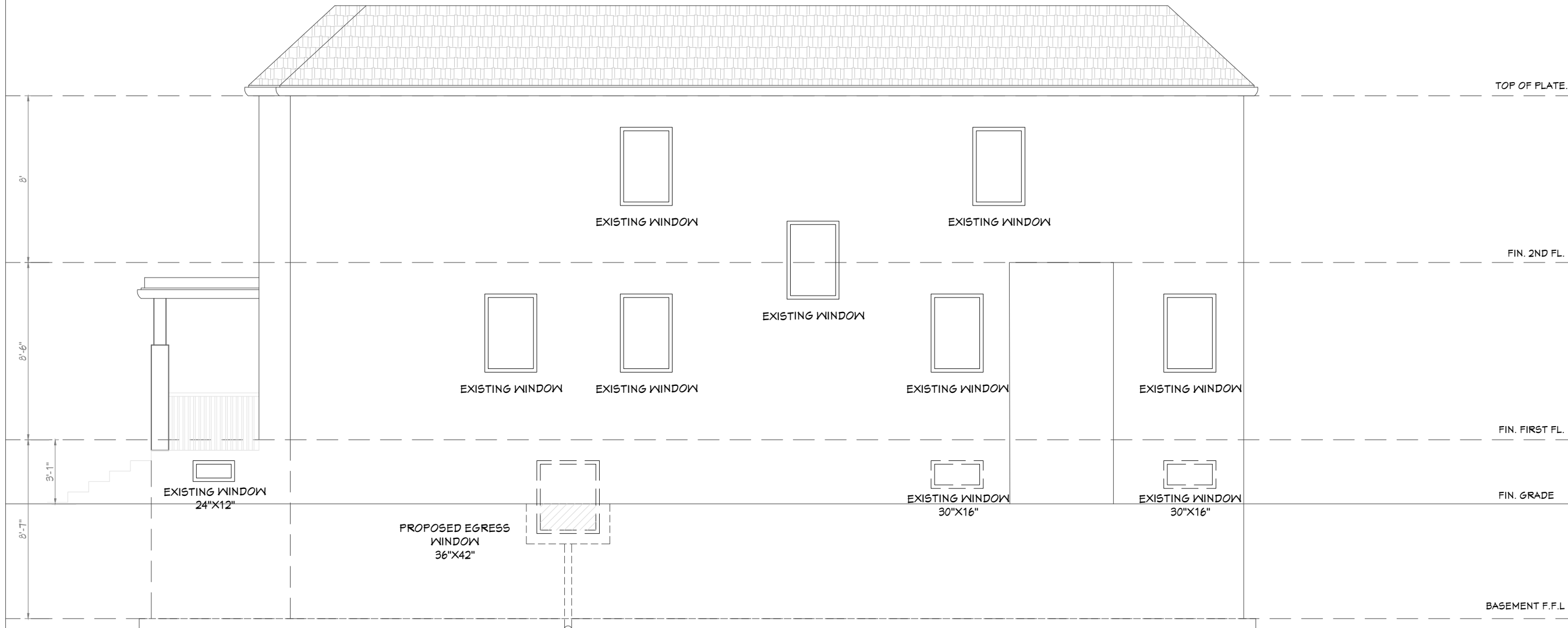
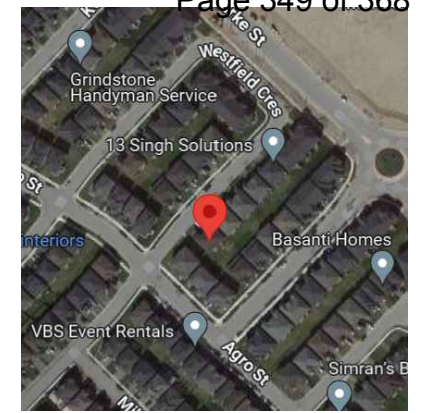


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LEGEND :

- EXISTING WALLS
- FIRE RATED WALLS
- NEW WALLS
- EXISTING TO BE REMOVED
- EXISTING COLUMNS

EXISTING SECOND FLOOR
 (SCALE : 3/16" = 1'-0")



RIGHT SIDE ELEVATION
SCALE 3/16"=1'-0"

UNPROTECTED OPENINGS (GLASS AREA)	
WALL AREA	= 942.82 SQ.FT
LIMITING DISTANCE	= 1.20 M
OPENING ALLOWED @ 7%	= 65.99 SQ.FT
ACTUAL OPENINGS	= 65.59 SQ.FT

TITLE
**101 WESTFIELD CRES, ON
LEFT SIDE ELEVATION**

PROJECT INFORMATION
PROJECT NO: **24-080**

CUSTOMER
ZAIN AHMAD

PROJECT
101 WESTFIELD CRES

DESIGNER INFORMATION
BY: **BPP**

REV	DATE
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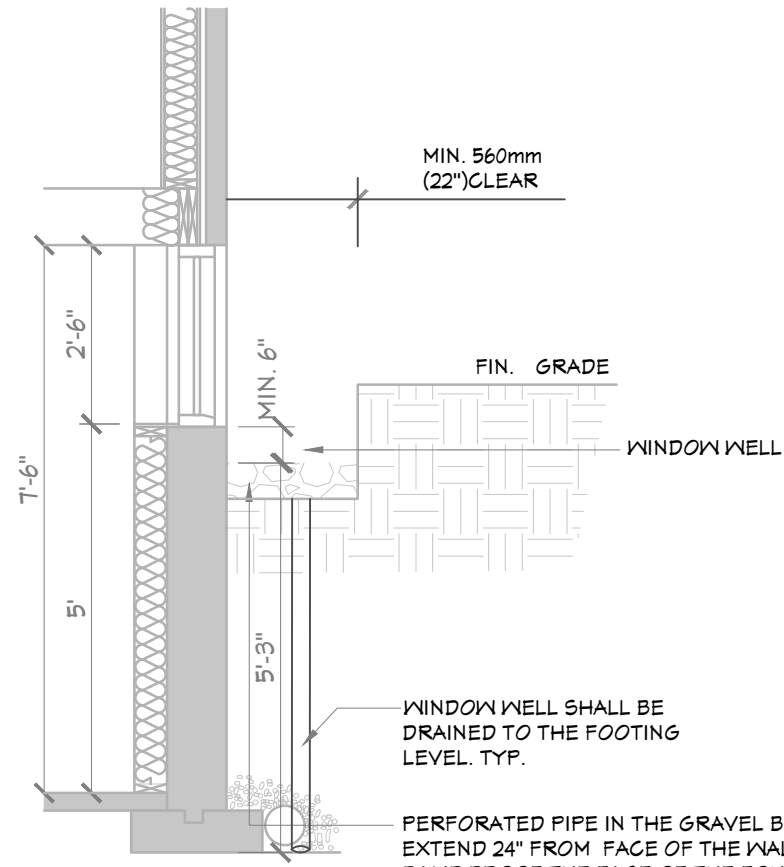
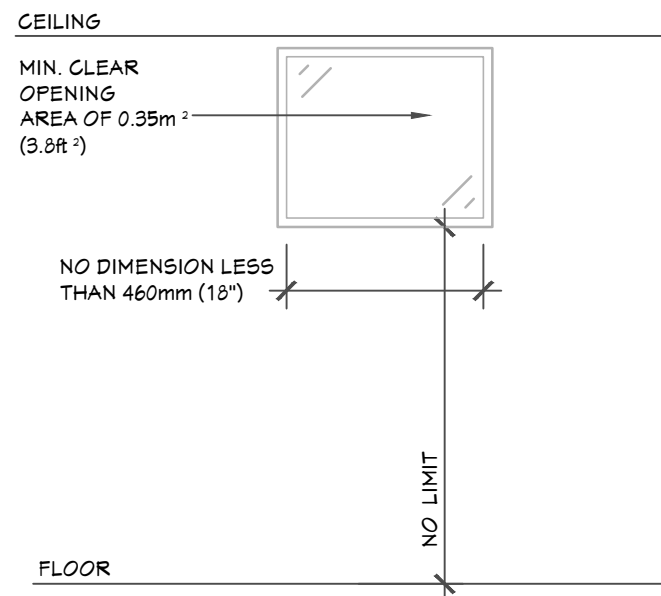
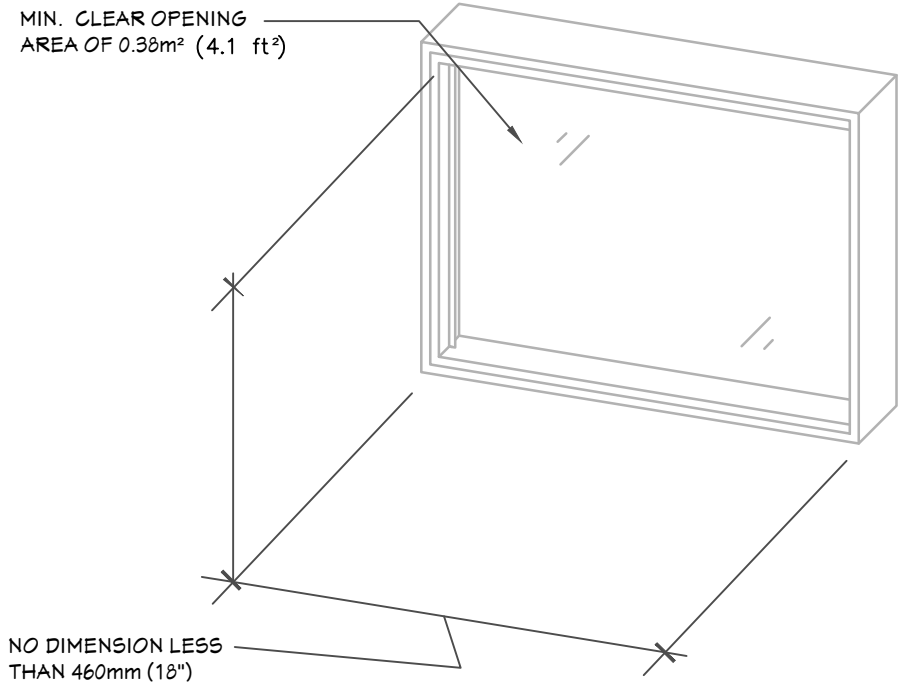
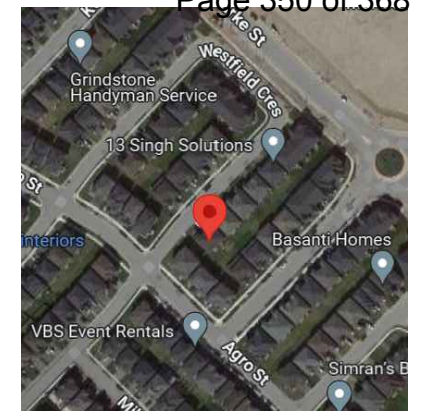
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UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

SHEET
A110



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SECTION A-A
SCALE 3/8" = 1'

TITLE
101 WESTFIELD CRES, ON
EGRESS WINDOW DETAILS

PROJECT INFORMATION

PROJECT NO	24-080
CUSTOMER	ZAIN AHMAD
PROJECT	101 WESTFIELD CRES

DESIGNER INFORMATION

BY	BPP
TITLE	
SCALE	3/8" = 1'-0"
REV	DATE
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ENGINEER	MS
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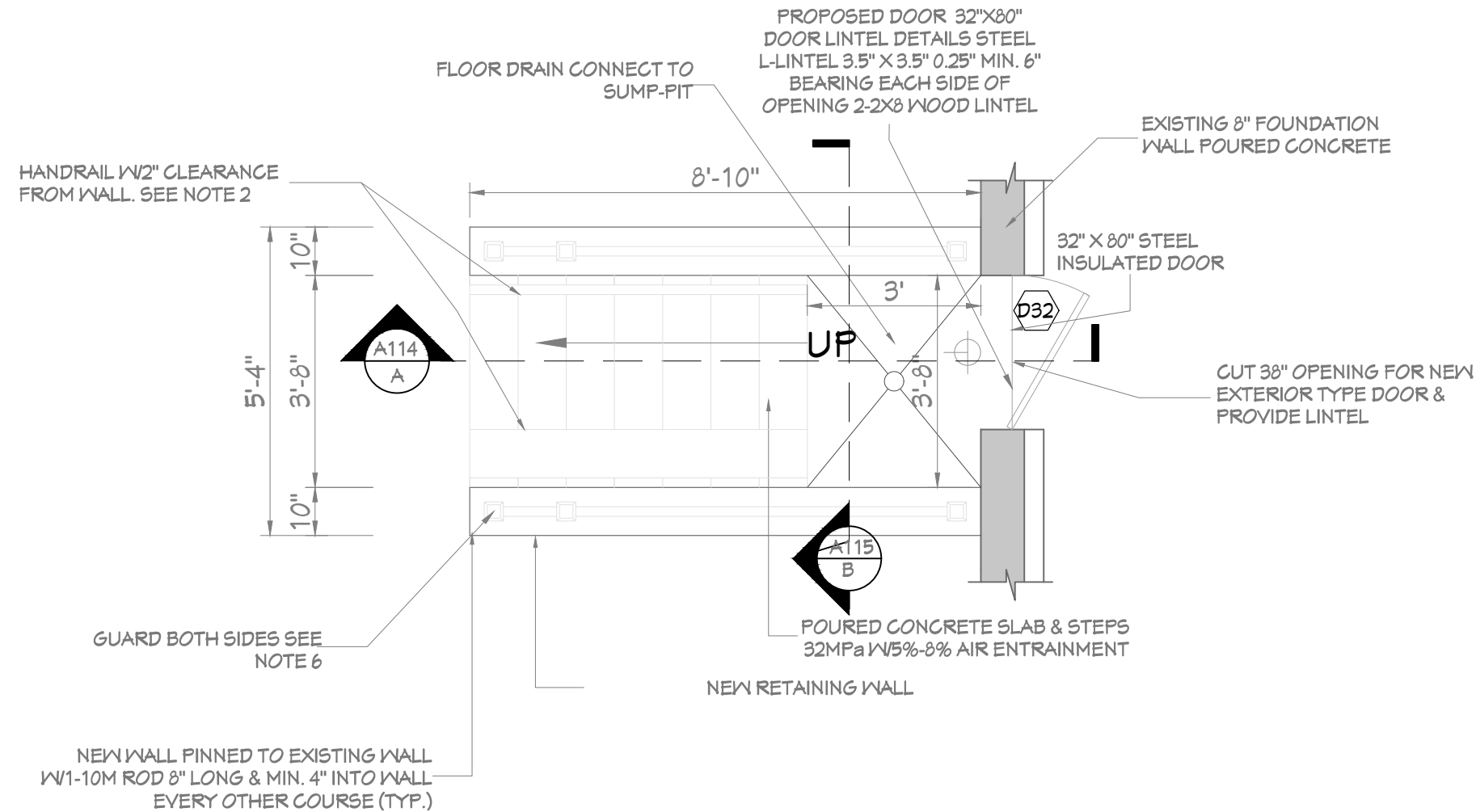
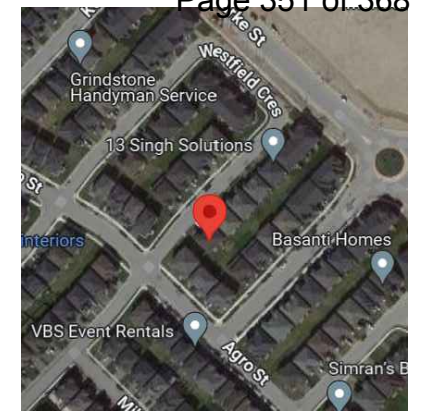


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WALKOUT PLAN
(SCALE : 3/8" = 1'-0")

NOTES :

DOOR MUST COMPLY WITH OBC 2012 - DIV. B - 9.7.5.2. TO PROVIDE RESISTANCE TO FORCED ENTRY

LINTELS SHALL HAVE AN EVEN AND LEVEL BEARING AND SHALL HAVE MIN. 6" (152mm) OF BEARING @ END SUPPORTS AS PER OBC 2012 - DIV. B - 9.20.5.2.

EXTERIOR LIGHT SHALL COMPLY WITH THE OBC 2012 - DIV. B - 9.34.2.1.

THE CONSTRUCTION OF GUARDS SHALL CONFORM TO THE LOADING CRITERIA IN OBC 2012 - DIV. B - 4.1.5.14.

TITLE
101 WESTFIELD CRES, ON
WALKOUT PLAN

PROJECT INFORMATION
PROJECT NO: **24-080**
CUSTOMER: **ZAIN AHMAD**
PROJECT: **101 WESTFIELD CRES**

DESIGNER INFORMATION

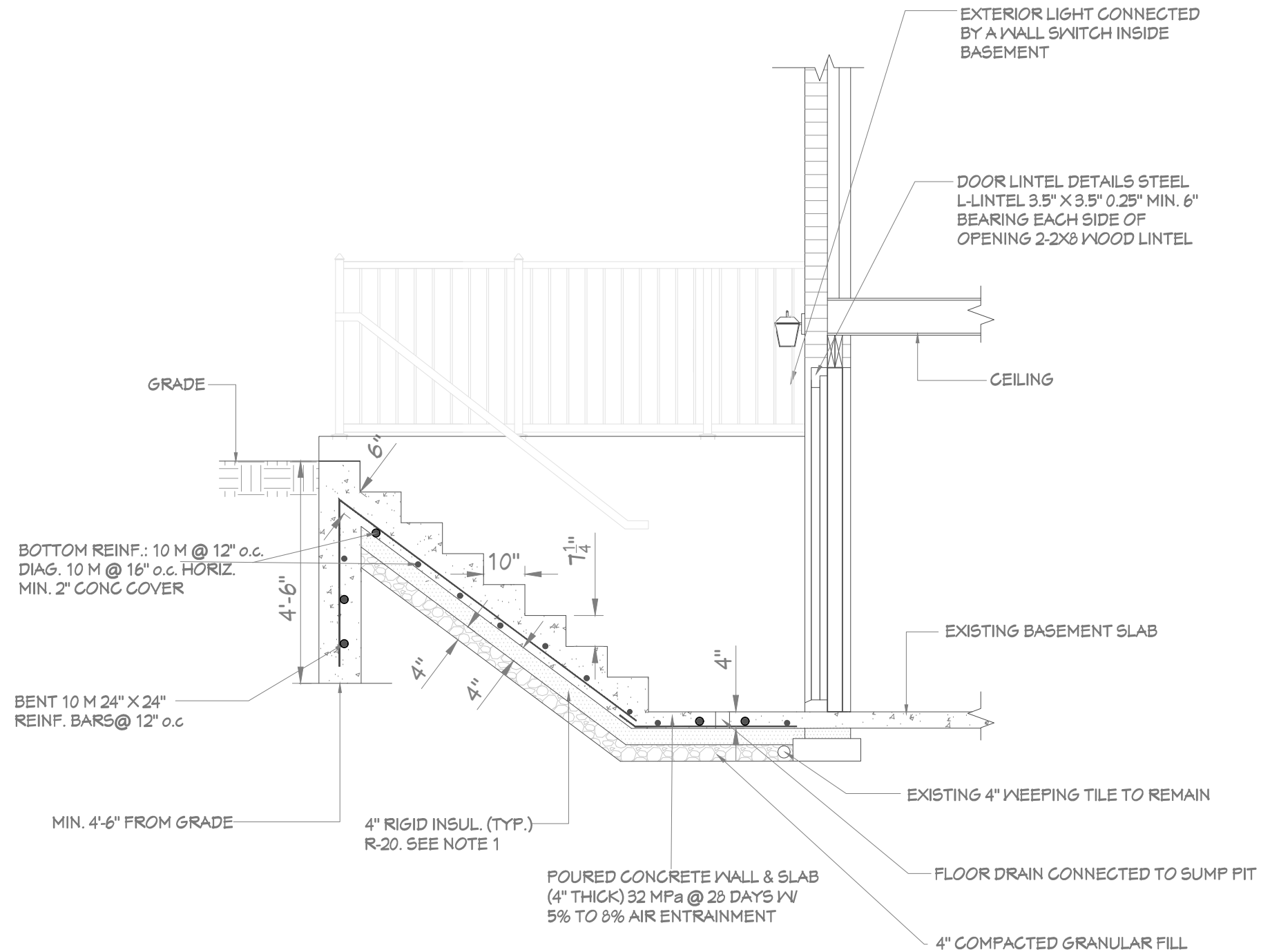
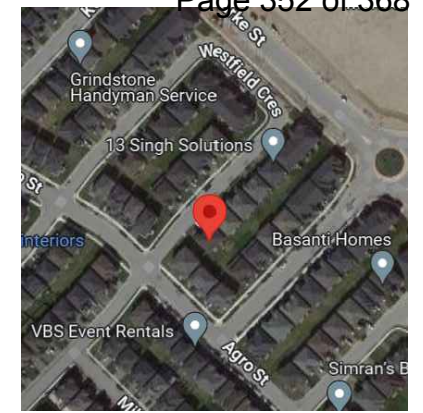
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UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE



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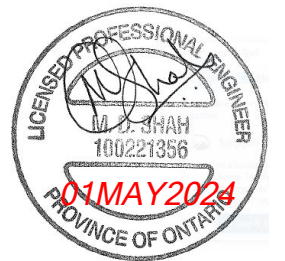
SECTION -AA
(SCALE : 3/8" = 1'-0")

TITLE
101 WESTFIELD CRES, ON
SECTION A-A

PROJECT INFORMATION
PROJECT NO: **24-080**
CUSTOMER: **ZAIN AHMAD**
PROJECT: **101 WESTFIELD CRES**

DESIGNER INFORMATION

BY: **BPP**
TITLE: **BPP**
SCALE: **3/8" = 1'-0"**
REV: **0** DATE: **2024.04.30**
1
2
ENGINEER: **MS**
DRAFTED BY: **SM**
CHECKED BY: **--**

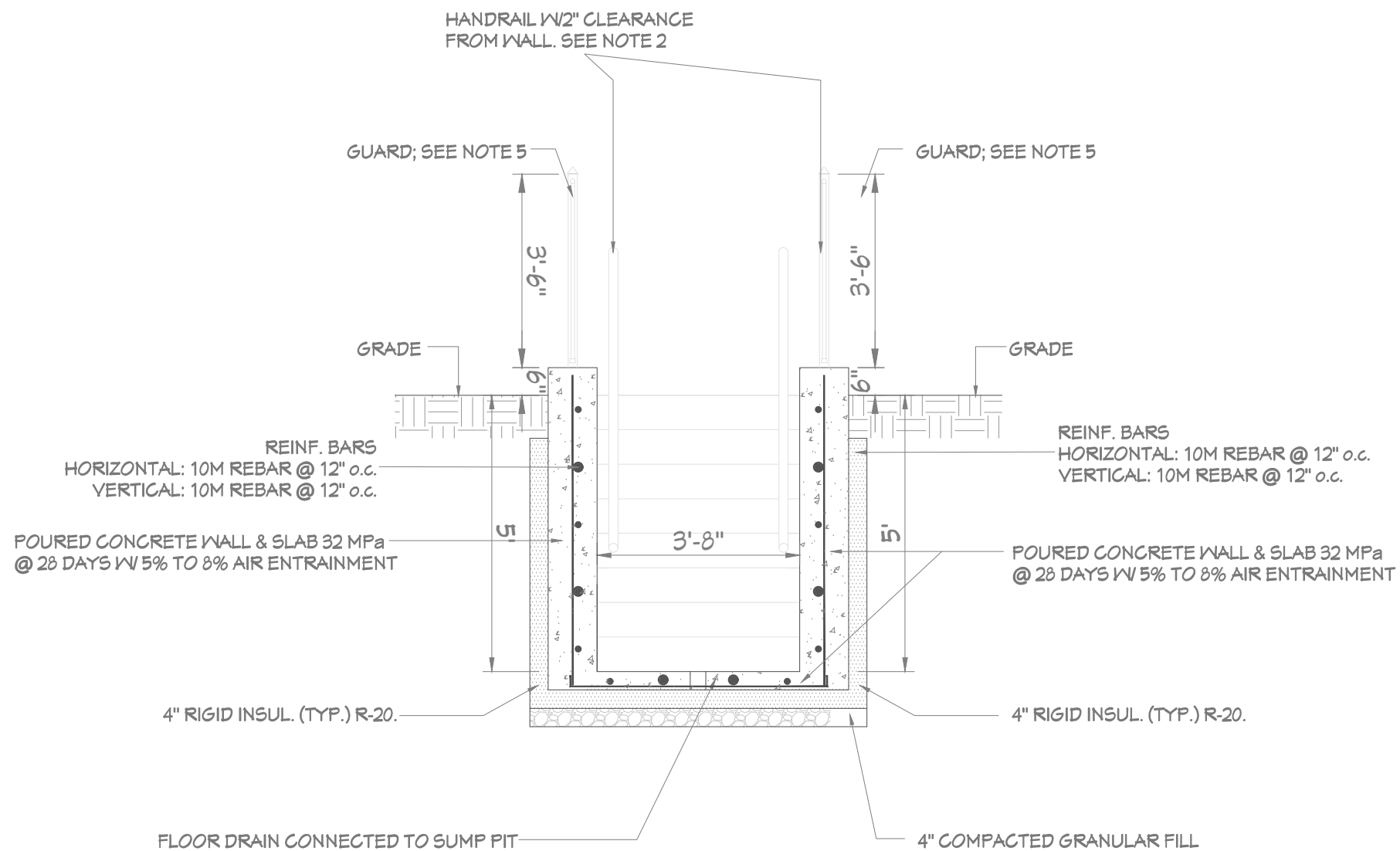
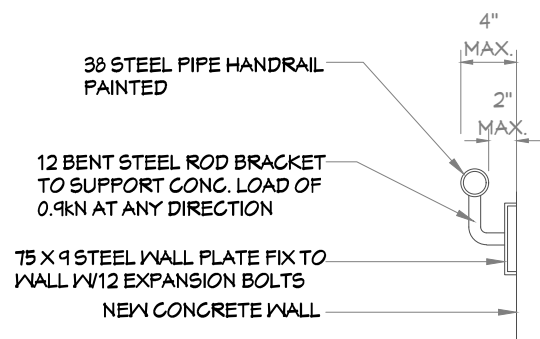
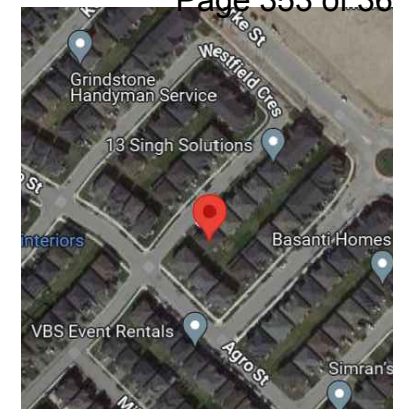


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CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER.
UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

SHEET **A113**
REV **00**
Blue Prints Permit
PERMIT ENGINEERS

688 Hespeler Road, Unit 2B-5
Cambridge, ON, Canada, N1R8N7
M: 647-770-2966 O: 905-566-9690
Email: info@blueprintspermit.com
Website: www.blueprintspermit.com

STEP DIMENSIONS		
	MIN.	MAX.
RUN	255mm	355mm
RIDE	125mm	200mm



SECTION -BB
(SCALE : 3/8" = 1'-0")

TITLE
101 WESTFIELD CRES, ON
SECTION B-B

PROJECT INFORMATION

PROJECT NO: 24-080
CUSTOMER: ZAIN AHMAD
PROJECT: 101 WESTFIELD CRES

DESIGNER INFORMATION

BY: BPP
TITLE: BPP
SCALE: 3/8" = 1'-0"
REV: 0 DATE: 2024.04.30
1
2
ENGINEER: MS
DRAFTED BY: SM
CHECKED BY: --



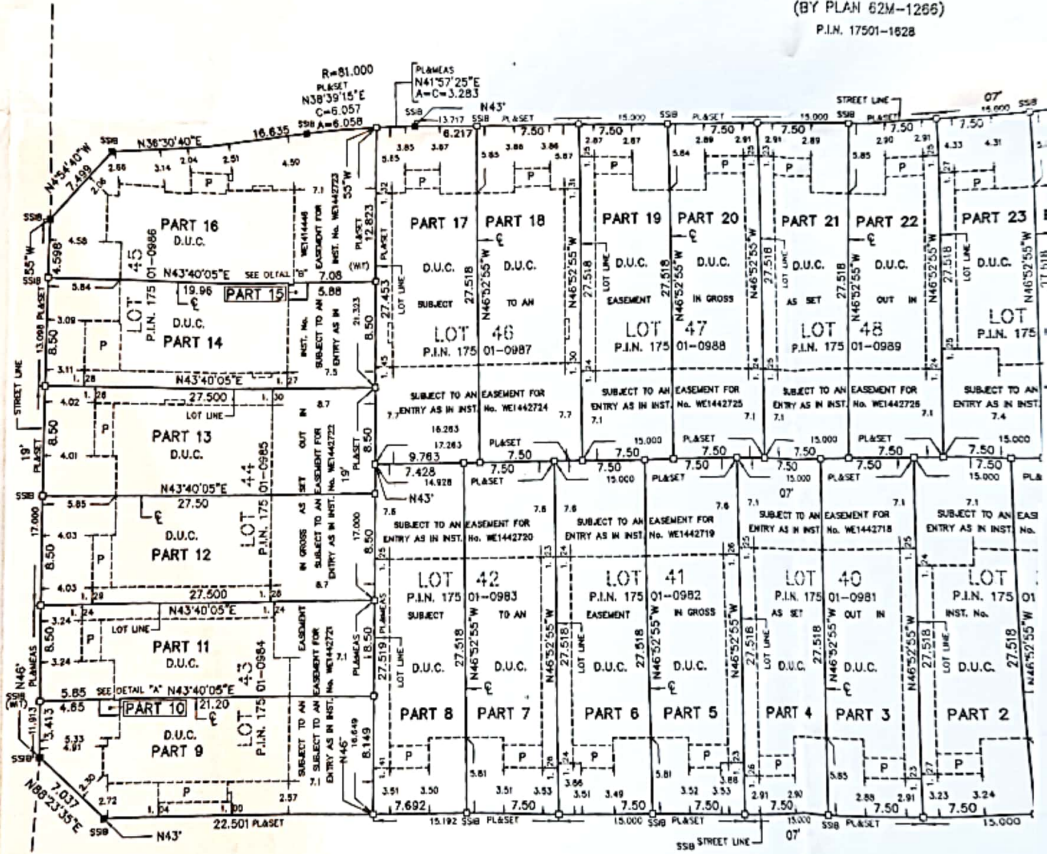
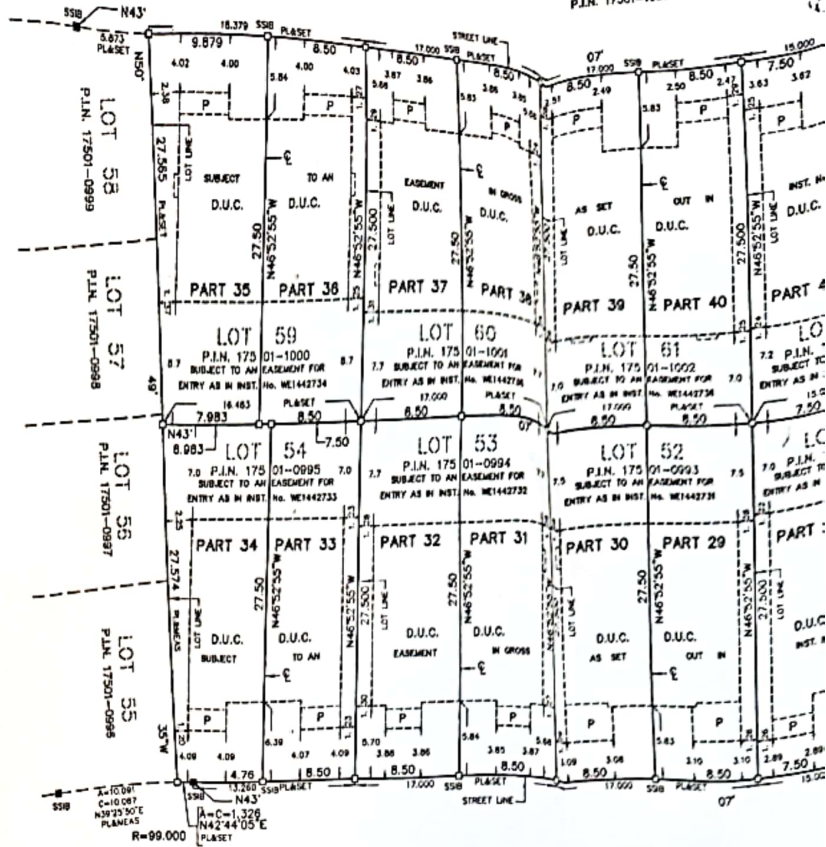
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SHEET
A114

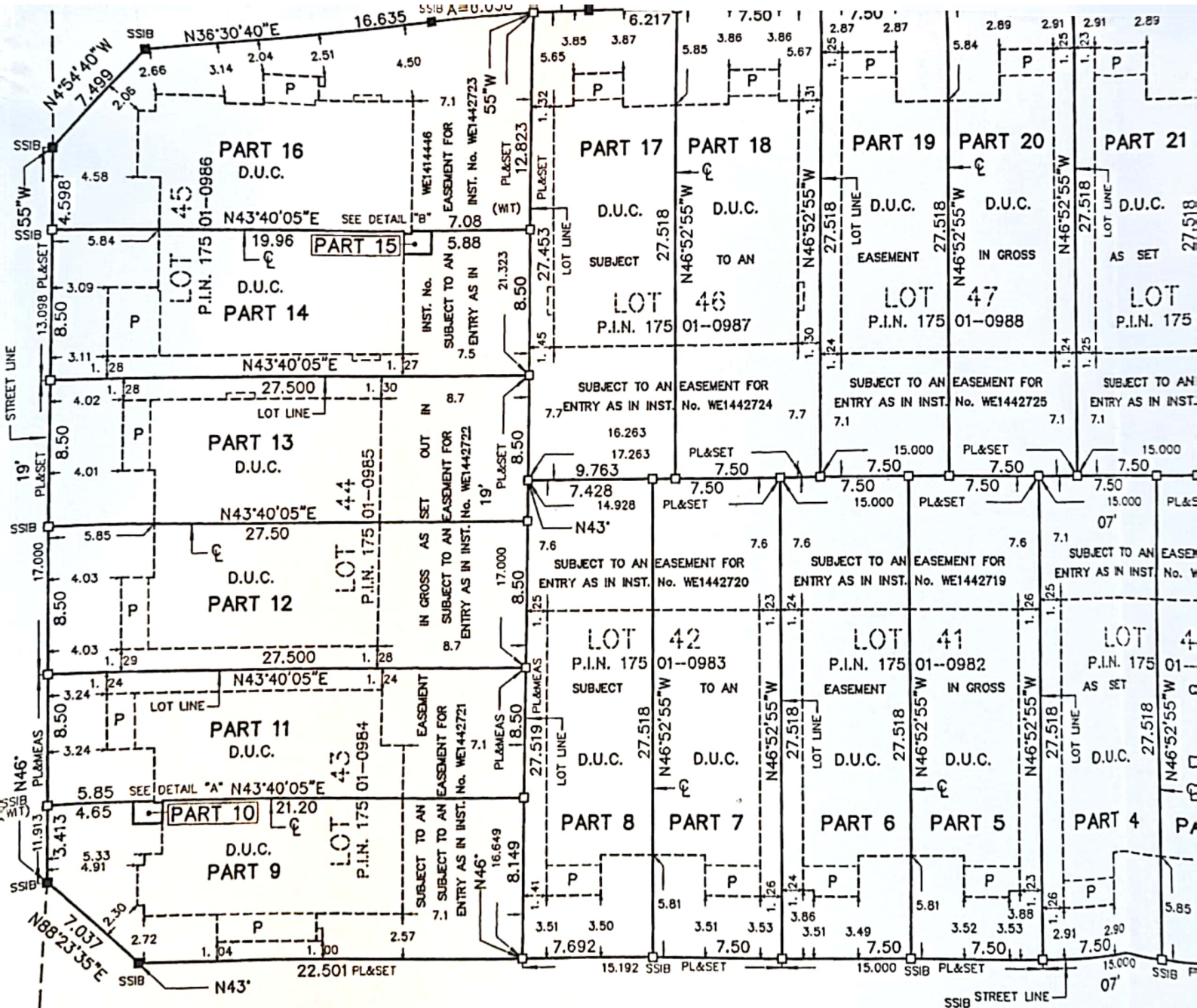
REV
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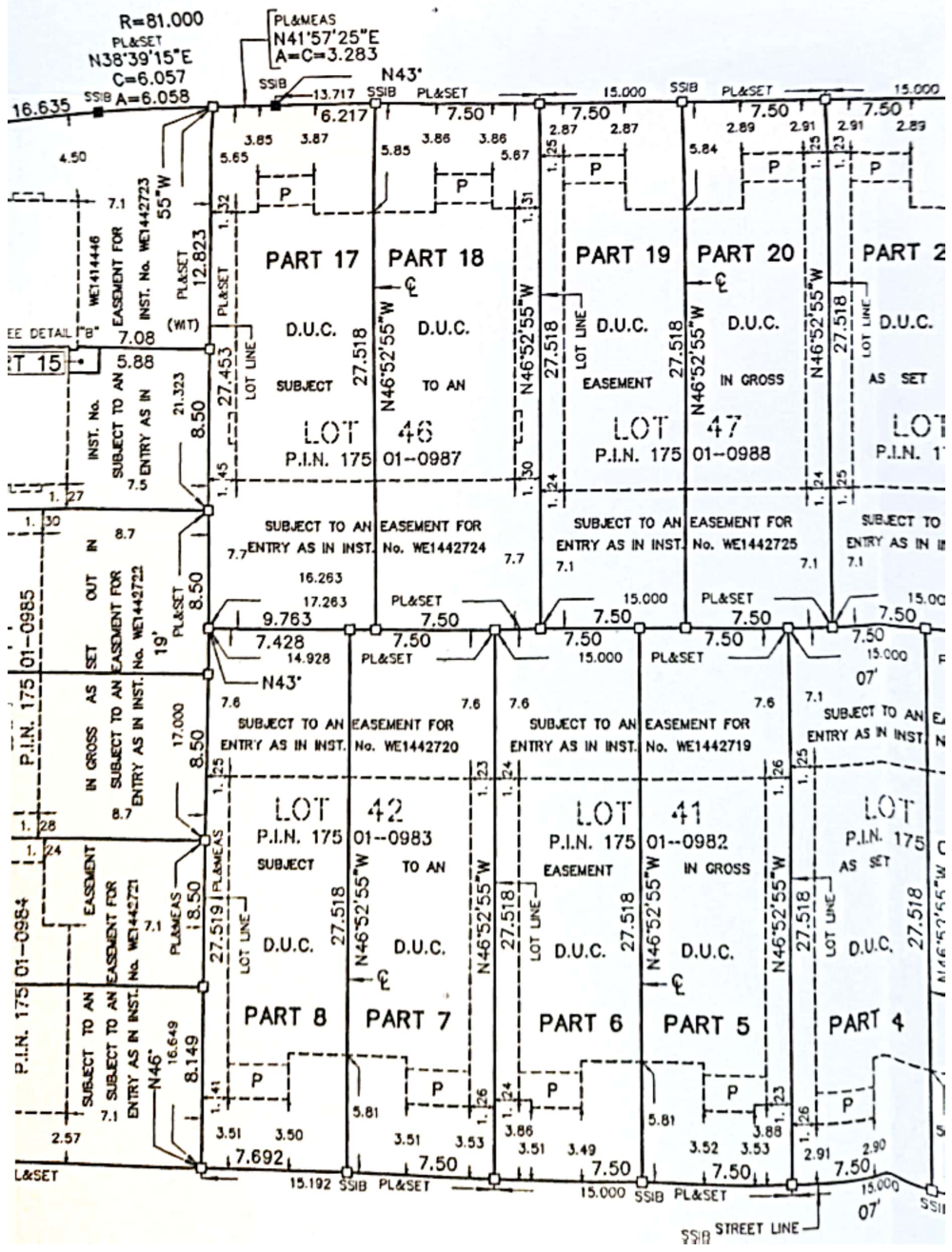
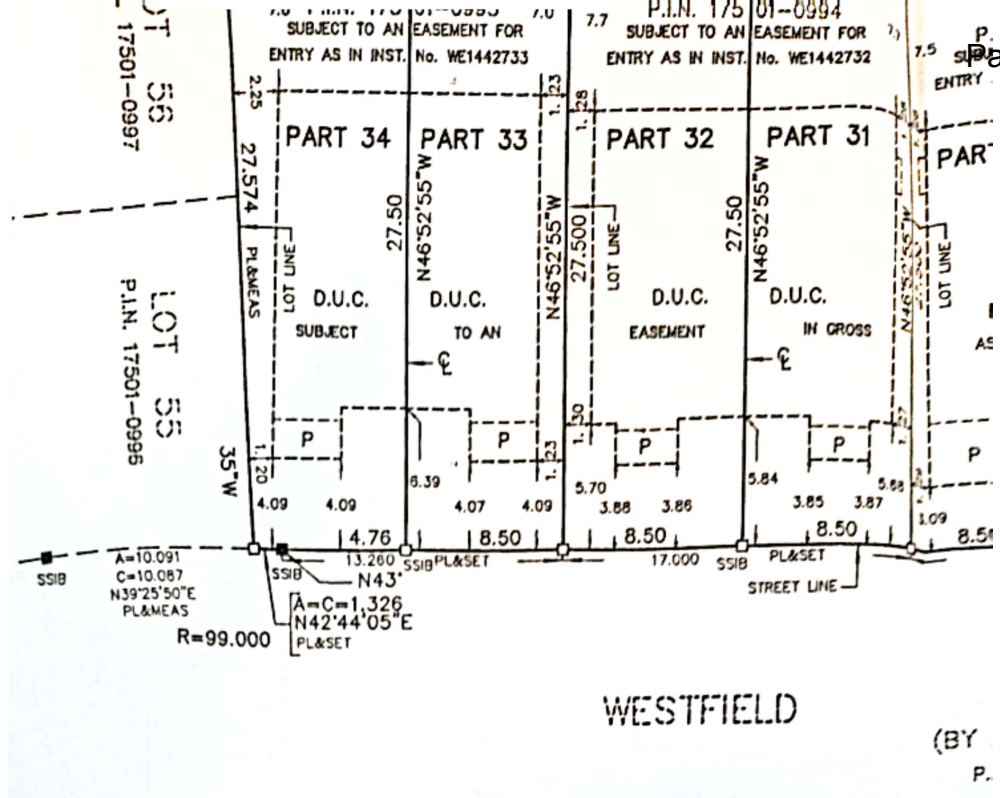


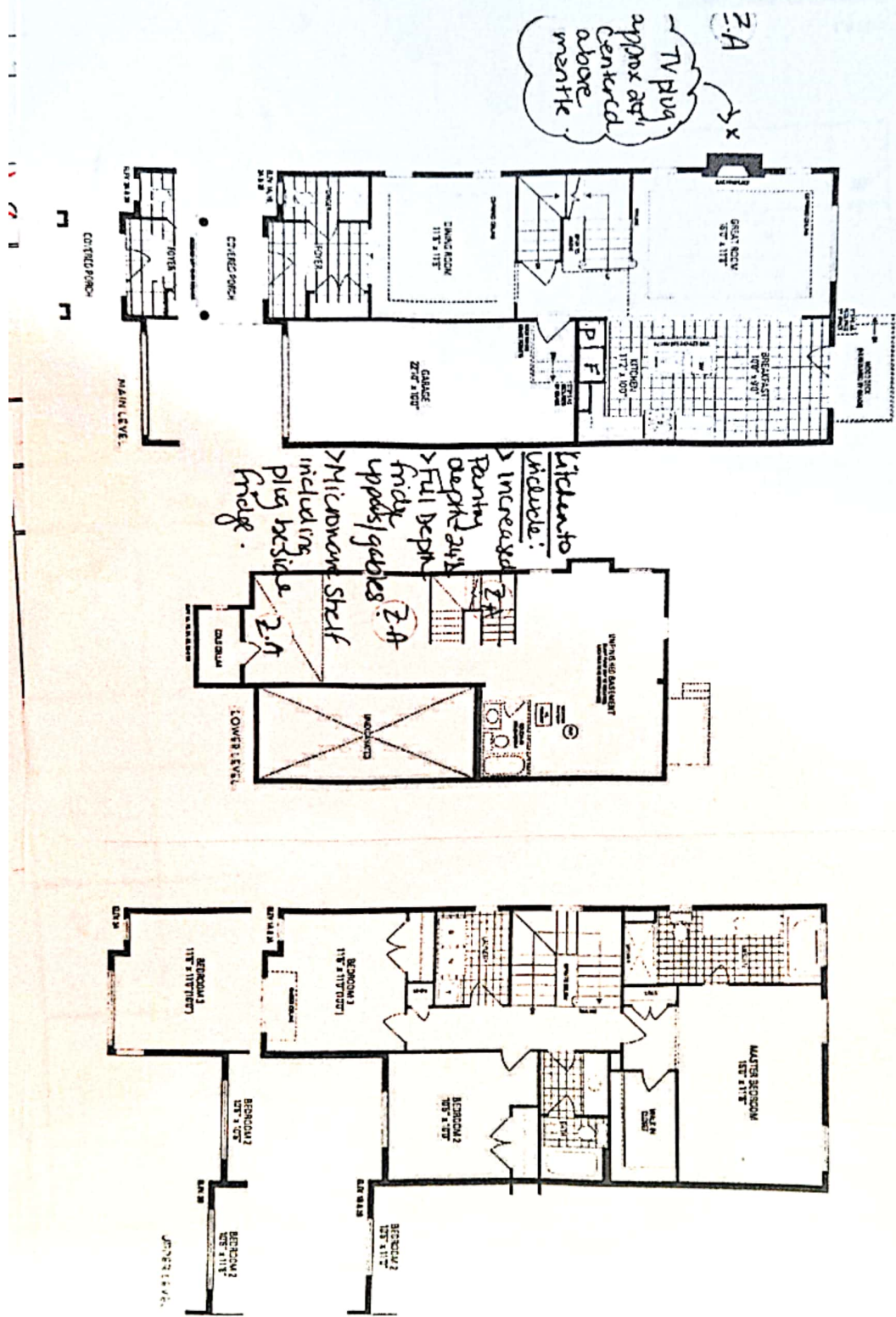
PLAN



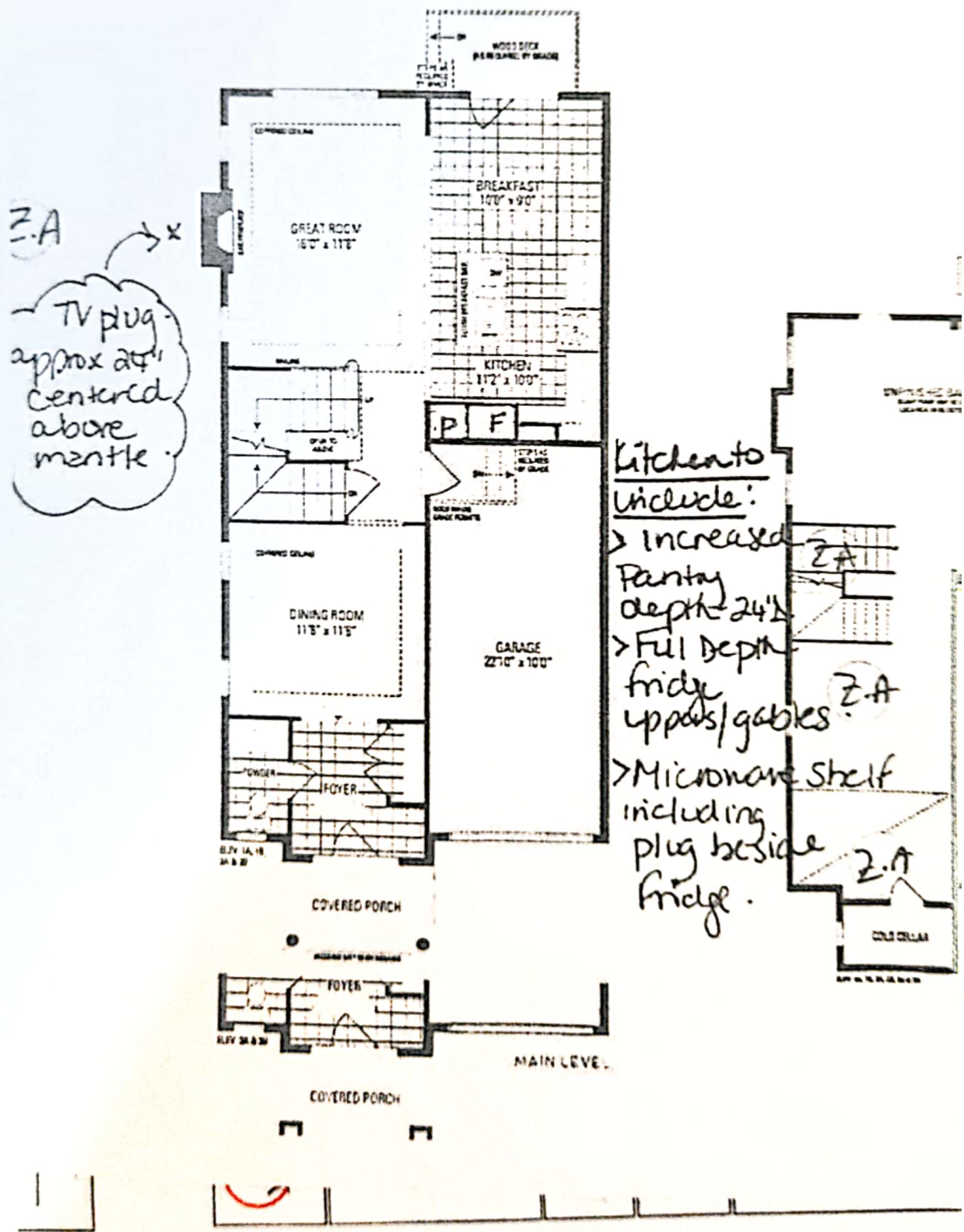
PLAN

GREAT FALLS BO
 (BY PLAN 62M-1266
 P.I.N. 17501-1633





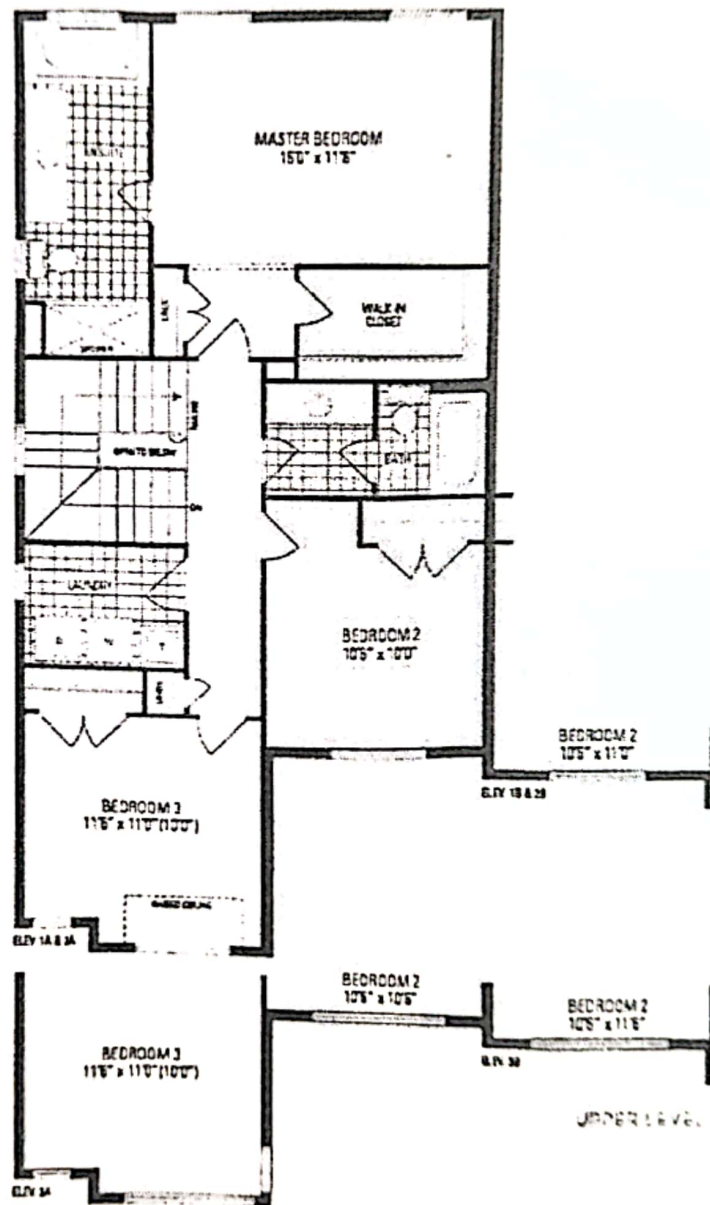
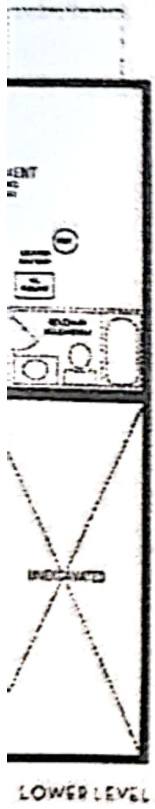
LOT 46R, AHMAD
 HERITAGE 2 ELEV 3B
 BUCKINGHAM GATE - PHASE 3



Z.A →
TV plug
approx at
center
above
mantle

- Kitchen to include:
- > Increased Pantry depth 24"
 - > Full depth fridge uppers/gables
 - > Microwave shelf including plug beside fridge.

BUCKINGHAM GATE - PHASE 3





Hamilton

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

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

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

1. APPLICANT INFORMATION

	NAME	
Registered Owners(s)	Zain Ahmad	
Applicant(s)	Malav Shah	
Agent or Solicitor		
		Phone:
		E-mail:

1.2 Primary contact Applicant Owner
 Agent/Solicitor

1.3 Sign should be sent to Applicant Owner
 Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

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

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.

1.6 Payment type In person Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	101 Westfield Drive		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	46	Concession	
Registered Plan Number	62M-1266	Lot(s)	46
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:

Reduction in parking requirements. Tandem parking is not permitted for proposing additional dwelling unit on this property so trying to get relaxation to allow tandem parking permitted for one parking space on garage and one on drive way.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Due to the limitation on how the property is built.

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
7.50m	27.51	206.32m ²	

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
semi detached house	3.85m/3.86m	7.7m	1.30m/1.31m	
Current Single Family Dwelling Unit				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
semi detached house	3.85m/3.86m	7.7m	1.30m/1.31m	
Current Single Family Dwelling Unit				

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
semi detached house	93.26m ²	250.52m ²	2	9.44
Current Single Family Dwelling Unit				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
semi detached house	93.26m ²	250.52m ²	2	9.44
Current Single Family Dwelling Unit				

- 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.):
Two Dwelling Unit

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: DEC. 2022.

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

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

7.4 Length of time the existing uses of the subject property have continued: 34rs.

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) Schedule 1 - NEIGHBOURHOOD.

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

7.6 What is the existing zoning of the subject land? ~~R1-64~~ R1-64.

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: _____

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):

Proposing secondary unit in basement

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
